CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

First Legislative Day

First Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 3, 1972

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of 12 o'clock meridian, the Assembly of the 1972 Regular Session of the Legislature of California was called to order by James D. Driscoll, Chief Clerk of the 1971 Session.

In conformity with the law, the following officers of the 1971 Session were present: Anabel Whang, Minute Clerk, and Tony Beard, Sergeant at Arms.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Cory moved a quorum call of the Assembly.

Mr. Brown seconded the motion.

Motion carried. Time, 12:06 p m.

The Chief Clerk directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 12:50 p m., the Chief Clerk declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Moretti, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—77.

COMMITTEE FROM THE SENATE

The Chief Clerk was granted unanimous consent that the Select Committee from the Senate be permitted to make its report while the Assembly is under a call of the House.

Senators Bradley, Schrade, and Carrell appeared at the Bar of the Assembly to report that the Senate is organized for the 1972 Regular Session of the Legislature.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by the Chaplain, Father Leo McAllister, Chaplain of the Assembly for the 1971 Session:

As we begin this new legislative session we are painfully aware of how much we need Your help, Lord

No one of this chamber, or indeed of any other chamber is immune from the weaknesses of our nature Today as we gather in this new year we ask You to give to the men and women of this chamber a spark of newness that will be fanned to flame by their inventiveness and dedication, so that the ever-changing pattern of man's living will find an ever-prepared and ordered society to promote and retain its dignity.

To achieve this we do not need to share the same political views nor do we need to worship at a common altar but we do need to be united in a common unquenchable love for man and for life in all its forms. We need Your Guiding Hand.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Chief Clerk, Mr. Thomas then led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Hayden, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and her per diem was waived:

Mrs Brathwaite.

ANNOUNCEMENTS

The Chief Clerk announced that the next order of business was the nomination and election of officers of the Assembly for the 1972 Regular Session of the Legislature, and declared that nominations for officers of the Assembly were now in order.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Fenton:

House Resolution No. 1

Relative to the election of Assembly officers

Resolved by the Assembly of the State of California, That the following named persons constitute the officers of the Assembly for the 1972 Regular Session:

Honorable Bob Moretti ---------- Speaker
Honorable Carlos Bee ---------- Speaker pro Tempore
James D. Driscoll ---------- Chief Clerk
Tony Beard ---------- Sergeant at Arms
Father Leo McAllister ---------- Chaplain

Resolution read.

Request for a Division of the Question

Mr. Stull requested that the question contained in House Resolution No. 1 be divided as follows:

Question 1—Election of the Speaker of the Assembly.

Question 2—Election of all other officers of the Assembly.

Ruling by Chief Clerk

The Chief Clerk ruled that the question is divisible as requested.

ELECTION OF SPEAKER OF THE ASSEMBLY

Question 1 of House Resolution No. 1, as Divided

The question being on the election of the Speaker of the Assembly for the 1972 Regular Session, Honorable Bob Moretti being the nominee, as contained in House Resolution No. 1.

The roll was called, with the following result:

For Hon. Bob Moretti—Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Z'berg—58.

For Hon. Bob Monagan—Brophy—1.

For Hon Vincent Thomas—Collier—1.

WHEREUPON, The Chief Clerk announced the vote of the Assembly and declared Honorable Bob Moretti the choice of the Assembly for Speaker of the Assembly for the 1972 Regular Session of the Legislature.

APPOINTMENT OF SELECT COMMITTEE

Chief Clerk James D. Driscoll appointed Messrs Fenton, Brown, and Campbell as a Select Committee to Escort the Honorable Bob Moretti, Speaker-elect of the Assembly, to the rostrum.

OATH OF OFFICE ADMINISTERED

Honorable Bob Moretti, Speaker-elect of the Assembly, appeared at the Bar of the Assembly and took and subscribed to the following oath, administered by the Honorable Joan Dempsey Klein, Judge of the Los Angeles Municipal Court:

For the Office of Speaker of the Assembly

I, Bob Moretti, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Speaker Presiding

At 1 p.m., Hon Bob Moretti, 42nd District, presiding.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 1, AS DIVIDED

Question 2 of House Resolution No. 1, as Divided

The question being on the election of the Speaker pro Tempore, Chief Clerk, Sergeant at Arms, and Chaplain of the Assembly for the 1972 Regular Session. The following are the nominees, as contained in House Resolution No. 1:

For Speaker pro Tempore, Honorable Carlos Bee.
For Chief Clerk, James D Driscoll.
For Sergeant at Arms, Tony Beard.
For Chaplain, Father Leo McAllister.

The roll was called, and the above nominees were elected by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—76.
NOES—None.

WHEREUPON, The Speaker announced the vote of the Assembly and declared the following the choice of the Assembly for the 1972 Regular Session of the Assembly: Honorable Carlos Bee, Speaker pro Tempore, James D. Driscoll, Chief Clerk; Tony Beard, Sergeant at Arms; and Father Leo McAllister, Chaplain.

APPOINTMENT OF SELECT COMMITTEE

Speaker Moretti appointed Mrs. Davis, and Messrs. Lanterman and Harvey Johnson as a Select Committee to Escort Honorable Carlos Bee, Speaker pro Tempore-elect of the Assembly, to the rostrum.

OATHS OF OFFICE ADMINISTERED

Honorable Carlos Bee, Speaker pro Tempore-elect; James D Driscoll, Chief Clerk-elect; Tony Beard, Sergeant at Arms-elect; and Father Leo McAllister, Chaplain-elect, appeared at the Bar of the Assembly, and took and subscribed to the following oath, administered by the Honorable Joan Dempsey Klein, Judge of the Los Angeles Municipal Court:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

APPOINTMENT OF SELECT COMMITTEES

Speaker Moretti appointed Messrs. Monagan, Cory, and Gonsalves as a Select Committee to wait upon the Senate and inform that honorable body that the Assembly is now duly organized and ready to proceed with regular business.

Speaker Moretti appointed Messrs Miller, McCarthy, and Beverly as a Select Committee to wait upon His Excellency, Ronald Reagan, Governor of the State of California, and advise him that the Assembly is now duly organized.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Fenton:

House Resolution No. 2

Relative to organization of the Assembly for the 1972 Regular Session

Resolved by the Assembly of the State of California,

(1) That the Chief Clerk or the Sergeant at Arms be and they are hereby authorized to receipt to the Controller for all warrants for the payment of Members, Officers, and Attachés of the Assembly.

(2) That the Chief Clerk is authorized to receipt from the Members of the Assembly, a mailing list of Histories, to be directed to libraries, chambers of commerce, and other public centers, and to individuals for general inspection This list is to be limited to ten (10) names each, and shall be forwarded to the Legislative Bill Room for regular mailing No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as the Attorney General,

the office of the Legislative Counsel, and the Governor's Office. No additional mailing list shall be allowed or authorized unless the sum of three hundred dollars ($300) each is paid therefor, to the State Printer, which sum shall be credited to legislative printing and accounted for to the Legislature.

Resolution read, and on motion of Mr. Fenton, adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

By Assemblyman Burton:

House Resolution No. 3

Relative to the adoption of the Temporary Standing Rules of the Assembly

Resolved by the Assembly of the State of California, That the following rules be, and the same are hereby, adopted as the Temporary Standing Rules of the Assembly for the 1972 Regular Session.

TEMPORARY STANDING RULES OF THE ASSEMBLY 1972 REGULAR SESSION

I. LEGISLATIVE ORGANIZATION

Assembly General Officers

1. The general officers of the Assembly whose names and titles shall appear on the frontispiece of all publications are:

Speaker
Speaker pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk

Hours of Meeting

2. The session of the Assembly shall be daily, beginning at 9 o'clock a.m. (Sundays excepted), unless otherwise ordered by a majority vote of the Members present and voting.

Speaker to Call Assembly to Order

3. The Speaker, or in his absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Majority Floor Leader shall call the Assembly to order, and shall preside until the return of the Speaker or the Speaker pro Tempore.

Roll Call and Quorum

4. Before proceeding with the business of the Assembly, the roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

Assignment of Desks to Members

5 Members shall be assigned to offices and desks by the Committee on Rules, and, as far as possible, the committee shall conform to the requests of Members, giving due consideration to their seniority in legislative service in the Assembly.

II. RULES

Adoption of Standing Rules

6. The adoption of the Standing Rules shall require an affirmative recorded vote of 41 or more Members. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

Suspension of Rules

7. Any standing rule of the Assembly, except Rule 8, may be suspended temporarily by a vote of two-thirds of the Members present and voting; provided, that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules

8. No standing rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of 41 or more Members

No such resolution shall be considered until it shall have been referred to the Committee on Rules.

Temporary Rules

9. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of 54 or more Members, the temporary rule shall have the effect, for the time being, of a standing rule If such temporary rule is in conflict with a standing rule, it shall supersede such standing rule only for the legislative day on which it is adopted or for such greater period as may be specified in the temporary rule.

Mason's Manual

10. In all cases not provided for by the Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority shall be Mason's Manual.

III. ORGANIZATION OF COMMITTEES

Standing Committees

11. Twenty-seven standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1 Agriculture
2. Commerce and Public Utilities

3. Constitutional Amendments
4. Criminal Justice
5. Education
6. Efficiency and Cost Control
7. Elections and Reapportionment
8. Employment and Public Employees
9. Environmental Quality
10. Finance and Insurance
11. Government Administration
12. Governmental Organization
13. Health
14 Intergovernmental Relations
15. Judiciary
16. Labor Relations
17. Local Government
18 Natural Resources and Conservation
19. Planning and Land Use
20. Retirement
21. Revenue and Taxation
22. Rules
23. Transportation
24. Urban Development and Housing
25. Water
26. Ways and Means
27. Welfare

Membership of Standing Committees

12. In assigning Members to serve on the several standing committees, the Speaker shall consider the preferences of the Members. A Member should not be assigned to serve on more than one committee which meets at the same time. The Speaker thereafter shall determine the number and Members to serve on each standing committee, except the Committee on Rules Upon publication in the Journal of the number of Members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by an affirmative recorded vote of 41 or more Members. The chairman and six members of the Committee on Intergovernmental Relations designated by the Speaker shall constitute the Assembly Committee on Interstate Cooperation for the purposes of Section 8004 of the Government Code.

Committee on Rules

13. There is a Committee on Rules, which shall act as the executive committee of the Assembly The committee shall consist of one Member appointed by the Speaker, who shall be the chairman, and six other Members, three of whom shall be members of the minority party and three of whom shall be members of the majority party The chairman of each minority and majority party caucus shall within 72 hours after the operative date of this rule, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon select three members as nominees for membership on the Committee on Rules. Following the selection by the party caucus, the

chairman thereof shall file with the Chief Clerk the list of the three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed If approved by an affirmative recorded vote of 41 or more Members, the nominee shall be declared elected as a member of the committee. If a nominee fails to receive such approval, the committee membership to which he would have been elected remains vacant until the chairman of his party caucus files the name of another nominee who shall be a member of the party caucus selected in the same manner as the names of those previously presented Such person shall be the nominee who shall be thereafter approved by an affirmative recorded vote of 41 or more Members. Vacancies in the elected membership of the Committee on Rules occurring during any session of the Legislature shall be filled as herein provided, and such vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy Vacancies in the appointive membership shall be filled by the Speaker Four duly qualified members of the committee shall constitute a quorum.

No member of the Committee on Rules is eligible to serve as the chairman of a standing committee.

The following Members, unless otherwise appointed or elected as a member, shall each be ex officio a member of the Committee on Rules with all of the rights and privileges of such membership except the right to vote:

(a) Speaker
(b) Speaker pro Tempore
(c) Majority Floor Leader
(d) Minority Floor Leader
(e) Majority party caucus chairman
(f) Minority party caucus chairman

Powers of the Committee on Rules

14. The Committee on Rules shall have the following powers:

To appoint all attachés and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attaché or employee for incompetency or dereliction of duty, pending final action by the Assembly

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

Both during sessions, and after final adjournment and until the convening of the next regular session, the Committee on Rules has the following additional powers and duties·

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investi-

gating any matter within the scope of these rules and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.

(e) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(f) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, such clerical, secretarial and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purposes to employ such additional stenographic and secretarial assistants as may be necessary, assign, reassign and discharge such assistants and prescribe amounts, times, and methods of payment of their compensation

(g) During such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

(h) The Chairman of the Committee on Rules shall appoint a Chief Administrative Officer of the Assembly, subject to the ratification of the Committee on Rules, who shall have such duties relating to the administrative, fiscal, and business affairs of the Assembly as the committee shall prescribe The Chairman of the Committee on Rules or a majority of the membership of the Committee on Rules may terminate the services of the Chief Administrative Officer at any time

(i) The Committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

Interim Committee on Rules

15 The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session and shall have the same powers and duties as while the Assembly is in session In dealing with any matter within its jurisdiction, the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

Rules Committee Resolutions

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of such resolutions to the persons concerned and to their relatives.

Assembly Contingent Fund

17. The Committee on Rules is the committee provided for in Section 9127 of the Government Code The balance of all money in the Assembly Contingent Fund, including money now or hereafter appropriated, except such sums as are specifically made available for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of such committee, and shall be expended as provided in these rules.

Expenditures

18. No Member or committee shall be permitted to incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, and officers and employees of the Assembly, not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly, and for the payment of such expenditures from the Assembly Contingent Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

No Member may be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

Creation of Interim or Investigating Committees

19. An affirmative recorded vote of 41 or more Members is necessary in order to constitute any standing committee an interim or investigating committee; and an affirmative recorded vote of 54 or more Members is necessary in order to create any other interim or investigating committee

Rules and Regulations Governing Committees

20 All claims for expenses incurred by interim or investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim or investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses

are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an interim or investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly interim or investigating committees or other Assembly committees.

Such rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage shall be allowed only to the operator of, and not to passengers in a private vehicle Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such interim or investigating committee and of any other Assembly committee that has employees

Every Assembly committee, upon the conclusion of its work, or at the end of each legislative session in the case of standing committees, shall deliver to the Office of Research for use and custody, available to the Members of the Assembly, all documents, data, reports, and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly. A copy of the final report of each Assembly committee shall be filed with the Office of Research.

Fees for Witnesses

21 Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of four dollars ($4) for each day such witness shall be required to appear, and the sum of 15 cents ($0 15) for each mile actually traveled, one way only, to the place of examination

No witness shall be entitled to his fee or mileage until after his appearance before such a committee.

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution The committee is allocated all subjects within the scope of legislative regulation and control but shall not undertake any investigation which another committee has been specifically requested or directed to undertake The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules and such subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules, to such subcommittees The Speaker is the Chairman of the Assembly

General Research Committee and may be a voting member of any subcommittee Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee The Committee on Rules is authorized to allocate to any such subcommittee from the Contingent Fund of the Assembly such sums as the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Contingent Fund such sums as are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until such time as its existence is terminated by resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess

(b) The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

Printing of Committee Reports

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules The Committee on Rules shall determine the number of copies needed and whether or not the report shall be printed in the Journal In no event shall more than 1,000 copies of any committee report be authorized by the Committee on Rules on the first printing, exclusive of the Journal copies, if the report is to be printed therein, unless the Committee on Rules finds and determines that there is a special need for that report in greater numbers

Upon determination by the Committee on Rules that additional copies of an Assembly committee report are required at any time fol-

lowing the first printing of the authorized number of copies, the Committee on Rules may authorize one or more additional printings in the numbers found by it to be necessary and may make funds available therefor.

The State Printer shall hold the type for each Assembly committee report for a period of 90 days from the date of the first printing or for such time as the Committee on Rules deems necessary.

No Assembly committee report shall contain more than 100 pages, including the front and back cover thereof and any appendix, unless a greater number of pages has been approved and authorized by the Committee on Rules.

Employees of Committees

24. Every applicant for employment by any committee of the Assembly or by a subcommittee of any such committee, shall prepare a formal application for such employment on forms prescribed by the Committee on Rules The application shall include a statement of his present employment, his employment during the preceding two years, and such other pertinent information as the committees require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

An employee of any committee of the Assembly or of a subcommittee of any such committee, shall not engage in any employment, activity, or enterprise which has been determined to be inconsistent, incompatible, or in conflict with his duties as such employee or with the duties, functions, or responsibilities of the committee or subcommittee by which he is employed. Such an employee shall not engage in any activity prohibited by Article 2 (commencing with Section 8920), Chapter 1, Part 1, Division 2, Title 2 of the Government Code Each such employee shall immediately report in writing to the chairman of the committee or subcommittee by which he is employed, any other employment, activity, or enterprise he engages in while so employed, and shall transmit a copy of such report to the Committee on Rules.

Press Photographers

25. Press photographers shall be authorized to take photographs at meetings of Assembly committees subject to the following conditions:

1. The authorization given by this rule shall apply only to photographers from or employed by accredited newspapers or wire services and newsreel or television photographers.

2. The authorization shall extend to all Assembly standing committees and subcommittees thereof, but shall not extend to executive meetings of such committees and subcommittees.

3. The chairman of the committee concerned shall be notified either orally or in writing at any time prior to the committee meeting that a press photographer will be present.

4. To the extent practical, flash cameras shall not be used.

5. Photographs shall be taken in an orderly and expedious manner so as to cause the least possible inconvenience to the committee.

IV. ASSEMBLY FUNCTIONS

A. Duties of Assembly Officers

Duties of the Speaker

26. The Speaker shall possess the powers and perform the duties prescribed·

(a) To preserve order and decorum; he may speak to points of order in preference to the other Members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(d) To name any Member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen, except as to the membership of the Committee on Rules.

(f) To establish a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary

(j) The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

(k) Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the Members present may revoke any press card.

(*l*) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(m) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(n) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council and shall have the authority in the interim between regular sessions to fill any vacancy in such position that occurs during such interim.

Funerals and Other Ceremonies and Events

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances The Members so designated shall receive their expenses as provided in Joint Rule 35

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary for the purchase on be-

half of the Assembly of suitable floral pieces at any such funeral or at any other such ceremony or event at which the offering of a floral tribute is appropriate.

Upon the death of a Member of the Assembly, the Speaker or any Member of the Assembly designated by him shall incur such expenses as may be necessary for the purchase on behalf of the Assembly of a Bear Flag for use in connection with the funeral and burial of the Member, which flag shall be presented to the family of the Member.

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary on behalf of the Assembly in connection with ceremonies and other events which are attended by the Speaker or by a Member of the Assembly pursuant to the Speaker's request. This paragraph does not include expenses for which a Member is entitled to reimbursement by these rules or the Joint Rules. "Expenses" as used in this paragraph constitute legislative expenses.

All expenses incurred pursuant to this rule, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Assembly Contingent Fund to the Committee on Rules and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Duties of the Speaker pro Tempore

28. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

Majority Floor Leader

29. The Speaker, after consultation with the members of his supporting majority, shall appoint one Member to be his personal representative on the floor of the Assembly, who shall be known as the Majority Floor Leader.

It shall be his duty to make such appropriate motions, points of order, or other arrangements as may be necessary to expedite the proceedings of the Assembly and he shall be responsible for the presentation of all matters which relate to the order of business, and to the promotion of harmony among the membership.

In the event of the absence or inability of the Speaker pro Tempore, for any reason or at any time, to perform the duties of his office, the Majority Floor Leader shall assume and perform such of those duties as may be required to conduct the business of the Assembly.

Minority Floor Leader

30. The minority if any, or any organized segment of the membership, may, through caucus or other means, designate a Member to act as floor leader for it. When so acting he may be referred to as Minority Floor Leader.

Caucus Chairmen

31. The chairman of the caucus of the majority party and the chairman of the caucus of the minority party shall perform such duties as are prescribed by their respective party caucuses.

Chief Clerk

32. The Chief Clerk of the Assembly shall have the following duties and responsibilities:

(a) To be charged with the responsibility of the keeping of the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees engaged in duties related to paragraph "(a)" above, and to suspend temporarily any such employee for cause, pending action by the Committee on Rules.

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his office or out of his custody, except upon duly signed receipts from persons authorized

(f) Before the commencement of each regular session of the Legislature commencing in an odd-numbered year, the Chief Clerk of the Assembly shall mail to each Member a blank form on which the Member may indicate his committee preferences Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form After their receipt, all such communications shall be held by the Chief Clerk of the Assembly and the information contained in the forms shall be forwarded to the Speaker of the Assembly

(g) To perform such other duties as are prescribed by law or the Committee on Rules.

(h) The Chief Clerk may make technical changes in measures and amendments pending before the Assembly The Chief Clerk shall notify the Speaker and the author of the measure of any such change.

(i) The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his absence.

(j) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, to see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto, and to see that all engrossed bills are reported back in the order in which they were ordered engrossed

(k) To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

Sergeant at Arms

33. The duties of the Sergeant at Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all processes issued by authority of the Assembly and directed by the Speaker; he shall receive his actual expenses for himself or for an assistant when executing any such processes

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To suspend temporarily any Assistant Sergeant at Arms for incompetency or dereliction of duty, pending action by the Committee on Rules.

(e) To execute all commands of the Speaker.

(f) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

(g) The Chief Assistant Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his absence.

Filling Interim Vacancies—Assembly Elected Officers

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during the interim period between sessions, the Committee on Rules shall fill the office until the convening of the next session of the Legislature If a vacancy occurs in the office of the Speaker during the interim period between sessions, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not less than 10 days prior to the meeting of the caucus If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place following the procedure set forth in this rule. Any person selected to fill any vacancy pursuant to this rule shall hold the office until the convening of the next session of the Legislature

An affirmative recorded vote of 41 or more Members shall be required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus shall be the same as the procedure required for the election of the Speaker at a regular session

B. Printing

Authority for Printing

35. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of said printing When necessary, the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Ordering of Printing

36. The Chief Clerk is authorized and shall have the responsibility for ordering printing of bills, resolutions, journals, daily files, histories, and related documents

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order such other printing as directed or authorized by the Committee on Rules, and the written order for such printing shall be countersigned by the Speaker or a person designated by the Speaker The Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly shall order such other printing as directed or authorized by resolution or motion of the Assembly.

Printing Assembly History and Legislative Handbook

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk prior to convening on Monday of each week a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of the Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

Guests of the Assembly

38. Nothing in these rules shall prevent the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests.

Printing of Maps

39. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by an affirmative recorded vote of 41 or more Members.

V. LEGISLATIVE PROCEDURE

Order of Business

40. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Messages from the Governor
8. Messages from the Senate
9. Motions and Resolutions
10. Business on the Daily File
11. Announcements
12. Adjournment

Pledging of Allegiance to the Flag

41. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers, attachés, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall, on various other occasions with special reference to days

of patriotic significance, invite the Members of the Assembly and its officers, attachés, employees, and guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of United States of America.

Reading, Correcting and Approving Journals

42. (a) The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the Members present and voting.

(b) All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such journal. Such corrected Journals may thereafter be approved by a majority vote of the Members present and voting.

(c) A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the Members present and voting.

Presentation of Petitions

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine Receipt of such presentation and its disposition shall be noted in the Journal

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

Messages From the Governor

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

Messages from the Senate

45. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. By the end of the second legislative day following the first reading of each Senate bill, the Speaker shall refer it to the proper committee. The reference shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be placed upon the unfinished business file.

A. Bills and Resolutions

Bills Defined

46. Whenever the word "bill" is used in these rules, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided.

Introduction and Reference of Bills

47. Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced

which does not contain the signature of its author or coauthor, the same, on motion of the Member whose name appears thereon without such signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z, and as each Member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution. After this roll call, the preprint bills shall be introduced in numerical order.

After the introduction of preprinted bills, and subject to the provisions of the Joint Rules, any Member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Chief Clerk's desk.

When received at the Chief Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each Member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any Member.

Executive Reorganization Plans

48. (a) A reorganization plan submitted by the Governor to the Legislature under the provisions of Article 7 5 (commencing with Section 12080), Chapter 1, Part 2, Division 3, Title 2 of the Government Code shall be designated as an executive reorganization plan Upon the receipt of an executive reorganization plan by the Assembly, the Chief Clerk shall cause the text of the message of the Governor which accompanies the plan to be printed in the Journal The plan shall be assigned to a standing committee by the Speaker and transmitted to the State Printer for printing as a separate document. It shall be printed in the same form as a bill, as nearly as practicable.

(b) An executive reorganization plan shall be noticed and heard by the standing committee in the same manner as a bill

(c) The Legislative Counsel shall, upon request of the Governor, assist in the preparation of an executive reorganization plan in order that it may be submitted to the Legislature in the form of a bill as nearly as practicable The Legislative Counsel shall prepare a digest of the plan which shall be printed upon the lower part of the first page thereof

(d) The standing committee to which a reorganization plan is assigned shall report thereon not later than the 10th day prior to the end of the session.

(e) If the committee to which a reorganization plan has been referred has not reported it 10 days prior to the end of the 60-calendar-day period defined in Section 12080 5 of the Government Code, it is in order to move to discharge the committee from further consideration of the plan.

(f) When the committee has reported, or has been discharged from further consideration of, a reorganization plan, it is at any time thereafter in order to move to proceed with a vote on the question of whether the plan is in need of further study and should be assigned to a committee for such study. The question shall be stated as follows: "Is Reorganization Plan No. __, submitted by the Governor on _____, 19__, in need of further study and shall it be assigned to the _____ Committee for such study?"

(g) Approval of the question in subdivision (f) by an affirmative recorded vote of 41 or more Members of the Assembly shall constitute a determination by the Assembly that further study of the reorganization plan is needed and shall constitute an assignment of the plan to the designated committee for study.

Disapproval of the question in subdivision (f) shall permit the reorganization plan to take effect.

(h) The assignment to committees for recommendation provided by this rule shall not constitute an assignment for study as provided in Section 12080.5 of the Government Code.

Digests of Bills Introduced

49. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Chief Clerk for introduction which does not comply with the foregoing requirements of this rule, the Chief Clerk shall return it to the Member who presented it.

The digest shall be printed on the bill as introduced upon the lower part of the first page thereof.

Digests of Bills Amended

50. Whenever an Assembly or Senate bill is amended, the Chief Clerk of the Assembly shall request the Legislative Counsel to prepare an amended digest and cause it to be printed on the first page of the bill as amended. The digest shall be amended to show changes in the existing law which are proposed by the bill as amended, with any material changes in the digest indicated by the use of appropriate type.

Reference of Bills to Committee

51. By the end of the second legislative day following its first reading the Speaker shall refer each bill to a committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee Such motion to refer a bill shall not be debatable.

Delivery of Bills to State Printer

52. After introduction, first reading, and reference to committee, all bills shall be delivered to the State Printer.

Introduction of House Resolutions

53. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Each house resolution shall be signed by each Member who is an author or coauthor of the house resolution before it is introduced;

if there are more than four coauthors, then a special roll call form providing a space for additional signatures must be attached to the house resolution before introduction. These forms may be obtained at the Chief Clerk's desk.

Resolutions by Member

54. A house resolution may be introduced relating to a Member or former Members of the Legislature or their immediate families. Other resolutions for the purpose of commendation or congratulation of any person, group or organization, or for the purpose of expressing sympathy, regret or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the Assembly Rules Committee for appropriate action.

B. Standing Committee Functions

Standing Committee Rules

55. The Rules of the Assembly shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, such additional rules, not in conflict with the Standing Rules, as it may deem necessary for the conduct of any business referred to such committee.

The chairman, or a majority of the committee members present, may order a call of the committee.

Meetings of Standing Committees and Subcommittees

56 All standing committees and subcommittees shall meet at the hour and place provided by schedule, unless otherwise ordered by the Assembly. No committee or subcommittee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee or subcommittee meeting shall be open to the public, unless the chairman, or the committee or subcommittee by a majority vote of its entire membership, orders an executive session.

Notice of all bills set for hearing by any Assembly committee or subcommittee must be published in the Daily File. Two full days, exclusive of Sundays on which no session of the Assembly is held, shall intervene between the day of the first publication and the day upon which the bill is heard in committee or subcommittee, and publication shall be made in each Daily File which is published on the intervening days No bills shall be set for hearing nor shall any notice thereof be published by any Assembly committee or subcommittee until that bill has been referred to such committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and rereferred to the committee or subcommittee.

The several standing committees and subcommittees and their chairmen are directed to adopt a procedure which assures that no committee or subcommittee shall commence the hearing of any bill after the hour

of six o'clock p.m. at an afternoon meeting of the committee or subcommittee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior thereto may be continued thereafter for such period of time as the committee or subcommittee deems necessary.

Committee Quorum

57. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of all members constituting such committee shall be required to report a bill out of committee.

Bills Reported Back to Assembly

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule. The chairman of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

Subject Matter of Bill Recommended for Study

59. Whenever it is the decision of a standing committee that a bill referred to such committee shall not be given a do-pass recommendation but that the subject matter of the bill should be referred for study, such standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for assignment by it of such subject matter to an appropriate committee.

Nothing in this rule shall be construed to prohibit a committee from subsequently reconsidering a bill and reporting it to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

Committee Chairman as Author

60. No chairman of a standing committee shall preside at a committee hearing to consider a bill of which he is the sole author or the lead author, except that the Chairman of the Committee on Ways and Means may preside at the hearing of the Budget Bill by the Committee on Ways and Means.

Reports of Committees

61. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the Members present and voting

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

Committee on Ways and Means

62. Bills shall be re-referred to the Committee on Ways and Means when they would do any of the following:

(1) Appropriate money.

(2) Result in substantial expenditure of state money by: (a) imposing new responsibilities on the state or (b) new or additional duties on a state agency or (c) liberalization of any state program, function, or responsibility.

(3) Result in a substantial loss of revenue to the state.

Concurrent and joint resolutions shall be referred to the Committee on Ways and Means when they contemplate any action which would involve any of the following:

(1) Any substantial expenditure of state money.

(2) A substantial loss of revenue to the state.

The above requirements do not apply to bills or concurrent resolutions which contemplate the expenditure or allocation of contingent funds.

Constitutional Amendments

62 5 All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and, upon being reported out favorably by that committee, shall be re-referred to the Committee on Elections and Constitutional Amendments.

Joint Resolutions

62.7. Joint resolutions shall be re-referred to the Committee on Rules whenever they are reported out favorably by a standing committee of the Assembly.

C. Passage of Bills

Daily File

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2 Second Reading, Assembly Bills
3 Second Reading, Senate Bills
4. Unfinished Business
5 Third Reading, Assembly Bills
6 Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58 in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the Members present. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File in accordance with Rule 56.

Copies of Bills for Action Upon Bill on Floor

64 No bill may be considered or acted upon on the floor of the Assembly unless and until a copy of the printed bill as introduced and a printed copy of each amended form of the bill have been placed upon the desks of the Members.

Record of Bills

65. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be indorsed upon such bill.

Second Reading of Bills

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time until the next legislative day under that order of business.

Committee Amendments

67. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared by, or approved as to form by, the Legislative Counsel. Four copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills must be delivered to the Chief Clerk's desk.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments, or any part thereof, by the Assembly.

Withdrawals of Bills for Amendment

68. Upon request of the author of a bill, the chairman of the committee to which the bill has been referred may, by his individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

The provisions of Rule 56 do not apply to action taken under this rule. Notwithstanding the provisions of any other rule, such bill shall not be placed on the second reading file for the adoption of such amendments.

Amendments From the Floor

69. Any Member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the Members present and voting.

No amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any num-

ber of words, amendments adding a total of not more than 25 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members. If a copy of amendments adding a total of 25 words or less is not placed on the desks of Members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the Chief Clerk prior to debate

Amendments offered from the floor during a bill's second or third reading shall be prepared by, or approved as to form by, the Legislative Counsel.

Before debate four copies of the proposed amendment to Assembly bills, and five copies of the proposed amendment to Senate bills, must be delivered to the Chief Clerk's desk Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

Consideration of Bills Re-referred to Committee

70. Whenever a bill which has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the third reading file until the following day.

Procedure on Defeat of More Than Majority Bill

71. Whenever a bill containing a section or sections requiring for passage an affirmative recorded vote of more than 41 or more votes is being considered for passage and the urgency clause, if the bill is an urgency bill, or the bill, in any case, fails to receive the necessary votes to make all sections effective, no further action may be taken on the bill at that time, except that an amendment to remove all sections requiring the higher vote for passage from the bill shall be in order, and if the amendment is adopted, the bill shall be reprinted to reflect such amendment. When the bill is reprinted, it shall be returned for further consideration to the same place on the file as when it failed to receive the necessary votes

Bills Considered During Period Prior to Commencement of 30-Day Recess

72. No Assembly bill shall be passed by the Assembly within 10 days prior to the commencement of the 30-day recess of the two houses of the Legislature at a regular session as required by Section 3 of Article IV of the Constitution, unless permission to vote on such bill shall be granted by a vote of 60 or more Members after being recommended by the Speaker (See Joint Rule 23)

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

73 Constitutional amendments, concurrent and joint resolutions may be amended by a majority vote of the Members present and voting and shall be treated the same as bills, except that they shall be read but once The ayes and noes shall not be called upon the adoption of

concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded, or required by statute, or required by the Constitution.

Adoption of Resolutions

74. House resolutions and concurrent resolutions that do not require a recorded roll call vote, such resolutions of congratulation or sympathy, except resolutions regarding Members or former Members of the Legislature, shall be listed under a separate heading in the printed Daily File. They shall be considered for adoption under that order of business, or at any other time as determined by the Speaker. Any resolution upon which a roll call vote is demanded shall require an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of 41 or more Members.

Printing of Resolutions

75. When any previously printed house resolution is before the Assembly for adoption it shall be printed in the Assembly Daily Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of such amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule the adding of a coauthor shall not be deemed an amendment

Bills Transmitted to the Senate

76. Upon the final passage of any bill if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under the signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Concurrence in Senate Amendments

77. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill The vote on concurrence shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Digest of Bills Amended in Senate

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker, a brief digest summarizing the effect of the Senate amendment The Chief Clerk shall cause said digest to be printed in the Daily File immediately following any reference in said file to the bill covered by the digest.

Inactive File

78. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive

file. A bill may also be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or unfinished business file respectively, in the next published Daily File.

Engrossing and Enrolling Bills

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

VI. PARLIAMENTARY PROCEDURE

A. Motions and Questions

Precedence of Motions During Debate

80 When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer to or to re-refer;
Eighth—To amend.

Questions of Order Decided Without Debate

81 All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

82 Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and the Member taking the appeal may give his reasons for making his appeal, and the Speaker shall forthwith put this question to the Assembly "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the Members present and voting shall decide any appeal.

Speaker Explains Order of Business

83. The Speaker may, on his own motion or upon the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation shall not consume more than two minutes.

To Adjourn

84. A motion to adjourn is not debatable and cannot be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any Member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain

85. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

86. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint, or house resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the Members present and voting.

A motion to lay on the table cannot be applied with respect to reconsideration.

The Previous Question

87. The previous question shall be put only when demanded by five Members and its effect, when sustained by a majority vote of the Mem-

bers present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

88. A motion to set any matter before the Assembly as a special order of business must be adopted by an affirmative recorded vote of 54 or more Members. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

89 A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

90. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by an affirmative recorded vote of 41 or more Members, the main question shall not be acted upon again during the session.

Motion to Amend

91. A motion to amend may itself be amended, but no "amendment to an amendment" may be amended. A motion to substitute shall be deemed to be a motion to amend and shall be considered the same as an amendment. Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend having been decided in the negative shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

Amendment to Be Germane

92. No amendment to any bill, whether reported by a committee or offered by a Member, shall be in order when such amendment relates to a different subject than, or is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

No amendment shall be in order which changes the original number of any bill.

No Member shall be added or deleted as an author or coauthor of a bill or resolution without his consent.

Consideration of Motions

93. No motion, whether oral or written, shall be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

Motions in Writing

94. Upon request of the Speaker all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

Withdrawal of Motions

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

Motion to Withdraw and Recall Bills

96. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer shall only be debated as to the propriety of such reference, and shall require an affirmative recorded vote of 41 or more Members.

No bill or resolution shall be withdrawn from committee and placed upon the file, except upon two days' notice thereof and except by an affirmative recorded vote of 41 or more Members.

Re-reference of Measures on File

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of such reference and shall require an affirmative recorded vote of 41 or more Members.

Bills Striken From File

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. Such bill or resolution shall not be acted upon again during the session.

Motion to Rescind Action or Expunge Record

99. Previous to the approval of the Journal by the Assembly any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

100. (a) A motion to reconsider a vote on the next legislative day must be made on the same day the vote to be reconsidered was taken. No motion to reconsider shall be in order on the last day, or the day

preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 or more Members, except that it shall require a vote of 54 or more Members or 60 or more Members, respectively, to reconsider the vote on any matter originally requiring 54 or more votes or 60 or more votes, as the case may be. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote must be made by a Member voting on the question, and shall take precedence over all motions, except a motion to adjourn. Upon such motion being made, the matter to be reconsidered shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a motion to reconsider has once been made, the same is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status as it was prior to the vote being reconsidered.

(b) Any Member voting on any matter may move to take up on the same day the motion to reconsider the vote thereon, previously made by another Member. A motion to take up on the same day a motion to reconsider the vote on a bill shall require an affirmative recorded vote of two-thirds of the Members present and voting A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill shall require an affirmative vote of a majority vote of the Members present and voting. The motion to take up the reconsideration on the same day shall take precedence over the motion to reconsider and upon demand of any Member the motion to take up the reconsideration on the same day shall be put to an immediate vote If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the Assembly.

(c) A second motion to reconsider the same question shall not be in order nor is a motion to reconsider reconsideration in order.

Call of Assembly

101 After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and shall direct the Chief Clerk to prepare a list of absentees as disclosed by the last roll call. The list of absentees shall be furnished to the Sergeant at Arms Thereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker. No person shall be permitted to enter except Members, Senators, or officers, attachés, or employees of the Legislature in the official performance of their duties.

Those Members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms or his assistants or any person designated by the Sergeant at Arms, including members of the Cali-

fornia Highway Patrol, the State Police, and sheriffs or their deputies, and brought to the Assembly Chamber

No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly shall not consider and transact any matter of business and no call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, such action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered, unless prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

Division of Question

102 Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Adjournment Sine Die

103. Adjournment sine die shall be ordered by concurrent resolution.

B. Voting

Members Voting

104 Every Member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the Members present and voting, excuse him.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any Member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length

In addition to the entry of his name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker Censure of a Member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 5, of Article IV of the Constitution

A Member may submit a written explanation of his vote on any bill or house resolution, and have such explanation printed in the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length

Ayes and Noes

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded

vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

Voting Not to Be Interrupted

106. When once begun, voting shall not be interrupted, except that before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the Speaker shall inquire if all Members have voted. Any Member may move a call of the Assembly after the completion of the roll and prior to the announcement of the vote. No Member shall be allowed to change his vote, or have his vote recorded, after the vote is announced.

Tie Vote

107. In case of an equal division, or tie vote, the question shall be lost.

VII. MEMBERS' DECORUM AND PRIVILEGES

Order in Speaking to Questions

108. When a Member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

No Member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon No Member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no Member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No Member shall yield to any other Member the time for which he is entitled to speak on any matter.

Motions

109. When a Member desires to make a motion, he shall obtain recognition as provided in Rule 108. Upon being recognized, he shall open by stating his motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his remarks to those necessary to explain the motion If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate thereon.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, he shall not be permitted to conclude his debate by making any motion or by demanding the previous question.

Leave of Absence

110 No Member shall absent himself from attendance at any session of the Assembly without leave of the Assembly. No Member shall ob-

tain such leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. Any Member who obtains a leave of absence, or who is excused for nonattendance for personal business, waives his per diem allowance for attendance upon any session of the Legislature for which he secures such leave of absence or excuse No Member shall obtain a leave of absence, or be excused for nonattendance for legislative business, unless he shall have filed with the Speaker a statement of the legislative business for which he seeks leave of absence or excuse. Such statement shall be printed in the Journal.

Personal Privilege

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

112. Any Member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement of its substance by the Speaker.

Members at Chief Clerk's Desk

113 No Member or other person shall be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

Members Called to Order for Transgressing Rules

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order shall immediately take his seat, until the Speaker, without debate, shall have determined whether the Member is in order or not Such decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken No Member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

VIII. MISCELLANEOUS

Committee of the Whole

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as such committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

Office of Research

117. In addition to the powers and duties otherwise vested in it, the Committee on Rules has the powers and duties vested in it by this rule The Committee on Rules shall supervise the operation of an Office of Research. The Office of Research, subject to the supervision of the Committee on Rules, shall perform the following functions:

(a) Secure for or make available to the Assembly, its committees, and Members, studies, reports, and any information necessary or useful to the Assembly, its committees, or Members.

(b) Conduct research or assist in conducting research to compile or acquire for the Assembly, its committees and Members, studies, reports, and any information necessary or useful to the Members in performing their services to the state.

(c) Maintain a current record of all research projects being conducted pursuant to the direction or request of the Assembly or by any committee thereof and a file of research projects being undertaken by other public and private research agencies on topics which are under study by the Legislature.

(d) Upon request, furnish information and advice to the Committee on Rules concerning legislative research needs and the merits of specific research projects.

The Office of Research, shall render the services as provided in this rule to an Assembly committee or to a Member of the Assembly upon request, but shall not perform the functions assigned by law or by the rules of the Legislature to the Legislative Counsel, the Legislative Analyst or the Auditor General

All requests and all information relating thereto given to the Office of Research, by any Member or committee shall be kept confidential and shall not be revealed to others without the consent of the Member or committee making the request.

The Director of the Office of Research, shall submit to the Committee on Rules each year prior to the adoption of the budget for the office, a report of the activities and services rendered by the office during the year

The Committee on Rules shall adopt a budget for the support of the Office of Research, for each fiscal year.

Use of Assembly Chamber

118 The Assembly Chamber shall not be used for any public or private business, other than legislative matters during the sessions of the Legislature, except by consent of 41 or more Members.

Persons Admitted to Floor of the Assembly

119. No person other than Members of the Legislature, officers, attachés, employees of the Legislature, accredited members of the press,

and guests shall be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member shall be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. Such a guest card is valid only on the legislative day for which it is issued No person required to register pursuant to Section 9906 of the Government Code shall, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session

Persons admitted to the Assembly Chamber, other than Members and attachés, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative shall be permitted to sit at the press desks A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except Members of the Legislature, shall engage in influencing the passage or defeat of legislation in the Assembly Chamber

No person other than a Member of the Legislature, the Sergeant at Arms or his assistants, the Chief Clerk or his assistants, or the Legislative Counsel or his representatives, shall be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

Compensation and Expenses of Member Convicted of Felony

120. If a Member of the Assembly is convicted of a felony by a superior court, his right to further compensation or expenses is thereupon suspended and his membership on any committee is suspended. If such conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If a conviction is reversed by an appellate court or a motion for a new trial is granted and the Member is thereafter found not guilty or the charges against him are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice to the State Controller, directing him to discontinue any further payments to the Member unless and until the Committee on Rules notifies the State Controller that the Member has been found not guilty or that the charges against him are dismissed The State Controller shall not draw any warrant payable to any such Member except as provided in this rule.

Preprint Bills

121. In the interim between regular sessions, upon order of the Speaker or the Committee on Rules, or their authorized representatives, the Chief Clerk shall order the preparation of preprint bills. Such preprint bills shall be designated as such and shall be printed in the order received and numbered in the order printed. To facilitate subsequent amendment, preprint bills shall be so prepared that when

introduced as a bill, the page and the line numbers will not change. The Chief Clerk shall publish a list periodically of such preprint bills showing the preprint bill number, the title, and the Legislative Counsel's Digest. The Speaker may refer preprint bills to committee for study.

Resolution read, and on motion of Mr. Burton, adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

ANNOUNCEMENTS

Speaker Moretti announced that the floral arrangement on the rostrum had been sent by the Hon Thomas A Maloney, former Speaker pro Tempore of the Assembly, of San Francisco, whereupon the Members joined in expressing their appreciation to Mr Maloney.

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Senate reported that it had performed its duties.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Communication From the Republican Caucus

January 3, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: The Republican Caucus has elected the following officers for 1972:

Robert Monagan, Minority Floor Leader
John Stull, Caucus Chairman
Frank Murphy, Jr. Minority Whip
Dixon Arnett, Secretary

The Republican Caucus has also nominated the following members to be elected to the Assembly Rules Committee:

Robert H. Burke
Ray E Johnson
Ernest N. Mobley

Sincerely,

DIXON ARNETT

ELECTION OF MEMBERS OF COMMITTEE ON RULES

The Speaker announced that the next order of business would be the approval or rejection of the Rules Committee nominees of the Republican Caucus:

Election of Republican Nominees to the Committee on Rules

The question being· Shall Mr Robert H Burke, a nominee of the Republican Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Burke was approved by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—76

NOES—None.

The question being. Shall Mr. Ray E Johnson, a nominee of the Republican Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr Ray E Johnson was approved by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—76.

NOES—None

The question being: Shall Mr. Ernest N Mobley, a nominee of the Republican Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr Mobley was approved by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell,

Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

APPOINTMENT OF CHAIRMAN OF RULES COMMITTEE

Speaker Moretti announced that he had appointed Assemblyman John L. Burton as Chairman of the Assembly Rules Committee.

VOTE CHANGES

Mr. Quimby was granted unanimous consent that he be recorded as voting for Mr. Moretti for Speaker of the 1972 Regular Session.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:08 p.m., Speaker Moretti declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 1:09 p.m., Speaker Moretti declared the Assembly adjourned until 11 a.m., Tuesday, January 4, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Second Legislative Day

Second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 4, 1972

The Assembly met at 11:30 a.m.

Hon. Jack R. Fenton, Member of the Assembly, 51st District, presiding

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Pray to You, God, Our Father, For all the people who serve this State of California May those who are elected prove to the public by their deeds and achievements that they are dedicated to serving rather than being served, that they are honest, concerned, and honorable.

Keep them mindful of the fact that they are not only makers of laws and policies but also molders of human minds and attitudes.

Help them to embrace this responsibility with enthusiasm, humility, and always with abundant care and concern.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Pierson then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Monagan, seconded by Mr. Duffy.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bee, on request of Acting Speaker Fenton.
Mr. Hayden, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Biddle, on request of Acting Speaker Fenton.

The following member was excused for the day:
Mr. Quimby.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Communication From Democratic Caucus

January 3, 1972

Mr. James Driscoll
Assembly Chief Clerk
Room 3194, State Capitol, Sacramento, California

Dear Jim: This is to inform you that the Assembly Democratic Caucus has elected Kenneth Cory as Caucus Chairman, and nominated Assemblymen John Quimby, Leo Ryan, and Larry Townsend as the Democratic members of Rules Committee.

Sincerely,

KENNETH CORY, Chairman

ELECTION OF MEMBERS OF COMMITTEE ON RULES

The Acting Speaker announced that the next order of business would be the approval or rejection of the Rules Committee nominees of the Democratic Caucus:

Election of Democratic Nominees to the Committee on Rules

The question being. Shall Mr John Quimby, a nominee of the Democratic Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Quimby was approved by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

The question being: Shall Mr. Leo Ryan, a nominee of the Democratic Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr Ryan was approved by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

The question being: Shall Mr Larry Townsend, a nominee of the Democratic Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Townsend was approved by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—74

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS PURSUANT TO RULE 47

The following bills were introduced, and read the first time:

Assembly Bill No. 1: By Assemblymen Arnett, Cline, Chacon, Dunlap, Bill Greene, Ketchum, Keysor, Maddy, McAlister, and Meade (Senator Zenovich, coauthor)—An act to add Section 16852.5 to the Education Code, relating to schoolbuses

Held at Desk by order of the Acting Speaker

Assembly Concurrent Resolution No. 1: By Assemblyman Burton—Relative to adoption of the Joint Rules of the Senate and Assembly.

Referred by the Acting Speaker to the Committee on Rules.

Assembly Bill No. 2: By Assemblyman Campbell—An act to amend Section 32109 of the Health and Safety Code, to amend Section 10175 of the Insurance Code, and to amend Section 14000 of the Welfare and Institutions Code, relating to the Health Security Act of 1972.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 2: By Assemblymen Cory and Stull—Relative to the selection of the Legislative Counsel of California.

Referred by the Acting Speaker to the Committee on Rules.

Assembly Bill No. 3: By Assemblyman Dent—An act to add Section 3.5 to Chapter 105 of the Statutes of 1971, relating to the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 1: By Assemblyman Foran—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 30 to Article XIII thereof, relating to property taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 4: By Assemblyman Garcia—An act to amend Section 14217 of the Elections Code, relating to instructions to voters, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 2: By Assemblymen Ketchum, Arnett, Vasconcellos, Dunlap, Bagley, Beverly, Brophy, Brown, Burton, Dent, Duffy, Garcia, Bill Greene, Harvey Johnson, Ray E. Johnson, MacDonald, Maddy, McAlister, McCarthy, Mobley, Pierson, Powers, Quimby, Sieroty, Stull, Wakefield, and Wood (Senators Behr, Beilenson, Gregorio, Grunsky, and Nejedly, coauthors)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (c) of Section 7 of Article IV thereof, relating to meetings of the Legislature.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 3: By Assemblymen Monagan, Bee, and Lanterman—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, subdivisions (a) and (c) of Section 7, subdivision (c) of Section 8, subdivision (a) of Section 10, and repealing subdivision (d) of Section 7 of, Article IV, and adding Section 8 to Article XXII thereof, relating to the Legislature.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 5: By Assemblyman Murphy—An act to add Chapter 6 (commencing with Section 10700) to Part 2 of Division 2 of Title 2 of the Government Code, relating to the creation of the office of Ombudsman for Corrections.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 4: By Assemblyman Russell—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 6 and 27 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 6: By Assemblyman Schabarum—An act relating to the public school system, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 7: By Assemblyman Stull—An act relating to public school certificated employees and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 8: By Assemblyman Wakefield—An act to repeal Division 16 (commencing with Section 30000) of the Elections Code, relating to legislative districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 9: By Assemblyman Wood—An act to add Part 3.5 (commencing with Section 1140) to Division 2 of the Labor Code, relating to agricultural labor

Held at Desk by order of the Acting Speaker

FURTHER INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

Assembly Bill No. 10: By Assemblymen Sieroty, Waxman, Burton, Miller, Brathwaite, Brown, Chacon, Crown, Dunlap, Garcia, Bill Greene, Karabian, Knox, McCarthy, Meade, Pierson, Quimby, Ralph, Vasconcellos, and Warren—An act to add Section 670 to, and to repeal Section 190.1 of, the Penal Code, relating to the death penalty.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 11: By Assemblyman Cory—An act to amend Section 17301 of the Education Code, relating to financial support of public schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 12: By Assemblyman Cory—An act to amend Section 23002 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 13: By Assemblyman Cory—An act to add Section 12461.1 to the Government Code, relating to reports of the Controller.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 14: By Assemblyman Stacey—An act to amend Section 830.4 of the Penal Code, as amended by Chapter 637 of the Statutes of 1971, relating to peace officers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 15: By Assemblymen Stacey and Ketchum (Senator Stiern, coauthor)—An act to amend Section 37150 of, and to add Chapter 7 (commencing with Section 37175) to Part 7 of Division 13 of, the Water Code, relating to water districts

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 16: By Assemblymen Wakefield, Burke, Barnes, Moorhead, Badham, Belotti, Briggs, Brophy, Cline, Collier, Conrad, MacGillivray, Russell, and Stull—An act to repeal Sections 5002 and 5003 of, and to add Section 1009.6 to, the Education Code, relating to pupil enrollment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 17: By Assemblymen Ketchum, Arnett, Vasconcellos, Dunlap, Bagley, Beverly, Brophy, Brown, Burton, Dent, Duffy, Garcia, Bill Greene, Harvey Johnson, Ray E Johnson, MacDonald, Maddy, McAlister, McCarthy, Mobley, Pierson, Powers, Quimby, Sieroty, Stull, Wakefield, and Wood (Senators Behr, Beilenson, Gregorio, Grunsky, and Nejedly, coauthors)—An act to add Sections 9027, 9028, 9029, 9030, 9031, 9032, and 9033 to the Government Code, relating to meetings of the Legislature.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 18: By Assemblyman Monagan—An act to amend Section 22825 of the Government Code, relating to Meyers-Geddes State Employees' Medical and Hospital Care Act

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 19: By Assemblyman Schabarum—An act to add Section 6547.5 to the Government Code, relating to joint powers entities and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 20: By Assemblymen Schabarum and Deddeh—An act to amend Sections 191 and 825 of, to amend and renumber Sections 188.1 and 188.7 of, to add Sections 187, 187 1, 187.2, 188, 188.1, 188.2, 188.3, 188.6, 256 2, and 256 3 to, and to repeal Sections 186, 186.1, 187, 188, 188.3, 188.5, 188 8, and 188.9 of, the Streets and Highways Code, relating to the State Highway Account.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 21: By Assemblyman Ketchum—An act to place an amendment to the Constitution on the ballot for the primary election to be held on Tuesday, June 6, 1972, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 22: By Assemblyman Russell—An act to amend Section 8902 of the Government Code, relating to legislative expenses.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 23: By Assemblyman Russell—An act to amend Section 8903 of the Government Code, relating to expenses of legislators.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 24: By Assemblymen Burton and Brown—An act to add Part 14 5 (commencing with Section 33001) to Division 2 of the Revenue and Taxation Code, relating to the imposition of a tax on the privilege of producing or severing oil or gas from the earth in this state and the imposition of compensating taxes on the refining of oil or distribution of gas with respect to oil or gas produced or severed from the earth outside this state, and making an appropriation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 5: By Assemblyman Wakefield—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 6 and 27 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 6: By Assemblyman Schabarum—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 3 of Article IV thereof, relating to legislative sessions.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 7: By Assemblyman Schabarum—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding subdivision (e) to Section 12 of Article IV thereof, relating to the state budget.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 8: By Assemblyman Schabarum—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article IV thereof, relating to the Legislature

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 9: By Assemblyman Schabarum—A resolution to propose to the people of the State of Cali-

fornia an amendment to the Constitution of the state, by amending subdivision (a) of Section 3 and Section 4 of Article IV thereof, relating to legislative sessions.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 10: By Assemblyman Ketchum—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 3 of Article IV thereof, relating to legislative sessions.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 11: By Assemblymen Duffy and Chappie—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 3 of Article IV thereof, relating to legislative sessions.

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 1: By Assemblymen Burton and Brown—Relative to the creation of a commission on Indian treaties.

Held at Desk by order of the Acting Speaker.

REQUEST FOR PERMISSION TO INVOKE PROVISIONS OF JOINT RULE 10.9

The following request to invoke the provisions of Joint Rule 10.9 was presented:

Assembly Chamber, January 4, 1972

Mr. Chairman: I would respectfully request to invoke the provisions of Joint Rule 10.9 relative to Assembly Concurrent Resolution No 2.

KENNETH CORY

Above request ordered transmitted to the Committee on Rules.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, January 4, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 7—An act relating to public school certificated employees and declaring the urgency thereof, to take effect immediately.

JOHN STULL

Assembly Chamber, January 4, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 19—An act to add Section 6547.5 to the Government Code, relating to joint powers entities and declaring the urgency thereof, to take effect immediately.

PETER F. SCHABARUM

Above requests ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 11:50 a.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Wednesday, January 5, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Third Legislative Day

Third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 5, 1972

The Assembly met at 11:03 a.m.

Hon. Jack R. Fenton, Member of the Assembly, 51st District, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—71.

Quorum present.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center.

Almighty God, You are changeless, and yet it is within Your providence that there be change.

Give to men and women of government the ability to be unchanging in their principles yet open to change in their perspective. Give them a willingness to accept criticism and correction. At all times give them a sense of humor —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Badham then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Brown, seconded by Mr. Conrad.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bee, on request of Acting Speaker Fenton.
Mr. Hayden, on request of Acting Speaker Fenton.
Mr. Sieroty, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of Legislative business elsewhere:

Mr. Biddle, on request of Acting Speaker Fenton.
Mr. Bill Greene, on request of Acting Speaker Fenton.
Mr. Ray E. Johnson, on request of Acting Speaker Fenton.
Mr. Karabian, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Wakefield, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 5, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session today, January 5, 1972, on legislative business.

I will be speaking at Riverside City College and to the Indio Chamber of Commerce.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

January 4, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol Building

Dear Mr. Speaker: This is to request that I be excused on legislative business on Wednesday, January 5, 1972, due to the fact that I have

previously scheduled meetings with constituents in my district relating to reapportionment and the political future of my community.

I thank you for your cooperation and consideration in this matter.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

January 5, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session this date on legislative business.

At the request of the Glenn County Board of Supervisors, I will be participating in the dédication ceremonies of the Ord-Ferry Bridge.

Respectfully yours,

RAY E. JOHNSON, Assemblyman
Fourth District

January 4, 1972

The Honorable Robert Moretti
Speaker to the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: Kindly excuse me from the legislative session Wednesday, January 5, 1972, on legislative business. I will be speaking at a Maritime Industries luncheon in San Pedro.

Respectfully,

WALTER KARABIAN, Assemblyman
Forty-fifth District

REPORTS

The following reports were presented by the Chief Clerk:

Environmental Impact of Urbanization on the Foothill and Mountainous Lands of California. November 1971.

Above transmitted report, together with letter of transmittal from James G. Stearns, Director, Department of Conservation, Sacramento, dated December 29, 1971, referred by the Actmg Speaker to the Committee on Planning and Land Use.

Bulletin No. 179-71. Watermaster Service in the West Coast Basin, Los Angeles County. December 1971.

Above transmitted report, together with letter of transmittal from W. R Gianelli, Director, Department of Water Resources, Sacramento, dated December 30, 1971, referred by the Acting Speaker to the Committee on Water.

Department of Fish and Game, At the Crossroads—A Report on California's Endangered and Rare Fish and Wildlife. January 1972.

Above transmitted report, together with letter of transmittal from L H Cloyd, Deputy Director, Department of Fish and Game, Sacra-

mento, dated January 1, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

State Allocation Board, Annual Report to the Legislature, 1970–71 Fiscal Year. (Pursuant to Section 19627 of the Education Code).

Above transmitted report, together with letter of transmittal from Don Anderson, Executive Officer, State Allocation Board, Sacramento, dated January 3, 1972, referred by the Acting Speaker to the Committee on Education.

Report of Board of Medical Examiners Re: Physicians' Assistants. December 31, 1971. (Pursuant to Business and Professions Code Section 2520, Chapter 1327, 1970 Statutes).

Above transmitted report, together with letter of transmittal from Richard L. Hamilton, Deputy Attorney General, Department of Justice, Sacramento, dated January 3, 1972, referred by the Acting Speaker to the Committee on Health.

Department of Fish and Game, Report of Income and Expenditures from Duck Stamp Revenue. (In accordance with Chapter 1582 of 1970).

Above transmitted report, together with letter of transmittal from G. Ray Arnett, Director, Department of Fish and Game, Sacramento, dated January 3, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

REPORTS

The following reports were presented by the Speaker:

Report to the California Legislature on the Plan for Support of the Budget of the Colorado River Board. December 28, 1971. (In accordance with Item No. 186 of the Budget Act of 1971).

Above transmitted report, together with letter of transmittal from Raymond R. Rummonds, Chairman and Colorado River Commissioner, Colorado River Board of California, Los Angeles, dated December 28, 1971, referred by the Acting Speaker to the Committee on Water.

Ninth Annual Report to the Governor and the Legislature on Personnel Matters in the California State Colleges. January 1972. (In accordance with Section 24201.1).

Above transmitted report, together with letter of transmittal from Glenn S. Dumke, Chancellor, The California State Colleges, Los Angeles, dated January 3, 1972, referred by the Acting Speaker to the Committee on Education.

Department of Public Health, A Report to the Legislature on the Characteristics of Venereal Disease Cases. 1971. (Pursuant to House Resolution 158, 1970).

Above transmitted report, together with letter of transmittal from William J. Kurtz, Director of Public Health (Acting), Department of Public Health, Berkeley, dated December 27, 1971, referred by the Acting Speaker to the Committee on Health

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

A Alan Hill, Deputy Director, Department of Conservation, Sacramento, dated January 3, 1972, relative to logging operations, pursuant to Assembly Concurrent Resolution No 27, 1971. Referred by the Acting Speaker to the Committee on Natural Resources and Conservation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 25: By Assemblyman Pierson—An act to amend Section 75090 2 of the Government Code, relating to the Judges' Retirement System, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 26: By Assemblyman Chappie—An act to amend Section 654 of, and to add Section 654 05 to, the Harbors and Navigation Code, relating to vessels

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 27: By Assemblyman Chappie—An act to amend Section 18058 of the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 28: By Assemblymen Stacey and Townsend—An act to amend Section 3507.3 of the Government Code, relating to vocational nursing

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 29: By Assemblyman Priolo—An act to amend Section 203 of the Revenue and Taxation Code, relating to the college exemption from property taxation.

Held at Desk by order of the Acting Speaker

ASSEMBLY BILL NO. 19 REFERRED TO COMMITTEE

Acting Speaker Fenton referred Assembly Bill No. 19 to the Committee on Rules

CAUCUS ANNOUNCEMENTS

At 11 07 a m, Acting Speaker Fenton announced that there would be a Democratic Caucus immediately, in the Assembly Lounge.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 30: By Assemblyman Thomas—An act to add Section 18753 to the Business and Professions Code, relating to professional boxing

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 31: By Assemblyman Thomas—An act requiring the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for the construction or modification of a steamer pier.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1	Transportation
2	Health
3	Elections and Reapportionment
4	Elections and Reapportionment
5	Criminal Justice
6	Education
7	Education
8	Elections and Reapportionment
9	Labor Relations
10	Criminal Justice
11	Education
12	Government Administration
13	Revenue and Taxation
14	Criminal Justice
15	Water
16	Education
17	Governmental Organization
18	Employment and Public Employees
20	Transportation
21	Elections and Reapportionment
22	Rules
23	Rules
24	Revenue and Taxation

Assembly Constitutional Amendment No.	*Committee*
1	Revenue and Taxation
2	Governmental Organization
3	Rules
4	Elections and Reapportionment
5	Elections and Reapportionment
6	Rules
7	Ways and Means
8	Rules
9	Rules
10	Rules
11	Rules

Assembly Joint Resolution No.	*Committee*
1	Rules

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs· We herewith transmit a report on the termination of state highway construction contracts in the vicinity of the City of San Fernando damaged by the earthquake action of February 9, 1971. This report was prepared by the Auditor General

Chapter 274, Statutes of 1971 (Senate Bill 682), authorized the termination and directed that the Department of Public Works and the contractors be guided by specified principles in reaching the termination agreements.

The report specifies the following:

— The Department of Public Works and the contractors have complied with the terms of the controlling statute,
— The costs are fairly stated, and
— The amounts paid the contractors, $10,646.264 and $19,048,309, are the lower of contract price or reasonable cost excluding profit.

The audit was conducted jointly with the Department of Public Works audit staff and resulted in audit adjustments which produced a net savings of approximately $155,000. These adjustments were made in conformity with the following provision of the controlling statute.

> "The compensation received by a contractor for all work performed prior to the earthquake shall be the reasonable cost of the performance of such work as it can be reasonably ascertained without the inclusion of a profit; provided, that such cost shall not be in excess of the contract price of such work."

The projects were for work which is a part of the federal interstate system The Federal Highway Administration advises that federal reimbursement will be made using the following guidelines:

— The full cost of the work eligible for federal reimbursement performed prior to the earthquake will be paid at the regular pro rate of approximately 91 percent
— The work of repair or reconstruction of the damaged portions of the work is eligible for 100 percent federal reimbursement.
— The work of completing the projects will be paid at the regular pro rate of approximately 91 percent

The Division of Highways estimates that the cost of the damage repair work will be approximately $9 million and the cost to complete the projects in addition to the repair costs will be approximately $9.9 million. The actual federal reimbursement is determined after the

work is completed, billings to the federal government are submitted, and audits of project costs are completed.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Transportation.

ADJOURNMENT

At 11:37 a.m., Acting Speaker Fenton declared the Assembly adjourned until 10 a m , Thursday, January 6, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fourth Legislative Day

Fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 6, 1972

The Assembly met at 10:15 a.m.

Hon. Jack R. Fenton, Member of the Assembly, 51st District, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister.

Lord, Life with its many surprises can be trying for us at times. To totally trust in You and each other is a difficult act of faith Give us the strength to honestly face the common, the contemptible, and all You have chosen with acceptance and with hope.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Belotti then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Gonsalves, seconded by Mr. Monagan.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bee, on request of Acting Speaker Fenton.
Mr. Hayden, on request of Acting Speaker Fenton.
Mr. Sieroty, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Acting Speaker Fenton.
Mr. Biddle, on request of Acting Speaker Fenton.
Mr. Dunlap, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton.
Mr. Keysor, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Wakefield, on request of Acting Speaker Fenton.

The following Member was excused for the day, and his per diem was waived:

Mr. Brophy.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 6, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session today, January 6, on legislative business.

I will be installing the officers of the Orange County Chambers of Commerce in Newport Beach.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

January 6, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session today, January 6, 1972, on legislative business.

I will be speaking to a Norte Vista High School class in Riverside and meeting with constituents.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

January 6, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on Thursday, January 6, because of legislative business. I have several appointments in my district including a speaking engagement and a series of meetings with Senator Alan Cranston and Congressman Bob Leggett.

Sincerely,

JOHN DUNLAP, Assemblyman
Fifth District

January 6, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from the Assembly session on Thursday, January 6, on legislative business.

I shall be in Los Angeles attending the hearing of the Special Subcommittee of the Joint Committee on Seismic Safety to investigate the San Fernando Earthquake, of which subcommittee I am the Chairman.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

January 6, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, January 6, 1972, and Friday, January 7, on legislative business. I will be attending the Joint Committee on Seismic Safety hearing in Los Angeles.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Authorization of Subcommittees of Assembly Standing Committees

January 6, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am authorizing the following subcommittees with the same memberships to continue in existence during the 1972 session:

Local Government

Subcommittee on Regional Organization

Welfare

Subcommittee on Welfare Reform Act

Ways and Means
Special Subcommittee on Mental Health Services
Subcommittee on Penal Reform
Subcommittee on State Bonding Policy

Sincerely,

BOB MORETTI
Speaker of the Assembly

Authorization of Select Committees of General Research Committee

January 5, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am authorizing the following Select Committees of the General Research Committee with the same membership to continue in existence during the 1972 session:

Administration of Justice
Manpower Development
Health Manpower
Industrial Safety

Sincerely,

BOB MORETTI
Speaker of the Assembly

SELECT ASSEMBLY COMMITTEES—1972

Select Committee on Administration of Justice

Crown (Chairman)	Cullen
Lanterman (Vice Chairman)	Fenton
Beverly	Hayes
Brown	Warren

Select Committee on Manpower Development

Greene, Bill (Chairman)	Greene, Leroy F.
Mobley (Vice Chairman)	Knox
Bagley	LaCoste
Brathwaite	Moretti
Burton	Russell
Chacon	

Select Committee on Health Manpower

Duffy (Chairman)	Stacey
Brown (Vice Chairman)	Stull
Campbell	Warren
Greene, Bill	Waxman

Select Committee on Industrial Safety

Fenton (Chairman)	Russell
Arnett	Townsend
Keysor	

REPORTS

The following reports were presented by the Chief Clerk:

The Resources Agency of California, Department of Fish and Game, Report on the Crayfish Fishery in Lake Almanor—1971. (In compliance with House Resolution No. 131, 1971).

Above transmitted report, together with letter of transmittal from G. Ray Arnett, Director, Department of Fish and Game, Sacramento, dated January 4, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

Interim Progress Report to the Legislature of the State of California, California Driver Training Evaluation Study. December 1971. (In accordance with Chapter 1454—1969 Statutes).

Above transmitted report, together with letter of transmittal from Robert C. Cozens, Director, Department of Motor Vehicles, Sacramento, dated December 31, 1971, referred by the Acting Speaker to the Committee on Transportation.

Board of Administration, Public Employees' Retirement System, Annual Report to the Governor and Legislature. December 1971. (In accordance with Section 20140 of the Government Code).

Above transmitted report, together with letter of transmittal from William E Payne, Executive Officer, Public Employees' Retirement System, Sacramento, dated January 5, 1972, referred by the Acting Speaker to the Committee on Retirement.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

G. L. Russell, Legislative Representative, Department of Public Works, Sacramento, dated January 4, 1972, relative to the accommodation of bicycles on public thoroughfares, in accordance with Assembly Concurrent Resolution 26 Referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No	*Committee*
25	Retirement
26	Environmental Quality
27	Local Government
28	Health
29	Revenue and Taxation
30	Commerce and Public Utilities
31	Planning and Land Use

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 32: By Assemblyman Burton—An act to repeal Chapter 1 (commencing with Section 30000) of, and to add Chapter 1 (commencing with Section 30000) to, the Elections Code, relating to reapportionment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 33: By Assemblyman Burton—An act to amend the heading of Chapter 3 (commencing with Section 30200) of Division 16 of the Elections Code, relating to reapportionment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 34: By Assemblyman Chappie—An act to amend Section 12301 of the Elections Code, relating to the solicitation of political contributions.

Held at Desk by order of the Acting Speaker.

ANNOUNCEMENTS

Mr. Monagan announced that he had at his desk bills which he intends to introduce, relative to state employees and invited any Members who wished to become coauthors to come to his desk and sign the measures before their introduction.

Speaker Presiding

At 10:24 a.m., Hon. Bob Moretti, 42nd District, presiding.

APPOINTMENT OF SELECT COMMITTEES

Speaker Moretti appointed Messrs. Seeley, Belotti, Powers, Foran, and LaCoste as a Select Committee to wait upon Honorable Ronald Reagan, Governor of the State of California, and to invite him to address the Joint Convention of the Senate and the Assembly today at 11 a.m.

Speaker Moretti appointed Messrs. Maddy, Meade, and McAlister as a Select Committee to wait upon the Senate, and to invite that honorable body to meet with the Assembly in Joint Convention today at 11 a.m.

RECESS

At 10:26 a.m., Speaker Moretti declared the Assembly recessed until 10:45 a.m.

REASSEMBLED

At 10:47 a.m., the Assembly reconvened
Hon. Bob Moretti, Speaker of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 6, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Schabarum for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 19 be granted.

BURTON, Chairman

Assembly Chamber, January 6, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Stull for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 7 be granted.

BURTON, Chairman

Assembly Chamber, January 6, 1972

Mr. Speaker: Your Committee on Rules recommends that the provisions of Joint Rule 10 9 be invoked with regard to:

ACR No. 2

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Schabarum:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 19 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Schabarum moved a call of the Assembly.

Motion carried. Time, 10·52 a m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Call of the Assembly Dispensed With on Resolution to Dispense With Constitutional Provision Relative to Assembly Bill No. 19

At 10:55 a.m., on motion of Mr. Schabarum, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No. 19 adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Schabarum, Seeley, Stull, Townsend, Warren, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal.

Appointment of Majority Floor Leader

January 6, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol, Sacramento, California

Dear Mr. Driscoll: This letter is to inform you that I am appointing Assemblyman Jack Fenton to the position of Assembly Majority Floor Leader as of today.

Sincerely,

BOB MORETTI
Speaker of the Assembly

ANNOUNCEMENTS

Speaker Moretti announced the presence in the Assembly Chamber of P. Kenealy, Sergeant at Arms of the Senate

The Sergeant at Arms of the Senate then announced the presence in the Assembly Chamber of the Honorable Ed Reinecke, Lieutenant Governor of California and President of the Senate, Honorable James R. Mills, President pro Tempore of the Senate, and the Members of the Senate.

RECESS

At 11 a.m., Speaker Moretti declared the Assembly recessed, for the purpose of meeting in Joint Convention with the Senate, to hear the Governor's State of the State address.

IN JOINT CONVENTION

Assembly Chamber, Sacramento
Thursday, January 6, 1972

At 11 a m , the Senate and Assembly met in Joint Convention.
Hon. Bob Moretti, Speaker of the Assembly presiding.
Chief Clerk James D. Driscoll at the Desk.

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Honorable Bob Moretti, Speaker of the Assembly, then presented the President pro Tempore of the Senate, Honorable James R. Mills, to the Joint Convention.

PRESENTATION OF LIEUTENANT GOVERNOR

Honorable James R Mills, President pro Tempore of the Senate, then presented the Lieutenant Governor of the State of California and President of the Senate, Honorable Ed Reinecke, to the Joint Convention

PRESENTATION OF GOVERNOR

Honorable Ed Reinecke, Lieutenant Governor of California, then presented His Excellency, Honorable Ronald Reagan, Governor of the State of California, to the Joint Convention.

ADDRESS BY GOVERNOR

Governor Reagan then proceeded to address the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 11:30 a m., there being no further business, Speaker Moretti declared the Joint Convention adjourned.

IN ASSEMBLY

At 11·49 a m , the Assembly reconvened.
Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding
Chief Clerk James D. Driscoll at the Desk.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Governor's Office, Sacramento
January 6, 1972

The Honorable Members of the California Legislature
State Capitol, Sacramento, California

Greetings.

State-of-the-State Message

The last time we met under these same circumstances, the theme of my remarks was one of reform and austerity.

Our state had reached a crisis in welfare and Medi-Cal demanding a massive change of direction if we were to avoid bankrupting both the spirit of those who receive public assistance and the pocketbooks of those who pay for it.

Austerity was urged in state expenditures because the transition from an inflated Vietnam War boom to a peacetime economy had adversely affected our revenues.

While we are still undergoing that transition, there are indications that the economy is on an upward curve The President's national economic program is accomplishing its goals and inflation is being slowed.

Our own revenue structure is being stabilized thanks to the withholding measure enacted during the special session.

But we shall be just as diligent in seeking economies as we have in the past With the average citizen spending almost a third of his workweek just earning the money to pay his taxes, there is still an urgent need to reduce the size and cost of government.

Those working men and women who—if I can paraphrase—never have asked what government can do for them, but have constantly been told what they can do for government—are the social and economic backbone of our state. They deserve more consideration than they have had from all the governments they pay for with the fruit of their toil.

The last legislative session was the longest in the state's history and yet long-time problems remain unresolved—problems in educational finance, property tax reform and environmental protection.

Youth and Economic Opportunity

Our young people between 18 and 21 have achieved the vote since we last met. Legislation you passed and I signed confers at age 18 nearly all adult rights and responsibilities.

Absolutely essential to the promise of full citizenship and a share of the opportunities our society offers is the availability of work. We must continue our efforts to stimulate job-creating industries.

This means broadening and diversifying California's economic base to assure further employment opportunities for citizens displaced from their jobs in defense-oriented and other changing industries.

This does not mean abandoning our great aerospace industry which still provides thousands of job opportunities for our people. One project alone, the space shuttle program, means another 45,000 jobs and an ultimate $12 billion boost to the California economy We feel our state is the logical site for this program. And we hope Congress and the national administration will agree

Lieutenant Governor Ed Reinecke played a major role in the successful effort to obtain federal financing for our largest defense contractor, a step that preserved and generated thousands of additional jobs in California

Economic Well-Being for All

We have moved vigorously to promote development of industries that can help provide prosperity in the generation of peace that is now a major national goal. With your help, we have created the California

Commission for Economic Development to expand trade and generate new job opportunities by encouraging the location and expansion of business and industry in California.

We share with the private sector a deep concern for the economic well-being of all Californians.

To help ease the plight of the unemployed you passed and I signed legislation to increase maximum unemployment benefits from $65 to $75 a week—the first such increase since 1965 Substantial improvements were made in the state's workmen's compensation system. The increases—worth $142 million a year in new benefits for California workers—are the largest package of social insurance benefits in the state's history.

Reevaluate Needs

We are now asking leaders in the private sector and labor to join with us in reevaluating the economic needs of California citizens and to determine what we in state government can do—or stop doing—that will further improve the economy of our state and thus improve the economic well-being of all Californians. The results will be made available to you for appropriate action.

One thing we must do is to come to grips, once and for all, with the hodgepodge accumulation of federally mandated manpower programs. Right now it is impossible to catalogue them or learn whether there is costly duplication. Nor do we know if they provide training for jobs that no longer exist.

Farm Labor

California's agricultural industry contributes more to this state's prosperity than any other industry. It does so in spite of a serious deficiency—a lack of effective laws on agricultural labor-management relations Bills to establish a system of union representation elections for agricultural workers have failed both in Congress and in the state legislature. We can no longer defer action on this problem.

It is absolutely imperative that we enact in this session legislation guaranteeing California's agricultural workers the right to choose, by secret ballot, whether they want to be represented by a union and if so, by which union.

Effective Welfare Reforms

The Welfare Reform Act of 1971 which together we enacted is unquestionably the most significant social legislation in California's history. Already we are achieving our goal of increased aid to the two-thirds of the welfare population with no outside income while at the same time we eliminate costly abuses through stricter eligibility standards. Our reforms have halted the upward climb of welfare dependency. No longer are we adding 50,000 new cases a month to our welfare caseload. At the end of November, there were 151,000 fewer people on welfare and general relief than there were last March.

Obviously, we must at some time expect a leveling off of this decline. Yet, if we had not passed these reforms, welfare during these last eight months would have cost the taxpayers another $100 million.

After months of preparation and negotiation, we have applied to the Department of Health, Education and Welfare for permission to implement a realistic and reasonable demonstration project to make work experience opportunities available to able-bodied welfare recipients. When this project is in operation, it will include 35 of California's 58 counties and involve about 58,000 employable welfare recipients in constructive work. The able-bodied who refuse to participate, without good cause, will be removed from the welfare rolls.

Several of the laws we worked months to achieve have been challenged in the courts for various reasons and sometimes it seems for no good reason at all If legislation is indicated as a result of these legal actions, I will request its passage. In the meantime, I shall ask that you approve legislation to·

—Improve enforcement of child support laws involving absent parents.

—Establish the system of fairly apportioning welfare funds we requested last year, a step that will allow increased benefits for the truly needy and prevent people with significant outside incomes from claiming welfare assistance unfairly.

—Impose tighter and more realistic standards on the amount of property a recipient may own and still be eligible for welfare.

—Increase incentives for able-bodied recipients to work.

Health/Medi-Cal

Passage of Medi-Cal reform was another major milestone Not only does it provide significant improvements in financing the program, it also broadened the coverage to include an estimated 800,000 needy Californians formerly served by county health programs—at tremendous cost to local property taxpayers.

For the first time, a single standard of care is available to all needy citizens—within a system of comprehensive services that includes reasonable controls to curb abuses. These reforms have reduced the cost to the taxpayers an estimated $208 million in state, local and federal funds.

Health-Catastrophic Insurance

Our long struggle to put Medi-Cal and welfare on a realistic financial basis has been focused primarily on the least affluent segment of society. Obviously our citizens of great affluence can take care of themselves. But in between these groups is that same great majority of our citizens I mentioned earlier—the working men and women who underwrite the whole system. In some ways they are becoming the truly disadvantaged.

Now it is true that more than 85 percent of all Americans under 65 have, through their jobs, some type of private health insurance. Such insurance takes care of most health needs But if they or members of their families are stricken with an extended, catastrophic illness—being too young for Medicare and too affluent for Medi-Cal—they face financial disaster.

I am unalterably opposed to so-called nationalized health insurance which in fact is socialized medicine But I believe it is possible to develop a system of health insurance to protect every Californian against

the economic catastrophe that often accompanies extended illness. Some will suggest we should wait for a federal solution to this problem. I do not share that belief nor do I believe this state should act hastily and impose on the taxpayers a medical subsidy which would increase the inflation of medical costs and exchange an excessive medical bill or insurance premium for an "excessive" addition to the tax burden We are going forward with research on this subject and will report our findings to you shortly.

Venereal disease has reached epidemic proportions among our young people A citizens' task force we established last year has recommended an all-out counterattack One recommendation is that all public schools conduct venereal disease prevention courses I am in wholehearted agreement with this recommendation However, there is at present a lack of adequate instructional material and a shortage of qualified teachers In cooperation with the State Superintendent of Public Instruction, we are moving to fill this void We are undertaking a program of training workshops for teachers. The Public Health Department will have more than $200,000 during the next six months to assist this educational effort and to hire more casefinders We are urging every school district to join the battle against VD by instituting venereal disease prevention courses. They already have the authority to do this under existing law

Consumer Protection

During 1971, the new State Department of Consumer Affairs extended its activities and helped achieve legislation to protect the public against unwanted mailed merchandise, abusive credit card practices and high pressure door-to-door salesmen The report of this department provides more detail on this increased scope in consumer education, consumer protection and in providing a greater public voice on licensing boards But I would like to give special mention to the department's role and the industry's help in supporting legislation to create the new bureau of auto repair—to deal with unscrupulous practices which victimize consumers.

No-Fault Insurance

Another consumer innovation which has been widely discussed in recent years is no-fault automobile insurance Such a system could help relieve the present overcrowded dockets in our court system In Los Angeles County, personal injury cases involving auto accidents account for nearly 80 percent of all civil jury trials A modified system of insurance, tailored specifically to meet California's needs, could accomplish other desirable ends There is a potential for substantial savings in premiums and the prospect of eliminating some of the red tape involved in settling claims

We must find that system of automobile insurance that will best meet the needs of our citizens.

Unfinished Tasks

The most urgent unfinished tasks before us involve our educational system, its financing and direction and the equally important necessity of providing comprehensive property tax relief for millions of overburdened California homeowners

The issues are closely related. It is impossible to discuss property tax reform without considering the impact on educational finance.

We have tried for three years to adopt a comprehensive property tax reform program Again I ask you to work with the executive branch and with Wilson Riles *to eliminate the chronic crisis in public school finance by shifting the burden from the homeowner to a broader based tax.*

Time is growing short. If we fail this year, the people may act themselves through the initiative process.

Public School Finance

The State Supreme Court opinion pointing out the inequities of the present system of financing local schools merely emphasized something we all know.

We need *sweeping changes* in the present system of financing local schools (K–12) to·

—Reduce reliance on the property tax.

—Simplify the method of distributing educational funds.

—Equalize educational opportunities for all Californians by providing a basic amount of financial support for each student in every district.

Public Education

This done, we can get on to other equally important needs in education: preparing every youngster for his own academic or career goals and including *sufficient training to give each graduate at least an entry-level "salable skill" in the world of work.* Despite its problems, our educational system has responded remarkably well to what we have asked, and still we want schools to do more and more It is time now for greater reflection on realistic priorities We must create an atmosphere in education that will welcome effective programs designed to achieve specific objectives.

Too many of us—when we have a problem—approach it by saying· "There ought to be a law " Maybe this should be reversed in education. It requires a book three inches thick to list all the directives and mandates contained in the Education Code. Last year, nearly a thousand more were proposed It is just possible we need fewer laws but greater flexibility and control at the local level.

We must examine the potential of year-round operation.

And the voucher system—providing a grant for students to use at the school of their choice—should be tested, at least on a limited basis I will again support legislation to establish a pilot program

Higher Education

In higher education, probably the most widely noted recent legislation was your action granting university status to those of our state colleges which deserve that designation However, we do not intend any major changes in the existing function of the various segments of higher education. I am confident that the various studies now under way on our master plan will find that the defined difference in function between the University, the state colleges and community colleges must be maintained

Student Aid

Our system is based on a commitment that every youngster should have the opportunity to develop to the utmost of his desire and ability, regardless of his financial status.

We therefore have increased support for the State Scholarship and Loan Commission from $5 million five years ago to $28 million in the forthcoming budget Yet it is becoming increasingly clear that there is insufficient coordination between various student aid programs, a lack of guidelines and possibly too much administrative overhead costing dollars that would be better spent in aiding students.

I believe it would be desirable to have all state-financed student aid programs handled through the scholarship and loan commission.

State College Tuition

The fact that we have tuition at the University of California and not at the state colleges has created an undesirable imbalance in higher education I strongly urge you to give the trustees authority to determine the amount of tuition at the state colleges and the purpose for which it will be used.

Ultimately, I believe we will find that the fairest method of assuring higher education to all who can profit from it will be the establishment of a deferred tuition plan allowing students to pay their share of the cost over a period of at least 20 years after graduation. In the meantime, however, there is one deserving group which I feel you will agree is worthy of special attention I urge you to take action to assure free tuition at the University of California and the state colleges for the sons and daughters of American servicemen who are prisoners of war or missing in action in Southeast Asia.

Taxes—Tax Reform

You will be pleased to know the withholding measure you enacted in the special session should end the state's chronic cash flow problem even after we share with the people of California the so-called "withholding windfall" by giving every citizen a one-time 20-percent tax credit on the income tax due April 15

Several tax reforms we have long been seeking are part of the revenue package you adopted; a minimum state income tax, reduction of the oil depletion allowance and $46 million in new property tax relief for our senior citizens ranging from 32 percent for those at the $6,000 a year income level to more than 80 percent at $3,000 a year and below. This will help our senior citizens keep the homes they worked for most of their lives We must do as much for other homeowners And while we *must recognize the need for new sources of revenue for local government, I still maintain there is no need for any general state tax increase for new spending.*

Budget—State Employees

Economic necessity required us to forego general salary increases for state employees this past year There was never any question in our minds that our civil service employees deserved an increase. With the five-year growth in California there has actually been a decrease in the

number of state employees. This means in many departments, the workload increase has been absorbed with no increase in staff We are happy this year that we can recognize their dedication by including in the budget $95.8 million for salary increases and for correcting salary inequities. (This is equivalent to a 5-percent salary increase for state employees and 7½ percent for academic employees of the University of California and the state colleges).

The budget also will include approximately $65 million of new state support for schools—over and above that allocated under existing formulas. This year, we are going to do something that is long overdue with regard to the state budget. We are going to submit it in two parts as we logically should have been doing for a long time. When the intricacies of accounting make a return of money to the taxpayers show up as an increase in the cost of state government, it is easy to understand why citizens have trouble keeping an eye on government. Roughly two-thirds of the state budget is money collected by the state but returned to cities, counties, school districts and local programs The other one-third of the budget covers the actual cost of state government.

Lumping them together makes it difficult for the citizens to keep track of where the increased expenditures take place.

For example, the $46 million in tax relief for senior citizens you just passed appears as a $46 million increase in the budget. So the first part of the budget we submit will be for those moneys we return to local entities We will follow this with a second section covering the cost of actually operating state government. In this way, the taxpayers can better check on our stewardship.

Corrections Reform

There has been a great concern nationwide about the need for prison reform. And there seems to be a lack of knowledge among Californians as to where our state stands In recent years, our correctional system has become a model for the nation. Our rehabilitation and parole program is 76 percent successful in returning convicted offenders to useful and productive roles in society We have single cell occupancy in every prison. I don't believe any other major state has achieved this. Our experiment in allowing family visits to inmates has proven successful and is now regular procedure in most of our penal institutions.

This effort at effective rehabilitation does not mean we have a soft attitude on crime. It is realistic recognition of the fact that more than 90 percent of all prison inmates will eventually be returned to society

We still have problems—some created by our own success. As the number of inmates has declined the percentage of so-called "hard-core" offenders has increased and this has increased the potential for violence within our prisons.

Two years ago, I called for a complete study of our correctional system. The results of that study are now being reviewed During this session a program to continue improving our correctional system will be presented.

Increased Security

Following the tragic incident at San Quentin last year, I directed the Board of Corrections to make a special study of violence in the

prisons. The board recommended and we added 405 new security and other positions, including two new psychiatric units. I ask you to continue this increased staffing level The new state budget will include funds for planning new maximum security facilities *We will also take the first step toward closing San Quentin Prison* San Quentin, which once housed up to 5,000 inmates, will be held at an average population of 1,500 during the next fiscal year and we hope to close it completely by the end of 1974

Law Enforcement

In the area of crime fighting and law enforcement, innovations are going forward. Attorney General Evelle Younger tells me we are now experimenting with a method of transmitting fingerprints from Los Angeles to Sacramento in less than a second—by bouncing signals off a satellite hovering over Australia.

I am asking the California Council on Criminal Justice to explore—in cooperation with local law enforcement—the possibility of establishing regional Criminal Justice Training academies—similar to those operated by the California Highway Patrol and the FBI We must give law enforcement the technical tools they need to fight organized crime. So again, I ask you to authorize electronic surveillance under strict court controls

Last year, I asked you to make the killing of a law enforcement officer while on duty first-degree murder.

Since then the Capitol flag has flown at half staff too many times—21 law enforcement and correctional employees have been killed in line of duty

Again, I ask for legislation to make such killings mandatory first-degree murder.

Drug Abuse

On January 1 this year, the nation's most far-reaching and innovative drug control program went into effect in California Our goal is to eliminate the diversion of dangerous pills into illicit markets and to put out of business anyone who participates in this shameful trade.

I shall also propose this year a comprehensive drug abuse treatment plan that will incorporate all that we have learned from our various programs to combat drug abuse in the past few years

Transportation

Every holiday we in California are told we have topped the nation in traffic fatalities No mention is made of the fact that we top the nation in number of cars and in miles traveled, nor do they point out that California set an all-time low for traffic fatalities in 1970 and provisional statistics for 1971 indicate we will break our own record by around 8 percent We have been experimenting with ways to relieve traffic congestion by permitting toll-free lanes on the San Francisco-Oakland Bay Bridge for motorists riding in car pools of three or more We have continued to reduce bridge tolls There have been 11 reductions in the past four years.

The action providing sales tax revenue on gasoline is hopefully another step in meeting local transportation needs.

A major goal this year is to establish a State Department of Transportation within the Business and Transportation Agency to help plan and develop the proper combination of transportation systems to meet the needs of our people.

Environment—Air Pollution

California has done more in the past five years to protect our environment and to eliminate air and water pollution than in any similar period in the past. I want to thank you particularly for passing the smog control program requested last year and at the same time tell you further action will be necessary to carry on the battle for air quality control.

Land-Use Study—Coastal Legislation

By your own mandate, the Environmental Goals and Policy Report will be presented to you in March providing additional guidelines on how best to further protect and preserve our land resources and the beauty of California.

We must take environmentally balanced actions to protect our coastline and to establish a process for the selection and approval of powerplant sites These and other topics will be the subject of environmental messages later on.

Department of Environment—Solid Wastes

Last year, we suggested a reorganization plan to create a Department of Environmental Protection including an effective program for solid waste management.

The urgency of acting now is plain A year's accumulation of California's solid wastes could cover the entire city of Los Angeles with a layer of garbage 17 inches deep.

This year, I will again ask your support of legislation to create a Department of Environmental Protection that will include an effective solid waste management program

It has been said that those who fail to plan for the future cannot have one. Each new group of settlers who came to our state sought a better life beyond the next mountain range or desert. Their children and their children's children along with our modern day settlers continue to seek an improved quality of life, a cleaner environment, economic prosperity and educational opportunities for their children

Of late, they have had reason to question whether our system of divided responsibilities can be fully responsive to their needs They rightfully have no patience with the cynical political cliche that far-reaching legislative programs are not enacted in election years They expect government to be on an annual, on-going basis They will not accept from any of us partisan rivalry as an excuse for lack of action.

A few weeks ago, we read in the San Francisco papers the story of an inspiring demonstration of sheer human courage A gallant young soldier, a triple amputee of the Vietnam War, hobbled painfully on artificial legs across the Golden Gate Bridge He said he wanted to encourage other wounded veterans to fight their own handicaps

You and I have some bridges to cross in the next few months. Surely nothing we face in our official duties can compare with the challenge he overcame in that long walk.

Cicero said. "The good of the people is the chief law."

The good of the people is the only thing we have a right to consider within these walls.

Let's wish each other a Happy and a short New Year.

Respectfully,

RONALD REAGAN, Governor

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 35: By Assemblyman McAlister—An act to add Section 5600.5 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 36: By Assemblyman Lanterman—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 37: By Assemblyman Lanterman—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 38: By Assemblyman Lanterman—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 39: By Assemblyman MacDonald—An act to amend Section 8902 of the Government Code, relating to expenses of the Legislature.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 40: By Assemblymen Monagan, Lanterman, Deddeh, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Conrad, Cullen, Davis, Dent, Gonsalves, Bill Greene, Leroy F Greene, Ray E Johnson, Karabian, Ketchum, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Pierson, Powers, Quimby, Russell, Ryan, Schabarum, Seeley, Stull, Townsend, and Wood—An act appropriating funds for increases in compensation for state officers and employees, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker

Assembly Bill No. 41: By Assemblymen Monagan, Z'berg, Deddeh, Moretti, Bagley, Barnes, Belotti, Beverly, Brathwaite, Campbell, Chacon, Chappie, Conrad, Cullen, Davis, Dent, Fenton, Gonsalves, Bill Greene, Leroy F. Greene, Ray E. Johnson, Karabian, Ketchum, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Quimby, Russell, Ryan, Schabarum, Seeley, Stull, Townsend, and Wood—An act to amend Section 22825 of the Government Code, relating to state employees' benefits.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 42: By Assemblymen Monagan, Foran, Deddeh, Moretti, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Conrad, Cullen, Davis, Dent, Fenton, Gonsalves, Bill Greene, Leroy F. Greene, Ray E Johnson, Karabian, Ketchum, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Quimby, Russell, Ryan, Schabarum, Seeley, Stull, Townsend, Wood, and Z'berg—An act appropriating funds for uniform allowances for state employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 43: By Assemblyman Mobley—An act to repeal Section 993 of, and to add Section 993 to, the Revenue and Taxation Code, and to repeal Section 2 of Chapter 1079 of the Statutes of the 1971 Regular Session of the Legislature, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 44: By Assemblymen Gonsalves, Moretti, Miller, Townsend, Bagley, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Cullen, Deddeh, Dunlap, Fenton, Harvey Johnson, Knox, LaCoste, MacDonald, Maddy, McAlister, Meade, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, and Warren—An act to amend Section 17262 of the Revenue and Taxation Code, relating to personal income tax deductions, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 45: By Assemblymen McAlister, Garcia, Deddeh, Chacon, Fenton, Karabian, Keysor, LaCoste, MacDonald, Maddy, and Pierson—An act to add Section 1632 to the Civil Code, relating to contracts.

Held at Desk by order of the Acting Speaker.

ADJOURNMENT

At 11.52 a.m., Acting Speaker Fenton declared the Assembly adjourned until 2 05 p.m., Monday, January 10, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifth Legislative Day

Eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 10, 1972

The Assembly met at 2:18 p.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Help Us, Father, To understand this world in which we live, its longings, its expectations and its seeming contradictions While we look to the past and remember with gratitude the deeds and dedication of those who've gone before, let us realize that responsibility now lies with us.

A new age is struggling to be born, an age which needs new men and new ideas. Let pessimism and despair be strangers in our debate. With confidence and hope let us shape in justice and charity a better society for all our brothers.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Bill Greene then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Beverly, seconded by Mr. Warren.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Brophy, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session today, January 10, on legislative business.

I will be meeting with local planning officials in my district.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

January 10, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session today, January 10, 1972, on legislative business.

I will be meeting with officials of the Statewide Air Pollution Research Center at the University of California, Riverside.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

January 6, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from session on Monday, January 10, due to legislative business. I will be in Washington, D. C. conferring with staff of Senator Proxmire relating to affairs of the Joint Committee on Public Domain.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

January 10, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session today, January 10, 1972, on legislative business.

I will be the guest speaker at the 62nd annual meeting of the Coalinga Chamber of Commerce, and keeping other office appointments prior to the speech.

Sincerely yours,

ERNEST N. MOBLEY, Assemblyman
Thirty-third District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Appointment to Judicial Council

January 6, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am reappointing Assemblyman Charles Warren as a member of the Judicial Council.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointment of Members to Subcommittee on Use of Tideland Revenues

January 6, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing the Subcommittee on Use of Tideland Revenues of the Assembly Ways and Means Committee with the following membership: Assemblymen Brown (Chairman), Dunlap, and Stull.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following reports were presented by the Speaker:

Report to the Legislature Relative to the Medi-Cal Conflict of Interest Law. January 6, 1972.

Above transmitted report, together with letter of transmittal from Earl W. Brian, M.D., Director, Department of Health Care Services, Sacramento, dated January 6, 1972, referred by the Speaker pro Tempore to the Committee on Health.

Department of Public Health, Annual Report to the Legislature on the Hospital Survey and Construction Program. 1971. (Pursuant to Health and Safety Code, Chapter 3, Section 431.1(c)).

Above transmitted report, together with letter of transmittal from William J. Kurtz, Director, Department of Public Health, Berkeley, dated December 27, 1971, referred by the Speaker pro Tempore to the Committee on Health.

Progress Report No. 17 on the Disposal of State Interest in the Squaw Valley State Recreation Area. (In accordance with Assembly Bill No. 557, Chapter 1251, Statutes of 1967.) December 1, 1971.

Above transmitted report, together with letter of transmittal from William Penn Mott, Jr., Director, Department of Parks and Recreation, Sacramento, dated December 31, 1971, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

California Department of Agriculture, Report to the Legislature and the Legislative Analyst on Financing of Market News Programs, (Item 81, 1971–72 Budget). January 4, 1972.

Above transmitted report, together with letter of transmittal from Jerry W. Fielder, Director, California Department of Agriculture, Sacramento, dated January 4, 1972, referred by the Speaker pro Tempore to the Committee on Ways and Means.

The following reports were presented by the Chief Clerk:

A Report on Actions Taken by the Department of Public Works Pursuant to Senate Bill No. 682, Chapter 274, 1971 Session of the California Legislature. January 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated January 5, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Report of Public Utilities Commission Relative to Public Utility Water Corporations—Fire Protection Systems. (In compliance with Assembly Concurrent Resolution No. 146, 1971).

Above transmitted report, together with letter of transmittal from Eric C. Kinsey, Assistant Secretary, Public Utilities Commission, San Francisco, dated January 5, 1972, referred by the Speaker pro Tempore to the Committee on Commerce and Public Utilities.

California Fair Employment Practice Commission, Progress Report on Implementation of the U.S. Supreme Court's decision in Griggs vs. Duke Power Company. (In accordance with Assembly Concurrent Resolution 101, 1971).

Above transmitted report, together with letter of transmittal from Pier S. Gherini, Chairman, Fair Employment Practice Commission, Los Angeles, dated January 6, 1972, referred by the Speaker pro Tempore to the Committee on Labor Relations.

Office of the Chancellor, California Community Colleges, Report to the Legislature Relative to Higher Education. (In accordance with Assembly Concurrent Resolution No. 62, 1971.)

Above transmitted report, together with letter of transmittal from Sidney W. Brossman, Chancellor, California Community Colleges, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Education.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

D. J. Everitts, Assistant Executive Officer-Engineering, State Lands Division, Los Angeles, dated December 24, 1971, relative to application of Ben Mednick, et al., to State Lands Division requesting modification of state's right of surface entry on certain property in Los Angeles County. (Pursuant to Sections 6373 and 6401(b) of the Public Resources Code). Referred by the Speaker pro Tempore to the Committee on Planning and Land Use.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 46: By Assemblyman Deddeh—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 47: By Assemblyman Deddeh—An act to amend Section 10652 of the Education Code, relating to tuition.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 48: By Assemblyman Deddeh—An act to add Section 767 to the Insurance Code, relating to insurance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 49: By Assemblyman Burton—An act to add Chapter 7 (commencing with Section 37150) to Part 8 of Division 24 of the Health and Safety Code, relating to housing

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 50: By Assemblyman Burton—An act to add Section 11021 to the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 51: By Assemblyman Murphy—An act to amend Section 2369 of the Fish and Game Code, relating to clams.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 52: By Assemblyman Townsend—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 53: By Assemblyman Briggs—An act to amend Section 69591 of the Government Code, as amended by Chapter 1701 of the Statutes of 1971, relating to judges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 54: By Assemblyman Briggs—An act to add Section 69894 to the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 55: By Assemblyman McAlister—An act to add Sections 1460.5 and 1464 to, and to repeal Sections 1460.5 and 1464 of, the Education Code, relating to school district elections, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 12: By Assemblyman Garcia—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 13: By Assemblyman Deddeh—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1¼ of Article XIII thereof, relating to the veterans' exemption from property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 14: By Assemblyman Ralph—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 19 of Article IV thereof, relating to the conduct of a lottery by the state.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 56: By Assemblyman Gonsalves—An act to amend Section 11203 of the Revenue and Taxation Code, relating to the Private Car Tax Law, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 57: By Assemblyman Miller—An act to add Article 15.5 (commencing with Section 18320) to Chapter 3 of Division 14 of the Education Code, relating to state support of public schools.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 25

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 25 be withdrawn from the Committee on Retirement, and re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Conrad was granted unanimous consent that the following letter of transmittal be printed in the Journal:

January 7, 1972

Hon Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: Submitted herewith is the report of the American Revolution Bicentennial Commission of California for 1971.

Respectfully submitted,

CHARLES J. CONRAD, Chairman
American Revolution Bicentennial
Commission of California

Above report ordered filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 58: By Assemblyman Hayes—An act to amend Section 253.2 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 59: By Assemblymen Wood, Arnett, Chappie, Crown, Deddeh, Hayden, Ketchum, MacDonald, MacGillivray, Miller, Pierson, and Seeley—An act to add Section 224 to, and to repeal Section 224, as amended by Chapter 1473 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
32	Elections and Reapportionment
33	Elections and Reapportionment
34	Elections and Reapportionment
35	Health
36	Local Government
37	Local Government
38	Local Government
39	Rules
40	Ways and Means
41	Employment and Public Employees
42	Employment and Public Employees
43	Revenue and Taxation
44	Revenue and Taxation
45	Finance and Insurance

REQUEST TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following request to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, January 10, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 59—An act to add Section 224 to, and to repeal Section 224, as amended by Chapter 1473 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

BOB WOOD

Assembly Chamber, January 10, 1972

Mr. Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 25—An act to amend Section 75090 2 of the Government Code, relating to the Judges' Retirement System, and declaring the urgency thereof, to take effect immediately.

DAVID C. PIERSON

Assembly Chamber, January 10, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard

in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 43—An act to repeal Section 993 of, and to add Section 993 to, the Revenue and Taxation Code, and to repeal Section 2 of Chapter 1079 of the Statutes of the 1971 Regular Session of the Legislature, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

ERNEST N. MOBLEY

Above requests ordered transmitted to the Committee on Rules.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN SCHABARUM

Speaker pro Tempore Bee announced that yesterday was the birthday of Assemblyman Pete Schabarum, of the 49th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Schabarum.

Hon. Frank Lanterman Presiding

At 4:32 p.m., Hon. Frank Lanterman, 47th District, presiding.

ADJOURNMENT

At 4·33 p m, Acting Speaker Lanterman declared the Assembly adjourned until 9·45 a m, Tuesday, January 11, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixth Legislative Day

Ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 11, 1972

The Assembly met at 9:45 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Dent moved a quorum call of the Assembly.
Mr. Meade seconded the motion.
Motion carried. Time, 9:47 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 10 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—70.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Your peace has been defined as the tranquillity of order Help us to find this peace deep in our own souls. Help us to sow it and nourish it in our families and communities. Help us to work as one towards achieving it in the world. And, Father, let us always have this tranquillity and order in our workings together here in this chamber.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Deddeh then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. McAlister, seconded by Mr. Lewis.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Duffy, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee
Mr LaCoste, on request of Speaker pro Tempore Bee.
Mr. Priolo, on request of Speaker pro Tempore Bee.

The following Member was excused for the day:

Mr. Bill Greene.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 11, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session today, January 11, on legislative business.

I will be speaking to and meeting with students at the University of California at Irvine.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

January 10, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request that I be excused from session on Tuesday, January 11, 1972, on legislative business.

I will be particiipating in the United States Civil Service Commission's Executive Seminar in Berkeley.

Sincerely,

YVONNE W. BRATHWAITE, Assemblyman
Sixty-third District

January 11, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from this morning's session, January 11, as I will be in my district meeting with school officials relating to problems of finance.

Sincerely,

WILLIAM CAMPBELL, Assemblyman
Fiftieth District

January 10, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: Kindly excuse me from the legislative session Tuesday, January 11, 1972, on legislative business. I will be meeting with the Mayor of Alhambra regarding various problems in my district.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

January 11, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request that I be excused from the Assembly session on Tuesday, January 11, 1972, on legislative business.

I will be attending a Congressional hearing in San Francisco by the Select Senate Committee on Labor and Public Welfare concerning the plight of the small California farmers who are being forced out of business by the large corporate conglomerates.

Sincerely,

ERNEST LACOSTE, Assemblyman
Thirtieth District

January 10, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Tuesday, January 11, 1972, due to legislative business.

I will be speaking to a joint meeting of Rotary Clubs in my district, reporting on the 1971 Session.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixtieth District

REPORTS

The following reports were presented by the Speaker:

Report on the Financial Condition, Present Operation and Future Activities of the California Exposition and Fair. (Pursuant to Section 3579 of the Agricultural Code.) December 27, 1971.

Above transmitted report, together with letter of transmittal from Ralph A. Nissen, Chairman, California Exposition and Fair Executive Committee, Sacramento, dated December 27, 1971, referred by the Speaker pro Tempore to the Committee on Governmental Organization.

Report of the Legislative Analyst on High School Accreditation. (Pursuant to Chapter 1069, Statutes of 1970). January 10, 1972.

Above transmitted report, together with letter of transmittal from A. Alan Post, Legislative Analyst, Joint Legislative Budget Committee, Sacramento, dated January 10, 1972, referred by the Speaker pro Tempore to the Committee on Education.

A Report Submitted by the University of California in Response to Assembly Concurrent Resolution No. 62, 1971.

Above transmitted report, together with letter of transmittal from Charles J. Hitch, President, University of California, Berkeley, dated January 5, 1972, referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
46	Retirement
47	Education
48	Finance and Insurance
49	Urban Development and Housing
50	Welfare
51	Natural Resources and Conservation
52	Finance and Insurance
53	Judiciary

Assembly Bill No.	*Committee*
54	Judiciary
55	Education
56	Revenue and Taxation
57	Education
58	Transportation
59	Revenue and Taxation

Assembly Constitutional Amendment No.	*Committee*
12	Judiciary
13	Revenue and Taxation
14	Governmental Organization

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 60: By Assemblyman Thomas—An act to add Section 301.1 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 61: By Assemblyman Dent—An act to amend Sections 5549 and 5594 of the Public Resources Code, relating to regional park districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 62: By Assemblyman Biddle—An act to add Chapter 3.5 (commencing with Section 1544.1) to Title 12 of Part 2 of the Penal Code, relating to collection of nonphysical evidence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 63: By Assemblyman Z'berg—An act to add Section 54933 6 to the Government Code, relating to county service areas, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Rules.

Assembly Bill No. 64: By Assemblyman Ray E. Johnson—An act to add Sections 25210.77e, 25210.77f, 25830, and 25831 to, and to repeal Sections 25210.77e, 25210.77f, 25830, and 25831, as added by Chapter 1014 of the Statutes of the 1971 Regular Session of, the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Rules.

Assembly Bill No. 65: By Assemblyman Deddeh—An act to add Section 7065 3 to the Business and Professions Code, relating to Contractors' State License Board.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 66: By Assemblyman Gonsalves—An act to amend Section 17154 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 2: By Assemblyman Chappie (Senator Way, coauthor)—Relative to China Lake Naval Weapons Center.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Chappie:

House Resolution No. 4

Relative to the taxation of energy

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the taxation of the use or consumption of energy, to be used as a revenue source for the support of education and for property tax relief; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on or before April 1, 1972.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, January 12, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 64—An act to add Sections 25210.77e, 25210.77f, 25830, and 25831 to, and to repeal Sections 25210.77e, 25210.77f, 25830, and 25831, as added by Chapter 1014 of the Statutes of the 1971 Regular Session of, the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

RAY E. JOHNSON

Assembly Chamber, January 12, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 63—An act to add Section 54933.6 to the Government Code, relating to county service areas, and declaring the urgency thereof, to take effect immediately.

EDWIN L. Z'BERG

Above requests ordered transmitted to the Committee on Rules.

MESSAGES FROM THE SENATE

Senate Chamber, January 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 7

DARRYL R. WHITE, Secretary of the Senate
By JOHN W. ROVANE, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 7—An act to amend Section 218 of the Revenue and Taxation Code, relating to the homeowners' property tax exemption, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that there would be a Republican Caucus immediately upon adjournment today, in the Sergeant at Arms office.

RESOLUTION TO INVOKE THE PROVISIONS OF JOINT RULE 10.9

The following resolution was offered:

By Assemblyman Cory:

Resolved, That Assembly Concurrent Resolution No. 2 need not be read on three several days, and that it be taken up for final consideration at this time.

Resolution read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Z'berg, and Mr. Speaker —53.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 2 FROM COMMITTEE

Mr. Cory was granted unanimous consent that Assembly Concurrent Resolution No. 2 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 2—Relative to the selection of the Legislative Counsel of California.

Resolution read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh,

Dent, Dunlap, Fenton, Foran, Gonsalves, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 67: By Assemblyman Miller—An act to add Division 6.5 (commencing with Section 12401) to, to amend the heading of Division 7 (commencing with Section 12501) of, and to repeal Chapter 1 (commencing with Section 12501), Chapter 2 (commencing with Section 12751), Chapter 3 (commencing with Section 14001), and Chapter 3.5 (commencing with Section 14101) of Division 7 of, the Agricultural Code, relating to pesticides.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 68: By Assemblyman Leroy F. Greene—An act to amend Section 11580.1 of, and to repeal Sections 11580 05, 11580.06, 11580.2, 11580.3, 11580.4, 11580.5, 11580.8, and 11580.9 of, and Article 4, (commencing with Section 11620) and Article 5 (commencing with Section 11628) of Chapter 1 of Part 3 of Division 2 of, the Insurance Code, and to add Division 7 (commencing with Section 16000) to, and to repeal Division 7 (commencing with Section 16000) and Division 9 (commencing with Section 17000) of, the Vehicle Code, relating to motor vehicle financial responsibility, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 15: By Assemblymen Miller and Waxman—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 24 to Article XX thereof, relating to catastrophe compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 16: By Assemblyman Foran—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing Article XXVI thereof, and by adding Article XXVI thereto, relating to motor vehicle taxation and revenues.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 3: By Assemblyman Deddeh—Relative to Contractors' State License Board.

Held at Desk by order of the Speaker pro Tempore.

RECESS

At 10:17 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 10:23 a.m.

REASSEMBLED

At 10:23 a m , the Assembly reconvened
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:23 a m., Mr. Burton was granted unanimous consent that the members of the Committee on Rules be excused, for the purpose of attending a meeting of the Committee on Rules, at this time.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 69: By Assemblymen Deddeh, Lanterman, Schabarum, Foran, Hayden, Sieroty, and Wood—An act to amend Section 14000 of the Government Code, relating to transportation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 70: By Assemblymen Z'berg, MacDonald, and McAlister—An act to add Article 4.5 (commencing with Section 913.10) to Chapter 2 of Title 4 of Part 2 of the Penal Code, relating to grand juries.

Held at Desk by order of the Speaker pro Tempore.

CAUCUS ANNOUNCEMENTS

At 10:32 a.m., Speaker pro Tempore Bee announced that the Republican Caucus would meet at this time in the Sergeant at Arms office and the Democratic Caucus would meet at this time in the Assembly Lounge.

RECESS

At 10:33 a.m , Speaker pro Tempore Bee declared the Assembly recessed until 11:19 a.m.

REASSEMBLED

At 11:19 a.m., the Assembly reconvened.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Pierson for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 25 be granted.

BURTON, Chairman

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Mobley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section

8(a), of the Constitution as it pertains to Assembly Bill No. 43 be granted.

BURTON, Chairman

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Wood for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 59 be granted.

BURTON, Chairman

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Z'berg for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 63 be granted.

BURTON, Chairman

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Ray E Johnson for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 64 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Pierson:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 25 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read; ~~and adopted by the following vote~~

~~AYES—Arnett, Bagley, Barnes, Bee, Belotti, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keyser, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—60.~~

~~NOES—None~~

~~Article IV, Section 8(a) of the Constitution was declared dispensed with.~~

NOTE: On January 12, 1972, the action was rescinded whereby the above resolution was adopted in the Assembly, and whereby Article IV, Section 8(a) of the Constitution was declared dispensed with. See page 123

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 25 for hearing in the Committee on Rules, on Thursday, January 13, 1972.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Mobley:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 43 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

Withdrawal and Re-reference of Assembly Bill No. 43

Mr. Mobley was granted unanimous consent that Assembly Bill No. 43 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Rules.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Mobley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 43 for hearing in the Committee on Rules on Thursday, January 13, 1972.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Wood:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 59 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong,

Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

Withdrawal and Re-reference of Assembly Bill No. 59

Mr Wood was granted unanimous consent that Assembly Bill No. 59 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Rules.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Wood was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 59 for hearing in the Committee on Rules on Thursday, January 13, 1972.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Z'berg:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 63 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—62

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 63 for hearing in the Committee on Rules on Thursday, January 13, 1972.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Stull:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 7 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly.

Mr. Lanterman seconded the motion

Motion carried. Time, 11.32 a.m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ray E. Johnson:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 64 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Ray E. Johnson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 64 for hearing in the Committee on Rules on Thursday, January 13, 1972.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 19

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 19

Mr. Schabarum was granted unanimous consent to take up Assembly Bill No. 19, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 19 by Unanimous Consent

Assembly Bill No. 19—An act to add Section 6547.5 to the Government Code, relating to joint powers entities and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 through 9, inclusive, and insert

"6547.5. If, prior to the effective date of this section, a city, pursuant to Section 6547, has authorized a joint powers entity to issue bonds, such authorization is void if the joint powers entity has not incurred a valid contractual obligation to issue bonds by the effective date of this section. In such a case, a city shall make any further authorization pursuant to Section 6547 only by ordinance which shall be subject to the referendum provisions of Section 6547 as amended by Chapter 721 of the Statutes of 1971.

If, subsequent to the effective date of this section, a court of final jurisdiction determines that a joint powers entity had not incurred a valid contractual obligation to issue bonds by the effective date of this section, the authorization given by a city pursuant to Section 6547 prior to the effective date of this act, is void In such a case a city shall make any further authorization pursuant to Section 6547 only by ordinance which shall be subject to the referendum provisions of Section 6547 as amended by Chapter 721 of the Statutes of 1971.

This section shall apply only to cities incorporated within a county of the first class, having a population between 30,000 and 35,000 as shown in the 1970 Federal Decennial Census"

Amendment No. 2

On page 2, strike out lines 1 through 35, inclusive.

Amendments read, and adopted.

Bill ordered reprinted.

Request for Unanimous Consent to Take Up Assembly Bill No. 19

Mr. Schabarum was granted unanimous consent to take up Assembly Bill No. 19, as amended, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Schabarum:

Resolved, That Assembly Bill No. 19 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—63.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with

Consideration of Assembly Bill No. 19

Assembly Bill No. 19—An act to add Section 6547.5 to the Government Code, relating to joint powers entities and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Collier, Conrad, Cory, Crown, Dent, Dunlap, Fenton, Fong, Foran, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Schabarum,

Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—54.

NOES—Ryan and Stacey—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Collier, Conrad, Cory, Crown, Dent, Dunlap, Fenton, Fong, Foran, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—54.

NOES—Ryan and Stacey—2.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 71: By Assemblyman Fong—An act to amend Section 8506 of the Education Code, relating to venereal disease instruction, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 7

At 11·39 a.m., on motion of Mr. Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provision of Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No 7 adopted by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—60.

NOES—Burton and Townsend—2.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 7 FROM COMMITTEE

Mr. Stull was granted unanimous consent that Assembly Bill No 7 be withdrawn from the Committee on Education, that the bill be read

a second time at this time, without reference to file, and that the bill be returned to the third reading file for the next legislative day.

Second Reading of Assembly Bill No. 7

Assembly Bill No. 7—An act relating to public school certificated employees and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, January 11, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 8—An act to add Section 3.5 to Chapter 105 of the Statutes of 1971, relating to the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, and declaring the urgency thereof, to take effect immediately.

J. W. DENT

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 11:42 a m, Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, January 12, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventh Legislative Day

Tenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 12, 1972

The Assembly met at 11 a.m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr Deddeh seconded the motion.
Motion carried. Time, 11 .02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Hon. Kenneth Cory Presiding

At 11 ·08 a.m , Hon. Kenneth Cory, 69th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11.13 a m , Acting Speaker Cory declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller,

Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—67.

PRAYER

Upon invitation of Acting Speaker Cory, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Almighty God, Today we pray that You will be with us to defend us, within us that You may sustain, before us that You may lead and guide us, behind us that You may protect us, above us that You may bless us and our work.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Cory, Mr. Brown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Brown, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Barnes, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Biddle, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mrs. Davis, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. LaCoste, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 12, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker. I respectfully request to be excused from session today, January 12, 1972, on legislative business.

I will be taking a tour and meeting with officials of San Diego County Honor Camps.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

January 11, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is repectfully requested that I be excused on legislative business on January 12.

I have been requested to meet with local governmental officials in South Lake Tahoe concerning problems in the area.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

January 12, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: This is to request that I be excused from session January 12, 13 and 14, on legislative business.

The Assembly Committee on Natural Resources and Conservation has scheduled hearings in Eureka, to discuss Forestry Practices.

Sincerely,

PAULINE L. DAVIS, Assemblywoman
First District

January 11, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Wednesday, January 12, as I am scheduled to speak before the Rotary Club in my District and will be meeting with a group of constituents in the District Office.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

January 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from session on Wednesday, January 12, 1972, on legislative business

I will be in Fresno attending a Congressional hearing by the Select Senate Committee on Labor and Public Welfare concerning the plight

of the small California farmers who are being forced out of business by the large corporate conglomerates.

Sincerely,

ERNEST LACOSTE, Assemblyman
Thirtieth District

January 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from Session on Wednesday, January 12, 1972, on legislative business.

The Mayor of Bellflower, J. Kimball Walker, has proclaimed the week of January 12th as "Discover Your America Week." I will be participating in a luncheon, together with Congressman Del Clawson, in observance of "Discover Your America Week."

Sincerely,

CARLEY V. PORTER, Assemblyman
Thirty-eighth District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
60	Transportation
61	Local Government
62	Criminal Justice
65	Commerce and Public Utilities
66	Revenue and Taxation
67	Environmental Quality
68	Finance and Insurance
69	Transportation
70	Criminal Justice
71	Education

Assembly Constitutional Amendment No.	*Committee*
15	Finance and Insurance
16	Transportation

Assembly Joint Resolution No.	*Committee*
2	Natural Resources and Conservation

Assembly Concurrent Resolution No.	*Committee*
3	Commerce and Public Utilities

Senate Bill No.	*Committee*
7	Rules

Speaker pro Tempore Presiding

At 11:16 a.m., Hon. Carlos Bee, 13th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 72: By Assemblyman Deddeh—An act to amend Section 15707 of the Education Code, relating to school district property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 73: By Assemblyman Quimby—An act to amend Section 990 of, and to add Section 990.1 to, the Government Code, relating to insuring public employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 74: By Assemblyman Quimby—An act to amend Section 11520 of the Vehicle Code, relating to automobile dismantlers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 75: By Assemblyman McAlister—An act relating to the disposition of property by the Director of General Services, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 76: By Assemblyman Dunlap—An act to amend Sections 24351 and 24352 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 77: By Assemblyman Brown—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, January 12, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined

AB No. 7

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 11, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No. 1

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered on file.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Budget Message

Governor's Office, Sacramento
January 12, 1972

To the Members of the Legislature of California:

The fiscal plan of California is really two separate and quite distinct budgets. The first, and by far the largest, is made up of moneys which the state collects from its citizens and then sends back to cities, counties, other governmental jurisdictions, and most significantly, school districts. State assistance to local agencies represents about two-thirds of all our expenditures.

The second budget comprises the remaining one-third of the money collected to run the traditional functions of state government, such as the University and college systems, beach and park development and operations, mental hospitals, and highway construction

As I mentioned in my budget message in 1970, I have long felt that the fiscal plan for the State of California should be prepared as two separate budgets to more dramatically emphasize the state's two distinct funding roles.

Therefore, this year I have asked the Director of Finance to submit (1) a local assistance budget, and (2) a state operations budget. While they will be bound together in a single volume for convenience, I am hopeful that the executive and legislative branches will consider each one separately in order that Californians may better understand the extent to which state government merely acts as an efficient tax collector for the benefit of local government.

LOCAL ASSISTANCE

State contributions for local assistance in 1971–72 were $4,329,191,284. For the budget year of 1972–73, the state will assist local government $4,899,670,225, an increase of 13.2 percent This increasing state support for local governmental agencies is in recognition of the vital role they play as the very backbone of our governmental system

Education

The local assistance budget I am submitting reflects the high priority I believe education must continue to receive in the allocation of our scarce tax resources. In both local assistance and state operations, we

again have endeavored to give first consideration to the needs of educating our young people.

We are suggesting one of the largest budgeted year-to-year increases for the support of local schools in California's history. Particularly pleasing to me is the reform of the Teachers' Retirement System. Legislation passed and signed during the 1971 session after three years of extensive administration-legislative effort, marks a giant step forward in assuring the kind of long-term financial security our local school teachers and their families deserve. The landmark legislation provides for an actuarially sound funding basis for the first time in the history of the Teachers' Retirement System. This budget reflects the first of 30 annual payments of $135 million as set forth in this reform bill and $42 million in increased local school apportionments.

In addition, I am pleased to be able to recommend $65 million in new money for California's local schools. This is the fourth time under this administration that state support for local schools has been increased, representing a net increase of approximately $560 million in new money for local schools.

While recommending the $65 million in new school funds, it is important to recognize that a recent California State Supreme Court opinion has indicated the necessity for rethinking the financing of our public systems of elementary and secondary education. In my tax reform proposals during the past few years, I have advocated a move toward more equitable school financing. These proposals have not yet been enacted into law. In the coming year, we expect to work closely with the Legislature, the Superintendent of Public Instruction, and interested local groups to revise the funding for local schools in order to achieve a more equitable educational financing system.

Medi-Cal

Based on preliminary welfare caseload projections compiled earlier this year, the proposed Medi-Cal budget for 1972–73, as printed, is $655 million (General Fund). This represents an increase of only 9 percent over the $597 million Medi-Cal budget I signed for the current fiscal year In contrast, during the previous four years, approved Medi-Cal budgets rose three times as fast—by an average of 31-percent per year.

However, due to a steadily declining welfare caseload during the past eight months, it now appears that there will be an $80 million General Fund savings in the Medi-Cal budget for the current fiscal year. This would reduce Medi-Cal expenditures this year to $517 million—only 6 percent above the previous year's spending level ($484 million).

And, if California's welfare caseload—to which Medi-Cal is tied directly—should continue to decline or generally level out in the year to come, it is entirely possible that a similar savings in Medi-Cal expenditures could be made in 1972–73 If this were to occur, it would reduce the budgeted $655 million for Medi-Cal.

Caseload projections which, for the first time, will take into account *the continuing* effects of our administrative reforms and those resulting from the new welfare reform law, will provide the basis in June for whatever readjustment may be necessary in next year's budget.

Welfare

As a result of the enactment of the new welfare reform law and the far-reaching administrative reforms implemented by this administration, the rate of increase in General Fund expenditures for social welfare in 1972–73 will amount to only a third of what it was each year during the past three years.

While the average increase in the General Fund budget for welfare has been 20 percent a year over the past three years, the expenditure program I am proposing for 1972–73 in social welfare will go up to only 7.3 percent, or $54 million above the current welfare budget.

Because the Welfare Reform Act of 1971 requires the state to pick up a percentage of the local cost of administering welfare—a burden previously borne by county property taxpayers—the great bulk, or $49 million of the $54 million increase, will be returned to the counties to cover their administrative functions.

Had this administration not moved energetically to reform California's welfare system, the additional state, local and federal costs to the taxpayers this fiscal year (1971–72) would have been $338 million greater ($147 million more in General Fund moneys) than they actually will be.

And, without these same reforms, we estimate that the increased welfare burden on the people in 1972–73 (federal, state and local costs) would amount to nearly three-quarters of a billion dollars more than we believe it will be under the budget I am proposing Without reform, General Fund costs for welfare in the coming fiscal year would be $262 million higher than the budget I am submitting to you.

Translated into caseload, this means that had we not reformed welfare, there would be 3 1 million persons on the rolls in June of 1973, at least 700,000 more than the number we can now look forward to in that same month.

Property Tax Relief

During the 1971 session we were successful in achieving $46 million in senior citizens' property tax relief, a continuation of the 30-percent reduction in business inventory relief and, for the first time, meaningful state support for preserving California's open space. For these programs, our budget reflects increased property tax relief amounting to $170 million. Total tax relief for 1972–73 when combined with the state relief given to California's homeowners will total $464 million While much more must be done to provide the kind of substantial and lasting property tax relief which our beleaguered California homeowners urgently need and deserve, the shifts from the property tax provided last year are a step in the right direction

STATE OPERATIONS

This budget does not reflect the degree of austerity which was necessary during the current year. However, let me assure you that I will demand that state managers continue to use their skill, ingenuity, and diligence in seeking the same kind of economies which we have achieved in the past. Scarce taxpayers' dollars must be conserved and utilized in the most efficient manner possible

Higher Education

This budget provides our State University and Colleges System a General Fund increase of $31.5 million in support of a projected growth in enrollment of 11,680 students and 637 new faculty. I am particularly impressed with the manner in which our newly named California State University and Colleges are approaching the need for ingenuity and imagination in education I have therefore proposed that the system receive a $4.5 million Innovation Fund Some of the innovations this will cover are new technological approaches in the operation of libraries, strengthening of the role of department heads to manage more effectively, and the implementation of the "weekend" college concept which will enable more of our working men and women to enjoy the benefits of higher education.

I also am proposing a General Fund increase of $18.7 million for the University of California to support 1,287 additional students and 159 more faculty. Of great importance is the fact that this budget provides $42 6 million for salary increases in both our systems of higher education. I am confident that this will help both the University and the colleges to continue to provide the quality of educational experience which has made these systems leading institutions of higher education in the country.

Student Financial Aid

I am proposing a 41-percent increase in General Fund support for the Scholarship and Loan Commission amounting to $8.2 million This will include a new program of contracting with California independent medical schools for additional medical students, a new graduate fellowship program, and expansion of the very successful college opportunity grant program. For the first time ever, we have summarized in the Governor's Budget all identifiable financial aids available to students who need this kind of help to complete their college work. This summary indicates that $288 7 million of federal and state funds will be available in 1972–73 for students enrolled in all universities and colleges in California, compared to $270 4 million in the current year. These aids should assist many more students to benefit from the kinds of educational opportunities which may otherwise not be available.

Human Relations

The budget I am proposing for human relations reflects, on a program basis, the needs of several significant areas: alcoholism, mental retardation, and narcotics and dangerous drugs Under this approach, programs are presented for legislative and executive review without the fragmentation implicit in multiple organizational responsibility.

Our correctional programs are continuing to experience reduced populations reflecting the favorable recidivism which results from innovative correctional practices There have been instances of tragic violence in our correctional institutions, and in order to protect the lives of correctional officers and other inmates we have instituted additional security procedures together with improved psychiatric care.

The progress we are making in treating the mentally ill and retarded is a particular source of satisfaction. This budget will enable us to

maintain our high staffing standards for the mentally ill and to continue to improve staffing for the mentally retarded.

The number of patients in our mental hospitals is continuing to decline, a fact which proves the effectiveness of local treatment programs under the Lanterman-Petris-Short Act.

In order to combat the epidemic problem of venereal disease, I am proposing a funding level which will enable us to continue the educational program we established this year.

In furthering the objectives of self-fulfillment and self-sufficiency embodied in the new welfare reform law, we plan to continue, in this budget, programs of rehabilitation training services to enable welfare recipients to enter the world of work through both public service jobs and private employment.

Resources

This budget provides a substantial increase in funds to further protect and preserve the quality of California's environment, including the maintenance of air and water quality standards, and expanded hunting and fishing opportunities.

We are continuing to expand recreational opportunities by opening new beach and park facilities and by providing accommodations for additional use at many existing locations.

Law Enforcement

I am proposing a significant increase in funding for the law enforcement functions of the Department of Justice and new matching moneys to enable the California Council on Criminal Justice to receive federal assistance under the Omnibus Crime Control and Safe Streets Act.

Salary Increase Funds

Economic necessity required us to forego general salary increases for state employees in 1971–72. There never was any question in our minds that our employees deserved an increase. Under this administration, the number of state employees has actually decreased despite California's continued growth during these five years. This means in many departments, the workload increase has been absorbed with no increase in staff. We are happy this year that we can recognize their dedication by including in the budget $95.8 million for salary increases and for correcting salary inequities. This is equivalent to a 5-percent salary increase for state employees and 7½ percent for academic employees of the University of California and the State Colleges.

Conclusion

During the past two years we have found it necessary to advise the Legislature at periodic intervals that revenues were not meeting expectations The state and nation have felt the effects of inflation and unemployment as we have made the painful transition from a wartime to a peacetime economy. A rapid shift in national priorities away from defense and space has affected many states adversely, including California.

This year I am happy to report that we can expect a vigorous economic recovery across the state An additional 175,000 jobs will be

created in California in 1972. The personal income our citizens receive will reach almost $101 billion, a gain of 8 percent. The increases will be sustained, and in virtually all economic sectors. We expect the President's new economic policy to aid the expansion and also hold down inflation. This will enable state revenues to resume a normal growth pattern and insure against a tax increase.

I ask your cooperation in the months ahead as you consider the fiscal plan which we are submitting this 10th day of the 1972 legislative session in accordance with Article IV, Section 12 of the State Constitution, amended November 3, 1970.

RONALD REAGAN, Governor

Accompanying Budget ordered filed with the Secretary of State.

MESSAGES FROM THE SENATE

Senate Chamber, January 11, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 28

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 28—An act to add Section 994 to, and to repeal Section 994, as added by Chapter 1665 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Rules.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, January 12, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Senate Bill No. 28—An act to add Section 994 to, and to repeal Section 994, as added by Chapter 1665 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

JOHN P. QUIMBY

Above request ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Knox:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 7 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Knox moved a call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 11:22 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 78: By Assemblyman Leroy F. Greene—An act to amend Section 351 of, and to repeal Sections 352 and 353 of, the Labor Code, relating to labor.

Held at Desk by order of the Speaker pro Tempore.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO SENATE BILL NO. 7

At 11:26 a.m., on motion of Mr. Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution as it relates to Senate Bill No. 7 adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, Lanterman, Lewis, MacDonald, MacGil-

livray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 79: By Assemblyman Crown—An act making an appropriation for support of services to physically handicapped children.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 80: By Assemblyman Crown—An act appropriating money to the California Council on Criminal Justice.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 81: By Assemblyman Waxman—An act to amend Section 22830 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Rules.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider an act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, January 12, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 81—An act to amend Section 22830 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

HENRY A. WAXMAN

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 7 FROM COMMITTEE

Mr. Knox was granted unanimous consent to withdraw Senate Bill No 7 from the Committee on Rules and to take the bill up at this time without reference to file.

Resolution to Dispense with Constitutional Provision

The following resolution was offered:

By Assemblyman Knox:

Resolved, That Senate Bill No. 7 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the

provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Senate Bill No. 7

Senate Bill No. 7—An act to amend Section 218 of the Revenue and Taxation Code, relating to the homeowners' property tax exemption, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Third Reading of Senate Bill No. 7

Senate Bill No. 7—An act to amend Section 218 of the Revenue and Taxation Code, relating to the homeowners' property tax exemption, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Knox.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty,

Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 25

Mr. Cory was granted unanimous consent to rescind the action whereby the Assembly, on January 11, 1972 (Assembly Journal, page 100), adopted a resolution to invoke the provisions of Article IV, Section 8(a) relative to Assembly Bill No. 25.

Further Consideration of Resolution to Invoke Constitutional Provision Relative to Assembly Bill No. 25

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 25 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Colher, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:45 a m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

ANNOUNCEMENTS

Mr Brown announced that the members of the 1971 Ways and Means Committee would meet tomorrow morning at 10 a.m. in Room 4203, at which time the Legislative Analyst would present his analysis of the Governor's Budget, as introduced today in Assembly Bill No. 77, to the committee members.

Hon. William Campbell Presiding

At 12 m., Hon. William Campbell, 50th District, presiding

ADJOURNMENT

At 12:01 p m, Acting Speaker Campbell declared the Assembly adjourned until 9 30 a.m., Thursday, January 13, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighth Legislative Day

Eleventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 13, 1972

The Assembly met at 9:47 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, and Mr. Speaker—61.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, We walk a narrow line, having on the one hand the offerings of materialistic communism and often on the other, the offerings of unrestrained capitalism. Let us not be confused by what is most readily available. We have a nobler purpose and a higher call than to get and grab whatever possible. Help us to keep in mind the scriptural truth that "not by bread alone doth man live, but by every word that proceedeth from the mouth of God."—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore, by unanimous consent, Senator Schrade then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Lanterman, seconded by Mr. Powers.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Stull, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Biddle, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mrs. Davis, on request of Speaker pro Tempore Bee.
Mr. Dent, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. LaCoste, on request of Speaker pro Tempore Bee.
Mr. Lewis, on request of Speaker pro Tempore Bee.
Mr. Murphy, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.
Mr. Wood, on request of Speaker pro Tempore Bee.
Mr. Z'berg, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Pierson, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 13, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session today, January 13, 1972, on legislative business.

I will be participating in the National Motor Vehicle Air Pollution Conference at the Western White House.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

January 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
3164 State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 13, 1972, on legislative business.

I have been invited to attend a meeting in Dallas, Texas of the the NIMH Federal-States Relations Committee, a division of the Department of Health, Education and Welfare.

Thank you very much for your consideration in this matter.

Sincerely,

YVONNE W. BRATHWAITE, Assemblyman
Sixty-third District

January 13, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 13, 1972, as I am scheduled to speak before a political science class at the University of Southern California and will be meeting with a group of constituents in my district office.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

January 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is respectfully requested that I be excused on legislative business on January 13.

I have been invited to be the keynote speaker at the Tahoe Truckee High School "Student Leadership Conference".

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

January 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, January 13, 1972, on legislative business. I shall be attending the interim hearing of the Natural Resources and Conservation Committee in Eureka, California, on Thursday and Friday.

Yours truly,

JAMES W. DENT, Assemblyman
Tenth District

January 13, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from session today, on legislative business. I am meeting with student leaders on the school campuses in my district.

Respectfully,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

January 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 13, 1972, because of legislative business.

I will be in San Francisco attending a Congressional hearing by the Select Senate Committee on Labor and Public Welfare concerning the plight of the small California farmers who are being forced out of business by the large corporate conglomerates.

Sincerely,

ERNEST LaCOSTE, Assemblyman
Thirtieth District

January 13, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3162, State Capitol, Sacramento, California

Dear Mr. Speaker: I would respectfully request to be excused from the daily Session on Thursday, January 13, 1972.

I will be in San Clemente attending the National Motor Vehicle Air Pollution Conference at the Western White House with several of my colleagues of the Assembly.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

January 13, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 13, 1972, on legislative business. I will be in Palm Springs addressing the joint meeting of the Watsonville Employers Frozen Food Association and the Teamsters General Union, Local 912.

Sincerely,

FRANK MURPHY, JR., Assemblyman
Thirty-first District

January 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from Session on Thursday, January 13, 1972, on legislative business.

I will be in my district participating in conferences with several city officials regarding reapportionment.

Sincerely,

CARLEY V. PORTER, Assemblyman
Thirty-eighth District

January 11, 1972

Hon Bob Moretti
Speaker of the Assembly
3164 State Capitol

Dear Mr Speaker· It is respectfully requested that I be excused from the session on Thursday, January 13, on legislative business inasmuch as I will be participating in the National Motor Vehicle Air Pollution Conference being held at the Western White House on January 13 and 14.

Sincerely yours,

PETE SCHABARUM, Assemblyman
Forty-ninth District

January 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I wish to be excused January 13–14, 1972 on legislative business

I will be attending an interim hearing of the Assembly Natural Resources and Conservation Committee in Eureka, California.

Respectfully,

CHARLES WARREN, Assemblyman
Fifty-sixth District

January 11, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Thursday, January 13 and Friday, January 14, as I will be attending a committee hearing in Eureka for the Natural Resources and Conservation Committee.

Sincerely,

BOB WOOD, Assemblyman
Thirty-fourth District

January 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I wish to be excused from the Session today on legislative business.

My Assembly Committee on Natural Resources and Conservation is conducting a hearing in Eureka on logging practices.

Very truly yours,

EDWIN L. Z'BERG, Assemblyman
Ninth District

NOTE: For letter explaining the absence of Mrs. Davis on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 12, 1972, page 111.

PRESS CREDENTIALS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 11, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: The following named individuals are eligible for accreditation as members of the press, radio, and television corps during the 1972 session of the Legislature:

CAPITOL CORRESPONDENTS ASSOCIATION

EARL C. BEHRENS, *San Francisco Chronicle,* President

JERRY GILLAM, *Los Angeles Times,* Vice President

RICHARD RODDA, *Sacramento Bee,* Secretary

WARREN OLNEY, *KNXT-News,* Treasurer

Standing Committee: Earl C Behrens; Jerry Gillam; Richard Rodda; Warren Olney; William Stall, Associated Press; Tom H. Woods, Group W—Westinghouse Broadcast

ACCREDITED REPRESENTATIVES—1972
PRESS

ASSOCIATED PRESS: William R Stall, Douglas R. Willis, Charles McFadden, Brendan Riley, Susan Sward, John C. Eagan, Walter Zeboski.

CAPITOL NEWS SERVICE: Phil Hanna, Phil Jordan, Liz Lague, Mary K. Shell.

COPLEY NEWS SERVICE: Joseph Brooks, Jack Webb.

LESHER NEWSPAPERS: Arthur W Miller.

LONG BEACH INDEPENDENT-PRESS TELEGRAM: Robert Schmidt.

LOS ANGELES DAILY JOURNAL: Steve Martini.

LOS ANGELES TIMES: Tom J. Goff, Jerry Gillam, Robert S. Fairbanks, William Endicott.

OAKLAND TRIBUNE: Ed Salzman.

RIVERSIDE PRESS ENTERPRISE: Martin Salditeh.

SACRAMENTO BEE: Richard Rodda, Tom Arden, Lee Fremstad, Wilson K. Lythgoe, James Dufur, John Berthelsen, Ronald E. Blubaugh, Douglas Dempster

SACRAMENTO UNION: Rod Beaudry, Jack Woodard, Earl G. Waters.

SAN DIEGO EVENING TRIBUNE: Ralph Bennett.

SAN DIEGO UNION: Robert E Cox.

SAN FRANCISCO CHRONICLE: Earl C. Behrens, Jackson Doyle, Peter B. Weisser

SAN FRANCISCO EXAMINER: Jack Welter, Sydney Kossen, Dennis J. Opatrny.

SAN JOSE MERCURY NEWS: Larry Stammer, Harry Farrell.

UNITED PRESS INTERNATIONAL: George Skelton, Carl Ingram, Davis Jensen, James C. Babis, Ronald A. Edmonds, Karl J. Kramer, Fred Watson, P. Alfieri Jones, Chris S. Morgese, Thomas C. Miller.

TELEVISION-RADIO

ABC-RADIO:

GROUP W—WESTINGHOUSE BROADCAST: Tom H. Woods.

HERCULES BROADCASTING COMPANY: Bernice Garson Slater.

KABC-TV: Greg Chastan, Armand Richer, Larry L. Badger.

KCRA-TV: John V. Jervis, Alex Callaway.

KNXT-NEWS: Warren Olney, Paul Hilton, Cal Cape.

KGMS-RADIO: Spencer Tyler.

KPFA: Kirk C. Smith

METROMEDIA NEWS: Karen Stanley.

McCLATCHY BROADCASTING: Tony Koester, William H. Branch.

NBC-NEWS: Victor J. Biondi, Richard Black, Ernest D St Germain.

SQUIRE BEHRENS, President

Approval of Press Credentials

By unanimous consent, the foregoing press credentials were approved by the Assembly.

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Don Anderson, Executive Officer, State Allocation Board, Sacramento, dated January 10, 1972, transmitting a resolution relative to Proposition #2, Primary Election Ballot, June 6, 1972. Referred by the Speaker pro Tempore to the Committee on Labor Relations

Ralph Alpert, Assistant Secretary, California Water Resources Development Finance Committee, Sacramento, transmitting an abstract of proceedings as required under Sec 16725 of the Government Code. Referred by the Speaker pro Tempore to the Committee on Water.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
72	Education
73	Criminal Justice
74	Transportation
75	Government Administration
76	Environmental Quality
77	Ways and Means
78	Labor Relations
79	Ways and Means
80	Ways and Means

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 82: By Assemblymen Miller, Burton, Cory, Cline, Bagley, Brathwaite, Brown, Chacon, Collier, Conrad, Crown, Cullen, Bill Greene, Hayden, Harvey Johnson, Ketchum, MacDonald, MacGillivray, McAlister, Murphy, Quimby, Seeley, Warren, Waxman, Wood, and Z'berg—An act to add Section 30101 6 to the Streets and Highways Code, relating to toll bridges.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 83: By Assemblyman Cory—An act to amend Section 3509 of the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 84: By Assemblyman Cory—An act to repeal Section 25520 of the Education Code, relating to physical education

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 85: By Assemblyman Cory—An act to amend Sections 651, 658, 671, 802, 811, 822, 871, 885, 885 1, 885 3, 886 1, 886 3 as added by Chapter 182 of the Statutes of 1968, 886 3 as amended

by Chapter 557 of the Statutes of 1970, 887.2 as added by Chapter 182 of the Statutes of 1968, 887.2 as amended by Chapter 557 of the Statutes of 1970, 888.1, 888 2 as added by Chapter 182 of the Statutes of 1968, 888 2 as amended by Chapter 557 of the Statutes of 1970, 889 3 as added by Chapter 182 of the Statutes of 1968, 889.3 as amended by Chapter 557 of the Statutes of 1970, 889.4, 890.2 as added by Chapter 182 of the Statutes of 1968, 890 2 as amended by Chapter 557 of the Statutes of 1970, 891 as amended by Section 1 of Chapter 1379 of the Statutes of 1970, 891 as amended by Section 19 of Chapter 1379 of the Statutes of 1970, 891.1 as amended by Section 2 of Chapter 1379 of the Statutes of 1970, 891.1 as amended by Section 20 of Chapter 1379 of the Statutes of 1970, 892, 899.6, 899.7, 6017, 8054, 16653 5, 17301, 17303 5, 17654 5, 17655 5, 17664, 17671, 18351, 18351.3, 18352, 18361, 20107, 20400, and 20404 of, to add Sections 750, 897 2, 13381, 15416, 17654, and 17662 to, and to repeal Sections 886, 887, 888, 889, 889.1, 890, 17656, 17660, 17662, 17665, 17665.5, and 18351.1 of, the Education Code, relating to county superintendents of schools and county boards of education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 86: By Assemblyman Priolo—An act to amend Section 24045.1 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 87: By Assemblyman Deddeh—An act to amend Sections 21457, 21706, and 21959 of the Vehicle, Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 88: By Assemblyman Campbell—An act to amend Sections 1809, 1811, and 1813 of, to add Sections 1808.7, 1808.8, 1808.9, and 1808 10 to, and to repeal Section 1810 of, the Vehicle Code, relating to records

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 89: By Assemblyman Campbell—An act to amend Sections 11391, 11655 5, 11655 6, and 11655 9 of the Health and Safety Code, to amend Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the 1970 Statutes, to amend and renumber Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1405 of the 1970 Statutes, and to amend, repeal, and add Section 5617 of the Welfare and Institutions Code, relating to dangerous drugs, including narcotics.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 90: By Assemblyman Harvey Johnson—An act relating to the study of amphetamines.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 91: By Assemblymen Ketchum and Stacey—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 92: By Assemblyman Leroy F. Greene—An act to amend Sections 5756, 6801, 6901, and 6902 of, and to add Sections 6931.5 and 17255, and 25514.7 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 17: By Assemblyman Cory—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 of Article IX thereof and repealing Sections 3, 3 1, and 3.3 of Article IX thereof, relating to county boards of education and county superintendents of schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 4: By Assemblyman Briggs—Relative to naming State Highway Route 91 the Walt Disney Freeway.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 93: By Assemblyman Thomas—An act to add Section 39297.5 to the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Warren:

House Resolution No. 5

Relative to a study of skiing safety

WHEREAS, Skiing enjoys great popularity and spectacular growth as a participative sport; and

WHEREAS, Too many skiers are suffering avoidable injuries at California ski resorts; and

WHEREAS, Factors contributing to the injuries include unsafe installation, operation or maintenance of ski lifts, overcrowding of ski slopes, and inadequate slope grooming as demonstrated by unnecessary hazards such as snow caterpillar tracks and exposed rocks and low tree limbs; and

WHEREAS, The injuries to skiers are being aggravated by inadequate ski patrol and rescue procedures and understaffed or distant medical facilities; and

WHEREAS, The State of California should protect skiers from injury on improperly maintained ski lifts, hazardous ski slopes, and com-

plications resulting from inadequate emergency service; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for immediate study the subject of the management and operation of California ski resorts emphasizing the safety of skiers; and be it further

Resolved, That said committee report its findings and recommendations to the Assembly not later than May 1 of the 1972 Regular Session of the Legislature.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

Speaker Presiding

At 9:52 a.m., Hon. Bob Moretti, 42nd District, presiding.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 1—Relative to adoption of the Joint Rules of the Senate and Assembly.

Resolution read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 3, line 27, of the printed measure, strike out "1st", and insert "15th".

Amendment No. 2

On page 4, line 8, strike out "1st", and insert "15th".

Amendment No. 3

On page 4, line 10, strike out "1st", and insert "15th".

Amendment No. 4

On page 4, line 11, after "(c)", insert "Each Member of the Legislature may introduce three bills after March 15th notwithstanding the procedure set forth in subdivisions (a) and (b).

(d)".

Resolution ordered reprinted, and on file.

Speaker pro Tempore Presiding

At 9:54 a.m., Hon. Carlos Bee, 13th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 94: By Assemblyman Barnes—An act making an appropriation to be used for venereal disease education, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 13, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Dent for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 3 be granted.

BURTON, Chairman

Assembly Chamber, January 13, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Waxman for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 81 be granted.

BURTON, Chairman

Assembly Chamber, January 13, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Quimby for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 28 be granted.

BURTON, Chairman

Assembly Chamber, January 13, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 25	AB No. 59
AB No. 43	AB No. 63

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading

Assembly Chamber, January 13, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 64

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 11 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until 2:10 p.m., Monday, January 17, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninth Legislative Day

Fifteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 17, 1972

The Assembly met at 2:16 p.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Z'berg, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Pray, Father, That Your Spirit may be constantly in us, teaching us to respect our many heritages and yet not fearing change where it is needed in our nation, in our work, or in our churches. Help us to seek reconciliation with those who challenge our way of life, our loyalties and our deepest beliefs. May we forgive and be forgiven for our past misunderstanding, our racial and our religious prejudice.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Dunlap then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Cory, seconded by Mr. Foran.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Karabian, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Priolo, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.
Mr. Wood, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived:

Mr. Bill Greene.

NOTE: Mr. Bill Greene's excuse on this day should have been on legislative business. See explanation of absence, Assembly Journal for January 18, 1972, page 155.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 14, 1972

Honorable Bob Moretti, Speaker
State Assembly
Room 3164, State Capitol

Dear Bob: This is to advise that I will be in the District at Methadone Clinics, one in Los Angeles and one in Santa Ana, on January 17. I request, therefore, that I be excused for session on Monday.

Sincerely,

WILLIAM CAMPBELL, Assemblyman
Fiftieth District

January 14, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is respectfully requested that I be excused on legislative business on Monday, January 17 and Tuesday, January 18.

I will be meeting with constituents in the Foresthill and Serene Lakes areas on local problems.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

January 13, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I request to be excused from Session on Monday, January 17, 1972.

I plan to meet with city officials of the City of Alameda on legislative business.

Sincerely,

ROBERT W. CROWN, Assemblyman
Fourteenth District

January 13, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session January 17–20, 1972, due to legislative business.

I will be traveling to Hawaii with the Planning and Land Use Committee to discuss with various officials the development and application of the Hawaii State Land Use Law and Plan.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixtieth District

January 14, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I wish to be excused from session January 17–21, 1972 on legislative business.

I will be attending a subcommittee hearing of the Assembly Planning and Land Use Committee in Hawaii per your authorization of January 6, 1972.

Respectfully,

CHARLES WARREN, Assemblyman
Fifty-sixth District

January 14, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Monday, January 17, as I will be meeting with the Mayor of Carmel, Mr. Barney Laiolo, regarding the proposed underwater state park at Carmel Bay.

This has become a very emotional issue with the citizens of the Carmel community and it is necessary for me to discuss with him the sentiments of the local community and the involvement of the State Department of Parks and Recreation.

Sincerely,

BOB WOOD, Assemblyman
Thirty-fourth District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
82	Transportation
83	Natural Resources and Conservation
84	Education
85	Education
86	Governmental Organization
87	Transportation
88	Efficiency and Cost Control
89	Health
90	Health
91	Agriculture
92	Education
93	Environmental Quality
94	Health

Assembly Constitutional Amendment No.	*Committee*
17	Education

Assembly Concurrent Resolution No.	*Committee*
4	Transportation

COMMUNICATIONS

The following communication was presented by the Speaker from:

Lawrence R Robinson, Jr, Director of General Services, Sacramento, reporting on development of a paper recycling plan for state offices, pursuant to Assembly Bill No. 2168 (Chapter 1471, 1971 Statutes). Referred by the Speaker pro Tempore to the Committee on Environmental Quality.

The following communication was presented by the Chief Clerk from:

Ford B. Ford, Assistant Secretary, the Resources Agency of California, Sacramento, dated January 13, 1972, relative to a report on the land-use potential of the Tijuana River, as required by Assembly Concurrent Resolution 65, 1971. Referred by the Speaker pro Tempore to the Committee on Water.

REPORTS

The following reports were presented by the Speaker:

Annual Report to the Legislature on Medi-Cal Pilot Projects. (In accordance with the provisions of Section 14000, subparagraph (f) of the Welfare and Institutions Code.)

Above transmitted report, together with letter of transmittal from Earl W. Brian, M D, Director, Department of Health Care Services, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Health.

A Summary of the Annual Report of Financial Transactions Concerning Cities of California, Fiscal Year 1970–71.

Above transmitted report, together with letter of transmittal from Houston I Flournoy, Controller of the State of California, Sacramento, dated January 12, 1972, referred by the Speaker pro Tempore to the Committee on Revenue and Taxation.

Report of Legislative Analyst on Sick Leave Administration in County Governments (Pursuant to Senate Concurrent Resolution No. 74, Res. Chap. 221, 1971). January 7, 1972.

Above transmitted report, together with letter of transmittal from A. Alan Post, Legislative Analyst, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Employment and Public Employees

---

The following reports were presented by the Chief Clerk:

1971 Annual Report on the California Traffic Safety Program. (Pursuant to Section 2905 of the Vehicle Code.) January 1972.

Above transmitted report, together with letter of transmittal from the Honorable Ronald Reagan, Governor, State of California, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Annual Report on Protective Screening on Freeway Overcrossings. (Pursuant to Section 92.6 of the Streets and Highways Code, Senate Bill No. 128, 1971.) December 1971.

Above transmitted report, together with letter of transmittal from Howard C Ullrich, Chief Deputy Director, Department of Public Works, Sacramento, dated January 5, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Report Relating to Use of Electricity in State Buildings. (In accordance with Assembly Concurrent Resolution No. 103, Resolution Chapter 176, 1971.)

Above transmitted report, together with letter of transmittal from Lawrence R. Robinson, Jr., Director, Department of General Services, Sacramento, dated January 14, 1972, referred by the Speaker pro Tempore to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 95: By Assemblyman Harvey Johnson—An act to add Section 18405 to the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 96: By Assemblyman Harvey Johnson—An act to amend Sections 7045 and 7046 of the Business and Professions Code, relating to contracting.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 97: By Assemblyman Ketchum—An act to amend Section 31108 of the Government Code, relating to county employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 98: By Assemblyman McCarthy—An act to amend Section 11535 of the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 99: By Assemblyman Lewis—An act to amend, repeal, and add Sections 16150, 16151, 16152, 16153, and 16155 to, to amend Section 16156 of, to add Sections 16150 5 and 16150.7 to, and to repeal Section 16157 of, the Welfare and Institutions Code, and to amend Sections 16601, 16601 5, 16603, 16603.1, 16603 2, 16604, 16604 1, 16605, 16606, 16606.5, 16607, 16611, 16613, 16614, 16615, 16615 1, 16616, 16617, 16618, 16618.5, 16620, 16623, 16626.6, 16630 5, 16640, 16641, 16641.5, and 16643 of, to add Sections 16613.1 and 16615.2 to, and to repeal Section 16642 of, the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 100: By Assemblyman Lewis—An act relating to the 1972 direct primary election, and calling an election, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 101: By Assemblyman Quimby—An act to amend Section 22705, and to repeal Section 22854.5 of the Vehicle Code, relating to abandoned and removed vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 102: By Assemblyman Z'berg—An act to amend Section 1714 of the Civil Code, relating to negligence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 103: By Assemblyman Z'berg—An act to amend Section 21404 and to repeal Section 21406 of the Public Utilities Code, relating to tort liability.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 104: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to add Section 5116 5 to the Welfare and Institutions Code, relating to facilities for the handicapped.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 105: By Assemblyman Gonsalves—An act to add Sections 29256 and 29288 to the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 3: By Assemblymen Burton, Brown, McCarthy, and Foran—Relative to the San Francisco Public Health Service Hospital.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 5: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to federal-aid secondary highway urban extensions.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Burton and Brown:

House Resolution No. 6

Relative to the Chinese New Year

WHEREAS, February 14, 1972, at 12:00 midnight, marks the end of the Year of the Boar, and the commencement of the Chinese lunar calendar year 4670; and

WHEREAS, The Chinese New Year begins at the first new moon after the sun enters Aquarius, which will fall in 1972 on February 15, and herald the beginning of "Shuie Nien," the "Year of the Rat"; and

WHEREAS, The rat takes first place in the sequence of the 12 symbolic animals of the lunar calendar year; and

WHEREAS, One legendary version of how the rat took precedence over the other animals is that when Buddha summoned all the animals of the world, the rat and the ox were the first to arrive at the moat surrounding heaven, and the rat gained the advantage by stealing a ride across on the ox's back and then leaping through the gates while the ox clambered ashore; and

WHEREAS, Another ancient legend relates that the enterprising rat gained first place by scaling the gates to heaven while the patient ox waited admittance, and

WHEREAS, According to zodiacal experts the rat represents honesty, ambition, charm, perseverance, success and prosperity, and persons born this coming year will be fortunate enough to possess such attributes; and

WHEREAS, The Year of the Rat will be a year of opportunity, the beginning of a new era, and an excellent time to launch new ventures; and

WHEREAS, As an appropriate beginning for the Year of the Rat, colorful and spectacular festivities will take place in San Francisco the week of February 19 to 27, including the Miss Chinatown U.S A. contest, street carnivals, classical and folk pageantry, special tours of Chinatown, and the Chinese New Year double dragon parade; and

WHEREAS, In keeping with ancient and respected custom, the Chinese communities in California will celebrate the period of New Year's Eve and New Year's Morning, to be climaxed by the world famed Chinese New Year Parade in San Francisco to be held on February 26, 1972, with honors and the offering of wishes of happiness and great good fortune for all throughout the Year of the Rat; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members extend sincerest best wishes to all Californians of Chinese ancestry for their personal welfare, prosperity and happiness during the Chinese New Year; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Chinese Chamber of Commerce; the Chinese Six Companies; the San Francisco, Los Angeles, Oakland, Fresno, Salinas Lodges and Grand Lodge of the Chinese-American Citizens' Alliance; the Cathay Post of the American Legion; the Chinatown Post 4618 of the Veterans of Foreign Wars; the Golden Gate Post No. 34, American Veterans of World War II and Korea; the Chinatown Democratic Club of Los Angeles, and the Chinese-American Democratic Club of San Francisco.

Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up House Resolution No. 6 without reference to committee or file.

Resolution read.

Members Made Coauthors of House Resolution No. 6

Mr. Burton was granted unanimous consent that all Members so desiring be placed upon House Resolution No. 6 as coauthors.

Roll Call

The following Assemblymen indicated a desire to become coauthors:

Arnett, Badham, Bagley, Bee, Briggs, Burke, Chacon, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Quimby, Seeley, Sieroty, Stull, Thomas, Townsend, Waxman, Z'berg, and Mr Speaker.

Resolution read, as amended, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 106: By Assemblyman Moorhead—An act to amend Section 472 of, and to repeal and add Section 471.5 of, the Code of Civil Procedure, relating to pleading, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 107: By Assemblymen Miller and Cory—An act to add Article 5 (commencing with Section 330) to Chapter 2 of Division 2 of the Education Code, relating to the Commission on Educational Financing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 108: By Assemblyman Davis—An act to amend Section 1243 of the Water Code, relating to water.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 109: By Assemblyman Biddle—An act to amend Section 367e of the Penal Code, relating to motor vehicle offenses.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, January 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 1

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 13, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 4

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letters of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report by the Auditor General on a financial audit of the State Motor Vehicle License Fee Fund for the year ended June 30, 1970.

The Auditor General expresses an unqualified opinion which means that the financial statements fairly present the financial position of the Motor Vehicle License Fee Fund as of June 30, 1970, and its operations for the year ended on that date.

This fund is used to account for the annual 2-percent in-lieu tax on the market value of all vehicles. Approximately 14 million vehicles were registered with revenues amounting to $234 million. The Department of Motor Vehicles used $7.8 million of these funds for operations. Cities were allocated $106 million and counties $116 million.

The various state transportation funds, including the Motor Vehicle License Fee Fund, will be abolished in accordance with legislation enacted during the 1971 session All transportation revenues will be deposited in the future in the new Transportation Tax Fund. Allocations will be made from this fund to the cities and counties and to the new State Transportation Fund. The various state transportation activities will be accounted for in the latter fund.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report by the Auditor General on a financial audit of the Motor Vehicle Fund for the year ended June 30, 1970.

The Auditor General qualified his opinion on the fairness of the financial statements. Exceptions described in footnotes to the financial statements were:

An understatement of assets and liabilities by $749,800 because of the omission of obligations under an amended lease-purchase contract for computer equipment.

The understatement of liabilities and expenditures by undetermined amounts for accrued vacation pay and for unfunded retirement benefits. The unfunded retirement benefits result from the actuarial liabilities of the Public Employees Retirement System.

The Motor Vehicle Fund will be combined with other state transportation funds to form a new Transportation Tax Fund established by 1971 legislation. Allocations will be made from the Transportation Tax

Fund to local governments and to a new State Transportation Fund. In the future all of the state's transportation activities will be accounted for in the new State Transportation Fund.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 64—An act to add Sections 25210.77e, 25210.77f, 25830, and 25831 to, and to repeal Sections 25210.77e, 25210.77f, 25830, and 25831, as added by Chapter 1014 of the Statutes of the 1971 Regular Session of, the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 5, line 7, of the printed bill, strike out "to which waste disposal services are available".

Amendment No. 2

On page 5, line 10, strike out "the disposal and collection of waste", and insert "financing waste disposal and collection services, where such services are provided".

Amendment No. 3

On page 6, lines 28 and 29, strike out "to which waste disposal services are available".

Amendment No. 4

On page 6, line 31, strike out "the disposal and collection of waste", and insert "financing waste disposal and collection services, where such services are provided".

Amendment No. 5

On page 7, line 14, strike out "waste disposal".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 25—An act to amend Section 75090.2 of the Government Code, relating to the Judges' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

NOTE: Later this day Assembly Bill No. 25 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 43—An act to repeal Section 993 of, and to add Section 993 to, the Revenue and Taxation Code, and to repeal Section 2 of Chapter 1079 of the Statutes of the 1971 Regular Session of the Legislature, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 59—An act to add Section 224 to, and to repeal Section 224, as amended by Chapter 1473 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 63—An act to add Section 54933 6 to the Government Code, relating to county service areas, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 25.

COMMUNICATIONS

Assembly Chamber, January 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 43
AB No. 59
AB No. 63

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, January 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 25

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 1—Relative to adoption of the Joint Rules of the Senate and Assembly.

Resolution read.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Burton was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer an amendment to Assembly Concurrent Resolution No. 1 which adds a total of more than 25 words to the resolution, without having copies of the amendment placed upon the Members' desks.

Motion to Amend

Mr. Burton moved the adoption of the following amendment:

Amendment No. 1

On page 22, after line 38, of the printed measure, as amended in Assembly January 13, 1972, insert

"(g) An accredited member of the association who violates subdivision (a) or (f) of this rule shall be subject to the following penalties:

(1) For the first offense, the Standing Committee of the Capitol Correspondents Association shall send a letter of admonition to the offending member, his employer and the Joint Rules Committee. The letter shall state the nature of the member's rule violation and shall warn of an additional penalty for a second offense.

(2) For a second offense, the Standing Committee of the Capitol Correspondents Association shall recommend to the Joint Rules Committee that the member's accreditation be suspended or revoked and that he lose all rights and privileges attached thereto. The Standing Committee of the Capitol Correspondents Association shall also dismiss the member from the association.

Any member of the Standing Committee of the Capitol Correspondents Association may propose that the committee make an inquiry to determine if an association member has violated subdivision (a) or (f) of this rule. Upon a majority vote of the Standing Committee of the Capitol Correspondents Association, an inquiry shall be made

Upon receipt of a signed, written notice from any association member of his belief that another association member may have violated subdivision (a) or (f) of this rule, the Standing Committee of the Capitol Correspondents Association shall commence an inquiry into the possible violation

If the Standing Committee of the Capitol Correspondents Association determines by majority vote that an association member has broken an association rule, it shall inform the member of its finding. Within two weeks of notification, the member may request a meeting of the membership If the member makes such a request, the Standing Committee of the Capitol Correspondents Association shall promptly

schedule a meeting at the soonest possible time. After hearing the member and the committee review the circumstances of the alleged violation, the membership may, by majority vote, nullify the finding of the Standing Committee of the Capitol Correspondents Association. If nullification does not occur, the Standing Committee of the Capitol Correspondents Association shall impose immediately the appropriate penalty."

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 110: By Assemblyman Mobley—An act to amend Section 37150 of the Water Code, relating to California water districts.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 21

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 21 be withdrawn from the Committee on Elections and Reapportionment, and re-referred to the Committee on Rules.

QUORUM CALL OF THE ASSEMBLY

Speaker pro Tempore Bee placed a quorum call upon the Assembly. Time, 2:33 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 3

Mr. Dent was granted unanimous consent that Assembly Bill No. 3 be withdrawn from the Committee on Elections and Reapportionment, and re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 7—An act relating to public school certificated employees and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Cline, Collier, Conrad, Cullen, Dent, Duffy, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy,

McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Waxman, Z'berg, and Mr. Speaker—54.

NOES—Burton and Cory—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Cline, Collier, Conrad, Cullen, Dent, Duffy, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Waxman, Z'berg, and Mr. Speaker—54.

NOES—Burton and Cory—2.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:42 p.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
95	Judiciary
96	Urban Development and Housing
97	Employment and Public Employees
98	Planning and Land Use
99	Education
100	Elections and Reapportionment
101	Transportation
102	Judiciary
103	Judiciary
104	Health
105	Elections and Reapportionment
106	Judiciary
107	Education
108	Natural Resources and Conservation
109	Criminal Justice
110	Water

Assembly Concurrent Resolution No.	*Committee*
5	Transportation

Assembly Joint Resolution No.	*Committee*
3	Health

MESSAGES FROM THE SENATE

Senate Chamber, January 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 2

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered enrolled.

ADJOURNMENT

At 5 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session, Tuesday, January 18, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tenth Legislative Day

Sixteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 18, 1972

The Assembly met at 11:15 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Let neither criticism from without, nor struggle from within ever avert the attention of our legislators from the work at hand.

Let not the rulers of our state and nation seek to apportion blame, but search for every new way to bring about needed renewal

Let them not lie passively beneath their problems, but through the experience of failure seek new openings to forge ahead.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Seeley then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Belotti, seconded by Mr. Z'berg.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Karabian, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Priolo, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Miller, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 17, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob: This is to request excuse from the Tuesday January 18 Session on Legislative business. I shall be addressing the Kiwanis Club of San Francisco at the Fairmont Hotel at noon on the subject of tax reform.

Sincerely yours,

WILLIAM T. BAGLEY, Assemblyman
Seventh District

January 17, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: May I please be excused from session on Tuesday, January 18 in order to appear before the San Marcos Kiwanis in my district. This is a long-standing engagement—one that had to be canceled four times last legislative session due to the short interim.

Thank you.

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

NOTE: For letters explaining the absences of Messrs. Chappie, Priolo, and Warren on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 17, 1972, page 139.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Explanation of Absence—January 17, 1972

January 18, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol Building

Dear Mr Speaker: This communication is in regard to my letter requesting excuse from Assembly session on yesterday, January 17, 1972

I was meeting in my district with the Black Education Commission.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 111: By Assemblymen Cline, Cullen, Arnett, Deddeh, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burton, Campbell, Collier, Cory, Garcia, Bill Greene, Hayden, MacDonald, McCarthy, Moorhead, Murphy, Pierson, Powers, Quimby, Sieroty, Stull, Warren, and Waxman (Senators Carpenter, Carrell, Cusanovich, Deukmejian, Petris, and Stiern, coauthors)—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 112: By Assemblyman LaCoste—An act to add Section 19348 5 to the Agricultural Code, relating to animals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 113: By Assemblyman Deddeh—An act to add Title 6.6 (commencing with Section 63800) to the Government Code, relating to the San Diego Council of Government.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 114: By Assemblyman Deddeh—An act to add Section 1906 1 to the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 115: By Assemblyman Deddeh—An act to add Section 17237 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 116: By Assemblyman Deddeh—An act to add Chapter 5 6 (commencing with Section 5762) to Division 6 of the Education Code, relating to education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 117: By Assemblyman Deddeh—An act to amend Section 11703.1 of the Vehicle Code, relating to vehicle dealers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 118: By Assemblyman Deddeh—An act making an appropriation to the Board of Governors of the California Community Colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 119: By Assemblyman Deddeh—An act to amend Sections 1027 and 1264 of the Unemployment Insurance Code, relating to unemployment compensation benefits.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 120: By Assemblyman Deddeh—An act to amend Section 945 of the Education Code, relating to school district employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 121: By Assemblyman Deddeh—An act to amend Section 851.7 of the Penal Code, relating to arrest records

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 122: By Assemblyman Deddeh—An act to add Section 13454.3 to the Education Code, relating to teachers' leaves of absence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 123: By Assemblyman Dent—An act to amend Sections 13801, 14440, 14445 5 and 17668 5 of the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 124: By Assemblyman Badham—An act to add Section 15958.6 to the Education Code, relating to contracts of school districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 6: By Assemblyman Deddeh—Relative to public transit diesel buses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 7: By Assemblyman MacDonald—Relative to voting on bills.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 4: By Assemblyman Burke—Relative to requiring North Vietnam to account for each American missing in action or listed as a prisoner of war as a result of the conflict in Vietnam.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 18: By Assemblyman Collier—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 9.7 to Article IX thereof, relating to the University of California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 125: By Assemblymen Fenton, Moretti, Bee, Leroy F. Greene, Belotti, Chacon, Chappie, Collier, Cory, Deddeh, Dent, Dunlap, Fong, Hayden, Ray E Johnson, Ketchum, Keysor, LaCoste, MacDonald, MacGillivray, Mobley, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Thomas, Townsend, Vasconcellos, and Wood (Senators Burgener, Carrell, Grunsky, Kennick, and Walsh, coauthors) —An act to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1.5 (commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code, relating to motor vehicle insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 126: By Assemblymen Ketchum and Wood—An act making an appropriation in augmentation of Item 216 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 127: By Assemblyman Ketchum—An act to add Sections 20605.1, 20750 43, 20980.8, and 21252 7 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 128: By Assemblyman Ketchum—An act to amend Sections 4800, 4801, 4802 and 4803 of the Labor Code, relating to workmen's compensation for correctional, parole, and youth authority officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 129: By Assemblyman Conrad—An act relating to the 1972 direct primary and 1972 presidential primary elections, and calling an election, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 130: By Assemblyman Townsend—An act to repeal Section 19524 of the Revenue and Taxation Code, relating to senior citizens property tax assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 131: By Assemblyman Townsend—An act to amend Sections 32103 and 32251 of the Revenue and Taxation Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 132: By Assemblyman MacDonald—An act to amend Sections 23320, 23321.7, and 23954.7 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 133: By Assemblyman MacDonald—An act to amend Sections 1141, 1154, 1156, and 1157 of the Health and Safety Code, relating to public health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 134: By Assemblyman MacDonald—An act to amend Section 11560 of the Elections Code, relating to campaign statements.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 135: By Assemblymen Collier, Knox, Quimby, Porter, Arnett, Barnes, Belotti, Brophy, Burke, Campbell, Chappie, Cline, Conrad, Duffy, Hayes, Ray E. Johnson, MacDonald, MacGillivray, Moorhead, Russell, Seeley, Thomas, Wakefield, and Wood (Senators Burgener, Carrell, Cusanovich, Deukmejian, Lagomarsino, Marler, Nejedly, Richardson, Schrade, and Whetmore, coauthors)—An act to add Chapter 7 (commencing with Section 22758) to Division 16.5 of, to add Chapter 8 (commencing with Section 22850) to Division 16.5 of, and to add Section 31213.5 to, the Education Code, relating to reimbursement for a portion of the cost of instruction and personal maintenance at institutions of higher learning, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 136: By Assemblyman Harvey Johnson—An act to add Section 17538.5 to the Business and Professions Code, relating to advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 137: By Assemblyman Foran—An act to amend Section 11136 of the Insurance Code, relating to fraternal benefit societies.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, January 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 1

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, January 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 64

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 64, ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 43—An act to repeal Section 993 of, and to add Section 993 to, the Revenue and Taxation Code, and to repeal Section 2 of Chapter 1079 of the Statutes of the 1971 Regular Session of the Legislature, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—McAlister and Sieroty—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene,

Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—McAlister and Sieroty—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 59—An act to add Section 224 to, and to repeal Section 224, as amended by Chapter 1473 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 63—An act to add Section 54933.6 to the Government Code, relating to county service areas, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood Z'berg, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 1—Relative to adoption of the Joint Rules of the Senate and Assembly.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Dent:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 3 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

WITHDRAWAL OF ASSEMBLY BILL NO. 3 FROM COMMITTEE

Mr. Dent was granted unanimous consent that Assembly Bill No 3 be withdrawn from the Committee on Rules; and that the bill be read a second time at this time, without reference to file, and returned to the third reading file.

Second Reading of Assembly Bill No. 3

Assembly Bill No. 3—An act to add Section 3 5 to Chapter 105 of the Statutes of 1971, relating to the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Waxman:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 81 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr Speaker—63

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Waxman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 81 for hearing in the Committee on Rules today.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 18, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 81

With the recommendation: Do pass.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 81

Mr. Waxman was granted unanimous consent to take up Assembly Bill No. 81, without reference to file, for the purpose of reading the bill a second time at this time.

Second Reading of Assembly Bill No. 81 by Unanimous Consent

Assembly Bill No. 81—An act to amend Section 22830 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Request for Unanimous Consent to Take Up Assembly Bill No. 81

Mr. Waxman was granted unanimous consent to take up Assembly Bill No. 81, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Waxman:

Resolved, That Assembly Bill No. 81 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Z'berg, and Mr. Speaker—58.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Assembly Bill No. 81

Assembly Bill No. 81—An act to amend Section 22830 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Quimby:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 28 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

WITHDRAWAL OF SENATE BILL NO. 28 FROM COMMITTEE

Mr. Quimby was granted unanimous consent that Senate Bill No. 28 be withdrawn from the Committee on Rules, and that the bill be read a second time, at this time, without reference to file.

Second Reading of Senate Bill No. 28

Senate Bill No. 28—An act to add Section 994 to, and to repeal Section 994, as added by Chapter 1665 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Request for Unanimous Consent to Take Up Senate Bill No. 28

Mr. Quimby was granted unanimous consent to take up Senate Bill No. 28, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Quimby:

Resolved, That Senate Bill No. 28 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Z'berg, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Senate Bill No. 28

Senate Bill No. 28—An act to add Section 994 to, and to repeal Section 994, as added by Chapter 1665 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3

Mr. Dent was granted unanimous consent to take up Assembly Bill No. 3, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Dent:

Resolved, That Assembly Bill No 3 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, Mac-

Donald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Waxman, Z'berg, and Mr. Speaker—59.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Assembly Bill No. 3

Assembly Bill No. 3—An act to add Section 3.5 to Chapter 105 of the Statutes of 1971, relating to the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 138: By Assemblyman Crown—An act to amend Sections 1810.1, 1810.2, and 1810.3 of the Civil Code, relating to retail installment sales.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 139: By Assemblyman Crown—An act to add Section 14053.7 to the Welfare and Institutions Code, relating to drugs.

Held at Desk by order of the Speaker pro Tempore.

VOTE CHANGES

Mr. Briggs was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 63, and on the passage of the bill.

Mr. Cline was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 59, and on the passage of the bill.

Messrs. Sieroty and McAlister were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on the urgency clause to Assembly Bill No. 43, and on the passage of the bill.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

ADJOURNMENT

At 11:47 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, January 19, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eleventh Legislative Day

Seventeenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 19, 1972

The Assembly met at 11 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr. Collier moved a quorum call of the Assembly.
Mr Moorhead seconded the motion.
Motion carried. Time, 11 02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11.12 a m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—65.

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Carlos J. Moorhead, Member of the Assembly, 43rd District.

Heavenly Father: You have bestowed to the men and women of this chamber freedom, intelligence, and the ability to control circumstances instead of being mastered by them

Help us to use these gifts wisely, grant us wisdom in our deliberations and the courage of our convictions, and a sincere sense of service to our fellow man and to Thee —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Russell then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Chappie, seconded by Mr. Knox.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Karabian, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Biddle, on request of Speaker pro Tempore Bee.
Mr Brown, on request of Speaker pro Tempore Bee.
Mr. Burke, on request of Speaker pro Tempore Bee
Mr. Burton, on request of Speaker pro Tempore Bee.
Mr Dunlap, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee
Mr Priolo, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs Davis, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Miller, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 18, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session January 19, 1972, on legislative business.

I will be speaking at Emerson School in Riverside and meeting with constituents in my district office.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

January 19, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to be excused from the session today on legislative business

I have been invited to testify before the President's Committee on Health Education which is holding a hearing in San Francisco.

Sincerely,

WILLIE L. BROWN, JR., Assemblyman
Eighteenth District

January 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, January 19, 1972.

I will be in the district attending to district affairs and am the featured speaker at the luncheon hosted by the Huntington Beach Republican Women Federated.

Sincerely,

ROBERT H BURKE, Assemblyman
Seventieth District

January 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request that I be excused from session on Wednesday, January 19, on legislative business. I will be meeting with constituents in my district on South of Market redevelopment problems.

Sincerely,

JOHN L. BURTON, Assemblyman
Twentieth District

January 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I would like to be excused from session on Wednesday, January 19, because of legislative business. I will be meeting with all Solano County high school principals and also the Napa Chapter of the Veterans of Foreign Wars.

These meetings are scheduled in the morning and at noon. If, for some reason, I am needed at the Capitol, I can return by early afternoon.

Sincerely,

JOHN F DUNLAP, Assemblyman
Fifth District

January 18, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session Wednesday, January 19, 1972 and Thursday, January 20, 1972, on legislative business I will be speaking to the East Fresno Rotary, Temple Beth Israel and meeting with constituents on anticipated legislation.

Very truly yours,

KEN MADDY, Assemblyman
Thirty-second District

January 19, 1972

Hon. Bob Moretti
Speaker of the Assembly
3164 State Capitol

Dear Mr Speaker: I request that I be excused on legislative business today in that among other things I have a commitment to speak before the San Gabriel Valley Chapter of the Building Industry Association

In addition, while I have on each of the last three legislative days requested that my per diem be waived due to personal business, the fact is that in the aggregate in excess of one day's time has been devoted to legislative matters including dealing with correspondence, meeting with constituents, and meeting with others for the purpose of discussing new legislation. All of these together suggest to me that being excused today on legislative business is a most reasonable request.

I would further point out that due to a lack of legislative activity I have found it more useful in meeting my legislative responsibilities if I am in my District at this point in time of the 1972 legislative session.

Sincerely yours,

PETE SCHABARUM, Assemblyman
Forty-ninth District

January 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from session January 19, 1972, on legislative business

I will be speaking in the First General Session of the Association of California School Administrators Project Leadership Workshop at the University of San Diego campus.

Sincerely,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

NOTE: For letters explaining the absences of Messrs Priolo and Warren on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 17, 1972, page 139.

REPORTS

The following reports were presented by the Speaker:

Report to the Legislature on the Judges' Retirement Fund—Receipts and Disbursements, in accordance with the provisions of Section 75107 of the Government Code.

Above transmitted report, together with letter of transmittal from Houston I Flournoy, State Controller, Sacramento, dated January 17, 1972, referred by the Speaker pro Tempore to the Committee on Retirement.

The following reports were presented by the Chief Clerk:

Report of the California Water Resources Development Finance Committee and Department of Water Resources to the Legislature on the State Water Resources Development System, pursuant to Water Code Section 12939. January 1972.

Above transmitted report, together with letter of transmittal from Robert B Jansen, Deputy Director, Department of Water Resources, Sacramento, dated January 13, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Freeway Lanes for High-Occupancy Vehicles (First Annual Progress Report), Prepared in Conformance with Section 21655.5 of the Vehicle Code. December 1971.

Above transmitted report, together with letter of transmittal from James A Moe, Director, Department of Public Works, Sacramento, dated December 31, 1971, referred by the Speaker pro Tempore to the Committee on Transportation

Report Concerning the Construction of a New Crossing of the San Joaquin River Near the Site of the Present Antioch Bridge. (In response to Senate Concurrent Resolution No. 1, Resolution Chapter 138, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Bulletin No. 180-71, Watermaster Service in the Central Basin, Los Angeles County. (For period October 1, 1970, through September 30, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from John R Teerink, Director, Department of Water Resources, Sacramento, dated January 14, 1972, referred by the Speaker pro Tempore to the Committee on Water.

State Scenic Highway System Progress Report 1971. (Pursuant to the provisions of Senate Concurrent Resolution 56, Res. Ch. 161, 1965.) January 1972.

Above transmitted report, together with letter of transmittal from James A Moe, Director, Department of Public Works, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Transportation

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Wesley G. Bruer, State Geologist, Division of Mines and Geology, Sacramento, dated December 27, 1971, relative to a proposed state mining and minerals policy, in response to Senate Concurrent Resolution No. 89 (1971). Referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

REQUEST TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following request to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read.

Assembly Chamber, January 19, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 55—An act to add Sections 1460 5 and 1464 to, and to repeal Sections 1460.5 and 1464 of, the Education Code, relating to school district elections, and declaring the urgency thereof, to take effect immediately.

ALISTER McALISTER

Assembly Chamber, January 19, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 75—An act relating to the disposition of property by the Director of General Services, and declaring the urgency thereof, to take effect immediately.

ALISTER McALISTER

Above requests ordered transmitted to the Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 55 be withdrawn from the Committee on Education, and re-referred to the Committee on Rules; and that Assembly Bill No 75 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Rules.

PRESS CREDENTIALS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 17, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. The following is a supplemental list of individuals eligible for accreditation as members of the press, radio, and television corps during the 1972 session of the Legislature.

TELEVISION–RADIO

KXTV: Douglas P. Kriegel, Bruce McCormack.

SQUIRE BEHRENS, President

Approval of Press Credentials

By unanimous consent, the foregoing press credentials were approved by the Assembly.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
111	Revenue and Taxation
112	Agriculture
113	Government Administration
114	Education
115	Revenue and Taxation
116	Government Administration
117	Government Administration
118	Ways and Means
119	Finance and Insurance

Assembly Bill No.	*Committee*
120	Education
121	Criminal Justice
122	Education
123	Retirement
124	Education
125	Finance and Insurance
126	Ways and Means
127	Retirement
128	Finance and Insurance
129	Elections and Reapportionment
130	Revenue and Taxation
131	Revenue and Taxation
132	Governmental Organization
133	Health
134	Elections and Reapportionment
135	Education
136	Commerce and Public Utilities
137	Finance and Insurance
138	Finance and Insurance
139	Health

Assembly Constitutional Amendment No.	*Committee*
18	Education

Assembly Concurrent Resolution No.	*Committee*
6	Transportation
7	Rules

Assembly Joint Resolution No.	*Committee*
4	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 140: By Assemblyman Deddeh—An act to add Title 7.8 (commencing with Section 67500) to the Government Code, relating to the San Diego Regional Transportation Agency.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 141: By Assemblyman Harvey Johnson—An act to amend Section 10603 of the Education Code, relating to suspension or expulsion of pupils.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 142: By Assemblyman Quimby—An act to amend Section 200 of the Code of Civil Procedure, relating to jury duty.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 8: By Assemblyman Wood (Senator Grunsky, coauthor)—Relative to the W. R. Holman Highway.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Warren:

House Resolution No. 7

Relative to the Highland Avenue Parkway in the City of Los Angeles

WHEREAS, For many years, the Highland Avenue Parkway in Hancock Park in the City of Los Angeles has been enhanced by a 1.4 mile span of stately palm trees between Wilshire Boulevard and Melrose Avenue; and

WHEREAS, The Public Works Department of the City of Los Angeles has made a determination to cut down some of these trees to make room for a series of left-hand turn lanes; and

WHEREAS, This would signify the destruction of another important and typical aspect of the state's natural scenic beauty; now, therefore, be it

Resolved by the Assembly of the State of California, That the Los Angeles City Council is hereby urged to preserve the stately palm trees along Highland Avenue Parkway between Wilshire Boulevard and Melrose Avenue by rescinding the determination of its Public Works Department and to direct the department to find alternative means to solve the traffic congestion on the parkway; and be it further

Resolved, That to avoid such dilemma in the future, the City of Los Angeles is hereby urged to adopt policies and enact ordinances to assure complete disclosure to, and to assure an opportunity to be heard by, affected citizens and community spokesmen whenever destruction of aesthetically unique, historically significant, and locally renowned trees is threatened; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Los Angeles City Council.

Resolution read and referred by the Speaker pro Tempore to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, January 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 2—Relative to the selection of the Legislative Counsel of California;

And reports the same correctly enrolled, and presented to the Secretary of State on the 19th day of January, 1972, at 10 a.m.

JAMES D. DRISCOLL, Chief Clerk

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 64—An act to add Sections 25210.77e, 25210.77f, 25830, and 25831 to, and to repeal Sections 25210.77e, 25210.77f, 25830, and 25831, as added by Chapter 1014 of the Statutes of the 1971 Regular Session of, the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Ray E. Johnson moved a call of the Assembly.

Mr. McAlister seconded the motion.

Motion carried. Time, 11:20 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN MURPHY

Mr. Hayden announced that today is the birthday of Assemblyman Frank Murphy, of the 31st District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Murphy.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the audit of the data processing operations of the Department of Mental Hygiene performed by the Office of the Auditor General. The objective of the audit was to evaluate the effectiveness and efficiency of the data processing installation which has an annual budget for the fiscal year 1971–72 of $1,417,000.

The computer is in use three shifts seven days per week, but is not utilized to its capacity. There is a high ratio of test time and rerun time which reduces the productive utilization. Better utilization of multiprogramming could eliminate one full shift.

Expansion of the computer in October 1970 was not needed since state hospital patient population has decreased 30 percent in the last four years.

An expensive, complex cost reporting and billing system is the principal justification for the computer. Costs are accumulated for billing Medi-Cal, insurance companies, and others about $70 million a year. This computerized system costs $800,000 per year or about double the cost of the former system Organizational, operational, planning, and control problems limit the effectiveness of the system and the reliability of information produced.

The report recommends that the system be critically reviewed by the Department of Mental Hygiene. Alternate systems should be explored to find an effective system with the lowest operating cost. The report also recommends that the results of such a review be reported to the Joint Legislative Audit Committee.

For several years the state has been anticipating saving millions of dollars through the consolidation of computer systems. The Department of Mental Hygiene is in consolidation Group No. 1. Consolidation planning and meetings of this group has virtually ceased. The Department of Finance, successor to the Office of Management Services, has not issued a policy statement or provided direction regarding future consolidation efforts This delay in EDP consolidation is costly. It perpetuates inefficiency and limits the effectiveness of the group's total systems development and operation.

The report contains 70 recommendations for the improvement of the Department of Mental Hygiene's data processing operations. The department disagrees with 14 of the recommendations, several of which are essential to the best use of the EDP resources. These are covered in Appendix A of the report.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 64

At 11.24 a.m., on motion of Mr. Ray E. Johnson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 64 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brophy, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Foran, Gonsalves, Leroy

F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brophy, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 143: By Assemblyman Leroy F. Greene—An act to add Section 326 5 to the Penal Code, relating to bingo.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 144: By Assemblyman Chacon—An act to add Sections 23062 and 23753.5 to the Education Code, and to add Section 896.3 to the Military and Veterans Code, relating to tuition.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 145: By Assemblyman Chappie—An act to amend Section 846 of the Civil Code, relating to liability of landowners

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 19: By Assemblyman Leroy F. Greene—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 19 of Article IV thereof, relating to bingo.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 9: By Assemblyman Chappie—Relative to Ken Legg Peak

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 146: By Assemblyman Chappie—An act to add Sections 6508 5 and 6509 to the Education Code, relating to opportunity schools, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 147: By Assemblyman Chappie—An act to amend Section 20800 of the Education Code, relating to school district taxes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 148: By Assemblyman Chappie—An act to add Section 17216 3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 149: By Assemblyman Chappie—An act to add Section 39297.6 to the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 150: By Assemblyman Chappie—An act to amend Section 56000 of the Government Code, relating to district reorganizations

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 151: By Assemblyman Chappie—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 152: By Assemblyman Chappie—An act to add Part 4 (commencing with Section 19600) to Division 9 of the Agricultural Code, relating to animals

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 153: By Assemblyman Chappie—An act to add Section 1098 to the Government Code, relating to conflicts of interest.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 154: By Assemblyman Chappie—An act to amend Section 27491 4 of the Government Code, relating to coroners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 155: By Assemblymen Duffy, Lanterman, Cullen, Brathwaite, Campbell, and Stacey (Senators Dymally and Song, coauthors)—An act to amend Sections 2147, 2177 5, and 2178 of, to add Article 4 6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193 7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 156: By Assemblyman Duffy (Senator Stiern, coauthor)—An act to amend Section 76033 of the Government Code, relating to counties.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 157: By Assemblyman Russell—An act to add Section 9027 to the Government Code, relating to legislative committees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 158: By Assemblymen Russell, Hayden, Moorhead, Mobley, Brophy, Campbell, Cline, Ray E. Johnson, MacDonald, Porter, Powers, and Stacey—An act to amend Section 245 of the Penal Code, relating to homicide.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Chappie and Leroy F. Greene:

House Resolution No. 8

Relative to a study of water district organization

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the relationship between the San Juan Suburban Water District, the Citrus Heights Irrigation District, and the Fair Oaks Irrigation District, including the extent of overlap and duplication of services and possible actions with respect to the consolidation of such districts; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly not later than June 1, 1972.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

ADJOURNMENT

At 11:45 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Thursday, January 20, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twelfth Legislative Day

Eighteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 20, 1972

The Assembly met at 9:53 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—66.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister.

Father, In the words of the Psalmist we pray:

I was carefree and happy,
I thought: it will ever be so,
I stand, and I will not fall.
And I was not aware
that nothing but your mercy
keeps me alive, Lord God.
And so, when you turned away
from me, I was nowhere.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Speaker Moretti then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Stull, seconded by Mr. McAlister.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Garcia, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of Legislative business elsewhere:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Deddeh, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. MacGillivray, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee.
Mr. Priolo, on request of Speaker pro Tempore Bee.
Mr Russell, on request of Speaker pro Tempore Bee.
Mr Stacey, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive her per diem:

Mrs. Fong, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 19, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: This is to request excuse from the Thursday, January 20 Session on Legislative business. I am meeting with a Mr. William Gibbs regarding housing development in my district.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

January 19, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to be excused from session on Thursday, January 20, due to legislative business. I will be discussing preschool programs and the Miller-Unruh Reading Act with concerned educational personnel in my district.

Sincerely,

WADIE P. DEDDEH, Assemblyman
Seventy-seventh District

January 20, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, January 20, because of legislative business. I shall be speaking to the Long Beach Chamber of Commerce on the subject of the Pacific Coast Freeway.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

January 19, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Bob: I respectfully request to be excused on legislative business on Thursday, January 20, 1972 to meet with the teachers in my district.

Sincerely,

W. DON MacGILLIVRAY, Assemblyman
Thirty-sixth District

January 19, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from the legislative session on Thursday, January 20, 1972, on legislative business.

I will be meeting with the Board of Directors and Manager of the Burbank Chamber of Commerce (breakfast meeting) relative to pending legislation.

Sincerely,

NEWTON R. RUSSELL, Assemblyman
Sixty-second District

January 18, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please have me excused from session on Thursday, January 20, 1972, on legislative business. I will be in Bakersfield attending the annual installation dinner of the Greater Bakersfield Chamber of Commerce and Bakersfield Trade Club, speaking to students at Tehachapi High School, and meeting with providers of Medi-Cal services pertaining to Medi-Cal Reform Act of 1971.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

NOTE: For letters explaining the absences of Messrs. Priolo and Warren on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 17, 1972, page 139.

NOTE: For letter explaining the absence of Mr. Maddy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 19, 1972, page 172.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointment of Members to Joint Committee on Revision of the Education Code

January 19, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblymen Ken MacDonald, James Dent, and Leroy F. Greene as members of the Joint Committee on Revision of the Education Code created by ACR 52, 1971 session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following report was presented by the Chief Clerk:

Bulletin No. 158-71, Flood Control Funds, 1971 Report to the Legislature. January 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated January 19, 1972, referred by the Speaker pro Tempore to the Committee on Water.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
140	Transportation
141	Education
142	Judiciary
143	Criminal Justice
144	Education
145	Judiciary
146	Education
147	Education
148	Revenue and Taxation
149	Environmental Quality
150	Government Administration
151	Transportation
152	Agriculture
153	Water
154	Judiciary
155	Health
156	Local Government
157	Rules
158	Criminal Justice

Assembly Concurrent Resolution No.	*Committee*
8	Transportation
9	Natural Resources and Conservation

Assembly Constitutional Amendment No.	*Committee*
19	Criminal Justice

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 159: By Assemblyman Hayes—An act to repeal Title 8 (commencing with Section 68070) of, and to add Title 8 (commencing with Section 70000) to, the Government Code, relating to courts, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 160: By Assemblyman Hayes—An act to add Sections 76 and 78 to, Chapter 5 (commencing with Section 90) to Title 1 of Part 1 of, and Sections 142 and 905 to, and to repeal Chapter V, A (commencing with Section 116) of Title 1 of Part 1 of, the Code of Civil Procedure, to add Section 6008 to the Government Code, and to amend Sections 1463.2, 1463 3, 1463.4, and 1463 9 of, to add Section 1463 to, and to repeal Section 1463 of, the Penal Code, relating to courts, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 161: By Assemblyman Cory—An act to repeal Part 2 (commencing with Section 3301) of Division 3 of the Agricultural Code, relating to state expositions and fairs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 162: By Assemblyman Cory—An act to amend Section 8926 of, to add Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) to Division 4 5, Title 1, and to repeal Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) of Division 4.5, Title 1, of the Government Code, relating to conflicts of interest.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 163: By Assemblyman Cory—An act to add Chapter 2.5 (commencing with Section 11150) to Division 10 of the Health and Safety Code, relating to drugs, including narcotics and restricted dangerous drugs, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 164: By Assemblyman Seeley—An act making an appropriation for the state share of special needs of public assistance recipients, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 165: By Assemblymen Brathwaite, Chacon, Maddy, Pierson, Ralph, and Ryan (Senator Petris, coauthor)—An act to add Part 10 (commencing with Section 37600) to Division 24 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 166: By Assemblyman Foran—An act to add Section 29254 to the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 167: By Assemblyman Foran—An act to add Sections 29254 and 29255 to the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 168: By Assemblyman Duffy—An act to add Chapter 2.5 (commencing with Section 429 60) to Part 1, Division 1 of the Health and Safety Code, relating to health professions planning grants, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 169: By Assemblyman Ketchum—An act to amend Sections 20605 and 21252 6 of, and to add Section 22013.2 to, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 170: By Assemblyman Bee—An act to repeal Article 1 (commencing with Section 28700) and Article 2 (commencing with Section 28730) of, and to add Article 1 (commencing with Section 28700) and Article 2 (commencing with Section 28730) to, Chapter 3 of Part 2 of Division 10 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 171: By Assemblyman Cline—An act to add Section 4833 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 172: By Assemblyman Bill Greene—An act to add Section 172j to, and to repeal Section 172k of, the Penal Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 173: By Assemblyman Bill Greene—An act to amend the heading of Chapter 4 (commencing with Section 13801) of Division 10 of Part 2 of the Education Code, relating to the State Teachers' Retirement Law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 174: By Assemblyman Lewis—An act relating to field trips to Japan, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 20: By Assemblyman Hayes—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 1, 4, 6, 8, 10, 11, 15, and 17 of, adding Sections 23, 24, 25, 26, and 27 to, and repealing Section 5 of, Article VI thereof, and by repealing Sections 4 and 5 of Article XXII thereof, relating to courts

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 21: By Assemblyman Barnes—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1¼ of Article XIII thereof, relating to the veterans' exemption from property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 10: By Assemblymen Chacon, Garcia, Burton, Cline, Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Campbell, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Moretti, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sebarum, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Waxman,

Wood, and Z'berg (Senators Alquist, Bradley, Burgener, Carpenter, Carrell, Coombs, Deukmejian, Dills, Grunsky, Holmdahl, Lagomarsino, Moscone, Nejedly, Petris, Roberti, Schrade, Song, Wedworth, Whetmore, and Zenovich, coauthors)—Relative to the anniversary of the Cinco de Mayo as Mexican-American Week.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 5: By Assemblyman Barnes—Relative to withdrawal from the United Nations.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 20, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. McAlister for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 55 be granted.

BURTON, Chairman

Assembly Chamber, January 20, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr McAlister for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 75 be granted.

BURTON, Chairman

Assembly Chamber, January 18, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 1

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered to second reading.

Assembly Chamber, January 18, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 5

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Deddeh:

House Resolution No. 9

Relative to the Department of Public Works

WHEREAS, The Assembly Transportation Committee is studying proposals to consolidate various state functions in a new Department of Transportation; and

WHEREAS, The Commission on California State Government Organization and Economy recently issued a preliminary report which was critical of the land management practices of the Division of Highways of the Department of Public Works; and

WHEREAS, The Office of the Auditor-General is studying the management practices with respect to acquisition of rights-of-way by the Division of Highways; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the right of way acquisition and management practices of the Department of Public Works; and be it further

Resolved, That such committee work in concert with the Senate Committee on Transportation and solicit the participation of the Joint Legislative Audit Committee in the investigation of this subject; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 175: By Assemblyman Vasconcellos—An act to amend Sections 32111, 32112, and 32114 of the Education Code, relating to continuous school programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 176: By Assemblyman Vasconcellos—An act to add Chapter 10 (commencing with Section 33750) to Division 22 of the Education Code, relating to community schools, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 11:13 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Monday, January 24, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirteenth Legislative Day

Twenty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 24, 1972

The Assembly met at 2·18 p m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—64

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

God, Our Father, You have made us in such a way that we are satisfied with nothing that is not God Our life is a neverending march into the unbounded

Give us the readiness for every new exploration, the courage to be discontented.

Help us to test all possibilities, leave no paths untried. What is achieved is finished for us Only what has not yet been achieved is worthy of being attacked Our longing must always be greater than the greatest realization.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Stull, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Bagley, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Chacon, on request of Speaker pro Tempore Bee.
Mr Duffy, on request of Speaker pro Tempore Bee.
Mrs Fong, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.
Mr. Z'berg, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 21, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from Session on Monday, January 24, 1972 on legislative business. I will be speaking to the League of Women Voters in Mill Valley.

Sincerely yours,

WILLIAM T BAGLEY, Assemblyman
Seventh District

January 21, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from Session on Monday, January 24, 1972, on legislative business. I will be meeting with the Board of Directors of Cal State Young Republicans.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

January 20, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request that I be excused from session on Monday, January 24, 1972, on legislative business.

The Diocese of San Diego has asked me to address their Leadership Program on that day and I have appointments in the District Office.

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

January 21, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session January 24, 1972, due to legislative business.

I shall be meeting with members of the staff of the University of Nevada Medical School regarding the Select Committee on Health Manpower's evaluation of the 10-Year Program.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

January 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker. I respectfully request to be excused from session today on legislative business.

I will be meeting with the graduate journalism department from University of California at Berkeley.

Sincerely,

MARCH K FONG, Assemblyman
Fifteenth District

January 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session Monday, January 24, 1972, on legislative business. I will be meeting with educators of the Fresno Unified School District and speaking at the annual meeting of the Family Service Center.

Very truly yours,

KEN MADDY, Assemblyman
Thirty-second District

January 24, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I will be addressing the League of California Cities meeting in San Francisco in regard to my duties as Chairman of the Joint Committee for Organization and Financing of Local Government. I should return in time to answer roll call However, if I am late, I will appreciate being excused on legislative business.

Sincerely,

ERNEST N. MOBLEY, Assemblyman
Thirty-third District

January 21, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from Session on Monday, January 24, on legislative business On Monday, I will be giving a speech at the annual Compton Chamber of Commerce Installation Dinner—retiring Supervisor Burton Chace will be the installing officer.

Sincerely,

CARLEY V. PORTER, Assemblyman
Thirty-eighth District

January 21, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: Please excuse me from the Legislative Session on January 24, 1972 for legislative business.

I will be attending the one-day conference of the California Department of Agriculture and the University of California that will be held on the Davis Campus of the University of California.

Thank you.

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

January 24, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse me on legislative business Monday, January 24th and Tuesday, January 25th.

I am addressing meetings in the State on "party reform".

Very truly yours,

EDWIN L Z'BERG, Asesmblyman
Ninth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of and Appointment of Members to Subcommittee on Safety of Roofing Materials

January 21, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This will authorize creation of the Subcommittee on Safety of Roofing Materials of the Assembly Commerce and Public Utilities Committee with the following membership: Assemblymen Walter Powers (Chairman), Kent Stacey, and Larry Townsend.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following reports were presented by the Speaker:

Public Utilities Commission, Annual Report 1970–71 Fiscal Year.

Above transmitted report, together with letter of transmittal from J. P. Vukasin, Jr, Chairman, Public Utilities Commission, San Francisco, dated January 20, 1972, referred by the Speaker pro Tempore to the Committee on Commerce and Public Utilities.

Report to Legislature, Pilot Project on Centralized Diagnostic Services to Mentally Disordered Children. (In accordance with Section 4026 of the Welfare and Institutions Code.) January 19, 1971.

Above transmitted report, together with letter of transmittal from J M Stubblebine, M.D, Director, Department of Mental Hygiene, Sacramento, dated January 19, 1972, referred by the Speaker pro Tempore to the Committee on Health.

The following reports were presented by the Chief Clerk:

Transactions Under the Davis-Grunsky Act, 1971 Report to the Legislature. January 1972.

Above transmitted report, together with letter of transmittal from W. R Gianelli, Director, Department of Water Resources, Sacramento,

dated January 17, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Miller-Unruh Basic Reading Program, Annual Evaluation Report, 1969–70. (Pursuant to Section 5780 of the Education Code.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Sacramento, dated January 17, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Report to California State Legislature on State Personnel Board Activities under the Welfare Reform Act of 1971. October 1, 1971, to December 31, 1971.

Above transmitted report, together with letter of transmittal from Richard L. Camilli, Executive Officer, State Personnel Board, Sacramento, dated January 13, 1972, referred by the Speaker pro Tempore to the Committee on Welfare.

REFERENCES OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
159	Judiciary
160	Judiciary
161	Efficiency and Cost Control
162	Governmental Organization
163	Criminal Justice
164	Ways and Means
165	Urban Development and Housing
166	Elections and Reapportionment
167	Elections and Reapportionment
168	Health
169	Retirement
170	Local Government
171	Revenue and Taxation
172	Governmental Organization
173	Government Administration
174	Education
175	Education
176	Education

Assembly Constitutional Amendment No.	*Committee*
20	Judiciary
21	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
10	Rules

Assembly Joint Resolution No.	*Committee*
5	Rules

REQUEST TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following request to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, January 24, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 100—An act relating to the 1972 direct primary election, and calling an election, to take effect immediately.

JERRY LEWIS

Assembly Chamber, January 24, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 124—An act to add Section 15958 6 to the Education Code, relating to contracts of school districts, and declaring the urgency thereof, to take effect immediately.

ROBERT E. BADHAM

Above requests ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 177: By Assemblyman Chappie—An act to amend Section 320 of the Public Utilities Code, relating to public utilities

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 178: By Assemblyman Garcia—An act to amend Section 95 of the Labor Code, as amended by Chapter 701, Statutes 1971, and Section 830 3 of the Penal Code, as amended by Chapter 1695, Statutes 1971, relating to peace officers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 179: By Assemblyman Badham (Senator Marler, coauthor)—An act to amend Section 1352.3 of the Labor Code, relating to working hours of women.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 180: By Assemblyman Schabarum—An act to amend Section 1030 of the Unemployment Insurance Code, relating to employers' reserve accounts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 181: By Assemblyman Townsend—An act to add Section 6401.5 to the Labor Code, relating to employment safety.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 182: By Assemblyman Ralph—An act to add Chapter 12 (commencing with Section 8870) to Division 1 of Title 2 of the Government Code, relating to the California Lottery Planning Commission.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 183: By Assemblyman Vasconcellos—An act to amend Section 13087.1 of the Education Code, relating to public school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 184: By Assemblymen Powers and Conrad—An act to amend Sections 214 8, 251, and 254 of, and to add Sections 215.1 and 259.7 to, the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 185: By Assemblyman McAlister—An act to amend Sections 32111, 32112, and 32114 of the Education Code, relating to continuous school programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 186: By Assemblyman Collier—An act to amend Sections 17301, 17303, 17303 5, 17402, 17407, 17411, 17411 1, 17414, 17525, 17655.5, 17656, 17660, 17664, 17665, 17665 5, 17680, 17702, 17901, 17902, 17904, 17951, 71952, 18102, 18102 2, 18102 4, 18102 6, 18401, 18451, 18452, and 18455 of, to repeal Article 2 1 (commencing with Section 17671), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 6 (commencing with Section 17851), Article 7 1 (commencing with Section 17920), Article 7.2 (commencing with Section 17940), and Article 8.5 (commencing with Section 17970) of Chapter 3 of Division 14 of, to add Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, and to add Section 17652 to, the Education Code, and to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the public school system, making an appropriation therefor, placing a constitutional amendment on the ballot in connection therewith, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 187: By Assemblymen Moorhead, Hayden, Harvey Johnson, and Conrad—An act to amend Sections 12027 and 12031 of the Penal Code, relating to firearms.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 188: By Assemblyman MacDonald—An act to add Section 36510.5 to the Government Code, relating to city officers and employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 189: By Assemblyman Cline—An act to amend Section 3251 of the Civil Code, relating to payment bonds for public works.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 190: By Assemblyman Chappie—An act to add Chapter 10 2 (commencing with Section 25910) to Division 20 of the Health and Safety Code, relating to containers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 191: By Assemblyman Barnes (Senator Schrade, coauthor)—An act to add Sections 31621.2, 31671 02, 31676 12, 31808 7, and 31812.1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 192: By Assemblymen Campbell, Arnett, and Townsend—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10 5 (commencing with Section 11901), 10 8 (commencing with Section 11940), and 10 9 (commencing with Section 11990) of, the Health and Safety Code, and to repeal and add Sections 11217, 11480, and 11483 of the Health and Safety Code, as proposed by this act, relating to controlled substances.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 193: By Assemblyman Burton—An act to amend Sections 10180, 10203, 10204, 10225, and 10275 of, and to amend the headings of Article 2 (commencing with Section 10180) of Chapter 4 of, and Article 2 (commencing with Section 10225) of Chapter 5 of, Division 9 of, the Health and Safety Code, relating to vital statistics

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 194: By Assemblyman LaCoste—An act to amend Section 25650 of the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 22: By Assemblyman Collier—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending the fourth paragraph of Section 6 of Article IX thereof, relating to the public school system

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 11: By Assemblyman Bill Greene—Relative to low-cost telephone service for the elderly poor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 12: By Assemblyman Davis—Relating to the Advisory Committee on Salmon and Steelhead Trout.

Held at Desk by order of the Speaker pro Tempore

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burton:

House Resolution No. 10

Relative to the Temporary Standing Rules of the Assembly

Resolved by the Assembly of the State of California, That Rule 11.5 be added to the Temporary Standing Rules of the Assembly for the 1972 Regular Session, to read:

Assembly Investigating Committees

11.5. (a) The following standing committees of the Assembly are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative:

Agriculture
Commerce and Public Utilities
Constitutional Amendments
Criminal Justice
Education
Efficiency and Cost Control
Elections and Reapportionment
Employment and Public Employees
Environmental Quality
Finance and Insurance
Government Administration
Governmental Organization
Health
Intergovernmental Relations
Judiciary
Labor Relations
Local Government
Natural Resources and Conservation
Planning and Land Use
Retirement
Revenue and Taxation
Transportation
Urban Development and Housing
Water
Ways and Means
Welfare

(b) Each of the above committees shall consist of the members of the standing committee on the same subject as most recently constituted. The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The Speaker may increase or reduce the size of such committees.

(c) Each committee and subcommittee of the Assembly General Research Committee and their members shall have and exercise all the rights, duties and power conferred upon investigating committees and

their members by law and by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this resolution, to be paid from the Assembly Contingent Fund and disbursed, after certification by the Chairman of the Committee on Rules or his authorized representative, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 20, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No 8

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

Assembly Chamber, January 20, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 7

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 1—Relative to the creation of a commission on Indian treaties

Resolution read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, January 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 1

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN CROWN

Mr. Knox announced that yesterday was the birthday of Assemblyman Robert W. Crown, of the 14th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Crown.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time·

Assembly Bill No. 195: By Assemblyman Brathwaite—An act to amend Sections 451 and 453 of the Public Utilities Code, relating to public utilities

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 196: By Assemblyman Brathwaite—An act to add Chapter 4.5 (commencing with Section 4395) to Division 5 of Title 1 of the Government Code, relating to public works.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 197: By Assemblyman Brathwaite—An act to amend Section 19971 of the Health and Safety Code, and to add Section 35116 to the Vehicle Code, relating to factory-built housing.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 198: By Assemblyman Brathwaite—An act to add Section 6018.3 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 199: By Assemblymen Cline and Conrad—An act to amend Section 16554 of the Education Code, relating to school property.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT

Mr. Stull informed the Members of the Assembly of the death on January 21, 1972, of Commander Albert Wright (USN, Retired), of La Jolla, and was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Commander Albert Wright.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Brown was granted unanimous consent that the following letter of transmittal and report be printed in the Journal:

January 24, 1972

Honorable Bob Moretti, Speaker
Members of the Assembly
State Capitol

Gentlemen: Attached is a report by a Subcommittee of the Commission on California State Government Organization and Economy entitled "Preliminary Findings of Subcommittee on California Division of Highways Excess Right of Way".

This report, an outstanding critique literally demanding strong legislative attention, deals with the Division of Highways and their helter-skelter acquisition of property. I have distributed copies of the press release on this report to all members of the Legislature, and am requesting that the Assembly make an investigation of the Division of Highways one of our priorities for this session.

Sincerely,

WILLIE L. BROWN, JR., Chairman

PRELIMINARY FINDINGS OF SUBCOMMITTEE ON CALIFORNIA DIVISION OF HIGHWAYS EXCESS RIGHT OF WAY

January 1972

Commission on California State Government Organization and Economy

January 12, 1972

Mr H. Herbert Jackson, Chairman
Commission on California State Government
Organization and Economy
455 Capitol Mall, Suite 700, Sacramento, California

Dear Mr. Chairman. Transmitted herewith is the report of preliminary findings of the study conducted by your subcommittee on excess highway right-of-way.

As you know, this matter has been under study by several subcommittees of this commission since 1966. In 1969 the State Highway Engineer, J A. Legarra and Highway Right-of-Way officials made definite commitments and assurances to this commission, in writing, as to right-of-way acquisition, management and disposal practices On the basis of more than 7,000 man-hours of work by this subcommittee and its staff since that time, it has become evident that the excess land program involving inventory, sales, leases, engineering holds and property management, is not producing the results the commission had been led to believe Significant changes in procedures and organization are necessary.

The data compiled for the subcommittee has documented that:

—There are serious defects in excess land inventory records.

—Land has been withheld from sale without justification and at the whim of engineers and for unlimited periods of time.
—The department has failed to reduce the excess land inventory.
—There has been little effort to develop productive usage of space available within right-of-way.
—Inefficiency and administrative insubordination has been ignored by those with authority to take appropriate action.

The result of these deficiencies has been a loss of millions of dollars to the taxpayers of the State of California—resources tied up and not available for other purposes. In addition, local governments have suffered untold loss of tax revenue since these properties have not been developed for their highest or best use.

The members of the subcommittee unanimously recommend that public hearings be held by the full commission at the earliest possible date in order that these preliminary findings may be presented, thus forming the basis of a formal report containing conclusions and recommendations for submission to the Governor and members of the Legislature.

Respectfully submitted,

NATHAN SHAPELL, Chairman
Subcommittee on Highway Right of Way
James E. Kenney
Andrew L. Leavitt
Manning J. Post

Summary of Findings

The scope of the work done in this study was on a sample basis and by no means inclusive of all facets of the highway right-of-way excess lands program. There are major problems however which must be solved first. It was on these problems that this effort was concentrated.

—There is a lack of centralized organizational responsibility and authority over the right-of-way excess lands program resulting in ineffective management of the program.
—The excess land inventory system in its present form is incomplete, inaccurate and ineffective in providing for early disposal of land and in reducing the inventory to a minimum number of parcels.
—There has been almost a total lack of control over engineering holds. Headquarter policies concerning engineering holds have been ignored or deliberately disobeyed.
—There have been no positive steps taken to insure an ongoing and productive program for development and management of airspace.
—Substantial amounts of revenue are lost because of current policies and practices (which vary between districts) relating to the use of properties from the time of purchase until needed for construction purposes.
—There is no formal review and approval of use of excess or airspace sites by highways' units prior to occupancy, and no economic analysis is made to determine the justification of such usage.

—The present computer inventory system does not provide management with adequate information to control the program effectively.

Introduction

The Division of Highways of the Department of Public Works is in the real estate business in a big way. Its activities in acquiring real property, either by condemnation or by negotiation, are well known and often the subject of much controversy and publicity. Not so well known, but nevertheless materially significant to the California taxpayer, is that these activities result in a substantial inventory of property that is excess to actual needs for highway right-of-way for which the parcels were acquired. That this inventory is significant is apparent from the following table:

Inventory Date	*Number of Parcels*	*Book Value*
January, 1970	11,607	$29,067,424
July, 1970	11,487	33,686,539
January, 1971	11,221	33,732,877
April, 1971	10,695	30,454,159

What is also significant about this data is that, while there has been a gradual reduction in the number of parcels, there has not been the significant reduction which the subcommittee had expected, based on commitments made by the Division of Highways in 1969.

The inventory book value is based upon the sales or exchange value of the excess parcels at the time of acquisition. This valuation concept is that recommended to the Division of Highways by the Office of the Auditor General Since current appraisal data is not available, only a rough estimate of the current value of excess lands is possible. Sales experience in the division's largest district, Los Angeles, showed that the market value of parcels sold approximated three times the inventory value. On that basis, the total inventory value statewide would be $90 million dollars However, as will be discussed later, apparently some 15 percent of the excess parcels were not on the inventory The estimated total value of the excess lands inventory thus would run well over $100 million dollars

The objectives of the Division of Highways in acquiring, managing, and disposing of such a massive excess lands inventory—indeed, the division's obligations to the taxpaying public—should be to·

—Minimize creation of excess lands.
—Minimize creation of unsalable excess lands
—Dispose of surplus at the earliest possible date
—Permit no internally controlled "holds" without full justification and rigorous economic analysis
—Maximize the return on necessary excess or right-of-way held prior to highway needs.

The subcommittee's decision to study the Division of Highway's excess lands program was made because the members were convinced that the above objectives were not being met The study objective was to develop concrete evidence in support of that conviction. The subcommittee is satisfied that the study objective has been attained without further field work at this time.

Scope of the Study

It was apparent from the outset that time constraints on staff availability would not permit the comprehensive management review of the highway right-of-way program which the subcommittee had contemplated Based on a preliminary review by the staff and discussions with the subcommittee, it was agreed that the work would concentrate on selected highway routes in five districts as a representative sample.

On the selected sample routes, detail maps were studied carefully to:

—Identify all excess parcels.
—Determine their status under stated policies.
—Compare this status to existing records.
—Analyze the results of the work with particular emphasis on:
  —Accuracy of the inventory.
  —Justification for engineering holds.
  —Status of airspace development.
  —Management and disposal of excess lands

Exhibit A identifies the routes studied in each district and classifies the parcels as they were on the dates the detail maps were examined. All parcels summarized in this exhibit were identified and plotted on freeway maps which are much too large to be included as exhibits in this report. However, they are included herein by reference, and will be retained by the commission in its files.

Exhibit A is summarized as follows:

Parcels on inventory records as excess

On detail maps as excess:			
Available for sales or exchange	1,304		
Held by engineers	544		
Undetermined right-of-way	608		
Time sales not yet recorded	374	2,830	
Not on detail maps as excess:			
Sold, still on inventory	4		
Within right-of-way, still on inventory as excess	42	46	
Total parcels on inventory records			2,876
Parcels on maps, not on inventory			
Excess not on inventory		448	
Advance acquisitions, from Right-of-Way Acquisition Fund		21	
Owned by Division of Bay Toll Crossings		40	
Sold, but still on maps		7	
Total Parcels not on inventory			516
Total parcels reviewed by the study			3,392

Discussion of Findings

FINDING: There is a lack of centralized organizational responsibility and authority over the right-of-way excess lands program resulting in ineffective management of the program.

Probably the most consistent finding of this review was the inconsistency in procedure and practices from district to district in the Division of Highways. This was true as to inventory records, mapping techniques, files, land sales and rental practices. One would expect to find some differences because of district size, but by and large there should be one best way of doing things and a central management should be able to work them out.

In the present Division of Highways organization, the Chief Right-of-Way Agent in Sacramento presumably has overall program responsibility. If true, then he is in a completely untenable position, since in fact he does not have the authority to carry out responsibility in this area. The division's policy is clearly laid out in the following quote from a Right-of-Way Manual change issued in March 1969.

> "It must be clearly understood by all operating units of the Division of Highways that *final responsibility for the state's excess land program is delegated to the district,* and to this end procedures have been developed having a primary purpose of disposing of excess land at the earliest possible date and the maintenance of an absolute minimum of property in the state's inventory." There remains however, ". . . a degree of flexibility so that *each district* may implement detailed procedures found locally to be the most beneficial *in accomplishing the primary goal 'effectively disposing of the excess land inventory'.*" (Emphasis added)

This, in our view, is the basis of the problem from which stems most of the criticism of the program studied by the subcommittee. Uniform administration, as far as possible, is needed to attain effective management and control of the program.

The fact is that in the Division of Highways, as now organized, the District Engineer is to all intents and purposes autonomous. Thus, the status which the excess lands program has in any one district depends upon the District Engineer's interest in it. To illustrate this, March 1969 policy statements from division headquarters included one statement to the effect that districts would initiate procedures which would lead to the most expeditious clearance of excess lands (release from engineering holds). Two years later, in March 1971, District 07 Los Angeles took official action by issuing its own circular letter requiring specific management level approval of such holds However, the first instance of a hold receiving this approval was not dated until May 14, 1971. An earlier headquarters policy statement (January 1970) called for immediate review of all engineering holds for conformance to certain standards, and for a subsequent annual review by the District Engineer. In May 1971 our staff was informed that the first review had only recently begun in Los Angeles.

This kind of failure to comply with policy from Sacramento was apparent to some degree in each of the five districts visited, at least as related to the excess lands program We have serious reservations whether there will be lasting improvements in this program unless there are organizational changes which will remove the program from engineering jurisdictions. The Division of Highways is an engineering-oriented organization Their interest is in building highways. In relation to total dollars the excess lands program is regarded as of minor importance and, consequently, has little if any status or priority.

FINDING: The excess land inventory system in its present form is incomplete, inaccurate and is ineffective in providing for early disposal of land and in reducing the inventory to a minimum number of parcels.

Shortly after filing its reply to the commission's 1969 questionnaire, the division revised its excess lands inventory system and policies. The vehicle was a Right-of-Way Manual amendment dated March 21, 1969, subsequently expanded upon by another amendment dated January 26, 1970.

Briefly, the changes were to have accomplished the following:

—A complete and accurate inventory of all excess lands as of July 1, 1969.

—An accurate and uniform record system in the districts and computer record in Sacramento headquarters.

—A uniform categorization of parcel status.

—Clearance of parcels for sale at the earliest possible date.

—Disposal of excess lands at the earliest possible date.

—Maintenance of an absolute minimum of property in the state's inventory.

The findings of this subcommittee are that *none* of these anticipated accomplishments have been realized. The July 1, 1969 inventory effort was ineffective, inaccurate, and incomplete. The system and its operation since that time are such that it is highly unlikely that any material improvement can be expected.

A system to identify and catalog excess lands should be an aid to attain the objective of prompt and efficient disposal of excess A condensed description of a system as it should work, using the division's present parcel categorization, would be:

—A parcel containing excess is placed in the inventory upon acquisition. Its first classification is Category 3, Undetermined Right of Way.

—A request for clearance is sent immediately to the design engineers, who must respond within 30 days The response would indicate that the excess will be needed for a project (Category 2, Held for Projects), or that it should be transferred to Category 1, Available for Immediate Sale.

—The process to dispose of Category 1 parcels is set in motion immediately upon transfer to that category.

—Category 2 parcels are flagged for periodic review and rejustification.

In its present form the system is incomplete and is not producing the desired results. The staff has discussed the system and its use with Excess Lands personnel in six districts that contain about 86 percent of the excess parcels on the inventory. These discussions reinforced our findings that the system has many deficiencies The principal deficiencies are as follow:

1. An estimated 1,650 parcels of excess land, worth at least $15 million dollars are not on inventory

A detailed examination of the record maps for 16 routes in five highway districts disclosed 448 parcels of excess land in addition to the

2,876 parcels on the official inventory records. The staff furnished the districts' personnel with lists of all additional parcels found; they were not disputed.

The number of additional parcels found on the routes reviewed was 15 percent of those on inventory. If the same rate of error prevailed over the statewide inventory of 10,573 on the record as of August 31, 1971, it would have meant that some 1,650 parcels of land were not recorded as excess.

Without current appraisals, it would be impossible to determine the value of unrecorded excess lands. Based strictly on the statewide average book value per parcel of the recorded inventory as of August 31, 1971, the book value of unrecorded excess would have been approximately $5 million dollars. On the basis of a division headquarter's statement that current values average about three times current book values, it is estimated that the value of unrecorded excess lands held by the Division of Highways is at least $15 million dollars. The subcommittee believes that this is a highly conservative estimate.

The inaccurate condition of the inventory record exists because:

—Districts did a poor job of setting up the 1969 inventory.

—The system does not provide controls to insure that every excess parcel reaches the inventory promptly, if at all.

In support of this finding are the results of districtwide reviews of all routes by district personnel. This review was ordered in all districts by the Director of Public Works as a result of our findings in District 07, Los Angeles. As a result, Right-of-Way Engineering and Excess Lands personnel reviewed the record maps and have identified at least 1,000 additional parcels in District 07, Los Angeles and District 04, San Francisco. No doubt a proportionate number of additional parcels would be discovered in the other nine districts.

2. Right-of-Way Engineering and Excess Lands personnel often interpret maps differently.

Many of the uninventoried parcels can be attributed to a lack of uniformity in the techniques of preparing and interpreting maps. Right-of-Way Engineering personnel prepare the maps; their techniques vary between districts and often within a district.

A list of excess parcels prepared by engineers will not always agree with a list prepared by excess lands personnel even though they are both made from the same maps An informal telephone survey by the staff elicited rather interesting results. Several districts were asked how many new parcels were discovered when they reviewed all routes in July as ordered by the director. The first replies indicated that there were disagreements between staff assigned to the job. Districts were then asked who did the job, who reviewed it, and what the final outcome was.

The result of the survey was as follows:

District No.	Headquarters	Number of parcels found by Right-of-Way Engineering	Excess Lands
03	Marysville	("We have until the end of the year to do it")	
04	San Francisco	299	299
07	Los Angeles	1,400	700
10	Stockton	None	None
	(The staff later found 23 parcels in a limited sample of routes. District personnel agreed)		
11	San Diego	400	20
	(The staff later found 40 in a limited sample of routes. District personnel agreed)		

3. The inventory system does not include two types of acquisitions:
—Those made from the Highway Right-of-Way Acquisition Fund.
—Those made from nondepleted material sites.

The Highway Right-of-Way Acquisition Fund was created in 1952 by the Legislature to provide funds for the advance acquisition of right-of-way to prevent development to a higher use and the consequent higher acquisition cost if the development were permitted to proceed (so-called protection acquisitions). On August 31, 1971, its principal asset was $28,717,800 invested in some 529 parcels The very long holding periods for these parcels, during which right-of-way lines may be relocated, increases the changes that they will contain excess; the division estimates that probably 25 percent of the parcels are of this kind.

Parcels acquired for use as highway construction material sites are often held for long periods of time without being used. There are some 78 of these, some of which have been held for many years. In District 11, San Diego, material sites had been acquired in 1931 and 1955 and had never been used. Another was acquired in 1953 and has not been used since 1954.

These parcels and others like them are not included in the inventory and are not reviewed from time to time to determine if they are excess.

4 A significant number of parcels are not made available for sale or placed on engineering hold at the earliest possible date

Stated Division of Highways policy is to do this as soon as possible after acquisition. Districts differ in practice District 07 Los Angeles usually waits until all project plans, specifications and estimates are completed. This unnecessary delay has prevented the timely sales of many parcels. Other districts are able to determine excess almost immediately upon acquisition.

Excess land is not normally sold until it has been transferred to Category 1 as available for immediate sale. Excess land required for projects should be transferred to Category 2 Regarding such transfers, the Right-of-Way Manual provides that excess land should be reclassified "... at the earliest possible date following the determination of a calculated right-of-way line..."

Except for advance acquisitions (hardships and protections) a calculated right-of-way line is always available at the time of acquisitions. Thus, the stated policy is to transfer parcels to Categories 1 or 2 as soon as possible after acquisition

An analysis of the parcels in Category 3, Undetermined Right-of-Way, disclosed that about 60 percent (some 2,800 parcels) were entered into the system in the last six months of 1969 and had not yet been reclassified. Since this was the period when the new system was being initiated, it is reasonable to assume that most of these parcels had been acquired previously and should already have been reclassified. The same analysis disclosed that about 20 percent of them (some 900 parcels) were entered into the system in 1970 and were still not reclassified.

This apparent disregard for the policies established by the division has prevented the timely sale of many parcels. Staff analysis by district indicates the practice is fairly common.

A specific example of this situation was found on Interstate 210 Freeway in District 07. On one section of this freeway, not only had the plans, specifications, and estimates been completed (May 28, 1969) but the contract had been let (on October 15, 1970) and this section was actually under construction. There were 62 parcels in this section which were still in Category 3 as undetermined right-of-way. This is an example of gross violation of division policy. It must not be tolerated by the division; the system should be such that the situation should automatically be brought to management's attention and appropriate action taken to correct it and to discipline the staff responsible for it.

5. Changes in right-of-way lines that create, eliminate, increase or decrease excess often are not communicated to the Excess Lands Section.

When a parcel is acquired, the location of the then current right-of-way line indicates the existence and size of excess land. If the right-of-way line changes, the status of the excess may be altered. It is important that the new line be drawn on the record maps and that excess lands personnel be notified of any excess land change.

There is no established procedure to assure that this is done. As a result, many parcels contain excess now, although they did not at the time of acquisition and should be on the inventory Conversely, many parcels now in the inventory are located within a right-of-way. Parcel size alone can also be affected

6. Two or more separate parcels of excess contained within one acquisition are often not separated in the inventory records.

Many acquisitions contain two or more separate parcels of excess. There are no procedures to assure that each separate parcel will be shown on the inventory.

The information relative to each parcel must be readily available and accurate If one inventory record contains the combined data relative to several parcels, it cannot serve its purpose.

7. There has been no overall reconciliation between the headquarters computer record and the districts' inventory cards. Neither are accurate.

Only in District 03, Marysville, did we find the computer inventory list reconciled to the property cards or excess land files. This was done quarterly. In the other districts, attempts to reconcile had been made, but after being unsuccessful several times, they stopped trying.

8. District personnel who work with the computer inventory lists often do not understand that portion of their job. They have not been properly trained and do not possess all the prerequisite skills.

The staff discussed the excess land inventory system with highways personnel in six districts. Without exception they expressed a lack of confidence in the system. Most of them said they ignored the system to a great extent and have developed substitutes for it in their own offices.

The lack of confidence was usually attributed to failure to understand how the system worked and what it could do for them. None of the excess land personnel who work with the system acknowledged having received any training.

The August 1971 computer inventory list contained 86 parcels with minus dollar values in eight districts. Staff analysis indicates the condition is widespread through the system.

FINDING: There has been almost a total lack of control over engineering holds Headquarter policies concerning engineering holds have been ignored or deliberately disobeyed.

In its reply to the commission's 1969 questionnaire, the division committed itself to developing certain policies regarding justification for engineers' withholding property from sale. The policies subsequently issued included these:

—Written approval of the District Engineer for all holds.
—Properties can be held for projects other than those for which purchased only if:
  —Required for a project on which the state has a route adoption.
  —Analysis shows the economic feasibility for holding for the required period of time.
—Written approval of the Deputy State Highway Engineer for held property with an inventory value of $25,000 or more or a market value of $50,000 or more.
—Immediate review of all holds by the District Engineer for conformance to the above standards.
—Annual review by the District Engineer to assure that only parcels conforming to the above standards are being retained.

Our findings are that these standards and instructions have either been ignored or deliberately disobeyed In many cases, the effect is that an engineer had simply to "stick a pin in a map" to hold a parcel for an indefinite period. This should be amply demonstrated in the discussion of deficiencies which follows.

1. Justification or documentation for engineering holds is often either inadequate or nonexistent.

When holds are placed on excess parcels it is usually done by designating a number of parcels rather than by individual parcel. This practice was found in all districts visited. In these instances, no attempt is made to justify the hold for individual parcels and the justifications are usually in such general terms as "May be needed for proposed widening"; "Hold until construction completed"; "Hold for future interchange"; or "Hold until completion of design". Approval by higher authority based on these brief and generalized statements depends completely on the judgment of the person placing the hold and amounts to little more than a "rubber stamp" approval.

An example of this practice in District 07 was noted in which a memorandum from a design engineer placed a hold on 142 parcels " .. as they maybe (sic) required for the proposed widening of the San Diego Freeway". This hold was made on February 13, 1970; however most of these parcels have since been earmarked for a future interchange of Routes 405/105. Since the district has reached an impasse in attempting to complete a freeway agreement with the City of Hawthorne, it is not known when future construction will take place. The acquisition dates of these parcels range from 11 to 13 years. Approximately 90 of the parcels were not on the inventory at the time of the study and their value was not ascertained. However, of the parcels that were inventoried, two had high inventory value, one of 0.70 acres at $30,000 and the other of 0 24 acres at $13,000.

In the review of documentation and justification of engineering holds in District 07 an attempt was made to verify all parcels held on Route LA-405. In addition to the inventory cards in the Excess Lands Section, a file is maintained in the Right-of-Way Engineering Section. A comparison was made of these two files for holds on Route 405. Excess Lands had 39 inventory cards in Category 2, Held for Projects, while Right-of-Way Engineering files indicated there were 21 parcels on hold. However, only three parcels were classified as engineering holds in both files. Of the other 54 parcels involved 28 were in one file, but not in the other, while 26 were in both files, but not in agreement as to hold status Attempts to document current status of parcels required searching in several locations and in some cases the search was abandoned after several attempts as district personnel had begun a review of all excess parcels in compliance with a headquarters directive prompted by the study findings.

2 Frequently there is no time limit placed on engineering holds.

Documentation for engineering holds rarely contained a specific time that parcels were to be held. The limit was usually expressed in terms of some future indefinite point in time such as design completion, determination of right-of-way requirements or completion of construction. In many cases not even this kind of reference was made, indicating only such things as that holds were for future widening or a proposed interchange.

3 No analyses are made to evaluate economic feasibility of engineering holds.

There is no evidence to indicate that any meaningful economic justifications have been made There are a few instances in response to

specific inquiries where statements are made to the effect that it would be more economical to retain a parcel. Undoubtedly, in some cases the conclusion is correct, but it appears the conclusion was based on superficial analysis and "horseback" opinions rather than sound economic analysis and scientifically based criteria.

4. District engineers do not periodically review engineering holds.

Existing policy requires that written approval of the District Engineer must be obtained to place a hold on excess land and that an annual review shall be made by the District Engineer to assure that the hold is still justified. In the districts visited the authority for original approvals has been delegated to various management levels and the procedures and documentation vary considerably. As pointed out earlier the documentation, justification, and procedures are such that the approval actually is made by the person who requests the hold.

There was no established procedure for a systematic, periodic review and reevaluation of justification for existing holds. The only time an existing hold was reviewed was when the project for which a parcel is held was completed or when inquiries were made regarding the availability of specific parcels.

5. Holds are not approved by the Deputy State Highway Engineer as required by stated policy.

Headquarters policy issued in January 1970 requires that engineering holds which have an inventory value of $25,000 or more or market value of $50,000 or more must be authorized in writing by the Deputy State Highway Engineer. This policy had not been implemented prior to the start of this study. For example, the first request by District 07 for such approval was dated May 14, 1971

6. Parcels are "unofficially" held by improperly retaining them in Category 3 as Undetermined Right-of-Way.

The study review disclosed numerous parcels classified as Category 3, Undetermined Right-of-Way, which according to established criteria should have been reclassified in Category 1 or 2 While it may or may not have been intentional, this breakdown in procedure results in an "unofficial" hold and bypasses the requirement for approval at the district level and in the case of high value parcels, headquarters approval.

One example of this in District 07 is Parcel 7467 on Route LA-405. This is a 9 934-acre parcel acquired in December 1959 with an inventory value of $230,000. The parcel was certified as excess available for disposal on May 28, 1964, however it has been placed on hold and released several times since then. When the new inventory was established in 1969 this parcel was placed in Category 3 A hold was placed on the parcel on January 22, 1971 for proposed interchange of Routes 405/47, but the parcel was never transferred out of Category 3 The design unit placing the hold does not expect construction of this interchange until after 1980.

7. Parcels are sometimes not released for sale because of breakdown in communications between organizational units of the Division of Highways.

In District 07, after a field review with a project resident engineer, a letter is prepared in the district office for the resident's signature indicating parcels on hold that can be released as excess and sold. If the resident fails to sign the release and return it, this fact may go undetected for some time. In a specific instance, such a letter was prepared and sent out on January 14, 1970. On June 21, 1971, when the staff inquired about the parcels involved, it was found that the release letter had not been returned from the field. As a result, 28 parcels were withheld from sale for 18 months.

8. Parcels are unofficially held by "shelving" a project to delay the final deadline date.

Division of Highways policy is that all parcels which are not to be held will be cleared for disposal not later than the "PS and E date." This is the date of the project report from the district to the State Highway Engineer, which includes project plans, specifications and cost estimates Division policy also requires districts to send this report to headquarters in Sacramento four months prior to the target date set for advertising the project for bids

In some cases the district completes its design work before the report can be sent to headquarters When this happens in District 07, the district "shelves" the project until the time comes to send the report forward; only then are excess parcels cleared. Some examples of the time lag involved are as follow:

Project	*Date PS&E completed*	*Target date to Hq.*	*Months on shelf*
LA-91, R11.0/R12.1			
LA-7, 12.0/14.3 _____	12/28/70	12/71	12
LA-101, 34.8/38.2			
Ven-101, 0 0/1 6 _____	1/21/71	6/71	6
LA-210, R5 0/12.1			
LA-118, R13.0/14.0 ____	1/ 4/71	11/71	11
Ora-1, 0 2/1.2 _____	5/ 6/71	6/72	13
Ora-57, 10.9/12 5 _____	3/30/71	12/71	9

This practice was also found in other districts. It obviously results in "holding" substantial amounts of property without official sanction.

Vigorous action by the department is essential to bring this completely unjustifiable condition under control. This control cannot be attained, in our view, simply by requiring districts to report progress and activity. There must be departmental level review and followup in the field on a continuing basis.

The value of departmental level review and control is possibly demonstrated by what has happened to engineering holds in the districts visited during this study The following data reflects holds reviewed by the staff in four districts, representing two-thirds of the holds in those districts and over one-third of the statewide total.

	Number of parcels	% of total	Length of holds Shortest	Longest
Since released or can be released now	287	42	8 mos.	37 yrs.
Can be released by July 1972	61	9	2 yrs.	24 yrs.
Subtotal	348	51		
Still to be held after July 1972	328	49	2 yrs.	Indefinite
TOTAL	676	100		

To emphasize the point—if the department's policies regarding engineering holds had been adopted in these four districts, 42 percent of the holds would not have existed at the time of the study and another 9 percent would be available for release within a year.

FINDING: There have been no positive steps taken to insure an ongoing and productive program for development and management of airspace.

Airspace is defined as ". . . any nonoperating property within highway right-of-way limits which is capable of other uses without undue interference with the operation and future expansion of the transportation corridor for highway or other transportation uses" The division's 1969 report to the commission showed a high degree of interest in promoting the use of freeway airspace. The division indicated that it was taking the initiative in development of airspace by contacting brokers, developers, builders—all firms with the ability and financial capability to develop airspace in California.

In the intervening two years, there has been little evidence at the district level of the promotional effort to which the division was committed. To the contrary:

—None of the five districts visited by the staff had made a real attempt to identify its available airspace.
—There has been minimal effort to rent known airspace. Most new rentals come as the result of unsolicited inquiries.
—Until very recently, districts have not attempted to staff the function so that a proper job can be done
—Assigned staff receive little or no cooperation from other units.
—There is little indication of an aggressive promotional program which this activity requires

The situation in the airspace program is simply another example, in the subcommittee's view, of the fragmentary result of a program with no priority status and operating on an almost completely decentralized basis.

The safe and efficient operation of a road requires that control be maintained over areas within the right-of-way, but not actually used in the operation of the road Those areas include the space over, under and between the traveled lanes of the road. Fee ownership is usually required in order to maintain the necessary control; often the areas can be made available for other purposes by means of restrictive leases. Such leases are authorized by the Streets and Highways Code.

Few projects have been considered that propose the use of space over freeways. Independent analyses have indicated that this utilization is not now economically feasible. Statistics are cited which indicate it is less expensive to purchase improved land adjacent to the freeway and demolish the existing improvements, as compared to a construction cost of $50 per square foot of pad over a freeway. In addition, the purchaser could have title to land outside a right-of-way, whereas only a leasehold interest is available under the other alternative. Only two over-the-freeway projects are currently under consideration. Both are in District 07; one a library, and the other a hotel.

The latter project may offer a possible means of achieving over-the-freeway development if district personnel can contact interested companies soon enough The hotel is to be built over a freeway not yet constructed. The builders have worked with the highway design group to incorporate changes into the freeway construction. Some $2 million dollars additional cost would be borne by the hotel builder, which could make over-the-freeway construction economically feasible.

If this procedure can be demonstrated to improve an economic analysis, the division should attempt to contact potential builders far in advance of freeway construction so that highway design can be coordinated with subsequent development to minimize costs.

There are many sites under and between the lanes of roads. They have generally been used for parking, but many have potential for higher uses, including use by the district itself The division's program to seek occupants for these sites has been passive. Factors contributing to the lack of success of the program are:

—A prescribed competitive bid procedure.
—Inadequate staff.
—Inaccurate and incomplete airspace inventory.
—Other highways units are not cooperating.

The competitive bid procedure prescribed by the California Highway Commission was designed to insure that fair market rates would be obtained However, in fact there has been very little competition for most sites At the same time, the bid procedure decreases the chance that a site will be leased. This is because of the approximately 90-day period which is required to (1) prepare public notices, (2) advertise, (3) receive and evaluate bids, and (4) issue a lease. Many potential lessees will not tolerate this type of delay, since a similar lease can be consummated with private parties in three to five days, at about the same lease rates and with far less lease restrictions.

What actually happens is that a potential lessee contacts the division, an approximate lease rate is quoted (which will be about the minimum bid set by the division) and the division then sets in motion the bid procedure When the bids come in, there is usually only one bidder who gets his lease at the quoted rate.

The State Highway Commission has given permission for negotiated leases under certain circumstances Conceivably, these leases can be consummated in a short time and eliminate much of the red tape now involved in leasing airspace However, the State Highway Commission has retained the prerogative of reviewing each lease before it becomes effective Blanket authority to negotiate leases could improve the at-

tractiveness of leasing airspace sites, without any change in the lease rate. Obviously, where an unusually attractive site is sought by more than one potential lessee, the bid procedure would be essential to fairly lease the site and get the best price.

Lack of sufficient staff assigned has hindered the program. The leasing of airspace achieved prominence in recent years due to the construction of more elevated roads. Most of the sites are under elevated roads and most are located on interstate routes. The increased amount of airspace created a need for a larger and more specialized staff. For most of the last two years, headquarters office had one position assigned. The two districts having most of the existing airspace when this study started and had a total of three staff for this function. Additional personnel have been added since the commission expressed an interest in this activity. Considering the size and importance of the job that needs doing, resources available have been minimal.

Paramount among the needs of the program is an accurate inventory of airspace sites. Although the program has been in operation for several years, there is still no accurate inventory. The following summary shows a comparison of the reported inventory of three districts with an inventory made by the staff.

	District inventory	*Staff inventory*
Sites in use	279	309
Available for lease	78	115
Total sites	357	424
Percent of sites not on inventory		18+

In addition to reviewing leases and occupancy reports, on-site inspections of some areas were made. Since on-site inspections were so few and limited to District 07, the additional sites discovered should not be considered to be all inclusive.

Up to this time the principal way that airspace sites came to the attention of airspace staff was when a prospective lessee would inquire about a site. In the case of many sites occupied by the Maintenance Department and other highways units, airspace personnel have not been aware of the existence of the space District 07 and 04 said they were going to start inspecting all of their routes to locate all potential airspace sites. District 03 is now in the process of doing this.

A serious problem in the management of airspace is encroachment by other units of the division The Maintenance Department is the most frequent offender. They often move in and set up a facility without prior approval from or notice to airspace personnel. A few months later, after they have made some improvements on the site, they are very resistive to any action to move them out.

An example of this encroachment was found in District 07. While making an on-site tour of a prime leasing area for airspace, a highways unit was found on a site which was not on inventory. The District Airspace Unit had no knowledge of the site nor of the occupancy. After extensive checking, the maintenance unit made several telephone calls and identified the occupying unit as the construction unit.

In many instances, other highways units are making very uneconomical use of sites. Again in District 07, it was found that the Highway

Test Laboratory had tied up several sites within a prime leasing area. An on-site visit showed that only about one-half of the area was being utilized effectively. The remainder of the area was used for storage and parking, all of which could have been done on less desirable sites.

Since the subcommittee began inquiring into this area, additional highways staff has been assigned to prepare an accurate inventory. They are being assisted by other units of the division in ways which are appropriate to their special skills. This is in response to a directive from the division headquarters, and is being done in all districts.

FINDING: Substantial amounts of revenue are lost because of current policies and practices (which vary between districts) relating to the use of properties from the time of purchase until needed for construction purposes.

This was not the subject of special emphasis in our current study since it is not related directly to excess lands. However, in the work on Interstate 210, District 07 Los Angeles, some analysis was done on two small sections (a few square blocks) of that freeway where the lands had been purchased but construction was not scheduled until 1972. The analysis produced these findings:

—Parcel acquisitions began in 1964.

—Under district policy, improvements on all parcels were removed when the occupant at the time of acquisition vacated the property.

—Other than minimal maintenance, no efforts were made to maintain the appearance of the property or develop it for any useful interim purpose.

—If the district had not removed the improvements but had maintained and rented them, it is estimated that the district incurred a net loss of $535,997 to June 30, 1971 because of its no rerental policy, based on the following calculation:

Optimum Rent	$654,380*
Less: Vacancy Factor 4 2%	27,483
Gross Rental	$626,897
Less: Assumed Rental Commission 5% in lieu of Highway's administrative cost	31,345
	$595,552
Less: Maintenance Cost 10%	59,555
Net Rental Income Lost	$535,997

—Under current law local governments are paid 24 percent of all rent received in lieu of taxes. Because total potential rental was not received, local governments incurred a "tax loss" of some $150,000.

* For each of 105 parcels in the two sections, the number of months available for rent (one month after acquisition to June 30, 1971) times the monthly rental taken from the appraisal report, or comparable rentals in the area when rental not listed in appraisal report.

The subcommittee would ask several questions in this situation, such as:

—Why was it necessary to begin acquisition so far in advance of construction?

—Are the reasons for the no rerental policy such that they outweigh the economic loss incurred?

—Does the Division of Highways, in fact, perform an economic analysis in these situations?

—Does each district develop its own policy, or are decisions subject to headquarters review and approval?

—What obligation does the division have, or should it have to maintain such properties in an esthetically pleasing condition?

—What efforts are made to develop interim use of these properties if, in fact, removal of improvements can be justified? What uses are possible?

The subcommittee suggests that this would be a profitable area for study by the appropriate legislative committee in a position to consider and give proper weight to all the pertinent factors involved.

FINDING: There is no formal review and approval of use of excess or airspace sites by highways' units prior to occupancy, and economic analyses are not made to determine the justification of such usage.

During the review of the status of excess property and a limited field inspection of specific parcels of excess land and airspace sites, the staff became aware of the unauthorized and virtually uncontrolled use of property by other highways' units.

In several instances construction and maintenance units had occupied and were using airspace and excess land without the knowledge of the Right-of-Way Department. Other airspace and excess sites were used of which the Right-of-Way Department was aware, but some were prime sites which could have and should have been developed for a better use. Some examples are as follow:

—A house had been used for more than eight years as a resident engineer's office. The property was not on the excess land inventory.

—A house with a swimming pool (inventory value of $30,000) was being used as a field office by a survey crew.

—Thirteen parcels were on a hold status because the access to them was blocked by the use of one parcel with a building as a survey field office.

The Maintenance Department has need for many sites in widespread locations. However, it was found that maintenance owned in fee many large sites which were not really meeting their needs, plus are acting as a drain on the tax rolls.

An example, again in District 07, is the central maintenance station. Here is a site, with a current appraisal in excess of $1,000,000. Most of the maintenance work handled by this station is at considerable dis-

tances, thus morning and evening travel of maintenance crews goes through major traffic congestion and hours of worktime are lost each day.

Currently, there is a proposal to close this station and locate it more centrally (in the heart of prime freeway lease area) on airspace. Certainly, this is a start in the right direction, but analysis might indicate that the proposed prime lease sites may not be the most efficient location for a maintenance station. If one would maximize maintenance activity, stations would be located every mile or so which would minimize travel, but capital costs for construction would be prohibitive. Conversely, with centralized maintenance stations, capital costs are minimized but travel becomes prohibitive and maintenance service will deteriorate. There should be some location for maintenance stations where a break-even point between travel costs and capital costs would optimize the maintenance function Where maintenance is performed mainly on freeways, it seems logical to locate sites on or adjacent to freeways, on airspace.

An economic analysis could be made prior to future construction of maintenance stations that will optimize the operations of the maintenance function and reduce the amount of fee-owned land by placing stations where possible on the less desirable airspace sites.

While it is the department's policy that the District Right-of-Way Agent will make suitable facilities available to other highway units upon request, it is more generally the practice that other units find and occupy prime sites and then tell Right-of-Way not to dispose of them In many cases even the latter action is not taken.

There is no formal system for the review and approval of the use of excess or airspace sites by highway's units and no evidence was found that consideration had been given to the economic justification of such usage.

FINDING: The present computer inventory system does not provide management with adequate information to control the program effectively.

The system currently produces a "management" report monthly which is so highly summarized it is of little use. Parcel data input to the system is limited to the point where the system lacks capability to produce useful management reports. The system should be expanded so that reports can be produced which will permit management to:

—Compare performance with goals and objectives.
—Observe trends in the acquisition, management and sales activities of the program.
—Evaluate the condition of the inventory.
—Be aware of exceptions to stated policies with respect to individual parcels.

At least three districts are working on system changes independently. From a management standpoint, it would seem prudent to take advantage of the work done thus far, and consolidate future effort at the headquarters level.

EXHIBIT A

Division of Highways
Summary of Excess Parcels on Routes Reviewed in the Five Districts Visited

Parcel Status	*District 7 Los Angeles*			*District 11 San Diego*			*District 10 Stockton*		*District 4 San Francisco*					*District 3 Marysville*			*Total*
On Inventory and Maps	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*Rte*	*All*
Category:	*210*	*405*	*10*	*5*	*8*	*76*	*99*	*5*	*101*	*280*	*17*	*480*	*5*	*50*	*80*	*99*	*Dist.*
1A-Avail f/Imm Sale	477	87	11	56	8	4	36	72	33	16	18		83	54	93	6	1,054
1B-Held f/Public Agen.	60	20		2				7	5	2			25	1	29		151
1C-Unsalable "A" & "B"	13	8			1			4	3	21	11		6	4	23	5	99
2-Engineering Holds	90	40		86	37		10	1	88	31	96		5	11	49		544
3-Undetermined R/W	357	63	5	22	10		5	7	41	18	15	1	10	8	45	1	608
Time Sales Not Yet Recorded	94	59		10	2				19	48	19	4	20	57	39	3	374
Sub-Total On Invent and Maps	1,091	277	16	176	58	4	51	91	189	136	159	5	149	135	278	15	2,830
On Inventory, Not on Maps:																	
Sold Not Removed From Inventory		4															4
In R/W Not Removed From Inventory	3	25							10	3	1						42
Sub-Total On Invent. Not Maps	3	29							10	3	1						46
Sub-Total On Inventory	1,094	306	16	176	58	4	51	91	199	139	160	5	149	135	278	15	2,876
On Maps, Not on Inven:																	
Excess Not on Inven.	160	151	9	24	12	4	5	18	18	3	3		12		19	10	448
Advance Acquisitions—																	
From R/W Acq. Fund									21								21
Acq Owned by Bay Toll Cross.												40					40
Sold, Not Recorded on Maps				5		1		1									7
Sub-Total—Not on Inv.	160	151	9	29	12	5	5	19	39	3	3	40	12	0	19	10	516
Total Parcels Review	1,254	457	25	205	70	9	56	110	238	142	163	45	161	135	297	25	3,392

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 200: By Assemblymen Sieroty, Dunlap, Moretti, Bagley, Brown, Hayden, Wood, and Z'berg (Senators Alquist, Behr, Collier, Gregorio, Grunsky, Marks, Mills, Moscone, and Nejedly, co-authors)—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528.2 of the Business and Professions Code, relating to the California coastal zone, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 201: By Assemblyman Thomas—An act to amend Section 8046 of the Fish and Game Code, relating to fish-handling privilege taxes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 202: By Assemblyman Dunlap—An act to add Section 1167.1 to the Code of Civil Procedure, relating to unlawful detainer.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman McAlister:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 55 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wood, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. McAlister was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 55 for hearing in the Committee on Rules.

RESOLUTIONS

The following resolution was offered.

By Assemblyman McAlister:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 75 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wood, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr McAlister was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 75 for hearing in the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Townsend:

House Resolution No. 11

Relative to proclaiming the week of February 6 to 12, 1972, as "Electrical Week"

WHEREAS, The electrical industry performs many public and private services that lead to the betterment of our daily lives and to the welfare of all mankind; and

WHEREAS, The electrical industry has played an important part in the industrial and economic growth of the State of California; and

WHEREAS, This industry has added greatly to the technology upon which America's preeminence in the world rests, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend the electrical industry for its significant cultural, economic, and social contributions, and proclaim the week of February 6 to 12, 1972, as "Electrical Week"

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

ADJOURNMENT

At 2:37 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Tuesday, January 25, 1972, out of respect to the memory of the late Commander Albert Wright, of La Jolla.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fourteenth Legislative Day

Twenty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 25, 1972

The Assembly met at 11:13 a.m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Assistant Chief Clerk R. Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, There are times in the life of us all when circumstances or seeming failures tempt us to quit or to despair.

Help us, Father, to realize that there never has been anything creative about despair No one has ever led a movement, fired a cause, changed the world, given peace, or loved anyone in despair.

Give us a firm confidence in You, Lord, and a sensible confidence in ourselves Help each one of us to realize that the world needs You, Lord, and strangely enough needs me.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Duffy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Foran, seconded by Mr. Campbell.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Townsend, on request of Speaker pro Tempore Bee.
Mr Wood, on request of Speaker pro Tempore Bee.
Mr. Z'berg, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Speaker pro Tempore Bee.
Mr. Brown, on request of Speaker pro Tempore Bee.
Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 24, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: Kindly excuse me from the legislative session Tuesday, January 25, 1972 on legislative business. I will be meeting with a group of constituents to discuss registration in 1972 for the 18–21-year-old vote.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

January 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from session on Tuesday, January 25, 1972, on legislative business. I will be meeting with city officials in my district.

Sincerely yours,

CARLEY V. PORTER, Assemblyman
Thirty-eighth District

January 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob: I respectfully request that I be excused from session today, January 25, 1972 on Legislative business. I will be meeting with the City Manager of Gardena, Harry Peacock, regarding possible legislation on the Harbor Freeway in our district and the possibility of an off-ramp.

Sincerely,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

January 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Tuesday, January 25th. I will be in my District meeting with the Board of Supervisors to present them with a check from the Department of Parks and Recreation.

Sincerely,

BOB WOOD, Assemblyman
Thirty-fourth District

NOTE: For letter explaining the absence of Mr Z'berg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 24, 1972, page 197.

1972 ASSEMBLY STANDING COMMITTEES AND SCHEDULE OF MEETINGS

Speaker pro Tempore Bee was granted unanimous consent that the following list of members of the 1972 Assembly standing committees and schedule of Assembly committee meetings be printed in the Journal:

Assembly Standing Committees—1972

Agriculture (14)

Briggs (Chairman)	Ketchum
LaCoste (Vice Chairman)	Mobley
Belotti	Porter
Duffy	Powers
Gonsalves	Seeley
Johnson, Harvey	Stull
Johnson, Ray E.	Wood

Commerce and Public Utilities (9)

Powers (Chairman)
Stacey (Vice Chairman)
Brophy
Campbell
Conrad
Fong
Greene, Leroy F.
Ryan
Townsend

Constitutional Amendments (9)

Garcia (Chairman)
MacGillivray (Vice Chairman)
Beverly
Burton
Knox
McAlister
Pierson
Schabarum
Wakefield

Criminal Justice (9)

Beverly (Chairman)
Miller (Vice Chairman)
Biddle
Brathwaite
Crown
Moorhead
Murphy
Sieroty
Waxman

Education (19)

Greene, Leroy F. (Chairman)
Chacon (Vice Chairman)
Arnett
Burke
Cline
Collier
Cory
Dent
Dunlap
Fong
Greene, Bill
Keysor
Lewis
Maddy
McAlister
Meade
Russell
Ryan
Vasconcellos

Efficiency and Cost Control (6)

Cullen (Chairman)
Schabarum (Vice Chairman)
Cory
Mobley
Seeley
Thomas

Elections and Reapportionment (15)

Waxman (Chairman)
Lewis (Vice Chairman)
Briggs
Brown
Cory
Crown
Fenton
Garcia
Karabian
Monagan
Moorhead
Moretti
Priolo
Ralph
Russell

Employment and Public Employees (10)

Hayes (Chairman)
MacDonald (Vice Chairman)
Arnett
Biddle
Deddeh
Dent
Greene, Leroy F.
Ketchum
Meade
Z'berg

Environmental Quality (7)

Fong (Chairman)
Wood (Vice Chairman)
Brown
Johnson, Ray E.
MacGillivray
Meade
Vasconcellos

Finance and Insurance (19)

Pierson (Chairman)
Foran (Vice Chairman)
Beverly
Brathwaite
Briggs
Campbell
Deddeh
Duffy
Fenton
Hayden
Karabian
Knox
Moorhead
Powers
Priolo
Ralph
Russell
Townsend
Waxman

Government Administration (8)

Russell (Chairman)
Arnett (Vice Chairman)
Knox
LaCoste
Miller
Schabarum
Seeley
Wakefield

Governmental Organization (15)

Ralph (Chairman)
Keysor (Vice Chairman)
Badham
Campbell
Cline
Cullen
Duffy
Fenton
Greene, Leroy F.
Hayes
Karabian
MacDonald
Priolo
Stacey
Townsend

Health (9)

Campbell (Chairman)
Townsend (Vice Chairman)
Brathwaite
Davis
Duffy
Hayden
Pierson
Stacey
Waxman

Intergovernmental Relations (10)

Johnson, Harvey (Chairman)
Conrad (Vice Chairman)
Bee
Chappie
Crown
Cullen
Johnson, Ray E.
Monagan
Moretti
Thomas

Judiciary (11)

Warren (Chairman)
McAlister (Vice Chairman)
Fenton
Foran
Hayes
Johnson, Harvey
Karabian
Maddy
Moorhead
Murphy
Z'berg

Labor Relations (9)

McCarthy (Chairman)
Ketchum (Vice Chairman)
Biddle
Chacon
Garcia
Gonsalves
MacGillivray
McAlister
Wakefield

Local Government (10)

Knox (Chairman)
MacDonald (Vice Chairman)
Beverly
Chappie
Hayden
LaCoste
Lewis
Porter
Quimby
Seeley

Natural Resources and Conservation (13)

Z'berg (Chairman)
Dent (Vice Chairman)
Barnes
Belotti
Chacon
Davis
Dunlap
Keysor
LaCoste
Sieroty
Thomas
Warren
Wood

Planning and Land Use (7)

Priolo (Chairman)
Chappie (Vice Chairman)
Bagley
Brown
McCarthy
Warren
Z'berg

Retirement (7)

Barnes (Chairman)
Belotti (Vice Chairman)
Bee
Brophy
Conrad
Dent
Lewis

Revenue and Taxation (17)

Gonsalves (Chairman)
Meade (Vice Chairman)
Badham
Bagley
Briggs
Cline
Cory
Deddeh
Dunlap
Greene, Bill
McCarthy
Mobley
Murphy
Quimby
Sieroty
Stull
Thomas

Rules (7)*

Burton (Chairman)
Johnson, Ray E. (Vice Chairman)
Burke
Mobley
Quimby
Ryan
Townsend

* Speaker appoints chairman only.

Transportation (15)

Deddeh (Chairman)
Hayden (Vice Chairman)
Bee
Burke
Collier
Foran
Garcia
Gonsalves
Keysor
Lanterman
MacGillivray
McCarthy
Schabarum
Sieroty
Wood

Urban Development and Housing (9)

Brathwaite (Chairman)
Maddy (Vice Chairman)
Brophy
Chacon
Cline
Fong
Greene, Bill
Murphy
Ralph

Water (9)

Porter (Chairman)
Quimby (Vice Chairman)
Badham
Cullen
Davis
Johnson, Harvey
Lanterman
Monagan
Stacey

Ways and Means (21)

Brown (Chairman)
Lanterman (Vice Chairman)
Badham
Bagley
Barnes
Belotti
Burton
Chappie
Collier
Crown
Davis
Dunlap
Foran
Hayes
MacDonald
Miller
Porter
Ryan
Stull
Vasconcellos
Warren

Welfare (9)

Bagley (Chairman)	Maddy
Greene, Bill (Vice Chairman)	McCarthy
Arnett	Miller
Biddle	Pierson
Burton	

Schedule of 1972 Assembly Committee Meetings

Monday

	Room	*Committee*
1:45 p.m. *	2133	Health
1:45 p.m. *	6028	Judiciary
1:45 p.m. *	2170	Revenue and Taxation
1:45 p.m. **	6031	Government Administration
1:45 p.m. **	6024	Retirement
3:45 p.m **	2117	Environmental Quality
3:45 p.m. ***	6031	Constitutional Amendments
3:45 p.m. ***	6028	Natural Resources and Conservation

Tuesday

Footnote a	3188	Rules
1:45 p.m. *	2170	Criminal Justice
1:45 p.m. *	4202	Education
1.45 p.m *	6028	Efficiency and Cost Control
1:45 p.m ***	2133	Planning and Land Use
3.45 p.m. **	6024	Water

Wednesday

9:00 a.m *	4202	Ways and Means
9.30 a.m **	6028	Labor Relations
1.45 p.m. *	2170	Finance and Insurance
1.45 p.m. *	2117	Welfare
3:45 p.m *	2170	Elections and Reapportionment
3:45 p.m. **	6031	Agriculture
3:45 p.m **	2133	Urban Development and Housing
3:45 p.m ***	2133	Employment and Public Employees

Thursday

Footnote a	3188	Rules
9.00 a.m *	2133	Local Government
9.00 a.m *	2170	Transportation
9.00 a.m. **	2117	Commerce and Public Utilities
9.00 a.m ***	6031	Governmental Organization

Friday

9.30 a.m on Call	2133	Intergovernmental Relations

* Meets every week.
** Meets first and third week of month as called at time indicated
*** Meets second and fourth week of month as called at time indicated
a Meets every Tuesday and Thursday at same time Assembly convenes

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
177	Commerce and Public Utilities
178	Criminal Justice
179	Labor Relations
180	Finance and Insurance
181	Labor Relations
182	Governmental Organization

Assembly Bill No.	*Committee*
183	Education
184	Revenue and Taxation
185	Education
186	Education
187	Criminal Justice
188	Local Government
189	Education
190	Health
191	Retirement
192	Health
193	Health
194	Transportation
195	Labor Relations
196	Local Government
197	Urban Development and Housing
198	Revenue and Taxation
199	Education
200	Planning and Land Use
201	Natural Resources and Conservation
202	Judiciary

Assembly Constitutional Amendment No.	*Committee*
22	Education

Assembly Concurrent Resolution No.	*Committee*
11	Commerce and Public Utilities
12	Natural Resources and Conservation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 203: By Assemblyman Briggs—An act to add Article 14 3 (commencing with Section 1063 21) to Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to prevention of insolvencies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 204: By Assemblyman Briggs—An act to amend Sections 5201, 13656, and 13656 2 of the Education Code, and to amend Sections 6700, and 18025 of the Government Code, relating to state holidays

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 205: By Assemblymen Fenton, Moretti, LaCoste, Chacon, Brathwaite, Brown, Burton, Cory, Crown, Deddeh, Dunlap, Fong, Garcia, Gonsalves, Keysor, Knox, MacDonald, McAlister, Miller, Murphy, Pierson, Porter, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, and Waxman (Senators Carrell, Grunsky, Mills, Nejedly,

Petris, Roberti, and Zenovich, coauthors)—An act to amend Sections 976.7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 206: By Assemblymen Burton, Brown, and Miller—An act to amend Section 3501 of, and to add Chapter 10.1 (commencing with Section 3515) to Division 4 of Title 1 of, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 207: By Assemblyman Davis—An act to amend Section 20803 5 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 208: By Assemblyman Powers—An act to amend Section 9609 of the Business and Professions Code, and to amend Sections 8250 and 8739.1 of the Health and Safety Code, relating to cemeteries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 13: By Assemblyman Harvey Johnson—Relative to the study of amphetamines.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

House Resolution No. 7—Relative to the Highland Avenue Parkway in the City of Los Angeles.

NOTE: The full text of House Resolution No. 7 appears at page 177 of the Assembly Daily Journal for January 19, 1972.

Resolution read, presented by Mr Warren, and adopted.

QUORUM CALL OF THE ASSEMBLY

Speaker pro Tempore Bee placed a quorum call upon the Assembly. Time, 11·17 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Badham for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section

8(a), of the Constitution as it pertains to Assembly Bill No. 124 be granted.

BURTON, Chairman

Assembly Chamber, January 25, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 55

AB No. 75

With the recommendation: Do pass.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILLS NOS. 55 AND 75

Mr. McAlister was granted unanimous consent to take up Assembly Bills Nos 55 and 75, without reference to file, for the purpose of reading the bills a second time at this time.

Second Reading of Bills by Unanimous Consent

Assembly Bill No. 55—An act to add Sections 1460.5 and 1464 to, and to repeal Sections 1460.5 and 1464 of, the Education Code, relating to school district elections, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 75—An act relating to the disposition of property by the Director of General Services, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 55

Mr McAlister was granted unanimous consent to take up Assembly Bill No 55, without reference to file, for purpose of consideration at this time

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman McAlister.

Resolved, That Assembly Bill No 55 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Maddy, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, and Mr. Speaker—57.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Assembly Bill No. 55

Assembly Bill No. 55—An act to add Sections 1460 5 and 1464 to, and to repeal Sections 1460 5 and 1464 of, the Education Code, relating to school district elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 75

Mr McAlister was granted unanimous consent to take up Assembly Bill No. 75, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman McAlister:

Resolved, That Assembly Bill No. 75 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three

several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, and Mr. Speaker—58.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Assembly Bill No. 75

Assembly Bill No. 75—An act relating to the disposition of property by the Director of General Services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 209: By Assemblymen Dunlap, Collier, Conrad, Brown, Arnett, Bagley, Barnes, Belotti, Crown, Davis, Dent, Fong, Knox, Lewis, MacDonald, Miller, Murphy, Porter, Ryan, and Warren (Senators Alquist, Behr, Burgener, Carpenter, Collier, Cusanovich, Gregorio, Grunsky, Holmdahl, Moscone, Nejedly, Petris, Rodda, Short, and Stiern, coauthors)—An act to add Sections 23601.6, 23601 9, 23601.10, and 23601.11 to, and to repeal Chapter 3 (commencing with Section 25951) of Division 19 of, the Education Code, and to repeal Section 18598 of the Government Code, relating to the California Maritime Academy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 210: By Assemblyman Bagley (Senator Behr, coauthor)—An act to add Sections 6812.7 and 18102 1 to the Education Code, relating to special education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 211: By Assemblyman Murphy—An act to amend Section 3053 of, to add Sections 3060, 3061, 3062, and 5075 5 to, and to repeal Sections 3056, 3060, 3061, 3062, and 3063 of, the Penal Code, relating to convicted persons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 212: By Assemblymen Leroy F Greene and Dent—An act to amend Sections 5771, 5792, 6481 5, 6490, 6491, 6492, 6497, 6499 207, 6741, 7456, 7459, 11257, 11301, 11401, 11404, 17301, 17303.5, 17352, 17354, 17402, 17407, 17411, 17501, 17502, 17551, 17601, 17601.1, 18060, 18062, 18102 8, 18102 9, 18102 10, 18355, 18358, 18451, 18452, 18453, and 18455 of, to amend the heading of Chapter 3 (commencing with Section 17601) of Division 14 of, to amend the heading of Article 1 (commencing with Section 17601) of Chapter 3 of Division 14 of, to add Sections 5774.9, 5780 5, 5784.5, 5786.5, 6499 208, 6499 219, 6499.220, 6499 221, 11255, 17300 and 18102 to, to add Article 2 (commencing with Section 17651) and Article 3 (commencing with Section 17701) to Chapter 3 of Division 14 of, to add Article 1 (commencing with Section 20701), to Chapter 3 of Division 16 of, to add Chapter 3 5 (commencing with Section 20911) to Division 16 of, to repeal Sections 885.5, 5605, 5605 5, 5605.6, 5658, 5659, 5660, 5661, 5662, 5663, 5664, 6499.208, 6854, 6855, 6913 1, 11872, 13704, 14111, 16633, 16635, 16635 1, 16645.9, 17263, 17263.1, 17263 2, 17264, 17300, 17303, 17603 5, 17606, 17616, 18102, 18102 2, 18102 4, 18102 6, 25541 5, 25541 7, and 25542 of, to repeal Article 2 (commencing with Section 17651), Article 2 1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 6 (commencing with Section 17851), Article 7 (commencing with Section 17901), Article 7 1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8.5 (commencing with Section 17970) of Chapter 3 of Division 14 of, to

repeal Article 3 (commencing with Section 20201) of Chapter 1 of Division 15 of, to repeal Article 1 (commencing with Section 20701), Article 2 (commencing with Section 20751), Article 3 (commencing with Section 20800) and Article 4 (commencing with Section 20851) of Chapter 3 of Division 16 of, and to repeal Chapter 3.5 (commencing with Section 20910) of Division 16 of, the Education Code, relating to the financial support of public education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 213: By Assemblyman McCarthy—An act to amend Section 6505 of the Labor Code, relating to industrial safety.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 214: By Assemblyman McAlister—An act to add Section 5664 to the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Badham:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 124 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11 39 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 11:40 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Wednesday, January 26, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifteenth Legislative Day

Twenty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 26, 1972

The Assembly met at 11:12 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Warren, Waxman, Wood, Z'berg, and Mr Speaker—70.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

God, Our Father, You are the author and giver of all good things. We ask You today to promote all efforts, organizations, and projects which are geared toward achieving peace and understanding among nations, and especially the effort now being made in connection with the southeast Asian conflict—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Gonsalves then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Stull, seconded by Mr. Bagley.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Cory, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Ray E. Johnson, on request of Speaker pro Tempore Bee.
Mr. Pierson, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Thomas, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 25, 1972

The Honorable Robert Moretti
Speaker of the House
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, January 26th, on legislative business.

By request of the City Council of the City of Oroville, I will be accompanying Senator Marler in the inspection of the Feather River relative to the problems created by the California Water Plan.

Respectfully,

RAY E. JOHNSON, Assemblyman
Fourth District

January 25, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from the legislative session on Wednesday, January 26, 1972, on legislative business.

I will be addressing the Inglewood Lions Club and meeting with constituents.

Sincerely,

DAVID C. PIERSON, Assemblyman
Sixty-fifth District

January 25, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please have me excused from attending session on Wednesday, January 26, 1972, on legislative business. I will be in Bakersfield participating in the Annual Kern County Business Outlook Conference sponsored by the Kern County Board of Trade.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

January 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, January 26, 1972, on legislative business. I will be speaking at the United Religious Conference at the University of California in Los Angeles.

Sincerely,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Appointment of Members to Public Works Board

January 25, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman David Pierson to the Public Works Board to replace Assemblyman Leo McCarthy who has resigned.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointment of Members to Ways and Means Subcommittee on Cost Effectiveness: Correctional Institutions

January 25, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I have authorized the Assembly Ways and Means Subcommittee on Penal Reform to be reorganized as the Ways and Means Subcommittee on Cost Effectiveness Correctional Institutions with the following membership: Assemblymen Brown (Chairman), Badham, Bagley, Chappie, Crown, Foran, Hayes, Lanterman, Ryan, and Warren.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointment of Members to Select Committee on Prison Reform and Rehabilitation

January 26, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing the Select Committee on Prison Reform and Rehabilitation of the General Research Committee with the following membership: Assemblymen Karabian (Chairman), Meade (Vice Chairman), Beverly, Hayes, and Ralph.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

Bulletin No. 184, Ten Counties Investigation: Municipal Industrial and Agricultural Water Demand in Colusa, Glenn, Humboldt, Lake, Marin, Mendocino, Napa, Solano, Sonoma, and Yolo Counties. December 1971.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated January 24, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Park Access Study. Requested by Assembly Concurrent Resolution No. 134, 1970 Regular Session. January 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated January 7, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, January 26, 1972

Mr Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 79—An act making an appropriation for support of services to physically handicapped children.

ROBERT W. CROWN

Above request ordered transmitted to the Committee on Rules.

ANNOUNCEMENTS

Speaker Moretti announced that there would be a caucus of the entire membership of the Assembly immediately upon adjournment today, in Room 4202

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 215: By Assemblyman Quimby—An act to amend Section 6359 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 216: By Assemblyman Harvey Johnson—An act to amend Sections 4036 and 4047.5 of, and to add Section 4047.7 to, the Business and Professions Code, relating to prescriptions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 217: By Assemblyman Harvey Johnson—An act to add Section 4062 to the Business and Professions Code, relating to pharmacy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 218: By Assemblyman Garcia—An act to amend Section 26 of Chapter 1417 of the Statutes of 1968, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 219: By Assemblyman Garcia—An act to amend Section 12814 of the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 220: By Assemblyman Knox—An act to amend Section 65061 of, to amend and renumber Sections 65065.2, 65065.3, and 65065.4 of, to add Sections 65060.1, 65060.2, 65060.7, 65065.1, 65065.2, 65065.3, 65065.4, 65065.5, 65065.6 to, and to repeal Sections 65060.1, 65060.2, 65060.7, and 65065.1 of, the Government Code, relating to regional planning districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 221: By Assemblyman Z'berg—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, relating to unemployment benefits, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 222: By Assemblyman Z'berg—An act to repeal Chapter 2.5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2.5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 223: By Assemblyman Briggs—An act to amend the heading of Division 7 (commencing with Section 8600) of, to add a chapter heading immediately preceding Section 8600 to, and to add Chapter 3 (commencing with Section 8700) to Division 7 of, the Public Resources Code, relating to thermal electric powerplant siting.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 224: By Assemblyman Warren—An act to amend Sections 194, 196, 200, 233, and 601 of, to add Sections 204d and 600.5 to, and to repeal Section 204d of, the Code of Civil Procedure, and to amend Sections 890, 893, 895, 896, 1046, 1078, and 1143 of, to add Article 4.5 (commencing with Section 913.10) to Chapter 2 of Title 4 of Part 2 of, and to repeal Section 899 of, the Penal Code, relating to juries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 225: By Assemblyman Lewis (Senator Coombs, coauthor)—An act to add Section 6932.5 to the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 226: By Assemblyman MacGillivray—An act to amend Sections 1005.1 and 1005.2 of the Water Code, relating to water.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 23: By Assemblyman Warren—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 of Article I thereof, relating to trial by jury.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 6: By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—Relative to oil drilling.

Held at Desk by order of the Speaker pro Tempore.

INTRODUCTION OF GUESTS

Mr. Hayden, of the 22nd District, introduced the Honorable Bruce F. Allen, Judge of the Santa Clara County Superior Court and former Member of the Assembly, his wife, Mrs. Darella Allen, and sons, Douglas and Richard Allen, all of Los Gatos, whereupon the Members of the Assembly joined in welcoming the above guests on their visit to the Assembly Chamber.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Joint Resolution No. 1—Relative to the creation of a commission on Indian treaties.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Campbell, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stull, Waxman, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 88

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 88 be withdrawn from the Committee on Efficiency and Cost Control, and re-referred to the Committee on Governmental Organization.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 227: By Assemblyman Arnett—An act to add Section 11056 1 to the Welfare and Institutions Code, relating to public assistance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 228: By Assemblyman Arnett—An act to amend Section 6407 of the Labor Code, relating to industrial accident reports.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 14: By Assemblyman MacGillivray—Relative to the safety and educational needs of left-handed children.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 15: By Assemblymen MacGillivray and Bill Greene—Relative to community college courses of study.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 7: By Assemblymen Burton, Brown, Miller, Waxman, and Meade—Relative to the war in Indochina.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 229: By Assemblyman Cline—An act to amend Sections 17072 and 18200 of, and to add Sections 17211.8, 17238, and 24354.3 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 230: By Assemblyman Keysor—An act to add Chapter 1.7 (commencing with Section 22530) to Division 16 5 of the Education Code, relating to academic materials.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 231: By Assemblyman Keysor—An act to amend Section 5321 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 232: By Assemblyman Townsend—An act to amend Section 3501 of, and to add Section 3505.4 to, the Government Code, relating to public employee organizations.

Held at Desk by order of the Speaker pro Tempore.

PRESS CREDENTIALS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Capitol Correspondents Association
January 25, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr. Speaker: The following is a supplemental list of individuals eligible for accreditation as members of the press, radio, and television corps during the 1972 session of the Legislature.

1972 PRESS

COPLEY NEWS SERVICE: Jack Webb.
UNITED PRESS INTERNATIONAL: Thomas C. Miller, Jr.

TV–RADIO

KCRA-TV: Otis G. Turner, replacing John V. Jervis, resigned.

SQUIRE BEHRENS, President

Approval of Press Credentials

By unanimous consent, the foregoing press credentials were approved by the Assembly.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
203	Finance and Insurance
204	Education
205	Finance and Insurance
207	Government Administration
208	Commerce and Public Utilities
209	Education
210	Education
211	Criminal Justice
212	Education
213	Labor Relations
214	Health

Assembly Concurrent Resolution No.	*Committee*
13	Health

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced the following guests of Assemblyman Charles J. Conrad, of the 57th District: Mr. Desire Konda, Vice Provincial Governor of the Republic of Zaire, and Mrs Konda, accompanied by Mr. Peter Caranicas. The Members of the Assembly joined in welcoming the above guests on their visit to the Assembly Chamber.

ADJOURNMENT

At 11:58 a m, Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Thursday, January 27, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixteenth Legislative Day

Twenty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 27, 1972

The Assembly met at 9:52 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Campbell, Chappie, Conrad, Cory, Cullen, Davis, Deddeh, Fenton, Foran, Garcia, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Stull, Townsend, Warren, Waxman, Wood, Z'berg, and Mr Speaker—53.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, May the leaders of our state and nation find a place of prominence in their endeavors for this directive of David in Psalm 104: "Give thanks to the Lord, invoke His name, make known among the nations His deeds Sing to Him, sing His praise, proclaim all His wondrous deeds Glory in His holy name; rejoice, O hearts that seek the Lord; Look to the Lord in His strength; Seek to serve Him constantly." —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Monagan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr. Seeley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere, on request of Speaker pro Tempore Bee:

Mr. Badham.
Mr. Brophy.
Mr. Burke.
Mr. Chacon.
Mr. Cline.
Mr. Collier.
Mr. Crown.
Mr. Dent.
Mr. Duffy.
Mr. Dunlap.
Mrs. Fong.
Mr. Leroy F. Greene.
Mr. Hayes.
Mr. Keysor.
Mr. Lewis.
Mr. Maddy.
Mr. McAlister.
Mr. Meade.
Mr. Russell.
Mr Schabarum.
Mr. Sieroty.
Mr. Stacey.
Mr. Vasconcellos.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Thomas, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 26, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session tomorrow, January 27th, on legislative business.

I will be attending the groundbreaking ceremonies for "Water Factory 21," a water reclamation and desalting facility, in Fountain Valley.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

January 26, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Thursday, January 27, 1972, on legislative business I have meetings scheduled throughout the day with various agencies, including the Economic Youth Opportunity Agency and the City Demonstration Agency, to discuss matters of assistance to the people of my district.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

January 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on Thursday, January 27, 1972, on legislative business.

The Education Committee, of which I am a member, is holding a meeting on public school financing in San Diego on that date.

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

January 26, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I will be absent from the January 27 legislative session due to the fact I will be attending the Education Committee meeting in San Diego.

Sincerely,

ROBERT C. CLINE, Assemblyman
Sixty-fourth District

January 24, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I request to be excused from Session on Thursday, January 27, 1972.

The Select Committee on the Administration of Justice, of which I am Chairman, will be holding a hearing in Los Angeles on Friday, January 28 and I wish to leave on January 27th.

Sincerely,

ROBERT W. CROWN, Assemblyman
Fourteenth District

January 24, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session January 27, 1972, due to legislative business

I shall be meeting with officials of HEW, regarding health manpower problems, in Washington, D.C.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

January 25, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request that the following members be excused from the Legislative Session on Thursday, January 27, to attend a public meeting of the Education Committee in San Diego on the subject of school finance—Serrano vs. Priest Supreme Court decision. On January 28, the committee will meet in Executive Session at the Islandia Hotel.

Excuse for January 27

Leroy F. Greene	March Fong
Peter Chacon	Jim Keysor
Robert Burke	Jerry Lewis
Robert Cline	Alister McAlister
John Collier	Ken Meade
James Dent	Newton Russell
John Dunlap	John Vasconcellos

Very truly yours,

LEROY F. GREENE, Chairman
Committee on Education

January 25, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I would respectfully request to be excused from the daily Sessions on Thursday and Friday, January 27 and 28, 1972.

I will be in San Diego attending an Assembly Education Committee hearing on school finance.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

January 26, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 27, 1972, on legislative business. I will be attending a meeting of the Assembly Committee on Education in San Diego.

Sincerely,

KEN MADDY, Assemblyman
Thirty-second District

January 26, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 27, on legislative business.

I will be meeting with officials with the City of West Covina and others concerning matters with regard to my district.

Sincerely yours,

PETE SCHABARUM, Assemblyman
Forty-ninth District

January 24, 1972

Hon. Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: This is to request that I be excused from the Legislative Session on Thursday, January 27th, on personal business.

I am scheduled to participate on the Tax Section Panel, Platform Policy Committee of the Democratic State Central Committee in Los Angeles.

Yours sincerely,

ALAN SIEROTY, Assemblyman
Fifty-ninth District

January 26, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please have me excused from attending session on Thursday, January 27, 1972, on legislative business.

I will be meeting with constituents in my office in Bakersfield and participating in two general meetings to discuss proposed legislation on relative responsibility and legislation on assessment of personal property.

Sincerely,

KENT H STACEY, Assemblyman
Twenty-eighth District

REPORTS

The following reports were presented by the Chief Clerk:

Plan for Consolidation of Fiscal Activities in the Department of Education. A Plan Submitted to the Joint Legislative Budget Committee in Response to the Legislative Analyst's Recommendation. 1972.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Sacramento, dated January 21, 1972, referred by the Speaker pro Tempore to the Committee on Education.

University of California Treasurer's Annual Report and University's Schedule of Investments as of June 30, 1971 (Pursuant to Assembly Concurrent Resolution No. 137).

Above transmitted report, together with letter of transmittal from Charles J. Hitch, President of the University of California, Berkeley, dated January 14, 1972, referred by the Speaker pro Tempore to the Committee on Education.

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Wilson Riles, Superintendent of Public Instruction, Sacramento, dated January 21, 1972, relative to a pilot program pursuant to Education Code Section 893.21. Referred by the Speaker pro Tempore to the Committee on Education.

Wilson Riles, Superintendent of Public Instruction, Sacramento, dated January 21, 1972, relative to the National School Lunch Program, in accordance with the requirements of Assembly Concurrent Resolution No. 176. Referred by the Speaker pro Tempore to the Committee on Education.

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of and Appointment of Members to Subcommittee on Housing Finance

January 26, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This will authorize creation of the Subcommittee on Housing Finance of the Assembly Urban Development and Housing Committee with the following membership. Assemblymen Chacon (Chairman), Fong, Maddy, and Brathwaite (ex officio).

Sincerely,

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
206	Labor Relations
215	Revenue and Taxation
216	Health
217	Health
218	Revenue and Taxation
219	Transportation
220	Local Government
221	Finance and Insurance
222	Revenue and Taxation
223	Planning and Land Use
224	Criminal Justice
225	Education
226	Water
227	Welfare
228	Labor Relations
229	Revenue and Taxation
230	Education
231	Local Government
232	Employment and Public Employees

Assembly Constitutional Amendment No.	*Committee*
23	Criminal Justice

Assembly Concurrent Resolution No.	*Committee*
14	Education
15	Education

Assembly Joint Resolution No.	*Committee*
6	Planning and Land Use
7	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 233: By Assemblyman Chappie—An act to amend Sections 21356, 21658, and 21803 of the Vehicle Code, relating to motor vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 234: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to add Section 17677 to the Education Code, relating to financial support of public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 235: By Assemblyman Deddeh—An act to amend Section 183 of, and to repeal Sections 186, 186.1, and 188.3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 236: By Assemblyman LaCoste—An act to amend Section 13954 of the Health and Safety Code, relating to fire protection districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 24: By Assemblyman Deddeh—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 8 to Article XIII thereof, relating to grants of state funds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 25: By Assemblyman Knox—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 43 to Article XIII thereof, Article XIX thereto, and Section 7 to Article XXIV thereof, and by repealing Section 22 of Article XX (as amended November 6, 1956) thereof, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 237: By Assemblyman Knox—An act to amend Sections 54793, 54797, 56264, 56265 and 56266 of the Government Code, relating to local agency formation commissions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 238: By Assemblyman Knox—An act to add Section 34302.3 to the Government Code, relating to incorporation of cities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 239: By Assemblyman Powers—An act to amend Sections 8740, 8741, 8742, 8743, 8744, 8747, 8761, 8780, and 8805 of, to amend and renumber Section 8745.5 of, to add Section 8740.2 to, and to repeal Sections 8740.5 and 8793 of, the Business and Professions Code, relating to surveyors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 240: By Assemblyman Powers—An act to amend Section 8804 of the Business and Professions Code, relating to professional engineers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 241: By Assemblyman Powers—An act to add Sections 8715, 8715.1, 8715.2, 8715.3 and 8715.4 to the Business and Professions Code, relating to land surveyors

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 242: By Assemblyman Powers—An act to amend Section 6751 of the Business and Professions Code, relating to professional engineering.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 243: By Assemblyman Powers—An act to add Article 2.3 (commencing with Section 6728) to Chapter 7, Division 3 of the Business and Professions Code, relating to professional engineering.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 244: By Assemblyman Powers—An act to amend Section 6775 of the Business and Professions Code, relating to professional engineering.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 245: By Assemblyman Powers—An act to add Article 2.3 (commencing with Section 8720) to Chapter 15 of Division 3 of the Business and Professions Code, relating to land surveyors.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 26, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Crown for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 79 be granted.

BURTON, Chairman

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that there would be a Republican Caucus immediately upon adjournment today, in the Assembly Lounge.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 246: By Assemblymen Wood, Fong, LaCoste, Duffy, Arnett, Barnes, Belotti, Briggs, Brown, Chappie, Davis, Deddeh, Dent, Gonsalves, Hayden, Ray E. Johnson, MacDonald, MacGillivray, Maddy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Seeley, Sieroty, Townsend, and Warren (Senators Collier, Cologne, Dills, Grunsky, Short, and Way, coauthors)—An act to add Article 10.5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 247: By Assemblyman Mobley—An act to amend Section 5012 of, to add Sections 5010.5 and 5015 to, and Article 3 (commencing with Section 5250) to Chapter 4 of Division 4 of, and to repeal Section 5157 of, the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 248: By Assemblyman Mobley—An act to amend Sections 985, 986.3, 986 5, 987, 987.1, 987.15, and 987.17, and to repeal Section 987.16a, of the Military and Veterans Code, relating to farm and home purchases.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 249: By Assemblyman Campbell—An act to amend Sections 13920, 14005.3, 14053, 14104, 14106, 14114, 14118, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to health care services, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Ways and Means.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, January 27, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 249—An act to amend Sections 13920, 14005 3, 14053, 14104, 14106, 14114, 14118, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to health care services, and declaring the urgency thereof, to take effect immediately.

WILLIAM CAMPBELL

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. MacGillivray was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the Honorable Gerald S. Dana, of Nipomo, former Judge of the Grover City Judicial District, who passed away on January 20, 1972.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 250: By Assemblyman Dunlap—An act to add Section 5253 to the Education Code, relating to kindergarten and preschool programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 251—By Assemblyman Dunlap—An act to amend Section 16801 of the Education Code, relating to school transportation.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 252: By Assemblyman Barnes (Senator Rodda, coauthor)—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
233	Transportation
234	Education
235	Transportation
236	Local Government
237	Local Government
238	Planning and Land Use
239	Commerce and Public Utilities
240	Commerce and Public Utilities
241	Commerce and Public Utilities
242	Commerce and Public Utilities
243	Commerce and Public Utilities
244	Commerce and Public Utilities
245	Commerce and Public Utilities
246	Environmental Quality
247	Elections and Reapportionment
248	Government Administration
250	Education
251	Education
252	Education

Assembly Constitutional Amendment No.	*Committee*
24	Revenue and Taxation
25	Governmental Organization

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 16: By Assemblyman Mobley—Relative to an interim study of open-space lands

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 12 m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Monday, January 31, 1972, out of respect to the memory of the late Honorable Gerald S. Dana, of Nipomo, former Judge of the Grover City Judicial District.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventeenth Legislative Day

Twenty-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 31, 1972

The Assembly met at 2:16 p.m.

Hon. Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly. Time, 2:16 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 2:18 p.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—64.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Heavenly Father, Each day brings us new developments in the progress of man. But unfortunately each day also brings us new tragedies which affect man. Lord, please help us to cope with this turmoil. Give us patience and strength now and eventually peace and freedom.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Bagley then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Brown, seconded by Mr. Powers.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bee, on request of Acting Speaker Fenton.
Mr. Porter, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Barnes, on request of Acting Speaker Fenton.
Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Chacon, on request of Acting Speaker Fenton.
Mr. Chappie, on request of Acting Speaker Fenton.
Mr. Keysor, on request of Acting Speaker Fenton.
Mr. Lanterman, on request of Acting Speaker Fenton.
Mr. Maddy, on request of Acting Speaker Fenton.
Mr. Mobley, on request of Acting Speaker Fenton.
Mr. Russell, on request of Acting Speaker Fenton.
Mr. Stacey, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Duffy, on request of Acting Speaker Fenton.
Mr. Monagan, on request of Acting Speaker Fenton.
Mr. Moretti, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 31, 1972

To: Honorable Bob Moretti
Speaker of the Assembly
From: E. Richard Barnes

Subj: Excuse on Official Business: Request for

1. I will be attending two official functions in Los Angeles during Monday afternoon (January 31, 1972), Tuesday, and Wednesday morning (February 1 and 2). The functions are: (1) The Moral Guidelines Committee, and (2) the Western Fairs Convention. As a member of the Joint Fairs Allocations and Classification Committee, Mr Belotti, who does not feel able physically to attend and also cannot leave his wife, has asked me, as a Committee member, to make the Assembly presentation on the review of findings of the Little Hoover Commission criteria studies and legislation.

E. RICHARD BARNES, Assemblyman
Seventy-eighth District

January 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3146, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from sessions of the Assembly on Monday, January 31st; Tuesday, February 1; Wednesday, February 2, and Thursday, February 3, on legislative business.

During this week I will be accompanying the staff of the Assembly Committee on Urban Development and Housing to a series of meetings on the East Coast related to the Subcommittee on Housing Finance.

Thank you very much for your consideration in this matter.

Sincerely,

YVONNE W BRATHWAITE, Assemblyman
Sixty-third District

January 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on legislative business on Monday through Friday, January 31 to February 4, 1972.

The Assembly Committee on Urban Development and Housing, Subcommittee on Housing Finance, of which I am Chairman, will be conducting an Eastern Tour (Washington, D C and New York) to meet with various federal and local government agencies concerning funding and implementation of low-rent housing

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

January 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Monday, January 31, 1972, since I will be attending the Conference on Disaster Preparedness, sponsored by the Council of State Governments, in San Francisco.

My participation in this conference is at your request.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

January 31, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: May I respectfully request to be excused from session on Monday, January 31, 1972.

I am attending a conference with the Director and staff of the Pasadena Child Guidance Clinic in Pasadena.

Cordially,

FRANK LANTERMAN, Assemblyman
Forty-seventh District

January 26, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session Monday, January 31, 1972 through Thursday, February 3, 1972, on legislative business I will be in Washington, D C. with the subcommittee on Housing Finance of the Assembly Committee on Urban Development and Housing.

Sincerely,

KEN MADDY, Assemblyman
Thirty-second District

January 31, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on legislative business from January 31 through February 4, 1972, to travel to Ft. Bliss, Texas, and the New Orleans Naval Station, on a legislative study relating to enlistment practices in the National Guard.

Sincerely yours,

ERNEST N. MOBLEY, Assemblyman
Thirty-third District

January 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that Assemblymen Chappie, Stacey and myself be excused from sessions during the week of January 31 through February 4. It will be necessary that these members be absent in order to attend hearings in connection with HR 101.

Sincerely,

NEWTON R. RUSSELL, Assemblyman
Sixty-second District

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Allen J. Manzano, Chief Deputy Director, Department of Health Care Services, Sacramento, dated January 27, 1972, relative to report required by Assembly Concurrent Resolution No. 115. Referred by the Acting Speaker to the Committee on Health.

REPORTS

The following report was presented by the Speaker:

Progress Report on Development of Coordinated Statewide Environmental Monitoring System Pursuant to House Resolution No. 64. (1971 Regular Session.)

Above transmitted report, together with letter of transmittal from John S. Tooker, Director, Office of Planning and Research, Governor's office, Sacramento, dated January 27, 1972, referred by the Acting Speaker to the Committee on Environmental Quality

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal.

Appointments to Joint Committee on Legislative Building Space Needs

January 20, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing the following members to the Joint Committee on Legislative Building Space Needs (Senate Concurrent Resolution 133, 1971 session) · Assemblymen Willie Brown, John Burton, Frank Lanterman, Ernest Mobley, and Carley Porter.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointments to Joint Committee on the State's Economy

January 27, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblymen John Burton, Peter Chacon, Richard Hayden, and Jim Keysor to the Joint Committee on the State's Economy which was created by Assembly Concurrent Resolution 93, 1971 session *

Sincerely,

BOB MORETTI
Speaker of the Assembly

* These members constitute the Subcommittee on Economic Conversion of the Joint Committee on the State's Economy.

Appointment to Joint Committee on Seismic Safety

January 27, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Paul Priolo to the Joint Committee on Seismic Safety to fill the vacancy created by Assemblyman Wilson's resignation from the Assembly

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointment to Joint Committee on Educational Goals and Evaluation

January 27, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Newton Russell to the Joint Committee on Educational Goals and Evaluation to replace Assemblyman Bob Monagan who has resigned.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, January 31, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 91—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately.

WILLIAM M. KETCHUM

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
16	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 253: By Assemblyman Davis—An act to amend Section 3 of the Del Norte County Flood Control District Act (Chapter 166 of the Statutes of 1955), relating to the Del Norte County Flood Control District.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 254: By Assemblyman Townsend—An act to amend Section 4143 of the Business and Professions Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 255: By Assemblyman Warren—An act to add Section 323 to the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 256: By Assemblyman Warren—An act to amend Sections 1171, 1173, 1174, 1178, 1182, 1183, 1185, 1191, 1193, 1193.5, 1193.6, 1194, 1194.5, 1195, 1195.5, 1197, and 1199 of, and to amend the heading of Part 4 (commencing with Section 1171) of Division 2 of, the Labor Code, relating to employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 257: By Assemblyman Ryan—An act to amend Sections 13103, 13120.1, and 13165 of, and to add Sections 51 and 13113.2 to, the Education Code, relating to teacher preparation and licensing.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 258: By Assemblyman Ryan—An act to amend Section 321 of the Education Code, relating to public schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 259: By Assemblyman Ryan—An act to amend Sections 13247 and 13247.9 of, and to add Sections 13246.7 and 13246.9 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 260: By Assemblymen Harvey Johnson, Collier, and MacDonald—An act relating to mandatory school district unification elections, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 261: By Assemblymen Vasconcellos and Moretti—An act to amend Section 11655.9 of the Health and Safety Code, to amend Sections 11655.7 and 11655.8 of the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, to amend and renumber Section 11655.7 of, and to repeal Section 11655.8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to amend, repeal, and add Section 11391 of, and to add Sections 11655.14 and 11655.15 to, the Health and Safety Code, and to amend, repeal, and add Section 5617 of the Welfare and Institutions Code, relating to narcotics.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 262: By Assemblymen Vasconcellos and Moretti—An act to add Sections 11655.10 and 11655.11 to the Health and Safety Code, relating to narcotics, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 263: By Assemblyman Belotti—An act to add Section 13841.7 to the Health and Safety Code, relating to fire protection districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 264: By Assemblymen Burton, Brown, Miller, Meade, and Waxman—An act to add Section 8577 to the Education Code, relating to public schools.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 17: By Assemblymen Ketchum and Belotti—Relative to study of the foster care program.

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 8: By Assemblyman Briggs—Relative to the dockworkers' strike.

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, January 31, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No 10

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, January 31, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 9

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the State Printing Plant's contracting for printing performed outside of the plant and out-of-state.

In the 12 months ended November 30, 1971, the state purchased $3.1 million of printing from others and produced about $21 million in the State Printing Plant.

The plant was operating at about 90 percent of capacity while 13 percent of the state's printing was being obtained from others.

The lack of specialized equipment at the state plant required the contracting for $2.7 million of printing in the past year.

Continuous and perforated forms along with snap-out and carbon interleaf forms accounted for $1.8 million of the work that required specialized equipment The remainder consisted of medical identification cards, tab cards and warrants, a five-color publication, and bonds and coupons.

Printing totaling $375,000 was purchased because the state plant did not have the capacity in specific production centers at a particular

time in order to meet delivery dates set by state agencies. This printing consisted of $286,000 of textbooks, $46,000 for the California Driver's Handbook, and $43,000 for income tax booklets.

The amount of state-purchased printing produced outside of California is not readily available. Some of the companies providing printing to the state have plants both within and outside of California At least $330,000 which was mostly textbook printing was purchased by the state and manufactured out-of-state.

An Attorney General's opinion dated February 11, 1970, concluded that the California Preference Law was unconstitutional. As a result of this opinion, out-of-state manufacture of textbook printing purchased by the state is expected to increase. The loss of state and local taxes and other economic losses to California could eliminate out-of-state price advantages.

The feasibility of equipping the State Printing Plant to do more of the specialized printing purchased by the state requires further study.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT

Mr. Seeley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late George Randolph Hearst, Sr, of Palm Springs, who passed away on January 26, 1972.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:22 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 265: By Assemblyman Moorhead—An act to add Section 25422.8 to the Education Code, relating to community colleges.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 266: By Assemblyman Dunlap (Senator Behr, coauthor)—An act to add Sections 12748, 12748.1, and 12748.2 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 267: By Assemblyman Bill Greene (Senator Dymally, coauthor)—An act to amend Section 851.7 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 268: By Assemblyman Bill Greene—An act to add Part 5 (commencing with Section 14500) to Division 3 of Title 1 of the Corporations Code, relating to community development corporations.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 269: By Assemblyman Bill Greene—An act to amend Section 9305 of, to add Section 9304 to, and to repeal Section 9304, as added by Chapter 917 of the Statutes of 1968, and Section 9304, as amended by Chapter 1727 of the Statutes of 1971, of, the Education Code, relating to school textbooks.

Held at Desk by order of the Acting Speaker.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, January 31, 1972

Mr. Speaker. Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 146—An act to add Sections 6508 5 and 6509 to the Education Code, relating to opportunity schools, and declaring the urgency thereof, to take effect immediately.

LEROY F. GREENE

Assembly Chamber, January 31, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 174—An act relating to field trips to Japan, and declaring the urgency thereof, to take effect immediately.

JERRY LEWIS

Above requests ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 4 07 p m, Acting Speaker Fenton declared the Assembly adjourned until 11 a m, Tuesday, February 1, 1972, out of respect to the memory of the late George Randolph Hearst, Sr., of Palm Springs.

JACK R FENTON, Acting Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighteenth Legislative Day

Thirtieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 1, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr MacDonald seconded the motion.
Motion carried Time, 11:02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

Quorum Call of the Assembly Dispensed With

At 11:10 a m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Schabarum, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—62.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, Instill in all of us a keen awareness that we do possess certain rights and consequently have the duty to claim these rights as marks of our dignity. Help our legislators in their difficult task of insuring that these rights are acknowledged, respected, coordinated with other rights, defended and promoted, to bring about a well-ordered society.

Let no one ignore the rights of others while struggling to secure his own.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Brophy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Conrad, seconded by Mr. Seeley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Barnes, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Chacon, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Duffy, on request of Speaker pro Tempore Bee
Mr. Dunlap, on request of Speaker pro Tempore Bee.
Mr Maddy, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Russell, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Hayes, on request of Speaker pro Tempore Bee
Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Moretti, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I request to be excused from Session on legislative business on Tuesday, February 1, 1972 to attend a meeting of the Board of Directors of the San Francisco Law School.

Sincerely,

ROBERT W. CROWN, Assemblyman
Fourteenth District

January 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob: I respectfully request to be excused from session February 1, 1972, on legislative business. I shall be speaking at a meeting of the Corcoran Chamber of Commerce.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

January 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I would like to be excused from session on Tuesday, February 1, because of legislative business I shall be touring Lake Berryessa with U.S. Senator John Tunney, officers of the U.S. Bureau of Reclamation, U.S. Park Service, County of Napa, and a representative from Congressman Leggett's office. Lake Berryessa is located within my district and its future public recreational potential is a matter of current and vital importance.

Sincerely,

JOHN F. DUNLAP, Assemblyman
Fifth District

NOTE: For letters explaining the absences of Mrs. Brathwaite and Messrs. Barnes, Chacon, Chappie, Maddy, Mobley, Russell, and Stacey on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 31, 1972, pages 269–271.

REPORTS

The following report was presented by the Chief Clerk:

Drug Abuse Information Project—Fifth Annual Report to the Legislature. (Pursuant to Chapter 1190, 1967 Statutes, Amended by Chapter 1618, 1969 Statutes.) December 1971.

Above transmitted report, together with letter of transmittal from Charles J. Hitch, President, University of California, Berkeley, dated January 28, 1972, referred by the Speaker pro Tempore to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
253	Water
254	Health
255	Water
256	Labor Relations
257	Education
258	Education
259	Education
260	Education
261	Health
262	Health
263	Local Government
264	Education
265	Education
266	Water
267	Criminal Justice
268	Urban Development and Housing
269	Education

Assembly Concurrent Resolution No.	*Committee*
17	Welfare

Assembly Joint Resolution No.	*Committee*
8	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 270: By Assemblyman Davis—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 271: By Assemblymen Harvey Johnson, MacDonald, Bagley, Brown, Chacon, Dunlap, Karabian, LaCoste, Meade, Moretti, Porter, Powers, Sieroty, and Townsend (Senators Alquist, Deukmejian, Gregorio, Kennick, Nejedly, Song, and Wedworth, coauthors)—An act to add Chapter 22 (commencing with Section 9998) to Division 3 of the Business and Professions Code, and to repeal Title

1.5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer reporting agencies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 272: By Assemblyman Vasconcellos—An act to add Section 7503 to the Education Code, relating to educational programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 26: By Assemblyman Vasconcellos—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 14 of Article IX thereof, relating to the power of school district boards in regard to educational programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 273: By Assemblyman Keysor—An act to add Section 402e to the Penal Code, relating to ski areas.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 274: By Assemblyman Keysor—An act to amend Section 4894 of the Health and Safety Code, relating to sewer maintenance districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 275: By Assemblyman Keysor—An act to amend Section 19310 of, and to add Section 19310.5 to, the Streets and Highways Code, relating to highway lighting districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 276: By Assemblyman Keysor—An act to amend Sections 5832.5, 5835.5, and 5855 of, and to add Section 5832.7 to, the Streets and Highways Code, relating to maintenance districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 277: By Assemblyman Miller—An act to amend Sections 50568 and 50570 of, and to add Sections 50571 and 65009 to, the Government Code, and to add Section 33337.5 to the Health and Safety Code, relating to low-income homeownership.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

House Resolution No. 10—Relative to the Temporary Standing Rules of the Assembly.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

In line 1 of the *Resolved* clause of House Resolution No. 10, as printed on pages 202 and 203 of the Assembly Journal for January 24, 1972, strike out "That Rule"; strike out lines 2 and 3, and insert "That the Temporary Standing Rules of the Assembly for the 1972 Regular Session be amended, as follows:

First—That Rule 11.5 be added, to read:".

Amendment No. 2

On page 203, after subdivision (e), insert

"Second—That Rule 22 be amended to read:

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules and such subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules, to such subcommittees. *Each such subcommittee shall be known and designated as a Select Committee.* The Speaker is the Chairman of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any such subcommittee from the Contingent Fund of the Assembly such sums as the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Contingent Fund such sums as are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until such time as its existence is terminated by resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

Third—That Rule 26 be amended to read:

Duties of the Speaker

26. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other Members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices

(d) To name any Member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen, except as to the membership of the Committee on Rules. *The Speaker has approval power over the appointment of subcommittees of such standing and special committees.*

(f) To establish a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary

(j) The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

(k) Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the Members present may revoke any press card.

(*l*) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(m) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(n) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council and shall have the authority in the interim between regular sessions to fill any vacancy in such position that occurs during such interim."

House Resolution No. 10, as Amended

By Assemblyman Burton:

House Resolution No. 10

Relative to the Temporary Standing Rules of the Assembly

Resolved by the Assembly of the State of California, That the Temporary Standing Rules of the Assembly for the 1972 Regular Session be amended, as follows:

First—That Rule 11.5 be added, to read:

Assembly Investigating Committees

11.5. (a) The following standing committees of the Assembly are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative:

Agriculture
Commerce and Public Utilities
Constitutional Amendments
Criminal Justice
Education
Efficiency and Cost Control
Elections and Reapportionment
Employment and Public Employees
Environmental Quality
Finance and Insurance
Government Administration
Governmental Organization
Health
Intergovernmental Relations
Judiciary
Labor Relations
Local Government
Natural Resources and Conservation
Planning and Land Use
Retirement
Revenue and Taxation
Transportation
Urban Development and Housing
Water
Ways and Means
Welfare

(b) Each of the above committees shall consist of the members of the standing committee on the same subject as most recently constituted. The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The Speaker may increase or reduce the size of such committees.

(c) Each committee and subcommittee of the Assembly General Research Committee and their members shall have and exercise all the rights, duties and power conferred upon investigating committees and their members by law and by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this resolution, to be paid from the Assembly Contingent Fund and disbursed, after certification by the Chairman of the Committee on Rules or his authorized representative, upon warrants drawn by the State Controller upon the State Treasurer.

Second—That Rule 22 be amended to read:

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules and such subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules, to such subcommittees. Each such subcommittee shall be known and designated as a Select Committee The Speaker is the Chairman of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any such subcommittee from the Contingent Fund of the Assembly such sums as the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Contingent Fund such sums as are necessary to permit the Assembly

General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until such time as its existence is terminated by resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

Third—That Rule 26 be amended to read:

Duties of the Speaker

26. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other Members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(d) To name any Member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen, except as to the membership of the Committee on Rules The Speaker has approval power over the appointment of subcommittees of such standing and special committees.

(f) To establish a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary

(j) The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

(k) Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the Members present may revoke any press card.

(*l*) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(m) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(n) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council and shall have the authority in the interim between regular sessions to fill any vacancy in such position that occurs during such interim

Resolution, as amended, ordered to the Consent Calendar.

QUORUM CALL OF THE ASSEMBLY

Speaker pro Tempore Bee placed a quorum call upon the Assembly. Time, 11.23 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 1, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr Ketchum for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 91 be granted.

BURTON, Chairman

Assembly Chamber, February 1, 1972

Mr Speaker: Your Committee on Rules recommends

That the request by Mr. Leroy F Greene for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 146 be granted

BURTON, Chairman

Assembly Chamber, February 1, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Lewis for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 174 be granted.

BURTON, Chairman

RECESS

By unanimous consent, at 11 26 a.m., the Assembly recessed until 11:32 a.m., to permit the introduction of special guests of the Assembly from the State of North Dakota, and appointed Mrs. Davis and Messrs. Harvey Johnson and Conrad as a Select Committee to escort the following legislators from the State of North Dakota to the Rostrum: Honorable Bryce Streibel, Representative; Honorable Oscar Solbert, Representative; Honorable L. D Christensen, Senator; and Honorable Robert Melland, Senator; accompanied by Mr C. Emerson Murry, Director of the North Dakota Legislative Council.

REASSEMBLED

At 11:32 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Leroy F. Greene:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 146 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and refused adoption by the following vote:

AYES—Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Schabarum, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—55.

NOES—None.

Motion to Reconsider Resolution Relative to Assembly Bill No. 146 on Next Legislative Day

Mr. Leroy F. Greene moved to reconsider on the next legislative day the vote whereby the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No. 146 was this day refused adoption

Resolution to dispense with constitutional provisions of Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No. 146 ordered to the unfinished business file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 18: By Assemblymen Cline, Z'berg, Hayden, and Sieroty—Relative to the Blackwood Creek Watershed.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 278: By Assemblyman Beverly (Senator Stevens, coauthor)—An act to amend Section 253.1 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:40 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that the Republican Caucus scheduled for today had been canceled, and that the Republican Caucus would meet upon adjournment tomorrow.

Hon. John T. Knox Presiding

At 12:16 p.m., Hon. John T. Knox, 11th District, presiding.

ADJOURNMENT

At 12:17 p.m., Acting Speaker Knox declared the Assembly adjourned until 11 a.m., Wednesday, February 2, 1972

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Nineteenth Legislative Day

Thirty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 2, 1972

The Assembly met at 11 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Deddeh moved a quorum call of the Assembly.
Mr Powers seconded the motion
Motion carried. Time, 11:04 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11 22 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—63.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, Help each of us and all of us to face the realities of our day. Let not apathy or meager motivation, the most widely noted characteristics of a civilization on the downward path, be the hallmark of our generation.

There is an eternal call to us from You, Lord. There is a call from our brothers individually and collectively We must respond with heart and spirit, with vigor, and with hope —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Belotti then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Gonsalves.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness.

Mr Cory, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Barnes, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Chacon, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee.
Mr Mobley, on request of Speaker pro Tempore Bee.
Mr. Russell, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr Thomas, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Moretti, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 1, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker: I respectfully request to be excused from the session on Wednesday, February 2, 1972 on legislative business.

I will be speaking to the student body of the Immaculate Heart High School in Los Angeles.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

February 2, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from Session on February 2 and 3, 1972, on legislative business.

I will be attending the Puget Sound Governmental Conference in Seattle, Washington to make a speech on Urban Growth Policy.

Very truly yours,

JOHN T. KNOX, Assemblyman
Eleventh District

February 1, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Kindly excuse me from the legislative session Wednesday, February 2nd, on legislative business. I will be speaking at the Maritime Industries luncheon in San Pedro.

Sincerely,

VINCENT THOMAS, Assemblyman
Sixty-eighth District

NOTE: For letters explaining the absences of Mrs. Brathwaite and Messrs Barnes, Chacon, Chappie, Maddy, Mobley, Russell, and Stacey on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 31, 1972, pages 269–271.

REPORTS

The following report was presented by the Chief Clerk.

Bulletin No. 177-70, Watermaster Service in Northern California—1970 Season. December 1971.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento,

dated January 31, 1972, referred by the Speaker pro Tempore to the Committee on Water.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
270	Water
271	Finance and Insurance
272	Education
273	Natural Resources and Conservation
274	Local Government
275	Local Government
276	Local Government
277	Urban Development and Housing
278	Transportation

Assembly Constitutional Amendment No.	*Committee*
26	Education

Assembly Concurrent Resolution No.	*Committee*
18	Natural Resources and Conservation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 279: By Assemblymen Bill Greene and Cline (Senators Dills and Dymally, coauthors)—An act to amend Sections 3857 and 3899 of, and to add Section 3903 to, the Agricultural Code, relating to fairs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 280: By Assemblyman Badham—An act to amend Section 11622 of the Insurance Code, and to amend Sections 16023, 16059, 16377, 16430, 16435, 16451, 16500, 16550, 17151, 17155, and 17709 of the Vehicle Code, relating to financial responsibility for vehicle accidents

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 281: By Assemblyman Bagley—An act to amend Section 16103 of the Government Code and Section 2615 6 of the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 282: By Assemblyman Bagley—An act to add Chapter 4 5 (commencing with Section 10825) to Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 283: By Assemblyman Bagley—An act to amend Section 651 3 of the Business and Professions Code, relating to advertisements.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 284: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Sections 5115 and 5116 of the Welfare and Institutions Code, relating to facilities for the mentally and physically handicapped.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 285: By Assemblyman Sieroty—An act to amend Section 1606 of the Health and Safety Code, relating to blood transfusions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 286: By Assemblyman Biddle—An act to add Part 15 (commencing with Section 32601) to Division 2 of the Revenue and Taxation Code, relating to admissions taxes, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 287: By Assemblyman Duffy—An act to amend Section 2139 of the Business and Professions Code, relating to podiatry.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 288: By Assemblyman Duffy—An act to amend Section 7401 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 289: By Assemblyman Gonsalves—An act to amend Section 17072 of, and to add Section 17214 5 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 290: By Assemblyman Gonsalves—An act to add Section 23710 to, and to amend Section 24359 of, the Revenue and Taxation Code, relating to activities of organizations exempt under the Bank and Corporation Tax Law.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 291: By Assemblyman Brown—An act to amend Sections 143 1 and 183 of, and to repeal Sections 186, 186 1, and 188 3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 292: By Assemblymen Seeley and Biddle (Senator Cologne, coauthor)—An act to amend Section 437 7 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 27: By Assemblyman Harvey Johnson—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 2 of Article IV thereof, relating to the Legislature

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, February 2, 1972

Mr. Speaker. Your Committee on Education reports:

AB No. 124

With amendments with the recommendation. Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, February 2, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 25

With the recommendation. Do pass

BROWN, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 124

Mr. Badham was granted unanimous consent to take up Assembly Bill No 124, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, that a rush order be placed upon the printing of the bill, that the bill be returned to the third reading file and be considered engrossed

Second Reading of Assembly Bill No. 124 by Unanimous Consent

Assembly Bill No. 124—An act to add Section 15958 6 to the Education Code, relating to contracts of school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 2, line 2, of the printed bill, after "county", insert "having a population in excess of 1,400,000".

Amendment No. 2

On page 2, line 7, strike out "the 61st day"; strike out lines 8 and 9; and in line 10, strike out "thereafter", and insert "June 30, 1973".

Amendment No. 3

On page 2, line 13, after "county", insert "having a population in excess of 1,400,000".

Amendment No. 4

On page 2, between lines 23 and 24, insert

"This section shall be operative only until June 30, 1973."

Bill ordered reprinted, and to be returned to the third reading file.

WITHDRAWAL AND RE-REFERENCE OF HOUSE RESOLUTION NO. 9

Mr. Deddeh was granted unanimous consent that House Resolution No. 9 be withdrawn from the Committee on Rules, and re-referred to the Committee on Transportation.

RECESS

By unanimous consent, at 11:30 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 11:35 a.m., to permit the introduction of Isabel Van Frank, of Berkeley, who has been selected as California's "Outstanding Senior Citizen" by the delegates to the 1971 White House Conference on Aging; and appointed Messrs. McCarthy, Meade, and Miller, and Mmes. Davis and Fong as a Select Committee to escort Mrs. Van Frank to the Rostrum.

REASSEMBLED

At 11:35 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk James D. Driscoll at the Desk

RESOLUTIONS

The following resolution was offered:

By Assemblyman Crown:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Asesmbly Bill No. 79 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Siercty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—63.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Crown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 79 for hearing in the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ketchum:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 91 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, and Z'berg—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Ketchum was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 91 for hearing in the Committee on Agriculture

RESOLUTIONS

The following resolution was offered:

By Assemblyman Lewis:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 174 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade,

Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, and Z'berg—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Lewis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 174 for hearing in the Committee on Education.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER RESOLUTION RELATIVE TO ASSEMBLY BILL NO. 146

In compliance with a motion given on a previous day, Mr. Leroy F. Greene moved that the vote whereby the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No. 146 was refused adoption be reconsidered.

Resolution reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, and Z'berg—62.

NOES—None.

Further Consideration of Resolution to Invoke Constitutional Provision

By Assemblyman Leroy F. Greene·

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 146 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull,

Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 2, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No. 10

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered to second reading.

APPROVAL OF JOURNALS

On motion of Mr Fenton, the Assembly Daily Journals for January 3, 4, 5, 6, 10, 11, 12, 13, 17, 18, 19, 20, 24, 25, 26, 27, and 31, 1972, were approved as corrected by the Minute Clerk.

CAUCUS ANNOUNCEMENTS

Mr Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

Mr. Stull announced that there would be a Republican Caucus at 2 p m., today, in Room 2133

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:47 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 293: By Assemblymen Porter and Belotti—An act to amend Sections 64007, 64252, 64273, and 64274 of, and to repeal Section 64274.5 of, the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Agriculture.

Assembly Bill No. 294: By Assemblyman Arnett—An act to amend Section 25060 of, and to repeal Section 25061 of, the Government Code, relating to county boards of supervisors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 295: By Assemblyman Arnett—An act to amend Section 36512 of the Government Code, relating to city officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 296: By Assemblyman Ray E. Johnson—An act to amend Sections 3277 and 3282 of the Fish and Game Code, relating to pheasants.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 297: By Assemblyman Ray E. Johnson—An act to add Section 37469 to the Government Code, relating to veterans.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 298: By Assemblymen Ray E. Johnson, Campbell, Belotti, Brophy, Conrad, Duffy, Hayden, MacGillivray, Moorhead, Seeley, and Wakefield—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 299: By Assemblyman Vasconcellos—An act to add Sections 14005 8 and 14132 5 to the Welfare and Institutions Code, relating to medical assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 300: By Assemblyman Fong—An act to amend Sections 6801, 6901, and 6902 of, and to add Section 6931.5 to, the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 301: By Assemblyman Priolo—An act to amend Section 21151 of, and to add Sections 21152, 21153, 21154, 21155, and 21156 to, the Public Resources Code, relating to environmental quality.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 302: By Assemblyman Priolo—An act to amend Section 21100 of the Public Resources Code, relating to environmental quality.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 303: By Assemblyman Priolo—An act to add Section 65040.5 to the Government Code, relating to environmental quality

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 304: By Assemblyman Priolo—An act to add Sections 5203, 5204, and 5205 to the Elections Code, relating to referendum

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 305: By Assemblyman MacDonald—An act to amend Sections 4709, 4800, 4801, 4802 and 4803 of the Labor Code, relating to law enforcement personnel

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 19: By Assemblyman Arnett—Relative to the operation of motor vehicles and bicycles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 9: By Assemblyman Fong—Relative to the discharge of waste from naval vessels.

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 2, 1972

Mr. Speaker. Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 293—An act to amend Sections 64007, 64252, 64273, and 64274 of, and to repeal Section 64274.5 of, the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately.

CARLEY V. PORTER

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 11 51 a m , Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Thursday, February 3, 1972.

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twentieth Legislative Day

Thirty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 3, 1972

The Assembly met at 9:48 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wood, and Z'berg—57.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center.

Almighty God, Author of all that is good, provider of all that is bountiful, give us pride in our country. Give us confidence in our leaders and in our people. Give us all a dedicated willingness to work for a people and a nation which is already great, which has hope for the future and which can solve, in a just manner, its own and many of the world's problems —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mrs. Davis then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Belotti, seconded by Mr. McAlister.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Biddle, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Chacon, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee.
Mr. McCarthy, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Russell, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Moretti, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Townsend, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 2, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, February 3rd, on legislative business.

I will be attending a legislative luncheon with leaders of the National and State Realty Boards Associations.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

February 2, 1972

Hon Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session tomorrow, February 3, 1972, on legislative business

I will be meeting with the Board of Directors for the Lake Elsinore Recreation and Park District.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

February 2, 1972

Hon Bob Moretti, Speaker
State Assembly
Room 3164, State Capitol

Dear Bob· This is to ask that I be excused from the Session tomorrow, February 3 as I will be meeting on health care emergency services in Los Angeles and later on will be with the Division of Highways concerning landscaping and off ramps on Pomona Freeway.

Your consideration is appreciated.

Sincerely,

WILLIAM CAMPBELL, Assemblyman
Fiftieth District

February 2, 1972

The Hon Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob· I respectfully request that I be excused from session on February 3 and 4, 1972, due to legislative business. I will be meeting with people in Washington, D.C. concerning business of the Joint Committee on Public Domain.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

February 2, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, February 3 as I shall be in New York City with other members of the Urban Development and Housing Committee touring various projects in that city.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

February 3, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, February 3, on legislative business. I shall be in my district conferring with administrators of the Long Beach school districts.

Respectfully yours,

JAMES A HAYES, Assemblyman
Thirty-ninth District

February 2, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti· May I please be excused from attending session on Thursday, February 3, 1972.

My presence is required at a special community meeting on a problem of urgency in the Offices of the Irish Consul-General, 681 Market Street, San Francisco, at 10.00 A.M. on that day.

Cordially,

LEO T. McCARTHY, Assemblyman
Nineteenth District

February 2, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session February 3, 1972 on legislative business. I will be meeting with a group on the Century Freeway problems.

Sincerely,

FLOYD L WAKEFIELD, Assemblyman
Fifty-second District

NOTE: For letters explaining the absences of Mrs Brathwaite and Messrs. Chacon, Chappie, Maddy, Mobley, Russell, and Stacey on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 31, 1972, pages 269–271.

NOTE: For letter explaining the absence of Mr. Knox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 2, 1972, page 295.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
279	Governmental Organization
280	Finance and Insurance
281	Revenue and Taxation
282	Welfare
283	Health
284	Health
285	Health
286	Revenue and Taxation
287	Health
288	Revenue and Taxation
289	Revenue and Taxation
290	Revenue and Taxation
291	Transportation
292	Health
294	Local Government
295	Local Government
296	Natural Resources and Conservation
297	Government Administration
298	Elections and Reapportionment
299	Health
300	Education
301	Planning and Land Use
302	Planning and Land Use
303	Planning and Land Use
304	Planning and Land Use
305	Finance and Insurance

Assembly Constitutional Amendment No.	*Committee*
27	Rules

Assembly Concurrent Resolution No.	*Committee*
19	Transportation

Assembly Joint Resolution No.	*Committee*
9	Environmental Quality

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 306: By Assemblyman Dunlap—An act to amend Section 1266 of the Unemployment Insurance Code, relating to unemployment compensation retraining benefits.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 307: By Assemblyman Ralph—An act to amend Section 16555 of the Education Code, relating to the use of public school buildings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 308: By Assemblyman Burke—An act to add Section 14670.3 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 309: By Assemblyman Duffy—An act to amend Section 594 of the Penal Code, relating to malicious mischief penalties.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 310: By Assemblymen Burton, Brown, and Miller—An act to amend Sections 17686 and 24832 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 311: By Assemblymen MacGillivray and Pierson—An act to add Sections 3212.4, 4804.1, 4804.2, 4804.3, 4804.4, and 4804.5 to the Labor Code, relating to University of California fire departments.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 312: By Assemblymen MacGillivray, Conrad, Hayden, and Wood—An act to amend Sections 30800 and 30801 of, and to add Section 24005.5 to, the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

MESSAGES FROM THE SENATE

Senate Chamber, February 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 43
AB No. 59

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Assembly Committee on Efficiency and Cost Control

LETTER OF TRANSMITTAL

February 3, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I present herewith for the information of the Assembly the activity report of the Committee on Efficiency and Cost Control for 1971.

Respectfully,

MIKE CULLEN, Chairman

Above report ordered filed with the Secretary of State.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 25—An act to amend Section 75090.2 of the Government Code, relating to the Judges' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Concurrent Resolution No. 10—Relative to the anniversary of the Cinco de Mayo as Mexican-American Week.

Resolution read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, after "Fenton," insert "Fong,".

Amendment No. 2

In the heading, after "LaCoste," insert "Lanterman, Lewis,".

Resolution ordered reprinted, and on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 313: By Assemblymen Sieroty and Lewis (Senator Dymally, coauthor)—An act appropriating funds for the construction of children's centers.

Held at Desk by order of the Speaker pro Tempore.

ANNOUNCEMENTS

Mr. Burton announced that he had at his desk a bill which he intends to introduce, relative to economic equity and invited any Members who wished to become coauthors to come to his desk and sign the measure before its introduction.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 124—An act to add Section 15958.6 to the Education Code, relating to contracts of school districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Burke.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wood, and Z'berg—55.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wood, and Z'berg—55.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 314: By Assemblyman Lanterman—An act to add Section 38109 to the Health and Safety Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Health.

Assembly Constitutional Amendment No. 28: By Assemblyman Barnes—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding subdivision (e) to Section 8 of Article IV thereof, by amending subdivision (i) of Section 14¼ of Article XIII thereof, and by repealing subdivision 3 of Section 16 of Article XIII thereof, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

House Resolution No. 10—Relative to the Temporary Standing Rules of the Assembly.

NOTE: The full text of House Resolution No. 10, as amended, appears at pages 286–289 of the Assembly Daily Journal for February 1, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, La-Coste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Seeley, Sieroty, Stull, Warren, Waxman, Wood, and Z'berg—50.

NOES—None.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 3, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 314—An act to add Section 38109 to the Health and Safety Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately.

FRANK D. LANTERMAN

Above request ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 315: By Assemblyman Brophy—An act to repeal Section 2805 of the Labor Code, as added by Chapter 1442 of the Statutes of 1971, relating to employment of aliens, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Labor Relations.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read.

Assembly Chamber, February 3, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 315—An act to repeal Section 2805 of the Labor Code, as added by Chapter 1442 of the Statutes of 1971, relating to employment of aliens, and declaring the urgency thereof, to take effect immediately.

BILL BROPHY

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 10:27 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Monday, February 7, 1972.

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-first Legislative Day

Thirty-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 7, 1972

The Assembly met at 2:13 p.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Help Us to Remember, Lord, That we are temporary residents of this planet, Earth; that its resources are for our use and benefit, and not only ours, but for the use and benefit of those who come after. We must not deplete them or exploit them. Help us also to realize that our efforts for ecology fall far short if they fail to take cognizance of the fact that a balance and harmony must also be established between persons, our highest and noblest form of life.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Crown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Miller, seconded by Mr. Foran.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Ray E. Johnson, on request of Speaker pro Tempore Bee.
Mr. McCarthy, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Chacon, on request of Speaker pro Tempore Bee.
Mr. Garcia, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 4, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Monday, February 7, 1972, on legislative business

I am meeting with constituents in my district office early in the day and will be interviewed on a radio station in Los Angeles later in the day.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

February 4, 1972

Hon. Bob Moretti, Speaker
State Assembly
Room 3164, State Capitol

Dear Bob: This is to request that I be excused from Session on Monday, February 7, as I will be in Palm Springs to attend and speak before the California Association of Nursing Homes.

Thank you for your consideration.

Sincerely,

WILLIAM CAMPBELL, Assemblyman
Fiftieth District

January 28, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3134, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request that I be excused from session on Monday, February 7, due to legislative business.

An important meeting with labor representatives and constituents of my district necessitates my presence in San Diego.

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

February 4, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. I have been invited by the Chinese Chamber of Commerce to participate in the evaluation of the past activities and progress in the Chinatown Community, which is located in my district. Included in this evaluation are plans for the new year which includes a discussion with R.T.D. representatives to submit a proposal to include the Chinese area in the present Mini Bus route.

I would therefore, respectfully request that I be excused on Legislative Business on Monday and Tuesday, February 7th and 8th, so that I, together with other elected officials of the district, can participate in this planning.

Sincerely,

ALEX P. GARCIA, Assemblyman
Fortieth District

February 4, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob. Please excuse me from the Legislative Session on February 7, 1972 for legislative business

I will be speaking to students and faculty of the College of the Desert in Palm Springs, California

Thank you.

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

REPORTS

The following report was presented by the Speaker:

A Report to the 1972 Legislature on Regulation and Control of Diagnosis and Treatment of Cancer, Pursuant to Section 1719, Health and Safety Code. January 1972.

Above transmitted report, together with letter of transmittal from William J. Kurtz, Director of Public Health (Acting), Berkeley, dated February 2, 1972, referred by the Speaker pro Tempore to the Committee on Health.

The following reports were presented by the Chief Clerk:

U.S. Army Corps of Engineers' Draft Feasibility Report for Flood Control, Bear River, California. (Pursuant to Sections 450–453, California Water Code.) November 1971.

Above transmitted report, together with letter of transmittal from Paul L. Clifton, Projects Coordinator, Resources Agency, Sacramento, dated February 1, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Commercial Anadromous Fish Farming on Waddell Creek, Santa Cruz County. (Pursuant to Chapter 202, Amended Statutes 1968.)

Above transmitted report, together with letter of transmittal from Leslie F. Edgerton, Executive Secretary, Fish and Game Commission, Sacramento, dated January 26, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation

Bulletin No. 130-70, Hydrologic Data: 1970, Volume III: Central Coastal Area. December 1971.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated February 1, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Bulletin No. 130-70, Hydrologic Data: 1970, Volume IV: San Joaquin Valley. December 1971.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated February 1, 1972, referred by the Speaker pro Tempore to the Committee on Water.

An Assessment of Federal Water Projects Adversely Affecting California's Salmon and Steelhead Resources—Part 1. (In accordance with Senate Concurrent Resolution No. 64, 1971.)

Above transmitted report, together with letter of transmittal from G. Ray Arnett, Director, Department of Fish and Game, Sacramento, dated February 1, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Change of Membership—Joint Committee on Aging

February 4, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Frank Murphy to the Joint Committee on Aging to replace Assemblyman Richard Barnes who has resigned.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
306	Finance and Insurance
307	Education
308	Government Administration
309	Criminal Justice
310	Revenue and Taxation
311	Finance and Insurance
312	Transportation
313	Education

Assembly Constitutional Amendment No.	*Committee*
28	Revenue and Taxation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 316: By Assemblyman Dunlap—An act to amend Section 12657 of, and to add Section 12666 to, the Water Code, relating to flood control.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 317: By Assemblyman Chappie—An act to add Section 25505 10 to the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 318: By Assemblyman Chappie—An act to amend Section 4759 of the Fish and Game Code, relating to bears.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 319: By Assemblyman Badham—An act to amend Section 6357 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session, relating to sales and use taxes, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 320: By Assemblyman LaCoste—An act to add Sections 110 5, 991, and 1809 to the Streets and Highways Code, relating to streets and highways

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 321: By Assemblyman Miller—An act to amend Section 33670 of the Health and Safety Code, relating to community redevelopment.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 322: By Assemblyman Ketchum—An act to add Section 1802 5 to the Vehicle Code, relating to motor vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 323: By Assemblyman Vasconcellos—An act to amend Section 690 of, and to add Section 690 30 to, the Code of Civil Procedure, relating to execution and attachments.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 324: By Assemblyman Vasconcellos—An act to amend Section 1237 of the Civil Code, relating to homesteads.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 325: By Assemblyman Townsend—An act to amend Section 7456 of the Education Code, relating to regional occupational centers.

Held at Desk by order of the Speaker pro Tempore

Assembly Concurrent Resolution No. 20: By Assemblyman Foran—Relative to the California Law Revision Commission.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 10: By Assemblyman Knox—Relative to the improvement of safety standards for toys

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 3, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 43—An act to repeal Section 993 of, and to add Section 993 to, the Revenue and Taxation Code, and to repeal Section 2 of Chapter 1079 of the Statutes of the 1971 Regular Session of the Legislature, relating to property taxation, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 3 p m , February 3, 1972

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, February 4, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 59—An act to add Section 224 to, and to repeal Section 224, as amended by Chapter 1473 of the Statutes of the 1971 Regular Session, of, the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11 a m , February 4, 1972

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, February 7, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

ACR No. 8

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 8—Relative to the W. R. Holman Highway.

Resolution read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 9 and 10, of the printed measure, strike out ", bypassing the town of Monterey".

Amendment No. 2

On page 2, strike out lines 2 to 7, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, February 7, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 35

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 35—An act to add Section 5600.5 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"5600.5. Notwithstanding any other provision of law:

(a) The Department of Mental Hygiene shall maintain all existing state hospitals for the mentally ill and mentally retarded, including but not limited to Agnews and DeWitt State Hospitals, at their existing level until July 1, 1973, and no such hospital shall be closed prior to such date.

(b) No state hospital for the mentally ill and mentally retarded, including, but not limited to, Agnews and DeWitt State Hospitals, shall be closed after July 1, 1973, unless:

(1) A complete study is conducted by the Legislature or a committee thereof to determine whether the level of community treatment and the availability of community facilities is adequate to maintain quality mental care and the possibility of establishing a cooperative community and state hospital program for the mentally ill and mentally retarded and a report of such study is submitted to the Legislature; and

(2) The department submits to the Legislature at least one year prior to closure of any state hospital a complete and detailed plan to implement community programs for the mentally ill and mentally retarded in all counties, including schedules for closure or phase down of state hospitals.

(c) State hospitals may admit persons needing state hospital care without prior screening by a county Short-Doyle agency until July 1, 1973, and thereafter unless closed pursuant to subdivision (b) of this section."

Amendment No. 2

On page 1, strike out lines 4 to 6, inclusive; and on page 2, strike out lines 1 to 15, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

COMMUNICATIONS

Assembly Chamber, February 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 10

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2:16 p m., Mr. Briggs was granted unanimous consent to hold a special meeting of the Committee on Agriculture, in the Assembly Lounge, at this time, to consider Assembly Bill No 91, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 91 for hearing in the Committee on Agriculture today.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letters of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a performance audit report on the automotive management policies of the Department of Industrial Relations.

Serious violations of state rules and regulations relating to the use of state-owned automobiles and in the payment of travel allowances were found. Many of the violations were committed by supervisory and administrative personnel who should be preventing such violations.

Some employees permanently assigned state automobiles are using them primarily for commuting between home and office with the state paying bridge tolls and parking fees. Cars are being used on weekends and holidays for personal purposes. One official who has been paid a relocation allowance has been traveling each weekend at state expense during working hours between San Francisco and Eureka. This has been going on for almost two years. Another employee has been commuting between his home in Fresno and his headquarters in San Francisco. These practices by management officials, along with other findings and examples cited in the report, increase the state's cost of operations and reduces the time that employees are available to serve the public.

The report concludes that the lack of management direction and supervision in promoting greater operating efficiencies has resulted in needless and wasteful costs to the state.

A number of recommendations are contained in the report that should be adopted by the department to strengthen controls, to reduce the costs of travel, and to increase productivity with the use of fewer resources.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Select Committee on Industrial Safety.

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: Transmitted herewith is a performance audit report on the Division of Industrial Safety of the Department of Industrial Relations. The division is responsible for the administration of the state laws dealing with the safety of employees in places of employment.

In 1969 there were 170 fatalities and over 75,000 lost-time injuries of manufacturing and agricultural employees. Statistics not released at this late date by the division show that in 1970 fatalities increased to 220 and injuries decreased to 72,274.

The industrial section of the division which is responsible for the prevention of these fatalities and injuries has 80 employees and a budget of $1.4 million. The same resources are allocated to the pressure vessel section which, in 1969, reported three accidents involving air tanks causing 2 injuries and no fatalities. Comparative data for 1970 and 1971 is not yet available. The report gave no reasons as to why up-to-date information is not available.

No priorities are established by the division as a whole. Each of the seven sections specializes in its own area regardless of where the greatest safety hazards exist.

Each engineer makes up his own work schedule. The frequency and types of inspections vary considerably among the individual engineers. A selective system of inspection designed to concentrate on those plants and industries with the most injuries has been developed by the division but has not been implemented.

About 40 percent of the field engineers time is spent in travel and office work. Savings in time and travel expenses could be realized if inspection trips were better planned and controlled.

Performance standards have not been established. No effort is being made to evaluate the work of individuals or of the division as a whole. The report discusses seven recommendations which need to be implemented by the division to improve its operations.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Select Committee on Industrial Safety.

Speaker Presiding

At 2:18 p.m., Hon. Bob Moretti, 42nd District, presiding.

ANNOUNCEMENTS

Mr. Bee informed the Members of the Assembly that E. Guy Warren, Chairman of the California State Colleges' Board of Trustees, who was a prominent Hayward trucking executive and civic leader, passed away on Saturday, February 5, at the age of 71 years. Memorial services will be held on Friday, February 11, at 2 p m in the College Theater at Hayward State College Mr. Bee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late E Guy Warren.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 25—An act to amend Section 75090.2 of the Government Code, relating to the Judges' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Stacey, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—54.

NOES—Wakefield—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Stacey, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—54.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

Speaker pro Tempore Presiding

At 2·23 p m., Hon. Carlos Bee, 13th District, presiding.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN PIERSON

Speaker pro Tempore Bee announced that yesterday was the birthday of Assemblyman David C Pierson, of the 65th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Pierson.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 326: By Assemblyman Cory—An act to amend Sections 6349 and 6353 of the Elections Code, relating to nomination petitions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 327: By Assemblymen Brathwaite and Warren—An act making an appropriation to pay the claim of Ross Plaza Pharmacy against the State of California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 328: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 11552 of the Business and Professions Code, relating to subdivision maps.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 329: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to add Section 38743 to the Government Code, relating to water service.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 330: By Assemblyman Arnett—An act to add Chapter 17 (commencing with Section 7275) to Division 7 of Title 1 of the Government Code, relating to a state lottery, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 331: By Assemblyman Briggs—An act to amend Section 218 of the Revenue and Taxation Code, relating to tax exemption.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 332: By Assemblyman Barnes—An act to amend Section 21224 of, and to add Section 21228 to, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 333: By Assemblymen Burton, Brown, Miller, Waxman, Brathwaite, Bill Greene, Ralph, and Vasconcellos (Senators Dymally and Roberti, coauthors)—An act to add Sections 13444 and 17041.2 to the Revenue and Taxation Code, relating to limitation and redistribution of wealth, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 29: By Assemblyman Arnett—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 19 of Article IV thereof, and by adding Section 24 to Article XX thereof, relating to the conduct of a lottery by the state.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 30: By Assemblyman Cline—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 42 to Article XIII thereof, relating to property tax limitations.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, February 7, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 91

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRIGGS, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 91

Mr Briggs was granted unanimous consent to take up Assembly Bill No. 91, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 91 by Unanimous Consent

Assembly Bill No. 91—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, after "than", insert "1".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Briggs was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 91 for hearing in the Committee on Ways and Means, on Wednesday, February 9, 1972.

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 8 for hearing in the Committee on Rules, on Thursday, February 10, 1972.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 334: By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—An act to amend Sections 73914 and 73915 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 335: By Assemblyman Quimby—An act to amend Section 619.1 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 336: By Assemblyman Quimby—An act to add Section 1604.2 to the Revenue and Taxation Code, relating to local equalization proceedings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 337: By Assemblyman Meade—An act to add Sections 23054.5 and 23756.5 to the Education Code, relating to residence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 338: By Assemblyman Meade—An act to add Section 3058 to the Business and Professions Code, relating to optometry, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 339: By Assemblyman Barnes—An act to amend Section 17146 of, and to repeal Section 17146.5 of, the Revenue and Taxation Code, relating to exclusions from gross income under the Personal Income Tax Law, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 7, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 338—An act to add Section 3058 to the Business and Professions Code, relating to optometry, and declaring the urgency thereof, to take effect immediately.

KEN MEADE

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 3:02 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Tuesday, February 8, 1972, out of respect to the memory of the late E. Guy Warren, of Hayward, prominent Hayward civic leader and Chairman of the California State Colleges' Board of Trustees.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-second Legislative Day

Thirty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 8, 1972

The Assembly met at 11 a.m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Speaker pro Tempore Presiding

At 11:03 a.m., Hon. Carlos Bee, 13th District, presiding.

Quorum Call of the Assembly

Mrs. Davis moved a quorum call of the Assembly.

Mr. Stacey seconded the motion.

Motion carried. Time, 11:04 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11 12 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell,

Ryan, Schabarum, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

God, Our Father, We ask You today to help us to initiate change wherever change is necessary and helpful so that we may be formed into a world community of peace and hope.

Deliver suffering mankind from the bondage of pressing want, the pain of knowing hunger, and the scourge of unending sickness.

We ask this with confidence in Your will to help.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Brophy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Conrad.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Stull, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Garcia, on request of Speaker pro Tempore Bee.
Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Karabian, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 7, 1972

Assemblyman Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused on Legislative Business on Tuesday, February 8, 1972, as I am scheduled to appear before the Los Angeles City Council, relating to a City Project, which will be going into my district.

I thank you for your cooperation in this matter.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

February 7, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker · I respectfully request to be excused from session Tuesday, February 8, 1972, on legislative business.

I will be in my district presenting a resolution to a mental health group, addressing the Madera Rotary Club at noon and keeping a long-standing dinner appearance in Fresno.

Sincerely,

ERNEST N. MOBLEY, Assemblyman
Thirty-third District

February 7, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request permission to be excused from our Legislative Session on February 8, 1972 for legislative business.

I will be meeting in my Palm Springs, California District Office with Mr. Floyd Marlowe, of the State of California, Human Relations Agency of Indio to discuss a rural transportation proposal, and with Mr. Robert Luhman, Superintendent of the Oasis Joint School District regarding proposed legislation.

Thank you.

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

NOTE: For letter explaining the absence of Mr. Garcia on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 7, 1972, page 317.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Appointment of Chairman of Joint Committee for Revision of the Education Code

February 3, 1972

Honorable Houston I. Flournoy
State Controller
Room 1114, State Capitol
Sacramento, California

ATTENTION: Ted Mandalla

Dear Hugh: This will confirm appointment of the Honorable Ken MacDonald as Chairman of the Joint Committee for Revision of the Education Code

Sincerely,

LOUIS J. ANGELO
Chief Administrative Officer
Joint Rules Committee

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 8, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 92—An act to amend Sections 5756, 6801, 6901, and 6902 of, and to add Sections 6931.5 and 17255, and 25514.7 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

LEROY F. GREENE

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
316	Water
317	Education
318	Natural Resources and Conservation
319	Revenue and Taxation
320	Natural Resources and Conservation
321	Urban Development and Housing
322	Finance and Insurance
323	Judiciary
324	Judiciary
325	Education
326	Elections and Reapportionment
327	Ways and Means
328	Planning and Land Use
329	Local Government
330	Governmental Organization
331	Revenue and Taxation
332	Retirement
333	Revenue and Taxation
334	Local Government
335	Revenue and Taxation
336	Revenue and Taxation
337	Education
338	Health
339	Revenue and Taxation

Assembly Constitutional Amendment No.	*Committee*
29	Governmental Organization
30	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
20	Environmental Quality

Assembly Joint Resolution No.	*Committee*
10	Rules

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Assembly Committee on Planning and Land Use

February 8, 1972

Memorandum for the Assembly Daily Journal

The Committee on Planning and Land Use is in receipt of a public opinion survey on environmental subjects conducted in the San Diego area for San Diego Gas and Electric Company by Central Surveys, Inc.

This survey is on file in the committee office

PAUL PRIOLO, Chairman
Planning and Land Use Committee

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time·

Assembly Bill No. 340: By Assemblyman Schabarum—An act to add Section 2956 to the Civil Code, relating to mortgages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 341: By Assemblyman Maddy—An act making an appropriation for assistance to counties and cities and counties for treatment programs for hyaline membrane disease, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 342: By Assemblyman Maddy—An act to add Article 1 (commencing with Section 24725) to Chapter 13 of Division 18 of the Education Code, relating to Fresno State College.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 343: By Assemblyman Maddy—An act to amend Section 1861 of the Labor Code, relating to public works contract.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 344: By Assemblyman Maddy—An act to amend Section 1142 of the Education Code, as amended by Chapter 1479 of the Statutes of 1971, relating to school elections, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 345: By Assemblyman McAlister—An act to add Article 4 (commencing with Section 26550) to Chapter 1, Part 3, Division 2, Title 3 of the Government Code, relating to district attorneys.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 346: By Assemblyman Ryan—An act to amend Section 3002 of the Fish and Game Code, and to add Section 653j to the Penal Code, relating to whales.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 347: By Assemblyman Chappie—An act to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 11701, 11709, 12501, 23128, 24001.5, 27150, 27160, 38010, 38025, 38115, 38225, and 38280 of, and to repeal Sections 4020, 4452.5, and 11710.5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 348: By Assemblyman Brown—An act to add Section 2713.1 of the Penal Code, relating to payments to prisoners upon discharge.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 349: By Assemblyman MacDonald—An act to amend Section 21025.2 of the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 350: By Assemblyman Cory—An act to amend Section 6304.1 of the Harbors and Navigation Code, relating to harbors and navigation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 351: By Assemblyman Cory—An act to amend Section 6908 of the Public Resources Code, relating to state lands

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 352: By Assemblyman Briggs—An act to amend Section 816 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 353: By Assemblyman Pierson—An act to amend Section 11715 of the Insurance Code, as amended by Chapter 982 of the Statutes of 1971, relating to workmen's compensation insurer's bond.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 31: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 29 to Article IV thereof, relating to the Legislature.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 21: By Assemblyman Schabarum—Relative to excess highway property in the City of West Covina.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 22: By Assemblyman Chappie (Senator Way, coauthor)—Relating to the William Martin Sell, Jr., Memorial Bridge.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 8, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Leroy F. Greene for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 92 be granted.

BURTON, Chairman

Assembly Chamber, February 8, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr. Porter for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 293 be granted.

BURTON, Chairman

Assembly Chamber, February 8, 1972

Mr. Speaker: Your Committee on Rules recommends.

That the request by Mr Lanterman for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 314 be granted.

BURTON, Chairman

Assembly Chamber, February 8, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr. Brophy for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 315 be granted.

BURTON, Chairman

Assembly Chamber, February 8, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Meade for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 338 be granted.

BURTON, Chairman

Committee on Revenue and Taxation

Assembly Chamber, February 7, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 44

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, February 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 3

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file

Senate Chamber, February 7, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 63

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, February 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted.

SCR No. 12

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read·

Senate Concurrent Resolution No. 12—Approving amendment to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the 18th day of January, 1972.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered by Assemblyman Porter:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 293 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, presented by Mr. Belotti, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Stacey, Thomas, Townsend, Wakefield, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Belotti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 293 for hearing in the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Fong was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Brophy:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 315 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

Above resolution held at Desk for further action.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Meade:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 338 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Lanterman:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 314 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Schabarum, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 314 for hearing in the Committee on Health.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Leroy F. Greene:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 92 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 10—Relative to the anniversary of the Cinco de Mayo as Mexican-American Week.

Resolution read, and adopted

Resolution ordered transmitted to the Senate.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 8, 1972

Mr Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 98—An act to amend Section 11535 of the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

LEO T. McCARTHY

Above request ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 354: By Assemblyman Powers—An act to amend Section 7548 of the Business and Professions Code, relating to licensees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 355: By Assemblyman Quimby—An act to amend Section 73101.5 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 356: By Assemblyman Quimby—An act to amend Section 454 of the Elections Code, relating to indexes of registration.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 357: By Assemblyman Duffy—An act to amend Section 33113 of, to repeal and add Sections 33112, 33114, and 33115 to, and to repeal Sections 33116 and 33117 of, the Agricultural Code, relating to milk inspection.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 358: By Assemblyman Sieroty—An act to add Section 1919 to the Civil Code, relating to financial institutions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 359: By Assemblyman Vasconcellos—An act to amend Sections 1091, 1095, and 1096 of, and to add Section 8507 to, the Education Code, relating to public schools

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 360: By Assemblyman Keysor—An act to add Section 17539 to the Business and Professions Code, relating to games of chance.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Duffy:

House Resolution No. 12

Relative to vision and eye care

WHEREAS, The California Legislature is concerned that all Californians have adequate vision and eye care; and

WHEREAS, The California Legislature recognizes that health manpower must be efficiently utilized to deliver adequate vision and eye care; and

WHEREAS, Section 2514 of Business and Professions Code prohibits physician's assistants from performing services in the following areas:

(a) The measurement of the powers or range of human vision or the determination of the accommodation and refractive states of the human eye or the scope of its functions in general, or the fitting or adaptation of lenses or frames for the aid thereof,

(b) The prescribing or directing the use of, or using any optical device in connection with ocular exercises, visual training, vision training or orthoptics;

(c) The prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the human eye, and

WHEREAS, The current utilization of ophthalmologists, optometrists, and opticians results in many overlapping functions among these categories; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly of California appoint a committee of three ophthalmologists, three optometrists, one optician, and one person with expertise in health care delivery generally, to advise the Assembly Select Committee on Health Manpower concerning the optimal use of various categories of health manpower to deliver vision and eye care services in California; and be it further

Resolved, That this committee be called the "Advisory Committee on Health Manpower Utilization for Vision and Eye Care"; and be it further

Resolved, That the Advisory Committee on Health Manpower Utilization for Vision and Eye Care report to the Legislature no later than August 30, 1972, concerning:

(a) Whether utilization of physician's assistants or other types of allied health manpower would increase the efficiency of California's health care delivery system in providing vision and eye care;

(b) The types of tasks and duties that should be performed by existing categories of health manpower to most efficiently deliver vision and eye care;

(c) Any other recommendations of the committee to improve the quality and availability of vision and eye care in California.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:42 a.m., Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Rules in the rear of the Assembly Chamber, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 8, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. McCarthy for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 98 be granted

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman McCarthy:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 98 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Pierson, Priolo, Quimby, Ralph, Ryan, Schabarum, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

ADJOURNMENT

At 11:47 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, February 9, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-third Legislative Day

Thirty-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 9, 1972

The Assembly met at 11 a m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

By unanimous consent, a quorum call was placed upon the Assembly. Time, 11:07 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11:13 a m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—69

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Carlos J. Moorhead, Member of the Assembly, 43rd District:

Father, Save us from the temptation of being content with, or accommodating ourselves to life as it is. Remove from us the tendency to look back longingly to the so-called good old days

Help us to realize that all things are possible. We find it difficult, Lord, to move ourselves and our institutions to become involved in the historical process, but without this courage we remain static and relinquish our right to the future.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Stull then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Belotti, seconded by Mr. Lewis.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Ray E Johnson, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Keysor, on request of Speaker pro Tempore Bee.
Mr. Murphy, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.
Mr. Townsend, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Wednesday, February 9 as I shall be speaking before a Venereal Disease Forum sponsored by the Palo Alto Junior League.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

February 9, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, February 9, on legislative business. I will be in Los Angeles to chair the hearing of the Special Subcommittee to Investigate the San Fernando Earthquake.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

February 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Wednesday, February 9th since I will be attending an earthquake hearing in the State Building in Los Angeles, as a member of the Joint Committee on Seismic Safety.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

February 8, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to request that I be excused on legislative business on Wednesday, February 9, 1972. I am speaking before the California Probation, Parole and Correctional Officers Association Conference in Santa Cruz on that date.

Sincerely,

FRANK MURPHY, JR., Assemblyman
Thirty-first District

February 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: Please excuse me from the Legislative Session on February 9, 1972 for legislative business.

I will be attending the Palo Verde Business Outlook Conference for 1972 in Blythe, California.

Thank you.

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

February 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento

Dear Bob: I respectfully request that I be excused from session tomorrow, February 9, on legislative business. I will be meeting with Dave Hayward, City Councilman in Redondo Beach, regarding freeway problems.

Thank you.

Sincerely,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

REPORTS

The following reports were presented by the Speaker:

Proceedings of the Eleventh Meeting of the California Advisory Commission on Marine and Coastal Resources—The Monterey Bay Pilot Planning Project: An Experiment in Decisionmaking in Coastal Zone Planning. April 29–May 1, 1971.

Above transmitted report, together with letter of transmittal from Robert B. Krueger, Chairman, California Advisory Commission on Marine and Coastal Resources, Sacramento, dated May 18, 1971, referred by the Speaker pro Tempore to the Committee on Planning and Land Use.

Proceedings on the Twelfth Meeting of the California Advisory Commission on Marine and Coastal Resources—Recommendations Regarding 1971 California Coastal Zone Management Legislation. August 20, 1971.

Above transmitted report, together with letter of transmittal from Robert B. Krueger, Chairman, California Advisory Commission on Marine and Coastal Resources, Sacramento, dated September 15, 1971, referred by the Speaker pro Tempore to the Committee on Planning and Land Use.

The following reports were presented by the Chief Clerk:

School Meals for Needy Pupils 1970–71, A Report to the California Legislature as Required by the Duffy-Moscone Family Nutrition Education and Services Act.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated February 2, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Bulletin No. 91-21, Water Wells and Springs in Ivanpah Valley, San Bernardino County, California. January 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated February 4, 1972, referred by the Speaker pro Tempore to the Committee on Water.

INTERIM COMMITTEE REPORTS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

1971 Assembly Committee on Revenue and Taxation

Letter of Transmittal

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Transmitted herewith pursuant to HR 142 is the final report of the Assembly Committee on Revenue and Taxation for the 1971 interim period.

Sincerely,

JOE A. GONSALVES, Chairman

Robert E. Badham
William T. Bagley
John V. Briggs
Kenneth Cory
Wadie P. Deddeh
John F. Dunlap
Bill Greene
Leo T. McCarthy
Ken Meade
Vice Chairman
Ernest N. Mobley
Frank Murphy, Jr.
John P. Quimby
Peter F. Schabarum
Alan Sieroty
John Stull
Vincent Thomas

Above report ordered filed with the Secretary of State.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
340	Finance and Insurance
341	Health
342	Education
343	Commerce and Public Utilities
344	Elections and Reapportionment
345	Criminal Justice
346	Natural Resources and Conservation
347	Natural Resources and Conservation
348	Criminal Justice
349	Retirement
350	Planning and Land Use
351	Government Administration
352	Finance and Insurance
353	Finance and Insurance
354	Commerce and Public Utilities
355	Judiciary
356	Elections and Reapportionment
357	Agriculture
358	Finance and Insurance
359	Education
360	Governmental Organization

Assembly Constitutional Amendment No.	*Committee*
31	Local Government

Assembly Concurrent Resolution No.	*Committee*
21	Transportation
22	Transportation

Senate Concurrent Resolution No.	*Committee*
12	Rules

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, February 9, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 260—An act relating to mandatory school district unification elections, and declaring the urgency thereof, to take effect immediately.

HARVEY JOHNSON

Assembly Chamber, February 9, 1972

Mr Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 326—An act to amend Sections 6349 and 6353 of the Elections Code, relating to nomination petitions, and declaring the urgency thereof, to take effect immediately.

KEN CORY

Above requests ordered transmitted to the Committee on Rules.

REQUEST FOR PERMISSION TO INVOKE PROVISIONS OF JOINT RULE 10.9

The following request to invoke the provisions of Joint Rule 10.9 was presented:

Assembly Chamber, February 9, 1972

Mr. Chairman: I would respectfully request to invoke the provisions of Joint Rule 10.9 relative to Senate Concurrent Resolution No. 12.

CHARLES J. CONRAD

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:18 a.m., Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Rules in the rear of the Assembly Chamber, at this time.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 361: By Assemblyman Knox—An act to amend Section 15525.5 of the Corporations Code, relating to limited partnerships, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 362: By Assemblyman Ketchum—An act to amend Section 71341 of the Government Code, relating to justice courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 363: By Assemblyman Schabarum—An act to amend Section 5127.5 of the Civil Code and to amend Sections 10053 2, 11008.1, 11008 2, 11011, 11151, 11152, 11172, 11180, 11181, 11182, 11253, 11267, 11350, 11453.2, 11476 of, the heading of Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of, Sections 12000, 12001, 12004, 12010, 12012, 12014, 12053, 12100, 12101, 12150, 12159, 12200, 12203, 12205, 12206, 12252, 13900, 13912, 13930, 13933, and 15201 of, to add Sections 11007, 11016, 11103, 11155, 11258, 11262, 11350 5, 11351, 11351 2, 11450, 11452, 11452 5, 11453, 11453.8, 11490 to, Article 9 (commencing with Section 11550) to Chapter 2 of Part 3 of Division 9 of, Sections 12050, 12052, 12061, and 12154 to, and to repeal Sections 11006.5, 11007, 11153 7, 11155, 11157, 11450, 11452, 11453, 12050, 12107, 12151, 12154, 12155, 12156 of, Chapter 4 (commencing with Section 12500), Chapter 5 (commencing with Section 13000), and Chapter 6 (commencing with Section 13500) of Part 3 of Division 9 of, and Sections 15202, 15203, and 15204 of, the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 364: By Assemblyman Priolo—An act to amend Section 10133.1 of the Business and Professions Code, relating to real estate.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 365: By Assemblyman Biddle—An act to add Section 54934 to the Government Code, relating to recreation and park districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 366: By Assemblyman Hayes—An act to add Chapter 3.5 (commencing with Section 536) to Title 7 of Part 2 of the Code of Civil Procedure, relating to civil proceedings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 367: By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—An act to amend Section 4151 of the Government Code, relating to public works contracts.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, February 9, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 146

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

COMMUNICATIONS

Assembly Chamber, February 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 8

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, February 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 35

AB No. 91

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Majority Floor Leader Presiding

At 11:22 a.m., Hon. Jack R. Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the following editorial, which appeared in the Sacramento Bee on February 8, 1972, be read, and that it be printed in the Journal:

Belotti Served Public Well in Assembly

State Assemblyman Frank P. Belotti of Eureka, who has served in the Legislature continuously since 1950, has announced he will not seek reelection at the end of his current term. The best wishes of his constituents should go with him when he retires because he has served them well.

Belotti, at 74, is the oldest member of the Legislature, outranked in seniority only by three other lawmakers. He represents the Second Assembly District consisting of Mendocino, Humboldt, and Sonoma Counties.

The decision not to stand for reelection was a sad one for him because he had never missed a session of the Assembly because of illness until he was severely injured in an automobile accident last fall. Despite this, many friends, fellow Republicans as well as opposing Democrats, had urged him to stay in politics.

Belotti explained:

"I deeply regret to make this announcement. But in view of my wife's slow recovery from a bad automobile accident in which both she and I were injured, I feel it is in the best interests of both of us that I retire "

Belotti was a strong representative of the interests of his vast northwestern California district which embraces so much farm, timber and recreational land. He also was one of the lawmakers who gave consistently strong support to the California State Fair and Exposition in Sacramento and to the county and district fairs throughout the state.

He became known as an elder statesman in the Legislature and his calm voice calling for reason often served to avoid open and damaging splits in party and legislative debates. He gave good service to the public, which should commend him.—*Sacramento Bee*, Tuesday, February 8, 1972.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 9, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request of Mr. Harvey Johnson for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 260 be granted.

BURTON, Chairman

Assembly Chamber, February 9, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Cory for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 326 be granted.

BURTON, Chairman

Assembly Chamber, February 9, 1972

Mr. Speaker: Your Committee on Rules recommends that the provisions of Joint Rule 10.9 be invoked with regard to:

SCR No. 12

BURTON, Chairman

RESOLUTION TO INVOKE THE PROVISIONS OF JOINT RULE 10.9

The following resolution was offered:

By Assemblyman Conrad:

Resolved, That Senate Concurrent Resolution No. 12 need not be read on three several days, and that it be taken up for final consideration at this time.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, Miller, Monagan, Moorhead, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Stacey, Stull, Thomas, Wakefield, Waxman, Wood, and Z'berg—54.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 12 FROM COMMITTEE

Mr. Conrad was granted unanimous consent that Senate Concurrent Resolution No. 12 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 12

Senate Concurrent Resolution No. 12—Approving amendment to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the 18th day of January, 1972.

Resolution read, presented by Mr Conrad, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Collier, Conrad, Cory, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Monagan, Moorhead, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Stacey, Vasconcellos, Wakefield, Waxman, and Wood—49.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:33 a m, Mr Wood was granted unanimous consent to hold a special meeting of the Committee on Agriculture in the rear of the Assembly Chamber, at this time, to consider Assembly Bill No. 293.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, February 9, 1972

Mr Speaker. Your Committee on Agriculture reports:

AB No. 293

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means.

BRIGGS, Chairman

Above bill re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Wood was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 293 for hearing in the Committee on Ways and Means

Speaker pro Tempore Presiding

At 11·37 a m, Hon Carlos Bee, 13th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 368: By Assemblyman MacDonald—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of the Youth Authority

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 369: By Assemblyman Dunlap—An act to add Section 22511 6 to the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 370: By Assemblyman Quimby—An act to add Section 11702 15 to the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 371: By Assemblyman Quimby—An act to amend Section 11579 of, and to add Section 11577 5 to, the Business and Professions Code, relating to division of land.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 372: By Assemblyman Quimby—An act to amend Section 1202 of the Public Utilities Code, relating to railroad crossings

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 373: By Assemblyman Stull (Senator Burgener, coauthor)—An act to amend Section 22171 of the Water Code, relating to irrigation districts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 374: By Assemblyman Campbell—An act to amend Section 851.7 of the Penal Code, relating to records.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 11: By Assemblyman Badham (Senator Dills, coauthor)—Relative to space shuttle program.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Meade was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 338 for hearing in the Committee on Health, on Monday, February 14, 1972

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3—An act to add Section 3 5 to Chapter 105 of the Statutes of 1971, relating to the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Bill No 3?

Amendment No. 1

On page 1, line 3, of the printed bill, before "3 5", insert "SEC "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Meade, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Wood, Z'berg, and Mr Speaker—58

NOES—None

Above bill ordered enrolled

RESOLUTIONS

The following resolution was offered

By Assemblyman Cory

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 326 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dun-

lap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 326 FROM COMMITTEE

Mr Cory was granted unanimous consent that Assembly Bill No. 326 be withdrawn from the Committee on Elections and Reapportionment for purpose of consideration at this time, without reference to file.

Second Reading of Assembly Bill No. 326

Assembly Bill No. 326—An act to amend Sections 6349 and 6353 of the Elections Code, relating to nomination petitions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Cory:

Resolved, That Assembly Bill No. 326 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacGillivray, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 326

Assembly Bill No. 326—An act to amend Sections 6349 and 6353 of the Elections Code, relating to nomination petitions, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Harvey Johnson:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 260 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Brophy:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 315 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brophy moved a call of the Assembly.

Motion carried. Time, 12:05 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, February 9, 1972

Mr Speaker· Your Committee on Ways and Means reports:

AB No 79

With the recommendation· Do pass

BROWN, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 79

Mr Crown was granted unanimous consent to take up Assembly Bill No. 79, without reference to file, for the purpose of reading the bill a second time at this time.

Second Reading of Assembly Bill No. 79 By Unanimous Consent

Assembly Bill No. 79—An act making an appropriation for support of services to physically handicapped children

Bill read second time.

Request for Unanimous Consent to Take Up Assembly Bill No. 79

Mr. Crown was granted unanimous consent to take up Assembly Bill No 79, without reference to file, for purpose of consideration at this time

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Crown:

Resolved, That Assembly Bill No. 79 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ketchum, Knox, La-Coste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 79

Assembly Bill No. 79—An act making an appropriation for support of services to physically handicapped children.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c) of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 79:

Governor's Office, Sacramento
January 25, 1972

To the Honorable Members of the Assembly and Senate

Assembly Bill No. 79, "An act making an appropriation for support of services to physically handicapped children,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 79 as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 79.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, February 9, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 260

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 260—An act relating to mandatory school district unification elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Collier", and insert "Campbell, Collier, Karabian".

Amendment No. 2

In the heading, after line 2, insert

"(Coauthor: Senator Song)".

Amendment No. 3

On page 2, line 1, strike out "all", and insert "both".

Amendment No. 4

On page 2, line 25, strike out "all", and insert "both".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315

At 12:13 p.m., on motion of Mr. Brophy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution, as it relates to Assembly Bill No. 315, refused adoption by the following vote:

AYES—Badham, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Chappie, Cline, Dent, Duffy, Garcia, Hayden, Ketchum, Lewis, MacGillivray, Mobley, Monagan, Moorhead, Russell, Schabarum, Stacey, Stull, and Wakefield—24.

NOES—Arnett, Chacon, Deddeh, LaCoste, McAlister, McCarthy, and Waxman—7.

Motion to Reconsider Resolution to Dispense With Constitutional Provision Relative to Assembly Bill No. 315 on Next Legislative Day

Mr. Brophy moved to reconsider on the next legislative day the vote whereby the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution, as it relates to Assembly Bill No. 315, was this day refused adoption.

Resolution relative to Assembly Bill No 315 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.15 p m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 375: By Assemblyman Crown (Senator Grunsky, coauthor)—An act to amend Section 11556 of, and to add Section 11555.5 to, the Government Code, and to repeal and add Title 6 (commencing with Section 13800) to Part 4 of the Penal Code, relating to criminal justice.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 376: By Assemblyman Quimby—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 377: By Assemblyman Lewis—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 378: By Assemblyman Lewis—An act to amend Section 69594 of the Government Code, relating to superior court judges

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 379: By Assemblyman Lewis—An act making an appropriation for the Colton Joint Unified School District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

VOTE CHANGES

Mr Gonsalves was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on the resolution to dispense with Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No 315

ADJOURNMENT

At 12 16 p m, Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Thursday, February 10, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-fourth Legislative Day

Thirty-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 10, 1972

The Assembly met at 9:44 a m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—71.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, There are some in our society who deny that there is a God We tend to be harsh and judgmental with them Could it be possible that they do not really deny You, Father, but the kind of a God that we project to them; perhaps an angry God, a demanding God, too small a God, an ineffective God? Help us to live such lives that men can see clearly in us and in our actions the real, true, living and loving God.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Beverly then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Dent.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness.

Mr. Ray E. Johnson, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. McCarthy, on request of Speaker pro Tempore Bee
Mr Seeley, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr Schabarum, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal·

February 10, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker. I respectfully request that I be excused from session on Thursday, February 10, on legislative business I will be in my district conferring with Long Beach city officials regarding shoreline legislation and tidelands oil matters

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

February 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: May I please be excused from attending session on Thursday, February 10, 1972

I have been invited to participate in the Fourth Annual Mayor's Conference on the Older American to be held at the Beresford Recreation Center in San Mateo.

Cordially,

LEO T McCARTHY, Assemblyman
Nineteenth District

February 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob I respectfully request permission to be excused from our Legislative Session on February 10, 1972 for legislative business

I will be meeting with the Imperial County Farm Bureau and the County Agricultural Commissioner at the County Court House regarding proposed legislation.

Thank you

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

February 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I wish to be excused from session Thursday, February 10, 1972 on legislative business

I shall be meeting with staff of the Division of Industrial Safety for on-site inspections for the purpose of preparing for the February 24 hearing of the Rules Committee on HR 5

Respectfully,

CHARLES WARREN, Assemblyman
Fifty-sixth District

REPORTS

The following reports were presented by the Chief Clerk:

Air Pollution Control in California. 1971 Annual Report—Air Resources Board. January 1972.

Above transmitted report, together with letter of transmittal from John A Maga, Executive Officer, Air Resources Board, Sacramento, and Norman B Livermore, Jr, Secretary for Resources, Sacramento, dated January 10, 1972, referred by the Speaker pro Tempore to the Committee on Environmental Quality

Oil Spill Policy, The Resources Agency of California. (In response to Senate Concurrent Resolution No. 24, Assembly Concurrent Resolution No. 112, Assembly Concurrent Resolution No. 113, and Assembly Concurrent Resolution No. 114, 1971.) February 1972.

Above transmitted report, together with letter of transmittal from Ford B Ford, Assistant Secretary, The Resources Agency of California, Sacramento, dated February 8, 1972, referred by the Speaker pro Tempore to the Committee on Environmental Quality.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
361	Judiciary
362	Judiciary
363	Welfare
364	Commerce and Public Utilities
365	Local Government
366	Judiciary
367	Commerce and Public Utilities
368	Criminal Justice
369	Transportation
370	Planning and Land Use
371	Planning and Land Use
372	Commerce and Public Utilities
373	Water
374	Criminal Justice
375	Criminal Justice
376	Planning and Land Use
377	Education
378	Judiciary
379	Education

Assembly Joint Resolution No.	*Committee*
11	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 380: By Assemblyman Moretti (Senator Moscone, coauthor)—An act appropriating funds for increases in compensation for state officers and employees, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 381: By Assemblyman Conrad—An act relating to age of majority, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Transportation.

Assembly Bill No. 382: By Assemblyman Barnes—An act to amend Sections 23581, 23581.6, and 23581.8 of the Education Code, relating to the University of California

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 383: By Assemblymen Barnes, Belotti, Davis, Dent, Bee, Brophy, Conrad, and Lewis—An act to amend Sections 20013, 20014, 20017 5, 20017 6, 20017 7, 20017 75, 20017 76, 20017 77, 20017.8, 20017 9, 20602 92, 20605, 20612, 20750 3, 20803 7, 20950, 20980 5, 21022, 21252 1, 21252 6, 21263 1, 21290 5, 21292 5, 21293, 21295, and 21363 of, to add Sections 20604, 21252 7, 21252 8, 21252 9, 21252.95 and 21363 5 to, and to repeal Sections 20013 5, 20014 4, 20014 5, 20014 6, 20014 7, 20014 9, 20604, 20750.36, 20750 37, 20750 4, 20750 41, 20750 42, 20750.425, 20750 435, 20803.5, 20803.6, 20980.6, 20980 7, 21020 5, 21020 6, 21020 75, 21022.1, 21208, 21209, 21252.10, 21252 2, 21252 3, 21252 4, 21252 9, 21290 6, 21290.75, 21292.75, 21293.6, 21293 7, 21293 8, 21363 4, 21363 5, 21363 75, 21364.75, 21364.8, and 21364 9 of, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 384: By Assemblymen Maddy, Ketchum, Z'berg, McAlister, Arnett, Brathwaite, Briggs, Brophy, Chacon, Cline, Deddeh, Duffy, Dunlap, Keysor, Lewis, MacDonald, McCarthy, Mobley, Murphy, Pierson, Powers, Russell, Ryan, Stacey, Vasconcellos, and Warren—An act to amend Section 23801 of the Education Code, relating to state colleges

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 385: By Assemblyman Mobley—An act to amend Section 65563 of the Government Code, relating to open-space conservation, declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 386: By Assemblyman Mobley—An act to amend Section 423 of the Revenue and Taxation Code, relating to the assessment of open-space lands

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 387: By Assemblyman Mobley—An act to amend Section 20814 5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 388: By Assemblyman Duffy (Senator Way, coauthor)—An act relating to school district taxes, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 389: By Assemblyman Knox—An act to amend Section 24016 of the Business and Professions Code, relating to alcoholic beverages

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 390: By Assemblyman MacDonald—An act to amend Section 24201 of the Education Code, and to amend Section 18105 of the Government Code, relating to state colleges

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 391: By Assemblyman Foran—An act to add Section 39067 3 to the Health and Safety Code, to add Article 1 9 (commencing with Section 10776) to Chapter 2 of Part 5 of Division 2 of the Revenue and Taxation Code, and to add Section 4000 3 to, and to add Article 12 (commencing with Section 5450) to Chapter 6 of Division 3 of, the Vehicle Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 392: By Assemblymen Z'berg, Moretti, Dunlap, Barnes, Arnett, Bagley, Belotti, Beverly, Brathwaite, Chacon, Cline, Davis, Deddeh, Dent, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ryan, Sieroty, Townsend, Vasconcellos, Warren, and Waxman (Senators Alquist, Behr, Beilenson, Collier, Gregorio, Nejedly, Petris, and Rodda, coauthors)—An act to add Chapter 1 67 (commencing with Section 5096 71) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and municipal beach, park, recreational, and historical facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of such funds, and providing for the submission of the measure to a vote of the people at a special election to be consolidated with the 1972 general election

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 393: By Assemblyman Russell—An act to amend Section 17052 of the Education Code, relating to school cafeteria funds

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 394: By Assemblyman Russell—An act to amend Section 6353 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy

Held at Desk by order of the Speaker pro Tempore

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 10, 1972

Mr. Speaker· Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 381—An act relating to age of majority, and declaring the urgency thereof, to take effect immediately.

CHARLES J. CONRAD

Above request ordered transmitted to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, February 9, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 63—An act to add Section 54933 6 to the Government Code, relating to county service areas, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 3 p m , February 9, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, February 10, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 3—An act to add Section 3 5 to Chapter 105 of the Statutes of 1971, relating to the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m , February 10, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, February 10, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 260

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 10, 1972

Mr Speaker Your Committee on Rules recommends:

That the request by Mr Conrad for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 381 be granted

BURTON, Chairman

Committee on Education

Assembly Chamber, February 10, 1972

Mr. Speaker: The Chairman of your Committee on Education reports: AB No. 92

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 92—An act to amend Sections 5756, 6801, 6901, and 6902 of, and to add Sections 6931.5 and 17255, and 25514.7 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "5701,".

Amendment No. 2

In line 1 of the title, after "5756," insert "6750,".

Amendment No. 3

In line 1 of the title, strike out the first "and".

Amendment No. 4

In line 1 of the title, after "6902", insert ", 6950, 16645.2, and 25502.5".

Amendment No. 5

In line 2 of the title, strike out the first "and", and insert a comma.

Amendment No. 6

On page 2, line 2, strike out "maintaining a community college", and insert "or county superintendents of schools".

Amendment No. 7

On page 2, line 10, strike out "for community college purposes", and insert "or a county superintendent of schools".

Amendment No. 8

On page 2, lines 16 and 17, strike out "community college", and insert "school district or county superintendent of schools".

Amendment No. 9

On page 2, line 18, after "SEC. 3.", insert "Section 5701 of the Education Code is amended to read:

5701. Adult schools, evening high schools and evening community colleges shall consist of classes for adults. Minors may be admitted to such classes pursuant to Section 5706

For the purposes of this chapter, "adult" means a person 21 years of age and older, and "minor" means a person less than 21 years of age, notwithstanding the provisions of Section 25 of the Civil Code or any provision of Chapter 1748 of the Statutes of 1971.

SEC. 4 "

Amendment No. 10

On page 2, line 21, strike out "(a)"

Amendment No. 11

On page 2, lines 22 and 23, strike out "to school districts other than those maintaining community colleges".

Amendment No. 11.5

On page 2, line 25, strike out "18th", and insert "21st".

Amendment No. 12

On page 2, line 29, after "than", insert "10 class hours as defined in Section 11480 for community college districts or".

Amendment No. 13

On page 2, strike out lines 33 to 40, inclusive; and on page 3, line 1, strike out "in less than 10 class hours as defined in Section 11480."

Amendment No. 14

On page 3, line 5, strike out "SEC 4 ", and insert

"SEC 5. Section 6750 of the Education Code is amended to read.

6750. As used in this chapter, "educationally handicapped minors" are minors who, by reason of marked learning or behavior disorders, or both, cannot benefit from the regular educational program, and who, as a result thereof, require the special education programs authorized by this chapter Such learning or behavior disorders shall be associated with a neurological handicap or emotional disturbance and shall not be attributable to mental retardation

Notwithstanding Chapter 1748 of the Statutes of 1971, Section 25 of the Civil Code, or any other provision of law, for the purposes of this chapter, "minor" means a person under 21 years of age.

SEC 6 "

Amendment No. 15

On page 3, line 20, strike out "SEC 5", and insert "SEC 7".

Amendment No. 16

On page 3, line 31, strike out "SEC. 6", and insert "SEC 8".

Amendment No. 17

On page 4, line 13, strike out "SEC 7", and insert "SEC 9".

Amendment No. 18

On page 4, line 19, strike out "SEC. 8.", and insert

"SEC 10. Section 6950 of the Education Code is amended to read:

6950. Whenever a school district provides education in kindergarten or grades 1 through 12 for nonimmigrant children or noncitizen children without immigration status, the district shall be reimbursed for the actual cost of educating each such nonimmigrant child or noncitizen child without immigration status by the county or city and county in which the school district is located For the purposes of this chapter, such nonimmigrant child or noncitizen child without immigration status shall be deemed to be a resident of such county or city and county

For the purpose of this section a "nonimmigrant child" is defined as an alien having a residence in a foreign country which he has no intention of abandoning, who is legally admitted to the United States as a nonimmigrant student or visitor, and who seeks to pursue a course of study in the public schools of this state For the purpose of this section a "noncitizen child without immigration status" is defined as a child living in the United States who is not a citizen of the United States, who is without documentary evidence of United States immigration status, and who seeks to pursue or is pursuing a course of study in the public schools of this state.

Notwithstanding Chapter 1748 of the Statutes of 1971, Section 25 of the Civil Code or any other provision of law, for the purposes of this chapter, "minor" means a person under 21 years of age

SEC 11. Section 16645.2 of the Education Code, as amended by Chapter 677 of the Statutes of 1971, is amended to read.

16645 2. The governing body of any school district or a county superintendent of schools with the approval of the county board of education is authorized to establish and maintain, upon the approval of the Superintendent of Public Instruction, one or more development centers for handicapped minors between 3 years and 21 years of age residing in, and in the custody of persons residing in, the district or county. The governing body or county superintendent shall determine the hours, days, and months during which the development center is to be maintained

The establishment and maintenance of any development center for handicapped minors by the county superintendent of schools shall be undertaken subject to the prior approval of the county board of education, upon the application of one or more school districts under his jurisdiction, and such establishment and maintenance shall be upon such terms and conditions as may be provided for in a written contract between the county superintendent of schools and the governing body of any school district

The reference to "21 years of age" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter

SEC. 12 "

Amendment No. 19

On page 4, line 22, strike out "community", strike out line 23; in line 24, strike out "community college", and insert "school districts or county superintendents of schools"

Amendment No. 20

On page 4, line 29, strike out "community"; strike out line 30; in line 31, strike out "community college", and insert "school districts or county superintendents of schools".

Amendment No. 21

On page 4, line 35, strike out "SEC. 9.", and insert

"SEC. 13. Section 25502.5 of the Education Code is amended to read:

25502.5 Each community college shall provide for the education of pupils in the 13th and 14th grades and for the education of such adults and minors as may properly be admitted but who are not classifiable by grade.

Persons 21 years of age or over enrolled in less than 10 class hours as defined in Section 11451 in classes of any kind whatsoever maintained in connection with a community college, except classes maintained in English and citizenship for foreigners, classes in elementary subjects, and classes which are required in order that the participant may qualify for a high school diploma, where no charge of any kind shall be made, may be required by the governing board of the district maintaining the class to pay a tuition for such classes. The total of the tuition required and the apportionments from the State School Fund on account of the attendance in the classes shall not exceed the estimated cost of all such classes maintained.

The reference to "21 years of age" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

SEC. 14."

Amendment No. 22

On page 5, line 5, strike out "SEC. 10.", and insert

"SEC. 15. This act shall be interpreted and applied as though it were in effect and operative on the effective date of Chapter 1748 of the Statutes of 1971, and the changes in law made by this act shall supersede and control over the provisions of Chapter 1748 of the Statutes of 1971.

SEC. 16."

Amendment No. 23

On page 5, line 14, strike out "community college", and insert "educational".

Amendment No. 24

On page 5, line 15, strike out "community college", and insert "educational"

Bill ordered reprinted, and to be re-referred to the Committee on Education

RESOLUTIONS

The following resolution was offered:

By Assemblyman Conrad:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 381 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Mr. MacDonald seconded the motion.

Motion carried. Time, 9:52 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 146—An act to add Sections 6508.5 and 6509 to the Education Code, relating to opportunity schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 18358 of,".

Amendment No. 2

In line 2 of the title, strike out "opportunity schools", and insert "special schools and classes".

Amendment No. 3

On page 2, line 3, strike out "For purposes of opportunity", and insert "Opportunity".

Amendment No. 4

On page 2, line 5, strike out "in", and insert "shall be limited to".

Amendment No. 5

On page 2, line 6, strike out ", the county superintendent"; and strike out lines 7 to 33, inclusive; and in line 34, strike out "separate and distinct account".

Amendment No. 6

On page 3, between lines 7 and 8, insert

"SEC. 3 Section 18358 of the Education Code, as amended by Chapter 43 of the Statutes of 1971, is amended to read:

18358. For all physically handicapped pupils, mentally retarded minors and educationally handicapped minors of secondary grade, and handicapped adults, educated by the county superintendent of schools ~~and~~, for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, *and for all opportunity schools and classes and all continuation schools and classes maintained by the county superintendent of schools,* the Superintendent of Public Instruction shall allow the same amount as he would compute for the foundation program of a high school district under Section 17665.

However, with respect to handicapped adults, the following limits shall apply:

(a) The total of allowances for education of handicapped adults in classes established by the county superintendent of schools pursuant to Section 5746 shall not exceed fifty thousand dollars ($50,000) in any one fiscal year The Superintendent of Public Instruction shall proportionally reduce apportionments for the attendance of handicapped adults in order to comply with the limitation prescribed by this subdivision

(b) The Superintendent of Public Instruction shall allow for handicapped adults the amount specified in Section 17951 for each unit of average daily attendance for adults for high school districts.

SEC. 4. The Superintendent of Public Instruction shall have all powers necessary, including the power to adjust State School Fund apportionments, allowances, and disbursements on the basis of the revision effected by Section 3 of this act, to carry out the provisions thereof."

Amendment No. 7

On page 3, line 8, strike out "SEC. 3.", and insert "SEC. 5."

Amendment No. 8

On page 3, strike out lines 14 to 18, inclusive, and insert "special schools and classes maintained by county superintendents of schools during the 1971–1972 fiscal year, or as early as possible in the 1972–1973 fiscal year, in accordance with the provisions of this act, it is necessary that this act".

Bill ordered reprinted, and returned to the second reading file.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Brophy was granted unanimous consent that his motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

INTRODUCTION OF GUESTS

Mr. Barnes, of 78th Assembly District, introduced the following guests from the Fleet Anti-Air Warfare Training Center at San Diego: From Korea, Lt. Pak and Lt Kim; from Iran, Lt. Khatibi, Lt. Tehrani, Lt. Ghaie-Maghami, and Lt. (jg) Heydari; from the Philippines, LCDR Balita and LCDR Orais, Lt Blancas and Lt. Bas; from Thailand, Lt. Somboon; from Vietnam, Ens. Minh and Ens Dinh; from Israel, Capt. Sarig and Maj. Sheffer.

The Members of the Assembly joined in welcoming the above guests on their visit to the Assembly Chamber

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 395: By Assemblyman LaCoste—An act to amend Section 22105 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 23: By Assemblymen Barnes and Deddeh—Relative to the Division of Highways San Diego Maintenance Station.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ryan:

House Resolution No. 13

Relative to taxicab service at San Francisco International Airport

WHEREAS, San Francisco International Airport is located within San Mateo County, and services the entire Bay Area; and

WHEREAS, The people of San Mateo County require adequate transportation service at reasonable rates to and from the airport; and

WHEREAS, The Yellow Cab Company of San Francisco now holds an exclusive franchise from the City and County of San Francisco to provide taxicab transportation to and from the airport, and this taxicab company has recently requested a 16 percent increase in fares despite the fact that Bay Area taxicab rates are already among the highest in the country; and

WHEREAS, There have been numerous citizen complaints about the poor service provided by the Yellow Cab Company to San Mateo County residents; and

WHEREAS, Taxicab companies operating in San Mateo County are not allowed access to taxicab stands, and therefore are unavailable to transport San Mateo County residents to their homes; and

WHEREAS, There have been several meetings with local officials and interested parties to resolve this issue, but these meetings have thus far been unsuccessful in obtaining a satisfactory resolution to this problem, and the perpetuation of this problem is resulting in unnecessary discomfort and inconvenience to the people of San Mateo County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of inadequate taxicab service in San Mateo County, including service at San Francisco International Airport, particularly with respect to service between the airport and other places in San Mateo County; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 381

At 9·58 a.m., on motion of Mr Conrad, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No 381 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 381 for hearing in the Committee on Transportation.

ANNOUNCEMENTS

Speaker pro Tempore Bee announced that the First Extraordinary Session would convene at 11 a.m. on Monday, February 14; and that on Thursday, February 17, committees would meet as scheduled in the morning and that the Assembly would convene for its session at 2 p.m. on Thursday.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 24: By Assemblymen Burton, Mobley, Townsend, Quimby, Burke, and Ray E. Johnson—Relative to voting on bills.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 396: By Assemblyman Quimby—An act to amend Section 73 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 397: By Assemblyman Quimby—An act to amend Section 11403 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 398: By Assemblymen Chacon, Gonsalves, Burke, Deddeh, Brathwaite, Briggs, Brophy, Dent, Garcia, Keysor, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Sieroty, Stacey, Warren, Waxman, and Z'berg—An act to amend Section 3123 of the Commercial Code, to amend Sections 5201, 13656, and 13656.2 of the Education Code, and to amend Sections 6700, 6701, and 18025 of the Government Code, relating to state holidays and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 399: By Assemblyman Townsend—An act to add Chapter 6.5 (commencing with Section 12650) to Division 5 of the Business and Professions Code, relating to containers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 400: By Assemblymen Campbell and Moretti—An act to amend Sections 11333, 11391, 11393, 11395 and 11655.6, and Section 11655.8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, Section 11655.7 as added by Chapter 1422 of the Statutes of 1970, Section 11655.7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655.9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618 as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as amended by Chapter 1593 of the Statutes

of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 401: By Assemblyman Maddy—An act to amend Section 23801 of the Education Code, relating to state college fees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 402: By Assemblyman Maddy—An act to add Section 23754 1 to the Education Code, relating to state college tuition, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 403: By Assemblyman Maddy—An act to amend Section 23805 of the Education Code, relating to state college student fees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 25: By Assemblyman Biddle—Relative to assembly line testing of vehicles

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 12 m , Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Monday, February 14, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-fifth Legislative Day

Forty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 14, 1972

The Assembly met at 11:18 a m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Bagley, Barnes, Belotti, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Pray, Father, That those who have abandoned faith and hope may be moved by Your love to find a reason and a cause for living and doing.

We pray that those who have been lost in the limbo of the drug world may find a way back to reality and to health.

We pray, not for an abundance, but just for enough, of material goods and happiness —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Leroy F. Greene then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Stull, seconded by Mr. Ketchum.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. MacGillivray, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Acting Speaker Fenton.
Mr. Bee, on request of Acting Speaker Fenton.
Mr. Beverly, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Foran, on request of Acting Speaker Fenton.
Mr. Knox, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Ryan, on request of Acting Speaker Fenton.
Mr. Vasconcellos, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Chappie, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton.
Mr. Schabarum, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Quimby, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Monday, February 14, 1972.

I will be in my district speaking to the civics class at San Clemente High School.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

February 10, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse me on legislative business on Monday, February 14, 1972.

I have a meeting with the City Council in Pleasanton for the dedication of a historical plaque, an engagement I have had on calendar for some time.

Therefore, I would appreciate being excused on legislative business.

Sincerely yours,

CARLOS BEE
Speaker pro Tempore of the Assembly

February 10, 1972

The Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from attendance at the Legislative Sessions of February 14, 15, 16, 17 and 18, 1972.

I will be meeting out of the State on legislative business in connection with the Subcommittee on Regional Government.

Very truly yours,

ROBERT G. BEVERLY, Assemblyman
Forty-sixth District

February 14, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: Due to unforeseen circumstances which demand my presence in my district office with leaders of the community, I respectfully request that I be excused from session on Monday, February 14, 1972, on legislative business.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

February 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· This is to request that I be excused from Session February 14 through February 18 on legislative business.

I will be attending conferences in Louisiana, Georgia and Florida on the subject of metropolitan transportation authorities or commissions within the concept of regional government.

Sincerely,

JOHN FRANCIS FORAN, Assemblyman
Twenty-third District

February 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from Session on February 13 through February 21, 1972, on legislative business.

I will be conferring with officials from Louisiana, Georgia and Florida in connection with the Subcommittee on Regional Government.

Very truly yours,

JOHN T KNOX, Assemblyman
Eleventh District

February 11, 1972

Hon Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from legislative business on Monday, February 14, 1972.

I will be consulting with law enforcement officials on pending legislation

Sincerely,

CARLOS J MOORHEAD, Assemblyman
Forty-third District

February 11, 1972

Hon Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob: Please have me excused from my legislative duties on the floor on Monday, February 14, 1972.

I will be in my district, meeting with San Bruno Park School Board regarding a special school for the mentally retarded.

Sincerely yours,

LEO J. RYAN, Assemblyman
Twenty-seventh District

February 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from Session on Monday, February 14, 1972, on legislative business. I will be speaking at a community drug action program conference at the Summer White House in San Clemente

Sincerely,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

PRESS CREDENTIALS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Capitol Correspondents Association
State Capitol, Sacramento
February 9, 1972

Speaker of the Assembly
Assembly Chamber, State Capitol, Sacramento

Dear Mr. Speaker: The following named individuals are eligible for accreditation as members of the press, radio, and television during the 1972 sessions of the Legislature:

LOS ANGELES DAILY JOURNAL: Antoinette Trigueiro.
WESTERN NEWS: Earl Waters—Transfer accreditation from Sacramento Union.

SQUIRE BEHRENS, President

Approval of Press Credentials

By unanimous consent, the foregoing press credentials were approved by the Assembly.

REPORTS

The following report was presented by the Speaker.

Report on the Subject to Implementing the State's Electronic Data Processing Policies. (Pursuant to the provisions of Chapter 1237, Statutes of 1971.) February 4, 1972.

Above transmitted report, together with letter of transmittal from Stephen P Teale, Chairman, California Information Systems Implementation Committee, Sacramento, dated February 8, 1972, referred by the Acting Speaker to the Committee on Efficiency and Cost Control.

The following reports were presented by the Chief Clerk:

Bulletin No. 130-70. Hydrologic Data: 1970, Volume 1: North Coastal Area. December 1971.

Above transmitted report, together with letter of transmittal from Robert B. Eiland, Director, Department of Water Resources, Sacramento, dated February 10, 1972, referred by the Acting Speaker to the Committee on Water.

City of Mill Valley Report for State of California Lands Division as Required by Section 6374 of the Public Resources Code—Report Covering Historical Uses of Granted Lands.

Above transmitted report, together with letter of transmittal from Don Dimitratos, Director, Parks and Recreation Department, Mill Valley, dated February 10, 1972, referred by the Acting Speaker to the Committee on Planning and Land Use.

Annual Report of the California Highway Commission Relating to Freeway Route Adoptions. (In accordance with Senate Concurrent Resolution No. 90, Resolution Chapter 250, Statutes of 1957.) December 1971.

Above transmitted report, together with letter of transmittal from James A. Moe, Director of Public Works and Administrative Officer, California Highway Commission, Sacramento, dated January 26, 1972, referred by the Acting Speaker to the Committee on Transportation.

A Study of the Effects of Grooving on Motor Vehicle Accidents. (In accordance with House Resolution No. 126, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated January 26, 1972, referred by the Acting Speaker to the Committee on Transportation.

Feasibility Study of Rebuilding Portions of Route 15 Within San Bernardino to Freeway Standards. (In accordance with Senate Concurrent Resolution No. 82, Resolution Chapter No. 142, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated January 7, 1972, referred by the Acting Speaker to the Committee on Transportation.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Wilson Riles, Superintendent of Public Instruction, Sacramento, dated February 7, 1972, relative to the Mathematics Improvement Programs, pursuant to Education Code Section 5799.4. Referred by the Acting Speaker to the Committee on Education

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
380	Education
382	Education
383	Retirement
384	Education
385	Planning and Land Use
386	Revenue and Taxation
387	Revenue and Taxation
388	Education
389	Governmental Organization
390	Education
391	Transportation

Assembly Bill No.	*Committee*
392	Natural Resources and Conservation
393	Education
394	Revenue and Taxation
395	Transportation
396	Transportation
397	Revenue and Taxation
398	Government Administration
399	Commerce and Public Utilities
400	Health
401	Education
402	Education
403	Education

Assembly Concurrent Resolution No.	*Committee*
23	Natural Resources and Conservation
24	Rules
25	Transportation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 404: By Assemblyman Burton—An act to amend Section 8823 of the Elections Code, relating to county central committees, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 405: By Assemblyman Ralph—An act to add Sections 1358 and 6334 to, and to add Chapter 5.8 (commencing with Section 1480) to Part 1 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 406: By Assemblyman Deddeh—An act to amend Section 2804 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 407: By Assemblyman Priolo—An act to amend Sections 65302, 65553, 65800, and 65860 of, and to add Article 10.7 (commencing with Section 65580) to Chapter 3 of, and Article 4.2 (commencing with Section 65930) to Chapter 4 of, Title 7, of the Government Code, to add Chapter 8 (commencing with Section 2650) to Division 2 of the Public Resources Code, and to amend Section 3 of Chapter 1657 of the Statutes of 1967, relating to land.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 408: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act relating to the establishment of a branch office of the Department of Motor Vehicles in the area of the City of Simi Valley, and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 409: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 10601.5 of, and to add Section 10601.6 to, the Education Code, relating to pupil discipline.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 410: By Assemblymen Belotti and Porter—An act relating to the California Protected Waterways Plan, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 411: By Assemblyman Brown—An act to amend Section 663 of the Insurance Code, relating to automobile insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 412: By Assemblymen Porter and Lanterman—An act to amend Section 52 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 32: By Assemblyman Stull—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article IV thereof, relating to the Legislature.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 26: By Assemblyman Belotti—Relative to Humboldt State College

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 12: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to federal maintenance dredging of small craft harbors

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered.

By Assemblymen Stull, Burke, Arnett, Barnes, Bagley, Hayden, and Russell:

House Resolution No. 14

Relative to voting in committee

Resolved by the Assembly of the State of California, That Rule 58.5 be added to the Temporary Standing Rules of the Assembly for the 1972 Regular Session, to read

Voting in Committee

58.5. Voting on the disposition of bills by committees shall be by roll-call vote only. All roll-call votes taken in committees shall be promptly transmitted by their respective chairmen to the Chief Clerk of the Assembly who shall cause a record of such roll-call votes to be printed in the Journal

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read.

Assembly Chamber, February 14, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 404—An act to amend Section 8823 of the Elections Code, relating to county central committees, and declaring the urgency thereof, to take effect immediately.

JOHN BURTON

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:23 a m, Mr Burton was granted unanimous consent to hold a special meeting of the Committee on Rules in the rear of the Assembly Chamber, at this time.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 96

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 96 be withdrawn from the Committee on Urban Development and Housing, and re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 10, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 12

With the recommendation · Be adopted.

BURTON, Chairman

Above resolution ordered on file.

COMMUNICATIONS

Assembly Chamber, February 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 92

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

ANNOUNCEMENTS

Acting Speaker Fenton announced that the Assembly would meet at 2 p.m. on Thursday, February 17; at 9.30 a.m., on Friday, February 18; that the Assembly would recess on February 18, to reconvene at 11 a.m., on Tuesday, February 22.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 381 for hearing in the Committee on Transportation, on Thursday, February 17, 1972.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN ARNETT

Mr. Priolo announced that Saturday, February 12, was the birthday of Assemblyman Dixon Arnett, of the 26th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Arnett.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file.

Assembly Bill No. 146, ordered to third reading.

NOTE: Later this day Assembly Bill No. 146 was re-referred to the Committee on Ways and Means.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 146.

COMMUNICATIONS

Assembly Chamber, February 14, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 146

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 14, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr. Burton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 404 be granted.

BURTON, Chairman

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

By unanimous consent the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution as it relates to Assembly Bill No. 315 was continued to the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 413: By Assemblymen Sieroty and Burton—An act to amend Section 11530 of the Health and Safety Code, relating to marijuana

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 414: By Assemblymen Sieroty and Burton—An act to amend Section 11850 of the Health and Safety Code, relating to registration of narcotics offenders

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 415: By Assemblyman Ray E Johnson—An act to add Section 1267 to the Code of Civil Procedure, relating to costs in civil actions and proceedings

Held at Desk by order of the Acting Speaker

Assembly Bill No. 416: By Assemblyman Ray E. Johnson—An act to amend Section 1609 2 of the Revenue and Taxation Code, relating to local equalization proceedings.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 417: By Assemblyman Ray E Johnson—An act to amend Sections 17200 and 17202 of the Elections Code, relating to elections.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 418: By Assemblyman Meade—An act to amend Section 27257 of the Government Code, relating to recorder's indices.

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 13: By Assemblyman McCarthy—Relative to the crisis in Northern Ireland.

Held at Desk by order of the Acting Speaker

RESOLUTIONS

The following resolution was offered.

By Assemblyman Duffy

House Resolution No. 15

Relative to the 75th Anniversary of the National Congress of Parents and Teachers

WHEREAS, The National Congress of Parents and Teachers will mark its 75th year of dedicated service to children and youth on February 17, 1972, and

WHEREAS, The chief interest of the Parent-Teacher Association has been and continues to be the welfare of children and youth; and

WHEREAS, The California P T A has a continuing program of scholarships and loans with an investment of nearly five million dollars to assist students in various fields of education beyond high school; and

WHEREAS, P T A members staff health clinics, provide dental and optical care, school lunches, clothing, emergency welfare for children and youth, and sponsor youth groups; and

WHEREAS, The P T.A. has a long-time program of parent education, has had thousands of hours of study discussion groups on curriculum, school finance, protective services, child molestation, adoptions, nutrition, preschool education, and pornography, and

WHEREAS, The P T A. is working on current problems such as drug abuse, venereal disease, smoking and health, school financing, Project Rise (Reading Improvement Services Everywhere), ecology, and "Save the Redwoods"; and

WHEREAS, The California P T A, since 1913, has advocated a program of legislative action in the fields of education, health, and public welfare for children and youth, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their heartiest congratulations to the National Congress of Parents and Teachers and the California Congress of Parents and Teachers upon this occasion of 75 years of service to children and youth, and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the president of the California Congress of Parents and Teachers and to the local chapter presidents in the State of California

Request for Unanimous Consent

Mr Duffy was granted unanimous consent to take up House Resolution No 15 without reference to committee or file.

Resolution read.

Members Made Coauthors of House Resolution No. 15

Mr Duffy was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 15 as coauthors.

Resolution read, as amended, and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 419: By Assemblymen Burton and Brown—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Burton·

House Resolution No. 16

Relative to voting in committee

Resolved by the Assembly of the State of California, That Rule 58.5 be added to the Temporary Standing Rules of the Assembly for the 1972 Regular Session, to read·

Voting in Committee

58 5 Voting on the disposition of bills by committees shall be by roll-call vote upon the request of any member of such committee All roll-call votes taken in committees shall be retained by the committee as a public record until adjournment sine die of the then current session Upon such adjournment, each committee shall transmit the roll-call votes so retained to the Assembly Office of Research, which shall retain such records, as public records, for two years, at which time the records shall be destroyed Any record of a roll-call vote taken pursuant to this rule shall be printed in the Journal upon the request of any member prior to the destruction of the record

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

Assembly Committee on Efficiency and Cost Control

State Capitol, Sacramento
February 14, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Your Committee on Efficiency and Cost Control herewith transmits its report, "Medi-Cal Fiscal Intermediaries and Procedures, Part III, A Technical and Fiscal Analysis of the Medi-Cal Management System and the Fiscal Intermediaries."

As you know, at this point in time, the Assembly is faced with very complex decisions regarding the Department of Health Care Services' proposed Medi-Cal Management System In addition to the aforementioned complexities, there is an equally significant budgetary consideration.

Your committee feels this study will assist the Assembly in reaching a reasonable conclusion based upon an objective, factual presentation.

In summation, the study was intended to be, and is, an in-depth technical and fiscal analysis.

I wish also to express my appreciation for the efforts of the staff of the Planning Research Corporation and the assistance rendered by Mr Steve Thompson of the Assembly Committee on Ways and Means in fulfilling this committee's task.

Respectfully,

MIKE CULLEN, Chairman

Above report referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, February 14, 1972

Mr. Speaker. The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 83

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 83—An act to amend Section 3509 of the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3509", and insert "Sections 3509 and 3510".

Amendment No. 2

On page 1, line 4, strike out ", under a permit issued under this section,".

Amendment No. 3

On page 1, line 6, strike out "wild game birds", and insert "game birds, wild or domesticated,".

Amendment No. 4

On page 1, line 8, after "sunset", insert ", except the department may permit the use of domesticated game birds for organizational field trials between April 1st and June 30th under such regulations as the commission may prescribe".

Amendment No. 5

On page 1, strike out line 9; and on page 2, strike out lines 1 to 14, inclusive, and insert

"SEC. 2. Section 3510 of the Fish and Game Code is amended to read.

3510. Legally acquired domestically reared ~~pheasants~~ *game birds*, coturnix quail and bobwhite quail~~, and Indian chukars released pursuant to Section 3517,~~ may be used for and taken during the training of hunting dogs and field trials if the person taking the birds has a valid hunting license and a dog training or organizational field trial permit issued by the department pursuant to regulations of the commission.

Whenever such birds are used for field trials held by organizations operating under the auspices of the American Kennel Club, the American Field Dog Stud Book, or other organization which in the opinion of the commission is a bona fide hunting dog organization, the birds may be taken if the organization conducting the field trial has a permit for such taking issued by the department and if each individual that shoots the birds has a valid hunting license

The fee for dog training permits is one dollar ($1) per year for each individual permit and five dollars ($5) per year for each organizational permit. Applications for such permits shall be made to the department. The organizational permit shall allow each member of the organization, or the persons designated by the organization to do the shooting at a field trial, to take birds under the provisions of this section.

Persons conducting dog training individually at places and times other than official club functions shall have an individual permit.

The department may require that any birds so used be marked to distinguish them from other game birds and the carcass of pheasant or chukar taken shall be tagged with a seal as provided for in Sections 3206 and 3207.

The department may designate in such permit, the time, place, and dates where such training of dogs or field trials may be held.

The release and taking of exotic nonresident game birds subject to Sections 3515 and 3516 may be pursuant to this section if authorized by the commission. Dog training and organizational field trial permits shall be issued on an annual basis commencing on January 1, 1962.

Permits issued under the provisions of this section shall be restricted to dog clubs, trainers, and dog owners. The commission may revoke permits upon determination of any violation of this code."

Amendment No. 6

On page 2, line 15, strike out "SEC. 2", and insert "SEC. 3".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, February 14, 1972

Mr Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No 98

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 98—An act to amend Section 11535 of the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 7, of the printed bill, strike out "chapter", and insert "section".

Amendment No. 2

On page 3, line 29, after "ordinances", insert a comma.

Amendment No. 3

On page 3, lines 29 and 30, strike out "for which a parcel map is otherwise required", and insert "pursuant to subdivision (b)".

Amendment No. 4

On page 3, line 33, strike out the first "filing", and insert "submission".

Amendment No. 5

On page 3, line 33, strike out the second "filing", and insert "approval".

Amendment No. 6

On page 4, line 2, strike out "filing", and insert "submission".

Amendment No. 7

On page 4, strike out lines 13 to 17, inclusive, and insert

"No city or county shall issue any permit or grant any approval necessary to develop any land divided in violation of the provisions of this subdivision or of the provisions of applicable local ordinances. The prohibition against issuing such a permit or such approval shall apply whether the applicant therefor was the owner of the land at the time of such violation or whether the applicant therefor is the current owner of the land with, or without, actual or constructive knowledge of the violation at the time of the acquisition of his interest in such land.

Whenever a city or a county has knowledge that land has been divided in violation of the provisions of this subdivision or of applicable local ordinances, it shall cause to be filed for record with the recorder of the county in which the land is located, a notice of violation, describing the land in detail, naming the owners thereof, and describing the violation Such notice, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property.

If the owner of land which has been divided in violation of the provisions of this subdivision or of applicable local ordinances demonstrates that he has satisfied the provisions of this subdivision and of applicable local ordinances, the city or the county, as the case may be, shall issue a certificate of compliance identifying the land and specifying that it conforms to such provisions Whenever such a certificate of compliance has been issued, the city or the county, as the case may be, shall cause a copy of the certificate to be filed for record in the office of the recorder of the county in which the land is located."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

Rush Order Placed Upon Printing of Assembly Bill No. 98

Mr McCarthy was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 98.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, February 14, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

AB No 56

With amendments with the recommendation· Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, February 14, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

ACA No. 13

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, February 14, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 66

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, February 14, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 117
SB No. 228

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 117—An act to amend Sections 7071.6 and 7071.9 of the Business and Professions Code, and Section 3 of Chapter 669 of the Statutes of 1971, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 228—An act to add Section 3572.5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

ADJOURNMENT

At 5 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Tuesday, February 15, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-sixth Legislative Day

Forty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 15, 1972

The Assembly met at 11 a m

Hon Kenneth Cory, Member of the Assembly, 69th District, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Speaker pro Tempore Presiding

At 11 02 a m , Hon Carlos Bee, 13th District, presiding.

Quorum Call of the Assembly

Mr Warren moved a quorum call of the Assembly.

Mr. Fenton seconded the motion

Motion carried Time, 11 03 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

Quorum Call of the Assembly Dispensed With

At 11 10 a m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo,

Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—69.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

God, Our Father, You gave us our world as a gift Help us, therefore, to be aware of both the joy and the sorrow of these present times, but to be even more sensitive to the possibilities of the future that we may be effective in our leadership in bringing more peace, more harmony, more joy and happiness to this world that You have given us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Porter then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Stull, seconded by Mr. Lewis.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr MacGillivray, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Beverly, on request of Speaker pro Tempore Bee.
Mr Cullen, on request of Speaker pro Tempore Bee
Mr. Duffy, on request of Speaker pro Tempore Bee.
Mr Foran, on request of Speaker pro Tempore Bee.
Mr Hayes, on request of Speaker pro Tempore Bee
Mr. Knox, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem·

Mr. Chappie, on request of Speaker pro Tempore Bee
Mr. Moorhead, on request of Speaker pro Tempore Bee

The following Member was granted leave of absence for the day, because of illness in his family.

Mr. Quimby, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal.

February 11, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· I will be unable to attend the Session on Tuesday, February 15, 1972, because of legislative business in my district.

I will be addressing the quarterly meeting of the South Bay Industrial Council.

Cordially,

MIKE CULLEN, Assemblyman
Forty-fourth District

February 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob: I respectfully request to be excused from session February 15, 1972, on legislative business. I shall be speaking at a meeting of the Chamber of Commerce in my district.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

February 15, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr Speaker: I respectfully request that I be excused from session on Tuesday, February 15, on legislative business I shall be meeting with a group of judges concerning proposed amendments to my major reform legislation on our California trial court system.

Respectfully yours,

JAMES A HAYES, Assemblyman
Thirty-ninth District

NOTE For letters explaining the absences of Messrs Beverly, Foran, and Knox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 14, 1972, pages 383–384

COMMUNICATIONS

The following communications were presented by the Chief Clerk from.

G. L. Russell, Legislative Representative, Department of Public Works, Sacramento, dated February 1, 1972, relative to the need for the development of State Highway Route 150 as a freeway, pursuant to Senate Concurrent Resolution 109, 1971. Referred by the Speaker pro Tempore to the Committee on Transportation

G L Russell, Legislative Representative, Department of Public Works, Sacramento, dated February 4, 1972, requesting an extension of time for completion of a feasibility study as requested by Assembly

Concurrent Resolution No. 55, 1971. Referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

Mrs. Marion A. Townsend, Secretary to the Board of Trustees, Keppel Union School District, Littlerock, dated February 10, 1972, relative to unification elections. Referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
405	Finance and Insurance
406	Government Administration
407	Planning and Land Use
408	Transportation
409	Education
410	Water
411	Finance and Insurance
412	Water
413	Criminal Justice
414	Criminal Justice
415	Judiciary
416	Revenue and Taxation
417	Elections and Reapportionment
418	Local Government
419	Urban Development and Housing

Assembly Constitutional Amendment No.	*Committee*
32	Rules

Assembly Concurrent Resolution No.	*Committee*
26	Education

Assembly Joint Resolution No.	*Committee*
12	Planning and Land Use
13	Rules

Senate Bill No.	*Committee*
117	Commerce and Public Utilities
228	Rules

REQUEST FOR UNANIMOUS CONSENT

Mr. Maddy was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 420: By Assemblyman Burton—An act to amend Section 89 of the Code of Civil Procedure, as amended by Chapter 1022 of the Statutes of 1971, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 421: By Assemblyman Dent—An act to amend Section 13717 of the Education Code, relating to the merit system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 422: By Assemblyman Pierson—An act to repeal Section 27004 of, and to add Sections 27004, 27005, 27006, 27007, and 27008 to, the Elections Code, relating to recall.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 423: By Assemblyman Townsend—An act to amend Section 12500 of the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 424: By Assemblyman Thomas—An act to add Sections 18685 and 18754 to the Business and Professions Code, relating to professional boxing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 425: By Assemblyman Warren—An act to add Section 1986.7 to the Code of Civil Procedure, relating to subpoenas.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 426: By Assemblyman Seeley—An act to amend Section 5000 of, and to add Sections 5001 and 5002 to, the Fish and Game Code, relating to reptiles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 427: By Assemblyman Seeley—An act to amend Sections 1001, 1002, 1003, 1006, 2000, 2001, 2002, 2003, 2013, 2014, 2272, and 2353 of, and to amend the heading of Chapter 3 (commencing with Section 2225), Article 3 (commencing with Section 2270) of Chapter 3, Chapter 4 (commencing with Section 2345), and Article 1 (commencing with Section 2345) of Chapter 4 of Division 3 of, the Fish and Game Code, relating to reptiles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 428: By Assemblyman Wood—An act to amend Section 405 of, and to repeal Section 2420 of, the Vehicle Code, relating to motor vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 429: By Assemblyman Lewis—An act to add Section 23129 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 430: By Assemblyman Cline—An act to amend Section 1042.1 of the Military and Veterans Code, relating to the Veterans' Home of California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 431: By Assemblyman Cline—An act to amend Sections 1260 and 1261.5 of the Business and Professions Code and Sections 31206, 31240.5, 31242, and 31264 of the Education Code, relating to education institutions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 432: By Assemblyman Stull—An act to amend Section 656 of the Harbors and Navigation Code, relating to navigation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 433: By Assemblyman Stull—An act to amend Section 672 of the Harbors and Navigation Code, relating to vessels.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 434: By Assemblyman Stull—An act to repeal Section 267 of, and to add Section 655 2 to, the Harbors and Navigation Code, relating to navigation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 435: By Assemblymen Brathwaite, Arnett, Dunlap, Fong, Meade, Ralph, Sieroty, Vasconcellos, and Warren (Senators Dymally and Rodda, coauthors)—An act to amend Sections 2365 and 2366 of, and to add Section 2366.5 to, the Education Code, relating to school district reorganization.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 33: By Assemblyman Pierson—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing and adding Article XXIII thereof, relating to recall of public officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 27: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to State Highway Route 101.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 83
AB No. 98

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, February 14, 1972

Mr Speaker: Your Committee on Health reports:

AJR No. 3

With the recommendation · Be adopted, and be re-referred to the Committee on Rules w/recommendation Consent Calendar.

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, February 14, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 94

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, February 14, 1972

Mr Speaker: Your Committee on Health reports:

AB No. 314

AB No. 338

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, February 15, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 174

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, February 14, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 10

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT

Mr Porter informed the Members of the death yesterday of Hon. Frank G Bonelli, of Huntington Park, Member of the Los Angeles

County Board of Supervisors, and former Member of the Assembly from Los Angeles County, and was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Hon. Frank G. Bonelli.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 56—An act to amend Section 11203 of the Revenue and Taxation Code, relating to the Private Car Tax Law, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "91–158", and insert "91–518".

Bill ordered reprinted, and returned to the second reading file.

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Honorable William A. Munnell, Judge of the Superior Court, Los Angeles County, and former Member of the Assembly, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber.

REMARKS ON CONDITION OF THE FILE

Mr. Ryan arose to speak on the condition of the file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 436: By Assemblymen Bill Greene and Miller—An act to add Article 3.2 (commencing with Section 987.50) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans' benefits, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 437: By Assemblyman Dunlap—An act to amend Section 6902.085 of the Education Code, relating to the education of mentally retarded minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 438: By Assemblyman Gonsalves—An act to add Section 995 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 439: By Assemblyman LaCoste (Senator Teale, coauthor)—An act relating to the establishment of a Regional Criminal Justice Center by the Yosemite Junior College District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 34: By Assemblyman Gonsalves—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing Article XIII and, by adding Article XIII thereto, relating to partial revision of the Constitution of the State of California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 35: By Assemblymen Karabian and Sieroty (Senator Dymally, coauthor)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to equality of rights.

Held at Desk by order of the Speaker pro Tempore.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr Hayden was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No 315 be continued to the next legislative day.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

ADJOURNMENT

At 12 01 p m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a m., Wednesday, February 16, 1972, out of respect to the memory of the late Hon. Frank G. Bonelli, Member of Los Angeles County Board of Supervisors, and former Member of the Assembly from Los Angeles.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-seventh Legislative Day

Forty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 16, 1972

The Assembly met at 11 a.m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. MacDonald moved a quorum call of the Assembly.

Mr. Karabian seconded the motion.

Motion carried. Time, 11:03 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:13 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names.

Arnett, Badham, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Z'berg, and Mr. Speaker—63,

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Save Us, Lord, From seeing You as the "Supreme Outsider" completely separated from us and our world We do not have to turn away from our world in order to talk to You You are in everything we see and have. You are the great "Insider" We do not have to speak to You in sonorous tones, nor in archaic language This just makes You more distant and rather unappealing.

Do not let us treat You as the "House God", someone we drag in each day at the beginning of the session, for the sake of appearances, and then forget because the affairs of state are not in Your realm.

Help us to realize that all of our cares and concerns are also Yours. No detail of human life or its condition is outside the scope of Your interest and love,—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Crown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Z'berg, seconded by Mr. Mobley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mr. Beverly, on request of Speaker pro Tempore Bee.
Mr. Brown, on request of Speaker pro Tempore Bee.
Mr. Collier, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Deddeh, on request of Speaker pro Tempore Bee.
Mr. Foran, on request of Speaker pro Tempore Bee.
Mr. Leroy F. Greene, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. McCarthy, on request of Speaker pro Tempore Bee.
Mr. Townsend, on request of Speaker pro Tempore Bee.
Mr. Wood, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Quimby, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 15, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, February 16, 1972 on Legislative Business. I will be at the Western White House attending a conference with Lt. Gov. Ed Reinecke and federal officials discussing revenue sharing.

Thank you for your consideration.

Sincerely yours,

WILLIAM T. BAGLEY, Assemblyman
Seventh District

February 15, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to be excused from the session on Wednesday, February 16, on legislative business.

I have been invited by The Citizens Conference on State Legislatures to participate in the initial meeting of the Advisory Council for their Model Committee Staff Project in Washington, D. C.

Sincerely,

WILLIE L BROWN, JR., Assemblyman
Eighteenth District

February 16, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on February 16 on legislative business. I will be attending a meeting in Bakersfield, California, relating to farm labor problems.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

February 15, 1972

Hon. Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse the following members Wednesday, February 16, 1972 on legislative business relative to the operation of the Bay Area Rapid Transit:

John Collier
Leo McCarthy
Bob Wood
Wadie Deddeh

Thank you,

WADIE P. DEDDEH, Assemblyman
Seventy-seventh District

February 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
Office of the Speaker
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse me from session today as I am on legislative business in my district. I am addressing The League of Women Voters.

Very truly yours,

LEROY F. GREENE, Assemblyman
Third District

February 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob: I respectfully request that I be excused from session on Legislative business on February 16, 1972. I will be in my district speaking to a group of Senior Citizens. Later, on that same day, I will also be meeting with students from Dominguez Hills college.

Thank you.

Sincerely yours,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

NOTE: For letters explaining the absences of Messrs. Beverly, Foran, and Knox, on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 14, 1972, pages 383–384.

REPORTS

The following report was presented by the Speaker:

Report to the Assembly on House Resolution No. 90 of 1971—One-Variety Cotton Districts Law. February 7, 1972.

Above transmitted report, together with letter of transmittal from William F. Cowan, Director, California Department of Agriculture, Sacramento, dated February 8, 1972, referred by the Speaker pro Tempore to the Committee on Agriculture.

The following reports were presented by the Chief Clerk:

Commercial Vehicle Population Study Report, 1970–1971. (In compliance with Senate Concurrent Resolution No. 86, 1969, and Senate Concurrent Resolution No. 87, 1970.)

Above transmitted report, together with letter of transmittal from Robert C. Cozens, Director, Department of Motor Vehicles, Sacramento, dated February 2, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Interim Report, Access Routes Between Route 11 (Harbor Freeway-Gaffey Street) and Route 213 (Western Avenue) in San Pedro. (In compliance with Assembly Bill No. 204, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from James A Moe, Director, Department of Public Works, Sacramento, dated February 4, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of and Appointment of Members to Subcommittee on Revenue Sources for Public School Support

February 15, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I have authorized creation of the Subcommittee on Revenue Sources for Public School Support of the Assembly Revenue and Taxation Committee with the following membership: Assemblymen William Bagley (Chairman), Joe Gonsalves, Kenneth Cory, Ken Meade, and Frank Murphy.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
420	Judiciary
421	Education
422	Elections and Reapportionment
423	Government Administration
424	Commerce and Public Utilities
425	Judiciary
426	Natural Resources and Conservation
427	Natural Resources and Conservation
428	Transportation
429	Transportation
430	Government Administration
431	Health
432	Judiciary
433	Judiciary
434	Commerce and Public Utilities
435	Education
436	Government Administration
437	Education
438	Revenue and Taxation
439	Criminal Justice

Assembly Constitutional Amendment No.	*Committee*
33	Elections and Reapportionment
34	Revenue and Taxation
35	Judiciary

Assembly Concurrent Resolution No.	*Committee*
27	Transportation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 440: By Assemblyman Dent—An act to amend Section 11104 of the Vehicle Code, relating to driving instructors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 441: By Assemblyman Conrad—An act to amend Section 11710.1 of the Vehicle Code, relating to vehicle dealers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 442: By Assemblyman Biddle—An act to amend Section 1197 of the Military and Veterans Code, relating to memorial districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 443: By Assemblyman Duffy—An act to amend Section 2873.5 of the Business and Professions Code, relating to licensed vocational nurses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 444: By Assemblyman McAlister—An act to add Section 13981.1 to the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 28: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to the utilization of former state hospital employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 14: By Assemblymen Conrad, Collier, Barnes, Belotti, Briggs, Burke, Campbell, Cline, Hayden, Seeley, Stull, and Wakefield—Relative to memorializing Congress to propose an amendment to the United States Constitution prohibiting busing as a means of achieving racial balance in the public schools.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 56

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 15, 1972

Mr Speaker: Your Committee on Rules reports:

AJR No. 10

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered to second reading.

Committee on Ways and Means

Assembly Chamber, February 16, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 293

With the recommendation: Do pass.

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Assembly Chamber, February 16, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 44

AB No. 91

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

LANTERMAN, Vice Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, February 16, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 47

AB No. 92

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 47—An act to amend Section 10652 of the Education Code, relating to tuition.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 10652 of the Education", and insert "add Article 1 (commencing with Section 870) to Chapter 4 of Division 4 of the Military and Veterans".

Amendment No. 2

In line 2 of the title, after "tuition", insert "scholarships".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Article 1 (commencing with Section 870) is added to Chapter 4 of Division 4 of the Military and Veterans Code, to read:

Article 1. Scholarships

870. Definitions As used in this article, "qualified recipient" means a California resident falling within any of the following categories:".

Amendment No. 4

On page 1, strike out lines 2 to 9, inclusive; and on page 2, strike out lines 1 to 5, inclusive; and in line 6, strike out "(c)", and insert "(a)".

Amendment No. 5

On page 2, line 10, strike out "(d)", and insert "(b)".

Amendment No. 6

On page 2, line 11, strike out "such", and insert "a".

Amendment No. 7

On page 2, strike out line 18, and insert

" "College, university or school" means any one of the institutions of collegiate grade located in California if such institution offers a two-year junior college or four-year college course and is accredited by the Western Association of Schools and Colleges.

871 Notwithstanding any other provision of law to the contrary, each qualified recipient shall be entitled to a scholarship in an amount sufficient to cover the full cost of tuition and incidental fees at a college, school or university to which he has been admitted.

872. The scholarships provided by this article shall be paid out of funds appropriated to the State Scholarship and Loan Commission established by Chapter 3 (commencing with Section 31201) of Division 22 of the Education Code and the commission shall adopt the necessary regulations therefor.

873. Nothing in this article shall be interpreted to allow the admittance of a qualified recipient into a college or university or school unless such person is otherwise qualified to gain admittance to such college or university or school."

Amendment No. 8

On page 2, strike out lines 19 to 27, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 92—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 16645 2, and 25502 5 of, and to add Sections 6931 5, 17255, and 25514 7 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly February 10, 1972, after "17255," insert "23061, 23763,".

Amendment No. 2

In line 4 of the title, strike out "schools", and insert "educational system".

Amendment No. 3

On page 7, between lines 5 and 6, insert

"SEC 13. Section 23061 is added to the Education Code, to read:

23061 For the purposes of this article, "minor" means a person less than 21 years of age, notwithstanding Chapter 1748 of the Statutes of 1971, Section 25 of the Civil Code, or any other provision of law. Further, for the purposes of this article, references to "minors" in Section 244 of the Government Code shall be deemed to include persons between the ages of 18 and 21 years of age

This section shall be applicable to the University of California only if the Regents of the University of California adopt a resolution making it so applicable

SEC 14 Section 23763 is added to the Education Code, to read·

23763. For the purposes of this article, "minor" means a person less than 21 years of age, notwithstanding Chapter 1748 of the Statutes of 1971, Section 25 of the Civil Code, or any other provision of law Further, for the purposes of this article, references to "minors" in Section 244 of the Government Code shall be deemed to include persons between the ages of 18 and 21 years of age "

Amendment No. 4

On page 7, line 6, strike out "SEC 13", and insert SEC. 15".

Amendment No. 5

On page 7, line 29, strike out "SEC 14", and insert SEC 16".

Amendment No. 6

On page 7, line 39, strike out "SEC. 15", and insert "SEC. 17".

Amendment No. 7

On page 8, line 5, strike out "SEC. 16", and insert "SEC. 18".

Amendment No. 8

On page 8, line 13, after "allowances", insert "and the determination of residency".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 56, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 94—An act making an appropriation to be used for venereal disease education, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to add Sections 8506.1 and 8507 to the Education Code, relating to venereal disease education,".

Amendment No. 2

In lines 1 and 2 of the title, strike out "to be used for venereal disease education," and insert "therefor,".

Amendment No. 3

On page 1, line 1, after the period, insert "The Legislature finds and declares that the incidence of venereal disease in the State of California has reached epidemic proportions The Legislature further finds and declares that there is a pressing need for effective programs of venereal disease education in the public schools of California to combat this serious public health problem

SEC. 2. Section 8506.1 is added to the Education Code, to read:

8506.1. The provisions of Section 8506 shall not apply to any venereal disease education classes conducted pursuant to Section 8507.

SEC. 3 Section 8507 is added to the Education Code, to read.

8507. The governing board of any district maintaining elementary or secondary schools may offer units of instruction in venereal disease education in such schools with the assistance and guidance of the State Department of Education

Nothing in this code shall be construed to require the approval or consent of the parent or guardian before a child can attend any classes in venereal disease education.

If venereal disease education classes are offered, the parent or guardian of each pupil enrolled or to be enrolled therein shall be notified in writing of the instructional program Such notice shall be given at least 15 days prior to the commencement of the instructional program. The notice shall also advise the parent or guardian of his right to inspect the instructional materials to be used in such class and of his right to request the school authorities that his child not attend any such class.

Sending the required notice through the regular United States mail or any other method of delivery which the school district commonly uses to communicate individually in writing to all parents, meets the notification requirements of this section.

The parent or guardian may request that his child not participate in a venereal disease instruction program Such request shall be in writing, but may be withdrawn by the parent or guardian at any time No pupil may attend any class in venereal disease education, if a request that he not attend the class has been received by the school in the manner provided in this section.

The parent or guardian of any pupil enrolled or to be enrolled in any venereal disease education class shall be provided the opportunity to inspect the textbooks, audiovisual aids, and any other instructional materials to be used in such classes.

SEC. 4 ''

Amendment No. 4

On page 1, between lines 6 and 7, insert

''From the amount hereby appropriated, necessary funds shall be made available to the State Department of Education to conduct workshops and in-service training clinics for teachers and administrators in the methods and materials for venereal disease education, and the development and distribution of teaching material for use by teachers and students in such courses Such funds shall be allocated in a manner mutually agreed upon by the Director of the State Department of Public Health and the Superintendent of Public Instruction.''

Amendment No. 5

On page 1, line 7, strike out ''SEC. 2'', and insert SEC. 5''

Amendment No. 6

On page 1, line 12, after the first ''that'', insert ''venereal disease education courses be instituted in the public schools at the earliest possible date and''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 314—An act to add Section 38109 to the Health and Safety Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 338—An act to add Section 3058 to the Business and Professions Code, relating to optometry, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 174—An act relating to field trips to Japan, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Lewis", and insert "Assemblymen Lewis and Arnett".

Amendment No. 2

In line 1 of the title, strike out "relating to field trips to Japan", and insert "to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081.5 to, and to repeal Sections 1081 and 1081.5 of, the Education Code, relating to school field trips and excursions".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. The heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of the Education Code is amended to read:

Article 9. ~~Excursion~~ *Excursions* and Field Trips ~~to a Foreign Country~~

SEC. 2 Section 1081 of the Education Code is repealed.

~~1081. As used in this article "foreign country" means "Mexico" or "Canada," and does not include any other foreign country.~~

SEC. 3. Section 1081.5 of the Education Code, as added by Chapter 1808 of the Statutes of 1971, is repealed.

~~1081.5. The governing board of any school district or the county superintendent of schools of any county may: (a) Conduct field trips or excursions in connection with courses of instruction or school-related social, educational, cultural, or athletic activities to and from places in the state, any other state, or a foreign country adjoining the United States for pupils enrolled in elementary or secondary schools. A field trip or excursion to and from a foreign country adjoining the United States may be permitted to familiarize students with the language, history, geography, natural sciences, and other studies, relative to the district's course of study for such pupils.~~

~~(b) Engage such instructors, supervisors, and other personnel as desire to contribute their services over and above the normal period for which they are employed by the district, if necessary, and provide equipment and supplies for such field trip or excursion.~~

~~(c) Transport by use of district equipment, contract to provide transportation, or arrange transportation by the use of other equipment, of pupils, instructors, supervisors or other personnel to and from~~

~~places in the state, any other state, or a foreign country where such excursions and field trips are being conducted; provided that, when district equipment is used, the governing board shall secure liability insurance, and if travel is to and from a foreign country, such liability insurance shall be secured from a carrier licensed to transact insurance business in such foreign country.~~

~~(d) Provide supervision of pupils involved in field trips or excursions by certificated employees of the district.~~

~~No pupil shall be prevented from making the field trip because of lack of sufficient funds. To this end, the governing board shall coordinate efforts of community service groups to supply funds for pupils in need of them.~~

~~The attendance or participation of a pupil in a field trip or excursion authorized by this section shall be considered attendance for the purpose of crediting attendance for apportionments from the State School Fund in the fiscal year. Credited attendance resulting from such field trip shall be limited to the amount of attendance which would have accrued had the students not been engaged in the field trip, but shall not exceed 10 school days. The Superintendent of Public Instruction shall advise the Legislature of the total amount of attendance credits which resulted from all field trips or excursions during the 1972–1973 fiscal year and the 1973–1974 fiscal year.~~

~~All persons making the field trip shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip. All adults taking out-of-state field trips and all parents or guardians of pupils taking out-of-state field trips shall sign a statement waiving such claims.~~

~~No transportation allowances shall be made by the Superintendent of Public Instruction for expenses incurred with respect to field trips which have an out-of-state destination. Any school district which transports pupils, teachers or other employees of the district in schoolbuses within the state and to destinations within the state, pursuant to the provisions of this section, shall report to the Superintendent of Public Instruction on forms prescribed by him the total mileage of schoolbuses used in connection with such educational excursions. In computing the allowance to such school district for regular transportation there shall be deducted therefrom an amount equal to the depreciation of schoolbuses used for such transportation in accordance with rules and regulations adopted by the Superintendent of Public Instruction.~~

SEC. 4. Section 1081.5 is added to the Education Code, to read:

1081.5 The governing board of any school district or the county superintendent of schools of any county may:

(a) Conduct field trips or excursions in connection with courses of instruction or school-related social, educational, cultural, or athletic activities to and from places in the state, any other state, or a foreign country for pupils enrolled in elementary or secondary schools. A field trip or excursion to and from a foreign country may be permitted to familiarize students with the language, history, geography, natural sciences, and other studies relative to the district's course of study for such pupils.

(b) Engage such instructors, supervisors, and other personnel as desire to contribute their services over and above the normal period for which they are employed by the district, if necessary, and provide equipment and supplies for such field trip or excursion

(c) Transport by use of district equipment, contract to provide transportation, or arrange transportation by the use of other equipment, of pupils, instructors, supervisors or other personnel to and from places in the state, any other state, or a foreign country where such excursions and field trips are being conducted; provided that, when district equipment is used, the governing board shall secure liability insurance, and if travel is to and from a foreign country, such liability insurance shall be secured from a carrier licensed to transact insurance business in such foreign country.

(d) Provide supervision of pupils involved in field trips or excursions by certificated employees of the district

No pupil shall be prevented from making the field trip or excursion because of lack of sufficient funds To this end, the governing board shall coordinate efforts of community service groups to supply funds for pupils in need of them.

The attendance or participation of a pupil in a field trip or excursion authorized by this section shall be considered attendance for the purpose of crediting attendance for apportionments from the State School Fund in the fiscal year. Credited attendance resulting from such field trip or excursion shall be limited to the amount of attendance which would have accrued had the students not been engaged in the field trip or excursion, but shall not exceed 10 schooldays The Superintendent of Public Instruction shall advise the Legislature of the total amount of attendance credits which resulted from all field trips or excursions during the 1972–1973 fiscal year and the 1973–1974 fiscal year.

All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents or guardians of pupils taking out-of-state field trips or excursions shall sign a statement waiving such claims.

No transportation allowances shall be made by the Superintendent of Public Instruction for expenses incurred with respect to field trips or excursions which have an out-of-state destination Any school district which transports pupils, teachers or other employees of the district in schoolbuses within the state and to destinations within the state, pursuant to the provisions of this section, shall report to the Superintendent of Public Instruction on forms prescribed by him the total mileage of schoolbuses used in connection with such educational excursions. In computing the allowance to such school district for regular transportation there shall be deducted therefrom an amount equal to the depreciation of schoolbuses used for such transportation in accordance with rules and regulations adopted by the Superintendent of Public Instruction."

Amendment No. 4

On page 2, strike out lines 2 to 29, inclusive; and on page 3, strike out lines 1 to 26, inclusive.

Amendment No. 5

On page 3, line 27, strike out "SEC. 8", and insert "SEC. 5".

Amendment No. 6

On page 3, line 33, strike out "Japan," and insert "foreign countries"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, February 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 314
AB No 338

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

By unanimous consent, the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No 315 was continued to the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

House Resolution No. 12—Relative to vision and eye care.

NOTE: The full text of House Resolution No. 12 appears at pages 340–341 of the Assembly Daily Journal for February 12, 1972

Resolution read, presented by Mr. Duffy, and adopted.

ANNOUNCEMENTS

Speaker pro Tempore Bee announced that the following Members had been appointed to represent the Assembly at the funeral of the late Hon Frank G Bonelli, former Member of the Assembly from Los Angeles, on Friday, February 18, 1972· Messrs. Porter (Chairman), Campbell, Cullen, Gonsalves, and Harvey Johnson, and Mrs. Brathwaite

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burton:

Resolution to Invoke Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 404 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

CALL OF THE ASSEMBLY

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. Russell seconded the motion.

Motion carried. Time, 11.31 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 10—Relative to the anniversary of the Cinco de Mayo as Mexican-American Week.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 10?

Amendment No. 1

In the heading of the printed measure, as amended in Assembly February 3, 1972, strike out lines 13 to 16, and insert

"(Coauthors. Senators Alquist, Behr, Beilenson, Bradley, Burgener, Carpenter, Carrell, Collier, Cologne, Coombs, Cusanovich, Deukmejian, Dills, Dymally, Gregorio, Grunsky, Harmer, Holmdahl, Kennick, Lagomarsino, Marks, Marler, Mills, Moscone, Nejedly, Petris, Richardson, Roberti, Rodda, Schrade, Short, Song, Stevens, Stiern, Teale, Walsh, Way, Wedworth, Whetmore, and Zenovich)".

The Assembly concurred in the above Senate amendment.

Above resolution ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 314

Mr Lanterman was granted unanimous consent to take up Assembly Bill No 314, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Lanterman

Resolved, That Assembly Bill No 314 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Z'berg, and Mr Speaker—55.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 314

Assembly Bill No. 314—An act to add Section 38109 to the Health and Safety Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Z'berg, and Mr Speaker—57.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Z'berg, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 404

At 11:40 a.m., on motion of Mr. Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Section 8(a), of the Constitution, as it relates to Assembly Bill No 404, adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 404

Mr. Burton was granted unanimous consent to take up Assembly Bill No. 404, without reference to committee or file, for purpose of consideration at this time.

Second Reading of Assembly Bill No. 404

Assembly Bill No. 404—An act to amend Section 8823 of the Elections Code, relating to county central committees, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered.

By Assemblyman Burton.

Resolved, That Assembly Bill No 404 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cullen, Davis, Dent, Dunlap, Fenton, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell,

Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Z'berg, and Mr. Speaker—56.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 404

Assembly Bill No. 404—An act to amend Section 8823 of the Elections Code, relating to county central committees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Z'berg, and Mr Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time.

Assembly Bill No. 445: By Assemblyman Sieroty—An act to add Section 17234 5 to the Revenue and Taxation Code, relating to income tax deductions, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 446: By Assemblyman Arnett—An act to amend Section 22601 of, and to add Section 22601 1 to, the Education Code, relating to the California State Colleges

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 447: By Assemblyman Arnett—An act to amend Section 1030 5 of, and to add Section 1030 2 to, the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 448: By Assemblymen Stacey and Ketchum—An act to add Sections 19262 and 19263 to the Government Code, relating to uniforms of state employees.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 449: By Assemblymen Stacey and Ketchum—An act to appropriate funds for increases in compensation for correctional officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 450: By Assemblymen Fong, Wood, and Hayden—An act to add Division 22 5 (commencing with Section 30000) to the Health and Safety Code, relating to food

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 451: By Assemblyman Lewis—An act to amend Section 10291.6 of the Insurance Code, relating to disability insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 452: By Assemblymen Z'berg, Moretti, Cory, Ralph, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brophy, Brown, Burton, Chacon, Chappie, Cline, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Stacey, Thomas, Townsend, Warren, Waxman, and Wood (Senators Alquist, Behr, Dills, Dymally, Marks, Mills, Moscone, Petris, Roberti, Short, Wedworth, and Zenovich, coauthors)—An act to amend Sections 20603 01, 20980, and 21252 01 of, to add Section 21252 02 to, and to repeal Section 21252 03 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 453: By Assemblymen Russell and Cline—An act to add Sections 17152 and 24303 to the Revenue and Taxation Code, relating to exclusions from gross income, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 36: By Assemblyman Arnett—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 23 of Article XX thereof, relating to higher education

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 37: By Assemblyman Arnett—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 9 of Article IX thereof, relating to the Regents of the University of California.

Held at Desk by order of the Speaker pro Tempore

Assembly Concurrent Resolution No. 29: By Assemblyman Dunlap—Relative to admission practices of California Community Colleges.

Held at Desk by order of the Speaker pro Tempore

Assembly Concurrent Resolution No. 30: By Assemblyman MacGillivray—Relative to savings and loan association offices.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Fong and Meade:

House Resolution No. 17

Relative to underground oil and fuel lines

WHEREAS, There are an undetermined number of oil and fuel lines installed underground in California, and

WHEREAS, These lines transfer fuel and oil to and from refineries, storage tanks, shipping areas, and, in some cases, to the ultimate consumer; and

WHEREAS, Many of these lines traverse residential areas, freeways, and other areas of concentrated population and public use; and

WHEREAS, The hazards presented by such lines in the event of damage or rupture by earthquake, landslide, or other calamity have never been determined; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the present status of regulatory authority over underground oil and fuel lines; the potential environmental impact of damage to or rupture of such lines, the feasibility of alternatives to the location of such lines in residential areas, under freeways and highways, and in other densely populated areas, the feasibility of prohibiting such lines over earthquake faults and in landslide areas; the potential hazards presented by such lines when located in areas of dense population, over earthquake faults, and in landslide areas; and the potential liability of owners of such lines for damages resulting from breakage or rupture of the lines in densely populated areas, and be it further

Resolved, That such committee report its findings and recommendations for further regulation of underground oil and fuel lines to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 404

Mr. Burton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 404.

ADJOURNMENT

At 11:48 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Thursday, February 17, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-eighth Legislative Day

Forty-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 17, 1972

The Assembly met at 2.11 p.m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—64.

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Rev Dr Wilbur C Christians, Chaplain of the California State Senate, from the First Baptist Church of Sacramento.

Lord God Almighty, During this week when we celebrate the birthdays of two of our great presidents, we pause to express our gratitude for all our blessings as a nation In humility, we hear the words of George Washington, spoken at his first inaugural "No people is more bound to acknowledge the invisible that shapes the affairs of men than the people of the United States. . Every step by which we have advanced to our present independence has been distinguished by some token of Providential agency These reflections have forced themselves upon my mind too strongly to be suppressed"—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Monagan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Russell, seconded by Mr. Bagley.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere·

Mr. Beverly, on request of Speaker pro Tempore Bee
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Foran, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr Townsend, on request of Speaker pro Tempore Bee
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Quimby, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 15, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, February 17, 1972, on legislative business

I will be in Los Angeles giving an address on Criminal Justice at the University of California at Los Angeles.

Thank you very much for your consideration in this matter.

Sincerely,

YVONNE W. BRATHWAITE, Assemblyman
Sixty-third District

February 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Thursday, February 17, 1972, on legislative business.

I am speaking before a luncheon meeting of the Order of the Blue Goose, a group of insurance executives in my district.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

February 15, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request to be excused on legislative business the following days: Thursday and Friday, February 17 and 18 when I will be attending a meeting of the Executive Committee of the Council of State Governments in Palm Beach Shores, Florida; February 22, 23, and 24 when I will be attending a meeting of the American Revolution Bicentennial Commission in Washington, D.C.

Cordially,

CHARLES J. CONRAD, Assemblyman
Fifty-seventh District

February 16, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on February 17 and 18 on legislative business. I will be in Needles, California, with the consultant for the Joint Committee on Public Domain to investigate encroachment on State lands by the Colorado River.

Thank you for your consideration.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

February 17, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, February 17, on legislative business I shall be conferring with civic leaders and with citizen groups in Long Beach concerning my legislation (AB 58) to delete the crosstown freeway as it is proposed to pass through Long Beach.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

February 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from session Thursday, February 17, 1972 and Friday February 18, 1972, on legislative business.

On Thursday I will be meeting with Lional Cade, City Councilman for the City of Compton regarding district problems. On Friday, I have a meeting with various city officials and firemen regarding the Paramedic program.

Thank you.

Sincerely,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

February 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Thursday, February 17, 1972, on legislative business I will be speaking at the American Academy of Arts and Sciences in Stanford.

Sincerely,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

NOTE: For letters explaining the absences of Messrs Beverly, Foran, and Knox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 14, 1972, pages 383–384.

REQUEST FOR UNANIMOUS CONSENT

Messrs. Campbell and Chacon were granted unanimous consent that photographers be permitted on the floor of the Assembly.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointment of Vice Chairman of Joint Committee on Seismic Safety

February 16, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This is to advise you that pursuant to Res Chapter 378 (SCR 128), 1969, I have appointed Assemblyman James Keysor as Vice Chairman of the Joint Committee on Seismic Safety.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 17, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 389—An act to amend Section 24016 of the Business and Professions Code, relating to alcoholic beverages.

LEON D. RALPH

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
440	Transportation
441	Transportation
442	Government Administration
443	Health
444	Retirement
445	Revenue and Taxation
446	Education
447	Finance and Insurance
448	Employment and Public Employees
449	Ways and Means
450	Government Administration
451	Government Administration
452	Retirement
453	Revenue and Taxation

Assembly Constitutional Amendment No.	*Committee*
36	Education
37	Education

Assembly Concurrent Resolution No.	*Committee*
28	Employment and Public Employees
29	Education
30	Finance and Insurance

Assembly Joint Resolution No.	*Committee*
14	Education

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 454: By Assemblyman Ralph—An act to amend Sections 3351 and 4458 of, and to add Section 4458.1 to the Labor Code, and to amend Section 2766 of the Penal Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 455: By Assemblyman Biddle—An act to add Section 11428 to the Government Code, relating to administrative regulations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 456: By Assemblyman Ketchum—An act to add Section 25208.1 to the Government Code, relating to boards of supervisors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 457: By Assemblyman Bill Greene—An act to add Section 5009 to the Penal Code, relating to correctional institution personnel.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 458: By Assemblyman Garcia—An act to amend Sections 25658, 25659, 25662, 25663, 25663 5, and 25665 of the Business and Professions Code, and Sections 23102 and 23123.5 of the Vehicle Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 92

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, February 17, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 6

ACR No. 8

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with a recommendation: To Consent Calendar.

DEDDEH, Chairman

Above resolutions re-referred to the Committee on Ways and Means

Assembly Chamber, February 17, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No 87

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, February 17, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 381

With the recommendation: Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, February 16, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 1

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered enrolled.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 10—Relative to the improvement of safety standards for toys

Resolution read second time, and ordered to the Consent Calendar.

Assembly Bill No. 293—An act to amend Sections 64007, 64252, 64273, and 64274 of, and to repeal Section 64274 5 of, the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 44—An act to amend Section 17262 of the Revenue and Taxation Code, relating to personal income tax deductions, to take effect immediately, tax levy

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In the heading of the printed bill, strike out "and Warren", and insert "Warren, and Cline".

Amendment No. 2

On page 2, line 17, after the period, insert "No deduction shall be allowed for employment related expenses in excess of four hundred dollars ($400) in any month."

Amendment No. 3

On page 4, line 25, after "person", insert "who is under 15 years of age who has a gross income less than six hundred dollars ($600) in the calendar year, a son or daughter of the taxpayer, and living in the taxpayer's domicile or a person".

Amendment No. 4

On page 5, strike out lines 25 to 29, inclusive, and insert

"(B) Expenses for household services. The Franchise Tax Board shall adopt rules and regulations as to what household service expenses are allowable as a deduction. Such rules and regulations shall be identical to the rules and regulations adopted by the United States Treasury Department as to what household service expenses are allowable as a deduction under Section 214 of the Internal Revenue Code."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 91—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly February 7, 1972, strike out the hyphen, and insert "inch".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 197 be withdrawn from the Committee on Urban Development and Housing, and re-referred to the Committee on Transportation; and that Assembly Bill No 380 be withdrawn from the Committee on Education, and re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, February 17, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No 10

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, February 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 293

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

By unanimous consent, the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution as it relates to Assembly Bill No. 315 was continued to the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 56—An act to amend Section 11203 of the Revenue and Taxation Code, relating to the Private Car Tax Law, to take effect immediately, tax levy

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Seeley, Sieroty, Stacey, Stull, Wakefield, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 338—An act to add Section 3058 to the Business and Professions Code, relating to optometry, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 459: By Assemblymen Pierson, Chacon, Keysor, MacDonald, Deddeh, Fenton, McAlister, and McCarthy—An act to amend Section 704 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 460: By Assemblyman Fong—An act to amend Sections 14283 and 14284 of, and to repeal Section 14281 of, the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 461: By Assemblyman Sieroty—An act to amend Section 2104 of the Streets and Highways Code, relating to highway funds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 462: By Assemblyman Keysor—An act to add Section 27152.5 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 463: By Assemblyman Dunlap—An act to add Section 7208 to the Welfare and Institutions Code, relating to state lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 464: By Assemblymen Barnes, Belotti, Brophy, and Dent—An act to amend Section 21300 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 465: By Assemblyman Moorhead—An act to amend Section 13103 of the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 466: By Assemblyman Moorhead—An act to amend Section 11509 of the Vehicle Code, relating to automobile dismantlers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 467: By Assemblymen Ryan and Chacon—An act to add Section 811 1 to the Education Code, relating to county superintendents of schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 468: By Assemblyman Meade—An act to amend Sections 3601 and 6304 of the Labor Code, as amended by Chapter 1751 of the Statutes of 1971, and to repeal Section 6304.5 of the Labor Code, as added by, and to repeal Section 4 of, Chapter 1751 of the Statutes of 1971, relating to workmen, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, February 17, 1972

Mr Speaker· The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 96

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 96—An act to amend Sections 7045 and 7046 of the Business and Professions Code, relating to contracting.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7045", and insert "7026, 7045,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 7026 of the Business and Professions Code is amended to read.

7026. The term contractor for the purposes of this chapter is synonymous with the term "builder" and, within the meaning of this chapter, a contractor is any person, who undertakes to or offers to undertake to or purports to have the capacity to undertake to or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, parking facility, railroad, excavation, *mobilehome* or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith or the installation of a mobilehome upon a site for the purpose of human habitation or human occupancy. The term contractor includes subcontractor and specialty contractor.

SEC. 2. Section 7045 of the Business and".

Amendment No. 3

On page 2, lines 2 and 3, strike out "preparation for moving, repair, installation and erection", and insert "construction, installation, erection and repair".

Amendment No. 4

On page 2, line 12, after "or", strike out "human".

Amendment No. 5

On page 2, strike out lines 13 to 15, inclusive; and in line 16, strike out "(4) The installation and erection", and insert

"(2) The construction, installation, erection or repair".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that there would be a Republican Caucus immediately upon adjournment tomorrow.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 293

Mr. Porter was granted unanimous consent to take up Assembly Bill No. 293, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Porter:

Resolved, That Assembly Bill No. 293 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gon-

salves, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ryan, Seeley, Stacey, Stull, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Assembly Bill No. 293

Assembly Bill No. 293—An act to amend Sections 64007, 64252, 64273, and 64274 of, and to repeal Section 64274.5 of, the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governer presented the following communication recommending the consideration of Assembly Bill No 293:

Governor's Office, Sacramento
February 16, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 293 "An act to amend Sections 64007, 64252, 64273, and 64274 of, and to repeal Section 64274 5 of, the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 293 as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No 293.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ryan, Schabarum,

Seeley, Stacey, Stull, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ryan, Schabarum, Seeley, Stacey, Stull, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 469: By Assemblymen Z'berg, Barnes, Davis, Mobley, Belotti, and Wood (Senators Collier, Lagomarsino, Marler, Nejedly, and Teale, coauthors)—An act to add Article 2.5 (commencing with Section 650) to Chapter 2 of Division 1 of the Public Resources Code, relating to foresters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 470: By Assemblymen Brown and Burton—An act to amend Section 12912 of the Education Code, to amend Sections 972 and 985 of the Evidence Code, and to amend Sections 220, 286, 287, 288a and 290 of, to add Section 286.5 to, and to repeal Sections 269a, 269b, 286.1 and 288b of, the Penal Code, relating to sexual offenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 471: By Assemblymen Maddy, Ketchum, Duffy, Mobley, and Stacey—An act to add Section 1718 to the Civil Code, relating to repair of farm equipment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 472: By Assemblyman Powers—An act to amend Sections 985 and 2655 of the Unemployment Insurance Code, as amended by Chapter 1747 of the Statutes of 1971, relating to unemployment disability compensation.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 2:36 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Friday, February 18, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Twenty-ninth Legislative Day

Forty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, February 18, 1972

The Assembly met at 9:54 a.m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Cline, Collier, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, LaCoste, Lanterman, MacGillivray, McAlister, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Sieroty, Stull, Wakefield, Warren, Waxman, and Wood—44.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, Unwilling to be limited or confined by definitions or descriptions, You claimed no titles for Yourself. To Your chosen people You were the God without as much as a name.

While titles are part and parcel of our heritage, let not our authority lie solely in our titles nor the position we hold be the sole source of our impact on others. Rather let it be in our dedication to duty and to the cause of justice within a family of brothers.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Lanterman then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr. Chacon.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Beverly, on request of Speaker pro Tempore Bee.
Mr. Biddle, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Cullen, on request of Speaker pro Tempore Bee.
Mr. Deddeh, on request of Speaker pro Tempore Bee,
Mrs. Fong, on request of Speaker pro Tempore Bee,
Mr. Foran, on request of Speaker pro Tempore Bee.
Mr Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Harvey Johnson, on request of Speaker pro Tempore Bee.
Mr. Keysor, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. Lewis, on request of Speaker pro Tempore Bee.
Mr. MacDonald, on request of Speaker pro Tempore Bee.
Mr. Maddy, on request of Speaker pro Tempore Bee.
Mr. McCarthy, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Moretti, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Ralph, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.
Mr. Schabarum, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.
Mr. Townsend, on request of Speaker pro Tempore Bee.
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and their per diem was waived:

Mr. Chappie, on request of Speaker pro Tempore Bee
Mr. Z'berg, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 17, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from session on February 18, 1972, on legislative business.

I will be speaking to the Corona Rotary Club and meeting with constituents in my district office.

Very truly yours,

W. CRAIG BIDDLE, Assemblyman
Seventy-fourth District

February 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Friday, February 18, on legislative business.

I will be meeting with six community Chicano groups regarding AB 315.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

February 17, 1972

The Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Friday, February 18.

I will be in my district discussing school problems with the Superintendent of the San Ysidro School District.

Sincerely,

WADIE P. DEDDEH, Assemblyman
Seventy-seventh District

February 18, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Friday, February 18, as I am scheduled to speak before a National AAUW Conference in San Francisco.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

February 18, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Friday, February 18, on legislative business. I shall be conferring with business and community leaders in my district on proposed coastline protection legislation.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

February 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I will be unable to attend the Session on Friday, February 18th, because of legislative business in my district.

I will be meeting with constituents and leaders of industry in San Fernando relative to legislation which I plan to carry this session.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

February 17, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol Building, Sacramento, California

Dear Mr. Speaker: I would respectfully request to be excused from the daily Session on Friday, February 18, 1972.

I will be in my district attending meetings with the Inland Action, the Highway Support Group, and the Riverside Monday Morning group to discuss highway construction problems in the San Bernardino area.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

February 15, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from Session on Friday, February 18.

I will be attending a joint meeting of the County Board of Education and the County Board of Supervisors and will inspect the Regional Occupational Program at the Oxnard Air Base.

Sincerely,

J. K. MacDONALD, Assemblyman
Thirty-seventh District

February 17, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker I respectfully request to be excused from session Friday, February 18, 1972, on legislative business I will be meeting with educators from the Fresno County Department of Education

Very truly yours,

KEN MADDY, Assemblyman
Thirty-second District

February 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti On Friday, February 18, 1972, the Joint Committee on Aging will hold its first hearing in Long Beach

As chairman of the committee, I request that I be excused from session on that day.

Cordially,

LEO T McCARTHY, Assemblyman
Nineteenth District

February 16, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker I respectfully request to be excused from session on Friday, February 18, on legislative business

I regret missing the session, however, since we haven't been having regular Friday meetings, some time ago I scheduled a morning speaking date and a meeting with the administrative cabinet and district superintendents of the Fresno County school department.

I ask your approval.

Sincerely,

ERNEST N MOBLEY, Assemblyman
Thirty-third District

February 17, 1972

Honorable Carlos Bee
Speaker pro Tempore of the Assembly
Room 3152, State Capitol, Sacramento, California

Dear Mr. Bee. This letter is to respectfully request that I be excused from Session Friday, February 18, 1972, on legislative business

I will be speaking in San Mateo to the State Council of Carpenters

Sincerely,

BOB MORETTI
Speaker of the Assembly

February 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Friday, February 18, 1972, on legislative business.

I have a long-standing commitment to speak at Canada College and Contra Costa College for Black History Week to discuss the role of Black legislators.

Sincerely,

LEON D. RALPH, Assemblyman
Fifty-fifth District

February 16, 1972

Hon. Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob: Please excuse me from my legislative duties on the floor of the Assembly on Friday, February 18th.

I will be on legislative business in my district I will be meeting with labor groups regarding legislation this session which affects them.

Sincerely yours,

LEO J. RYAN, Assemblyman
Twenty-seventh District

February 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: Directly after the session today I must fly to my District to arrive in time to make a special commemorative presentation at the Banning High School Mexican-American Scholarship Award Dinner.

Tomorrow morning, February 18, 1972, I have been asked to make the official opening remarks for the Riverside County National Date Festival.

Saturday, February 19, 1972, I will be meeting jointly with Senator Mills and the Imperial County Board of Supervisors to discuss legislative problems that they are having.

Monday, February 21, 1972 I will be riding in the Indio Date Festival Parade.

Due to these commitments I request that I be excused from the Legislative Session on Friday, February 18, 1972, on official legislative business in my District.

Thank you.

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

February 16, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker This is to request that I be excused from session Friday, February 18, on legislative business. I will be the keynote speaker for the final session of the National Security Seminar being held at the Civic Auditorium in Bakersfield

Sincerely,

KENT H STACEY, Assemblyman
Twenty-eighth District

February 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker I request to be excused from session on Friday, February 18th, on legislative business I will be meeting with several members of the San Pedro Chamber of Commerce and concerned property owners regarding the proposed connection between the Harbor Freeway and Western Avenue in San Pedro.

Sincerely,

VINCENT THOMAS, Assemblyman
Sixty-eighth District

February 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker. I respectfully request to be excused from Session on Friday, February 18, 1972, on legislative business I will be participating in a symposium on higher education and California's Master Plan, sponsored by the American Academy of Arts and Sciences at Stanford University

Sincerely,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

February 18, 1972

Mr James D Driscoll
Chief Clerk of the Assembly

Dear Jim. I have appointed the following members to represent the Assembly at the funeral of former Assemblyman Frank G Bonelli in Huntington Park on February 18, 1972 Assemblymen Porter (Chairman), Brathwaite, Campbell, Cullen, Gonsalves, Harvey Johnson and Schabarum

Please excuse them today on legislative business

Sincerely,

BOB MORETTI
Speaker of the Assembly

NOTE: For letters explaining the absences of Messrs Beverly, Foran, and Knox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 14, 1972, pages 383–384.

NOTE: For letters explaining the absences of Messrs Conrad, Cory, and Townsend on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 17, 1972, pages 433–434.

REPORTS

The following reports were presented by the Chief Clerk:

U.S. Army Corps of Engineers' Draft Survey Report on San Francisquito Creek, San Mateo and Santa Clara Counties, California—For Flood Control and Allied Purposes. February 1972.

Above transmitted report, together with letter of transmittal from Paul L. Clifton, Projects Coordinator, The Resources Agency of California, Sacramento, dated February 15, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Report on Use and Control of Motorized Recreational Vehicles on State Forested Lands. (Pursuant to Assembly Concurrent Resolution No. 25, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from Houston I Flournoy, Chairman, State Lands Commission, Sacramento, and James G. Stearns, Director, Department of Conservation, Sacramento, dated February 11, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

California Commission on Uniform State Laws

February 14, 1972

Mr. James D. Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr Driscoll: Enclosed herewith is the Report of the California Commission on Uniform State Laws for the years 1969–71.

Very truly yours,

GEORGE R RICHTER, JR., Chairman

Above report ordered filed with the Secretary of State.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 18, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Senate Bill No. 117—An act to amend Sections 7071 6 and 7071.9 of the Business and Professions Code, and Section 3 of Chapter 669 of the Statutes of 1971, relating to contractors, and declaring the urgency thereof, to take effect immediately.

WALTER W. POWERS

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
454	Finance and Insurance
455	Government Administration
456	Criminal Justice
457	Criminal Justice
458	Judiciary
459	Finance and Insurance
460	Retirement
461	Transportation
462	Transportation
463	Natural Resources and Conservation
464	Retirement
465	Criminal Justice
466	Criminal Justice
467	Education
469	Natural Resources and Conservation
470	Criminal Justice
471	Agriculture
472	Finance and Insurance

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time.

Assembly Bill No. 473: By Assemblyman Cline—An act to add Sections 22506 and 22507 to the Education Code, relating to state universities and colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 474: By Assemblyman Stull—An act to add Sections 10760, 10761, 10762, and 10763 to the Education Code, relating to pupil records.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 475: By Assemblyman Barnes—An act to amend Sections 20603 01, 20980 and 21252 01 of the Government Code, relating to local safety members of the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 476: By Assemblyman Leroy F. Greene—An act to add Article 5 (commencing with Section 11900) to Chapter 2 of Division 8 of the Elections Code, relating to campaign expenditures.

Held at Desk by order of the Speaker pro Tempore

MESSAGES FROM THE SENATE

Senate Chamber, February 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 17

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Concurrent Resolution No. 17—Relative to memorializing Los Angeles County Supervisor Frank G Bonelli.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 87—An act to amend Sections 21457, 21706, and 21959 of the Vehicle Code, relating to vehicles

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 381—An act relating to age of majority, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, February 18, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No. 87

And reports the same correctly eng ossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, February 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 381

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, February 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 94

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 91

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Monagan was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that there would be a Republican Caucus immediately upon adjournment today, in the Assembly Lounge.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 477: By Assemblyman Murphy—An act to add Article 6 5 (commencing with Section 1304) to Chapter 1 of Title 10 of Part 2 of the Penal Code, relating to release of persons in custody.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 478: By Assemblyman Murphy—An act to amend Sections 1319 4 and 1319.6 of the Penal Code, relating to release on recognizance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 479: By Assemblyman Monagan—An act to add Section 19262 to the Government Code, relating to uniforms of the California Highway Patrol, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 480: By Assemblyman Powers—An act to amend Section 26205 5 of, and to add Section 26205.7 to, the Government Code, relating to records

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 481: By Assemblyman MacGillivray—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 482: By Assemblyman Crown—An act to amend Section 4227 of the Business and Professions Code, relating to dangerous drugs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 483: By Assemblyman Brown—An act to amend Sections 12822, 12823, 12826, and 12848 of, and to add Section 12821.5 to, the Education Code, relating to school testing

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 484: By Assemblyman Bee—An act to amend Section 128 of, and to add Section 8030 5 to, the Business and Professions Code, relating to shorthand reporters, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Wakefield:

House Resolution No. 18

Relative to memorializing Frank G Bonelli

WHEREAS, The Members of the Assembly were deeply saddened by the untimely death of one of California's true public servants, Los Angeles County Supervisor Frank G Bonelli; and

WHEREAS, His death at the age of 65 marked the end of a long and distinguished career of 29 years of public service, during which time he served as an elective official at the city, county, and state levels of government; and

WHEREAS, Born in Grand Junction, Colorado, on October 15, 1906, he was one year old when the family moved to Southern California where he had resided ever since; and

WHEREAS, Following the completion of his formal education, Mr. Bonelli was employed by the Firestone Tire and Rubber Company, and later owned and managed his own tire store in Huntington Park; and

WHEREAS, He entered public service in 1943, as a member of the Huntington Park City Council and served in that capacity for 10 years during which time he served twice as Mayor; and

WHEREAS, Thereafter, in a special election in 1953 to fill a vacancy in the California State Legislature, Mr. Bonelli was elected to serve as State Assemblyman representing the 52nd Assembly District; and

WHEREAS, He served in Sacramento for five years until he was elected to the Board of Supervisors on June 3, 1958, and

WHEREAS, Soon after he became supervisor, he led a statewide drive for reapportionment of the Senate in an effort to bring more equitable representation in the Legislature to urban areas of the state

and the reapportionment plan, which increased Los Angeles County's representation from one Senator to fourteen, became a reality in 1964; and

WHEREAS, As a result, Mr. Bonelli is recognized as the "Father of State Senate Reapportionment"; and

WHEREAS, In 1962 and 1966, Mr Bonelli was reelected supervisor without opposition in the primary and was also reelected in the primary in 1970 for the current term of office; and

WHEREAS, Supervisor Bonelli served four terms as Chairman of the Board of Supervisors and also served as Chairman, for three terms, of the State Regional Water Quality Control Board for Los Angeles and Ventura Counties and he represented the Board of Supervisors on the Local Agency Formation Commission and was an ex officio member of the Los Angeles County Fair Association; and

WHEREAS, He is survived by his wife, Muriel; two daughters, Mrs Beverly Cusolito and Mrs Barbara Macke; two brothers, Ray Bonelli and Joe Bonelli; and nine grandchildren; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members pay homage to the memory of a truly great Californian, Frank G. Bonelli, and convey their deepest condolences to his widow and family; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Mrs Frank G. Bonelli, Mrs. Beverly Cusolito, Mrs Barbara Macke, Ray Bonelli, and Joe Bonelli.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, February 18, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports

AB No. 98

With author's amendments with the recommendation. Amend, and refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 98—An act to amend Section 11535 of the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly February 14, 1972 strike out "Section 11535 of", and insert "Sections 11535, 11540, and 11540.1 of, and to add Sections 11538.1, 11538.2, and 11538.3 to,".

Amendment No. 2

On page 3, line 4, strike out "subdivision (c)", and insert "subdivisions (c)(1), (c)(2), and (c)(3)".

Amendment No. 3

On page 3, line 5, after "(b)", insert "or subdivision (c)(4)".

Amendment No. 4

On page 3, line 18, after "(b)", insert "or subdivision (c)(4)".

Amendment No. 5

On page 3, line 30, after "(b)", insert "or subdivision (c)(4)".

Amendment No. 6

On page 4, strike out lines 18 to 40, inclusive; and on page 5, strike out lines 1 to 9, inclusive.

Amendment No. 7

On page 5, line 16, after "2.", insert "Section 11538.1 is added to the Business and Professions Code, to read:

11538.1 No city or county shall issue any permit or grant any approval necessary to develop any real property divided in violation of the provisions of this chapter or of the provisions of local ordinances enacted pursuant to this chapter if it finds that development of such real property is contrary to the public health, safety or welfare. The authority to deny such a permit or such approval shall apply whether the applicant therefor was the owner of the land at the time of such violation or whether the applicant therefor is the current owner of the land with, or without, actual or constructive knowledge of the violation at the time of the acquisition of his interest in such land.

If a city or a county issues a permit or grants approval for the development of any such real property, it may impose such conditions as it determines are reasonably necessary to carry out the purposes of this chapter or of local ordinances enacted pursuant to this chapter.

SEC. 3. Section 11538.2 is added to the Business and Professions Code, to read:

11538.2. Whenever a city or a county has knowledge that land has been divided in violation of the provisions of this chapter or of local ordinances enacted pursuant to this chapter it shall cause to be filed for record with the recorder of the county in which the land is located, a notice of violation, describing the land in detail, naming the owners thereof, and describing the violation. Such notice, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property

If a city or a county approves, pursuant to Section 11538.1, the development of real property identified in a notice of violation filed for record pursuant to this section, it shall immediately cause to be filed for record a notice of removal of violation, identifying the real property and indicating that it has been approved for development pursuant to the provisions of Section 11538.1.

SEC. 4. Section 11538.3 is added to the Business and Professions Code, to read:

11538.3. Whenever a city or a county has approved a division of real property pursuant to the provisions of this chapter and the provisions of local ordinances enacted pursuant to this chapter, it shall immediately cause a certificate of compliance to be filed for record with the recorder of the county in which the real property is located. The certificate of compliance shall identify the real property that has been divided and shall state that the division thereof complies with applicable provisions of this chapter and of local ordinances enacted pursuant to this chapter.

SEC. 5. Section 11540 of the Business and Professions Code is amended to read:

11540. Any deed of conveyance, sale or contract to sell made ~~contrary to~~ *in violation of* the provisions of this chapter*, or of the provisions of local ordinances enacted pursuant to this chapter,* is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative, or trustee in insolvency or bankruptcy within one year after the date of ~~execution of the deed of conveyance, sale or contract to sell~~ *discovery of the violation of this chapter or of local ordinances enacted pursuant to the provisions of this chapter*, but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or his assignee, heir or devisee

The provisions of this section shall not apply to any deed of conveyance, sale or contract to sell made with respect to real property identified in a certificate of compliance which has been filed for record pursuant to Section 11538 3.

SEC. 6. Section 11540 1 of the Business and Professions Code is amended to read:

11540.1. Nothing in this chapter prevents the governing body of any municipality or county from regulating the division of land which is not a subdivision, provided that such regulations are not more restrictive than the requirements for a subdivision. Whenever a local ordinance requires improvements for a division of land which is not a subdivision of five or more lots, such regulations shall be limited to the dedication of right-of-way, easements, and the construction of reasonable offsite and onsite improvements for the parcels being created. The validity of any conveyance, as defined in Section 1215 of the Civil Code, made *with respect to such land and made in violation of* ~~contrary to~~ the provisions *of this chapter or* of any *local* ordinance ~~prescribing the area or dimensions of lots or parcels, or prohibiting the reduction in area or the separation in ownership of land, or requiring the filing of a map of any land to be divided, shall not be affected, except that any such ordinance may provide that any deed of conveyance, sale or contract to sell made contrary to the provisions of such ordinance is voidable to the extent and in the same manner provided in Section 11540~~ *enacted pursuant to the provisions of this chapter, shall not be affected except that any deed of conveyance, sale or contract to sell,*

made with respect to such land, which is in violation of the provisions of this chapter or of any local ordinance enacted pursuant to the provisions of this chapter is voidable to the extent and in the same manner provided in Section 11540.

SEC. 7."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

COMMUNICATIONS

Assembly Chamber, February 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 10—Relative to the anniversary of the Cinco de Mayo as Mexican-American Week;

And reports the same correctly enrolled, and presented to the Secretary of State on the 18th day of February, 1972, at 10.30 a.m.

JAMES D. DRISCOLL, Chief Clerk

ADJOURNMENT

At 10:31 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Tuesday, February 22, 1972.

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirtieth Legislative Day

Fifty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 22, 1972

The Assembly met at 11 12 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—68

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister·

O God, Our Father, Help us to be sanctified daily more and more in and by all the situations, duties, and circumstances of our lives. Help us to accept everything from Your hands with faith and to cooperate with Your divine will, manifesting to all men in the very service of our lives the charity with which You loved the world —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Hayden then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Stacey.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.
Mr Monagan, on request of Speaker pro Tempore Bee.
Mr. Waxman, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Conrad, on request of Speaker pro Tempore Bee
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr Meade, on request of Speaker pro Tempore Bee.

NOTE: Mr. Meade's excuse on this day should have been on personal business, and his per diem waived See explanation of absence, Assembly Journal for March 1, 1972, page 568.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr Schabarum, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Tuesday, February 22 as I am going to be meeting with Senator Roeing, Chairman of the Hawaiian Environmental Quality Committee, in his office

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

February 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on February 22, 1972, on legislative business.

I will be speaking to the Brookings Institution in Berkeley on regional cooperation and governmental needs in the bay area.

Very truly yours,

JOHN T. KNOX, Assemblyman
Eleventh District

February 18, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I want to request that I be excused from session on legislative business on February 22. I will be attending a meeting in my district regarding a proposed park in the Dimond District, which has become a matter of controversy between the Dimond Merchants Association and the Manzanita School Community Council.

Respectfully,

KEN MEADE, Assemblyman
Sixteenth District

NOTE: For letter explaining the absence of Mr. Conrad on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 17, 1972, page 433.

COMMUNICATIONS

Assembly Chamber, February 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 1—Relative to adoption of the Joint Rules of the Senate and Assembly;

And reports the same correctly enrolled, and presented to the Secretary of State on the 18th day of February, 1972, at 4 p m

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, February 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 44	AB No. 96
AB No. 47	AB No. 174

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Change of Membership—Assembly Committee on Governmental Organization

February 17, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir. Pursuant to discussions with Assemblyman James Hayes, I am removing him from the Assembly Governmental Organization Committee. I am appointing Assemblyman Ray E. Johnson to fill the vacancy.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following report was presented by the Speaker:

A Report Submitted by the University of California in Response to Assembly Concurrent Resolution 82 of the 1971 Legislative Session Relative to the Educational Opportunity Program.

Above transmitted report, together with letter of transmittal from Charles J Hitch, President of the University of California, Berkeley, dated January 18, 1972, referred by the Speaker pro Tempore to the Committee on Education.

The following reports were presented by the Chief Clerk:

Report on Parental Fee Schedule for Use by Regional Centers in Situations Involving 24-Hour Out-of-Home Residential Placement. (In compliance with House Resolution No. 91, 1971.) January 1972.

Above transmitted report, together with letter of transmittal from James M. Hall, Secretary, Human Relations Agency, Sacramento, dated February 15, 1972, referred by the Speaker pro Tempore to the Committee on Health.

Report of the California State Colleges. (In response to Assembly Concurrent Resolution No. 62, 1971.)

Above transmitted report, together with letter of transmittal from Glenn S Dumke, Chancellor, the California State Colleges, Los Angeles, dated February 16, 1972, referred by the Speaker pro Tempore to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT

Mr Miller was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 485: By Assemblyman Deddeh—An act to amend Section 2809 of the Vehicle Code, relating to vehicle weight limitations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 486: By Assemblyman Gonsalves—An act to amend Sections 62707, 62707.5, 62712, and 62714 of the Agricultural Code, relating to milk.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 487: By Assemblyman LaCoste—An act to amend Sections 73823 and 73824 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 488: By Assemblyman Dunlap—An act to add Article 2.3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 489: By Assemblyman Bill Greene—An act to add Section 53.5 to the Civil Code, relating to designation of marital status.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 490: By Assemblyman Stacey—An act to amend Section 44750 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 491: By Assemblyman Foran—An act to amend Section 210 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 492: By Assemblyman Ralph—An act to amend Section 52 of the Civil Code, relating to discrimination.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 31: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to State Highway Route 101 in Camarillo.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 15: By Assemblyman Gonsalves—Relative to immigrant children.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 16: By Assemblyman Stacey—Relative to furtherance of family planning research and services.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, February 22, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 108

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 108—An act to amend Section 1243 of the Water Code, relating to water.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, lines 5 and 6, of the printed bill, strike out ", after a public hearing,".

Amendment No. 2

On page 2, lines 8 and 9, strike out "notify the board of such determination", and insert "report its findings to the board".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy was granted unanimous consent that Assembly Bill No. 98 be considered engrossed.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN PORTER

Mr. Thomas announced that February 19th was the birthday of Assemblyman Carley V. Porter, of the 38th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Porter.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Stull was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 22, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 206—An act to amend Section 3501 of, and to add Chapter 10.1 (commencing with Section 3515) to Division 4 of Title 1 of, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employees.

JOHN L. BURTON

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 22, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Powers for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 117 be granted.

BURTON, Chairman

Assembly Chamber, February 22, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Ralph for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 389 be granted.

BURTON, Chairman

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 381—An act relating to age of majority, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Hayden.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Burke, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph,

Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, and Mr. Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Burke, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Joint Resolution No. 10—Relative to the improvement of safety standards for toys.

Resolution read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Burke, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Powers:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 117 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. MacDonald moved a call of the Assembly.

Mr. Belotti seconded the motion.

Motion carried. Time, 11:30 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 493: By Assemblyman Foran—An act to amend Section 21202 of the Vehicle Code, relating to bicycles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 494: By Assemblyman Foran—An act to amend Section 21201 of the Vehicle Code, relating to bicycles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 495: By Assemblyman Foran—An act to amend Section 21712 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 496: By Assemblyman Moorhead—An act to amend Sections 11107 and 11110 of the Vehicle Code, relating to driving schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 497: By Assemblyman Ralph—An act to amend Section 19512 of the Business and Professions Code, relating to horseracing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 498: By Assemblymen Burton and Brown—An act to amend Section 12101 of, and to repeal Sections 12101.1 and 12107 of, the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
468	Finance and Insurance
473	Education
474	Education
475	Retirement
476	Elections and Reapportionment
477	Criminal Justice
478	Criminal Justice
479	Employment and Public Employees

Assembly Bill No.	*Committee*
480	Local Government
481	Health
482	Health
483	Education
484	Commerce and Public Utilities

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO SENATE BILL NO. 117

At 11:33 a.m., on motion of Mr. Powers, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution, as it relates to Senate Bill No 117, adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:35 a.m., Mr. Powers was granted unanimous consent to hold a special meeting of the Committee on Commerce and Public Utilities in the rear of the Assembly Chamber, at this time, to consider Senate Bill No. 117, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 117 for hearing in the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, February 22, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

ACA No. 14

With author's amendments with the recommendation: Amend, and refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 19 of Article IV thereof, relating to the conduct of a lottery by the state.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, after "education", insert "and state institutions".

Resolution ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 499: By Assemblyman Hayes—An act to add Section 123.6 to the Streets and Highways Code, relating to state highway signs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 500: By Assemblyman Hayes—An act to amend Section 1744.2 of the Code of Civil Procedure, relating to conciliation proceedings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 501: By Assemblyman Hayes—An act to amend Section 4701 of the Civil Code, relating to child support.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, February 22, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No. 117

With amendments with the recommendation: Amend, and do pass, as amended.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 117

Mr. Powers was granted unanimous consent to take up Senate Bill No 117, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file for the next legislative day.

Second Reading of Senate Bill No. 117 by Unanimous Consent

Senate Bill No. 117—An act to amend Sections 7071 6 and 7071.9 of the Business and Professions Code, and Section 3 of Chapter 669 of the Statutes of 1971, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and", and insert a comma.

Amendment No. 2

In line 1 of the title, after "7071.9", insert ", and 7071.11".

Amendment No. 3

On page 3, line 3, after "SEC. 3.", insert "Section 7071.11 of the Business and Professions Code is amended to read:

7071.11. Any person claiming against any bond or cash deposit required by this article may maintain an action at law against the licensee and the surety or the cash depository A copy of the complaint shall be served by registered or certified mail upon the registrar by the clerk of the court at the time the action is commenced and the registrar shall maintain a record, available for public inspection, of all actions so commenced. The claim of any employee of the contractor for wages and fringe benefits shall be a preferred claim against any bond or cash deposit. If any bond or cash deposit which may be required is insufficient to pay all claims in full, the sum of the bond or cash deposit shall be distributed to all claimants in proportion to the amount of their respective claims with priority to claims for wages and fringe benefits Any such action *against a bond or cash deposit filed by an active licensee* shall be brought within two years after the expiration of the license period or periods for which a bond or cash deposit has been provided, *or within two years of the date the license of such active licensee was inactivated by the board, whichever first occurs*.

If the surety desires to make payment without awaiting court action, the amount of any bond filed in compliance with this chapter shall be reduced to the extent of any payment or payments made by the surety in good faith thereafter. The partial payment of any claims shall not be considered satisfaction of such claims and the claimants may institute appropriate legal action for payment of any unpaid balance in any other manner provided by law, and the registrar may continue suspension or revocation of any license involved until such time as said claims and any other claims arising out of an action against such bond or cash deposit are satisfied in full

The aggregate liability of the surety for all claims of said persons shall, in no event, exceed the penal sum of said bond.

Upon failure of a licensee to maintain in full force and effect any bond or cash deposit required by this article the registrar shall issue an order suspending or revoking such license, which shall not be reinstated until a new bond or cash deposit has been filed.

Any judgment or admitted claim against any bond or cash deposit required by this article shall constitute grounds for disciplinary action against such licensee Such license may not be reissued or reinstated while any judgment or admitted claim in excess of the amount of the bond or cash deposit remains unsatisfied. The board shall require the licensee to file a new bond in an amount as required pursuant to Section 7071 8 or to increase his cash deposit to such an amount.

Legal fees may not be charged against the bond or cash deposit by the board.

SEC. 4."

Amendment No. 4

On page 3, line 17, strike out "SEC. 4. Sections 1, 2 and 3", and insert

"SEC. 5. Sections 1, 2, 3, and 4".

Amendment No. 5

On page 3, line 19, strike out "SEC. 5.", and insert "SEC. 6."

Bill ordered reprinted, and to be returned to the third reading file.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ralph:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 389 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent. Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Ralph was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 389 for hearing in the Committee on Governmental Organization.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 502: By Assemblyman Vasconcellos—An act to add Article 8.5 (commencing with Section 1037) to Chapter 4 of Division 8 of the Evidence Code, relating to privileges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 503: By Assemblyman Vasconcellos—An act to repeal Section 1016 of the Evidence Code, relating to privileges.

Held at Desk by order of the Speaker pro Tempore.

VOTE CHANGES

Messrs. Lewis and Pierson and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on the Consent Calendar.

Mr. Pierson and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 381, and on the passage of the bill.

ADJOURNMENT

At 11:48 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, February 23, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-first Legislative Day

Fifty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 23, 1972

The Assembly met at 11 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Knox moved a quorum call of the Assembly.

Mr. Porter seconded the motion.

Motion carried. Time, 11:04 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Hon. Kenneth Cory Presiding

At 11:07 a.m., Hon. Kenneth Cory, 69th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11:12 a.m., Acting Speaker Cory declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burton, Chacon, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson,

Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—66.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, It is often easy for us to ask for things and thereby extricate ourselves from the present condition and its solution.

Impress upon us that You have given us this world to have dominion over it, to fashion it and preserve it.

Our work is not done while there are still people who are not free because of political repression, racial discrimination, economic exploitation or war.

Help us, Lord, to replace our apathy with action and concern.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Cory, Mr. Brown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Miller.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Burke, on request of Speaker pro Tempore Bee.
Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr. Townsend, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Collier, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 22, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, February 23, 1972, on legislative business in my district. I will be meeting with students, parents, and administrators of the Ocean View School District.

Thank you for your consideration.

Sincerely,

ROBERT H. BURKE, Assemblyman
Seventieth District

February 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I request to be excused from Session on Wednesday, February 23, 1972 to appear before the Kiwanis Club of Alameda, and on Thursday, February 24, 1972 to address the Assembly of Chabot College.

Sincerely,

ROBERT W. CROWN, Assemblyman
Fourteenth District

February 23, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, February 23, on legislative business. I shall be speaking to the State and Local Government Committee of the Los Angeles Area Chamber of Commerce in Los Angeles, on my court reform legislation.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

February 23, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: Please excuse me from session on Wednesday, February 23, on legislative business I will be in my district meeting with members of the California Ammonia Dealers Association.

Sincerely,

BOB MONAGAN, Assemblyman
Twelfth District

February 22, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please have me excused from attending Assembly sessions on Wednesday, February 23, and Thursday, February 24, 1972, on legislative business. I will be participating in the 20th Annual Meeting of the Engineering and Grading Contractors Association in San Diego.

Sincerely,

KEN H. STACEY, Assemblyman
Twenty-eighth District

February 22, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol Building

Dear Bob: I respectfully request that I be excused from session on February 23, 24 & 25, 1972 on legislative business.

I will be attending and participating in the Engineering and Grading Contractors Association Annual Convention in Coronado, Calif.

Thank you.

Sincerely,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

NOTE: For letter explaining the absence of Mr. Conrad on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 17, 1972, page 433.

Speaker pro Tempore Presiding

At 11:14 a.m., Hon. Carlos Bee, 13th District, presiding.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:14 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

REPORTS

The following reports were presented by the Speaker:

Annual Report to the State Legislature on Surplus Proprietary Lands (Pursuant to Sec. 11011, Govt. Code).

Above transmitted report, together with letter of transmittal from Lawrence R. Robinson, Jr., Director of General Services, Sacramento, dated February 5, 1972, referred by the Speaker pro Tempore to the Committee on Planning and Land Use.

Report on Parental Fee Schedule for Use by Regional Centers in Situations Involving 24-Hour Out-of-Home Residential Placement. January 1972. (In accordance with Sec. 38258, Health and Safety Code.)

Above transmitted report, together with letter of transmittal from James M. Hall, Secretary, Human Relations Agency, Sacramento, dated February 18, 1972, referred by the Speaker pro Tempore to the Committee on Health.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 23, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 3 calendar days have elapsed:

Assembly Bill No. 259—An act to amend Sections 13247 and 13247.9 of, and to add Sections 13246.7 and 13246.9 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

LEO J. RYAN

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
485	Transportation
486	Agriculture
487	Local Government
488	Education
489	Judiciary
490	Water
491	Transportation
492	Judiciary
493	Transportation
494	Transportation
495	Transportation
496	Judiciary
497	Governmental Organization
498	Welfare
499	Transportation
500	Judiciary
501	Judiciary
502	Judiciary
503	Judiciary

Assembly Concurrent Resolution No.	*Committee*
31	Transportation

Assembly Joint Resolution No.	*Committee*
15	Education
16	Health

REQUEST FOR UNANIMOUS CONSENT

Mr. Pierson was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 504: By Assemblyman Monagan—An act to add Section 8538 to the Business and Professions Code, relating to structural pest control.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 505: By Assemblyman Deddeh—An act to amend Sections 12709, 12714, 12718, 12728, 12747, 12751, 12756, 12762, 12779, 12784, and 12788 of, and to add Section 12799.25 to, the Business and Professions Code, relating to weighmasters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 506: By Assemblyman Pierson—An act to add Chapter 7.9 (commencing with Section 25885) to Division 20 of the Health and Safety Code, relating to pottery.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 507: By Assemblyman Quimby—An act to add Section 19262 to the Government Code, relating to uniforms of the California State Police.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 508: By Assemblyman Quimby—An act to add Section 3212.3, 4815.1, 4815.2, 4815.3, 4815.4, and 4815.5 to the Labor Code, relating to the California State Police.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 509: By Assemblyman Quimby—An act to amend Sections 20017 and 20017.75 of the Government Code, relating to public employees retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 510: By Assemblyman Foran—An act relating to the California Highway Patrol.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 511: By Assemblyman Foran—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 512: By Assemblyman Wood—An act to add Section 6404 to the Agricultural Code, relating to plants.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 513: By Assemblyman MacGillivray—An act to add Article 4 (commencing with Section 6750) to Chapter 6 of Part 1 of Division 6 of the Fish and Game Code, relating to aquatic plants.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 514: By Assemblyman Warren—An act to add Section 25536 2 to the Government Code, relating to county property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 515: By Assemblyman Warren—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 516: By Assemblyman Ketchum—An act to amend Section 36005 of the Vehicle Code, relating to registration of implements of husbandry.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 517: By Assemblyman Ketchum—An act to add Section 23356 1 to the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 518: By Assemblyman Burton—An act to add Article 19 (commencing with Section 18481) to Chapter 3 of Division 14 of the Education Code, relating to public school athletics, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 519: By Assemblyman Hayden—An act to amend Section 200 of the Code of Civil Procedure, relating to jurors

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 520: By Assemblyman Hayden—An act to add Section 21306 to the Education Code, relating to public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 521: By Assemblyman Garcia—An act to add Section 1953 to the Civil Code, relating to landlord and tenant

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 522: By Assemblyman Arnett—An act to add Section 23753 4 to the Education Code, relating to state colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 32: By Assemblyman Biddle—Relative to motor vehicle registration.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 14

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 22, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 18

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 5

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, February 23, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No. 109

With the recommendation: Do pass.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 176

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 114

AB No. 120

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Committee on Ways and Means

Assembly Chamber, February 23, 1972

Mr Speaker: Your Committee on Ways and Means reports·

ACR No. 8

With the recommendation: Be adopted.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No 6

With the recommendation · Be adopted

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 91

With the recommendation: Do pass

BROWN, Chairman

Above bill ordered to second reading

Committee on Environmental Quality

Assembly Chamber, February 22, 1972

Mr Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No 149

With author's amendments with the recommendation Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 149—An act to add Section 39297.6 to the Health and Safety Code, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Chappie", and insert "Assemblymen Chappie and Ray E Johnson".

Amendment No. 2

In line 1 of the title, after the second "to", insert ", and to repeal Section 39077.3 of,".

Amendment No. 3

In line 2 of the title, after "pollution", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, line 1, after "SECTION 1 ", insert "Section 39077.3 of the Health and Safety Code is repealed

~~39077.3 Notwithstanding the provisions of Article 5 (commencing with Section 24201) of Chapter 2 of Division 20, Article 12 (commencing with Section 24365) of Chapter 2.5 of Division 20, or Article 3 (commencing with Section 39470) of Chapter 3 of Part 2 of this division, no person shall set, grant permission to set, or cause to be set, fires which would be in violation of any applicable order, rule, or regulation adopted pursuant to Sections 21262, 24362.3, or 39463.~~

SEC. 2."

Amendment No. 5

On page 2, strike out lines 3 to 11, inclusive, and insert

"39297.6. (a) With respect to wood waste from trees, vines, or bushes on property being developed for commercial or residential purposes, an air pollution control district may, upon the request of any person, authorize the disposal, by open outdoor fires, of such wood waste, on the property where it was grown, under the following conditions:

(1) That there has been a finding by a county health officer within such air pollution control district that it is more beneficial, in terms of the general public health of the persons within such district, to burn such waste on location, than to dispose of it by other means.

(2) That the district has developed criteria for such disposal, which shall include provisions to improve the combustibility of such waste to reduce its smoke level.

(3) That the board has approved the criteria developed pursuant to paragraph (2).

(4) That such authorization, if granted, shall be in the form of a permit issued by the district air pollution control officer, and such permit shall allow burning only on permissible burn days

(5) No such authorization shall be granted after July 1, 1975."

Amendment No. 6

On page 2, after line 27, insert

"SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order to permit the disposal of great accumulations of wood waste from trees, vines, or bushes by open outdoor fires during the current

burning season, it is necessary that the provisions of this act become effective immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, February 22, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 111

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "and Waxman", and insert "Waxman, and Barnes".

Amendment No. 2

On page 2, lines 4 and 5, strike out "except the head of a household as defined in Section 17042,"

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, February 23, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No 121

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 121—An act to amend Section 851.7 of the Penal Code, relating to arrest records

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "arrested", insert "for a misdemeanor".

Amendment No. 2

On page 2, after line 41, insert

"(g) Notwithstanding any other provision of law to the contrary, as used in this section, "minor" means any person under 21 years of age.

SEC. 2. The Attorney General shall conduct a study on the general subject of the sealing of criminal records and juvenile records, and shall submit his report and recommendations to the Legislature on or before July 1, 1973. He shall include, particularly, recommendations in the areas of sealing the records of minors or adults, or both, sealing the records of persons involved with felonies or misdemeanors, or both, and he shall include alternative recommendations for protecting the public reputation of innocent persons, while at the same time assuring effective administrative procedures for law enforcement agencies.

SEC. 3. The amendments made by this act to Section 851.7 of the Penal Code shall remain in effect until the 61st day following final adjournment of the 1973 Regular Session of the Legislature and shall have no force or effect after that date. Thereafter, such section shall read as it did immediately prior to the effective date of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Message of Governor Concerning Cases of Pardon, Commutation of Sentence and Reprieve

Governor's Office, Sacramento
February 17, 1972

To the Members of the Senate and Assembly of the State of California

In accordance with the provisions of Article V, Section 8, of the Constitution of California, I hereby submit to you a report on the cases of pardon, commutation of sentence and reprieve issued by me during the period January 1, 1971, through December 31, 1971.

Respectfully submitted,

RONALD REAGAN, Governor

ACTS OF EXECUTIVE CLEMENCY OF CALIFORNIA

Granted for Period January 1, 1971 through December 31, 1971

PARDONS

Pardons are granted pursuant to Article V, Section 8, of the California Constitution, and Sections 4852.01–4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon:

BURT LEWIS ANDRUS, Prison No. A-10466, was convicted of the crime of lewd and lascivious conduct in the County of Los Angeles, on or about October 21, 1948 He was sentenced to serve a term of 1 year to life, and served 6 years, 9 months, 12 days in prison and 3 years, 2 months, 18 days on parole He was discharged on November 6, 1958. A certificate of rehabilitation was issued by the Superior Court of the County of Los Angeles on August 26, 1970. Pardon granted November 12, 1971

EDWARD OTIS BALLARD, Prison No 68604, was convicted of the crime of assault with intent to commit rape in the County of San Diego, on or about May 28, 1942. He was sentenced to serve a term of 1 to 20 years, and served 4 years, 10 months, 3 days in prison and 3 years, 4 months, 23 days on parole He was discharged on August 23, 1950. A certificate of rehabilitation was issued by the Superior Court of the County of Los Angeles on June 11, 1970 Pardon granted November 12, 1971.

RAY VECK BARNETT, Prison No A-47983, was convicted of the crime of robbery in the first degree in the County of Los Angeles, on or about July 11, 1957. He was sentenced to serve a term of 5 years to life, and served 2 years, 11 months, 22 days in prison and 3 years, 8 days on parole. He was discharged on July 25, 1964. A certificate of rehabilitation was issued by the Superior Court of the County of Placer on July 23, 1970 Pardon granted May 18, 1971

THOMAS BEARD, Prison No A-9547, was convicted of the crime of 4 counts of burglary in the second degree in the County of Los Angeles, on or about June 9, 1941 He was sentenced to serve concurrent terms of 1 to 15 years for each count and served 1 year, 3 months, 14 days in prison and 1 year, 10 months, 23 days on parole. He was discharged on August 28, 1944 He was convicted of the crimes of burglary in the second degree and attempted grand theft in the County of Sacramento, on or about June 18, 1948 He was sentenced to serve concurrent terms of 1 to 15 years and 0 to 5 years, and served 3 years, 6 months, 18 days in prison and 2 years, 5 months, 12 days on parole He was discharged on July 14, 1954 A certificate of rehabilitation was issued by the Superior Court of the County of San Francisco on July 7, 1970. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On January 18, 1971, the Justices recommended that a pardon be granted. Pardon granted August 4, 1971.

ANITA PAULINE BRADLEY, CIW No 2376, was convicted of the crime of voluntary manslaughter in the County of San Mateo, on or about October 24, 1955 She was sentenced to serve a term of 6 months to 10 years, and served 1 year, 11 months, 1 day in prison and 3 years, 1 month, 29 days on parole. She was discharged on November 29, 1960.

A certificate of rehabilitation was issued by the Superior Court of the County of Contra Costa on June 16, 1970. Pardon granted May 18, 1971.

DANNY WARREN BURROUGHS, Prison No. A-64006, was convicted of the crime of 2 counts of furnishing marijuana and 2 counts of selling marijuana in the County of San Bernardino, on or about January 26, 1961 He was sentenced to serve concurrent terms of 5 years to life, and served 2 years in prison and 3 years on parole He was discharged on February 9, 1966 A certificate of rehabilitation was issued by the Superior Court of the County of Orange on June 30, 1970. Pardon granted November 12, 1971.

MARION GORDON CHRISTIAN, Prison No. A-92302, was convicted of the crimes of felony drunk driving and hit and run in the County of Stanislaus, on or about September 13, 1965 He was sentenced to serve terms of 6 months to 5 years for each offense, such terms to run concurrently, and served 10 months, 15 days in prison and 1 year, 1 month, 15 days on parole He was discharged on September 16, 1967. A certificate of rehabilitation was issued by the Superior Court of the County of Stanislaus on March 31, 1970. Pardon granted August 4, 1971.

RALPH DEL CARLO, Prison No. A-21855-A, was convicted of the crime of making a check with insufficient funds in the County of San Francisco, on or about March 27, 1946. He was sentenced to serve a term of 0 to 14 years, and served 2 years, 5 months, 15 days in prison and 2 years on parole. He was discharged on September 16, 1950. He was convicted of the crimes of writing fictitious checks, 3 counts, and attempt to pass a fictitious check in the County of Sonoma, on or about July 11, 1952. He was sentenced to serve a term of 0 to 14 years in the state prison. On October 23, 1952, he was convicted of the crime of making a check with insufficient funds in the County of Alameda, and was sentenced to serve a term of 0 to 14 years, such term to run concurrently with the prior term He served 3 years, 14 days in prison and 2 years, 2 months, 29 days on parole He was discharged on October 24, 1957. A certificate of rehabilitation was issued by the Superior Court of the County of San Francisco on October 23, 1969 Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution On June 23, 1970, the Justices recommended that a pardon be granted Pardon granted March 1, 1971.

ZENON DOMINGUEZ, JR , Prison No. A-44498, was convicted of the crime of sale of narcotics in the County of Fresno, on or about December 6, 1957 He was sentenced to serve a term of 5 years to life, and served 3 years in prison and 2 years, 1 month, 25 days on parole. He was discharged on February 7, 1963 A certificate of rehabilitation was issued by the Superior Court of the County of Fresno on June 3, 1970 Pardon granted November 12, 1971.

DONALD A DUKET, Prison No A-7667, was convicted of the crime of forgery in the County of San Diego, on or about November 21, 1947 He was sentenced to serve a term of 1 to 14 years, and was

released on parole on July 22, 1949 He was returned to prison as a parole violator on April 6, 1950 He served 2 years, 7 months, 29 days in prison and 1 year, 8 months, 2 days on parole He was discharged on April 5, 1952 A certificate of rehabilitation was issued by the Superior Court of the County of Sacramento on September 15, 1970. Pardon granted August 4, 1971

SILVA FIGUEROA, Prison No A-7025, was convicted of the crime of statutory rape in the County of San Mateo, on or about August 25, 1947. He was sentenced to serve a term of 0 to 50 years, and served 1 year, 7 months, 25 days in prison and 2 years, 6 months on parole He was discharged on October 22, 1951 A certificate of rehabilitation was issued by the Superior Court of the County of San Mateo on December 23, 1969 Pardon granted March 1, 1971

JOHN L FONTENBERRY, Prison No A-12756, was convicted of the crime of robbery in the first degree in the County of Madera, on or about August 5, 1949 He was sentenced to serve a term of 5 years to life, and served 2 years, 6 months, 9 days in prison and 2 years, 5 months, 21 days on parole He was discharged on August 31, 1954 A certificate of rehabilitation was issued by the Superior Court of the County of Contra Costa on June 25, 1970. Pardon granted August 4, 1971

EDWARD PAUL FOSTER, Prison No A-67839, was convicted of the crime of forgery, 2 counts, in the County of Los Angeles, on or about August 3, 1961 He was sentenced to serve terms of 6 months to 14 years, such terms to run consecutively, and served 3 years in prison and 2 years, 24 days on parole He was discharged on September 9, 1966 A certificate of rehabilitation was issued by the Superior Court of the County of Orange on November 17, 1970 Pardon granted November 12, 1971.

JIMMY DALE GIBBONS, Prison No A-56417, was convicted of the crime of statutory rape in the County of Orange, on or about November 20, 1959 He was sentenced to serve a term of 6 months to 50 years, and served 1 year, 6 months in prison and 2 years, 1 month, 5 days on parole He was discharged on July 19, 1963 A certificate of rehabilitation was issued by the Superior Court of the County of Kern on March 13, 1970 Pardon granted May 18, 1971

GERALD LEE HUBBARD, Prison No A-39792, was convicted of the crime of conspiracy to commit abortion and abortion, 5 counts, in the County of Los Angeles, on or about October 11, 1956 He was sentenced to serve terms of 6 months to 5 years on 4 counts, such terms to run concurrently, and 6 months to 5 years on 2 counts, such terms to run consecutively with one another and with all other terms He served 2 years 6 months in prison and 2 years, 6 months on parole He was discharged on January 9, 1962 A certificate of rehabilitation was issued by the Superior Court of the County of Los Angeles on April 29, 1970 Pardon granted March 1, 1971

MAUDRIA LEWIS JACKSON, CIW No 4296, was convicted of the crime of conspiracy to solicit and engage in prostitution and conspiracy to keep a house of ill fame in the County of Contra Costa, on

or about April 9, 1962. She was sentenced to serve 2 terms of 6 months to 3 years, such terms to run concurrently, and served 9 months, 22 days in prison and 1 year, 2 months, 8 days on parole. She was discharged on April 12, 1964. A certificate of rehabilitation was issued by the Superior Court of the County of Contra Costa on May 20, 1970. Pardon granted November 12, 1971.

WILLIAM E. JACKSON, Prison No A-71956, was convicted of the crime of conspiracy to solicit and engage in prostitution and conspiracy to keep a house of ill fame resorted to for the purpose of prostitution in the County of Contra Costa, on or about April 9, 1962. He was sentenced to serve terms of 6 months to 3 years on each charge, such terms to run concurrently, and served 8 months, 17 days in prison and 1 year, 3 months, 13 days on parole He was discharged on April 11, 1964. A certificate of rehabilitation was issued by the Superior Court of the County of Contra Costa on May 20, 1970 Pardon granted May 18, 1971.

TOBIAS JOHNSON, Prison No 48222, was convicted of the crime of burglary in the second degree in the County of San Francisco, on or about March 14, 1930 He was sentenced to serve a term of 1 to 15 years, and served 2 years, 9 months, 18 days in prison and 1 year, 5 months on parole He was discharged on June 3, 1934 A certificate of rehabilitation was issued by the Superior Court of the County of Marin on May 11, 1970 Pardon granted May 18, 1971

JAMES PRESTON MATTOS, Prison No A-44540, was convicted of the crimes of forgery, burglary in the second degree, and possession of marijuana in the County of Monterey, on or about December 11, 1957 He was sentenced to serve terms of 6 months to 14 years, 6 months to 15 years, and 6 months to 10 years, respectively, such terms to run concurrently with one another, and served 2 years in prison and 2 years on parole. He was discharged on December 17, 1961 A certificate of rehabilitation was issued by the Superior Court of the County of Santa Clara on August 21, 1970 Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On January 18, 1971, the Justices recommended that a pardon be granted. Pardon granted August 4, 1971.

DAVID A. MILLER, Prison No A-63418, was convicted of the crime of burglary in the second degree in the County of Orange, on or about January 6, 1961 He was sentenced to serve a term of 6 months to 15 years, and served 1 year, 1 month, 25 days in prison and 2 years, 4 months, 5 days on parole He was discharged on July 10, 1964. A certificate of rehabilitation was issued by the Superior Court of the County of Orange on May 4, 1970. Pardon granted November 12, 1971

JOSEPH EDWARD MORGAN, Prison No A-51326, was convicted of the crime of robbery in the second degree in the County of Alameda, on or about January 16, 1959 He was sentenced to serve a term of 1 year to life, and served 3½ years in prison and 3 years, 1 month, 28 days on parole He was discharged on October 18, 1965 A certificate

of rehabilitation was issued by the Superior Court of the County of Sacramento on December 10, 1970 Pardon granted August 4, 1971.

JAMES DAVID PALMER, Prison No. A-27916, was convicted of the crime of manslaughter in the County of Santa Clara, on or about February 11, 1954. He was sentenced to serve a term of 6 months to 10 years, and served 4 years, 22 days in prison and 2 years, 11 months, 8 days on parole He was discharged on February 11, 1961 A certificate of rehabilitation was issued by the Superior Court of the County of San Francisco on February 10, 1970. Pardon granted on March 1, 1971.

SANDRA LOUISE PESTOFF, CIW No 4021-A, was convicted of the crime of forgery, 3 counts, in the County of Los Angeles, on or about January 4, 1960 She was granted probation On or about May 31, 1961, her probation was revoked and she was sentenced to serve terms of 6 months to 14 years on each count. She was convicted of the crime of forgery in the County of Los Angeles, on or about June 22, 1961, and was sentenced to serve a term of 6 months to 14 years, such term to run concurrently with the prior terms She served 1 year, 3 months, 2 days in prison and 3 years, 1 month on parole She was discharged on November 5, 1965. A certificate of rehabilitation was issued by the Superior Court of the County of Los Angeles on May 5, 1970. Because the applicant had been convicted of more than a single felony, her case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On October 19, 1970, the Justices recommended that a pardon be granted Pardon granted August 4, 1971

ROBERT RICHARD PIERCE, Prison No. A-80822, was convicted of the crime of unlawful use of a credit card in the County of San Diego, on or about September 26, 1963 He was sentenced to serve a term of 6 months to 5 years, and served 1 year, 9 months in prison and 1 year, 8 months, 3 days on parole. He was discharged on March 3, 1967 A certificate of rehabilitation was issued by the Superior Court of the County of Los Angeles on March 26, 1970. Pardon granted May 18, 1971.

CHARLES W PROBST, Prison No. A-63775, was convicted of the crime of forgery, 2 counts, in the County of Alameda, on or about November 6, 1953, and was placed on probation. On February 5, 1957, probation was revoked and he was sentenced to serve a term of 6 months to 14 years on each count, such terms to run concurrently. He was convicted of the crime of grand theft in the County of Alameda, on or about February 5, 1957, and was sentenced to serve a term of 6 months to 10 years, such term to run concurrently with the two terms for forgery. He served 1 year, 2 months, 18 days in prison and 1 year, 9 months, 12 days on parole. He was discharged on March 1, 1960 He was convicted of the crime of making a check with insufficient funds in the County of Alameda, on or about January 23, 1961, and was sentenced to serve a term of 6 months to 14 years He served 1 year, 1 month, 28 days in prison and 2 years, 10 months, 2 days on parole. He was discharged on January 31, 1965. A certificate of rehabilitation was issued by the Superior Court of the County of Alameda on February

24, 1969. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution On October 19, 1970, the Justices recommended that a pardon be granted. Pardon granted March 1, 1971.

JAMES LOUIS SERNA, Prison No A-53837, was convicted of the crime of possession of marijuana in the County of Santa Clara, on or about July 3, 1959. He was sentenced to serve a term of 2 to 20 years, and served 2 years, 2 months, 15 days in prison, and 3 years, 9 months, 15 days on parole. He was discharged on July 3, 1965. A certificate of rehabilitation was issued by the Superior Court of the County of San Mateo on April 21, 1970. Pardon granted August 4, 1971.

THOMAS J. SYKES, Prison No A-9237, was convicted of the crime of rape in the County of Fresno, on or about May 13, 1948. He was sentenced to serve a term of 0 to 50 years, and served 4 years, 6 months, 2 days in prison and 3 years, 5 months, 28 days on parole He was discharged on May 22, 1956. A certificate of rehabilitation was issued by the Superior Court of the County of Fresno on April 14, 1970. Pardon granted March 1, 1971.

JUVENCIO VELARDE, Prison No A-18441, was convicted of the crime of possession of narcotics in the County of San Joaquin, on or about July 24, 1951 He was sentenced to serve a term of 0 to 6 years, and served 2 years in prison and 2 years on parole. He was discharged on July 27, 1955 A certificate of rehabilitation was issued by the Superior Court of the County of San Joaquin on November 25, 1969. Pardon granted March 1, 1971.

CEDRIC J VENTURI, Prison No. A-64612, was convicted of the crime of writing a check with insufficient funds in the County of Alameda on or about March 9, 1955, and was granted probation. He was convicted of the crime of forgery in the County of Santa Clara on or about December 2, 1960, and was granted probation He was convicted of the crime of forgery, 2 counts, in the County of Alameda, on or about February 15, 1961, and was sentenced to serve a term of 6 months to 14 years He was released on parole on March 14, 1962, but returned to prison as a parole violator on January 4, 1963 He served 2 years, 2 months, 18 days in prison and 1 year, 9 months, 13 days on parole. He was discharged on March 22, 1965. A certificate of rehabilitation was issued by the Superior Court of the County of Alameda on June 16, 1969 Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution On August 20, 1970, the Justices recommended that a pardon be granted. Pardon granted August 4, 1971

RONALD ARTHUR WHEELER, Prison No A-69782, was convicted of the crime of assault with intent to commit rape in the County of Orange, on or about November 20, 1961 He was sentenced to serve a term of 1 to 20 years, and served 2 years, 6 months in prison and 2 years, 5 days on parole He was discharged on June 10, 1966 A certificate of rehabilitation was issued by the Superior Court of the County of Orange on May 27, 1970. Pardon granted March 1, 1971.

EARL W WILLIAMS, Prison No. A-737, was convicted of the crime of lewd or lascivious conduct in the County of Contra Costa, on or about December 11, 1944. He was sentenced to serve a term of 1 year to life, and served 2 years, 7 months, 17 days in prison and 3 years, 2 months, 17 days on parole. He was discharged on October 15, 1950. A certificate of rehabilitation was issued by the Superior Court of the County of Alameda on April 10, 1970. Pardon granted March 1, 1971.

FLOYD YEAKLEY, Prison No 67913, was convicted of the crime of lewd and lascivious conduct, 3 counts, in the County of Riverside, on or about February 2, 1942 He was sentenced to serve 3 consecutive terms of 1 year to life, and served 2 years, 7 months, 14 days in prison and 2 years, 4 months, 16 days on parole He was discharged on February 11, 1947 A certificate of rehabilitation was issued by the Superior Court of the County of Orange on August 25, 1970. Pardon granted November 12, 1971.

PARDONS

Pardons granted pursuant to Article V, Section 8, of the California Constitution, based upon favorable action of the Advisory Pardon Board, recommending the applicant to the Governor for a pardon:

JOHN EDWIN BALSLEY, Prison No. A-34030, was convicted of the crime of grand theft in the County of San Diego, on or about September 8, 1955. He was sentenced to serve a term of 6 months to 10 years, and served 1 year, 9 months, 6 days in prison and 1 year, 2 months, 24 days on parole. He was discharged from parole on September 9, 1958. On February 24, 1971, the Adult Authority recommended that he be granted a pardon on grounds of favorable social adjustment, employment progress and arrest-free living indicating rehabilitation Pardon granted May 18, 1971.

EVELYN MARIE BECKER, CIW No 1298, was convicted of the crimes of arson and burning insured property with intent to defraud in the County of San Bernardino, on or about May 27, 1949 She was sentenced to serve terms of 2 to 20 years and 1 to 10 years, such terms to run concurrently with one another While still imprisoned, she was charged with and convicted of the crime of murder in the first degree in the County of Los Angeles, and was sentenced on July 24, 1950, to serve a life term concurrently with the prior terms She served 11 years, 6 months, 27 days in prison and was paroled November 29, 1960 On May 18, 1971, the Adult Authority recommended that she be granted a pardon on grounds of rehabilitation Because the applicant had been convicted of more than a single felony, her case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution On June 7, 1971, the Justices recommended that a pardon be granted Pardon granted August 4, 1971

JOSEPH A BELTRAN, Prison No 70651-A, was convicted of the crime of robbery in the first degree in the County of Los Angeles, on or about October 25, 1943 He was sentenced to serve a term of 5 years to life On or about August 13, 1948, he was convicted of the crimes of kidnapping for the purpose of robbery, and robbery in the first degree, 2 counts, and was sentenced to serve concurrent terms of 5 years to life

and life, consecutively with the unexpired prior term. He served 4 years, 9 months, 22 days in prison and on parole for the initial offense, and 8 years, 3 months, 2 days in prison for the second group of offenses. He was paroled on December 10, 1956 On February 24, 1971, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On June 7, 1971, the Justices recommended that a pardon be granted. Pardon granted November 12, 1971

GUS CERNEY, Prison No 53665, was convicted of the crime of murder in the first degree in the County of Los Angeles, on or about February 14, 1933. He was sentenced to serve a term of life, and served 12 years, 6 months in prison and has been on continuous parole for 26 years On March 4, 1971, the Adult Authority recommended that he be granted a pardon due to his acceptance of responsibility, stable employment record of 21 years, and resourcefulness in obtaining financial independence. Pardon granted November 12, 1971.

SING CHAN, Prison No 70664, was convicted of the crime of sex perversion in the County of Sacramento, on or about October 28, 1943. He was sentenced to serve a term of 0 to 15 years, and served 1 year, 7 months in prison and 3 years, 5 months, 26 days on parole. He was discharged from parole on December 14, 1948 On February 24, 1971, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation. Pardon granted May 18, 1971.

GEORGE W CLINGAN, Prison No 63083, was convicted of the crime of assault to commit robbery in the County of Modoc, on or about February 10, 1939. He was sentenced to serve a term of 1 to 20 years, and served 1 year, 8 days in prison and 1 year, 11 months, 22 days on parole. He was discharged from parole on February 12, 1942 On April 20, 1970, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation Pardon granted March 1, 1971

DONALD IRVING DAVIS, Prison No A-45582-A, was convicted of the crime of forgery in the County of San Luis Obispo, on or about February 14, 1958. He was also convicted on or about February 14, 1958, in the County of Los Angeles, of the crime of robbery in the second degree, and was sentenced to serve a term of 1 year to life, such term to run concurrently with the term imposed for forgery. He served 1 year, 11 months in prison and 2 years, 1 month on parole. He was discharged from parole on February 25, 1962 On February 24, 1971, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On March 30, 1971, the Justices recommended that a pardon be granted. Pardon granted November 12, 1971

VINCENT AINSWORTH FARR, Prison No A-36658, was convicted of the crime of forgery in the County of Los Angeles, on or about July 14, 1954, and was placed on probation for 3 years. On or about

May 2, 1956, he was convicted of burglary in the first degree and his probation granted for the forgery conviction was revoked. He was sentenced to serve concurrent terms of 5 years to life for burglary and 6 months to 14 years for forgery. He served 3 years, 11 months, 22 days in prison and 3 years, 8 days on parole. He was discharged from parole on May 10, 1963. On March 4, 1971, the Adult Authority recommended that he be granted a pardon on the grounds of excellent adjustment to society since his release and on grounds of rehabilitation. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution. On June 7, 1971, the Justices recommended that a pardon be granted. Pardon granted November 12, 1971.

ALFRED GARCIA, Prison No. A-24612, was convicted of the crime of robbery and grand theft in the County of Los Angeles, on or about April 8, 1953. He was sentenced to serve terms of 5 years to life, life, and 1 to 10 years, such terms to run concurrently. He served 7 years, 6 months, 1 day in prison and has been on continuous parole for over 10 years. On April 20, 1970, the Adult Authority recommended that he be granted a pardon on grounds of continued steady employment and favorable social adjustment Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution. On July 9, 1970, the Justices recommended that a pardon be granted Pardon granted March 1, 1971.

RICHARD JUNIUS HILL, Prison No 65555, was convicted of the crime of violation of the Corporate Securities Act, 2 counts, in the County of Los Angeles, on or about September 27, 1940. He was sentenced to serve terms of 0 to 5 years on each count, such terms to run consecutively He served 3 years, 15 days in prison and 3 years, 15 days on parole. He was discharged from parole on November 5, 1946. On May 29, 1970, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation and hardship. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution. On August 20, 1970, the Justices recommended that a pardon be granted. Pardon granted March 1, 1971.

ROGER EVANS JONES, Prison No A-698, was convicted of the crime of grand theft, 16 counts, in the County of Los Angeles, on or about January 6, 1943 He was sentenced to serve terms of 1 to 10 years for 8 counts, and 1 to 10 years for the remaining 8 counts, such terms to run consecutively He served 2 years, 11 days in prison and 2 years, 8 months, 20 days on parole He was discharged from parole on September 6, 1949 On February 24, 1971, the Adult Authority recommended that he be granted a pardon on the grounds that this was the applicant's single criminal conviction during his 75-year life span and his favorable social adjustment. Pardon granted August 4, 1971

ALBERT LIPP, Prison No. 62197, was convicted of the crime of murder in the first degree in the County of Los Angeles, on or about June 28, 1938. He was sentenced to serve a term of life, and served 12

years, 6 months, 3 days in prison before being released on parole on January 12, 1951. He was discharged by means of a commutation of sentence dated December 18, 1958. He served 7 years, 11 months, 6 days on parole. On April 20, 1970, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation. Pardon granted January 26, 1971.

RAMON LOFTON, Prison No. A-5552, was convicted of the crime of murder in the second degree with 3 prior felony convictions, in the County of Tulare, on or about February 13, 1947. He was sentenced to serve a term of life, and served 12 years, 10 months, 1 day in prison and was paroled on December 20, 1959 On May 29, 1970, the Adult Authority recommended that he be granted a pardon on grounds of rehabilitation and hardship Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution. On July 27, 1970, the Justices recommended that a pardon be granted. Pardon granted March 1, 1971.

BOBBY MARINAS, Prison No. 67931, was convicted of the crime of murder in the first degree in the County of Santa Clara, on or about February 16, 1942 He was sentenced to serve a term of life, and served 11 years, 6 months, 3 days in prison and was paroled on August 19, 1953. On May 29, 1970, the Adult Authority recommended that he be granted a pardon on the grounds of stable employment and evidence of rehabilitation. Pardon granted August 4, 1971.

ALEXANDER N. MORSETTE, Prison No. 17279, was convicted of the crime of murder in the first degree in the County of San Bernardino, on or about July 24, 1931. He was sentenced to serve a term of life, and served 18 years in prison and has been on parole in excess of 21 years. On February 24, 1971, the Adult Authority recommended that he be granted a pardon on the grounds of rehabilitation Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On March 30, 1971, the Justices recommended that a pardon be granted. Pardon granted May 18, 1971.

CLARENCE POPE, Prison No 22123, was convicted of the crime of kidnapping for the purpose of robbery, 2 counts, and robbery in the second degree in the County of San Francisco, on or about November 12, 1937. He was sentenced to serve a term of life without possibility of parole. He served 15 years, 6 months, 8 days in prison, and became eligible for parole by virtue of an amendment to Penal Code Section 209, in 1951. He has been on continuous parole for over 17 years On April 20, 1970, the Adult Authority recommended that he be granted a pardon on the grounds of satisfactory social adjustment Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution On July 9, 1970, the Justices recommended that a pardon be granted. Pardon granted March 1, 1971.

DOMINGO S. QUEVEDO, Prison No. 70151, was convicted of the crime of rape in the County of San Bernardino, on or about July 6, 1943 He was sentenced to serve a term of 0 to 50 years and served 1 year, 1 month, 21 days in prison and 2 years, 2 days on parole. He was discharged from parole on September 10, 1946. On February 24, 1971, the Adult Authority recommended that he be granted a pardon on grounds of his social adjustment and rehabilitation. Pardon granted May 18, 1971

ROBERT LARRY RASMUSSEN, Prison No. A-10700-A, was convicted of the crime of assault with a deadly weapon in the County of Los Angeles, on or about October 28, 1948. He was sentenced to serve a term of 0 to 10 years in the state prison. He was paroled on December 11, 1950, after serving 2 years in prison. Parole was suspended on May 16, 1952 He was convicted of the crime of forgery in the County of Los Angeles on or about September 12, 1952. He was sentenced to serve a term of 1 to 14 years, such term to be served concurrently with the prior term He served 2 years, 11 months in prison and 2 years, 1 month on parole. He was discharged from parole on September 30, 1957. On February 24, 1971, the Adult Authority recommended that he be granted a pardon on the grounds of a 15-year record of arrest-free living, stable employment and social adjustment. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution On March 30, 1971, the Justices recommended that a pardon be granted. Pardon granted August 4, 1971.

CECIL H. SALTER, Prison No. 60186-B, was convicted of the crime of burglary in the second degree in the County of Los Angeles, on or about April 2, 1937. He was sentenced to serve a term of 1 to 15 years, and served 3 years, 2 months, 5 days in prison and 1 year, 11 months, 25 days on parole On or about May 20, 1942, he was convicted of the crimes of kidnapping for robbery, 3 counts, robbery in the first degree, and attempted robbery. He was sentenced to serve terms of life with possibility or parole, 5 years to life, and 0 to 20 years, all such terms to run concurrently. He served 10 years, 6 months, 2 days in prison. On or about April 13, 1946, in the County of Marin, he was convicted of the crime of escape and was sentenced to serve a term of 1 year to life, consecutive with the prior terms. He served 6 years, 8 months, 13 days in prison and has been on parole in excess of 18 years. On April 20, 1970, the Adult Authority recommended that he be granted a pardon on the grounds of a record of stable residence, self-employment and rehabilitation. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution. On July 9, 1970, the Justices recommended that a pardon be granted. Pardon granted March 1, 1971.

CHARLES E SCOTT, Prison No 58881, was convicted of the crime of grand theft in the County of Shasta, on or about March 31, 1936. He was sentenced to serve a term of 1 to 10 years, and served 1 year,

6 months, 15 days in prison and 2 years, 15 days on parole. He was discharged from parole on November 7, 1939. On February 24, 1971, the Adult Authority recommended that he be granted a pardon on the grounds of unusually good social adjustment, financial independence, and participation in worthy community activities. Pardon granted August 4, 1971.

PINKIE LEE STEWART, CIW No. 2578, was convicted of the crime of assault with a deadly weapon with intent to commit murder in the County of Kern, on or about August 15, 1956 She was sentenced to serve a term of 6 months to 14 years, and served 1 year, 7 months, 16 days in prison and 2 years, 4 months, 14 days on parole. She was discharged from parole on August 24, 1960. On February 24, 1971, the Adult Authority recommended that she be granted a pardon on grounds of rehabilitation. Pardon granted August 4, 1971.

COMMUTATIONS OF SENTENCE

JAMES FRANCIS SILVA, Prison No. A-17658, was convicted of the crime of murder in the second degree in the County of Los Angeles, on or about April 11, 1951. He was sentenced to serve a term of 5 years to life. He was convicted on or about July 30, 1953, in the County of Marin, of the crime of assault by a life prisoner, and was sentenced to death. The death penalty was commuted to life imprisonment without possibility of parole by Governor Goodwin J. Knight on March 31, 1954. He has served 20 years, 6 months in prison on both commitments. On January 19, 1971, the Adult Authority recommended that he be granted a commutation of sentence on grounds of progress in his correctional rehabilitative program, his vocational competence, and his 8 years of stability and productivity. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8, of the California Constitution. On October 12, 1971, the Justices recommended that a commutation of sentence be granted to applicant. Granted November 12, 1971.

HENRY ALFRED VALENZUELA, Prison No A-47028, was convicted of the crime of kidnapping to commit robbery, the victim suffering bodily harm, robbery in the first degree, and rape by force or violence in the County of Fresno, on or about May 19, 1958. He was sentenced to serve concurrent terms of life without possibility of parole, 5 years to life, and 3 years to life He served over 13 years in prison. On May 15, 1969, the Adult Authority recommended that he be granted a commutation of sentence on grounds of an excellent institutional adjustment, success in completing a 3-year vocational course, and his progress in work, study and treatment opportunities. Because the applicant had been convicted of more than a single felony, his case was referred to the California Supreme Court pursuant to Article V, Section 8 of the California Constitution. On June 7, 1971, the Justices recommended that a commutation of sentence be granted to applicant. Granted August 4, 1971.

MESSAGES FROM THE SENATE

Senate Chamber, February 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 326

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, February 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 7

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, February 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 32
SB No. 223

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 32—An act relating to mandatory school district unification elections, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 223—An act to add Section 54931 18 to the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Stull was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Bill No. 117—An act to amend Sections 7071 6, 7071 9, and 7071.11 of the Business and Professions Code, and Section 3 of Chapter

669 of the Statutes of 1971, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Powers.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burton, Chacon, Cline, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—59.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burton, Chacon, Cline, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 523: By Assemblyman Schabarum—An act to add Sections 6503 5 and 6503 7 to the Government Code, relating to joint exercise of powers, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 524: By Assemblyman Foran—An act to add Section 66504.1 to the Government Code, relating to the Metropolitan Transportation Commission, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 525: By Assemblyman LaCoste—An act to amend Section 20814 5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for

open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 526: By Assemblyman Brathwaite—An act to add Section 16204.5 to the Welfare and Institutions Code, relating to boarding homes, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 527: By Assemblyman Brathwaite—An act to amend Section 14134 of the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 528: By Assemblyman Brathwaite—An act to amend Section 7273 of the Government Code, relating to relocation assistance, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 529: By Assemblyman Ryan (Senator Gregorio, coauthor)—An act to amend Section 25505.8 of the Education Code, relating to community colleges

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 70

With amendments with the recommendation. Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, February 23, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 136

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 136—An act to add Section 17538.5 to the Business and Professions Code, relating to advertising.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, in lines 5 and 6, strike out "or advertising a California mailing", and insert "and utilizing a post office box".

Amendment No. 2

On page 2, in lines 1 and 2, strike out ", containing a post office box".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 87—An act to amend Sections 21457, 21706, and 21959 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burton, Chacon, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 126

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, February 23, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 141

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 141—An act to amend Section 10603 of the Education Code, relating to suspension or expulsion of pupils.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, after "premises", insert "or in any way directly related to school activity".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bill Greene:

House Resolution No. 19

Relative to commending the National Council on Vocational Education

WHEREAS, The National Advisory Council on Vocational Education has rendered outstanding service to the citizens of the United States; and

WHEREAS; Established by Title 1, Section 104 of the Vocational Education Amendments of 1968 (P.L. 90-576), the National Advisory Council on Vocational Education is a 21-member body appointed by the President of the United States with responsibility to:

A. Advise the Commissioner of Education concerning the administration of, preparation of general regulations for, and operation of, vocational education programs supported with assistance under Title 1 of the Vocational Education Amendments of 1968.

B. Review the administration and operation of vocational education programs under Title 1 of the Vocational Education Amendment of 1968, including the effectiveness of such programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for changes in the provisions of such title) to the Secretary of Health, Education, and Welfare for transmittal to the Congress; and

C. Conduct independent evaluations of programs carried out under Title 1 of the Vocational Education Amendments of 1968 and publish and distribute the results thereof; and

WHEREAS, By law, the Council is to include representatives from the following areas: labor and management, manpower programs, state or local vocational education administrations, educators experienced in dealing with the handicapped, persons familiar with the problems of the disadvantaged, persons familiar with postsecondary and adult vocational education programs, and representatives of the general public; and

WHEREAS, Since its creation, the Council has held regular meetings approximately every six weeks and has held joint meetings with State Advisory Councils on Vocational Education; and

WHEREAS, Council members work on one or more of the Council's eleven subcommittees, which meet in between regular Council meetings to prepare recommendations on their areas of specialization; and

WHEREAS, The Council has published four reports recommending changes in vocational education, a report on its joint meetings with the states, and testimony on legislation affecting vocational education; and

WHEREAS, In addition, it publishes a monthly newsletter which discusses Council activities and developments in vocational education as a whole; and

WHEREAS, The Council has undertaken or contracted studies on the following subjects: evaluation information and procedures, duplication of effort on the postsecondary level, formats for State Plans, Financing of Vocational Education, and the relative effectiveness of skill centers versus on-the-job training; and

WHEREAS, It has also developed evaluation guidelines for reports of the State Advisory Councils and has had special sessions dealing with the disadvantaged, the handicapped and Office of Education reporting systems; and

WHEREAS, The National Advisory Council has also undertaken a Public Information Project designed to improve the image of vocational education through the use of television films and radio spots; and

WHEREAS, Receiving the highest acclaim from all sectors, the National Advisory Council on Vocational Education has caused the federal and state governments to take a much needed, close hard look at vocational education; now, therefore, be it

Resolved by the Assembly of the State of California, That the National Advisory Council on Vocational Education be commended for its outstanding accomplishments in the area of vocational education; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the National Advisory Council on Vocational Education.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 530: By Assemblyman Ryan—An act to amend Section 36516 of, and to add Section 36516.2 to, the Government Code, relating to local government.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 531: By Assemblyman Ryan—An act to repeal Division 8 (commencing with Section 9201) of the Education Code, relating to instructional materials.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 12:01 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Thursday, February 24, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-second Legislative Day

Fifty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 24, 1972

The Assembly met at 2:14 p.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum. Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—62.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable John Stull, Member of the Assembly, 80th District.

Heavenly Father, We come to Thee this day, asking again for Thy guidance and help Give us the wisdom and courage to do those things that need to be done Make us mindful of our dependence on Thee and grateful for Thy watchful care, which we solicit.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Moretti then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Z'berg, seconded by Mrs. Brathwaite.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr. Townsend, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Beverly, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Collier, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Foran, on request of Speaker pro Tempore Bee.
Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Lewis, on request of Speaker pro Tempore Bee
Mr. Powers, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I would appreciate being excused on Thursday, February 24, on legislative business. I will be in Los Angeles discussing state bond issues with the members of the State and Local Government Section of Town Hall.

Sincerely,

BOB MONAGAN
Minority Floor Leader

February 23, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· I respectfully request that I be excused from session on Thursday, February 24, 1972.

I will be in my district conferring with Glendale city officials concerning pending legislation

Sincerely,

CARLOS J MOORHEAD, Assemblyman
Forty-third District

NOTE· For letter explaining the absence of Mr. Conrad on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 17, 1972, page 433

NOTE For letters explaining the absences of Messrs Crown, Stacey, and Townsend on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 23, 1972, pages 477–478

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal·

Appointment to California Arts Commission

February 22, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir· I am appointing Assemblyman James Keysor to the California Arts Commission to fill an existing vacancy

Sincerely,

BOB MORETTI
Speaker of the Assembly

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

H J Culliton, Secretary to the Board of Trustees, Soledad-Agua Dulce Union School District, Acton, dated February 22, 1972, relative to unification elections Referred by the Speaker pro Tempore to the Committee on Education

REPORTS

The following report was presented by the Speaker·

1971 Annual Report to Legislature, State Hospital Advisory Boards With Comments by Department of Mental Hygiene. (In accordance with Section 4202 of the Welfare and Institutions Code.) January 19, 1972.

Above transmitted report, together with letter of transmittal from J. M. Stubblebine, M.D., Director, Department of Mental Hygiene, Sacramento, dated February 15, 1972, referred by the Speaker pro Tempore to the Committee on Health.

The following report was presented by the Chief Clerk:

Survey on Control of Excessive Use of Sick Leave as Required by Senate Concurrent Resolution 74 (Resolution Chapter 221, 1971).

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated February 16, 1972, referred by the Speaker pro Tempore to the Committee on Employment and Public Employees.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
504	Commerce and Public Utilities
505	Transportation
506	Health
507	Employment and Public Employees
508	Finance and Insurance
509	Retirement
510	Government Administration
511	Urban Development and Housing
512	Agriculture
513	Natural Resources and Conservation
514	Local Government
515	Government Administration
516	Transportation
517	Governmental Organization
518	Education
519	Judiciary
520	Education
521	Judiciary
522	Education
523	Local Government
524	Transportation
525	Revenue and Taxation
526	Health
527	Health
528	Transportation
529	Education
530	Local Government
531	Education

Assembly Concurrent Resolution No.	*Committee*
32	Transportation

Senate Bill No.	*Committee*
32	Education
223	Education

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, February 24, 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 526—An act to add Section 16204 5 to the Welfare and Institutions Code, relating to boarding homes, and declaring the urgency thereof, to take effect immediately.

YVONNE BRATHWAITE·

Assembly Chamber, February 24, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Senate Bill No. 223—An act to add Section 54931.18 to the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

PAULINE L. DAVIS

Above requests ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr Pierson was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

RECESS

At 2 22 p m., Speaker pro Tempore Bee declared the Assembly recessed until 2·34 p m., to permit the introduction of the Hon. John L. Busterud, Deputy United States Assistant Secretary of Defense for Environmental Quality, and former Assemblyman from San Francisco, and appointed Mr Stull, Mrs. Davis, and Messrs Belotti and Porter as a Select Committee to escort the Hon John L. Busterud to the Rostrum.

REASSEMBLED

At 2·34 p m., the Assembly reconvened.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk James D. Driscoll at the Desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 532: By Assemblymen Hayden, McAlister, and Vasconcellos (Senators Alquist and Bradley, coauthors)—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Ways and Means.

Assembly Bill No. 533: By Assemblyman Deddeh—An act to amend Section 5721 of the Education Code, relating to school insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 534: By Assemblyman Harvey Johnson—An act to amend Section 31245 of, and to add Section 31245.5 to, the Education Code, relating to graduate fellowships.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 535: By Assemblyman Burton—An act to amend Section 18852 of the Government Code, relating to compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 536: By Assemblyman Barnes—An act to amend Sections 31676.1 and 31676.11 of the Government Code, relating to county employee retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 537: By Assemblyman Barnes—An act to amend Sections 1270 and 1272 of, and to add Section 670 to, the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 538: By Assemblymen Wood and Thomas (Senators Dills and Grunsky)—An act to amend Section 8836.5 of the Fish and Game Code, relating to fishing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 539: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 6487 of the Health and Safety Code, relating to sanitary districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 540: By Assemblyman Mobley—An act to amend Section 12731 of the Business and Professions Code, relating to public weighmasters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 541: By Assemblyman Waxman—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure and to amend Section 9503 of the Commercial Code, relating to repossession.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 542: By Assemblyman Stull—An act to add Division 21 (commencing with Section 30000) to the Public Resources Code, relating to the coastline.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 543: By Assemblyman Ketchum (Senator Stiern, coauthor)—An act to amend Section 31520.1 of the Government Code, relating to county employees' retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 544: By Assemblyman Keysor—An act to amend Section 18406.1 of the Financial Code, relating to industrial loan companies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 545: By Assemblyman Keysor—An act to add Article 6 (commencing with Section 13090) to, and to repeal Article 5 (commencing with Section 13080) of, Chapter 1 of Division 10 of, the Education Code, relating to public educational employment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 546: By Assemblyman LaCoste—An act to amend Section 1111 of the Penal Code, relating to testimony of accomplice.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 547: By Assemblyman McAlister—An act to amend Section 148.1 of the Penal Code, relating to crimes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 548: By Assemblyman Arnett—An act to amend Section 26806 of the Government Code, relating to court translators.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 549: By Assemblyman Schabarum—An act to amend Sections 24224, 24260, 24297, and 39298.8 of, to repeal Section 24296 of, and to add Section 24296 and 24296.5 to, the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 550: By Assemblyman Chappie—An act to amend Section 1 of Chapter 137 of the Statutes of 1966, First Extraordinary Session, Section 3 of Chapter 1679 of the Statutes of 1967, Sections 2 and 3 of Chapter 1356 of the Statutes of 1969, and Section 2 of Chapter 920 of the Statutes of 1970, relating to water pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 551: By Assemblyman Quimby—An act to add Section 54790 2 to the Government Code, relating to districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 552: By Assemblymen Quimby and Mobley—An act to amend Section 754 of the Evidence Code, relating to interpreters for the deaf

Held at Desk by order of the Sepaker pro Tempore.

Assembly Bill No. 553: By Assemblyman Chappie—An act relating to Yosemite Junior College District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 554: By Assemblyman Sieroty—An act to add Section 17782 to the Business and Professions Code, relating to trading stamps.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 555: By Assemblymen Cline, Cullen, Lewis, Brophy, Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Collier, Conrad, Crown, Davis, Deddeh, Garcia, Bill Greene, Hayden, Ketchum, Keysor, Knox, Lanterman MacDonald, MacGillivray, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Schabarum, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, and Waxman (Senators Burgener, Carpenter, Gregorio, Nejedly, Roberti, and Stiern, coauthors)—An act to amend Section 17045 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 556: By Assemblyman Knox—An act to add Article 9 (commencing with Section 54240) to Chapter 5, Part 1, Division 2, Title 5 of the Government Code, relating to public leasebacks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 38: By Assemblyman Barnes—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article I thereof, relating to bail

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 39: By Assemblymen Ketchum, MacGillivray, and Seeley—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 6 to Article IV thereof, and by repealing Sections 6 and 27 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 33: By Assemblyman Burton—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization and the State Personnel Board, and Members of the Senate and Assembly.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 34: By Assemblyman Bill Greene—Relative to the deposit of state moneys.

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 24, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 532—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

RICHARD D. HAYDEN

Above request ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Assemblymen Burton and Brown:

House Resolution No. 20

Relative to printing the Vehicle Code Synopsis in Chinese

WHEREAS, Under Section 1656 of the Vehicle Code, the Department of Motor Vehicles is required to publish in Spanish a synopsis of the laws regulating the operations of vehicles and the use of the highways; and

WHEREAS, Through this service and the availability of the written portion of the driver's examination in Spanish, many persons fluent only in Spanish have been able to secure drivers' licenses, thereby improving their opportunity to secure employment; and

WHEREAS, Implementation of similar services for persons fluent only in Chinese would be of equal benefit to such persons; and

WHEREAS, Such services are vitally needed in view of the recent large influx of Chinese immigrants, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members hereby request the Department of Motor Vehicles to print in

Chinese the synopsis of the laws regulating the operation of vehicles and the use of highways, and the written portion of the driver's examination; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Motor Vehicles.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Duffy:

House Resolution No. 21

Relative to Russian thistle

WHEREAS, Millions of mature Russian thistle plants, tumbleweed, growing on the west side of the San Joaquin Valley, become uprooted during high winds; and

WHEREAS, This noxious weed, when blown by the wind, rolls and becomes congregated along fence lines, in irrigation systems, into moving traffic on the highways, and valley communities, creating many costly clean-up projects, fire hazards, and danger to life and property; and

WHEREAS, The economic problems facing agriculture in this area lend to the establishment of even larger infestations of this noxious weed on the bare lands left by eventual bankruptcies of the owners, by absentee owners, and on bare public lands in the area, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members hereby request the Department of Agriculture, in cooperation with the Department of Water Resources and the Division of Highways, Department of Public Works, to study methods of controlling Russian thistle in the west side of the San Joaquin Valley; and be it further

Resolved, That the Department of Agriculture report its findings and recommendations to the Assembly no later than the fifth calendar day of the 1973 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Agriculture, the Director of Water Resources, and the Director of Public Works

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Chappie:

House Resolution No. 22

Relative to Donner Lake

WHEREAS, Historic Donner Lake, located high in California's scenic Sierra Nevada Mountains, is one of our finest natural recreational lakes; and

WHEREAS, Donner Lake offers the people of California unexcelled water-associated recreation opportunities, beginning with excellent fishing in the early spring; and

WHEREAS, The Department of Water Resources has promulgated regulations requiring that Donner Lake be maintained at minimum elevation until April 15 of each year; and

WHEREAS, The maintenance of minimum elevation causes many rocks to become exposed and others to lie just below the surface of the lake; and

WHEREAS, The maintenance of this elevation makes the launching of boats virtually impossible and creates many navigation hazards, thus denying the boating public the use of this fine lake and damaging the recreation-based economy of the Donner Lake area; and

WHEREAS, The Sierra Pacific Power Company, which operates the Donner Lake Dam, desires to accommodate the adjacent property owners and the recreation users by providing a small increase in the elevation of Donner Lake between March 1 and April 15 in order to permit safe boating; and

WHEREAS, It is in the public interest to make California's lakes available to the public for recreational purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Water Resources is directed to examine its existing requirements relative to the maintenance of the minimum level of Donner Lake; and be it further

Resolved, That the Department of Water Resources is requested to develop operating criteria for Donner Lake for the period of March 1 to April 15 which will permit the launching and safe operation of pleasure craft; and be it further

Resolved, That the Department of Water Resources is requested to advise the Legislature as to its actions on the subject matter of this resolution by March 1, 1972; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Water Resources.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, February 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 111	AB No 136
AB No. 121	AB No. 149

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 24, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 108
AB No. 141

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, February 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 6

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, February 24, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 21

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, February 24, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 92

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, February 24, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 198

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 198—An act to add Section 6018 3 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, strike out lines 3 and 4 of the printed bill, and insert "6018.3. (a) A manufacturer of factory-built housing".

Amendment No. 2

On page 2, between lines 1 and 2, insert

"(b) For purposes of this section, "factory-built housing" means a residential building, dwelling unit or an individual dwelling room or combination of rooms thereof, including units designed for use as part of an institution for resident or patient care, which is either wholly manufactured or is in substantial part manufactured at an offsite location to be wholly or partially assembled onsite in accordance with regulations adopted by the Commission of Housing and Community Development of the State of California pursuant to Section 19990 of the Health and Safety Code

(c) For purposes of this section, "factory-built housing" does not include a "mobilehome," as defined in Section 18008 of the Health and Safety Code "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, February 23, 1972

Mr Speaker· The Chairman of your Committee on Judiciary reports:

AB No 95

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 95—An act to add Section 18405 to the Health and Safety Code, relating to mobilehomes.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "14805. (a) The department", and insert

"18405 (a) The Department of Consumer Affairs".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, February 24, 1972

Mr. Speaker· The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 177

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 177—An act to amend Section 320 of the Public Utilities Code, relating to public utilities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 761.5 to,".

Amendment No. 2

On page 2, lines 9 and 10, strike out "in incorporated areas".

Amendment No. 3

On page 2, strike out lines 17 to 21, inclusive, and insert "subject to the provisions of Section 761 5."

Amendment No. 4

On page 2, after line 23, insert

"SEC. 2 Section 761.5 is added to the Public Utilities Code, to read:

761.5. The authority of the commission to require the undergrounding of electric and communication distribution facilities shall extend only to incorporated areas and subdivisions as defined in Section 11535 of the Business and Professions Code in unincorporated areas."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

MESSAGES FROM THE SENATE

Senate Chamber, February 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 381

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, February 23, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 124

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, February 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 117

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, February 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 64

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, February 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 25
AB No. 56

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, February 23, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day passed:

SB No. 39
SB No. 51
SB No. 52
SB No 69
SB No. 172

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, February 23, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 6

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, February 23, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 7

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, February 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 10
SB No. 63

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, February 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted·

SJR No. 7

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 39—An act to amend Sections 100032, 100042, 100124, 100131, and 100161 of, to add Sections 100081, 100093, and 100113 to, and to repeal Sections 100081, 100093, 100113, 100148, 100150, 100169 2, 100169 4, and 100171 of, and to repeal Article 7 (commencing with Section 100180) and Article 8 (commencing with Section 100200) of Chapter 5 of, and to repeal Chapter 7 (commencing with Section 100400) of, Part 12 of Division 10 of, the Public Utilities Code, and to amend Section 7252 of, and to repeal Section 7272.5 of, the Revenue and Taxation Code, relating to the Santa Clara County Transit District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 51—An act to amend Section 25541 7 of the Education Code, relating to community colleges

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 52—An act to place an amendment to the Constitution on the ballot for the primary election to be held on Tuesday, June 6, 1972, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 69—An act to amend Section 6363 6 of the Revenue and Taxation Code, relating to sales and use taxes, and declaring the urgency thereof, to take effect immediately, urgency statute.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 172—An act to amend Section 1081 5 of the Education Code, relating to school trips, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Education.

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16 to Article IX, by amending Section 1 of Article X, by repealing Sections 1, 4, 5, 6, 7, 8, 10, 13, 15, 16, and 24 of Article XII, by adding Section 42 to Article XIII, by amending Section 1 of Article XIV, by repealing Sections 2 and 3 of Article XVII, by adding Section 24 to Article XX, and by repealing Article XXII thereof, relating to partial revision of the Constitution of the State of California.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 7—Relative to public transportation in the San Francisco Bay area.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 10—An act relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 63—An act making an appropriation in augmentation of Item 227 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 7—Relative to prisoners of war.

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 24, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Senate Bill No. 172—An act to amend Section 10815 of the Education Code, relating to school trips, and declaring the urgency thereof, to take effect immediately.

RAY SEELEY

Above request ordered transmitted to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 124

Mr. Badham was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 124, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 124

Assembly Bill No. 124—An act to add and repeal Section 15958 6 to the Education Code, relating to contracts of school districts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 124?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly February 2, 1972, after "add", insert "and repeal".

Amendment No. 2

On page 2, line 10, after "operation," insert "and which district had contracted, prior to January 1, 1972, for such electromechanical or electronic data processing work to be done or related services to be performed,".

Amendment No. 3

On page 2, strike out lines 13 to 16, inclusive, and insert "This section shall remain in effect only until June 30, 1973, and as of that date is repealed."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Waxman, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Duffy was granted unanimous consent that the following statement be printed in the Journal.

Statement by Assemblyman Duffy relating to Chapter 815 Statutes of 1971

Chapter 815 of Statutes 1971 was introduced as Assembly Bill 1599 to add Section 5120 to the Welfare and Institutions Code, relating to mental health, and declares it to be the policy of the State of California that the care and treatment of mental patients be provided in the local community

Since the enactment of the Lanterman-Petris-Short Act or before it has been the policy of the state to encourage treatment of mentally ill patients in the community whenever possible This policy was developed because it was thought to be more beneficial for the patient and for those providing mental health treatment services for such treatment to be available in the patient's own environment.

In spite of this policy, many local entities continue to obstruct programs for local treatment in the community either through ordinance or through bureaucratic maneuvering in the local planning commissions. Many communities are reluctant to allow any kind of mental health treatment facility within their area.

The purpose of Assembly Bill 1599 of 1971 was to ensure that community facilities for mental health will be permitted in any area zoned for hospitals Presumably then, if a community wants a hospital, it would have no choice but to allow a mental health facility either as a separate facility or as part of the hospital.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 19 FROM COMMITTEE

Mr. Bill Greene was granted unanimous consent that House Resolution No. 19 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 19

House Resolution No. 19—Relative to commending the National Council on Vocational Education.

NOTE: The full text of House Resolution No 19 appears at pages 503–504 of the Assembly Daily Journal for February 23, 1972.

Resolution read, and presented by Mr. Bill Greene.

Members Made Coauthors of House Resolution No. 19

Mr. Bill Greene was granted unanimous consent that all Members of the Assembly who are present at this day's session be placed upon House Resolution No 19 as coauthors.

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 92

Mr Leroy F Greene was granted unanimous consent to take up Assembly Bill No. 92, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that a rush order be placed upon the printing of the bill.

Second Reading of Assembly Bill No. 92 by Unanimous Consent

Assembly Bill No. 92—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 16645 2, and 25502.5 of, and to add Sections 6931 5, 17255, 23061, 23763, and 25514 7 to, the Education Code, relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 8 of the printed bill, as amended in Assembly February 16, 1972, after line 26, insert

"SEC. 19. This act shall remain in effect until July 1, 1974, and shall have no force or effect after that date "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 109—An act to amend Section 367e of the Penal Code, relating to motor vehicle offenses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 114—An act to add Section 1906.1 to the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 120—An act to amend Section 945 of the Education Code, relating to school district employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 91—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 70—An act to add Article 4 5 (commencing with Section 913 10) to Chapter 2 of Title 4 of Part 2 of the Penal Code, relating to grand juries

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "and McAlister", and insert "McAlister, and Deddeh".

Amendment No. 2

On page 3, line 19, strike out "the court shall select persons", and insert "the jurors shall be selected".

Amendment No. 3

On page 3, line 20, strike out the comma.

Amendment No. 4

On page 3, lines 22 and 23, strike out "personally interview them to determine if they are competent for service as grand jurors", and insert "examine the persons selected to insure a fair and impartial jury".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 126—An act making an appropriation in augmentation of Item 216 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, February 24, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 109	AB No. 120
AB No. 114	AB No. 126

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Stull was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 7—An act to add Section 41 5 to Chapter 361 of the Statutes of 1971, relating to public school certificated employees and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 7?

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to add Section 41.5 to Chapter 361 of the Statutes of 1971,".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 41 5 is added to Chapter 361 of the Statutes of 1971, to read:

41 5. Section 40 of this act shall become operative on September 1, 1972."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly.

Mr. Belotti seconded the motion.

Motion carried. Time, 2:52 p m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mrs. Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 557: By Assemblymen Z'berg and Leroy F. Greene—An act to add Section 71180.1 to the Government Code, relating to judges, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 558: By Assemblyman Moretti—An act to add Article 7 (commencing with Section 350) to Chapter 4 of Division 1 of the Business and Professions Code, relating to assistance to local consumer affairs programs, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 559: By Assemblyman Meade—An act to add Article 6 (commencing with Section 13090) to, and to repeal Article 5 (commencing with Section 13080) of, Chapter 1 of Division 10 of, the Education Code, relating to public educational employment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 560: By Assemblyman Meade—An act to amend Section 817 of the Education Code, relating to public school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 561: By Assemblymen Meade, Dent, and Fong—An act to amend Section 253.4 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 562: By Assemblymen Miller, Brown, Brathwaite, Ralph, and Bill Greene—An act requiring the acquisition of lands for inclusion in the state park system and the development of such lands.

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 24, 1972

Mr Speaker· Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 557—An act to add Section 71180.1 to the Government Code, relating to judges, and declaring the urgency thereof, to take effect immediately.

EDWIN Z'BERG

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, February 24, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 46

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 46—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed bill, insert

"(Coauthor: Senator Way)".

Amendment No. 2

On page 1, line 4, after "for", insert ": (1)".

Amendment No. 3

On page 1, line 5, strike out the comma, and insert "; or (2) teaching positions or assignments overseas pursuant to a nationally recognized program, as determined by the board, financed by either a private foundation or the federal government, including but not limited to a Guggenheim or Fulbright Fellowship,".

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 8—Relative to the W. R. Holman Highway.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 7

At 2:58 p.m., on motion of Mr Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in the Senate amendments to Assembly Bill No. 7 by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brathwaite, Burke, Campbell, Chacon, Cline, Cory, Cullen, Deddeh, Dent, Fenton, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Stull, Thomas, Vasconcellos, Wood, Z'berg, and Mr Speaker—48.

NOES—Burton, Chappie, Davis, Duffy, and Harvey Johnson—5.

Motion to Reconsider Senate Amendments to Assembly Bill No. 7 on Next Legislative Day

Mr. Stull moved to reconsider on the next legislative day the vote whereby the Assembly on this day refused to concur in the Senate amendments to Assembly Bill No 7

Assembly Bill No. 7 ordered to the unfinished business file.

VOTE CHANGES

Mr Chappie and Mrs. Davis were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 7.

Mr Brown was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on concurrence in Senate amendments to Assembly Bill No 7.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 23, 1972

Mr. Speaker: Your Committee on Rules recommends

That the request by Mrs Brathwaite for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 526 be granted.

BURTON, Chairman

Assembly Chamber, February 24, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Hayden for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 532 be granted.

BURTON, Chairman

Assembly Chamber, February 24, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Seeley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 172 be granted.

BURTON, Chairman

Assembly Chamber, February 24, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mrs. Davis for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No 223 be granted.

BURTON, Chairman

Assembly Chamber, February 24, 1972

Mr. Speaker· Your Committee on Rules recommends:

That the request by Mr. Ryan for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 259 be granted.

BURTON, Chairman

Assembly Chamber, February 24, 1972

Mr Speaker· Your Committee on Rules recommends:

That the request by Mr. Z'berg for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 557 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Ryan:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 259 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. John-

son, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Brathwaite:

Resolution to Dispense With Constitutional Provisions

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 526 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Hayden:

Resolution to Dispense With Constitutional Provisions

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 532 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Hayden was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 532 for hearing in the Committee on Ways and Means, on Wednesday, March 1, 1972.

Mrs. Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 526 for hearing in the Committee on Health.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Z'berg:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 557 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

ASSEMBLY BILL NO. 557 REFERRED TO COMMITTEE

Speaker pro Tempore Bee referred Assembly Bill No. 557 to the Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Seeley.

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 172 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Seeley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 172 for hearing in the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, February 24, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 259

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 259—An act to amend Sections 13247 and 13247.9 of, and to add Sections 13246.7 and 13246.9 to, the Education Code, relating to the public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "schools," insert "making an appropriation therefor,".

Amendment No. 2

On page 3, line 40, of the printed bill, after "SEC. 5.", insert "There is hereby appropriated from the General Fund in the State Treasury to the Director of Finance the sum of five thousand dollars ($5,000) to be allocated by him to school districts participating in the master teacher selection pilot program for the purpose of providing examiner teachers. Requests for such allocations shall be reviewed by the Department of Finance and are subject to the approval of that department.

SEC. 6."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Davis:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 223 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mrs Davis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 223 for hearing in the Committee on Education.

ADJOURNMENT

At 3 08 p m , Speaker pro Tempore Bee declared the Assembly adjourned until adjournment of the 1971 First Extraordinary Session on Monday, February 28, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-third Legislative Day

Fifty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 28, 1972

The Assembly met at 11:17 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Schabarum, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—67

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Father, In your infinite mercy and understanding be patient with us, with our mistakes and our faltering efforts. Save us from being discouraged and disillusioned by failure. Save us from uncontrolled pride in our successes.

Give us each day the grace to do our best for the world and for ourselves Help us to look for and see the best in each individual and each endeavor Help us to be positive and happy with You and with ourselves —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Miller, seconded by Mr. McCarthy.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brown, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Duffy, on request of Speaker pro Tempore Bee.
Mr. Garcia, on request of Speaker pro Tempore Bee.
Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Ketchum, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of a death in his immediate family:

Mr. Russell, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 28, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to be excused from the session today on legislative business.

I have been invited to give an address at the Sixth Annual Conference of Regional Councils in Portland, Oregon.

Sincerely,

WILLIE L. BROWN, JR., Assemblyman
Eighteenth District

February 23, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I request to be excused from session on Monday, Tuesday and Wednesday, February 28, 29, and March 1, 1972, to meet in Washington, D.C. with Chairman John S. Monagan and staff of the House Subcommittee on Legal and Monetary Affairs, relative to the work of the Assembly Select Committee on the Administration of Justice.

Sincerely,

ROBERT W. CROWN, Assemblyman
Fourteenth District

February 24, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob· I respectfully request that I be excused from session on Monday, February 28, 1972, on legislative business.

I shall be speaking to the Moving and Storage Association in Visalia. Thank you for your consideration in this matter.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

February 24, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker· I respectfully request to be excused from session on Monday, February 28, 1972, as I am meeting with Jim Allison, Registrar-Recorder for the County of Los Angeles, regarding my Assembly Bill 219.

Sincerely,

ALEX P. GARCIA, Assemblyman
Fortieth District

February 24, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: This is to request that I be excused from House Session on Monday, February 28, 1972, on Legislative Business, as I will be attending the Joint Meeting of the National and California Advisory Councils on Vocational and Technical Education in San Diego, in my capacity as a Member of the California Council by appointment of yourself.

I thank you for your attention to this matter.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

February 25, 1972

Hon. Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob: Please excuse me from legislative duties on the floor of the Assembly on Monday, February 28.

I will be meeting in my district with local businessmen concerning pending legislation this session.

Sincerely yours,

LEO J. RYAN, Assemblyman
Twenty-seventh District

February 24, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr. Speaker: May I respectfully request that I be excused from session on Monday, February 28 on legislative business. I will be meeting with the La Jolla Rotary in my district.

Thank you.

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

February 28, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused today on legislative business. I am meeting with interested parties in Long Beach Harbor on tidelands matters for the Joint Legislative Audit Committee.

Sincerely,

VINCENT THOMAS, Assemblyman
Sixty-eighth District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
10	Education
39	Transportation
51	Education
52	Constitutional Amendments
63	Ways and Means
69	Revenue and Taxation

Senate Constitutional Amendment No.	*Committee*
6	Constitutional Amendments

Senate Concurrent Resolution No.	*Committee*
7	Rules

Senate Joint Resolution No.	*Committee*
7	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 563: By Assemblyman Badham—An act to add Section 670 to the Penal Code, relating to punishment for crimes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 564: By Assemblyman Knox—An act to amend Sections 16018, 16128, 16301, 16330, 16331, 16333, 16334, 16335.1, 16336, 16338, and 16340 of, to add Section 16350.5 to, and to repeal and add Article 1 (commencing with Section 16320) to Chapter 3 of Part 4 of Division 9 of, the Water Code, relating to sewage services, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 565: By Assemblyman Stacey—An act to amend, repeal, and add Section 13354 of the Vehicle Code, relating to blood tests.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 566: By Assemblyman Waxman—An act to repeal Section 5101 of the Civil Code, and to amend Section 244 of the Government Code, relating to residence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 567: By Assemblyman Townsend—An act to amend Section 218 of the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 568: By Assemblyman Townsend—An act to add Section 25508.1 to the Business and Professions Code, relating to alcoholic beverages

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 569: By Assemblyman Townsend—An act to amend Sections 21026 and 21294 of the Government Code, relating to disability retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 570: By Assemblyman Priolo—An act to amend Section 51200 of the Government Code, relating to land.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 571: By Assemblyman Chappie—An act to amend Sections 2 and 5 of, and to add Section 4.14 to, the Amador County Water Agency Act (Chapter 2137 of the Statutes of 1959), relating to the Amador County Water Agency.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 572: By Assemblyman Chappie—An act to amend Section 10752 of the Revenue and Taxation Code, as amended by Chapter 1437 of the Statutes of the 1971 Regular Session, to repeal Section 10704 of the Revenue and Taxation Code as added by Chapter 1437 of the Statutes of the 1971 Regular Session, and to repeal Section 9269 of the Vehicle Code as added by Chapter 1437 of the Statutes of the 1971 Regular Session, relating to motor vehicles, declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 573: By Assemblyman Priolo—An act to amend Section 51200 of the Government Code, relating to land.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 574: By Assemblyman Brathwaite—An act to amend Sections 253.1 and 253 5 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 575: By Assemblyman Keysor—An act to amend Sections 12002, 12003, 12100, 12302, 12310 5, 12710, 12713, 12723, 12748, 12750, 12780, 12783, 19808, 20700, 20704, 20985, 21701, 21719, 21801, 21821, 21900, 21901, 21911 and 21934 of, and to add Section 12002 1 to, the Business and Professions Code, and to amend Section 2809 of the Vehicle Code, relating to products, including weights and measures.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 576: By Assemblymen Ray E. Johnson and Ketchum—An act to amend Section 194 of the Code of Civil Procedure and Section 1046 of the Penal Code, relating to juries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 577: By Assemblymen Ray E Johnson, LaCoste, Mobley, Chappie, Arnett, Conrad, Davis, Duffy, Ketchum, Lanterman, MacGillivray, Russell, Schabarum, Seeley, Stull, Townsend, and Wakefield—An act to amend Sections 1163 and 1164 of, and to add Section 1147.5 to, the Penal Code, relating to juries

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 578: By Assemblyman Ray E Johnson—An act to amend Section 5652 of the Fish and Game Code, relating to pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 579: By Assemblyman Schabarum—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 580: By Assemblyman Schabarum—An act to add Sections 39079, 39080, 39276, and 39277 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 40: By Assemblymen Ray E. Johnson and Ketchum—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 of Article I thereof, relating to trial by jury.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 41: By Assemblyman Ray E. Johnson—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 of Article I thereof, relating to trial by jury.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 70

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, February 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 92

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 46
AB No 95
AB No. 177
AB No. 198
AB No. 259

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, February 28, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 217

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 217—An act to add Section 4062 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "the", insert "current".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, February 28, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 230

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 230—An act to add Chapter 1.7 (commencing with Section 22530) to Division 16.5 of the Education Code, relating to academic materials.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, after "knowledge", insert ", or under circumstances in which he should reasonably have known,".

Amendment No. 2

On page 2, lines 14 and 15, strike out "has been assigned to", and insert "is to be submitted by".

Amendment No. 3

On page 3, strike out lines 7 to 13, inclusive, and insert

"22534. The provisions of this chapter are not exclusive. Nothing in this chapter shall be construed to preempt or in any other way limit or diminish the rights of any party, public or private, against any person in connection with any of the acts described in Section 22530 or Section 22531."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 70, ordered to third reading

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Monagan was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec 8(a) of the Constitution as it relates to Assembly Bill No 315 be continued to the next legislative day.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 7 CONTINUED

Mr. Monagan was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 7 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 64—An act to add Sections 25210.77e, 25210.77f, 25830, and 25831 to, and to repeal Sections 25210.77e, 25210.77f, 25830, and 25831, as added by Chapter 1014 of the Statutes of the 1971 Regular Session of, the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 64?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly January 17, 1972, strike out "disposal and collection", and insert "collection, processing, reclamation, and disposal".

Amendment No. 2

On page 4, line 7, strike out "disposal and collection", and insert "collection, processing, reclamation, and disposal".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis,

Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Schabarum, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 109—An act to amend Section 367e of the Penal Code, relating to motor vehicle offenses.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Schabarum, Seeley, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 114—An act to add Section 1906.1 to the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Schabarum, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy,

Porter, Powers, Priolo, Schabarum, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 120—An act to amend Section 945 of the Education Code, relating to school district employees

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Belotti, Beverly, Biddle, Burton, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Schabarum, Seeley, Sieroty, Stacey, Townsend, Warren, Wood, Z'berg, and Mr. Speaker—44.

NOES—Badham, Cullen, Maddy, Vasconcellos, and Wakefield—5.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Concurrent Resolution No. 6—Relative to public transit diesel buses.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 581: By Assemblyman Deddeh—An act to amend Section 3712 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 582: By Assemblyman Deddeh—An act to amend Section 14921 of the Government Code, relating to freight.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 583: By Assemblyman Deddeh—An act to amend Section 18655.1 of the Financial Code, relating to industrial loan companies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 584: By Assemblyman Deddeh—An act to amend Sections 253.1 and 253.6 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 585: By Assemblyman Murphy (Senator Grunsky, coauthor)—An act to amend Sections 74691, 74692, 74693, and 74693.1 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 586: By Assemblymen Chacon, Lewis, Brathwaite, Campbell, Deddeh, Fong, Garcia, LaCoste, MacDonald, MacGillivray, McCarthy, Pierson, Sieroty, Townsend, Warren, Waxman, and Z'berg—An act to amend Section 13525 of the Education Code, relating to teachers' salaries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 587: By Assemblyman Priolo—An act to repeal Section 73 of Chapter 1748 of the Statutes of 1971, relating to age of majority, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 35: By Assemblyman Gonsalves—Relative to public libraries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 36: By Assemblymen Wakefield, Collier, Porter, Chappie, Badham, Barnes, Belotti, Biddle, Burke, Cline, Conrad, Dent, Hayden, Ray E Johnson, Lewis, MacGillivray, Mobley, Moorhead, Seeley, Stacey, and Townsend—Relative to the Supreme Court.

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
533	Education
534	Education
535	Government Administration
536	Retirement
537	Criminal Justice
538	Natural Resources and Conservation
539	Local Government
540	Transportation

Assembly Bill No.	*Committee*
541	Judiciary
542	Government Administration
543	Retirement
544	Finance and Insurance
545	Education
546	Criminal Justice
547	Criminal Justice
548	Judiciary
549	Environmental Quality
550	Water
551	Local Government
552	Judiciary
553	Education
554	Commerce and Public Utilities
555	Revenue and Taxation
556	Local Government
558	Governmental Organization
559	Education
560	Education
561	Transportation
562	Natural Resources and Conservation

Assembly Constitutional Amendment No.	*Committee*
38	Criminal Justice
39	Elections and Reapportionment

Assembly Concurrent Resolution No.	*Committee*
33	Rules
34	Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, February 28, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No. 167

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 167—An act to add Sections 29254 and 29255 to the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "intentionally makes any"; and strike out lines 6 to 10, inclusive, and insert "either willfully and knowingly fails to advise each person to whom the petition is presented for signature of his right to read the text of the petition or willfully and knowingly refuses to permit such person to read the contents of the petition if the person so requests."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

VOTE CHANGES

Mr. Moorhead was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 64.

Messrs. LaCoste, Moorhead, and Meade were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 120.

Mr. Beverly was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 109.

Majority Floor Leader Presiding

At 11:46 a.m., Hon. Jack R. Fenton, 51st District, presiding.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, February 28, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 587—An act to repeal Section 73 of Chapter 1748 of the Statutes of 1971, relating to age of majority, and declaring the urgency thereof, to take effect immediately.

PAUL PRIOLO

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 11:47 a.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Tuesday, February 29, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-fourth Legislative Day

Fifty-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 29, 1972

The Assembly met at 11 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Campbell moved a quorum call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 11 03 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:10 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—68.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Save Us, Lord, From the rut of routine monotony Let us not be marshaled by modern mechanism in robotlike life and work patterns. Help us to give to life a zest and enthusiasm which will eliminate frozen formalism and loneliness.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Foran then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Lanterman, seconded by Mr. Belotti.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Duffy, on request of Speaker pro Tempore Bee.
Mr. Gonsalves, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Cline, on request of Speaker pro Tempore Bee.
Mr. Ketchum, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were excused for the day, and their per diem was waived:

Mr. Garcia.
Mr. Bill Greene.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 29, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from session on February 29, 1972, on legislative business. I will be in my district office meeting with Mr. Rod McLain of the Garden Grove School District,

and Mr. Maury Ross of the Norwalk-La Mirada School District relating to school finance matters.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

February 28, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from session on Tuesday, February 29, 1972.

After a late evening speaking engagement in my district on Monday, February 28, 1972, I will return via Fresno to speak to the California Federation of Republican Women, Central Division, at Noon, February 29, 1972.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

February 29, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from the session on Tuesday, February 29, 1972 on legislative business. I will be meeting with leaders in the education community in my district regarding educational problems

Thank you for your cooperation.

Sincerely,

JOE A. GONSALVES, Assemblyman
Sixty-sixth District

NOTE: For letter explaining the absence of Mr. Crown on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 28, 1972, page 537.

REPORTS

The following report was presented by the Chief Clerk:

Bulletin No. 117-15. Peace Valley Aquatic Recreation Area, Recreation Development Plan. January 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated February 25, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of and Appointment of Members to Subcommittees of Assembly Finance and Insurance Committee

February 28, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I have authorized the creation of the following subcommittees of the Assembly Finance and Insurance Committee:

Unemployment Insurance—Disability Insurance: Assemblymen Pierson (Chairman), Briggs, Moorhead, Ralph, and Waxman.

Workmen's Compensation: Assemblymen Fenton (Chairman), Foran, Hayden, Knox, and Priolo.

Sincerely,

BOB MORETTI
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Press Credentials

February 25, 1972

Squire Earl Behrens
President, Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of your request of February 23 for accreditation of Rod Angove for the Associated Press replacing Keith Hearn, retired.

Sincerely,

JOHN L. BURTON, Chairman
Joint Rules Committee

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
563	Criminal Justice
564	Water
565	Health
566	Judiciary
567	Revenue and Taxation
568	Governmental Organization
569	Finance and Insurance
570	Government Administration
571	Water
572	Revenue and Taxation
573	Government Administration

Assembly Bill No.	*Committee*
574	Transportation
575	Governmental Organization
576	Criminal Justice
577	Criminal Justice
578	Natural Resources and Conservation
579	Environmental Quality
580	Environmental Quality
581	Revenue and Taxation
582	Commerce and Public Utilities
583	Finance and Insurance
584	Transportation
585	Judiciary
586	Education
587	Judiciary

Assembly Constitutional Amendment No.	*Committee*
40	Criminal Justice
41	Criminal Justice

Assembly Concurrent Resolution No.	*Committee*
35	Ways and Means
36	Criminal Justice

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 588: By Assemblymen Bagley, Barnes, Chacon, Deddeh, and Stull (Senators Burgener and Schrade, coauthors)—An act to add Section 6370 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 589: By Assemblyman Priolo—An act to add Section 1151 5 to the Government Code, relating to salary and wage payments to public employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 590: By Assemblyman Stacey—An act to amend Sections 11102, 11103, and 11105 of, and to add Sections 311, 311.5, and 11102 5 to, the Vehicle Code, relating to driving schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 591: By Assemblyman Deddeh—An act to amend Section 1 of the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 592: By Assemblyman Monagan—An act making an appropriation for overtime for state employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 593: By Assemblyman Harvey Johnson—An act to amend Section 18300 of the Government Code, relating to firefighters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 594: By Assemblyman Z'berg—An act to amend Section 65854 of, and to add Section 65905 5 to, the Government Code, relating to zoning.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 595: By Assemblyman Meade—An act to add Section 6379 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 25—An act to amend Section 75090.2 of the Government Code, relating to the Judges' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 56—An act to amend Section 11203 of the Revenue and Taxation Code, relating to the Private Car Tax Law, to take effect immediately, tax levy;

Assembly Bill No. 124—An act to add and repeal Section 15958.6 to the Education Code, relating to contracts of school districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 326—An act to amend Sections 6349 and 6353 of the Elections Code, relating to nomination petitions, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 381—An act relating to age of majority, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 12 m., February 28, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, February 29, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

ACR No. 12

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

Z'BERG, Chairman

Above resolution ordered on file.

Assembly Chamber, February 29, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

ACR No. 18

With amendments with the recommendation: Amend, and be adopted, as amended.

Z'BERG, Chairman

Above resolution ordered on file.

Assembly Chamber, February 29, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 51

With the recommendation: Do pass.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, February 29, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AJR No. 2

With the recommendation: Be adopted.

Z'BERG, Chairman

Above resolution ordered on file.

Assembly Chamber, February 29, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports.

ACR No. 9

With the recommendation: Be adopted.

Z'BERG, Chairman

Above resolution ordered on file

MESSAGES FROM THE SENATE

Senate Chamber, February 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 79

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, February 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 6
SB No. 150
SB No. 271

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, February 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 4

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 6—An act relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 150—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 271—An act to amend Section 14 of Chapter 1307 of the Statutes of 1971, relating to documents, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 4—Relative to voting on bills.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 143 and Assembly Constitutional Amendment No. 19 be withdrawn from the Committee on Criminal Justice, and re-referred to the Committee on Governmental Organization.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 596: By Assemblyman Barnes—An act to amend Sections 20020 and 20021.5 of the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 597: By Assemblyman Wood—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 598: By Assemblyman Dunlap—An act to add Article 2.5 (commencing with Section 5420) to Chapter 6 of Part 3 of Division 5 of the Health and Safety Code, relating to waste materials.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 599: By Assemblyman Beverly—An act to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 600: By Assemblyman McAlister—An act to amend Sections 923.5, 932.1, 937 1, 1102, 1104 3, 1111.2, 1130, 1225.5, 1606, 2032, 2309, and 5029 of, and to repeal Section 1013 5 and Article 3 5 (commencing with Section 25450) of Chapter 2 of Division 18.5 of, the Education Code, relating to education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 601: By Assemblyman Bee—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 602: By Assemblyman Bee—An act to amend Section 35406 of the Vehicle Code, relating to motor vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 603: By Assemblyman Bee—An act to add Section 24 1 to the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of the Statutes of 1949), relating to Alameda County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 604: By Assemblymen Z'berg, Powers, Leroy F. Greene, and MacDonald—An act to amend Section 18025 of the Government Code, relating to holiday compensation

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 42: By Assemblyman Beverly—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article X and Section 15 of Article XX thereof, by adding Article III, Section 5 to Article XX, and Section 8 to Article XXIV thereof, and by repealing Section 3 of Article I, Article III, and Sections 1, 6, 10, 11, and 16 of Article XX thereof, relating to constitutional revision.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 43: By Assemblymen MacGillivray, Moorhead, Barnes, Belotti, Burke, Chappie, Cline, Collier,

Conrad, Dent, Hayden, Ray E Johnson, Lanterman, Lewis, Mobley, Monagan, Porter, Schabarum, Seeley, Stull, Thomas, Wakefield, and Wood—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to the death penalty.

Held at Desk by order of the Speaker pro Tempore.

QUORUM CALL OF THE ASSEMBLY

Speaker Moretti moved a quorum call of the Assembly.

Motion carried. Time, 11 18 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr Stull was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

CONSIDERATION OF DAILY FILE THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 70—An act to add Article 4 5 (commencing with Section 913.10) to Chapter 2 of Title 4 of Part 2 of the Penal Code, relating to grand juries.

Bill read third time.

Demand for Previous Question

Messrs. Powers, Murphy, Russell, Deddeh, and Townsend demanded the previous question. Demand sustained.

The question being on the passage of Assembly Bill No. 70.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cullen, Deddeh, Dent, Dunlap, Fong, Foran, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—44.

NOES—Barnes, Belotti, Burke, Chappie, Collier, Conrad, Davis, Hayden, Hayes, Ray E. Johnson, Lewis, MacGillivray, Maddy, Mobley, Moorhead, Russell, Schabarum, Seeley, Stacey, and Wakefield—20.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 605: By Assemblyman Warren—An act to add Section 1058a to the Code of Civil Procedure, relating to undertakings and bonds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 606: By Assemblyman Sieroty—An act to amend Sections 17215 and 17216 of, and to add Section 17216.3 to, the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 607: By Assemblyman Stull—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 608: By Assemblyman Moretti—An act to amend Section 6871.2 of, and to add Section 6873.3 to, the Public Resources Code, relating to state lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 609: By Assemblyman Moretti—An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 610: By Assemblyman Arnett—An act to amend Sections 302, 9890.9, 9890.11, 9890.30, 9890.50, 9890.51, 9890.52, 9890.53, 9890.54, 9890.55, 9890.56, 9890.57, 9890.58, 9890.60, 9890.62, 9890.63, 9890.65, 9890.80, 9890.82, 9890.90, 9890.92, 9890.93, 9890.100, 9890.104, 9890.110, 9890.111, 9890.112, 9890.113, 9890.120, 9890.121, 9902, and 9915 of, and to add Section 303 to, the Business and Professions Code, relating to the Department of Consumer Affairs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 611: By Assemblyman Arnett—An act to add Section 21252.05 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 612: By Assemblyman Vasconcellos—An act to amend Section 5774.7 of the Education Code and to amend Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 613: By Assemblyman Wakefield—An act to add Section 2260 5 to the Vehicle Code, relating to uniforms of members of the California Highway Patrol, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 614: By Assemblyman Brown—An act to amend Section 1602 of, and to add Section 1601.5 to, the Business and Professions Code, relating to dentists

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 615: By Assemblyman Brown—An act to add Section 129.5 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 616: By Assemblyman Brown—An act to add Section 7034 to the Business and Professions Code, relating to contractors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 617: By Assemblyman Brown—An act to add Section 129 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 618: By Assemblyman Pierson—An act to add Section 10270.61 to the Insurance Code, relating to insurance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 619: By Assemblyman Waxman—An act to repeal Section 224 of, and to add Section 224 to, the Elections Code, relating to voter registration.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 620: By Assemblyman Waxman—An act to amend Section 2983.2 of, and to add Section 1917 to, the Civil Code, relating to automobile sales financing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 44: By Assemblyman Stull—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 6 to Article IV thereof, by adding Section 10 5 to Article VI thereof, and by repealing Sections 6 and 27 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 17: By Assemblyman Karabian—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to equal rights for men and women.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 37: By Assemblyman Warren—Relative to the California Law Revision Commission.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 45: By Assemblymen Ralph, Bagley, Miller, Brathwaite, and Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XI, and to repeal Article XXXIV, relating to public housing.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Arnett:

House Resolution No. 23

Relative to the Municipal Improvement Act of 1913

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the Municipal Improvement Act of 1913; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, February 29, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 47

AB No. 144

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 47—An act to add Article 1 (commencing with Section 870) to Chapter 4 of Division 4 of the Military and Veterans Code, relating to tuition scholarships.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly February 16, 1972, strike out line 5, and insert

"870. As used in this article:

(a) Qualified".

Amendment No. 2

On page 2, line 19, strike out "(a) Child of a person", and insert "(1) Child of a California serviceman".

Amendment No. 3

On page 2, line 23, strike out "(b)", and insert "(2)",

Amendment No. 4

On page 2, line 25, strike out "person", and insert "California serviceman".

Amendment No. 5

On page 2, line 32, strike out "College, university", and insert "(b) "College, university,".

Amendment No. 6

On page 2, between lines 36 and 37, insert

"(c) "California serviceman" means any person who, at the time of his or her enlistment or induction into the armed forces of the United States, was a resident of California."

Amendment No. 7

On page 2, line 40, strike out "school or".

Amendment No. 8

On page 3, line 1, after "university", insert ", or school".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 144—An act to add Sections 23062 and 23753 5 to the Education Code, and to add Section 896.3 to the Military and Veterans Code, relating to tuition.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Chacon", and insert "Assemblymen Chacon, Barnes, Bee, Belotti, Brathwaite, Briggs, Burton, Campbell, Chappie, Cory, Dunlap, Fenton, Garcia, Gonsalves, Harvey Johnson, Karabian, LaCoste, MacDonald, McAlister, Porter, Powers, Ralph, Ryan, Sieroty, and Townsend".

Amendment No. 2

On page 2, line 13, strike out "person", and insert "man or any woman".

Amendment No. 3

On page 2, line 13, strike out "his".

Amendment No. 4

On page 2, line 34, strike out "person", and insert "man or any woman".

Amendment No. 5

On page 2, line 34, strike out "his".

Amendment No. 6

On page 3, line 15, strike out "he", and insert "such person".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 7 CONTINUED

Mr. Stull was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 7 be continued until the next legislative day.

CAUCUS ANNOUNCEMENTS

Mr Fenton announced that there would be a Democrat Caucus immediately upon adjournment today, in the Assembly Lounge.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, February 29, 1972

Mr Speaker. Your Committee on Rules reports:

HR No 20
HR No 21
HR No. 22

With the recommendation · Be adopted.

BURTON, Chairman

Above resolutions ordered on file.

Committee on Governmental Organization

Assembly Chamber, February 29, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

ACA No. 25

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 43 to Article XIII thereof,

Article XIX thereto, and Section 7 to Article XXIV thereof, and by repealing Section 22 of Article XX (as amended November 6, 1956) thereof, relating to alcoholic beverages.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed measure, after "power", insert ", except".

Amendment No. 2

On page 2, lines 21 and 22, strike out ", and to collect license fees or occupation taxes on account thereof".

Amendment No. 3

On page 2, line 38, strike out "proceeding", and insert "proceeded".

Resolution ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that there would be a Republican Caucus today, in Room 6024, at 4 p.m.

VOTE CHANGES

Mr. Barnes was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 70.

Mr. Briggs was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 70.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:47 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 11:47 a.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, March 1, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-fifth Legislative Day

Fifty-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 1, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr. Belotti seconded the motion.
Motion carried. Time, 11:05 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:12 a.m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Thomas,

Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Mr. Speaker—67.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, You have given us the responsibility to mold and fashion man's world for man's benefit. While we may be subject to the pressure of many forces and ideologies let us never forget that love of man must be the dynamic force, always pushing men onward to better codes, better systems, and better behavior. Help us, Father, to foster this love in ourselves. It will grow from there to others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Lanterman then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. McAlister.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mr. Crown, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Ketchum, on request of Speaker pro Tempore Bee.
Mr. Meade, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived:

Mr. Z'berg.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 28, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, March 1, 1972 and Thursday, March 2, 1972 on Legislative Business. I will be in Washington, D.C. conferring with Federal Officials regarding School Finance as it relates to Revenue Sharing and the Value Added Tax.

Sincerely yours,

WILLIAM T. BAGLEY, Assemblyman
Seventh District

March 1, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, March 1, on legislative business. I shall be in my district conferring with state college officials regarding appropriations for education.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

February 29, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I would like to be excused from attending the session on Wednesday, March 1, 1972, on legislative business.

I will be meeting with members of the Monterey Park Convalescent Hospital to discuss recent cutbacks in the Medi-Cal program.

Respectfully,

WALTER KARABIAN, Assemblyman
Forty-fifth District

February 29, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I would appreciate being excused from session on Wednesday and Thursday, March 1 and 2, on legislative business. I will be in Washington, D. C attending meetings relative to the Advisory Council of the National Conference of State Legislative Leaders.

Sincerely,

BOB MONAGAN
Minority Floor Leader

February 29, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from legislative duty on Wednesday, March 1, 1972.

I have been asked to participate in a program at the Glendale College in my district.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

February 28, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from session Wednesday, March 1, 1972, on legislative business in my district. I will be participating in ribbon-cutting ceremonies for Interstate 5 in Kern County, and scheduled meetings with constituents in my district office concerning legislative matters presently before the Assembly.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

NOTE: For letter explaining the absence of Mr. Crown on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 28, 1972, page 537.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Explanation of Absence—February 22, 1972

February 25, 1972

Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: On February 18, I wrote you for a legislative excuse from Session on February 22, having scheduled an important meeting in my district concerning a proposed park in the Dimond district. Circumstances changed, and I was unable to attend the meeting due to personal business.

I am requesting, therefore, that the records reflect I be excused from Session on February 22 on personal business and, consequently, waive my per diem.

Very truly yours,

KEN MEADE, Assemblyman
Sixteenth District

The following communication was presented by the Chief Clerk from:

Massey Herrera, Jr., Executive Director, Redevelopment Agency of the City of Santa Fe Springs, dated February 18, 1972, relative to rehabilitation activities in the Flood Ranch Urban Renewal Project No. Calif. R-71. Referred by the Speaker pro Tempore to the Committee on Urban Development and Housing.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
588	Revenue and Taxation
589	Employment and Public Employees
590	Transportation
591	Government Administration
592	Employment and Public Employees
593	Finance and Insurance
594	Planning and Land Use
595	Revenue and Taxation
596	Retirement
597	Judiciary
598	Environmental Quality
599	Finance and Insurance
600	Education
601	Natural Resources and Conservation
602	Transportation
603	Water
604	Employment and Public Employees
605	Judiciary
606	Revenue and Taxation
607	Elections and Reapportionment
608	Planning and Land Use
609	Planning and Land Use
610	Health
611	Retirement
612	Education
613	Employment and Public Employees
614	Health
615	Commerce and Public Utilities
616	Commerce and Public Utilities
617	Commerce and Public Utilities
618	Finance and Insurance
619	Elections and Reapportionment
620	Finance and Insurance

Assembly Constitutional Amendment No.	*Committee*
42	Elections and Reapportionment
43	Criminal Justice
44	Elections and Reapportionment
45	Urban Development and Housing

Assembly Concurrent Resolution No.	*Committee*
37	Judiciary

Assembly Joint Resolution No.	*Committee*
17	Rules

Senate Bill No.	*Committee*
6	Education
150	Elections and Reapportionment
271	Revenue and Taxation

Senate Concurrent Resolution No.	*Committee*
4	Rules

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Senate Bill No. 271—An act to amend Section 14 of Chapter 1307 of the Statutes of 1971, relating to documents, and declaring the urgency thereof, to take effect immediately.

RICHARD D. HAYDEN

Above request ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 621: By Assemblyman Garcia—An act to amend Section 8007 of the Business and Professions Code, to add Section 755 to the Evidence Code, and to add Section 18708.7 to the Government Code, relating to court proceedings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 622: By Assemblyman Biddle—An act to repeal Chapter 3 (commencing with Section 2600) of Part 9 of Division 2 of the Labor Code, relating to the registration of factories.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 623: By Assemblyman Biddle—An act to amend Sections 74134, 74135, 74136, 74137, 74138, and 74139 of the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 624: By Assemblyman Townsend—An act to amend Section 4100.5 of, and to add Article 4.5 (commencing with Section 14320) to Chapter 3, Part 5, Division 3, Title 2 of, the Government Code, relating to public works contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 625: By Assemblyman Burke—An act to add Section 14797 to, and to repeal Section 14797 of, the Revenue and Taxation Code, relating to inheritance taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 626: By Assemblyman Duffy—An act to amend Section 1425 of the Penal Code, relating to jurisdiction of justice courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 627: By Assemblyman Duffy—An act to amend Section 15001 of the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 628: By Assemblyman Duffy—An act to amend Sections 976, 976.5, 976.7, 1281, 2602, and 2606 of, to add Sections 611, 612, 613, and 614 to, and to repeal Sections 625, 626, 627, 628, and 676 of, the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 629: By Assemblyman Wood (Senator Grunsky, coauthor)—An act to add Part 15 (commencing with Section 103000) to Division 10 of the Public Utilities Code, relating to transit districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 630: By Assemblyman McAlister—An act to amend Sections 7621, 7622, 7655, 7680, 7721, 7722, 7723, 7724, and 7725, relating to industrial safety, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 631: By Assemblymen Porter and Chappie—An act to amend Section 54797.2 of the Government Code, relating to boundaries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 632: By Assemblymen Porter, Lewis, and MacDonald—An act to amend Sections 35271.7 and 54797.2 of the Government Code, relating to alteration of boundaries.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, February 29, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 64—An act to add Sections 25210.77e, 25210.77f, 25830, and 25831 to, and to repeal Sections 25210.77e, 25210.77f, 25830, and 25831, as added by Chapter 1014 of the Statutes of the 1971 Regular Session of, the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., February 29, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 9
AJR No. 2

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 167
AB No. 217
AB No. 230

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 47

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 25

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, February 28, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 198

AB No. 222

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, February 28, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

ACA No. 24

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above resolution ordered on file.

Assembly Chamber, February 28, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 131

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 211

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Transportation

Assembly Chamber, February 29, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 197

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 197—An act to amend Section 19971 of the Health and Safety Code, and to add Section 35116 to the Vehicle Code, relating to factory-built housing.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "35116", and insert "35784.5",

Amendment No. 2

On page 2, line 7, strike out "35116", and insert "35784.5".

Amendment No. 3

On page 2, strike out lines 9 to 14, inclusive, and insert

"35784.5. The width limitations imposed in Section 35100 shall not apply to the transportation of any factory-built housing, as defined in Section 19971 of the Health and Safety Code, if such housing is transported under permit issued by the Department of Public Works or by local authorities with respect to highways under their respective jurisdictions. A permit shall not be issued if the total outside width of such housing, excluding any overhanging eaves, exceeds 150 inches, or if the total outside width, including any overhanging eaves, exceeds 168 inches."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, March 1, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 221

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 221—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, relating to unemployment benefits, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "Code," insert "and to repeal Section 5 of Chapter 1815 of the Statutes of 1971,".

Amendment No. 2

On page 6, line 14, after "SEC. 9.", insert "Section 5 of Chapter 1815 of the Statutes of 1971 is repealed.

~~SEC. 5. This act shall become effective only if General Fund revenues are increased by statutes enacted at the 1971 Regular Session of the Legislature above the amounts necessary to maintain programs in dollar amounts allocated by Chapter 266 of the Statutes of 1971, as determined by the State Controller.~~

SEC. 10."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, March 1, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 136

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 136—An act to add Section 17538.5 to the Business and Professions Code, relating to advertising.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Assembly February 23, 1972, strike out "of the company", and insert "under which business is done",

Amendment No. 2

On page 2, line 3, strike out "the".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, February 29, 1972

Mr. Speaker: The Chairman of your Committee on Constitutional Amendments reports:

SB No. 52

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 52—An act to place an amendment to the Constitution on the ballot for the primary election to be held on Tuesday, June 6, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, in line 5, strike out the blank, and insert "6".

Amendment No. 2

On page 1, line 13, strike out the blank, and insert "6".

Amendment No. 3

On page 2, line 16, strike out the blank, and insert "6".

Amendment No. 4

On page 2, line 19, strike out the blank, and insert "6".

Amendment No. 5

On page 2, line 28, strike out the blank, and insert "6,".

Amendment No. 6

On page 2, between lines 30 and 31, insert

"SEC. 3.5. Notwithstanding the provisions of Section 10212 of the Elections Code, Senate Constitutional Amendment No. 6 of the 1972 Regular Session of the Legislature, if adopted by the Legislature for submission to the people, shall be numbered 10 on the ballot and in the ballot pamphlets of the 1972 direct primary election."

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 1, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports:

ACR No. 24

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 24—Relative to voting on bills.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed measure, strike out line 8, and insert

"46 When a standing committee takes action on a bill, including reconsideration, the vote shall be by rollcall vote only. All rollcall votes taken in a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly and the Secretary of the Senate The chairman of each standing committee shall promptly transmit a copy of the record of the rollcall votes to the Secretary of the Senate or the Chief Clerk of the Assembly, respectively, who shall cause the votes to be published in an appendix to the journal on a weekly basis.

"Bill" as used in this rule shall include constitutional amendments but shall not include resolutions The provisions of this rule shall also apply to action of a committee on a subcommittee report The provisions of this rule shall apply to the adoption of all amendments.

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill

At the request of any member of the committee, the committee may hold the roll open on any bill until the adjournment of the committee meeting. If a member is recorded as present for the quorum call of the committee, he may register his vote in writing to the chairman on suitable forms prepared by the Chief Clerk of the Assembly and the Secretary of the Senate A member voting by written vote shall not be counted in determining the presence of a quorum

The provisions of this rule shall not apply to:

(a) Procedural motions which do not have the effect of disposing of a bill.

(b) Adoption of author's amendments to a bill.

(c) Withdrawal of a bill from a committee calendar at the request of an author.

(d) Return of bills to the respective houses, where the bills have not been voted on by the committee.

Notwithstanding the foregoing provisions of this rule, a committee member shall have his vote on any matter not otherwise required to be recorded, recorded and published upon his request."

Amendment No. 2

On page 1, strike out lines 9 to 12, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We transmit herewith a performance audit report on the Work Incentive Program (WIN) in California. Objectives of the review were to determine costs, the effectiveness of the program in achieving goals, and the efficiency of the programs operations.

From the September 1968 start of the program to March 31, 1971 (31 months), $67 million was spent on the WIN program in California. At the same time, $103 million in AFDC grants was paid to WIN participants. WIN program costs were financed by $50 million of federal funds, $11 million of state funds, and $6 million of county funds. The AFDC grants were funded from $51 million of federal, $35 million of state, and $17 million of county funds Sufficient state and county cost and statistical data are not available The March 31, 1971 data were developed during the audit.

The objective of the WIN program is to restore AFDC families to independence through employment in the regular economy. In the first 31 months of operation, the program has resulted in an annual savings of only $4 million in AFDC grants Only 2,957 or 2 percent of the 143,720 recipients referred to the program have been employed and remain off welfare. Some 28,000 others received services and were recorded as nonsuccessful terminations. The report states that the program has not had a discernible effect on welfare caseloads. The needs of those referred to it have not been met WIN has not held the interest of those enrolled in the program.

It is difficult to measure the effectiveness of the program. Many of those enrolled in the program possessed marketable job skills but were on welfare because of the general depressed economy Conversely, many of those referred to the program by counties were not enrolled or terminated because of physical, emotional, or other handicaps. Counties must refer unemployed fathers to the program or risk the loss of federal AFDC grants. Only 51,077 were enrolled in the program out of the 143,720 referrals.

WIN personnel at both headquarters and local offices do not have sufficient information regarding enrollee achievement in the various educational and training programs. It is not known whether or not an enrollee completes a course or accomplishes an objective.

State administration and operation of the WIN program is divided between the Departments of Human Resources Development, and Social Welfare. This division of responsibility has created misunderstanding and antagonism between these departments along with conflicting instructions to county welfare departments. No one agency has the responsibility to produce satisfactory results for the millions spent.

The organizational structure of the Department of Human Resources Development precludes the most efficient utilization of WIN personnel. It is impossible for the WIN chief to effect a concerted effort toward the goals established for the WIN program.

HRD has implemented the Federal Department of Labor recommended team concept of staffing WIN field operations Team members are concerned mainly with their own area of specialization. Supervision and direction are lacking. No one is responsible for the overall welfare or progress of individual enrollees.

The report contains 17 recommendations to improve services, establish fiscal and operating control, and to provide data essential for the evaluation of program costs and benefits.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 146
AB No. 532

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACA No 7

With the recommendation That the bill be re-referred to the Committee on Constitutional Amendments.

BROWN, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 532

Mr. Hayden was granted unanimous consent to take up Assembly Bill No. 532, without reference to file, for the purpose of reading the bill a second time at this time, and that the bill be considered engrossed.

Second Reading of Assembly Bill No. 532 by Unanimous Consent

Assembly Bill No. 532—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 18—Relative to the Blackwood Creek Watershed.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 2, line 20, of the printed measure, strike out "March", and insert "July".

Amendment No. 2

On page 2, line 22, strike out "July", and insert "December".

Resolution ordered reprinted, and on file.

Assembly Bill No. 51—An act to amend Section 2369 of the Fish and Game Code, relating to clams.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following resolution was ordered re-referred to the Committee on Ways and Means:

Assembly Concurrent Resolution No. 12.

COMMUNICATIONS

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 51

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 12

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to the Committee on Ways and Means.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

Mr. Stull was granted unanimous consent that the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No. 315 be continued to the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Mr. Schabarum was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

House Resolution No. 20—Relative to printing the Vehicle Code Synopsis in Chinese.

NOTE: The full text of House Resolution No. 20 appears at pages 513–514 of the Assembly Daily Journal for February 24, 1972.

Resolution read, and presented by Mr. Burton.

Member Made Coauthor of House Resolution No. 20

Mr. Burton was granted unanimous consent that Mr. Garcia be placed upon House Resolution No. 20 as a coauthor.

Resolution read, as amended, and adopted.

House Resolution No. 21—Relative to Russian thistle.

NOTE: The full text of House Resolution No. 21 appears at page 514 of the Assembly Daily Journal for February 24, 1972.

Resolution read, presented by Mr. Duffy, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports: AB No. 238

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means with Consent Calendar recommendation.

PRIOLO, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports: AJR No. 12

With the recommendation· Be adopted, and be re-referred to the Committee on Rules.

PRIOLO, Chairman

Above resolution re-referred to the Committee on Rules.

Hon. Alister McAlister Presiding

At 11:27 a.m., Hon. Alister McAlister, 25th District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 17

Mr Porter was granted unanimous consent to take up Senate Concurrent Resolution No. 17 without reference to committee or file, for purpose of consideration at this time.

Consideration of Senate Concurrent Resolution No. 17

Senate Concurrent Resolution No. 17—Relative to memorializing Los Angeles County Supervisor Frank G. Bonelli

Resolution read and presented by Mr. Porter.

Members Made Coauthors of Senate Concurrent Resolution No. 17

Mr. Porter was granted unanimous consent that all Members of the Assembly be placed upon Senate Concurrent Resolution No 17 as coauthors, and that when the Assembly adjourns on this day it do so out of respect to the memory of the late Hon Frank G. Bonelli, member of the Los Angeles County Board of Supervisors and former Member of the Assembly.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

Speaker pro Tempore Presiding

At 11:49 a.m., Hon. Carlos Bee, 13th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

House Resolution No. 18—Relative to memorializing Frank G. Bonelli.

NOTE: The full text of House Resolution No. 18 appears at pages 456–457 of the Assembly Daily Journal for February 18, 1972.

Resolution read, and presented by Mr. Wakefield.

Members Made Coauthors of House Resolution No. 18

Mr Wakefield was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 18 as coauthors.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

Assembly Concurrent Resolution No. 9—Relative to Ken Legg Peak.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

House Resolution No. 22—Relative to Donner Lake.

NOTE: The full text of House Resolution No. 22 appears at pages 514–515 of the Assembly Daily Journal for February 24, 1972.

Resolution read, presented by Mr. Chappie, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:52 a.m., Mr. Gonsalves was granted unanimous consent to hold a special meeting of the Committee on Revenue and Taxation in the rear of the Assembly Chamber at this time, to consider Senate Bill No. 69, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 69 for hearing in the Committee on Revenue and Taxation.

RECESS

At 11:53 a.m , on motion of Mr. Fenton, the Assembly recessed until 11:56 a.m.

REASSEMBLED

At 11:56 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 172

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 259

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means: To be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 250

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 210
AB No. 251
AB No. 252

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 223

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports: SB No. 69

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time.

Assembly Bill No. 633: By Assemblyman Badham—An act to add Section 15154 5 to the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 634: By Assemblyman Badham—An act to amend Section 6512 of the Health and Safety Code, relating to sanitary districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 635: By Assemblyman Foran—An act appropriating funds for increases in compensation for members of the California Highway Patrol.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 636: By Assemblyman Brown—An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497.5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 637: By Assemblyman Dunlap—An act to add Section 20868 to the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 638: By Assemblyman Dunlap—An act to add Article 3 5 (commencing with Section 27400) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 639: By Assemblyman Wakefield—An act to amend the heading of Chapter 1 (commencing with Section 12000) of Title 2 of Part 4 of, the heading of Article 2 (commencing with Section 12020) of Chapter 1 of Title 2 of Part 4 of, and the heading of Article

4 (commencing with Section 12070) of Chapter 1 of Title 2 of Part 4 of, and to amend Sections 12021 and 12072 of, and to add Section 12021.7 to, the Penal Code, relating to firearms.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 640: By Assemblyman Chappie—An act to amend Section 188.9 of the Streets and Highways Code, relating to state highway funds

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 641: By Assemblyman Chappie—An act to amend Section 8140 of the Government Code, relating to California-Nevada Interstate Compact Commission

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 642: By Assemblyman Chappie—An act to repeal Chapter 3 5 (commencing with Section 21500) of Part 1 of Division 9 of the Public Utilities Code, relating to aviation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 643: By Assemblyman Chappie—An act to amend Section 4150 2 of the Vehicle Code, relating to motor vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 644: By Assemblyman MacDonald—An act to amend Section 2873 of the Penal Code, relating to state prisons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 645: By Assemblyman Waxman—An act to add Section 26440 to the Health and Safety Code, relating to food labeling.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 646: By Assemblyman Porter—An act appropriating funds for increases in compensation for employees of the Department of Water Resources, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 647: By Assemblyman Sieroty—An act to amend Section 13260 of, and to add Article 5 (commencing with Section 13280) to Chapter 4 of Division 7 of, the Water Code, relating to water quality.

Held at Desk by order of the Speaker pro Tempore

QUORUM CALL OF THE ASSEMBLY

By unanimous consent, Speaker pro Tempore Bee placed a quorum call upon the Assembly

Time, 11 .58 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 69 for hearing in the Committee on Ways and Means

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 7

In compliance with a motion given on a previous day, Mr. Stull moved that the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 7 be reconsidered.

Senate amendments to Assembly Bill No. 7 reconsidered by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—59.

NOES—Davis and Lewis—2.

Further Consideration of Senate Amendments to Assembly Bill No. 7

Assembly Bill No. 7—An act to add Section 41.5 to Chapter 361 of the Statutes of 1971, relating to public school certificated employees and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 7?

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to add Section 41.5 to Chapter 361 of the Statutes of 1971,".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 41.5 is added to Chapter 361 of the Statutes of 1971, to read.

41.5. Section 40 of this act shall become operative on September 1, 1972."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Schabarum, Seeley, Sieroty, Stull, Warren, Waxman, Wood, and Mr. Speaker—54.

NOES—Davis—1.

Above bill ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Brown was granted unanimous consent that the Committee on Ways and Means be permitted to hold a special meeting tomorrow, March 2, at 11 a.m., in Room 3188, to consider Senate Bill No. 69.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:07 p.m., on motion of Mr. Knox, and in the absence of any objection, the quorum call of the Assembly was dispensed with.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 648: By Assemblyman Wakefield—An act to amend Sections 213, 264, and 461 of the Penal Code, relating to attempted crimes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 649: By Assemblyman Dunlap—An act to add Title 1.4 (commencing with Section 1749) to Part 4 of Division 3 of the Civil Code, relating to disclosure of information.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 12:08 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 2 p.m., Thursday, March 2, 1972, out of respect to the memory of the late Honorable Frank G. Bonelli, member of the Los Angeles County Board of Supervisors and former Member of the Assembly.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-sixth Legislative Day

Sixtieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 2, 1972

The Assembly met at 2 p.m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Stacey moved a quorum call of the Assembly.

Mr. Townsend seconded the motion.

Motion carried. Time, 2·02 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 2:10 p.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—72.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable L. E. Townsend, Member of the Assembly, 67th District:

Almighty God and Father of Us All, Thank You for this new day of life and help us to have a healthy appreciation for the effort of the past assemblies in building our great state and nation. Give us humility of mind to know that we need Your assistance and grant us divine direction, moral courage, and brotherly love in all of our undertakings this day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Seeley then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr Porter.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere·

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 29, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, March 2, 1972, on legislative business.

I shall be attending the meeting of the State Board of Education in San Diego relative to legislation.

Sincerely,

FLOYD L. WAKEFIELD, Assemblyman
Fifty-second District

NOTE: For letters explaining the absences of Messrs. Bagley and Monagan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 1, 1972, page 567.

REPORTS

The following reports were presented by the Speaker:

A Report on Malpractice Actions—1971. (Pursuant to Section 1432 Health and Safety Code.)

Above transmitted report, together with letter of transmittal from William J. Kurtz, Director, Department of Public Health, Berkeley, dated February 24, 1972, referred by the Speaker pro Tempore to the Committee on Health.

Annual Report of the Model Cities Liaison Group. (In accordance with Chapter 1462 of the 1971 Statutes.) February 7, 1972.

Above transmitted report, together with letter of transmittal from Thomas N Duffy, Chief, Model Cities Liaison Group, Office of Lieutenant Governor, Sacramento, dated February 29, 1972, referred by the Speaker pro Tempore to the Committee on Urban Development and Housing.

Report on Parental Fee Schedule for Use by Regional Centers in Situations Involving 24-Hour Out-of-Home Residential Placement. (Revised.) February 1972. (In compliance with House Resolution No. 91, 1971.)

Above transmitted report, together with letter of transmittal from James M Hall, Secretary, Human Relations Agency, Sacramento, dated February 28, 1972, referred by the Speaker pro Tempore to the Committee on Health.

Annual Report to the Legislature and Governor by the Research Advisory Panel. For the Period January 1 to December 31, 1971. (Pursuant to Sections 11655.5 and 11655.8 of the Health and Safety Code.)

Above transmitted report, together with letter of transmittal from Donald W. Holsten, Pharm D, Acting Executive Secretary, Research Advisory Panel, San Francisco, dated March 1, 1972, referred by the Speaker pro Tempore to the Committee on Health.

The following report was presented by the Chief Clerk:

Report on Property Tax Contract Audit and Appraisal Program. For two periods: July 1, 1970, to June 30, 1971, and July 1, 1971, to December 31, 1971.

Above transmitted report, together with letter of transmittal from W W Dunlop, Executive Secretary, State Board of Equalization, Sacramento, dated March 1, 1972, referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Press Credentials

February 29, 1972

Squire Earl Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of your request of February 29, 1972, for accreditation of Carol Ritch for the San Diego Union.

Sincerely,

JOHN L. BURTON, Chairman
Joint Rules Committee

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
621	Judiciary
622	Labor Relations
623	Local Government
624	Local Government
625	Revenue and Taxation
626	Criminal Justice
627	Government Administration
628	Finance and Insurance
629	Government Administration
630	Labor Relations
631	Local Government
632	Local Government
633	Welfare
634	Water
635	Ways and Means
636	Education
637	Retirement
638	Transportation
639	Criminal Justice
640	Transportation
641	Water
642	Government Administration
643	Transportation
644	Education
645	Health
646	Ways and Means
647	Water
648	Criminal Justice
649	Governmental Organization

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 650: By Assemblyman Cory—An act to add Section 54780 1 to the Government Code, relating to local agency formation commissions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 651: By Assemblyman Cory—An act to add Article 6 (commencing with Section 16495) to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the investment of state funds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 652: By Assemblyman Cory—An act to add Section 1669 to the Civil Code, relating to contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 653: By Assemblyman Cory—An act to add Article 11 (commencing with Section 28060) to Chapter 5 of Division 12 of the Vehicle Code, relating to equipment of vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 654: By Assemblyman Barnes—An act to amend Sections 24353 and 29923 of the Government Code, to amend Sections 4746.1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to county auditors procedures.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 655: By Assemblyman Ryan—An act to amend Section 10805 of the Education Code, relating to interdistrict attendance of pupils.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 656: By Assemblyman Knox—An act to amend Sections 25101, 25111, 25212, 25232, 25300, 25503, 25608, and 29551 of the Corporations Code, relating to investments.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 657: By Assemblyman Thomas—An act to add Section 21100.5 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 658: By Assemblyman Arnett—An act to amend Sections 51061, 51282, and 51283 of the Government Code, relating to open-space property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 659: By Assemblyman Beverly—An act to add Section 1796 to the Civil Code, relating to warranties.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 660: By Assemblyman Biddle—An act to amend Sections 6407 and 6408 of the Labor Code, relating to workmen's safety.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 661: By Assemblyman Biddle—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 662: By Assemblymen Dunlap and Warren—An act to amend Section 4600 of the Civil Code, relating to child custody.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 663: By Assemblyman Dunlap—An act to amend Section 244 of the Government Code, and to repeal Section 5101 of the Civil Code, relating to residence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 664: By Assemblyman Russell (Senator Harmer, coauthor)—An act to amend Section 68 of the Antelope Valley-East Kern Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Antelope Valley-East Kern Water Agency, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 665: By Assemblyman Leroy F Greene—An act to amend Sections 5779 and 5787 of the Education Code, relating to elementary school reading instruction programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 666: By Assemblyman Leroy F. Greene—An act to add Chapter 7 (commencing with Section 22800) to Division 16.5 of the Education Code, relating to student residency.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, March 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 7—An act to add Section 41.5 to Chapter 361 of the Statutes of 1971, relating to public school certificated employees and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., March 2, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 24

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 136

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 144

AB No. 197

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 2, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No. 101

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, March 1, 1972

Mr Speaker: Your Committee on Labor Relations reports:

AB No. 181

With the recommendation . Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 167

With the recommendation: Do pass.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 182

With the recommendation: Do pass, and be re-referred to the Committee on Constitutional Amendments.

RALPH, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Committee on Finance and Insurance

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 45

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 48

AB No. 137

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

ACA No. 14

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

RALPH, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Committee on Rules

Assembly Chamber, March 1, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 11

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Labor Relations

Assembly Chamber, March 1, 1972

Mr. Speaker· The Chairman of your Committee on Labor Relations reports:

AB No. 206

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 206—An act to amend Section 3501 of, and to add Chapter 10 1 (commencing with Section 3515) to Division 4 of Title 1 of, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5, of the printed bill, strike out lines 30 to 36, inclusive.

Amendment No. 2

On page 6, line 9, strike out "3519.9", and insert "3515.9".

Amendment No. 3

On page 6, line 13, strike out "3519.9", and insert "3515.9".

Amendment No. 4

On page 7, line 25, strike out "3516.7", and insert "3516 5".

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Health reports: AB No. 214

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 214—An act to add Section 5664 to the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, after "employees", insert ", including licensed treatment personnel,".

Amendment No. 2

On page 2, line 10, after "transferred", insert "on a lateral basis".

Amendment No. 3

On page 2, line 11, after "the", insert "county or".

Amendment No. 4

On page 2, line 16, after "benefits", insert "; provided, however, that any such employee shall have the option of transferring to a comparable position at another state hospital without loss of pay or benefits".

Amendment No. 5

On page 2, after line 19, insert

"Persons employed in a state hospital scheduled for closure shall be given first priority in the event of new employment opportunities in county or local mental health programs.

For purposes of this section, each county and local mental health program shall recognize psychiatric technicians as legitimate mental health workers."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 108

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 108—An act to amend Section 1243 of the Water Code, relating to water.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly February 22, 1972, strike out "determine", and insert "recommend".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports·

AB No. 112

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 112—An act to add Section 19348.5 to the Agricultural Code, relating to animals.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Below the heading of the printed bill, insert

"(Coauthor: Senator Cologne)".

Amendment No. 2

On page 1, after line 8, insert

"As used in this section, "animal" does not include any poultry."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

Senate Chamber, March 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 75

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 293

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 111

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 111—An act to amend Section 8213 of the Government Code, relating to recording fees.

Held at Desk by order of the Speaker pro Tempore.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN SEELEY

Mr. MacGillivray announced that today is the birthday of Assemblyman Raymond T. Seeley, of the 75th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Seeley.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2:28 p.m., Mr. Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means, in Room 3188, at this time, to consider Senate Bill No 69, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 69 for hearing in the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 667: By Assemblymen Gonsalves and Duffy—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 668: By Assemblyman Murphy (Senator Grunsky, coauthor)—An act to amend, add, and repeal Section 8693 of the Fish and Game Code, relating to gill nets.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 669: By Assemblyman Murphy—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 670: By Assemblyman Murphy—An act to amend Sections 6738 and 6738.1 of the Business and Professions Code, relating to professional engineering.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 671: By Assemblyman Waxman—An act to repeal Section 11530 of the Health and Safety Code, relating to marijuana

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 672: By Assemblyman Briggs—An act to amend Section 17530.5 of the Business and Professions Code, relating to income taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 38: By Assemblymen Duffy, Mobley, Maddy, LaCoste, and Stacey (Senators Stiern, Way, and Zenovich, coauthors)—Relating to the cotton pink bollworm control program.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 8 to Article XIII thereof, relating to grants of state funds.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed measure, strike out "for purposes of taxation".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 131—An act to amend Sections 32103 and 32251 of the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "either", and insert "twice".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 146—An act to add Sections 6508.5 and 6509 to, and to amend Section 18358 of, the Education Code, relating to special schools and classes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 250—An act to add Section 5253 to the Education Code, relating to kindergarten and preschool programs.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 172—An act to amend Section 10815 of the Education Code, relating to school trips, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 223—An act to add Section 54931 18 to the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Senate Bill No. 223 Ordered to Third Reading

Pursuant to the Joint Rules, Senate Bill No. 223 was ordered placed upon the third reading file, instead of the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Concurrent Resolution No. 18.

COMMUNICATIONS

Assembly Chamber, March 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 250

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 18

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to the Committee on Ways and Means.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 CONTINUED

By unanimous consent, the motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Sec. 8(a) of the Constitution as it relates to Assembly Bill No. 315 was continued to the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 79—An act to amend Sections 250.5 and 263 of, and to amend, repeal, and add Section 249 to, the Health and Safety Code, relating to physically handicapped children, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 79?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for support of services", and insert "to amend Sections 250.5 and 263 of, and to amend, repeal, and add Section 249 to, the Health and Safety Code, relating".

Amendment No. 2

In line 2 of the title, after "children", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 249 of the Health and Safety Code is amended to read:

249. The Department of Public Health shall establish and administer a program of services for physically defective or handicapped persons under the age of 21 years, in cooperation with the federal government through its appropriate agency or instrumentality, for the purpose of developing, extending and improving such services. The department shall receive and expend all funds made available to it by the federal government, the state, its political subdivisions or from other sources, and it shall have power to supervise those services included in the state plan which are not directly administered by the state. The department shall cooperate with the medical, health, nursing and welfare groups and organizations concerned with the program, and any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children.

The reference to "the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC. 2. Section 249 is added to the Health and Safety Code, to read:

249. The Department of Health shall establish and administer a program of services for physically defective or handicapped persons under the age of 21 years, in cooperation with the federal government through its appropriate agency or instrumentality, for the purpose of developing, extending and improving such services. The department shall receive and expend all funds made available to it by the federal government, the state, its political subdivisions or from other sources, and it shall have power to supervise those services included in the state plan which are not directly administered by the state. The department shall cooperate with the medical, health, nursing and welfare groups and organizations concerned with the program, and any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children.

The reference to "the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC. 3. Section 250.5 of the Health and Safety Code is amended to read:

250.5. "Handicapped child," as used in this article, means a physically defective or handicapped person under the age of 21 years who is in need of services. The director shall establish those conditions coming within a definition of "handicapped child" except as the Legislature may otherwise include in the definition. Phenylketonuria, cystic fibrosis, and hemophilia shall be among such conditions.

The reference to "the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

SEC. 4. Section 263 of the Health and Safety Code is amended to read:

263. This article does not authorize any treatment service without the written consent of a parent or guardian except as a person under ~~21~~ *18* years is an emancipated minor.

SEC. 5. It is the intent of the Legislature, that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 249 of the Health and Safety Code, as amended by Section 1 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Section 249 of the Health and Safety Code, as added by Section 2 of this act, which includes the changes in Section 249 made by both Reorganization Plan No. 1 of 1970 and Section 1 of this act, shall become operative.

SEC. 6. It is the intention of the Legislature that to the extent permitted by federal law, eligibility of persons for services to physically handicapped children pursuant to Article 2 (commencing with Section 249) of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code shall continue to age 21, but that, persons 18 years of age and over may consent to treatment service under Article 2. Notwithstanding any other provision of law, Sections 249, 250.5, and 263 of the Health and Safety Code, as amended by Sections 1, 2, and 3 of this act, respectively, shall not constitute a change in, but are declaratory of, the preexisting law.

SEC. 7. The sum of one million two hundred".

Amendment No. 4

On page 1, line 7, strike out "SEC. 2", and insert

"SEC. 8. Sections 1 to 6, inclusive, of this act shall become operative on March 4, 1972.

SEC. 9".

Amendment No. 5

On page 1, line 11, strike out "Unless", and insert

"This act will make available additional funds for the current fiscal year for services to physically handicapped children. Unless these".

Amendment No. 6

On page 1, after line 13, insert

"This act also eliminates the confusion regarding the eligibility of persons 18 years of age or over but under the age of 21 for services to handicapped children on and after March 4, 1972. Chapter 1748 of the Statutes of 1971, which lowers the legal age of majority to 18 for most purposes, will become operative on March 4, 1972. Section 1 of Chapter 1748 of the Statutes of 1971 could possibly be interpreted to eliminate services for physically handicapped children at age 18, although federal law provides that such persons are eligible for services to age 21. In order to eliminate the confusion regarding the eligibility of persons for services to physically handicapped children and to insure the continued availability of such services to persons who are 18

years of age or over but under the age of 21, it is imperative that this act take effect immediately."

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:~~

~~AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ketchum, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.~~

~~NOES—None.~~

~~Above bill ordered enrolled.~~

NOTE: On March 6, 1972, the action was rescinded whereby the Assembly concurred in the above Senate amendments to Assembly Bill No. 79, and whereby the bill was ordered enrolled. See page 630.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 91—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Schabarum, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Schabarum, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONGRATULATIONS EXTENDED TO ASSEMBLYMAN SCHABARUM

Speaker pro Tempore Bee was joined by the Members of the Assembly in extending congratulations to Assemblyman Pete Schabarum, of the 49th District, upon his appointment to the Los Angeles County Board of Supervisors.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 126—An act making an appropriation in augmentation of Item 216 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 126:

Governor's Office, Sacramento
February 23, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 126, "An act making an appropriation in augmentation of Item 216 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 126 as an emergency measure.

Respectfully,

ED REINECKE, Acting Governor

The question being on the adoption of the urgency clause to Assembly Bill No 126

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown,

Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 2:32 p.m., Speaker pro Tempore Bee declared the Assembly recessed until 2:35 p.m., for the purpose of permitting Honorable Gordon Cologne, newly appointed Judge of the Appellate Court, to address the Assembly, and appointed Mr. Thomas, Mrs. Davis, and Messrs. Biddle and Porter as a Select Committee to escort Judge Cologne to the Rostrum.

REASSEMBLED

At 2:35 p.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 2—Relative to China Lake Naval Weapons Center.

Resolution read.

Point of Order

Mr. Stacey arose to the following point of order: That pursuant to the Assembly Rules a joint resolution should be re-referred to the Committee on Rules.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

Assembly Joint Resolution No 2 re-referred to the Committee on Rules.

Assembly Bill No. 51—An act to amend Section 2369 of the Fish and Game Code, relating to clams

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—64.

NOES—Miller—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 532—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 532:

Governor's Office, Sacramento
February 28, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 532, "An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 532 as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 532.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Campbell, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Campbell, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan,

Schabarum, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

APPROVAL OF JOURNALS

On motion of Mr. Fenton, the Assembly Daily Journals for February 1, 2, 3, 7, 8, 9, 10, 14, 15, 16, 17, 18, 22, 23, 24, 28, and 29, 1972, were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 61

AB No. 156

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 36 AB No. 38

AB No. 37 AB No. 236

With the recommendation: Do pass.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 27

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 69

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 23

With the recommendation: That the resolution be re-referred to the Committee on Local Government.

BURTON, Chairman

Above resolution re-referred to the Committee on Local Government.

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Hayden for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 271 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Hayden:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 271 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Schabarum, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Hayden was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 271 for hearing in the Committee on Revenue and Taxation.

QUORUM CALL OF THE ASSEMBLY

By unanimous consent, Speaker pro Tempore Bee placed a quorum call upon the Assembly.

Time, 2:49 p m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 2, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Priolo for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 587 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Priolo:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 587 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Schabarum, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Priolo was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 587 for hearing in the Committee on Judiciary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 673: By Assemblyman Sieroty—An act to repeal Section 10854 of, and to add Section 10854 to, the Education Code, relating to pupils.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 674: By Assemblyman Brathwaite—An act to add Sections 50084 and 50085 to the Government Code, relating to public employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 675: By Assemblyman Brathwaite—An act to add Section 1264 2 to the Unemployment Insurance Code, relating to unemployment compensation benefits.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 676: By Assemblyman Brathwaite—An act to add Section 1420 3 to the Labor Code, relating to unfair employment practices

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 677: By Assemblyman Badham—An act to amend Section 21671 5 of the Public Utilities Code, relating to airports.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 678: By Assemblyman Badham—An act to amend Sections 29551, 29552, 29553, and 29701 of, to amend the heading of Article 6 (commencing with Section 29551) of Chapter 2 of Division 13 of, to amend and renumber Sections 29441, 29442, and 29443 of, to add Sections 29442 and 29443 to, and to repeal Article 4 (commencing with Section 29501), Article 7 (commencing with Section 29581), Article 8 (commencing with Section 29611), and Article 9 (commencing with Section 29641) of Chapter 2 of Division 13 of, the Agricultural Code, relating to agricultural containers, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 679: By Assemblymen Porter, Lanterman, Barnes, Badham, Biddle, Burke, Harvey Johnson, MacDonald, Priolo, Schabarum, and Stull (Senators Cologne and Coombs, coauthors)—An act to add Chapter 1 6 (commencing with Section 235) to Part 5 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 680: By Assemblymen Burton and Brown—An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to aid to the needy disabled

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 681: By Assemblymen Z'berg, Moretti, Priolo, Fong, Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Cline, Cory, Crown, Deddeh, Dent, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, LaCoste, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, and Waxman (Senators Alquist, Behr, Beilenson, Carrell, Grunsky, Marks,

Moscone, Nejedly, Petris, Roberti, Rodda, Short, Song, and Zenovich, coauthors)—An act to add Section 407.5 to the Agricultural Code, to amend Section 11551.6 of, and to add Section 11528.2 to, the Business and Professions Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 6254.7, 11017, 11550, 11552, 11554, 11555, 11556, 12805, and 14808.1 of, to amend, repeal, and add Section 11550 5 of, to add Part 2.8 (commencing with Section 12900) and Part 14 (commencing with Section 16000) to Division 3 of Title 2 of, Chapter 1.5 (commencing with Section 65025) and Chapter 1.6 (commencing with Section 65045) to Title 7 of, to add and repeal Chapter 3.5 (commencing with Section 8220) of Division 1 of Title 2 of, and Article 10.6 (commencing with Section 65570) of Chapter 3 of Title 7 of, and to repeal Section 11558 of, Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, Chapter 1.5 (commencing with Section 65025) of Title 7 of, and Title 7.5 (commencing with Section 67000) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 39051, 39052, 39053, 39054, 39054.1, 39054 2, 39057, 39058, 39068.2, 39070, 39072, 39073, 39077.6, 39077.7, 39078, 39100.3, 39129, 39195, 39201, 39298.1, 39298.8, 39298 9, 39299.2, and 39299.4 of, to amend the heading of Division 26 (commencing with Section 39000) of, and the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600.7, 25611, 25650 5, 25655, 25735 5, 25804, 26203 1, 39053.1, 39053.2, and 39065 to, Chapter 1 (commencing with Section 39000), Chapter 2 (commencing with Section 39020), Chapter 6 (commencing with Section 39260), and Chapter 7 (commencing with Section 39270) to Part 1 of Division 26 of, Part 2 (commencing with Section 39300) to Division 26 of, and Division 27 (commencing with Section 39500) to, and to repeal Sections 39056, 39059, 39063, 39064, 39065, and 39066 of, and to repeal Chapter 2 (commencing with Section 24198) and Chapter 2.5 (commencing with Section 24345) of Division 20 of, Chapter 1 (commencing with Section 39000), Chapter 2 (commencing with Section 39020), Chapter 6 (commencing with Section 39260), and Chapter 7 (commencing with Section 39270) of Part 1 of Division 26 of, and Part 2 (commencing with Section 39300) of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312.5 to, the Labor Code, to amend Section 830.3 of the Penal Code, to amend Sections 3742 and 21151 of, to add Section 4581 5 to, to add Division 7.3 (commencing with Section 8651) to, Chapter 1 (commencing with Section 21000), Chapter 3 (commencing with Section 21100), and Chapter 5 (commencing with Section 21200) to Division 13 of, and to repeal Chapter 1 (commencing with Section 21000) and Chapter 3 (commencing with Section 21100) of Division 13 of, the Public Resources Code, to add Sections 1001 5, 21667, and 21669.6 to the Public Utilities Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 2416, 4000.1, 4602, 24007, 27156, 27157, 27157 5, and 40001 of, and to add Section 23131 to, the Vehicle Code, and to amend Sections 25, 230, 1003 5, 1060, 2862, 2863, 2866, 10500, 10504, 10504.1, 10504.5, 10505 5, 12232, 12233, 12617.1, 12923.1, 13050, 13120, 13330, and 13625 of, to amend and

renumber the heading of Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, to add Section 13220 to, and to add Article 3 (commencing with Section 174) to Chapter 2 of Division 1 of, Article 1 (commencing with Section 13200) to Chapter 4 of Division 7 of, and Division 8 (commencing with Section 15000) to, and to repeal Section 13220 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, Article 1 (commencing with Section 13100) of Chapter 3 and Article 1 (commencing with Section 13200) of Chapter 4 of Division 7 of, the Water Code, relating to environmental quality.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 147

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 147—An act to amend Section 20800 of the Education Code, relating to school district taxes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "ten cents ($0.10)", and insert "five cents ($0.05)".

Amendment No. 2

On page 2, line 13, strike out the second "the", and insert "an elementary or high school".

Amendment No. 3

On page 2, between lines 16 and 17, insert

"In a high school district having one or more component elementary school districts, none of which elementary school districts has increased the maximum tax rate as herein authorized, the increase provided by this section shall not exceed ten cents ($0 10) per each one hundred dollars ($100) of the assessed value of property within such high school district, and said increase shall be in addition to any other school district tax authorized by law to be levied by such high school district.

In a unified school district the increase provided by this section shall not exceed ten cents ($0 10) per each one hundred dollars ($100) of

the assessed value of property within the district if the district maintains one or more elementary schools and high schools, and said increase shall be in addition to any other school district tax authorized by law to be levied."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 92

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 92—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 16645 2, and 25502.5 of, and to add Sections 6931.5, 17255, 23061, 23763, and 25514.7 to, the Education Code, relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly February 24, 1972, strike out the first "and".

Amendment No. 2

In line 2 of the title, after "25502 5", insert ", 25601, and 26501".

Amendment No. 3

On page 8, line 8, after "SEC. 17 ", insert "Section 25601 of the Education Code is amended to read:

25601. Every deaf ~~minor~~ *person* between the ages of 3 and 21 years of suitable capacity, who is a resident of the state, is entitled to an education in the California School for the Deaf free of charge.

Priority in admission to the California School for the Deaf shall be given to elementary age deaf minors residing in sparsely populated regions where appropriate educational facilities and services are not available or cannot be reasonably provided and to secondary age deaf minors in need of a high school program.

The reference to "21 years" in this section is not affected by Chapter 1748 of the Statutes of 1971

SEC 18. Section 26501 of the Education Code is amended to read:

26501 Every resident ~~minor in~~ *of* California *less than 21 years of age*, of suitable age and capacity, as determined by means of diagnosis

at the diagnostic and treatment schools for neurologically handicapped children, is entitled to enrollment in a school for neurologically handicapped children, free of charge.

Children with neurological handicaps, not residents of California, may be admitted to the benefits of the schools upon paying to the State Department of Education, quarterly in advance, the actual support cost at the average cost of maintaining pupils in the school for the period in question. This cost shall be determined by the Department of Education with the approval of the Department of General Services.

The reference to "21 years" in this section is not affected by Chapter 1748 of the Statutes of 1971.

SEC. 19".

Amendment No. 4

On page 8, line 14, strike out "SEC. 18", and insert "SEC. 20".

Amendment No. 5

On page 8, line 28, strike out "SEC. 19", and insert "SEC. 21".

Amendment No. 6

On page 8, lines 28 and 29, of the printed bill, as amended in Assembly February 24, 1972, strike out "July 1, 1974", and insert "May 1, 1973".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

VOTE CHANGES

Mr LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 51.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:55 p.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 69

Mr. Brown was granted unanimous consent to take up Senate Bill No. 69, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time and that the bill be returned to the third reading file.

Second Reading of Senate Bill No. 69 by Unanimous Consent

Senate Bill No. 69—An act to amend Section 6363 6 of the Revenue and Taxation Code, relating to sales and use taxes, and declaring the urgency thereof, to take effect immediately, urgency statute.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "relating to sales and use taxes", and insert "and to add Section 16204.5 to the Welfare and Institutions Code, relating to institutions and boarding homes".

Amendment No. 2

On page 2, between lines 15 and 16, insert

"SEC. 1.5. Section 16204.5 is added to the Welfare and Institutions Code, to read:

16204.5. A permit or license or the renewal of a permit or license to conduct a family foster home which is a family residence that receives for care, with or without compensation, no more than six persons aged 16 and 17 shall be granted without payment of the fees required under Sections 16203.5 and 16204."

Amendment No. 3

On page 2, line 21, strike out "this section", and insert "sales and use tax exemptions".

Amendment No. 4

On page 2, line 23, after "Session", insert ", relating to institutions and boarding homes,".

Amendment No. 5

On page 2, line 24, after "time", insert "and to encourage an adequate supply of certain licensed family foster homes by exempting them from the licensing fee imposed at the 1971 Regular Session".

Bill ordered reprinted, and to be returned to the third reading file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 682: By Assemblymen Moorhead, Briggs, Barnes, MacGillivray, and Russell—An act to amend Sections 1270, 1272, 1284, 1285 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 683: By Assemblyman Crown—An act to amend Sections 50081 and 50082 of the Government Code, relating to law enforcement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 684: By Assemblyman Crown—An act to add Title 6.5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 46: By Assemblymen Moorhead, Briggs, Barnes, MacGillivray, and Russell—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article I thereof, relating to bail.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Constitutional Amendments reports:

SB No. 52

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 52—An act to place an amendment to the Constitution on the ballot for the primary election to be held on Tuesday, June 6, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly March 1, 1972, after the second period, insert "Notwithstanding Section 3565 5 of the Elections Code, there shall be no rebuttal arguments printed in the ballot pamphlet."

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 2, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 265

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 265—An act to add Section 25422.8 to the Education Code, relating to community colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 25422.8", and insert "Sections 25422.8 and 25427.6".

Amendment No. 2

On page 1, after line 8, insert

"SEC. 2. Section 25427.6 is added to the Education Code, to read:

25427.6. The governing board of any school district maintaining a community college may impose a late application fee of not to exceed two dollars ($2) for any application for admission or readmission which is filed after the date established by the governing board for the filing of applications for admission or readmission to the community college."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

ADJOURNMENT

At 3:07 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Monday, March 6, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-seventh Legislative Day

Sixty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 6, 1972

The Assembly met at 11 a.m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.

Mr Priolo seconded the motion.

Motion carried Time, 11 02 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11 13 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—74.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Heavenly Father, Each day brings us new problems and new tragedies that make us wonder if this world of ours will ever know the peace You have spoken of. Give us leaders to deal with these problems—leaders with patience in negotiation, skill and diplomacy, and endurance in service. Help all of us, now more than ever, to respect and assist our leaders in their difficult duty.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mrs. Davis then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Dunlap.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Gonsalves, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Chacon, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Z'berg, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 2, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on Monday and Tuesday, March 6 and 7, on legislative business.

The Association of California Administrators in Compensatory Education is holding its Sixth Annual Conference in Palm Springs, and I will be attending and addressing the Conference on those dates.

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

March 3, 1972

Hon. Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob: Please excuse me from my legislative duties on the floor of the Assembly on Monday, March 6, 1972.

I will be on legislative business in my district on that date. Meetings are scheduled with unemployed professional people, local high school faculty members, and businessmen regarding legislation in progress.

Sincerely,

LEO J RYAN, Assemblyman
Twenty-seventh District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Resignation of Assemblyman Peter F. Schabarum

Covina, March 3, 1972

Hon. Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Mr. Speaker: Pursuant to Subdivision (c) of Section 1750 of the Government Code, I, Peter F. Schabarum, Assemblyman 49th District, hereby resign from the California Assembly effective Monday, March 6, 1972.

I hereby request that you immediately transmit this resignation to the Governor pursuant to the above statute.

Sincerely yours,

PETER F. SCHABARUM, Assemblyman
Forty-ninth District

Appointments to Commission for Economic Development

March 4, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblywoman March Fong, Assemblymen Ernest LaCoste and Newton Russell to the Commission for Economic Development created by Chapter 1230 (SB 1407) of the 1971 Session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following report was presented by the Chief Clerk:

Feather River Salmon and Steelhead Enhancement Plans. (In accordance with Senate Concurrent Resolution No. 72, 1971.)

Above transmitted report, together with letter of transmittal from G. Ray Arnett, Director, Department of Fish and Game, Sacramento, dated February 29, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

COMMUNICATIONS

The following communication was presented by the Speaker from:

Albert E. Hole, State Fire Marshal, Sacramento, relative to report required by Senate Concurrent Resolution No. 75, 1971. Referred by the Speaker pro Tempore to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
650	Local Government
651	Efficiency and Cost Control
652	Judiciary
653	Transportation
654	Local Government
655	Education
656	Finance and Insurance
657	Transportation
658	Planning and Land Use
659	Judiciary
660	Finance and Insurance
661	Welfare
662	Judiciary
663	Judiciary
664	Water
665	Education
666	Education
667	Welfare
668	Natural Resources and Conservation
669	Natural Resources and Conservation
670	Judiciary
671	Criminal Justice
672	Judiciary
673	Criminal Justice
674	Employment and Public Employees
675	Finance and Insurance
676	Labor Relations
677	Local Government
678	Agriculture
679	Water
680	Welfare
681	Natural Resources and Conservation
682	Criminal Justice
683	Criminal Justice
684	Criminal Justice

Assembly Constitutional Amendment No.	*Committee*
46	Criminal Justice

Assembly Concurrent Resolution No.	*Committee*
38	Agriculture

Senate Bill No.	*Committee*
111	Judiciary

CERTIFICATE OF ELECTION FROM THE SECRETARY OF STATE

The following Certificate of Election of Assemblyman-elect Bob Wilson was presented, and ordered printed in the Journal:

Certificate of Election

I, EDMUND G. BROWN, JR., Secretary of State of the State of California, hereby certify:

That according to the official returns of the Special Election held on the 29th day of February, 1972, in the 76th Assembly District, and the statement of the result thereof on file in my office,

BOB WILSON

was elected to the office of

MEMBER OF THE ASSEMBLY, 76TH ASSEMBLY DISTRICT

for the unexpired term ending on the 8th day of January, 1973.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, at Sacramento, this 6th day of March, 1972.

EDMUND G. BROWN JR.
Secretary of State

(SEAL) By: R J. Nannini
Assistant Secretary of State

Speaker Presiding

At 11:17 a.m., Hon. Bob Moretti, 42nd District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Speaker Moretti was granted unanimous consent that photographers be permitted on the floor of the Assembly during the following recess.

RECESS

At 11:17 a m., Speaker Moretti declared the Assembly recessed until 11:25 a m, for the purpose of introducing Assemblyman-elect Bob Wilson, from the 76th District, and appointed Messrs. Fenton, Stull, and Deddeh as a Select Committee to escort Assemblyman-elect Wilson and his wife, Mrs. Sharman Wilson, his parents, Mr. and Mrs. Jewell Wilson, his brother, Mr. Wayne Wilson, his sister, Mrs. Helen Houllier, and his wife's parents, Mr. and Mrs. Richard Massena.

REASSEMBLED

At 11·25 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk James D. Driscoll at the Desk.

OATH OF OFFICE ADMINISTERED

Assemblyman-elect Bob Wilson appeared at the bar of the Assembly, and took and subscribed to the following oath administered by Speaker Moretti:

Oath

For the Office of Assemblyman, 76th District

I, Bob Wilson, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

BOB WILSON

Subscribed and sworn to before me, this 6th day of March A.D. 1972.

BOB MORETTI
Speaker of the Assembly

ASSEMBLYMAN WILSON WELCOMED

Speaker Moretti was then joined by the Members of the Assembly in welcoming Assemblyman Wilson as a Member of the Assembly.

ADDRESS BY ASSEMBLYMAN WILSON

Mr. Wilson then addressed the Members of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 685: By Assemblyman Cullen—An act to amend Section 690.6 of the Code of Civil Procedure, relating to levies of execution, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Judiciary.

Assembly Bill No. 686: By Assemblyman Priolo—An act to amend Sections 3056, 3920, 7522, 9042, 9890.53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384.1 and 4212 of, and to repeal Section 42 5 of, the Civil Code, and to amend Section 416 70 of the Code of Civil Procedure, and to amend Sections 385, 8672, and 8827.5 of, and to repeal Section 3512 1 of, the Elections Code, and to amend Sections 8201, 8203 1, and 8203 7 of the Government Code, and to amend Sections 1299, 1391, 1393, 1698.4, 1698.5, 1700.33, 1700.34, and 4455 of, and to repeal Sections 3080.5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203.45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 631

of the Unemployment Insurance Code, and to amend Sections 23102 and 23102 5 of the Vehicle Code, and to amend Sections 504, 509, 529, 631, 631.1, 11253, 11263, 14005.4, 14005.6, 14006, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 687: By Assemblyman Deddeh—An act to amend Section 11525.2 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 688: By Assemblyman Deddeh—An act to add Section 25274 to the Vehicle Code, relating to flashing and colored lights.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 689: By Assemblyman Dent—An act to repeal Article 3 (commencing with Section 5401) and Article 5 (commencing with Section 5501) of Chapter 4 of Division 6 of the Education Code, relating to courses of study.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 690: By Assemblyman Russell—An act to repeal Sections 268, 5995.9, and 6064 of the Education Code, relating to education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 691: By Assemblyman Duffy (Senator Stiern, coauthor)—An act to repeal Section 30700.7 of the Water Code, relating to county water districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 692: By Assemblyman Maddy—An act to amend Sections 11713 and 11806 of the Vehicle Code, relating to occupational licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 693: By Assemblyman Maddy—An act to amend Section 10270.55 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 694: By Assemblyman Chappie—An act to amend Section 21681 of the Public Utilities Code, relating to aviation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 695: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 227a of the Civil Code, relating to adoption.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 696: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to establish a multipurpose counseling and social services pilot project in the County of Ventura, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 697: By Assemblyman MacDonald—An act to add Section 55507 to the Water Code, relating to county waterworks districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 698: By Assemblyman Biddle—An act to add Section 422.3 to the Government Code, relating to the state fossil.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 699: By Assemblyman Vasconcellos—An act to add Section 201.5 to the Elections Code, relating to voter registration.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 700: By Assemblyman Bee—An act to amend Section 24877 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 701: By Assemblyman Warren—An act to amend Section 431 40 of the Code of Civil Procedure, relating to procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 702: By Assemblymen Warren and Hayden—An act to add Article 10 (commencing with Section 72450) to Chapter 8 of Title 8 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 703: By Assemblyman MacGillivray—An act to amend Section 190 of the Penal Code, relating to murder.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 704: By Assemblyman Murphy (Senator Grunsky, coauthor)—An act to amend Section 253 2 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 705: By Assemblyman Townsend—An act to repeal Part 4 (commencing with Section 9601) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 706: By Assemblymen Beverly and Townsend—An act to add Section 41803 7 to the Government Code, relating to city attorneys.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 707: By Assemblyman Bill Greene—An act to amend Section 13710 of, and to add Section 13678 to, the Education Code, relating to school district employees.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 708: By Assemblymen Dunlap, Vasconcellos, and Sieroty—An act to add Article 4 (commencing with Section 5055) to Chapter 1 of Division 5 of the Public Resources Code, relating to nonmotorized travelers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 709: By Assemblymen Dunlap and Sieroty—An act to add Chapter 4 (commencing with Section 900) to Division 1 of the Public Resources Code, relating to bicycle trails

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 710: By Assemblyman Ray E Johnson—An act to amend Section 100 of the Harbors and Navigation Code, relating to navigable waters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 711: By Assemblyman Stacey—An act to amend Section 31158 of the Water Code, relating to county water districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 712: By Assemblyman Foran—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations

Held at Desk by order of the Speaker pro Tempore

Assembly Concurrent Resolution No. 39: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to State Highway Route 101

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 6, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 685—An act to amend Section 690 6 of the Code of Civil Procedure, relating to levies of execution, and declaring the urgency thereof, to take effect immediately.

MIKE CULLEN

Above request ordered transmitted to the Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 569

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 569 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Retirement.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 40: By Assemblyman Fenton—Relative to a recess of the Legislature.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 40

Mr. Fenton was granted unanimous consent to take up Assembly Concurrent Resolution No. 40 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 40

Assembly Concurrent Resolution No. 40—Relative to a recess of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Karabian, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, MacAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—61.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 79

Mr. Knox was granted unanimous consent to rescind the action whereby the Assembly, on March 2, 1972 (Assembly Journal, page 606), concurred in the Senate amendments to Assembly Bill No. 79, and whereby the bill was ordered enrolled, and that the bill be returned to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:35 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 101—An act to amend Section 22705, and to repeal Section 22854.5 of the Vehicle Code, relating to abandoned and removed vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 3, lines 9 and 10, of the printed bill, strike out "the reporting requirements of Section 11520, and".

Amendment No. 2

On page 3, line 12, strike out "are hereby waived".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 181—An act to add Section 6401.5 to the Labor Code, relating to employment safety.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert "As used in this section, "adequate" shall be construed to mean sufficient to comply with the federal Occupational Safety and Health Act of 1970 (P.L. 91-596)."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 167—An act to add Sections 29254 and 29255 to the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

Assembly Bill No. 45—An act to add Section 1632 to the Civil Code, relating to contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, after "Fenton," insert "Harvey Johnson,".

Amendment No. 2

In line 3 of the heading, strike out "and Pierson", and insert "Pierson, and Quimby".

Amendment No. 3

On page 2, lines 14 and 15, strike out "set forth in both Spanish and", and insert "available upon request in either Spanish or".

Amendment No. 4

On page 2, line 20, after the period, insert "The notice shall state that contracts in Spanish are available upon request."

Amendment No. 5

On page 2, after line 35, insert

"This section shall not apply to any contract for service or matters incidental thereto entered into by a public utility subject to the jurisdiction of the Public Utilities Commission."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 48—An act to add Section 767 to the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 137—An act to amend Section 11136 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 61—An act to amend Sections 5549 and 5594 of the Public Resources Code, relating to regional park districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 156—An act to amend Section 76033 of the Government Code, relating to counties.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 36—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 37—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 38—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Bill read second time, and ordered to third reading.

Assembly Bill No. 236—An act to amend Section 13954 of the Health and Safety Code, relating to fire protection districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 27—An act to amend Section 18058 of the Health and Safety Code, relating to mobilehomes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "health", and insert "Health".

Amendment No. 2

On page 1, strike out line 11; and strike out page 2, and insert

"(b) The chief fire official of every city, county, city and county, fire protection district, or other local fire protection agency shall file a report of each mobilehome fire occurring within his jurisdiction with the State Fire Marshal. Such report shall be made on forms provided by the State Fire Marshal.

The State Fire Marshal shall annually compile a statistical report of all mobilehome fires occurring within this state and shall furnish the commission with a copy of such report. The annual report shall include, but need not be limited to, the number of mobilehome fires, the causes of such fires, the monetary loss, and any casualties or fatalities resulting from such fires."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, March 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 293—An act to amend Sections 64007, 64252, 64273, and 64274 of, and to repeal Section 64274.5 of, the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., March 6, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 6, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 36	AB No. 38
AB No. 37	AB No. 236

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, March 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 48	AB No. 137
AB No. 61	AB No. 156

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, March 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 11

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 92
AB No. 108

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 24

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 112	AB No. 206	AB No. 221
AB No. 131	AB No. 214	AB No. 265
AB No. 147		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 6

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports: AB No. 31

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PRIOLO, Chairman

Above bill ordered to second reading.

MOTION TO RECONSIDER RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 315 LAPSED

The motion to reconsider the vote on the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution, as it relates to Assembly Bill No. 315, lapsed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 75—An act relating to the disposition of property by the Director of General Services, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 75?

Amendment No. 1

On page 1 of the printed bill, in line 2, strike out "the State Public Works Board and".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 146—An act to add Sections 6508.5 and 6509 to, and to amend Section 18358 of, the Education Code, relating to special schools and classes, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67

NOES—None.

The question being on the passage of the bill,

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 250—An act to add Section 5253 to the Education Code, relating to kindergarten and preschool programs.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Wood—65

NOES—None.

Bill ordered transmitted to the Senate

THIRD READING OF SENATE BILLS

Senate Bill No. 172—An act to amend Section 10815 of the Education Code, relating to school trips, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Seeley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 69—An act to amend Section 6363.6 of the Revenue and Taxation Code, and to add Section 16204 5 to the Welfare and Institutions Code, relating to institutions and boarding homes, and declaring the urgency thereof, to take effect immediately, urgency statute.

Bill read third time, and presented by Mrs. Brathwaite.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 713: By Assemblyman Garcia—An act to amend Section 4160 of the Business and Professions Code, relating to hazardous substances.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 714: By Assemblyman Barnes—An act to amend Section 20750.85, 21250.1, 21330, and 21364.7 of, to add Sections 21263, 21263.1, 21263.2, and 21263.3 to, and to repeal Sections 21263, 21263.1, 21264, 21264.1 as added by Chapter 150 of the Statutes of 1970, 21264.1 as added by Chapter 719 of the Statutes of 1970, and 21264.5 of, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 715: By Assemblyman Meade—An act to add Section 4655.5 to the Labor Code, and to amend Section 2629 of, and to repeal Section 2708.1 of, the Unemployment Insurance Code, relating to workmen's disability benefits.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 716: By Assemblyman Belotti—An act to amend Section 13041 of the Public Resources Code, relating to resort improvement districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 717: By Assemblyman McAlister—An act to amend Sections 17655 and 17663 of the Education Code, relating to opportunity schools and classes.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, March 6, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 270

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 270—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 7 of the printed bill, in line 7, after "Finance", insert "or the State Allocation Board".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 6, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 69

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 69—An act to amend Section 14000 of the Government Code, relating to transportation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 14000 of the Government", and insert "Sections 11552, 13975, 13990, 13990.1, and 13990 2 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Sec-

tion 13990.7 of, to add a heading immediately preceding Section 13990 of, to add Sections 13990.7 and 13990.8 to, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2.5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4.5 of Division 3 of Title 2 of, to repeal Section 13990.6 of, to repeal Chapter 3 (commencing with Section 13992) of Part 4.5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006.5, 21007, 21008, 21215, and 21224 of, to add Section 21682.5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections 20, 183, and 30050 of, to add Sections 185.5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways".

Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 11552 of the Government Code is amended to read:

11552. An annual salary of thirty thousand dollars ($30,000) shall be paid to each of the following:

(a) Superintendent of Banks
(b) Commissioner of Corporations
(c) Director of Employment
(d) Insurance Commissioner
(e) Director of ~~Public Works~~ *Transportation*
(f) Real Estate Commissioner
(g) Savings and Loan Commissioner
(h) Director of Social Welfare
(i) Director of Water Resources
(j) Director of Agriculture
(k) Director of Corrections
(*l*) Director of General Services
(m) Director of Industrial Relations
(n) Director of Motor Vehicles
(o) Director of Youth Authority
(p) Director of Health Care Services
(q) Commissioner, California Highway Patrol
(r) Members of the Public Utilities Commission
(s) Director of Human Resources Development
(t) Director of Alcoholic Beverage Control.

SEC. 2. Section 13975 of the Government Code is amended to read:

13975. There is in the state government ~~the Transportation Agency, which is hereby renamed~~ the Business and Transportation Agency. The agency consists of the following: *Department of Alcoholic Beverage Control;* ~~Department of Aeronautics;~~ Department of the California Highway Patrol; Department of Corporations; Department of Housing

and Community Development; Department of Insurance; Department of Motor Vehicles; ~~Department of Public Works,~~ Department of Real Estate; Department of Savings and Loan; *Department of Transportation;* and the State Banking Department.

SEC. 3. The heading of Chapter 2 (commencing with Section 13990) of Part 4.5 of Division 3 of Title 2 of the Government Code is repealed.

~~CHAPTER 2. STATE TRANSPORTATION BOARD~~

SEC. 4 A heading immediately preceding Section 13990 of the Government Code is added, to read:

PART 4.6. STATE TRANSPORTATION BOARD

SEC. 5. Section 13990 of the Government Code is amended to read:

13990. The Legislature finds and declares that the people of California have a fundamental and continuing interest in developing and operating transportation services and facilities which are consistent and compatible with orderly social and economic progress of the state. To provide the Secretary of *the* Business and Transportation *Agency* and the Legislature with advice and assistance in a broad overview of the effectiveness and compatability of public programs in transportation in relation to other public programs and private enterprises, there is hereby established in the ~~Business and Transportation Agency~~ *state government* the State Transportation Board.

SEC 6 Section 13990 1 of the Government Code is amended to read:

13990 1. "Board" as used in this ~~chapter~~ *part* shall mean the State Transportation Board.

SEC. 7. Section 13990 2 of the Government Code is amended to read:

13990.2 There is in the ~~Business and Transportation Agency~~ a *state government the* State Transportation Board. The board consists of seven members The Governor shall nominate and, with the advice and consent of the Senate, shall appoint the members of the board. Except as provided in Section ~~13990 7~~ *13990 6* , the members shall hold office for terms of four years and until their successors are appointed.

Whenever a term expires or a vacancy occurs when the Legislature is not in session, the Governor shall appoint a successor to fill the vacancy The Senate shall consider without further presentation any appointment made when the Legislature is not in session If the Senate consents to any appointment, such person shall hold office to the end of the term to which appointed. If the Senate takes no final action on any appointment at the next regular session of the Legislature following such appointment, the person so appointed shall hold office only until the adjournment of such session. If the Senate by final vote refuses to consent, the person so appointed shall hold office only until such refusal One Member of the Senate appointed by the Senate Rules Committee and one Member of the Assembly appointed by the Speaker thereof shall be ex officio members without vote and together shall constitute a Joint Legislative Committee on Transportation, and shall participate in the activities of the board to the extent that such participation is not incompatible with their positions as Members of the Legislature.

~~The term of an appointee to a vacancy is the duration of his predecessor's term.~~

~~A nominee to fill a vacancy which occurs when the Legislature is not in session shall serve as a member of the State Transportation Board until the first day of the next regular session of the Legislature.~~

SEC. 8. Section 13990.6 of the Government Code is repealed.

~~13990.6. The functions and duties of the board shall be to advise and assist the Secretary of Business and Transportation and the Legislature in formulating and evaluating state policy and plans for transportation programs within the state. In addition it shall perform the following specific duties:~~

~~(a) Request and review reports from the Office of Transportation Planning and Research, and from other sources as it may determine, pertaining to public financial participation in transportation system development, planning, construction, and operation, including the extent and nature of participation by local, regional, state, and federal governments.~~

~~(b) Review master plans for major portions of the overall statewide transportation system, including but not limited to such plans as the California Freeway and Expressway System, the State Aviation Master Plan, and regional transportation plans developed by such organizations as the Bay Area Transportation Study Commission, the Transportation Association of Southern California, the San Diego Comprehensive Planning Organization.~~

~~(c) Review the transportation implications of major statewide and regional comprehensive general plans, including, but not limited to such plans as the State Development Plan, the State Parks and Recreation Plan, reports of the San Francisco Bay Conservation and Development Commission, the Southern California Association of Governments, and the Association of Bay Area Governments.~~

~~(d) Based upon said reviews of financing and master plans, present such advice and recommendations as it deems appropriate to the Secretary of Business and Transportation.~~

~~(e) Assist, if so requested, in the determination of geographic boundaries of regional transportation districts utilizing wherever possible the logical groupings of cities and counties as established by existing planning agencies and provide appropriate recommendations to the secretary and to the Legislature for their establishment.~~

~~(f) Assist any appropriate committee of the Legislature whose activities relate to the transportation field, if requested, in the field of overall balanced transportation, or any segment thereof.~~

SEC. 9. Section 13990.7 of the Government Code is amended and renumbered to read:

~~13990.7~~

13990.6. The appointed positions on the ~~State Transportation Board~~ *board* shall be vacant on the fourth day of February 1972. Seven persons shall be nominated and appointed pursuant to Section 13990.2 to fill such vacancies, and of these seven persons the nominator shall designate three who shall serve until March 16, 1973, two who shall serve until March 16, 1974, and two who shall serve until March 16, 1976.

SEC. 10. Section 13990.7 is added to the Government Code, to read:

13990.7 The board may appoint such staff personnel as is necessary to assist in carrying out the powers, duties, and purposes of the board. The staff to the board shall be under the supervision of an executive secretary who shall be appointed by the Governor and who shall serve at the pleasure of the board. The executive secretary shall have such duties as may be assigned to him by the board and he shall be responsible to the board for the performance of those duties.

SEC. 11. Section 13990.8 is added to the Government Code, to read:

13990.8. The functions and duties of the board shall be to advise and assist the Secretary of the Business and Transportation Agency and the Legislature in reviewing and evaluating state policy, plans, and budgets for transportation programs within the state. It shall perform the following specific duties:

(a) Direct its staff

(b) Request and review reports from other sources, as it may determine, pertaining to public financial participation in transportation system development, planning, construction, and operation, including the extent and nature of participation by local, regional, state, and federal governments.

(c) Review transportation plans, including, but not limited to, such plans as the California Freeway and Expressway System, the State Aviation Master Plan, and regional plans developed by transportation planning agencies, and adopt a State Transportation Plan.

(d) Review the transportation implications of major statewide and regional comprehensive general plans, including, but not limited to, such plans as the State Environmental Goals and Policy Report, the State Parks and Recreation Plan, and the comprehensive plans of area-wide planning agencies.

(e) Review the annual budgets of the Department of Transportation.

(f) Based upon such reviews of financing and master plans, present such advice and recommendations as it deems appropriate to the Secretary of the Business and Transportation Agency and the Legislature.

(g) Allocate all funds appropriated from the Transportation Planning and Research Account in the State Transportation Fund for the purpose of transportation planning and research.

SEC 12. Chapter 3 (commencing with Section 13992) of Part 4.5 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 13. The heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of the Government Code is amended to read:

PART 5 DEPARTMENT OF ~~PUBLIC WORKS~~ *TRANSPORTATION*

SEC 14. Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of the Government Code is repealed

SEC. 15. Chapter 1 (commencing with Section 14000) is added to Part 5 of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 1. GENERAL

Article 1. Legislative Intent

14000. The Legislature hereby finds and declares as follows:

(a) Adequate, safe, and efficient transportation facilities and services at reasonable cost to the people are essential to the well-being of the people of the state and to its economic development.

(b) It is the policy of the state that the planning and development of such facilities and services shall be coordinated by a Department of Transportation with overall responsibility for balanced statewide transportation policy and planning reflected in a State Transportation Plan.

(c) The preparation of a State Transportation Plan shall be a cooperative effort of the state, regional transportation planning agencies, local government, private organizations, and the general public.

(d) A State Transportation Plan shall incorporate and reflect the transportation plans of the metropolitan regions, their constituent communities, and the less urbanized areas of the state, recognizing regional and local expressions of transportation goals and policies which reflect the unique characteristics and aspirations of various areas of the state.

(e) A State Transportation Plan shall insure compatibility of statewide, regional, and local transportation goals and policies, recognizing that certain elements of the transportation system are of statewide and regional significance.

(f) The stimulation, continuance, and improvement of state, regional, and local transportation planning and development is a matter of state concern, and the state should for this reason provide a portion of the financial resources and assistance necessary to aid in preparing transportation plans, developing effective transportation decisionmaking processes, and carrying out implementation programs

Article 2. Administration

14001. There is in the Business and Transportation Agency a Department of Transportation.

Any reference in any law or regulation to the Department of Public Works shall be deemed to refer to the Department of Transportation.

14002. The department is under the control of an executive officer known as the Director of Transportation.

14002.5. As used in this part, unless the context otherwise requires.

(a) "Department" means the Department of Transportation.

(b) "Director" means the Director of Transportation.

(c) "Secretary" means the Secretary of the Business and Transportation Agency.

(d) "Board" means the State Transportation Board.

14003. The director is appointed by the Governor, subject to confirmation by the Senate, and holds office at the pleasure of the Governor. The annual salary of the director is provided for by Chapter 6 (commencing with Section 11550), Part 1, Division 2, Title 2 of the Government Code.

14004. Before entering upon the duties of his office, the director shall execute an official bond to the state in the penal sum of twenty-five thousand dollars ($25,000) conditioned upon the faithful performance of his duties.

14005. The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department, except as otherwise expressly provided by law

14006. There shall be within the department the position of Deputy Director of Transportation. The deputy director is appointed by the Governor, upon recommendation of the director, and shall serve at the pleasure of the director. The annual salary shall be fixed by the director in accordance with law. The deputy director shall have such duties as may be assigned to him by the director and he shall be responsible to the director for the performance of those duties.

14007. For the purpose of administration, the director shall organize the department with the approval of the Governor and the secretary with the advice of the board in the manner that they deem necessary properly to segregate and conduct the work of the department.

Any reference in any law or regulation to the Division of Highways or the Division of Bay Toll Crossings shall be deemed to refer to the department.

14008. The department succeeds to and is vested with all the duties, powers, purposes, responsibilities, and jurisdiction vested in the Department of Aeronautics, the Department of Public Works, and the Office of Transportation Planning and Research, with the exceptions of those functions and duties reserved to the board in Section 13990.8, on the operative date of this section.

14008.5. The department may use unexpended balances of fund available for use by the Department of Aeronautics, the Department of Public Works, and the Office of Transportation Planning and Research in connection with the functions of those organizations that are transferred to or vested in the department Such funds shall be used by the department only for the purposes for which they were originally appropriated or otherwise made available or otherwise designated by law.

14009. All officers and employees of the Department of Aeronautics, the Department of Public Works, and the Office of Transportation Planning and Research who, on the operative date of this section, are serving in the state civil service, and engaged in the performance of a function transferred to or vested in the department, shall be transferred to the department The status, positions, and rights of such persons shall not be affected by the transfer, and shall be retained by them as officers and employees of the department pursuant to the State Civil Service Act, except as to positions exempt from civil service in the Department of Aeronautics, the Department of Public Works, and the Office of Transportation Planning and Research.

14010. The department shall have the possession and control of all licenses, permits, leases, agreements, contracts, orders, claims, judgments, records, papers, equipment, supplies, bonds, moneys, funds, appropriations, buildings, land and other property, real or personal, held for the benefit, use, or obligation of the Department of Aeronautics, the Department of Public Works, or the Office of Transportation Planning and Research in connection with the functions of those organizations that are transferred to or vested in the department.

14011. The department may expend money appropriated for the administration of the laws the enforcement of which is committed to the department. The department may expend such money for the use, support, or maintenance of any appropriate state agency within the department.

Such expenditures by the department shall be made in accordance with law in carrying on the work for which the appropriations were made.

14012. The director may sell or lease excess right-of-way parcels to municipalities or other local agencies for public purposes, and may accept as all or part of the consideration for such sale or lease any substantial benefits the state will derive from the municipality or other local agency's undertaking maintenance or landscaping costs which would otherwise be the obligation of the state.

14013. The director may lease nonoperating right-of-way areas to municipalities or other local agencies for public purposes, and may contribute toward the cost of developing local parks and other recreational facilities on such areas. The director may accept as all or part of the consideration for such lease or for such state contribution any substantial benefits the state will derive from the municipality or other local agency's undertaking maintenance or landscaping costs which would otherwise be the obligation of the state. Such leases shall contain a provision that whenever the leased land is needed for state highway operating purposes the lease shall terminate. The department is authorized to classify portions of state highway right-of-way as nonoperating.

14014. The director may authorize the refund of moneys received or collected by the department in payment of fees, licenses, permits, tools, or for rentals, property or services, wherein the license, permit, rental, property or service cannot lawfully be issued, furnished, or transferred to the person making the payment, or in cases where the payment in whole or in part represents overpayment or payment in duplicate.

Article 3. Activities

14030. The powers and duties of the department shall include, but not be limited to, the following activities:

(a) Coordinating and developing, in cooperation with local and regional entities, comprehensive balanced transportation planning and policy for the state.

(b) Coordinating and assisting, in cooperation with local and regional entities, in the balanced development and operation of mass transportation, highway, aviation, maritime, railroad, and other transportation facilities and services.

(c) Developing the full potential of all available resources and opportunities for meeting California's transportation needs, tempered by consideration of other relevant factors, including social, environmental and community planning.

(d) Planning, designing, constructing, operating, and maintaining those transportation systems which are or may become by law a matter of state responsibility.

(e) Exercising such other functions, powers, and duties as are or may be provided for by law.

Article 4. State Transportation Plan

14040 The department shall prepare a proposed State Transportation Plan directed at the achievement of a coordinated and balanced transportation system, including, but not limited to, mass transportation, highway, aviation, maritime, and railroad facilities and services, whether public or private, that is consistent with the state's social, economic, and environmental needs and goals The department shall consult with, and carefully evaluate the recommendations of, the appropriate federal, state, regional, and local agencies, and incorporate, as appropriate, the transportation plans of cities, counties, special districts, transportation planning agencies, private organizations, other state agencies and instrumentalities, and the federal government.

A proposed State Transportation Plan shall be submitted by the director to the board not later than 30 months after the operative date of this section, but in no case later than January 1, 1976. The board shall adopt a State Transportation Plan and transmit it to the Legislature.

Thereafter, but prior to the board's annual review of the department's budget, the director shall submit annually an updated proposed State Transportation Plan, along with a multiyear planning program, to the board for its review and adoption.

14041. The State Transportation Plan shall include, but not be limited to, the following:

(a) Recommendations regarding statewide transportation goals, objectives, policies, and standards for all forms of transportation services, both public and private.

(b) Determination of existing inventories of travel demands, goods movements, and transportation facilities and equipment.

(c) A review of existing statutory requirements affecting transportation services.

(d) A review of existing financial resources for transportation planning, development, and operation.

(e) Forecasts of transportation needs and deficiencies.

(f) Study and evaluation of advanced concepts for transportation systems for consideration in alternative plans

(g) Alternative plans based on varying assumptions of financial resources, levels of transportation services, and modal mix.

(h) An evaluation of alternative plans, considering the relationships between transportation and economic, land use, taxation, and environmental and social factors.

(i) An implementation program, including recommendations concerning the allocation of available funds to various modes and geographic areas, the desired authority, roles, and responsibilities of the various levels of government concerned with transportation, a schedule of improvement programs, an operations program, a financial plan, and necessary policies and legislation for implementation of the State Transportation Plan

14042 A report containing the following shall be submitted by the director to the board not later than nine months after the operative date of this section.

(a) Recommendations required by subdivision (a) of Section 14041 and recommendations regarding the regional goals and policy statements required by subdivision (a) of Section 65081.

(b) Information on the status of the organization of the department.

(c) Description of the work program and progress in developing the State Transportation Plan.

(d) Proposals for effective state and regional decisionmaking processes for transportation.

14043 The report required in Section 14042 shall be updated and augmented to include the information called for by subdivisions (b), (c), and (d) of Section 14041, and shall be submitted by the director to the board for its approval and transmittal to the Legislature not later than 18 months after the operative date of this section.

14044. The director is authorized to carry out such studies, inquiries, surveys, or analyses as may be relevant to his duties and in helping to implement the legislative policy declared in this chapter, and in developing recommendations for the Legislature For these purposes, the director shall have full access to the relevant records of other state agencies and political subdivisions of the state, and may hold public hearings, and may cooperate with or contract with any public or private agencies, including educational, civic, and research organizations. Such studies, inquiries, surveys, or analyses shall incorporate and integrate, to the maximum extent feasible, plans, programs, reports, research, and studies of federal, state, interstate, regional, metropolitan, and local agencies.

Article 5 Transportation Planning and Research Account

14060. The Transportation Planning and Research Account is hereby created in the State Transportation Fund

14061. All moneys in the Transportation Planning and Research Account, and all moneys hereafter transferred or deposited in such account from any source, are appropriated without regard to fiscal years for expenditure by the department for transportation planning and research purposes, including, but not limited to, the following:

(a) State transportation planning

(b) Statewide planning at local levels and matching funds for local transportation planning

(c) Transportation research or demonstration projects.

(d) Matching purposes to obtain other funds for transportation planning and research purposes

SEC 16. Chapter 2 5 (commencing with Section 65080) is added to Title 7 of the Government Code, to read:

CHAPTER 2 5 REGIONAL TRANSPORTATION PLAN

65080 Each transportation planning agency designated under Section 29532 shall prepare a proposed regional transportation plan directed at the achievement of a coordinated and balanced regional transportation system, including, but not limited to, mass transportation, highway, railroad, maritime, and aviation facilities and services, whether public or private, that is consistent with the region's and

state's social, economic, and environmental needs and goals. Each transportation planning agency shall consider and incorporate, as appropriate, the transportation plans of cities, counties, special districts, private organizations, and state and federal agencies.

The proposed regional transportation plan shall be submitted to the governing body or designated policy committee of the transportation planning agency for adoption. Prior to adoption, a public hearing shall be held, after the giving of notice of such hearing by publication in the affected county or counties pursuant to Section 6061. The adopted plan shall be transmitted to the Department of Transportation not later than 24 months after the operative date of this section, but in no case later than July 1, 1975 Thereafter, each transportation planning agency shall submit annually, not later than July 1, an updated proposed transportation plan, along with a multiyear capital improvement program, to the governing body or designated policy committee of the transportation planning agency for adoption and transmittal to the department for incorporation as appropriate into the State Transportation Plan.

65081. A regional transportation plan shall include, but not be limited to, the following:

(a) Recommendations regarding regional transportation goals, objectives, policies, and standards for all forms of transportation services, both public and private.

(b) Determination of existing inventories of travel demands, goods movements, and transportation facilities and equipment

(c) A review of existing financial resources for transportation planning, development, and operation.

(d) Forecasts of transportation needs and deficiencies.

(e) Study and evaluation of advanced concepts for transportation systems for preparation of alternative plans.

(f) Alternative plans based on varying assumptions of financial resources, levels of transportation services, and modal mix.

(g) An evaluation of alternative plans, considering the relationships between transportation and economic, land use, taxation, environmental and social factors

(h) An implementation program, including recommendations concerning the allocation of available funds to various modes and geographic areas, the desired authority, roles and responsibilities of the various levels of government concerned with transportation, a schedule of improvement programs, an operations program, a financial plan, and necessary policies and legislation for implementation of the regional transportation plan

65082. A report containing the following shall be submitted by the transportation planning agency to the Department of Transportation not later than six months after the operative date of this section.

(a) Information required by subdivision (a) of Section 65081, adopted by resolution of the policymaking body.

(b) A work program for preparing the regional transportation plan

(c) A proposal for development of an effective regional transportation decisionmaking process.

(d) Recommendations concerning relationships between the transportation planning agency and the department.

65083. The Department of Transportation shall promulgate, and from time to time amend, rules and regulations which provide for:

(a) The procedures in connection with the preparation, submission, revision, review, and approval or disapproval of regional transportation plans.

(b) The minimum contents of such plans.

(c) The criteria upon which approval of such plans shall be based.

(d) The designation of transportation planning agencies which are required to submit regional transportation plans, and amendments and revisions thereof.

(e) Such other matters as may be necessary or appropriate to the administration of this article.

SEC. 17. Section 21006.5 of the Public Utilities Code is amended to read:

21006.5. "Department" means the Department of ~~Aeronautics~~ *Transportation*.

SEC. 18. Section 21007 of the Public Utilities Code is amended to read:

21007. Whenever the term ~~"division"~~ *"department"* or "~~Division~~ *Department* of Aeronautics" is used in this part, it means the Department of ~~Aeronautics~~ *Transportation*

Whenever the term *"California Aeronautics Commission,"* "Division of Aeronautics," *or "Department of Aeronautics"* is used in any other law, it means the Department of ~~Aeronautics~~ *Transportation*.

~~Whenever the term "California Aeronautics Commission" is used in any other law it means the Department of Aeronautics.~~

SEC. 19. Section 21008 of the Public Utilities Code is amended to read:

21008. "Director" means the Director of ~~Aeronautics~~ *Transportation*.

Any reference in any law or regulation to the Director of Aeronautics shall be deemed to refer to the Director of Transportation.

SEC. 20. Section 21201 of the Public Utilities Code is repealed.

~~21201. There is in the Business and Transportation Agency a Department of Aeronautics.~~

SEC 21. Section 21202 of the Public Utilities Code is repealed.

~~21202. The department shall be headed by a chief, designated as the State Director of Aeronautics. The director is appointed by the Governor, subject to confirmation by the Senate, and holds office at the pleasure of the Governor. The annual salary of the director shall be set according to law.~~

SEC. 22. Section 21203 of the Public Utilities Code is repealed.

~~21203. The Director of Aeronautics shall devote his entire time to the functions of his office and shall not be actively engaged in any business, profession, vocation, or employment. He shall receive an annual salary and shall be reimbursed for all traveling and other expenses necessarily incurred by him in the discharge of his functions.~~

SEC. 23. Section 21215 of the Public Utilities Code is amended to read:

21215. There is in the ~~state government~~ *Department of Transportation* the State Aeronautics Board, consisting of seven members appointed by the Governor ~~by and~~ with the *advice and* consent of the Senate.

SEC. 24. Section 21224 of the Public Utilities Code is amended to read:

21224. The board shall advise ~~the department and the director in the performance of their duties and shall formulate and adopt general policies of the department relating to this part, which shall guide the department and the director in the performance of their duties. Whenever in this part the department is given authority to adopt rules and regulations, that authority shall rest with the board~~ *and assist the Director of Transportation in all matters relating to aeronautics within the state*.

SEC. 25. Section 21682.5 is added to the Public Utilities Code, to read:

21682 5. The department shall pay from the Aeronautics Account to the Transportation Planning and Research Account, a sum equal to the pro rata share of the comprehensive transportation duties attributable to aviation planning, as determined by the Secretary of the Business and Transportation Agency

SEC 26. Section 10452 of the Revenue and Taxation Code is amended to read:

10452. All money in the Motor Vehicle Transportation Tax ~~Fund~~ *Account*, except *the following moneys, shall, upon order of the Controller, be transferred to the Transportation Planning and Research Account in the State Transportation Fund, monthly, based upon the estimated revenues to become available during the fiscal year:*

(a) Such ~~such~~ amounts as are necessary for the administration of this part, which amounts shall be made available by executive order of the Director of Finance, with the written consent of the Governor;.

(b) Such amounts which shall, upon order of the Controller, be drawn therefrom for the purpose of making refunds under this part ~~or be transferred to the Highway Users Tax Fund~~.

(c) Such amounts, not to exceed twenty million dollars ($20,000,000) in any fiscal year, which may be appropriated for General Fund purposes.

(d) Such amounts as are transferred by the Controller pursuant to Section 832 of the Streets and Highways Code and Section 18424 of the Education Code

(e) Such amounts to be transferred by the Controller to the State Highway Account in the State Transportation Fund for meeting existing and future nonhighway related Department of Transportation obligations as determined by the State Transportation Board.

SEC. 27 Section 20 of the Streets and Highways Code is amended to read:

20. "Department" means the Department of ~~Public Works~~ *Transportation* of this state.

Any reference in any law or regulation to the Department of Public Works shall be deemed to refer to the Department of Transportation.

SEC 28. Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of the Streets and Highways Code is repealed.

SEC. 29. Article 1 (commencing with Section 50) is added to Chapter 1 of Division 1 of the Streets and Highways Code, to read:

Article 1. General

50 Any reference in any law or regulation to the State Highway Engineer shall be deemed to refer to the director.

SEC. 30 Section 183 of the Streets and Highways Code is amended to read:

183. All money available for the acquisition of real property or interests therein for state highways, or for the construction, maintenance, or improvement of state highways or highways in state parks shall be deposited in the State Highway *Account in the State Transportation* Fund. The moneys in ~~said fund~~ *the account* are appropriated and shall be allocated and expended for the purposes and in the manner provided in this code

SEC. 31. Section 185.5 is added to the Streets and Highways Code, to read:

185.5. The Director of Transportation shall pay from the State Highway Account in the State Transportation Fund that portion of the administrative expenses of the department that he determines to have resulted from the highway-oriented functions of the department.

SEC. 32. Section 194 is added to the Streets and Highways Code, to read:

194. In each annual budget report prepared by the commission and the department under Section 143 1, the commission shall allocate to the Transportation Planning and Research Account a sum equal to the pro rata share of the comprehensive transportation planning duties attributable to highway planning, as determined by the Secretary of the Business and Transportation Agency.

SEC. 33. Section 30050 of the Streets and Highways Code is amended to read:

30050. There is in the ~~state government~~ *Department of Transportation* a board known as California Toll Bridge Authority, composed of the Secretary of the Business and Transportation Agency, the Director of Finance, and three persons or officers of the state appointed by the Governor. The Director of ~~Public Works~~ *Transportation* shall not be a member of the authority but shall serve as administrative officer thereof.

SEC. 34. This act shall become operative on _____."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, March 6, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports.

AB No 96

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 96—An act to amend Sections 7026, 7045, and 7046 of the Business and Professions Code, relating to contracting.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly February 17, 1972, strike out "Except as provided in subdivision (b) this", and insert "This".

Amendment No. 2

On page 2, line 25, after the period, insert "Except as provided in subdivision (b), the term "finished products" shall include mobilehomes."

Amendment No. 3

On page 2, line 29, after "structures", insert "upon a site for the purpose of human habitation or occupancy".

Amendment No. 4

On page 2, line 32, strike out "Except as provided in subdivision (b), this", and insert "This".

Amendment No. 5

On page 2, line 34, after the period, insert "Except as provided in subdivision (b), the term "personal property" shall include mobilehomes."

Amendment No. 6

On page 2, line 36, after the word "installation", insert ", alteration or repair".

Amendment No. 7

On page 3, line 3, after "structures", insert "upon a site for the purpose of human habitation or occupancy".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

MESSAGES FROM THE SENATE

Senate Chamber, March 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 22

DARRYL R. WHITE, Secretary of the Senate
By R. W Lyons, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 22—Relative to memorializing Louis G. Sutton.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTION REMOVED FROM CONSENT CALENDAR

On request of Mr. Miller, Assembly Joint Resolution No. 11 was removed from the Consent Calendar and, by unanimous consent, placed on the third reading file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 718: By Assemblyman Porter—An act to amend Section 7152 of the Financial Code, relating to savings and loan associations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 719: By Assemblyman Murphy—An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831, 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the headings of Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508.5, 32509 5, 61809.1, 61809.3, 61809.7, 62050.1, 62301.5, 62707.6, 62707.7, 62707.8, 62707.9, 62714.1, and 62717.1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2.5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk.

Referred by the Speaker pro Tempore to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 200

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, March 6, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 315

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 315—An act to repeal Section 2805 of the Labor Code, as added by Chapter 1442 of the Statutes of 1971, relating to employment of aliens, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out ", and declaring the urgency thereof,"; strike out line 4, and insert a period.

Amendment No. 2

On page 2 strike out lines 4 to 16, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

ADJOURNMENT

At 12 16 p m, Speaker pro Tempore Bee declared the Assembly adjourned until 11 a m., Tuesday, March 7, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-eighth Legislative Day

Sixty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, March 7, 1972

The Assembly met at 11 a m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Assistant Chief Clerk R. Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.

Mr. MacGillivray seconded the motion.

Motion carried. Time, 11:02 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:12 a.m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Even From Ancient Times, Father, You constantly reminded us of the need for self-discipline. It is always a difficult and trying task. Yet it is one which brings its reward as is evidenced in the words of Mahatma Ghandi writing to a friend, "Have no fear. He who fears hates. He who hates kills. Break your sword and throw it away, so fear shall not touch you. I have been delivered from fear and desire in such a way that I know the power of God".—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Brown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Deddeh.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Gonsalves, on request of Acting Speaker Knox.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Chacon, on request of Acting Speaker Knox.
Mr. Cullen, on request of Acting Speaker Knox.
Mr. Stull, on request of Acting Speaker Knox.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Campbell, on request of Acting Speaker Knox.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 29, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse me from session on Tuesday, March 7, 1972, on legislative business.

I will attend the twenty-fourth California and Pacific Southwest Recreation and Park Conference in San Diego to participate in a panel on AB 1010 (4-day, 40-hour workweek).

Cordially,

MIKE CULLEN, Assemblyman
Forty-fourth District

March 6, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr. Speaker: May I respectfully request that I be excused from session on Tuesday, March 7 on legislative business. I will be meeting with the La Jolla Rotary in my district.

Thank you.

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

NOTE: For letter explaining the absence of Mr. Chacon on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 6, 1972, page 622.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Creation of and Appointment of Members to Ways and Means Subcommittee 7

March 6, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This will authorize creation of Budget Subcommittee 7 of the Assembly Ways and Means Committee with the following membership: Assemblymen Brown (Chairman), Barnes, Belotti, Burton, Crown, Hayes, Miller, Porter, Stull, and Warren.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Creation of and Appointment of Members to Subcommittee on Consumer Affairs

March 7, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This will authorize creation of a Subcommittee on Consumer Affairs of the Assembly Committee on Governmental Organization with the following membership: Assemblymen Keysor (Chairman), Priolo, Ralph, and Townsend.

Sincerely,

BOB MORETTI
Speaker of the Assembly

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

Report Relative to Legislation Containing Clauses Limiting Effective Period—No. 2962

Legislative Counsel of California
Sacramento, March 7, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr. Driscoll: There is submitted herewith a report showing laws enacted during recent sessions which will cease to be operative on or before January 31, 1973, because of duration clauses contained therein.

Where the lead author is still a Member of the Legislature, he has been notified of the expiration date. In other instances, the chairman of the committee to which the legislation was originally referred or its successor committee has been notified.

Very truly yours,

GEORGE H. MURPHY
Legislative Counsel
By Bernard Czesla
Chief Deputy

Above report ordered filed with the Secretary of State.

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Press Credentials

March 3, 1972

Squire Earl Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of your request of March 2, 1972, for accreditation of George Dissinger as a member of the press during the 1972 session of the Legislature for the San Diego Evening Tribune.

Sincerely,

JOHN L. BURTON, Chairman
Joint Rules Committee

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
686	Judiciary
687	Planning and Land Use
688	Transportation
689	Education
690	Education
691	Water
692	Transportation
693	Finance and Insurance
694	Planning and Land Use

Assembly Bill No.	*Committee*
695	Judiciary
696	Welfare
697	Water
698	Governmental Organization
699	Elections and Reapportionment
700	Governmental Organization
701	Judiciary
702	Judiciary
703	Criminal Justice
704	Transportation
705	Revenue and Taxation
706	Criminal Justice
707	Education
708	Natural Resources and Conservation
709	Government Administration
710	Water
711	Water
712	Transportation
713	Health
714	Retirement
715	Finance and Insurance
716	Local Government
717	Education
718	Finance and Insurance

Assembly Concurrent Resolution No.	*Committee*
39	Transportation

Senate Concurrent Resolution No.	*Committee*
22	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 720: By Assemblyman Seeley—An act to add Article 10 (commencing with Section 47031) to Chapter 18 of Division 17 of the Agricultural Code, relating to citrus fruit, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Agriculture

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 7, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 720—An act to add Article 10 (commencing with Section 47031) to Chapter 18 of Division 17 of the Agricultural Code, relating to citrus fruit, and declaring the urgency thereof, to take effect immediately.

RAY SEELEY

Above request ordered transmitted to the Committee on Rules.

Hon. John T. Knox Presiding

At 11:15 a.m., Hon. John T. Knox, 11th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 721: By Assemblyman Bagley—An act to add Section 25209.5 to the Government Code, relating to counties.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 722: By Assemblyman Bagley—An act to add Section 25563.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 723: By Assemblyman Bagley—An act to amend Section 17072 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 724: By Assemblyman Bagley—An act to amend Section 23332.5 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 725: By Assemblyman Townsend—An act to amend Section 3661 of the Public Utilities Code, relating to carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 726: By Assemblyman Ryan—An act to repeal Section 3054 of the Civil Code, relating to banker's liens.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 727: By Assemblyman Chappie—An act to amend Sections 21682 and 21683 of the Public Utilities Code, relating to aviation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 728: By Assemblyman Chappie—An act to amend Sections 38225 and 38300 of the Vehicle Code, relating to off-highway vehicles

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 729: By Assemblyman Chappie—An act to amend Section 21407.5 of the Public Utilities Code, relating to aviation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 730: By Assemblyman Priolo—An act to add Section 3208.5 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 731: By Assemblyman Priolo—An act to add Section 3208 4 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 732: By Assemblyman Priolo—An act to add Section 4453.5 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 733: By Assemblyman Priolo—An act to add Section 3208.3 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 734: By Assemblyman Bagley—An act to amend Section 11253 of the Welfare and Institutions Code, relating to public assistance, and declaring the urgency thereof, to take effect immediately.

Referred by the Acting Speaker to the Committee on Ways and Means.

Assembly Bill No. 735: By Assemblyman Harvey Johnson—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Held at Desk by order of the Acting Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 7, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 734—An act to amend Section 11253 of the Welfare and Institutions Code, relating to public assistance, and declaring the urgency thereof, to take effect immediately

WILLIAM T. BAGLEY

Above request ordered transmitted to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, March 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 45
AB No. 101
AB No. 181

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 96

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 308

With the recommendation: Do pass.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 191

With the recommendation: Do pass.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 148

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No 271

With the recommendation: Do pass.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, March 6, 1972

Mr Speaker. Your Committee on Health reports:

AB No. 155

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 133
AB No. 139
AB No 168

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, March 6, 1972

Mr Speaker: Your Committee on Health reports:

AB No. 254

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 175

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, March 7, 1972

Mr. Speaker· Your Committee on Rules recommends:

That the request by Mr. Cullen for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 685 be granted

BURTON, Chairman

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Seeley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 720 be granted.

BURTON, Chairman

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bills Nos. 37 and **38**, on request of Mr. Lanterman.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 36

Mr. Lanterman was granted unanimous consent to take up Assembly Bill No. 36, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 36

Assembly Bill No. 36—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 736: By Assemblymen Porter and Harvey Johnson—An act to amend Section 30508 of the Water Code, relating to county water districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 737: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Sections 4999, 5000, 5003, 5004, and 5005 of, and to add Sections 5000.1 and 12923.2 to, the Water Code, relating to water.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 738: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Sections 4010.5, 4011.5, and 4011.6 of the Health and Safety Code, relating to water systems.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 739: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Section 190 of the Water Code, relating to regional water resources, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 740: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Section 13360 of the Water Code, relating to water quality.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 741: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Section 175 of the Water Code, relating to water.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 742: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Section 13303 of, and to repeal Section 14027 of, the Water Code, to add Section 54740 to the Government Code, and to repeal Sections 4766 5 and 6523.01 of the Health and Safety Code, relating to water quality.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 743: By Assemblymen Porter, Stacey, and Harvey Johnson—An act to amend Section 8411 of, and to add Sections 8412, 8413, 8414, and 8414.2 to, the Water Code, relating to flood plain regulations.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 744: By Assemblyman Biddle—An act to add Sections 537, 27803 and 27804 to the Vehicle Code, relating to motorcycles.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 745: By Assemblyman Biddle—An act to add Section 54931.18 to the Government Code, relating to districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 746: By Assemblyman Monagan—An act to add Section 451b to the Penal Code, relating to arson.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 747: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 25503 of the Government Code, relating to county property.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 748: By Assemblyman Conrad—An act to amend Section 16027 of the Vehicle Code, relating to financial responsibility.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 749: By Assemblyman Ketchum—An act to amend Section 41500 of the Vehicle Code, relating to nonprosecution of nonfelony Vehicle Code violations.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 750: By Assemblyman Sieroty—An act to add Sections 11018.01, 11702.1 and 11702.3 to the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 751: By Assemblyman Sieroty—An act to add Section 25.9 to the Civil Code, relating to minors.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 752: By Assemblyman Dunlap—An act relating to the Vacaville Unified School District.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 753: By Assemblyman Dunlap—An act to add Section 1111.9 to the Education Code, relating to school district elections.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 754: By Assemblyman Belotti—An act to amend Sections 20870, 20884, 21800, 21804, 21805, 21820, 21821, 21822, 21830, 21831, 21880, 21880.5, 21882, 21890, 21910, 21911, 21922 of, and to add Sections 21832 and 21833 to the Business and Professions Code, relating to petroleum products.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 755: By Assemblyman Belotti—An act to amend Section 34272 of the Health and Safety Code, relating to housing.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 756: By Assemblyman Pierson—An act to amend Section 4702 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 757: By Assemblyman Barnes—An act to amend Section 10601 of, and to add Sections 10601.5 and 10605 to, the Government Code, relating to the Joint Legislative Retirement Committee.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 758: By Assemblyman Brown—An act to amend Section 14132 of, and to add Article 4.3 (commencing with Section 14136) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 759: By Assemblyman Brown—An act to amend Section 14056 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 760: By Assemblyman Brown—An act to add Section 1116 to the Harbors and Navigation Code, relating to pilots.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 761: By Assemblyman Brown—An act to amend Section 24755.1 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 762: By Assemblyman Keysor—An act to add Sections 3050.1, 3050.2 and 3050.3 to the Vehicle Code, relating to new car dealers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 763: By Assemblyman Keysor—An act to amend Section 1002 6 of the Education Code, relating to governing boards of school districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 764: By Assemblyman Keysor—An act to amend Sections 51, 52, and 53 of the Civil Code, relating to sex.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 765: By Assemblyman Keysor—An act to amend Section 415 and 415 5 of the Penal Code, relating to vulgar language.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 766: By Assemblyman Hayden—An act to add Section 5406 5 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 767: By Assemblyman Hayden—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 768: By Assemblyman Hayden—An act to amend Section 5814 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 769: By Assemblyman Hayden—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 770: By Assemblyman Murphy—An act to add Section 125.5 to the Business and Professions Code, relating to injunctions.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 41: By Assemblyman Porter (Senator Kennick, coauthor)—Relative to the Artesia Freeway.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Moorhead:

House Resolution No. 24

Relative to the Social Security Administration

Resolved by the Assembly of the State of California, That Congress be memorialized to enact legislation requiring the Social Security Administration to make a determination prior to issuance of a Social Security card to an applicant regarding whether or not he is an alien, and if so whether he is legally admitted to the U. S. and authorized to seek employment; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Bagley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 734 be granted.

BURTON, Chairman

Committee on Ways and Means

Assembly Chamber, March 6, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 94

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 94—An act to add Sections 8506.1 and 8507 to the Education Code, relating to venereal disease education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly February 16, 1972, strike out "Assemblyman Barnes", and insert "Assemblymen Barnes and Fong".

Amendment No. 2

In the title, strike out lines 1 to 4, inclusive, and insert "An act making an appropriation to be used for venereal disease education and control, and".

Amendment No. 3

On page 2, strike out lines 1 to 33, inclusive; and on page 3, strike out lines 1 to 17, inclusive; and in line 18, strike out "SEC. 4", and insert "SECTION 1".

Amendment No. 4

On page 3, line 23, after "education", insert "and case finding and followup".

Amendment No. 5

On page 3, line 34 strike out "SEC. 5", and insert "SEC. 2".

Amendment No. 6

On page 3, line 38, strike out "The increased", and insert "The increased".

Amendment No. 7

On page 3, line 39, strike out the second "venereal"; and strike out line 40; and on page 4, line 1, strike out "schools at the earliest possible date and that".

Amendment No. 8

On page 4, line 2, after "education", insert ", case finding and followup".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT

Mr. Vasconcellos was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

MESSAGES FROM THE SENATE

Senate Chamber, March 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 79
AB No. 314

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, March 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 69
SCR No. 17

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 404

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 13
SB No. 73
SB No. 79

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 13—An act to add Section 6.6 to the San Benito County Water Conservation and Flood Control District Act (Chapter 1598 of the Statutes of 1953), relating to the San Benito County Water Conservation and Flood Control District.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 73—An act to amend Section 5 of the Santa Clara County Flood Control and Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara County Flood Control and Water District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 79—An act to amend Section 10122 of the Insurance Code, as added by Chapter 570 of the Statutes of 1971, and to amend and renumber Section 12532.9 of the Government Code, as added by Chapter 419 of the Statutes of 1971, relating to health insurance, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

Sacramento, California

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the Auditor General's review of the San Francisco State College Foundation's Audit Report for the year ended June 30, 1971.

The review consisted of a brief investigation into the circumstances and facts behind the critical points covered by the audit report. A firm of certified public accountants audited the foundation and issued the report.

A bookstore inventory shortage of $185,974 was reported as of June 30, 1971. Recording and counting errors were responsible for about $62,000 of this shortage. About $124,000 was attributed to unrecorded sales, pilferage and similar acts.

A cash shortage of $5,153 was reported as resulting from deficiencies in bookstore cash accounting procedures and controls. The bookstore manager at the time the cash shortages occurred has resigned. One employee of the store was arrested and convicted of theft of merchandise.

The Auditor General was critical of the independent auditor qualifying his opinion on certain items in the financial statements while ignoring other related material items. The foundation's auditor qualified his opinion because of the method used to arrive at the cost of books sold. No exception was taken to the net loss of $278,068 or the June 30, 1971 fund balance. Both of these amounts are directly effected by any change in the method of arriving at the cost of books sold.

The auditor did not specifically state that the method used was not in accordance with generally accepted accounting principles or that

it was inconsistent with methods used in prior years. The amount of the change and its effect on the financial statements taken as a whole was not disclosed.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee.

Above report referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bagley:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 734 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 734 for hearing in the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Seeley:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 720 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGilli-

vray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Seeley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 720 for hearing in the Committee on Agriculture.

ANNOUNCEMENTS

Acting Speaker Knox announced that pursuant to the Joint Rules, March 15 is the last day for bill introduction for this session, and that all requests for preparation of bills must be made to Legislative Counsel prior to 5 p.m. on March 8.

REQUEST FOR UNANIMOUS CONSENT

Mr. Priolo was granted unanimous consent that the Desk be held open today for the purpose of receiving the report of the Committee on Education relative to Senate Bill No. 10, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 10 for hearing in the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 45, ordered to third reading.

Assembly Bills Nos. 101 and **181**, ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No. 181 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 6—An act relating to the public school system, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 4, strike out "20", and insert "5".

Amendment No. 3

On page 2, line 28, after the period, insert "The Superintendent of Public Instruction shall annually review each educational program authorized pursuant to Section 1 of this act and may at the time of the annual review withdraw either or both exemptions. If either of such exemptions is withdrawn, no other exemption may be granted to any other school district except to the other school district to which the other exemption was granted. If both exemptions are withdrawn, no other exemptions may be granted."

Amendment No. 4

On page 2, line 38, strike out "1975", and insert "1976".

Amendment No. 5

On page 2, strike out line 40; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 31—An act requiring the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for the construction or modification of a steamer pier.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "steamer", and insert "pleasure".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 200—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528.2 of the Business and Professions Code, relating to the California coastal zone, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "and Z'berg", and insert "Z'berg, Brathwaite, Burton, Campbell, Chacon, Cline, Cory, Crown, Deddeh, Duffy, Fenton, Fong, Garcia, Gonsalves, Bill

Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Quimby, Ralph, Ryan, Townsend, Vasconcellos, Warren, and Waxman".

Amendment No. 2

In line 4 of the heading, strike out "and Nejedly", and insert "Nejedly, Beilenson, Cusanovich, Dymally, Petris, Roberti, and Rodda)".

Amendment No. 3

On page 2, line 20, after "property", insert ", areas of critical scientific and cultural value".

Amendment No. 4

On page 7, line 30, strike out "Commissions", and insert "Commission".

Amendment No. 5

On page 10, line 25, strike out the comma.

Amendment No. 6

On page 10, line 40, after "esthetic", insert ", economic",

Amendment No. 7

On page 11, line 7, after "ecological", insert ", social,".

Amendment No. 8

On page 13, line 35, strike out the second "the".

Amendment No. 9

On page 16, line 8, strike out "seems", and insert "deems".

Amendment No. 10

On page 18, line 28, strike out "preservation", and insert "identification, preservation,".

Amendment No. 11

On page 18, line 29, after "scenic", insert ", scientific,".

Amendment No. 12

On page 18, line 33, after "wildlife", insert ", undisturbed biotic communities, archaeological and paleontological sites".

Amendment No. 13

On page 19, line 3, after "parkways", insert ", historic and archaeological sites".

Amendment No. 14

On page 19, line 14, strike out "within the coastal zone".

Amendment No. 15

On page 19, strike out line 26, and insert

"(7) An ocean mineral resources element and an ocean living resources element for the conservation, maintenance, and utilization of the living resources consistent with the public policy of this state as set forth in Section 1700 of the Fish and Game Code.

(8) An educational and scientific element for the preservation, reservation, management, and utilization of the educational, scientific, and cultural resources of the coastal zone, including, but not limited to, research, instructional, and mariecultural reserves, those biotic communities whose study can contribute to understanding the natural environment, archaeological and paleontological sites, and areas of special geological and geomorphological interest."

Amendment No. 16

On page 23, line 34, after "to", insert "scientific or".

Amendment No. 17

On page 30, between lines 17 and 18, insert

"SEC. 3. It is not the intent of the Legislature by the enactment of this act to take private property for public use without just compensation in violation of the United States or California Constitution."

Amendment No. 18

On page 30, line 18, strike out "3", and insert "4".

Amendment No. 19

On page 30, line 24, strike out "4", and insert "5".

Amendment No. 20

On page 30, line 27, strike out "5", and insert "6".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 181.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 343

Acting Speaker Knox was granted unanimous consent that Assembly Bill No. 343 be withdrawn from the Committee on Commerce and Public Utilities, and re-referred to the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 11—Relative to space shuttle program.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy,

Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Thomas, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Miller—1.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 223—An act to add Section 54931.18 to the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mrs. Davis.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

Assembly Chamber, March 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 75—An act relating to the disposition of property by the Director of General Services, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., March 7, 1972

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

SB No. 52

With the recommendation: Do pass.

GARCIA, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

SCA No. 6

With amendments with the recommendation: Amend, and be adopted, as amended.

GARCIA, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 6

Mr. Garcia was granted unanimous consent to take up Senate Constitutional Amendment No. 6, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Senate Constitutional Amendment No. 6 By Unanimous Consent

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16 to Article IX, by amending Section 1 of Article X, by repealing Sections 1, 4, 5, 6, 7, 8, 10, 13, 15, 16, and 24 of Article XII, by adding Section 42 to Article XIII, by amending Section 1 of Article XIV, by repealing Sections 2 and 3 of Article XVII, by adding Section 24 to Article XX, and by repealing Article XXII thereof, relating to partial revision of the Constitution of the State of California.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted·

Amendment No. 1

In line 5 of the title of the printed measure, strike out "10,".

Amendment No. 2

On page 4, strike out line 8.

Amendment No. 3

On page 4, line 15, strike out "Tenth", and insert "Ninth".

Amendment No. 4

On page 6, line 5, strike out "Eleventh", and insert "Tenth".

Amendment No. 5

On page 6, line 11, strike out "Twelfth", and insert "Eleventh".

Amendment No. 6

On page 6, line 19, strike out "Thirteenth", and insert "Twelfth".

Amendment No. 7

On page 6, line 22, strike out "Fourteenth", and insert "Thirteenth".

Amendment No. 8

On page 8, line 12, strike out "Fifteenth", and insert "Fourteenth".

Amendment No. 9

On page 9, line 3, strike out "Sixteenth", and insert "Fifteenth".

Amendment No. 10

On page 9, line 9, strike out "Seventeenth", and insert "Sixteenth".

Amendment No. 11

On page 9, line 16, strike out "Eighteenth", and insert "Seventeenth".

Amendment No. 12

On page 9, line 22, strike out "Nineteenth", and insert "Eighteenth".

Resolution ordered reprinted, and to be returned to the third reading file.

Speaker pro Tempore Presiding

At 11.50 a.m., Hon. Carlos Bee, 13th District, presiding.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 771: By Assemblyman Fenton—An act to amend Section 139.5 of the Labor Code, relating to rehabilitation of injured workmen, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 149

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

FONG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 26

With amendments with the recommendation. Amend, and do pass, as amended.

FONG, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

ACR No. 20

With the recommendation· That the resolution be re-referred to the Committee on Rules, with the recommendation that this resolution be assigned to an appropriate committee for interim study.

FONG, Chairman

Above resolution re-referred to the Committee on Rules.

VOTE CHANGES

Mr. Ray E. Johnson was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 36, and on the passage of the bill.

COMMUNICATIONS

Assembly Chamber, March 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 27	AB No. 270
AB No. 69	AB No. 315

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

ACA No. 2

With the recommendation· Be adopted, and be re-referred to the Committee on Constitutional Amendments.

RALPH, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 17

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Constitutional Amendments.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 557

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Judiciary reports.

AB No 106

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

WARREN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 10

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Revenue and Taxation

Assembly Chamber, March 6, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

ACA No. 1

With amendments with the recommendation · Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above resolution ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 772: By Assemblyman Murphy (Coauthor: Senator Way)—An act to amend Section 12657 of, and to add Section 12667 to, the Water Code, relating to flood control.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 4 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, March 8, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thirty-ninth Legislative Day

Sixty-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 8, 1972

The Assembly met at 11 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R. Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr. Dent seconded the motion.
Motion carried. Time, 11 02 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11·08 a m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, We pray that ideological and political differences may never divert us from our ultimate goal of providing a better living and growing situation for all Americans.

We pray that nations' boundaries or philosophies may never ignore the fact that we are a world of brothers and sisters And we pray that religious differences may be of short duration, so that we, Your children, may look to You as one and live as one.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. LaCoste then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Burton, seconded by Mr. Crown.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Harvey Johnson, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Cullen, on request of Speaker pro Tempore Bee.
Mr. Lewis, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Campbell, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 29, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse me from session on Wednesday, March 8, 1972, on legislative business.

I have been invited to address the ninth grade of Hill Junior High School at a special assembly on the subject of the Legislature as a career.

Cordially,

MIKE CULLEN, Assemblyman
Forty-fourth District

March 7, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on March 8, 1972, on legislative business. I will be participating in a panel for the United Professors of California on budgeting for state colleges

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

March 8, 1972

Honorable Bob Moretti, Speaker
California State Assembly
State Capitol Building, Sacramento, California

Dear Mr Speaker: I would respectfully request to be excused from the daily Session on Wednesday, March 8, 1972.

I will be in my district meeting with Dr. Ray Ellerman, Superintendent of the San Bernardino Community College District to discuss educational finance and other educational priorities.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

March 7, 1972

Hon Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob: Please excuse me from legislative duties on the floor of the Assembly on Wednesday, March 8, 1972.

I will be in my district meeting with the Superintendent of Laguna Salada School District regarding their severe financial problems and their plans to request the Legislature to provide adequate funds for this district.

Sincerely,

LEO J. RYAN, Assemblyman
Twenty-seventh District

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 702—An act to add Article 10 (commencing with Section 72450) to Chapter 8 of Title 8 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

CHARLES WARREN

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
721	Urban Development and Housing
722	Revenue and Taxation
723	Revenue and Taxation
724	Revenue and Taxation
725	Commerce and Public Utilities
726	Judiciary
727	Commerce and Public Utilities
728	Natural Resources and Conservation
729	Commerce and Public Utilities
730	Finance and Insurance
731	Finance and Insurance
732	Finance and Insurance
733	Finance and Insurance
735	Judiciary
736	Water
737	Water
738	Water
739	Water
740	Water
741	Water
742	Water
743	Water
744	Transportation
745	Local Government
746	Criminal Justice
747	Local Government
748	Finance and Insurance
749	Criminal Justice
750	Planning and Land Use
751	Health
752	Education
753	Education
754	Transportation
755	Urban Development and Housing
756	Finance and Insurance
757	Rules
758	Health
759	Health
760	Commerce and Public Utilities

Assembly Bill No.	*Committee*
761	Governmental Organization
762	Transportation
763	Education
764	Judiciary
765	Criminal Justice
766	Finance and Insurance
767	Finance and Insurance
768	Finance and Insurance
769	Finance and Insurance
770	Judiciary
771	Finance and Insurance
772	Water

Assembly Concurrent Resolution No.	*Committee*
41	Transportation

Senate Bill No	*Committee*
13	Water
73	Water
79	Finance and Insurance

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 773: By Assemblyman Collier—An act to add Section 75 1 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 774: By Assemblyman Conrad—An act to amend Section 3750 of the Government Code, relating to political contributions

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 775: By Assemblyman Biddle—An act to add Section 18861 to the Government Code, relating to peace officers' incentive compensation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 776: By Assemblyman Dunlap—An act to add Chapter 1.3 (commencing with Section 2030) to Division 3 of the Fish and Game Code, relating to mammal damage control

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 777: By Assemblyman Foran—An act to amend Section 10434 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 778: By Assemblyman McCarthy—An act to add Section 12159.5 to the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 779: By Assemblyman McCarthy—An act to add Division 3.5 (commencing with Section 28600) to Title 4 of the Corporations Code, relating to pension plans.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 780: By Assemblyman McCarthy—An act to amend Section 7314 of the Labor Code, relating to the inspection of elevators, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 781: By Assemblymen Maddy, Arnett, Chacon, Fong, Bill Greene, Keysor, McAlister, Meade, and Ryan—An act to add Section 13593.5 to the Education Code, relating to classified school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 782: By Assemblyman Warren—An act to add Section 7356 to the Labor Code, relating to aerial tramways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 783: By Assemblyman Warren—An act to add Chapter 8 (commencing with Section 21200) to Division 8 of the Business and Professions Code, relating to skiing safety.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 784: By Assemblyman Warren—An act to amend Section 7344 of the Labor Code, relating to aerial tramways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 785: By Assemblyman Warren—An act to amend Sections 7340, 7341, 7343 and 7348 of the Labor Code, relating to aerial tramways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 786: By Assemblyman Warren—An act to add Section 7357 to the Labor Code, relating to aerial tramways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 787: By Assemblyman Priolo—An act to amend Section 10172 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 788: By Assemblyman Townsend—An act to amend Section 7026.7 of the Business and Professions Code, relating to contractors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 789: By Assemblyman Townsend—An act to add Part 6 (commencing with Section 22900) to Division 5 of Title 2 of the Government Code, relating to state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 790: By Assemblyman Townsend—An act to amend Sections 4800, 4801, 4802, 4803, and 4804 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 791: By Assemblyman Ralph—An act to amend Sections 1421 and 1422 of the Labor Code, relating to fair employment practices.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 792: By Assemblyman Powers—An act to add Section 13815 to the Health and Safety Code, relating to fire districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 793: By Assemblyman Quimby—An act to add Section 1130.5 to the Education Code, relating to school district governing boards.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 794: By Assemblyman Quimby—An act to amend Sections 1010, 1064, 1064.1, 5004, and 5136 of the Public Utilities Code, relating to carriers, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 795: By Assemblyman Quimby—An act to amend Section 3663 of the Public Utilities Code, relating to highway carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 796: By Assemblyman Quimby—An act to add Section 576.7 to the Code of Civil Procedure, relating to pretrial conferences.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 797: By Assemblyman Quimby—An act to add Section 576.9 to the Code of Civil Procedure, relating to pretrial conferences.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 798: By Assemblyman Beverly—An act to add Article 1.7 (commencing with Section 25544) to Chapter 5, Division 18.5 of the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 799: By Assemblymen Thomas and Quimby—An act to add Section 18716 to the Business and Professions Code, relating to professional boxing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 42: By Assemblyman Warren—Relative to ski lift safety standards.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:16 a.m., Mr. Porter was granted unanimous consent to hold a special meeting of the Committee on Water in Room 3188, at this time.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that a photographer be permitted on the floor of the Assembly during the following recess.

RECESS

At 11:20 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 11:23 a.m., for the purpose of permitting Mr. Powers to introduce Miss Margo Johnson, Pasadena Tournament of Roses Queen, and appointed Messrs Powers, Collier, and Lanterman as a Select Committee to escort Miss Johnson to the Rostrum.

REASSEMBLED

At 11:23 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

INTRODUCTION OF GUESTS

Mr. Priolo, of the 60th District, introduced the Honorable Peter F. Schabarum, Los Angeles County Supervisor and former Member of the Assembly, and his wife, Mrs. Gerry Schabarum, whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber.

COMMUNICATIONS

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 404—An act to amend Section 8823 of the Elections Code, relating to county central committees, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., March 8, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 94

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 147

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 272

With the recommendation: Do pass, and be re-referred to the Committee on Constitutional Amendments.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 71

AB No 265

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Education reports:

ACA No. 26

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

LEROY F. GREENE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 300

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 10

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 734

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 1

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 1—Relative to dedicating the Lakeport Vista Point-Tourist Information Center in memory of George Hoberg, Sr.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 734

Mr. Bagley was granted unanimous consent to take up Assembly Bill No. 734, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 734 By Unanimous Consent

Assembly Bill No. 734—An act to amend Section 11253 of the Welfare and Institutions Code, relating to public assistance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to repeal Section 11253 of, and to add Section 11253 to, the Welfare and Institutions Code, relating to aid to families with dependent children, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, strike out lines 1 to 11, inclusive; and strike out the remainder of the bill, and insert

"SECTION 1. Section 11253 of the Welfare and Institutions Code, as amended by Chapter 578 of the 1971 Statutes, is repealed.

~~11253. Aid may not be granted under the provisions of this chapter to or in behalf of any child over the age of 16 unless:~~

~~(a) He is less than 21 years of age and is regularly attending school or a training program, or if enrolled in an institution of higher education, attending regularly, achieving a passing grade and making progress according to standards set by the department, or~~

~~(b) He is physically or mentally disabled, or~~

~~(c) He is employed and contributing to the family, or applying his earnings to a plan approved by the county department for his further education or preparation for future employment, provided that his earnings set aside for education or training are placed in an irrevocable trust for such purposes, with the county and the parents designated as joint trustees.~~

SEC. 2. Section 11253 is added to the Welfare and Institutions Code, to read:

11253. Aid may not be granted under the provisions of this chapter to or in behalf of any child over the age of 16 unless:

(a) He is less than 21 years of age and is regularly attending school or a training program, or if enrolled in an institution of higher education, attending regularly, achieving a passing grade and making progress according to standards set by the department, or

(b) He is physically or mentally disabled, or

(c) He is employed and contributing to the family, or applying his earnings to a plan approved by the county department for his further education or preparation for future employment, provided that his earnings set aside for education or training are placed in an irrevocable trust for such purposes, with the county and the parents designated as joint trustees.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Chapter 1748 of the Statutes of 1971 became operative March 4, 1972. In order to insure that the application of Chapter 1748 to the Aid to Families with Dependent Children program does not result in the termination of aid to thousands of full-time students who are making satisfactory progress in their studies, it is necessary that this act take effect immediately."

Bill ordered reprinted.

Request for Unanimous Consent to Take Up Assembly Bill No. 734

Mr. Bagley was granted unanimous consent to take up Assembly Bill No. 734, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Bagley:

Resolved, That Assembly Bill No. 734 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 734

Assembly Bill No. 734—An act to repeal Section 11253 of, and to add Section 11253 to, the Welfare and Institutions Code, relating to aid to families with dependent children, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Hon. Eugene A. Chappie Presiding

At 11:32 a.m., Hon. Eugene A. Chappie, 6th District, presiding.

Demand for Previous Question

Messrs. Leroy F Greene, Quimby, Arnett, Garcia, and Burton demanded the previous question Demand sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 734.

The roll was called.

CALL OF THE ASSEMBLY

Pending the announcement of the vote, Mr Bagley moved a call of the Assembly.

Motion carried. Time, 11.52 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Speaker pro Tempore Presiding

At 11.53 a.m., Hon. Carlos Bee, 13th District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 314

Mr. Lanterman was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 314, out of order, at this time.

Consideration of Senate Amendments to Assembly Bill No. 314

Assembly Bill No. 314—An act to add Section 38109 to the Health and Safety Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 314?

Amendment No. 1

On page 2 of the printed bill, strike out lines 3 to 5, inclusive, and insert "to the regional center a copy of the orders made pursuant to proceedings conducted under Sections 1368 and 1369 of the Penal Code."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Karabian, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that a photographer be permitted on the floor of the Assembly during the following recess.

RECESS

At 11.55 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 11 58 a.m., for the purpose of permitting Mr. Bagley to introduce Master Eric Staley, 1972 Easter Seal Child, and his parents, Mr and Mrs. Earl Staley, from San Anselmo.

REASSEMBLED

At 11:58 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BRIGGS

Mr. McCarthy announced that today is the birthday of Assemblyman John V Briggs, of the 35th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Briggs.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 308—An act to add Section 14670 3 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 191—An act to add Sections 31621 2, 31671 02, 31676.12, 31808.7, and 31812 1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read second time, and ordered to third reading.

Assembly Bill No. 148—An act to add Section 17216.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "17216.3", and insert "17054.5".

Amendment No. 2

On page 1, line 1, strike out "17216.3", and insert "17054.5".

Amendment No. 3

On page 1, strike out lines 3 to 8, inclusive; and on page 2, strike out lines 1 and 2, and insert

"17054 5. (a) In the case of an individual computing his tax under Section 17041 or 17048, there shall be allowed as a credit against the tax imposed eight dollars ($8) for each person (other than a dependent, as defined in Section 17056, or a relative of the taxpayer) maintained as a member of the taxpayer's household for a period of not less than six months, if during such period such individual is—".

Amendment No. 4

On page 2, strike out lines 12 to 19, inclusive, and insert "in the United States.

(b) (1) For purposes of computing the period in subdivision (a), if 15 or more".

Amendment No. 5

On page 2, lines 22 and 23, strike out "to any amount paid by the taxpayer within the taxable year".

Amendment No. 6

On page 2, lines 34 and 35, strike out "except as provided in this section".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 155—An act to amend Sections 2147, 2177.5, and 2178 of, to add Article 4.6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193.7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 3, line 33, of the printed bill, strike out "This graduate program shall be"; strike out line 34; and in line 35, strike out "more than 50 students per year."

Amendment No. 2

On page 5, strike out lines 35 to 39, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 254—An act to amend Section 4143 of the Business and Professions Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code", insert ", and to amend Section 7054.4 of the Health and Safety Code".

Amendment No. 2

On page 2, between lines 8 and 9, insert

"SEC. 1.5. Section 7054.4 of the Health and Safety Code is amended to read:

7054.4. Notwithstanding any other provision of law, recognizable anatomical parts, human tissues, or anatomical human remains following conclusion of scientific use shall be disposed of by ~~interment or incineration~~ *any method determined by the state department to protect the public health and safety*."

Amendment No. 3

On page 2, after line 19, insert

"The limitation of disposal of anatomical parts, human tissues, or anatomical human remains to interment or incineration has created a hardship in some areas. The hardship created by such limitation, which needs immediate attention, will be cured by allowing other methods of disposal under standards adopted pursuant to this act which will protect the public health."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 175—An act to amend Sections 32111, 32112, and 32114 of the Education Code, relating to continuous school programs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Vasconcellos", and insert "Assemblymen Vasconcellos and McAlister".

Amendment No. 2

On page 2, line 33, strike out "180", and insert "175".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 26—An act to amend Section 654 of, and to add Section 654.05 to, the Harbors and Navigation Code, relating to vessels.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 654.05", and insert "Sections 654.05 and 654 06".

Amendment No. 2

On page 2, line 22, after "SEC. 3 ", insert "Section 654.06 is added to the Harbors and Navigation Code, to read:

654.06. No person shall sell or offer for sale any internal combustion engine manufactured on or after July 1, 1974, for use on any motorboat which, when operated, exceeds a noise level of 82 dbA measured at a distance of 50 feet.

SEC. 4."

Amendment No. 3

On page 2, line 23, strike out "1973", and insert "1974".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 17—An act to add Sections 9027, 9028, 9029, 9030, 9031, 9032, and 9033 to the Government Code, relating to meetings of the Legislature.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In line 8 of the heading of the printed bill, strike out "and Nejedly", and insert "Nejedly, and Whetmore".

Amendment No. 2

On page 2, line 4, after "thereof", insert "pertaining to consideration of bills, constitutional amendments, and resolutions".

Amendment No. 3

On page 3, line 32, strike out the blank, and insert "2".

Amendment No. 4

On page 3, line 35, strike out the blank, and insert "2".

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 557—An act to add Section 71180 1 to the Government Code, relating to judges, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 106—An act to amend Section 472 of, and to repeal and add Section 471.5 of, the Code of Civil Procedure, relating to pleading, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 30 to Article XIII thereof, relating to property taxation.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed measure, strike out "the ratio"; strike out lines 16 and 17; and in line 18, strike out "property", and insert "15 percent of full cash value".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

SECOND READING OF SENATE BILLS

Senate Bill No. 271—An act to amend Section 14 of Chapter 1307 of the Statutes of 1971, relating to documents, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 52—An act to place an amendment to the Constitution on the ballot for the primary election to be held on Tuesday, June 6, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 191
AB No. 308
AB No. 557

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 106

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 79—An act to amend Sections 250.5 and 263 of, and to amend, repeal, and add Section 249 to, the Health and Safety Code, relating to physically handicapped children, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 79?

Senate Amendments of February 23, 1972

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for support of services", and insert "to amend Sections 250.5 and 263 of, and to amend, repeal, and add Section 249 to, the Health and Safety Code, relating".

Amendment No. 2

In line 2 of the title, after "children", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 249 of the Health and Safety Code is amended to read:

249. The Department of Public Health shall establish and administer a program of services for physically defective or handicapped persons under the age of 21 years, in cooperation with the federal government through its appropriate agency or instrumentality, for the purpose of developing, extending and improving such services. The department shall receive and expend all funds made available to it by the federal government, the state, its political subdivisions or from other sources, and it shall have power to supervise those services included in the state plan which are not directly administered by the state. The department shall cooperate with the medical, health, nursing and welfare groups and organizations concerned with the program, and any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children.

The reference to "the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC. 2. Section 249 is added to the Health and Safety Code, to read:

249. The Department of Health shall establish and administer a program of services for physically defective or handicapped persons under the age of 21 years, in cooperation with the federal government through its appropriate agency or instrumentality, for the purpose of developing, extending and improving such services. The department shall receive and expend all funds made available to it by the federal government, the state, its political subdivisions or from other sources, and it shall have power to supervise those services included in the state plan which are not directly administered by the state. The department shall cooperate with the medical, health, nursing and welfare groups and organizations concerned with the program, and any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children.

The reference to "the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC. 3. Section 250.5 of the Health and Safety Code is amended to read:

250.5. "Handicapped child," as used in this article, means a physically defective or handicapped person under the age of 21 years who is in need of services. The director shall establish those conditions coming within a definition of "handicapped child" except as the Legislature may otherwise include in the definition. Phenylketonuria, cystic fibrosis, and hemophilia shall be among such conditions.

The reference to "the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

SEC. 4. Section 263 of the Health and Safety Code is amended to read:

263. This article does not authorize any treatment service without the written consent of a parent or guardian except as a person under ~~21~~ *18* years is an emancipated minor.

SEC. 5. It is the intent of the Legislature, that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 249 of the Health and Safety Code, as amended by Section 1 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Section 249 of the Health and Safety Code, as added by Section 2 of this act, which includes the changes in Section 249 made by both Reorganization Plan No. 1 of 1970 and Section 1 of this act, shall become operative.

SEC. 6. It is the intention of the Legislature that to the extent permitted by federal law, eligibility of persons for services to physically handicapped children pursuant to Article 2 (commencing with Section 249) of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code shall continue to age 21, but that, persons 18 years of age and over may consent to treatment service under Article 2. Notwithstanding any other provision of law, Sections 249, 250 5, and 263 of the Health and Safety Code, as amended by Sections 1, 2, and 3 of this act, respectively, shall not constitute a change in, but are declaratory of, the preexisting law.

SEC. 7. The sum of one million two hundred".

Amendment No. 4

On page 1, line 7, strike out "SEC. 2", and insert

"SEC. 8. Sections 1 to 6, inclusive, of this act shall become operative on March 4, 1972.

SEC. 9".

Amendment No. 5

On page 1, line 11, strike out "Unless", and insert

"This act will make available additional funds for the current fiscal year for services to physically handicapped children. Unless these".

Amendment No. 6

On page 1, after line 13, insert

"This act also eliminates the confusion regarding the eligibility of persons 18 years of age or over but under the age of 21 for services to handicapped children on and after March 4, 1972 Chapter 1748 of the Statutes of 1971, which lowers the legal age of majority to 18 for most purposes, will become operative on March 4, 1972 Section 1 of Chapter 1748 of the Statutes of 1971 could possibly be interpreted to eliminate services for physically handicapped children at age 18, although federal law provides that such persons are eligible for services to age 21. In order to eliminate the confusion regarding the eligibility of persons for services to physically handicapped children and to in-

sure the continued availability of such services to persons who are 18 years of age or over but under the age of 21, it is imperative that this act take effect immediately."

Senate Amendments of March 6, 1972
Amendment No. 1

On page 3, line 26, of the printed bill, as amended in Senate February 23, 1972, after "Phenylketonuria", insert ", hyaline membrane disease"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—64

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 6

Mr. Knox was granted unanimous consent to take up Senate Constitutional Amendment No 6, out of order, for purpose of consideration at this time.

Consideration of Senate Constitutional Amendment No. 6

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16 to Article IX, by amending Section 1 of Article X, by repealing Sections 1, 4, 5, 6, 7, 8, 13, 15, 16, and 24 of Article XII, by adding Section 42 to Article XIII, by amending Section 1 of Article XIV, by repealing Sections 2 and 3 of Article XVII, by adding Section 24 to Article XX, and by repealing Article XXII thereof, relating to partial revision of the Constitution of the State of California.

Resolution read, and presented by Mr Knox.

Resolution adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, and Z'berg—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 52

Mr. Knox was granted unanimous consent to take up Senate Bill No. 52, without reference to file, for purpose of consideration at this time.

Consideration of Senate Bill No. 52

Senate Bill No. 52—An act to place an amendment to the Constitution on the ballot for the primary election to be held on Tuesday, June 6, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Knox.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—59.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 10

Mr. Priolo was granted unanimous consent to take up Senate Bill No. 10, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file for the next legislative day.

Second Reading of Senate Bill No. 10 By Unanimous Consent

Senate Bill No. 10—An act relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

After line 1 of the heading of the printed bill, as amended in Senate February 23, 1972, insert

"(Coauthor: Assemblyman Leroy F. Greene)".

Amendment No. 2

In line 1 of the title, strike out "community colleges", and insert "the public educational system,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. For purposes of Chapter 5 5 (commencing with Section 5701) of Division 6 of the Education Code, "adult" means a person 21 years of age and older, and "minor" means a person under 21 years of age, notwithstanding Section 25 of the Civil Code, Chapter 1748 of the Statutes of 1971, or any other provision of law.

SEC 2 Section 5756 of the Education Code is not affected by Chapter 1748 of the Statutes of 1971.

SEC 3. Notwithstanding Section 25 of the Civil Code, Chapter 1748 of the Statutes of 1971, or any other provision of law, for the purposes of the following provisions of Division 6 of the Education Code, "minor" means any person under 21 years of age:

Chapter 7 1 (commencing with Section 6750).

Chapter 8 (commencing with Section 6801).

Chapter 9 (commencing with Section 6901).

Chapter 9 5 (commencing with Section 6931).

Chapter 10 (commencing with Section 6950).

SEC. 4. Section 6902 of the Education Code is not affected by Chapter 1748 of the Statutes of 1971.

SEC. 5. Section 16645 2 of the Education Code is not affected by Chapter 1748 of the Statutes of 1971.

SEC. 6. Whenever in Division 14 (commencing with Section 17151) of the Education Code, reference is made to "adults" in the context of apportionments to school districts or county superintendents of schools, such reference shall be deemed to refer to persons 21 years of age or over notwithstanding Chapter 1748 of the Statutes of 1971 or any other provision of law.

Whenever in Division 14 (commencing with Section 17151) of the Education Code, reference is made to "minors" in the context of apportionments to school districts or county superintendents of schools, such reference shall be deemed to refer to persons under 21 years of age notwithstanding Section 25 of the Civil Code, Chapter 1748 of the Statutes of 1971, or any other provision of law.

~~SEC 7. For purposes of Chapter 3 (commencing with Section 25500) of Division 18.5 of the Education Code, "minor" means a person under 21 years of age, notwithstanding Section 25 of the Civil Code, Chapter 1748 of the Statutes of 1971, or any other provision of~~

~~law. Further, for such purposes, references to "minors" in Section 244 of the Government Code shall be deemed to include persons between the ages of 18 and 20 years of age, inclusive.~~

SEC. 7. Section 25502.5 of the Education Code is not affected by Chapter 1748 of the Statutes of 1971."

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive.

Amendment No. 5

On page 2, line 1, strike out "SEC. 2", and insert "SEC. 8".

Amendment No. 6

On page 2, line 6, strike out "until"; and strike out lines 7 to 15, inclusive, and insert a period.

Amendment No. 7

On page 2, between lines 15 and 16, insert

"SEC. 9. For purposes of Section 25514.5 of the Education Code, "minor" means a person under 21 years of age, notwithstanding Section 25 of the Civil Code, Chapter 1748 of the Statutes of 1971, or any other provision of law.

SEC. 10. Section 25601 of the Education Code is not affected by Chapter 1748 of the Statutes of 1971.

SEC. 11. Section 26501 of the Education Code is not affected by Chapter 1748 of the Statutes of 1971."

Amendment No. 8

On page 2, line 16, strike out "SEC. 4", and insert "SEC. 12".

Amendment No. 9

On page 2, lines 27 and 28, strike out "Sections 1, 2, and 3", and insert "Section 15".

Amendment No. 10

On page 2, line 29, strike out "SEC. 5", and insert "SEC. 13".

Amendment No. 11

On page 2, strike out line 35, and insert

"SEC. 14. This act shall be interpreted and applied as though it were in effect and operative on the effective date of Chapter 1748 of the Statutes of 1971.

SEC. 15. Sections 1 to 11, inclusive of this act shall remain in effect until May 1, 1973, and shall have no force or effect after that date.

SEC. 16. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Chapter 1748 of the Statutes of 1971 generally lowers the age of majority in California from 21 to 18 years of age for specific purposes. If that act were applied to the statutes relating to apportionments and allowances and the determination of residency for educational purposes,

it would result in a substantial financial dislocation in the educational system of the state. In order to prevent such application, it is essential that this act take effect immediately."

Amendment No. 12

On page 2, strike out lines 36 to 40, inclusive; and strike out page 3.

Bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 48—An act to add Section 767 to the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 137—An act to amend Section 11136 of the Insurance Code, relating to fraternal benefit societies.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 61—An act to amend Sections 5549 and 5594 of the Public Resources Code, relating to regional park districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy,

Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 156—An act to amend Section 76033 of the Government Code, relating to counties.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 800: By Assemblymen Quimby, Biddle, Briggs, and McAlister (Senators Coombs and Stiern, coauthors)—An act relating to personal income taxes, to take effect immediately, tax levy.

Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introd.. esolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 800—An act relating to personal income taxes, to take effect immediately, tax levy.

JOHN P. QUIMBY

Above request ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time·

Assembly Bill No. 801: By Assemblyman Barnes—An act to amend Section 23057 of the Education Code, relating to students at University of California, and declaring the urgency thereof, to take effect immediately.

Referred by the Speaker pro Tempore to the Committee on Education.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 8, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 801—An act to amend Section 23057 of the Education Code, relating to students at University of California, and declaring the urgency thereof, to take effect immediately

E R BARNES

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 8, 1972

Mr. Speaker· Your Committee on Rules recommends:

That the request by Mr. Barnes for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 801 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Barnes·

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 801 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman,

MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 801 for hearing in the Committee on Education.

VOTE CHANGES

Mr Belotti was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 79.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 802: By Assemblyman Bagley—An act to amend Sections 10851 and 11476 of the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 803: By Assemblyman Arnett—An act to add Section 31835 01 to the Government Code, relating to the County Employees' Retirement Law of 1937.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 804: By Assemblyman Arnett (Senator Gregorio, coauthor)—An act to add Sections 255 3 and 531 6 to, and to repeal Sections 255 3, as added by Chapter 1583, Statutes of 1971, and as added by Chapter 1 of the Statutes of the 1971 First Extraordinary Session, and 255 4 of, the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 805: By Assemblyman Z'berg—An act to amend Section 1580 of the Fish and Game Code, relating to ecology

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 806: By Assemblymen Z'berg, Leroy F Greene, Sieroty, Dunlap, Fenton, McAlister, Warren, and Waxman (Senators Beilenson, Gregorio, Grunsky, Moscone, Nejedly, Petris, Roberti, and Song, coauthors)—An act to add Chapter 11 (commencing with Section 872) to Title 10 of Part 2 of the Code of Civil Procedure, relating to environmental defense actions

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 807: By Assemblyman Sieroty—An act to add Section 4000 5 to the Penal Code, relating to prisoners' rights.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 808: By Assemblyman Wood—An act to amend Section 51 of the Labor Code, relating to labor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 809: By Assemblyman Wood (Senator Grunsky, coauthor)—An act to amend Section 4801, 4802, 4803, and 4804 of, and to add Section 4800.5 to, the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 810: By Assemblyman Knox—An act to add Article 10 (commencing with Section 23371) to Chapter 2 of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the Bank and Corporation Tax Law, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 811: By Assemblyman Barnes—An act to amend Section 13147 of the Education Code, relating to teaching credentials.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 812: By Assemblyman Ralph—An act to amend Section 3505 of the Agricultural Code, relating to fairs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 813: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to add Section 55337 to the Water Code, relating to county waterworks districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 814: By Assemblymen Bill Greene and Arnett—An act to add Division 4 (commencing with Section 12500) to the Unemployment Insurance Code, relating to manpower development effectiveness programs, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 815: By Assemblyman Bill Greene—An act to amend Section 72602 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 816: By Assemblyman Brown—An act to add Chapter 5 6 (commencing with Section 5765) to Division 6 of the Education Code, relating to the Elementary School Reading Achievement Program, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 47: By Assemblymen Barnes and Wakefield—A resolution to propose to the people of the

State of California an amendment to the Constitution of the state, by adding Section 2.5 to Article XIII thereof, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 48: By Assemblymen Z'berg, Sieroty, McAlister, Dunlap, and Waxman (Senators Beilenson and Nejedly, coauthors)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to the conservation and protection of natural resources.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 43: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to utilizing state hospitals to complement community mental health programs.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Arnett:

House Resolution No. 25

Relative to outdoor advertising

WHEREAS, The State of Vermont has established and is operating an outdoor display system fully controlled by the state, and

WHEREAS, Such system is deemed to have aesthetic and environmental advantages; and

WHEREAS, The State of California now has over 3,000 billboards that are nonconforming to the specifications of the Federal Highway Beautification Act; and

WHEREAS, Recent California legislation concerning billboards has caused the question of conflict between cash payments and amortization as compensation for billboard removal; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the public outdoor display system in the State of Vermont; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman MacDonald:

House Resolution No. 26

Relative to urging the United States Food and Drug Administration to investigate mercury contamination in fish

WHEREAS, The Food and Drug Administration of the United States has adopted a guideline of 5 part per million of mercury for finding contamination of fish intended for human consumption, which finding is based on data which may be inadequate; and

WHEREAS, This guideline is, for lack of any other, the basis of decisions and rulings by other bodies including the California Department of Public Health and the Department of Fish and Game; and

WHEREAS, It is essential to the citizens of California and all other states that an accurate determination be made as to what fish may be eaten with safety; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members most strongly urge the Food and Drug Administration of the United States that an early and thorough review and investigation be undertaken of the matter of safe mercury levels in the flesh of fish intended for human consumption to the end that any guideline adopted upon such basis shall have the entire confidence of those affected thereby and shall not be subject to a charge that investigation has been inadequate and the contamination level adopted unrealistic; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the United States Food and Drug Administration.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 238

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker · Your Committee on Ways and Means reports:

ACR No. 12

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, March 8, 1972

Mr. Speaker · Your Committee on Ways and Means reports

SB No 63

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 66

AB No. 94

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 198

With amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Water

Assembly Chamber, March 8, 1972

Mr. Speaker. Your Committee on Water reports.

AB No. 15

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 8, 1972

Mr. Speaker. Your Committee on Water reports·

AB No. 253

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading

Assembly Chamber, March 8, 1972

Mr Speaker· Your Committee on Water reports.

AB No. 266

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 174

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, March 8, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 246

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above bill ordered to second reading.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 734

At 12·20 p m., on motion of Mr. Bagley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No 734 adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Badham, Brophy, Burke, Cline, Conrad, Ketchum, MacGillivray, Moorhead, Russell, Seeley, Stacey, and Wakefield—12.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Badham, Brophy, Burke, Cline, Conrad, Ketchum, MacGillivray, Moorhead, Russell, Seeley, Stacey, and Wakefield—12.

Bill ordered transmitted to the Senate.

NOTE: For explanation of vote by Mr. Dunlap relative to Assembly Bill No. 734, see Assembly Journal for March 13, 1972, page 815.

ADJOURNMENT

At 12:28 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 2 p.m., Thursday, March 9, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fortieth Legislative Day

Sixty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 9, 1972

The Assembly met at 2 p.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R Brian Kidney at the Desk
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Barnes moved a quorum call of the Assembly.
Mr. Seeley seconded the motion.
Motion carried. Time, 2:02 p.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 2:07 p m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable E Richard Barnes, Member of the Assembly, 78th District:

O God, Our Father, Give us a little humility, a little realization, a little gratitude, a little appreciation, a little common decency to acknowledge that without the impact upon our fathers of the Christian message and the Christian experience, this republic wouldn't even be here.

Help us to understand that men are not made wise or strong, or moral, or decent, or compassionate by exterior laws (or agencies), but by the presence of the living God in their hearts. Help us to flee from policies without principles, wealth without work, pleasure without conscience, knowledge without character, commerce without morality, science without humanity, and worship without sacrifice.

In these crucial days, so important to our state and nation, may our leaders, legislative, executive, and judicial, in Washington and the capitals of the 50 states, quietly and consciously and sincerely and persistently and almost desperately shut out the noise and confusion and clamor of this high pressure age and listen to the voice of God and heed the warnings of the Almighty.

As we implore Thy blessing upon our leaders, we beseech Thee for our people.

In the Savior's name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Warren then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Belotti, seconded by Mr. Leroy F. Greene.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Harvey Johnson, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee
Mr Briggs, on request of Speaker pro Tempore Bee
Mr Brophy, on request of Speaker pro Tempore Bee.
Mr Campbell, on request of Speaker pro Tempore Bee.
Mr Duffy, on request of Speaker pro Tempore Bee.
Mr Bill Greene, on request of Speaker pro Tempore Bee.
Mr Moorhead, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem.

Mr. Hayes, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 7, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, March 9, 1972, on legislative business.

I have been invited to testify on A.B. 3096 (1971) in the Hall of Justice in Los Angeles on that date.

Thank you very much for your consideration in this matter.

Sincerely,

YVONNE W. BRATHWAITE, Assemblyman
Sixty-third District

March 9, 1972

Honorable Robert Moretti, Speaker
Room 3164, State Capitol
Sacramento, California

Dear Mr. Speaker: Early in January, I scheduled a March 9th meeting with the Orange County Council of the Chamber of Commerce. There will be 150 participants at this seminar being held at the new La Habra Community Hospital, located in my district. This is the only session-conflicting speech I have scheduled.

Therefore, I am requesting a legislative excuse for Thursday, March 9th.

Sincerely,

JOHN V. BRIGGS, Assemblyman
Thirty-fifth District

March 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request that I be excused from Session on March 9 on legislative business.

I will be participating in a question and answer session at Cal State-Los Angeles, and later in the day I have a meeting with officials of KFWB Radio in Los Angeles.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

March 9, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Assembly, State Capitol

Dear Bob: I will not be able to attend session today as I will be meeting with the Licensed Vocational Nurses League at the Interna-

tional Hotel in Los Angeles and later today with the Public Health League of California at the Auditorium of the Los Angeles Medical Association in Los Angeles.

I should, therefore, wish to be excused from session today.

Sincerely,

WILLIAM CAMPBELL, Assemblyman
Fiftieth District

March 8, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session Thursday, March 9, 1972, as I shall be participating in a panel discussion with the Licensed Vocational Nurses League in Los Angeles.

Thank you for your consideration.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

March 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: This is to request that I be excused on legislative business for the session Thursday, March 9, 1972, for the purpose of meeting with Licensed Vocational Nurses in Los Angeles, along with Assemblyman Gordon Duffy and Assemblyman William Campbell, as a member of the Select Committee on Health Manpower.

I thank you for your attention in this matter.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

March 8, 1972

Hon. Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from my legislative duties on Thursday, March 9, 1972.

I will be on legislative business in my district on that day, meeting with officers of the Los Angeles County Sheriff's Department and other law enforcement officials concerning pending legislation.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Legislative Counsel of California

Sacramento, March 9, 1972

Mr. James Driscoll
Chief Clerk of the Assembly

Dear Mr. Driscoll. This is to advise you that as of 5 p.m., March 8, the last request received by this office for the drafting of a bill for introduction on or before March 15, pursuant to Joint Rule 8.3, was assigned our request number 7045.

Very truly yours,

GEORGE H. MURPHY
Legislative Counsel
By Bernard Czesla
Chief Deputy

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
773	Transportation
774	Elections and Reapportionment
775	Employment and Public Employees
776	Natural Resources and Conservation
777	Finance and Insurance
778	Welfare
779	Retirement
780	Labor Relations
781	Education
782	Natural Resources and Conservation
783	Natural Resources and Conservation
784	Natural Resources and Conservation
785	Natural Resources and Conservation
786	Natural Resources and Conservation
787	Finance and Insurance
788	Commerce and Public Utilities
789	Employment and Public Employees
790	Finance and Insurance
791	Labor Relations
792	Local Government
793	Education
794	Commerce and Public Utilities
795	Commerce and Public Utilities
796	Judiciary
797	Judiciary
798	Education
799	Commerce and Public Utilities

Assembly Bill No.	*Committee*
802	Welfare
803	Retirement
804	Revenue and Taxation
805	Government Administration
806	Judiciary
807	Criminal Justice
808	Government Administration
809	Finance and Insurance
810	Revenue and Taxation
811	Education
812	Governmental Organization
813	Water
814	Education
815	Government Administration
816	Education

Assembly Constitutional Amendment No.	*Committee*
47	Revenue and Taxation
48	Natural Resources and Conservation

Assembly Concurrent Resolution No.	*Committee*
42	Natural Resources and Conservation
43	Health

Senate Concurrent Resolution No.	*Committee*
1	Natural Resources and Conservation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 817: By Assemblyman Conrad—An act to amend Section 2 of, and to add Section 3 5 to, Chapter 1425 of the Statutes of 1967, relating to the American Revolution Bicentennial Commission of California, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 818: By Assemblyman Barnes (Senator Zenovich, coauthor)—An act to add Section 21157 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 819: By Assemblyman Barnes—An act to amend Sections 77, 77.2, and 77.3 of the Harbors and Navigation Code, relating to yacht and ship brokers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 820: By Assemblyman Barnes—An act to amend Section 75000 of the Government Code, relating to the Judges' Retirement Law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 821: By Assemblyman Barnes—An act to amend Section 20360 of, and to add Section 20983 2 to, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 822: By Assemblyman Barnes—An act to amend Sections 20017.76, 20393 1, 20750 2, 20750 3, 20750.4, 20750.42, 21258.1 and 21300 of, to add Sections 20840 and 21252 to, and to repeal Sections 20750 26, 20750 36, 20750 37, 20750 41, 20750 425, 20839, 20840, 21250.1, 21251 1, 21251 14, 21251 141, 21251 143, 21251 145, 21251 2, 21251 3, 21251 75, 21252, 21252 001, 21253, 21258, 21261.5 and 21337 of, the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 823: By Assemblyman Barnes—An act to amend Sections 2620 and 2630 of the Business and Professions Code, relating to physical therapy

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 824: By Assemblyman Dent—An act to add Section 17525 1 to the Education Code, relating to state school support.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 825: By Assemblyman Dent—An act to add Section 15802 2 to the Education Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 826: By Assemblyman Thomas—An act to add Section 18745.5 to the Business and Professions Code, relating to professional boxing

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 827: By Assemblyman Badham—An act to amend Section 20704 of the Education Code, relating to school district taxes, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 828: By Assemblyman Badham—An act to amend Section 18612 of the Health and Safety Code, relating to mobilehome parks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 829: By Assemblyman Beverly—An act to amend Sections 715 and 839 5 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 830: By Assemblyman Biddle—An act to add Section 6331 to the Welfare and Institutions Code, relating to mentally disordered sex offenders.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 831: By Assemblymen Dunlap and Barnes—An act to amend Sections 2080 and 4700 of, to amend and renumber Sections 2650, 2651, 2652, 2653, 2654, and 2655 of, and to add Chapter 3.5 (commencing with Section 2630) to Title 1 of Part 3 of, the Penal Code, relating to prisons and prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 832: By Assemblyman Dunlap—An act to add Section 18860.1 to the Government Code, relating to salaries of correctional officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 833: By Assemblyman Ryan—An act to amend Section 13246 of the Education Code, relating to master teachers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 834: By Assemblyman Ryan—An act to amend Sections 17301, 17303 5, 17666.2, and 17951 of the Education Code, relating to the financial support of public education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 835: By Assemblyman Ryan—An act to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001.5, 27150, 27160, 38010, 38025, 38115, 38225, and 38280 of, and to repeal Sections 4020 and 4452.5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 836: By Assemblyman Ryan—An act to amend Section 11161 5 of the Penal Code, relating to minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 837: By Assemblyman Belotti—An act to amend Section 30.17 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 838: By Assemblyman Belotti—An act to add Section 16072 to the Education Code, relating to school property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 839: By Assemblyman Keysor—An act to add Section 18221 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 840: By Assemblyman Keysor (Senator Carrell, coauthor)—An act to amend Section 3857 of, and to add Section 3901.5 to, the Agricultural Code, relating to district agricultural associations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 841: By Assemblyman Keysor—An act to amend Section 72300 of, and to add Sections 72306 and 72307 to, the Government Code, relating to courts, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 842: By Assemblyman Keysor—An act to amend Sections 34046 and 34047 of the Vehicle Code, relating to cargo tanks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 843: By Assemblyman Stull—An act to add Section 1222 to the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 844: By Assemblyman Stull—An act to amend Section 23616 of the Education Code, relating to state college printing and binding.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 845: By Assemblyman Sieroty—An act to add Section 5246 to the Public Utilities Code, relating to household goods carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 846: By Assemblyman Murphy—An act to amend Section 18056 of the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 847: By Assemblyman MacGillivray—An act to repeal Section 15011 of the Education Code, relating to school district property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 848: By Assemblyman MacGillivray—An act to amend Sections 6322.1 of the Business and Professions Code, relating to law libraries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 849: By Assemblyman MacGillivray—An act to add Sections 1260.1 and 1260.2 to the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 850: By Assemblyman MacGillivray—An act to add Section 14026 to the Welfare and Institutions Code, relating to improper use of a Medi-Cal card or labels.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 851: By Assemblyman MacGillivray—An act to add Sections 12748.5, 12748.6, and 12748.7 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 44: By Assemblyman Badham—Relative to the Joint Committee on Atomic Development and Space.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 45: By Assemblyman Dunlap—Relative to educational program in penal science.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 46: By Assemblyman Murphy—Relative to indeterminate sentencing.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 79—An act to amend Sections 250.5 and 263 of, and to amend, repeal, and add Section 249 to, the Health and Safety Code, relating to physically handicapped children, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 314—An act to add Section 38109 to the Health and Safety Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., March 9, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 26
AB No. 175
AB No. 254

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 6
AB No 31

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 1

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 17
AB No. 155

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, March 8, 1972

Mr. Speaker. Your Committee on Agriculture reports:

AB No 720

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BRIGGS, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 6

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Transportation

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 25

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

DEDDEH, Chairman

Above resolution ordered on file.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACA No. 16

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 22

ACR No. 27

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with a recommendation to Consent.

DEDDEH, Chairman

Above resolutions re-referred to the Committee on Ways and Means.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 39

With the recommendation: Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 291

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Commerce and Public Utilities

Assembly Chamber, March 9, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 240
AB No. 241

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent Calendar.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, March 9, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 243
AB No. 245

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 244

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 274
AB No. 275
AB No. 276

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 334

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 196

With the recommendation: Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, March 9, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 108

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 108—An act to amend Section 1243 of the Water Code, relating to water.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly March 2, 1972, strike out lines 12 and 13, and insert "board."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, March 9, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 98
AB No. 301
AB No 304

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 98—An act to amend Sections 11535, 11540, and 11540.1 of, and to add Sections 11538.1, 11538.2, and 11538.3 to, the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5, of the printed bill, as amended in Assembly February 18, 1972, strike out line 25, and insert "property which has been divided, or which has resulted from a division, in violation of the provisions of this".

Amendment No. 2

On page 5, line 31, strike out "land", and insert "real property".

Amendment No. 3

On page 5, line 33, strike out "land", and insert "real property".

Amendment No. 4

On page 5, line 35, strike out "land", and insert "real property".

Amendment No. 5

On page 5, strike out lines 38 to 40, inclusive, and insert "(a) impose such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property, and (b) impose such additional conditions as may be necessary for public health or safety, provided that such additional conditions shall not be more stringent than those currently provided by local ordinance for the division of real property."

Amendment No. 6

On page 6, line 4, strike out "land", and insert "real property".

Amendment No. 7

On page 6, line 7, strike out "land", and insert "real property".

Amendment No. 8

On page 6, line 8, strike out "land", and insert "real property".

Amendment No. 9

On page 6, strike out lines 13 to 20, inclusive.

Amendment No. 10

On page 6, strike out lines 23 to 33, inclusive, and insert

"11538.3 Any person owning real property which has been divided, or which has resulted from a division, in violation of this chapter or of local ordinances enacted pursuant to the provisions of this chapter may request, and a city or a county may determine, that such real property complies with the provisions of this chapter and of local ordi-

nances enacted pursuant thereto. As a condition of making such a determination a city or a county may (a) impose such additional conditions as would have been applicable to the division of property at the time the current owner of record acquired the property, and (b) impose such additional conditions as may be necessary for public health or safety, provided that such additional conditions shall not be more stringent than those currently provided by local ordinance for the division of real property. Upon making such a determination the city or the county shall cause a certificate of compliance to be filed for record with the recorder of the county in which the real property is located. The certificate of compliance shall identify the real property and shall state that the division thereof complies with applicable provisions of this chapter and of local ordinances enacted pursuant thereto. The city or the county may impose a reasonable fee to cover the cost of issuing and recording the certificate of compliance.

A certificate of compliance shall be issued for any real property which has been approved for development pursuant to Section 11538.1."

Amendment No. 11

On page 6, line 36, after "11540.", insert "(a)".

Amendment No. 12

On page 6, line 37, strike out "made", and insert "real property which has been divided, or which has resulted from a division,".

Amendment No. 13

On page 7, line 7, strike out "assignee or transferee", and insert "successor in interest".

Amendment No. 14

On page 7, between lines 10 and 11, insert "(b) Any grantee, or his successor in interest, of real property which has been divided, or which has resulted from a division, in violation of the provisions of this chapter or of local ordinances enacted pursuant thereto, may, within one year of the date of discovery of such violation, bring an action in the superior court to recover any damages he has suffered by reason of such division of property. The action may be brought against the person who divided the property in violation of the provisions of this chapter or of local ordinances enacted pursuant thereto and against any successors in interest who have actual or constructive knowledge of such division of property.

The provisions of this section shall not limit or affect in any way the rights of a grantee or his successor in interest under any other provision of law."

Amendment No. 15

On page 7, line 15, before the period, insert ", from and after the date of recording".

Amendment No. 16

On page 7, strike out lines 30 to 40, inclusive; and on page 8, strike out lines 1 to 6, inclusive, and insert "respect to any such land which has been divided, or which has resulted from a division, in violation of

the provisions of this chapter or local ordinances enacted pursuant thereto shall not be affected except that any deed of conveyance, sale or contract to sell such land is voidable, and damages may be sought, to the extent and in the same manner provided in Section 11540."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

Assembly Bill No. 301—An act to amend Section 21151 of, and to add Sections 21152, 21153, 21154, 21155, and 21156 to, the Public Resources Code, relating to environmental quality.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the second comma, and insert "and".

Amendment No. 2

In line 2 of the title, strike out ", 21154, 21155, and 21156".

Amendment No. 3

In line 3 of the title, after "quality", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, line 10, after "to", insert a comma.

Amendment No. 5

On page 3, line 38, strike out "The local planning"; and strike out lines 39 and 40, and insert

"SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The magnitude of land development in this state presently threatens irreparable environmental degradation. Extensive changes in community characteristics require that community members have a voice in local decisions which may affect their local environment. Furthermore, the immediate implementation of the procedures proposed in this act will safeguard the interests of all the people in preserving the environment of this state from despoliation."

Amendment No. 6

Strike out page 4.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

Assembly Bill No. 304—An act to add Sections 5203, 5204, and 5205 to the Elections Code, relating to referendum.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "referendum," insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 32, insert

"SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The magnitude of land development in this state presently threatens irreparable environmental degradation. Extensive changes in community characteristics require that community members have a voice in local decisions which may affect their local environment. Furthermore, the immediate implementation of the procedures proposed in this act will safeguard the interests of all the people in preserving the environment of this state from despoliation"

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

MESSAGES FROM THE SENATE

Senate Chamber, March 9, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 338

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 9, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 52

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 9, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SCA No. 6

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 9, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed:

SB No. 81
SB No 98

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 9, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted·

SJR No 1

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 81—An act to add Section 13520 05 to the Education Code, relating to school employees' salaries.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 98—An act to amend Sections 19682, 19683, and 19683 5 of, and to add Sections 19682 5, 19682 7, and 19682 9 to, the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 1—Relative to grape tariff

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cullen:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 685 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood Z'berg and Mr Speaker—63

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 685 for hearing in the Committee on Judiciary, on Monday, March 13, 1972.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2:23 p.m., Mr. Leroy F. Greene was granted unanimous consent to hold a special meeting of the Committee on Education, in the rear of the Assembly Chamber, at this time, to consider Assembly Bill No. 801.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Warren for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 702 be granted.

BURTON, Chairman

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Quimby for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 800 be granted.

BURTON, Chairman

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 16

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No. 16

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, March 9, 1972

Mr. Speaker. Your Committee on Education reports:

AB No 801

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Warren ·

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 702 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 702 for hearing in the Committee on Judiciary, on Monday, March 13, 1972.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Quimby:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 800 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Quimby was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 800 for hearing in the Committee on Revenue and Taxation, on Monday, March 13, 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 16

Mr. Burton was granted unanimous consent to take up House Resolution No. 16, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of House Resolution No. 16 By Unanimous Consent

House Resolution No. 16—Relative to voting in committee.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

Strike out lines 5 to 14, inclusive, of the first *Resolved* clause of House Resolution No. 16, as printed on page 393 of the Assembly Journal for February 14, 1972, and insert

"58.5 When a standing committee takes action on a bill, including reconsideration, the vote shall be by rollcall vote only All rollcall votes taken in a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The chairman of each standing committee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a weekly basis.

A member may submit a written explanation of his vote on any bill or resolution, and shall have such explanation printed in the appendix to the Journal in the appropriate place, provided no such explanation shall exceed 50 words in length

"Bill" as used in this rule shall include constitutional amendments but shall not include resolutions, except those relating to voting procedures on the floor or in committee The provisions of this rule shall also apply to action of a committee on a subcommittee report. The provisions of this rule shall apply to the adoption of amendments.

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill.

At the request of any member of the committee, the committee may hold the roll open on any Assembly bill until the adjournment of the committee meeting If a member is recorded as present for the quorum call of the committee, he may register his vote on an Assembly bill in writing to the chairman on suitable forms prepared by the Chief Clerk of the Assembly. A member voting by written vote shall not be counted in determining the presence of a quorum At no time shall a bill be passed out by a committee without a quorum being present

The provisions of this rule shall not apply to·

(a) Adoption of author's amendments to a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author

(c) Return of bills to the house where the bills have not been voted on by the committee.

And be it further resolved, That the rule added by the first *Resolved* clause of this resolution shall become operative 7 days after adoption of this resolution by the Assembly."

House Resolution No. 16, as Amended

By Assemblyman Burton:

House Resolution No. 16

Relative to voting in committee

Resolved by the Assembly of the State of California, That Rule 58 5 be added to the Temporary Standing Rules of the Assembly for the 1972 Regular Session, to read:

Voting in Committee

58 5. When a standing committee takes action on a bill, including reconsideration, the vote shall be by rollcall vote only. All rollcall votes taken in a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The chairman of each standing committee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a weekly basis.

A member may submit a written explanation of his vote on any bill or resolution, and shall have such explanation printed in the appendix to the Journal in the appropriate place, provided no such explanation shall exceed 50 words in length.

"Bill" as used in this rule shall include constitutional amendments but shall not include resolutions, except those relating to voting procedures on the floor or in committee The provisions of this rule shall also apply to action of a committee on a subcommittee report The provisions of this rule shall apply to the adoption of amendments

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill.

At the request of any member of the committee, the committee may hold the roll open on any Assembly bill until the adjournment of the committee meeting. If a member is recorded as present for the quorum call of the committee, he may register his vote on an Assembly bill in writing to the chairman on suitable forms prepared by the Chief Clerk of the Assembly A member voting by written vote shall not be counted in determining the presence of a quorum. At no time shall a bill be passed out by a committee without a quorum being present

The provisions of this rule shall not apply to:

(a) Adoption of author's amendments to a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) Return of bills to the house where the bills have not been voted on by the committee.

And be it further resolved, That the rule added by the first *Resolved* clause of this resolution shall become operative 7 days after adoption of this resolution by the Assembly.

Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up House Resolution No. 16, as amended, without reference to file.

Consideration of House Resolution No. 16, as Amended

House Resolution No. 16—Relative to voting in committee.

Resolution read, as amended.

Demand for Previous Question

Messrs. Cullen, Lanterman, Belotti, Deddeh, and Wilson demanded the previous question. Demand sustained.

The question being on the adoption of House Resolution No. 16

Resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 254, 175, and 26, ordered to third reading.

NOTE. Later this day Assembly Bill No. 254 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 147—An act to amend Section 20800 of the Education Code, relating to school district taxes.

Bill read second time, and ordered to third reading

Assembly Bill No. 71—An act to amend Section 8506 of the Education Code, relating to venereal disease instruction, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Fong", and insert "Assemblymen Fong and Barnes".

Amendment No. 2

In line 1 of the title, strike out "amend Section 8506 of", and insert "add Sections 8506 1 and 8507 to".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. The Legislature finds and declares that the incidence of venereal disease in the State of California has reached epidemic proportions The Legislature further finds and declares that there is a pressing need for effective programs of venereal disease education in the public schools of California to combat this serious public health problem.

SEC 2. Section 8506 1 is added to the Education Code, to read

8506 1 The provisions of Section 8506 shall not apply to any venereal disease education classes conducted pursuant to Section 8507.

SEC. 3 Section 8507 is added to the Education Code, to read:

8507 The governing board of any district maintaining elementary or secondary schools may offer units of instruction in venereal disease education in such schools with the assistance and guidance of the State Department of Education The grade level at which such instruction shall be given shall be determined by the governing board of the school district.

Nothing in this code shall be construed to require the approval or consent of the parent or guardian before a child can attend any classes in venereal disease education

Nothing in this section shall be construed as prohibiting or limiting any right provided for in Section 8701.

If venereal disease education classes are offered, the parent or guardian of each pupil enrolled or to be enrolled therein shall be notified in writing of the instructional program. Such notice shall be given at least 15 days prior to the commencement of the instructional program The notice shall also advise the parent or guardian of his right to

inspect the instructional materials to be used in such class and of his right to request the school authorities that his child not attend any such class.

Sending the required notice through the regular United States mail or any other method of delivery which the school district commonly uses to communicate individually in writing to all parents, meets the notification requirements of this section

The parent or guardian may request that his child not participate in a venereal disease instruction program. Such request shall be in writing, but may be withdrawn by the parent or guardian at any time. No pupil may attend any class in venereal disease education, if a request that he not attend the class has been received by the school in the manner provided in this section

The parent or guardian of any pupil enrolled or to be enrolled in any venereal disease education class shall be provided the opportunity to inspect the textbooks, audiovisual aids, and any other instructional materials to be used in such classes."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and on page 3, strike out lines 1 through 30, inclusive; and in line 31, strike out "SEC. 2", and insert "SEC. 4".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 265—An act to add Sections 25422.8 and 25427.6 to the Education Code, relating to community colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly March 2, 1972, strike out "Notwithstanding Section 1037, the", and insert "The".

Amendment No. 2

On page 1, strike out lines 6 and 7; and on page 2, strike out line 1, and insert "furnishing and verifying each transcript of the record of any community college student or any former community college student in excess of two copies."

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 300—An act to amend Sections 6801, 6901, and 6902 of, and to add Section 6931.5 to, the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "6801, 6901, and 6902 of, and to add Section 6931 5 to," and insert "6801, 6802, 6802 1, 6802 15, 6802 2, 6803, 6803 1, 6804, 6805, 6806, 6806 1, 6808, 6809, 6812, 6812 1, 6812 5, 6813, 6814, 6815, 6816, 6817, 6818, 6820, 6820 1, 6820 2, 6851, 6852, 6853, 6901, 6902, 6902 05, 6902 07, 6902 08, 6902 085, 6902 09, 6902 095, 6902 10, 6902 1, 6902 2, 6902 4, 6902 5, 6903, 6903 1, 6903 3, 6904, 6904.1, 6904 3, 6904 5, 6905, 6906 5, 6907, 6910, 6911, 6912, 6912.5, 6913, 6913 1, 6914, 6915, 6916, 6931, and 6932 of"

Amendment No. 2

In lines 3 and 4 of the title, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 3, and insert

"6801 Subject to the provisions of this article (commencing with Section 6801) and Section 894 the governing board of any school district may make such special provisions as in its judgment may be necessary for the education of physically handicapped ~~minors~~ *pupils*

"Physically handicapped ~~minor~~ *pupil*," as used in this article (commencing with Section 6801) means a physically defective or handicapped person ~~under the age of 21 years~~ who is in need of education

SEC. 2 Section 6802 of the Education Code is amended to read

6802. Any ~~minor~~ *pupil* who, by reason of a physical impairment, cannot receive the full benefit of ordinary education facilities, shall be considered a physically handicapped individual for the purposes of this chapter Such ~~minors~~ *pupils* include the following, as defined by the State Board of Education

(a) The deaf or hard of hearing

(b) The blind or partially seeing

(c) Orthopedic or health impaired

(d) The aphasic

(e) The speech handicapped

(f) Other ~~minors~~ *pupils* with physical illnesses or physical conditions which make attendance in regular day classes impossible or inadvisable

(g) ~~Minors~~ *Pupils* with physical impairments so severe as to require instruction in remedial physical education.

(h) Multihandicapped.

SEC 3 Section 6802 1 of the Education Code is amended to read

6802 1 Programs for physically handicapped ~~minors~~ *pupils* are

(a) Special day classes (elementary and secondary) A class established for a group of pupils with a similar handicapping condition defined in Section 6802 The special day class shall be maintained for at least the minimum schoolday The class shall be taught by a full-time teacher whose responsibility is to teach pupils enrolled in the class for the schoolday established by the governing board for regular classes at the grade level of the pupils in the special day class who are at the highest grade level in the class

(b) Regular day class program A program of assistance to

physically handicapped ~~minors~~ *pupils* enrolled in regular day classes who require special services and equipment beyond the services provided to pupils not determined to be physically handicapped to benefit fully from the regular classroom instruction Such services may include, but are not limited to, supplemental teaching, transportation, teaching aides and specialized equipment

(c) Integrated instructional programs A program in which physically handicapped ~~minors~~ *pupils* who receive their education in regular classrooms from regular teachers, but receive, in addition, supplementary teaching services of a full-time special teacher credentialed to teach physically handicapped *pupils* ~~minors~~ of the type enrolled in the program Such special teacher shall serve such physically handicapped ~~minors~~ *pupils* for the full schoolday established by the governing board for regular pupils in the school or schools enrolling such physically handicapped pupils

(d) Remedial instruction A remedial class providing physically handicapped ~~minors~~ *pupils* who are excused in small numbers, for not to exceed one class period or one hour from their regular or special program, remedial instruction or remedial physical education.

(e) Individual instruction A program of individual instruction to physically handicapped ~~minors~~ *pupils* in hospitals, sanitariums, preventoriums, in the home, or under other circumstances as defined by the State Board of Education

SEC 4 Section 6802 15 of the Education Code, as added by Chapter 1239 of the Statutes of 1971, is amended to read

6802 15 Physically handicapped ~~minors~~ *pupils* who come within the provisions of Section 6802 may be enrolled in experimental programs conducted by a school district or a county superintendent of schools Experimental programs for such ~~minors~~ *pupils* shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him The school district or county superintendent of schools conducting the experimental program shall be entitled to an apportionment equal to the amount which would have been credited to them had these ~~minors~~ *pupils* been enrolled in programs authorized in Section 6802 1 The Superintendent of Public Instruction may waive the maximum class size standards prescribed by Section 6802 2 whenever he approves an experimental program submitted by a school district or county superintendent of schools to conduct experimental studies to determine the proper maximum class size standards

This section shall remain in effect for a period of three years following the effective date of its enactment, and shall have no force or effect thereafter

SEC 5 Section 6802 2 of the Education Code is amended to read

6802 2 The maximum size for any special day class authorized by subdivision (a) of Section 6802 1 is as follows

Types of pupils in class	Ages 3 through 8 years	~~Ages~~ *Age* 9 ~~through 20 years~~ *and above*
Deaf	6	8
Severely hard of hearing	8	10
Combination of deaf and severely hard of hearing	6	8
Blind	8	10
Partially seeing	10	12
Combination of blind and partially seeing	8	10
Orthopedic or other health impaired	12	16
Aphasic	6	8
Other physically handicapped	—	20
Deaf-blind multihandicapped	3	5
Other multihandicapped	6	8

The State Board of Education may waive the maximum class size standards prescribed by this section whenever it approves a project submitted by a school district or county superintendent of schools to conduct experimental studies to determine the proper maximum class size standards

If, after the beginning of the school year, it is determined that classes for a given category of physically handicapped pupils are at maximum size, that additional such pupils will be without schooling unless additional classes are established, and that additional qualified teachers are not available for employment, a school district or a county superintendent of schools may request permission of the Superintendent of Public Instruction to exceed the maximum class size for the remainder of the school year, using the form provided for this purpose by the Department of Education. The superintendent may approve such request for the remainder of the school year, providing the maximum size is not increased by more than two pupils of that provided herein

SEC 6 Section 6803 of the Education Code is amended to read

6803 The Superintendent of Public Instruction shall promote and direct special instruction in the public schools for physically handicapped ~~minors~~ *pupils* He may employ such professional and other personnel as are necessary for this purpose, and may perform such other duties as are necessary to give full effect to this article (commencing at Section 6801)

SEC 7. Section 6803 1 of the Education Code is amended to read

6803 1 The Superintendent of Public Instruction shall provide coordinative, consultant, and supervisory services for programs for multihandicapped ~~minors~~ *pupils* and shall employ personnel who shall devote their full time to the provision of such services

SEC 8 Section 6804 of the Education Code is amended to read

6804 The State Department of Education may prescribe minimum standards for the special education of physically handicapped ~~minors~~ *pupils* No apportionment of state funds shall

be made by the Superintendent of Public Instruction to any school district on account of the instruction of physically handicapped ~~minors~~ *pupils* unless the standards prescribed for the instruction are complied with.

SEC. 9 Section 6805 of the Education Code is amended to read.

6805 Any school district furnishing education to physically handicapped ~~minors~~ *pupils* pursuant to this article (commencing with Section 6801) shall furnish such education to all such handicapped ~~minors~~ *pupils* actually living within the district five or more days a week, although their legal residence may be outside the district.

SEC 10 Section 6806 of the Education Code, as amended by Chapter 438 of the Statutes of 1971, is amended to read.

6806 Subject to the provisions of Section 894, any school district, other than a community college district, which does not maintain facilities for the education of physically handicapped ~~minors~~ *pupils* shall enter into a contract with a school district in the same county, or a county superintendent of schools maintaining such facilities. A community college district may enter into such a contract If there is no district in the same county or county superintendent of schools maintaining such facilities, the governing board of the school district shall enter into a contract with a school district maintaining such facilities in any other county If the governing board of the district should determine the same to be more economical and practical, it may enter into a contract with a school district situated in another county, in lieu of entering into a contract with the county superintendent of schools or a school district in the county in which such district is situated.

If any question arises concerning the adequacy of the facilities provided for the education of physically handicapped ~~minors~~ *pupils* by the school district in which the child is actually living, the parent or guardian of such child may appeal to the county superintendent of schools, and if the county superintendent of schools determines that the facilities offered are inadequate, he shall order the school district in which the child is actually living either to provide the facilities or enter into a contract with a school district maintaining adequate facilities.

Such contract shall provide for the payment of the cost of tuition by the district in which the physically handicapped ~~minor~~ *pupil* actually lives and may provide for payment of the cost of the use of the buildings and equipment The cost of tuition shall not be greater than the difference between current expenditures per unit of average daily attendance, including transportation, for the education of a pupil in the particular category of physically handicapped ~~minors~~ *pupils* to which the pupil belongs and the apportionment of state funds for the education of physically handicapped ~~minors~~ *pupils* in that category.

The amount shall be determined not later than the last Monday in December and the last Monday in May of each year by the county superintendent of schools of the county in which the child attends schools and certified to the superintendent of schools having jurisdiction over the schools of the school district in which the child

actually lives The amount shall be forthwith paid from any funds of the school district available for that purpose

SEC 11 Section 6806 1 of the Education Code is amended to read

6806 1. The Superintendent of Public Instruction shall adopt regulations (a) to prescribe the conditions under which the education of physically handicapped ~~minors~~ *pupils* shall be the responsibility of either the elementary schools or the high schools maintained by school districts, and (b) to determine when such pupils who are in classes maintained by a school district, or a county superintendent of schools, shall be designated in elementary or secondary grades for attendance and state apportionment purposes

SEC 12 Section 6808 of the Education Code is amended to read

6808 Subject to the provisions of Section 894 the governing board of the school district in which any physically handicapped ~~minor~~ *pupil* is actually living, although the residence of his parents or guardian is outside the district, shall provide for the transportation of such ~~minor~~ *pupil* to the school at which education is furnished, if his handicap prevents his walking to school or if the distance is greater than one mile, regardless of whether such education is furnished within or without the district

SEC. 13 Section 6809 of the Education Code is amended to read

6809 Physically handicapped ~~minors~~ *pupils* may be admitted at the age of three years, or upon the prior approval of the Superintendent of Public Instruction, may be admitted at the age of 18 months, to special schools or classes established for such ~~minors~~ *pupils*.

When the school district of residence of a ~~minor~~ *pupil* between the ages of three and six years who is deaf, blind, orthopedic or other health impaired, aphasic, or multihandicapped does not maintain a special class in the category of the ~~minor's~~ *pupil's* handicapping condition, but such a special class or special school is maintained by the county superintendent of schools or by another school district, such a ~~minor~~ *pupil* shall be admitted to a special school or special class so maintained when all of the following circumstances exist

(a) The ~~minor~~ *pupil* is eligible for enrollment under the regulations of the county superintendent or the governing body of the district maintaining such special class, as applicable

(b) The governing board of the district or the county superintendent maintaining the special day class is willing to admit the ~~minor~~ *pupil*

(c) The parents of the ~~minor~~ *pupil* file a written request that the ~~minor~~ *pupil* be so admitted and a physician's statement that the ~~minor~~ *pupil* is physically able to attend such a class Such request and statement shall be filed with the district superintendent of schools when the class is maintained by a school district or with the county superintendent of schools when the class is maintained by the latter

If a ~~minor~~ *pupil* is admitted pursuant to this section, the district of the pupil's residence shall enter into a contract as provided by Section 6806, and the provisions of Section 6806 with respect to payment of cost of tuition and the cost of buildings and equipment shall apply

SEC 14 Section 6812 of the Education Code is amended to read:

6812 Subject to the provisions of Section 894 physically handicapped ~~minors~~ *pupils* may be instructed in special schools or special classes, in hospitals, sanatoriums, or preventoriums, in the home through the employment of home instructors, by cooperative arrangement with the Department of Rehabilitation, or by any other means approved by the State Department of Education

~~Minors~~ *Pupils* with speech disorders or defects may be admitted at school for individual instruction, or small group instruction of four pupils or less, for the purpose of remedying such speech disorders or defects With the prior approval of the Superintendent of Public Instruction, such ~~minors~~ *pupils* may be admitted at the age of 18 months for such instruction

~~Minors~~ *Pupils* who are deaf or hard of hearing, as determined by the State Board of Education, and between the ages of three years and six years may be admitted at school for individual instruction or be instructed in the home through the employment of a home instructor, provided there are fewer than five such educable ~~minors~~ *pupils* in the community making the establishment of a special day class impracticable, or the establishment of a special day class for such ~~minors~~ *pupils* is impracticable because there are fewer than five such ~~minors~~ *pupils* in the community within reasonable travel distance of a school suitable for the establishment of such a special day class, and provided, further, that such instruction is afforded by a teacher or home instructor possessing full qualifications for the credential to teach deaf pupils as prescribed by the regulations of the State Board of Education With the prior approval of the Superintendent of Public Instruction such ~~minors~~ *pupils* may be admitted at the age of 18 months for such instruction

SEC. 15 Section 6812 1 of the Education Code is amended to read

6812 1 ~~Minors between the ages of 3 and 21 and~~ *Pupils* who are multihandicapped, as determined by the State Board of Education, may be enrolled in special day classes for the multihandicapped conducted by a school district or county superintendent of schools Special day classes for multihandicapped ~~minors~~ *pupils* shall be approved in advance by the Superintendent of Public Instruction

The Superintendent of Public Instruction shall approve not more than 100 classes during the 1970–1971 fiscal year and not more than 50 additional classes each fiscal year thereafter, not to exceed a total of 400 classes

~~Commencing with the 1971 Regular Session of the Legislature, the~~ *The* Superintendent of Public Instruction shall report annually to the Legislature the progress being made in the education of multihandicapped ~~minors~~ *pupils* including but not limited to, the number of authorized classes, the numbers of ~~minors~~ *pupils* enrolled, the nature of handicapping conditions of ~~minors~~ *pupils* enrolled in classes, a description of the instruction being provided, objectives of the program, achievement outcomes, and recommendations for further program development

SEC 16 Section 6812 5 of the Education Code, as amended by Chapter 1465 of the Statutes of 1971, is amended to read

6812 5 ~~Minors~~ *Pupils* who are deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped ~~minors~~ *pupils* as determined by the State Board of Education, and who are between the ages of 18 months and 3 years, may be enrolled in experimental programs conducted by a school district or county superintendent of schools Experimental programs for such minors shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him Instruction in such experimental programs shall be afforded by a teacher possessing full qualifications to teach deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped pupils as prescribed by rules and regulations of the Commission for Teacher Preparation and Licensing

Notwithstanding any provision of this code to the contrary, attendance of deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped ~~minors~~ *pupils* enrolled in experimental programs authorized by this section shall be credited to the school district or county superintendent of schools providing such instruction in the same manner as authorized for minors receiving special schooling pursuant to this chapter and Article 9 (commencing with Section 894) of Chapter 4 of Division 3.

Notwithstanding any provision of this code to the contrary, computations of allowances and apportionments from the State School Fund for deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped ~~minors~~ *pupils* enrolled in experimental programs authorized by this section shall be credited to the district or county superintendent of schools providing such instruction in the same manner as authorized for ~~minors~~ *pupils* receiving special schooling pursuant to this chapter and Article 9 (commencing with Section 894) of Chapter 4 of Division 3

Notwithstanding any provision of this code to the contrary, physically handicapped ~~minors~~ *pupils* as prescribed in Section 895 8 shall include deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped ~~minors~~ *pupils* enrolled in experimental programs authorized by this section

SEC 17 Section 6813 of the Education Code, as amended by Chapter 397 of the Statutes of 1971, is amended to read

6813 Subject to the provisions of Section 894 special classes or individual instruction provided for pretuberculous, tuberculous, convalescent, or other physically handicapped ~~minors~~ *pupils* in hospitals, sanatoriums, and preventoriums, may be maintained in the institutions within or without the school district, and the attendance of pupils in the institutions shall be credited to the district providing the instruction The minimum schoolday for such classes is 180 minutes

SEC. 18 Section 6814 of the Education Code is amended to read

6814 No ~~minor~~ *pupil* shall be required to take advantage of the special provisions for the education of physically handicapped ~~minors~~ *pupils* if the parent or guardian of the ~~minor~~ *pupil* files a statement with the governing board of the school district showing that the ~~minor~~ *pupil* is receiving adequate educational advantages

SEC 19 Section 6815 of the Education Code is amended to read

6815. Subject to the provisions of Section 894 a ~~minor~~ *pupil* with cerebral palsy may attend a special school or class maintained by any school district for minors with cerebral palsy The governing board of the district of residence shall pay to the district of attendance at the close of each school year the total current expenditures of the district of attendance, for the education of such ~~minor~~ *pupil* during such school year, less all apportionments of state and federal funds made on account of the attendance of such pupils The governing board of the district of residence may agree to reimburse the district of attendance for use of buildings and equipment If the district of residence has insufficient funds to make such payment, the county superintendent of schools having jurisdiction over the district of residence shall apportion to the district from the county school service fund such sum as may be necessary to permit the district to meet its obligation under this section

SEC. 20 Section 6816 of the Education Code is amended to read

6816 The Superintendent of Public Instruction shall prescribe the procedures for qualifying for, and shall determine the amount of the allowances for special regular day classes and for the authorized instruction in other than special regular day classes of physically handicapped ~~minors~~ *pupils*.

SEC. 21 Section 6817 of the Education Code is amended to read:

6817 The Department of Education may appoint counselors to assist blind ~~students~~ *pupils* attending public schools in the state to solve problems in connection with their school program The counselors may visit blind pupils attending any public school in the state, in their homes to advise them and discuss with their parents the solution of problems pertaining to their school attendance The counselors shall be available to teachers and administrators in the public schools where blind pupils are in attendance to advise and counsel them regarding the best methods and procedures for teaching blind children The counselors shall be persons who have had special training for such work, and shall be thoroughly familiar with problems peculiar to the blind and their public school education. Blindness shall not be grounds to disqualify persons for these positions

SEC. 22 Section 6818 of the Education Code is amended to read:

6818 Individual counseling and guidance in social and vocational matters shall be provided as part of the instructional program for physically handicapped pupils Upon approval by the State Department of Education the governing board of any school district may separately, or in cooperation with the governing board or boards of one or more other school districts, or in cooperation with the Department of Rehabilitation, employ a special coordinator, who shall make a study of employment and occupational opportunities and shall assist in the coordination of the education of the physically handicapped ~~minors~~ *pupils* with the commercial and industrial pursuits of the community, so as to prepare the ~~minors~~ *pupils* for employment

SEC. 23 Section 6820 of the Education Code, as amended by Chapter 850 of the Statutes of 1971, is amended to read:

6820 ~~On and after September 1, 1955, no~~ *No* person shall be

employed to teach blind, partially seeing, deaf, hard-of-hearing, speech handicapped, or orthopedically handicapped ~~minors~~ *pupils* in a special day or remedial class for such ~~minors~~ *pupils* who does not hold a valid credential authorizing such teaching or a designated subject credential in the area of vocational education. Nothing herein shall be deemed to prohibit the employment, as a substitute teacher of each such special day class for not more than 20 schooldays in any school year, of a person holding some other valid credential authorizing substitute teaching. Upon application by the school district or county superintendent of schools the Superintendent of Public Instruction may approve an extension of the 20-day period for a given person but not beyond the end of the school year in which submitted.

SEC. 24. Section 6820.1 of the Education Code, as added by Chapter 537 of the Statutes of 1971, is amended to read:

6820.1. On and after September 1, 1975, no person shall be employed to teach deaf, severely hard-of-hearing, blind, partially seeing, aphasic, or speech-handicapped ~~minors~~ *pupils* in the home, hospital, or licensed children's institution who does not hold a valid credential authorizing such teaching.

Nothing in this section shall be deemed to prohibit the employment of a person holding some other valid credential authorizing substitute teaching for not more than 20 schooldays in a given school year to serve as a substitute for the appropriately credentialed teacher absent because of illness or other reason acceptable to the employing school district or county superintendent of schools.

Upon application by the school district or county superintendent of schools the Superintendent of Public Instruction may approve an extension of the 20-day period for a given person but not beyond the end of the school year in which submitted.

SEC. 25. Section 6820.2 of the Education Code is amended to read:

6820.2. On and after September 1, 1975, no person shall be employed to teach multihandicapped ~~minors~~ *pupils*, as defined in Section 6802, who does not hold a valid credential to teach exceptional children.

SEC. 26. Section 6851 of the Education Code is amended to read:

6851. Whenever a school district maintains a school or classes at a tuberculosis or polio ward, hospital or sanatorium established and maintained by a county or group of counties, any ~~minor or adult~~ *person* who has been admitted to such ward, hospital or sanatorium is, if otherwise qualified, eligible to attend such school or classes but shall be deemed to be, for the purposes of this code, a resident of the school district in which he resided prior to his admission to such tuberculosis or polio ward, hospital or sanatorium.

The minimum schoolday for such classes is 180 minutes. Whenever two or more districts are authorized and operate such schools or classes the governing boards of the districts may jointly employ personnel to administer and conduct the programs.

The school district maintaining the school shall, no later than 30 days following the date of enrollment of a student who resides in

another school district under this section, notify the district of residence of the student's enrollment.

SEC. 27. Section 6852 of the Education Code is amended to read:

6852. The cost for a school year of educating any ~~minor or adult~~ *person* who attends such a school or class and who is deemed to be a resident of the district in which he resided prior to his admission to such tuberculosis or polio ward, hospital, or sanitorium shall be paid by the school district of which any such minor or adult is a resident to the district maintaining a school or class in which such ~~minor or adult~~ *person* is enrolled pursuant to this article The cost shall be determined by dividing the total current expenditures of the school district during such school year for the maintenance of such school or classes, less all apportionments from the state or allocations from the federal government on account of such school or classes, by the total number of units of average daily attendance in such school or classes during such school year.

~~Minors~~ *Pupils* in such schools or classes shall be apportioned excess cost apportionments for handicapped ~~minors~~ *pupils* as stated elsewhere in this code.

The Superintendent of Public Instruction shall adopt standards and regulations relating to administration, attendance, accounting and counseling in hospital schools and classes.

SEC. 28. Section 6853 of the Education Code is amended to read:

6853. Not later than July 15th of each year, the district maintaining such school or classes shall forward its claim to the district of residence, for the cost of educating ~~minors or adults~~ *persons* who are residents of such district during the preceding school year, and the governing board of such district shall upon the receipt thereof pay such claim.

SEC. 29. Section 6901 of the Education Code is amended to read:

6901. "Mentally retarded ~~minors~~ *pupils*" means all ~~minors~~ *pupils* who because of retarded intellectual development as determined by individual psychological examination are incapable of being educated efficiently and profitably through ordinary classroom instruction.

SEC 30 Section 6902 of the Education Code, as amended by Chapter 1370 of the Statutes of 1971, is amended to read:

6902 The education of mentally retarded ~~minors~~ *pupils* who are of compulsory school age and who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted shall be provided all eligible ~~minors~~ *pupils* in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895 10, inclusive Such special education may be provided to mentally retarded ~~minors~~ *pupils* who are between five years nine months and six years of age and those above compulsory school age ~~and less than 21 years of age~~.

An annual report shall be made by each school district or county superintendent of schools to the Department of Education indicating the number of eligible ~~minors~~ *pupils* for whom no such special education is provided and the reason therefor

SEC. 31. Section 6902 05 of the Education Code is amended to read:

6902.05 Admission of a ~~minor~~ *pupil* to a special educational program for the mentally retarded established under the provisions of Sections 6901 to 6913, inclusive, and in Sections 8951 to 8956, inclusive, shall be made only on the basis of an individual evaluation according to standards established by the State Board of Education and upon individual recommendation of a local admission committee which shall include a teacher, a school nurse or social worker, a school psychologist or other pupil personnel worker authorized to serve as a school psychologist who has individually examined the ~~minor~~ *pupil*, a principal or supervisor, and a licensed physician. Such recommendation shall include a statement that in the professional judgment of the members of the local admission committee the minor recommended for placement in any program for the mentally retarded can reasonably be expected to benefit from such placement. Any members of the local admission committee dissenting from the final committee recommendation shall attach to the final recommendation a statement of reasons for such objection.

SEC. 32. Section 6902.07 of the Education Code, as amended and renumbered by Chapter 78 of the Statutes of 1971, is amended to read:

6902.07. Before any ~~minor~~ *pupil* is admitted to a special education program for mentally retarded ~~minors~~ *pupils* established pursuant to this chapter or Article 10 (commencing with Section 895) of Chapter 4 of Division 3, the ~~minor~~ *pupil* shall be given verbal or nonverbal individual intelligence tests in the primary home language in which the ~~minor~~ *pupil* is most fluent and has the best speaking ability and capacity to understand. Such tests shall be selected from a list approved by the State Board of Education.

SEC. 33. Section 6902.08 of the Education Code is amended to read:

6902.08. All ~~minors~~ *pupils* presently participating in special education programs for the mentally retarded under the provisions of Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive, shall be retested according to the provisions of Section 6902.06 prior to the conclusion of the 1970 calendar year.

SEC. 34. Section 6902.085 of the Education Code, as amended and renumbered by Chapter 78 of the Statutes of 1971, is amended to read:

6902.085. No ~~minor~~ *pupil* shall be placed in a special education class for the mentally retarded if he scores higher than two standard deviations below the norm, considering the standard error of measurement, on an individual intelligence test selected from a list approved by the State Board of Education except as provided in Section 6902.095.

No ~~minor~~ *pupil* shall be placed in a special education program for the mentally retarded when he is being tested in a language other than English if he scores higher than two standard deviations below the norm, considering the standard error of measurement, on the nonverbal intelligence test or on the nonverbal portion of an individual intelligence test which includes both verbal and nonverbal portions except as provided in Section 6902.095.

No ~~minor~~ *pupil* may be placed in a special education program for

the mentally retarded unless a complete psychological examination by a credentialed school psychologist investigating such factors as developmental history, cultural background, and school achievement substantiates the retarded intellectual development indicated by the individual test scores This examination shall include estimates of adaptive behavior. Until adaptive behavior scales are normed and approved by the State Board of Education, such adaptability testing shall include, but is not limited to, a visit, with the consent of the parent or guardian, to the ~~minor's~~ *pupil's* home by the school psychologist or a person designated by the chief administrator of the district, upon the recommendation of the school psychologist, and interviews of members of the ~~minor's~~ *pupil's* family at their home. If the language spoken in the home is other than English, such interviews shall be conducted in the language of the home.

After a ~~student~~ *pupil* has been screened and referred, written permission for the individual psychological evaluation shall be secured in a conference with a school official and the parent or guardian or his authorized representative After the individual psychological evaluation is completed, the psychologist shall confer with the parent or guardian or his authorized representative regarding the recommendation to the admission committee. Following the admission committee meeting, a committee member shall meet with the parent or guardian or his authorized representative to discuss the committee conclusion and to obtain written permission for placement

No ~~minor~~ *pupil* shall be placed in a special education class for the mentally retarded without the written consent of the parent or guardian of the child after a complete explanation of the special education program Permission documents for individual psychological evaluation, and placements, shall be written in English and in the language of the parent or guardian. Conferences and notices to inform the parent or guardian of the nature of the placement process, the committee conclusion, and the special education program shall be in the home language of the parent or guardian.

SEC. 35. Section 6902.09 of the Education Code, as amended by Chapter 1370 of the Statutes of 1971, is amended to read.

6902.09. Any ~~minor~~ *pupil* who is determined to be misplaced in a special education program for the mentally retarded pursuant to Section 6902.08 shall be withdrawn from such a program upon consultation with his parents or guardian Such a *pupil* ~~minor~~ may be placed in a compensatory education program or any similar supplementary educational program conducted by the district with the goal of accelerating his educational attainment so that he may participate in the regular instruction of the district.

If a parent or guardian objects to the withdrawal of his child or ward from a special education class or program provided pursuant to Section 6902 or 6903, he may request a hearing regarding such withdrawal The hearing shall be held not less than 20 nor more than 30 days after the request is made.

For purposes of Section 6902, the hearing panel shall consist of a credentialed school psychologist, a teacher currently instructing a

special education class at the same grade level in which the ~~minor~~ *pupil* is enrolled, but who is not an employee of the school district involved, and a special education administrator, each of whom shall be designated by the county superintendent of schools In any case in which it is not practicable to secure the services on the panel of a person or persons having the qualifications herein specified, the county superintendent of schools may designate for service on the panel a person or persons not having such qualifications but whom the superintendent deems otherwise qualified to serve The panel, by majority vote may uphold or reverse the action taken by the district to withdraw the ~~minor~~ *pupil* from the program The decision of the panel is binding upon the school district Upon a decision by the panel to reverse the district decision, the ~~minor~~ *pupil* shall be readmitted to a special education class for the mentally retarded notwithstanding Section 6902 085, except that in no case shall a ~~minor~~ *pupil* scoring higher than one standard deviation below the norm, considering the standard error of measurement, be readmitted to such a class

For purposes of Section 6903, the hearing panel shall consist of a credential school psychologist designated by the county superintendent of schools of the county in which the school is located, the medical director or his appointee of the nearest regional center for the mentally retarded, and a teacher, designated by the county superintendent of schools, currently instructing a special education class at the same grade level in which the ~~minor~~ *pupil* is enrolled, but who is not an employee of the school district involved The panel, by majority vote may uphold or reverse the action taken by the district to withdraw the ~~minor~~ *pupil* from the program The decision of the panel is binding upon the school district Upon a decision by the panel to reverse the district decision, the ~~minor~~ *pupil* shall be readmitted to a special education class for the mentally retarded notwithstanding Section 6902 085, except that in no case shall a ~~minor~~ *pupil* scoring higher than one standard deviation below the norm, considering the standard error of measurement, be readmitted to such a class

The hearings shall be conducted pursuant to rules and regulations adopted by the State Board of Education

SEC 36 Section 6902 095 of the Education Code, as added by Chapter 78 of the Statutes of 1971, is amended to read

6902 095 In exceptional circumstances, after an examination of all pertinent information, including relevant cultural and adaptive behavior data, the admission committee may by unanimous vote agree to place a ~~minor~~ *pupil* in a special education class for the mentally retarded in spite of an individual test score higher than two standard deviations below the norm considering the standard error of measurement The committee shall take notice of and be guided by the legislative intent expressed in Section 6902 05 Upon such unanimous agreement, a written report indicating the decision of the committee, and the reasons therefor, shall be sent to the parent or guardian of the ~~minor~~ *pupil*

Beginning in the 1971–1972 school year, each school district shall report annually to the Department of Education

64 0 27 7 315

(a) The ethnic breakdown of the children placed in special education classes for the mentally retarded in the district.

(b) The ethnic breakdown of the children newly placed in such classes:

(1) By the standard admissions procedure, and

(2) By the exceptional unanimous consent procedure described in this section.

If the percentage of children from any minority ethnic group in such classes varies by 15 percent or more from the percentage of such children in the district as a whole, an explanation for such variation shall be attached to the report to the Department of Education

SEC. 37. Section 6902.10 of the Education Code is amended to read:

6902.10. The Superintendent of Public Instruction shall annually report to the State Board of Education on those districts in which there is a significant variance in racial and ethnic composition between special education classes for mentally retarded ~~minors~~ *pupils* established pursuant to Sections 6901 to 6913 and the regular enrollment of the district

SEC. 38. Section 6902.1 of the Education Code is amended to read:

6902.1. Mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902 may be enrolled in integrated programs of instruction conducted by a school district or a county superintendent of schools.

An integrated program of instruction for mentally retarded ~~minors~~ *pupils* shall be defined as a program in which mentally retarded ~~minors~~ *pupils*, who are enrolled in a special day class taught by a teacher holding a valid credential to teach exceptional children, are integrated in regular classes in which the content and method of instruction has been modified to the extent that mentally retarded ~~minors~~ *pupils* can benefit from such integration. Such programs shall be conducted in accordance with rules and regulations established by the State Board of Education.

The school district or county superintendent of schools conducting the integrated program of instruction shall be entitled to an apportionment equal to the amount which would have been credited to them had these ~~minors~~ *pupils* been enrolled full time in a special day class for the mentally retarded.

SEC. 39. Section 6902.2 of the Education Code is amended to read:

6902.2. Programs for mentally retarded ~~minors~~ *pupils* identifiable pursuant to Section 6902.05 are

(a) Special day classes (elementary and secondary). A class established for mentally retarded ~~minors~~ *pupils* (as defined by Section 6902.05). The class shall be maintained for at least the minimum schoolday. The class shall be taught by a full-time teacher whose responsibility is to teach pupils enrolled in the class for the schoolday as established by the governing board for regular classes for pupils who are at the highest grade level in the special class.

(b) An integrated program of instruction. A program for mentally retarded ~~minors~~ *pupils* in which mentally retarded ~~minors~~

pupils, who are enrolled in a special day class taught by a teacher holding a valid credential to teach exceptional children, are integrated in regular classes in which the content and method of instruction has been modified to the extent that mentally retarded ~~minors~~ *pupils* can benefit from such integration Such programs shall be conducted in accordance with rules and regulations established by the State Board of Education

SEC. 40 Section 6902 4 of the Education Code is amended to read

6902 4 Continuance of ~~minors~~ *pupils* in special education programs for the mentally retarded authorized under Section 6902 shall be the subject of annual review and recommendation by the local admission committee to determine whether continued placement in the special educational program is appropriate

SEC 41 Section 6902 5 of the Education Code is amended to read

6902 5 No ~~minor~~ *pupil* shall be required to participate in a program for mentally retarded ~~minors~~ *pupils* unless the local admission committee or a member of the local admission committee appointed by such committee has personally consulted with the parent or guardian of the ~~minor~~ *pupil* regarding the retarded intellectual development of the ~~minor~~ *pupil*

SEC. 42 Section 6903 of the Education Code is amended to read

6903 The education of mentally retarded ~~minors~~ *pupils* who do not come within the provisions of Section 6902, who are six or more, and less than 18 years of age and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, shall be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895 10, inclusive The education of such mentally retarded ~~minors~~ *pupils* who are five or more and less than six years of age may be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895 10, inclusive

Any such ~~minor~~ *pupil* who becomes 18 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year

Notwithstanding other provisions of this section any such ~~minor~~ *pupil* who is participating regularly in an approved occupational training program in the manner set forth in Sections 6931 and 6932 may be permitted by the governing board of the district or county superintendent of schools, as the case may be, maintaining such training program to continue thereon until his 21st birthday.

The reference to "21st birthday" in this section is not affected by Chapter 1748 of the Statutes of 1971

SEC 43 Section 6903 1 of the Education Code is amended to read

6903 1 Mentally retarded ~~minors~~ *pupils* identified pursuant to Section 6903 shall participate in a special day class program for mentally retarded ~~minors~~ *pupils* The class shall be maintained for

at least the minimum schoolday. The class shall be taught by a full-time teacher whose responsibility is to teach pupils enrolled in the class for the schoolday established by the governing board for regular classes for pupils who are at the highest grade level in the special class.

SEC. 44. Section 6903.3 of the Education Code, as added by Chapter 1370 of the Statutes of 1971, is amended to read:

6903.3. An annual report shall be made by each school district or county superintendent of schools to the Department of Education indicating the number of eligible ~~minors~~ *pupils* under Section 6903 for whom no such education is provided and the reason therefor.

SEC. 45. Section 6904 of the Education Code is amended to read

6904. The governing board of any elementary or unified school district which has an average daily attendance of 900 or more in the elementary schools of the district, or any high school district which has an average daily attendance of 900 or more shall provide for the education in special training schools or classes of mentally retarded ~~minors~~ *pupils* residing in the district who come within the provisions of Section 6902 and who are not in attendance upon other special training schools or classes maintained under the provisions of Sections 6901 to 6913, inclusive.

The governing board of any elementary or unified school district which has an average daily attendance of 8,000 or more in the elementary schools of the district, and any unified or high school district which has an average daily attendance of 8,000 or more in the high schools of the district shall provide for the education in special training schools or classes of mentally retarded ~~minors~~ *pupils* residing in the district who come within the provisions of Section 6903 and who are not in attendance upon other special training schools or classes maintained under the provisions of Sections 6901 to 6913, inclusive.

With the approval of the county superintendent of schools, the governing board of any elementary or unified school district which has an average daily attendance of less than 8,000 in the elementary schools of the district, and any unified or high school district which has an average daily attendance of less than 8,000 in the high schools of the district may provide for the education in special training schools or classes of mentally retarded ~~minors~~ *pupils* residing in the district who come within the provisions of Section 6903 as may be admitted to such schools or classes.

The governing board of any elementary, unified or high school district, required to provide for the education in special training schools or classes of mentally retarded minors residing in the district who come within the provisions of Section 6903, may with the approval of the Superintendent of Public Instruction, enter into an agreement with a county superintendent of schools for the latter to provide for the education of such mentally retarded ~~minors~~ *pupils*.

The governing boards of elementary, unified, and high school districts may enter into agreements for the education in special training schools or classes of mentally retarded ~~minors~~ *pupils* residing in the districts parties to such agreements providing such agreements are reported through the county superintendent of

schools to the Superintendent of Public Instruction

SEC. 46. Section 6904.1 of the Education Code is amended to read:

6904.1. The Superintendent of Public Instruction shall adopt regulations prescribing the conditions under which the education of mentally retarded ~~minors~~ *pupils* under Sections 6902 and 6903 shall be the responsibility of either the elementary schools or the high schools maintained by school districts, and for determining when such pupils in classes maintained by a school district or a county superintendent of schools shall be designated as of elementary or secondary grade for attendance and state apportionment purposes

SEC. 47. Section 6904.3 of the Education Code is amended to read.

6904.3 Mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902 or 6903 may be enrolled in experimental programs conducted by a school district or a county superintendent of schools Experimental programs for such minors shall be approved in advance by the Department of Education.

The school district or county superintendent of schools conducting the experimental program shall be entitled to an apportionment equal to the amount which would have been credited to them had these ~~minors~~ *pupils* been enrolled full time in a special day class for the mentally retarded

SEC. 48. Section 6904.5 of the Education Code is amended to read:

6904.5. The governing board of a unified or high school district with an average daily attendance of 900 or more shall provide a four-year secondary school program for each mentally retarded ~~minor~~ *pupil* residing in the district who comes within the provisions of Section 6902 and for whom the district is required to provide an education in special training schools or classes pursuant to Section 6904

SEC. 49. Section 6905 of the Education Code is amended to read.

6905 The governing board of any high school district which has an average daily attendance of less than 900 may establish and maintain special training schools or classes for the education of such mentally retarded ~~minors~~ *pupils* as may be admitted to such schools or classes by the governing board of the district

SEC. 50 Section 6906.5 of the Education Code is amended to read:

6906.5. The governing board of each unified or high school district which is required or authorized to maintain special training schools for mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902 shall issue a diploma or other certificate of graduation to each person who has met the minimum standards of the State Board of Education for such special schools and such diploma or certificate of graduation shall not contain any notation or other evidence which indicates that the graduate is a mentally retarded person.

SEC. 51. Section 6907 of the Education Code is amended to read:

6907. One person in the Department of Education shall devote his entire time to the supervision of training of mentally retarded

~~minors~~ *pupils* The department shall employ such other persons as are necessary to carry out the purposes of Sections 6901 to 6913, inclusive, and of Sections 895 to 895 10, inclusive

SEC. 52. Section 6910 of the Education Code is amended to read:

6910. The governing board of any school district otherwise required or authorized to maintain special training schools and classes under Sections 6904 and 6905 for mentally retarded ~~minors~~ *pupils* may provide for the education of such ~~minors~~ *pupils* in, and for the transportation of such ~~minors~~ *pupils* to, special training schools or classes maintained by another school district under Sections 6901 to 6913, inclusive, or by a county superintendent of schools under Sections 895 to 895 10, inclusive, subject to such terms and conditions as may be agreed upon.

SEC 53 Section 6911 of the Education Code is amended to read:

6911. In lieu of entering into an agreement for the transportation of mentally retarded ~~minors~~ *pupils* by the school district or county superintendent of schools, in the special training schools and classes of which the education of such ~~minors~~ *pupils* is provided under Section 6910 or 895 4, the school district or county superintendent of schools of the county required to provide for their education may provide such transportation

SEC. 54 Section 6912 of the Education Code is amended to read.

6912 No person shall be employed as a teacher of mentally retarded ~~minors~~ *pupils* who does not hold a valid credential for the education of mentally retarded children Nothing herein shall be deemed to prohibit the employment, as a substitute teacher of each special training class of mentally retarded children for not more than 20 schooldays in any school year, of a person holding some other valid credential authorizing substitute teaching

SEC 55. Section 6912 5 of the Education Code is amended to read:

6912.5. Individual counseling and guidance in social and vocational matters shall be provided as part of the instructional program for mentally retarded pupils Upon approval by the State Department of Education the governing board of any school district may separately, or in cooperation with the governing board or boards of one or more other school districts, or in cooperation with the Bureau of Vocational Rehabilitation of the State Department of Education, employ a special coordinator, who shall make a study of employment and occupational opportunities and shall assist in the coordination of the education of the mentally retarded ~~minors~~ *pupils* with the commercial and industrial pursuits of the community, so as to prepare the ~~minors~~ *pupils* for employment.

SEC 56. Section 6913 of the Education Code is amended to read:

6913. The Superintendent of Public Instruction shall prescribe the procedures for qualifying for and shall determine the amount of the allowances for special regular day classes and for authorized instruction in other than special regular day classes of mentally retarded ~~minors~~ *pupils*

SEC. 57 Section 6913 1 of the Education Code, as amended by Chapter 1753 of the Statutes of 1971, is amended to read.

6913.1. The maximum rate of school district tax for any school

year is hereby increased by such amount as the governing board of any school district which maintains or has entered into an agreement with another district or with the county superintendent of schools for educational services or facilities, including the rental of property or purchase of equipment, for mentally retarded ~~minors~~ *pupils* who come within the provisions of Sections 6902 and 6903 may include in its budget and the board of supervisors shall levy a school district tax necessary to raise such amount

Such budget expenditures may include the cost of equipment and facilities, the lease or lease-purchase of buildings, lease of land, alteration or additions to existing buildings, or other necessary capital outlay expenditures in connection with such educational services.

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in the tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized for the education of mentally retarded ~~minors~~ *pupils* who come within the provisions of Sections 6902 and 6903

SEC 58 Section 6914 of the Education Code is amended to read

6914. Whenever any school district maintains special training schools or classes for the education of mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6903, or special schools, classes or integrated programs where a qualified special teacher is provided for the education of physically handicapped ~~minors~~ *pupils* who come within the provisions of Sections 6801 and 6802, the governing board of the school district may apply to the Superintendent of Public Instruction for an apportionment pursuant to Sections 6914 to 6919, inclusive

SEC 59. Section 6915 of the Education Code is amended to read:

6915 The application shall be made prior to September 1st of each school year in the form and manner prescribed by the Superintendent of Public Instruction and shall include an estimate of the average daily attendance that will be credited to such schools, classes or integrated programs during the school year for which an advance apportionment is requested Such estimate shall be based upon the number of ~~minors~~ *pupils* residing in the district or in an adjacent district that come within the provisions of Sections 6801, 6802, and 6903 and who will attend such schools, classes or integrated programs, and shall be subject to the approval of the Superintendent of Public Instruction

SEC 60. Section 6916 of the Education Code is amended to read.

6916 Not later than 30 days after such application, the Superintendent of Public Instruction, if he approves, shall apportion to each applicant school district from the State General Fund, as an advance against future apportionments from the State School Fund to such district, an amount equal to the maximum amount allowable for each type of program included in the request per unit of average daily attendance to school districts for the excess expense of educating mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6903, and physically handicapped ~~minors~~ *pupils*

who come within the provisions of Sections 6801 and 6802 multiplied by eight and the product thereof multiplied by the number of special classes or integrated programs maintained by the applicant school district for such ~~minors~~ *pupils*

SEC. 61 Section 6931 of the Education Code is amended to read:

6931. The State Board of Education may adopt rules and regulations governing the establishment and conduct of programs for preparing physically handicapped and mentally retarded ~~minors~~ *pupils* enrolled in special day classes for suitable occupations. Such programs shall provide for physically handicapped and mentally retarded ~~minors~~ *pupils* who are unable to profit by courses of work experience education as provided in Article 5.5 (commencing with Section 5985) of Chapter 6 of Division 6

SEC. 62 Section 6932 of the Education Code is amended to read:

6932. School districts and county superintendents of schools may contract with sheltered workshops and other work establishments approved for supervised occupational training of physically handicapped and mentally retarded ~~minors~~ *pupils*, and reimburse such sheltered workshops and work establishments for the expenses incurred in the training of such ~~minors~~ *pupils*.

SEC. 63 It is the intent of the Legislature in enacting this act to delete the requirement the persons eligible for the educational programs affected by this act be minors."

Amendment No. 4

On page 1, strike out lines 4 to 9, inclusive, and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 238—An act to add Section 34302.3 to the Government Code, relating to incorporation of cities.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 66—An act to amend Section 17154 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 94—An act making an appropriation to be used for venereal disease education and control, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 198—An act to add Section 6018.3 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly February 24, 1972, strike out "6018.3", and insert "6012.7".

Amendment No. 2

On page 1, line 1, strike out "6018 3", and insert "6012.7".

Amendment No. 3

On page 1, strike out line 5; and on page 2, strike out lines 1 to 4, inclusive, and insert

"6012 7. (a) For the purposes of this part, "gross receipts" from the sale of factory-built housing, and the "sales price" of factory-built housing, sold or stored, used, or otherwise consumed in this state shall be the sales price to the manufacturer of materials and fixtures used in the manufacture of the factory-built housing. In the event that the factory-built housing is sold or stored, used or otherwise consumed in this state by a person other than a manufacturer, in the absence of evidence of the sales price to the manufacturer of materials and fixtures to the contrary, it shall be presumed that 40 percent of the sales price of the factory-built housing to the consumer represents the sales price of the materials and fixtures to the manufacturer."

Amendment No. 4

On page 2, line 15, after "Code", insert "or in accordance with applicable local building requirements if such factory-built housing is inspected and approved by the local enforcement agency at the place of, and during the time of, manufacture".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 15—An act to amend Section 37150 of, and to add Chapter 7 (commencing with Section 37175) to Part 7 of Division 13 of, the Water Code, relating to water districts.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, between lines 19 and 20, insert

"(d) The costs of publication of notice as required by Section 36951."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 253—An act to amend Section 3 of the Del Norte County Flood Control District Act (Chapter 166 of the Statutes of 1955), relating to the Del Norte County Flood Control District.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 174—An act to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081 5 to, and to repeal Sections 1081 and 1081 5 of, the Edu-

cation Code, relating to school field trips and excursions, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly February 16, 1972, strike out "and", and insert a comma.

Amendment No. 2

In line 2 of the heading, after "Arnett", insert ", and Quimby".

Amendment No. 3

On page 4, line 39, strike out "or".

Amendment No. 4

On page 4, line 39, after "athletic", insert ", or school band".

Amendment No. 5

On page 4 line 40, after the second "state," insert "the District of Columbia,".

Amendment No. 6

On page 5, line 15, after the comma, insert "the District of Columbia,".

Amendment No. 7

On page 5, between lines 29 and 30, insert

"No group shall be authorized to take a field trip or excursion authorized by this section if any pupil who is a member of such an identifiable group will be excluded from participation in the field trip or excursion because of lack of sufficient funds.

No transportation or lodging expenses of pupils, instructors supervisors, or other personnel participating in a field trip or excursion authorized by this section shall be paid with school district funds."

Amendment No. 8

On page 5, line 34, strike out the colon, and insert a period

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 246—An act to add Article 10.5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted.

Amendment No. 1

In line 4 of the heading of the printed bill, strike out "Miller,".

Amendment No. 2

In line 8 of the heading, strike out "and Way", and insert "Way, and Nejedly".

Amendment No. 3

On page 3, line 34, strike out "and", and insert "or".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

SECOND READING OF SENATE BILLS

Senate Bill No. 63—An act making an appropriation in augmentation of Item 227 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 254.

COMMUNICATIONS

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 66

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 238
AB No 253

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, March 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 200

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3 p.m., by unanimous consent, the Committee on Ways and Means was permitted to hold a special meeting in the Assembly Lounge, to consider Assembly Bill No. 801, and the Assembly Rules were temporarily suspended for the purpose of setting Assembly Bill No. 801 for hearing in the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 45—An act to add Section 1632 to the Civil Code, relating to contracts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 308—An act to add Section 14670.3 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby,

Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 271—An act to amend Section 14 of Chapter 1307 of the Statutes of 1971, relating to documents, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Hayden.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Priolo was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 10—An act relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Priolo.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brown, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brown, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 101—An act to amend Section 22705, and to repeal Section 22854 5 of the Vehicle Code, relating to abandoned and removed vehicles.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 191—An act to add Sections 31621 2, 31671 02, 31676 12 31808 7, and 31812 1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 9, 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Senate Bill No. 228—An act to add Section 3572 5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

JOHN BURTON

Above request ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 9, 1972

Mr Speaker· Your Committee on Ways and Means reports:

AB No. 801

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading

Committee on Rules

Assembly Chamber, March 9, 1972

Mr Speaker. Your Committee on Rules recommends·

That the request by Mr Burton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No 228 be *granted.*

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burton:

Resolution to Dispense With Constitutional Provision

Resolved, That pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 228 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

CALL OF THE ASSEMBLY

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Motion carried. Time, 3:16 p m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 852: By Assemblyman Chappie—An act to add Section 17146.6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 853: By Assemblyman Chappie—An act to amend Section 27459 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 854: By Assemblyman Chappie—An act to add Section 2727.7 to the Business and Professions Code, relating to nurse anesthetists.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 855: By Assemblyman Chappie—An act relating to transfers of revenues from the Motor Vehicle Fuel Account

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 856: By Assemblyman Chappie—An act to amend Sections 1173 and 1178 of the Streets and Highways Code, relating to county road divisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 857: By Assemblyman Quimby—An act to amend Section 61765 of the Government Code, relating to districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 858: By Assemblyman Quimby—An act to amend Section 16002 5 of the Business and Professions Code, relating to vending machines

Held at Desk by order of the Speaker pro Tempore.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO SENATE BILL NO. 228

At 3·20 p.m., on motion of Mr. Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution, as it relates to Senate Bill No 228, adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 228 for hearing in the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 859: By Assemblyman Quimby—An act to repeal Section 6368 5 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 860: By Assemblyman Quimby—An act to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081.5 to, and to repeal Sections 1081 and 1081 5 of, the Education Code, relating to school field trips and excursions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 861: By Assemblyman Arnett—An act to amend Sections 25503 11 and 25503 12 to the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 862: By Assemblyman Waxman—An act to amend Section 410 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 863: By Assemblyman Russell—An act to amend Section 677 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 864: By Assemblyman McAlister—An act to add Section 31219 to the Education Code, relating to state competitive scholarships.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 865: By Assemblyman Cullen—An act to amend Section 1031 of the Code of Civil Procedure, relating to court costs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 866: By Assemblyman Foran—An act to amend Sections 6518 and 6561 of the Financial Code, relating to savings and loan associations

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 867: By Assemblyman Meade—An act to add Section 707 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 868: By Assemblyman Meade—An act to add Section 709 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 869: By Assemblyman Meade—An act to add Section 708 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 870: By Assemblyman Meade—An act to add Section 706 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 871: By Assemblymen Miller and Brown—An act to add Section 3057 to the Penal Code, relating to prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 872: By Assemblyman Burke—An act relating to the boundaries of street lighting districts, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 873: By Assemblymen Arnett and Ryan (Senator Gregorio, coauthor)—An act to add Article 6 (commencing with

Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 874: By Assemblyman McCarthy—An act to amend Section 6319 of the Labor Code, relating to safety.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 875: By Assemblymen Chacon, Deddeh, Harvey Johnson, Pierson, Waxman, and Wilson—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 876: By Assemblymen Chacon, Deddeh, Barnes, Keysor, McCarthy, Pierson, and Wilson—An act to amend Section 3364 55 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore

Assembly Joint Resolution No. 18: By Assemblyman Z'berg—Relative to excess lands on federal reclamation projects.

Held at Desk by order of the Speaker pro Tempore

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 9, 1972

Mr Speaker: The Chairman of your Committee on Rules reports: SB No. 228

With author's amendments with the recommendation: Amend, and refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 228—An act to add Section 3572 5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to repeal Sections 3566, 3566.3, 3567, 3568, 3569, 3570, 3571, and 3572 of, and".

Amendment No. 2

In line 1 of the title, strike out "Section 3572 5 to", and insert "Sections 3566, 3567, 3568, 3569, and 3570 to,".

Amendment No. 3

On page 1, line 1, after the first period, insert "Section 3566 of the Elections Code is repealed.

~~3566. Whenever any measure qualifies for a place on the ballot the Secretary of State shall transmit a copy of the measure to the Legislative Counsel. The Legislative Counsel shall prepare an impartial analysis in general terms showing what effect a Yes and No vote will have on the measure and an impartial detailed analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The analysis in general terms shall be printed in the first part of the ballot pamphlet between the ballot title and the arguments for and against the measure immediately following the number and title of each measure and shall be set clearly apart from the arguments for and against the measure and shall conclude with the statement for further details see below. The detailed analysis shall be printed in the ballot pamphlet between the general analysis and the arguments for and against the measure. The length of the detailed analysis shall not exceed 500 words except with the approval of the State Board of Control.~~

SEC. 2. Section 3566 is added to the Elections Code, to read.

3566. Whenever any measure qualifies for a place on the ballot the Secretary of State shall transmit a copy of the measure to the Legislative Analyst The Legislative Analyst shall prepare an impartial analysis showing what effect the measure will have if approved, including the effect of the measure on the existing law and an estimate of the cost, if any, of the measure and the method of financing it. The Legislative Analyst may request the assistance of any state department, agency or official in preparing his analysis The analysis shall be written as nearly as possible in language which will be readily understood by the voters. In order to facilitate understanding by the voters, the analysis may be divided into a general and a detailed portion, or may be otherwise organized as the Legislative Analyst may see fit The analysis shall be as concise as possible consistent with clarity In the case of a constitutional amendment the analysis shall include a digest of statutes which become effective upon approval of the amendment. The Legislative Analyst shall transmit the analysis to the Secretary of State.

SEC 3. Section 3566.3 of the Elections Code is repealed.

~~3566.3 Whenever any measure qualifies for a place on the ballot the Secretary of State shall transmit a copy of the measure to the Legislative Analyst. The Legislative Analyst shall prepare an impartial analysis of the measure if, in his opinion, it involves additional cost. If the measure is one which would require a substantial increase in state costs the analysis shall contain an estimate of the cost of the measure and shall specify the method of financing it. The analysis shall be printed in the ballot pamphlet alongside the Legislative Counsel's detailed analysis and shall not exceed 500 words.~~

SEC. 4. Section 3567 of the Elections Code is repealed.

~~3567. The Secretary of State shall cause to be printed as many ballot pamphlets as needed to comply with the provisions of this code.~~

~~The ballot pamphlets shall be printed in the Office of State Printing unless the Director of General Services determines that the printing of the pamphlets in the Office of State Printing cannot be done adequately, competently, or satisfactorily, in which case the Secretary of State, subject to the approval of the Director of General Services, shall contract with a private printing concern for the printing of the pamphlets.~~

~~Copy for preparation of the ballot pamphlets shall be furnished to the Office of State Printing at least 40 days prior to the date for required delivery to the county clerks as provided in Section 3573.~~

SEC 5. Section 3567 is added to the Elections Code, to read:

3567 Whenever any measure qualifies for a place on the ballot the Secretary of State shall transmit a copy of the measure to the Legislative Counsel The Legislative Counsel shall prepare an appendix for the ballot pamphlet, containing the number and ballot title of each measure and the text of each measure and of each existing provision of law affected by the measure The provisions of the proposed measures differing from the existing provisions of law affected shall be distinguished in print, so as to facilitate comparison The Legislative Counsel shall transmit the appendix to the Secretary of State

SEC 6 Section 3568 of the Elections Code is repealed.

~~3568. The ballot pamphlets shall contain:~~

~~(a) A complete copy of all measures submitted to the voters by:~~

~~(1) The Legislature~~

~~(2) Initiative or referendum petition.~~

~~(b) A copy of the specific constitutional or statutory provision, if any, proposed to be affected.~~

~~(c) A copy of the arguments provided for by law.~~

~~(d) The following statement on the front cover of the ballot pamphlet:~~

~~"Arguments in support or opposition of the proposed laws are the opinions of the authors".~~

~~(e) A copy of the analyses provided for in this chapter.~~

~~(f) The Legislative Counsel's Digest of all statutes which become effective upon approval by the voters of a proposed constitutional amendment, and in addition, a notification to voters that the complete text of each bill is on record in the office of the Secretary of State in Sacramento and is also contained in the published statutes.~~

SEC 7. Section 3568 is added to the Elections Code, to read:

3568 The Secretary of State shall cause to be printed as many ballot pamphlets as needed to comply with the provisions of this code, in such format as will best facilitate the use of the ballot pamphlet by the voters The ballot pamphlet shall include the number and ballot title of each measure, the analysis of each measure by the Legislative Analyst, the arguments for and against each measure, and the appendix by the Legislative Counsel No portion of the ballot pamphlet shall be printed in less than eight-point type.

The following statement shall be printed on the front page of the ballot pamphlet:

"Arguments in support or opposition of the proposed laws are the opinions of the authors."

SEC 8 Section 3569 of the Elections Code is repealed.

~~3569. The ballot pamphlets shall be printed in two parts, separately paged and may be separately bound. The first part, which shall consist of the analyses of, and arguments for and against the measures in the same order in which they are to appear upon the ballot, shall be printed in not less than eight-point type, indicated in boldface with respect to the analyses of the measures, shall be preceded by the numbers and ballot titles provided for in this chapter, and shall in each case be preceded by a reference, printed in blackface type, to the page on which begins the text of the measure as printed in the second part of the pamphlet.~~

~~The following statement shall be printed on the front cover of the first part of the ballot pamphlet:~~

~~"Arguments in support or opposition of the proposed laws are the opinions of the authors".~~

~~The Legislative Counsel's Digests of all statutes which are to become operative upon approval of a constitutional amendment submitted by the Legislature shall also be a part of the first part of the ballot pamphlets. They shall be printed in the same manner as the analyses and arguments concerning measures on the ballot.~~

SEC. 9. Section 3569 is added to the Elections Code, to read.

3569 All measures submitted to the voters shall be printed in the ballot pamphlet so far as possible in the same order, manner and form in which they are designated upon the ballot. The Legislative Analyst shall proofread the galley proofs of the analyses, the Legislative Counsel shall proofread the galley proofs of the appendix, and the Secretary of State shall proofread the remainder of the galley proofs for the ballot pamphlets The certification of the correctness of the pamphlet by the Secretary of State shall be printed therewith.

SEC 10. Section 3570 of the Elections Code is repealed

~~3570. The second part of the pamphlet shall be designated as the appendix, shall begin with page numbered one, shall be printed in eight-point type, and shall contain, in the same order and with the same numbers and ballot titles as provided in this chapter, the text, existing provisions of law affected, and all other matter connected with the proposed measures, except the arguments to be printed in the first part of the pamphlet. The provisions of the proposed measures differing from the existing provisions of law affected shall be distinguished in print, so as to facilitate comparison.~~

SEC. 11. Section 3570 is added to the Elections Code, to read·

3570 The ballot pamphlets shall be printed in the Office of State Printing unless the Director of General Services determines that the printing of the pamphlets in the Office of State Printing cannot be done adequately, competently, or satisfactorily, in which case the Secretary of State, subject to the approval of the Director of General Services, shall contract with a private printing concern for the printing of the pamphlets

Copy for the preparation of the ballot pamphlets shall be furnished to the Office of State Printing at least 40 days prior to the date for required delivery to the county clerks as provided in Section 3573.

SEC. 12. Section 3571 of the Elections Code is repealed.

~~3571. All measures submitted to the voters shall be printed in the ballot pamphlets, so far as possible, in the same order, manner and form in which they are designated upon the ballot. The ballot titles shall be numbered consecutively and printed in the ballot pamphlets immediately prior to the particular measure to which each refers. There shall also be printed in the pamphlets the copy of the ballot title as it will appear on the ballots. The certification of the correctness of the pamphlet by the Secretary of State shall be printed therewith.~~

SEC 13 Section 3572 of the Elections Code is repealed.

~~3572. The ballot pamphlet need not contain:~~

~~(a) An index to the arguments;~~

~~(b) An index to the measures;~~

~~(c) A list of the ballot titles as they will appear on the ballot;~~

~~(d) A recapitulation of amendments to the Constitution, new laws and amendments to existing laws;~~

~~(e) A summary of measures submitted to electors; or~~

~~(f) A list showing the order of measures on the ballot and the page on which they appear in the pamphlet.~~ ''

Amendment No. 4

On page 1, line 1, strike out ''Section 3572 5 is added to the Elections'', and strike out lines 2 to 9, inclusive

Amendment No. 5

On page 1, line 10, strike out ''2'', and insert ''14''.

Bill ordered reprinted, and to be re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, March 9, 1972

Mr Speaker The Chairman of your Committee on Elections and Reapportionment reports:

SB No 150

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 150—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate February 24, 1972, after ''voters'', insert '', and declaring the urgency thereof, to take effect immediately''.

Amendment No. 2

On page 3, line 34, strike out "one year," and insert "and".

Amendment No. 3

On page 4, line 35, strike out "if", and insert "If".

Amendment No. 4

On page 5, line 34, strike out "and", and insert a comma.

Amendment No. 5

On page 5, line 35, strike out "one year," and insert "and".

Amendment No. 6

On page 6, line 36, strike out "if", and insert "If".

Amendment No. 7

On page 6, line 36, strike out the first "is".

Amendment No. 8

On page 8, after line 14, insert

"SEC 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

This act must take effect immediately in order to apply to the 1972 elections."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment

VOTE CHANGES

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 45

Mr Foran was granted unanimous consent that he be recorded as voting "Aye" on House Resolution No. 16

ADJOURNMENT

At 3:28 p m , Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Monday, March 13, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-first Legislative Day

Seventy-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 13, 1972

The Assembly met at 11 a m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R. Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr Wilson seconded the motion.
Motion carried Time, 11 .02 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Majority Floor Leader Presiding

At 11 .07 a m., Hon. Jack R. Fenton, 51st District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11 12 a.m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names·

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Awaken in all of us a consciousness of our sharing in Your creative power. What the world becomes will be the result of our responsive efforts or of our indifference and inaction.

Help us to explore every path, examine every institution and philosophy, listen to every individual, in our formation of a better man in a better world —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Cory then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr MacDonald, seconded by Mr Mobley.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr Harvey Johnson, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Badham, on request of Acting Speaker Fenton.
Mr. Brown, on request of Acting Speaker Fenton
Mr Murphy, on request of Acting Speaker Fenton.
Mr. Russell, on request of Acting Speaker Fenton.
Mr. Stull, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Karabian, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal.

March 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker I respectfully request that I be excused from session on Monday, March 13th, 1972.

I will be making a local appearance on television relative to the 1972 Legislature and also addressing a community business association in my district.

Cordially,

ROBERT E BADHAM, Assemblyman
Seventy-first District

March 13, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Bob I respectfully request to be excused on legislative business on Monday, March 13, 1972. I will be dedicating a building for Synanon in my district and will be unable to return in time for session.

Sincerely,

WILLIE L. BROWN, JR., Assemblyman
Eighteenth District

March 2, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from session on March 13 and 14, 1972, on legislative business. I will be attending and addressing the Annual Meeting of Agricultural Council of California in Palm Springs.

Sincerely,

FRANK MURPHY, JR , Assemblyman
Thirty-first District

March 13, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker. This is to respectfully request that I be excused from session, Monday, March 13, 1972, on legislative business.

I will be presenting a resolution to Burbank's Woman of the Year at a luncheon being given by the Women's Council of Burbank

Sincerely,

NEWTON R RUSSELL, Assemblyman
Sixty-second District

March 10, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr Speaker. May I respectfully request that I be excused from session on Monday, March 13 I will be meeting with Mira Costa College students in Oceanside.

Thank you.

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
817	Governmental Organization
818	Retirement
819	Commerce and Public Utilities
820	Retirement
821	Retirement
822	Retirement
823	Health
824	Education
825	Education
826	Commerce and Public Utilities
827	Education
828	Local Government
829	Finance and Insurance
830	Criminal Justice
831	Criminal Justice
832	Criminal Justice
833	Education
834	Education
835	Natural Resources and Conservation
836	Criminal Justice
837	Water
838	Education
839	Revenue and Taxation
840	Governmental Organization
841	Judiciary
842	Transportation
843	Finance and Insurance
844	Education
845	Commerce and Public Utilities
846	Transportation
847	Education
848	Judiciary
849	Finance and Insurance
850	Health
851	Water
852	Revenue and Taxation
853	Transportation
854	Health
855	Transportation
856	Local Government
857	Government Administration
858	Government Administration
859	Revenue and Taxation
860	Education
861	Governmental Organization
862	Finance and Insurance

Assembly Bill No.	*Committee*
863	Finance and Insurance
864	Education
865	Judiciary
866	Finance and Insurance
867	Planning and Land Use
868	Commerce and Public Utilities
869	Planning and Land Use
870	Planning and Land Use
871	Criminal Justice
872	Local Government
873	Judiciary
874	Labor Relations
875	Finance and Insurance
876	Finance and Insurance

Assembly Concurrent Resolution No.	*Committee*
44	Rules
45	Criminal Justice
46	Criminal Justice

Assembly Joint Resolution No.	*Committee*
18	Planning and Land Use

Senate Bill No.	*Committee*
81	Education
98	Education

Senate Joint Resolution No.	*Committee*
1	Agriculture

REPORTS

The following report was presented by the Chief Clerk:

Supplementary Educational Centers. (Pursuant to Education Code Section 590.2.) 1972.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated March 2, 1972, referred by the Acting Speaker to the Committee on Education

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

W R Gianelli, Director, Department of Water Resources, Sacramento, relative to House Resolution No 22 (Donner Lake). Referred by the Acting Speaker to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:14 a.m., Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Rules to consider Senate Bill No. 228.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 877: By Assemblyman Cory—An act to add Section 670 to the Penal Code, relating to punishment for crimes.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 878: By Assemblyman Cory—An act to amend Section 3201 of the Labor Code, relating to labor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 879: By Assemblyman Cory—An act to amend, repeal, and add Section 5759 of the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 880: By Assemblyman Cory—An act to add Sections 214.1, 214.2, 214.3, 214.4, 214.5, and 214.6 to the Streets and Highways Code, relating to state freeways.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 881: By Assemblyman Deddeh—An act to amend Section 36080 of the Streets and Highways Code, relating to parking and business improvement areas

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 882: By Assemblyman Townsend—An act making an appropriation for the salaries of employees in the operation and maintenance division of the Department of Water Resources.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 883: By Assemblyman Townsend—An act to amend Section 17530.5 of the Business and Professions Code, relating to income tax preparers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 884: By Assemblyman Townsend—An act to add Sections 13131 and 13133 to the Education Code, relating to certificated employees

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 885: By Assemblyman Townsend—An act to add Section 31454.7 to the Government Code, relating to the County Employees Retirement Law of 1937.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 886: By Assemblyman Biddle—An act to add Sections 4000 3 and 27161 to, and to add Article 2 (commencing with Section 2850) to Chapter 4 of Division 2 of, the Vehicle Code, relating to air pollution.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 887: By Assemblyman Biddle—An act to amend Sections 11803, 11831, 11832, 11833, and 11834 of the Elections Code, relating to ballot measures.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 888: By Assemblyman Cullen—An act to add Section 19062.15 to the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 889: By Assemblyman Knox—An act to amend Sections 21102, 21103, 21104, 21105, 21107, 21150, and 21151 of, to add Section 21002 to, and to add Chapter 2 5 (commencing with Section 21060) to Division 13 of, the Public Resources Code, relating to environmental quality

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 890: By Assemblyman Seeley—An act to amend Sections 3700 and 3714 of, and to add Sections 3714 5, 3723.5, and 3728 5 to, the Public Resources Code, relating to geothermal resources.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 891: By Assemblyman Dent—An act to add Section 11875 to the Education Code, relating to school districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 892: By Assemblyman Bee—An act to add Section 17267 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 893: By Assemblyman Bee—An act to amend Section 8 of Chapter 1038 of the Statutes of 1970, relating to bonds.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 894: By Assemblyman Bee—An act to amend Section 23105 of the Business and Professions Code, relating to alcoholic beverages

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 895: By Assemblyman Bee—An act to amend Section 31592 2 of the Government Code, relating to the County Employees Retirement Act of 1937

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 896: By Assemblyman Stacey—An act to amend Section 5135 of the Public Utilities Code, relating to carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 897: By Assemblyman Stacey—An act to amend Section 5284 of the Public Utilities Code, relating to carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 898: By Assemblyman Stacey—An act to amend Sections 3517 and 3575 of, and to add Section 3521 to and Article 3.5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 899: By Assemblyman Ketchum—An act to amend Section 31787 of the Government Code, relating to County Employees Retirement Law of 1937.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 900: By Assemblyman Cullen—An act to add Sections 13922.5 and 14105.6 to the Welfare and Institutions Code, relating to medical assistance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 901: By Assemblyman Powers—An act to amend Sections 2306, 2307, 2313, and 2315 of, and to repeal Section 2304 of, the Public Resources Code, relating to mining.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 902: By Assemblyman Powers—An act to add Chapter 2 (commencing with Section 1812.30) to Title 2 of Part 4 of Division 3 of the Civil Code, relating to wholesale credit sales.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 903: By Assemblyman Powers—An act to add Section 496 to the Public Utilities Code, relating to carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 904: By Assemblyman Powers—An act to add Part 4 (commencing with Section 24101) to Division 9 of the Public Utilities Code, relating to airports and aviation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 905: By Assemblyman Harvey Johnson—An act to amend Section 15 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 906: By Assemblyman Harvey Johnson—An act to amend Sections 13¼, 13½, and 13¾ of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 907: By Assemblyman Ryan—An act to amend Section 167.10 of the Estero Municipal Improvement District Act (Chapter 82 of the Statutes of 1960, First Extraordinary Session), relating to the Estero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 908: By Assemblyman Ryan—An act to amend Section 3041 of, and to add Section 3041.5 to, the Penal Code, relating to parole.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 909: By Assemblyman Ryan—An act to add Section 768 to the Education Code, relating to county superintendents of schools

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 910: By Assemblyman Wood—An act to add Section 5008.3 to the Public Resources Code, relating to the state park system.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 911: By Assemblyman Belotti—An act to add Section 4107.5 to the Welfare and Institutions Code, relating to Mendocino State Hospital

Held at Desk by order of the Acting Speaker

Assembly Bill No. 912: By Assemblyman Karabian—An act to add Article 1.5 (commencing with Section 2660) to Chapter 4 of Title 1 of Part 3 of the Penal Code, relating to special visitation rights for state prisoners.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 913: By Assemblyman Hayden—An act to amend Section 23330 of the Vehicle Code, relating to vehicular crossings.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 914: By Assemblyman Hayden—An act to add Section 23304 to the Vehicle Code, relating to toll bridges.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 915: By Assemblyman Hayden—An act to add Article 1.5 (commencing with Section 14411) to Chapter 3 of Division 6 of the Business and Professions Code, relating to trade names.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 916: By Assemblyman Hayden—An act to amend Section 1132 of the Education Code, relating to school elections.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 917: By Assemblyman Hayden—An act to amend Sections 23253 and 23333 of the Vehicle Code, relating to vehicular crossings.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 918: By Assemblyman Hayden—An act to amend Section 54.2 of the Civil Code, relating to guide dogs for the blind.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 919: By Assemblyman Hayden—An act to amend Sections 26304, 35550, 35551, 35553, 35600, and 35784 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 920: By Assemblyman MacDonald—An act to amend Sections 19101 and 19252 of, to add Section 19083 to, and to repeal Section 19254 of, the Government Code, relating to the state civil service.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 921: By Assemblyman MacDonald—An act to amend Section 19330.5 of the Government Code, relating to the state civil service.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 922: By Assemblyman MacDonald—An act to amend Sections 18730 and 18731 of the Government Code, relating to state civil service, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 923: By Assemblyman MacDonald—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, March 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 15
AB No. 71

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 174
AB No. 198
AB No. 265

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 25

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 148
AB No. 246
AB No. 301
AB No. 304

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 98
AB No 108

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 9, 1972

Mr Speaker · Your Committee on Rules reports:

AJR No. 12

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file

Assembly Chamber, March 13, 1972

Mr. Speaker Your Committee on Rules reports:

SB No. 228

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Water

Assembly Chamber, March 2, 1972

Mr. Speaker · The Chairman of your Committee on Water reports:

AB No. 316

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 316—An act to amend Section 12657 of, and to add Section 12666 to, the Water Code, relating to flood control.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 34 to 38, inclusive; and on page 3, strike out line 1.

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, March 13, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 367

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 367—An act to amend Section 4151 of the Government Code, relating to public works contracts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, in line 1, strike out "(1)".

Amendment No. 2

On page 2, line 2, strike out "and, (2)".

Amendment No. 3

On page 2, line 3, strike out "when", and insert "if".

Amendment No. 4

On page 2, line 3, after "have", insert "either: (1)".

Amendment No. 5

On page 2, line 9, after "area", insert ", or (2) resulted in a substantial loss to a contractor".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, March 10, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 177

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 177—An act to amend Section 320 of, and to add Section 761 5 to, the Public Utilities Code, relating to public utilities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly February 24, 1972, strike out "to amend Section 320 of, and".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 761.5 is added to the Public Utilities Code, to read:

761.5. The commission may require the undergrounding of public utility facilities in addition to those facilities specified in Section 320. For purposes of the undergrounding of electric and communication distribution facilities only, the commission shall utilize the definition of subdivision contained in Section 11535 of the Business and Professions Code."

Amendment No. 3

On page 1, strike out lines 2 and 3; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, March 13, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 221

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 221—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, and to

repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to unemployment benefits, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly March 1, 1972, strike out "or due to a reduction in"; and strike out lines 6 and 7; and in line 8, strike out "workload,".

Amendment No. 2

On page 4, line 33, after "fund", insert "not funded by any budget act or other state appropriation".

Amendment No. 3

On page 6, between lines 5 and 6, insert

"(c) Notwithstanding any other provision of this division, this chapter shall not apply to service excluded from "employment" by Section 634.5, unless an election has been made pursuant to Section 710.5 to include such service in "employment."

(d) This chapter shall be inoperative after July 31, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burton:

House Resolution No. 27

Relative to voting in committee

Resolved by the Assembly of the State of California, That Rule 58.5 of the Temporary Standing Rules of the Assembly for the 1972 Regular Session is amended to read:

Voting in Committee

58.5. When a standing committee takes action on a bill, including reconsideration, the vote shall be by rollcall vote only. All rollcall votes taken in a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The chairman of each standing committee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a weekly basis.

A member may submit a written explanation of his vote on any bill or resolution, and shall have such explanation printed in the appendix to the Journal in the appropriate place, provided no such explanation shall exceed 50 words in length.

"Bill" as used in this rule shall include constitutional amendments but shall not include resolutions, except those relating to voting procedures on the floor or in committee. The provisions of this rule shall also apply to action of a committee on a subcommittee report The provisions of this rule shall apply to the adoption of amendments

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill, *provided that the members whose votes are substituted are present at the time of the substitution*.

At the request of any member of the committee, the committee may hold the roll open on any Assembly bill until the adjournment of the committee meeting If a member is recorded as present for the quorum call of the committee, he may register his vote on an Assembly Bill in writing to the chairman on suitable forms prepared by the Chief Clerk of the Assembly. A member voting by written vote shall not be counted in determining the presence of a quorum. At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this rule shall not apply to.

(a) Adoption of author's amendments to a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) Return of bills to the house where the bills have not been voted on by the committee.

Request for Unanimous Consent

Mr Burton was granted unanimous consent to take up House Resolution No. 27 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

REQUEST FOR UANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 228 FROM COMMITTEE

Mr Burton was granted unanimous consent that Senate Bill No 228 be withdrawn from the Committee on Ways and Means, for purpose of consideration at this time, without reference to file.

Consideration of Senate Bill No. 228

Senate Bill No. 228—An act to repeal Sections 3566, 3566 3, 3567, 3568, 3569, 3570, 3571, and 3572 of, and to add Sections 3566, 3567, 3568, 3569, and 3570 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Burton.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, McAlister, McCarthy, Meade, Moorhead, Pierson, Porter, Powers, Priolo, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, McAlister, McCarthy, Meade, Moorhead, Pierson, Porter, Powers, Priolo, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 71, 265, 198, and **174,** ordered to third reading.

Assembly Bill No. 15, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 244—An act to amend Section 6775 of the Business and Professions Code, relating to professional engineering.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 274—An act to amend Section 4894 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 275—An act to amend Section 19310 of, and to add Section 19310.5 to, the Streets and Highways Code, relating to highway lighting districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 276—An act to amend Sections 5832.5, 5835 5, and 5855 of, and to add Section 5832 7 to, the Streets and Highways Code, relating to maintenance districts

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 334—An act to amend Sections 73914 and 73915 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3 of the printed bill, in line 16, strike out "the effective date of the amendments"; strike out line 17; and in line 18, strike out "the Legislature," and insert "March 4, 1972,".

Amendment No. 2

On page 4, line 25, after "typist-clerk", insert a comma.

Amendment No. 3

On page 5, line 6, after "SEC. 3.", insert "On or after March 4, 1972, no officer or employee provided for in this article shall be deemed to have a break in service or to have terminated his employment, for any purpose, nor to have incurred any change in his authority, status, or jurisdiction, or in his salary or other condition of employment, solely because of the failure to enact this legislation prior to March 4, 1972.

Every person who entered service under this article between March 4, 1972, and the effective date of this legislation shall be deemed an officer or employee, as the case may be, from the time he entered such service until that date, notwithstanding the failure to enact this legislation prior to his entry into service.

SEC 4."

Amendment No. 4

On page 5, lines 13 and 14, strike out "comparable to those paid superior court attachés".

Set No. 2

Amendment No. 1

On page 2 of the printed bill, strike out lines 17 to 34, inclusive, and insert

"

Clerk of the municipal court	73	$5.34	$427.20	$449.60	$470.40	$494.40	$520.00
Assistant clerk of the municipal court	60	3.90	312 00	326.40	344.00	360.00	377.60
Municipal court clerk	54	3.36	268.80	281.60	296.00	312.00	326.40
Intermediate account clerk	46	2.76	220.80	232.00	244.80	256.00	268.80
Intermediate clerk	44	2.64	211.20	220.80	232.00	244.80	256.00

Senior typist-clerk	50	3 06	244 80	256.00	268.80	281.60	296 00
Typist-clerk	40	2.38	190.40	200 00	211.20	220.80	232 00
Marshal	80	6.34	507.20	532.80	558.40	587.20	616.00
Chief deputy marshal	72	5.22	417.60	438.40	459.20	483 20	507 20
Deputy marshal	64	4.30	344.00	360.00	377.60	396.80	417.60".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 196—An act to add Chapter 4.5 (commencing with Section 4395) to Division 5 of Title 1 of the Government Code, relating to public works.

Bill read second time, and ordered to third reading.

Assembly Concurrent Resolution No. 16—Relative to an interim study of open-space lands.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, strike out "Assemblyman Mobley", and insert "Assemblymen Mobley and Dunlap".

Amendment No. 2

On page 2, between lines 6 and 7, insert

"WHEREAS, The Joint Committee on Open Space Lands conducted a study, during 1971, which resulted in the enactment of provisions contained in Chapter 1 of the Statutes of the 1971 First Extraordinary Session, which provides for financial reimbursement to units of local government, including school districts; and

WHEREAS, The Legislature is in need of up-to-date information regarding the financial impact of open-space programs upon local government on which to base legislative decisions; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Committee on Open Space Lands shall conduct, or supervise the conduct, of a study that will give current information regarding the financial impact of the implementation of the open-space programs of the state upon local governmental entities, particularly the effect of such programs on counties and school districts."

Amendment No. 3

On page 2, strike out lines 7 to 20, inclusive.

Resolution ordered reprinted, and on file.

Assembly Bill No. 801—An act to amend Section 23057 of the Education Code, relating to students at University of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 39—An act to amend Sections 100032, 100042, 100124, 100131, and 100161 of, to add Sections 100081, 100093, and 100113 to, and to repeal Sections 100081, 100093, 100113, 100148, 100150, 100169 2, 100169.4, and 100171 of, and to repeal Article 7 (commencing with Section 100180) and Article 8 (commencing with Section 100200) of Chapter 5 of, and to repeal Chapter 7 (commencing with Section 100400) of, Part 12 of Division 10 of, the Public Utilities Code, and to amend Section 7252 of, and to repeal Section 7272 5 of, the Revenue and Taxation Code, relating to the Santa Clara County Transit District, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, March 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 244
AB No 274
AB No. 275
AB No. 276

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, March 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 196
AB No. 801

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

RE-REFERENCE OF ASSEMBLY BILL NO. 801

Mr. Barnes was granted unanimous consent that Assembly Bill No. 801 be re-referred to the Committee on Ways and Means, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 801 for hearing in the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 338—An act relating to optometry, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 338?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Section 3058 to the Business and Professions Code,".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive; and in line 4, strike out "chapter, the board", and insert

"SECTION 1. Notwithstanding any other provision of law, the State Board of Optometry".

Amendment No. 3

On page 1, strike out line 9.

Amendment No. 4

On page 1, line 10, strike out "(d)", and insert "(c)".

Amendment No. 5

On page 2, line 1, strike out "(e)", and insert "(d)".

Amendment No. 6

On page 2, line 3, strike out "(f)", and insert "(e)".

Amendment No. 7

On page 2, line 5, strike out "(g)", and insert "(f)".

Amendment No. 8

On page 2, line 6, after "3152", insert "of the Business and Professions Code".

Amendment No. 9

On page 2, between lines 6 and 7, insert

"(g) Applies, to take the examination, within 30 days following the effective date of this act."

Amendment No. 10

On page 2, line 8, strike out "section", and insert "act".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 175—An act to amend Sections 32111, 32112, and 32114 of the Education Code, relating to continuous school programs.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 106—An act to amend Section 472 of, and to repeal and add Section 471.5 of, the Code of Civil Procedure, relating to pleading, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 12—Relating to the Advisory Committee on Salmon and Steelhead Trout.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fen-

ton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:35 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 924: By Assemblyman Beverly—An act to amend Section 27601 of the Education Code, relating to library districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 925: By Assemblyman Beverly—An act to amend Section 1330 of, and to add Section 1331.5 to, the Penal Code, relating to criminal procedure.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 926: By Assemblyman Pierson—An act to amend Sections 13010, 13469.1, and 13651.2 of the Education Code, relating to school employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 927: By Assemblyman Hayes—An act to amend Section 4507 of the Civil Code, relating to dissolution of marriage.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 928: By Assemblyman Hayes—An act to amend Section 8211 of the Government Code, relating to depositions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 929: By Assemblyman Warren—An act to amend Section 13447 of the Education Code, relating to public school employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 930: By Assemblyman Warren—An act to add Section 404 to the Code of Civil Procedure, relating to civil actions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 931—By Assemblyman Waxman—An act to add Section 1918 to the Civil Code, relating to prepayment of loans.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 932: By Assemblyman Waxman—An act to add Section 2924e to the Civil Code, relating to secured obligations.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 933: By Assemblyman Waxman—An act to add Section 2924e to the Civil Code, relating to late charges.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 934: By Assemblyman Waxman—An act to amend Section 6254.7 of the Government Code, relating to public records.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 935: By Assemblyman Waxman—An act to amend Sections 690.2 and 690 3 of the Code of Civil Procedure, relating to exemptions from attachment.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 936: By Assemblyman Waxman—An act to add Sections 202, 203, and 205 to, and to repeal Sections 202 and 203 of, the Probate Code, relating to probate.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 937: By Assemblyman Waxman—An act to amend Section 9841 of the Business and Professions Code, to add Chapter 2 (commencing with Section 1796) to Title 1 7 of Part 4 of Division 3 of the Civil Code, and to add Section 11705 5 to the Vehicle Code, relating to warranties.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 938: By Assemblyman Waxman—An act to amend Section 30200 of the Elections Code, relating to reapportionment

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 939: By Assemblyman Waxman—An act to amend the heading of Article 1 (commencing with Section 30100) of Chapter 2 of Division 16 of the Elections Code, relating to reapportionment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 940: By Assemblyman Waxman—An act to amend the heading of Chapter 1 (commencing with Section 30000) of Division 16 of the Elections Code, relating to reapportionment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 941: By Assemblymen Ray E Johnson, Mobley, and Chappie—An act to amend Section 39057 of the Health and Safety Code, relating to agricultural burning.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 942: By Assemblyman Ray E. Johnson—An act to amend Section 6107 of the Commercial Code, relating to bulk transfers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 943: By Assemblyman Arnett—An act to amend Sections 12070, 12071 and 12073 of the Penal Code, relating to firearms.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 944: By Assemblyman McCarthy—An act to add Chapter 3.6 (commencing with Section 1160) to Division 2 of the Labor Code, relating to agricultural labor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 945: By Assemblyman McCarthy—An act to amend Sections 17262, 27155, and 27156 of the Education Code, to amend Sections 423, 2131, 5563 and 5582 of the Revenue and Taxation Code, and to amend Section 5829 of the Streets and Highways Code, relating to property taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 946: By Assemblyman McCarthy—An act to add Section 1178.5 to the Labor Code, relating to labor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 947: By Assemblyman Leroy F. Greene—An act to amend Section 405 of the Revenue and Taxation Code, relating to assessed valuation for school purposes.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 948: By Assemblyman Leroy F. Greene—An act to add Section 54 to the Education Code, relating to public education.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 949: By Assemblyman Leroy F. Greene—An act to repeal Section 5255 of the Education Code, relating to early childhood education.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 950: By Assemblyman Z'berg—An act to add Article 2.5 (commencing with Section 1523) to Chapter 7 of Title 10 of Part 3 of the Code of Civil Procedure, relating to the Uniform Model Escheat of Postal Savings System Accounts Act, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 951: By Assemblyman Leroy F. Greene—An act to repeal Section 5257 of the Education Code, relating to kindergartens.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 952: By Assemblyman Leroy F Greene—An act relating to tests, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 953: By Assemblyman Leroy F. Greene—An act to amend Section 15011 of the Education Code, relating to school district property.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 954: By Assemblyman Leroy F. Greene—An act to amend Sections 17301 and 17303.5 of the Education Code, relating to financial support for the public schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 955: By Assemblyman Arnett—An act to add Section 768 to the Education Code, relating to county superintendents of schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 956: By Assemblyman Leroy F. Greene—An act to amend Sections 17301 and 17303 5 of the Education Code, relating to financial support for the public schools.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 957: By Assemblyman Ray E Johnson—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 958: By Assemblyman Foran—An act to amend Section 92.6 of the Streets and Highways Code, relating to state freeways.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 959: By Assemblyman Barnes—An act to amend Section 13837 of the Education Code, relating to State Teachers' Retirement System.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 960: By Assemblyman Barnes—An act to repeal Section 14120 of the Education Code, relating to the State Teachers' Retirement Fund.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 961: By Assemblyman Barnes—An act to amend Section 13961 of the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 962: By Assemblyman Barnes—An act to amend Section 14020 of the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 963: By Assemblyman Barnes—An act to amend Section 13852 of the Education Code, relating to the State Teachers' Retirement Law.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 964: By Assemblymen Moretti and Wilson—An act to add Title 8 (commencing with Section 15000) to Part 4 of the Penal Code, relating to criminal investments in business.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 965: By Assemblyman Monagan—An act to add Section 74807.5 to the Government Code, relating to the municipal court.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 966: By Assemblymen Dunlap, Knox, Z'berg, Quimby, and Mobley (Senator Behr, coauthor)—An act to amend Sections 65563 and 65910 of the Government Code, relating to open-space plans, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 967: By Assemblyman Foran—An act to amend Section 21350 of the Vehicle Code, relating to highways.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 968: By Assemblyman Foran—An act to amend Sections 13990, 13990 2, 13990 4, 13990.6, 13992, 13993, and 13994 of, and to add Section 13990.9 to, the Government Code, relating to transportation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 969: By Assemblyman Foran—An act to amend Sections 12007, 12082, 12101 and 12105 1 of the Health and Safety Code, relating to the control of explosives

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 970: By Assemblyman Foran—An act to amend Section 8016 of the Business and Professions Code, relating to shorthand reporters.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 971: By Assemblyman Foran—An act to amend Section 8018 of the Business and Professions Code, relating to shorthand reporters.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 972: By Assemblyman Foran—An act to amend Section 2018 of the Code of Civil Procedure, relating to depositions

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 973: By Assemblyman Sieroty—An act to add Section 17410 to the Welfare and Institutions Code, relating to county general assistance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 974: By Assemblyman Duffy—An act to amend Sections 25210 11, 25210 13, and 25210 14 of the Government Code, relating to county service areas

Held at Desk by order of the Acting Speaker

Assembly Bill No. 975: By Assemblyman Duffy—An act to add Sections 10554 3 and 10554.4 to the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 976: By Assemblyman Duffy—An act to add Section 2516 1 to the Business and Professions Code, relating to physicians' assistants.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 977: By Assemblyman McAlister—An act to amend Section 21953 of the Vehicle Code, relating to pedestrians.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 978: By Assemblyman McAlister—An act to amend Section 11580.2 of the Insurance Code, relating to uninsured motorists insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 979: By Assemblyman McAlister—An act to amend Sections 581a and 583 of the Code of Civil Procedure, relating to dismissal of actions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 980: By Assemblyman McAlister—An act to amend Section 13468.1 of the Education Code, relating to teachers' sick leave.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 981: By Assemblyman McAlister—An act to amend Section 13590 1 of the Education Code, relating to school classified employees, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 982: By Assemblyman Fenton—An act to amend Sections 7150, 7153, 7153 2, 7153.3, 7171, and 7187 of, to add Sections 7153.7 and 7153.8 to, and to repeal Section 7153 4 of, the Financial Code, relating to savings and loan associations.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 983: By Assemblyman Brathwaite—An act to add Section 11052 5 to the Education Code, relating to high school attendance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 984: By Assemblyman Brathwaite—An act to amend Section 17045 of, and to add Section 17046 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 985: By Assemblyman Brathwaite—An act to add Chapter 3 (commencing with Section 16130) to Part 1 of Division 4 of Title 2 of, and to add Section 29114 to, the Government Code, and to add Section 405 1 to the Revenue and Taxation Code, relating to subventions to cities to partially compensate for revenues lost by reason of the exemption for state property from property taxation, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 986: By Assemblyman Brathwaite—An act to add Chapter 4 (commencing with Section 16160) to Part 1 of Division 4 of Title 2 of the Government Code, relating to subventions to local government, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 987: By Assemblyman Brathwaite—An act to add Section 690.8 to the Code of Civil Procedure, relating to execution and attachments.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 988: By Assemblyman Brathwaite—An act to add Sections 12426, 29111, 29112, and 29113 to the Government Code, to add Part 6.5 (commencing with Section 36000) to Division 24 of the Health and Safety Code, and to add Sections 471.5 and 2636 to the Revenue and Taxation Code, relating to providing housing for elderly persons, making an appropriation therefor, providing for the issuance and sale of bonds of the State of California, and providing for the submission of the measure to the people at a special election to be consolidated with the 1972 general election.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 989: By Assemblyman Brathwaite—An act to add Section 774 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 990: By Assemblyman Brathwaite—An act to add Section 53 5 to the Civil Code, relating to sexual equality.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 991: By Assemblyman Moorhead—An act to repeal Section 18.5 of Chapter 548 of the Statutes of 1968, relating to underwritten title companies

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 992: By Assemblyman Moorhead—An act to add Section 1656.1 to the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 993: By Assemblyman Dunlap—An act to add Section 19818 to the Health and Safety Code, relating to inflammable materials

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 994: By Assemblyman Gonsalves—An act to amend Section 6404 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 995: By Assemblyman Gonsalves—An act relating to the public schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 996: By Assemblyman Gonsalves—An act to amend Section 62731 of the Agricultural Code, relating to milk pooling.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 997: By Assemblyman Gonsalves—An act to amend Sections 19505 and 19531 of the Revenue and Taxation Code, relating to senior citizens property tax assistance

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 998: By Assemblyman Leroy F. Greene (Senator Short, coauthor)—An act to repeal Section 13747 of the Education Code, relating to school employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 999: By Assemblyman Chacon—An act to add Section 10140.7 to the Business and Professions Code, relating to real estate licenses.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1000: By Assemblymen Moretti, Gonsalves, Chappie, Mobley, Bee, Campbell, Chacon, Deddeh, Ray E. Johnson, McCarthy, Pierson, Quimby, and Wood—An act to amend Sections 17910 of, and to repeal Section 20814.5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1.5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), and Chapter 4 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend Sections 16120, 29100.5, 29100.7, and 65570 of, the Government Code, and to amend Sections 218, 219, 2611.5, 6051, 6052.5, 6201, 7102, 17041, 23151, 23184, 23186, 23333, and 23501 of, to repeal Section 6376 of, to add Sections 17053.5 and 17053.6 to, and to add Part 3.7 (commencing with Section 9501) to Division 2 of, the Revenue and Taxation Code, and to repeal Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, relating to the imposition of state taxes to provide subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1001: By Assemblyman Chacon—An act to amend Section 17262 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1002: By Assemblymen Sieroty and Dunlap—An act to amend Section 12241 of the Revenue and Taxation Code, relating to insurance companies.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1003: By Assemblyman Brathwaite—An act to add Sections 3406 and 3408 to the Penal Code, and Section 521 to the Welfare and Institutions Code, relating to female prisoners.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1004: By Assemblyman Brathwaite—An act to add Sections 3405 and 4027 to the Penal Code, and to add Section 519 to the Welfare and Institutions Code, relating to abortions.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 49: By Assemblyman Knox—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Acting Speaker

Assembly Constitutional Amendment No. 50: By Assemblyman Cory—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 29 to Article IV thereof, relating to retirement benefits of law enforcement and firefighting personnel

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 51: By Assemblyman Cory—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article I, Sections 2 and 6 of Article IV, and Section 11 of Article IX thereof, relating to state government

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 52: By Assemblymen Sieroty and Dunlap—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding paragraph (4) to subdivision (e) of Section 14¼ of Article XIII thereof, relating to taxation of insurance companies.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 47: By Assemblyman Seeley—Relative to rural railroad crossings.

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 338, and on Assembly Bill No. 175, and on all items on the Consent Calendar.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Davis:

House Resolution No. 28

Relative to Box Canyon Reservoir (Lake Siskiyou) area

Resolved by the Assembly of the State of California, That the Department of Parks and Recreation is requested to conduct a study to ascertain the feasibility of including the Box Canyon Reservoir (Lake Siskiyou) area in the state park system, and to report its findings thereon on or before the fifth calendar day of the 1973 Regular Session of the Legislature, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Parks and Recreation.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Hayden:

House Resolution No. 29

Relative to the preservation of rare or historical documents

WHEREAS, Many rare or historical documents are currently on file with local governments; and

WHEREAS, The burden of storing such documents frequently necessitates the destruction of the original documents; and

WHEREAS, The preservation of such rare and historical documents is of great value to the citizens of California; and

WHEREAS, The State Department of Education maintains the State Library and the Secretary of State is charged with the superintendence of the State Archives, and it is, thus, appropriate that a study of the preservation of documents be conducted by them; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Education and the Secretary of State are requested to conduct a joint study of all feasible means for assuring the preservation of rare or historical documents on file with local governments, and to report the results of such study, together with recommendations, to the Assembly on or before the _____ day of the _____ Regular Session of the Legislature, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the State Director of Education and the Secretary of State.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 13, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 44

With amendments with the recommendation: Amend, and do pass, as amended.

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Assembly Chamber, March 13, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 210

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, March 13, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 213

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 213—An act to amend Section 6505 of the Labor Code, relating to industrial safety.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 9, of the printed bill, after "hearing ", insert "Complaints of serious hazards and conditions posing imminent danger to life and safety of employees will take priority over other complaints placed earlier in time, but otherwise the time limitations herein are applicable."

Set No. 2

Amendment No. 1

On page 2 of the printed bill, after line 15, insert

"It is a misdemeanor for any employer to discharge, threaten discharge, demote, or suspend an employee when such employee has made

a bona fide complaint to the division of unsafe working conditions, or work practices, in his employment, or place of employment. Further, such employee shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by such acts of the employer."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 13, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 151

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 151—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, after "Code", insert "that are not used for commercial purposes".

Amendment No. 2

On page 3, strike out lines 4 to 11, inclusive, and insert

"8352.6. Subject to the provisions of Sections 8352 and 8352 1, there shall be transferred from money deposited to the credit of the Motor Vehicle Fuel Account to the Off-Highway Vehicle Fund created by Section 38225 of the Vehicle Code as follows.

(a) At the end of the third quarter of the 1972–1973 fiscal year the sum of one hundred thousand dollars ($100,000).

(b) During the fourth quarter of the 1972–1973 fiscal year the amount of the estimate contained in the report to be prepared pursuant to this section that is in excess in any amount previously transferred pursuant to subdivision (a) during the 1972–1973 fiscal year If the amount transferred pursuant to subdivision (a) exceeds the amount of the estimate contained in such report, the excess shall be deducted from the amount computed pursuant to subdivision (c).

(c) During the 1973–1974 fiscal year and each fiscal year thereafter, an amount equal to the estimate contained in the most recent report prepared pursuant to this section.

Such amounts represent the portion of receipts in the Motor Vehicle Fuel Account attributable to taxes imposed upon distributions of motor vehicle fuel used in off-highway operation of vehicles subject to identification under Division 16 5 (commencing with Section 38000) of the Vehicle Code for which a refund has not been claimed. It shall also include the motor vehicle fuel revenues attributable to propelling motor vehicles in off-highway use when such vehicles are subject to on-highway registration and license fees Payments made pursuant to this section shall be made prior to payments pursuant to Section 8352 2

On or before May 3, 1973, and on or before September 30, 1973, and every two years thereafter, the Department of Public Works, in cooperation with the Department of Parks and Recreation, shall prepare, or cause to be prepared, a report setting forth the current estimate of the amount of money credited to the Motor Vehicle Fuel Account attributable to taxes imposed on distributions of motor vehicle fuel used or useable in the off-highway operation of vehicles subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code for which a refund has not been claimed, and shall submit a copy of such report to the Legislature."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time

Assembly Bill No. 1005: By Assemblyman LaCoste—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable waters.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1006: By Assemblyman Fong—An act to amend Section 2600 of the Penal Code, relating to prisoners.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1007: By Assemblyman Fong—An act to amend Section 1085 of the Education Code, relating to driver training.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1008: By Assemblyman Fong—An act to amend Section 11501 of the Agricultural Code, relating to pesticides

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1009: By Assemblyman Fong—An act to add Chapter 3.5 (commencing with Section 55550) to Part 2 of Division 2 of Title 5 of the Government Code, relating to districts and public utilities

Held at Desk by order of the Acting Speaker

Assembly Bill No. 1010: By Assemblyman Fong—An act to amend Section 13456 of the Education Code, relating to leaves of absence.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1011: By Assemblyman Fong—An act to add Article 5 (commencing with Section 330) to Chapter 2 of Division 2 of, and to amend Section 11301 of, the Education Code, relating to the public schools, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Minority Floor Leader Presiding

At 12:28 p.m., Hon. Bob Monagan, 12th District, presiding.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Assembly Bill No. 734

March 10, 1972

Mr. James Driscoll, Chief Clerk
California State Assembly
Room 3194, State Capitol, Sacramento, California

Dear Mr Driscoll: I would like to go on record as supporting Assemblyman Bagley's AB 734 which was voted for on the Floor Wednesday, March 8. Although I was in session on that day, I had to return to a prior district obligation before the vote was taken.

Sincerely,

JOHN F. DUNLAP

ADJOURNMENT

At 12.30 p m, Acting Speaker Monagan declared the Assembly adjourned until 11 a.m, Tuesday, March 14, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-second Legislative Day

Seventy-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, March 14, 1972

The Assembly met at 11 a.m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr Cullen seconded the motion
Motion carried. Time, 11 .02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11:10 a m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We are aware that we face the challenges of life in freedom. It is awesome and overwhelming how greatly You respect us. You offer Yourself to us in love but You do not force Yourself upon us.

Life with all its challenges is open before us. We are free to love and free to refuse to love; free to give and free to seek only for ourselves. Breathe Your Spirit upon us, Father, so that we may never run from love in fear or ever ignore You or lose You in life's confusing possibilities.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Crown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Monagan.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Harvey Johnson, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere.

Mr. Cline, on request of Speaker pro Tempore Bee.
Mr. Dent, on request of Speaker pro Tempore Bee.
Mr. Duffy, on request of Speaker pro Tempore Bee.
Mr. Murphy, on request of Speaker pro Tempore Bee.
Mr. Pierson, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 14, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker. Please excuse me from today's session due to legislative business in the district.

I will be meeting with the Northridge businessmen on legislation relating to my ACA 30 regarding property tax reform and with teach-

ers concerning revisions to the Winton Act and employability of people with prior cancer history.

Sincerely,

ROBERT C CLINE, Assemblyman
Sixty-fourth District

March 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker· I respectfully request that I be excused from session on Tuesday, March 14, 1972, on legislative business I shall be in San Francisco speaking at a section meeting of the Commonwealth Club of California on Proposition 2, the State School Bond issue which will be on the June Primary ballot.

Yours truly,

JAMES W DENT, Assemblyman
Tenth District

March 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob· I respectfully request that I be excused from Session on March 14, 1972, on legislative business I will be speaking to the Kings County Consolidated Milk Producers that day

Thank you for your consideration in this matter.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

March 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker I respectfully request to be excused from session Tuesday, March 14, 1972 on legislative business.

I will be meeting with members of the Inglewood City Council to discuss proposed legislation concerning Redevelopment Agency and Housing Authority members.

Sincerely,

DAVID C PIERSON, Assemblyman
Sixty-fifth District

NOTE For letter explaining the absence of Mr Murphy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 13, 1972, page 783.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Allan J. Petersdorf, Superintendent, Monterey Peninsula Unified School District, Monterey, enclosing resolution relative to the Watson Amendment. Referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
877	Criminal Justice
878	Government Administration
879	Health
880	Transportation
881	Local Government
882	Water
883	Government Administration
884	Education
885	Retirement
886	Transportation
887	Elections and Reapportionment
888	Revenue and Taxation
889	Planning and Land Use
890	Environmental Quality
891	Agriculture
892	Revenue and Taxation
893	Water
894	Governmental Organization
895	Retirement
896	Commerce and Public Utilities
897	Commerce and Public Utilities
898	Commerce and Public Utilities
899	Retirement
900	Health
901	Natural Resources and Conservation
902	Commerce and Public Utilities
903	Commerce and Public Utilities
904	Commerce and Public Utilities
905	Water
906	Water
907	Water
908	Criminal Justice
909	Education
910	Criminal Justice
911	Government Administration
912	Criminal Justice
913	Transportation
914	Criminal Justice
915	Judiciary

Assembly Bill No.	*Committee*
916	Education
917	Transportation
918	Government Administration
919	Transportation
920	Employment and Public Employees
921	Employment and Public Employees
922	Employment and Public Employees
923	Government Administration
924	Elections and Reapportionment
925	Criminal Justice
926	Finance and Insurance
927	Judiciary
928	Judiciary
929	Education
930	Judiciary
931	Finance and Insurance
932	Finance and Insurance
933	Finance and Insurance
934	Judiciary
935	Judiciary
936	Judiciary
937	Governmental Organization
938	Elections and Reapportionment
939	Elections and Reapportionment
940	Elections and Reapportionment
941	Environmental Quality
942	Revenue and Taxation
943	Criminal Justice
944	Labor Relations
945	Revenue and Taxation
946	Labor Relations
947	Government Administration
948	Government Administration
949	Education
950	Judiciary
951	Education
953	Education
954	Education
955	Education
956	Education
957	Revenue and Taxation
958	Transportation
959	Retirement
960	Retirement
961	Retirement
962	Retirement
963	Retirement
964	Criminal Justice
965	Local Government

Assembly Bill No.	*Committee*
966	Planning and Land Use
967	Transportation
968	Transportation
969	Criminal Justice
970	Judiciary
971	Judiciary
972	Judiciary
973	Welfare
974	Local Government
975	Welfare
976	Health
977	Transportation
978	Finance and Insurance
979	Judiciary
980	Education
981	Education
982	Finance and Insurance
983	Education
984	Revenue and Taxation
985	Revenue and Taxation
986	Revenue and Taxation
987	Judiciary
988	Revenue and Taxation
989	Commerce and Public Utilities
990	Government Administration
991	Finance and Insurance
992	Finance and Insurance
993	Government Administration
994	Revenue and Taxation
995	Education
996	Government Administration
997	Revenue and Taxation
998	Education
999	Commerce and Public Utilities
1000	Revenue and Taxation
1001	Government Administration
1002	Revenue and Taxation
1003	Criminal Justice
1004	Criminal Justice
1005	Water
1006	Criminal Justice
1007	Education
1008	Environmental Quality
1009	Commerce and Public Utilities
1010	Education
1011	Education

Assembly Constitutional Amendment No.	*Committee*
49	Elections and Reapportionment
50	Retirement
51	Constitutional Amendments
52	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
47	Transportation

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 14, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 771—An act to amend Section 139.5 of the Labor Code, relating to rehabilitation of injured workmen, and declaring the urgency thereof, to take effect immediately.

JACK R. FENTON

Above request ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1012: By Assemblyman Ralph—An act to amend Section 2626 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1013: By Assemblyman Ralph—An act to amend Sections 926, 984, and 1085 of, to repeal Section 927 of, and to add Sections 927, 976.2, 986.5, 987.5, and 1088.5 to, the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1014: By Assemblyman Ralph—An act to amend Sections 634.5 and 638, and to repeal Sections 629 and 639, of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1015: By Assemblyman Ralph—An act to amend Sections 634.5, 976, 976.5, 2602, and 2606, and to repeal Sections 625,

626, 627, 628, 676, and 976.7, of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1016: By Assemblyman Ralph—An act to amend Sections 634.5, 702, 705, 707, 1453, 1464, 1471, 1472 and 1473, and to repeal Sections 633, 709, 984.5, 1457, 1467, 1476 and 2606.3 of, the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1017: By Assemblyman Ralph—An act to amend Section 401 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1018: By Assemblyman Ralph—An act to add Section 1420.4 to the Labor Code, relating to fair employment practices.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1019: By Assemblyman Ralph—An act to repeal Article 3 (commencing with Section 2630) of Chapter 4 of Part 9 of Division 2 of, and to add Article 3 (commencing with Section 2630) to Chapter 4 of Part 9 of Division 2 of, the Labor Code, relating to employee housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1020: By Assemblyman Cullen—An act to add Section 23619 of the Education Code, relating to state college trustees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1021: By Assemblyman Warren—An act making an appropriation to the Judges' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 14, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 1021—An act making an appropriation to the Judges' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

CHARLES WARREN

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Warren for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 1021 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Warren:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 1021 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Warren moved a call of the Assembly.

Motion carried. Time, 11:22 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waxman was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 1022: By Assemblyman Harvey Johnson—An act to add Section 53070 to the Government Code, relating to subpoenas.

Held at Desk by order of the Speaker pro Tempore.

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced the following special guests, who are visting with the Travel Program for Foreign Diplomats:

Washington Embassies

H. E. Francois-Xavier Tchoungiu of Cameroon, Ambassador; H. E. Mothusi T. Mashologu of Lesotho, Ambassador; Ho Eul Whang of Korea, Minister-Deputy Chief of Mission; Dr. Alvaro Rizo-Castellon of Nicaragua, Minister; Orlando Gabela of Ecuador, Minister; Rogelio Navas of Costa Rica, Minister-Counselor and Consul General; James B. Freeman of Liberia, Counselor-Charge d' Affairs; André Valadas of France, Counselor; André Rahir of Belgium, Counselor; David J. O. Caffin of New Zealand, First Secretary; Carlos G. Louge of Argentina, First Secretary; Bishweshwar Prasad Rimal of Nepal, First Secretary; Jan Orlander of Sweden, First Secretary; Klaus Otto Kapel of Denmark, First Secretary; and Manuel A. Cardenas of Chile, Third Secretary.

United Nations Missions

H. E. Guero Grozev of Bulgaria, Ambassador; H. E. Julio de Zavala of Bolivia, Ambassador; Lance Joseph of Australia, Counselor; Fred B. Savage of Sierra Leone, Counselor; Roberto Arita Quiñonez of Honduras, Counselor; John M. Fakudze of Swaziland, First Secretary; Emilio Artacho of Spain, First Secretary; Bjørnar Utheim of Norway, First Secretary; Syed Nazir Hussain of India, First Secretary; Agostino Mathis of Italy, First Secretary; Mohab M. Mokbel of Egypt, Second Secretary; Nir Bahadur Joshi of Nepal, Second Secretary; Thomas Dunbar Bucknall of South Africa, Second Secretary; Zbigniew Dabrowski of Poland, Second Secretary, and Solmez Dincer of Turkey, Second Secretary.

World Bank

Erik Törnqvist, Executive Director for Denmark, Finland, Iceland, Norway, and Sweden; Masanari Sumi, Executive Director for Japan, IBRD-International Finance; Viktor C. Wolf, Alternate Executive Director for Austria, Belgium, and Turkey; Wolfgang Artopoeus, Alternate Executive Director for Germany; and Michael A. Cranswick, Alternate Executive Director for Australia, New Zealand, and South Africa, accompanied by Ellen Stoutenberg, Mary Lenore Blair, and Linda Bell.

The Members of the Assembly joined in welcoming the above guests on their visit to the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that photographers be permitted on the floor of the Assembly.

COMMUNICATIONS

Assembly Chamber, March 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 334

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 12
ACR No. 16

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 221

And reports the same correctly re-engrossed.

JAMES D, DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 300

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, March 13, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 702

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 13, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 361

AB No. 587.

With the recommendation: Do pass.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 111

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 29

~~AB No. 184~~

With the recommendation: Do pass.

GONSALVES, Chairman

Above bills ordered to second reading.

NOTE: On March 16, 1972, the action was rescinded whereby the above report of the Committee on Revenue and Taxation relative to Assembly Bill No. 184 was received and read in the Assembly, and whereby the bill was ordered to second reading. See page 1209.

Committee on Natural Resources and Conservation

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 392

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 108

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with the recommendation it be referred to Consent Calendar.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 318
AB No. 346
AB No. 201

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

Z'BERG, Chairman

Above bills ordered to second reading.

Committee on Health

Assembly Chamber, March 13, 1972

Mr. Speaker: Your Committee on Health reports:

AJR No. 16

With the recommendation: Be adopted, and be re-referred to the Committee on Rules.

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Commerce and Public Utilities

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 239

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 9, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 136
AB No. 242

With amendments with the recommendation: Amend, and do pass, as amended.

POWERS, Chairman

Above bills ordered to second reading.

Committee on Local Government

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 170

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Fenton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 771 be granted.

BURTON, Chairman

Committee on Health

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 217

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 217—An act to add Section 4062 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly February 28, 1972, strike out lines 3 to 8, inclusive, and insert

"4062. (a) Notwithstanding the provisions of Section 651 3, the current price of each of the 100 drugs most frequently dispensed upon prescription at a pharmacy during the preceding fiscal year shall be posted by the pharmacist on the premises of the pharmacy in such a place as to be clearly visible, legible, and accessible to its customers.

(b) A pharmacist, upon request, shall give the current price for any drug sold at the pharmacy, including those posted pursuant to subdivision (a)."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 189

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 189—An act to amend Section 3251 of the Civil Code, relating to payment bonds for public works.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "1960", and insert "1970".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 89

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 89—An act to amend Sections 11391, 11655.5, 11655 6, and 11655 9 of the Health and Safety Code, to amend Sections 11655.7 and 11655.8 of the Health and Safety Code, as added by Chapter 1422 of the 1970 Statutes, to amend and renumber Sections 11655.7 and 11655.8 of the Health and Safety Code, as added by Chapter 1405 of the 1970 Statutes, and to amend, repeal, and add Section 5617 of the Welfare and Institutions Code, relating to dangerous drugs, including narcotics.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "11391,".

Amendment No. 2

In line 4 of the title, after "Statutes," insert "to amend, repeal, and add Section 11391 of the Health and Safety Code,".

Amendment No. 3

On page 1, strike out lines 1 to 3, inclusive; strike out page 2; and on page 3, strike out line 1, and insert

"SECTION 1. Section 11391 of the Health and Safety Code, as amended by Section 1 of Chapter 1797 of the Statutes of 1971, is amended to read:

11391. No person shall treat an addict for addiction except in one of the following:

(a) An institution approved by the Board of Medical Examiners, and where the patient is at all times kept under restraint and control.

(b) A city or county jail.

(c) A state prison.

(d) A facility designated by a county and approved by the State Department of Mental Hygiene pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.

(e) A state hospital.

(f) A county hospital.

Methadone in the continuing treatment of narcotic addiction shall be used only in those programs approved by the Research Advisory ~~Panel~~ *Commission* pursuant to Section 11655.7 on either an inpatient or outpatient basis, or both.

This section does not apply during emergency treatment, or where the patient's addiction is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age

Neither this section nor any other provision of this division shall be construed to prohibit the maintenance of a place in which persons seeking to recover from narcotic addiction reside and endeavor to aid one another and receive aid from others in recovering from such addiction, nor does this section or such division prohibit such aid, provided that no person is treated for addiction in such place by means of administering, furnishing, or prescribing of narcotics. The preceding sentence is declaratory of preexisting law. Every such place shall register with and be approved by the Board of Medical Examiners. The board may inspect such places at reasonable times and, if it concludes that the conditions necessary for approval no longer exist, it may withdraw approval. Every person admitted to such a place shall register with the police department of the city in which it is located or, if it is outside of the city limits, with the sheriff's office The place shall maintain its own register of all residents It shall require all its residents to register with said police department or sheriff's office and, upon termination of the residence of any person in said place, it shall report the name of the person terminating residence to said police department or sheriff's office

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC. 2. Section 11391 is added to the Health and Safety Code, to read:

11391. No person shall treat an addict for addiction except in one of the following:

(a) An institution approved by the Board of Medical Examiners, and where the patient is at all times kept under restraint and control.

(b) A city or county jail.

(c) A state prison.

(d) A facility designated by a county and approved by the State Department of Health pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.

(e) A state hospital.

(f) A county hospital.

Methadone in the continuing treatment of narcotic addiction shall be used only in those programs approved by the Research Advisory Commission pursuant to Section 11655.7 on either an inpatient or outpatient basis, or both.

This section does not apply during emergency treatment, or where the patient's addiction is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age.

Neither this section nor any other provision of this division shall be construed to prohibit the maintenance of a place in which persons seeking to recover from narcotic addiction reside and endeavor to aid one another and receive aid from others in recovering from such addiction, nor does this section or such division prohibit such aid, provided that no person is treated for addiction in such place by means of administering, furnishing, or prescribing of narcotics The preceding sentence is declaratory of preexisting law Every such place shall register with and be approved by the Board of Medical Examiners. The board may inspect such places at reasonable times and, if it concludes that the conditions necessary for approval no longer exist, it may withdraw approval. Every person admitted to such a place shall register with the police department of the city in which it is located or, if it is outside of the city limits, with the sheriff's office The place shall maintain its own register of all residents. It shall require all its residents to register with said police department or sheriff's office and, upon termination of the residence of any person in said place, it shall report the name of the person terminating residence to said police department or sheriff's office

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative "

Amendment No. 4

On page 3, line 2, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 4, line 13, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 6

On page 4, strike out lines 34 to 40, inclusive, and on page 5, strike out lines 1 to 6, inclusive, and insert

"SEC. 5. Section 11655 7 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970 and amended by Chapter 1797 of the 1971 Statutes, is amended to read:

11655.7 In addition to the duties authorized by other provisions, the ~~panel~~ *commission* shall be responsible for approving methadone maintenance programs established by the county mental health pro-

gram pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code or established by any state hospital.

No such programs shall be established without the prior approval of the ~~panel~~ *commission*. The ~~panel~~ *commission* may approve such programs on an inpatient or outpatient basis, or both."

Amendment No. 7

On page 5, line 7, strike out "SEC 5", and insert "SEC. 6".

Amendment No. 8

On page 5, line 37, strike out "SEC. 6", and insert "SEC. 7".

Amendment No. 9

On page 6, line 8, strike out "SEC 7", and insert "SEC. 8".

Amendment No. 10

On page 6, line 15, strike out "SEC. 8", and insert "SEC. 9".

Amendment No. 11

On page 6, line 22, strike out "SEC. 9", and insert "SEC. 10".

Amendment No. 12

On page 6, line 36, strike out "SEC. 10", and insert "SEC. 11".

Amendment No. 13

On page 7, between lines 8 and 9, insert

"SEC. 12. It is the intent of the Legislature, that if Reorganization Plan No. 1 of 1970 becomes operative, Section 11391 of the Health and Safety Code, as amended by Section 1 of this act shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Section 11391 of the Health and Safety Code, as added by Section 2 of this act, which includes the changes in Section 11391 made by both Reorganization Plan No. 1 of 1970 and Section 1 of this act, shall become operative."

Amendment No. 14

On page 7, line 9, strike out "SEC. 11", and insert "SEC 13".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent ordered printed in the Journal:

ECONOMIC REPORT OF THE GOVERNOR—1972

RONALD REAGAN, *Governor of California*

Transmitted to the California Legislature
March 2, 1972
Sacramento, California

CONTENTS

	Page
Economic Message	837
Economic Report	839
Review and Outlook	843
The California Economy to 1980	872
Statistical Appendix	887

ECONOMIC MESSAGE

by

Governor Ronald Reagan

In accordance with the provisions of the Government Code relating to state economic policy, I am pleased to submit to you my 1972 Economic Report.

The California economy registered mixed trends during 1971. Statistics relating to the year as a whole, however, tell only part of the story—that our state was affected by the national recession and suffered cutbacks in activity in some areas However, I am pleased to note that by yearend the economy was poised for a strong expansion.

Personal income in the state reached a new high of $93,400,000,000, a gain of 5 2 percent from the year earlier. Disposable income of all Californians rose by 6 5 percent, reflecting a decline in personal federal tax liability

Prices of goods and services as measured by the Consumer Price Index again increased less rapidly in the state than in the nation. The 3.7-percent rise in California was significantly below the 4.3-percent increase for the United States.

By contrast, the impact of aerospace and defense reductions continued to adversely affect employment Total civilian employment during the year declined by approximately 31,000 to 8,004,400, with the unemployment rate averaging 7 percent for all of 1971. The total civilian labor force increased by 49,000 to 8,603,400, an unusually small gain of 0.6 percent.

By the end of the year it was evident that California would experience strong economic growth in 1972 In December, for instance, employment was up 1 7 percent from the year earlier level. The unemployment rate was down sharply to approximately the same rate as for the nation as a whole. There was a resumption of growth in trade and services—two areas of relatively slow gain during the past year. There were also indications that manufacturing activity is on the verge of renewed expansion. There were other significant signs of strength. The number of business failures was down while the number of new incorporations continued to rise. The state experienced strong gains in retail trade Steel and lumber production—to highlight just two important production sectors in California—were running substantially above earlier levels

The construction industry has been a major contributor to the state's economy during the past year Homebuilding activity rose substantially, with 257,000 homes authorized for construction. In addition, there were 30,000 mobilehomes sold in the state In total, we added 287,000 new residential units to the state's housing inventory. This is a significant achievement and was due in part to the availability of mortgage funds and continuing declines in interest rates, particularly during the last months of the year.

Nonresidential construction was affected early in 1971 by the recession. When it became evident that an upturn was occurring in sales and confidence, however, authorizations for nonresidential buildings soared

and for the last six months of the year were at one of the highest levels on record.

There are strong indications that the aerospace decline which has affected California for the last several years is now at an end. This readjustment to lower levels of federal spending on high technology projects has been painful It has had the effect of holding down growth in other areas of manufacturing related to aerospace industries. I am hopeful that fiscal policy during coming months will be designed to stimulate a moderate expansion in aerospace so that the tens of thousands of highly qualified technicians, scientists, engineers and production workers who have contributed so much to California in the past can continue to make a major contribution to the state's future.

We are looking beyond the short run in our planning for the state, however. This Economic Report includes a projection of the economy out to 1980. By then we expect to have more than 23,400,000 persons in California. Employment will rise to 9,800,000. To meet the housing demands of this increased population, we will require an average 240,000 housing units per year during the latter part of this decade Personal income will rise to $182,000,000,000 By 1980 California will have a population that is better housed, better fed, with a standard of living substantially higher than we now enjoy.

This will require continuation of essential public programs to insure that California does not find itself afflicted with the type of problem areas that developed in some other states in the country Rapid transit is a project of continuing interest to my administration This year the Bay Area Rapid Transit System is scheduled to begin operations, greatly improving the transportation available to 2,350,000 in the three-county region of the San Francisco Bay area In southern California plans are now progressing for exclusive busways and a mass transit system which will assist travel in Los Angeles.

We are also concerned with air pollution, and are expanding activities of the Air Resources Board, which is responsible for monitoring pollutants in the air and determining programs to reduce this problem. We intend not only to prevent the spread of air pollution but to reduce pollution levels significantly throughout the state.

We are continuing to investigate the feasibility of establishing large capacity desalter plants on the California coast. A feasibility report on a prototype plant in the Diablo Canyon is now underway and will be completed early next year If funds are appropriated, operation could be started by 1978. If this project proves successful, additional plants may be constructed to provide California with an alternative source of water.

California has come through the national economic decline of the past year-and-a-half with a firm economic foundation which will support rapid and substantial growth in the future—growth benefiting all Californians. With an awareness of the needs of the people of this state, we will be able to insure that California remains the nation's leading state.

Respectfully presented,

RONALD REAGAN, *Governor*

March 2, 1972

LETTER OF TRANSMITTAL

Honorable Ronald Reagan
Governor of California
State Capitol
Sacramento, California

Dear Governor Reagan:

Transmitted herewith is the material for your annual Economic Report to the Legislature

The Department of Finance has prepared the Review and Outlook from information submitted by various state agencies, as well as material developed by the Department We appreciate the assistance received from each agency

The special section this year presents projections on the California economy out to 1980 This analysis points up the rapid growth which will occur in the State during the present decade, the potential for strong income expansion, and problems which may be developing in the housing construction industry. It is hoped that these projections will be of use in long-term planning for the future of the State.

Respectfully,

VERNE ORR
Director of Finance

February 28, 1972

CONTENTS

	Page
Review and Outlook	843
California	845
Income and Prices	846
Personal Income	846
Outlook	847
Corporate Profits	847
Outlook	847
Consumer Prices	848
Outlook	848
Labor Force and Employment	849
Manufacturing	849
Trade	850
Services	850
Government	850
Transportation and Utilities	850
Finance, Insurance, and Real Estate	851
Construction	851
Agriculture, Forestry, and Fisheries	851
Employment of Women	851
Unemployment	851
Vocational Education	853
Earnings, Hours, and Purchasing Power	854
Collective Bargaining	854
Outlook	856
Resource Industries	857
Agriculture	857
Outlook	857
Forestry	858
Mining and Geology	858
Fishing and Hunting	859
Public Programs	859
Water Resources	859
Highways, Streets, and Roads	861
Rapid Transit	862
Environmental Control	863
Construction	865
Outlook	866
Aerospace	867
Outlook	868
Trade and Finance	869
Finance	869
Outlook	869
Trade	870
Outlook	870
Tourism	871

CONTENTS—Continued

	Page
The California Economy to 1980	872
Population	873
Employment	874
Agriculture	876
Mining	876
Construction	877
Manufacturing	877
Communication and Utilities	877
Transportation	878
Trade	878
Finance, Insurance, Real Estate	878
Services	878
Government	879
Other Employment	879
Residential Building	880
Personal Income	883

LIST OF TABLES

Review and Outlook

1.	Selected Economic Data, United States, 1971 and 1972	845
2.	California Personal Income, 1971 and 1972	847
3	Taxable Corporate Income in California, 1971 and 1972	848
4	California Consumer Price Indices, 1971	848
5.	Employment and Unemployment in California	849
6.	Unemployment Rates, California and Standard Metropolitan Statistical Areas· 1970 and 1971	852
7	Unemployment in California, 1969–71	853
8	Characteristics of the Insured Unemployed, 1969–71	853
9	California Employment and Unemployment, 1972	856
10.	Summary of the State Water Project	860
11.	Value of Nonresidential Construction, California, 1970 and 1971	866
12.	Aerospace Employment by Area, 1970 and 1971	868
13.	DOD and NASA Prime Contract Awards in California, 1970 and 1971	868
14.	Taxable Sales for Selected Counties January–September, 1970 and 1971	870

The California Economy to 1980

15	California Labor Force, 1950–1980	875
16.	Employment and Unemployment in California, 1970–1980	876
17.	Components of Housing Demand and Supply, 1971–1980	882
18	Calculation of Wages and Salaries by Industry, 1980	884
19.	California Personal Income by Source, 1970–1980	885
20.	Indicated Productivity in California, 1971–1980	885
21.	California Personal Income Per Capita, 1971–1980	886

REVIEW AND OUTLOOK

The United States' economy in 1971 was characterized by moderate recovery from the 1970 recession. Gross national product amounted to $1,047 billion, a gain of 7.5 percent from the previous year's level The GNP deflator, reflecting inflationary pressures, was up 4 6 percent. Real GNP, representing the expansion of actual production of goods and services, increased by 2 7 percent.

Monetary expansion early in the year was rapid and designed to move the economy quickly out of the recessionary phase Fiscal policy, with large increases for various social programs, resulted in a Federal deficit of $38 8 billion for the year. Despite these developments, many areas of weakness were evident Employment growth amounted to only 0 6 percent, while the unemployment rate averaged 5 9 percent for the year. Increases in trade, services, finance, insurance, real estate and government were offset in large part by declines in manufacturing, construction, mining, and the transportation-utility group

Mixed trends were evident in other sectors as well Consumer expenditures for durable goods, for instance, were up more than 13 percent, due largely to the strong level of auto sales The surge in autos, however, reflected in part makeup buying following the fourth quarter 1970 GM strike, uncertainty over car prices after the 90-day Phase I freeze, and the possibility that prices on foreign imports would rise substantially with imposition of the 10 percent surcharge and currency revaluations Sales of home furnishings were also higher for the year, but not to the extent anticipated from levels of home-building Sales of nondurable goods were up relatively little and on a real per capita basis were approximately unchanged from the prior year's level The real growth in services was also below long-run trends.

Residential investment increased strongly during the year, providing essential support for the recovery Approximately two million housing units were started in 1971, up about 43 percent from 1,434,000 the prior year In contrast, business uncertainty and continuing excess capacity, particularly in manufacturing industries, held the gain in nonresidential investment to less than 6 percent.

Rising productivity was a factor in the recovery of corporate profits, which managed to regain much of the ground lost during 1970 Personal and disposable income were up strongly for the year The personal savings rate increased slightly to 8 1 percent, however, indicating that the consumer was not prepared to step up his spending sufficiently to stimulate a rapid recovery In part, this may have been due to the relatively soft employment situation, and in part to the desire to maintain liquidity

The East and West Coast dock strikes held down net exports to approximately $700 million for the year This was a substantial decline from $3 6 billion in 1970 Government spending was up 6 2 percent, due almost entirely to gains in the state and local component. Federal defense purchases declined more than 5 percent, while nondefense purchases rose nearly 20 percent.

The President's 90-day freeze on wages and prices and the subsequent introduction of Phase II had a significant effect on economic activity in the second half of the year By placing a temporary moratorium on wage increases, the freeze held down gains in wages and salaries which might otherwise have been attained. The price freeze appeared to be only moderately effective in restraining price increases as measured by month-to-month changes in the consumer price index. Between April and August, the four months prior to the freeze, the index increased at an annual rate above 6 percent. Between August and December, the index rose by only 3 3 percent All of this stability, it should be noted, was due to declining food prices; other components of the index continued to rise at recent rates.

The outlook for 1972 is based on two primary assumptions (1) Phase II of the President's new economic policy will hold average wage gains to 6 percent and price increases to 3.5 percent. Controls will become less effective during the second half of 1972 and will be eliminated during the first half of 1973. (2) The federal reserve will design monetary policy with the intent of accommodating economic expansion, and will therefore permit a 7 to 9 percent growth in the money supply.

Gross national product is expected to rise 8 9 percent from the 1971 total. With the GNP deflator up 3 7 percent for the year, real GNP will increase by 4.9 percent. The 8 7 percent gain in consumer expenditures will be due primarily to a strong increase in the service component, reflecting resumption of the historic per capita growth in this series. Durable goods will be up by 8 6 percent This increase is considerably less than occurred last year, however, since autos will not show as strong a gain in 1972 as they did in 1971

Recovery of business confidence and the gradual increase in manufacturing activity will lead to a 7.9 percent rise in spending on producers' durable equipment and a 7 percent gain for investment in nonresidential structures. Homebuilding will continue upward, but at a more moderate pace than in 1971 It is estimated that the rate of housing starts will ease slightly to average 1,935,000 for 1972 as a whole. This will occur as overbuilding becomes evident in some areas of the country With a continuing uptrend in investment per unit, however, spending for residential structures will increase more than 13 percent.

The government sector will also contribute to the recovery Federal expenditures are expected to rise by 4 9 percent. This will be attributable to an 11 percent rise in federal nondefense spending, and a 2 8 percent gain in spending for national defense. The latter will be the first increase in this component since 1969

A strong improvement is anticipated for corporate profits Profits before taxes are expected to amount to $96 7 billion, a gain of 15 4 percent.

The improved employment situation and strong wage gains negotiated during 1971 in various industries will contribute to an 8 7 percent increase in wages and salaries this year Above-average increases in other labor income (fringe benefits) and transfer payments will also boost total income Higher contributions for social security will offset these to some extent, however In total, personal income will amount to $926.5 billion. The savings rate is expected to ease mod-

erately to 7 6 percent, reflecting continuing uncertainty on the part of the individual regarding prospects for the coming year.

Improvement in the employment situation is already evident from seasonally-adjusted monthly data. A 2 2 percent employment gain has been projected. Unemployment will decline by 5 percent and the unemployment rate will ease to 5.5 percent of the labor force, down from 5.9 percent in 1971.

The forecasts reviewed in Table 1 below differ slightly from those shown in the Governor's Budget for 1972–73. New data on the national income accounts were released after the budget was prepared, substantially changing the 1971 totals on which the earlier forecasts were based As relative changes still appear valid, however, these have been maintained insofar as possible, and new dollar values calculated.

TABLE 1

SELECTED ECONOMIC DATA, UNITED STATES, 1971 AND 1972

(Amounts in billions)

	1971	*1972*	*Percent change*
Gross national product	$1,046 8	$1,140 5	8 9
Personal consumption expenditures	662 2	719 8	8 7
Durables	100.4	109 0	8 6
Nondurables	278 8	300 8	7 9
Services	283 0	310 0	9 5
Gross private domestic investment	150 8	167 4	11 0
Nonresidential	108 2	116 4	7.6
Structures	38.1	40 8	7 0
Producers' durables	70 1	75 6	7 9
Residential	40 6	46 0	13 4
Change in inventories	2 1	5 0	--
Net exports	0 7	1 6	--
Government purchases of goods and services	233.1	251 7	8 0
Federal	97 6	102 5	5 0
National defense	71 4	73 4	2,8
Other	26 2	29 1	11 2
State and local	135.4	149 2	10.2
Personal income	857 0	926 5	8.1
Savings rate (percent)	8.1	7.6	--

CALIFORNIA

Total resident population in California amounted to 20,265,000 as of July 1, 1971. This represented a gain of 256,000, or 1 3 percent, from the 1970 level With 299,000 military personnel stationed in the State, civilian population totaled 19,966,000 Natural increase accounted for 195,000 of the 263,000 gain in the civilian population over the year, with net migration adding 26,000 In addition, it is estimated that 42,000 persons previously in the military joined civilian ranks in the State.

The slow rate of migration to the State has had an impact on Southern California in particular. Last year, for the first time, Los Angeles County lost population, declining by 9,600, or 0 1 percent The growth of neighboring Orange and Ventura Counties remained strong, however. The eight counties south of the Tehachapis (Santa Barbara,

Ventura, Los Angeles, San Bernardino, Riverside, Orange, San Diego and Imperial) accounted for 58 4 percent of the total resident population of the State as of July 1, 1971 The San Francisco Bay Area (San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, Marin, Napa, and Solano) had a population of 4,478,500, equal to 22.1 percent of the State.

There are indications that migration to California is rising gradually. Drivers' licenses exchanged in California and other states when a person changes residence from one state to another is such an indicator While historical data are not available on this series, it does appear that substantially more licenses are being issued in California to previous residents of other states than are being turned in elsewhere by former California residents. As a result, migration has been estimated at 40,000 for the twelve months from mid-1971 to mid-1972. Data on births, in contrast, suggest that a decline has occurred in recent months; natural increase is forecast at 180,000 for the current year. In addition, it is anticipated that 20,000 persons will switch from military to civilian status. It is therefore estimated that civilian population in the State will amount to 20,206,000 on July 1, 1972, a gain of 1 2 percent from the 1971 level. With 300,000 military stationed in the State, total resident population will amount to 20,506,000.

INCOME AND PRICES

Personal Income California personal income amounted to $93,427 million in 1971, up 5 2 percent from the year earlier. With prices up 3 7 percent and population rising 1 2 percent over the year, however, real income per capita was up only 0 2 percent.

Wages and salaries were sharply affected by the recession On a quarter-to-quarter basis, income from this source was down in the first quarter 1971, expanded broadly in most categories in the second quarter, eased again in the third quarter and was up moderately in the fourth For the year, as a whole, wages amounted to $62 2 billion, up 3 5 percent The softness was particularly evident in the manufacturing sector, but income growth was also held back in industries which were affected by labor disputes

Other labor income registered a small gain compared to the historical experience for this category, due to the slower than expected growth in wages and salaries. Preliminary data on proprietor's income suggest a relatively strong increase in farm proprietors' income despite a sharp gain in production costs Cash farm marketings, up 8 percent from the previous year, were largely responsible for this improvement Nonfarm proprietors' income, in contrast, increased by less than 1 percent.

The 4.3 percent rise in property income was due primarily to a strong gain in interest payments to individuals Rents rose moderately from the prior year's level and dividend payments were up in line with the national increase. Transfer payments posted a substantial gain of nearly 20 percent, due in large part to increased social security benefits

It is estimated that personal income taxes paid by Californians declined by 4.2 percent last year. Disposable income therefore increased

by 6.5 percent Adjusted for price increases, disposable income on a per capita basis was up 1.5 percent.

Outlook—Personal income is forecast at $100 9 billion for 1972, a gain of 8 percent. Wages and salaries are expected to rise sharply from the 1971 level reaching $67 3 billion, up 8.1 percent Other labor income, reflecting the continuing increase in the proportion of fringe benefits to wage payments, will rise by nearly 12 percent. Proprietors' income will again reflect mixed trends. Farm income is expected to be approximately unchanged as government payments remain low and farm prices decline as the result of heavy crop production last year Nonfarm proprietors' income, on the other hand, is forecast up 3 5 percent to $6 2 billion as proprietors share in the general business recovery. The gain in property income will again be due primarily to higher interest payments. Gains in rents and dividends will be more moderate, reflecting decisions of the National Price Commission to restrain increases in these areas. The large increase expected in transfer payments will again be due in large part to higher social security benefits expected to be voted by Congress during the year Another sharp rise is projected for the level of contributions for social insurance, the result of the increase in the taxable wage base from $7,800 to $9,000 as of January 1, 1972

Personal taxes will rise by 11 5 percent to $11.6 billion this year, with higher withholding of Federal taxes and imposition of withholding for state personal income taxes Disposable income is therefore expected to amount to $89 2 billion, a gain of 7.5 percent.

TABLE 2

CALIFORNIA PERSONAL INCOME, 1971 AND 1972

(In billions)

	1971	*1972*	*Percent change 1971–72*
Total personal income	$93 4	$100 9	8.0
Wages and salaries	62 2	67 3	8 1
Other labor income	3 4	3 8	11 7
Proprietors' income	7 0	7 2	2 8
Farm	1 0	1 0	n.c
Nonfarm	6 0	6 2	3 5
Property income	12 7	13 4	5 2
Transfer payments	11 9	13 6	14 6
Less Contributions for social insurance	3 8	4.3	14 4

Source Department of Finance, Budget Division.

The ratio of personal income in California to income in the United States is therefore projected at 10 9 percent this year, the same as for 1971.

Corporate Profits On the basis of a sample of corporations in California, it is now estimated that taxable corporate income in the State grew 7 6 percent last year to $7,234 million. Manufacturing was the largest gainer with a rise of $332 million Gains were reported in every major group except services, which posted more than a 6 percent decline

Outlook—Corporate profits are projected at $8 billion this year, a gain of 10 6 percent The largest increases are anticipated in manufac-

turing and trade, with the only decline expected in the construction industry.

TABLE 3

TAXABLE CORPORATE INCOME IN CALIFORNIA, 1971 AND 1972

(In millions)

Industry	1971	1972	Percent change
Agriculture	$76	$80	5 3
Mining and oil production	288	310	7.6
Construction	238	230	—3 4
Manufacturing	2,580	2,987	15 8
Trade	1,563	1,680	7 5
Services	397	427	7 6
Financials subject to bank tax	656	736	12 2
Real estate and other financials	518	550	6 2
Utilities	918	1,000	8.9
Total	$7,234	$8,000	10 6

Source Department of Finance, Budget Division

Consumer Prices The consumer price indices for San Francisco, Los Angeles and San Diego for the latter months of 1971 reflected the national price freeze with relatively moderate gains Despite this, the weighted average index for California increased by 3.7 percent last year to 119 1 (1967 = 100), a gain below the 4.3 percent increase recorded for the entire Nation Increases were most rapid in the State for transportation and medical care. Slower growth in food and apparel prices helped hold down the advance in the overall index.

TABLE 4

CALIFORNIA CONSUMER PRICE INDICES, 1971

(1967 = 100)

	San Francisco		Los Angeles		San Diego		California [b]	
	Index	Percent change [a]	Index	Percent change [a]	Index	Percent change [a]	Index	Percent change [a]
January	--	--	116 7	—1 0	--	--	--	--
February	--	--	116 2	—5 1	118 2	1 7	--	--
March	119.1	2 0	116 9	7 2	--	--	117 7	1 0
April	--	--	116 7	—2 1	--	--	--	--
May	--	--	118 1	14 4	119 5	4 4	--	--
June	119.9	2.7	118 7	6 1	--	--	119 2	5.1
July	--	--	119.1	4.0	--	--	--	--
August	--	--	119 5	4 0	120 7	4 0	--	--
September	120.9	3.3	120 0	5 0	--	--	120 4	4 0
October	--	--	120 3	3 0	--	--	--	--
November	--	--	120 1	—2 0	120.9	0 7	--	--
December	121 8	8 0	120 1	n e	--	--	120 8	1 3
Year	120 2	3 8	118 5	3 7	n a.	--	119 1 [p]	3 7

[a] Quarter-to-quarter percent change on an annual rate basis
[b] California index calculated by Department of Industrial Relations
[p] Preliminary
n a Not available
Source U S Bureau of Labor Statistics

Outlook—As noted earlier, it is anticipated that increases in the consumer price index will remain moderate while price changes are subject to review by the Price Commission It is improbable, however, that price increases will be held to the 2 5 percent national goal. The CPI for California has therefore been projected at 123.3, a gain of 3.5 percent.

LABOR FORCE AND EMPLOYMENT

The civilian labor force last year registered its smallest gain since data on this series have been available The 1971 increase amounted to 48,200, or 0 6 percent, bringing the average for the year to 8,603,400. This relatively slow growth may be attributed to the national recession and to softness in various industries in the State, including aerospace, which has been responsible in the past for attracting highly specialized workers into the California labor force The moderate expansion was also responsible, however, for the fact that the unemployment rate—at 7 percent for all of 1971—did not rise as high during the year as had been anticipated earlier.

Civilian employment declined to 8,004,400, a drop of 31,200, or 0.4 percent, although year-over-year gains were recorded from September on Trade, finance-insurance-real estate, services, and local government increased but at rates considerably slower than have occurred historically These increases were more than offset by declines in agriculture, mining, construction, manufacturing, and the transportation-communication-utility group.

TABLE 5

EMPLOYMENT AND UNEMPLOYMENT IN CALIFORNIA

(Amounts in thousands)

	1970	1971	Change Number	Change Percent
Civilian labor force	8,554 6	8,603 4	48 8	0 6
Unemployment	519 0	599 0	80 0	15 4
Unemployment rate	6 1	7 0	0 9	14 8
Total civilian employment	8,035.6	8,004 4	—31 2	—0 4
Nonagriculture wage and salary workers	6,947 7	6,914 9	—32 8	—0 5
Mineral extraction	31.4	30 2	—1 2	—3.8
Construction	303 0	296.6	—6 4	—2 1
Manufacturing	1,558 0	1,470 5	—87.5	—5 6
Nondurable goods	514 4	505 9	—8 5	—1.7
Durable goods	1,043 6	964 6	—79 0	—7.6
Aerospace	496 6	440 3	—56 3	—11 3
Transportation and utilities	459 1	452 5	—6 6	—1 4
Trade	1,530 8	1,553 1	22 3	1 5
Finance-insurance-real estate	374 5	384 6	10 1	2 7
Services	1,266 2	1,271 9	5 7	0 5
Government	1,424 7	1,455 5	30 8	2 2
Other nonagricultural employment	798 6	801 7	3 1	0 4
Agriculture	289 3	287.8	—1.5	—0.5

Source California Department of Human Resources Development

Civilian employment is no longer reported by industry. Data by industry in Table 2 and the sections which follow relate to wage and salary workers only An estimate of proprietor's and other self-employed workers was previously included in each industry group These are now shown as "other nonagricultural employment" Since the trend in this series is relatively constant, it has not been reviewed individually

Manufacturing—Manufacturing wage and salary employment averaged 1,470,500 in 1971, down 87,500 (5 6%) from the year before. Declines occurred in many industries, as recession-related production

cutbacks continued Durable goods industries were most affected, with employment falling 79,000. Nondurable industries experienced a relatively mild cutback of 8,500. On a seasonally adjusted basis, manufacturing employment was on a plateau during most of the year, with some firming evident in the fourth quarter.

Aerospace again accounted for a large part of the drop in durable goods employment, falling from an average 496,600 in 1970 to 440,300 in 1971.

Developments in nonaerospace industries reflected not only the national recession, but also the aerospace situation, as California firms do a substantial amount of work on subcontract from aerospace companies. The tapering in the volume of subcontract work available was in part responsible for the declines registered during the year in nonelectrical machinery, which recorded an employment drop of 13,400 (9 5%), and fabricated metals, off by 7,600

Trade—Employment in trade increased by 22,300 last year, reaching 1,553,100. This reflected the smallest gain (+1.5%) since the 1960–61 recession. With general economic recovery, trade employment started to rise. In January the total for this sector was only 12,700 above the year-before level. By December, however, substantial improvement was evident in the 49,400 year-to-year increase registered.

Employment in wholesale activities experienced some minor declines during the year although the 1971 average was up slightly Retail trade, in contrast, was up throughout the latest business cycle, with gains particularly in general merchandise, building material, and food stores, and eating and drinking places.

Services—Service employment amounted to 1,271,900 last year, up 5,700 (0.5%) from the 1970 level This was the smallest gain on record for this sector, which in the past has reflected recessions with only a slight slowing in an otherwise rapid growth rate Various explanations have been offered for this unusual development, including the decline in real income per capita during the downturn, the increasing cost of services, and the hypothesis that expenditures for services may have a high degree of income elasticity and can readily be postponed when economic conditions are adverse Only the medical service component posted a substantial rise Declines were particularly sharp in the miscellaneous business services category, an area of rapid and sustained growth in the past.

Government—Government employment averaged 1,455,500 in 1971, up 30,800 (2.2%) The expansion was attributable entirely to gains in the local sector; the number of federal civilian jobs dropped 8,400 while state employment was down fractionally for the year. The federal decline was due to the fact that the 1970 total was increased by the addition of approximately 20,000 census workers during April and May. The growth in local government was moderate compared to historical experience.

Transportation and Utilities—The transportation and utility industry reflected mixed trends during 1971 Employment overall was down 6,600 to an average 452,500. Utility employment increased by 1,300 while the transportation component, affected by labor disputes, fell

7,900. The third quarter dock strike idled an estimated 9,500 longshoremen The July rail walkout, however, although it affected approximately 28,000 workers, is not reflected in employment data since it occurred between survey weeks The number of jobs in air transportation and local transit were also reduced over the year.

Finance, Insurance, and Real Estate—Growth in finance, insurance, and real estate employment slowed sharply to 10,100 last year, with the total rising to 384,600. The gain in the finance component was largely attributable to increased banking activity, employment of security and commodity brokers fell over the year The strong market for housing was reflected in real estate employment, which was up nearly 6 percent

Construction—Construction employment declined by 6,400 last year to 296,600 From January through August, employment averaged sharply below year before levels. During the latter months of 1971, it edged ahead and closed out the year with a 10,000 gain over December 1970

The early 1971 softness reflected the substantial drop in nonresidential construction activity for the first half of the year—only partly offset by rising levels of homebuilding An upturn in commercial and industrial projects after mid-year led to the second-half improvement.

Agriculture, Forestry, and Fisheries—Agricultural employment amounted to 287,800 last year, down 1,500 from the 1970 level The decline continued the long-term trend in the industry

Employment of Women—The number of women wage and salary workers employed last year in nonagricultural firms decreased by 500 to 2,655,400 As the decline between 1970 and 1971 in the number of men working was considerably greater, however, at 32,400, the proportion of women employed rose to 38 4 percent from 37 9 percent in 1970 Employment of women increased in trade (0 5 percent), finance, insurance and real estate (2 5 percent); services (0 1 percent); and government (3 2 percent) activities Women comprise 26 0 percent of manufacturing employment, but they accounted for 31.2 percent of the total employment decline in this industry over the year.

Unemployment—Unemployment averaged 599,000 in California last year, equal to 7.0 percent of the labor force This was an increase of 80,000 from 1970, when the unemployment rate was 6 1 percent The relatively slow growth of the labor force, noted earlier, was a major factor in holding the unemployment rate to 7 percent for the year The rise in unemployment that started at the beginning of 1970 was halted during 1971 After climbing to a peak of 7 4 percent in April and May, the seasonally adjusted unemployment rate started to decline, reaching a low of 6 1 percent in December, approximately the same as the rate for the Nation as a whole

Unemployment also rose in most of the metropolitan areas in the State during the past year About 91 percent of the total unemployed in California were located in the 17 metropolitan areas of the State In terms of unemployment rates (shown in Table 3) the sharpest increases were recorded in the larger areas with major concentrations

of aerospace manufacturing As in the State, however, substantial improvement in the unemployment situation was evident during the final quarter of the year in most areas.

TABLE 6

UNEMPLOYMENT RATES, CALIFORNIA AND STANDARD METROPOLITAN STATISTICAL AREAS: 1970 AND 1971

(Unemployment as a percent of civilian labor force)

	1970	1971 [P]
California	6 1	7 0
Los Angeles-Long Beach	5 9	7 1
San Francisco-Oakland	5 1	5 9
Anaheim-Santa Ana-Garden Grove	6 0	7.2
San Diego	5 6	6 2
San Jose	5 7	6 3
Riverside-San Bernardino-Ontario	5.9	6 9
Sacramento	5 8	5.8
Fresno	6.5	6 9
Bakersfield	6 0	6 3
Oxnard-Simi Valley-Ventura	6 5	7 2
Stockton	8 3	8 4
Santa Barbara-Santa Maria-Lompoc	5 2	5 9
Salinas-Seaside-Monterey	6 7	6 6
Vallejo-Fairfield-Napa	5 4	5 7
Modesto	10 6	11.1
Santa Rosa	8 1	8 4
Santa Cruz	9 7	10 3

[P] Preliminary
Source California Department of Human Resources Development

The impact of California's high level of unemployment is reflected in the number of areas in the State classified by the U S Department of Labor as areas of "substantial" or "persistent" unemployment. An area is classified as having "substantial unemployment" when unemployment there is equal to 6 percent or more of the labor force, discounting seasonal or temporary factors, and it is anticipated that the rate of unemployment during the next two months will remain at 6 percent or more. An area is classified as an area of "persistent unemployment" when unemployment during the most recent calendar year has averaged 6 percent or more of the work force and has been at least (1) 50 percent above the national average for three of the four preceding calendar years, (2) 75 percent above the national average for two of the three preceding calendar years, or (3) 100 percent above the national average for one of the two preceding calendar years In December 1971, 19 counties were in labor market areas classified as areas of "substantial unemployment" while 29 counties were located in areas of "persistent unemployment" In December 1970, only 9 counties were in areas of "substantial unemployment" and 28 were in areas of "persistent unemployment"

Approximately 72 percent of the total unemployed was covered by unemployment insurance. Those not protected included new entrants into the labor force, the self-employed, and persons who previously worked in activities not covered by unemployment insurance—primarily state and local government, farm, and domestic jobs Unemployment among individuals covered by state and Federal law increased by 62,700, accounting for 78 percent of the gain in total unemployment.

TABLE 7

UNEMPLOYMENT IN CALIFORNIA, 1969–71

	1969	1970	1971 [p]
Total	371,900	518,800	598,900
Protected by unemployment insurance	252,800	367,400	430,100
Insured by state law	183,100	282,900	309,300
Covered by Federal law	6,300	9,400	9,500
Regular benefit rights exhausted	32,300	52,600	96,100
Did not claim benefits	31,100	22,500	15,200
Not protected by unemployment insurance	119,100	151,400	168,800
New entrants	75,000	88,800	96,100
Farm employment only	13,400	19,500	23,500
Domestic employment only	5,700	8,400	10,100
Nonprofit employment only	4,600	4,700	4,700
Self-employment only	5,600	8,200	9,700
State and local government employment only	14,800	21,800	24,700

[p] Preliminary
Source California Department of Human Resources Development

The rise in total insured unemployment was centered in the services and trade industries, with smaller increases recorded among transportation-utilities and finance-insurance-real estate workers. Over-the-year declines were recorded among manufacturing, construction, and mining workers. Within manufacturing, the larger drops occurred in electrical equipment, lumbering, transportation equipment, and apparel.

The duration of unemployment also increased last year, with 23.9 percent of the insured unemployed out of work for 15 weeks or more. During 1970 only 19.6 percent of the insured unemployed were jobless this long.

TABLE 8

CHARACTERISTICS OF THE INSURED UNEMPLOYED, 1969–71

(Percent)

Characteristics	Annual average 1969	1970	1971
Total	100.0	100.0	100.0
Industry distribution			
Contract construction	14.9	14.6	13.2
Manufacturing	39.1	41.2	37.6
Food and kindred products	11.1	8.0	7.2
Wholesale and retail trade	17.7	15.6	17.7
Services	17.8	17.6	20.2
All other industry divisions	10.5	11.0	11.3
Occupational distribution			
Professional and managerial	10.5	13.3	13.9
Clerical and sales	18.9	19.7	20.7
Services	10.8	8.8	10.5
Farming, forestry, fisheries and related occupations	0.9	0.7	0.7
Processing	9.9	7.3	6.2
Machine trades	6.2	7.7	8.0
Benchwork	9.4	9.5	8.3
Structural work	18.5	19.1	17.8
Miscellaneous	14.9	13.9	13.9

Source California Department of Human Resources Development

Vocational Education Vocational training activities were expanded sharply last year in the effort to reduce unemployment in the State by improving the job skills of the labor force. The 1970–71 recession emphasized the fact that few employment opportunities exist for individuals without a salable skill.

The number of persons receiving vocational training in high schools, adult schools, and community colleges increased 22 percent to 1,220,000 during the 1970–71 school year. The total included 83,700 students enrolled in work-experience programs, a rise of almost 70 percent from the previous year This training in an actual work environment is designed to provide realistic experience and to introduce students to prospective employers. Employment and job retention continued high among students trained under this program.

Spending on vocational education during the year amounted to $251 million. Of this amount, $148 8 million came from local funds, $73 3 million from state funds, and $28 9 million from Federal funds under the Vocational Education Act of 1968 Approximately $8 of state and local funds were spent for every $1 of Federal funds received.

New programs were developed specifically for drop-out youths, the handicapped, the disadvantaged, and persons living in economically-depressed areas with a high rate of unemployment Programs in consumer and homemaking education were also expanded, as was retraining for adults whose skills have become obsolete.

Earnings, Hours, and Purchasing Power Hourly earnings of production workers in manufacturing averaged $4 02 in 1971, an increase of 22 cents from the 1970 level This is the largest year-to-year increase in hourly wages recorded since 1939 when data were first kept Earnings averages in all industry divisions rose over the year with several groups registering gains of 30 cents or more. Among those with record increases were food and kindred products, paper and allied products (31 cents), printing and publishing (30 cents), and stone, clay and glass products (34 cents). One of the largest gains was in the motor vehicle and equipment group, which was up 43 cents.

Average weekly hours declined by 0 1 to 39 5 hours, which made it the shortest average work week since 1949. Overall, non-durable goods industries had a slightly longer work week in 1971 than in 1970 while durable goods industries registered shorter hours There were no major changes in the average hours worked in any industry

Average weekly earnings were up by $8 31 (5 5%) to $158 79 for 1971, as gains were registered in all industry divisions

Average weekly earnings rose by 5 7 percent over the year in the Los Angeles-Long Beach SMSA Average "real" net spendable earnings (adjusted for price and tax changes and expressed in 1967 dollars) were $110 51 (+2 3%) for a worker with three dependents and $100 18 (+2.9%) for a worker with no dependents In the San Francisco-Oakland area average weekly earnings were up by 4.0 percent "Real" net spendable earnings for workers with three dependents rose 3 2 percent to $125 73, and for workers with no dependents moved up 4 percent to $114.03.

Collective Bargaining An estimated 550,000 California workers received wage increases as the result of 268 major collective bargaining settlements concluded in 1971 Preliminary data for 112 settlements affecting 362,000 workers indicate that the median first-year increase was approximately 51 cents per hour, 10 5

cents higher than in 1970. For about one-fourth of the 362,000 workers, first-year increases in hourly rates fell below 37 cents and for another one-fourth they exceeded 59 cents. These data relate to wage agreements only and do not include fringe benefits which were negotiated. The average wage gain in major settlements ran between 8 and 12 percent. There were relatively few contracts above and below this range

In addition to providing wage increases, many major contract settlements also improved various fringe benefits, including prepaid dental and prescription-drug plans, liberalized vacation and holiday provisions, and increased employer payments to help welfare and pension funds

The wage freeze, commencing August 15, had little effect in moderating wage increases negotiated last year Most major settlements—including those in petroleum, steel, can manufacturing, telecommunications, and the northern California construction industry—were completed by that date It is interesting to note, however, that the Construction Industry Stabilization Committee, established by an Executive Order, did appear to have a restraining influence on increases negotiated by some building trade unions.

According to preliminary figures, strikes beginning in 1971 directly involved an estimated 338,000 California workers and resulted in the loss of 4.5 million to 5 million man-days. This man-day loss total was the highest since 1946 and was due primarily to two prolonged work stoppages in the construction industry which together accounted for more than 2 million man-days The railroad, telephone, and long-shore strikes also contributed more than a million man-days to the near-record idleness total

No good data are available on the economic loss from each of these major strikes Rough calculations suggest, however, that direct losses were approximately $200 million The construction industry walkout resulted in a loss of 2 million man-days and more than $100 million in wages The longshoremen's strike reduced wages by $33 million on the wharves and in manufacturing plants dependent on imported material for processing This estimate does not include the loss to shipowners who had vessels tied up in California ports during the walkout At one time it was estimated that there were eighty ships affected with a daily loss of $5,000 to $10,000 per ship As a significant part of this income would accrue to non-California residents, however, there has been no attempt to incorporate the owners' loss in the economic impact data. Similarly, the $23 million loss from the rail strike is attributable to wages in railroads, canning plants, and for agricultural workers whose jobs were eliminated as a result of the walkout. Various estimates place the loss to farm owners at $2–$3 million per day Firm data are not available to substantiate the latter estimate, however, and it has been omitted from the total The telephone strike involved a direct wage loss of approximately $7 million Finally, the teamsters' walkout of two weeks against the Northern California construction industry resulted in losses of more than $25 million Not included in these data is the secondary impact on industries such as trade and services, which are dependent on sales to workers in the strike-affected industries In addition, loss data do not take into consideration the possibility that heavy overtime work following settlement of each strike made up part

of the income lost earlier. The $200 million figure is therefore a rough measure of the direct impact of the labor unrest occurring during 1971.

Outlook The forecast for employment and unemployment for 1972 assumes that moderate economic recovery will occur during the year. As noted earlier, it is now apparent that the decline in employment resulting from the recession bottomed out during the first quarter 1971 and that gains in many industries have occurred since that time The civilian labor force has been forecast at 8,710,000, an increase of 107,000 (1.2%). Employment is expected to be up strongly (176,000) to 8,180,000 as the economic recovery gains strength Aiding the recovery will be the fact that, apart from the longshoremen and aerospace workers, relatively few Californians will be affected by major contract wage negotiations this year. The expansion will be broadly based. Particularly significant will be the increases in non-aerospace manufacturing, services, trade, and the transportation-utility group A few areas of softness will remain, however. Aerospace employment may decline moderately early in the year, with subsequent leveling and gradual expansion For the entire year this industry is expected to average 435,000 jobs.

TABLE 9

CALIFORNIA EMPLOYMENT AND UNEMPLOYMENT, 1972

		Change from 1971	
	Thousands	*Number*	*Percent*
Civilian labor force	8,710	107	1 2
Unemployment	530	-69	-11 5
Unemployment rate	6 1	-	-
Employment	8,180	176	2.2
Nonagricultural wage and salary workers	7,090	175	2 5
Mining	30	-	-
Construction	300	3	1 1
Manufacturing	1,500	30	2 0
Aerospace	435	-5	-1 2
Other	1,065	35	3 4
Transportation-utilities	465	12	2 8
Trade	1,590	37	2 4
Finance-Insurance-Real Estate	400	15	4 0
Services	1,315	43	3 4
Government	1,490	34	2 4
Federal civilian	319	1	0 3
State and local	1,171	33	3 0
Other nonagricultural	807	5	0 7
Agriculture	283	-5	-1 7

Source Department of Finance, Budget Division

Only a minimal change is foreseen for the Federal civilian sector. Federal employment will be under the constraints imposed by the budget deficit. It has been assumed that the goal of a 5 percent cut in Federal employment will not be reached in California, as softness in job markets remains a problem since such steps would only serve to retard recovery in the State.

Construction employment is forecast up only 1 percent, the result in part of anticipated tapering in residential building during the second half of 1972.

The unemployment rate is expected to fluctuate around 6.1 percent for most of the year. By the fourth quarter, however, it is estimated that the rate will have declined to approximately 5.8 percent.

RESOURCE INDUSTRIES

Agriculture Cash farm receipts in California agriculture amounted to $4.8 billion in 1971, up 5 percent from the 1970 level. The increase was due to higher receipts from marketings of vegetables, grapes, field crops and dairy products.

Crop production in the State last year was the largest on record at 42.5 million tons The field crop harvest was only slightly below the record established in 1970, while vegetable production rose 6 percent and fruit production increased 8 percent. The decline in fieldcrop production was due to a poor cotton harvest, with low average yields realized for the third consecutive year, the result of poor growing weather in the earlier season and insect infestation. The higher output of fruit and nut crops was attributed to a large grape production and record almond and walnut crops The past year also saw new records set for hay, corn, eggs, dairy products, and various vegetables. Acreage of principal products harvested totaled 8.54 million acres, up slightly from the year earlier.

Production of vegetables, melons and strawberries amounted to 9.1 million tons, 6 percent above the 1970 harvest, with new highs recorded for artichokes, broccoli, carrots, celery, cucumbers to pickle, and strawberries. The important canning crop totaled 3.1 million tons, 16 percent above the 1970 production level and second only to the record crop of 1968 Strawberry production rose 5 percent during the year to a record 303 million pounds.

Preliminary data indicate that gross cash receipts from marketings of livestock and poultry amounted to $1.81 billion, fractionally above the previous record of $1.79 billion established in 1970. Higher receipts from marketing of dairy products and cattle were apparently offset by reduced hog, sheep, and egg receipts.

Outlook—No change is anticipated in net farm income for 1972 Increasing mechanization and improved technology will lead to a 4 to 5 percent increase in cash receipts This gain will be offset, however, by rising production costs due in part to application of the minimum wage to agricultural workers. On the other hand, it is also anticipated that devaluation of the U. S. dollar will aid California farmers by reducing prices in the export market.

Prices of feed grains will be depressed during the year as a result of the large 1971 corn crop in the Midwest, although this will be partially alleviated by increased price support levels In California, there is a large carryover of canned peaches, pears, prunes, and apricots.

Plantings in the State may vary with provisions of the 1972 farm program The feed grain set-aside has been revised to 25 percent of the base with boosts in set-aside payments. Barley has also been brought into the feed grain program Bearing acreage will be increased for grapes, walnuts, and citrus Increasing demand, particularly for wine, will help absorb the production from this acreage.

Forestry Timber production increased approximately 6 percent last year, spurred by the national boom in housing starts. Lumber and plywood prices were up one percent from the depressed levels of 1970.

Changing demand factors, the dock strike, and environmental legislation have affected the industry during the past year. Employment in the forest industries fell 2 4 percent to 78,200 with the number of primary wood processing plants continuing to decline At the end of the year there were 205 active saw mills and 25 veneer and plywood plants in the State Three new board plants were under construction involving a total investment of $21 million One particle board plant, however, is closing down in southern California, as it is unable to meet anti-pollution laws The new plants will utilize 400,000 tons of previously unused wood residues and nearly double California particle-board capacity to 562 million square feet annually

Log exports dropped substantially last year, due to the dock strike and reduced demand from Japan. Wood chip exports to Japan, however, increased 87 percent during the year to a record 501,000 tons.

Wildland fires continued to be a problem for the industry Approximately 10,500 fires occurred in 1971, extending the uptrend of the past several years. About 7,000 of these fires were controlled by the California Division of Forestry, with the remainder brought under control by other protection agencies. The area burned was less than in any previous year except for 1963 45,000 acres, or 70 square miles. One large fire area was reseeded with grass to prevent erosion.

Mining and Geology The value of mineral production in California reached an all-time high of $1 934 billion last year, compared with $1.897 billion in 1970 Fuels (petroleum, natural gas, natural gas liquids, lignite and peat) accounted for 65 percent of the value of output in 1971, 32 nonmetallic products (including asbestos, borates, cement, clay, diatomite, lime, magnesium, sand and gravel, salines, talc and others) accounted for 23 percent of the output, with 10 metals (copper, gold, iron, lead, mercury, molybdenum, rare earths, silver, and tungsten) accounting for three percent The value of the metals group declined 21 percent from the previous year, due primarily to a sharp drop in the price and production of mercury. Gold production reached its lowest point since 1848

Statewide investigations of crustal strain are currently underway to increase understanding of the relationship between faults and earthquakes. These studies include the the compilation of basic size data, the location of fault traces, and a program to monitor fault movements

Emphasis is also being placed upon the timely identification and delineation of geologic problems. Geologic evaluation service was provided to other units of state government on environmental problems in real estate subdivisions, nuclear power plant sites and the disposal of waste mine water A number of projects are conducted cooperatively with local government Progress was also made in developing plans for meeting the geologic and mineral needs of California on a priority basis in cooperation with the private sector and other public agencies.

Fishing and Hunting Activity revolving around California's marine and inland fish and wildlife contributes an estimated $1 billion to the State's economy It is estimated that California's 2,200,000 sport fishermen bought licenses at a cost of more than $10 million, and made direct purchases for gear, bait, travel, food, and lodging of an additional $435 million. Similarly, the 757,000 sport hunters in the State last year bought licenses and tags valued at $4.1 million and spent approximately $65 million more for ancillary gear.

Commercial fisheries in California gross $100 million to the fishermen at dockside. The processing and handling of the commercial catch increases its value by an additional $320 million The commercial catch in California last year totaled 703 million pounds. It is estimated that in 1972 a 6 7 percent gain will be recorded, raising the total catch to 750 million pounds.

Fishing party boats accommodated 720,000 fishermen last year and added an additional $6 million to the State's economy.

PUBLIC PROGRAMS

Water Resources Long-term contracts extending through at least the year 2035 for water service from the State Water Project have been executed by the State Department of Water Resources, with 31 local governmental agencies. These contracts call for a maximum annual delivery to all agencies of 4,230,000 acre-feet, although the delivery of the total amount is not scheduled until about the turn of the century.

Over $236 million of capital and operating costs of the Project had been reimbursed to the State by payments under the above contracts through 1971, almost $55 million was paid in 1971 alone.

Project water deliveries began in 1962. During 1971, the Project served water to 14 of the long-term contractors and under interim agreements to three other public agencies These 17 agencies are located in ten counties ranging from Plumas County in the north to Kern County in the south Water deliveries to agencies located in Southern California will begin in 1972. Project water deliveries are scheduled to be made to all 31 long-term contractors by 1980.

During 1971, 705 934 acre-feet of water was delivered by the Project: 10,395 acre-feet in the Feather River Basin, 2,979 acre-feet in the North San Francisco Bay Area of Napa County, 107,507 acre-feet in the South San Francisco Bay Area, and 585,053 acre-feet in the San Joaquin Valley

Construction contracts awarded for the State Water Project last year amounted to $61 5 million, compared with $79 5 million in 1970 At yearend 60 construction contracts valued at more than $370 million were underway Table 10 summarizes the current work.

TABLE 10

SUMMARY OF THE STATE WATER PROJECT

Division or feature	*Number of contracts in progress*	*Estimated cost (In thousands)*
Total	60	$370,059
State Water Project, General	5	8,405
Oroville	0	0
North Bay Aqueduct	0	0
South Bay Aqueduct	1	20
California Aqueduct, General	3	753
South San Joaquin	11	33,820
Tehachapi	6	39,945
West Branch	14	178,050
Mojave	10	22,516
Santa Ana	10	86,650

The Hyatt and Thermalito Powerplants generated 3,197 million kilowatt-hours of electrical energy for which $16,150,000 and certain energy credits were received. An additional 35,000,000 kilowatt-hours were generated for the State Water Project by the San Luis Pumping-Generating Plant. Project pumping plants consumed a total of 524 million kilowatt-hours. Purchased power cost $2,600,000, including transmission.

The Department of Water Resources negotiated an agreement with the Los Angeles Department of Water and Power and the Southern California Edison Company for joint development of the Piru Creek Power Project in conjunction with the West Branch of the California Aqueduct. The cooperative agreement covers the engineering and economic feasibility studies for the project The Department is arranging for financing of the Devil Canyon and Castiac power facilities with revenue bond proceeds rather than with Burns-Porter funds.

Over two million sport fishermen, hunters, and other outdoor recreationists made use of recreation facilities and opportunities available at the State Water Project in 1971 This use was centered in the Upper Feather River Basin at State Water Project reservoirs and controlled streams, at the Oroville Reservoir complex, at Del Valle Reservoir, and at the San Luis Reservoir complex. It included use of fishing access sites developed along the California Aqueduct in the San Joaquin Valley.

In addition to State Water Project activities, the State provides financial assistance to local agencies cooperating in the construction of Federal Flood control projects. State assistance pays for the costs of right of way and relocations required for projects—costs which Federal policy assigns to local interests. During 1971, the State spent $11 2 million in connection with 29 active projects. Since 1917, California has expended $233 million in support of Federal flood control projects in the State. Continued urban development, however, has created demand for additional projects on less important streams The State is expected to spend $8 million in support of such projects in 1972.

Under the Davis-Grunsky program for state financial assistance to local water projects, over $12 5 million was disbursed in 1971 to local agencies. This amount exceeded 1970 disbursements by $10 million, due to the approval of Proposition 7 which allowed the sale of bonds

at market interest rates. Over $7 3 million was used for the development of recreation areas and facilities at numerous lakes and reservoirs, and nearly $5 2 million was spent for the construction of local domestic water distribution systems. During the year, an additional $5 6 million of state financial assistance was approved for future local projects. To date the total amount of assistance to local agencies under this program has reached $90 million.

The investigation of a possible large-capacity desalter prototype for the California coast reported on last year continued in 1971. The site selected for the feasibility study is Diablo Canyon, adjacent to the nuclear powerplant under construction by PG&E from which steam would be obtained. The nominal capacity of the design is 40 million gallons per day. The water would be used in the coastal service areas of San Luis Obispo and Santa Barbara counties. The feasibility report for the Diablo project is expected to be completed early next year. If the project is authorized and funds appropriated, design would start in 1973 and operation would begin in 1978. The prototype desalter is primarily for research. Information on large-capacity desalting is needed before desalting can be considered a viable alternative to California's future water supply. A development program was initiated at the Interagency Agricultural Wastewater Treatment Center at Firebaugh to desalt agricultural waste water by the reverse osmosis process The University of California is cooperating in the development by providing membrane technology developed in its saline water conversion research program.

Highways, Streets, and Roads Today, California's highway system is the key element in the State's total transportation system. It is estimated that the 12 8 million vehicles registered in the State traveled 122 billion miles on California roads, streets and highways during 1971. This accounted for 98 percent of all people movement and most of the freight movement within the State.

Of the 16,729 miles of roads authorized by the Legislature for the State Highway System, 14,619 miles are now in operation. At the start of 1972, 3,793 miles of divided highways were completed, while 592 miles of divided multi-lane highways, and 58 miles of two-lane highways were under construction or budgeted

There are 164,136 miles of State highways, county roads, city streets and roads under Federal jurisdiction in California The 3,197 miles of completed freeways in the State Highway System represent only 2 percent of the total statewide mileage of roads, yet the system carries about 35 percent of all motor vehicle travel.

It is estimated that for the 1971–72 fiscal year investment by city and county jurisdictions for construction, maintenance and administration of roads and streets, along with private investment for subdivision work, will reach the $1 billion mark Of this, $600 million will come from the vehicle fuel tax, license fees and Federal sources, with the balance from local general funds and private investment for subdivisions

The budget for the State Highway System was $936 million in 1970–71 and is expected to amount to $864 million for the current fiscal year Federal sources will provide $390 million, with the State's vehicle

fuel tax supplying another $378 million and the remainder derived from drivers' license fees, vehicle registration fees, and truck weight fees. It is anticipated that fiscal year 1971–72 expenditures will be allocated 83 percent for improvements and 17 percent for operation, maintenance and general services The 1972–73 Budget is expected to total $882 million.

The most ambitious highway program to be undertaken by the Federal Government is the National System of Interstate Defense Highways, more commonly referred to as the Federal Interstate. When completed this system will constitute 42,500 miles nationally, with 2,288 miles of California freeways authorized for inclusion At the end of December 1971, 1,625 miles, or about 71 percent of the authorized mileage in California, were completed to full Federal Interstate standards, and another 356 miles were under construction or budgeted Last year 130 miles of freeways for this system were completed to full Interstate standards. By 1978, California's Federal Interstate Construction and rights-of-way acquisition will have amounted to $6 billion. To date, expenditures are up to nearly $4 billion

Currently, Federal contributions to the State's highway system amount to about 92 percent for projects in the Federal Interstate System, and 71 percent for all other State highway projects classified as Federal-aid highways These figures refer to reimbursement to the State for highway projects in which the Federal Government participates. Federal funds provide partial reimbursement for rights-of-way acquisition and construction expenses, but do not apply to maintenance costs. Revenues for the Federal contribution to the State are derived from the Federal 4 cents per gallon motor vehicle fuel tax and taxes on a variety of other vehicle-related items

In 1971, California initiated a major program of traffic operational improvements designed to increase the efficiency and quality of traffic service on existing highways These improvements included freeway surveillance and control systems, auxiliary lanes to relieve congestion at bottleneck locations, and other motorist service facilities The Los Angeles Freeway and Control System is expected to serve as a model for improving service levels on metropolitan freeway networks Planned expenditures on improvements of this type amount to approximately $30 million per year for the next several years Highway user revenues also support other modes of transportation As of last December, some $166 5 million from toll-bridge revenues had been used to finance the San Francisco BART Transbay Tube Approximately $39 million of such revenues ($4 million from California and $35 million from Federal Interstate Funds) will be used in financing the $53 million required to complete the San Bernardino Freeway Busway project by the fall of 1973. In addition, highway funds have been utilized to provide space for mass transit on highway rights-of-way. Currently, publicly-owned bus systems and private stage corporations subject to PUC regulations are exempt from paying gasoline and diesel fuel taxes, vehicle registration fees, and weight fees

Rapid Transit The Bay Area Rapid Transit System moved towards completion in 1971, with closing system construction, the transition to operations, expanding staff work in

transit planning, and, most important, preliminary runs on BART prototype test cars. All 75 miles of BART system lines are now under construction or completed Of the 30 stations planned for the system, nine are complete, ten are more than 90 percent finished, and 11 stations are in architectural-finish stage. Progress on systemwide work had reached 77 percent completion for track work, 69 percent for third-rail electrification, and 21 percent for automatic train control and communications by the end of 1971

By mid-1971 construction and procurement contracts awarded on the project amounted to more than $905 million, with 1,800 persons working on the construction. It now appears that the project will cost $1.4 billion in total BART has established a $7 5 million landscaping program funded in part by Federal beautification grants To date, 19 contracts are either completed or under construction, with 15 contracts remaining to be awarded.

East Bay service is expected to begin this spring with the startup of the full East Bay-West Bay system by the fall. The first BART prototype test car from the Rohr Corporation in Chula Vista was delivered on August 28. Nine cars are now in continuous night and day testing, with vehicles on automatic train control between the Coliseum and Hayward stations

The Southern California Rapid Transit District is developing plans for a comprehensive districtwide rapid transit system. Funding for the system will be obtained in part from recently-enacted legislation which removed the exemption of gasoline sales from the sales tax and revised the allocation of sales tax receipts to provide counties with funds for support of public transportation. It is estimated that approximately $70 million of funds so obtained can be set aside over the next several years to be matched by funds from the City and County of Los Angeles. These combined funds would support a request for $280 million from the Federal Government As a result, $420 million could be obtained in total from these various sources to finance a subway system through downtown Los Angeles to the Coliseum Sports Arena complex, with an aerial extension from there to South-Central Los Angeles. At the northern terminal, this fourteen-mile route would join the El Monte-Los Angeles busway at Union Station.

In June the Urban Mass Transportation Administration gave the final go-ahead for the $51 million exclusive busway between El Monte and downtown Los Angeles to run in the center and alongside the San Bernardino freeway Operation of the first stage from the Long Beach freeway to the Santa Anita freeway in El Monte is projected for October 1972 with opening of the western half of the busway from the Long Beach freeway to Mission Road in downtown Los Angeles by September 1973.

Environmental Control With increasing awareness of developing changes in the environment and the need for restrictions on activities which accentuate pollution problems, various programs have been devised and implemented to enhance the environment and reduce or eliminate existing problems.

The Air Resources Board (ARB) is the air pollution control agency of California, responsible for control of motor vehicle emissions on a

statewide basis and for a coordinated state and local air pollution control program of stationary sources of emissions. The State Legislature delegated the primary responsibility for the control of stationary sources to local air pollution control districts while the authority to control vehicular sources was reserved by the State. The State reviews and evaluates programs of local districts and is empowered to take action where adequate measures to cope with a specific problem have not been taken locally. In addition to these roles, the State provides technical assistance to the local districts where such assistance is needed. Some measures relating to stationary sources are specifically provided in the State law and are applicable statewide Local control agencies are empowered to adopt additional or more stringent requirements for stationary sources control,

Air quality in terms of the atmospheric concentrations of pollutants is measured at air monitoring stations throughout California The air quality data are published by the Air Resources Board, and compared with ambient air quality standards to determine the seriousness of the problem. They are also compared with data of prior years to determine trends and the effectiveness of control programs

The various pollutants being monitored include carbon monoxide, hydrocarbons, nitric oxide, nitrogen dioxide, oxides of nitrogen, sulfur dioxide, and suspended particulate matter Lead was added in 1971. In addition to determining air quality, the emissions of each kind of air pollutant are evaluated for each type of source, each county, and for each air basin. These data serve to point out what sources should be controlled. The pollutants included in the inventory are carbon monoxide, organic gases, hydrocarbons, oxides of nitrogen, sulfur dioxide, and suspended particulate matter.

The State Air Monitoring Network is being expanded from the 16 fixed stations that were in operation during early 1970, to 30 fixed and five mobile stations. Three of the fixed stations were placed in operation during 1971. The five mobile stations, one in a trailer and four in self-propelled vans, will be placed in operation in 1972 Fifteen of the fixed stations are operated by the Board and fifteen are operated by nine local air pollution control districts. Since the latter fifteen stations are included in the official network, financial support was provided to these local districts beginning July, 1971. All data from the network, whether state operated or locally operated, are gathered on a comparable basis. In addition to the 35 official stations in the network, there are approximately 40 other stations, operated solely by local districts, that are not controlled or supported by the ARB.

During 1971, about two million measurements of hourly average pollutants concentrations and a million bits of information concerning emissions and meteorology were received and processed from the total of 75 stations in the State.

Motor vehicles are a major source of air pollution in California There were over 12 million motor vehicles of all types registered in 1970, of which over eleven million were light-duty (passenger cars and light trucks). There were approximately 570,000 motorcycles, 470,000 gasoline-powered heavy duty vehicles (trucks and buses), and 67,000 diesel trucks and buses. The total number of vehicles increases about five percent each year. The emissions inventories show that motor vehicles are-

the major source of hydrocarbons, carbon monoxide, and oxides of nitrogen in the atmosphere Air pollution comes from three sources on the uncontrolled passenger car or gasoline-powered truck from the crankcase vent (hydrocarbons); from the fuel systems (carburetor and fuel tank) by vaporation (hydrocarbons); and from the exhaust pipe (hydrocarbons, carbon monoxide, and oxides of nitrogen)

Agricultural burning has also been a source of serious pollution in the State. The ARB now issues agricultural burning control notices for six air basins Most open-burning dumps were phased out in 1971–72. "Burn" and "no burn" notices are issued on a daily basis during the agricultural burning season

Nearly 14 million tons of pollutants were emitted in California during 1970 These included organic gases, 2,646,250 tons, nitrogen oxides, 1,237,350 tons, carbon monoxide, 9,234,500 tons, sulfur oxides, 278,860 tons; and suspended particulate matter, 536,550 tons

The Southern California Rapid Transit District has undertaken several projects designed to reduce the vehicle emissions in the Los Angeles basin The District has joined Atomics International, a division of North American Rockwell, in the development of the catalytic muffler. The District is also participating in the steam bus project sponsored by the State Assembly and the U S Department of Transportation Under this program a district bus equipped with a newly-designed steam engine is expected to be in operation by this spring A standard transit bus has been fitted for compressed, natural gas operation and is currently being tested in service The district has also purchased 19 mini buses for loop service through the central business district These buses are designed to ease traffic congestion and improve mobility in the downtown area

The Marks-Badham Environmental Protection and Research Act of 1970 established the California Environmental Protection Program Fund. Revenue for the fund is obtained from the sale of personalized motor vehicle license plates by the Department of Motor Vehicles Under provision of the Act, the Secretaries for Resources and Business and Transportation develop environmental protection plans Programs are proposed which will help to preserve the California environment, including control of environmental pollution, protection of significant ecological areas, and increased public awareness of the need to protect the environment.

CONSTRUCTION

Residential building activity provided strong support for the California economy in 1971 Approximately 256,600 private residential units were authorized during the year 143,300 multiple units and 113,300 single-family homes In addition, some 1,700 public housing units and 30,000 mobilehomes were added to the inventory.

It is now apparent that substantial overbuilding occurred during the past year Demand for housing appears to run at about 170,000 units a year, including demand from population growth, demolitions, seasonal housing, and units required to maintain the vacancy rate at approximately 6 percent to facilitate mobility of the population (These de-

mand factors are discussed more completely in the chapter which follows on long-range projections for the State.) On the basis of this calculation it therefore appears that the California housing market was over-supplied by approximately 117,000 units during the past year.

There are indications of such overbuilding in vacancy-rate data. Information on vacancies is available from the FHA postal surveys of vacant units which are issued at irregular intervals for cities and counties. In addition, data are published for selected areas by the Federal Home Loan Bank in San Francisco. Rates for apartments appear to be rising most rapidly at the present time and are well over 10 percent in many areas It is particularly significant that the number of units under construction in some cities is greater than the number of units now vacant, suggesting that vacancy rates may effectively double when these units are completed.

In general, vacancy rates for single-family homes remain low, although there are signs of a gradual uptrend which may accelerate in coming months given recent levels of construction activity.

Permit data also indicate a substantial increase in the value per unit constructed The average apartment unit was valued at $12,300 in 1971, up 8 percent from $11,400 in 1970. The average single-family home was put at $21,500 last year versus $20,700 during the year earlier. In total, it is estimated that residential construction, including additions and alterations, amounted to $4 5 billion during the year, a gain of 45 percent from $3.1 billion in 1970.

Annual data on nonresidential construction authorized last year do not reflect the sharp recessionary pattern which occurred. Construction for the first six months of 1971 was more than 17 percent below the comparable period of 1970 Losses were particularly pronounced in the office and professional building category, industrial buildings, stores, and hospitals. Starting in August, all of these categories advanced sharply with strong year-to-year gains Other components in the nonresidential total also registered substantial gains. As a result, the total for the year ended up at an estimated $2 56 billion, a rise of 15 percent from 1970.

TABLE 11

VALUE OF NONRESIDENTIAL CONSTRUCTION, CALIFORNIA, 1970 AND 1971

(In millions)

Type	*1970*	*1971*	*Percent change*
Hotels, motels, etc.	$134 2	$97 4	—27 4
Amusement and recreation	43 5	49 8	14 5
Gasoline service stations	30 0	27 0	—10 0
Office, bank, and professional	416 5	671 8	61 3
Stores	366 3	305 9	83 5
Industrial	279 8	264 8	—5 4
Churches and other religious buildings	33 2	40 1	20 8
Residential garages and carports	30 1	35 3	17 3
Hospitals and other professional	149 6	280 1	87 2
School and other educational	28 9	43 1	49 1
Other nonresidential building	395 9	399 5	0 9
Nonresidential additions and alterations	320 2	342 9	7 1
Totals	$2,228 2	$2,557.7	14 8

Source U S Bureau of the Census

Outlook—It is now estimated that 220,000 new housing units with a total value of $3 7 billion will be authorized during 1972. Of this

number, 120,000 will be in multiple or apartment units and 100,000 single-family homes.

Monthly figures through the end of 1971 indicate no diminution in residential building activity to date. The forecast given here assumes, however, that vacancy rates will continue to rise and that builders in the State will become increasingly aware of the developing oversupply situation and gradually reduce homebuilding activity as 1972 progresses.

An additional 27,000 mobilehomes are expected to be sold in the State next year The California housing inventory will therefore increase by 247,000 units, 13 6 percent less than the gain in 1971 At this rate, further overbuilding of nearly 80,000 units will take place.

Because of this, it is anticipated that building activity in California will experience a sharp and protracted downturn, similar to the experience of 1964–67, starting late this year This situation is discussed further in the long-range forecast in the chapter beginning on page 34.

Nonresidential construction is expected to increase by 12 percent next year to $2 87 billion Gains in industrial building, stores, office building, and other categories will reflect renewed business confidence and increases anticipated nationally in plant and equipment spending. Price rises will account for 7 percent of the dollar gain next year, with the real volume of nonresidential construction up by 5 percent.

AEROSPACE

Continued consolidation characterized the aerospace industry during 1971. The employment decline, which has been underway since December 1967, continued during the first half of the year. The industry situation was aggravated in February by the bankruptcy of Rolls Royce, which is building the engines for the Lockheed L-1011 airbus. The resulting threatened financial insolvency of Lockheed led to massive layoffs on the L-1011 program. With cutbacks in subcontracting firms also, aerospace employment declined to a low of 434,300 in May Approval of the $250 million loan guarantee by Congress on August 2 permitted rehiring on this program Aerospace employment closed out the year in December at 442,500. It is significant, however, that if the Lockheed cycle is eliminated from aerospace totals, the balance of the industry continued to decline during the entire year.

As in prior years the cuts were felt primarily in Los Angeles and Orange counties although substantial declines also occurred in the San Jose, San Diego, San Francisco-Oakland, and Sacramento metropolitan areas The relative softness in aerospace was in part responsible for the continuing high level of unemployment in these areas during most of the year

TABLE 12
AEROSPACE EMPLOYMENT BY AREA, 1970 AND 1971
(In thousands)

	1970	1971	Percent change
Anaheim-Santa Ana-Garden Grove	61.8	53.8	—12 9
Bakersfield	1 2	9	—25 0
Fresno	3	.3	n.c
Los Angeles-Long Beach	273 1	241 3	—11 6
Oxnard-Simi Valley-Ventura	6 4	5.6	—12.5
Sacramento	4 8	3.3	—31 2
Riverside-San Bernardino-Ontario	9.6	7 8	—18 8
San Diego	38 0	34 2	—10.0
San Francisco-Oakland	21.2	18 1	—14 6
San Jose	69 7	63 9	—8 3
Santa Barbara	5 6	4.5	—19 6
Stockton	2	.2	n.c.
Vallejo-Napa	1	.0	--
Salinas-Monterey	.1	.1	n c.
Total *	496 6	440.3	—11 3

n c No change
* Metropolitan areas will not add to the state total
Source California Department of Human Resources Development

Data on prime contract awards from the Department of Defense and National Aeronautics and Space Administration indicate the sharp decline in contracts which occurred during the last fiscal year. DOD awards to California firms amounted to $5,293 million during 1970–71. This was a decline of more than 9 percent from the 1969–70 level. NASA contracts amounted to $523 million last year, a drop of 40 percent. When price increases are taken into account, these declines become even more severe, amounting to approximately 17 percent overall. The State's share of all contracts awarded nationally also declined for both DOD and NASA awards. These data are indicated in Table 13 below.

TABLE 13
DOD AND NASA PRIME CONTRACT AWARDS IN CALIFORNIA, 1970 AND 1971

	1969–70		1970–71		
	Millions	Percent of U S	Millions	Percent of U S.	Percent change
Department of Defense	$5,824	19 6	$5,293	18 5	—9 1
National aeronautics and space admin.	875	30.9	523	22 2	—40.2
Total	$6,699	20 5	$5,816	18 8	—13 2

Source Department of Defense
National Aeronautics and Space Administration

The decline in government contracts was offset in part by increased activity in the commercial sector Lockheed and McDonnell Douglas both stepped up production on their airbuses Employment is now at or near the peak level anticipated on both the L-1011 and DC-10 projects.

Outlook—There are various indications that the aerospace decline is now near an end. Data on DOD contracts for the third and fourth quarters 1971 indicate a sharp expansion from levels of the previous year. DOD awards in the third quarter 1971, for instance, amounted to $1,876 million, or 22.2 percent of the U S. total. This was a gain

of 15 percent from the third quarter 1970 level. The 1972–73 Federal Budget indicates the Administration's intent to maintain and strengthen various weapons systems. Many of these contracts are with California firms. Various aircraft may receive substantial funding during the current year as well as in the budget year The decision to proceed with the space shuttle will provide a strong boost, particularly for Southern California's aerospace industry. Spending on this program is expected to amount to $300 million in fiscal 1973. Contract awards from both the DOD and NASA are therefore expected to rise during the current year. An increase of 8 percent would just maintain employment at current levels, given recent pay increases granted in the industry.

It is probable that aerospace employment will decline further in some areas of the State. Overall, a firming will occur during the year with some gradual increases possible by yearend. For 1972, as a whole, aerospace employment will amount to 435,000, down approximately one percent from the 1971 average

TRADE AND FINANCE

Finance Bank credit continued to expand during most of 1971, supported by expansionary monetary policy of the Federal reserve system. California's commercial banks, with improved reserved positions, added to their holdings of loans and investments, and at the same time substantially decreased their dependence on high-cost, non-deposit sources of funds (Eurodollar borrowings and sales of commercial paper). In the first half of 1971 this expansion took the form primarily of increased holdings of U. S. Government securities and of state and local government obligations In the second half, however, loan demand began to account for a larger proportion of the growth. For the year as a whole, total resources of the State's 144 commercial banks grew by 10 percent to almost $65 billion. Total loans were up 11 percent to $36 billion, while deposits rose 9 percent to approximately $54 billion There was a net addition of 145 banking offices in the State last year. One branch office and six representative offices were established by seven foreign banks, reflecting California's importance in foreign trade.

Interest rates declined significantly last year. The Federal reserve discount rate fell from 5½ percent at the start of 1971 to 4½ percent by yearend The prime rate also moved down a full percentage point to 5¼ percent Mortgage interest rates on conventional home loans showed a sharp drop, declining from 8 5 percent in November 1970 to 7.7 percent in November 1971 in the Los Angeles-Long Beach SMSA and 7 5 percent in the San Francisco-Oakland area.

Savings and loan associations also experienced a sharp inflow of funds during the past year. Savings capital was up 12 percent from yearend 1970 to yearend 1971.

Outlook—The recent expansion of the money supply and the ready availability of funds, combined with continuing sluggish loan demand, has exerted downward pressure on interest rates in recent weeks. The

prime rate, at a current 4½ percent, now appears to be at a low for the year. Improvement in demand conditions is anticipated later in 1972, as the pace of the economic recovery accelerates. The recently announced Federal deficit for the current year will increase government demands for credit. As a result, loan rates are expected to rise during the second half of the year The current low level of interest rates have led major banks in the State to reduce the passbook savings rate from 4½ percent to 4 percent A moderate downward adjustment is also anticipated in the return on savings and loan capital, to avoid a recurrence of the disintermediation which occurred during the money-crunch of 1968 and 1969.

Trade Total taxable sales in California amounted to $46 8 billion in 1971, a gain of 8 3 percent from the prior year's level. Retail sales were up even more strongly (9 2%) led by a surge in auto sales. These rose more than 15 percent last year to an estimated $7 9 billion. Building material sales, which include purchases by contractors, were up nearly 9 percent, reflecting in part the housing boom in the State.

Data on sales by county are available for the first nine months of 1971. As will be seen from Table 14, with data for the ten largest counties in the State, sales in Los Angeles County, which account for more than a third of all sales in the State, were up only 1 9 percent from January through September, while the statewide total rose 6 6 percent. This appears to be the direct result of the 1970–71 recession, the aerospace situation, and the recent fractional decline in population in the county. Sales in the largely suburban counties in contrast, were up strongly during the year.

TABLE 14

TAXABLE SALES FOR SELECTED COUNTIES: JANUARY–SEPTEMBER 1970 AND 1971

(In millions)

County	*1970*	*1971*	*Percent change*
Los Angeles	$11,726	$11,946	1 9
Orange	2,109	2,346	11 3
San Diego	1,807	2,005	11 0
Santa Clara	1,587	1,746	10 0
Alameda	1,768	1,876	6 1
San Francisco	1,671	1,695	1 4
San Bernardino	855	908	6 3
Sacramento	948	1,049	10 6
Contra Costa	676	732	8 2
San Mateo	939	990	5.5
California Total	$31,684	$33,776	6 6

Source California State Board of Equalization

Outlook—Taxable sales have been projected at $49.87 billion for 1972. This will be a gain of 6 5 percent from the 1971 level. Retail sales are expected to rise by 5.8 percent to $36.4 billion The apparent slower growth in 1972 is attributable to slower price rises anticipated for this year, and to the unusual consumption pattern of 1971, which was influenced by makeup auto sales during the first quarter and a surge of buying in anticipation of future price rises following the announcement of Phase I on August 15.

TOURISM

The tourist industry in California is a major segment of the State's economy. It has been estimated that 16 million out-of-state visitors came to California last year, and contributed $3 billion to the state's economy Tourists paid $200 million in sales and gasoline taxes and $25 million in hotel and motel bed taxes alone. Reflecting the general economic slowdown, however, California tourism was up less than one percent in 1971, compared to the national average of 8.3 percent. Southern California experienced a decline in 1970–71, the first since 1958; the number of visitors was down 8.6 percent from the previous year with expenditures 9.6 percent less.

It is recognized that competition outside California for the traveler's dollar is rapidly growing in intensity. The State Office of Tourism and Visitor Services is working not merely to maintain, but rather to increase substantially, California's share of the burgeoning travel market.

Studies made in 1971 indicate that out-of-state tourists, especially from the Pacific and Great Lakes estates, make up the largest group of visitors to California. Intrastate travelers comprise the second largest class Japan, Mexico, South America, and Canada contribute heavily to the number of international visitors coming to the State.

In 1970–71, the 12 southland counties received 7.7 million vacationers, spending $1.3 billion. The majority of tourist expenditures went towards food and beverages (23 2 percent), hotels, motels, and resorts (19.1 percent) and gasoline, oil, and automotive services (12.4 percent). In addition, Southern California vacationers paid $39 6 million in retail sales tax, $12 0 million in various room taxes, and $22.4 million in gasoline tax. Most visitors to this area arrive by car, and have three or more persons in each group.

A recent San Francisco convention and visitor study reported that 1 56 million visitors stayed in San Francisco hotels and motels in 1970 and spent approximately $267 5 million in the City. A combination of business and conventions brought a majority of these visitors to San Francisco; this is in contrast to the situation in Southern California, where vacation and pleasure trips are primarily responsible for attracting people to the area. Convention attendants tend to be older, are in higher income brackets, and spend about 10 percent more than the average tourist. Approximately 41 percent of the visitors to San Francisco in 1970 were California residents. A larger proportion of Los Angeles residents visit San Francisco than residents of any other metropolitan area in the country. More than 63 percent of the visitors to San Francisco arrive by commercial airline The average party size is 1.75 persons, substantially lower than in Southern California.

THE CALIFORNIA ECONOMY TO 1980

California experienced a recession during 1970 and 1971 comparable to the downturn which occurred nationally. Although this was a temporary interruption in the long-term economic growth of the State, it emphasized that there may have been basic structural changes in California over the past several years which will invalidate prior trends. Industrial expansion patterns, population growth, and price behavior, for instance, which are three primary elements of any projection, have undergone significant changes in the State recently. Long-term projections made prior to the appearance of these changes must therefore be reevaluated

The conclusion that shifts in trend have, in fact, occurred is based on economic data available through 1971 It appears that these shifts have been related to at least some extent to the 1970–71 business cycle. On the other hand, there is no indication as yet that prior relationships will be restablished during the current recovery. A resumption of growth of various economic series in relation to changes in population, income, and general levels of activity is anticipated As a result of the changes from 1969 to 1972 or 1973, however, new long-term trends will be set They must be regarded as tentative, since economic developments of the next few years may necessitate further modification of the long-run outlook for California.

Structural changes observed have been the result of at least three developments. In the first place, population growth has occurred in recent years at a pace down sharply from historical trends During the 1950's gains averaged 4 1 percent per annum due in large part to substantial net migration to the State By 1964, growth had slowed to less than 3 percent and, for the last half of the 1960's, averaged only 1 6 percent per annum Between mid-1971 and mid-1972, it is estimated that the total resident population of the State rose by 1.2 percent. Rapid population growth stimulates economic development. Services, trade, local government, transportation and utilities are the immediate beneficiaries As local markets become increasingly important, manufacturing activity also expands. Population and economic growth therefore tend to be self-reinforcing over a number of years.

Various reasons have been offered for the slowdown in California's population expansion after the mid-1960's. While this development is beyond the scope of the present analysis, it may be noted that comparative economic strength outside California may have contributed to the situation by reducing migration to this State Economic growth figures on a per capita basis will continue to be impressive, aggregate data, however, will appear to be increasing at a slower pace.

The effect of the shift in population growth can be illustrated by employment trends in local government, with 55 percent of the jobs in this category in education activities Growth is slowing as the number of children entering the school system increases less than was anticipated a few years ago. From an average rise of 6.1 percent between 1950 and 1965, the gain in local education employment slowed to 4 percent in 1970.

Second, the decline in aerospace, which has been underway since December 1967, now appears to have reduced for years to come the relative importance of aerospace in manufacturing activity. During the 1950's and much of the 1960's, aerospace provided a stimulus to the development of manufacturing generally, through subcontracting of both research and production activity. The industry also contributed to the pattern of migration to the State during these years, with employment opportunities for highly skilled and technologically-oriented persons. Since 1968, the completion of contracts previously awarded and Federal spending cuts which have prevented replacement of these contracts have led to a 30 percent reduction in employment over the past four years Growth in related nonaerospace industries has also been affected. The Federal Budget deficit and funding requirements of various social programs appear to preclude significant increases in the level of defense and space spending for the forseeable future. The aerospace industries are therefore unlikely to provide the expansionary force underlying future economic growth in the State It seems probable that employment in this sector will grow at a moderate pace, remaining below peak levels for a number of years.

Finally, the first two factors in combination suggest that the California economy has matured into a diversified structure in which growth in the future will more nearly resemble that of the Nation as a whole. Steady expansion on a broad front at a rate consistent with population forecasts will characterize economic development for the balance of the decade. It is not probable under existing circumstances (including the type of business recovery now in progress and trends in Federal spending) that a new growth industry will blossom in the State during the next few years and provide a strong exogenous stimulus for a resumption of rapid economic gains.

This section presents projections on the California economy for 1975 and 1980. Data are shown only for the State as a whole. Using the methodology indicated, projections could also be prepared for regions or larger counties. That has not been attempted here because of the magnitude of the regional projection procedure, involving analysis for all areas in the State to assure regional forecasts consistent with the outlook for the State.

Data are given for major economic factors: population, employment, income, and construction activity. The methodology employed in deriving each series has been indicated insofar as practical The methodology indicated may also be used with different assumptions to derive new projected values. Given changing trends no long-term projection can be considered firm. It may be necessary to revise projections at regular intervals as later information becomes available on economic developments in California.

POPULATION

In the present study, population forecasts are independent of the economic outlook and form the basis for many of the economic series shown. No attempt has been made to develop population estimates on the basis of the economic potential indicated for the State A different set of economic projections would therefore be obtained by different assumptions relative to population growth.

The population data which follow were prepared by the Population Research Unit of the Department of Finance and were released on September 15, 1971.* Users wishing additional information on the population series are referred to the source report or to the Population Research Unit of the Department.

The following data have been incorporated into the projections for California.

Year	*Total resident population*	*Civilian population*	*Civilian population, 16 and over*
1971	20,265,000	19,966,000	14,127,000
1972	20,506,000	20,206,000	14,444,000
1973	20,761,000	20,461,000	14,758,000
1975	21,366,000	21,066,000	15,318,000
1980	23,402,000	23,102,000	17,052,000
Percent change			
1970–71	1.3	1 3	2 2
1971–72	1.2	1.2	2 2
1972–73	1 2	1 3	2.2
1973–75 (per annum)	1.4	1 5	1.9
1975–1980 (per annum)	1.8	1.3	2 2

EMPLOYMENT

Estimates of California employment were prepared by major sector. These projections have been tied to the forecasts currently being used by the Department for the State Budget for 1972 and 1973 and are based on data revised to the March 1971 employment benchmark Total employment was therefore derived as the sum of the individual components The civilian labor force was estimated independently on the basis of indicated changes in the participation rate—the ratio of the labor force to civilian population 16 and over. The difference between the labor force and employment represents the number of persons unemployed. Reasonableness of this series was determined from the unemployment rate.

The labor force participation rate has experienced four distinct phases since 1950. Between 1950 and 1957 the rate increased from 58 36 to 60.88 percent. From then to 1965 the rate trended down, reaching 59 12 in the latter year. Subsequently the participation rate again rose to a peak of 62.06 in 1969. The recession which started in November of that year led to sharply slower growth in the labor force. The participation rate eased slightly in 1970 to 61.91 and fell sharply in 1971 to 60.91. Current forecasts for 1972 and 1973 indicate a further decline to 60 percent by the latter year.

The rise between 1965 and 1969 reflected in large part strong levels of economic activity concurrent with the Vietnam buildup as well as the rising proportion of women in the labor market. The decline between 1970 and 1973 is consistent with recessionary developments in 1970 and 1971 and forecasts for sustained but moderate economic expansion for the next two years.

Looking at the long run, however, the participation rate has averaged about 60 percent, with the apparent phases of expansion and contrac-

* California Department of Finance, Budget Division, "Provisional Projections of California Counties to 2000," September 15, 1971

tion fluctuating around this level. Since there is no evidence of a definite trend in this rate, the 1975 projection is an extension of the indicated 1969–73 swing; the 1980 level has been forecast at approximately the long-term average As a result, the labor force has been projected at 9,200,000 in 1975 and 10,280,000 for 1980.

TABLE 15

CALIFORNIA LABOR FORCE, 1950–1980

Year	Civilian population, 16 and over (thousands)	Civilian labor force (thousands)	Participation rate (labor force ÷ population)
1950	7,712	4,500.7	58 36
1951	7,811	4,669 9	59 79
1952	8,047	4,901.9	60 92
1953	8,313	5,062 4	60.90
1954	8,583	5,109.7	59.53
1955	8,689	5,302 1	61 02
1956	9,182	5.565 4	60 61
1957	9,521	5.798 2	60 88
1958	9,847	5,902.8	59 95
1959	10,165	6,104.1	60 05
1960	10,524	6,298.7	59 85
1961	10,825	6,481 5	59 88
1962	11,137	6,649 6	59 71
1963	11,571	6,867.7	59 35
1964	11,959	7,081.0	59.21
1965	12,321	7,283 6	59.12
1966	12,601	7,591 6	60 25
1967	12,928	7,830 1	60 57
1968	13,208	8,090 3	61 25
1969	13,516	8,387 7	62 06
1970	13,818	8,555 0	61 91
1971	14,127	8,605 0	60 91
1972	14,444	8,710.0	60 30
1973	14,758	8,855.0	60 00
1975	15,420	9,200.0	59 66
1980	17,138	10,280 0	60 00

Three methods have been used to project employment by industry. In some instances growth rates historically have been relatively constant and it is reasonable to extend this experience for the forecast period. For other industries, the ratio of employment to population appears to be a more appropriate indication. This is particularly true for transportation, communication—utilities, trade, and state and local government Industries such as construction, mining, aerospace, and agriculture have been projected on the basis of such factors as requirements for production of the industry and anticipated government spending.

Use of ratios of employment by major sector to population in forecasting employment may be misleading. In many cases the ratios will show an unmodified uptrend for long periods of time The upward trend will leave off at some point, however, and historical data suggest that this point is near for various sectors It is also possible that changes in social or economic characteristics of the population or in the technological content of given industries will cause an abrupt change in the rate of growth relative to that of the population Changes of this type

are frequently difficult to recognize until they have been in existence for several years. For lack of evidence that any such changes are developing, all of the current projections are based on the assumption that no major technological breakthrough will occur in the forecast period to significantly alter labor requirements for a given level of production. The projections do allow, however, for gradual improvement in technology at the pace of the past several years.

Table 16 summarizes employment projections by industry for 1972, 1973, 1975, and 1980.

TABLE 16

EMPLOYMENT AND UNEMPLOYMENT IN CALIFORNIA, 1970–1980

(Thousands)

	1970	*1971*	*1972*	*1973*	*1975*	*1980*
Civilian Labor Force	8,555	8,603	8,710	8,855	9,200	10,260
Employment						
Agriculture	289	288	282	278	270	255
Mining	31	30	30	31	31	32
Construction	303	297	300	292	275	310
Manufacturing	1,558	1,471	1,500	1,540	1,605	1,820
Aerospace	497	440	435	445	460	520
Nonaerospace	1,064	1,031	1,065	1,095	1,145	1,300
Communications—Utilities	201	203	208	213	223	247
Transportation	258	250	257	260	266	283
Trade	1,531	1,553	1,590	1,640	1,730	1,950
Finance—Insurance—Real Estate	374	385	400	415	445	520
Services	1,266	1,272	1,315	1,365	1,470	1,730
Government	1,425	1,455	1,490	1,525	1,605	1,813
Federal Civilian	327	318	319	322	330	355
State—Local	1,098	1,137	1,171	1,203	1,275	1,458
Other	799	802	806	811	820	840
Total Employment	8,036	8,004	8,180	8,370	8,740	9,800
Unemployment	519	599	530	485	460	460
(Rate Percent)	6 1	7 0	6 1	5 5	5 0	4 5

Agriculture. Agricultural employment has been on a downtrend for the past 15 years, reflecting technological advances which reduced the need for farm labor. It is likely that additional improvements in technology will occur between now and 1980, further reducing job opportunities for employment in agriculture. An additional consideration is application of the minimum wage to agriculture. It is expected that this development will encourage agricultural producers in the State to accelerate implementation of capital investment plans to reduce labor costs. The decline between 1975 and 1980, however, is expected to be relatively less rapid than the decline which has occurred since 1956. Employment in this industry has been projected at 270,000 for 1975 and 255,000 for 1980.

Mining. Employment in mineral extraction has been relatively constant during the past decade after declining from a peak of 37,300 in 1953 to approximately 30,000 at the present time Oil and gas production accounts for two-thirds of all mining employment in the State. The high degree of automation in this component of the industry permits a substantial increase in production without any addition to employment. It is not anticipated that there will be a significant rise in

other mining activity. Employment has therefore been held at approximately current levels: 31,000 for 1975 and 32,000 for 1980.

Construction. Construction employment is dependent upon trends in public, residential, and nonresidential building. For the past several years the number of jobs in this industry has fluctuated around the 300,000 level The outlook for construction activity for the balance of the decade is reviewed in the section later in this report on residential building. Briefly, it is expected that nonresidential building will expand at a moderate pace while residential construction—responding to current overbuilding and rising vacancy rates—declines for several years, followed by a gradual upturn. As a result, construction employment has been forecast at 275,000 in 1975, down moderately from the 1971 level of 297,000. Between 1975 and 1980 increasing demand for housing will result in an increase in construction employment to 330,000 by the latter year.

Manufacturing. Projections of manufacturing employment have been derived from independent estimates of aerospace and nonaerospace manufacturing.

Aerospace employment in the State has declined from a peak of 616,000 in December 1967 to approximately 442,000 at the present time. Information received from the major aerospace companies in California suggests that employment has been cut to the point at which efficient operations are threatened.

It appears, however, that the readjustment period is near an end and that sales by the industry from here on will result in moderate employment increases. Defense spending will decline in the short run as a percent of gross national product, but in dollar terms will rise moderately permitting expansion of both research and development and production activities in the State. The space budget is expected to remain level for the next two years, after which gradual increases are probable. Given these factors, in conjunction with the economic expansion forecast for the Nation as a whole, employment in aerospace is expected to rise to an average 460,000 in 1975 and 520,000 in 1980 At these levels, aerospace manufacturing will account for slightly less than 30 percent of all manufacturing employment, an indication of the further diversification anticipated in manufacturing.

California has a strong base for future expansion in manufacturing The sharp decline which occurred during 1970 and 1971 in nonaerospace manufacturing employment was attributable in part to the national recession and in part to the contraction in aerospace, which supports nonaerospace manufacturing through the subcontracting process. With stabilization and subsequent moderate expansion in aerospace activity, along with general economic recovery forecast, nonaerospace employment will again increase at rates only slightly below historic levels. This component has been projected at 1,145,000 for 1975 and 1,300,000 for 1980 Total manufacturing will therefore amount 1,605,000 and 1,820,000, respectively, for these years

Communication and utilities. Employment in the communication-utilities industry is relatively constant in relation to population Although long swings have occurred, employment has averaged 1.45 per

100 civilian population 16 and over, and is currently at that level. Projections have therefore been based on population and an estimated 1.45 ratio. The total for this component has been forecast at 224,000 for 1975 and 248,000 for 1980.

Transportation. Employment in the transportation industry has been generally declining in proportion to civilian population. The decline was arrested temporarily in the mid-1960's but appears to have resumed in more recent years This decline may be attributed in part to increasing efficiency in the industry, resulting from the increasing use of containers for freight shipments Assuming that the major transition from motor and rail transportation to air has already occurred, a more moderate decline in the indicated ratio is likely for the forecast years. Transportation employment has therefore been projected at 267,000 for 1975 and 284,000 for 1980.

Trade. It appears that trade employment reflects to a large extent changes in population and disposable personal income in the State, as well as economic conditions nationally. Regression analyses based on historical data from 1950 through 1970 cannot be used to project this series, however, as there appear to have been major shifts in the relationship of trade employment to personal income between 1969 and 1971. There are no indications as to why this shift occurred It may be surmised, however, that the general hesitation in consumer spending—particularly noticeable when sales data are expressed in real terms roughly comparable to volume—and associated pressures on costs and profits, led to a reevaluation of employment requirements Acceleration of hiring for replacement and expansion will be delayed until a strong recovery is clearly in evidence. While the relative importance of trade is expected to continue to rise, the rate of gain over the long run will therefore be more moderate than would have occurred in the absence of the latest recession.

Trade employment has been forecast at 1,730,000 for 1975 and 1,950,000 for 1980. These levels indicate a slight increase in the ratio of trade employment to civilian (16 and over) and military population but at a rate moderately less than during the 1960's.

Finance-insurance-real estate. Employment in the finance-insurance-real estate group is dependent on a variety of factors The finance sector responds to changes in stock market activity and banking operations. Insurance employment appears to be related primarily to levels of population; the ratio of insurance employment to civilian population 16 and over has been relatively constant since the early 1960's Real estate employment varies with changes not only in population but in housing activity in general Overall the finance group is slowly becoming a more important part of economic activity in the State. It is anticipated that this trend will continue at least through 1980 with above average gains for this component. Employment has therefore been projected at 445,000 in 1975 and 520,000 for 1980.

Services. The rapid growth of the service section has been a major force in the postwar economic expansion nationally and in California. Typically, gains have been substantial even in recession years. It may therefore be significant that service employment gained only marginally

during the latest business downturn. It is premature to conclude that this represented a secular change which will be reflected in slower expansion of the service sector in the future. For present purposes it has been assumed that service employment in relation to population will continue to rise, but at a more moderate pace than has occurred in the past. Employment has been projected at 1,470,000 for 1975 and 1,730,000 for 1980

Government. Projections of federal civilian employment depend on assumptions regarding the federal budget and the level of Federal activity in the State It has been assumed that no major military establishment (important employers of Federal civilian workers) will be closed down in California before 1980 Federal budget restraints are expected to continue for several years, discouraging any major expansion in federal employment. With the population growth forecast, not only for California, but the other western states, however, demand for additional Federal employees in regional activities in this State will increase It is therefore estimated that 330,000 Federal civilian jobs will exist in 1975. The projection for 1980 of 355,000 assumes continuation of moderate growth, and also allows for the fact that 1980 is a decennial-census year, which traditionally results in a temporary gain in Federal civilian employment.

State and local government employment has been another area of strong growth relative to population. In the past two years, however, this growth has slowed abruptly In part this appears to be attributable to financing problems encountered by State and local government units, precluding hiring at historic rates. An equally important factor of greater relevance in the longer run may be the changing composition of the population. Birth rates have slowed markedly in recent years and it is now apparent that the number of children in California schools will be lower than had earlier been anticipated for some years to come. The latter situation has been credited as one factor in reduced hiring by local government units Population projections suggest that this trend will continue. Employment in other areas of local government will continue to rise at long-term rates On balance, however, it is unlikely that this component will contribute as strongly to future economic expansion as it has to economic growth in the past While the ratio of state and local government employment to civilian population continues to rise, therefore, it does so at a slower pace than has occurred historically Employment in this sector has been projected at 1,275,000 for 1975 and 1,458,000 for 1980

Other employment. Other employment includes self-employed workers and domestic employees not included in the service category This figure is, to a large extent, extrapolated from the prior census which serves as the benchmark for the number of self-employed Data have not yet been released on employment characteristics from the 1970 Census of population. In general, however, the decreasing importance of proprietors in the economic structure of California has resulted in relatively slow growth for this sector It has been assumed that expansion will continue at this pace through 1980 Employment has therefore been projected at 820,000 in 1975 and 840,000 in 1980.

Total civilian employment is projected at 8,740,000 in 1975 and 9,800,000 in 1980 Unemployment, as noted earlier, is a residual factor representing the difference between the labor force and civilian employment Given the preceding projection, unemployment will amount to 460,000, or 5 0 percent of the labor force, in 1975 and 460,000 (4 5 percent of the labor force) in 1980. The 1980 unemployment rate for the State is therefore at approximately long-term full employment levels given the structure of the California economy

RESIDENTIAL BUILDING

Projections of residential building in the long run depend almost entirely on two factors—population growth and the rate of demolitions Other considerations such as the vacancy rate, which is important in the short run, become less important as the forecast period is extended. It is assumed that annual fluctuations in the level of residential building activity, dependent on such factors as monetary conditions, vacancy rates and the inventory of unsold or unrented units, will continue around a long-term trend Forecasting this trend thus becomes the most important aspect of projecting residential construction.

It is more probable in this industry than any other that substantial deviations from the long-term trend will occur The nature of the construction industry is such that rapid expansions may continue for several years, followed by sharply reduced levels of activity California is expected to enter the latter phase during 1972, and forecasts through 1975 take into consideration the overbuilding which is now occurring The projection for 1980, however, is based on extrapolation of the long-term demand for housing in the State and does not attempt to reflect the precise level of construction which will occur in that year It is possible that housing will exceed long-term demand levels between 1975 and 1980 so that by the latter year some moderation may occur in the number of housing units actually constructed. As with the employment estimates. no attempt has been made to forecast the exact point of the construction cycle at which the California industry will be in 1980

Data from the 1960 and 1970 Censuses of population indicate that the number of persons per housing unit has remained relatively constant at 2.9. This ratio has therefore been held through the 1970's On this basis, approximately 8,100,000 housing units will be required in the State by 1980, an increase of 16 percent from the 7,000,000 inventory which existed on April 1, 1970.

The 2.9 ratio may also be applied to changes in resident population to determine year-by-year new "basic" demand arising from population increase This method is particularly useful if a base period can be determined when the vacancy factor was at or near desired levels It appears that vacancies were at roughly 6 percent—an acceptable level—at the start of 1971. An estimate of housing demand for each year from 1971 through 1980 has therefore been developed using changes in resident population, estimated demolitions, mergers and conversions, seasonal construction, and additional vacancies required to facilitate population mobility These data are indicated in Table 3. Relatively little is known about demolitions in the State. On the basis

of preliminary 1970 Census data, demolitions appear to have averaged 55,000 a year between 1960 and 1970. Lacking any specific knowledge on annual rates of demolition, a series has been constructed for the intercensal years on the assumption that a gradual increase occurred during the decade. On this basis, demolitions amounted to approximately 75,000 in 1971 and have been increased from this point by 3.5 percent a year. It should be noted however, that demolition activity may fluctuate widely from year to year with urban renewal, public housing projects, and highway programs. It has not been possible to incorporate such factors into the estimate of demolitions. The estimate for demolitions which is shown in Table 17 is therefore only an approximation of the current level and trend in demolitions Over the long run, however, cumulative differences between the estimated and actual levels are expected to be minimal.

Mergers and conversions are relatively minor factors. Mergers are the combination of several housing units into one residence. Conversions are the separation of one house into several separate living quarters. Together such changes historically have accounted for only a few hundred new units in a year.

Despite the large number of recreational land sales in the State, construction of seasonal or second housing remains relatively small. Firm data on this are not available, particularly since many residential units, which would previously have been considered seasonal, are now being used for year-round living From an estimated 3,000 in 1971, it is anticipated that construction of seasonal housing will increase gradually throughout the decade

Finally, the vacancy factor must be included. To maintain the vacancy rate at 6 percent, the level of residential building must provide additional housing units equal to 6 percent of the basic demand due to the increase in population At the present time, approximately 5,000 units are required to maintain a 6 percent vacancy rate in the more than 80,000 new units required to accommodate population gains.

The total of these various factors indicates the level of construction which can be sustained over time in the State.

It appeared that an approximate equilibrium had been achieved in California's housing situation at the start of 1971, with the supply of and demand for housing roughly in balance. This observation is reinforced by selected data on vacancy rates which were near 6 percent at that time.

As was noted in the Review and Outlook, the supply of new housing in 1971 considerably exceeded demand. Data now available indicate that 258,300 new private and public residential units were authorized during the past year In addition, 30,000 mobile homes were sold in the State The new housing supply therefore amounted to 288,300 units, or 116,700 units more than estimated demand. The current rate of building authorizations suggests that a similar situation will exist in 1972 with an increase in inventory of approximately 78,000 units. By the end of this year there will be 194,900 surplus units in the California housing market. In the short run, therefore, it is likely that a readjustment will occur in the residential construction area, resulting in a

TABLE 17

COMPONENTS OF HOUSING DEMAND AND SUPPLY, 1971–1980

	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980
Resident population	20,265,000	20,506,000	20,761,000	21,048,000	21,366,000	21,718,000	22,109,000	22,528,000	22,958,000	23,402,000
Change in population	256,000	241,000	255,000	287,000	318,000	352,000	391,000	419,000	430,000	444,000
Basic demand [a]	88,300	83,100	87,900	99,000	109,700	121,400	134,800	144,500	148,300	153,100
Demolitions [b]	75,000	77,600	80,300	83,100	86,100	89,100	92,200	95,400	98,800	102,200
Seasonals	3,000	3,100	3,200	3,300	3,400	3,500	3,600	3,700	3,800	3,900
6% vacancy factor [c]	5,300	5,000	5,300	5,900	6,600	7,300	8,100	8,700	8,900	9,200
Total demand	171,600	168,800	176,700	191,300	205,800	221,300	238,700	252,300	259,800	268,400
Mobile homes	30,000	27,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Demand for conventional housing	141,600	141,800	151,700	166,300	180,800	196,300	213,700	227,300	234,800	243,400
Supply of conventional housing [d]	258,300	220,000	160,000	120,000	100,000	140,000	200,000	240,000	240,000	240,000
Surplus (deficit)	116,700	78,200	8,300	(46,300)	(80,800)	(56,300)	(13,700)	12,700	5,200	(3,400)
Cumulative surplus or (deficit)	116,700	194,900	203,200	156,900	76,100	19,800	6,100	18,800	24,000	20,600

[a] Change in population ÷ 2.9 persons per housing unit.
[b] Includes allowance for mergers and conversions demolitions rising at approximately 3.5% per annum.
[c] 6% applied to basic demand.
[d] Includes public housing units authorized.

sharp contraction in the level of housing activity for a period of several years. In the longer run, however, these disparities will have been eliminated, and homebuilding activity by 1980 should approximate the levels forecast.

Mobile homes have been an important factor in satisfying housing demand in the State. It has been estimated that approximately 25,000 mobile homes will be added to the housing inventory each year from 1973 through 1980 This is moderately lower than the 1971 sales level, which was exceptionally strong. In addition, a restraining factor in the long run is expected to be the lack of adequate park facilities to accommodate expansion by more than 25,000 units a year. Conventional construction will be required to fill the balance between total demand and that supplied by mobile homes. In 1980, therefore, with total demand of 270,000 and mobile home sales of 25,000 units, approximately 245,000 conventional single-family and apartment units must be constructed.

Table 17 points up the construction cycle anticipated for the 1970's with a decline from 1972 through 1975 and a gradual buildup from that year on as the excess housing inventory now being built up is worked off.

PERSONAL INCOME

The final set of long-term projections relates to personal income. The series shown is consistent with the estimates for 1972 and 1973 shown in the Review and Outlook Section of this economic report and in the California State Budget for 1972–73.

Income was projected by major source and, within wages and salaries, by industry to assure reasonable consistency with the employment projections. For proprietors' income, property income, and transfer payments, past trends, which are reasonably constant over a span of years, were used to project the series. Other labor income and contributions for social insurance were related to wages and salaries, with adjustments for increases in the latter for rising social security contribution rates as now scheduled. To the extent that the contribution schedule for social security is revised in the future, the amount shown for contributions may be low.

Wage and salary income, however, is by far the most important component of personal income, accounting for more than two-thirds of the total Wages and salaries per worker were calculated for each major employment group (e.g , manufacturing, trade, etc.). Each per-employee wage series was then deflated by the personal consumption expenditures deflator. The change in this deflated wage series is a rough indicator of productivity trends. No consideration was taken for changes in hours worked due to lack of state data on this aspect. As a result, this indicator may slightly understate productivity gains. It was then necessary to project the productivity factor and the personal consumption expenditures deflator, and apply the wages and salary level per employee thereby derived to the estimate of employment for each industry. Table 18 summarizes the methodology for the span 1975–80 for each industry. Data for the preceding years is available on request from the Department of Finance.

TABLE 18

CALCULATION OF WAGES AND SALARIES BY INDUSTRY, 1980

Industry	Wages and salaries (Millions, current dollars)	Wage and salary employment (Thousands)	Wages and salaries per employee		Indicated productivity change 1975–80 (Per-cent per annum)
			Dollars	1971 dollars	
Agriculture	1,450	255	5,686	4,381	3 5
Mining	560	32	17,500	13,482	2 3
Construction	5,710	310	18,419	14,190	3 0
Manufacturing	28,110	1,820	15,445	11,899	2.5
Transportation	4,880	283	17,244	13,285	2 5
Communication—					
Utilities	3,775	247	15,283	11,774	2.4
Trade	19,640	1,950	10,072	7,760	1.5
Finance-insurance-real estate	6,700	520	12,885	9,927	1.7
Services	17,760	1,730	10,266	7,909	1.0
Government	29,435	2,113 *	13,930	10,732	2.4
Federal civilian	5,925	355	16,690	12,858	2.5
Military	4,490	300	14,967	11,531	2.5
State and local	19,020	1,458	13,045	10,050	2.4

* Total includes military personnel.

The complete forecast of California income by source is shown in Table 19. These data will be revised periodically as actual figures on succeeding years are received.

The total for income derived from this methodology was checked to determine if trends in employment, hours, productivity, and prices were internally consistent. It was assumed, for instance, that average weekly hours will rise in 1972 by 0.1 hour and decline by approximately 0.1 hour per annum for the remainder of the forecast period, continuing the long-term historical trend in this series. Applying hours to total civilian and military employment in the State gave an estimate of annual man-hours. Personal income in current dollars was divided by the price rise from the base year—in this instance, taken as 1971—to determine personal income in constant dollars. The constant dollar figure divided by man-hours produced an estimate of real income per man-hour. The average annual change in this series is again roughly equivalent to productivity. It appears, therefore, that productivity in California will rise by about 1.4 percent in 1972, approximately 1 percent in 1973, 1.9 percent for 1973–75, and 2 3 percent between 1975 and 1980.

These estimates of productivity are slightly lower than those which obtain nationally. Several years ago, after publication of long-term estimates of California personal income, the Department received comments from several people that the productivity factor used at that time, which ranged between 2.5 and 3 5 percent, was higher than had occurred historically in the State The revised methodology suggests that this criticism is valid and that productivity gains in the State are slightly lower than in the Nation. To some extent, this may be due to the large service component in California and the fact that manufacturing, which is traditionally an area of high productivity, is less important in the State than nationally Table 20 summarizes this check of the personal income projections to 1980.

TABLE 19

CALIFORNIA PERSONAL INCOME BY SOURCE, 1970–1980

(Millions of dollars)

	1970	*1971*	*1972*	*1973*	*1975*	*1980*
Wages and Salaries	60,049	62,244	67,264	72,486	83,730	118,300
Agriculture	835	898	966	1,016	1,140	1,450
Mining	335	334	352	380	425	560
Construction	3,266	3,309	3,538	3,623	3,860	5,710
Manufacturing	14,588	14,262	15,499	16,740	19,350	28,110
Trade	10,073	10,754	11,475	12,379	14,290	19,640
Transportation	2,613	2,679	2,901	3,124	3,580	4,880
Communications—Utilities	1,875	1,952	2,107	2,292	2,675	3,775
Finance—Insurance—Real Estate	3,006	3,243	3,584	3,931	4,660	6,700
Services	8,735	9,220	9,942	10,825	12,680	17,760
Government	14,562	15,423	16,716	17,978	20,850	29,435
Federal Civilian	3,212	3,258	3,492	3,746	4,300	5,925
Military	2,488	2,572	2,980	3,129	3,500	4,490
State and local	8,862	9,593	10,244	11,103	13,050	19,020
Other industries	162	170	184	198	220	280
Other Labor Income	3,184	3,398	3,794	4,204	5,100	8,000
Proprietors' Income	6,890	7,008	7,205	7,450	8,080	9,750
Farm	928	990	975	1,000	1,050	1,250
Nonfarm	5,962	6,018	6,230	6,450	7,030	8,500
Property Income	12,172	12,700	13,362	14,128	16,210	22,800
Transfer Payments	9,945	11,870	13,600	15,300	18,850	31,700
Less: Contributions for Social Insurance	3,415	3,793	4,340	4,893	5,770	8,550
Personal Income	88,825	93,427	100,885	108,675	126,200	182,000

TABLE 20

INDICATED PRODUCTIVITY IN CALIFORNIA, 1971–1980

	1971	*1972*	*1973*	*1975*	*1980*
Civilian employment (thousands)	8,003	8,180	8,370	8,740	9,800
Average weekly hours	37 3	37 4	37 3	37 1	36 5
Average annual hours	1,940	1,945	1,939	1,929	1,898
Civilian manhours (millions)	15,526	15,910	16,229	16,859	18,600
Personal income ($ millions).					
Civilian wages and salaries	59,672	64,284	69,357	80,230	113,810
Proprietors' income	7,008	7,205	7,450	8,080	9,750
Total	66,680	71,489	76,807	88,310	123,560
Prices	--	3 3%	4.2%	3 25%p.a	2 5%p.a.
Cumulative	--	3 3%	7 6%	14.7%	29 8%
Wage and salary, proprietors' income, 1971 dollars	66,680	69,205	71,382	76,992	95,193
Income per manhour (1971 dollars)	4 29	4 35	4 40	4.57	5 12
Percent change. Indicated productivity (% per annum)	--	1 4	1.1	1 9	2 3

TABLE 21

CALIFORNIA PERSONAL INCOME PER CAPITA, 1971–1980

	Current Dollars		*1971 Dollars*	
	Amount	*Percent change*	*Amount*	*Percent change*
1971	4,610	–	4,610	–
1972	4,920	6 7	4,763	3 3
1973	5,235	6 4	4,865	2.1
1975	5,907	6 2	5,150	2 9
1980	7,777	5.7	5,992	3 1

The projections indicated for employment, construction activity, and personal income, if realized, will reflect strong, well-balanced growth in California. With continuing diversification of the economic base, the impact of fluctuations due to sector adjustments—such as have occurred in recent years in aerospace—can be diminished. It is anticipated, however, that cyclical swings, reflecting national expansion and recession, will still take place around the long-term trend in the State. While the data presented for 1980 are an estimate of general levels, and a guide to growth rates in the 1970's, they do not purport to represent more than an approximation of where the California economy will be in 1980. It is intended that these data will be revised periodically as later information becomes available.

STATISTICAL APPENDIX

CONTENTS

Population and Labor Force

Page

A-1 Population of the United States and California, 1950–71 ---- 893

A-2 Components of Change in California's Civilian Population, 1950–71 ---- 893

A-3 Population of California Counties· 1960 and 1970 ---- 894

A-4 Civilian Labor Force, California, 1950–71 ---- 895

Employment and Unemployment

A-5 Wage and Salary Workers in Nonagricultural Establishments by Major Industry Division, California, 1950–71 ---- 896

A-6 Wage and Salary Workers in Nonagricultural Establishments, by Major Industry Division, Selected Areas, 1964–71 ---- 897

A-7 Wage and Salary Workers in Manufacturing, California, 1967–71 ---- 900

A-8 Wage and Salary Workers in Nonagricultural, Manufacturing, and Four Aerospace Industries, California, 1950–71 ---- 902

A-9 Average Weekly and Hourly Earnings and Average Hours Worked per Week, Production and Related Workers in Manufacturing, California and United States, 1950–71 ---- 903

A-10 Average Weekly and Hourly Earnings and Average Hours Worked per Week in Selected Nonmanufacturing Industries, California, 1968–71 ---- 904

A-11 Average Gross and Net Spendable Weekly Earnings of Production and Related Workers in Manufacturing, California and Los Angeles-Long Beach, San Francisco-Oakland, and San Diego Metropolitan Areas, 1960–71 ---- 905

A-12 Duration of Unemployment Claimed Under State Law, California, 1960–71 ---- 907

A-13 Unemployment Insurance Programs, California, Selected Data, 1950–71 ---- 908

Personal Income

A-14 Personal Income in California, Total and Per Capita, 1950–71 ---- 910

A-15 Personal Income by Major Sources, California, 1950–71 910

A-16 Distribution of Personal Income by Major Sources, California, 1950–71 ---- 911

CONTENTS—Continued

		Page
A-17	Disposable Income, California, 1950–71	912
A-18	Industrial Sources of Personal Income from Participation in Current Production, California and United States, 1968–70	913
A-19	Number of Personal Income Tax Returns, Adjusted Gross Income, Taxable Income, and Tax Assessed, 1959–69	913
A-20	Number of Personal Income Tax Returns, Adjusted Gross Income and Tax Assessed, by County, 1968 and 1969	914
	Consumer Prices	
A-21	Consumer Price Index, United States, California, Los Angeles, San Francisco, and San Diego, 1950–71	915
	Agriculture	
A-22	California Cash Farm Receipts, Production Expense, and Income, 1955–71	916
A-23	California Cash Farm Receipts from Crops, 1950–71	916
A-24	California Cash Farm Receipts from Poultry and Livestock Products, 1950–71	917
A-25	California Cash Farm Receipts, All Crops, Livestock and Poultry, Miscellaneous, and Government Payments, 1950–71	917
A-26	Total Agricultural Employment in California, 1950–71	918
A-27	Agricultural Employment in California, Hired Domestic Workers, 1950–71	918
	Business and Commerce	
A-28	California Employers Subject to Unemployment Insurance Code, 1950–71	919
A-29	California Employers Subject to Unemployment Insurance Code, 1970 and 1971 by Months	919
A-30	Corporate Profits from California Operations, 1950–69	920
A-31	Bank and Corporation Franchise Tax Returns Reporting Net Income Subject to State Taxation, by Industry, 1968 and 1969	921
	Construction	
A-32	California Building Permit Activity · Valuation by Selected Types of Building Construction, 1954–71	922
A-33	Residential Housing Units Authorized by Permits and Public Housing Contract Awards in 245 Permit Issuing Places in California, 1958–71	923

CONTENTS—Continued

Trade

Page

A-34 Taxable Transactions of Retail Stores in California, 1950–71 ---- 923

A-35 Taxable Transactions of Retail Stores in California, 1970 and 1971, by Quarters ---- 924

A-36 California Sales Tax Permits Outstanding, 1950–71 ---- 924

A-37 Taxable Transactions in California by Type of Business, 1970 and 1971 ---- 925

Finance

A-38 Total Demand Deposits, All Insured Commercial Banks, California, 1950–71 ---- 926

A-39 Total Deposits, All Insured Commercial Banks, Selected California Cities, 1971, by Months ---- 926

A-40 Debits to Demand Deposits, Selected Insured Commercial Banks, California Cities, 1970 and 1971 ---- 927

A-41 Total Time Deposits, All Insured Commercial Banks, California, 1950–71 ---- 928

A-42 Gross Loans, All Insured Commercial Banks, Selected California Cities, 1971, by Months ---- 928

A-43 Gross Loans by Major Categories, All Insured Commercial Banks, California, 1950–71 ---- 929

A-44 Gross Loans and Discounts, All Insured Commercial Banks, California, 1950–71 ---- 930

A-45 Mortgage Loans Outstanding, All Insured Savings and Loan Associations, California, 1950–71 ---- 930

A-46 Savings Capital, All Insured Savings and Loan Associations, California, 1950–71 ---- 931

A-47 Mortgage Loans Outstanding of Insured California Associations by Type of Association, 1970 and 1971 ---- 931

A-48 Savings Capital of Insured California Associations by Type of Association, 1970 and 1971 ---- 932

A-49 Summary of State Tax Collections, 1950–73 ---- 932

A-50 Comparative Yield of State Taxes, 1950–73 ---- 933

A-51 Assessed Value of Tangible Property, Tangible Property Tax Levies and Average Tax Rate in California, 1951–72 ---- 934

A-52 Taxes Levied on Tangible Property Subject to Local General Property Taxation and Average Tax Rate, by County, 1970–71 ---- 935

A-53 Percent Change in Tax Levies and Average Tax Rate, by County ---- 936

CONTENTS—Continued

Manpower Development

		Page
A-54	Enrollments in Public School Vocational Education, California, 1971	937
A-55	Status of Vocational Education Graduates, Secondary and Postsecondary School Programs	937
A-56	Apprentices in Selected Trades, Active and Completing During 1970–71, California	938
A-57	Manpower Development and Training Activities in California, July 1966 through October 1971	939
A-58	Work Incentive Program in California, September 10, 1968–December 1971	939

TABLE A-1

POPULATION [a] OF THE UNITED STATES AND CALIFORNIA, 1950–71

Year (July 1)	United States	California	California as percent of United States	Percent change	
				United States	California
1950	151,868,000	10,643,000	7.0	1.7	3.0
1951	153,982,000	11,130,000	7.2	1.4	4.6
1952	156,393,000	11,638,000	7.4	1.6	4.6
1953	158,956,000	12,101,000	7.6	1.6	4.0
1954	161,884,000	12,517,000	7.7	1.8	3.4
1955	165,069,000	13,004,000	7.9	2.0	3.9
1956	168,088,000	13,581,000	8.1	1.8	4.4
1957	171,187,000	14,177,000	8.3	1.8	4.4
1958	174,149,000	14,741,000	8.5	1.7	4.0
1959	177,138,000	15,288,000	8.6	1.7	3.7
1960	179,975,000	15,863,000	8.8	1.6	3.8
1961	182,973,000	16,366,000	8.9	1.7	3.2
1962	185,738,000	16,905,000	9.1	1.5	3.3
1963	188,436,000	17,517,000	9.3	1.5	3.6
1964	191,085,000	18,020,000	9.4	1.4	2.9
1965	193,460,000	18,490,000	9.6	1.2	2.6
1966	195,501,000	18,850,000	9.6	1.0	1.9
1967	197,374,000	19,232,000	9.7	1.0	2.0
1968	199,312,000	19,506,000	9.8	1.0	1.4
1969	201,306,000	19,817,000	9.8	1.0	1.6
1970	203,736,000	20,009,000	9.8	1.2	1.0
1971	206,187,000	20,265,000	9.8	0.9	1.3

[a] Includes members of the armed forces stationed in the area.

Sources: United States Population, U.S. Bureau of the Census, p. 25, No. 471.
California population, California Department of Finance

TABLE A-2

COMPONENTS OF CHANGE IN CALIFORNIA'S CIVILIAN POPULATION, 1950–71

Year (July 1)	Civilian population	Net change	Net migration	Natural increase	Gains from military
1950	10,472,000	311,000	165,000	146,000	+10,000
1951	10,754,000	282,000	268,000	149,000	−135,000
1952	11,194,000	440,000	284,000	163,000	−7,000
1953	11,681,000	487,000	307,000	181,000	−1,000
1954	12,177,000	496,000	258,000	195,000	+12,000
1955	12,668,000	491,000	273,000	193,000	+25,000
1956	13,247,000	579,000	364,000	208,000	+7,000
1957	13,848,000	601,000	388,000	221,000	−8,000
1958	14,410,000	562,000	325,000	226,000	+11,000
1959	14,964,000	554,000	339,000	224,000	+1,000
1960	15,567,000	603,000	368,000	231,000	+4,000
1961	16,076,000	509,000	259,000	244,000	+6,000
1962	16,598,000	522,000	302,000	240,000	−20,000
1963	17,197,000	599,000	350,000	234,000	+9,000
1964	17,713,000	516,000	315,000	230,000	−29,000
1965	18,181,000	468,000	263,000	217,000	−12,000
1966	18,498,000	317,000	180,000	185,000	−48,000
1967	18,869,000	371,000	232,000	184,000	−45,000
1968	19,145,000	276,000	128,000	176,000	−28,000
1969	19,456,000	311,000	121,000	185,000	+5,000
1970	19,703,000	247,000	29,000	187,000	+30,000
1971	19,966,000	263,000	26,000	195,000	+42,000

Source: California Department of Finance.

TABLE A-3

POPULATION OF CALIFORNIA COUNTIES, 1960 AND 1970

County	Total population		Change, 1960–70	
	April 1, 1960	April 1, 1970	Number	Percent
Alameda	908,209	1,073,184	164,975	18 2
Alpine	397	484	87	21 9
Amador	9,990	11,821	1,831	18 3
Butte	82,030	101,969	19,939	24 3
Calaveras	10,289	13,585	3,296	32 0
Colusa	12,075	12,430	355	2 9
Contra Costa	409,030	555,805	146,775	35 9
Del Norte	17,771	14,580	−3,191	−17 9
El Dorado	29,390	43,833	14,443	49 1
Fresno	365,945	413,329	47,384	12 9
Glenn	17,245	17,521	276	1 6
Humboldt	104,892	99,692	−5,200	−5 0
Imperial	72,105	74,492	2,387	3 3
Inyo	11,684	15,571	3,887	33 3
Kern	291,984	329,271	37,287	12 8
Kings	49,954	66,717	16,763	33 6
Lake	13,786	19,548	5,762	41 8
Lassen	13,597	16,798	3,199	23 5
Los Angeles	6,038,771	7,040,335	1,001,564	16 5
Madera	40,468	41,519	1,051	2 6
Marin	146,820	206,758	59,938	40 8
Mariposa	5,064	6,015	951	18 7
Mendocino	51,059	51,101	42	0 1
Merced	90,445	104,629	14,183	15 7
Modoc	8,308	7,469	−839	−10 1
Mono	2,213	4,016	1,803	81 4
Monterey	198,381	247,450	49,069	24 8
Napa	65,890	79,140	13,250	20 1
Nevada	20,911	26,346	5,435	25 0
Orange	703,925	1,420,676	716,751	101 8
Placer	56,998	77,632	20,634	36 2
Plumas	11,620	11,707	87	0 7
Riverside	306,191	459,074	152,883	49 9
Sacramento	502,778	634,190	131,412	26 1
San Benito	15,396	18,226	2,830	18 4
San Bernardino	503,591	682,233	178,642	35 5
San Diego	1,033,011	1,357,854	324,843	31 4
San Francisco	740,316	715,674	−24,642	−3 3
San Joaquin	249,989	289,564	39,575	15 8
San Luis Obispo	81,044	105,690	24,646	30 4
San Mateo	444,387	556,601	112,214	25 2
Santa Barbara	168,962	264,324	95,362	56 4
Santa Clara	642,315	1,066,174	423,859	66 0
Santa Cruz	84,219	123,790	39,571	47 0
Shasta	59,468	77,640	18,172	30 6
Sierra	2,247	2,365	118	5 2
Siskiyou	32,885	33,225	340	1 0
Solano	134,597	171,989	37,392	27 8
Sonoma	147,375	204,885	57,510	39 0
Stanislaus	157,294	194,506	37,212	23 6
Sutter	33,380	41,935	8,555	25 6
Tehama	25,305	29,517	4,212	16 6
Trinity	9,706	7,615	−2,091	−21 5
Tulare	168,403	188,322	19,919	11 8
Tuolumne	14,404	22,169	7,765	53 9
Ventura	199,138	378,497	179,359	90 1
Yolo	65,727	91,788	26,061	39 6
Yuba	33,859	44,736	10,877	32 1
Totals	15,717,204	*	4,250,800	27 0

* The Bureau of the Census has not revised their total of 19,953,134, the revised total should be 19,968,004.

Source U S Department of Commerce, Bureau of the Census, California Department of Finance.

TABLE A-4

CIVILIAN LABOR FORCE, CALIFORNIA, 1950–71

(In thousands)

Year and month	Labor force[a]	Employed[b]	Unemployed[c]	Percent unemployed	
1950	4,601	4,184	347	7.7	
1951	4,670	4,468	202	4.3	
1952	4,903	4,696	206	4.2	
1953	5,063	4,858	205	4.0	
1954	5,110	4,856	254	5.0	
1955	5,303	5,095	207	3.9	
1956	5,566	5,378	188	3.4	
1957	5,797	5,554	243	4.2	
1958	5,904	5,536	377	6.4	
1959	6,104	5,812	292	4.8	
1960	6,299	5,933	367	5.8	
1961	6,481	6,036	446	6 9	
1962	6,651	6,262	389	5.8	
1963	6,868	6,457	411	6 0	
1964	7,061	6,639	422	6.0	
1965	7,284	6,855	429	5 9	
1966	7,593	7,218	375	4.9	
1967	7,851	7,462	389	5 0	
1968	8,091	7,725	366	4.5	
1969	8,388	8,016	373	4.4	
1970	8,555	8,036	519	6.1	
1971	8,603	8,004	599	7.0	
				Unadjusted	Adjusted for seasonal variation
1970 January	8,396	7,938	458	5.5	4 9
February	8,454	7,940	514	6.1	5.0
March	8,482	7,998	484	5.7	5.2
April	8,459	8,021	438	5 2	5.5
May	8,546	8,075	471	5 5	5.8
June	8,705	8,163	542	6.2	5.9
July	8,639	8,081	558	6.5	6.2
August	8,655	8,100	555	6.4	6.5
September	8,654	8,146	508	5.9	7.0
October	8,542	8,035	507	5.9	7.2
November	8,534	7,956	578	6 8	7.1
December	8,586	7,973	613	7 1	7.2
1971 January	8,490	7,808	682	8 0	7.2
February	8,512	7,816	696	8 2	6.7
March	8,525	7,850	675	7.9	7.2
April	8,509	7,915	594	7 0	7.4
May	8,584	7,980	604	7 0	7.4
June	8,765	8,094	671	7 7	7.3
July	8,672	8,044	628	7.2	7.0
August	8,704	8,096	608	7 0	7.1
September	8,684	8,171	513	5 9	7.0
October	8,589	8,103	486	5 7	6.9
November	8,574	8,067	507	5 9	6.3
December	8,629	8,108	521	6 1	6.1

[a] Detail may not add to total because of rounding

[b] Includes wage and salary workers, employers, own-account workers, and unpaid family workers Excludes workers directly involved in work stoppages who received no pay for the payroll period which includes 12th of the month.

[c] Excludes the potential or latent supply of workers not active in the labor market and workers directly involved in work stoppages

Source California Department of Human Resources Development.

TABLE A-5

WAGE AND SALARY WORKERS [a] IN NONAGRICULTURAL ESTABLISHMENTS BY MAJOR INDUSTRY DIVISION, CALIFORNIA, 1950–71

(In thousands)

Year and month	Total	Mineral extraction	Construction	Manufacturing	Transportation and utilities	Trade	Finance, insurance, and real estate	Services	Government
1950	2,209 4	32 3	235 0	759 7	307 1	783 2	142 1	416 8	533 3
1951	2,513 3	34 0	250 9	892 5	327 1	820 9	150 3	441 7	599 9
1952	2,737 5	35 9	260 6	994 6	336 3	852 6	157 9	469 0	640 9
1953	2,880 7	37 3	261 5	1,060 8	345 6	881.1	166 7	480 4	646 4
1954	2,866 1	36.1	255 0	1,048 6	336 5	877.2	170 4	487 8	654.5
1955	4,083 9	38.8	284 0	1,121 1	347 4	915 6	180 4	518 5	681 2
1956	4,353 3	37 0	302 3	1,218 0	364 9	963 1	193 2	549 2	724 6
1957	4,525 2	36.5	287 5	1,283 8	372 8	986 9	203 7	593 1	760 9
1958	4,498 6	33 4	288 7	1,217 4	353 7	973 0	212 6	623 2	798 6
1959	4,774.8	32 4	309 4	1,312 6	354 8	1,030 3	226.2	677.2	832.4
1960	4,896 0	30 6	294 8	1,317 2	356 9	1,067 6	243 2	711 7	874 0
1961	4,996 1	30 3	294 4	1,318 0	351 2	1,080 6	253 0	748 3	920 3
1962	5,217 7	30 2	307 7	1,382 5	357 0	1,121 4	265 4	790 7	962 8
1963	5,412 3	29 6	329 0	1,394 3	360 3	1,169 0	281 0	847 5	1,001 6
1964	5,606.5	31 0	340 4	1,389 4	371.0	1,224 5	295 7	910 0	1,043 5
1965	5,800 3	31 7	323 7	1,411 2	387 1	1,269 7	306.7	964 8	1,105 4
1966	6,145 2	32 3	305 6	1,531 3	410 3	1,329 3	310 6	1,029 1	1,196 7
1967	6,367 6	31 9	275 2	1,594 0	428 7	1,358 7	319 3	1,085 5	1,274 3
1968	6,642 1	32 5	293 7	1,639 7	449 7	1,418 1	337 8	1,146 8	1,325 8
1969	6,931 5	32 6	310 6	1,661 3	460 7	1,493 0	358.4	1,223 2	1,391.7
1970	6,947 7	31 4	303 0	1,558 0	459 1	1,530 8	374 5	1,266 2	1,424.7
1971	6,914 9	30.2	296 6	1,470 5	462 5	1,553 1	384 6	1,271 9	1,455 5
1970 January	6,900 0	31.5	298 2	1,601 3	454 2	1,505 2	366 8	1,236 1	1,405 4
February	6,902 7	31 8	299 0	1,588 6	452 6	1,496 6	369 4	1,248 8	1,417.9
March	6,950 2	31 5	302 1	1,598 2	455 4	1,505 7	371 8	1,259 5	1,426.0
April	6,951 8	32 0	309 2	1,588 8	447 5	1,510 7	372 8	1,262 3	1,430 5
May	6,968 2	32 0	310 9	1,569 2	451 2	1,521 4	373 5	1,266 1	1,443.9
June	7,034 7	32 1	313 2	1,570 7	467 4	1,541 5	376 8	1,284 8	1,449.2
July	6,968 8	31 6	312 1	1,563 3	469 0	1,535 0	378 6	1,285 5	1,393 7
August	6,964 3	31 2	312 7	1,579 8	469 0	1,533 6	378 1	1,285 6	1,374 3
September	6,985 2	31 0	310 4	1,572 3	468 8	1,543 7	376 6	1,279 8	1,402 6
October	6,926 6	30.9	299 0	1,511 3	460 8	1,538 1	376 3	1,267 1	1,443 1
November	6,897 1	30 4	291 4	1,481 7	457 3	1,545 5	376 4	1,259 4	1,455 0
December	6,923 2	30 0	277 7	1,472 4	455 7	1,562 8	378 2	1,262 0	1,454.4
1971 January	6,789 4	29 5	267 9	1,435 7	447 7	1,517 9	373 7	1,240 7	1,446 3
February	6,770 3	29 5	278 2	1,439 1	446 7	1,504 3	375 4	1,246 2	1,450 9
March	6,806 5	29.6	286 6	1,442 3	447 8	1,510 0	378.2	1,253 7	1,458 3
April	6,849 7	30 1	293 6	1,450 8	449 9	1,519 7	381 5	1,260 1	1,464 6
May	6,878 7	30 2	300 1	1,457 0	451 2	1,530 8	383 8	1,263 1	1,463 5
June	6,926 0	30 6	309 7	1,470 1	467 2	1,555 4	386 8	1,281 4	1,474 8
July	6,923 5	30 9	305 8	1,471 9	453 1	1,560 8	389 4	1,294 0	1,420 6
August	6,959 0	30 9	304 0	1,503 8	454 6	1,563 2	390 1	1,291 5	1,468 9
September	7,005 9	30 7	311 1	1,525 3	464 7	1,571 4	388 9	1,285 5	1,438.3
October	6,992 8	30 5	309 9	1,486 7	455 8	1,572 0	388 5	1,278 1	1,469 3
November	7,010 6	30 4	304 8	1,484 7	455 2	1,589 2	389 3	1,276 2	1,480 8
December	7,033 0	30 1	287 6	1,474 6	455 7	1,642 2	390 7	1,282 3	1,489 8

[a] Does not include employers, own-account workers, unpaid family workers, domestic servants, and agricultural workers

Source: California Department of Human Resources Development.

TABLE A-6

WAGE AND SALARY WORKERS[a] IN NONAGRICULTURAL ESTABLISHMENTS, BY MAJOR INDUSTRY DIVISION, SELECTED AREAS, 1964–71

(In thousands)

Area and industry	1964	1965	1966	1967	1968	1969	1970	1971
Los Angeles-Long Beach								
Total	2,415 1	2,480 4	2,620 5	2,700 1	2,796 1	2,899 8	2,899 8	2,799 6
Mineral extraction	10 0	9 9	10 1	10 8	11 7	11 6	11 3	10 5
Construction	125 9	115 0	109 2	97 1	101 9	108 9	112 1	96 9
Manufacturing	745 7	760 9	830 6	860 1	878 1	880 5	815 5	751 3
Transportation and utilities	142 4	147 6	155 2	161 6	167 9	176 8	175 0	170 7
Trade	533 4	548 1	569 5	579 9	600 4	626 1	645 6	636 9
Finance, insurance, and real estate	137 2	141 7	142 9	146 2	152 2	160 6	170 1	171 9
Services	406 9	427 2	451 9	474 7	496 1	528 6	548 2	532 8
Government	313 6	330.0	351 1	369 8	387 8	406 7	419 0	428 6
San Francisco-Oakland								
Total	1,049 4	1,083 4	1,133 0	1,169 4	1,214 8	1,267 5	1,264 0	1,231 7
Mineral extraction	1 9	1 8	1 6	1 8	1 8	1 8	1 8	1 8
Construction	67 1	68 1	65 1	60 1	62 6	64 6	62 6	58 5
Manufacturing	195 3	197 5	203 9	202 1	204 7	208 9	202 9	188 8
Transportation and utilities	103 2	108 3	116 3	125 1	129 8	134 9	133 9	127 2
Trade	231 1	236 1	242 3	246 9	255 6	266 0	269 4	264 4
Finance, insurance, and real estate	76 6	77 8	79 3	83 1	88 6	93 9	96 7	96 6
Services	164 6	173 6	184 9	194 7	205 4	215 8	224 7	221 6
Government	209 6	221 2	239 6	255 8	266 3	271 9	272 0	272 8
Anaheim-Santa Ana-Garden Grove								
Total	275 6	293 1	324 2	362 5	380 1	407 6	418 9	416 4
Mineral extraction	1 7	1 7	1 9	1 9	2 0	2 0	1 9	1 9
Construction	24 0	21 0	19 8	17 0	20 0	22 7	23 9	22 1
Manufacturing	91 8	98 3	107 8	125 1	126 9	130 0	123 1	113 9
Transportation and utilities	9 0	10 0	10 6	11 3	11 9	13 2	14 3	14 5
Trade	57 3	62 8	70 4	75 1	83 4	92 3	98 2	100 1
Finance, insurance, and real estate	11 5	12 6	13 3	14 2	16 2	18 2	20 0	21 2
Services	41 2	45 1	51 1	58 4	59 4	66 1	71 9	72 7
Government	39 1	43 6	49 3	53 5	59 3	63 1	66 5	70 0
San Jose								
Total	261 0	274 6	304 8	329 6	352 8	373 7	382 4	373 7
Mineral extraction	1	2	2	1	1	1	2	1
Construction	18 9	17 4	16 5	15 8	17 5	19 1	17 9	17 7
Manufacturing	86 4	88 2	104 1	118 0	125 2	128 7	126 0	116 4
Transportation and utilities	10 8	12 3	13 7	14 2	14 6	16 2	17 1	17 6
Trade	46 3	49 4	53 6	57 6	63 4	67 9	71 9	71 6
Finance, insurance, and real estate	9 2	9 8	10 0	10 4	11 3	12 3	12 8	13 6
Services	49 2	53 9	59 0	63 1	67 2	73 7	76 3	75 0
Government	40 1	43 4	47 7	50 6	53 5	56 7	60 2	61 7
San Diego								
Total	263 7	272 1	294 9	317 6	343 6	374 5	387 1	394 8
Mineral extraction	4	4	.4	4	5	5	5	5
Construction	16 3	15 6	14 6	15 0	18 1	21 3	21 3	22 5
Manufacturing	51 1	49 9	57 0	60 1	64 9	69 6	67 4	61 6
Transportation and utilities	14 3	15 0	16 1	17 3	18 6	19 7	20 5	21 0
Trade	57 4	59 8	63 9	67 6	73 2	81 5	86 1	89 9
Finance, insurance, and real estate	12 6	12 9	13 2	13 5	14 9	16 5	17 9	19 4
Services	47 2	50 1	54 0	59 9	63 9	69 9	75 5	77 4
Government	64 4	68 4	75 7	83 8	89 6	95 5	97 9	102 5
Riverside-San Bernardino-Ontario								
Total	234 0	244 2	254 6	259 5	271 0	287 4	293 7	297 3
Mineral extraction	1 5	1 8	2 3	2 0	2 2	2 3	2 4	2 5
Construction	13 3	13 4	14 4	11 8	12 7	13 9	14 2	13 7
Manufacturing	40 3	42 1	42 7	47 4	50 0	53 3	52 7	51 4
Transportation and utilities	16 5	16 8	17 4	17 6	17 2	17 5	17 4	17 3
Trade	50 1	52 9	55 4	56 5	59 1	63 9	66 8	67 9
Finance, insurance, and real estate	8 5	9 0	8 9	8 7	9 3	9 7	9 9	10 4
Services	38 7	42 0	43 1	47 4	49 8	53 0	55 4	57 3
Government	66 1	63 2	65 4	68 3	70.7	73 8	75 7	76 8

TABLE A-6—Continued

WAGE AND SALARY WORKERS [a] IN NONAGRICULTURAL ESTABLISHMENTS, BY MAJOR INDUSTRY DIVISION, SELECTED AREAS, 1964–71

(In thousands)

Area and industry	1964	1965	1966	1967	1968	1969	1970	1971
Sacramento								
Total	224 4	230 3	242.8	249 1	253.9	259 7	263 4	267 5
Mineral extraction	.3	.3	.3	2	2	1	1	1
Construction	14.8	14 9	12 9	11 1	10 8	11 4	11 6	12 7
Manufacturing	35 3	30 8	28 9	27 3	26 4	24 2	22 2	21 6
Transportation and utilities	17 3	17 3	17 8	18 0	17 6	17 3	17 3	17 5
Trade	45 3	47 0	49 3	49 6	51 1	52 8	54 4	55 4
Finance, insurance, and real estate	8 9	9 3	9 5	9 6	9 9	10 2	10 4	11 2
Services	26 5	28 6	30.1	32 3	34 4	36 6	38 5	39 6
Government	76 0	82 1	94 0	101 0	104 5	107 1	108 9	109 4
Fresno								
Total	96 4	99 8	104 9	106 3	111 0	115.3	117 9	121 1
Mineral extraction	1 2	1 1	1 0	.9	.7	7	8	.7
Construction	5 3	5 6	6 0	5 2	5 0	4 9	5 0	5 5
Manufacturing	15 4	15 4	15 8	16 1	17 3	18 0	17 8	18 1
Transportation and utilities	7.4	7 8	8 0	7 8	7 9	8 0	7 9	8 2
Trade	26 6	27 9	28 8	28 8	29 6	30 4	31 3	32 4
Finance, insurance, and real estate	4.4	4 6	4 7	4 8	5 2	5 2	5 4	5 6
Services	16 2	17 0	17 7	18 4	19 7	20 9	21 8	21 6
Government	19 9	20 4	22 9	24 3	25.6	27.2	28 1	29 0
Bakersfield								
Total	77 7	82.2	85 3	86 8	88 4	90.0	90 0	91.4
Mineral extraction	7 2	7 6	7 7	7 6	7 1	7 1	6 5	6 4
Construction	3 8	3 8	4 0	4 5	5 4	5 1	4 0	3 8
Manufacturing	7 6	8 5	9 0	8 8	8 2	8 0	7 8	7 9
Transportation and utilities	6 0	6 0	6 0	6 0	6 0	6 5	6 3	6 2
Trade	17 1	18 6	19 4	19 5	19 8	20 3	21 1	21 9
Finance, insurance, and real estate	2 8	2 6	2 7	2 8	2 9	3 4	3 5	3 5
Services	11 6	12 2	12 6	13 4	13 7	14 1	14 7	15 0
Government	21 6	22.7	23 9	24 6	25 3	25 5	26 1	26 7
Stockton								
Total	69 9	74 8	80 8	83.6	85.2	88 0	87 5	88 1
Mineral extraction	1	.1	1	.1	1	1	.1	1
Construction	3 8	3 7	3 8	3 7	3 3	3.2	3 3	4 3
Manufacturing	14 0	15 3	15 4	15 7	16 5	17 1	16 8	17 1
Transportation and utilities	5 7	6 0	6 6	7 1	6 8	6 9	6 8	6 4
Trade	16 5	17 4	18 4	18 3	18 7	19 6	19 3	19 1
Finance, insurance, and real estate	2 4	2 6	2 6	2 7	2 9	3 0	3 0	2 9
Services	10 4	11 1	11 9	12 4	13 1	13 8	14 3	14 4
Government	17 0	18 7	22 0	23 6	23 8	24 3	24 2	23 8
Oxnard-Simi Valley-Ventura								
Total	67 3	71 0	75 4	78 7	84 3	91 0	93 0	94 1
Mineral extraction	2 5	2 4	2 3	2 2	1 9	1 9	1 8	1 7
Construction	4 6	4 5	3 7	3 0	3.3	4 7	4 8	4 6
Manufacturing	11 8	12 3	12 4	12 9	14 3	14 5	13 7	12 8
Transportation and utilities	3 1	3 3	3 7	3 6	3 8	4 1	4 0	4 2
Trade	14 8	15 4	16 9	17 2	17 9	19 8	22 0	22 4
Finance, insurance, and real estate	2 0	2 2	2 3	2 5	2 8	3 0	3 3	3 6
Services	9 1	10 1	11 1	12 0	12 8	14 2	14 8	15 1
Government	19 4	20 8	23 0	25 3	27.5	28 8	28 8	29 7
Santa Barbara								
Total	63 4	65 4	70 7	73 2	75 9	80.3	81 3	80 9
Mineral extraction	.9	1 0	1 2	1 1	9	1 2	1 0	9
Construction	4 9	4 3	3 8	3 8	3 8	4 1	3 6	3 4
Manufacturing	10 4	9 8	10 6	10 6	10 2	10 5	10 4	9 3
Transportation and utilities	3 1	3 1	3 4	3 4	3 4	3 5	3 4	3 4
Trade	14 4	15 0	16 0	16 5	16 7	17 4	18 3	18 7
Finance, insurance, and real estate	2 5	2 6	2 6	2 7	2 8	3 0	3 2	3 2
Services	14 0	14 8	16 4	17 1	18 4	19 7	20 0	20 4
Government	13 2	14 8	15 6	15 2	19.7	20.8	21 4	21 6

TABLE A-6—Continued

WAGE AND SALARY WORKERS[a] IN NONAGRICULTURAL ESTABLISHMENTS, BY MAJOR INDUSTRY DIVISION, SELECTED AREAS, 1964–71

(In thousands)

Area and industry	1964	1965	1966	1967	1968	1969	1970	1971
Vallejo-Napa								
Total	52 8	55 7	60 3	64 1	66 4	67 7	68 1	69 5
Mineral extraction	2	1	2	2	2	1	2	2
Construction	2 5	2 5	2 4	2 2	2 4	2 4	2 2	2 4
Manufacturing	5 0	5 4	6 4	6 6	7 3	7 1	7 0	7 1
Transportation and utilities	2 7	2 9	3 2	3 5	3 6	3 6	3 5	3 6
Trade	9 4	9 8	10 3	10 6	11 4	11 7	12 2	12 9
Finance, insurance, and real estate	1 5	1 6	1 6	1 6	1 7	1 8	1 8	1 8
Services	7 3	7 8	8 3	9 2	9 6	10 5	10 7	11 0
Government	24 2	25 6	27 9	30 0	30 2	30 5	30 4	30 5
Salinas-Seaside-Monterey								
Total	48 0	50 3	54 3	57 0	59 1	61 0	62 7	63 7
Mineral extraction	4	4	4	4	4	5	5	5
Construction	3 1	3 0	2 9	2 8	2 7	2 7	2 4	2 3
Manufacturing	5 4	5 8	6 3	6 6	6 9	7 2	7 4	6 9
Transportation and utilities	3 2	3 4	3 7	3 9	4 0	4 1	4 3	4 0
Trade	12 4	13 1	14 2	14 8	15 6	15 7	16 3	17 5
Finance, insurance, and real estate	2 0	2 1	2 1	2 2	2 3	2 3	2 2	2 2
Services	8 5	9 1	9 7	10 1	10 8	11 6	12 3	12 5
Government	13 0	13 4	15 0	15 2	16 6	17 0	17 3	17 8
Modesto-Turlock								
Total	41 5	44 0	47 7	49 8	52 0	54 2	55 2	56 2
Mineral extraction	1	.1	1	1	1	1	1	1
Construction	2 7	3 0	3 4	3 0	3 0	3 1	3 2	3 5
Manufacturing	10 1	10 4	11 4	13 1	13 9	14 3	14 8	15 1
Transportation and utilities	2 4	2 7	2 8	2 9	2 8	2 7	2 6	2 6
Trade	10 0	10 5	10 7	10 9	11 3	11 9	12 3	12 7
Finance, insurance, and real estate	1 2	1 2	1 3	1 3	1 3	1 4	1 5	1 4
Services	5 7	7 2	8 0	8 2	9 0	9 7	10 1	10 2
Government	8 3	8 9	10 0	10 3	10 6	11 0	10 7	10 6
Santa Rosa								
Total	39 6	41 0	42 2	42 4	45 4	48 7	50 9	52 2
Mineral extraction	.2	3	2	3	3	3	3	3
Construction	3 0	3 0	2 4	2 3	2 2	2 4	2 3	2 6
Manufacturing	5 8	5 9	6 4	6 2	6 8	7 3	7 1	6 9
Transportation and utilities	2 3	2 4	2 6	2 5	2 5	2 6	2 6	2 8
Trade	9 6	10 1	10 5	10 3	11 0	11 8	12 6	13 0
Finance, insurance, and real estate	3 7	3 6	3 3	2 9	2 9	3 0	3 1	3 2
Services	6 2	6 5	6 8	7 1	7 9	8 6	9 2	9 5
Government	8 8	9 2	10 0	10 9	11 8	12 7	13 7	13 9

[a] Does not include employers, own-account workers, unpaid family workers, domestic servants, and agricultural workers

Area definitions
Anaheim-Santa Ana-Garden Grove—Orange County
Bakersfield—Kern County
Fresno—Fresno County
Los Angeles-Long Beach—Los Angeles County
Modesto-Turlock—Stanislaus County
Oxnard-Ventura—Ventura County
Sacramento—Placer, Sacramento, and Yolo Counties
Salinas-Monterey—Monterey County
San Bernardino-Riverside-Ontario—Riverside and San Bernardino Counties
San Diego—San Diego County
San Francisco-Oakland—Alameda, Contra Costa, Marin, San Francisco, and San Mateo Counties
San Jose—Santa Clara County
Santa Barbara—Santa Barbara County
Santa Rosa—Sonoma County
Stockton—San Joaquin County
Vallejo-Napa—Napa and Solano Counties

Source California Department of Human Resources Development

TABLE A-7

WAGE AND SALARY WORKERS IN MANUFACTURING, CALIFORNIA, 1967–71
(In thousands)

Industry	1967	1968	1969	1970	1971
Total	1,594 0	1,639 7	1,661 3	1,558 0	1,470 6
Nondurable goods	487 5	505 5	521 6	514 4	505 9
Durable goods	1,106 5	1,134 2	1,139 7	1,043 6	964 6
Nondurable goods					
Food and kindred products	169 8	173 8	174 5	169 6	165 8
Fish canning and preserving	6 0	6 1	6 2	6 8	6 7
Meat products	19 7	19 1	19 2	18 8	18 5
Dairy products	20 6	20 1	19 1	17 5	16 7
Fruit and vegetable canning and preserving	49 6	53 4	53 1	51 5	50 1
Grain mill products	7 1	6 9	7 2	7 4	7 4
Bakery products	22 8	23 0	22 5	20 6	20 1
Sugar	4 6	4 6	4 7	4 2	4 7
Confectionery and related products	5 8	5 7	5 7	5 5	5 6
Beverages	17 4	17 8	18 5	18 7	18 5
Miscellaneous foods and kindred products	16 2	17.1	18 3	18 6	18 5
Textile mill products	8 5	9 3	10 4	10 5	11 0
Knitting mills	1 9	1 9	2 0	2 3	2 6
Other textile mill products	6 6	7 4	8 4	8 2	8 4
Apparel and other textile products	69 3	71 4	73 7	72 7	75 6
Men's and boys' furnishings	10 7	10 3	10 5	10 8	11 1
Women's and misses' outerwear	36 0	35 9	38 5	38 6	40 8
Women's and children's undergarments	4 1	4 3	4 5	4 1	4 0
Children's outerwear	1 6	1 7	1 9	1 8	1 9
Other apparel and textile products	16 9	18 2	18 3	17 4	17 8
Paper and allied products	33 6	35 0	36 5	36 8	35 4
Miscellaneous converted paper products	10 6	11 5	12 5	13 3	12 6
Paperboard containers and boxes	14 0	14 6	15 9	15 3	14 6
Other paper and allied products	9 0	8 9	8 3	8 2	8 2
Printing and publishing	85 4	86 7	91 1	91 3	89 5
Newspapers	35 4	34 4	34 7	34 7	34 4
Commercial printing	27 4	29 6	30 9	31 9	31 1
Other printing and publishing	22 6	23 8	25 5	24 7	23 0
Chemicals and allied products	51 8	54 1	55 5	55 1	52 9
Industrial chemicals	12 5	13 0	12 3	11 8	11 5
Plastics materials and synthetics	4 9	5 2	5 0	4 9	4 4
Drugs	6 2	7 0	7 8	8 1	9 4
Soaps, cleaners and toiletries	9 1	9 4	10 3	10 2	9 7
Paints and allied products	7 2	7 8	8 1	7 9	7 7
Agricultural chemicals	4 6	4 7	4 7	4 8	4 4
Other chemicals and allied products	6 3	7 0	7 3	7 4	5 8
Petroleum refining and related industries	28 9	29 3	29 2	29 1	27 8
Petroleum refining	25 9	26 4	25 9	25 8	24 5
Other petroleum industries	3 0	2 9	3 3	3 3	3 3
Rubber and plastics products	34 0	39 4	44 1	42 8	42 1
Tires and inner tubes	6 8	7 9	8 2	7 8	7 9
Rubber footwear and other fabricated rubber products	9 0	9 0	9 2	7 9	7 9
Miscellaneous plastics products	18 1	22 4	26 6	27 0	26 3
Other rubber and plastics products	1	1	1	1	--
Leather and leather products	6 2	6 5	6 6	6 5	6 8
Durable goods					
Ordnance and accessories	103 2	102 8	86 7	66 9	54 0
Lumber and wood products	47 0	49 7	50 7	48 0	50 1
Logging, sawmills, and planing mills	25 3	26 5	26 8	24 6	25 3
Millwork, plywood, and related products	11 9	12 7	13 2	12 3	13 6
Wooden containers	3 9	4 1	3 7	4 1	4 3
Miscellaneous wood products	5 9	6 4	7 0	7 0	6 9
Furniture and fixtures	31 8	35 6	37 2	36 3	35 8
Household furniture	23 2	24 9	26 2	25 4	26 0
Partitions and fixtures	4 2	4 9	4 9	4 9	4 3
Other furniture and fixtures	5 4	5 8	6 1	6 0	5 5

TABLE A-7—Continued

WAGE AND SALARY WORKERS IN MANUFACTURING, CALIFORNIA, 1967–71
(In thousands)

Industry	1967	1968	1969	1970	1971
Durable goods—Continued					
Stone, clay, and glass products	47 0	47 7	50 7	51 1	51 5
Glass and glassware	11 8	11 7	13 1	13 9	14 7
Cement, hydraulic	4 0	4 0	4 2	4 3	4 1
Structural clay products	4 5	4 7	4 9	4 7	4 6
Pottery and related products	4 4	4 5	4 5	4 4	4 6
Concrete gypsum, and plaster products	14 0	14 8	15 7	15 6	15 2
Other stone, clay, and glass products	8 3	8 0	8 3	8 2	8 3
Primary metal industries	61 0	61 3	62 3	59 2	54 9
Blast furnace and basic steel products	23 5	23 9	23 3	22 9	21 3
Iron and steel foundries	7 9	8 1	8 8	7 9	7 5
Nonferrous rolling and drawing	15 4	15 2	16 0	15 4	14 3
Nonferrous foundries	7 9	7 7	7 5	6 8	6 3
Other primary metal industries	6.3	6 4	6 7	6 3	5 3
Fabricated metal products	110 4	115 7	119 8	113 0	105 4
Metal cans	9 2	9 5	10 4	10 9	10 4
Cutlery, hand tools, and hardware	14 3	15 1	15 3	13 9	13 3
Plumbing and heating, except electric	6 3	6 3	7 1	6 5	6 6
Fabricated structural metal products	32 4	33 7	35 1	34 0	31 0
Screw machine products, bolts, etc	11 8	12 2	11 8	10 6	8 5
Metal stampings	10 6	11 2	10 9	9 7	9 6
Coating, engraving, and allied services	12 5	12 9	13 3	12 5	11 7
Miscellaneous fabricated wire products	4 1	4 3	4 5	4 5	4 3
Miscellaneous fabricated metal products	10 2	10 4	11 4	10 4	10 0
Machinery, except electrical	126 2	130 9	143 9	141 4	128 0
Farm machinery	3 6	3 5	3 4	3 1	3 0
Construction and related machinery	13 3	14 1	14 6	14 4	13 0
Metalworking machinery	16 5	16 6	16 9	14 9	13 5
Special industry machinery	8 4	8 0	8 7	8 4	8 4
General industrial machinery	13 3	13 6	15 2	14 9	14 2
Office and computing machines	35 1	38 6	48 4	52 8	47 1
Service industry machines	5 8	6.4	6 7	6 0	5 4
Other machinery, except electrical	30.4	30 1	29 8	26 9	23 4
Electrical equipment and supplies	248 2	251 4	256 9	235 4	211 8
Electric test and distributing equipment	21 7	22 2	22 5	22 2	21 0
Electrical industrial apparatus	14 6	15 3	15 1	13 6	12 7
Household appliances	6 0	6 2	6 7	6 5	6 4
Electric lighting and wiring equipment	14 2	15 8	16 0	14 2	13 5
Radio and TV receiving equipment	15 0	15 5	16 7	15 1	14 4
Communication equipment	117 5	117 0	114 4	102 9	91 3
Electronic components and accessories	54 6	55 0	60.5	55 6	47 8
Miscellaneous electrical equipment and supplies	4 4	4 4	5 0	5 3	4 7
Transportation equipment	270 6	274 0	261 3	222 6	206 1
Motor vehicles and equipment	35 4	37 7	39 0	35 0	34 4
Aircraft and parts	212 3	209 0	190 7	158 6	140 0
Ship and boat building and repairing	13 8	15 9	17 8	14 8	14 4
Other transportation equipment	9.1	11 4	13 8	14 4	17 3
Instruments and related products	33 2	34 6	37 0	35 7	34 5
Mechanical measuring and control devices	9 8	11 0	11 6	10 7	10 3
Other instruments and related products	23 4	23 6	25 4	25 0	24 2
Miscellaneous manufacturing industries	27.9	30 5	33 2	33 8	32 5
Toys and sporting goods	13 3	14 4	15 9	15 6	14 4
Other miscellaneous manufacturing industries	15 6	16.1	17.3	18 2	18 1

Source: California Department of Human Resources Development

TABLE A-8

WAGE AND SALARY WORKERS [a] IN NONAGRICULTURAL, MANUFACTURING, AND FOUR AEROSPACE INDUSTRIES, CALIFORNIA, 1950–71

(In thousands)

Year	Total nonagricultural	Total manufacturing	Aerospace					Aerospace as a percent of	
			Total	Ordnance	Aircraft	Electrical equipment	Instruments	Total nonagricultural	Total manufacturing
1950	3,209 4	739 7	127 5	7	85 7	29 5	11 7	4 0	16 8
1951	3,518 3	892 5	199 1	5 3	138 4	43 7	13 7	5 7	22 3
1952	3,737 8	994 6	273 5	12 0	189 3	56 2	15 0	7 2	27 4
1953	3,880 7	1,080 8	310 1	18 3	208 8	66 6	16 4	8 0	29 2
1954	3,866 1	1,048 6	321 2	18 6	221 3	64 5	16 8	8 3	30 6
1955	4,082 9	1,121 1	347 4	24 2	228 8	75 6	18 8	8 5	31 0
1956	4,352 3	1,218 0	403 9	33 0	256 4	94 6	19 9	9 3	33 2
1957	4,525 2	1,282 8	448 6	37 6	272 5	117 8	20 7	9 9	34 9
1958	4,498 6	1,217 4	417 6	43 4	230 6	123 3	20 5	9 3	34 3
1959	4,774 8	1,312 6	462 8	59 4	227 4	153 3	22 7	9 7	35 3
1960	4,896 0	1,317 2	460 8	68 9	194 0	174 1	23 8	9 4	35 0
1961	4,996 1	1,318 0	459 4	79 3	177 6	157 3	24 7	9 4	35 6
1962	5,217 7	1,353 5	500 4	95 8	172 2	213 6	26 8	9 8	36 8
1963	5,412 3	1,394 3	510 1	102 0	171 2	209 1	27 8	9 4	36 6
1964	5,606 5	1,389 4	481 6	98 9	164 3	191 8	26 6	8 6	34 7
1965	5,800 3	1,411.2	482 2	92 8	166 1	194 9	28 4	8 3	34 2
1966	6,145 2	1,531 3	548 5	98 1	193 9	224 6	31 9	8 9	35 8
1967	6,367 6	1,594 0	596 9	103 2	212 3	248 2	33 2	9 4	37 4
1968	6,642 1	1,639 7	597 8	102 8	209 0	251 4	34 6	9 0	36 5
1969	6,931 5	1,661 3	571 3	88 7	190 7	256 9	37 0	8 2	34 4
1970	6,947 7	1,668 1	496 6	66 9	158 6	235 4	35 7	7 1	31 7
1971	6,914.9	1,470.5	440.3	64 0	140.0	211 8	34 5	6 4	29 9
1970									
January	6,900 0	1,601 3	541 3	75 1	175 1	253 1	38 0	7 8	33 8
February	6,902 7	1,588 6	536 4	74 4	172 8	251 7	37 7	7 8	33 8
March	6,950 9	1,593 2	528 9	73 0	168 6	249 0	37 6	7 6	33 0
April	6,951 8	1,589 8	517 5	70 4	163 8	246 0	37 3	7 4	32 6
May	6,988 2	1,592 2	505 9	68 4	159 0	241 8	36 7	7 3	32 3
June	7,034 7	1,570 7	498.1	66 5	156 9	238 4	36 3	7 1	31 7
July	6,988 8	1,563 2	488 6	65 8	154 8	232 7	35 3	7 0	31 4
August	6,964 3	1,579 8	481 1	64 7	153 1	228 6	34 7	7 0	30 6
September	6,985 2	1,572 3	475 1	63 4	151 6	225 5	34 6	6 8	30 5
October	6,926 6	1,511 3	467 6	61 3	150 5	222 1	33 7	6 7	31 4
November	6,897 1	1,481 7	462 2	60 2	149 1	219 3	33 6	6 7	31 7
December	6,923 2	1,472.4	456.7	59 0	147 9	216 4	33 4	6 6	31 0
1971									
January	6,750 4	1,435 7	452 3	57 9	146 8	213 9	33 7	6 7	31 5
February	6,770 3	1,439 1	449 2	56 5	146 8	212 1	33 8	6 6	31 2
March	6,806 5	1,442 5	438 8	56 2	137 9	211 0	33 7	6 4	30 4
April	6,849 7	1,450 8	434 5	54 6	134 8	211 2	33 9	6 3	29 9
May	6,873 7	1,457 0	434 3	54 1	134 4	211 5	34 4	6 3	29 8
June	6,966 0	1,470 1	435 1	53 5	135 8	211 2	34 6	6 2	29 6
July	6,926 5	1,471 9	434 5	53 2	137 6	209 3	34 4	6 3	29 5
August	6,959 0	1,505 8	437 6	53 1	139 5	210 5	34 5	6 3	29 1
September	7,005 9	1,525 3	439 4	52 8	140 1	211 5	35 0	6 3	28 8
October	6,992 8	1,488 7	441 3	52 2	141 7	212 4	35 0	6 3	29 6
November	7,010 6	1,484 7	443 2	51 7	143 1	213 3	35 1	6 3	29 9
December	7,053 0	1,474 6	442 5	51 8	141 0	214 3	35 4	6 3	30 0

Source. California Department of Human Resources Development

TABLE A-9

AVERAGE WEEKLY AND HOURLY EARNINGS AND AVERAGE HOURS WORKED PER WEEK, PRODUCTION AND RELATED WORKERS IN MANUFACTURING, CALIFORNIA AND UNITED STATES, 1950–71 [a]

Year	California			United States		
	Average weekly earnings	Average hourly earnings	Average hours per week	Average weekly earnings	Average hourly earnings	Average hours per week
1950	$65 39	$1 95	39 7	$58 32	$1 44	40 5
1951	71 79	1 77	40 5	63 34	1 56	40 6
1952	75 85	1 87	40 6	67 18	1 65	40 7
1953	78 82	1 97	40 1	70 47	1.74	40 5
1954	81 05	2 03	39 9	70 49	1.78	39.8
1955	85 24	2 11	40 5	75 70	1 86	40 7
1956	89 93	2 22	40 6	78 78	1 95	40 4
1957	92 89	2 32	40 0	81 69	2 05	39 8
1958	97 38	2 44	39 9	82 71	2 11	39 2
1959	101.71	2 53	40 2	88 26	2 19	40 3
1960	104 28	2 62	39 8	89 72	2 26	39 7
1961	108 53	2 72	39 9	92 34	2 32	39 8
1962	113 44	2 79	40 3	96 56	2 39	40 4
1963	115,78	2 88	40 2	99 63	2 46	40 5
1964	119 29	2 96	40 3	102 97	2 53	40 7
1965	123 83	3 05	40 6	107 53	2 61	41.2
1966	128 93	3 16	40 8	112 34	2 72	41 3
1967	132 92	3 29	40 4	114 90	2 83	40 6
1968	138 63	3 44	40 3	122 51	3 01	40 7
1969	145 89	3 62	40 3	129 51	3 19	40 6
1970	150 48	3 80	39 6	133 73	3 36	39 8
1971	158 79	4 02	39 5	142 44	3 57	39 9

[a] Averages are based upon data for full-time and part-time production and related workers in production and other departments, such as shipping, maintenance, and warehousing Overtime pay and premium wages for late-shift work are included

Source California Department of Human Resources Development
U.S. Department of Labor, Bureau of Labor Statistics.

TABLE A-10

AVERAGE WEEKLY AND HOURLY EARNINGS AND AVERAGE HOURS WORKED PER WEEK IN SELECTED NONMANUFACTURING INDUSTRIES, CALIFORNIA, 1968–71 *

Industry	Average weekly earnings				Average hourly earnings				Average hours per week			
	1968	1969	1970	1971	1968	1969	1970	1971	1968	1969	1970	1971
Mineral extraction	$166 46	$179 28	$188 28		$4 11	$4 23	$4 57		40 5	41 4	41 2	
Oil and gas extraction	157 59	172 16	181 01		4 01	4 23	4 51		39 3	40 7	40 8	
Nonmetallic minerals, except fuels	181 40	193 77	195 43		4 35	4 57	4 79		41 7	42 4	40 8	
Contract construction	205 55	221 08	234 78		5 79	6 21	6 67		35 5	35 6	35 2	
General building contractors	195 36	206 02	220 02		5 55	5 92	6 33		35 2	34 8	34 9	
Heavy construction contractors, except building	206 62	225 22	233 54		5 63	6 12	6 56		36 7	36 8	35 6	
Special trade contractors	209 90	225 14	240 45		5 98	6 36	6 87		35 1	35 4	35 0	
Plumbing, heating, air conditioning	226 26	242 05	264 51		6 32	6 78	7 43		35 8	35 7	35 6	
Painting, paper hanging, decorating	191 96	207 68	218 99		5 98	6 39	6 78		32 1	32 5	32 3	
Electrical work	231 47	247 21	265 19		6 29	6 81	7 06		36 8	37 4	36 7	
Masonry, stonework, and plastering	190 02	202 21	221 19		5 54	5 93	6 43		34 3	34 1	34 4	
Transportation and utilities												
Electric, gas, and sanitary services	173 36	185 14	196 34		4 27	4 56	4 86		40 6	40 6	40 4	
Trade												
Wholesale	136 72	144 97	148 98		3 47	3 67	3 82		39 4	39 5	39 0	
Retail	107 06	111 46	116 62		3 05	3 24	3 39		35 1	34 4	34 4	
Services												
Motion picture production	208 83	233 37	236 55		5 02	5 53	5 70		41 6	42 2	41 5	

* Averages are based upon data for full-time and part-time production and related workers in mineral extraction, construction workers in construction, and nonsupervisory employees and working supervisors in other industries Overtime hours and pay and premium wages for late-shift work are included.

Source California Department of Human Resources Development.

TABLE A-11

AVERAGE GROSS AND NET SPENDABLE WEEKLY EARNINGS OF PRODUCTION AND RELATED WORKERS IN MANUFACTURING, CALIFORNIA AND LOS ANGELES-LONG BEACH, SAN FRANCISCO-OAKLAND, AND SAN DIEGO METROPOLITAN AREAS, 1960–71

Area and year	Gross earnings weekly earnings	Net spendable earnings[a] (current dollars)		"Real" net spendable earnings[b] (1967 dollars)	
		Worker with 3 dependents	Worker with no dependents	Worker with 3 dependents	Worker with no dependents
California					
1960	$104 28	$91 15	$82 43	$103 34	$93 46
1961	108 53	94 60	85 60	105 94	95 86
1962	112 44	97 50	88 31	107 80	97 58
1963	115 78	99 71	90 34	108 50	98 19
1964	119 29	104 52	95 15	111 79	101 76
1965	123 83	109 16	99 79	114 42	104 80
1966	128 93	111 30	101 64	114 39	104 48
1967	132 92	114 44	103 45	114 44	103 45
1968	138 63	117 96	106 02	113 33	101 84
1969	145 89	122 54	110 03	112 11	100 67
1970	150 48	127 40	114 73	110 88	99 85
1971	n.a.	n.a.	n.a	n.a	n.a.
1970 March	148 83	126 13	113.59	111 52	100 43
June	150 08	127 08	114 44	110 99	99 95
September	151 70	128 38	115 60	110 48	99 48
December	155 52	131 54	118 42	112 04	100 87
1971 March	156 02	132 89	120 47	113 00	102 44
June	161 90	137 44	124 61	115 30	104 54
September	160 35	136 44	123 70	113 23	102 66
December	164 40	139 72	126 68	115 66	104 67
Los Angeles-Long Beach					
1960	103 34	90 39	81 73	102 14	92 35
1961	107 74	93 96	85 01	104 87	94 88
1962	111 93	97 15	87 93	107 23	97 05
1963	113 93	98 21	88 86	106 75	95 59
1964	116 76	102 43	93 21	109 32	99 48
1965	121 99	107 44	98 18	112 27	102 59
1966	127 00	109 70	100 15	112 51	102 72
1967	131 78	113 80	103 59	113 50	103 59
1968	136 82	116 66	104 76	112 22	100 83
1969	142 51	120 02	107 79	110 31	99 07
1970	145 30	123 46	111 22	108 01	97 31
1971	n a	n a.	n a.	110 51	100 18
1970 January	114 76	123 05	110 86	110 26	99 34
February	143 60	122 17	110 08	109 18	98 37
March	144 00	122 47	110 35	108 96	98 18
April	142 20	121 11	109 11	106 70	96 14
May	142 99	121 71	109 66	106 95	96 36
June	144 51	122 86	110 69	107 87	97 18
July	145 33	123 43	111 24	107 47	96 81
August	146 12	124 03	111 77	108 65	97 87
September	146 22	124 15	111 84	107 21	96 58
October	146 89	124 66	112 29	107 28	96 64
November	148 10	125 58	113 10	108 07	97 33
December	150 84	127 69	114 98	109 32	98 44
1971 January	150 11	128 07	116 09	109 74	99 48
February	145 16	124 29	112 03	106 95	96 93
March	150 11	128 07	116 09	109 56	99 31
April	150 89	128 71	116 67	110 29	99 97
May	152 83	130 29	118 11	110 32	100 01
June	155 59	132 54	120 15	111 66	101 22
July	154 44	131 60	119 30	110 50	100 17
August	153 65	130 96	118 72	109 50	99 26
September	153 56	130 97	118 72	109 05	98 85
October	156 00	132 87	120 46	110 27	99 97
November	157 56	134 14	121 61	111 69	101 26
December	159 96	136 10	123 39	113 32	102 74

TABLE A-11—*Continued*

AVERAGE GROSS AND NET SPENDABLE WEEKLY EARNINGS OF PRODUCTION AND RELATED WORKERS IN MANUFACTURING, CALIFORNIA AND LOS ANGELES-LONG BEACH, SAN FRANCISCO-OAKLAND, AND SAN DIEGO METROPOLITAN AREAS, 1960–71

Area and year	Gross earnings weekly earnings	Net spendable earnings[a] (current dollars)		"Real" net spendable earnings[b] (1967 dollars)	
		Worker with 3 dependents	Worker with no dependents	Worker with 3 dependents	Worker with no dependents
San Francisco Oakland					
1960	109 37	95 28	86 23	108 52	98 21
1961	113 78	98 85	89 52	111 20	100 70
1962	117 90	101 99	92 38	112 95	102 30
1963	122 85	105 44	95 52	115 23	104 39
1964	126 01	110 09	100 32	118 50	107 98
1965	133 90	115 85	105 94	123 12	111 76
1966	136 80	117 80	107 70	121 32	110 92
1967	140 30	120 40	108 94	120 40	108 94
1968	150 08	126 60	113 71	121 15	108 81
1969	159.19	132 90	119 25	120 60	108.21
1970	165 33	139 35	126 41	120 34	109 30
1971	n a.	n a.	n.a.	125 73	114 03
1970. March	162 63	137 18	123 47	119 91	107 93
June	166 60	140 37	126 32	121 53	109 37
September	166 41	140 22	126 19	120 15	108 13
December	171 85	144 44	129 96	121 89	109 67
1971 March	173 38	147 03	133 34	123 45	111 96
June	180 84	152 87	138 64	127 50	115 63
September	181 74	153 76	139 45	126 97	115 15
December	187 94	158 75	143 98	130 34	118 21
San Diego					
1965	131 87	115 62	105 81	121 45	111 14
1966	137 76	118 58	108 43	122 12	111 67
1967	146 47	125 37	113 42	125 37	113 42
1968	150 66	127.07	114 12	122 07	109 83
1969	158 36	132 24	118 66	120 77	108 37
1970	164 89	138 92	125 03	120 49	108 44
1971	n a	n a	n a.	n.a.	n a.
1970. February	163 22	137 65	123 89	122 03	109 83
May	163 99	138 27	124 44	120 23	108 21
August	166 38	140 20	126 16	120 97	108 85
November	166 38	140 20	126 16	119 12	107 19
1971 February	165 45	140 57	127 46	118 03	107 83
May	166 96	141 80	128 58	118 68	107 60
August	167 45	142 20	128 94	117 82	106 65
November	167 88	142 55	129 26	117 91	106 91

[a] After Federal and State income taxes and Federal social security and State disability insurance deductions

[b] Net spendable earnings adjusted for changes in the Consumer Price Index The Consumer Price Index is compiled by the U S Bureau of Labor Statistics monthly for the Los Angeles-Long Beach Metropolitan Area and quarterly for the San Francisco-Oakland and San Diego Metropolitan Areas The Index for California is prepared by the California Department of Industrial Relations as a weighted average of the Indexes for Los Angeles-Long Beach, San Francisco-Oakland and San Diego

Source Department of Human Resources Development

TABLE A-12

DURATION OF UNEMPLOYMENT CLAIMED UNDER STATE LAW,[a] CALIFORNIA, 1960–71

Year and month	Total unemployed[b]	Duration of current period of unemployment			
		1–2 weeks	3–4 weeks	5–14 weeks	15 weeks and over
1960	205,837	54,416	35,298	85,804	30,319
1961	243,956	56,836	39,233	100,566	47,321
1962	208,124	51,974	34,023	86,135	35,992
1963	227,088	56,740	36,210	93,720	41,016
1964	230,929	57,059	37,588	93,499	42,783
1965	231,949	55,850	38,867	94,280	42,952
1966	187,428	51,337	32,917	74,505	28,669
1967	199,301	52,339	33,503	81,354	32 114
1968	176,324	46,283	29,090	71,758	29,193
1969	179,147	47,395	29,894	73,354	28,504
1970	271,483	56,189	41,813	120,416	53,065
1971	294,849	45,970	41,249	136,896	70,534
1970					
January	240,575	61,304	38,439	106,701	34,131
February	276,484	79,135	46,895	109,204	41,250
March	268,908	55,453	38,415	123,494	51,546
April	254,261	57,250	35,406	111,291	50,314
May	259,786	58,938	43,367	100,947	56,534
June	242,309	45,199	36,708	113,122	47,280
July	262,214	49,885	43,398	112,743	56,188
August	267,748	51,221	38,087	123,980	54,460
September	272,279	43,757	41,740	133,620	53,162
October	284,405	49,975	36,036	114,652	63,743
November	302,754	60,263	49,429	129,413	63,649
December	346,080	61,889	53,835	165,828	64,517
1971					
January	378,530	58,287	55,733	193,188	71,342
February	351,889	47,828	51,096	170,193	82,772
March	371,273	51,271	45,973	177,759	96,270
April	335,242	44,902	36,846	160,088	82,406
May	322,242	51,120	39,358	146,354	85,410
June	287,164	34,271	37,786	127,859	87,248
July	272,974	45,774	36,900	120,305	69,995
August	267,395	49,277	41,231	113,612	63,244
September	233,052	34,651	31,070	111,326	56,005
October	226,786	47,404	34,039	98,198	46,145
November	229,166	42,616	40,904	95,452	49,104
December	260,109	44,259	41,955	120,427	53,468

[a] Based on a 1-percent sample of regular state claimants who filed for weeks of unemployment during the week which included the 19th day of the month Extended duration claimants are excluded

[b] Annual data represent midmonth average for the year

Source California Department of Human Resources Development

TABLE A-13

UNEMPLOYMENT INSURANCE PROGRAMS, CALIFORNIA, SELECTED DATA, 1950–71

Year and month	All programs			State regular unemployment insurance program						All state programs	
					Weekly averages			Insured unemployment as percent of insured employment		Benefits paid	
	Covered employment[a]	Covered[b] unemployment (weekly average)	Total benefits paid[c]	Insured employment[d]	Insured unemployment[e]	Initial claims[f]	Exhaustions[g]	Unadjusted	Seasonally adjusted	Total	Average weekly benefit amount[h]
1950	2,612,186	182,412	$186,498,412	2,524,994	174,128	25,389	3,422	6 9	---	$183,655,409	$22 66
1951	2,832,004	98,071	95,818,900	2,762,479	95,890	17,442	1,551	3 5	---	95,678,325	22 39
1952	3,027,665	100,436	102,361,097	2,939,157	98,838	17,752	1,361	3 4	---	103,179,097	22 97
1953	3,163,642	97,248	100,419,252	3,074 450	95,089	19,336	1,091	3 1	---	97,882,781	23 34
1954	3,138,759	140,448	149,054,706	3,057,350	135,974	24,385	1,470	4 4	---	143,474,679	24 06
1955	3,574,531	101,802	110,051,615	3,256,328	96,626	18,545	1,097	3 0	---	103,687,206	26 41
1956	3,805,699	90,148	104,744,961	3,480,570	86,246	17,956	768	2 5	---	99,690,308	28 30
1957	3,913,107	129,934	160,583,412	3,591,159	120,740	24,685	1,122	3 4	---	154,624,832	29 84
1958	3,822,245	258,532	378,790,635	3,511,352	218,913	32,382	2,964	6 2	---	330,955,860	33 08
1959	4,063,754	170,739	248,952,763	3,751,984	144,828	26,824	2,168	3 9	---	213,092,453	33 57
1960	4,146,501	229,174	406,590,803	3,832,670	205,989	35,321	3,035	5 4	---	387,402,823	39 69
1961	4,207,957	303,769	568,772,143	3,891,681	243,838	36,949	4,362	6 3	---	475,544,923	40 92
1962	4,391,545	250,215	479,764,539	4,071,876	207,967	35,174	3,440	5 1	---	427,372,814	42 01
1963	4,534,997	268,342	519,333,255	4,216,436	226,770	36,320	3,742	5 4	---	491,826,837	42 31
1964	4,663,391	270,697	543,021,870	4,346,448	229,349	37,967	3,924	5 3	---	512,927,005	43 45
1965	4,790,419	275,600	564,578,542	4,464,625	232,243	38,251	4,031	5 2	---	535,040,731	44 46
1966	5,062,496	195,637	433,170,570	4,707,406	186,377	33,974	2,979	4 0	---	414,599,639	49 09
1967	5,221,241	210,120	481,299,149	4,840,158	200,061	34,594	3,145	4 1	---	463,351,893	50 95
1968	5,427,794	188,073	432,769,369	5,041,894	176,258	30,939	2,772	3 5	---	406,448,156	51 04
1969	5,653,377	190,463	448,943,712	5,271,485	177,594	31,249	2,836	3 4	---	418,588,626	52 38
1970	5,806,663	290,046	719,548,377	5,240,541	267,548	41,888	4,548	5 1	---	663,148,464	54 55
1971	n a	387,113	988,792,550	n a	295,745	40,373	6,043	n a.	---	831,853,325	54 42
1970 January	5,582,033	247,346	50,857,884	5,214,273	229,412	44,953	3,599	4 4	3 6	47,399,333	53 85
February	5,570,783	282,253	52,190,622	5,205,095	261,995	43,706	4,077	5 0	3 9	48,750,426	54 12
March	5,610,990	290,810	60,691,636	5,245,149	268,753	38,863	3,385	5 1	4 2	56,019,083	53 95

	April	5,608,135	277,141	58,349,999	5,239,858	256,382	39,152	3,886	4 9	4 4	53,818,932	54 04
	May	5,616,227	277,252	55,070,764	5,241,534	256,947	38,810	4,611	4 9	4 8	50,791,983	54 29
	June	5,677,119	268,919	56,040,756	5,301,403	246,882	38,076	5,069	4 6	5 1	51,552,300	54 26
	July	5,658,391	278,760	60,475,988	5,284,367	255,061	39,821	3,472	4 8	5 4	55,289,078	54 14
	August	5,669,799	288,932	57,997,411	5,299,438	264,700	37,520	4,988	5 0	5 8	52,883,662	54 58
	September	5,669,230	282,696	59,421,731	5,301,967	258,798	37,022	5,095	4 9	6 3	54,241,594	54 66
	October	p5,569,319	279,906	59,011,681	p5,203,997	256,867	43,179	4,615	4 9	6 5	54,367,615	55 25
	November	p5,524,332	317,829	63,489,441	p5,159,806	293,595	46,301	6,330	5 7	6 5	58,591,948	55 35
	December	p5,559,298	386,799	85,960,484	p5,189,805	357,816	53,124	5,532	6 9	6 4	79,542,410	55 51
1971	January	p5,392,402	464,085	96,561,847	p5,033,012	368,611	51,505	7,978	7 3	6 1	84,297,014	55 30
	February	p5,396,571	484,107	95,331,336	p5,039 213	373,298	50,407	8,040	7 4	5 7	80,980,497	54 79
	March	p5,425,550	490,870	113,243,508	p5,067,937	371,273	41,276	6,366	7 3	6 0	94,409,175	54 53
	April	p5,457,843	437,311	96,956,306	p5,098,584	337,222	36,873	6,933	6 6	5 9	81,129,126	54 39
	May	p5,489,063	391,041	81,481,934	p5,130,213	302,410	33,313	7,877	5 9	5 8	68,071,029	54 41
	June	p5,573,566	400,607	87,111,332	p5,209,289	303,511	37,873	6,278	5 8	6 4	70,711,539	54 10
	July	n a	382,837	78,289,423	n a	273,818	38,445	5,447	---	---	64,529,327	53 79
	August	n a	353,193	75,840,845	n a	258,133	37,049	6,746	---	---	62,320,436	54 07
	September	n a	320,736	69,604,009	n a	239,316	31,930	6,126	---	---	56,399,904	54 17
	October	n a	296,398	61,190,588	n a	220,225	35,346	5,246	---	---	49,722,289	54 41
	November	n a	312,170	67,104,351	n a	235,171	42,055	5,820	---	---	55,131,222	54 30
	December	n a	337,840	76,072,971	n a	260,917	47,005	5,086	---	---	64,028,747	54 41

a Employment covered by state, federal (beginning January 1955), and Railroad Retirement Board programs
b Workers covered by all regular and extended state and federal, and Railroad Retirement Board programs who certified to at least one week of unemployment, including partial unemployment.
c Excludes Railroad Retirement Board payments
d Employment insured under the unemployment insurance provisions of the California Unemployment Insurance Code
e Workers insured by regular unemployment insurance who certified to at least one week of unemployment, including partial unemployment Text Table 4 excludes partial unemployment
f A request by an individual for determination of eligibility for regular unemployment insurance benefits at the beginning of a first or subsequent spell of unemployment during a benefit year.
g Claimants receiving final regular unemployment insurance payments in benefit year
h Based on compensation for full weeks of unemployment
p Preliminary
n.a Not available

Source California Department of Human Resources Development.

TABLE A-14

PERSONAL INCOME IN CALIFORNIA, TOTAL AND PER CAPITA, 1950–71

Year	Total			Per capita[a]		
	Amount (In millions)	Percent change	Percent of U S	Amount	Percent change	Percent of U S average
1950	$19,774	10 6	8 69	$1,859	7 1	124 20
1951	22,756	15 1	8 90	2,045	10 1	123 79
1952	25,214	10 8	9 25	2,167	6 0	125 04
1953	27,002	7 1	9 37	2,231	3 0	123 67
1954	27,682	2 5	9 54	2,212	−0 9	123 92
1955	30,378	9 7	9 77	2,336	5 6	124 52
1956	33,177	9 2	9 98	2,443	4 6	123 70
1957	35,497	7 0	10 11	2,504	2 5	122 44
1958	37,361	5 3	10 34	2,534	1 2	122 53
1959	41,010	9 8	10 69	2,682	5 8	124 11
1960	42,980	4 8	10 72	2,709	1 0	122 25
1961	45,678	6 3	10 98	2,791	3 0	123 22
1962	49,051	7 4	11 08	2,902	4 0	122 45
1963	52,615	7 3	11 30	3,004	3 6	122 21
1964	56,570	7 5	11 37	3,139	4 6	121 20
1965	60,234	6 5	11 18	3,258	3 8	117 62
1966	65,156	8 2	11 10	3,457	6 1	115 73
1967	69,936	7 3	11 11	3,636	5 2	114 74
1968	76,867	9 9	11 16	3,940	8 4	114 67
1969	83,192	8 2	11 09	4,198	6 5	113 31
1970	88,825	6 8	11 05	4,439	5 7	113 21
1971[p]	93,427	5 2	10 88	4,610	3 9	111 35

[a] Per capita figures derived using population estimates of the California Department of Finance
[p] Preliminary
Source U S Department of Commerce, Office of Business Economics

TABLE A-15

PERSONAL INCOME BY MAJOR SOURCES, CALIFORNIA, 1950–71

(In millions)

Year	Total	Wages and salaries	Other labor income[a]	Proprietorship		Property income[c]	Transfer payments[d]	Less Social insurance contributions
				Farm	Other[b]			
1950	$19,774	$12,372	$276	$751	$2,488	$2,724	$1,439	$277
1951	22,756	14,823	355	1,007	2,708	2,963	1,232	333
1952	25,214	16,718	414	1,089	2,846	3,228	1,298	379
1953	27,002	18,113	471	973	2,931	3,529	1,402	417
1954	27,682	18,295	518	916	2,918	3,955	1,559	490
1955	30,378	19,998	614	1,007	3,391	4,325	1,703	561
1956	33,177	22,207	732	1,072	3,452	4,513	1,840	638
1957	35,497	23,564	846	968	3,622	5,001	2,141	745
1958	37,361	24,573	922	955	3,722	5,394	2,660	816
1959	41,010	27,381	1,081	1,048	4,070	5,648	2,727	944
1960	42,980	28,975	1,170	951	3,949	5,962	3,073	1,100
1961	45,678	30,535	1,297	894	4,185	6,406	3,536	1,173
1962	49,051	32,978	1,438	964	4,416	6,833	3,723	1,301
1963	52,615	35,355	1,575	913	4,631	7,566	4,089	1,513
1964	56,570	37,908	1,753	1,063	4,930	8,133	4,402	1,619
1965	60,234	40,353	1,944	940	5,120	8,719	4,899	1,742
1966	65,156	44,370	2,160	1,018	5,208	9,288	5,367	2,257
1967	69,936	47,491	2,354	964	5,450	9,865	6,352	2,540
1968	76,867	52,196	2,655	1,159	5,770	10,569	7,274	2,758
1969	83,192	57,013	2,950	1,037	5,881	11,389	8,142	3,218
1970	88,825	60,049	3,184	928	5,962	12,172	9,945	3,415
1971[p]	93,427	62,244	3,398	990	6,018	12,700	11,870	3,793

[a] Employer contributions to private pensions, pay of military reservists, directors' fees, etc.
[b] Income of unincorporated businesses and professions
[c] Interest, dividends, rents and royalties
[d] Retirement programs, unemployment insurance, disability payments, public relief, etc
[p] Preliminary
Source U S Department of Commerce, Office of Business Economics

TABLE A-16

DISTRIBUTION OF PERSONAL INCOME BY MAJOR SOURCES, CALIFORNIA, 1950–71
(In percent)

Year	Total	Wages and salaries	Other labor income[a]	Proprietorship		Property income[c]	Transfer payments[d]	Less Social insurance contributions
				Farm	Other[b]			
1950	100 00	62 57	1 40	3 80	12 58	13 78	7 28	1 40
1951	100 00	65 14	1 56	4 43	11 90	13 02	5 41	1 46
1952	100 00	66 30	1 64	4 32	11 29	12 80	5 15	1 50
1953	100 00	67 08	1 74	3 60	10 85	13 07	5 19	1 54
1954	100 00	66 09	1 87	3 31	10 64	14 32	5 63	1 77
1955	100 00	65 83	2 02	3 31	10 83	14 24	5 61	1 85
1956	100 00	66 93	2 21	3 23	10 40	13 60	5 55	1 92
1957	100 00	66 66	2 38	2 73	10 20	14 09	6 03	2 10
1958	100 00	66 04	2 47	2 56	9 96	14 20	6 96	2 18
1959	100 00	66 77	2 64	2 56	9 92	13 77	6 65	2 30
1960	100 00	67 42	2 72	2 21	9 19	13 87	7 15	2 56
1961	100 00	66 85	2 84	1 96	9 16	14 02	7 74	2 57
1962	100 00	67 23	2 93	1 94	9 00	13 93	7 59	2 63
1963	100 00	67 20	2 99	1 74	8 80	14 38	7 77	2 88
1964	100 00	67 01	3 10	1 88	8 71	14 38	7 78	2 86
1965	100 00	67 00	3 23	1 56	8 50	14 47	8 13	2 89
1966	100 00	68 10	3 32	1 56	7 99	14 26	8 24	3 46
1967	100 00	67 91	3 37	1 38	7 78	14 11	9 08	3 63
1968	100 00	67 90	3 45	1 51	7 51	13 75	9 46	3 59
1969	100 00	68 53	3 55	1 25	7 07	13 09	9 79	3 87
1970	100 00	67 60	3 58	1 04	6 71	13 70	11 20	3 84
1971[p]	100 00	66 62	3 64	1 06	6 44	13 59	12 71	4 06

[a] Employer contributions to private pensions, pay of military reservists, directors' fees, etc.
[b] Income of unincorporated businesses and professions
[c] Interest, dividends, rents and royalties
[d] Retirement programs, unemployment insurance, disability payments, public relief, etc.
[e] Estimated by California Department of Finance
[p] Preliminary.

Source U S Department of Commerce, Office of Business Economics

TABLE A-17

DISPOSABLE INCOME,[a] CALIFORNIA, 1950–71

Year	Totals in millions			Disposable income per capita[b]		
					In 1958 dollars[c]	
	Personal income	Less income taxes	Disposable income	Amount	Amount	Index
1950	$19,774	$1,836	$17,938	$1,685	$2,033	99 1
1951	22,756	2,427	20,329	1,827	2,052	91 4
1952	25,214	3,108	22,106	1,899	2,098	93 0
1953	27,002	3,293	23,709	1,959	2,136	94 7
1954	27,682	3,102	24,580	1,964	2,123	94 1
1955	30,378	3,412	26,966	2,074	2,235	99 1
1956	33,177	3,717	29,460	2,169	2,288	101 4
1957	35,497	4,037	31,460	2,219	2,271	100 7
1958	37,361	4,111	33,250	2,256	2,256	100 0
1959	41,010	4,553	36,457	2,383	2,394	104 4
1960	42,980	5,131	37,849	2,386	2,379	102 8
1961	45,678	5,248	40,430	2,470	2,377	105 4
1962	49,451	5,861	43,190	2,554	2,426	107 9
1963	52,615	6,009	46,606	2,681	2,508	111 2
1964	56,570	5,835	50,735	2,815	2,621	116 2
1965	60,234	6,297	53,937	2,917	2,661	118 8
1966	65,156	7,181	57,975	3,076	2,759	122 3
1967	69,936	7,756	62,180	3,233	2,836	125 3
1968	75,867	11,566	67,301	3,449	2,913	129 1
1969	83,192	11,400	71,792	3,623	2,934	130 1
1970	88,825	10,896	77,929	3,895	3,010	133 4
1971[p]	93,427	10,442	82,985	4,089	3,036	134 6

[a] Personal income less federal and state income taxes This is slightly different from the concept of disposable income in the national income accounts, where the tax deduction includes amounts paid under such other personal tax levies as those on inheritances, estates, gifts, personal property and driver permits

[b] Per capita figures derived using population estimates of the California Department of Finance

[c] Per capita income in 1958 dollars has been obtained by using the implicit price deflator for personal consumption expenditures from Department of Commerce

[p] Preliminary

Source Personal income 1950–70—U S Department of Commerce, Personal income 1971, tax payments 1950–71 and all computations of disposable income—California Department of Finance

TABLE A-18

INDUSTRIAL SOURCES OF PERSONAL INCOME FROM PARTICIPATION IN CURRENT PRODUCTION,[1] CALIFORNIA AND UNITED STATES, SELECTED YEARS, 1968–70

(In percent)

Industry	California			United States		
	1968	1969	1970	1968	1969	1970
Total	100 0	100 0	100 0	100 0	100 0	100.0
Farming	3 2	2 9	2 6	3 3	3 4	3 1
Mining	0 6	0 5	0 5	1 0	1 0	1 1
Contract construction	5 7	5 8	5 8	6 2	6 3	6 2
Manufacturing	26 0	25 6	24 1	30 2	29 9	28 5
Trade	17 4	17 4	17 6	17 0	16 9	17 1
Finance, insurance, real estate	5 8	5 7	5 7	5 4	5 3	5 4
Transportation, communication and public utilities	7 1	7 3	7 4	7 1	7 1	7 3
Services	17 0	17 4	17 9	14 9	15 1	15 6
Government	16 9	17 0	18 0	14 5	14 5	15 4
Other	0 3	0 4	0 4	0 3	0 3	0 3

[1] Consists of wage and salary disbursements, other labor income and proprietors' income.

Source Compiled by California Department of Finance from data reported by the U S Department of Commerce, Office of Business Economics

TABLE A-19

NUMBER OF PERSONAL INCOME TAX RETURNS, ADJUSTED GROSS INCOME, TAXABLE INCOME, AND TAX ASSESSED, 1959–69

(Income in thousands)

Income year[a]	Number of returns	Adjusted gross income	Taxable income	Tax assessed
1959	4,008,723	$29,612,426	$12,723,308	$250,566,812
1960	4,239,099	31,234,015	13,337,516	256,450,535
1961	4,454,531	33,581,894	14,624,977	290,676,930
1962	4,558,688	35,878,383	15,833,652	304,366,856
1963	4,851,770	38,535,903	17,982,196	338,066,936
1964	4,981,588	42,133,398	19,411,712	391,744,625
1965	5,167,529	45,234,006	21,088,900	432,886,449
1966	5,445,732	48,892,542	23,442,015	478,785,378
1967	5,419,456	52,827,614	43,252,693	947,614,969
1968	5,334,035	56,536,453	44,663,419	1,061,700,536
1969	5,586,849	60,874,377	47,983,889	1,088,914,303

[a] Changes in the Personal Income Tax Law effective with returns for the 1967 income year make prior year information not comparable

Source California Franchise Tax Board.

TABLE A-20

NUMBER OF PERSONAL INCOME TAX RETURNS, ADJUSTED GROSS INCOME AND TAX ASSESSED, BY COUNTY, 1968 AND 1969

County or area	1968			1969		
	Number of returns	Adjusted gross income (In thousands)	Tax assessed	Number of returns	Adjusted gross income (In thousands)	Tax assessed
Alameda	306,935	$3,250,677	$57,164,025	298,165	$3,235,119	$55,865,210
Butte	22,878	213,298	3,610,617	24,462	223,682	3,474,285
Contra Costa	146,906	1,744,027	32,503,973	147,535	1,801,488	30,767,138
El Dorado	13,078	114,814	1,453,870	11,448	111,863	1,686,391
Fresno	81,495	766,177	13,132,793	91,498	860,096	13,111,561
Humboldt	23,704	214,665	3,372,080	25,569	264,027	4,453,226
Imperial	16,183	139,766	2,272,662	15,032	142,533	2,178,548
Kern	73,543	702,202	11,076,337	76,820	761,719	12,102,595
Kings	10,125	91,386	1,290,477	10,909	101,142	1,515,889
Los Angeles	2,051,252	22,187,855	437,734,176	2,108,252	23,292,844	439,484,479
Madera	7,102	63,697	936,369	7,870	80,864	972,294
Marin	58,538	790,175	12,499,145	62,334	854,004	20,656,483
Mendocino	14,385	131,292	2,050,118	10,153	93,030	1,448,722
Merced	19,899	168,942	2,460,281	22,212	202,397	3,031,797
Monterey	51,681	540,214	10,908,906	49,885	536,024	10,565,127
Napa	21,267	212,620	3,225,765	19,935	231,986	3,897,379
Nevada	6,980	61,495	893,879	6,603	65,249	1,029,813
Orange	362,180	4,109,373	70,325,139	384,843	4,404,163	71,489,324
Placer	15,629	157,418	2,475,396	17,668	170,982	2,366,909
Riverside	92,571	932,683	17,227,262	107,852	1,094,504	16,640,539
Sacramento	147,707	1,545,061	26,228,548	161,975	1,719,348	26,784,260
San Bernardino	138,765	1,390,247	17,015,180	151,130	1,579,544	19,777,288
San Diego	299,255	2,967,001	50,162,894	346,439	3,816,432	59,010,200
San Francisco	249,520	2,656,950	66,663,598	256,013	2,768,267	66,036,112
San Joaquin	72,617	729,558	12,173,197	75,086	746,384	11,854,013
San Luis Obispo	21,753	195,032	2,742,334	24,776	242,034	3,030,373
San Mateo	166,681	2,099,927	45,820,796	185,567	2,380,991	49,759,261
Santa Barbara	60,849	684,024	14,050,573	63,227	715,653	13,740,375
Santa Clara	274,006	3,175,436	58,735,702	293,069	3,545,552	63,822,209
Santa Cruz	34,010	326,651	5,183,014	32,908	313,491	5,271,636
Shasta	18,519	170,987	2,429,228	20,227	208,673	2,908,879
Sierra	3,026	70,557	1,008,987	2,666	66,501	1,060,518
Solano	36,152	349,459	4,983,837	37,524	396,856	5,495,026
Sonoma	52,738	520,764	8,176,732	49,682	532,736	8,736,830
Stanislaus	46,786	477,344	8,088,306	54,546	544,116	8,201,188
Sutter	12,017	121,756	1,968,287	7,097	67,576	1,125,486
Tehama	5,890	55,495	782,068	5,851	48,183	478,425
Tulare	39,452	344,339	4,985,876	40,538	370,419	5,700,328
Tuolumne	6,287	59,242	766,524	4,784	53,434	1,212,891
Ventura	86,952	919,661	13,388,735	94,171	1,042,434	15,317,555
Yolo	20,928	221,522	3,057,055	21,287	220,909	3,499,546
Yuba	6,913	67,063	1,004,830	6,766	54,604	797,374
North Sierra Area[a]	7,788	57,471	841,731	9,689	85,653	1,162,053
South Sierra Area[a]	11,989	106,493	1,592,799	13,984	138,008	1,879,426
North Coast Area[a]	9,693	80,716	1,295,442	10,518	99,711	1,414,243
Valley-Coastal Area[a]	13,846	131,776	2,388,619	9,669	95,486	1,870,887
Resident out-of-state address[b]	29,578	284,723	6,978,421	30,734	295,912	6,425,778
Nonresident[b]	38,498	345,355	4,885,862	61,133	393,693	5,425,930
Total	5,334,038	$56,636,453	$1,051,700,536	5,586,849	$60,874,377	$1,098,914,303

[a] *North Coast Area* includes Del Norte, Lake, and Trinity Counties, *Valley and Coastal Area* includes Colusa, Glenn, and San Benito Counties, *North Sierra Area* includes Lassen, Modoc, Plumas, and Sierra Counties, and *South Sierra Area* includes Alpine, Amador, Calaveras, Inyo, Mariposa, and Mono Counties

[b] Persons filing resident Form 540 California personal income tax returns and listing out-of-state addresses are classified as residents. Persons filing nonresident Form 540NR returns and listing out-of-state addresses are classified as nonresidents.

Source: California Franchise Tax Board.

TABLE A-21

CONSUMER PRICE INDEX, UNITED STATES, CALIFORNIA, LOS ANGELES, SAN FRANCISCO, AND SAN DIEGO, 1950–71

(1967 = 100)

Year and month	United States	California[a]	Los Angeles-Long Beach	San Francisco-Oakland	San Diego
1950	72 1	69 1	70 1	67 6	----
1951	77 8	74 8	76 0	73 1	----
1952	79 5	77 2	78 2	75 7	----
1953	80 1	78 1	78 9	77 0	----
1954	80 5	78 1	78 8	77 1	----
1955	80 2	77 9	78 8	76.6	----
1956	81 4	79 4	80 0	78 4	----
1957	84 3	82 2	82 7	81 5	----
1958	86 6	85 1	85 5	84 5	----
1959	87 3	86 6	86 9	86 1	----
1960	88 7	88 2	88 5	87 9	----
1961	89 6	89 3	89 6	88 9	----
1962	90 8	90 5	90 8	90 3	----
1963	91 7	91 9	92 0	91 5	----
1964	92 9	93 5	93 7	92 9	----
1965	94 5	95 4	95 7	94 7	95.2
1966	97 2	97 3	97 5	97 1	97.1
1967	100 0	100 0	100 0	100 0	100 0
1968	104 2	104 1	103 9	104 5	104 1
1969	109 8	109 3	108 8	110 2	109 5
1970	116 3	114 9	114 3	115 8	115 3
1971	121 3	p119 1	118 5	120 2	n.a.
1970 January	113 3	----	111 6	----	----
February	113 9	----	111 9	----	112 8
March	114 5	113 1	112 4	114.4	----
April	115 2	----	113 5	----	----
May	115 7	----	113 8	----	115 0
June	116 3	114 5	113 9	115.5	----
July	116 7	----	114 9	----	----
August	116 9	----	114 2	----	115.9
September	117 5	116 2	115 8	116 7	----
October	118 1	----	116 2	----	----
November	118 5	----	116 2	----	117 7
December	119 1	117 4	116 8	118 5	----
1971 January	119 2	----	116 7	----	----
February	119 4	----	116 2	----	118 2
March	119 8	117 7	116 0	119 1	----
April	120 2	----	116 7	----	----
May	120 8	----	118 1	----	119 5
June	121 5	119 1	118 7	119 9	----
July	121 8	----	119 1	----	----
August	122 2	----	119 6	----	120 9
September	122 4	120 4	120 1	121 1	----
October	122 6	----	120 5	----	----
November	122 6	----	120 1	----	120 9
December	123 1	120 8	120 1	121 8	----

[a] Compiled by the California Department of Industrial Relations, as a weighted average of Los Angeles-Long Beach and San Francisco-Oakland.

Metropolitan areas:

Los Angeles-Long Beach—Los Angeles and Orange Counties

San Francisco-Oakland—Alameda, Contra Costa, Marin, San Francisco, San Mateo and Solano Counties.

San Diego—San Diego County.

n.a. Not available

p Preliminary.

Source. U S Department of Labor, Bureau of Labor Statistics

TABLE A-22

CALIFORNIA CASH FARM RECEIPTS, PRODUCTION EXPENSE, AND INCOME, 1955–71
(In millions)

Year	Cash receipts[a]	Production expenses	Net money income	Non-money income[b]	Realized net income[c, d]
1955	$2,692 2	$1,779 3	$912 9	$114 7	$1,027 6
1956	2,649 2	1,902 2	947 0	110 7	1,057 7
1957	2,791 3	1,911 7	879 6	107 7	987 3
1958	2,889 9	2,096 9	793 0	119 1	912 1
1959	3,143 1	2,242 3	900 8	124 4	1,025 2
1960	3,210 9	2,378 5	832 4	118 0	950 4
1961	3,267 5	2,471 9	795 6	126 9	922 5
1962	3,458 1	2,666 6	791 5	128 4	920 1
1963	3,558 9	2,786 1	772 8	137 5	910 4
1964	3,998 2	2,783 6	914 6	142 6	1,057 2
1965	3,751 4	2,977 9	773 5	150 3	923 9
1966	4,108 5	3,167 0	941 5	153 4	1,094 9
1967	4,031 9	3,247 3	784 5	153 2	937 7
1968	4,382 8	3,437 6	945 3	160 8	1,106 1
1969	4,573 0	3,640 8	932 4	173 0	1,105 4
1970	4,588 0	3,813 8	774 2	172 4	946 6
1971[p]	4,909 0	n a	n a	n a	n a.

[a] Receipts from marketings plus government payments
[b] Value of home consumption and gross rental value of farm dwellings.
[c] Net money income plus non-money income.
[d] Details may not add because of rounding.
[p] Preliminary
n a. Not available.
Source U S Department of Agriculture and California Department of Agriculture

TABLE A-23

CALIFORNIA CASH FARM RECEIPTS FROM CROPS, 1950–71
(In millions)

Year	All crops[a]	Fruit and nut	Vegetables	Field crops
1950	$1,400	$524	$270	$606
1951	1,609	539	361	709
1952	1,628	481	353	794
1953	1,504	492	339	773
1954	1,547	511	333	703
1955	1,632	587	378	667
1956	1,749	629	388	732
1957	1,650	564	390	696
1958	1,691	594	383	714
1959	1,878	615	415	848
1960	1,838	615	407	816
1961	1,886	620	431	835
1962	1,945	638	482	825
1963	2,021	691	461	869
1964	2,198	771	512	915
1965	2,109	678	545	886
1966	2,249	756	617	876
1967	2,189	719	649	801
1968	2,478	860	779	839
1969	2,479	913	698	868
1970	2,438	879	699	860
1971[p]	2,650	n a.	n a	n.a.

[a] Miscellaneous, primarily ornamentals, not included
[p] Preliminary
n.a. Not available
Source California Department of Agriculture

TABLE A-24

CALIFORNIA CASH FARM RECEIPTS FROM POULTRY AND LIVESTOCK PRODUCTS, 1950–71

(In millions)

Year	Livestock and poultry	Poultry	Livestock
1950	$847	$221	$626
1951	1,096	293	803
1952	1,040	276	764
1953	973	311	662
1954	905	251	654
1955	967	268	699
1956	998	268	730
1957	1,018	248	770
1958	1,080	268	812
1959	1,137	247	890
1960	1,245	293	952
1961	1,276	294	982
1962	1,351	303	1,048
1963	1,367	314	1,053
1964	1,303	308	995
1965	1,425	312	1,113
1966	1,555	350	1,205
1967	1,553	306	1,247
1968	1,615	297	1,318
1969	1,761	357	1,404
1970	1,790	350	1,440
1971 p	1,806	n a.	n.a.

p Preliminary
n a Not available
Source California Department of Agriculture.

TABLE A-25

CALIFORNIA CASH FARM RECEIPTS, ALL CROPS, LIVESTOCK AND POULTRY, MISCELLANEOUS, AND GOVERNMENT PAYMENTS, 1950–71

(In millions)

Year	Total	All crops[a]	Livestock and poultry	Miscellaneous	Government payments
1950	$2,315	$1,400	$847	$54	$14
1951	2,782	1,609	1,096	63	14
1952	2,744	1,628	1,040	65	11
1953	2,655	1,604	973	68	10
1954	2,536	1,547	905	68	16
1955	2,692	1,632	967	81	12
1956	2,849	1,749	998	87	17
1957	2,791	1,650	1,018	91	32
1958	2,890	1,691	1,080	96	23
1959	3,143	1,878	1,137	104	24
1960	3,211	1,838	1,245	106	22
1961	3,268	1,856	1,276	106	28
1962	3,458	1,945	1,351	131	31
1963	3,559	2,021	1,367	139	32
1964	3,698	2,198	1,303	163	34
1965	3,751	2,109	1,425	176	41
1966	4,108	2,249	1,555	196	104
1967	4,032	2,169	1,553	200	110
1968	4,383	2,478	1,615	189	101
1969	4,573	2,479	1,761	210	123
1970	4,558	2,438	1,790	228	132
1971 p	4,909	2,650	1,806	339	114

[a] Other than miscellaneous (primarily ornamentals).
p Preliminary
Source California Department of Agriculture.

TABLE A-26

TOTAL AGRICULTURAL EMPLOYMENT[a] IN CALIFORNIA, 1950–71

Year	Lowest[b]	Highest[b]
1950	290,400	438,900
1951	281,700	456,300
1952	288,600	439,900
1953	287,300	445,000
1954	294,600	431,800
1955	301,900	456,600
1956	295,500	465,300
1957	284,900	447,200
1958	279,300	432,800
1959	280,500	441,000
1960	271,800	404,400
1961	264,700	416,000
1962	261,100	424,800
1963	255,800	404,100
1964	255,200	411,800
1965	251,100	361,900
1966	254,700	362,200
1967	248,100	373,600
1968	250,400	357,900
1969	245,100	369,500
1970	241,500	r381,000
1971	243,700	362,300

[a] Includes farmers and family workers, hired domestic workers, and foreign contract workers. Based upon the lowest and highest month of the year. March is usually the month of lowest employment. September is the month of highest employment.
[b] Midmonth totals.
[r] Revised.

Source: California Department of Human Resources Development.

TABLE A-27

AGRICULTURAL EMPLOYMENT IN CALIFORNIA, HIRED DOMESTIC WORKERS, 1950–71

Year	Year-round	Temporary[a]	
		Lowest	Highest
1950	108,800	40,400	121,700
1951	107,100	33,600	135,800
1952	105,800	43,300	125,600
1953	104,200	41,200	138,700
1954	102,700	57,300	160,800
1955	100,900	60,800	174,700
1956	99,400	54,000	163,400
1957	98,000	43,000	156,800
1958	96,400	47,400	162,600
1959	96,000	48,600	161,900
1960	93,600	49,200	141,300
1961	92,000	56,800	165,600
1962	93,700	60,400	158,000
1963	93,500	60,800	158,900
1964	90,900	63,800	161,200
1965	90,300	73,300	167,000
1966	90,800	77,900	173,000
1967	92,200	77,350	190,900
1968	93,200	78,700	176,900
1969	94,400	77,300	187,600
1970	96,800	72,900	180,500
1971	96,000	75,100	182,700

[a] Midmonth totals.

Source: California Department of Human Resources Development.

TABLE A-28

CALIFORNIA EMPLOYERS SUBJECT TO UNEMPLOYMENT INSURANCE CODE, 1950–71

Year[a]	Number	Change		Index (1950 = 100)
		Number	Percent	
1950	238,099	---	---	100 0
1951	243,012	4,913	2 1	102 1
1952	250,692	7,680	3 2	105 3
1953	257,100	6,408	2 6	108 0
1954	263,633	6,533	2 5	110 7
1955	272,159	8,526	3 2	114 3
1956	281,174	9,015	3 3	118 1
1957	285,119	3,945	1 4	119 7
1958	293,071	7,952	2 8	123 1
1959	305,149	12,078	4.1	128 2
1960	314,098	8,949	2 9	131 9
1961	320,672	6,574	2.1	134 7
1962	328,603	7,931	2 5	138.0
1963	336,326	7,723	2 4	141 2
1964	345,498	9,172	2.7	145 1
1965	350,379	4,881	1 4	147.2
1966	349,534	[b]—845	—0 2	146 8
1967	346,537	[b]—2,997	—0 9	145 5
1968	350,560	4,023	1 2	147 2
1969	354,793	4,233	1 2	149 0
1970	357,791	2,998	0 8	150 3
1971	358,014	223	0 1	150 4

[a] As of last Friday in December
[b] Primarily reflects a lull in construction activity
Source California Department of Human Resources Development.

TABLE A-29

CALIFORNIA EMPLOYERS SUBJECT TO UNEMPLOYMENT INSURANCE CODE, 1970 AND 1971, BY MONTHS

Month[a]	Number		Change	
	1970	1971	Number	Percent
January	354,886	355,654	768	0 2
February	359,468	359,749	281	0 1
March	359,805	359,249	—556	—0 2
April	353,708	352,166	—1,542	—0 4
May	356,026	355,640	—386	—0 1
June	357,365	356,425	—940	—0.3
July	356,735	356,871	136	---
August	359,261	360,339	1,078	0 3
September	358,279	358,034	—245	—0 1
October	356,482	356,937	455	0 1
November	358,441	360,076	1,635	0 5
December	357,791	358,014	223	0 1

[a] As of last Friday in month
Source California Department of Human Resources Development

TABLE A-30

CORPORATE PROFITS FROM CALIFORNIA OPERATIONS, 1950–1969

Year[b]	Number of corporations[a]				Net profits (in millions)		
	Total	With net income	With net loss	No income or loss	Total	Net income	Net loss
1950	42,377	21,987	11,560	8,830	$2,264	$2,432	−$168
1951	44,583	21,538	11,008	9,037	2,593	2,766	−167
1952	47,864	25,946	12,486	9,530	2,284	2,522	−238
1953	52,041	27,661	13,718	10,762	2,519	2,758	−239
1954	56,652	29,489	15,910	11,253	2,551	2,892	−341
1955	65,345	35,020	16,365	13,960	3,162	3,430	−267
1956	74,290	40,713	17,415	16,129	3,331	3,657	−326
1957	81,150	44,527	20,313	16,310	3,286	3,664	−377
1958	87,577	46,414	24,226	16,927	3,168	3,630	−461
1959	94,161	53,456	24,069	16,637	3,634	4,155	−522
1960	101,081	56,987	28,747	15,351	3,517	4,182	−665
1961	105,645	59,746	31,302	14,097	3,718	4,509	−792
1962	110,294	63,400	31,954	14,940	3,970	4,754	−784
1963	114,667	66,496	33,567	14,504	4,283	5,092	−809
1964	118,860	69,555	34,254	15,051	4,626	5,526	−900
1965	122,399	71,484	35,625	15,290	5,126	6,007	−881
1966	124,690	73,076	35,664	15,950	5,643	6,538	−895
1967	125,677	73,433	38,188	14,056	5,253	6,456	−1,203
1968	128,505	77,238	36,754	14,513	6,003	7,255	−1,251
1969	136,695	80,348	38,627	17,720	5,643	7,477	−1,834

[a] Includes a slight amount of duplication as a result of mergers, consolidations, changes in corporate names and changes of income year which necessitated filing more than one state franchise tax return during the year In 1961 this duplication amounted to approximately 205, or 0 5 percent of the total

[b] Includes corporations with fiscal years ending in the calendar year shown.

Source California Franchise Tax Board.

TABLE A-31

BANK AND CORPORATION FRANCHISE TAX RETURNS REPORTING NET INCOME SUBJECT TO STATE TAXATION, BY INDUSTRY, 1968 AND 1969

(Income in thousands)

Industry	Corporations reporting net income subject to state taxation			
	1968		1969	
	Number	Net income	Number	Net income
Agriculture, forestry, and fishery	1,598	$73,651	1,689	$98,813
Mining	442	335,711	416	332,581
Crude petroleum and natural gas production	307	321,052	283	308,191
Other mining and quarrying	136	14,658	133	24,390
Construction	6,015	196,219	6,464	231,774
Manufacturing	12,498	2,879,277	12,504	2,757,581
Beverages, food, and kindred products	1,042	366,245	996	347,703
Textile-mill products	122	15,395	115	26,291
Apparel and products made from fabric	742	52,470	772	59,118
Lumber and wood products, except furniture	517	106,693	578	145,031
Furniture and fixtures	480	28,794	492	33,818
Paper and allied products	211	92,060	229	95,750
Printing, publishing, and allied industries	1,210	103,858	1,258	143,157
Chemicals and allied products	1,097	274,227	1,113	282,008
Petroleum and coal products	69	24,585	82	18,678
Rubber products	188	40,913	190	34,388
Leather and leather products	71	4,953	66	5,689
Stone, clay, and glass products	361	60,897	381	56,942
Primary metals	310	102,901	293	98,172
Electrical machinery and equipment	940	374,767	922	473,658
Transportation equipment	640	541,934	608	388,899
Other equipment	1,487	331,844	1,411	156,782
Precision equipment	313	99,791	312	114,632
Other fabricated metal products	2,198	225,284	2,185	233,506
Other manufacturing	536	32,105	591	48,461
Services	12,336	393,937	13,365	449,762
Motion picture production	740	56,248	845	45,766
Amusement services	1,123	42,531	1,224	48,017
Personal services	1,214	26,233	1,228	32,925
Business services	4,947	131,553	5,364	175,574
Other services	4,312	137,343	4,704	147,480
Trade	25,024	1,378,087	26,158	1,524,185
Retail trade	14,140	730,423	14,768	803,516
Wholesale trade	10,884	647,664	11,390	720,649
Finance, insurance, and real estate	17,045	952,466	17,755	1,112,974
Banks	149	323,666	142	357,851
Savings and loan associations	218	92,372	200	125,458
Other financials	1,376	77,846	1,450	100,205
Real estate companies	11,954	265,067	12,307	321,394
Investment companies and security dealers, insurance agents and brokers	3,349	193,515	3,656	208,366
Utilities	2,352	1,045,188	2,366	1,089,328
Transportation	1,394	142,420	1,410	132,048
Communication	67	502,739	71	525,707
Radio and television industries	147	50,992	137	59,792
Electric and gas utilities	17	303,844	18	304,507
Other public utilities	727	45,203	730	47,274
Total	77,308	$7,251,536	80,717	$7,476,775

Source: California Franchise Tax Board.

TABLE A-32

CALIFORNIA BUILDING PERMIT ACTIVITY: VALUATION BY SELECTED TYPES OF BUILDING CONSTRUCTION, 1954–71

(In millions)

Year and quarter	All authorized building construction	New housing units	Commercial buildings			Industrial buildings	Additions and alterations
			Total[a]	Office, bank and professional buildings	Stores and other mercantile buildings		
Old series[b]							
1954	$2,569 5	$1,714.2	$193 5	$51 7	$117.7	$79 9	$227.8
1955	3,065 1	2,018.9	263 9	79.9	159 4	131 6	256 5
1956	3,163 3	1,779 9	344 1	121 9	176 7	258 0	302 9
1957	3,048 0	1,652.8	344 4	131 6	159.6	186 4	318.9
1958	3,500 6	1,997.6	423.7	288 6	146 4	134 7	352 2
1959	4,212 5	2,627.1	433 4	180 5	186 1	195 9	402 1
1959[c]	3,781 1	2,492.9	411.5	163 3	186 1	188 4	380 2
New series[a]							
1959	3,720 4	2,457.5	n.a.	159 0	181 2	183 4	368 2
1960	3,410 7	2,127 1	416 4	160 9	200 1	165 6	367 5
1961	3,692 5	2,354 7	447.6	204 7	198 5	162 5	374 4
1962	4,320 2	2,776.7	518 8	246 5	214 0	201 9	397 4
1963	3,974 9	2,466 1	488 6	219 3	217 5	179 6	464 5
1964	4,834 6	3,160 8	535 4	213 0	267 3	178 5	482 9
1965	4,390 7	2,483 5	707 1	327 3	317 8	203 1	484 7
1966	3,451 4	1,548 1	632 5	332 1	267 9	253 3	489 6
1967	3,547 5	1,704.3	635.7	296 9	271 5	276 8	478 7
1968	4,539.7	2,523 0	839 8	378 9	272 5	339 3	488 4
1969	4,163.9	1,722 9	774 3	387 8	329 8	397 4	532 8
1970	5,380 9	2,906 2	856 3	416 5	368 3	279 8	566 8
1971	5,990 7	4,191.3	1,053 3	655.0	320 0	269 7	612 4
1970 [d] I	1,149 7	527 0	203 0	92 1	87 8	79 4	125 6
II	1,615.4	830.3	251 4	110 3	123 1	96 1	147 4
III	1,327 0	727 4	244 1	150 5	76 7	50 4	153 1
IV	1,262 8	795 5	158 8	63 6	78 8	54 8	141 7
1971 [d] I	1,377 6	846 6	163 3	85 0	62 6	60 5	128 8
II	1,822 3	1,186 0	184 1	88 0	73 0	62 4	177 0
III	1,939 8	1,102.2	383 8	280 0	84 1	75 9	155 8
IV	1,851.0	1,056 5	322 0	201 9	100 4	70.9	140 7

[a] Includes service stations and recreational buildings not shown separately
[b] Includes public construction.
[c] Private construction only.
[d] Quarterly data may not add to annual totals.
n.a. Not available.

Source Old series—U.S. Department of Labor, Bureau of Labor Statistics.
New series—U.S. Department of Commerce, Bureau of the Census.

TABLE A-33

RESIDENTIAL HOUSING UNITS AUTHORIZED BY PERMITS AND PUBLIC HOUSING CONTRACT AWARDS IN 245 PERMIT ISSUING PLACES IN CALIFORNIA, 1958–71

(In thousands)

Year and quarter	Total	Private	Public
New series			
1958	199 3	195 0	4 3
1959	234 8	231 5	3 0
1960	192 5	190 3	2 2
1961	208 5	204 7	3 8
1962	239 6	238 4	1 2
1963	292 1	290 9	1 2
1964	247 2	245 4	1 9
1965	169 8	168 0	1 8
1966	99 1	98 7	0 4
1967	110 7	110 2	0 5
1968	161 3	159 7	1 6
1969	183.5	183 3	0 2
1970	194 1	193 8	0 3
1971	237 0	235 4	1 6
1970 * I	35.1	35 0	0 1
II	54 1	53 9	0.2
III	49 0	49 0	--
IV	56 0	56 0	--
1971 * I	53 2	52.1	0 1
II	72 5	71 3	1 2
III	67 7	67 4	0 3
IV	64 7	64 7	----

* Quarterly data will not add to annual totals.

Source U S Department of Commerce, Bureau of the Census.

TABLE A-34

TAXABLE TRANSACTIONS OF RETAIL STORES IN CALIFORNIA, 1950–71

(Amounts in millions)

Year	Amount	Change		Index (1950 = 100)
		Amount	Percent	
1950	$8,995	$1,028	12 9	100 0
1951	9,822	827	7 9	107 0
1952	10,421	799	7 9	115 9
1953	10,964	543	5 2	121.9
1954	10,728	−236	−2 2	119.3
1955	12,628	1,900	17 7	140 4
1956	13,121	493	3 9	145 9
1957	13,611	490	3 7	151 3
1958	13,413	−198	−1 5	149.1
1959	15,459	2,046	15 3	171 9
1960	15,818	359	2 3	175 9
1961	16,077	259	1 6	178 7
1962	17,522	1,445	9 0	194 8
1963	18,893	1,371	7 8	210 0
1964	20,550	1,657	8 8	228 5
1965	21,516	966	4 7	239 2
1966	22,624	1,108	5 2	251 5
1967	23,512	888	3 9	261 4
1968	26,168	2,656	11 3	290 9
1969	28,264	2,096	8 0	314 1
1970	28,809	445	1 8	319 1
1971 *	31,507	2,808	9.8	350 3

* Estimated

Source California Board of Equalization.

TABLE A-35

TAXABLE TRANSACTIONS OF RETAIL STORES IN CALIFORNIA, 1970 AND 1971, BY QUARTERS

(Amounts in millions)

Quarter	1970	1971	Change	
			Amount	Percent
1st quarter	$6,454 7	$6,862 6	$407 9	6 3
2nd quarter	7,170 5	7,758 1	585 6	8 2
3rd quarter	7,232 5	7,941 4	708 9	9 8
4th quarter	7,841 1	*8,946 9	*1,105 8	*14.1

* Estimated.

Source California Board of Equalization.

TABLE A-36

CALIFORNIA SALES TAX PERMITS OUTSTANDING, 1950–71

Year[a]	Total	Retail outlets[b]	Personal service establishments	Other[c]
1950	285,571	156,519	42,367	87,685
1951	293,510	154,455	41,299	97,756
1952	288,033	154,746	42,323	90,963
1953	293,739	149,190	45,015	99,534
1954	301,514	147,378	47,899	106,237
1955	309,061	147,155	49,922	111,984
1956	314,711	147,602	51,688	115,421
1957	321,670	147,961	52,886	120,823
1958	329,128	147,835	53,100	128,193
1959	336,459	148,371	57,055	131,183
1960	346,706	150,512	58,997	137,197
1961	351,540	148,899	59,518	143,123
1962	355,403	151,769	57,591	146,043
1963	363,614	154,517	57,105	150,992
1964	372,387	157,344	56,749	158,294
1965	381,203	161,109	56,002	164,092
1966	389,867	163,867	55,326	171,454
1967	392,705	163,821	54,624	174,260
1968	401,980	165,285	54,993	181,702
1969	411,375	167,887	55,066	188,422
1970	426,766	171,094	56,173	199,499
1971	440,936	173,343	57,359	210,233

[a] As of July 1

[b] Exclusive of itinerant and mail-order vendors

[c] Consists of manufacturing, wholesaling, contracting, and miscellaneous outlets and itinerant and mail-order vendors.

Source California Board of Equalization.

TABLE A-37

TAXABLE TRANSACTIONS IN CALIFORNIA BY TYPE OF BUSINESS, 1970 AND 1971

(Amounts in millions)

Type of business	Amount		Change*		Percent of total	
	1970	1971*	Amount	Percent	1970	1971*
Total, all outlets	$43,223	$46,800	$3,577	8 3	100 00	100 00
Retail stores	28,699	31,507	2,808	9.8	66.40	67.32
Apparel stores	1,981	2,078	97	4 9	4 58	4 44
General merchandise and drug stores[a]	6,317	6,732	415	6 6	14.62	14 38
Food stores[b]	2,939	3,179	240	8 2	6 80	6.79
Packaged liquor stores	1,025	1,095	70	6.8	2 37	2 34
Eating and drinking places	3,408	3,602	194	5.7	7.88	7 70
Household and home furnishings	1,029	1,103	74	7 2	2 38	2 36
Household appliance dealers	428	469	41	9.6	.99	1 00
Farm implement dealers	308	326	18	5 8	.71	.70
Building material	1,508	1,822	314	20 8	3.49	3 89
Motor vehicle dealers New and Used	4,771	5,595	824	17 3	11.04	11 96
Automotive supplies and parts	553	629	76	13.7	1 28	1.34
Service stations[b]	855	943	88	10 3	1.98	2 01
Trailer, boat, cycle, and plane dealers	642	781	139	21 7	1.49	1 67
Other retail stores	2,935	3,153	218	7.4	6.79	6.74
Other Business and personal services	1,560	1,694	134	8 6	3.61	3 62
All other outlets	12,964	13,599	635	4 9	29 99	29 06

[a] Excludes sales of prescription medicines which are estimated at $640 million for 1971.
[b] Excludes a large volume of tax-exempt sales.
* Estimated.

Source California Board of Equalization.

TABLE A-38

TOTAL DEMAND DEPOSITS, ALL INSURED COMMERCIAL BANKS, CALIFORNIA, 1950–71

(Amounts in millions)

Year[a]	Amount	Change		Index (1950 = 100)
		Amount	Percent	
1950	$8,086	--	--	100 0
1951	8,797	$711	8 8	108 8
1952	9,454	657	7 5	116 9
1953	9,483	29	0 3	117 3
1954	10,051	568	6 0	124 3
1955	10,991	849	8 5	124 8
1956	11,251	351	3.2	139 1
1957	11,274	22	0 2	139 4
1958	12,058	784	7 0	149 1
1959	12,950	892	7.4	160.2
1960	12,954	4	0 0	160 2
1961	14,232	1,279	9.9	176 0
1962	14,426	194	1 4	178 4
1963	14,939	513	3 6	184 7
1964	15,683	744	5 0	194 0
1965	15,232	−451	−2 9	188.4
1966	15,671	439	2 9	193 8
1967	17,492	1,820	11 6	216 3
1968	19,003	1,512	8 6	235 0
1969	19,989	986	5 2	247 5
1970	20,713	724	10 4	256.3
1970—June	19,287	--	--	--
1971—June	20,723	1,436	10.7	256 3

[a] As of December called reports except as otherwise noted.

Source. California State Banking Department from Reports of Call of Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System and Office of the Comptroller of the Currency.

TABLE A-39

TOTAL DEPOSITS,[a] ALL INSURED COMMERCIAL BANKS,[b] SELECTED CALIFORNIA CITIES, 1971, BY MONTHS

(In *millions* of dollars)

Month[c]	Los Angeles		San Francisco		Oakland	
	Demand	Time and savings	Demand	Time and savings	Demand	Time and savings
January	$3,779	$4,076	$2,313	$3,640	$405	$795
February	3,339	4,303	2,398	4,647	391	793
March	4,204	4,629	2,664	4,004	441	801
April	3,554	4,476	2,463	3,835	394	792
May	3,897	4,478	2,367	3,880	422	795
June	4,223	4,451	2,710	4,018	437	793
July	4,081	4,484	2,456	3,873	424	802
August	4,102	4,653	2,452	3,807	411	802
September	4,102	4,608	2,498	4,202	445	807
October	4,293	4,721	2,522	4,278	458	813
November	4,376	4,802	2,552	4,332	462	815
December	4,476	4,728	2,602	4,321	449	814

[a] Refers to individuals, partnerships and corporations.

[b] Figures include only member and nonmember banking offices within the city limits.

[c] As of last Wednesday in month.

Source. California State Banking Department from data reported by Federal Reserve Bank of San Francisco.

TABLE A-40

DEBITS TO DEMAND DEPOSITS,[a] SELECTED INSURED COMMERCIAL BANKS,[b] CALIFORNIA CITIES, 1970 AND 1971

(In millions of dollars)

City or area	1970	1971	Percent change
Bakersfield	$5,169	$5,403	4.5
Berkeley	3,973	4,264	7.3
Fresno	7,693	8,940	16.2
Long Beach	9,511	10,274	8.0
Los Angeles	314,173	367,514	17 0
Marin County	2,773	3,208	15.7
Modesto	2,500	3,220	28 8
Oakland	24,052	26,573	10 9
Pasadena	6,287	7,490	19 0
Riverside	4,020	4,585	14.1
Sacramento	46,721	53,654	14 8
Salinas-Monterey SMSA[c]	3,786	4,664	23 2
San Bernardino	2,829	4,232	49 8
San Diego	23,908	29,833	24 8
San Francisco	309,109	331,939	7 4
San Jose	13,987	19,690	40 8
Santa Ana	9,343	11,218	20 1
Santa Barbara	3,862	5,605	45 3
Santa Monica	7,665	17,009	121 9
Santa Rosa	2,459	2,751	11 9
Stockton	4,247	4,794	12 9
Vallejo-Napa SMSA[c]	2,494	2,864	14 8
Ventura	2,688	2,930	9 0

[a] Unadjusted debits to demand deposit accounts of individuals, partnerships, and corporations and of states and political subdivisions

[b] Large banks submitting weekly condition reports only.

[c] Refers to Standard Metropolitan Statistical Area.

Source: California State Banking Department from data reported by Federal Reserve Bank of San Francisco.

TABLE A-41

TOTAL TIME DEPOSITS, ALL INSURED COMMERCIAL BANKS, CALIFORNIA, 1950–71

(Amounts in millions)

Year[a]	Amount	Change		Index (1950 = 100)
		Amount	Percent	
1950	$5,879	---	---	100 0
1951	6,318	$439	7 5	107 5
1952	6,887	569	9 0	117 2
1953	7,278	391	5 7	123 8
1954	7,903	625	8 6	134 4
1955	8,165	262	3 3	138 9
1956	8,400	235	2 9	142 9
1957	9,504	1,104	13 1	161 7
1958	10,729	1,225	12 9	182 5
1959	10,873	143	1 3	184 9
1960	11,385	512	4 7	193 6
1961	12,881	1,496	12 9	218 6
1962	14,593	1,712	13 6	248 2
1963	16,042	1,449	9 9	272 9
1964	17,983	1,941	12 1	305 9
1965	20,109	2,126	11 8	342 0
1966	21,614	1,505	7 5	367 7
1967	23,762	2,148	9 9	404 2
1968	26,418	2,656	11 1	449 4
1969	23,513	−2,905	−11 0	399 9
1970	28,636	5,123	12 2	487 1
1970—June	24,627	---	---	---
1971—June	30,740	6,113	12 5	522 9

[a] As of December called reports.

Source California State Banking Department from Reports of Call of Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System and Office of the Comptroller of the Currency

TABLE A-42

GROSS LOANS, ALL INSURED COMMERCIAL BANKS,[a] SELECTED CALIFORNIA CITIES, 1971, BY MONTHS

(In millions of dollars)

Month[b]	Los Angeles	San Francisco	Oakland
January	$8,081	$6,508	$959
February	8,012	6,863	970
March	8,285	6,804	1,057
April	8,265	6,774	1,037
May	8,294	6,846	1,015
June	8,434	6,810	1,025
July	8,541	7,501	1,026
August	8,441	7,461	1,031
September	8,658	8,022	1,048
October	8,626	6,777	1,024
November	8,578	6,738	1,024
December	9,078	7,840	1,030

[a] Figures include only member and nonmember banking offices within the city limits.
[b] As of last Wednesday in month

Source California State Banking Department from data reported by Federal Reserve Bank of San Francisco.

TABLE A-43

GROSS LOANS BY MAJOR CATEGORIES, ALL INSURED COMMERCIAL BANKS, CALIFORNIA, 1950–71

(Amounts in millions)

Year*	Real estate loans	Commercial and industrial loans	Agricultural loans	Loans to individuals	Other	Total
1950	$2,723	$1,791	$182	$980	$200	$5,876
1951	2,896	2,273	267	955	204	6,505
1952	3,127	2,460	268	1,313	194	7,361
1953	3,241	2,403	272	1,437	187	7,539
1954	3,638	2,350	347	1,298	221	7,745
1955	3,993	2,968	271	1,803	411	9,247
1956	4,463	3,670	260	1,732	475	10,600
1957	4,410	4,058	279	1,895	544	11,186
1958	4,776	4,087	358	1,942	549	11,712
1959	5,317	4,439	463	2,375	1,152	13,745
1960	5,181	4,762	509	2,648	1,223	14,323
1961	5,358	5,122	592	2,769	1,313	15,154
1962	6,153	5,668	638	3,151	1,697	17,305
1963	7,027	6,009	716	3,634	2,376	19,762
1964	7,512	7,051	659	4,208	2,594	22,056
1965	7,974	8,284	748	4,686	2,661	24,353
1966	8,268	9,318	776	4,924	2,865	26,951
1967	8,495	10,112	803	5,126	2,607	27,223
1968	9,230	11,631	833	5,793	3,447	30,924
1969	9,545	12,276	866	6,045	3,706	32,439
1970	9,592	12,965	855	5,903	3,147	32,463
1970—June	9,576	11,769	942	5,955	2,799	31,042
1971—June	10,102	12,784	999	6,140	3,775	33,801

Note Individual figures may not add to totals due to rounding.

* As of December called reports except as otherwise noted

Source California State Banking Department from Reports of Call of Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System and Office of the Comptroller of the Currency.

TABLE A-44

GROSS LOANS AND DISCOUNTS, ALL INSURED COMMERCIAL BANKS, CALIFORNIA, 1950–71

(Amounts in millions)

Year[a]	Amount	Change		Index (1950 = 100)
		Amount	Percent	
1950	$5,876	---	---	100 0
1951	6,595	$719	12 2	112 2
1952	7,351	756	11 6	125 3
1953	7,629	278	3 8	130 0
1954	7,745	105	1.4	131 8
1955	9,247	1,502	19 4	157 4
1956	10,600	1,353	14 6	180.4
1957	11,186	587	5 5	190 4
1958	11,712	526	4 7	199 3
1959	13,745	2,033	17 4	233 9
1960	14,323	578	4 2	243 8
1961	15,154	831	5 8	257 9
1962	17,305	2,150	14 2	294 5
1963	19,762	2,458	14 2	336 3
1964	22,056	2,294	11.6	375.4
1965 r	24,254	2,198	10 0	412.8
1966 r	25,688	1,434	5 9	437 2
1967 r	26,707	1,019	4 0	454 5
1968 r	30,192	3,486	13 1	513.8
1969 r	31,723	1,531	5 1	539 9
1970	32,483	760	10.2	552 5
1970—June	31,042	---	---	---
1971—June	33,801	2,760	10.9	575 3

[a] As of December called reports except as otherwise noted.
r Revised.

Source: California State Banking Department from Reports of Call of Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System and Office of the Comptroller of the Currency.

TABLE A-45

MORTGAGE LOANS OUTSTANDING, ALL INSURED SAVINGS AND LOAN ASSOCIATIONS, CALIFORNIA, 1950–71

(Amounts in millions)

Year[a]	Amount	Change		Index (1950 = 100)
		Amount	Percent	
1950	$1,224.6	---	---	100 0
1951	1,414 1	$189 5	15 5	115 5
1952	1,819 4	405 3	28 7	148 6
1953	2,277.3	457 9	25 2	186 0
1954	2,837 3	560 0	24 6	231 7
1955	3,517.3	79.9	34 0	287 2
1956	4,225 2	708 0	20 1	345 0
1957	5,071 1	845 9	20 0	414 1
1958	6,039 6	968 5	19 1	411 5
1959	7,619.1	1,579 5	26 2	622 2
1960	9,153 3	1,534 2	20 1	747 5
1961	11,264 9	2,101 6	23 0	919 1
1962	13,960 4	2,695 5	23 9	1,139 2
1963	17,576 7	3,726 3	26 7	1,443 5
1964	20,508 7	2,832 0	16 0	1,676 4
1965	22,307 1	1,698 4	8 3	1,813 4
1966	22,467 3	260 2	1 2	1,834 7
1967	23,567 0	1,099 7	4 9	1,924 5
1968	25,166 1	1,599 1	6 8	2,055 0
1969	26,790.7	1,624 6	6 5	2,187.7
1970	28,263 8	1,473 1	5 5	2,308 0
1971 p	31,902 8	3,639 0	12.9	2,605 2

[a] As of December 31st.
p Preliminary.

Source: Federal Home Loan Bank Board.

TABLE A-46

SAVINGS CAPITAL, ALL INSURED SAVINGS AND LOAN ASSOCIATIONS, CALIFORNIA, 1950–71

(Amounts in millions)

Year*	Amount	Change		Index (1950 = 100)
		Amount	Percent	
1950	$1,122 0	---	---	100 0
1951	1,357 3	$235 3	21 0	121 0
1952	1,711 2	353 4	26 0	152 5
1953	2,194 4	483 2	28 2	195 6
1954	2,726 6	532 2	24 3	243 0
1955	3,386 6	660 0	24 2	301 8
1956	4,182 1	795 5	23 5	372 7
1957	4,960 4	778 3	18 6	442 1
1958	6,079 8	1,119 4	22 6	541 9
1959	7,336.1	1,256 3	20.7	653 8
1960	8,886 5	1,550 4	21 1	792 0
1961	10,780 6	1,894 1	21 3	960 8
1962	13,339 2	2,558 6	23 7	1,188 9
1963	16,536 4	3,197 2	24 0	1,473 8
1964	19,276 3	2,739 9	16 6	1,720 2
1965	20,992 8	1,716 5	8 9	1,871 0
1966	21,214 7	221 9	1 1	1,890 8
1967	23,468 8	2,254 0	10 6	2,091 7
1968	24,283 1	814 3	3 5	2,164 3
1969	23,888 8	−394 3	−1 6	2,129 1
1970	25,040 0	1,151 2	4 8	2,231 7
1971p	30,055 4	5,015 4	20 0	2,678 7

* As of December 31st.
p Preliminary.
Source Federal Home Loan Bank Board.

TABLE A-47

MORTGAGE LOANS OUTSTANDING OF INSURED CALIFORNIA ASSOCIATIONS BY TYPE OF ASSOCIATION, 1970 AND 1971

(Amounts in millions)

Month	All insured associations			State chartered associations			Federally chartered associations		
	Amount		Percent change	Amount		Percent change	Amount		Percent change
	1970	1971		1970	1971		1970	1971	
January	26,818 4	28,402 8	5 9	18,112 0	19,167 7	5 8	8,706 4	9,235 1	6 1
February	26,845 8	28,607 6	6 6	18,130 0	19,275 0	6 3	8,715 8	9,331 7	7 1
March	26,870 2	28,903 5	7 6	18,146 5	19,430 7	7 1	8,723 7	9,472 8	8 6
April	26,909 0	29,263 0	8 7	18,181 2	19,647 4	8 1	8,727 8	9,615 5	10 2
May	26,963 0	29,521 8	9 5	18,221 2	19,801 1	8 7	8,741 8	9,720 7	11 2
June	27,106 6	29,903 0	10 3	18,312 7	20,029 8	9 4	8,793 9	9,873 2	12 3
July	27,256 2	30,210 4	10 8	18,417 1	20,188 0	9 6	8,838 1	10,022 4	13 4
August	27,406 5	30,584 0	11 6	18,525 5	20,410 2	10 1	8,871 0	10,173 8	14 7
September	27,582 8	30,873 0	11 9	18,673 0	20,583 9	10 2	8,910 8	10,289 1	15 5
October	27,747 2	31,134 2	12 2	18,784 9	20,776 1	10 6	8,962 3	10,358 1	15 6
November	27,929 8	31,419 6	12 5	18,901 6	20,982 8	11 0	9,028 2	10,436 7	15 6
December	28,263 8	p31,902 8	12 9	19,116 1	p21,340 9	11 6	9,147 7	p10,561 9	15 5

p Preliminary.
Source Federal Home Loan Bank Board, Washington, D.C.

TABLE A-48

SAVINGS CAPITAL OF INSURED CALIFORNIA ASSOCIATIONS BY TYPE OF ASSOCIATION, 1970 AND 1971
(Amounts in millions)

Month	All insured associations			State chartered associations			Federally chartered associations		
	Amount		Percent change	Amount		Percent change	Amount		Percent change
	1970	1971		1970	1971		1970	1971	
January	23,536 1	25,489 9	8 3	15,570 5	16,759 8	7 6	7,965 6	8,730 1	9 6
February	23,438 8	25,938 9	10 7	15,490 1	17,035 3	9 9	7,939 7	8,903 6	12 2
March	23,573 3	26,589 2	12 7	15,642 4	17,516 0	12 0	8,030 9	9,173 2	14 2
April	23,472 5	27,048 0	15 2	15,495 6	17,755 0	14 6	7,976 9	9,290 0	16 5
May	23,581 2	27,490 5	16 6	15,563 4	18,052 8	16 0	8,017 8	9,437 7	17 7
June	23,821 8	28,069 7	17 8	15,720 3	18,436 2	17 3	8,101 0	9,633 5	18 9
July	23,895 7	28,406 7	18 9	15,757 6	18,855 2	18 4	8,138 1	9,751 5	19 8
August	23,980 7	28,609 5	19 3	15,815 1	18,779 8	18 7	8,165 6	9,829 6	20 4
September	24,329 4	29,126 4	19 7	16,045 2	19,120 0	19 2	8,284 2	10,006 4	20 8
October	24,496 6	29,432 1	20 1	16,149 3	19,328 2	19 7	8,347 3	10,103 9	21 0
November	24,669 4	29,648 2	20 2	16,264 4	19,480 2	19 8	8,405 0	10,168 0	21 0
December	25,040 0	p30,055 4	20 0	16,499 3	p19,761 5	19 8	8,540 7	p10,293 9	20 6

p Preliminary.
Source Federal Home Loan Bank Board, Washington, D C.

TABLE A-49

SUMMARY OF STATE TAX COLLECTIONS, 1950–73
(Excluding departmental, interest and miscellaneous revenue)

Fiscal year	State tax collections			Taxes per capita			Taxes per $100 of personal income		
	General fund (Thousands)	Special funds (Thousands)	Total (Thousands)	General fund	Special funds	Total	General fund	Special funds	Total
Cash Basis									
1950	$524,428	$268,177	$792,605	$40 99	$25 57	$75 56	$2 94	$1 50	$4 44
1951	647,992	295,542	943,534	59 83	27 15	86 67	3 28	1 50	4 78
1952	709,245	322,699	1,031,944	62 20	28 35	90 65	3 11	1 42	4 53
1953	754,048	346,480	1,100,528	63 53	29 19	92 72	2 99	1 37	4 36
1954	772,250	442,538	1,214,788	62 74	35 95	98 69	2 86	1 64	4 50
1955	831,899	467,814	1,299,713	65 19	36 66	101 85	3 01	1 69	4 70
1956	972,828	524,765	1,497,593	73 18	39 48	112 66	3 20	1 73	4 93
1957	1,042,773	554,713	1,597,486	75 13	39 97	115 10	3 14	1 67	4 81
1958	1,069,809	572,490	1,642,299	73 99	39 59	113 58	3 01	1 61	4 62
1959	1,170,890	594,587	1,765,477	77 98	39 60	117 68	3 13	1 59	4 72
1960	1,443,296	633,492	2,076,788	92 66	40 67	133 33	3 52	1 54	5 06
1961	1,537,347	656,815	2,194,162	95 39	40 76	136 15	3 58	1 53	5 11
1962	1,646,300	669,267	2,314,567	98 90	40 23	139 13	3 60	1 47	5 07
1963	1,791,038	711,185	2,502,223	104 66	41 32	145 99	3 65	1 45	5 10
1964	2,057,962	813,037	2,871,000	115 82	45 81	161 63	3 91	1 55	5 46
1965	2,161,157	931,958	3,093,115	118 39	51 05	169 44	3 82	1 65	5 47
1966	2,398,958	971,626	3,370,582	128 49	52 04	180 53	3 98	1 61	5 60
1967	2,422,275	993,277	3,415,551	127 21	52 17	179 38	3 72	1 52	5 24
Accrual Basis									
1967	2,746,888	1,091,387	3,838,275	144 26	57 32	201 58	4 22	1 68	5 89
1968	3,557,610	1,118,311	4,675,921	183 68	57 74	241 41	5 09	1 60	6 69
1969	3,962,520	1,210,229	5,172,748	201 53	61 55	263 08	5 17	1 58	6 75
1970	4,125,607	1,283,253	5,408,865	207 18	64 44	271 62	4 96	1 54	6 50
1971	4,290,263	1,308,150	5,598,413	213 03	64 96	278 02	4 83	1 47	6 30
1972*	5,130,102	1,372,840	6,502,942	251 65	67 34	319 00	5 49	1 47	6 96
1973*	5,605,984	1,429,044	7,035,028	271 69	69 26	340 94	5 56	1 42	6 97

* Estimated.
Source Department of Finance.

TABLE A-50

COMPARATIVE YIELD OF STATE TAXES, 1950–73

(In thousands)

Fiscal year	Sales and Use	Personal Income	Bank and Corporation	Cigarette	Inheritance and Gift	Insurance	Distilled Spirits	Horse Racing	Liquor License Fees	Beer and Wine	Motor Vehicle Fuel	Motor Vehicle Fees	Transportation Tax	Cigarette Tax
Cash basis														
1950	$325,493	$60,504	$74,806	---	$19,916	$23,285	$12,755	$14,822	$8,032	$3,621	$138,350	$101,732	$8,378	---
1951	399,243	75,891	98,245	---	23,671	23,447	16,094	16,368	8,106	3,795	149,807	117,688	10,194	---
1952	417,693	90,914	120,127	---	29,165	25,732	14,430	20,042	7,835	3,730	162,076	127,809	11,312	---
1953	460,110	94,551	119,127	---	23,474	29,171	15,615	20,960	8,687	4,069	170,871	139,406	13,359	---
1954	465,051	96,169	125,026	---	24,112	34,325	15,546	22,552	8,586	3,989	234,395	170,519	13,337	---
1955	492,917	106,738	133,661	---	30,250	38,501	16,108	22,377	9,213	4,172	244,588	185,505	13,921	---
1956	564,225	127,816	157,088	---	36,334	39,104	33,970	24,930	9,636	4,373	273,104	209,817	15,956	---
1957	600,102	143,200	167,431	---	38,540	42,529	34,902	26,695	10,616	4,361	291,382	219,286	16,994	---
1958	605,236	149,259	173,599	---	45,331	46,037	37,963	25,948	11,297	4,595	302,671	227,153	15,809	---
1959	631,514	160,553	174,003	---	44,943	105,822	36,585	28,087	11,962	5,129	317,728	236,177	11,203	---
1960	709,648	248,585	240,735	$64,805	47,189	61,530	40,369	36,288	12,379	10,016	336,809	256,303	12,543	---
1961	711,702	269,103	272,718	66,024	76,803	66,745	41,274	37,260	13,044	9,704	350,819	264,842	12,511	---
1962	749,523	299,034	280,870	66,054	76,012	71,699	45,418	38,311	13,533	10,495	363,796	274,906	13,223	---
1963	813,465	322,012	311,251	70,194	92,432	77,970	48,152	41,663	13,939	10,659	386,215	293,356	14,106	---
1964	876,944	392,341	405,431	71,822	102,196	107,200	50,145	43,442	14,274	11,299	450,195	329,584	15,183	---
1965	939,649	410,109	416,247	74,477	114,464	95,199	53,915	47,560	14,596	12,423	542,822	353,807	16,030	---
1966	1,096,162	454,625	435,597	74,578	123,781	100,854	56,718	47,443	14,878	12,606	551,108	382,656	17,373	---
1967	1,053,249	500,086	453,292	75,597	114,413	107,186	59,564	49,311	14,954	13,751	548,257	405,061	18,323	---
Accrual basis														
1967	1,190,750	626,697	453,292	78,191	141,899	131,226	64,733	49,311	14,954	14,964	643,698	405,061	21,023	---
1968	1,464,927	952,487	576,874	138,527	135,554	121,755	81,700	54,779	15,736	13,196	580,487	437,918	18,882	$60,744
1969	1,652,979	1,101,691	592,303	166,092	158,815	130,312	85,494	59,339	18,821	14,118	625,667	469,855	21,353	71,236
1970	1,733,811	1,152,053	567,013	236,878	164,299	135,733	89,793	58,344	19,401	16,115	3,759	668,537	495,992	23,456
1971	1,808,052	1,264,382	532,091	239,721	185,899	158,423	90,765	64,601	20,630	15,791	4,148	674,635	513,201	25,456
1972*	1,973,000	1,747,000	673,000	245,100	211,000	171,000	95,500	67,475	19,800	17,000	4,796	705,600	544,200	27,300
1973*	2,110,000	1,880,000	780,000	248,300	201,100	187,000	100,000	71,700	20,100	18,900	5,300	732,500	569,350	29,400

* Estimated

Source California Department of Finance.

TABLE A-51

ASSESSED VALUE OF TANGIBLE PROPERTY, TANGIBLE PROPERTY TAX LEVIES AND AVERAGE TAX RATE IN CALIFORNIA, 1951–1972

Year	Assessed value		Tax levies[a]		Average tax rate	
	Amount (In thousands)	Percent change from preceding year	Amount (In thousands)	Percent change from preceding year	Dollars per $100 assessed value	Percent change from preceding year
1950–51	$13,618,915	----	$791,353	----	$5 81	----
1951–52	14,736,430	8 2	845,780	6 9	5 74	−1 2
1952–53	16,107,000	9 3	933,283	10 3	5 79	0 9
1953–54	17,170,270	6 6	1,019,966	9 3	5 94	2 6
1954–55	18,228,961	6 2	1,121,911	10 0	6 15	3 5
1955–56	19,993,440	9 7	1,253,243	11 7	6 27	2 0
1956–57	21,819,002	9 1	1,416,225	13 0	6 49	3 5
1957–58	24,308,207	11 4	1,634,413	15 4	6 72	3 5
1958–59	25,966,688	6 8	1,807,932	10 6	6 96	3 6
1959–60	27,434,577	5 7	1,990,498	10 1	7 26	4 3
1960–61	29,600,832	7.9	2,195,588	10 3	7 42	2 2
1961–62	31,549,630	6 6	2,414,617	10 0	7 65	3 1
1962–63	33,326,914	5 6	2,606,131	7 9	7 82	2 2
1963–64	35,066,088	5 2	2,805,152	7 6	8 00	2 3
1964–65	36,749,384	4 8	3,058,579	9 0	8 32	4 0
1965–66	39,464,013	7 4	3,367,736	10 1	8 53	2 5
1966–67	42,522,365	7 7	3,760,608	11 7	8 84	3 6
1967–68	46,195,891	8 6	4,110,742	9 3	8 90	0 7
1968–69	48,653,400	5 3	4,569,986	11 2	9 39	5 6
1969–70	[b]52,115,409	7 1	4,935,475	8.0	9 92	5.6
1970–71	[b]55,580,735	6 6	5,716,850	15 8	10 85	9.4
1971–72	[b]55,785,243	5 8	[c]6,150,000	10 8	----	----

[a] Excludes special assessment levied on limited categories of property to finance activities from which such properties derive special benefits In 1971–72 these assessments totaled approximately $150,000,000

[b] Because the State reimburses counties for the loss of revenue from the homeowners' and business inventory exemptions and tax rates are set on assessed values which include the values of these exemptions, they have been included in assessed valuations This treatment maintains the comparability of data in this series Since the inception of these exemptions their aggregate values have been

	Assessed value	
	Homeowners'	Business inventory
1969	$1,909,789,000 (at $750)	$475,375,000 (at 25%)
1970	1,910,243,000 (at $750)	998,503,000 (at 30%)
1971	1,955,217,000 (at $750)	1,056,891,000 (at 30%)

[c] Estimated.

Source California Board of Equalization.

TABLE A-52

TAXES [a] LEVIED ON TANGIBLE PROPERTY SUBJECT TO LOCAL GENERAL PROPERTY TAXATION AND AVERAGE TAX RATE, BY COUNTY, 1970–71

(Tax levies in thousands)

County	City	County [b]	School purposes [b]	Other district [c]	Total [a]	Average tax rate [d] (per $100 a v)
Totals	$591,916	$1,814,349	$2,976,579	$334,006	$5,716,850	$10 85
Alameda	52,962	80,361	165,439	35,835	335,597	12 23
Alpine	--	244	80	39	363	4 88
Amador	133	1,248	2,285	28	3,694	6 47
Butte	1,056	7,329	14,131	1,521	24,037	8 95
Calaveras	30	1,881	2,795	760	5,466	7.10
Colusa	202	1,975	2,845	275	5,297	9 68
Contra Costa	17,376	48,579	113,373	29,996	209,325	12 56
Del Norte	147	1,262	1,919	365	3,693	9 62
El Dorado	1,088	4,025	9,377	1,940	17,330	8 89
Fresno	8,702	29,212	53,971	4,282	96,167	10.04
Glenn	321	1,938	3,185	221	5,665	7.25
Humboldt	1,072	9,168	12,627	841	23,698	9 56
Imperial	1,910	6,874	11,093	424	20,061	10 77
Inyo	70	1,750	3,351	359	5,530	7 60
Kern	4,972	41,034	49,842	5,582	101,430	9.57
Kings	868	6,250	7,553	790	15,461	10 20
Lake	138	2,194	3,131	832	6,285	8 48
Lassen	141	1,177	1,693	121	3,157	8 84
Los Angeles	274,905	749,754	992,775	70,897	2,088,331	11 33
Madera	347	4,452	6,939	369	12,107	8 18
Marin	5,684	16,426	41,670	4,608	68,300	11.31
Mariposa	--	519	1,092	42	1,593	5 16
Mendocino	489	5,186	7,072	594	13,341	9 11
Merced	1,475	9,536	14,220	759	25,990	9 99
Modoc	62	1,045	1,352	68	2,527	7 82
Mono	--	1,213	1,214	466	2,893	5 81
Monterey	4,750	15,976	35,510	2,921	59,156	9 20
Napa	1,247	5,579	10,449	979	18,254	10 55
Nevada	263	2,364	3,645	530	6,802	6 91
Orange	39,522	70,807	228,083	28,165	366,577	9 39
Placer	817	6,205	12,353	2,296	21,671	8 46
Plumas	45	1,988	3,222	432	5,688	6 07
Riverside	9,513	36,140	61,535	15,055	122,243	10 26
Sacramento	14,696	51,475	74,099	9,948	150,218	13 00
San Benito	245	1,281	3,342	263	5,131	6 76
San Bernardino	10,839	46,726	97,803	16,909	172,278	10 56
San Diego	39,413	79,440	163,634	14,071	296,558	10 31
San Francisco	--	166,679	102,305	14,363	283,347	12 81
San Joaquin	7,640	28,754	39,544	4,743	80,690	11 52
San Luis Obispo	1,914	10,007	16,257	1,693	29,871	10 35
San Mateo	19,963	38,961	122,177	11,093	192,194	10 68
Santa Barbara	6,180	19,726	42,438	6,376	72,700	10 89
Santa Clara	36,325	71,995	204,154	11,508	323,982	11 08
Santa Cruz	2,497	9,982	19,456	1,727	33,662	10 34
Shasta	920	5,970	12,397	1,102	20,398	7 86
Sierra	8	325	276	84	693	5 96
Siskiyou	425	2,737	4,386	201	7,729	6 06
Solano	5,355	10,403	18,233	1,501	35,492	9 45
Sonoma	3,628	17,139	28,581	3,099	52,347	10 54
Stanislaus	2,381	16,850	25,166	1,651	45,948	12 36
Sutter	635	3,254	6,936	489	11,314	7 42
Tehama	345	2,873	4,579	297	8,094	8 05
Trinity	--	902	1,006	85	1,993	7 49
Tulare	1,748	14,714	24,462	2,244	43,168	9 04
Tuolumne	92	2,200	4,710	274	7,366	8 76
Ventura	5,886	28,461	62,038	16,287	110,672	10 25
Yolo	2,173	6,954	14,177	1,535	24,839	10 15
Yuba	304	4,038	3,677	348	8,367	10 79

[a] Excludes the following amounts of State reimbursement to local governments for homeowners' exemption, $217,490,000 and business inventory exemption, $88,036,600

[b] County levies for school purposes such as junior college tuition and countywide school levies are included with school levies

[c] Excludes special assessments levied on limited categories of property to finance activities from which owners of such properties derive special benefits Such assessments totaled more than $139 million.

[d] Computed by dividing total levies by the assessed value and multiplying by 100.

Source California Board of Equalization.

TABLE A-53

PERCENT CHANGE IN TAX LEVIES AND AVERAGE TAX RATE, BY COUNTY
(1970–71 over 1969–70)

County	Type of district					Percent change in average tax rate
	City	County[a]	School purposes[a]	Other district[b]	Total[b]	
Totals	10 7	27 4	11 4	9 8	15 8	9.4
Alameda	5 0	29 2	7 2	7 1	11 2	9 0
Alpine	----	43 5	35 6	−7 1	33 0	3 8
Amador	23 1	15 6	14 6	----	15 1	10 6
Butte	−6 5	10 9	12 2	−10 6	9 1	3 1
Calaveras	----	10 3	14 4	14.9	12.9	2 6
Colusa	5 8	−1 4	5 3	5 0	2 7	0 6
Contra Costa	11 5	20 1	12 2	11 9	13 8	9 1
Del Norte	8 1	−2 7	−2 3	7 4	−1 2	0 4
El Dorado	12 2	8 0	16 4	33 2	14 6	7 1
Fresno	6 7	0 9	4 7	8 6	3 9	3 7
Glenn	0 3	27 8	10 8	22 1	15 8	11 9
Humboldt	−1 9	5 1	−2 4	10 1	0 8	0 3
Imperial	0 0	14 2	11 1	13 9	11 2	13.3
Inyo	14 8	14 6	20 0	6 5	17 2	10 8
Kern	14 1	33 7	9 4	−5 5	17 3	12 4
Kings	1 0	25 1	−8 1	−2 5	5 1	17 8
Lake	5 8	12 4	10 1	−2 1	9 0	−3 6
Lassen	1 3	6 2	7 8	−3 2	6 4	−2 0
Los Angeles	9 8	43 4	7 5	10 1	18 6	13 1
Madera	1 5	17 6	6 0	1 1	9 7	11 7
Marin	20 0	16 5	12 7	14 9	14 3	5 8
Mariposa	----	13 3	27 1	10 5	21 8	−1 8
Mendocino	0 2	21 3	11 7	67 3	16 5	2 8
Merced	4 6	25 8	11 2	15 5	15 8	13 6
Modoc	8.8	19 2	5 2	3 0	10 6	3 2
Mono	----	26 4	16 6	32 4	22 9	11 1
Monterey	8 8	14 0	11 0	10 2	11 6	3 7
Napa	15 5	24 5	11 1	73 0	17 4	9 0
Nevada	7 8	8 7	14 2	42 1	13 7	3 3
Orange	15 2	18 4	19 4	−1 2	16 9	0 9
Placer	9 7	14 3	11 2	16 8	12 6	−1 4
Plumas	2 3	2 5	6 2	5 6	5 1	1 7
Riverside	8 7	29 9	10 3	6 0	12 5	7 5
Sacramento	1 7	25 0	13 3	12 9	15 7	14 2
San Benito	11 4	0 5	7 2	9 1	5 7	4 3
San Bernardino	12 4	17 2	11 6	8 0	12 7	8 5
San Diego	22 8	29 7	22 3	21 2	24 2	20 5
San Francisco	----	2 8	17 5	0 1	7 5	6 0
San Joaquin	12 8	7 9	16 1	4 3	12 0	8 0
San Luis Obispo	11 1	24 6	17 4	6 1	15 5	6 6
San Mateo	15 9	22 1	9 8	26 1	13 8	9 1
Santa Barbara	10 3	30 7	13 3	6 1	16 5	13 6
Santa Clara	10 6	29 8	17 2	21 8	19 1	6 7
Santa Cruz	5 8	25 2	15 8	15 2	17 8	9 3
Shasta	4 5	3 2	1 3	5 7	2 2	1 0
Sierra	----	5 2	−5 2	26 0	6 4	−2 0
Siskiyou	7 9	3 8	6 3	12 3	5 8	2 9
Solano	25 5	19 4	5 4	7 8	12 1	9 4
Sonoma	15 4	17 9	13 1	25 1	15 4	5 5
Stanislaus	6 7	40 1	14 2	6 1	21 7	15 1
Sutter	3 1	16 8	4 5	−6 0	7 2	6 3
Tehama	17 3	7 4	8 3	−1 7	7 9	0 4
Trinity	----	26 7	21 4	13 3	23 3	11 0
Tulare	8.4	1 5	5 4	11 3	4 3	2 2
Tuolumne	----	5 9	17 4	30 5	13 9	6 7
Ventura	13 7	32 8	18 3	20 5	21 5	12 3
Yolo	6 7	18 8	9 5	10 8	11 3	6 7
Yuba	7 5	53 8	8 9	87 3	39 2	25 3

[a] County levies for school purposes, such as junior college tuition and county wide school levies, are included with school purpose levies

[b] Excludes special assessments levied on limited categories of property to finance activities from which properties derive special benefits

Source: California Board of Equalization.

TABLE A-54

ENROLLMENTS IN PUBLIC SCHOOL VOCATIONAL EDUCATION, CALIFORNIA, 1971

Program	Number
Total	1,218,031
By occupational category	
Agriculture	48,615
Distributive	87,237
Health	37,226
Home Economics	235,250
Office	419,710
Technical	51,127
Trade and industrial	275,182
Work experience	83,674
By educational level	
High school enrollment, total	1,240,042
Vocational	553,012
Percent	44 7
Community college enrollment, total	*825,129
Vocational	338,564
Percent	41 0
Adult school enrollment, total	*484,988
Vocational	325,556
Percent	70 0

* Data for total enrollment in Community Colleges and Adult Schools are not comparable with data previously reported.
Source California Department of Education

TABLE A-55

STATUS OF VOCATIONAL EDUCATION GRADUATES SECONDARY AND POSTSECONDARY SCHOOL PROGRAMS

Fiscal year	Percent employed in full-time job related to vocational training	Percent unemployed	Percent employed part-time	Percent employed in full-time job not related to vocational training
1967	73	7	9	11
1968	76	6	7	11
1969	76	7	7	10
1970	76	8	9	7
1971*	76	7	8	9

* Estimated
Source California Department of Education

TABLE A-56

APPRENTICES IN SELECTED TRADES [1]—ACTIVE AND COMPLETING DURING 1970–71, CALIFORNIA

Trade	Number of apprentices	
	Active on June 30, 1971	Completed, 1970–71
Auto body and fender repairman	504	40
Auto mechanic	1,656	163
Barber	186	95
Bricklayer	304	53
Carpenter	5,543	493
Carpet layer	124	27
Carpet, linoleum and soft tile layer	325	62
Cement mason	424	66
Chief of party (surveyor)	445	44
Compositor	238	39
Cook	130	11
Electrician, construction	1,833	281
Electronics technician	106	25
Glazier, construction	187	32
Grading, and paving equipment operator	595	56
Heavy duty repairman	392	59
Iron worker, reinforcing	148	23
Iron worker, structural	647	156
Lather	312	23
Lawn sprinkler irrigation installer	160	31
Lineman	197	3
Machinist, General	1,095	236
Meat cutter, retail	1,304	389
Mill and cabinet maker	360	29
Millwright	163	20
Mold maker	209	27
Office machine mechanic	209	20
Painter, auto	154	8
Painter, decorator and paperhanger	1,004	117
Partsman, auto	258	7
Plant equipment operator	105	10
Plasterer	251	24
Plumber	1,137	130
Pressman, cylinder	104	12
Refrigeration and air conditioning mechanic	266	31
Roofer	424	33
Sheet metal worker	1,241	203
Sprinkler fitter	310	38
Stationary engineer	132	14
Steamfitter	267	79
Taper	368	84
Tool and die maker	258	63
Truck mechanic	250	47
Universal equipment operator	349	30
Total	24,823	3,411

[1] The 44 trades listed are all those with 100 or more active registered apprentices as of June 30, 1971 They accounted for 88 percent of the total of 28,236 apprentices active on this date

Source California Department of Industrial Relations

TABLE A-57

MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES [a] IN CALIFORNIA JULY 1966 THROUGH OCTOBER 1971

Activity	1966	1967	1968	1969	1970	1971
Initially enrolled	26,380	32,436	32,093	20,128	19,737	18,184
Youth 16 to 22 years	8,504	12,422	11,956	7,824	7,489	5,700
Public assistance recipients	2,989	3,888	4,757	3,294	4,019	3,625
U I claimants	3,885	4,631	4,617	3,424	2,998	2,739
Completed occupational training	18,192	18,970	15,188	12,304	10,226	10,343
Youth 16 to 22 years	5,021	6,852	5,344	4,481	3,532	3,222
Contacted following training [b]	14,347	14,160	10,882	6,381	6,417	[c]4,479
Employed-training related jobs	11,085	10,814	7,901	3,966	2,989	2,462
Employed-nontraining related jobs	1,221	1,013	908	731	647	453
Determined entitled to training allowances [d]	15,431	17,718	21,938	20,071	23,437	[c]20,403
Weeks of training compensated	294,221	299,156	339,490	251,891	256,815	[c]244,762
Amount of training payments	$15,535,589	$15,170,401	$17,580,050	$12,792,426	$13,051,981	[c]$12,341,545

[a] First institutional training course approved August 27, 1962 First on-the-job training course approved August 21, 1963 Jobs Optional and Displaced Worker Programs became operational and were reported in 1971 These figures do not include Technology Mobilization and Reemployment Program activities, comparable data not available.
[b] Number of trainees in completed classes for which at least one follow-up has been made
[c] These categories are not applicable to the Displaced Worker or Jobs Optional on-the-job training programs which began reporting January, 1971
[d] Cannot be directly compared to number of enrollments during month because of lag in computation and payment of allowances

Source California Department of Human Resources Development.

TABLE A-58

WORK INCENTIVE PROGRAM IN CALIFORNIA SEPTEMBER 10, 1968–DECEMBER 1971

Activity	Number
Persons newly enrolled in program	
Total [a]	64,331
Male	40,869
Negro	16,869
Mexican-American	16,592
Less than 8th grade education	7,528
Head of family	60,824
Enrollees terminated	
Total	48,368
Employability plan accomplished	10,422
Refusal to participate	4,570
Other reasons	33,376
Payments authorized	
Number of payments	532,852
Initial payments	48,627
Amount of payments	$7,993,230

[a] Not additive because enrollee may be counted in more than one listed characteristic or in none of them.

Source California Department of Human Resources Development.

MESSAGES FROM THE SENATE

Senate Chamber, March 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 228

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 10

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 734

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No. 1

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, March 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 17
SB No. 115

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, March 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 11

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 17—An act to add Section 12804.5 to the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 115—An act to add Section 40 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 11—Relative to state flag memorials.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr McCarthy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 315 for hearing in the Committee on Labor Relations, on Wednesday, March 15, 1972.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 334, ordered to third reading

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 44—An act to amend Section 17262 of the Revenue and Taxation Code, relating to personal income tax deductions, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly February 17, 1972, strike out "There", and insert "If the adjusted gross income of the taxpayer does not exceed twelve thousand dollars ($12,000) for the taxable year during which the expenses are incurred, there".

Amendment No. 2

On page 2, line 12, after "($4,800)", insert ", or in the case of child care expenses, two thousand four hundred dollars ($2,400)"

Amendment No. 3

On page 2, line 15, after "($400)", insert ", or in the case of child care expenses, two hundred dollars ($200)"

Amendment No. 4

On page 2, line 18, after "child", insert ", or in the case of child care expenses, one hundred dollars ($100)".

Amendment No. 5

On page 2, line 19, after "children", insert ", or in the case of child care expenses, one hundred fifty dollars ($150)".

Amendment No. 6

On page 2, line 20, after "children", insert ", or in the case of child care expenses, two hundred dollars ($200)".

Amendment No. 7

On page 2, strike out lines 22 to 27, inclusive; and in line 28, strike out "(2)", and insert "(c)(1)".

Amendment No. 8

On page 2, line 32, strike out "(3)", and insert "(2)".

Amendment No. 9

On page 2, line 35, strike out "(4)", and insert "(3)".

Amendment No. 10

On page 3, line 2, strike out "(5)", and insert "(4)".

Amendment No. 11

On page 3, line 9, strike out "(6)", and insert "(5)".

Amendment No. 12

On page 3, line 14, strike out "(7)", and insert "(6)".

Amendment No. 13

On page 3, line 21, strike out "(8)", and insert "(7)".

Amendment No. 14

On page 3, line 22, strike out "(5), (6), or (7)", and insert "(4), (5), or (6)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 210—An act to add Sections 6812.7 and 18102.1 to the Education Code, relating to special education.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, line 25, of the printed bill, strike out "the need for the"; and strike out line 26.

Amendment No. 2

On page 2, line 27, after the period, insert "The Legislature also intends that proper recognition be given to the need for the promotion and initiation of early identification activities However, for the purposes of these experimental programs, it is not intended that actual identification activities be undertaken of the infant population at large."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following resolution was ordered re-referred to the Committee on Ways and Means:

Assembly Concurrent Resolution No. 25.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 236—An act to amend Section 13954 of the Health and Safety Code, relating to fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Chacon, Chappie, Collier, Cory, Crown, Cullen, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557—An act to add Section 71180.1 to the Government Code, relating to judges, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Motion to Amend

Mr. Z'berg moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, strike out lines 1 to 17, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 26—An act to amend Section 654 of, and to add Sections 654 05 and 654 06 to, the Harbors and Navigation Code, relating to vessels.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147—An act to amend Section 20800 of the Education Code, relating to school district taxes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Deddeh, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—Miller and Wakefield—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 66—An act to amend Section 17154 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 265—An act to add Sections 25422.8 and 25427 6 to the Education Code, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Wakefield, Wilson, Wood and Mr. Speaker—51.

NOES—Meade, Miller, Vasconcellos, Warren, and Z'berg—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 174—An act to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081 5 to, and to repeal Sections 1081 and 1081 5 of, the Education Code, relating to school field trips and excursions, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—Wakefield—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 16—Relative to an interim study of open-space lands.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley Monagan, Moorhead, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 12—Relative to federal maintenance dredging of small craft harbors.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Keysor,

Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 63—An act making an appropriation in augmentation of Item 227 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Brown.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 63:

Governor's Office, Sacramento
January 20, 1972

To the Honorable Members of the Senate and Assembly

Senate Bill No. 63, "An act making an appropriation in augmentation of Item 227 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 63 as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Senate Bill No. 63.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan,

Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Rules reports:

SCR No. 4

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 4

Mr. Burton was granted unanimous consent to take up Senate Concurrent Resolution No. 4, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Senate Concurrent Resolution No. 4 By Unanimous Consent

Senate Concurrent Resolution No. 4—Relative to voting on bills.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed measure, as amended in Senate February 23, 1972, strike out line 3, and insert

"46. When a standing committee takes action on a bill, including reconsideration, the vote shall be by rollcall vote only. All rollcall votes taken in a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly and the Secretary of the Senate. The chairman of each standing committee

shall promptly transmit a copy of the record of the rollcall votes to the Secretary of the Senate or the Chief Clerk of the Assembly, respectively, who shall cause the votes to be published in an appendix to the Journal on a weekly basis.

A Member may submit a written explanation of his vote on any bill or resolution, and shall have such explanation printed in the appendix to the Journal in the appropriate place, provided no such explanation shall exceed 50 words in length.

"Bill" as used in this rule shall include constitutional amendments but shall not include resolutions except those relating to voting procedures on the floor or in committee. The provisions of this rule shall also apply to action of a committee on a subcommittee report. The provisions of this rule shall apply to the adoption of amendments.

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill, provided that the members whose votes are substituted are present at the time of the substitution.

At the request of any member of the committee, the committee may hold the roll open on any bill until the adjournment of the committee meeting. If a member is recorded as present for the quorum call of the committee, he may register his vote in writing to the chairman on suitable forms prepared by the Chief Clerk of the Assembly and the Secretary of the Senate. A member voting by written vote shall not be counted in determining the presence of a quorum. At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this rule shall not apply to:

(a) Adoption of author's amendments to a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) Return of bills to the respective houses, where the bills have not been voted on by the committee.

(d) The provisions of this rule shall not apply to the assignment of bills to committee.

And be it further resolved, That the rule added by the first *Resolved* clause of this resolution shall become operative five days after adoption of this resolution by the Senate and Assembly."

Amendment No. 2

On page 2, strike out lines 4 to 9, inclusive.

Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up Senate Concurrent Resolution No. 4, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 4, as Amended

Senate Concurrent Resolution No. 4—Relative to voting on bills.

Resolution read, as amended, presented by Mr. Burton, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis,

MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —69

NOES—None

Resolution ordered printed, and transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 238—An act to add Section 34302 3 to the Government Code, relating to incorporation of cities.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 253—An act to amend Section 3 of the Del Norte County Flood Control District Act (Chapter 166 of the Statutes of 1955), relating to the Del Norte County Flood Control District.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Fenton:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 771 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 771 for hearing in the Committee on Finance and Insurance.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 1021

At 11:58 a.m., on motion of Mr. Warren, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the resolution to dispense with Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No. 1021 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Biddle, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker —61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

ASSEMBLY BILL NO. 1021 REFERRED TO COMMITTEE

Speaker pro Tempore Bee referred Assembly Bill No 1021 to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1021 for hearing in the Committee on Ways and Means.

CAUCUS ANNOUNCEMENTS

At 12:01 p m, Mr. Fenton announced that there would be a Democratic Caucus immediately in the Assembly Lounge.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:02 p m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

COMMUNICATIONS

Assembly Chamber, March 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 338—An act relating to optometry, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 734—An act to repeal Section 11253 of, and to add Section 11253 to, the Welfare and Institutions Code, relating to aid to families with dependent children, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., March 14, 1972.

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No. 4

With author's amendments with the recommendation: Amend, and refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 4—An act to amend Section 14217 of the Elections Code, relating to instructions to voters, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 201 and".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 201 of the Elections Code is amended to read.

201. It is the intent of the Legislature that the election board of each county, in connection with the registration of voters and in order to promote and encourage voter registrations, shall establish a sufficient number of registration places throughout the county, and outside the county courthouse, for the convenience of persons desiring to register, to the end that registration may be maintained at a high level.

It is also the intent of the Legislature that county clerks, in order to promote and encourage voter registrations, shall enlist the support and cooperation of interested citizens and organizations, and shall deputize as registrars qualified citizens in such a way as to ~~cover~~ *reach* most effectively every ~~section~~ *resident* of the county. The persons so deputized shall be permitted to register voters anywhere within the county, and the county clerk shall not deny deputy registrars the right to register voters anywhere in the county. *Where there is a substantial number of persons whose native language is other than English, the county clerk shall recruit through notices in the media, including newspapers, radio, television and any other communication media available in such languages, deputy registrars who shall be fluent in one such language and in English. All qualified persons who apply shall be deputized.*

In furtherance of the purposes of this section, the governing board of any county, city, city and county, district, or other public agency, may authorize and assign any of its officers or employees to become deputy registrars of voters and to register qualified citizens on any premises and facilities owned or controlled by such public agencies during the regular working hours of such officers or employees; provided, that with the exception of firemen, any compensation to which said officer or employee may be entitled to in payment for the services of such officer or employee as a deputy registrar may be paid by the authority which appointed such officer or employee as a deputy registrar to the public agency which regularly employs such officer or employee.

SEC. 2."

Amendment No. 3

On page 1, line 6, strike out "county".

Amendment No. 4

On page 2, strike out lines 2 to 5, inclusive.

Amendment No. 5

On page 2, line 6, strike out "SEC 2 ", and insert

"SEC. 3. Section 2 of this act shall not apply to any election for which the precinct election officials have been designated on or before the effective date of this act.

SEC. 4."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

VOTE CHANGES

Mr. Arnett was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 174, and on the passage of the bill, and on Assembly Concurrent Resolution No. 16.

Mr Burke was granted unanimous consent that he be recorded as voting "Aye" on Senate Concurrent Resolution No. 4.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 147.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read.

Assembly Chamber, March 14, 1972

Mr. Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 667—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security.

JOE A. GONSALVES

Assembly Chamber, March 14, 1972

Mr. Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 661—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security.

W. CRAIG BIDDLE

Above requests ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1023: By Assemblyman Harvey Johnson—An act to add Chapter 11 (commencing with Section 186) to Division 1 of the Probate Code, relating to bequests to minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1024: By Assemblyman Z'berg—An act to repeal Chapter 1 (commencing with Section 11500) of, and to add Chapter 1 (commencing with Section 10500) to, Division 8 of the Elections Code, and to repeal Division 4 5 (commencing with Section 3600) of Title 1 of the Government Code, relating to election campaigns.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1025: By Assemblyman Harvey Johnson—An act to add Article 2 (commencing with Section 12350) to Chapter 5 of Division 8 of the Elections Code, and to add Sections 17053.5, 19269, and 19355 to the Revenue and Taxation Code, relating to the Citizen's Political Contributions Act.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1026: By Assemblyman Harvey Johnson—An act to add Section 1162.5 to the Civil Code, relating to gifts to minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1027: By Assemblymen Burton and Brown—An act to add Section 33125.5 to the Health and Safety Code, relating to redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1028: By Assemblymen Burton and Brown—An act to add Section 22810.1 to the Government Code, relating to state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1029: By Assemblymen Burton and Brown—An act to amend Section 12101.1 of the Welfare and Institutions Code, relating to old age security.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1030: By Assemblyman Ralph—An act to add Sections 1200.5 and 4021.5 to the Penal Code, relating to pregnant prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1031: By Assemblyman Deddeh—An act to amend Section 11702 of the Vehicle Code, relating to licensees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1032: By Assemblyman Townsend—An act to amend Sections 31652, 31672 and 31676.1 of, and to repeal Section 31652.2 of, the Government Code, relating to the County Employees Retirement System Law of 1937.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1033: By Assemblyman Townsend—An act to amend Sections 1063, 3604, 3623, and 5135 of the Public Utilities Code, relating to transportation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1034: By Assemblyman Townsend—An act to add Section 7029.6 to the Business and Professions Code, relating to contractors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1035: By Assemblyman Townsend—An act to amend Section 28820 and 28824 of the Health and Safety Code, relating to retail food production and marketing establishments.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1036: By Assemblyman Townsend—An act to amend Sections 31760 1, 31765 1, 31781 1, and 31785 of the Government Code, relating to county employees' retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1037: By Assemblyman Brathwaite—An act to amend Section 9106 of the Unemployment Insurance Code, relating to human resources development

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1038: By Assemblyman Brathwaite—An act to add Section 33666 to the Health and Safety Code, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1039: By Assemblyman Brathwaite—An act to add Chapter 17 (commencing with Section 7300), to Division 7 of Title 1 of the Government Code, relating to relocation assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1040: By Assemblyman Brathwaite—An act to add Sections 37042, 37043, and 37044 to the Health and Safety Code, relating to relocation assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1041: By Assemblyman Brathwaite—An act to add Section 33320 2 to the Health and Safety Code, relating to redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1042: By Assemblyman Bee—An act to add Section 13468.4 to the Education Code, relating to school certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1043: By Assemblyman Burke—An act to amend Sections 473, 476, 575, 576, 576 1, 576 7, 577, 580, 580.1, 581, 581.1, 5799 2, 5799.3, 5799 15, 5799 16, 5799 22, 5799 26, 9302, and 9303 of, to amend the heading of Article 2 (commencing with Section 576) of Chapter 6 of Division 2 of, to repeal Sections 372, 582, and 582 1 of, and to repeal Article 4 (commencing with Section 584) and Article 7 (commencing with Section 587) of Chapter 6 of Division 2 of, the Education Code, relating to educational commissions and committees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1044: By Assemblymen Arnett and Ryan (Senator Gregorio, coauthor)—An act to amend Sections 17910 of, and to repeal Section 20814 5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), and Chapter 3 (commencing with Section 16130) to Part 1 of Division 4 of Title 2 of, to amend Sections 16120, 29100.5, 29100 7, and 65570 of, the Government Code, relating

to providing subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1045: By Assemblyman Arnett—An act to amend Sections 19577, 19578, 19579 of the Welfare and Institutions Code, relating to rehabilitation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1046: By Assemblyman Arnett—An act to amend Sections 7451, 7451.9, and 7455 of the Education Code, relating to regional occupational centers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1047: By Assemblyman Ketchum—An act to amend Section 29321 of the Government Code, relating to county funds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1048: By Assemblyman Warren—An act to amend Sections 680, 682 and 684 of the Probate Code, relating to family allowance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1049: By Assemblyman Warren—An act to amend Section 1563 of the Evidence Code, relating to evidence.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1050: By Assemblyman Warren—An act to amend Section 537 of the Code of Civil Procedure, relating to attachments.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1051: By Assemblyman LaCoste—An act to amend Section 538d of, and to add Section 538f to, the Penal Code, relating to false personation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1052: By Assemblyman LaCoste—An act to amend Section 11580.2 of the Insurance Code, relating to uninsured motorists insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1053: By Assemblyman LaCoste—An act to amend Sections 74819 and 74820 of, to add Section 74824 to, and to repeal Section 74824 of, the Government Code, relating to the municipal court.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1054: By Assemblyman LaCoste—An act to amend Section 6254.7 of the Government Code, relating to public records.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1055: By Assemblyman LaCoste—An act to amend Section 117 of the Code of Civil Procedure, relating to small claims courts.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1056: By Assemblyman Beverly—An act to add Article 14 3 (commencing with Section 1064) to Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to life and disability insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1057: By Assemblyman Beverly—An act to amend Section 27443 of the Government Code, and to amend Section 800 of the Penal Code, relating to public officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1058: By Assemblyman Beverly—An act to add Article 5 (commencing with Section 1864) to Chapter 2, of Title 3, Part 4, Division 3 of the Civil Code, relating to possessory liens on vessels

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1059: By Assemblyman Beverly—An act to add Section 35016 to, and to repeal Sections 35157, 35321, and 35420 of, the Government Code, relating to annexation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1060: By Assemblyman Monagan—An act to amend Section 583d of the Penal Code, relating to impersonation of an officer.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1061: By Assemblyman Monagan—An act to add Chapter 5 5 (commencing with Section 18310) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1062: By Assemblyman Fenton—An act to amend Sections 7304, 7314, 7344, 7350, 7681, 7683, 7721, 7904, and 7906 of, to add Sections 6322 and 6323 to, and to repeal Sections 7682, 7722, 7723, and 7724 of, the Labor Code, relating to safety inspections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1063: By Assemblyman Fenton—An act to amend Sections 53 and 55 of, to add Section 60 to, and to repeal Sections 60, 60 5, and 61 of, the Labor Code, relating to the Department of Industrial Relations

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1064: By Assemblyman Bagley—An act to add Section 18006 5 to the Government Code, relating to state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1065: By Assemblyman Bagley—An act to add Chapter 1 (commencing with Section 1266 10) to Title 10 of Part 2 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1066: By Assemblyman Miller—An act relating to opportunity grants, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1067: By Assemblymen Burton, Brown, Chacon, and Wilson—An act to amend Section 260 of the Probate Code, relating to estates.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1068: By Assemblymen Burke and Badham—An act to add Section 14670.3 to the Government Code, relating to letting of state property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1069: By Assemblyman Fenton—An act to amend Sections 21, 53, 56, 61, 79, 217, 431, 554, 1174, 1175, 1195, 1195 5, 1197.5, 1256, 1296, 1299, 1301, 1305, 1306, 1311, 1353, 1356, 1398, 1727, 1733, 1775, 1776, 1777.5, 1812, 1852, 2650, 2658 5, 2660 5, and 2666 of, to amend the heading of Chapter 4 (commencing with Section 79) of Division 1 of, to add Sections 81, 82, 83, 84, 85, 86, and 87 to, and to repeal Chapter 2 (commencing with Section 70) of Division 1 of, the Labor Code, relating to the creation of a Division of Employment Standards.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1070: By Assemblyman Briggs—An act to amend Section 62731 of the Agricultural Code, relating to milk

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1071: By Assemblyman Briggs—An act to amend Section 12713 of the Business and Professions Code, relating to weights and measures.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1072: By Assemblyman Briggs—An act to amend Section 61845 of the Agricultural Code, relating to milk.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1073: By Assemblyman Briggs—An act to amend Section 54401 of the Agricultural Code, relating to agricultural products.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1074: By Assemblyman Briggs—An act to add Section 19805 5 to the Business and Professions Code, relating to standard bread loaves.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1075: By Assemblyman Briggs—An act to add Sections 26468, 26505, 26506, 26511, 26569.1, 26569.2 and 26569.3 to the Health and Safety Code, relating to food.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1076: By Assemblyman Briggs—An act to add Section 1736.5 to the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1077: By Assemblymen Monagan and LaCoste—An act to amend Section 73710 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1078: By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—An act to amend Sections 20, 28, 64, 113, 114, and 220 of, and to repeal Sections 18 and 31 of, the Embarcadero Municipal Improvement District Act (Chapter 81 of the Statutes of 1960, First Extraordinary Session), relating to the Embarcadero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1079: By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—An act to amend Section 5004 of the Public Resources Code, relating to the state park system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1080: By Assemblyman MacGillivray—An act to add Section 7012.5 to the Business and Professions Code, relating to Contractors' State License Board.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1081: By Assemblyman MacGillivray—An act to amend Section 556 of the Insurance Code, relating to insurance claims.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1082: By Assemblyman Fenton—An act to add Section 17500.3 to the Business and Professions Code, relating to home solicitation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1083: By Assemblyman Biddle—An act to amend the heading of Chapter 1 (commencing with Section 29001) of Division 21 of, to add Article 1 (commencing with Section 29000), Article 2 (commencing with Section 29005), Article 3 (commencing with Section 29015), Article 4 (commencing with Section 29020), and Article 5 (commencing with Section 29030) to Chapter 1 of Division 21 of, to amend and renumber the heading of Article 2 (commencing with Section 29051) of Chapter 1 of Division 21 of, and to repeal Article 1 (commencing with Section 29001) of Chapter 1 of Division 21 of, the Education Code, relating to postsecondary education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1084: By Assemblyman Biddle—An act to amend Sections 24225, 24226, 24295, 24297, 24299, 24300, 24301, 24312, 24313, 24314, 24357, 24357.1, 24365.6, 24365.8, 24365.10, 24367.2, 24367.3, 24367.4, 24367.11, 39420, 39421, 39474, 39476, 39478, 39480, 39492, 39493, 39494 of, and to add Sections 24314.1, 24321.1, 24367.12, 24367.13, 39494.1, and 39500.1 to the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1085: By Assemblyman Biddle—An act to add Section 14052 to the Penal Code, relating to the protection of property, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1086: By Assemblyman Biddle—An act to amend Section 594 of the Penal Code, relating to vandalism.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1087: By Assemblyman Biddle—An act to add Section 11018 to, and to repeal Section 26207 of, the Government Code, relating to the payment of rewards.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1088: By Assemblyman Biddle—An act to amend Section 1714.1 of the Civil Code, relating to willful misconduct.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1089: By Assemblyman Hayden—An act to add Section 422.5 to the Government Code, relating to the state reptile.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1090: By Assemblyman Hayden—An act to amend Section 26680 of the Health and Safety Code, relating to drugs and devices.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1091: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 2 of, to repeal Section 4 of, and to add Section 4 to, Chapter 540 of the Statutes of 1971, relating to school district contracts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1092: By Assemblyman MacDonald—An act to add Section 11056.5 to, and to amend Section 11476 of, the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1093: By Assemblyman MacDonald—An act to amend Sections 3950 and 4700 of the Fish and Game Code, relating to mammals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1094: By Assemblyman Waxman—An act to amend Sections 19501 5, 19504, 19521, 19522, 19523, 19524, 19526, and 19531 of, and to add Section 19523 5 to, the Revenue and Taxation Code, relating to Senior Citizens Property Tax Assistance Law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1095: By Assemblyman Waxman—An act to add Section 11006 7 to the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1096: By Assemblyman Waxman—An act to amend the headings of Chapter 1 (commencing with Section 30000), Chapter 2 (commencing with Section 30100), and Chapter 3 (commencing with Section 30200), of Division 16 of the Elections Code, relating to reapportionment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1097: By Assemblyman Waxman—An act to amend Section 1750 of the Civil Code, relating to credit reporting.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1098: By Assemblymen Dunlap, MacDonald, Burton, Brathwaite, Brown, Bill Greene, Keysor, McAlister, McCarthy, Moretti, Ralph, Sieroty, Vasconcellos, Waxman, and Z'berg—An act to amend Section 50262 of, to add Sections 50264, 50265, 50266, 50267, 50268, 50269, 50270, 50271, 50272, 50273, 50274, and 50275 to, and to repeal Sections 50264 and 50265 of, the Government Code, to amend Section 35743 of the Health and Safety Code, and to amend Sections 1420 5 and 1432 of the Labor Code, relating to human relations commissions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1099: By Assemblyman Dunlap—An act relating to financial support for the public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1100: By Assemblyman Dunlap—An act to add Section 100 26 to the Streets and Highways Code, relating to state freeways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1101: By Assemblyman Dunlap—An act to add Sections 161, 906 5, and 1805.5 to the Streets and Highways Code, relating to highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1102: By Assemblyman Dunlap—An act to amend Section 73679 of the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1103: By Assemblyman Dunlap—An act to amend Section 74849 of the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1104: By Assemblyman Sieroty—An act to add Section 39052.9 to the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1105: By Assemblyman McCarthy—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1106: By Assemblyman Hayden—An act to amend Section 219 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1107: By Assemblyman Waxman—An act to amend Section 5125 of the Civil Code, relating to control of community property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1108: By Assemblyman Waxman—An act to amend Section 3 of Chapter 23 of the Statutes of 1971, relating to school attendance, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1109: By Assemblyman Waxman—An act to amend Sections 14000, 14058, 14104, 14106, and 14106.2 of, to add Section 14057.8 to, and Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of, and to repeal Section 14057 of, and Article 4.4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1110: By Assemblyman Waxman—An act to add Section 107.5 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1111: By Assemblyman Waxman—An act to amend Sections 203, 213.1, 455, 456.5, 456.6, 457, 459, 3713, 4020, 10009, 10012, and 27514 of the Elections Code, relating to registration of voters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1112: By Assemblyman Waxman—An act to amend Sections 200, 310, and 321 of the Elections Code, relating to voter qualifications.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1113: By Assemblyman Waxman—An act to amend Sections 14621, 14621.5, 14660, 14662, 14665, 14666, 14667, and 14801 of, to add Sections 14620.1, 14620.3 and 14628 to, and to repeal Section 14628 of, the Elections Code, relating to absent voting.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1114: By Assemblyman Campbell—An act to add Chapter 6 (commencing with Section 436.75) to Part 1 of Division 1 of the Health and Safety Code, relating to laboratories, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1115: By Assemblyman Campbell—An act to amend Section 2514 of the Business and Professions Code, relating to physician's assistants.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1116: By Assemblyman Campbell—An act to add Section 6365 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1117: By Assemblyman Campbell—An act to amend Section 14118 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1118: By Assemblyman Badham—An act to amend Section 2640 of the Labor Code, relating to employee housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1119: By Assemblyman Badham—An act to add Sections 36438, 36439, and 36440 to the Water Code, relating to water districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1120: By Assemblyman Badham—An act to add Article 5 (commencing with Section 9825) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to human resources development.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1121: By Assemblyman Badham—An act to amend Sections 38 and 38.1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1122: By Assemblyman Badham—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664.5 to, the Public Utilities Code, relating to aviation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1123: By Assemblyman Stacey—An act to add Chapter 1 5 (commencing with Section 19025) to Part 1 of Division 10 of the Welfare and Institutions Code, relating to rehabilitation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1124: By Assemblyman Badham—An act to add Section 6104.1 to the Business and Professions Code, relating to attorneys.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1125: By Assemblyman Stacey—An act relating to the late filing of maps or plats for purposes of property taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1126: By Assemblyman Campbell—An act calling an election to be conducted in June, 1972, and providing for the submission to the electors of the state at such election of a certain constitutional amendment proposed by the Legislature at the 1972 Regular Session, to take effect immediately, act calling election.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1127: By Assemblyman Campbell—An act to amend Section 437 9 of the Health and Safety Code, relating to health planning.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1128: By Assemblyman Campbell—An act to amend Section 1755 of the Health and Safety Code, relating to emergency medical care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1129: By Assemblyman Campbell—An act to amend Section 1750 of the Health and Safety Code, relating to emergency medical care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1130: By Assemblyman Campbell—An act to amend Section 1760 of the Health and Safety Code, relating to statewide emergency medical services system

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1131: By Assemblyman Campbell—An act to amend Sections 14005.4 and 14005 6 of the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1132: By Assemblyman Campbell—An act to add Section 14025 to the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1133: By Assemblymen Priolo and Meade—An act to add Section 202 7 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1134: By Assemblyman Meade—An act to amend Section 871 of the Penal Code, relating to criminal hearings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1135: By Assemblyman Meade—An act to amend Section 952 of the Penal Code, relating to criminal complaints.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1136: By Assemblymen Z'berg, Moretti, LaCoste, Arnett, Barnes, Belotti, Brown, Campbell, Chacon, Davis, Dent, Dunlap, Fenton, Fong, Gonsalves, Hayes, Karabian, Keysor, Porter, Priolo, Sieroty, Thomas, Townsend, Warren, and Wood (Senator Nejedly, coauthor)—An act to add Title 7 3 (commencing with Section 66700) to the Government Code, and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1137: By Assemblyman Z'berg—An act to amend Section 296 41 of the Probate Code, relating to simultaneous death.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1138: By Assemblyman Z'berg—An act to amend Section 13468.2 of the Education Code, relating to school certificated employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1139: By Assemblyman Z'berg—An act to amend Section 1812.64 of the Civil Code, relating to dance studios.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1140: By Assemblyman Z'berg—An act to amend Section 18020 of the Government Code, relating to state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1141: By Assemblyman Russell—An act to add Section 760 1 to the Financial Code, relating to banking.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1142: By Assemblyman Russell—An act to add Section 20980 5 to the Water Code, relating to irrigation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1143: By Assemblyman Russell—An act to amend Sections 9801, 9802, 9803, 9805, 9810, 9820, 9823, 9825, 9831, 9841, 9844, 9870, 9871, 9872 and 9874 of the Business and Professions Code, relating to repair services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1144: By Assemblyman Russell—An act to amend Section 1111.6 of, and to add Section 1309 to, the Education Code, relating to school district elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1145: By Assemblyman McAlister—An act to add Section 1138.13 to, and to repeal Section 1138.13 of, the Probate Code, relating to trusts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1146: By Assemblyman Wood—An act to repeal Section 15011 of the Education Code, relating to school district property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1147: By Assemblyman Wood—An act to amend Sections 19035.1, 19035.3, 19060.6 and 19170 of, to add Section 19050 to, and to repeal Sections 19171, 19171.5 and 19171.6 of, the Business and Professions Code, relating to furniture and bedding.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1148: By Assemblyman Wood—An act relating to the Bagley Conservation Fund and making an appropriation therefrom.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1149: By Assemblyman Wood—An act to add Chapter 12 (commencing with Section 54975) to Part 1 of Division 2 of Title 5 of the Government Code, relating to public district review commissions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1150: By Assemblyman Wood—An act to amend Section 5750.9 of the Education Code, relating to special schools and classes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1151: By Assemblyman Wood—An act to amend Section 12931 of the Agricultural Code, relating to economic poisons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1152: By Assemblyman Wood—An act to amend Sections 6484, 6487, and 6497 of the Fish and Game Code, relating to mariculture.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1153: By Assemblyman Maddy—An act to amend Section 13413 of the Education Code, relating to certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1154: By Assemblyman McAlister—An act to amend Section 583 of the Code of Civil Procedure, relating to dismissal of actions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1155: By Assemblyman Keysor—An act to amend Section 17138 of, and to add Section 17148 to, the Revenue and Taxation Code, relating to taxation, to become effective immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1156: By Assemblyman Powers—An act to amend Section 69994 2 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1157: By Assemblyman Keysor—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1158: By Assemblyman Meade—An act to add Section 1302 5 to the Education Code, relating to school district elections

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1159: By Assemblyman Karabian—An act to add Sections 1014 1 and 1017.1 to the Education Code, relating to school district employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1160: By Assemblyman Karabian (Senator Dymally, coauthor)—An act to place a constitutional amendment on the ballot, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1161: By Assemblyman Barnes—An act to add Section 20989 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1162: By Assemblyman Barnes (Senator Schrade, coauthor)—An act to add Section 75033 5 to the Government Code, relating to the Judges' Retirement Law

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1163: By Assemblyman Sieroty—An act to amend Sections 1171, 1173, 1174, 1178, 1182, 1183, 1185, 1191, 1193, 1193 5, 1193 6, 1194, 1194 5, 1195, 1195.5, 1197, 1198, and 1199 of, and to amend the heading of Part 4 (commencing with Section 1171) of Division 2 of, the Labor Code, relating to the Industrial Welfare Commission

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1164: By Assemblyman Chappie—An act to repeal Part 11 (commencing with Section 5501) of Division 1 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1165: By Assemblyman Chappie—An act to add Chapter 1.6 (commencing with Section 22515) to Division 16.5 of the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1166: By Assemblyman Chappie—An act to repeal and add Section 31007 of the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1167: By Assemblyman Chappie—An act to amend Sections 5756, 11475, 11477, 11478, 11479, 11481, 17666 2, 17666 3, 17667, 17671, 17672, 17676, 17801, 17851, 17920, 17925, 17925 5, and 17970 of, to amend and renumber Section 17952 of, to repeal Sections 11476 and 17951 of, and to amend the heading of Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, the Education Code, relating to the education of adults.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1168: By Assemblyman Chappie—An act to amend Section 18040 of, to add Sections 18405, 18605, 18621, and 18682 to, and to repeal Sections 18050, 18051, 18053, and 18054 of, the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1169: By Assemblyman Chappie—An act to amend Section 15701 of the Education Code, relating to school districts property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1170: By Assemblyman Hayes—An act relating to a pilot program in the structure of intellect factored test of intellectual abilities in children, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1171: By Assemblyman Hayes—An act to amend Sections 14202, 14254, 14903, 14910, 15101, 15150, 15201, 15704, 15752, 15753, and 15757 of, and to add Section 15102 2 to, the Financial Code, relating to credit unions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1172: By Assemblyman Hayes—An act to amend Section 1513 of the Probate Code, relating to deposit of ward's funds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1173: By Assemblyman Hayes—An act to amend Sections 202 and 203 of the Probate Code, relating to probate.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1174: By Assemblyman Hayes—An act to amend Sections 5105, 5113 5, 5125, and 5127, and to repeal Section 5124 of the Civil Code, relating to community property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1175: By Assemblyman Hayes—An act to amend Section 4700 of the Civil Code, relating to child support.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1176: By Assemblyman Brown—An act to amend Sections 103, 108 5, 157, 158, 200, 2456, 2681, 2812, 2893, 2980, 3148, 3149, 3151, 3941, 4414, 4546, 4903, 4904, 4905, 5132, 5133, 5601, 5682, 6797, 6955, 7138, 7440, 7581, 7727, 7885, 8030, 8676, 8800, 9037, 9043, 9048, 9575, 9765, 9769, 9871, 9886 1, 9890.120, and 9995 of, to add Sections 201, 1721, 2454, 2495, 2682, 2810, 2890, 3145, 3151, 3455, 3942, 4413, 5603, 5683, 6629, 7135, 7886, 9038, 9770, 9870, and 9886 to, to repeal Sections 128, 201, 202, 203, 204, 205, 401, 402, 405, 1721, 1722, 2454, 2495, 2682, 2810, 2814, 2890, 2894, 2981, 3145, 3455, 3942, 4413, 4547, 5602, 5603, 5683, 6629, 7135, 7136, 7886, 9038, 9575 6, 9770, 9870, 9872, 9874, 9886, 9886 2, and 9886.4 of, the Business and Professions Code, and to amend an initiative act entitled "An act to establish a board of osteopathic examiners, to provide for their appointment, and to prescribe their powers and duties; to regulate the examination of applicants, who are graduates of osteopathic schools, for any form of certificate to treat disease, injuries, deformities or other physical or mental conditions; to regulate the practice of those so licensed, who are graduates of osteopathic schools; to impose upon said board of osteopathic examiners all duties and functions, relating to graduates of osteopathic schools, holding or applying for any form of certificate or license, heretofore exercised and performed by the board of medical examiners of the State of California under the provisions of the state medical practice act, approved June 2, 1913, and acts amendatory thereof" approved by electors November 7, 1922, by amending Section 3 thereof, relating to funds

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1177: By Assemblyman Brown—An act to add Section 1724 1 to the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1178: By Assemblyman Brown—An act to amend Sections 21202 and 21208 of the Financial Code, relating to pawnbrokers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1179: By Assemblyman Brown—An act to add Section 17041 6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1180: By Assemblyman Brown—An act to add Part 13 (commencing with Section 15950) to Division 3 of Title 2 of the Government Code, relating to the Office of State Planning and Budgeting

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1181: By Assemblyman Brown—An act to amend Section 2192 of the Business and Professions Code, relating to physicians and surgeons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1182: By Assemblyman Brown—An act to add Section 23621 to the Education Code, relating to the California state universities and colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1183: By Assemblyman Stull (Senator Burgener, coauthor)—An act to amend Section 316 of Chapter 1 of the Statutes of 1971, First Extraordinary Session, relating to the Bagley Conservation Fund.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1184: By Assemblyman Stull (Senator Burgener, coauthor)—An act to amend Sections 23014, 25210 9e, and 25210.77a of the Government Code, relating to counties.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1185: By Assemblyman Stull (Senator Burgener, coauthor)—An act to add Section 71975 to the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1186: By Assemblyman Stull—An act to amend Section 11500 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1187: By Assemblyman Miller—An act to amend, repeal, and add Sections 6316 and 6326 of the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1188: By Assemblyman Lewis—An act to amend Sections 311, 10009, 10010, 10011, 10265, 10290, 10291, 10293, 10300, 10302, 10317, 10318, and 14630 of, and to repeal Sections 10014 and 14631 of, the Elections Code, relating to primary elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1189: By Assemblyman Lewis—An act to add Article 17 (commencing with Section 429 60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1190: By Assemblyman Lewis—An act to amend Section 11 of Chapter 1622 of the Statutes of 1971, relating to unemployment compensation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1191: By Assemblyman Lewis—An act to amend Section 7000 of the Business and Professions Code, relating to contractors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1192: By Assemblyman Lewis—An act to amend Section 13408 of the Education Code, relating to certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1193: By Assemblyman Quimby—An act to amend Sections 3572 and 3574 of the Public Utilities Code, relating to highway carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1194: By Assemblyman Quimby—An act to amend Section 27491.45 of the Government Code, relating to coroners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1195: By Assemblyman Quimby—An act to amend Section 18300 of the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1196: By Assemblyman Quimby—An act to add Section 14259 to the Government Code, relating to the State Contract Act.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1197: By Assemblyman Lewis—An act to amend Sections 817 and 1019.5 of the Education Code, relating to personal property in schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1198: By Assemblyman Briggs—An act to add Section 26468 to, and to add Article 1.5 (commencing with Section 26505) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1199: By Assemblyman Moretti—An act to add Division 22 (commencing with Section 30000) to the Health and Safety Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1200: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Davis, Dunlap, Garcia, Gonsalves, Bill Greene, Keysor, MacDonald, Meade, Miller, Porter, Sieroty, Thomas, Townsend, Waxman, and Z'berg (Senator Kennick, coauthor)—An act to amend Sections 19501 5, 19504, 19505, and 19522 of, and to add Section 19523 5 to, the Revenue and Taxation Code, relating to property tax and rent assistance for senior citizens.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1201: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Davis, Dunlap, Garcia, Gonsalves, Bill Greene, Keysor, MacDonald, Meade, Miller, Porter, Sieroty, Thomas, Townsend, Waxman, and Z'berg (Senator Kennick, coauthor)—An act to amend Section 19523 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1202: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Dunlap, Garcia, Gonsalves, Bill Greene, Keysor, MacDonald, Meade, Miller, Porter, Sieroty, Thomas, Townsend, Waxman, and Z'berg (Senator Kennick, coauthor)—An act to declare legislative intent regarding the Nutrition Program for the Elderly, relating to senior citizens.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1203: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Garcia, Bill Greene, Keysor, Meade, Porter, Sieroty, Thomas, Townsend, Waxman, and Z'berg (Senator Kennick, coauthor)—An act to amend Section 18900, 18901, 18902, 18904, and 18908 of, and to add Sections 18904 1, 18910, 18911, 18912, and 18913 to, the Welfare and Institutions Code, relating to food stamps.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1204: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Davis, Dunlap, Garcia, Gonsalves, Bill Greene, Keysor, Meade, Miller, Porter, Sieroty, Thomas, Townsend, Waxman, and Z'berg (Senator Kennick, coauthor)—An act to amend Section 12050 of, and to add Section 12050 1 to, the Welfare and Institutions Code, relating to old age security.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1205: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Dunlap, Garcia, Bill Greene, Keysor, Meade, Murphy, Porter, Sieroty, Thomas, Townsend, Waxman, and Z'berg (Senator Kennick, coauthor)—An act to add Section 18215 to, and to repeal Section 18215 of, the Welfare and Institutions Code, relating to public social service.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1206: By Assemblymen McCarthy, Moretti, Warren, Chacon, Brown, Burton, Garcia, Gonsalves, Bill Greene, Keysor, MacDonald, Miller, Porter, Sieroty, Thomas, and Waxman (Senator Kennick, coauthor)—An act to add Section 1420 1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1207: By Assemblyman Mobley—An act to amend Sections 6468, 6468 1, 6468 2, 6468 3, 6468 5 of, and to add Section 6468 8 to, the Streets and Highways Code, relating to improvement bonds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1208: By Assemblyman Mobley—An act to amend Section 10110 of, and to add Section 10110 1 to, the Streets and Highways Code, relating to the Municipal Improvement Act of 1913.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1209: By Assemblyman Mobley—An act to amend Sections 5071 and 10308 of the Streets and Highways Code, relating to improvement acts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1210: By Assemblyman Bill Greene—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1211: By Assemblyman Bill Greene—An act to amend Section 31215 of, to add Article 2 (commencing with Section 31285) to Chapter 4 7 of Division 25 of, and to add a heading to Article 1 (commencing with Section 31271) of Chapter 4.7 of Division 25 of, the Education Code, relating to postsecondary education.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1212: By Assemblyman Bill Greene—An act to add Section 11823 1 to the Education Code, relating to health examinations and treatment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1213: By Assemblyman Bill Greene—An act to add Section 5009 to the Penal Code, relating to religious practices in state prisons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1214: By Assemblyman Powers—An act to add Chapter 8 (commencing with Section 1137) to Part 3 of Division 2 of the Labor Code, relating to agricultural labor, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1215: By Assemblyman Foran—An act to add Section 11705 5 to the Vehicle Code, relating to dealers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1216: By Assemblyman Foran—An act to amend Sections 17301 and 17303 5 of the Education Code, relating to the financial support of public education, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1217: By Assemblyman Vasconcellos—An act to amend Section 11403 of, and to add Section 11402.5 to, the Education Code, relating to high school attendance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1218: By Assemblymen Quimby, Townsend, Chacon, Porter, and Garcia—An act to add Section 13447.1 to the Education Code, relating to public school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1219: By Assemblyman Brown—An act to amend Sections 1203 2, 3060, 3063, 3081, and 6044 of the Penal Code, and to amend Sections 1177 and 1767.3 of the Welfare and Institutions Code, relating to probation and parole violations

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1220: By Assemblyman Brown—An act to amend Sections 630, 650, 653, 654, and 655 of, to add Sections 588, 653 1, and 681 to, and to repeal Section 681 of, the Welfare and Institutions Code, relating to juvenile courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1221: By Assemblyman Brown—An act to amend Section 781 of the Welfare and Institutions Code, relating to sealing of records.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1222: By Assemblyman Brown—An act to add Sections 3020 5 and 6045 to the Penal Code, and to add Section 1761.5 to the Welfare and Institutions Code, relating to terms of confinement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1223: By Assemblymen Chacon and Bill Greene—An act to add Section 1792.6 to the Civil Code, relating to consumer goods.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1224: By Assemblymen Chacon, Deddeh, Beverly, Hayden, and Wilson—An act to amend Section 2805 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1225: By Assemblymen Chacon, Deddeh, Bill Greene, and Pierson—An act to add Section 18102.13 to the Education Code, relating to special education programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1226: By Assemblymen Vasconcellos and Burton—An act to amend Sections 2762, 2878.5, 2960, 4036 2, 4036 3, 4353, 17820, and 24200 5 of the Business and Professions Code, to amend Section 537 of the Code of Civil Procedure, to amend Sections 8752, 8753, 8763, 9304 3, 10603, and 12912 5 of the Education Code, to amend Section 11001, 11500, 11500 5, 11501, 11502, 11502 1, 11557, 11655, 11715, 11715 5, 11715 6, 11715 8, 11850, 11940, 11942, and 25974 of, to amend, repeal, and add Section 11655 5 of, to amend the heading of Division 10 8 (commencing with Section 11940) of, to add Section 25972 5 to, to add Division 10 3 (commencing with Section 11860) to, to repeal Sections 11003, 11003 1, 11718, 11724, as added by Chapter

1391, Statutes of 1968, and 11724, as added by Chapter 1430, Statutes of 1968 of, to repeal Article 2 (commencing with Section 11530) of Chapter 5 of Division 10 of, to repeal and add Section 11868 2, as added by this act, of, the Health and Safety Code, to amend Sections 4573, 4573 5, and 4573.6 of the Penal Code, to amend Sections 1803 and 13355 5 of the Vehicle Code, and to amend Sections 654, 3009, 5225, 5227, 5230, 5340, 5341, 5342, 5343, 5344, 5619, 5620, as added by Chapter 1162, Statutes of 1971, and 5654 of, to amend, repeal, and add Section 708 of, and to amend the heading of Article 8 (commencing with Section 5340) of Chapter 2 of Part 1 of Division 5 of, the Welfare and Institutions Code, relating to marijuana.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1227: By Assemblyman Meade—An act to add Chapter 12 (commencing with Section 8875) to Division 1, Title 2 of the Government Code, relating to a population commission.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1228: By Assemblyman Meade—An act to add Sections 534 5 and 4837.5 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1229: By Assemblyman Meade—An act to amend Sections 3856, 3857, 3858, 3859, 3860, and 3861, and to repeal Section 3855, of the Labor Code, relating to subrogation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1230: By Assemblymen McCarthy, Foran, Hayden, Arnett, Bagley, Brown, Burton, Crown, Fong, Knox, McAlister, Miller, and Vasconcellos—An act to add Section 66521 5 to the Government Code, and to amend Sections 30101 and 30102 of, and to add Section 30101 1 to, the Streets and Highways Code, relating to toll bridge revenues

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1231: By Assemblymen Wakefield and Brophy—An act to add Section 8927 to the Government Code, relating to legislators.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1232: By Assemblymen Wakefield, Burke, MacGillivray, Moorhead, and Brophy—An act to amend Sections 189 and 190 of the Penal Code, relating to peace officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1233: By Assemblymen Wakefield, Burke, and MacGillivray—An act to amend Section 15515 of, and to add Section 15515 5 to, the Education Code, relating to school buildings.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1234: By Assemblymen Wakefield, Burke, Brophy, and MacGillivray—An act to add Section 17237 to the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1235: By Assemblymen Wakefield, Burke, Brophy, and MacGillivray—An act to add Section 226 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1236: By Assemblyman Leroy F. Greene—An act to amend Section 8502 of the Education Code, relating to early childhood education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1237: By Assemblyman Fong—An act to add Chapter 11 (commencing with Section 6400) to Title 7, Part 3 of the Penal Code, relating to penology.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1238: By Assemblyman Fong—An act to add Sections 3405 and 4027 to the Penal Code, and to add Section 519 to the Welfare and Institutions Code, relating to abortions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1239: By Assemblyman Fong—An act to add Section 3408 to the Penal Code and Section 521 to the Welfare and Institutions Code, relating to female prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1240: By Assemblyman Fong—An act to add Sections 3406 and 3408 to the Penal Code and Section 521 to the Welfare and Institutions Code, relating to female prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1241: By Assemblyman Fong—An act to add Sections 3406 and 3408 to the Penal Code and Section 521 to the Welfare and Institutions Code, relating to female prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1242: By Assemblyman Fong—An act making an appropriation for prison rehabilitation programs for women.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1243: By Assemblyman Fong—An act to add Chapter 7 8 (commencing with Section 25883) to Division 20 of the Health and Safety Code, relating to mercury.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1244: By Assemblyman Garcia—An act to amend Sections 13352 and 40000.11 of, and to add Sections 13211 and 14611 to, the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1245: By Assemblyman Meade—An act to amend Section 3006 of the Welfare and Institutions Code, relating to narcotic and drug addiction.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1246: By Assemblyman Bee—An act to amend Section 1 of Chapter 1619 of the Statutes of 1971, relating to handicapped students at community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1247: By Assemblyman Arnett—An act to repeal Chapter 1 (commencing with Section 12340) of, and to add Chapter 1 (commencing with Section 12320) to, Part 6 of Division 2 of the Insurance Code, relating to title insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1248: By Assemblyman Arnett—An act to add Article 4 (commencing with Section 30041) to Chapter 2 of Division 21 of the Education Code, and to add Section 830.10 to the Penal Code, relating to private college or university police officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1249: By Assemblymen Arnett and Ryan (Senator Gregorio, coauthor)—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1250: By Assemblymen Ralph and Brown—An act to amend Section 16609 of, and to add Section 16603.5 to, the Education Code, relating to children's centers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1251: By Assemblymen Cullen and Mobley—An act to add Article 10 (commencing with Section 16429) to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to data processing, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1252: By Assemblyman Ryan—An act to amend Sections 2701, 2703, and 2704 of, and to add Section 2706 to, the Education Code, relating to organization of school districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1253: By Assemblyman Ryan—An act to amend Section 13117 2 of the Education Code, relating to teacher preparation and licensing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1254: By Assemblymen Porter, Quimby, Stacey, and Badham—An act to add Section 11661 2 to the Water Code, relating to the state water resources development.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1255: By Assemblymen Porter, Quimby, Stacey, and Badham—An act to amend Section 11750 of the Water Code, relating to state water development projects.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1256: By Assemblymen Porter, Quimby, and Stacey—An act to add Chapter 6 (commencing with Section 775) to Division 3 of the Harbors and Navigation Code and to repeal Chapter 11 (commencing with Section 13900) of Division 7 of the Water Code, relating to vessels.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1257: By Assemblyman Fenton—An act to amend Section 30005 of, and to add Section 30630.5 to, the Public Utilities Code, relating to transit districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1258: By Assemblyman MacDonald—An act to add Section 13114.7 to the Health and Safety Code, relating to automatic sprinkler systems.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1259: By Assemblyman MacDonald—An act relating to bilingual education in the public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1260: By Assemblyman Cory—An act to amend Section 25251 of, and to add Section 25110 to, the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1261: By Assemblyman Cory—An act to add Section 5721 to the Welfare and Institutions Code, relating to the Short-Doyle Act.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1262: By Assemblyman LaCoste—An act to amend Section 24073 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1263: By Assemblyman Wilson—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code, relating to repair dealers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1264: By Assemblyman Wilson—An act to amend Section 17536 of the Business and Professions Code, relating to civil penalties.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1265: By Assemblyman Wilson—An act to amend Section 17530 of the Business and Professions Code, relating to advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1266: By Assemblyman Wilson—An act to amend Section 10758 of the Revenue and Taxation Code, relating to the taxation of trailer coaches.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1267: By Assemblyman Wilson—An act to add Section 17536.5 to the Business and Professions Code, relating to advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1268: By Assemblyman Beverly—An act to add Part 2 (commencing with Section 22500) to Division 15 of the Streets and Highways Code, relating to the installation and maintenance of landscaping and lighting on public streets and parks and providing for the formation of special assessment districts and the levy and collection of special assessments to pay the costs and expenses thereof.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1269: By Assemblyman Beverly—An act to amend Section 11656.6 of the Insurance Code, relating to group workmen's compensation policies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1270: By Assemblyman Fenton—An act to amend Sections 17, 995, 996, and 997 of, and to amend and renumber Section 995a of, the Penal Code, relating to crimes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1271: By Assemblyman Fenton—An act to amend Section 3365.5 of the Business and Professions Code, relating to hearing aids.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1272: By Assemblyman Fenton—An act to amend Section 12803 of, and to add Section 12805.5 to, the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 53: By Assemblyman Campbell—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1d of Article XIII thereof, relating to the homeowners' property tax exemption.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 54: By Assemblymen Dunlap and Sieroty—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (i) of Section 14¼ of, and by repealing subdivision 3 of Section 16 of, Article XIII thereof, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 55: By Assemblymen Cullen, Townsend, MacGillivray, and McCarthy (Senator Beilenson, coauthor)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XI thereof, relating to districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 56: By Assemblyman Meade—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16 to Article IX thereof, relating to higher education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 57: By Assemblymen Wakefield, Burke, Brophy, and MacGillivray—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1f to Article XIII thereof, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 58: By Assemblyman Lewis—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 6.5 to Article IV thereof, relating to legislative districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 59: By Assemblyman Arnett—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding paragraph (7) to subdivision (f) of Section 14½ of Article XIII thereof, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 60: By Assemblyman Wilson—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 8 to Article XIII thereof, relating to the taxation of trailer coaches.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 19: By Assemblymen Wakefield, Burke, and Stull—Relative to United Nations

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 20: By Assemblymen Wakefield, Burke, Brophy, MacGillivray, and Moorhead—Relative to memorializing Congress to propose an amendment to the United States Constitution regarding the right of students to attend the public school nearest their residence.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 4 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, March 15, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-third Legislative Day

Seventy-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 15, 1972

The Assembly met at 11 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Give us each day a moment to lay aside our concerns and pursuits. Make it a moment of perception and precision; a moment to strip away the pride which shutters the intellect; a moment to uncover what is wrong within myself, not others Let it also be an opportunity to see what is right in myself and in others. Save it from being a pause of complacency but rather make it a thrust of dedication to move on to the next task.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. LaCoste then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Ray E. Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Harvey Johnson, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Cory, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 14, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on March 15, 1972, on legislative business. I will be speaking to the County Superintendents of Schools meeting at Asilomar regarding my County School Service Fund bill.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

March 14, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session tomorrow as I am traveling to the Tahoe area to tour the South Lake Tahoe Public Utilities facilities.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

March 14, 1972

Hon Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob. Please excuse me from legislative duties on the floor of the Assembly on Wednesday, March 15, 1972.

I must be in my district to meet with flower growers who are facing severe financial problems within their industry. There is now pending legislation relating to this problem.

Sincerely,

LEO J. RYAN, Assemblyman
Twenty-seventh District

REPORTS

The following report was presented by the Chief Clerk:

Bulletin No. 63-6. Sea Water Intrusion: Morro Bay Area, San Luis Obispo County. February 1972.

Above transmitted report, together with letter of transmittal from W. R Gianelli, Director, Department of Water Resources, Sacramento, dated March 9, 1972, referred by the Speaker pro Tempore to the Committee on Water.

COMMUNICATIONS

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 44

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 15, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 210

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 557

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 4
AB No. 213
AB No 316

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 189
AB No. 367

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 177
AB No. 217

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 151

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, March 14, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 98

With the recommendation: Do pass.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 149
AB No. 259
AB No. 1021

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 720
AB No. 801

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 143

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 143—An act to add Section 326.5 to the Penal Code, relating to bingo.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, after the period, insert " "Organization" for purposes of this section means an organization described in Section 19 of Article IV of the Constitution that is exempted from the payment of the bank and corporation tax by Section 23701d of the Revenue and Taxation Code and a contribution or gift to which would be a charitable contribution under Section 170(c)(2) of the Internal Revenue Code of 1954."

Amendment No. 2

On page 2, line 14, after "Constitution", strike out "if such"; and in line 15, strike out "profit is prohibited by Section 19 of Article IV".

Amendment No. 3

On page 2, line 30, strike out "oganization", and insert "organization".

Amendment No. 4

On page 2, line 38, after the period, insert "Only the organization licensed to conduct a bingo game shall operate such game, or participate in the promotion, supervision, or any other phase of such game."

Amendment No. 5

On page 2, after line 38, insert

"(j) No individual corporation, partnership, or other legal entity except the organization licensed to conduct a bingo game shall hold a financial interest in the conduct of such bingo game."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

ACR No. 28

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 28—Relative to the utilization of former state hospital employees.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed measure, strike out "former".

Amendment No. 2

On page 1, line 2, strike out "former".

Amendment No. 3

On page 1, strike out lines 14 and 15; and on page 2, strike out line 1.

Amendment No. 4

On page 2, line 18, strike out "That it is a policy of the"; and strike out lines 19 to 21, inclusive, and insert "That as a means of implementing this resolution, the Legislature of the State of California intends that first priority be given in utilizing available state hospital

manpower resources in bringing all state hospitals up to 100 percent of SCOPE staffing standards and after such implementation that any additional available state hospital manpower resources be utilized by appropriate state and local agencies."

Resolution ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, March 14, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

ACA No. 19

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 19 of Article IV thereof, relating to bingo.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, after the period, strike out "Any ordinance enacted under"; and strike out lines 10 through 12, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that photographers be permitted on the floor of the Assembly.

Hon. Robert E. Badham Presiding

At 11:10 a.m., Hon. Robert E. Badham, 71st District, presiding.

Speaker pro Tempore Presiding

At 11:13 a.m., Hon. Carlos Bee, 13th District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Leroy F. Greene was granted unanimous consent that Assembly Bill No. 143 and Assembly Constitutional Amendment No. 19 be considered engrossed.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 44, ordered to third reading.

Assembly Bill No. 210, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 361—An act to amend Section 15525.5 of the Corporations Code, relating to limited partnerships, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 587—An act to repeal Section 73 of Chapter 1748 of the Statutes of 1971, relating to age of majority, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 29—An act to amend Section 203 of the Revenue and Taxation Code, relating to the college exemption from property taxation.

Bill read second time, and ordered to third reading.

~~Assembly Bill No. 184—An act to amend Sections 214.8, 251, and 254 of, and to add Sections 215.1 and 259.7 to, the Revenue and Taxation Code, relating to taxation.~~

~~Bill read second time, and ordered to third reading.~~

NOTE: On March 16, 1972, the action was rescinded whereby Assembly Bill No. 184 was read a second time, and ordered to third reading. See page 1209.

Assembly Bill No. 318—An act to amend Section 4759 of the Fish and Game Code, relating to bears.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 346—An act to amend Section 3002 of the Fish and Game Code, and to add Section 653j to the Penal Code, relating to whales.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 201—An act to amend Section 8046 of the Fish and Game Code, relating to fish-handling privilege taxes.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 239—An act to amend Sections 8740, 8741, 8742, 8743, 8744, 8747, 8761, 8780, and 8805 of, to amend and renumber Section 8745.5 of, to add Section 8740.2 to, and to repeal Sections 8740.5 and 8793 of, the Business and Professions Code, relating to surveyors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "to add Section 8740.2 to,".

Amendment No. 2

On page 2, strike out lines 8 to 11, inclusive; and in line 12, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 3

On page 2, line 16, strike out "SEC. 4.", and insert "SEC. 3."

Amendment No. 4

On page 3, line 2, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 5

On page 3, line 10, strike out "1973", and insert "1975".

Amendment No. 6

On page 3, line 11, strike out "1975", and insert "1977".

Amendment No. 7

On page 3, line 12, strike out "1975", and insert "1977".

Amendment No. 8

On page 4, line 5, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 9

On page 4, line 15, strike out "SEC. 7.", and insert "SEC. 6."

Amendment No. 9.5

On page 4, line 22, strike out "SEC. 8.", and insert "SEC. 7."

Amendment No. 10

On page 4, line 36, strike out "SEC. 9.", and insert "SEC. 8."

Amendment No. 11

On page 5, line 6, strike out "SEC. 10.", and insert "SEC. 9."

Amendment No. 12

On page 5, line 25, strike out "SEC. 11.", and insert "SEC. 10."

Amendment No. 13

On page 6, line 9, strike out "SEC. 12.", and insert "SEC. 11."

Amendment No. 14

On page 6, line 16, strike out "SEC. 13.", and insert "SEC. 12."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 136—An act to add Section 17538.5 to the Business and Professions Code, relating to advertising.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly March 1, 1972, after "all", insert "advertising and".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 242—An act to amend Section 6751 of the Business and Professions Code, relating to professional engineering.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "1973, and until January 1, 1975", and insert "1975, and until January 1, 1977".

Amendment No. 2

On page 2, line 3, strike out "1975", and insert "1977".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 170—An act to repeal Article 1 (commencing with Section 28700) and Article 2 (commencing with Section 28730) of, and to add Article 1 (commencing with Section 28700) and Article 2 (commencing with Section 28730) to, Chapter 3 of Part 2 of Division 10 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "1973", and insert "1974".

Amendment No. 2

On page 2, line 18, strike out "1973", and insert "1974".

Amendment No. 3

On page 3, line 34, strike out "1973", and insert "1974".

Amendment No. 4

On page 4, line 6, strike out "odd-numbered", and insert "even-numbered".

Amendment No. 5

On page 4, line 7, strike out "any", and insert "the".

Amendment No. 6

On page 4, line 8, strike out "district".

Amendment No. 7

On page 4, lines 8 and 9, strike out "pursuant to the Uniform District Election Law".

Amendment No. 8

On page 5, line 9, strike out "Election", and insert "Elections".

Amendment No. 9

On page 5, line 11, strike out "1973", and insert "1974".

Amendment No. 10

On page 5, line 18, strike out "1975", and insert "1976".

Amendment No. 11

On page 5, line 19, strike out "1977", and insert "1978".

Amendment No. 12

On page 5, line 20, strike out "1973", and insert "1974".

Bill ordered reprinted, and returned to the second reading file.

COMMUNICATIONS

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 29
AB No. 184
AB No. 361
AB No. 587

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 201
AB No. 318
AB No 346

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT OF SUBCOMMITTEE ON ADVOCATE REGISTRATION IN JOURNAL

Mr. Quimby was granted unanimous consent that the report of the Subcommittee on Advocate Registration be printed as an appendix to this day's Journal, and that 1,500 additional copies of the appendix be printed.

INTRODUCTION OF GUESTS

Mr. Deddeh, of the 77th District, introduced the Honorable George Crawford, San Diego Municipal Court Judge, and former Member of the Assembly, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber.

Hon. John F. Foran Presiding

At 11:20 a.m., Hon. John F. Foran, 23rd District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1273: By Assemblymen Burton and Brown—An act to amend Section 1207 of the Harbors and Navigation Code, relating to pilots.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1274: By Assemblymen Burton, Brown, and Miller—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1275: By Assemblyman Fenton—An act to add Part 7 (commencing with Section 12650) to Division 2 of the Insurance Code, relating to mass merchandising plans for property and casualty insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1276: By Assemblyman Monagan—An act to add Section 62322.5 to the Agricultural Code, relating to milk.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1277: By Assemblyman Monagan—An act to amend Section 20017.77 of the Government Code, and to amend Section 1752 of the Welfare and Institutions Code, relating to correctional counselors.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1278: By Assemblyman Monagan—An act to amend Sections 3507.3 and 3533 of the Government Code, relating to licensed psychiatric technicians.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1279: By Assemblyman LaCoste—An act to amend Sections 3208.1, 3208.2, and 5303 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1280: By Assemblyman LaCoste—An act to amend Section 42.1 of the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to drainage districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1281: By Assemblyman Arnett—An act to amend Sections 33126 and 34278 of the Health and Safety Code, relating to public agency personnel.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1282: By Assemblyman Arnett—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1283: By Assemblyman Arnett—An act to amend Section 17301 of the Education Code, relating to the financial support of public education, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1284: By Assemblyman Brathwaite—An act to add Chapter 5 (commencing with Section 9101) to Division 7 of the Education Code, relating to schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1285: By Assemblyman Brathwaite—An act to amend Section 1208 of the Penal Code, relating to work furloughs.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1286: By Assemblyman Brathwaite—An act to add Section 825 5 to the Penal Code, relating to visitation of prisoners.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1287: By Assemblymen Burton and Brown—An act to repeal Section 13961 of the Education Code, relating to the State Teachers Retirement System.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1288: By Assemblymen Burton and Brown—An act to add Chapter 1.5 (commencing with Section 1870) to Part 7 of Division 2 of the Labor Code, relating to labor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1289: By Assemblyman Townsend—An act to amend Section 1242 of the Business and Professions Code, relating to clinical laboratories.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1290: By Assemblyman Townsend—An act to amend Sections 23817 and 23821 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Speaker pro Tempore Presiding

At 11:26 a.m., Hon. Carlos Bee, 13th District, presiding.

ANNOUNCEMENTS

Speaker pro Tempore Bee announced that the Speaker had appointed Mr. Wilson as a member of the following Assembly Standing Committees. Retirement, Efficiency and Cost Control, Environmental Quality, and Transportation; and that Mr. Conrad had been appointed as a member of the Assembly Standing Committee on Government Administration.

Speaker pro Tempore Bee also announced that Mr. Conrad had resigned from the Assembly Standing Committee on Retirement, and that Mr Vasconcellos had resigned as a member of the Assembly Standing Committee on Environmental Quality.

INTRODUCTION OF GUESTS

Speaker Moretti introduced the Deputy Consul General of Germany in San Francisco, Mrs Margarete Hutter, who has just been named Ambassador to the Republic of El Salvador, the guest of Assemblymen Burton and Brown of San Francisco, whereupon the Members of the Assembly joined in welcoming her on her visit to the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cline was granted unanimous consent that the following explanation of vote be printed in the Journal:

March 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: Legislative business in my district precluded my attendance in the Legislature on March 14, when the vote to establish a roll call for committee votes was taken on the floor.

I herewith state my support for that legislation.

Sincerely,

ROBERT C. CLINE
San Fernando Valley

ANNOUNCEMENTS

Mr. Lanterman announced that the La Canada Madrigal Singers from La Canada High School would perform today at 12 noon, in the Rotunda of the Capitol.

Hon. Mike Cullen Presiding

At 11:32 a.m., Hon. Mike Cullen, 44th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1291: By Assemblyman Townsend—An act to amend Section 25371 of the Education Code, relating to state college contracts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1292: By Assemblyman Townsend—An act to amend Section 25501 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1293: By Assemblyman Townsend—An act to add Chapter 16 (commencing with Section 8900) to Division 3 of the Business and Professions Code, relating to chefs, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1294: By Assemblyman Townsend—An act to amend Section 23661 of the Business and Professions Code, and to add Chapter 5 5 (commencing with Section 32220) to Part 14 of Division 2 of, and to add Sections 32503, 32553 5, and 32553.7 to, the Revenue and Taxation Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1295: By Assemblyman Townsend—An act to add Part 10.6 (commencing with Section 15794) to Division 3 of Title 2 of the Government Code, relating to public projects

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1296: By Assemblyman Townsend—An act to amend Section 186 3 of, and to add Sections 2105 and 2107.4 to, the Streets and Highways Code, relating to the select system of highways and streets.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1297: By Assemblyman Townsend—An act to amend Sections 3662, 3664, 3667, 3668, and 3669 of, and to add Section 3662.5 to, the Public Utilities Code, relating to highway carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1298: By Assemblyman Townsend—An act to amend Section 496a of the Penal Code, relating to stolen property.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1299: By Assemblyman Townsend—An act to amend Section 18908 of the Health and Safety Code, relating to building standards.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1300: By Assemblyman Townsend—An act to amend Section 28280.1 of the Health and Safety Code, relating to food processing establishments.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1301: By Assemblyman Townsend—An act to add Section 438.9 to the Health and Safety Code and to add Section 7001 6 to the Welfare and Institutions Code, relating to health care facilities.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1302: By Assemblyman Townsend—An act to amend Section 24756 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1303: By Assemblyman Townsend—An act to add Section 25011 to the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1304: By Assemblyman Campbell—An act to amend Section 17283 and 24422 of, and to add Sections 17212 and 24354.3 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1305: By Assemblyman Campbell—An act to amend Sections 2362, 2364.1, and 25485 2 of, and to add Section 25457.5 to, the Education Code, relating to school district organization.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1306: By Assemblyman Seeley—An act to amend Section 415 of, and to add Section 486 to, the Streets and Highways Code, relating to state highways

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1307: By Assemblyman Bee (Senators Holmdahl and Petris, coauthors)—An act to amend Section 30792.2 of the Streets and Highways Code, relating to toll bridges.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1308: By Assemblyman Bee—An act to amend Section 24007 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1309: By Assemblyman Bee—An act to amend Sections 16431 and 53609 of the Government Code, relating to deferred compensation plans for officers and employees of local agencies.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1310: By Assemblyman Cline—An act to repeal Section 18684.2 of the Revenue and Taxation Code, relating to income tax.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1311: By Assemblyman Cline—An act to amend Sections 13201 and 13352 of the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1312: By Assemblyman Cline—An act to amend Section 321.5 of the Education Code, relating to pupil services employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1313: By Assemblyman Wilson—An act to add Chapter 4 (commencing with Section 3800) to Division 4 5 of Title 1 of the Government Code, relating to campaign contributions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1314: By Assemblymen Wilson, Moretti, and Fenton—An act to add Division 27 (commencing with Section 42000) to the Education Code, relating to consumer education.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1315: By Assemblyman Wilson—An act to add Section 11525 3 to the Business and Professions Code, relating to subdivisions

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1316: By Assemblyman Seeley—An act to add Section 12739 to the Business and Professions Code, relating to weights and measures, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 1317: By Assemblyman Seeley—An act to amend Section 923 of the Labor Code, relating to labor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1318: By Assemblyman Moretti—An act to amend Section 6152 of the Education Code, relating to educational programs.

Held at Desk by order of the Acting Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read.

Assembly Chamber, March 15, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 1249—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

DIXON ARNETT

Above request ordered transmitted to the Committee on Rules.

Speaker pro Tempore Presiding

At 11 37 a m, Hon Carlos Bee, 13th District, presiding.

QUORUM CALL OF THE ASSEMBLY

Mr. Biddle moved a quorum call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 11:37 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 249 and 702 for hearing in the Committee on Ways and Means.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 15—An act to amend Section 37150 of, and to add Chapter 7 (commencing with Section 37175) to Part 7 of Division 13 of, the Water Code, relating to water districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 244—An act to amend Section 6775 of the Business and Professions Code, relating to professional engineering.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 274—An act to amend Section 4894 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 275—An act to amend Section 19310 of, and to add Section 19310 5 to, the Streets and Highways Code, relating to highway lighting districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 276—An act to amend Sections 5832 5, 5835 5, and 5855 of, and to add Section 5832 7 to, the Streets and Highways Code, relating to maintenance districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1319: By Assemblyman Moretti—An act to repeal Section 16612 of the Education Code, relating to children's centers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1320: By Assemblyman Deddeh—An act to amend Section 11711 of the Vehicle Code, relating to vehicle dealers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1321: By Assemblyman Conrad—An act to add Section 25425 2 to the Education Code, relating to the community college fees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1322: By Assemblyman Badham—An act to amend Section 253 2 of the Streets and Highways Code, relating to state highways

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1323: By Assemblyman Badham—An act to amend the heading of Division 7 (commencing with Section 8600) of, to add chapter heading immediately preceding Section 8600 of, and to add Chapter 2 (commencing with Section 8700) to Division 7 of, the Public Resources Code, relating to siting of electric power facilities, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1324: By Assemblymen Chappie and Murphy—An act to amend Sections 308 and 308a of the Penal Code, and to amend Section 10602 of the Education Code, relating to smoking and tobacco

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1325: By Assemblyman Chappie—An act to amend Section 5100 of, and to add Section 5109 to, the Water Code, relating to water.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1326: By Assemblyman Chappie—An act to add Section 13557.5 to the Education Code, relating to school officers and employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1327: By Assemblyman Chappie—An act to add Section 9281 to the Public Resources Code, relating to resource conservation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1328: By Assemblyman Chappie—An act to amend Section 543 of the Public Resources Code, relating to recreation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1329: By Assemblyman Chappie—An act to amend Section 9076 of the Public Resources Code, relating to soil conservation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1330: By Assemblyman Deddeh—An act to add Section 10351 to the Insurance Code, relating to disability insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1331: By Assemlyman Deddeh—An act to add Section 465 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1332: By Assemblyman Deddeh—An act to add Section 18252.7 to the Education Code, relating to public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1333: By Assemblyman Cline—An act to add Section 12092 to the Health and Safety Code, relating to explosives.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1334: By Assemblyman Deddeh—An act to amend Sections 253.1, 253.3, 253.5, 253.6, 253.7, 253 8, 263.1, 263 3, 263.5, 263 7, 308, 330, 332, 333, 378, 398, 411, 422, 425, 442, 457, 462, 474, 493, 495, 501, 563, 575, and 582 of, to add Sections 417, 477, 486, 488, 545, and 630 to, and to repeal Sections 369, 406, 409, 507, 531, 541, and 561 of, the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1335: By Assemblymen Deddeh and Chacon—An act to amend Sections 938 and 940 of, to add Chapter 1 (commencing with Section 888) and Chapter 2 (commencing with Section 892) to Title 4 of Part 2 of, to add Sections 924.4 and 939 10 to, and to repeal Chapter 1 (commencing with Section 888) and Chapter 2 (commencing with Section 893) of Title 4 of Part 2 of, the Penal Code, relating to grand juries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1336: By Assemblyman Deddeh—An act to amend Section 39108 of the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1337: By Assemblyman Deddeh—An act to add Article 1 5 (commencing with Section 40010) to Chapter 1 of Division 17 of the Vehicle Code, relating to containers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1338: By Assemblyman Deddeh—An act to amend Section 121 of the Streets and Highways Code, relating to highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1339: By Assemblyman Deddeh—An act to amend Section 25413.7 to the Education Code, relating to community college governing boards.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1340: By Assemblymen LaCoste and Deddeh—An act to amend Sections 260 and 9400 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1341: By Assemblyman Deddeh—An act to amend Section 18025 of the Government Code, relating to state employees' holidays.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1342: By Assemblyman Deddeh—An act to amend Section 3600 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1343: By Assemblyman Ray E. Johnson—An act to add Article 3 (commencing with Section 12131) to Chapter 7 of Division 6 of the Agricultural Code, relating to crop liens.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1344: By Assemblyman Ray E Johnson—An act to add Section 22358.1 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1345: By Assemblyman Chappie—An act to amend Section 2110.5 of the Streets and Highways Code, relating to county roads.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1346: By Assemblyman Chappie—An act to add Section 91 5 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1347: By Assemblyman Chappie—An act to amend Section 26709 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1348: By Assemblyman Chappie—An act relating to water pollution, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1349: By Assemblyman Chappie—An act to add Section 12803 5 to the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1350: By Assemblyman Powers—An act to add Section 20606 to the Government Code, relating to Public Employees Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1351: By Assemblyman Powers—An act to amend Section 3771 of the Public Utilities Code, relating to carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1352: By Assemblyman Powers (Senator Rodda, coauthor)—An act to amend Sections 308 and 308a of the Penal Code, and to amend Section 10602 of the Education Code, relating to smoking and tobacco.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1353: By Assemblyman Powers—An act to amend Sections 6700, 6704, and 6787 of, and to add Sections 6702.3 and 6769 to, the Business and Professions Code, relating to professional engineers.

Held at Desk by order of the Speaker pro Tempore.

Hon. Mike Cullen Presiding

At 11:49 a.m., Hon. Mike Cullen, 44th District, presiding.

Assembly Bill No. 1354: By Assemblyman Brathwaite—An act to amend Section 10094 of, and to add Section 10094.1 to, the Insurance Code, relating to basic property insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1355: By Assemblyman Dent—An act to amend Section 31261 of the Education Code, relating to college opportunity grant program.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1356: By Assemblyman Dent—An act to amend the heading of Article 4 (commencing with Section 25524) of Chapter 3 of Division 18.5 of, and to add Section 25528.8 to, the Education Code, relating to extended opportunity programs and services.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1357: By Assemblyman Dent—An act to add Section 13090 to the Education Code, relating to school employer-employee relations.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 1358: By Assemblyman Dent—An act to amend Section 31641.01 of the Government Code, relating to the County Employees Retirement Law of 1937.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1359: By Assemblyman Quimby—An act to amend Section 1680 of the Business and Professions Code, relating to dentistry.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1360: By Assemblyman Quimby—An act to amend Section 6443 of the Education Code, relating to instructional television personnel.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1361: By Assemblyman Quimby—An act to amend Sections 2751 and 2752 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1362: By Assemblyman Quimby—An act to add Section 7151.6 to the Health and Safety Code, relating to human remains.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1363: By Assemblyman Quimby—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1364: By Assemblyman Quimby—An act to amend Section 8007 of the Welfare and Institutions Code, relating to public guardians.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1365: By Assemblyman Quimby—An act to add Section 12024.9 to the Business and Professions Code, relating to food products.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1366: By Assemblyman Quimby—An act to repeal and to add Article 8.6 (commencing with Section 893 20) to Chapter 4 of Division 3 of the Education Code, relating to instructional television, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1367: By Assemblyman Ralph—An act to amend Section 1411 of the Labor Code, relating to fair employment practices.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:52 a.m., Mr. Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means, in Room 3188, at this time, to consider Assembly Bills Nos. 249 and 702.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 801

Mr Barnes was granted unanimous consent to take up Assembly Bill No. 801, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file.

Second Reading of Assembly Bill No. 801 By Unanimous Consent

Assembly Bill No. 801—An act to amend Section 23057 of the Education Code, relating to students at University of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 23057 of the Education Code,".

Amendment No. 2

In line 2 of the title, strike out "at University of California", and insert "in higher education".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Notwithstanding Chapter 1748 of the Statutes of 1971, the term "minor" as used in Sections 23057 and 23755 of the Education Code shall be deemed to include persons under 21 years of age.

SEC. 2. This act shall cease to be operative on July 1, 1975."

Amendment No. 4

On page 1, strike out lines 2 to 7, inclusive; on page 2, strike out lines 1 to 24, inclusive; and in line 25, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 2, line 30, after "California", insert "and the California State University and Colleges".

Amendment No. 6

On page 2, line 38, strike out "March 27," and insert "in March of".

Bill ordered reprinted, and to be returned to the third reading file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1368: By Assemblyman Ralph—An act to amend Section 3074 of the Labor Code, relating to apprenticeship programs.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1369: By Assemblyman Brathwaite—An act to amend Section 10094 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1370: By Assemblyman Ralph—An act to add Section 22509.5 to the Education Code, relating to higher education.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1371: By Assemblyman Ralph—An act to amend Section 14120 of the Welfare and Institutions Code, relating to medical assistance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1372: By Assemblyman Hayden—An act to repeal Section 1.5 of the Vehicle Code, relating to the operative date of acts affecting the Vehicle Code, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1373: By Assemblyman Hayden—An act to amend Section 803 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1374: By Assemblyman Hayden—An act to amend Sections 39130 and 39184 of the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1375: By Assemblyman Hayden—An act to amend Section 10854 of the Revenue and Taxation Code, and to amend Sections 5106 and 36125 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1376: By Assemblyman Hayden—An act to amend Section 51200 of the Government Code, relating to land conservation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1377: By Assemblyman Knox—An act to amend Sections 56003.2, 56275, 56440, 56441, 56442, and 56443 of, and to add Section 56006.1 to, and to repeal Section 56072.1 of, the Government Code, relating to districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1378: By Assemblyman Knox—An act to amend Section 73351 of the Government Code, relating to municipal courts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1379: By Assemblyman Knox—An act to amend the heading of Chapter 4 (commencing with Section 13801) of Division 10 of Part 2 of the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1380: By Assemblyman Knox—An act to amend Section 11000.1 of the Business and Professions Code, relating to subdivision of lands.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1381: By Assemblyman Knox—An act to amend Sections 20710, 20820, 20826 and 20880 of the Business and Professions Code, relating to petroleum.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1382: By Assemblyman Knox—An act to amend Section 17530.5 to the Business and Professions Code, relating to income tax return preparation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1383: By Assemblyman Knox—An act to amend Section 54784 of, and to add Article 11 (commencing with Section 50270) to Chapter 1, Part 1, Division 1, Title 5 of, the Government Code, relating to city selection committees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1384: By Assemblyman Knox—An act to amend Sections 73341, 73351.1, 73355, 73356, 73357, and 73358 of the Government Code, relating to municipal courts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1385: By Assemblyman Quimby—An act to amend Sections 7000 5, 7002, 7003, and 7007 of the Business and Professions Code, relating to contractors

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1386: By Assemblyman Briggs—An act to add Section 1649 5 to the Insurance Code, relating to probate bonds

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1387: By Assemblyman Briggs—An act to amend Section 35 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1388: By Assemblyman Briggs—An act to amend Section 1 of Chapter 1718 of the Statutes of 1967, relating to Davis-Grunsky grants to the County of San Bernardino in connection with the Prado Regional Park Project.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1389: By Assemblyman Briggs—An act to add Section 1063.5 to the Public Utilities Code, relating to carriers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1390: By Assemblyman Briggs—An act to amend Section 1063 2 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1391: By Assemblyman Briggs—An act to add Section 11250.7 to the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1392: By Assemblymen Briggs, Bee, Beverly, Biddle, Brophy, Chacon, Crown, Garcia, Ketchum, Knox, Miller, Murphy, Porter, Powers, Thomas, and Wood (Senators Bradley, Coombs, Grunsky, and Nejedly, coauthors)—An act to amend Section 20017 77 of the Government Code, relating to Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1393: By Assemblyman Murphy (Senators Collier, Grunsky, and Short, coauthors)—An act to amend Section 18021.7 of the Government Code, relating to fire suppression employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1394: By Assemblyman Murphy—An act to amend Section 690.2 of the Code of Civil Procedure, relating to execution of judgment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1395: By Assemblyman Murphy—An act to add Section 806 to the Evidence Code, relating to opinion testimony.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1396: By Assemblyman Murphy—An act to amend Section 38341 of the Agricultural Code, relating to milk.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1397: By Assemblyman Murphy—An act to add Article 7 (commencing with Section 6570) to Chapter 5 of Part 1 of Division 6 of the Fish and Game Code, relating to fish.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1398: By Assemblyman Murphy (Senator Grunsky, coauthor)—An act to amend Section 98005 of the Public Utilities Code, relating to transit districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1399: By Assemblyman Murphy (Senator Grunsky, coauthor)—An act to repeal Section 6103.9 of the Government Code, relating to fees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1400: By the Assembly Select Committee on Industrial Safety (Assemblymen Fenton, Chairman, Arnett, Keysor, Russell, and Townsend), and Moretti—An act to add Chapter 6 (commencing with Section 140) to Division 1 of, to add Part 1 (commencing with Section 6300) to Division 5 of, to repeal Part 1 (commencing with Section 140) of Division 5 of, and to repeal Part 1 (commencing with Section 6300) of Division 5 of, the Labor Code, relating to industrial safety.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1401: By Assemblyman Murphy (Senator Grunsky, coauthor)—An act to add Section 2 to Chapter 1291, Statutes of 1969, relating to the City of Santa Cruz.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1402: By Assemblyman Mobley—An act relating to vocational education.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1403: By Assemblyman Burke—An act to add Section 6815.2 to the Public Resources Code, relating to state lands.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1404: By Assemblyman Foran (Senator Lagomarsino, coauthor)—An act to amend Section 4920 of, and to add Section 4922.5 to, the Public Utilities Code, relating to travel promoters.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1405: By Assemblyman Foran—An act to amend Section 29000 of the Financial Code, and to amend Section 673 of the Insurance Code, relating to premium financing.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1406: By Assemblyman Foran—An act to amend Section 401 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1407: By Assemblyman Foran—An act to amend Section 146.5 of the Streets and Highways Code, relating to fringe parking facilities, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1408: By Assemblyman Foran—An act to add Chapter 3 (commencing with Section 295) to Division 2a of the Probate Code, relating to administration of estates.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1409: By Assemblyman Foran—An act to amend Section 8353 of the Revenue and Taxation Code, and to amend Section 2103 of the Streets and Highways Code, relating to highway funds.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1410: By Assemblyman Foran—An act to add Part 5 (commencing with Section 8570) to Division 6 of the Public Resources Code, relating to public use of private lands.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1411: By Assemblyman Foran—An act to amend Section 14131 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1412: By Assemblyman Foran—An act relating to the San Francisco Unified School District.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1413: By Assemblyman Ralph—An act to amend Section 23661 of the Business and Professions Code, and to add Chapter 5.5 (commencing with Section 32220) to Part 14 of Division 2 of, and to add Sections 32503, 32553 5, and 32553 7 to, the Revenue and Taxation Code, relating to alcoholic beverages, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1414: By Assemblyman Ralph—An act to amend Section 14124.3 of, and to add Section 14119.5 to, the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1415: By Assemblyman Arnett (Senator Gregorio, coauthor)—An act to add Section 34271.5 to the Health and Safety Code, relating to housing authorities.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1416: By Assemblyman Vasconcellos—An act making an appropriation to support pediatric kidney dialysis and kidney transplantations.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1417: By Assemblyman Vasconcellos—An act making an appropriation for the purpose of supporting kidney transplantation centers in California.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1418: By Assemblyman Vasconcellos—An act to amend Section 17041.1 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1419: By Assemblyman Vasconcellos—An act to amend Section 25502.5 of the Education Code, relating to community colleges.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1420: By Assemblyman Vasconcellos—An act to add Section 13490 to the Education Code, relating to school certificated employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1421: By Assemblyman Vasconcellos—An act to repeal Chapter 2 (commencing with Section 9301) of Division 8 of, to amend the heading of Chapter 4 (commencing with Section 9951) of Division 8 of, to amend Sections 9951, 9953, 9958, 9959, 10001, 10010, 10011, 10012, 10013, 10052, 10053, 10054, 10055, 10151, 10152, 10153, 10154, 10155, 10156, and 10251 of, and to add Sections 10005, 10015, and 10157 to, and Article 2 (commencing with Section 9980) to Chapter 4 of Division 8 of, the Education Code, relating to textbooks, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1422: By Assemblyman Dunlap—An act to amend Section 308a of the Penal Code, relating to juvenile halls.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1423: By Assemblyman Dunlap—An act to amend Section 1203.45 of, and to add Section 1203.47 to, the Penal Code, relating to records.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1424: By Assemblyman Dunlap—An act to amend Section 33701 of the Health and Safety Code, relating to urban renewal.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1425: By Assemblyman Dunlap—An act to amend Section 25300 of the Government Code, relating to county employees.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1426: By Assemblyman Dunlap—An act to add Section 13969.1 to the Education Code and Section 20365 to the Government Code, relating to retirement.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1427: By Assemblyman Dunlap—An act to amend Section 25951 of the Education Code, relating to the state nautical school.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1428: By Assemblyman Dunlap—An act to amend Section 8753 of the Education Code, relating to drug education.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1429: By Assemblyman Dunlap—An act to add Section 823 to the Education Code, relating to county superintendents of schools.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1430: By Assemblyman Dunlap—An act relating to parks and recreation and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1431: By Assemblyman Dunlap—An act providing for the conveyance of Old Bale Mill Park by the County of Napa to the Department of Parks and Recreation for inclusion in the state park system.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1432: By Assemblyman Dunlap—An act to amend Section 1013 of the Military and Veterans Code, relating to excess property of the Veterans' Home of California.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 1433: By Assemblyman Dunlap—An act to amend Section 309 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Acting Speaker.

Speaker pro Tempore Presiding

At 12:07 p.m., Hon. Carlos Bee, 13th District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1021

Mr. Warren was granted unanimous consent to take up Assembly Bill No. 1021, without reference to file, for purpose of consideration at this time.

Second Reading of Assembly Bill No. 1021

Assembly Bill No. 1021—An act making an appropriation to the Judges' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Warren:

Resolved, That Assembly Bill No. 1021 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 1021

Assembly Bill No. 1021—An act making an appropriation to the Judges' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1021:

Governor's Office, Sacramento
March 14, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 1021, "An act making an appropriation to the Judges' Retirement Fund, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No. 1021 as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 1021.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—Vasconcellos—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

Assembly Chamber, March 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 1—Relative to the creation of a Commission on Indian Treaties;

And reports the same correctly enrolled, and presented to the Secretary of State on the 15th day of March, 1972, at 11:45 a.m.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 368

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 249

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 225

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

ACR No. 26

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above resolution ordered on file.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

AJR No. 15

With the recommendation: Be adopted, and be re-referred to the Committee on Rules with recommendation: To Consent Calendar.

LEROY F. GREENE, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 379

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means: To be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 230

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 51

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 15, 1972

Mr. Speaker· Your Committee on Education reports:

AB No 99

AB No. 390

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 307

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 6

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, March 15, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports: ACR No. 24

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 24—Relative to voting on bills.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, of the printed measure, as amended in Assembly March 1, 1972, strike out lines 15 to 40, inclusive; on page 3, strike out lines 1 to 3, inclusive, and insert

"'"Bill" as used in this rule shall include constitutional amendments but shall not include resolutions except those relating to voting procedures on the floor or in committee. The provisions of this rule shall also apply to action of a committee on a subcommittee report. The provisions of this rule shall apply to the adoption of amendments.

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill, provided that the members whose votes are substituted are present at the time of the substitution.

At the request of any member of the committee, the committee may hold the roll open on any bill until the adjournment of the committee meeting. Either house may provide that if a member is recorded as present for the quorum call of the committee, he may register his vote in writing to the chairman on suitable forms prepared by the Chief Clerk of the Assembly and the Secretary of the Senate. A member voting by written vote shall not be counted in determining the presence of a quorum. At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this rule shall not apply to:

(a) Adoption of author's amendments to a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) Return of bills to the respective houses, where the bills have not been voted on by the committee.

(d) The provisions of this rule shall not apply to the assignment of bills to committee.

And be it further resolved, That the rule added by the first *Resolved* clause of this resolution shall become operative five days after adoption of this resolution by the Senate and Assembly."

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 249

Mr. Priolo was granted unanimous consent to take up Assembly Bill No. 249, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file.

Second Reading of Assembly Bill No. 249 By Unanimous Consent

Assembly Bill No. 249—An act to amend Sections 13920, 14005.3, 14053, 14104, 14106, 14114, 14118, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to health care services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "14104, 14106, 14114, 14118,".

Amendment No. 2

On page 4, strike out lines 6 to 40, inclusive; strike out pages 5 to 7, inclusive; and on page 8, strike out lines 1 to 33, inclusive.

Amendment No. 3

On page 8, line 34, strike out "SEC. 8", and insert "SEC. 4".

Amendment No. 4

On page 9, line 11, strike out "SEC. 9", and insert "SEC. 5".

Amendment No. 5

On page 11, line 13, strike out "SEC. 10", and insert "SEC. 6".

Amendment No. 6

On page 11, line 22, strike out "SEC. 11", and insert "SEC. 7".

Amendment No. 7

On page 11, line 28, strike out "SEC. 12", and insert "SEC. 8".

Amendment No. 8

On page 11, line 33, strike out "SEC. 13", and insert "SEC. 9".

Bill ordered reprinted, and to be returned to the third reading file.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1012	Finance and Insurance
1013	Finance and Insurance
1014	Finance and Insurance
1015	Finance and Insurance

Assembly Bill No.	*Committee*
1016	Finance and Insurance
1017	Finance and Insurance
1018	Labor Relations
1019	Labor Relations
1020	Rules
1022	Judiciary
1023	Judiciary
1024	Elections and Reapportionment
1025	Elections and Reapportionment
1026	Judiciary
1027	Governmental Organization
1028	Employment and Public Employees
1029	Welfare
1030	Criminal Justice
1031	Government Administration
1032	Retirement
1033	Commerce and Public Utilities
1034	Commerce and Public Utilities
1035	Government Administration
1036	Retirement
1037	Government Administration
1038	Urban Development and Housing
1039	Urban Development and Housing
1040	Urban Development and Housing
1041	Urban Development and Housing
1042	Education
1043	Education
1044	Revenue and Taxation
1045	Government Administration
1046	Education
1047	Local Government
1048	Judiciary
1049	Judiciary
1050	Government Administration
1051	Criminal Justice
1052	Finance and Insurance
1053	Local Government
1054	Urban Development and Housing
1055	Judiciary
1056	Finance and Insurance
1057	Criminal Justice
1058	Judiciary
1059	Local Government
1060	Criminal Justice
1061	Government Administration
1062	Labor Relations
1063	Labor Relations
1064	Employment and Public Employees
1065	Criminal Justice

Assembly Bill No.	*Committee*
1066	Education
1067	Judiciary
1068	Government Administration
1069	Labor Relations
1070	Government Administration
1071	Government Administration
1072	Government Administration
1073	Agriculture
1074	Agriculture
1075	Agriculture
1076	Finance and Insurance
1077	Local Government
1078	Local Government
1079	Government Administration
1080	Commerce and Public Utilities
1081	Government Administration
1082	Judiciary
1083	Education
1084	Environmental Quality
1085	Criminal Justice
1086	Criminal Justice
1087	Criminal Justice
1088	Judiciary
1089	Governmental Organization
1090	Health
1091	Efficiency and Cost Control
1092	Welfare
1093	Natural Resources and Conservation
1094	Revenue and Taxation
1095	Welfare
1096	Elections and Reapportionment
1097	Government Administration
1098	Urban Development and Housing
1099	Education
1100	Transportation
1101	Transportation
1102	Government Administration
1103	Government Administration
1104	Transportation
1105	Revenue and Taxation
1106	Revenue and Taxation
1107	Government Administration
1108	Education
1109	Health
1110	Revenue and Taxation
1111	Elections and Reapportionment
1112	Elections and Reapportionment
1113	Elections and Reapportionment
1114	Health

Assembly Bill No.	*Committee*
1115	Health
1116	Revenue and Taxation
1117	Health
1118	Urban Development and Housing
1119	Water
1120	Urban Development and Housing
1121	Water
1122	Planning and Land Use
1123	Welfare
1124	Judiciary
1125	Local Government
1126	Revenue and Taxation
1127	Government Administration
1128	Government Administration
1129	Government Administration
1130	Government Administration
1131	Health
1132	Health
1133	Revenue and Taxation
1134	Criminal Justice
1135	Criminal Justice
1136	Natural Resources and Conservation
1137	Judiciary
1138	Education
1139	Judiciary
1140	Government Administration
1141	Finance and Insurance
1142	Water
1143	Governmental Organization
1144	Education
1145	Judiciary
1146	Education
1147	Commerce and Public Utilities
1148	Government Administration
1149	Local Government
1150	Government Administration
1151	Government Administration
1152	Natural Resources and Conservation
1153	Judiciary
1154	Judiciary
1155	Revenue and Taxation
1156	Local Government
1157	Government Administration
1158	Elections and Reapportionment
1159	Education
1160	Judiciary
1161	Retirement
1162	Retirement
1163	Labor Relations

Assembly Bill No.	*Committee*
1164	Revenue and Taxation
1165	Education
1166	Education
1167	Education
1168	Urban Development and Housing
1169	Government Administration
1170	Education
1171	Finance and Insurance
1172	Judiciary
1173	Judiciary
1174	Judiciary
1175	Government Administration
1176	Ways and Means
1177	Finance and Insurance
1178	Finance and Insurance
1179	Revenue and Taxation
1180	Government Administration
1181	Health
1182	Education
1183	Government Administration
1184	Local Government
1185	Water
1186	Government Administration
1187	Health
1188	Elections and Reapportionment
1189	Health
1190	Finance and Insurance
1191	Government Administration
1192	Education
1193	Commerce and Public Utilities
1194	Health
1195	Urban Development and Housing
1196	Commerce and Public Utilities
1197	Education
1198	Agriculture
1199	Health
1200	Revenue and Taxation
1201	Revenue and Taxation
1202	Welfare
1203	Welfare
1204	Welfare
1205	Welfare
1206	Labor Relations
1207	Local Government
1208	Local Government
1209	Local Government
1210	Education
1211	Education
1212	Health

Assembly Bill No.	*Committee*
1213	Criminal Justice
1214	Labor Relations
1215	Transportation
1216	Education
1217	Education
1218	Education
1219	Criminal Justice
1220	Criminal Justice
1221	Criminal Justice
1222	Criminal Justice
1223	Judiciary
1224	Transportation
1225	Education
1226	Criminal Justice
1227	Governmental Organization
1228	Local Government
1229	Finance and Insurance
1230	Transportation
1231	Rules
1232	Criminal Justice
1233	Education
1234	Revenue and Taxation
1235	Revenue and Taxation
1236	Education
1237	Criminal Justice
1238	Criminal Justice
1239	Criminal Justice
1240	Criminal Justice
1241	Criminal Justice
1242	Criminal Justice
1243	Health
1244	Criminal Justice
1245	Government Administration
1246	Education
1247	Finance and Insurance
1248	Criminal Justice
1249	Health
1250	Education
1251	Efficiency and Cost Control
1252	Education
1253	Education
1254	Water
1255	Water
1256	Water
1257	Transportation
1258	Government Administration
1259	Education
1260	Transportation
1261	Health

Assembly Bill No.	*Committee*
1262	Governmental Organization
1263	Governmental Organization
1264	Judiciary
1265	Judiciary
1266	Revenue and Taxation
1267	Judiciary
1268	Government Administration
1269	Finance and Insurance
1270	Criminal Justice
1271	Health
1272	Transportation

Assembly Constitutional Amendment No.	*Committee*
53	Revenue and Taxation
54	Revenue and Taxation
55	Local Government
56	Education
57	Revenue and Taxation
58	Elections and Reapportionment
59	Finance and Insurance
60	Revenue and Taxation

Assembly Joint Resolution No.	*Committee*
19	Rules
20	Education

Senate Bill No.	*Committee*
17	Transportation
115	Water

Senate Concurrent Resolution No.	*Committee*
11	Rules

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 13 p m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

VOTE CHANGES

Mr MacDonald was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the urgency clause to Assembly Bill No 1021, and on the passage of the bill.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Powers was granted unanimous consent that the following letters of transmittal be printed in the Journal:

Assembly Committee on Commerce and Public Utilities

March 15, 1972

Hon. Robert Moretti
Speaker of the Assembly
Assembly Chamber

Dear Speaker Moretti: Your Committee on Commerce and Public Utilities herewith submits a final report on its interim study of the subject of the estimation practices of household goods carriers.

With kind regards,

WALTER W. POWERS, Chairman

Kent Stacey, Vice Chairman	Leroy F. Greene
Bill Brophy	Leo J Ryan
Charles J. Conrad	L. E. Townsend
March K. Fong	

Above report ordered filed with the Secretary of State.

March 15, 1972

Hon. Robert Moretti
Speaker of the Assembly
Assembly Chamber

Dear Speaker Moretti: Your Committee on Commerce and Public Utilities herewith submits a final report on its interim study of the subject of public utility advertising.

With kind regards,

WALTER W POWERS, Chairman

Kent Stacey, Vice Chairman	March K. Fong
Bill Brophy	Leroy F. Greene
William Campbell	Leo J Ryan
Charles J. Conrad	L. E. Townsend

Above report ordered filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1434: By Assemblyman MacDonald—An act to amend Section 7058 of the Business and Professions Code, relating to plumbers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1435: By Assemblyman MacDonald—An act to amend Section 11000.1 of the Business and Professions Code, relating to division of lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1436: By Assemblyman Mobley—An act to amend Section 1528.5 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1437: By Assemblyman MacDonald—An act to add Chapter 6 (commencing with Section 12351) to Division 8 of the Elections Code, relating to campaign contributions, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1438: By Assemblyman Mobley—An act to amend Section 12804 of the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1439: By Assemblymen Quimby and LaCoste—An act to add Chapter 4 5 (commencing with Section 19700) to Division 8 of the Business and Professions Code, relating to regulation and licensing of jai alai.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1440: By Assemblyman Wood—An act to add Chapter 4.2 (commencing with Section 24430) to Division 20 of the Health and Safety Code, relating to home and product safety.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1441: By Assemblyman Wood—An act to amend Section 537 of the Code of Civil Procedure, relating to attachment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1442: By Assemblyman Wood—An act to add Section 190.5 to the Streets and Highways Code, relating to grade separation projects.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1443: By Assemblyman Wood—An act to amend Section 9606 7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1444: By Assemblyman Wood—An act to amend Section 20017 77 of the Government Code, relating to Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1445: By Assemblyman Mobley—An act to amend Section 14232 of, to add Chapter 6 (commencing with Section 14901) to Division 7 of, and to repeal Chapter 6 (commencing with Section 14901) of Division 7 of, the Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1446: By Assemblyman Mobley—An act to add Section 14794 to the Government Code, relating to state purchases.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1447: By Assemblyman Mobley—An act to amend Section 21686 of the Public Utilities Code, relating to air transportation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1448: By Assemblyman Mobley—An act to add Sections 19262 and 19263 to the Government Code, relating to uniforms of state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1449: By Assemblyman Quimby—An act to amend Section 70046 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1450: By Assemblyman Quimby—An act to amend Section 73113 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1451: By Assemblyman MacDonald—An act to repeal Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) of Chapter 5.5, Division 1, Title 2 of, and to add Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) to Chapter 5 5, Division 1, Title 2 of, the Government Code, relating to world trade, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1452: By Assemblyman MacDonald—An act to amend Sections 11757 and 11758 of the Government Code, relating to California Information Systems Implementation Committee.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1453: By Assemblyman Beverly—An act to repeal Article 4 (commencing with Section 500) of Chapter 2 of Division 3 of the Harbors and Navigation Code, relating to vessels.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1454: By Assemblyman Beverly—An act to amend Sections 11526, 11549 5 and 11549.6 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1455: By Assemblyman Beverly—An act to add Section 22014.1 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1456: By Assemblyman Leroy F. Greene—An act to add Section 13107.5 to the Health and Safety Code, relating to the State Fire Marshal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1457: By Assemblyman Leroy F Greene—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1458: By Assemblyman Leroy F. Greene—An act to amend Section 6498 of the Education Code, relating to demonstration programs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1459: By Assemblymen Vasconcellos and McAlister—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1460: By Assemblymen Mobley and Ray E. Johnson—An act to add Chapter 2 2 (commencing with Section 980) to Part 3 of Division 2 of the Labor Code, relating to agricultural labor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1461: By Assemblyman Keysor—An act to amend Section 337 15 of the Code of Civil Procedure, relating to limitation of actions

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1462: By Assemblyman Keysor—An act to add Section 7253 to the Government Code, relating to public facilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1463: By Assemblyman Fong—An act to amend Section 12991 of the Agricultural Code, relating to agricultural chemicals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1464: By Assemblyman Fong—An act to add Chapter 8 5 (commencing with Section 1160) to Part 2 of Division 1 of the Health and Safety Code, relating to health, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1465: By Assemblyman Fong—An act to amend Section 3182 of the Health and Safety Code, relating to venereal disease.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1466: By Assemblyman Fong—An act to amend Section 11475 of the Education Code, relating to average daily attendance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1467: By Assemblyman Fong—An act to add Sections 13590 5 and 13590.6 to the Education Code, relating to school classified employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1468: By Assemblyman Fong—An act to add Article 10 (commencing with Section 10921) to Chapter 1 of Division 9 of the Education Code, relating to pupils

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1469: By Assemblyman Fong—An act to amend Section 17601.1 of the Education Code, relating to attendance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1470: By Assemblyman Fong—An act to add Section 10053.4 to the Welfare and Institutions Code, relating to family planning.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1471: By Assemblyman Fong—An act to amend Section 620 of the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1472: By Assemblyman Fong—An act to amend Section 11478 of the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1473: By Assemblyman Fong—An act to amend Section 73084 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1474: By Assemblymen Fong and Pierson—An act to add Section 19818 to the Health and Safety Code, relating to inflammable materials.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1475: By Assemblyman Bagley—An act to amend Section 438.2 of the Health and Safety Code, relating to health planning.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1476: By Assemblyman Bagley—An act to amend Sections 17301 and 17303 5 of the Education Code, relating to financial support for the public schools

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1477: By Assemblyman Bagley—An act to add Section 11104 3 to the Vehicle Code, relating to driving schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1478: By Assemblyman Bagley—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilots.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1479: By Assemblyman Bagley—An act to amend Section 2 of Chapter 1742 of the Statutes of 1971, relating to tide and submerged lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1480: By Assemblyman Bagley—An act to amend Section 5003 of the Education Code, relating to pupil enrollment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1481: By Assemblyman Bagley—An act to amend Sections 328 and 441 of, and to add Sections 590, 590 1, 590 2, 590.3, 590 4, 590 5, 590 6, 590 7, 590 8, 590 9 and 1004 to, and Article 3 (commencing with Section 648) to Chapter 10 of Division 3 of, the Probate Code, relating to decedents' estates.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1482: By Assemblyman Ketchum—An act to amend Section 21107 8 of the Vehicle Code, relating to traffic enforcement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1483: By Assemblyman Ketchum—An act to add Section 23 5 to the Agricultural Code, relating to catfish farms.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1484: By Assemblyman Ketchum—An act to amend Section 24212 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1485: By Assemblyman Ketchum—An act to add Article 8 (commencing with Section 15625) to Chapter 2 of Division 11 of the Education Code, relating to high school dormitories, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1486: By Assemblyman Thomas—An act to add Section 25246 to the Corporations Code, relating to purchases of securities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1487: By Assemblyman Thomas—An act to add Section 18711 5 to the Business and Professions Code, relating to professional boxing

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1488: By Assemblyman Thomas—An act to amend Sections 18801 and 18802 of the Business and Professions Code, relating to professional boxing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1489: By the Joint Legislative Audit Committee (Assemblymen Thomas, Cullen, and Ray E. Johnson; Senators Coombs, Deukmejian, and Zenovich, coauthors)—An act to amend Section 20206 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1490: By the Joint Legislative Audit Committee (Assemblymen Thomas, Cullen, and Ray E Johnson, Senators Coombs, Deukmejian, and Zenovich, coauthors)—An act to add Section 20233 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1491: By the Joint Legislative Audit Committee (Assemblymen Thomas, Cullen, and Ray E Johnson; Senators Coombs, Deukmejian, and Zenovich, coauthors)—An act to amend Sections 20127 and 20231 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1492: By the Joint Legislative Audit Committee (Assemblymen Thomas, Cullen, and Ray E Johnson; Senators Coombs, Deukmejian, and Zenovich, coauthors)—An act to amend Sections 20100, 20101 and 20104 of the Government Code, relating to Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1493: By Assemblymen Thomas, Cullen, and Ray E. Johnson (Senators Coombs and Zenovich, coauthors)—An act to amend Sections 10503, 10504, 10521, and 10528 of, and to repeal Section 10520 of, the Government Code, relating to the Joint Legislative Audit Committee.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1494: By Assemblyman Thomas—An act to add Section 18747 3 to the Business and Professions Code, relating to professional boxing

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1495: By Assemblyman Duffy—An act to amend Section 2703 of the Business and Professions Code, relating to healing arts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1496: By Assemblyman Duffy—An act to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to medical assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1497: By Assemblyman Duffy—An act to amend Sections 901 and 903 of the Business and Professions Code, relating to health occupations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1498: By Assemblyman Duffy—An act to amend Section 12162 of the Insurance Code, relating to motor clubs.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1499: By Assemblyman Duffy—An act making an appropriation to the Board of Governors of the California Community Colleges to establish and operate training programs for psychiatric technicians

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1500: By Assemblyman Duffy—An act to amend Section 2514 of the Business and Professions Code, relating to physicians' assistants.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1501: By Assemblyman Duffy—An act to add Section 11828 to the Education Code, relating to schools.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1502: By Assemblyman Duffy—An act to amend Section 13114 of the Health and Safety Code, relating to the State Fire Marshal

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1503: By Assemblyman Duffy—An act to add Article 18 (commencing with Section 429.70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1504: By Assemblyman Duffy (Senator Stiern, coauthor)—An act to add Section 569 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1505: By Assemblyman Lanterman—An act relating to disposition and leasing of property by the Director of General Services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1506: By Assemblyman Lanterman—An act to amend Section 3057 of the Business and Professions Code, relating to optometry.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1507: By Assemblymen Lanterman, Knox, Porter, Quimby, and Seeley (Senators Coombs and Gregorio, coauthors)—An act to amend Section 6571 of, and to add Chapter 10 (commencing with Section 5800) to Division 6, Title 1 of the Government Code, and to amend Section 33138 of the Streets and Highways Code, relating to sales of public securities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1508: By Assemblyman Lanterman—An act making an appropriation for the development of El Pueblo de Los Angeles State Historic Park

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1509: By Assemblyman Pierson—An act to amend Section 3203 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1510: By Assemblyman Pierson—An act to amend Section 14005 1 of the Welfare and Institutions Code, relating to Medi-Cal

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1511: By Assemblyman Pierson—An act to amend Section 3201 of the Labor Code, relating to workmen's compensation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1512: By Assemblyman Pierson—An act to amend Section 2601 of the Unemployment Insurance Code, relating to unemployment disability

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1513: By Assemblyman Pierson—An act to amend Section 18 of the Financial Code, relating to financial institutions

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1514: By Assemblyman Pierson—An act to amend Section 1267 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1515: By Assemblyman Pierson—An act to amend Sections 441 2, 441 3, and 441 5 of the Health and Safety Code, relating to the California Hospital Disclosure Act.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1516: By Assemblyman Pierson—An act to add Section 2954 4 to the Civil Code, relating to real property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1517: By Assemblyman Pierson—An act to amend Section 42 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1518: By Assemblyman Pierson—An act to amend Section 34274 of the Health and Safety Code, relating to housing authority.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1519: By Assemblyman Pierson—An act to amend Sections 100, 102, 350, 641, 644, 753, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1208, 1220, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1231, 1232, 1234, 1250, 1251, 1252, 1253, 1254, 1257, 1335, 1336, 1337, 1355 1, 1356, 1357, 1359, 1360, 1360 1, 1361, 1362, 1363, 1363 1, 1364, 1365, 1366, 1370, 1371, 1372, 1500, 1542, 1560, and 1562 of, to add Sections 104, 1221, 1230, 1235, 1500 1, 1501 1 to, to repeal Sections 103, 104, 105, 108, 109, 1207, 1209, 1221, 1222, 1230, 1233, 1256, 1350, 1351, 1367, 1368, and 2097 of, to amend the heading of Article 3 (commencing with Section 1250) of Chapter 10 of Division 1 of, to amend and renumber the headings of Chapter 10 (commencing with Section 1200), Article 4 (commencing with Section 1335) of Chapter 10a of, and Chapter 12 (commencing with Section 1500) of Division 1 of, to add Article 4 (commencing with Section 1270) and Article 6 (commencing with Section 1380) to Chapter 10 of Division 1 of, to repeal the headings of Chapter 10a (commencing with Section 1300) of, and Chapter 11 (commencing with Section 1350) and Article 1 (commencing with Section 1350) of Chapter 11 of, Division 1 of, and to repeal Article 4 5 (commencing with Section 670) of Chapter 5 of, Chapter 9 (commencing with Section 1100) of, Article 1 (commencing with Section 1300), Article 2 (commencing with Section 1310), Article 3 (commencing with Section 1330), and Article 5 (commencing with Section 1340), of Chapter 10a of, and Article 2 (commencing with Section 1380), Article 3 (commencing with Section 1400), and Article 4 (commencing with Section 1430) of Chapter 11 of, and Article 2 (commencing with Section 1520) of Chapter 12 of, Division 1 of, the Financial Code, relating to banks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1520: By Assemblyman Monagan—An act to amend Sections 14581, 14585, and 14686 of, and to add Section 14622 to, the Agricultural Code, relating to fertilizing materials.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1521: By Assemblyman Powers—An act to amend Sections 452 and 3666, and to repeal Section 731, of the Public Utilities Code, relating to carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1522: By Assemblyman Powers—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1523: By Assemblyman Stacey—An act to add Chapter 1 9 (commencing with Section 22545) to Division 16 5 of the Education Code, relating to public higher education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1524: By Assemblyman Stacey—An act to add Section 19268 to the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1525: By Assemblyman Stacey—An act to add Section 162 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1526: By Assemblyman Stacey—An act to add Section 2861 5 to the Business and Professions Code, relating to vocational nursing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1527: By Assemblyman Stacey—An act to amend Section 2117 of the Business and Professions Code, relating to the Board of Medical Examiners of the State of California.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1528: By Assemblyman Stacey—An act to amend Section 16200 5 of the Welfare and Institutions Code, relating to licensing and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1529: By Assemblyman Stacey—An act to add Section 50027 to the Government Code, relating to building permits.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1530: By Assemblyman Lanterman—An act to add Section 16028 to the Vehicle Code, relating to accident reports

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1531: By Assemblyman Lanterman—An act to add Section 137.5 to the Streets and Highways Code, relating to state highways

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1532: By Assemblyman Lanterman—An act to amend Section 14370 of the Government Code, and to amend Sections 138, 143 1, and 183 of, to add Sections 94.1 and 94.2 to, and to repeal Sections 186, 186.1, and 188.3 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1533: By Assemblyman Lanterman—An act to add Section 27150 9 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1534: By Assemblyman Lanterman—An act to add Sections 4000 4 and 27156 5 to the Vehicle Code, relating to vehicular air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1535: By Assemblyman Meade—An act to amend Sections 12841, 13211, and 13623 of the Public Utilities Code, relating to municipal utilities districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1536: By Assemblyman Meade—An act to add Section 1203e to the Penal Code, relating to sentencing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1537: By Assemblyman Meade—An act to add Sections 534 5 and 4837 5 to the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1538: By Assemblyman Meade—An act to add Section 17507 to the Business and Professions Code, relating to advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1539: By Assemblyman Z'berg—An act to amend Section 5780 8 of the Public Resources Code, relating to recreation and park districts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1540: By Assemblyman Z'berg—An act to amend Section 5004 of the Public Resources Code, relating to the state park system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1541: By Assemblyman Sieroty—An act to amend Section 8 of the Health and Safety Code, relating to writings

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1542: By Assemblyman Sieroty—An act to add Section 2600 5 to the Penal Code, to amend Section 5325 of, to add Sections 5325 and 5325 5 to, and to repeal Section 5325 5 of, the Welfare and Institutions Code, relating to lobotomy and shock treatment

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1543: By Assemblyman Sieroty—An act to add Section 5077.5 to the Penal Code, relating to imprisonment.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1544: By Assemblyman Sieroty—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1545: By Assemblyman Sieroty—An act to amend Section 5004 of the Public Resources Code, relating to the state park system

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1546: By Assemblyman Sieroty—An act to add Section 9912 to the Government Code, relating to regulation of legislative representation.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1547: By Assemblyman Sieroty—An act to add Section 55 to the Civil Code, relating to disabled persons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1548: By Assemblyman Sieroty—An act to add Section 2924f to the Civil Code, relating to mortgages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1549: By Assemblymen Burke, Duffy, Wakefield, and Campbell—An act to add Section 25952.5 to the Health and Safety Code, relating to abortions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1550: By Assemblymen Burke, Duffy, Wakefield, and Campbell—An act to add Chapter 11 5 (commencing with Section 25956) to Division 20 of the Health and Safety Code, relating to abortions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1551: By Assemblymen Burke, Hayes, Stull, Thomas, Beverly, Brathwaite, and Townsend—An act to amend Section 20017 8 of, and to add Section 21252 04 to, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1552: By Assemblymen Burke, Duffy, Wakefield, and Campbell—An act to amend Section 34 5 of the Civil Code, relating to minors

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1553: By Assemblyman Z'berg—An act to amend Section 3501 of the Government Code and to amend Section 13081 of, and to repeal Section 13085 1 of, the Education Code, relating to classified public school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1554: By Assemblyman Z'berg—An act to add Chapter 3.7 (commencing with Section 5690) to Division 3 of the Business and Professions Code, relating to environmental grounds manager, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1555: By Assemblyman Z'berg—An act to amend Section 74191 of the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1556: By Assemblyman Z'berg—An act to repeal Section 576 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1557: By Assemblyman Z'berg—An act to amend Section 11513 of the Government Code, relating to examination of witnesses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1558: By Assemblyman Z'berg—An act to add Section 5364 to the Business and Professions Code, relating to outdoor advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1559: By Assemblyman Z'berg—An act to add Division 23 (commencing with Section 32000) to the Public Resources Code, relating to power facilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1560: By Assemblyman Z'berg—An act relating to motor vehicle fuel revenues.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1561: By Assemblyman Z'berg—An act to add Chapter 5 (commencing with Section 3780) to Division 3 of the Public Resources Code, relating to oil sumps

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1562: By Assemblymen Z'berg, Miller, Knox, Brathwaite, and Sieroty (Senator Moscone, coauthor)—An act to add Section 602 5 to the Code of Civil Procedure, relating to selecting jurors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1563: By Assemblymen Z'berg, Dunlap, Miller, Burton, Bagley, Belotti, Brathwaite, Brown, Campbell, Chacon, Crown, Deddeh, Dent, Fenton, Fong, Garcia, Hayden, Harvey Johnson, Karabian, Keysor, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Moretti, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Wilson (Senators Alquist, Carrell, Dymally, Gregorio, Moscone, Nejedly, Petris, Roberti, Rodda, and Short, coauthors)—An act to add Chapter 3.3 (commencing with Section 5600) to Division 5 of the Public Resources Code, to amend Sections 13987, 17204, and 24345 of, to add Section 15551 1 to, and to add Part 12 (commencing with Section 28001) to Division 2 of, the Revenue and Taxation Code, relating to the financing of the acquisition and improvement of land and facilities for recreational purposes by local agencies, and making an appropriation therefor, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1564: By Assemblyman Waxman—An act to amend Section 17055 of, to add Section 17060 5 to, and to repeal Section 17234 of, the Revenue and Taxation Code, relative to taxation, to take effect immediately, tax levy

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1565: By Assemblyman Waxman—An act to add Chapter 6 (commencing with Section 13000) to Division 8 of the Elections Code, relating to reimbursement of campaign expenses

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1566: By Assemblymen Waxman and Priolo—An act to add Chapter 6 (commencing with Section 12350) to Division 8 of the Elections Code, relating to the California Fair Campaign Practices Commission, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1567: By Assemblyman Waxman—An act to amend Section 3750 of the Government Code, relating to campaign reporting

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1568: By Assemblyman Waxman—An act to amend Section 11503 of the Elections Code, relating to campaign disclosure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1569: By Assemblyman Waxman—An act to amend Section 17902 of the Elections Code, relating to election returns.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1570: By Assemblyman Waxman—An act to amend Section 17902 of the Elections Code, relating to elections

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1571: By Assemblyman Waxman—An act to amend Section 9169 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1572: By Assemblyman Waxman—An act to amend Section 2500 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1573: By Assemblyman Waxman—An act to amend Section 1502 of the Elections Code, relating to elections

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1574: By Assemblyman Waxman—An act to amend Section 6000 of the Elections Code, relating to presidential primary elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1575: By Assemblyman Waxman—An act to amend Section 1209 of the Code of Civil Procedure, relating to contempt.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1576: By Assemblyman Waxman—An act to amend Section 3041 of the Business and Professions Code, relating to optometry.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1577: By Assemblyman Waxman—An act to amend Sections 11710, 11710.1, and 11711 of the Vehicle Code, relating to vehicle dealers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1578: By Assemblyman Leroy F. Greene—An act to amend Section 1 of the Education Code, relating to public education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1579: By Assemblyman Lanterman—An act to add Part 15 (commencing with Section 35001) to Division 2 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1580: By Assemblyman Lanterman—An act to add Sections 29110, 29111, 29112, and 37101.6 to the Government Code, relating to local taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1581: By Assemblyman Biddle—An act to amend Sections 859b, 864, 870, 878, and 1382 of, to add Section 859c to, and to repeal Sections 865, 866, 867, and 869 of the Penal Code, relating to criminal procedure

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1582: By Assemblyman Biddle—An act to amend Section 39061 of the Health and Safety Code, and to add Section 235 to the Revenue and Taxation Code, relating to air pollution, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1583: By Assemblyman Biddle—An act to add Section 313 to the Business and Professions Code, relating to a pilot implementation program for mechanics to perform automobile emission and safety work as the first phase of a total automotive repair and maintenance and mechanic training and certification, registration or licensing program, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1584: By Assemblyman Biddle—An act to amend Sections 5000, 5004, 5004.1, 5013, 5015, 5251, 5301 and 5400 of, and to repeal Sections 5009, 5255, 5256, 5259, and 5402 of, the Unemployment Insurance Code, and to add Section 11250.3 to, and to amend Sections 11300, 11301, 11303, 11307, 11308, 11308.5 and 11308.8 of, the Welfare and Institutions Code, relating to the work incentive program, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1585: By Assemblyman Biddle—An act to add Section 16108 5 to, and to amend Section 16118 of, the Government Code, relating to open-space subventions to local government, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1586: By Assemblyman Biddle—An act to amend Section 3020 of the Penal Code, relating to term of imprisonment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1587: By Assemblyman Townsend—An act to add Chapter 2 5 (commencing with Section 16150) to Part 1 of Division 7 of the Business and Professions Code, relating to licensing.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1588: By Assemblyman Lanterman—An act to amend Sections 18422 and 18423 of the Education Code, relating to school district severance aid.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1589: By Assemblyman Lanterman—An act to amend Section 31214 of the Education Code, relating to state competitive scholarships.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1590: By Assemblyman Lanterman—An act to amend Section 31245 of the Education Code, relating to graduate fellowships.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1591: By Assemblyman Lanterman—An act to amend Section 5954 of the Education Code, relating to school classes.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1592: By Assemblyman Lanterman—An act to amend Sections 31204 and 31214 of the Education Code, relating to state competitive scholarships

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1593: By Assemblyman Maddy—An act to add Section 19019 to the Welfare and Institutions Code, relating to rehabilitation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1594: By Assemblyman Maddy—An act to amend Section 1563 of the Code of Civil Procedure, relating to unclaimed property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1595: By Assemblyman Maddy—An act to amend Sections 31226, 31226 1, and 31226 4 of the Education Code, relating to the California State University and Colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1596: By Assemblyman Maddy—An act to amend Section 13715 of the Education Code, relating to school classified employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1597: By Assemblyman Maddy—An act to amend Section 6401 of the Elections Code and Section 25041 of the Government Code, relating to candidates

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1598: By Assemblyman Maddy—An act to add Section 10131 6 to the Business and Professions Code, relating to real estate brokers

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1599: By Assemblyman Maddy—An act to add Chapter 3 7 (commencing with Section 23490) to Division 17 of, and to add Chapter 1 8 (commencing with Section 23641) to Division 18 of, the Education Code, relating to universities and colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1600: By Assemblyman Bagley—An act to add Chapter 5 (commencing with Section 90) to Division 1 of the Education Code, relating to public funds

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1601: By Assemblymen Davis, Belotti, and Barnes—An act to amend Section 20013 of the Government Code, relating to retirement of legislative employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1602: By Assemblyman Duffy—An act to amend Section 3915 5, as added by Section 5 of Chapter 1137 of the Statutes of 1970, Sections 3920, and 3940 of, and to repeal Section 3922 of, the Business and Professions Code, relating to nursing home administrations

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1603: By Assemblyman Maddy—An act to add Section 16867 to the Education Code, relating to senior citizens

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1604: By Assemblyman Belotti—An act to add Article 4 (commencing with Section 9430) to Chapter 4 of Division 9 of the Public Resources Code, relating to resource conservation districts

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1605: By Assemblyman Belotti—An act to amend Section 61842 of the Agricultural Code, relating to milk and cream.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1606: By Assemblyman Belotti—An act to amend Section 9076 of the Public Resources Code, relating to soil conservation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1607: By Assemblyman Belotti—An act to amend Section 38345 of, and to add Section 38343.5 to, the Agricultural Code, relating to milk and cream.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1608: By Assemblyman Belotti—An act to amend Section 61843 of the Agricultural Code, relating to milk.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1609: By Assemblyman Belotti—An act to amend Section 531 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1610: By Assemblyman Belotti—An act to amend Section 3 of Chapter 558 of the Statutes of 1970, relating to deer.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1611: By Assemblyman Belotti—An act relating to the transfer of property by the Director of General Services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1612: By Assemblyman Belotti—An act to add Article 6 (commencing with Section 1249) to Chapter 1 of Part 2 of Division 2 of the Water Code, relating to water.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1613: By Assemblyman Belotti—An act to add Chapter 5.7 (commencing with Section 8420) to Division 1 of Title 2 of the Government Code, and to amend Section 3899 of, and to repeal Section 3857 and Article 1 (commencing with Section 4101) of Chapter 6 of Part 3 of Division 3 of, the Agricultural Code, relating to the California Museum of Science and Industry

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1614: By Assemblymen Belotti, Barnes, Chappie, and Ketchum (Senators Collier, Coombs, Dills, Marler, Stiern, Teale, and Walsh, coauthors)—An act to amend Section 19630 of the Business and Professions Code, relating to fairs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1615: By Assemblymen Miller and Waxman—An act to add Section 14013 to the Agricultural Code, relating to pesticide.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1616: By Assemblyman Warren—An act to add Article 6 (commencing with Section 8801) to Chapter 3 of Division 7 of the Education Code, relating to special programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1617: By Assemblyman Warren—An act to add Chapter 11 (commencing with Section 3450) to Division 5 of the Education Code, relating to staff development program.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1618: By Assemblyman Warren—An act to add Sections 8577 and 8578 to the Education Code, relating to educational programs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1619: By Assemblyman Warren—An act to amend Section 13588 of the Education Code, relating to school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1620: By Assemblyman Warren—An act to amend Section 43068 of the Government Code, relating to city taxes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1621: By Assemblyman Warren—An act making an appropriation for a new salary structure for the California State University and Colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1622: By Assemblyman Warren—An act to amend Section 813 of the Civil Code, relating to implied dedication.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1623: By Assemblyman Warren—An act to amend Section 509 of the Code of Civil Procedure, relating to claim and delivery.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1624: By Assemblyman Warren—An act to add Section 54780.1 to the Government Code, relating to local agency formation commissions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1625: By Assemblymen Miller and Fong—An act to repeal Sections 174 and 266e of the Penal Code, relating to importation of Chinese or Japanese.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1626: By Assemblyman Hayden—An act to amend Section 1227 of the Financial Code, relating to commercial banks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1627: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to amend Section 1 of Chapter 966 of the Statutes of 1970, relating to the public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1628: By Assemblyman Murphy (Senator Way, coauthor)—An act relating to providing property tax remedies and assisting school districts in Merced County, making an apportionment therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1629: By Assemblyman Lewis—An act to amend Sections 362 and 547 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1630: By Assemblyman Lewis—An act to amend Sections 4104, 4106, 4107, 4107.5 of, to add Section 4110 to, and to repeal Sections 4110 and 4111 of the Government Code, relating to subletting and subcontracting.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1631: By Assemblyman Miller—An act to add Section 1368.5 to the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1632: By Assemblyman Bill Greene—An act to amend Section 3075 of the Labor Code, relating to apprenticeship.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1633: By Assemblyman Bill Greene—An act to amend Section 6268.2 of the Education Code, relating to vocational education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1634: By Assemblyman Bill Greene—An act to add Section 7451.8 to the Education Code, relating to regional occupational center.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1635: By Assemblyman Bill Greene—An act to add Section 58038.5 to the Agricultural Code, relating to mislabeling of agricultural products.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1636: By Assemblyman Bill Greene—An act to amend Section 224n of the Civil Code, relating to adoptions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1637: By Assemblyman Bill Greene—An act to amend Section 6499.207 of the Education Code, relating to the Educational Improvement Act of 1969

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1638: By Assemblyman Bill Greene—An act to amend Section 53703 of the Government Code, relating to federal aid.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1639: By Assemblyman Bill Greene—An act to amend Section 6251 of the Education Code, relating to vocational education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1640: By Assemblyman Bill Greene—An act to amend, repeal, and add Section 2841 of, and to amend Sections 2842 and 2843 of, the Business and Professions Code, relating to vocational nursing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1641: By Assemblyman Bill Greene—An act to amend Section 13125.3 of the Education Code, relating to certificated employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1642: By Assemblyman Bill Greene—An act to add Section 12005 to the Unemployment Insurance Code, relating to the career opportunities development program.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1643: By Assemblyman Russell—An act to add Section 1 5 to the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relative to the Los Angeles County Flood Control District

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1644: By Assemblyman Russell—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1645: By Assemblyman Russell—An act to amend Sections 855, 1206, and 1383 of the Financial Code, relating to banking.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1646: By Assemblyman Russell—An act to add Section 23608 to the Water Code, relating to irrigation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1647: By Assemblyman Russell—An act to add Section 10610 to the Education Code, relating to the public school system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1648: By Assemblyman Russell—An act to amend Section 9201 of the Education Code, relating to instructional materials.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1649: By Assemblyman Lewis—An act to amend Section 15152 of the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1650: By Assemblyman Lewis—An act to amend Section 540 of the Public Resources Code, relating to recreation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1651: By Assemblyman Lewis—An act to repeal Section 5252 of the Education Code, relating to early childhood education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1652: By Assemblymen Russell, Mobley, Seeley, Chappie, Ray E. Johnson, Knox, LaCoste, and Miller—An act to amend Section 986 of the Military and Veterans Code, relating to veterans.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1653: By Assemblyman Fong—An act to amend Sections 8762.5 and 8770 of the Business and Professions Code, relating to records of survey.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1654: By Assemblyman Fong—An act to add Section 29023 to the Education Code, relating to private schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1655: By Assemblyman Lewis—An act to add Section 30 to the Streets and Highways Code, relating to sidewalks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1656: By Assemblyman Lewis—An act to add Section 225 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1657: By Assemblyman Lewis—An act to amend Section 17507 7 of the Education Code, relating to experimental kindergarten programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1658: By Assemblyman Lewis—An act to amend Section 17301 of the Education Code, relating to financial support of the public schools, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1659: By Assemblyman Lewis—An act to amend Section 39250 of the Health and Safety Code, relating to motor vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1660: By Assemblyman Lewis—An act to amend Section 21106 of the Public Resources Code, relating to environmental quality.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1661: By Assemblyman Bill Greene—An act to add Article 10.6 (commencing with Section 6290) to Chapter 6, Division 6, of the Education Code, relating to public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1662: By Assemblymen Miller, Waxman, Deddeh, and Wilson—An act to amend Section 403 of the Agricultural Code, relating to economic poisons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1663: By Assemblyman Murphy—An act to amend Sections 1410, 1501, and 1510 of, and to add Section 1521 to, the Code of Civil Procedure, and to amend Section 231 of the Probate Code, relating to escheat

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1664: By Assemblyman Pierson—An act to amend Section 1 of the Fish and Game Code, relating to fish and game.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1665: By Assemblyman Barnes—An act to amend Section 14693 of the Education Code, relating to school district retirement systems

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1666: By Assemblyman Barnes—An act to amend Section 14694 of the Education Code, relating to school district retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1667: By Assemblyman Barnes—An act to amend Section 14695 of the Education Code, relating to school district retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1668: By Assemblyman Barnes—An act to amend Section 14694.8 of the Education Code, relating to school district retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1669: By Assemblyman Barnes—An act to amend Section 1231 of the Education Code, relating to school district governing boards.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1670: By Assemblyman Meade—An act to add Section 26559.3 to the Health and Safety Code, relating to foods.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1671: By Assemblyman Meade—An act to amend Section 872 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1672: By Assemblyman Meade—An act to amend Section 999 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1673: By Assemblyman Barnes—An act to amend Sections 8150.5, 8755, and 8780 of, to add Section 8150 6 to, and to repeal Sections 8152, 8154, 8155, and 8156 of, the Fish and Game Code, relating to sardines.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1674: By Assemblyman Barnes—An act to amend Sections 21330 and 21364 7 of, to add Sections 21263 and 21264 to, and to repeal Sections 21263, 21263 1, 21264, 21264.1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264.5 of, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1675: By Assemblyman Barnes—An act to amend Section 17200 of the Financial Code, relating to escrows.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1676: By Assemblyman Knox—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1677: By Assemblyman Knox—An act to amend Sections 26880, 26881, 26882, 26883, 26884, 26885, and 26886 of the Government Code, relating to county controllers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1678: By Assemblyman Bill Greene—An act to amend Section 7451 of the Education Code, relating to regional occupational centers and programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1679: By Assemblyman Crown—An act to amend Section 127 of the Unemployment Insurance Code, relating to unemployment compensation.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1680: By Assemblyman Crown—An act to amend Section 8702 of the Education Code, relating to physical education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1681: By Assemblyman Crown—An act to add Section 11019 to the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1682: By Assemblyman Crown—An act to amend Section 1182 of the Penal Code, relating to new trials in criminal cases.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1683: By Assemblyman Crown—An act to amend Section 437c of the Code of Civil Procedure, relating to civil procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1684: By Assemblyman Crown—An act to amend Section 71264 of the Government Code, relating to duties of peace officers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1685: By Assemblyman Crown—An act to add Article 2 5 (commencing with Section 11075) to Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to criminal information, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1686: By Assemblyman Barnes—An act to add Division 25 (commencing with Section 40000) to the Education Code, relating to school facilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1687: By Assemblymen Miller, Bill Greene, Waxman, Meade, Bagley, Brown, Pierson, and Seeley—An act to amend Section 35743 of the Health and Safety Code, relating to fair housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1688: By the Committee on Commerce and Public Utilities (Assemblymen Powers, Townsend, Stacey, Brophy, Campbell, Conrad, Fong, Leroy F Greene, and Ryan)—An act to add Sections 10007, 12819, and 16477 to the Public Utilities Code, relating to public utility services.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1689: By the Committee on Commerce and Public Utilities (Assemblymen Powers, Townsend, Stacey, Brophy, Fong, Leroy F Greene, Ryan, and Sieroty)—An act to amend Section 5245 of, and to add Sections 5246, 5247, 5248, 5249, and 5250 to, the Public Utilities Code, relating to carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1690: By Assemblymen Porter, Quimby, Barnes, Stacey, Belotti, Cullen, Davis, Monagan, and Murphy (Senators Coombs and Stiern, coauthors)—An act to add Section 11421 to the Water Code, relating to the Central Valley Project, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1691: By Assemblyman Porter—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1692: By Assemblyman Porter—An act to amend Section 71255 of the Water Code, relating to municipal water districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1693: By Assemblyman Porter—An act to amend Section 30507 of the Water Code, relating to county water districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1694: By Assemblyman Badham—An act to add Section 13511 to the Government Code, relating to the Commission for Economic Development.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1695: By Assemblyman Russell—An act to amend Sections 5799.4, 5799.11, 5799 12, 5799 16, 5799 18, and 5799 23 of the Education Code, relating to experimental programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1696: By Assemblyman Bagley—An act relating to public finance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1697: By Assemblyman Quimby—An act to amend Section 14657 of the Government Code, relating to the Television Advisory Committee.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1698: By Assemblyman Quimby—An act to amend Section 18300 of the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1699: By Assemblyman Burton—An act to amend Sections 456.5 and 456 6 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1700: By Assemblyman Brown—An act to amend Section 6 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, relating to tidelands and submerged lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1701: By Assemblyman Brown—An act to add Chapter 5 (commencing with Section 310) to Division 2 of the Harbors and Navigation Code, relating to navigation, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1702: By Assemblyman Brown—An act to amend Sections 5405, 5410, and 5804 of, to repeal Section 5406 of, and to add Section 5406 to, the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1703: By Assemblyman Brown—An act to add Chapter 3 7 (commencing with Section 23490) to Division 17 of, and to add Sections 25528 8 and 31226 8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1704: By Assemblyman Brown—An act to add Section 104.16 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1705: By Assemblyman Brown—An act to amend Section 5710 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1706: By Assemblyman Brown—An act to amend Sections 924.1 and 924.2 of the Penal Code, relating to grand juries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1707: By Assemblyman Brown—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile court law, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1708: By Assemblyman Brown—An act to amend Section 1114 of the Harbors and Navigation Code, relating to pilots.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1709: By Assemblyman Brown—An act to add Section 4089.5 to the Business and Professions Code, relating to pharmacy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1710: By Assemblyman Brown—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1711: By Assemblyman Brown—An act to add Chapter 4 (commencing with Section 460) to Part 1 of Division 2 of the Labor Code, relating to minimum wage.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1712: By Assemblyman Brown—An act to add Section 4601 to, and to repeal Sections 4601, 4602, 4603, and 4605 of, the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1713: By Assemblyman Brown—An act to amend Section 112 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1714: By Assemblymen Moretti, Bee, Leroy F. Greene, Bagley, Barnes, Belotti, Davis, Dent, Dunlap, Mobley, and Wood (Senator Collier, coauthor)—An act relating to Indian education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1715: By Assemblyman Biddle—An act to add Section 938.1 to the Education Code, relating to public schools.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1716: By Assemblyman Biddle—An act to amend Section 200 of the Code of Civil Procedure, relating to jurors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1717: By Assemblyman Wakefield—An act to amend Section 100 1 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1718: By Assemblyman Wakefield—An act to amend Section 25951 of the Health and Safety Code, relating to abortions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1719: By Assemblyman Garcia—An act to amend Sections 280, 282, 310, 321, 322, 323, and 450 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1720: By Assemblyman Garcia—An act to amend Section 760 of the Probate Code, relating to probate.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1721: By Assemblyman Sieroty—An act to add Section 3042.3 and 3042 5 to the Penal Code, relating to parole.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1722: By Assemblyman Brathwaite—An act to add Article 5 (commencing with Section 23500) to Chapter 2 of Division 17 of the Education Code, relating to the University of California agricultural services

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1723: By Assemblyman McCarthy—An act to amend Section 17301 of the Education Code, relating to financial support of the public schools, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1724: By Assemblymen McCarthy, Vasconcellos, Campbell, Badham, Chacon, and Thomas—An act to repeal Chapter 2.5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2.5 (commencing with Section 17065) to Part 10 of Divi-

sion 2 of, the Revenue and Taxation Code, relating to tax credits and payments under the Personal Income Tax Law, and making an appropriation therefor, to take effect immediately, tax levy

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1725: By Assemblyman McCarthy—An act to amend Sections 65855 and 65860 of the Government Code, relating to zoning and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1726: By Assemblyman McCarthy—An act to amend Section 3930 of the Business and Professions Code, relating to nursing home administrators.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1727: By Assemblyman Belotti—An act to add Part 6 (commencing with Section 4801) to Division 3 of the Agricultural Code, relating to fairs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1728: By Assemblymen Burton and Brown—An act to amend Section 1156 of, and to add Part 6 (commencing with Section 22900) to Division 5 of Title 2 of, the Government Code, relating to state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1729: By Assemblyman Dent—An act to amend Section 14695 of the Education Code, relating to school district retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1730: By Assemblyman Gonsalves—An act to add and repeal Section 218 of the Health and Safety Code, relating to medical aid.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1731: By Assemblyman Gonsalves—An act to add Section 17202.4 and 24343.7 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1732: By Assemblyman Gonsalves—An act to repeal Section 4514 of the Business and Professions Code, relating to psychiatric technicians.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1733: By Assemblyman Gonsalves—An act to amend Section 1815.9 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1734: By Assemblyman Gonsalves—An act to amend Sections 670, 671 and 673 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1735: By Assemblyman Gonsalves—An act to add Section 6023 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1736: By Assemblyman Gonsalves—An act to amend Section 17206 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1737: By Assemblyman Gonsalves—An act to amend Section 15606 of the Government Code, relating to the duties of the State Board of Equalization.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1738: By Assemblyman Gonsalves—An act to amend Sections 218 and 255.5 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1739: By Assemblyman Gonsalves—An act to amend Sections 405.5 and 751 of, and to add Section 1815.2 to, the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1740: By Assemblyman Brathwaite—An act to amend Section 65803 of, and to add Article 1.5 (commencing with Section 65830) to Chapter 4 of Title 7 of, the Government Code, relating to planning and zoning.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1741: By Assemblyman Brathwaite—An act to add Part 2.5 (commencing with Section 34700) to Division 24 of the Health and Safety Code, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1742: By Assemblyman Brathwaite—An act to add Section 33666 to, and to add Article 7 (commencing with Section 33680) to Chapter 6 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1743: By Assemblyman Brathwaite—An act to add Article 5 (commencing with Section 7300) to Chapter 10 of Division 2 of the Financial Code, relating to savings and loan associations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1744: By Assemblyman Brathwaite—An act to add Section 405.2 to the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1745: By Assemblyman Chacon—An act to add Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1746: By Assemblyman Chacon—An act to amend Section 21754 of the Education Code, relating to school district bonds.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1747: By Assemblyman Chacon—An act to add Section 13251.5 to the Education Code, relating to certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1748: By Assemblyman Chacon—An act to add Section 18861 to the Government Code, relating to civil service.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1749: By Assemblyman Chacon—An act to add Section 312 to the Health and Safety Code, relating to sickle cell anemia.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1750: By Assemblyman Chacon—An act to add Section 16807 to the Education Code, relating to school transportation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1751: By Assemblyman Chacon—An act to amend Section 3351 5 of, and to add Section 3368 to, the Business and Professions Code, relating to hearing aids.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1752: By Assemblyman Chacon—An act to amend Section 3351.5 of, and to add Section 3367 to, the Business and Professions Code, relating to hearing aids.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1753: By Assemblyman Chacon—An act to add Chapter 5 5 (commencing with Section 20000) to Division 8 of the Business and Professions Code, relating to unfair collection practices.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1754: By Assemblyman Chacon—An act to amend Section 4110 of, and to repeal Section 4132 of, the Penal Code, relating to county industrial farms.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1755: By Assemblyman Chacon—An act to add Sections 739 and 774 to the Public Utilities Code, relating to public utilities

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1756: By Assemblyman Chacon—An act to add Section 21700.5 to the Vehicle Code, relating to schoolbuses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1757: By Assemblyman Harvey Johnson—An act to add Section 633.6 to the Penal Code, relating to recordation of witnesses' statements.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1758: By Assemblyman Harvey Johnson—An act to add Section 22521.6 to the Education Code, relating to higher education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1759: By Assemblyman Briggs—An act to add Chapter 10.7 (commencing with Section 25930) to Division 20 of the Health and Safety Code, relating to imported products.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1760: By Assemblyman Cullen—An act to amend Section 19545 of the Business and Professions Code, relating to horseracing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1761: By Assemblyman Waxman—An act to amend the heading of Chapter 4 (commencing with Section 24400) of Division 20 of, and to amend Sections 24400, 24401, and 24402 of, and to add Section 24405 to, the Health and Safety Code, relating to excavations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1762: By Assemblyman Fenton—An act to add Section 26532 to the Government Code, relating to district attorneys.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1763: By Assemblyman Fenton—An act to amend Section 17535 of the Business and Professions Code, relating to advertising remedies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1764: By Assemblyman Ryan (Senator Carpenter, coauthor)—An act to add Section 13085.2 to the Education Code, relating to public school employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1765: By Assemblyman Ryan—An act to amend Section 9053 of the Business and Professions Code, relating to clinical social workers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1766: By Assemblyman Ryan—An act to amend Section 13121 of the Education Code, relating to certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1767: By Assemblyman Ryan—An act to add Section 25429 5 to the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1768: By Assemblyman Campbell—An act to amend Section 14184 of the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1769: By Assemblyman Campbell—An act to amend Section 14005 4 of the Welfare and Institutions Code, relating to public social services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1770: By Assemblyman Campbell—An act to add Section 442 01 to the Health and Safety Code, and to amend Section 14103 2 of the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1771: By Assemblyman Leroy F Greene—An act to amend Section 21753 of the Education Code, relating to school bond elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1772: By Assemblyman Thomas—An act to amend Section 8388 of the Fish and Game Code, relating to Pacific mackerel.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1773: By Assemblyman Dent—An act to amend Section 26001 of the Education Code, relating to the state nautical school

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1774: By Assemblyman Sieroty—An act to add Section 10600 5 to the Welfare and Institutions Code, relating to commodity distribution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1775: By Assemblyman Sieroty—An act to add Section 8507 to the Education Code, relating to courses of study.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1776: By Assemblyman Sieroty—An act to add Section 22210 to the Streets and Highways Code, relating to city beautification.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1777: By Assemblyman Sieroty—An act to add Section 11.5 to the Agricultural Code, relating to agricultural products.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1778: By Assemblyman Sieroty—An act to amend Section 11530 of the Health and Safety Code, relating to marijuana.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1779: By Assemblyman Miller—An act to amend Sections 13337 5 and 13503.1 of the Education Code, relating to school certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1780: By Assemblyman MacGillivray—An act to amend Section 6303 of the Public Resources Code, relating to state lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1781: By Assemblyman MacGillivray—An act to amend Section 4491 of the Public Resources Code, relating to burning of lands

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1782: By Assemblyman MacGillivray—An act to amend Section 6424 of the Labor Code, relating to trenches and excavations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1783: By Assemblyman MacGillivray—An act to amend Section 8836 4 of the Fish and Game Code, relating to trawl nets.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1784: By Assemblyman MacGillivray—An act to amend Section 24242 of the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1785: By Assemblyman MacGillivray—An act to amend Section 24242 of the Health and Safety Code, and to amend Section 27153.5 of the Vehicle Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1786: By Assemblyman MacGillivray—An act to amend Section 8495 of the Fish and Game Code, relating to fishing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1787: By Assemblyman MacGillivray—An act to amend Section 8305 5 of the Fish and Game Code, relating to abalone.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1788: By Assemblyman MacGillivray—An act to amend Section 8045.6 of the Fish and Game Code, relating to abalone.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1789: By Assemblyman MacDonald—An act to add Section 11569 to the Elections Code, relating to campaign statements.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1790: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—An act to add Sections 653i and 653j to the Penal Code, relating to bribery involving business

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1791: By Assemblyman Ray E Johnson—An act to amend Sections 38731, 38732, 38733, 38734, 38735, 38741, and 38742 of, to amend the heading of Article 27 (commencing with Section 38731) of Chapter 5 of Part 3 of Division 15 of, to add Article 7 (commencing with Section 36991) to Chapter 2 of Part 3 of Division 15 of, and to add Article 32 (commencing with Section 38801), Article 33 (commencing with Section 38811), Article 34 (commencing with Section 38821), and Article 35 (commencing with Section 38861) to Chapter 5 of Part 3 of Division 15 of, the Agricultural Code, relating to standards for milk products.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1792: By Assemblyman Ray E Johnson—An act to amend Section 36637 of the Agricultural Code, relating to definitions, standards, and permits

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1793: By Assemblymen Bill Greene and Miller—An act to add Sections 17912.5, 17973, 17974, 17975, 17976, and 17996, to the Health and Safety Code, relating to housing

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1794: By Assemblymen Bill Greene, Mobley, Leroy F Greene, Lewis, Brown, Ray E Johnson, Miller, and Sieroty (Senators Carpenter, Collier, Dymally, Gregorio, Grunsky, and Rodda, coauthors)—An act to add Chapter 4.8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1795: By Assemblymen Bill Greene and Miller—An act to add Sections 5004, 5005, and 5006 to the Education Code, relating to intradistrict equalization of teaching resources

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1796: By Assemblyman Campbell—An act relating to establishment of child care centers, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1797: By Assemblyman Warren—An act to amend Section 11580.2 of the Insurance Code, relating to uninsured motorist insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1798: By Assemblyman Biddle—An act to establish a correctional training academy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1799: By Assemblyman Biddle—An act relating to an integrated criminal and law enforcement information and communication system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1800: By Assemblyman Biddle—An act to amend Section 6030 of the Penal Code, relating to safety and security.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1801: By Assemblyman Knox—An act to add Article 6 (commencing with Section 17875) to Chapter 4 of Part 3 of Division 7 of the Business and Professions Code, relating to marriage, family or child counseling corporations

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1802: By Assemblyman Knox—An act to amend Section 770 3 of the Insurance Code, relating to tax-sheltered annuities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1803: By Assemblyman Murphy—An act to amend Section 38341 of the Agricultural Code, relating to milk.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1804: By Assemblyman Hayes—An act to amend Section 15002.1 of the Education Code, relating to school sites.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1805: By Assemblyman Hayes—An act to add Section 20024 2 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1806: By Assemblyman Hayes—An act to amend Sections 707 and 709 of, and to add Section 707 1 to, the Probate Code, relating to claims against decedents' estates

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1807: By Assemblyman Hayes—An act to add Section 13087.2 to the Education Code, relating to public school employees

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1808: By Assemblyman Crown—An act to add Article 2 1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1809: By Assemblyman Crown—An act to amend Section 70102 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1810: By Assemblyman Miller—An act to add Title 9 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1811: By Assemblyman Moorhead—An act to amend Section 4853 of the Labor Code, relating to workmen's compensation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1812: By Assemblyman Moorhead—An act to amend Sections 851 5, 852, 853 and 1240 of the Probate Code, relating to title disputes.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1813: By Assemblyman Biddle—An act to add Section 39252 to the Health and Safety Code, and to repeal Section 5 of Chapter 1509 of the Statutes of 1970, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1814: By Assemblyman Moorhead—An act to amend Section 1256 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1815: By Assemblyman Stull—An act to amend Section 10352 of, and to add Section 5238 to, the Streets and Highways Code, relating to the improvement acts

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1816: By Assemblyman Stull—An act to amend Section 13364 of the Education Code, relating to teachers.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1817: By Assemblyman Stull—An act to amend Sections 6547, 6547 2, and 6547 4 of, to amend and renumber Section 6547 1 of, to add Sections 6547 1 and 6547 3 to, and to repeal Section 6547 3 of, the Government Code, relating to joint powers agreements.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1818: By Assemblyman Stull—An act to amend Section 12101 and 12551 of the Education Code, relating to attendance at public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1819: By Assemblyman Stull—An act to amend Section 1816 of, to add Section 13105 to, and to repeal Sections 13355, 13355 5, 13356, and 13358 of, the Vehicle Code, relating to juvenile offenses

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1820: By Assemblyman McAlister—An act to amend Section 3262 of the Civil Code, relating to works of improvement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1821: By Assemblyman McAlister—An act appropriating funds for the More Effective Schools Act.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1822: By Assemblyman McAlister—An act to add Section 24215 to the Education Code, relating to the state university and colleges

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1823: By Assemblyman McAlister—An act to amend Section 20808 of the Education Code, relating to public school financing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1824: By Assemblyman McAlister—An act to amend Section 51242 of the Government Code, relating to land.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1825: By Assemblyman McAlister—An act to add Sections 3212 8, 4816, 4816 1, 4816 2, 4816 3, and 4816 4 to the Labor Code, relating to workmen's compensation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1826: By Assemblyman McAlister—An act to amend Section 562 of the Welfare and Institutions Code, relating to juvenile court

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1827: By Assemblyman McAlister—An act to add Section 3537 to the Government Code, relating to public employee organizations

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1828: By Assemblyman McAlister—An act to amend Section 20017.77 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1829: By Assemblyman McAlister—An act relating to salaries for public employees

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1830: By Assemblyman McAlister—An act to amend Section 13607 of the Education Code, relating to classified employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1831: By Assemblyman Cory—An act to amend Section 20808 5 of the Education Code, relating to school district taxes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1832: By Assemblyman Cory—An act to amend Section 31226 1 of the Education Code, relating to the state college educational opportunity program

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1833: By Assemblyman Cory—An act to amend Section 11475 of the Education Code, relating to average daily attendance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1834: By Assemblyman Cory—An act to amend Section 11525 2 of the Business and Professions Code, relating to subdivisions

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1835: By Assemblyman Stull—An act to repeal Section 655 5 of the Business and Professions Code, relating to business and professions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1836: By Assemblyman Bagley—An act to amend Section 5792 of the Education Code, relating to the Miller-Unruh Basic Reading Act of 1965

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1837: By Assemblyman Burke—An act to add Article 4 (commencing with Section 655) to Chapter 2 of Division 1 of the Streets and Highways Code, relating to state highways

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1838: By Assemblyman Bee—An act to amend Section 25351 5 to the Government Code, relating to taxes upon admissions to places of public assembly by counties.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1839: By Assemblyman Maddy—An act to amend Section 33401 of the Health and Safety Code, relating to redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1840: By Assemblyman Maddy—An act to amend Section 33601 of the Health and Safety Code, relating to redevelopment agencies

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1841: By Assemblyman Maddy—An act to add Section 33397 to the Health and Safety Code, relating to community redevelopment agencies

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1842: By Assemblyman Maddy—An act to amend Section 33352 of the Health and Safety Code, relating to redevelopment

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1843: By Assemblyman Maddy—An act to add Section 424 5 to the Government Code, relating to state emblems

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1844: By Assemblyman Maddy—An act to add Section 3212 3 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1845: By Assemblyman Maddy—An act to amend Section 73694 of the Government Code, relating to municipal courts

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1846: By Assemblyman Maddy—An act to add Part 6 1 (commencing with Section 19998) to Division 13 of the Health and Safety Code, relating to factory-built schools

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1847: By Assemblyman Maddy—An act to amend Sections 1277 and 1277 5 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1848: By Assemblyman Maddy—An act to add Section 1009.1 to the Penal Code, relating to accusatory pleadings

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1849: By Assemblyman Deddeh—An act to add Section 1098 to the Civil Code, relating to double escrows

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1850: By Assemblyman Cullen—An act to amend Sections 3501, 3504, 3505, 3505 2, 3507, and 3507 5 of, to add Sections 3505 01 and 3506 to, and to repeal Section 3506 of, the Government Code, relating to public employer-employee relations

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1851: By Assemblyman Lanterman—An act to amend Section 5352 of the Welfare and Institutions Code, relating to conservatorship

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1852: By Assemblyman Lanterman—An act to add Section 5704.4 to the Welfare and Institutions Code, relating to mental health services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1853: By Assemblyman Lanterman—An act to enact the Health Insurance Act of 1972, relating to health insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1854: By Assemblyman Lanterman—An act to add Section 10110.5 to the Insurance Code, relating to health insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1855: By Assemblyman Lanterman—An act to add Chapter 3 (commencing with Section 12900) to Part 2.5 of Division 3 of Title 2 of the Government Code, relating to facility licensing and certification.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1856: By Assemblyman Lanterman—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1857: By Assemblyman Lanterman—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, relating to Short-Doyle Act

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1858: By Assemblyman Lanterman—An act to add Section 13143.7 to the Health and Safety Code, relating to fire protection.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1859: By Assemblyman Lanterman—An act to amend Section 2 of Chapter 1524 of the Statutes of 1970, relating to mentally disordered minors, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1860: By Assemblyman Lanterman—An act relating to children's services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1861: By Assemblyman Lanterman—An act to amend Section 38105 of the Health and Safety Code, relating to regional centers for the mentally retarded.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1862: By Assemblyman Lanterman—An act to add Section 1423 5 to the Health and Safety Code, and to add Section 7015 to the Welfare and Institutions Code, relating to nursing homes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1863: By Assemblyman Ketchum—An act to amend Section 50050 of, and to add Section 50054 to, the Government Code, relating to escheat of money in treasuries of local agencies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1864: By Assemblyman Ketchum—An act to add Section 1714 8 to the Civil Code, to add Section 25602 5 to the Business and Professions Code, to amend Sections 13201, 13352, 13353, 13358, 13550, 13800, 23102, and 23105 of, to add Sections 1803.5, 13352 5, 13800.5, and 23102 5 to, and to repeal Section 13210 of, the Vehicle Code, relating to persons under the influence of alcohol or drugs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1865: By Assemblyman Meade—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1866: By Assemblyman Meade—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1867: By Assemblyman Meade—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1868: By Assemblyman Meade—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1869: By Assemblyman Lanterman—An act to amend Sections 1370, 1372, 1373, and 1374 of the Penal Code, relating to criminally insane.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1870: By Assemblyman Lanterman—An act to amend Section 5714 of the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1871: By Assemblyman Lanterman—An act to add Section 5119 of the Welfare and Institutions Code, relating to the mental health system

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1872: By Assemblyman Lanterman—An act to amend Section 5620 of the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1873: By Assemblyman Lanterman—An act to add Section 38109 to the Health and Safety Code, and to add Section 7518 to the Welfare and Institutions Code, relating to mentally retarded persons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1874: By Assemblyman Lanterman—An act to add Section 5763.1 to the Welfare and Institutions Code, relating to mental health

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1875: By Assemblymen Brown and Burton—An act relating to bilingual education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1876: By Assemblymen Brown, Burton, Foran, and McCarthy (Senators Marks and Moscone, coauthors)—An act to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of the Education Code, relating to compensatory education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1877: By Assemblymen Brown and Burton—An act to amend Sections 11555, and 11556 of, to amend, repeal, and add Section 11550 5 of, and to add Section 11550.3 to, the Government Code, relating to salaries of state officials

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1878: By Assemblyman Miller—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, and to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1879: By Assemblyman Keysor—An act to add Division 15 5 (commencing with Section 35850) to the Vehicle Code, relating to campers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1880: By Assemblyman Keysor—An act to add Section 243.3 to, and to add Article 1.5 (commencing with Section 11780) to Chapter 4 of Division 5 of, the Vehicle Code, relating to campers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1881: By Assemblyman Deddeh—An act to amend Sections 5018, 5020, 5020.3, 5023, 5070.7, and 5130 of, and to add Sections 5034.5, 5051.5, 5056.5, 5057.5, 5080.1, 5081.4, 5082.5, 5083.7, 5085, 5085.5, and 5134.5 to, the Business and Professions Code, relating to public income tax preparers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1882: By Assemblyman Bill Greene—An act to amend Sections 31203, 31206, and 31215 of the Education Code, relating to scholarships.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1883: By Assemblyman Bill Greene—An act to amend Section 6254 of the Government Code, relating to public records.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1884: By Assemblyman Bill Greene—An act relating to area vocational committees, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1885: By Assemblyman Lewis—An act to add Article 4 (commencing with Section 17111) to Chapter 2 of Division 13 of the Education Code, relating to school cafeterias.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1886: By Assemblyman Lewis—An act to add Chapter 2 (commencing with Section 7285) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1887: By Assemblyman Lanterman—An act to add Section 19060 to the Government Code, relating to the state civil service.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1888: By Assemblyman Lanterman—An act to amend Section 18852 of the Government Code, relating to state civil service.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1889: By Assemblyman Russell—An act to add Chapter 4.5 (commencing with Section 24500) to Division 20 of the Health and Safety Code, relating to powered lawnmowers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1890: By Assemblyman Karabian—An act to add Section 26226 to the Government Code, relating to jurors

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1891: By Assemblyman Karabian—An act to add Section 18462 to the Education Code, relating to community college district apportionments.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1892: By Assemblyman Crown—An act to amend Section 25238 of the Business and Professions Code, relating to alcoholic beverages

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 61: By Assemblyman Moretti—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1d of Article XIII thereof, relating to the homeowners' property tax exemption

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 62: By Assemblyman Vasconcellos—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7.5 of Article IX thereof, relating to public education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 63: By Assemblyman Fong—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 1½ and 1¼a of Article XIII thereof, relating to the veterans' exemption from property taxation

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 64: By Assemblyman Meade—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Article XX thereof, by repealing Article I thereof, and by adding Article I thereto, relating to declaration and preservation of the rights of the people.

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 65: By Assemblyman Lewis—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1g to Article XIII thereof, relating to property taxation

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 66: By Assemblyman Waxman—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 2 of Article IV thereof, relating to the Legislature.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 67: By Assemblyman Leroy F. Greene—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article VIII thereto, adding Section 8 to Article XIII thereof, adding Section 8 to Article XXIV thereof, and by repealing Sections 2, 2 1, 3, 3.1, 3 3, 5, 6, 6½, 7, 7.5, and 8 of Article IX thereof, relating to the public schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 68: By Assemblyman Leroy F. Greene—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Articles VIII, IX, and XIX thereto, by adding Section 5 to Article XIII thereof, and by repealing Article IX thereof, relating to education.

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 69: By Assemblyman Bagley—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 8 of Article IX thereof, by adding Sections 21, 24, and 25 to Article XIII thereof, and by repealing Sections 21, 21.5, 24, and 25 of Article XIII thereof, relating to public funds

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 70: By Assemblyman Bagley—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 13 of Article IV, repealing Section 13 of Article XII, repealing Article XVI, adding Article XVI, and repealing Sections 15, 19, 21, 21 5, 22, 24, 25, 40, and 41 of Article XIII thereof, relating to partial revision of the Constitution.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 71: By Assemblyman Vasconcellos—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 29 of Article XIII thereof, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 72: By Assemblyman Bagley—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXVII thereof, relating to public finance

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 73: By Assemblyman Garcia—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 10 of Article XI therefor, relating to compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 74: By Assemblyman Brathwaite—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 9 5 to Article IX thereof, relating to University of California agricultural services

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 75: By Assemblyman Brathwaite—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 19.9 to Article XIII thereof, relating to community redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 76: By Assemblyman Brathwaite—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 19 6 to Article XIII thereof, relating to community redevelopment.

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 77: By Assemblyman Brathwaite—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXXV thereto, relating to housing

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 78: By Assemblyman Brathwaite—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 2 5 to Article XIII thereof, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore

Assembly Constitutional Amendment No. 79: By Assemblyman Chacon—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 40 of Article XIII thereof, relating to indebtedness of public entities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 80: By Assemblyman Lewis—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 16 of Article XIII thereof, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 48: By the Committee on Commerce and Public Utilities (Assemblymen Powers, Stacey, Townsend, Brophy, Campbell, Conrad, Foug, Leroy F. Greene, and Ryan)—Relative to advertising regulation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 49: By Assemblyman Lanterman—Relative to earthquakeproofing of state highways and bridges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 50: By Assemblymen Briggs, Belotti, Stull, LaCoste, Arnett, Bagley, Barnes, Brophy, Burke, Campbell, Chappie, Cline, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Quimby, Russell, Schabarum, Seeley, Stacey, Townsend, Wakefield, and Wood (Senators Carpenter, Cologne, Coombs, Cusanovich, Grunsky, Holmdahl, Kennick, Lagomarsino, Marler, Nejedly, Richardson, Schrade, and Walsh, coauthors)—Relative to dangerous drugs

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 21: By Assemblymen Briggs, Belotti, Stull, LaCoste, Arnett, Bagley, Barnes, Brophy, Burke, Campbell, Chappie, Cline, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Lewis, MacDonald, MacGillivray, McCarthy, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Quimby, Russell, Schabarum, Seeley, Stacey, Townsend, Wakefield, and Wood (Senators Carpenter, Cologne, Coombs, Cusanovich, Grunsky, Holmdahl, Kennick, Lagomarsino, Marler, Nejedly, Richardson, Schrade, and Walsh, coauthors)—Relative to embargoes on agricultural products.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1893: By Assemblyman McAlister—An act to amend Section 17507 of the Business and Professions Code, relating to false advertising.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1894: By Assemblyman McAlister—An act to amend Section 7522 of, and to add Section 7538 3 to, the Business and Professions Code, relating to insurance adjusters

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1895: By Assemblyman McAlister—An act to add Section 19901 to the Health and Safety Code, relating to the elderly.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1896: By Assemblyman McAlister—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants in aid to recipients of public assistance equivalent to amounts granted under the Senior Citizens Property Tax Assistance Law.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1897: By Assemblyman McAlister—An act to add Section 12152 6 to the Welfare and Institutions Code, relating to public assistance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1898: By Assemblyman Dent—An act to amend Section 19594 of the Education Code, relating to state school building aid.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1899: By Assemblymen Porter and Beverly—An act to amend Sections 26821, 26821 2, 26822, 26822 2, 26823, 26824, 26825, 26826, 26826 2, 26827, 26827 2, 26830, 72055, 72056, 72058, 72060, 72061, and 72062 of the Government Code, relating to fees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1900: By Assemblyman Porter—An act to amend Section 64501 of the Agricultural Code, relating to beef.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1901: By Assemblyman Ray E Johnson—An act to amend Section 7350 of the Labor Code, relating to aerial passenger tramways

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1902: By Assemblyman Monagan—An act to amend Section 4 of Chapter 63 of the Statutes of 1880, relating to protection districts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1903: By Assemblyman Beverly—An act to amend Sections 53649, 53651, 53660, 53663, 53665, and 53668 of, and to repeal Section 53662 of, the Government Code, relating to local government.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1904: By Assemblyman Beverly—An act to add Section 9853 5 to the Vehicle Code, relating to vessels.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1905: By Assemblyman Beverly—An act to amend and renumber Section 480 of the Penal Code, as added by Chapter 1256 of the Statutes of 1963, relating to forgery of letters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1906: By Assemblyman Beverly—An act to amend Section 4215 of the Government Code, relating to protection of public utilities in public contracts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1907: By Assemblyman Barnes—An act to amend Section 11510, to add Section 11525 3, and to repeal and add Section 11525 2 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1908: By Assemblyman Barnes—An act to amend Section 21252.6 of, and to add Section 20017 78 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1909: By Assemblyman Barnes—An act to repeal Section 1 of Chapter 1748 of the Statutes of 1971, relating to age of majority

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1910: By Assemblyman Barnes—An act to amend Sections 21252.45 and 21252.6 of the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1911: By Assemblyman Barnes—An act to amend Section 21387 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1912: By Assemblyman Barnes—An act to amend Section 1231 of the Education Code, relating to school districts.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1913: By Assemblyman Barnes—An act to amend Section 4160 of the Business and Professions Code, relating to hazardous substances.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1914: By Assemblyman Warren—An act to amend Section 2924 of, and to add Sections 2924f, 2924g, and 2924h to, and to repeal Section 2924d of, the Civil Code, and to amend Sections 692 and 694 of the Code of Civil Procedure, relating to mortgages and deeds of trust.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1915: By Assemblyman Warren—An act to amend Section 235 of the Civil Code, relating to emancipation of minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1916: By Assemblyman Warren—An act relating to compromise of workmen's compensation claims.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1917: By Assemblyman Warren—An act to amend Section 69594 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1918: By Assemblyman Warren—An act making an appropriation for judges' salaries in augmentation of Items 18 and 21 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1919: By Assemblyman Hayes—An act to amend Sections 825, 825.2 and 825.6 of the Government Code, relating to indemnification of public employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1920: By Assemblyman Hayes—An act to amend Sections 196a, 242, 4359, 4702, and 4809 of the Civil Code, relating to family law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1921: By Assemblyman Hayes—An act to amend Section 1952 2 of, and to add Section 1953 to, the Civil Code, relating to landlord-tenant.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1922: By Assemblyman Hayes—An act to amend Section 1013a of the Code of Civil Procedure, relating to service by mail.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1923: By Assemblyman Knox—An act to amend Section 951, and to repeal Section 907, of the Streets and Highways Code, relating to county highways

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1924: By Assemblyman Knox—An act to amend Section 21264 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1925: By Assemblyman Knox (Senator Grunsky, coauthor)—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1926: By Assemblyman Knox—An act to amend Section 20018 of the Water Code, relating to districts securities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1927: By Assemblyman Knox—An act to amend Section 11050 5 of the Penal Code, relating to criminal identification and investigation

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1928: By Assemblyman Knox—An act to amend Section 300, 301, 800, and 816 of the Corporations Code, relating to directors of corporations.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1929: By Assemblyman Knox—An act to amend the heading of Chapter 2 (commencing with Section 65060) of Title 7 of, to amend Sections 65060 1, 65060 2, 65060 7, 65060 8, 65061, 65061.3, 65061 4, 65063, 65064 3, 65064 5, 65064.6, 65065 1, the heading of Article 6 (commencing with Section 65066) of Chapter 2 of Title 7 of, and Sections 65066, 65066 1, 65067.3, and 65069 of, to add Article 5.5 (commencing with Section 65065 5) to Chapter 2 of Title 7 of, to repeal and add Sections 65069 1, 65069 2, and 65093 3 of, and to repeal Sections 65069 4 and 65069 5 of, the Government Code.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1930: By Assemblyman Knox—An act to add Sections 775 and 1586 5 and Division 14 (commencing with Section

30000) to the Financial Code, to add Sections 586 1, 590, 1514 5 and 1520 to the Probate Code, to add Section 2240 to the Civil Code, to add Section 568.1 to the Code of Civil Procedure, to amend Section 8102 of the Commercial Code, and to amend Sections 10250 and Section 27002 of the Corporations Code, relating to securities depositories

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1931: By Assemblyman Seeley—An act to amend Sections 17769 and 17775 of, and to add Sections 17769 1, 17769 2, 17775.1, 17775 2, and 17775 3 to, the Business and Professions Code, and to amend Sections 12214, 12215, 12401.1, 17207, 17211, 17212, 17608.1, 22202, 22208, 22615.5, 24202, 24208, and 24609 1 of, and to add Sections 12214.1, 17211.1, 22208 1, and 24208.1 to, the Financial Code, relating to persons licensed by the Commissioner of Corporations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1932: By Assemblyman Burke—An act to amend Section 14104 3 of the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1933: By Assemblyman Burke—An act to amend Section 3507.3 of the Government Code, relating to public employee organizations.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1934: By Assemblyman Burke—An act to amend Section 3255 of the Education Code, relating to the reorganization of school districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1935: By Assemblyman Burke—An act to amend Section 15951 of the Education Code, relating to school district contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1936: By Assemblyman Knox—An act to amend and renumber Section 54797.3 of, and to add Section 54797 3 to, the Government Code, relating to cities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1937: By Assemblyman Warren—An act to amend Section 1780 of, to amend and renumber Section 1770 of, and to add Sections 1770, 1780.5, and 1780.6 to, the Civil Code, relating to the Consumer Legal Remedies Act.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1938: By Assemblyman Cory—An act to amend Sections 21022, 21291, 21294, and 21298 of, and to add Section 21300.5 to, the Government Code, relating to retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1939: By Assemblyman Cory—An act to add Section 25252 to the Government Code, relating to banks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1940: By Assemblyman Cory—An act to repeal Sections 13486 and 13487 of, and to add Sections 13486, 13487, and 13490 to, the Education Code, relating to school certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1941: By Assemblyman Cory—An act to add Section 1463.10 to the Penal Code, relating to fines and forfeitures.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1942: By Assemblyman Cory—An act to add Section 255.5 to the Health and Safety Code, relating to crippled children's services and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1943: By Assemblyman Biddle—An act to amend Section 10608 of the Education Code, relating to pupils.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1944: By Assemblyman Biddle—An act to amend Section 29002 of the Education Code, relating to private education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1945: By Assemblyman Biddle—An act to add Sections 20896 and 20897 to the Business and Professions Code, relating to petroleum advertising.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1946: By Assemblyman Biddle—An act to amend Section 29001 of the Education Code, relating to private education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1947: By Assemblyman Biddle—An act to add Section 6256 to the Penal Code, relating to the state correctional system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1948: By Assemblyman Biddle—An act to amend Section 5 of Chapter 1384 of the Statutes of 1970, relating to employment problems of parolees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1949: By Assemblyman Biddle—An act relating to the Corrections Advisory Committee.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1950: By Assemblyman Biddle—An act to amend Section 5075 of, to add Section 5075.5 to, and to repeal Chapter 5 5 (commencing with Section 6035) of Title 7 of Part 3 of, the Penal Code, relating to prisons and prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1951: By Assemblyman Biddle—An act to amend Section 900 of the Welfare and Institutions Code, relating to support.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1952: By Assemblyman Duffy—An act to amend Section 2519 of the Business and Professions Code, relating to healing arts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1953: By Assemblyman Duffy—An act to add Article 9 (commencing with Section 1820) to Chapter 4 of Division 2 of the Business and Professions Code, relating to dentistry, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1954: By Assemblyman Duffy—An act to add Section 4148 to the Business and Professions Code, relating to hypodermic syringes and needles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1955: By Assemblyman Duffy—An act to amend Section 581 of the Business and Professions Code, relating to healing arts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1956: By Assemblyman Duffy—An act to add Section 10053.7 to the Welfare and Institutions Code, relating to mentally retarded persons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1957: By Assemblyman Duffy—An act to amend the heading of Chapter 5 (commencing with Section 2200) of Division 3 of and to amend Sections 2200, 2205, 2210, 2212, 2223, 2241, 2289, 2290, 2291, 2300, 2302, 2330 and 2360 of, the Health and Safety Code, relating to vector control districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1958: By Assemblyman Ketchum—An act to amend Section 5330 of, amend, repeal, and add Section 5328 of, and add Section 5328.9 to, the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1959: By Assemblyman Ketchum—An act to amend Section 7026 1 of the Business and Professions Code, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1960: By Assemblyman Ketchum—An act to amend Section 31724 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1961: By Assemblyman Ketchum—An act to amend the heading of Chapter 12.5 (commencing with Section 7800) of Division 3, and Sections 101, 7800, 7801, 7804, 7805, 7806, 7810, 7811, 7814, 7817, 7820, 7823, 7824, 7825, 7832, 7833, 7834, 7837, 7839, 7840, 7842, 7843, 7845, 7847, 7851, 7860, 7872, 7880, 7881, 7884, 7885, 7886 and 7887 of, and to add Sections 7802.1, 7803 1, 7804.1, 7807.1, 7830 1, 7835 1, 7838.1, 7839 1, 7841.1, 7842 1, 7843.1, 7845.1, 7847.6, 7848.1, 7850.1, and 7852.1 to, and to add and repeal Section 101 of, the Business and Professions Code, relating to geologists and geophysicists, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1962: By Assemblyman Mobley—An act to amend Sections 18008, 18010 5, 18055, and 18056 of, and to repeal Sections 18003, 18009, and 18013 of the Health and Safety Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1963: By Assemblyman Harvey Johnson—An act to add Sections 11115.5, 11116 7, 11116.8, and 11116.9 to the Penal Code, relating to certificates.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1964: By Assemblyman Harvey Johnson—An act to amend Sections 4456 and 11700 of, to add Sections 396 and 397 to, to add Chapter 7 (commencing with Section 3100) to Division 2 of, and to add Article 1.5 (commencing with Section 11730) to Chapter 4 of Division 5 of the Vehicle Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1965: By Assemblyman McAlister—An act to amend Sections 1941 and 1942 of, to add Section 789.8, 1927.1, and 1942 5 to, and to add Chapter 2.5 (commencing with Section 1954) to Title 5, Part 4, Division 3 of, and to repeal Sections 1941.1, 1941.2, and 1942 5 of, the Civil Code, and to amend Section 89 of, and to add Section 1170 1 to the Code of Civil Procedure, and to add Part 6 (commencing with Section 6000) to Division 24 of the Health and Safety Code, relating to landlord and tenant.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1966: By Assemblyman McAlister—An act to add Sections 227.3 and 227.4 to the Labor Code, relating to labor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1967: By Assemblyman McAlister—An act to repeal Section 17158 of the Vehicle Code, relating to civil liability of owners and operators of vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1968: By Assemblyman McAlister—An act to add Section 1428.1 to the Labor Code, relating to fair employment practices.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1969: By Assemblyman McAlister—An act to amend Sections 13480, 13482 05, 13482 10, 13482 30, 13482 35, 13482 45, 13483, 13483.05, 13483 35, 13484, 25490 05, and 25490.10 of, and to repeal Sections 13482 15 and 13482 20 of, the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1970: By Assemblyman McAlister—An act to amend Sections 21712 and 23123 5 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1971: By Assemblyman Priolo—An act to amend Section 11535 1 of the Business and Professions Code, relating to condominiums.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1972: By Assemblyman Priolo—An act to amend Section 11535 1 of the Business and Professions Code, relating to condominiums.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1973: By Assemblyman Priolo—An act to amend Sections 5096.26 and 5099.4 of, and to add Chapter 1.8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 1974: By Assemblyman Karabian—An act to add Section 1352 4 to the Labor Code, relating to working hours of women.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1975: By Assemblyman Karabian—An act to add Section 31671.3 to the Government Code, relating to county retirement systems.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1976: By Assemblyman Karabian—An act to add Section 26506 to the Health and Safety Code, relating to food.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1977: By Assemblyman Karabian—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, relating to hospitals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1978: By Assemblyman Karabian—An act to amend Sections 1751 and 1754 of, and to add Section 1751.5 to the Probate Code, relating to conservators

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1979: By Assemblyman Biddle—An act to add Section 5060.5 to the Penal Code and Section 1773 to the Welfare and Institutions Code, relating to corrections

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1980: By Assemblyman Biddle—An act to add Title 6 (commencing with Section 13800) to, and repeal Title 6 (commencing with Section 13800) of, Part 4 of the Penal Code, relating to criminal justice.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1981: By Assemblyman Burke—An act to amend Sections 1263, 2101, 2102, and 2113 of the Unemployment Insurance Code, relating to unemployment and disability insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1982: By Assemblyman Vasconcellos—An act to repeal Section 20158 of the Education Code, relating to taxation of property for the support of the schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1983: By Assemblyman Vasconcellos—An act to add Article 11 (commencing with Section 1090) to Chapter 3 of Division 4 of the Education Code, relating to high school councils

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1984: By Assemblyman Vasconcellos—An act to amend Section 6201 of the Elections Code, relating to the presidential primary.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1985: By Assemblyman Vasconcellos—An act relating to Medi-Cal, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1986: By Assemblyman Powers—An act to amend Sections 2914, 4089, 4511, 4514, 6885, 6886, 7526, 8020, 8023.5, 9022, 9042, 9700.5, and 17862 of the Business and Professions Code,

and Section 1101 of the Harbors and Navigation Code, and to repeal Sections 8740.5, 8793, 10150 5, and 10515 5 of the Business and Professions Code, and Section 1643 of the Insurance Code, relating to qualifications.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1987: By Assemblyman Powers—An act to amend Sections 5551 and 5552 of, to add Sections 5550 and 5550.5 to, and to repeal Section 5550 of, the Business and Professions Code, relating to architecture.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1988: By Assemblyman Powers—An act to amend Sections 74191, 74192, 74193, 74194, and 74195 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1989: By Assemblyman Powers—An act to amend Sections 6759, 6762, 6763, and 6799 of the Business and Professions Code, relating to professional engineers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1990: By Assemblyman Powers—An act to amend Sections 5604 and 5605 of the Business and Professions Code, relating to architects.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1991: By Assemblyman Powers—An act to amend Section 1156 of the Government Code, relating to payroll deductions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1992: By Assemblyman Powers—An act to amend Sections 4800, 4801, 4802, 4803, and 4804 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1993: By Assemblyman Stacey—An act to amend Section 6503 of the Government Code, relating to joint powers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1994: By Assemblyman Stacey—An act to amend Section 7.1 of the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1995: By Assemblymen Stacey and Ketchum (Senator Stiern, coauthor)—An act making an appropriation to the Department of Parks and Recreation for the acquisition of land for inclusion in Red Rock Canyon State Park in Kern County.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1996: By Assemblyman MacDonald—An act to amend Section 2151 of the Streets and Highways Code, relating to street or road expenditures

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1997: By Assemblyman Dent—An act to add Division 2.5 (commencing with Section 12671) to the Insurance Code, and Section 15803 6 to the Education Code, relating to property insurance and protection, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1998: By Assemblyman Dent—An act to repeal Section 13590 3 of the Education Code, relating to classified public school employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 1999: By Assemblyman Dent—An act to amend Section 25100 5 of the Government Code, relating to county officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2000: By Assemblyman Bagley—An act relating to taxation to provide for school financing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2001: By Assemblyman Dent—An act to add Article 7 5 (commencing with Section 13631) to Chapter 8 of Division 6 of the Public Utilities Code, relating to municipal utility districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2002: By Assemblyman Dent—An act to add Sections 3 3, 12 1, 12 2, 12 3, 12.4, 12 5, 12.6, and 12 7 to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), relating to the Contra Costa County Flood Control and Water Conservation District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2003: By Assemblyman Keysor—An act to amend Section 4212 of the Civil Code, relating to marriage.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2004: By Assemblyman Russell—An act to amend Sections 1684, 1695, 1696 5, 1698 1, and 1698 4 of the Labor Code, relating to farm labor contractors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2005: By Assemblyman Russell—An act to add Article 6 4 (commencing with Section 53798) to Chapter 4, Part 1, Division 2, Title 5, of the Government Code, relating to local government.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2006: By Assemblyman Russell—An act to add Chapter 19.5 (commencing with Section 9790) to Division 3 of the Business and Professions Code, relating to the licensing and regulation of electronic technicians, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2007: By Assemblyman Russell—An act to amend Section 13584.2 of the Education Code, relating to school classified employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2008: By Assemblyman Arnett—An act to amend Section 602 of the Welfare and Institutions Code, relating to juveniles, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2009: By Assemblyman Arnett—An act to amend Section 24048.4 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2010: By Assemblyman Arnett—An act to add Article 1.3 (commencing with Section 17510) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to charitable solicitations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2011: By Assemblyman Arnett—An act to amend Sections 12463 and 53890 of the Government Code, to amend Section 34328 of the Health and Safety Code, to amend Section 1478 of the Labor Code, and to add Section 33135 5 to the Health and Safety Code, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2012: By Assemblyman Arnett—An act to amend Sections 17921, 17922, 17925, 17930, 17952, 17958, and 17958 7, and to repeal Section 17922.5 of the Health and Safety Code, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2013: By Assemblyman Arnett—An act to amend Section 9024 of the Public Resources Code, relating to resource conservation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2014: By Assemblyman Arnett—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2015: By Assemblyman Sieroty—An act to add Section 2949 5 to the Civil Code, relating to real property instruments.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2016: By Assemblyman Sieroty—An act to amend Section 19955 of the Health and Safety Code, relating to public accommodations

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2017: By Assemblyman Sieroty—An act to amend Sections 40000 3, 40000 15, 40000 25, and 42001 of, and to add Section 40000 28 to, the Vehicle Code, relating to vehicle violations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2018: By Assemblyman Hayden—An act to amend Section 9902.6 of the Business and Professions Code, relating to employment agencies.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2019: By Assemblyman Hayden—An act to add Section 24360.10 to the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2020: By Assemblyman Hayden—An act relating to mandatory school district unification elections, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2021: By Assemblyman Hayden—An act to amend Section 21155 of the Government Code, relating to retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2022: By Assemblyman Hayden—An act to add Sections 5513, 6706, and 7808 to the Business and Professions Code, relating to professions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2023: By Assemblyman Gonsalves—An act to amend Section 65570 of the Government Code, relating to open-space lands

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2024: By Assemblyman Lanterman—An act to add Sections 7265.2 and 7265 5 to, to repeal Section 7268 of, the Government Code, and to add Section 690 8 to the Code of Civil Procedure, relating to relocation assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2025: By Assemblyman Lanterman—An act to add Section 18854.1 to the Government Code, relating to state civil service.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2026: By Assemblyman Lanterman—An act to amend Section 14105 of, to add Section 14105 to, and to repeal Section 14105 of, the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2027: By Assemblyman McCarthy—An act to add Chapter 8 (commencing with Section 1137) to Part 3 of Division 2 of the Labor Code, relating to labor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2028: By Assemblyman McCarthy—An act to add Chapter 10 (commencing with Section 3500) to Division 4 of Title 1 of, and to repeal Chapter 10 (commencing with Section 3500) and Chapter 10 5 (commencing with Section 3525) of Division 4 of Title 1 of, the Government Code, relating to public employer-employee relations.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2029: By Assemblyman McCarthy—An act to add Sections 34211.1, 65302.2, and 65307 to, and to amend Section 34217 of, the Government Code, relating to local plans.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2030: By Assemblyman McCarthy—An act to amend Section 21330 of, and to add Section 21265 to, the Government Code, relating to Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2031: By Assemblyman McCarthy—An act to add Sections 1801.3 and 5121.1 to the Civil Code, relating to women.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2032: By Assemblyman McCarthy—An act to amend Sections 35700, 35711, 35720, 35730 5, 35740, and 35742 of the Health and Safety Code, relating to fair housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2033: By Assemblyman McCarthy—An act to amend Section 23366.5 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2034: By Assemblyman Maddy—An act to amend Sections 14666 and 14670 of the Government Code, relating to state property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2035: By Assemblyman Maddy—An act to add Sections 313 and 313.5 to the Business and Professions Code, relating to consumer protection.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2036: By Assemblyman Maddy—An act to amend Section 6007 of the Business and Professions Code, relating to attorneys

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2037: By Assemblyman Maddy—An act to amend Sections 13960, 13961, 13962, 13963, 13964, 13965, and 13966 of, and to add Section 13967 to, the Government Code, relating to victims of crimes

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2038: By Assemblyman Maddy—An act to amend Section 89 of, and to add Section 89.1 to, the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2039: By Assemblyman Pierson—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72712, 72750.5, 72751, 72751.1, 72751.5, 72752, 72753, and 72754 of the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2040: By Assemblyman Pierson—An act to amend Section 33114.5 of the Health and Safety Code, relating to community redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2041: By Assemblyman Pierson—An act to amend Section 11628 of the Insurance Code, relating to motor vehicle insurance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2042: By Assemblyman Pierson—An act to add Section 2954.7 to the Civil Code, relating to prepayment of loans.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2043: By Assemblyman Pierson—An act to amend Section 27321.5 of the Government Code, relating to county recorders

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2044: By Assemblyman Pierson—An act to amend Sections 1662, 1665, 1751, and 1760.5 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2045: By Assemblyman Pierson—An act to add Section 2549 to the Civil Code, relating to real property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2046: By Assemblyman Pierson—An act to amend Sections 2711, 2801, 2801.1, 2803, and 2804 of, and to add Section 2805 to, the Unemployment Insurance Code, relating to unemployment disability insurance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2047: By Assemblyman Pierson—An act to add Section 421 to the Penal Code, relating to scalping.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2048: By Assemblyman Maddy—An act to amend Section 33356 of the Health and Safety Code, relating to redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2049: By Assemblyman Maddy—An act to amend Sections 33450, 33452, and 33457 of the Health and Safety Code, relating to community redevelopment agencies

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2050: By Assemblyman Chappie—An act to amend Sections 20013, 20014, 20017 5, 20017 6, 20017 7, 20017 75, 20017 76, 20017.77, 20017.8, 20017 9, 20602.92, 20605, 20612, 20750, 20750 3, 20803.7, 20950, 20980.5, 21022, 21250 1, 21252 1, 21252.6, 21290 5, 21292.5, 21293, 21295, 21363 and 21364 7 of, to add Sections 20604, 20750 86, 21252 7, 21252 8, 21252 9, 21252 95, 21263, 21263 1, 21263 2, 21263 3, 21363.5, 21385 7, and 22311 to, and to repeal Sections 20013 5, 20014 4, 20014 5, 20014 6, 20014 7, 20014 9, 20604, 20750 36, 20750 37, 20750 4, 20750.41, 20750 42, 20750 425, 20750 435, 20803 5, 20803 6, 20980.6, 20980.7, 21020 5, 21020 6, 21020.75, 21022 1, 21208, 21209, 21252 10, 21252 2, 21252.3, 21252 4, 21252.9, 21263, 21263 1, 21264, 21264.1 as added by Statutes of 1970, Ch. 150, 21264 1 as added by Statutes of 1970, Ch. 719, 21264 5, 21290 6, 21290 75, 21292 75, 21293.6, 21293 7, 21293 8, 21363 4, 21363 5, 21363 75, 21364 75 and 21364.8 of the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2051: By Assemblyman Chappie—An act relating to public contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2052: By Assemblyman Chappie—An act to add Section 602 1 to the Penal Code, relating to barriers and gates

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2053: By Assemblyman Chappie—An act to add Section 2636 to the Revenue and Taxation Code, relating to collection of liens.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2054: By Assemblyman Chappie—An act to add Section 161 to the Streets and Highways Code, relating to highway rain grooves.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2055: By Assemblyman Chappie—An act to add Part 1.5 (commencing with Section 13075) to Division 12 of the Health and Safety Code, relating to fires and fire protection

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2056: By Assemblyman Chappie—An act to amend Section 14132 of the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2057: By Assemblyman Chappie—An act to amend Sections 22108, 22110, and 24951 of the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2058: By Assemblyman Chappie—An act to amend Section 9400 of, and to add Section 9252.5 to, the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2059: By Assemblyman Chappie—An act to add Section 54938 6 to the Government Code, relating to assessments, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2060: By Assemblyman Chappie—An act to add Chapter 11 (commencing with Section 9960) to Division 9 of the Public Resources Code, relating to resource conservation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2061: By Assemblyman Chappie—An act to amend Section 9952 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2062: By Assemblyman Chappie—An act to amend Sections 13990 2 and 13990 7 of the Government Code, relating to the State Transportation Board.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2063: By Assemblyman Chappie—An act to amend Section 4451 of, and to add Section 4457 to, the Government Code, relating to public buildings

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2064: By Assemblyman Chappie—An act to amend Sections 667 and 2205 of, and to add Chapter 7 5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2065: By Assemblyman Chappie—An act to add Section 13107 5 to the Health and Safety Code, relating to fires

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2066: By Assemblyman Chappie—An act to add Section 13110 5 to the Health and Safety Code, relating to fires.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2067: By Assemblyman Sieroty—An act to add Chapter 6 (commencing with Section 12100) to Division 5 of the Vehicle Code, relating to motor vehicles.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2068: By Assemblyman MacGillivray—An act to amend Section 781 of the Welfare and Institutions Code, relating to records.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2069: By Assemblyman MacGillivray—An act to amend Section 65860 of the Government Code, relating to planning.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2070: By Assemblyman MacGillivray—An act to amend Section 8305 5 of the Fish and Game Code, relating to abalone.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2071: By Assemblyman Russell—An act to amend Sections 1280 and 1282 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2072: By Assemblyman MacGillivray—An act to amend Section 1777 5 of the Labor Code, relating to apprentices.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2073: By Assemblymen Briggs and Davis (Senators Dills and Short, coauthors)—An act to add Section 18861 to the Government Code, relating to state police salaries, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2074: By Assemblyman Briggs—An act to amend Sections 18203, 18405, 18405 2, 18406, 18406 1, 18406 2, 18601, 18615, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406 3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203 5, 18205, 18205 5, 18668, and 18668 1 of, the Financial Code, relating to industrial loan companies.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2075: By Assemblyman Briggs—An act to repeal Section 11006 2 of, and to add Section 11006 2 to, the Welfare and Institutions Code, relating to payment of public assistance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2076: By Assemblyman Briggs—An act to amend Section 190 of the Penal Code, relating to punishment for offenses

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2077: By Assemblyman Brathwaite—An act to amend Section 23792 and to repeal Section 25655 of the Business and Professions Code, to repeal Sections 5101 and 5130 of the Civil Code, to repeal Title 12 (commencing with Section 1811) of Part 3 of the Code of Civil Procedure, to repeal Sections 310, 321 and 450 of the Elections Code, to repeal Article 1 (commencing with Section 1250) of

Chapter 2, Part 4, and Article 1 (commencing with Section 1350) of Chapter 3, Part 4, of Division 2 of the Labor Code, and to repeal Sections 26, 266c, 268, 868, 880, 3705 and 3706 of the Penal Code, relating to human rights

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2078: By Assemblyman Brathwaite—An act to add Article 7 (commencing with Section 33680) to Chapter 6 of Part 1 of Division 24 of the Health and Safety Code, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2079: By Assemblyman Brathwaite—An act to amend Sections 1171, 1173, 1174, 1178, 1182, 1193.5, 1193.6, 1194, 1194.5, 1198, 1199, 1350, 1350.5, 1351, 1352, 1352.1, 1352 2, 1352.3, 1352 5, 1353, and 1354 of, and to amend the heading of Part 4 (commencing with Section 1171) of Division 2 of, and the heading of Article 1 (commencing with Section 1350) of Chapter 3 of Part 4 of Division 2 of, the Labor Code, relating to employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2080: By Assemblyman Brathwaite—An act to amend Section 1078 of the Penal Code, relating to jurors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2081: By Assemblyman Brathwaite—An act to amend Section 7260 of the Government Code, relating to relocation assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2082: By Assemblyman Brathwaite—An act to amend Section 1413 of the Labor Code, relating to domestic workers.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2083: By Assemblyman Arnett—An act to add Section 18605 to, and to repeal Section 18401 of, the Health and Safety Code, relating to mobilehomes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2084: By Assemblyman Arnett—An act to amend Sections 18008, 18010 5, and 18040 of, to add Section 18006 to, to repeal Sections 18003, 18006, 18009, 18010, 18011, 18013, 18050, 18051, 18053, and 18054 of, and to repeal and add Part 2 1 (commencing with Section 18200) of Division 13 of, the Health and Safety Code, relating to mobilehomes and mobilehome parks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2085: By Assemblyman Brathwaite—An act to amend Section 5012 of the Unemployment Insurance Code, relating to work incentive programs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2086: By Assemblyman Brathwaite—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2087: By Assemblyman Brathwaite—An act to add Division 2.7 (commencing with Section 2500) to the Welfare and Institutions Code, relating to health care for prisoners.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2088: By Assemblyman Brathwaite—An act to amend Section 10092 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2089: By Assemblyman Brathwaite—An act to amend Sections 11450 and 15200 of the Welfare and Institutions Code, relating to foster home care.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2090: By Assemblyman Burke—An act to add Section 763 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2091: By Assemblyman McAlister—An act to add Section 13707.5 to the Education Code, relating to school classified employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2092: By Assemblyman McAlister—An act to amend Section 22100 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2093: By Assemblyman Foran—An act to add Division 25 (commencing with Section 40000) to the Education Code, relating to the Family Choice Education Stamp Act of 1972.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2094: By Assemblyman Foran—An act to add Section 4606 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2095: By Assemblyman Foran—An act to amend Section 9400 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2096: By Assemblyman Foran—An act to amend Sections 21100, 21206, and 22500 of the Vehicle Code, relating to sidewalks

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2097: By Assemblyman Foran—An act to amend Section 23270 of the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2098: By Assemblyman Foran—An act to add Sections 4601, 4602, and 4603 to, and to repeal Sections 4056, 4601, 4602, 4603, 4605, and 5304 of, the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2099: By Assemblyman Meade—An act to amend Section 1181 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2100: By Assemblyman Meade—An act to amend Section 917 of the Penal Code, relating to the grand jury.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2101: By Assemblyman Meade—An act to amend Section 496 of the Penal Code, relating to crimes.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2102: By Assemblyman Meade—An act to amend Section 274c of the Code of Civil Procedure, relating to court reporters.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2103: By Assemblyman Meade—An act to add Part 10 6 (commencing with Section 19551) to Division 2 of the Revenue and Taxation Code, relating to tax assistance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2104: By Assemblyman Wilson—An act to add Section 74343 4 to the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2105: By Assemblyman Wilson—An act to amend Section 117 of the Code of Civil Procedure, relating to small claims courts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2106: By Assemblyman Wilson—An act to amend Section 72401 of the Government Code, relating to traffic referees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2107: By Assemblyman Wilson—An act to add Section 72190 2 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2108: By Assemblyman Wilson—An act to amend Section 73641 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2109: By Assemblyman Wilson—An act to add Sections 11549 1, 11549 2 and 11549 3 to the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2110: By Assemblyman Wilson—An act to add Section 1240.5 to the Code of Civil Procedure, relating to open-space condemnation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2111: By Assemblyman Wakefield—An act to add Section 100.26 to the Streets and Highways Code, relating to freeway locations and agreements.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2112: By Assemblyman Moorhead—An act to amend Section 982 of the Unemployment Insurance Code, relating to employer reserve accounts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2113: By Assemblyman Moorhead—An act to amend Section 1027 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2114: By Assemblyman Maddy—An act to add Section 18306 to the Welfare and Institutions Code, relating to senior citizens, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2115: By Assemblyman Quimby—An act to amend Sections 20605 and 21252.6 of the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2116: By Assemblyman Quimby—An act to amend Section 4163 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2117: By Assemblyman Quimby—An act to add Section 14382 to the Government Code, relating to public contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2118: By Assemblyman Quimby—An act to amend Section 11251 of the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2119: By Assemblyman Quimby—An act to amend Sections 9900, 9901, 9902, 9903, 9905, 9906, and 9908 of the Government Code, relating to legislative advocates.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2120: By Assemblyman Quimby—An act to add Section 466 3 to the Penal Code, relating to vending machine theft.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2121: By Assemblyman Seeley—An act to amend Sections 1277 5 and 2629 of the Unemployment Insurance Code, relating to unemployment and disability insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2122. By Assemblyman Hayden—An act to amend Section 24355 2 of the Health and Safety Code, relating to air pollution

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2123: By Assemblyman Leroy F Greene—An act to repeal Section 17402 of the Education Code, relating to school finance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2124: By Assemblyman Leroy F. Greene—An act to amend Section 6499.8 of the Education Code, relating to early childhood education

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2125: By Assemblyman Leroy F Greene—An act to amend Section 5799 53 of the Education Code, relating to school principals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2126: By Assemblyman Leroy F Greene—An act to add Division 12 7 (commencing with Section 15500), relating to hospitals

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2127: By Assemblyman Lanterman—An act to amend Section 5651 of the Welfare and Institutions Code, relating to mental health.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2128: By Assemblyman Murphy—An act to add Title 14 (commencing with Section 1570) to Part 2 of the Penal Code, relating to discovery in criminal cases.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2129: By Assemblyman Dunlap—An act to add Section 13969.1 to the Education Code and Section 20365 to the Government Code, relating to retirement.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2130: By Assemblyman Dunlap—An act to add Section 41083 to the Welfare and Institutions Code, relating to Napa State Hospital.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2131: By Assemblyman Dunlap—An act to add Section 106 to, and to add Chapter 8 (commencing with Section 1750) to Division 2 of, the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2132: By Assemblyman Dunlap—An act to amend Section 11610.5 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2133: By Assemblyman Dunlap—An act to add Section 18406 to the Health and Safety Code, relating to mobilehome parks.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2134: By Assemblyman Dunlap—An act to add Section 11610.8 to the Business and Professions Code, relating to real property.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2135: By Assemblymen Dunlap, Knox, Z'berg, Quimby, and Moretti (Senator Behr, coauthor)—An act to add Article 6 (commencing with Section 65050) Chapter 1.5 of Title 7 of the Government Code, relating to open space and resources conservation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2136: By Assemblymen Dunlap, Knox, Z'berg, Quimby, and Moretti (Senator Behr, coauthor)—An act to add Division 6.5 (commencing with Section 8560) to the Public Resources Code, relating to open-space lands.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2137: By Assemblymen Dunlap, Knox, Z'berg, and Quimby (Senator Behr, coauthor)—An act relating to open-space lands and taxation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2138: By Assemblymen Dunlap and Moretti—An act to amend Section 51230 of the Government Code, relating to the California Land Conservation Act of 1965.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2139: By Assemblymen Dunlap, Knox, Z'berg, Quimby, and Moretti (Senator Behr, coauthor)—An act to amend Section 51238 of, and to add Section 51238.5 to, the Government Code, relating to the California Land Conservation Act of 1965.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2140: By Assemblymen Dunlap, Knox, Z'berg, Quimby, and Moretti (Senator Behr, coauthor)—An act to amend Sections 6950, 6952, and 6953 of the Government Code, relating to the acquisition of interests in open-space areas.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2141: By Assemblyman Cullen—An act to amend Section 1415 of, and to add Sections 1402 3 and 1415 to, the Health and Safety Code, and to add Sections 7003 4 and 16200 6 to the Welfare and Institutions Code, relating to intermediate care facilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2142: By Assemblyman Townsend—An act to repeal Chapter 10 (commencing with Section 3500) and Chapter 10 5 (commencing with Section 3525) of, and to add Chapter 10 (commencing with Section 3500) to, Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960), Part 7, Division 2 of the Labor Code, relating to public employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2143: By Assemblyman Townsend—An act to amend and renumber Section 4103 of the Government Code, relating to subletting and subcontracting

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2144: By Assemblyman Townsend—An act to add Article 1 (commencing with Section 3900) of Chapter 8 5 of Division 2 to, and to repeal Article 1 (commencing with Section 3901) of Chapter 8 5 of Division 2 of, the Business and Professions Code, relating to nursing home administrators.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2145: By Assemblyman Townsend—An act to amend Section 739 of the Welfare and Institutions Code, relating to minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2146: By Assemblyman Townsend—An act to amend Section 54851 of the Government Code, relating to special district

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2147: By Assemblyman Wood—An act to amend Section 8693 of the Fish and Game Code, relating to gill nets.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2148: By Assemblyman Wood—An act to add Sections 3033 and 3033 5 to the Fish and Game Code, relating to mammals

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2149: By Assemblyman Wood—An act to add Chapter 5 (commencing with Section 5210) to Division 4 of the Elections Code, relating to advisory referendums, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2150: By Assemblyman Wood—An act to amend Section 515 of the Code of Civil Procedure, relating to creditor's rights.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2151: By Assemblyman Wood—An act to amend Sections 9263 and 11520 of the Vehicle Code, relating to automobile dismantlers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2152: By Assemblyman Wood—An act to amend Section 11515 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2153: By Assemblyman Wood—An act to amend Section 220 of the Vehicle Code, relating to automobile dismantlers

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2154: By Assemblyman Moretti—An act to add Article 4 (commencing with Section 1765) to Chapter 9 of Division 2 of the Health and Safety Code, relating to emergency medical services, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2155: By Assemblyman Moretti—An act to add Article 4 (commencing with Section 8960) to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, relating to legislative reorganization.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2156: By Assemblyman Moretti—An act to amend Section 19699.22 of the Education Code, relating to school construction.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2157: By Assemblymen Burton and Brown (Senator Grunsky, coauthor)—An act to add Section 2251 to the Fish and Game Code, relating to the importation of mammals.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2158: By Assemblymen Burton and Brown—An act to repeal Chapter 3 (commencing with Section 65500) of Division 22 of the Agricultural Code, relating to the California Table Grape Commission.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2159: By Assemblymen Burton and Brown—An act to amend Section 59240 of the Agricultural Code, relating to marketing of agricultural products.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2160: By Assemblymen Burton and Brown—An act to add Section 1090.5 to the Government Code, relating to conflict of interest in agriculture.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2161: By Assemblymen Burton and Brown—An act to amend Section 58741 of the Agricultural Code, relating to marketing orders

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2162: By Assemblymen Burton and Brown—An act to amend Section 10177 of, and to add Section 10177.2 to, the Business and Professions Code, relating to real estate licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2163: By Assemblymen Burton and Brown—An act to amend Section 1258 of the Civil Code, relating to homesteads.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2164: By Assemblymen Burton and Brown—An act to amend Section 14005.6 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2165: By Assemblymen Burton and Brown—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2166: By Assemblymen Burton and Brown—An act to add Division 22 (commencing with Section 30000) to the Health and Safety Code, relating to health care services.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2167: By Assemblymen Burton and Brown—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2168: By Assemblymen Burton and Brown—An act to add Part 6 (commencing with Section 35800) to Division 24 of, and to repeal Section 37111 of, the Health and Safety Code, relating to housing, and making an appropriation therefor, providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of such funds, and providing for the submission of a portion of this act to a vote of the people at a special election to be consolidated with the general election to be held in the month of November 1972.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2169: By Assemblymen Burton and Brown—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2170: By Assemblyman Waxman—An act to amend Sections 456.5 and 456.6 of, and to add Sections 64, 456.4, and 456.7 to, the Elections Code, and to add Section 12172 to the Government Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2171: By Assemblyman Waxman—An act to amend Section 201 of, and to add Sections 205.6 and 205.7 to, the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2172: By Assemblyman Waxman—An act to amend Section 11504 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2173: By Assemblyman Waxman—An act to repeal Chapter 1 (commencing with Section 30000), Chapter 2 (commencing with Section 30100), and Chapter 3 (commencing with Section 30200) of Division 16 of, and to add Chapter 1 (commencing with Section 30000), Chapter 2 (commencing with Section 30100), and Chapter 3 (commencing with Section 30200) to Division 16 of, the Elections Code, relating to reapportionment of state legislative and congressional districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2174: By Assemblyman Waxman—An act to amend Sections 4753 and 5100 5 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2175: By Assemblyman Waxman—An act to amend and renumber the heading of Title 2 5 (commencing with Section 1812 80) of Part 4 of Division 3 of, and to add Title 2 5 (commencing with Section 1812 70) to Part 4 of Division 3 of, the Civil Code, relating to buyers clubs

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2176: By Assemblyman Waxman—An act to amend Section 1801 of the Civil Code, relating to sales.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2177: By Assemblyman Waxman—An act to amend Section 2982 7 of the Civil Code, relating to conditional sales contracts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2178: By Assemblyman Cline—An act relating to sales and use taxes

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2179: By Assemblyman Cline—An act to add Article 5 (commencing with Section 2940) to Chapter 2 of Division 3 of the Labor Code, relating to employment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2180: By Assemblyman Cline—An act to amend Section 25445 5 of the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2181: By Assemblyman Cline—An act to amend Sections 13081, 13082, 13083, 13084, 13085, and 13086 of, to amend and renumber Sections 13088, 13089, and 13090 of, and to add Sections 13088, 13089, and 13090 to, the Education Code, relating to public school employees.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2182: By Assemblyman Cline—An act to amend Sections 6422 6432, 6755, 6902 05, and 6908 of, and to add Section 6908 5 to, the Education Code, relating to school psychologists.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2183: By Assemblyman Cline—An act to amend Section 11400 of the Welfare and Institutions Code, relating to public assistance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2184: By Assemblyman Barnes—An act to amend Section 20009 1 of the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2185: By Assemblyman Barnes—An act to amend Section 20393 1 of the Government Code, relating to retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2186: By Assemblyman Barnes—An act to amend Sections 16431 and 20022 of, and to add Section 13927 to, the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2187: By Assemblyman Barnes—An act making a declaration of legislative intent with respect to Chapter 1305 of the Statutes of 1971, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2188: By Assemblyman Barnes—An act to amend Section 14601 5 of the Education Code, relating to school district retirement systems

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2189: By Assemblyman Barnes—An act to amend Sections 13844 2, 13992, 14023, 14025, 14041, 14185, 14186, 14213, 14214, 14214 5, 14215, 14220 5, 14220 7, 14224, 14240, 14243, 14260, 14284, 14334 6, 14334 8, and 14392 of, to add Section 14390 to, and to repeal Sections 14042, and 14390 of, the Education Code, relating to the State Teachers' Retirement System and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2190: By Assemblyman Ralph—An act to amend Section 1461 of the Unemployment Insurance Code, relating to unemployment compensation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2191: By Assemblyman Ralph—An act to add Section 14103 8 to the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2192: By Assemblyman Ralph—An act to add Section 101.7 to the Business and Professions Code, relating to licensing boards.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2193: By Assemblyman Ralph—An act to add Section 1917 to the Civil Code, relating to loans.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2194: By Assemblyman LaCoste—An act to amend Section 75033 1 of the Government Code, relating to Judges' Retirement Law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2195: By Assemblyman Brown—An act to amend Sections 450 5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 6011, 6013, 6014, 6015, 6016, 6017, 5000, 5514, 5515, 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2196: By Assemblyman Brown—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2197: By Assemblyman Brown—An act to amend Section 67000 of the Government Code, relating to regional government.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2198: By Assemblyman Brown—An act to add Section 10501 to the Unemployment Insurance Code, relating to job training.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2199: By Assemblyman Brown—An act to add Section 2059 5 to the Penal Code, relating to corrections, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2200: By Assemblyman Brown—An act to amend Section 65037 of the Government Code, relating to the Office of Planning and Research

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2201: By Assemblyman Brown—An act to amend Section 5820 of the Education Code, relating to conservation education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2202: By Assemblyman Brown—An act to amend Sections 901, 903, 2811, and 2892.5 of, and to add Sections 906, 907, and 908 to, the Business and Professions Code, relating to health occupations.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2203: By Assemblyman Bill Greene—An act to add Part 3 (commencing with Section 12000) to Division 3 of the Unemployment Insurance Code, relating to manpower.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2204: By Assemblyman Bill Greene—An act to amend Section 6254 of the Education Code, relating to vocational education.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2205: By Assemblyman Bill Greene—An act to add Chapter 6 (commencing with Section 10610) to Part 2, Division 2, Title 2 of the Government Code, relating to the Joint Legislative Committee on Criminal Law Revision.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2206: By Assemblyman Bill Greene—An act to add Article 7.6 (commencing with Section 818) to Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2207: By Assemblyman Bill Greene—An act to amend Sections 31206, 31230, and 31240.5 of the Education Code, and to add Chapter 12 (commencing with Section 3560) to Division 4 of Title 1 of the Government Code, relating to manpower evaluation standards

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2208: By Assemblymen Bill Greene and McCarthy (Senator Dymally, coauthor)—An act to add Chapter 2.7 (commencing with Section 9930) to Part 1 of Division 3 of the Unemployment Insurance Code, relating to senior citizens

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2209: By Assemblyman Ralph—An act to add Section 1260 to, and to repeal Section 1260 of, the Unemployment Insurance Code, relating to unemployment compensation.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2210: By Assemblyman Ralph—An act to amend Section 2310 of the Education Code, relating to territory of unified school districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2211: By Assemblyman Badham—An act to add Section 5006.4 to the Public Resources Code, relating to the state park system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2212: By Assemblyman Badham (Senator Carpenter, coauthor)—An act to amend Sections 12200, 12201, 12202, and 12203 of, and to add Sections 12205 1, 12205 2, and 12205 3 to, the Water Code, relating to protection and enhancement of the Sacramento-San Joaquin Delta.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2213: By Assemblyman Badham—An act to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the registration and licensing of bicycles, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2214: By Assemblyman Badham—An act to amend Section 1242 of the Business and Professions Code, relating to clinical laboratory technology.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2215: By Assemblyman Badham—An act to amend Sections 1256 1 and 1263 of the Unemployment Insurance Code, relating to unemployment insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2216: By Assemblyman Garcia—An act to amend Section 19628 of the Welfare and Institutions Code, relating to blind persons.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2217: By Assemblyman Garcia—An act to add Chapter 4 5 (commencing with Section 11921) to Division 9 of the Education Code, relating to pupil accident insurance

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2218: By Assemblyman Davis—An act to add Sections 2538 5, 2538 7, and 2540 5 to the Fish and Game Code, relating to hunting and fishing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2219: By Assemblyman Foran—An act to amend Section 34.5 of the Civil Code, relating to minors

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2220: By Assemblymen Brathwaite, Waxman, and Burton—An act to amend Sections 19501.5, 19504, 19507, 19521, 19522, 19524, 19526, and 19531 of, and to add Section 19523 5 to, the Revenue and Taxation Code, relating to Senior Citizens Property Tax Assistance Law.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2221: By Assemblyman Brophy—An act to amend Section 3031 of the Fish and Game Code, relating to hunting licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2222: By Assemblyman Brophy—An act to add Section 12408 1 to the Insurance Code, relating to title insurance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2223: By Assemblyman Brophy—An act to add Section 6107.1 to the Government Code, relating to fees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2224: By Assemblyman Brophy—An act to amend Section 12156 of the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2225: By Assemblyman Brophy—An act to amend Section 54952 of, and to add Section 54952 1 to, the Government Code, relating to local agency meetings.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2226: By Assemblyman Brophy—An act to add Section 37118 to the Health and Safety Code, relating to factory-built housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2227: By Assemblyman Brophy—An act to add Section 12403.3 to the Penal Code, relating to tear gas weapons.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2228: By Assemblyman Brophy—An act to amend Section 5051 of the Business and Professions Code, relating to income tax return preparation.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2229: By Assemblyman Brophy—An act to add Section 25254 to the Vehicle Code, relating to lighting equipment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2230: By Assemblyman Brophy—An act to amend Section 37517 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2231: By Assemblyman Brophy—An act to add Section 17533.9 to the Business and Professions Code, relating to product labeling.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2232: By Assemblyman Brophy—An act to amend Sections 19985, 19990, 19992, and 19993 of, and to repeal Section 19994 of, the Health and Safety Code, relating to factory-built housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2233: By Assemblyman Brophy—An act to add Section 218.1 to the Revenue and Taxation Code, relating to property tax exemptions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2234: By Assemblyman Brophy—An act to add Section 5011 to the Public Resources Code, relating to the state park system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2235: By Assemblyman Brophy—An act making an appropriation to the Trustees of the California State University and Colleges to provide elevator service at the California State College at Los Angeles.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2236: By Assemblyman Brophy—An act to add Chapter 4.9 (commencing with Section 31298) to Division 22 of the Education Code, relating to the California Commission on Student Financial Aid, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2237: By Assemblyman Brophy—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2238: By Assemblyman Brophy—An act to amend Sections 6430 and 6831 of the Elections Code, relating to nomination of candidates, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2239: By Assemblyman Murphy—An act to amend Section 1305 of the Penal Code, relating to bail.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2240: By Assemblyman Murphy—An act to amend Section 1300 of the Penal Code, relating to bail.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2241: By Assemblyman Cline (Senator Holmdahl, coauthor)—An act to amend Sections 9106, 10000, 10003, 10103, and 10106 of, to amend the heading of Chapter 3 (commencing with Section 10000) of Part 1 of Division 3 of, and to add Section 10108 to, the Unemployment Insurance Code, relating to job training and development.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2242: By Assemblymen Belotti, Chappie, Barnes, and Ray E. Johnson (Senators Collier, Dills, Marler, and Teale, coauthors)—An act to amend Section 19627 of the Business and Professions Code, relating to the Fair and Exposition Fund.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2243: By Assemblyman Belotti—An act to add Sections 61623.6, 61623 7, 61623.8, 61623 9, and 61623.10 to the Government Code, relating to community service districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2244: By Assemblyman Belotti—An act to amend Section 64501 of the Agricultural Code, relating to beef.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2245: By Assemblyman Belotti—An act to add Section 18021.8 to the Government Code, relating to fire suppression employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2246: By Assemblyman Belotti—An act to amend Section 1900 of the Education Code, relating to school district indebtedness.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2247: By Assemblyman Priolo—An act to amend Section 9160 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2248: By Assemblyman Z'berg—An act to amend Sections 1105, 1201, 2107 and 5116 of, to add Divisions 9 (commencing with Section 9101) and 11 (commencing with Section 11101) to, and to repeal Division 9 (commencing with Section 9101) of the Uniform Commercial Code, relating to secured transactions

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2249: By Assemblyman Z'berg (Senator Collier, coauthor)—An act to amend Sections 985, 986.3, 986 5, 987, 987.6 and 987 17 of, and to add Sections 986.31 and 987.17a to, the Military and Veterans Code, relating to veterans

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2250: By Assemblyman Z'berg—An act to amend Section 24 of the Streets and Highways Code, relating to state highways

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2251: By Assemblyman Z'berg—An act to amend Section 2 of Chapter 202 of the Statutes of 1968, relating to domesticated anadromous fisheries.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2252: By Assemblyman Z'berg—An act to repeal Article 5 (commencing with Section 13080) of Chapter 1 of Division 10 of Part 2 of the Education Code, Chapter 10 (commencing with Section 3500) and Chapter 10.5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code, and Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, and to add Chapter 10 (commencing with Section 3500) to Division 4 of Title 1 of Government Code, relating to public employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2253: By Assemblyman Z'berg—An act to add Section 22554 to the Education Code, relating to the University of California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2254: By Assemblyman Z'berg—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2255: By Assemblyman Z'berg—An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2256: By Assemblyman Z'berg—An act to amend Sections 42050 and 42052 of the Vehicle Code, relating to penalty assessments.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2257: By Assemblyman Miller—An act to add Article 6 (commencing with Section 23181) to Chapter 1 of Division 17 of the Education Code, relating to the University of California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2258: By Assemblyman Miller—An act to amend Section 245 of the Penal Code, relating to assaults.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2259: By Assemblyman Miller—An act to amend Section 14601 of the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2260: By Assemblyman Miller—An act to add Section 1233 to the Government Code, relating to peace officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2261: By Assemblyman Miller—An act to amend Section 1208 of the Penal Code, relating to work furlough.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2262: By Assemblyman Miller—An act to repeal Sections 174 and 266c of the Penal Code, relating to bringing persons into California.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2263: By Assemblyman Miller—An act to amend Section 1370 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2264: By Assemblyman Miller—An act to amend Section 11 of the Agricultural Code, relating to agricultural provisions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2265: By Assemblymen Stull and Lewis (Senator Rodda, coauthor)—An act to add Chapter 1 (commencing with Section 29001) and Chapter 1 5 (commencing with Section 29081) to, to repeal Article 1 (commencing with Section 29001) of Chapter 1 of, and to amend and renumber the heading of Article 2 (commencing with Section 29051) of Chapter 1 of, Division 21 of the Education Code, relating to private schools.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2266: By Assemblymen Stull and Lewis (Senator Rodda, coauthor)—An act to amend Section 29007 of the Education Code, relating to private educational institutions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2267: By Assemblyman Crown—An act to add Section 12151 5 to the Health and Safety Code, relating to explosives.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2268: By Assemblyman Crown—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2269: By Assemblyman Crown—An act to amend Section 26636 of the Health and Safety Code, relating to drugs, declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2270: By Assemblyman Thomas (Senator Coombs, coauthor)—An act to amend Section 20205 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2271: By Assemblyman Fong—An act to add Article 3 (commencing with Section 14106) to Chapter 3.5 of Division 7 of the Agricultural Code, relating to pesticide.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2272: By Assemblyman Fong—An act to add Section 53.5 to the Civil Code, relating to sex.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2273: By Assemblyman Fong—An act to add Section 26559.5 to the Health and Safety Code, relating to carbonated beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2274: By Assemblyman Fong—An act to add Article 4.5 (commencing with Section 323) to Chapter 4 of Division 1 of the Business and Professions Code, relating to consumers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2275: By Assemblyman Fong—An act to amend Section 24837.5 of the Revenue and Taxation Code, relating to taxation to provide incentives for the recovery of resources.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2276: By Assemblyman Fong—An act to amend Sections 8740, 8741, 8743, 8744, and 8747 of, and to amend and renumber Section 8745.5 of, to add Section 8742 to, and to repeal Section 8742 of, the Business and Professions Code, relating to land surveyors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2277: By Assemblyman Fong—An act to amend Sections 6750, 8731 and 8740, and to repeal Section 8804, of the Business and Professions Code, relating to civil engineering and land surveying.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2278: By Assemblyman Fong—An act to add Section 14265 to the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2279: By Assemblyman Fong—An act to add Section 14101 to the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2280: By Assemblyman Fong—An act to amend Section 15517 of the Education Code, relating to school district taxation, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2281: By Assemblyman Fong—An act to amend Sections 5779, 5780, 12822, and 12823 of, and to add Section 12824.1 to, the Education Code, relating to pupil testing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2282: By Assemblyman Fong—An act relating to handicapped minors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2283: By Assemblyman Fong—An act to add Section 10003 to the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2284: By Assemblymen Chacon, Moretti, Fong, and Ralph—An act to add Chapter 5 7 (commencing with Section 5761) to Division 6 of the Education Code, relating to bilingual-bicultural education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2285: By Assemblymen Chacon, Fong, Ralph, and Moretti—An act to add Article 2 5 (commencing with Section 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2286: By Assemblymen Chacon, Ralph, and Fong—An act to amend Section 31664.5 of the Government Code, relating to county retirement systems.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2287: By Assemblyman Chacon—An act to amend Section 9301 of the Education Code, relating to instructional materials

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2288: By Assemblyman Chacon—An act to amend Sections 2701, 2703, and 2704 of, and to add Section 2706 to, the Education Code, relating to organization of school districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2289: By Assemblyman Chacon—An act to add Section 774 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2290: By Assemblyman Chacon—An act to add Section 739 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2291: By Assemblyman Chacon—An act to add Sections 523.5, 1039 and 2770 to the Public Utilities Code, relating to carriers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2292: By Assemblyman Chacon—An act making an appropriation to the Department of Housing and Community Development for housing information systems.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2293: By Assemblyman Chacon—An act to add Article 3 (commencing with Section 25428) to Chapter 1 of Division 18.5 of the Education Code, relating to community college student organization fees, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2294: By Assemblyman Stull—An act to amend Sections 510, 512, 513, 514, 515, 517, 520, 537 5, and 538 of, and to add Section 511 to, and to repeal Section 511 of, the Code of Civil Procedure, and to add Section 9503 to, and to repeal Section 9503 of, the Uniform Commercial Code, relating to creditor's rights.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2295: By Assemblyman Stull—An act to amend Section 13329 of the Education Code, relating to school certificated employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2296: By Assemblyman Stull—An act to amend Section 20526 of the Water Code, relating to irrigation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2297: By Assemblyman Stull—An act to amend Section 200 of the Elections Code, relating to elections

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2298: By Assemblyman Stull—An act to amend Section 6831 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2299: By Assemblyman Stull—An act to amend Section 6830 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore

Assembly Bill No. 2300: By Assemblyman Stull—An act to add Section 22235 to the Water Code, relating to irrigation districts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2301: By Assemblyman Stull—An act to amend Section 16100 of the Government Code, and to amend Sections 219 and 23501 of the Revenue and Taxation Code, relating to taxation to provide for an integrated system for the support of state and local government.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 81: By Assemblyman Knox (Senator Grunsky, coauthor)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 82: By Assemblyman Cory—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 1, 6, 7, 10, and 11 of, subdivisions (a) and (b) of Section 2, subdivisions (a), (b), and (d) of Section 8, subdivisions (c) and (d) of Section 12, subdivision (a) of Section 18, and subdivision (a) of Section 21 of, the first paragraph of Section 4, and the first paragraph of Section 5 of, Article IV thereof, Section 2 of Article V thereof, subdivision (a) of Section 9 of Article IX thereof, and Sections 1 and 2 of Article XVIII thereof, relating to a unicameral Legislature.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 83: By Assemblyman Vasconcellos—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of, and adding Section 6.5 to, Article IV thereof, relating to reapportionment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 84: By Assemblyman Vasconcellos—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending the fourth paragraph of Section 6 of Article IX thereof, relating to the public school system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 85: By Assemblyman Briggs—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to the death penalty.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 86: By Assemblyman Leroy F. Greene—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending the fourth paragraph of Section 6 of Article IX thereof, relating to the public school system.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 87: By Assemblymen Burton and Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 21.7 to Article XIII thereto, relating to housing.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 88: By Assemblyman Waxman—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 89: By Assemblyman Waxman—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article IV thereof, relating to reapportionment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 90: By Assemblyman Barnes—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXV thereto, relating to retirement.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 91: By Assemblyman Brathwaite—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 19.5 to Article XIII thereof, relating to community redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 92: By Assemblyman Brophy—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1h to Article XIII thereof, relating to property tax exemptions.

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 93: By Assemblyman Miller—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (b) of Section 9 of Article IX thereof, relating to the University of California

Held at Desk by order of the Speaker pro Tempore.

Assembly Constitutional Amendment No. 94: By Assemblyman Stull—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending the first paragraph of Section 14 of Article XIII thereof, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 51: By Assemblyman Dunlap—Relative to creating the Native Species Preservation Committee.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 52: By Assemblyman Chacon—Relative to the proposed federal program of assistance for the aged.

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 11:59 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 2 p m. Thursday, March 16, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

APPENDIX TO ASSEMBLY DAILY JOURNAL FOR MARCH 15, 1972

REPORT OF SUBCOMMITTEE ON ADVOCATE REGISTRATION

March 15, 1972

Mr Speaker: The Joint Subcommittee on Legislative Advocate Registration submits this list of approved advocates for publication in the Assembly Journal.

JOHN P. QUIMBY, Chairman

1971 LEGISLATIVE ADVOCATES

	Phone Number
ADAMS, Janet K (Mrs.), Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
P O. Box 4161, Woodside 94062 California Coastal Alliance California League of Conservation Voters Conservation Coordinators, Inc.	(415) 851-7418
ADAMS, Sara Lee "Chris", 622 N Street, Sacramento 95814 California Congress of Parents & Teachers, Inc.	(916) 442-5667
ADLER, Lealand L., 3333 Watt Ave., Suite 114, Sacramento 95821 California Grain and Feed Association	(916) 483-4959
ALLEN, Bruce C., 1000 Welch Road, Palo Alto 94304 California Society of Certified Public Accountants	(415) 321-9545
ALLEN, Dan W., 1020 - 12th Street, Mezzanine Floor, Sacramento California School Employees Association	(916) 444-0598
ALLEN, Eugene D., 5555 Mildred Street, San Diego 92110 California Retired County Employees Association	(714) 276-7595
ALLEN, Graham L., Jr., 1010 - 11th Street, Sacramento 95814 Agricultural Council of California	(916) 443-4887
ALLEN, James Michael, 1127 - 11th Street, Suite 346, Sacramento 95814 California Medical Association	(916) 444-5532
ANDERSEN, Ralph E, P O. Box 13278, Sacramento 95813 Ralph Andersen and Associates	(916) 488-1970

	Phone Number
ANDERSON, Alan G., 1442 El Nido, Sacramento 95825 Private Truck Owners Bureau of California	(916) 487-0606
ANDERSON, Carl West, Suite 800, 1107 - 9th Street, Sacramento 95814 District Attorney of Alameda County District Attorneys' and Peace Officers' Associations of California	(916) 447-7212
ANDERSON, John Weaver, 1500 - 7th Street, Apt 6B, Sacramento 95814 515 N. Sycamore Street, Santa Ana 92702 County of Orange	(714) 834-3300
ANDERSON, Robert M., 1228½ H Street, Sacramento 95814 California State Council of Service Employees	(916) 442-3838
ANDERSON, Virgil P., 926 J Building, Suite 523, Sacramento 95814 California State Automobile Association and California State Automobile Assn. Inter-Insurance Bureau	(916) 443-2577
ANDREWS, William S., 1108 O Street, Suite 318, Sacramento 95814 Pacific Gas and Electric Company San Diego Gas and Electric Company Southern California Edison Company Southern California Gas Company	(916) 444-2184
ANGELL, George R., Senator Hotel, Sacramento 95814 One Wilshire Blvd., Suite 803, Los Angeles 90017 Household Finance Corporation	(916) 442-5081 (213) 627-0781
ARNOLD, Michael J., 1108 O Street, Sacramento 95814 League of California Cities	(916) 444-5790
ASTOR, Z. Harry, 611 West 6th Street, Suite 2152, Los Angeles 90017 California Refuse Removal Council—Southern District	(213) 680-9212
AVANZINO, Richard H., 555 Capitol Mall, Suite 645, Sacramento 95814 California Pharmaceutical Association	(916) 444-7811
BAILEY, John N., 1107 - 9th St, Suite 537, Sacramento 95814 Western Developers Council	(916) 447-8281
BALDACCI, Louis G., 1000 Welch Road, Palo Alto 94304	(415) 321-9545
BARDIS, Lynda Ruth (Miss), 927 - 10th Street, Suite 314, Sacramento 95814 California Society of Certified Public Accountants National Association of Social Workers, California Council	(916) 446-7945

	Phone Number
BARR, James E., Ferry Building, Terminal Island 90731 California Fish Canners Division	(213) 832-8329
BARRETT, Douglas W., 1127 - 11th Street, Suite 610, Sacramento 95814 California Labor Federation, AFL-CIO	(916) 444-3676
BARRETT, William A., 1127 - 11th St., Sacramento 95814 City and County of San Francisco	(916) 441-4222
BARROW, Ronald E, Forum Building, 1107 - 9th Street, Suite 629, Sacramento 95814 National Electrical Contractors Association, Inc —Ninth District Council	(916) 444-3770
BARTLETT, Richard C., 1020 - 12th Street Sacramento 95814 California School Employees Association	(916) 444-0598
BARTON, William H, 455 Capitol Mall, Suite 300, Sacramento 95814 California Chamber of Commerce	(916) 444-6670
BEAN, Arlen K, Suite 718, 1127 - 11th Street, Sacramento 95814 California Taxpayers' Association	(916) 443-8163
BECKER, Howard E., 1107 - 9th Street, Suite 313, Sacramento 95814 Construction Industry Legislative Council	(916) 444-8240
BECKUS, Robert J., 1108 - O Street Sacramento 95814 California Advocates, Inc.	(916) 441-5050
BEELAR, Jerry E, P.O Box 13, Sacramento 95801 Aero Spacelines, Inc Golden Pacific Airlines Overseas National Airways Saturn Airways, Inc Trans International Airlines Universal Airlines	(916) 482-6395
BEGOVICH, John C., 1401 Cosmopolitan Motor Hotel, Sacramento 95814 Hession, Creedon, Hamlin, Kelly, Hanson & Farbstein	(916) 442-6465
BELTON, Trudy, (Mrs), Senator Hotel, Room 325, Sacramento 95814 Ken Ross and Company	(916) 446-0583
BENNINGHOVEN, Donald C., 1108 - O Street, Sacramento 95814 League of California Cities	(916) 444-5790
BERGAN, Mary Astrid, 414 - 13th Street, Oakland 94612 California Federation of Teachers, AFT, AFL-CIO	(415) 893-0260

	Phone Number
BERGER, Elizabeth M., P.O. Box 448, Sacramento, 95802 California Children's Lobby	(916) 444-7477
BERITZHOFF, A. R., Woodlake Inn, 500 Leisure Lane, Sacramento 95814	(916) 922-6251
1320 Webster Street, Oakland 94612 Oakland Chamber of Commerce	(415) 451-7800
BERRY, Margaret (Mrs. Robley), Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
373 Coventry Road, Kensington 94707 Delta Kappa Gamma Society of California	(415) 525-3324
BIAGGINI, Edward C., Jr., Hotel Senator, Mezzanine, Sacramento 95814 California Cattlemen's Association	(916) 444-0845
BIERLY, Sidney H., 2222 Watt Avenue, Suite B-7, Sacramento 95825 California Fertilizer Association	(916) 483-6027
BILLS, Esther A. (Mrs.), 307 W. 8th Street, Los Angeles 90014 California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs & Guilds—AFL-CIO	(213) 624-2248
BLEASE, Coleman A., 1220 H Street, Suite 102, Sacramento 95814 American Civil Liberties Union of Southern California Social Workers Union, Local 535	(916) 444-3631
BOEL, Harold, 1414 K Street, Sacramento 95814 Pacific Telephone and Telegraph Company	(916) 443-0943
BOYD, C. Rex, 66 Bovet Road, San Mateo 94402 Phillips Petroleum Company	(415) 349-3166
BOYER, Norman D., 1108 O Street, Sacramento 95814 City of Los Angeles	(916) 446-0759
BRADFORD, Clive, 1127 - 11th Street, Room 233, Sacramento 95814 General Motors Corporation	(916) 444-5788
BRADFORD, Harold F., 926 J Street, Room 1003, Sacramento 95814 State Bar of California	(916) 444-2762
BRANCO, Joseph F., 660 W. 17th Street, Merced 95340 Federated Dairymen Western Dairymen's Association	(209) 722-7583
BRANTLEY, Julian K., 3100 Adams Blvd., Los Angeles 90018 Children's Home Society of California	(213) 735-1351

	Phone Number
BREY, Delmar H, 926 J Street, Room 903, Sacramento 95814	(916) 443-1628
Brotherhood of Locomotive Engineers	
BRIGHT, Tom M., 6597 Gloria Drive, Sacramento 95831	(916) 422-9853
A. J Veglia	
California Autobody Association	
California Federation of Safety Councils	
California Traffic Safety Foundation	
BROADERS, Halden C, 1200 K Street, Sacramento 95814	(916) 449-4771
Bank of America, NT&SA	
BROOKS, Joseph M., 800 - 9th Street, Suite 201, Sacramento 95814	(916) 443-4691
California School Boards Association	
BROWN, Donald Kent, Royal Inn of Sacramento, West Sacramento	(916) 371-2100
3539 Carolina Street, San Pedro 90731	(213) 547-4298
Comprehensive Health Systems, Inc.	
Robert R Mullen Company	
Union Bank	
BROWN, Paul R, 1127 - 11th Street, Suite 346, Sacramento 95814	(916) 444-5532
California Medical Association	
BROWNE, Richard E, 4800 Marcom Avenue Apt. 146, Carmichael 95608	(916) 489-4359
1360 West Temple Street, Los Angeles 90026	(213) 626-9411
Los Angeles County Employees Association	
BROWN, Robert C, Suite 718, 1127 - 11th Street, Sacramento 95814	(916) 443-8163
California Taxpayers' Association	
BRYANT, William C, 1415 - 18th St, Room 418 Bakersfield 93301	(805) 327-7973
Kern County Water Agency	
BURAL, Dal, 1127 - 11th Street, Room 450, Sacramento 95814	(916) 442-5895
California Teachers Association	
BURG, Carl R, 920 - 21st Street, Sacramento 95814	(916) 447-3251
Painting and Decorating Contractors of California, Inc.	
BURKE, William R, Hotel Senator, Sacramento 95814	(916) 442-5081
715 Airport Imperial Towers, 999 North Sepulveda Blvd., El Segundo 90245	(213) 772-7248
Association of Motion Picture and Television Producers, Inc.	
California Association of Homes for the Aging	
Catholic Health, Education and Welfare Organizations of California	

	Phone Number
BURNS, Donald Carlton, Hotel Senator, Sacramento 95814	(916) 442-5081
220 Montgomery Street, San Francisco 94104	(415) 391-8080
California Association of Life Underwriters	
California Conference of Behavioral Science Organizations	
National Swimming Pool Institute	
Organization Management, Inc.	
Plumbing-Heating-Cooling Contractors of California	
Retail Credit Company	
BURNS, Robert E., 1722 J Street, Suite 11, Sacramento 95814	(916) 444-2647
California Land Title Association	
BURROWES, Robert A., 9320½ Slauson Avenue, Pico Rivera 90660	(213) 949-3221
Los Angeles & Pico Rivera Consolidated Street Railway	
BUTLER, Monroe, Hotel Senator, Sacramento 95814	(916) 442-5081
1801 Avenue of the Stars, Los Angeles 90067	(213) 879-2150
Superior Oil Company	
Artists' Managers Guild	
BYRNE, Charles E., 1539 Webster Street Oakland 94612	(415) 465-3010
Central Bank	
CALDWELL, Alan C., Senator Hotel, Sacramento 95814	(916) 442-5081
P.O. Box 3575, San Francisco 94119	(415) 781-7760
Del Monte Corporation	
CALDWELL, William D., 1127 - 11th Street, Sacramento 95814	(916) 443-1975
California Retailers Association	
CALLAGHAN, John, 1127 - 11th St., Room 534, Sacramento 95814	(916) 444-6592
California Forest Protective Association	
CALLAN, William R., 225 Kearny St., San Francisco 94108	(415) 421-5654
Associated Farmers of California, Inc.	
CAMPBELL, Frederick R., 1127 - 11th Street, Room 718, Sacramento 95814	(916) 443-8163
California Taxpayers' Association	
CANNON, Vernon H., Hotel Senator, Room 309 Sacramento 95814	(916) 442-5081
25 Taylor St., Room 722, San Francisco 94102	(415) 474-6344
California Teamsters Legislative Council	
CANNON, W. Dean, Jr., 1127 - 11th St., Room 702, Sacramento 95814	(916) 444-6352
P.O. Box R, Pasadena 91109	(213) 684-1010
California Savings and Loan League	

	Phone Number
CANSON, Virna M. (Mrs.), 1025 - 9th St., Room 221, Sacramento 95814 National Association for the Advancement of Colored People	(916) 444-9230
CARBERRY, Peter S, Jr., 672 South Lafayette Park Place, Suite 33, Los Angeles 90057 Automotive Service Council of California	(213) 387-2133
CAROTHERS, Wayne T, 1127 - 11th St., Room 450, Sacramento 95814 California Teachers Association	(916) 442-5895
CARPENTER, Richard J, 1108 O St., Sacramento 95814 League of California Cities	(916) 444-5790
CARTER, Quinton H, 1117 Alhambra Blvd., Sacramento 95816 California State Association of Barbers and Beauticians	(916) 457-4022
CHANDLER, Laurence, Senator Hotel, Sacramento 95814 4529 Angeles Crest Highway, Suite 105, La Canada 91011 California Loan and Finance Association	(916) 442-5081
CHIRCO, Frank P., 635 - 5th Ave., San Diego 92101 California Barber College Association, Inc.	(714) 239-3239
CHRISTEN, Donald L., 1127 - 11th St., Suite 346, Sacramento 95814 California Medical Association	(916) 444-5532
CHRISTIE, Dan C., 1107 - 9th Street, Sacramento 95814 The Christie Company California Association of the Physically Handicapped, Inc.	(916) 443-6040
CLAYTON, Bill, 2500 Stockton Blvd., Sacramento 95817 Californians For Fairs, Inc. Western Fairs Association, Inc	(916) 451-8478
CLAYTON, Raymond C., City Hall, 1429 Thousand Oaks Blvd., Thousand Oaks 91360 City of Thousand Oaks	(805) 497-2701
COGGIN, Richard G., Hotel Senator, Suite 321, Sacramento 95814 Atlantic Richfield Company Gulf Oil Corporation Humble Oil and Refining Company Mobil Oil Corporation Phillips Petroleum Company Pillsbury, Madison & Sutro (For Standard Oil Co) Shell Oil Co. Union Oil Company of California	(916) 444-8440

	Phone Number
COLICIGNO, Michael A., Senator Hotel, Sacramento 95814	(916) 442-5081
750 South Mariposa Avenue, Los Angeles 90005	(213) 384-4301
The Committee for Modern Medical Practices	
COMSKY, David, 9171 Wilshire Blvd., Beverly Hills 90210	(213) 273-1870
J. H. Snyder Company	
CONNORS, Francis J., 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	
CONRAD, William Hunt, Senator Hotel, Sacramento 95814	(916) 442-5081
1948 Pacific Avenue, San Francisco 94109	(415) 885-5222
Castle and Cooke, Inc.	
Di Giorgio Corporation	
Heggblade-Marguleas-Tenneco, Inc.	
Irvine Company	
P.P.G. Industries	
COOK, Geoffrey, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
P.O. Box 800, Rosemead 91770	(213) 572-1981
Southern California Edison Company	
COOK, George, 1127 - 11th St., Room 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
COOK, Rose M. (Mrs.), 1325 - 15th Street, Suite 107, Sacramento 95814	
Christian Revolutionary Movement	
COOK, Sam K., Jr., 1325 - 15th Street, Suite 107, Sacramento 95814	
Western Nationalist Crusade International	
COOMES, Joseph E., Jr., 520 Capitol Mall, Suite 800, Sacramento 95814	(916) 444-3900
California Information Center for Community Development	
CORBETT, Frank D., 1331 T Street, Sacramento 95814	(916) 443-2091
California Contractors License Services	
Ventura County Building Contractors Association, Inc.	
CORBIN, Chas. Paul, P.O. Box 6025, Santa Rosa 95406	(707) 542-9502
Builders Exchange Construction Industry Conference	
North Coast Builders Exchange	

	Phone Number
CORTOPASSI, Gary E., 2020 L St., Sacramento 95814	(916) 444-7100
California-Western States Life Insurance Company	
COUCH, W. Edward, 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	
CRAIG, Edward, Hotel Senator, Sacramento 95814	(916) 442-5081
1198 East Elm St., Brea 92621	(714) 529-2410
County of Orange	
CREEDON, Daniel J., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 442-6465
P.O. Box 1929, San Mateo 94401	(415) 343-5611
California Association of Highway Patrolmen	
California Brewers Association	
California Funeral Directors Association	
City of Vernon	
Hession, Creedon, Hamlin, Kelly, Hanson & Farbstein	
United States Brewers Association, Inc.	
CRISCIONE, Joe V., 2317 I Street, Apt. 6, Sacramento 95814	(916) 444-3124
Kaiser Center, Ordway Bldg., 27th Floor, Oakland 94604	(415) 271-4822
Kaiser Foundation Health Plan, Inc.	
CROSE, JACK C., Hotel Senator, Suite 704, Sacramento 95814	(916) 442-4709
Advocates of Better Coastal Development	
California Assessment Bond Underwriters Association	
City of Long Beach	
Ethyl Corporation	
Securities Industry Association, Inc.	
Tenneco Inc.	
Western Developers Council	
CRUMP, Gerald F., 1127 - 11th Street, Suite 321 Sacramento 95814	(916) 446-4683
648 Hall of Administration, Los Angeles 90012	(213) 625-3611
County of Los Angeles	
CRUTTENDEN, Charles H , 710 Forum Building, Sacramento 95814	(916) 444-8904
County of Alameda	
DANIELS, George, 1010 - 11th Street, Sacramento 95814	(916) 443-4887
Agricultural Council of California	
DAVIS, Alan E , 926 Jay Building, Sacramento 95814	(916) 441-4140
Dow Chemical Company, The	
Glass Container Manufacturers Institute, Inc.	

	Phone Number
DAVIS, Arthur R , Jr., P.O. Box 24424, San Jose 95124 A. R. Davis & Co.	(408) 377-1678
DAVIS, Robert L., Cosmopolitan Motor Hotel, Suite 405, Sacramento 95814	(916) 444-8400
1941 O'Farrell Street, San Mateo 94403 California Grocers Association	(415) 349-8585
DAVIS, Ross E., 455 Capitol Mall, Suite 305, Sacramento 95814 Boise Cascade Corporation	(916) 446-4094
DENEBEIM, Bruce K., 100 Montgomery Street, San Francisco 94104 Liberty National Bank	(415) 981-7100
DENNISON, Michael C., 1127 - 11th Street, Room 531, Sacramento 95814 California Farm Bureau Federation	(916) 446-4647
DENUES, Bill L., 307 W. 8th Street, Los Angeles 90014 California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs & Guilds—AFL-CIO	(213) 622-6233
DESMOND, Gerald J., 926 J Street, Suite 415, Sacramento 95814 Bail Agents and Surety Agents Association Bay Area Air Pollution Control District Boat Owners Associated Together California Educational Distributors Hearing Aid Association of California	(916) 444-8664
DILLON, Michael F., 800 - 9th Street, Suite 201, Sacramento 95814 California School Boards Association	(916) 443-4691
DITTMAR, Richard F., 1331 T Street, Sacramento 95814 California State Builders Exchange	(916) 448-9194
DIXON, Elliott J., 5525 Wilshire Blvd., Suite 205, Los Angeles 90036 Dixon Associates Inc. Los Angeles Writing Review Course Municipal Construction Inspectors Association, Inc. Tax Reform and Governmental Simplification Association	(213) 749-0001
DIXON, James Farley, 132 West First Street, Los Angeles 90012 Dixon Associates Inc. Governmental Engineers Associated Tax Reform and Governmental Simplification Association	(213) 623-4059

	Phone Number
DORAIS, Michael B , 1127 - 11th Street, Room 1040, Sacramento 95814 California Newspaper Publishers Association, Inc.	(916) 447-1877
DOUGLAS, Mike N., 1108 O Street, Sacramento 95814 California State Employees Association	(916) 444-8134
DOW, McMorris M., 1127 - 11th Street, Sacramento 95814 City and County of San Francisco	(916)441-4222
DOWELL, Emery B., 1127 - 11th Street, Suite 900, Sacramento 95814 California Hospital Association	(916)443-7401
DOWNING, George M., 926 J Street, Room 708, Sacramento, 95814 Association of California School Administrators (formerly CASA, CASSA, CESAA, CAAEA, and CACSS) California Association of School Business Officials	(916) 444-3216
DUNMIRE, Stanley F., 1108 O Street, Room 426, Sacramento, 95814 Retired Public Employees' Association of California	(916) 447-2528
DUPUIS, Frederick G., Hotel Senator, Sacramento 95814	(916) 442-5081
465 California Street, San Francisco 94104 Independent Insurance Agents Association of California	(415) 981-2714
DURBROW, Robert T., 1127 - 11th Street, Room 305, Sacramento 95814 Irrigation Districts Association of California	(916) 447-9187
DURFEE, Robert A., Jr., Mansion Inn, Sacramento 95814	(916) 444-8000
200 Felton Drive, Menlo Park 94025 Allstate Insurance Company	(415) 323-6770
DUSEL, Fred A., 926 J Street, Room 220, Sacramento 95814 California Community Colleges Student Government Association	(916) 446-7662
EGELAND, Leona Helene, 100 West Rincon Avenue, Room 208-C, Campbell 95008 California Confederation of Zero Population Growth, Inc.	(408) 374-5444

	Phone Number
EKLUND, Nils O., Jr., 300 Lakeside Drive, Oakland 94604	(415) 271-2616
Kaiser Aluminum and Chemical Corporation	
Kaiser Cement and Gypsum Corporation	
Kaiser Center, Inc.	
Kaiser Center Properties	
Kaiser Foundation Health Plan, Inc.	
Kaiser Industries Corporation	
Kaiser Services	
Kaiser Steel Corporation	
National Steel and Shipbuilding Company	
Underwriters Service, Inc.	
United International Shipping Corporation	
ELDRED, Richard C., Mansion Inn, Sacramento 95814	(916) 444-8000
P. O. Box JC, Pacific Grove 93950	(408) 373-1621
Judges, Marshals and Constables Association	
ELY, George W., 135 Commonwealth Drive, Menlo Park 94025	(415) 322-7201
Parke, Davis & Company	
EMANUELS, Kenneth J., 1108 O Street, Sacramento 95814	(916) 444-5790
League of California Cities	
ENGEL, Victor B., 2490 Salvio Street, Concord 94520	(415) 685-8630
Contra Costa Builders' Exchange	
ENGLISH, Sharon Julia, 1107 - 9th Street, Room 1032, Sacramento 95814	(916) 443-5274
California Housing Coalition	
ERICKSON, Barbara J., 7373 Willow Lake Way, Sacramento 95831	(916) 428-4978
California Home Economics Association	
ESPOSITO, Ray R., 2907 Highland Avenue Sacramento 95818	(916) 451-4095
Camellia City Bingo Association	
EUSTIS, John M., III, 800 - 7th Street, Sacramento 95814	(916) 441-3441 ext. 19
California Peace Officers' Association	
Sacramento County Sheriff's Department	
EVANS, James L., 1127 - 11th Street, Suite 521, Sacramento 95814	(916) 442-4615
United Transportation Union	
FAIRBANK, William H., Jr., Hotel Senator, Room 232, Sacramento 95814	(916) 442-5081
Metropolitan Water District of Southern California	

	Phone Number
FARBER, Joseph M , 5880 Holstein Way, Sacramento 95822	(916) 422-1806
American Legion, Department of California	
Apache Beverage Company	
Main Resources Inc.	
Peace Officers Research Association of California	
FEITEN, Fred C., P. O. Box 15556, Sacramento 95813	(916) 925-7011
California Apartment Association	
California Motel Association	
FIALA, Jane (Mrs.), 622 N Street, Sacramento 95814	(916) 442-5667
California Congress of Parents and Teachers, Inc.	
FINKS, Harry, 1127 - 11th Street, Room 610, Sacramento 95814	(916) 444-3676
California Labor Federation, AFL-CIO	
California State Theatrical Federation	
FLEURY, Gordon A., 555 Capitol Mall, Suite 1100, Sacramento 95814	(916) 446-7833
American Insurance Association	
California Council, The American Institute of Architects	
California Records Searchers Association	
Pharmaceutical Manufacturers Association	
FLORENTINE, Harry Edward, 308 Spreckels Bldg., San Diego 92101	(714) 233-6351
San Diego Tavern & Restaurant Association	
FLOURNOY, Robert, Senator Hotel, Mezzanine, Sacramento 95814	(916) 444-0845
Box 32, Likely, California 96116	(916) 228-4281
California Cattlemen's Association	
FORAN, John Francis, 670 Coronado Blvd., Sacramento 95825	(916) 482-8052
4680 Wilshire Blvd , Los Angeles 90005	(213) 931-1961
Farmers Insurance Group	
FORBES, Charles F., 1127 - 11th St , Sacramento 95814	(916) 443-7401
Music, Peeler & Garrett, One Wilshire Blvd , Los Angeles	(213) 629-3322
Association of Independent California Colleges & Universities	
California Hospital Association	
FOX, John A K , 348 N Date, Rialto 92376	(714) 875-0211
American Council of Business and Professional Leaders Association	
FRANK, Edward H., Box 3494 Rincon Annex, San Francisco 94119	(415) 981-2121 ext 401
Bethlehem Steel Corporation	

	Phone Number
FRANKS, Stephen F., 1127 - 11th Street, Suite 223, Sacramento 95814	(916) 447-2868
County of San Bernardino	
FRANZ, Rodney T., 929 Forum Building, Sacramento 95814	(916) 443-6948
East Bay Municipal Utility District	
FRASER, John H., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 443-8214
77 Beale Street, San Francisco 94106	(415) 781-4211
Pacific Gas and Electric Company	
FRASER, John P., 1127 - 11th Street, Room 305, Sacramento 95814	(916) 447-9187
Irrigation Districts Association of California	
FRAYNE, James Lee, 1020 - 12th Street Sacramento 95814	(916) 442-6902
California Trial Lawyers Association	
FULTZ, Donald E., 455 Capitol Mall, Sacramento, 95814	(916) 444-6670
California Chamber of Commerce	
GAFFANEY, Keith M., 1522 N Street, Suite 202, Sacramento 95814	(916) 447-5040
California Wildlife Federation	
GALLEGO, Ernest E., 1811 Fair Oaks Avenue, South Pasadena 91030	(213) 682-3526
Southern California Ready Mixed Concrete Association	
Southern California Rock Product Association	
GARIBALDI, James D., Hotel Senator, Sacramento 95814	(916) 443-8215
510 W. 6th St., Los Angeles 90014	(213) 625-1377
Blue Chips Stamps	
California Association of Highway Patrolmen	
California Beverage Distributors Association	
California Court Reporters Association	
California State Club Association	
Hollywood Turf Club	
Leslie Salt Company	
Pacific Outdoor Advertising Company	
The Signal Companies	
GARLAND, Gordon H., Hotel Senator, Sacramento 95814	(916) 442-5081
California Chiropractic Association	
California Music Merchants Association	
California Water Association	
Golden Gate Bridge and Highway District	
Stone Corral Irrigation District	
Stone Corral Soil Conservation District	

	Phone Number
GARROD, Richard R., 1 Keel Court, Sacramento 95831	(916) 428-4285
22651 Mt. Eden Rd, Saratoga 95070	(408) 867-9198
Farmers Insurance Group	
GASS, James Morton, 912 W. G St., Ontario 91762	(714) 984-6424
California Association of Independent Business	
GASSAWAY, Paul, 926 J Street, Room 216, Sacramento 95814	(916) 442-3827
Associated Students of the University of California	
GAZZANIGA, Donald A., 926 J Street, Sacramento 95814	(916) 443-6665
J C. Penney Company, Inc.	
GEBHARDT, Elton G., 1127 - 11th Street, Room 531, Sacramento 95814	(916) 446-4647
California Farm Bureau Federation	
GERBER, Edward R., 1127 - 11th Street, Suite 334, Sacramento 95814	(916) 447-2868
209 County Administration Center, San Diego 92101	(714) 239-7711 ext. 341
County of San Diego	
GEYSER, Lewis P., 1100 Glendon Avenue, Los Angeles 90024	(213) 272-9711
J. H. Snyder Company	
GIBBERT, Floyd V., 1107 - 9th Street, Suite 714, Sacramento 95814	(916) 443-7417
Veterans of Foreign Wars of the United States	
GILBERT, J. B, 520 Capitol Mall, Suite 704, Sacramento 95814	(916) 446-0123
Eastman Dillon, Union Securities & Co.	
GILBERT, Orville H, 1127 - 11th Street, Sacramento 95814	(916) 448-3381
California Railroad Association	
GILCHRIST, John P, 1127 - 11th Street, Room 803, Sacramento 95814	(916) 447-4068
Bryman Schools, Inc.	
California Fisheries Association	
California Marine Parks & Harbors Association, Inc.—Northern Division	
California Seafood Institute	
Collaterial Loan Association of California	
GILLIES, Dugald, Room 503, 1127 - 11th St, Sacramento 95814	(916) 444-2045
California Real Estate Association	
GILMORE, John F, Suite 1016, 1127 - 11th St, Sacramento 95814	(916) 441-6921
Dairy Institute of California	
GLADE, J. Richard, 901 H St, Suite 101, Sacramento 95814	(916) 448-2003
Unemployment Insurance Association	

	Phone Number
GODDARD, Merle J., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
1941 O'Farrell Street, San Mateo 94402	(415) 349-8585
California Grocers Association	
GOFF, Arthur W., 1740 Narva Street, Los Angeles 90031	(213) 222-7171
Pacific Outdoor Advertising Co.	
GOLDSTEIN, David M., 720 - 9th Street, Suite 403, Sacramento 95814	(916) 454-5765
California Public Defenders Association	
GOLDSTONE, Charles I., 1127 - 11th Street, Room 803, Sacramento 95814	(916) 447-4068
900 Broadway, Oakland 94607	(415) 832-7411
John Gilchrist Associates	
GRABOW, Herman, 2101 Stockton Blvd., Sacramento 95817	(916) 455-2656
California State Grange	
GRAVES, Colin W., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
P.O. Box 800, Rosemead 91770	
Southern California Edison Company	(213) 572-1988
GRAY, Leo J., 2521 Greenfield Way, Carmichael 95608	(916) 487-6463
Merck Sharp & Dohme	
GREEN, Roy A., Jr., 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	
GREGORY, Philip J., Senator Hotel, Sacramento 95814	(916) 442-5081
100 Bush Street, Suite 2200, San Francisco 94104	(415) 391-4480
E. I. duPont de Nemours & Company	
Proprietary Association	
GRIMM, William L., 1127 - 11th Street, Sacramento 95814	(916) 444-2452
California Society of Psychiatric Technicians	
National Association of Human Services Technology	
GROEZINGER, Leland B., Hotel Senator, Sacramento 95814	(916) 442-5081
650 California Street, San Francisco 94108	(415) 434-1331
Life Insurance Association of America	
Sperry and Hutchinson Company	
GROSS, Charles R., 1107 - 9th Street, Suite 800, Sacramento 95814	(916) 447-7212
California Peace Officers' Association	
GRUHN, Albin J., 1127 - 11th Street, Suite 610, Sacramento 95814	(916) 444-3676
California Labor Federation, AFL-CIO	

	Phone Number
GULICK, Robert N, 9800 South Sepulveda Blvd., Los Angeles 90045 California Drywall Contractors Association Drywall Industry Trust Fund	(213) 776-4555
GUNTERMAN, Joseph F, Room 1032, Forum Building, Sacramento 95814 Friends Committee on Legislation	(916) 443-3734
GUPTA, Ruth Church (Mrs.), 2237 Chestnut Street, San Francisco 94123 California Federation of Business and Professional Women's Clubs	(415) 567-8140
HADDIX, Charles E, 3218 North McCall, Sanger 93657 Ives Laboratories Inc	(209) 291-2417
HALTERMAN, J. Fred, 1108 O Street, Room 426, Sacramento 95814 Retired Public Employees' Association of California	(916) 447-2528
HAMILTON, Harriet, 6380 Wilshire Blvd., Suite 1102, Los Angeles 90048 California Rental Association	(213) 651-0751
HANLEY, Robert E, Room 718, 1127 - 11th Street, Sacramento 95814 California Agricultural Conference	(916) 444-2465
HANNA, Robert L, 1107 - 9th Street, Room 733, Sacramento 95814 California State Council of Carpenters	(916) 443-3341
HANSEN, Thomas G. P., 926 J Street, Room 220, Sacramento 95814 California Community College Student Government Association	(916) 446-7662
HARDINGE, Franklin, Jr, P.O Box R, Pasadena 91109 California Savings and Loan League	(213) 684-1010
HARRINGTON, Gerald P, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 443-8214
77 Beale Street, San Francisco 94106 Pacific Gas and Electric Company	(415) 781-4211
HARVEY, B Scott, 1108 O Street, Sacramento 95814	(916) 446-3759
City Administration Bldg., 202 C Street San Diego 92101 City of San Diego	(714) 236-6276
HASBROOK, Neal C., 760 Market Street, San Francisco 94102 California Independent Telephone Association	(415) 397-0633

	Phone Number
HAY, Joe, 6000 J Street, Sacramento 95819 California State College Student President Association	(916) 454-6474
HAYTER, James Gordon, 222 Pacific Avenue, Long Beach 90802 Long Beach City Employees Association, Inc.	(213) 437-7411
HAZLEWOOD, Richard J., P.O. Box 9166, Stanford 94305 League of Men Voters of California	(415) 491-2884
HEALY, James T., 1108 O Street, Room 208, Sacramento 95814 San Francisco Board of Education San Francisco Unified School District	(916) 447-5600
HEATH, Joe, 1517 L Street, Sacramento 95814 Engineering and Grading Contractors Association	(916) 443-8144
HEGARTY, Edward J., 100 Bush Street, 21st Floor, San Francisco 94104 California Moving and Storage Association	(415) 986-6711
HENNING, John F., 1127 - 11th Street, Room 610, Sacramento 95814	(916) 444-3676
995 Market Street, Room 310, San Francisco 94103 California Labor Federation, AFL-CIO	(415) 986-3585
HENRY, Jack A., 3100 West Adams Blvd., Los Angeles 90018 Children's Home Society of California	(213) 735-1351
HENRY, Leon E , 1108 O Street, Suite 318, Sacramento 95814 Pacific Lighting Service Company Southern California Gas Company	(916) 444-2184
HESSION, CREEDON, HAMLIN, KELLY, HANSON & FARBSTEIN, Cosmopolitan Motor Hotel, Sacramento 95814 California Association of Thrift & Loan Companies Consulting Engineers Association of California	(916) 442-6465
HEWITT, Patricia S., 6240 Rio Bonito Drive, Carmichael 95608 California Escrow Association Society For Clinical Social Work	(916) 488-1466
HILL, Brian, 926 J Building, Suite 523, Sacramento 95814 California State Automobile Association California State Automobile Association Inter-Insurance Bureau	(916) 443-2577
HILLINGS, Patrick J., 3435 Wilshire Blvd., Los Angeles 90010 Ford Motor Compnay	(213) 385-3048

	Phone Number
HILTS, John W., Senator Hotel, Sacramento 95814	(916) 442-5081
1150 South Olive Street, Los Angeles 90015	(213) 746-1234
Transamerica Financial Corporation	
HOAGLAND, Charles E., 927 - 10th Street, Suite 302, Sacramento 95814	(916) 444-3767
Automobile Manufacturers Association, Inc.	
HODGE, Henry, 1127 - 11th Street, Suite 334, Sacramento 95814	(916) 447-2868
1600 Pacific Highway, San Diego 92101	(714) 239-7711
County of San Diego	
HOENE, Jack V., 5100 Edina Industrial Blvd., Minneapolis, Minnesota 55435	(612) 941-5327
International Snowmobile Industry Association	
HOFFMAN, Ancil, Jr., 1127 - 11th Street, Room 318, Sacramento 95814	(916) 446-5019
California Nurses' Association	
HOGAN, Harris E., 1127 - 11th Street, Room 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
HOLLIMAN, William G., Jr., 1108 O Street Sacramento 95814	(916) 444-5790
League of California Cities	
HOLMAN, Glen A., 1300 N Street, Sacramento 95814	(916) 442-5447
California Church Council	
HOLMES, Carl M , 1414 K Street, Sacramento 95814	(916) 443-0941
Pacific Telephone and Telegraph Company	
HOPSON, James A., 660 West 17th Street, Merced 95340	(209) 722-7583
Western Dairymen's Association	
HORALEK, James R., 1414 K Street, Sacramento 95814	(916) 443-0161
Pacific Telephone and Telegraph Company	
HORNER, Jack, 1423 Walnut Avenue, Long Beach 90813	(213) 599-1385
Builders' Exchange of Long Beach	
HOUSTON, George W., 119 N. Glendale Ave., Glendale 91206	(714) 528-7231
PERS Retirement Betterment Committee Inc.	
HOWE, James E., 1127 - 11th Street, Suite 521, Sacramento 95814	(916) 442-4615
United Transportation Union	
HOWE, Leslie D , 1127 - 11th Street, Sacramento 95814	(916) 443-1975
California Retailers Association	
HULTGREN, Clarence W., 1108 O Street, Suite 315, Sacramento 95814	(916) 446-0069
California Chapters, American Physical Therapy Association	

	Phone Number
HUMMELS, Kenneth R, 3040 - 19th Street, Suite 6, Bakersfield 93301	(805) 327-3022
California Cattle Feeders Association	
HUMPHREYS, W. Kenneth, 3630 Park Blvd., Oakland 94610	(415) 535-2210
California Veterinary Medical Association	
HUTCHINSON, Bud R., 230 South 10th Street, San Jose 95112	(408) 286-1561
United Professors of California	
INNIS, Robert D., Senator Hotel, Sacramento 95814	(916) 442-5081
1150 South Olive St., Los Angeles 90015	(213) 746-1234
Transamerica Financial Corporation	
JACKSON, Clayton R., Senator Hotel, Sacramento 95814	(916) 442-5081
155 Montgomery Street, San Francisco 94104	(415) 421-5117
American Reciprocal Insurance Association	
California Hotel and Motel Association	
Equity Funding Corporation of America	
Mercury Casualty Company	
State Farm Mutual Automobile Insurance Company	
JACKSON, Robert W., 2131 Capitol Avenue, Suite 206, Sacramento 95816	(916) 443-2057
Society of California Accountants	
JACOBS, Harold K., 926 J Street, Suite 516, Sacramento 95814	(916) 442-1017
California Trucking Association, Inc.	
JANELLI, Joe A., 1127 - 11th Street, Room 531, Sacramento 95814	(916) 446-4647
California Farm Bureau Federation	
JOHNSEN, Richard, Jr., 1010 - 11th Street, Sacramento 95814	(916) 443-4887
Agricultural Council of California	
JOHNSON, Albert C., 6848 Magnolia Avenue, Riverside 92503	(714) 682-2280
Professional Educators Group of California, Inc.	
JOHNSON, Leo L., Senator Hotel, Mezzanine, Sacramento 95814	(916) 444-0845
California Cattlemen's Association	
JOHNSON, Wendell K., Hotel Senator, Sacramento 95814	(916) 442-5081
1909 E. Buffalo, Santa Ana 92701	(714) 543-7078
American Investment Company	
Charter National Life Insurance Company	
Charter National Insurance Company	
Public Finance Corporation	
JONES, Howard L., 1819 Amberlane, Burbank 91504	(213) 842-4254
PERS Retirement Betterment Committee, Inc.	

	Phone Number
JORDAN, Robert L, 1500 - 7th Street, Apt. 13E, Sacramento 95814	(916) 443-1460
175 Curtner Avenue, San Jose 95125	(408) 297-3000,
General Electric Co.	ext. 2458
KAHN, Max R., Room 803, Hotel Senator, Sacramento 95814	(916) 442-5081
Jefferson E. Peyser (General Counsel for the Wine Institute and other clients)	
KAITZ, Walter, 207 Walsh Center Bldg, 3137 Castro Valley Blvd, Castro Valley 94546	(415) 351-8768
California Community Television Association	
California Physical Therapists Association	
California Public Employees Federation	
KAVANAGH, Dennis B., 605 Market Street, Suite 1005, San Francisco 94105	(415) 392-6122
Golden State Mobilhome Owners League, Inc.	
KARLSTAD, Olaf, 1117 Alhambra Blvd., Sacramento 95816	(916) 457-4022
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs & Guilds—AFL-CIO	
KEESE, William J, Room 703, Hotel Senator, Sacramento 95814	(916) 443-8215
1010 Wilshire Blvd., Los Angeles 90017	(213) 482-0722
The Signal Companies	
KEESLING, Francis V., Jr, 605 Market Street, San Francisco 94105	(415) 392-6760
West Coast Life Insurance Company	
KELLER, Lewis, 1127 - 11th Street, Suite 312, Sacramento 95814	(916) 442-3648
Association of California Life Insurance Companies	
KELLER, William H., 1012 Jackson Street, Oakland 94607	(415) 452-0445
Academy of California Optometrists	
KELLY, John D, 330 N Street, Apt. 38, Sacramento 95814	(916) 447-2341
California Association of Tobacco and Candy Distributors, Inc.	
KENDALL, Glenn, City Hall, 1429 Thousand Oaks Blvd., Thousand Oaks 91360	(805) 497-2701
City of Thousand Oaks	
KENNEDY, Anthony M, 455 Capitol Mall, Suite 700, Sacramento 95814	(916) 446-3431
California Association of Dispensing Opticians	
Schenley Industries, Inc.	
KENNEDY, Vincent D, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
Leslie Salt Company	

	Phone Number
KENNY, Thomas P., 2525 Stockton Blvd., Sacramento 95817 California Musicians Conference Western Conference of Musicians	(916) 452-4911
KENYON, Grant H., 1400 N St., Sacramento	(916) 442-5773
1150 S. Olive Street, Suite 2300, Los Angeles 90015 Merchants and Manufacturers Association	(213) 748-0421
KERRY, Edgar A., 1900 K Street, Suite 112, Sacramento 95814 California Rural Legal Assistance	(916) 446-7901
KIENEL, Paul A., 6512 S. Greenleaf Avenue, Whittier 90601 California Association of Christian Schools	(213) 696-7010
KIMBROUGH, Theopolis D., 1108 O Street, Sacramento 95814 Los Angeles City Board of Education	(916) 446-6641
KIML, Larry, 455 Capitol Mall, Suite 300, Sacramento 95814 California Chamber of Commerce	(916) 444-6670
KING, Jervus E., Jr., 205 So. Broadway, Room 908, Los Angeles 90012 Los Angeles Fire and Police Protective League	(213) 626-5341
KIRKPATRICK, Jack W., 1127 - 11th Street, Suite 900, Sacramento 95814 California Hospital Association	(916) 443-7401
KIRSTEIN, Keith K., 2701 Cottage Way, Suite 29, Sacramento 95825 Sonoma-Marin Dairymen's Association	(916) 488-2970
KNAPP, Paul R., 417 Montgomery Street, San Francisco 94104 Kemper Insurance Group	(415) 982-2727
KNIGHT, Thomas F., Jr., 923 - 12th Street, Sacramento 95814 California Manufacturers Association	(916) 443-8107
KNISS, Raymond, 1127-11th Street, Room 450, Sacramento 95814 California Teachers Association	(916) 442-5895
KOPP, Charles L., 605 Market Street, San Francisco 94105 West Coast Life Insurance Company	(415) 392-6760
KORFHAGE, Wilbur A., 1300 N Street, Sacramento 95814	(916) 442-1306
427 West 5th Street, Room 408, Los Angeles 90013 California Council on Alcohol Problems	(213) 624-6089

	Phone Number
KRONICK, Stanley W., 520 Capitol Mall, Sacramento 95814	(916) 444-8920
Kern County Water Agency	
Placer County Water Agency	
KULL, Olen I., Senator Hotel, Sacramento 95814	(916) 442-5081
One Wilshire Blvd , Suite 803, Los Angeles 90017	(213) 627-0781
Household Finance Corporation	
LAMBERT, William S., 234 So. Loma Drive, Los Angeles 90026	(213) 483-8611
United Teacher Associations of California	
United Teachers—Los Angeles	
LANDENBERGER, Fred, 1127 - 11th Street, Sacramento 95814	(916) 444-6592
California Forest Protective Association	
LANDON, James L., Senator Hotel, Sacramento 95814	(916) 442-5081
5480 Barrett Avenue, El Cerrito 94530	(415) 233-9763
Association of Municipal Court Clerks of California, Inc.	
LARSON, Kenneth D., 696 N Street, Sacramento 95814	(916) 447-3507
Federated Fire Fighters of California	
LAY, Edna M., D.O., 306 N Montgomery, Ojai 93023	(805) 646-4949
Osteopathic Physicians & Surgeons of California	
LEARNARD, William E., 1500 Spring Garden Street, Philadelphia, Pennsylvania 19101	(215) 564-2400
Smith Kline & French Laboratories	
LeBAS, Albert E , 1107 - 9th Street, Suite 800, Sacramento 95814	(916) 447-7212
Room 123, Courthouse, 111 North Hill St., Los Angeles 90012	(213) 625-3414 ext. 61401
California State Sheriffs' Association	
California Peace Officers' Association	
Los Angeles County Sheriff's Department	
LeFEVRE, Allan D., 1711 P Street, Sacramento 95814	(916) 442-3379
3755 Clay Street, San Francisco 94118	(415) 221-7795
California Association of Bioanalysts	
California Pharmaceutical Association	
Pharmaceutical Institute	
Town of Emeryville	
Triad, Inc.	
LEGGIO, Samuel J., 1020 - 12th Street, No. A, Sacramento 95814	(916) 444-8847
3380 - 14th Street, Riverside 92501	(714) 682-3874
Western Mobilehome Association	
LEMOS, Richard W , 555 Capitol Mall, Suite 417, Sacramento 95814	(916) 444-9840
California Podiatry Association	

	Phone Number
LESLIE, Tim, 1127 - 11th Street, Room 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
LIBRA, A. L., 923 - 12th Street, Sacramento 95814	(916) 443-8107
California Manufacturers Association	
LOGAN, Bill R, 1127 - 11th Street, Room 450, Sacramento 95814	(916) 442-5895
California Teachers Association	
LOKEY, Roy Eugene, 1107 - 9th Street, Room 904, Sacramento 95814	(916) 444-6569
Council For Community Action Planning, Inc.	
LOMBARDO, James Edward, Hotel Senator, Room 309, Sacramento 95814	(916) 442-5081
California Teamsters Legislative Council	
LONG, E. A., Penobscot Ranch, Cool 95614	(916) 885-9298
California Council of Civil Engineers and Land Surveyors	
Western Harness Racing, Inc.	
LONG, Ralph F., 1127 - 11th Street, Suite 223, Sacramento 95814	(916) 447-2868
70 W. Hedding Street, San Jose 95110	(408) 299-2111
County of Santa Clara	
LOWN, Harry A., 925 Harbor Plaza, Long Beach 90807	(213) 437-0041
Long Beach City Employees Association, Inc.	
LUCKEY, Harold, 36770 W. Florida, Space 30, Hemet 92343	(714) 925-1378
Associated Master Barbers of California	
LUDLAM, James E., 1127 - 11th Street, Sacramento 95814	(916) 443-7401
Musick, Peeler & Garrett, One Wilshire Blvd., Los Angeles	(213) 629-3322
Association of Independent California Colleges and Universities	
California Hospital Association	
LUNARDI, Paul J., Room 803, Hotel Senator, Sacramento 95814	(916) 442-5081
City of South Lake Tahoe	
Wine Institute	
LUTHER, John M., 331 Forum Building, Sacramento 95814	(916) 446-0197
California Central Valleys Flood Control Association	
LYON, LeRoy E., Jr., 1127 - 11th Street, Sacramento 95814	(916) 448-3381
California Railroad Association	

	Phone Number
MADSEN, Thor A., 735 Industrial Way, San Carlos 94070	(415) 591-4486
Peninsula Builders Exchange, Inc.	
MAGNANI, Laura, Forum Building, Room 1032, Sacramento 95814	(916) 443-3734
Friends Committee on Legislation	
MAHONEY, Joseph F., 330 N Street, Apt. 38, Sacramento 95814	(916) 447-2341
300 East California Blvd., Pasadena 91106	(213) 449-6595
Joseph F Mahoney and Associates, Inc	
California Automatic Vendors Council	
California Association of Tobacco & Candy Distributors	
Pacific Gas and Electric Company	
Southern California Edison Company	
Western Candy Conference	
MAHONEY, Michael E , 1127 - 11th Street, Suite 346, Sacramento 95814	(916) 444-5532
California Medical Association	
MARINO, Albert A , 1127 - 11th Street, Room 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
MARSH, B Richard, 606 South Olive, Los Angeles 90014	(213) 627-8471
County Sanitation Districts of Los Angeles County	
Southeast Recreation and Park District	
MARSH, William F., 1500 - 7th Street, Suite 11-O, Sacramento 95814	(916) 442-6485
1221 W. Coast Highway, Newport Beach 92660	(714) 645-5000
William F. Marsh and Associates	
MARTIN, Ben D., 1127 - 11th Street, Room 1040, Sacramento 95814	(916) 447-1877
California Newspaper Publishers Association, Inc.	
MATTOCK, TERRY J., 1127 - 11th Street, Room 718, Sacramento 95814	(916) 443-8163
California Taxpayers' Association	
McAMIS, Paul D , 1020 - 12th Street, Mezzanine Floor, Sacramento 95814	(916) 444-0598
California School Employees Association	
McCANLIES, Fred A., 1108 O Street, Suite 318, Sacramento 95814	(916) 444-2184
720 W. 8th Street, Los Angeles 90017	(213) 689-3563
Pacific Lighting Service Co.	
Southern California Gas Co.	
McCARRON, Paul N., Room 552, 1127 - 11th Street, Sacramento 95814	(916) 443-7933
California Builders Council	

	Phone Number
McCLUNG, Emmons, 923 - 12th Street, Room 300, Sacramento 95814	(916) 443-8107
California Conference of Employer Associations	
California Manufacturers Association	
McCOLLISTER, Richard H., 11 Sail Court, Sacramento 95831	(916) 422-2004
California State Restaurant Association	
Escrow Institute of California	
McCOY, Gordon A., 750 Post Street, San Francisco 94120	(415) 771-3131
Liberty National Bank	
McCRACKEN, Everett M., Jr., P.O. Box 4455, Arden Branch, Sacramento 95825	(916) 481-6621
1008 West Sixth Street, Los Angeles 90054	(213) 482-3131
Shell Oil Company	
McGEHEE, Fielding M., III, Forum Building, Room 1032, Sacramento 95814	(916) 443-3734
Friends Committee on Legislation	
McGILL, Ralph J., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
780 Ulloa Street, San Francisco 94127	(415) 661-2222
California Refuse Removal Council—Northern District	
McGILVRAY, Kenneth G., Suite 714, Forum Building, Sacramento 95814	(916) 443-7417
Associated Credit Bureaus of California, Inc.	
Credit Managers Association of Southern California	
National Association of Credit Management, Northern and Central California	
Western Building Material Dealers Association	
McLAUGHLIN, Francis M., 1127 - 11th Street, Suite 321, Sacramento 95814	(916) 446-4683
713 Hall of Administration, Los Angeles 90012	(213) 625-3611
County of Los Angeles	
McLEAN, Marguerite E, P.O. Box 364, Diamond Springs 95619	(916) 622-7879
Association of California School Districts	
MEDEIROS, C. W. "Nick," Jr., Hotel Senator, Room 309, Sacramento 95814	(916) 442-5081
California Teamsters Legislative Council	
MEDEIROS, Manuel M., 1900 K Street, Suite 112, Sacramento 95814	(916) 446-7901
California Rural Legal Assistance	
MENDEL, Warren R., 1517 L Street, Sacramento 95814	(916) 443-8144
Engineering and Grading Contractors Association	

	Phone Number
MERELMAN, Jack M., 1127 - 11th Street, Room 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
MERZ, Elmer J., 469 Pala Way, Sacramento 95819	(916) 451-2424
California Association of Nurserymen	
MESPLE, Frank A, 1127 - 11th Street, Room 252, Sacramento 95814	(916) 446-6318
California Municipal Utilities Association	
MICHAEL, Warren W., 2306 J Street, Sacramento 95816	(916) 441-2712
California Association of Independent Insurance Adjusters, Inc.	
National Association of Independent Insurance Adjusters	
MICHELENA, Frank G., Senator Hotel, Sacramento, 95814	(916) 442-5081
4667 MacArthur Blvd., Suite 311, Newport Beach 92660	(714) 540-4090
Frank Michelena & Associates	
Mission Viejo Company	
Rancho Mission Viejo	
7-Eleven Stores (Southland Corporation)	
MILLER, Horace M., Senator Hotel, Sacramento 95814	(916) 442-5081
180 W 14th Avenue, Blythe 92225	(714) 922-3144
Palo Verde Irrigation District	
MILLER, Kenneth L., 9273 Chestwall St., Orangevale 95662	(916) 988-6429
135 Commonwealth Drive, Menlo Park 94502	(415) 322-7201
Parke, Davis & Company	
MILLER, Robert A., Room 242, 1127 - 11th Street Sacramento 95814	(916) 442-6342
Southern Pacific Transportation Company	
MODLING, Odom W., 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	
MOORE, Clarence C., 1107 - 9th Street, Suite 800, Sacramento 95814	(916) 447-7212
180 West Hedding Street, San Jose 95110	(408) 299-2001
California Peace Officers' Association	
Santa Clara County Sheriff's Department	
MORGAN, James A., Woodlake Inn, Sacramento 95815	(916) 922-6251
P O Box 545, Hollywood 90028	(213) 652-5409
Vieux Carre, Inc.	
MOSES, Stefan B., 717 K Street, Sacramento 95814	(916) 447-8541
California Institute of Libraries	

	Phone Number
MOSKOVITZ, Adolph, 520 Capitol Mall, Sacramento 95814 Amador County Water Agency Placer County Water Agency	(916) 444-8920
MOTES, Brig Gen. Jack, P.O. Box 214774, Sacramento 95821 National Guard Association of California	(916) 481-8774
MOULTON, Darrel L., 8652 Sunset Avenue, Fair Oaks 95628 California Correctional Officers Association	(916) 966-2101
MOY, Diane, 408 Forum Building, 1107 - 9th Street, Sacramento 95814 Lock Richards and Associates	(916) 444-5520
MUIR, J. E. "Skip," 1127 - 11th Street, Room 540, Sacramento 95814 California Dental Association Southern California Dental Association	(916) 444-2147
MURPHY, Everett B., P.O. Box 356, Menlo Park 94025 Western Liquid Gas Association	(415) 325-1541
MURRAY, James A., Jr., 727 J Street, Sacramento 95814 California Barber College Association, Inc.	(916) 441-0072
MUTCHLER, Thomas H., 1777 Murchison Drive, Burlingame 94010 International Paper Company	(415) 697-9600
MYERS, Leland W., 2017 O Street, Sacramento 95814 California Junior College Association	(916) 444-8641
MYRAN, Ronald C., 800 - 9th Street, Suite 201, Sacramento 95814 California School Boards Association	(916) 443-4691
NAGLESTAD, F. A., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
1654 The Alameda, Suite 5, San Jose 95126 Naglestad Associates California Employment Association City of Foster City Estero Municipal Improvement District	(408) 286-2312
NAMBO, Robert H., 1107 - 9th Street, Suite 325, Sacramento 95814 California Association of Sheet Metal, Heating and Air Conditioning Contractors	(916) 443-7991
NEGRI, David, Downtown Travelodge, Sacramento 95814	(916) 444-8880
563 South Brand Blvd., San Fernando 91340 Independent Automobile Dealers Association of California	(213) 365-3104

	Phone Number
NEILSON, Royal A, 760 Market Street, Room 932, San Francisco 94102	(415) 781-2852
Plumbing-Heating-Cooling Contractors of California	
NICKEL, George D., 1300 Ramona Road, Arcadia 91006	(213) 355-1736
Beneficial Management Corporation	
NIDA, Robert H, 926 J Building, Suite 523, Sacramento 95814	(916) 443-2577
Automobile Club of Southern California	
Interinsurance Exchange of the Automobile Club of Southern California	
NIELSON, Edwin J., Senator Hotel, Sacramento 95814	(916) 441-7896
Air Transport Association	
United Air Lines	
NILES, Jack, 7321 Ridgecrest Court, Carmichael 95608	
The Allied Group	
California Franchise Owners Association	
Scientific Progress Applied to California Environment	
Western Franchise Owners	
NORDLANDER, Neil Y, 1020 - 12th Street, No. A, Sacramento 95814	(916) 444-8847
3380 - 14th Street, Riverside 92501	(714) 682-3874
Western Mobilehome Association	
NORRIS, W. Kenneth, 429 Forum Building 1107 - 9th Street, Sacramento 95814	(916) 446-6082
California Legislative Service Bureau, Inc.	
California Sanitary and Sanitation Districts Association	
California Taxicab Owners Association	
O'HARA, Gerald P, Hotel Senator, Room 309, Sacramento 95814	(916) 442-5081
California Teamsters Legislative Council	
OHLSON, Harry B, 4100 Normal Street, San Diego 92103	(714) 298-4681
San Diego Community College District	
San Diego Unified School District	
OLIVER, David V., Room 1003, 1127 - 11th Street, Sacramento	(916) 442-4581
582 Market Street, San Francisco	(415) 421-3533
Association of California Insurance Companies	
Canners League of California	

	Phone Number
OLSEN, Charles H., 1500 - 7th Street, Sacramento 95814	(916) 446-6244
719 Ocampo Drive, Pacific Palisades 90272	(213) 454-2053
California Association of Nursing Homes	
City of Inglewood	
Deane & Deane, Inc.	
H. F. Ahmanson & Company	
Mobil Chemical Company	
Public Vision League	
Ticketron	
Westinghouse Electric Corporation	
Williams-Kuebelbeck and Associates, Inc.	
OPPMANN, Andrew W., Jr., 1127 - 11th Street, Suite 900, Sacramento 95814	(916) 443-7401
California Hospital Association	
PADDOCK, Brian, 1900 K Street, Sacramento 95814	(916) 442-0753
Western Center on Law and Poverty	
PALMER, Harold R., 1117 Alhambra Blvd., Sacramento 95816	(916) 456-6495
Sacramento Typographical Union	
PAQUIER, Jean L., 1117 Alhambra Blvd., Sacramento 95816	(916) 456-6495
Sacramento Typographical Union	
PARINO, Salvador, 5530 E Street, Sacramento 95819	(916) 457-3863
Camellia City Bingo Association	
PARK, Edward P , 1107 - 9th Street, Room 733, Sacramento 95814	(916) 447-1218
2555 Flores Street, Suite 390, San Mateo 94403	(415) 341-7963
California State Conference of Operating Engineers	
PARNELL, KEVIN P., 917 - 7th Street, Sacramento 95814	(916) 443-3771
Sacramento Metropolitan Chamber of Commerce	
PEEVEY, Michael R., 1127 - 11th Street, Room 610, Sacramento 95814	(916) 444-3676
California Labor Federation, AFL-CIO	
PERRY, Kati, 926 J Street, Room 216, Sacramento 95814	(916) 442-3827
Associated Students of the University of California	
PEYSER, Jefferson E., Room 803, Hotel Senator, Sacramento 95814	(916) 442-5081
Suite 1616 Mills Tower, San Francisco 94104	(415) 392-3566
Wine Institute	
PHILLIPS, John D., 5525 Wilshire Blvd., Suite 205, Los Angeles 90036	(213) 749-0001
Dixon Associates Inc.	
Los Angeles Writing Review Course	

	Phone Number
PIKE, David L., 1117 Alhambra Blvd., Sacramento 95816	(916) 456-6495
Sacramento Typographical Union	
PITKIN, David R., 4049 Wycombe Drive, Sacramento 95825	(916) 442-3480
2055 - 3rd Avenue, San Diego 92101	(714) 239-3026
Creditor's Rights Legislative Committee	
PLOSSER, William D., 927 - 10th Street, Suite 209, Sacramento 95814	(916) 447-3865
Faculty Association of the California Community Colleges, Inc.	
PLUMB, John H., 929 Forum Building, 1107 - 9th Street, Sacramento 95814	(916) 443-6948
East Bay Municipal Utility District	
PORAY-TUCHOLSKI, S. J., Mardi Gras Motel, Sacramento 95814	(916) 444-8960
15257 E. Cedarsprings Drive, Whittier 90603	(213) 693-6580
Bermejo International, Ltd.	
Polish Panamerican Chamber of Commerce	
Poray Associates	
POTTORFF, George B , 1127 - 11th Street, Room 252, Sacramento 95814	(916) 441-4011
1035 E. Hillsdale Blvd., Foster City 94404	(415) 349-5700
County of San Mateo	
POTTORFF, Victor S., 1127 - 11th Street, Room 252, Sacramento 95814	(916) 441-4011
1035 E. Hillsdale Blvd., Foster City 94404	(415) 349-5700
County of San Mateo	
POWNALL, Frederick M., Hotel Senator, Room 329, Sacramento 95814	(916) 446-4691
c/o Landels, Ripley & Diamond, 3300 Crocker Plaza, San Francisco 94104	(415) 362-5808
California Bankers Association	
PRICE, David L , 926 J Street, Room 1003, Sacramento 95814	(916) 444-2762
State Bar of California	
PRICE, Don G., 926 J Street, Room 523, Sacramento 95814	(916) 443-2577
Automobile Club of Southern California	
Interinsurance Exchange of the Automobile Club of Southern California	
PRITCHARD, Ruth, 1107 - 9th Street, Room 1037, Sacramento 95814	(916) 442-7215
League of Women Voters of California	
QUEALE, Gary L , 1127 - 11th Street, Room 305, Sacramento 95814	(916) 447-9187
Irrigation Districts Association of California	

	Phone Number
RANDLETT, James E., 1127 - 11th Street, Suite 346, Sacramento 95814 California Medical Association	(916) 444-5532
RATCLIFF, Richard E., Room 329, Hotel Senator, Sacramento 95814 California Bankers Association	(916) 446-4691
RAYMOND, Francis H., 1301 Weller Way, Sacramento 95818 California Foresters for Registration	(916) 448-2459
READ, Aaron L., 1108 O Street, Sacramento 95814 California State Employees' Association	(916) 444-8134
READ, Al, 7321 Ridgecrest Court, Carmichael 95608 The Allied Group California Franchise Owners Association Scientific Progress Applied to California Environment	
READ, Ben H., 926 J Street, Sacramento 95814	(916) 446-6533
1127 Wilshire Blvd., Los Angeles 90017 Public Health League of California	(213) 481-3901
REDWINE, Kent H., Hotel Senator, Room 729, Sacramento 95814	(916) 442-2809
1618 N. Las Palmas, Hollywood 90028 Association of Motion Picture and Television Producers, Inc. Trailer Coach Association	(213) 465-2117
REED, James S., 717 K Street, Suite 308, Sacramento 95814 Consumer Coalition Planning and Conservation League San Francisco Bar Pilots	(916) 446-5266
REID, Albert J., Jr., 1330 U Street, Sacramento 95818 Foster and Kleiser	(916) 442-3896
REIDY, John P., 455 Capitol Mall, Room 205, Sacramento 95814 California Credit Union League	(916) 443-7935
REINING, Donald J., 1811 Fair Oaks, South Pasadena 91030 Southern California Ready Mixed Concrete Association Southern California Rock Products Association	(213) 682-3526
REISNER, Donald J., 1127 - 11th Street, Sacramento 95814 California Railroad Association	(916) 448-3381
REPETTO, Primo R., 131 Terminal Court, South San Francisco 94080 Golden Gate Produce Terminal	(415) 761-3360

	Phone Number
REYNOLDS, Harold G, Jr., 1127 - 11th Street, Room 318, Sacramento 95814	(916) 446-5019
California Nurses' Association	
REYNOLDS, R. Blair, 1722 J Street, Suite 11, Sacramento 95814	(916) 444-2647
California Land Title Association	
RIBNICK, Gerson D., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
5107 West First Street, Los Angeles 90004	(213) 467-1158
Trade Association Consultants, Inc.	
California Association of Schools of Cosmetology	
Environmental Action Committee	
Heating, Ventilating and Air Conditioning Contractors, Inc.	
Institute of Heating and Air Conditioning Industries, Inc.	
Parking and Highway Improvement Contractors Association	
Parking Area Industry Education Fund	
United Business League	
RICHARDS, Lachlan M, 408 Forum Building, 1107 - 9th Street, Sacramento 95814	(916) 444-5520
Lock Richards & Associates	
California Aircraft Dealers Association	
California Association of Harbor Masters and Port Captains, Inc.	
California Division of Forestry Employees Association	
California Marine Parks & Harbors Association, Inc.—Southern Division	
Catrala of California	
International Telephone and Telegraph Corporation	
RIDGEWAY, G Lee, 1108 O Street, Sacramento 95814	(916) 444-8134
California State Employees' Association	
RILEY, Robert M., 448 South Hill St., Suite 612, Los Angeles 90013	(213) 628-3371
California State Restaurant Association	
ROBERSON, Gabriel R., 1108 O Street, Room 206, Sacramento 95814	(916) 443-1769
General Telephone Company of California	
ROBERTS, W. Bruce, Senator Hotel, Room 325, Sacramento 95814	(916) 446-0583
Ken Ross & Company	
ROBINSON, George B., 2707 K Street, Room 5, Sacramento 95816	(916) 442-1041
California Society of Professional Engineers	

	Phone Number
ROCKNE, Lloyd M, 8501 Bennington Way, Sacramento 95826	(916) 383-9457
Distilled Spirits Institute, Inc.	
RODGERS, Robert C., 539 Tyndall Avenue, Los Altos 94022	(415) 941-4034
The Upjohn Company	
ROPE, Robert S., 1509 - 3rd Street, Sacramento 95814	(916) 442-0843
5637 South Magnolia Avenue, Whittier 90601	(213) 695-4141
California Contract Cities Association	
City of Industry	
Professional Peace Officers Association	
ROSAUER, R. H., 555 Capitol Mall, Suite 715, Sacramento 95814	(916) 444-5865
Eli Lilly and Company	
ROSS, Kenneth A., Jr., Senator Hotel, Room 325, Sacramento 95814	(916) 446-0583
8400 Sunset Blvd., Los Angeles 90069	(213) 654-5815
Advan, Inc.	
American Cement Corporation	
Associated General Contractors of America, Inc.	
Associated General Contractors of California, Inc.	
California Portland Cement Company	
Continental Airlines	
Flying Tiger Line, Inc.	
Los Angeles Turf Club, Inc.	
Monolith Portland Cement Company	
Pacific Western Industries, Inc.	
Southwestern Portland Cement Company	
ROSSIE, Charles M., 455 Capitol Mall, Room 205, Sacramento 95814	(916) 443-7935
California Credit Union League	
RUPERT, Thomas C., 3031 Torrance Blvd., Torrance 90503	(213) 328-5310
City of Torrance	
RUSSELL, F. W. "Bill", Box 1487, Auburn 95603	(916) 885-3617
Mountain Counties Water Resources Association	
RUTH, Leland H, 1010 - 11th Street, Sacramento 95814	(916) 443-4887
Agricultural Council of California	
SAMPSON, Jerome N., 40 First Street, 3rd Floor, San Francisco 94105	(415) 982-4000
Jewish Inter-Community Committee on Public Affairs of California	
SANDERS, Les, 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	

	Phone Number
SANDFORD, H B (Pete), 1127 - 11th Street, Room 803, Sacramento 95814	(916) 444-5433
California Sports, Inc.	
Golden West Baseball Company	
Los Angeles Area Chamber of Commerce	
Los Angeles Dodgers, Inc.	
National Association of Theatre Owners of Northern California	
National Association of Theatre Owners of Southern California	
Oakland A's Baseball Team	
San Diego Padres Baseball Club	
San Francisco Giants	
SANFORD, Russell E, 3525 South Port Drive, Sacramento 95826	(916) 363-0265
R. E Sanford and Associates	
California Motorcycle Industry Council, Inc.	
California Off-Road Vehicle Association	
Motorcycle Owners, Riders, and Enthusiasts	
SAWYER, George, 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	
SCHIAVENZA, John T., 8130 Baldwin Street, Oakland 94621	(415) 562-8333
California Conference of Machinists	
California Machinists Non Partisan Political League	
SCHIAVONE, Ralph L, 1408 - 5th Street, Sacramento 95814	(916) 442-0411
California Association of Highway Patrolmen	
SCHILLA, Peter F., 1900 K Street, Suite 112, Sacramento 95814	(916) 446-7901
California Rural Legal Assistance	
SCHOFIELD, William R, 1127 - 11th Street, Suite 534, Sacramento 95814	(916) 444-6592
Association of Employment Agencies of Northern California	
California Agricultural Aircraft Association, Inc.	
California Industrial Forest Consultants	
SCOTT, Robert L., Number One Bush Street, San Francisco 94119	(415) 823-5918
Crown Zellerbach Corporation	
SCULLY, Charles P., 1127 - 11th Street, Room 610, Sacramento 95814	(916) 444-3676
995 Market Street, Suite 1110, San Francisco 94103	(415) 362-0241
California Labor Federation, AFL-CIO	

	Phone Number
SELENSKI, Joseph J., 710 - 50th Street, Sacramento 95819	(916) 457-9069
California Graphic Arts Unions Legislative Council	
SHANBOUR, Fred L., Hotel Senator, Room 617, Sacramento 95814	(916) 442-5081
4101 E Willow, Long Beach 90815	(213) 426-1741
Licensed Vocational Nurses League of California, Inc.	
North American Rockwell Information Systems Company	
Society of California Accountants	
SHEEHAN, John P., 1108 O Street, Sacramento 95814	(916) 446-0759
City of Los Angeles	
SHELL, Joseph C., 400 Hopkins Road, Sacramento 95825	(916) 483-4883
Box 470, Main Post Office, Bakersfield 93302	(805) 322-8992
Independent Petroleum Association of California	
Independent Refiners Association of California	
SHELLEY, John F., 1127 - 11th Street, Sacramento 95814	(916) 441-4222
City and County of San Francisco	
SHERMAN, R. Scott, 220 Montgomery Street, Suite 1010, San Francisco 94104	(415) 397-2883
California Association of Life Underwriters	
SHIELDS, Don B., 5110 District Blvd., Maywood 90270	(213) 771-7711
California Mobilehome Dealers Association	
Highway Carriers Association	
SHILLITO, Robert M., 1127 - 11th Street, Sacramento 95814	(916) 443-1975
California Retailers Association	
SHOCKLEY, Joseph L., 3527 Broadway, Sacramento 95817	(916) 452-4081
California Association of Licensed Repossessors, Inc.	
SHULTS, Albert J., Hotel Senator, Suite 321, Sacramento 95814	(916) 444-8440
Atlantic Richfield Company	
Ethyl Corporation	
Gulf Oil Corporation	
Humble Oil & Refining Company	
Mobil Oil Corporation	
Phillips Petroleum Company	
Pillsbury, Madison and Sutro (For Standard Oil Co.)	
Shell Oil Company	
Union Oil Company of California	

	Phone Number
SIMPSON, Francis M., Jr , 3040 - 19th Street, Suite No 6, Bakersfield 93301 California Cattle Feeders Association	(805) 327-3022
SIMPSON, Richard P , No 718, 1127 - 11th Street, Sacramento 95814 California Taxpayers' Association	(916) 443-8163
SIMS, Archie C , 1127 - 11th Street, Suite 521, Sacramento, 95814 Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees	(916) 442-4615
SLOAN, Edwin F., 520 Capitol Mall, Suite 706, Sacramento 95814 California Hotel and Motel Association	(916) 444-5780
SMILEY, Howard J , 1107 - 9th Street, Sacramento 95814 California Broadcasters Association	(916) 444-2237
SMITH, Ivan C , 111 Capitol Mall, Suite 102, Sacramento 95814 Western Agricultural Chemicals Association	(916) 447-2561
SMITH, Jack E , 455 Capitol Mall, Suite 300, Sacramento 95814 California Chamber of Commerce	(916) 444-6670
SMITH, Jo G (Mrs), 5228 Adelaide Way, Sacramento 95841 League of Women Voters of California	(916) 482-2464
SMITH, Loren V., 1108 O Street, Sacramento 95814 California Advocates, Inc.	(916) 441-5050
SMITH, William P , Jr , 927 - 10th Street, Suite 304, Sacramento 95814 Faculty Association of the California Community Colleges, Inc	(916) 446-7943
SMITHERS, Charles L , Cosmopolitan Motor Hotel, Suite 1211, Sacramento 95814	(916) 446-3744
101 Ash Street, San Diego 92112 San Diego Gas and Electric Company	(714) 232-4252
SNYDER, L Miles, 1831 I Street, Sacramento 95814 California Society of Pathologists	(916) 443-6744
SODERBERG, Ed C , 1107 - 9th Street, Suite 315, Sacramento 95814	(916) 448-7301
2220 So Hill St., Los Angeles 90007 California Conference of Mason Contractor Associations, Inc. California Council of Airconditioning and Refrigeration Contractors Associations	(213) 748-8448

	Phone Number
SPARKS, L. E., 2525 Stockton Blvd., Sacramento 95817	(916) 455-0317
Bridge, Structural and Ornamental Iron Workers Local 118	
SPECK, Fred J., 926 J Street, Room 220, Sacramento 95814	(916) 446-7662
California Community College Student Government Association	
SPIKER, Kenneth G., 1108 O Street, Sacramento 95814	(916) 446-0759
City of Los Angeles	
STADLER, William J , Senator Hotel, Sacramento 95814	(916) 442-5081
P.O Box 499, El Centro 92243	(714) 352-2462
Imperial Irrigation District	
STAIGER, William B., Hotel Senator, Mezzanine, Sacramento 95814	(916) 444-0845
California Cattlemen's Association	
STEEL, Joseph W , 10100 Santa Monica Blvd., Suite 1500, Los Angeles 90067	(213) 553-3240
Alcoa Building Industries	
Alcoa Corona Works	
Alcoa Vernone Works	
Century City, Inc.	
STEFAN, Victor F , 1108 O Street, Room 212, Sacramento 95814	(916) 444-5726
California Association of Collectors, Inc	
Los Alamitos Race Course	
Soap and Detergent Association	
Southern California Racing Association	
STEFFES, George R., 1108 O Street, Sacramento 95814	(916) 441-5050
California Advocates, Inc	
STEVENS, Berenice (Mrs), 1623 Franklin Street, No. 1105, Oakland 94612	(415) 893-5278
California Association of Medical Laboratory Technologists	
STEVENS, Lawrence C., Senator Hotel, Sacramento 95814	(916) 442-5081
2001 Bayside Drive, Corona Del Mar 92625	(714) 673-5623
Avco Financial Services, Inc.	
Transamerica Financial Corporation	
STEVENSON, Gerald C , 1127 - 11th Street, Suite 234, Sacramento 95814	(916) 442-4411
California State Firemen's Association	

	Phone Number
STROWBRIDGE, Wayne H, 926 J Building, Room 1111, Sacramento 95814	(916) 444-9922
Georgia-Pacific Corporation	
STRUBLE, William F., 300 Lakeside Drive, Oakland 94604	(415) 271-2514
Kaiser Aluminum and Chemical Corporation	
Kaiser Cement and Gypsum Corporation	
Kaiser Center, Inc.	
Kaiser Center Properties	
Kaiser Foundation Health Plan, Inc.	
Kaiser Industries Corporation	
Kaiser Services	
Kaiser Steel Corporation	
National Steel and Shipbuilding Company	
Underwriters Service, Inc.	
United International Shipping Corporation	
STURTEVANT, Brian E., 1107 - 9th Street, Suite 217, Sacramento 95814	(916) 442-1819
California Agricultural Aircraft Association, Inc.	
SULLIVAN, Eugene J, 962 Russ Building, San Francisco 94104	(415) 392-5383
Insurance Brokers Association of California	
TABER, Lawrence K., 1007 L Street, Sacramento 95814	(916) 444-9260
Canners League of California	
TAFT, Perry H., Room 1003, 1127 - 11th Street, Sacramento 95814	(916) 442-4581
Association of California Insurance Companies	
TAPLIN, Irvin, Jr., Cosmopolitan Motor Hotel, Sacramento 95814	(916) 446-5226
2524 Medlow Ave., Los Angeles 90041	(213) 254-4935
Pacific Gas and Electric Company	
San Diego Gas and Electric Company	
Southern California Edison Company	
Southern California Gas Company	
TAYLOR, Maxime (Mrs), Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
655 Sutter Street, San Francisco 94102	(415) 474-7005
A-1 Nurses Registry	
Greater California Association of Temporary Services	
Nurses Registry Chapter of C.E.A.	
Professional Nurses Bureau	
Professional Nurses Bureau of the Valley	

	Phone Number
TERNES, Joseph J., 300 Lakeside Drive, Oakland 94604	(415) 271-2622
Kaiser Aluminum and Chemical Corporation	
Kaiser Cement and Gypsum Corporation	
Kaiser Center, Inc.	
Kaiser Center Properties	
Kaiser Foundation Health Plan, Inc.	
Kaiser Industries Corporation	
Kaiser Services	
Kaiser Steel Corporation	
National Steel and Shipbuilding Company	
Underwriters Service, Inc.	
United International Shipping Corporation	
THIGPEN, W. R, 926 J Street, Suite 1014, Sacramento 95814	(916) 446-2186
United Air Lines, Inc.	
THOMPSON, Re, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
Union Oil Center, Los Angeles 90017	(213) 482-7600
Union Oil Company of California	
THORNTON, Donald R, 605 West Olympic Blvd., Los Angeles 90015	(213) 624-2711 ext. 459
Standard Oil Company of California	
TIEDEMANN, Edward J., 520 Capitol Mall, Sacramento 95814	(916) 444-8920
Kern County Water Agency	
Placer County Water Agency	
Amador County Water Agency	
TISDALE, Eben S., 2600 El Camino Real, Palo Alto, 94306	(916) 327-9300
WEMA	
TOBIN, Alexander R., 846 W. Foothill Blvd, Suite N, Upland 91786	(714) 985-2795
Osteopathic Physicians & Surgeons of California	
TODD, A Ruric, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
77 Beale Street, San Francisco 94106	(415) 781-4211
Pacific Gas and Electric Company	ext. 2175
TRASK, Bert, 926 J Street, Suite 516, Sacramento 95814	(916) 442-1017
California Trucking Association, Inc.	
TROLIO, Dante M., 6201-C Greenhaven Drive, Sacramento 95831	(916) 444-9803
General Consultants, Inc.	
California Business Properties Association	
California Charter Bus Association	
California Retail Liquor Dealers Association	
California School Bus Contractors Association	

	Phone Number
Horsemen's Quarter Horse Racing Association Pacific Coast Quarter Horse Racing Association, Inc Schools for Sound Finance State Association of County Treasurers of California	
TROTT, Stephen S, 524 North Spring Street Los Angeles 90012 District Attorney of Los Angeles County	(213) 626-3888 ext 82156
TRUSTY, L Sherman, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
200 Pine Ave, Long Beach 90802 California Barber College Association, Inc.	(213) 437-6427
TRUSTY, Lewis S, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
200 Pine Ave, Long Beach 90802 California Barber College Association, Inc.	(213) 437-6427
TWARDUS, Stanley Z, 1108 O Street, Sacramento 95814	(916) 446-0471
Room 436, City Hall, 801 North First Street, San Jose 95110 City of San Jose	(408) 292-3141 ext 4744
TWOHY, Kevin R, 1107 - 9th Street, Room 519, Sacramento 95814 California Self-Insurers Association	(916) 442-4576
URENA, Ysidro, 1623 P Street, No. 1, Sacramento 95814 National Federation of the Blind of California	(916) 442-1560
VALENTINE, Denny, 1127 - 11th Street, Suite 336, Sacramento 95814 California Municipal Utilities Association	(916) 442-8981
VANDERLIP, Loran C, 455 Capitol Mall, Suite 300, Sacramento 95814 California Chamber of Commerce	(916) 444-6670
VAN HOUTEN, James M., 455 Capitol Mall, Suite 309, Sacramento 95814 Communications Workers of America	(916) 448-4445
VAN MAREN, James G, 455 Capitol Mall, Suite 300, Sacramento 95814 California Chamber of Commerce	(916) 444-6670
VEGLIA, Albert J, 4432 Rio Tinto Ave., Sacramento 95821 3-M Company	(916) 483-7432
VICENCIA, Frank D, P O Box 6, Artesia 90701 League of California Milk Producers Southern California Rapid Transit District	(213) 860-6575

	Phone Number
VOGTS, James E., Woodlake Inn, 500 Leisure Lane, Sacramento 95815	(916) 922-6251
110 N. Grand Avenue, Room 525, Los Angeles 90012	(213) 625-3414 ext. 61801
Los Angeles County Marshals Association	
VOIGHT, George R., Senator Hotel, Sacramento 95814	(916) 442-5081
756 So. Broadway, Suite 1212, Los Angeles	(213) 627-7708
California Contract Cities Association	
WAGERMAN, Dale W, 1127 - 11th Street, Suite 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
WAGNER, Shelly, 1500 - 7th Street, Apt. 3A, Sacramento 95814	(916) 447-7163
P.O. Box 4592, North Hollywood 91707	(213) 877-7878
Cerrell Association	
Los Angeles Community College District	
Marshals Association of California	
WAHL, J. Reg, 1020 - 12th Street, Mezzanine Suite, Sacramento 95814	(916) 444-0598
California School Employees Association	
WALDIE, George W., 5100 Saddlewood, Sacramento 95841	(916) 332-8533
California Owned Outdoor Advertising Association	
WALTERS, M. A., P.O. Box 4790, Walnut Creek 94596	(415) 933-6060
International Brotherhood of Electrical Workers	
WALTERS, Robert G., 1127 - 11th Street, Room 728, Sacramento 95814	(916) 443-6994
California Blue Shield	
WATKINS, Howard, Jr., 70 W Hedding Street, San Jose 95110	(408) 299-2323
County of Santa Clara	
WEBB, Delma M. (Mrs.), P.O. Box 519, Brentwood 94513	(415) 634-4256
California Association of Resident Care Homes, Inc.	
WEBER, Arnold, 119 North Glendale Ave., Glendale 91206	(213) 244-4651
PERS Retirement Betterment Committee, Inc.	
WELCH, Keith, R., 1108 O Street, Sacramento 95814	(916) 444-8134
California State Employees' Association	
WELK, Robert E., Room 242, 1127 - 11th Street, Sacramento 95814	(916) 442-1463
Santa Fe Bldg, 121 East 6th St. Los Angeles 90014	(213) 628-0111, ext. 22620
Atchison, Topeka and Santa Fe Railway Company	

	Phone Number
WELLS, John C, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
1900 E Ocean Blvd, No 1412, Long Beach 90802	(213) 432-3509
California Association of Publicly Owned Transit Systems	
City of Long Beach	
Port of Long Beach	
WENDT, John R, 1127 - 11th Street, Room 702, Sacramento 95814	(916) 444-6352
California Builders Council	
California Savings and Loan League	
Port of Oakland	
WHEAT, Jerald E., 1127 - 11th Street, Suite 321, Sacramento 95814	(916) 446-4683
648 Hall of Administration, Los Angeles 90012	(213) 625-3611
County of Los Angeles	
WHEATON, Richard W, Senator Hotel, Room 325, Sacramento 95814	(916) 446-0583
Ken Ross and Company	
Yellow Cab Company	
WHELAN, William M, 1127 - 11th Street, Suite 900, Sacramento 95814	(916) 443-7401
California Hospital Association	
WHICHARD, Florence E, 1127 - 11th Street, Room 318, Sacramento 95814	(916) 446-5019
California Nurses' Association	
WHITE, Jesse J, Route 1, Box 63, Gridley 95948	(916) 846-4289
Brotherhood of Maintenance of Way Employees	
WICKLIFFE, Leonard M, 1127 - 11th Street, Sacramento 95814	(916) 448-3381
California Railroad Association	
WICKWARE, Jack D, 600 Stockton Street, San Francisco 94120	(415) 397-1000
Metropolitan Life Insurance Company	
WILLETT, Robert S, 827 - 7th Street, Room 220, Sacramento 95814	(916) 454-5311
County of Sacramento	
WILLIAMS, C Clarke, P O Box 5542, Walnut Creek 94596	(415) 935-3569
California Electric Sign Association	
WILLIAMS, David J, 1127 - 11th Street, Room 718, Sacramento 95814	(916) 443-8163
California Taxpayers' Association	

	Phone Number
WILLIAMS, James E., 1127 - 11th Street, Suite 201, Sacramento 95814	(916) 441-4011
County Supervisors Association of California	
WILSON, Joseph C., Jr., 8825 Canarsie Street, Orangevale 95662	(916) 988-0838
4219 Lankershim Blvd, No 1, North Hollywood 91602	(213) 985-9595
International Brotherhood of Police Officers	
National Association of Government Employees	
WINTON, Gordon H., Jr., 926 J Street, Room 708, Sacramento 95814	(916) 444-3216
Association of California School Administrators (formerly CASA, CASSA, CESAA, CAAEA and CACSS)	
California Association of School Business Officials	
WITTENBERG, Richard, Courthouse, 501 Poli, Ventura 93001	(805) 648-6131, ext. 2688
County of Ventura	
WOOD, Robert B, 455 Capitol Mall, Suite 300, Sacramento 95814	(916) 444-6670
California Chamber of Commerce	
WOODS, Lois Irene, 8141 Rusch Drive, Citrus Heights 95610	(916) 725-5227
Family Care, Inc.	
WRIGHT, Donald R, 1127 - 11th Street, Suite 503, Sacramento 95814	(916) 444-8274
California Association of Nurse Anesthetists	
California Legislative Council of Professional Engineers	
Far West Snowmobile Distributors Association	
United States Snowmobile Association	
WRIGHT, Ronald H., 4500 Del Rio Road, Apt. 21, Sacramento 95822	(916) 451-7940
730 So. Western Avenue, Los Angeles 90005	(213) 385-7467
American Federation of State, County, and Municipal Employees, AFL-CIO	
International Union of State, County, and Municipal Employees, AFL-CIO	
YULE, Donald A., 1127 - 11th Street, Suite 503, Sacramento 95814	(916) 444-2045
California Real Estate Association	
ZIEROLD, John H., 927 - 10th Street, Sacramento 95814	(916) 444-6906
Sierra Club	
East Bay Regional Park District	
ZIKES, Mel, 926 J Street, Suite 516, Sacramento 95814	(916) 442-1017
1240 Bayshore, Burlingame 94010	(415) 347-3651
California Trucking Association	

1971 ORGANIZATIONS

A-1 NURSES REGISTRY
Taylor, Maxime (Mrs.)
A. J. VEGLIA
Bright, Tom M.
A. R. DAVIS & COMPANY
Davis, Arthur R , Jr.
ACADEMY OF CALIFORNIA OPTOMETRISTS
Keller, William H.
ADVAN, INC.
Ross, Kenneth A., Jr.
ADVOCATES OF BETTER COASTAL DEVELOPMENT
Crose, Jack C.
AERO SPACELINES INC.
Beelar, Jerry E.
AGRICULTURAL COUNCIL OF CALIFORNIA
Allen, Graham L ; Daniels, George, Johnsen, Richard, Jr.; Ruth, Leland H.
AIR TRANSPORT ASSOCIATION OF AMERICA
Nielson, Edwin J.
ALAMEDA, COUNTY OF
Cruttenden, Charles H.
ALLEN M. GARFIELD AND ASSOCIATES
McConnell, Darrell J.
ALLIED GROUP, THE
Niles, Jack; Read, Al
ALLSTATE INSURANCE COMPANY
Durfee, Robert A., Jr.
AMADOR COUNTY WATER AGENCY
Moskovitz, Adolph; Tiedemann, Edward J.
AMERICAN CEMENT CORPORATION
Ross, Kenneth A., Jr
AMERICAN CIVIL LIBERTIES UNION OF SOUTHERN CALIFORNIA
Blease, Coleman A.
AMERICAN COUNCIL OF BUSINESS AND PROFESSIONAL LEADERS ASSOCIATION
Fox, John A K.
AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO
Wright, Ronald H.
AMERICAN INSTITUTE OF ARCHITECTS, CALIFORNIA COUNCIL
Fleury, Gordon A.
AMERICAN INSTITUTE OF BUILDING DESIGN
Conn, Zel

AMERICAN INSURANCE ASSOCIATION
Fleury, Gordon A.
AMERICAN INVESTMENT COMPANY
Johnson, Wendell K.
AMERICAN LEGION, DEPARTMENT OF CALIFORNIA
Farber, Joseph M ; Rockne, Lloyd M.
AMERICAN PHYSICAL THERAPY ASSOCIATION, CALIFORNIA CHAPTERS
Hultgren, Clarence W.
AMERICAN RECIPROCAL INSURANCE ASSOCIATION
Jackson, Clayton R.
APACHE BEVERAGE COMPANY
Farber, Joseph M.
ARTISTS' MANAGERS GUILD
Butler, Monroe
ASSOCIATED CREDIT BUREAUS OF CALIFORNIA, INC.
McGilvray, Kenneth G.
ASSOCIATED FARMERS OF CALIFORNIA, INC.
Callan, William R.
ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.
Ross, Kenneth A., Jr.
ASSOCIATED GENERAL CONTRACTORS OF CALIFORNIA, INC.
Ross, Kenneth A., Jr.
ASSOCIATED MASTER BARBERS OF CALIFORNIA
Luckey, Harold
ASSOCIATED STUDENTS OF THE UNIVERSITY OF CALIFORNIA
Gassaway, Paul; Perry, Kati
ASSOCIATION OF CALIFORNIA INSURANCE COMPANIES
Oliver, David V.; Taft, Perry H.
ASSOCIATION OF CALIFORNIA LIFE INSURANCE COMPANIES
Keller, Lewis
ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS (formerly CASA, CASSA, CESAA, CAAEA and CACSS)
Downing, George M.; Winton, Gordon H , Jr.
ASSOCIATION OF CALIFORNIA SCHOOL DISTRICTS
McLean, Marguerite E.
ASSOCIATION OF EMPLOYMENT AGENCIES OF NORTHERN CALIFORNIA
Schofield, William R.
ASSOCIATION OF INDEPENDENT CALIFORNIA COLLEGES AND UNIVERSITIES
Forbes, Charles F.; Ludlam, James E
ASSOCIATION OF MOTION PICTURE AND TELEVISION PRODUCERS, INC.
Burke, William R.; Redwine, Kent H.

ASSOCIATION OF MUNICIPAL COURT CLERKS OF CALIFORNIA, INC.
Landon, James L.
ATCHISON, TOPEKA, AND SANTA FE RAILWAY COMPANY
Welk, Robert E.
ATLANTIC RICHFIELD COMPANY
Coggin, Richard G.; Shults, Albert J.
AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA
Nida, Robert H.; Price, Don G.
AUTOMOBILE MANUFACTURERS ASSOCIATION, INC.
Hoagland, Charles E.
AUTOMOTIVE SERVICE COUNCIL OF CALIFORNIA
Carberry, Peter S, Jr.
AVCO FINANCIAL SERVICES, INC.
Stevens, Lawrence C
BAIL AGENTS AND SURETY AGENTS ASSOCIATION
Desmond, Gerald J.
BANK OF AMERICA, NT&SA
Broaders, Halden C.
BAY AREA AIR POLLUTION CONTROL DISTRICT
Desmond, Gerald J.
BEACON OIL COMPANY
Shell, Joseph C.
BENEFICIAL MANAGEMENT CORPORATION
Nickel, George D.
BERMEJO INTERNATIONAL, LTD.
Poray-Tucholski, S. J.
BETHLEHEM STEEL CORPORATION
Frank, Edward H.
BLUE CHIP STAMPS
Garibaldi, James D
BOAT OWNERS ASSOCIATED TOGETHER
Desmond, Gerald J.
BOISE CASCADE CORPORATION
Davis, Ross E
BRIDGE, STRUCTURAL AND ORNAMENTAL IRON WORKERS LOCAL 118
Sparks, L E.
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
Brey, Delmar H.
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
White, Jesse J.
BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES
Sims, Archie C.

BRYMAN SCHOOLS, INC.
Gilchrist, John P.
BUILDERS EXCHANGE CONSTRUCTION INDUSTRY CONFERENCE
Corbin, Chas. Paul
BUILDERS' EXCHANGE OF LONG BEACH
Horner, Jack
CALIFORNIA ADVOCATES, INC.
Beckus, Robert J.; Smith, Loren V ; Steffes, George R.
CALIFORNIA AGRICULTURAL AIRCRAFT ASSOCIATION, INC.
Schofield, William R ; Sturtevant, Brian E
CALIFORNIA AGRICULTURAL CONFERENCE
Hanley, Robert E.
CALIFORNIA AIRCRAFT AND PILOTS ASSOCIATION
Conn, Zel L.
CALIFORNIA AIRCRAFT DEALERS ASSOCIATION
Richards, Lachlan M.
CALIFORNIA APARTMENT ASSOCIATION
Feiten, Fred C.
CALIFORNIA ASSESSMENT BOND UNDERWRITERS ASSOCIATION
Crose, Jack C.
CALIFORNIA ASSOCIATION OF BIOANALYSTS
LeFevre, Allan D.
CALIFORNIA ASSOCIATION OF CHRISTIAN SCHOOLS
Kienel, Paul A.
CALIFORNIA ASSOCIATION OF COLLECTORS, INC.
Stefen, Victor F.
CALIFORNIA ASSOCIATION OF DISPENSING OPTICIANS
Kennedy, Anthony M.
CALIFORNIA ASSOCIATION OF HARBOR MASTERS AND PORT CAPTAINS, INC.
Richards, Lachlan M.
CALIFORNIA ASSOCIATION OF HIGHWAY PATROLMEN
Creedon, Daniel J , Garibaldi, James D , Schiavone, Ralph L
CALIFORNIA ASSOCIATION OF HOMES FOR THE AGING
Burke, William R.
CALIFORNIA ASSOCIATION OF INDEPENDENT BUSINESS
Gass, James M.
CALIFORNIA ASSOCIATION OF INDEPENDENT INSURANCE ADJUSTERS, INC.
Michael, Warren W.
CALIFORNIA ASSOCIATION OF LICENSED REPOSSESSORS, INC.
Shockley, Joseph L.
CALIFORNIA ASSOCIATION OF LIFE UNDERWRITERS
Burns, Donald Carlton; Sherman, R Scott

CALIFORNIA ASSOCIATION OF MEDICAL LABORATORY TECHNOLOGISTS
Stevens, Bereniee (Mrs)

CALIFORNIA ASSOCIATION OF NURSE ANESTHETISTS
Wright, Donald R.

CALIFORNIA ASSOCIATION OF NURSERYMEN
Merz, Elmer J.

CALIFORNIA ASSOCIATION OF NURSING HOMES
Olsen, Charles H.

CALIFORNIA ASSOCIATION OF PROFESSIONAL PROCESS SERVERS
McConnell, Darrell J.

CALIFORNIA ASSOCIATION OF PUBLICLY OWNED TRANSIT SYSTEMS
Wells, John C

CALIFORNIA ASSOCIATION OF RESIDENT CARE HOMES, INC
Webb, Delma M. (Mrs.)

CALIFORNIA ASSOCIATION OF SCHOOL BUSINESS OFFICIALS
Downing, George M , Winton, Gordon H., Jr.

CALIFORNIA ASSOCIATION OF SCHOOLS OF COSMETOLOGY
Ribnick, Gerson, D

CALIFORNIA ASSOCIATION OF SHEET METAL, HEATING AND AIR CONDITIONING CONTRACTORS
Nambo, Robert H

CALIFORNIA ASSOCIATION OF THE PHYSICALLY HANDICAPPED
Christie, Dan C.

CALIFORNIA ASSOCIATION OF THRIFT AND LOAN COMPANIES
Hession, Creedon, Hamlin, Kelly, Hanson & Farbstein

CALIFORNIA ASSOCIATION OF TOBACCO AND CANDY DISTRIBUTORS, INC
Kelly, John D.; Mahoney, Joseph F.

CALIFORNIA AUTOBODY ASSOCIATION
Bright, Tom M.

CALIFORNIA AUTOMATIC VENDORS COUNCIL
Mahoney, Joseph F.

CALIFORNIA BANKERS ASSOCIATION
Pownall, Frederick M , Ratcliff, Richard E.

CALIFORNIA BARBER COLLEGE ASSOCIATION, INC.
Chirco, Frank P., Murray, James A , Jr , Trusty, L. Sherman; Trusty, Lewis S.

CALIFORNIA BEVERAGE DISTRIBUTORS ASSOCIATION
Garibaldi, James D.

CALIFORNIA BLUE SHIELD
Walters, Robert G.

CALIFORNIA BREWERS ASSOCIATION
Creedon, Daniel J.

CALIFORNIA BROADCASTERS ASSOCIATION
Smiley, Howard J.

CALIFORNIA BUILDERS COUNCIL
McCarron, Paul N.; Wendt, John R.

CALIFORNIA BUSINESS PROPERTIES ASSOCIATION
Trolio, Dante M.

CALIFORNIA CATTLE FEEDERS ASSOCIATION
Hummels, Kenneth R.; Simpson, Francis M.

CALIFORNIA CATTLEMEN'S ASSOCIATION
Biaggini, Edward, Jr.; Flournoy, Robert; Johnson, Leo L.; Staiger, William B.

CALIFORNIA CENTRAL VALLEYS FLOOD CONTROL ASSOCIATION
Luther, John M.

CALIFORNIA CHAMBER OF COMMERCE
Barton, William H.; Connors, Francis J.; Couch, W Edward; Fultz, Donald E.; Green, Ray A, Jr., Kiml, Larry; Modling, Odom W.; Sanders, Les; Sawyer, George; Smith, Jack E; Vanderlip, Loran C, Van Maren, James G; Wood, Robert B.

CALIFORNIA CHARTER BUS ASSOCIATION
Trolio, Dante M.

CALIFORNIA CHILDREN'S LOBBY
Berger, Elizabeth M.

CALIFORNIA CHIROPRACTIC ASSOCIATION
Garland, Gordon H.

CALIFORNIA CHURCH COUNCIL
Holman, Glen A.

CALIFORNIA COASTAL ALLIANCE
Adams, Janet K. (Mrs.)

CALIFORNIA COMMUNITY COLLEGE STUDENT GOVERNMENT ASSOCIATION
Dusel, Fred A; Hansen, Thomas G P; Speck, Fred J.

CALIFORNIA COMMUNITY TELEVISION ASSOCIATION
Kaitz, Walter

CALIFORNIA CONFEDERATION OF ZERO POPULATION GROWTH, INC.
Egeland, Leona Helene

CALIFORNIA CONFERENCE OF BEHAVIORAL SCIENCE ORGANIZATIONS
Burns, Donald C.

CALIFORNIA CONFERENCE OF EMPLOYER ASSOCIATIONS
McClung, Emmons M.

CALIFORNIA CONFERENCE OF MACHINISTS
Schiavenza, John T.

CALIFORNIA CONFERENCE OF MASON CONTRACTOR ASSOCIATIONS, INC
Soderberg, Ed C.
CALIFORNIA CONGRESS OF PARENTS AND TEACHERS
Adams, Sara Lee "Chris", Fiala, Jane (Mrs)
CALIFORNIA CONTRACT CITIES ASSOCIATION
Rope, Robert S , Voigt, George R.
CALIFORNIA CONTRACTORS LICENSE SERVICES
Corbett, Frank D.
CALIFORNIA CORRECTIONAL OFFICERS ASSOCIATION
Moulton, Darrel Leland
CALIFORNIA COUNCIL OF AIRCONDITIONING AND REFRIGERATION CONTRACTORS ASSOCIATIONS
Soderberg, Ed C.
CALIFORNIA COUNCIL OF CIVIL ENGINEERS AND LAND SURVEYORS
Long, E A.
CALIFORNIA COUNCIL OF AVIATION ASSOCIATIONS
Conn, Zel L.
CALIFORNIA COUNCIL ON ALCOHOL PROBLEMS
Korfhage, Wilbur A.
CALIFORNIA COURT REPORTERS ASSOCIATION
Garibaldi, James D.
CALIFORNIA CREDIT UNION LEAGUE
Reidy, John P , Rossie, Charles M.
CALIFORNIA DENTAL ASSOCIATION
Muir, J E. "Skip"
CALIFORNIA DIVISION OF FORESTRY EMPLOYEES' ASSOCIATION
Richards, Lachlan M.
CALIFORNIA DRYWALL CONTRACTORS ASSOCIATION
Gulick, Robert N
CALIFORNIA EDUCATIONAL DISTRIBUTORS
Desmond, Gerald J.
CALIFORNIA ELECTRIC SIGN ASSOCIATION
Williams, C. Clarke
CALIFORNIA EMPLOYMENT ASSOCIATION
Naglestad, F. A.
CALIFORNIA ESCROW ASSOCIATION
Hewitt, Patricia S.
CALIFORNIA FARM BUREAU FEDERATION
Dennison, Michael C ; Gebhardt, Elton G ; Janelli, Joe A.
CALIFORNIA FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS
Gupta, Ruth Church (Mrs.)
CALIFORNIA FEDERATION OF SAFETY COUNCILS
Bright, Tom M.

CALIFORNIA FEDERATION OF TEACHERS, AFT, AFL-CIO
Bergan, Mary Astrid
CALIFORNIA FERTILIZER ASSOCIATION
Bierly, Sidney H
CALIFORNIA FISH CANNERS DIVISION
Barr, J. E.
CALIFORNIA FISHERIES ASSOCIATION
Gilchrist, John P.
CALIFORNIA FOREST PROTECTIVE ASSOCIATION
Callaghan, John, Landenberger, Charles F.
CALIFORNIA FORESTERS FOR REGISTRATION
Raymond, Francis H.
CALIFORNIA FRANCHISE OWNERS ASSOCIATION
Niles, Jack, Read, Al
CALIFORNIA FUNERAL DIRECTORS ASSOCIATION
Creedon, Daniel J.
CALIFORNIA GRAIN AND FEED ASSOCIATION
Adler, Lealand L.
CALIFORNIA GRAPHIC ARTS UNION LEGISLATIVE COUNCIL
Selenski, Joseph J.
CALIFORNIA GROCERS ASSOCIATION
Davis, Robert L.; Goddard, Merle J.
CALIFORNIA HOME ECONOMICS ASSOCIATION
Erickson, Barbara J.
CALIFORNIA HOSPITAL ASSOCIATION
Dowell, Emery B.; Forbes, Charles F.; Kirkpatrick, Jack W.; Ludlam, James E.; Oppmann, Andrew W., Jr.; Whelan, William M.
CALIFORNIA HOTEL AND MOTEL ASSOCIATION
Jackson, Clayton R.; Sloan, Edwin F.
CALIFORNIA HOUSING COALITION
English, Sharon Julia
CALIFORNIA INDEPENDENT TELEPHONE ASSOCIATION
Hasbrook, Neal C.
CALIFORNIA INDUSTRIAL FOREST CONSULTANTS
Schofield, W. R.
CALIFORNIA INFORMATION CENTER FOR COMMUNITY DEVELOPMENT
Coomes, Joseph E.
CALIFORNIA INSTITUTE OF LIBRARIES
Moses, Stefan B.
CALIFORNIA JUNIOR COLLEGE ASSOCIATION
Myers, Leland W.
CALIFORNIA LABOR FEDERATION, AFL-CIO
Barrett, Douglas W.; Finks, Harry; Gruhn, Albin J; Henning, John F.; Peevey, Michael R.; Scully, Charles P.

CALIFORNIA LAND TITLE ASSOCIATION
Burns, Robert E.; Reynolds, R Blair
CALIFORNIA LEGISLATIVE COUNCIL OF PROFESSIONAL ENGINEERS
Wright, Donald R.
CALIFORNIA LEGISLATIVE SERVICE BUREAU, INC.
Norris, W. Kenneth
CALIFORNIA LOAN AND FINANCE ASSOCIATION
Chandler, Laurence
CALIFORNIA MACHINISTS NON PARTISAN POLITICAL LEAGUE
Schiavenza, John T.
CALIFORNIA MANUFACTURERS ASSOCIATION
Knight, Thomas F.; Libra, A. L ; McClung, Emmons
CALIFORNIA MARINE PARKS & HARBORS ASSOCIATION, INC.—NORTHERN DIVISION
Gilchrist, John P.
CALIFORNIA MARINE PARKS & HARBORS ASSOCIATION, INC.—SOUTHERN DISTRICT
Richards, Lachlan M.
CALIFORNIA MEDICAL ASSOCIATION
Allen, James M ; Brown, Paul R.; Christen, Donald L.; Mahoney, Michael E , Randlett, James E.
CALIFORNIA MOBILEHOME DEALERS ASSOCIATION
Shields, Don B.
CALIFORNIA MOTEL ASSOCIATION
Feiten, Fred C.
CALIFORNIA MOTORCYCLE INDUSTRY COUNCIL, INC.
Sanford, Russell E.
CALIFORNIA MOVING AND STORAGE ASSOCIATION
Hegarty, Edward J.
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION
Valentine, Dennis
CALIFORNIA MUSIC MERCHANTS ASSOCIATION, INC.
Garland, Gordon H.
CALIFORNIA MUSICIANS CONFERENCE
Kenny, Thomas P.
CALIFORNIA NEWSPAPER PUBLISHERS ASSOCIATION, INC.
Dorais, Michael B ; Martin, Ben D.
CALIFORNIA NURSES' ASSOCIATION
Hoffman, Ancil, Jr.; Reynolds, Harold G.; Whichard, Florence E.
CALIFORNIA OFF ROAD VEHICLE ASSOCIATION
Sanford, Russell E.
CALIFORNIA OWNED OUTDOOR ADVERTISING ASSOCIATION
Waldie, George W.

CALIFORNIA PEACE OFFICERS' ASSOCIATION
Eustis, John M, III; Gross, Charles R.; LeBas, Albert E.; Moore, Clarence C.
CALIFORNIA PHARMACEUTICAL ASSOCIATION
Avanzino, Richard H ; LeFevre, Allan D.
CALIFORNIA PHYSICAL THERAPISTS ASSOCIATION
Kaitz, Walter
CALIFORNIA PODIATRY ASSOCIATION
Lemos, Richard W.
CALIFORNIA PORTLAND CEMENT COMPANY
Ross, Kenneth A., Jr.
CALIFORNIA PUBLIC DEFENDERS ASSOCIATION, INC.
Goldstein, David M.
CALIFORNIA PUBLIC EMPLOYEES FEDERATION
Kaitz, Walter
CALIFORNIA RAILROAD ASSOCIATION
Gilbert, Orville H.; Lyon, LeRoy E ; Reisner, Donald J.; Wickliffe, Leonard M.
CALIFORNIA REAL ESTATE ASSOCIATION
Gillies, Dugald; Yule, Donald A.
CALIFORNIA RECORDS SEARCHERS ASSOCIATION
Fleury, Gordon A.
CALIFORNIA REFUSE REMOVAL COUNCIL—NORTHERN DISTRICT
McGill, Ralph J.
CALIFORNIA REFUSE REMOVAL COUNCIL—SOUTHERN DISTRICT
Astor, Z. Harry
CALIFORNIA RENTAL ASSOCIATION
Hamilton, Harriet
CALIFORNIA RETAIL LIQUOR DEALERS ASSOCIATION
Trolio, Dante M.
CALIFORNIA RETAILERS ASSOCIATION
Caldwell, William D.; Howe, Leslie D.; Shillito, Robert M.
CALIFORNIA RETIRED COUNTY EMPLOYEES ASSOCIATION
Allen, Eugene D.
CALIFORNIA RURAL LEGAL ASSISTANCE
Kerry, Edgar A.; Medeiros, Manuel M.; Schilla, Peter F.
CALIFORNIA SANITARY AND SANITATION DISTRICTS ASSOCIATION
Norris, W. Kenneth
CALIFORNIA SAVINGS AND LOAN LEAGUE
Cannon, W. Dean, Jr.; Hardinge, Franklin, Jr.; Wendt, John R.
CALIFORNIA SCHOOL BOARDS ASSOCIATION
Brooks, Joseph M ; Dillon, Michael F ; Myron, Ronald C.
CALIFORNIA SCHOOL BUS CONTRACT OPERATORS ASSOCIATION
Trolio, Dante M.

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
Allen, Dan W.; Bartlett, Richard C , McAmis, Paul D ; Wahl, J. Reg

CALIFORNIA SEAFOOD INSTITUTE
Gilchrist, John P.

CALIFORNIA SELF-INSURERS ASSOCIATION
Twohy, Kevin R.

CALIFORNIA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS, THE
Allen, Bruce C.; Baldacci, Louis G.

CALIFORNIA SOCIETY OF PATHOLOGISTS
Snyder, L. Miles

CALIFORNIA SOCIETY OF PROFESSIONAL ENGINEERS
Robinson, George B.

CALIFORNIA SOCIETY OF PSYCHIATRIC TECHNICIANS
Grimm, William

CALIFORNIA SPORTS INCORPORATED
Sandford, H. B. (Pete)

CALIFORNIA STATE ASSOCIATION OF JOURNEYMEN BARBERS, HAIRDRESSERS, COSMETOLOGISTS, MASSEURS & GUILDS
Bills, Esther (Mrs.); Carter, Quinton, H.; Denues, Bill L.; Karlstad, Olaf

CALIFORNIA STATE AUTOMOBILE ASSOCIATION AND CALIFORNIA STATE AUTOMOBILE ASSOCIATION INTER-INSURANCE BUREAU
Anderson, Virgil P.; Hill, Brian

CALIFORNIA STATE BUILDERS EXCHANGE
Dittmar, Richard F.

CALIFORNIA STATE CLUB ASSOCIATION
Garibaldi, James D.

CALIFORNIA STATE COLLEGE STUDENT PRESIDENT ASSOCIATION
Hay, Joe

CALIFORNIA STATE CONFERENCE OF OPERATING ENGINEERS
Park, Edward P.

CALIFORNIA STATE COUNCIL OF CARPENTERS
Hanna, Robert L.

CALIFORNIA STATE COUNCIL OF SERVICE EMPLOYEES
Anderson, Robert M.

CALIFORNIA STATE EMPLOYEES' ASSOCIATION
Douglas, Mike N.; Read, Aaron L , Ridgeway, G. Lee; Welch, Keith R.

CALIFORNIA STATE FIREMEN'S ASSOCIATION
Stevenson, Gerald C.

CALIFORNIA STATE GRANGE
Grabow, Herman

CALIFORNIA STATE RESTAURANT ASSOCIATION
McCollister, Richard H.; Riley, Robert M.
CALIFORNIA STATE SHERIFF'S ASSOCIATION
LeBas, Albert E.
CALIFORNIA STATE THEATRICAL FEDERATION
Finks, Harry
CALIFORNIA TAXICAB OWNERS ASSOCIATION
Norris, W. Kenneth
CALIFORNIA TAXPAYERS ASSOCIATION
Bean, Arlen K.; Brown, Robert C; Campbell, Frederick R.; Mattock, Terry J.; Simpson, Richard P.; Williams, David J.
CALIFORNIA TEACHERS ASSOCIATION
Bural, Dal; Carothers, Wayne T.; Kniss, Raymond; Logan, Bill R.
CALIFORNIA TEAMSTERS LEGISLATIVE COUNCIL
Cannon, Vern H.; Lombardo, James Edward; Medeiros, C W. "Nick"; O'Hara, Gerald P.
CALIFORNIA TRAFFIC SAFETY FOUNDATION
Bright, Tom M.
CALIFORNIA TRIAL LAWYERS ASSOCIATION
Frayne, James Lee
CALIFORNIA TRUCKING ASSOCIATION
Jacobs, Harold K.; Trask, Bert, Zikes, Mel
CALIFORNIA VETERINARY MEDICAL ASSOCIATION
Humphreys, W. Kenneth
CALIFORNIA WATER ASSOCIATION
Garland, Gordon H.
CALIFORNIA-WESTERN STATES LIFE INSURANCE COMPANY
Cortopassi, Gary E.
CALIFORNIA WILDLIFE FEDERATION
Gaffaney, Keith M.
CALIFORNIANS FOR FAIRS
Clayton, Bill
CAMELLIA CITY BINGO ASSOCIATION
Esposito, Ray R; Parino, Salvador
CANNERS LEAGUE OF CALIFORNIA
Oliver, David V.; Taber, Lawrence K.
CASTLE AND COOKE, INC.
Conrad, William Hunt
CATHOLIC HEALTH, EDUCATION AND WELFARE ORGANIZATIONS OF CALIFORNIA
Burke, William R.
CATRALA OF CALIFORNIA
Richards, Lachlan M.
CENTRAL BANK
Byrne, Charles E.

CERRELL ASSOCIATES
Wagner, Shelly
CHARTER NATIONAL INSURANCE COMPANY
Johnson, Wendell K
CHARTER NATIONAL LIFE INSURANCE COMPANY
Johnson, Wendell K.
CHILDREN'S HOME SOCIETY OF CALIFORNIA
Brantley, Julian D ; Henry, Jack A.
CHRISTIAN REVOLUTIONARY MOVEMENT
Cook, Rose M (Mrs)
CIVIL AIR PATROL, CALIFORNIA WING
Conn, Zel
COLLATERAL LOAN ASSOCIATION OF CALIFORNIA
Gilchrist, John P.
COMMITTEE FOR MODERN MEDICAL PRACTICES
Coliciguo, Michael A.
COMMUNICATIONS WORKERS OF AMERICA
Van Houten, J. M
COMPREHENSIVE HEALTH SYSTEMS, INC.
Brown, Donald Kent
CONSERVATION COORDINATORS, INC.
Adams, Janet K (Mrs)
CONSTRUCTION INDUSTRY LEGISLATIVE COUNCIL
Becker, Howard E
CONSULTING ENGINEERS ASSOCIATION OF CALIFORNIA
Hession, Creedon, Hamlin, Kelly, Hanson & Farbstein
CONSUMER COALITION
Reed, James S
CONTINENTAL AIRLINES
Ross, Kenneth A., Jr.
CONTRA COSTA BUILDERS EXCHANGE
Engel, Victor B
COUNCIL FOR COMMUNITY ACTION PLANNING, INC.
Lokey, Roy Eugene
COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY
Marsh, B. Richard
COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
Cook, George; Hogan, Harris E , Leslie, Tim , Marino, Albert; Merelman, Jack M., Wagerman, Dale W., Williams, James E.
CREDIT MANAGEMENT, NORTHERN AND CENTRAL CALIFORNIA, NATIONAL ASSOCIATION OF
McGilvray, Kenneth G
CREDIT MANAGERS ASSOCIATION OF SOUTHERN CALIFORNIA
McGilvray, Kenneth G
CREDITOR'S RIGHTS LEGISLATIVE COMMITTEE
Pitkin, David R.

CROWN ZELLERBACH CORPORATION
Scott, Robert L.
DAIRY INSTITUTE OF CALIFORNIA
Gilmore, John F.
DEANE & DEANE, INC.
Olsen, Charles H.
DEL MONTE CORPORATION
Caldwell, Alan C.
DELTA KAPPA GAMMA SOCIETY OF CALIFORNIA
Berry, Margaret (Mrs Robley)
DI GIORGIO CORPORATION
Conrad, William Hunt
DISTILLED SPIRITS INSTITUTE, INC.
Rockne, Lloyd M.
DISTRICT ATTORNEY OF ALAMEDA COUNTY
DISTRICT ATTORNEYS' AND PEACE OFFICERS' ASSOCIATIONS OF CALIFORNIA
Anderson, Carl West
DISTRICT ATTORNEY OF LOS ANGELES COUNTY
Trott, Stephen S.
DIXON ASSOCIATES INC.
Dixon, Elliott J.; Dixon, James Farley; Phillips, John D.
DOW CHEMICAL COMPANY, THE
Davis, Alan E.
DRYWALL INDUSTRY TRUST FUND
Gulick, Robert N.
E. I. DU PONT DE NEMOURS & COMPANY
Gregory, Philip J.
EAST BAY MUNICIPAL UTILITY DISTRICT
Franz, Rodney T.; Plumb, John H.
EAST BAY REGIONAL PARK DISTRICT
Manley, Michael A.
EASTMAN DILLON, UNION SECURITIES & CO.
Gilbert, J. B.
ELI LILLY AND COMPANY
Rosauer, R H.
EMERYVILLE, TOWN OF
LeFevre, Allan D.
ENGINEERING AND GRADING CONTRACTORS ASSOCIATION
Heath, Joe; Mendel, Warren R
ENVIRONMENTAL ACTION COMMITTEE
Ribnick, Gerson D.
EQUITY FUNDING CORPORATION OF AMERICA
Jackson, Clayton R.
ESCROW INSTITUTE OF CALIFORNIA
McCollister, Richard H.

ESTERO MUNICIPAL IMPROVEMENT DISTRICT
Naglestad, F A.
ETHYL CORPORATION
Crose, Jack C.; Shults, Albert J.
FACULTY ASSOCIATION OF THE CALIFORNIA COMMUNITY COLLEGES, INC
Plosser, William D ; Smith, William P.
FAMILY CARE, INC.
Woods, Lois Irene
FAR WEST SNOWMOBILE DISTRIBUTORS ASSOCIATION
Wright, Donald R.
FARMERS INSURANCE GROUP
Foran, John F , Garrod, Richard R.
FEDERATED DAIRYMEN
Branco, Joseph F.
FEDERATED FIRE FIGHTERS OF CALIFORNIA
Larson, Kenneth D.
FLYING TIGER LINE, INC.
Ross, Kenneth A , Jr.
FORD MOTOR COMPANY
Hillings, Patrick J.
FOSTER AND KLEISER
Reid, Albert J
FOSTER CITY, CITY OF
Naglestad, F. A.
FRANK MICHELENA & ASSOCIATES
Michelena, Frank G.
FRIENDS COMMITTEE ON LEGISLATION
Gunterman, Joseph F ; Magnani, Laura I.; McGehee, Fielding M., III
GENERAL CONSULTANTS, INC
Trolio, Dante M
GENERAL ELECTRIC COMPANY
Jordan, Robert L.
GENERAL MOTORS CORPORATION
Bradford, Clive
GENERAL TELEPHONE COMPANY OF CALIFORNIA
Roberson, Gabriel R.
GEORGIA-PACIFIC CORPORATION
Strowbridge, Wayne H.
GLASS CONTAINER MANUFACTURERS INSTITUTE, INC
Davis, Alan E.
GOLDEN GATE BRIDGE & HIGHWAY DISTRICT
Garland, Gordon H.
GOLDEN GATE PRODUCE TERMINAL
Repetto, Primo R.
GOLDEN PACIFIC AIRLINES
Beelar, Jerry E.

GOLDEN STATE MOBILHOME OWNERS LEAGUE, INC.
Kavanagh, Dennis B.
GOLDEN WEST BASEBALL COMPANY
Sandford, H. B. (Pete)
GOVERNMENTAL ENGINEERS ASSOCIATED
Dixon, James Farley
GREATER CALIFORNIA ASSOCIATION OF TEMPORARY SERVICES
Taylor, Maxime (Mrs.)
GULF OIL CORPORATION OF CALIFORNIA
Coggin, Richard G.; Shults. Albert J.
H. F. AHMANSON AND COMPANY
Olsen, Charles H.
HEARING AID ASSOCIATION OF CALIFORNIA
Desmond, Gerald J.
HEATING, VENTILATING AND AIR CONDITIONING CONTRACTORS, INC.
Ribnick, Gerson D.
HEGGBLADE-MARGULEAS-TENNECO, INC.
Conrad, William Hunt
HESSION, CREEDON, HAMLIN, KELLY, HANSON & FARBSTEIN
Begovich, John C.; Creedon, Daniel J.
HIGHWAY CARRIERS ASSOCIATION
Shields, Don B.
HOLLYWOOD TURF CLUB
Garibaldi, James D.
HORSEMEN'S QUARTER HORSE RACING ASSOCIATION
Trolio, Dante M.
HOUSEHOLD FINANCE CORPORATION
Angell, George R ; Kull, Olen I.
HUMBLE OIL & REFINING COMPANY
Coggin, Richard G ; Shults, Albert J.
IMPERIAL IRRIGATION DISTRICT
Stadler, William J.
INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION OF CALIFORNIA
Negri, David
INDEPENDENT INSURANCE AGENTS ASSOCIATION OF CALIFORNIA
Dupuis, Fred G.
INDEPENDENT PETROLEUM ASSOCIATION OF CALIFORNIA
Shell, Joseph C.
INDEPENDENT REFINERS ASSOCIATION OF CALIFORNIA
Shell, Joseph C.
INDUSTRY, CITY OF
Rope, Robert S.

INGELWOOD, CITY OF
Olsen, Charles H.
INSTITUTE OF HEATING AND AIR CONDITIONING INDUSTRIES
Ribnick, Gerson D
INSURANCE BROKERS ASSOCIATION OF CALIFORNIA
Sullivan, Eugene J.
INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA
Nida, Robert H , Price, Don G
INTERMENT ASSOCIATION OF CALIFORNIA
Brennan, Raymond L
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
Walters, M. A.
INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS
Wilson, Joseph C., Jr.
INTERNATIONAL SNOWMOBILE INDUSTRY ASSOCIATION
Hoene, Jack V.
INTERNATIONAL TELEPHONE AND TELEGRAPH CORPORATION
Richards, Lachlan M
INTERNATIONAL UNION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO
Wright, Ronald H.
IRRIGATION DISTRICTS ASSOCIATION OF CALIFORNIA
Durbrow, Robert T ; Fraser, John P.; Queale, Gary L.
IRVINE COMPANY
Conrad, William Hunt
IVES LABORATORIES INC.
Haddix, Charles E.
J. C. PENNEY COMPANY
Gazzaniga, Donald A.
J. H. SNYDER COMPANY
Comsky, David; Geyser, Lewis P.
JEWISH INTER-COMMUNITY COMMITTEE ON PUBLIC AFFAIRS OF CALIFORNIA
Sampson, Jerome N.
JOHN GILCHRIST ASSOCIATES
Goldstone, Charles I.
JOSEPH F. MAHONEY AND ASSOCIATES, INC.
Mahoney, Joseph F.
JUDGES, MARSHALS AND CONSTABLES ASSOCIATION
Eldred, Richard C.
KAISER ALUMINUM AND CHEMICAL CORPORATION
KAISER CEMENT AND GYPSUM COMPANY
KAISER CENTER, INC.
KAISER CENTER PROPERTIES

KAISER INDUSTRIES CORPORATION
KAISER SERVICES
KAISER STEEL CORPORATION
Eklund, Nils O., Jr.; Struble, William F ; Ternes, J. J.
KAISER FOUNDATION HEALTH PLAN, INC.
Criscione, Joe V., Eklund, Nils O., Jr., Struble, William F.; Ternes, J. J.
KEMPER INSURANCE GROUP
Knapp, Paul R.
KEN ROSS & COMPANY
Belton, Trudy (Mrs.); Robert W. Bruce; Wheaton, Richard W.
KERN COUNTY WATER AGENCY
Bryant, William C.; Kronick, Stanley W.; Tiedemann, Edward J.
LEAGUE OF CALIFORNIA CITIES
Arnold, Michael J.; Bennmghoven, Donald C ; Carpenter, Richard J ; Emanuels, Kenneth J., Hollman, William G., Jr.
LEAGUE OF CALIFORNIA MILK PRODUCERS
Vicencia, Frank D.
LEAGUE OF MEN VOTERS
Hazlewood, Richard J.
LEAGUE OF WOMEN VOTERS OF CALIFORNIA
Pritchard, Ruth; Smith, Jo G. (Mrs.)
LESLIE SALT COMPANY
Garibaldi, James D.; Kennedy, Vincent D.
LIBERTY NATIONAL BANK
Denebeim, Bruce K., McCoy, Gordon A.
LICENSED VOCATIONAL NURSES LEAGUE OF CALIFORNIA INC.
Shanbour, Fred L.
LIFE INSURANCE ASSOCIATION OF AMERICA
Groezinger, Leland B.
LOCK RICHARDS AND ASSOCIATES
Moy, Diane; Richards, Lachlan M.
LONG BEACH CITY EMPLOYEES ASSOCIATION, INC.
Hayter, James G ; Lown, Harry A.
LONG BEACH, CITY OF
Crose, Jack C ; Wells, John C.
LONG BEACH, PORT OF
Wells, John C.
LOS ALAMITOS RACE COURSE
Stefan, Victor F.
LOS ANGELES AND PICO RIVERA CONSOLIDATED STREET RAILWAY
Burrowes, Robert A.
LOS ANGELES AREA CHAMBER OF COMMERCE
Sandford, H. B. (Pete)

LOS ANGELES CITY BOARD OF EDUCATION
Kimbrough, Theopolis, D.
LOS ANGELES, CITY OF
Boyar, Norman D ; Sheehan, John P.; Spiker, Kenneth G.
LOS ANGELES COMMUNITY COLLEGE DISTRICT
Wagner, Shelly
LOS ANGELES COUNTY EMPLOYEES' ASSOCIATION
Browne, Richard E.
LOS ANGELES, COUNTY OF
Crump, Gerald F.; McLaughlin, Francis M ; Wheat, Jerald E.
LOS ANGELES COUNTY MARSHALS ASSOCIATION
Vogts, James E.
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
LeBas, Albert E
LOS ANGELES DODGERS, INC
Sandford, H B (Pete)
LOS ANGELES FIRE AND POLICE PROTECTIVE LEAGUE
King, Jervus E , Jr.
LOS ANGELES TURF CLUB, INC.
Ross, Kenneth A , Jr.
LOS ANGELES WRITING REVIEW COURSE
Dixon, Elliott J.; Phillips, John D.
MAIN RESOURCES INC
Farber, Joseph M.
MARSHALS ASSOCIATION OF CALIFORNIA
Wagner, Shelly
MASTERS, MATES AND PILOTS, NATIONAL PILOT LOCAL 100
Stefan, Victor F.
MERCHANTS AND MANUFACTURERS ASSOCIATION
Kenyon, Grant H.
MERCK SHARP & DOHME
Gray, Leo J.
MERCURY CASUALTY COMPANY
Jackson, Clayton R.
METROPOLITAN LIFE INSURANCE COMPANY
Wickware, Jack D.
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
Fairbank, William H , Jr
MISSION VIEJO COMPANY
Michelena, Frank G.
MOBIL CHEMICAL COMPANY
Olsen, Charles H
MOBIL OIL COMPANY
Coggin, Richard G.; Shults, Albert J.
MOHAWK PETROLEUM CORPORATION, INC.
Shell, Joseph C.

MONOLITH PORTLAND CEMENT COMPANY
Ross, Kenneth A., Jr.
MOTORCYCLE OWNERS, RIDERS, AND ENTHUSIASTS
Sanford, Russell E.
MOUNTAIN COUNTIES WATER RESOURCES ASSOCIATION
Russell, F W. "Bill"
MUNICIPAL CONSTRUCTION INSPECTORS ASSOCIATION, INC
Dixon, Elliott J
NAGLESTAD ASSOCIATES
Naglestad, F A.
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
Canson, Virna M (Mrs.)
NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES
Wilson, Joseph C., Jr.
NATIONAL ASSOCIATION OF HUMAN SERVICES TECHNOLOGIES
Grimm, William L.
NATIONAL ASSOCIATION OF INDEPENDENT INSURANCE ADJUSTERS
Michael, Warren W.
NATIONAL ASSOCIATION OF SOCIAL WORKERS, CALIFORNIA COUNCIL
Bardis, Lynda Ruth (Miss)
NATIONAL ASSOCIATION OF THEATRE OWNERS OF NORTHERN CALIFORNIA
Sandford, H. B (Pete)
NATIONAL ASSOCIATION OF THEATRE OWNERS OF SOUTHERN CALIFORNIA
Sandford, H B (Pete)
NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION, INC.—NINTH DISTRICT COUNCIL OF THE
Barrow, Ronald E.
NATIONAL FEDERATION OF THE BLIND OF CALIFORNIA
Marcelino, Lawrence F., Urena, Ysidro
NATIONAL GUARD ASSOCIATION OF CALIFORNIA, THE
Motes, Brig Gen. Jack
NATIONAL STEEL AND SHIPBUILDING COMPANY
Eklund, Nils O , Jr ; Struble, William F , Ternes, J J.
NATIONAL SWIMMING POOL INSTITUTE
Burns, Donald C.
NORTH AMERICAN ROCKWELL INFORMATION SYSTEMS COMPANY
Shanbour, Fred L.
NORTH COAST BUILDERS EXCHANGE
Corbin, Chas. Paul

NURSES REGISTRY CHAPTER OF C. E. A.
Taylor, Maxime (Mrs)
OAKLAND A's BASEBALL TEAM
Sandford, H. B. (Pete)
OAKLAND CHAMBER OF COMMERCE
Berıtzhoff, A. R.
OAKLAND, PORT OF
Wendt, John R.
ORANGE, COUNTY OF
Anderson, John W.; Craig, Edward
ORGANIZATION MANAGEMENT, INC.
Burns, Donald Carlton
OSTEOPATHIC PHYSICIANS & SURGEONS OF CALIFORNIA
Lay, Edna, M , D.O.; Tobin, Alexander R.
OVERSEAS NATIONAL AIRWAYS
Beelar, Jerry E.
PERS RETIREMENT BETTERMENT COMMITTEE
Houston, George W.; Jones, Howard L.; Weber, Arnold
P.P.G INDUSTRIES
Conrad, William Hunt
PACIFIC COAST QUARTER HORSE RACING ASSOCIATION, INC
Trolio, Dante M.
PACIFIC GAS AND ELECTRIC COMPANY
Andrews, William S ; Fraser, John H.; Harrington, Gerald P.; Mahoney, Joseph; Taplın, Irvin; Todd, A Ruric
PACIFIC LIGHTING SERVICE COMPANY
Henry, Leon E ; McCanlies, Fred A.
PACIFIC OUTDOOR ADVERTISING CO.
Garibaldi, James D.; Goff, Arthur W.
PACIFIC TELEPHONE AND TELEGRAPH COMPANY
Boel, Harold; Holmes, Carl M ; Horalek, James R.
PACIFIC WESTERN INDUSTRIES, INC.
Ross, Kenneth A , Jr
PAINTING AND DECORATING CONTRACTORS OF CALIFORNIA, INC.
Burg, Carl R.
PALO VERDE IRRIGATION DISTRICT
Miller, Horace M.
PARKE, DAVIS AND COMPANY
Ely, George W.; Miller, Kenneth L.
PARKING AND HIGHWAY IMPROVEMENT CONTRACTORS ASSOCIATION, INC.
Rıbnick, Gerson D.
PARKING AREA INDUSTRY EDUCATION FUND
Rıbnick, Gerson D.

PEACE OFFICERS RESEARCH ASSOCIATION OF CALIFORNIA
Farber, Joseph M.

PENINSULA BUILDERS EXCHANGE, INC.
Madsen, Thor A.

PEYSER, JEFFERSON E.
Kahn, Max R.; Lunardi, Paul J.

PHARMACEUTICAL INSTITUTE
LeFevre, Allan D.

PHARMACEUTICAL MANUFACTURERS ASSOCIATION
Fleury, Gordon A.

PHILLIPS PETROLEUM COMPANY
Coggin, Richard G.; Shults, Albert J.

PILLSBURY, MADISON & SUTRO (FOR STANDARD OIL OF CALIFORNIA)
Coggin, Richard G.; Shults, Albert J.

PLACER COUNTY WATER AGENCY
Kronick, Stanley W ; Moskovitz, Adolph; Tiedemann, Edward J.

PLANNING AND CONSERVATION LEAGUE
Reed, James S.

PLUMBING–HEATING–COOLING CONTRACTORS OF CALIFORNIA
Burns, Donald Carlton; Neilson, Royal A.

POLISH PANAMERICAN CHAMBER OF COMMERCE
Poray-Tucholski, S. J.

PORAY ASSOCIATES
Poray-Tucholski, S. J.

PRIVATE TRUCK OWNERS BUREAU OF CALIFORNIA
Anderson, Alan G.

PROFESSIONAL EDUCATORS GROUP OF CALIFORNIA, INC.
Johnson, Albert C.

PROFESSIONAL NURSES BUREAU, INC.
Taylor, Maxime (Mrs.)

PROFESSIONAL NURSES BUREAU OF THE VALLEY, INC.
Taylor, Maxime (Mrs.)

PROFESSIONAL PEACE OFFICERS ASSOCIATION
Rope, Robert S.

PROPRIETARY ASSOCIATION
Gregory, Philip J.

PUBLIC FINANCE CORPORATION
Johnson, Wendell K.

PUBLIC HEALTH LEAGUE OF CALIFORNIA
Read, Ben H.

PUBLIC VISION LEAGUE
Olsen, Charles H.

R. E SANFORD AND ASSOCIATES
Sanford, Russell E.
RALPH ANDERSEN AND ASSOCIATES
Andersen, Ralph E.
RANCHO MISSION VIEJO
Michelena, Frank G.
RETAIL CREDIT COMPANY
Burns, Donald Carlton
RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA
Dunmire, Stanley F ; Halterman, J. Fred
ROBERT R. MULLEN COMPANY
Brown, Donald Kent
SACRAMENTO, COUNTY OF
Mailes, Felton M ; Mesple, Frank A.; Willett, Robert S.
SACRAMENTO COUNTY SHERIFF'S DEPARTMENT
Eustis, John M , III
SACRAMENTO METROPOLITAN CHAMBER OF COMMERCE
Parnell, Kevin
SACRAMENTO TYPOGRAPHICAL UNION NO. 46
Palmer, Harold R ; Paquier, Jean L.; Pike, David L.
SAN BERNARDINO, COUNTY OF
Franks, Stephen F.
SAN DIEGO, CITY OF
Harvey, B Scott
SAN DIEGO COMMUNITY COLLEGE DISTRICT
Ohlson, Harry B.
SAN DIEGO, COUNTY OF
Gerber, Edward R.; Hodge, Henry
SAN DIEGO GAS AND ELECTRIC COMPANY
Andrews, William S.; Smithers, Charles L ; Taplin, Irvin
SAN DIEGO PADRES BASEBALL CLUB
Sandford, H. B. (Pete)
SAN DIEGO TAVERN & RESTAURANT ASSOCIATION
Florentine, Harry Edward
SAN DIEGO UNIFIED SCHOOL DISTRICT
Ohlson, Harry B.
SAN FRANCISCO BAR PILOTS
Reed, James S.
SAN FRANCISCO BOARD OF EDUCATION
Healy, James T.
SAN FRANCISCO, CITY AND COUNTY OF
Barrett, William A.; Dow, McMorris M ; Shelley, John F.
SAN FRANCISCO GIANTS
Sandford, H. B. (Pete)

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
Healy, James T.
SAN JOSE, CITY OF
Twardus, Stanley Z.
SAN MATEO, COUNTY OF
Pottorff, George B.; Pottorff, Victor S.
SANTA CLARA, COUNTY OF
Long, Ralph F.; Watkins, Howard
SANTA CLARA COUNTY SHERIFF'S DEPARTMENT
Moore, Clarence C.
SATURN AIRWAYS, INC.
Beelar, Jerry E.
SCHENLEY INDUSTRIES, INC.
Kennedy, Anthony M.
SCHOOLS FOR SOUND FINANCE
Trolio, Dante M.
SCIENTIFIC PROGRESS APPLIED TO CALIFORNIA ENVIRONMENT
Niles, Jack; Read, Al
SECURITIES INDUSTRY ASSOCIATION, INC.
Crose, Jack C.
7-ELEVEN STORES (SOUTHLAND CORPORATION)
Michelena, Frank G.
SHELL OIL COMPANY
Coggin, Richard G.; McCracken, Everett M., Jr.; Shults, Albert J.
SIERRA CLUB
Zierold, John H.
SIGNAL COMPANIES
Garibaldi, James D.; Keese, William J.
SMITH KLINE & FRENCH LABORATORIES
Learnard, William E.
SOAP AND DETERGENT ASSOCIATION
Stefan, Victor F.
SOCIAL WORKERS UNION, LOCAL 535, AFL-CIO
Blease, Coleman A.
SOCIETY FOR CLINICAL SOCIAL WORK
Hewitt, Patricia S. (Dr.)
SOCIETY OF CALIFORNIA ACCOUNTANTS
Jackson, Robert W.; Shanbour, Frederick L.
SONOMA-MARIN DAIRYMEN'S ASSOCIATION
Kirstein, Keith K.
SOUTH LAKE TAHOE, CITY OF
Lunardi, Paul J.

SOUTHEAST RECREATION AND PARK DISTRICT
Marsh, B Richard
SOUTHERN CALIFORNIA DENTAL ASSOCIATION
Muir, J E "Skip"
SOUTHERN CALIFORNIA EDISON COMPANY
Andrews, William S , Cook, Geoffrey; Graves, Colin W.; Mahoney, Joseph , Taplin, Irvin
SOUTHERN CALIFORNIA GAS COMPANY
Andrews, William S , Henry, Leon F ; McCanlies, Fred A.; Taplin, Irvin
SOUTHERN CALIFORNIA RACING ASSOCIATION
Stefan, Victor F
SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT
Vicencia, Frank D.
SOUTHERN CALIFORNIA READY MIXED CONCRETE ASSOCIATION
Gallego, Ernest E , Reining, Donald J
SOUTHERN CALIFORNIA ROCK PRODUCTS ASSOCIATION
Gellego, Ernest E , Reining, Donald J
SOUTHERN PACIFIC TRANSPORTATION COMPANY
Miller, Robert A.
SOUTHWESTERN PORTLAND CEMENT COMPANY
Ross, Kenneth A , Jr
SPERRY AND HUTCHINSON COMPANY
Groezinger, Leland B
STANDARD OIL COMPANY OF CALIFORNIA
Coggin, Richard G , Shults, Albert J ; Thornton, Donald R
STATE ASSOCIATION OF COUNTY TREASURERS OF CALIFORNIA
Trolio, Dante M
STATE BAR OF CALIFORNIA
Bradford, Harold F ; Price, David L
STATE BUILDING AND CONSTRUCTION TRADES COUNCIL OF CALIFORNIA
Mansfield, Richard W.
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
Jackson, Clayton R
STONE CORRAL IRRIGATION DISTRICT
Garland, Gordon H
STONE CORRAL SOIL CONSERVATION DISTRICT
Garland, Gordon H
SUPERIOR OIL COMPANY
Butler, Monroe
TAX REFORM AND GOVERNMENTAL SIMPLIFICATION ASSOCIATION
Dixon, Elliott J., Dixon, James F.

TENNECO, INC.
Crose, Jack C.
TEXACO INC.
Coggin, Richard G ; Shults, Albert J.
THE CHRISTIE COMPANY
Christie, Dan C.
THOUSAND OAKS, CITY OF
Clayton, Raymond C.; Kendall, Glenn
THREE-M COMPANY
Veglia, A. J.
TICKETRON
Olsen, Charles H.
TORRANCE, CITY OF
Rupert, Thomas C
TRADE ASSOCIATION CONSULTANTS, INC.
Ribnick, Gerson D
TRAILER COACH ASSOCIATION
Redwine, Kent H
TRANSAMERICA FINANCIAL CORPORATION
Hilts, John W , Innis, Robert D ; Stevens, Lawrence C.
TRANS INTERNATIONAL AIRLINES
Beelar, Jerry E.
TRIAD, INC.
LeFevre, Allan D.
UNDERWRITERS SERVICE, INC
Eklund, Nils O., Jr ; Struble, William F ; Ternes, J. J.
UNEMPLOYMENT INSURANCE ASSOCIATION
Glade, Richard J.
UNION BANK
Brown, Donald Kent
UNION OIL COMPANY OF CALIFORNIA
Coggin, Richard G ; Shults, Albert J ; Thompson, RE
UNITED AIR LINES
Nielson, Edwin J.; Thigpen, W R
UNITED BUSINESS LEAGUE
Ribnick, Gerson D.
UNITED INTERNATIONAL SHIPPING CORPORATION
Eklund, Nils O , Jr , Struble, William F ; Ternes, J. J
UNITED PROFESSORS OF CALIFORNIA
Hutchinson, Bud R
UNITED STATES BREWERS ASSOCIATION, INC.
Creedon, Daniel J
UNITED STATES SNOWMOBILE ASSOCIATION
Wright, Donald R.

UNITED TEACHER ASSOCIATIONS OF CALIFORNIA
Lambert, William S.
UNITED TEACHERS—LOS ANGELES
Lambert, William S
UNITED TRANSPORTATION UNION
Evans, James L , Howe, J E.
UNIVERSAL AIRLINES
Beelar, Jerry E
UPJOHN COMPANY, THE
Rodgers, Robert C
VENTURA COUNTY BUILDING CONTRACTORS ASSOCIATION, INC
Corbett, Frank D.
VENTURA, COUNTY OF
Wittenberg, Richard
VERNON, CITY OF
Creedon, Daniel J.
VETERANS OF FOREIGN WARS OF THE UNITED STATES
Gibbert. Floyd V.
VIEUX CARRE, INC
Morgan, James A.
WEMA
Tisdale, Eben S.
WEST COAST LIFE INSURANCE COMPANY
Keesling, Francis V , Jr ; Kopp, Charles L.
WESTERN AGRICULTURAL CHEMICALS ASSOCIATION
Smith, Ivan C.
WESTERN BUILDING MATERIAL DEALERS ASSOCIATION
McGilvray, Kenneth G.
WESTERN CANDY CONFERENCE
Mahoney, Joseph F
WESTERN CENTER ON LAW AND POVERTY
Paddock, Brian
WESTERN CONFERENCE OF MUSICIANS
Kenny, Thomas P.
WESTERN DAIRYMEN'S ASSOCIATION
Branco, Joseph F.; Hopson, James A.
WESTERN DEVELOPERS COUNCIL
Bailey, John N ; Crose, Jack C.
WESTERN FAIRS ASSOCIATION
Clayton, Bill
WESTERN FRANCHISE OWNERS
Niles, Jack

WESTERN HARNESS RACING, INC.
Long, E. A.
WESTERN LIQUID GAS ASSOCIATION
Murphy, Everett B
WESTERN MOBILEHOME ASSOCIATION
Leggio, Samuel J ; Nordlander, Neil Y
WESTERN NATIONALIST CRUSADE INTERNATIONAL
Cook, Sam K
WESTINGHOUSE ELECTRIC CORPORATION
Olsen, Charles H.
WILLIAM F MARSH AND ASSOCIATES
Marsh, William F.
WILLIAMS-KUEBELBECK AND ASSOCIATES, INC.
Olsen, Charles H.
WINE INSTITUTE
Kahn, Max R ; Lunardi, Paul J.; Peyser, Jefferson E.
YELLOW CAB COMPANY
Wheaton, Richard W.

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-fourth Legislative Day

Seventy-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 16, 1972

The Assembly met at 2 p.m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Assistant Chief Clerk R Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Porter moved a quorum call of the Assembly.

Mr Collier seconded the motion.

Motion carried. Time, 2·03 p m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 2:13 p m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Colher, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAllister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E Townsend, Member of the Assembly, 67th District.

May we begin today's session as friends and may we conclude it as friends with deeper mutual respect from our varying views. We pray for inner integrity which we hope will triumph over outward temptations and may we fulfill the demands which are upon us.

In Thy Name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mrs Fong then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Monagan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere

Mr Fenton, on request of Speaker pro Tempore Bee
Mr Hayes, on request of Speaker pro Tempore Bee.
Mr Ketchum, on request of Speaker pro Tempore Bee.
Mr Keysor, on request of Speaker pro Tempore Bee
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Sieroty, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr Campbell, on request of Speaker pro Tempore Bee.
Mr. Warren, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 15, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on March 16, 1972 on legislative business.

I will be speaking to the Pico Rivera Senior Citizens' Club in Pico Rivera at noon.

Sincerely,

JACK R FENTON, Assemblyman
Fifty-first District

March 16, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker. I respectfully request that I be excused from session on Thursday, March 16, on legislative business I shall be conferring with local officials on coastline and environmental protection legislation.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

March 15, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: As was requested at an earlier caucus, I am informing you of a long-standing commitment I have in my District on March 16, and would like to request permission for a legislative excuse for this day.

I shall be talking to the Kern Kiwanis Interclub luncheon on Thursday, March 16, and will not be able to be present in Sacramento for Session

Thank you for your consideration of this request.

Sincerely,

WILLIAM M KETCHUM, Assemblyman
Twenty-ninth District

March 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request that I be excused from session on Thursday, March 16, 1972

I will be attending the California Arts Commission in Los Angeles.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

March 15, 1972

Hon Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· I respectfully request that I be excused from session on Thursday, March 16, 1971, on legislative business.

I will be consulting Glendale school officials concerning pending legislation

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

March 13, 1972

Hon Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob· This is to request that I be excused from the legislative session on Thursday, March 16th on legislative business

I will be in San Francisco for the purpose of meeting with representatives of the California Coastal Alliance to discuss coastline legislation.

Yours sincerely,

ALAN SIEROTY, Assemblyman
Fifty-ninth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointments to and Changes in Assembly Standing Committees

March 16, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I have appointed Assemblyman Bob Wilson to the following Assembly committees:

Efficiency and Cost Control
Environmental Quality
Retirement
Transportation

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 15, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir I have appointed Assemblyman Ernest Mobley as Vice Chairman of the Assembly Efficiency and Cost Control Committee to replace former Assemblyman Peter Schabarum.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 15, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir· Pursuant to his request I have accepted the resignation of Assemblyman John Vasconcellos from the Assembly Environmental Quality Control Committee.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 16, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir Pursuant to his request I have accepted the resignation of Assemblyman Charles Conrad from the Assembly Retirement Committee

I am appointing him a member of the Assembly Government Administration Committee to fill an existing vacancy.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules were received, and read·

Assembly Chamber, March 16, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 438—An act to add Section 995 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

JOE A GONSALVES

Assembly Chamber, March 16, 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2008—An act to amend Section 602 of the Welfare and Institutions Code, relating to juveniles, and declaring the urgency thereof, to take effect immediately

DIXON ARNETT

Above requests ordered transmitted to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered·

Assembly Joint Resolution No. 22: By Assemblymen Deddeh, Lanterman, Foran, Hayden, Beverly, Briggs, Burke, Chacon, Collier, Cullen, Dunlap, Fenton, Fong, Gonsalves, Hayes, Harvey Johnson, Ray E. Johnson, Lewis, McCarthy, Meade, Mobley, Monagan, Moorhead, Moretti, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stull, Vasconcellos, Waxman, and Wood (Senators

Alquist, Behr, Beilenson, Burgener, Carrell, Cusanovich, Deukmejian, Dymally, Gregorio, Grunsky, Kennick, Lagomarsino, Moscone, Nejedly, Petris, Roberti, Schrade, Wedworth, Whetmore, and Zenovich, coauthors)—Relative to noise pollution

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1273	Commerce and Public Utilities
1274	Urban Development and Housing
1275	Finance and Insurance
1276	Agriculture
1277	Retirement
1278	Employment and Public Employees
1279	Finance and Insurance
1280	Government Administration
1281	Urban Development and Housing
1282	Health
1283	Education
1284	Government Administration
1285	Criminal Justice
1286	Criminal Justice
1287	Retirement
1288	Labor Relations
1289	Government Administration
1290	Governmental Organization
1291	Education
1292	Government Administration
1293	Commerce and Public Utilities
1294	Governmental Organization
1295	Governmental Organization
1296	Transportation
1297	Commerce and Public Utilities
1298	Criminal Justice
1299	Government Administration
1300	Government Administration
1301	Health
1302	Government Administration
1303	Governmental Organization
1304	Revenue and Taxation
1305	Education
1306	Transportation
1307	Transportation
1308	Transportation
1309	Employment and Public Employees
1310	Revenue and Taxation

Assembly Bill No.	*Committee*
1311	Criminal Justice
1312	Government Administration
1313	Elections and Reapportionment
1314	Government Administration
1315	Planning and Land Use
1316	Transportation
1317	Labor Relations
1318	Education
1319	Education
1320	Transportation
1321	Education
1322	Transportation
1323	Planning and Land Use
1324	Education
1325	Water
1326	Education
1327	Local Government
1328	Government Administration
1329	Government Administration
1330	Finance and Insurance
1331	Labor Relations
1332	Education
1333	Health
1334	Transportation
1335	Criminal Justice
1336	Government Administration
1337	Transportation
1338	Transportation
1339	Education
1340	Transportation
1341	Government Administration
1342	Finance and Insurance
1343	Judiciary
1344	Natural Resources and Conservation
1345	Transportation
1346	Transportation
1347	Transportation
1348	Water
1349	Transportation
1350	Retirement
1351	Commerce and Public Utilities
1352	Education
1353	Commerce and Public Utilities
1354	Finance and Insurance
1355	Education
1356	Education

Assembly Bill No.	*Committee*
1357	Education
1358	Retirement
1359	Health
1360	Government Administration
1361	Revenue and Taxation
1362	Health
1363	Planning and Land Use
1364	Government Administration
1365	Agriculture
1366	Education
1367	Government Administration
1368	Labor Relations
1369	Finance and Insurance
1370	Government Administration
1371	Health
1372	Transportation
1373	Government Administration
1374	Transportation
1375	Transportation
1376	Government Administration
1377	Local Government
1378	Local Government
1379	Government Administration
1380	Planning and Land Use
1381	Transportation
1382	Revenue and Taxation
1383	Local Government
1384	Judiciary
1385	Commerce and Public Utilities
1386	Judiciary
1387	Government Administration
1388	Government Administration
1389	Commerce and Public Utilities
1390	Finance and Insurance
1391	Welfare
1392	Retirement
1393	Employment and Public Employees
1394	Judiciary
1395	Judiciary
1396	Government Administration
1397	Government Administration
1398	Transportation
1399	Revenue and Taxation
1400	Labor Relations
1401	Judiciary
1402	Government Administration

Assembly Bill No.	*Committee*
1403	Planning and Land Use
1404	Commerce and Public Utilities
1405	Finance and Insurance
1406	Government Administration
1407	Transportation
1408	Judiciary
1409	Transportation
1410	Judiciary
1411	Health
1412	Education
1413	Governmental Organization
1414	Health
1415	Urban Development and Housing
1416	Health
1417	Health
1418	Government Administration
1419	Education
1420	Education
1421	Education
1422	Criminal Justice
1423	Criminal Justice
1424	Government Administration
1425	Government Administration
1426	Retirement
1427	Government Administration
1428	Government Administration
1429	Education
1430	Natural Resources and Conservation
1431	Natural Resources and Conservation
1432	Government Administration
1433	Government Administration
1434	Commerce and Public Utilities
1435	Government Administration
1436	Finance and Insurance
1437	Elections and Reapportionment
1438	Transportation
1439	Governmental Organization
1440	Government Administration
1441	Government Administration
1442	Transportation
1443	Transportation
1444	Retirement
1445	Agriculture
1446	Government Administration
1447	Planning and Land Use
1448	Employment and Public Employees

Assembly Bill No.	*Committee*
1449	Government Administration
1450	Government Administration
1451	Governmental Organization
1452	Efficiency and Cost Control
1453	Judiciary
1454	Planning and Land Use
1455	Retirement
1456	Government Administration
1457	Health
1458	Education
1459	Health
1460	Labor Relations
1461	Judiciary
1462	Government Administration
1463	Environmental Quality
1464	Health
1465	Government Administration
1466	Education
1467	Education
1468	Education
1469	Education
1470	Health
1471	Revenue and Taxation
1472	Education
1473	Judiciary
1474	Government Administration
1475	Government Administration
1476	Education
1477	Transportation
1478	Government Administration
1479	Government Administration
1480	Education
1481	Judiciary
1482	Local Government
1483	Agriculture
1484	Environmental Quality
1485	Education
1486	Finance and Insurance
1487	Commerce and Public Utilities
1488	Commerce and Public Utilities
1489	Efficiency and Cost Control
1490	Efficiency and Cost Control
1491	Efficiency and Cost Control
1492	Efficiency and Cost Control
1493	Rules
1494	Commerce and Public Utilities

Assembly Bill No.	*Committee*
1495	Health
1496	Health
1497	Health
1498	Finance and Insurance
1499	Education
1500	Health
1501	Health
1502	Government Administration
1503	Health
1504	Transportation
1505	Government Administration
1506	Health
1507	Finance and Insurance
1508	Natural Resources and Conservation
1509	Finance and Insurance
1510	Government Administration
1511	Finance and Insurance
1512	Finance and Insurance
1513	Finance and Insurance
1514	Finance and Insurance
1515	Health
1516	Finance and Insurance
1517	Finance and Insurance
1518	Urban Development and Housing
1519	Finance and Insurance
1520	Agriculture
1521	Commerce and Public Utilities
1522	Commerce and Public Utilities
1523	Education
1524	Revenue and Taxation
1525	Transportation
1526	Judiciary
1527	Health
1528	Health
1529	Planning and Land Use
1530	Judiciary
1531	Transportation
1532	Transportation
1533	Transportation
1534	Transportation
1535	Local Government
1536	Criminal Justice
1537	Revenue and Taxation
1538	Judiciary
1539	Government Administration

Assembly Bill No.	*Committee*
1540	Government Administration
1541	Government Administration
1542	Health
1543	Criminal Justice
1544	Health
1545	Government Administration
1546	Elections and Reapportionment
1547	Judiciary
1548	Finance and Insurance
1549	Health
1550	Health
1551	Retirement
1552	Health
1553	Education
1554	Commerce and Public Utilities
1555	Judiciary
1556	Transportation
1557	Judiciary
1558	Natural Resources and Conservation
1559	Planning and Land Use
1560	Transportation
1561	Natural Resources and Conservation
1562	Judiciary
1563	Natural Resources and Conservation
1564	Revenue and Taxation
1565	Elections and Reapportionment
1566	Elections and Reapportionment
1567	Elections and Reapportionment
1568	Elections and Reapportionment
1569	Elections and Reapportionment
1570	Elections and Reapportionment
1571	Elections and Reapportionment
1572	Elections and Reapportionment
1573	Elections and Reapportionment
1574	Elections and Reapportionment
1575	Government Administration
1576	Health
1577	Transportation
1578	Education
1579	Revenue and Taxation
1580	Revenue and Taxation
1581	Criminal Justice
1582	Environmental Quality
1583	Governmental Organization
1584	Welfare
1585	Revenue and Taxation
1586	Criminal Justice

Assembly Bill No.	*Committee*
1587	Commerce and Public Utilities
1588	Education
1589	Education
1590	Education
1591	Education
1592	Education
1593	Health
1594	Revenue and Taxation
1595	Education
1596	Education
1597	Elections and Reapportionment
1598	Urban Development and Housing
1599	Education
1600	Education
1601	Retirement
1602	Health
1603	Education
1604	Local Government
1605	Agriculture
1606	Government Administration
1607	Agriculture
1608	Agriculture
1609	Government Administration
1610	Natural Resources and Conservation
1611	Government Administration
1612	Water
1613	Governmental Organization
1614	Governmental Organization
1615	Criminal Justice
1616	Education
1617	Education
1618	Education
1619	Government Administration
1620	Local Government
1621	Education
1622	Government Administration
1623	Government Administration
1624	Local Government
1625	Criminal Justice
1626	Finance and Insurance
1627	Education
1628	Education
1629	Transportation
1630	Commerce and Public Utilities
1631	Criminal Justice

Assembly Bill No.	*Committee*
1632	Labor Relations
1633	Education
1634	Education
1635	Criminal Justice
1636	Government Administration
1637	Education
1638	Urban Development and Housing
1639	Government Administration
1640	Health
1641	Education
1642	Government Administration
1643	Water
1644	Education
1645	Finance and Insurance
1646	Water
1647	Education
1648	Government Administration
1649	Government Administration
1650	Government Administration
1651	Education
1652	Government Administration
1653	Planning and Land Use
1654	Education
1655	Local Government
1656	Revenue and Taxation
1657	Education
1658	Education
1659	Government Administration
1660	Government Administration
1661	Government Administration
1662	Environmental Quality
1663	Judiciary
1664	Government Administration
1665	Retirement
1666	Retirement
1667	Retirement
1668	Retirement
1669	Education
1670	Health
1671	Criminal Justice
1672	Criminal Justice
1673	Natural Resources and Conservation
1674	Retirement
1675	Government Administration
1676	Finance and Insurance
1677	Local Government

COMMUNICATIONS

Assembly Chamber, March 16, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No. 136

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 170

AB No. 242

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 801

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 249

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 24

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 16, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

ACR No 26

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 89

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No. 79

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 358

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 221

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Elections and Reapportionment

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 150

With the recommendation: Do pass.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, March 16, 1972

Mr. Speaker · Your Committee on Labor Relations reports:

AB No. 256

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 16, 1972

Mr Speaker Your Committee on Labor Relations reports:

AB No. 78

With amendments with the recommendation: Amend, and do pass, as amended.

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, March 16, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No 151

AB No. 235

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, March 16, 1972

Mr Speaker. Your Committee on Transportation reports:

AB No 312

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with a recommendation To Consent Calendar.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 16, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No 395

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 418

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 16, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 155

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 155—An act to amend Sections 2147, 2177 5, and 2178 of, to add Article 4.6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193 7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly March 8, 1972, strike out "making an appropriation,".

Amendment No. 2

On page 5, strike out lines 12 to 24, inclusive.

Amendment No. 3

On page 5, line 25, strike out "SEC 9", and insert "SEC. 8".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, March 16, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports

AB No. 281

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 281—An act to amend Section 16103 of the Government Code and Section 2615 6 of the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 2615 6", and insert "to amend Sections 2615 6 and 255 4".

Amendment No. 2

On page 2, line 24, after "SEC. 2 ", insert "Section 255.4 of the Revenue and Taxation Code is amended to read:

255 4. (a) The claim form required to be sent to homeowners by Section 255 3 shall be accompanied by a notice to read as follows:

"ATTENTION HOMEOWNERS OVER 62

"You may be eligible for additional property tax relief.

"Under the Gonsalves-Deukmejian-Petris Senior Citizens Property Tax Relief Act funded by the 1971 Legislature, homeowners 62 years of age or older with incomes of $10,000 or less are eligible for a state ~~refund~~ *assistance* of part of their property taxes. This relief is available for the taxes you have paid last December and this April.

"This ~~refund~~ *assistance* will afford you an additional and substantial reduction in your property taxes.

"For further information, contact the office of the Franchise Tax Board in your area."

(b) Each county shall insert in the notice required by subdivision (a) the address and telephone number of the Franchise Tax Board office in ~~, or nearest to,~~ the county, *or in the absence of a Franchise Tax Board office, a county may include the address and telephone number of the county tax collector or assessor*.

SEC. 3."

Amendment No. 3

On page 2, line 38, strike out "paid", and insert "will pay".

Amendment No. 4

On page 3, line 3, after "after", insert "this coming".

Amendment No. 5

On page 3, line 6, strike out "If no board office is in"; and strike out line 7, and insert a closing quotation mark.

Amendment No. 6

On page 3, line 11, after the comma, insert "a county may include".

Amendment No. 7

On page 3, line 13, after "Collector", insert "or Assessor".

Amendment No. 8

On page 3, line 14, strike out "SEC. 3.", and insert "SEC. 4."

Amendment No. 9

On page 3, line 16, strike out "Section 2", and insert "Sections 2 and 3".

Amendment No. 10

On page 3, line 17, strike out "SEC. 4 ", and insert "SEC 5."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

MESSAGES FROM THE SENATE

Senate Chamber, March 15, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

SCR No. 4

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, March 15, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 532

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 15, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 57
SB No. 96
SB No. 143

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 57—An act to amend Section 1505 of the Fish and Game Code, relating to fish and game management.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 96—An act to amend Section 17503 of the Education Code, relating to public schools.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 143—An act to amend Section 6423 of the Education Code, relating to public schools.

Held at Desk by order of the Speaker pro Tempore.

RE-REFERENCE OF ASSEMBLY BILL NO. 249

Mr Duffy was granted unanimous consent that Assembly Bill No. 249 be re-referred to the Committee on Health, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 249 for hearing in the Committee on Health.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bills Nos 867, 869, and 870 be withdrawn from the Committee on Planning and Land Use, and re-referred to the Committee on Commerce and Public Utilities.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 184

Mr. Gonsalves was granted unanimous consent to rescind the action whereby on March 14, 1972 (Assembly Journal, page 828), the report of the Committee on Revenue and Taxation relative to Assembly Bill No. 184 was received and read in the Assembly, and whereby the bill was ordered to second reading; and to rescind the action whereby the bill was read a second time on March 15, 1972, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Gonsalves for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 438 be granted.

BURTON, Chairman

Assembly Chamber, March 16, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr. Biddle for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 661 be granted.

BURTON, Chairman

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Gonsalves for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 667 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Gonsalves:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 438 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gonsalves moved a call of the Assembly.

Motion carried. Time, 2:22 p m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Gonsalves:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 667 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gonsalves moved a call of the Assembly.

Mr. Foran seconded the motion.

Motion carried. Time, 2:25 p m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 136, 242, and **170,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 98—An act to amend Sections 11535, 11540, and 11540.1 of, and to add Sections 11538.1, 11538.2, and 11538 3 to, the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 149—An act to add Section 39297.6 to, and to repeal Section 39077.3 of, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third read.

Assembly Bill No. 259—An act to amend Sections 13247 and 13247.9 of, and to add Sections 13246 7 and 13246.9 to, the Education Code, relating to the public schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 720—An act to add Article 10 (commencing with Section 47031) to Chapter 18 of Division 17 of the Agricultural Code, relating to citrus fruit, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "out of the", and insert "to a neighboring citrus fruit growing".

Amendment No. 2

On page 2, lines 10 and 11, strike out "out of the", and insert "to a neighboring citrus fruit growing".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 368—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of the Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, after "MacDonald", insert "(Coauthor: Senator Lagomarsino)".

Amendment No. 2

On page 5, line 32, after "report", insert "to the Department of the Youth Authority".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 225—An act to add Section 6932.5 to the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, an adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6932 5", and insert "6934".

Amendment No. 2

On page 1, line 1, strike out "6932 5", and insert "6934".

Amendment No. 3

On page 1, strike out line 3, and insert

"6934. County superintendent of schools, high school districts and unified school districts which do not have a sheltered workshop available to them within a reasonable commuting distance may sponsor or operate sheltered workshops or training centers for handicapped students and individuals eligible to attend high school or adult school, develop job-training situations based upon the capabilities of the individual by entering into contracts or subcontracts to produce goods for, and provide services for public and private agencies, private business and industry, and pay such students and individuals on a piece-rate basis from revenues derived from any source not otherwise prohibited by law, as regulated by state and federal wage and hour laws applicable to persons employed in a sheltered workshop."

Amendment No. 4

On page 1, strike out lines 4 and 5, and strike out all of page 2.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 230—An act to add Chapter 17 (commencing with Section 22530) to Division 16.5 of the Education Code, relating to academic materials.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, lines 14 and 15, of the printed bill, as amended in Assembly February 28, 1972, strike out "the written preparation of".

Amendment No. 2

On page 2, line 32, strike out "Violation of any provision of this chapter is a", and on page 3, line 1, strike out "misdemeanor."

Amendment No. 3

On page 3, line 2, strike out "further".

Amendment No. 4

On page 3, line 3, strike out the first comma.

Amendment No. 5

On page 3, line 21, strike out the second "or", and insert a comma.

Amendment No. 6

On page 3, line 21, strike out "the", and insert ", or imply the absence of".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 307—An act to amend Section 16555 of the Education Code, relating to the use of public school buildings.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 51—An act to amend Section 25541.7 of the Education Code, relating to community colleges.

Bill read second time, and ordered to third reading.

Senate Bill No. 6—An act relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, March 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 307

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 184

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

AB No. 213

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bill ordered to second reading.

Hon. Kenneth Cory Presiding

At 2:27 p.m., Hon. Kenneth Cory, 69th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 71—An act to add Sections 8506 1 and 8507 to the Education Code, relating to venereal disease instruction, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson,

Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—59.

NOES—Collier and Wakefield—2.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—59.

NOES—Collier and Wakefield—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 94—An act making an appropriation to be used for venereal disease education and control, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 94:

Governor's Office, Sacramento
February 11, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 94, "An act making an appropriation to be used for venereal disease education, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 94 as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No 94.

Urgency clause adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—Collier and Wakefield—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Collier and Wakefield—2

Bill ordered transmitted to the Senate.

Speaker pro Tempore Presiding

At 2:36 p.m., Hon. Carlos Bee, 13th District, presiding.

Assembly Bill No. 334—An act to amend Sections 73914 and 73915 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 361—An act to amend Section 15525 5 of the Corporations Code, relating to limited partnerships, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 587—An act to repeal Section 73 of Chapter 1748 of the Statutes of 1971, relating to age of majority, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61,

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory,

Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 438

At 2:54 p.m., on motion of Mr. Gonsalves, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No. 438 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, March 16, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 438

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 438—An act to add Section 995 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "software, other than that which is in inventory as defined in Section 129," and insert "software".

Amendment No. 1.5

On page 1, line 8, of the printed bill, strike out "in the"; strike out lines 9 and 10; and on page 2, strike out line 1, and insert " Computer software may take the form of, but is not limited to, written instructions, punched cards, tapes, discs or drums and any required documentation."

Amendment No. 2

On page 2, strike out lines 3 and 4, and insert "instructions, magnetic imprints or other process designed for use on computer software to enable the user to communicate with a machine or machines."

Amendment No. 3

On page 2, line 5, strike out "operational", and insert "computer".

Amendment No. 4

On page 2, line 8, strike out "operational", and insert "computer".

Amendment No. 5

On page 2, line 10, strike out "proscribed", and insert "prescribed".

Amendment No. 6

On page 2, line 13, strike out "a"; strike out lines 14 and 15, and insert "computer software shall be valued as if it had no computer".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

CALL OF THE ASSEMBLY DISPENSED WITH ON RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 667

At 2.57 p m., on motion of Mr. Gonsalves, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to dispense with the provisions of Article IV, Section 8(a) of the Constitution as it relates to Assembly Bill No 667 adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Mur-

phy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Biddle:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 661 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, presented by Mr. Bagley, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 29—An act to amend Section 203 of the Revenue and Taxation Code, relating to the college exemption from property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Russell, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 801—An act relating to students in higher education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 39—An act to amend Sections 100032, 100042, 100124, 100131, and 100161 of, to add Sections 100081, 100093, and 100113 to, and to repeal Sections 100081, 100093, 100113, 100148, 100150, 100169.2, 100169.4, and 100171 of, and to repeal Article 7 (commencing with Section 100180) and Article 8 (commencing with Section 100200) of Chapter 5 of, and to repeal Chapter 7 (commencing with Section 100400) of, Part 12 of Division 10 of, the Public Utilities Code, and to amend Section 7252 of, and to repeal Section 7272.5 of, the Revenue and Taxation Code, relating to the Santa Clara County Transit District, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Hayden.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE CONCURRENT RESOLUTION NO. 4

The Speaker pro Tempore appointed Messrs. Burton, Ray E. Johnson, and Mobley as a Committee on Conference concerning Senate Concurrent Resolution No. 4.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 170, on request of Mr. Bee.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Murphy, Assembly Bill No 346 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, March 16, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 214

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 214—An act to add Section 5664 to the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 2, 1972, after "add", insert "Sections 19453 and 20108 to the Government Code, and".

Amendment No. 2

On page 2, line 1, after "SECTION 1.", insert "Section 19453 is added to the Government Code, to read.

19453. At least one year prior to the closure of a state hospital, the State Department of Mental Hygiene shall arrange for such counseling and retraining of state hospital employees as may be reasonably needed to prepare them for placement in comparable positions in other state hospitals or in county or local mental health programs, as provided in Section 5664 of the Welfare and Institutions Code. A state hospital scheduled for closure shall be used for such retraining, if possible.

SEC. 2. Section 20108 is added to the Government Code, to read:

20108. To the extent possible, the board shall resolve conflicts between retirement systems applicable to state hospital employees transferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code.

SEC. 3."

Amendment No. 3

On page 2, line 6, after "program", insert ", to be developed jointly by the State Department of Mental Hygiene and the county,".

Amendment No. 4

On page 2, between lines 8 and 9, insert

"Such programs shall provide for the orderly transfer of staff from a state hospital scheduled to be closed to the Short-Doyle programs and counties which have previously been a part of the catchment area or region which the state hospital served. Such programs shall include a redefinition of occupational positions, if necessary, and a recognition by the counties of licensed psychiatric technicians for treatment of the mentally ill, mentally retarded and emotionally disturbed. Such programs shall provide for state employees who work for the State Department of Mental Hygiene but whose occupations or jobs will be assumed by the counties The State Department of Mental Hygiene shall notify the applicable counties of the scheduled closure of a state hospital at least one year prior to the scheduled closure date."

Amendment No. 5

On page 2, line 13, after "benefits", insert "during the first year of employment following transfer".

Amendment No. 6

On page 2, line 14, strike out "under"; strike out all of lines 15 and 16, and insert "by the state, without loss of pay or benefits for a period of training not to exceed one year, for".

Amendment No. 7

On page 2, line 17, after "positions", insert "in other state hospitals or in county or local mental health programs".

Amendment No. 8

On page 2, line 18, after "benefits", insert "during the first year of employment following transfer".

Amendment No. 9

On page 2, strike out lines 21 to 23, inclusive, and insert "benefits during the first year of employment following transfer. The costs of preserving sick leave benefits shall be totally funded by the state."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

VOTE CHANGES

Mr. Chappie was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the urgency clause to Assembly Bill No. 71, and on the passage of the bill.

ADJOURNMENT

At 4 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Monday, March 20, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-fifth Legislative Day

Seventy-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 20, 1972

The Assembly met at 11 a m

Hon. Jack R. Fenton, Member of the Assembly, 51st District, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Townsend moved a quorum call of the Assembly.

Motion carried Time, 11·03 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11.10 a m, Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—72.

REQUEST FOR UNANIMOUS CONSENT

Mr. MacDonald was granted unanimous consent that a photographer be permitted on the floor of the Assembly

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We come before You with our special prayers and all the needs of our troubled world.

We do not ask that You keep us safe but only that You keep us loyal to You, that we may do whatever You ask of us Help us to be signs of peace to all men now and forever —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Wilson then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr MacDonald, seconded by Mr. Ray E. Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Brown, on request of Acting Speaker Fenton.
Mr. Quimby, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.
Mr. Wood, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Bee, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 20, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker: Pursuant to my previous letter of March 16, 1972, I respectfully request to be excused from session on Monday, March 20th, on legislative business

I am speaking on that date at Dorsey High School in my Los Angeles District on the "Importance of the 18-Year Old Vote"

Thank you very much for your consideration in this matter.

Sincerely,

YVONNE W BRATHWAITE, Assemblyman
Sixty-third District

March 20, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. I respectfully request that I be excused from Session on Monday, March 20, 1972, on legislative business.

I am meeting with the Mexican-American Retirement Committee of my district.

Very truly yours,

BILL BROPHY, Assemblyman
Forty-eighth District

March 20, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to be excused from the session today on legislative business

I am scheduled to speak and confer with constituents at the Street Academy in my district.

Sincerely,

WILLIE L BROWN, JR., Assemblyman
Eighteenth District

March 20, 1972

Honorable Bob Moretti
Speaker of the Assembly

My Dear Mr Speaker. I respectfully request that I be excused from session this week because of legislative business I have meetings scheduled with peace officers on my AB 73, school administrators on school finance and conferences with drug abuse counselors at Norco.

Very sincerely yours,

JOHN P. QUIMBY, Assemblyman
Seventy-second District

March 20, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request that I be excused from session on Monday and Tuesday, March 20 and 21, 1972, on legislative business.

I will be consulting with groups and with the newspapers regarding the Century Freeway problem in my district as it relates to legislation I have introduced on this subject.

Sincerely,

FLOYD L. WAKEFIELD, Assemblyman
Fifty-second District

March 20, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session, Monday; March 20 I will be addressing the Monterey High School Monday morning in my District.

Sincerely,

BOB WOOD, Assemblyman
Thirty-fourth District

REPORTS

The following reports were presented by the Chief Clerk:

1971 Annual Report to the Governor and to the Legislature. (In accordance with Section 14161 of the Welfare and Institutions Code.)

Above transmitted report, together with letter of transmittal from Earl W. Brian, M D., Director, Department of Health Care Services, Sacramento, dated January 26, 1972, referred by the Acting Speaker to the Committee on Health.

Report on Adult Continuing Education in High School, Unified and Community College Districts. (In compliance with Senate Bill 765, Chapter 614, Statutes of 1971.)

Above transmitted report, together with letter of transmittal from Sidney W. Brossman, Chancellor, California Community Colleges, Sacramento, dated March 15, 1972, referred by the Acting Speaker to the Committee on Education.

Third Annual Report to the California Legislature by the Department of Public Works on the Operation of Section 94.5 of the Streets and Highways Code. December 31, 1971.

Above transmitted report, together with letter of transmittal from Howard C. Ullrich, Chief Deputy Director, Department of Public Works, Sacramento, dated March 15, 1972, referred by the Acting Speaker to the Committee on Transportation.

COMMUNICATIONS

The following communication was presented by the Speaker from:

Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, relative to extension of time for report required by Education Code Section 7495.32 for Four-quarter Elementary School. Referred by the Acting Speaker to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1678	Education
1679	Government Administration
1680	Education
1681	Welfare
1682	Criminal Justice
1683	Judiciary
1684	Government Administration
1685	Criminal Justice
1686	Education
1687	Urban Development and Housing
1688	Commerce and Public Utilities
1689	Commerce and Public Utilities
1690	Water
1691	Water
1692	Water
1693	Water
1695	Education
1696	Revenue and Taxation
1697	Government Administration
1698	Urban Development and Housing
1699	Elections and Reapportionment
1700	Ways and Means
1701	Commerce and Public Utilities
1702	Finance and Insurance
1703	Education
1704	Transportation
1705	Finance and Insurance
1706	Criminal Justice
1707	Criminal Justice
1708	Government Administration
1709	Health
1710	Labor Relations
1711	Labor Relations
1712	Finance and Insurance
1713	Finance and Insurance
1714	Education
1715	Education
1716	Judiciary
1717	Government Administration
1718	Health
1719	Elections and Reapportionment
1720	Government Administration
1721	Criminal Justice
1722	Education
1723	Education
1724	Revenue and Taxation

Assembly Bill No.	*Committee*
1725	Planning and Land Use
1726	Government Administration
1727	Governmental Organization
1728	Employment and Public Employees
1729	Retirement
1730	Health
1731	Revenue and Taxation
1732	Health
1733	Revenue and Taxation
1734	Revenue and Taxation
1735	Revenue and Taxation
1736	Revenue and Taxation
1737	Revenue and Taxation
1738	Revenue and Taxation
1739	Revenue and Taxation
1740	Planning and Land Use
1741	Urban Development and Housing
1742	Urban Development and Housing
1743	Finance and Insurance
1744	Revenue and Taxation
1745	Education
1746	Education
1747	Education
1748	Employment and Public Employees
1749	Health
1750	Education
1751	Health
1752	Health
1753	Judiciary
1754	Criminal Justice
1755	Commerce and Public Utilities
1756	Transportation
1757	Criminal Justice
1758	Education
1759	Government Administration
1760	Governmental Organization
1761	Judiciary
1762	Criminal Justice
1763	Judiciary
1764	Education
1765	Government Administration
1766	Education
1767	Education
1768	Health
1769	Health
1770	Health
1771	Education
1772	Natural Resources and Conservation
1773	Government Administration

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 498—An act to amend Section 12101 of, and to repeal Sections 12101.1 and 12107 of, the Welfare and Institutions Code, relating to public assistance.

JOHN L. BURTON

Assembly Chamber, March 20, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 1125—An act relating to the late filing of maps or plats for purposes of property taxation, and declaring the urgency thereof, to take effect immediately.

KENT H STACEY

Assembly Chamber, March 20, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 1813—An act to add Section 39252 to the Health and Safety Code, and to repeal Section 5 of Chapter 1509 of the Statutes of 1970, relating to air pollution.

W. CRAIG BIDDLE

Above requests ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Duffy:

House Resolution No. 30

Relative to the normalization of the mentally retarded

WHEREAS, The opportunity for normalization is the birthright of every handicapped person; and

WHEREAS, "Normalization" is defined as the affording to each retarded person the maximum opportunity to participate in usual living experiences that permit his development to his highest potential, despite physical handicaps; and

WHEREAS, "Normalization" includes education, work, and social activities for mentally retarded persons, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members affirm the rights of mentally retarded persons to enjoy as normal lives as possible despite the severity of their handicaps, and that such persons are entitled to the same rights as persons who are not burdened by the handicap of mental retardation.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 225
AB No 720

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 230

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 28

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 155
AB No. 214

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 20, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 239
AB No. 438

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 50

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 16, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 282

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Elections and Reapportionment

Assembly Chamber, March 20, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No 298

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, March 16, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

AB No. 428

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 428—An act to amend Section 405 of, and to repeal Section 2420 of, the Vehicle Code, relating to motor vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out ", including every motor scooter,".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, March 17, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 667

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 667—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "Security", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 4, after line 38, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A recent court decision has indicated that the new contribution scale which went into effect October 1, 1971, has had a cruel impact on the elderly, and caused financial hardship on adult children, particularly those of lower income required by the act to pay increased support to their parents. To provide relief as quickly as possible, this act must go into effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, March 20, 1972

Mr. Speaker. The Chairman of your Committee on Judiciary reports:

AB No. 324

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 324—An act to amend Section 1237 of the Civil Code, relating to homesteads.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1237 of the Civil Code", and insert "690.3 of the Code of Civil Procedure".

Amendment No. 2

In line 2 of the title, strike out "homesteads", and insert "attachment and execution".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 690.3 of the Code of Civil Procedure is amended to read

690 3. One house trailer in which the debtor, or the family of such debtor, actually resides, of a value not exceeding ~~five thousand dollars ($5,000)~~ *nine thousand five hundred dollars ($9,500)* over and above all liens and encumbrances on that house trailer, provided neither such debtor nor the spouse of such debtor has an existing homestead as provided by Title 5 (commencing with Section 1237) of Part 4 of Division 2 of the Civil Code."

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, March 11, 1972

Mr Speaker· The Chairman of your Committee on Retirement reports.

AB No 452

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 452—An act to amend Sections 20603.01, 20980, and 21252.01 of, to add Section 21252.02 to, and to repeal Section 21252.03 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4, strike out lines 34 to 40, inclusive; and on page 5, strike out line 1 of the printed bill.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 423

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 423 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Welfare.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file.

Assembly Bills Nos. 720 and **230**, ordered to third reading.

Assembly Bill No. 225, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 358—An act to add Section 1919 to the Civil Code, relating to financial institutions

Bill read second time, and ordered to third reading.

Assembly Bill No. 78—An act to amend Section 351 of, and to repeal Sections 352 and 353 of, the Labor Code, relating to labor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 15 to 17, inclusive, and insert "left for."

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 395—An act to amend Section 22105 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 418—An act to amend Section 27257 of the Government Code, relating to recorder's indices

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 184—An act to amend Sections 214 8, 251, and 254 of, and to add Sections 215.1 and 259.7 to, the Revenue and Taxation Code, relating to taxation

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, line 29, of the printed bill, after "California", insert "and subdivisions (1) to (7), inclusive, of Section 214 of this code".

Amendment No. 2

On page 4, line 32, strike out "sponsorhsip", and insert "sponsorship".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 213—An act to amend Section 6505 of the Labor Code, relating to industrial safety.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in Assembly March 13, 1972, strike out "when", and insert "because".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 346—An act to amend Section 3002 of the Fish and Game Code, and to add Section 653j to the Penal Code, relating to whales.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 79—An act to amend Section 10122 of the Insurance Code, as added by Chapter 570 of the Statutes of 1971, and to amend and renumber Section 12532 9 of the Government Code, as added by Chapter 419 of the Statutes of 1971, relating to health insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 150—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, March 20, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 395
AB No. 418

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 358

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 242—An act to amend Section 6751 of the Business and Professions Code, relating to professional engineering.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Z'berg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 259—An act to amend Sections 13247 and 13247.9 of, and to add Sections 13246.7 and 13246.9 to, the Education Code, relating to the public schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 259:

Governor's Office, Sacramento
March 14, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 259, "An act to amend Sections 13247 and 13247 9 of, and to add Sections 13246 7 and 13246 9 to, the Education Code, relating to the public schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 259, as amended, as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 259.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 51—An act to amend Section 25541.7 of the Education Code, relating to community colleges.

Bill read third time, and presented by Mr. Ketchum.

Bill passed by the following vote:

AYES—Badham, Bagley, Belotti, Beverly, Biddle, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 557—An act to add Section 71180 1 to the Government Code, relating to judges.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Z'berg moved a call of the Assembly.

Motion carried. Time, 11:32 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 136—An act to add Section 17538.5 to the Business and Professions Code, relating to advertising.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy,

Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 210—An act to add Sections 6812.7 and 18102.1 to the Education Code, relating to special education.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 318—An act to amend Section 4759 of the Fish and Game Code, relating to bears

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 201—An act to amend Section 8046 of the Fish and Game Code, relating to fish-handling privilege taxes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, Mac-

Donald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 26—Relative to Humboldt State College.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN Z'BERG

Mr McAlister announced that today is the birthday of Assemblyman Edwin L Z'berg, of the Ninth District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Z'berg.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 53: By Assemblyman Arnett—Relative to information concerning student financial aid

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, March 20, 1972

Mr Speaker. The Chairman of your Committee on Criminal Justice reports:

AB No. 345

With author's amendments with the recommendation. Amend, and refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 345—An act to add Article 4 (commencing with Section 26550) to Chapter 1, Part 3, Division 2, Title 3 of the Government Code, relating to district attorneys.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 1324 of the Penal Code, and to"

Amendment No. 2

On page 1, strike out line 7, and insert

"26550. The district attorney may investigate the commission of a public offense.

26551 In connection with such an investigation, the district attorney may:

(a) Inspect books and records.

(b) Hear complaints

(c) Administer oaths.

(d) Issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents and testimony pertinent or material to the investigation.

26552 Information acquired during such an investigation from private papers, books, accounts, or documents concerning confidential or private transactions, property or business of any person shall not be divulged except as reasonably required in the furtherance of such investigation.

26553 A subpoena issued pursuant to this article extends to all parts of the state and may be served by a person authorized to serve process of courts of record or by a person designated by the district attorney.

26554 No person shall be required, pursuant to this article, to attend as a witness or produce any document at a place out of the county in which he resides, unless the one-way distance from that place to his residence is less than 50 miles.

26555. If any witness refuses to attend or testify or produce any papers required by a subpoena issued pursuant to this article, the district attorney may petition the superior court of the county where the witness was subpoenaed to attend for an order compelling the person to attend and testify or produce the papers required by the subpoena before the district attorney.

The petition shall set forth that:

(a) Due notice of the time and place of attendance of the person or the production of the papers has been given.

(b) The person has been subpoenaed in the manner prescribed in this article.

(c) He has failed and refused to attend or produce the papers required by subpoena before the district attorney named in the subpoena, or has refused to answer questions propounded to him in the course of the investigation or hearing

26556 Upon the filing of the petition, the court shall enter an order directing the person to appear before the court at a specified time and place and then and there show cause why he has not attended or testified or produced the papers as required. A copy of the order shall be served upon him If it appears to the court that the subpoena

was regularly issued by the district attorney, and if no privilege is claimed, the court shall enter an order that the person appear at the time and place fixed in the order and testify or produce the required papers. Upon failure to obey the order, the person shall be dealt with as for contempt of court.

26557. When a person claims a privilege to refuse to produce subpoenaed papers or answer questions the court, before entering an order pursuant to Section 26556, shall determine the existence or nonexistence of the claimed privilege.

26558. A person subpoenaed by the district attorney pursuant to this article shall have the right to counsel.

26559. A person subpoenaed by the district attorney pursuant to this article shall have the right to transmit to the district attorney a supplementary written statement relevant to the testimony he has given or the papers, books, accounts and documents he has produced.

26560. If the district attorney takes sworn testimony or examines produced papers, books, accounts or documents of a person subpoenaed pursuant to this article, he shall first advise the person of his rights under Sections 26558 and 26559.

26561. (a) The district attorney shall make a record of

(1) The verbatim testimony of persons subpoenaed pursuant to this article.

(2) A full description of papers, books, accounts and documents examined pursuant to a subpoena issued under this article.

(3) Supplementary written statements transmitted pursuant to this article.

(b) If a criminal charge is filed based in whole or in part upon information obtained by an investigation conducted pursuant to this article, the district attorney shall deliver a copy of the record, required to be made by subdivision (a), to the defendant at the time of his arraignment.

(c) A certified stenographic reporter shall record testimony obtained pursuant to this article. The reporter shall be compensated by the county whose district attorney conducts the investigation. Compensation shall be in a like manner allowed reporters in the superior court

26562. Each witness, other than an officer or employee of the state or of a political subdivision of the state, who appears by order of the district attorney or superior court, shall receive for his attendance the same fees and in the same manner as a witness receives for attending a criminal trial. The fees shall be paid by the county whose district attorney conducts the investigation

SEC. 2 Section 1324 of the Penal Code, as amended by Chapter 1357 of the Statutes of the 1969 Regular Session, is amended to read:

1324. (a) In any felony proceeding, in any investigation or proceedings before a grand jury *or district attorney* for any felony offense, or in any investigation or a criminal organization or organized crime and its activities conducted by the Attorney General, if a person refuses to answer a question or produce evidence of any other kind on the ground that he may be incriminated thereby, and if the district attorney of the county or the Attorney General in writing requests the su-

perior court for that county to order that person to answer the question or produce the evidence, a judge of the superior court shall set a time for hearing and order the person to appear before the court and show cause, if any, why the question should not be answered or the evidence produced, and the court shall order the question answered or the evidence produced unless it finds that to do so would be clearly contrary to the public interest, or could subject the witness to a criminal prosecution in another jurisdiction, and that person shall comply with the order After complying, and if, but for this section, he would have been privileged to withhold the answer given or the evidence produced by him, that person shall not be prosecuted or subjected to penalty or forfeiture for or on account of any fact or act concerning which, in accordance with the order, he was required to answer or produce evidence But he may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury, false swearing or contempt committed in answering, or failing to answer, or in producing, or failing to produce, evidence in accordance with the order.

(b) As used in this section, "criminal organization" means the formation into a functioning whole of a group of people unified for the purpose of performing together, through planning and coordination of individual effort, continuing activities, a substantial portion of which activities are illegal Indicative that a group of persons constitutes a criminal organization are the following important, though not indispensable, factors: the continuation of activity by the organization, though its personnel may change, and the formation of lines of authority in which responsibility is delegated and duties are assigned.

(c) As used in this section, "organized crime" means criminal organizations and their activities.

SEC 3 Section 1324 of the Penal Code, as amended by Chapter 2395 of the Statutes of the 1957 Regular Session is amended to read:

1324 In any felony proceeding or in any investigation or proceeding before a grand jury *or district attorney* for any felony offense if a person refuses to answer a question or produce evidence of any other kind on the ground that he may be incriminated thereby, and if the district attorney of the county in writing requests the superior court in and for that county to order that person to answer the question or produce the evidence, a judge of the superior court shall set a time for hearing and order the person to appear before the court and show cause, if any, why the question should not be answered or the evidence produced, and the court shall order the question answered or the evidence produced unless it finds that to do so would be clearly contrary to the public interest, or could subject the witness to a criminal prosecution in another jurisdiction, and that person shall comply with the order After complying, and if, but for this section, he would have been privileged to withhold the answer given or the evidence produced by him, that person shall not be prosecuted or subjected to penalty or forfeiture for or on account of any fact or act concerning which, in accordance with the order, he was required to answer or produce evidence But he may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury, false swearing or contempt committed in answering, or failing to answer, or in producing, or failing to produce, evidence in accordance with the order.

SEC. 4. The amendment of Section 1324 of the Penal Code enacted by Section 2 of this act shall remain in effect until the 91st day after the final adjournment of the 1974 Regular Session of the Legislature and shall have no force or effect after that date. Thereafter, Section 1324 of the Penal Code shall read as enacted by Section 3 of this act."

Amendment No. 3

On page 1, strike out lines 8 to 10, inclusive; and strike out pages 2, 3, and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, March 17, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 434

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 434—An act to repeal Section 267 of, and to add Section 655.2 to, the Harbors and Navigation Code, relating to navigation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 267 of, and to add Section 655.2 to," and insert "amend Section 267 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 267 of the Harbors and Navigation Code is amended to read:

267. Every owner, operator, or person in command of any powerboat, is guilty of a misdemeanor who operates it or permits it to be operated at a speed in excess of five nautical miles per hour in any portion of the following areas not otherwise regulated by local rules and regulations:

(a) Within 100 feet of any person ~~who is engaged~~ :

(1) Diving with a "diver's flag," as described in Section 7008 of Title 14 of the California Administrative Code, displayed.

(3) Engaged in the act of bathing. A person engaged in the sport of water skiing shall not be considered as engaged in the act of bathing for the purposes of this section.

(b) Within 200 feet of any.

(1) Beach frequented by bathers.

(2) Swimming float, diving platform, or lifeline.

(3) Way or landing float to which boats are made fast or which is being used for the embarkation or discharge of passengers.

(4) Pier being used for fishing when such pier has been designated by regulation of the Department of Navigation and Ocean Development.

The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, March 20, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports: AB No. 423

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 423—An act to amend Section 12500 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 10559 and".

Amendment No. 2

On page 1, line 1, after the period, insert "Section 10559 of the Welfare and Institutions Code is amended to read:

10559. There is in the department a division devoted to carrying out the provisions of this division pertaining to aid to the blind. The division shall be headed by a chief, who is a trained social worker experienced in work for the blind The duties of both the division and the chief shall be confined to carrying out the provisions of this divi-

sion pertaining to aid to the blind Blindness shall not be grounds to disqualify a person from holding the position of Chief of the Division for the Blind The Division for the Blind shall not be made a part of any other division or subdivision of the department The Chief of the Division for the Blind shall be directly responsible to the director.

The director through the Division for the Blind may provide consultative services to county personnel administering aid to the blind which shall include, but not be limited to, information concerning the various aspects of blindness and its problems and implications, the rehabilitative potential of the blind, public and private services available, employment opportunities for blind persons, and concepts in counseling blind persons.

SEC. 2."

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time·

Assembly Bill No. 2302: By Assemblyman Gonsalves—An act relating to the ABC Unified School District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Messrs. McAlister and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 242.

Messrs. McAlister, Waxman, and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 259, and on the passage of the bill

Mr. Priolo was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

Messrs Waxman and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 51.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 557

At 11:42 a.m., on motion of Mr. Z'berg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 557 passed by the following vote:

AYES—Bagley, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller,

Mobley, Pierson, Porter, Powers, Ralph, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—44.

NOES—Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ketchum, Lanterman, Lewis, MacGillivray, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, and Stull—24.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:44 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

VOTE CHANGES

Messrs. Dunlap and Pierson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 242, on the urgency clause to Assembly Bill No. 259, and on the passage of the bill, and on Senate Bill No. 51.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

Messrs. Pierson and Bill Greene were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 136.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bagley was granted unanimous consent that the following communication be printed in the Journal:

Department of Social Welfare, Sacramento
February 10, 1972

Honorable William T. Bagley
Member of the Legislature
Room 2188, State Capitol, Sacramento, California

Dear Assemblyman Bagley: You requested to be advised concerning the Department of Social Welfare's annual reports to the Legislature pursuant to Section 11183 of the Welfare and Institutions Code. That section provides for written and verbal reports to the Legislature concerning the simplification of the standard of assistance in the Adult Aid Programs.

Last year on March 3, 1971, Governor Ronald Reagan personally presented the department's report on this subject. Your attention is directed to pages 29 through 37 thereof. That report was published in both the Senate and Assembly Journals for that date. In addition, I personally reported on this subject to the Senate Health and Welfare Committee during the welfare reform hearings conducted throughout 1971. Department staff also testified before the Assembly Welfare Committee. During the August welfare reform negotiations, specific legislation on this subject was proposed and rejected by the legislative negotiators.

During 1971, our department developed drafts of specific regulatory measures on this subject and presented them at a public hearing on

June 15, 1971. At the request of county representatives, adult aid regulations were not implemented during 1971. It is my present intention to finalize simplifying regulations and solicit further comments during the late spring of 1972. It also is hoped that additional legislation on this subject receives favorable consideration this session.

Last session in testimony before the Finance Committees and their Subcommittee on Health and Welfare, an integral part of the presentation from the State Department of Social Welfare covered simplification of AFDC standards and the flat grant proposal for the adult aid categories. In the November 2 hearing of the Joint Committee on Implementation of the Welfare Reform Act, I testified concerning the new assistance standards and the relationship of the flat grant concept to the meeting of nonrecurring special needs.

We hope that this information is of assistance to you. You may consider this letter as the department's annual report.

Sincerely,

ROBERT B. CARLESON
Director of Social Welfare

ADJOURNMENT

At 11:46 a.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Tuesday, March 21, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-sixth Legislative Day

Seventy-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, March 21, 1972

The Assembly met at 11 a m.
Hon. Mike Cullen, Member of the Assembly, 44th District, presiding
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Majority Floor Leader Presiding

At 11:02 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Quorum Call of the Assembly

Mr. Cullen moved a quorum call of the Assembly.
Mr. Conrad seconded the motion.
Motion carried Time, 11 03 a m.
The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11.13 a m, Acting Speaker Fenton declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Belotti, Beverly Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlis-

ter, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Blessed Are You, Father, for all the gifts You have given us. Because each of us is different we are called to show Your face to men in a way it has never been seen before. We do not stand against one another but are united as brothers in a common effort.

We rejoice when our brothers rejoice and weep with them when they are sad.

If we try to surpass one another at all may it be in showing kindness and helping those who call upon us for help

May Your name be blessed and praised, Father, by all men everywhere on this planet —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Hayden then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Powers, seconded by Mr Pierson.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton
Mr. Monagan, on request of Acting Speaker Fenton.
Mr. Quimby, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs Brathwaite, on request of Acting Speaker Fenton.
Mr Campbell, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Bee, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 20, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Tuesday, March 21, 1972 on Legislative Business. I will be meeting with Senator Peter Behr at 10 a.m. in San Francisco and it will be impossible to arrive back in Sacramento before the adjournment of Session.

Sincerely yours,

WILLIAM T. BAGLEY, Assemblyman
Seventh District

March 20, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Tuesday, March 21, 1972, on legislative business.

The Lincoln Heights Senior Citizens group have requested a morning meeting with me at my district office; later, I have an appointment with a Mr. Wilkinson of the Goodwill Industries regarding constituent matters.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

March 21, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I would appreciate being excused from session on Tuesday, March 21, on legislative business I will be in San Francisco discussing Senate Bill 281 with the members of the Health Problems Committee of the Commonwealth Club.

Sincerely,

BOB MONAGAN
Minority Floor Leader

NOTE: For letters explaining the absences of Messrs. Quimby and Wakefield on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 20, 1972, page 1227.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Appointments to Commissions and Councils

March 20, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: Under the provisions of AB 173, 1971 Session, I now have the appointing power to the Consumer Advisory Council. I am reappointing Assemblyman James Hayes.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 20, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Eugene Chappie to the Heritage Preservation Commission to replace former Assemblyman George Milias.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 20, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblymen John Dunlap and Alan Sieroty to the California Advisory Commission on Marine and Coastal Resources to fill two existing vacancies.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 20, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblymen Peter Chacon and Richard Barnes to the Commission of the Californias to fill vacancies created by the resignations of Assemblymen John Stull and Pete Wilson.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 20, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblymen Eugene Chappie, March Fong, and David Pierson to the Commission on the Status of Women.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read.

Assembly Chamber, March 21, 1972

Mr Speaker. Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 1282—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

DIXON ARNETT

Assembly Chamber, March 21, 1972

Mr. Speaker· Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 2059—An act to add Section 54938.6 to the Government Code, relating to assessments, and declaring the urgency thereof, to take effect immediately

EUGENE A. CHAPPIE

Above requests ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1774	Welfare
1775	Education
1776	Local Government
1777	Governmental Organization
1778	Criminal Justice
1779	Education
1780	Water
1781	Government Administration
1782	Government Administration
1783	Natural Resources and Conservation
1784	Environmental Quality

Assembly Bill No.	*Committee*
1785	Government Administration
1786	Government Administration
1787	Natural Resources and Conservation
1788	Natural Resources and Conservation
1789	Elections and Reapportionment
1790	Criminal Justice
1791	Agriculture
1792	Agriculture
1793	Urban Development and Housing
1794	Education
1795	Education
1796	Health
1797	Finance and Insurance
1798	Criminal Justice
1799	Criminal Justice
1800	Government Administration
1801	Judiciary
1802	Finance and Insurance
1803	Government Administration
1804	Education
1805	Retirement
1806	Judiciary
1807	Education
1808	Health
1809	Local Government
1810	Criminal Justice
1811	Finance and Insurance
1812	Judiciary
1813	Transportation
1814	Finance and Insurance
1815	Local Government
1816	Education
1817	Local Government
1818	Education
1819	Criminal Justice
1820	Judiciary
1821	Education
1822	Education
1823	Education
1824	Government Administration
1825	Finance and Insurance
1826	Criminal Justice
1827	Education
1828	Retirement
1829	Ways and Means
1830	Government Administration
1831	Education
1832	Education
1833	Education

Assembly Bill No.	*Committee*
1834	Government Administration
1835	Health
1836	Education
1837	Transportation
1838	Revenue and Taxation
1839	Education
1840	Urban Development and Housing
1841	Judiciary
1842	Urban Development and Housing
1843	Governmental Organization
1844	Finance and Insurance
1845	Local Government
1846	Education
1847	Finance and Insurance
1848	Criminal Justice
1849	Judiciary
1850	Employment and Public Employees
1851	Health
1852	Health
1853	Government Administration
1854	Health
1855	Health
1856	Health
1857	Health
1858	Health
1859	Health
1860	Government Administration
1861	Health
1862	Health
1863	Local Government
1864	Criminal Justice
1865	Criminal Justice
1866	Criminal Justice
1867	Criminal Justice
1868	Criminal Justice
1869	Criminal Justice
1870	Health
1871	Employment and Public Employees
1872	Health
1873	Health
1874	Health
1875	Education
1876	Education
1877	Ways and Means
1878	Judiciary
1879	Transportation
1880	Transportation
1881	Commerce and Public Utilities
1882	Education
1883	Criminal Justice

Assembly Bill No.	*Committee*
1884	Education
1885	Welfare
1886	Revenue and Taxation
1887	Ways and Means
1888	Employment and Public Employees
1889	Government Administration
1890	Local Government
1891	Education
1892	Governmental Organization
1893	Government Administration
1894	Finance and Insurance
1895	Welfare
1896	Welfare
1897	Welfare
1898	Education
1899	Local Government
1900	Government Administration
1901	Natural Resources and Conservation
1902	Local Government
1903	Local Government
1904	Transportation
1905	Government Administration
1906	Local Government
1907	Planning and Land Use
1908	Retirement
1909	Judiciary
1910	Retirement
1911	Retirement
1912	Education
1913	Health
1914	Judiciary
1915	Judiciary
1916	Finance and Insurance
1917	Judiciary
1918	Ways and Means
1919	Judiciary
1920	Judiciary
1921	Judiciary
1922	Judiciary
1923	Transportation
1924	Retirement
1925	Natural Resources and Conservation
1926	Water
1927	Criminal Justice
1928	Judiciary
1929	Planning and Land Use
1930	Finance and Insurance
2008	Criminal Justice
2059	Local Government
2302	Education

Assembly Concurrent Resolution No.	*Committee*
53	Education

Senate Bill No.	*Committee*
57	Natural Resources and Conservation
96	Education
143	Education

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2303: By Assemblyman Chappie—An act relating to personal income tax, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 54: By Assemblyman Chappie—Relative to Beef Industry Days.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Burton:

House Resolution No. 31

Relative to asking for a study of the problem of traffic signs by the Division of Highways

WHEREAS, The Vehicle Code contains numerous sections which permit certain conduct if there is no traffic sign prohibiting it; and

WHEREAS, The Vehicle Code also contains numerous sections prohibiting certain conduct, unless there is a traffic sign permitting it; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested to investigate the problem of permissive and restrictive traffic sign laws, and determine whether these laws cannot be made uniform in effect, and thereafter report to the Legislature on the department's conclusions; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Department of Public Works.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Townsend:

House Resolution No. 32

Relative to the licensing of gardeners

WHEREAS, One of the greatest assets any community or state can possess is beautifully landscaped parks, gardens, streets and other planted areas; and

WHEREAS, The proper establishment and maintenance of such areas involves the safe and skillful use of various horticultural equipment, techniques and products; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the licensing of gardeners; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, March 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 532—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 1:30 p.m., March 20, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 78
AB No. 184

And reports the same orrectly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, March 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 281

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 213

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 21, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 345 AB No. 434
AB No. 423 AB No. 667

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 21, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 428

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 21, 1972

Mr. Speaker. Your Committee on Rules recommends

That the request by Mr Burton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 498 be granted.

BURTON, Chairman

Assembly Chamber, March 21, 1972

Mr. Speaker Your Committee on Rules recommends·

That the request by Mr. Stacey for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 1125 be granted.

BURTON, Chairman

Assembly Chamber, March 21, 1972

Mr Speaker· Your Committee on Rules recommends·

That the request by Mr Biddle for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 1813 be granted.

BURTON, Chairman

Committee on Government Administration

Assembly Chamber, March 7, 1972

Mr. Speaker: Your Committee on Government Administration reports·

AB No 248

With amendments with the recommendation: Amend, and do pass, as amended.

RUSSELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 20, 1972

Mr. Speaker: Your Committee on Government Administration reports.

AB No. 398
AB No. 430
AB No. 442

With the recommendation: Do pass.

RUSSELL, Chairman

Above bills ordered to second reading

Committee on Governmental Organization

Assembly Chamber, March 20, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

AB No. 132

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Planning and Land Use

Assembly Chamber, March 20, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AJR No. 6

With amendments with the recommendation. Amend, be adopted, as amended, and be re-referred to the Committee on Rules.

PRIOLO, Chairman

Above resolution ordered on file.

Committee on Judiciary

Assembly Chamber, March 20, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 362

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, March 20, 1972

Mr Speaker Your Committee on Revenue and Taxation reports:

AB No. 800

With the recommendation: Do pass, and be re referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, March 20, 1972

Mr. Speaker· Your Committee on Revenue and Taxation reports:

AB No 438

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, March 20, 1972

Mr. Speaker Your Committee on Environmental Quality reports:

AB No. 76

With the recommendation: Do pass.

FONG, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, March 20, 1972

Mr Speaker. Your Committee on Health reports:

AB No 249

With amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, March 20, 1972

Mr Speaker The Chairman of your Committee on Natural Resources and Conservation reports·

AB No. 426

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 426—An act to amend Section 5000 of, and to add Sections 5001 and 5002 to, the Fish and Game Code, relating to reptiles

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "needlessly".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, March 20, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 96
AB No. 372

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 96—An act to amend Sections 7026, 7045, and 7046 of the Business and Professions Code, relating to contracting.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 6, 1972, after "7026," insert "7027,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 7026 of the Business and Professions Code is amended to read:

7026. The term contractor for the purposes of this chapter is synonymous with the term "builder" and, within the meaning of this chapter, a contractor is any person, who undertakes to or offers to undertake to or purports to have the capacity to undertake to or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, parking facility, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith ~~or the installation of a mobile home upon a site for the purpose of human habitation or human occupancy~~. The term contractor includes subcontractor and specialty contractor.

SEC 2 Section 7027 of the Business and Professions Code is amended to read.

7027. *For the purposes of this chapter, the term contractor includes any person engaged in the business of the construction, installation, alteration, repair or preparation for moving of a mobilehome or mobilehome accessory buildings and structures upon a site for the purpose of human habitation or occupancy*

The term contractor shall not include the manufacturer of the mobilehome or mobilehome accessory building or structure when it is constructed at a place other than the site upon which it is installed for the purpose of human habitation or occupancy, but shall include the manufacturer when he is engaged in the construction of a mobilehome or mobilehome accessory buildings and structures pursuant to specialized plans, specifications or models provided in whole or in part by the purchaser and when the construction, alteration or repair of the mobilehome or mobilehome accessory buildings or structures is performed upon a site for the purpose of human habitation or occupancy.

For the purposes of this chapter,

(a) "Mobilehome" means a vehicle defined in Section 18008 of the Health and Safety Code.

(b) "Mobilehome accessory building or structure" means a building or structure defined in Section 18010 of the Health and Safety Code.

SEC 3 Section 7045 of the Business and Professions Code is amended to read:

7045. (a) Except as provided in subdivision (b) this chapter does not apply to the sale or installation of any finished products, materials or articles of merchandise, which do not become a fixed part of the structure, or shall it apply to a materialman or manufacturer furnishing finished products, materials, or articles of merchandise who does not install or contract for the installation of such items The term "finished products" shall not include installed carpets

~~(b) This chapter shall apply to the installation and erection of mobilehome accessory buildings and structures~~

(b) This chapter shall apply to:

(1) The construction, installation, alteration, repair, or preparation for moving of a mobilehome when such work is performed upon a site for the purpose of human habitation or occupancy.

(2) The construction, installation, erection, repair, or preparation for moving of mobilehome accessory buildings or structures when such work is performed upon a site for the purpose of human habitation or occupancy.

SEC 4 Section 7046 of the Business and Professions Code is amended to read:

7046. (a) Except as provided in subdivision (b) this chapter does not apply to any construction, alteration, improvement or repair of personal property

(b) This chapter shall apply to:

~~(1) The installation of a mobilehome upon a site for the purpose of human habitation or occupancy.~~

~~(2) The installation and erection of mobilehome accessory buildings and structures.~~

(1) The construction, installation, alteration, repair, or preparation for moving of a mobilehome when such work is performed upon a site for the purpose of human habitation or occupancy.

(2) The construction, installation, erection, repair, or preparation for moving of mobilehome accessory buildings or structures when such work is performed upon a site for the purpose of human habitation or occupancy."

Amendment No. 3

On page 1, strike out lines 2 to 4, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 372—An act to amend Section 1202 of the Public Utilities Code, relating to railroad crossings.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1202 of", and insert "add Section 1202 4 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 1202.4 is added to the Public Utilities Code, to read:

1202.4. Notwithstanding any other provision of law, whenever the parties to any agreement respecting a crossing have included in the agreement a method or procedure for allocation of costs respecting protection of the crossing, the commission shall apportion such costs in accordance with the provisions of such agreement."

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

MESSAGES FROM THE SENATE

Senate Chamber, March 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 40

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, March 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 160
SB No. 180
SB No. 192

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 160—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of Youth Authority.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 180—An act relating to the destruction of authorized state bonds.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 192—An act to amend Section 22520 of the Vehicle Code, relating to freeways.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Cullen was granted unanimous consent that the Committee on Judiciary be permitted to hold a special meeting today to consider Assembly Bill No. 685, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 685 for hearing in the Committee on Judiciary today.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 78 and **184**, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 298—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "voters", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, between lines 36 and 37, insert
"(j) The affiant's sex."

Amendment No. 3

On page 3, line 21, strike out "21", and insert "18".

Amendment No. 4

On page 3, line 33, strike out "Christian or".

Amendment No. 5

On page 3, line 35, after the parenthesis, insert ", and my sex is:
Male ☐ Female ☐
(Check one)".

Amendment No. 6

On page 5, line 21, strike out "21", and insert "18".

Amendment No. 7

On page 5, line 33, strike out "Christian or".

Amendment No. 8

On page 5, line 35, after the parenthesis, insert ", and my sex is:
Male ☐ Female ☐
(Check one)".

Amendment No. 9

On page 7, line 10, after "name," insert "sex,".

Amendment No. 10

On page 7, after line 39, insert
"SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:
This act must take immediate effect in order to apply to the 1972 elections."

Bill ordered reprinted, and returned to the second reading file

THIRD READING OF ASEMBLY BILLS

Assembly Bill No. 149—An act to add Section 39297 6 to, and to repeal Section 39077 3 of, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis,

MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—59.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 720—An act to add Article 10 (commencing with Section 47031) to Chapter 18 of Division 17 of the Agricultural Code, relating to citrus fruit, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 358—An act to add Section 1919 to the Civil Code, relating to financial institutions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56

NOES—Badham, Ketchum, Russell, Stacey, and Stull—5.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11:32 a.m., Acting Speaker Fenton excused the members of the Committee on Judiciary, for the purpose of holding a meeting of the committee at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 346—An act to amend Section 3002 of the Fish and Game Code, and to add Section 653j to the Penal Code, relating to whales.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 6—An act relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 44—An act to amend Section 17262 of the Revenue and Taxation Code, relating to personal income tax deductions, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 307—An act to amend Section 16555 of the Education Code, relating to the use of public school buildings.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Brown, Burton, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent,

Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—Badham, Briggs, Burke, and Cory—4.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Stacey:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 1125 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Stacey was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1125 for hearing in the Committee on Local Government.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Biddle:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 1813 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

Rush Order Placed Upon Printing of Assembly Bill No. 1813

Mr. Biddle was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1813.

By Assemblyman Burton:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 498 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 498 for hearing in the Committee on Welfare

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 800 for hearing in the Committee on Ways and Means, on Wednesday, March 22, 1972

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BROWN

Mr. Gonsalves announced that yesterday was the birthday of Assemblyman Willie L. Brown, Jr., of the 18th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Brown.

VOTE CHANGES

Mr. Meade was granted unanimous consent that he be recorded as voting "Aye" on the urgency clauses to Assembly Bills Nos. 149 and 720, and on the passage of the bills, and on Assembly Bill No 358

Mr. Badham was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 358.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 21, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2302—An act relating to the ABC Unified School District, and declaring the urgency thereof, to take effect immediately.

JOE A. GONSALVES

Above request ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, March 21, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 685

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, March 21, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 264

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 264—An act to add Section 8577 to the Education Code, relating to public schools.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, between lines 7 and 8, insert

"Such instruction shall be a part of the adopted course of study in social studies prescribed by subdivision (b) of Section 8571.

The Superintendent of Public Instruction shall prepare and disseminate to each school district maintaining a high school, material on the Military Selective Service Act of 1967 which is suitable for the instruction required by this section."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 55: By Assemblyman Bill Greene—Relative to state agency manpower education and training programs.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 249

Mr. Townsend was granted unanimous consent to take up Assembly Bill No. 249, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, that the bill be returned to the third reading file, and considered engrossed.

Second Reading of Assembly Bill No. 249 By Unanimous Consent

Assembly Bill No. 249—An act to amend Sections 13920, 14005.3, 14053, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to Health Care Services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Set No. 1

Amendment No. 1

On page 11 of the printed bill, as amended in Assembly March 15, 1972, strike out line 20, and insert "services rendered on or after January 1, 1972,".

Set No. 2

Amendment No. 1

On page 11 of the printed bill, as amended in Assembly March 15, 1972, between lines 12 and 13, insert

"SEC. 7. Until the new federal regulations and supporting standards for intermediate care facilities are issued, no further certification of intermediate care facility units in nursing homes shall be permitted.

SEC. 8. Until the new federal regulations and supporting standards are issued for intermediate care facilities, nursing homes with intermediate care units shall be exempted from the nursing home staffing standards currently required for Medi-Cal under federal law.

SEC. 9. If a recipient challenges through a fair hearing his reclassification from nursing home care to intermediate care facility care, such recipient shall be entitled to continue to receive nursing home care paid under Medi-Cal until the final decision of the director is made on whether such recipient is entitled to nursing home care or intermediate care facility care."

Amendment No. 2

On page 11, line 13, strike out "7", and insert "10".

Amendment No. 3

On page 11, line 19, strike out "8", and insert "11".

Amendment No. 4

On page 11, line 24, strike out "9", and insert "12".

Bill ordered reprinted, and to be returned to the third reading file.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Wednesday, March 22, 1972—

At 8 p.m., instead of at 7 p.m.—Ways and Means, (Brown, Chairman), in Room 4202.

VOTE CHANGES

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 307, 358, and 346; on the urgency clauses to Assembly Bills Nos. 149, 720, and 44, and on the passage of the bills; and on the Consent Calendar.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 249

Mr. Townsend was granted unanimous consent to take up Assembly Bill No. 249, without reference to file, for purpose of consideration at this time.

Third Reading of Assembly Bill No. 249

Assembly Bill No. 249—An act to amend Sections 13920, 14005.3, 14053, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to Health Care Services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox,

LaCoste, Lanterman, MacGillivray, Maddy, McAlister, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Lewis and McCarthy—2

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Lewis and McCarthy—2.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:40 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

ADJOURNMENT

At 12:41 p.m, Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Wednesday, March 22, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-seventh Legislative Day

Eightieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 22, 1972

The Assembly met at 11 a.m.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Powers moved a quorum call of the Assembly.

Motion carried. Time, 11·02 a.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11·08 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy,

McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by the Honorable Larry E Townsend, Member of the Assembly, 67th District:

Our Father, On this day we ask for Your blessings and guidance in all of our deliberations. Help us, we pray, to work with each other as friends. This we ask.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mrs Brathwaite then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Pierson, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Belotti, on request of Acting Speaker Gonsalves.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Moorhead, on request of Acting Speaker Gonsalves
Mr. Quimby, on request of Acting Speaker Gonsalves.
Mr. Ryan, on request of Acting Speaker Gonsalves.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Acting Speaker Gonsalves.
Mr. Hayes, on request of Acting Speaker Gonsalves.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Bee, on request of Acting Speaker Gonsalves.

The following Member was excused for the day, and his per diem was waived:

Mr. Brophy.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 20, 1972

Hon Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr Speaker: Please excuse my absence on Wednesday, March 22, 1972, on legislative business

I will be attending a meeting of the Los Angeles County Commission on Obscenity and Pornography and speaking to the student body of a private college in my district.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

March 22, 1972

Hon Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob· Please excuse me from my legislative duties on the floor of the Assembly on Wednesday, March 22, 1972

I must meet with city officials in Daly City to discuss legislative needs relating to use of BART facilities in that city.

Sincerely,

LEO J. RYAN, Assemblyman
Twenty-seventh District

NOTE: For letter explaining the absence of Mr. Quimby on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 20, 1972, page 1227.

REPORTS

The following report was presented by the Chief Clerk:

Report to California State Legislature on State Personnel Board Activities Under the Welfare Reform Act of 1971—January 1, 1972, to February 29, 1972. March 9, 1972.

Above transmitted report, together with letter of transmittal from Richard L Camilli, Executive Officer, California State Personnel Board, Sacramento, dated March 9, 1972, referred by the Acting Speaker to the Committee on Welfare

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 22, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 1484—An act to amend Section 24212 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

WILLIAM M. KETCHUM

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1931	Finance and Insurance
1932	Health
1933	Employment and Public Employees
1934	Government Administration
1935	Government Administration
1936	Local Government
1937	Judicary
1938	Retirement
1939	Local Government
1940	Education
1941	Criminal Justice
1942	Health
1943	Education
1944	Government Administration
1945	Transportation
1946	Government Administration
1947	Criminal Justice
1948	Criminal Justice
1949	Criminal Justice
1950	Criminal Justice
2303	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
55	Urban Development and Housing

Senate Bill No.	*Committee*
160	Criminal Justice
180	Local Government
192	Transportation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2304: By Assemblyman Ray E. Johnson—An act to amend Sections 25210 77f and 25831 of the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cullen:

House Resolution No. 33

Relative to installation of emergency telephones on freeways

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested to install roadside emergency telephones within the median strips of freeways at locations opposite presently installed telephones located on the shoulders of such freeways; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, March 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 298

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

Assembly Chamber, March 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 96

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 264	AB No. 372
AB No 324	AB No 426
AB No 368	AB No. 452

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, March 21, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 415

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Constitutional Amendments

Assembly Chamber, March 21, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

AB No. 17
AB No. 272

With the recommendation: Do pass.

GARCIA, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 21, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 2 ACA No. 16
ACA No. 13 ACA No. 26

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolutions ordered on file.

Committee on Revenue and Taxation

Assembly Chamber, March 21, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 394

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Education reports.

ACR No. 29

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 141

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 189
AB No. 199
AB No. 393

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, March 21, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

ACA No. 33

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing and adding Article XXIII thereof, relating to recall of public officers.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed measure, strike out "state", and insert "State".

Amendment No. 2

On page 2, line 37, strike out "state", and insert "State".

Resolution ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, March 21, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 290

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 290—An act to add Section 23710 to, and to amend Section 24359 of, the Revenue and Taxation Code, relating to activities of organizations exempt under the Bank and Corporation Tax Law.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the second "Section", and insert "Sections 17214 and".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 17214 of the Revenue and Taxation Code, as added by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read:

17214. In computing taxable income there shall be allowed as a deduction, in case of an individual, contributions or gifts, payment of which is made within the taxable year to or for the use of:

(a) The United States, a possession of the United States, any state, or any political subdivision thereof, or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes.

(b) A corporation, or trust, or community chest, fund or foundation—

(1) Created or organized in the United States or in any possession thereof, or under the law of the United States, any state, the District of Columbia, or any possession of the United States;

(2) Organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children or animals;

(3) No part of the net earnings of which inures to the benefit of any private shareholder or individual; and

(4) No substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

A contribution or gift by a corporation to a trust, chest, fund, or foundation shall be deductible by reason of this paragraph only if it is to be used within the United States or any of its possessions exclusively for purposes specified in paragraph (2) *As used in this paragraph, the phrase "carrying on propaganda, or otherwise attempting, to influence legislation" shall be subject to the exception set forth in Section 23710.*

(c) A post or organization of war veterans, or an auxiliary unit or society of, or trust or foundation for, any such post or organization—

(1) Organized in the United States or any of its possessions, and

(2) No part of the net earnings of which inures to the benefit of any private shareholder or individual.

(d) In the case of a contribution or gift by an individual, a domestic fraternal society, order, or association, operating under the lodge system, but only if such contribution or gift is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals.

(e) A cemetery company owned and operated exclusively for the benefit of its members, or any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, if such company or corporation is not operated for profit and no part of the net earnings of such company or corporation inures to the benefit of any private shareholder or individual.

(f) For purposes of this section, payment of a charitable contribution which consists of a future interest in tangible personal property shall be treated as made only when all intervening interests in, and rights to the actual possession or enjoyment of the property have expired or are held by persons other than the taxpayer or those standing in a relationship to the taxpayer described in Section 17288. For purposes of the preceding sentence, a fixture which is intended to be severed from the real property shall be treated as tangible personal property.

SEC. 2."

Amendment No. 3

On page 2, line 15, strike out "SEC. 2.", and insert "SEC. 3."

Amendment No. 4

On page 2, line 17, strike out "Regular", and insert "First Extraordinary".

Amendment No. 5

On page 3, line 27, strike out "SEC. 3.", and insert "SEC. 4 "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, March 21, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 309

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 309—An act to amend Section 594 of the Penal Code, relating to malicious mischief penalties.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "two hundred dollars ($200)", and insert "one thousand dollars ($1,000)".

Amendment No. 2

On page 1, line 8, strike out "two hundred dollars ($200)", and insert "one thousand dollars ($1,000)"

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 22, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

ACR No. 31

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 31—Relative to State Highway Route 101 in Camarillo.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

Strike out line 2 of the heading of the printed measure.

Resolution ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 22, 1972

Mr. Speaker The Chairman of your Committee on Transportation reports·

AB No 1813

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1813—An act to add Section 39252 to the Health and Safety Code, and to repeal Section 5 of Chapter 1509 of the Statutes of 1970, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive; and on page 2, strike out line 1, and insert

"39252. Any fleet vehicle registered within the South Coast Air Basin for any calendar year after December 31, 1973, shall be equipped with a dual fuel system.

As used in this section:

(a) "Fleet vehicle" means any motor vehicle, whether publicly or privately owned, that is operated by any person, including any governmental entity, who has 10 or more motor vehicles registered within the basin.

(b) "Dual fuel system" means a fuel system which permits a motor vehicle equipped with such system to be operated on two different fuels, one of which shall be compressed natural gas, liquefied natural gas, or liquefied petroleum gas "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, March 22, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No 52
AB No 405
AB No 454

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 52—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted·

Amendment No. 1

On page 1, line 6, of the printed bill, after "duties," insert "when such duties are related to the making of an arrest or the transportation of a prisoner, or when such duties result in the member being assaulted in or about any alcoholic beverage licensed premises,".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 405—An act to add Sections 135 8 and 633.4 to, and to add Chapter 5 8 (commencing with Section 1480) to Part 1 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, strike out "unemployment compensation benefits", and insert "benefits on the same terms and conditions as are specified by this part, and Part 3 (commencing with Section 3501) and Part 4 (commencing with Section 4001) of this division, for all other individuals,".

Amendment No. 2

On page 2, line 34, after "by", insert "Part 2 (commencing with Section 2601) of".

Amendment No. 3

On page 3, line 21, after "and", insert "benefits, including extended duration benefits and federal-state extended benefits,"

Amendment No. 4

On page 3, lines 22 and 23, strike out "Sections 710, 711, and 713", and insert "Section 803".

Amendment No. 5

On page 3, line 24, strike out "unemployment compensation benefits", and insert "benefits, including extended duration benefits and federal-state extended benefits,".

Amendment No. 6

On page 4, between lines 25 and 26, insert

"(f) Notwithstanding any other provision of law, the State of California shall not be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California "

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 454—An act to amend Sections 3351 and 4458 of, and to add Section 4458 1 to the Labor Code, and to amend Section 2766 of the Penal Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "3351", insert ", 3352, 3364 55, 3365,".

Amendment No. 2

In line 2 of the title, strike out "4458.1", and insert "3369".

Amendment No. 3

In line 2 of the title, strike out "Section 2766", and insert "Sections 2700, 2766, and 2791".

Amendment No. 4

On page 2, line 10, strike out "prison", and insert "penal or correctional institution".

Amendment No. 5

On page 2, strike out lines 19 to 21, inclusive, and insert

"SEC. 2. Section 3352 of the Labor Code is amended to read:

3352. "Employee" excludes

(a) Any person whose employment is both casual and not in the course of the trade, business, profession, or occupation of his employer.

(b) Any person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine, or periodical where the title thereto has passed to the person so engaged

(c) Any person performing services in return for aid or sustenance only, received from any religious, charitable or relief organization.

(d) Any person holding an appointment as deputy clerk, deputy sheriff, or deputy constable appointed for his own convenience, and who receives no compensation from the county or municipal corporation or from the citizens thereof for his services as such deputy This exclusion is operative only as to employment by the county or municipal corporation and does not deprive any person so deputized from recourse against a private person employing him for injury occurring in the course of and arising out of such employment

~~(e) Any convict whose labor is used by the State Highway Commission on state highways or roads~~

~~(f)~~

(e) Any person engaged in household domestic service except as provided in Section 3358 5 For purposes of this subdivision, household domestic service shall include, but not be limited to, the part-time care and supervision of children in a private residence.

~~(g)~~

(f) Any person performing voluntary services at or for a recreational camp, hut or lodge operated by a nonprofit organization, exempt from federal income tax under Section 101 (6) of the Internal Revenue Code, of which he or a member of his family is a member and who receives no compensation for such services other than meals, lodging or transportation.

~~(h)~~

(g) Any person engaged as a part-time gardener in connection with a private dwelling; provided, the number of hours devoted to such work for any individual does not regularly exceed 44 hours per month. This exclusion is operative only as to his employment by the owner or occupant of such a private dwelling, and does not deprive any such part-time gardener from recourse under this division against any other person employing him for injuries occurring in the course of and arising out of the employment

~~(i)~~

(h) Any person performing voluntary service as a ski patrolman who receives no compensation for such services other than meals or lodging or the use of ski tow or ski lift facilities

~~(j)~~

(i) Any person, other than a regular employee, participating in sports or athletics who receives no compensation for such participation other than the use of athletic equipment, uniforms, transportation, travel, meals, lodgings or other expenses incidental thereto.

SEC. 3. Section 3364.55 of the Labor Code is amended to read:

3364 55. ~~Notwithstanding Sections 3351 and 3352, a~~ *A* ward of the juvenile court engaged in rehabilitative work without pay, under an assignment by order of the juvenile court to a work project in a county department, shall, upon the adoption of a resolution of the board of supervisors declaring that such ward is deemed an employee of the county for purposes of this division, be entitled to the workmen's compensation benefits provided by this division for injury sustained while in the performance of such assigned work project, provided·

(a) That such ward shall not be entitled to any temporary disability indemnity benefits.

(b) That in determining permanent disability benefits, average weekly earnings shall be taken at the minimum provided therefor in Section 4453.

SEC. 4. Section 3365 of the Labor Code is amended to read:

3365 For the purposes of this division:

(a) ~~Notwithstanding Sections 2700, 2766, and 2791 of the Penal Code, except~~ *Except* as provided in subdivisions (b) and (c), each person engaged in suppressing a fire pursuant to Section 4153 or 4436 of the Public Resources Code, and each person (other than an independent contractor or an employee of an independent contractor) engaged in suppressing a fire at the request of a public officer or employee

charged with the duty of preventing or suppressing fires, is deemed, except when the entity is the United States or an agency thereof, to be an employee of the public entity that he is serving or assisting in the suppression of the fire, and is entitled to receive compensation from such public entity in accordance with the provisions of this division. When the entity being served is the United States or an agency thereof the State Department of Corrections shall be deemed the employer and the cost of workmen's compensation may be considered in fixing the reimbursement paid by the United States for the service of prisoners. A person is engaged in suppressing a fire only during the period he (1) is actually fighting the fire, (2) is being transported to or from the fire, or (3) is engaged in training exercises for fire suppression.

(b) A member of the armed forces of the United States while serving under military command in suppressing a fire is not an employee of a public entity.

(c) Neither a person who contracts to furnish aircraft with pilots to a public entity for fire prevention or suppression service, nor his employees, shall be deemed to be employees of the public entity; but a person who contracts to furnish aircraft to a public entity for fire prevention or suppression service and to pilot the aircraft himself shall be deemed to be an employee of the public entity

SEC 5 Section 3369 is added to the Labor Code, to read

3369 Each inmate of a state penal or correctional institution shall be entitled to the workmen's compensation benefits provided by this division for injury arising out of and in the course of assigned employment and for the death of such inmate if the injury proximately causes death, provided

(a) That such inmate shall not be entitled to any temporary disability indemnity benefits

(b) That no benefits shall be paid to an inmate while he is incarcerated and that benefits shall be discontinued during any subsequent period of reconfinement in a penal or correctional institution, although such benefits may be paid to eligible dependents

(c) That in determining permanent disability benefits for such inmate, average weekly earnings shall be the amount specified in Section 4453 or his earnings prior to his confinement, but which shall not exceed the amount specified in Section 4453

(d) That four times his average annual earnings in disability cases and in death cases shall not exceed the limits provided in Sections 4452 and 4702, respectively.

(e) That claim for benefits shall be filed by application with the Workmen's Compensation Appeals Board within the required periods after the injury even though actual benefits may not accrue until release on parole or discharge of the inmate.

(f) That when a claim is approved, the Workmen's Compensation Appeals Board shall make an initial award and that upon release on parole or discharge of the inmate, the board shall reaffirm or modify its initial award in a manner appropriate to the condition of the inmate upon his release from confinement

SEC 6 Section 4458 of the Labor Code is amended to read.

4458 *If a".*

Amendment No. 6

On page 2, strike out lines 37 and 38, and on page 3, strike out lines 1 to 31, inclusive, and insert

"SEC 7. Section 2700 of the Penal Code is amended to read:

2700 The Department of Corrections shall require of every able-bodied prisoner imprisoned in any state prison as many hours of faithful labor in each day and every day during his term of imprisonment as shall be prescribed by the rules and regulations of the Director of Corrections.

Each prisoner, who is engaged in productive work in any state prison or institution under the jurisdiction of the Department of Corrections as a part of the prison work program, may receive for his work such compensation as the Director of Corrections with the approval of the Department of Finance shall determine, to be paid out of any funds appropriated therefor. Such compensation, if any, shall be in accordance with a graduated schedule based on quantity and quality of work performed and skill required for its performance, but in no event shall such compensation exceed thirty-five cents ($0.35) per hour, or be less than two cents ($0.02) per hour. Said compensation shall be credited to the account of the prisoner.

Said compensation shall be paid from the Correctional Industries Revolving Fund. Whenever by any statute a price is required to be fixed for any article, material, supply or services to be produced, manufactured, supplied or performed in connection with the work program of the Department of Corrections, the compensation paid to prisoners shall be included as an item of cost in fixing the final statutory price.

Prisoners not engaged on work programs under the jurisdiction of the Correctional Industries Commission and financed out of the Correctional Industries Revolving Fund, but who are engaged in productive labor outside of such programs may be compensated in like manner. The compensation of such prisoners shall be paid either out of funds appropriated by the Legislature for that purpose or out of such other funds available to the Department of Corrections for expenditure, as the Director of Finance may direct

When any prisoner escapes, the director shall determine what portion of his earnings shall be forfeited and such forfeiture shall be deposited in the State Treasury in a fund known as the Inmate Welfare Fund of the Department of Corrections.

Nothing in this section or in Section 3323 of this code is intended to restore, in whole or in part, the civil rights of any prisoner. ~~No prisoner compensated under this section or Section 3323 shall be considered as an employee or to be employed by the State or the Department of Corrections, nor shall any such prisoner come within any of the provisions of the Workmen's Compensation Insurance and Safety Act of 1917, now codified as Division 4 and Division 5 of the Labor Code, or be entitled to any benefits thereunder whether on behalf of himself or of any other person.~~ "

Amendment No. 7

On page 3, line 32, strike out "SEC 4", and insert "SEC 8".

Amendment No. 8

On page 4, line 4, strike out "SEC. 5", and insert

"SEC 9. Section 2791 of the Penal Code is amended to read:

2791. This article is not intended to restore, in whole or in part, the civil rights of any convict used hereunder and said article shall not be so construed ~~No convict so used shall be considered as an employee or be employed by the director or the agency involved, nor shall any such convict come within any of the provisions of Divisions 4 and 5 of the Labor Code or be entitled to any benefits thereunder whether on behalf of himself or that of any other person.~~

SEC. 10".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

MESSAGES FROM THE SENATE

Senate Chamber, March 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Behr, Teale, and Song as a Committee on Conference concerning

Senate Concurrent Resolution No. 4

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 21, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No. 1021

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No. 10
AJR No. 12

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, March 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 587
AB No. 801

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, March 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 155
SB No. 197

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 155—An act to amend Section 68097 of the Government Code, relating to witness fees.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 197—An act to amend Section 19629 of the Welfare and Institutions Code, relating to rehabilitation.

Held at Desk by order of the Acting Speaker.

Hon. Willie L. Brown, Jr. Presiding

At 11:12 a m , Hon. Willie L. Brown, Jr , 18th District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 587

Mr. Priolo was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No 587, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 587

Assembly Bill No. 587—An act to repeal Sections 73, 75, and 76 of Chapter 1748 of the Statutes of 1971, relating to age of majority, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 587?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73", and insert "Sections 73, 75, and 76".

Amendment No. 2

On page 1, line 1, after "73", insert "of Chapter 1748".

Amendment No. 3

On page 2, between lines 19 and 20, insert

"SEC. 2. Section 75 of Chapter 1748 of the Statutes of 1971 is repealed

~~Sec. 75. Nothing in this act shall invalidate any direction for accumulation expressed in a settlement or other disposition made by deed, will, trust, or other instrument which was executed prior to the operative date of this act that would, except for this act, be a permissible period of accumulation.~~

SEC. 3. Section 76 of Chapter 1748 of the Statutes of 1971 is repealed.

~~SEC. 76. This act shall not invalidate any provision relating to an age of majority other than that established by this act, which is specified in any deed, will, trust, settlement, or other instrument executed prior to the operative date of this act.~~ ''

Amendment No. 4

On page 2, line 20, strike out ''SEC. 2'', and insert ''SEC 4''.

Amendment No. 5

On page 2, line 21, strike out ''majority'' '', and insert ''majority,'' ''age of minority,'' ''adult,'' ''minor,'' or words of similar intent''.

Amendment No. 6

On page 2, line 22, after ''order,'' insert ''transfer,''.

Amendment No. 7

On page 2, line 23, strike out ''on or after the effective''; and strike out lines 24 to 28, inclusive, and insert '' :

(a) Before the effective date of Chapter 1748 of the Statutes of 1971, shall make reference to persons older or younger than 21 years of age, and

(b) On or after the effective date of Chapter 1748 of the Statutes of 1971, shall make reference to persons older or younger than 18 years of age.

Nothing contained herein or in Chapter 1748 of the Statutes of 1971 shall prevent the amendment of any court order, will, trust, contract, transfer, or instrument to refer to the new 18-year-old age of majority where such court order, will, trust, contract, transfer, or instrument is:''.

Amendment No. 8

On page 2, line 30, after ''1971;'', insert ''and''.

Amendment No. 9

On page 2, line 31, strike out ''or'', and insert ''and''.

Amendment No. 10

On page 2, line 34, strike out '', to refer''; and strike out lines 35 and 36, and insert a period.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Priolo moved a call of the Assembly.

Motion carried Time, 11·18 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Badham was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly, and
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report prepared by the Auditor General which deals with the feasibility of the State Department of Social Welfare utilizing the vital statistics (death certificate) information available from the State Department of Public Health in assisting the counties in controlling the termination of deceased recipients from the Old Age Security Program.

Early last year it was reported by this committee that the Los Angeles County Department of Public Social Services continued to issue welfare checks after recipients had died. Checks are being issued up to a year after death. Some of these checks are cashed with forged endorsements.

Because of this lack of local control over terminations of aid payments, the Joint Legislative Audit Committee directed the Auditor General to determine the feasibility of using the state's computers to control terminations. It was found that vital statistics from the Department of Public Health can be matched by computer with eligibility files of the State Department of Social Welfare. Deceased recipients can be identified and terminated from welfare and medical aid programs promptly.

Existing computers can be used to provide this control at a relatively low cost. The Department of Social Welfare wants to delay the use of its computers for this purpose until a costly new "Expanded Data Reporting System" is installed. Such a system has not received budget approval and may not be available for several years.

State control over terminations should be established as soon as possible. State funds are tied up in unnecessary outstanding warrants and fraudulently cashed warrants. Los Angeles County alone has almost $8 million of warrants outstanding more than six months. About $3 million of this represents funds obtained from the state. The remainder represents county and federal funds.

The report states that the most common factor contributing to the continuation of aid after the recipient's death is that the district office does not receive prompt notification. Even after the recipient's death is known, the county auditor-controller is not notified of the date of death so that an investigation can be made to determine if warrants were fraudulently cashed.

In one case where the recipient died on December 17, 1970, eight warrants had been cashed between that date and June 30, 1971. Warrants were issued up to December 1971 in this case.

Another case reviewed by our auditors disclosed that the recipient died in December 1970, but the termination was based on an incorrect June 9, 1971 date. Six warrants were cashed totaling $592 with forged endorsements.

In 11 cases examined, 35 warrants totaling $2,526 were cashed after the recipient's death. The Los Angeles County Department of Public Social Services was only aware of five warrants being paid with forged endorsement in three of the cases.

The delay in terminating payments increases the risk of forgeries occurring. Further delay in discovering forgeries places an undue burden on merchants and others who cashed the forged warrants and have no recourse but to absorb the losses.

The report contains 18 recommendations for implementation by state and local agencies. The use of vital statistics to control termination of payments is applicable in other state and local governmental agencies. One of the recommendations in the report is addressed to the State Department of Health Care Services wherein the same computer system can be used to identify erroneous Medi-Cal billings after the recipient's death.

Undoubtedly there are other applications for the interagency use of information The Audit Committee urges state and local agencies to pool their resources whenever possible to improve the efficiency of government. Hopefully the public will benefit by getting better service for fewer tax dollars.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

Majority Floor Leader Presiding

At 11.19 a m , Hon. Jack R. Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 801

Mr Barnes was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 801, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 801

Assembly Bill No. 801—An act relating to students in higher education, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 801?

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Assembly March 15, 1972, insert

"(Coauthor. Senator Burgener)".

Amendment No. 2

On page 2, line 7, strike out "1975", and insert "1973".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—59.

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 298, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 248—An act to amend Sections 985, 986.3, 986.5, 987, 987.1, 987.15, and 987.17, and to repeal Section 987 16a, of the Military and Veterans Code, relating to farm and home purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "987 1," insert "and".

Amendment No. 2

In line 2 of the title, strike out "and 987 17,".

Amendment No. 3

On page 7, strike out lines 12 to 40, inclusive; and strike out page 8.

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 398—An act to amend Section 3123 of the Commercial Code, to amend Sections 5201, 13656, and 13656 2 of the Education Code, and to amend Sections 6700, 6701, and 18025 of the Government Code, relating to state holidays and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

NOTE: Later this day, Assembly Bill No 398 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 430—An act to amend Section 1042.1 of the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time, and ordered to third reading.

Assembly Bill No. 442—An act to amend Section 1197 of the Military and Veterans Code, relating to memorial districts.

Bill read second time, and ordered to third reading.

Assembly Joint Resolution No. 6—Relative to oil drilling.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 2, lines 15 and 16, of the printed measure, strike out "water depths greater than 380 feet", and insert "any federal waters".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

Assembly Bill No. 362—An act to amend Section 71341 of the Government Code, relating to justice courts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 438—An act to add Section 995 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, between lines 20 and 21, of the printed bill, as amended in Assembly March 16, 1972, insert

"SEC. 1.5 Any computer software subject to an escape assessment for any year prior to 1972 shall be valued as provided by Section 995 of the Revenue and Taxation Code."

Amendment No. 2

On page 2, lines 25 and 26, strike out "provided it is in the hands of the user of such program.", and insert "as provided by Section 995 of the Revenue and Taxation Code."

Amendment No. 3

On page 2, line 26, add "The Legislature recognizes that it is not in the public interest to value computer software except as provided above. Taxpayers do not have the resources necessary to maintain records showing the allocation of expenditures required for individual computer programs. These programs are analogous to the briefs an

attorney develops in his practice or the sketches made by an architect. All business records could also be assessed under this theory.

The value of the work embodied is such property is not now subject to property tax was not intended to be subject to property tax and shall not be subject to property tax. To tax these expressions of creativity would be detrimental to research and an expansion of business activity within the state."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 76—An act to amend Sections 24351 and 24352 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 685—An act to amend Section 690 6 of the Code of Civil Procedure, relating to levies of execution, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 398.

COMMUNICATIONS

Assembly Chamber, March 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 76	AB No. 442
AB No. 362	AB No. 685
AB No. 430	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 398

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to the Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 198—An act to add Section 6012 7 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier,

Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An act to add Chapter 4.5 (commencing with Section 4395) to Division 5 of Title 1 of the Government Code, relating to public works.

Bill read third time.

Demand for Previous Question

Messrs. Thomas, Briggs, Cory, Dent, and Deddeh demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Brathwaite moved a call of the Assembly.

Motion carried. Time, 11:39 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 685

Mr. Cullen was granted unanimous consent to take up Assembly Bill No. 685, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Cullen:

Resolved, That Assembly Bill No. 685 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three

several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Consideration of Assembly Bill No. 685

Assembly Bill No. 685—An act to amend Section 690.6 of the Code of Civil Procedure, relating to levies of execution, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 40—Relative to a recess of the Legislature.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 40?

Amendment No. 1

On page 1 of the printed measure, in line 2, strike out "Senate and".

Amendment No. 2

On page 1, line 4, strike out "each house", and insert "the Assembly"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above resolution ordered enrolled.

Hon. Joe A. Gonsalves Presiding

At 11:43 a.m., Hon. Joe A. Gonsalves, 66th District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 167—An act to add Sections 29254 and 29255 to the Elections Code, relating to elections.

Bill read third time.

Majority Floor Leader Presiding

At 11:47 a.m., Hon. Jack R. Fenton, 51st District, presiding.

The question being on the passage of Assembly Bill No. 167.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Beverly, Biddle, Brathwaite, Brown, Burton, Chacon, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McCarthy, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—49

NOES—Badham, Briggs, Burke, Chappie, Collier, Duffy, Dunlap, Maddy, McAlister, Miller, Mobley, Vasconcellos, Wakefield, and Warren—14

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Caelndar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 225—An act to add Section 6934 to the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 395—An act to amend Section 22105 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418—An act to amend Section 27257 of the Government Code, relating to recorder's indices.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 79—An act to amend Section 10122 of the Insurance Code, as added by Chapter 570 of the Statutes of 1971, and to amend and renumber Section 12532 9 of the Government Code, as added by Chapter 419 of the Statutes of 1971, relating to health insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Ketchum informed the members that Jerry W. Fielder, Director of the Department of Agriculture, had been fatally injured in an airplane accident this morning, and was granted unanimous consent that when the Assembly adjourns on this day, it do so out of respect to the memory of the late Jerry W. Fielder.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 587

At 11:54 a.m., on motion of Mr. Priolo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 587 by the following vote:

AYES—Arnett, Bagley, Barnes, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—Badham—1.

Above bill ordered enrolled.

Hon. Joe A. Gonsalves Presiding

At 11:56 a.m., Hon. Joe A. Gonsalves, 66th District, presiding.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 196

At 11:57 a.m., on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 196 refused passage by the following vote:

AYES—Brathwaite, Brown, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Karabian, Keysor, Knox, McCarthy, Meade, Miller, Pierson, Porter, Powers, Ralph, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—32

NOES—Arnett, Badham, Bagley, Beverly, Biddle, Briggs, Burke, Chappie, Cline, Collier, Conrad, Deddeh, Dent, Duffy, Leroy F Greene, Hayden, Ketchum, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Priolo, Russell, Stacey, Stull, Wakefield, and Wood—32.

Motion to Reconsider Assembly Bill No. 196 on Next Legislative Day

Mrs. Brathwaite moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 196 was this day refused passage.

Assembly Bill No 196 ordered to the unfinished business file.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 660

Acting Speaker Gonsalves was granted unanimous consent that Assembly Bill No. 660 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Labor Relations.

VOTE CHANGES

Messrs. Hayden and McAlister were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 801.

Mr Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 198.

Mr. Lewis was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 167.

Mr Vasconcellos was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 196.

Mr. Bill Greene was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 196.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 22, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 702

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 155

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 254

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Water

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 73

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 410

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 373

AB No. 412

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Water reports.

AB No. 226

AB No. 270

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 13

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Rules reports:

SCR No. 22

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 467

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, March 21, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 350

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 350—An act to amend Section 6304.1 of the Harbors and Navigation Code, relating to harbors and navigation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the second "a", and insert "any".

Amendment No. 2

On page 2, line 1, after "area", insert "which has been freed from the public trust for commerce, navigation, or fisheries".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 92

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 92—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 16645.2, 25502.5, 25601, and 26501 of, and to add Sections 6931.5, 17255, 23061, 23763, and 25514.7 to, the Education Code, relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 2, 1972, strike out "amend Sections 5701, 5756, 6750, 6801, 6901, 6902,"; strike out lines 2 and 3 of the title, and insert "add Section 19700.745 to the".

Amendment No. 2

In line 4 of the title, after "Code," insert "and to amend Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session),".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 19700.745 is added to the Education Code, to read:

19700.745. In the event that the district does not have sufficient funds available as a result of levying the entire twenty cents ($0.20) per one hundred dollars ($100) of assessed valuation tax under Section 15518, together with any other funds available for this purpose as determined by the board, the board may increase the basic computed state matching ratio of assistance in an amount as is necessary to finance the project. In such instances the repayment limitation under Section 19700.74 shall be in an amount which a tax of twenty-five cents

($0.25) per one hundred dollars ($100) of assessed valuation for each grade level operated by the district would raise during the year of the computation.

Not more than thirty million dollars ($30,000,000) may be apportioned pursuant to the provisions of this section

SEC 2. Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session) is amended to read.

Sec. 316 Notwithstanding any other provision of law to the contrary, except for the special tax credit provided for in Section 17 of this act, the one-time nonrecurring revenue in the amount of one hundred fifty million dollars ($150,000,000) produced by the enactment of withholding and quarterly estimates of state personal income taxes shall be used for the following purposes and shall be allocated in the following manner:

(a) Eighty million dollars ($80,000,000) shall be allocated to the Capital Outlay Fund for Public Higher Education for the capital construction programs of the University of California, the California State Colleges, and the community colleges.

(b) Forty million dollars ($40,000,000) shall be allocated to the Bagley Conservation Fund, which is hereby created, for beach, park, and land acquisition programs, including wildlife areas, and coastline planning and development of recreational facilities which do not require continuous funding and are of a one-time nonrecurring nature, including within this figure five million dollars ($5,000,000) for miscellaneous capital outlay construction

(c) Thirty million dollars ($30,000,000) shall be allocated to the School Building Safety Fund, which is hereby created, for replacement and repair of local school district buildings for compliance with Field Act requirements. *Moneys in this fund may be used for the purposes of Article 9 (commencing with Section 19700 51) of Chapter 10 of Division 14 of the Education Code.*

It is the intent of the Legislature that the amounts specified in the above subdivisions shall be subject to continuous expenditure without regard to fiscal years on the basis of need when appropriated by the Legislature, but that no more than 33⅓ percent of the total amount of one hundred fifty million dollars ($150,000,000) be allocated in any one budget year.

The Department of Finance shall in the annual budget submitted to the Legislature recommend capital outlay program expenditures pursuant to the above subdivisions Any funds appropriated by the Budget Act of 1971 contained in Chapter 266 of the Statutes of the 1971 Regular Session of the Legislature, such as Item 304 1, shall be allocated prior to the end of the 1971–1972 fiscal year."

Amendment No. 4

On page 2, strike out lines 2 to 27, inclusive; strike out pages 3 to 8, inclusive; on page 9, strike out lines 1 to 13, inclusive; in line 14, strike out "SEC. 20", and insert "SEC. 3".

Amendment No. 5

On page 9, strike out lines 19 to 30, inclusive, and insert

"In order to permit the funds to which this act relates to be available for apportionment during the entire 1972–1973 fiscal year, and so facilitate its orderly administration, it is necessary that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.02 p.m., Acting Speaker Gonsalves declared the quorum call of the Assembly dispensed with.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 56: By Assemblyman Keysor—Relative to Venereal Disease Task Force

Held at Desk by order of the Acting Speaker

Assembly Concurrent Resolution No. 57: By Assemblymen Dunlap and Brown—Relative to State of California general obligation bonds.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 58: By Assemblymen Miller, Burton, Dunlap, Crown, Bagley, Brown, Foran, McCarthy, Meade, Pierson, Ralph, Vasconcellos, and Warren (Senators Alquist, Beilenson, Dymally, Gregorio, Moscone, Petris, Rodda, Song, and Zenovich, coauthors)—Relative to low income students.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2305: By Assemblyman Lanterman—An act to amend Section 554 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

Referred by the Acting Speaker to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cory:

House Resolution No. 34

Relative to the taxation of mobilehomes

WHEREAS, Mobilehomes have heretofore been subject, and presently are subject, to registration under the Vehicle Code and subject to the Vehicle License Fee Law, which is in lieu of property taxes on such vehicles; and

WHEREAS, It has come to the attention of the Legislature that Mr. Philip E. Watson, Assessor of the County of Los Angeles, and possibly other county assessors, have taken the position that mobilehomes are not personal property within the meaning of Section 14 of Article

XIII of the Constitution of the State of California, but are improvements, which are subject to property taxation, and have included mobilehomes on the assessment rolls for the 1972–1973 fiscal year; and

WHEREAS, The owners of many mobilehomes have already paid their registration and license fees for the 1972 calendar year, and it is now possible that mobilehomes in some counties will be subjected to a second tax based on their value for the 1972–1973 fiscal year; and

WHEREAS, While the Legislature has power to exempt tangible personal property from property taxation, it has no similar power with respect to improvements generally, and it is important that the exact status of mobilehomes as personal property or real property be determined authoritatively as soon as possible, in order that mobilehomes will not continue to be taxed as vehicles and as improvements, and

WHEREAS, It has come to the attention of the Legislature that the Golden State Mobilehome Owners League representing approximately eight thousand mobilehome owners in Los Angeles County and Mr. Denzil Wilson, an individual, will bring an action against Mr. Philip E. Watson to question the legality of subjecting mobilehomes to property taxation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members urge the Supreme Court of this state to accept jurisdiction at the earliest feasible time of any litigation seeking to determine the proper status of mobilehomes for purposes of taxation, in order that there may be a speedy resolution of this crucial question, and the Members further urge the California Attorney General to take all reasonable steps within his power to bring this matter before such court at the earliest possible time; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Justices of the Supreme Court of the State of California and to the California Attorney General.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 22, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in Committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2305—An act to amend Section 554 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

FRANK LANTERMAN

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 12:06 p.m., Acting Speaker Gonsalves declared the Assembly adjourned until 2 p.m., Thursday, March 23, 1972, out of respect to the memory of the late Jerry W. Fielder, Director of the Department of Agriculture.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-eighth Legislative Day

Eighty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 23, 1972

The Assembly met at 2 p m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Porter moved a quorum call of the Assembly.

Mr. Ketchum seconded the motion.

Motion carried Time, 2 01 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2 13 p m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanter-

man, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, As we approach a season which has a religious significance for Jews and Christians alike, we pray that all hatred and persecution may cease and that religious freedom for all men may become a reality in our day.

We pray that You, Father, may be close to our Jewish brothers, to Christians of all communions and to all men of good will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Cory, seconded by Mr. Porter.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Acting Speaker Cory
Mr. Cline, on request of Acting Speaker Cory.
Mr. Duffy, on request of Acting Speaker Cory.
Mr. Hayes, on request of Acting Speaker Cory.
Mr. MacGillivray, on request of Acting Speaker Cory.
Mr. Monagan, on request of Acting Speaker Cory.
Mr. Quimby, on request of Acting Speaker Cory.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Acting Speaker Cory
Mr Campbell, on request of Acting Speaker Cory.
Mr. Deddeh, on request of Acting Speaker Cory.
Mr Thomas, on request of Acting Speaker Cory
Mr. Vasconcellos, on request of Acting Speaker Cory.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Bee, on request of Acting Speaker Cory.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 23, 1972

Hon Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker· I respectfully request to be excused from Session on Thursday, March 23, 1972 on Legislative Business. I will be in Denver, Colorado attending a National Legislative Conference Committee on School Finance.

Thank you

Sincerely yours,

WILLIAM T BAGLEY, Assemblyman
Seventh District

March 23, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker Please excuse me from today's Session, Thursday, March 23, 1972, due to legislative business in my district.

I will be conferring with Mr. Richard Mason of the Professional Educators of Los Angeles and their attorneys regarding AB 2181, revision to the Winton Act

Sincerely,

ROBERT C. CLINE, Assemblyman
Sixty-fourth District

March 21, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: I respectfully request that I be excused from Session on Thursday, March 23, 1972, on legislative business.

I am speaking on that date in Los Angeles to the United Hospital Association

Thank you very much for your consideration in this matter.

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

March 23, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr Speaker. I respectfully request that I be excused from session on Thursday, March 23, because of legislative business I shall be at California State College, Long Beach, conferring with administrators and with faculty members concerning academic matters.

Respectfully yours,

JAMES A HAYES, Assemblyman
Thirty-ninth District

March 14, 1972

The Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob: This will confirm our conversation today granting me permission to be absent on legislative business on Thursday, March 23, to attend a conference of police chiefs at the University of California in Santa Barbara.

I truly appreciate your cooperation

Sincerely,

W. DON MacGILLIVRAY, Assemblyman
Thirty-sixth District

March 23, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: Please have me excused from session on Thursday, March 23. I will be in my district meeting with the members of the San Joaquin County Board of Supervisors on legislative matters.

Sincerely,

BOB MONAGAN
Minority Floor Leader

NOTE: For letter explaining the absence of Mr Quimby on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 20, 1972, page 1227.

REPORTS

The following report was presented by the Chief Clerk:

Department of Water Resources Report of Findings, February 1972, and Resolution No. 72-01 of the California Water Commission on the formal application of the San Bernardino Valley Municipal Water District for state assistance under the Davis-Grunsky Act. (In accordance with Section 12882.4 of the Water Code.)

Above transmitted report, together with letter of transmittal from W R. Gianelli, Director, Department of Water Resources, Sacramento, dated March 22, 1972, referred by the Acting Speaker to the Committee on Water.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, March 23, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2304—An act to amend Sections 25210.77f and 25831 of the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

RAY E. JOHNSON

Assembly Chamber, March 23, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 1111—An act to amend Sections 203, 213 1, 455, 456 5, 456 6, 457, 459, 3713, 4020, 10009, 10012, and 27514 of the Elections Code, relating to registration of voters

HENRY A WAXMAN

Above requests ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee

Assembly Bill No	*Committee*
2304	Local Government
2024	Urban Development and Housing

Assembly Concurrent Resolution No	*Committee*
56	Health
57	Revenue and Taxation
58	Education

Senate Bill No	*Committee*
155	Judiciary
197	Welfare

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2306: By Assemblyman Miller (Senator Zenovich, coauthor)—An act to add Sections 924 and 925 to the Labor Code, relating to labor

Held at Desk by order of the Acting Speaker

Assembly Bill No. 2307: By Assemblyman Davis—An act to amend Section 5652 of the Fish and Game Code, relating to water pollution.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 2308: By Assemblyman Davis—An act to amend Section 5876 of the Streets and Highways Code, relating to sidewalks and curbs.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2309: By Assemblyman Cullen—An act relating to state highways.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 2310: By Assemblyman Keysor (Senator Carrell, coauthor)—An act to add Section 6082 to the Water Code, relating to dams and reservoirs.

Held at Desk by order of the Acting Speaker

Assembly Bill No. 2311: By Assemblyman Townsend—An act to amend Section 18025 of the Government Code, relating to state holidays.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2312: By Assemblyman Mobley—An act to amend Sections 12657 and 12662 of the Water Code, relating to flood control.

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 95: By Assemblymen Moretti and Monagan (Senators Marler and Mills, coauthors)—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, Section 7, subdivision (c) of Section 8, Section 10, and subdivision (b) of Section 23 of Article IV, amending Sections 3 and 8 of Article V, and adding Section 8 to Article XXII thereof, relating to the Legislature

Held at Desk by order of the Acting Speaker.

Assembly Constitutional Amendment No. 96: By Assemblyman Seeley—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 2, 6 and 27 of Article IV thereof, and to add Article VII thereto, relating to reapportionment

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 59: By Assemblymen Dunlap and Bagley—Relative to mental health

Held at Desk by order of the Acting Speaker

Assembly Concurrent Resolution No. 60: By Assemblyman Mobley—Relative to the Joint Committee on the Organization and Financing of Local Government.

Held at Desk by order of the Acting Speaker

Assembly Joint Resolution No. 23: By Assemblyman Vasconcellos—Relative to the San Felipe Water Project

Held at Desk by order of the Acting Speaker

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Barnes:

House Resolution No. 35

Relative to the Self-Pronouncing Alphabet

WHEREAS, There is available in California a new, unique, and successfully demonstrable system of teaching reading, namely, the Self-Pronouncing Alphabet (SPA), and

WHEREAS, This system has been tested in approximately 100 schools in California, including Lincoln School in Redwood City, and there are an additional 100 schools scattered across the country using this method, among them schools in Washington, D.C., Philadelphia, New York, and the Midwest; and

WHEREAS, The demonstrable improvement and efficiency of pupils in these schools in the acquiring of reading skills has been so precipitous and measurable that Principal Richard Jensen released Stanford Achievement Test Scores showing kindergarten and first graders reading and achievement scores above the national scores of most first graders, stating in so doing that "Reading scores for Grades K through 3 were 'out of the ballpark' when compared to most schools in the country"; and

WHEREAS, The Green Pastures School for mentally retarded children and adults in Beaumont, California, has successfully taught reading for the first time using SPA, thus unlocking doors which were closed to these handicapped Americans for so long, and

WHEREAS, The leaders of the Association of the California School Districts who have investigated SPA are interested in a proper evaluation being made at the earliest time; and

WHEREAS, The California Association of the Christian Schools, with headquarters in Whittier, California, has strongly endorsed the SPA reading program because of the outstanding results, and

WHEREAS, A federally-financed reading project in Orange County concluded that SPA, among other methods tested, was recommended above others for use in remedial reading programs; and

WHEREAS, Because many children are failing to learn to read properly, at great cost to themselves and society, time is of the essence, and new tested approaches should be evaluated, whether in public or private schools, now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Education and the State Board of Education make an immediate in-depth study of the Self-Pronouncing Alphabet method of teaching reading and report back to the Legislature within 60 days after the adoption of this resolution, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Superintendent of Public Instruction and to the State Board of Education

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Leroy F. Greene:

House Resolution No. 36

Relative to collective bargaining

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of collective bargaining rights of public employees, and be it further

Resolved, That such study also include a recommendation concerning the advisability of establishing collective bargaining rights for all public employees, instead of establishing such rights for individual groups of public employees, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1021—An act making an appropriation to the Judges' Retirement Fund, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 9:45 a.m., March 23, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 12—Relative to federal maintenance dredging of small craft harbors;

Assembly Concurrent Resolution No. 40—Relative to a recess of the Legislature;

And reports the same correctly enrolled, and presented to the Secretary of State on the 23rd day of March, 1972, at 10:30 a.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 587—An act to repeal Sections 73, 75, and 76 of Chapter 1748 of the Statutes of 1971, relating to age of majority, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 801—An act relating to students in higher education, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 12 m., March 23, 1972

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB 248

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB 438

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 290
AB No 309
AB No. 350

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 23, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 1813

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 23, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

ACA No 2 ACA No 16
ACA No. 13 ACA No. 26

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 31
AJR No. 6

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 23, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr Waxman for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 1111 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Ketchum for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 1484 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules recommends·

That the request by Mr. Gonsalves for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2302 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr. Speaker. Your Committee on Rules recommends.

That the request by Mr Lanterman for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2305 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr Speaker: Your Committee on Rules recommends.

That the request by Mr Arnett for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 1249 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr Speaker · Your Committee on Rules recommends:

That the request by Mr Arnett for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 1282 be granted

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Chappie for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2059 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr. Speaker · Your Committee on Rules recommends

That the request by Mr Arnett for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2008 be granted.

BURTON, Chairman

Assembly Chamber, March 23, 1972

Mr. Speaker · Your Committee on Rules recommends

That the request by Mr Ray E Johnson for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2304 be granted

BURTON, Chairman

Committee on Constitutional Amendments

Assembly Chamber, March 21, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports ·

AB No. 182

With amendments with the recommendation. Amend, and do pass, as amended

GARCIA, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports ·

ACA No. 14

With amendments with the recommendation: Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file.

Committee on Finance and Insurance

Assembly Chamber, March 15, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 352

With amendments with the recommendation Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 661

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 667

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 443

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 227

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 49

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Commerce and Public Utilities

Assembly Chamber, March 23, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 177

With the recommendation: Do pass.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 96

AB No. 208

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Agriculture

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 152

With amendments with the recommendation: Amend, and do pass, as amended.

BRIGGS, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, March 22, 1972

Mr. Speaker The Chairman of your Committee on Judiciary reports:

AB No 323

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 323—An act to amend Section 690 of, and to add Section 690.30 to, the Code of Civil Procedure, relating to execution and attachments.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, after "inclusive," insert "personal".

Amendment No. 2

On page 2, lines 12 and 13, strike out "in the amount", and insert "or money not exceeding a value or total".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, March 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 392

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 392—An act to add Chapter 1 67 (commencing with Section 5096 71) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and municipal beach, park, recreational, and historical facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of such funds, and providing for the submission of the measure to a vote of the people at a special election to be consolidated with the 1972 general election.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 8 of the heading of the printed bill, strike out "and Waxman", and insert "Waxman, and Wood".

Amendment No. 2

On page 7, lines 28 and 29, strike out "one hundred thousand dollars ($100,000)", and insert "two hundred thousand dollars ($200,000)".

Amendment No. 3

On page 8, lines 18 and 19, strike out "Section 5096.85(b) through (e), inclusive," and insert "subdivision (b) to (e), inclusive, of Section 5096.85".

Amendment No. 4

On page 9, line 1, after "Report", insert "prepared pursuant to Section 65041 of the Government Code".

Amendment No. 5

On page 9, line 12, strike out "projct", and insert "project".

Amendment No. 6

On page 9, line 25, after "1970", insert "(commencing with Section 21000 of the Public Resources Code)".

Amendment No. 7

On page 11, line 20, after "Law", insert "(commencing with Section 15850 of the Government Code)".

Amendment No. 8

On page 12, line 15, strike out "out", and insert "forth".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, March 23, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 216

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 216—An act to amend Sections 4036 and 4047.5 of, and to add Section 4047.7 to, the Business and Professions Code, relating to prescriptions

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, after "Johnson", insert "(Coauthor Senator Gregorio)".

Amendment No. 2

In line 1 of the title, strike out "Sections 4036 and 4047.5", and insert "Section 4036".

Amendment No. 3

On page 2 of the printed bill, strike out lines 22 to 40, inclusive; and on page 3, strike out lines 1 to 9, inclusive; and in line 10, strike out "SEC. 3.", and insert "SEC. 2."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 23, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 421

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 421—An act to amend Section 13717 of the Education Code, relating to the merit system.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "1973", and insert "1974".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Assembly Chamber, March 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 249

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed.

AB No. 81

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, March 22, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

SB No. 83
SB No 109

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, March 22, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 385

DARRYL R. WHITE, Secretary of the Senate
By R. W Lyons, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 83—An act to repeal Section 8211 of, and to add Sections 8211, 8211 5 and 8211.8 to, the Government Code, relating to notaries public.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 109—An act to amend Section 1773 of the Government Code, relating to vacancies in the Legislature.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 385—An act to amend Section 13658 of the Education Code, and to amend Section 1253 4 of, and to add Section 803.5 to, the Unemployment Insurance Code, relating to classified school employees, and declaring the urgency thereof, to take effect immediately.

Referred by the Acting Speaker to the Committee on Finance and Insurance

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, March 23, 1972

Mr Speaker· Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Senate Bill No. 385—An act to amend Section 13658 of the Education Code, and to amend Section 1253 4 of, and to add Section 803 5 to, the Unemployment Insurance Code, relating to classified school employees, and declaring the urgency thereof, to take effect immediately.

KENNETH L MADDY

Above request ordered transmitted to the Committee on Rules.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 248 and **438**, ordered to third reading.

NOTE: Later this day Assembly Bill No. 248 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 415—An act to add Section 1267 to the Code of Civil Procedure, relating to costs in civil actions and proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1267", and insert "1268".

Amendment No. 2

On page 1, line 1, strike out "1267", and insert "1268".

Amendment No. 3

On page 1, line 3, strike out "1267", and insert "1268".

Amendment No. 4

On page 2, line 2, after "last", insert "written".

Amendment No. 5

On page 2, line 3, after "proceeding", insert "pursuant to Section 1243".

Amendment No. 6

On page 2, after line 4, insert

"Nothing in this section shall diminish or impair, in whole or in part, the rights of landowners under Chapter 1574 of the Statutes of 1971."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 17—An act to add Sections 9027, 9028, 9029, 9030, 9031, 9032, and 9033 to the Government Code, relating to meetings of the Legislature.

Bill read second time, and ordered to third reading

Assembly Bill No. 272—An act to add Section 7503 to the Education Code, relating to educational programs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 394—An act to amend Section 6353 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 1 to 4, inclusive, and insert "when sold to an individual in bulk quantities of 50 gallons or more for general household use in his residence if the residence is located in an area not serviced by mains, lines or pipes."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 141—An act to amend Section 10603 of the Education Code, relating to suspension or expulsion of pupils.

Bill read second time, and ordered to third reading.

Assembly Bill No. 189—An act to amend Section 3251 of the Civil Code, relating to payment bonds for public works.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 199—An act to amend Section 16554 of the Education Code, relating to school property.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 393—An act to amend Section 17052 of the Education Code, relating to school cafeteria funds.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 702—An act to add Article 10 (commencing with Section 72450) to Chapter 8 of Title 8 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 155—An act to amend Sections 2147, 2177.5, and 2178 of, to add Article 4.6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193.7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly March 16, 1972, between lines 16 and 17, insert

"2188. The State Scholarship and Loan Commission may, from funds appropriated by the Legislature for such purpose, allocate the sum of ten thousand dollars ($10,000) per student for the 1972–1973 fiscal year to any medical school conducting a graduate program for the purpose of supporting such program, provided that no such allocation shall be made in support of any such program which has an enrollment of less than 10 students."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 254—An act to amend Section 4143 of the Business and Professions Code, and to amend Section 7054.4 of the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Assembly March 8, 1972, strike out "or".

Amendment No. 2

On page 2, line 23, after "remains", insert ", or infectious waste".

Amendment No. 3

On page 2, between lines 26 and 27, insert

"As used in this section, "infectious waste" means any material or article which has been, or may have been, exposed to contagious or infectious disease."

Amendment No. 4

On page 3, line 6, after the period, insert "There is also an urgent need for the protection of the public health to provide for a determination of the allowable methods of disposal of infectious waste."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 410—An act relating to the California Protected Waterways Plan, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the comma; strike out lines 2 and 3 of the title, and insert a period.

Amendment No. 2

On page 2, strike out lines 38 to 40, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 373—An act to amend Section 22171 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 412—An act to amend Section 52 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 467—An act to add Section 811.1 to the Education Code, relating to county superintendents of schools.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 73—An act to amend Section 5 of the Santa Clara County Flood Control and Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara County Flood Control and Water District, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Senate Bill No. 73 Ordered to Third Reading

Pursuant to the Joint Rules, Senate Bill No. 73 was ordered placed upon the third reading file, instead of the Consent Calendar.

Senate Bill No. 13—An act to add Section 6 6 to the San Benito County Water Conservation and Flood Control District Act (Chapter 1598 of the Statutes of 1953), relating to the San Benito County Water Conservation and Flood Control District.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in Senate March 2, 1972, after the first "not", insert ", except that such charge shall not apply to lands permanently dedicated exclusively to public transportation of persons or property".

Bill ordered reprinted, and returned to the second reading file.

Senate Concurrent Resolution No. 22—Relative to memorializing Louis G Sutton

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

Below line 8 of the heading of the printed measure, insert "(Coauthor: Assemblyman Ray E. Johnson)".

Resolution ordered reprinted, and on file.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 248.

COMMUNICATIONS

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 199 AB No 393
AB No. 373 AB No. 412

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 272
AB No. 467
AB No. 702

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Maddy for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 385 be granted.

BURTON, Chairman

ANNOUNCEMENTS

Mr. Keysor announced that Assemblyman and Mrs Alister McAlister had become the proud parents of a baby boy, Courtney Lee, born March 22nd. The Members joined in congratulating Mr and Mrs. McAlister.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 230—An act to add Chapter 1.7 (commencing with Section 22530) to Division 16.5 of the Education Code, relating to academic materials.

Bill read third time.

Motion to Re-refer Assembly Bill No. 230 to Committee

Mr. Knox moved that Assembly Bill No. 230 be re-referred to the Committee on Judiciary.

Mr. Cullen seconded the motion.

Motion lost by the following vote:

AYES—Chacon, Crown, Cullen, Dunlap, Garcia, Knox, Lanterman, Warren, and Waxman—9.

NOES—Badham, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Collier, Conrad, Dent, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Wood, and Z'berg—39.

Demand for Previous Question

Messrs. Ketchum, Beverly, Burton, Russell, and Hayden demanded the previous question. Demand sustained.

The question being on the passage of Assembly Bill No. 230.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Keysor moved a call of the Assembly.

Motion carried. Time, 2:45 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Miller was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Maddy:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 385 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Maddy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 385 for hearing in the Committee on Finance and Insurance today.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2:47 p.m., Mr. Pierson was granted unanimous consent to hold a special meeting of the Committee on Finance and Insurance, in the Sergeant at Arms office, at this time, to consider Senate Bill No. 385.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Arnett:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2008 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman,

Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Arnett:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 1249 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Arnett:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 1282 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Ketchum:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 1484 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Ketchum was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1484 for hearing in the Committee on Environmental Quality.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Gonsalves:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2302 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2302 for hearing in the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ray E. Johnson:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2304 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Ray E Johnson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2304 for hearing in the Committee on Local Government.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Chappie:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2059 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph,

Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Lanterman:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2305 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2305 for hearing in the Committee on Education

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 357

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation: To Consent.

BRIGGS, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Rules

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 28

With the recommendation: That the resolution be re-referred to the Committee on Natural Resources and Conservation.

BURTON, Chairman

Above resolution re-referred to the Committee on Natural Resources and Conservation.

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 31

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 34

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file.

Committee on Health

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 90

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No. 385

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Maddy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 385 for hearing in the Committee on Ways and Means today.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2:52 p.m., Mr. Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means, in the Sergeant at Arms office, at this time, to consider Senate Bill No. 385.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 22

Mr. Ray E. Johnson was granted unanimous consent to take up Senate Concurrent Resolution No. 22, as amended, without reference to print or file

Consideration of Senate Concurrent Resolution No. 22, as Amended

Senate Concurrent Resolution No. 22—Relative to memorializing Louis G. Sutton.

Resolution read, as amended, and presented by Mr. Ray E. Johnson.

Members Made Coauthors of Senate Concurrent Resolution No. 22

Mr. Ray E. Johnson was granted unanimous consent that all Members of the Assembly be placed upon Senate Concurrent Resolution No. 22 as coauthors.

Request for Unanimous Consent

Mr. Ray E. Johnson was granted unanimous consent to take up Senate Concurrent Resolution No. 22, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 22, as Amended

Senate Concurrent Resolution No. 22—Relative to memorializing Louis G. Sutton.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Belotti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 452, 475, 543, 536, and 596 for hearing in the Committee on Retirement, on Monday, April 3, 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 249

Mr. Pierson was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 249, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 249

Assembly Bill No. 249—An act to amend Sections 13920, 14005.3, 14053, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to Health Care Services, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 249?

Amendment No. 1

On page 6 of the printed bill, as amended in Assembly March 21, 1972, strike out lines 36 to 40, inclusive; on page 7, strike out lines 1 to 12, inclusive, and insert

"SEC. 7. Until the Secretary of Health, Education and Welfare establishes, by regulation, standards in accordance with Title XIX of the federal Social Security Act for intermediate care facilities, there shall be no requirement for the provision of intermediate care in nursing homes; however, a nursing home may elect to waive the provisions of this section and voluntarily apply to the department to provide intermediate care in its facility."

Amendment No. 2

On page 7, line 13, strike out "SEC. 10", and insert "SEC. 8".

Amendment No. 3

On page 7, line 19, strike out "SEC. 11", and insert "SEC. 9".

Amendment No. 4

On page 7, line 25, strike out "SEC. 12", and insert "SEC 10".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—None.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 34

Mr Cory was granted unanimous consent to take up House Resolution No 34 without reference to file.

Consideration of House Resolution No. 34

House Resolution No. 34—Relative to the taxation of mobilehomes

---

NOTE The full text of House Resolution No 34 appears at pages 1314–1315 of the Assembly Daily Journal for March 22, 1972

Resolution read, and presented by Mr Cory.

Members Made Coauthors of House Resolution No. 34

Mr Cory was granted unanimous consent that Messrs Mobley and Ray E Johnson be placed upon House Resolution No. 34 as coauthors.

Resolution read, as amended, and adopted

MESSAGES FROM THE SENATE

Senate Chamber, March 23, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 174

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file

Senate Chamber, March 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 36
AB No. 91

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, March 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 149
SB No. 230
SB No. 245

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, March 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 59

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 149—An act to amend Section 24007 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 230—An act to amend Sections 253.1, 253.2, and 253.3 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 245—An act to amend Section 49572 of the Agricultural Code, relating to plums, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 59—An act to add Section 6454.5 to the Revenue and Taxation Code, relating to sales and use taxes, and declaring the urgency thereof, to take effect immediately.

Referred by the Acting Speaker to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 174

Mr. Lewis was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 174, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 174

Assembly Bill No. 174—An act to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081.5 to, and to repeal Sections 1081 and 1081.5 of, the Education Code, relating to school field trips and excursions, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 174?

Set No. 1

Amendment No. 1

On page 3, line 24 of the printed bill, as amended in Assembly March 9, 1972, strike out "transportation or lodging".

Set No. 2

Amendment No. 1

On page 3, line 26, of the printed bill, as amended in Assembly March 9, 1972, after "excursion", insert "to any other state, the District of Columbia, or a foreign country,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 230

At 3:10 p.m., on motion of Mr. Keysor, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 230 refused passage by the following vote:

AYES—Davis, Dent, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, MacDonald, Maddy, McAlister, Meade, Mobley, Moorhead, Russell, Seeley, Sieroty, Wood, and Z'berg—21.

NOES—Badham, Beverly, Briggs, Brophy, Brown, Burke, Burton, Collier, Conrad, Cory, Crown, Cullen, Dunlap, Fenton, Garcia, Gonsalves, Ketchum, Knox, Lanterman, Miller, Murphy, Pierson, Porter, Powers, Priolo, Stull, Warren, and Wilson—28.

Motion to Reconsider Assembly Bill No. 230 On Next Legislative Day

Mr Keysor moved to reconsider on the next legislative day the vote whereby Assembly Bill No 230 was this day refused passage.

Assembly Bill No 230 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 182 AND ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

Mr. Garcia was granted unanimous consent to take up Assembly Bill No. 182 and Assembly Constitutional Amendment No 14, without reference to file, for the purpose of reading the measures and adopting the committee amendments at this time, and that Assembly Bill No 182 be returned to the third reading file for the next legislative day

Second Reading of Assembly Bill No. 182 and Assembly Constitutional Amendment No. 14 By Unanimous Consent

Assembly Bill No. 182—An act to add Chapter 12 (commencing with Section 8870) to Division 1 of Title 2 of the Government Code, relating to the California Lottery Planning Commission

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted.

Amendment No. 1

Immediately below the heading of the printed bill, insert

"(Coauthor. Senator Dymally)".

Amendment No. 2

In line 2 of the title, after the comma, insert "and Section 328 to the Penal Code,".

Amendment No. 3

On page 3, line 16, after "SEC 2", insert "Section 328 is added to the Penal Code, to read·

328. The provisions of this chapter shall not apply to the California Lottery Planning Commission while acting pursuant to Chapter 12 (commencing with Section 8870) of DIVISION 1 of TITLE 2 of the Government Code

SEC. 3."

Amendment No. 4

On page 3, line 23, strike out "SEC 3", and insert "SEC 4."

Bill ordered reprinted, and returned to the third reading file.

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 19 of Article IV thereof, relating to the conduct of a lottery by the state

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted·

Amendment No. 1

Immediately below the heading of the printed measure, as amended in Assembly February 22, 1972, insert

"(Coauthor. Senator Dymally)".

Resolution ordered reprinted, and on file.

COMMUNICATIONS

Assembly Chamber, March 23, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 249—An act to amend Sections 13920, 14005 3, 14053, 14121, 14132 and 14145 of the Welfare and Institutions Code, relating to health care services, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the governor at 3 15 p m , March 23, 1972

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 23, 1972

Mr Speaker. Your Committee on Education reports:

AB No 377

With amendments with the recommendation: Amend, and do pass, as amended

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Education reports.

AB No 409

With amendments with the recommendation Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, March 23, 1972

Mr Speaker: Your Committee on Education reports:

AB No 342

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means: Recommendation to place on Consent Calendar

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, March 23, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 385

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, March 22, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 138

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

PIERSON, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Assembly Chamber, March 22, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

AB No 271

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 385

Mr Maddy was granted unanimous consent to take up Senate Bill No 385, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered.

By Assemblyman Maddy:

Resolved, That Senate Bill No. 385 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis,

MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Senate Bill No. 385

Senate Bill No. 385—An act to amend Section 13658 of the Education Code, and to amend Section 1253 4 of, and to add Section 803 5 to, the Unemployment Insurance Code, relating to classified school employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Third Reading of Senate Bill No. 385

Senate Bill No. 385—An act to amend Section 13658 of the Education Code, and to amend Section 1253 4 of, and to add Section 803.5 to, the Unemployment Insurance Code, relating to classified school employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Maddy.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3.14 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

Hon. Ken Cory Presiding

At 3.15 p.m., Hon. Ken Cory, 69th District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 22, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 69

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990.1, and 13990.2 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Section 13990.7 of, to add a heading immediately preceding Section 13990 of, to add Sections 13990 7 and 13990.8 to, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2.5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4 5 of Division 3 of Title 2 of, to repeal Section 13990 6 of, to repeal Chapter 3 (commencing with Section 13992) of Part 4 5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections 20, 183, and 30050 of, to add Sections 185.5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to transportation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly March 6, 1972, strike out "heading", and insert "part heading and a chapter heading".

Amendment No. 2

In line 8 of the title, after the comma, insert "to add Chapter 2 (commencing with Section 13992) to Part 4 6 of Division 3 of Title 2 of,".

Amendment No. 3

On page 4, line 28, after "A", insert "part".

Amendment No. 4

On page 4, between lines 32 and 33, insert

"SEC 4 5. A chapter heading immediately preceding Section 13990 of the Government Code is added, to read:

CHAPTER 1. GENERAL DUTIES AND POWERS".

Amendment No. 5

On page 7, line 40, strike out "reviewing", and insert "formulating".

Amendment No. 6

On page 8, between lines 31 and 32, insert

"(h) Assist, if so requested, in the determination of geographic boundaries of regional transportation districts, utilizing wherever possible the logical groupings of cities and counties as established by existing planning agencies, and provide appropriate recommendations to the secretary and to the Legislature for their establishment.

(i) Assist any appropriate committee of the Legislature whose activities relate to the transportation field, if requested, in the field of overall balanced transportation, or any segment thereof

SEC 11 5 Chapter 2 (commencing with Section 13992) is added to Part 4 6 of Division 3 of Title 2 of the Government Code, to read.

CHAPTER 2 TRANSPORTATION PLANNING AND RESEARCH ACCOUNT

13992 The Transportation Planning and Research Account is hereby created in the State Transportation Fund.

13993 All moneys in the Transportation Planning and Research Account, and all moneys hereafter transferred or deposited in such account from any source, shall be available, when appropriated by the Legislature, for expenditure by the board for transportation planning and research purposes, including, but not limited to, the following:

(a) State transportation planning

(b) Statewide planning at local levels and matching funds for local transportation planning

(c) Transportation research or demonstration projects

(d) Matching purposes to obtain other funds for transportation planning and research purposes."

Amendment No. 7

On page 16, strike out lines 22 to 40, inclusive, and on page 17, strike out line 1.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, March 22, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No 429

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Transportation.

HAYDEN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 429—An act to add Section 23129 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert

"23129 No person shall drive a motor vehicle upon which is mounted a camper containing any passengers unless there is at least one unobstructed exit capable of being opened from both the interior and exterior of such camper "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, March 23, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 359

AB No 474

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 359—An act to amend Sections 1091, 1095, and 1096 of, and to add Section 8507 to, the Education Code, relating to public schools

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 8507", and insert "Sections 1096.5 and 8508".

Amendment No. 2

On page 2, lines 12 and 13, strike out "drug education".

Amendment No. 3

On page 2, line 18, strike out "drug education".

Amendment No. 4

On page 2, strike out line 20, and insert "without prior written notification having been given to his parent or guardian.

SEC 3.5. Section 1096.5 is added to the Education Code, to read.

1096 5 Nothing in this article shall be construed as prohibiting or limiting any right provided for in Section 8701 "

Amendment No. 5

On page 2, line 21, strike out "8507", and insert "8508".

Amendment No. 6

On page 2, line 23, strike out "8507", and insert "8508".

Amendment No. 7

On page 2, strike out lines 24 to 26, inclusive, and insert "on the request of 30 regularly enrolled pupils in any grade level at a school, the required course of study in such grade level at that school shall include a course of instruction in venereal disease education.

No pupil may participate in such a course without prior written notification having been given to his parent or guardian

Nothing in this section shall be construed as prohibiting or limiting any right provided for in Section 8701 "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 474—An act to add Sections 10760, 10761, 10762, and 10763 to the Education Code, relating to pupil records

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 10751 of, and to".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

In line 1, after "SECTION 1 ", insert "Section 10751 of the Education Code is amended to read

10751 No teacher, principal, employee, or governing board member of any public, private, or parochial school providing instruction in any of grades kindergarten through 12 shall permit access to any written records concerning any particular pupil enrolled in the school in any class to any person except under judicial process unless the person is one of the following

(a) Either parent or a guardian of such pupil

(b) A person designated, in writing, by such pupil if he is an adult, or by either parent or a guardian of such pupil if he is a minor.

(c) An officer or employee of a public, private, or parochial school where the pupil attends, has attended, or intends to enroll.

(d) A state or local law enforcement officer, including a probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties

(e) The State Superintendent of Public Instruction, or a member of his staff, or the county superintendent of schools of the county where the pupil attends, has attended, or intends to enroll, or a member of his staff

(f) An officer or employee of a county agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency

(g) An officer or employee of any adoption agency licensed by the Department of Social Welfare, as to a minor placed with or under the supervision of that agency, or another minor from the same family as such minor, or as to children in families for which an investigation by the agency is required under Section 226 6 of the Civil Code

(h) A member of a hearing panel convened by a superintendent of schools pursuant to Section 10761

The restrictions imposed by this section are not intended to interfere with the giving of information by school personnel concerning participation in athletics and other school activities, the winning of scholastic or other honors and awards, and other like information Notwithstanding the restrictions imposed by this section, a governing board may, in its discretion, provide information to the staff of a college, university, or educational research and development organization or laboratory if such information is necessary to a research project or study conducted, sponsored, or approved by the college, university, or educational research and development organization or laboratory and if no pupil will be identified by name in the information submitted for research Notwithstanding the restrictions imposed by this section, an employer or potential employer of the pupil may be furnished the age and scholastic record of the pupil and employment recommendations prepared by members of the school staff

Notwithstanding the restrictions imposed by this section, the names and addresses of pupils, the record of a pupil's daily attendance, the pupil's scholastic record in the form of grades received in school subjects, the names of a pupil's parents or guardian, a pupil's date and

place of birth, and the names and addresses of other schools a pupil has attended may be released to an officer or employee of the United States seeking this information in the course of his duties, when the pupil is a veteran of military service with the United States, or an orphan or dependent of such veteran, or an alien Notwithstanding the restrictions imposed by this section, school personnel of a public, private, or parochial high school may furnish the names and addresses of graduating seniors to elected federal, state, county, or district officials.

SEC. 2."

Amendment No. 4

On page 1, line 5, strike out "and mental maturity".

Amendment No. 5

On page 2, between lines 7 and 8, insert

"The term "factual anecdotal statements" means information about conduct that can be confirmed through objective observation. It shall not include conclusions or inferences drawn from objective conduct where such conclusions or inferences are outside the observer's area of competence."

Amendment No. 6

On page 2, line 8, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 7

On page 2, line 13, strike out "form", and insert ", within 30 days of the refusal, convene".

Amendment No. 8

On page 2, line 26, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 9

On page 2, line 28, after "shall", insert ", in closed session,".

Amendment No. 10

On page 2, line 30, strike out "opinions", and insert "testimony".

Amendment No. 11

On page 2, between lines 34 and 35, insert

"A record of the proceedings shall be maintained in a confidential manner for the duration of the hearing and appeal, if any

The record shall be destroyed at the conclusion of the hearing or appeal, whichever is appropriate.

The proceedings of the hearing or appeal shall not be disclosed or discussed by panel members except in their official capacities"

Amendment No. 12

On page 2, line 35, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 13

On page 2, strike out lines 37 to 40, inclusive; and on page 3, strike out lines 1 to 3, inclusive, and insert

"10763. The hearing panel shall, based on a preponderance of the evidence, determine whether or not the information in question is accurate. Information need not be corroborated by another source to be deemed accurate.

If the hearing panel, by majority vote, determines that the information in question is not accurate, it shall order the superintendent to immediately remove the information from the written records of the pupil."

Amendment No. 14

On page 3, line 5, strike out "need not be removed, then", and insert "in question is accurate,".

Amendment No. 15

On page 3, line 7, after the period, insert "The decision of the hearing panel shall become final if not appealed within the prescribed time limit."

Amendment No. 16

On page 3, line 7, after "shall", insert ", in closed session with the parent or guardian,".

Amendment No. 17

On page 3, lines 8 and 9, strike out "shall be removed.", and insert "in question is accurate. If the governing board determines the information in question is not accurate, it shall order the superintendent to immediately remove the information from the written records of the pupil."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2313: By Assemblyman Stull—An act to add Sections 10098.1 and 10098.2 to the Insurance Code, relating to property insurance.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 61: By Assemblyman Foran—Relative to fringe parking facilities for the San Francisco Bay Area Rapid Transit system

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 62: By Assemblyman Brathwaite—Relative to factory-built housing

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 63: By Assemblyman Wakefield—Relative to a study of the use of natural gas fuel in state-operated motor vehicles.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 64: By Assemblymen Porter, MacDonald, Chappie, Badham, and Barnes—Relative to increased retirement benefits for members of the Public Employees' Retirement System.

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 24: By Assemblyman Wakefield—Relative to federal court jurisdiction in busing cases.

Held at Desk by order of the Acting Speaker.

Hon. Dixon Arnett Presiding

At 4:58 p.m., Hon. Dixon Arnett, 26th District, presiding.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 23, 1972

To: James D. Driscoll
Chief Clerk of the Assembly

Pursuant to the provisions of Assembly Rule 26(d), I hereby designate the Honorable Dixon Arnett, Assemblyman, 26th District, to sign the enrolled copy of Assembly Bill No. 174, in my stead.

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
1951	Criminal Justice
1952	Health
1953	Health
1954	Health
1955	Government Administration
1956	Health
1957	Local Government
1958	Health
1959	Commerce and Public Utilities
1960	Retirement
1961	Commerce and Public Utilities
1962	Urban Development and Housing
1963	Criminal Justice
1964	Urban Development and Housing
1965	Judiciary
1966	Labor Relations
1967	Judiciary
1968	Labor Relations
1969	Education
1970	Transportation

Assembly Bill No.	*Committee*
1971	Government Administration
1972	Government Administration
1973	Natural Resources and Conservation
1975	Retirement
1976	Agriculture
1977	Health
1978	Judiciary
1979	Criminal Justice
1980	Criminal Justice
1981	Finance and Insurance
1982	Education
1983	Education
1984	Elections and Reapportionment
1985	Health
1986	Commerce and Public Utilities
1987	Commerce and Public Utilities
1988	Judiciary
1989	Commerce and Public Utilities
1990	Commerce and Public Utilities
1991	Elections and Reapportionment
1992	Finance and Insurance
1993	Government Administration
1994	Water
1995	Natural Resources and Conservation
1996	Government Administration
1997	Finance and Insurance
1998	Education
1999	Local Government
2000	Government Administration
2001	Water
2002	Water
2003	Judiciary
2004	Labor Relations
2005	Local Government
2006	Governmental Organization
2007	Education
2009	Governmental Organization
2010	Judiciary
2011	Urban Development and Housing
2012	Urban Development and Housing
2013	Local Government
2014	Education
2015	Finance and Insurance
2016	Government Administration
2017	Criminal Justice
2018	Commerce and Public Utilities
2019	Transportation
2020	Education

Assembly Bill No.	*Committee*
2021	Retirement
2022	Commerce and Public Utilities
2023	Government Administration
2024	Urban Development and Housing
2025	Employment and Public Employees
2026	Health
2027	Labor Relations
2028	Labor Relations
2029	Planning and Land Use
2030	Retirement
2031	Finance and Insurance
2032	Urban Development and Housing
2033	Government Administration
2034	Government Administration
2035	Governmental Organization
2036	Judiciary
2037	Judiciary
2038	Judiciary
2039	Local Government
2040	Urban Development and Housing
2041	Finance and Insurance
2042	Finance and Insurance
2043	Finance and Insurance
2044	Finance and Insurance
2045	Finance and Insurance
2046	Finance and Insurance
2047	Criminal Justice
2048	Government Administration
2049	Urban Development and Housing
2050	Retirement
2051	Commerce and Public Utilities
2052	Criminal Justice
2053	Local Government
2054	Transportation
2055	Government Administration
2056	Health
2057	Transportation
2058	Transportation
2060	Natural Resources and Conservation
2061	Government Administration
2062	Transportation
2063	Government Administration
2064	Natural Resources and Conservation
2065	Criminal Justice
2066	Government Administration
2067	Transportation
2068	Criminal Justice
2069	Planning and Land Use

Assembly Bill No.	*Committee*
2070	Natural Resources and Conservation
2071	Finance and Insurance
2072	Labor Relations
2073	Employment and Public Employees
2074	Finance and Insurance
2075	Welfare
2076	Government Administration
2077	Governmental Organization
2078	Urban Development and Housing
2079	Labor Relations
2080	Criminal Justice
2081	Government Administration
2082	Labor Relations
2083	Urban Development and Housing
2084	Urban Development and Housing
2085	Government Administration
2086	Government Administration
2087	Criminal Justice
2088	Government Administration
2089	Welfare
2090	Revenue and Taxation
2091	Education
2092	Government Administration
2093	Education
2094	Finance and Insurance
2095	Transportation
2096	Transportation
2097	Transportation
2098	Finance and Insurance
2099	Criminal Justice
2100	Criminal Justice
2101	Criminal Justice
2102	Criminal Justice
2103	Revenue and Taxation
2104	Judiciary
2105	Judiciary
2106	Judiciary
2107	Judiciary
2108	Judiciary
2109	Planning and Land Use
2110	Planning and Land Use
2111	Transportation
2112	Finance and Insurance
2113	Finance and Insurance
2114	Welfare
2115	Retirement
2116	Government Administration
2117	Commerce and Public Utilities

Assembly Bill No.	*Committee*
2118	Government Administration
2119	Rules
2120	Criminal Justice
2121	Finance and Insurance
2122	Government Administration
2123	Education
2124	Education
2125	Education
2126	Health
2127	Health
2128	Criminal Justice
2129	Retirement
2130	Government Administration
2131	Natural Resources and Conservation
2132	Planning and Land Use
2133	Planning and Land Use
2134	Planning and Land Use
2135	Planning and Land Use
2136	Planning and Land Use
2137	Planning and Land Use
2138	Planning and Land Use
2139	Planning and Land Use
2140	Planning and Land Use
2141	Health
2142	Employment and Public Employees
2143	Government Administration
2144	Health
2145	Health
2146	Government Administration
2147	Natural Resources and Conservation
2148	Natural Resources and Conservation
2149	Elections and Reapportionment
2150	Government Administration
2151	Transportation
2152	Transportation
2153	Transportation
2154	Health
2155	Rules
2156	Education
2157	Natural Resources and Conservation
2158	Agriculture
2159	Agriculture
2160	Governmental Organization
2161	Agriculture
2162	Commerce and Public Utilities
2163	Government Administration
2164	Health

Assembly Bill No.	*Committee*
2165	Commerce and Public Utilities
2166	Health
2167	Criminal Justice
2168	Urban Development and Housing
2169	Natural Resources and Conservation
2170	Elections and Reapportionment
2171	Elections and Reapportionment
2172	Elections and Reapportionment
2173	Elections and Reapportionment
2174	Finance and Insurance
2175	Judiciary
2176	Government Administration
2177	Government Administration
2178	Revenue and Taxation
2179	Labor Relations
2180	Education
2181	Education
2182	Education
2183	Government Administration
2184	Retirement
2185	Retirement
2186	Retirement
2187	Retirement
2188	Retirement
2189	Retirement
2190	Government Administration
2191	Health
2192	Governmental Organization
2193	Finance and Insurance
2194	Judiciary
2195	Governmental Organization
2196	Governmental Organization
2197	Government Administration
2198	Welfare
2199	Ways and Means
2200	Government Administration
2201	Government Administration
2202	Health
2203	Urban Development and Housing
2204	Government Administration
2205	Government Administration
2206	Finance and Insurance
2207	Education
2208	Urban Development and Housing
2209	Finance and Insurance
2210	Education
2211	Natural Resources and Conservation
2212	Water

Assembly Bill No.	*Committee*
2213	Transportation
2214	Health
2215	Finance and Insurance
2216	Welfare
2217	Government Administration
2218	Natural Resources and Conservation
2219	Health
2220	Revenue and Taxation
2221	Natural Resources and Conservation
2222	Finance and Insurance
2223	Government Administration
2224	Welfare
2225	Governmental Organization
2226	Urban Development and Housing
2227	Criminal Justice
2228	Commerce and Public Utilities
2229	Transportation
2230	Urban Development and Housing
2231	Commerce and Public Utilities
2232	Urban Development and Housing
2233	Revenue and Taxation
2234	Natural Resources and Conservation
2235	Education
2236	Education
2237	Natural Resources and Conservation
2238	Elections and Reapportionment
2239	Criminal Justice
2240	Criminal Justice
2241	Urban Development and Housing
2242	Governmental Organization
2243	Local Government
2244	Government Administration
2245	Employment and Public Employees
2246	Government Administration
2247	Government Administration
2248	Finance and Insurance
2249	Government Administration
2250	Transportation
2251	Natural Resources and Conservation
2252	Employment and Public Employees
2253	Education
2254	Government Administration
2255	Revenue and Taxation
2256	Criminal Justice
2257	Education
2258	Criminal Justice
2259	Criminal Justice
2260	Criminal Justice

Assembly Bill No.	*Committee*
2261	Criminal Justice
2262	Criminal Justice
2263	Criminal Justice
2264	Agriculture
2265	Education
2266	Education
2267	Criminal Justice
2268	Criminal Justice
2269	Health
2270	Efficiency and Cost Control
2271	Environmental Quality
2272	Labor Relations

Assembly Constitutional Amendment No.	*Committee*
61	Revenue and Taxation
62	Education
63	Revenue and Taxation
64	Judiciary
65	Revenue and Taxation
66	Government Administration
67	Education
68	Education
69	Revenue and Taxation
70	Revenue and Taxation
71	Revenue and Taxation
72	Revenue and Taxation
73	Employment and Public Employees
74	Education
75	Urban Development and Housing
76	Urban Development and Housing
77	Urban Development and Housing
78	Revenue and Taxation
79	Revenue and Taxation
80	Revenue and Taxation
81	Natural Resources and Conservation
82	Rules
83	Elections and Reapportionment
84	Education
85	Criminal Justice
86	Education
87	Urban Development and Housing
88	Elections and Reapportionment
89	Elections and Reapportionment
90	Retirement
91	Urban Development and Housing
92	Revenue and Taxation
93	Government Administration
94	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
48	Commerce and Public Utilities
49	Transportation
50	Rules
51	Natural Resources and Conservation
52	Welfare

Assembly Joint Resolution No.	*Committee*
21	Rules
22	Transportation

COMMUNICATIONS

Assembly Chamber, March 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 174—An act to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081.5 to, and to repeal Sections 1081 and 1081.5 of, the Education Code, relating to school field trips and excursions, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., March 23, 1972.

JAMES D. DRISCOLL, Chief Clerk

ADJOURNMENT

At 5 p.m., pursuant to the provisions of Assembly Concurrent Resolution No. 40, Acting Speaker Arnett declared the Assembly adjourned until 11 a.m., Monday, April 3, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Forty-ninth Legislative Day

Ninety-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 3, 1972

Pursuant to the provisions of Assembly Concurrent Resolution No. 40, the Assembly met at 11 a.m

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.

Mr Wilson seconded the motion.

Motion carried Time, 11 03 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11 12 a m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby,

Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, In this Easter season everything on earth quickens to new life. Your light shines brightly on the faces of men and on the face of springtime earth. We look to the future which You have opened for us, a future filled with hope and promise, filled with the excitement of a world which is ours to build. Your promise to us and our ground for hope is that everything we touch and bring to life will find its fulfillment in Your City of Peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Monagan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Barnes.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 30, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Monday, April 3rd as I will be in consultation with Dr. Seymour Farber, Chief of the University of California at San Francisco, Continuing Education Department.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

March 30, 1972

Hon. Bob Moretti
Speaker of the Assembly
Sacramento, California

Dear Bob: Please excuse me from my legislative duties on the floor of the Assembly on Monday, April 3, 1972.

I will be meeting with labor officials in my district regarding legislation pending now before the Legislature.

Sincerely,

LEO J. RYAN, Assemblyman
Twenty-seventh District

COMMUNICATIONS

The following communication was presented by the Speaker from:

James E. Jensen, Director, Governmental Affairs, the California State Colleges, Sacramento, relative to extension of time for report required by Education Code Section 22524 on enrollment plans and admissions priorities Referred by the Speaker pro Tempore to the Committee on Education.

The following communications were presented by the Chief Clerk from:

William S. Weber, Chief, Office of Transportation Planning and Research, Sacramento, relative to extension of time for report required by House Resolution 106 regarding transportation organization. Referred by the Speaker pro Tempore to the Committee on Transportation.

R. Dean Thompson, Executive Officer, California Water Commission, Sacramento, dated March 20, 1972, transmitting a copy of Water Commission Resolution 72-02 relative to implementation of Water Council's proposed principles and standards for planning water and related land resources Referred by the Speaker pro Tempore to the Committee on Water.

Richard (Dick) Stone, Secretary of State, Tallahassee, Florida, dated March 31, 1972, enclosing certified copy of Senate Memorial No. 227, relative to the choosing of a presiding officer of the United States Senate. Referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS

The following reports were presented by the Speaker:

1971 Annual Report of the California Crime Technological Research Foundation. December 31, 1971.

Above transmitted report, together with letter of transmittal from Douglas E. Roudabush, Executive Officer, California Crime Technological Research Foundation, Sacramento, dated March 27, 1972, referred by the Speaker pro Tempore to the Select Committee on Administration of Justice

Environmental Quality Study Council. (In compliance with Section 16055 of the Government Code.) March 1972.

Above transmitted report, together with letter of transmittal from David L. Baker, Chairman, Environmental Quality Study Council, Sacramento, dated March 17, 1972, referred by the Speaker pro Tempore to the Committee on Environmental Quality.

Seventeenth Annual Report of the California Reciprocity Commission to the California State Legislature. March 20, 1972. (Pursuant to Chap. 1002, Stats. of 1955.)

Above transmitted report, together with letter of transmittal from Robert C. Cozens, Chairman, California Reciprocity Commission, Sacramento, dated March 22, 1972, referred by the Speaker pro Tempore to the Committee on Intergovernmental Relations.

Report to the Governor and the Legislature on the 1971 Ethnic Census of State Employees. March 24, 1972.

Above transmitted report, together with letter of transmittal from Richard L. Camilli, Executive Officer, California State Personnel Board, Sacramento, dated March 24, 1972, referred by the Speaker pro Tempore to the Committee on Employment and Public Employees.

Recommended Standard Data Elements Needed in State Criminal Justice Information Systems. (In accordance with the provisions of Assembly Bill No. 2686, Chapter 1788, Statutes of 1971.) March 29, 1972.

Above transmitted report, together with letter of transmittal from Seth Thomas, Chairman, Interagency Committee to Recommend Minimum Standard Data Elements, Sacramento, dated March 30, 1972, referred by the Speaker pro Tempore to the Select Committee on Administration of Justice.

The following reports were presented by the Chief Clerk:

Annual Report on Public Education in California in 1971. (In accordance with the provisions of the Supplementary Report of the Committee on Conference Relating to the Budget Bill for 1969–1970.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated March 21, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Report on Assembly Concurrent Resolution 27, 1971 Regular Session, Relative to Logging Operations.

Above transmitted report, together with letter of transmittal from James G. Stearns, Director, Department of Conservation, Sacramento, dated March 28, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

Corps of Engineers' Draft Review Report for Flood Control Morrison Creek Stream Group, California. (Pursuant to Sections 450–453, California Water Code.) March 1972.

Above transmitted report, together with letter of transmittal from Paul L Clifton, Project Coordinator, Resources Agency, Sacramento, dated March 31, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Progress Report on the Implementation of the Intergovernmental Welfare Management Information System. For the period January 1971 through February 1972. (As required by Section 11029(d) of the Welfare and Institutions Code.) March 1, 1972.

Above transmitted report, together with letter of transmittal from Robert B. Carleson, Director, Department of Social Welfare, Sacramento, dated March 6, 1972, referred by the Speaker pro Tempore to the Committee on Welfare.

Summer Vocational Education Programs. A Report to the Joint Legislative Budget Committee, as Recommended by the Legislative Analyst.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated March 24, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Demonstration Programs in Intensive Instruction in Reading and Mathematics for Low-achieving Students, 1970–71. (Pursuant to Education Code Section 6497.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated March 24, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Controlled Burns for Environmental Protection. (In response to House Resolution No. 138, 1971.)

Above transmitted report, together with letter of transmittal from James G. Stearns, Director, Department of Conservation, Sacramento, dated March 30, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Appointments to Commissions

March 27, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Wadie Deddeh as my designee to the State Highway Users Tax Study Commission created by Chapter 1557, 1971 Session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

March 27, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman John Dunlap to the Curriculum Development and Supplemental Materials Commission in accordance with the provisions of Chapter 1408, 1971 Session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUEST TO CONSIDER AND ACT ON CONSTITUTIONAL AMENDMENT WITHIN 30 CALENDAR DAYS

The following request to consider and act on a constitutional amendment within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following constitutional amendment may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16 to Article IX thereof, relating to higher education.

KEN MEADE

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2273	Health
2274	Government Administration
2275	Government Administration
2276	Commerce and Public Utilities
2277	Commerce and Public Utilities
2278	Retirement
2279	Retirement
2280	Education
2281	Education
2282	Health
2283	Welfare
2284	Education
2285	Education
2286	Retirement
2287	Government Administration
2288	Education
2289	Commerce and Public Utilities

Assembly Bill No.	*Committee*
2290	Commerce and Public Utilities
2291	Commerce and Public Utilities
2292	Urban Development and Housing
2293	Education
2294	Judiciary
2295	Education
2296	Government Administration
2297	Government Administration
2298	Elections and Reapportionment
2299	Elections and Reapportionment
2300	Water
2301	Revenue and Taxation
2306	Labor Relations
2307	Government Administration
2308	Government Administration
2310	Water
2311	Employment and Public Employees
2312	Water
2313	Finance and Insurance

Assembly Constitutional Amendment No.	*Committee*
95	Rules
96	Elections and Reapportionment

Assembly Concurrent Resolution No.	*Committee*
59	Health
60	Rules
61	Transportation
62	Transportation
63	Transportation
64	Retirement

Assembly Joint Resolution No.	*Committee*
23	Water
24	Rules

Senate Bill No.	*Committee*
83	Judiciary
109	Elections and Reapportionment
149	Transportation
230	Transportation
245	Agriculture

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2314: By Assemblyman Powers—An act to amend Sections 702 and 972 of the Military and Veterans Code, relating to veteran service officers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 65: By Assemblyman Badham—Relative to state-guaranteed loans to small businesses.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, March 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 81—An act to amend Section 22830 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 91—An act to repeal Chapter 32 (commencing with Section 50001) of, and to add Chapter 32 (commencing with Section 50001) to, Division 17 of the Agricultural Code, and to repeal Chapter 536 of the Statutes of 1971, relating to vegetable standards, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4 p m , March 24, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, March 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 10—Relative to the improvement of safety standards for toys;

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of March, 1972, at 4 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, March 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 36—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 1.30 p.m , March 30, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 155
AB No. 254

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 182

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 14

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 33

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 3, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 69
AB No. 92

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 52	AB No. 394	AB No. 429
AB No. 216	AB No. 405	AB No 454
AB No. 323	AB No. 410	AB No. 474
AB No. 359	AB No. 415	
AB No. 392	AB No. 421	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, March 16, 1972

Mr. Speaker. Your Committee on Welfare reports:

ACR No 17

With the recommendation · Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BAGLEY, Chairman

Above resolution ordered on file.

Committee on Governmental Organization

Assembly Chamber, March 27, 1972

Mr. Speaker. Your Committee on Governmental Organization reports:

AB No 279

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports.

AB No. 419

With amendments with the recommendation: Amend, and do pass, as amended.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 33

With the recommendation: That the resolution be re-referred to the Committee on Transportation.

BURTON, Chairman

Above resolution re-referred to the Committee on Transportation.

Committee on Retirement

Assembly Chamber, March 20, 1972

Mr Speaker. Your Committee on Retirement reports:

AB No 460

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading

Assembly Chamber, March 20, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No 444

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 388

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, April 3, 1972

Mr Speaker: Your Committee on Education reports.

AB No. 313

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 495

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 495—An act to amend Section 21712 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, after "shall", insert "knowingly".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, March 27, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 347

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 347—An act to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 11701, 11709, 12501, 23128, 24001.5, 27150, 27160, 38010, 38025, 38115, 38225, and 38280 of, and to repeal Sections 4020, 4452 5, and 11710.5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 6023 of the Revenue and Taxation Code is amended to read:

6203. Except as provided by ~~Section 6292~~ *Sections 6292 and 6293* every retailer engaged in business in this state and making sales of tangible personal property for storage, use, or other consumption in this state, not exempted under Chapters 3 5 or 4 of this part, shall, at the time of making the sales or, if the storage, use, or other consumption of the tangible personal property is not then taxable hereunder, at the time the storage, use, or other consumption becomes taxable, collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board

As respects leases constituting sales of tangible personal property, the tax shall be collected from the lessee at the time amounts are paid by the lessee under the lease.

"Retailer engaged in business in this state" as used in this and the preceding section means and includes any of the following:

(a) Any retailer maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place or other place of business

(b) Any retailer having any representative, agent, salesman, canvasser or solicitor operating in this state under the authority of the retailer or its subsidiary for the purpose of selling, delivering, or the taking of orders for any tangible personal property.

(c) As respects a lease, any retailer deriving rentals from a lease of tangible personal property situated in this state.

SEC 2 Section 6283 of the Revenue and Taxation Code, as amended by Chapter 1816 of the Statutes of 1971, is amended to read

6283. There are exempted from the computation of the amount of the sales tax the gross receipts from the sale of a vehicle subject to identification under Division 16 5 (commencing with Section 38000) of the Vehicle Code or of a vessel or of an aircraft when the retailer is other than a person required to hold a seller's permit pursuant to Article 2 *(commencing with Section 6066)* of Chapter 2 of this part by reason of the number, scope, and character of his sales of such vehicles, vessels or of aircraft, as the case may be *This exemption does not apply to sales of vehicles required to be identified under Division 16 5 (commencing with Section 38000) of the Vehicle Code when the retailer is a person licensed or certificated pursuant to the Vehicle Code as a manufacturer, dealer or dismantler*

SEC 3 Section 6293 of the Revenue and Taxation Code, as amended by Chapter 1816 of the Statutes of 1971, is amended to read:

6293. (a) Except when the sale is by lease, when a vehicle subject to identification under Division 16 5 (commencing with Section 38000) of the Vehicle Code is sold at retail by other than a person ~~holding a seller's permit issued under Section 6067,~~ *licensed or certificated pursuant to the Vehicle Code as a manufacturer, dealer or dismantler or a person required to hold a seller's permit pursuant to Article 2 (commencing with Section 6066) of Chapter 2 of this part by reason of the number, scope, and character of his sales of such vehicles,* the retailer is not required or authorized to collect the use tax from the purchaser, but the purchaser of the vehicle shall pay the use tax to the Department of Motor Vehicles acting for ~~an~~ *and* on behalf of the board pursuant to Section 38211 of the Vehicle Code

(b) If the purchaser does not make timely application to that department, but is subject to penalty because of delinquency in effecting identification or transfer of ownership of the vehicle, he then becomes liable also for penalty as specified in Section 6591 of this code, but no interest shall accrue.

(c) Application to that department by the purchaser shall relieve the purchaser of the obligation to file a return with the board under Section 6452.

SEC. 4. Section 6367 of the Revenue and Taxation Code is amended to read:

6367. There are exempted from the taxes imposed by this part the gross receipts from occasional sales of tangible personal property and the storage, use, or other consumption in this state of tangible personal property, the transfer of which to the purchaser is an occasional sale. This exemption does not apply to the gross receipts from the sale of, or to the storage, use, or other consumption in this state of, a vessel or aircraft, as defined in Article 1 *(commencing with Section 6271)* of Chapter 3.5 of this part, or a vehicle required to be registered under the Vehicle Code *or a vehicle required to be identified under Division 16 5 (commencing with Section 3800) of the Vehicle Code* This section shall not preclude the exemption afforded under Section 6281.

SEC. 5 Section 4020 of the Vehicle Code is".

Amendment No. 3

On page 2, line 10, strike out "SEC. 2 ", and insert "SEC. 6."

Amendment No. 4

On page 3, line 13, strike out "SEC. 3.", and insert SEC. 7."

Amendment No. 5

On page 3, line 19, strike out "SEC 4.", and insert "SEC. 8."

Amendment No. 6

On page 4, line 1, strike out "SEC 5.", and insert "SEC. 9."

Amendment No. 7

On page 4, line 23, strike out "SEC 6.", and insert "SEC. 10."

Amendment No. 8

On page 4, line 35, strike out "SEC. 7.", and insert "SEC. 11 "

Amendment No. 9

On page 5, line 19, strike out "SEC 8 ", and insert "SEC 12."

Amendment No. 10

On page 6, line 3, strike out "SEC 9.", and insert "SEC. 13."

Amendment No. 11

On page 6, line 13, strike out "SEC. 10.", and insert "SEC. 14."

Amendment No. 12

On page 6, line 39, strike out "SEC. 11.", and insert "SEC 15 "

Amendment No. 13

On page 7, line 9, strike out "SEC 12 ", and insert "SEC 16."

Amendment No. 14

On page 7, line 25, strike out "SEC. 13 ", and insert "SEC 17."

Amendment No. 15

On page 7, line 38, strike out "SEC 14 ", and insert "SEC. 18."

Amendment No. 16

On page 8, line 5, strike out "SEC 15.", and insert "SEC. 19."

Amendment No. 17

On page 8, line 28, strike out "SEC 16.", and insert "SEC 20 "

Amendment No. 18

On page 10, line 9, strike out "SEC. 17 ", and insert "SEC. 21 "

Amendment No. 19

On page 11, line 8, strike out "SEC 18.", and insert "SEC. 22."

Amendment No. 20

On page 11, line 20, strike out "SEC. 19.", and insert "SEC. 23."

Amendment No. 21

On page 11, line 39, strike out "SEC. 20.", and insert "SEC. 24."

Amendment No. 22

On page 12, line 33, strike out "SEC 21 ", and insert "SEC 25."

Amendment No. 23

On page 13, line 15, strike out "SEC 22.", and insert "SEC 26."

Amendment No. 24

On page 13, line 17, strike out "SEC 23 ", and insert "SEC 27 "

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, March 24, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

SB No. 111

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 111—An act to amend Section 8213 of the Government Code, relating to recording fees.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, lines 11 and 12, strike out "as prescribed by Section 27361 of the Government Code", and insert "of three dollars ($3)".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, March 27, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports.

AB No. 112

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 112—An act to add Section 19348.5 to the Agricultural Code, relating to animals.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly March 2, 1972, strike out "animal", and insert "horse or horses".

Amendment No. 2

On page 1, line 5, strike out "animal", and insert "horse or horses within a 24-hour period".

Amendment No. 3

On page 2, strike out lines 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, March 21, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 538

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 538—An act to amend Section 8836.5 of the Fish and Game Code, relating to fishing

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "Point Lobos", and insert "Yankee Point".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, March 23, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 469

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 469—An act to add Article 2.5 (commencing with Section 650) to Chapter 2 of Division 1 of the Public Resources Code, relating to foresters

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "and Wood", and insert "Wood, and Chappie".

Amendment No. 2

On page 3, after line 22, insert

"650.9. The board may by regulation adopt such rules and regulations pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code, as it determines are reasonably necessary to enable it to carry into effect the provisions of this article.

651. The board shall consider matters pertaining to the registration of professional foresters at least once every six months at regular meetings and may, as necessary, meet solely for the purpose of considering matters to carry out the provisions of this article.

651 1. The Director of Conservation may appoint such clerical and secretarial employees, technical personnel, and other staff as may be necessary to properly assist the work of the board in carrying out the purposes of this article. Such staff personnel shall be subject to the relevant system and procedures of the state civil service. The provisions of the State Civil Service Act contained in Part 2 (commencing with Section 18500) of Division 5 of Title 2 shall apply to such personnel.

651.2 The board shall keep a complete record of all applications for registration and certification and the board's action thereon

651.3. The board may by regulation provide for the issuance of certificates of specialization in such fields of specialization as the board may by regulation establish

651 4. The board shall establish an examining committee of at least five members composed either of persons selected from its own membership or of professional foresters in good standing appointed by the board and serving at its pleasure, or any combination of such persons. The examining committee shall:

(a) Examine all applicants for registration as professional foresters and for specialty certificates.

(b) Recommend to the board applicants for the license of professional forester and applicants for specialty certificates who fulfill the requirements of this article.

(c) Recommend adoption of such rules and regulations or changes in rules and regulations as may be needed to effect the provisions of this article.

651.5 Professional foresters appointed to serve upon the examining committee shall serve without compensation, but each such member shall be reimbursed for the actual and necessary expenses incurred in the performance of his duties, including travel expenses

651.6 The examining committee shall adhere to the rules and regulations of the board Any applicant for a license pursuant to this article who contends that he has been aggrieved by any action taken by the examining committee with respect to his qualifications may appeal to the board in accordance with rules or regulations prescribed by the board The board on such appeal may administer an oral or written

examination to the applicant as an aid in determining whether the applicant is qualified under the terms of this article.

651.7. On and after July 1, 1973, it shall be unlawful for any person to act in the capacity of, or to use the title of, a professional forester without being registered pursuant to this article, unless exempted from the provisions thereof.

651.8. An applicant for a license pursuant to this article shall apply to the board Such application shall be accompanied by the payment of a fee in an amount fixed by the provisions of this article

651.9. The board shall require an applicant to demonstrate such degree of experience and such general knowledge of the profession of forestry as the board deems necessary for the protection of the public

652 An applicant shall meet all of the following qualifications·

(a) Be of good moral character and have a good reputation for honesty and integrity.

(b) Furnish evidence of having completed seven years of experience in forestry work.

Possession of a degree of bachelor of science, or equivalent degree as determined by the board, with a major in forestry, shall be deemed equivalent to four years of experience in the actual practice of forestry work.

At least three of the seven years of experience shall include having charge of forestry work, or forestry work under the supervision of a person registered, or qualified for, but exempt from, registration under the provision of this article. Work completed prior to July 1, 1973 shall qualify if it was under the supervision of a qualified forester, as defined in Section 650.5. The award of a master of forestry degree shall be acceptable as evidence of one year of such qualifying experience.

(c) Has successfully completed such examination or examinations as are prescribed by the board.

652 1 (a) Examinations shall be given by the board as often as it is deemed necessary, but at least every six months.

(b) The examination may consist of both written and oral portions. A grade of 75 percent shall be necessary for successful completion of the examination.

652.2. An applicant failing in an examination may be examined again upon filing a new application and paying the application fee

652 3. The board shall issue a license without examination to any person who has engaged in the practice of forestry for seven years during the last 12-year period if he makes application to the board within 180 days after the effective date of this article

Such an applicant shall submit letters from two qualified foresters, as defined in Section 650 5, who have carried on such practice in the state for at least 10 years, certifying to the qualifications of the applicant and his experience One year of college education may be substituted for one year of experience, not to exceed four years of the required seven years of experience in the practice of the profession of forestry.

652.4. An applicant may request to be registered as a professional forester and in addition to be certified as a specialist in one or more fields of forestry. Such certification as a specialist shall be granted provided the applicant meets all the requirements established by the board for certification of the specialties requested.

652.5. Licenses and specialty certificates issued pursuant to this article shall expire on July 1 of each year.

652.6 Issuance of a license may be denied if sufficient evidence is received by the board of the commission or doing by the applicant of any act which, if committed or done by a licensee, would be grounds for the suspension or revocation of his license.

652 7. The board may upon its own motion, and shall upon the verified complaint in writing of any person, cause investigation to be made of the actions of any person licensed pursuant to this article, and may temporarily suspend or permanently revoke the license of any person who is guilty of or commits any one or more of the acts or omissions constituting cause for disciplinary action.

652.8. Any accusations against a registrant or a certificant shall be filed within two years after the act or omissions alleged as the ground for disciplinary action. The proceedings under this article shall be conducted in accordance with the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code and the board shall have all the powers granted therein.

652 9. In the event that the board finds against the registrant, or certificant, the board in its decision may do any of the following.

(a) Provide for the immediate complete suspension by the registrant or certificant of all operations as a professional forester during the period fixed by the decision.

(b) Permit the registrant or certificant to complete any or all contracts shown by competent evidence taken at the hearing to be then uncompleted.

(c) Impose upon the registrant or certificant compliance with such specific conditions as may be just in connection with his operations as a professional forester, and may further provide that until such conditions are complied with no application for restoration of the suspended or revoked registration or certification shall be accepted by the board.

653 A registrant or certificant shall be subject to disciplinary action who:

(a) Has been convicted of a felony.

(b) Has been found guilty by the board of any deceit, misrepresentation, violation of contract, fraud, or gross incompetence in his practice.

(c) Has been guilty of any fraud or deceit in obtaining his registration or certification.

(d) Aids or abets any person in the violation of any provisions of this article.

(e) Fails in any material respect to comply with the provisions of this article.

653 1 Any person who violates any of the provisions of this article is guilty of a misdemeanor.

653.2. The fees received pursuant to this article shall be deposited in the Professional Forester Registration Fund in the State Treasury, which fund is hereby created.

653 3. All fees received pursuant to the provisions of this article shall be available, when appropriated by the Legislature, for the administration of this article.

653 4. The amount of fees prescribed by this chapter is that fixed by the following schedule:

(a) The application fee for a license is fifteen dollars ($15).

(b) The license fee and specialty certificate fees shall be set by the board at not less than twenty-five dollars ($25) and not more than one hundred dollars ($100).

(c) The application fee for specialty certificates shall be fifteen dollars ($15).

(d) The fee for issuance of a duplicate license or specialty certificate shall be five dollars ($5)

(e) The annual renewal fee shall be fixed by the board at not less than twenty-five dollars ($25) nor more than one hundred dollars ($100).

(f) The penalty fee for failure to apply for a renewal is five dollars ($5) for each month of delinquency, except that a licensee or certificant may, upon written notice to the board, be granted a withdrawal for a stated period of time without penalty.

(g) Withdrawals cannot exceed five years at any one time. A reinstatment application will be accompanied with a fee of fifteen dollars ($15)

(h) Every registered professional forester who desires to retain his registration on the books of the board shall, on or before the first day of July of each year, pay the renewal fee In return for the payment of the renewal fee, a renewal certificate of registration shall be issued

The amount of fees provided for herein shall be based on a determination by the board of the amount of revenues reasonably necessary to carry out the provisions of this article.

653 5 In case any person defaults in payment of the renewal fee, his registration may be revoked by the board on 60 days' notice in writing from the board, unless within this time the fee is paid, together with penalty, not exceeding the amount fixed by this article Upon payment of the fee and penalty, the board shall reinstate such person's registration."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, March 24, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 492

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 492—An act to amend Section 210 of the Streets and Highways Code, relating to discrimination.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 51 and".

Amendment No. 2

On page 1, line 1, after "SECTION 1 ", insert "Section 51 of the Civil Code is amended to read:

51. This section shall be known, and may be cited, as the Unruh Civil Rights Act.

All persons within the jurisdiction of this state are free and equal, and no matter what their race, color, *sex*, religion, ancestry, or national origin are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

This section shall not be construed to confer any right or privilege on a person which is conditioned or limited by law or which is applicable alike to persons of every color, race, *sex*, religion, ancestry, or national origin.

SEC. 2."

Amendment No. 3

On page 1, line 5, after "race", insert ", sex".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 85

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 85—An act to amend Sections 651, 658, 671, 802, 811, 822, 871, 885, 885.1, 885 3, 886 1, 886.3 as added by Chapter 182 of the Statutes of 1968, 886 3 as amended by Chapter 557 of the Statutes of 1970, 887.2 as added by Chapter 182 of the Statutes of 1968, 887 2 as amended by Chapter 557 of the Statutes of 1970, 888.1, 888 2 as added by Chapter 182 of the Statutes of 1968, 888 2 as amended by Chapter 557 of the Statutes of 1970, 889 3 as added by Chapter 182 of

the Statutes of 1968, 889.3 as amended by Chapter 557 of the Statutes of 1970, 889.4, 890 2 as added by Chapter 182 of the Statutes of 1968, 890.2 as amended by Chapter 557 of the Statutes of 1970, 891 as amended by Section 1 of Chapter 1379 of the Statutes of 1970, 891 as amended by Section 19 of Chapter 1379 of the Statutes of 1970, 891.1 as amended by Section 2 of Chapter 1379 of the Statutes of 1970, 891 1 as amended by Section 20 of Chapter 1379 of the Statutes of 1970, 892, 899 6, 899 7, 6017, 8054 16653 5, 17301, 17303 5, 17654.5, 17655.5, 17664, 17671, 18351, 18351 3, 18352, 18361, 20107, 20400, and 20404 of, to add Sections 750, 897 2, 13381, 15416, 17654, and 17662 to, and to repeal Sections 886, 887, 888, 889, 889.1, 890, 17656, 17660, 17662, 17665, 17665 5, and 18351 1 of, the Education Code, relating to county superintendents of schools and county boards of education, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 21 of the title of the printed bill, after "890," insert "13158, as added by Chapter 2 of the Statutes of 1959, 13159, as added by Chapter 2 of the Statutes of 1959, 13160, as added by Chapter 2 of the Statutes of 1959, 13161, as added by Chapter 2 of the Statutes of 1959, 13161.5, as added by Chapter 1383 of the Statutes of 1961,".

Amendment No. 2

On page 7, line 32, after "election", insert ", unless the charter framed for a county pursuant to the California Constitution provides otherwise".

Amendment No. 3

On page 24, between lines 29 and 30, insert

"SEC. 41 1 Section 13158 of the Education Code, as added by Chapter 2 of the Statutes of 1959, is repealed.

~~13158. The superintendent of schools of each county shall issue to persons in training for the teaching service preliminary certificates of a temporary character.~~

SEC. 41 2. Section 13159 of the Education Code, as added by Chapter 2 of the Statutes of 1959, is repealed.

~~13159. A preliminary certificate shall be issued to the holder of a recommendation from a state college, the University of California, or any private university or college accredited by the State Board of Education to train teachers. The certificate shall specifically authorize the holder to do student teaching and to do supervised field experience in such areas as may be called for in the requirements of the various authorized credentials for public school service without salary from district funds, and no student teaching or supervised field experience may be performed without such a certificate. The holder shall be deemed a certificated employee of the district with respect to acts performed by him at the direction, suggestion, or consent of the certificated~~

~~employees under whose supervision and control the holder performs his duties whether or not such duties are performed entirely in the presence of the employees of the district assigned to supervise the holder.~~

SEC. 41.3. Section 13160 of the Education Code, as added by Chapter 2 of the Statutes of 1959, is repealed.

~~13160. Practice teaching shall be of the same kind, in the same grades, classes, or types of schools as specified in the recommendation.~~

SEC. 41.4. Section 13161 of the Education Code, as added by Chapter 2 of the Statutes of 1959, is repealed.

~~13161. No preliminary certificate shall be granted for a period exceeding two years, nor shall the superintendent of schools collect a fee therefor.~~

SEC. 41.5. Section 13161.5 of the Education Code, as added by Chapter 1383 of the Statutes of 1961, is repealed.

~~13161.5. A certificate to serve as a temporary teacher-assistant shall be issued, by the county superintendent of schools of the county in which the service is to be rendered, to the holder of a recommendation from a university or college accredited by the State Board of Education to train teachers. The certificate shall authorize the holder to serve as a teacher-assistant. No such certificate shall be granted for a period exceeding two years, nor shall the county superintendent of schools collect a fee therefor.~~ "

Amendment No. 4

On page 41, line 2, strike out "__", and insert "17".

Amendment No. 5

On page 41, line 5, strike out "__", and insert "17".

Amendment No. 6

On page 41, line 12, strike out "and 35", and insert ", 35, 41, 41.1, 41.2, 41.3, 41.4, and 41.5".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 123

AB No. 169

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 123—An act to amend Sections 13801, 14440, 14445.5 and 17668.5 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "14440, 14445.5", and insert "13813, 14100, 14111".

Amendment No. 2

In line 1 of the title, after "of", insert ", and to add Section 13803 to,".

Amendment No. 3

On page 2, between lines 5 and 6, insert

"SEC 2 Section 13803 is added to the Education Code, to read:

13803 Provisions shall be made to allow the members of the three local systems to vote for or select the systems under which they will be covered after June 30, 1973, and to provide interim coverage and protection for all such members during the fiscal year 1972–1973 while such selections are being permitted under procedures to be set forth prior to July 1, 1972, or if not set forth by that date, to be made retroactive to such date in other sections of this code.

SEC 3. Section 13813 of the Education Code as added by Chapter 1305 of the Statutes of 1971 is amended to read·

13813 The revision of the State Teachers' Retirement Law, including this section, enacted at the 1971 *and 1972* Regular ~~Session~~ *Sessions* of the Legislature, shall not be construed to affect the structure of the accounts and benefits of persons retired prior to July 1, 1972, or their beneficiaries, except as specifically provided.

SEC 4. Section 14100 of the Education Code as added by Chapter 1305 of the Statutes of 1971 is amended to read.

14100. The school districts and other employing agencies in the state shall contribute monthly to the Teachers' Retirement Fund the following percentages of the total of the salaries upon which members' contributions are based:

(a) For fiscal year ending June 30, 1972	3.2%
(b) For fiscal year ending June 30, 1974	4%
(c) For fiscal year ending June 30, 1975	4.8%
(d) For fiscal year ending June 30, 1976	5 6%
(e) For fiscal year ending June 30, 1977	6.4%
(f) For fiscal year ending June 30, 1978	7.2%
(g) For all fiscal years after June 30, 1978	8%

In a local district only the salaries of those members who are not contributing to the local system shall be included in the preceding computations of total contributions by the district.

SEC. 5. Section 14111 of the Education Code as added by Chapter 1305, Statutes of 1971, is amended to read:

14111 District taxes may be levied and collected annually pursuant to this section by the respective districts at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of taxes for school district purposes.

Such tax is for the purpose of providing funds to make contributions to the Teachers' Retirement Fund required of school districts under Section 14100 *and to local retirement systems, and the rate shall be such as necessary to raise the amount of difference between the estimated amount of contribution needed and the estimated amount of foundation support provided by Section 17668.5*.

The tax *rate* provided by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property in an elementary school district or five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within a high school district or community college district.

In a unified school district the tax *rate* provided by this section shall not exceed fifteen cents ($0.15) per each one hundred dollars ($100) of the assessed value of property within the district.

~~The tax provided by this section shall be further limited by crediting the amount of foundation support provided in Section 17668.5 of the Education Code for retirement contributions.~~

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate provided by this section, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year required by Section 14100.

SEC. 6. Section 17668.5 of the Education Code as added by Chapter 1305, Statutes of 1971 is amended to read.

17668.5. *Except for the areawide foundation programs the* ~~The~~ Superintendent of Public Instruction shall increase the various foundation programs for each school unit of average daily attendance, by sixteen dollars ($16) in the 1972–73 fiscal year and an additional four dollars ($4) in each fiscal year thereafter to a maximum of forty dollars ($40). *The Superintendent of Public Instruction shall compute the increased foundation support pursuant to this section as though no areawide school support programs were in operation in the state* The Superintendent of Public Instruction may adjust the small school foundation programs at the elementary, high school and community college levels in accordance with this increase in the regular foundation program

In addition the Superintendent of Public Instruction shall in making the computation prescribed in ~~Section~~ *Sections* 17702 *and 17951* of the Education Code increase the computational tax in ~~Section~~ *Sections* 17702 *and 17951* by:

(a) Four cents ($0.04) in the 1972–73 fiscal year and an additional one cent ($0.01) in each fiscal year thereafter to a maximum of ten cents ($0.10) in an elementary school district

(b) Two cents ($0.02) in the 1972–73 fiscal year and an additional one-half cent ($0.005) in each fiscal year thereafter to a maximum of five cents ($0.05) in a high school district.

(c) Eight-tenths of one cent ($0.008) in the 1972–73 fiscal year and an additional two-tenths of one cent ($0.002) in each fiscal year thereafter to a maximum of two cents ($0.02) in a community college district.

Further, the Superintendent of Public Instruction shall identify to each school district the amount of increased foundation support granted under this section which shall be used as a limitation on the taxes that may be levied and collected annually under the provisions of Section 14111 of the Education Code."

Amendment No. 4

On page 2, strike out lines 6 to 38 inclusive; and strike out pages 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

Assembly Bill No. 169—An act to amend Sections 20605 and 21252.6 of, and to add Section 22013.2 to, the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 22013.2", and insert "Sections 20750.426 and 22013.3".

Amendment No. 2

On page 2, line 8, strike out the first "in".

Amendment No. 3

On page 2, between lines 14 and 15, insert

"SEC. 1.5 Section 20750.426 is added to the Government Code, to read

20750.426. An employer's contribution to the Retirement Fund in respect to law enforcement members provided by any and all other provisions of this chapter is increased by a sum equal to __ percent of the compensation paid such members."

Amendment No. 4

On page 4, line 23, strike out "22013.2", and insert "22013.3".

Amendment No. 5

On page 4, line 25, strike out "22013.2", and insert "22013.3".

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

MESSAGES FROM THE SENATE

Senate Chamber, March 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 685

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Hon. John T. Knox Presiding

At 11:17 a.m., Hon. John T. Knox, 11th District, presiding.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1140

Mr. Bee was granted unanimous consent that Assembly Bill No. 1140 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Finance and Insurance.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 170, on request of Mr. Bee.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 59 for hearing in the Committee on Revenue and Taxation today.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 230 CONTINUED

Mr. Keysor was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 230 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 155, ordered to third reading.

Assembly Bill No. 254, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 352—An act to amend Section 816 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "policies of automobile or automobile liability insurance, or surety bonds", and insert "any policy of insurance, or surety bond".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 661—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 12101 of", and insert "add Sections 12101 2 and 12101.3 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 12101 2 is added to the Welfare and Institutions Code, to read:

12101.2. Notwithstanding the provisions of Section 12101, a flat 50-percent allowance shall be permitted for the cost of personal income taxes, disability insurance taxes and social security taxes, expenses necessary to produce the income, including the cost of transportation to and from work, meals eaten at work, and union dues, and the cost of tools, equipment and uniforms, when a responsible relative reaches age 60.

SEC. 2. Section 12101.3 is added to the Welfare and Institutions Code, to read:

12101 3. Where there is more than one responsible relative in a family, liability shall be prorated among such responsible relatives in direct proportion to the maximum levels established according to net income under the relatives' contributions scale

In any event, the maximum amount which may be collected from a responsible relative under this article shall be the actual monetary grant paid to the responsible relative's parent pursuant to Sections 12150 and 12151."

Amendment No. 3

On page 1, strike out lines 2 to 7, inclusive; and strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 667—An act to amend Section 12101 of the Welfare and Institutions Code, relating to old age security, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly March 20, 1972, strike out "and Duffy", and insert ", Burton, Duffy, Brown, Mobley, Ray E Johnson, Brathwaite, Chacon, Chappie, Deddeh, Dunlap, Fenton, Leroy F. Greene, Karabian, Ketchum, Knox, LaCoste,

MacDonald, Maddy, McCarthy, Meade, Murphy, Pierson, Porter, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, and Z'berg

(Coauthors: Senators Behr, Carrell, Kennick, Petris, Stiern, and Zenovich)".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 20, 1972, strike out "Section 12101", and insert "Sections 12101 and 12101.1".

Amendment No. 2

On page 4, line 13, after the first "to", insert a comma.

Amendment No. 3

On page 4, between lines 16 and 17, insert

"SEC. 2. Section 12101.1 of the Welfare and Institutions Code, as amended by Chapter 578 of the Statutes of 1971, is amended to read:

12101.1. Relatives' contributions under Section 12101 shall be paid to the county department and be treated by the county as recoveries on aid granted *provided, however, that the exemption of income allowed under Section 11008.1 shall apply to such contributions, which for purposes of Section 11008.1 shall be considered income*."

Amendment No. 4

On page 4, line 17, strike out "SEC. 2", and insert "SEC. 3".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 443—An act to amend Section 2873.5 of the Business and Professions Code, relating to licensed vocational nurses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "for a period of not less than 18 months, of", and insert ", in".

Amendment No. 2

On page 1, line 7, strike out "has been", and insert "was spent".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 227—An act to add Section 11056.1 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, strike out "full".

Amendment No. 2

On page 2, line 16, strike out "for", and insert "of the entire amount of".

Amendment No. 3

On page 2, line 20, strike out "The cost of such"; and strike out lines 21 to 23, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 177—An act to add Section 761.5 to, the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to third reading.

Assembly Bill No. 152—An act to add Part 4 (commencing with Section 19600) to Division 9 of the Agricultural Code, relating to animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Part 4 (commencing with Section 19600) to Division 9", and insert "Chapter 4 5 (commencing with Section 31001) to Division 14".

Amendment No. 2

In line 2 of the title, strike out "animals", and insert "dogs".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 4.5 (commencing with Section 31001) is added to Division 14 of the Agricultural Code, to read:

CHAPTER 4.5 REGISTER

31001. Any person who purchases for resale any dog shall prepare and maintain for at least one year a register containing the description of any such dog received by him, the date on which such dog was received, and the name of the person who delivered such dog.

Such register shall be open to law enforcement personnel, the State Director of Public Health until the operative date of Governor's Reorganization Plan No. 1 of 1970 and on and after such date the Director of Health, local health officers, the director, and commissioners."

Amendment No. 4

On page 1, strike out line 2; and strike out page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 90—An act relating to the study of amphetamines.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "amphetamines", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, line 1, strike out "State Board of Medical Examiners", and insert "Board of Medical Examiners of the State of California, the State Board of Pharmacy, the State Department of Public Health, and the Department of Justice".

Amendment No. 3

On page 1, line 2, after "shall", insert "jointly form a panel to".

Amendment No. 4

On page 1, between lines 8 and 9, insert

"SEC. 2. Each of the above-mentioned state agencies shall appoint one representative to serve on the panel.

SEC. 3. The person to be appointed to represent the State Department of Public Health shall be the panel's coordinator.

SEC. 4. The State Department of Public Health shall provide the necessary clerical and administrative support for the panel.

SEC. 5. The Board of Medical Examiners of the State of California shall invite a member of the faculty of an accredited medical school in this state to participate on the panel, and that such person shall have taught in that school's department of pharmacology."

Amendment No. 5

On page 1, line 9, strike out "The State Board of Medical Examiners", and insert

"SEC. 6. The panel".

Amendment No. 6

On page 1, line 10, strike out "legislative", and insert "calendar".

Amendment No. 7

On page 2, between lines 3 and 4, insert

"SEC. 7. There is hereby appropriated to the State Department of Public Health _____ to enable the department to carry out the provisions of this act."

Amendment No. 8

On page 2, line 4, strike out "SEC. 2", and insert "SEC. 8".

Amendment No. 9

On page 2, line 5, strike out "legislative", and insert "calendar".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 377—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 20, insert

"For the purposes of this article, a "trained life scientist" is a certificated employee of the district who has a major or minor in a life science."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 409—An act to amend Section 10601.5 of, and to add Section 10601.6 to, the Education Code, relating to pupil discipline.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "10", and insert "5".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 342—An act to add Article 1 (commencing with Section 24725) to Chapter 13 of Division 18 of the Education Code, relating to Fresno State College.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "trustees", and insert "Director of General Services, with the approval of the State Public Works Board and the Trustees of the California State Colleges and University,".

Amendment No. 2

On page 2, line 5, strike out "renting, leasing", and insert "rental, lease".

Amendment No. 3

On page 2, line 8, strike out "or other property".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 13, ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 155

Mr. Duffy was granted unanimous consent to take up Assembly Bill No. 155, without reference to file, for purpose of consideration at this time.

Consideration of Assembly Bill No. 155

Assembly Bill No. 155—An act to amend Sections 2147, 2177 5, and 2178 of, to add Article 4.6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193.7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Speaker pro Tempore Presiding

At 11:24 a.m., Hon. Carlos Bee, 13th District, presiding.

The question being on the adoption of the urgency clause to Assembly Bill No. 155.

Urgency clause adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E.

Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 182.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 6, 27, 31, 50, 92, 99, 108, 111, 131, 132, 133, 139, 148, 151, 164, 168, 176, 181, 200, 211, 213, 221, 222, 226, 235, 239, 240, 241, 243, 245, 251, 252, 256, 270, 282, 291, 312, 368, 379, 390, 392, 398, 449, 635, 646, and 800, and Assembly Concurrent Resolutions Nos 18, 21, 22, 25, 27, 29, and 35, for hearing in the Committee on Ways and Means, on Wednesday, April 5, 1972.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 3, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 96
AB No. 221
AB No. 222

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 96—An act to amend Sections 7026, 7027, 7045, and 7046 of the Business and Professions Code, relating to contracting.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly March 21, 1972, strike out "Assemblyman Harvey Johnson", and insert "Assemblymen Harvey Johnson and Moretti".

Amendment No. 2

On page 2, line 37, strike out "and when", and insert "or when he performs".

Amendment No. 3

On page 3, line 1, strike out "is performed".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 221—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to unemployment benefits, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Assembly March 13, 1972, after "benefits," insert "making an appropriation therefor,".

Amendment No. 2

On page 6, strike out lines 13 and 14.

Amendment No. 3

On page 6, strike out lines 19 and 20, and insert

"SEC. 9. There is hereby appropriated from the General Fund to the Department of Human Resources Development the sum of one hundred twenty-five thousand dollars ($125,000) for the purposes of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 222—An act to repeal Chapter 2 5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2.5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 10 to 16, inclusive, and insert

"It is the purpose of this act to enable persons who have not applied for or received such a refund to claim an in-lieu credit against their state personal income taxes for taxable years beginning after December 31, 1971, and before January 1, 1973."

Amendment No. 2

On page 2, line 27, strike out "may be taken", and insert "shall be allowed".

Amendment No. 3

On page 3, line 27, strike out "or refundable".

Amendment No. 4

On page 3, strike out lines 31 to 36, inclusive, and insert "refund or applied for a refund."

Amendment No. 5

On page 4, strike out lines 2 to 19, inclusive, and insert "17041 or 17048 minus the credits provided by this part except the credit provided by Section 18551.1 (relating to wage withholding credit)."

Amendment No. 6

On page 4, line 25, strike out "Section", and insert "Sections",

Amendment No. 7

On page 4, strike out line 26, and insert "income), 17065 (relating to sales or use tax credit) and 18551.1 (relating to wage withholding credit)."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

ACR No 21

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 21—Relative to excess highway property in the City of West Covina.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed measure, strike out lines 8 to 11, inclusive.

Amendment No. 2

On page 2, line 14, strike out "actual", and insert "exact".

Amendment No. 3

On page 2, line 27, after "Covina", insert ", between the east side of Lark Ellen Avenue and the west side of Hollenbeck Street,".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

RUSH ORDER PLACED UPON PRINTING OF BILLS

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 96, 221, and 222, and Assembly Concurrent Resolution No. 21, and that the bills be considered engrossed.

ANNOUNCEMENTS

Mr. Brown announced that the Committee on Ways and Means would hold a special meeting on Tuesday, April 4, at 9 a.m., to consider Assembly Bill No. 77, the Budget Bill.

REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 77 FOR SPECIAL ORDER

Mr. Brown was granted unanimous consent that Assembly Bill No. 77 be made a special order of business for Thursday, April 6, 1972, at 2 p.m.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2008 for hearing in the Committee on Criminal Justice, on Tuesday, April 4, 1972.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 298—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes,

Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 430—An act to amend Section 1042.1 of the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Bee informed the Members that Sergeant at Arms Sonny Hollenbeck had suffered a heart attack on Friday, and is presently confined in the intensive care unit of the Mercy Hospital, 41st and J Streets, Sacramento.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 442—An act to amend Section 1197 of the Military and Veterans Code, relating to memorial districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad,

Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 362—An act to amend Section 71341 of the Government Code, relating to justice courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Burke, Cline, Collier, Conrad, Crown, Cullen, Dent, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, Lanterman, MacDonald, MacGillivray, Maddy, McCarthy, Monagan, Murphy, Pierson, Porter, Priolo, Seeley, Stacey, Stull, Townsend, Warren, and Wood—42

NOES—Briggs, Burton, Chacon, Chappie, Cory, Davis, Deddeh, Duffy, Dunlap, Keysor, LaCoste, Lewis, McAlister, Moorhead, Powers, Quimby, Russell, Wakefield, Wilson, and Z'berg—20.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76—An act to amend Sections 24351 and 24352 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (c) of Section 7 of Article IV thereof, relating to meetings of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—Miller and Stacey—2.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 17

Mr. Ketchum was granted unanimous consent to take up Assembly Bill No 17 out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 17

Assembly Bill No. 17—An act to add Sections 9027, 9028, 9029, 9030, 9031, 9032, and 9033 to the Government Code, relating to meetings of the Legislature.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—Miller and Stacey—2.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1½ of Article XIII thereof, relating to the veterans' exemption from property taxation.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 14 of Article IX thereof, relating to the power of school district boards in regard to educational programs.

Resolution read.

Demand for Previous Question

Messrs Cory, Deddeh, Dent, MacGillivray, and Pierson demanded the previous question Demand sustained.

Hon. Ken Cory Presiding

At 12:02 p m , Hon. Ken Cory, 69th District, presiding.

The question being on the adoption of Assembly Constitutional Amendment No. 26.

Resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Green, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—Wakefield—1

Resolution ordered transmitted to the Senate.

Assembly Bill No. 438—An act to add Section 995 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—Dunlap and Miller—2

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fen-

ton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—Dunlap and Miller—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 272—An act to add Section 7503 to the Education Code, relating to educational programs.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—Wakefield—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 702—An act to add Article 10 (commencing with Section 72450) to Chapter 8 of Title 8 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—Miller—1

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox,

LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—Miller—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 263

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 3, 1972

Mr Speaker · Your Committee on Local Government reports:

AB No. 329

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 673

With author's amendments with the recommendation. Amend, and refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 673—An act to repeal Section 10854 of, and to add Section 10854 to, the Education Code, relating to pupils.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 13557 of,".

Amendment No. 2

On page 2, line 10, strike out " , but any such"; and strike out lines 11 to 23, inclusive, and insert a period.

Amendment No. 3

On page 2, after line 23, insert

"SEC 3. Section 13557 of the Education Code is amended to read·

13557. Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess ~~A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. The provisions of this section are in addition to and do not supersede the provisions of Section 10851 of this code.~~ "

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 3, 1972

Mr Speaker: The Chairman of your Committee on Education reports

AB No. 666

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 666—An act to add Chapter 7 (commencing with Section 22800) to Division 16.5 of the Education Code, relating to student residency

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Sections 20201, 23751, 23754, 23754 2, 23754 3, 25505 7, and 25505 8 of, to".

Amendment No. 2

In line 2 of the title, after "16 5 of", insert ", and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059,. 23753 2, 23754 4, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758 1, 23758 2, 23758 3, 23761, 25505, 25505 1, 25505 2, and 25505.9 of,".

Amendment No. 3

On page 1, line 1, after "SECTION 1.", insert "Section 20201 of the Education Code is amended to read:

20201. Not later than August 8th of each year, the superintendent of schools of each county in which there is not a county community college shall certify the following items to the board of supervisors and to the county auditor of the county in accordance with the rules and regulations of the Superintendent of Public Instruction, which he is hereby authorized to adopt:

(a) The total current expense of education, exclusive of the expense for transportation of students, during the next preceding fiscal year of all nondistrict resident community college students, as defined in ~~Sections 25505 and 25505.1~~ *Section 22815*, less state basic aid and federal apportionments received during the next preceding fiscal year for such community college students.

(b) The actual expense of transportation of such students not reimbursed by the state.

(c) An amount equal to three hundred dollars ($300) per unit of average daily attendance of such students during the preceding fiscal year for the use of buildings and equipment.

(d) The estimated amount needed as specified in subdivisions (a), (b), and (c) of this section for the current year.

The Superintendent of Public Instruction shall define, for the purposes of this section, the term "current total expense of education" and the term "actual expense of transportation."

If during any fiscal year the county superintendent of schools determines that an amount of at least one hundred dollars ($100) more or an amount at least one hundred dollars ($100) less than was required under either subsection (a), (b), or (c) of this section was certified to the board of supervisors and the county auditor during a prior fiscal year, such amount shall, not later than the third succeeding fiscal year, be deducted from or added to the amount otherwise certified for subdivisions (a), (b), or (c) for the current fiscal year, as appropriate.

SEC. 2."

Amendment No. 4

On page 1, strike out line 5, and insert

"CHAPTER 7. UNIFORM STUDENT RESIDENCY REQUIREMENTS

Article 1. General Provisions

22800. It is the intent of the Legislature that the public institutions of higher education shall apply uniform rules, as set forth in this chapter and not otherwise, in determining whether a student shall be classified as resident or a nonresident.

Article 2 Definitions

22805 The definitions set forth in this article shall govern the construction of this chapter.

22806 "Institution" means the University of California, the California State University and Colleges, and the California Community Colleges.

22807. "Governing board" means the Regents of the University of California, the Trustees of the California State University and Colleges, or the Board of Governors of the California Community Colleges

22808 "District governing board" means the governing board of a district maintaining one or more community colleges.

22809 "Parent" means a minor's father; or if he has no father, his mother; or, if both parents are deceased, his legal guardian.

22810. "Student" means a person enrolled in or applying for admission to an institution.

22811. "Continuous attendance," as it refers to attendance at an institution, means a student claiming continuous attendance who has been enrolled full time for a normal academic year at such institution since the beginning of the period for which continuous attendance is claimed, as determined by the governing board. Nothing in this section shall require a student to attend summer sessions or other terms beyond the normal academic year in order to render his attendance "continuous."

22812. A "resident" is a student who has residence in the state for more than one year immediately preceding the residence determination date.

22813. A "nonresident" is a student who does not have residence in the state for more than one year immediately preceding the residence determination date.

22814 A "district resident" is a resident who has residence within a district in the state.

22815 A "nondistrict resident" is a resident who does not have residence within a district in the state.

22816 "District" means a school district maintaining or formed to maintain one or more community colleges

22817. "Resident classification" means classification as a resident at the University of California and the California State University and Colleges, and as a district resident at a California community college

22818 "Residence determination date" is a date immediately preceding the initiation of a semester, quarter, or term established by the governing boards to determine a student's residence

Article 3. Classification

22835 Each student shall be classified as·· (a) a resident or nonresident at the University of California and the California State University and Colleges, or (b) a district resident, nondistrict resident or nonresident at the California Community Colleges

22836. Each student enrolled or applying for admission to an institution shall provide such information and evidence of residence as deemed necessary by the governing board to determine his classification The determination of a student's classification shall be made in accordance with the provisions of this chapter and the residence determination date for the semester, quarter, or term for which the student proposes to attend an institution.

22837. The governing board or district governing board may appoint persons to administer oaths or affirmations in connection with taking testimony necessary to ascertain a student's classification.

22838 The governing boards shall adopt rules and regulations for determining a student's classification and for establishing procedures for review and appeal of that classification Such rules and regulations shall include, but are not limited to, the evidence necessary to determine residence, procedures for obtaining residence information and procedures for administering oaths in connection with taking of testimony relative to residence.

Article 4. Nonresident Tuition

22840. A student classified as a nonresident shall be required, except as otherwise provided in this chapter, to pay nonresident tuition. Such tuition shall be uniform within each type of institution and shall be approved by the governing board.

22841. Unless otherwise provided by law, the governing board shall adopt rules and regulations relating to the method of calculation of the amount of tuition, the method of payment, and the method and amount of refund.

Article 5 Determination of Student Residence

22845. Every person has, in law, a residence.

22846. Every person who is married or 18 years of age, or older, and under no legal disability to do so, may establish residence.

22847. In determining the place of residence the following rules are to be observed:

(a) There can only be one residence.

(b) A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.

(c) A residence cannot be lost until another is gained.

(d) The residence can be changed only by the union of act and intent.

(e) A man or a woman may establish his or her residence.

(f) The residence of the father during his life, and after his death the residence of the mother, while she remains unmarried, is the residence of the unmarried minor child, provided that when the parents are permanently separated, the residence of the parent with whom an unmarried minor child maintains his place of abode is the residence of such unmarried minor child and provided further that a minor may establish his residence when both parents are deceased and a legal guardian has not been appointed

(g) The residence of an unmarried minor who has a parent living cannot be changed by his own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control

Article 6. Exceptions to Residence Determination

22850. A student who is a minor and remains in this state after his resident parent moves from this state to establish residence elsewhere shall be entitled to retain his resident classification until he has

attained the age of majority and has resided in the state sufficient time to be able to establish his own residence, so long as he maintains continuous attendance at an institution.

22851. A student who is a minor and who provides evidence that he is entirely self-supporting and does not receive any financial assistance from his parent or legal guardian shall be entitled to establish his own residence if he meets the other provisions of this chapter.

22852 A student whose parent or spouse is a member of the armed forces and stationed in this state on active duty shall be entitled to resident classification until he has attained the age of majority and resided in the state sufficient time to be able to establish his own residence, so long as he maintains continuous attendance at an institution. Such a student, while in continuous attendance at an institution toward a degree for which he is currently enrolled, shall not lose his residence when his parent is thereafter transferred on military orders to a place where the parent or spouse continues to serve in the military service of the United States until he has attained the age of majority and resided in the state sufficient time to be able to establish his own residence, so long as he maintains continuous attendance at an institution.

22853 A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces specifically assigned for educational purposes to state-supported institutions of higher education, shall be entitled to resident classification.

22854. A student who is an alien shall be entitled to resident classification if he has been lawfully admitted to the United States for permanent residence in accordance with all applicable laws of the United States, provided, that he has had residence in the state for more than one year after such admission prior to the residence determination date for the semester, quarter, or term which he proposes to attend an institution.

22855. A student who is a minor alien shall be entitled to resident classification if his parent has been lawfully admitted to the United States for permanent residence in accordance with all applicable laws of the United States, provided, that the parent has had residence in the state for more than one year after such admission prior to the residence determination date for the semester, quarter, or term which the minor alien proposes to attend an institution

22856. A student holding a valid credential authorizing service in the public schools of this state who is employed by a school district in a full-time position requiring certification qualifications for the school year in which the person enrolls in an institution shall be entitled to resident classification if such person meets any of the following requirements:

(a) Holding of a provisional credential and enrollment at an institution in courses necessary to obtain another type of credential authorizing service in the public schools

(b) Holding a credential issued pursuant to Section 13197 3 and enrollment at an institution in courses necessary to fulfill credential requirements.

(c) Enrollment at an institution in courses necessary to fulfill the requirements for a fifth year of education prescribed by Section 13184.

22857 A student who is a full-time employee of an institution or a student who is a child or spouse of a full-time employee of an institution may be entitled to resident classification, as determined by the governing boards, until he has attained the age of majority and resided in the state sufficient time to be able to establish his own residence.

22858. A student who is an apprentice, as defined in Section 3077 of the Labor Code, shall be entitled to resident classification for attendance at the California Community Colleges.

Article 7. Miscellaneous Provisions

22860. The governing boards and district governing boards may waive nonresident tuition in whole or in part pursuant to Sections 23754, 23754.3, 23754.4, and 25505 8.

22861. The governing boards and district governing boards may enter into agreements with appropriate agencies and institutions of higher education in other states and foreign countries providing for the reciprocal exchange of students in higher educational institutions in this state and other states or countries pursuant to Sections 23758 2 and 25505 8

22862. A person in continuous attendance at an institution who has resident classification on the effective date of this chapter shall not lose such classification as a result of this chapter until the attainment of the degree for which he is currently enrolled.

Article 8. Rules and Regulations

22865. The governing boards shall adopt appropriate rules and regulations to insure the orderly implementation of this chapter

The residence determination date and rules and regulations adopted by governing boards pursuant to this chapter shall be published by the governing boards in their respective institutional catalogs

It is the intent of the Legislature that the governing boards, insofar as possible, adopt uniform rules and regulations, to insure consistent application of residency requirements among all institutions

SEC. 3. Section 23054 of the Education Code is repealed

~~23054. "A resident student" means any person who has been a bona fide resident of the state for more than one year immediately preceding the opening day of a semester during which he proposes to attend the university.~~

~~The residence of each student shall be determined in accordance with the rules for determining residence prescribed by Sections 243 and 244 of the Government Code. The residence of an unmarried minor who has a parent living cannot be changed by either his own act or that of his guardian, except that:~~

~~(a) Where immediately prior to first entering any California institution of higher learning the minor child has lived with and been in the continuous direct care and control of any person or persons other than a parent for a period of not less than two years, the residence of the minor child is the residence of the person or persons having~~

~~such care and control after the expiration of that two years. As used in this subdivision, "California institution of higher learning" means any public or private university, college, or community college in the state.~~

~~(b) Any person who qualifies for residence status under subdivision (a) of this section or under Sections 243 and 244 of the Government Code shall not lose such residence status by virtue of his marriage to a nonresident who lives in California nor shall such person be required to reestablish residency upon reaching his or her majority.~~

~~(c) Any minor child, a citizen of the United States, or any alien, who is a minor child, who has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States, who does not receive and has not for a period of more than one year immediately preceding the opening day of a semester during which he proposes to attend the university received, directly or indirectly, any support or financial assistance from his father, if the minor lives with his mother, who is and has been for a period of more than one year immediately preceding the opening day of the semester actually present in the state with the intention of making her permanent home therein, is a resident student.~~

SEC. 4. Section 23055 of the Education Code is repealed.

~~23055. Every alien student is deemed to be a nonresident student unless he has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States.~~

~~Nothing in this section or in Sections 243 and 244 of the Government Code prevents the regents from causing to be classified as a resident student any alien who has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States or any citizen of the United States if such citizen or alien has attained his majority in accordance with the laws of this state and for a period of one year immediately preceding the opening day of a semester during which he proposes to attend the university has been entirely self-supporting and actually present in the State, with the intention of acquiring a residence therein.~~

SEC. 5 Section 23056 of the Education Code is repealed.

~~23056. The general counsel for the Regents of the University of California and any person appointed by him for the purpose of ascertaining the residence status of students and prospective students of the university may administer oaths or affirmations in connection with the taking of testimony relative to any residence status.~~

SEC. 6 Section 23057 of the Education Code is repealed

~~23057. Any unmarried minor whose parent is in the active military service of the United States of America or any student whose spouse is in the active military service of the United States of America and is stationed in this state on the opening day of the semester during which the unmarried minor or spouse proposes to attend the university shall, for the purposes of this article (commencing with Section 23051), be deemed to be a resident of this state for such semester. Any student so deemed to be a resident of this state shall not lose such status by reason of the removal from the state of the parent or spouse on whom he is~~

~~dependent, provided that such removal of the parent or spouse is pursuant to military order and involves transfer of the parent or spouse directly to a place outside of the United States where the parent or spouse continues to serve in the military service of the United States of America. Any admission fee or rate of tuition required of such unmarried minor or spouse shall not exceed the amount required of a resident student enrolled in the same course as such unmarried minor or spouse. Parent, for the purposes of this section, means the natural father during his lifetime and after his death, the natural mother of the unmarried minor, or an adopting parent.~~

SEC. 7. Section 23058 of the Education Code is repealed

~~23058. Any person holding a valid credential authorizing service in the public schools of this state who is employed by a school district in a full-time position requiring certification qualifications for the school year in which the person enrolls in the University of California shall be deemed to be a resident student of the University of California for the purposes of admission fees and rates of tuition if any of the following apply to the person:~~

~~(a) He holds a preliminary credential and enrolls at the University of California in courses necessary to obtain another type of credential authorizing service in the public schools.~~

~~(b) He holds a credential of the types designated in Section 13125 and enrolls at the University of California in courses necessary to fulfill postponed credential requirements.~~

~~(c) He enrolls at the University of California in courses necessary to fulfill the requirements for a fifth year of college or university education prescribed by subdivision (b) of Section 13130.~~

SEC. 8. Section 23059 of the Education Code is repealed.

~~23059. Any female who is a California resident shall not lose such residence status for the purposes of admission fees and rates of tuition of the University of California by virtue of her marriage to a nonresident who is a member of the armed forces of the United States and who is required to serve outside of this state.~~

SEC. 9. Section 23751 of the Education Code is amended to read:

23751 The trustees may by rule require all persons to pay *application fees and such* fees, rents, deposits, and charges for services, facilities or materials provided by the trustees to such persons, except that fees relating to parking shall be subject to the approval of the Director of General Services. The trustees may, by rule, provide for the method of collecting such fees, rents, deposits, and charges, and may, by rule, provide for the refund in whole or part of such fees, rents, deposits, and charges collected in error or collected for facilities, services, or materials not utilized.

SEC 10. Section 23753.2 of the Education Code is repealed

~~23753.2. Except where otherwise specifically provided, all determinations of a student's status as a resident or nonresident, shall be based upon such status on the resident determination date, which date is defined as the last day a student may register at any state college without payment of a late registration fee, for the term during which he proposes to attend a state college. The trustees shall periodically determine and publish the residence determination date.~~

SEC. 11. Section 23754 of the Education Code is amended to read:

23754 (a) Except as otherwise specially provided, an admission fee and rate of tuition fixed by the trustees shall be required of each nonresident student The rate of tuition to be paid by each nonresident student, *as defined in Section 22813,* shall not be less than three hundred sixty dollars ($360) per year; ~~except that the rate of tuition to be paid by each nonresident student who is a citizen and resident of a foreign country and not a citizen of the United States shall be two hundred fifty-five dollars ($255) per year through the 1969-70 academic year. Commencing with the 1970-71 academic year, the~~ *The* rate of tuition paid by each nonresident student who is a citizen and resident of a foreign country and not a citizen of the United States, except as otherwise specifically provided, shall be fixed by the trustees and shall not be less than three hundred sixty dollars ($360) per year The tuition fee for a nonresident student who is a citizen and resident of a foreign country and who was in attendance at a state *university or* college during the fall term of 1969, may be waived by the trustees if they determine that the increased tuition fee will cause a severe financial hardship on the student Such waivers may be granted through the spring term of 1973 or until the student receives a baccalaureate degree, whichever occurs first.

(b) The trustees may waive entirely, or reduce below the rate, or the minimum rate, fixed by this section, the tuition fee of a nonresident student who is a citizen and resident of a foreign country and not a citizen of the United States and who attends a state *university or* college under an agreement entered into by a governmental agency or a nonprofit corporation or organization with a similar agency, or corporation or association, domiciled in and organized under the laws of a foreign country, where a principal purpose of the agreement is to encourage the exchange of students with the view of enhancing international good will and understanding The trustees shall, in each instance, determine whether the conditions for such exemption from fees exist and may prescribe appropriate procedures to be complied with in obtaining the exemption

~~No admission fee or tuition fee shall be required of any nonresident student who is a full-time employee of the California State Colleges or who is the child or spouse of a full-time employee of the California State Colleges.~~

SEC 12. Section 23754 2 of the Education Code is amended to read

23754 2. The trustees have the power, on the basis of demonstrated financial need and scholastic achievement, to waive entirely, or to reduce below the rate, or the minimum rate, fixed by Section 23754, the tuition fee of a nonresident student, *as defined in Section 22813,* who is a citizen and resident of a foreign country who is an undergraduate student of exceptional scholastic ability and prior scholastic achievement who is enrolled in a course of study of no less than 10 semester units.

The number of reductions and waivers granted by the trustees under this section shall at no time exceed 7½ percent of the nonresident undergraduate students who are citizens and residents of a foreign country, then enrolled in the California State *University and* Colleges.

~~The provisions of this section shall become operative commencing with the 1970–71 academic year.~~

SEC 13 Section 23754 3 of the Education Code is amended to read.

23754 3 The trustees shall have the power, on the basis of demonstrated financial need and scholastic achievement, to waive entirely, or to reduce below the rate, or the minimum rate, fixed by Section 23754, the tuition fee of a nonresident student or a nonresident student, *as defined in Section 22813,* who is a citizen and resident of a foreign country who is a graduate student of exceptional scholastic ability and prior scholastic achievement who, while not employed full time by a *university or* state college, is employed 20 hours or more a week by a *university or* state college or is enrolled in a course of study of not less than 10 semester or quarter units

The number of reductions and waivers granted by the trustees under this section shall at no time exceed twenty-five percent (25%) of the nonresident graduate students, including nonresident graduate students who are citizens and residents of a foreign country, then enrolled in the California State *University and* Colleges.

SEC. 14. Section 23754 4 of the Education Code is repealed

~~23754.4. Notwithstanding any provision in this chapter to the contrary, the trustees may defer the collection of tuition charged to nonresident students who are citizens and residents of a foreign country as follows:~~

~~(a) The amount which may be deferred may not exceed the excess in the amount of tuition required which is in excess of six hundred dollars ($600) per academic year.~~

~~(b) No payment may be deferred beyond a date 30 days prior to the end of the academic term for which it is due, and payment of the deferred amount shall be a condition to the student's completion of that academic term.~~

~~(c) In order to qualify for the deferment authorized by this section, a student must have been enrolled in the California State Colleges during the fall term of the 1970–1971 college year or have been accepted for admission on or before November 21, 1970, to a state college for a subsequent term during the 1970–1971 college year, and must remain in continuous attendance as a full-time student making normal progress toward a degree objective, and must not have been awarded a baccalaureate degree or graduate degree from the California State Colleges subsequent to the fall term of the 1970–1971 college year.~~

~~This section shall remain in effect until June 30, 1974, and shall have no force or effect after this date.~~

SEC 15 Section 23755 of the Education Code is repealed.

~~23755. Any unmarried minor whose parent is in the active military service of the United States of America and is stationed in this state on the residence determination date, and any unmarried minor who is a bona fide resident of the State of California and is a dependent of a~~

~~parent or guardian who is in the active military service of the United States of America but is stationed outside the continental limits of the United States on such residence determination date shall, for the purposes of Section 23604 to 23607, inclusive, Sections 23751 to 23803, inclusive, Sections 24051 to 24102, inclusive, and Sections 24451 to 24453, inclusive, be deemed to be a resident of this state for the term for which he is registering. Any admission fee or rate of tuition required of such person shall not exceed the amount required of a resident student enrolled in the same courses as such person.~~

SEC. 16. Section 23755.1 of the Education Code is repealed

~~23755.1. Any person who is a bona fide resident of the State of California and whose spouse is in the active military service of the United States of America but is stationed outside the continental limits of the United States on the residence determination date shall, for the purposes of Sections 23604 to 23607, inclusive, Sections 23751 to 23803, inclusive, Sections 24051 to 24102, inclusive, and Sections 24451 to 24453, inclusive, be deemed to be a resident of this state for the term for which such person is registering. Any admission fee or rate of tuition required of such person shall not exceed the amount required of a resident student enrolled in the same course as such person.~~

SEC 17 Section 23755 5 of the Education Code is repealed.

~~23755.5. A person is a resident student of this state for the year immediately following the date he becomes 21 years of age if he was deemed to be a resident student pursuant to Section 23755 on the residency determination date immediately preceding the date he became 21 years of age.~~

SEC. 18. Section 23756 of the Education Code is repealed.

~~23756. "A resident student" means any person who has been a bona fide resident of the state for more than one year immediately preceding the residence determination date.~~

~~The residence of each student shall be determined in accordance with the rules for determining residence prescribed by Sections 243 and 244 of the Government Code. The residence of an unmarried minor who has a parent living cannot be changed by either his own act or that of his guardian, except that:~~

~~(a) Where immediately prior to enrolling in any California institution of higher learning, (1) the minor child of a nonresident has lived with and been in the continuous direct care and control of any person or persons other than a parent for a period of not less than two years, or (2) the minor child of a person who was a resident of the state in the preceding year has lived with and been in the continuous direct care and control of any person or persons other than a parent for a period of not less than one year, the residence of the minor child is the residence of the person, or persons having such care and control after the expiration of the two-year period or one-year period, as the case may be. As used in this subdivision, "California institution of higher learning" means any public or private university, college, or junior college in the state.~~

~~(b) Any person who qualifies for residence status under subdivision (a) of this section or under Sections 243 and 244 of the Government Code shall not lose such residence status by virtue of his marriage to a~~

~~nonresident who lives in California nor shall such person be required to reestablish residency upon reaching his or her majority.~~

~~(c) Any minor child, a citizen of the United States, or any alien, who is a minor child, who has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States, who for a period of more than one year immediately preceding the residence determination date has lived with his mother, who is living apart from his father, and has been for a period of more than one year immediately preceding the residence determination date present in the state with the intention of making her permanent home therein, is a resident student.~~

~~(d) Any person whose residence is derived from a parent and who loses California residence by reason of a change of residence by such parent, shall be considered a resident student for tuition purposes for a period of one year following such change of residence by his parent, provided that such parent was a bona fide resident of California for at least one year immediately preceding such change of residence from California.~~

~~(e) Any minor child who has lived continuously in the state for more than 10 years immediately preceding the residence determination date shall be deemed a "resident student" notwithstanding the place of abode or residence of either living parent or guardian of the minor child.~~

~~(f) Any person who has been deemed to be a resident student for tuition purposes pursuant to Section 23755 shall not lose such resident status because of the departure of the parent from the state pursuant to military orders, nor shall such person be required to reestablish residency upon marriage or upon reaching his majority.~~

~~(g) Any person who has been deemed to be a resident student pursuant to this section shall not lose such resident status because of temporary business transfer of his parent, nor shall such person be required to reestablish residency upon marriage or upon reaching his or her majority. Business transfers shall be determined temporary if the parent who normally determines residence under Sections 243 and 244 of the Government Code maintains his voting eligibility within the state.~~

SEC. 19. Section 23758 of the Education Code is repealed.

~~23758. The trustees shall designate a person employed at each state college to administer oaths or affirmations in connection with the taking of testimony relative to any residence status.~~

SEC. 20. Section 23758.05 of the Education Code is repealed.

~~23758.05. Any female who is a California resident shall not lose such residence status for the purposes of any state college fee or rate of tuition by virtue of her marriage to a nonresident who is a member of the armed forces of the United States and who is required to serve outside of this state.~~

SEC. 21. Section 23758.1 of the Education Code is repealed.

~~23758.1. The resident status of a California resident shall not, for the purposes of any state college admission fee or rate of tuition, be affected by the marriage of such person to a nonresident.~~

SEC. 22. Section 23758.2 of the Education Code is repealed.

~~23758.2. The trustees may enter into agreements with public colleges and universities in other states whereby qualified students from a state college may attend such other college or university without payment of any tuition fee charged by that institution to persons who are nonresidents of the state in which it is situate, and students from that institution may attend a state college without payment of the nonresident tuition established pursuant to Section 23754. No nonresident tuition shall be charged of students attending a state college pursuant to an agreement entered into under this section, provided, that during any year, the number of students attending state colleges from a particular public college or university in another state, pursuant to such agreement, shall not exceed the number of state college students attending such institution under that agreement.~~

SEC 23. Section 23758 3 of the Education Code is repealed.

~~23758.3. Any person holding a valid credential authorizing service in the public schools of this state who is employed by a school district in a full-time position requiring certification qualifications for the school year in which the person enrolls in a state college shall be deemed to be a resident student of the state college for the paying purposes of admission fees and rates of tuition if any of the following apply to the person.~~

~~(a) He holds a provisional credential and enrolls at the state college in courses necessary to obtain another type of credential authorizing service in the public schools.~~

~~(b) He holds a credential of the types designated in Section 13125 and enrolls at the state college in courses necessary to fulfill postponed credential requirements.~~

~~(c) He enrolls at the state college in courses necessary to fulfill the requirements for a fifth year of college or university education prescribed by subdivision (b) of Section 13130.~~

SEC 24. Section 23761 of the Education Code is repealed.

~~23761. Every alien student is deemed to be a nonresident student unless he has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States.~~

~~Nothing in this article or in Sections 243 and 244 of the Government Code prevents the trustees from causing to be classified as a resident student any alien who has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States or any citizen of the United States if such citizen or alien has attained his majority in accordance with the laws of this state and for a period of one year immediately preceding the residence determination date has been entirely self-supporting and actually present in the state with the intention of acquiring a residence therein.~~

SEC 25 Section 25505 of the Education Code is repealed

~~25505. The following definitions shall be used in Sections 25505.1 to 25505.9 inclusive.~~

~~(a) A nonresident is a student whose residence is not in the State of California.~~

~~(b) A district resident is a student whose residence is in the State of California and is within a district.~~

~~(c) A nonresident resident is a student whose residence is in the State of California but is not within a district.~~

~~(d) A district is a school district maintaining or formed to maintain one or more community colleges.~~

SEC. 26. Section 25505 1 of the Education Code is repealed.

~~25505.1. Residence for community college attendance purposes shall be determined in accordance with Government Code Sections 243 and 244 except that:~~

~~(a) If an unmarried minor resides with a parent, the residence of the minor shall be that of the parent with whom he is residing.~~

~~(b) The residence of an unmarried minor who for at least two years has been in the continuous direct care and control of and has lived with an adult resident of the state other than his parent, shall be that of such adult resident.~~

~~(c) A married women may establish her own residence.~~

~~(d) An apprentice as defined in Section 3077 of the Labor Code may establish his own residence.~~

~~(e) Any minor child who has lived continuously in the state for more than 10 years immediately preceding the residence determination date as provided in Section 25505 2 shall be deemed to be a resident of California with respect to the nonresident tuition provisions of Section 25505.8 notwithstanding the place of abode or residence of either living parent or guardian of the minor child.~~

SEC. 27. Section 25505 2 of the Education Code is repealed.

~~25505 2. Each student enrolled in or applying for enrollment in a community college shall provide information as required by the district in order that determination may be made that he is a nonresident, a district resident, or a nondistrict resident. The termination of residence of students shall be made as of the opening day of the semester, session, or quarter during which the student proposes to attend a community college, and except to correct errors or false information such determination shall not be changed during that semester, session, or quarter.~~

SEC 28. Section 25505.7 of the Education Code is amended to read:

25505.7. The governing board of any school district shall admit to a community college maintained by it any nondistrict resident, *as defined in Section 22815,* who meets the requirements of Sections 25503 to 25504.5, inclusive

SEC. 29. Section 25505 8 of the Education Code is amended to read:

25505.8. A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less; *and* (b) are both citizens and residents of a foreign country; ~~or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a); ~~or~~ *and* (b); ~~or (c) above~~, and shall not be made on an individual basis

A district may, without the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee.

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the Board of Governors of the California Community Colleges not later than January 1st of each year. The fee shall represent the amount per student enrolled in community colleges in all the districts of the state, which is expended by all districts for the current costs of education as defined by the California School Accounting Manual for pupils enrolled in grades 13 and 14.

The Board of Governors of the California Community Colleges shall compute the amount per pupil enrolled in all districts of the state.

The amount per pupil enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 of all districts maintaining community colleges in the state and subtracting therefrom the amount allowed as basic state aid from the State School Fund. The same fee shall be charged irrespective of the type of class in which the student is enrolled.

The Board of Governors of the California Community Colleges shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units). The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college.

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category.

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state; except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district

SEC 30. Section 25505.9 of the Education Code is repealed.

~~25505.9 The State Board of Education may adopt rules providing for refunds of any of the following nonresident tuition and dormitory fees.~~

~~(a) Those collected in error.~~

~~(b) Those refundable as a result of a reduction of the educational program at the community college for which the fees have been paid.~~

~~(c) Those refundable as a result of a student's withdrawal from an education program at the community college for which fees have been paid, where the withdrawal is for reasons deemed sufficient by the governing board of the community college district.~~

~~Pending adoption of such rules by the State Board of Education, governing boards of community college districts may adopt rules providing for such refunds.~~

SEC. 31. The provisions of this act shall not be applicable to the University of California unless the Regents of the University of California, by resolution, make such provisions so applicable.

SEC. 32. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are severable.

SEC. 33. The Coordinating Council for Higher Education, with the cooperation of the governing boards, is requested to study and comment on the policies adopted pursuant to Section 22841 of the Education Code, relating to the appropriate amount of tuition and the method of calculation by type of institution; pursuant to Section 22860 of the Education Code, relating to the number and classes of students granted tuition waivers; pursuant to Section 22855 of the Education Code, relating to regulations and appeal procedures, pursuant to Section 22862 of the Education Code, relating to the appropriate number and types of reciprocal agreements; and on the need for any additional policies or statutes to insure the consistent and uniform application of this act among all institutions. Such comments shall be reported to the Legislature by November 15, 1974.

SEC. 34. This act shall be interpreted and applied as though it were in effect and operative on March 4, 1972."

Amendment No. 5

On page 1, strike out lines 7 to 10, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 480

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 480—An act to amend Section 26205.5 of, and to add Section 26205.7 to, the Government Code, relating to records.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out "a recognized historical"; strike out lines 24 to 30, inclusive, and insert "the Secretary of State of his intention to destroy or dispose of such records. The Secretary of State shall have 90 days to request the transfer of such records. If the Secretary of State does not request the transfer of such records, the county recorder may destroy them pursuant to Section 26205.5."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports.

AB No. 630

With author's amendments with the recommendation: Amend, and refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 630—An act to amend Sections 7621, 7622, 7655, 7680, 7721, 7722, 7723, 7724, and 7725, relating to industrial safety, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, lines 29 and 30, strike out "Section 7721", and insert "Sections 7721 and 7722".

Amendment No. 2

On page 4, lines 4 and 5, strike out "20 inches or less in diameter, or less than three horsepower".

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 654

With author's amendments with the recommendation: Amend, and refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 654—An act to amend Sections 24353 and 29923 of the Government Code, to amend Sections 4746.1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to county auditors procedures.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 5, line 28, of the printed bill, strike out "1", and insert "16".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 305

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 305—An act to amend Sections 4709, 4800, 4801, 4802 and 4803 of the Labor Code, relating to law enforcement personnel.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman MacDonald", and insert "Assemblymen MacDonald and Ketchum".

Amendment No. 2

In line 1 of the title, strike out "and 4803", and insert ", 4803, and 4804".

Amendment No. 3

On page 5, after line 2, insert

"SEC. 5. Section 4804 of the Labor Code is amended to read:

4804. No disability indemnity shall be paid to ~~said~~ *a* member of the California Highway Patrol or harbor policeman *or officers and em-*

ployees of the Department of Corrections or Department of Youth Authority as temporary disability concurrently with wages or salary payments."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 248

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 248—An act to amend Sections 985, 986.3, 986.5, 987, 987.1, and 987 15, and to repeal Section 987.16a, of the Military and Veterans Code, relating to farm and home purchases.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 22, 1972, strike out "and".

Amendment No. 2

In line 2 of the title, after "987.15," insert "and 987.17,".

Amendment No. 3

On page 7, after line 1, insert

"SEC. 8. Section 987.17 of the Military and Veterans Code is amended to read:

987 17. The department shall establish the actual interest rate to be paid To this end the department, by a two-thirds vote of California Veterans Board members and with the approval of the Veterans' Finance Committee of 1943, is empowered to establish a uniform rate of interest payable upon the amount remaining unpaid under any veteran's purchase contract The California Veterans Board and the Veterans' Finance Committee shall periodically, at least once each year, make a finding as to the rate of interest to be charged, not to exceed 5 percent per annum *on contracts for the purchase of farms or homes, and not to exceed 8 percent per annum on contracts for the purchase of mobilehomes*, taking into consideration the current value of money, *bond market conditions,* and the solvency of the Veterans' Farm and Home Building Fund of 1943. The California Veterans Board may raise or lower the rate of interest payable under such contracts for

any given period as many times and as frequently as it deems to be for the best interests of the department, as well as the contract holders, if in so doing its action is made applicable alike to any and all contract holders and 90 days' advance notice be given of the time when the new rate of interest is to become effective. Any change in the interest rate shall not affect the total amount of any installment payment, but the difference shall be credited to interest or principal and accelerate or prolong the period of payment."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 504

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 504—An act to add Section 8538 to the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert

"(b) (1) The board, with the approval of the director, may establish licensed structural pest control operator investigation committees to assist the board in the investigation of claims of violation of any provision of this chapter. The board shall appoint such committees only after determining that the claimed violation cannot be investigated adequately by the Division of Investigation because the division lacks the requisite technical expertise or because the division is unable to complete the investigation in a period of time sufficient to afford the complainant adequate protection

(2) Each such committee shall report its findings and recommendations to the board. Any member of such a committee may act as an expert witness at a hearing conducted by the board when the hearing is conducted as a result of the committee's investigation.

(3) Each such committee shall serve so long as the board deems necessary.

(4) Each such committee shall be composed of not less than three and not more than five members, who shall serve at the pleasure of the board. Each member of each committee shall be licensed pursuant to this chapter.

(5) Members of each committee shall serve without compensation but shall receive per diem and expenses as provided in Section 103.

(6) Each member of each investigation committee shall be granted the same immunity granted to a public employee pursuant to Article 3 (commencing with Section 820) of Chapter 1 of Part 2 of Division 3.6 of Title 1 of the Government Code."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 3, 1972

Mr. Speaker. The Chairman of your Committee on Health reports: AB No 2

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2—An act to amend Section 32109 of the Health and Safety Code, to amend Section 10175 of the Insurance Code, and to amend Section 14000 of the Welfare and Institutions Code, relating to the Health Security Act of 1972.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 32109 of the Health and Safety Code,"; strike out lines 2 and 3 of the title, and insert "add Division 41 (commencing with Section 41000) to the Health and Safety Code, and to amend Sections 17072, 17171, 17253, 18401, 18402, 18405, and 18410.6 of the Revenue and Taxation Code,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. This act shall be known and may be referred to as "The Health Security Act of 1972."

SEC 2 The Legislature hereby finds and declares that the burden of meeting the costs of illness and injury has had and continues to have severely detrimental effects upon the welfare of many persons and families in this state, and that the public welfare requires that the financial risk of catastrophic illness should be spread among the entire population Therefore, it is the intent of the Legislature to establish by this division a health security program to provide reimbursement for the costs of catastrophic illness.

It is the intent of the Legislature that the health care provided pursuant to this division shall be of high quality, shall be dispensed in an organized and efficient manner and shall be of reasonable cost This division shall be construed to encourage the development of innovative and effective systems for the delivery of health care.

It is further the intent of the Legislature that the health security program established by this division is created for the benefit of all the people of the state and, therefore, the program's financial base and level of benefits shall be capable of meeting the health care needs of all the people now and in the future.

SEC. 3. Division 41 (commencing with Section 41000) is added to the Health and Safety Code, to read:

DIVISION 41. THE HEALTH SERVICE PLAN

PART I. GENERAL PROVISIONS

41000. In addition to the "general provisions" set forth at the beginning of this code, the following general provisions shall govern the construction of this division, but shall not, by virtue of enactment in this division govern construction of any other division of this code.

41001. "Copayment" or "deductible" means a payment which is the responsibility of the insured person.

41002. "Prepayment" means a payment made or due, to a provider or the state, for the coverage of health services during a prescribed period. It includes, but is not limited to, a premium for health insurance. In this part, a reference to "prepaid health plan" includes a health insurance contract unless expressly otherwise provided

41003. "Utilization control" or "utilization controls" refers to such measures employed for the purpose of assuring proper use and application of health services.

41003 5. "Year" means calendar year commencing with the first day of January, except as otherwise provided

41004 Except as otherwise provided, "health services" are the services specifically set forth in Article 2 (commencing with Section 41042) and Article 4 (commencing with Section 41054) of Chapter 2 of Part 2 of this division.

41005. "Provider of service" means any individual, partnership, association, corporation, institution, or public agency meeting applicable requirements for licensing and registration required by law as a condition to rendition of the particular service.

41006. "Commission" means the California Health Security Commission

41007. "Board" means the Health Security Advisory Board

41008. "Carrier" means an entity underwriting or providing health services under an approved basic plan or administering catastrophic health insurance pursuant to contract with the commission

41009. "Approved basic plan" means a contract for coverage of health services meeting at least the minimum standards prescribed by this division and approved by the commission

41010. "Income earner" means a person having annual income of five hundred dollars ($500) or more, or a member of a household which has a total annual income of one thousand dollars ($1,000) or more,

after excluding the following items of income received from (a) federal old age and survivors insurance provisions of the Social Security Act; (b) the Federal Railroad Retirement System; (c) a private annuity contract comprising a return of principal, (d) unemployment insurance; (e) unemployment disability insurance; and (f) cash grant welfare payments

41011. "Dependent" means a person living in the same household as the income earner and either related to him within the second degree or to whom he supplies half or more of the cost of the dependent's annual support; except that a student living away from home in order to attend school may be covered as a dependent of the income earner up to the completion of his 17th year of age.

41012. "Enrollment" means acceptance of a person and his dependents by a carrier as covered under the carrier's prepaid health plan or as covered by the state under catastrophic health insurance.

PART 2. STRUCTURE OF THE CALIFORNIA HEALTH SECURITY PLAN

CHAPTER 1. ORGANIZATION

Article 1 The California Health Security Commission

41013. The California Health Security Commission is hereby established and shall consist of seven members appointed by the Governor according to the procedure established by Section 41015. The commission shall consist of the following:

(a) One member who is the chief executive officer of a hospital or group of hospitals or of an organization in which membership is limited to hospitals

(b) One member who is a licensed physician and surgeon and has held a license as physician and surgeon for not less than five years.

(c) One member who is an executive officer of a comprehensive group practice prepayment health service plan registered under Article 2.5 (commencing with Section 12530) of Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code.

(d) One member who is an executive officer of an insurance company authorized to transact "disability insurance" in the State of California.

(e) One member who is an executive officer of a prepaid health plan registered under the Knox-Mills Health Plan Act (Sections 12530 to 12539, inclusive, of the Government Code) or licensed under Chapter 11A of Part 2 of Division 2 of the Insurance Code.

(f) Two members who are representatives of the general public as consumers of health care services.

41014. No more than three members of the commission shall at any one time during the period of their service on the commission own, operate, manage, or be employed by any carrier operating under this part.

41015. The members of the commission shall be appointed by the Governor for a term of four years except as provided in this section and shall hold office until the appointment and qualification of their successors Of the members first appointed by the Governor, three shall hold office for four years, two shall hold office for three years and two

shall hold office for two years. Thereafter, each member appointed by the Governor shall hold office for a term of four years. In making the first appointments to these offices, the Governor shall designate the term to which each such member is appointed.

Vacancies shall be filled by appointment for the unexpired term. Every appointment made by the Governor pursuant to this section shall be subject to the advice and consent of a majority of the members elected to the Senate, except that if a vacancy occurs when the Legislature is not in session, the Governor may make an interim appointment which shall expire on the last day of the next regular session of the Legislature or upon the appointment of the successor in accordance with the provision 5 of this section, whichever first occurs. The Governor may remove any member of the commission disqualified by reason of Section 41014, or for neglect of any duty required by law or for incompetency or dishonorable conduct. No member shall be appointed to a position on the commission for more than three consecutive full terms.

41016. The Governor shall appoint the chairman of the commission. The commission, in its first meeting after appointment, and annually thereafter at its first meeting in each year, shall elect from its members a vice chairman and such other officers as it may deem necessary.

41017. The commission shall appoint an executive secretary who shall hold office during its pleasure, perform the duties delegated to him by the commission, and be responsible to it for the accomplishment of such duties. The executive secretary shall, in accordance with such rules and regulations as the commission may adopt, organize, coordinate, supervise, and direct the operations and affairs of the commission in such a manner as to promote the expeditious and efficient disposition of all matters within the commission's jurisdiction. He shall submit a report of his activities to the commission and prepare such other supplemental and special reports as the commission may from time to time request or which he may deem necessary to adequately inform the members of the commission concerning his activities and experience in the implementation of this part

The executive secretary shall receive, in addition to his salary, actual and necessary travel expenses incurred in the discharge of his duties.

41018. (a) The commission shall formulate general policies to advance the purposes of this part and direct the executive secretary in his execution of such policies. It may, after consultation with the advisory board adopt, promulgate, repeal, and amend rules and regulations to carry out the provisions of this part In carrying out its duties under this part, except as expressly otherwise provided, the commission shall follow the procedures established by the provisions of Chapter 4 5 (commencing with Section 11371) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2, of the Government Code.

(b) The commission may do the following:

(1) Appoint committees.

(2) Contract for any professional and business services and employ such staff members as it deems necessary to carry out the provisions of this part or to perform the duties and exercise the powers conferred on it by law.

(3) Contract for the use of, or otherwise procure necessary physical facilities and all necessary equipment and supplies.

All contracts or purchases authorized by this part shall be subject to the provisions of Chapter 3 (commencing with Section 14250) of Part 5, and Chapter 6 (commencing with Section 14780) of Part 5.5 of Division 3 of Title 2 of the Government Code

41019. The members of the commission shall each receive a per diem of one hundred dollars ($100) for each day or part thereof of attendance at its meetings, and their actual and necessary traveling and other expenses incurred in the discharge of their duties.

41020 The office of the commission shall be in the City of Sacramento The commission shall hold one regular meeting annually in the City of Sacramento and at least two additional regular meetings annually, one of which shall be held in the City of Los Angeles and the other in the City and County of San Francisco. The commission may adjourn a meeting from time to time until its business is concluded.

Article 2 Powers and Duties of the Commission

41021. The commission has power to authorize the use of the forms approved by it as conforming to the state-approved basic plan, to contract with carriers for the administration of the catastrophe health insurance plan and to hold hearings and prescribe maximum reimbursement rates for health care services under the provisions of the catastrophe health insurance plan The commission may also adopt rules and regulations to implement the operation of this part, including controls to avoid waste or abuse in the administration of the plan.

41022. The commission shall have power to receive, file, examine and approve as to form and substance, or reject, documents comprising any proposed approved basic plan.

Article 3. The Health Care Advisory Board

41030 The Health Care Advisory Board is hereby established. The board shall consist of the following 11 members:

(a) The Director of the Department of Health Care Services, ex officio, or his designee

(b) The Insurance Commissioner ex officio, or his designee.

(c) Two members appointed by the Speaker of the Assembly.

(d) Two members appointed by the Senate Rules Committee

(e) The Executive Secretary of the Public Employees Retirement System, ex officio, or his designee

(f) Four members appointed by the California Health Security Commission, of whom one shall be a health economist, one shall be a representative of the counties of this state and the remaining two members shall be representatives of the general public as consumers of health care services The members of the Health Care Advisory Board other than the ex officio members shall each serve at the pleasure of their respective appointing powers.

41031. The Health Care Advisory Board at its first meeting after appointment and annually thereafter at its first meeting in each fiscal year shall elect from its members a chairman who shall be one of the representatives of the general public, a vice chairman, and such other officers from its membership as it may deem necessary. The members

shall not receive salaries but shall receive their actual and necessary travel expenses in discharge of their duties.

41032. The Health Care Advisory Board shall advise the commission on matters submitted to it by the commission and, shall carry on investigations referred to it by the commission. It shall meet on call of the chairman of the commission. Its own chairman shall preside at its meetings. The advisory board's office shall be in the office of the commission in the City of Sacramento.

CHAPTER 2. THE CALIFORNIA HEALTH SECURITY PLAN

Article 1. The Operation of the Plan

41040. The purpose of the California Health Security Plan is to assure persons carrying a specified minimum of prepayment health service or health indemnity insurance, that there will be adequate coverage of expenses of loss or illness exceeding the limits of the prepaid coverage These minimum services are embodied in an approved basic plan. For any enrolled person, when the cost of injuries or illnesses exceeds the expense covered by an approved basic plan, catastrophe health insurance shall pay the additional expenses.

If a person has no approved basic plan he becomes eligible for catastrophe health insurance coverage only after he has expended an amount of not less than eight thousand dollars ($8,000) in any calendar year for health services specified in Sections 41043, 41045 and 41047. Such amount may be determined by combining the payments made on his behalf by nonapproved insurance or health service plans, or the value of health services received under a nonapproved prepaid health plan, and his actual additional expenditures.

41041. The California Health Security Commission shall determine the actual value of expenditures and the procedures for valuing the services rendered under nonapproved health insurance or health plans.

Article 2. Approved Basic Plans—Services

41042. In order to approve a basic plan the health services specified in Sections 41043, 41045 and 41047 must be provided

41043. Inpatient hospital care services are covered for not less than 100 days in a calendar year. Such inpatient hospital care shall include the following services when deemed medically necessary.

(a) Bed in a semiprivate room and all meals, including special diets.

(b) Use of operating room, delivery room, recovery room, and other hospital facilities.

(c) A private room, intensive care unit services or coronary care unit services.

(d) Nursing services except private duty nursing.

(e) Drugs furnished by the hospital.

(f) X-ray and laboratory services.

(g) Services of physicians, surgeons and podiatrists

(h) Services of dentists limited, however, to surgery of the jaw or related structures or setting of fractures of the jaw or facial bones

(i) Physical therapy, occupational therapy and speech therapy.

(j) Medical supplies, splints and casts.

(k) Use of appliances and equipment furnished by the hospital.

(l) Blood and blood derivatives.

41044 Inpatient hospital care necessary to qualify as an approved basic plan may exclude:

(a) Optional personal comfort or convenience items.

(b) Private duty nursing.

(c) Long-term care

(d) Treatment of mental health disorders other than acute (crisis intervention) hospital care of major psychiatric disorders such as psychosis or life threatening depressive states

(e) Treatment of alcohol or drug addiction.

(f) Experimental services.

(g) Cosmetic services.

(h) Refractions, except for immediate postcataract glasses.

(i) Routine foot care and treatment of flat feet, sprains or partial dislocations.

(j) Dental services or treatment of gums or treatment or replacement of teeth.

(k) Other services not required by Section 41043.

41045 Posthospital services in an etxended care facility are covered for 30 days in a calendar year, when medically required. Such services shall include:

(a) Room and board.

(b) Nursing services (except private duty nursing) provided by the facility

(c) Medical supplies and prescribed drugs provided by the facility.

(d) X-ray and laboratory services

(e) Physician and podiatry services.

(f) Use of appliances, and equipment furnished by the facility.

(g) Physical therapy, occupational therapy and speech therapy services.

(h) Blood and blood derivatives

41046. Posthospital services in an extended care facility need not include the following to qualify as part of an approved basic plan.

(a) The services excluded in Section 41044.

(b) Long-term care.

(c) Other services not required in Section 41045.

41047. Outpatient services are covered and shall include:

(a) Three thousand dollars ($3,000) of charges and rates authorized by the commission in any calendar year comprising the following group of services·

(1) Physician services,

(2) Podiatry services,

(3) Physical therapy services,

(4) Occupational therapy services,

(5) Speech therapy services,

(6) Home health agency nursing services,

(7) Diagnostic X-ray and laboratory services not to exceed three hundred dollars ($300) of the allowed three thousand dollars ($3,000),

(8) Emergency ambulance transportation to the nearest hospital capable of providing needed care,

(9) Purchase or rental of durable medical equipment not to exceed five hundred dollars ($500) of the allowed three thousand dollars ($3,000) and,

(10) Blood and blood derivatives, or

(b) One hundred fifty visits comprising the following group of services. physician, podiatry, physical therapy, occupational therapy, speech therapy, home health agency, and the following· diagnostic X-ray and laboratory services not to be less than three hundred dollars ($300) per year, emergency ambulance transportation to the nearest hospital capable of providing needed care not to be less than one hundred dollars ($100) per year; purchase or rental of durable medical equipment not to be less than five hundred dollars ($500) per year; and blood and blood derivatives not to be less than one hundred dollars ($100) per year

41048. The following outpatient services need not be included in order to qualify as an approved basic plan:

(a) Cosmetic or experimental services.

(b) Treatment of mental disorders, alcohol or drug addiction.

(c) Physical examinations, and X-ray and laboratory services except when rendered for the purpose of treating or ascertaining the cause of a presently disabling condition.

(d) Eye refraction except for immediate postcataract glasses.

(e) Routine foot care, and treatment of flat feet, sprains and partial dislocation.

(f) Other services not required by Section 41047; such as outpatient dental services, drugs, chiropractic, psychological services, eyeglasses and hearing aids.

Article 3. Approved Basic Plans—Conditions

41049. Each approved basic plan shall provide for copayment and deductibles to be made for services thereunder in the following amounts:

	Copayment		Deductible	
Service	Minimum	Maximum	Minimum	Maximum
1. Inpatient hospital care	$5 per day	30% of the daily charge	$0	$100 per year
2. Posthospital services in an extended care facility	$3 per day	30% of the daily charge	$0	$0
3. Outpatient services	$2 per visit	30% of the charge	$0	$100 per year

The commission may waive the above copayment and deductible requirements for basic plans which have satisfactory utilization and control features designed to prevent necessary utilization of services. Criteria for such waivers shall be developed by the commission and promulgated by rule or regulation

41050. Each approved plan shall provide that enrollment shall be available at all times to persons comprising the groups covered by the terms of the plan In the case of individual coverage such enrollment shall be available to each individual to whom the coverage is offered. The plan shall set forth a description of such individuals to whom coverage is to be offered The commission shall have power to

deny approval to any plan which fails to offer coverage to a reasonably broad segment of the population of the state or which requires medical examination, or any representation of the offeree as to his or a dependent's medical history, or bases its underwriting on, or fails to cover the offerees, for present or preexisting medical conditions not permitted to be excluded under the provisions of this part

41051. Each approved plan must annually be reexamined by the commission to determine whether the commission's approval shall continue for the next enrollment period. The commission may, after such examination, deny or revoke approval, or require changes in the plan to comply with changes in the law or rules of the commission occurring after the last approval or to correct any error made by the carrier or the commission in respect to the prior approval.

41052. Each carrier shall submit all documents comprising a part of, or to be used in, the plan together with a certificate on behalf of the carrier that the documents so submitted are complete Said documents and any statement required of the carrier supplemental thereto shall meet all conditions specified in this part The commission shall by rule or regulation provide the procedure for filing such applications, considering such applications, and providing opportunity for consultation between the staff of the commission and the applicant carrier The provisions of the Administrative Procedure Act, Chapter 4 5 (commencing with Section 11371) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, shall not be applicable to the filing, consideration and acceptance or rejection of applications for state approval of health service plans except to the extent that the commission by rule or regulation may make such chapters applicable If the documents submitted, together with any supplementary statements submitted by the carrier, show that the proposed plan complies with the law and regulations applicable thereto, the commission may approve the plan and it shall thereafter for the period specified by the commission constitute an approved basic plan

41052 5 Each plan submitted for approval shall contain the reimbursement rates which shall be used in making payments to providers of service together with the facts and reasons for such rates

41053 Contracts embodying approved basic plans may be executed only by insurers authorized to transact insurance in California, organizations governed by the "Knox-Mills Health Plan Act" (Sections 12530 to 12539 inclusive of the Government Code) and organizations governed by Chapter 11A of Part 2 of Division 2 of the Insurance Code.

Every prepaid health plan shall notify the person receiving the coverage that the plan is an approved basic plan or that it is not such a plan In the event that it is not an approved basic plan, if the plan is evidenced by a written contract issued to the covered person, the document must on its first page state "This health plan has not been approved by the State of California " If the plan is evidenced by a master contract with certificates issued to the covered person such a statement shall appear on the front of each certificate so issued If such certificates are not issued to all persons receiving such coverage, then a document approved by the commission shall be sent to each such

person containing the information that the plan has not been approved by the State of California It shall be a misdemeanor on the part of an insurer, hospital association or prepaid health plan organization to solicit or negotiate or to effect health services coverage not constituting an approved basic plan without such notice to the person covered prior to the effecting of the coverage.

Carriers effecting state approved plans may indicate such approval in any documents respecting such plan.

Article 4. Catastrophe Health Insurance

41054. The services specified in Sections 41055, 41056, 41057 and 41058 are covered each year by California catastrophe health insurance.

41055. Inpatient hospital care shall cover the same services as provided in Section 41043 with the same exclusions as provided in Section 41044, except that there shall be no limit on the number of hospital days but those limits resulting from utilization controls set forth in rules or regulations of the California Health Security Commission.

41056. Posthospital services in an extended care facility shall cover the same services as provided in Section 41045, with the same exclusions, as provided in Section 41046, except that there shall be no limit on the number of days covered but those limits resulting from utilization controls set forth in rules or regulations of the California Health Security Commission.

41057. Outpatient services shall cover the same services, as provided by Section 41047, with the same exclusions as provided by Section 41048 except that there shall be no limit on the numbers of services but those limits resulting from utilization controls set forth in rules or regulations of the California Health Security Commission.

41058 Chronic hemodialysis services shall be covered subject, however, to the restrictions set forth in Section 41069 and subject to financial criteria for cost sharing between the state and the individual receiving said services as determined by regulations to be adopted by the commission.

CHAPTER 3. FUNDING PROVISIONS

Article 1 Operation

41065 Beginning on January 1, 1973, each income earner shall contribute three dollars ($3) per month for catastrophic health insurance.

41066 Each employer shall, notwithstanding any other provision of California law, withhold in trust the amount of his employees' contributions from their wages at the time the wages are paid, shall show the deduction on his payroll records, shall furnish each income earner with a statement in writing showing the amount which has been deducted, in such form and at such times as may be prescribed and shall transmit all such contributions to the Health Security Fund, pursuant to rules or regulations promulgated by the commission

41066 5. A person not covered by Section 41066 but who is an income earner as defined by Section 41010 shall, pursuant to rules or regulations promulgated by the commission, file a return showing his income or that he is such an income earner and shall at the time of

filing the return, pay at the rate of three dollars ($3) a month in advance for not less than three months The commission may, by rule or regulation, prescribe the time of filing such returns and may also provide for such returns and payments in advance on a semiannual or annual basis.

41067. Each employer shall be liable for any and all contributions to be made by his employees on account of wages which he has paid to them regardless of whether or not they were withheld.

41068. Contributions by income earners payable as provided in this chapter shall be exempt from garnishment, attachment, execution, or any other remedy for the collection of debts except an action by the state or a state agency to collect the contributions herein required to be made by the income earner. In the event of an insolvency or bankruptcy of an employer such contributions shall not be considered any part of his assets and shall be paid to the commission prior to the payment of any other claim against the employer.

41068 5. All income earners and their dependents who make their first monthly contribution during the month of January, 1973 and who continue to make monthly contributions, shall be entitled to enrollment for catastrophe health insurance.

41069. Persons enrolling after January, 1973 and who continue to make their monthly contribution of three dollars ($3) are entitled to enrollment for catastrophic health insurance provided by this part only after making six successive monthly contributions, except that coverage for chronic hemodialysis shall not commence until 36 successive monthly contributions have been made

41070 A person not covered by Sections 41065 and 41066, by application to the commission and the direct payment to it of three dollars ($3) per month and each month thereafter shall be enrolled for catastrophe health insurance provided by this part.

41071. Persons otherwise eligible for coverage under catastrophe health insurance who suffer unemployment without fault of their own may, on application to the commission, be relieved of the requirement to make contributions under this part during the duration of the unemployment but not to exceed six months and thereafter may voluntarily enroll under the provisions of Section 41070 The commission shall provide by rule or regulation for procedures to implement this section

41072 The commission may, by rule or regulation, require any or all employers to furnish information in such form as it finds convenient or necessary for catastrophe health insurance enrollment under this part.

CHAPTER 4. THE HEALTH SECURITY FUND

Article 1. Operation

41080. There is hereby created the Health Security Fund in the State Treasury to be administered by the commission without liability on the part of the state beyond the amounts paid into and earned by the fund This fund shall consist of all contributions and moneys paid into and received by the commission as provided by this part, the property and securities acquired by and through the use of moneys belonging to the fund, and of interest earned upon the moneys belonging to the fund.

41081. The fund shall be administered in trust and used solely to pay for services and the administration thereof under this part Such payment shall be made on vouchers drawn on the fund by the commission pursuant to commission rules or regulations and no other disbursement shall be made therefrom. Such rules or regulations shall be consistent with any applicable constitutional requirement, but the procedure prescribed by such rules and regulations shall be deemed to satisfy and shall be in lieu of any and all statutory requirements of specific appropriation or other form of release of state officers of state moneys prior to the expenditure which might be otherwise applicable to withdrawals from the fund. All money in the Health Security Fund is hereby appropriated for expenditure for the purposes specified in and for the implementation of this part.

41082. The State Treasurer shall be the Treasurer of the fund and he shall pay all vouchers duly drawn upon the fund in such manner as the commission prescribes.

He shall have custody of all moneys belonging to the fund and otherwise held and deposited or invested pursuant to this part. The official bond of the State Treasurer shall cover the faithful performance of his duties as treasurer of the fund. The treasurer shall deposit and invest and otherwise deal with the fund under the supervision and control of the commission subject to the provisions of this part.

41083. The commission may withdraw from the fund, without at the same time presenting vouchers and itemized statements, a sum not to exceed the aggregate of the total contributions from all sources to the fund during the preceding month together with the total estimated expenditures from the fund for the current month, to be used as a cash revolving fund. Such revolving fund shall be deposited in such bank and subject to such conditions as the commission determines. Such withdrawal and deposit shall be made in accordance with law Reimbursement of the revolving fund for such expenditures shall be made upon presentation to the State Controller of an abstract or statement of such expenditures. Such abstract shall be in such form as the Controller requires.

41084. In connection with catastrophe health insurance, by contract with the commission, carriers may pay claims, coordinate approved basic plans with the catastrophe health insurance, determine, by application of appropriate rules and regulations of the commission, the financial requirements to be met by claimants who do not have approved basic plan coverage, and perform such other services in the operation of the California Health Security Plan as the commission may consider appropriate

41085. Catastrophe health insurance shall become effective January 1, 1973.

Article 2. Fiscal Emergencies

41095. Whenever the commission estimates that the condition of the Health Security Fund is such that there is a possibility that there will in the current or succeeding fiscal year be insufficient funds to operate and pay claims in full, the commission shall:

(a) Notify the Legislature of the situation and, if it deems advisable, recommend corrective legislation.

(b) Take such measures, including but not limited to a pro rata or installment payment of claims, to avoid insolvency of the fund.

CHAPTER 5. EXEMPTIONS

41100. The provisions of this part shall not apply to:

(a) Persons receiving public assistance cash grants and their dependents,

(b) Medically needy persons as defined in Section 14005.7 of the Welfare and Institutions Code and medically indigent persons as defined in Sections 14005.4 and 14005.6 of the Welfare and Institutions Code, and

(c) Members of the armed forces on active duty and their dependents.

41101. Persons and their dependents entitled to health services under prepaid health plan contracts or health insurance contracts which under one or more such contracts cover completely all the services rendered or to be rendered under an approved basic plan and the catastrophe health plan set forth in this part, if the commission certifies to such coverage are exempt from this part The commission shall deliver a copy of such certification to such person Upon receipt of such certification and thereafter while such certification is in force, the person and employer shall be free of all requirements except reporting requirements imposed by Sections 41065 to 41068, inclusive, and shall in all other respects be exempt from the operation of this part The commission may decertify any such plan for failure of any carrier under the plan to meet coverage requirements, or upon termination as to the whole or any part of the plan.

SEC 4. Section 17072 of the Revenue and Taxation Code is amended to read:

17072 For purposes of this part, the term "adjusted gross income" means, in the case of an individual, gross income minus the following deductions:

(a) The deductions allowed by this part (other than by Article 7 of this chapter) which are attributable to a trade or business carried on by the taxpayer, if such trade or business does not consist of the performance of services by the taxpayer as an employee

(b) (1) The deductions allowed by Article 6 (Section 17201 and following) which consist of expenses paid or incurred by the taxpayer, in connection with the performance by him of services as an employee, under a reimbursement or other expense allowance arrangement with his employer.

(2) The deductions allowed by Article 6 (Section 17201 and following) which consist of expenses of travel, meals, and lodging while away from home, paid or incurred by the taxpayer in connection with the performance by him of services as an employee

(3) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part which consist of expenses of transportation paid or incurred by the taxpayer in connection with the performance by him of services as an employee.

(4) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part which are attributable to a trade or

business carried on by the taxpayer, if such trade or business consists of the performance of services by the taxpayer as an employee and if such trade or business is to solicit, away from the employer's place of business, business for the employer.

(c) The deduction allowed by Section 18151.

(d) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part as losses from the sale or exchange of property.

(e) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part, by Section 17252 (relating to expenses for production of income), and by Section 17681 (relating to depletion) which are attributable to property held for the production of rents or royalties.

(f) In the case of a life tenant of property, or an income beneficiary of property held in trust, or an heir, legatee, or devisee of an estate, the deduction for depreciation allowed by Sections 17208 to 17212, inclusive, and the deduction allowed by Section 17681. Nothing in this section shall permit the same item to be deducted more than one.

(g) In the case of an individual who is an employee within the meaning of Section 17502.2(a), the deductions allowed by Sections 17513 to 17525, inclusive, and Section 17526(e) to the extent attributable to contributions made on behalf of such individual.

(h) The deduction allowed by Section 17266.

(i) One hundred dollars ($100) in the case of an individual other than a head of household or a married couple filing a joint return, and two hundred dollars ($200) in the case of a head of household or a married couple filing a joint return who have an approved basic plan for health services as provided for in Division 41 of the Health and Safety Code.

SEC. 5. Section 17171 of the Revenue and Taxation Code is amended to read:

17171. (a) A taxpayer, at his election, may take a standard deduction as follows:

(1) In the case of a taxpayer, other than a head of a household or a married couple filing a joint return, the standard deduction shall be ~~one thousand dollars ($1,000)~~ *nine hundred dollars ($900)* ;

(2) In the case of a head of household or a married couple filing a joint return, the standard deduction shall be ~~two thousand dollars ($2,000)~~ *one thousand eight hundred dollars ($1,800)* ;

(3) If the adjusted gross income (for purposes of Section 17048) of a taxpayer is less than ten thousand dollars ($10,000), the standard deduction shall be determined under the tax table provided in Section 17048

(b) The standard deduction provided for in subsection (a) shall be in lieu of all deductions other than those which under Section 17072 are to be subtracted from gross income in computing adjusted gross income.

SEC. 6. Section 17253 of the Revenue and Taxation Code is amended to read:

17253. There shall be allowed as a deduction the following amounts, not compensated for by insurance or otherwise—

(a) The amount by which the amount of the expenses paid during the taxable year (reduced by any amount deductible under subdivision (b)) for medical care of the taxpayer, his spouse, and dependents (as defined in Section 17056) exceeds 3 percent of the adjusted gross income, and

(b) An amount (not in excess of ~~one hundred fifty dollars ($150)~~ *three hundred dollars ($300)* equal to ~~one-half of~~ the expenses paid during the taxable year for *approved basic plan* insurance which constitutes medical care for the taxpayer, his spouse, and dependents, *and contributions made for catastrophe health insurance*.

SEC. 7. Section 18401 of the Revenue and Taxation Code is amended to read:

18401. Every individual taxable under this part shall make a return to the Franchise Tax Board, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year—

(a) An adjusted gross income over three thousand ~~two~~ *one* hundred fifty dollars ~~($3,250), if single,~~ *($3,150), if single;*

(b) An adjusted gross income of over six thousand ~~five~~ *three* hundred dollars ~~($6,500), if married, or~~ *($6,300) if married; or*

(c) A gross income of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.

SEC 8. Section 18402 of the Revenue and Taxation Code is amended to read:

18402. If a husband and wife have for the taxable year an aggregate adjusted gross income of over six thousand ~~five~~ *three* hundred dollars ~~($6,500)~~ *($6,300)*, or an aggregate gross income of over seven thousand dollars ($7,000)—

(a) Each shall make such a return, or

(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income, as provided in Section 17045 No joint return shall be made if; (1) one spouse was a resident for the entire year and the other spouse was a nonresident for all or any portion of the taxable year (this exception shall not apply if the nonresident or his or her spouse was an active member of the armed forces or any auxiliary branch thereof during the taxable year), or (2) husband and wife have different taxable years; except that if such taxable years begin on the same day and end on different days because of the death of either or of both, then the joint return may be made with respect to the taxable year of each. The above exception shall not apply if the surviving spouse remarries before the close of his taxable year, nor if the taxable year of either spouse is a fractional part of a year under Section 17553.

(c) In the case of the death of one spouse or both spouses the joint return with respect to the decedent may be made only by his executor or administrator; except that in the case of the death of one spouse the joint return may be made by the surviving spouse with respect to both himself and the decedent if (1) no return for the taxable year has been made by the decedent, (2) no executor or administrator has been appointed, and (3) no executor or administrator is appointed before

the last day prescribed by law for filing the return of the surviving spouse. If an executor or administrator of the decedent is appointed after the making of the joint return by the surviving spouse, the executor or administrator may disaffirm such joint return by making, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was made, in which case the return made by the survivor shall constitute his separate return.

SEC. 9. Section 18405 of the Revenue and Taxation Code is amended to read:

18405. Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, for any of the following taxpayers for whom he acts, stating specifically the items of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having an adjusted gross income for the taxable year of over three thousand *one* ~~two~~ hundred fifty dollars ~~($3,250)~~ *($3,150)*, if single.

(b) Every individual having an adjusted gross income for the taxable year of over six thousand *three* ~~five~~ hundred dollars *($6,300)*, ~~($6,500)~~ if married

(c) Every individual having a gross income for the taxable year of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.

(d) Every estate the net income of which for the taxable year is over one thousand dollars ($1,000).

(e) Every trust the net income of which for the taxable year is over one hundred dollars ($100).

(f) Every estate or trust the gross income of which for the taxable year is over seven thousand dollars ($7,000), regardless of the amount of the net income.

(g) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the Franchise Tax Board may prescribe.

SEC. 10. Section 18410.6 of the Revenue and Taxation Code is amended to read:

18410.6. For the purposes of Sections 18586 to 18589, inclusive (relating to period of limitations upon assessment and collection), and for the purposes of Section 18681 (relating to delinquent returns), a joint return made under Section 18410 shall be deemed to have been filed:

(a) Where both spouses filed separate returns prior to making the joint return, on the date the last separate return was filed (but not earlier than the last date prescribed by this part for filing the return of either spouse).

(b) Where one spouse filed a separate return prior to the making of the joint return, and the other spouse had three thousand ~~two~~ *one*

hundred fifty dollars ~~($3,250)~~ *($3,150)* or less of adjusted gross income and seven thousand dollars ($7,000) or less of gross income for such taxable year, on the date of the filing of such separate return (but not earlier than the last date prescribed by law for the filing of such separate return).

(c) Where only one spouse filed a separate return prior to the making of a joint return and the other spouse had an adjusted gross income of more than three thousand ~~two~~ *one* hundred fifty dollars ~~($3,250)~~ *($3,150)* or a gross income of more than seven thousand dollars ($7,000) for such taxable year, on the date of the filing of such joint return."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out pages 2 and 3

Bill ordered reprinted, and to be re-referred to the Committee on Health

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, April 3, 1972

Mr Speaker Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2303—An act relating to personal income tax, and declaring the urgency thereof, to take effect immediately

EUGENE A. CHAPPIE

Above request ordered transmitted to the Committee on Rules.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 196 was continued until the next legislative day.

VOTE CHANGES

Messrs Burke, LaCoste, Waxman, Meade, and Quimby were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No 155, and on the passage of the bill.

Messrs Cory and Wakefield were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 442

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 298, and on the passage of the bill.

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 430.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "Aye" on Assembly Constitutional Amendment No 13.

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 438, and on the passage of the bill.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 438, and on the passage of the bill.

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 17.

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No, 702, and on the passage of the bill.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 272.

Speaker pro Tempore Presiding

At 12:15 p.m., Hon. Carlos Bee, 13th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2315: By Assemblymen Belotti, Chappie, and Barnes—An act making an appropriation for the operation of the 18th District Agricultural Association, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2316: By Assemblyman Townsend—An act to amend Section 7071.11 of the Business and Professions Code, relating to contractors.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2317: By Assemblyman Bee—An act to amend Section 25007 of, and to add Section 25000 5 to, the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2318: By Assemblyman Hayden—An act to amend Section 1029 5 of the Code of Civil Procedure, relating to costs of defense.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2319: By Assemblymen Mobley, Maddy, Ray E Johnson, Duffy, Chappie, Ketchum, Murphy, Seeley, and Wood—An act to amend Sections 17910 of, and to repeal Section 20814 5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), and Chapter 3 (commencing with Section 16130) to Part 1 of Divi-

sion 4 of Title 2 of, to amend Sections 16120, 29100.5, 29100.7, and 65570 of, the Government Code, relating to providing subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 66: By Assemblyman Belotti—Relative to the Fairs Allocation and Classification Committee.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Ralph was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 182 for hearing in the Committee on Ways and Means, on Wednesday, April 5, 1972.

COMMUNICATIONS

Assembly Chamber, April 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 685—An act to amend Section 690 6 of the Code of Civil Procedure, relating to levies of execution, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented the Governor at 12 15 p m., April 3, 1972.

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 3, 1972

Mr Speaker· The Chairman of your Committee on Ways and Means reports:

AB No. 92

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 92—An act to add Section 19700 745 to the Education Code, and to amend Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session), relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly March 22, 1972, strike out "Section", and insert "Sections".

Amendment No. 2

In line 4 of the title, after "19700.745", insert "and 19700.746".

Amendment No. 3

In line 4 of the title, strike out ", and to", strike out lines 5 and 6 of the title, and in line 7 of the title, strike out "session),".

Amendment No. 4

On page 2, strike out line 4, and insert

"19700.745 Notwithstanding any provisions of this article, any school district which has levied the entire twenty-cent ($0.20) tax rate per one hundred dollars ($100) of assessed valuation permitted under Section 15518 and has declared the entire proceeds therefrom available as local matching funds for a particular project, but lacks sufficient matching funds for such project as required under this article, may file an application thereunder prior to January 1, 1973 Under such circumstances the board may increase the basic computed state matching ratio of assistance in such amount, which, when added to the sum of the entire proceeds of the twenty-cent ($0.20) tax rate and such other funds which in the opinion of the board is or can be made currently available for the project, including funds authorized by the electors from bonds or otherwise, would be necessary to construct minimum essential facilities for the project as determined by the board. Not more than thirty million dollars ($30,000,000) available for the purposes of this article may be apportioned for increases in the basic computed state matching ratio pursuant to this section

SEC 2 Section 19700 746 is added to the Education Code, to read:

19700.746 Notwithstanding any provisions of this article, where less than thirty million dollars ($30,000,000) has been apportioned or otherwise reserved by the board pursuant to Section 19700 745, the board shall apportion as grants the remainder thereof under this section for matching purposes pursuant to this article to districts which the board determines has the greatest need Such apportionments under this section may be made only to those districts (1) which would not have been eligible to apply under Section 19700 745 if they had levied the entire twenty-cent ($0 20) tax rate specified therein, and (2) which have filed an application by January 1, 1973 and received an apportionment under this article from the board by February 28, 1973 "

Amendment No. 5

On page 2, strike out lines 5 to 11, inclusive; and strike out all of pages 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

ADJOURNMENT

At 2 02 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a m , Tuesday, April 4, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fiftieth Legislative Day

Ninety-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 4, 1972

The Assembly met at 11 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr Seeley seconded the motion.
Motion carried Time, 11:03 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:13 a m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E. Townsend, Member of the Assembly, 67th District:

Eternal God, As You have given us freedom in which to make our decisions, may we use this gift responsibly At the outset of this week may our decisions, deeds, and actions have integrity.

Forgive us, and may we forgive each other for ignoring the needs of each other and for overlooking the value of each individual, for we are all children of an Everlasting Father —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Beverly then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Deddeh, seconded by Mr. Wilson.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. LaCoste, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Pierson, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived:

Mr. Brophy.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

April 3, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti I would like to be excused from Session Tuesday, April 4th, to make a field tour inspecting the freeze damage caused to the agricultural producers in Stanislaus County with Congressman John McFall

It is imperative that I be present because it vitally affects my district, particularly the farmers who have suffered a severe setback in the destruction of their crops by the freeze.

Sincerely,

ERNEST LaCOSTE, Assemblyman
Thirtieth District

REPORTS

The following reports were presented by the Chief Clerk:

Fine Arts Instruction in California Educational Institutions. (As required by House Resolution 225.)

A Study of State School Fund Transportation Allowances to School Districts. (As required by Assembly Concurrent Resolution No. 60.)

Teacher Preparation in the History, Culture, and Current Problems of Ethnic Minorities. (As required by Education Code, Section 13250.4.)

Above transmitted reports, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated March 28, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Second Annual Progress Report on the Los Angeles Area Freeway Surveillance and Control Project. (In compliance with Assembly Concurrent Resolution No. 164, 1970.) January 1972.

Above transmitted report, together with letter of transmittal from James A Moe, Director, Department of Public Works, Sacramento, dated March 1, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2314	Ways and Means
2315	Governmental Organization
2316	Commerce and Public Utilities
2317	Governmental Organization
2318	Judiciary
2319	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
65	Ways and Means
66	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2320: By Assemblyman Knox—An act to amend Sections 33450, 33452, and 33457 of the Health and Safety Code, relating to redevelopment.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 67: By Assemblyman Deddeh—Relative to streets and highways.

Referred by the Speaker pro Tempore to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, April 4, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Chappie for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2303 be granted.

BURTON, Chairman

Assembly Chamber, April 4, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Meade for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Constitutional Amendment No. 56 be granted.

BURTON, Chairman

COMMUNICATIONS

Assembly Chamber, April 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 352
AB No. 377
AB No. 409

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 152
AB No. 443

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 92

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, March 30, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 143

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Constitutional Amendments.

RALPH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

ACA No. 19

With amendments with the recommendation: Amend, be adopted as amended, and be re-referred to the Committee on Constitutional Amendments

RALPH, Chairman

Above resolution ordered on file.

Committee on Retirement

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 536

With amendments with the recommendation: Amend, and do pass, as amended.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Agriculture

Assembly Chamber, April 4, 1972

Mr. Speaker · Your Committee on Agriculture reports:

SJR No. 1

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Rules.

BRIGGS, Chairman

Above resolution ordered on file.

Committee on Revenue and Taxation

Assembly Chamber, April 4, 1972

Mr. Speaker · Your Committee on Revenue and Taxation reports:

SB No. 59

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 289

AB No. 595

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bills ordered to second reading.

Committee on Judiciary

Assembly Chamber, April 4, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 420

AB No. 496

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Health

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 610

Do pass, and be re-referred to the Committee on Ways and Means: Recommend Consent.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Environmental Quality

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No. 579

AB No. 580

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 579—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Schabarum", and insert "Biddle".

Amendment No. 2

On page 2, line 9, after "agencies", insert "as".

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

Assembly Bill No. 580—An act to add Sections 39079, 39080, 39276, and 39277 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill strike out "Schabarum", and insert "Biddle".

Amendment No. 2

In line 1 of the title, strike out "39276, and 39277", and insert "and 39276".

Amendment No. 3

On page 3, strike out lines 18 to 25, inclusive.

Amendment No. 4

On page 3, line 26, strike out "SEC. 5", and insert "SEC 4".

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 375

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 375—An act to amend Section 11556 of, and to add Section 11555.5 to, the Government Code, and to repeal and add Title 6 (commencing with Section 13800) to Part 4 of the Penal Code, relating to criminal justice.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and to repeal and", and insert "to".

Amendment No. 2

In line 3 of the title, strike out "to Part 4 of", and insert "and Title 6.5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of,".

Amendment No. 3

On page 2, line 26, after "in", insert ", and representative of,".

Amendment No. 4

On page 2, line 27, after "in", insert ", and representative of,".

Amendment No. 5

On page 2, line 28, after "in", insert ", and representative of,".

Amendment No. 6

On page 2, line 29, after "in", insert ", and representative of,".

Amendment No. 7

On page 2, strike out lines 30 to 32, inclusive, and insert "and judicial administration, and one member representative of and experienced in the work of public agencies maintaining programs to reduce or control crime. Each member shall have had a minimum of".

Amendment No. 8

On page 2, strike out lines 35 to 40, inclusive; and on page 3, strike out lines 1 and 2, and insert "Each member shall serve full time.

13801. The Governor shall appoint an alternate for each member of the board who shall have the same qualifications as the member for which he is appointed as an alternate. The alternates appointed under this section shall serve only part time and then only to perform the services ordinarily required to be performed by the member to which he is an alternate when that member is absent from his duties as a result of having been excused by the Governor.

The alternates shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this chapter."

Amendment No. 9

On page 3, line 3, strike out "13801", and insert "13802".

Amendment No. 10

On page 3, line 12, strike out "13802", and insert "13803".

Amendment No. 11

On page 3, strike out lines 19 to 23, inclusive.

Amendment No. 12

On page 3, line 30, strike out "Three", and insert "Five".

Amendment No. 13

On page 3, strike out lines 38 and 39, and insert

"13806. The board shall have the authority to employ personnel necessary to carry out its duties, and may utilize".

Amendment No. 14

On page 6, strike out lines 8 to 12, inclusive, and insert "90 percent of such funds on the basis of the percentage of the state's population within such units or combination, and shall allocate the remainder of such funds to areas of high crime incidence, provided that no planning unit or combination shall receive less than one-fourth of 1 percent of such funds. The percentage allocation".

Amendment No. 15

On page 6, line 18, strike out "a majority of".

Amendment No. 16

On page 8, after line 7, insert

"SEC. 5. Title 6 5 (commencing with Section 13800) is added to Part 4 of the Penal Code, to read:

TITLE 6.5. CALIFORNIA COUNCIL ON CRIMINAL JUSTICE

13800. There is hereby created in the state government the California Council on Criminal Justice, hereafter referred to as the council, which shall be composed of the following members: the Attorney General, 17 members appointed by the Governor, three of whom shall be the Commissioner of the Department of the Highway Patrol, the Director of the Department of Corrections, and the Director of the Youth Authority; six members appointed by the Senate Rules Committee, two of whom shall be Members of the Senate; and six members appointed by the Speaker of the Assembly, two of whom shall be Members of the Assembly.

The appointing authorities shall consult in the selection of council members to insure that there is balanced representation on the council including representatives of the public concerned with the prevention and reduction of crime.

The appointees of the Governor shall include: a chief of police, a district attorney, a sheriff, a public defender, two members of city councils, two members of county boards of supervisors, a county probation officer, a representative of the Commission on Peace Officer Standards and Training, a faculty member of a college or university qualified in the field of criminology, police science, or law, and a person qualified in the general field of research, development, and systems technology. The Speaker and Senate Committee on Rules shall include among their appointments a representative of the Judicial Council, a judge, a representative of the cities and a representative of the counties.

13801. (a) The legislator members of the council shall participate in its work to the extent such participation is not incompatible with their positions as Members of the Legislature.

(b) For the purposes of this title the Members of the Legislature who are appointed shall be considered a joint committee of the two houses of the Legislature constituted and acting as an investigating committee, and as such shall have the powers and duties imposed on such committees by the Joint Rules of the Senate and Assembly. The members of such committee shall report to the Leigslature on the fifth legislative day of the 1968 Regular Session on additional legislation which may be necessary to comply with provisions of federal law.

13802. The Governor shall appoint the chairman of the council and the council shall designate one or more vice chairmen from among its members, who shall serve at the pleasure of the council The Governor shall call the first meeting on or after January 16, 1968.

13803. Members of the council shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this title.

13804. The council may appoint an executive officer by affirmative vote of a majority of the members and may appoint other employees and consultants. The council may utilize personnel, facilities and services of departments and agencies of state government, pursuant to agreements developed between the council and the agencies concerned.

13805. The council shall have the following powers and duties:

(a) To develop plans for the prevention, detection, and control of crime in the administration of criminal justice. In developing these plans, the council may conduct studies, survey resources and identify needs for research and development in this field.

(b) To encourage coordination, planning and research by law enforcement and criminal justice agencies throughout the state and to act as a clearinghouse for proposals and projects in this field

(c) To develop plans for the dissemination of information on proposed, existing, and completed research and development projects.

(d) To advise the Governor, Legislature, and the various state departments and local jurisdictions charged with responsibility in criminal justice matters.

13806. In the exercise of its authority under subdivision (a) of Section 13805 the council may develop plans to fulfill the requirements of any federal act providing for the adoption of comprehensive plans to facilitate the receipt and allocation of federal funds for planning, research, demonstration and special project grants The council shall submit its recommendations concerning applications for federal funds by any state or local agency to the Governor to be forwarded to the United States Attorney General or appropriate federal agency The council shall also report to the Legislature on its recommendations

13807. Nothing in this title shall be construed as authorizing the council to undertake direct operational law enforcement responsibilities

SEC. 6. The Secretary of State shall furnish a copy of this act to the United States Department of Justice within five days after it is filed with his office.

SEC. 7. It is the intent of the Legislature that Sections 1, 2, 3, 4 and 6 of this act shall become operative on the effective date of this act, and shall remain operative unless and until the United States Department

of Justice issues a formal ruling that Sections 1, 2, 3 and 4 of this act are not in conformity with federal requirements of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351; 82 Stat. 197), as amended by the Omnibus Crime Control Act of 1970 (P.L. 91-644; 84 Stat. 1880) at which time Sections 1, 2, 3, 4 and 6 of this act are repealed and Section 5 shall become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, April 4, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 42

AB No. 674

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 42—An act appropriating funds for uniform allowances for state employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "appropriating funds for uniform allowances for", and insert "to add Article 7 (commencing with Section 19460) to Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84.1 to the Budget Act of 1972, relating to".

Amendment No. 2

In line 2 of the title, after "employees", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Article 7 (commencing with Section 19460) is added to Chapter 7, Part 2, Division 5, Title 2 of the Government Code, to read:

Article 7. Uniforms, Work Clothes, Safety Equipment, and Police Protective Equipment

19460. As used in this article:

(a) "Board" means the State Board of Control.

(b) "Uniform" means outer garments, excluding shoes, which are required to be worn exclusively while carrying out the duties and responsibilities of the position and which are different from the design

or fashion of the general population. This definition includes items that serve to identify the person, agency, functions performed, rank, or time in service.

(c) "Work clothes" means attire that is worn over, or in place of, regular clothing and is necessary to protect the employee's clothing from damage or stains which would be present in the normal performance of his duties, for example, aprons, lab smocks, shop coats, or coveralls; or is necessary for the required sanitary conditions, for example, agriculture inspectors, surgery personnel, or food service.

(d) "Safety equipment" means equipment or attire worn over, in place of, or in addition to, regular clothing, which is necessary to protect the employees' health and welfare, for example, helmets, goggles, safety harness, and fireman "turn out gear."

(e) "Police protective equipment" means equipment or attire worn by law enforcement personnel for the purpose of protecting themselves or the public from overt actions of others or to assist in the carrying out of related duties, for example, handgun, baton, billy, handcuffs, flashlight, whistle, leather belt, holster and cases or attachments.

19461. State employees shall be responsible for the purchase of uniforms required as a condition of employment. The state shall provide for an allowance not to exceed one hundred fifty dollars ($150) per year to state employees for the replacement of uniforms.

19462. Each state employee employed in position which is permanent and full time, including employees having probationary status, shall receive the allowance for uniforms provided for in Section 19461, if:

(a) The uniform is clearly necessary for ready visual identification by the public for law enforcement, public safety, or other closely related purposes; and

(b) The employee is required by his appointing power to wear the uniform for the regular, full time performance of his duties, and

(c) The uniform is authorized for wear only in an official capacity.

19463. To implement the provisions of Sections 19461 and 19462 the board shall:

(a) Establish a procedure to determine what articles are to be included in calculating the amount of the uniform allowance.

(b) Determine the average annual replacement cost for each type of uniform based on departmental standards and taking into consideration normal uniform life. The allowance shall be the average annual replacement cost or one hundred fifty dollars ($150), whichever is less.

(c) Annually review uniform allowances and adjust when necessary

(d) Determine procedure for and frequency of payment.

(e) Determine when new employees become eligible.

(f) Determine the need for changes in uniforms based on departmental requests.

(g) Determine what degree of need for identification is necessary to to support a uniform requirement.

(h) Establish procedures and make determinations as required.

19464. Subject to the availability of funds appropriated specifically for that purpose, each state employee shall be furnished work clothes if:

(a) The work clothes are required for purposes of sanitation or cleanliness; and

(b) The work clothes are required by the appointing power; and

(c) The work clothes are of a standard size instead of a measured size

Work clothes provided pursuant to this section will be maintained and owned by the state. Items lost or damaged due to the negligence of the employee, shall be replaced by the employee at his expense.

19465. The state shall furnish all safety equipment and police protective equipment. All safety equipment and police protective equipment provided pursuant to this section shall remain the property of the state. Items lost or damaged due to the negligence of the employee, shall be replaced by the employee at his expense.

SEC. 2. Section 84.1 is added to the Budget Act of 1972, to read:

84.1. For allocation by the Department of Finance to the several state officials, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service exclusive of personnel in the University of California and in the California State College, whose compensation, or portion thereof, is chargeable to the General Fund, the uniform allowance for state employees provided for in Article 7 (commencing with Section 19460) of Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, on or after July 1, 1972, by the State Board of Control—$800,000

For state officers and employees whose compensation, including staff benefits, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide the uniform allowances for state employees in accordance with this section, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes

Before any uniform allowance for state employees for the 1972–73 fiscal year shall become effective, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or may be made available from the appropriation in this section, to meet the cost of such uniform allowance.

SEC 3 It is the intent of the Legislature in adding Item 84.1 to the Budget Act of 1972 by Section 2 of this act to incorporate and make applicable thereto the same conditions contained in and as are applicable to other items of appropriation in the Budget Act of 1972.

SEC. 4. This act shall become operative on July 1, 1972.

SEC 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the state employee benefits provided for by this act may commence at the beginning of the 1971–72 fiscal year, it is necessary that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

Assembly Bill No. 674—An act to add Sections 50084 and 50085 to the Government Code, relating to public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "50084", and insert "19702.1, 19702.2, 50084,".

Amendment No. 2

On page 1, line 1, after the period, insert "Section 19702.1 is added to the Government Code, to read:

19702.1. Hiring and promotion pursuant to this part shall conform to the Federal Civil Rights Act of 1964.

SEC. 2. Section 19702.2 is added to the Government Code, to read:

19702 2. Educational prerequisites or testing or evaluation methods which are not significantly related to successful job performance in the area involved shall not be employed as part of hiring practices or promotional practices conducted pursuant to this part.

SEC. 3."

Amendment No. 3

On page 1, line 6, strike out "SEC. 2", and insert "SEC 4".

Amendment No. 4

On page 2, line 5, strike out "SEC. 3", and insert "SEC 5".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 115
AB No. 288
AB No. 386

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 115—An act to add Section 17237 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Deddeh", and insert "Assemblymen Deddeh and Cline".

Amendment No. 2

On page 1, line 6, after "property", insert "occupied for more than six months during the taxable year as the principal place of residence of the owner thereof and which is not used for income-producing purposes,".

Amendment No. 3

On page 1, line 7, after the period, insert "There shall be only one deduction allowed under this section in any taxable year with respect to a residence If the residence is occupied by more than one owner eligible for the deduction, the deduction may be taken by any of them or divided between them."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 288—An act to amend Section 7401 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7401 of", and insert "add Section 6357.1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 6357 1 is added to the Revenue and Taxation Code, to read:

6357 1. There are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use, or other consumption in this state of motor vehicle fuel used for agricultural purposes when such use would be subject to a refund of the tax imposed by Part 2 (commencing with Section 7301) of this division."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive; and on page 2, strike out lines 1 to 37, inclusive.

Amendment No. 4

On page 2, line 41, strike out "July 1, 1972", and insert "the first day of the first calendar quarter following enactment".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 386—An act to amend Section 423 of the Revenue and Taxation Code, relating to the assessment of open-space lands.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, of the printed bill, strike out line 31, and insert "(b) The".

Amendment No. 2

On page 3, strike out lines 35 to 40, inclusive, and insert

"(1) A percentage which allows for a return on the investment and a percentage for risk For the purposes of this section the total percentage as thus described is declared to be 6½ percent."

Amendment No. 3

On page 4, strike out lines 1 to 5, inclusive; and in line 6, strike out "(3)", and insert "(2)".

Amendment No. 4

On page 4, line 10, strike out "(4)", and insert "(3)".

Amendment No. 5

On page 4, strike out lines 14 to 20, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 4, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 652

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 652—An act to add Section 1669 to the Civil Code, relating to contracts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, strike out line 3, of the printed bill, and insert

"1669. All contracts wherein any person, corporation, or other entity accepts or pays, or promises to accept or pay, a fee contingent upon future federal, state, or local governmental action favorable to the subject matter of the contract, are unlawful and void.

The provisions of this section shall not be applicable to contracts entered into before the effective date of this section."

Amendment No. 2

On page 1, strike out lines 4 to 13, inclusive; and on page 2, strike out line 1.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 4, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 531

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of the Education Code, relating to instructional materials.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Ryan", and insert "Assemblymen Ryan, Dent, and Stull

(Coauthors. Senators Dymally and Harmer)".

Amendment No. 2

In line 2 of the title of the printed bill, after "of", insert ", and to add Division 8 (commencing with Section 9200) to,".

Amendment No. 3

On page 1, after line 2, insert

"SEC. 2 Division 8 (commencing with Section 9200) is added to the Education Code, to read:

DIVISION 8. INSTRUCTIONAL MATERIALS

CHAPTER 1. GENERAL PROVISIONS

Article 1. Legislative Intent

9200. It is the intent and purpose of the Legislature in enacting this division to provide for the acquisition of instructional materials for the elementary and secondary schools.

9201. For purposes of any provision of the California Constitution which requires the adoption of textbooks for use in the elementary schools, the state board shall have the power, subject to the provisions of this division, to adopt one or more separate series of textbooks or instructional materials systems for any of the several courses offered in the elementary schools, or for any combination of such courses For such purposes the term "elementary schools" shall have the meaning prescribed by Section 9231.

9202. The Legislature hereby recognizes that, because of the common needs and interests of the citizens of this state and the nation, there is a need to establish general educational guidelines for the selection of instructional materials for the public schools, but that, because of economic, geographic, physical, political, educational, and social diversity, specific choices about instructional materials need to be made at the local level.

9203. The Legislature further recognizes that by enacting Division 7 (commencing with Section 7500) of the Education Code it gave school district governing boards broad powers to establish courses of study, and that school district governing boards must have the ability to choose instructional materials which are appropriate to their courses of study.

Article 2. Definitions

9220. For the purpose of this division the definitions set forth in this article shall govern the construction of this division

9221. "Instructional material" means all materials designed for use by pupils and their teachers as a learning resource and which help pupils to acquire facts, skills, or opinions or to develop cognitive processes Instructional materials may be printed or nonprinted and may include textbooks, educational materials and tests

9222. "Instructional materials system" means a comprehensive collection of related instructional materials which are designed to improve learning in one or more subjects and are so designed that all parts of the system are necessary to produce the results intended.

9223. "Textbook" means a book designed for use by pupils as a source of instructional materal, or a teachers edition of the same book.

9224. "Educational material" means any audiovisual or manipulative device including, but not limited to films, tapes, flashcards, kits, phonograph records, study prints, graphs, charts and multimedia systems. Educational materials do not constitute equipment as defined in the California School Accounting Manual

9225. "Test" means any device used to measure the knowledge or achievement of students.

9226. "State board" means the State Board of Education.

9227. "Commission" means the Curriculum Development and Supplemental Materials Commission.

9228. "District board" means that board of education or governing board of any county, city and county, city or other district which has the duty to provide for the education of the children in its county, city and county, city, or district.

9229 "Governing boards" means the state board and any one or more district boards

9230. "School official" means any member of any governing board, any city, county, city and county or district superintendent of schools, and any principal, teacher or other employee under his charge

9231. "Elementary school" means all public schools in which instruction is given through grade eight or in any one or more of such grades.

9232. "High school" means all public schools other than elementary schools in which instruction is given through grade 12, or in any one or more of such grades

9233 "Nonpublic school" means a school satisfying the requirements of Section 12154 of the Education Code, if such school is exempt from taxation under Section 214 of the Revenue and Taxation Code

9234. "Learner verification" means the thorough evaluation of instructional materials for their effectiveness with pupils.

9235. "Curriculum framework" means an outline of the components of a given course of study designed to provide state direction to school districts in the provision of instructional programs.

Article 3. Content Requirements for Instructional Materials

9240. When adopting instructional materials for use in the schools governing boards shall include only instructional materials which accurately portray, whenever appropriate·

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.

(b) The role and contributions of members of ethnic groups to the total development of California and the United States

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

(d) Man's place in ecological systems and the necessity for the protection of our environment

(e) The effects on the human system of the use of tobacco, alcohol, narcotics and restricted dangerous drugs as defined in Section 11901 of the Health and Safety Code, and other dangerous substances

9241 When adopting instructional materials for use in the schools governing boards shall require such materials as it deems necessary and proper to encourage thrift, fire prevention and the humane treatment of animals.

9242 When adopting instructional materials for use in the schools governing boards shall require, when appropriate to the comprehension of pupils, that textbooks for social science, history or civics classes contain the Declaration of Independence and the Constitution of the United States

9243. No instructional materials shall be adopted by any governing board for use in the schools which contains.

(a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex or occupation

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

9244. All instructional materials adopted by any governing board for use in the schools shall be suited to the needs and comprehension of pupils at their respective grade levels. Such materials shall be accurate, objective and current.

9245 Any governing board may conduct an investigation of the compliance of any instructional materials which it adopts with the requirements of this article.

9246. If any instructional material offered for adoption or sale violates the requirements of this article the governing board shall order the publisher or manufacturer to cease to offer or sell such instructional materials If such an order is made, it shall be unlawful for any school to purchase or order such instructional material or to continue the use of such material beyond the close of the current school year

Article 4. Requirements for Publishers and Manufacturers

9260 Every publisher or manufacturer of instructional materials offered for adoption or sale in California shall comply with all the requirements and provisions of this division

9261. A publisher or manufacturer shall.

(a) Furnish the instructional materials offered by him at a price in California which, including all costs of transportation to that place, shall not exceed the lowest price at which the publisher offers said instructional materials for adoption or sale to any state or school district in the United States.

(b) Automatically reduce the price of said instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.

(c) Provide any instructional materials or services free of charge in California to the same extent as that received by any state or school district in the United States.

(d) Guarantee that all copies of any instructional materials sold in California shall be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States, and shall be kept revised, free from all errors, and up to date as may be revised by the state board.

(e) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the State of California

(f) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the governing board in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subdivisions (a) and (b) and (e), and in the amount of three times the total value of the instructional materials and services which the governing board is entitled to receive free of charge under subdivision (c).

9262. The provisions of Section 9261 shall apply to the purchase of instructional materials under Sections 7203 and 7352.

9263. It is a misdemeanor for any publisher or manufacturer of instructional materials, or his representative, to violate any provision of this division. Governing boards shall order any publisher or manufacturer who violates any provision of this division to cease to offer or sell any instructional materials. If such an order is made, it shall be unlawful for any school to purchase or order instructional materials from such publisher or manufacturer.

Article 5. Prohibited Acts

9280. No school official shall require any pupil, except pupils in classes for adults or community colleges, to purchase any instructional material for the pupils' use in the schools.

9281. No publisher or manufacturer of instructional materials, nor any of his representatives, shall offer or give any emolument, money, or other valuable thing, or any inducement, to any school official to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material

9282. No school official shall accept any emolument, money or other valuable thing, or any inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material.

9283. Any publisher or manufacturer of instructional materials or his representative, or any school official who violates any of the provisions of this article is guilty of a misdemeanor. Any school official who violates any of the provisions of this article shall, in addition to any other penalty, be removed from his official position.

9284. Nothing in this article shall be construed to prevent any publisher, manufacturer, or agent from supplying for purposes of examination necessary sample copies of instructional materials to any school official.

9285. Nothing in this article shall be construed to prevent a school official from receiving sample copies of instructional materials.

9286. Nothing contained in this article shall be construed to prohibit or restrict a school official from receiving royalties or other compensation from the publisher or manufacturer or instructional materials written, designed, or prepared by such school official, and adopted or purchased by any governing board, other than compensation paid as commission to the school official for negotiating sales to governing boards No district shall have or claim the right to receive any such royalty or other compensation due to any school official employed by the district unless the instructional material was written or prepared during the normal schoolday during which the school official is required by the district to be on duty.

Article 6. Reports

9300. Each district board shall make reports, whenever required, directly to the Superintendent of Public Instruction, concerning the instructional materials used in its schools.

Article 7. Application and Construction of Division

9320. No provision of this division shall be construed as requiring the district board of any district maintaining a community college to provide instructional materials free of charge, or otherwise, to any student enrolled in any community college, nor shall any of the provisions of this division be construed as applicable to instructional materials required or authorized to be used by students in any community college.

9321. No provision of this division shall be construed as requiring the district board of any district to provide instructional materials, free of charge, or otherwise, to any adult enrolled in a class for adults, nor shall any of the provisions of this division be construed as applicable to instructional materials required or authorized to be used by adults in classes for adults.

9322. No provision of this division shall be construed as prohibiting any district board, or any county library, from ordering and purchasing from their own funds such instructional materials as they may require, including state listed materials at a price equal to that computed pursuant to Section 9443

9323. If any provision of this division, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the division which can be given effect without the invalid provision or application, and to this end the provisions of this division are severable.

CHAPTER 2. ELEMENTARY INSTRUCTIONAL MATERIALS

Article 1. State Adoption and Selection

9400. The state board shall annually adopt a list of instructional materials for use in the elementary school grades subject to the following provisions:

(a) The board shall adopt a minimum of five instructional materials and instructional materials systems per subject, per grade; there shall be no limit on the number of materials on any list.

(b) Fewer than five instructional materials may be adopted per subject, per grade if publishers and manufacturers of instructional materials do not submit a sufficient number of educationally useful materials or systems

(c) The board shall annually adopt lists of instructional materials for the following subjects: (1) English, (2) arithmetic, (3) social sciences (4) reading, (5) science, and (6) any other subject in which the board shall determine the need and desirability for instructional materials to promote the maximum efficiency of pupil learning.

(d) The board shall adopt the list in such a manner as to provide a broad spectrum of instructional materials for use in the schools The board shall not distinguish instructional materials or list or refuse to list any material because it is a basic educational resource, nor because it is supplemental to basic educational resources

9401. In adopting the annual list of instructional material the state board may do any one or more of the following:

(a) Retain any instructional materials from the previous years' list, and may make any adjustment in prices based on information provided pursuant to Section 9423.

(b) Delete from the previous years' list any material which it determines is obsolete pursuant to Section 9800, or which received no order from any district board during the previous year

(c) Add instructional materials not previously submitted for adoption, or materials previously submitted which have been revised to comply with any recommendations of the board

9402. Before final adoption of any instructional materials not currently listed, the state board shall make such materials available for public inspection for 30 days in offices of each county superintendent of schools

9403 The state board shall give the Curriculum Development and Supplemental Materials Commission a public hearing before making any adoption of instructional materials for use in the elementary schools of the state.

9404. The commission shall·

(a) Recommend curriculum frameworks to the state board.

(b) Develop criteria for evaluating instructional materials submitted for adoption so that the materials adopted shall adequately cover the subjects in the indicated grade or grades. Such criteria shall be public information and shall be provided in written or printed form to any person requesting such information

(c) Study and evaluate all instructional materials submitted for adoption.

(d) Recommend to the state board instructional materials which it approves for adoption for a given subject at a given grade level

9405 The commission may, in order to fulfill its duties pursuant to Section 9404, appoint task forces or committees of subject matter experts to assist and advise them Each task force or committee appointed by the commission shall not exceed 50 members and shall include classroom teachers as defined in Section 321 as a majority of each task force or committee Accurate records of the advice and recommendations of each task force or committee member shall be maintained by the commission, and made available to the state board at its request.

Article 2 Duties of Publishers and Manufacturers

9420 All publishers and manufacturers submitting instructional materials for adoption by the state board shall comply with the provisions of Chapter 1 (commencing with Section 9200) of this division

9421 Publishers and manufacturers submitting instructional materials for adoption shall provide sample copies of such materials in quantities to be determined by the state board

9422 Publishers and manufacturers shall, at the time that they submit sample copies of their instructional materials, submit the following information·

(a) Detailed specification of the physical characteristics of such material Such specifications shall be complied with by the publisher or manufacturer if the material is adopted and purchased in completed form by the state board or any district board. If the material is adopted

under a lease contract, the Department of General Services shall follow comparable specifications in manufacturing the material Changes in specifications may be made when approved by the state board and the publisher or manufacturer.

(b) A price schedule for the sale of completed materials to the state, including all costs of transportation pursuant to subdivision (a) of Section 9261.

(c) A price schedule for the lease and/or purchase by the state of films, dies, and other materials to be used by the state to manufacture such materials.

(d) A price schedule of royalty costs to be paid to the publisher or manufacturer whenever the state manufactures and distributes to school districts any such materials.

9423 Publishers and manufacturers may submit revisions to price schedules submitted pursuant to Section 9422 for any materials being considered for relisting pursuant to subdivision (a) of Section 9401.

9424. Publishers and manufacturers shall make available for purchase by any governing board any diagnostic, criterion, or other tests that they may develop.

9425. At the request of any district board and with the approval of the county superintendent of schools, publishers and manufacturers shall provide in-service training in the use of instructional materials produced by them.

9426. Publishers and manufacturers shall, in accordance with rules and regulations adopted by the state board, develop plans to improve the quality and reliability of instructional materials through learner verification Governing boards shall be encouraged to permit publishers and manufacturers to have limited access to classrooms for necessary testing and observation. Publishers and manufacturers shall provide copies of test results and evalulations made as part of learner verification at the request of any governing board.

Article 3. State Instructional Materials Fund

9440. There is hereby created the State Instructional Materials Fund, effective July 1, 1973, to include a dollar allotment per pupil enrolled in the elementary schools. The fund shall be a means of annually funding the acquisition of instructional materials as required by the Constitution of the State of California. The fund shall be permanent. Any balance remaining at the end of any fiscal year may be carried over into the subsequent fiscal year as part of the State Instructional Materials Fund before such funds revert to the General Fund.

9441. The fund shall be administered by the State Department of Education under policies established by the state board. It is the intent of the Legislature that the fund shall provide for flexibility of instructional materials. The fund shall constitute:

(a) A credit for use by district boards from which to order instructional materials adopted by the state board.

(b) A cash allotment, not to exceed 50 percent of the district board's credit, for use in purchasing instructional materials from any source, or for the purchase of tests or in-service training pursuant to Sections 9424 and 9425.

(c) An allotment to the Department of Education of not to exceed 10 percent of the fund, for warehousing and shipment of instructional materials

9442. The State Department of Education shall annually apportion to each elementary school district, after deductions allowed by subdivision (c) of Section 9441, a credit based on a dollar allotment per pupil of all unencumbered moneys in the fund.

9443 District boards ordering instructional materials from lists adopted by the state board shall have deducted from their credit a unit cost based on the information provided by publishers or manufacturers pursuant to subdivision (b) of Section 9422 In the event that the state board arranges for the manufacture of such instructional materials at a lower actual cost the savings shall be passed on to ordering districts in the form of an additional credit.

9444. District boards which do not use their entire credit in any fiscal year shall have the unexpended balance encumbered in their favor and shall be carried over into the subsequent fiscal year as part of the credit of the district

9445 To carry out the provisions of this article, all appropriations made by the Legislature for the acquisition of textbooks or other instructional materials are hereby transferred to the State Instructional Materials Fund.

Article 4. Local Ordering Procedures

9460 It is the intent of the Legislature in adopting this article that district boards order instructional materials which meet the needs of pupils in their district, and which relate to their courses of study as adopted pursuant to Division 7 (commencing with Section 7500).

9461. District boards shall determine the necessary quantities and distribution pattern of instructional materials No minimum order or ratio of materials shall be required, except that each district board shall provide sufficient quantities of instructional materials to meet the needs of their pupils

9462 District boards shall provide for substantial teacher involvement in selecting instructional materials.

9463 District boards shall order instructional materials on forms provided by the Department of Education Such forms shall include, or be accompanied by, information concerning the grade or grades and subject or subjects for which each instructional material is intended, and the unit cost of such material, as computed pursuant to Section 9443, which will be deducted from the credit of the district when ordered

9464 All district orders for instructional materials shall be forwarded to the Superintendent of Public Instruction for procurement of such materials pursuant to Article 5 (commencing with Section 9480) of this chapter However, in cases where the district does not qualify as a city school district and is an elementary district with fewer than 901 average daily attendance or a unified district with fewer than 1,501 average daily attendance, the county superintendent of schools shall approve the orders for instructional materials by such districts before forwarding to the Superintendent of Public Instruction.

9465. After any instructional material has been placed in use by a district board, it shall be retained in use by the district for a period of not less than two years nor more than five years after the date of its first use However, the Superintendent of Public Instruction may exempt materials from this requirement for educational reasons related to the content of the material.

Article 5. State Procurement of Instructional Materials

9480. The state board shall cause to be acquired and distributed any instructional materials ordered by district boards pursuant to Article 4 (commencing with Section 9460) of this chapter.

9481. The state board may acquire instructional materials included in any list adopted by the board for use in the elementary schools, by any one or more of the following means determined by the board to be in the best interests of the state:

(a) Purchase them.

(b) Compile them, or cause them to be compiled and manufacture them.

(c) Lease films, dies, maps, engravings, or copyright or patented matter for use in manufacturing them.

(d) Contract for, or lease copyrights for use in compiling printing, or publishing them.

(e) Provide for either the payment of royalties or for the leasing of films or both, or for making the whole or any part of the material and do any or all things that may be necessary for the purpose of procuring materials for use in the elementary schools.

(f) Arrange for the printing of textbooks by the Department of General Services.

(g) Produce or contract for the production of textbooks in braille, large print, recordings or other media for the use of handicapped minors, including the visually handicapped

9482. Each contract executed for the procurement of instructional materials shall include the right of the state to transcribe and reproduce the material in braille, large print, recordings or other media for the use of handicapped minors, including the visually handicapped, unable to use the book in conventional print and form Such right shall include those corrections, revisions and other modifications as may be necessary.

9483. Each contract executed pursuant to Section 9482 shall specify that the royalty, if required, for such materials shall be that specified in the contract for the regular materials designed for nonhandicapped pupils Any contract for the purchase of instructional materials shall establish a royalty, if required, for permission to transcribe or reproduce in braille, large print, recordings or other media for use of handicapped minors, including the visually handicapped.

9484. The cost of instructional materials acquired in any manner pursuant to Section 9481 shall be paid out of the State Instructional Materials Fund.

9485. The state board, before purchasing instructional materials from any source other than the Department of General Services, shall file with the Department of General Services a statement showing:

(a) The price which will be paid for the materials

(b) The cause preventing its production by the Department of General Services.

(c) Evidence that will support the fact that the publisher or manufacturer actually refused to lease copyright or patented matter, if such refusal is assigned as a cause preventing the production of the material by the Department of General Services

9486. Subject to the approval of the state board or a representative of the state board appointed to supervise the work, the Department of General Services shall have supervision of all the mechanical work connected with the printing of such textbooks as may be compiled and adopted. The Department of General Services, after printing and binding the books, shall deliver them to the Superintendent of Public Instruction.

9487 The Department of General Services shall receive payment on the approval of the items of cost by the state board or its duly authorized agent

9488. The amount fixed for royalty and costs of films or copyright or patented matter in favor of any company, or individual, shall be presented by the Superintendent of Public Instruction to the state board for its approval Claims shall be paid quarterly, in the same manner as other claims upon the State Treasury

9489. The Department of General Services shall furnish one copy of a cost-finding report showing items of work and the materials and the exact cost of each item for each of the lot of books, to the state board.

9490. On receiving a copy of the cost-finding report and the estimated cost of the publishing of any book, the state board shall determine and fix the cost price of the books The cost price shall be determined by adding· (a) the cost of manufacture, (b) the contract price to be paid as royalty or for the use of films, maps, engravings, or copyrighted or patented matter, and (c) overhead expense, which shall be computed at 10 percent of items (a) and (b).

9491. The cost price shall be deemed to be the whole cost of producing the material at Sacramento

9492. The Department of General Services shall on the first day of each month furnish to the state board a detailed statement showing the name and number of books published by it during the preceding month, and the number in course of publication.

9493 The Superintendent of Public Instruction shall arrange for the warehousing and shipping of all instructional materials in the most economical and timely manner

9494 The Superintendent of Public Instruction shall arrange for the redistribution of surplus instructional materials to districts reporting insufficient quantities of such materials.

Article 6. Other Uses of Elementary Instructional Materials

9500. The following individuals or organizations may order instructional materials from lists adopted by the state board·

(a) The head of any state institution offering instruction in the elementary grades, or giving instruction in the teaching of elementary subjects.

(b) Governing boards or private schools.

(c) Individuals or dealers for use only in California. Such materials shall be purchased at the unit cost determined pursuant to Section 9443.

9501. The Superintendent of Public Instruction shall keep an accurate account of the amount of money received from the sale of instructional materials and report to the Controller in accordance with provisions of Chapter 1 (commencing with Section 16300) of Part 2 of Division 4 of Title 2 of the Government Code. The amount of money collected therefor shall be paid into the Treasury to the credit of the State Instructional Materials Fund

9502. The state board shall make available copies of adopted textbooks in large print for pupils enrolled in the elementary schools whose visual acuity is 20/70 or less or who have other visual impairment making the use of such textbooks necessary. The state board shall make available adopted textbooks in braille characters for pupils enrolled in elementary schools whose corrected visual acuity is 20/200 or less.

9503. The Superintendent of Public Instruction shall establish and maintain a central clearinghouse-depository and duplication center for specialized textbooks, reference books, recordings, study materials, tangible apparatus, equipment and other similar items for the use of visually handicapped students enrolled in the public schools of California who may require their use as shall be determined by the state board.

Such instructional materials in specialized media shall be available to other handicapped minors enrolled in the public schools of California who are unable to benefit from the use of conventional print copies of textbooks, reference books, and other study materials in a manner determined by the state board.

The specialized textbooks, reference books, recordings, study materials, tangible apparatus, equipment and other similar items shall be available for use by visually handicapped students enrolled in the public community colleges, California State University and Colleges, and the University of California.

9504. The Superintendent of Public Instruction shall make available to pupils entitled to attend the public schools of California, but in attendance at a school other than a public school under the provisions of Section 12154, the items specified in Section 9503, without cost to the pupils or to the nonpublic school which they attend.

9505. The state board shall make available to pupils entitled to attend the public elementary schools of the district, but in attendance at a school other than a public school under the provisions of Section 12154, instructional materials adopted by the board for use in the public elementary schools. No charge shall be made to any pupil for the use of such adopted materials.

Materials shall be made available pursuant to this section only to the same extent that materials are made available to students in attendance in public elementary schools, except that no cash allotment may be made to any nonpublic school.

Materials shall be made available for the use of nonpublic elementary school students after the nonpublic school certifies to the State Superintendent of Public Instruction that such materials are desired and will be used by the elementary school students.

CHAPTER 3. HIGH SCHOOL TEXTBOOKS

Article 1 Adoption and Purchase

9600. The district board of each district maintaining one or more high schools shall adopt textbooks for use in the high schools under its control Only textbooks of those publishers who comply with the requirements of Article 4 (commencing with Section 9260) of Chapter 1 of this division may be adopted by the district board

9601 The state board shall designate the kinds of books which shall be classified as textbooks for the purposes of this chapter Instructional materials not classified as textbooks may be purchased by district boards without reference to the provisions of this chapter

9602. The textbooks adopted shall be put into use in the district not later than the school year next following their adoption.

9603 After any textbook has been adopted by the district board and placed in use, it shall be retained in use for a period of not less than three years after the date of its adoption, as shown by the official records of the district board.

9604. The clerk, secretary, or other person named by the district board for the purpose shall purchase textbooks on order of the district board of the high school district and shall examine the books when received. If they are found to be correct and in accordance with the order, a warrant shall be drawn for the proper amount, including the cost of transporting the textbooks, against any fund of the high school district available for the purpose and remitted to the publisher within 30 days after receipt of the books.

Article 2. Furnishing Textbooks to Pupils

9620 The district board of each high school district may fix a charge not to exceed the cost of the books to the high school district for books furnished pupils in classes for adults In lieu of fixing such charge, the board may lend books to such pupils and require the making of deposits by the pupils, the amount of deposit made by a pupil to be refunded to him upon the return by him of the books lent him in good condition, reasonable wear and tear excepted.

9621. The district board of each high school district shall purchase textbooks and may purchase supplementary books for the use of pupils enrolled in the high schools of the district The textbooks and supplementary books shall at all times remain the property of the district, and shall be supplied to the pupils for use without charge

9622 The district board of each high school district shall make all necessary provisions and arrangements to place the books purchased within easy reach and accessible for the use of all the pupils in the schools under its control.

9623. The district board of a high school district may at the end of any school term sell textbooks and supplementary books owned by the district to pupils of the district at prices which shall not exceed the actual value of the textbooks and supplementary books. The district board shall not require pupils of the district to purchase textbooks or supplementary books offered for sale by the board

The proceeds of the sales shall be placed in the county treasury to the credit of the general fund of the school district.

9624 The district board of a high school district may purchase textbooks for the use of students residing in the district but attending a public high school in an adjoining state which does not furnish textbooks free of charge Such textbooks shall remain the property of the district in which the students reside and shall be issued to such students at the discretion of the district board of that district.

Article 3. Disposal of Old Textbooks

9640. The district board of a district maintaining one or more high schools may provide for the disposition of high school textbooks that have been declared obsolete by the district board, in the manner provided in Section 9820, except that the manner of disposal stipulated in Section 9820 shall not preclude the district board from selling high school textbooks pursuant to Section 9623 nor from selling on the secondhand market high school textbooks that are in fit condition to use, and may provide for the disposition of high school textbooks that have been determined by the board to be unusable for educational purposes in the manner provided in Section 9840.

CHAPTER 4. OBSOLETE INSTRUCTIONAL MATERIALS

Article 1. Determination of Obsolescence

9800 For the purposes of this chapter, governing boards shall adopt rules, regulations and procedures for prescribing standards for determining when instructional materials in their possession are obsolete, and if such materials are usable or unusable for educational purposes.

Article 2. Donation or Sale

9820. The state board, any district board which employs a superintendent of schools, and other school districts with the approval of the county superintendent of schools, may dispose of surplus or undistributed obsolete instructional materials in its possession which are usable for educational purposes in any of the following ways

(a) By donation to any governing board, county free library or other state institution

(b) By donation to any public agency or institution of any other state, territory or possession of the United States, or the government of any country which formerly was a territory or possession of the United States

(c) By donation to any nonprofit charitable organization.

(d) By donation to children or adults in the State of California, other states, or foreign countries for the purpose of increasing the general literacy of the people

(e) By sale for a nominal price for use within the State of California to any organization which agrees to use such materials solely for educational purposes

9821. Any organization, agency or institution receiving obsolete instructional materials under the provisions of this article must certify to the governing board that it agrees to use the materials for educational purposes and agrees to make no charge of any kind to the persons to whom the organization gives or lends such materials.

9822. In order to ship the obsolete instructional materials to recipients named in Section 9820, governing boards may utilize funds from the State Instructional Materials Fund, in any instance in which the board determines that the cost of shipping will be lower than the estimated cost of storing or otherwise disposing of the obsolete instructional materials involved.

Article 3. Destruction

9840. The state board, any district board which employs a superintendent of schools, and other school districts with the approval of the county superintendent of schools may dispose of unusable surplus or undistributed obsolete instructional materials, or such materials which are usable but cannot be distributed pursuant to Section 9820 in any of the following ways:

(a) Mutilated as not to be salable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest price that can be obtained

(b) Destroyed by any economical means, provided that no instructional material shall be destroyed until 30 days after the governing board has given notice to all persons who have filed a request for such notice.

Article 4. Disposition of Proceeds From Sale

9860. Any money received by the state board from sale of obsolete instructional materials pursuant to the provisions of this chapter shall be deposited in the State Instructional Materials Fund

9861. Any money received by a district board from the sale of obsolete instructional materials pursuant to the provisions of this chapter shall be deposited in any such fund of the school district as the district board prescribes and shall be used for school district purposes.

CHAPTER 5 SPECIAL PROGRAMS

Article 1 Drug Education

10000. It is the intent of the Legislature that the State Board of Education give high priority to the adoption of instructional materials on drug education for classroom use by teachers and pupils Such materials shall be designed to assist the teacher in presenting instruction on drug education and to meet the needs of pupils at their respective grade levels Such material shall be accurate, objective, and current

10001 The State Department of Education shall establish an information center of current drug education materials which may be used by school districts and teachers for instruction on drug education The information center shall include, but not be limited to, all the following. current state and federal drug laws, samples of effective courses of study, curriculum guides, teaching materials, reference materials, reports of current and school district policies related to drug education ''

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 3, 1972

Mr Speaker: The Chairman of your Committee on Health reports: AB No. 192

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 192—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10 5 (commencing with Section 11901), 10 8 (commencing with Section 11940), and 10 9 (commencing with Section 11990) of, the Health and Safety Code, and to repeal and add Sections 11217, 11480, and 11483 of the Health and Safety Code, as proposed by this act, relating to controlled substances.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "adminster", and insert "administer".

Amendment No. 2

On page 3, line 27, strike out the semicolon, and insert a comma.

Amendment No. 3

On page 11, strike out line 39.

Amendment No. 4

On page 12, lines 9 and 10, strike out ", except injectible methamphetamine in a liquid solution".

Amendment No. 5

On page 14, line 37, after the word "substance", insert "in Schedule III and those substances in Schedule IV designated by the Board of Pharmacy".

Amendment No. 6

On page 15, line 15, after the word "substance", insert "in Schedule III or a substance in Schedule IV designated by the Board of Pharmacy".

Amendment No. 7

On page 17, line 30, after "26685", insert "of this code".

Amendment No. 8

On page 26, line 26, after the second "a", insert "narcotic".

Amendment No. 9

On page 26, line 29, after "a", insert "narcotic".

Amendment No. 10

On page 27, line 19, after "no", insert "narcotic".

Amendment No. 11

On page 28, line 1, strike out "3", and insert "2".

Amendment No. 12

On page 28, line 26, strike out "4", and insert "3".

Amendment No. 13

On page 28, line 37, strike out "5", and insert "4".

Amendment No. 14

On page 29, line 5, strike out "6", and insert "5".

Amendment No. 15

On page 32, line 15, strike out "Every person admitted to such a place shall"; and strike out lines 16 to 23, inclusive.

Amendment No. 16

On page 33, line 24, strike out "or methadone".

Amendment No. 17

On page 70, line 4, strike out "Sections 3060 and", and insert "Section 3060,".

Amendment No. 18

On page 70, line 5, after "6043", insert ", or 6044".

Amendment No. 19

On page 73, line 17, strike out "July", and insert "January".

Amendment No. 20

On page 73, line 21, strike out "July 1, 1972", and insert "January 1, 1973".

Amendment No. 20.5

On page 73, line 24, strike out "July", and insert "January".

Amendment No. 21

On page 73, line 28, strike out "July 1, 1973", and insert "January 1, 1973".

Amendment No. 22

On page 74, line 23, strike out "July", and insert "January".

Amendment No. 23

On page 75, line 7, strike out "July", and insert "January".

Amendment No. 24

On page 79, line 8, after "1973", insert a comma.

Amendment No. 25

On page 79, line 15, after "1973", insert a comma.

Amendment No. 26

On page 79, line 31, after "1973", insert a comma.

Amendment No. 27

On page 79, line 34, strike out "11901", and insert "11900".

Amendment No. 28

On page 80, line 39, strike out "Every person admitted to such place shall"; and strike out line 40, and on page 81, strike out lines 1 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health

MESSAGES FROM THE SENATE

Senate Chamber, April 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 8

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 8—Relative to the construction of dams.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 67 for hearing in the Committee on Transportation, on Thursday, April 6, 1972

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1005

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1005 be withdrawn from the Committee on Water, and re-referred to the Committee on Natural Resources and Conservation

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file.

Assembly Bills Nos. 352, 443, 152, 377, and **409,** ordered to third reading

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 17—Relative to study of the foster care program.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Welfare, was read, and adopted:

Amendment No. 1

On page 2, line 14 of the printed measure, strike out "1974", and insert "1973".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 279—An act to amend Sections 3857 and 3899 of, and to add Section 3903 to, the Agricultural Code, relating to fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "and", and insert a comma.

Amendment No. 2

In line 1 of the heading after "Cline", insert ", Ralph, and Cullen".

Amendment No. 3

On page 2, line 36, strike out "that", and insert "the".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 419—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out the comma.

Amendment No. 2

On page 2, strike out line 29, and insert "is".

Amendment No. 3

On page 3, line 10, after the period, insert "If a tenant commissioner ceases to be a tenant of the authority, he shall be disqualified as commissioner and another tenant shall be appointed to fill the unexpired term."

Amendment No. 4

On page 3, line 24, strike out the comma.

Amendment No. 5

On page 3, strike out line 25; and in line 26, strike out "of the Legislature,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 460—An act to amend Sections 14283 and 14284 of, and to repeal Section 14281 of, the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, lines 9 and 10, of the printed bill, strike out "is received in the office of the system at Sacramento", and insert "has been signed and notarized".

Amendment No. 2

On page 2, line 11, after the period, insert "The election shall be forwarded to the office of the system within 30 days after signature and notarization."

Amendment No. 3

On page 2, line 30, strike out "is received by the system in Sacramento", and insert "has been signed and notarized".

Amendment No. 4

On page 2, line 33, after the period, insert "The election shall be forwarded to the office of the system within 30 days after signature and notarization."

Bill ordered reprinted, and returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 444—An act to add Section 13981 1 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 13981.1 to", and insert "amend Section 14038 of, and to add Section 14038.1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 14038 of the Education Code as added by Chapter 1004 of the Statutes of 1971 is amended to read:

14038. A member receives full-time service credit for a period of sabbatical leave *after July 1, 1956,* as provided under Section 13997 providing the member pays to the system ~~within two years from the termination of such leave~~ additional contributions based on the compensation, which is the difference between compensation earned and the compensation earnable during the period of sabbatical leave, in the amount of:

(a) Eight percent of such compensation as employer and state cost of granting service credit, and

(b) Member's regular contribution rate as applied to such compensation.

Regular interest is due on all contributions required under this section from the end of the school year during which the sabbatical leave was taken until date of payment of such contributions.

SEC. 2 Section 14038.1 is added to the Education Code, to read:

14038.1 The employing school district may pay the amount required as employer and state costs in subdivision (a) of Section 14038."

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 388—An act relating to school district taxes, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted

Amendment No. 1

On page 2 of the printed bill, between lines 17 and 18, insert

"This section shall remain in effect only until the 61st day after the final adjournment of the 1974 Regular Session of the Legislature, and as of that date is repealed."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 313—An act appropriating funds for the construction of children's centers

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "appropriating funds for", and insert "to amend Section 19699.30 of the Education Code, relating to".

Amendment No. 2

In line 2 of the title, after "centers", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, line 1, after "SECTION 1.", insert "Section 19699.30 of the Education Code is amended to read:

19699.30. In administering this article, the board shall *establish maximum allowable building costs for facilities to be constructed under an application and shall* approve the application The executive officer of the board shall (a) prescribe and furnish application forms and (b) certify to the Controller the allocation of funds to which a local agency is eligible.

SEC. 2".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 263—An act to add Section 13841 7 to the Health and Safety Code, relating to fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13841.7", and insert "Sections 13841.7, 13841.8, 13841.9, 13841.10, 13841.11, and 13841.12".

Amendment No. 2

On page 2, strike out line 5; and in line 6, strike out "division shall be a resident of that division", and insert "Thereafter, board members shall be elected by election divisions and each member elected shall be a resident of the election division from which he is elected. As used in this section, the term "by election divisions" shall mean the election of members of the district board by voters of the election division only".

Amendment No. 3

On page 2, after line 13, insert

"SEC. 2. Section 13841.8 is added to the Health and Safety Code, to read:

13841.8. The establishment of election divisions pursuant to Section 13841 7 shall be made on the basis of the population in the district as shown or estimated from the most recent of any of the following: the last federal decennial census; any census of a county, taken as provided in Section 26203 of the Government Code, or census of a city, taken as provided in Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4 of the Government Code; any census or popula-

tion estimate of a city taken or made as provided in Section 2107.1 or 2107 2 of the Streets and Highways Code; or population estimates contained in any official document prepared by the Department of Finance and issued to the public.

SEC. 3 Section 13841 9 is added to the Health and Safety Code, to read:

13841.9. If district directors are elected from election divisions as provided in Section 13841 7, the district board, following each federal decennial census and using the census as a basis, shall, by resolution, adjust the boundaries of the election divisions so that the divisions shall be as nearly equal in population as may be practicable.

The boundaries of the divisions shall be adjusted by the district board pursuant to this section by the first day of June of the year next following the year in which each federal decennial census is taken.

SEC. 4. Section 13841 10 is added to the Health and Safety Code, to read:

13841.10 If at any time between each federal decennial census, a district, whose directors are elected from election divisions, annexes or detaches territory, the district board, within 90 days after completion of the annexation or detachment proceedings, shall, by resolution, adjust the boundaries of the divisions so that the divisions shall be as nearly equal in population as may be practicable

Readjustment of divisions pursuant to this section may be made on the basis of the population in the district after the annexation or detachment as determined pursuant to Section 13841.8.

SEC 5. Section 13841.11 is added to the Health and Safety Code, to read·

13841 11. If, pursuant to Section 13833, the number of district directors is increased from three to five and directors of the district are elected by election divisions as provided in Section 13841 7, the district board shall, by resolution, reestablish divisions within the district so as to provide for five rather than three, divisions Such reestablished divisions shall be as equal in population as practicable as determined pursuant to Section 13841 8

SEC. 6. Section 13841 12 is added to the Health and Safety Code, to read

13841.12 This section shall apply only to districts whose directors are elected by election divisions as provided in Section 13841 7

(a) The term of office of any elected director shall not be affected by the establishment or change in the boundaries of election divisions.

(b) At the first election for directors following adjustment of the boundaries of election divisions, an election shall be held in the territory of a readjusted division having a number the same as that of an incumbent member whose term is due to expire No election, however, shall be held in the territory of a readjusted division having a number the same as that of an incumbent member whose term is not due to expire A readjusted division having a number the same as that of a member whose term is not due to expire shall continue to be represented by the incumbent member having the same number as the readjusted division.

(c) Notwithstanding any other provision of this chapter, a change in the boundaries of election divisions shall not be made within 90 days prior to the final date of voter registration for an election of directors ''

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 329—An act to add Section 38743 to the Government Code, relating to water service.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ''Section 38743'', and insert ''Sections 38743, 38744, and 38745''.

Amendment No. 2

On page 1, line 3, after ''fix'', insert '', on or before the first day of July in each calendar year,''.

Amendment No. 3

On page 1, line 8, after ''city'', insert ''council of a city which fixes such a charge''.

Amendment No. 4

On page 1, line 13, after the period, insert ''The council may not, however, fix a charge in excess of ten dollars ($10) per acre, either on an area or frontage basis, or in excess of five dollars ($5) for a parcel or frontage of less than an acre.''

Amendment No. 5

On page 2, line 2, after ''a'', insert ''monthly or''.

Amendment No. 6

On page 2, lines 2 and 3, strike out ''or by other means available''.

Amendment No. 7

On page 2, line 13, strike out ''In such case, the''; and strike out lines 14 to 20, inclusive.

Amendment No. 8

On page 2, after line 24, insert

''SEC. 2. Section 38744 is added to the Government Code, to read:

38744. If any water standby charge authorized to be collected pursuant to Section 38743 remains unpaid on the first day of the month before the month in which the board of supervisors of the county in which the city is located is required by law to levy county general taxes, a 6-percent penalty shall accrue upon the amount unpaid The amount of the unpaid standby charge, plus the penalty, shall constitute a lien upon the land for which the standby charge is unpaid and shall be collected in the same manner and at the same time as that applicable for the collection of unpaid or delinquent county general taxes. The

amount of tax attributable to unpaid water standby charges, and the penalty thereon, shall be stated on the county tax bill separately from all other taxes

At least 15 days before the first day of the month in which the board of supervisors is required by law to levy county general taxes, the city council shall furnish in writing to the board of supervisors and to the county auditor, respectively, a description of each and every parcel of land within the city upon which a standby charge remains unpaid, together with the amount of the unpaid charge, plus the penalty on each parcel of land.

SEC 3 Section 38745 is added to the Government Code, to read:

38745 Notwithstanding any other provision of law, the city council of a city may, by resolution, establish zones or areas of benefit within the city for purposes of restricting the imposition of the water service standby or immediate availability charges authorized in Section 38743 to lands within such zones according to the benefit such land derives from the immediate availability of water, whether such water is actually used or not

Proceedings for establishment of such zones or areas of benefit by resolution of the city council shall be initiated, conducted and completed as follows.

(a) Such resolution shall:

(1) State that a zone or area of benefit within the city is proposed to be established for the purposes enumerated in this section, and describe the boundaries of the territory proposed for inclusion in the area.

(2) State the name proposed for the area in substantially the following form "Water Service Zone (or Area of Benefit) No. ___."

(3) State the type or types of services already provided or proposed to be provided within the area pursuant to this section.

(4) Fix a time and place for a public hearing on the establishment of the area which shall be not less than 30 nor more than 60 days after the adoption of the resolution.

(b) The city council shall publish notice of the hearing in a newspaper of general circulation published in the city or if there is no newspaper published in the city then it shall be published in a newspaper of general circulation which is circulated in the area. Publication shall be complete at least seven days prior to the date of the hearing

The notice shall:

(1) Contain the text of the resolution.

(2) State the time and place for the hearing.

(3) State that at the hearing the testimony of all interested persons or taxpayers for or against the establishment of the area, the extent of the area or the furnishing of specified types of extended services will be heard

(c) At the hearing protests against the establishment of the area, the extent of the area or the furnishing of specified types of services within the area may be made orally or in writing by any interested persons or taxpayers Any protests pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set

forth the irregularities and defects to which objection is made All written protests must be filed in the office of the city council on or before the time fixed for the hearing. The city council may waive any irregularities in the form or content of any written protest and at the hearing may correct minor defects in the proceedings.

Written protests may be withdrawn in writing at any time before the conclusion of the hearing."

Bill ordered reprinted, and returned to the second reading file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

Mrs. Brathwaite was granted unanimous consent that her motion to reconsider the vote on Assembly Bill No 196 be continued until the next legislative day.

Hon. Ken Cory Presiding

At 11:16 a m., Hon. Ken Cory, 69th District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Bill Greene was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 170—An act to repeal Article 1 (commencing with Section 28700) and Article 2 (commencing with Section 28730) of, and to add Article 1 (commencing with Section 28700) and Article 2 (commencing with Section 28730) to, Chapter 3 of Part 2 of Division 10 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Bill read third time, and passed by the following vote:

AYES—Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Chne, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Foran, McCarthy, and Monagan—3.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Cory was granted unanimous consent that Assembly Bill No. 763 be withdrawn from the Committee on Education, and re-referred to the Committee on Local Government; and that Assembly Bill No 2297 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT

Mr Fenton was granted unanimous consent that the Desk be held open today for the purpose of receiving the committee report relative to Assembly Bill No 77, that the bill be taken up, without reference to file, for the purpose of adopting committee amendments, and returned on file as a Special Order of Business (Thursday, April 6, 1972, at 2 p m)

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 98, on request of Mr. McCarthy.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Meade:

Resolution to Invoke Joint Rule

Resolved, That, pursuant to Joint Rule No. 10.8, Assembly Constitutional Amendment No. 56 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Joint Rule 10 8 invoked.

REQUEST FOR UNANIMOUS CONSENT

Mr McAlister was granted unanimous consent that Assembly Bill No. 630 be considered engrossed.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 189—An act to amend Section 3251 of the Civil Code, relating to payment bonds for public works

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lewis, Mac-

Donald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 199—An act to amend Section 16554 of the Education Code, relating to school property.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 393—An act to amend Section 17052 of the Education Code, relating to school cafeteria funds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 373—An act to amend Section 22171 of the Water Code, relating to irrigation districts.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 412—An act to amend Section 52 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 11:36 a.m., Hon. Jack R. Fenton, 51st District, presiding.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 230 CONTINUED

Mr. Keysor was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 230 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 78—An act to amend Section 351 of, and to repeal Sections 352 and 353 of, the Labor Code, relating to labor.

Bill read third time.

Motion to Amend

Mr. Leroy F. Greene moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on March 20, 1972, after "employee", insert "or employees".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 467—An act to add Section 811.1 to the Education Code, relating to county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy,

Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 59

Mr. Gonsalves was granted unanimous consent to take up Senate Bill No. 59, without reference to file, for the purpose of reading the bill a second time at this time, and that the bill be returned to the third reading file, instead of the Consent Calendar.

Second Reading of Senate Bill No. 59 By Unanimous Consent

Senate Bill No. 59—An act to add Section 6454.5 to the Revenue and Taxation Code, relating to sales and use taxes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 4, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 165

With author's amendments with the recommendation: Amend, and refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 165—An act to add Part 10 (commencing with Section 37600) to Division 24 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "and Ryan", and insert "Ryan, and Moretti".

Amendment No. 1.5

In line 1 of the title, after "act", insert "to amend Sections 34802, 34804, 34805, 34807, 34808, 34809, 34832, 34833, 34860, 34861, 34862, 34863, 34864, 34865, 34866, 34867, 34868, 34869, 34871, 34872, 34873, 34874, 34875, 34876, 34877, 34878, 34900, 34901, 34902, 34903, 34904, 34905, 34906, 34907, 34908, 34909, 34910, 34911, 34912, 34913, 34914, 34915, 34916, 34917, 34918, 34919, 34941, 34942, 34944, 34945, 34946, and 34947 of, to amend the heading of Article 4 (commencing with Section 34900) of Chapter 1 of Part 3 of Division 24 of,".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Section 34802 of the Health and Safety Code is amended to read:

34802. "~~Commission~~ *Agency*" means the ~~Commission of Housing~~ *State Housing Finance Agency*.

SEC. 2. Section 34804 of the Health and Safety Code is amended to read:

34804. "Actual cost" means the cost of the land and buildings, charges for financing and supervision, and carrying charges during construction, including interest on borrowed money and invested capital, when such charges have been approved by the ~~commission~~ *agency*.

SEC. 3. Section 34805 of the Health and Safety Code is amended to read:

34805. "Fixed charges" includes all operating and maintenance charges, taxes, assessments, insurance and depreciation, amortization, interest, sinking fund, and other expenses and charges approved by the ~~commission~~ *agency*.

SEC 4. Section 34807 of the Health and Safety Code is amended to read·

34807. "Slum area" means any area of property partially or totally occupied by deteriorated, obsolete, unsafe, or unsanitary single or multiple dwellings The determination of whether any building is in such condition rests solely with the ~~commission~~ *agency*.

SEC 5 Section 34808 of the Health and Safety Code is amended to read:

34808 Any notice or other written instrument may be served upon the ~~commission~~ *agency* by delivering it to the ~~chairman, vice chairman, or secretary~~ *executive director* of the ~~commission~~ *agency*, or, if none of them can be found, by leaving a copy at the office or usual place of business of the ~~commission~~ *agency* with the person in charge

SEC 6. Section 34809 of the Health and Safety Code is amended to read:

34809 If any city in which a project approved by the ~~commission~~ *agency* is located determines that any land included in the project should be maintained as a public park or grounds, the city may purchase or accept the land and maintain it as a public park or grounds. Any city may also determine that any of its real property is not required for use by it and sell or lease the property to a corporation. Any charter provision inconsistent with this section prevails.

SEC. 7. Section 34832 of the Health and Safety Code is amended to read:

34832. Before the articles of incorporation of a corporation may be filed in the office of the Secretary of State, there shall be attached to them a certificate of the ~~commission~~ *agency* approving them.

SEC 8. Section 34833 of the Health and Safety Code is amended to read·

34833. In addition to other requirements of law, the articles shall set forth:

(a) That one of the purposes for which the corporation is formed is that of providing housing for families of low income or of reconstructing slum areas.

(b) The par value of all shares of capital stock of the corporation. All shares shall have a par value.

(c) That the corporation will be subject to supervision and control of the ~~commission~~ *agency* or other appropriate state authority, and subject to the State Housing Law and this chapter.

SEC. 9. Section 34860 of the Health and Safety Code is amended to read:

34860. When authorized by the ~~commission~~ *agency*, a corporation may:

(a) Borrow money from, or sell, pledge, or discount its securities to, the Reconstruction Finance Corporation, Federal Home Loan Bank, or any other corporation or agency established by the United States.

(b) Comply with the provisions for membership and become a member of the Federal Home Loan Bank or any other corporation or agency established by the United States.

(c) Comply with any regulations of the Reconstruction Finance Corporation.

SEC. 10. Section 34861 of the Health and Safety Code is amended to read:

34861. A corporation shall not acquire any real property or interest in it without first obtaining from the ~~commission~~ *agency* a certificate approving the acquisition.

SEC. 11. Section 34862 of the Health and Safety Code is amended to read:

34862. Without the prior approval of the ~~commission~~ *agency*, a corporation shall not sell, transfer, assign, or lease any real property to any person, except that leases conforming to the regulations of the ~~commission~~ *agency* may be made without its consent.

SEC. 12. Section 34863 of the Health and Safety Code is amended to read:

34863. A corporation shall not charge or accept any rental, fee, or other charge for housing accommodations in any building constructed, acquired, operated, sold, or managed by it in excess of the prices prescribed by the ~~commission~~ *agency*.

SEC. 13. Section 34864 of the Health and Safety Code is amended to read:

34864. Without the prior consent of the ~~commission~~ *agency*, a corporation shall not mortgage or otherwise encumber real property It shall not pay interest on such encumbrance in excess of an amount permitted by the ~~commission~~ *agency*.

SEC. 14. Section 34865 of the Health and Safety Code is amended to read:

34865. A corporation shall not use any building erected or acquired by it for other than housing purposes, except that:

(a) When permitted by law, and consented to by the ~~commission~~ *agency*, the cellar and basement and the story above the cellar or basement may be used for stores, commercial, cooperative, or community purposes.

(b) When permitted by law the roof of the building may be used for cooperative or community purposes.

SEC. 15. Section 34866 of the Health and Safety Code is amended to read:

34866 A corporation shall not enter into contracts for the construction of housing projects or for the payment of salaries to officers or employees until the contracts have been approved by the ~~commission~~ *agency*.

SEC. 16. Section 34867 of the Health and Safety Code is amended to read:

34867 A corporation shall not effect any reorganization, unless authorized by the ~~commission~~ *agency*.

SEC 17 Section 34868 of the Health and Safety Code is amended to read:

34868 A corporation shall not voluntarily dissolve or transfer all or substantially all of its assets without first obtaining the consent of the ~~commission~~ *agency*

SEC. 18 Section 34869 of the Health and Safety Code is amended to read:

34869. A corporation shall not make any guaranty without the approval of the ~~commission~~ *agency*

SEC 19 Section 34871 of the Health and Safety Code is amended to read

34871. A corporation shall not start or undertake a housing project without the approval of the ~~commission~~ *agency*.

SEC. 20 Section 34872 of the Health and Safety Code is amended to read:

34872. The ~~commission~~ *agency* shall not approve a housing project unless

(a) It appears practicable to rent or sell the proposed housing accommodations at prices not exceeding those prescribed by the ~~commission~~ *agency*

(b) The project conforms to the zoning or building ordinance of the locality where it is located

(c) There is submitted to and approved by the ~~commission~~ *agency* a financial plan in the form and with the assurances prescribed by the ~~commission~~ *agency* stating the method of making funds available for the actual cost of the land and improvements The plan may also provide for the raising of working capital through the sale of its securities in an amount to be approved by the ~~commission~~, *agency* not to exceed 5 percent of the estimated cost of the project

SEC 21. Section 34873 of the Health and Safety Code is amended to read·

34873. The ~~commission~~ *agency* shall not approve a housing project unless there is submitted to and approved by the ~~commission~~ *agency*, plans setting forth·

(a) The area and location of the project.

(b) Plans of site development with plans, elevations, and perspective of typical houses and groups of houses.

(c) Specifications and estimates of cost of the project.

(d) A reasonable scheme of protective restrictions and of permanent maintenance of neighborhood and architectural control.

SEC. 22. Section 34874 of the Health and Safety Code is amended to read:

34874. When the ~~commission~~ *agency* has approved a project of a corporation formed for the sole purpose of clearing or reconstructing slum areas, the corporation may acquire the property necessary for the project by gift, bequest, purchase, or eminent domain

SEC. 23. Section 34875 of the Health and Safety Code is amended to read:

34875. The power of eminent domain shall not be exercised by a corporation except with the specific authorization of the ~~commission~~ *agency*.

SEC. 24. Section 34876 of the Health and Safety Code is amended to read:

34876. The authorization shall be contained in a certificate of the ~~commission~~ *agency* specifying that after public hearing the ~~commission~~ *agency* has determined that the acquisition of the property by eminent domain and the construction of the housing on the property is in the public interest and necessary for the public use.

SEC. 25. Section 34877 of the Health and Safety Code is amended to read:

34877. The hearing shall be held at a time and place appointed by the ~~commission~~ *agency*. At least 10 days prior to the hearing the corporation shall give notice of the hearing by publication in a newspaper designated by the ~~commission~~ *agency* and published or circulated in the city or county where the property is located.

SEC. 26. Section 34878 of the Health and Safety Code is amended to read:

34878. A duly certified copy of the certificate of the ~~commission~~ *agency* is conclusive evidence of the matters certified in it in any proceeding in eminent domain to acquire property or any part of it set forth in the certificate.

SEC. 27 The heading of Article 4 (commencing with Section 34900) of Chapter 1 of Part 3 of Division 24 of the Health and Safety Code is amended to read:

Article 4. Powers and Duties of the ~~Commission of Housing~~ *State Housing Finance Agency*

SEC. 28. Section 34900 of the Health and Safety Code is amended to read:

34900 The ~~commission~~ *agency* may order any corporation to make at its expense the repairs and improvements which will preserve or promote the health and safety of the occupants of buildings owned or operated by it.

SEC. 29. Section 34901 of the Health and Safety Code is amended to read:

34901. The ~~commission~~ *agency* may order any corporation to do acts necessary to comply with, or to refrain from doing acts in violation of, law, regulations of the ~~commission~~ *agency*, or the terms of any project approved by the ~~commission~~ *agency*.

SEC. 30. Section 34902 of the Health and Safety Code is amended to read:

34902. The ~~commission~~ *agency* may examine the corporation and keep informed as to its general condition, its capitalization, and the manner in which its property is constructed, leased, sold, operated, or managed.

SEC. 31. Section 34903 of the Health and Safety Code is amended to read:

34903. The ~~commission~~ *agency* may investigate the affairs of a corporation and its dealings, transactions, or relationships with other persons.

SEC. 32. Section 34904 of the Health and Safety Code is amended to read:

34904. Either through its members or agents duly authorized by it, the ~~commission~~ *agency* may enter upon and inspect the property, equipment, buildings, plants, offices, apparatus, and devices of a corporation, and examine all of its books, contracts, records, documents, and papers.

SEC. 33. Section 34905 of the Health and Safety Code is amended to read:

34905. The ~~commission~~ *agency* may prescribe uniform methods and forms of keeping corporation accounts, records, and books and by order prescribe accounts in which particular outlays and receipts shall be entered, charged, or credited.

SEC. 34. Section 34906 of the Health and Safety Code is amended to read:

34906. The ~~commission~~ *agency* may require a corporation to file with it periodic reports setting forth information required by the ~~commission~~ *agency*, verified by the oath of the president, general manager, receiver, or other person required to file it. The report shall be in the form, cover the period, and be filed at the time prescribed by the ~~commission~~ *agency*. The ~~commission~~ *agency* may require specific answers to questions upon which it desires information.

SEC. 35. Section 34907 of the Health and Safety Code is amended to read:

34907. The ~~commission~~ *agency* may make, amend, and repeal regulations for carrying this chapter into effect.

SEC. 36. Section 34908 of the Health and Safety Code is amended to read:

34908. The ~~commission~~ *agency* may conduct any investigation provided for by this chapter or appoint a person or committee of one or more ~~commission~~ *agency* members to do so.

SEC. 37. Section 34909 of the Health and Safety Code is amended to read:

34909. To carry out the purposes of this chapter, each member of the ~~commission~~ *agency* has the powers conferred upon the head of a department by Article 2 (commencing with Section 11180), Chapter 2, Part 1, Division 3, Title 2 of the Government Code.

SEC. 38. Section 34910 of the Health and Safety Code is amended to read:

34910. The ~~commission~~ *agency* may charge and collect from a corporation reasonable fees in accordance with rates established by the regulations of the ~~commission~~ *agency*:

(a) For the examination of plans and specifications and the supervision of construction, in an amount not to exceed one-half of 1 percent of the estimated cost of the project.

(b) For any investigation made upon application of a corporation for any act done by the ~~commission~~ *agency*, or its employees, in performance of their duties under this chapter, an amount reasonably calculated to meet the expenses of the ~~commission~~ *agency* incurred in the investigation The ~~commission~~ *agency* may authorize a corporation to include such fees as part of the actual cost of a project.

SEC 39 Section 34911 of the Health and Safety Code is amended to read:

34911 The ~~commission~~ *agency* shall fix and may revise the maximum rental per room charged the tenants of the housing accommodations furnished by the corporation, determined upon the basis of the actual cost of the project so that the rentals and all other income of the corporation will be sufficient to meet all fixed charges, dividend and interest requirements, and other charges of the corporation approved by the ~~commission~~ *agency*.

SEC. 40 Section 34912 of the Health and Safety Code is amended to read:

34912 The ~~commission~~ *agency* shall fix the price, terms of payment, rate of interest on deferred payments, and all other charges The sale price shall be determined upon the basis of actual cost of the project so that the income from sales with other income of the corporation will be sufficient to meet and repay the actual cost and fixed charges Such prices, interest, and other charges may be revised with the approval of the ~~commission~~ *agency*

SEC 41 Section 34913 of the Health and Safety Code is amended to read:

34913. The ~~commission~~ *agency* shall make reasonable rules regarding the resale, leasing, or subletting of property after a sale by the corporation, to prevent undue speculation in the property The rules shall be in effect until the full purchase price and all outstanding obligations have been paid to the corporation.

SEC. 42. Section 34914 of the Health and Safety Code is amended to read:

34914. Upon application submitted in the manner required for the original project, the ~~commission~~ *agency* may permit the consolidation of two or more approved projects, the extension or amendment of any approved project, or the consolidation of any approved project with a proposed project. The ~~commission~~ *agency* shall not give its consent unless it is shown to its satisfaction that the consolidated or extended project is one that can be successfully operated pursuant to this chapter. The permissible rents, sales prices, and other charges may be average throughout the consolidated or extended project The ~~commission~~ *agency* may likewise permit or decline to permit any corporation to organize and operate more than one project or to take over any project approved by the ~~commission~~ *agency* and to operate it independently of its other projects.

SEC. 43. Section 34915 of the Health and Safety Code is amended to read.

34915. The ~~commission~~ *agency* may bring a proceeding against any corporation to enforce the provisions of this chapter or of any order, permit, license, demand, or requirement of the ~~commission~~ *agency*, or to restrain their violation or threatened violation or compel the performance of any act required by them The proceeding shall be brought in the name of the people of the State of California, in the superior court of the county in which the corporation has its principal place of business.

SEC. 44. Section 34916 of the Health and Safety Code is amended to read·

34916. Every order, decision, permit, or other official act of the ~~commission~~ *agency* is subject to review pursuant to law within 20 days after its rendition. The burden of proof lies upon the appellant and the court shall receive and consider any pertinent oral or documentary evidence concerning the action of the ~~commission~~ *agency* under review. The court shall consider and determine only the question of whether there has been an abuse of discretion by the ~~commission~~ *agency*.

SEC 45. Section 34917 of the Health and Safety Code is amended to read:

34917. If a mortgagee, trustee, or beneficiary commences foreclosure proceedings under a mortgage or deed of trust, a copy of the complaint or notice of breach and intention to sell shall be served upon the ~~commission~~ *agency* within 30 days of the filing of the complaint or the recording of the notice Upon receipt of the copy, the ~~commission~~ *agency* shall immediately take the steps it deems necessary to protect the rights of all parties If a limited dividend housing corporation bids and pays for the property at any sale in such action or under such power of sale a price sufficient to cover court costs and all liens or charges on the property, with interest, the property shall be sold to such corporation, otherwise the property may be sold free of all restrictions imposed by this chapter.

SEC. 46 Section 34918 of the Health and Safety Code is amended to read:

34918 When a corporation subject to the supervision of the ~~Division of~~ *State* Banking *Department* or the ~~Division~~ *Department* of Insurance ~~in the Department of Investment,~~ or the federal government or any of its agencies has loaned on a mortgage or deed of trust which is a lien upon the property of a limited dividend housing corporation, Section 34917 does not apply, except that the ~~commission~~ *agency* shall be notified of any foreclosure proceedings and shall take all steps necessary to protect the rights of all parties.

SEC 47 Section 34919 of the Health and Safety Code is amended to read

34919 In the event of a judgment against a corporation in any action not pertaining to the collection of an indebtedness secured by mortgage or deed of trust, there shall not be a sale of any of its real property except upon 60 days written notice to the ~~commission~~ *agency* Upon receipt of such notice the ~~commission~~ *agency* shall take such steps as in its judgment are necessary to protect the rights of all parties.

SEC 48. Section 34941 of the Health and Safety Code is amended to read:

34941. If required by the ~~commission~~ *agency*, the corporation shall deposit all money received by it as proceeds of the sale of its securities with a corporation in the state authorized to do trust business and to perform trust functions. The trustee shall receive the money and make payment from it for the acquisition of the land, the construction of improvements, and other items entering into the actual cost of the project upon presentation of an order signed by a proper corporation officer, and if required by the ~~commission~~ *agency*, countersigned by a ~~commission~~ *agency* member or a person designated by the ~~commission~~ *agency*. If upon the completion of the project the corporation has made full payment, or has arranged for payment in a manner satisfactory to the ~~commission~~ *agency*, any money remaining in the custody of the trustee shall be paid to the corporation.

SEC. 49. Section 34942 of the Health and Safety Code is amended to read:

34942 The amount of net earnings transferable to surplus in any year, after making or providing for the payment of all fixed charges, dividend, and interest requirements approved by the ~~commission~~ *agency*, and other charges required or approved by the ~~commission~~ *agency*, is subject to the approval of the ~~commission~~ *agency*. The amount of such surplus shall not exceed 15 percent of the outstanding capital stock and obligation of the corporation, but the surplus shall not be deemed to include any increase in assets due to reduction of mortgage or bonded indebtedness or other similar payments. Unless the ~~commission~~ *agency* deems it too small, the balance of yearly net earnings in excess of the amount transferred to surplus shall be applied to the reduction of rentals on rental properties, the improvement of properties for sale, or the reduction of the sale price, as the ~~commission~~ *agency* prescribes

SEC. 50. Section 34944 of the Health and Safety Code is amended to read:

34944. Before the Corporation Commissioner issues a permit for the sale of any securities there shall be on file with him a certificate of the ~~commission~~ *agency* approving the project.

SEC 51. Section 34945 of the Health and Safety Code is amended to read:

34945. A corporation shall not:

(a) Pay any dividends on its shares of stock at a rate in excess of 6 percent of their par value.

(b) Issue securities covering any project in an aggregate amount greater than the actual cost of the project, plus an allowance for working capital, not exceeding 5 percent of the estimated cost of the project or the actual cost if it is greater than the estimated cost

(c) Issue securities except in exchange for money or property actually received for the use and lawful purpose of a corporation, or for services actually rendered to a corporation; securities shall not be issued for property except upon a valuation approved by the ~~commission~~ *agency*, and such valuation shall be used in computing actual or estimated costs.

SEC. 52. Section 34946 of the Health and Safety Code is amended to read:

34946. Each authorized issue of bonds shall relate to one specific project and shall be secured by mortgages or deeds of trust upon all the real property of which the project consists, except where units of the project are to be offered for sale, upon the approval of the ~~commission~~ *agency*, bonds may be issued in an amount to cover each unit of sale or to cover the entire project and may be paid off at any time.

SEC. 53. Section 34947 of the Health and Safety Code is amended to read.

34947 The bonds, mortgages, or deeds of trust may contain provisions approved by the ~~commission~~ *agency* including the right to assignment of rentals and entry into possession in case of default, but the operation of the housing projects after entry by mortgagees, trustees, or receivers is subject to regulation by the ~~commission~~ *agency* pursuant to this chapter

SEC. 54. Part 10 (commencing with Section 37600) is added to Division 24 of the Health and Safety Code, to read:

PART 10 STATE HOUSING FINANCE AGENCY

CHAPTER 1. FINDINGS AND PURPOSE

37600. The Legislature hereby finds and declares that there exists in this state a seriously inadequate supply of, and a pressing need for, safe and sanitary dwelling accommodations within the financial means of low-income or moderate-income families and persons including, but not limited to, those families and persons displaced by clearings of slums and blighted areas or other public programs The Legislature finds and declares that it is a valid public purpose to construct housing for such low- or moderate-income families and persons who would otherwise be unable to obtain adequate dwellings which they could afford and to acquire land for present or future development including such housing.

The Legislature further finds and declares that the authority and powers conferred by this part constitute a necessary program and serve a valid public purpose

CHAPTER 2 SHORT TITLE

37610. This part shall be known as the State Housing Finance Agency Act of 1972

CHAPTER 3 DEFINITIONS

37620. Unless the context otherwise requires, the definitions contained in this chapter govern the construction of this part.

37621 "Agency" means the State Housing Finance Agency created by this part.

37622 "Annual shelter rent" means the total collections during an agreed annual period from all occupants of a housing project representing rents or occupancy charges, exclusive of any charges for gas, electricity, heat, or other utilities furnished to the occupants.

37623 "Consumer housing cooperative" means a nonprofit corporation created pursuant to Part 2 (commencing with Section 12200) of Division 3 of Title 1 of the Corporations Code and Chapter 13 (commencing with Section 37760).

37624. "Development costs" means the costs which have been approved by the agency as appropriate expenditures, including, but not limited to, the following:

(a) Payments for options to purchase properties on the proposed housing project site, deposits on contracts of purchase, or, with the prior approval of the agency, payments for the purchases of such properties

(b) Legal, organizational, and marketing expenses, including payment of attorneys' fees, project manager and clerical staff salaries, and office rent and other incidental expenses

(c) Payment of fees for preliminary feasibility studies, advances for planning, engineering, and architectural work.

(d) Expenses for surveys as to need and market analyses.

(e) Necessary application and other fees to federal and other government agencies.

(f) Such other expenses incurred by the nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation as the agency may deem appropriate to effectuate the purposes of this part.

37625. "Elderly" means a family where the head of the household is 62 years of age or older or a single person who is 62 years of age or older.

37626. "Federally aided mortgage" means any of the following:

(a) A below market interest rate mortgage insured, purchased, or held by the Secretary of the Department of Housing and Urban Development.

(b) A market interest rate mortgage insured by the Secretary of Housing and Urban Development and augmented by a program of rent supplements.

(c) A mortgage receiving interest reduction payments provided by the Secretary of Housing and Urban Development.

(d) A mortgage receiving special benefits under other federal law designated specifically to develop low- and moderate-income housing and consistent with this part.

37627. "Fund" means the State Housing Finance Fund created by this part.

37628. "Governing body" means, in the case of a city, the city council or other legislative body of the city and in the case of a county, the board of supervisors of the county

37629. "Housing development" means a development which the agency determines contains a significant element of housing for persons of low or moderate income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the agency determines improve the quality of the development as it relates to housing for persons of low or moderate income and in which funds from the note and bond financing of the agency are used for no elements of such development other than housing projects for low-income or moderate-income persons.

37630 "Housing project" means a specific work or improvement either for rental or for subsequent sale to an individual purchaser undertaken by a nonprofit housing corporation, consumer housing co-

operative, or limited dividend housing corporation pursuant to, or receiving benefits under, this part to provide dwelling accommodations, including the acquisition, construction, or rehabilitation of lands, buildings, and improvements, and such social, recreational, commercial, and communal facilities as may be incidental or appurtenant thereto

37631 "Limited dividend housing corporation" means a corporation incorporated or qualified pursuant to the provisions of Chapter 1 (commencing with Section 34800) of Part 3 and Chapter 14 (commencing with Section 37770) or a limited dividend housing association organized and qualified pursuant to the provisions of Chapter 15 (commencing with Section 37780).

37632. "Low-income or moderate-income persons" means families and persons who cannot afford to pay the amounts at which private enterprise, without federally aided mortgages or loans from the agency, is providing a substantial supply of decent, safe, and sanitary housing and who fall within income limitations set by the agency in its rules or regulations. Among low-income or moderate-income persons, preference shall be given to the elderly and those displaced by urban renewal, slum clearance, or other governmental action

37633. "Municipality" means any city, county, or city and county.

37634. "Nonprofit housing corporation" means a nonprofit corporation incorporated pursuant to the provisions of the General Nonprofit Corporation Law, Part 1 (commencing with Section 9000) of Division 2 of the Corporations Code and Chapter 12 (commencing with Section 37750).

37635. "Project cost" means the sum total of all reasonable or necessary costs incurred by the nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation for carrying out all works and undertakings for the completion of a housing project and approved by the agency These shall include, but not necessarily be limited to, costs of all of the following:

(a) Studies and surveys.

(b) Plans, specifications, and architectural and engineering services

(c) Legal, organization, marketing, or other special services

(d) Financing, acquisition, demolition, construction, equipment, and site development of new and rehabilitated buildings

(e) Movement of existing buildings to other sites

(f) Rehabilitation, reconstruction, repair, or remodeling of existing buildings

(g) Carrying charges during construction.

(h) Cost of placement of tenants or occupants and relocation services in connection with a housing project.

(i) To the extent not already included in this section, all development costs

37636. "Taxing jurisdiction" means any municipality, or district, including, but not limited to, any school district, having the power to levy or collect taxes upon real property, or in whose behalf such taxes may be levied or collected

CHAPTER 4 STATE HOUSING FINANCE AGENCY

37640. There is created, within the Business and Transportation Agency a public body corporate and politic to be known as the State Housing Finance Agency. The agency shall consist of the State Controller, the State Treasurer, the Director of Finance, the Director of Housing and Community Development, the Savings and Loan Commissioner, the Superintendent of Banking, and five public members appointed by the Governor The five public members shall include one representative each from the fields of economics, government bonds, mortgage banking, commercial banking, and savings and loan. The public members of the agency shall be appointed for a term of four years, except that all vacancies shall be filled for the unexpired term. A member of the agency shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties Each member shall hold office until his successor has been appointed and has qualified. A certificate of appointment or reappointment of any members shall be filed with the agency and this certificate shall be conclusive evidence of the due and proper appointment of the member.

37641 The powers of the agency shall be vested in the members thereof in office from time to time A majority of the members of the agency constitutes a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies Action may be taken by the agency upon a vote of a majority of the members present, unless the rules of the agency require a larger number Meetings of the members of the agency may be held anywhere within the state.

37642 (a) The policies and rules and regulations adopted by the agency shall be administered by an executive officer known as the Executive Director of State Housing Finance

The executive director shall be appointed by the Governor, subject to confirmation by the Senate, and shall hold office at the pleasure of the Governor. The Governor shall determine the annual salary of the executive director to be commensurate with a position of similar responsibility in private industry, but not to exceed the annual salary of the Secretary of Business and Transportation Agency

(b) The agency shall elect a chairman and vice chairman Subject to the State Civil Service Act, the agency shall employ such legal and technical experts and such other officers, agents, and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties, and compensation The agency may delegate to one or more of its agents or employees such powers or duties as it may deem proper.

37643 The agency shall be within the Business and Transportation Agency and shall exercise its prescribed statutory powers, duties and functions independently of the secretary, except that all budgeting, procurement, and related functions of the agency shall be performed under the direction and supervision of the secretary.

CHAPTER 5. POWERS AND DUTIES

37650. The agency shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers, in addition to all other powers granted by other provisions of this part:

(a) To sue and to be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the agency, and to adopt, and from time to time, amend and repeal rules and regulations.

(b) To undertake and carry out studies and analyses of housing needs within the state and ways of meeting such needs, including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages and other factors affecting housing needs and the meeting thereof; and to make the results of such studies and analyses available to the public and the housing and supply industries, and to engage in research and disseminate information on housing

(c) To agree and comply with any conditions attached to federal financial assistance

(d) To survey and investigate the housing conditions and needs, both urban and rural, throughout the state and make recommendations to the Governor and the Legislature as to legislation and other measures necessary or advisable to alleviate any existing housing shortage in the state

(e) To collect fees and charges in connection with its loans, commitments and servicing including, but not limited to, reimbursement of costs of financing by the agency, service charges and insurance premiums as the agency shall determine to be reasonable and as shall be approved by the agency; and to provide technical assistance in the development of housing projects for low-income or moderate-income persons, and in programs to improve the quality of urban life for all the people of the state.

(f) To encourage community organizations to assist in initiating housing projects for low-income or moderate-income persons as provided in this part

(g) To encourage salvage of all possible usable housing scheduled for demolition because of highway, school, urban renewal, or other programs by seeking authority for the sponsors of such programs to use funds provided for the demolition of such buildings to be allocated to sponsors approved by the agency to defray moving and rehabilitation costs of such buildings.

(h) To encourage research in, and demonstration projects to develop, new and better techniques and methods for increasing the supply of housing for low-income or moderate-income persons.

(i) To make loans, the repayment of which are secured by mortgages or security interests, to participate in making secured loans, to undertake commitments to make secured loans, to purchase or sell any mortgages or other security interests, both publicly and privately, to

modify or alter mortgages and security interests, to foreclose on any such mortgage or security interest or commence any action to protect or enforce any right conferred upon it by any law, mortgage, security agreement, contract or other agreement, and to bid for and purchase property which was the subject of such mortgage or security interest, at any foreclosure or at any other sale, to acquire or take possession of any such property; and in such event the agency may complete, administer, pay the principal and interest on any obligations incurred in connection with such property, dispose of, and otherwise deal with, such property, in such manner as may be necessary or desirable to protect the interests of the agency.

(j) To set standards for housing projects which receive loans under this part and to provide for inspections to determine compliance with such standards

(k) To accept gifts or grants or loans or other aid from the federal government or any persons or corporations

(l) To acquire or contract to acquire from any person, firm, corporation, municipality, federal or state agency, by grant, purchase or otherwise, leaseholds, real or personal property or any interest therein; to own, hold, clear, improve and rehabilitate and to sell, assign, exchange, transfer, convey, lease, mortgage or otherwise dispose of or encumber the same. Nothing in this part shall be deemed to impede the operation and effect of local zoning, building and housing ordinances or ordinances relating to subdivision control, land development, fire prevention, or other ordinances having to do with housing or the development thereof.

(m) To procure insurance against any loss in connection with its property and other assets.

(n) To invest any funds held in reserve or sinking funds or any moneys not required for immediate use or disbursement at the discretion of the agency in obligations of the state or the United States or obligations, the principal and interest of which are guaranteed by the state or the United States.

(o) To make rules and regulations necessary to carry out the purposes of this part and to exercise the powers expressly granted in this part.

37651 The agency shall have the power to enter into agreements with nonprofit housing corporations, consumer housing cooperatives, and limited dividend housing corporations providing for the regulation by the agency of the planning, development, and management of any housing project undertaken by nonprofit housing corporations, consumer housing cooperatives, and limited dividend housing corporations and the disposition of the property and franchises of such corporations and cooperatives and, in addition, to do all of the following.

(a) To appoint to the board of directors of a nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation a number of new directors, which number shall be sufficient to constitute a majority of such board notwithstanding any other provisions of such articles of incorporation or any other provisions of law, if the agency finds that any of the following exist:

(1) The nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation has received a loan or advance, as provided for in this part, and the agency determines that the loan or advance is in jeopardy of not being repaid.

(2) The nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation has received a loan or advance as provided for in this part and the agency determines that the proposed housing project for which such loan or advance was made is in jeopardy of not being constructed

(3) The agency determines that some part of the net income or net earnings of the nonprofit housing corporation is inuring to the benefit of any private individual, firm, corporation, partnership, or association, or the agency determines that an unreasonable part of the net income or net earnings of the consumer housing cooperative is inuring to the benefit of any private individual, firm, corporation, partnership, or association, or the agency determines that some part of the net income or net earnings of the limited dividend housing corporation, in excess of that permitted by other provisions of this part, is inuring to the benefit of any private individual, firm, corporation, partnership, or association.

(4) The agency determines that the nonprofit housing corporation or consumer housing cooperative is in some manner controlled by, or under the direction of, or acting in the substantial interest of any private individual, firm, corporation, partnership, or association seeking to derive benefit or gain therefrom, or seeking to eliminate or minimize losses in any dealings or transactions therewith The provisions of this subdivision shall apply to individual cooperators in consumer housing cooperatives only in those circumstances defined by the agency in its rules or regulations to carry out the purposes of this part.

(5) The agency determines that the nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation is in violation of the rules or regulations promulgated under this chapter

(6) The agency determines that the nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation is in violation of any agreement or agreements entered into with the agency providing for regulation by the agency of the planning, development, and management of any housing project undertaken by the nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation, or the disposition of the property and franchises of such corporation or cooperative Directors so appointed need not be stockholders or members or meet other qualifications which may be described by the certificate of incorporation or bylaws In the absence of fraud or bad faith, directors so appointed shall not be personally liable for debts, obligations, or liabilities of the corporation

(b) To give approval or consent to the articles of incorporation submitted to the agency by a corporation seeking approval as a nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation under the provisions of Chapter 12 (commencing with Section 37750), Chapter 13 (commencing with Section

37760), or Chapter 14 (commencing with Section 37770), respectively.

37652 The agency shall have the power to engage the services of private consultants on a contract basis for rendering professional and technical assistance and advice.

37653. The agency shall have the power to lease real or personal property and to accept federal funds for, and participate in programs of leased housing pursuant to Section 10 or 23 of the United States Housing Act of 1937, as amended by the Housing and Urban Development Act of 1965.

37654. The agency may make loans to any nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation, or to any public body or agency for the construction or rehabilitation, and for the long-term financing, of housing for low-income or moderate-income persons. No such loans shall be made unless the agency finds that the construction or rehabilitation will be undertaken in an economical manner and that it will not be of elaborate design or materials. A loan under this section may be in an amount not to exceed 100 percent of the project cost as approved by the agency in the case of a nonprofit housing corporation, consumer housing cooperative, or public body or agency, and in an amount not to exceed 90 percent of the project cost as approved by the agency in the case of a limited dividend housing corporation

37655 The agency may make loans to any nonprofit housing corporation or limited dividend housing corporation for the construction or rehabilitation of housing units for sale to individual purchasers of low or moderate income as provided by the agency in its rules or regulations and to any such individual purchaser for the long-term financing of a housing unit. A loan under this section may be in an amount not to exceed 100 percent of the project cost as approved by the agency in the case of a nonprofit housing corporation or individual purchaser and in an amount not to exceed 90 percent of the project cost as approved by the agency in the case of a limited dividend housing corporation.

37656 (a) While a loan is outstanding, any sale by the nonprofit housing corporation or limited dividend housing corporation, or any subsequent resale shall be subject to approval by the agency and the agency shall provide in its rules and regulations concerning such sales and resales that the price of the housing unit sold, the method of making payments thereafter, the security afforded and the interest rate, fees and charges to be paid shall at all times be sufficient to permit the agency to make the payments on its bonds and notes plus any administrative or other costs of the agency in connection with the transactions. Housing units shall be sold under terms that provide for monthly payments including principal, interest, taxes, and insurance

(b) While a loan pursuant to Section 37655 is outstanding, the agency shall, prior to the approval of sale by the nonprofit housing corporation or limited dividend housing corporation, or any subsequent resale, satisfy itself that such sale or resale is to persons of low or moderate income.

(e) Upon the sale by the nonprofit housing corporation or limited dividend housing corporation of any housing unit to an individual purchaser of low or moderate income under this section to whom a loan is being made by the agency, such housing unit shall be released from the mortgage running from the nonprofit housing corporation or limited dividend housing corporation to the agency and such mortgage shall be replaced as to the housing unit by a mortgage running from the individual purchaser to the agency.

(d) The agency shall encourage nonprofit housing corporations and limited dividend housing corporations engaged in construction or rehabilitation under this section to utilize the labor of prospective individual purchasers of low or moderate income in the construction or rehabilitation of the housing units involved The value of the labor of the prospective purchasers so utilized shall be used to reduce the project costs of the housing units involved

37657. In the construction of housing units to be sold to the individual purchasers of low or moderate income at a price not to exceed twelve thousand dollars ($12,000), the individual purchasers may be required to perform, in a manner and under conditions to be specified by the agency in its rules and regulations, a minimum number of hours of labor, and the value of such labor shall be credited to the purchase price.

37658. A loan shall be secured in such manner and be repaid in such period, not exceeding 50 years, as may be determined by the agency, and shall bear interest at a rate determined by the agency.

37659. Among low-income or moderate-income persons, preference shall be given to the elderly and those displaced by urban renewal, slum clearance, or other governmental action.

For the purposes of carrying out the provisions of this chapter, the agency shall establish criteria and procedures for determining the eligibility of occupants and rental or carrying charges, including criteria and procedures with respect to periodic review of occupant incomes and periodic adjustment of rental or carrying charges.

37660 The agency may provide to nonprofit housing corporations, consumer housing cooperatives, and limited dividend housing corporations such advisory, consultative training, and educational services as will assist them to become owners of housing projects, in accordance with the provisions of this part Advisory and educational services may include, but are not necessarily limited to, technical and professional planning assistance, the preparation and promulgation of organizational planning and development outlines and guides, consultation services, training courses, seminars and lectures, the preparation and dissemination of newsletters and other printed materials, and the services of field representatives The agency may provide nonprofit housing corporations, consumer housing cooperatives, and limited dividend housing corporations with advisory, consultative, technical, training, and educational services in the management of housing projects, including, but not limited to, home management and training and advisory services for the residents of the housing projects, so as to promote efficient and harmonious management of the housing projects.

CHAPTER 6. STATE HOUSING FINANCE FUND

37670. There is created and established under the jurisdiction and control of the agency a revolving fund to be known as the State Housing Finance Fund.

37671. There shall be paid into the State Housing Finance Fund the following:

(a) Any moneys appropriated and made available by the state for the purposes of the fund.

(b) Any moneys which the agency receives in repayment of advances made from the fund

(c) Any other moneys which may be made available to the agency for the purpose of the fund from any other source or sources.

37672 The agency may use the moneys held in the State Housing Finance Fund to make noninterest bearing advances, in accordance with the provisions of this part to nonprofit housing corporations and consumer housing cooperatives for development costs of proposed housing projects No advances may be made unless the agency may reasonably anticipate that a federally aided or agency-aided mortgage may be obtained by the nonprofit housing corporation or consumer housing cooperative for the permanent financing of a housing project for low- or moderate-income persons.

37673. The proceeds of the advance made pursuant to Section 37672 may be used only to defray the development costs of the housing project. Each advance shall be repaid in full by the nonprofit housing corporation or consumer housing cooperative to the agency concurrent with receipt of the portion of the mortgage loan paid under the initial indorsement of the federally aided or agency-aided mortgage or construction loan, unless the agency extends the period for the repayment of the advances In no event shall the time of repayment be extended later than the date of receipt of the portion of the mortgage loan paid on final indorsement of the federally aided or agency-aided mortgage or construction loan.

37674. The agency may use the moneys held in the State Housing Finance Fund to make grants to any local governmental agency, which the agency determines is carrying out the purposes of this part, as defined by the agency in rules and regulations promulgated pursuant to this part, in such amounts as the agency determines, not to exceed the net costs, exclusive of any federal aid or assistance, as are incurred by the local community in a plan of land and building acquisition, improvements, renewal, relocation, or conservation Land and buildings qualifying for a grant under this section shall be the site upon which housing is, or is to be, situated and sites designated for other uses that are reasonably related to such housing, as determined by the agency.

CHAPTER 7. LAND ACQUISITION AND DEVELOPMENT FUND

37680. There is created and established under the jurisdiction and control of the agency a fund to be known as the Land Acquisition and Development Fund.

37681. There shall be paid into the Land Acquisition and Development Fund all of the following:

(a) Any moneys appropriated and made available by the state for the purposes of this fund.

(b) Any moneys which the agency receives from the sale or rental of land originally purchased by the agency with moneys from this fund.

(c) Any other moneys which may be made available to the agency for the purpose of this fund from any other source or sources

37682. The agency may use the moneys held in the Land Acquisition and Development Fund to purchase or contract to purchase from any person, firm, corporation, municipality or federal or state agency, real property, and improvements or any interest therein which the agency determines may be suitable for future planning of a housing development. The agency may purchase such real property or any interest therein on land contract, option or other form of deferred payment agreement, or subject to mortgages or other encumbrances, if the agency reserves moneys in this fund or authorization to issue notes and bonds, the aggregate amount of which equals the unpaid principal balance on such land contracts, options, mortgages or other encumbrances or deferred payment agreements

37683 The agency may use the moneys held in the Land Acquisition and Development Fund to pay property taxes, insurance premiums, interest and other carrying charges on real property purchased or being purchased by the agency with moneys from this fund Notwithstanding the provisions of Section 37716, during the period when any such real property is owned or is being purchased by the agency, the agency shall pay all property taxes levied against real property purchased or being purchased by the agency with moneys from this fund, by all taxing jurisdictions in which such real property is located. However, the assessed valuation of such property owned or being purchased by the agency shall not be increased by any taxing jurisdiction after the date the agency purchases or contracts to purchase such property, except to reflect the state equalization valuation process The agency is further authorized to use the moneys held in the Land Acquisition and Development Fund to pay the costs of the planning of the development of real property purchased or to be purchased by the agency with moneys from this fund including, but not limited to, the costs of economic feasibility studies, land use studies, site development planning, architectural and engineering design, market analysis and all related analyses, studies, and planning services

37684 Real property or any portion thereof purchased pursuant to this chapter may be sold by the agency to a qualified sponsor or municipality for the purpose of construction of housing for persons of low or moderate income at such price and on such terms and conditions as shall be determined by the agency Portions of such real property may be sold by the agency to any individual, firm, partnership, or corporation at such price, equal to or greater than the lesser of the fair market value of such property at the time of such sale or the price paid by the agency for the purchase of such real property, and on such terms and conditions as shall be determined by the agency In conjunction with any sales of real property, the agency is authorized to enter into any agreements for the development and improvement of

such real property, including agreements whereunder the agency shall participate in such development, improvement, and financing and may retain control over any or all aspects of such development including, but not limited to, land use planning, site development, construction, architectural and engineering design, marketing, management, occupancy, operation, and all factors related to the foregoing.

CHAPTER 8. BONDS AND NOTES

37690. The agency from time to time may issue its negotiable bonds and notes in such principal amount as, in the opinion of the authority, shall be necessary to provide sufficient funds for achieving its corporate purposes, including the making of secured loans for low- and moderate-income housing, for the rehabilitation of existing structures; for the construction of facilities appurtenant thereto as provided in this part; the payment of interest on bonds and notes of the agency during construction, establishment of reserves to secure such bonds and notes; for the provision of moneys for the Housing Development Fund in order to make noninterest bearing advances to nonprofit housing corporations and consumer housing cooperatives as provided in this part and all other expenditures of the agency incident to and necessary or convenient to carry out its corporate purposes and powers

37691. The agency, from time to time, may issue renewal notes, issue bonds to pay notes and whenever it deems refunding expedient, refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and issue bonds partly to refund bonds then outstanding and partly for any other purpose The refunding bonds shall be sold and the proceeds applied to the purchase, redemption, or payment of the bonds to be refunded.

37692. Except as may otherwise be expressly provided by the agency, every issue of its notes or bonds shall be general obligations of the agency payable out of any revenues or moneys of the agency, subject only to any agreements with the holders of particular notes or bonds pledging any particular receipts or revenues.

37693 Whether or not the notes or bonds are of such form or character as to be negotiable instruments under the Commercial Code, the notes or bonds shall be and are hereby made negotiable instruments within the meaning of and for all the purposes of the Commercial Code, subject only to the provisions of the notes or bonds for registration.

37694. The notes and bonds shall be authorized by resolution of the members of the agency; shall bear such date or dates, and shall mature at such time or times, in the case of any note, or any renewal thereof, not exceeding five years, from the date of issue of such original note, and in the case of any bond not exceeding 50 years from the date of issue, as the resolution may provide. The notes and bonds shall bear interest at such rate or rates, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places and be subject to such terms of redemption as such resolution or resolutions may provide The notes and bonds of the agency may be sold by the agency, at public or private sale, at such price or prices as the agency shall determine.

37695. Any resolution authorizing any notes or bonds or any issue thereof may contain provisions, which shall be a part of the contract with the holders thereof, as to the following:

(a) Pledging all or any part of the fees and charges made or received by the agency, and all or any part of the moneys received in payment of mortgage loans and interest thereon, and other moneys received or to be received, to secure the payment of the notes or bonds or of any issue thereof, and subject to such agreements with bondholders or noteholders as may then exist

(b) Pledging all or any part of the assets of the agency, including mortgages and obligations securing the same, to secure the payment of the notes or bonds or of any issue of notes or bonds, subject to such agreements with noteholders or bondholders as may then exist.

(c) Pledging of any loan, grant, or contribution from the federal, state, or local government, or source in aid of such development as provided for in this part.

(d) The use and disposition of the gross income from mortgages owned by the agency and payment of principal of mortgages owned by the agency.

(e) The setting aside of reserves or sinking funds and the regulation and disposition thereof.

(f) Limitations on the purpose to which the proceeds of sale of notes or bonds may be applied and pledging such proceeds to secure the payment of the notes or bonds or of any issue thereof.

(g) Limitations on the issuance of additional notes or bonds; the terms upon which additional notes or bonds may be issued and secured; the refunding of outstanding or other notes or bonds

(h) The procedure, if any, by which the terms of any contract with noteholders or bondholders may be amended or abrogated, the amount of notes or bonds the holders of which must consent thereto, and the manner in which such consent may be given.

(i) Vesting in a trustee or trustees such property, rights, powers and duties in trust as the agency may determine, which may include any or all of the rights, powers and duties of the trustee appointed by the bondholders pursuant to this part and limiting or abrogating the right of the bondholders to appoint a trustee under this section or limiting the rights, powers and duties of such trustee.

(j) Any other matters, of like or different character, which in any way affect the security or protection of the notes or bonds.

37696 Any pledge made by the agency shall be valid and binding from the time when the pledge is made; the moneys or property so pledged and thereafter received by the agency shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the agency, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

37697. Neither the members of the agency nor any person executing the notes or bonds shall be liable personally on the notes or bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

37698. The agency, subject to such agreements with noteholders or bondholders as may then exist, shall have power out of any funds available therefor to purchase notes or bonds of the agency, which shall thereupon be canceled, at a price not exceeding. (a) the redemption price then applicable plus accrued interest to the next interest payment date thereon if the notes or bonds are then redeemable, or (b) the redemption price applicable on the first date after such purchase upon which the notes or bonds become subject to redemption plus accrued interest to such date if the notes or bonds are not then redeemable

37699. The state shall not be liable on notes or bonds of the agency and such notes and bonds shall not be a debt of the state The notes and bonds shall contain on the face thereof a statement to such effect.

37700 The agency shall create and establish a special fund to secure the notes and bonds, herein referred to as the Capital Reserve Fund, and shall pay into the Capital Reserve Fund the following·

(a) Any moneys appropriated and made available by the state for the purposes of such fund.

(b) Any proceeds of sale of notes or bonds, to the extent provided in the resolution of the agency authorizing the issuance thereof.

(c) Any other moneys which may be made available to the agency for the purpose of such fund from any other source or sources.

All moneys held in the Capital Reserve Fund, except as provided in this chapter, shall be used solely for the payment of the principal of bonds of the agency as the same mature, the purchase of bonds of the agency, the payment of interest on such bonds of the agency or the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity Moneys in the Capital Reserve Fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of the fund to less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on all bonds of the agency then outstanding, except for the purpose of paying principal of and interest on bonds of the agency maturing and becoming due and for the payment of which other moneys of the agency are not available Any income or interest earned by, or increment to, the Capital Reserve Fund due to the investment thereof may be transferred by the agency to the General Reserve Fund or other fund of the agency to the extent it does not reduce the amount of the Capital Reserve Fund below the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on all bonds of the agency then outstanding

37701 The agency shall not issue bonds at any time if the maximum amount of principal and interest maturing and becoming due in a succeeding calendar year on bonds then to be issued and on all other bonds of the agency then outstanding will exceed the amount of the Capital Reserve Fund at the time of issuance unless the agency, at the time of issuance of such bonds, shall deposit in the fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in the fund, will be not less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds then to be issued and on all other bonds of the agency then outstanding.

37702 The agency shall not have outstanding at any one time bonds and notes for any of its corporate purposes in an aggregate principal amount exceeding three hundred million dollars ($300,000,000), excluding bonds and notes issued to refund outstanding bonds and notes

37703. To assure the continued operation and solvency of the agency for the carrying out of the public purposes of this part, provision is made for the accumulation in the Capital Reserve Fund of an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on all bonds of the agency then outstanding. In order further to assure such maintenance of the Capital Reserve Fund, the chairman of the agency on or before September 1 shall certify to the Governor and Director of Finance such amount, if any, necessary to restore the Capital Reserve Fund to an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds of the agency then outstanding. The Legislature hereby declares its intent that the amount so certified by the chairman of the agency shall be included in the Budget Act for the 1973–1974 fiscal year and each succeeding fiscal year

37704 In computing the amount of the Capital Reserve Fund for the purposes of this chapter, securities in which all or a portion of the fund is invested shall be valued at par, or if purchased at less than par, at their cost to the agency.

37705. Notwithstanding other provisions of this part, the interest rate on loans made by the agency financed with bonds or notes may be decreased or increased from time to time so that the rate shall not be less than the rate paid by the agency on notes, renewal notes, or bonds issued to fund the loan.

37706 The agency shall create and establish a special fund, herein referred to as General Reserve Fund, and shall pay into such fund all fees and charges collected by the agency and any moneys which the agency shall transfer from the Capital Reserve Fund. Such moneys and any other moneys paid into the General Reserve Fund, in the discretion of the agency, but subject to agreements with bondholders and noteholders, may be used by the agency for the following:

(a) For the repayment of advances from the state in accordance with the provisions of repayment agreements between the agency and the Director of Finance

(b) To pay all costs, expenses and charges of financing, including fees and expenses of trustees and paying agents.

(c) For transfers to the Capital Reserve Fund

(d) For the payment of the principal of and interest on bonds or notes issued by the agency when the same shall become due, whether at maturity or on call for redemption, and for the payment of any redemption premium required to be paid where such bonds or notes are redeemed prior to their stated maturities, and to purchase bonds or notes.

(e) For such other corporate purposes of the agency as the agency in its discretion shall determine and provide.

37707. The state pledges and agrees with the holders of any notes or bonds issued under this part, that the state will not limit or alter the rights vested in the agency to fulfill the terms of any agreements made with the holders thereof, or in any way impair the rights and remedies of the holders until the notes or bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The agency is authorized to include this pledge and agreement of the state in any agreement with the holders of such notes or bonds.

37708. If the agency defaults in the payment of principal of or interest on any issue of notes or bonds after the same shall become due, whether at maturity or upon call for redemption, and such default continues for a period of 30 days, or if the agency fails or refuses to comply with the provisions of this part, or defaults in any agreement made with the holders of any issue of notes or bonds, the holders of 25 percent in aggregate principal amount of the notes or bonds of such issue then outstanding, by instrument or instruments filed in the office of the clerk of the County of Sacramento and approved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of such notes or bonds for the purposes herein provided.

37709 The trustee may, and upon written request of the holders of 25 percent in principal amount of such notes or bonds then outstanding shall, in his own name do the following:

(a) By action or proceeding, enforce all rights of the noteholders or bondholders, including the right to require the agency to collect fees and charges and interest and amortization payments on mortgage loans made by it adequate to carry out any agreement as to, or pledge of, such fees and charges and interest and amortization payments on such mortgages, and other properties and to require the agency to carry out any other agreements with the holders of such notes or bonds and to perform its duties under this act.

(b) Bring suit upon such notes or bonds.

(c) By action, require the agency to account as if it were the trustee of an express trust for the holders of such notes or bonds.

(d) By action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such notes or bonds

(e) Declare all such notes or bonds due and payable, and if all defaults shall be made good, then, with the consent of the holders of 25 percent of the principal amount of such notes or bonds then outstanding, to annul such declaration and its consequences.

37710. The trustee, in addition to the powers granted in Section 37709, shall have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth in this chapter or incident to the general representation of bondholders or noteholders in the enforcement and protection of their rights.

37711. The venue of any such action or proceeding shall be in the County of Sacramento.

37712 Before declaring the principal of notes or bonds due and payable, the trustee shall first give 30 days' notice in writing to the Governor, to the agency, and to the Attorney General.

37713 All moneys of the agency, except as otherwise authorized or provided in this section, shall be paid to the State Treasurer as agent of the agency, who shall not commingle such moneys with any other moneys Such moneys shall be deposited in a separate bank account or accounts. The moneys in such accounts shall be paid out on warrants signed by the State Treasurer on requisition of the chairman of the agency or of such other officer or employee as the agency shall authorize to make such requisition. All deposits of such moneys shall, if required by the State Treasurer or the agency, be secured by obligations of the United States or of the state of a market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give such security for such deposits.

Notwithstanding the provisions of this section, the agency shall have power, subject to the approval of the State Treasurer, to contract with the holders of any of its notes or bonds, as to the custody, collection, securing, investment, and payment of any moneys of the agency, of any moneys held in trust or otherwise for the payment of notes or bonds, and to carry out such contract Moneys held in trust or otherwise for the payment of notes or bonds or in any way to secure notes or bonds and deposits of such moneys may be secured in the same manner as moneys of the agency, and all banks and trust companies are authorized to give such security for such deposits.

Subject to agreements with noteholders and bondholders and the approval of the State Controller, the agency shall prescribe a system of accounts

37714 The notes and bonds of the agency are securities in which all public officers and bodies of this state and all municipalities and municipal subdivisions, all insurance companies and associations, and other persons carrying on an insurance business, all banks, trust companies, savings banks and savings associations, savings and loan associations, investment companies, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them.

37715 The agency from time to time, at its discretion, may recommend an issuance of general obligation bonds to the Legislature for a vote of the people.

37716 The property of the agency and its income and operation shall be exempt from all taxation by the state or any of its political subdivisions and all bonds and notes of the agency shall be exempt from all taxation by the state or any of its political subdivisions

37717 The state covenants with the purchasers and all subsequent holders and transferees of notes and bonds issued by the agency, in consideration of the acceptance of and payment for the notes and bonds, that the notes and bonds of the agency, issued pursuant to this part and the income therefrom and all its fees, charges, gifts, grants, reve-

nues, receipts, and other moneys received or to be received, pledged to pay or secure the payment of such notes or bonds shall at all times be free and exempt from all state, city, county, or other taxation provided by the laws of the state, except for estate and gift taxes and taxes on transfers.

CHAPTER 9 DISCRIMINATION

37720. The agency shall require that occupancy of housing projects assisted under this part shall be open to all regardless of race, color, religion, national origin, or ancestry, and that contractors and subcontractors engaged in the construction of housing projects shall provide an equal opportunity for employment, without discrimination as to race, color, religion, national origin, or ancestry.

CHAPTER 10. LOW-INCOME FAMILIES AND PERSONS

37730. The definitions in Chapter 3 (commencing with Section 37620) shall be applicable to this chapter, except for the following:

(a) "Low- and moderate-income housing" shall mean housing financed by bond issues authorized under this part, or by federally aided mortgages as defined in Chapter 3 (commencing with Section 37620), or by other such programs directed toward providing housing within the financial means of low- and moderate-income families as the agency shall determine.

(b) "Probable aggregate annual income" means the total annual income of the chief wage earner or supporter of the family, plus the income of secondary wage earners in excess of one thousand two hundred dollars ($1,200) per year, the income of minors in excess of eight hundred dollars ($800) per year, and excluding completely the income of college students.

(c) "Carrying charges" or "rental" means all regular charges paid on a periodic basis to a housing corporation by a person or family living in a rental or cooperative housing project, excluding initial downpayments.

(d) "Housing charges" means monthly rentals or carrying charges, plus estimated or actual expenditures for heat, light, water, cooking fuel, and other utilities; and other reasonable expenditures that the agency shall determine to be a part of housing charges

(e) "Shelter rent" means the rental or carrying charges established for occupancy in housing projects, exclusive of payments for taxes and charges for heat, light, water, cooking fuel, and other necessary utilities.

(f) "Low-income persons" means those persons designated as "low-income persons" by the agency under the provisions of Section 37632 and subdivision (o) of Section 37650.

37731. The agency may provide that up to 25 percent of the dwelling units in any development providing low- and moderate-income housing under federal, state, or local government programs be made available to low-income families and persons whose probable aggregate yearly income is less than four times as large as the regular yearly housing charges for such dwelling units The dwelling units shall be made available to these families and persons at monthly rental pay-

ments or carrying charges so that yearly housing charges do not exceed 25 percent of the probable aggregate yearly income of such persons or families. The agency is authorized to contract with sponsors or owners of housing developments for up to 3,750 such units during the fiscal year ending 1973.

37732 For purposes of carrying out the provisions of this chapter, the agency shall establish criteria and procedures for determining the eligibility of occupants and rental charges, including criteria and procedures with respect to periodic review of tenant incomes and periodic adjustment of rental charges.

37733. The agency may enter into agreements, or authorize housing owners or sponsors to enter into agreements, with public or private agencies for services required in the selection of families and individuals who qualify under this chapter.

37734. The agency shall provide that low-income families or persons benefiting under this chapter shall have the same rights, privileges, and duties as other residents, except that no member of a cooperative, upon the resale of his membership in the cooperative, shall be reimbursed for any equity increment accumulated as a result of payments under this chapter The agency shall endeavor to guarantee that knowledge of the special circumstances of such low-income families is not divulged to other residents

37735. In special circumstances where the agency deems it appropriate in order to accomplish the purposes of this part, the agency may provide the necessary financing for small-scale housing developments built primarily for low-income families and individuals eligible for lower rentals or carrying charges under this chapter, and may waive the requirement that no more than 25 percent of the dwelling units in any particular project may be made available to low-income families under this section.

CHAPTER 11. TAXATION

37740 Whenever a housing project is financed with a federally aided or agency-aided mortgage, or advance or grant from the agency, then the housing project shall be exempt from all taxes imposed by the state, or by any political subdivision, public body, or taxing district in which the project is located so long as the municipality in which the project is located does not provide by ordinance that such tax exemption shall not apply to all or any class of housing projects within its boundaries, pursuant to Section 37744

The owner of a housing project eligible for the exemption shall file with the local assessing officer a notification of the exemption, which shall be in an affidavit form as provided by the agency The completed affidavit form shall first be submitted to the agency for certification by the agency that the project is eligible for the exemption The owner shall then file the certified notification of the exemption with the local assessing officer prior to November 1 of the year preceding the tax year in which the exemption is to begin.

37741. The owner of a housing project exempt from taxation under this chapter shall pay to the municipality in which the project is located an annual service charge for public services in lieu of all taxes. The amount to be paid as a service charge in lieu of taxes shall be, for new construction projects the greater of, and for rehabilitation projects the lesser of, (a) the tax on the property on which the project is located for the tax year prior to the date when construction or rehabilitation of the project was commenced, or (b) 10 percent of the annual shelter rents obtained from the project.

Any municipality, by ordinance from time to time, may establish or change the service charge to be paid in lieu of taxes by all or any class of housing projects exempt from taxation under this chapter at any amount it chooses, not to exceed the taxes that would be paid but for this chapter.

37742. The exemption from taxation granted by this chapter shall remain in effect for so long as the federally aided or agency-aided mortgage or advance or grant from the agency is outstanding, not to exceed 50 years. The municipality may establish by ordinance a different period of time for the exemption to remain in effect.

37743. Any payments for public services received by a municipality in lieu of taxes under this chapter shall be distributed by the municipality to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year.

37744. Any municipality may provide by ordinance that the tax exemption established in Section 37740 shall not apply to all or any class of housing projects within its boundaries to which Section 37740 applies. If the municipality so provides, then the tax exemption established in Section 37740 shall not be applicable to the class of housing projects designated in the ordinance The ordinance, if it so provides, shall be effective with respect to housing projects for which an exemption has already been granted on December 31 of the year in which it is adopted, but not before. Any municipality that has adopted such an ordinance subsequently may repeal that ordinance, which repeal shall become effective on the date designated in the repealing ordinance

37745. Notwithstanding Section 37741, the service charge to be paid each year in lieu of taxes for that part of a housing project which is tax exempt under Section 37740 and which is occupied by other than low-income persons or families shall be equal to the full amount of the taxes that would be paid on that portion of the project if the project were not tax exempt The benefits of any exemption granted under this chapter shall be allocated by the owner of the housing project exclusively to low-income persons or families in the form of reduced housing charges.

37746. "Low-income persons and families," for the purposes of this chapter only, means, with respect to any housing project which is tax exempt, persons and families eligible to move into that project The agency, by rule for purposes of this section, may redefine low-income persons or families for each municipality on the basis of the need for housing for such persons or families as the agency determines exists in that municipality.

37747. The state may reimburse any unit of the government for tax exemption granted to any housing project under this chapter. The state may reimburse such unit of government each year to an amount which equals the difference between what could have been paid in taxes were it not for the exemption granted under this chapter and the amount which was paid as a service charge in lieu of taxes.

CHAPTER 12. NONPROFIT HOUSING CORPORATIONS

37750. Nonprofit housing corporations shall be incorporated pursuant to the provisions of the General Nonprofit Corporation Law, Part 1 (commencing with Section 9000) of Division 2 of the Corporations Code and this chapter.

The term "nonprofit housing corporation" or "nonprofit housing company" shall be included as a part of the corporate name as set forth in the certificate of incorporation.

37751. The articles of incorporation of any such nonprofit housing corporation or company, in addition to other requirements of law, shall provide the following:

(a) That the corporation has been organized exclusively to provide housing facilities and such social, recreational, commercial, and communal facilities as may be incidental or appurtenant thereto for persons of low and moderate income.

(b) That all the income and earnings of the corporation shall be used exclusively for corporation purposes and that no part of the net income or net earnings of the corporation shall inure to the benefit or profit of any private individual, firm, corporation, partnership, or association.

(c) That the corporation is in no manner controlled or under the direction or acting in the substantial interest of any private individual, firm, partnership or association seeking to derive profit or gain therefrom or seeking to eliminate or minimize losses in any dealing or transactions therewith

(d) That the operations of the corporation may be supervised by the agency and that the corporation shall enter into such agreements with the agency as the agency from time to time requires providing for regulation by the agency of the planning, development, and management of any housing project undertaken by the corporation and the disposition of the property and franchises of the corporation.

37752. The articles or any such nonprofit housing corporation or company shall provide that the agency shall have the power to appoint to the board of directors of the corporation a number of new directors, which number shall be sufficient to constitute a majority of the board, notwithstanding any other provisions of the articles of incorporation or any other provisions of law, if the agency determines that any of the following exist

(a) The corporation has received a loan or advance as provided for in this part and the agency determines that the loan or advance is in jeopardy of not being repaid.

(b) The corporation has received a loan or advance as provided for in this part and the agency determines that the proposed housing project for which the loan or advance was made is in jeopardy of not being constructed.

(c) The agency determines that some part of the net income or net earnings of the corporation is inuring to the benefit of any private individual, firm, corporation, partnership, or association.

(d) The agency determines that the corporation is in some manner controlled by or under the direction of, or acting in the substantial interest of any private individual, firm, corporation, partnership, or association seeking to derive benefit or gain therefrom, or seeking to eliminate or minimize losses in any dealings or transactions therewith

(e) The agency determines that the corporation is in violation of the rules or regulations promulgated pursuant to this part.

(f) The agency determines that the corporation is in violation of any agreements entered into with the agency providing for regulation by the agency of the planning, development, and management of any housing project undertaken by the corporation and the disposition of the property and franchises of such corporation.

37753. The Secretary of State shall not file the articles of incorporation of the corporation unless the consent or approval of the agency is attached or affixed thereto.

CHAPTER 13. CONSUMER HOUSING COOPERATIVES

37760. Consumer housing cooperatives shall be incorporated pursuant to the provisions of Part 2 (commencing with Section 12200) of Division 3 of Title 1 of the Corporations Code and the provisions of this chapter.

The term "consumer housing cooperative" shall be included as a part of the corporate name as set forth in the certificate of incorporation.

37761. The articles of incorporation of any consumer housing cooperative, in addition to other requirements of law, shall provide:

(a) That the consumer housing cooperative has been organized exclusively to provide housing facilities and such social, recreational, commercial, and communal facilities as may be incidental or appurtenant thereto for persons of low- and moderate-income

(b) That all income and earnings of the consumer housing cooperative shall be used exclusively for consumer housing cooperative purposes and that no unreasonable part of the net income or net earnings of the cooperative shall inure to the benefit or profit of any private individual, firm, corporation, partnership, or association

(c) That the consumer housing cooperative is in no manner controlled, or under the direction of, or acting in the substantial interest of, any private individual, firm, corporation, partnership, or association seeking to derive profit or gain thereform, or seeking to eliminate or minimize losses in any dealing or transaction therewith, except that the provisions of this subdivision shall apply to individual cooperators of a consumer housing cooperative only in those circumstances defined by the agency in its rule and regulations.

(d) That the operations of the consumer housing cooperative may be supervised by the agency and that the consumer housing cooperative shall enter into such agreements with the agency as the agency from time to time requires providing for regulation by the agency of the

planning, development, and management of any housing project undertaken by the consumer housing cooperative and the disposition of the property and franchises of such cooperative.

37762. The articles of incorporation of any consumer housing cooperative shall provide that the agency shall have the power to appoint to the board of directors of the consumer housing cooperative a number of new directors, which number shall be sufficient to constitute a majority of the board, notwithstanding any other provisions of the articles of incorporation or any other provisions of law, if the agency determines that any of the following exist:

(a) The consumer housing cooperative has received a loan or advance as provided for in this part and the agency determines that the loan or advance is in jeopardy of not being repaid.

(b) The consumer housing cooperative has received a loan or advance as provided for in this part and the agency determines that the proposed housing project for which the loan or advance was made is in jeopardy of not being constructed.

(c) The agency determines that some unreasonable part of the net income or net earnings of such consumer housing cooperative shall inure to the benefit of any private individual, firm, corporation, partnership, or association.

(d) The agency determines that the consumer housing cooperative is in some manner controller by, or under the direction of, or acting in the substantial interest of, any private individual, firm, corporation, partnership, or association seeking to derive benefit or gain therefrom, or seeking to elminate or minimize losses in any dealing or transaction therewith, except that the provisions of this subdivision shall apply to individual cooperators of a consumer housing cooperative only in those circumstances defined by the agency in its rules and regulations.

(e) The agency determines that the consumer housing cooperative is in violation of the rules promulgated pursuant to this part.

(f) The agency determines that the consumer housing cooperative is in violation of any agreements entered into with the agency providing for regulation by the agency of the planning, development, and management of any housing project undertaken by the consumer housing cooperative or the disposition of the property and franchises of such cooperative

37763. The Secretary of State shall not file the articles of incorporation of the consumer housing cooperative unless the consent or approval of the agency is attached or affixed thereto.

CHAPTER 14 LIMITED DIVIDEND HOUSING CORPORATIONS

37770. Limited dividend housing corporations shall be incorporated or qualified pursuant to the provisions of Chapter 1 (commencing with Section 34800) of Part 3 and this chapter.

The term "limited dividend housing corporation" shall be included as a part of the corporate name as set forth in the certificate of incorporation or certificate of authority.

37771. The articles of incorporation of any limited dividend housing corporation, in addition to other requirements of law, shall provide as follows:

(a) That the limited dividend housing corporation has been organized exclusively to provide housing facilities and such social, recreational, commercial, and communal facilities as may be incidental or appurtenant thereto for persons of low and moderate income.

(b) That every stockholder of the limited dividend housing corporation shall be deemed, by the subscription to, or the receipt of stock therein, to have agreed that he at no time shall receive from the corporation in repayment of his investment any sums in excess of the face value of the investment plus cumulative dividends at such rate as the agency determines to be reasonable and proper, computed from the initial date upon which moneys were paid or property delivered in consideration for the proprietary interest of the stockholder, and upon the dissolution of the limited dividend housing corporation any surplus in excess of such amounts shall be paid to the agency.

(c) That the operations of the limited dividend housing corporation may be supervised by the agency and that the limited dividend housing corporation shall enter into such agreements with the agency as the agency from time to time requires providing for regulation by the agency of the planning, development and management of any housing project undertaken by the limited housing corporation and the disposition of the property and franchises of the corporation

37772. As used in this chapter, the term "surplus" shall not be deemed to include any increase in assets of any limited dividend housing corporation organized in accordance with the provisions of this chapter, by reason of reduction of mortgage, by amortization or similar payments, or realized from the sale of disposition of any assets of a limited dividend housing corporation to the extent such surplus can be attributed to any increase in market value of any real property or tangible personal property accruing during the period the assets were owned and held by the limited dividend housing corporation

37773. The articles of incorporation of any limited dividend housing corporation shall provide that the agency shall have the power to appoint to the board of directors of the limited dividend housing corporation a number of new directors, which number shall be sufficient to constitute a majority of the board, notwithstanding any other provisions of the articles or any other provisions of law, if the agency determines that any of the following exists:

(a) The limited dividend housing corporation has received a loan or advance as provided for in this part and the agency determines that the loan or advance is in jeopardy of not being repaid.

(b) The limited dividend housing corporation has received a loan or advance as provided for in this part and the agency determines that the proposed housing project for which the loan or advance was made is in jeopardy of not being constructed.

(c) The agency determines that some part of the net income or net earnings of the limited dividend housing corporation, in excess of that permitted by other provisions of this part, shall inure to the benefit of any private individual, firm, corporation, partnership, or association.

(d) The agency determines that the limited dividend housing corporation is in violation of the rules promulgated pursuant to this part.

(e) The agency determines that the limited dividend housing corporation is in violation of any agreements entered into with the agency providing for regulation by the agency of the planning, development, and management of any housing project undertaken by the limited dividend housing corporation or the disposition of the property and franchises of such corporation

37774 The Secretary of State shall not accept the articles of incorporation of the limited dividend housing corporation unless the consent or approval of the agency is attached or affixed thereto.

CHAPTER 15. LIMITED DIVIDEND HOUSING ASSOCIATIONS

37780. Limited dividend housing association shall include general or limited partnerships, joint ventures, or trusts as any such entities shall be approved pursuant to resolution of the agency. Members of a limited dividend housing association shall include each and all persons with a legal or beneficial interest of any kind in a limited dividend housing association or its assets.

The term "limited dividend housing association" shall be included as part of the name of any limited dividend housing association.

37781. The partnership agreement, joint venture agreement, trust agreement, or other document of basic organization of the limited dividend housing association, as the case may be, in addition to other requirements of law, shall provide:

(a) That the limited dividend housing association has been organized exclusively to provide housing facilities and such social, recreational, commercial, and communal facilities as may be incidental or appurtenant thereto to persons of low and moderate income.

(b) That every member of a limited dividend housing association shall be deemed by acceptance of a beneficial interest in the limited dividend housing association or by executing the document of basic organization to have agreed that he at no time shall receive from such limited dividend housing association, any return in excess of the face value of the investment attributable to his respective interest plus cumulative dividend payments at such rate as the agency deems to be reasonable and proper, computed from the initial date upon which moneys were paid or property delivered in consideration for the interest, and upon the dissolution of the limited dividend housing association, any surplus in excess of such amounts shall be paid to the agency.

(c) That the operations of the limited dividend housing association may be supervised by the agency and that the limited dividend housing association shall enter into such agreements with the agency as the agency from time to time requires providing for regulation by the agency of the planning, development, and management of any housing project undertaken by the limited dividend housing association and the disposition of the property and franchises of the limited dividend housing association.

37782. As used in this chapter, the term "surplus" shall not be deemed to include any increase in assets of any limited dividend housing association organized in accordance with the provisions of this chapter, by reason of reduction of mortgage, by amortization or similar payments, or realized from the sale or disposition of any assets of a limited dividend housing association to the extent such surplus can be attributed to any increase in market value of any real property or tangible personal property accruing during the period the assets were owned and held by the limited dividend housing association.

37783. The partnership agreement, joint venture agreement, trust agreement, or other document of basic organization, as the case may be, shall provide that the agency shall have the power to appoint a managing agent of the limited dividend housing association and its members, who may be an officer, employee, or agent of the agency, and such managing agent shall have complete power to act as agent and attorney in fact for the limited dividend housing association and its members, in connection with any asset or liability of the limited dividend housing association, to fulfill any obligations the limited dividend housing association may have to the agency, if the agency determines that any of the following exist:

(a) The limited dividend housing association has received a loan or advance as provided for in this part and the agency determines that the loan or advance is in jeopardy of not being repaid.

(b) The limited dividend housing association has received a loan or advance as provided for in this part and the agency determines that the proposed housing project for which the loan or advance was made is in jeopardy of not being constructed.

(c) The agency determines that some part of the net income or net earnings of the limited dividend housing association, in excess of that permitted by other provisions of this part, shall inure to the benefit of any private individual, firm, corporation, partnership, trust, or association.

(d) The agency determines that the limited dividend housing association is in violation of the rules promulgated pursuant to this part.

(e) The agency determines that the limited dividend housing association is in violation of any agreements entered into with the agency providing for regulation by the agency of the planning, development and management of any housing project undertaken by the limited dividend housing association or the disposition of the property and franchises of such limited dividend housing association.

37784. Before any limited dividend housing association can receive any benefits as a result of qualifying under this part, the agency shall approve the terms of the partnership agreement, joint venture agreement, trust agreement, or other document of basic organization

SEC. 55. There is hereby appropriated from the General Fund to the State Housing Finance Agency the sum of three hundred thousand dollars ($300,000) for the 1972–73 fiscal year to be used to carry out the purposes of Part 10 (commencing with Section 37600) of Division 24 of the Health and Safety Code.

SEC. 56. This act shall become operative only if Assembly Constitutional Amendment No ____ of the 1972 Regular Session is approved by the voters, and in such case, this act shall become operative at the same time as ACA ____."

Amendment No. 3

On page 2, strike out lines 2 to 19, inclusive; and strike out pages 3 to 17, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 4, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports.

ACA No 43

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to the death penalty.

Resolution read

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SEC 27 All statutes of this state in effect on February 17, 1972, requiring, authorizing, imposing, or relating to the death penalty are in full force and effect, subject to legislative amendment or repeal by statute, initiative, or referendum.

The death penalty provided for under those statutes shall not be deemed to be, or to constitute, the infliction of cruel or unusual punishment within the meaning of Article I, Section 6, nor shall such punishment for such offenses be deemed to contravene any other provision of this Constitution."

Resolution ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2321: By Assemblyman Keysor—An act to amend Section 11161 5 of the Penal Code, relating to child abuse.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 49, 96, 208, and 271, for hearing in the Committee on Ways and Means, on Wednesday, April 5, 1972.

VOTE CHANGES

Messrs. Burke, Wakefield, Burton, and Chappie were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 467.

Messrs. Burton and Crown, and Mrs. Davis were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 170.

Messrs. Crown and Waxman, and Mrs. Davis were granted unanimous consent that they be recorded as voting "Aye" on all items on the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 77

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

CONSIDERATION OF ASSEMBLY BILL NO. 77

Pursuant to unanimous consent granted earlier this day, Assembly Bill No. 77 was taken up without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 77 By Unanimous Consent

Assembly Bill No. 77—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Item 13

Amendment No. 1

On page 3, line 5, strike out "2,057,572", and insert "2,072,572".

Item 17

Amendment No. 2

On page 3, line 18, strike out "9,141,844", and insert "9,404,206".

Amendment No. 3

On page 3, line 22, strike out "; provided fur-"; and strike out lines 23 to 28, inclusive, and insert a period.

Item 19

Amendment No. 4

On page 3, line 36, strike out "11,493,016", and insert "12,286,216".

Amendment No. 5

On page 3, line 41, strike out "; provided fur-"; and strike out lines 42 to 46, inclusive, and insert a period.

Item 28

Amendment No. 6

On page 4, line 38, of the printed bill, strike out "251,178", and insert "301,178".

Amendment No. 7

On page 4, between lines 38 and 39, insert

"provided that $50,000 of the amount appropriated by this item shall be available without regard to fiscal year; provided further, that $25,000 of the amount so available shall be expended by the agency for the development of the California Protected Waterway Plan, provided further, that $25,000 shall be expended on grants to local agencies for development of detailed waterway management plans pursuant to Section 2 of Chapter 761 of the Statutes of 1971; provided further, such grants shall only be made to a local agency which matches funds received on a dollar-for-dollar basis "

Item 30.1

Amendment No. 8

On page 5, between lines 11 and 12, of the printed bill, insert

" 30.1—For support of the Office of Planning and Reserach, in augmentation of Item 30 200,000

Schedule.

(a) Personal services 35,000
(b) Operating expenses and equipment ... 15,000
(c) Contract services 150,000

provided, that the Office of Planning and Research shall prepare an inventory of those presently undeveloped open areas in their natural state or used for agriculture which are in imminent danger of becoming urbanized, suburbanized, or acquired for construction

by any public agency and propose methods by which these endangered open areas might be conserved, such recommendations not to be limited to public acquisition; provided, further, that the Office of Planning and Research shall report to the Legislature in two phases, the first phase (the identification phase) due by March 1, 1973, and the second phase (the recommendations for conservation) to be due June 30, 1973."

Item 34

Amendment No. 9

On page 5, strike out lines 23 and 24.

Item 36

Amendment No. 10

On page 5, strike out lines 26 to 29, inclusive.

Item 37

Amendment No. 11

On page 5, line 30, strike out "1,081,084", and insert "1,593,888".

Amendment No. 12

On page 5, line 32, strike out "1,184,779", and insert "1,372,895".

Amendment No. 13

On page 5, line 34, strike out "237,042", and insert "604,450".

Amendment No. 14

On page 5, line 36, strike out "384,737", and insert "427,457".

Item 38

Amendment No. 15

On page 6, line 3, strike out "Fund", and insert "Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971".

Amendment No. 16

On page 6 of the printed bill, between lines 6 and 7, insert "provided, that the department shall report to the Legislature on the accuracy and completeness of the criminal histories entered and maintained in the Criminal Justice Information System, and the criteria and procedure for entering such histories in the system."

Item 45

Amendment No. 17

On page 6, line 36, strike out "775,000", and insert "1,429,500".

Item 47

Amendment No. 18

On page 7, line 32, strike out "500,000", and insert "900,000".

Amendment No. 19

On page 7, line 34, strike out "450,000", and insert "800,000".

Amendment No. 20

On page 7, line 35, strike out "50,000", and insert "100,000".

Item 60

Amendment No. 21

On page 9, line 27, of the printed bill, strike out "1,020,474", and insert "1,062,774".

Amendment No. 22

On page 9, line 29, strike out "880,405", and insert "917,205".

Amendment No. 23

On page 9, line 31, strike out "496,535", and insert "502,035".

Item 67

Amendment No. 24

On page 10, line 22, strike out "6,815,963", and insert "6,913,273".

Amendment No. 25

On page 10, line 24, strike out "10,719,622", and insert "10,792,-042".

Amendment No. 26

On page 10, line 26, strike out "2,300,565", and insert "2,325,455".

Item 69.1

Amendment No. 27

On page 10, between lines 36 and 37, insert

" 69.1—For support of Intergovernmental Board on Electronic Data Processing ---------- 15,250".

Item 71

Amendment No. 28

On page 10, line 39, of the printed bill, strike out "374,487", and insert "420,712".

Amendment No. 29

On page 10, line 41, strike out "275,220", and insert "316,945".

Amendment No. 30

On page 10, line 43, strike out "99,267", and insert "103,767".

Item 75

Amendment No. 31

On page 11, line 38, of the printed bill, strike out "9,200,000", and insert "56,000,000".

Item 76

Amendment No. 32

On page 11, of the printed bill, between lines 38 and 39, insert

" 76—For reimbursement to local taxing authorities for revenue lost by reason of the repeal or reduction of the property tax on the following classes of property affected by the following provisions of the Revenue and Taxation Code: (1) business inventories under Section 219; (2) motion pictures under Section 988; (3) livestock under Section 5523; and (4) wine and brandy under Section 992; State Controller.....138,000,000
The appropriation made by this item shall be in lieu of the appropriation for the same purpose contained in subdivision (a) of Government Code Section 16100 as added by Chapter 1, Statutes of 1971, First Extraordinary Session."

Item 77

Amendment No. 33

On page 11, between lines 38 and 39, of the printed bill, insert

" 77—For providing reimbursement to local taxing authorities for revenue lost by reason of the assessment of open-space lands under Sections 423 and 423.5 of the Revenue and Taxation Code, and in accordance with the provisions of Government Code Sections 16107–16118, inclusive, as added by Chapter 1 of the Statutes of 1971, First Extraordinary Session, State Controller 13,000,000
The appropriation made by this item shall be in lieu of the appropriation for the same purpose contained in subdivision (a) of Government Code Section 16100, as added by Chapter 1, Statutes of 1971, First Extraordinary Session, and may not be augmented."

Item 78

Amendment No. 34

On page 11, strike out lines 39 to 42, inclusive, and insert

" 78—For reimbursement to local taxing authorities for revenue lost by reason of the homeowners' property tax exemption granted pursuant to Section 1d of Article XIII of the Constitution.....254,800,000".

Item 79

Amendment No. 35

On page 12, line 6, strike out "14,400,000", and insert "2,000,000".

Item 80

Amendment No. 36

On page 12, line 25, of the printed bill, strike out "31,659,000", and insert "47,488,500".

Item 81

Amendment No. 37

On page 13, line 7, strike out "20,705,000", and insert "33,276,500".

Amendment No. 38

On page 13, line 12, strike out "20,705,000", and insert "33,276,-500".

Item 82

Amendment No. 39

On page 13, line 30, strike out "21,869,000", and insert "35,495,300".

Amendment No. 40

On page 13, line 35, strike out "21,869,000", and insert "35,495,-300".

Item 86

Amendment No. 41

On page 15, line 38, strike out "51,202", and insert "55,866".

Amendment No. 42

On page 16, line 17, strike out "1,498", and insert "6,162".

Item 87

Amendment No. 43

On page 16, line 21, of the printed bill, strike out "12,527,061", and insert "12,438,786".

Amendment No. 44

On page 16, line 27, strike out "1,000,000", and insert "911,725".

Item 91

Amendment No. 45

On page 17, line 6, strike out "38,446", and insert "446".

Item 96.5

Amendment No. 46

On page 17, between lines 42 and 43, insert

" 96 5—For support of the Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Automotive Repair Fund ---------- 2,740,000

Schedule:

(a) Personal services ---------- 1,255,579

(b) Operating expenses and equipment_ 1,484,421

Item 97

Amendment No. 47

On page 17, line 45, of the printed bill, strike out "474,857", and insert "469,857".

Item 111

Amendment No. 48

On page 19, line 7, of the printed bill, strike out "2,670", and insert "5,000".

Item 117

Amendment No. 49

On page 19, line 32, strike out "796,187", and insert "819,949".

Amendment No. 50

On page 19, line 36, strike out "447,337", and insert "471,099".

Item 127

Amendment No. 51

On page 20, line 29, strike out "441,981", and insert "465,743".

Item 130

Amendment No. 52

On page 20, line 44, strike out "1,311,322", and insert "1,531,322".

Amendment No. 53

On page 20, line 46, strike out "181,322", and insert "401,322".

Amendment No. 54

On page 21, line 5, after "item", insert
"; provided further, that no more than $181,322 of the amount contained in this item shall be expended for support of the executive committee if admissions fees are raised".

Item 131

Amendment No. 55

On page 21, line 13, strike out "2,567,664", and insert "2,787,664".

Amendment No. 56

On page 21, line 17, strike out "1,311,322", and insert "1,531,322".

Item 135

Amendment No. 57

On page 21, line 37, strike out "22,525,594", and insert "32,346,176".

Amendment No. 58

On page 21, line 39, strike out "16,811,182", and insert "20,567,207".

Amendment No. 59

On page 21, line 41, strike out "5,717,412", and insert "11,865,207".

Amendment No. 60

On page 21, line 42, strike out "3,000", and insert "86,238".

Item 136

Amendment No. 61

On page 21, line 43, of the printed bill, strike out "5,145,000", and insert "5,481,316".

Item 139

Amendment No. 62

On page 22, line 25, strike out "23,150,731", and insert "22,360,731".

Amendment No. 63

On page 22, line 29, strike out "13,645,141", and insert "12,855,141".

Item 140

Amendment No. 64

On page 22, line 39, strike out "29,228,192", and insert "29,467,456".

Amendment No. 65

On page 22, line 41, strike out "44,257,387", and insert "44,426,939".

Amendment No. 66

On page 22, line 43, strike out "23,523,852", and insert "23,596,352".

Amendment No. 67

On page 22, line 45, strike out "5,145,000", and insert "5,481,316".

Item 141

Amendment No. 68

On page 23, line 21, after "appropriation", insert

"; provided further, that during 1972–73 fiscal year, the Office of Architecture and Construction, Department of General Services, shall gradually reduce expenditures for staff to a level commensurate with the funds necessary to maintain a staff sufficient to perform a basic architectural and engineering services workload volume of $20 million as projected to June 30, 1973".

Item 143

Amendment No. 69

On page 23, line 29, strike out "22,139,045", and insert "23,236,143".

Amendment No. 70

On page 23, line 31, strike out "18,931,116", and insert "19,934,984".

Amendment No. 71

On page 23, line 33, strike out "3,711,811", and insert "4,037,231".

Amendment No. 72

On page 23, line 34, strike out "69,100", and insert "301,290".

Item 145

Amendment No. 73

On page 23, line 40, strike out "5,300,631", and insert "9,066,636".

Amendment No. 74

On page 23, line 42, strike out "5,474,987", and insert "5,440,992".

Amendment No. 75

On page 23, between lines 44 and 45, insert

"(e) For implementation of Division 4 (commencing with Section 12000) of the Unemployment Insurance Code, pursuant to subdivision (d), Section 39.7, Chapter 578, Statutes of 1971—3,800,000".

Amendment No. 76

On page 23, line 45, strike out "(c)", and insert "(d)".

Item 172

Amendment No. 77

On page 28, line 18, strike out "417,224", and insert "315,831".

Amendment No. 78

On page 28, line 20, strike out "243,836", and insert "197,593".

Amendment No. 79

On page 28, line 22, strike out "187,451", and insert "132,301".

Item 174

Amendment No. 80

On page 28, line 44, strike out "133,551,245", and insert "133,836,712".

Amendment No. 81

On page 28, line 46, strike out "109,785,332", and insert "109,150,954".

Amendment No. 82

On page 28, line 48, strike out "25,271,943", and insert "26,200,563".

Amendment No. 83

On page 29, line 2, strike out "100,170", and insert "91,395".

Item 177

Amendment No. 84

On page 29, line 20, strike out "60,535,401", and insert "65,354,398".

Amendment No. 85

On page 29, line 22, strike out "57,444,119", and insert "61,404,027".

Amendment No. 86

On page 29, line 24, strike out "18,941,475", and insert "20,075,322".

Amendment No. 87

On page 29, between lines 39 and 40, insert

"(h) Amount payable from the Abandoned Vehicle Trust Fund---------- -274,758

provided that, if the State Air Resources Board defers the requirement for exhaust emission control devices as set forth in Chapter 1507, Statutes of 1971, the funds included herein for implementation of Section 4602 of the Vehicle Code shall be reduced accordingly and no notification of the general public under Section 7 of Chapter 1507, Statutes of 1971, shall be made."

Amendment No. 88

On page 29, between lines 39 and 40, insert

"provided, any surplus accumulated from the service and transfer fee portion of the program established pursuant to Chapter 1816 of the Statutes of 1971 shall be continuously appropriated to the Off-Highway Vehicle Fund."

Item 180.5

Amendment No. 89

On page 30, between lines 16 and 17, insert

"180.5—For support of the Department of Motor Vehicles, payable from the Abandoned Vehicle Trust Fund -- 274,758

to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 177 of this act."

Item 183.1

Amendment No. 90

On page 30, between lines 40 and 41, insert

"183.1—For support of California Advisory Commission on Marine and Coastal Resources, as provided by Sections 8800 to 8827, inclusive, of the Government Code, Resources Agency ---------- 52,885".

Item 184

Amendment No. 91

On page 30, line 45, strike out "1,960,058", and insert "1,144,690".

Amendment No. 92

On page 30, line 47, strike out "1,110,058", and insert "544,690".

Amendment No. 93

On page 31, strike out lines 7 and 8, and in line 9, strike out "(e)", and insert "(d)".

Amendment No. 94

On page 31, line 10, strike out "(f)", and insert "(e)".

Item 185

Amendment No. 95

On page 31, line 12, strike out "4,561,590", and insert "3,861,590".

Amendment No. 96

On page 31, line 14, strike out "3,345,999", and insert "2,925,999".

Amendment No. 97

On page 31, line 16, strike out "2,095,591", and insert "1,815,591".

Amendment No. 98

On page 31, line 12, strike out "Fund", and insert "Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971".

Item 185.1

Amendment No. 99

On page 31, between lines 17 and 18, insert

"185.1—For nonvehicular program, State Air Resources Board ---------- 700,000".

Item 186

Amendment No. 100

On page 31, line 22, strike out "6,552", and insert "8,000".

Item 194

Amendment No. 101

On page 32, line 34, strike out "1,568,000", and insert "1,674,000".

Amendment No. 102

On page 32, line 36, strike out "2,193,058", and insert "2,272,205".

Amendment No. 103

On page 32, line 38, strike out "517,583", and insert "544,436".

Item 202

Amendment No. 104

On page 34, line 23, strike out "155,000", and insert "28,000".

Amendment No. 105

On page 34, line 25, strike out "Provided,"; and strike out lines 26 through 30, inclusive.

Item 206

Amendment No. 106

On page 35, line 21, of the printed bill, strike out "2,905,000", and insert "2,005,000".

Amendment No. 107

On page 35, strike out lines 28 and 29.

Amendment No. 108

On page 35, line 30, strike out "(e)", and insert "(d)".

Amendment No. 109

On page 35, line 32, strike out "(f)", and insert "(e)".

Amendment No. 110

On page 35, strike out lines 33 and 34.

Amendment No. 111

On page 35, line 35, strike out "(h)", and insert "(f)".

Items 209 and 210

Amendment No. 112

On page 36, strike out lines 18 and 19, and insert "Fund and, for payment of deficiencies in appropriations for".

Item 211

Amendment No. 113

On page 36, line 28, strike out "13,977,295", and insert "20,099,-998".

Amendment No. 114

On page 36, line 30, strike out "17,360,154", and insert "17,100,-484".

Amendment No. 115

On page 36, line 32, strike out "6,988,565", and insert "6,747,486".

Amendment No. 116

On page 36, line 33, strike out "2,164,380", and insert "2,115,380".

Amendment No. 117

On page 36, strike out lines 36 to 48, inclusive; and on page 37, strike out lines 2 to 7, inclusive, and insert

"provided, that no expenditure shall be made from any funds appropriated by this item to advertise or award any concession contract or agreement which involves a total investment by any private party in excess of $200,000, unless the expenditures for advertising or awarding the specific contract or agreement for concession operations have been authorized by the Legislature."

Item 214

Amendment No. 118

On page 37, line 29, strike out "1,514,704", and insert "252,704".

Amendment No. 119

On page 37, strike out lines 34 and 35.

Item 216

Amendment No. 120

On page 37, line 48, strike out "9,946,000", and insert "11,208,000".

Amendment No. 121

On page 38, line 9, strike out "3,452,740", and insert "4,714,740".

Item 217

Amendment No. 122

On page 38, line 35, strike out "4,000,000", and insert "7,500,000".

Item 220

Amendment No. 123

On page 39, line 15, strike out "111,906,209", and insert "111,903,-781".

Amendment No. 124

On page 39, line 22, strike out "3,326,134", and insert "3,323,706".

Items 220.1, 220.2, 220.3, 220.4, and 220.5

Amendment No. 125

On page 39, between lines 27 and 28, insert

"220.1—For in-service training of personnel in the Department of Corrections, in addition to funds for that purpose in Item 220 842,962

220.2—For augmentation of the Inmate Welfare Fund, Department of Corrections 250,000

220.3—For increasing inmate pay slots, Department of Corrections 156,000

220.4—For increasing inmate wages, Department of Corrections 212,000

220 5—For staff support, inmate self-help groups, Department of Corrections ..... 39,000".

Item 233

Amendment No. 126

On page 42, line 20, strike out "654,584,708", and insert "653,-358,365".

Amendment No. 127

On page 42, line 39, after "allowances", insert

"; provided further, that no funds shall be expended from this item for statewide implementation of the proposed Medi-Cal Management System".

Item 234

Amendment No. 128

On page 42, line 45, strike out "8,163,874", and insert "9,424,374".

Item 241

Amendment No. 129

On page 44, line 44, strike out "7,037,930", and insert "7,007,034".

Amendment No. 130

On page 44, line 46, strike out "7,663,611", and insert "7,633,715".

Amendment No. 131

On page 44, line 48, strike out "2,225,106", and insert "2,224,106".

Amendment No. 132

On page 45, between lines 2 and 3, insert

"Provided that, of this amount, $25,000 shall be made available to the Citizens Advisory Council for carrying out its purposes as required by the law."

Item 242

Amendment No. 133

On page 45, line 4, strike out "1,661,347", and insert "1,836,347".

Amendment No. 134

On page 45, line 7, strike out "852,005", and insert "1,027,005".

Amendment No. 135

On page 45, between lines 14 and 15, insert

"Provided further, that of the amount budgeted for training, $175,000 shall be available for educational stipends to be used either in state hospitals or local programs."

Item 242.5

Amendment No. 136

On page 45, between lines 14 and 15, insert

"242.5—For support of Langley Porter Neuropsychiatric Institute and Neuropsychiatric Institute at University of California at Los Angeles, Department of Mental Hygiene ---------- 14,761,825

provided, that upon approval of the Department of Finance, the State Controller shall transfer to the Department of Rehabilitation such part of these appropriations that are related to the cooperative rehabilitation services program to match federal funds for the cooperative rehabilitation services program; provided further, that such transfer shall enable the state to make maximum utilization of available federal funds

Provided, that these funds are made available for conducting research programs into the causes and cures of mental retardation, aging, cognition, drug abuse, training in the care and treatment of the mentally retarded, care, treatment and rehabilitation of patients in these facilities under the programs for this item, and other research projects which are not duplications of other research projects funded by the state or through federal sources."

Item 243

Amendment No. 137

On page 45, between lines 34 and 35, insert

"Provided further, that upon order of the Department of Finance, the State Controller shall transfer funds between this item and Item 244 for purposes of paying the cost of care of mentally retarded patients in a state hospital."

Item 244

Amendment No. 138

On page 45, strike out lines 35 to 47, inclusive; and on page 46, strike out lines 2 to 17, inclusive, and insert

"244—For the Mental Retardation Program, Human Relations Agency, Office of Mental Retardation 110,606,955

Schedule:

(a) State Operations 89,569,302

(1) State hospital services, Department of Mental Hygiene 90,392,578

(2) Office of Mental Retardation 100,000

(3) Reimbursements ..... -128,303

(4) Federal reimbursements ..... -694,973

(5) Federal grants ..... -100,000

(b) Local Assistance 21,037,653

(1) Regional Center operations, Department of Public Health 14,367,196

(2) Protective Living Services 16,281,505

(3) Family repayments ..... -549,590

(4) Federal reimbursements ..... -2,822,953

(5) Federal grants ..... -6,238,505

provided, that the Department of Finance may authorize the transfer of funds from this item to the Department of Social Welfare to match federal funds to provide protective living services to the mentally retarded.

Provided further, that upon order of the Department of Finance, the State Controller shall transfer funds between this item and Item 243 for purposes of paying the cost of care of mentally retarded patients in a state hospital.

Provided further, that upon executive order of the Department of Finance, any portion of Section (a), subsection (1) of this item which reflects savings due to reduction of population shall be transferred to and in augmentation of Section (b), subsection (1) of this item."

Item 245

Amendment No. 139

On page 46, line 21, after "Code", insert ", Department of Mental Hygiene".

Item 246

Amendment No. 140

On page 47, line 15, strike out "11,215,991", and insert "11,722,502".

Amendment No. 141

On page 47, line 17, strike out "16,651,166", and insert "16,962,585".

Amendment No. 142

On page 47, line 19, strike out "6,217,513", and insert "6,412,605".

Item 249

Amendment No. 143

On page 47, line 41, strike out "15,061,300", and insert "18,261,300".

Amendment No. 144

On page 47, line 44, strike out "13,423,473", and insert "16,623,473".

Item 256

Amendment No. 145

On page 49, strike out lines 31 to 47, inclusive.

Item 257.1

Amendment No. 146

On page 50, between lines 28 and 29, insert

"257.1—For the cost of the state share of unmet shelter needs of public assistance recipients, Department of Social Welfare, to be transferred to and in augmentation of the appropriation authorized by Sections 15200 to 15204 inclusive, Welfare and Institutions Code, upon order of the Department of Finance, $3,000,000, together with any grants made available by the federal government for this purpose "

Item 258

Amendment No. 147

On page 51, line 3, strike out "8,667,390", and insert "5,667,390".

Amendment No. 148

On page 51, line 13, strike out "16,333,333", and insert "13,333,-333".

Item 261

Amendment No. 149

On page 51, line 43, strike out "5,458,298", and insert "6,007,638".

Amendment No. 150

On page 51, line 45, strike out "14,792,026", and insert "15,078,826".

Amendment No. 151

On page 51, line 47, strike out "9,532,450", and insert "9,669,990".

Amendment No. 152

On page 52, between lines 5 and 6, insert

"(f) New careers in education ..... 125,000".

Item 264

Amendment No. 153

On page 52, line 13, strike out "8,784,665", and insert "8,813,325".

Amendment No. 154

On page 52, line 25, strike out "753,765", and insert "782,425".

Item 267

Amendment No. 155

Strike out pages 53 and 54; and on page 55, strike out lines 2 to 30, inclusive.

Item 269

Amendment No. 156

On page 56, strike out lines 19 to 23, inclusive, and insert

"269—For support of the Educational Improvement Act of 1969, Department of Education, to be expended in accordance with the provisions of Chapter 6 8 (commencing with Section 6499.200) of Division 6 of the Education Code ..... 65,000,000".

Item 270

Amendment No. 157

On page 56, line 27, strike out "640,000", and insert "604,000".

Item 271

Amendment No. 158

On page 56, line 28, strike out "10,250,000", and insert "11,000,000".

Item 273

Amendment No. 159

On page 56, line 44, strike out "21,742,700", and insert "21,892,700".

Amendment No. 160

On page 56, line 46, strike out "28,372,988", and insert "28,522,988".

Item 273.1

Amendment No. 161

On page 57, between lines 18 and 19, insert

"273.1—For the cost of child care services and child care training programs pursuant to the provisions of Sections 10811 and 10811.5, Welfare and Institutions Code, Department of Education 3,000,000
provided, that the Department of Finance may, by executive order, transfer funds from this item to, and in augmentation of, the amount scheduled in subdivision (h) of Item 258, for purposes of meeting the state matching fund requirements for child care services provided for under Public Law 90-248."

Item 275

Amendment No. 162

On page 57, line 25, strike out "11,937,909", and insert "12,584,422".

Amendment No. 163

On page 57, line 27, strike out "181,600", and insert "191,600".

Amendment No. 164

On page 57, line 29, strike out "11,906,309", and insert "12,542,822".

Item 279.1

Amendment No. 165

On page 60, between lines 3 and 4, insert

"279.1—For development of credential examinations, Teacher Preparation and Licensing Commission 250,000
provided, that the amount appropriated by this item shall be repaid to the General Fund, with interest at 6 percent per annum, by July 1, 1975."

Item 280

Amendment No. 166

On page 60, strike out lines 4 to 15, inclusive, and insert

"280—For support of Project SHARE pilot tutoring programs, Department of Education, to be expended in accordance with Chapter 1199 of the Statutes of 1970 550,000".

Item 283

Amendment No. 167

On page 60, line 30, strike out "354,749,900", and insert "360,857,214".

Item 288

Amendment No. 168

On page 61, line 9, strike out "100,000", and insert "300,000".

Amendment No. 169

On page 61, line 11, strike out "200,000", and insert "400,000".

Item 289

Amendment No. 170

On page 61, strike out lines 13 to 15, inclusive.

Item 290

Amendment No. 171

On page 61, line 16, strike out "1,534,426", and insert "1,598,426".

Amendment No. 172

On page 61, line 20, strike out "717,971", and insert "781,971".

Item 290.1

Amendment No. 173

On page 61, between lines 22 and 23, insert

"290.1—For additional support associated with the development of a second campus in San Diego, Hastings College of Law 278,100

Schedule:

(a) Personal services 35,700

(b) Operating expense and equipment.. 242,400

Item 291

Amendment No. 174

On page 61, line 24, strike out "345,449,225", and insert "345,681,181".

Amendment No. 175

On page 61, line 26, strike out "351,845,933", and insert "353,268,223".

Amendment No. 176

On page 61, line 28, strike out "81,347,873", and insert "80,157,539".

Item 292

Amendment No. 177

On page 62, line 4, strike out "4,500,000", and insert "5,963,602".

Amendment No. 178

On page 62, strike out lines 6 to 17, inclusive, and insert

"(a) For Educational Opportunity Program student grants 3,331,680

(b) For augmentation of San Jose Master of Social Work program..... 93,202

(c) For Support of California State Colleges and Universities Student Presidents Association 54,000

(d) For the Innovation and Improvement Fund 2,484,720

Subschedule:

(1) Credit by examination and measurement of achievement 30,000

(2) New method of instruction (student self-reliance) 250,000
(3) Innovation equipment ... 250,000
(4) College and systemwide projects 700,000
(5) Improvement in instructional administration and faculty skills 900,000
(6) Library development (automation) 250,000
(7) Systemwide administration and evaluation 104,720

provided, that funds available under (d)(4) shall be budgeted at the 19 individual colleges based upon a pro rata share of full-time enrollments; provided further, that funds available under this item shall be expended only in the sequence of priorities set forth in the above schedule."

Item 296

Amendment No. 179

On page 63, line 3, strike out "3,350,000", and insert "6,600,000".

Item 298

Amendment No. 180

On page 63, line 22, strike out "27,256,705", and insert "30,422,705".

Amendment No. 181

On page 63, line 25, strike out "21,235,816", and insert "24,401,816".

Item 300.1

Amendment No. 182

On page 64, between lines 7 and 8, insert

"300.1—For modifications and upgrading of the underground primary electrical distribution system at the Veterans Home, Yountville, Department of Veterans Affairs ..... 170,390".

Item 300.2

Amendment No. 183

On page 64, between lines 7 and 8, insert

"300.2—For capital outlay, State Allocations Board, subject to the approval of the State Public Works Board, for purposes of Article 9 (commencing with Section 19700.51), Chapter 10, Division 14, Education Code, payable from the School Building Safety Fund..... 30,000,000".

Item 300.3

Amendment No. 184

On page 64, between lines 7 and 8, insert

"300.3—For preliminary plans, working drawings, and initial site development for a Governor's Mansion, Department of General Services, from the Bagley Conservation Fund ---------- 150,000".

Item 301

Amendment No. 185

On page 64, line 15, of the printed bill, strike out "2,928,732", and insert "2,635,620".

Amendment No. 186

On page 64, strike out lines 17 to 22, inclusive.

Amendment No. 187

On page 64, line 23, strike out "(c)", and insert "(a)".

Amendment No. 188

On page 64, line 25, strike out "(d)", and insert "(b)".

Amendment No. 189

On page 64, line 27, strike out "200,625", and insert "205,000".

Amendment No. 190

On page 64, line 28, strike out "(e)", and insert "(c)".

Amendment No. 191

On page 64, line 30, strike out "469,784", and insert "119,500".

Amendment No. 192

On page 64, line 31, strike out "(f)", and insert "(d)".

Amendment No. 193

On page 64, line 32, strike out "288,314", and insert "398,700".

Amendment No. 194

On page 64, line 33, strike out "(g)", and insert "(e)".

Amendment No. 195

On page 64, line 34, strike out "107,250", and insert "82,000".

Amendment No. 196

On page 64, line 35, strike out "(h)", and insert "(f)".

Amendment No. 197

On page 64, line 36, strike out "345,114", and insert "370,000".

Amendment No. 198

On page 64, line 37, strike out "(i)", and insert "(g)".

Amendment No. 199

On page 64, line 39, strike out "197,625", and insert "229,000".

Amendment No. 200

On page 64, line 40, strike out "(j)", and insert "(h)".

Amendment No. 201

On page 64, line 42, strike out "348,600", and insert "427,000".

Amendment No. 202

On page 64, line 43, strike out "(k)", and insert "(i)".

Item 302

Amendment No. 203

On page 64, line 47, of the printed bill, strike out "3,638,160", and insert "3,573,280".

Amendment No. 204

On page 65, strike out lines 6 and 7.

Amendment No. 205

On page 65, line 8, strike out "(c)", and insert "(b)".

Amendment No. 206

On page 65, line 10, strike out "(d)", and insert "(c)".

Amendment No. 207

On page 65, line 11, strike out "380,660", and insert "250,000".

Amendment No. 208

On page 65, line 12, strike out "(e)", and insert "(d)".

Amendment No. 209

On page 65, line 15, strike out "(f)", and insert "(e)".

Amendment No. 210

On page 65, line 17, strike out "351,500", and insert "525,780".

Amendment No. 211

On page 65, line 18, strike out "(g)", and insert "(f)".

Amendment No. 212

On page 65, line 20, strike out "455,000", and insert "36,500".

Amendment No. 213

On page 65, line 21, strike out "(h)", and insert "(g)".

Amendment No. 214

On page 65, line 23, strike out "272,500", and insert "500,000".

Amendment No. 215

On page 65, line 24, strike out "(i)", and insert "(h)".

Amendment No. 216

On page 65, line 26, strike out "385,000", and insert "405,000".

Amendment No. 217

On page 65, line 27, strike out "(j)", and insert "(i)".

Amendment No. 218

On page 65, line 29, strike out "525,000", and insert "517,500".

Amendment No. 219

On page 65, line 30, strike out "(k)", and insert "(j)".

Amendment No. 220

On page 65, between lines 30 and 31, insert
"(k) Land acquisition—San Mateo--- 170,000".

Item 305

Amendment No. 221

On page 66, line 7, strike out "1,500,000", and insert "2,500,000".

Amendment No. 222

On page 66, line 14, strike out "1,100,000", and insert "2,100,000".

Item 307

Amendment No. 223

On page 66, in line 24, strike out the comma; strike out line 25; and in line 26, strike out "Higher Education".

Item 308.5

Amendment Nos. 224–225

On page 69, between lines 43 and 44, insert
"308.5—For capital outlay, University of California, subject to the approval of the State Public Works Board, payable from the Capital Outlay Fund for Public Higher Education, Chapter 1, Statutes of 1971 (First Extraordinary Session), provided that withdrawal shall be as required to meet current obligations as certified by the University of California---------- 11,526,000
Schedule:
(1) Construct humanities building, San Diego ---------- 5,226,000
(2) Construct engineering unit 2, Santa Barbara ---------- 6,300,000".

Item 309

Amendment No. 226

On page 69, lines 46 and 47, strike out "said approvals in accordance with the below priority listing,".

Amendment No. 227

On page 70, strike out lines 19 to 21, inclusive.

Amendment No. 228

On page 72, strike out lines 16 to 18, inclusive.

Amendment No. 229

On page 73, strike out lines 12 to 14, inclusive.

Amendment No. 230

On page 73, line 44, strike out "8,600,000", and insert "8,100,000".

Amendment No. 231

On page 74, line 4, strike out "307,000", and insert "207,000".

Amendment No. 232

On page 74, line 15, strike out "1,411,000", and insert "1,347,000".

Amendment No. 233

On page 75, strike out lines 2 and 3, and insert

"(sss) Construct architect classroom building ---------- 1,072,000".

Amendment No. 234

On page 75, between lines 7 and 8, insert

"State College, Bakersfield:
(uuu) Working drawings for science building II ---------- 188,000
State College, San Fernando Valley:
(vvv) Working drawings for business and economics building ---------- 282,000
State College, San Bernardino:
(www) Working drawings for classroom building ---------- 160,000".

Item 311

Amendment No. 235

On page 75, strike out lines 31 to 38, inclusive.

Amendment No. 236

On page 76, strike out lines 6 to 8, inclusive, and insert

"California State Polytechnic College, San Luis Obispo Campus·
(g) Construct architecture classroom building ---------- 2,460,000".

Amendment No. 237

On page 76, line 9, strike out "962,000", and insert "2,792,000".

Item 314

Amendment No. 238

On page 76, line 32, of the printed bill, strike out "210,000", and insert "260,000".

Amendment No. 239

On page 76, between lines 44 and 45, insert

"(g) Construct Region II headquarters__ 50,000".

Item 316

Amendment No. 240

On page 77, line 16, strike out "Brannen", and insert "Brannan".

Amendment No. 241

On page 77, line 10, strike out "1,952,000", and insert "1,770,980".

Amendment No. 242

On page 77, strike out lines 18 to 21, inclusive; and in line 22 strike out "(d)", and insert "(c)".

Amendment No. 243

On page 77, line 24, strike out "114,000", and insert "129,500".

Amendment No. 244

On page 77, line 25, strike out "(e)", and insert "(d)".

Amendment No. 245

On page 77, line 29, strike out "(f)", and insert "(e)".

Amendment No. 246

On page 77, line 31, strike out "(g)", and insert "(f)".

Amendment No. 247

On page 77, line 32, strike out "650,000", and insert "630,000".

Amendment No. 248

On page 77, line 33, strike out "(h)", and insert "(g)".

Amendment No. 249

On page 77, line 35, strike out "304,000", and insert "232,480".

Item 317

Amendment No. 250

On page 77, line 47, strike out "300,000", and insert "25,000".

Item 318

Amendment No. 251

On page 78, line 5, strike out "206,300", and insert "836,400".

Amendment No. 252

On page 78, line 9, strike out "261,250", and insert "191,250".

Amendment No. 253

On page 78, between lines 11 and 12, insert

"(e) Carlsbad State Beach, land acquisition ---------- 357,000".

Amendment No. 254

On page 78, line 12, strike out "(e)", and insert "(f)".

Amendment No. 255

On page 78, line 13, strike out "490,000", and insert "306,000".

Amendment No. 256

On page 78, strike out lines 14 to 17, inclusive; and in line 18, strike out "(h) Odello", and insert "(g) Carmel River State Beach".

Amendment No. 257

On page 78, line 19, strike out "(i)", and insert "(h)".

Amendment No. 258

On page 78, line 20, strike out "3,060,000", and insert "2,149,650".

Amendment No. 259

On page 78, line 21, strike out "(j)", and insert "(i)".

Amendment No. 260

On page 78, line 23, strike out "5,408,250", and insert "4,873,000".

Amendment No. 261

On page 78, strike out lines 24 and 25.

Item 318.1

Amendment No. 262

On page 78, between lines 25 and 26, insert

"318.1—For capital outlay, Department of Parks and Recreation, payable from the State Park Contingent Fund 0

Schedule:

(a) Humboldt Redwood State Park, land acquisition ---------- 490,000

(b) Reimbursements from Save-the-Redwoods League ---------- -490,000".

Item 318.2

Amendment No. 263

On page 78, between lines 25 and 26, insert

"318.2—For capital outlay, Department of Parks and Recreation, subject to approval of the State Public Works Board, payable from the Bagley Conservation Fund, notwithstanding the provision of Section 316, Chapter 1, Statutes of 1971 ---------- 8,873,000

Schedule.

(a) Acquisition ---------- 3,640,000

Subschedule:

(1) Inholding purchases --- 250,000
(2) Morro Bay ---------- 350,000
(3) Opportunity purchases 250,000
(4) Sonoma ---------- 350,000
(5) Mount Diablo ---------- 125,000
(6) Little River ---------- 75,000
(7) Rincon Point ---------- 65,000

(8) Allensworth 200,000
(9) Refugio Beach 1,900,000
(10) Acquisition costs 75,000
(b) Development 4,996,912
Subschedule:
(1) San Diego Museum 200,000
(2) Pt. Mugu State Park ... 924,100
(3) Sea Cliff State Beach ... 979,200
(4) Silver Strand State Beach 215,780
(5) Sonoma Coast State Beach 200,000
(6) Angel Island 173,100
(7) Refugio State Beach 150,000
(8) Pismo State Beach 150,000
(9) Russian Gulch State Park 184,000
(10) Carpentiria State Beach 500,000
(11) MacKerricher State Park 132,000
(12) Clear Lake State Park... 341,000
(13) Folsom (Brown's Ravine) 138,500
(14) Minor program 709,232
(c) Design and Development ..... 236,088".

Item 319

Amendment No. 264

On page 78, line 48, strike out "the Reclamation".

Amendment No. 265

On page 79, line 2, strike out "Board, for transfer".

Amendment No. 266

On page 79, line 3, strike out "637,000", and insert "1,607,000".

Amendment No. 267

On page 79, line 6, strike out "52,000", and insert "82,000".

Amendment No. 268

On page 79, line 8, strike out "20,000", and insert "115,000".

Amendment No. 269

On page 79, line 10, strike out "65,000", and insert "10,000".

Amendment No. 270

On page 79, line 12, strike out "20,000", and insert "10,000".

Amendment No. 271

On page 79, line 14, strike out "480,000", and insert "1,390,000".

Item 320

Amendment No. 272

On page 79, lines 33 and 34, strike out "said approval in accordance with the below priority listing,".

Amendment No. 273

On page 79, line 39, strike out "45,164,875", and insert "43,663,902".

Amendment No. 274

On page 79, line 43, strike out "Construct", and insert "Equip".

Amendment No. 275

On page 79, line 44, strike out "2,095,437", and insert "189,185".

Amendment No. 276

On page 79, strike out line 48, and insert

"(b) Working drawings for site development-utilities, Phase I---------- 26,569".

Amendment No. 277

On page 80, strike out lines 2 to 5, inclusive, and insert

"Santa Clarita Community College District, College of the Canyons:

(c) Initial complement of library books.. 98,313".

Amendment No. 278

On page 83, line 20, strike out "218,779", and insert "194,581".

Amendment No. 279

On page 83, line 36, strike out "477,031", and insert "501,493".

Amendment No. 280

On page 86, line 38, strike out "2,218,257", and insert "2,400,331".

Amendment No. 281

On page 88, line 5, strike out "Working drawings and con-", and insert "Con-".

Amendment No. 282

On page 88, strike out lines 47 and 48; and on page 89, strike out lines 2 and 3.

Amendment No. 283

On page 90, line 3, after "drawings", insert "and construction".

Amendment No. 284

On page 90, line 4, strike out "133,666", and insert "3,186,419".

Amendment No. 285

On page 90, strike out lines 34 to 39, inclusive.

Amendment No. 286

On page 92, strike out lines 2 to 5, inclusive.

Amendment No. 287

On page 92, line 31, strike out "508,109", and insert "95,754".

Amendment No. 288

On page 93, strike out lines 31 to 34, inclusive.

Item 321

Amendment No. 289

On page 95, between lines 35 and 36, insert

"CAPITAL OUTLAY".

Item 322

Amendment Nos. 290–291

On page 96, strike out lines 2 and 3.

Item 323

Amendment No. 292

On page 96, line 9, strike out "4,112,500", and insert "2,990,395".

Amendment No. 293

On page 96, line 12, strike out "112,500", and insert "150,000".

Amendment No. 294

On page 96, line 14, strike out "4,000,000", and insert "2,840,395".

Item 325

Amendment No. 295

On page 96, line 30, after "purposes", insert "(and the limitations)".

Amendment No. 296

On page 96, line 31, after "appropriations", insert "(and any reappropriations)".

Item 326

Amendment No. 297

On page 97, line 26, strike out "1,480,000", and insert "1,405,500".

Amendment No. 298

On page 97, line 29, strike out "200,000", and insert "225,000".

Amendment No. 299

On page 97, line 31, strike out "500,000", and insert "708,500".

Amendment No. 300

On page 97, line 33, strike out "645,000", and insert "337,000".

Item 327

Amendment No. 301

On page 97, line 45, strike out "10,426,500", and insert "10,854,432".

Amendment No. 302

On page 97, line 48, strike out "350,000", and insert "402,800".

Amendment No. 303

On page 98, line 3, strike out "1,217,000", and insert "1,229,250".

Amendment No. 304

On page 98, line 5, strike out "644,000", and insert "601,800".

Amendment No. 305

On page 98, line 9, strike out "170,000", and insert "243,800".

Amendment No. 306

On page 98, line 12, strike out "2,160,000", and insert "2,333,710".

Amendment No. 307

On page 98, line 14, strike out "1,635,500", and insert "1,772,572".

Amendment No. 308

On page 98, between lines 14 and 15, insert

"(h) Interim facilities, Silverwood Lake..... 20,500".

Amendment No. 309

On page 98, between lines 14 and 15, insert "provided, that any savings incurred in subitem (a) above, shall be used for fishing sites at the Frenchman Reservoir project (subitem (c) above)."

Item 330

Amendment No. 310

On page 98, line 29, strike out "1,757,200", and insert "1,438,000".

Amendment No. 311

On page 98, line 32, strike out "364,800", and insert "349,000".

Amendment No. 312

On page 98, line 34, strike out "528,200", and insert "210,000".

Amendment No. 313

On page 98, line 36, strike out "789,200", and insert "804,000".

Item 331

Amendment No. 314

On page 98, strike out lines 41 to 45, inclusive.

Item 333

Amendment No. 315

On page 99, line 28, strike out "17,211,000", and insert "10,038,000".

Amendment No. 316

On page 99, line 31, strike out "800,000", and insert "400,000".

Amendment No. 317

On page 99, between lines 37 and 38, insert

"3.1. Preliminary plans, working drawings, construct and equip complete areas in basic science building, San Diego Health Sciences ..... 226,000".

Amendment No. 318

On page 99, line 40, strike out "591,000", and insert "136,000".

Amendment No. 319

On page 99, line 42, strike out "5,504,000", and insert "1,185,000".

Amendment No. 320

On page 99, line 44, strike out "5,674,000", and insert "3,322,000".

Amendment No. 321

On page 100, strike out lines 12 to 14, inclusive.

Amendment No. 322

On page 100, between lines 19 and 20, insert

"12.1. Preliminary plans, working drawings, construct and equip animal holding facilities, Elliott Field Station, San Diego ---------- 187,000".

Amendment No. 323

On page 100, line 22, strike out "447,000", and insert "470,000".

Amendment No. 324

On page 100, line 32, strike out "210,000", and insert "224,000".

Item 333.5

Amendment No. 325

On page 100, between lines 32 and 33, insert

"333.5—For capital outlay, University of California, subject to the approval of the State Public Works Board, payable from the Health Sciences Facilities Construction Program Fund; provided that expenditures from this item shall be made to augment state funds budgeted for projects in Item 333 to the extent to which federal grants fall short of the maximum amounts anticipated in determining the matching state funds in Item 333 7,964,000".

Sec. 9

Amendment No. 326

On page 102, line 48, strike out "such sums", and insert "sums in excess of $50,000".

Amendment No. 327

On page 103, line 3, strike out "Such sums", and insert "Sums used and expended pursuant to this section".

Sec. 10

Amendment No. 328

On page 103, strike out line 21.

Amendment No. 329

On page 103, line 27, after "1968", insert ", as amended by Section 10.6 of the Budget Act of 1971".

Amendment No. 330

On page 103, strike out lines 28 and 29.

Amendment No. 331

On page 103, line 33, after "1968", insert

"; provided that no funds may be spent until one or more lease agreements for the concession at Pueblo de Los Angeles State Monument is approved and signed by the Director of the State Department of Parks and Recreation; provided further, that any such lease agreement shall contain a formula for sharing the cost of capital improvements and equipment at the Pueblo de Los Angeles State Monument between the state and the concessionaire; provided further, that any such lease entered into shall be reviewed by the Attorney General and Legislative Analyst, in addition to any other reviews required by law; provided further, that funds subject to this provision shall be available to match federal funds granted to the state for the restoration of Pueblo de Los Angeles."

Amendment No. 332

On page 103, line 38, after "1969", insert ", as amended by Section 11.1 of the Budget Act of 1971".

Amendment No. 333

On page 103, strike out line 31.

Sec. 10.3

Amendment No. 334

On page 105, line 16, strike out "Of this amount, $2,000,000", and insert "This amount".

Amendment No. 335

On page 105, lines 17 and 18, strike out "shall be available until June 30, 1974; and $1,000,000 will be available".

Sec. 10.8

Amendment No. 336

On page 105, between lines 19 and 20, insert

"SEC 10 8 The unexpended balance of the appropriation made by Item 271, Item 272, Item 274, and Item 275, of the Budget Act of 1971 is hereby reappropriated until June 30, 1973, to the Department of Education, for the purpose of remodeling facilities in order to implement the department's reorganization plan."

Sec. 11.2

Amendment No. 337

On page 105, strike out lines 30 to 47, inclusive.

Sec. 11.6

Amendment No. 338

On page 106, line 30, strike out "Fund", and insert "Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971".

Sec. 11.9

Amendment No. 339

On page 106, between lines 37 and 38, insert

"SEC. 11.9. As of June 30, 1972, the unencumbered balance of the appropriation made in the following items shall revert to the unappropriated balance of the State Beach, Park, Recreational and Historical Facilities Fund:

Item 313(a), Budget Act of 1971

Item 314(ax), Budget Act of 1971".

Sec. 18

Amendment Nos. 340–341

On page 107, strike out lines 5 through 17, inclusive.

Sec. 20

Amendment Nos. 342–343

On page 108, line 48, and page 109, line 1, strike out "specifically exempted in writing by the Department of Finance", and insert "exempt from civil service or those positions authorized for the California State Colleges".

Sec. 28

Amendment No. 344

On page 113, line 28, after the second "the", insert "chairman of the committee in each house which considers appropriations and the Chairman of the".

Amendment No. 345

On page 113, between lines 34 and 35, insert

"Notwithstanding the provisions of Section 13320 and following of the Government Code nor the foregoing provisions of this section, the provisions of this section shall have no force or effect during such time as the Legislature is in session."

Sec. 28.1

Amendment No. 346

On page 113, between lines 34 and 35, insert

"SEC. 28.1. Since it is the intent of the Legislature in enacting this budget that no qualified student be denied admission to the California State Colleges or to the University of California because of a budget deficiency caused by unanticipated additional enrollments, the Director of Finance may, following the adoption of a resolution by the Trustees of the California State Colleges or the Regents of the University of California declaring an enrollment emergency, authorize the accelerated expenditure of amounts budgeted for the state colleges or the university, in the form of an agreement to seek a supplementary appropriation from the General Fund to the extent necessary to insure that all quali-

fied students can be admitted, when he certifies that the systemwide enrollment of the California State Colleges or of the University of California exceeds by 2 percent or more the enrollment upon which the budget for the state colleges or the university was based; provided that no increased expenditure may exceed $5 million in the aggregate or be authorized sooner than 30 days after notification in writing of the necessity therefor to the Chairman of the Joint Legislative Budget Committee and the chairman of committee in each house which considers appropriations, or not sooner than such lesser time as the chairman of such committee, or his designee, may in each instance determine. The provisions of this section shall apply only to undergraduate admissions of California residents."

Sec. 28.2

Amendment No. 347

On page 113, line 42, after the first "the", insert "chairman of the committee in each house which considers appropriations and the".

Sec. 28.3

Amendment No. 348

On page 113, between lines 46 and 47, insert

"SEC. 28.3 The Department of Social Welfare shall submit to the Department of Finance for its approval all assumptions underlying all estimates related to (1) average monthly caseloads for each of the categorical aid programs, (2) the average grant for each of the categorical aid programs, (3) the total estimated expenditures for each of the categorical programs, (4) savings or costs associated with all regulatory or statutory changes. Such approval of the Department of Finance must be secured prior to the utilization of any such estimates. A listing of all of the approved assumptions, as well as all supporting data provided by the Department of Social Welfare or developed independently by the Department of Finance, shall be made available to the Joint Legislative Budget Committee immediately following approval of the assumptions by the Department of Finance."

Sec. 28.5

Amendment No. 349

On page 114, line 3, after "the", insert "chairman of the committee in each house which considers appropriations and the Chairman of the".

Sec. 28.7

Amendment No. 350

On page 114, between lines 5 and 6, insert

"SEC. 28 7 All appropriations for the support of the California State Colleges and the Trustees of the California State Colleges shall be subject to the provisions of Section 13320 of the Government Code and applicable budget act restrictions, with the following exceptions:

(a) The trustees may approve any transfer of funds within or between one or more of the programs for which funds are appropriated for the support of the California State Colleges. The trustees may also

approve any transfer of funds between the chancellor's office and any state college, or between any state college and any other state college. In addition, the trustees may authorize the augmentation of the amount available for a category designated in any schedule set forth for such appropriation by transfer from any of the other designated categories, including additional reimbursements within the same schedule, and shall furnish the Joint Legislative Budget Committee a report of such authorizations given during the preceding quarter

(b) The trustees may approve the substitution of one item of equipment for another within budgetary functions and the use of savings in equipment allotments.

(c) The trustees may approve travel, both within and outside the state, and payment of allowances and expenses related to travel, moving and the relocation of employees in accordance with the allowances established by the State Board of Control and within funds appropriated for this purpose.

(d) The trustees may, within funds appropriated for the support of the California State Colleges, establish new positions, make changes in existing positions and the position payroll roster, and temporarily reassign positions, provided that all such new positions and significant changes, as defined by the Department of Finance, in grade or class of existing positions shall be shown as administrative adjustments in the subsequent budgetary submissions and shall be subject to review during the legislative budget process

(e) The trustees may transfer, without the approval of the Department of Finance, excess salary savings funds from the salary savings reserve allotments for expenditure, provided they do not exceed 20 percent of salary savings. Excess salary savings funds are those funds projected to be in excess of the amount budgeted, provided that, the highest priority on the reallocation of any funds pursuant to this section shall be the maintenance of the Educational Opportunity Program at the 11,014 FTE level adopted by the trustees."

Sec. 31

Amendment No. 351

On page 114, between lines 25 and 26, insert

"The Director of Finance shall, within 10 days of authorizing any new position, notify the Chairman of the Joint Legislative Budget Committee and the chairman of the committee in each house which considers appropriations.

Any new position authorized during the fiscal year pursuant to the provisions of this section shall be separately stated as such for the subsequent fiscal year budget for the agency in which the new position was created.

All positions created pursuant to this section during the fiscal year shall terminate at the end of the fiscal year unless specific authority for their continuance is granted by the Legislature."

Sec. 32

Amendment No. 352

On page 115, line 35, after "the", insert "Chairman of the".

Amendment No. 353

On page 115, line 36, after "mittee", insert ", and the chairman of the committee in each house which considers appropriations,".

Secs. 32.5 and 32.6

Amendment No. 354

On page 115, between lines 38 and 39, insert

"SEC. 32.5. No funds included in this act shall be expended for support of the Department of Commerce unless and until the Department of Commerce is placed within, and commences and continues operations as a part of, the Agriculture and Services Agency, as required by Section 14980 of the Government Code.

SEC. 32.6 No funds included in this act shall be expended for the support of any agency, board, bureau, commission, committee, council, department, division, office, or unit unless such body is operating in and reporting in the administrative structure to which it is assigned by statute, by a valid, effective, and operative reorganization plan of the Governor submitted to the Legislature, or by this act."

Set No. 2

Item 31

Amendment No. 1

On page 5, line 12, strike out "393,303", and insert "291,629".

Amendment No. 2

On page 5, line 14, strike out "301,257", and insert "199,583".

Items 42, 42.5, and 43

Amendment No. 3

On page 6 of the printed bill, strike out line 25, and insert

" 42—For support of California Council on Criminal Justice to and including the 60th day following the adjournment of the 1972 Regular Session of the Legislature ---------- 112,131

provided, that any amounts remaining unexpended from this appropriation shall be transferred to Item 42.5 for expenditure, provided further, that the council shall immediately fund the development of a master plan for automated information and communications systems containing a description of existing and proposed state and local systems, their capacities, uses, users, and costs, provided further, that the master plan shall contain recommendations for legislation or regulations preventing duplication of data systems and communications networks, a description of the security and privacy standards that will be maintained in these systems, an outline of the legislative or administrative actions that must be taken to establish a coordinated system, and a summary statement of the purposes and uses of criminal justice information

and communications systems, together with detailed performance standards.

42 5—For support of the California Criminal Justice Board and the Advisory Committee on Criminal Justice, in implementation of the provisions of Assembly Bill 375 of the 1972 Regular Session 37,377
provided, that if A.B. 375 results in the California law being declared out of conformity with federal law by the appropriate federal agency, the money appropriated by this item shall be for the support of the California Council on Criminal Justice;

43—For expenditure by California Council on Criminal Justice until the 61st day following the adjournment of the 1972 Regular Session and thereafter by the California Criminal Justice Board created by Assembly Bill No. 375 of the 1972 Regular Session for the state's cash match for federal grants made by the Law Enforcement Assistance Administration, to be allocated by the Department of Finance 5,750,000
provided, that if A.B. 375 results in the California law being declared out of conformity with federal law by the appropriate federal agency, the money appropriated by this item shall be for expenditure by the California Council on Criminal Justice; provided further, the amounts available under this item shall not exceed the amounts required for the state's cash match for federal grants made by the Law Enforcement Assistance Administration; provided further, that the council shall make the upgrading of local adult and juvenile detention facilities and personnel a first priority in the use of available federal funds, provided further, that the council shall distribute 90 percent of Part C action funds for local governments on the basis of each planning region's population and the remainder of such funds to areas of high crime incidence; provided further, that no planning region shall receive less than 0 25 percent of such funds; provided further, that the state's contributions to local projects required by federal law shall be on a project basis, proportionate to project costs."

Amendment No. 4

On page 6, strike out lines 26 and 31, inclusive.

Item 48

Amendment No. 5

On page 7, line 40, strike out "6,237,871", and insert "7,583,461".

Amendment No. 6

On page 7, line 42, strike out "6,519, 012", and insert "7,186,809".

Amendment No. 7

On page 7, line 44, strike out "1,875,965", and insert "2,574,758".

Amendment No. 8

On page 7, line 45, strike out "819,589", and insert "840,589".

Item 61

Amendment No. 9

On page 9, line 33, strike out "4,648,873", and insert "4,071,794".

Amendment No. 10

On page 9, line 35, strike out "3,845,882", and insert "3,312,566".

Amendment No. 11

On page 9, line 37, strike out "953,441", and insert "888,678".

Amendment No. 12

On page 9, line 38, strike out "150,450", and insert "129,450".

Item 62

Amendment No. 13

On page 9, line 40, strike out "54,692", and insert "156,366".

Item 255

Amendment No. 14

On page 49, line 17, strike out "14,227,370", and insert "8,255,354".

Amendment No. 15

On page 49, line 19, strike out "14,176,103", and insert "11,377,842".

Amendment No. 16

On page 49, line 21, strike out "9,967,979", and insert "5,312,231".

Amendment No. 17

On page 49, line 23, strike out "8,429,992", and insert "6,947,999".

Amendment No. 18

On page 49, strike out lines 24 to 30, inclusive.

Item 255.1

Amendment No. 19

On page 49, between lines 30 and 31, insert

"255.1—For contracting for the conduct of fair hearings, with the Office of Administrative Hearings, Department of General Services only, Department of Social Welfare 1,411,691

Schedule:

(a) Operating expenses 2,566,710

(b) Federal grants ..... -1,155,019

255.2—For contracting for legal services with the Attorney General only, Department of Social Welfare..... 181,378
Schedule:
(a) Operating expenses 329,777
(b) Federal grants ..... -148,399
255.3—For contracting for audit functions with the State Controller only, Department of Social Welfare..... 556,834
Schedule:
(a) Operating expenses 1,012,425
(b) Federal grants ..... -455,591".

Item 276

Amendment No. 20

On page 59, line 33, strike out "800,000", and insert "1,346,000".

Item 308

Amendment No. 21

On page 66, line 41, strike out "34,197,000", and insert "35,570,000".

Amendment No. 22

On page 66, strike out lines 46 and 47.

Amendment No. 23

On page 67, line 3, strike out "1,151,000", and insert "621,000".

Amendment No. 24

On page 67, between lines 3 and 4, insert
"(4.1) Equip biological sciences unit 4, Davis 446,000
(4.2) Equip natural sciences unit 1 conversion, Irvine ..... 41,000".

Amendment No. 25

On page 67, line 8, strike out "314,000", and insert "331,000".

Amendment No. 26

On page 67, lines 10 and 11, strike out "San Francisco health sciences", and insert "Berkeley".

Amendment No. 27

On page 67, line 24, strike out "156,000", and insert "261,000".

Amendment No. 28

On page 68, line 7, strike out "585,000", and insert "650,000".

Amendment No. 29

On page 68, between lines 10 and 11, insert
"(27.1) Preliminary plans, working drawings and construct utilities and site development, Irvine 325,000
(27.2) Preliminary plans, working drawings and construct utilities and site development, San Diego ..... 184,000".

Amendment No. 30

On page 68, between lines 35 and 36, insert

"(35.1) Preliminary plan, working drawing, construct and equip complete areas in basic science building, San Diego health sciences ..... 226,000".

Amendment No. 31

On page 68, line 39, strike out "591,000", and insert "136,000".

Amendment No. 32

On page 69, between lines 4 and 5, insert

"(41.1) Preliminary plans, working drawings for mathematics and computer instruction building, Irvine ..... 453,000".

Amendment No. 33

On page 69, line 16, strike out "1,125,000", and insert "1,350,000".

Amendment No. 34

On page 69, strike out lines 21 to 23, inclusive.

Amendment No. 35

On page 69, line 26, strike out "338,000", and insert "220,000".

Amendment No. 36

On page 69, line 29, strike out "545,000", and insert "434,000".

Amendment No. 37

On page 69, line 38, strike out "103,000", and insert "1,500,000".

Amendment No. 38

On page 69, strike out line 42, and insert "35, 35.1, 36, 42, 43, and 45 are hereby deleted from".

Amendment No. 39

On page 69, line 43, after "item", insert ", provided further, that the funds in priority number 33 shall be so allocated as to result in a viable project in the event no additional funds are made available for that purpose".

Set No. 3

Items 23.1, 23.2, 32, and 33

Amendment No. 1

On page 4, between lines 18 and 19, insert

"23.1—For support of Office of Intergovernmental Management in the Governor's office 134,163
and in addition thereto, any amounts received from federal grants or other sources.

23.2—For support of Council on Intergovernmental Relations in the Governor's office ..... 47,541".

Amendment No. 2

On page 5, strike out lines 17 to 22, inclusive.

Item 268.1

Amendment No. 3

On page 56, between lines 18 and 19, insert

"268.1—For transfer by the State Controller from the General Fund to the State School Fund for cost increases due to inflation 100,000,000

this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications:

(1) Compute the 1972–73 apportionment without regard to the appropriation in this item.

(2) Determine the number of average daily attendance in all districts for which equalization aid was computed in 1972–73.

(3) Divide the number of average daily attendance in all districts for which equalization was computed into the amount appropriated by this item.

(4) Multiply the amount per average daily attendance computed in (3) above by the average daily attendance in each district for which equalization aid was computed, and apportion this amount to the district.

(5) The additional amount apportioned shall be shown separately and shall be labeled as "Additional Equalization Aid for Cost Increases Due to Inflation."

For purposes of determining eligibility for apportionments of funds appropriated in this item, and more particularly, in determining the average daily attendance in school districts for which equalization aid was computed, the Superintendent of Public Instruction shall compute the same by considering solely individual school district wealth, disregarding the effects of the areawide school support mechanism, and as though no areawide school support programs were in operation anywhere in the state.

Provided, such funds are to be used only to fund teachers, supplies and equipment which would not otherwise be funded; providing further that none of these funds shall be used to hire additional administrative personnel, such as superintendents, assistant superintendents and administrative assistants, or to increase salaries of presently employed school personnel; provided further that this item shall be increased by an amount so that the total shall not exceed $165 million upon notification by the Controller that in his opinion General Fund revenues will be sufficient to fund such amount. The Controller shall estimate the amount of General Fund revenues necessary to fund

all General Fund appropriations encumberable during the 1972–73 fiscal year and shall allocate to the Superintendent of Public Instruction surpluses in amounts so that the total of this item shall not exceed $165 million. Such allocations shall be used in augmentation of the funds provided for in this item. The Controller shall make such estimates not later than October 1, 1972."

Item 322

Amendment No. 4

On page 95, line 41, strike out "388,200", and insert "1,064,300".

Amendment No. 5

On page 95, line 44, strike out "100,000", and insert "188,000".

Amendment No. 6

On page 95, line 46, strike out "450,000", and insert "9,000".

Amendment No. 7

On page 95, line 48, strike out "260,000", and insert "107,000".

Amendment No. 8

On page 95, after line 48, insert

"(d) Land acquisition, Annadel Farms..... 102,000
(e) Land acquisition, Cardiff State Beach.. 1,606,500".

Amendment No. 9

On page 96, line 2, strike out (d), and insert "(f)".

Amendment No. 10

On page 96, line 3, strike out "421,800", and insert "948,200".

Sec. 8

Amendment No. 11

On page 102, line 20, after "no", insert "more than one hundred dollars ($100) of the".

Amendment No. 12

On page 102, line 21, after "for", insert "any single unit of".

Sec. 10.7

Amendment No. 13

On page 105, between lines 19 and 20, insert

"SEC. 10.7. The unexpended balance of funds appropriated to the Department of Social Welfare by Chapter 578, Statutes of 1971, Section 39.7(b), is hereby reappropriated to the Department of Education for the cost of child care services and child care training programs pursuant to the provisions of Sections 10811 and 10811.5, Welfare and Institutions Code, provided, that the Department of Finance may, by executive order, transfer funds in augmentation of the amount scheduled in subdivision (h) of Item 258 for purposes of meeting the state matching fund requirements for child care services provided for under Public Law 90-248."

Sec. 11.10

Amendment No. 14

On page 106, between lines 37 and 38, insert

"SEC. 11.10. As of June 30, 1972, the unexpended balance of the appropriation made by Item 244, Budget Act of 1971, shall revert to the unappropriated balance of the General Fund.

As of July 1, 1972, the amount reverted as of June 30, 1972, from Item 244, Budget Act of 1971, is reappropriated to and in augmentation of Item 245(a), Budget Act of 1972."

Sec. 19.6

Amendment No. 15

On page 108, line 12, strike out "21,235,816", and insert "29,000,000".

Amendment No. 16

On page 108, line 21, strike out "$958,239", and insert "$1,560,000".

Amendment No. 17

On page 108, line 30, strike out "$4,402,650", and insert "$5,962,000".

Sec. 27

Amendment No. 18

On page 113, line 11, after "the", insert "chairman of the committee in each house which considers appropriations and the Chairman of the".

Amendment No. 19

On page 113, line 13, strike out "quarter", and insert "month".

Amendment No. 20

On page 113, between lines 13 and 14, insert

"An augmentation of any amount available for expenditure for a category or project designated in any line of any schedule set forth for such appropriation by transfer from any of the other designated categories or projects within the same schedule shall not exceed, in the aggregate, 20 percent of the amount so scheduled on that line."

Bill ordered reprinted, and to be returned on file as a Special Order of Business for Thursday, April 6, 1972, at 2 p.m.

ADJOURNMENT

At 3:42 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Wednesday, April 5, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-first Legislative Day

Ninety-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 5, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Beverly moved a quorum call of the Assembly.
Mr. Duffy seconded the motion.
Motion carried Time, 11:02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11.05 a.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E Townsend, Member of the Assembly, 67th District:

Eternal God, Thou who art our life and hope, may the distance be shortened between our ideals and actions Guide us beyond self-interest, lest we lose all interest. With all of the tediums and routines which must be faced, may we never lose the wonder and mystery of our existence. In our Lord's Name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 3, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker: I respectfully request to be excused from session on Wednesday, April 5, and Thursday, April 6, on legislative business Pursuant to my membership on the Assembly Health Committee, I will be in New York City on those dates attending meetings of the National Institute of Mental Health

Thank you very much for your consideration in this matter.

Sincerely,

YVONNE W BRATHWAITE, Assemblyman
Sixty-third District

April 3, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused on legislative business on Wednesday, April 5.

The Governor's office has requested that I pinch hit at the Commonwealth Club Luncheon that noon in San Francisco, since the subject before the Law Making Procedures Section is one in which I have some competence.

Very truly yours,

CHARLES J. CONRAD, Assemblyman
Fifty-seventh District

April 4, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on April 5, 6, and 7, 1972.

I will be in New York in connection with the Corporate Securities Act and regional government.

Very truly yours,

JOHN T. KNOX, Assemblyman
Eleventh District

April 4, 1972

Hon Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, April 5, 1972, on legislative business

I will be attending the annual Mayor's Prayer Breakfast in Glendale and discussing legislation which I am carrying with officials at Glendale College.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

COMMUNICATIONS

The following communication was presented by the Speaker from:

Allen F. Breed, Director, Department of the Youth Authority, Sacramento, relative to temporary emergency facilities and services furnished to any county by the Department of the Youth Authority. Referred by the Speaker pro Tempore to the Committee on Ways and Means.

REPORTS

The following report was presented by the Speaker:

Priorities and Program Review at the University of California. A Report to the California Legislature in Response to Assembly Concurrent Resolution 132. April 1, 1972.

Above transmitted report, together with letter of transmittal from Charles J. Hitch, President, University of California, Berkeley, dated March 30, 1972, referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2320	Urban Development and Housing
2321	Criminal Justice

Senate Concurrent Resolution No.	*Committee*
8	Water

COMMUNICATIONS

Assembly Chamber, April 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 78

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 90	AB No 342	AB No. 538
AB No. 169	AB No. 480	AB No. 654
AB No 227	AB No 495	AB No. 661
AB No. 305	AB No. 504	AB No. 666

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 112
AB No. 667

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 17

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 4, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 171

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, April 3, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 1484

With amendments with the recommendation: Amend, and do pass, as amended.

FONG, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 2305

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 35

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 2008

With the recommendation: Do pass.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 163

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Agriculture

Assembly Chamber, April 5, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 678

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 678—An act to amend Sections 29551, 29552, 29553, and 29701 of, to amend the heading of Article 6 (commencing with Section 29551) of Chapter 2 of Division 13 of, to amend and renumber Sections 29441, 29442, and 29443 of, to add Sections 29442 and 29443 to, and to repeal Article 4 (commencing with Section 29501), Article 7 (commencing with Section 29581), Article 8 (commencing with Section 29611), and Article 9 (commencing with Section 29641) of Chapter 2 of Division 13 of, the Agricultural Code, relating to agricultural containers, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed bill, strike out the second "and".

Amendment No. 2

In line 6 of the title, strike out ", Article 7 (commencing"; strike out line 7 of the title; and in line 8 of the title, strike out "29611),".

Amendment No. 3

In line 9 of the title, after "of," insert "and to repeal Sections 29581, 29587, 29611, 29619, and 29620 of,".

Amendment No. 4

On page 2, line 34, strike out "take effect"; strike out line 35, and insert "be operative the 61st day after the effective date of this section."

Amendment No. 5

On page 4, strike out lines 33 to 38, inclusive; in line 39, strike out "SEC. 14", and insert

"SEC. 12. Section 29581 of the Agricultural Code is repealed.

~~29581. All comb honey shall be conspicuously marked, either on the section or on its individual container, with all of the following:~~

~~(a) The name and address of the producer or distributor of the comb honey.~~

~~(b) The net weight of the comb section, stated in terms of whole ounces.~~

~~(c) One of the United States grades which are established for honey by the United States Department of Agriculture.~~

SEC. 13. Section 29587 of the Agricultural Code is repealed.

~~29587. Comb honey which has crystallized shall be conspicuously marked with the word "crystallized" on a placard which is used in connection with such honey that has reference to it.~~

SEC 14. Section 29611 of the Agricultural Code is repealed.

~~29611. Every container or subcontainer of extracted honey shall be conspicuously marked with all of the following:~~

~~(a) The name and address of the producer or distributor of the extracted honey.~~

~~(b) The net weight of the honey in the container.~~

~~(c) One of the United States grades which are established for honey by the United States Department of Agriculture. This subdivision does not, however, apply to honey to which pollen has been added, if the amount of pollen added is visible and each such container is plainly and conspicuously labeled with the words "pollen added".~~

~~(d) In the case of any opaque container, with the color of the honey.~~

SEC. 15. Section 29619 of the Agricultural Code is repealed.

~~29619. Any slack-filled container shall be conspicuously marked "slack-filled."~~

SEC 16 Section 29620 of the Agricultural Code is repealed.

~~29620. Extracted honey in containers which hold five ounces or more, shall be packed in standard containers and sold in the exact units of weight as set forth in the table of standard weights of honey in containers provided for in Section 29502.~~

~~If the combined net weight of the extracted honey in all subcontainers contained in one master container is equal to one of the units of weight specified in Section 29502, the unit is a standard unit of weight if sold as a unit directly to the consumer.~~

SEC. 17".

Amendment No. 6

On page 5, line 6, strike out "take effect _____", and insert "be operative the 61st day after the effective date of this section".

Amendment No. 7

On page 5, line 18, strike out the blank, and insert "on the 61st day after the effective date of this act"

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

Senate Chamber, April 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SCR No. 22

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, April 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 87
SB No. 239

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 87—An act to add Chapter 4 5 (commencing with Section 1028) to Title 6 of Part 2 of the Penal Code, relating to criminal law.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 239—An act to add Section 7030.5 to the Business and Professions Code, relating to contractors.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 419, 388, and **329,** ordered to third reading

Assembly Bills Nos. 460 and **263,** ordered to the Consent Calendar

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 143—An act to add Section 326.5 to the Penal Code, relating to bingo.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly March 15, 1972, strike out the second "the"; and strike out lines 9 to 13 inclusive; and on line 14, strike out "Constitution that is", and insert "organizations".

Amendment No. 2

On page 2, line 19, strike out "knowingly".

Amendment No. 3

On page 2, line 20, after "profit", insert ", wage, or salary".

Amendment No. 4

On page 2, line 24, strike out "equal to the amount of such profit", and insert "not to exceed ten thousand dollars ($10,000)".

Amendment No. 5

On page 2, strike out lines 31 and 32.

Amendment No. 6

On page 2, line 33, strike out "(f)", and insert "(e)".

Amendment No. 7

On page 2, line 35, strike out "(g)", and insert "(f)".

Amendment No. 8

On page 3, line 2, strike out "(h)", and insert "(g)".

Amendment No. 9

On page 3, line 5, strike out "(i)", and insert "(h)".

Amendment No. 10

On page 3, line 7, strike out "licensed", and insert "authorized".

Amendment No. 11

On page 3, line 10, strike out "(j)", and insert "(i)".

Amendment No. 12

On page 3, line 11, strike out "licensed", and insert "authorized".

Amendment No. 13

On page 3, between lines 13 and 14, insert

"(j) A city, county, or city and county may impose a license fee, not to exceed the actual cost of issuing such license, on each nonprofit, charitable organization which it authorizes to conduct bingo games."

Amendment No. 14

On page 3, line 15, after "No.", strike out leaders, and insert "19".

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 19 of Article IV thereof, relating to bingo.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly March 15, 1972, strike out "amending", and insert "adding subdivision (c) to".

Amendment No. 2

On page 1, line 7, strike out "amending", and insert "adding subdivision (c) to".

Amendment No. 3

On page 1, strike out lines 9 to 12, inclusive.

Amendment No. 4

On page 2, strike out lines 1 to 17, inclusive.

Amendment No. 5

On page 2, after line 17, add

"(c) Notwithstanding subdivision (a), the Legislature by statute may authorize cities and counties to provide for bingo games, but only for charitable purposes."

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 536—An act to amend Sections 31676.1 and 31676.11 of the Government Code, relating to county employee retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 31625.2 to,".

Amendment No. 2

On page 1, line 1, after "1 ", insert "Section 31625.2 is added to the Government Code, to read:

31625.2. Notwithstanding any other provisions of this chapter, contributions shall not be deducted from the salary of any member having credit for 30 years' service providing such member was a member on

the effective date of this section and remained in membership continuously until credited with 30 years' service.

SEC. 2."

Amendment No. 3

On page 4, line 11, strike out "2", and insert "3".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 289—An act to amend Section 17072 of, and to add Section 17214.5 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 17072 of, and to add Section 17214.5 to," and insert "add Section 17054.1 to".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 17054.1 is added to the Revenue and Taxation Code, to read:

17054.1. A credit in the amount of five dollars ($5) per pint may be deducted from the tax imposed by this part for a donation of the taxpayer's own blood to an organization described in Section 17214, during the tax year for which the credit is claimed.

The maximum aggregate amount of any credit that may be claimed on any return required by this part is twenty-five dollars ($25)."

Amendment No. 3

On page 3, line 20, strike out "SEC. 3", and insert "SEC. 2".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 595—An act to add Section 6379 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "public", and insert "federal, state or local government".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 420—An act to amend Section 89 of the Code of Civil Procedure, as amended by Chapter 1022 of the Statutes of 1971, relating to courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 2, lines 17 and 18, of the printed bill, strike out "six hundred dollars ($600)", and insert "one thousand dollars ($1,000)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 496—An act to amend Sections 11107 and 11110 of the Vehicle Code, relating to driving schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 36, of the printed bill, after "applying", insert "for".

Amendment No. 2

On page 3, line 40, strike out "Sections", and insert "Section".

Bill ordered reprinted, and returned to the second reading file.

SECOND READING OF SENATE BILLS

Senate Joint Resolution No. 1—Relative to grape tariff.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, as amended in Senate March 7, 1972, strike out line 3, and insert

"(Coauthors: Assemblymen Seeley, LaCoste, Briggs, Belotti, Duffy, Harvey Johnson, Ray E. Johnson, Ketchum, Mobley, Porter, Powers, and Wood)".

Amendment No. 2

On page 2, line 3, strike out "and", and insert a comma.

Amendment No. 3

On page 2, line 3, after "State", insert ", and the United States Tariff Commission".

Amendment No. 4

On page 2, line 10, after the second comma, insert "the United States Tariff Commission,".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following resolution was ordered re-referred to the Committee on Ways and Means:

Assembly Concurrent Resolution No. 17.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 31

House Resolution No. 31—Relative to asking for a study of the problem of traffic signs by the Division of Highways.

NOTE: The full text of House Resolution No. 31 appears at page 1259 of the Assembly Daily Journal for March 21, 1972.

Resolution read, presented by Mr Burton, and adopted.

Assembly Bill No. 443—An act to amend Section 2873.5 of the Business and Professions Code, relating to licensed vocational nurses.

Bill read third time, and passed by the following vote:

AYES—Badham, Bee, Beverly, Briggs, Brown, Burke, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Ketchum, Keysor, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 150—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mrs. Fong.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Deddeh, Z'berg, Hayden, Lanterman, and Lewis demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 150.

Urgency clause refused adoption by the following vote:

AYES—Bagley, Bee, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Sieroty, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—41.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Chappie, Cline, Collier, Duffy, Ray E Johnson, Ketchum, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Murphy, Russell, Seeley, Stacey, Stull, Vasconcellos, and Wakefield—28.

Motion to Reconsider Urgency Clause to Senate Bill No. 150 On Next Legislative Day

Mrs. Fong moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 150 was this day refused adoption.

Senate Bill No. 150 ordered to the unfinished business file.

UNFINISHED BUSINESS

MOTION TO RECONSIDER ASSEMBLY BILL NO. 230

In compliance with a motion given on a previous day, Mr. Keysor moved that the vote whereby Assembly Bill No. 230 was refused passage be reconsidered.

Assembly Bill No. 230 reconsidered by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Cline, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—Cory, Ketchum, Murphy, and Wakefield—4.

Assembly Bill No. 230 Passed and Retained

By unanimous consent, Assembly Bill No. 230 was passed on file, to retain its place on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing Article XXVI thereof, and by adding Article XXVI thereto, relating to motor vehicle taxation and revenues.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Foran moved a call of the Assembly.

Motion carried. Time, 11:42 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT

Mr. Pierson was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 352—An act to amend Section 816 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—Ryan—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 152—An act to add Chapter 4 5 (commencing with Section 31001) to Division 14 of the Agricultural Code, relating to dogs.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—64.

NOES—Briggs, Miller, and Wilson—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 377—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Fenton, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Pierson, Porter, Ralph, Ryan, Seeley, Townsend, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—46.

NOES—Badham, Bee, Deddeh, Dunlap, Fong, Murphy, Powers, Quimby, Russell, Sieroty, Stacey, Stull, Warren, and Wilson—14.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16

At 11:50 a.m., on motion of Mr. Foran, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 16 adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Lanterman, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Badham, Barnes, Belotti, Brophy, Burke, Chappie, Davis, Duffy, Leroy F. Greene, Ray E. Johnson, LaCoste, Lewis, MacDonald, MacGillivray, Mobley, Stacey, Stull, and Wakefield—18.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 409—An act to amend Section 10601.5 of, and to add Section 10601.6 to, the Education Code, relating to pupil discipline.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Stull, Thomas, Townsend, Waxman, Wilson, Wood, and Mr. Speaker—50.

NOES—Duffy, Maddy, Miller, Mobley, Murphy, Stacey, Wakefield, and Warren—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2305

Mr. Lanterman was granted unanimous consent to take up Assembly Bill No 2305, without reference to file, for the purpose of reading the bill a second time at this time.

Second Reading of Assembly Bill No. 2305 By Unanimous Consent

Assembly Bill No. 2305—An act to amend Section 554 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Lanterman was granted unanimous consent that the following communication relative to the Budget Bill be printed in the Journal:

April 5, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: As Vice Chairman of the Assembly Ways and Means Committee, I want to go on record in opposition to certain changes adopted by the Committee regarding the 1972–73 State Budget. My specific objections are outlined below:

Lt Governor's Office

The Ways and Means Committee has recommended the elimination of six currently authorized staff positions in the Lt Governor's Office. In addition the Committee has recommended the transfer of the Office of Intergovernmental Management and the Council on Intergovernmental Relations from the Lt Governor's Office to the Governor's Office.

I am opposed to these proposals on the basis that they represent an unwarranted intrusion by the Legislature into the constitutional and administrative responsibilities vested with the Lt Governor.

Department of Finance

The Ways and Means Committee has recommended the transfer of 37 fiscal auditors from the Department of Finance to the State Controller I am strongly opposed to this proposal for the following reasons:

1. The Governor's overall responsibility as the Chief Executive of State Government with a budget approaching $8 billion requires that he have an internal financial audit capability under his direct control.
2. The State Controller's constitutional and statutory responsibilities do not extend to the internal audit of State departments.
3. By law and policy, the independent review of state fiscal affairs lies with the Legislature through the Auditor General.

Department of Social Welfare

The Ways and Means Committee has recommended several deletions and transfers which will severely handicap the Department in its efforts to implement welfare reform. The most damaging of these changes are as follows:

Elimination of Operations Security Unit ..... (-$37,794)

I object to the elimination of the Operations Security Office because this will severely reduce the Department's capability to fulfill its statutory responsibilities relating to the control of welfare fraud.

In the case of *Wheeler* vs *Montgomery* (Feb. 24, 1972) the U S. District Court ruled that the State Department of Social Welfare has a statutory mandate to supervise the counties in fraud prevention and investigative activities

—Elimination of Legal Task Force ..... (-$98,192)

—Transfer Legal Affairs function to Attorney General's Office ..... (-$181,378)

—Transfer Fair Hearings to Office of OAP ..... (-$1,411,691)

—Delete position of Asst. Deputy Director of Legal Affairs ..... (-$13,701)

I strongly object to the above transfers and deletions as they will strip the Department of vital legal assistance during the critical period when they are involved in literally hundreds of lawsuits.

If the Department is to receive adequate legal counsel, it is imperative that they have their own staff of attorneys who are totally familiar with the complex federal and state laws and regulations dealing with social welfare.

—Deletion of Policy Coordination Office ..... (-$78,293)

The Welfare Reform Act of 1971 launched the most sweeping and far-reaching reform of a system that had evolved from uncoordinated patchwork over the years The Office of Policy Coordination is an essential staff office to ensure that the Department's operational activities involving payments systems and social services are mutually consistent and compatible in policy goals Further, the Office of Policy Coordination is essential in assuring consistency of departmental policy with mandates from the State Legislature and the

Congress and compatible with that of other state agencies, counties, and other public and private organizations. I, therefore, oppose this recommendation.

—*Elimination of Systems Development Bureau* _____ (-$107,648)

—*Elimination of Expanded Data Reporting System*___(-$1,400,000)

There is basic agreement concerning the need for more accurate and timely welfare data. However, controversy regarding the specific information system proposed has led to total elimination of the Department's capability in this area. This is tantamount to "throwing the baby out with the bath water." I object to this action and will attempt to restore $200,000 for contractual services during Conference Committee negotiations.

—*Deletion of 6 positions for Contracts Administration* (-$50,067)

The six additional positions are necessary to implement Section 23 of the Welfare Reform Act of 1971 which requires establishment of contracts with each of the 58 counties for eligibility and grant determination. In addition these employees will be responsible for negotiating a major contract with the Department of Mental Hygiene regarding the use of $9 million in federal Socal Rehabilitation Services funds.

In summary, Mr. Speaker, it is my intention to vote in favor of the Budget Bill on the floor on Thursday, April 6, in order to expedite the movement of the bill to a Conference Committee of both Houses.

If my specific objections are not resolved during Conference Committee deliberations, I reserve the right to record a "no" vote when the Budget Bill is returned to the Assembly for final passage.

Cordially,

FRANK LANTERMAN

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 59

Mr. Badham was granted unanimous consent to take up Senate Bill No. 59, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 59

Senate Bill No. 59—An act to add Section 6454 5 to the Revenue and Taxation Code, relating to sales and use taxes, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Badham.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller,

Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Chappie:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2303 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Chappie was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2303 for hearing in the Committee on Revenue and Taxation.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 254—An act to amend Section 4143 of the Business and Professions Code, and to amend Section 7054.4 of the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that a photographer be permitted on the floor of the Assembly during the following recess.

RECESS

At 11.57 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 12 m., for the purpose of permitting Mr. Mobley to introduce Miss Stacy Batrick, California's "Junior Miss", and appointed Messrs. Mobley, Maddy, and Karabian and Mrs. Davis as a Select Committee to escort Miss Batrick to the rostrum.

REASSEMBLED

At 12 m., the Assembly reconvened.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

Mr. Stull announced that there would be a Republican Caucus today at 3:30 p.m., in Room 2117.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 316

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 115

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 490
AB No. 571
AB No. 603

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 641

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation: To Consent.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 664

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 634

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 564

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 435
AB No. 437
AB No. 533

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 534

AB No. 636

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 600

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 520

AB No. 560

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 553

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means. Recommendation: To be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 81

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 98

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 131

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 368

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 27	AB No 181	AB No. 282
AB No. 108	AB No. 213	AB No. 312
AB No. 111	AB No 226	AB No. 398

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 6	AB No 139	AB No 251
AB No. 31	AB No. 148	AB No. 256
AB No. 49	AB No 164	AB No. 271
AB No 50	AB No. 241	AB No 291
AB No. 99	AB No. 243	AB No 390
AB No. 133	AB No. 245	AB No. 800

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 92

With the recommendation: That the bill be re-referred to the Committee on Education.

BROWN, Chairman

Above bill re-referred to the Committee on Education.

Committee on Planning and Land Use

Assembly Chamber, April 5, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 301

AB No. 304

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 301—An act to amend Section 21151 of, and to add Sections 21152 and 21153 to, the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly March 9, 1972, strike out "A copy of such report"; and strike out lines 16 and 17.

Amendment No. 2

On page 3, line 24, after the first comma, insert "and after having given public notice as provided in Section 6062a of the Government Code,".

Amendment No. 3

On page 3, line 25, strike out "determine", and insert "make a final determination as to".

Amendment No. 4

On page 3, strike out lines 27 and 28; and in line 29, strike out "project", and insert "At the time of such final determination at the public hearing, the local planning agency shall inform the public that the electors of the area have the right to file a petition for referendum on the project with the county clerk within 30 days, pursuant to Section 5203 5 of the Elections Code".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

Assembly Bill No. 304—An act to add Sections 5203, 5204, and 5205 to the Elections Code, relating to referendum, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 9, 1972, strike out "5203", and insert "5203.5".

Amendment No. 2

In line 1 of the title, strike out "and 5205", and insert "5205, and 5206".

Amendment No. 3

On page 2, line 1, strike out "5203", and insert "5203 5".

Amendment No. 4

On page 2, line 3, strike out "5203", and insert "5203 5".

Amendment No. 5

On page 2, line 13, strike out "10", and insert "20".

Amendment No. 6

On page 2, between lines 15 and 16, insert

"The right to referendum on each proposed project affecting a particular environmental impact area shall terminate if a sufficient number of signatures are not filed with the county clerk within 30 days of the final determination of the impacted area pursuant to Section 21153 of the Public Resources Code."

Amendment No. 7

On page 2, between lines 32 and 33, insert

"SEC. 4. Section 5206 is added to the Elections Code, to read:

5206 The cost of conducting a referendum election which is called as the result of a referendum petition having been filed pursuant to Section 5203 shall be paid by the district

SEC 5. This act shall become operative only if Assembly Bill No. 301 becomes operative and in that event shall become operative at the same time as Assembly Bill No. 301."

Amendment No. 8

On page 2, line 33, strike out "4", and insert "6".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 5, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

ACA No. 31

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 29 to Article IV thereof, relating to the Legislature.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed measure, after "29.", insert "(a)".

Amendment No. 2

On page 2, line 1, strike out "subventions", and insert "a new source of revenue other than ad valorem property tax".

Amendment No. 3

On page 2, after line 2, insert

"(b) Effective July 1, 1973, expenditures for social welfare services, including all services and programs authorized by Division 9 (commencing with Section 10000) of the Welfare and Institutions Code as it read on July 1, 1972, shall not be financed from revenue raised from ad valorem property taxes."

Resolution ordered reprinted, and to be re-referred to the Committee on Local Government.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2322: By Assemblymen Burton, Brown, Waxman, and Miller—An act to amend Sections 11008.1, 11154, 12050, 12150, 12151, 15201, 18300, 18301, 18302, 18303, and 18306 of, to amend the heading of Chapter 5 (commencing with Section 18300) of Part 6 of Division 9 of, to add Sections 11155, 12151.5 and 18307 to, and to repeal Section 11155 of, the Welfare and Institutions Code,

to amend Section 42 5 of Chapter 578 of the Statutes of 1971, and to add Sections 17041.2, 19504 5 and 19523 5 to the Revenue and Taxation Code, relating to public social services

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2323: By Assemblymen Knox and Miller—An act to repeal Sections 35271 7 and 54797 2 of the Government Code, relating to alteration of boundaries, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2324: By Assemblyman Chappie—An act to amend Section 3 of Chapter 491 of the Statutes of 1971, relating to the transfer of the real property of the DeWitt State Hospital facility.

Held at Desk by order of the Speaker pro Tempore

Assembly Concurrent Resolution No. 68: By Assemblyman Belotti—Relative to the Benbow Dam.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 25: By Assemblyman Wood (Senator Grunsky, coauthor)—Relative to payments to members of the Philippine Scouts

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Gonsalves:

House Resolution No. 37

Relative to the sale of used motor vehicles

WHEREAS, There appears to exist a need for some form of protection for purchasers of used motor vehicles with respect to the mechanical fitness of the vehicles; and

WHEREAS, It has been suggested that used motor vehicles which are offered for sale at retail be subjected to a diagnostic test of their mechanical fitness and that the results of such test be made known to the buyer prior to sale; and

WHEREAS, It has also been suggested that if a used motor vehicle is sold "as is" the buyer should be clearly informed of such fact; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of protection for purchasers of used motor vehicles sold at retail, with respect to the mechanical fitness of the vehicles, including, but not limited to, the feasibility of requiring diagnostic tests to determine the mechanical fitness of such motor vehicles and informing a potential buyer of the results of such study, that safety deficiencies be corrected before sale, and that if a used motor

vehicle is sold "as is," the buyer be clearly informed; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

VOTE CHANGES

Messrs. McAlister, Murphy, MacDonald, Z'berg, Cullen, and Wood were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 443.

Mr Cline was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 152.

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 152.

Messrs Sieroty, Dunlap, Powers, Murphy, Stull, and Warren were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 377.

Mr Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 409.

Mr Mobley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 409.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Constitutional Amendment No 16.

Mr Bagley was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 150, and on the passage of the bill.

Mr. Vasconcellos was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause to Senate Bill No 150, and on the passage of the bill.

Mr. Cory was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the motion to reconsider Assembly Bill No. 230.

ADJOURNMENT

At 12:03 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 2 p m., Thursday, April 6, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-second Legislative Day

Ninety-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 6, 1972

The Assembly met at 2 p m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Speaker Presiding

At 2.02 p.m., Hon. Bob Moretti, 42nd District, presiding.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.

Motion carried. Time, 2.03 p.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

REQUEST FOR UNANIMOUS CONSENT

Speaker Moretti was granted unanimous consent that photographers be permitted on the floor of the Assembly.

Speaker pro Tempore Presiding

At 2.10 p m., Hon. Carlos Bee, 13th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2 15 p.m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E Townsend, Member of the Assembly, 67th District:

O Heavenly Father, Please make us gathered here in this room, better Christians. Teach us to understand and have compassion for others and to listen patiently to what others have to say Help us to have the moral courage to ask forgiveness when we have wronged others, and allow us to be self-critical and admit to our own faults and mistakes. In Thy Name, we pray —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Russell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Lanterman, seconded by Mr. Monagan.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mrs Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Dent, on request of Speaker pro Tempore Bee.
Mr Knox, on request of Speaker pro Tempore Bee.
Mr. Meade, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr. Bagley, on request of Speaker pro Tempore Bee
Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr. Burton, on request of Speaker pro Tempore Bee
Mr Campbell, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 4, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session, Thursday, April 6, 1972, on legislative business. I shall be attending the Charter Day exercises at the University of California, Berkeley.

Yours truly,

JAMES W. DENT, Assemblyman
Tenth District

April 5, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, April 6, 1972, due to legislative business.

I will be attending the inauguration of Chancellor Bowker at the University of California, Berkeley.

Sincerely,

KEN MEADE, Assemblyman
Sixteenth District

NOTE: For letters explaining the absences of Mrs. Brathwaite and Mr. Knox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 5, 1972, pages 1580–1581.

REPORTS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

Assembly Rules Committee

April 5, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: Transmitted herewith is a copy of the report of the Assembly Rules Committee on ski safety pursuant to HR 5 (Warren).

Sincerely,

JOHN L. BURTON, Chairman
Assembly Rules Committee

Above report referred to the Committee on Natural Resources and Conservation.

The following reports were presented by the Chief Clerk:

Progress Report in Accordance With Resoultion Chapter 190—1971. (Senate Concurrent Resolution No. 104.) March 1972.

Above transmitted report, together with letter of transmittal from Robert C. Cozens, Director, Department of Motor Vehicles, Sacramento, dated March 31, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Interim Progress Report in Accordance With Resolution Chapter 134, 1971. (Senate Concurrent Resolution No. 3.) April 1972.

Above transmitted report, together with letter of transmittal from Robert C Cozens, Director, Department of Motor Vehicles, and Loran Archer, Coordinator, State Alcoholism Programs, Human Relations Agency, Sacramento, dated April 3, 1972, referred by the Speaker pro Tempore to the Committee on Criminal Justice.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2322	Welfare
2323	Local Government
2324	Government Administration

Assembly Concurrent Resolution No.	*Committee*
68	Natural Resources and Conservation

Assembly Joint Resolution No.	*Committee*
25	Rules

Senate Bill No.	*Committee*
87	Criminal Justice
239	Commerce and Public Utilities

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were introduced, and read the first time:

Assembly Concurrent Resolution No. 69: By Assemblyman Townsend—Relative to the creation of the Joint Committee on Force Accounts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 70: By Assemblyman Bill Greene—Relative to educational loan practices.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bill Greene:

House Resolution No. 38

Relative to legal assistants

WHEREAS, There is a need for professionally trained legal assistants who could be of special value in dealing with the problems and concerns of disadvantaged persons, and

WHEREAS, Legal assistants could be trained and licensed to assist counsel in such areas as hearings before welfare agencies, planning commissions, redevelopment boards, and similar agencies, and they would be able to assist in the resolution of conflicts between merchants and consumers, debtors and creditors, landlord and tenant, and in dealing in problems of prison inmates; and

WHEREAS, Legal assistants could be trained and licensed to do legal research on particular client problems; and

WHEREAS, Legal assistants could render additional services, including making investigations, interviewing clients, the preparation of pleadings, briefs or other documents for use before a court or an administrative agency; and

WHEREAS, The education, examination, licensing and use of legal assistants could be regulated by the State Bar of California; and

WHEREAS, Legal assistants could be rigorously trained during a two-year study program to be offered by the various law schools in the state; and

WHEREAS, This study period could begin after the student has achieved 60 semester units or 90 quarter units of approved college work, and

WHEREAS, A legal assistant training program could include such traditional first-year law courses as torts, contracts, and property, with a special emphasis in techniques of legal research; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Judiciary be assigned to study the feasibility of establishing programs for the training and licensing of legal assistants; and be it further

Resolved, That the Assembly Committee on Judiciary report its findings and recommendations to the Assembly not later than June 1, 1973.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, April 6, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 673

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2305

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 329
AB No. 388
AB No. 419

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, April 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 77

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered on file (Special Order).

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Labor Relations reports.

AB No. 622

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, April 5, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No. 547

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 455

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

RUSSELL, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Elections and Reapportionment

Assembly Chamber, April 6, 1972

Mr. Speaker. Your Committee on Elections and Reapportionment reports:

AB No. 417

With the recommendation: Do pass.

WAXMAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 6, 1972

Mr Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 4

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 7, 1972

Mr Speaker · Your Committee on Education reports:

AB No. 586

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, April 6, 1972

Mr. Speaker · Your Committee on Commerce and Public Utilities reports:

ACR No. 11

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

POWERS, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 364

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 354

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 484

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 22
ACR No. 29
ACR No. 35

With the recommendation: Be adopted.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 21
ACR No. 25
ACR No. 27

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Committee on Finance and Insurance

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 305
AB No. 311

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

PIERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 353

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 52

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 411

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 369

AB No. 540

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 67

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

DEDDEH, Chairman

Above resolution ordered on file.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 429 AB No 495

AB No. 485 AB No. 524

AB No. 493

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 69 AB No 491

AB No 408 AB No. 494

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Finance and Insurance

Assembly Chamber, April 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 771

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 2303

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Agriculture

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 471

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 471—An act to add Section 1718 to the Civil Code, relating to repair of farm equipment.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, after line 26, of the printed bill, insert

"(d) Any violation of this section is a misdemeanor."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 6, 1972

Mr Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 686

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890.53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384.1 and 4212 of, and to repeal Section 42.5 of, the Civil Code, and to amend Section 416.70 of the Code of Civil Procedure, and to amend Sections 385, 8672, and 8827.5 of, and to repeal Section 3512.1 of, the Elections Code, and to amend Sections 8201, 8203.1, and 8203 7 of the Government Code, and to amend Sections 1299, 1391, 1393, 1698.4, 1698.5, 1700.33, 1700.34, and 4455 of, and to repeal Sections 3080.5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203 45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Sections 23102 and 23102 5 of the Vehicle Code, and to amend Sections 504, 509, 529, 631, 631 1, 11253, 11263, 14005.4, 14005.6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed bill, after "Procedure," insert "and to amend Sections 895 3, 5726, 5756, 5995 45, 6801, 6902, 6903, 8702, 16645.2, 23755 5, 25502.5, 25514 5, and 31231 of, and to repeal Article 5 (commencing with Section 5731) of Chapter 5.5 of Division 6 of, the Education Code,".

Amendment No. 2

In line 8 of the title, after "Code," insert "and to amend Sections 249, 250.5, 263, 1402, 1451, and 1503 of the Health and Safety Code,".

Amendment No. 3

In line 18 of the title, after "529," insert "625,".

Amendment No. 4

In line 18 of the title, strike out "11253,".

Amendment No. 5

On page 18, line 9, strike out "SEC. 15–16", and insert "SEC. 15".

Amendment No. 6

On page 18, between lines 18 and 19, insert

"SEC. 15.1. Section 895.3 of the Education Code is amended to read:

895.3. Each county superintendent of schools maintaining special training schools or classes for mentally retarded minors pursuant to subdivision (c) of Section 895 may limit the number of minors to be

admitted to such schools or classes. Any minor who becomes ~~21~~ *18* years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time the school or class is maintained during the then current school year.

SEC 15 2. Section 5726 of the Education Code is amended to read:

5726 Upon application of 20 or more persons above the age of ~~21~~ *18* years residing in a high school district who cannot speak, read, or write the English language to a degree of proficiency equal to that required for the completion of the sixth grade of the elementary schools, the governing board of the high school district shall establish classes in English

SEC 15 3. Article 5 (commencing with Section 5731) of Chapter 5.5 of Division 6 of the Education Code is repealed.

SEC. 15.4. Section 5756 of the Education Code is amended to read:

5756. For the purpose of crediting attendance for apportionments from the State School Fund during the fiscal year, "adult" means any person who has attained his ~~21st~~ *18th* birthday on or before (a) September 1st, January 1st, or March 1st of the quarter for which he is enrolled or (b) September 1st or February 1st of the semester for which he has enrolled, and who has enrolled in less than 10 class hours as defined in Section 11480 for community college districts or 10 periods of not less than 40 minutes each per week for high school districts.

SEC. 15 5. Section 5995 45 of the Education Code is amended to read:

5995.45. A work study program as used in this article applies only to students who meet all of the following criteria: (1) Are enrolled in a summer vocational education program under Article 10.5 (commencing with Section 6270) of Chapter 6 of Division 6. (2) Are in need of the earnings from such employment to commence or continue their vocational education program. (3) Are at least 15 years of age and less than ~~21~~ *18* years of age at the commencement of employment. (4) Are capable, in the opinion of the appropriate school authorities, of maintaining good standing in the summer vocational education program while employed under the work study program (5) Are employed under such work study program for not more than 20 hours per week (6) Are employed under such work study program for a public agency or nonprofit institution.

SEC 15 6 Section 6801 of the Education Code is amended to read:

6801. Subject to the provisions of this article (commencing with Section 6801) and Section 894 the governing board of any school district may make such special provisions as in its judgment may be necessary for the education of physically handicapped minors "Physically handicapped minor," as used in this article (commencing with Section 6801) means a physically defective or handicapped person under the age of ~~21~~ *18* years who is in need of education.

SEC 15 7. Section 6902 of the Education Code is amended to read:

6902. The education of mentally retarded minors who are of compulsory school age and who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted shall be provided all eligible minors in the manner

set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive. Such special education may be provided to mentally retarded minors who are between five years nine months and six years of age and those above compulsory school age and less than ~~21~~ *18* years of age.

An annual report shall be made by each school district or county superintendent of schools to the Department of Education indicating the number of eligible minors for whom no such special education is provided and the reason therefor.

SEC. 15.8. Section 6903 of the Education Code is amended to read:

6903. The education of mentally retarded minors who do not come within the provisions of Section 6902, who are six or more, and less than 18 years of age and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, shall be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive. The education of such mentally retarded minors who are five or more and less than six years of age may be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive.

Any such minor who becomes 18 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year.

~~Notwithstanding other provisions of this section any such minor who is participating regularly in an approved occupational training program in the manner set forth in Sections 6931 and 6932 may be permitted by the governing board of the district or county superintendent of schools, as the case may be, maintaining such training program to continue thereon until his 21st birthday.~~

SEC. 15.9. Section 8702 of the Education Code is amended to read:

8702. The governing board of each district may grant temporary exemption from courses in physical education to pupils who are ill or injured where a modified program to meet the needs of the pupils cannot be provided, and to pupils while enrolled for one-half, or less, of the work normally required of full-time students. Permanent exemption may be granted a pupil who has reached his ~~21st~~ *18th* birthday, or a pupil who is enrolled as a postgraduate student.

SEC. 16. Section 16645.2 of the Education Code is amended to read:

16645.2. The governing body of any school district or a county superintendent of schools with the approval of the county board of education is authorized to establish and maintain, upon the approval of the Superintendent of Public Instruction, one or more development centers for physically handicapped and mentally retarded minors between 3 years and ~~21~~ *18* years of age residing in, and in the custody of persons residing in, the district or county. The governing body or county superintendent shall determine the hours, days, and months during which the development center is to be maintained.

The establishment and maintenance of any development center for physically handicapped and mentally retarded minors by the county superintendent of schools shall be undertaken subject to the prior approval of the county board of education, upon the application of one or more school districts under his jurisdiction, and such establishment and maintenance shall be upon such terms and conditions as may be provided for in a written contract between the county superintendent of schools and the governing body of any school district.

Minors who are otherwise eligible for development center placement as determined by the Superintendent of Public Instruction, and who are between 18 months and 3 years of age, may be enrolled in experimental programs conducted by a school district or county superintendent of schools maintaining a development center Experimental programs for such minors shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him.

SEC. 16 1. Section 23755.5 of the Education Code is amended to read·

23755 5. A person is a resident student of this state for the year immediately following the date he becomes ~~21~~ *18* years of age if he was deemed to be a resident student pursuant to Section 23755 on the residency determination date immediately preceding the date he became ~~21~~ *18* years of age.

SEC. 16 2. Section 25502.5 of the Education Code is amended to read:

25502 5 Each community college shall provide for the education of pupils in the 13th and 14th grades and for the education of such adults and minors as may properly be admitted but who are not classifiable by grade.

Persons ~~21~~ *18* years of age or over enrolled in less than 10 class hours as defined in Section 11451 in classes of any kind whatsoever maintained in connection with a community college, except classes maintained in English and citizenship for foreigners, classes in elementary subjects, and classes which are required in order that the participant may qualify for a high school diploma, where no charge of any kind shall be made, may be required by the governing board of the district maintaining the class to pay a tuition for such classes The total of the tuition required and the apportionments from the State School Fund on account of the attendance in the classes shall not exceed the estimated cost of all such classes maintained.

SEC. 16 3 Section 25514 5 of the Education Code is amended to read.

25514 5 Any minor student, *and* any student ~~21~~ *18* years of age or over and under 25 years of age who has been honorably discharged or is otherwise returning from active or inactive military service with the armed forces of the United States, ~~and any student under 21 years of age but declared to be an adult pursuant to Section 25 of the California Civil Code by virtue of marriage while over 18 years of age,~~ who resides in this state and more than ninety (90) miles from the nearest public community college attendance center where grades 13 and 14 are maintained, measured by the usual vehicular route between his home and

such attendance center, may at his request attend grades 13 and 14 at any public community college in the state, whether or not his residence is in a district maintaining a community college The governing board of the district maintaining such community college designated by the student shall admit the student provided he otherwise qualifies for admission.

The provisions of the preceding paragraph of this section shall be inapplicable to any student residing in a district maintaining a community college if the Superintendent of Public Instruction determines that such district maintains adequate dormitories or housing facilities or provides adequate transportation for such student between his home and the community college attendance center.

If the student resides in a district maintaining a community college, the provisions of Article 7 (commencing with Section 10801) of Chapter 1 of Division 9 shall be inapplicable, and the district of the student's residence shall pay to the district of the student's attendance an amount on account of such attendance computed pursuant to Section 20201. The computation shall be made and other procedures shall be undertaken in accordance with such requirements as may be prescribed by the Superintendent of Public Instruction, by or under authority of the governing board of the school district of attendance, and shall be approved by the county superintendent of schools having jurisdiction of such district with the certification of the amount owing to be transmitted by him to the district of the student's residence. The governing board of the district of residence shall, on or before June 1st, order payment of the amount computed as owing the district of attendance for the fiscal year, and upon failure of the governing board so to do, the county superintendent of schools having jurisdiction of the district shall draw a requisition against the funds of the district in favor of the district of attendance in payment of such amount and transmit the same to the district of attendance For purposes of all provisions of this code dealing with allowances and apportionments from the State School Fund for support of community colleges, the district of the student's residence and the district of his attendance shall be deemed to have entered into an interdistrict attendance agreement with respect to the student.

If the student resides within territory not included within any community college district the provisions of Article 3 (commencing with Section 20201) of Chapter 1 of Division 15 shall be applicable.

In addition to the payments required under the preceding paragraphs of this section, there shall be paid to the parents or other persons having charge or control of such minor student at his residence and directly to the student who qualifies as such a former or returning adult serviceman or as such a married minor, by the district in which the pupil attends, a maintenance allowance of one dollar and fifty cents ($1.50) per calendar day for the period in which the student is enrolled full time in regular classes in a community college under this section. Such amount shall be paid on or before the 15th day after the close of the school year in which the student was so enrolled Such payments made by a district maintaining a community college at which the pupil attends shall be included in that district's transportation expense as

payments made in lieu of providing for transportation of pupils between their homes and regular full-time day schools, for purposes of Article 10 (commencing with Section 18051) of Chapter 3 of Division 14; and the amount thereof not reimbursed by the state shall be included in the computation of the amount to be paid by the district of the student's residence, or the community college tuition fund, as the case may be

For purposes of this section, a person shall be deemed to be honorably discharged from the armed forces (a) if he was honorably discharged from the armed forces of the United States or (b) if he was inducted into the armed forces of the United States under the "Universal Military Training and Service Act," and (1) satisfactorily completes his period of training and service under such act and is issued a certificate to that effect pursuant to such act, or (2) having served honorably on active duty was transferred to a reserve component of the armed forces of the United States pursuant to such act, or (3) was otherwise released pursuant to such act under honorable conditions.

For the purposes of this section, the term "armed forces of the United States" shall include all regular and reserve components of the uniformed services which are subject to the jurisdiction of the Secretary of Defense, the Secretaries of the Army, Navy and Air Force, and all components of the Coast Guard.

SEC 16.4 Section 31231 of the Education Code is amended to read:

31231 Scholarships shall be awarded to graduates of California high schools ~~There shall be 100 awards for the fiscal year 1960-61, 100 additional awards for the fiscal year 1961-62, 100 additional awards for the fiscal year 1962-63, and 100 additional awards for the fiscal year 1963-64~~ For each fiscal year ~~thereafter~~ the state agricultural scholarship program shall consist of 400 awards. The administration of scholarships for the study of the science of agriculture shall be under the jurisdiction of the commission. No person shall be awarded a scholorship unless:

(a) He is a resident of California.

(b) He has not attained his 24th birthday. This age limitation does not apply in the case of renewed scholarship awards.

(c) His course of study in high school shall have been directed toward preparation for work at the college level in the science of agriculture, or he is enrolled as an agricultural major at a community college or a four-year college.

(d) He has demonstrated his financial need for such scholarship. The financial status of his parents shall be taken into consideration in determining his financial need

(e) He has demonstrated high moral character, good citizenship, and dedication to American ideals

(f) He has applied for a state agricultural scholarship and has, by competitive examination, been determined to be eligible for such scholarship

(g) He has complied with all of the rules and regulations adopted by the commission for the award, regulation, and administration of scholarships adopted pursuant to this chapter.

(h) He is a citizen of the United States or, if he is under ~~21~~ *18* years of age and is not a citizen of the United States either he or his parent or parents were admitted to the United States on a permanent resident visa."

Amendment No. 7

On page 20, between lines 18 and 19, insert

"SEC. 24. Section 249 of the Health and Safety Code is amended to read:

249. The Department of Health shall establish and administer a program of services for physically defective or handicapped persons under the age of ~~21~~ *18* years, in cooperation with the federal government through its appropriate agency or instrumentality, for the purpose of developing, extending and improving such services The department shall receive and expend all funds made available to it by the federal government, the state, its political subdivisions or from other sources, and it shall have power to supervise those services included in the state plan which are not directly administered by the state. The department shall cooperate with the medical, health, nursing and welfare groups and organizations concerned with the program, and any agency of the state charged with the administration of laws providing for vocational rehabilitation of physically handicapped children.

SEC. 24.1. Section 250.5 of the Health and Safety Code is amended to read:

250.5. "Handicapped child" as used in this article, means a physically defective or handicapped person under the age of ~~21~~ *18* years who is in need of services. The director shall establish those conditions coming within a definition of "handicapped child" except as the Legislature may otherwise include in the definition Phenylketonuria, hyaline membrane disease, cystic fibrosis, and hemophilia shall be among such conditions.

SEC. 24.2. Section 263 of the Health and Safety Code is amended to read:

263. This article does not authorize any treatment service without the written consent of a parent or guardian except as a person under ~~21~~ *18* years is an emancipated minor.

SEC. 24.3. Section 1402 of the Health and Safety Code is amended to read:

1402. Any person, political subdivision of the state or governmental agency desiring a license under the provisions of this chapter shall file with the state department a verified application on a form prescribed, prepared and furnished by the department, containing:

(a) The name of the applicant, and if an individual, whether the applicant has attained the age of ~~21~~ *18* years.

(b) The type of institution to be operated.

(c) The location thereof.

(d) The name of the person in charge thereof

(e) Such other information as may be required by the state department for the proper administration and enforcement of this chapter.

(f) Evidence satisfactory to the state department that the applicant is of reputable and responsible character. If applicant is a firm, association, organization, partnership, business trust, corporation, or company, like evidence shall be submitted as to the members thereof, and the person in charge of the institution for which application for license is made. If the applicant is a political subdivision of the state or other governmental agency, like evidence shall be submitted as to the person in charge of the institution for which application for license is made.

(g) Evidence satisfactory to the state department of the ability of the applicant to comply with the provisions of this chapter and of rules and regulations promulgated under this chapter by the state department.

SEC. 24.4. Section 1451 of the Health and Safety Code is amended to read:

1451. (a) The board shall not let the care, maintenance or attendance of the indigent sick or dependent poor by contract to any person. However, in cases:

(1) Of unusual difficulty, or

(2) Which require treatment, or hospital services, or the use of facilities not immediately available in the county hospital, or

(3) Of emergency and for continued treatment after the emergency has ceased to exist,

the board may secure for the indigent sick, and other persons admissible to the county hospital, at an agreed rate, hospital service or any portion thereof from any public or private hospital, clinic, rest home, sanitarium, or other suitable facility or from any corporation formed under Section 9201 of the Corporations Code or under Chapter 11A *(commencing with Section 11491)* of Part 2, Division 2, of the Insurance Code, and operating in the state.

(b) As used in this section, "hospital service" includes medical, surgical, radiological, laboratory, nursing service, convalescent care, and the furnishing of the necessary professional personnel, equipment, and facilities to manage the needs of patients on a continuing basis in accordance with accepted medical standards, with a staff of professional nursing personnel who are assigned and available under a clear and definite responsibility to the institution rendering the service for the provision of services to the patients, and such other care, service or supplies as may be necessary for the treatment of the sick or injured.

(c) The county may also contract with licensed boarding homes for 24-hour care for dependent children under the age of ~~21~~ *18* years, when suitable facilities are not otherwise available in any institution or establishment maintained and operated by the county.

(d) The county may also contract for medical treatment of persons admissible to the county hospital with any licensed physician and surgeon, or a corporation operating under Section 9201 of the Corporations Code.

(e) The county may also contract for health care services when the board determines that the hospital services or any portion thereof rendered by the county hospital should be coordinated with those provided by any other source.

SEC. 24.5. Section 1503 of the Health and Safety Code is amended to read:

1503. Any person, political subdivision of the state, or governmental agency desiring a license under the provisions of this chapter shall file with the state department a verified application on a form prescribed, prepared and furnished by the department, containing:

(a) The name of the applicant; and, if an individual, whether the applicant has attained the age of ~~21~~ *18* years

(b) The type of establishment and the special services to be rendered by it for handicapped persons.

(c) The location thereof.

(d) The name of the person in charge thereof.

(e) Such other information as may be required by the department for the proper administration and enforcement of this act.

(f) Evidence satisfactory to the state department that the applicant is of reputable and responsible character If applicant is a firm, association, organization, partnership, business trust, corporation, or company, like evidence shall be submitted as to the members thereof, and the person in charge of the establishment for which application for license is made. If the applicant is a political subdivision of the state or other governmental agency, like evidence shall be submitted as to the person in charge of the establishment for which application for license is made.

(g) Evidence satisfactory to the state department of the ability of the applicant to comply with the provisions of this chapter and of rules and regulations promulgated under this chapter by the state department."

Amendment No. 8

On page 39, between lines 19 and 20, insert

"SEC. 52. Section 625 of the Welfare and Institutions Code, as amended by Chapter 1748 of the Statutes of 1971, is amended to read:

625 A peace officer may, without a warrant, take into temporary custody a minor:

(a) Who is under the age of 18 years when such officer has reasonable cause for believing that such minor is a person described in ~~Sections 600, 601, or 602~~ *Section 600 or 601*, or

(b) Who is a ward or dependent child of the juvenile court or concerning whom an order has been made under Section 636 or 702, when such officer has reasonable cause for believing that person has violated an order of the juvenile court or has escaped from any commitment ordered by the juvenile court, or

(c) Who is under the age of 18 years and who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care.

In any case where a minor is taken into temporary custody on the ground that there is reasonable cause for believing that such minor is a person described in Section 601 or 602, or that he has violated an order of the juvenile court or escaped from any commitment ordered by the juvenile court, the officer shall advise such minor that anything he

says can be used against him and shall advise him of his constitutional rights, including his right to remain silent, his right to have counsel present during any interrogation, and his right to have counsel appointed if he is unable to afford counsel."

Amendment No. 9

On page 39, line 20, strike out "SEC. 52", and insert "SEC. 53".

Amendment No. 10

On page 39, line 32, strike out "SEC. 53", and insert "SEC. 54".

Amendment No. 11

On page 40, strike out lines 7 to 25, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 3, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 506

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 506—An act to add Chapter 7.9 (commencing with Section 25885) to Division 20 of the Health and Safety Code, relating to pottery.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 11 to 31, inclusive; strike out page 3, and insert

"25886. After January 1, 1974, it shall be unlawful to manufacture or import for sale in this state any glazed ceramic tableware unless a certificate of acceptability has first been obtained from the state department. In order to obtain such certificate, a manufacturer or importer shall make application to the state department. The application shall include the name of the manufacturer, the content and ingredients of any glaze used, and such details as to the glazing process and quality control procedures as the state department may reasonably require, and shall be accompanied by such samples of finished product as the state department may reasonably require. The state department may specify labeling for items for which it issues certificates of acceptability.

25887. It is the intent of the Legislature that the program authorized pursuant to this chapter be entirely self-supporting, and for this purpose the state department is authorized to establish a schedule of fees for applications for certificates of acceptability which shall provide revenues which shall not exceed the amount necessary, but shall be sufficient to cover all costs incurred in the administration of this chapter.

25888. Notwithstanding the provisions of Section 25886, glazed ceramic were intended for ornamental or decorative use, but which could be used as an eating or cooking utensil or for the serving or storing of food or drink, may be manufactured or imported for sale in this state without a certificate of acceptability provided that each such article carries a baked-in precautionary label, as follows:

CAUTION!

Do not use for the preparation of or as a container for food or drink".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, April 5, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 371

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 371—An act to amend Section 11579 of, and to add Section 11577.5 to, the Business and Professions Code, relating to division of land.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 5 to 11, inclusive, and insert "map."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 88

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 88—An act to amend Sections 1809, 1811, and 1813 of, to add Sections 1808.7, 1808.8, 1808.9, and 1808.10 to, and to repeal Section 1810 of, the Vehicle Code, relating to records.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Section 1810", and insert "Sections 1810, 1814, and 1815".

Amendment No. 2

On page 3, line 2, after the period, insert "The department need not retain a copy of any waiver made pursuant to this section."

Amendment No. 3

On page 5, after line 15, insert

"SEC. 9. Section 1814 of the Vehicle Code is repealed.

~~1814. Any person engaged in the business of examining the records of the department and supplying information relative thereto to the public for compensation shall first obtain a permit from the director. The director shall grant such a permit when he determines that the applicant is qualified and intends in good faith to carry on such business, and when the applicant files with the director a bond in the amount of five thousand dollars ($5,000).~~

SEC. 10. Section 1815 of the Vehicle Code is repealed.

~~1815. The bond shall be executed by the applicant as principal and by either a surety company authorized to execute surety bonds in this State or by two individual sureties, who shall qualify to the satisfaction of the director.~~

~~The bond shall obligate the principal and sureties to compensate the officers of the department and any other person who may suffer loss or damage by reason of any failure or neglect of the principal, his agents, or employees to preserve carefully and surrender any records examined in the department and by reason of any act of the principal, his agents, or employees in respect to the loss, alteration, substitution, or mutilation of any records of the department.~~"

Set No. 2

Amendment No. 1

On page 3, between lines 38 and 39, of the printed bill, insert "(e) Whenever any person changes his address, and the department is notified of such change as required by Section 14600, the department may provide the new address of such person to any person who gives the department the person's name and former address."

Set No. 3

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Campbell", and insert "Assemblymen Campbell and Stull".

Amendment No. 2

On page 3, line 36, after "application", insert "or signed an agreement".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 200

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 200—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528.2 of the Business and Professions Code, relating to the California coastal zone, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 8 of the heading of the printed bill, as amended in Assembly March 7, 1972, strike out "and Waxman", and insert "Waxman, and Wilson".

Amendment No. 2

On page 2, line 14, strike out "belonging to all the people and".

Amendment No. 3

On page 15, line 22, after the period, insert "Nothing in this section shall be construed to exempt any such member of the commission or any regional commission, or any employee thereof, from any other provision of this article."

Amendment No. 4

On page 25, line 29, strike out "The", and insert "Within 30 days after its first meeting, the".

Amendment No. 5

On page 25, line 30, strike out "and", and insert "which it may modify at any time. The commission".

Amendment No. 6

On page 27, between lines 14 and 15, insert

"27424.5 Prior to the time when an executive director of any regional commission is appointed and authorized to issue permits in cases of emergency, the State Lands Commission may issue permits in such cases of emergency pursuant to the provisions of Section 27424 The State Lands Commission shall be reimbursed from the commission for its expenses in carrying out the provisions of this section."

Amendment No. 7

On page 31, line 25, strike out "There", and insert "Notwithstanding the provisions of Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session), there".

Set No. 2

Amendment No. 1

On page 12, between lines 20 and 21, of the printed bill, as amended in Assembly March 7, 1972, insert

"Each member of the commission and each regional commission, subject to confirmation by his appointing or selecting power, may authorize an alternate for attendance at meetings and voting in his absence. Each alternate shall be designated in a written instrument which shall include evidence of the confirmation by the appointing or selecting power and his name shall be kept on file with the commission Each member may change his alternate from time to time, with the confirmation of his appointing or selecting power, but shall have only one alternate at a time Each alternate shall have the same qualifications as are required for the member who appointed him "

Amendment No. 2

On page 20, line 23, after the comma, insert "a designation of any areas, in addition to existing oil sanctuaries, in which there should exist".

Amendment No. 3

On page 20, after line 40, insert

"(3) Recommendations of lands which would be desirable for acquisition for public use to carry out the provisions of this division."

Amendment No. 4

On page 21, line 1, strike out "(3)", and insert "(4)".

Amendment No. 5

On page 21, line 4, strike out "(4)", and insert "(5)".

Amendment No. 6

On page 21, line 21, after "zone", insert ", which the regional commission shall consider".

Amendment No. 7

On page 25, strike out lines 10 and 11; and in line 12, strike out "residences", and insert

"(a) Repairs to existing structures or facilities".

Amendment No. 8

On page 25, between lines 25 and 26, insert

"(d) Replacing or rebuilding any structure or facility that has been damaged or destroyed by any catastrophe, including, but not limited to, fire, flood, or earthquake; provided, however, that any such replaced or rebuilt structure or facility shall be substantially the same as the damaged or destroyed structure or facility and there shall be no change in the nature or density of its use as compared to the use of the damaged or destroyed structure or facility."

Set No. 3

Amendment No. 1

On page 24, line 38, of the printed bill, as amended in Assembly March 7, 1972, strike out "January 1, 1972", and insert "the date on which the act adding this division is assigned a chapter number by the Secretary of State".

Amendment No. 2

On page 26, line 40, strike out "or for repairs".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 441

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 441—An act to amend Section 11710 1 of the Vehicle Code, relating to vehicle dealers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "a", and insert "any of the following:

(a) A".

Amendment No. 2

On page 1, line 7, strike out "said", and insert "such".

Amendment No. 3

On page 1, line 9, strike out "Corporation, or investment", and insert "Corporation.

(b) Certificates of deposits in the amount of five thousand dollars ($5,000) issued by a bank authorized to do business in this state and insured by the Federal Deposit Insurance Corporation.

(c) Investment".

Amendment No. 4

On page 2, line 1, strike out "bank or".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 359

With author's amendments with the recommendation: Amend, and refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 359—An act to amend Sections 1091, 1095, and 1096 of, and to add Sections 1096.5 and 8508 to, the Education Code, relating to public schools

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 12, of the printed bill, as amended in Assembly March 23, 1972, strike out "on", strike out line 13; in line 14, strike out "level at a school", and insert "in grades 9 to 12, inclusive, on the written request of at least 30 regularly enrolled pupils or their parents, and in grades 1 to 8, inclusive, on the written request of the parents of at least 30 regularly enrolled pupils".

Amendment No. 2

On page 3, line 16, after the period, insert "However, if less than 30 pupils are qualified to take the course pursuant to the applicable notice and consent requirements, then the school is not required to include such a course."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 690

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 690—An act to repeal Sections 268, 5995.9, and 6064 of the Education Code, relating to education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 5995.9, and 6064 of", and insert "and 6064 of, and to repeal Article 5.6 (commencing with Section 5995) of Chapter 6 and Article 7 (commencing with Section 6499.21) of Chapter 6.5 of Division 6 of,".

Amendment No. 2

On page 2, line 36, strike out "Section 5995.9", and insert "Article 5.6 (commencing with Section 5995) of Chapter 6 of Division 6".

Amendment No. 3

On page 3, after line 18, insert

"SEC. 4. Article 7 (commencing with Section 6499.21) of Chapter 6.5 of Division 6 of the Education Code is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 488

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 488—An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out lines 5 to 13, inclusive, and insert

"5813. Each school district shall enroll not less than 2½ percent nor more than 10 percent of its total average daily attendance during the preceding fiscal year in".

Amendment No. 2

On page 3, line 39, strike out "Notwithstanding Section 5813, a", and insert "A".

Amendment No. 3

On page 4, strike out lines 4 to 8, inclusive; and in line 9, strike out "5815.5", and insert "5815".

Amendment No. 4

On page 4, line 25, strike out "5811 5", and insert "5811".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, April 5, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 67	SB No. 209	SB No. 249
SB No 140	SB No. 247	SB No 412
SB No 204		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, April 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 5
SCR No. 6

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 67—An act to amend Section 28686 of the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 140—An act to amend Sections 8597 and 8598 of the Government Code, and Section 830 5 of the Penal Code, relating to peace officers.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 204—An act to amend Sections 5350 and 5352 1 of, and to amend, repeal, and add Section 7325 of, the Welfare and Institutions Code, relating to mental health conservatorships, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 209—An act to amend Section 74844 of the Government Code, relating to marshal of Vallejo Municipal Court.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 247—An act to amend Sections 7028 and 7028 1 of the Business and Professions Code, relating to licensing of contractors.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 249—An act to amend Section 5090 of the Business and Professions Code, relating to accountants.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 412—An act to amend Section 11535 of the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 5—Relative to the California Law Revision Commission.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 6—Relative to the California Law Revision Commission.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 846 be withdrawn from the Committee on Transportation, and re-referred to the Committee on Urban Development and Housing; that Assembly Bill No. 1507 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Local Government; that Assembly Bill No. 1183 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Natural Resources and Conservation; that Assembly Bill No 1061 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Welfare; that Assembly Bill No. 916 be withdrawn from the Committee on Education, and re-referred to the Committee on Elections and Reapportionment, and that Assembly Bill No. 677 be withdrawn from the Committee on Local Government, and re-referred to the Committee on Commerce and Public Utilities.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 77 was taken up.

Assembly Bill No. 77—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Majority Floor Leader Presiding

At 2.20 p.m., Hon. Jack R. Fenton, 51st District, presiding.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Item 185.2

Amendment No. 1

On page 37, of the printed bill, as amended in Assembly, April 4, 1972, between lines 21 and 22, insert

"185.2—For vacuum spark advance disconnect and mandatory vehicle inspection, south coast air basin, State Air Resources Board, payable from the Motor Vehicle Account of the State Transportation Fund created by Chapter 1243, Statutes of 1971 ---------- 10,435,000".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

COMMUNICATIONS

Assembly Chamber, April 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 77

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REQUESTS FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that Mr. Rudy Nothenberg, Consultant to the Committee on Ways and Means, be permitted to sit at his desk during consideration of the Budget Bill (Assembly Bill No. 77).

Mr. Lanterman was granted unanimous consent that Mr. Dennis Amundson be permitted to sit at his desk during consideration of the Budget Bill.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 77

Mr Brown was granted unanimous consent to take up Assembly Bill No. 77, without reference to file, for purpose of consideration at this time.

Consideration of Assembly Bill No. 77

Assembly Bill No. 77—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Stacey, Murphy, Quimby, Gonsalves, and MacDonald demanded the previous question Demand sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 77.

Urgency clause adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, McAlister, McCarthy, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Badham, Briggs, Brophy, Burke, Chappie, Conrad, Cory, Ray E. Johnson, Lewis, MacGillivray, Maddy, Mobley, Moorhead, Seeley, Stull, and Wakefield—16.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Chacon, Cline, Collier, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden,

Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, McAlister, McCarthy, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—Badham, Briggs, Brophy, Burke, Chappie, Conrad, Cory, Ray E. Johnson, Lewis, MacGillivray, Maddy, Mobley, Moorhead, Seeley, Stull, and Wakefield—16.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote

April 6, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol

Dear Jim: My vote today in favor of the Governor's Budget has been done merely to speed the process of negotiations with the Senate and the Joint Conference Committee, and in no way indicates support for it in its present form.

Sincerely,

ROBERT C. CLINE
San Fernando Valley

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Brophy was granted unanimous consent that the following statement relative to the Budget Bill be printed in the Journal.

Mr Speaker and Members I rise to oppose this bill. I voted for the 1971 Budget with grave reservations regarding the State Withholding Tax and other items which were included because it was our constitutional responsibility to balance the budget, and also because it generated monetary reserves that could, and should, be utilized in the future.

We are now being told that to vote against this bill today would only delay the budget process to no avail This argument, in my opinion, is political doubletalk because it is obvious that any drainage of present reserve monies will only increase taxes in the future. I believe the people of California mandate us to vote NO now in order to avoid the inevitable increase in taxes which will develop from this bill as it is now presented I only regret that I cannot place an exclamation mark after my NO vote on the board today. Thank you.

Speaker pro Tempore Presiding

At 3:44 p.m., Hon. Carlos Bee, 13th District, presiding.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3 45 p.m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 536, 420, and **496,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 171—An act to add Section 4833 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Set No. 1

Amendment No. 1

On page 1, line 3, of the printed bill, after "4833.", insert "(a)".

Amendment No. 2

On page 1, line 4, strike out "of any error under", and insert "after the delinquent date on the current roll of any assessor's error under Section 4831 of".

Amendment No. 3

On page 1, line 8, strike out "three years", and insert "30 days".

Amendment No. 4

On page 1, after line 9, insert

"(b) If the correction of any assessor's error under Section 4831 on the roll for any prior fiscal year causes an increase of tax of over one hundred dollars ($100) or causes an increase of over 50 percent of the tax on such property for such year, whichever is greater, and such error was made without fault on the part of the assessee, no penalty or interest shall attach to the amount of such increase for a period of one year from the date of notice to the assessee."

Set No. 2

Amendment No. 1

On page 1, after line 11, of the printed bill, insert

"SEC. 3. The procedures for implementing the provisions of this act shall be prescribed by the State Controller's office."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1484—An act to amend Section 24212 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 24212", and insert "Sections 24212, 24354, and 39380".

Amendment No. 2

On page 2, line 19, after "SEC 2.", insert "Section 24354 of the Health and Safety Code is amended to read.

24354. The district shall have power.

(a) To have perpetual succession.

(b) To sue and be sued in the name of the district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

(c) To adopt a seal and alter it at its pleasure.

(d) To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its powers.

(e) To lease, sell or dispose of any property or any interest therein whenever in the judgment of the board such property, or any interest therein, or part thereof, is no longer required for the purposes of the district, or may be leased for any purpose without interfering with the use of the same for the purposes of the district, and to pay any compensation received therefor into the general fund of the district.

(f) To contract with other air pollution control districts for the performance of air pollution control functions, and to furnish equipment and supplies incident thereto, within such other air pollution control districts upon reasonable compensation to be paid by such other districts.

SEC. 3. Section 39380 of the Health and Safety Code is amended to read:

39380. The regional district shall have power:

(a) To have perpetual succession

(b) To sue and be sued in the name of the regional district in all actions and proceedings in all courts and tribunals of competent jurisdiction

(c) To adopt a seal and alter it at its pleasure.

(d) To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the regional district necessary to the full exercise of its powers.

(e) To lease, sell or dispose of any property or any interest therein whenever in the judgment of the regional board such property, or any interest therein, or part thereof, is no longer required for the purposes of the regional district, or may be leased for any purpose without interfering with the use of the same for the purposes of the regional district, and to pay any compensation received therefor into the general fund of the regional district.

(f) To contract with other air pollution control districts for the performance of air pollution control functions, and to furnish equipment and supplies incident thereto, within such other air pollution control districts upon reasonable compensation to be paid by such other districts

SEC. 4."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 35—An act to add Section 5600.5 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly February 7, 1972, strike out "Assemblyman McAlister", and insert "Assemblymen McAlister and Belotti".

Amendment No. 2

On page 2, line 8, strike out "DeWitt", and insert "Mendocino".

Amendment No. 3

On page 2, lines 8 and 9, strike out "existing level", and insert "level as of April 1, 1972,".

Amendment No. 4

On page 2, line 13, strike out "DeWitt", and insert "Mendocino".

Amendment No. 5

On page 2, strike out lines 29 to 32, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2008—An act to amend Section 602 of the Welfare and Institutions Code, relating to juveniles, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 490—An act to amend Section 44750 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 571—An act to amend Sections 2 and 5 of, and to add Section 4 14 to, the Amador County Water Agency Act (Chapter 2137 of the Statutes of 1959), relating to the Amador County Water Agency.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 603—An act to add Section 24 1 to the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of the Statutes of 1949), relating to Alameda County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 664—An act to amend Section 68 of the Antelope Valley-East Kern Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Antelope Valley-East Kern Water Agency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 634—An act to amend Section 6512 of the Health and Safety Code, relating to sanitary districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "management", and insert "reclamation and distribution".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 564—An act to amend Sections 16018, 16128, 16301, 16330, 16331, 16333, 16334, 16335.1, 16336, 16338, and 16340 of, to add Section 16350 5 to, and to repeal and add Article 1 (commencing with Section 16320) to Chapter 3 of Part 4 of Division 9 of, the Water Code, relating to sewage services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted.

Amendment No. 1

In line 3 of the title of the printed bill, after the comma, insert "to add Chapter 9 (commencing with Section 16850) to Part 5 of Division 9 of,".

Amendment No. 2

On page 8, line 28, after "SEC 15", insert "Chapter 9 (commencing with Section 16850) is added to Part 5 of Division 9 of the Water Code, to read:

CHAPTER 9 MERGER

16850 The agency, pursuant to any procedure which shall hereafter be prescribed by law, shall merge with or otherwise be included within any multifunctional regional organization which encompasses

substantially the entire region, as defined in Section 16022, and which has been delegated substantially the same responsibilities as provided in this division.

SEC. 16."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 435—An act to amend Sections 2365 and 2366 of, and to add Section 2366.5 to, the Education Code, relating to school district reorganization.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 2366.3 and ".

Amendment No. 2

On page 2, line 13, strike out "whether", and insert "how".

Amendment No. 3

On page 2, line 16, strike out "adversely".

Amendment No. 4

On page 2, line 17, strike out "either district", and insert "the districts affected".

Amendment No. 5

On page 2, line 20, strike out "or board of supervisors", and insert ", board of supervisors, or county board of education, as the case may be".

Amendment No. 6

On page 2, line 26, strike out "either district", and insert "the districts affected".

Amendment No. 7

On page 2, line 28, after "supervisors", insert "or county board of education, as the case may be,".

Amendment No. 8

On page 2, line 31, strike out "might", and insert "will".

Amendment No. 9

On page 2, line 32, strike out "either district", and insert "the districts affected".

Amendment No. 10

On page 2, line 35, after "SEC. 3.", insert "Section 2366.3 is added to the Education Code, to read:

2366.3. The State Board of Education shall adopt guidelines which shall be used by county committees in making their determination of whether a transfer of territory would adversely affect racial or ethnic integration of the schools of the districts affected.

SEC. 4."

Amendment No. 11

On page 3, line 2, strike out "either district"; strike out lines 3 and 4, and insert "the districts affected, may appeal a decision made upon such a finding. The appeal shall be made to the State Board of Education within 30 days. The appeal shall be based upon factual and statistical evidence.

If the State Board of Education denies the appeal, the decision of the county board of supervisors or the county board of education shall stand. If the State Board of Education approves the appeal it shall review the findings of the county board of supervisors or the county board of education at a regular meeting of the board.

The State Board of Education shall notify the county committee, the county board of supervisors, or the county board of education of its decision on the appeal. For purposes of this section if the State Board of Education approves the appeal, the county board of supervisors or the county board of education shall transmit a copy of the proceedings to the State Board of Education within 30 days after receipt of notice The State Board of Education shall review the transcript, considering all factors involved The State Board of Education may affirm the decision of the county board of supervisors, or the county board of education, or if it appears that inadequate consideration was given to the effect of the transfer on integration of the schools of the districts affected, it shall direct the county board of supervisors or the county board of education to reconsider its decision and for this purpose to hold another hearing. The State Board of Education shall transmit a copy of its findings and recommendations to the county board of supervisors or the county board of education and the county committee on school district organization."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 437—An act to amend Section 6902 085 of the Education Code, relating to the education of mentally retarded minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 30, of the printed bill, strike out "examination", and insert "evaluation".

Amendment No. 2

On page 2, strike out lines 32 to 36, inclusive, and insert "language. It shall be administered by a credentialed school psychologist fluent in the language of the minor In the event such a person is not available, an interpreter qualified in the primary home language of the minor shall be provided to assure effective communication between the minor and the school psychologist administering the evaluation The district shall provide the interpreter with in-service training in the application of evaluation techniques and procedures, such training to

be given under the direction of a school psychologist according to guidelines established by the State Board of Education."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 533—An act to amend Section 5721 of the Education Code, relating to school insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 10; and on page 2, strike out lines 1 to 3, inclusive, and insert

"The governing board may purchase liability insurance for the".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 534—An act to amend Section 31245 of, and to add Section 31245 5 to, the Education Code, relating to graduate fellowships.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 31245.5 to,".

Amendment No. 2

On page 1, strike out lines 3 to 11, inclusive, and insert

"31245 No person shall be granted a fellowship unless:

(a) He is a resident of California.

(b) He has received, or will have received, a baccalaureate degree prior to the time of enrollment in a graduate school or has been accepted for admission by a graduate or professional school."

Amendment No. 3

On page 2, strike out lines 1 to 5, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 636—An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497 5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Brown", and insert "Assemblymen Brown, Burton, Lewis, Bill Greene, Chacon, Dunlap, and Cory".

Amendment No. 2

On page 3, line 14, strike out "1974", and insert "1975".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 600—An act to amend Sections 923 5, 932.1, 937.1, 1102, 1104.3, 1111 2, 1130, 1225.5, 1606, 2032, 2309, and 5029 of, and to repeal Section 1013 5 and Article 3 5 (commencing with Section 25450) of Chapter 2 of Division 18.5 of, the Education Code, relating to education.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 520—An act to add Section 21306 to the Education Code, relating to public schools.

Bill read second time, and ordered to third reading.

Assembly Bill No. 560—An act to amend Section 817 of the Education Code, relating to public school employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 131—An act to amend Sections 32103 and 32251 of the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 2, 1972, strike out "Sections 32103 and 32251", and insert "Section 32103".

Amendment No. 2

On page 2, strike out lines 6 to 19, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 368—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of the Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3, line 29, of the printed bill, as amended in Assembly March 16, 1972, after "subdivision.", insert "However, payments made to counties pursuant to this subdivision shall not in any event exceed the corresponding cost of maintaining wards in California Youth Authority institutions."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 27—An act to amend Section 18058 of the Health and Safety Code, relating to mobilehomes.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 108—An act to amend Section 1243 of the Water Code, relating to water.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 181—An act to add Section 6401.5 to the Labor Code, relating to employment safety.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 213—An act to amend Section 6505 of the Labor Code, relating to industrial safety.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 226—An act to amend Sections 1005.1 and 1005.2 of the Water Code, relating to water.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 282—An act to add Chapter 4.5 (commencing with Section 10825) to Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 312—An act to amend Sections 30800 and 30801 of, and to add Section 24005.5 to, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 398—An act to amend Section 3123 of the Commercial Code, to amend Sections 5201, 13656, and 13656.2 of the Education Code, and to amend Sections 6700, 6701, and 18025 of the Government Code, relating to state holidays and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 6—An act relating to the public school system.

Bill read second time, and ordered to third reading.

Assembly Bill No. 31—An act requiring the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for the construction or modification of a steamer pier.

Bill read second time, and ordered to third reading.

Assembly Bill No. 49—An act to add Chapter 7 (commencing with Section 37150) to Part 8 of Division 24 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading.

Assembly Bill No. 50—An act to add Section 11021 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 99—An act to amend, repeal, and add Sections 16150, 16151, 16152, 16153, and 16155 to, to amend Section 16156 of, to add Sections 16150.5 and 16150.7 to, and to repeal Section 16157 of, the Welfare and Institutions Code, and to amend Sections 16601, 16601.5, 16603, 16603.1, 16603.2, 16604, 16604 1, 16605, 16606, 16606.5, 16607, 16611, 16613, 16614, 16615, 16615.1, 16616, 16617, 16618, 16618.5, 16620, 16623, 16626 6, 16630.5, 16640, 16641, 16641.5, and 16643 of, to add Sections 16613.1 and 16615.2 to, and to repeal Section 16642 of, the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 133—An act to amend Sections 1141, 1154, 1156, and 1157 of the Health and Safety Code, relating to public health.

Bill read second time, and ordered to third reading.

Assembly Bill No. 139—An act to add Section 14053.7 to the Welfare and Institutions Code, relating to drugs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 148—An act to add Section 17054.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 164—An act making an appropriation for the state share of special needs of public assistance recipients, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 241—An act to add Sections 8715, 8715.1, 8715.2, 8715 3 and 8715.4 to the Business and Professions Code, relating to land surveyors.

Bill read second time, and ordered to third reading.

Assembly Bill No. 243—An act to add Article 2 3 (commencing with Section 6728) to Chapter 7, Division 3 of the Business and Professions Code, relating to professional engineering.

Bill read second time, and ordered to third reading.

Assembly Bill No. 245—An act to add Article 2.3 (commencing with Section 8720) to Chapter 15 of Division 3 of the Business and Professions Code, relating to land surveyors.

Bill read second time, and ordered to third reading.

Assembly Bill No. 251—An act to amend Section 16801 of the Education Code, relating to school transportation

Bill read second time, and ordered to third reading.

Assembly Bill No. 256—An act to amend Sections 1171, 1173, 1174, 1178, 1182, 1183, 1185, 1191, 1193, 1193.5, 1193.6, 1194, 1194.5, 1195, 1195.5, 1197, and 1199 of, and to amend the heading of Part 4 (commencing with Section 1171) of Division 2 of, the Labor Code, relating to employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 271—An act to add Chapter 22 (commencing with Section 9998) to Division 3 of the Business and Professions Code, and to repeal Title 1.5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer reporting agencies

Bill read second time, and ordered to third reading.

Assembly Bill No. 291—An act to amend Sections 143.1 and 183 of, and to repeal Sections 186, 186.1, and 188.3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 390—An act to amend Section 24201 of the Education Code, and to amend Section 18105 of the Government Code, relating to state colleges.

Bill read second time, and ordered to third reading.

Assembly Bill No. 800—An act relating to personal income taxes, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 115—An act to add Section 40 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 81—An act to add Section 13520.05 to the Education Code, relating to school employees' salaries.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, April 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 263
AB No. 460

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 49	AB No. 243	AB No. 520
AB No. 50	AB No. 245	AB No. 560
AB No. 133	AB No. 251	AB No. 664
AB No. 139	AB No. 291	AB No. 800
AB No. 164	AB No. 390	AB No. 2008
AB No. 241		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 17

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

RAY E. JOHNSON, Vice Chairman

Above resolution ordered on file.

Assembly Chamber, April 6, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 16

With the recommendation: Be adopted.

RAY E. JOHNSON, Vice Chairman

Above resolution ordered on file.

Committee on Finance and Insurance

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 125

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 125—An act to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1.5 (commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code, relating to motor vehicle insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Sections 11580.2, 11620, and 11622 of, and to".

Amendment No. 2

On page 2, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 11580.2 of the Insurance Code is amended to read:

11580.2. (a) No policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle, shall be issued or delivered in this state to the owner or operator of a motor vehicle, or shall be issued or delivered by any insurer licensed in this state upon any motor vehicle then principally used or principally garaged in this state, unless the policy contains, or has added to it by endorsement, a provision with coverage limits at least equal to the financial responsibility requirements specified in Section 16059 of the Vehicle Code insuring the insured, his heirs or his legal representative for all sums within such limits which he or they, as the case may be, shall be legally entitled to recover as damages for bodily injury or wrongful death from the owner or operator of an uninsured motor vehicle. The insurer and any named insured, prior to or subsequent to the issuance or renewal of a policy, may, by agreement in writing, delete the provision covering damage caused by an uninsured motor vehicle (1) completely, or (2) with respect to a natural person or persons designated by name when operating a motor vehicle. Either of such deletions by any named insured shall be binding upon every insured to whom such policy or endorsement provisions apply while such policy is in force, and shall continue to be so binding with respect to any continuation, renewal, or replacement of such policy by the named insured, or with respect to reinstatement of such policy within 30 days of any lapse thereof. A policy shall be excluded from the application of this section if the only coverage with respect to the use of any motor vehicle is limited to the contingent liability arising out of the use of nonowned motor vehicles.

(b) As used in (a) above, "bodily injury" includes sickness or disease, including death, resulting therefrom; the term "named insured" means only the individual or organization named in the declarations of the policy of motor vehicle bodily injury liability insurance referred to in (a) above; as used in (a) above the term "insured" means the named insured and the spouse of the named insured and

relatives of either while residents of the same household while occupants of a motor vehicle or otherwise, heirs and any other person while in or upon or entering into or alighting from an insured motor vehicle and any person with respect to damages he is entitled to recover for care or loss of services because of bodily injury to which the policy provisions or endorsement apply; the term "insured motor vehicle" means the motor vehicle described in the underlying insurance policy of which the uninsured motorist endorsement or coverage is a part, a temporary substitute or a newly acquired automobile for which liability coverage is provided in the policy if the motor vehicle is used by the named insured or with his permission or consent, express or implied, and any other automobile not owned by the named insured or any resident of the same household while being operated by the named insured or his spouse if a resident of the same household, but the term "insured motor vehicle" shall not include any automobile while used as a public or livery conveyance. The term "uninsured motor vehicle" means a motor vehicle with respect to the ownership, maintenance or use of which there is no bodily injury liability insurance or bond applicable at the time of the accident, or there is such applicable insurance or bond but the company writing the same denies coverage thereunder or refuses to admit coverage thereunder except conditionally or with reservation, or a motor vehicle used without the permission of the owner thereof if there is no bodily injury liability insurance or bond applicable at the time of the accident with respect to the owner or operator thereof, or the owner or operator thereof be unknown, provided that, with respect to an "uninsured motor vehicle" whose owner or operator is unknown:

(1) The bodily injury has arisen out of physical contact of such automobile with the insured or with an automobile which the insured is occupying.

(2) The insured or someone on his behalf shall have reported the accident within 24 hours to the police department of the city where the accident occurred or, if the accident occurred in unincorporated territory then either to the sheriff of the county where the accident occurred or the local headquarters of the California Highway Patrol, and have filed with the insurer within 30 days thereafter a statement under oath that the insured or his legal representative has or the insured's heirs have a cause of action arising out of such accident for damages against a person or persons whose identity is unascertainable and set forth facts in support thereof. The term "uninsured motor vehicle" shall not include an automobile owned by the named insured or any resident of the same household or self-insured within the meaning of the safety responsibility law of the state in which the motor vehicle is registered or which is owned by the United States of America, Canada, a state or political subdivision of any such government or an agency of any of the foregoing, or a land motor vehicle or trailer operated on rails or crawler treads or while located for use as a residence or premises and not as a vehicle, or a farm-type tractor or equipment designed for use principally off public roads, except while actually upon public roads.

The term "uninsured motor vehicle" also means an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency An insurer's solvency protection shall be applicable only to accidents occurring during a policy period in which its insured's motor vehicle coverage is in effect where the liability insurer of the tortfeasor becomes insolvent within one year of such accident. In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment, shall to the extent thereof, be entitled to any proceeds which may be recoverable from the assets of the insolvent insurer through any settlement or judgment of such person against the insolvent insurer.

(c) The insurance coverage provided for in this section does not apply:

(1) To property damage sustained by the insured.

(2) To bodily injury of the insured while in or upon or while entering into or alighting from an automobile other than the described automobile if the owner thereof has insurance similar to that provided in this section.

(3) To bodily injury of the insured with respect to which the insured or his representative shall, without the written consent of the insurer, make any settlement with or prosecute to judgment any action against any person who may be legally liable therefor.

(4) In any instance where it would inure directly or indirectly to the benefit of any workmen's compensation carrier or to any person qualified as a self-insurer under any workmen's compensation law.

(5) To establish an exemption as provided in subdivisions (a), (b), and (c) of Section 16057 of the Vehicle Code

(6) To bodily injury of the insured while occupying a motor vehicle owned by an insured, unless the occupied vehicle is an insured motor vehicle.

(7) To bodily injury of the insured when struck by a vehicle owned by an insured.

(d) Subject to paragraph (c)(2), the policy or endorsement may provide that if the insured has insurance available to him under more than one uninsured motorist coverage provision, any damages shall not be deemed to exceed the higher of the applicable limits of the respective coverages, and such damages shall be prorated between the applicable coverages as the limits of each coverage bears to the total of such limits.

(e) The policy or endorsement added thereto may provide that if the insured has valid and collectible automobile medical payment insurance available to him, the damages which he shall be entitled to recover from the owner or operator of an uninsured motor vehicle shall be reduced for purposes of uninsured motorist coverage by the amounts paid or due to be paid under such automobile medical payment insurance This subdivision shall become operative on January 1, 1971.

(f) The policy or an endorsement added thereto shall provide that the determination as to whether the insured shall be legally entitled to recover damages, and if so entitled, the amount thereof, shall be made

by agreement between the insured and the insurer or, in the event of disagreement, by arbitration. The arbitration shall be conducted by a single neutral arbitrator. An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (i) the insured, his insurer, his legal representative, or his heirs and (ii) the uninsured motorist to recover damages arising out of the accident upon which the award is based. The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to such determinations, and all rights, remedies, obligations, liabilities and procedures set forth in said Article 3 shall be available to both the insured and the insurer at any time after the accident, both before and after the commencement of arbitration, if any, with the following limitations:

(1) Whenever in said Article 3, reference is made to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court of the State of California, in and for any county which is a proper county for the filing of a suit for bodily injury arising out of the accident, against the uninsured motorist, or any county specified in the policy or an endorsement added thereto as a proper county for arbitration or action thereon.

(2) Any such proper court to which application is first made by either the insured or the insurer under the provisions of said Article 3 for any discovery or other relief or remedy, shall thereafter be the only court to which either of the parties shall make any applications under said Article 3 with respect to the same accident, subject, however, to the right of such court to grant a change of venue after a hearing upon notice, upon any of the grounds upon which change of venue might be granted in an action filed in the superior court.

(3) A deposition pursuant to the provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, must be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident.

(4) The provisions of subparagraph (a)(4) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section.

(5) For the purposes of discovery under this section, the insured and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings," where that phrase is used in subparagraph (b)(2) of Section 2019 of the Code of Civil Procedure.

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 may be served by either the insured or the insurer upon the other at any time more than 20 days after the accident without leave of court.

(7) Nothing in this section shall be construed to limit the rights of any party to discovery in any action pending or which may hereafter be pending in any court.

(g) The insurer paying a claim under an uninsured motorist endorsement or coverage shall be entitled to be subrogated to the rights of the insured to whom such claim was paid against any person causing such injury or death to the extent that payment was made. Such action may be brought within three years from the date that payment was made hereunder.

(h) An insured entitled to recovery under the uninsured motorist endorsement or coverage shall be reimbursed within the conditions stated herein without being required to sign any release or waiver or rights to which he may be entitled under any other insurance coverage applicable; nor shall payment under this section to such insured be delayed or made contingent upon the decisions as to liability or distribution of loss costs under other bodily injury liability insurance or any bond applicable to the accident. Any loss payable under the terms of the uninsured motorist endorsement or coverage to or for any person may be reduced:

(1) By the amount paid and the present value of all amounts payable to him under any workmen's compensation law exclusive of nonoccupational disability benefits.

(2) By the amounts paid or due to be paid under any valid and collectible automobile medical payment insurance available to the insured. This paragraph shall remain in effect until December 31, 1970, and shall have no force or effect after that date.

(3) By the amount the insured is entitled to recover from any other person insured under the underlying liability insurance policy of which the uninsured motorist endorsement or coverage is a part

(i) Any loss payable under the terms of the uninsured motorist endorsement or coverage to or for any person shall be reduced by the amount the insured is entitled to recover under basic loss insurance benefits pursuant to Chapter 5 (commencing with Section 11890) of Part 3 of Division 2.

~~(i)~~

(j) No cause of action shall accrue to the insured under any policy or endorsement provision issued pursuant to this section unless within one year from the date of the accident:

(1) Suit for bodily injury has been filed against the uninsured motorist, in a court of competent jurisdiction, or

(2) Agreement as to the amount due under the policy has been concluded, or

(3) The insured has formally instituted arbitration proceedings.

~~(j)~~

(k) Notwithstanding the provisions of subdivisions (b) and ~~(i)~~ *(j)*, in the event the accident occurs in any other state or foreign jurisdiction to which coverage is extended under the policy and the insurer of the tortfeasor becomes insolvent, any action authorized pursuant to the provisions of this section may be maintained within three months of the insolvency of the tortfeasor's insurer, but in no event later than the pertinent period of limitation of the jurisdiction in which the accident occurred.

~~(k)~~

(l) Notwithstanding the provisions of subdivision ~~(i)~~ *(j)*, any insurer whose insured has made a claim under his or her uninsured motorist coverage, and such claim is pending, shall, at least 30 days before the expiration of the applicable statute of limitation, notify its insured in writing of the statute of limitation applicable to such injury or death. Failure of the insurer to provide such written notice shall operate to toll any applicable statute of limitation or other time limitation for a period of 30 days from the date such written notice is actually given.

SEC 2. Section 11620 of the Insurance Code is amended to read:

11620 The commissioner, after a public hearing, shall approve or issue a reasonable plan for the equitable apportionment, among insurers admitted to transact liability insurance, of those applicants for automobile bodily injury and property damage liability insurance *and basic loss insurance provided for in Chapter 5 (commencing with Section 11890) of Part 3 of Division 2,* who are in good faith entitled to but are unable to procure such insurance through ordinary methods. The commissioner shall require the payment of five hundred dollars ($500), in advance, as a fee for the filing of amendments to the plan with the commissioner. The commissioner may approve or issue reasonable amendments to such plan if he first holds a public hearing to determine whether the amendments are in keeping with the intent and purpose of this section. All such insurers shall subscribe to the plan and its amendments and, subject to Section 11621, participate therein.

Notice of the public hearings required by this section shall be published, not less than ten (10) days nor more than thirty (30) days prior to such hearings, in two newspapers of general circulation, one published in the City and County of San Francisco, and the other published in the City of Los Angeles.

SEC 3 Section 11622 of the Insurance Code is amended to read:

11622 Such plan shall require the issuance of a policy affording coverage in the amount of fifteen thousand dollars ($15,000) for bodily injury to or death of each person as a result of any one accident and, subject to said limit as to one person, the amount of thirty thousand dollars ($30,000) for bodily injury to or death of all persons as a result of any one accident, and the amount of five thousand dollars ($5,000) for damage to property of others as a result of any one accident, or in such minimum amounts as are necessary to provide exemption from the security requirements of Section 16023 of the Vehicle Code or for which proof of ability to respond in damages or adequate protection against liability is otherwise required by law, but shall not require the issuance of a policy affording coverage in excess of said amounts *and basic loss insurance*."

Amendment No. 3

On page 2, between lines 3 and 4, insert

"SEC 4 Chapter 5 (commencing with Section 11890) is added to Part 3 of Division 2 of the Insurance Code, to read:".

Amendment No. 4

On page 2, strike out line 17, and insert

"(a) "Basic loss insurance" means insurance issued or delivered in accordance with the provisions of Article 3 (commencing with Section 11900) of this chapter.

(b) "Basic loss insurance benefits" means allowable expenses, work loss, funeral and burial expenses, necessary payments to others and survivors benefits as provided in Article 3 (commencing with Section 11900) of this chapter."

Amendment No. 5

On page 2, line 18, strike out "(b)", and insert "(c)".

Amendment No. 6

On page 2, line 20, strike out "(c)", and insert "(d)".

Amendment No. 7

On page 2, line 21, after "injury", insert ", sickness or disease, including death at any time resulting therefrom".

Amendment No. 8

On page 2, between lines 21 and 22, insert

"(e) "Insurer" includes a self-insured.

(f) "Insured" includes any of the following:

(1) The named insured;

(2) A relative residing in the same household as the named insured;

(3) Persons occupying the insured motor vehicle and persons occupying other passenger vehicles while operated by a named insured;

(4) Persons using the insured motor vehicle with the permission of the named insured;

(5) Persons not occupying any motor vehicle but injured by one or more motor vehicles involved in the accident;

(6) All of such persons to whom basic loss insurance benefits would have been payable had the owner of the motor vehicle not elected to provide security by other methods approved by the Department of Motor Vehicles.

(g) "Named insured" means the first natural person named on the policy."

Amendment No. 9

On page 2, line 22, strike out "(d)", and insert "(h)".

Amendment No. 10

On page 2, strike out lines 24 to 28, inclusive.

Amendment No. 11

On page 2, line 29, strike out "(f)", and insert "(i)".

Amendment No. 12

On page 2, line 31, strike out "(g)", and insert "(j)".

Amendment No. 13

On page 2, line 33, strike out "(h)", and insert "(k)".

Amendment No. 14

On page 2, after line 38, insert

"(l) "Passenger vehicle" means all motor vehicles, except those defined in Sections 400 and 405 of the Vehicle Code, which are required to be registered in this state and which are designed for or used primarily for the transportation of persons. It shall not include vehicles designed or used principally for the transportation of property, except that a pickup truck shall be considered a passenger vehicle."

Amendment No. 15

On page 3, line 1, strike out "(i)", and insert "(m)".

Amendment No. 16

On page 3, line 2, after "blood", insert ", adoption".

Amendment No. 17

On page 3, line 3, after "unit", insert "as the named insured".

Amendment No. 18

On page 3, strike out lines 5 to 24, inclusive, and insert

"(n) "Survivors" means:

(1) (i) A surviving spouse who resided with the deceased on the date of death, except as provided in paragraph (2) of this section;

(ii) Surviving children under the age of 18 years, or over the age of 18 years who are physically or mentally incapacitated if residing with the deceased at the time of death, or if receiving regular support from the deceased at the time of death;

(iii) All other persons dependent upon the deceased at the time of his death.

(2) A surviving spouse shall be deemed not to be a survivor on or after the date of death or remarriage.

(3) The dependency of any other person shall terminate upon the death of that person and is continued only so long as the person is:".

Amendment No. 19

On page 3, strike out lines 30 to 36, inclusive, and insert

"Questions of the existence of dependency and the extent thereof shall be determined in accordance with the facts at the time of the death."

Amendment No. 20

On page 4, line 4, strike out "The", and insert "No".

Amendment No. 21

On page 4, line 5, strike out "not".

Amendment No. 22

On page 4, line 6, after "public", insert "street or".

Amendment No. 23

On page 4, strike out line 7, and insert "in this state".

Amendment No. 24

On page 4, strike out lines 8 to 11, inclusive, and insert "unless he has in effect financial security for the operation of such motor vehicle as provided in this chapter."

Amendment No. 25

On page 4, strike out lines 12 to 29, inclusive, and insert

11896. Such financial security may be provided by one of the following methods:

(a) By an insurance policy issued or delivered in this state by an insurer authorized to transact business herein which shall comply with the conditions specified in Sections 16057 or 16059, or Section 16500, of the Vehicle Code, or as required by the Public Utilities Commission, and which provides basic loss insurance benefits; or

(b) By any other method approved by the Department of Motor Vehicles which complies with the conditions specified in Section 16023, 16055, or 16056 of the Vehicle Code and which affords additional security equivalent to that afforded by policy of insurance which satisfies the requirements of Article 3 of this chapter.

(c) The Department of Motor Vehicles shall require proof of such financial security of the owner of a vehicle if such person is convicted of violating any provision of this chapter Upon the failure of such person to provide such proof of security the Department of Motor Vehicles may suspend the driving privilege of that person until such time as such proof is supplied."

Amendment No. 26

On page 4, line 30, strike out "A nonresident", and insert "No".

Amendment No. 27

On page 4, line 31, strike out "not".

Amendment No. 28

On page 4, line 32, strike out "for an aggregate of", and insert "for more than 15 days after he establishes residency within this state".

Amendment No. 29

On page 4, strike out lines 33 to 37, inclusive, and insert "unless he has in effect security as required by Section 11896."

Amendment No. 30

On page 5, strike out lines 3 to 13, inclusive.

Amendment No. 31

On page 5, strike out lines 18 to 27, inclusive, and insert

"11900. Basic loss insurance benefits are due under the provisions of this chapter without regard to fault, and shall not provide compensation for pain, suffering and inconvenience."

Amendment No. 32

On page 5, strike out lines 28 to 31, inclusive, and insert

"11901. No automobile liability policy covering any passenger vehicles for which financial security is required to be maintained as provided in Article 2 (commencing with Section 11895) of this chapter shall be issued or delivered in this state unless the same shall provide basic loss insurance benefits to insureds who suffer accidental bodily injury, sickness, or disease arising out of the ownership, maintenance, or use of any motor vehicle as follows:".

Amendment No. 33

On page 5, line 32, strike out "Allowable expenses consist of", and insert "To pay allowable expenses for".

Amendment No. 34

On page 5, line 33, after "incurred", insert "by the insured".

Amendment No. 35

On page 5, line 34, strike out "injured", and insert "insured".

Amendment No. 36

On page 5, line 35, after "or", insert "physical".

Amendment No. 37

On page 5, line 36, strike out "within basic loss insurance coverage".

Amendment No. 38

On page 6, strike out lines 1 to 11, inclusive, and insert

"(b) To pay work loss in amounts equivalent to 85 percent of income actually lost as the result of the injury, including loss resulting from a reduction in earning capacity. However, the work loss during any seven-day period payable pursuant to this subdivision shall not exceed one hundred seventy-five dollars ($175), such maximum to apply pro rata to any lesser period. Income actually lost shall be determined by using the weekly income of the insured at the time of the injury or 1/52 of the weekly income of the insured for the previous year, whichever is greater. Income loss resulting from a reduction in earning capacity shall be determined in light of all facts and circumstances existing at the time of the injury."

Amendment No. 39

On page 6, line 12, strike out "Funeral", and insert "To pay funeral".

Amendment No. 40

On page 6, strike out lines 15 to 38, inclusive, and insert

"(d) To pay necessary payments to others in an amount equivalent to expenses not to exceed fifteen dollars ($15) per day, which are reasonably incurred in obtaining from persons other than insureds under the policy, ordinary and necessary domestic services in lieu of those the insured would have performed without recompense.

(e) To pay survivors benefits in an amount equivalent to losses to survivors, after the date of the insured's death, of contributions of tangible things of economic value, including income actually lost limited as provided in subdivision (b) and necessary payments to others limited as provided in subdivision (d) Survivors benefits shall be paid to survivors defined in subparagraph (iii) of paragraph (1) of subdivision (n) of Section 11892 only to the extent of their dependency

11902. The phrase "use of a passenger vehicle" as used in Section 11901 shall include loading and unloading of a motor vehicle but shall not include conduct within the course of a business of repairing, servicing or otherwise maintaining motor vehicles on the premises of such business."

Amendment No. 41

On page 6, line 39, strike out "11902", and insert "11903".

Amendment No. 42

On page 7, line 1, after "person", insert "injured or killed".

Amendment No. 43

On page 7, strike out lines 3 to 27, inclusive, and insert

"11904. A policy providing basic loss insurance benefits shall provide coverage for insureds for all passenger vehicle accidents occurring within the United States, its territories and possessions, or in Canada, except that nonresidents of this state may be excluded from coverage where the accident occurs outside of this state."

Amendment No. 44

On page 7, line 29, strike out "injured person", and insert "insured".

Amendment No. 45

On page 7, line 30, strike out "as", and insert a period; and strike out line 31.

Amendment No. 46

On page 8, line 10, strike out "dependents", and insert "survivors".

Amendment No. 47

On page 8, line 14, strike out "dependent", and insert "surviving".

Amendment No. 48

On page 8, strike out lines 16 to 18, inclusive, and insert

"11906. A policy of basic loss insurance may exclude any persons, who at the time of an accident:".

Amendment No. 49

On page 8, line 19, strike out "The person was", and insert "Was".

Amendment No. 50

On page 8, line 21, strike out "As used"; and strike out lines 22 to 24, inclusive.

Amendment No. 51

On page 8, strike out line 25, and insert

"(b) Was the owner, or a relative residing in the same household as such owner, of a motor".

Amendment No. 52

On page 8, line 28, strike out "The person was", and insert "Was".

Amendment No. 53

On page 8, strike out lines 32 to 40, inclusive, and insert

"(d) Was an operator and maliciously caused bodily injury or property damage."

Amendment No. 54

On page 9, strike out lines 1 to 12, inclusive, and insert

"11907. (a) Except as provided in subdivisions (c) and (d), if basic loss insurance benefits are payable to or for the benefit of an injured person under his own policy and may be also payable under the policy of a relative residing in the same household, the injured person may recover benefits only under his policy and his insurer is not entitled to recoupment from the insurer of such relatives.

(b) Except as provided in subdivisions (c) and (d), the named insured and relatives residing in the same household who suffer accidental bodily injury shall recover benefits, if entitled thereto, only under the policy issued to such named insured "

Amendment No. 55

On page 9, line 13, strike out "(b)", and insert "(c)".

Amendment No. 56

On page 9, line 14, strike out "motor", and insert "passenger".

Amendment No. 57

On page 9, strike out line 16, and insert "collect the basic loss insurance benefits".

Amendment No. 58

On page 9, strike out line 17, and insert "from the insurer of the passenger "

Amendment No. 59

On page 9, strike out line 18, and insert

"(d) An employee and relatives".

Amendment No. 60

On page 9, line 20, strike out "an occupant of a motor", and insert "occupying or operating a passenger".

Amendment No. 61

On page 9, strike out lines 21 to 23, inclusive, and insert "by his employer shall collect basic loss insurance benefits from the insurer of the employer "

Amendment No. 62

On page 9, strike out lines 24 and 25, and insert

"(e) Except as provided in subdivisions (b), (c) and (d), a person suffering accidental bodily injury while an".

Amendment No. 63

On page 9, strike out line 26, and insert "occupant, either as an operator or passenger, of a passenger vehicle shall collect basic loss".

Amendment No. 64

On page 9, strike out lines 29 to 37, inclusive, and insert

"(1) The insurer of the injured occupant if he has basic loss insurance coverage.

(2) The insurer of the owner of the vehicle occupied.

(3) The insurer of the operator of the vehicle occupied.

(f) Except as provided in subdivision (b) of this".

Amendment No. 65

On page 9, line 39, strike out "claim", and insert "collect".

Amendment No. 66

On page 10, line 4, strike out "or registrants of motor", and insert "of passenger".

Amendment No. 67

On page 10, line 6, strike out "motor", and insert "passenger".

Amendment No. 68

On page 10, between lines 7 and 8, insert

"(g) Basic loss insurance benefits shall be collectible only under the policy or policies on the highest level of priority as designated in the foregoing subdivisions. If two or more such policies, on the same level of priority, provide basic loss insurance benefits to one person injured in one motor vehicle accident, then such basic loss insurance benefits payable shall be limited as if only one such policy was applicable."

Amendment No. 69

On page 10, strike out line 8, and insert

"(h) When two or more insurers are in the same level".

Amendment No. 70

On page 10, line 11, strike out "partial".

Amendment No. 71

On page 10, strike out lines 12 to 20, inclusive, and insert "the same level of priority."

Amendment No. 72

On page 10, line 22, strike out "the", and insert "an".

Amendment No. 73

On page 10, line 23, strike out "and", and insert "or who was required but knowingly failed to maintain such security under".

Amendment No. 74

On page 10, line 24, strike out "described in", and insert "excluded pursuant to".

Amendment No. 75

On page 10, line 25, strike out "subdivision (c) of".

Amendment No. 76

On page 10, line 27, after "benefits", insert "as specified in Section 11968,".

Amendment No. 77

On page 10, line 33, strike out "plan or similar statutory plan", and insert "law".

Amendment No. 78

On page 11, strike out lines 6 to 40, inclusive; and on page 12, strike out lines 1 to 7, inclusive.

Amendment No. 79

On page 12, line 10, strike out "(a) A provision", and insert "coverage".

Amendment No. 80

On page 12, line 12, strike out "persons", and insert "insureds".

Amendment No. 81

On page 12, line 12, after "pain", insert ", suffering".

Amendment No. 82

On page 12, strike out line 13, and insert "inconvenience."

Amendment No. 83

On page 12, strike out lines 14 to 40, inclusive; and on page 13, strike out lines 1 and 2, and insert

"(b) Additional basic loss insurance, which shall include, but not be limited to, coverage in excess of the limits provided in Sections 11901 and 11903, in the aggregate or with respect to any individual component thereof."

Amendment No. 84

On page 13, strike out lines 7 to 40, inclusive; and on page 14, strike out lines 1 to 19, inclusive, and insert

"11930 Whenever a claim has been filed with an insurer, either directly or through the assigned claims plan, for basic or additional loss benefits, whether or not an action is pending, such insurer shall be entitled to such medical examinations of the injured person as it may deem necessary, by a medical practitioner of its selection, pursuant to Code of Civil Procedure Section 2032(a), (b)(1) and (3) and (c) as if an action were pending.

11931. Any injured person who files a claim for basic or additional loss benefits thereby waives any privilege concerning the nature or extent of injuries for which benefits are claimed, the nature or extent of all treatment or rehabilitation rendered or proposed to be rendered and all prior medical history."

Amendment No. 85

On page 14, line 20, strike out "11933", and insert "11932".

Amendment No. 85.5

On page 14, line 29, after "submit", insert a period.

Amendment No. 86

On page 14, line 39, strike out "11934", and insert "11933".

Amendment No. 87

On page 15, line 17, strike out "11935", and insert "11934".

Amendment No. 88

On page 16, line 16, strike out "11936", and insert "11935".

Amendment No. 89

On page 16, line 27, strike out "11937", and insert "11936".

Amendment No. 90

On page 16, line 35, strike out "added protection", and insert "additional loss".

Amendment No. 91

On page 17, strike out lines 12 to 26, inclusive, and insert

"(d) Whenever a claim has been filed with an insurer either directly or through the assigned claims plan for basic or additional loss benefits whether or not an action is pending, such insurer shall be entitled to the use of the provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure as if an action was then pending"

Amendment No. 92

On page 17, strike out lines 30 to 35, inclusive, and insert

"11940. (a) Basic loss insurance benefits are payable within 30 days after the receipt by the insurer of the initial and each successive proof of claim together with such reasonable supporting evidence thereof as is required by the insurer In the event one or more claims are disputed, this section shall be applicable only to that portion of such claim for which the insurer admits liability if such portion exceeds one hundred dollars ($100). If reasonable proof is not supplied as to the entire".

Amendment No. 93

On page 18, strike out lines 8 to 40, inclusive, and insert

"11942. A basic loss insurer and an injured person may enter into an agreement for a lump sum or installment payment settlement which shall discharge the insurer from liability for payment of all basic loss insurance benefits incurred as the result of the accident which is the subject of the claim. However, such lump sum settlements in excess of one thousand dollars ($1,000) and installment payment settlements in excess of one thousand dollars ($1,000) per month, shall be permitted only upon a judicial finding that such larger payments are in the best interest of the injured person.

11943. All claims not paid within the time limit specified in Section 11940 shall bear simple interest at the rate of 7 percent per annum."

Amendment No. 94

On page 19, line 1, after "valid", insert "check or".

Amendment No. 95

On page 19, line 2, after "of", insert ", or for the account of,".

Amendment No. 96

On page 19, line 7, after "a", insert "check or".

Amendment No. 97

On page 19, strike out lines 11 to 31, inclusive, and insert

"11945. No action for basic loss insurance benefits shall be commenced later than one year after the date of the accident giving rise to the claim for such benefits or more than one year after the date of the last payment of such benefits, whichever is later."

Amendment No. 98

On page 19, strike out lines 34 to 40, inclusive, strike out pages 20 and 21; and on page 22, strike out lines 1 and 2, and insert "benefits then due and such future benefits as are reasonably certain.

(b) Except with respect to an award or judgment denying liability, any award or judgment entered pursuant to the provisions of this chapter may be modified on motion in the original action by an interested party Such motion shall be filed not later than one year after the expiration of the period covered by the award or judgment.

However, with respect to awards or judgments providing basic loss insurance benefits payments for a period in excess of five years, such motion shall be filed not later than one year after such five-year period has run.

11947. An insurer may require written notice to be given as soon as practicable after an accident involving a motor vehicle with respect to which the policy affords the security for benefits provided in Article 3 (commencing with Section 11900).

11948. (a) An attorney is entitled to a reasonable fee for advising and representing a claimant on a claim or action for basic loss insurance benefits

(b) If overdue benefits are awarded an insured in an arbitration proceeding provided for by this chapter, or if such benefits are paid by the insurer after receipt of notice of an attorney's representation of the claimant, a reasonable attorney's fee of claimant shall be paid by the insurer, in addition to such benefits, unless the claim in whole or in part was fraudulent or so arbitrary as to have no reasonable foundation.

(c) If other than overdue benefits are involved, an attorney, to be entitled to payment of a fee by an insurer, must give the insurer reasonable notice of his representation of his client with respect to the claimed benefits before payment of such benefits has been made Half of such a fee is a charge against benefits otherwise due the claimant and is chargeable against limits of liability as benefits paid The other half is a charge against the insurer in addition to the benefits due, and it is not chargeable against limits of liability

11949. An insurer may be allowed an award of a reasonable sum against a claimant as an attorney's fee for the insurer's attorney in defense against a claim that was fraudulent or so excessive as to have

no reasonable foundation. The court may (a) offset the fee against any benefits awarded the insured for losses resulting from the injury on which the claim is based; or (b) enter judgment against the insured for all or part of such fee.

11950. All disputes, controversies and issues between a person claiming benefits under Article 3 (commencing with Section 11900) and an insurer of said benefits shall be determined by arbitration pursuant to Title 9 (commencing with Section 1280) of Part 3 of the Code of Civil Procedure. The term "issues" includes an issue as to coverage, rescission, or reformation with respect to the insurance policy The provisions of Section 1283.05 of the Code of Civil Procedure, relating to discovery, shall apply in such arbitration "

Amendment No. 99

On page 22, between lines 6 and 7, insert

"11951. In any action in tort brought as a result of bodily injury arising out of the defendant's ownership, maintenance or use of a passenger vehicle in this state, damages for pain, suffering, and inconvenience shall be recoverable only if:

(1) The reasonable and necessary expenses, excluding X-rays, incurred by or for the benefit of the injured party in the diagnosis, care, recovery, or physical rehabilitation of such bodily injury for necessary medical, surgical, and dental services, including prosthetic devices, and necessary ambulance, hospital, and professional nursing services are determined to be in excess of one thousand dollars ($1,000); or

(2) The injury consists in whole or in part of a loss of a body member or a serious and permanent function; or

(3) The injury consists in whole or in part of serious and permanent disfigurement.

(4) The injury results in death.

11951.5 When an action has been commenced for the recovery of damages for pain, suffering, or inconvenience, the court shall make a preliminary determination as to whether such damages are recoverable under Section 11951.

11952 Except as provided in this article, the existence of a claim in tort for damages for bodily injury sustained by an injured person, liquidated or unliquidated, shall not affect the obligation of a basic loss insurer to pay benefits required by this chapter when due, nor shall recovery on such claim affect such obligation

11953 If any injured person entitled to basic loss insurance benefits commences an action in tort against any person or entity to recover damages for such injury:

(a) Such injured person shall forthwith give written notice of such action to his basic loss insurer, informing such insurer of such action, the number thereof and the name of the court in which the action is filed, by personal service or registered mail Proof of such notice shall be filed in such action.

(b) Such basic loss insurer shall have a lien against the judgment, excluding attorney's fees, in the amount of all basic loss benefits paid to the plaintiff. No judgment shall be entered except upon notice and opportunity to offer proof of such lien afforded to such basic loss insurer.

(c) The basic loss insurer may, at any time before trial, join such action as a party plaintiff.

11954 (a) The right of an insurer of subrogation to recover basic loss insurance benefits paid to its insureds exists only as provided in this section Any insurer paying benefits as required by this chapter shall be subrogated to the rights of the insured to whom or for whose benefit such benefits were paid against any person or entity liable for the injury giving rise to the right to such benefits.

(b) Except when an action in tort has been commenced, the subrogation rights of the basic loss insurers of the parties involved in the accident shall be heard by intercompany arbitration. Such arbitration shall determine the issues of legal liability and damages. Such arbitration may be conducted according to procedures established by mutual agreement, or, if none, by a single neutral arbitrator selected by the parties, all without right of judicial review.

11955 No settlement of a claim in tort for damages for bodily injury sustained by an insured, whether or not an action has been filed, shall impair the right of subrogation of the basic loss insurer of such insured However, such insurer shall have no right of subrogation with respect to any survivors benefits ''

Amendment No. 100

On page 22, strike out lines 7 to 40, inclusive; strike out pages 23, 24, 25, 26, 27, and 28, and insert

''Article 8. Assigned Claims Plan

11965. All insurers, authorized to issue motor vehicle liability insurance in this state which are subject to this chapter, shall, subject to the approval of and regulation by the Insurance Commissioner, organize and maintain an assigned claims plan. In default of the organization and continued maintenance of an assigned claims plan in a manner considered by the Insurance Commissioner to be consistent with the terms of this chapter, the Insurance Commissioner shall organize and maintain such a plan.

11966. Such plan shall contain:

(a) Standards for assignment of claims which assure fair allocation of the burden of such assigned claims among member insurers on a basis reasonably related to the annual premium volume derived from basic loss insurance written by such insurers.

(b) Standards for the allocation of the cost of the operation of the plan which assure fair allocation of such costs among member insurers on a basis reasonably related to the annual premium volume derived from basic loss insurance written by such insurers.

(c) Standards for the allocation of the cost of benefits paid to claimants assigned under the plan which assure fair allocation of the cost of payment of such benefits among member insurers on a basis

reasonably related to the annual premium volume derived from basic loss insurance written by such insurers

(d) Standards for determining the eligibility of claimants for assignment under the plan.

11967. Except as provided in Section 11908, each person suffering loss because of an injury arising out of the ownership, maintenance, or use of a motor vehicle in this state may obtain basic loss insurance benefits through the assigned claims plan, if (1) no basic loss insurance is applicable to the injury, or (2) no basic loss insurance applicable to the injury can be identified.

11968 Any claim arising from injury to one person sustained in one accident and brought through the assigned claims plan shall be assigned to an insurer in accordance with such plan and, after such assignment, the claimant or claimants and the insurer shall have the same rights and obligations they would have if, prior to such assignment, such insurer had issued a basic loss insurance policy applicable to the loss or expenses incurred

11969. A person claiming through the assigned claims plan shall notify the bureau of his claim within the time that would have been allowed for filing an action for basic loss benefits had there been in effect identifiable coverage applicable to the claim No action by the claimant against the insurer to which his claim is assigned shall be commenced later than 30 days after receipt of notice of the assignment or the last date on which the action might have been commenced had it been against the insurer of identifiable coverage applicable to the claim, whichever is later."

Amendment No. 101

On page 29, strike out lines 1 to 9, inclusive.

Amendment No. 102

On page 30, strike out lines 2 to 33, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 80

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 80—An act appropriating money to the California Council on Criminal Justice

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "California Council on Criminal Justice", and insert "Commission on Peace Officer Standards and Training".

Amendment No. 2

On page 1, line 4, strike out "California Council on Criminal Justice", and insert "Commission on Peace Officer Standards and Training".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 196 was continued until the next legislative day

MOTION TO RECONSIDER URGENCY CLAUSE TO SENATE BILL NO. 150 CONTINUED

Mrs Fong was granted unanimous consent that her motion to reconsider the vote on the urgency clause to Senate Bill No. 150 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 329—An act to add Sections 38743, 38744, and 38745 to the Government Code, relating to water service.

Bill read third time, and passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2305—An act to amend Section 554 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum,

Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that Assembly Bill No. 200 be considered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2325: By Assemblyman McAlister—An act to repeal Article 4.5 (commencing with Section 24351) and Article 5 (commencing with Section 24352) of, and to add Article 5 (commencing with Section 24351) to, Chapter 2 5 of Division 20 of, and to add Sections 24354 16 and 24354 17 to, the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2326: By Assemblyman Warren—An act to amend Section 580b and 580d of the Code of Civil Procedure, relating to deeds of trust and mortgages

Held at Desk by order of the Speaker pro Tempore

RESOLUTIONS

The following resolution was offered:

By Assemblyman McAlister:

House Resolution No. 39

Relative to the Bay Area Air Pollution Control District

WHEREAS, The Bay Area Air Pollution Control District was created in 1955 to reduce air contaminants in the San Francisco Bay Area in order to safeguard life, health, property, and the public welfare and to make possible the comfortable enjoyment of life and property; and

WHEREAS, Despite an annual budget of $1,800,000, the district has been unable to solve the air pollution problem to meet its stated goal of making the air as clean as it was in 1950; and

WHEREAS, Citizens in many instances have filed their own lawsuits in their attempts to secure reduction in pollution emissions from various industrial facilities, even though such facilities were in compliance with the regulations of the district; and

WHEREAS, A widespread lack of public confidence has developed in the district because of the foregoing and because of divisive strife within the district between its Chief Administrative Officer, its legal counsel, and members of its governing board, arising largely because of contention over whether the Chief Administrative Officer has been and is vigorously enforcing the air pollution laws and regulations against the major industrial polluters within the district; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the problems of air pollution in the San Francisco Bay Area, including the operations of the Bay Area Air Pollution Control District; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

VOTE CHANGES

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 77, and on the passage of the bill.

Mr. Garcia was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 329.

ADJOURNMENT

At 3:55 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Monday, April 10, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-third Legislative Day

Ninety-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 10, 1972

The Assembly met at 11 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr MacDonald moved a quorum call of the Assembly
Mr. Conrad seconded the motion.
Motion carried Time, 11 04 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11 17 a m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.
The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy,

Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—63.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, You touch the things of earth and make them new. We need no longer to fear this world for we know that You are here, speaking to us in all that You have made. Long ago You breathed upon the waters and stirred them to life. We ask now that You breathe Your Spirit once more upon our world, that we may know a new and better spring where everything around us is alive to You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Townsend then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Dunlap, seconded by Mr. Knox.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Bill Greene, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Beverly, on request of Speaker pro Tempore Bee.
Mr. Cline, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.
Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Lewis, on request of Speaker pro Tempore Bee.
Mr. McCarthy, on request of Speaker pro Tempore bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Acting Speaker Cullen.
Mr. Priolo, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Wilson, on request of Acting Speaker Cullen.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 6, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Monday, April 10, 1972, on legislative business

It is necessary that I be in my district as I am meeting with private charitable and hospital groups relative to health care and welfare legislation.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

April 6, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from the Legislative Session on Monday, April 10, 1972.

I will be meeting with city officials and others concerning pending coastline legislation.

Sincerely,

ROBERT G BEVERLY, Assemblyman
Forty-sixth District

April 6, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I request that I be excused from Session on Monday and Tuesday, April 10 and 11, on legislative business

I will be in Washington, D.C., to testify before the Ways and Means Committee of the House of Representatives on matters relating to taxation of single individuals and unmarried heads of household.

Sincerely,

ROBERT C. CLINE, Assemblyman
Sixty-fourth District

April 10, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob I respectfully request to be excused from session on April 10, 1972, on legislative business. I will be meeting with Mr. Sam Horn-

stra to discuss non-fat solids in milk and legislation pertaining thereto. I will also be meeting with officials of the City of Westminster concerning local problems

Thank you for your consideration.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

April 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from session on April 10–11 as I will be in Washington, D. C conferring with members of Congress and federal officials on revenue sharing and tax reform and on April 12–14 to attend the Tax Seminar in Boston sponsored by the National Tax Association.

Thank you for your cooperation.

Sincerely,

JOE A. GONSALVES, Assemblyman
Sixty-sixth District

April 6, 1972

Honorable Bob Moretti
Speaker, California State Assembly
State Capitol Building, Sacramento, California

Dear Mr. Speaker· I would respectfully request to be excused from the daily Session on Monday, April 10, 1972.

I will be in my district meeting with Cal McElwain, chairman, and Keith R Geisert, Sub-district Director of the United Steelworkers of America as well as the other members of their Legislative Education Committee to discuss education in California.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

April 3, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti. May I respectfully request that I be excused from session on Monday, April 10, 1972

On that day, I am to be the keynote speaker at the Western Regional Conference of the National Council On The Aging to be held in San Francisco.

Cordially,

LEO T. McCARTHY, Assemblyman
Nineteenth District

April 6, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session, on Monday, April 10, on legislative business. I will be in my district lecturing in high school government classes.

Thank you for your consideration.

Sincerely,

ERNEST N. MOBLEY, Assemblyman
Thirty-third District

April 7, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from Session on Monday, April 10, 1972, and Tuesday, April 11, 1972, due to legislative business I will be attending conferences concerning legislation which I have introduced.

Sincerely,

CARLEY V PORTER, Assemblyman
Thirty-eighth District

April 6, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Speaker Moretti: I respectfully request that I be excused from session on Monday, April 10, 1972, due to legislative business.

I will be meeting with the League of Women Voters and the Good Government Club of Systems Development Corporation.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixtieth District

April 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr Speaker: I respectfully request to be excused from session on Monday and Tuesday, April 10 and 11, 1972, due to legislative business.

I will be meeting with the City Councils in my district on those dates.

Sincerely,

FLOYD L. WAKEFIELD, Assemblyman
Fifty-second District

REPORTS

The following report was presented by the Chief Clerk:

Pesticide Use Report—1971. (In accordance with Chapter 3.5, Division 7, Agricultural Code.)

Above transmitted report, together with letter of transmittal from Wm. F. Cowan, Acting Director, Department of Agriculture, Sacramento, dated March 30, 1972, referred by the Speaker pro Tempore to the Committee on Agriculture.

MESSAGES FROM THE GOVERNOR

The following communication was presented by the Speaker, and ordered printed in the Journal:

Governor's Office, Sacramento
April 3, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: Enclosed is a copy of House Joint Resolution No. 208 entitled, "Joint Resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women," passed during the second session of the Ninety-second Congress.

Sincerely,

RONALD REAGAN
Governor

Accompanying resolution ordered referred to the Committee on Rules.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Appointments to Commissions

April 7, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Peter R. Chacon to the Equal Educational Opportunities Commission in accordance with the provisions of Chapter 1408, 1971 Session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

April 7, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Newton R. Russell to the Educational Innovation and Planning Commission created by Chapter 1408, 1971 Session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2323—An act to repeal Sections 35271.7 and 54797.2 of the Government Code, relating to alteration of boundaries, and declaring the urgency thereof, to take effect immediately.

JOHN T. KNOX

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2325	Local Government
2326	Judiciary

Assembly Concurrent Resolution No.	*Committee*
69	Rules
70	Finance and Insurance

Senate Bill No.	*Committee*
67	Health
140	Criminal Justice
204	Judiciary
209	Local Government
247	Commerce and Public Utilities
249	Commerce and Public Utilities
412	Planning and Land Use

Senate Concurrent Resolution No.	*Committee*
5	Judiciary
6	Judiciary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 71: By Assemblyman Ray E. Johnson (Senator Marler, coauthor)—Relative to the Feather River.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 171	AB No 533	AB No. 634
AB No. 435	AB No. 564	AB No. 1484
AB No. 437		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 131
AB No. 368

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 226	AB No. 490	AB No. 600
AB No. 282	AB No. 571	AB No. 603
AB No. 312		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 27
ACR No. 67

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 99	AB No. 420
AB No. 256	AB No 496
AB No. 271	AB No. 536

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 22	ACR No. 35
ACR No. 29	AJR No. 16

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 19

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 10, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2	AB No. 313	AB No. 534
AB No. 42	AB No 347	AB No. 579
AB No 85	AB No. 375	AB No. 580
AB No. 88	AB No 386	AB No. 595
AB No. 115	AB No 444	AB No. 652
AB No. 123	AB No. 469	AB No 674
AB No. 192	AB No. 492	AB No. 678
AB No. 279	AB No. 506	AB No. 690
AB No 288	AB No. 531	AB No. 636
AB No 289		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 10, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No 143	AB No 304
AB No. 248	AB No. 359
AB No 301	

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 31

ACA No. 43

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 7, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 217

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, April 7, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 504

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 10, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 209

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 836

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 836—An act to amend Section 11161.5 of the Penal Code, relating to minors.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, after "intern," insert "podiatrist,".

Amendment No. 2

On page 2, line 4, after "intern," insert "podiatrist,".

Amendment No. 3

On page 3, line 4, after "intern," insert "podiatrist,".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 789

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 789—An act to add Part 6 (commencing with Section 22900) to Division 5 of Title 2 of the Government Code, relating to state employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "Employees", insert an apostrophe.

Amendment No. 2

On page 1, line 9, strike out the first comma and insert "and".

Amendment No. 3

On page 1, line 9, strike out ", and automobile".

Amendment No. 4

On page 2, line 1, strike out "insurance".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 215

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 215—An act to amend Section 6359 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, line 4, of the printed bill, after "nuts", insert ", popcorn,".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 821

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 821—An act to amend Section 20360 of, and to add Section 20983.2 to, the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 37, insert

"SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to prevent unwarranted hardships, it is essential that this act take immediate effect"

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

MESSAGES FROM THE SENATE

Senate Chamber, April 6, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 188
SB No. 326

DARRYL R. WHITE, Secretary of the Senate

Senate Chamber, April 6, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 3

DARRYL R. WHITE, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 188—An act to amend Sections 10500, 10503, 10504, 10652, 11520, 22705, 22853, and 22854 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 326—An act making an appropriation for the support of the fair hearing function of the State Department of Social Welfare and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 3—Relative to United States Military Medals

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 171, 1484, 564, 435, 437, 533, and **368,** ordered to third reading.

NOTE: Later this day Assembly Bills Nos 171 and 435 were re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 634 and **131**, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 622—An act to repeal Chapter 3 (commencing with Section 2600) of Part 9 of Division 2 of the Labor Code, relating to the registration of factories.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 547—An act to amend Section 148.1 of the Penal Code, relating to crimes.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 13, inclusive; and strike out page 2, and insert

"148.1. (a) Any person who reports to any police officer, sheriff, employee of a fire department or fire service, district attorney, newspaper, radio station, television station, deputy sheriff, deputy district attorney, member of the California Highway Patrol, employees of an airline, employees of an airport, employees of a railroad or busline, an employee of a telephone company, occupants of a building or a news reporter in the employ of a newspaper or radio or television station, that a bomb or other explosive has been placed or secreted in any public or private place knowing that such report is false, is guilty of a crime punishable by imprisonment in the state prison not to exceed three years, or imprisonment in the county jail not to exceed one year.

(b) Any person who maliciously informs any other person that a bomb or other explosive has been placed or secreted in any public or private place, knowing that such information is false, is guilty of a crime punishable by imprisonment in the state prison not to exceed three years, or imprisonment in the county jail not to exceed one year.

(c) Any person who maliciously, with the intent that the recipient think it is a real bomb, gives, mails, sends, or causes to be sent any false or facsimile bomb to any other person, with knowledge that it is a false or facsimile bomb, is guilty of a crime punishable by imprisonment in the state prison not to exceed three years, or by imprisonment in the county jail not to exceed one year."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 417—An act to amend Sections 17200 and 17202 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

Assembly Bill No. 4—An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

Strike out the heading of the printed bill, as amended in Assembly March 14, 1972, and insert

"Introduced by Assemblymen Garcia, Brathwaite, Dunlap, Townsend, Waxman, Knox, Z'berg, Cullen, Burton, Karabian, Thomas, Harvey Johnson, Bee, Moretti, Briggs, Vasconcellos, MacDonald, Porter, Quimby, McCarthy, Campbell, Fong, Brophy, Brown, Meade, Chacon, and Ralph

(Coauthors: Senators Wedworth, Alquist, Carrell, Song, Moscone, Gregorio, Petris, Roberti, and Nejedly)".

Amendment No. 2

On page 2, strike out line 20, and insert "register voters anywhere in the county.

Where there is a".

Amendment No. 3

On page 2, strike out lines 26 and 27, and insert "in one such language and in English."

Amendment No. 4

On page 3, strike out line 26, and insert "the 1972 elections."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 586—An act to amend Section 13525 of the Education Code, relating to teachers' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 4 of the heading of the printed bill, strike out "and Z'berg", and insert "Z'berg, Arnett, and Meade".

Amendment No. 2

On page 2, line 15, strike out "him", and insert "the person".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 364—An act to amend Section 10133.1 of the Business and Professions Code, relating to real estate.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 3, line 9, of the printed bill, after "Commissioner", insert "pursuant to Chapter 6 (commencing with Section 6200) of Part 1 of Division 2 of the Financial Code".

Amendment No. 2

On page 3, line 10, after "association", insert "as defined by Section 5053 of such code".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 354—An act to amend Section 7548 of the Business and Professions Code, relating to licensees.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 484—An act to amend Section 128 of, and to add Section 8030.5 to, the Business and Professions Code, relating to shorthand reporters, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, after "budget", insert "for two fiscal years".

Amendment No. 2

On page 2, line 23, strike out "fiscal year", and insert "and 1973–74 fiscal years".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 353—An act to amend Section 11715 of the Insurance Code, as amended by Chapter 982 of the Statutes of 1971, relating to workmen's compensation insurer's bond.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 411—An act to amend Section 663 of the Insurance Code, relating to automobile insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 3, line 10, of the printed bill, strike out "1973", and insert "1974".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 369—An act to add Section 22511.6 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 22511.6 to", and insert "amend Sections 22511 and 22511.5 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 22511 of the Vehicle Code is amended to read:

22511. Notwithstanding any other provision of this code, any veteran, who is entitled to either of the exemptions provided in Section 9105 of this code and Section 10783 of the Revenue and Taxation Code, shall be allowed to park in restricted zones *and shall be allowed to park in any metered parking space without being required to pay any parking meter fees*. This section shall not be construed, however, to allow the stopping, parking, or standing of a vehicle at the times and places that stopping, parking, or standing of all vehicles is prohibited absolutely by state law or local ordinance.

SEC. 2. Section 22511.5 of the Vehicle Code is amended to read:

22511.5. Any person who has lost, or has lost the use of, one or more limbs *or both hands*, or is so severely disabled as to be unable to move without the aid of a mechanical device, shall be allowed to park for unlimited periods in parking zones restricted as to the length of time parking is permitted *and shall be allowed to park in any metered parking space without being required to pay any parking meter fees*. This section shall have no application to those zones in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles As a condition to this privilege the vehicle shall display a distinguishing license plate which shall be issued for a vehicle registered to the disabled person, without additional fees, by the Department of Motor Vehicles pursuant to regulations adopted by that department."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 540—An act to amend Section 12731 of the Business and Professions Code, relating to public weighmasters.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out ", except in accordance with subdivision (d)".

Amendment No. 2

On page 2, strike out lines 12 to 17, inclusive.

Amendment No. 3

On page 2, after line 20, insert

"(f) The provisions of this section shall not apply to the weighing of seed cotton for purposes of ginning when the weights are obtained by weighing trailers not equipped with braking systems and are used for other than the sale of such seed cotton."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 429—An act to add Section 23129 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 485—An act to amend Section 2809 of the Vehicle Code, relating to vehicle weight limitations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 493—An act to amend Section 21202 of the Vehicle Code, relating to bicycles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 495—An act to amend Section 21712 of the Vehicle code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 524—An act to add Section 66504.1 to the Government Code, relating to the Metropolitan Transportation Commission, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 771—An act to amend Section 139.5 of the Labor Code, relating to rehabilitation of injured workmen, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2303—An act relating to personal income tax, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 4, delete "1971", and insert "1970".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Joint Resolution No. 17—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to equal rights for men and women.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2 of the printed measure, between lines 6 and 7, insert "Article _____".

Amendment No. 2

On page 2, line 10, after "have", insert "the".

Set No. 2

Amendment No. 1

In the heading of the printed measure, after "Assemblyman Karabian", insert "(Principal Coauthor: Senator Dymally; Coauthors: Assemblymen Bagley, Beverly, Brathwaite, Briggs, Brophy, Brown, Campbell, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Lewis, McCarthy, Meade, Miller, Mobley, Moretti, Pierson, Porter, Priolo, Quimby, Ralph, Sieroty, Vasconcellos, Waxman, Wilson, and Z'berg; Senators Alquist, Behr, Burgener, Dills, Gregorio, Grunsky, Moscone, Nejedly, Petris, Roberti, Rodda, Short, Song, Walsh, Wedworth, and Zenovich)".

Resolution ordered reprinted, and to be re-referred to the Committee on Judiciary.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 171 and 435.

COMMUNICATIONS

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 353	AB No. 493
AB No. 354	AB No. 524
AB No. 485	AB No. 622

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 417
AB No. 771

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 388—An act relating to school district taxes, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Duffy moved a call of the Assembly.

Mr. Chappie seconded the motion.

Motion carried. Time, 11.29 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT

Mr. Townsend informed the Members that Mr. Rembert Thigpen, of Burlingame, had passed away on Thursday, April 6, and was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Rembert Thigpen.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1541 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health; and that Assembly Bill No 973 be withdrawn from the Committee on Welfare, and re-referred to the Committee on Criminal Justice.

APPROVAL OF JOURNALS

On motion of Mr. Fenton, the Assembly Daily Journals for March 1, 2, 6, 7, 8, 9, 13, 14, 15, 16, 20, 21, 22, and 23, 1972, were approved as corrected by the Minute Clerk.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 420—An act to amend Section 89 of the Code of Civil Procedure, as amended by Chapter 1022 of the Statutes of 1971, relating to courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Briggs, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, McAlister, Meade, Miller, Murphy, Pierson, Powers, Ralph, Russell, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—45.

NOES—Hayes and Maddy—2.

Bill ordered transmitted to the Senate.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN CULLEN

Mr Leroy F. Greene announced that Sunday, April 9, was the birthday of Assemblyman Mike Cullen, of the 44th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Cullen.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2008—An act to amend Section 602 of the Welfare and Institutions Code, relating to juveniles, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 388

At 11:36 a.m., on motion of Mr. Duffy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 388 adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Murphy, Pierson, Powers, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Murphy, Pierson, Powers, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 664—An act to amend Section 68 of the Antelope Valley-East Kern Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Antelope Valley-East Kern Water Agency, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Garcia, Leroy F. Greene, Hayden, Hayes,

Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—54.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 520—An act to add Section 21306 to the Education Code, relating to public schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, and Z'berg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 560—An act to amend Section 817 of the Education Code, relating to public school employees

Bill read third time.

Motion to Amend

Mr. Meade moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, after "theft", insert "while the employee is in the line of duty".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 31—An act requiring the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for the construction or modification of a steamer pier.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Biddle, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap,

Fenton, Fong, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Murphy, Pierson, Ralph, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Mike Cullen Presiding

At 11:47 a.m., Hon. Mike Cullen, 44th District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2303 for hearing in the Committee on Ways and Means, on Wednesday, April 12, 1972.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 49—An act to add Chapter 7 (commencing with Section 37150) to Part 8 of Division 24 of the Health and Safety Code, relating to housing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Brown, Burton, Chacon, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, Meade, Miller, Pierson, Powers, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—41.

NOES—Burke, Collier, Conrad, Duffy, Hayden, Lanterman, Murphy, Russell, Stacey, and Stull—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 50—An act to add Section 11021 to the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Belotti, Biddle, Brown, Burton, Chacon, Chappie, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—51

NOES—Barnes, Burke, Collier, Lanterman, and Stull—5.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr Fenton announced that the Assembly would meet in session this Thursday, April 13, in the morning

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 164—An act making an appropriation for the state share of special needs of public assistance recipients, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 164:

Governor's Office, Sacramento
March 13, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 164, "An act making an appropriation for the state share of special needs of public assistance recipients, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 164 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 164.

Urgency clause adopted by the following vote·

AYES—Bagley, Barnes, Bee, Belotti, Biddle, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—56

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Biddle, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy,

Dunlap, Fong, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 460—An act to amend Sections 14283 and 14284 of, and to repeal Section 14281 of, the Education Code, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 263—An act to add Sections 13841 7, 13841 8, 13841 9, 13841 10, 13841.11, and 13841 12 to the Health and Safety Code, relating to fire protection districts

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Biddle, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 800, on request of Mr. Quimby.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Water reports: AB No. 851

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

QUIMBY, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 851—An act to add Sections 12748.5, 12748.6, and 12748.7 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, lines 9 and 10, of the printed bill, strike out "Santa Barbara County", and insert "the Santa Barbara County Flood Control and Water Conservation District".

Amendment No. 2

On page 2, line 11, after "reimbursement", insert "in accordance with the following criteria:

(a) The state shall pay 75 percent of the costs of lands, easements, and rights-of-way apportioned to the benefits resulting from the reduction of flood damage.

(b) The district shall pay 25 percent of the costs of lands, easements, and rights-of-way apportioned to the benefits resulting from the reduction of flood damage and all of the costs of lands, easements, and rights-of-way apportioned to the benefits resulting from increased or higher utilization of land".

Amendment No. 3

On page 2, line 14, strike out "County of Santa Barbara", and insert "Santa Barbara County Flood Control and Water Conservation District".

Amendment No. 4

On page 2, line 20, strike out "county", and insert "district".

Amendment No. 5

On page 2, line 24, strike out "County of Santa Barbara", and insert "Santa Barbara County Flood Control and Water Conservation District".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 52
AB No. 235
AB No. 246

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 52—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in Assembly March 22, 1972, strike out "such", and insert "disabled".

Amendment No. 2

On page 2, line 28, strike out "so disabled", and insert "described in Section 4811".

Amendment No. 3

On page 2, line 39, strike out "such disability of such" and insert "the disability of a".

Amendment No. 4

On page 2, line 40, after "Control", insert "described in Section 4811".

Amendment No. 5

On page 3, line 11, strike out "such", and insert "a".

Amendment No. 6

On page 3, line 13, after "Control", insert "described in Section 4811".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 235—An act to amend Section 183 of, and to repeal Sections 186, 186 1, and 188 3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Deddeh", and insert "Assemblymen Deddeh, Lanterman, Brown, Bee, Chacon, Collier, Garcia, Keysor, McCarthy, Moretti, and Sieroty".

Amendment No. 2

In line 1 of the title, after "Section", insert "14103 of the Government Code, and to amend Sections 53, 75, 85, 104 65, 118, 131, 134, 143.1, 143 15, 143 2, 143 3, 182, and".

Amendment No. 3

On page 2, line 1, after "SECTION 1.", insert "Section 14103 of the Government Code is amended to read

14103. The department may prepare, publish, and issue such printed pamphlets and bulletins as the director deems necessary for the dissemination of information to the public concerning the activities of the several divisions of the department ~~Funds available for the support of the several divisions may, with the approval of the Department of Finance, be used to pay the cost of preparation, publication, and distribution.~~

SEC 2. Section 53 of the Streets and Highways Code is amended to read:

53 The Division of Highways ~~may~~ *shall* pay from the State ~~highway fund~~ *Highway Account* its pro rata share of the administrative expenses of the department; ~~the amount of such share to be determined by the director, subject to the approval of the Director of Finance~~ *as provided for in the Budget Act*.

SEC 2 5. Section 75 of the Streets and Highways Code is amended to read:

75. Except as otherwise provided by law, the commission at any time and from time to time may:

(a) Select, adopt, and determine the location for state highways on routes authorized by law.

(b) ~~Allocate, from the funds available therefor, moneys for the construction, improvement or maintenance of the various highways or portions thereof under the jurisdiction of the department. The commission may determine in each case the maximum sum of money that shall be made available therefor.~~

~~(c)~~ Authorize preliminary surveys to determine the advisability of including in, or excluding from, the state highway system any highway or portion thereof

SEC 3 Section 85 of the Streets and Highways Code is amended to read:

85 In order to provide the commission with an independent evaluation of routing proposals as the commission may desire from time to time, the commission may contract with specialists, including, but not

limited to, persons trained and experienced in engineering, economics, landscape and design architecture, fish and wildlife management, park and recreation management, history and sociology, agriculture, and urban and regional planning The commission is authorized to expend any funds ~~in the State Highway Fund~~ *appropriated to it for such purposes in the Budget Act* to carry out the provisions of this section.

SEC. 4. Section 104.65 of the Streets and Highways Code is repealed.

104.65 Income heretofore or hereafter received from rentals under Section 104.6 shall be ~~credited to the budgetary item from which the property was acquired~~ *deposited in the State Highway Account*.

SEC. 5. Section 118 of the Streets and Highways Code is amended to read:

118. Whenever the department determines that any real property or interest therein, heretofore or hereafter acquired by the state for highway purposes, is no longer necessary for such purposes, the department may sell, contract to sell, sell by trust deed, or exchange such real property or interest therein in the manner and upon terms, standards, and conditions established by the commission. The payment period in any such contract of sale or sale by trust deed shall not extend longer than 10 years from the time such contract of sale or trust deed is executed, and any such transaction involving a contract of sale or sale by trust deed to private parties shall require a downpayment of at least 30 percent of the purchase price. Any such conveyance shall be approved by the commission and shall be executed on behalf of the state by the director and the purchase price shall be paid into the State ~~Treasury to the credit of any fund, available to the department for highway purposes, which the commission designates~~ *Highway Account*.

Any such real property or interest therein may in like manner be exchanged, either as whole or part consideration, for any other real property or interest therein needed for state highway purposes.

SEC. 6 Section 131 of the Streets and Highways Code is amended to read:

131 Upon the application of the governing authority of any county, city, or other governmental agency, the department may:

(a) Aid in establishing grades and drainage systems for highways

(b) Advise with any such authority as to the construction, improvement, or maintenance of highways

(c) Prepare plans, specifications, or estimates for the construction, improvement, or maintenance of highways

(d) Act as the consulting engineer for any such authority.

(e) Accept moneys from any such governmental unit for deposit in the State ~~Treasury to the credit of any state fund which the department designates~~ *Highway Account*. The department shall use such moneys, *when appropriated by the Legislature*, for the acquisition, construction, improvement, or maintenance of highways situated within such governmental unit, in accordance with the plans, specifications, and terms agreed upon The governing authority of any such governmental unit may pay into the State ~~Treasury~~ *Highway Account*, as provided in this subdivision, any moneys in its treasury or raised by the issuance of bonds, which moneys are available for use by such authority for highway purposes.

Any county, by resolution of the board of supervisors, may authorize the State Controller to deduct from any apportionments to it from the Motor Vehicle *Account in the Transportation Tax* Fund or the Motor Vehicle Fuel *Account in the Transportation Tax* Fund, such amounts as the county may desire to be paid to the department for any work to be done in accordance with this subdivision Upon such authorization, the Controller shall transfer such moneys ~~to such fund or funds as the department may designate~~ *into the State Highway Account*.

(f) Accept and pay ~~to the State Highway Engineer~~ *into the State Highway Account* such compensation as may be agreed upon by such authority, the director, and the State Highway Engineer for the services of ~~such engineer~~ *the department* rendered to such authority.

(g) Advance moneys, where the director determines that such advance can be made without interference with state highway work, for emergency construction or maintenance work on highways by state forces, or by state contractor, in cases of disaster due to storms or floods where (1) the Governor has declared an emergency pursuant to Section 188 1, and (2) the agency or agencies having jurisdiction over such highway or highways have by resolution or contract agreed to reimburse the department, from succeeding Highway User Tax *Account in the Transportation Tax* Fund apportionments or other sources specified in such resolution or contract and available to ~~said~~ *such* agency or agencies for highway purposes, for the entire cost of ~~said~~ *the* work, including not to exceed 10 percent for overhead and administration. In the event such resolution or contract specifies reimbursement from future apportionments to ~~said~~ *the* agency by the State Controller, the Controller shall transfer such moneys, in such manner and over such period as may be specified in ~~said~~ *such* resolution or contract, to such fund or funds as the department may designate

SEC. 7 Section 134 of the Streets and Highways Code is amended to read:

134. In the expenditure of funds allocated under the provisions of ~~sections 194~~ *Sections 2107* and ~~203~~ *2117* for expenditure on other than state highways, the department may, upon the application of the governing body of the city, acquire in the name of such city real property, or any interest therein, for any of the purposes provided for in ~~said~~ *those* sections

SEC. 8. Section 143 1 of the Streets and Highways Code is amended to read:

143.1 The department shall ~~make, at least 30 days before each regular session of the Legislature,~~ *submit annually* a *proposed* budget ~~report~~ to the Governor.

The commission shall prepare for inclusion, and the department shall include, in ~~said report~~ *the proposed budget* a statement of all estimated *revenues in the* State Highway ~~Fund revenues~~ *Account* and revenues available from any other sources and estimated regular federal aid for the next succeeding fiscal year, together with a statement of proposed expenditures or obligations to be incurred during the next

succeeding fiscal year for the construction, improvement, and maintenance of the various highways, or portions thereof, under the jurisdiction of the department under the following headings·

(a) Administration, including payments for services of the legal division.

(b) Maintenance.

(c) Major Construction and Improvement. ~~Under this will be shown~~ all *This heading shall show the total* proposed expenditures or obligations to be incurred in each county group for major construction and improvement; ~~segregating the route of each highway to be constructed or improved, the county in which located, the number of miles involved, and a description of the type of work to be done~~

(d) Minor Improvement and Betterment. This heading will show the total proposed expenditures and obligations to be incurred for each county group for minor improvement and betterment.

(e) Contingencies.

(f) Rights-of-Way This will show the approximate amount of money needed for the purchase of rights-of-way in each county group.

(g) Other proposed expenditures, including preliminary engineering.

The ~~said report~~ *proposed budget* as submitted by the department shall be included in the printed fiscal year budget submitted to the Legislature ~~It shall constitute as submitted the complete and detailed budget submitted to the Department of Finance pursuant to Section 13320 of the Government Code. Said budget shall be administered by the Department of Finance as the fiscal year budget of the Division of Highways under the provisions of this section and of Article 2 (commencing with Section 13320) of Chapter 3 of Part 3 of Division 3 of Title 2 of the Government Code. In the case of any inconsistency, the provisions of this section shall control.~~

~~All changes or modifications in the budget shall be by vote of the commission approved by the Director of Finance where required by this section.~~

~~Funds may be transferred from Item (c), Contingencies, to other items by vote of the commission, but no increase or decrease shall be otherwise made in any of Items (a) to (g), inclusive, of said budget without the approval of the Director of Finance. No project shown under Item (c) shall be eliminated and no new project shall be added to Item (c) of the budget without the approval of the Director of Finance. If it is necessary to eliminate or postpone any project shown under Item (c) to meet an emergency caused by floods, earthquake or other like cause or on account of decreased revenue or on account of increased costs on other work, the commission may eliminate or postpone such project upon the written approval of the Director of Finance.~~

~~In the event, during an annual period, the budgetary amount approved and allocated by the commission for any purpose exceeds the amount actually necessary therefor, with a resultant available surplus, such surplus may be allocated by the commission to any other purpose or supplemental project upon the written approval of the Director of Finance.~~

In administering ~~said~~ *the* budget *of the department*, the Director of Finance shall not limit expenditures or incurrence of obligations thereunder to quarterly, semiannual or other periods of the fiscal year and shall not require any greater detail than that specified in this section and in Section 143.2.

~~Construction and improvement projects, including cooperative projects and day labor work, for which funds are available during any fiscal year, may be commenced by award of contract or as otherwise authorized by law on and after the first day of January preceding the beginning of the fiscal year. In the case of contracts subject to Section 143.15, funds therefor may be obligated and made available by the department on and after the first day of January preceding the beginning of each fiscal year.~~

SEC. 9. Section 143.15 of the Streets and Highways Code is amended to read:

143.15. Where it is estimated by the department that the work involved in a project to be constructed under the State Contract Act will not be completed within a given fiscal year, the department, in the contract specifications, ~~may~~ *shall* provide a limitation upon the amounts that will be paid to the contractor during ~~the first or second~~ *each* fiscal ~~years~~ *year* of the construction period ~~Subject to such limitations, such contracts shall provide for the completion of the work and full payment therefor.~~

In preparing the statement of proposed expenditures or obligations to be incurred as provided in Section 143.1, the commission ~~may~~ *shall* include only such amounts with reference to such construction projects as would be payable during the fiscal year, together with all necessary engineering and other charges ~~The commission shall include in the statement for each fiscal year the amounts necessary to meet contract payments on contracts which have been executed pursuant to this section.~~

SEC. 10. Section 143.2 of the Streets and Highways Code is amended to read:

143.2. In each ~~report~~ *proposed budget* required by Section 143.1, the commission shall prepare for inclusion, and the department shall also include, ~~in such report~~ a statement of actual *revenues in the* State Highway ~~Fund revenues~~ *Account* and revenues available from any other source and estimated regular federal aid for highway purposes received during the current and next preceding fiscal years, together with a statement of all expenditures made and obligations incurred during the current and next preceding fiscal years, *and all expenditures to be made and obligations to be incurred during the next succeeding fiscal year,* for the construction, improvement, and maintenance of state highways, or portions thereof, under the jurisdiction of the department under the following headings and subheadings:

(a) Administration, including payments for services of the legal division.

(1) General or central office administration.

(2) District office administration.

(3) Departmental administration.

These subheadings will include administrative expenditures for bridges, testing, and the like.

(b) Maintenance, including: (1) all maintenance expenditures for each highway route; and (2) a breakdown of total maintenance expenditures by descriptive categories such as general maintenance, snow removal, bridge repairs, and other categories used by the department to describe a particular class of maintenance work.

(c) Major Construction and Improvement. Under this will be shown all expenditures and obligations incurred in each county group for major construction and improvement, segregating the major bridges, the route of each highway constructed or improved, the county in which located, the number of miles involved, and a description of the type of work done.

(d) Minor Improvement and Betterment. This heading will show the amount expended for minor improvement and betterment in each county group.

(e) Rights-of-Way This will show the amount of money expended for the purchase of rights-of-way in each county group

There shall also be included in such report a statement of the reasons for any differences between actual revenues received and estimated revenues, as well as for any differences between actual expenditures and obligations incurred and those proposed to be made, in the two next preceding reports together with a statement of the reasons why any expenditures proposed to be made or obligations to be incurred in the two next preceding reports, and not made, have not been made or incurred.

In case of subdivisions (c) and (d), information shall be provided as to which projects will be completed, will be commenced, or are in progress during the fiscal years. For projects whose construction period spans more than one fiscal year, the estimated total cost of the project, and the estimated cost during each fiscal year of the construction period, shall also be provided.

In addition to making such report to the Governor, the department shall publish or cause to be published not less than 500 copies thereof for the use of the Legislature.

~~For the purposes of this section, the date of the award of a contract and of the commencement of a day labor project shall be deemed the time when the entire obligation thereunder is incurred.~~

SEC. 11. Section 143.3 of the Streets and Highways Code is amended to read:

143 3. The commission and the department may include in the annual *proposed* budget prepared under Section 143 1 amounts not to exceed the equivalent of the amounts made available by the federal government annually for projects on extensions of federal-aid primary or federal-aid secondary highways within urban areas for allocation to cities or counties for the construction of city streets or county roads within urban areas which would qualify as extensions of federal-aid secondary highways. The design standards of such projects shall be such as would qualify the project for the expenditure of such federal funds.

Upon the written request of any city or county, the commission and the department may include an allocation for the city or county in the next succeeding annual budget Not more than five hundred thousand dollars ($500,000) shall be allocated for such purpose to any city or county in any one year. Any amounts allocated to a city or county shall be paid from the State Highway ~~Fund~~ *Account* and shall be included in the computation of compliance with the requirements of Sections 188 and 188 8. No allocation shall be made to a city or county for any project unless the city or county has made provision, to the satisfaction of the commission and the department, for the expenditure on such project of amounts from any other sources available for such purpose at least equal to the amounts to be allocated by the commission and the department

The projects for which funds are made available pursuant to this section may be constructed by the local agency or agencies concerned, or, by agreement between the local agency or agencies and the department, the department may acquire the necessary rights-of-way in the name of the local agency or agencies, and perform all other acts to complete the project Construction work by the department shall be subject to the State Contract Act Agreements between the department and local agencies are authorized relative to the handling and accounting of funds, including the making of advancements so as to permit prompt payment for the work accomplished, and relative to any other phase of the work

SEC. 12 Section 182 of the Streets and Highways Code is amended to read:

182 The "State Highway Fund" is continued in existence as the State Highway Account in the State Transportation Fund. Any reference in any law or regulation to the State Highway Fund shall be deemed to refer to the State Highway Account in the State Transportation Fund. With the approval of the Department of Finance as to state appropriations, there shall be transferred to, or deposited to, the credit of the State Highway Account all money appropriated, contributed, or made available from any source, including sources other than state appropriations, for expenditure on work within the powers and duties of the department, including, but not limited to, services, investigations, surveys, experiments, reports, right-of-way acquisitions, major and minor construction, maintenance, improvements, and equipment, as authorized by the state agency for which such an appropriation is made, or as to funds from sources other than state appropriations, as may be authorized by written agreement between the contributor or contributors of such funds and the department

Money so transferred or deposited ~~is~~ *shall be* available for expenditure by the department for the purposes for which appropriated, contributed, or made available; ~~without regard to fiscal years and irrespective of the provisions of Section 16301 of the Government Code~~ *when appropriated by the Legislature* ~~The department may withdraw from the account for use in work for other public agencies, local, state or federal, such sums as may be necessary for such work where the~~

~~money to be paid by such other agencies is not deposited in the account in advance of the work being done.~~

SEC. 13."

Amendment No. 4

On page 2, line 18, after "item", insert "as specified in Section 1431".

Amendment No. 5

On page 2, line 18, strike out "on its own initiative", and insert "with the approval of the Director of Finance".

Amendment No. 6

On page 2, line 20, strike out "SEC 2", and insert "SEC. 14".

Amendment No. 7

On page 2, line 38, strike out "SEC 3", and insert "SEC. 15".

Amendment No. 8

On page 3, line 6, strike out "SEC 4", and insert "SEC. 16".

Amendment No. 9

On page 3, strike out line 7, and insert "Code".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 246—An act to add Article 10 5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly March 9, 1972, strike out "Brown,"

Amendment No. 2

On page 3, strike out lines 23 to 25, inclusive, and insert "article Such regulations that relate to health effects shall be based upon the recommendations of the Department of Public Health, until the operative date of Governor's Reorganization Plan Number 1 of 1970, and on and after such date, the Department of Health."

Amendment No. 3

On page 3, strike out lines 32 to 40, inclusive, and insert "regulations adopted pursuant to it, shall investigate any condition where a health hazard from pesticide use exists, and shall take necessary action, in cooperation with the commissioner, to abate any such condition. The

local health officer may call upon the State Department of Public Health, until the operative date of Governor's Reorganization Plan Number 1 of 1970, and on and after such date the Department of Health, for assistance pursuant to the provisions of Section 2951 of the Health and Safety Code."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

RUSH ORDER PLACED UPON PRINTING OF BILLS

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 52, 235, and 246, and that the bills be considered engrossed.

MOTION TO RECONSIDER URGENCY CLAUSE TO SENATE BILL NO. 150 CONTINUED

By unanimous consent, the motion to reconsider the vote on the urgency clause to Senate Bill No. 150 was continued until the next legislative day.

APPOINTMENT OF MEMBER TO STANDING COMMITTEE ON CONSTITUTIONAL AMENDMENTS

Acting Speaker Cullen announced that the Speaker had appointed Mr Stacey as a member of the Assembly Committee on Constitutional Amendments.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2327: By Assemblyman Miller—An act to amend Section 21658 of, and to add Section 21760 to, the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Mr. Hayes was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 420.

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 420

Messrs. Fenton and Monagan were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 520.

Mr. Monagan was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 2008, and on the passage of the bill.

Mr Cullen was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 50.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointment to Assembly Committee on Constitutional Amendments

April 10, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Kent Stacey as a member of the Assembly Constitutional Amendments Committee, effective immediately.

Sincerely,

BOB MORETTI

ADJOURNMENT

At 12:09 p.m., Acting Speaker Cullen declared the Assembly adjourned until 11 a.m., Tuesday, April 11, 1972, out of respect to the memory of the late Rembert Thigpen, of Burlingame.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-fourth Legislative Day

One Hundredth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 11, 1972

The Assembly met at 11 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Deddeh moved a quorum call of the Assembly.

Mr. Wilson seconded the motion.

Motion carried. Time, 11:03 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:13 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Many millions of years ago Your love burst forth in the work of creation You have given this beautiful creation to us and You have given us dominion over it. It is ours to warm with love, to recreate with care, to pass on to the next generation a little better than we found it. Help us, Father, so that in all we do we give life and hope and promise.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Thomas then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Cullen, seconded by Mr. Barnes.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Cline, on request of Speaker pro Tempore Bee
Mr. Gonsalves, on request of Speaker pro Tempore Bee
Mr. Porter, on request of Speaker pro Tempore Bee
Mr. Powers, on request of Speaker pro Tempore Bee
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Cory, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is respectfully requested that I be excused on Tuesday, April 11, on legislative business.

I will be meeting with members of the Public Utilities Commission in San Francisco in connection with my Assembly Bill 177.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

April 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

My dear Mr Speaker· This is to respectfully request that I be excused from session on Tuesday, April 11, 1972 on legislative business. I will be attending a meeting of the Public Utilities Commission in San Francisco.

Thank you

With kind regards,

WALTER W. POWERS, Assemblyman
Eighth District

NOTE: For letters explaining the absences of Messrs. Cline, Gonsalves, Porter, and Wakefield on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 10, 1972, pages 1679–1681.

REPORTS

The following report was presented by the Speaker:

Feasibility Study and Recommendations of the Board of Administration of the Public Employees' Retirement System (Pursuant to House Resolution No. 96).

Above transmitted report, together with letter of transmittal from Stanley B Fowler, President, Public Employees' Retirement System, Sacramento, dated April 7, 1972, referred by the Speaker pro Tempore to the Committee on Employment and Public Employees.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

Press Credentials

April 7, 1972

Squire Earl Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of your request of April 4, 1972, for accreditation of John M. Embrey and Robert E Sweet as a member of the Press during the 1972 Session of the Legislature for United Press International They will replace Ron Edmonds and Pat Jones respectively.

Sincerely,

JOHN L. BURTON, Chairman
Joint Rules Committee

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2327	Transportation

Assembly Concurrent Resolution No.	*Committee*
71	Natural Resources and Conservation

Senate Bill No.	*Committee*
188	Criminal Justice
326	Ways and Means

Senate Joint Resolution No.	*Committee*
3	Rules

COMMUNICATIONS

Assembly Chamber, April 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 364
AB No. 586

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 560

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 411
AB No. 547

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 80	AB No. 371	AB No. 488
AB No. 125	AB No. 441	AB No. 789
AB No. 165	AB No. 471	AB No. 2303

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 83	AB No. 469	AB No. 728
AB No. 426	AB No. 601	AB No. 835
AB No. 427		

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 57

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SCR No. 1

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

ACA No. 48

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

Z'BERG, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Committee on Health

Assembly Chamber, April 10, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 192

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 10, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 506

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Judiciary

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 159

AB No. 160

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 111

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Knox for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2323 be granted.

BURTON, Chairman

Committee on Natural Resources and Conservation

Assembly Chamber, April 11, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 320

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

- Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 320—An act to add Sections 110.5, 991, and 1809 to the Streets and Highways Code, relating to streets and highways.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "110 5", and insert "84.5".

Amendment No. 2

On page 1, line 1, strike out "110 5", and insert "84 5".

Amendment No. 3

On page 1, strike out line 3, and insert

"84 5 During the design hearing process relating to state highway projects that include the construction by the Division of Highways of a new bridge across a navigable river, there shall be included full consideration of, and a report on, the feasibility of providing a means of public access to the navigable river for public recreational purposes."

Amendment No. 4

On page 1, strike out lines 4 to 7, inclusive; and on page 2, strike out lines 1 to 4, inclusive.

Amendment No. 5

On page 2, strike out lines 7 to 10, inclusive, and insert "991. Before".

Amendment No. 6

On page 2, line 14, after "on", insert "the feasibility of providing public access to the river for recreational purposes and a determination as to".

Amendment No. 7

On page 2, strike out lines 18 to 21, inclusive, and insert "1809."

Amendment No. 8

On page 2, line 25, after "on", insert "the feasibility of providing public access to the river for recreational purposes and a determination as to".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 11, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

ACR No. 39

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 39—Relative to State Highway Route 101.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed measure, strike out "so that the existing palm trees", and insert ", or replant the palm trees in the existing right-of-way of Route 101 in Camarillo, so that the palm trees along Route 101 in the vicinity of Camarillo".

Resolution ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 11, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 654

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 654—An act to amend Sections 24353 and 29923 of the Government Code, to amend Sections 4746.1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to county auditors procedures.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 3, 1972, after "Sections", insert "1652,".

Amendment No. 2

In line 4 of the title, strike out "county auditors procedures", and insert "government financing".

Amendment No. 3

On page 2, line 1, after "SECTION 1.", insert "Section 1652 of the Government Code is amended to read:

1652. No premium or charge paid by the state, a county, city, or district shall exceed one-half of 1 ~~per cent~~ *percent* per annum on the amount of the bond, *but a minimum premium or charge of twenty-five dollars ($25) per annum may be imposed*.

SEC. 1.5."

Amendment No. 4

On page 3, line 8, after "section", insert a comma.

Amendment No. 5

On page 5, lines 11 and 12, strike out "machine prepared", and insert "machine-prepared".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 145

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 145—An act to amend Section 846 of the Civil Code, relating to liability of landowners.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out ", as amended by Chapter 1028 of the Statutes of 1971,".

Amendment No. 2

On page 1, strike out lines 4 to 8, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"846. An owner of any estate in real property who gives express".

Amendment No. 3

On page 2, line 7, after "permission", insert "without consideration".

Amendment No. 4

On page 2, line 7, strike out "the above", and insert "any recreational".

Amendment No. 5

On page 2, lines 8 and 9, strike out "extend any assurance", and insert "warrant".

Amendment No. 6

On page 2, line 12, strike out "to whom a duty of care is owed".

Amendment No. 7

On page 2, line 12, after "assume", insert "any additional".

Amendment No. 8

On page 2, line 13, strike out "for or incur liability".

Amendment No. 9

On page 2, lines 15 and 16, strike out "except as provided in this section".

Amendment No. 10

On page 2, line 18, strike out "(a) for willful or malicious failure to guard or warn"; and strike out lines 19 to 27, inclusive, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 10, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports.

AB No. 95

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 95—An act to add Section 18405 to the Health and Safety Code, relating to mobilehomes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly February 24, 1972, strike out "Assemblyman Harvey Johnson" and insert "Assemblymen Harvey Johnson, Moretti, and Bee".

Amendment No. 2

In line 1 of the title, strike out "Section 18405 to the Health and Safety" and insert "Sections 789.8, 789.9, and 2983.8 to the Civil".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 789.8 is added to the Civil Code, to read:

789.8. No person other than a licensed mobilehome dealer shall charge or receive a fee, charge, or commission for the original sale or resale of a mobilehome.

SEC 2. Section 789.9 is added to the Civil Code, to read:

789 9. The management of a mobilehome park shall provide tenants with the languge of Sections 789.5, 789.6, 789.7, and 789.8 in written form either included within the rules and regulations of the park or in the rental agreement.

SEC. 3. Section 2983 8 is added to the Civil Code, to read:

2983.8. Notwithstanding Section 2983.2 or any other provision of law, no deficiency judgment shall lie in any event after any sale of any mobilehome for which a permit is required pursuant to Section 35790 of the Vehicle Code for failure of the purchaser to complete his conditional sale contract given to the seller to secure payment of the balance of the purchase price of such mobilehome."

Amendment No. 4

On page 2, strike out lines 2 to 31, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

Senate Chamber, April 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 114
AB No. 126

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, April 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 15

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, April 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 84	SB No. 208	SB No. 220
SB No. 103	SB No. 211	SB No. 548
SB No. 119		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 84—An act to amend Section 10012.5 of the Elections Code, relating to elections.

Held at desk by order of the Speaker pro Tempore.

Senate Bill No. 103—An act to amend Sections 6702, 7853, 8954, 10053, 30313, and 32383 of the Revenue and Taxation Code, relating to taxation.

Held at desk by order of the Speaker pro Tempore.

Senate Bill No. 119—An act to amend Sections 117c and 117j of the Code of Civil Procedure, relating to small claims court.

Held at desk by order of the Speaker pro Tempore.

Senate Bill No. 208—An act to amend Sections 24953, 25251, 25252.5, and 25803 of the Vehicle Code, relating to vehicles.

Held at desk by order of the Speaker pro Tempore.

Senate Bill No. 211—An act to amend Section 834a of the Penal Code, relating to criminal procedure.

Held at desk by order of the Speaker pro Tempore.

Senate Bill No. 220—An act relating to health science facilities, and in this connection to amend Sections 4, 8, and 17 of Chapter 665 of the Statutes of 1971, and to provide health science facilities by the adoption of a construction program therefor, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, making an appropriation therefor, and providing for the submission of the measure to the people at a special election to be consolidated with the general election of 1976.

Held at desk by order of the Speaker pro Tempore.

Senate Bill No. 548—An act to add Section 54932.1 to the Government Code, relating to city annexations, and declaring the urgency thereof, to take effect immediately.

Held at desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1781

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1781 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Natural Resources and Conservation.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 547, 4, 586, and **411,** ordered to third reading.

Assembly Bill No. 364, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 217—An act to add Section 4062 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 14, 1972, after "4062 to", insert ", and to add and repeal Section 4062.1 of,".

Amendment No. 2

On page 2, line 7, after "current", insert "retail".

Amendment No. 3

On page 2, line 7, strike out "100 drugs most"; and strike out lines 8 and 9, and insert "drugs listed on the chart prepared pursuant to Section 4062.1 shall be posted by the".

Amendment No. 4

On page 2, line 13, after "current", insert "retail".

Amendment No. 5

On page 2, after line 15, insert

"(c) This section shall not apply to a pharmacy, located in a licensed hospital, which is accessible only to hospital medical staff and personnel.

SEC. 2. Section 4062.1 is added to the Business and Professions Code, to read:

4062.1 For purposes of Section 4062, the State Board of Public Health shall prepare, and shall distribute to each licensed pharmacy in this state, a chart of the most commonly used prescription drugs in the state making up approximately 40 percent of the drugs sold in the state but not to exceed 100 prescription drugs.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative, and on such date is repealed.

SEC. 3. Section 4062.1 is added to the Business and Professions Code, to read:

4062.1. For purposes of Section 4062, the State Department of Health shall prepare, and shall distribute to each licensed pharmacy in the state, a chart of the most commonly used prescription drugs in the state making up approximately 40 percent of the drugs sold in the state but not to exceed 100 prescription drugs.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC. 4. It is the intent of the Legislature that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 4062.1 of the Business and Professions Code, as added by Section 2 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Section 4062.1 of the Business and Professions Code, as added by Section 3 of this act, which includes changes made by Reorganization Plan No. 1 of 1970, shall become operative."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 504—An act to add Section 8538 to the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly April 3, 1972, strike out lines 3 to 6, inclusive.

Amendment No. 2

On page 2, line 3, strike out "(b)(1)", and insert "8538. (a)".

Amendment No. 3

On page 2, line 14, strike out "(2)", and insert "(b)".

Amendment No. 4

On page 2, line 19, strike out "(3)", and insert "(c)".

Amendment No. 5

On page 2, line 21, strike out "(4)", and insert "(d)".

Amendment No. 6

On page 2, line 25, strike out "(5)", and insert "(e)".

Amendment No. 7

On page 2, line 28, strike out "(6)", and insert "(f)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 209—An act to add Sections 23601 6, 23601.9, 23601 10, and 23601 11 to, and to repeal Chapter 3 (commencing with Section 25951) of Division 19 of, the Education Code, and to repeal Section 18598 of the Government Code, relating to the California Maritime Academy

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted.

Amendment No. 1

On page 2, line 27, of the printed bill, strike out "male".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT

Mr. Meade was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

UNFINISHED BUSINESS

MOTION TO RECONSIDER URGENCY CLAUSE TO SENATE BILL NO. 150

In compliance with a motion given on a previous day, Mrs. Fong was granted unanimous consent that the vote whereby the urgency clause to Senate Bill No 150 was refused adoption be reconsidered.

Further Consideration of Senate Bill No. 150

Senate Bill No. 150—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mrs. Fong moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title, as amended in Assembly March 9, 1972, strike out ", and declaring", strike out line 3; and in line 4, strike out "immediately".

Amendment No. 2

On page 3, line 34, strike out the second "and", and insert "one year,".

Amendment No. 3

On page 5, line 35, strike out "and", and insert "one year,".

Amendment No. 4

On page 8, strike out lines 16 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 78 FOR SPECIAL ORDER

Mr Leroy F. Greene was granted unanimous consent that Assembly Bill No 78 be made a special order of business for Tuesday, April 18, 1972, at 11:30 a m.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 536—An act to amend Sections 31676.1 and 31676.11 of, and to add Section 31625.2 to, the Government Code, relating to county employee retirement

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burton, Campbell, Chacon, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Pierson, Priolo, Russell, Ryan, Seeley, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—47.

NOES—Badham, Biddle, Burke, Collier, Conrad, Cullen, Ketchum, Lanterman, MacGillivray, Moorhead, Murphy, and Stacey—12.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 771

Mr. Fenton was granted unanimous consent to take up Assembly Bill No. 771, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 771

Assembly Bill No. 771—An act to amend Section 139.5 of the Labor Code, relating to rehabilitation of injured workmen, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Con-

rad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 419

Mr. Burton was granted unanimous consent to take up Assembly Bill No 419, temporarily passed on file, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 419

Assembly Bill No. 419—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—61.

NOES—Briggs—1.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Constitutional Amendment No 95 be withdrawn from the Committee on Rules and re-referred to the Committee on Constitutional Amendments; and that Assembly Bill No 1542 be withdrawn from the Committee on Health, and re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 496—An act to amend Sections 11107 and 11110 of the Vehicle Code, relating to driving schools

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson,

Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Mr. Speaker—48.

NOES—Brathwaite, Burton, Chacon, Crown, Cullen, Dunlap, Garcia, Bill Greene, Knox, Meade, Miller, Ryan, Vasconcellos, and Waxman—14.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 636 for hearing in the Committee on Ways and Means, on Wednesday, April 12, 1972.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Wednesday, April 12, 1972, at 8 a m—Ways and Means (Brown, Chairman).

INTRODUCTION OF GUESTS

Mr. Ray E Johnson, of the 4th District, introduced Miss Robin Gold, Picnic Day Hostess for the University of California at Davis, whereupon the Members of the Assembly joined in welcoming her on her visit to the Assembly Chamber.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Knox:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2323 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—63.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2323 for hearing in the Committee on Local Government, on Thursday, April 13, 1972.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 654

Mr. Knox was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 654, and that the bill be considered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 560—An act to amend Section 817 of the Education Code, relating to public school employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Priolo, Ralph, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr Speaker—49

NOES—Badham, Belotti, Biddle, Briggs, Burke, Collier, Conrad, Cullen, Hayden, Monagan, Moorhead, Murphy, Russell, Stacey, and Stull—15.

Bill ordered transmitted to the Senate.

BILLS REMOVED FROM CONSENT CALENDAR

On request of Mr. Pierson, Assembly Bill No. 111 was removed from the Consent Calendar

On request of Mr Ketchum, Assembly Bill No. 398 was removed from the Consent Calendar.

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 490—An act to amend Section 44750 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 571—An act to amend Sections 2 and 5 of, and to add Section 4 14 to, the Amador County Water Agency Act (Chapter 2137 of the Statutes of 1959), relating to the Amador County Water Agency.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 603—An act to add Section 24.1 to the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of the Statutes of 1949), relating to Alameda County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 600—An act to amend Sections 923 5, 932.1, 937 1, 1102, 1104.3, 1111 2, 1130, 1225 5, 1606, 2032, 2309, and 5029 of, and to repeal Section 1013 5 and Article 3 5 (commencing with Section 25450) of Chapter 2 of Division 18.5 of, the Education Code, relating to education.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson,

Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 27—An act to amend Section 18058 of the Health and Safety Code, relating to mobilehomes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 108—An act to amend Section 1243 of the Water Code, relating to water

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 181—An act to add Section 6401 5 to the Labor Code, relating to employment safety.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 213—An act to amend Section 6505 of the Labor Code, relating to industrial safety.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 226—An act to amend Sections 1005 1 and 1005.2 of the Water Code, relating to water.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 282—An act to add Chapter 4.5 (commencing with Section 10825) to Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 312—An act to amend Sections 30800 and 30801 of, and to add Section 24005 5 to, the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 21—Relative to excess highway property in the City of West Covina

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 25—Relative to assembly line testing of vehicles.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 27—Relative to State Highway Route 101.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 67—Relative to streets and highways.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 115—An act to add Section 40 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad,

Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2328: By Assemblymen Foran, Hayden, McAlister, and Knox (Senator Alquist, coauthor)—An act to add Section 66515.5 to the Government Code, relating to public transit.

Held at Desk by order of the Speaker pro Tempore.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Rules reports:

SCR No. 11

SCR No. 7

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BURTON, Chairman

Above resolutions ordered on file.

Committee on Ways and Means

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 270

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 11, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 635

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 635—An act appropriating funds for increases in compensation for members of the California Highway Patrol.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 1, line 3, after the word "Vehicle", insert "Account in the State Transportation".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

CAUCUS ANNOUNCEMENTS

Speaker pro Tempore Bee announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge

VOTE CHANGES

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 536.

Mr Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 419, and on the urgency clause to Assembly Bill No 771, and on the passage of the bill.

Mr Leroy F Greene was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 496

Messrs Deddeh and Wilson were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No 496.

Mr Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 496.

Mr. Crown was granted unanimous consent that he be recorded as voting "Aye" on the resolution to dispense with Article IV, Section 8(a) of the Constitution, as it relates to Assembly Bill No. 2323.

Messrs. Knox and Wood were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 560.

Mr. Lewis was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

ADJOURNMENT

At 12:03 p m., Speaker pro Tempore Bee declared the Assembly adjourned until 9.30 a.m , Wednesday, April 12, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-fifth Legislative Day

One Hundred First Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 12, 1972

The Assembly met at 9:30 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Russell moved a quorum call of the Assembly.
Mr Deddeh seconded the motion.
Motion carried Time, 9 43 a.m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 9.45 a.m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen. Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald,

MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Rev. Dr. Wilbur C. Christians, Chaplain, First Baptist Church:

Eternal One, Our prayer this morning is the famous prayer of Reinhold Niebuhr: "God grant me the courage to accept with serenity the things that cannot be changed. Give me strength to change the things that should be changed. And give me wisdom to differentiate between the two."—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Russell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr McAlister, seconded by Mr. Lewis.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Quimby, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Dent, on request of Speaker pro Tempore Bee.
Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Pierson, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Garcia, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is respectfully requested that I be excused on legislative business on Wednesday, April 12.

I have been requested to address the Regional County Supervisors Association in Redding.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

April 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session, Wednesday, April 12, 1972, on legislative business. I shall be talking to the State Conference of School Business Officials on legislation pertaining to school property insurance.

Yours truly,

JAMES W. DENT, Assemblyman
Tenth District

April 12, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from the session on legislative business on Wednesday, April 12, 1972.

I will be speaking to the Lawyers' Club of Los Angeles County on prison reform.

Respectfully,

WALTER KARABIAN, Assemblyman
Forty-fifth District

NOTE: For letter explaining the absence of Mr. Gonsalves on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 10, 1972, page 1680.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No	*Committee*
2328	Transportation

Senate Bill No.	*Committee*
84	Elections and Reapportionment
103	Revenue and Taxation
119	Judiciary
208	Transportation
211	Criminal Justice
220	Ways and Means
548	Local Government

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2329: By Assemblyman Cullen—An act relating to earthquakes.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 217

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 35
AB No. 504

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 39

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 145
AB No. 686

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 4

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, April 11, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 19

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 706

With the recommendation: Do pass.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 683

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 673

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

ACA No. 46

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article I thereof, relating to bail.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed measure, after "imprisonment", insert " where no minimum term is prescribed".

Resolution ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 682

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 682—An act to amend Sections 1270, 1272, 1284, 1285 of the Penal Code, relating to criminal procedure.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "imprisonment", insert "where no minimum term is prescribed".

Amendment No. 2

On page 2, line 6, after "imprisonment", insert "where no minimum term is prescribed".

Amendment No. 3

On page 2, line 21, after "imprisonment", insert "where no minimum term is prescribed".

Amendment No. 4

On page 2, line 35, after "imprisonment", insert "where no minimum term is prescribed".

Amendment No. 5

On page 2, line 39, strike out "__", and insert "46".

Amendment No. 6

On page 3, line 2, strike out "__", and insert "46".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

ACA No. 45

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XI, and to repeal Article XXXIV, relating to public housing.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

In line 4 of the title of the printed measure, strike out ", and to repeal Article XXXIV", and insert "thereof, and by repealing Article XXXIV thereof".

Resolution ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Health reports: AB No. 214

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 214—An act to add Sections 19453 and 20108 to the Government Code, and Section 5664 to the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly March 16, 1972, after "health", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, line 9, after the comma, insert "either privately or publicly operated under the provisions of the Short-Doyle Act,".

Amendment No. 3

On page 3, line 14, after "programs", insert "either privately or publicly operated under the provisions of the Short-Doyle Act".

Amendment No. 4

On page 4, strike out lines 6 to 10, inclusive, and insert "shall have the option of reemployment with the State of California in a comparable position without loss of pay or benefits as provided by layoff and reemployment procedures under Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code".

Amendment No. 5

On page 4, after line 20, insert

"SEC. 4. There is hereby appropriated to the State Department of Mental Hygiene from the General Fund the sum of two million dollars ($2,000,000), or so much thereof as may be necessary, for the purposes of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

MESSAGES FROM THE SENATE

Senate Chamber, April 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 6

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, April 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 9

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, April 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 156
AB No. 201

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, April 11, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 112
SB No. 352
SB No. 399

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, April 11, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 10
SJR No. 11

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 112—An act to amend Section 7204 of the Government Code, relating to filing and indexing fees.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 352—An act to add Sections 53859 and 53859.5 to the Government Code, relating to temporary borrowing and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 398—An act to add Section 395.5 to the Code of Civil Procedure, and to add Sections 128 and 129 to the Corporations Code, relating to codification of various provisions to be omitted from the California Constitution in its revision.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 10—Relative to creating a national park in Los Angeles County.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 11—Relative to Space Shuttle research and development facilities.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 217, ordered to third reading.

NOTE: Later this day Assembly Bill No. 217 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 270—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 398—An act to amend Section 3123 of the Commercial Code, to amend Sections 5201, 13656, and 13656.2 of the Education Code, and to amend Sections 6700, 6701, and 18025 of the Government Code, relating to state holidays and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 111—An act to amend Section 8213 of the Government Code, relating to recording fees.

Bill read second time, and ordered to the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 217.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 241—An act to add Sections 8715, 8715.1, 8715.2, 8715 3 and 8715 4 to the Business and Professions Code, relating to land surveyors

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Powers moved a call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 9 ·55 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

REQUEST FOR UNANIMOUS CONSENT

Mr. Ketchum was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 241

At 10 a.m., on motion of Mr Powers, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly Continued

Pending the announcement of the vote, Mr. Monagan moved to continue the call of the Assembly.

Motion carried. Time, 10 01 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Call of the Assembly Dispensed with on Assembly Bill No. 241

At 10:02 a.m., on motion of Mr. Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 241 passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Duffy, Fenton, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Thomas, Townsend, Warren, Wilson, Wood, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 243—An act to add Article 2.3 (commencing with Section 6728) to Chapter 7, Division 3 of the Business and Professions Code, relating to professional engineering.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 245—An act to add Article 2.3 (commencing with Section 8720) to Chapter 15 of Division 3 of the Business and Professions Code, relating to land surveyors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Wilson, Wood, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 10:09 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Assembly Bill No. 251—An act to amend Section 16801 of the Education Code, relating to school transportation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly.

Motion carried. Time, 10:12 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 271—An act to add Chapter 22 (commencing with Section 9998) to Division 3 of the Business and Professions Code, and to repeal Title 1.5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer reporting agencies.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 390—An act to amend Section 24201 of the Education Code, and to amend Section 18105 of the Government Code, relating to state colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran,

Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 29—Relative to admission practices of California Community Colleges.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 16—Relative to furtherance of family planning research and services.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Meade, Mobley, Monagan, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—47.

NOES—McAlister and Miller—2.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1484—An act to amend Sections 24212, 24354, and 39380 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGilli-

vray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 437—An act to amend Section 6902.085 of the Education Code, relating to the education of mentally retarded minors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Powers, Priolo, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—46.

NOES—Conrad, Ray E. Johnson, Ketchum, Monagan, Murphy, Russell, Seeley, and Stacey—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 533—An act to amend Section 5721 of the Education Code, relating to school insurance.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 368—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of the Youth Authority.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Ralph, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—53.

NOES—Cullen, Lanterman, and Russell—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 417—An act to amend Sections 17200 and 17202 of the Elections Code, relating to elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 547—An act to amend Section 148.1 of the Penal Code, relating to crimes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Wilson, Wood, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 586—An act to amend Section 13525 of the Education Code, relating to teachers' salaries.

Bill read third time.

Demand for Previous Question

Messrs. Townsend, Dunlap, Z'berg, Beverly, and Lanterman demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chacon moved a call of the Assembly.

Motion carried. Time, 10:41 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Murphy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 184—An act to amend Sections 214.8, 251, and 254 of, and to add Sections 215 1 and 259.7 to, the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Cullen, Bill Greene, Miller, and Sieroty—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 6—An act relating to the public school system.

Bill read third time, and presented by Mr. Lewis.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion carried. Time, 11:47 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 99—An act to amend, repeal, and add Sections 16150, 16151, 16152, 16153, and 16155 to, to amend Section 16156 of, to add Sections 16150.5 and 16150.7 to, and to repeal Section 16157 of, the

Welfare and Institutions Code, and to amend Sections 16601, 16601.5, 16603, 16603.1, 16603.2, 16604, 16604 1, 16605, 16606, 16606 5, 16607, 16611, 16613, 16614, 16615, 16615 1, 16616, 16617, 16618, 16618 5, 16620, 16623, 16626.6, 16630.5, 16640, 16641, 16641.5, and 16643 of, to add Sections 16613.1 and 16615.2 to, and to repeal Section 16642 of, the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 139—An act to add Section 14053.7 to the Welfare and Institutions Code, relating to drugs

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Ralph, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—50.

NOES—Badham, Burke, Cline, Cullen, Duffy, Ketchum, Lanterman, Maddy, Priolo, and Stacey—10.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 15—An act to amend Section 37150 of, and to add Chapter 7 (commencing with Section 37175) to Part 7 of Division 13 of, the Water Code, relating to water districts.

The question being: Shall the Assembly Concur in the following Senate amendment to Assembly Bill No. 15?

Amendment No. 1

On page 4, line 17, of the printed bill, as amended in Assembly March 9, 1972, strike out the period, and insert ", and:".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 564—An act to amend Sections 16018, 16128, 16301, 16330, 16331, 16333, 16334, 16335 1, 16336, 16338, and 16340 of, to add Section 16350 5 to, to add Chapter 9 (commencing with Section 16850) to Part 5 of Division 9 of, and to repeal and add Article 1 (commencing with Section 16320) to Chapter 3 of Part 4 of Division 9 of, the Water Code, relating to sewage services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad,

Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 634—An act to amend Section 6512 of the Health and Safety Code, relating to sanitary districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 131—An act to amend Section 32103 of the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad,

Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 622—An act to repeal Chapter 3 (commencing with Section 2600) of Part 9 of Division 2 of the Labor Code, relating to the registration of factories.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 354—An act to amend Section 7548 of the Business and Professions Code, relating to licensees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 353—An act to amend Section 11715 of the Insurance Code, as amended by Chapter 982 of the Statutes of 1971, relating to workmen's compensation insurer's bond.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad,

Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 429—An act to add Section 23129 to the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 485—An act to amend Section 2809 of the Vehicle Code, relating to vehicle weight limitations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 493—An act to amend Section 21202 of the Vehicle Code, relating to bicycles

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray

E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495—An act to amend Section 21712 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 524—An act to add Section 66504 1 to the Government Code, relating to the Metropolitan Transportation Commission, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mil-

ler, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 251

At 10:58 a.m., on motion of Mr. Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 251 passed by the following vote:

AYES—Arnett, Bagley, Bee, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Powers, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—41.

NOES—Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Cline, Collier, Conrad, Duffy, Hayden, Ray E Johnson, Ketchum, Lanterman, MacGillivray, Monagan, Murphy, Priolo, Russell, Seeley, and Stacey—22.

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 586

At 11:02 a.m., on motion of Mr Chacon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 586 passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Bill Greene, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Powers, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41.

NOES—Badham, Barnes, Belotti, Biddle, Briggs, Burke, Cline, Collier, Conrad, Duffy, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Lanterman, Murphy, Priolo, Russell, Seeley, Stacey, and Wood—21.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 6

At 11:04 a.m., on motion of Mr. Lewis, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 6 passed by the following vote:

AYES—Arnett, Badham, Belotti, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Duffy, Dunlap, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, LaCoste, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Townsend, Wilson, Wood, and Z'berg—42.

NOES—Barnes, Bee, Deddeh, Fenton, Ketchum, MacDonald, Maddy, Meade, Miller, Murphy, Stacey, and Vasconcellos—12.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:06 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

Today, upon adjournment—Ways and Means (Brown, Chairman), in Room 4202.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Assembly Committee on Efficiency and Cost Control

Sacramento, April 12, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Your Committee on Efficiency and Cost Control hereby transmits its report containing certain findings and recommendations concerning a review of the operations and management at the California State Exposition and Fair.

Respectfully,

MIKE CULLEN, Chairman

Above report ordered filed with the Secretary of State.

Speaker pro Tempore Presiding

At 11.07 a.m., Hon. Carlos Bee, 13th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2330: By Assemblyman Brathwaite—An act to add Section 463 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 209
AB No. 540
AB No. 635

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 689 AB No. 753
AB No. 690 AB No 825

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 655

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker · Your Committee on Education reports:

AB No. 92
AB No. 717

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 257
AB No. 317

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 257—An act to amend Sections 13103, 13120.1, and 13165 of, and to add Sections 51 and 13113.2 to, the Education Code, relating to teacher preparation and licensing.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13120.1", and insert "13117.2, 13120 1, 13125.1, 13130".

Amendment No. 2

On page 2, line 21, strike out "any".

Amendment No. 3

On page 2, line 30, strike out "No"; and strike out lines 31 to 38, inclusive; and on page 3, strike out lines 1 to 4, inclusive, and insert "Requirements for teaching credentials shall not include more than the equivalent of one-fifth of a five-year program in, or one year of, professional preparation of which at least one-half will be in student teaching."

Amendment No. 4

On page 3, between lines 16 and 17, insert

"(i) "Rules, regulations, and determinations" means every rule, regulation, order, standard, or determination of general application or the amendment, supplement, or revision of any such rule, regulation, order, standard, or determination adopted by the commission to implement, interpret, or make specific the law enforced and administered by the commission."

Amendment No. 5

On page 3, line 35, after "SEC 4 ", insert

"13117.2. ~~The commission shall recommend to the State Board of Education for adoption amendments, deletions, and additions to those sections of Title 5 of the California Administrative Code dealing with the preparation and licensing requirements of California educational personnel for the implementation of this chapter.~~ Notwithstanding any other provision of law to the contrary, any and all rules, regulations, and determinations of the commission shall be subject to review and approval by the State Board of Education Any and all such rules, regulations, and determinations shall take effect within 60 days of submission, or 75 days if submitted less than 10 days before the next regularly scheduled board meeting, unless stayed by action of the State Board of Education. *Any and all rules, regulations, and determinations adopted by the commission and approved by the State Board of Education shall be amendments, deletions, and additions to those sections of Title 5 of the California Administrative Code dealing with the preparation and licensing requirements of California educational personnel for the implementation of this chapter.*

SEC. 5."

Amendment No. 6

On page 3, line 40, strike out "SEC. 5.", and insert

"SEC. 6. Section 13125.1 of the Education Code is amended to read:

13125.1. The period for which a credential, as authorized under Section 13125, is valid shall be as follows:

(a) For an internship credential: two years.

(b) For a preliminary credential, pending completion of the fifth year of study: ~~seven~~ *five* years.

(c) For a life credential: the life of the holder.

(d) For an emergency credential: one year or as the commission may determine.

SEC. 7. Section 13130 of the Education Code is amended to read:

13130. The minimum requirements for the teaching credential, except designated subjects, are:

(a) A baccalaureate degree or higher degree, except in professional education, from an approved institution.

(b) A fifth year of study to be completed within ~~seven~~ *five* years of the first employment of the certified employee

(c) An approved program of professional preparation.

(d) Passage of a subject matter examination or its waiver as specified in this chapter.

(e) Demonstration of a knowledge of the various methods of teaching reading, to a level deemed adequate by the commission, by successful completion of a program of study approved by the commission or passage of a commission-approved reading examination.

SEC. 8."

Amendment No. 7

On page 4, line 29, strike out "SEC. 6 Sections 2 to 5", and insert "SEC. 9. Sections 2 to 8".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 317—An act to add Section 25505.10 to the Education Code, relating to community colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25505.10 to", and insert "11487 to, and Article 8.7 (commencing with Section 17980) to Chapter 3 of Division 14 of,".

Amendment No. 2

On page 2, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 11487 is added to the Education Code, to read:

11487. The attendance of a community college student shall be recorded and reported separately if both that".

Amendment No. 3

On page 2, after line 31, insert

"SEC. 2. Article 8.7 (commencing with Section 17980) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 8.7. Computation of Allowances for Community College Students Participating in Certain Vocational Education Programs

17980. Notwithstanding any other provision of law, the Superintendent of Public Instruction shall allow for each unit of average daily attendance reported pursuant to Section 11487, the sum equal to the average amount apportioned as basic state aid and state equalization aid for each unit of average daily attendance in grades 13 and 14 in all of the districts participating in the vocational program in which the students whose attendance is so reported are enrolled.

No other amount shall be apportioned for such units of average daily attendance."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 65

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 65—An act to add Section 7065.3 to the Business and Professions Code, relating to Contractors' State License Board.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Deddeh", and insert "MacGillivray".

Amendment No. 2

In line 1 of the title, strike out "add Section 7065.3 to", and insert "amend Section 7076 5 of".

Amendment No. 3

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 7076 5 of the Business and Professions Code is amended to read·

7076.5. A contractor may request the board to inactivate his license by giving written notice to the board. The registrar shall thereupon

issue to such person an inactive license certificate The inactive license certificate may consist of an endorsement upon the contractor's license stating that it is inactive and does not permit the holder to transact business as a contractor. The board shall not refund any of the renewal fee which a licensee may have paid prior to requesting inactive status.

An inactive license which is not suspended or revoked may be reinstated upon 30 days' notice in writing to the registrar at any time within the period for which the license was issued, unless the board determines that grounds exist which would constitute grounds for the suspension or revocation of the license, and if the notice is accompanied by the full renewal fee for an active license provided for in subdivision (c) of Section 7137. No examination shall be required to reinstate an inactive license.

The holder of an inactive license shall not be entitled to practice as a contractor until his license is reinstated.

An inactive license shall be renewed on each established renewal date upon the making of application therefor and payment of the renewal fee required for an inactive license by subdivision (c) of Section 7137.

~~Any license remaining inactive for a period exceeding 10 years shall automatically be revoked.~~

The inactive status of a license shall not bar any disciplinary action by the board against a licensee for any of the causes stated in this chapter."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

VOTE CHANGES

Messrs. Maddy, Stacey, and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 245.

Messrs. Maddy and Duffy were granted unanimous consent that they be recorded as "Not voting," instead of voting "Aye," on Assembly Joint Resolution No. 16.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Joint Resolution No 16.

Messrs Stacey and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bills Nos 241 and 243.

Messrs Dunlap and Maddy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 368.

Mr. Brown was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 6.

Mrs Fong and Mr Keysor were granted unanimous consent that they be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 6.

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 184

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly ~~Bills~~ Nos 271, 390, 437, 533, 368, 417, and 547; and on the urgency clause to Assembly Bill No 1484, and on the passage of the bill.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 139.

Mr. Leroy F Greene was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 139.

Mr. Burke was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the urgency clause to Assembly Bill No. 99, and on the passage of the bill.

ADJOURNMENT

At 11·09 a m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Thursday, April 13, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-sixth Legislative Day

One Hundred Second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 13, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr Dent seconded the motion
Motion carried Time, 11 02 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11 12 a m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with
The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown. Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, In Your creation You have given to man alone a place of preeminence. This preeminence is not without its responsibility. Help us in this task of establishing a social order which requires constant renewal and improvement. May it be founded on truth, built on justice, and animated by love Help it to grow in freedom toward a more humane balance. May Your Spirit, Father, which directs the unfolding of time and renews the face of the earth, be present in this development.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Monagan, seconded by Mr. Conrad.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Cory, on request of Speaker pro Tempore Bee
Mr. Gonsalves, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Waxman, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Biddle, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 12, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob I respectfully request to be excused from session on Thursday, April 13, on legislative business I will be speaking to the

California Association of School Business Officials at the St. Francis Hotel in San Francisco This commitment was made prior to my knowledge that there would be a morning session on this date.

Thank you for your consideration.

Sincerely,

KENNETH CORY, Assemblyman
Sixty-ninth District

April 11, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, April 13, 1972, on legislative business.

I will be in my district conferring with local police department and district attorney officials on pending law enforcement legislation.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

April 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from Session on Thursday, April 13, 1972, on legislative business. I will be participating in the ceremonies of F. Lawrence Plotkin who was just recently appointed to the Downey Judicial District Municipal Court.

Sincerely,

CARLEY V. PORTER, Assemblyman
Thirty-eighth District

April 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol Building, Sacramento, California

Dear Mr Speaker: I may be absent from the Session on Thursday, April 13, 1972, due to the fact that I will be in Los Angeles meeting with several constituents to discuss reapportionment and some members of the Jewish Day School to discuss the implementation of the Vasconcellos-Waxman school aid bill of last year.

Should I not be able to make it back to Sacramento in time for the Session, I would request that I be excused.

Sincerely,

HENRY A. WAXMAN, Assemblyman
Sixty-first District

NOTE: For letter explaining the absence of Mr Gonsalves on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 10, 1972, page 1680.

REPORTS

The following report was presented by the Chief Clerk:

California Vehicle Theft Study, Final Summary Report and Phase II Report (Detailed Recommendations). (In response to Assembly Bill 1671, 1970.) February 1972.

Above transmitted report, together with letter of transmittal from H. W. Sullivan, Commissioner, Department of California Highway Patrol, Sacramento, dated April 6, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2329	Judiciary
2330	Commerce and Public Utilities

Senate Bill No.	*Committee*
112	Local Government
352	Local Government
399	Judiciary

Senate Joint Resolution No.	*Committee*
10	Natural Resources and Conservation
11	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 72: By Assemblyman Russell—Relative to awards to state employees.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 26: By Assemblymen Waxman, Sieroty, Miller, Moretti, Beverly, Briggs, Brown, Burton, Chacon, Cline, Cory, Crown, Deddeh, Fenton, Fong, Ketchum, Keysor, McCarthy, Priolo, Townsend, Warren, and Wilson (Senators Beilenson and Marks, coauthors)—Relative to Solidarity Day.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 114—An act to add Section 1906.1 to the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 126—An act making an appropriation in augmentation of Item 216 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately.

And reports the same correctly enrolled, and presented to the Governor at 1 p.m., April 12, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, April 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 65	AB No. 369	AB No. 836
AB No. 215	AB No. 484	AB No. 851
AB No. 320	AB No. 821	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 95

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 17

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 24

With amendments with the recommendation: Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

AB No. 143

With amendments with the recommendation: Amend, and do pass, as amended.

GARCIA, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 301

AB No. 304

With the recommendation: Do pass.

PRIOLO, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 302

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with Consent Calendar recommendation.

PRIOLO, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 608

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PRIOLO, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 694

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with Consent Calendar recommendation.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 422

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Constitutional Amendments.

WAXMAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

ACA No. 33

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

WAXMAN, Chairman

Above resolution ordered on file.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No 344

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 5	AB No 305	AB No 410
AB No 52	AB No. 311	AB No. 661
AB No. 211	AB No. 394	AB No. 667

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 494

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 379

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 11
ACR No. 17
ACR No. 65

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, April 12, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 610

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 519

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Judiciary reports:

ACA No. 20

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above resolution ordered on file.

Committee on Employment and Public Employees

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 18
AB No. 41
AB No. 479
AB No. 589
AB No. 604

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MacDONALD, Vice Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

ACR No. 28

With the recommendation: Be adopted.

MacDONALD, Vice Chairman

Above resolution ordered on file.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 97

With the recommendation: Do pass.

MacDONALD, Vice Chairman

Above bill ordered to second reading.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 592

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: Above bill be placed on Consent Calendar.

MacDONALD, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No 775

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MacDONALD, Vice Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 798

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 190

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 190—An act to add Chapter 10 2 (commencing with Section 25910) to Division 20 of the Health and Safety Code, relating to containers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Chapter 10.2 (commencing with Section 25910) to Division 20 of", and insert "amend Section 28772 of, to repeal Section 28758.5 of, and to add Sections 28742.5, 28762.5, 28776.1, 28776.2, and 28776.3 to,".

Amendment No. 2

In line 3 of the title, strike out "containers", and insert "hazardous substances".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 28742.5 is added to the Health and Safety Code, to read:

28742.5. As used in this chapter, "federal act" means the Federal Hazardous Substances Act (74 Stats. 372; 15 U S.C., Sec. 1261, et seq.).

SEC. 2. Section 28758.5 of the Health and Safety Code is repealed.

~~28758.5. Notwithstanding any other provision of this chapter, no substance or article shall be deemed to violate any provision of this chapter if such substance or article complies with federal law.~~

SEC. 3. Section 28762.5 is added to the Health and Safety Code, to read:

28762.5. The packing, selling, offering for sale, or keeping for sale of a hazardous substance in a pull-top can is unlawful. The state de-

partment may by regulation prohibit the use of any other container for hazardous substances if it determines that such container may be mistaken for a food, drug, or cosmetic container and has a closure which presents a health hazard due to ease of opening.

SEC. 4. Section 28772 of the Health and Safety Code is amended to read:

28772. Before any violation of this chapter is reported to the district attorney of the county, or the prosecuting officer of the city, for institution of a criminal proceeding the person against whom such proceeding is contemplated ~~shall~~ *may* be given appropriate notice and an opportunity to present his view, either orally or in writing, with regard to each contemplated proceeding

SEC. 5. Section 28776.1 is added to the Health and Safety Code, to read:

28776.1. To the extent that the requirements of this chapter are identical with the federal act, all regulations and any amendments to such regulations adopted pursuant to the federal act which are in effect on the effective date of this section or which are adopted on or after such date are the hazardous substances regulations of this state. If the state department finds that any federal regulation is not adequate for the protection of the public health and safety, it may adopt and enforce the necessary regulation whether or not it is in accordance with the regulations adopted pursuant to the federal act.

SEC. 6 Section 28776.2 is added to the Health and Safety Code, to read:

28776 2. A federal regulation adopted pursuant to this chapter takes effect in this state 30 days after it becomes effective as a federal regulation Any person who will be adversely affected by adoption of such federal regulation in this state may, within the 30 days prior to its becoming effective in this state, file with the state department, in writing, objections and a request for a hearing. The timely filing of substantial objections to a regulation which has become effective under the federal act, stays the adoption of the regulation in this state.

SEC 7. Section 28776.3 is added to the Health and Safety Code, to read:

28776.3 If substantial objections are made to a federal regulation within 30 days prior to its becoming effective in this state or to a proposed regulation within 30 days after it is published, the state department, after notice, shall conduct a public hearing to receive evidence on issues raised by the objections. Any interested person or his representative shall be heard The state department shall act upon objections by order and shall mail the order to objectors by certified mail as soon after the hearing as practicable. The order shall be based on evidence contained in the record of the hearing. If the order concerns a federal regulation, the state department may adopt, rescind, or modify it. If the order concerns a proposed regulation, the state department may withdraw it or set an effective date for the regulation as published or as modified by the order. The effective date shall be at least 60 days after publication of the order."

Amendment No. 4

On page 2, strike out lines 2 to 32, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AJR No. 22

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Joint Resolution No. 22—Relative to noise pollution.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 16, of the printed measure, strike out "preempting", and insert "and pending in the Senate of the United States are S. 1016 and S. 3342, all of which preempt".

Amendment No. 2

On page 3, line 5, after "11021", insert ", S. 1016, and S. 3342".

Resolution ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 69

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990.1, and 13990.2 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Section 13990.7 of, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Sections 13990.7 and 13990.8 to, to add Chapter 2 (commencing with Section

13992) to Part 4.6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2.5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4.5 of Division 3 of Title 2 of, to repeal Section 13990.6 of, to repeal Chapter 3 (commencing with Section 13992) of Part 4.5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006.5, 21007, 21008, 21215, and 21224 of, to add Section 21682.5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections 20, 183, and 30050 of, to add Sections 185.5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to transportation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly March 23, 1972, strike out "Foran".

Amendment No. 2

In line 26 of the title, after "to", insert "business and".

Amendment No. 3

On page 6, lines 24 and 25, strike out ", plans, and budgets", and insert "and plans".

Amendment No. 4

On page 7, line 40, strike out "expenditure", and insert "allocation".

Amendment No. 5

On page 9, line 17, after "significance", insert ", and shall incorporate adopted state environmental policies and goals which relate to the effects of transportation".

Amendment No. 6

On page 10, line 8, strike out ", Division 2, Title 2 of the"; and strike out line 9, and insert "of this division".

Amendment No. 7

On page 11, line 5, strike out "fund", and insert "funds".

Amendment No. 8

On page 13, line 13, after "environmental", insert a comma.

Amendment No. 9

On page 14, strike out line 31, and insert "use, taxation, environmental, and social factors, policies, and goals."

Amendment No. 10

On page 17, line 12, strike out "as appropriate", and insert ", as appropriate,".

Amendment No. 11

On page 17, strike out line 34, and insert "use, taxation, environmental, and social factors, policies, and goals."

Amendment No. 12

On page 21, line 19, after "department", insert ", and shall pay from the money transferred to the State Highway Account pursuant to subdivision (e) of Section 10452 of the Revenue and Taxation Code that portion of the administrative expenses of the department that he determines to have resulted from the non-highway-oriented functions of the department".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 13, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 605

AB No. 927

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 605—An act to add Section 1058a to the Code of Civil Procedure, relating to undertakings and bonds.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "equity".

Amendment No. 2

On page 2, line 3, after the period, insert "Such motion shall not be filed until rendition of the final judgment in the action or proceeding for which the bond or undertaking is given."

Amendment No. 3

On page 2, line 5, strike out "10", and insert "30".

Amendment No. 4

On page 2, line 17, strike out "The surety shall"; and strike out lines 18 to 21, inclusive, and insert "If such".

Amendment No. 5

On page 2, line 25, after the period, insert "The surety shall not in such a proceeding be permitted to assert any counterclaim or any cross-complaint against the principal, nor to obtain a stay of the proceedings pending the determination of any third party claims."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 927—An act to amend Section 4507 of the Civil Code, relating to dissolution of marriage.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "substantial".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 13, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 686

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890 53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384.1 and 4212 of, and to repeal Section 42.5 of, the Civil Code, and to amend Section 416 70 of the Code of Civil Procedure, and to amend Sections 895.3, 5726, 5756, 5995.45, 6801, 6902, 6903, 8702, 16645.2, 23755.5, 25502.5, 25514 5, and 31231 of, and to repeal Article 5 (commencing with Section 5731) of Chapter 5.5 of Division 6 of, the Education Code, and to amend Sections 385, 8672, and 8827.5 of, and to repeal Section 3512.1 of, the Elections Code, and to amend Sections 8201, 8203.1, and 8203 7 of the Government Code, and to amend Sections 249, 250.5, 263, 1402, 1451, and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698.4, 1698.5, 1700.33, 1700.34, and 4455 of, and to repeal Sections 3080 5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203.45, 12031, 12551, and 12552 of the

Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Sections 23102 and 23102.5 of the Vehicle Code, and to amend Sections 504, 509, 529, 625, 631, 631.1, 11263, 14005.4, 14005.6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 24 of the title of the printed bill, as amended in Assembly April 6, 1972, strike out "Sections 23102 and 23102.5", and insert "Section 23102".

Amendment No. 1.5

On page 2, in line 25 of the title, after "631.1," insert "781,".

Amendment No. 2

On page 34, line 31, strike out "Section".

Amendment No. 3

On page 39, line 38, strike out "convenant", and insert "covenant".

Amendment No. 4

On page 40, line 4, strike out "convenant", and insert "covenant".

Amendment No. 5

On page 40, line 9, strike out "convenant", and insert "covenant".

Amendment No. 6

On page 40, line 22, strike out "convenant", and insert "covenant".

Amendment No. 7

On page 41, line 11, strike out "convenant", and insert "covenant".

Amendment No. 8

On page 47, strike out lines 6 to 37, inclusive.

Amendment No. 9

On page 48, strike out line 26, and insert

"509. The judge of the juvenile court of a county, or, if there is more than one such judge, any of the judges of the juvenile court shall, at least annually, inspect any jail, juvenile hall, or lockup which, in the preceding calendar year was used for confinement for more than 24 hours of any minor ~~known to be under the age of 18 years~~. Such judge shall note in the minutes of the court whether the jail, juvenile hall, or lockup is a suitable place for confinement of minors ~~under the age of 18 years~~.

The Department of the Youth Authority shall likewise conduct an annual inspection of each jail, juvenile hall, or lockup situated in this state which, during the preceding calendar year, was used for confinement for more than 24 hours of any minor ~~known to be under the age of 18 years~~.

If either such judge of the juvenile court or the department, after inspection of a jail, juvenile hall, or lockup, finds that it is not being operated and maintained as a suitable place for confinement of minors ~~under the age of 18 years~~, the juvenile court or the department shall give notice of its finding to all persons having authority to confine such minors pursuant to this chapter and commencing 60 days thereafter such jail, juvenile hall, or lockup shall not be used for confinement of such minors until such time as the judge or department, as the case may be, finds, after reinspection of the jail, juvenile hall, or lockup, that the conditions which rendered the facility unsuitable have been remedied, and such facility is a suitable place for confinement of such minors.

The custodian of each jail, juvenile hall, and lockup shall make such reports as may be required by the department or the juvenile court to effectuate the purposes of this section."

Amendment No. 10

On page 48, strike out lines 27 to 40, inclusive; and on page 49, strike out lines 1 to 16, inclusive.

Amendment No. 11

On page 50, strike out line 30, and insert

"631. (a) Whenever a minor ~~under the age of 18 years~~ is taken into custody by a peace officer or probation officer, except when such minor willfully misrepresents himself as 18 or more years of age, such minor shall be released within 48 hours after having been taken into custody, excluding nonjudicial days, unless within said period of time a petition to declare him a ward or dependent child has been filed pursuant to the provisions of this chapter or a criminal complaint against him has been filed in a court of competent jurisdiction.

(b) Whenever a minor who has been held in custody for more than six hours by the probation officer is subsequently released and no petition is filed, the probation officer shall prepare a written explanation of why the minor was held in custody for more than six hours. The written explanation shall be prepared within 72 hours after the minor is released from custody and filed in the record of the case. A copy of the written explanation shall be sent to the parents, guardian, or other person having care or custody of the minor."

Amendment No. 12

On page 50, strike out lines 31 to 39, inclusive.

Amendment No. 12.5

On page 51, between lines 14 and 15, insert

"SEC 54 5. Section 781 of the Welfare and Institutions Code is amended to read:

781. (a) In any case in which a petition has been filed with a juvenile court to commence proceedings to adjudge a person a dependent child or ward of the court, in any case in which a person is cited to appear before a probation officer or is taken before a probation officer pursuant to Section 626, or in any case in which a minor is taken before any officer of a law enforcement agency, the person or the county probation officer may, five years or more after the jurisdiction of the juvenile court has terminated as to the person, or, in a case in which no petition is filed, five years or more after the person was cited to appear before a probation officer or was taken before a probation officer pursuant to Section 626 or was taken before any officer of a law enforcement agency, or, in any case, at any time after the person has reached the age of ~~21~~ *18* years, petition the court for sealing of the records, including records of arrest, relating to the person's case, in the custody of the juvenile court and probation officer and any other agencies, including law enforcement agencies, and public officials as petitioner alleges, in his petition, to have custody of such records The court shall notify the district attorney of the county and the county probation officer, if he is not the petitioner of the petition, and such district attorney or probation officer or any of their deputies or any other person having relevant evidence may testify at the hearing on the petition. If, after hearing, the court finds that since such termination of jurisdiction or action pursuant to Section 626, as the case may be, he has not been convicted of a felony or of any misdemeanor involving moral turpitude and that rehabilitation has been attained to the satisfaction of the court, it shall order sealed all records, papers, and exhibits in the person's case in the custody of the juvenile court, including the juvenile court record, minute book entries, and entries on dockets, and other records relating to the case in the custody of such other agencies and officials as are named in the order. Thereafter, the proceedings in such case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events, records of which are ordered sealed. The court shall send a copy of the order to each agency and official named therein, and each such agency and official shall seal records in its custody as directed by the order, shall advise the court of its compliance, and thereupon shall seal the copy of the court's order for sealing of records that it or he received. The person who is the subject of records sealed pursuant to this section may petition the superior court to permit inspection of the records by persons named in the petition, and the superior court may so order. Otherwise, except as provided in subdivision (b), such records shall not be open to inspection.

(b) In any action or proceeding based upon defamation, a court, upon a showing of good cause, may order any records sealed under this section to be opened and admitted into evidence The records shall be confidential and shall be available for inspection only by the court, jury, parties, counsel for the parties, and any other person who is authorized by the court to inspect them. Upon the judgment in the action or proceeding becoming final, the court shall order the records sealed."

Amendment No. 13

On page 52, strike out line 24, and insert

"14005.6. (a) When a person is not eligible for aid under any of the chapters set forth in Section 14005 1, but meets all of the following conditions, he is eligible for health care benefits or services under Section 14005:

(1) He or his family meet the income and resource requirements for aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of this code, except that the minimum basic standard of adequate care for a single person living alone shall be 75 percent of the standard for a two-person family under Section 11452;

(2) He resides within the state;

(3) He is a citizen of the United States, or has been legally present in the United States for a period of five years immediately preceding the date of application for Medi-Cal coverage, or who has applied for citizenship;

(4) He is ~~21~~ *18* years of age or older, or has entered into a ceremonial marriage; and

(5) He is not receiving adequate financial contributions toward his support and cost of health care from a husband or wife or parent or adult child able to and responsible for support under the laws of this state.

(b) Any person who has a legal obligation under pertinent sections of the Civil Code to support a person who is eligible under this section to receive health care services, shall complete a statement containing such financial information as may be deemed reasonably necessary by the department for the county to determine his ability to support the applicant Any such person who fails or refuses to complete such statement, or who furnishes or reports false or misleading financial information, is guilty of a misdemeanor

A responsible relative shall be required to pay towards the cost of health care services of a beneficiary under this chapter, the amount for which he would be liable under pertinent sections of the Civil Code.

The duty to support under this section shall be enforced by the county which determined the eligibility of the person to whom support is owed

The failure of a responsible relative to comply with this section shall in no way affect the eligibility for health care services of the person for whom he is responsible."

Amendment No. 14

On page 53, strike out lines 25 to 40, inclusive; and on page 53, strike out lines 1 to 18, inclusive.

Amendment No. 15

On page 53, strike out line 34, and insert

"14053. "Health care and related remedial or preventive services" means:

1. Inpatient hospital services (other than services in a medical institution for tuberculosis or mental diseases except to the extent per-

mitted by federal law) in and by a medical institution or facility operated by, or licensed by, the United States, one of the several states, a political subdivision of a state, the State Department of Health, or exempt from such licensure pursuant to subdivision (c) of Section 1415 of the Health and Safety Code.

2. Outpatient hospital services.

3. Laboratory and X-ray services.

4. Skilled nursing home services (other than services in a medical institution for tuberculosis or mental diseases except to the extent permitted by federal law), as defined for the purpose of securing federal approval of a plan under Title XIX of the Federal Social Security Act, to persons ~~21~~ *18* years of age or older, or to persons under ~~21~~ *18* years of age to the extent permitted by federal law.

5. Physicians' services, whether furnished in the office, the patient's home, a hospital, or a skilled nursing home, or elsewhere.

6. Medical care, or any other type of remedial care recognized under the laws of this state, furnished by licensed practitioners within the scope of their practice as defined by the laws of this state. Other remedial care shall include, without being limited to, treatment by prayer or healing by spiritual means in the practice of any church or religious denomination insofar as these can be encompassed by federal participation under an approved plan.

7. Home health care services.

8. Private duty nursing services.

9. Outpatient clinic services.

10. Dental services.

11. Physical therapy and related services.

12. Prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select.

13. Other diagnostic, screening, preventive, or rehabilitative services.

14. Inpatient hospital services and skilled nursing home services for any individual 65 years of age or over in an institution for tuberculosis or mental diseases.

Such term shall not include, except to the extent permitted by federal law,

a. Any care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution); or

b. Any care or services for any individual who has not attained 65 years of age and who is a patient in an institution for tuberculosis or mental diseases."

Amendment No. 16

On page 53, strike out lines 35 to 40, inclusive; and on page 54, strike out lines 1 to 26, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 13, 1972

Mr. Speaker. The Chairman of your Committee on Education reports:

AB No. 337

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 337—An act to add Sections 23054 5 and 23756.5 to the Education Code, relating to residence.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 7 of the printed bill, strike out "necessarily".

Amendment No. 2

On page 2, line 4, strike out "necessarily".

Amendment No. 3

On page 2, after line 5, insert

"SEC. 3. In the event both this bill and Assembly Bill No. 666 are enacted at the 1972 Regular Session of the Legislature, the provisions of this bill shall not become operative and shall have no force or effect"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 666

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 666—An act to amend Sections 20201, 23751, 23754, 23754.2, 23754 3, 25505 7, and 25505.8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753 2, 23754.4.

23755, 23755.1, 23755.5, 23756, 23758, 23758 05, 23758.1, 23758 2, 23758 3, 23761, 25505, 25505.1, 25505 2, and 25505.9 of, the Education Code, relating to student residency.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly April 3, 1972, strike out "23758.2,".

Amendment No. 2

On page 4, line 27, after "resident", insert "and a nondistrict resident".

Amendment No. 3

On page 4, line 35, strike out the second colon.

Amendment No. 4

On page 5, line 21, after the period, insert "A district governing board may adopt rules and regulations which are not at variance with those adopted by the appropriate governing board."

Amendment No. 5

On page 5, line 27, after "pay", insert ", in addition to other fees required by the institution,".

Amendment No. 6

On page 7, line 25, after "an", insert "adult".

Amendment No. 7

On page 8, line 18, strike out "13184", and insert "13189".

Amendment No. 8

On page 9, line 15, after "boards", insert "and district governing boards".

Amendment No. 9

On page 9, lines 16 and 17, strike out "by the governing boards in their", and insert "in the".

Amendment No. 10

On page 13, line 40, strike out "baccallureate", and insert "baccalaureate".

Amendment No. 11

On page 19, strike out lines 30 and 31.

Amendment No. 12

On page 23, line 5, strike out "when", and insert "which".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, April 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 87
AB No. 308

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, April 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 182
SB No. 183
SB No. 317
SB No. 328
SB No. 365

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, April 12, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 14

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 182—An act to amend Sections 630, 631, and 633 of the Public Resources Code, relating to forestry.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 183—An act to amend Sections 4541, 4562, and 4566 of, to add Section 4543 to, to repeal Article 5 (commencing with Section 4571) and Article 10 (commencing with Section 4611) of Chapter 8 of Part 2 of Division 4 of, and to add and repeal Article 5 (commencing with Section 4571) and Article 10 (commencing with Section 4610) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to forest practices, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 317—An act to amend Section 19253 5 of the Government Code, relating to state civil service

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 328—An act to add Chapter 6 (commencing with Section 5800) to Division 5 of the Public Resources Code, relating to public lands.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 365—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 14—Relative to the Public Utilities Commission.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1418

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1418 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 706—An act to add Section 41803.7 to the Government Code, relating to city attorneys.

Bill read second time, and ordered to third reading.

Assembly Bill No. 683—An act to amend Sections 50081 and 50082 of the Government Code, relating to law enforcement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "and each full-time"; strike out line 8; and in line 9, strike out "need of replacement".

Amendment No. 2

On page 2, line 13, strike out "and foul-weather garments,"; strike out lines 14 to 16, inclusive; and in line 17, strike out "annually replaced", and insert "raincoats, and rainboots"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 673—An act to amend Section 13557 of, repeal Section 10854 of, and to add Section 10854 to, the Education Code, relating to pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly April 3, 1972, after "institution", insert "; but any such person may, within the scope of his employment, use and apply such force or restraint as is reasonable and necessary under the following circumstances:

(1) To quell a disturbance which threatens physical injury to other persons;

(2) To obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil;

(3) For the purpose of self-defense; or

(4) For the protection of persons or property. The use of reasonable and necessary force or restraint for any of the enumerated purposes does not constitute corporal punishment within the meaning of this section".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 689—An act to repeal Article 3 (commencing with Section 5401) and Article 5 (commencing with Section 5501) of Chapter 4 of Division 6 of the Education Code, relating to courses of study.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 690—An act to repeal Sections 268 and 6064 of, and to repeal Article 5.6 (commencing with Section 5995) of Chapter 6 and Article 7 (commencing with Section 6499.21) of Chapter 6.5 of Division 6 of, the Education Code, relating to education.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 753—An act to add Section 1111.9 to the Education Code, relating to school district elections.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 825—An act to add Section 15802.2 to the Education Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 655—An act to amend Section 10805 of the Education Code, relating to interdistrict attendance of pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "county board"; and strike out line 7; and in line 8, strike out "Section 708," and insert "governing board of the district in which the pupil lives".

Amendment No. 2

On page 1, line 11, strike out "of attendance of the"; and on page 2, line 1, strike out "education of the pupil", and insert "in which the pupil lives of educating pupils in schools of the same grade level".

Bill ordered reprinted, and returned to the second reading file.

COMMUNICATIONS

Assembly Chamber, April 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 689
AB No. 753
AB No. 825

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 706

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 6—Relative to public transit diesel buses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 6?

Amendment No. 1

On page 1, line 1, of the printed measure, strike out "Diesel-powered", and insert "Certain two-cycle diesel engines used in some older".

Amendment No. 2

On page 1, line 5, after "emissions", insert "from these engines".

Amendment No. 3

On page 1, line 8, strike out "diesel-powered", and insert "these".

Amendment No. 4

On page 1, line 9, after the semicolon, insert "and

WHEREAS, Under the Urban Mass Transportation Assistance Act of 1970, funds are available to such agencies to finance the installation of such diesel fuel injectors;".

Amendment No. 5

On page 2, line 2, after "urged", insert "to apply to the Department of Transportation for funds".

Amendment No. 6

On page 2, line 3, strike out "diesel-powered buses", and insert "two-cycle diesel engine buses which emit a significant amount of hydrocarbons".

Amendment No. 7

On page 2, line 3, after "reduce", insert "their".

Amendment No. 8

On page 2, between lines 6 and 7, insert

"*Resolved*, That the public transportation agencies are hereby requested to report, by December 31, 1972, to the executive officer of the State Air Resources Board on the action they have taken to install such injectors; and be it further".

Amendment No. 9

On page 2, lines 8 and 9, strike out "take such action to encourage the installation of", and insert "is hereby requested to submit a report, not later than March 1, 1973, to the Legislature on the action taken by public transportation agencies to install".

The Assembly concurred in the above Senate amendments.

Above resolution ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 141, on request of Mr Harvey Johnson.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 148—An act to add Section 17054 5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Briggs, Burton, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Warren, Wilson, Wood, Z'berg, and Mr Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 22—Relating to the William Martin Sell, Jr., Memorial Bridge.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 642 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Commerce and Public Utilities; and that Assembly Bill No. 1740 be withdrawn from the Committee on Planning and Land Use, and re-referred to the Committee on Urban Development and Housing.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Burton, Chacon, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Z'berg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Thomas was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 13

Mr. Murphy was granted unanimous consent to take up Senate Bill No. 13, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 13

Senate Bill No. 13—An act to add Section 6.6 to the San Benito County Water Conservation and Flood Control District Act (Chapter 1598 of the Statutes of 1953), relating to the San Benito County Water Conservation and Flood Control District.

Bill read third time, and presented by Mr. Murphy.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burton, Chacon, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Miller, Assembly Bill No 364 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22 2.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Concurrent Resolution No. 11—Relative to state flag memorials.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—60.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 7—Relative to public transportation in the San Francisco Bay area.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 270—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 270:

Governor's Office, Sacramento
April 10, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 270, "An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 270 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 270.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. LaCoste was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 4—An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, LaCoste, McAlister, McCarthy, Meade, Miller, Pierson, Priolo, Ralph, Ryan, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—34

NOES—Chappie, Conrad, Hayden, MacGillivray, Monagan, Murphy, Russell, Seeley, and Stull—9

Motion to Reconsider Urgency Clause to Assembly Bill No. 4 on Next Legislative Day

Mr Garcia moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No 4 was this day refused adoption

Assembly Bill No 4 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 364

Mr Priolo was granted unanimous consent to take up Assembly Bill No 364, without reference to file, for purpose of consideration at this time.

Consideration of Assembly Bill No. 364

Assembly Bill No. 364—An act to amend Section 10133.1 of the Business and Professions Code, relating to real estate

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2331: By Assemblyman Murphy—An act making an appropriation to pay the claim of Mary Ann Hampson.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2332: By Assemblyman Brown—An act to amend Sections 13210, 13352, and 13550 of the Vehicle Code, relating to drivers' licenses.

Held at Desk by order of the Speaker pro Tempore.

Assembly Joint Resolution No. 27: By Assemblymen Quimby, Lewis, Townsend, Mobley, Burke, Burton, Ray E. Johnson, and Ryan—Relative to poultry disease.

Held at Desk by order of the Speaker pro Tempore.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 13, 1972

Mr. Speaker. Your Committee on Ways and Means reports:

AB No. 222

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 42

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MacDONALD, Vice Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, April 13, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 372

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 372—An act to add Section 1202 4 to the Public Utilities Code, relating to railroad crossings.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly March 21, 1972, strike out "a", and insert "the".

Amendment No. 2

On page 2, line 2, after "crossing", insert "of a public road, highway, or street, with a spur as described in Section 560".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 13, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 277

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 277—An act to amend Sections 50568 and 50570 of, and to add Sections 50571 and 65009 to, the Government Code, and to add Section 33337 5 to the Health and Safety Code, relating to low income homeownership

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, line 14, strike out "and 236 programs", and insert "program".

Amendment No. 2

On page 2, line 21, strike out "DIVISION 24"; and strike out line 22, and insert "a regulatory agreement with the Federal Department of Housing and Urban Development as to dividends or other distributions."

Amendment No. 3

On page 2, line 27, after "corporation", insert ", including but not limited to nonprofit consumer cooperative corporations,"

Amendment No. 4

On page 3, line 12, after "foregoing", insert "section, no transfer shall be made at less than fair market value unless and until the transferee has secured a commitment for mortgage insurance, lease or purchase from a governmental agency on terms which assure that the benefit of the lower price will be passed on to persons and families of low and moderate income, and".

Amendment No. 5

On page 3, line 13, after "that", insert "(in the case of rental projects other than public housing)".

Amendment No. 6

On page 3, line 19, strike out "designated".

Amendment No. 7

On page 3, line 20, after "development", insert "as determined by the local legislative body".

Amendment No. 8

On page 3, line 21, strike out ", and maintain rents (including"; and strike out line 22, and insert ", or failure to develop the property as proposed within a reasonable time and record notice of the terms of transfer shall".

Amendment No. 9

On page 3, line 30, strike out "given".

Amendment No. 10

On page 3, line 31, after "development", insert "as determined by the local legislative body".

Amendment No. 11

On page 3, line 32, strike out ", paying not"; and strike out line 33; and in line 34, strike out "retirement, taxes and utilities".

Amendment No. 12

On page 3, line 35, after "projects", insert "not built for sale to a governmental agency".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

VOTE CHANGES

Mr. Fenton was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 111.

Messrs. MacDonald and Burton were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 148.

Mr. Burton was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 13.

Messrs Burton and Lanterman were granted unanimous consent that they be recorded as voting "Aye" on all items on the Consent Calendar.

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 364.

ADJOURNMENT

At 11.40 a m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a m., Monday, April 17, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-seventh Legislative Day

One Hundred Sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 17, 1972

The Assembly met at 11 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.

Mr. Harvey Johnson seconded the motion.

Motion carried. Time, 11:06 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Call of the Assembly Dispensed With

At 11:17 a.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Save us from the philosophy of those who look upon life as meaningless and profitless. We thank You for the beginning of a new week with opportunities to serve You and Your Family in each new day and each new need. Give to the members of this chamber a precision in their analysis and an objectivity in their judgments. Give them an unflinching charity in their dealings with constituents and colleagues. And, with all, give them a creative optimism and a wholesome cheerfulness in their outlook.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Duffy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Cullen, seconded by Mr. Knox.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Lanterman, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Speaker pro Tempore Bee
Mr. Lewis, on request of Speaker pro Tempore Bee
Mr. Quimby, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Pierson, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 13, 1972

Hon. Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused on Legislative Business from Session on Monday, April 17 and Tuesday, April 18.

I will be in Washington, D.C. attending HEW Secretary Richardson's committee on Personal Data Systems. I also plan to meet with

federal officials regarding matters relating to welfare and school finance. Thank you.

Sincerely yours,

WILLIAM T. BAGLEY, Assemblyman
Seventh District

April 13, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Monday, April 17 as I am addressing the Sons in Retirement group in my district.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

April 12, 1972

Honorable Bob Moretti
Speaker, California State Assembly
State Capitol Building, Sacramento, California

Dear Mr. Speaker: I would respectfully request to be excused from the daily Session on Monday, April 17, 1972.

I will be in San Bernardino meeting with Dr. John Pfau, President of the San Bernardino State College and Dr. Henry Hartman of the San Bernardino Valley Community College discussing higher education in California.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

April 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

My dear Mr. Speaker: I respectfully request that I be excused from session on Monday, April 17 I am meeting with several school administrators in my district regarding school financing.

Very sincerely yours,

JOHN P. QUIMBY, Assemblyman
Seventy-second District

April 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session Monday, April 17th, on legislative business.

I am meeting with Todd Shipyard representatives in San Pedro regarding legislative matters.

Sincerely,

VINCENT THOMAS, Assemblyman
Sixty-eighth District

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

R. Dean Thompson, Executive Officer, California Water Commission, Sacramento, dated April 12, 1972, transmitting a copy of Water Commission Resolution No. 72-03, relative to the acceleration of the Colorado River Basin Salinity Control Program Referred by the Speaker pro Tempore to the Committee on Water.

Nancie R. Potter, Deputy, Board of Supervisors of San Bernardino County, San Bernardino, dated April 11, 1972, transmitting Minutes of the Board of Supervisors, relative to proposal to operate a horse racing facility at the Ontario Motor Speedway. Referred by the Speaker pro Tempore to the Committee on Governmental Organization.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2331	Ways and Means
2332	Criminal Justice

Assembly Concurrent Resolution No.	*Committee*
72	Employment and Public Employees

Assembly Joint Resolution No.	*Committee*
26	Rules
27	Agriculture

Senate Bill No.	*Committee*
182	Natural Resources and Conservation
183	Natural Resources and Conservation
317	Employment and Public Employees
328	Natural Resources and Conservation
365	Ways and Means

Senate Concurrent Resolution No.	*Committee*
14	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2333: By Assemblyman Ray E. Johnson (Senator Marler, coauthor)—An act to amend Sections 2, 13.1, and 26 of, to add

Sections 1.1, 4.1, 4.45, 4.6, 4.7, 14.15, 16.1, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 4.2, 4.6, and 4.7 of, the Sutter County Water Agency Act (Chapter 2088 of the Statutes of 1959), relating to the Sutter County Water Agency.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2334: By Assemblyman Ketchum—An act to add Section 19653 to the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2335: By Assemblyman Murphy—An act to add Section 6374 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 73: By Assemblyman Powers—Relative to the Public Utilities Commission.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 74: By Assemblyman Ray E. Johnson (Senator Marler, coauthor)—Relative to Bidwell Park and Bidwell River Park.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 15—An act to amend Section 37150 of, and to add Chapter 7 (commencing with Section 37175) to Part 7 of Division 13 of, the Water Code, relating to water districts;

Assembly Bill No. 156—An act to amend Section 76033 of the Government Code, relating to counties;

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m., April 13, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 673

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 655

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 11
ACR No. 65

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 214

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 190	AB No. 317	AB No. 682
AB No. 257	AB No. 337	AB No. 683
AB No. 277		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 45
ACA No. 46
AJR No. 22

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 762

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 590

AB No. 643

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 192

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 13, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No. 440

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 657

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 497

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 812

With the recommendation: Do pass.

RALPH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 1, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 817

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 530
AB No. 556
AB No. 2304

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 365
AB No. 539
AB No. 1125
AB No. 2059

With the recommendation: Do pass.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 480	AB No. 828
AB No. 487	AB No. 856
AB No. 623	AB No. 872

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 13, 1972

Mr. Speaker: Your Committee on Local Government reports:

ACA No. 31

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

KNOX, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Transportation

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 32

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

DEDDEH, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 1237

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1237—An act to add Chapter 11 (commencing with Section 6400) to Title 7, Part 3 of the Penal Code, relating to penology.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, after "Psychological", insert "and Medical".

Amendment No. 2

On page 1, strike out lines 7 to 12, inclusive, and insert

"6400. There is in the state government a State Board of Penal Psychological and Medical Ethics which shall be composed of nine members appointed by the Governor.

The membership of the board shall include one neurosurgeon, one physician and surgeon in the general practice of medicine, one psychiatrist, one psychologist, one clergyman, one attorney, one social worker, one criminologist, and one public member."

Amendment No. 3

On page 2, line 5, strike out "two", and insert "three".

Amendment No. 4

On page 2, line 6, strike out "two", and insert "three".

Amendment No. 5

On page 2, strike out lines 7 to 20, inclusive, and insert

"6402. (a) No person under the jurisdiction of, or in the custody of, the Department of Corrections shall be allowed to be the subject of psychological research, experimentation, treatment, or therapy without his own written, informed consent and the approval of the board.

(b) The board shall approve or deny requests of the Department of Corrections to perform psychological research, experimentation, treatment, or therapy with prisoners. The board may routinely approve generally professionally recognized programs of treatment or therapy.

(c) For the purposes of this chapter, "psychological research, experimentation, treatment, or therapy" includes, but is not limited to, drug therapy, electric shock treatment, psychological conditioning, aversion therapy, or neurological surgery.

6403. (a) No person under the jurisdiction of, or under the custody of, the Department of Corrections, shall be allowed to be the subject of medical research or experimentation without his own written informed consent and the approval of the board.

(b) The board shall approve or deny requests of the Department of Corrections to perform medical research or experimentation with prisoners.

(c) For the purposes of the chapter, "medical research or experimentation" includes, but is not limited to, the testing and use of new drugs and medication, new medical and surgical procedures, or exposure to certain substances and conditions to ascertain their effect on human beings.

6404. For purposes of this chapter, "informed consent" shall include the prisoner's being given an accurate description in writing of the research, experimentation, therapy, or treatment and its possible effects, and an opportunity to discuss the matter with his family, attorney, physician, clergymen, and members and staff of the board.

6405. The board may inspect all correctional facilities, or facilities of the Department of Mental Hygiene where prisoners are assigned, and observe all research, experimentation, treatment, or therapy, and may investigate whether any coercion or unethical incentives have been used to encourage volunteers for research, experimentation, treatment, or therapy.

6406. The board shall establish regulations defining coercion or unethical incentives Such regulations shall include standards with relation to the reimbursement of prisoners involved in research, experimentation, treatment, or therapy. The regulations shall also include guidelines with respect to the relation of the nature of any behavior change sought by the Department of Corrections to basic human rights of dignity, privacy, and self-determination."

Amendment No. 6

On page 2, line 21, strike out "6404", and insert "6407".

Amendment No. 7

On page 2, line 25, strike out "6405", and insert "6408".

Amendment No. 8

On page 2, line 28, strike out "6406", and insert "6409".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 13, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1902

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1902—An act to amend Section 4 of Chapter 63 of the Statutes of 1880, relating to protection districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "districts", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 16, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the governing boards of districts formed under Chapter 63 of the Statutes of 1880 may have the power to attend to pressing public business of such districts, this act must go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, April 14, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 1063

AB No. 1069

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1063—An act to amend Sections 53 and 55 of, to add Section 60 to, and to repeal Sections 60, 60.5, and 61 of, the Labor Code, relating to the Department of Industrial Relations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "12803 and 12804 of the Government Code, and to amend Sections 50,".

Amendment No. 2

On page 1, line 1, after the period, insert "Section 12803 of the Government Code is amended to read:

12803. The Health and Welfare Agency is hereby renamed the Human Relations Agency.

The Human Relations Agency consists of the following departments: Social Welfare; Mental Hygiene; Rehabilitation; Public Health; Human Resources Development; the Youth Authority; Corrections; *and* Health Care Services ~~, and Industrial Relations~~.

The Department of Industrial Relations, and all its powers and duties, are hereby transferred from the Human Relations Agency to the Agriculture and Services Agency.

SEC. 2. Section 12804 of the Government Code is amended to read:

12804. The Youth and Adult Corrections Agency is hereby renamed the Agriculture and Services Agency.

The Agriculture and Services Agency consists of the following: the Department of Agriculture; the Department of Commerce; the Department of General Services; the Department of Veterans Affairs; the Department of Consumer Affairs; the Franchise Tax Board; the Public Employees' Retirement System; ~~the Office of Consumer Counsel;~~ the State Fire Marshal; ~~and~~ the State Teachers' Retirement System; *and the Department of Industrial Relations*.

The Department of Corrections and the Department of the Youth Authority are hereby transferred from the Youth and Adult Corrections Agency to the Human Relations Agency.

Notwithstanding any other provision of law, the Department of Industrial Relations is in the Agriculture and Services Agency.

SEC. 3. Section 50 of the Labor Code is amended to read:

50. There is in the state government, in the ~~Human Relations~~ *Agriculture and Services* Agency, the Department of Industrial Relations.

SEC. 4."

Amendment No. 3

On page 2, line 9, strike out "SEC. 2", and insert "SEC. 5".

Amendment No. 4

On page 2, line 29, strike out "SEC. 3", and insert "SEC. 6".

Amendment No. 5

On page 2, line 33, strike out "SEC. 4", and insert "SEC. 7".

Amendment No. 6

On page 3, line 10, after the period, insert "The director shall appoint all civil service employees of the department, except for those employees of the State Compensation Insurance Fund. The chiefs of each division of the department shall serve at the pleasure of the director."

Amendment No. 7

On page 3, line 11, strike out "SEC. 5", and insert "SEC. 8".

Amendment No. 8

On page 3, line 15, strike out "SEC. 6", and insert "SEC. 9".

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

Assembly Bill No. 1069—An act to amend Sections 21, 53, 56, 61, 79, 217, 431, 554, 1174, 1175, 1195, 1195.5, 1197.5, 1256, 1296, 1299, 1301, 1305, 1306, 1311, 1353, 1356, 1398, 1727, 1733, 1775, 1776, 1777.5, 1812, 1852, 2650, 2658.5, 2660.5, and 2666 of, to amend the heading of Chapter 4 (commencing with Section 79) of Division 1 of, to add Sections 81, 82, 83, 84, 85, 86, and 87 to, and to repeal Chapter 2 (commencing with Section 70) of Division 1 of, the Labor Code, relating to the creation of a Division of Employment Standards.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "79," insert "110, 111, 119, 125, 126, 133, 138.2, 139, 139.5, 140, 144, 145,".

Amendment No. 2

In line 4 of the title, strike out "and 2666", and insert "2666, 3205, 3205.5, 3206, 4551, 5300, 5305, 6300, 6419, 6603, 6604, 7267, 7620, and 7801".

Amendment No. 3

In line 5 of the title, after "79)", insert "and the heading of Chapter 5 (commencing with Section 110)".

Amendment No. 3.5

In line 6 of the title, strike out "and 87", and insert ", 87, and 110.5".

Amendment No. 4

In lines 8 and 9 of the title, strike out "the creation of a Division of Employment Standards", and insert "labor".

Amendment No. 5

On page 2, line 14, after "Industrial", insert "Safety and".

Amendment No. 6

On page 2, line 18, after "Industrial", insert "Safety and".

Amendment No. 7

On page 2, line 19, after "Industrial", insert "Safety and".

Amendment No. 8

On page 2, line 27, strike out "seven", and insert "six".

Amendment No. 9

On page 2, strike out line 28, and insert "Industrial Safety and Accidents, the".

Amendment No. 9.5

On page 3, line 24, strike out "accede", and insert "succeed".

Amendment No. 10

On page 5, line 8, after "SEC. 15 ", insert "The heading of Chapter 5 (commencing with Section 110) of Division 1 of the Labor Code is amended to read:

CHAPTER 5. DIVISION OF INDUSTRIAL *SAFETY AND* ACCIDENTS

SEC. 16. Section 110 of the Labor Code is amended to read:

110. As used in this chapter:

(a) "Appeals board" means the Workmen's Compensation Appeals Board. The title of a member of the board is "commissioner."

(b) "Administrative director" means the Administrative Director of the Division of Industrial *Safety and* Accidents.

(c) "Division" means the Division of Industrial *Safety and* Accidents.

SEC. 16.5. Section 110 5 is added to the Labor Code, to read:

110.5. (a) The Division of Industrial Safety and Accidents hereby succeeds to the duties, powers, purposes, responsibilities, and jurisdiction of the Division of Industrial Accidents and the Division of Industrial Safety vested by this code.

(b) The Division of Industrial Safety and Accidents shall have the possession and control of all records, papers, offices, equipment, supplies, moneys, funds, appropriations, land, and other property, real or personal, held for the benefit or use of the Division of Industrial Accidents or the Division of Industrial Safety in the performance of the duties, powers, purposes, responsibilities, and jurisdiction of such divisions vested in the Division of Industrial Safety and Accidents by this section.

(c) All employees of the Division of Industrial Accidents and the Division of Industrial Safety who at the time this section takes effect have permanent civil service status in positions in which the duties are in furtherance of the work of such respective divisions, shall be transferred to the Division of Industrial Safety and Accidents without loss of permanent civil service status, and shall continue to be subject to the provisions of the State Civil Service Act

SEC 17. Section 111 of the Labor Code is amended to read:

111 The Workmen's Compensation Appeals Board, consisting of seven members, shall exercise all judicial powers vested in it under this code. In all other respects, the Division of Industrial *Safety and* Accidents is under the control of the administrative director and, except as to those duties, powers, jurisdiction, responsibilities and purposes as are specifically vested in the appeals board, the administrative director shall exercise the powers of the head of a department within the meaning of Article 1 (commencing with Section 11150), Chapter 2, Part 1, Division 3, Title 2 of the Government Code with respect to the Division of Industrial *Safety and* Accidents which shall include supervision of and responsibility for personnel and the coordination of the work of the division, except personnel of the appeals board.

SEC. 18. Section 119 of the Labor Code is amended to read:

119. The attorney shall·

(a) Represent and appear for the state and the Division of Industrial *Safety and* Accidents and the appeals board in all actions and proceedings arising under any provision of this code administered by the division or under any order or act of the division or the appeals board and, if directed so to do, intervene, if possible, in any action or proceeding in which any such question is involved.

(b) Commence, prosecute, and expedite the final determination of all actions or proceedings, directed or authorized by the administrative director or the appeals board

(c) Advise the administrative director and the appeals board and each member thereof, upon request, in regard to the jurisdiction, powers or duties of the administrative director, the appeals board and each member thereof.

(d) Generally perform the duties and services as attorney to the Division of Industrial *Safety and* Accidents and the appeals board which are required of him.

SEC. 19. Section 125 of the Labor Code is amended to read:

125. The administrative director shall cause to be printed and furnished free of charge to any person blank forms which are requisite to facilitate or promote the efficient performance of the duties of the Division of Industrial *Safety and* Accidents.

SEC. 20. Section 126 of the Labor Code is amended to read:

126. The Division of Industrial *Safety and* Accidents, including the administrative director and the appeals board, shall keep minutes of all their proceedings and other books or records requisite for proper and efficient administration. All records shall be kept in their respective offices.

SEC. 21. Section 133 of the Labor Code is amended to read:

133. The Division of Industrial *Safety and* Accidents, including the administrative director and the appeals board, shall have power and jurisdiction to do all things necessary or convenient in the exercise of any power or jurisdiction conferred upon it under this code.

SEC. 22. Section 138.2 of the Labor Code is amended to read:

138.2. The headquarters of the Division of Industrial *Safety and* Accidents shall be based at and operated from a centrally located city.

The administrative director shall have an office in such city with suitable rooms, necessary office furniture, stationery and supplies, and may rent quarters in other places for the purpose of establishing branch or service offices, and for that purpose may provide such offices with necessary furniture, stationery and supplies.

The administrative director shall provide suitable rooms, with necessary office furniture, stationery and supplies for the the production of papers, including books, accounts, and documents, as required by any subpoena regularly issued hereunder. In case of the refusal of any witness to obey such subpoena the appeals board or the referee, before whom the testimony is to be given or produced, may report to the superior court in and for the county in which the proceeding is pending, by petition, setting forth that due notice has been given of the time and place of attendance of the witness, or the production of the papers, that the witness has been subpoenaed in the prescribed manner, and that the witness has failed and refused to obey the subpoena, or has refused to answer questions propounded to him in the course of such proceeding, and ask an order of the court, compelling the witness to attend and testify or produce the papers before the appeals board. The court shall thereupon enter an order directing the witness to appear before the court at a time and place fixed in such order, the time to be not more than 10 days from the date of the order, and then and there show cause why he had not attended and testified or produced the papers before the appeals board or a referee. A copy of the order shall be served upon said witness. If it appears to the court that the subpoena was regularly issued hereunder and that the witness was legally bound to comply therewith, the court shall thereupon enter an order that the witness appear before the appeals board or referee at a time and place fixed in such order, and testify or produce the required

papers, and upon failure to obey the order, the witness shall be dealt with as for contempt of court. The remedy provided in this section is cumulative, and shall not impair or interfere with the power of the appeals board or a member thereof to enforce the attendance of witnesses and the production of papers, and to punish for contempt in the same manner and to the same extent as courts of record.

SEC. 23 Section 139 of the Labor Code is amended to read:

139. The administrative director shall appoint a medical advisory committee composed of seven members from recognized fields of medical practice. The members of the medical advisory committee shall be physicians representing medical specialties concerned with the treatment of industrial injury and disease, and shall be appointed after consultation with statewide and local associations of physicians for two-year staggered terms. Vacancies shall be filled by appointment for the unexpired terms. Members shall receive actual necessary traveling expenses and a per diem of one hundred dollars ($100) for each day spent in meetings of the medical advisory committeee The medical advisory committee shall counsel and assist the medical director and shall perform such other duties as the administrative director may direct.

The medical advisory committeee shall:

(a) Maintain liaison with the medical profession.

(b) Assist in recruiting doctors for the medical bureau.

(c) Advise the medical director as to selection and removal of independent medical examiners.

(d) Assist in developing guidelines for determination of disputed questions of medical fact

(e) Suggest standards for improving care furnished injured employees.

(f) Undertake continuing studies of developments in the field of rehabilitation, and continuously inform treating physicians of these developments.

(g) Advise the division regarding reasonable levels of fees for physicians performing services under this code

The administrative director shall appoint for renewable terms of two years, independent expert medical examiners in each of the medical specialties as may be required

Assignment of cases to independent medical examiners shall be made at the request of a referee by the medical director or his assistant in each office where a unit of the medical bureau is maintained or by the supervising referee in other offices of the division. Insofar as possible, a rotation method of assignment of independent medical examiners shall be followed.

Such medical examiners shall conduct examinations and report their findings and opinions in accordance with guidelines developed for that purpose by the medical director of the division

Payment for independent medical examination shall be made by the Division of Industrial *Safety and* Accidents from funds appropriated for that purpose or for the support of the division's medical bureau

The level of fees for such services shall be set periodically by the administrative director at a level which will assure the availability of outstanding medical experts to serve as independent medical examiners

SEC. 24 Section 139.5 of the Labor Code is amended to read:

139.5. The administrative director may establish within the medical bureau of the Division of Industrial *Safety and* Accidents a rehabilitation unit, including an appropriate professional staff, to foster, review, and approve rehabilitation plans, and to expedite and facilitate the carrying out of rehabilitation plans The salaries of the personnel of the rehabilitation unit shall be fixed by the State Personnel Board

The initiation of a rehabilitation plan shall be by the employer or insurance carrier. If the employer, the insurance carrier, or the injured workman disagree as to the establishment of a rehabilitation plan either may consult with the rehabilitation unit or may seek an advisory determination by the rehabilitation unit which may make an advisory determination that such services are necessary or advisable

Any plan initiated by an employer or insurance carrier shall be presumed to be necessary and meritorious.

Injured workmen may agree with their employers or the insurance carriers for insured employers upon rehabilitation programs without submission of such programs for approval.

Where an employer or insurance carrier fails or refuses to initiate a rehabilitation plan for an injured workman, or fails or refuses to participate in a plan previously initiated and agreed to by such employer or insurance carrier, such failure and refusal shall be deemed to be final.

SEC 25. Section 140 of the Labor Code is amended to read:

140. There is in the Division of Industrial Safety *and Accidents*, the Industrial Safety Board which consists of the Director of Industrial Relations, who shall be the chairman, and four members who shall be appointed by the Governor.

SEC 26. Section 144 of the Labor Code is amended to read:

144. All employees of the Industrial Accident Commission, who at the time this section takes effect have permanent civil service status in positions in which the duties are in furtherance of the work mentioned in Division 5 *(commencing with Section 6300)*, shall be transferred to the Division of Industrial Safety *and Accidents* without loss of permanent civil service status, and shall continue to be subject to the provisions of the State Civil Service Act

SEC 27. Section 145 of the Labor Code is amended to read:

145 The Chief of the Division of Industrial Safety *and Accidents* shall receive an annual salary as provided by Chapter 6 *(commencing with Section 11550)* of Part 1 of Division 3 of Title 2 of the Government Code

SEC. 28."

Amendment No. 11

On page 5, line 15, strike out "SEC 16", and insert "SEC. 29".

Amendment No. 12

On page 5, line 22, strike out "SEC 17", and insert "SEC. 30".

Amendment No. 13

On page 6, line 14, strike out "SEC. 18", and insert "SEC. 31".

Amendment No. 14

On page 7, line 3, strike out "SEC. 19", and insert "SEC. 32".

Amendment No. 15

On page 7, line 18, strike out "SEC. 20", and insert "SEC. 33".

Amendment No. 16

On page 7, line 27, strike out "SEC. 21", and insert "SEC. 34".

Amendment No. 17

On page 7, line 40, strike out "SEC. 22", and insert "SEC. 35".

Amendment No. 18

On page 9, line 35, strike out "SEC. 23", and insert "SEC. 36".

Amendment No. 19

On page 10, line 1, strike out "SEC. 24", and insert "SEC. 37".

Amendment No. 20

On page 10, line 17, strike out "SEC. 25", and insert "SEC. 38".

Amendment No. 21

On page 10, line 30, strike out "SEC. 26", and insert "SEC. 39".

Amendment No. 22

On page 10, line 39, strike out "SEC. 27", and insert SEC. 40".

Amendment No. 23

On page 11, line 11, strike out "SEC. 28", and insert "SEC. 41".

Amendment No. 24

On page 11, line 24, strike out "SEC. 29", and insert "SEC. 42".

Amendment No. 25

On page 11, line 28, strike out "SEC. 30", and insert "SEC. 43".

Amendment No. 26

On page 11, line 36, strike out "SEC. 31", and insert "SEC. 44".

Amendment No. 27

On page 12, line 3, strike out "SEC. 32", and insert "SEC. 45".

Amendment No. 28

On page 12, line 8, strike out "SEC. 33", and insert "SEC. 46".

Amendment No. 29

On page 12, line 20, strike out "SEC. 34", and insert "SEC. 47".

Amendment No. 30

On page 12, line 37, strike out "SEC. 35", and insert "SEC. 48".

Amendment No. 31

On page 14, line 6, strike out "SEC. 36", and insert "SEC. 49".

Amendment No. 32

On page 14, line 16, strike out "SEC. 37", and insert "SEC. 50".

Amendment No. 33

On page 17, line 9, strike out "SEC. 38", and insert "SEC. 51".

Amendment No. 34

On page 17, line 19, strike out "SEC 39", and insert "SEC. 52".

Amendment No. 35

On page 17, line 28, strike out "SEC. 40", and insert "SEC. 53".

Amendment No. 36

On page 18, line 20, strike out "SEC. 41", and insert "SEC. 54".

Amendment No. 37

On page 18, line 39, strike out "SEC 42", and insert "SEC. 55".

Amendment No. 38

On page 19, line 9, strike out "SEC. 43", and insert "SEC. 56".

Amendment No. 39

On page 19, after line 26, insert

"SEC. 57. Section 3205 of the Labor Code is amended to read:

3205. "Division" means the Division of Industrial *Safety and* Accidents.

SEC. 58. Section 3205 5 of the Labor Code is amended to read:

3205 5. "Appeals board" means the Workmen's Compensation Appeals Board of the Division of Industrial *Safety and* Accidents.

SEC 59. Section 3206 of the Labor Code is amended to read:

3206. "Administrative director" means the Director of the Division of Industrial *Safety and* Accidents

SEC. 60. Section 4551 of the Labor Code is amended to read:

4551. Where the injury is caused by the serious and willful misconduct of the injured employee, the compensation otherwise recoverable therefor shall be reduced one-half, except:

(a) Where the injury results in death.

(b) Where the injury results in a permanent disability of 70 percent or over.

(c) Where the injury is caused by the failure of the employer to comply with any provision of law, or any safety order of the Division of Industrial Safety *and Accidents*, with reference to the safety of places of employment.

(d) Where the injured employee is under 16 years of age at the time of injury.

SEC. 61. Section 5300 of the Labor Code is amended to read:

5300 All the following proceedings shall be instituted before the appeals board and not elsewhere, except as otherwise provided in ~~Division 5~~ *this division*.

(a) For the recovery of compensation, or concerning any right or liability arising out of or incidental thereto.

(b) For the enforcement against the employer or an insurer of any liability for compensation imposed upon him by this division in favor of the injured employee, his dependents, or any third person.

(c) For the determination of any question as to the distribution of compensation among dependents or other persons.

(d) For the determination of any question as to who are dependents of any deceased employee, or what persons are entitled to any benefit under the compensation provisions of this division.

(e) For obtaining any order which by ~~Division~~ *this division* the appeals board is authorized to make.

(f) For the determination of any other matter, jurisdiction over which is vested by ~~Division~~ *this division* in the Division of Industrial *Safety and* Accidents, including the administrative director and the appeals board.

SEC. 62. Section 5305 of the Labor Code is amended to read:

5305 The Division of Industrial *Safety and* Accidents, including the administrative director and the appeals board has jurisdiction over all controversies arising out of injuries suffered without the territorial limits of this state in those cases where the injured employee is a resident of this state at the time of the injury and the contract of hire was made in this state Any such employee or his dependents shall be entitled to the compensation or death benefits provided by this division.

SEC. 63. Section 6300 of the Labor Code is amended to read:

6300. As used in this division:

(a) "Insurer" includes the State Compensation Insurance Fund and any private company, corporation, mutual association, reciprocal or interinsurance exchange authorized under the laws of this state to insure employers against liability for compensation under Part 1 *(commencing with Section 6300)* of this division and under Division 4 *(commencing with Section 3201)* and any employer to whom a certificate of consent to self-insure has been issued.

(b) "Division" means the Division of Industrial Safety *and Accidents*.

(c) "Board" means the Industrial Safety Board, within the division.

SEC 64. Section 6419 of the Labor Code is amended to read:

6419. All portable and all mobile internal combustion engines that are used inside factories, manufacturing plants, warehouses, buildings and other enclosed structures shall be equipped with a certified exhaust purifier device after the certification of such a device by the State Air Resources Board.

The Division of Industrial Safety *and Accidents* shall be responsible for the enforcement of the provisions of this section

SEC 65. Section 6603 of the Labor Code is amended to read:

6603. All safety orders heretofore adopted by the Industrial Accident Commission, and not repealed by it are ratified and continued in effect, but they may be amended or repealed pursuant to this part by the Division of Industrial Safety *and Accidents*.

Nothing in this chapter shall limit the right of the division to:

(a) Adopt new or different rules or regulations or new or different standards of safety.

(b) Abrogate, change or modify any existing rule, regulation or standard, or any part thereof, or deprive the division of continuing jurisdiction over the same.

(c) Enforce all rules, regulations or standards adopted, or changed, or modified as provided in this part.

SEC. 66. Section 6604 of the Labor Code is amended to read:

6604. No employee shall be laid off or discharged for refusing to perform work in the performance of which this code or any safety order of the Division of Industrial Safety *and Accidents* will be violated, where such violation would create a real and apparent hazard to the employee or his fellow employees Any employee who is laid off or discharged for refusing to perform work in the performance of which this code or any safety order of the Division of Industrial Safety *and Accidents* will be violated and where such violation would create a real and apparent hazard to the employee or his fellow employees shall have a right of action for wages for the time such employee is without work as a result of such layoff or discharge; provided, that such employee notifies his employer of his intention to make such a claim within 10 days after being laid off or discharged and files a claim with the Labor Commissioner within 30 days after being laid off or discharged.

SEC. 67. Section 7267 of the Labor Code is amended to read:

7267. The Division of Industrial Safety *and Accidents* shall enforce this article.

SEC. 68. Section 7620 of the Labor Code is amended to read:

7620. "Division," as used in this part, means the Division of Industrial Safety *and Accidents*.

SEC. 69. Section 7801 of the Labor Code is amended to read:

7801. "Industrial Safety Board" as used in this part means the Industrial Safety Board of the Division of Industrial Safety, *and Accidents of the* Department of Industrial Relations, *of the* State of California."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 1061

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1061—An act to add Chapter 5 5 (commencing with Section 18310) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "pursuant to the Older"; and on page 2, line 1, strike out "Americans Act of 1965, as amended", and insert "as funded under the mainstream program of the Economic Opportunity Act of 1965, as amended, and as administered by the United States Department of Labor".

Amendment No. 2

On page 2, after line 1, insert

"18311. Funds received pursuant to this chapter shall be administered by the California Commission on Aging, and such commission shall provide any planning necessary to implement the programs established under this chapter.

18312 The state shall supply all in-kind equipment and materials needed to effectuate the purpose of this chapter "

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No 1391

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1391—An act to add Section 11250 7 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Employment", and insert "Human Resources Development".

Amendment No. 2

On page 2, line 1, strike out "Employment", and insert "Human Resources Development".

Amendment No. 3

On page 2, line 4, strike out "Employment", and insert "Human Resources Development".

Amendment No. 4

On page 2, line 9, strike out "Employment", and insert "Human Resources Development".

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 672

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 672—An act to amend Section 17530.5 of the Business and Professions Code, relating to income taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 19 and 20, and insert "such person notifies the taxpayer, in writing, at least 30 days in advance of the transfer of the tax returns"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 1119

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

QUIMBY, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1119—An act to add Sections 36438, 36439, and 36440 to the Water Code, relating to water districts.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 37203 of, and".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 3, line 5, strike out "A certified"; and strike out lines 6 and 7, and insert "If the parent district has adopted the alternative method for the levy, collection and enforcement of district assessments by the county and is operating under the provisions of Part 7.5 (commencing with Section 37200) of this division, it shall file a statement as required by Chapter 8 (commencing with Section 54900) of Part 1, Division 2, Title 5 of the Government Code. The resolution".

Amendment No. 4

On page 3, after line 13, insert

"SEC. 4. Section 37203 of the Water Code is amended to read:

37203 On or before December 31st of any year the board may by resolution elect to proceed under this part for the levy, collection and enforcement of assessments, and thereafter until termination of such election the provisions of this part and no other shall apply. The board by resolution may at any time on or before December 31st of any year terminate its election to proceed under this part, and thereafter the provisions of this part shall no longer apply On or before January 1st following the adoption of either of said resolutions, a certified copy thereof shall be filed with the auditor, assessor, tax collector and treasurer of each county within which a district is located and with the State Board of Equalization There shall also be filed with the county assessor and the State Board of Equalization a ~~map or plat indicating the boundaries of the district~~ *statement* as required by Chapter 8 (commencing with Section 54900), Part 1, Division 2, Title 5 of the Government Code."

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, April 14, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 615
AB No. 616
AB No. 617

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 615—An act to add Section 129 5 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "board", insert ", except the State Athletic Commission and the State Board of Guide Dogs for the Blind,".

Amendment No. 2

On page 1, line 9, after "*thereof*", insert ", or to each business establishment licensed by the board".

Amendment No. 3

On page 2, after line 4, insert

"SEC. 2 This act shall become operative on July 1, 1973."

Bill ordered reprinted and to be re-referred to the Committee on Commerce and Public Utilities

Assembly Bill No. 616—An act to add Section 7034 to the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7034", and insert "7030".

Amendment No. 2

On page 1, line 1, strike out "7034", and insert "7030".

Amendment No. 3

On page 1, strike out lines 3 to 8, inclusive; and strike out page 2, and insert

"7030. (a) Every person licensed pursuant to this chapter shall include the following statement in prominent type on all written estimates, bids, contracts, subcontracts, or billing statements:

Contractors are required by law to be licensed and regulated by the Contractors' State License Board Any questions concerning the responsibilities of a contractor may be referred to the registrar of the board whose address is:

Contractors' State License Board
1020 N Street
Sacramento, California 95814

(b) For the purposes of subdivision (a), "prominent type" means at least 10-point bold face type, and in no event type less than two points larger than the type in any other portion of the written estimate, bid, contract, subcontract, or billing statement."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 617—An act to add Section 129 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, of the printed bill, strike out line 2, and insert

"(b) Each board shall, upon receipt of any complaint respecting a licentiate thereof, notify the complainant of the initial administrative action taken on his complaint within 10 days of receipt Each board shall thereafter notify the complainant of the final action taken on his complaint There shall be a notification made in every case in which the complainant is known If the complaint is not within the jurisdiction of the board or if the board is unable to dispose satisfactorily of the complaint, the board shall transmit the complaint together with any evidence or information it has concerning the complaint to the agency, public or private, whose authority in the opinion of the board will provide the most effective means to secure the relief sought The board shall notify the complainant of such action and of any other means which may be available to the complainant to secure relief

(c) The board shall, when the board deems it appropriate, notify the person against whom the complaint is made of the nature of the complaint, may request appropriate relief for the complainant, and may meet and confer with the complainant and the licentiate in order to mediate the complaint.

(d) It shall be the continuing duty of the board to ascertain patterns of complaints and to report on all actions taken with respect to such patterns of complaints to the director and to the Legislature at least once a year The board shall evaluate those complaints dismissed for lack of jurisdiction or no violation and recommend to the director and to the Legislature at least once a year such statutory changes as it deems necessary to implement the board's functions and responsibilities under this section

(e) It shall be the continuing duty of the board to take whatever action it deems necesary, with the approval of the director, to inform the public of its functions under this section"

Amendment No. 2

On page 2, strike out lines 3 to 29, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, April 13, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 727
AB No. 729
AB No. 819

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 727—An act to amend Sections 21682 and 21683 of the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, lines 10 and 11, of the printed bill, strike out "prior to August 31 in".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 729—An act to amend Section 21407.5 of the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "drugs, amphetamines or".

Amendment No. 2

On page 1, line 5, after the first comma, insert "or restricted dangerous drugs".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 819—An act to amend Sections 77, 77.2, and 77.3 of the Harbors and Navigation Code, relating to yacht and ship brokers.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, line 24, of the printed bill, strike out "issued in such amount by", and insert "in the sum of five thousand dollars ($5,000), with an assignment to the director, together with evidence of the deposit of such sum in".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 6, 1972

Mr. Speaker: The Chairman of your Committee on Health reports: AB No. 1371

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1371—An act to amend Section 14120 of the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 12, inclusive; and strike out page 2, and insert

"SECTION 1. Section 14120 of the Welfare and Institutions Code is amended to read:

14120. (a) At the beginning of each fiscal year, for the current fiscal year, the director shall establish a monthly schedule of anticipated total payments and anticipated payments for categories of services, according to the categories established in the Governor's Budget. The schedule will be revised quarterly.

(b) The director shall report actual total payments and payments for categories of services, as set forth in subdivision (a), monthly to the Director of Finance and to the Joint Legislative Budget Committee.

(c) At any time during the fiscal year, if the director has reason to believe that the total cost of the program will exceed available funds, he may, first modify the method or amount of payment for services, provided that no amount shall be reduced more than 10 percent and no modification will conflict with federal law. If such modification is not sufficient to bring the program within available funds, the director may postpone elective services in the basic schedule of benefits. Such postponement of elective services shall be accomplished by changing the standards for approval of requests for prior authorizations. Such changes shall be designed to insure that those recipients most in need of elective services receive them first within the funds available, but that no particular service is completely eliminated.

(d) At any time during the fiscal year, if the total amounts paid since the beginning of the fiscal year exceed by 10 percent the amounts scheduled, the director shall immediately institute the action set forth in subsection (c) above.

(e) At any time during the fiscal year, if the total amounts paid for any category of service exceeds by 10 percent the amounts scheduled (other than services for which the method or amount of payment is prescribed by the Secretary of Health, Education, and Welfare pursuant to Title XIX of the Federal Social Security Act), the director shall modify the method or amount of payment for such category of service to assure that the total amount paid for such category of service in the fiscal year shall be less than 10 percent in excess of the total amount scheduled provided the total cost of the program to the State General Fund will not exceed appropriated state general funds.

(f) Before any of the above actions are taken by the director, he shall consult with representatives of concerned provider groups.

~~The provisions of this section shall not be operative until July 1, 1972.~~

The director shall not apply any modifications in funding for payment of nursing homes which are providers of Medi-Cal services."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 285

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 285—An act to amend Section 1606 of the Health and Safety Code, relating to blood transfusions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, strike out "a sale of such"; strike out line 9; on line 10, strike out "derivatives", and insert "the rendition of a service".

Amendment No. 2

On page 2, strike out lines 14 and 15, and insert "a sale of such whole blood, plasma, blood products, or blood derivatives, for any purpose or purposes whatsoever This subdivision shall not apply where a blood donor receives money or any other valuable consideration in return for the donation of his blood.

(b) For purposes of subdivision (a) "money or other valuable consideration" does not include a deduction from adjusted gross income permitted by Section 17072 of the Revenue and Taxation Code given in consideration of, or resulting from, the voluntary donation of the donor's own blood."

Amendment No. 3

On page 2, line 16, strike out "(b)", and insert "(c)".

Amendment No. 4

On page 2, line 19, strike out "effective", and insert "operative".

Amendment No. 5

On page 2, after line 25, insert

"(d) Every package or container which is used to store any whole blood, plasma, blood product, or blood derivative referred to in subdivision (a) shall bear a label which states whether such whole blood, plasma, blood product, or blood derivative has been obtained from volunteer donor or from a paid donor.

SEC. 2. The Legislature hereby finds and declares that transfusion-associated hepatitis is a serious disease for which, as yet, no effective preventative has been found; that current medical technology can assure the detection of only approximately 25 percent of the hepatitis-infected units of blood being used; that the incidence of transfusion-associated hepatitis occurs in a significantly greater number of cases when blood from a paid donor is used rather than when blood is used from a donor who is an unpaid volunteer, a participant in an insurance or replacement program, or who otherwise gives blood without payment therefor; that by discouraging the use of paid donors, the incidence of transfusion-associated hepatitis could be substantially reduced; and that it is therefore the intent of the Legislature to treat the liability for transfusion-associated hepatitis resulting from the use of blood derived from paid donors differently from hepatitis derived from blood donated by unpaid volunteer donors.

SEC. 3. Section 1 of this act shall become operative on July 1, 1973, or six months after the effective date of this act, whichever is the later."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 13, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

AB No. 1544

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1544—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, after "interns", insert ", or he is a diplomate of any of the American specialty boards approved by the American Medical Association, provided that such specialty training was acquired in the United States or Canada".

Amendment No. 2

On page 2, line 35, strike out "When the"; strike out lines 36 to 40, inclusive; and on page 3, strike out lines 1 to 3, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 697

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 697—An act to add Section 55507 to the Water Code, relating to county waterworks districts

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "twenty dollars ($20)", and insert "ten dollars ($10) a year".

Amendment No. 2

On page 2, line 7, after "parcels", insert ", but shall not exceed ten dollars ($10) per acre per year".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 459

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 459—An act to amend Section 704 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "704", and insert "790.03".

Amendment No. 2

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 790.03 of the Insurance Code is amended to read:

790.03. The following are hereby defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance.

(a) Making, issuing, circulating, or causing to be made, issued or circulated, any estimate, illustration, circular or statement misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon, or making any false or misleading statement as to the dividends or share of surplus previously paid on similar policies, or making any misleading representation or any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any life insurer operates, or using any name or title of any policy or class of policies misrepresenting the true nature thereof, or making any misrepresentation to any policyholder insured in any company for the purpose of inducing or tending to induce such policyholder to lapse, forfeit, or surrender his insurance.

(b) Making or disseminating or causing to be made or disseminated before the public in this state, in any newspaper or other publication, or any advertising device, or by public outcry or proclamation, or in any other manner or means whatsoever, any statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue, deceptive or misleading

(c) Entering into any agreement to commit, or by any concerted action committing, any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of, or monopoly in, the business of insurance.

(d) Filing with any supervisory or other public official, or making, publishing, disseminating, circulating or delivering to any person, or placing before the public, or causing directly or indirectly, to be made,

published, disseminated, circulated, delivered to any person, or placed before the public any false statement of financial condition of an insurer with intent to deceive.

(e) Making any false entry in any book, report or statement of any insurer with intent to deceive any agent or examiner lawfully appointed to examine into its condition or into any of its affairs, or any public official to whom such insurer is required by law to report, or who has authority by law to examine into its condition or into any of its affairs, or, with like intent, willfully omitting to make a true entry of any material fact pertaining to the business of such insurer in any book, report or statement of such insurer

(f) Making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract.

(g) Making or disseminating, or causing to be made or disseminated, before the public in this state, in any newspaper or other publication, or any other advertising device, or by public outcry or proclamation, or in any other manner or means whatever, whether directly or by implication, any statement that a named insurer, or named insurers, are members of the California Insurance Guarantee Association, or insured against insolvency as defined in Section 119 5. This subdivision shall not be interpreted to prohibit any activity of the California Insurance Guarantee Association or the commissioner authorized, directly or by implication, by Article 14 2 (commencing with Section 1063) of this chapter.

(h) Knowingly committing or performing with such frequency as to indicate a general business practice any of the following unfair claims settlement practices:

(1) Misrepresenting to claimants pertinent facts or insurance policy provisions relating to any coverages at issue

(2) Failing to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies.

(3) Failing to adopt and implement reasonable standards for the prompt investigation and processing of claims arising under insurance policies.

(4) Failing to affirm or deny coverage of claims within a reasonable time after proof of loss requirements have been completed and submitted by the insured.

(5) Not attempting in good faith to effectuate prompt, fair, and equitable settlements of claims in which liability has become reasonably clear.

(6) Compelling insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds

(7) Attempting to settle a claim by an insured for less than the amount to which a reasonable man would have believed he was entitled by reference to written or printed advertising material accompanying or made part of an application.

(8) Attempting to settle claims on the basis of an application which was altered without notice to, or knowledge or consent of, the insured, his representative, agent, or broker.

(9) Failing, after payment of a claim, to inform insureds or beneficiaries, upon request by them, of the coverage under which payment has been made.

(10) Making known to insureds or claimants a practice of the insurer of appealing from arbitration awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration.

(11) Delaying the investigation or payment of claims by requiring an insured, claimant, or the physician of either, to submit a preliminary claim report, and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information.

(12) Failing to settle claims promptly, where liability has become apparent, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.

(13) Failing to provide promptly a reasonable explanation of the basis relied on in the insurance policy, in relation to the facts or applicable law, for the denial of a claim or for the offer of a compromise settlement.

Amendment No. 3

Strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 17, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 718

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 718—An act to amend Section 7152 of the Financial Code, relating to savings and loan associations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "An", and insert "Subject to the rules and regulations of the commissioner, an".

Amendment No. 2

On page 2, strike out lines 9 and 10; and in line 11, strike out "comparable credit rating organization".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, April 12, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 687

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 687—An act to amend Section 11525.2 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "districts", insert "maintaining an elementary school".

Amendment No. 2

On page 2, line 20, after "such", insert "elementary".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

MESSAGES FROM THE SENATE

Senate Chamber, April 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 51
AB No. 418

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, April 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 26

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, April 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 75	SB No. 402	SB No. 504
SB No. 243	SB No. 475	SB No. 1323
SB No. 331		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, April 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 35

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 75—An act to amend Section 22 of Chapter 523 of the Statutes of 1867–1868, relating to public lands.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 243—An act to amend Sections 36110 and 36125 of, to add Section 36101 to, and to repeal Sections 36106 and 36112 of, the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 331—An act to add Section 24045.2 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 402—An act to amend Section 1010 of the Evidence Code, relating to privileges.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 475—An act to amend Section 5470 of the Health and Safety Code, relating to sanitation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 504—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1323—An act to add Sections 25502.3 and 25502.4 to the Government Code, relating to county purchasing agents, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 35—Relative to Transportation Week

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2283

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 2283 be withdrawn from the Committee on Welfare and re-referred to the Committee on Health.

~~BILL REMOVED FROM CONSENT CALENDAR~~

~~On request of Mr. Cullen, Senate Bill No. 111 was removed from the Consent Calendar.~~

~~Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.~~

NOTE: Later this day, the action was rescinded whereby Senate Bill No. 111 was removed from the Consent Calendar, and whereby the bill was ordered replaced on the second reading file. See page 1861.

REQUEST FOR UNANIMOUS CONSENT

Mr. MacDonald was granted unanimous consent that Assembly Bill No. 697 be considered engrossed.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 673 and **655**, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 8 to Article XIII thereof, relating to grants of state funds.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted:

Amendment No. 1

On page 1 of the printed measure, as amended in Assembly March 2, 1972, strike out line 9; and on page 2, line 1, strike out "funds", and insert

"SEC. 8. For the purpose of relieving excessive property tax burdens on individual citizens, the Legislature may provide direct state refunds".

Resolution ordered reprinted, and on file.

Assembly Bill No. 143—An act to add Section 326 5 to the Penal Code, relating to bingo.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Assembly April 5, 1972, strike out "such further violation", and insert "a violation of this section".

Amendment No. 2

On page 2, between lines 32 and 33, insert

"(e) No minors shall be allowed to participate in any bingo game."

Amendment No. 3

On page 3, line 2, strike out "(e)", and insert "(f)".

Amendment No. 4

On page 3, line 3, after "consumed", insert "in the designated area".

Amendment No. 5

On page 3, line 4, strike out "(f)", and insert "(g)".

Amendment No. 6

On page 3, line 9, strike out "(g)", and insert "(h)".

Amendment No. 7

On page 3, line 12, strike out "(h)", and insert "(i)".

Amendment No. 8

On page 3, line 18, strike out "(i)", and insert "(j)".

Amendment No. 9

On page 3, line 22, strike out "(j)", and insert "(k)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 301—An act to amend Section 21151 of, and to add Sections 21152 and 21153 to, the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 304—An act to add Sections 5203 5, 5204, 5205, and 5206 to the Elections Code, relating to referendum, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 694—An act to amend Section 21681 of the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 3, line 6, of the printed bill, after "aviation", insert "aircraft".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 422—An act to repeal Section 27004 of, and to add Sections 27004, 27005, 27006, 27007, and 27008 to, the Elections Code, relating to recall.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 3, line 9, of the printed bill, strike out ", or registrar of voters,".

Amendment No. 2

On page 3, line 10, strike out "; but"; strike out lines 11 to 13, inclusive; and in line 14, strike out "of voters," and insert ". Thirty days after a recall has been initiated, and every 30 days thereafter, the clerk".

Amendment No. 3

On page 3, line 14, strike out "finally".

Amendment No. 4

On page 3, line 15, strike out "electors", and insert "voters".

Amendment No. 5

On page 3, line 16, strike out "the same; and, if", and insert "recall petitions. If".

Amendment No. 6

On page 3, lines 19 and 20, strike out "or registrar".

Amendment No. 7

On page 3, line 20, strike out "such", and insert "each".

Amendment No. 8

On page 3, lines 29 and 30, strike out ", or registrars of voters,".

Amendment No. 9

On page 3, line 31, strike out "requisite", and insert "stated".

Amendment No. 10

On page 3, line 32, strike out "forthwith", and insert ", within ten days,".

Amendment No. 11

On page 3, lines 32 and 33, strike out "or registrar of voters".

Amendment No. 12

On page 3, lines 34 and 35, strike out " ; and such clerk or registrar of voters", and insert ", and showing the total number of signatures collected by the proponents. Such clerk".

Amendment No. 13

On page 4, line 14, strike out ", or registrar of voters,".

Amendment No. 14

On page 5, line 26, strike out the blank, and insert "33".

Amendment No. 15

On page 5, line 29, strike out the blank, and insert "33".

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing and adding Article XXIII thereof, relating to recall of public officers.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 2, lines 21 and 22, of the printed measure, as amended in Assembly March 22, 1972, strike out "certify the number of valid signatures within 10 days of each filing", and insert "maintain a continuous count of the signatures certified to him".

Amendment No. 2

On page 2, line 28, strike out "within 80 days", and insert "not less than 60 days nor more than 80 days from the date"

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 344—An act to amend Section 1142 of the Education Code, as amended by Chapter 1479 of the Statutes of 1971, relating to school elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", as amended by Chapter 1479 of the Statutes of 1971".

Amendment No. 2

In lines 2 and 3 of the title, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, line 14, strike out "superintendent of schools", and insert "clerk".

Amendment No. 4

On page 2, strike out lines 18 to 31, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 5—An act to add Chapter 6 (commencing with Section 10700) to Part 2 of Division 2 of Title 2 of the Government Code, relating to the creation of the office of Ombudsman for Corrections.

Bill read second time, and ordered to third reading.

Assembly Bill No. 52—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 211—An act to amend Section 3053 of, to add Sections 3060, 3061, 3062, and 5075 5 to, and to repeal Sections 3056, 3060, 3061, 3062, and 3063 of, the Penal Code, relating to convicted persons.

Bill read second time, and ordered to third reading.

Assembly Bill No. 305—An act to amend Sections 4709, 4800, 4801, 4802, 4803, and 4804 of the Labor Code, relating to law enforcement personnel.

Bill read second time, and ordered to third reading.

Assembly Bill No. 311—An act to add Sections 3212.4, 4804.1, 4804.2, 4804.3, 4804.4, and 4804.5 to the Labor Code, relating to University of California fire departments.

Bill read second time, and ordered to third reading.

Assembly Bill No. 394—An act to amend Section 6353 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 410—An act relating to the California Protected Waterways Plan.

Bill read second time, and ordered to third reading.

Assembly Bill No. 661—An act to add Sections 12101.2 and 12101.3 to the Welfare and Institutions Code, relating to old age security.

Bill read second time, and ordered to third reading.

Assembly Bill No. 667—An act to amend Sections 12101 and 12101.1 of the Welfare and Institutions Code, relating to old age security, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 494—An act to amend Section 21201 of the Vehicle Code, relating to bicycles.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 24, insert

"(g) On and after July 1, 1973, no person shall sell or offer for sale a new bicycle unless it is equipped with an amber reflector on each side forward of the center of the bicycle and a red reflector on each side to the rear of the center of the bicycle. Such reflectors shall be visible from a distance of 500 feet to the side when directly in front of lawful lower beams on a motor vehicle and shall be of a type approved by the department.

(h) On and after January 1, 1975, no person shall operate a bicycle upon any highway unless it is equipped with an amber reflector on each side forward of the center of the bicycle and a red reflector on each side to the rear of the center of the bicycle. Such reflectors shall be visible from a distance of 500 feet to the side when directly in front of lawful lower beams on a motor vehicle and shall be of a type approved by the department."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 379—An act making an appropriation for the Colton Joint Unified School District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Lewis", and insert "Assemblymen Lewis and Quimby".

Amendment No. 2

On page 2, line 10, strike out ", thus, been placed", and insert "been placed as a result of this change in the law beyond its control".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 610—An act to amend Sections 302, 9890 9, 9890.11, 9890.30, 9890.50, 9890 51, 9890.52, 9890.53, 9890 54, 9890.55, 9890 56, 9890.57, 9890.58, 9890.60, 9890.62, 9890 63, 9890.65, 9890.80, 9890.82, 9890.90, 9890.92, 9890.93, 9890.100, 9890.104, 9890 110, 9890.111, 9890.112, 9890.113, 9890 120, 9890.121, 9902, and 9915 of, and to add Section 303 to, the Business and Professions Code, relating to the Department of Consumer Affairs.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 519—An act to amend Section 200 of the Code of Civil Procedure, relating to jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, after "office", insert "of profit".

Amendment No. 2

On page 3, after line 8, insert

"17. A city mayor, member of a city council, or person holding a position equivalent to a president or member of a legislative body of a city."

Bill ordered reprinted, and returned to the second reading file.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 1, 4, 6, 8, 10, 11, 15, and 17 of, adding Sections 23, 24, 25, 26, and 27 to, and repealing Section 5 of, Article VI thereof, and by repealing Sections 4 and 5 of Article XXII thereof, relating to courts.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 6, line 16, of the printed measure, strike out "be for 6 years, beginning", and insert "commence".

Amendment No. 2

On page 6, line 17, after "1973", insert "and shall terminate January 6, 1980. The terms of the judges commencing after January 6, 1980, shall be determined as provided for in Section 16 of this article".

Amendment No. 3

On page 6, line 24, after the comma, insert "sections of".

Amendment No. 4

On page 6, line 26, strike out "__", and insert "20".

Amendment No. 5

On page 7, line 5, strike out "__", and insert "159".

Amendment No. 6

On page 7, line 10, strike out "__", and insert "159".

Amendment No. 7

On page 7, line 12, strike out "__", and insert "159".

Amendment No. 8

On page 7, line 19, strike out "__", and insert "159".

Amendment No. 9

On page 7, line 21, strike out "__", and insert "159".

Amendment No. 10

On page 7, line 23, strike out "__", and insert "160".

Amendment No. 11

On page 7, line 28, strike out "__", and insert "160".

Amendment No. 12

On page 7, line 30, strike out "__", and insert "160".

Amendment No. 13

On page 7, line 37, strike out "__", and insert "160".

Amendment No. 14

On page 7, line 39, strike out "__", and insert "160".

Amendment No. 15

On page 8, line 2, strike out "__", and insert "159".

Amendment No. 16

On page 8, line 4, strike out "__", and insert "160".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 97—An act to amend Section 31108 of the Government Code, relating to county employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 775—An act to add Section 18861 to the Government Code, relating to peace officers' incentive compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "twenty-five dollars ($25)", and insert "2½ percent".

Amendment No. 2

On page 1, line 10, strike out "fifty dollars ($50)", and insert 5 percent".

Amendment No. 3

On page 1, strike out lines 11 and 12; and on page 2, strike out line 1.

Amendment No. 4

On page 2, lines 2 and 3, strike out "member holding the intermediate or advanced certificate", and insert "officer who receives an incentive salary pursuant to this section".

Amendment No. 5

On page 2, line 5, after "or", insert "to".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 798—An act to add Article 1.7 (commencing with Section 25544) to Chapter 5, Division 18.5 of the Education Code, relating to community colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the first comma, and insert "of".

Amendment No. 2

On page 2, line 11, after the period, insert "Commercial services operated by an auxiliary organization shall be self-supporting."

Amendment No. 3

On page 2, between lines 18 and 19, insert

"No member of the board of directors shall be financially interested in any contract or other transaction entered into by the board of directors."

Amendment No. 4

On page 2, line 22, strike out "requests", and insert "bequests".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 222—An act to repeal Chapter 2 5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2 5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended in Assembly April 3, 1972, and insert "An act to add Section 6909 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2, line 18, strike out "an", and insert "the refund directly from the State Board of Equalization.

SEC. 2. Section 6909 is added to the Revenue and Taxation Code, to read:

6909 The board shall refund to retail customers of motor vehicles excess taxes collected by a vehicle manufacturer, dealer or dismantler pursuant to this part, Part 1.5 (commencing with Section 7200), and Part 1.6 (commencing with Section 7251), of this division as a result of the refund to such customers of the federal excise tax on manufacturers, producers or importers of motor vehicles sold during the period August 16, 1971, through December 10, 1971. The board shall adopt forms and procedures to facilitate refunds under this section.

Any person claiming a refund under this section shall accompany the claim with a statement signed under penalty of perjury (1) that the claimant was the purchaser of the vehicle to whom the federal excise tax was refunded, (2) the amount of the federal excise tax refunded to the customer, (3) that the federal excise tax was included in the measure of sales, use, or transactions taxes collected from the claimant, and (4) that with respect to the transaction the claimant has not obtained a refund or applied for a refund

SEC. 3. This act shall be operative to and including June 30, 1973, and shall have no further force or effect after such date.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that purchasers of vehicles who received a refund of federal automobile excise taxes may receive a refund of state and local sales, use or transaction taxes paid on such federal excise tax directly from the State Board of Equalization at the earliest possible time, it is necessary that this act take effect immediately."

Amendment No. 3

On page 2, strike out lines 19 to 38, inclusive; and strike out all of pages 3 to 5, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 42—An act to add Article 7 (commencing with Section 19460) to Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84.1 to the Budget Act of 1972, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 4, 1972, strike out "and Z'berg", and insert "Z'berg, Arnett, and Stacey".

Amendment No. 2

In line 2 of the title, strike out "7", and insert "6".

Amendment No. 3

On page 2, line 4, strike out "7", and insert "6".

Amendment No. 4

On page 2, line 5, strike out ", Part 2, Division 5," and insert "of Part 2 of Division 5 of".

Amendment No. 5

On page 2, line 8, strike out "7", and insert "6".

Amendment No. 6

On page 3, line 16, after "in", insert "a".

Amendment No. 7

On page 3, line 29, after "19462", insert a comma.

Amendment No. 8

On page 3, line 39, after "adjust", insert "them".

Amendment No. 9

On page 4, line 23, after "furnish", insert "the initial issuance of".

Amendment No. 10

On page 4, line 24, after the first "equipment", insert "required by the employing state agency".

Amendment No. 11

On page 5, line 1, after "service", insert a comma.

Amendment No. 12

On page 5, lines 2 and 3, strike out "and in the California State College".

Amendment No. 13

On page 5, line 12, strike out "$800,000", and insert "$833,000".

Amendment No. 14

On page 6, line 12, strike out "1971–72", and insert "1972–1973".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 610

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 5
AB No. 97
AB No. 211
AB No. 311

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that Assembly Rule 62.7 be temporarily suspended for the purpose of permitting Assembly Joint Resolution No. 17 to be considered by the Assembly without being re-referred to the Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1929

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1929 be withdrawn from the Committee on Planning and Land Use, and re-referred to the Committee on Local Government.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

Mrs Brathwaite was granted unanimous consent that her motion to reconsider the vote on Assembly Bill No. 196 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 133—An act to amend Sections 1141, 1154, 1156, and 1157 of the Health and Safety Code, relating to public health.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Biddle, Brathwaite, Brown, Burton, Chacon, Chappie, Collier, Cory, Davis, Deddeh, Dent, Duffy, Dunlap,

Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—49.

NOES—Badham, Barnes, Briggs, Brophy, Burke, Cline, Conrad, Cullen, Hayden, Ketchum, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—16.

Bill ordered transmitted to the Senate.

Assembly Bill No. 256—An act to amend Sections 1171, 1173, 1174, 1178, 1182, 1183, 1185, 1191, 1193, 1193.5, 1193.6, 1194, 1194.5, 1195, 1195.5, 1197, and 1199 of, and to amend the heading of Part 4 (commencing with Section 1171) of Division 2 of, the Labor Code, relating to employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Porter, Powers, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—45.

NOES—Badham, Briggs, Brophy, Burke, Cline, Collier, Conrad, Duffy, Ketchum, MacGillivray, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—16.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 291, on request of Mr. Brown.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 398—An act to amend Section 3123 of the Commercial Code, to amend Sections 5201, 13656, and 13656.2 of the Education Code, and to amend Sections 6700, 6701, and 18025 of the Government Code, relating to state holidays and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chacon moved a call of the Assembly.

Mr. Wilson seconded the motion.

Motion carried Time, 12 m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 2022 be withdrawn from the Committee on Commerce and Public Utilities, and re-referred to the Committee on Judiciary; that Assembly Bill No. 1482 be withdrawn from the Committee on Local Government, and re-referred to the Committee on Transportation; and that Assembly Bill No 1946 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 706—An act to add Section 41803.7 to the Government Code, relating to city attorneys.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 28—Relative to the utilization of state hospital employees.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 111

Mr. Cullen was granted unanimous consent to rescind the action whereby earlier this day Senate Bill No. 111 was removed from the Consent Calendar, and whereby the bill was replaced on the Second Reading File.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 111—An act to amend Section 8213 of the Government Code, relating to recording fees

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 827

With amendments with the recommendation· Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 192

AB No. 717

With author's amendments with the recommendation: Amend, and refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 192—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10.5 (commencing with Section 11901), 10.8 (commencing with Section 11940), and 10.9 (commencing with Section 11990) of, the Health and Safety Code, and to repeal and add Sections 11217, 11480, and 11483 of the Health and Safety Code, as proposed by this act, relating to controlled substances.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly April 4, 1972, strike out the second "and".

Amendment No. 2

In line 8 of the title, after "act," insert "and to amend Sections 1803, 12806, 12809, 13202, 13355.5, and 13800 of the Vehicle Code,".

Amendment No. 3

On page 9, line 14, strike out "Racemoramide", and insert "Propiran".

Amendment No. 4

On page 9, between lines 14 and 15, insert "(42) Racemoramide".

Amendment No. 5

On page 9, line 15, strike out "(42)", and insert "(43)".

Amendment No. 6

On page 31, line 8, after "Any", insert "narcotic".

Amendment No. 7

On page 31, line 14, after "a", insert "narcotic".

Amendment No. 8

On page 33, line 24, after "any", insert "narcotic".

Amendment No. 9

On page 33, line 29, after "of", insert "narcotic".

Amendment No. 10

On page 82, between lines 30 and 31, insert

"SEC. 10. Section 1803 of the Vehicle Code is amended to read:

1803. (a) Every clerk of a court, or judge if there be no clerk, in which a person was convicted of any violation of this code, and of any ~~narcotic~~ offense *involving use or possession of narcotic controlled substances* under Division 10 (commencing with Section 11000) of the Health and Safety Code, and of any violation of any other statute relating to the safe operation of vehicles, and of any offense relating to littering under Section 13002 of the Health and Safety Code or Section 374b or 374e of the Penal Code or punishable under Section 5008.7 of the Public Resources Code shall prepare within 10 days after conviction and immediately forward to the department at its office at Sacramento an abstract of the record of the court covering the case in which the person was so convicted which abstract must be certified by the person so required to prepare the same to be true and correct.

For the purposes of this section, a forfeiture of bail shall be equivalent to a conviction.

(b) The following violations are not required to be reported under subdivision (a) of this section.

(1) Division 3 5 (commencing with Section 9840).

(2) Chapter 9 (commencing with Section 22500) of Division 11.

(3) Division 12 (commencing with Section 24000), except Sections 24002, 24004, 24250, 24409, 24604, 24800, 25103, Chapter 3 (commencing with Section 26301), 26707, 27800, and 27801.

(4) Division 15 (commencing with Section 35000), except Chapter 5 (commencing with Section 35550).

(5) Violations for which a person was cited as a pedestrian or while operating a bicycle.

(c) If the court impounds a license or orders a person to limit his driving pursuant to subdivision (c) of Section 40508, the court shall notify the department concerning the impoundment or limitation on an abstract prepared pursuant to subdivision (a) of this section or on a separate abstract, which shall be prepared within 10 days after the impoundment or limitation was ordered and immediately forwarded to the department at its office in Sacramento.

SEC. 11. Section 12806 of the Vehicle Code is amended to read:

12806. (a) Any physical or mental defect of the applicant which in the opinion of the department does not affect the applicant's ability to exercise reasonable and ordinary control in operating a motor vehicle upon the highway shall not prevent the issuance of a license to the applicant.

(b) An applicant addicted to the use of narcotic drugs who is participating in a methadone maintenance program approved pursuant to Section ~~11655.7~~ *11482* of the Health and Safety Code may be issued a license subject to reasonable terms and conditions of probation if such drug usage does not affect the applicant's ability to exercise reasonable and ordinary control in operating a motor vehicle upon the highway.

(c) Any suspension or revocation by a state which is not a party to the Driver License Compact provided for in Chapter 6 (commencing with Section 15000) of Division 6 shall not prevent the issuance of a license to the applicant if in the opinion of the department it will be safe to issue such license.

SEC. 12. Section 12809 of the Vehicle Code is amended to read:

12809 The department may refuse to issue or renew a driver's license to any person:

(a) If the department is satisfied that the applicant is not entitled to the license under this code

(b) If the applicant has failed to furnish the department the information required in the application or reasonable additional information requested by the department

(c) If the department determines that the applicant has made or permitted unlawful use of any driver's license.

(d) If the department determines that such person has knowingly used a false or fictitious name in any application for a license or has impersonated another in making application or in taking any test, or has knowingly made a false statement or knowingly concealed a material fact, or otherwise committed any fraud in any such application.

(e) If the department determines that the applicant is a negligent or incompetent operator of a motor vehicle.

(f) If the applicant is convicted of any offense involving the use or possession of ~~narcotics~~ *a narcotic controlled substance* under Division 10 (commencing with Section 11000) of the Health and Safety Code.

(g) If the applicant fails or refuses to surrender to the department, upon its lawful demand, a nonresident minor's certificate which has been canceled.

SEC. 13. Section 13202 of the Vehicle Code is amended to read:

13202. (a) A court may suspend or order that the department revoke in which case the department shall revoke the privilege of any person to operate a motor vehicle upon conviction of any narcotic *controlled substance* offense as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code when the use of a motor vehicle was involved in, or incidental to, the commission of the offense.

(b) A court shall order that the department revoke and the department shall revoke the privilege of any person to operate a motor vehicle upon conviction of a violation of Section ~~11500, 11500.5, 11501, 11502, 11530, 11530.5, 11531, or 11532~~ *11350, 11351, 11352, 11353, 11357, 11359, 11360, or 11362* of the Health and Safety Code when a motor vehicle was involved in, or incidental to, the commission of such offense.

(c) The period of time for suspension or the period after revocation during which the person may not apply for a license shall be determined by the court.

SEC. 14. Section 13355.5 of the Vehicle Code is amended to read:

13355.5. Upon the recommendation of the judge of a juvenile court, a juvenile traffic hearing officer, or a referee of a juvenile court, the department shall immediately suspend, for a period of one year, the privilege of any person to operate a motor vehicle who has been found to have committed the offense of possession of marijuana or any other offense defined in Division 10 (commencing with Section 11000) ~~or 10.5 (commencing with Section 11901)~~ of the Health and Safety Code punishable as a felony while such person was a motor vehicle operator.

Participation in a methadone maintenance program approved pursuant to Section ~~11655.7~~ *11482* of the Health and Safety Code shall not be grounds for such suspension.

Each judge of a juvenile court, juvenile traffic hearing officer, or referee of a juvenile court shall immediately report such recommendation and findings to the department.

SEC. 15. Section 13800 of the Vehicle Code is amended to read:

13800. The department may conduct an investigation to determine whether the privilege of any person to operate a motor vehicle should be suspended or revoked or whether terms or conditions of probation should be imposed upon receiving information or upon a showing by its records:

(a) That the licensee has been involved as a driver in any accident causing death or personal injury or serious damage to property

(b) That the licensee has been involved in three or more accidents within a period of 12 consecutive months

(c) That the licensee is a reckless, negligent, or incompetent driver of a motor vehicle.

(d) That the licensee has permitted an unlawful or fraudulent use of his driver's license.

(e) That any ground exists for which a license might be refused. The receipt by the department of an abstract of the record of conviction of any offense involving the use or possession of ~~narcotics~~ *narcotic controlled substances* under Division 10 (commencing with Section 11000) of the Health and Safety Code shall be a sufficient basis for an investigation by the department to determine whether grounds exist for which a license might be refused."

Amendment No. 11

On page 82, line 31, strike out "SEC. 10", and insert "SEC. 16".

Amendment No. 12

On page 83, line 1, strike out "SEC. 11", and insert "SEC. 17".

Amendment No. 13

On page 83, line 11, strike out "SEC. 12", and insert "SEC. 18".

Amendment No. 14

On page 83, line 21, strike out "SEC. 13", and insert "SEC. 19".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 717—An act to amend Sections 17655 and 17663 of the Education Code, relating to opportunity schools and classes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or class".

Amendment No. 2

On page 3, line 4, strike out "or class".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Rush Order Placed Upon Printing of Bills

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 192 and 717, and that the bills be considered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 176

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 176—An act to add Chapter 10 (commencing with Section 33750) to Division 22 of the Education Code, relating to community schools, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "1971", and insert "1972".

Amendment No. 2

On page 2, line 39, strike out "certified or uncertified", and insert "certificated or noncertificated".

Amendment No. 3

On page 3, line 11, after "and", insert "be advisory to the governing board and the community school coordinator in providing".

Amendment No. 4

On page 3, line 25, strike out "a)", and insert "(a)".

Amendment No. 5

On page 3, line 33, strike out "b)", and insert "(b)".

Amendment No. 6

On page 3, line 36, strike out "c)", and insert "(c)".

Amendment No. 7

On page 3, line 40, strike out "d)", and insert "(d)".

Amendment No. 8

On page 4, between lines 1 and 2, insert

"(e) An evaluation design which demonstrates the degree to which the proposed program fulfills the requirements of this chapter."

Amendment No. 9

On page 4, line 6, strike out "100", and insert "75".

Amendment No. 10

On page 4, strike out lines 15 to 17, inclusive, and insert "school. The State Board of Education shall adopt guidelines Priority shall be given to programs representing the urban, rural, and suburban areas, which allow for".

Amendment No. 11

On page 4, line 33, after "33757.", insert "At the end of each school year each governing board shall submit to the superintendent an evaluation of the effectiveness and efficiency of its community school program in achieving the goals established by the district in its program proposal and the utilization of community, state, and federal resources."

Amendment No. 12

On page 5, line 1, after "year", insert "; and shall submit to such officers and agencies a final evaluation report of the pilot programs by the 30th calendar day of the 1977 Regular Session of the Legislature".

Amendment No. 13

On page 5, strike out lines 2 to 18, inclusive, and insert

"33758 The community school pilot program shall become operative with the 1973–1974 fiscal year and shall terminate at the end of the 1975–1976 fiscal year. The 1972–1973 fiscal year shall be used for planning, developing guidelines, providing technical services to school districts, and reviewing proposed programs."

Amendment No. 14

On page 5, lines 21 and 22, strike out "the sum of nine hundred thousand dollars ($900,000)", and insert "for fiscal year 1972–1973, the sum of thirty thousand dollars ($30,000), for each of fiscal years 1973–1974, 1974–1975, and 1975–1976, the sum of seven hundred sixty-five thousand dollars ($765,000)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 17, 1972

Mr. Speaker. The Chairman of your Committee on Ways and Means reports:

AB No. 35

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 35—An act to add Section 5600.5 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly April 6, 1972, strike out "level as of April 1, 1972,".

Amendment No. 2

On page 2, between lines 27 and 28, insert

"(c) State hospitals shall admit persons needing state hospital care after prior screening by a county Short-Doyle agency until July 1, 1973, and thereafter until closed pursuant to subdivision (b) of this section"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 17, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 403
AB No. 1217
AB No. 1339
AB No. 1821

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 403—An act to amend Section 23805 of the Education Code, relating to state college student fees.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 2, line 1, of the printed bill, after the period, insert "No increase in the fee shall become effective until approved by the favorable vote of two-thirds of the students voting in an election held for that purpose"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1217—An act to amend Section 11403 of, and to add Section 11402.5 to, the Education Code, relating to high school attendance.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, after "schools", insert ", provided that the children are enrolled in a day care program operated and maintained by the governing board of the school district pursuant to the provisions of Article 1 (commencing with Section 16601) of Chapter 5 of Division 12".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Amendment No. 1339—An act to amend Section 25413 7 to the Education Code, relating to community college governing boards.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "boards", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 3, after "25413.7.", insert "(a)".

Amendment No. 3

On page 2, line 3, after the period, insert "In addition, at such election the governing board may ask the electorate whether or not an election should be held to select the first members of the governing board of the new community college district approved by the voters "

Amendment No. 4

On page 2, line 9, after the period and quotation mark, insert "The governing board may also place on the ballot the following words as a separate measure: "If a separate community college governing board is approved at this election, should the first members thereof, (1) be appointed as provided by law and thereafter elected? or (2) be elected?" The governing board of the district maintaining a community college shall prepare an impartial statement explaining the ballot measures and the expected results of continuing a common governing board or establishing two separate boards and such statement shall be distributed to the voters with the sample ballot and "pro" and "con" arguments, if any, as provided by law."

Amendment No. 5

On page 2, strike out line 12, and insert

"(b) If the proposition for a separate community college governing board receives a majority "yes" vote and either no proposition concerning the election of governing board members is placed on the ballot or the voters approve the appointment of the first governing board members, then".

Amendment No. 6

On page 2, after line 34, insert

"Notwithstanding any provision in this section to the contrary, the separate governing board which has at least three members on it subsequent to December 31, 1972, for the purpose of bringing the membership of each governing board to its full authorized membership as early after December 31, 1972, as possible, and only for that purpose, shall appoint qualified electors of the district to fill vacancies existing on either or both governing boards for initial terms of office specified by such board Such initial terms of office shall be consistent with the applicable city charter provisions except that, for the purpose of specifying the initial term of office of each new member, and only for that purpose, two members shall be required to stand for nomination and election at the next succeeding municipal election after December 31, 1972, while three members shall not be required to stand for nomination and election until the second succeeding municipal election after December 31, 1972.

(c) In the event that a proposition concerning the election of governing board members is placed on the ballot and the voters approve the election of first governing board members, such election shall be conducted no later than the next election held for the nomination and election of governing board members of the unified district and under the same conditions and for the same terms of office pursuant to city charter except as set forth below. Prior to such elections, and only for those elections, the governing board of the unified district shall designate three positions on the new community college district governing board for which the initial term of office shall be four years and two positions for which the initial term of office shall be two years Thereafter, all elections of the governing board members of the community college district shall be held under the same conditions, at the same times, and for the same terms as elections for the unified district governing board pursuant to city charter. The governing board of the unified district shall continue to govern the community college district until members of the new governing board of the community college district are elected and qualified to serve, at which time the governance of the community college district shall pass to the new governing board of the community college district.

(d) In the event that a proposition concerning election of governing board members is placed on the ballot and the voters approve the election of first governing board members, the governing board of the unified district may, if it deems such action appropriate, call two special elections within the community college district prior to the dates set forth by law for the primary and general elections of members of the governing board of the unified district, for the purpose of permitting the people of the community college district to nominate and elect governing board members of the community college district at the earliest possible time after the November 7, 1972, election If such special primary and general elections are called, the governing board of the unified

district shall designate for such elections, and only for such elections, (1) three positions on the new community college district governing board for which the initial term of office shall be four years plus the necessary number of days to allow such term to end on the same date as the end of the term of a member of the unified district governing board whose term expires in December, 1977, and (2) two positions on the new community college district governing board for which the initial term of office shall be two years plus the necessary number of days to allow such term to end on the same date as the end of the term of a member of the unified district governing board whose term expires in December, 1975. Such elections shall be held, insofar as possible, under the same conditions as elections for the unified district governing board pursuant to a city charter. Thereafter, all elections of governing board members of the community college district shall be held under the same conditions, at the same times, and for the same terms as elections for the unified district governing board pursuant to a city charter. The governing board of the unified district shall continue to govern the community college district until members of the new governing board of the community college district are elected and qualified to serve, at which time the governance of the community college district shall pass to the new governing board of the community college district.

(e) Each member of the separate governing board of the community college district shall receive the same compensation as received by members of the separate governing board of the unified district under Section 1231 of the Education Code, notwithstanding any requirements to the contrary contained in such section.

SEC 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Chapter 917 of the Statutes of 1971 requires a governing board of any district maintaining a community college to call an election on November 7, 1972, to inquire whether or not the voters desire a separate governing board for the community college district If the voters vote "yes," certain procedures are specified for the appointment and election of the new community college district governing board These procedures are incomplete and inadequate for application to a community such as San Diego where school board members traditionally are nominated and elected in the fall of odd-numbered years pursuant to the city charter. To bring Chapter 917 into line with the city charters, where applicable, and make other desirable changes, it is necessary that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1821—An act appropriating funds for the More Effective Schools Act.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "appropriating funds for", and insert "to amend Sections 6478, 6478.1, 6479, and 6479.1 of the Education Code, relating to".

Amendment No. 1.5

In line 2 of the title, after "Act", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 6478 of the Education Code is amended to read:

6478 This article shall be known and may be cited as "The More Effective Schools Act."

It is the intent and purpose of the Legislature in enacting this article to provide for an experimental program in two school districts designed to measure the effectiveness of a total program combining intensive classroom instruction with fully adequate medical, psychological, dental, counseling, and ancillary services.

The Legislature finds and declares that the physical and mental well-being of severely disadvantaged children is sometimes so great that no instructional program, by itself, can produce the necessary academic and social achievement required by all youth in this era.

It is the further intent of the Legislature that programs authorized and initiated under this article shall be thoroughly evaluated by participating local school districts and by the Superintendent of Public Instruction, and that such evaluation report be submitted to the ~~1972~~ *1977* Regular Session of the Legislature.

SEC. 2. Section 6478.1 of the Education Code is amended to read:

6478.1. The Superintendent of Public Instruction may contract with not more than two school districts which have significant numbers of disadvantaged youth and are located in separate geographical areas of the state for the purpose of establishing a More Effective Schools Program in such districts. Each contracting school district shall establish such program in one elementary school within the district where the average achievement level in reading, as measured by tests given under the provisions of Chapter 2.5 (commencing with Section 7770) of Division 7, is at or near the lowest level for the district.

~~At least one contracting school district shall have an assessed valuation per unit of average daily attendance, such that one dollar ($1) of tax rate on each one hundred dollars ($100) of assessed valuation produces no more than twenty-eight dollars ($28) per unit of average daily attendance in revenue for the district.~~

SEC. 3. Section 6479 of the Education Code is amended to read:

6479. The experimental program shall commence with the ~~1968–1969~~ *1973–1974* school year and continue through the ~~1971–1972~~ *1976–1977* school year. In evaluating the program, the Superintendent of Public

Instruction may cite differences, if any, in academic and social growth between groups of pupils which have, by ~~1972~~ *1977*, spent all their school years under this program and groups which have had less than a complete school program under this program.

SEC. 4. Section 6479 1 of the Education Code is amended to read:

6479.1. The Superintendent of Public Instruction shall conduct a study, prior to July 1, ~~1970~~ *1975*, of the More Effective Schools Program in view of the purposes of this article and may submit a report to the Legislature if, in his opinion on clear and persuasive evidence, the purposes of this article are not effectuated by such program.

SEC. 5."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 660

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 660—An act to amend Sections 6407 and 6408 of the Labor Code, relating to workmen's safety.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 2 to 10, inclusive, and insert "report of each occupational injury or illness to each employee, which injury or illness is subject to the recordkeeping requirements under the federal Occupational Safety and Health Act of 1970 (P.L 91-596) and the federal regulations adopted and issued pursuant thereto. Each such report of injury or illness shall contain such identification of the employee, employer, and insurance carrier, if any, as the Division of Labor Statistics and Research may require pursuant to reasonable rules and regulations, prescribing the detail and time limits of such report, adopted in".

Amendment No. 2

On page 2, strike out lines 13 to 15, inclusive, and insert "Title 2 of the Government Code."

Amendment No. 3

On page 2, after line 23, insert

"SEC. 3. This act shall become operative January 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1184

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1184—An act to amend Sections 23014, 25210.9c, and 25210.77a of the Government Code, relating to counties.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, line 24, of the printed bill, strike out "Such"; strike out lines 25 to 27, inclusive, and insert

"Any county which has fixed charges pursuant to this section may by ordinance approved by a two-thirds vote of the members of the board of supervisors elect to have such charges for the forthcoming fiscal year collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes, as provided in this section

(a) Once a year the board of supervisors shall cause to be prepared a written report which shall contain a description of each parcel of real property receiving the particular extended service and the amount of the charge for each parcel for such year computed in conformity with the requirements set forth in the ordinance authorizing collection of such charges on the tax roll. Such report shall be filed with the clerk of the board of supervisors.

(b) Upon the filing of such report, the clerk shall fix a time, date, and place for hearing thereon and for filing objections or protests thereto. The clerk shall cause notice of the filing of such report, and of the time, date, and place of hearing thereon to be mailed to each person to whom any parcel of real property described in said report is assessed in the last equalized assessment roll available on the date said report is prepared, at the address shown on such assessment roll or as known to the clerk. The clerk shall also publish such notice as

provided in Section 6066 prior to the date set for hearing, in a newspaper of general circulation printed and published in the county. If the board of supervisors confirms the report, then the requirements for notice in writing to the persons to whom parcels of real property are assessed shall not apply to hearings on reports prepared in subsequent fiscal years but notice by publication as herein provided shall be adequate.

(c) At the time, date and place stated in the notice, the board of supervisors shall hear and consider all objections or protests, if any, to the report, and may continue the hearing from time to time. If the board finds that protest to collection of such charges on the tax roll is made by the owners of a majority of separate parcels of property described in the report, then the report shall not be confirmed and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land. Upon the conclusion of the hearing, the board of supervisors may adopt, revise, change, reduce, or modify any charge or may overrule any or all objections, and shall make its determination upon each charge as described in said report and thereafter, by resolution, it shall confirm the report.

(d) The charges set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such charges. A certified copy of the confirmed report shall be filed with the county auditor specifying the amounts of the assessments against the respective parcels of land as they appear on the current assessment roll. The lien for such charges attaches upon recordation, in the office of the county recorder of the county in which the property is situated, of a certified copy of the resolution of confirmation of the report. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county ad valorem property taxes shall be applicable to such assessment."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Brown was granted unanimous consent that the following communication be printed in the Journal:

April 13, 1972

Honorable Walter Karabian
Room 4141
State Capitol

Dear Walter: I am writing to request that my name be removed as co-author of your AJR 17.

It is not because of my disagreement with this and other efforts designed to eradicate sexism in our society that I ask for you to take this action. It is because, under the guise of fighting sexual discrimina-

tion, employer groups are in fact abrogating a whole range of hard-won working hours and working condition statutes which now beneficially affect a major share of California's work force.

I believe that an appropriate method of fighting sexism in employment practices would be to insure that whatever protections now exist be made applicable to men as well as women, rather than to set up a situation in which all protections would be eliminated. I have introduced AB 1710,* which would do precisely that. If passed and signed this legislation would remove these protections I have referred to from constitutional challenge.

Until we are assured of this, either by the signing of my AB 1710 or otherwise, I cannot support AJR 17.

Sincerely,

WILLIE L. BROWN, JR.

* Concurred in as it applies to AB 1710—John L. Burton.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 75: By Assemblyman Stull—Relative to awarding Fred Clawson.

Held at Desk by order of the Speaker pro Tempore.

VOTE CHANGES

Messrs. Brophy and Briggs were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 133.

Mr. Meade was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 133.

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 256.

Messrs. Moorhead and Russell were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 256.

Mr. McCarthy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 256.

Mr. Briggs was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 256.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 398

At 12:07 p.m., on motion of Mr. Chacon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 398 adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Murphy, Porter, Powers, Ralph, Russell, Ryan, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Belotti, Cline, Collier, Conrad, Cullen, Hayes, Ray E. Johnson, Ketchum, Mobley, Moorhead, Priolo, Seeley, Stull, and Wakefield—14.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Porter, Powers, Ralph, Russell, Ryan, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Belotti, Cline, Collier, Conrad, Cullen, Hayes, Ray E. Johnson, Ketchum, Mobley, Moorhead, Priolo, Seeley, Stull, and Wakefield—14.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER URGENCY CLAUSE TO ASSEMBLY BILL NO. 4 CONTINUED

By unanimous consent, the motion to reconsider the vote on the urgency clause to Assembly Bill No. 4 was continued until the next legislative day.

ADJOURNMENT

At 12:20 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Tuesday, April 18, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-eighth Legislative Day

One Hundred Seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 18, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr Ketchum seconded the motion,
Motion carried. Time, 11 03 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11:14 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Help all of us who are part of human institutions, both private and public, to labor for the dignity and purpose of man. Let us not become the slaves of our institutions or of our technology. Rather, give to each of us the freedom to be the artisan and designer of what is necessary and good for a healthy human environment. Let us be mindful of the rightful differences which exist between men. However, let us never use those differences to enslave some and exalt others, for there is an equal dignity which we all share under You, our Father.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Leroy F. Greene then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Belotti, seconded by Mr. Mobley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Lanterman, an request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.
Mr. Sieroty, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Tuesday, April 18, 1972, on legislative business. I will be attending

a meeting of the Association of California Consumers in Los Angeles. Thank you for your consideration in this matter.

Sincerely,

YVONNE W. BRATHWAITE, Assemblyman
Sixty-third District

April 17, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from attending session on Tuesday, April 18, 1972, on legislative business. I will be speaking before the Monterey Park Lions Club on prison reform.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

April 13, 1972

Hon Bob Moretti
Speaker of the Assembly
3164 State Capitol, Sacramento, California

Dear Bob: I would like to request permission to be excused from session April 18–20, 1972 on legislative business in Washington, D.C.

Among the many legislative problems that I will be dealing with is to seek permission from the pay board for higher wages for California teachers covered by AB 837 of 1971. Several teachers have been chosen under the Master Teacher Act and their pay is being held up by the pay board. I will also be meeting with Congressmen, officials in H E.W. and O.E O. concerning school finance problems resulting from the Serrano decision and to discuss current developments on educational vouchers and problems of equal educational opportunity.

Sincerely,

LEO J. RYAN, Assemblyman
Twenty-seventh District

April 17, 1972

Hon Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: This is to request that I be excused from the Legislative Session on Tuesday, April 18th, on Legislative business.

I will be attending the Southern California Leadership Conference on Coastal Zone Management in Los Angeles.

Yours sincerely,

ALAN SIEROTY, Assemblyman
Fifty-ninth District

NOTE: For letter explaining the absence of Mr. Bagley on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 17, 1972, pages 1812–1813.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Rex E. Layton, City Clerk, City of Los Angeles, dated April 4, 1972, relative to Highland Avenue Parkway in the City of Los Angeles (Senate Resolution No 14 and House Resolution No 7). Referred by the Speaker pro Tempore to the Committee on Rules.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2334—An act to add Section 19653 to the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

WILLIAM M. KETCHUM

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2333	Water
2334	Education
2335	Revenue and Taxation

Assembly Concurrent Resolution No.	*Committee*
73	Commerce and Public Utilities
74	Natural Resources and Conservation
75	Ways and Means

Senate Bill No.	*Committee*
75	Local Government
243	Transportation
331	Governmental Organization
402	Criminal Justice
475	Local Government
504	Transportation
1323	Local Government

Senate Concurrent Resolution No.	*Committee*
35	Rules

REQUEST FOR UNANIMOUS CONSENT

Mr. Harvey Johnson was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

COMMUNICATIONS

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 87—An act to amend Sections 21457, 21706, and 21959 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 201—An act to amend Section 8046 of the Fish and Game Code, relating to fish-handling privilege taxes;

Assembly Bill No. 308—An act to add Section 14670.3 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., April 17, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, April 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 9—Relative to Ken Legg Peak;

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of April, 1972, at 2:30 p.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, April 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 344
AB No. 519
AB No. 798

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 143

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 222

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 494

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 24

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 660
AB No. 1063
AB No. 1391

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 69

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 403	AB No. 729	AB No. 927
AB No. 605	AB No. 819	AB No. 1119
AB No. 727		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 372
AB No. 666

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 1505

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Retirement

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 169
AB No. 714

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BARNES, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 17, 1972

Mr Speaker · Your Committee on Retirement reports:

AB No 822

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 452

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 501

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Judiciary reports.

AB No. 432

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means (with recommendation to Consent).

WARREN, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 18, 1972

Mr. Speaker · Your Committee on Judiciary reports:

AB No. 500

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AJR No. 17

With amendments with the recommendation: Amend, and be adopted, as amended.

WARREN, Chairman

Above resolution ordered on file.

Committee on Natural Resources and Conservation

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 347

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 11701, 11709, 12501, 23128, 24001.5, 27150, 27160, 38010, 38025, 38115, 38225, and 38280 of, and to repeal Sections 4020, 4452 5, and 11710.5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly April 3, 1972, after "38025," insert "38070,".

Amendment No. 2

In line 5 of the title, after "38115," insert "38170,".

Amendment No. 3

In line 5 of the title, after "of," insert "to add Sections 38021, 38087, 38122, 38231, and 38246 to,".

Amendment No. 4

On page 2, line 2, strike out "6023", and insert "6203".

Amendment No. 5

On page 3, line 26, strike out ", as amended by Chapter 1816 of the Statutes of 1971,".

Amendment No. 6

On page 4, line 4, strike out ", as amended by Chapter 1816 of the Statutes of 1971,".

Amendment No. 7

On page 5, line 4, strike out "3800", and insert "38000".

Amendment No. 8

On page 5, lines 32 and 33, strike out ", as amended by Chapter 432 of the Statutes of 1971,".

Amendment No. 9

On page 6, lines 6 and 7, strike out ", as amended by Chapter 235 of the Statutes of 1971,".

Amendment No. 10

On page 6, lines 32 and 33, strike out ", as amended by Chapter 1214 of the Statutes of 1971,".

Amendment No. 11

On page 7, lines 2 and 3, strike out ", as amended by Chapter 1214 of the Statutes of 1971,".

Amendment No. 12

On page 7, line 27, strike out ", as amended by Chapter 1214 of the Statutes of 1971,".

Amendment No. 13

On page 8, lines 4 and 5, strike out ", as added by Chapter 438 of the Statutes of 1971,".

Amendment No. 14

On page 8, lines 21 and 22, strike out ", as amended by Chapter 1816 of the Statutes of 1971,".

Amendment No. 15

On page 9, lines 4 to 6, inclusive, strike out ", as amended by Section 8 of Chapter 1769 of the Statutes of 1971,".

Amendment No. 16

On page 10, lines 25 and 26, strike out ", as added by Chapter 1816 of the Statutes of 1971,".

Amendment No. 17

On page 11, between lines 24 and 25, insert

"(8) A motor vehicle owned or operated by a nonresident of this state, whether or not such vehicle is identified or registered in a foreign jurisdiction For the purposes of this paragraph, a person who holds a valid driver's license issued by a foreign jurisdiction shall be presumed to be such a nonresident."

Amendment No. 18

On page 11, strike out lines 25 and 26, and insert

"SEC. 22. Section 38021 is added to the Vehicle Code, to read:

38021. (a) A manufacturer, dealer, or distributor, owning or lawfully possessing any off-highway motor vehicle of a type otherwise required to be identified hereunder may operate or use such vehicle without an identification certificate and plate or device upon condition that each such vehicle is accompanied by a special permit issued to the manufacturer, dealer, or distributor as provided in this division.

(b) Persons licensed pursuant to Article 1 (commencing with Section 11700) of Chapter 4 of Division 5 need not obtain such a permit provided the vehicle is operated or used under special plates issued to the licensee.

SEC. 23. Section 38025 of the Vehicle Code is".

Amendment No. 19

On page 11, line 31, strike out "(1) for the purpose of crossing the highway at a"; and strike out lines 32 to 38, inclusive, and insert "as follows.

(a) On a two-lane highway, only to cross such highway at an angle of approximately 90 degrees to the direction of the roadway and at a place where a quick and safe crossing may be made, or only when the roadway is not maintained by snow removal equipment and is closed to motor vehicles which are subject to registration pursuant to Division 3 (commencing with Section 4000), or only to cross a highway in the manner specified in subdivision (b)

(b) With respect to the crossing of a highway having more than two lanes, or a highway having limited access, such motor vehicles may cross such highways but only at a place designated by the Department of Public Works or local authorities with respect to highways under their respective jurisdictions as a place where such motor vehicles, or specified types of such motor vehicles, may cross the highways, and such vehicles shall cross such highways only at such designated places and only in a quick and safe manner.

(c) The Department of Public Works and local authorities with respect to highways under their respective jurisdictions may designate, by the erection of appropriate signs of a type approved by the Department of Public Works, places where such motor vehicles, or specified types of such motor vehicles, may cross any highway having more than two lanes or having limited access

SEC 24 Section 38070 of the Vehicle Code is amended to read:

38070. *(a)* The department upon identifying an off-highway motor vehicle subject to identification shall issue a certificate of ownership to the legal owner and an identification certificate to the owner, or both to the owner if there is no legal owner

(b) Any person owning a snowmobile with an identification plate issued before January 1, 1971, shall not be required to obtain a certificate of ownership until such person is required to renew the identification plate for such snowmobile

SEC 25 Section 38087 is added to the Vehicle Code, to read

38087 (a) Upon payment of the fees specified in Section 38231, the department may issue to manufacturers, dealers, or distributors, a special permit to operate or use for the purpose of delivery, demonstration, or display, off-highway motor vehicles otherwise required to be identified under this division.

(b) Special permits issued pursuant to this section shall expire at midnight on the 30th day of June of the even-numbered year next following the date of issuance of such permit

SEC. 26. Section 38115 of the Vehicle Code is".

Amendment No. 20

On page 12, line 7, strike out "January 1, 1972", and insert "December 31, 1971"

Amendment No. 21

On page 12, line 15, after the period, insert "The provisions of subdivisions (b) and (c) of Section 38265 shall not apply to payment of renewal fees for snowmobiles until the expiration of the renewal period indicated on such identification card."

Amendment No. 22

On page 12, strike out lines 16 and 17, and insert

"SEC. 27. Section 38122 is added to the Vehicle Code, to read:

38122 When the identification of an off-highway vehicle has expired at midnight on the 30th day of June of any even-numbered year and the vehicle is not thereafter operated or used on public property or private property in such a manner as to subject the vehicle to identification, then any application made subsequent to the 31st day of July following the expiration of the identification may be accompanied by a certificate of nonoperation.

SEC. 28. Section 38170 of the Vehicle Code is amended to read:

38170. (a) Every off-highway motor vehicle subject to identification shall have displayed upon it the identification number assigned to the vehicle for which it is issued, together with the word "California" or the abbreviation "CAL" and the year number for which it is issued or a suitable device issued by the department for validation purposes, which device shall contain the year for which issued.

(b) The identification plate or device shall at all times be securely fastened to the ~~rear of the~~ vehicle for which it is issued ~~so as to prevent the plate from swinging~~ and shall be mounted *or affixed* in a position to be clearly visible, and shall be maintained in a condition so as to be clearly legible. No covering shall be used on the identification plate or device.

SEC 29. Section 38225 of the Vehicle Code is"

Amendment No. 23

On page 13, strike out lines 10 and 11, and insert

"SEC 30. Section 38231 is added to the Vehicle Code, to read:

38231. The fees for a special permit issued under Section 38087 shall be the prevailing identification fees as set forth in Sections 38225 and 38230 and shall be deposited and distributed as are identification fees under this chapter.

SEC. 31 Section 38246 is added to the Vehicle Code, to read:

38246. A penalty shall be added upon any application for renewal of identification made on or after August 1st following the expiration date except as provided in Section 38122

SEC. 32. Section 38280 of the Vehicle Code is"

Amendment No. 24

On page 13, line 31, strike out "SEC. 26", and insert "SEC. 33"

Amendment No. 25

On page 13, line 33, strike out "SEC 27", and insert "SEC 34".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports.

AB No. 1183

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1183—An act to amend Section 316 of Chapter 1 of the Statutes of 1971, First Extraordinary Session, relating to the Bagley Conservation Fund.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 316 of Chapter 1 of the Statutes of 1971, First Extraordinary Session,".

Amendment No. 2

In line 3 of the title, after "Fund", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. There is hereby appropriated to the Department of Parks and Recreation the sum of three hundred thousand dollars ($300,000) from the Bagley Conservation Fund for expenditure during the 1973–74 fiscal year for development of sanitary facilities, beach access, and parking at Carlsbad State Beach."

Amendment No. 4

On page 1, strike out lines 2 to 12, inclusive; and strike out all of page 2

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 17, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

ACA No 81

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed measure, strike out "or grants".

Resolution ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 4, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

ACA No. 77

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXXV thereto, relating to housing.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed measure, insert "All of the provisions of Assembly Bill No. 165 of the 1972 Regular Session are hereby ratified."

Resolution ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 17, 1972

Mr Speaker · The Chairman of your Committee on Local Government reports:

AB No. 1939

With author's amendments with the recommendation Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1939—An act to add Section 25252 to the Government Code, relating to banks.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25252", and insert "25252.1".

Amendment No. 2

On page 1, line 1, strike out "25252", and insert "25252.1"

Amendment No. 3

On page 1, line 3, strike out "25252", and insert "25252 1"

Set No. 2

Amendment No. 1

On page 2, line 11, of the printed bill, after "of", insert "reason or"

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 17, 1972

Mr Speaker The Chairman of your Committee on Water reports

AB No 679

With author's amendments with the recommendation Amend, and re-refer to the Committee on Water

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 679—An act to add Chapter 16 (commencing with Section 235) to Part 5 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 2 of the printed bill, strike out lines 6 to 17, inclusive, and insert "an election, at which all such qualified voters shall be authorized to vote, a proposition as to whether the board shall be authorized to issue and sell revenue bonds under this chapter If a majority of the voters of the district voting on the proposition at the election shall vote in favor of the proposition, the board may proceed to issue and sell revenue bonds as provided in this chapter If the proposition fails to carry at such election, the proposition shall not again be voted upon until at least six months have elapsed since the date of".

Amendment No. 2

On page 2, line 19, strike out "appliable", and insert "applicable"

Amendment No. 3

On page 2, line 21, strike out "called", and insert "held"

Amendment No. 4

On page 2, line 23, after "proceed", insert "to issue and sell revenue bonds".

Amendment No. 5

On page 2, line 26, strike out "and the public interest or necessity"

Amendment No. 6

On page 2, strike out lines 31 and 32, and insert "works of any public entity or agency, including the state and the federal government, necessary for service to the district, or the incurring of any preliminary and incidental"

Amendment No. 7

On page 2, line 38, strike out "in", and strike out lines 39 and 40, and on page 3, strike out line 1, and in line 2, strike out "Code),"

Amendment No. 8

On page 3, line 5, strike out "gross"

Amendment No. 9

On page 3, line 8, strike out "purpose, excepting, however, all", and strike out lines 9 to 11, inclusive, and insert "purposes, excepting, however, any and all proceeds derived from the levy of taxes

SEC. 238 The board shall fix the rate or rates at which water shall be sold pursuant to Chapter 2 (commencing with Section 130) of Part 4 which, with reasonable allowances for contingencies and error in the estimates, shall be at least sufficient, together with any other revenues not derived from the levy of taxes, to provide revenues to pay the following amounts in the order set forth:

(1) The necessary expenditures for operating and maintaining the properties, works, and facilities of the district, and also for such charges as may be payable by the district under a contract with this state for water which are classified as operation, maintenance, power, and replacement charges.

(2) The principal and interest of the revenue bonds as the same become due and payable, including any sinking fund payments for term bonds, if any

(3) The deposits into any reserve funds that may be established to secure the revenue bonds.

(4) Any other obligations which are liens or encumbrances upon the water revenues.

SEC. 239 Any excess of revenues collected over and above the amounts required to be used for specific purposes by Section 238 may be used for any lawful purpose of the district, including, without limitation, the payment of the principal and interest on any general obligation bonds of the district and the payment to the state of any other amounts payable under any contract between the state or a department thereof and the district.

SEC. 239.1 In the issuance and sale of revenue bonds pursuant to this chapter, the board is authorized to use any provisions of Article 3 (commencing with Section 220) of Chapter 1 of this part and of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1, Division 2, Title 5 of the Government Code).

SEC 239.2 No revenue bonds shall be issued under this chapter, except for refunding, unless the amount of equity of the district, as shown on its balance sheet as of the end of the last fiscal year prior to the issuance of such bonds, equals at least 100 percent of the aggregate amount of revenue bonds to be outstanding following the issuance of such bonds "

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 17, 1972

Mr Speaker. The Chairman of your Committee on Governmental Organization reports·

AB No 1263

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1263—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code, relating to repair dealers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "9805," insert "9811, 9817, 9819,".

Amendment No. 2

In line 2 of the title, strike out the first "and".

Amendment No. 3

In line 2 of the title, after "9825", insert ", 9830, and 9873".

Amendment No. 4

On page 2, line 4, strike out "major home", and insert "electronic and".

Amendment No. 4.5

On page 2, line 6, strike out "Major Home", and insert "Electronic and".

Amendment No. 5

On page 2, line 18, after the period, insert "The bureau is composed of the Division of Electronic Repair Dealers and the Division of Appliance Repair Dealers Each division shall be in the charge of an assistant chief"

Amendment No. 6

On page 2, lines 26 and 27, strike out "any major home appliance", and insert "television, radio, tape recorders, or phonograph equipment,".

Amendment No. 6.5

On page 2, line 27, after "home", insert "or any appliance"

Amendment No. 7

On page 2, strike out lines 28 to 33, inclusive, and insert

"(h) "Appliance" means any refrigerator, freezer, range, washer, dryer, dishwasher, room air conditioner normally used or sold for use in the home; and any other appliance that the director determines on the basis of relevant facts and statistics, by regulation, is normally used or sold for personal use or use in the home, and the repair of such equipment has given rise to a high incidence of fraud or deceptive practices."

Amendment No. 8

On page 3, line 4, strike out "major home appliances", and insert "television, radio, or phonograph equipment, or appliances,".

Amendment No. 9

On page 3, line 13, strike out "major home", and insert "television, radio, or phonograph equipment or".

Amendment No. 10

On page 3, line 25, strike out "major home appliances", and insert "televisions, radio, and phonographic equipment".

Amendment No. 10.5

On page 3, line 26, after "home", insert "or any appliances".

Amendment No. 11

On page 3, line 29, after "Sec 6.", insert "Section 9811 of the Business and Professions Code is amended to read.

9811 The director, in accordance with the State Civil Service Act and Section 159.5, may appoint and fix the compensation of such clerical inspection, investigation, and auditing personnel as well as ~~an~~ *two* assistant ~~chief~~ *chiefs, one in charge of each division of the bureau*, as may be necessary to carry out the provisions of this chapter. All such personnel shall perform their respective duties under the supervision and the direction of the chief.

SEC 7 Section 9817 of the Business and Professions Code is amended to read:

9817 There is in the bureau a Repair Services Advisory Board. It consists of ~~five~~ *nine* members appointed by the Governor subject to confirmation by the Senate

SEC. 8 Section 9819 of the Business and Professions Code is amended to read.

9819 Each member of the board shall be appointed for a term of four years and shall hold office until the appointment and qualification of his successor or until six months shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs

The terms of the members of the board first appointed shall expire as follows· one member, January 15, 1965, two members, January 15, 1966, two members, January 15, 1967 The terms shall thereafter expire in the same relative order Vacancies occurring shall be filled by appointment to the unexpired term.

The terms of the four members of the board appointed in accordance with the amendments to this section enacted at the 1972 Regular Session of the Legislature shall expire as follows: one member, January 15, 1974; one member, January 15, 1975; one member January 15, 1976; and one member January 15, 1977 The terms shall thereafter expire in the same relative order Vacancies occurring shall be filled by appointment to the unexpired term

SEC 9 "

Amendment No. 12

On page 3, line 31, strike out "Three", and insert "Five"

Amendment No. 13

On page 3, line 32, strike out "and", and insert a comma

Amendment No. 14

On page 3, line 34, strike out "major home", and insert "electronic repair industry, and two members shall be selected from the"

Amendment No. 15

On page 3, line 35, strike out "SEC 7 ", and insert "SEC 10."

Amendment No. 16

On page 3, line 38, strike out "three", and insert "five"

Amendment No. 17

On page 3, line 40, strike out "major home", and insert "electronic repair industry, and one of which shall be a representative of the"

Amendment No. 18

On page 4, line 4, strike out "SEC 8 ", and insert "SEC 11 "

Amendment No. 19

On page 4, line 8, strike out "major home", and insert "electronic repair industry and the".

Amendment No. 20

On page 4, after line 26, insert

"SEC 12. Section 9830 of the Business and Professions Code is amended to read·

9830 Each service dealer shall pay the fee required by this chapter for each place of business operated by him in this state ~~and shall register with the director upon forms prescribed by the director~~ *Each radio, phonograph, and television repair dealer shall register with the assistant director in charge of the Division of Electronic Repair Dealers, and each appliance repair dealer shall register with the assistant director in charge of the Division of Appliance Repair Dealers, upon forms prescribed by the director* The forms shall contain sufficient information to identify the service dealer, including name, address, retail seller's permit number, if a permit is required under the Sales and Use Tax Law (Part 1, commencing with Section 6001, of Division 2 of the Revenue and Taxation Code), and other identifying data to be prescribed by the director If the business is to be carried on under a fictitious name, such fictitious name shall be stated If the service dealer is a partnership, identifying data shall be stated for each partner If the service dealer is a corporation, data shall be included for each of the officers and directors of the corporation as well as for the individual in charge of each place of the service dealer's business in the State of California, subject to such regulations as the director may make

SEC 13 Section 9873 of the Business and Professions Code is amended to read

9873 The fees prescribed by this chapter shall be set by the director according to the following schedule

(a) The ~~service~~ *electronic repair* dealer registration fee is not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each place of business in this state

(b) *The appliance repair dealer registration fee is not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each place of business in this state*

(c) The annual renewal fee for a ~~service~~ *electronic repair* dealer registration is not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each place of business in this state, if renewed prior to its expiration date.

(d) The annual renewal fee for an appliance repair dealer registration is not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each place of business in this state, if renewed prior to its expiration date.

~~(c)~~ *(e)* The delinquency fee is an amount equal to 50 percent of the renewal fee in effect on the last preceding regular renewal date."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 6, 1972

Mr Speaker The Chairman of your Committee on Transportation reports:

AB No. 1307

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1307—An act to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out lines 26 to 40, inclusive; and on page 4, strike out line 1.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, April 18, 1972

Mr. Speaker. The Chairman of your Committee on Government Administration reports:

AB No. 1611

AB No. 2066

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Government Administration

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1611—An act relating to the transfer of property by the Director of General Services

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the period, and insert "described in three groups, as follows:

A. Group A consists of those parcels of land in the County of Mendocino, State of California, described as follows:

Parcel 1

All of that parcel of land described in the deed to the State of California recorded on August 30, 1930 in Volume 56, page 65, Official Records of Mendocino County, as follows:

Beginning at a post marked "FF" standing at the Northwest corner of Lot 144 of Healey's Survey and Map of the Yokayo Rancho from which post a white oak tree 2 feet in diameter bears North 44¾ deg. West 19 links distant; thence run west along south line of Lot 43 of said Rancho 11 00 chains to the SW corner of said Lot 43, and thence north 12 deg 45' E., along the west line of said Lot 43 to the southerly line of the County Road leading from Ukiah to Talmage; thence easterly along the southerly line of said road to a point due north of the point of beginning, thence south along the west side of the County Road to the point of beginning, containing 5½ acres more or less, and being a part of Lot 43 of said Yokayo Rancho

Parcel 2

All of that parcel of land described in the deed to the State of California recorded on June 13, 1928 in Volume 29, page 369, Official Records of Mendocino County, as follows.

Commencing at a post marked "FF" standing on the Northeast corner of Lot 44 and the Northwest corner of Lot 144 of Healey's Survey and Map of Yokayo Rancho running thence West eleven chains to a post marked "GG" standing in the channel of Russian River, thence down the channel of said River S 35¾ deg W., 11 chains to post marked "HH"; thence S. 71¼ deg. W. 9 chains to a post marked "L I" (also sometimes referred to as "ZZ") thence S 36¾ deg. W. 13 chains to post marked "JJ" (also sometimes referred to as "II" and "ZZ") thence S 14¼ deg. W. 1 65 chains to post marked "KK" thence S. 8¼ deg E 10 chains to post marked "LL", thence S. 14¾ deg. W 4 22 chains to post marked "F", thence S 5¼ deg E 9 67 chains to the Northwest corner of a parcel of land conveyed by Robert Clark, et ux, to E M Ford by deed dated December 23rd, 1897 and recorded in Liber 72 of Deeds at page 184, Mendocino County Records; thence N 86¼ deg E., along the North line of said last mentioned parcel of land,

32 39 chains to the Eastern boundary line of Lot 44, thence N. 1¼ deg E, along the Eastern boundary line of said Lot 44 and along the Western boundary line of Lot 144, 45 chains to the place of beginning. Containing 126 87 acres, more or less.

Parcel 3

All of that parcel of land described in the deed to the State of California recorded on September 18, 1931 in Liber 64, page 274, Official Records of Mendocino County, as follows

Commencing at a post marked EE at the Southwest corner of Lot 144 of Healey's Survey and Map of Yokayo Rancho, thence along the Southerly line of said Lot 144 by the following courses and distances· North 81¾ deg East, 9 23 chains to a post marked BB, thence North 82 deg East, 39 16 chains to a post marked 13, thence South 2¼ deg. East, 4 45 chains; thence East 41 84 chains to the Southwest corner of that certain parcel of land conveyed by Mary F Bartlett, the duly appointed, qualified and acting Administratrix of the Estate of Nathan Bartlett, deceased, to Luigi Liprandi, by Deed dated September 15th, 1906 and recorded in Liber 104 of Deeds at page 110, Mendocino County Records, thence leaving the South line of said Lot 144 and following the Westerly line of said parcel of land so conveyed to Liprandi as follows North 48 deg 20' West, 4 50 chains, thence North 34 deg West, 3 81 chains, thence North 27 deg West, 9 29 chains to the Southeast corner of that certain tract of land conveyed by Charles and Clabe Bartlett to Mendocino Vineyard Association, by Deed dated September 14th, 1908 and recorded in Liber 109 of Deeds at page 442, Mendocino County Records, thence West along the South line of said last mentioned tract, to the Southwest corner thereof (it being a point in the West line of said Lot 144 which bears North 1¼ deg East, 15 14 chains from the Southwest corner of said lot), thence South 1¼ deg West, along said West line of Lot 144, 15 14 chains to the point of beginning

Saving and excepting therefrom the following.

1st Two certain strips of land, one 40 feet wide and the other 30 feet wide, as conveyed by Nathan Bartlett et al, to County of Mendocino by deed dated February 17th, 1893 and recorded in Liber 58 of Deeds at page 415, Mendocino County Records

2nd Beginning at a point on the Southerly line of Lot 144 of Yokayo Rancho, 2 43 chains North 81¾ deg East from the Southwest corner thereof, thence South 81¾ deg West, 2 43 chains to said Southwest corner, thence North 1¼ deg East, 3 30 chains, and thence South 38 deg East 3 76 chains to the point of beginning, containing 0 40 acres more or less Being the parcel of land conveyed by Nathan Bartlett et al, to Robert Clark by Deed dated February 17th, 1893 and recorded in Liber 58 of Deeds at page 412, Mendocino County Records

Parcel 4

All of that parcel of land described in the deed to the State of California recorded on March 30, 1908 in Book 109 of Deeds, page 267, Records of Mendocino County, as follows

Being part of the Yokayo Grant or Rancho, and described as follows, to-wit — *1st lot* commencing at a post marked "BB", standing on the Southerly line of Lot 44 of Healey's Survey and Map of Yokayo Rancho, M Bartlett's land; thence S ¼ deg W 43 66—chains to post marked C C, *standing on N. line of Ruddock's lands: thence* N 78½ deg E 33 48 chains to post marked "J 1" (should be "I 1") thence N 61¾ deg E.9 17 chains to post marked "J 2" (should be "I 2"); thence N 2¼ deg W 38 30 chains to post marked "J 3" (should be "I 3"), thence S —82 deg. W 39 16 chs to place of beginning, being Lot 46 of said Rancho & containing 167 13 acres *2nd lot* commencing at post marked "I2", standing on S E corner of said Lot 46; thence N 78¾ deg E 36 chains to post marked "W 9"; thence N 22.40 chains to post marked "X1"; thence E 13 chains; thence N.4 chains & 55 links, thence west 52 chains to east line of said Lot 46; thence S 2½ deg E to place of beginning, being Lot 51 of same survey of said Rancho. (Reserving and excepting from the foregoing described lands the following lot, piece, or parcel of land situate lying and being in the County of Mendocino, State of California and being a part of Lot 51 of the Yokayo Grant or Rancho, and described as follows, to-wit:

Commencing at a point in the easterly line of the County road leading from Bartlett's ranch to Cloverdale, said point being at the intersection of the line dividing the lands of the party of the first part herein from the lands of W J. Hildreth and the said easterly line of said road, thence easterly along the said line of W J Hildreth to the south west corner of the lands of Samuel Diddle; thence Northerly along the westerly line of Samuel Diddle's land 4 55 chains to the North Easterly corner of lot 51 of Healey's survey and map of the Yokayo Rancho, thence west along the Northerly line of said Lot 51 to its intersection with the Easterly line of the County Road; thence southerly along said Easterly line of the County road to the place of beginning.

B Group B consists of those parcels of land in the County of Mendocino State of California, described as follows:

Parcel 1

All of that parcel of land described in the deed to the State of California recorded on June 13, 1910 in Book 119 of Deeds, page 384, Records of Mendocino County, as follows·

Being a portion of Lot 144 of Healey's Survey and Map of the Yokayo Rancho and beginning at a point on the south line of Central Avenue as shown on a plat or map of the Bartlett tract which was filed in the Office of the County Recorder of the County of Mendocino, State of California, on the 14th day of September, A D 1908 in Volume 2 of Records of Surveys at page 18, from which point an iron pin designated as "AII" (described in a deed made by James Bartlett, et al to the State of California on the 5th day of February, A D 1891, and recorded on the 7th day of February A D 1891, in Book 54 of Deeds at page 135, Records of Mendocino County from which a white oak tree 30 inches in diameter bears N 2 deg 35′ E 186 links

distant) bears N. 76 deg 40′ E. and is distant 96 45 feet, thence S. 7 deg. 28′ W. 814 54 feet to the North line of land now owned and occupied by Mrs Bartlett; thence N 88 deg 15′ E 168.41 feet to the southwest corner of lands of W A Henry; thence N 0 deg 38′ E. along the west line of lands of W A Henry 161.50 feet to the southwest corner of land of Frank Averill; thence N 0 deg. 28′ E along the west line of land of Frank Averill 412 50 feet to the northwest corner of said Averill's land which is situated on the south line of the present traveled county wagon road; thence northerly and westerly along the westerly line of said County road to the south side of said Central Avenue of the Bartlett Tract; and thence S. 89 deg. 00′ W along the south line of Central Avenue to the point of beginning, containing 2.00 acres, more or less, as shown by a map or plat of said survey which is attached hereto and made a part hereof; but the party of the first part hereby reserves to himself, his successors and assigns forever a right of way forty (40) feet wide across the northern part of the lands herein conveyed to the party of the second part connecting Central Avenue with the County Road on the south side of Mill Creek.

Parcel 2

All of that parcel of land described in the deed to the State of California recorded on December 27, 1889 in Book 49 of Deeds, page 541, Records of Mendocino County, as follows:

Being one hundred acres of land, and a portion of lot 144th of Healey's Survey and Map of Yokayo Rancho, bounded on the North by land of Babcock, on the East by land of J. B McClure and L. M. Ruddick, on the South and West by County Road, and being all that portion of said lot No. 144 of said survey, lying North and East of the County Road

Together with all right title and interest in and to water rights and an easement for sewer purposes as described in above said deed (49 Deeds 541).

Also together with all right title and interest in and to water rights and an easement for sewer purposes, etc, as described in deed to the State of California recorded February 7, 1891 in Book 54 of Deeds, page 132, Records of Mendocino County.

Parcel 3

All that parcel of land described in the deed to the State of California recorded on February 7, 1891 in Book 54 of Deeds, page 135, Records of Mendocino County, as follows:

Beginning at a post marked "A1" standing in the center of the County Road upon the East line of Lot No 43 of Healey's Survey and Map of Yokayo Rancho, from which post a white Oak 12 inches in diameter bears S 68½ deg W 65 links distant and post "DH" of said Healey's Survey bears N 0 deg 7′ W 3 23 chains distant, thence on magnetic variation 18 deg. 7′ E S 0 deg 7′ E 20 81 chains to a post marked "I5" standing on the Southeast corner of Lot No 43 of Yokayo Rancho, from which a white Oak 20 inches in diamenter bears S 5 deg 47′ W 56 links distant 33 41 chains to a post marked

"A2" from which a white Oak 30 inches in diamenter bears N. 2 deg. 35' E. 186 links distant, thence S. 40 deg 49' E. 16 19 chains to post-marked "A3" from which a white Oak 30 inches in diameter bears S. 13 deg 34' W. 47 links distant, thence N 77 deg. 50' E. 20 75 chains to post marked "A4" standing in the center of the County Road on the East line of Lot No. 144 of Yokayo Rancho from which a live Oak 6 inches in diameter bears N. 24 deg. 50' W. 23 links distant, thence North 41 30 chains to post marked "A5" standing on the Southeast corner of Robert Babcock's land from which a black Oak 20 inches in diameter bears S. 12 deg. 26' W. 88 links distant, thence West along the South line of Babcock's land 30 94 chains to the place of beginning, being part of Lot No 144 of Healey's Survey and Map of Yokayo Rancho and containing one hundred thirty and eight one hundredths (130.8) acres of land.

Parcel 4

All that parcel of land described in the deed to the State of California recorded on April 24, 1922 in Book 168 of Deeds, page 407, Records of Mendocino County, as follows:

Beginning at an iron pin driven in the ground said point being the Northwest corner of lot 88 of the Yokayo Rancho as established by C. J. Hufft November 1913, thence along the North line of lot 88, S. 89 deg 41' E. 2808.30 feet to an iron pin driven in the ground from which an Oak tree 10" diameter bears S. 3 deg 30' W. 80 lks. marked B. 5 C J H., B T. thence along the Easterly line of lot 88 as established by C J Hufft S 0 deg 16' W 1567 02 feet thence leaving said Easterly line of lot 88 S. 47 deg 55' W 53 50 feet, S. 34 deg 17' W. 126. feet, S. 39 deg. 49' E. 89 feet, S 5 deg 40' E. 86 feet, S. 20 deg. 11' E 32 feet to an iron pin driven in the ground thence S. 71 deg. 07' W. 40.27 feet to the center of Mill Creek thence along the present channel of Mill Creek N. 24 deg 03' W. 20 48 feet, S 79 deg 26' W 46 86 feet, N. 50 deg 08' W 68 93 feet, S 54 deg 28' W 31 96 feet, S 11 deg 36' W. 31.77 feet, S. 85 deg. 03' W. 51 96 feet, S. 32 deg 28' W 39 26 feet, N. 54 deg 41' W 124 03 feet, S 64 deg. 50' W. 153.05 feet, N 70 deg 29' W 46 61 feet, N 34 deg 33' W. 35 79 feet, S 78 deg. 05' W. 65 79 feet, N 67 deg. 47' W 71 28 feet, N. 53 deg. 09' W. 46.84 feet, N. 89 deg. 08' W. 49.42 feet, N. 51 deg. 38' W. 56 90 feet, N. 82 deg 54' W 109 10 feet, S 61 deg 32' W 97 10 feet, S. 73 deg. 44' W. 95.70 feet, S. 89 deg 32' W. 80.88 feet, S 48 deg. 43' W. 113 79 feet, N 45 deg 27' W 201 feet, S. 82 deg. 49' W 51.82 feet, N 4 deg 54' W 85 17 feet, N 77 deg 16' W 70.50 feet, S 80 deg. 28' W 180 98 feet, S. 42 deg. 28' W 31.91 feet N 75 deg. 49' W. 91 82 feet, N 54 deg 36' W 50 93 feet, N. 4 deg. 44' W. 67 85 feet, N. 74 deg 44' W 90 40 feet, S 70 deg 24' W. 110 48 feet, S 4 deg 39' E. 91.84 feet, S 44 deg 09' W. 181.51 feet, N 26 deg. 15' W. 107.55 feet, S 68 deg 28' W 94 84 feet S 37 deg 13' W 154 30 feet, N. 35 deg 41' W 97 30 feet, N 83 deg 32' W 159.79 feet, S. 26 deg 18' W. 212 26 feet, S 41 deg. 51' W. 75 96 feet more or less to the West line of lot 88 as established by C J.

Hufft thence along the West line of lot 88 N 0 deg. 15' E 2059.34 feet to the point of beginning, containing 117 26 acres Being a part and portion of Lot eighty-eight of Healey's Survey and Map of Yokayo Rancho. C. Group C consists of those parcels of land in the County of Mendocino, State of California, described as follows:

Parcel 1

All of that parcel of land described in the deed to the State of California recorded on July 15, 1905 in Book 100 of Deeds, page 302, Records of Mendocino County, as follows:

Beginning at a cement monument standing at or near the Southwest corner of Lot 2, Sec 31, T 15 N R 11 W., M.D M from which the quarter section corner on the West boundary of Section 31, T. 15 N.R. 11 W, M D M bears West 20 00 chains distant and a madrona 12 inches in diameter marked "1-16 S B T." bears South 64 links and a laurel 15 inches in diameter marked "1-16 S B T." bears N. 8½ deg. W. 68 links distant, thence from such point (Var. 18 deg. E) runs S 40 deg left E 13 13 chains to an iron pin on the South line of Grace Hudson's land from which a Valparaiso Oak 50 inches in diameter marked "H B T " bears S 51 deg 23' E 74 links distant, said iron pin being the point of beginning; thence on the exterior boundaries of the parcel of land to be conveyed as follows: S 36 deg. 57' E. 7 00 chains to an iron pin from which a black oak 26 inches in diameter marked "No. 1 B T." bears S. 70 deg. E 26½ links distant; thence 55 deg 17 E 3 21 chains to an iron pin in a road from which a white oak 24 inches in diameter marked "No 2 B T " bears N 21½ deg W. 20 links distant; thence N 84 deg 28' E 2 15 chains to an iron pin in a road from which a black oak 3 feet in diameter marked "No 3 B.T." bears S 20½ deg E 9 links distant, thence S. 66 deg 23' E 1 43 chains to an iron pin in a road from which a black oak 12 inches in diameter marked "No 4 B T " bears S. 38 deg W 24 links distant; thence S 46 deg 53' E 4 01 chains to an iron pin in road from which a black oak 10 inches in diameter marked "No 5 B.T " bears S. 42 deg W 67 links distant; thence S 48 deg 25' E leaving road, 12 00 chains to an iron pin near foot of a hill from which a black oak 30 inches in diameter marked "No 9 B T " bears N 67¾ deg. W 2 08 chains distant; thence S 81 deg 43' E. 3 02 to a white oak 24 inches in diameter marked H on East and West sides, thence S 61 deg E 1 18 chains to an iron pin; thence S 86 deg E 2 93 chains; thence S 58¼ deg E 1 95 chains; thence S 77½ deg. E 1 50 chains to a white oak 32 inches in diameter marked "H" and being same tree described in a former deed; thence N 31½ deg E 1 15 chains; thence N 23 deg E 2 20 chains; thence N 25 deg W 1 37 chains and N. 15 deg W 50 links to a black oak 2 feet in diameter marked H, thence N 54 deg 37' W 26 39 chains to a point 11 49 chains East of the point of beginning thence West 11 49 chains to the point of beginning containing 23 87 acres and being part of N E ¼ of S W ¼ and S.E. ¼ of Sec 31T. 15 N R 11 W, M.D M

Parcel 2

N. ½ and S.E. ¼ of Lot 1 and S.E. ¼ of N.W. ¼ of Section 31, T. 15 N.R., 11 W, M D.B. & M.

Also, S. ½ of S W. ¼ of N.W. ¼ and Lot 1 and E. ½ of Lot 2 of Section 25 and E. ½ of S.W. ¼ and W ½ of S E. ¼ and S E ¼ of S E. ¼ of Section 25 and N.E. ¼ of Section 36, T. 15 N R., 12 W, M D.B. & M."

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration

Assembly Bill No. 2066—An act to add Section 13110 5 to the Health and Safety Code, relating to fires.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"13110.5. The State Fire Marshal shall gather statistical information on all fires occurring within this state. Beginning January 1, 1974, the chief fire official of each fire department operated by the state, a city, city and county, fire protection district, organized fire company, or other public or private entity which provides fire protection, shall furnish information and data to the State Fire Marshal relating to each fire which occurs within his area of jurisdiction. The State Fire Marshal shall adopt regulations prescribing the scope of the information to be reported, the manner of reporting such information, forms to be used, the time such information shall be reported and other requirements and regulations as he determines necessary.

The State Fire Marshal shall annually analyze the information and data reported, compile a report, and disseminate a copy of such report together with his analysis to each chief fire official in the state. The State Fire Marshal shall also furnish a copy of his report and analysis to any other interested person upon request"

Amendment No. 2

On page 1, strike out lines 4 to 6, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 18, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 863

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 863—An act to amend Section 677 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, after "state", insert ", with respect to policies in effect after the time limits specified in Section 676, (a) which of".

Amendment No. 2

On page 1, line 5, after "grounds", insert "set forth in Section 676 is".

Amendment No. 3

On page 1, line 6, after "and", insert "(b)".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 18, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 447
AB No 1140

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 447—An act to amend Section 1030.5 of, and to add Section 1030.2 to, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "one", and insert "such".

Amendment No. 2

On page 2, strike out lines 5 to 8, inclusive, and insert ", that the total wages paid to the individual by the base period employer pursuant to such contract of hire during the base period did not equal or

exceed the amount required to qualify a valid claim pursuant to subdivision (a) of Section 1281, and that the individual's employment terminated on the termination date of such contract of hire"

Amendment No. 3

On page 2, line 16, strike out "for temporary employment", and insert ", that the total wages paid to the individual by the base period employer pursuant to such contract of hire during the base period did not equal or exceed the amount required to qualify a valid claim pursuant to subdivision (a) of Section 1281".

Amendment No. 4

On page 2, strike out lines 19 to 21, inclusive, and insert "rendered services under such contract of hire, such employer's account shall".

Amendment No. 5

On page 2, line 25, after "individual", insert "during such base period".

Amendment No. 6

On page 3, lines 6 and 7, strike out "such benefit amount of"

Amendment No. 7

On page 3, after line 11, insert

"SEC. 3. This act shall apply only to new claims filed with an effective date beginning on or after the effective date of this act"

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1140—An act to amend Section 18020 of the Government Code, relating to state employees

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 18020 of the Government Code", and insert "add Section 1475 to, and to repeal Section 1475 of, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971"

Amendment No. 2

In line 2 of the title, after "employees", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 1475 of the Unemployment Insurance Code is repealed.

~~1475. (a) In lieu of the contributions required of employers, the State of California shall pay into the Unemployment Fund in the State Treasury at the times and in the manner provided in subdivision~~

~~(b), an amount equal to the additional cost to the Unemployment Fund of the benefits (including extended duration benefits and federal-state extended benefits) paid based on base period state wages with respect to employment of state employees. Benefits otherwise payable, irrespective of this chapter, shall be charged to employers' reserve accounts in accordance with other sections of this part and shall be the liability of governmental entities or nonprofit organizations pursuant to Sections 710, 711, and 713, but the additional cost to the Unemployment Fund of the benefits paid based on base period state wages pursuant to this chapter shall be borne solely by the State of California.~~

~~(b) In making the payments prescribed by subdivision (a), there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from the State of California for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund. Such estimates may be made upon the basis of statistical sampling, or other method as may be determined by the director.~~

~~Upon making such determination, the director shall certify to the Controller or other responsible disbursing officer the amount determined with respect to the State of California. The Controller or other responsible disbursing officer shall pay to the Unemployment Fund the contributions due from the State of California. The director shall charge to any special fund, which is responsible for the salary of any employee, the amount of additional cost to the Unemployment Fund of the benefits paid with respect to that state employee.~~

~~(c) The director may require from each employing unit subject to this chapter employment, wage, financial, statistical, or other information and reports, properly verified, as may be deemed necessary by the director to carry out his duties under this chapter, which shall be filed with the director at the time and in the manner prescribed by him.~~

~~(d) The director may tabulate and publish information obtained pursuant to this chapter in statistical form and may divulge the name of the employing unit.~~

~~(e) Each employing unit shall keep such work records as may be prescribed by the director for the proper administration of this chapter.~~

~~(f) Notwithstanding any other provision of this section, the State of California shall not be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California.~~

SEC. 2 Section 1475 is added to the Unemployment Insurance Code, to read:

1475 (a) In lieu of the contributions required of employers, the State of California shall pay into the Unemployment Fund in the State Treasury at the times and in the manner provided in subdivision (b), an amount equal to the additional cost to the Unemployment Fund of the benefits (including extended duration benefits and federal-state ex-

tended benefits) paid based on base period state wages with respect to employment of state employees. Benefits otherwise payable, irrespective of this chapter, shall be charged to employers' reserve accounts in accordance with other sections of this part, and shall be the liability of governmental entities or nonprofit organizations pursuant to Section 803, but the additional cost to the Unemployment Fund of the benefits paid based on base period state wages pursuant to this chapter shall be borne solely by the State of California

(b) In making the payments prescribed by subdivision (a), there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from the State of California for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund Such estimates may be made upon the basis of statistical sampling, or such other method as may be determined by the director

Upon making such determination, the director shall certify to the State Controller or other responsible disbursing officer the amount determined with respect to the State of California. The State Controller or other responsible disbursing officer shall pay to the Unemployment Fund the contributions due from the State of California The director shall charge to any special fund not funded by any budget act or other state appropriation, which is responsible for the salary of any employee, the amount of additional cost to the Unemployment Fund of the benefits paid with respect to that state employee.

(c) The director may require from each employing unit subject to this chapter employment, wage, financial, statistical, or other information and reports, properly verified, as may be deemed necessary by the director to carry out his duties under this chapter, which shall be filed with the director at the time and in the manner prescribed by him

(d) The director may tabulate and publish information obtained pursuant to this chapter in statistical form and may divulge the name of the employing unit.

(e) Each employing unit shall keep such work records as may be prescribed by the director for the proper administration of this chapter.

(f) Notwithstanding any other provision of this section, the State of California shall not be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California

SEC 3. Section 5 of Chapter 1815 of the Statutes of 1971 is repealed.

~~SEC 5. This act shall become effective only if General Fund revenues are increased by statutes enacted at the 1971 Regular Session of the Legislature above the amounts necessary to maintain programs in dollar amounts allocated by Chapter 266 of the Statutes of 1971, as determined by the State Controller.~~

SEC 4. There is appropriated from the General Fund to the Director of the Department of Human Resources Development the sum of one hundred ninety-one thousand dollars ($191,000) to be used to pay the benefits provided by Chapter 1815 of the Statutes of 1971 which are charged to any special fund funded by any budget act or other state appropriation.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Layoffs in state institutions of higher education are imminent. The lack of unemployment benefits for state higher education employees is detrimental to morale, causes a deterioration in the quality and quantity of services, and is a deterrent to the recruitment of qualified candidates for employment. Unless there is prompt adjustment of this serious inequity, and sufficient moneys to fund such adjustment, this area of public service will suffer serious and irreparable harm."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 18, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No 366
AB No 552
AB No. 1223

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 366—An act to add Chapter 3 5 (commencing with Section 536) to Title 7 of Part 2 of the Code of Civil Procedure, relating to civil proceedings.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 10, inclusive; and strike out all of pages 2, 3, 4, 5, 6, 7, and 8, and insert

"CHAPTER 3 5 ENVIRONMENTAL ACTIONS

Article 1 General Provisions and Findings

536 This chapter may be cited as the "California Conservation Act"

536.1. The Legislature finds and declares as follows:

(a) It is the policy of this state to conserve, protect, and enhance its environment. It is the policy of this state to prevent destruction, pollution, or irreparable impairment of the environment and the natural resources of this state.

(b) It is in the public interest to provide the people of the State of California with adequate remedy to protect the natural resources of the State of California from pollution, impairment, or destruction.

(c) Conservation of natural resources and protection of the environment are pursuits often beyond the scope of inquiry, legislation, or enforcement by local government; several local public entities existing in the same ecological community have acted in differing and, sometimes, conflicting manners; uniform, coordinated, and thorough response to the questions of protection of environment and preservation of natural resources must be assured; and these matters are of statewide concern.

536.2. The provisions of this chapter are not exclusive, and the remedies provided for in this article shall be in addition to any other remedies provided for in any other law or available under common law.

536.3. If any provision of this chapter or the application thereof to any person or circumstance is held to be unconstitutional, the remainder of the chapter and the application of such provision to other persons or circumstances shall not be affected thereby

536.4. This chapter shall be liberally construed and applied to promote its underlying purposes.

Article 2. Definitions

536.5. As used in this chapter, "person" includes any person, firm, association, organization, partnership, business trust, corporation, company, district, county, city and county, city, town, the state, and any of the agencies and political subdivision of such entities.

536.6. As used in this chapter, "public entity" means any county, city and county, city, municipal water district, irrigation district, public utility district, and any other public corporation, or any state agency, district, commission, or department.

536.7. As used in this chapter, "natural resource" includes land, water, air minerals, vegetation, wildlife, silence, historic or aesthetic sites, or any other natural resource which, irrespective of ownership, contributes, or in the future may contribute, to the health, safety, welfare, or enjoyment of a substantial number of persons, or to the balance of a substantial ecological community.

536.8. As used in this chapter, "substantial" means considerable in amount, time, number or degree of importance; material; real; significant; serious as opposed to trival.

536.9. As used in this chapter, "pollution" means the substantial alteration of the physical, chemical, or biological properties of the air, water or land in a manner contrary to the promotion of the health, safety, or welfare of a substantial number of persons, and to the balance of an ecological community.

536.10. As used in this chapter, "destruction" means a use, abuse, waste, or omission of duty substantially changing the environment in a manner contrary to the promotion of the health, safety, or welfare of a substantial number of persons, and to the balance of an ecological community.

Article 3. Remedies

536.11 Any person may maintain an action for equitable relief against any person for the protection of the natural resources of the state from pollution, impairment, or destruction.

536 12. In any action maintained under Section 536.11, the defendant may show, by way of an affirmative defense, that there is no more feasible and prudent alternative to the defendant's conduct, and that such conduct is consistent with the protection of the public health, safety, and welfare.

536.13. In granting temporary and permanent equitable relief, the court may impose such conditions upon the defendant as are required to protect the natural resources of the state from pollution, impairment, or destruction.

536.14. (a) No action may be maintained under this chapter where any conduct, product, or project is expressly authorized by state statute. For purposes of this subdivision, where the particular conduct, product, or project in question is undertaken administratively only by virtue of a general statutory authorization, such conduct, product, or project shall not be held to be expressly authorized by state statute.

(b) No action may be maintained under the provision of this chapter against any person for any conduct, product, or project expressly authorized by any rule, regulation, order, permit, or variance of any state agency, board, district, commission, or department, except against the public entity which issued the rule, regulation, order, permit, or variance.

(c) No action may be maintained under the provision of this chapter against any person for any conduct, product, or project expressly authorized by any rule, regulation, order, permit, or variance of any public entity which imposes more stringent conditions, restrictions, or limitations with respect to the protection of the environment than any state statute or rule, regulation, order, permit or variance of any state agency, board, district, commission, or department, except as against the public entity which issued the rule, regulation, order, permit, or variance

(d) No action may be commenced against any public entity prior to 60 days after the plaintiff has given notice of intent to commence an action under this chapter to such public entity and to any person whose conduct or product is alleged to have destroyed or polluted or, unless restrained, will destroy or pollute the environment. Such notice shall contain a specific description of defendant's conduct or product which is the subject of the action.

536 15. The complaint in any action commenced under this chapter shall be supported by the affidavits of not less than two technically

qualified persons stating that to the best of their knowledge defendant's conduct or product complained of did, or unless restrained will, destroy or pollute the environment.

Article 4. Review of Administrative Decisions

536.16. (a) In any administrative, licensing, or other such proceeding or in any proceeding for judicial review thereof which is made available by law, any person may be permitted to intervene upon showing that the proceeding or action for judicial review involves conduct, programs, or products which may have the effect of impairing, polluting, or destroying the natural resources of the state.

(b) In any proceeding described in subdivision (a), the agency or court shall consider the alleged impairment, pollution, or destruction of the natural resources of the state, and no conduct, program, or product shall be authorized or approved which does, or will have, such effect unless it is consistent with the protection of the public health, safety, or welfare.

(c) Where intervention was available in another action or proceeding and the plaintiff in an action under this chapter neglected to intervene in such other action or proceeding, the court may dismiss with prejudice the action of such plaintiff.

(d) In any judicial review under this section, the evidence before the court shall consist of the record before the agency and any other relevant evidence which, in the judgment of the court, should be considered to effectuate and implement the policies of this article.

536.17. Any action brought pursuant to Section 536 11 to review, set aside, void or annul any decision in any zoning matter of an administrative body or of a legislative body, or concerning any of the proceedings, acts or determinations taken, done or made prior to such decision, or to determine the reasonableness, legality or validity of any such decision shall not be maintained unless such action is commenced within 180 days after the date of such decision

536 18. (a) Whenever proceedings before an administrative agency are pending or available to determine the legality of the defendant's conduct, program, or product, the court shall stay the action brought pursuant to Section 536.11 pending the completion of such proceedings unless such stay will result in irreparable pollution, impairment or destruction to any natural resource

(b) In the order staying the proceedings under subdivision (a), the court may grant temporary equitable relief where appropriate to prevent irreparable pollution, impairment or destruction of any natural resource.

Article 5 Procedure

536.19. An action under this chapter shall be brought in the superior court of any county where the alleged conduct relating to destroying or polluting the environment is alleged to have occurred

536.20. An action brought pursuant to this chapter shall take special precedence over all civil matters on the calendar of the court, except those matters to which equal precedence on the calendar is granted by law.

536 21. No restraining order or preliminary injunction shall issue except upon the giving of security by the applicant in such sum as the court deems proper. In no event shall such sum be more than five hundred dollars ($500). Such security shall be given for the payment of such costs and damages as may be incurred or suffered by any person who is found to have been wrongfully enjoined or restrained. No such security shall be required of: (1) the Attorney General or (2) any public entity or officer thereof or (3) the applicant, upon the issuance of a permanent injunction.

536.22. In any action brought under the provisions of this chapter, the party filing the pleading shall furnish a copy to the Attorney General of the State of California. Such copy shall be furnished by the party filing the pleading within 10 days after filing.

536.23. In any action brought under the provisions of this chapter, a party may object to the appointment of any person as referee on the ground that he is not technically qualified with respect to the particular subject matter of the proceeding.

536.24. The court in its discretion may award costs of litigation, including reasonable attorney fees and expert witness fees, to the prevailing party in any action under this chapter.

536.25. In any action commenced pursuant to the provisions of this chapter, the defendant may move the court for an order, upon notice and hearing, dismissing the complaint as hereinafter provided. Such motion shall be based upon the grounds that there is no reasonable possibility that the prosecution of the cause of action alleged in the complaint against the moving party will conserve or protect the environment from destruction or pollution.

The court on application of the plaintiff may, for good cause shown, extend such 30-day period for an additional period or periods not exceeding 60 days.

At the hearing upon such motion, the court shall consider such evidence, written or oral, by witnesses or affidavit, as may be material to the ground upon which the motion is based. If such motion is filed, no pleadings need be filed by the moving party and the prosecution of such action shall be stayed, until 10 days after such motion shall have been disposed of.

An order dismissing the complaint is an appealable judgment."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 552—An act to amend Section 754 of the Evidence Code, relating to interpreters for the deaf.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "or litigant", and insert ", litigant, or witness".

Amendment No. 2

On page 2, line 2, strike out "A witness in any civil or criminal"; and strike out lines 3 to 6, inclusive.

Amendment No. 3

On page 2, strike out lines 14 to 17, inclusive, and insert "means a person who is considered competent by the deaf defendant, litigant, or witness."

Amendment No. 4

On page 2, line 18, after "(e)" insert "In the event that the interpreter available is not considered by the deaf defendant, litigant or witness to be competent, the deaf defendant, litigant or witness shall be permitted by the court to select another deaf person to act as intermediary between himself and the available interpreter during the court proceedings.

(f)".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1223—An act to add Section 1792.6 to the Civil Code, relating to consumer goods.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1669 and".

Amendment No. 2

In line 2 of the title, strike out "consumer goods", and insert "contracts".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 1669 is added to the Civil Code, to read:

1669. (a) No contract for services or goods shall contain any provision relieving the person performing the services or furnishing the goods from liability arising out of the transaction where the provision is either expressly prohibited or made void by statute.

(b) Any person who performs services or furnishes goods who enters into an agreement in violation of subdivision (a) of this section is guilty of a misdemeanor."

Amendment No. 4

On page 1, between lines 2 and 3, insert

"SEC. 2. Section 1792.6 is added to the Civil Code, to read:".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 18, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 1829

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1829—An act relating to salaries for public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "employees other than"; on page 2, strike out lines 1 to 7, inclusive, and insert "State Civil Service employees with salary ranges of one thousand two hundred dollars ($1,200) or less per month shall receive a salary increase of an amount equivalent to the percentage figure, adjusted to the nearest 2.5 percent, indicated by the Spring 1972 salary survey of the California State Personnel Board as a lag in such employees' salaries in comparison with salaries of nongovernment employees in equivalent positions. All nonacademic employees of the University of California and the California State University and Colleges with salary ranges of one thousand two hundred dollars ($1,200) or less per month shall receive salary increases commensurate with their equivalents in the State Civil Service.

If there are insufficient".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, April 17, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 13

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, April 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 236

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, April 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 64
SB No. 260
SB No. 468
SB No. 507
SB No. 525

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 64—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 260—An act to amend Section 13469 1 of the Education Code, relating to school employees.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 468—An act to add Sections 17.1, 17.2, and 17.3 to, the San Diego County Flood Control District Act (Chapter 55 of the Statutes of 1966, First Extraordinary Session), relating to the San Diego County Flood Control District.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 507—An act to add Section 1001 5 to the Welfare and Institutions Code, relating to institutions for delinquents.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 525—An act to amend Sections 62186 and 62472 of the Agricultural Code, relating to milk.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 744 and 1837 for hearing in the Committee on Transportation on Thursday, April 20.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1829, and that Assembly Bills Nos. 1829 and 42 be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Knox was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 143, 344, 494, 519, 798, and **222,** ordered to third reading.

Assembly Bill No. 379, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 440—An act to amend Section 11104 of the Vehicle Code, relating to driving instructors.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 657—An act to add Section 21100.5 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 10, insert

"This section shall not apply to vehicles of utilities which are under the jurisdiction of the Public Utilities Commission while engaged in maintenance and construction type service work"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 812—An act to amend Section 3505 of the Agricultural Code, relating to fairs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 817—An act to amend Section 2 of, and to add Section 3 5 to, Chapter 1425 of the Statutes of 1967, relating to the American Revolution Bicentennial Commission of California, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the first "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "2", insert "and 6".

Amendment No. 3

On page 1, line 1, strike out the ~~first~~ "the".

Amendment No. 4

On page 2, line 14, after "SEC 3.", insert "Section 6 of Chapter 1425 of the Statutes of 1967 is amended to read·

Sec. 6. The chairman of the commission shall be named by the Governor as hereinafter provided All other officers shall be selected by the commission from its membership with the exception of a records-correspondence secretary and a treasurer who may be selected outside of commission personnel. All meetings of the commission shall be open and public, and commission members shall serve without compensation ; *or* reward ~~or the receipt of expenses~~.

SEC. 4."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 530—An act to amend Section 36516 of, and to add Section 36516.2 to, the Government Code, relating to local government.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted:

Amendment No. 1

On page 2, of the printed bill, strike out lines 25 to 31, inclusive, and insert

"36516.2. Notwithstanding the limitations contained in Section 36516 with respect to increases or decreases in councilmen's salaries, any salary ordinance or amendment thereto, enacted pursuant to Section 36516, may provide for annual salary increases, provided that such salary increases shall not exceed 5 percent per year

This section applies to, and hereby validates, any applicable provisions in salary ordinances heretofore enacted pursuant to Section 36516 "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 556—An act to add Article 9 (commencing with Section 54240) to Chapter 5, Part 1, Division 2, Title 5 of the Government Code, relating to public leasebacks

Bill read second time.

Consideration of Committee Amendments

The following amendments proposed by the Committee on Local Government were read, and adopted

Amendment No. 1

On page 3 of the printed bill, between lines 24 and 25, insert

"54243 In the event an ordinance enacted pursuant to Section 54241 authorizing a local agency to enter into a public leaseback is subjected to a successful referendum election or is repealed or rescinded by a local agency, no ordinance authorizing the local agency to enter into a public leaseback for the same or substantially the same purpose shall be passed by that local agency for a period of one year from the date of such referendum, repeal or rescission."

Amendment No. 2

On page 3, line 25, strike out "54243", and insert "54244".

Amendment No. 3

On page 3, line 28, strike out "54244", and insert "54245".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2304—An act to amend Sections 25210 77f and 25831 of the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted.

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "Upon receipt of the report the", and insert "The"

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "reports", and insert "report".

Amendment No. 3

On page 2, lines 37 and 38, strike out "Upon receipt of the report the", and insert "The".

Amendment No. 4

On page 2, line 39, strike out "reports", and insert "report".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 365—An act to add Section 54934 to the Government Code, relating to recreation and park districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 539—An act to amend Section 6487 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered to third reading

Assembly Bill No. 1125—An act relating to the late filing of maps or plats for purposes of property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2059—An act to add Section 54938 6 to the Government Code, relating to assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 480—An act to amend Section 26205.5 of, and to add Section 26205.7 to, the Government Code, relating to records.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 487—An act to amend Sections 73823 and 73824 of the Government Code, relating to courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 623—An act to amend Sections 74134, 74135, 74136, 74137, 74138, and 74139 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 828—An act to amend Section 18612 of the Health and Safety Code, relating to mobilehome parks

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 856—An act to amend Sections 1173 and 1178 of the Streets and Highways Code, relating to county road divisions.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 872—An act relating to the boundaries of street lighting districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Concurrent Resolution No. 32—Relative to motor vehicle registration.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1, line 14, of the printed measure, strike out "the fifth calendar day of the 1973 Regular Session", and insert "July 1, 1973".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 827—An act to amend Section 20704 of the Education Code, relating to school district taxes, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted·

Amendment No. 1

On page 2 lines 3 and 4, of the printed bill, strike out "the three years preceding the last year", and insert "three consecutive years of the preceding four years"

Amendment No. 2

On page 2, lines 12 and 13, strike out "the three years preceding the last year", and insert "three consecutive years of the preceding four years".

Amendment No. 3

On page 2, lines 17 and 18, strike out "the three years preceding the last year", and insert "three consecutive years of the preceding four years".

Amendment No. 4

On page 2, line 31, strike out "However,"; strike out lines 32 and 33, and insert "Use of the percentage of three consecutive years of the preceding four years provides county auditors with greater flexibility to".

Bill ordered reprinted, and returned to the second reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 192—An act to amend Section 22520 of the Vehicle Code, relating to freeways.

Bill read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 365	AB No 1125
AB No. 539	AB No 2059
AB No 812	

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 440	AB No. 828
AB No. 487	AB No. 856
AB No. 623	AB No. 872

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

MOTION TO RECONSIDER URGENCY CLAUSE TO ASSEMBLY BILL NO. 4 WAIVED

Mr. Garcia was granted unanimous consent that his motion to reconsider the vote on the urgency clause to Assembly Bill No. 4 be waived.

Further Consideration of Assembly Bill No. 4

Assembly Bill No. 4—An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Motion to Amend

Mr Garcia moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly April 10, 1972, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, strike out lines 24 to 30, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Speaker Presiding

At 11:29 a.m., Hon Bob Moretti, 42nd District, presiding.

RECESS

At 11:30 a.m , Speaker Moretti declared the Assembly recessed until 11:38 a m., to permit the introduction of representatives from the International Federation of Wine Brotherhoods, and appointed Messrs Knox and Mobley, as a Select Committee to escort Monsieur Andre Bonin, President of the Federation of Wine Brotherhoods, and Monsieur Jean Pierre LeGras, Chancellor of the Federation, and interpreter for Monsieur Bonin, to the Rostrum, and to permit Monsieur Andre Bonin to address the Assembly

REASSEMBLED

At 11:38 a.m., the Assembly reconvened.
Hon. Bob Moretti, Speaker of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.

SPECIAL ORDER OF BUSINESS WAIVED

Mr. Leroy F. Greene was granted unanimous consent that the special order of business for Assembly Bill No. 78, at 11:30 a.m. today, be waived.

Assembly Bill No. 78 ordered to the third reading file.

Speaker pro Tempore Presiding

At 11:43 a.m., Hon Carlos Bee, 13th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 230—An act to add Chapter 17 (commencing with Section 22530) to Division 16.5 of the Education Code, relating to academic materials.

Bill read third time.

Demand for Previous Question

Messrs. Deddeh, Beverly, Brown, Cory, and Foran demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Keysor moved a call of the Assembly.

Mr Burton seconded the motion

Motion carried. Time, 12 06 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 35, Assembly Joint Resolution No. 6, and Assembly Bill No. 1231 for hearing in the Committee on Rules, on Thursday, April 20.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1175 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Judiciary; that Assembly Bill No. 1388 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Natural Resources and Conservation; that Assembly Bill No. 1975 be withdrawn from the Committee on Retirement and re-referred to the Committee on Judiciary; and that Assembly Bill No. 2248 be withdrawn from the Committee on Finance and Insurance and re-referred to the Committee on Judiciary.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 689—An act to repeal Article 3 (commencing with Section 5401) and Article 5 (commencing with Section 5501) of Chapter 4 of Division 6 of the Education Code, relating to courses of study.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 690—An act to repeal Sections 268 and 6064 of, and to repeal Article 5.6 (commencing with Section 5995) of Chapter 6 and Article 7 (commencing with Section 6499.21) of Chapter 6.5 of Division 6 of, the Education Code, relating to education.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 753—An act to add Section 1111.9 to the Education Code, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 825—An act to add Section 15802.2 to the Education Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 11—Relative to low-cost telephone service for the elderly poor.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—Relative to study of the foster care program

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 65—Relative to state-guaranteed loans to small businesses.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

EXPLANATIONS OF ABSENCE

Let the records show that I was in meeting with the Highway Commission this morning concerning problems in my district.

JOHN L E COLLIER

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 230

At 12.08 p m , on motion of Mr Ketchum, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 230 passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Chacon, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Pierson, Ralph, Russell, Seeley, Stacey, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—41

NOES—Badham, Biddle, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Duffy, Dunlap, Ketchum, Knox, Miller, Monagan, Murphy, Priolo, Stull, Vasconcellos, Wakefield, and Waxman—25

Motion to Reconsider Assembly Bill No. 230 on Next Legislative Day

Mr. Ketchum moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 230 was this day passed.

Assembly Bill No. 230 ordered to the unfinished business file.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

MOTION TO TAKE UP MOTION TO RECONSIDER ASSEMBLY BILL NO. 230

Mr Cullen moved that the motion to reconsider the vote on Assembly Bill No 230 be taken up on this day.

Motion lost by the following vote:

AYES—Bee, Beverly, Chacon, Cullen, Davis, Deddeh, Fong, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, MacDonald, McAlister, Pierson, Russell, Thomas, Townsend, Warren, Wood, and Mr. Speaker—23.

NOES—Arnett, Badham, Biddle, Brophy, Burke, Chappie, Cline, Collier, Conrad, Dent, Duffy, Ray E Johnson, Ketchum, Lewis, MacGillivray, Maddy, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Seeley, Stacey, Stull, Vasconcellos, Wakefield, Wilson, and Z'berg—29.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:14 p.m., Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2336: By Assemblymen Stacey and Townsend—An act to amend Sections 6625, 6625.1, 6630, 6632, 6633, 6634, 6635, 6635.2, 6636, and 6650 of, and to add Section 6635.1 to, the Business and Professions Code, relating to barbers.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2337: By Assemblymen Pierson, Brathwaite, and Beverly—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2338: By Assemblyman Cory—An act to amend Sections 40128, and 40129 of, to repeal Section 40005 of, and to add Section 40005 to, the Public Utilities Code, relating to the Orange County Transit District.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2339: By Assemblyman Brophy—An act to amend Sections 12020, 12500, 12501.1, 12504, 12505, and 12510 of the Business and Professions Code, relating to weights and measures.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 76: By Assemblyman Brathwaite—Relative to day care centers for children of high school girls.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Quimby and Warren:

House Resolution No. 40

Relative to exemptions from jury duty

Resolved by the Assembly of the State of California, That the Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of exemptions from jury duty; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 514

AB No. 747

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 745

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading

Committee on Environmental Quality

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 579

AB No. 580

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above bills ordered to second reading.

Committee on Local Government

Assembly Chamber, April 18, 1972

Mr Speaker: Your Committee on Local Government reports:

AB No. 654

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 18, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No. 954

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 954—An act to amend Sections 17301 and 17303.5 of the Education Code, relating to financial support for the public schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Leroy F. Greene", and insert "Assemblyman MacDonald (Coauthor: Senator Lagomarsino)"

Amendment No. 2

In lines 1 and 2 of the title, strike out "Sections 17301 and 17303.5 of the Education Code", and insert "Section 2 of Chapter 1423 of the Statutes of 1971".

Amendment No. 3

In line 2 of the title, after "schools", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 2 of Chapter 1423 of the Statutes of 1971 is amended to read:

Sec. 2. For purposes of determining eligibility for apportionments of funds appropriated in Item 270 of the Budget Act of 1971 (Chapter 266 of the Statutes of 1971), and more particularly, in determining the average daily attendance in school districts for which equalization aid was computed, the Superintendent of Public Instruction shall compute the same by considering solely individual school district wealth, disregarding the effects of the areawide school support mechanism, and as though no areawide school support programs were in operation anywhere in the state- *; except that school districts which receive equalization aid only because of the operation of the areawide school support mechanism shall likewise be eligible.*

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Section 2 of Chapter 1423 of the Statutes of 1971 will, unless amended, exclude certain school districts from the additional equalization aid for cost increases due to inflation prescribed by Item 270 of the Budget Act of 1971, which these school districts had budgeted for use during the 1971–1972 fiscal year. In order to prevent this unfortunate result, and to facilitate the orderly administration of the school finance system during the current fiscal year, it is necessary that this act take effect immediately."

Amendment No. 5

On page 1, strike out lines 2 to 6, inclusive; and strike out all of pages 2 to 5, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

VOTE CHANGES

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on the motion to take up the motion to reconsider the vote on Assembly Bill No. 230 on this day.

ADJOURNMENT

At 12·17 p.m., Speaker pro Tempore Bee declared the Assembly adjourned until 11 a.m., Wednesday, April 19, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Fifty-ninth Legislative Day

One Hundred Eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 19, 1972

The Assembly met at 11 a.m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Cory moved a quorum call of the Assembly.

Mr. Quimby seconded the motion.

Motion carried. Time, 11:02 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11:07 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Ours is not the first generation to discover the chance and tragedy of this world. Save us from being the first generation to be conquered by it. Let not our time be consumed by nostalgically recalling the golden ages of the past. For, indeed, they were so designated by people who never lived in them. Give us the courage to face the tragedies, ironies, and absurdities of life. Save us from self-pity which precludes self-improvement.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Quimby then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Thomas, seconded by Mr. Foran.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Lanterman, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Chacon, on request of Acting Speaker Fenton.
Mr. Priolo, on request of Acting Speaker Fenton.
Mr. Ryan, on request of Acting Speaker Fenton.
Mr. Stacey, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 17, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on Wednesday, April 19, 1972, on legislative business.

I will be meeting with my Advisory Council regarding the impact of the tax bill and other measures I am carrying this session at their request.

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

April 17, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, April 19, 1972, due to legislative business.

I will be presenting an Assembly Resolution honoring the Pacific Palisades Citizen of the Year, and meeting with constituents regarding proposed legislation.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixtieth District

April 18, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from attending session Wednesday, April 19, 1972, on legislative business. I will be participating in the annual California Moving and Storage Association Convention in Monterey.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

NOTE: For letter explaining the absence of Mr. Ryan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 18, 1972, page 1881.

REPORTS

The following report was presented by the Chief Clerk:

Beyond Shelter—A Report to the California Legislature on the Low Income Home Management Training Program. (Pursuant to Section 37514 of the Health and Safety Code.) March 1972.

Above transmitted report, together with letter of transmittal from Donald F. Pinkerton, Director, Department of Housing and Community Development, Sacramento, dated April 10, 1972, referred by the Acting Speaker to the Committee on Urban Development and Housing.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2336	Commerce and Public Utilities
2337	Judiciary
2338	Local Government
2339	Governmental Organization

Assembly Concurrent Resolution No.	*Committee*
76	Education

Senate Bill No.	*Committee*
64	Education
260	Education
468	Water
507	Criminal Justice
525	Agriculture

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Constitutional Amendment No. 97: By Assemblymen Burton and Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 3 of Article XIII thereof, relating to the taxation of land.

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 28: By Assemblyman Moretti—Relative to the Soviet Union.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 77: By Assemblymen Thomas, Cullen, and Ray E. Johnson (Senators Coombs, Deukemejian, and Zenovich, coauthors)—Relative to making additional funds available to the Joint Legislative Audit Committee.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 657
AB No. 827
AB No. 2304

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 379

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 33

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 686

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 176	AB No. 687	AB No. 1184
AB No. 285	AB No 694	AB No. 1217
AB No. 422	AB No. 718	AB No. 1237
AB No. 459	AB No 775	AB No. 1339
AB No. 615	AB No. 817	AB No. 1371
AB No. 616	AB No. 868	AB No. 1544
AB No. 617	AB No. 1061	AB No. 1821
AB No. 672		

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 18, 1972

Mr Speaker: Your Committee on Health reports:

AB No. 1859

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means—Recommend Consent.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 565

AB No. 1194

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 614

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 900

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 17, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1953

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 758

AB No. 759

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 824

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1007

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1138

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Water

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 691
AB No. 697
AB No 813

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 851

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 19, 1972

Mr Speaker: Your Committee on Water reports:

AB No. 837

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 384
AB No. 401
AB No. 844

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 384—An act to amend Section 23801 of the Education Code, relating to state colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, after line 2, insert

"SEC. 2 Section 23801 of the Education Code is amended to read:

23801 A student body organization may be established at any state college under the supervision of the college officials for the purpose of providing essential activities closely related to, but not normally included as a part of, the regular instructional program of the college Such an organization may also operate a campus store, a cafeteria, and other projects not inconsistent with the purposes of the college, and property of the college may be leased to such an organization for such purposes.

The trustees may fix fees for voluntary membership in such organization established at a state college

Notwithstanding any provisions of law to the contrary, if a student body organization is established at any state college, upon the favorable vote of two-thirds of the students voting in an election held for this purpose, in such manner as the trustees shall prescribe, and open to all regular students enrolled in such college, the trustees shall fix a membership fee which shall be required of all regular, limited, and summer session students attending such college *No increase in the fees shall become effective until approved by the favorable vote of two-thirds of the students voting in an election held for that purpose.* No fees shall be charged to students registering solely in extension classes.

Such required fee shall be subject to referendum at any time upon the presentation of a petition to the president of the college containing the signatures of 20 percent of the regularly enrolled students at such college. A successful referendum shall take effect with the beginning of the academic year following that in which the election was held.

Payment of membership fees pursuant to this section shall be a prerequisite to enrollment in the college, except that if sufficient funds are available any state college student may at his option and subject to the regulations of the trustees establishing standards in that regard, agree to work off the amount of the fee at the prevailing rate of the college for student assistants. The trustees may adopt regulations setting standards for determining which students shall be eligible to work off the amount of the fee No student shall be required to pay student body membership fees in an aggregate amount exceeding ~~twenty dollars ($20)~~ *thirty dollars ($30)* per academic year

The revenues raised pursuant to this section may, in addition to expenditures for other lawful purposes involved in the operations of the student body organization, be expended to provide for the support of governmental affairs representatives who may be attending upon the State Legislature or upon offices and agencies in the executive branch of the state government.

SEC 3. It is the intent of the Legislature, if this bill and Assembly Bill No 401 are both chaptered and amend Section 23801 of the Education Code, and this bill is chaptered after Assembly Bill No. 401, that the amendments to Section 23801 proposed by both bills be given effect and incorporated in Section 23801 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No. 401 are both chaptered, both amend Section 23801, and Assembly Bill No. 401 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, after the period, insert "No increase in the fees shall become effective until approved by the favorable vote of two-thirds of the students voting in an election held for that purpose."

Amendment No. 2

On page 2, after line 31, insert

"SEC. 2 Section 23801 of the Education Code is amended to read:

23801 A student body organization may be established at any state college under the supervision of the college officials for the purpose of

providing essential activities closely related to, but not normally included as a part of, the regular instructional program of the college. Such an organization may also operate a campus store, a cafeteria, and other projects not inconsistent with the purposes of the college, and property of the college may be leased to such an organization for such purposes.

The trustees may fix fees for voluntary membership in such organization established at a state college.

Notwithstanding any provisions of law to the contrary, if a student body organization is established at any state college, upon the favorable vote of two-thirds of the students voting in an election held for this purpose, in such manner as the trustees shall prescribe, and open to all regular students enrolled in such college, the trustees shall fix a membership fee which shall be required of all regular, limited, and summer session students attending such college. *No increase in the fees shall become effective until approved by the favorable vote of two-thirds of the students voting in an election held for that purpose.* No fees shall be charged to students registering solely in extension classes

Such required fee shall be subject to referendum at any time upon the presentation of a petition to the president of the college containing the signatures of 20 percent of the regularly enrolled students at such college. A successful referendum shall take effect with the beginning of the academic year following that in which the election was held

Payment of membership fees pursuant to this section shall be a prerequisite to enrollment in the college, except that if sufficient funds are available any state college student may at his option and subject to the regulations of the trustees establishing standards in that regard, agree to work off the amount of the fee at the prevailing rate of the college for student assistants. The trustees may adopt regulations setting standards for determining which students shall be eligible to work off the amount of the fee. No student shall be required to pay student body membership fees in an aggregate amount exceeding ~~twenty dollars ($20)~~ *thirty dollars ($30)* per academic year

The revenues raised pursuant to this section may, in addition to expenditures for other lawful purposes involved in the operations of the student body organization, be expended to provide for the support of governmental affairs representatives who may be attending upon the State Legislature or upon offices and agencies in the executive branch of the state government.

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 384 are both chaptered and amend Section 23801 of the Education Code, and this bill is chaptered after Assembly Bill No 384, that the amendments to Section 23801 proposed by both bills be given effect and incorporated in Section 23801 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 384 are both chaptered, both amend Section 23801, and Assembly Bill No 384 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 844—An act to amend Section 23616 of the Education Code, relating to state college printing and binding.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, after "may", insert ", with the prior authorization of the Department of General Services,".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No. 1570

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1570—An act to amend Section 17902 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to amend Sections 14978 and 15670 of the Elections Code,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 14978 of the Elections Code is amended to read:

14978. When ~~the~~ *a* machine or device has been approved by the ~~commissioners~~ *commission* ~~any improvement or change that~~, *it shall not be changed or modified until the commission has been notified in writing and determined that the change or modification* does not impair its accuracy and efficiency ~~shall not render necessary~~ *sufficient to require* a reexamination ~~or~~ *and* reapproval *pursuant to this article The commission may adopt rules and regulations governing the procedures to be followed in making its determination as to whether the change or modification impairs accuracy or efficiency.*

SEC. 2 Section 15670 of the Elections Code is amended to read:

15670. No ballot, ballot card, marking device, sorting machine, counting machine, or other mechanical device may be used pursuant to this chapter unless it is of a type approved by the commission ~~When such equipment has been approved, any improvement or change which~~ *It shall not be changed or modified until the commission has been notified in writing and determined that the change or modification* does not impair its accuracy ; *and* efficiency ; ~~or ability to meet such requirements, shall not render necessary~~ *sufficient to require* a reexamination ~~or~~ *and* reapproval ~~thereof~~ *pursuant to this article . The commission may adopt rules and regulations governing the procedures to be followed in making its determination as to whether the change or modification impairs accuracy or efficiency.* ''

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 319

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 319—An act to amend Section 6357 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "marina", insert "or a marine fuel dock".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 17, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 453	AB No. 724
AB No 588	AB No. 1418

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 453—An act to add Sections 17152 and 24303 to the Revenue and Taxation Code, relating to exclusions from gross income, to take effect immediately, tax levy

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 19, of the printed bill, after "SEC 3", insert "A taxpayer under the Personal Income Tax Law or Bank and Corporation Tax Law which has paid the tax on the income excluded by Section 1 or 2 of this act may file an amended return for the taxable or income year in which such tax was so paid.

SEC 4."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 588—An act to add Section 6370 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 6370 to the Revenue and Taxation Code,".

Amendment No. 2

On page 1, strike out lines 1 and 2; and in line 3, strike out "6370", and insert "SECTION 1"

Amendment No. 3

On page 1, line 4, strike out "part", and insert "Part 1 of Division 2 of the Revenue and Taxation Code".

Amendment No. 4

On page 2, line 4, after "into", insert "with a government agency or military facility,".

Amendment No. 5

On page 2, line 10, after "exercised ", insert "This section shall not apply to any contract extending after July 1, 1976."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 724—An act to amend Section 23332.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 23332.5", and insert "Sections 17226, 18244, 19523, 19526, 19531, 23332.5, 23701r, 23732, 24372, 24378, 24438, 24837.5 and 25553".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 17226 of the Revenue and Taxation Code is amended to read:

17226. (a) Every taxpayer at his election, shall be entitled to a deduction with respect to the amortization of the amortizable basis of any certified pollution control facility (as defined in subdivision (d)), based on a period of 60 months. Such amortization deduction shall be an amount with respect to each month of such period within the taxable year, equal to the amortizable basis of the pollution control facility at the end of such month divided by the number of months (including the month for which the deduction is computed) remaining in the period. Such amortizable basis at the end of the month shall be computed without regard to the amortization deduction for such month. The amortization deduction provided by this section with respect to any month shall be in lieu of the depreciation deduction with respect to such pollution control facility for such month provided by Section 17208. The 60-month period shall begin, as to any pollution control facility, at the election of the taxpayer, with the month following the month in which such facility was completed or acquired, or with the succeeding taxable year.

(b) The election of the taxpayer to take the amortization deduction and to begin the 60-month period with the month following the month in which the facility is completed or acquired, or with the taxable year succeeding the taxable year in which such facility is completed or acquired, shall be made by filing with the Franchise Tax Board in such manner, in such form, and within such time, as the Franchise Tax Board may by regulations prescribe, a statement of such election.

(c) A taxpayer which has elected under subdivision (b) to take the amortization deduction provided in subdivision (a) may, at any time

after making such election, discontinue the amortization deduction with respect to the remainder of the amortization period, such discontinuance to begin as of the beginning of any month specified by the taxpayer in a notice in writing filed with the Franchise Tax Board before the beginning of such month. The depreciation deduction provided under Section 17208 shall be allowed, beginning with the first month as to which the amortization deduction does not apply, and the taxpayer shall not be entitled to any further amortization deduction under this section with respect to such pollution control facility.

(d) For purposes of this section—

(1) The term "certified pollution control facility" means a new identifiable treatment facility which is used, in connection with a plant or other property in operation before January 1, 1971, to abate or control water or atmospheric pollution or contamination by removing, altering, disposing, or storing of pollutants, contaminants, wastes, or heat and which the State Department of ~~Public~~ Health has certified as having been constructed, reconstructed, erected, or acquired in conformity with the state program or requirements for abatement or control of water or atmospheric pollution or contamination.

(2) For purposes of paragraph (1), the term "new identifiable treatment facility" includes only tangible property (not including a building and its structural components, other than a building which is exclusively a treatment facility) which is of a character subject to the allowance for depreciation provided in Section 17208, which is identifiable as a treatment facility, and which—

(A) Is property—

(i) The construction, reconstruction, or erection of which is completed by the taxpayer after December 31, 1970, or

(ii) Acquired after December 31, 1970, if the original use of the property commences with the taxpayer and commences after such date, and

(B) Is placed in service by the taxpayer before January 1, 1975.

In applying this section in the case of property described in clause (i) of subparagraph (A), there shall be taken into account only that portion of the basis which is property attributable to construction, reconstruction, or erection after December 31, 1970.

(e) The State Department of ~~Public~~ Health shall not certify any property to the extent it appears that by reason of profits derived through the recovery of wastes or otherwise in the operation of such property, its costs will be recovered over its actual useful life.

(f) (1) For purposes of this section, the term "amortizable basis" means that portion of the adjusted basis (for determining gain) of a certified pollution control facility which may be amortized under this section.

(2) (A) If a certified pollution control facility has a useful life (determined as of the first day of the first month for which a deduction is allowable under this section) in excess of 15 years, the amortizable basis of such facility shall be equal to an amount which bears the same ratio to the portion of the adjusted basis of such facility, which would be eligible for amortization but for the application of this subparagraph, as 15 bears to the number of years of useful life of such facility.

(B) The amortizable basis of a certified pollution control facility with respect to which an election under this section is in effect shall not be increased, for purposes of this section, for additions or improvements after the amortization period has begun.

(g) The depreciation deduction provided by Section 17208 shall, despite the provisions of subdivision (a), be allowed with respect to the portion of the adjusted basis which is not the amortizable basis.

(h) In the case of property held by one person for life with remainder to another person, the deduction under this section shall be computed as if the life tenant were the absolute owner of the property and shall be allowable to the life tenant.

(i) For special rule with respect to certain gain derived from the disposition of property the adjusted basis of which is determined with regard to this section, see Section 18211.

SEC. 2. Section 18244 of the Revenue and Taxation Code is amended to read:

18244. (a) This article shall apply to the taxable year only if the taxpayer chooses to have the benefits of this article for such taxable year. Such choice may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this part for the taxable year.

(b) If the taxpayer chooses the benefits of this article for the taxable year, the following provisions shall not apply to him for such year:

(1) Section 17048 (relating to the optional tax table) and

(2) Subdivision (b) of Section 17112.7 (relating to limitation of tax in case of certain distributions with respect to contributions by self-employed individuals).

(c) (1) Paragraph (2) of this subdivision shall apply in the case of any individual who was married for any base period year or the computation year; except that such paragraphs shall not apply in respect of a base period year if—

(A) Such individual and his spouse make a joint return for the computation year, and

(B) Such individual was not married to any other spouse for such base period year.

(2) For purposes of this article, the base period income of an individual for any base period year shall not be less than 50 percent of the base period income which would result from combining his income and deductions for such year—

(A) With the income and deductions for such year of the individual who is his spouse for the computation year, or

(B) If greater, with the income and deductions for such year of the individual who was his spouse for such base period year.

(C) With respect to computation years beginning after December 31, 1971, for the purposes of subparagraphs (A) and (B), for base years beginning after December 31, 1967, and ending before November 30, 1972, the percentages provided for in Section 18162.5 shall be used to determine the amount of capital gains for such taxable years.

(3) For purposes of this subdivision, Section 17173 shall apply in determining whether an individual is married for any taxable year.

(d) In the case of a joint return, the three thousand dollars ($3,000) figure contained in Section 18241 shall be applied to the aggregate averageable income.

(e) (1) Section 17112.5 (relating to penalties applicable to certain amounts received by owner-employees) shall be applied as if this article had not been enacted.

(2) Except as otherwise provided in this article, the order and manner in which items of income or limitations on tax shall be taken into account in computing the tax imposed by this part on the income of any eligible individual to whom Section 18241 applies for any computation year shall be determined under regulations prescribed by the Franchise Tax Board.

(f) In the case of any computation year or base period year which is a short taxable year, this article shall be applied in the manner provided in regulations prescribed by the Franchise Tax Board.

SEC. 3. Section 19523 of the Revenue and Taxation Code is amended to read:

19523. The amount of assistance shall be based on claimant's household income for the period set forth in Section ~~19501~~ *19501.5*. The percentage of assistance for which each claimant shall be eligible shall be based on the following scale:

If the total household income (as defined in this part) is not more than:	The percentage of tax on the first $7,500 of value (as determined for tax purposes) used to provide assistance is:
$1,000	96%
1,500	92
2,000	92
2,500	88
3,000	80
3,500	70
4,000	60
4,500	52
5,000	45
5,500	38
6,000	32
6,500	26
7,000	21
7,500	16
8,000	12
8,500	8
9,000	6
9,500	5
10,000	4

SEC. 4. Section 19526 of the Revenue and Taxation Code is amended to read:

19526. Notwithstanding the definition of income set forth in Section 19501.5, no assistance shall be allowed for property taxes accrued and paid if the gross household income from all sources for the periods set forth in Section ~~19501~~ *19501.5* is twenty thousand dollars ($20,000) or more; provided, however, that in the case of a person whose principal

trade or business is farming, such amount is thirty thousand dollars ($30,000) or more.

SEC. 5. Section 19531 of the Revenue and Taxation Code is amended to read:

19531. Each claimant applying for assistance under Article 2 (commencing with Section 19521) of this part shall file a claim under penalty of perjury with the Franchise Tax Board on a form supplied by such board. The claim shall contain:

(a) Evidence acceptable to the Franchise Tax Board that the claimant was a resident of California and 62 years of age or older on or before the first day of January preceding the end of the fiscal year for which the claim is filed.

(b) A statement showing the household income for the period set forth in Section ~~19501~~ *19501.5*.

(c) A statement describing the property on which the claim is based and showing at least the assessed value of the homestead; the size and nature of the homestead; together with the tax bill. No interest shall be allowed on any payment made to any claimant pursuant to this part.

If a claimant submits a statement containing the essential data set forth in this section under penalty of perjury within the period set forth in Section 19532, the Franchise Tax Board shall compute the amount of assistance and authorize payment. The amount of any assistance otherwise payable under this part may be applied by the Franchise Tax Board against any liability due from the claimant under any law administered by the Franchise Tax Board.

SEC. 6."

Amendment No. 3

On page 2, after line 6, insert

"SEC. 7. Section 23701r of the Revenue and Taxation Code is amended to read:

23701r. Corporations organized and operated to support or defeat a political candidate *or candidates* or to support or recall an elective public officer *or officers* which are supported solely by contributions and no part of the income of which inures to the benefit of any individual other than through the political support or opposition.

SEC. 8. Section 23732 of the Revenue and Taxation Code is amended to read:

23732. (a) (1) Except as otherwise provided in this subdivision, the term "unrelated business taxable income" means the gross income derived by any organization from any unrelated trade or business (as defined in Section 23734) regularly carried on by it, less the deductions allowed by this article which are directly connected with the carrying on of such trade or business, both computed with the modifications provided in subdivision (b)

(2) (A) In the case of an organization described in Section 23701g or 23701i, the term "unrelated business taxable income" means the gross income (excluding any exempt function income), less the deductions allowed by this article which are directly connected with the production of the gross income (excluding function income), both computed with the modifications provided in paragraphs (9), (10), and (11) of subdivision (b).

(B) For purposes of subparagraph (A), the term "exempt function income" means the gross income from dues, fees, charges, or similar amounts paid by members of the organization as consideration for providing such members or their dependents or guests goods, facilities, or services in furtherance of the purposes constituting the basis for the exemption of the organization to which such income is paid. Such term also means all income (other than an amount equal to the gross income derived from any unrelated trade or business regularly carried on by such organization computed as if the organization were subject to paragraph (1)), which is set aside—

(i) For a purpose specified in subdivision ~~(c)~~ *(d)* of Section 17214, or

(ii) In the case of an organization described in Section 23701i, to provide for the payment of life, sick, accident, or other benefits, including reasonable costs of administration directly connected with a purpose described in clause (i) or (ii).

If during the taxable year, an amount which is attributable to income so set aside is used for a purpose other than that described in clause (i) or (ii), such amount shall be included, under subparagraph (A), in unrelated business taxable income for the taxable year.

(C) If property used directly in the performance of the exempt function of an organization described in Section 23701g or 23701i is sold by such organization, and within a period beginning one year before the date of such sale, and ending three years after such date, other property is purchased and used by such organization directly in the performance of its exempt function, gain (if any) from such sale shall be recognized only to the extent that such organization's sales price of the old property exceeds the organization's cost of purchasing the other property. For purposes of this subparagraph, the destruction in whole or in part, theft, seizure, requisition, or condemnation of property, shall be treated as the sale of such property and rules similar to the rules provided by Sections 18092, 18093, 18095, and 18100 shall apply.

(3) If a corporation exempt under Section 23701h—

(A) Pays any amount of its net income for a taxable year to an organization (parent) exempt from taxation under Section 23701 or 17631 (or in case of an organization located outside the state the exemption may be under Section 501(a) of the Internal Revenue Code) or which would pay such amount but for the fact that the expenses of collecting its income exceeded its income, and

(B) Such corporation and such organization file a consolidated federal return for the year and furnish a copy of the consolidated return with its return, such corporation shall be treated, for the purposes of the tax imposed by Section 23731, as being organized and operated for the same purposes as such organization in addition to the purposes described in Section 23701h.

(b) The modifications referred to in subdivision (a) are the following:

(1) There shall be excluded all dividends, interest, and annuities, and all deductions directly connected with such income.

(2) There shall be excluded all royalties (including overriding royalties) whether measured by production or by gross or taxable income from the property, and all deductions directly connected with such income.

(3) In the case of rents—

(A) Except as provided in subparagraph (B), there shall be excluded—

(i) All rents from real property, and

(ii) All rents from personal property leased with such real property, if the rents attributable to such personal property are an incidental amount of the total rents received or accrued under the lease, determined at the time the personal property is placed in service.

(B) Subparagraph (A) shall not apply—

(i) If more than 50 percent of the total rent received or accrued under the lease is attributable to personal property described in subparagraph (A) (ii), or

(ii) If the determination of the amount of such rent depends in whole or in part on the income or profits derived by any person from the property leased (other than an amount based on a fixed percentage or percentages of receipts or sales).

(C) There shall be excluded all deductions directly connected with rents excluded under subparagraph (A).

(4) Notwithstanding paragraph (1), (2), (3), or (5), in case of debt-financed property (as defined in Section 23735) there shall be included, as an item of gross income derived from an unrelated trade or business, the amount ascertained under paragraph (1) of subdivision (a) of Section 23735, and there shall be allowed, as a deduction, the amount ascertained under paragraph (2) of subdivision (a) of Section 23735.

(5) There shall be excluded all gains or losses from the sale, exchange or other disposition of property other than—

(A) Stock in trade or other property of a kind which would properly be includable in inventory if on hand at the close of the taxable year, or

(B) Property held primarily for sale to customers in the ordinary course of the trade or business.

This paragraph shall not apply with respect to the cutting of timber which is considered, on the application of Section 17711, as a sale or exchange of such timber.

(6) There shall be excluded all income derived from research for (A) the United States, or any of its agencies or instrumentalities, or (B) any state or political subdivision thereof; and there shall be excluded all deductions directly connected with such income.

(7) In the case of a college, university, or hospital, there shall be excluded all income derived from research performed for any person, and all deductions directly connected with such income.

(8) In the case of an organization operated primarily for purposes of carrying on fundamental research the results of which are freely available to the general public, there shall be excluded all income derived from research performed for any person, and all deductions directly connected with such income.

(9) In the case of any organization (other than a trust) subject to tax under Section 23731, the deduction allowed by Section 24357 (relating to charitable, etc., contributions and gifts) shall be allowed (whether or not directly connected with the carrying on of the trade or business), but shall not exceed 5 percent of the unrelated business taxable income computed without the benefit of this paragraph.

(10) In the case of any trust subject to taxation under Section 23731 or subdivision (a) of Section 17651, the deduction allowed by Sections 17214 and 17215 (relating to charitable, etc., contributions and gifts) shall be allowed (whether or not directly connected with the carrying on of the trade or business) and for such purpose a distribution made by the trust to a beneficiary described in Section 17214 shall be considered a gift or contribution The deduction allowed by this paragraph shall be allowed with the limitations prescribed in Section 17215 determined with reference to the unrelated business taxable income computed without the benefit of this paragraph (in lieu of with reference to adjusted gross income).

(11) There shall also be allowed a specific deduction of one thousand dollars ($1,000). In the case of a diocese, province of a religious order, or a convention or association of churches, there shall be allowed, with respect to each parish, individual church, district, or other local unit, a specific deduction equal to the lower of—

(A) One thousand dollars ($1,000), or

(B) The gross income derived from any unrelated trade or business regularly carried on by such local unit.

(12) In the case of an organization which is described in Section 23701a, there shall be excluded all income used to establish, maintain, or operate a retirement home, hospital, or other similar facility for the exclusive use and benefit of the aged and infirm members of such an organization, which is derived from agricultural pursuits conducted on ground contiguous to the retirement home, hospital, or similar facility and further provided that such income does not provide more than 75 percent of the cost of maintaining and operating the retirement home, hospital, or similar facility; and there shall be excluded all deductions directly connected with such income.

(13) Notwithstanding paragraph (1), (2), or (3), amounts of interest, annuities, royalties, and rents derived from any organization (in this paragraph called the controlled organization) of which the organization deriving such amounts (in this paragraph called the controlling organization) has control (as defined in Section 24564) shall be included as an item of gross income (whether or not the activity from which such amounts are derived represents a trade or business or is regularly carried on) in an amount which bears the same ratio as—

(A) (i) In the case of a controlled organization which is not exempt from taxation under Section 23701 or 17631, the excess of the amount of taxable income of the controlled organization over the amount of such organization's taxable income which if derived directly by the controlling organization would not be unrelated business taxable income, or

(ii) In the case of a controlled organization which is exempt from taxation under Section 23701 or 17631, the amount of unrelated business taxable income of the controlled organization, bears to

(B) The taxable income of the controlled organization (determined in the case of a controlled organization to which subparagraph (A) (ii) applies as if it were not an organization exempt from taxation under Section 23701 or 17631), but not less than the amount determined in clause (i) or (ii), as the case may be, of subparagraph (A),

both amounts computed without regard to amounts paid directly or indirectly to the controlling organization There shall be allowed all deductions directly connected with amounts included in gross income under the preceding sentence.

SEC. 9. Section 24372 of the Revenue and Taxation Code is amended to read:

24372. (a) Every taxpayer at its election, shall be entitled to a deduction with respect to the amortization of the amortizable basis of any certified pollution control facility (as defined in subdivision (d)), based on a period of 60 months. Such amortization deduction shall be an amount, with respect to each month of such period within the income year, equal to the amortizable basis of the pollution control facility at the end of such month divided by the number of months (including the month for which the deduction is computed) remaining in the period. Such amortizable basis at the end of the month shall be computed without regard to the amortization deduction for such month. The amortization deduction provided by this section with respect to any month shall be in lieu of the depreciation deduction with respect to such pollution control facility for such month provided by Section 24349. The 60-month period shall begin, as to any pollution control facility, at the election of the taxpayer, with the month following the month in which such facility was completed or acquired, or with the succeeding income year.

(b) The election of the taxpayer to take the amortization deduction and to begin the 60-month period with the month following the month in which the facility is completed or acquired, or with the income year succeeding the income year in which such facility is completed or acquired, shall be made by filing with the Franchise Tax Board in such manner, in such form, and within such time, as the Franchise Tax Board may by regulations prescribe, a statement of such election.

(c) A taxpayer which has elected under subdivision (b) to take the amortization deduction provided in subdivision (a) may at any time after making such election, discontinue the amortization deduction with respect to the remainder of the amortization period, such discontinuance to begin as of the beginning of any month specified by the taxpayer in a notice in writing filed with the Franchise Tax Board before the beginning of such month. The depreciation deduction provided under Section 24349 shall be allowed, beginning with the first month as to which the amortization deduction does not apply, and the taxpayer shall not be entitled to any further amortization deduction under this section with respect to such pollution control facility.

(d) For purposes of this section—

(1) The term "certified pollution control facility" means a new identifiable treatment facility which is used, in connection with a plant or other property in operation before January 1, 1971, to abate or control water or atmospheric pollution or contamination by removing, altering, disposing, or storing of pollutants, contaminants, wastes, or heat and which the State Department of Public Health has certified as having been constructed, reconstructed, erected, or acquired in conformity with the state program or requirements for abatement or control of water or atmospheric pollution or contamination.

(2) For purposes of paragraph (1), the term "new identifiable treatment facility" includes only tangible property (not including a building and its structural components, other than a building which is exclusively a treatment facility) which is of a character subject to the allowance for depreciation provided in Section 24349 which is identifiable as a treatment facility, and which—

(A) Is property—

(i) The construction, reconstruction, or erection of which is completed by the taxpayer after December 31, 1970, or

(ii) Acquired after December 31, 1970, if the original use of the property commences with the taxpayer and commences after such date, and

(B) Is placed in service by the taxpayer before January 1, 1975.

In applying this section in the case of property described in clause (i) of subparagraph (A), there shall be taken into account only that portion of the basis which is properly attributable to construction, reconstruction, or erection after December 31, 1970

(e) The State Department of ~~Public~~ Health shall not certify any property to the extent it appears that by reason of profits derived through the recovery of wastes or otherwise in the operation of such property, its costs will be recovered over its actual useful life.

(f) (1) For purposes of this section, the term "amortizable basis" means that portion of the adjusted basis (for determining gain) of a certified pollution control facility which may be amortized under this section

(2) (A) If a certified pollution control facility has a useful life (determined as of the first day of the first month for which a deduction is allowable under this section) in excess of 15 years, the amortizable basis of such facility shall be equal to an amount which bears the same ratio to the portion of the adjusted basis of such facility, which would be eligible for amortization but for the application of this subparagraph, as 15 bears to the number of years of useful life of such facility.

(B) The amortizable basis of a certified pollution control facility with respect to which an election under this section is in effect shall not be increased, for purposes of this section, for additions or improvements after the amortization period has begun.

(g) The depreciation deduction provided by Section 24349 shall, despite the provisions of subdivision (a), be allowed with respect to the portion of the adjusted basis which is not the amortizable basis.

(h) In the case of property held by one person for life with remainder to another person, the deduction under this section shall be

computed as if the life tenant were the absolute owner of the property and shall be allowable to the life tenant.

SEC. 10. Section 24378 of the Revenue and Taxation Code is amended to read:

24378. (a) Amounts paid or incurred during the ~~taxable~~ *income* year on account of a transfer, sale, or other disposition of a franchise, trademark, or trade name which are contingent on the productivity, use, or disposition of the franchise, trademark, or trade name transferred shall be allowed as a deduction.

(b) Any payment not described in subdivision (a) which is made in discharge of a principal sum agreed upon in the transfer agreement shall be allowed as a deduction—

(1) In the case of a single payment made in discharge of such principal sum, ratably over the ~~taxable~~ *income* years in the period beginning with the ~~taxable~~ *income* year in which the payment is made and ending with the ninth succeeding ~~taxable~~ *income* year or ending with the last ~~taxable~~ *income* year beginning in the period of the transfer agreement, whichever period is shorter;

(2) In the case of a payment which is one of a series of approximately equal payments made in discharge of such principal sum, which are payable over—

(A) The period of the transfer agreement, or

(B) A period of more than 10 ~~taxable~~ *income* years, whether ending before or after the end of the period of the transfer agreement, in the *income* ~~taxable~~ year in which the payment is made; and

(3) In the case of any other payment, in the ~~taxable~~ *income* year or years specified in regulations prescribed by the Franchise Tax Board, consistently with the preceding provisions of this paragraph.

(c) This section shall not apply to the transfer of a franchise to engage in professional football, basketball, baseball, or other professional sport.

SEC. 11. Section 24438 of the Revenue and Taxation Code is amended to read:

24438. (a) No deduction shall be allowed for any interest paid or incurred by a taxpayer during the income year with respect to its corporate acquisition indebtedness to the extent that such interest exceeds—

(1) Five million dollars ($5,000,000), reduced by

(2) The amount of interest paid or incurred by such corporation during such year on obligations (A) issued after December 31, 1967, to provide consideration for an acquisition described in paragraph (1) of subdivision (b), but (B) which are not corporate acquisition indebtedness.

(b) For purposes of this section, the term "corporate acquisition indebtedness" means any obligation evidenced by a bond, debenture, note, or certificate or other evidence of indebtedness issued after October 9, 1969, by a corporation (hereinafter in this section referred to as "issuing corporation") if—

(1) Such obligation is issued to provide consideration for the acquisition of—

(A) Stock in another corporation (hereinafter in this section referred to as "acquired corporation"), or

(B) Assets of another corporation (hereinafter in this section referred to as "acquired corporation") pursuant to a plan under which at least two-thirds (in value) of all the assets (excluding money) used in trades and businesses carried on by such corporation are acquired,

(2) Such obligation is either—

(A) Subordinated to the claims of trade creditors of the issuing corporation generally, or

(B) Expressly subordinated in right of payment to the payment of any substantial amount of unsecured indebtedness, whether outstanding or subsequently issued, of the issuing corporation,

(3) The bond or other evidence of indebtedness is either—

(A) Convertible directly or indirectly into stock of the issuing corporation, or

(B) Part of an investment unit or other arrangement which includes, in addition to such bond or other evidence of indebtedness, an option to acquire, directly or indirectly, stock in the issuing corporation, and

(4) As of a day determined under paragraph (1) of subdivision (c) either—

(A) The ratio of debt to equity (as defined in paragraph (2) of subdivision (c)) of the issuing corporation exceeds 2 to 1, or

(B) The projected earnings (as defined in paragraph (3) of subdivision (c)), do not exceed three times the annual interest to be paid or incurred (determined under paragraph (4) of subdivision (c)).

(c) For purposes of paragraph (4) of subdivision (b)—

(1) Determinations are to be made as of the last day of any income year of the issuing corporation in which it issues any obligation to provide consideration for an acquisition described in paragraph (1) of subdivision (b) of stock in, or assets of, the acquired corporation.

(2) The term "ratio of debt to equity" means the ratio which the total indebtedness of the issuing corporation bears to the sum of its money and all its other assets (in an amount equal to their adjusted basis for determining gain) less such total indebtedness.

(3) (A) The term "projected earnings" means the "average annual earnings" (as defined in subparagraph (B)) of—

(i) The issuing corporation only, if clause (ii) does not apply, or

(ii) Both the issuing corporation and the acquired corporation, in any case where the issuing corporation has acquired control (as defined in Section 24564), or has acquired substantially all of the properties of the acquired corporation.

(B) The average annual earnings referred to in subparagraph (A) is, for any corporation, the amount of its earnings and profits for any three-year period ending with the last day of an income year of the issuing corporation described in paragraph (1), computed without reduction for—

(i) Interest paid or incurred,

(ii) Depreciation or amortization allowed under this part,

(iii) Liability for tax under this part, and

(iv) Distributions to which subdivision (a) of Section 24453 applies (other than such distributions from the acquired to the issuing corporation), and reduced to an annual average for such three-year period pursuant to regulations prescribed by the Franchise Tax Board. Such regulations shall include rules for cases where any corporation was not in existence for all of such three-year period or such period includes only a portion of an income year of any corporation.

(4) The term "annual interest to be paid or incurred" means—

(A) If subparagraph (B) does not apply, the annual interest to be paid or incurred by the issuing corporation only, determined by reference to its total indebtedness outstanding, or

(B) If projected earnings are determined under clause (ii) of subparagraph (A) of paragraph (3), the annual interest to be paid or incurred by both the issuing corporation and the acquired corporation, determined by reference to their combined total indebtedness outstanding.

(5) With respect to any corporation which is a bank or is primarily engaged in a lending or finance business—

(A) In determining under paragraph (2) the ratio of debt to equity of such corporation (or of the affiliated group of which such corporation is a member), the total indebtedness of such corporation (and the assets of such corporation) shall be reduced by an amount equal to the total indebtedness owed to such corporation which arises out of the banking business of such corporation, or out of the lending or finance business of such corporation, as the case may be;

(B) In determining under paragraph (4) the annual interest to be paid or incurred by such corporation (or by the issuing and acquired corporations referred to in subparagraph (B) of paragraph (4) or by the affiliated group of which such corporation is a member) the amount of such interest (determined without regard to this paragraph) shall be reduced by an amount which bears the same ratio to the amount of such interest as the amount of the reduction for the income year under subparagraph (A) bears to the total indebtedness of such corporation; and

(C) In determining under subparagraph (B) of paragraph (3), the average annual earnings, the amount of the earnings and profits for the three-year period shall be reduced by the sum of the reductions under subparagraph (B) for such period.

For purposes of this paragraph, the term "lending or finance business" means a business of making loans or purchasing or discounting accounts receivable, notes, or installment obligations.

(d) In applying this section—

(1) The deduction of interest on any obligation shall not be disallowed under subdivision (a) before the first income year of the issuing corporation as of the last day of which the application of either subparagraph (A) or subparagraph (B) of paragraph (4) of subdivision (b) results in such obligation being corporate acquisition indebtedness.

(2) Except as provided in paragraphs (3), (4), and (5), if an obligation is determined to be corporate acquisition indebtedness as of the last

day of any income year of the issuing corporation, it shall be corporate acquisition indebtedness for such income year and all subsequent income years.

(3) If an obligation is determined to be corporate acquisition indebtedness as of the close of an income year of the issuing corporation in which clause (i) of subparagraph (A) of paragraph (3) of ~~subvision~~ *subdivision* (c) applied, but would not be corporate acquisition indebtedness if the determination were made as of the close of the first income year of such corporation thereafter in which clause (ii) of subparagraph (A) of paragraph (3) of subdivision (c) could apply, such obligation shall be considered not to be corporate acquisition indebtedness for such later income year and all income years thereafter.

(4) If an obligation which has been determined to be corporate acquisition indebtedness for any income year would not be such indebtedness for each of any three consecutive income years thereafter if paragraph (4) of subdivision (b) were applied as of the close of each of such three years, then such obligation shall not be corporate acquisition indebtedness for all income years after such three consecutive income years.

(5) In the case of obligations issued to provide consideration for the acquisition of stock in another corporation, such obligations shall be corporate acquisition indebtedness for an income year only if the issuing corporation owns 5 percent or more of the total combined voting power of all classes of stock entitled to vote of such other corporation.

(e) An acquisition of stock of a corporation of which the issuing corporation is in control (as defined in Section 24564) in a transaction in which gain or loss is not recognized shall be deemed an acquisition described in paragraph (1) of subdivision (b) only if immediately before such transaction (1) the acquired corporation was in existence, and (2) the issuing corporation was not in control (as defined in Section 24564) of such corporation.

(f) For purposes of this section, the term "corporate acquisition indebtedness" does not include any indebtedness issued to any person to provide consideration for the acquisition of stock in, or assets of, any foreign corporation substantially all of the income of which, for the three-year period ending with the date of such acquisition or for such part of such period as the foreign corporation was in existence, is from sources without the United States

(g) In any case in which the issuing corporation is a member of an affiliated group, the application of this section shall be determined, pursuant to regulations prescribed by the Franchise Tax Board, by treating all of the members of the affiliated group in the aggregate as the issuing corporation, except that the ratio of debt to equity of, projected earnings of, and annual interest to be paid or incurred by any corporation (other than the issuing corporation determined without regard to this subdivision) shall be included in the determinations required under subparagraphs (A) and (B) of paragraph (4) of subdivision (b) as of any day only if such corporation is a member of the affiliated group on such day, and, in determining projected earnings of such corporation under paragraph (3) of subdivision (c), there

shall be taken into account only the earnings and profits of such corporation for the period during which it was a member of the affiliated group. For purposes of this section, the term "affiliated group" has the meaning assigned to such term by Section 1504 of the Internal Revenue Code except that all corporations other than the acquired corporation shall be treated as includable corporations and the acquired corporation shall not be treated as an includable corporation.

(h) For purposes of this section—

(1) Any extension, renewal, or refinancing of an obligation evidencing a preexisting indebtedness shall not be deemed to be the issuance of a new obligation.

(2) Any obligation which is corporate acquisition indebtedness of the issuing corporation is also corporate acquisition indebtedness of any corporation which becomes liable for such obligation as guarantor, endorser, or indemnitor or which assumes liability for such obligation in any transaction.

(i) No inference shall be drawn from any provision in this section that any instrument designated as a bond, debenture, note, or certificate or other evidence of indebtedness by its issuer represents an obligation or indebtedness of such issuer in applying any other provision of this part.

(j) The provisions of this section shall apply to the determination of the allowability of the deduction of interest paid or incurred with respect to indebtedness incurred after December 31, 1970.

SEC. 12. Section 24837.5 of the Revenue and Taxation Code is amended to read:

24837.5. (a) (1) At the election of the taxpayer, expenditures paid or incurred during the income year for the purpose of ascertaining the existence, location, extent, or quality of any deposit of ore or other mineral, and paid or incurred before the beginning of the development stage of the mine, shall be allowed as a deduction in computing net income. This subdivision shall apply only with respect to the amount of such expenditures which, but for this subdivision, would not be allowable as a deduction for the income year. This subdivision shall not apply to expenditures for the acquisition or improvement of property of a character which is subject to the allowance for depreciation provided in Sections 24349 to 24354.2, inclusive, but allowances for depreciation shall be considered, for purposes of this subdivision, as expenditures paid or incurred. In no case shall this subdivision apply with respect to amounts paid or incurred for the purpose of ascertaining the existence, location, extent, or quality of any deposit of oil or gas or of any mineral with respect to which a deduction for percentage depletion is not allowable under Section 24832 or 24833

(2) (A) Any election under this subdivision shall be made in such manner as the Franchise Tax Board may by regulations prescribe.

(B) The election provided by paragraph (1) for the income year may be made at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this part for the income year. Such an election for the income year shall apply to all expenditures described in paragraph (1) paid or incurred by the taxpayer during the income year or during any subsequent income year.

(C) The statutory period for the assessment of any deficiency for any income year, to the extent such deficiency is attributable to an election or revocation of an election under this subdivision, shall not expire before the last day of the three-year period beginning on the day after the date on which such election or revocation of election is made; and such deficiency may be assessed at any time before the expiration of such three-year period, notwithstanding any law or rule of law which would otherwise prevent such assessment.

(b) (1) If, in any income year, any mine with respect to which expenditures were deducted pursuant to subdivision (a) reaches the producing stage, then—

(A) If the taxpayer so elects with respect to all such mines reaching the producing stage during the income year, it shall include in gross income for the income year an amount equal to the adjusted exploration expenditures with respect to such mines, and the amount so included in income shall be treated for purposes of this part as expenditures which (i) are paid or incurred on the respective dates on which the mines reach the producing state, and (ii) are properly chargeable to capital account.

(B) If subparagraph (A) does not apply with respect to any such mine, then the deduction for depletion under Section 24831 with respect to the property shall be disallowed until the amount of depletion which would be allowable but for this subparagraph equals the amount of the adjusted exploration expenditures with respect to such mine.

(2) (A) Any election under this subdivision shall be made in such manner as the Franchise Tax Board may by regulations prescribe.

(B) The election provided by paragraph (1) for any income year may be made or changed not later than the time prescribed by law for filing the return (including extensions thereof) for such income year.

(c) If an election has been made under subdivision (a) with respect to expenditures relating to a mining property and the taxpayer receives or accrues a bonus or a royalty with respect to such property, then the deduction for depletion under Section 24831 with respect to the bonus or royalty shall be disallowed until the amount of depletion which would be allowable but for this subdivision equals the amount of the adjusted exploration expenditures with respect to the property to which the bonus or royalty relates.

(d) (1) Except as otherwise provided in this subdivision if mining property is disposed of the lower of—

(A) The adjusted exploration expenditures with respect to such property, or

(B) The excess of—

(i) The amount realized (in the case of a sale, exchange, or involuntary conversion), or the fair market value (in the case of any other disposition), over

(ii) The adjusted basis of such property,

shall be treated as gain from the sale or exchange of property Such gain shall be recognized notwithstanding any other provision of this part.

(2) For purposes of paragraph (1)—

(A) In the case of the disposition of a portion of a mining property (other than an undivided interest), the entire amount of the adjusted exploration expenditures with respect to such property shall be treated as attributable to such portion to the extent of the amount of the gain to which paragraph (1) applies.

(B) In the case of the disposition of an undivided interest in a mining property (or a portion thereof), a proportionate part of the adjusted exploration expenditures with respect to such property shall be treated as attributable to such undivided interest to the extent of the amount of the gain to which paragraph (1) applies.

This paragraph shall not apply to any expenditure to the extent the taxpayer establishes to the satisfaction of the Franchise Tax Board that such expenditure relates neither to the portion (or interest therein) disposed of nor to any mine, in the property held by the taxpayer before the disposition which has reached the producing stage.

(3) This subdivision shall apply notwithstanding any other provisions of this part.

(e) (1) The basis of any property shall not be reduced by the amount of any depletion which would be allowable but for the application of this section.

(2) The Franchise Tax Board shall prescribe such regulation as it may deem necessary to provide for adjustments to the basis of property to reflect gain recognized under paragraph (1) of subdivision (d).

(f) For purposes of this section—

(1) The term "adjusted exploration expenditures" means, with respect to any property or mine—

(A) The amount of the expenditures allowed for the income year and all preceding income years as deductions under subdivision (a) to the taxpayer or any other person which are properly chargeable to such property or mine and which (but for the election under subdivision (a)) would be reflected in the adjusted basis of such property or mine, reduced by

(B) For the income year and for each preceding income year, the amount (if any) by which (i) the amount which would have been allowable for percentage depletion under Section 24832 or 24833 but for the deduction of such expenditures, exceeds (ii) the amount allowable for depletion under Section 24831;

properly adjusted for any amounts included in gross income under subdivision (b) or (c) and for any amounts of gain to which subdivision (d) applied.

(2) The term "mining property" means any property (within the meaning of Section 614 of the Internal Revenue Code after the application of subsections (c) and (e) thereof) with respect to which any expenditures allowed as a deduction under paragraph (1) of subdivision (a) are properly chargeable.

(g) (1) In the case of any property or mine received by the taxpayer in a distribution with respect to part or all of its interest in a partnership, the adjusted exploration expenditures with respect to such property or mine include the adjusted exploration expenditures

(not otherwise included under paragraph (1) *of* subdivision (f) of this section) with respect to such property or mine immediately prior to such distribution, but the adjusted exploration expenditures with respect to any such property or mine shall be reduced by the amount of gain to which Section 17912 applied realized by the partnership (as constituted after the distribution) on the distribution of such property or mine.

(2) In the case of any property or mine held by a partnership after a distribution to a partner to which Section 17912 applied, the adjusted exploration expenditures with respect to such property or mine shall, under regulations prescribed by the Franchise Tax Board be reduced by the amount of gain to which Section 17912 applied realized by such partner with respect to such distribution on account of such property or mine.

(h) (1) Subdivision (a) shall apply to any amount paid or incurred after December 31, 1970, with respect to any deposit of ore or other mineral located outside the United States, only to the extent that such amount, when added to the amounts which are or have been deducted under subdivision (a) of this section and subdivision (a) of Section 24837 and the amounts which are or have been treated as deferred expenses under subdivision (b) of Section 24837 or the corresponding provisions of prior law, does not exceed four hundred thousand dollars ($400,000)

(2) For purposes of paragraph (1), there shall be taken into account amounts deducted and amounts treated as deferred expenses by—

(A) The taxpayer, and

(B) Any individual or corporation who has transferred to the taxpayer any mineral property.

(3) Subparagraph (B) of paragraph (2) shall apply with respect to all amounts deducted and all amounts treated as deferred expenses which were paid or incurred before the latest such transfer from the individual or corporation to the taxpayer Subparagraph (B) of paragraph (2) shall apply only if the taxpayer acquired any mineral property from the individual or corporation under circumstances which make Section 18135 of the Personal Income Tax Law, or subdivision (b) of Section 24504, ~~Section~~ *Sections* 24552, 24553, 24575, subdivision (a) of Section 24577, Section 24961, or 24988 apply to such transfer.

(i) This section shall apply with respect to exploration expenditures paid or incurred after December 31, 1970.

SEC 13 Section 25553 of the Revenue and Taxation Code is amended to read

25553 *(a)* Beginning with the calendar year 1965 and fiscal years beginning in 1965, in the case of taxpayers subject to the tax imposed by Article 3 of Chapter 2, there shall be due and payable on or before the 15th day of the third month following the close of the preceding year from each such taxpayer a percentage of its net income as disclosed by its return which is equal to the rate applicable to corporations subject to the tax imposed by Article 2 of Chapter 2 plus the personal property tax rate equivalent included in the bank and financial corporation tax rate determination by the Franchise Tax Board in

December of the preceding year pursuant to Sections 23186 and 23186a, less the credit allowable by Section 23184 The payment by financial corporations, other than credit unions whose gross income is twenty thousand dollars ($20,000) or less, shall not be less than the minimum tax of one hundred dollars ($100). The payment by credit unions whose gross income is twenty thousand dollars ($20,000) or less shall not be less than twenty-five dollars ($25).

(b) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in the second sentence of subdivision (a) shall be two hundred dollars ($200) instead of one hundred dollars ($100)."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1418—An act to amend Section 17041.1 of the Revenue and Taxation Code, relating to taxation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 17041 1 of", and insert "add Sections 18020 and 18021 to, and to amend Section 17055 of,".

Amendment No. 2

In line 2 of the title, after "taxation", insert "to take effect immediately, tax levy".

Amendment No. 3

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 17055 of the Revenue and Taxation Code is amended to read:

17055 (a) Any individual, other than an active member of the armed forces of the United States or any auxiliary branch thereof, and his or her spouse, who is a nonresident for all or any portion of the taxable year shall deduct the minimum standard deduction provided by Section 17171 and the credits for personal exemptions set forth in this chapter, *and the credit for qualified contributions to tax-exempt organizations described in Section 18020,* in the proportion that such individual's adjusted gross income from California sources bears to his adjusted gross income from all sources

(b) An individual subject to the provisions of subdivision (a) must apportion the deduction provided for by Section 17171, regardless of the amount of his adjusted gross income, and shall not be permitted to determine his tax under the tax table provided in Section 17048.

SEC. 2. Section 18020 is added to the Revenue and Taxation Code, to read:

18020. (a) There shall be allowed to an individual as a credit against the tax imposed by this part for the taxable year an amount

equal to 75 percent of the qualified contributions to certain tax-exempt organizations, as defined in subdivision (c), made by such individual during the taxable year.

(b) The credit allowed by subdivision (a) shall not exceed seven dollars and fifty cents ($7 50) for any taxable year, except for married persons filing a joint return, in which case the amount allowed by subdivision (a) shall not exceed fifteen dollars ($15) for any taxable year. In no case shall the credit allowed an individual exceed the amount of tax payable in taxable year after all other applicable credits and deductions have been taken.

(c) Under this section, the term "qualified contributions to certain tax-exempt organizations" means a contribution of money to a charitable, educational, or other organization which is exempt from taxation under Section 23701d, excepting those organizations which would be deemed a "private foundation" under Section 509 of the Internal Revenue Code, for use by that organization exclusively for the following purposes.

(1) Appearances before, submission of statements to, or communicating with the committees, or individual members, of the United States Congress or of any legislative body of the State of California or any other state, or a political subdivision of any of the foregoing, with respect to legislation or proposed legislation of interest to the organization, or

(2) Communication of information between the organization and its members, contributors, or the press, with respect to legislation or proposed legislation of interest to the organization. For purposes of this section, matters "of interest to the organization" are those affecting any purpose for which it is organized and operated.

(d) The credit allowed by subdivision (a) shall be allowed, with respect to any qualified contribution to certain tax-exempt organizations, only if such contribution is verified by a statement from the organization showing the name of the organization to whom the contribution was made, the date on which it was made, and the amount of the contribution The statement shall state that the contribution was used exclusively for the purposes enumerated in subdivision (c) and shall be signed by a duly authorized officer, treasurer or an assistant thereof, of the organization The taxpayer must submit such statement to the Franchise Tax Board upon demand, but the Franchise Tax Board shall not require that such receipts routinely accompany tax returns

(e) Any amount claimed as a credit under this section shall not also be claimed as a deduction from tax under Section 17214.

SEC 3 Section 18021 is added to the Revenue and Taxation Code, to read:

18021. Any person who willfully or knowingly makes, supplies, signs or verifies any false or fraudulent return, statement, information or receipt under Section 18020 is punishable as provided by Section 19406.

SEC 4 The provisions of this act shall apply to tax years beginning after this act takes effect.

SEC 5. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 17, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

ACA No 63

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 1¼ and 1¼a of Article XIII thereof, relating to the veterans' exemption from property taxation.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed measure, strike out lines 26 to 40, inclusive; and strike out all of page 4, and insert

"Second—That Section 1¼a of Article XIII be amended to read:

SEC. 1¼a. The Legislature may exempt from taxation, in whole or in part, the property, constituting a home, of (a) every resident of this state who, by reason of his military or naval service, is qualified for the exemption provided in Section 1¼ of this article, without regard to any limitation contained therein on the value of property owned by such person or his ~~wife~~ *spouse*, and who, by reason of a permanent and total service-connected disability incurred in such military or naval service due to the loss, or loss of use, as the result of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, has received assistance from the Government of the United States in the acquisition of such property, and; (b) the home of the widow *or widower* of every such person if the home was acquired as described in subdivision (a); except that such exemption shall not extend to more than one home nor exceed ten thousand dollars ($10,000) for any person, for any person and his spouse, or for his widow *or widower*. This exemption shall be in lieu of the exemption provided in Section 1¼ of this article.

Where such totally disabled person, such person and his spouse, or his widow *or widower*, sells or otherwise disposes of such property and thereafter acquires, with or without the assistance of the Government of the United States, any other property which such totally disabled person, such person and his spouse, or his widow *or widower*, occupies habitually as a home, the exemption allowed pursuant to the first paragraph of this section shall be allowed to such other property.

This section shall not apply to a widow *or widower* upon ~~her~~ *such person's* remarriage."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, April 18, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 543

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 543—An act to amend Section 31520 1 of the Government Code, relating to county employees' retirement.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "seven", and insert "eight".

Amendment No. 1.5

On page 2, line 2, strike out "and fifth", and insert ", fifth, and sixth".

Amendment No. 2

On page 2, strike out lines 7 to 11, inclusive, and insert "supervisors."

Amendment No. 3

On page 2, line 13, after the period, insert "The eighth member shall be a retired member elected by the retired members of the association in a manner to be determined by the board of supervisors."

Amendment No. 4

On page 2, line 27, after the period, insert "The eighth member shall take office for a term of two years on January 1, 1973."

Amendment No. 5

On page 2, line 28, strike out "six elected", and insert "seven elected and appointed".

Amendment No. 6

On page 2, line 32, strike out "or seventh", and insert ", seventh, or eighth".

Amendment No. 7

On page 2, line 34, strike out "or seventh", and insert ", seventh, or eighth".

Amendment No. 8

On page 2, after line 38, insert

"The amendments to this section during the 1972 Regular Session shall not be construed to effect the continuation on the board of retired members appointed by board of supervisors until the expiration of the term for which they were appointed."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, April 18, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 2089

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2089—An act to amend Sections 11450 and 15200 of the Welfare and Institutions Code, relating to foster home care.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 11450 and 15200", and insert "Section 11450".

Amendment No. 2

On page 2, line 27, strike out "ages 0 through 12 years".

Amendment No. 3

On page 2, strike out lines 34 to 36, inclusive, and insert "in any month the product of one hundred twenty dollars ($120) multiplied by the number of children in each county receiving foster care. The state shall pay 67.5 percent and the county shall pay 32.5 percent of the aid furnished for the adequate care of such children."

Amendment No. 4

On page 3, strike out lines 3 to 10, inclusive.

Amendment No. 5

On page 3, line 11, strike out "(d)", and insert "(c)".

Amendment No. 6

On page 3, line 13, strike out "(e)", and insert "(d)".

Amendment No. 7

On page 3, line 37, strike out "(f)", and insert "(e)".

Amendment No. 8

On page 4, strike out lines 4 to 16, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 19, 1972

Mr Speaker: The Chairman of your Committee on Water reports:

AB No 1142

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1142—An act to add Section 20980 5 to the Water Code, relating to irrigation districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "by substituting for the"; and strike out lines 5 and 6, and insert "to the Palmdale Water District."

Amendment No. 2

On page 1, lines 11 and 12, strike out "a more descriptive change", and insert "the Palmdale Water District".

Bill ordered reprinted, and to be re-referred to the Committee on Water

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 19, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No. 183

AB No 1822

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 183—An act to amend Section 13087.1 of the Education Code, relating to public school employees.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "public school employer", and insert "parties".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1822—An act to add Section 24215 to the Education Code, relating to the State University and Colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "Colleges", insert "with all the privileges, rights, and obligations of other academic employees of the State University and Colleges".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, April 18, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 111

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, April 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 361

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, April 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 203 SB No. 524
SB No. 216 SB No. 646

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, April 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 9

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 203—An act to amend Section 1115 of the Education Code, relating to school district elections.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 216—An act to amend Section 1042 of the Evidence Code, relating to informants.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 524—An act to amend Sections 4437 and 4438 of the Public Resources Code, relating to forest products, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 646—An act to amend Sections 1618 and 1631 of the Elections Code, relating to elections.

Held at Desk by order of the Acting Speaker.

Senate Joint Resolution No. 9—Relative to resource recovery.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: Transmitted herewith is a performance audit report prepared by the Auditor General on a review of Medi-Cal payments for laboratory services. The purpose of the review was to determine whether Medi-Cal policies and procedures result in excessive reimbursements

to providers of clinical laboratory services and to determine the adequacy and effectiveness of the Medi-Cal reimbursement system applied by California Blue Shield

The report concludes that the Medi-Cal program is paying too much for clinical laboratory services. Changes in the Schedule of Maximum Allowances effective October 1, 1971 to meet the requirements of the Medi-Cal Reform Plan were inadequate The changes affect only 16 laboratory tests out of a total of about 690 tests In recent years, automation of clinical laboratory tests and group testing has brought about tremendous cost savings. Little of this cost saving has been passed down to the consumer—individuals, health insurance companies or governmental programs. All rates for laboratory tests need to be reviewed and adjusted to conform more closely to current costs.

It was also found that the Blue Shield payment system was cumbersome and lacking in control because of excessive manual pricing of claims for laboratory services The Department of Health Care Services has given Blue Shield permission to set payment policy providing that the policy does not conflict with the department's policy or that prices do not exceed the Schedule of Maximum Allowances Blue Shield has made changes without the department's knowledge which are in conflict with the regulations.

The report contains nine recommendations that the DHCS and California Blue Shield should follow to reduce excessive laboratory reimbursement rates and to eliminate inefficient payment procedures.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1292 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Governmental Organization; and that Assembly Bill No 1759 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file·

Assembly Bills Nos. 657, 530, 556, 2304, and **827,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 822—An act to amend Sections 20017.76, 20393.1, 20750.2, 20750.3, 20750 4, 20750 42, 21258 1 and 21300 of, to add Sections 20840 and 21252 to, and to repeal Sections 20750 26, 20750.36,

20750 37, 20750 41, 20750 425, 20839, 20840, 21250 1, 21251.1, 21251.14, 21251 141, 21251 143, 21251.145, 21251.2, 21251.3, 21251 75, 21252, 21252 001, 21253, 21258, 21261.5 and 21337 of, the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 452—An act to amend Sections 20603 01, 20980, and 21252 01 of, to add Section 21252.02 to, and to repeal Section 21252 03 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 20, 1972, strike out "and 21252 01", and insert "21252 01, and 21300".

Amendment No. 2

On page 4, between lines 34 and 35, insert

"The Legislature reserves, with respect to any member subject to this section, the right to provide for such adjustment of industrial disability retirement allowances because of earnings of a retired person and modification of the conditions and qualifications required for retirement for disability as it may find appropriate because of the earlier ages of service retirement made possible by the benefits under this section.

SEC 3 5. Section 21300 of the Government Code is amended to read:

21300 If, prior to attaining the minimum age for voluntary retirement for service applicable to members of his class, a recipient of a disability retirement allowance ~~other than one for industrial disability~~ engages in a gainful occupation not in state service, the board shall reduce his monthly disability retirement pension to an amount which, when added to the compensation earned monthly by him, shall not exceed the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition

If his earnings are further altered, the board may further alter his disability retirement pension to the lower of the following amounts:

(a) The amount of the disability retirement pension upon which he was originally retired

(b) An amount which, when added to the compensation earned by him, shall equal the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or, if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition.

When he reaches the minimum age for voluntary retirement for service applicable to members of his class his retirement allowance shall be made equal to the amount it would be if not reduced under this section, and shall not again be modified for any cause.

The amendments to this section enacted at the ~~1961~~ *1972* Regular Session of the Legislature shall *not* apply to ~~contracting agencies with respect to safety members but shall not apply to any contracting agency with respect to any other members unless and until the agency elects to be subject to such amendments with respect to other members by amendment to its contract made in the manner prescribed for approval of a contract or, in the case of contracts made after the date such amendments take effect, by express provision in such contract, making the contracting agency subject to such amendments with respect to other members~~ *any recipient of any industrial disability allowance on the operative date of such amendments and who retired prior to the application of Section 21252.01 to persons in his employment*."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 501—An act to amend Section 4701 of the Civil Code, relating to child support.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted.

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "constitute".

Amendment No. 2

On page 2, line 1, strike out "the", and insert "operate as an".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 500—An act to amend Section 1744.2 of the Code of Civil Procedure, relating to conciliation proceedings

Bill read second time, and ordered to the Consent Calendar.

Assembly Joint Resolution No. 17—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to equal rights for men and women.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 4 of the heading of the printed measure, as amended in Assembly April 10, 1972, strike out "Brown,".

Amendment No. 2

In line 6 of the heading, after "Keysor," insert "Knox,".

Resolution ordered reprinted, and on file.

Assembly Bill No. 514—An act to add Section 25536.2 to the Government Code, relating to county property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "county", insert ", prior to January 1, 1925,".

Amendment No. 2

On page 2, after line 7, insert

"The provisions of this section shall apply only to a county with a population of seven million (7,000,000) or more as shown in the 1970 federal decennial census."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 747—An act to amend Section 25503 of the Government Code, relating to county property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out ", without advertising for offers,".

Amendment No. 2

On page 2, lines 5 and 6, strike out ", without advertising for offers".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 745—An act to add Section 54931.18 to the Government Code, relating to districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "54931.18", and insert "54931.19".

Amendment No. 2

On page 1, line 1, strike out "54931.18", and insert "54931.19".

Amendment No. 3

On page 1, line 3, strike out "54931 18", and insert "54931.19".

Amendment No. 4

On page 1, line 9, strike out "or", and insert "and".

Amendment No. 5

On page 1, line 9, after "purposes", insert "for the fiscal year 1972–73".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 579—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Environmental Quality, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 4, 1972, strike out lines 1 to 32, inclusive; strike out page 3; and on page 4, strike out lines 1 to 38, inclusive, and insert

"SECTION 1. Section 39052 of the Health and Safety Code is amended to read:

39052. The board shall:

(a) Conduct studies and evaluate the effects of air pollution upon human, plant, and animal life and the factors responsible for air pollution. The board may call upon the ~~Department of Public Health~~ *state department*, Department of Agriculture, the University of California, and such other state agencies it may deem necessary.

(b) Encourage a cooperative state effort in combating air pollution.

(c) Inventory sources of air pollution within the basins of the state and determine the kinds and quantity of air pollutants The board shall use, to the fullest extent, the data of local agencies in fulfilling this purpose.

(d) Monitor air pollutants in cooperation with other agencies to fulfill the purpose of this division.

(e) Coordinate and collect research data on air pollution.

(f) Review rules and regulations of local or regional authorities filed with it pursuant to Sections 39314 and 39461 to assure that reasonable provision is made to control emissions from nonvehicular sources and to achieve the air quality standards established by the board. If the board finds, ~~after public hearing~~ *pursuant to Section 39054*, that any rule or regulation of a local or regional authority submitted to it will

not achieve applicable air quality standards, it may repeal such rule or regulation and promulgate a rule or regulation which it finds would achieve such standards. Such rule or regulation shall have the same force and effect as a rule or regulation adopted by the local or regional authority, and shall be enforced by the local or regional authority.

(g) Adopt formal procedures, after consultation with the Department of Motor Vehicles, for making timely and decisive mutual agreements on vehicle air pollution matters with which both agencies are concerned.

(h) Adopt formal procedures, after consultation with the ~~Department of Public Health~~ *state department*, for the performance of services required by the board and for evaluating and resolving air pollution matters with which both agencies are concerned.

(i) Adopt formal procedures, after consultation with the Department of the California Highway Patrol, for making timely and decisive mutual agreements on vehicle air pollution matters with which both agencies are concerned.

(j) Publish annually a report of the results of the tests administered pursuant to subdivision (k) of this section, which shall include all of the following:

(1) The total number of motor vehicles tested.

(2) The total number of each engine and transmission combination tested.

(3) The average emissions of all motor vehicles tested.

(4) The average emissions of each engine and transmission combination tested.

(5) An analysis of the emissions of each engine and transmission combination tested.

(k) Adopt test procedures specifying the manner in which new motor vehicles shall be approved based upon the emission standards contained in Article 2 (commencing with Section 39100) of Chapter 4 of this part. The board shall base its test procedures on driving patterns typical in the urban areas of California, and shall weight approval standards appropriately to reflect normal engine deposit accumulation. The board shall administer the test for new motor vehicles in accordance with such procedures. The board may revise any test procedures which it has adopted when the development and improvement of testing techniques and testing instruments warrants such revision in the judgment of the board. If the board revises such test procedures, it may establish revised emission standards for new motor vehicles which standards shall be applicable when such revised test procedures are used in testing vehicles. The revised standards may be expressed in terms and numerical values other than the terms and numerical values prescribed by, but shall not be less stringent than the standards prescribed by, Article 2 (commencing with Section 39100) of Chapter 4 of this part.

(*l*) Adopt regulations specifying the manner in which used motor vehicles shall be accredited based upon their emissions.

(m) Adopt, by regulation, emission standards and test procedures applicable to motor vehicles manufactured for sale in this state. Such regulations shall provide for the testing of vehicles on factory assembly lines or in such other manner as the board determines best suited to carry out the purposes of this part. The standards established by the board may deviate from the standards established as a condition of approval as the board determines is necessary to implement this section. The test procedures shall be adopted after consideration of the recommendations of the Technical Advisory Panel to the Assembly Transportation and Commerce Committee of April 14, 1968. Any manufacturer or distributor failing to comply with the standards or test procedures established under this subdivision shall be subject to a civil penalty of fifty dollars ($50) for each vehicle which does not comply with the regulations and which is first sold in this state. The payment of such penalties shall be a condition to the further sale of motor vehicles in this state.

(n) Adopt exhaust emission standards for hydrocarbons, carbon monoxide, and oxides of nitrogen for new diesel-powered vehicles, and diesel engines for vehicles first sold and registered in this state; ~~no later than January 1, 1971~~.

(o) Adopt emission standards for motor vehicles which shall be applicable only to motor vehicles for which emission standards have not been specified in Article 2 (commencing with Section 39100) of Chapter 4 of this part.

(p) Adopt low emission standards for the purpose of carrying out Section 14808.1 of the Government Code and Section 6377 of the Revenue and Taxation Code for each model year motor vehicle beginning in 1970.

(q) The board shall adopt test procedures to establish that motor vehicles which have been modified or altered to use a fuel other than gasoline or diesel are in compliance with Section 39110 giving consideration to relative reactivity and air-fuel correction factor of the fuel being tested."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 580—An act to add Sections 39079, 39080, and 39276 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 4, 1972, strike out "39080", and insert "39079.5".

Amendment No. 2

On page 2, line 11, strike out "39080", and insert "39079.5".

Amendment No. 3

On page 2, line 13, strike out "39080", and insert "39079.5".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 654—An act to amend Sections 1652, 24353 and 29923 of the Government Code, to amend Sections 4746.1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to government financing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 11, 1972, strike out "29923", and insert "53857".

Amendment No. 2

On page 2, strike out line 33, and insert

"SEC. 2. Section 53857 of the Government Code is amended to read:

53857. Notwithstanding the provisions in Section 53856, any note issued pursuant to this article shall be a general obligation of the local agency, and, to the extent not paid from the taxes, income, revenue, cash receipts or other moneys of the local agency pledged for the payment thereof shall be paid with the interest thereon from any other moneys of the local agency lawfully available therefor *; provided, however, that any tax levied by a county for interest on notes or borrowed money shall be in addition to all other taxes and shall not be less than sufficient to pay the interest on notes for borrowed money as is to become due before the time for making the next general tax levy*."

Amendment No. 3

On page 2, strike out lines 34 and 35; and on page 3, strike out lines 1 to 12, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 500
AB No. 822

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 4

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 8 to Article XIII thereof, relating to grants of state funds.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Deddeh moved a call of the Assembly.

Motion carried. Time, 11:28 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 52—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—Brophy, Burke, Collier, Conrad, Stull, and Wakefield—6.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Quimby was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

ANNOUNCEMENTS

Acting Speaker Fenton announced that the floral arrangement on the Rostrum and the flowers in the Assembly Chamber were sent by the Monterey Bay Flower Growers Association The Members of the Assembly joined in expressing their appreciation for the flowers.

REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY JOINT RESOLUTION NO. 17 FOR SPECIAL ORDER

Acting Speaker Fenton was granted unanimous consent that Assembly Joint Resolution No 17 be made a special order of business for Thursday, April 20, 1972, at 2 p m.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Waxman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No 26 for hearing in the Committee on Rules on Thursday, April 20, 1972.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 394—An act to amend Section 6353 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Seeley, Sieroty, Stull, Thomas, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57

NOES—Dunlap, Miller, and Townsend—3.

Bill ordered transmitted to the Senate

Assembly Bill No. 410—An act relating to the California Protected Waterways Plan.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Leroy F. Greene, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Mac-

Gillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Russell, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wood, and Mr. Speaker—50

NOES—Brathwaite, Deddeh, Dunlap, Garcia, Hayden, Harvey Johnson, McCarthy, Miller, Sieroty, Warren, Waxman, and Z'berg—12.

Bill ordered transmitted to the Senate

Assembly Bill No. 661—An act to add Sections 12101.2 and 12101.3 to the Welfare and Institutions Code, relating to old age security.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 97—An act to amend Section 31108 of the Government Code, relating to county employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:58 a.m., Mr. Ralph was granted unanimous consent to hold a special meeting of the Committee on Governmental Organization at this time, to consider Senate Bill No. 331, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 331 for hearing in the Committee on Governmental Organization.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding subdivision (c) to Section 19 of Article IV thereof, relating to bingo.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burton, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—Barnes, Belotti, Biddle, Burke, Crown, Davis, Hayden, McCarthy, Miller, Russell, Sieroty, and Wakefield—12

Resolution ordered transmitted to the Senate.

Assembly Bill No. 143—An act to add Section 326 5 to the Penal Code, relating to bingo

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Cline, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, McAlister, Meade, Monagan, Murphy, Porter, Powers, Quimby, Ralph, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—45

NOES—Barnes, Belotti, Biddle, Brophy, Burke, Collier, Conrad, Crown, Cullen, Davis, Hayden, Ray E Johnson, MacGillivray, Maddy, McCarthy, Miller, Mobley, Pierson, Russell, Seeley, Sieroty, Stull, and Wakefield—23.

~~Bill ordered transmitted to the Senate.~~

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No. 143 was passed, was offered by Mr. Ray E. Johnson. See page 1984

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 610—An act to amend Sections 302, 9890 9, 9890 11, 9890 30, 9890 50, 9890 51, 9890 52, 9890 53, 9890 54, 9890 55, 9890 56, 9890 57, 9890 58, 9890 60, 9890.62, 9890 63, 9890.65, 9890.80, 9890 82, 9890 90, 9890 92, 9890 93, 9890 100, 9890 104, 9890 110, 9890.111, 9890 112, 9890.113, 9890 120, 9890 121, 9902, and 9915 of,

and to add Section 303 to, the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 24

At 12:13 p.m., on motion of Mr Deddeh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 24 refused adoption by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Cline, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Keysor, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Z'berg, and Mr Speaker—42.

NOES—Belotti, Biddle, Briggs, Brophy, Burke, Collier, Conrad, Cullen, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Knox, Lewis, Maddy, Mobley, Murphy, Russell, Seeley, Stull, Wakefield, Warren, and Wood—24.

Motion to Reconsider Assembly Constitutional Amendment No. 24 on Next Legislative Day

Mr. Deddeh moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 24 was this day refused adoption.

Assembly Constitutional Amendment No 24 ordered to the unfinished business file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 143 ON NEXT LEGISLATIVE DAY

Mr. Ray E. Johnson moved to reconsider on the next legislative day the vote whereby Assembly Bill No 143 was this day passed

Assembly Bill No. 143 ordered to the unfinished business file.

CAUCUS ANNOUNCEMENTS

Mr. Brown announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 18 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 196 and 230 were continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2340: By Assemblyman Brathwaite—An act to add an article heading to Chapter 1, immediately preceding Section 16000, of Part 4 of Division 9 of, and to add Article 2 (commencing with Section 16025) to Chapter 1 of Part 4 of Division 9 of, the Welfare and Institutions Code, relating to boarding homes.

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 893

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 92	AB No. 444	AB No. 601
AB No. 171	AB No 504	AB No. 604
AB No. 192	AB No. 506	AB No. 641
AB No. 369		

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No. 1

With the recommendation: Be adopted.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 98

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 246

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 426
AB No. 534
AB No. 553

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 57

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

SB No. 331

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Finance and Insurance

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 777

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 777—An act to amend Section 10434 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, strike out "where", and insert "when".

Amendment No. 2

On page 2, line 16, strike out "one-half of 1", and insert "one".

Amendment No. 3

On page 2, line 18, strike out "one-half of 1", and insert "one".

Amendment No. 4

On page 2, line 22, strike out "where", and insert "when".

Amendment No. 5

On page 2, line 24, strike out "where", and insert "when".

Amendment No. 6

On page 2, line 26, after "compensation", insert ", nor shall this exception apply to any director who has served more than two years as a director".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No 125

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 125—An act to amend Sections 11580 2, 11620, and 11622 of, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1.5 (commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code, relating to motor vehicle insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 17, line 3, of the printed bill, as amended in Assembly April 6, 1972, strike out "physical".

Amendment No. 2

On page 22, line 8, after "passenger", insert "vehicle".

Amendment No. 3

On page 23, line 40, after "Section", insert "11904 or".

Amendment No. 4

On page 28, strike out line 18, and in line 19, strike out "order", and insert "evidence, an order may be entered".

Amendment No. 5

On page 28, strike out line 37; and in line 38, strike out "order", and insert "evidence, an order may be entered".

Amendment No. 6

On page 29, line 20, strike out "a"; and strike out line 21, and insert "an order may be entered".

Amendment No. 7

On page 29, line 26, strike out "court", and insert "arbitrator".

Amendment No. 8

On page 37, line 9, after "notice", insert "of loss".

Amendment No. 9

On page 38, line 5, strike out "of said", and insert "providing such".

Amendment No. 10

On page 38, line 16, after "11951.", insert "(a)".

Amendment No. 11

On page 38, line 30, after "permanent", insert "loss of a bodily".

Amendment No. 12

On page 38, between lines 33 and 34, insert

"(b) The provisions of subdivision (a) of this section also apply to sums recoverable from the injured person's insurer under Section 11580.2, relating to uninsured motorists coverage."

Amendment No. 13

On page 40, line 1, strike out "However, such"; and strike out lines 2 and 3.

Amendment No. 14

On page 48, line 8, strike out "bureau", and insert "plan".

Amendment No. 15

On page 48, lines 34 and 35, strike out "or Section 4030 of the Vehicle Code".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 18, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 88

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 88—An act to amend Sections 1809, 1811, and 1813 of, to add Sections 1808.7, 1808.8, 1808.9, and 1808.10 to, and to repeal Sections 1810, 1814, and 1815 of, the Vehicle Code, relating to records.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in Assembly April 6, 1972, strike out "persons"; and strike out lines 32 to 36, inclusive, and insert "any employee shall be open for inspection by the employer of such employee, if the employer alleges, in written declaration to the department, under penalty of perjury, that the record requested is that of a person currently employed by the employer and that the information obtained shall be retained solely by the employer."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1575 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Judiciary; and that Assembly Bill No. 2092 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Transportation.

VOTE CHANGES

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 52.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 52.

Messrs. Wakefield and Brophy were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 52

Mr. Townsend was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 394.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 394.

Messrs. Vasconcellos and Meade were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 410.

Mr. Cullen was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 143.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 143.

Mr. Duffy was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 143.

Mr. Conrad was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 143.

ADJOURNMENT

At 12:22 p.m., Acting Speaker Fenton declared the Assembly adjourned until 2 p m., Thursday, April 20, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixtieth Legislative Day

One Hundred Ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 20, 1972

The Assembly met at 2 p.m

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Cline moved a quorum call of the Assembly.

Mr. Deddeh seconded the motion.

Motion carried. Time, 2:03 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 2·12 p m, Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We pray that our leaders will promote the rights of men and avoid division and dissension, so that all men may live in peace. We pray that all organizations and projects which strengthen peace and understanding will flourish in our land. We pray that we ourselves may live our lives, not as strangers, but united in mutual love as we work toward a common goal.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Russell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Pierson, seconded by Mr Foran.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bee, on request of Speaker Moretti.
Mr. Lanterman, on request of Speaker Moretti.
Mr. Townsend, on request of Speaker Moretti.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hayes, on request of Speaker Moretti.
Mr. Keysor, on request of Speaker Moretti.
Mr. Ryan, on request of Speaker Moretti.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Campbell, on request of Speaker Moretti.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Ray E. Johnson, on request of Speaker Moretti.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 20, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from Assembly session on Thursday, April 20, on legislative business. I shall be speaking to the Southwestern University Law School Alumni Association on my court reform legislation.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

April 19, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, April 20, 1972 I will be attending a California Arts Commission meeting in Monterey.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

NOTE: For letter explaining the absence of Mr Ryan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 18, 1972, page 1881.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, April 20, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2338—An act to amend Sections 40128 and 40129 of, to repeal Section 40005 of, and to add Section 40005 to, the Public Utilities Code, relating to the Orange County Transit District

KEN CORY

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2340	Welfare

Assembly Concurrent Resolution No.	*Committee*
77	Rules

Assembly Constitutional Amendment No.	*Committee*
97	Revenue and Taxation

Assembly Joint Resolution No.	*Committee*
28	Rules

Senate Bill No.	*Committee*
203	Elections and Reapportionment
216	Criminal Justice
524	Natural Resources and Conservation
646	Elections and Reapportionment

Senate Joint Resolution No.	*Committee*
9	Natural Resources and Conservation

REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, a photographer was permitted on the floor of the Assembly.

COMMUNICATIONS

Assembly Chamber, April 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 418—An act to amend Section 27257 of the Government Code, relating to recorder's indices;

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m., April 19, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, April 20, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 501	AB No 745
AB No. 514	AB No. 747

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 530
AB No. 556

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 17

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file—Special Order of Business.

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 20	ACA No. 77
ACR No 32	ACA No. 81

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolutions re-referred to committee

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 447	AB No 588	AB No 1183
AB No. 453	AB No. 679	AB No 1223
AB No. 543	AB No. 954	AB No. 1263
AB No 552	AB No. 1069	AB No. 1902

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 20, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 35
AB No. 347
AB No 579

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 13, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

ACA No. 25

With amendments with the recommendation. Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

RALPH, Chairman

Above resolution ordered on file.

Committee on Labor Relations

Assembly Chamber, April 19, 1972

Mr. Speaker Your Committee on Labor Relations reports:

AB No 1331

With the recommendation Do pass.

McCARTHY, Chairman

Above bill ordered to second reading

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

AB No. 206

With amendments with the recommendation · Amend, and do pass, as amended.

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 1282

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, April 18, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 142

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

WARREN, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Finance and Insurance

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports.

AB No 459

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 748

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means—Recommendation: Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 19, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

AB No. 656

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 544

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 583
AB No. 787
AB No. 829
AB No 863
AB No 866
AB No. 982

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 699
AB No. 1699

With the recommendation: Do pass.

WAXMAN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 1112

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WAXMAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 916

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 540

With the recommendation: That the bill be re-referred to the Committee on Transportation.

BROWN, Chairman

Above bill re-referred to the Committee on Transportation.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 235

AB No. 469

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Transportation

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 58	AB No. 584
AB No. 561	AB No. 704
AB No. 574	AB No. 744

With the recommendation: Do pass.

DEDDEH, Chairman.

Above bills ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1322

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1837

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 39

ACR No. 41

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent.

DEDDEH, Chairman

Above resolutions re-referred to the Committee on Ways and Means.

Assembly Chamber, April 20, 1972

Mr. Speaker. Your Committee on Transportation reports:

AJR No. 22

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Rules.

DEDDEH, Chairman

Above resolution ordered on file.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 31

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent.

DEDDEH, Chairman

Above resolution ordered on file.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 688

With amendments with the recommendation. Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 712

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

ACA No. 45

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

BRATHWAITE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Committee on Criminal Justice

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 414

AB No. 1778

With the recommendation: Do pass.

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 375

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Judiciary

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1172

AB No. 1175

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1172—An act to amend Section 1513 of the Probate Code, relating to deposit of ward's funds.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1510 and".

Amendment No. 2

In line 2 of the title, strike out "deposit of ward's funds", and insert "guardians and wards".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 1510 of the Probate Code is amended to read:

1510. If the court approves a compromise of, or the execution of a covenant not to sue on, a minor's disputed claim for damages, money or other property, or approves a compromise of a pending action or proceeding to which a minor, or insane or incompetent person is a party, or gives judgment for such a person, and the money or the value of other property to be paid or delivered under such compromise, covenant, order or judgment does not exceed ten thousand dollars ($10,000), and there is no guardian of the estate of the minor, or insane or incompetent person, such court, in its discretion, may require that the remaining balance of any money paid or to be paid under such compromise, covenant, order or judgment, after payment of all expenses, costs and fees as approved and allowed by the court, be deposited in a bank or banks, or a trust company or companies, or be invested in an account or accounts in an insured savings and loan association or associations, *or be invested in shares of an insured credit union*, subject to withdrawal only upon the order of the court, or it may require a guardian of the estate to be appointed and the money or the other property to be paid or delivered to such guardian, or prescribe such other conditions as the court in its discretion deems to the best interests of the minor, or insane or incompetent person; provided, however, that if the money or the value of other property to be paid or delivered under such compromise, covenant, order or judgment does not exceed one thousand dollars ($1,000), and such money or property is to be paid or delivered for the benefit of a minor, the court may direct that all or any part of the money or the property be paid or delivered to a parent of the minor, without bond, upon the terms and under the conditions specified in Section 1430 of the Probate Code. If the money or the value of other property to be paid or delivered under such compromise, covenant, order or judgment exceeds ten thousand dollars ($10,000), and there is no guardian of the estate of the minor, or insane or incompetent person, such court shall require a guardian of the estate to be appointed and shall direct that the money or the other property be paid or delivered to the guardian, or in lieu of the appointment of a guardian of the estate, shall require that the remaining balance of any money paid or to be paid under such compromise, covenant, order or judgment, after payment of all expenses, costs and fees as approved and allowed by the court, be deposited in a bank or banks, or a trust company or companies, or be invested in an account or accounts in an insured savings and loan association or associations, *or be invested in shares of an insured credit union*, subject to withdrawal only upon order of the court, and as to other property to be paid or delivered, the court shall prescribe such conditions as it may deem to the best interests of the minor, or insane or incompetent person.

Notwithstanding any other provision of law, including Section 25 of the Civil Code, upon approval of a compromise of, or the execution of a covenant not to sue on, a minor's disputed claim, or approval of a compromise of a pending action or proceeding to which a minor is a party, or giving judgment for such a person, providing for the payment or delivery of money or other property, in any case to which this section applies, the court making the order or giving judgment, and as a part thereof, may expressly retain jurisdiction of any part or all of the money paid, delivered, deposited, or invested until the minor reaches the age of 21 years

Upon approval of a compromise of, or the execution of a covenant not to sue on, a minor's disputed claim, or approval of a compromise of a pending action or proceeding to which a minor, or insane or incompetent person is a party, or giving judgment for such a person, providing for the payment or delivery of money or other property, the court making the order or giving judgment, and as a part thereof, shall make a further order authorizing and directing a parent of the minor or guardian of the minor, or insane or incompetent person, or the payer of any money to be paid for the benefit of such person, to pay, from the money or other property to be paid or delivered, such reasonable expenses (medical or otherwise and including reimbursement to a parent or guardian), costs and attorney's fees as the court shall approve and allow therein The remaining balance of such money or other property shall be paid, delivered or deposited as hereinabove provided

The term "account in an insured savings and loan association" used in this section means shares issued by a federal savings and loan association, or investment certificates issued by a state-chartered building and loan association or savings and loan association doing business in this state which is an "insured institution" as defined in Title IV of the National Housing Act, or shares issued by a state-chartered building and loan association or savings and loan associations doing business in this state which does not issue investment certificates and which is an "insured institution" as defined in Title IV of the National Housing Act.

The term "shares of an insured credit union," as used in this section, means shares issued by a credit union, either federally chartered or state licensed, which are insured under Title II of the Federal Credit Union Act or by a fund approved by the state

Where reference is made in this section to "guardian of the estate" such reference shall be deemed to include "conservator of the estate," and reference to "incompetent person" shall be deemed to include "a person for whom a conservator may be appointed "

SEC. 2. Section 1513 of the Probate Code is"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1175—An act to amend Section 4700 of the Civil Code, relating to child support.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4700", and insert "4357".

Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive; strike out all of page 2, and insert

"SECTION 1. Section 4357 of the Civil Code is amended to read:

4357. During the pendency of any proceeding under Title 3 (commencing with Section 4500) ~~or~~, Title 4 (commencing with Section 4600) *or Title 5 (commencing with Section 4700)* of this part, the superior court may order the husband or wife, or father or mother, as the case may be, to pay any amount that is necessary for the support and maintenance of the wife or husband and for the support, maintenance and education of the children, as the case may be. An order made pursuant to this section shall not prejudice the rights of the parties or children with respect to any subsequent order which may be made. Any such order may be modified or revoked at any time except as to any amount that may have accrued prior to the date of filing of the notice of motion or order to show cause to modify or revoke"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Committee on Judiciary

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

SB No. 204

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 204—An act to amend Sections 5350 and 5352.1 of, and to amend, repeal, and add Section 7325 of, the Welfare and Institutions Code, relating to mental health conservatorships, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 4, 1972, strike out "and 5352.1 of," and insert ", 5352.1, 5353, and 5365 of, to add Section 5358.1 to,".

Amendment No. 2

On page 2, line 17, strike out "court or".

Amendment No. 3

On page 2, line 18, strike out "court or".

Amendment No. 4

On page 2, line 21, strike out "Court or", and insert "The".

Amendment No. 5

On page 2, strike out line 40; and on page 3, strike out lines 1 to 4, inclusive, and insert

"SEC 3 Section 5353 of the Welfare and Institutions Code is amended to read:

5353 A temporary conservator under this chapter shall determine what arrangements are necessary to provide the person with food, shelter, and care pending the determination of conservatorship He shall give preference to arrangements which allow the person to return to his home, family or friends If necessary, the temporary conservator may require the person to be detained in a facility providing intensive treatment or in a facility specified in Section 5358 pending the determination of conservatorship Any person so detained shall have the same right to judicial review set forth in Article 5 (commencing with Section 5275) of Chapter 2 of this part.

~~Temporary conservatorship shall continue pending a hearing to consider the appointment of a conservator, the trial, but in no event longer than six months. The powers of the temporary conservator shall be those granted in the decree, but in no event may they be broader than the powers which may be granted a conservator.~~

When conservatorship has been established by the court it shall continue pending appeal by the conservatee unless execution of the judgment is stayed by the appellate court

SEC 4 Section 5358.1 is added to the Welfare and Institutions Code, to read:

5358 1 A conservator appointed pursuant to this chapter shall not be held civilly or criminally liable for any action by his conservatee.

SEC 5 Section 5365 of the Welfare and Institutions Code is amended to read:

5365 All petitions under this chapter shall be heard *by court or jury trial* within ~~30~~ *60* days and the public defender or other attorney shall be appointed by the court for the conservatee or proposed conservatee."

Amendment No. 6

On page 3, line 5, strike out "SEC 3 ", and insert "SEC 6."

Amendment No. 7

On page 4, line 15, strike out "SEC 4 ", and insert "SEC. 7."

Amendment No. 8

On page 4, line 28, strike out "U S ", and insert "United States".

Amendment No. 9

On page 5, line 23, strike out "SEC 5.", and insert "SEC. 8 "

Amendment No. 10

On page 5, line 33, strike out "SEC. 6.", and insert "SEC. 9 "

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1316

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1316—An act to add Section 12739 to the Business and Professions Code, relating to weights and measures, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "(a)", and insert "12739. (a)".

Amendment No. 2

On page 2, strike out lines 4 to 13, inclusive, and insert

"(1) The gross weight of the load of hay and the vehicle at the time of the initial weighing.

(2) If there are any corrections made in the load of hay after the initial weighing, the gross weight of the load of hay and the vehicle at the time of reweighing after such correction."

Amendment No. 3

On page 2, line 14, strike out "(5)", and insert "(3)".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1292

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1292—An act to amend Section 25501 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Townsend", and insert "Badham

(Coauthor: Senator Carpenter)".

Amendment No. 2

In line 1 of the title, strike out "amend Section 25501 of", and insert "add Section 23428.20 to".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 23428.20 is added to the Business and Professions Code, to read:

23428.20. For the purposes of this article "club" also means any bona fide nonprofit corporation which has been in existence for not less than nine years, which has more than 8,500 memberships issued and outstanding to owners of condominiums and owners of memberships in stock cooperatives, and which owns, leases, operates or maintains recreational facilities for its members. One club license issued under this section shall authorize the licensee to exercise the rights and the privileges of a club license in any one or more recreational buildings which are located on any real property owned or leased by the corporation. The provisions of Section 23399 shall not apply to such a club."

Amendment No. 4

On page 1, strike out lines 2 to 13, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

ACA No. 85

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 85—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to the death penalty.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, strike out "Assemblyman Briggs", and insert "Assemblymen Briggs, Barnes, Belotti, Burke, Campbell, Chappie, Cline, Conrad, Ketchum, Lanterman, Mobley, Monagan, Moorhead, Porter, Russell, Stacey, Stull, and Wakefield".

Amendment No. 2

On page 2, strike out line 9, and insert

"SEC. 27. All statutes of this state in effect on February 17, 1972, requiring, authorizing, imposing, or relating to the death penalty are in full force and effect, subject to legislative amendment or repeal by statute, initiative, or referendum.

The death penalty provided for under those statutes shall not be deemed to be, or to constitute, the infliction of cruel or unusual punishments within the meaning of Article I, Section 6, nor shall such punishment for such offenses be deemed to contravene any other provision of this Constitution."

Amendment No. 3

On page 2, strike out lines 10 to 31, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 1388

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1388—An act to amend Section 1 of Chapter 1718 of the Statutes of 1967, relating to Davis-Grunsky grants to the County of San Bernardino in connection with the Prado Regional Park Project.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "two million two hundred thousand dollars ($2,200,000)", and insert "one million nine hundred fifty-eight thousand four hundred dollars ($1,958,400)".

Amendment No. 2

On page 2, line 4, strike out "March 10, 1967", and insert "February 1, 1972".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, April 19, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 232

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 232—An act to amend Section 3501 of, and to add Section 3505.4 to, the Government Code, relating to public employee organizations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, after "constable," strike out "sheriff,".

Amendment No. 2

On page 2, line 27, strike out "marshal,".

Amendment No. 3

On page 2, line 28, strike out the second comma.

Amendment No. 4

On page 2, line 40, after "allow", insert "a reasonable number of".

Amendment No. 5

On page 3, line 1, after the first "of", insert "recognized".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 849

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 849—An act to add Sections 1260.1 and 1260.2 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 1260.1 and 1260.2 to", and insert "amend Sections 621, 1277, and 1277 5 of, and to add Sections 803.1, 803.2, and 1260.1 to,".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 621 of the Unemployment Insurance Code is amended to read:

621. "Employee" means all of the following:

(a) Any officer of a corporation.

(b) Any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee.

(c) (1) Any individual, other than an individual who is an employee under subdivision (a) or (b), who performs services for remuneration for any employing unit if the contract of service contemplates that substantially all of such services are to be performed personally by such individual either:

(A) As an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or drycleaning services, for his principal

(B) As a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, his principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations.

(2) An individual shall not be included in the term "employee" under the provisions of this subdivision if such individual has a substantial investment in facilities used in connection with the performance of such services, other than in facilities for transportation, or if the services are in the nature of a single transaction not part of a continuing relationship with the employing unit for whom the services are performed

(d) Any individual who is an employee pursuant to Section 601.5 *or 680*.

SEC. 2. Section 803.1 is added to the Unemployment Insurance Code, to read:

803.1. Notwithstanding any other provision of this article, if an entity acquires or succeeds to another entity in any manner, the method of reimbursement financing, in lieu of contributions required of employers, elected by the acquiring entity shall apply to all service performed in the employ of the acquiring entity The acquiring entity shall be liable for the reimbursement of all benefits chargeable to the entity acquired under any method of reimbursement financing elected by the entity acquired. "Entity" as used in this section means any entity as defined by subdivision (a) of Section 803.

SEC. 3. Section 803.2 is added to the Unemployment Insurance Code, to read:

803.2. Notwithstanding any other provision of this article, an entity which elected any method of reimbursement financing under Section 803 and which has acquired a previously accumulated favorable reserve account under Section 712 or subdivision (e) of Section 803 shall be liable for the reimbursement of benefits pursuant to such election for any benefits chargeable to the reserve account and based upon wages paid prior to such election, to the extent that such benefits exceed the previously accumulated favorable reserve account. "Entity" as used in this section means any entity as defined by subdivision (a) of Section 803.

SEC. 4. Section 1260.1 is added to the Unemployment Insurance Code, to read:".

Amendment No. 3

On page 2, strike out lines 7 to 13, inclusive, and insert

"SEC. 5. Section 1277 of the Unemployment Insurance Code is amended to read:

1277. ~~Wages~~ *Notwithstanding the provisions of Section 1281, if the base period of a new claim includes wages which were* paid prior to the ~~filing~~ *effective date* of ~~a valid claim~~ and not used in the computation of the award ~~may be used for the purpose of computing the amount of any other award only if within the 12-month~~ *for a previous valid claim, the new claim shall not be valid unless, during the 52-week* period *immediately* following the *effective* date of the ~~filing of the~~ *previous* valid claim, the individual was paid sufficient wages to meet the eligibility requirement under *subdivision (a) of* Section 1281 and had some work. For the purpose of this section only the term "wages" includes any and all compensation for personal services performed as an employee for the purpose of meeting the eligibility requirement under *subdivision (a)* of Section 1281 This section is not applicable to the computation of an award for disability benefits but the establishment of a valid claim for disability benefits shall not constitute a valid claim for unemployment compensation benefits unless the claimant was paid sufficient wages and performed some work to entitle the claimant to an award under this section.

SEC. 6. Section 1277.5 of the Unemployment Insurance Code is amended to read:

1277.5. In determining, under Section 1277, whether ~~wages paid prior to the filing of a valid claim may be used in computing the amount of any other award~~ *a new claim is valid*, if the individual had some work during the ~~12-month~~ *52-week* period *immediately* following the ~~filing~~ *effective date* of the *previous* valid claim, then twice the amount which an individual was entitled to receive under Part 2 (commencing with Section 2601) of this division or under Division 4 (commencing with Section 3201) of the Labor Code, or under any workmen's compensation law, employer's liability law, or disability insurance law of any other state or of the federal government, during the ~~12-month~~ *52-week* period *immediately* following the ~~filing~~ *effective date* of the *previous* valid claim, shall be considered as wages paid to the individual during that ~~12-month~~ *52-week* period for purposes of meeting the eligibility requirements of *subdivision (a)* of Section 1281. The amounts so included shall not be considered wages for the purpose of computing the weekly benefit amount of the individual under Section 1280."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 882

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 882—An act making an appropriation for the salaries of employees in the operation and maintenance division of the Department of Water Resources.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "Resources Development Bond".

Amendment No. 2

On page 1, line 4, strike out "_____ dollars ($_____)", and insert "five hundred sixty-eight thousand two hundred fifty dollars ($568,250)".

Amendment No. 3

On page 1, line 6, strike out "and technician", and insert ", technician, and dispatcher".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

MESSAGES FROM THE SENATE

Senate Chamber, April 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 702

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, April 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 720

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, April 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 441

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, April 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 39

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 441—An act to add Section 15356 to the Education Code, relating to school buildings.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 39—Relative to commemorating the Shriners' 100th Anniversary and to proclaiming the week of May 8, 1972, Centennial Shrine Week.

Held at Desk by order of the Acting Speaker.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1609 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Revenue and Taxation; that Assembly Bill No 406 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Transportation; and that Assembly Bill No. 1159 be withdrawn from the Committee on Education and re-referred to the Committee on Judiciary.

CAUCUS ANNOUNCEMENTS

At 2:15 p.m., Acting Speaker Fenton was granted unanimous consent that the Democratic Caucus be permitted to meet at this time in the Assembly Lounge.

RECESS

At 2:17 p.m., Acting Speaker Fenton declared the Assembly recessed until 3.07 p.m.

REASSEMBLED

At 3:07 p m , the Assembly reconvened.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 514 and **747**, ordered to third reading.

Assembly Bills Nos. 501 and **745**, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1859—An act to amend Section 2 of Chapter 1524 of the Statutes of 1970, relating to mentally disordered minors, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2", and insert "Sections 2 and 5".

Amendment No. 2

On page 1, line 6, after "SEC. 2.", insert "Section 5 of Chapter 1524 of the Statutes of 1970 is amended to read:

SEC 5. The Superintendent of Public Instruction shall submit an evaluation report on the pilot program conducted pursuant to this act, together with recommendations as to the feasibility of establishing the program on a statewide basis, to the Legislature not later than September 1, ~~1972~~ *1973* .

The evaluation of the pilot program shall include but need not be limited to the following factors:

(a) A description of the physical, psychological and educational characteristics of the pilot sample group.

(b) A description of any changes in physical, psychological and educational achievement at six-month intervals.

(c) A description of specific programs provided, the types of personnel employed, and the costs thereof.

(d) An analysis of the impact of the inclusion of mentally disordered children on other nonmentally disordered children and the quality of the instruction.

SEC. 3."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 565—An act to amend, repeal, and add Section 13354 of the Vehicle Code, relating to blood tests.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1194—An act to amend Section 27491.45 of the Government Code, relating to coroners.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 614—An act to amend Section 1602 of, and to add Section 1601.5 to, the Business and Professions Code, relating to dentists.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "A member", and insert "No more than two members".

Amendment No. 2

On page 2, line 6, strike out "except the public member, may also", and insert "including the public member, shall".

Amendment No. 3

On page 2, line 9, after "California", insert ", and no more than one faculty member from one such college or department shall serve on the board at the same time".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 900—An act to add Sections 13922.5 and 14105.6 to the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "schedules", insert a comma.

Amendment No. 2

On page 2, line 8, strike out "will", and insert "shall".

Amendment No. 3

On page 2, line 11, strike out "will", and insert "shall".

Amendment No. 4

On page 2, line 33, after "to", insert a comma.

Amendment No. 5

On page 4, line 6, strike out "cost", and insert "costs".

Amendment No. 6

On page 4, line 7, after "but", insert "not".

Amendment No. 7

On page 4, line 7, after the second "to", insert a comma.

Amendment No. 8

On page 4, line 11, strike out "cost", and insert "costs".

Amendment No. 9

On page 4, line 13, strike out "cost", and insert "costs".

Amendment No. 10

On page 4, line 17, strike out "cost", and insert "costs".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1953—An act to add Article 9 (commencing with Section 1820) to Chapter 4 of Division 2 of the Business and Professions Code, relating to dentistry, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, lines 38 and 39, of the printed bill, strike out ", who shall be the chairman".

Amendment No. 2

On page 3, between lines 4 and 5, insert

"The committee shall elect a chairman from among its members."

Set No. 2

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman", and insert "Assemblymen".

Amendment No. 2

In the heading, after "Duffy", insert "and Fong".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1007—An act to amend Section 1085 of the Education Code, relating to driver training.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1138—An act to amend Section 13468.2 of the Education Code, relating to school certificated employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 691—An act to repeal Section 30700.7 of the Water Code, relating to county water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 697—An act to add Section 55507 to the Water Code, relating to county waterworks districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 813—An act to add Section 55337 to the Water Code, relating to county waterworks districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 837—An act to amend Section 30 17 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 893—An act to amend Section 8 of Chapter 1038 of the Statutes of 1970, relating to bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 8 of Chapter 1038 of the Statutes of 1970 is repealed.

~~Sec. 8. All bond elections affected by this act and held in even-numbered years shall be consolidated with the direct primary or general election, and all bond elections affected by this act and held in odd-numbered years shall be held on the first Tuesday after the first Monday in November and consolidated with any district elections held on that date. The provisions of this section shall not apply to any bond elections held by a municipal utility district.~~"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 92—An act to add Sections 19700.745 and 19700.746 to the Education Code, relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 171—An act to add Section 4833 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 192—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10.5 (commencing with Section 11901), 10.8 (commencing with Section 11940), and 10 9 (commencing with Section 11990) of, the Health and Safety Code, to repeal and add Sections 11217, 11480, and 11483 of the Health and Safety Code; as proposed by this act, and to amend Sections 1803, 12806, 12809, 13202, 13355.5, and 13800 of the Vehicle Code, relating to controlled substances.

Bill read second time, and ordered to third reading.

Assembly Bill No. 369—An act to amend Sections 22511 and 22511.5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

Assembly Bill No. 444—An act to amend Section 14038 of, and to add Section 14038 1 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 504—An act to add Section 8538 to the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Assembly Bill No. 506—An act to add Chapter 7.9 (commencing with Section 25885) to Division 20 of the Health and Safety Code, relating to pottery.

Bill read second time, and ordered to third reading.

Assembly Bill No. 601—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 604—An act to amend Section 18025 of the Government Code, relating to holiday compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 641—An act to amend Section 8140 of the Government Code, relating to California-Nevada Interstate Compact Commission.

Bill read second time, and ordered to third reading.

Assembly Bill No. 246—An act to add Article 10.5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 21, of the printed bill, as amended in Assembly April 10, 1972, after "Posting", insert ", in English and Spanish,".

Amendment No. 2

On page 4, line 12, strike out the comma, and insert ". The local health officer".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 426—An act to amend Section 5000 of, and to add Sections 5001 and 5002 to, the Fish and Game Code, relating to reptiles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 534—An act to amend Section 31245 of the Education Code, relating to graduate fellowships.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 553—An act relating to Yosemite Junior College District.

Bill read second time, and ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 98—An act to amend Sections 19682, 19683, and 19683.5 of, and to add Sections 19682.5, 19682.7, and 19682.9 to, the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 57—An act to amend Section 1505 of the Fish and Game Code, relating to fish and game management.

Bill read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 553	AB No. 813
AB No. 565	AB No. 1007
AB No. 691	AB No. 1194

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 601
AB No. 604
AB No. 641
AB No. 837
AB No. 1138

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY JOINT RESOLUTION NO. 17

The hour having arrived, Assembly Joint Resolution No. 17 was taken up.

Assembly Joint Resolution No. 17—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to equal rights for men and women.

Resolution read.

Motion to Amend

Mr. Z'berg moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 5, of the printed measure, as amended in Assembly April 19, 1972, after "That", insert "this resolution of ratification shall become effective only if Assembly Bills 256 and 1710, of this session are enacted as introduced and upon such enactment".

Amendment read.

Speaker Presiding

At 3:17 p.m., Hon. Bob Moretti, 42nd District, presiding.

The question being on the adoption of the amendment offered by Mr Z'berg to Assembly Joint Resolution No. 17.

Amendment refused adoption by the following vote:

AYES—Brathwaite, Burton, Chacon, Chappie, Cory, Deddeh, Duffy, Fong, Foran, Garcia, Bill Greene, LaCoste, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Porter, Ralph, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—27.

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Cline, Collier, Conrad, Crown, Cullen, Dent, Dunlap, Fenton, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Knox, Maddy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Wood, and Mr. Speaker—41.

Resolution presented by Mr. Karabian.

The question being on the adoption of Assembly Joint Resolution No. 17.

Demand for Previous Question

Messrs. Quimby, Brown, Thomas, Collier, and Bill Greene demanded the previous question. Demand sustained.

The question being on the adoption of Assembly Joint Resolution No. 17.

Resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Knox, LaCoste, Lewis, MacDonald, Maddy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—Burke, Conrad, Dent, Foran, Bill Greene, McAlister, McCarthy, Murphy, Ralph, Russell, and Seeley—11.

Resolution ordered transmitted to the Senate.

NOTE: For explanations of vote by Messrs Keysor and Hayes relative to Assembly Joint Resolution No. 17, see Assembly Journal for April 24, 1972, page 2134.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Knox was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Statement of Legislative Intent on AB 889

April 20, 1972

Gentlemen: Some question has arisen as to the purpose and intent of Assembly Bill 889, which amends the Environmental Quality Act of 1970. Assembly Bill 889 does two things:

1. Clarifies the applicability of the environmental impact report requirements of the Environmental Quality Act of 1970;

2. Makes environmental impact reporting requirements applicable to local governments regardless of whether or not a general plan with a conservation element has been approved.

With respect to objective #1, as principal author of the Environmental Quality Act of 1970, it is my own feeling that it was always clear that the environmental impact report requirement of that Act extended to the situation where a State or local public agency by lease, permit, funding or comparable entitlement for use, was authorizing or facilitating a private undertaking, so long as it had a significant impact on the environment.

Apparently some persons have contended that this is not the case, and that the Act applies in this respect only to those projects which local public agencies directly undertake. Assembly Bill 889 would clarify applicability of the Act in that respect, without making a substantive change in the present law.

JOHN T. KNOX

MOTION TO RECONSIDER BILLS CONTINUED

Mr. Ketchum was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 230 be continued until the next legislative day.

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

Mr. Deddeh was granted unanimous consent that his motion to reconsider the vote on Assembly Constitutional Amendment No. 24 be continued until the next legislative day.

Mr. Monagan was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 143 be continued until the next legislative day.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:39 p m., Speaker Moretti declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1418 for hearing in the Committee on Revenue and Taxation on Monday, April 24.

VOTE CHANGES

Messrs Deddeh, Chappie, Lewis, Duffy, Wilson, and LaCoste were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on the amendments offered by Mr. Z'berg to Assembly Joint Resolution No. 17.

COMMUNICATIONS

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 51—An act to amend Section 2369 of the Fish and Game Code, relating to clams;

Assembly Bill No. 236—An act to amend Section 13954 of the Health and Safety Code, relating to fire protection districts;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., April 20, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, April 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 6—Relative to public transit diesel buses;

Assembly Concurrent Resolution No. 26—Relative to Humboldt State College;

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of April, 1972, at 2:30 p.m.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 359
AB No. 612

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 474

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 819

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

POWERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 399

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

POWERS, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 727
AB No. 729

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

POWERS, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, April 20, 1972

Mr Speaker: Your Committee on Education reports:

AB No 1010

With amendments with the recommendation: Amend, and do pass, as amended

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No 1620

With the recommendation: Do pass, and be re-referred to the Committee on Revenue and Taxation.

KNOX, Chairman

Above bill re-referred to the Committee on Revenue and Taxation

Assembly Chamber, April 20, 1972

Mr Speaker Your Committee on Local Government reports:

AB No 1047

AB No 1053

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 20, 1972

Mr Speaker Your Committee on Local Government reports:

SB No. 180

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 20, 1972

Mr Speaker · Your Committee on Local Government reports ·

AB No 1078

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3,

the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 1502

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1501

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1952

With amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 406

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 406—An act to amend Section 2804 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2804 of", and insert "add Division 12 5 (commencing with Section 28700) to".

Amendment No. 2

In line 2 of the title, after "vehicles", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Division 12.5 (commencing with Section 28700) is added to the Vehicle Code, to read:

DIVISION 12 5. MOTOR VEHICLE INSPECTION AND MAINTENANCE PROGRAM

CHAPTER 1. GENERAL PURPOSE AND INTENT

28700. It is the intent and purpose of the Legislature, in enacting this division, to provide a substantial demonstration program in the South Coast Air Basin of California relating to annual inspection of motor vehicles.

28701 (a) The Legislature finds and declares that an effective system of periodic inspection, maintenance, and consumer education will reduce the level of vehicular air pollution, improve the safety characteristics of motor vehicles, and provide motorists with objective maintenance information regarding motor vehicles

(b) The Legislature further finds and declares that the federal government has delegated to the several states the ultimate responsibility for periodic inspection and maintenance, and that federal funds from various sources are available for approved demonstration programs.

(c) The Legislature, therefore, intends to create a special state commission, combining the expertise of several departments regarding motor vehicles with the service of public members, to carry out this project.

CHAPTER 2 MOTOR VEHICLE INSPECTION AND MAINTENANCE COMMISSION

Article 1. Organization

28705 There is in the state government, a Motor Vehicle Inspection and Maintenance Commission The purpose of the commission shall be to plan and operate an experimental motor vehicle inspection, diagnostic, and repair system to achieve the following.

(a) Reduction of vehicular air pollution

(b) Improvement in safety characteristics of motor vehicles.

(c) Providing motorists with reliable motor vehicle diagnostic information in order to obtain proper maintenance at a reasonable cost.

28706 The commission shall consist of seven members, three of whom shall be members of the public and four of whom shall be state officers or employees

With respect to the state officers or employees, there shall be one officer or employee from each of the following:

(a) The Department of Motor Vehicles.
(b) The Department of the California Highway Patrol.
(c) The Department of Consumer Affairs.
(d) The State Air Resources Board.

The state officers or employees shall be appointed by the Governor.

One public member shall be appointed by the Governor, one by the President pro Tempore of the Senate, and one by the Speaker of the Assembly.

Each member of the commission shall serve at the pleasure of his appointing power.

28707. The commission shall elect a chairman and vice chairman from among its public members.

28708. Each public member shall receive an annual salary of thirty thousand dollars ($30,000).

28709 The commission shall maintain its office in the City of Los Angeles.

28710. Upon the approval of the Director of Finance, the Department of Motor Vehicles, the Department of the California Highway Patrol, the Department of Consumer Affairs, and the State Air Resources Board shall provide the commission with such qualified, experienced personnel as may be necessary to assist the commission in the discharge of its duties. The Department of Finance may increase the staffing of the agencies to replace any persons who are provided to the commission.

Article 2. Powers and Duties

28715. The commission may, as the Director of Finance approves, appoint such employees as may be necessary for the proper discharge of the duties of the commission.

28716. The commission shall do the following, in the order specified, and shall complete each function specified before it may proceed to the next function:

(a) Plan a state operated motor vehicle inspection program for a substantial area within the South Coast Air Basin. For the purposes of this subdivision, a substantial area is an area of not less than one entire county having not less than 1,000,000 cars

(b) Apply to the federal government, under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C, Sec. 1381 et seq.), the Clean Air Act (42 U.S.C, Sec. 1857 et seq) and the Clean Air Act Amendments of 1970, and, if approved, Title 3 of S 976 which is presently pending before Congress, for matching funds to accomplish at least two of the following three functions.

(1) Pollution inspection.
(2) Safety inspection.
(3) Consumer information.

(c) Implement such a state operated motor vehicle inspection program upon receiving a commitment from the federal government that federal funds amounting to not less than 50 percent of the total program cost will be provided to California for the program for a period of at least three years.

(d) Lease, buy, or construct, if necessary, facilities and advanced inspection equipment capable of providing diagnostic information for motorists.

28717. The commission may adopt such reasonable regulations as are necessary to carry out the program specified in this division.

28718. The commission may exempt from inspection approved commercial fleets of vehicles if, on the basis of random spot checking, they are found to be in compliance with equipment and safety requirements and allowable levels of emissions of pollutants.

28719. The commission may authorize approved private business establishments which provide motor vehicle diagnostic services to process and forward to the Department of Motor Vehicles, applications for the transfer or renewal of registration of motor vehicles which are made subject to the inspection program specified in this division.

28720. The commission shall, by regulation, establish standards, based upon income level, under which owners of motor vehicles who have low incomes and who would lose, or fail to gain, employment for lack of reasonable transportation, may qualify for assistance in the repair and replacement of motor vehicles which do not meet vehicular safety or pollution emission standards. The commission may operate, or contract with the Department of Public Works for the operation of, one centralized repair shop for such motor vehicles

28721. The commission shall, after the first full year's operation, submit a written report to the Legislature on air pollution results, safety findings, and consumer costs and benefits, including whether automotive repair shop laws should be amended to provide automatic disqualification of shops having excessively poor repair records. The commission shall also report on wages, tool requirements, and working conditions of automotive mechanics in relation to comparable skilled crafts.

CHAPTER 3 REGISTRATION AND INSPECTION

28730. The Department of Motor Vehicles shall, notwithstanding any other provisions of law, provide, by regulation, for a staggered vehicle registration system for motor vehicles whose owners reside within the area selected by the commission for the motor vehicle inspection program specified in this division Such system shall become operative on March 1, 1974, and shall provide for the proration of fees to avoid requiring a vehicle owner to pay fees for any period for which he has already paid fees.

28731 The Department of the California Highway Patrol shall eliminate random inspections in the area selected by the commission for the motor vehicle inspection program specified in this division The commission shall compile comparative data from annual inspections and compare such data with data for the same area obtained the previous year.

CHAPTER 4. COMMENCEMENT OF INSPECTION PROGRAM AND REGISTRATION SYSTEM

28740. The inspection program and the registration system specified in this division shall, if the commission proceeds to subdivision (c) of Section 28716, become operational on March 1, 1974

SEC 2. The sum of six million two hundred thousand dollars ($6,200,000) is hereby appropriated from the Motor Vehicle Account in

the Transportation Tax Fund to the Motor Vehicle Inspection and Maintenance Commission for expenditure, without regard to fiscal year, in accordance with the following schedule:

Schedule:

(a) Personal services, operating expenses, and equipment ---------- $200,000

(b) For implementation of Section 28720 of the Vehicle Code ---------- 1,000,000

(c) For implementation of the remaining provisions of Division 12 5 (commencing with Section 28700) of the Vehicle Code ---------- 5,000,000

provided, that expenditure of the amount scheduled in (c) is contingent upon receipt of federal funds, to implement the remaining provisions of Division 12.5 (commencing with Section 28720) of the Vehicle Code, in an amount equal to or greater than allocations from the appropriation scheduled in (c)."

Amendment No. 4

On page 1, strike out lines 2 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1143

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1143—An act to amend Sections 9801, 9802, 9803, 9805, 9810, 9820, 9823, 9825, 9831, 9841, 9844, 9870, 9871, 9872 and 9874 of the Business and Professions Code, relating to repair services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9810,".

Amendment No. 2

In line 2 of the title, strike out "9844, 9870, 9871, 9872 and 9874", and insert "and 9844".

Amendment No. 3

On page 2, line 12, strike out "Electronic".

Amendment No. 4

On page 2, line 15, strike out "Electronic".

Amendment No. 5

On page 2, line 16, strike out "Electronic".

Amendment No. 6

On page 3, strike out lines 25 to 40, inclusive; and on page 4, strike out lines 1 to 9, inclusive

Amendment No. 7

On page 4, line 10, strike out "SEC 6.", and insert "SEC 5."

Amendment No. 8

On page 4, line 17, strike out "SEC 7.", and insert "SEC. 6."

Amendment No. 9

On page 4, line 27, strike out "SEC. 8 ", and insert "SEC 7."

Amendment No. 10

On page 5, line 10, strike out "SEC. 9.", and insert "SEC. 8."

Amendment No. 11

On page 6, line 1, strike out "SEC 10 ", and insert "SEC. 9."

Amendment No. 12

On page 6, line 34, strike out "SEC. 11.", and insert "SEC. 10."

Amendment No. 13

On page 7, strike out lines 4 to 34, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 20, 1972

Mr. Speaker. The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1120

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1120—An act to add Article 5 (commencing with Section 9825) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to human resources development.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "Office of".

Amendment No. 2

On page 1, strike out line 8; and on page 2, strike out line 1, and insert "many occupational".

Amendment No. 3

On page 2, strike out lines 8 to 15, inclusive, and insert "9826. The functions of the department with respect to professional manpower services shall include all of the following:".

Amendment No. 4

On page 2, line 16, strike out "(1)", and insert "(a)".

Amendment No. 5

On page 2, line 20, strike out "(2)", and insert "(b)".

Amendment No. 6

On page 2, line 23, strike out "(3)", and insert "(c)".

Amendment No. 7

On page 2, line 24, strike out "(4)", and insert "(d)".

Amendment No. 8

On page 2, strike out lines 27 and 28.

Amendment No. 9

On page 2, line 29, strike out "(1)", and insert "(e)".

Amendment No. 10

On page 2, line 32, strike out "(2)", and insert "(f)".

Amendment No. 11

On page 2, strike out lines 38 and 39

Amendment No. 12

On page 2, line 40, strike out "(1)", and insert "(g)".

Amendment No. 13

On page 3, line 2, strike out "(2)", and insert "(h)".

Amendment No. 14

On page 3, line 4, strike out "(3)", and insert "(i)".

Amendment No. 15

On page 3, line 7, strike out "(4)", and insert "(j)".

Amendment No. 16

On page 3, strike out lines 10 to 14, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 2137

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2137—An act relating to open-space lands and taxation thereof.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to add Part 16 (commencing with Section 36001) to Division 2 of the Revenue and Taxation Code,".

Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Part 16 (commencing with Section 36001) is added to Division 2 of the Revenue and Taxation Code, to read:

PART 16. REALTY TRANSFER TAX LAW

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

36001. This part is known and may be cited as the State Open Space and Resources Conservation Fund Act.

36002. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

"County" shall include a city and county.

"Recorder" means the recorder of a county.

"Person" includes any individual, firm, copartnership, joint venture, association, fraternal organization, corporation, estate, trust, business trust, receiver, assignee for the benefit of creditors, trustee, trustee in bankruptcy, executor, administrator, syndicate, the United States, this state, any county, city, city and county, district, or other political subdivision of this state or any group or combination acting as a unit

"Document" means and includes any deed, contract of sale, instrument, or writing by which real property in this state is transferred.

"Real property" is as defined in Section 104 of this code and includes any interest in real property.

"Transfer" includes any conveyance, grant, assignment, or quitclaim of the ownership of or title to real property for a consideration and any contract for such conveyance, grant, assignment, or quitclaim or any lease or other contract under which possession of the property is given to the purchaser, or any other person by his direction, for a consideration, while title is retained by the vendor as security for the payment of the purchase price It does not include a conveyance of a leasehold interest other than of a type described above, or a mortgage, deed of trust, or other conveyance of an interest in real property merely to secure an obligation.

"Transferor" means any person who transfers real property.

"Value" means the total consideration, valued in money, paid or delivered or contracted to be paid or delivered in return for the transfer of real property and shall include the amount of any lien, mortgage, contract indebtedness or other encumbrance, either given to secure the purchase price or remaining unpaid at the time of transfer. If the amount of the consideration is nominal or cannot be definitely determined, or is to be fixed by future contingencies, "value" means the full market value of the property at the time of the transfer.

"Board" means the State Board of Equalization

"Dwelling" means a building, structure or other shelter constituting a place of abode, and any land on which it may be situated.

"Fund" means the State Open Spaces and Resources Conservation Fund.

"Minimal development" means the provision of facilities for public access, sanitary and water facilities and public safety requirements.

"District" means the planning districts as adopted by the State Council on Intergovernmental Relations.

"Secretary" means the Secretary of the Resources Agency.

CHAPTER 2 IMPOSITION OF THE TAX

36003. For the privilege of transferring real property in this state, there is hereby imposed upon the transferor a tax at the rate of 1 percent upon the value of the real property transferred Where the transferor is exempted from the tax under this part, the person to whom the real property is transferred shall be liable for the tax imposed by this part.

CHAPTER 3. EXEMPTIONS

36004 The first twenty thousand dollars ($20,000) of the value of real property transferred shall be exempt from the tax imposed by this part if the real property transferred is:

(a) A single-family dwelling occupied by the transferor as his principal place of residence;

(b) A multiple-dwelling unit occupied by the transferor as his principal place of residence provided that such exemption shall apply only to the value of the portion of such real property occupied by such person;

(c) A condominium occupied by the transferor as his principal place of residence.

36005 In computing the tax, the exemption allowed by Section 36004 shall be deducted from the value of the property transferred and the tax shall be computed with respect to the balance of that value.

36006. The tax imposed by this part shall not apply to:

(a) Transfers to make effective any plan of corporate reorganization or adjustment:

(1) Confirmed under the Bankruptcy Act, as amended;

(2) Approved in an equity receivership proceeding in a court involving a railroad corporation, as defined in Section 77(m) of the Bankruptcy Act, as amended;

(3) Approved in an equity receivership proceeding in a court involving a corporation, as defined in Section 106(3) of the Bankruptcy Act, as amended, or

(4) Whereby a mere change in identity, form or place or organization is effected;

if the transfer occurs within five years from the date of such confirmation, approval, or change.

(b) Any transfer of property from one spouse to the other in accordance with the terms of a decree of dissolution or in fulfillment of a property settlement incident thereto; provided, such transfer is made within three months of the date of the granting of the final decree of dissolution and such property was acquired by the husband and wife or husband or wife prior to such decree.

(c) Transfers which confirm or correct a deed without consideration.

(d) Transfers from the United States, this state, any city, county, city and county, district, or any other political subdivision of this state.

(e) Transfers made pursuant to an order by the court in any mortgage or lien foreclosure proceeding or upon execution or a judgment, or a transfer in lieu of foreclosure.

(f) Transfers recorded prior to the effective date of this act.

(g) Transfers of cemetery lots

36007. In the case of real property held by a partnership, the tax imposed by this part shall not apply by reason of any transfer of an interest in a partnership or otherwise, if

(a) Such partnership is considered as a continuing partnership within the meaning of Section 17867 of this code, and,

(b) Such continuing partnership continues to hold the real property concerned.

36008 If there is a termination of any partnership within the meaning of Section 17867 of this code, such partnership shall be treated as having executed a document whereby there was conveyed for full market value all real property held by such partnership at the time of such termination, but no more than one tax shall be imposed by this part by reason of such termination, and any transfer pursuant thereto, with respect to the real property held by such partnership at the time of termination.

CHAPTER 4. COLLECTION

Article 1. Payments

36051. The tax imposed by this part is due and payable at the time a transfer of real property is made and is delinquent three months thereafter.

36052 The tax imposed by this part shall be paid to the county recorder of the county in which the real property transferred is situated. The recorder shall furnish a receipt for the tax and shall transmit the tax payments to the county treasurer pursuant to regulations prescribed by the board.

36053 The person paying the tax shall file with the county recorder with respect to each transfer a statement, in triplicate, on forms prescribed by the board, executed by the transferor or purchaser under penalty of perjury, setting forth the names and addresses of the transferor and purchaser, a description of the property transferred, the value of the property, and such other information as may be required by the board

36054. A document of transfer shall not be accepted by the county recorder for filing or recording unless (a) an executed statement is filed as required by Section 36053 and (b) the tax is paid on the amount of the taxable value as shown by the statement, or exemption from the tax is claimed in the statement When the document is accepted for filing or recording by the recorder, he shall indicate thereon compliance with this section in a manner prescribed by the board

36055 The county recorder shall retain one copy of the statement and shall transmit two copies to the county assessor The assessor, pursuant to regulations prescribed by the board, shall insert on both copies of the statement the most recent assessed value for each parcel, or portion thereof, of the real property transferred The assessor shall forthwith transmit one copy of the completed statement to the board.

Article 2. Deficiency Determinations

36101. If the board is not satisfied with the statement presented to the recorder pursuant to Section 36053 or the amount of tax paid with respect to any transfer, it may compute and determine the amount required to be paid on the basis of any information within its possession or that may come within its possession

36102 If no statement is presented to the recorder the board may make an estimate of the value of the real property transferred and determine the amount to be paid on the basis of this estimate or upon any information within its possession or that may come into its possession. One or more deficiency determinations may be made of the amount due with respect to any transfer

36103 The board shall give notice to a person liable under this part of its determination The notice may be served personally or by mail, if by mail service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the person at his address as it appears in the records of the board, but the service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time for any reason

36104 Every notice of a deficiency determination shall be mailed within three years of the filing of a statement with the county recorder pursuant to Section 36053.

Article 3. Redeterminations

36126. Any person against whom a determination is made under this chapter or any person directly interested may petition for a redetermination within 30 days after service upon the person of notice thereof If a petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period

36127 If a petition for redetermination is filed within the 30-day period, the board shall reconsider the determination and, if the person has so requested in his petition, shall grant the person an oral hearing and shall give him 10 days' notice of the time and place of the hearing. The board may continue the hearing from time to time as may be necessary

36128 The board may decrease or increase the amount of the determination before it becomes final, but the amount may be increased only if a claim for the increase is asserted by the board at or before the hearing

36129 The order or decision of the board upon a petition for redetermination becomes final 30 days after service upon the petitioner of notice thereof.

36130 Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 4. Interest and Penalties

36151 There shall be collected by the board from any person who fails to pay a tax imposed by this part prior to the time the tax becomes delinquent a penalty of 10 percent of the amount of the tax, and interest at the rate of one-half of 1 percent a month, or fraction thereof, from the date the tax becomes delinquent to the date of payment

Article 5 Suit for Tax

36176 At any time within three years after any tax or any amount of tax required to be collected becomes delinquent, or within three years after the last recording of a certificate under Section 36202, the board may bring an action in the courts of this state, or any other state, or of the United States in the name of the people of the State of California to collect the amount delinquent together with penalties and interest

36177 The Attorney General shall prosecute the action; and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings.

36178. In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required

36179. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the determination of the tax or the amount of tax, of the delinquency of the amounts set forth, and of the compliance by the board with all the provisions of this part in relation to the computation and determination of the amounts.

Article 6. Priority and Lien of Tax

36201. The amounts required to be paid by any person under this part together with interest and penalties shall be satisfied first in any of the following cases:

(a) Whenever the person is insolvent

(b) Whenever the person makes a voluntary assignment of his assets.

(c) Whenever the estate of the person in the hands of executors, administrators, or heirs is insufficient to pay all of the debts due from the deceased.

(d) Whenever the estate and effects of an absconding, concealed, or absent person required to pay any amount under this part are levied upon by process of law.

This section does not give the state a preference over any recorded lien which attached prior to the date when the amounts required to be paid became a lien.

The preference given to the state by this section shall be subordinate to the preferences given to claims for personal services by Sections 1204 and 1206 of the Code of Civil Procedure

36202. If any amount required to be paid to the state under this part is not paid when delinquent, or within three years after the amount of a determination becomes final, the board may within three years after the amount is delinquent, or within three years after the amount of a determination becomes final, file for record in the office of any county recorder a certificate specifying the amount, interest, and penalty due, the name and address as it appears on the records of the board of the person liable for the same, and the fact that the board has complied with all provisions of this part in the determination of the amount required to be paid. From the time of the filing for record, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterward and before the lien expires acquired by him The lien has the force, effect, and priority of a judgment lien and shall continue for 10 years from the time of the filing of the certificate unless sooner released or otherwise discharged The lien may, within 10 years from the date of the filing of the certificate or within 10 years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property in such county for 10 years unless sooner released or otherwise discharged

Article 7. Warrant for Collection of Tax

36226 At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, or within 10 years after the last recording of a certificate under Section

36202, the board or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the state under this part The warrant shall be directed to any sheriff, marshal or constable and shall have the same effect as a writ of execution The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution.

36227. The board may pay or advance to the sheriff, marshal or constable, the same fees, commissions, and expenses for his services as are provided by law for similar services pursuant to a writ of execution. The board, and not the court, shall approve the fees for publication in a newspaper.

36228. The fees, commissions, and expenses are the obligation of the person required to pay any amount under this part and may be collected from him by virtue of the warrant or in any other manner provided in this part for the collection of the tax.

Article 8. Miscellaneous Provisions

36251. The remedies of the state provided for in this chapter are cumulative, and no action taken by the board or Attorney General constitutes an election by the state to pursue any remedy to the exclusion of any other remedy for which provision is made in this part

36252. In all proceedings under this chapter the board may act on behalf of the people of the State of California.

CHAPTER 5. OVERPAYMENTS AND REFUNDS

Article 1. Claim for Refund

36276. If the board determines that any amount has been paid more than once or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of the amount legally due and the person from whom it was collected or by whom paid. If approved by the State Board of Control the excess amount collected or paid shall be credited by the board on any amounts then due and payable from the person from whom the excess amount was collected or by whom it was paid under this part, and the balance shall be refunded to the person, or his successors, administrators, or executors

In the case, however, of a determination by the board that an amount not exceeding one thousand dollars ($1,000) was not required to be paid under this part, the board without obtaining approval of the State Board of Control may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may refund the balance to the person or his successors, administrators, or executors

36277 No refund shall be approved by the board after six months from the date of overpayment, unless a claim therefor is filed with the board within such period. No credit shall be approved by the board after the expiration of such period unless a claim for credit is filed with the board within such period.

36278. Every claim shall be in writing and shall state the specific grounds upon which the claim is founded.

36279. Failure to file a claim within the time prescribed in this article constitutes a waiver of any demand against the state on account of overpayment.

36280. Within 30 days after disallowing any claim in whole or in part the board shall serve notice of its action on the claimant in the manner prescribed for service of notice of a deficiency determination.

36281. Interest shall be paid upon any overpayment of any amount of tax at the rate of one-half of 1 percent per month, or fraction thereof, from the delinquency date of the tax with respect to which the overpayment was made to the date upon which the person making the overpayment, if he has not already filed a claim, is notified by the board that a claim may be filed or the date upon which the claim is approved by the board, whichever is the earlier.

36282. If the board determines that any overpayment has been made intentionally or by reason of carelessness, it shall not allow any interest thereon.

Article 2. Suit for Refund

36301. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this state or any county or against any officer of the state or of any county to prevent or enjoin the collection under this part of any tax or any amount of tax required to be collected.

36302. No suit or proceeding shall be maintained in any court for the recovery of any amount alleged to have been erroneously or illegally determined or collected unless a claim for refund or credit has been duly filed pursuant to Article 1 of this chapter.

36303. Within 90 days after the mailing of the notice of the board's action upon a claim filed pursuant to Article 1 of this chapter, the claimant may bring an action against the board on the grounds set forth in the claim in a court of competent jurisdiction in any city or city and county of this state in which the Attorney General has an office for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed.

Failure to bring action within the time specified constitutes a waiver of any demand against the state on account of alleged overpayments.

36304. If the board fails to mail notice of action on a claim within six months after the claim is filed, the claimant may, prior to the mailing of notice by the board of its action on the claim, consider the claim disallowed and bring an action against the board on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment

36305. In any judgment, interest shall be allowed at the rate of 6 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment or to a date preceding the date of the refund warrant by not more than 30 days, the date to be determined by the board.

36306 A judgment shall not be rendered in favor of the plaintiff in any action brought against the board to recover any amount paid when the action is brought by or in the name of an assignee of the person paying the amount or by any person other than the person who paid the amount.

Article 3. Cancellations

36326. If any amount in excess of one thousand dollars ($1,000) has been illegally determined either by the person filing the return or by the board, the board shall set forth that fact in its records and certify to the State Board of Control the amount determined to be in excess of the amount legally due and the person against whom the determination was made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board. If an amount not exceeding one thousand dollars ($1,000) has been illegally determined either by the person filing a return or by the board, the board without certifying this fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board.

CHAPTER 6. ADMINISTRATION

36331. The board shall enforce the provisions of this part and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this part. The board may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

36332. The board may examine the books, papers and records of any person to verify the accuracy of any statement filed pursuant to Section 36202, or for the purpose of ascertaining whether or not any amount of tax imposed by this part may be due.

CHAPTER 7. DISPOSITION OF PROCEEDS

36351. On or before the 10th day of each month, the recorder shall account to the auditor for all money collected in the preceding month by submitting a statement of total daily collections, together with the dates and amounts of payments to the county treasurer.

36352 On or before the 15th day of each month, the county treasurer, shall deduct an amount equal to 1 percent of all the money collected the preceding month, to be used to defray the costs of administering this part The remainder of the money collected the preceding month shall be remitted by the county treasurer to the State Treasurer. The county treasurer shall submit with the payment a statement in such form as the Controller shall prescribe and shall also transmit a copy of the statement to the Controller.

36353. All money received by the State Treasurer shall be reported to the Controller and deposited in the State Treasury to the credit of the State Open Space and Resources Conservation Fund, which is hereby created

36354. All amounts in the State Open Space and Resources Conservation Fund are hereby continuously appropriated for refunds under this part, for the administration of this part, and for the allocations pursuant to Chapter 8 (commencing with Section 36376) of this part.

CHAPTER 8. ALLOCATION OF STATE OPEN SPACE AND RESOURCES CONSERVATION FUND

36376. State agencies and regional and local jurisdictions shall be eligible to receive financial assistance from the fund up to 100 percent for projects for: (1) acquisition of fee title in lands and waters of significance for open space and resource conservation purposes; (2) acquisition of less than fee title in lands and waters sufficient to provide long-term protection to significant open space and natural resource values; and (3) minimal development of lands and waters acquired through the fund.

36377. Projects eligible for assistance through the fund shall be those which are identified within a statewide, regional or local open space plan as having significant value for the following purposes: (1) preservation of natural resources, including fish and wildlife habitat; ecologic and other scientific study purposes; rivers, streams, bays, estuaries and coastal beaches; (2) managed resource production, including high quality agricultural lands, forest lands and commercial fisheries; (3) health and welfare, including areas required for the protection of air and water quality; and (4) scenic protection and as connections between major open space reservations. Projects which will provide outdoor recreation opportunities are encouraged; however, recreation use shall be incidental to the main project purpose of open space and resource conservation

36378. The total amount of the fund shall be allocated annually as follows: regional and local open space projects—40 percent; state open space projects—40 percent; contingency open space projects—20 percent.

36379. The portion of the fund designated for regional and local open space projects shall be allocated by the state annually to the ten planning districts of the state as adopted by the State Council on Intergovernmental Relations. The allocation to the districts shall be based on the proportion that the population of each district bears to the total population of the state, such allocation to be computed annually based on the Population Estimates for California Counties, Final Figures, published by the State Department of Finance However, the annual allocation to any district shall not be less than fifty thousand dollars ($50,000).

36380. Of the 20 percent of the fund reserved for contingency projects, one-half shall be available for distribution to districts for regional and local projects which are identified in a regional open space plan The allocation shall be distributed annually among districts in proportion to population as specified in Section 36379, and the annual allocation to any planning district may be increased by a maximum of 25 percent for such purposes. This additional allocation shall, however, only be made where there is in the district an officially-adopted regional open space plan and a five-year ongoing action program to implement the plan, including a realistic financial program

36381. In the event that one or more districts are not eligible to receive additional allocation specified in Section 36380, the unexpended funds shall be returned to the fund for allocation to contingency projects as specified in Section 36382.

36382 In those planning districts where there is a regional authority with powers to plan and acquire open space and, in addition, where there is an official regional open space plan and action program as specified in Section 36380, the state shall, upon request of the authority, transfer the annual fund allocation of that district to the authority for distribution to public jurisdictions within the district for open space purposes. Such distribution, however, shall conform to general open space project eligibility criteria established by the state.

36383 Where distribution of a district's allocation from the fund has been transferred to a regional open space authority as specified in Section 36382, costs incurred by the authority in administering the fund program shall be charged against the district's annual allocation from the fund Appropriate accounts of such costs shall be maintained and shall be subject to audit by the State Controller.

36384. The allocation of fund assistance to regional and local projects in districts which do not meet the requirements specified in Section 36380, shall be administered by the Secretary of the Resources Agency. The secretary shall establish and promulgate procedures and criteria for annually receiving, evaluating and approving open space project applications from regional and local jurisdictions. However, no local open space project shall be approved which is not included within an open space plan and action program adopted in accordance with Article 10 5 (commencing with Section 65560) of Chapter 3 of Title 7 of the Government Code.

36385. Costs incurred by the Secretary of the Resources Agency in administering the fund program shall be prorated against each district's annual allocation in the same proportion as the allocation of project funds.

36386. Fund assistance allocated to districts shall be available for eligible open space projects in the fiscal year in which the allocation is made, plus the following fiscal year. At the expiration of this time, funds which have not been committed to projects approved by the secretary or by a regional open space authority shall revert to the fund and shall be allocated by the state to districts for regional and local open space purposes as provided in Section 36379.

36387 The Secretary of the Resources Agency shall annually provide the Director of Finance with the number of regional and local open space projects approved under the fund program and the total amount committed to such projects

36388 The allocation of assistance from the fund to state agencies for open space projects shall be based on priorities established in the four year action program specified in subdivision (a) of Section 65056 of the Government Code The Director of Finance shall establish procedures for submission, and evaluation of such projects and for their inclusion in the open space budget statement specified in subdivision (a) of Section 65057 of the Government Code. The projects will therefore be approved as part of the annual state budget process. However, prior to inclusion of any project in the open space budget statement, the Director of the Office of Planning and Research shall certify that the project is in accord with the State Open Space and Resources Conservation Plan.

36389. Of the 20 percent of the fund reserved for contingency projects, one-half shall be available for distribution to state, regional and local agencies for up to 100 percent of the cost of projects which offer unique and high quality open space values The Director of Finance, in consultation with the Secretary of the Resources Agency, the Director of the Office of Planning and Research and the Policy Advisory Council on Open Space and Resource Conservation, shall establish procedures for submission and evaluation of such projects

36390. Open space projects to be funded under Section 63689 shall be included and acted upon as part of the open space budget statement specified in subdivision (a) of Section 65057 of the Government Code. However, cost of regional and local projects approved for such contingency funding shall not be chargeable against the annual allocation to the district in which they are located.

36391. In evaluating state, regional and local open space projects for funding under the provisions of Section 36389, consideration shall be given to the following factors: (1) the availability of other sources of funding for the project; (2) the degree to which the project has open space values which are of multi-county or regional significance; and (3) the expectation that the open space values may be lost due to urban expansion or incompatible use or development.

36392. Financial assistance provided under the fund program may be used by state agencies and regional and local jurisdictions for purposes of matching federal grants for open space purposes."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 261

With author's amendments with the recommendation: Amend, and refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 261—An act to amend Section 11655 9 of the Health and Safety Code, to amend Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, to amend and renumber Section 11655 7 of, and to repeal Section 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to amend, repeal, and add Section 11391 of, and to add Sections 11655.14 and 11655 15 to, the Health and Safety Code, and to amend, repeal, and add Section 5617 of the Welfare and Institutions Code, relating to narcotics

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 6, line 37, of the printed bill, strike out "establishd", and insert "established".

Amendment No. 2

On page 7, line 14, strike out "1155.13", and insert "11655 13".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 488
AB No. 665
AB No 1946

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 488—An act to add Article 2.3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4, line 29, of the printed bill, as amended in Assembly April 6, 1972, strike out "a threshold and may establish guidelines", and insert "minimum standards"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 665—An act to amend Sections 5779 and 5787 of the Education Code, relating to elementary school reading instruction programs.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 5787 of", and insert ", 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827, 12842, and 12848 of, to add Sections 5779.2, 5779 3, 5780.1, 5780.2, 12821, 12831, 12832, 12833, and 12848.5 to, and to repeal Sections 5779.1 and 12821 of,".

Amendment No. 2

In line 2 of the title, strike out "elementary school reading instruction", and insert "testing".

Amendment No. 3

On page 1, strike out lines 3 to 10, inclusive; on page 2, strike out lines 1 to 20, inclusive, and insert

"5779. The State Board of Education shall require that uniform tests be administered to each pupil not later than his third month of attendance in the first grade. The first grade entry level test shall obtain a composite estimate for each pupil of skills related to learning and memory, attention, visual perception, and auditory comprehension The answer sheets shall be transmitted to the Department of Education for scoring. If no published test is deemed suitable, the State Board of Education may combine parts of available tests or develop a new test.

The State Board of Education shall also require that uniform tests in reading be administered annually to pupils in grades two and three Such tests shall be recommended by the Department of Education and shall be submitted to the State Board of Education for approval and adoption. Any test so adopted shall be in national use and nationwide norms shall have been developed for such test. The tests which have been approved and adopted by the board shall be printed or purchased and distributed to the various school districts in the state by the Department of Education.

The State Board of Education shall determine the form in which the answer sheets for the first grade entry level test shall be transmitted to the Department of Education for scoring, and the form in which the results of the uniform tests in reading for grades two and three shall be reported to the Department of Education.

The State Board of Education shall analyze the progress achieved by third grade pupils using the first grade entry level test results as a basis for identifying comparable pupils receiving various kinds of reading instruction.

The State Board of Education shall adopt rules and regulations governing the time, place, and methods for administration of the testing program under this article."

Amendment No. 4

On page 2, strike out lines 36 to 40, inclusive; and on page 3, strike out line 1.

Amendment No. 5

On page 3, line 6, strike out "1969–1970", and insert "1972–1973"

Amendment No. 6

On page 3, line 7, after "submit", insert "answer sheets and".

Amendment No. 7

On page 3, lines 8 and 9, strike out "from the schools served by a specialist teacher".

Amendment No. 8

On page 3, line 10, after "SEC 2 ", insert "Section 5779.1 of the Education Code is repealed.

~~5779.1. The governing board of each school district, in conducting a testing program in the district pursuant to Section 5779 shall be allowed to conduct achievement reading tests at school district expense printed in the Initial Teaching Alphabet for those pupils who are accustomed to learning in that alphabet in lieu of the uniform tests prescribed by Section 5779.~~

SEC 3. Section 5779 2 is added to the Education Code, to read:

5779.2 Scores for individual pupils on the first grade entry level test shall not be used by school districts or teachers for individual diagnosis or placement or as a basis for any other decisions which would affect the pupil's elementary school experience. Scores from this test shall not in any manner be included on the pupil's cumulative school record

The State Board of Education shall determine which, if any, of the scores attained by pupils on the tests administered in grades two and three may be recorded on the pupil's cumulative school record.

SEC. 4 Section 5779 3 is added to the Education Code, to read·

5779 3 The State Board of Education shall direct each school district to report annually its methods used to assess pupil performance in reading during grades one, two, and three The Department of Education shall assist the school districts to improve their local programs of assessing pupil performance in reading.

SEC. 5 Section 5780 of the Education Code is amended to read:

5780 Commencing with the school year 1966–67, and in each year thereafter, a standardized reading achievement test, which shall be adopted by the State Board of Education and distributed to the various school districts, shall be administered to all third-grade pupils ~~completing the third grade~~ .

The scores of those pupils who have participated in a remedial program shall be maintained and treated separately.

From a study of the results of these tests in districts which conduct a basic reading program pursuant to this chapter, and the test results in districts which do not conduct such a program, the Superintendent of Public Instruction shall evaluate ~~the~~ basic reading ~~program provided by this chapter~~ *programs* , and he shall report his findings annually to the State Board of Education

The State Board of Education shall report its findings regarding the implementation of, and experience under, ~~the~~ basic reading ~~program provided by this chapter~~ *programs* , together with any recommendations for any adjustments in the program, to the Legislature at each regular session *This report and the report required pursuant to Section 12848 may be consolidated into a single annual report.*

SEC 6 Section 5780 1 is added to the Education Code, to read:

5780 1. Except for the first grade entry level test required by Section 5779, the State Board of Education may replace the grade specifi-

cation for the administration of specific tests pursuant to this article with a specification of age or time elapsed since the pupil entered school where such a specification is more consistent with patterns of school organization.

The Department of Education shall submit a report to the Joint Legislative Budget Committee explaining the reasons for replacing the grade specification. The report shall be submitted at least six months prior to any such change

SEC. 7. Section 5780.2 is added to the Education Code, to read:

5780.2. The State Board of Education shall develop a testing method that will obtain an accurate estimate of statewide performance, school district performance, and school performance of pupils in grades two and three.

Under such a testing method, the Department of Education shall annually administer a statewide test to all pupils in grades two and three. The department shall determine whether pupils in a given school shall be administered the entire test or whether the pupils shall be administered a portion of the test which will be representative of all the test objectives, goals, or categories of items on the entire test.

The procedure required by this section shall be implemented not later than the 1974–1975 school year.

SEC. 8. Section 5782 of the Education Code is amended to read:

5782. For the 1967–68 school year and school years thereafter, for any school district in which thirty percent (30%) or more of the first grade pupils received scores falling below the first quartile of scores established on a statewide basis for the ~~reading section of the reading achievement test given~~ *tests administered* during the preceding school year pursuant to ~~Article 3 (commencing with~~ Section 5779 ~~) of this chapter~~, the basic quota established pursuant to Section 5781 shall be increased by one specialist teacher for each 300 units of average daily attendance in grades 1, 2, and 3, and fractional part thereof, maintained by the district.

For the 1967–68 school year and school years thereafter any school district in which forty percent (40%) or more of the first grade pupils received scores falling below the first quartile of scores established on a statewide basis for the ~~reading section of the statewide achievement test given~~ *tests administered* during the preceding school year pursuant to ~~Chapter 9 (commencing with Section 12820) of Division 9~~ *Section 5779*, the basic quota established pursuant to Section 5781 shall be increased as ordered by the Department of Education following an investigation of the circumstances of the district.

SEC. 9."

Amendment No. 9

On page 3, line 25, strike out "grades 1", and insert "grades 2"

Amendment No. 10

On page 3, line 26, strike out "For such purposes, the", and strike out lines 27 and 28, and insert

"SEC. 10. Section 5792 of the Education Code is amended to read

5792. Allowances under this article shall be made by the Superintendent of Public Instruction in accordance with a system of priorities

that he shall by rule and regulation adopt, designed to carry out the intent and purpose of the Legislature stated in Section 5771.

The system shall be designed to give priority to districts in the following order.

(a) First, to insure that the districts participating in the program during the preceding ~~fiscal~~ *school* year, which continue to be eligible, will not be required to reduce programs below the level of the preceding year

(b) Second, to insure that applications for expansion of programs and applications for new programs in eligible ~~schools~~ be considered on a priority basis in terms of the percentage of pupils in ~~grades 2 and 3 in the school that, based upon test results in~~ grade 1 *who received scores which fell below the first quartile of scores established on a statewide basis for the tests* administered *during the preceding school year* pursuant to ~~Article 3 (commencing with~~ Section 5779 ~~)~~ ~~of this chapter, failed to progress at least one year for each year in school~~.

Allowances computed for a district that received only basic aid in the preceding fiscal year shall be reduced by one-half.

The Superintendent of Public Instruction shall make no allowances in any year in excess of the amount appropriated by the Legislature for the purposes of this chapter

SEC. 11 Section 8574 of the Education Code is amended to read:

8574 The governing board of any school district maintaining a high school shall adopt minimum academic standards for graduation from the high schools within its school district Such minimum academic standards shall include separate courses of study including, but not limited to, a course of study designed to prepare prospective students for admission to state colleges and the state university and for vocational training Such standards shall be made available to the public. ~~Such minimum academic standards shall be equal to or exceed the minimum academic standards prescribed by the State Board of Education pursuant to Section 8575 of this code.~~

SEC. 12 Section 8575 of the Education Code is amended to read:

8575 The State Board of Education shall, on or after July 1, 1970, prepare, and distribute to each school district maintaining a high school for its consideration, ~~model~~ *examples of* minimum academic standards for graduation *These examples shall be provided solely to assist each school district in the development of its own minimum academic standards for graduation* as required by Section 8574 ~~of this code~~.

Nothing in this section shall be construed to authorize or require the State Board of Education to adopt statewide minimum academic standards for graduation from high school

SEC. 13 Section 12821 of the Education Code is repealed

~~12821. The objectives of this chapter are:~~

~~(a) To afford a means and procedure for evaluating the effectiveness of the public schools as shown by the competence and progress of public school pupils in basic skills and content courses.~~

~~(b) To make such evaluations available to educational agencies and the public as a basis for the correction of deficiencies in, and the improvement of, all phases of the state educational system and as a basis for research.~~

~~(c) To afford to the Legislature facts from which it may determine the proper allocation and expenditure of public funds for public school education.~~

SEC. 14. Section 12821 is added to the Education Code, to read

12821. It is the intent of the Legislature in enacting this chapter to determine the effectiveness of school districts and schools in assisting pupils to master the fundamental educational skills towards which instruction is directed The program of statewide testing shall provide the public, the Legislature, and school districts evaluative information regarding the various levels of proficiency achieved by different groups of pupils of varying socioeconomic backgrounds, so that the Legislature and individual school districts may allocate educational resources in a manner to assure the maximum educational opportunity for all pupils. The program of statewide testing shall identify unusual success or failure and the factors which appear to be responsible, so that appropriate action may be taken at the district and state level to obtain the highest quality education for all public school pupils

SEC. 15. Section 12822 of the Education Code is amended to read:

12822. As used in this chapter:

(a) "Achievement test" means any standardized test which measures or attempts to measure the level of performance which a pupil has attained in one or more courses of study It shall include (1) tests in basic skills courses administered annually and (2) tests in content courses administered from time to time as designated by the State Board of Education.

(b) "Physical performance test" means any test which measures or attempts to measure the physical fitness of a pupil

(c) ~~"Scholastic aptitude test" means any standardized test which measures or attempts to measure the scholastic aptitude of a pupil~~

~~(d)~~ "Testing program" means the systematic achievement ~~and scholastic aptitude~~ testing of all pupils in grades 6 and 12, and the physical performance testing of all pupils in any three grades designated by the State Board of Education, required by this chapter in all schools within ~~a~~ *each* school district by means of tests designated by the State Board of Education.

~~(e)~~

(d) "Basic skills courses" means those subjects which involve, among other skills, memorization and mastery of specific functions, including but not limited to, reading, spelling, basic mathematics, and ~~grammar~~ *effectiveness of written expression*.

~~(f)~~

(e) "Content courses" means those subjects which require the integration of factual matter, logical analysis, the solution by the student of posed problems, and the communication of ideas, including, but not limited to, literature, history, advanced mathematics, and science.

SEC. 16. Section 12823 of the Education Code is amended to read:

12823. The State Board of Education shall:

(a) Require a testing program in all school districts.

(b) Designate the achievement, ~~scholastic aptitude,~~ and physical performance tests to be used during the ensuing school year

(e) Adopt regulations for the conduct and administration of the testing program.

SEC. 17 Section 12826 of the Education Code is amended to read:

12826 The governing board of a *each* school district shall report *on a school-by-school basis* to the Department of Education, pursuant to rules and regulations adopted by the State Board of Education, the ~~scores~~ *results* of the achievement ~~and scholastic aptitude~~ tests administered pursuant to this article.

The districtwide results of the testing program, but not the score or relative position of individual pupils, shall be reported to the governing board of the district at least once a year at a regularly scheduled meeting.

SEC. 18. Section 12827 of the Education Code is amended to read:

12827. During either the month of March, April, or May, the governing board of each school district maintaining any grade designated by the State Board of Education pursuant to subdivision ~~(d)~~ *(c)* of Section 12822 shall administer to each pupil in those grades the physical performance test designated by the State Board of Education. Each physically handicapped pupil and each pupil who is physically unable to take all of the physical performance test shall be given as much of the test as his condition will permit.

Upon request of the Department of Education, a school district shall submit to the department at least once every two years the results of its physical performance testing.

SEC. 19 Section 12831 is added to the Education Code, to read:

12831. The State Board of Education shall develop a testing method that will obtain an accurate estimate of statewide performance, school district performance, and school performance of pupils in grades six and 12.

Under such a testing method, the Department of Education shall annually administer a statewide test to all pupils in grades six and 12. The department shall determine whether pupils in a given school shall be administered the entire test or whether the pupils shall be administered a portion of the test which will be representative of all the test objectives, goals, or categories of items on the entire test.

The procedure required by this section shall be implemented not later than the 1974–1975 school year

SEC 20 Section 12832 is added to the Education Code, to read:

12832. The State Board of Education shall determine which, if any, of the results attained by pupils on the achievement tests administered in grades six and 12 may be recorded on the pupil's cumulative school record

SEC 21 Section 12833 is added to the Education Code, to read:

12833 The State Board of Education may replace the grade specification for the administration of specific tests pursuant to this article with a specification of age or time elapsed since the pupil entered school where such a specification is more consistent with patterns of school organization

The Department of Education shall submit a report to the Joint Legislative Budget Committee explaining the reasons for replacing the grade specification The report shall be submitted at least six months prior to any such change.

SEC. 22. Section 12842 of the Education Code is amended to read:

12842. In making reports to the Legislature pursuant to Section 12841, the board shall maintain the anonymity of all individual students involved; ~~as well as the participating school districts~~. The board may make analyses involving other factors, including, but not limited to, general categories of pedagogies in use, type of district organization, geographic area, socioeconomic data, size of school district, or other analytical items which may prove useful.

SEC. 23. Section 12848 of the Education Code is amended to read:

12848. The Department of Education shall prepare and submit an annual report to the Legislature, the State Board of Education, and to each school district in the state containing an analysis, on a district-by-district basis, of the results and test scores of the testing program in basic skills courses, including tests administered pursuant to the Miller-Unruh Basic Reading Act of 1965 (Chapter 5 8 (commencing with Section 5770) of Division 6). The report shall include; ~~but is not limited to, an analysis of the following operational factors having a substantive relationship to or bearing on such results.~~

~~(a) Maximum and minimum salary paid teachers.~~

~~(b) Average class size in grades 1 to 3, inclusive.~~

~~(c) Pupil-teacher ratio in grades 4 to 8, inclusive.~~

~~(d) Number of nonteaching certificated personnel per 100 full-time teachers.~~

~~(e) Total general fund tax rate and total general purpose tax rate.~~

~~(f) Assessed valuation per unit of average daily attendance.~~

~~(g) Percentage of minority enrollment.~~

~~(h) Index of family poverty, derived from dividing funds received under Title 1 of the Elementary and Secondary Education Act of 1965 (Public Law 89-10) by the average daily attendance in the district.~~

~~(i) Average scholastic ability.~~

~~(j) Average transitory factors as derived from dividing the average daily attendance of the district or selected schools by the total annual enrollment of the district.~~

~~(k) The rate of turnover of staff.~~

an analysis of the operational factors that appear to have a significant relationship to or bearing on the results The analysis may include, but need not be limited to, the following factors:

(a) Demographic characteristics.

(b) Financial characteristics.

(c) Pupil and parent characteristics.

(d) Instructional and staff characteristics.

(e) Specially funded programs.

School districts shall submit to the Department of Education whatever information the department deems necessary to carry out the provisions of this section.

SEC. 24. Section 12848.5 is added to the Education Code, to read:

12848 5. The report to the Legislature required by Section 12848 and the report to the Legislature required pursuant to Section 5780 may be consolidated into a single annual report.

SEC 25. There is hereby appropriated from the General Fund in the State Treasury the sum of one hundred seventy thousand dollars ($170,000) to the Department of Education, to be expended for purposes of the development of a baseline test to be given to all pupils in grade one under the provisions of Chapter 5 8 (commencing with Section 5770) of Division 6 of the Education Code and for research and analysis, scoring, and the purchase and distribution of test materials under the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6 of the Education Code) and the California School Testing Act of 1969 (Chapter 9 (commencing with Section 12820) of Division 9 of the Education Code)."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1946—An act to amend Section 29001 of the Education Code, relating to private education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 29001 of", and insert "Sections 29007, 29012, and 29013 of, to add Sections 29007.2 and 29014.5 to, and to repeal Section 29009 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 29007 of the Education Code is amended to read:

29007. Except as otherwise provided by law, no person, firm, association, partnership or corporation may issue, confer or award an academic or honorary "degree" or "title" (meaning any designation, mark, appellation, series of letters or words such as, but not limited to, associate, bachelor, master, doctor or fellow) which signifies, purports or is generally taken to signify satisfactory completion of the requirements of an academic, technological, or professional program of study beyond the secondary school level unless such person, firm, association, partnership or corporation meets the requirements of any one of the ~~three~~ *two* subdivisions of subdivision (a) of this section.

No person, firm, association, partnership or corporation may issue, confer, or award any "diploma" bearing the words diploma, certificate, transcript, document or other writing, other than the awarding of a "degree" title, representing that any person has completed any course of study beyond high school unless such person, firm, association, partnership or corporation meets the requirements of one of the subdivisions (b), (c), or (d) of this section or Section 29007.5.

(a) (1) A person, firm, association, partnership or corporation which at the time of the issuance of a "degree" has *full* accreditation of the institution, program, or specific course *of study* upon which the "degree" is based by a national or applicable regional accrediting agency

recognized by the United States Department of Health, Education, and Welfare, Office of Education, and provided further that the educational institution has filed with the Superintendent of Public Instruction an affidavit by the administrative head of the institution stating that the institution is so accredited.

(2) A person, firm, association, partnership or corporation approved by the Superintendent of Public Instruction to award or issue specified degrees. Such permission shall be granted by the Superintendent of Public Instruction for one year upon the initial approval and shall be granted *for* periods of three years upon each subsequent renewal. Application for such authorization shall be on forms furnished by the State Department of Education. The Superintendent of Public Instruction shall not approve an institution to issue degrees until it is determined, based on information submitted to him, that the ~~course of instruction~~ *institution* has the facilities ~~and the~~ *, financial resources, administrative capabilities,* faculty *, and other necessary and appropriate educational expertise and resources* to afford students and require of students the completion of a program of education which will prepare them for the attainment of a recognized professional, vocational, *technical,* or educational objective; and the curriculum is consistent in ~~content and~~ quality with curricula offered by established institutions that issue the appropriate degree upon the satisfactory completion thereof. For the purpose of this subdivision the Superintendent of Public Instruction may compare *the applicant institution* with the requirements and standards of an accrediting agency generally ~~accepted by~~ *applicable to* the class of institution concerned. This shall include the determination that the course for which the degree is granted achieves its professed or claimed objective for higher education The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the Superintendent of Public Instruction made pursuant to this subdivision.

~~(3) A corporation which has filed with the Superintendent of Public Instruction an affidavit by the president or other head of the corporation, stating that the corporation owns an interest in real or personal property or both real and personal property used exclusively for the purpose of education, of a fair market value of not less than fifty thousand dollars ($50,000). Such affidavit shall be accompanied by an appraisal by a state inheritance tax appraiser appointed for the county in which the institution is located, describing the real or personal property or both, and showing the value of the interest of the corporation therein to be at least fifty thousand dollars ($50,000). The value of the interest of the property required to be owned by the corporation for the purposes of this section shall be deemed to be the appraised value of the interest owned by the corporation less the unpaid balance on any note secured by a mortgage or deed of trust thereon or the unpaid balance on a contract of sale thereof. Such a corporation shall file a statement of "full disclosure" by recording with the county recorder, in the county in which the school operates, an affidavit describing the institutional objectives and proposed methods of achieving~~

~~them, the curriculum, instruction, faculty (with qualifications), physical facilities, administrative personnel, educational records, tuition and fee schedule, scholastic regulations, diplomas and degrees to be conferred, graduation requirements and financial stability. Certified copies of all statements and affidavits required to be filed by this section shall be forwarded by United States mail to the Department of Education within 48 hours after the filings are made with the county recorder. Filing pursuant to this section shall not be interpreted to mean, and it shall be unlawful for any corporation to expressly or impliedly represent by any means whatsoever, that the State of California, the Superintendent of Public Instruction, the State Board of Education, the California State Department of Education, or any division or bureau thereof, has made any evaluation, recognition, accreditation, approval, or endorsement of the course of study.~~

(b) A hospital licensed under the provisions of Division 2, Chapter 2 (commencing with Section 1400) of the Health and Safety Code, which issues diplomas in connection with the operation of a hospital.

(c) A person, firm, association, partnership or corporation which is accredited, approved, or licensed by a state board or agency as a school and which issues or confers diplomas in the profession, vocation or occupation controlled by the board or agency accrediting, approving, or licensing it; provided, that this subdivision shall not be construed as authorizing the issuing of a diploma which is not customarily granted for the training given and which is limited to the profession, vocation or occupation controlled by the accrediting, approving, or licensing board.

(d) A person, firm, association, partnership, or corporation which at the time of the issuance of a "diploma," as "diploma" is defined in Section 29001, has accreditation of the institution, program or specific course of study upon which the "diploma" is based by a national or applicable regional accrediting agency recognized by the United States Department of Health, Education, and Welfare, Office of Education; provided, that the educational institution has filed with the Superintendent of Public Instruction an affidavit by the administrative head of the institution stating that the course of study is so accredited.

SEC. 2. Section 29007.2 is added to the Education Code, to read:

29007.2. Those institutions which, on the effective date of the statutes enacted at the 1972 Regular Session of the Legislature, were operating under the provisions of subdivision (a)(3) of Section 29007 may continue to operate only until January 1, 1976. After such date, the institutions may continue to operate as such only if they have applied for approval by the Superintendent of Public Instruction under the provisions of Section 29007 as amended by the chapter adding this section. The Superintendent of Public Instruction shall approve or disapprove such institutions by January 1, 1978. After such date, only those institutions so approved may continue to operate.

SEC. 3. Section 29009 of the Education Code is repealed.

~~29009. Every corporation meeting the requirements of paragraph (3) of subdivision (a) of Section 29007, issuing or conferring degrees or honorary degrees, shall between the 1st and 31st days of January of each year, commencing on January 1, 1971, file with the Superintendent of Public Instruction the following affidavits:~~

~~(a) An affidavit by the president or other head setting forth the corporation's financial statement covering the full preceding year.~~

~~(b) An affidavit by the president or other head setting forth the following information covering the preceding calendar year:~~

~~(1) All names, whether real or fictitious, of the person, firm, association, partnership or corporation under which it has done and is doing business.~~

~~(2) The address, including city and street, of every place of doing business of the person, firm, association, partnership or corporation, within the State of California.~~

~~(3) The address, including city and street, of the location of the records of the person, firm, association, partnership or corporation, and the name and address, including city and street, of the custodian of such records.~~

~~(4) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership or corporation.~~

~~(5) That the records required by Section 29010 of this article are maintained at the address stated, and are true and accurate.~~

~~Any change in the items of information required to be included in the affidavit filed pursuant to subdivision (b) shall be reported to the Superintendent of Public Instruction within 20 days of such change.~~

SEC. 4. Section 29012 of the Education Code is amended to read:

29012. No person, firm, association, partnership or corporation may sell, barter, offer to sell or barter, or conspire to sell or barter, any diploma, *license, permit, charter,* or degree as defined in this article.

SEC. 5. Section 29013 of the Education Code is amended to read:

29013. No person, firm, association, partnership or corporation may buy, obtain by barter, attempt to buy or obtain by barter, or conspire to obtain by barter or buy, any diploma, *license, permit, charter,* or degree as defined in this article.

SEC. 6. Section 29014.5 is added to the Education Code, to read:

29014.5. No person, firm, association, partnership or corporation may use the term "university" as part of the name of the institution without the express permission of the Superintendent of Public Instruction unless such institution is accredited by the Western Regional Accreditation Agency.

SEC. 7. It is the intent of the Legislature in enacting this act that private institutions offering postsecondary education in this state be subject to fair and meaningful licensing and regulation in order that the people of this state may be assured that they are receiving educational programs of a quality commensurate with the financial consideration offered and that they and the proprietors of quality educational enterprises are protected against fraudulent and unscrupulous operators."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 144

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 144—An act to add Sections 23062 and 23753.5 to the Education Code, and to add Section 896.3 to the Military and Veterans Code, relating to tuition.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly February 29, 1972, strike out "add Sections 23062 and 23753 5 to the Education Code, and to add Section 896.3 to", and insert "amend Sections 890, 891, and 894 of, to add Sections 890.1, 896.3, and 896.4 to, and to repeal Section 896.1 of,".

Amendment No. 2

In line 3 of the title, after the comma, insert "and to amend Section 10652 of the Education Code,".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 890 of the Military and Veterans Code is amended to read.

890 As used in this article:

(a) "Veterans" means *(1)* any person who served in the Army, Navy, or Marine Corps of the United States and was killed in action or died as a result of war service in the World War since April 6, 1917, or *(2)* any member of the Army, Navy, Coast Guard or Marine Corps of the United States, or any of their auxiliaries who was killed in action in World War II on or after December 7, 1941, and prior to January 1, 1947, or who died at any time as a result of war service during such period, *or (3) any California serviceman who is declared missing in action, captured in the line of duty by hostile forces, or forcibly detained or interned in the line of duty by a foreign government or power,* or *(4)* any member of the armed forces of the United States who was killed in action during any period of hostilities in

which the United States is engaged, or who died or was totally disabled at any time as a result of active service during any such period or during the induction period.

(b) "Dependent of a veteran" means the natural or adopted child of a veteran, or stepchild of a veteran as defined by the U S Veterans Administration for compensation purposes, the unmarried widow of a veteran, or the wife of a totally disabled veteran.

(c) "Induction period" means (1) the period beginning September 16, 1940, and ending December 6, 1941, and the period beginning January 1, 1947, and ending June 26, 1950, and (2) the period beginning on February 1, 1955, and ending on the day before the first day thereafter on which individuals (other than individuals liable for induction by reason of a prior deferment) are no longer liable for induction for training and service into the armed forces under the Universal Military Training and Service Act.

SEC 2. Section 890.1 is added to the Military and Veterans Code, to read:

890 1 "California serviceman," as used in Section 890 means any person who, at the time of his or her induction or enlistment into the armed forces of the United States, was a resident of California.

SEC. 3. Section 891 of the Military and Veterans Code is amended to read:

891. A dependent of a veteran applying for aid under the provisions of this article shall be over 14 or shall have entered the ninth grade, and shall be a native of or shall have lived in this state for five of the nine years immediately preceding the date upon which the application is filed. Any dependent of a veteran, except a dependent widow of a veteran, who has attained eligibility, pursuant to this article while under 21 years of age may continue to receive the benefits of this article until the needed training is completed or until he attains the age of 27 years, whichever first occurs, except that a dependent who has honorably served in the armed forces of the United States may be granted an extension of training through age 30.

A dependent widow of a veteran shall be limited to not more than 48 months or the equivalent thereof in part-time training.

This section shall not apply to the dependent of a veteran (as "veteran" is defined in subdivision (a)(3) of Section 890).

SEC. 4. Section 894 of the Military and Veterans Code is amended to read:

894. For students of collegiate, junior college, business and trade school rank the amount expended by the department as an allowance for living expenses shall not exceed ~~fifty~~ ~~dollars~~ ~~($50)~~ *one hundred dollars ($100)* per month Dependents enrolled in the fifth year of any course requiring five years may be considered to be at the undergraduate level. For students of high school rank the amount shall not exceed ~~twenty~~ ~~dollars~~ ~~($20)~~ *forty dollars ($40)* per month, during the time the student is in actual attendance at a day school Absence during the month on account of illness shall be included as part of such attendance.

SEC. 5. Section 896.1 of the Military and Veterans Code is repealed.

~~896.1. No dependent of a veteran shall be eligible to receive the benefits of this article during the time that he is entitled to receive federal educational benefits under Chapter 35, Title 38, United States Code, as amended, or duplicate assistance from any other government source.~~

SEC. 6. Section 896.3 is added to the Military and Veterans Code, to read:

896.3. Upon application to the department by a dependent of a veteran (as "veteran" is defined by subdivision (a)(3) of Section 890), the department shall reimburse such person for the costs of tuition and fees incurred by such person at a public or private educational institution in the amount provided for in Section 895.

SEC. 7. Section 896.4 is added to the Education Code, to read:

896.4. Any person who is reimbursed by the department for tuition and fees or on whose account the department has paid tuition and fees, shall not at the same time be eligible for any other allowances provided for in this article if, at such time, such person is also receiving educational assistance under Chapter 35, Title 38, United States Code, as amended.

SEC. 8. Section 10652 of the Education Code is amended to read:

10652. No state-owned college, university, or other school shall charge any tuition, or incidental fees to any dependent receiving assistance under Article 2 (commencing with Section 890) of Chapter 4 of Division 4 of the California Military and Veterans Code or to any child of any veteran of the United States military service who has a service-connected disability, and whose annual income not including governmental compensation for such service-connected disability, does not exceed five thousand dollars ($5,000). Nothing contained in this section shall prevent the Regents of the University of California from charging to and collecting from nonresident students an admission fee and rate of tuition nor shall anything in this section prevent the charging and collecting of fees required of nonresident students admitted to schools under the jurisdiction of the Department of Education or the Director of Education or to a state college under the jurisdiction of the Trustees of the California State Colleges.

This section is not applicable to the dependent of a veteran as "veteran" is defined in subdivision (a) (3) of Section 890 of the Military and Veterans Code."

Amendment No. 4

On page 2, strike out lines 2 to 28, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1218

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1218—An act to add Section 13447.1 to the Education Code, relating to public school employees.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 2 to 7, inclusive, and insert "governing board may, for the purposes of securing sufficient representation of minority groups in the certificated employees of the district, exempt minority probationary certificated employees from the system of drawing lots, and may give preference in reemploying employees to minority probationary certificated employees.

SEC. 2. The Legislature finds that teachers of all ethnic and racial backgrounds are necessary for the proper education of the children in the public schools of California. It is the purpose of this act to provide the public schools of California with a sufficient number of teachers of all ethnic and racial backgrounds"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, April 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 2305

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, April 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 136
AB No. 318

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, April 20, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 40

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 40—Relative to the Joint Committee on Seismic Safety.

Held at Desk by order of the Speaker

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2341: By Assemblyman MacGillivray—An act to add Article 3.5 (commencing with Section 8574 1) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to the state oil spill contingency plan, and making an appropriation therefor.

Held at Desk by order of the Speaker.

Assembly Bill No. 2342: By Assemblyman Ralph—An act to amend Section 4104 of the Government Code, relating to contractors.

Held at Desk by order of the Speaker.

Assembly Bill No. 2343: By Assemblyman Ralph—An act to add Section 135 8 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 2344: By Assemblyman Thomas—An act to add Article 3 5 (commencing with Section 18660) to Chapter 2 of Division 8 of the Business and Professions Code, relating to roller derbies.

Held at Desk by order of the Speaker.

Assembly Bill No. 2345: By Assemblymen Mobley, Maddy, Monagan, Chappie, Duffy, Ketchum, LaCoste, Murphy, and Stacey—An act to authorize the assessment or reassessment of property in disaster areas, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker

Assembly Bill No. 2346: By Assemblymen Z'berg, Moretti, Warren, Bagley, Burton, Chacon, Cory, Deddeh, Dunlap, Fenton, Garcia, Hayden, Harvey Johnson, Keysor, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, and Wood (Senator Behr, coauthor)—An act to repeal Article 2 (commencing with Section 630)

of Chapter 2 of, and to add Article 2 (commencing with Section 630) to Chapter 2 of, Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of, and to add Chapter 8 (commencing with Section 4521) to Part 2 of, Division 4 of, and to add Article 2 5 (commencing with Section 650) to Chapter 2 of Division 1 of, the Public Resources Code, relating to forestry.

Held at Desk by order of the Speaker.

Assembly Joint Resolution No. 29: By Assemblyman Davis—Relative to a veterans hospital for northern California.

Held at Desk by order of the Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bill Greene:

House Resolution No. 41

Relative to employment tax incentives

Resolved by the Assembly of the State of California, That the Department of Human Resources Development, in cooperation with the Department of Industrial Relations, the Commission on Economic Development, the State Personnel Board, the Advisory Coordinating Council on Public Personnel Management, the California Advisory Council on Vocational Education and Technical Training, the Coordinating Council for Higher Education, and the Franchise Tax Board shall:

(a) Study the federal and state provisions respecting unemployment insurance taxes and personal and corporate income taxes, and state capabilities and the costs of institutional, on-the-job, and home-study occupational competency training programs, at both vocational and professional levels; and

(b) Recommend those statutory and administrative regulatory changes, both federal and state, needed, whereby employers are given an incentive, through the taxation system, for reducing the employability risk of persons with inadequate occupational competencies to become gainfully employed; and be it further

Resolved, That the Director of the Department of Human Resources Development, and the agencies cooperating in the employment tax incentive study, submit to the Legislature by January 1, 1973, interim findings and recommendations, based upon an interagency task force study and public hearings; and be it further

Resolved, That the Director of the Department of Human Resources Development report his final findings and recommendations to the Legislature by June 1, 1973; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of the Department of Human Resources Development, the Director of the Department of Industrial Relations, the Lieutenant Governor, the Chairman of the State Personnel Board, the Chairman of the Advisory Coordinating Council on Public Personnel Management, the Chairman of the California Advisory Council

on Vocational Education and Technical Training, the President of the Coordinating Council on Higher Education, and the Chairman of the Franchise Tax Board.

Resolution read, and referred by the Speaker to the Committee on Rules.

Hon. Willie L. Brown, Jr., Presiding

At 4:44 p.m., Hon. Willie L. Brown, Jr., 18th District, presiding.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Brown was granted unanimous consent that Assembly Bill No. 1360 and 2118 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Education.

ADJOURNMENT

At 4:45 p.m., Acting Speaker Brown declared the Assembly adjourned until 11 a.m., Monday, April 24, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-first Legislative Day

One Hundred Thirteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 24, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr. Hayden seconded the motion.
Motion carried. Time, 11:02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11:14 a.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—70.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Heavenly Father, Help us to avoid treating people as things to be used rather than persons to be known and loved. Help us to avoid seeking privacy at the expense of friendliness. Help us to avoid honor seeking, prestige, and self-gratification at the expense of charity and love. We owe nothing to ourselves except to more truly belong to others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Belotti then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr. Knox.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Lanterman, on request of Speaker pro Tempore Bee.
Mr Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Moretti, on request of Speaker pro Tempore Bee.
Mr. Waxman, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal.

April 20, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request that I be excused from the legislative session on Monday, April 24, through April 28, 1972, on legislative business.

I will be touring various installations and laboratories of nuclear power plants in Alabama, Tennessee and Florida, as Chairman of the Joint Committee on Atomic Development and Space.

Thank you for this consideration.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

April 21, 1972

Honorable Carlos Bee
Speaker pro Tempore of the Assembly
Room 3152, State Capitol, Sacramento, California

Dear Mr. Bee: This letter is to request that I be excused from Session Monday April 24, 1972, on legislative business.

I will be in San Diego conferring with various radio and television networks regarding the Legislature.

Sincerely,

BOB MORETTI
Speaker of the Assembly

April 20, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from legislative session on Monday, April 24, 1972, due to the fact that I will be presenting testimony before the Subcommittee on Census and Statistics of the House Post Office and Civil Service Committee, regarding the Federal Voter Registration Act.

Sincerely,

HENRY A. WAXMAN, Assemblyman
Sixty-first District

REPORTS

The following reports were presented by the Chief Clerk:

A Progress Report to the Legislature on Admissions and Enrollment Policies and Procedures. (In accordance with Assembly Bill 58, Chapter 1529, Stats. 1970.) April 1972.

Above transmitted report, together with letter of transmittal from Glenn S Dumke, Chancellor, the California State Colleges, Los Angeleles, dated April 19, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Triple Trailer Study in California, In Response to House Resolution 118, 1971. March 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, and H W. Sullivan, Commissioner, Department of California Highway Patrol, Sacramento, dated March 31, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

Review of the Need for Adopted Route 157 at its Present Location. (Requested by Assembly Concurrent Resolution No. 87, 1971.) March 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated April 3, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointment to Subcommittee on Consumer Affairs

April 21, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This will authorize adding Assemblyman Jack Fenton to the Subcommittee on Consumer Affairs of the Assembly Committee on Governmental Organization.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2341	Environmental Quality
2342	Commerce and Public Utilities
2343	Transportation
2344	Commerce and Public Utilities
2345	Revenue and Taxation
2346	Natural Resources and Conservation

Assembly Joint Resolution No.	*Committee*
29	Government Administration

Senate Bill No.	*Committee*
441	Education

Senate Concurrent Resolution No.	*Committee*
39	Rules
40	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2347: By Assemblyman Wood—An act to amend Sections 8507, 8515, 8552, 8569, 8570, 8571, 8624, 8635, 8636, 8638, 8639, 8641, 8642, 8644, 8648, 8652 and 8697 3 of, and to repeal Section 8654 of, the Business and Professions Code, relating to structural pest control.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 24, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 136—An act to add Section 17538.5 to the Business and Professions Code, relating to advertising;

Assembly Bill No. 318—An act to amend Section 4759 of the Fish and Game Code, relating to bears;

Assembly Bill No. 702—An act to add Article 10 (commencing with Section 72450) to Chapter 8 of Title 8 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2305—An act to amend Section 554 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 11 a m, April 24, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, April 24, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 614
AB No. 893

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, April 24, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 246

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 88	AB No. 452	AB No. 580
AB No. 125	AB No. 488	AB No. 654
AB No. 144		

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 63
ACA No. 85

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, April 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 183	AB No. 882	AB No 1388
AB No. 232	AB No. 900	AB No. 1418
AB No. 261	AB No. 1120	AB No. 1570
AB No. 319	AB No. 1140	AB No 1611
AB No. 366	AB No 1142	AB No. 1822
AB No. 384	AB No. 1172	AB No. 1859
AB No. 401	AB No 1175	AB No. 1939
AB No. 665	AB No. 1218	AB No 1953
AB No. 724	AB No 1292	AB No 1946
AB No. 777	AB No 1307	AB No 2066
AB No. 844	AB No. 1316	AB No. 2089

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 802

With amendments with the recommendation: Amend, and do pass, as amended.

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 423

AB No 1029

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, April 24, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 90

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, April 24, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 754

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent Calendar

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, April 21, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No 1206

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1206—An act to add Section 1420 1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "between the ages of 40 and 64", and insert "over the age of 40 years".

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 1400

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1400—An act to add Chapter 6 (commencing with Section 140) to Division 1 of, to add Part 1 (commencing with Section 6300) to Division 5 of, to repeal Part 1 (commencing with Section 140) of Division 5 of, and to repeal Part 1 (commencing with Section 6300) of Division 5 of, the Labor Code, relating to industrial safety.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Sections 53, 57, 7304, 7314, 7344, 7350, 7681, 7683, 7721, 7904, and 7906 of, to add Sections 55.1, 154, and 155 to".

Amendment No. 2

In line 2 of the title, after "6300)", insert "and Part 3.1 (commencing with Section 7400)".

Amendment No. 3

In line 3 of the title, after the comma, insert "to repeal Sections 79, 7682, 7722, 7723, and 7724 of,".

Amendment No. 3.5

In line 4 of the title, strike out "and".

Amendment No. 4

In line 5 of the title, after the second comma, insert "and to amend Section 830.3 of the Penal Code,".

Amendment No. 5

On page 1, strike out line 1, and insert

"SECTION 1. Section 53 of the Labor Code is amended to read:

53. Whenever in Section 1001 or in Part 1 *(commencing with Section 1100)* of Division 3 of Title 2 of the Government Code, "head of department," or similar designation occurs the same shall for purposes of this code mean the director, except that in respect to matters which by the express provisions of this code are committed to or retained

under jurisdiction of ~~the Division of Industrial Accidents,~~ the State Compensation Insurance Fund, the Industrial Safety Board, or the Industrial Welfare Commission such designation shall mean ~~the Division of Industrial Accidents, the Administrative Director of the Division of Industrial Accidents, the Workmen's Compensation Appeals Board,~~ the State Compensation Insurance Fund, the Industrial Safety Board, or the Industrial Welfare Commission as the case may be.

SEC. 2. Section 55 1 is added to the Labor Code, to read:

55.1. Notwithstanding other sections of this code, headquarters for the Department of Industrial Relations and for each of its divisions, except the State Compensation Insurance Fund, shall be in Sacramento This section shall be effective July 1, 1973.

SEC. 3. Section 57 of the Labor Code is amended to read:

57. ~~Except as otherwise expressly provided by law, each~~ *Each* division shall be in charge of a chief who shall be appointed by ~~and hold office at the pleasure of~~ the Governor and shall receive a salary fixed in accordance with law.

The chief of each division shall hold office and serve at the pleasure of the director unless otherwise expressly provided by law.

The person holding permanent civil service status as principal labor statistician shall be the Chief of the Division of Labor Statistics and Research, continuing to be subject to all the provisions of the State Civil Service Act.

SEC. 4. Section 79 of the Labor Code is repealed.

~~79. The headquarters of the Division of Labor Law Enforcement, hereafter in this chapter referred to as the division, shall be located in San Francisco.~~

SEC 5 Chapter 6 (commencing with Section".

Amendment No. 7

On page 1, line 3, strike out "SEC. 2.", and insert "SEC. 6."

Amendment No. 8

On page 3, line 27, after "by", insert "at least".

Amendment No. 9

On page 4, line 3, after "147 ", insert "(a) The board shall prepare a notice containing pertinent information regarding safety rules and regulations The notice shall contain the address and telephone number of the nearest division office; a clear explanation of an employee's right to report any unsafe working conditions; the right to request a safety inspection by the division for unsafe conditions; the right to refuse to work under conditions which endanger his life or health; posting and notice requirements of employers and the division or any other information the board deems necessary. It shall be supplied to employers as soon as practical The board shall promulgate regulations on the required location and number of notices by employers Sufficient posters in both English and Spanish shall be printed to supply all employers in this state.

(b) It shall be a misdemeanor punishable by a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000), or imprisonment in the county jail for not more than six months, for an employer to fail to post and maintain the notice supplied by the division pursuant to subdivision (a).

148. The board shall establish a procedure for certifying inspectors from other public agencies to inspect and issue permits for devices, machines, or rides to which Section 7304, 7344, 7681, or 7904 relates. The fee collected by such agency for inspections shall be deposited in a fund designated by the inspecting agency. Any matching funds provided for such inspections under the Occupational Safety and Health Act of 1970 (P.L. 91-596) shall accrue to the inspecting agency where permitted by law.

148.1. The board shall adopt a schedule of fees for safety inspections authorized by Sections 7304, 7344, 7681, and 7904 Such fees shall be paid by the person in charge or control of the facilities or premises being inspected and shall be based on actual costs of the inspection service and shall not exceed such costs

148.2. The board shall set a date for an annual statewide safety conference. The board shall prepare a suitable agenda with the assistance of an advisory committee. The advisory committee shall be appointed by the board and shall be composed of representatives of labor, management, the division and the public The safety conference shall be open to the public and shall be used to develop and improve programs for worker safety in this state and to permit introduction of new safety devices or concepts.

149."

Amendment No. 10

On page 4, between lines 6 and 7, insert

"SEC. 7. Section 154 is added to the Labor Code, to read:

154. The Division of Labor Statistics and Research shall provide the Division of Industrial Safety with quarterly reports of injuries, fatalities, and accidents rates for industries covered and any other pertinent information required by the Division of Industrial Safety.

SEC. 8. Section 155 is added to the Labor Code, to read:

155. An annual report containing statistics on California work injuries and occupational diseases and fatalities by industry classifications shall be completed and published by the Division of Labor Statistics and Research no later than the close of the first quarter of the following calendar year."

Amendment No. 11

On page 4, line 7, strike out "SEC 3.", and insert "SEC 9."

Amendment No. 12

On page 4, line 9, strike out "SEC. 4 ", and insert "SEC. 10 "

Amendment No. 13

On page 4, between lines 12 and 13, insert

"CHAPTER 1. JURISDICTION AND SAFETY STANDARDS".

Amendment No. 14

On page 4, between lines 17 and 18, insert

"6301.5. "Bureau" means the Bureau of Safety Investigation."

Amendment No. 15

On page 4, strike out lines 25 to 27, inclusive, and insert "Section 3300.

6304.5. It is the intent of the Legislature that the provisions of this division shall only be applicable to proceedings against employers brought pursuant to the provisions of Chapter 3 (commencing with Section 6500) and Chapter 4 (commencing with Section 6600) of Part 1 of this division for the exclusive purpose of maintaining and enforcing employee safety.

Neither this division nor any part of this division shall have any application to, nor be considered in, nor be admissible into, evidence in any personal injury or wrongful death action arising after the operative date of this section, except as between an employee and his own employer."

Amendment No. 16

On page 5, line 29, after "life", insert ", including the danger of exposure to potentially injurious levels of ionizing radiation or potentially injurious quantities of radioactive materials".

Amendment No. 17

On page 6, line 2, strike out "summarily".

Amendment No. 18

On page 6, line 2, after "same", insert "within a reasonable time".

Amendment No. 19

On page 6, line 6, strike out "resulting in", and insert "which has or have a substantial probability of causing".

Amendment No. 20

On page 6, line 6, after "injury", insert "as defined in Section 6326".

Amendment No. 21

On page 6, line 14, strike out "Section 6314, 6315, or 6316", and insert "this division".

Amendment No. 22

On page 6, strike out line 17, and insert

"(b) Any employer or authorized representative, who upon demand by the division".

Amendment No. 23

On page 6, line 20, strike out "upon demand by the division", and insert "which is reasonably related to the purpose of the investigation or inspection".

Amendment No. 24

On page 6, line 21, strike out "employees", and insert "representatives".

Amendment No. 25

On page 6, lines 23 and 24, strike out "of the division and employees authorized by him", and insert "and his authorized representatives".

Amendment No. 26

On page 6, between lines 30 and 31, insert

"(d) In the course of any investigation or inspection of an employer or place of employment by an authorized representative of the division, employees or employers, or their authorized representatives, shall have the right to accompany him on the tour of inspection. Any employee or employer, or their authorized representatives, shall have the right to discuss safety violations or safety problems with the inspector privately during the course of an investigation or inspection.

(e) No employer shall take punitive action against an employee who reports safety violations to the division inspector during an investigation or who reports hazardous working conditions or requests an investigation by the division.

(f) Any action against an employee for such actions described in subdivision (e) shall be punishable by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the county jail for not more than six months, or both. Such employee shall have the right of reinstatement, payment of lost wages and treble damages."

Amendment No. 27

On page 6, lines 32 and 33, strike out "Section 6314 or 6315", and insert "this part".

Amendment No. 28

On page 6, line 34, after "investigation", insert "or inspection".

Amendment No. 29

On page 7, line 1, strike out "a person", and insert "an employee".

Amendment No. 30

On page 7, line 2, strike out "Chapter 1"; and strike out line 3; and in line 4, strike out "6402", and insert "this part".

Amendment No. 31

On page 7, line 7, after "employer", insert "or employee".

Amendment No. 32

On page 7, strike out lines 21 to 33, inclusive, and insert

"(e) No citation or notice shall be issued by the division for a given violation or violations after six months have elapsed since the investigation or inspection. The exception shall be if an employer fails to comply with requirements of such a notice or citation in which case the six-month restriction on issuance shall start from the date of the last violation by an employer so cited.

6321. (a) Each notice, citation, order, or special order issued by the division shall be posted at or near the place of violation referred to in such notice, citation, order, or special order."

Amendment No. 33

On page 7, between lines 33 and 34, insert

"(b) A copy of each notice, citation, order or special order shall be supplied to the appropriate union representatives as soon as practical following the issuance of such notice, citation, order, or special order.

(c) A copy of any violations involving toxic substances shall be forwarded to the Department of Public Health in addition to other requirements for notification."

Amendment No. 34

On page 7, line 34, strike out "person", and insert "employee".

Amendment No. 35

On page 7, line 35, strike out "Chapter 1 (commencing"; and strike out line 36, and insert "this part or any order,".

Amendment No. 36

On page 8, line 2, strike out "of a serious nature", and insert "for a serious violation as defined in Section 6325,".

Amendment No. 37

On page 8, line 4, strike out "of a serious nature (", and insert "for a serious violation".

Amendment No. 38

On page 8, line 5, strike out "6325)", and insert "6325,".

Amendment No. 39

On page 8, line 7, strike out "a person", and insert "an employee".

Amendment No. 40

On page 8, line 13, strike out "person", and insert "employee".

Amendment No. 41

On page 8, line 17, strike out "person", and insert "employee".

Amendment No. 42

On page 8, line 21, strike out "person", and insert "employee".

Amendment No. 43

On page 8, line 27, strike out "a"; and strike out lines 28 to 30, inclusive, and insert "the Contractors License Law (Chapter 9 (commencing with Section 7000), Division 3, Business and Professions Code) issued a citation for repeat serious violations, shall have a copy of such citations forwarded to the Contractors' State License Board for review and appropriate action."

Amendment No. 44

On page 9, line 7, after "employment", insert "or if it is an accident involving a safety violation which seriously injures or causes the death of an employee".

Amendment No. 45

On page 9, line 23, after "injury", insert "or death".

Amendment No. 46

On page 9, line 32, after "body", insert "or any degree of permanent disfigurement".

Amendment No. 47

On page 9, line 37, after "immediately", insert "by the responding agency".

Amendment No. 48

On page 9, strike out lines 38 to 40, inclusive.

Amendment No. 49

On page 10, line 10, strike out "to 6328, inclusive," and insert "and 6328".

Amendment No. 50

On page 10, line 13, strike out "blanks", and insert "forms".

Amendment No. 51

On page 10, line 39, after "placed", insert a comma.

Amendment No. 52

On page 10, line 39, strike out "therein," and insert "therein and".

Amendment No. 53

On page 11, line 1, strike out "prominent", and insert "conspicuous".

Amendment No. 54

On page 11, line 27, strike out "warning", and insert "notice".

Amendment No. 55

On page 12, between lines 14 and 15, insert

"6340. The division shall prepare and maintain a record system which enables inspectors to rapidly determine within 24 hours of a request any previous violations by an employer Repeat violations shall be considered by the division personnel in assessing penalties or actions against an employer."

Amendment No. 56

On page 12, line 19, strike out "his employees", and insert "the employees therein".

Amendment No. 57

On page 13, lines 3 and 4, strike out "second offense under these sections", and insert "subsequent offense under Section 6400, 6401, or 6402".

Amendment No. 58

On page 13, line 7, after "probation", insert ", if any,".

Amendment No. 59

On page 14, between lines 30 and 31, insert

"CHAPTER 3 BUREAU OF SAFETY INVESTIGATIONS

6500. There shall be within the Division of Industrial Safety a Bureau of Safety Investigations The bureau will be responsible for directing all accident investigations and preparing cases for prosecution.

6501. (a) The commander of the bureau shall be the administrative chief of the bureau and shall be an attorney with experience in criminal law He shall serve as an ex officio member of the Industrial Safety Board.

(b) The bureau shall be staffed by as many investigators as are necessary to carry out the purposes of this chapter.

6502. The Commander of the Bureau of Safety Investigations and such investigators as are designated by him are peace officers for the purpose only of carrying out the duties of their employment. The authority of any such peace officer shall extend to any place in the state as to any public offense committed, or which there is reasonable cause to believe has been committed within this state which is a violation of any provision of Division 5 (commencing with Section 6300). Such authority shall further extend to violations of any penal provision of this code or the Penal Code which are discovered in the course of and arise in connection with the employment of such officers.

6503 Any investigator of the bureau shall have the authority as a peace officer to arrest, without a warrant, any person who, in his presence, has violated, or as to whom there is probable cause to believe has violated, any provision of Division 5 (commencing with Section 6300).

6504 In any case in which an arrest authorized by this chapter is made for an offense declared to be a misdemeanor, and the person arrested does not demand to be taken before a magistrate, the arresting investigator may issue a citation pursuant to the procedure prescribed by Chapter 5c (commencing with Section 853 6) of Title 3 of Part 2 of the Penal Code. The provisions of Chapter 5c shall thereafter apply with reference to any proceeding based upon the issuance of a citation pursuant to this authority

6505 There shall be no civil liability on the part of, and no cause of action shall arise against, any person acting pursuant to Section 6503 or 6504 and within the scope of his authority for false arrest or false imprisonment arising out of any arrest which is lawful or which the arresting investigator, at the time of such arrest, had reasonable cause to believe was lawful No such investigator shall be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

6506 The commander of the bureau and investigators may serve all processes and notices throughout the state."

Amendment No. 60

On page 16, after line 3, insert

CHAPTER 5 SAFETY INSPECTION REQUIREMENTS

6700 The division shall by January 1, 1973, develop a priority inspection system for high hazard employers or places of employment, as defined in subdivision (a) of Section 6701 Inspection of such employers or places of employment shall be made at least every three years

6701 (a) "High hazard employers" or "places of employment" mean any employer or place of employment where the accident rate per million man-hours worked is more than 10 percent above the state-

wide average for that industry or any employer required to pay rates 10 percent or more above his industry average under the California Experience Rating Bureau's workmen's compensation insurance plan.

(b) "High hazard industries" mean those industries exceeding the previous year's statewide average accident rate per million man-hours worked for all industries in the state

6702. Notwithstanding Section 6700, any employer convicted of gross negligence for safety violations shall be included in the division's priority inspection systems.

6703. All employers covered under division regulations shall be inspected at least once every five years, if their accident rate per million man-hours worked is higher than the statewide average for all industries for the three previous years.

6704. (a) A "permit of operation" shall be required of any contractor licensed under Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) before the actual work or construction may be started whenever a contract is awarded for fifty thousand dollars ($50,000) or more.

(b) A "permit of operation" means a permit granted to a contractor licensed under the Contractors License Law by the division upon its approval of the contractor's safety program for his employees and the adequacy and safety of the equipment to meet existing state safety standards.

(c) A contractor shall submit plans for a safety program and proof of necessary safety equipment to the division awarded a contract on a project of fifty thousand dollars ($50,000) or more.

(d) A "prejob safety conference" shall be held before a permit of operation is granted whenever a contract is awarded for a bid of one hundred thousand dollars ($100,000) or more.

(e) A "prejob safety conference" is a meeting between authorized division personnel and the contractor or his authorized representative to discuss the contractor's safety program and equipment. When a contract is amended by a public agency, authorized representatives of such agency shall be included in the conference.

6705. In preparing bids for any public project the public agency awarding the contract shall include separate specification of safety equipment costs and the cost of safety programs for the work No bid submitted shall be considered unless it contains adequate safety program cost estimates for the project.

6706. (a) Failure to operate within an approved safety program or to provide safety equipment indicated to the division in order to obtain a permit of operation shall be a misdemeanor punishable by a fine of not more than one thousand dollars ($1,000) or six months in the county jail, or both.

(b) If an employee suffers serious injury or death in an accident while the employer is in violation of a subdivision (a) of Section 6705, the employer is guilty of a felony punishable by a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) or imprisonment in the state prison for not more than five years, or both.

CHAPTER 6. EDUCATION AND RESEARCH

6750 The division shall maintain an education and research unit which shall be responsible for the training of new inspectors and increasing the expertise of existing inspectors, in addition to conducting a safety education program The unit's activities shall include:

(a) Responsibility for preparation and distribution of safety materials, providing speakers for safety programs, and assisting the board in programs required under Section 147. Outside consultants may be used for development of safety materials, including films, speeches, tapes or educational programs whenever the division or the board deems it necessary.

(b) Within guidelines approved by the division chief and the board, development of an in-service training program for all new and existing safety inspectors.

6751. The board shall review activities of the education and research unit annually to assure a coordinated program is being carried out

6752. The board shall review and recommend an annual budget for the division, including an education and research budget for in-service training, as well as one for the preparation, publication and distribution of an adequate supply safety materials.

6753 The director shall negotiate with the Department of Public Health for investigatory services in the field of industrial hygiene and preventive medicine. These services shall include but need not be limited to identification, evaluation and methods of controlling health hazards created by toxic materials or harmful physical agents.

6754 The Department of Public Health shall have the same rights of access and powers to investigate as authorized members of the division in carrying duties of the contract.

6755. The Department of Public Health shall be responsible for establishment of standards which will control problems of occupational illness or fatalities created by exposure to toxic substances or harmful physical agents and the division shall enforce such established standards.

6756. A contract detailing the responsibilities of the division and of the Department of Public Health as described in Sections 6707, 6708, and 6709 shall be implemented as soon as possible, but no later than July 1, 1973. The contract shall be renewable annually but may be amended at the request of either party

SEC 11 Section 7304 of the Labor Code is amended to read:

7304 ~~The division shall cause all elevators to be inspected at least once each year. If an elevator is found upon inspection to be in a safe condition for operation, a permit for operation for not longer than one year shall be issued by the division.~~ *The board shall fix the inspection frequency of elevators to be inspected by the division accordingly. Elevators found upon inspection to be in safe operating conditions shall be issued a permit not to exceed the inspection frequency period set by the board.*

SEC. 12. Section 7314 of the Labor Code is amended to read:

7314. The division may ~~fix and~~ collect ~~such~~ fees for the inspection of elevators ~~as it deems necessary, but the charge for the first inspection of each new elevator installation shall not exceed thirty-five dollars ($35) or twenty dollars ($20) for each inspection of existing elevators or subsequent inspections of new elevator installations. No charge shall be made in any one year for more than one inspection except where safety orders have not been complied with and subsequent inspections are necessary. An additional fee not to exceed twenty dollars ($20) may, in the discretion of the division, be charged, for not more than one subsequent inspection annually~~ *in accordance with a schedule adopted by the board. Fee collections shall be limited to one for each inspection period except where violations of the safety orders are found A fee shall be charged for each inspection necessary to assure an elevator or elevators are in safe operating conditions.*

SEC. 13. Section 7344 of the Labor Code is amended to read:

7344. The ~~division shall cause all aerial passenger tramways to be inspected at least once each year. If an aerial passenger tramway is found upon inspection to be in a safe condition for operation, a permit for operation for not longer than one year shall be issued by the division.~~ *board shall fix the inspection schedule of all aerial passenger tramways and shall cause all aerial passenger tramways to be inspected. A permit for operation shall be issued for the period established by the board when it is determined to be in safe operating condition.*

SEC. 14. Section 7350 of the Labor Code is amended to read:

7350. The ~~division may fix and collect such fees for the inspection of aerial passenger tramways as it deems necessary, but the charge for each inspection shall not exceed fifty dollars ($50) for the first inspection of each new aerial passenger tramway installation and twenty-five dollars ($25) for the re-inspection of existing equipment and subsequent inspections of new equipment. No charge shall be made in any one year for more than one inspection except where safety orders have not been complied with and subsequent inspections are necessary. Then an additional fee not to exceed twenty-five dollars ($25) may, in the discretion of the division, be charged for not more than one subsequent inspection annually.~~ *board may fix and adopt a schedule for the inspection of aerial passenger tramways Collection of fees shall be by the division and limited to one fee for the permit period determined by the board when a tramway is determined to be in safe operating condition. Whenever an aerial passenger tramway is determined to be unsafe the division shall collect fees for each inspection necessary to assure it is in safe operating condition.*

SEC. 15. Part 3.1 (commencing with Section 7400) is added to Division 5 of the Labor Code, to read:

PART 3.1. MISCELLANEOUS SAFETY PROVISIONS

7400. (a) Any employer who causes or allows the use of any inflammable or combustible material for the installation acceptance pressure test of any gas houseline or piping shall be conclusively presumed to be maintaining an unsafe place of employment.

(b) Any employer who causes or allows gas pipelines to be tested with gas at pressures in excess of that permitted by applicable sections of the American Society of Mechanical Engineers Code for Pressure Piping shall be conclusively presumed to be maintaining an unsafe place of employment.

7401. It shall be the duty of the division to determine by the maximum allowable standards of emissions of contaminants from portable and from mobile internal combustion engines used inside factories, manufacturing plants, warehouses, buildings and other enclosed structures, which standards are compatible with the safety of employees.

The standards shall be developed after the division has held public hearings and afforded an opportunity for all interested persons to appear and file statements or be heard The division shall publish such notice of the hearings as it determines to be reasonably necessary.

The division after notice and hearing may revise the standards, and shall publish the revised standards, from time to time.

7402 All portable and all mobile internal combustion engines that are used inside factories, manufacturing plants, warehouses, buildings and other enclosed structures shall be equipped with a certified exhaust purifier device after the certification of such a device by the State Air Resources Board.

The Division of Industrial Safety shall be responsible for the enforcement of the provisions of this section.

7403. Sections 7402 and 7403 shall apply to all portable and all mobile internal combustion engines used inside factories, manufacturing plants, warehouses, buildings and other enclosed structures unless the operation of such an engine used inside a particular factory, plant, warehouse, building or enclosed structure does not result in harmful exposure to concentrations of dangerous gases or fumes in excess of maximum acceptable concentrations as determined by the division

7404 All crawler and wheel cranes with cable-controlled booms and with rated lifting capacity of more than 10 tons sold or operated in this state shall be equipped with boomstops that meet standards that shall be established therefor by the division.

SEC 16 Section 7681 of the Labor Code is amended to read:

7681. The ~~division~~ *board* shall ~~inspect or cause to be inspected each installed tank at least every five years~~ *fix the frequency of inspection for installed tanks and boilers of various types, sizes and services, and the division shall inspect or cause to be inspected each installed tank and boilers*.

SEC 17 Section 7682 of the Labor Code is repealed

~~7682. The division shall inspect or cause to be inspected each installed fired boiler internally and externally at least every year, except that the division may grant extensions to permit the interval between internal inspections to be increased to a maximum interval of twenty-four (24) months where operating experience and design of the boiler has demonstrated to the satisfaction of the division that equivalent safety will be maintained.~~

~~For other classes of boilers, the division shall establish internal inspection intervals which will insure the safety of people working in the vicinity of the boiler. In determining such intervals the division shall consider such factors as the design and construction of the boilers and the conditions under which they operate.~~

~~External inspection shall be made of all boilers at the time of the internal inspection and at such other intervals as are deemed necessary by the division acting through qualified safety engineers and certified inspectors.~~

SEC. 18 Section 7683 of the Labor Code is amended to read:

7683. If a tank or boiler is found to be in a safe condition for operation, a permit shall be issued by *or in behalf of* the division for its ~~operation.~~

~~In the case of a tank, the permit shall continue in effect for not longer than three years.~~

~~In the case of a boiler, the permit shall continue in effect for not longer than one year~~ *operation. Permits shall be effective for no longer than the permit limits established by the board.*

SEC. 19. Section 7721 of the Labor Code is amended to read:

7721. The division ~~may, by general safety order, fix and collect fees for the shop operation of tanks. Said fees shall be fixed in accordance with the size of the tank, the time required to make the inspection and the quantities so inspected. Such fees shall not in any event exceed the following amounts:~~

~~(a) For one small tank—eight dollars ($8).~~

~~(b) For small tanks in lots of two or more, per hour—eight dollars ($8), or per tank—seventy cents ($0.70) whichever is greater.~~

~~(c) Large tanks, per hour—eight dollars ($8).~~

shall, in accordance with a fee schedule set by the board, collect fees for the shop, field and resale inspection of tanks and boilers.

SEC. 20. Section 7722 of the Labor Code is repealed.

~~7722. The division may, by general safety order, fix and collect fees for the field inspection of tanks. Such fees shall not exceed the following amounts:~~

~~(a) Small tanks, each—eight dollars ($8).~~

~~(b) Large tanks, per hour—eight dollars ($8).~~

SEC 21. Section 7723 of the Labor Code is repealed

~~7723. The division may, by general safety order, fix and collect fees for the field and/or shop inspection of boilers. Such fees shall not, in any event, exceed the following amounts:~~

~~(a) For boilers 20 inches or less in diameter, or less than 3 horsepower.~~

~~(1) External inspection, six dollars ($6).~~

~~(2) Internal inspection, eight dollars ($8).~~

~~(b) For fire tube boilers over 20 inches in diameter.~~

~~(1) External inspection, eight dollars ($8).~~

~~(2) Internal inspection, fifteen dollars ($15).~~

~~(c) For water tube boilers over 20 inches in diameter.~~

~~(1) External inspection, eight dollars ($8).~~

~~(2) Internal inspection, twenty-five dollars ($25).~~

SEC. 22. Section 7724 of the Labor Code is repealed.

~~7724. The division may, by general safety order, fix and collect fees for the resale inspection of boilers and tanks. Such fees shall not exceed eight dollars ($8) per hour.~~

SEC. 23. Section 7904 is amended to read:

7904. The division shall ~~determine a schedule of inspection and permit fees, which fees shall not exceed twelve dollars ($12) per hour of actual inspection time. No fees shall be charged public agencies.~~ *, according to a fee and inspection schedule set by the board, inspect amusement rides and collect fees for a permit not to exceed the period set by the board Whenever an amusement ride is found to be unsafe additional fees shall be charged for each inspection until it is safe for operation.*

SEC. 24. Section 7906 of the Labor Code is amended to read:

7906. No person shall operate an amusement ride without a permit issued by the division or ~~a public entity. On or before March 1 of each year an operator shall apply for a permit to the division or a public entity on a form furnished by the division and containing such information as the division may require~~ *an approved inspector, as described in subdivision (b) of Section 148 from another public entity*. All amusement rides shall be inspected before they are originally put into operation for the public's use ~~and thereafter at least once every year, unless authorized to operate on a temporary permit~~. Amusement rides may also be inspected each time they are disassembled and reassembled.

SEC. 25. Section 830 3 of the Penal Code is amended to read:

830 3. (a) The Deputy Director and the Assistant Director of the Department of Justice, the Chief, Assistant Chief, and special agents of the Bureau of Criminal Identification and Investigation, the Chief, Assistant Chief, and narcotics agents of the Bureau of Narcotic Enforcement, and such investigators who are so designated by the Attorney General, are peace officers.

The authority of any such peace officer extends to any place in the state as to a public offense committed or which there is probable cause to believe has been committed within the state.

(b) Any inspector or investigator regularly employed and paid as such in the office of a district attorney is a peace officer

The authority of any such peace officer extends to any place in the state:

(1) As to any public offense committed, or which there is probable cause to believe has been committed, within the county which employs him; or

(2) Where he has the prior consent of the chief of police, or person authorized by him to give such consent, if the place is within a city or of the sheriff, or person authorized by him to give such consent, if the place is within a county; or

(3) As to any public offense committed or which there is probable cause to believe has been committed in his presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense.

(c) The Director of the Department of Alcoholic Beverage Control and persons employed by such department for the enforcement of the

provisions of Division 9 (commencing with Section 23000) of the Business and Professions Code are peace officers; provided, that the primary duty of any such peace officer shall be the enforcement of the laws relating to alcoholic beverages, as that duty is set forth in Section 25755 of the Business and Professions Code Any such peace officer is further authorized to enforce any penal provision of law while, in the course of his employment, he is in, on, or about any premises licensed pursuant to the Alcoholic Beverage Control Act

(d) The Chief and investigators of the Division of Investigation of the Department of Consumer Affairs are peace officers; provided, that the primary duty of any such peace officer shall be the enforcement of the law as that duty is set forth in Section 160 of the Business and Professions Code.

(e) Members of the Wildlife Protection Branch of the Department of Fish and Game deputized pursuant to Section 856 of the Fish and Game Code, deputies appointed pursuant to Section 851 of such code, and county fish and game wardens appointed pursuant to Section 875 of such code are peace officers; provided, that the primary duty of deputized members of the Wildlife Protection Branch, and the exclusive duty, except as provided in Section 1509 7 of the Military and Veterans Code, of any other peace officer listed in this subdivision, shall be the enforcement of the provisions of the Fish and Game Code, as such duties are set forth in Sections 856, 851 and 878, respectively, of such code.

(f) The State Forester and such employees or classes of employees of the Division of Forestry of the Department of Conservation and voluntary fire wardens as are designated by him pursuant to Section 4156 of the Public Resources Code are peace officers; provided, that the primary duty of any such peace officer shall be the enforcement of the law as that duty is set forth in Section 4156 of such code.

(g) Officers and employees of the Department of Motor Vehicles designated in Section 1655 of the Vehicle Code are peace officers, provided, that the primary duty of any such peace officer shall be the enforcement of the law as that duty is set forth in Section 1655 of such code.

(h) The secretary, chief investigator, and racetrack investigators of the California Horse Racing Board are peace officers, provided, that the primary duty of any such peace officer shall be the enforcement of the provisions of Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code and Chapter 10 (commencing with Section 330) of Title 9 of Part 1 of the Penal Code. Any such peace officer is further authorized to enforce any penal provision of law while, in the course of his employment, he is in, on, or about any horseracing enclosure licensed pursuant to the Horse Racing Law.

(i) Police officers of a regional park district, appointed or employed pursuant to Section 5561 of the Public Resources Code, and officers and employees of the Department of Parks and Recreation designated by the director pursuant to Section 5008 of such code are peace officers; provided, that the primary duty of any such peace officer shall be the enforcement of the law as such duties are set forth in Sections 5561 and 5008, respectively, of such code.

(j) Policemen of the San Francisco Port Authority are peace officers, provided, that the primary duty of any such peace officer shall be the enforcement of the laws relating to the San Francisco Harbor, as that duty is set forth in Part 1 (commencing with Section 1690) of Division 6 of the Harbors and Navigation Code.

(k) The State Fire Marshal and assistant or deputy state fire marshals appointed pursuant to Section 13103 of the Health and Safety Code are peace officers; provided that the primary duty of any such peace officer shall be the enforcement of the law as that duty is set forth in Section 13104 of such code.

(*l*) Members of an arson-investigating unit, regularly employed and paid as such, of a fire protection agency of the state, of a county, city, or district, and members of a fire department of a local agency regularly paid and employed as such, are peace officers; provided, that the primary duty of arson investigators shall be the detection and apprehension of persons who have violated or who are suspected of having violated any fire law, and the exclusive duty, except as provided in Section 1509.7 of the Military and Veterans Code, of fire department members other than arson investigators when acting as peace officers shall be the enforcement of laws relating to fire prevention and fire suppression. Notwithstanding the provisions of Section 171c, 171d, 12027, or 12031, members of fire departments other than arson investigators are not peace officers for purposes of such sections except when designated as peace officers for such purposes by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution.

(m) The Chief and such inspectors of the Bureau of Food and Drug Inspections as are designated by him pursuant to subdivision (a) of Section 216 of the Health and Safety Code are peace officers; provided, that the exclusive duty of any such peace officer shall be the enforcement of the law as that duty is set forth in Section 216 of such code.

(n) Persons designated by a local agency as park rangers, and regularly employed and paid as such, are peace officers; provided, that the primary duty of any such peace officer shall be the protection of park property and preservation of the peace therein. Notwithstanding the provisions of Section 171c, 171d, 12027, or 12031, such park rangers are not peace officers for purposes of such sections except when designated as peace officers for such purposes by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution.

(o) Members of a community college police department appointed pursuant to Section 25429 of the Education Code are peace officers; provided that the primary duty of any such peace officer shall be the enforcement of the law as prescribed in Section 25429 of the Education Code.

(p) All investigators of the Division of Labor Law Enforcement, as designated by the Labor Commissioner, are peace officers, provided that the primary duty of any such peace officer shall be enforcement of the law as prescribed in Section 95 of the Labor Code *The Commander of the Bureau of Investigations of the Division of Industrial Safety and such investigators as are designated by him pursuant to Sections 6501 and 6502 of the Labor Code are peace officers; provided,*

that the exclusive duty of any such peace officer shall be the enforcement of the law as that duty is set forth in Division 5 (commencing with Section 6300) of the Labor Code.

(q) The authority of any peace officer listed in subdivisions (c) through (p), inclusive, extends to any place in the state; provided, that except as otherwise provided in this section, Section 830 6, or Section 1509.7 of the Military and Veterans Code, any such peace officer shall be deemed a peace officer only for purposes of his primary duty, and shall not act as a peace officer in enforcing any other law except:

(1) When in pursuit of any offender or suspected offender; or

(2) To make arrests for crimes committed, or which there is probable cause to believe have been committed, in his presence while he is in the course of his employment; or

(3) When, while in uniform, such officer is requested, as a peace officer, to render such assistance as is appropriate under the circumstances to the person making such request, or to act upon his complaint, in the event that no peace officer otherwise authorized to act in such circumstances is apparently and immediately available and capable of rendering such assistance or taking such action

SEC. 26. This act shall be known and may be cited as the Industrial Safety Act of 1972."

Set No. 2

Amendment No. 1

In line 4 of the heading of the printed bill, strike out "Assemblyman Moretti", and insert "Assemblymen Moretti, Brown, Burton, Deddeh, Harvey Johnson, Knox, McAlister, McCarthy, Pierson, Quimby, Ralph, Sieroty, Thomas, Warren, Waxman, Porter, MacDonald, Chacon, and Wilson. (Coauthors: Senators Alquist, Gregorio, Nejedly, and Zenovich)".

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1825

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1825—An act to add Sections 3212 8, 4816, 4816 1, 4816.2, 4816.3, and 4816.4 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, after line 14, insert

"SEC 7 Notwithstanding any other provision of law, the amendments to Sections 3212, 3212.5, and 3212 6 of the Labor Code enacted by Chapter 562 of the Statutes of 1971 shall apply to any inspector or investigator in a district attorney's office of any county who had an appeal pending before the Workmen's Compensation Appeals Board or any court of this state on August 3, 1971 "

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports

AB No 568

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 568—An act to add Section 25508 1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 1, line 6, of the printed bill, after "company", insert "having 100 or more members, elected officers, and which was in existence prior to January 1, 1970".

Amendment No. 2

On page 2, line 2, after "company", insert "described in subdivision (a)".

Amendment No. 3

On page 2, between lines 9 and 10, insert

"(c) A cooperative wholesale grocery company described in subdivision (a) shall not sell alcoholic beverages to on-sale licensees."

Amendment No. 4

On page 2, line 10, strike out "(c)", and insert "(d)".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 20, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 200
AB No. 227

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 200—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528.2 of the Business and Professions Code, relating to the California coastal zone, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 26, between lines 17 and 18, of the printed bill, as amended in Assembly April 6, 1972, insert

"(e) Any development on land to which the title is held by a harbor district as of May 1, 1972, where the water area of the harbor district's port is subject to the jurisdiction and control of the United States by reservation in a deed or written agreement, and its port facilities, or any portion thereof, are constructed through proceeds of general obligation bonds issued by the district.

(f) Any development in a redevelopment project lying entirely within 1,000 yards of the mean high tide line for which a redevelopment plan has received approval pursuant to Section 33367 of the Health and Safety Code; a contract or contracts have been executed for the development of 75 percent or more of the total land area to be conveyed for private or public development, and a public corporation has issued bonds in the amount exceeding ten million dollars ($10,000,000) in accordance with the provisions of the Parking Law of 1949 (Part 2 (commencing with Section 32500) of Division 18 of the Streets and Highways Code) for the construction of any portion of any such development (which have all been sold on or before January 1, 1972), and the municipality is obligated to provide funds for the retirement of such bonds; provided, however, that any redevelopment agency eligible under this provision shall provide the appropriate regional commission with both of the following.

(1) Documentation setting forth the facts which give rise to the exemption granted by this section.

(2) A specific site development plan which shall illustrate the nature of the projected development, consistent with the contract or contracts executed for 75 percent or more of the project land area and with the adopted redevelopment plan required by Section 33367 of the Health and Safety Code.

No substantial changes shall be made in any such redevelopment project pursuant to this subdivision, except in accordance with the provisions of this division."

Set No. 2

Amendment No. 1

On page 8, between lines 31 and 32, of the printed bill, as amended in Assembly April 6, 1972, insert

"(2) One city councilman from a city which lies, in whole or in part, within the permit area or one county supervisor from a district which lies, in whole or in part, within such permit area, selected by two-thirds vote of the total membership of the regional commission selected or appointed pursuant to paragraphs (1) and (3) of this subdivision."

Amendment No. 2

On page 8, line 32, strike out "(2)", and insert "(3)".

Amendment No. 3

On page 9, between lines 8 and 9, insert

"(4) One city councilman from a city which lies, in whole or in part, within the permit area or one county supervisor from a district which lies, in whole or in part, within such permit area, selected by two-thirds vote of the total membership of the regional commission selected or appointed pursuant to paragraphs (1), (2), (3), and (5) of this subdivision."

Amendment No. 4

On page 9, line 9, strike out "(4)", and insert "(5)".

Amendment No. 5

On page 9, between lines 24 and 25, insert

"(4) One city councilman from a city which lies, in whole or in part, within the permit area or one county supervisor from a district which lies, in whole or in part, within such permit area, selected by two-thirds vote of the total membership of the regional commission selected or appointed pursuant to paragraphs (1), (2), (3), and (5) of this subdivision."

Amendment No. 6

On page 9, line 25, strike out "(4)", and insert "(5)".

Amendment No. 7

On page 9, between lines 36 and 37, insert

"(2) One city councilman from a city which lies, in whole or in part, within the permit area or one county supervisor from a district which lies, in whole or in part, within such permit area, selected by two-thirds vote of the total membership of the regional commission selected or appointed pursuant to paragraphs (1) and (3) of this subdivision."

Amendment No. 8

On page 9, line 37, strike out "(2)", and insert "(3)".

Amendment No. 9

On page 10, between lines 16 and 17, insert

"(6) One city councilman from a city which lies, in whole or in part, within the permit area or one county supervisor from a district which lies, in whole or in part, within such permit area, selected by two-thirds vote of the total membership of the regional commission selected or appointed pursuant to paragraphs (1), (2), (3), (4), (5), and (7) of this subdivision."

Amendment No. 10

On page 10, line 17, strike out "(6)", and insert "(7)".

Amendment No. 11

On page 10, between lines 34 and 35, insert

"(4) One city councilman from a city which lies, in whole or in part, within the permit area or one county supervisor from a district which lies, in whole or in part, within such permit area, selected by two-thirds vote of the total membership of the regional commission selected or appointed pursuant to paragraphs (1), (2), (3), and (5) of this subdivision."

Amendment No. 12

On page 10, line 35, strike out "(4)", and insert "(5)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 227—An act to add Section 11056.1 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly April 3, 1972, strike out "immediate".

Amendment No. 2

On page 2, line 3, strike out "immediate".

Amendment No. 3

On page 2, strike out lines 5 to 7, inclusive, and insert "factors or".

Amendment No. 4

On page 2, line 14, strike out "immediate".

Amendment No. 5

On page 2, line 20, strike out "initial".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1377

With author's amendments with the recommendation: Amend, and refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1377—An act to amend Sections 56003 2, 56275, 56440, 56441, 56442, and 56443 of, and to add Section 56006.1 to, and to repeal Section 56072.1 of, the Government Code, relating to districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "56003.2", and insert "56003 1, 56003.2, 56080".

Amendment No. 2

On page 1, after "SECTION 1.", insert "Section 56003.1 of the Government Code, as amended by Chapter 176 of the Statutes of 1971, is amended to read:

56003.1. Except as provided in this section, this division shall have no application to the incorporation of cities, the annexation or detachment of territory to or from cities, minor changes of city boundaries or the consolidation or disincorporation of cities or to the formation of districts (except when any such formation is a part of a reorganization) or to proceedings for any of the foregoing. An annexation to a city or a detachment from a city which is proposed as a part of a plan of reorganization may be conducted in accordance with the procedures for reorganization set forth in this division unless the affected city objects thereto. The incorporation of a new city, which is proposed as a part of a plan of reorganization, may also be conducted in accordance with the procedures for reorganization set forth in this division unless the board of supervisors objects thereto. In any commission order giving approval to any of the matters provided for in subdivision (a) of Section 56250, the commission may make any such approval conditional upon:

(a) The initiation, conduct or completion of proceedings for the incorporation of any city, the annexation or detachment of territory to or from any city, the consolidation of any cities or the disincorporation of any city or for the formation of any district; and

(b) The approval or disapproval, with or without election, as may be provided by law, of any resolution or ordinance ordering ~~any such incorporation, annexation, detachment, consolidation, disincorporation or formation of a district~~ *the incorporation of any city, the annexation or detachment of territory to or from any city, the consolidation of any cities or the disincorporation of any city or the formation of a district*.

If a commission shall so condition its approval, the commission may order that any further action pursuant to this division shall be continued and held in abeyance for such period of time as the commission may designate, not to exceed six months from the date of such conditional approval.

Any such commission order may also provide that any election called upon the question of confirming a change of organization or a reorganization pursuant to the provisions of this division shall be called, held and conducted before, upon the same date as, or after the date of any election to be called, held and conducted upon the incorporation of any city, the annexation or detachment of territory to or from any city, the consolidation of any cities or the disincorporation of any city or upon the formation of any district.

SEC. 1.5."

Amendment No. 3

On page 2, between lines 30 and 31, insert

"SEC. 3 5. Section 56080 of the Government Code, as amended by Chapter 1493 of the Statutes of 1971, is amended to read·

56080. Notice authorized or required to be given by publication, posting or mailing shall be given by the clerk or executive officer and shall contain all matters required by any particular provision of this division. If any ordinance, resolution or order of any legislative body or the commission gives notice and contains all matters required to be contained in any notice, the clerk or executive officer may cause a copy of such ordinance, resolution or order to be published, posted or mailed, in which case no other notice need be given by the clerk or executive officer For purposes of such notice, it shall be sufficent if the affected territory is described in terms of its general location or situs, ~~such description to be accompanied by a map of the affected territory,~~ with reference for particulars to a detailed legal description or map on file in the office of the clerk or body giving such notice."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 24, 1972

Mr Speaker: The Chairman of your Committee on Water reports:

AB No. 2310

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2310—An act to add Section 6082 to the Water Code, relating to dams and reservoirs.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "location", and insert "canyon or same general vicinity".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

Rush Order Placed Upon Printing of Bills

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos 200 and 227, and that the bills be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means today to consider Senate Bill No. 331, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 331 for hearing in the Committee on Ways and Means

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1282 for hearing in the Committee on Ways and Means.

Mr. Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2323 for hearing in the Committee on Local Government

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolutions Nos. 2, 6 and 26, Senate Joint Resolution No. 3, and Senate Concurrent Resolution No 35 for hearing in the Committee on Rules on Tuesday, April 25

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1650 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Ways and Means; that Assembly Bill No 1107 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Judiciary; that Assembly Bill No 1905 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Criminal Justice, that Assembly Bill No 2077 be withdrawn from the Committee on Governmental Organization, and re-referred to the Com-

mittee on Judiciary; that Assembly Bill No 1648 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Education; that Assembly Bill No 2143 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government, that Assembly Bill No 1150 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Criminal Justice, that Assembly Bill No 204 be withdrawn from the Committee on Education, and re-referred to the Committee on Government Administration, and that Assembly Bill No. 923 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file.

Assembly Bills Nos. 614 and **246**, ordered to third reading.

Assembly Bill No. 893, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 43 to Article XIII thereof, Article XIX thereto, and Section 7 to Article XXIV thereof, and by repealing Section 22 of Article XX (as amended November 6, 1956) thereof, relating to alcoholic beverages.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, as amended in Assembly February 29, 1972, strike out "Assemblyman Knox", and insert "Assemblymen Knox, Cline, Badham, Stacey, and Ralph".

Amendment No. 2

In line 3 of the title, strike out "adding"; strike out line 4, and in line 5, strike out "Section 7 to Article XXIV thereof, and by repealing", and insert "amending".

Amendment No. 3

On page 1, line 7, strike out "as follows", and insert "by amending Section 22 of Article XX, as amended November 6, 1956, thereof, to read".

Amendment No. 4

On page 1, strike out line 8, and insert

"SEC. 22. The State of California, subject to the internal revenue laws of the United States, shall have the exclusive right and power to license and regulate the manufacture, sale, purchase, possession and

transportation of alcoholic beverages within the state, and subject to the laws of the United States regulating commerce between foreign nations and among the states shall have the exclusive right and power to regulate the importation into and exportation from the state, of alcoholic beverages. In the exercise of these rights and powers, the Legislature shall not constitute the state or any agency thereof a manufacturer or seller of alcoholic beverages.

All alcoholic beverages may be bought, sold, served, consumed and otherwise disposed of in premises which shall be licensed as provided by the Legislature. In providing for the licensing of premises, the Legislature may provide for the issuance of, among other licenses, licenses for the following types of premises where the alcoholic beverages specified in the licenses may be sold and served for consumption upon the premises:

(a) For bona fide public eating places, as defined by the Legislature

(b) For public premises in which food shall not be sold or served as in a bona fide public eating place, but upon which premises the Legislature may permit the sale or service of food products incidental to the sale and service of alcoholic beverages. No person under the *voting* age ~~of 21 years~~ shall be permitted to enter and remain in any such premises without lawful business therein.

(c) For public premises for the sale and service of beers alone.

(d) Under such conditions as the Legislature may impose, for railroad dining or club cars, passenger ships, common carriers by air, and bona fide clubs after such clubs have been lawfully operated for not less than one year.

The sale, furnishing, giving, or causing to be sold, furnished, or giving away of any alcoholic beverage to any person under the *voting* age ~~of 21 years~~ is hereby prohibited, and no person shall sell, furnish, give, or cause to be sold, furnished, or given away any alcoholic beverage to any person under the *voting* age ~~of 21 years~~, and no person under the *voting* age ~~of 21 years~~ shall purchase any alcoholic beverage. *The Legislature may provide exceptions to the provisions of this paragraph for persons under parental control or engaging in religious ceremony.*

The Director of Alcoholic Beverage Control shall be the head of the Department of Alcoholic Beverage Control, shall be appointed by the Governor subject to confirmation by a majority vote of all of the members elected to the Senate, and shall serve at the pleasure of the Governor The director may be removed from office by the Governor, and the Legislature shall have the power, by a majority vote of all members elected to each house, to remove the director from office for dereliction of duty or corruption or incompetency The director may appoint three persons who shall be exempt from civil service, in addition to the person he is authorized to appoint by Section 4 of Article XXIV

The Department of Alcoholic Beverage Control shall have the exclusive power, except as herein provided and in accordance with laws enacted by the Legislature, to license the manufacture, importation and sale of alcoholic beverages in this state, and to collect license fees or

occupation taxes on account thereof. The department shall have the power, in its discretion, to deny, suspend or revoke any specific alcoholic beverages license if it shall determine for good cause that the granting or continuance of such license would be contrary to public welfare or morals, or that a person seeking or holding a license has violated any law prohibiting conduct involving moral turpitude It shall be unlawful for any person other than a licensee of said department to manufacture, import or sell alcoholic beverages in this state.

The Alcoholic Beverage Control Appeals Board shall consist of three members appointed by the Governor, subject to confirmation by a majority vote of all of the members elected to the Senate. Each member, at the time of his initial appointment, shall be a resident of a different county from the one in which either of the other members resides. The members of the board may be removed from office by the Governor, and the Legislature shall have the power, by a majority vote of all members elected to each house, to remove any member from office for dereliction of duty or corruption or incompetency.

When any person aggrieved thereby appeals from a decision of the department ordering any penalty assessment, issuing, denying, transferring, suspending or revoking any license for the manufacture, importation, or sale of alcoholic beverages, the board shall review the decision subject to such limitations as may be imposed by the Legislature In such cases, the board shall not receive evidence in addition to that considered by the department. Review by the board of a decision of the department shall be limited to the questions whether the department has proceeded without or in excess of its jurisdiction, whether the department has proceeded in the manner required by law, whether the decision is supported by the findings, and whether the findings are supported by substantial evidence in the light of the whole record. In appeals where the board finds that there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the department it may enter an order remanding the matter to the department for reconsideration in the light of such evidence In all other appeals the board shall enter an order either affirming or reversing the decision of the department. When the order reverses the decision of the department, the board may direct the reconsideration of the matter in the light of its order and may direct the department to take such further action as is specially enjoined upon it by law, but the order shall not limit or control in any way the discretion vested by law in the department. Orders of the board shall be subject to judicial review upon petition of the director or any party aggrieved by such order.

A concurrent resolution for the removal of either the director or any member of the board may be introduced in the Legislature only if five Members of the Senate, or 10 Members of the Assembly, join as authors.

Until the Legislature shall otherwise provide, the privilege of keeping, buying, selling, serving, and otherwise disposing of alcoholic beverages in bona fide hotels, restaurants, cafes, cafeterias, railroad dining or club cars, passenger ships, and other public eating places, and in

bona fide clubs after such clubs have been lawfully operated for not less than one year, and the privilege of keeping, buying, selling, serving, and otherwise disposing of beers on any premises open to the general public shall be licensed and regulated under the applicable provisions of the Alcoholic Beverage Control Act, insofar as the same are not inconsistent with the provisions hereof, and excepting that the license fee to be charged bona fide hotels, restaurants, cafes, cafeterias, railroad dining or club cars, passenger ships, and other public eating places, and any bona fide clubs after such clubs have been lawfully operated for not less than one year, for the privilege of keeping, buying, selling, or otherwise disposing of alcoholic beverages, shall be the amounts prescribed as of the operative date hereof, subject to the power of the Legislature to change such fees.

The State Board of Equalization shall assess and collect such excise taxes as are or may be imposed by the Legislature on account of the manufacture, importation and sale of alcoholic beverages in this state.

The Legislature may authorize, subject to reasonable restrictions, the sale in retail stores of alcoholic beverages contained in the original packages, where such alcoholic beverages are not to be consumed on the premises where sold; and may provide for the issuance of all types of licenses necessary to carry on the activities referred to in the first paragraph of this section, including, but not limited to, licenses necessary for the manufacture, production, processing, importation, exportation, transportation, wholesaling, distribution, and sale of any and all kinds of alcoholic beverages

The Legislature shall provide for apportioning the amounts collected for license fees or occupation taxes under the provisions hereof between the state and the cities, counties and cities and counties of the state, in such manner as the Legislature may deem proper

All constitutional provisions and laws inconsistent with the provisions hereof are hereby repealed.

The provisions of this section shall be self-executing, but nothing herein shall prohibit the Legislature from enacting laws implementing and not inconsistent with such provisions

~~This amendment shall become operative on January 1, 1957.~~

Amendment No. 5

On page 1, strike out lines 9 and 10; and strike out pages 2 and 3.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 1331—An act to add Section 465 to the Public Utilities Code, relating to public utilities

Bill read second time, and ordered to third reading.

Assembly Bill No. 206—An act to amend Section 3501 of, and to add Chapter 10 1 (commencing with Section 3515) to Division 4 of Title 1 of, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employees

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 3, line 4, of the printed bill, as amended in Assembly March 2, 1972, after "Code", insert "or the State of California".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1282—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "Services", insert ", on a quarterly basis".

Amendment No. 2

On page 1, line 8, strike out "will", and insert "shall".

Amendment No. 3

On page 1, line 10, after "made", insert ", except that determination of an adjustment to reasonable cost may be made where provided for under the Medi-Cal hospital reimbursement formula".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 748—An act to amend Section 16027 of the Vehicle Code, relating to financial responsibility.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2, line 31, of the printed bill, strike out "a case", and insert "an action at law".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 544—An act to amend Section 18406.1 of the Financial Code, relating to industrial loan companies

Bill read second time, and ordered to third reading

Assembly Bill No. 583—An act to amend Section 18655.1 of the Financial Code, relating to industrial loan companies

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 787—An act to amend Section 10172 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 829—An act to amend Sections 715 and 839 5 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 863—An act to amend Section 677 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 866—An act to amend Sections 6518 and 6561 of the Financial Code, relating to savings and loan associations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 982—An act to amend Sections 7150, 7153, 7153.2, 7153 3, 7171, and 7187 of, to add Sections 7153 7 and 7153 8 to, and to repeal Section 7153 4 of, the Financial Code, relating to savings and loan associations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 699—An act to add Section 201.5 to the Elections Code, relating to voter registration

Bill read second time, and ordered to third reading.

Assembly Bill No. 1699—An act to amend Sections 456.5 and 456 6 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 1112—An act to amend Sections 200, 310, and 321 of the Elections Code, relating to voter qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted

Amendment No. 1

On page 3, line 36, of the printed bill, strike out "and a resident of the", and strike out lines 37 and 38, and insert "and will be".

Amendment No. 2

On page 5, line 37, strike out "and a resident of the state 90"; and strike out line 38, and in line 39 strike out "next preceding such election,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 916—An act to amend Section 1132 of the Education Code, relating to school elections

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 235—An act to amend Section 14103 of the Government Code, and to amend Sections 53, 75, 85, 104 65, 118, 131, 134, 143.1, 143 15, 143.2, 143 3, 182, and 183 of, and to repeal Sections 186, 186.1, and 188 3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 10, 1972, strike out "53, 75, 85, 104 65", and insert "75, 85".

Amendment No. 2

In line 3 of the title, strike out "143 1, 143.15, 143 2", and insert "143.15".

Amendment No. 3

In line 3 of the title, strike out the second "and".

Amendment No. 4

In line 4 of the title, after "Sections", insert "53, 104.65, 143.1, 143.2,".

Amendment No. 5

In line 4 of the title, after "of," insert "and to add Sections 143.1 and 143.2 to,".

Amendment No. 5.5

In line 6 of the title, strike out "state".

Amendment No. 6

On page 3, strike out line 1, and insert "is repealed."

Amendment No. 7

On page 3, strike out lines 2 to 7, inclusive.

Amendment No. 8

On page 3, line 26, strike out "routing", and insert "departmental".

Amendment No. 9

On page 3, line 33, strike out "The"; and strike out lines 34 to 37, inclusive.

Amendment No. 10

On page 3, strike out line 40; and on page 4, strike out lines 1 to 3, inclusive.

Amendment No. 11

On page 5, lines 5 to 7, inclusive, strike out "State Highway Account", and insert "Special Deposit Fund".

Amendment No. 12

On page 5, lines 7 and 8, strike out ", when appropriated by the Legislature,".

Amendment No. 13

On page 5, line 13, strike out "State Highway Account", and insert "Special Deposit Fund".

Amendment No. 14

On page 5, line 26, strike out "State Highway Account", and insert "Special Deposit Fund".

Amendment No. 15

On page 6, line 24, strike out "amended to read:", and insert "repealed."

Amendment No. 16

On page 6, strike out lines 25 to 40, inclusive; and on page 7, strike out lines 1 to 23, inclusive.

Amendment No. 17

On page 8, strike out lines 17 to 22, inclusive, and insert

"SEC. 8.5. Section 143.1 is added to the Streets and Highways Code, to read:

143.1. The department shall submit annually to the Governor a proposed program budget for the next fiscal year as approved by the commission.

The proposed program budget shall include a statement of all State Highway Account revenues, together with a statement of proposed expenditures and obligations to be incurred during the next fiscal year.

The total proposed expenditures and obligations shall be reported under the following program categories, as well as any other program categories established by statute:

(a) Administrative support.
(b) Transportation planning
(c) Maintenance and operations.
(d) Local assistance
(e) Construction and improvements.
(f) Contingencies."

Amendment No. 18

On page 8, line 38, strike out "shall", and insert "may".

Amendment No. 19

On page 9, line 1, after the period, insert "Subject to such limitations, such contracts shall provide for the completion of the work and full payment therefor"

Amendment No. 20

On page 9, line 4, strike out "statement" and insert "report".

Amendment No. 21

On page 9, line 5, strike out "143.1", and insert "143.2".

Amendment No. 22

On page 9, line 6, strike out "shall", and insert "may".

Amendment No. 23

On page 9, line 9, after the period, insert "The commission shall include, in the report for each fiscal year, the amounts necessary to meet contract payments on contracts which have been executed pursuant to this section, the estimated contract payments to be made during each fiscal year of the construction period of each project covered by such a contract, and the estimated total cost of each such project.

The date of the award of a contract and of the commencement of a day labor project shall be deemed the time when the entire obligation thereunder is incurred "

Amendment No. 24

On page 9, line 14, strike out "amended to read:" and insert "repealed."

Amendment No. 25

On page 9, strike out lines 15 to 40, inclusive, and strike out page 10, and insert

"SEC. 10.5. Section 143.2 is added to the Streets and Highways Code, to read:

143.2. Concurrent with the submission of the proposed program budget required under Section 143.1, the department shall submit to the Governor a report approved by the commission

The report shall include a statement of actual revenues received during the next preceding fiscal year, of actual revenues received and of estimated revenues to be received during the current fiscal year, and of estimated revenues to be received during the next fiscal year, by sources, and a statement of all expenditure made and obligations incurred during the next preceding fiscal year, of all expenditures made and to be made and obligations proposed during the current fiscal year, and of all expenditures and obligations proposed for the next fiscal year.

Such actual, estimated, and proposed expenditures and obligations shall be reported under the following program categories.

(a) Administrative support

(b) Transportation planning, including the policies, goals, and status of each study undertaken.

(c) Maintenance and operations, including the costs of restoration, resurfacing, and protective betterments, and a breakdown of total maintenance expenditures by descriptive categories.

(d) Local assistance, including total assistance in each county

(e) Construction and improvements, including the costs of new highway construction, traffic operational improvements, special safety improvements, and roadside services and enhancements All new highway construction projects estimated to be in excess of one hundred thousand dollars ($100,000) shall be identified, segregating by county in which located, route, mileage, and work description

(f) Any other program categories established by statute.

The report shall include the reasons for any differences between actual and estimated revenues, and expenditures and obligations in the two next preceding reports

The commission shall review annually the program categories specified in this section and in Section 143.1, and the department shall include in the report any recommendations of the commission for establishing program categories more descriptive of the goals, objectives, and programs of the department."

Amendment No. 26

On page 13, strike out lines 12 to 17, inclusive; in line 18, strike out "authorizes".

Amendment No. 27

On page 13, between lines 18 and 19, insert

"The Budget Act shall include a separate budget item for each program category specified in Section 143 1.

Upon the adoption of a Budget Act, the Department of Public Works shall revise the proposed program budget prepared pursuant to Section 143.1 to conform to the provisions of the Budget Act, and shall submit the revised budget to the Department of Finance, which shall administer the revised budget as the fiscal year budget of the Department of Public Works.

In administering the budget of the Department of Public Works, the Director of Finance shall not limit expenditures or incurrence of obligations thereunder to quarterly, semiannual, or other periods of the fiscal year and shall not require any greater detail than that specified in Sections 143 1 and 143 2.

The commission shall designate the specific work to be undertaken under the budget item for construction and improvements, and shall allocate the funds available for such work. With respect to funds for construction and improvements allocated for capital outlay projects, the commission may change such work and allocations from time to time on its own initiative. Funds allocated by the commission for capital outlay projects within the budget item for construction and improvements shall be available for expenditure during the fiscal year for which they are appropriated and during the two next succeeding fiscal years.

The commission may by a two-thirds vote of its membership, with the approval of the Director of Finance, transfer funds from one budget item to another and within a budget item. For each transfer approved by the commission and the Director of Finance, a full accounting of the reasons for the transfer, the costs incurred, the funds transferred, and the budgeted programs delayed, shall be submitted to the Governor in the next report submitted pursuant to Section 143 2."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 469—An act to add Article 2 5 (commencing with Section 650) to Chapter 2 of Division 1 of the Public Resources Code, relating to foresters

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly April 3, 1972, strike out "and Chappie", and insert "Chappie, and Thomas".

Amendment No. 2

On page 3, strike out lines 9 to 19, inclusive, and insert

"650.55. "Person" as used in this article means any natural person.

650.6 Nothing contained in this article prohibits any person from engaging in those activities otherwise restricted to registered professional foresters, provided a registered professional forester is in charge of the professional practice or work of such person and all professional work or documents are done by or under the supervision of such".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 58—An act to amend Section 253 2 of the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading.

Assembly Bill No. 561—An act to amend Section 253.4 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 574—An act to amend Sections 253 1 and 253 5 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading

Assembly Bill No. 584—An act to amend Sections 253 1 and 253 6 of the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading

Assembly Bill No. 704—An act to amend Section 253 2 of the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading

Assembly Bill No. 744—An act to add Sections 537, 27803 and 27804 to the Vehicle Code, relating to motorcycles.

Bill read second time, and ordered to third reading

Assembly Bill No. 1322—An act to amend Section 253 2 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "Route 39", and insert "Northwest city limits of Newport Beach".

Bill ordered reprinted, and returned to the second reading file.

Assembly Joint Resolution No. 22—Relative to noise pollution.

Resolution read.

Request for Unanimous Consent to Withdraw Committee Amendments

Mr. Deddeh was granted unanimous consent that the committee amendments to Assembly Joint Resolution No. 22 be withdrawn.

Resolution ordered re-referred to the Committee on Rules.

Assembly Concurrent Resolution No. 31—Relative to State Highway Route 101 in Camarillo.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

Below line 1 of the heading of the printed measure, as amended in Assembly March 22, 1972, insert

"(Coauthor: Senator Lagomarsino)".

Amendment No. 2

On page 2, line 4, after the semicolon, insert "and

WHEREAS, The city has requested that a feasibility study be made of a southern bypass alignment for Route 101; and

WHEREAS, The Department of Public Works has indicated that such a study would not result in delay of scheduled interchange improvements at Somis and Lewis Roads;".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 688—An act to add Section 25274 to the Vehicle Code, relating to flashing and colored lights.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Any", insert "publicly owned".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 712—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 414—An act to amend Section 11850 of the Health and Safety Code, relating to registration of narcotics offenders.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1778—An act to amend Section 11530 of the Health and Safety Code, relating to marijuana.

Bill read second time, and ordered to third reading.

Assembly Bill No. 359—An act to amend Sections 1091, 1095, and 1096 of, and to add Sections 1096.5 and 8508 to, the Education Code, relating to public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly April 6, 1972, strike out "approved".

Amendment No. 2

On page 2, line 6, after "entity", insert ", approved by the Superintendent of Public Instruction,".

Amendment No. 3

On page 3, line 11, strike out "9 to 12", and insert "1 to 12".

Amendment No. 4

On page 3, line 11, strike out "on the written"; and strike out line 12; and in line 13, strike out "parents, and in grades 1 to 8, inclusive,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 612—An act to amend Section 5774 7 of the Education Code and to amend Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "and repeal".

Amendment No. 2

In line 2 of the title, after "amend", insert "and repeal".

Amendment No. 3

On page 2, between lines 36 and 37, insert

"This section shall be operative only until June 30, 1974, and at such time is repealed."

Amendment No. 4

On page 3, between lines 26 and 27, insert

"This section shall be operative only until June 30, 1974, and at such time is repealed."

Amendment No. 5

On page 3, between lines 32 and 33, insert

"This section shall be operative only until June 30, 1974, and at such time is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 474—An act to amend Section 10751 of, and to add Sections 10760, 10761, 10762, and 10763 to, the Education Code, relating to pupil records.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly March 23, 1972, strike out lines 36 to 40, inclusive; and on page 4, strike out line 1; and in line 2, strike out "However, the", and insert

"10760 The".

Amendment No. 2

On page 4, line 4, strike out "other", and insert "nonfactual".

Amendment No. 3

On page 4, between lines 5 and 6, insert

"The school district shall, at all times, have the burden of justifying inclusion of the disputed information in the pupil's records."

Amendment No. 4

On page 4, strike out lines 8 to 13, inclusive.

Amendment No. 5

On page 4, line 19, after the second comma, insert "unless otherwise requested in writing by the parent or guardian,".

Amendment No. 6

On page 6, after line 1, insert

"If a final decision by a hearing panel or governing board is unfavorable to the parent or guardian, or if the parent or guardian

accepts an unfavorable decision by the district superintendent, the parent or guardian shall then have the right to submit a written statement of his objections to the information. This statement shall become a part of the pupil's school record until such time as the information objected to is removed."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 727—An act to amend Sections 21682 and 21683 of the Public Utilities Code, relating to aviation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 729—An act to amend Section 21407.5 of the Public Utilities Code, relating to aviation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1010—An act to amend Section 13456 of the Education Code, relating to leaves of absence.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, lines 1 and 2 of the printed bill, strike out "absent herself from her", and insert "be absent from".

Amendment No. 2

On page 2, line 11, strike out "her".

Amendment No. 3

On page 2, line 12, strike out "her physician ", and insert "the employee's physician. However, the district may, by regulation, require that in making a determination as to the time of commencement of leave, the employee consult with a designated administrative officer of the district regarding the employee's classroom performance as it relates to the employee's pregnancy. The district may also specify a date by which the employee must resume duties, provided that such date shall not be less than one year after the birth of the employee's child."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1047—An act to amend Section 29321 of the Government Code, relating to county funds.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1053—An act to amend Sections 74819 and 74820 of, to add Section 74824 to, and to repeal Section 74824 of, the Government Code, relating to the municipal court.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1078—An act to amend Sections 20, 28, 64, 113, 114, and 220 of, and to repeal Sections 18 and 31 of, the Embarcadero Municipal Improvement District Act (Chapter 81 of the Statutes of 1960, First Extraordinary Session), relating to the Embarcadero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Sections 18 and 31", and insert "Section 18".

Amendment No. 2

On page 2, strike out lines 20 to 22, inclusive.

Amendment No. 3

On page 2, line 27, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 4

On page 3, line 1, strike out "SEC 6", and insert "SEC. 5".

Amendment No. 5

On page 3, line 9, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 6

On page 3, line 21, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 7

On page 4, line 28, strike out "SEC. 9", and insert "SEC. 8".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1501—An act to add Section 11828 to the Education Code, relating to schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 11828 to", and insert "Article 2.5 (commencing with Section 12020) to Chapter 5 of Division 9 of".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Article 2.5 (commencing with Section 12020) is added to Chapter 5 of Division 9 of the Education Code, to read:

Article 2.5. Special Pupil Medication".

Amendment No. 3

On page 1, line 3, strike out "11828", and insert "12020".

Amendment No. 4

On page 1, line 3, after "public", insert "or private".

Amendment No. 5

On page 2, line 1, after "certificated", insert "public".

Amendment No. 6

On page 2, line 1, after "employee", insert ", or a designated employee in the case of a private school,".

Amendment No. 7

On page 2, line 10, after "district", insert ", or director or other official in the case of a private school,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1502—An act to amend Section 13114 of the Health and Safety Code, relating to the State Fire Marshal.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted·

Amendment No. 1

On page 2, line 8, of the printed bill, strike out "fire alarm systems", and insert "automatic sprinkler systems, fire alarm systems,".

Amendment No. 2

On page 2, line 14, strike out "fire alarm system", and insert "automatic sprinkler system, fire alarm system,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1952—An act to amend Section 2519 of the Business and Professions Code, relating to healing arts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2519 of", and insert "Sections 2519 and 2519.5 of, to add Section 2520 to, and to repeal Section 2520 of,".

Amendment No. 2

In line 2 of the title, after "arts", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 4, after "Assistant", insert "and Nurse Practitioner".

Amendment No. 4

On page 1, line 7, after the period, insert "The committee shall also advise the Board of Nursing Education and Nurse Registration, the Board of Vocational Nurse and Psychiatric Technician Examiners, and the Board of Medical Examiners, on matters pertaining to the development, education, and utilization of nurse practitioners."

Amendment No. 5

On page 1, in lines 8 and 9, strike out "eight members, including persons specified in Section 2519.5," and insert "nine members".

Amendment No. 6

On page 1, after line 9, insert

"SEC. 2. Section 2519.5 of the Business and Professions Code is amended to read:

2519.5 The members of the committee shall include one representative of the board, who shall be chairman of the committee, a representative of a California medical school, an educator with experience in the development of health manpower programming, one physician, ~~and~~ one registered nurse, *and one licensed vocational nurse functioning as a nursing educator. The Governor shall appoint the licensed vocational nurse member to the committee within 30 days after the effective date of the amendment of this section at the 1972 Regular Session of the Legislature.*

SEC. 3. Section 2520 of the Business and Professions Code is repealed.

~~2520. The board shall report to the Legislature no later than January 1, 1972~~

~~(a) The number and types of programs which have been approved and a description of each.~~

~~(b) The number of physician's assistants who have been approved for supervision under this article.~~

~~(c) The education and qualifications of each physician's assistant.~~

~~(d) Background concerning the numbers of physicians supervising assistants, their specialties, and the counties in which they practice.~~

~~(e) The scope of practice of approved physician's assistants.~~

~~(f) Recommendations for establishing a permanent program of certification or licensure for physician's assistants.~~

SEC. 4. Section 2520 is added to the Business and Professions Code, to read:

2520. The board, after consulting with the Advisory Committee on Physician's Assistant and Nurse Practitioner Programs, the Board of

Nursing Education and Nurse Registration, and the Board of Vocational Nurse and Psychiatric Technician Examiners, shall report to the Legislature no later than January 1, 1973, concerning:

(a) A general definition of the term "nurse practitioner."

(b) Classifications of nurse practitioners, and a functional description of each classification.

(c) The amount and type of supervision necessary for each classification of nurse practitioner to safely and effectively function.

(d) Settings in which various classifications of nurse practitioners could be safely and effectively utilized

(e) The amount and type of training necessary to adequately train various classifications of nurse practitioners.

(f) Appropriate educational settings for training various classifications of nurse practitioners.

(g) The functional and educational differences between nurse practitioners and physician's assistants.

(h) The numbers and types of nurse practitioners currently being educated and used in California and other states.

(i) Recommendations for establishing a permanent program of certification or licensure for nurse practitioners.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to provide adequate time to the Board of Medical Examiners for the preparation of the report required by Section 2520 of the Business and Professions Code as added by this act, it is necessary that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 180—An act relating to the destruction of authorized state bonds.

Bill read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, April 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 58	AB No. 574	AB No. 744
AB No. 414	AB No. 584	AB No. 1331
AB No. 544	AB No. 699	AB No. 1699
AB No. 561	AB No. 704	AB No. 1778

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 583	AB No. 829	AB No. 982
AB No. 712	AB No. 866	AB No. 1047
AB No 787	AB No. 916	AB No. 1053

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Lewis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1650 for hearing in the Committee on Ways and Means.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN DUFFY

Mr Maddy announced that today is the birthday of Assemblyman Gordon W. Duffy, of the 21st District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Duffy.

INTRODUCTION OF GUESTS

Mr. Brophy, of the 48th District, introduced his new bride, Susan, and her sisters Gena, Alicia, and Lana Setlin, of San Jose, whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 361—An act to amend Section 15525.5 of the Corporations Code, relating to limited partnerships, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 361?

Amendment No. 1

On page 2, line 3, of the printed bill, after "partner", insert ", personally or by attorney in fact".

Amendment No. 2

On page 2, line 4, after "SEC. 2.", insert "The amendment of Section 15525.5 of the Corporations Code made by the 1972 Session of the Legislature does not constitute a change in, but is declaratory of, the existing law.

SEC. 3."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cul-

len, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—61.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 720—An act to add Article 10 (commencing with Section 47031) to Chapter 18 of Division 17 of the Agricultural Code, relating to citrus fruit, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 720?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly March 16, 1972, after "within", insert "the state".

Amendment No. 2

On page 2, line 11, after "within", insert "the state".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Z'berg—63.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 230 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 230 was continued until the next legislative day.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 24

In compliance with a motion given on a previous day, Mr. Deddeh moved that the vote whereby Assembly Constitutional Amendment No. 24 was refused adoption be reconsidered.

Assembly Constitutional Amendment No. 24 reconsidered by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Z'berg—61.

NOES—None.

Assembly Constitutional Amendment No. 24 Re-referred to Committee

Mr. Deddeh was granted unanimous consent that Assembly Constitutional Amendment No. 24 be re-referred to the Committee on Revenue and Taxation.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 143

In compliance with a motion given on a previous day, Mr. Ray E. Johnson moved that the vote whereby Assembly Bill No. 143 was passed be reconsidered.

Assembly Bill No. 143 refused reconsideration by the following vote:

AYES—Bagley, Barnes, Bee, Brophy, Burke, Chappie, Collier, Conrad, Duffy, Foran, Hayden, Ray E Johnson, Ketchum, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Mobley, Moorhead, Murphy, Powers, Ryan, Seeley, Sieroty, Stull, Thomas, Wakefield, Warren, Wood, and Z'berg—31.

NOES—Arnett, Beverly, Brown, Chacon, Cline, Cory, Dent, Dunlap, Fong, Garcia, Gonsalves, Hayes, Keysor, Knox, LaCoste, McAlister, Meade, Miller, Pierson, Porter, Priolo, Stacey, Townsend, Vasconcellos, and Wilson—25.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 35—Relative to public libraries.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 411—An act to amend Section 663 of the Insurance Code, relating to automobile insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—55

NOES—Briggs—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 301—An act to amend Section 21151 of, and to add Sections 21152 and 21153 to, the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Hon. John T. Knox Presiding

At 11:50 a.m., Hon. John T. Knox, 11th District, presiding.

Speaker pro Tempore Presiding

At 11:56 a.m., Hon. Carlos Bee, 13th District, presiding.

The question being on the adoption of the urgency clause to Assembly Bill No. 301.

Urgency clause adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—55.

NOES—Barnes, Brophy, Burke, Chappie, Collier, Davis, Moorhead, Porter, Stacey, Stull, and Wakefield—11.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—55.

NOES—Barnes, Brophy, Burke, Chappie, Collier, Davis, Moorhead, Porter, Stacey, Stull, and Wakefield—11.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 379—An act making an appropriation for the Colton Joint Unified School District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12 (e), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 379:

Governor's Office, Sacramento
April 4, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 379, "An act making an appropriation for the Colton Joint Unified School District, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 379 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 379.

Urgency clause adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 440—An act to amend Section 11104 of the Vehicle Code, relating to driving instructors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 480—An act to amend Section 26205.5 of, and to add Section 26205.7 to, the Government Code, relating to records.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 487—An act to amend Sections 73823 and 73824 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 623—An act to amend Sections 74134, 74135, 74136, 74137, 74138, and 74139 of the Government Code, relating to municipal courts.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown,

Bill read third time, and passed by the following vote:

Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 828—An act to amend Section 18612 of the Health and Safety Code, relating to mobilehome parks.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 856—An act to amend Sections 1173 and 1178 of the Streets and Highways Code, relating to county road divisions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 872—An act relating to the boundaries of street lighting districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 822—An act to amend Sections 20017.76, 20393.1, 20750.2, 20750 3, 20750.4, 20750.42, 21258 1 and 21300 of, to add Sections 20840 and 21252 to, and to repeal Sections 20750 26, 20750.36, 20750.37, 20750.41, 20750.425, 20839, 20840, 21250.1, 21251.1, 21251.14, 21251.141, 21251.143, 21251.145, 21251 2, 21251.3, 21251.75, 21252, 21252.001, 21253, 21258, 21261.5 and 21337 of, the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 500—An act to amend Section 1744 2 of the Code of Civil Procedure, relating to conciliation proceedings.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald,

MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 192—An act to amend Section 22520 of the Vehicle Code, relating to freeways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:08 p m. Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No 943

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 24, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 1650

With author's amendments with the recommendation: Amend, and refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1650—An act to amend Section 540 of the Public Resources Code, relating to recreation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 540 of the Public Resources Code, relating to recreation", and insert "making an appropriation for the operation and maintenance of state park system facilities at Silverwood Lake, and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. There is hereby appropriated from the General Fund in the State Treasury to the Department of Parks and Recreation the sum of three hundred and five thousand dollars ($305,000) for the operation and maintenance of state parks system facilities at Silverwood Lake.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The provisions of the Budget Bill of 1972 do not make adequate provision for an existing and an anticipated shortage of state park system facilities. It is essential that the funds appropriated by this act be made available for expenditure at the earliest possible date in order that the existing program will not be delayed The expeditious correction of such shortage of facilities and the efficient operation of the state park system require the immediate availability of these funds and it is therefore necessary that this act go into immediate effect."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive.

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Lewis", and insert "Assemblymen Lewis and Quimby".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1360
AB No. 2118

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1360—An act to amend Section 6443 of the Education Code, relating to instructional television personnel.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", to add Sections 6444, 6445, 6446, and 6447 to, and to repeal Section 18270 of,".

Amendment No. 2

In line 1 of the title, after the comma, insert "and to repeal Sec. 8.5 of Chapter 1236 of the Statutes of 1965,".

Amendment No. 3

In line 2 of the title, strike out "personnel", and insert ", and making an appropriation therefor".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. It is the intention of the Legislature to provide high quality instructional television programs on an equitable basis to as many public school children as possible within the limitation of available funds It is further intended that such instructional television programs be administered on both the state and regional levels to assure efficiency of operation, adequate training of teachers in the use of television teaching technology, high-quality programming in all subjects, and cost-effective evaluations which enhance the appropriate utilization of television as an educational resource

SEC 2. Section 6443 of the Education Code is".

Amendment No. 5

On page 1, strike out line 7, and insert

"(a) Providing for the division of the state into distinct geographical areas for the purpose of administering this article

(b) Providing for the transmission of uniformly high-quality instructional television service of an approximately equal number of

hours to the largest number of public school pupils possible, through contracts with those delivery systems that have a capacity to transmit educational material to a greater number of pupils at a lower cost per pupil in a defined geographical area than any other delivery system in that area.

(c) Providing for contracts with regional organizations for assistance in carrying out the following activities.

(1) Coordinating the requirements of local school districts and developing plans for the content and scheduling of instructional television program service in each region;

(2) Developing and implementing teacher training and parent involvement programs to maximize the school and home use of instructional television;

(3) Developing and implementing monitoring and evaluation procedures for instructional television programs and utilization in each region; and

(4) Developing plans for new programs in the educational areas of highest priority of need, as defined by the superintendent.

(d) Providing for statewide coordination among regional organizations, offices of county superintendents of schools, school districts, and other agencies concerned with instructional television services, for the purpose of eliminating unnecessary duplication of effort and facilitating the development of a uniformly high quality of programming and utilization."

Amendment No. 6

On page 1, strike out lines 8 to 14, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"SEC. 3 Section 6444 is added to the Education Code, to read:

6444. The following definitions, unless the context otherwise requires, shall govern the construction of this article·

(a) "Delivery system" means any form of telecommunications technology which may be used to transmit educational material, including but not limited to, one or more open and closed circuit broadcast stations, microwave systems, instructional television fixed service (ITFS), community antenna television (CATV), or other cable systems, broadcast translators, and computer assisted information retrieval systems.

(b) "Regional organization" means any agency organized under independent auspices or the auspices of a county superintendent of schools, a school district, or other agencies interested in education, with a demonstrated interest in and capacity for providing services related to instructional television to students, their parents, teachers, and administrators in a defined geographical area.

SEC. 4. Section 6445 is added to the Education Code, to read·

6445. The amount expended by the Superintendent of Public Instruction for contracts with a delivery system and regional organization in a defined geographical area shall bear the same ratio to the total funding spent on all such contracts as the ratio of public school population in grades kindergarten and grades 1 through 12, inclusive, in that geographical area bears to the total state public school population in like grades.

SEC 5. Section 6446 is added to the Education Code, to read:

6446. Nothing in this article shall be construed as limiting regional organizations, delivery systems, offices of county schools superintendents, or school districts from expending their own funds for purposes related to instructional television programming, utilization, evaluation, or other activities

SEC. 6. Section 6447 is added to the Education Code, to read:

6447. This article shall be known as the Quimby Instructional Television Act.

SEC. 7 Section 18270 of the Education Code is repealed.

~~18270. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools participating in a program for instructional television established pursuant to Section 6441 or 6442, fifty cents ($0.50) multiplied by the number of pupils of the district present in the classroom and instructed by such instructional television programs during the preceding fiscal year. The amount of such allowance to a school district shall not exceed one-half the total cost to the district of providing television broadcasts or closed-circuit television programs pursuant to Section 6441 or 6442. For the purpose of this section, no pupil shall be counted more than once per school year.~~

~~The allowances to school districts and county superintendents of schools under this section shall be made from such moneys as may be appropriated therefor by the Legislature.~~

SEC. 8 Section 8 5 of the Chapter 1236 of the Statutes of 1965 is repealed.

~~SEC. 8 5. This act shall be known as the Farr-Quimby Act.~~

SEC. 9. There is hereby appropriated from the General Fund to the Superintendent of Public Instruction, the sum of one million five hundred thousand dollars ($1,500,000) in augmentation of the state instructional television budget for the 1972–73 fiscal year, to be expended for the purposes of Article 15 (commencing with Section 6441) of Chapter 6 of Division 6 of the Education Code "

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 2118—An act to amend Section 11251 of the Education Code, relating to community colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 11251", and insert "add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18 5",

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Article 5 (commencing with Section 25529) is added to Chapter 3 of Division 18.5 of the Education Code, to read.

Article 5 Community College Television Consortium

25529. It is the intent and purpose of the Legislature to make general and vocational educational materials available to large numbers of adults without placing increased demands on the physical facilities of community colleges It has been demonstrated that college telecourses can be economically presented by several community college districts acting jointly, on a cooperative basis It is the intent and purpose of the Legislature to assist such existing cooperative efforts and to encourage the formation of additional community college television consortia

25529 1. As used in this article, the following definitions, unless the content otherwise requires, shall govern the construction of the provisions of this article.

(a) "Television consortium" means an agency organized by five or more community college districts for the purpose of developing and conducting college credit courses through the media of television

(b) "Telecourse" means a college credit course broadcast on open or closed circuit television to the community at large

(c) "Chancellor" means the Chancellor of the California Community Colleges.

25529.2. A television consortium, formally and regularly organized under provisions of Section 892 6 of the Education Code and Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, may apply to the chancellor for a planning grant to assist in the formation and development of such a consortium Such planning grants may be made annually for more than one year, but under no circumstances shall any consortium be eligible to receive more than five such grants.

25529 3. Planning grants shall be used to organize a consortium, develop long-range curriculum plans, carry out utilization training activities, conduct evaluation of telecourses, and coordinate with other consortia and the chancellor's office Planning grant funds shall not be used for telecourse production, television instructor salaries, or underwriting any cost of preparation of telecourses

25529.4. The chancellor shall provide statewide coordination of television consortia to minimize unnecessary and costly duplication of effort and to maximize interchange of information and telecourse materials throughout the state

25529.5 The chancellor shall produce at least one exemplary telecourse each year, directed at an area of high priority educational need as defined by the chancellor, to be made available to all community college districts in the state However, the chancellor may establish independent television production facilities to carry out this mandate.

25529 6 The chancellor shall adopt rules and regulations governing the administration of this article

SEC. 2 There is hereby appropriated the sum of two hundred thousand dollars ($200,000) from the General Fund in the State Treasury to the Chancellor of the California Community Colleges, to be expended to carry out the purposes of the provisions of Article 5 (commencing with Section 25529) of Chapter 3 of Division 18 5 of the Education Code."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 1000

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1000—An act to amend Sections 17910 of, and to repeal Section 20814.5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), and Chapter 4 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend Sections 16120, 29100 5, 29100 7, and 65570 of, the Government Code, and to amend Sections 218, 219, 2611 5, 6051, 6052 5, 6201, 7102, 17041, 23151, 23184, 23186, 23333, and 23501 of, to repeal Section 6376 of, to add Sections 17053 5 and 17053 6 to, and to add Part 3.7 (commencing with Section 9501) to Division 2 of, the Revenue and Taxation Code, and to repeal Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, relating to the imposition of state taxes to provide subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 10 of the title of the printed bill, strike out "219,".

Amendment No. 2

In line 12 of the title, strike out "and to add Part 3.7"; and in line 13 of the title, strike out "(commencing with Section 9501) to Division 2 of,".

Amendment No. 3

On page 8, strike out lines 35 to 39, inclusive, and insert

"16130. The Secretary of the Resources Agency shall direct the Controller to pay annually out of the funds appropriated by Section 16100, to each eligible county, city, or city and county the amounts claimed pursuant to Section 16131 for land within its regulatory jurisdiction that is assessed pursuant to Section 423 or 423.5 of the Revenue and Taxation Code."

Amendment No. 4

On page 9, line 4, strike out "school district and".

Amendment No. 5

On page 9, between lines 24 and 25, insert

"16132. On or before October 31, 1972, and annually thereafter, the governing body of each county, city, or city and county shall submit a report to the Secretary of the Resources Agency itemizing the land under its regulatory jurisdiction which it believes to be qualified for state payments pursuant to Section 16131, together with such supporting documentation as the secretary by regulation may require. The secretary, after reviewing the report and determining the eligibility of the local government to receive payment and the actual amount to which it is entitled, shall certify that amount to the Controller for payment, and the Controller shall make such payment by December 31, 1972, and annually thereafter.

The secretary may make such supplemental reports to the Controller as it deems necessary throughout the year to give effect to new or additional information received from local governing bodies, correct errors, and dispose of contested or conditional situations. Upon receiving such reports, the Controller shall pay any amount certified therein, and may withhold and deduct any certified overpayment from the amount that would otherwise be paid to the local government in the next succeeding year.

16133. The Secretary of the Resources Agency may determine, after notice and hearing, that a local government is ineligible to receive state payments pursuant to this article by reason of its failure to comply with the provisions of Article 10 5 (commencing with Section 65560) of Chapter 3 of Title 7 of this code, or with the provisions of any program which establishes an enforceable restriction upon which the assessment of land within its jurisdiction pursuant to Section 423 or 423.5 of the Revenue and Taxation Code is based This section shall not be construed to require the disqualification of any land from assessment pursuant to Section 423 or 423.5 of the Revenue and Taxation Code as a consequence of any determination of ineligibility by the secretary.

16134. The Secretary of the Resources Agency may request the Attorney General to bring any action in court necessary to enforce any enforceable restriction as defined in Section 422 of the Revenue and Taxation Code, upon land for which the secretary has certified payment of state funds to the local governing body during the current or any preceding fiscal year. Such action may include, but is not limited to, an action to enforce the contract by specific performance or injunction

16135 The Superintendent of Public Instruction shall determine the amount of the school district tax rate for general fund purposes for each school district in which lands are assessed pursuant to Section 423 or 423.5 of the Revenue and Taxation Code.

The Superintendent of Public Instruction shall then determine the product of such amount multiplied by the open-space adjustment determined pursuant to Section 16136.

16136 On or before October 31, 1972, and on or before the last day of October of each year thereafter, the assessor shall report the open-space adjustment for each school district located in the county to the Controller and to the Superintendent of Public Instruction The open-space adjustment shall be calculated by determining the difference between:

(a) The adjusted assessed value of all land in the district in the base year, which shall be the last assessment year prior to the application of Section 423 or 423.5 of the Revenue and Taxation Code to any land within the district, and

(b) The assessed value of all land within the district for the current assessment year

For the purposes of subdivision (a), "adjusted assessed value" shall be computed by multiplying the actual assessed value of land in the district in the base year by the percentage which the gross assessed value of all land in the state on the local roll outside of municipalities without deductions for any exemptions for the current assessment year is of the gross assessed value of all land on the local roll outside municipalities without deductions for any exemptions in the base year. The Controller shall announce the factors to be used by the assessors on or before October 15th of each year

For purposes of determining the "actual assessed value of land in the district in the base year," any assessor who had announced that he was using an assessment ratio of less than 25 percent in the base year pursuant to the Revenue and Taxation Code shall adjust the actual assessed value of the land in the district in the base year to the assessed value which would have been on the roll had the assessor announced a 25-percent assessment ratio

If the value of land within the district for the current assessment year is greater than the adjusted assessed value of the base year, there shall be no reimbursement.

16137. The Superintendent of Public Instruction shall apportion and allow to each eligible school district the amount derived pursuant to Section 16135 as part of the second principal apportionment."

Amendment No. 6

On page 9, line 25, strike out "16132", and insert "16138".

Amendment No. 7

On page 9, strike out lines 34 to 40, inclusive; and on page 10, strike out lines 1 to 25, inclusive, and insert

"CHAPTER 4. EDUCATIONAL EQUALIZATION FUND

16140. Out of funds appropriated by Section 16100, the Controller shall place in an Educational Equalization Fund, which is hereby created, a sum of five hundred million dollars ($500,000,000) for the 1973–74 fiscal year; the sum of five hundred eighty million dollars ($580,000,000) for 1974–1975 fiscal year For each fiscal year thereafter, the Controller shall place in the Educational Equalization Fund the amount placed in said fund in 1974–1975 plus an additional amount to allow for the cost of living, as determined by the Controller

In creating the Educational Equalization Fund, the Legislature recognizes the disparity in wealth of various school districts throughout California and that such disparities make it impossible to provide equal educational opportunities with equal tax effort

Funds in the Educational Equalization Fund shall be used, when appropriated by the Legislature, only for the implementation of a school finance plan to reduce substantially existing disparities in resources between school districts and to meet the differing educational needs of children."

Amendment No. 8

On page 12, line 36, strike out ", or to", and strike out lines 37 to 40, inclusive; and on page 13, strike out lines 1 to 6, inclusive; and in line 7, strike out "exclusive right of occupancy of a dwelling".

Amendment No. 9

On page 13, strike out lines 14 to 16, inclusive, and insert "residence The value of the owner's share of a multiple residence shall be in the same proportion to the total value as the single dwelling unit is to the total number of dwelling units in the multiple residence "

Amendment No. 10

On page 14, strike out lines 4 to 40, inclusive

Amendment No. 11

On page 16, line 3, strike out "$2,000", and insert "$2,300".

Amendment No. 12

On page 16, line 10, strike out "$200", and insert "$230".

Amendment No. 13

On page 16, line 12, strike out "$300", and insert "$270".

Amendment No. 14

On page 16, line 39, strike out "June 30, 1972", and insert "April 30, 1973".

Amendment No. 15

On page 17, line 16, after "June 30, 1972," insert "and at the rate of 3¾ percent on and after July 1, 1972, and to and including April 30, 1973,".

Amendment No. 16

On page 17, line 16, strike out "4¾", and insert "3¾".

Amendment No. 17

On page 17, line 17, after "including", insert "April 30, 1973, and at the rate of 4¾ percent on and after May 1, 1973, and to and including".

Amendment No. 18

On page 17, line 32, strike out "6¼-percent", and insert "6-percent".

Amendment No. 19

On page 17, between lines 32 and 33, insert "at the 6½-percent rate,".

Amendment No. 20

On page 19, strike out lines 1 to 6, inclusive, and insert

"6 percent		6½ percent	
Price	Tax	Price	Tax
.01– .10	.00	.01– .10	.00
.11– .22	.01	.11– .20	.01
.23– 39	.02	.21– .35	.02
.40– .56	.03	.36– .51	.03
.57– .73	.04	.52– .67	.04
.74– .90	.05	.68– .83	.05
.91–1.08	.06	.84– .99	.06
		1.00–1.15	.07".

Amendment No. 21

On page 19, line 11, strike out "6¼-percent rate", and insert "6-percent rate and at the 6½-percent rate".

Amendment No. 22

On page 20, line 9, after "June 30, 1972," insert "and at the rate of 3¾ percent on and after July 1, 1972, and to and including April 30, 1973,".

Amendment No. 23

On page 20, line 25, strike out "4¾", and insert "3¾".

Amendment No. 24

On page 20, line 25, after "1972," insert "and to and including April 30, 1973, and at the rate of 4¼ percent on and after May 1, 1973,".

Amendment No. 25

On page 21, strike out lines 24 to 40, inclusive; strike out all of pages 22 to 25, inclusive; and on page 26, strike out lines 1 to 12, inclusive.

Amendment No. 26

On page 32, line 13, strike out ": (1)".

Amendment No. 27

On page 32, line 14, strike out ", or (2)"; strike out lines 15 and 16; and in line 17, strike out "than two separate dwelling units".

Amendment No. 28

On page 32, line 23, strike out "resident", and insert "residence or an individual whose principal place of residence for which the owner has been granted a homeowners' property tax exemption for such residence".

Amendment No. 29

On page 32, line 36, after "taxation", insert ", except that an individual, otherwise qualified, shall be deemed a qualified individual if he is required to pay property taxes on his possessory interest in a residence that is otherwise tax exempt".

Amendment No. 30

On page 33, between lines 7 and 8, insert

"(6) An individual who is not obligated for rent with respect to his residence."

Amendment No. 31

On page 34, strike out lines 5 and 6, and insert "administrator."

Amendment No. 32

On page 35, line 12, strike out "10.3", and insert "9".

Amendment No. 33

On page 36, line 27, strike out "10.3", and insert "9".

Amendment No. 34

On page 37, line 31, strike out "16.2", and insert "13".

Amendment No. 35

On page 37, line 33, strike out "10.3", and insert "9".

Amendment No. 36

On page 38, line 10, strike out "10 3", and insert "9".

Amendment No. 37

On page 38, line 25, strike out "10.3", and insert "9".

Amendment No. 38

On page 39, line 5, strike out "July 1, 1972", and insert "May 1, 1973".

Amendment No. 39

On page 39, line 10, strike out "July 1, 1972", and insert "May 1, 1973".

Amendment No. 40

On page 39, line 14, strike out "and Section 22.5".

Amendment No. 41

On page 39, line 16, strike out "Sections 13 and 14", and insert "Section 13".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Request for Unanimous Consent

Mr. Gonsalves was granted unanimous consent that Assembly Bill No. 1000 be considered engrossed.

VOTE CHANGES

Messrs. Pierson and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on the motion to reconsider Assembly Constitutional Amendment No. 24.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 361 and 720

Messrs LaCoste and McAlister were granted unanimous consent that they be recorded as voting "No" on the motion to reconsider Assembly Bill No. 143.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 411.

Mr. Powers was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 301, and on the passage of the bill.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2348: By Assemblyman Dunlap—An act to amend Section 4200 of the Welfare and Institutions Code, relating to state institutions.

Held at Desk by order of the Speaker.

Assembly Concurrent Resolution No. 78: By Assemblymen Knox and Collier—Relative to directional signs to Occidental College.

Held at Desk by order of the Speaker.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Messrs. Keysor and Hayes were granted unanimous consent that the following explanations of vote be printed in the Journal:

Explanations of Vote—Assembly Joint Resolution No. 17

April 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: Because of a special commitment in Monterey to attend a meeting of the California Arts Commission on Thursday, April 20, 1972, I was not present at the time of the floor debate on AJR 17 (Ratification of the Equal Rights Amendment to the Constitution of the United States)

It was impossible for me to be in the Capitol, however, had I been present, I would have argued in favor of the ratification and would have voted aye.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

April 20, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: Because of a speaking commitment in Southern California at the time of the floor consideration of AJR 17 (ratification of the equal rights amendment to the Constitution of the U S), it was impossible for me to be in the Capitol Had I been present, I would have argued in favor of the ratification and would have voted "aye".

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

ADJOURNMENT

At 12:10 p m., Speaker pro Tempore Bee declared the Assembly adjourned until 10 a.m., Tuesday, April 25, 1972.

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-second Legislative Day

One Hundred Fourteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 25, 1972

The Assembly met at 10 a m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr Seeley seconded the motion.
Motion carried. Time, 10 .02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10:07 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Eternal Are Your Mercies, O Lord. Your grace sustains us throughout every difficulty and supplies our needy hearts with encouragement. Give us wisdom for the work that is before us. Calm our attitudes; bless us with strength to do the work of this new day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Stacey then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Seeley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Lanterman, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Wood, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Dent, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 25, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on Tuesday, April 25, on legislative business I will be discussing legislation relating to coastline protection with civic leaders in my Assembly district.

Respectfully,

JAMES A HAYES, Assemblyman
Thirty-ninth District

April 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Tuesday, April 25th. I will be at Hartnell College all day meeting with students and conferring with faculty members on educational problems.

Sincerely,

BOB WOOD, Assemblyman
Thirty-fourth District

NOTE: For letter explaining the absence of Mr Badham on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 24, 1972, pages 2064–2065.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2347	Commerce and Public Utilities
2348	Health

Assembly Concurrent Resolution No.	*Committee*
78	Transportation

RESOLUTIONS

The following resolution was offered:
By Assemblyman Ray E. Johnson:

House Resolution No. 42

Relative to criminal trials

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the concepts under which criminal trials are being transferred from one county to another, including, but not limited to, the justifications the courts apply to such action, and a consideration of the possibility of enacting legislation that might be applicable to the news media so that criminal trials could not be transferred from one county to another because of so-called adverse publicity; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, April 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 206
AB No. 469
AB No. 474

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 688	AB No. 1112	AB No. 1501
AB No 1010	AB No. 1322	AB No. 1502
AB No. 1078		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 406	AB No. 1282	AB No. 2118
AB No. 849	AB No. 1650	AB No. 2137
AB No. 1143		

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, April 24, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

AB No. 1710

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, April 24, 1972

Mr Speaker. Your Committee on Transportation reports:

AB No 528

With the recommendation: Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, April 25, 1972

Mr. Speaker. Your Committee on Judiciary reports:

AB No 145

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 24, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No. 695

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 1911

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1911—An act to amend Section 21387 of the Government Code, relating to the Public Employees' Retirement System

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 21387", and insert "repeal and add Sections 21293 6 and 21364 8 of, and to repeal Sections 21293 7, 21293 8, 21364 75, and 21364.9 of,".

Amendment No. 2

On page 1, strike out line 1 and insert

"SECTION 1. Section 21293 6 of the Government Code is repealed. ~~21293 6. Section 21293 5 shall not apply to a forestry member whose retirement for industrial disability was effective after November 30, 1960, and prior to the operative date of the amendments to this section at the 1970 Regular Session of the Legislature.~~

SEC. 2. Section 21293.6 is added to the Government Code, to read:

21293.6. Section 21293.5 shall not apply to payments of industrial disability retirement allowances to retired forestry, warden, and law enforcement members for time commencing with the operative date of this section. This section shall apply to persons retired prior to its operative date and to members whose effective date of retirement is on or after such date.

SEC. 3. Section 21293.7 of the Government Code is repealed.

~~21293.7. Section 21193.5 shall not apply to a warden member whose retirement for industrial disability is effective on or after the effective date of this section.~~

SEC. 4 Section 21293.8 of the Government Code, as added by Chapter 1657 of the Statutes of 1971, is repealed.

~~21293.8. Section 21293.5 shall not apply to a law enforcement member who is a member of the California State Police Division whose principal duties are active law enforcement and whose retirement for industrial disability is effective on and after the effective date of this section.~~

SEC. 5. Section 21364 75 of the Government Code, as added by Chapter 1657 of the Statutes of 1971, is repealed.

~~21364.75. Section 21364.7 shall not apply to a special death benefit or continued allowance payable with respect to a law enforcement member who is a member of the California State Police Division whose principal duties are active law enforcement and whose death occurs or whose retirement is effective on or after the effective date of this section.~~

SEC. 6. Section 21364.8 of the Government Code is repealed.

~~21364 8. Section 21364 7 shall not apply to a special death benefit or continued allowance payable with respect to a forestry member whose death occurs or whose retirement was effective after November 30, 1969 and prior to the operative date of the amendments to this section at the 1970 Regular Session of the Legislature.~~

SEC. 7. Section 21364 8 is added to the Government Code, to read:

21364 8. Section 21364 7 shall not apply to a special death benefit or continued allowance payable for time commencing with the operative date of this section with respect to a forestry, warden or law enforcement member. This section shall apply with respect to members deceased or retired prior to its operative date as well as to those whose death or retirement occurs on or after such date

SEC 8. Section 21364 9 of the Government Code is repealed.

~~21364.9. Section 21364 7 shall not apply to a special death benefit or continued allowance payable with respect to a warden member whose death occurs or whose retirement is effective on or after the effective date of this section.~~

SEC. 9. This act shall become operative on the first of the month following the month in which statutes enacted at the 1972 Regular Session become effective."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 1092

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

• BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1092—An act to add Section 11056.5 to, and to amend Section 11476 of, the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 11056.5 to, and to amend Section", and insert "amend Sections 11266 and".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1 Section 11266 of the Welfare and Institutions Code, as added by Chapter 578 of the Statutes of 1971, is amended to read:

11266. Notwithstanding the provisions of Section 11056, if at the time of application the county determines that the applicant needs immediate assistance because he does not have sufficient resources to meet the immediate needs of his family, the county shall pay such applicant one hundred dollars ($100) or the maximum amount to which such applicant is eligible, whichever is less The county shall verify such applicant's eligibility within ~~five~~ *30* working days, and advance payments made under this section shall be offset against the first grant payment made to the recipient. If eligibility is not verified within ~~five~~ *30* working days, pursuant to this section, the county shall bear the entire cost of the advance payment made to the applicant."

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No 471

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 471—An act to add Section 1718 to the Civil Code, relating to repair of farm equipment.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly April 6, 1972, strike out "oral or".

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 1737

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1737—An act to amend Section 15606 of the Government Code, relating to the duties of the State Board of Equalization.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, between lines 25 and 26 of the printed bill, insert

"(i) Prescribe rules and regulations which will provide retailers who sell both taxable items and items exempt pursuant to Section 6359 of the Revenue and Taxation Code an alternative method or methods whereby they can compute their sales tax liability in a simplified manner. Such rules and regulations shall be in such clarity and detail as to be easily understood by the average taxpayers. Such rules and regulations shall be applied equally to all taxpayers who choose to report their sales tax liability under such rules."

Amendment No. 2

On page 2, after line 26, insert

"SEC. 2. The Legislature, by adding subdivision (i) to Section 15606 of the Government Code at the 1972 Regular Session intends to direct the State Board of Equalization, in addition to allowing tax-

payers to report and pay sales taxes on the retail method, to adopt a method or methods for taxpayers to use in reporting their sales tax liability that is simple and equitable. This is not to direct the board to repeal Rule 52E but to direct the board to adopt additional rules and regulations relating to Rule 52E to make such rule clear to taxpayers and to substantially restrict the staff interpretations of the rule. The Legislature also intends to direct the board to apply the existing and new rules uniformly to all taxpayers who choose to pay taxes under such rules.

The Legislature further does not endorse the present practice of the staff of the board which is to make substantial changes in their interpretation of the rules and to apply such new interpretations retroactively on audit. Such changes in rules and regulations and interpretations shall be prospective."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, April 24, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 102	AB No. 1575
AB No. 605	AB No. 1107

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 102—An act to amend Section 1714 of the Civil Code, relating to negligence.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "negligence", and insert "the ownership, maintenance, or use of a motor vehicle".

Amendment No. 2

On page 2, line 3, strike out "negligence", and insert "ownership, maintenance, or use of a motor vehicle".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 605—An act to add Section 1058a to the Code of Civil Procedure, relating to undertakings and bonds.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 13, 1972, after the first "to", insert "amend Section 2845 of the Civil Code and to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 2845 of the Civil Code is amended to read:

2845. A surety may require his creditor, *subject to the provisions of Section 1058a of the Code of Civil Procedure,* to proceed against the principal, or to pursue any other remedy in his power which the surety cannot himself pursue, and which would lighten his burden; and if in such case the creditor neglects to do so, the surety is exonerated to the extent to which he is thereby prejudiced.

SEC. 2. Section 1058a is added to the Code of".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1575—An act to amend Section 1209 of the Code of Civil Procedure, relating to contempt.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2, of the title of the printed bill, strike out "Section 1209 of the Code of Civil Procedure", and insert "Sections 128 and 1209 of the Code of Civil Procedure and Section 166 of the Penal Code, and to add Section 955.5 to the Evidence Code".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 128 of the Code of Civil Procedure is amended to read:

128. Every court shall have power:

1. To preserve and enforce order in its immediate presence;

2. To enforce order in the proceedings before it, or before a person or persons empowered to conduct a judicial investigation under its authority;

3. To provide for the orderly conduct of proceedings before it, or its officers;

4. To compel obedience to its judgment, orders, and process, and to the orders of a judge out of court, in an action or proceeding pending therein;

5. To control in furtherance of justice, the conduct of its ministerial officers, and of all other persons in any manner connected with a judicial proceeding before it, in every matter appertaining thereto;

6. To compel the attendance of persons to testify in an action or proceeding pending therein, in the cases and manner provided in this code;

7 To administer oaths in an action or proceeding pending therein, and in all other cases where it may be necessary in the exercise of its powers and duties;

8. To amend and control its process and orders so as to make them conformable to law and justice.

If an order of contempt is made affecting an attorney, his agent, investigator, or any person acting under the attorney's direction in the preparation of an action or proceeding, the execution of any sentence shall be stayed pending a hearing on a petition for extraordinary relief testing the lawfulness of the court's order, the violation of which is the basis of the contempt, except for such conduct as may be proscribed by subdivision (b) of Section 6068 of the Business and Professions Code."

Amendment No. 3

On page 1, between lines 2 and 3, insert

"SEC. 2. Section 1209 of the Code of Civil Procedure is amended to read:"

Amendment No. 4

On page 2, after line 34, insert

"(c) If an order of contempt is made affecting an attorney, his agent, investigator, or any person acting under the attorney's direction in the preparation of an action or proceeding, the execution of any sentence shall be stayed pending a hearing on a petition for extraordinary relief testing the lawfulness of the court's order, the violation of which is the basis of the contempt, except for such conduct as may be proscribed by subdivision (b) of Section 6068 of the Business and Professions Code.

SEC 3. Section 955.5 is added to the Evidence Code, to read:

955.5. (a) An attorney, his agents, or his investigators, or any person acting under the attorney's direction in the preparation of an action or proceeding cannot be adjudged in contempt in any proceeding, as defined in Section 901, for refusing to disclose any information obtained from the attorney's client or procured during the investigation or preparation of an action or proceeding.

(b) Subdivision (a) of this section shall not apply to any information which comes under the provisions of Section 956.

SEC. 4 Section 166 of the Penal Code is amended to read:

166 Every person guilty of any contempt of court, of either of the following kinds, is guilty of a misdemeanor:

1 Disorderly, contemptuous, or insolent behavior committed during the sitting of any court of justice, in immediate view and presence of the court, and directly tending to interrupt its proceedings or to impair the respect due to its authority;

2. Behavior of the like character committed in the presence of any referee, while actually engaged in any trial or hearing, pursuant to the order of any court, or in the presence of any jury while actually sitting for the trial of a cause, or upon any inquest or other proceedings authorized by law;

3. Any breach of the peace, noise, or other disturbance directly tending to interrupt the proceedings of any court,

4. Willful disobedience of any process or order lawfully issued by any court;

5. Resistance willfully offered by any person to the lawful order or process of any court;

6. The contumacious and unlawful refusal of any person to be sworn as a witness; or, when so sworn, the like refusal to answer any material question;

7. The publication of a false or grossly inaccurate report of the proceedings of any court;

8. Presenting to any court having power to pass sentence upon any prisoner under conviction, or to any member of such court, any affidavit or testimony or representation of any kind, verbal or written, in aggravation or mitigation of the punishment to be imposed upon such prisoner, except as provided in this code.

If a conviction of criminal contempt is obtained affecting an attorney, his agent, investigator, or any person acting under the attorney's direction in the preparation of an action or proceeding, the execution of any sentence shall be stayed pending a hearing on an appeal testing the lawfulness of the court's order, the violation of which is the basis of the contempt, except for such conduct as is proscribed by subdivision (b) of Section 6068 of the Business and Professions Code."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1107—An act to amend Section 5125 of the Civil Code, relating to control of community property.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5125" and insert "and renumber Sections 5102, 5103, 5105, 5106, 5112, 5113, 5129, 5131, 5132, and 5138 of, to add Sections 5100, 5101, 5102, 5103, 5107, 5108, 5109, 5110, 5112, and 5115 to, and to repeal Sections 5100, 5101, 5104, 5107, 5108, 5109, 5110, 5111, 5113.5, 5114, 5115, 5116, 5117, 5118, 5119, 5120, 5121, 5122, 5123, 5124, 5125, 5126, 5127, 5128, 5130, 5133, 5134, 5135, 5136, and 5137".

Amendment No. 2

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 5100 of the Civil Code is repealed.

~~5100. Husband and wife contract toward each other obligations of mutual respect, fidelity, and support.~~

SEC. 2 Section 5100 is added to the Civil Code, to read:

5100. (a) Marital property is community property of husband and wife or separate property of one spouse.

(b) Separate property of a married person consists of:

(1) Property owned before marriage, and property acquired during marriage by gift, bequest, devise or descent, the rents, issues and profits thereof, and property obtained in exchange therefor.

(2) The earnings and accumulations of a spouse and of the minor children living with, or in the custody of, the spouse, while living separate and apart from the other spouse or after judgment of legal separation.

(3) Damages for or payments received in settlement of claims for personal injuries inflicted by his or her spouse, and community property personal injury damages (as defined in subdivision (c) of Section 4800) received while living separate and apart from the other spouse or after judgment of legal separation; except that the other spouse is entitled to reimbursement of his or her separate property or the community property, as the case may be, from the property so received for any expenses incurred in connection with the injuries to his or her spouse.

(c) All other marital property is community property

(d) Husband and wife may also hold property as joint tenants or tenants in common.

SEC. 3 Section 5101 of the Civil Code is repealed.

~~5101. The husband is the head of the family. He may choose any reasonable place or mode of living, and the wife must conform thereto.~~

SEC. 4. Section 5101 is added to the Civil Code, to read:

5101. (a) Property acquired during marriage by a spouse or by both husband and wife while domiciled in this state, and property held in trust pursuant to Section 5108, is presumed to be community property.

(b) Property in the possession of either spouse during the marriage or at the time of termination of the marriage is presumed to have been acquired during the marriage.

(c) A single family residence acquired by husband and wife as joint tenants is presumed to be community property for purposes of property division upon marriage dissolution or separation only.

(d) The presumption that property acquired during marriage is community property does not apply to any property to which legal or equitable title is held by a person at the time of his or her death if the marriage during which the property was acquired was terminated by dissolution of marriage more than four years prior to such death

SEC 5. Section 5102 of the Penal Code is amended and renumbered to read:

~~5102~~ *5104* Neither husband nor wife has any interest in the *separate* property of the other, but neither can be excluded from the other's dwelling except as provided in Section 4518 or, in proceedings under Chapter 1 (commencing with Section 4400) or Chapter 2 (commencing with Section 4425) of Title 2 of this part, or under Chapter 1 (commencing with Section 4500) of Title 3 of this part, upon application of either party in the manner provided by Section 527 of the Code of Civil Procedure, the court may order the temporary exclusion of either party from the family dwelling or from the dwelling of the other upon a showing that physical or emotional harm would otherwise result, until the final determination of the proceeding.

SEC. 6. Section 5102 is added to the Penal Code, to read·

5102. Where community property, before or after the effective date of this section is transferred by the husband and wife to a trust, regardless of the identity of the trustee, which trust originally or as amended prior or subsequent to such transfer (a) is revocable in whole or in part during their joint lives, (b) provides that the property after transfer to the trust shall remain community property and any withdrawal therefrom shall be their community property, (c) is subject to amendment or alteration during their joint lifetime upon their joint consent, the property so transferred to such trust, and the interests of the spouses in such trust, shall be community property during the continuance of the marriage, unless the trust otherwise expressly provides. Nothing in this section shall be deemed to affect community property which, before or after the effective date of this section, is transferred in a manner other than as described in this section or to a trust containing different provisions than those set forth in this section; nor shall this section be construed to prohibit the trustee from conveying any trust property, real or personal, in accordance with the provisions of the trust without the consent of the husband or wife unless the trust expressly requires the consent of one or both spouses.

SEC. 7. Section 5103 of the Civil Code is amended and renumber to read:

~~5103~~ *5105*. Either husband or wife may enter into any engagement or transaction with the other, or with any other person, respecting property, which either might if unmarried; subject, in transactions between themselves, to the general rules which control the actions of persons occupying confidential relations with each other, as defined by Title 8 (commencing with Section 2215) of Part 4 of Division 3.

SEC. 8. Section 5103 is added to the Civil Code, to read·

5103. A full and complete inventory of the separate personal property of either spouse may be made out and signed by such spouse, acknowledged or proved in the manner required by law for the acknowledgement or proof of a grant of real property, and recorded in the office of the recorder of the county in which the parties reside.

The filing of the inventory in the recorder's office is notice and prima facie evidence of the title of the party filing such inventory.

SEC. 9. Section 5104 of the Civil Code is repealed

~~5104. A husband and wife may hold property as joint tenants, tenants in common, or as community property.~~

SEC. 10. Section 5105 of the Civil Code is amended and renumbered to read:

~~5105~~

5106. The respective interests of the husband and wife in community property during continuance of the marriage relation are present, existing and equal interests ~~under the management and control of the husband as is provided in Sections 5125 and 5127~~. This section shall be construed as defining the respective interests and rights of husband and wife in community property.

SEC. 11. Section 5106 of the Civil Code is amended and renumbered to read:

~~5106~~

5118. Notwithstanding the provisions of ~~Sections 5105 and 5125~~ *Section 5107*, whenever payment or refund is made to an employee, former employee or his beneficiary or estate pursuant to a written retirement, death or other employee benefit plan or savings plan, such payment or refund shall fully discharge the employer and any trustee or insurance company making such payment or refund from all adverse claims thereto unless, before such payment or refund is made, the employer or former employer, where the payment is made by the employer or former employer, has received at its principal place of business within this state, written notice by or on behalf of some other person that such other person claims to be entitled to such payment or refund or some part thereof or where a trustee or insurance company is making the payment, such notice has been delivered by the employer to the home office of such trustee or such insurance company or has otherwise been received thereby. Nothing contained in this section shall affect any claim or right to any such payment or refund or part thereof as between all persons other than the employer and the trustee or insurance company making such payment or refund.

SEC. 12. Section 5107 of the Civil Code is repealed.

~~5107. All property of the wife, owned by her before marriage, and that acquired afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is her separate property. The wife may, without the consent of her husband, convey her separate property.~~

SEC. 13. Section 5107 is added to the Civil Code, to read:

5107. (a) Husband and wife have equal powers of management and control of the community property heretofore or hereafter acquired and may by agreement divide or otherwise provide for the exercise of these powers in any manner they desire; but neither spouse may make a gift of community property or dispose of the same without valuable consideration without the written consent of the other, and both spouses shall join in transactions involving community real property as provided in Section 5108.

(b) In the absence of agreement or written power of attorney, husband and wife shall join together in the management, control and disposition of the community property except that each spouse has authority to manage, control and dispose of community personal property to provide necessaries of life for the family.

(c) In dealing with the community property, whether pursuant to an agreement between husband and wife or without agreement, each spouse acts as a trustee for the other and is subject to the rules governing fiduciary relationships prescribed in Title 8 (commencing with Section 2215) of Part 4 of Division 3. If a spouse violates his or her fiduciary obligation under this section the other spouse may petition the superior court for an accounting or other equitable relief, if informal methods of adjustment, including arbitration, are unavailable or have proved unsuccessful The court may make any order necessary to protect the rights of both spouses.

SEC. 14. Section 5108 of the Civil Code is repealed.

~~5108. All property owned by the husband before marriage, and that acquired afterwards by gift, bequest, devise, or descent, with the rents, issues, and profits thereof, is his separate property. The husband may, without the consent of his wife, convey his separate property.~~

SEC. 15. Section 5108 is added to the Civil Code, to read:

5108 Husband and wife shall join in executing any instrument by which community real property or any interest therein is leased for a longer period then one year, or is sold, conveyed, or encumbered; provided that nothing herein contained shall be construed to apply to a real property transaction between husband and wife; provided, also, that the sole lease, contract, mortgage or deed of the husband or wife, holding the record title to community real property, to a lessee, purchaser, or encumbrancer, in good faith without knowledge of the marriage relation, shall be presumed to be valid. No action to avoid any instrument mentioned in this section, affecting any property standing of record in the name of the husband or wife alone, executed by the record owner alone, shall be commenced after the expiration of one year from the filing for record of such instrument in the recorder's office in the county in which the land is situate, or after the expiration of one year from the date on which the addition of this section in 1972 takes effect, whichever date is later.

SEC 16. Section 5109 of the Civil Code is repealed.

~~5109. All money or other property paid by or on behalf of a married person to his spouse in satisfaction of a judgment for damages for personal injuries to the spouse or pursuant to an agreement for the settlement or compromise of a claim for such damages is the separate property of the injured spouse.~~

SEC. 17. Section 5109 is added to the Penal Code, to read:

5109. (a) Where one or both of the spouses are incompetent, the procedure for dealing with and disposing of community property is that prescribed in Chapter 2a (commencing with Section 1435.1) of Division 4 of the Probate Code.

(b) If a spouse is unable, due to absence, separation or other causes not included in subdivision (a), to join in the management, control, and disposition of community property, the other spouse may petition the superior court for permission to manage, control, and dispose of community property alone. If good cause is shown by the petitioner, the court may, after proper notice and a hearing, enter an order authorizing the petitioning spouse to undertake the sole management and disposition of described community property and may issue any other orders it deems just and equitable, or necessary to protect the rights of the other spouse. In its order, the court may impose any restrictions or conditions, including the requirement of a bond conditioned on faithful administration of any proceeds of community property or may require that the proceeds be deposited in a special account subject to withdrawal only upon order of the court. The court may modify its order from time to time or may vacate its order

(c) An order authorized by subdivision (b) of this section affecting real property is void as against a good faith purchaser for value or against a creditor without notice unless the order is recorded in the office of the recorder of the county in which the real property is located.

SEC. 18 Section 5110 of the Civil Code is repealed.

~~5110. All other real property situated in this state and all other personal property wherever situated acquired during the marriage by a married person while domiciled in this state, and property held in trust pursuant to Section 5113.5, is community property; but whenever any real or personal property, or any interest therein or encumbrance thereon, is acquired by a married woman by an instrument in writing, the presumption is that the same is her separate property, and if acquired by such married woman and any other person the presumption is that she takes the part acquired by her, as tenant in common, unless a different intention is expressed in the instrument; except, that when any of such property is acquired by husband and wife by an instrument in which they are described as husband and wife, unless a different intention is expressed in the instrument, the presumption is that such property is the community property of said husband and wife and that when a single family residence of a husband and wife is acquired by them during marriage as joint tenants, for the purpose of the division of such property upon dissolution of marriage or legal separation only, the presumption is that such single family residence is the community property of said husband and wife. The presumptions in this section mentioned are conclusive in favor of any person dealing in good faith and for a valuable consideration with such married woman or her legal representatives or successors in interest, and regardless of any change in her marital status after acquisition of said property.~~

~~In cases where a married woman has conveyed, or shall hereafter convey, real property which she acquired prior to May 10, 1880, the husband, or his heirs or assigns, of such married woman, shall be barred from commencing or maintaining any action to show that the real property was community property, or to recover the real property from and after one year from the filing for record in the recorder's office of such conveyances, respectively.~~

~~As used in this section, personal property does not include and real property does include leasehold interests in real property.~~

SEC. 19. Section 5110 is added to the Civil Code, to read:

5110. (a) The property rights of husband and wife are governed by this title, unless there is a marriage settlement containing stipulations contrary thereto.

(b) All contracts for marriage settlements must be in writing, and executed and acknowledged or proved in like manner as a grant of land is required to be executed and acknowledged or proved

(c) When such contract is acknowledged or proved, it must be recorded in the office of the recorder of every county in which any real estate may be situated which is granted or affected by such contract

(d) The recording or nonrecording of such contract has a like effect as the recording or nonrecording of a grant of real property

(e) A minor capable of contracting marriage may make a valid marriage settlement.

SEC 20 Section 5111 of the Civil Code is repealed.

~~5111. The presumption that property acquired during marriage is community property does not apply to any property to which legal or equitable title is held by a person at the time of his death if the marriage during which the property was acquired was terminated by dissolution of marriage more than four years prior to such death.~~

SEC. 21. Section 5112 of the Civil Code is amended an renumbered to read:

5117 ~~5112~~. If a married person is injured by the negligent or wrongful act or omission of a person other than his *or her* spouse, the fact that the negligent or wrongful act or omission of the spouse of the injured person was a concurring cause of the injury is not a defense in any action brought by the injured person to recover damages for such injury except in cases where such concurring negligent or wrongful act or omission would be a defense if the marriage did not exist.

SEC. 22. Section 5112 is added to the Civil Code, to read:

5112. (a) A married person's separate property is liable for his or her own debts but is not liable for the debts of his or her spouse contracted before or after the marriage; but such separate property is liable for the payment of debts contracted by either spouse for the necessaries of life furnished to them or either of them while they are living together when there is no community property.

(b) The earnings and community property personal injury damages of a married person are liable for his or her contracts made before or after marriage, but are not liable for the debts of his or her spouse contracted before the marriage.

(c) The community property is liable for the payment of debts heretofore or hereafter contracted by either spouse for the necessaries of life of the family while they are living together, any debts jointly contracted, and any debts contracted by one spouse on behalf of himself or herself and as agent of the other.

(d) The liability of a married person for death or injury to person or property shall be satisfied, first, from the separate property of such married person; second, from the earnings of such married person; and thereafter, from other community property.

(e) As used in this section, "community property personal injury damages" has the meaning given that term by subdivision (b) of Section 4800.

SEC. 23. Section 5113 of the Civil Code is amended and renumbered to read:

~~5113~~

5116. (a) Where an injury to a married person is caused in whole or in part by the negligent or wrongful act or omission of his *or her* spouse, the community property may not be used to discharge the liability of the tortfeasor spouse to the injured spouse or his *or her* liability to make contribution to any joint tortfeasor until the separate property of the tortfeasor spouse, not exempt from execution, is exhausted.

(b) This section does not prevent the use of community property to discharge a liability referred to in subdivision (a) if the injured spouse gives written consent thereto after the occurrence of the injury.

(c) This section does not affect the right to indemnity provided by any insurance or other contract to discharge the tortfeasor spouse's liability, whether or not the consideration given for such contract consisted of community property.

SEC 24 Section 5113 5 of the Civil Code is repealed.

~~5113 5. Where community property, before or after the effective date of this section, is transferred by the husband and wife to a trust, regardless of the identity of the trustee, which trust originally or as amended prior or subsequent to such transfer (a) is revocable in whole or in part during their joint lives, (b) provides that the property after transfer to the trust shall remain community property and any withdrawal therefrom shall be their community property, (c) grants the trustee during their joint lives powers no more extensive than those possessed by a husband under Sections 5125 and 5127, except as to property described in Section 5124 respecting which the trustee's powers shall be no more extensive than those possessed by a wife under Section 5124, and (d) is subject to amendment or alteration during their joint lifetime upon their joint consent, the property so transferred to such trust, and the interests of the spouses in such trust, shall be community poperty during the continuance of the marriage, unless the trust otherwise expressly provides. Nothing in this section shall be deemed to affect community property which, before or after the effective date of this section, is transferred in a manner other than as described in this section or to a trust containing different provisions than those set forth in this section, nor shall this section be construed to prohibit the trustee from conveying any trust property, real or personal, in accordance with the provisions of the trust without the consent of the husband or wife unless the trust expresly requires the consent of one or both spouses.~~

SEC. 25 Section 5114 of the Civil Code is repealed.

~~5114. A full and complete inventory of the separate personal property of either spouse may be made out and signed by such spouse, acknowledged or proved in the manner required by law for the acknowledgment or proof of a grant of real property, and recorded in the office of the recorder of the county in which the parties reside.~~

SEC. 26 Section 5115 of the Civil Code is repealed.

~~5115. The filing of the inventory in the recorder's office is notice and prima facie evidence of the title of the party filing such inventory.~~

SEC 27 Section 5115 is added to the Civil Code, to read:

5115 A married person is not liable for any injury or damage caused by the other spouse except in cases where he or she would be liable therefor if the marriage did not exist

SEC 28 Section 5116 of the Civil Code is repealed

~~5116. The property of the community is not liable for the contracts of the wife, made after marriage, unless secured by pledge or mortgage thereof executed by the husband. Except as otherwise provided by law, the earnings of the wife are liable for her contracts heretofore or hereafter made before or after marriage.~~

SEC 29. Section 5117 of the Civil Code is repealed.

~~5117. The earnings and community property personal injury damages of the wife are not liable for the debts of the husband; but, except as otherwise provided by law, such earnings and damages shall be liable for the payment of debts, heretofore or hereafter contracted by the husband or wife for the necessities of life furnished to them or either of them while they are living together. As used in this section, "community property personal injury damages" has the meaning given that term by subdivision (b) of Section 4800.~~

SEC. 30. Section 5118 of the Civil Code is repealed.

~~5118. The earnings and accumulations of a spouse and the minor children living with, or in the custody of, the spouse, while living separate and apart from the other spouse, are the separate property of the spouse.~~

SEC. 31. Section 5119 of the Civil Code is repealed.

~~5119. After the rendition of a judgment decreeing legal separation of the parties, the earnings or accumulations of each party are the separate property of the party acquiring such earnings or accumulations.~~

SEC 32. Section 5120 of the Civil Code is repealed.

~~5120. Neither the separate property of the husband nor his earnings after marriage is liable for the debts of the wife contracted before the marriage.~~

SEC. 33. Section 5121 of the Civil Code is repealed.

~~5121. The separate property of the wife is liable for her own debts contracted before or after her marriage, but is not liable for her husband's debts; provided, that the separate property of the wife is liable for the payment of debts contracted by the husband or wife for the necessaries of life furnished to them or either of them while they are living together; provided, that the provisions of the foregoing proviso shall not apply to the separate property of the wife held by her at the time of her marriage or acquired by her by devise, succession, or gift, other than by gift from the husband, after marriage.~~

SEC. 34. Section 5122 of the Civil Code is repealed.

~~5122. (a) A married person is not liable for any injury or damage caused by the other spouse except in cases where he would be liable therefor if the marriage did not exist.~~

~~(b) The liability of a married person for death or injury to person or property may be satisfied only from the separate property of such married person and the community property of which he has the management and control.~~

SEC. 35. Section 5123 of the Civil Code is repealed.

~~5123. The separate property of the wife is not liable for any debt or obligation secured by a mortgage, deed of trust or other hypothecation of the community property, unless the wife expressly assents in writing to the liability of her separate property for such debt or obligation.~~

SEC. 36. Section 5124 of the Civil Code is repealed.

~~5124. Notwithstanding the provisions of Sections 5105 and 5125, the wife has the management and control of the community personal property earned by her, and the community personal property received by her in satisfaction of a judgment for damages for personal injuries~~

~~suffered by her or pursuant to an agreement for the settlement or compromise of a claim for such damages, until it is commingled with community property subject to the management and control of the husband, except that the husband may use such community property received as damages or in settlement or compromise of a claim for such damages to pay for expenses incurred by reason of the wife's personal injuries and to reimburse his separate property or the community property subject to his management and control for expenses paid by reason of the wife's personal injuries.~~

~~The wife may not make a gift of the community property under her management and control, or dispose of the same without a valuable consideration, without the written consent of the husband. The wife may not make a testamentary disposition of such community property except as otherwise permitted by law.~~

~~This section shall not be construed as making such earnings or damages or property received in settlement or compromise of such damages the separate property of the wife, nor as changing the respective interests of the husband and wife in such community property, as defined in Section 5105.~~

SEC 37 Section 5125 of the Civil Code is repealed.

~~5125. Except as provided in Sections 5113.5, 5124, and 5128, the husband has the management and control of the community personal property, with like absolute power of disposition, other than testamentary, as he has of his separate estate; provided, however, that he cannot make a gift of such community personal property, or dispose of the same without a valuable consideration, or sell, convey, or encumber the furniture, furnishings, or fittings of the home, or the clothing or wearing apparel of the wife or minor children that is community, without the written consent of the wife.~~

SEC. 38. Section 5126 of the Civil Code is repealed.

~~5126. (a) All money or other property received by a married person in satisfaction of a judgment for damages for his personal injuries or pursuant to an agreement for the settlement or compromise of a claim for such damages is the separate property of the injured person if such money or other property is received as follows:~~

~~(1) After the rendition of a decree of legal separation or a final judgment of dissolution of a marriage.~~

~~(2) While the wife, if she is the injured person, is living separate from her husband.~~

~~(3) After the rendition of an interlocutory decree of dissolution of a marriage and while the injured person and his spouse are living separate and apart.~~

~~(b) Notwithstanding subdivision (a), if the spouse of the injured person has paid expenses by reason of his spouse's personal injuries from his separate property or from the community property subject to his management and control, he is entitled to reimbursement of his separate property or the community property subject to his management and control for such expenses from the separate property received by his spouse under subdivision (a).~~

SEC. 39. Section 5127 of the Civil Code is repealed.

~~5127. Except as provided in Sections 5113.5 and 5128, the husband has the management and control of the community real property, but the wife, either personally or by duly authorized agent, must join with him in executing any instrument by which such community real property or any interest therein is leased for a longer period than one year, or is sold, conveyed, or encumbered; provided, however, that nothing herein contained shall be construed to apply to a lease, mortgage, conveyance, or transfer of real property or of any interest in real property between husband and wife; provided, also, however, that the sole lease, contract, mortgage or deed of the husband, holding the record title to community real property, to a lessee, purchaser, or encumbrancer, in good faith without knowledge of the marriage relation, shall be presumed to be valid. No action to avoid any instrument mentioned in this section, affecting any property standing of record in the name of the husband alone, executed by the husband alone, shall be commenced after the expiration of one year from the filing for record of such instrument in the recorder's office in the county in which the land is situate, and no action to avoid any instrument mentioned in this section, affecting any property standing of record in the name of the husband alone, which was executed by the husband alone and filed for record prior to the time this act takes effect, in the recorder's office in the county in which the land is situate, shall be commenced after the expiration of one year from the date on which this act takes effect.~~

SEC. 40. Section 5128 of the Civil Code is repealed.

~~5128. Where one or both of the spouses are incompetent, the procedure for dealing with and disposing of community property is that prescribed in Chapter 2a (commencing with Section 1435.1) of Division 4 of the Probate Code.~~

SEC. 41. Section 5129 of the Civil Code is amended and renumbered to read:

5111 ~~5129~~. No estate is allowed the husband as tenant by courtesy upon the death of his wife, nor is any estate in dower allotted to the wife upon the death of her husband.

SEC. 42. Section 5130 of the Civil Code is repealed.

~~5130. If the husband neglects to make adequate provision for the support of his wife, except in the case mentioned in Section 5131, any other person may in good faith, supply her with articles necessary for her support, and recover the reasonable value thereof from the husband.~~

SEC. 43. Section 5131 of the Civil Code is amended and renumbered to read:

~~5131~~ *5114*. A ~~husband~~ *married person* is not liable for his ~~wife's~~ *or her spouse's* support when ~~she~~ is *they are* living separate ~~from him~~ by agreement unless such support is stipulated in the agreement.

SEC. 44. Section 5132 of the Civil Code is amended and renumbered to read:

~~5132~~ *5113*. ~~The wife~~ *Husband and wife contract toward each other obligations of mutual support. Each* must support the ~~husband~~ *other* while they are living together out of *his or* her separate property when

~~he~~ *the spouse* has no separate property, and there is no community property or quasi-community property and ~~he~~ *the spouse* is unable, from infirmity, to support himself *or herself*.

For the purposes of this section, the terms "quasi-community property" and "separate property" have the meanings given those terms by Sections 4803 and 4804.

SEC. 45. Section 5133 of the Civil Code is repealed.

~~5133. The property rights of husband and wife are governed by this title, unless there is a marriage settlement containing stipulations contrary thereto.~~

SEC 46. Section 5134 of the Civil Code is repealed.

~~5134. All contracts for marriage settlements must be in writing, and executed and acknowledged or proved in like manner as a grant of land is required to be executed and acknowledged or proved.~~

SEC. 47. Section 5135 of the Civil Code is repealed.

~~5135. When such contract is acknowledged or proved, it must be recorded in the office of the recorder of every county in which any real estate may be situated which is granted or affected by such contract.~~

SEC 48 Section 5136 of the Civil Code is repealed.

~~5136. The recording or nonrecording of such contract has a like effect as the recording or nonrecording of a grant of real property.~~

SEC. 49. Section 5137 of the Civil Code is repealed.

~~5137. A minor capable of contracting marriage may make a valid marriage settlement.~~

SEC. 50. Section 5138 of the Civil Code is amended and renumbered to read:

5119 ~~5138~~. For the purpose of application of the laws of succession set forth in the Probate Code to a decedent, and for the purpose of determining the validity of a marriage under the laws of this state, an alliance entered into prior to 1958, which, by custom of the Indian tribe, band, or group of which the parties to the alliance, or either of them, are members, is commonly recognized in such tribe, band, or group as marriage, is deemed a valid marriage under the laws of this state. In the case of such marriages and for such purpose a separation, which, by custom of the Indian tribe, band, or group of which the separating parties, or either of them, are members, is commonly recognized in such tribe, band, or group as a dissolution of marriage, is deemed a valid divorce under the laws of this state."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1499

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1499—An act making an appropriation to the Board of Governors of the California Community Colleges to establish and operate training programs for psychiatric technicians.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "establish", insert ", administer".

Amendment No. 2

On page 2, line 6, after "establish", insert ", administer".

Amendment No. 3

On page 2, lines 6 and 7, strike out "accredited training".

Amendment No. 4

On page 2, line 7, after "programs", insert "for retraining psychiatric technicians to work in community mental health programs, corrections and other programs in public and private facilities which provide therapeutic, developmental and rehabilitative services to the mentally disordered, the emotionally disturbed and the mentally retarded. In addition, these funds shall be appropriated for accredited training programs for psychiatric technicians, and programs for training psychiatric technicians which, in the opinion of the board, are equivalent to accredited training programs".

Amendment No. 5

On page 2, line 9, after "programs", insert ", and other programs designed to provide therapeutic, developmental and rehabilitative services for the mentally disordered, the emotionally disturbed and the mentally retarded".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1648

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1648—An act to amend Section 9201 of the Education Code, relating to instructional materials.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 9201 of", and insert "add Division 7.5 (commencing with Section 9051) to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Division 7.5 (commencing with Section 9051) is added to the Education Code, to read:

DIVISION 7.5. READING INSTRUCTIONAL MATERIALS

CHAPTER 1. GENERAL PROVISIONS

Article 1. Statement of Legislative Intent

9051 It is the intent and purpose of the Legislature in enacting this division to provide for the acquisition of instructional materials for reading in the elementary schools.

9052. For purposes of any provision of the California Constitution which requires the adoption of a series of textbooks for use in the elementary schools, the state board shall have the power, subject to the provisions of this division, to adopt reading textbooks for the elementary schools. For such purposes the term "elementary schools" shall have the meaning prescribed by Section 9072.

9053. The Legislature hereby recognizes that, because of the common needs and interests of the citizens of this state and the nation, there is a need to establish general educational guidelines for the selection of reading instructional materials in the public elementary schools.

Article 2. Definitions

9061. For the purpose of this division the definitions set forth in this article shall govern the construction of this division

9062. "Instruction material" means all materials designed for use by pupils and their teachers as a learning resource and which help pupils to acquire facts or skills or to develop cognitive processes Instructional materials may be printed or nonprinted and may include textbooks, educational materials and tests.

9063. "Instructional materials system" means a comprehensive collection of related instructional materials which are designed to improve learning in one or more subjects and are so designed that all parts of the system are necessary to produce the results intended.

9064. "Textbook" means a book designed for use by pupils as a source of instructional material, or a teachers edition of the same book.

9065 "Educational material" means any audiovisual or manipulative device including, but not limited to films, tapes, flashcards, kits, phonograph records, study prints, graphs, charts and multimedia systems Educational materials do not constitute equipment as defined in the California School Accounting manual.

9066. "Test" means any device used to measure the knowledge or achievement of students.

9067. "State board" means the State Board of Education.

9068. "Commission" means the Curriculum Development and Supplemental Materials Commission.

9069. "District board" means that board of education or governing board of any county, city and county, city or other district which has the duty to provide for the education of the children in its county, city and county, city or district.

9070. "Governing boards" means the state board and any one or more district boards.

9071. "School official" means any member of any governing board, any city, county, city and county or district superintendent of schools, and any principal, teacher or other employee under his charge.

9072. "Elementary school" means all public and nonpublic schools in which instruction is given through grade eight or in any one or more of such grades.

9073. "Nonpublic school" means a school satisfying the requirements of Section 12154 of the Education Code, if such school is exempt from taxation under Section 214 of the Revenue and Taxation Code.

Article 3. Content Requirements for Reading Instructional Materials

9081. No reading instructional materials shall be adopted by any governing board for use in the schools which contains:

(a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex or occupation.

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

9082. All reading instructional materials adopted by any governing board for use in the schools shall be suited to the needs and comprehension of pupils according to their abilities. Such materials shall be accurate and objective.

9083. If any reading instructional material offered for adoption or sale violates the requirements of this article the state board shall order the publisher or manufacturer to cease to offer or sell such reading instructional materials If such an order is made, it shall be unlawful for any school to purchase or order such reading instructional material or to continue the use of such reading material beyond the close of the current school year.

Article 4. Bond of Publisher or Manufacturer

9091. Every publisher or manufacturer of reading instructional materials offered for adoption or sale in California shall file with the state board a bond in a form approved by the Attorney General payable to the State of California in a sum to be determined by the state board. The sum of the bond shall be not less than one thousand dollars ($1,000) nor more than ten thousand dollars ($10,000).

9092. The bond shall provide that the publisher or manufacturer will comply with all the requirements and provisions of this division.

9093. The bond shall further provide that the publisher or manufacturer will maintain an office and depository in California or arrange with an independently owned and operated depository in California to receive and fill orders for reading instructional materials.

9094. The bond shall further provide that the publisher or manufacturer will:

(a) Furnish the reading instructional materials offered by him at a price at the depository in California which, including all costs of transportation to that place, shall not exceed the lowest price at which the publisher offers such reading instructional materials for adoption or sale to any state or school district in the United States.

(b) Automatically reduce the price of such reading instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.

(c) Provide any reading instructional materials or services free of charge in California to the same extent as that received by any state or school district in the United States.

(d) Guarantee that all copies of any reading instructional materials sold in California shall be at least equal in quality to the copies of such reading instructional materials that are sold elsewhere in the United States.

(e) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in reading instructional materials, and that he will not enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of reading instructional materials for use in the State of California.

(f) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the governing board in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subdivisions (a) and (b) and (c), and in the amount of three times the total value of the reading instructional materials and services which the governing board is entitled to receive free of charge under subdivision (c).

9095. The provisions of Section 9094 shall apply to the purchase of reading instructional materials under Sections 7203 and 7352 of this code.

9096 It is a misdemeanor for any publisher or manufacturer of reading instructional materials, or his representative, to offer for adoption or sale any reading instructional material in California unless the publisher or manufacturer has placed on file with the state board a valid bond, conditioned as provided in Article 4 (commencing with Section 9091) of this chapter, in full force and effect.

Article 5. Prohibited Acts

9101. No school official shall require any pupil, except pupils in classes for adults or community colleges, to purchase any reading instructional material for the pupils' use in the schools.

9102. No publisher or manufacturer of reading instructional materials, nor any of his representatives, shall offer or give any emolument, money or other valuable thing, or any inducement, to any school official to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any reading instructional material.

9103. No school official shall accept any emolument, money or other valuable thing, or any inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any reading instructional material.

9104. Any publisher or manufacturer of instructional materials, or his representative, or any school official, who violates any of the provisions of this article is guilty of a misdemeanor. Any school official shall, in addition to any other penalty, be removed from his official position.

9105. Nothing in this article shall be construed to prevent any publisher, manufacturer, or agent from supplying for purposes of examination necessary sample copies of reading instructional materials to any school official.

9106. Nothing in this article shall be construed to prevent a school official from receiving sample copies of reading instructional materials. All copies of reading materials so received shall be returned within 30 days after adoption or purchase.

9107. Nothing contained in this article shall be construed to prohibit or restrict a teacher from receiving royalties or other compensation from the publisher or manufacturer of reading instructional materials written, designed, or prepared by such teacher, and adopted or purchased by any governing board, other than compensation paid as commission to the teacher for negotiating sales to governing boards No district shall have or claim the right to receive any such royalty or other compensation due to any teacher employed by the district unless the reading instructional material was written or prepared during the normal schoolday during which the teacher is required by the district to be on duty.

Article 6. Reports

9111. Each district board shall make reports, whenever required, directly to the Superintendent of Public Instruction, concerning the reading instructional materials used in its schools.

CHAPTER 2. ELEMENTARY READING INSTRUCTIONAL MATERIALS

Article 1. State Adoption and Selection

9121. The state board annually shall adopt a list of reading instructional materials and reading instructional materials systems for reading which shall be utilized in the following manner.

(a) The state list, accompanied by samples of reading instructional materials and reading instructional materials systems, shall be sent to district boards as resource material for determining selection of reading instructional materials and reading instructional materials systems for elementary schools within districts.

(b) District boards may amend the state list by deleting or adding reading instructional materials and reading instructional materials systems.

(c) Copies of district-approved lists shall be furnished to every elementary school within a district.

(d) Staffs of every elementary school shall determine which reading instructional materials and reading instructional materials systems most adequately meet the needs of their students and requisition those materials.

(e) Before requisitions are submitted to district boards, local schools shall make such materials available for public inspection for 15 school days on school grounds.

9122. In adopting the annual list of reading instructional material the state board may do any one or more of the following:

(a) Retain any reading instructional materials from the previous years' list.

(b) Delete from the previous years' list any material which it determines is obsolete pursuant to law, or which received no order from any district board during the previous year

(c) Add reading instructional materials not previously submitted for adoption, or reading materials previously submitted which have been revised to comply with any recommendations of the board

9123. Before final adoption of any reading instructional materials not currently listed, the state board shall make such materials available for public inspection for 30 days in offices of each county superintendent of schools.

9124. The state board shall give the Curriculum Development and Supplemental Materials Commission a public hearing before making any adoption of reading instructional materials for use in the elementary schools of the state

9125. The commission shall:

(a) Develop criteria for evaluating reading instructional materials submitted for adoption so that the materials adopted shall adequately develop basic reading skills Such criteria shall be public information and shall be provided in written or printed form to any person requesting such information

(b) Study and evaluate all reading instructional materials submitted for adoption.

(c) Recommend to the state board reading instructional materials which it approves for adoption for each grade level from kindergarten to eighth grade

9126. The commission may, in order to fulfill its duties pursuant to Section 9125, appoint task forces or committees of reading experts to assist and advise them Each task force or committee appointed by the commission shall not exceed 50 members and shall include classroom teachers as defined in Section 321 as a majority of each task force or committee Accurate records of the advice and recommendations of each task force or committee member shall be maintained by the commission, and made available to the state board at its request.

Article 2 Duties of Publishers and Manufacturers

9131. All publishers and manufacturers submitting reading instructional materials for adoption by the state board shall comply with the provisions of Chapter 1 (commencing with Section 9051) of this division.

9132. Publishers and manufacturers submitting reading instructional materials for adoption shall provide sample copies of such materials.

9133. Publishers and manufacturers shall, at the time that they submit sample copies of their reading instructional materials, submit the following information:

(a) Detailed specifications of the physical characteristics of such material. Such specifications shall be complied with by the publisher or manufacturer if the material is adopted and purchased in completed form by the state board or any district board. If the material is adopted under a lease contract, the Department of General Services shall follow comparable specifications in manufacturing the material. Changes in specifications may be made when approved by the state board.

(b) A price schedule for the sale of completed materials to the state.

(c) A price schedule for the lease and or purchase by the state of plates, films, and other materials.

(d) A price schedule of royalty costs to be paid to the publisher or manufacturer whenever the state manufactures and distributes to school districts any such materials

9134. Publishers and manufacturers shall make available for purchase by any governing board any diagnostic, criterion or other tests that they may develop.

9135. At the request of any district board, publishers and manufacturers shall provide in-service training in the use of reading instructional materials produced by them.

9136. Publishers and manufacturers shall, in accordance with rules and regulations adopted by the state board, develop plans to improve the quality and reliability of reading instructional materials through learner verification. The state board may, with the consent of the district board, permit publishers and manufacturers to have limited access to classrooms for necessary testing and observation. The state board shall require publishers and manufacturers to provide it with copies of test results and evaluations made as part of learner verification.

Article 3. State Reading Instructional Materials Fund

9141. There is hereby created the State Reading Instructional Materials Fund, effective July 1, 1973, Allotments per pupil enrolled in the elementary schools will be determined by the Curriculum Development and Supplemental Materials Commission. The fund shall be a means of annually funding the acquisition of instructional materials as required by the Constitution of the State of California The fund shall be permanent. Any balance remaining at the end of any fiscal year may be carried over into the subsequent fiscal year as part of the State Reading Instructional Materials Fund, before such funds revert to the General Fund.

9142. The fund shall be administered by the State Department of Education under policies established by the state board It is the intent of the Legislature that the fund shall provide for flexibility of reading instructional materials. The fund shall constitute:

(a) A credit for use by district boards from which to order reading instructional materials adopted by the state board.

(b) A cash allotment, not to exceed 50 percent of the district board's credit, for use in purchasing reading instructional materials from any source.

(c) A credit or cash allotment for use by district boards for the purchase of tests or in-service training pursuant to Sections 9134 and 9135.

(d) An allotment to the Department of Education of not to exceed 10 percent of the fund, for state operating and overhead expenses, including warehousing and shipment.

9143. The State Department of Education shall annually apportion to each elementary school district, after deductions allowed by subdivision (d) of Section 9142, a credit based on an allotment per pupil determined by the Curriculum Development and Supplemental Materials Commission of all unencumbered moneys in the fund.

9144. District boards ordering reading instructional materials from lists adopted by the state board shall have deducted from their credit a unit cost based on the information provided by publishers or manufacturers pursuant to subdivision (b) of Section 9133. In the event that the state board arranges for the manufacture of such instructional materials at a lower actual cost pursuant to Section 9169, the savings shall be passed on to ordering districts in the form of an additional credit.

9145. District boards which do not use their entire credit in any fiscal year shall have the unexpended balance encumbered in their favor and shall be carried over into the subsequent fiscal year as part of the credit of the district.

9146. To carry out the provisions of this article, all appropriations made by the Legislature for the acquisition of reading textbooks or other reading instructional materials are hereby transferred to the State Reading Instructional Materials Fund.

Article 4. Local Ordering Procedures

9151. It is the intent of the Legislature in adopting this article that district boards order reading instructional materials which meet the needs of pupils in their district, and which relate to their courses of study as adopted pursuant to Division 7 (commencing with Section 7500).

9152 District boards shall determine the necessary quantities and distribution pattern of reading instructional materials. No minimum order or ratio of materials shall be required, except that each district board shall provide sufficient quantities of instructional materials to meet the needs of their pupils

9153. District boards shall provide for substantial teacher involvement in selecting reading instructional materials.

9154 District boards shall order reading instructional materials on forms provided by the Department of Education Such forms shall include, or be accompanied by, information concerning the grade or grades for which each reading instructional material is intended, and the unit cost of such material, as computed pursuant to Section 9144, which will be deducted from the credit of the district when ordered.

9155.. All district orders for reading instructional materials shall be forwarded to the Superintendent of Public Instruction for procurement of such materials pursuant to Article 5 (commencing with Section 9161) of this chapter. However, in cases where the district does not qualify as a city school district and is an elementary district with fewer than 901 average daily attendance or a unified district with fewer than 1,501 average daily attendance, the county superintendent of schools shall approve the orders for reading instructional materials by such districts before forwarding to the Superintendent of Public Instruction.

Article 5. State Procurement of Reading Instructional Materials

9161. The state board shall cause to be acquired and distributed any reading instructional materials ordered by district boards pursuant to Article 4 (commencing with Section 9131) of this chapter.

9162. The state board may acquire reading instructional materials included in any list adopted by the board for use in the elementary schools, by any one or more of the following means determined by the board to be in the best interests of the state:

(a) Purchase them.

(b) Compile them, or cause them to be compiled and manufacture them.

(c) Lease plates, films, maps, engravings, or copyright matter for use in manufacturing them.

(d) Contract for, or lease copyrights for use in compiling printing, or publishing them.

(e) Provide for the payment of royalties or for the leasing of plates or for making the whole or any part of the material and do any or all things that may be necessary for the purpose of procuring materials for use in the elementary schools.

(f) Arrange for the printing of reading textbooks by the Department of General Services.

(g) Produce or contract for the production of reading textbooks in braille, large print, recordings or other media for the use of handicapped minors, including the visually handicapped.

9163 The cost of reading instructional materials acquired in any manner pursuant to Section 9162 shall be paid out of the State Reading Instructional Materials Fund.

9164. The State Board of Education, before purchasing reading instructional materials from any source other than the Department of General Services, shall file with the Department of General Services a statement showing:

(a) The price which will be paid for the materials

(b) The cause preventing its production by the Department of General Services.

(c) Evidence that will support the fact that the publisher or manufacturer actually refused to lease copyright matter, if such refusal is assigned as a cause preventing the production of the material by the Department of General Services.

9165. Subject to the approval of the state board or a representative of the state board appointed to supervise the work, the Department of General Services shall have supervision of all the mechanical work connected with the printing of such reading textbooks as may be compiled and adopted. The Department of General Services, after printing and binding the reading books, shall deliver them to the Superintendent of Public Instruction.

9166. The Department of General Services shall receive payment on the approval of the items of cost by the state board or its duly authorized agent.

9167. The amount fixed for royalty and costs of plates or copyright matter in favor of any company, or individual, shall be presented by the Superintendent of Public Instruction to the state board for its approval. Claims shall be paid quarterly, in the same manner as other claims upon the State Treasury.

9168. The Department of General Services shall furnish one copy of a cost-finding report showing items of work and the materials and the exact cost of each item for each of the lot of reading books, to the state board.

9169. On receiving a copy of the cost-finding report and the estimated cost of the publishing of any reading book, the state board shall determine and fix the cost price of the books The cost price shall be determined by adding: (a) the cost of manufacture, (b) the contract price to be paid as royalty or for the use of platea maps, engravings, or copyrighted matter, and (c) overhead expense, which shall be computed at 10 percent of items (a) and (b).

9170. The cost price shall be deemed to be the whole cost of publication of the reading book at Sacramento.

9171. The Department of General Services shall on the first day of each month furnish to the state board a detailed statement showing the name and number of reading books published by it during the preceding month, and the number in course of publication.

9172. The Superintendent of Public Instruction shall arrange for the warehousing and shipping of all reading instructional materials in the most economical and timely manner.

9173. The Superintendent of Public Instruction shall arrange for the redistribution of surplus reading instructional materials to districts reporting insufficient quantities of such materials.

Article 6. Other Uses of Elementary Reading Instructional Materials

9181. The following individuals or organizations may order reading instructional materials from lists adopted by the state board:

(a) The head of any state institution offering reading instruction in the elementary grades or giving instruction in the teaching of reading.

(b) District boards of high school districts offering special reading programs where such materials would be necessary.

(c) Private schools, individuals or dealers.

Such materials shall be purchased at the unit cost determined pursuant to Section 9144.

9182. The Superintendent of Public Instruction shall keep an accurate account of the amount of money received from the sale of reading instructional materials and report to the Controller in accordance with provisions of Chapter 1 (commencing with Section 16300) of Part 2 of Division 4 of Title 2 of the Government Code. The amount of money collected therefor shall be paid into the Treasury to the credit of the State Reading Instructional Materials Fund.

9183. The state board shall make available copies of adopted reading textbooks in large print for pupils enrolled in the elementary schools whose visual acuity is 20/70 or less or who have other visual impairment making the use of such textbooks necessary. The state board shall make available adopted textbooks in braille characters for pupils enrolled in elementary schools whose corrected visual acuity is 20/200 or less.

9184. The Superintendent of Public Instruction shall establish and maintain a central clearinghouse-depository and duplication center for reading instructional materials and reading instructional material systems for the use of visually handicapped students enrolled in the public schools of California who may require their use as shall be determined by the state board.

Such reading instructional materials in specialized media shall be available to other handicapped minors enrolled in the public schools of California who are unable to benefit from the use of conventional print copies of reading instructional materials and reading instructional materials systems in a manner determined by the state board.

9185. The Superintendent of Public Instruction shall make available to pupils entitled to attend the public schools of California, but in attendance at a school other than a public school under the provisions of Section 12154, the items specified in Section 9184 without cost to the pupils or to the nonpublic school which they attend.

9186. The state board shall make available to pupils entitled to attend the public elementary schools of the district, but in attendance at a school other than a public school under the provisions of Section 12154, reading instructional materials adopted by the board for use in the public elementary schools. No charge shall be made to any pupil for the use of such adopted materials.

Reading materials shall be made available pursuant to this section only to the same extent that materials are made available to students in attendance in public elementary schools, except that no cash allotment may be made to any nonpublic school.

Reading materials shall be made available for the use of nonpublic elementary school students after the nonpublic school certifies to the State Superintendent of Public Instruction that such materials are desired and will be used by the elementary school students."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, April 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 147
AB No. 395

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, April 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 54	SB No. 406	SB No. 606
SB No. 349	SB No. 410	SB No. 1119

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 54—An act to amend Sections 25210.21 and 25210.22 of the Government Code, relating to county service areas.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 349—An act to add Section 346 to the Penal Code, relating to admission tickets.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 406—An act to amend Section 6499 of, and add Section 6492.5 to, the Health and Safety Code, relating to sanitary districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 410—An act to amend Sections 74662, 74663, 74664, 74665, 74666, and 74674 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 606—An act to repeal Section 21605 of the Public Utilities Code, relating to aviation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1119—An act to amend Section 1009.5 of the Education Code, relating to school transportation.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 206, 235, 469, 1322, 688, 474, 1010, and **1501,** ordered to third reading.

Assembly Bills Nos. 1112, 1078, and **1502,** ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No. 1502 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 802—An act to amend Sections 10851 and 11476 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 10851 and 11476 of", and insert "Section 11476 of, and to add Section 10851.5 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 10851.5 is added to the Welfare and Institutions Code, to read:

10851.5. Notwithstanding Section 10851, the board of supervisors of any county may authorize the destruction of the case narrative portions of the case record that are over three years old in any case file, active or inactive, after audit by the department."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 90—An act relating to the study of amphetamines, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly April 3, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 2, strike out line 32; and on page 3, strike out lines 1 and 2.

Amendment No. 3

On page 3, line 3, strike out "SEC. 8", and insert "SEC. 7".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 754—An act to amend Sections 20870, 20884, 21800, 21804, 21805, 21820, 21821, 21822, 21830, 21831, 21880, 21880.5, 21882, 21890, 21910, 21911, 21922 of, and to add Sections 21832 and 21833 to the Business and Professions Code, relating to petroleum products.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20870, 20884, 21800, 21804, 21805,"; strike out line 2 of the title; and in line 3, strike out "21890," and insert "20780, 20884, 21805, 21820, 21821, 21830, 21831,".

Amendment No. 2

On page 2, strike out lines 33 to 38, inclusive.

Amendment No. 3

On page 3, strike out lines 1 to 11, inclusive; and in line 12, strike out "SEC. 5", and insert "SEC. 3"

Amendment No. 4

On page 3, line 15, strike out "motor vehicle".

Amendment No. 5

On page 3, line 17, strike out "motor vehicle".

Amendment No. 6

On page 3, line 21, strike out "SEC. 6.", and insert "Sec. 4.".

Amendment No. 7

On page 3, line 24, strike out "motor vehicle".

Amendment No. 8

On page 3, line 26, strike out "motor vehicle".

Amendment No. 9

On page 3, line 29, strike out "motor vehicle".

Amendment No. 10

On page 3, line 32, strike out "motor vehicle".

Amendment No. 11

On page 3, line 35, strike out "SEC. 7.", and insert "SEC. 5."

Amendment No. 12

On page 4, line 2, strike out "motor vehicle".

Amendment No. 13

On page 4, line 4, strike out "motor vehicle".

Amendment No. 14

On page 4, line 6, strike out "motor vehicle".

Amendment No. 15

On page 4, line 15, strike out "motor vehicle".

Amendment No. 16

On page 4, strike out lines 26 to 40, inclusive; and on page 5, strike out lines 1 to 5, inclusive.

Amendment No. 17

On page 5, line 6, strike out "SEC 9.", and insert "SEC. 6."

Amendment No. 18

On page 5, line 8, strike out "motor vehicle".

Amendment No. 19

On page 5, line 10, strike out "motor vehicle".

Amendment No. 20

On page 5, line 12, strike out "motor"; and in line 13, strike out "vehicle".

Amendment No. 21

On page 5, line 16, strike out "motor vehicle".

Amendment No. 22

On page 5, line 23, strike out "SEC. 10.", and insert "SEC. 7."

Amendment No. 23

On page 5, line 25, strike out "Motor vehicle brake", and insert "Brake".

Amendment No. 24

On page 6, line 8, strike out "SEC. 11.", and insert "SEC. 8."

Amendment No. 25

On page 6, line 10, strike out "motor vehicle".

Amendment No. 26

On page 6, line 13, strike out "motor vehicle".

Amendment No. 27

On page 6, line 17, strike out "SEC. 12.", and insert "SEC. 9."

Amendment No. 28

On page 6, line 19, strike out "motor vehicle".

Amendment No. 29

On page 6, strike out lines 31 to 40, inclusive; and on page 7, strike out lines 1 to 31, inclusive.

Amendment No. 30

On page 7, line 32, strike out "SEC. 17.", and insert "SEC. 10."

Amendment No. 31

On page 8, line 15, strike out "SEC. 18.", and insert "SEC. 11."

Amendment No. 32

On page 9, line 7, strike out "SEC. 19.", and insert "SEC. 12."

Amendment No. 33

On page 9, line 24, strike out "SEC. 20.", and insert "SEC. 13."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 943—An act to amend Sections 12070, 12071 and 12073 of the Penal Code, relating to firearms.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "12071", insert a comma.

Amendment No. 2

On page 2, line 6, strike out "12971", and insert "12071".

Bill ordered reprinted, and returned to the second reading file.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 1502.

RECESS

By unanimous consent, at 10.14 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 10:30 a.m.

REASSEMBLED

At 10:30 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 79: By Assemblyman Townsend—Relative to street and road financing.

Held at Desk by order of the Speaker pro Tempore.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 511

With amendments with the recommendation: Amend, and do pass, as amended.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, April 20, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 626

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 910

With author's amendments with the recommendation: Amend, and refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 910—An act to add Section 5008.3 to the Public Resources Code, relating to the state park system.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"5008.3. Any person who is employed by a state park system concessionaire for duties which include traffic control may, when on active duty, serve a written notice to appear for offenses related to parking under the Vehicle Code or under rules and regulations of the depart-

ment in the same manner as prescribed in Sections 41102 and 41103 of the Vehicle Code or as prescribed in Article 2 (commencing with Section 40500) of Chapter 2 of Division 17 of the Vehicle Code, as appropriate, and, upon following such procedures, such notice to appear shall have the same effect as a notice to appear served by a peace officer pursuant to such provisions of the Vehicle Code."

Amendment No. 2

On page 1, strike out lines 4 to 11, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 25, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 684

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 684—An act to add Title 6 5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, between lines 25 and 26, insert

"If no combination of one-half of the cities of a county contains at least one-half of the population of the county, then agreement of any half of the cities in such county is sufficient to enable execution of joint powers agreements or other acceptable arrangements by such county and such cities for constituting planning districts"

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 177, on request of Mr. Chappie.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 655—An act to amend Section 10805 of the Education Code, relating to interdistrict attendance of pupils.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Deddeh, Duffy,

Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 305—An act to amend Sections 4709, 4800, 4801, 4802, 4803, and 4804 of the Labor Code, relating to law enforcement personnel.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 311—An act to add Sections 3212.4, 4804.1, 4804.2, 4804.3, 4804.4, and 4804.5 to the Labor Code, relating to University of California fire departments.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 344—An act to amend Section 1142 of the Education Code, relating to school elections.

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 519—An act to amend Section 200 of the Code of Civil Procedure, relating to jurors.

Bill read third time, and passed by the following vote:

AYES—Barnes, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 798—An act to add Article 1.7 (commencing with Section 25544) to Chapter 5 of Division 18 5 of the Education Code, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 222, on request of Mr Z'berg.

Majority Floor Leader Presiding

At 10:46 a.m., Hon. Jack R. Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly during consideration of Assembly Constitutional Amendment No. 14.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

Mr Ralph was granted unanimous consent to take up Assembly Constitutional Amendment No 14, temporarily passed on file, out of order, for purpose of consideration at this time.

Consideration of Assembly Constitutional Amendment No. 14

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Con-

stitution of the state, by amending subdivision (a) of Section 19 of Article IV thereof, relating to the conduct of a lottery by the state.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Ralph moved a call of the Assembly.

Mr. Brown seconded the motion.

Motion carried. Time, 11·07 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 4—An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Briggs, Brophy, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—46.

NOES—Barnes, Belotti, Biddle, Burke, Collier, Conrad, Hayden, Ray E. Johnson, Ketchum, MacGillivray, Monagan, Moorhead, Murphy, Russell, Seeley, Stacey, and Stull—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 304—An act to add Sections 5203 5, 5204, 5205, and 5206 to the Elections Code, relating to referendum and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Priolo moved a call of the Assembly.

Mr. McCarthy seconded the motion.

Motion carried. Time, 11:20 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 5—An act to add Chapter 6 (commencing with Section 10700) to Part 2 of Division 2 of Title 2 of the Government Code, relating to the creation of the office of Ombudsman for Corrections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—52.

NOES—Barnes, Briggs, Brophy, Burke, Cline, Collier, Conrad, Ketchum, MacGillivray, Moorhead, Priolo, Russell, Stacey, and Stull—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 211—An act to amend Section 3053 of, to add Sections 3060, 3061, 3062, and 5075.5 to, and to repeal Sections 3056, 3060, 3061, 3062, and 3063 of, the Penal Code, relating to convicted persons.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Brathwaite, Brophy, Burton, Chacon, Chappie, Cory, Crown, Cullen, Deddeh, Dunlap, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—41.

NOES—Beverly, Biddle, Briggs, Burke, Cline, Collier, Conrad, Davis, Duffy, Fenton, Hayden, Ketchum, MacDonald, MacGillivray, Maddy, McAlister, Moorhead, Porter, Priolo, Russell, Seeley, Stacey, and Stull—23.

Bill ordered transmitted to the Senate.

Assembly Bill No. 667—An act to amend Sections 12101 and 12101.1 of the Welfare and Institutions Code, relating to Old Age Security, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—60.

NOES—Arnett, Bagley, Barnes, Brophy, Burke, Cline, Collier, Conrad, Hayden, Moorhead, and Stull—11.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—60.

NOES—Arnett, Bagley, Barnes, Brophy, Burke, Cline, Collier, Conrad, Hayden, Moorhead, and Stull—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 494—An act to amend Section 21201 of the Vehicle Code, relating to bicycles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 365—An act to add Section 54934 to the Government Code, relating to recreation and park districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 539—An act to amend Section 6487 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1125—An act relating to the late filing of maps or plats for purposes of property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline,

Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2059—An act to add Section 54938 6 to the Government Code, relating to assessments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, ~~Karabian,~~ Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—~~70.~~

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCar-

thy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 657—An act to add Section 21100 5 to the Vehicle Code, relating to vehicles

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 530—An act to amend Section 36516 of, and to add Section 36516.2 to, the Government Code, relating to local government.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—65.

NOES—Briggs—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 556—An act to add Article 9 (commencing with Section 54240) to Chapter 5, Part 1, Division 2, Title 5 of the Government Code, relating to public leasebacks

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Mona-

gan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr. Speaker—62.

NOES—Cline—1.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

At 12 m., on motion of Mr. Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly Continued

Pending the announcement of the vote, Mr. Ralph moved to continue the call of the Assembly.

Motion carried. Time, 12:01 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 304

At 12:02 p.m, on motion of Mr. Priolo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 304 refused adoption by the following vote:

AYES—Arnett, Beverly, Brathwaite, Briggs, Brophy, Brown, Burton, Chacon, Cline, Conrad, Cory, Cullen, Deddeh, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, Knox, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—41.

NOES—Bagley, Barnes, Bee, Belotti, Biddle, Burke, Chappie, Collier, Davis, Duffy, Fong, Ray E. Johnson, Ketchum, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Porter, Russell, Seeley, Stacey, and Stull—27.

Further Consideration of Assembly Bill No. 304

Assembly Bill No. 304—An act to add Sections 5203.5, 5204, 5205, and 5206 to the Elections Code, relating to referendum and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Priolo moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly April 5, 1972, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3 of the printed bill, strike out lines 20 through 33, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2304—An act to amend Sections 25210.77f and 25831 of the Government Code, relating to counties, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 514—An act to add Section 25536.2 to the Government Code, relating to county property

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier,

Conrad, Cory, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—65.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

At 12:07 p.m., on motion of Mr. Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 14 refused adoption by the following vote:

AYES—Arnett, Bee, Belotti, Brathwaite, Briggs, Brophy, Brown, Burton, Cline, Cory, Cullen, Deddeh, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Karabian, Knox, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—37.

NOES—Barnes, Beverly, Biddle, Burke, Chacon, Chappie, Collier, Conrad, Crown, Davis, Duffy, Dunlap, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Russell, Sieroty, Stull, and Z'berg—32.

Motion to Reconsider Assembly Constitutional Amendment No. 14 on Next Legislative Day

Mr. Ralph moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 14 was this day refused adoption.

Assembly Constitutional Amendment No. 14 ordered to the unfinished business file.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next rollcall would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 501—An act to amend Section 4701 of the Civil Code, relating to child support.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 745—An act to add Section 54931.19 to the Government Code, relating to districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 565—An act to amend, repeal, and add Section 13354 of the Vehicle Code, relating to blood tests

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Mur-

phy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1194—An act to amend Section 27491.45 of the Government Code, relating to coroners

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An act to amend Section 1085 of the Education Code, relating to driver training.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 691—An act to repeal Section 30700.7 of the Water Code, relating to county water districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 697—An act to add Section 55507 to the Water Code, relating to county waterworks districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 813—An act to add Section 55337 to the Water Code, relating to county waterworks districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 426—An act to amend Section 5000 of, and to add Sections 5001 and 5002 to, the Fish and Game Code, relating to reptiles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 534—An act to amend Section 31245 of the Education Code, relating to graduate fellowships

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 553—An act relating to Yosemite Junior College District.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 57—An act to amend Section 1505 of the Fish and Game Code, relating to fish and game management.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 540

Mr. Mobley was granted unanimous consent that Assembly Bill No. 540 be withdrawn from the Committee on Transportation, and that the bill be placed on the third reading file for the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 331 for hearing in the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1710

Mr Brown was granted unanimous consent to take up Assembly Bill No. 1710, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 1710 by Unanimous Consent

Assembly Bill No. 1710—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Set No. 1

Amendment No. 1

On page 1, line 5, of the printed bill, after "Code", insert "which are applicable to adult women".

Amendment No. 2

On page 1, line 5, after "to", insert "adult".

Set No. 2

Amendment No. 1

On page 1, line 3, of the printed bill, after "1973," insert "with the exception of the provisions of Article 1 (commencing with Section 1250) of Chapter 2 of Part 4 of Division 2 of the Labor Code,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Rush Order Placed Upon Printing of Assembly Bill No. 1710

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1710, and that the bill be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1710 for hearing in the Committee on Ways and Means on Wednesday, April 26.

RE-REFERENCE OF ASSEMBLY BILL NO. 673

Mr. Beverly was granted unanimous consent that Assembly Bill No. 673 be re-referred from the third reading file to the Committee on Criminal Justice.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 673 for hearing in the Committee on Criminal Justice today.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy was granted unanimous consent that Assembly Bill No. 1206 be considered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Ketchum for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2334 be granted.

BURTON, Chairman

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Cory for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2338 be granted.

BURTON, Chairman

Committee on Natural Resources and Conservation

Assembly Chamber, April 25, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 347

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Transportation.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 25, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports.

ACR No. 71

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, April 25, 1972

Mr Speaker · Your Committee on Natural Resources and Conservation reports:

AB No. 1344

With amendments with the recommendation: Amend, and do pass, as amended.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports ·

ACR No. 42
ACR No. 68

With the recommendation · Be adopted.

Z'BERG, Chairman

Above resolutions ordered on file.

Assembly Chamber, April 25, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports.

AB No 783 AB No 785
AB No. 784 AB No 786

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 25, 1972

Mr Speaker. Your Committee on Natural Resources and Conservation reports:

AB No. 296 AB No 901
AB No 578 AB No 1005

With the recommendation: Do pass.

Z'BERG, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, April 25, 1972

Mr. Speaker. Your Committee on Rules reports:

SCR No. 35
SJR No. 3

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BURTON, Chairman

Above resolutions ordered on file.

Assembly Chamber, April 25, 1972

Mr. Speaker. Your Committee on Rules reports.

AJR No. 6

With the recommendation· That the resolution be re-referred to the Committee on Natural Resources and Conservation

BURTON, Chairman

Above resolution re-referred to the Committee on Natural Resources and Conservation.

Assembly Chamber, April 25, 1972

Mr Speaker: Your Committee on Rules reports:

AJR No. 26

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, April 25, 1972

Mr Speaker. Your Committee on Ways and Means reports:

AB No. 42

With the recommendation· Do pass.

BROWN, Chairman

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ketchum:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2334 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote.

AYES—Arnett, Bee, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—63.

NOES—None.

Article IV, Section 8(a), of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 26

Mr Warren was granted unanimous consent to take up Assembly Joint Resolution No. 26, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Assembly Joint Resolution No. 26 by Unanimous Consent

Assembly Joint Resolution No. 26—Relative to Solidarity Day.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed measure, after "Jews", insert "as well as other oppressed people under Soviet control".

Amendment No. 2

On page 2, line 7, after "Jews", insert "as well as other oppressed people under Soviet rule".

Request for Unanimous Consent

Mr Waxman was granted unanimous consent to take up Assembly Joint Resolution No 26, as amended, without reference to print or file, and that the same be considered engrossed

Consideration of Assembly Joint Resolution No. 26, as Amended

Assembly Joint Resolution No. 26—Relative to Solidarity Day.

Resolution read, as amended, and adopted by the following vote:

AYES—Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Conrad, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—58.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cory:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2338 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—63.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bills Nos. 196 and 230 was continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2349: By Assemblyman Moorhead—An act to amend Section 69503 1 of, and to add Sections 69503 2 and 69503 3 to, the Government Code, relating to records.

Held at Desk by order of the Acting Speaker.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.15 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, April 25, 1972

Mr Speaker: The Chairman of your Committee on Government Administration reports:

AB No 515

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Government Administration.

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 515—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 8, and insert "it is in the public interest to shorten the time required for a citizen to request and receive emergency aid. There currently exist thousands of different emergency phone numbers throughout the state, and present telephone exchange boundaries and central service areas do not necessarily correspond to public safety and political boundaries. Provision of a single, primary three-digit emergency number through which emergency services can be quickly and efficiently obtained would provide a significant contribution to law enforcement and other public-service efforts by making it less difficult to quickly notify public-safety personnel. Such a simplified means of procuring emergency services will result in the saving of life, a reduction in the destruction of property, quicker apprehension of criminals, and ultimately the saving of money The Legislature further finds and declares that the establishment of a uniform, statewide emergency number is a matter of statewide concern and interest to all inhabitants and citizens of this state. It is the purpose of this act to establish the number "911" as the primary emergency telephone number for use in this state and to encourage units of local government and combinations of such units to develop and improve emergency communication procedures and facilities in such a manner as to be able to respond to any person calling the telephone number "911" seeking police, fire, medical, rescue, and other emergency services.

53101 "Public agency," as used in this article, means the state, and any city, county, city and county, municipal corporation, public district, or public authority located in whole or in part within this state which provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services.

53102. "Public safety agency," as used in this article, means a functional division of a public agency which provides firefighting, police, medical, or other emergency services

53103. "Direct dispatch method," as used in this article, means a telephone service providing for the dispatch of an appropriate emergency service unit upon receipt of a telephone request for such services and a decision as to the proper action to be taken

53104. "Relay method," as used in this article, means a telephone service whereby pertinent information is noted by the recipient of a telephone request for emergency services, and is relayed to appropriate public safety agencies or other providers of emergency services for dispatch of an emergency service unit

53105. "Transfer method," as used in this article, means a telephone service which receives telephone requests for emergency services and directly transfers such requests to an appropriate public safety agency or other provider of emergency services

53106. "Referral method," as used in this article, means a telephone service which, upon the receipt of a telephone request for emergency services, provides the requesting party with the telephone number of the appropriate public safety agency or other provider of emergency services.

53107. "Basic system" as used in this article, means a telephone service which automatically connects a person dialing the digits "911" to an established public safety answering point through normal telephone service facilities.

53108. "Sophisticated system," as used in this article, means a basic system with the additional capability of automatic identification of the caller's number, holding the incoming call, reconnection on the same telephone line, clearing a telephone line, or automatic call routing or combinations of such capabilities.

53109. Every public agency within its respective jurisdiction shall establish and have in operation by December 31, 1982, a basic or sophisticated system as specified in this article

The establishment of such systems shall be centralized to the extent feasible. Nothing in this article shall be construed to prohibit or discourage in any way the formation of multijurisdictional or regional systems, and any system established pursuant to this article may include the territory of more than one public agency or may include a segment of the territory of a public agency.

53110. Every system shall include police, firefighting, and emergency medical and ambulance services, and may include other emergency services, in the discretion of the affected local public agency, such as poison control services, suicide prevention services, and civil defense services The system may incorporate private ambulance service.

53111. The digits "911" shall be the primary emergency telephone number within the system, but a public agency or public safety agency may maintain a separate secondary backup number.

53112. All systems shall be designed to meet the specific requirements of each community and public agency served by the system. Every system, whether basic or sophisticated, shall be designed to have the capability of utilizing at least three of the methods specified in

Sections 53103 to 53106, inclusive, in response to emergency calls. The Legislature finds and declares that the most critical aspect of the design of any system is the procedure established for handling a telephone request for emergency services.

In addition, to maximize efficiency and utilization of the system, all pay telephones within each system shall, by December 31, 1982, enable a caller to dial "911" for emergency services without the necessity of inserting a coin.

53113 The Legislature finds that, because of overlapping jurisdiction of public agencies, public safety agencies, and telephone service areas, a general overview or plan should be developed prior to the establishment of any system In order to insure that proper preparation and implementation of such systems is accomplished by all public agencies by January 1, 1982, the Attorney General shall secure compliance by public agencies as provided in this article.

53114. The Attorney General shall coordinate the implementation of systems established pursuant to the provisions of this article. The Attorney General shall assist local public agencies and local public safety agencies in obtaining financial help to establish emergency telephone service, and shall aid such agencies in the formulation of concepts, methods, and procedures which will improve the operation of systems required by this article and which will increase cooperation between public safety agencies

To accomplish the responsibilities specified in this section, the Attorney General is directed to consult at regular intervals with the State Fire Marshal, the Communications Division of the Department of General Services, the State Department of Public Health, the Governor's Office of Traffic Safety, the Office of Emergency Preparedness, the California Council on Criminal Justice, the public utilities in this state providing telephone service, the League of California Cities, the County Supervisors' Association of California, the Associated Public Safety Communications Officers, and the Bureau of Emergency Medical Service.

53115 (a) On or before January 31, 1975, all public agencies shall submit tentative plans for the establishment of a system required by this article to the public utility or utilities providing public telephone service within the respective jurisdiction of each public agency. A copy of each such plan shall be filed with the Attorney General.

(b) On or before January 31, 1977, all public agencies shall submit final plans for the establishment of the system to such utilities, and shall make arrangements with such utilities for the implementation of the planned emergency telephone system no later than December 31, 1982. A copy of the plan required by this subdivision shall be filed with the Attorney General.

(c) If any public agency has implemented or is a part of a system required by this article on a deadline specified in subdivision (a) or (b), such public agency shall submit in lieu of the tentative or final plan a report describing the system and stating its operational date.

53116. The Attorney General may obtain a mandatory injunction to enforce the provisions of Sections 53109 and 53115. The injunction

may, in addition to securing the compliance of a public agency, order a public utility providing telephone service to cooperate with a public agency in establishing a system pursuant to this article.

53117. (a) On or before February 16, 1975, and again on or before February 16, 1977, the Attorney General shall report to the Legislature the progress in the implementation of systems required by this article. Such reports shall contain his recommendations for additional legislation.

(b) In December of 1973 and in December of 1974 the Attorney General shall submit recommendations to the Department of Finance and to the Governor specifying amounts necessary to further implement the organization of telephone systems specified in this article during the succeeding fiscal year.

53118. The Legislature declares that a major purpose in enacting this article is to eliminate instances in which a responding emergency service refuses to render aid to the requester because the requester is outside of the jurisdictional boundaries of the emergency service. Therefore, in implementing systems pursuant to this article, all public agencies in a single system shall annually enter into a joint powers agreement or any other form of written cooperative agreement which is applicable when need arises on a day to day basis. In addition, such agreements shall be entered into between public agencies and public safety agencies which are part of different systems but whose jurisdictional boundaries are contiguous. The agreements shall provide that, once an emergency unit is dispatched in response to a telephone request through the system, such unit shall render its services to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.

53119. Copies of the annual agreement required by Section 53118 shall be filed with the Attorney General. Commencing with the year 1983, all such agreements shall be so filed prior to the 31st day of January. The Attorney General shall obtain a mandatory injunction ordering compliance by any public agency or public safety agency which fails to enter into an agreement as required by Section 53118."

Amendment No. 2

On page 1, strike out lines 9 and 10; and on page 2, strike out line 1.

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1560

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1560—An act relating to motor vehicle fuel revenues.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "by", insert "recreational".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 2143

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2143—An act to amend and renumber Section 4103 of the Government Code, relating to subletting and subcontracting.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and renumber Section 4103", and insert "Section 4100.5".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 4100.5 of the Government Code is amended to read:

4100.5. *With the exclusion of that portion of work covering street lighting and traffic signals, this* ~~This~~ chapter does not apply to *the balance of* contracts for the construction, improvement or repair of streets or highways, including bridges."

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 376

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 376—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out the comma.

Amendment No. 2

On page 2, line 7, strike out "subdvision," and insert "subdivision".

Amendment No. 3

On page 2, between lines 23 and 24, insert

"Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a community-wide level and to the area within which the proposed development will be located, if such agency elects to accept the land or fee The local agency accepting such land or funds shall develop the land or use the funds in the manner provided herein."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 1122

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, strike out lines 19 to 23, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 2060

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2060—An act to add Chapter 11 (commencing with Section 9960) to Division 9 of the Public Resources Code, relating to resource conservation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "federal government", and insert "Congress of the United States".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Constitutional Amendments reports:

ACA No 95

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2,

Section 3, Section 4, Section 7, subdivision (c) of Section 8, Section 10, and subdivision (b) of Section 23 of Article IV, amending Sections 3 and 8 of Article V, and adding Section 8 to Article XXII thereof, relating to the Legislature.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed measure, after "10," insert "Section 11, subdivisions (a) and (c) of Section 12,".

Amendment No. 2

In line 7 of the title, strike out "8", and insert "9".

Amendment No. 3

On page 2, line 14, strike out "Monday after December 1", and insert "first Monday in December".

Amendment No. 4

On page 2, strike out lines 18 and 19, and insert "convene in regular session at noon on the first Monday in December".

Amendment No. 5

On page 2, line 27, strike out "terminate", and insert "adjourn sine die by operation of the Constitution".

Amendment No. 6

On page 2, line 31, after "assemble", insert "in special session".

Amendment No. 7

On page 4, line 27, after "statute", insert "enacted at a regular session".

Amendment No. 7.5

On page 4, line 29, after "statute", insert "and a statute enacted at a special session shall go into effect on the 91st day after adjournment of the special session at which the bill was passed".

Amendment No. 8

On page 5, strike out line 8; and in line 9, strike out "prevents the return of a bill it", and insert "If the Governor is unable to return a bill with his veto message because of the adjournment of the session, the bill".

Amendment No. 9

On page 5, line 22, strike out the semicolon and insert a period.

Amendment No. 10

On page 5, strike out lines 23 to 27, inclusive.

Amendment No. 11

On page 5, strike out line 32, and insert "his action. The Governor".

Amendment No. 12

On page 5, between lines 36 and 37, insert

"Seventh—That Section 11 of Article IV be amended to read:

SEC. 11. The Legislature or either house may by resolution provide for the selection of committees necessary for the conduct of its business, including committees to ascertain facts and make recommendations to the Legislature on a subject within the scope of legislative control. ~~Committees may be authorized to act during sessions or after adjournment of a session.~~

Eighth—That subdivision (a) of Section 12 be amended to read:

(a) Within the first 10 days of each ~~regular session~~ *calendar year*, ~~commencing with the 1972 Regular Session,~~ the Governor shall submit to the Legislature, with an explanatory message, a budget for the ensuing fiscal year containing itemized statements for recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, he shall recommend the sources from which the additional revenues should be provided.

Ninth—That subdivision (c) of Section 12 of Article IV be amended to read:

(c) The budget shall be accompanied by a budget bill itemizing recommended expenditures. The bill shall be introduced immediately in each house by the chairman of the committees that consider appropriations. ~~Commencing in 1972, the~~ *The* Legislature shall pass the budget bill by midnight on June 15 of each year. Until the budget bill has been enacted, ~~neither house may pass any other appropriation bill~~ *the Legislature shall not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the budget bill is to be enacted*, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature."

Amendment No. 13

On page 5, line 37, strike out "Seventh", and insert "Tenth".

Amendment No. 14

On page 5, line 40, strike out "with", and insert "within".

Amendment No. 15

On page 6, line 9, strike out "Eighth", and insert "Eleventh".

Amendment No. 16

On page 6, line 16, strike out "Ninth", and insert "Twelfth".

Amendment No. 17

On page 6, line 27, strike out "Tenth—That Section 8", and insert "Thirteenth—That Section 9".

Amendment No. 18

On page 6, line 28, strike out "SEC. 8.", and insert "SEC. 9.".

Amendment No. 19

On page 6, strike out lines 34 to 40, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

VOTE CHANGES

Messrs. Leroy F. Greene and Dunlap were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bills Nos. 655, 305, 311, and 344.

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 655 and 305.

Mr. Moorhead was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 311 and 344.

Mr. Stacey was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 4.

Mr. Mobley was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No. 4.

Messrs. Sieroty, Warren, and Duffy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 5.

Mr. Barnes was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 5.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 5.

Messrs. Duffy, McAlister, and Fenton were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 211.

Messrs. Beverly and Monagan were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 667, and on the passage of the bill.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause to Assembly Bill No. 304.

Mrs. Fong was granted unanimous consent that she be recorded as voting "No" on the urgency clause to Assembly Bill No. 304.

Mr. Briggs was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 556.

Mr. Maddy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 14.

Messrs. Duffy and Mobley were granted unanimous consent that they be recorded as voting "No" on Assembly Constitutional Amendment No. 14.

Mr. Keysor was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 14

Mr. Chappie was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No. 14.

Messrs. Gonsalves and Chacon were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 14.

Mr. Crown was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No. 14.

ADJOURNMENT

At 12:18 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Wednesday, April 26, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-third Legislative Day

One Hundred Fifteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 26, 1972

The Assembly met at 11 a.m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister.

Father, Help all men of good will to realize that they are entrusted with the co-creation of the Kingdom of God Make them aware that the whole world is the womb in which the Spirit of God works to make the Kingdom of God be conceived, implanted, and developed. Help all men and women, with or without specific creeds or rituals, allow Your Spirit to work in them and motivate them towards the completion of this Kingdom —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Fenton then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Leroy F. Greene.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Brophy, on request of Speaker pro Tempore Bee
Mr. Lanterman, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere.

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Burke, on request of Speaker pro Tempore Bee.
Mr. Ray E Johnson, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Biddle, on request of Speaker pro Tempore Bee.
Mrs Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 24, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, April 26, 1972. I shall be meeting with the Orange County Agricultural representatives.

Sincerely,

ROBERT H. BURKE, Assemblyman
Seventieth District

April 26, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State of California
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on this date on legislative business.

By request of Alpha Phi Omega Fraternity, a National Service Fraternity at Chico State College, I am to officiate the start of a

Seesaw Marathon at noon. At 1:40 pm I am to speak at the Chico High School to a U S. History Class, and at 3:30 pm I am to address a Political Science Class at Chico State College.

Respectfully,

RAY E. JOHNSON, Assemblyman
Fourth District

April 25, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, April 26, 1972, on legislative business.

I will be speaking to the student body of the Incarnation School in Glendale and will present them with a resolution in honor of their Health and Science Week.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

April 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from session on Wednesday, April 26, 1972, on legislative business. I will be in Bakersfield meeting with the Kern County Chapter of the California Trucking Association regarding legislation pertinent to their industry.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

NOTE: For letter explaining the absence of Mr. Badham on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 24, 1972, pages 2064–2065.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Press Credentials

April 24, 1972

Squire Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of your request of April 19, 1972, for accreditation of James K. Staley as a member of the Press during the 1972 Session of the Legislature for the Associated Press Mr Staley will replace Brendan Riley.

Sincerely,

JOHN L. BURTON, Chairman
Joint Rules Committee

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2349	Judiciary

Assembly Concurrent Resolution No.	*Committee*
79	Transportation

Senate Bill No.	*Committee*
54	Local Government
349	Criminal Justice
406	Local Government
410	Local Government
606	Commerce and PublicUtilities
1119	Education

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2350: By Assemblyman Dent—An act to add Section 5077.2 to the Public Resources Code, relating to recreational trails.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, April 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 361—An act to amend Section 15525 5 of the Corporations Code, relating to limited partnerships, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 720—An act to add Article 10 (commencing with Section 47031) to Chapter 18 of Division 17 of the Agricultural Code, relating to citrus fruit, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., April 25, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 802
AB No. 943

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 90

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 42
ACR No. 68

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 235
AB No. 304

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 359

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, April 26, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 568	AB No 1377	AB No. 1952
AB No. 612	AB No. 1825	AB No. 2310
AB No. 748		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 31

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No 1113

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Judiciary reports

SCR No. 5

SCR No. 6

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above resolutions re-referred to the Committee on Ways and Means.

Committee on Health

Assembly Chamber, April 25, 1972

Mr. Speaker. Your Committee on Health reports.

AB No 1602

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means, with recommendation · Consent

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, April 25, 1972

Mr Speaker: Your Committee on Health reports.

AB No 527

AB No. 262

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 214

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Constitutional Amendments

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 33

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, April 25, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

AB No. 422

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

GARCIA, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Efficiency and Cost Control

Assembly Chamber, April 25, 1972

Mr. Speaker. Your Committee on Efficiency and Cost Control reports:

AB No 1251

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

CULLEN, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Criminal Justice

Assembly Chamber, April 26, 1972

Mr Speaker · Your Committee on Criminal Justice reports.

AB No 439

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1221

AB No. 1826

With the recommendation: Do pass.

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 673

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 1455

With author's amendments with the recommendation. Amend, and refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1455—An act to add Section 22014.1 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Beverly", and insert "Assemblymen Beverly and Townsend".

Amendment No. 2

In line 1 of the title, strike out "Section 22014.1", and insert "Sections 22013.4 and 22014.1".

Amendment No. 3

On page 1, line 1, after "1.", insert "Section 22013.4 is added to the Government Code, to read:

22013.4. "Policeman" as used in this part also includes persons designated by Section 31470.6 as persons whose principal duties consist of "active law enforcement"; provided, such designation is not contrary to any definition, ruling or regulation relating to the term "policeman" issued by the federal agency for the purposes of Section 218 (d) (5) (A) of the Social Security Act.

SEC. 2."

Amendment No. 4

On page 2, after line 1, insert

"SEC. 3. Section 1 of this act shall not become operative until such time as a ruling or regulation authorizing the inclusion of the persons described in that section within the definition of "policeman" is issued by the federal agency for purposes of Section 218 (d) (5) (A) of the Social Security Act

SEC. 4. Section 2 of this act shall not become operative until such time as a ruling or regulation authorizing the inclusion of the persons described in that section within the definition of "fireman" is issued by the federal agency for purposes of Section 218 (d) (5) (A) of the Social Security Act."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 25, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 261	AB No 1541
AB No 923	AB No. 1956

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 261—An act to amend Section 11655.9 of the Health and Safety Code, to amend Sections 11655.7 and 11655.8 of the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, to amend and renumber Section 11655.7 of, and to repeal Section 11655.8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to amend, repeal, and add Section 11391 of, and to add Sections 11655 14 and 11655.15 to, the Health and Safety Code, and to amend, repeal, and add Section 5617 of the Welfare and Institutions Code, relating to narcotics.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5, line 28, of the printed bill as amended in Assembly April 20, 1972, strike out "treatment".

Amendment No. 2

On page 5, line 31, strike out "treatment".

Amendment No. 3

On page 5, line 35, strike out "treatment".

Amendment No. 4

On page 5, line 39, strike out "treatment".

Amendment No. 5

On page 6, line 3, strike out "treatment".

Amendment No. 6

On page 6, line 13, strike out "treatment".

Amendment No. 7

On page 6, line 20, strike out "treatment".

Amendment No. 8

On page 6, line 33, strike out "treatment".

Amendment No. 9

On page 7, line 1, strike out "treatment".

Amendment No. 10

On page 7, line 11, strike out "treatment".

Amendment No. 11

On page 7, line 16, strike out "treatment".

Amendment No. 12

On page 7, line 24, strike out "treatment".

Amendment No. 13

On page 7, line 31, strike out "treatment".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 923—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 9, and insert

"Alameda	$9,656,000
Alpine	4,000
Amador	124,800
Butte	896,000
Calaveras	172,000
Colusa	113,600
Contra Costa	4,814,400
Del Norte	99,400
El Dorado	287,200
Fresno	5,493,400
Glenn	149,600
Humboldt	960,000
Imperial	344,000

Inyo	192,800
Kern	4,186,400
Kings	592,000
Lake	105,600
Lassen	99,200
Los Angeles	79,980,000
Madera	528,800
Marin	917,600
Mariposa	26,400
Mendocino	440,000
Merced	1,236,000
Modoc	96,000
Mono	24,800
Monterey	2,076,000
Napa	440,000
Nevada	340,000
Orange	8,316,000
Placer	730,400
Plumas	176,000
Riverside	4,128,000
Sacramento	6,901,600
San Benito	144,800
San Bernardino	5,168,000
San Diego	6,440,000
San Francisco	12,214,400
San Joaquin	5,912,000
San Luis Obispo	1,154,400
San Mateo	4,480,000
Santa Barbara	1,976,000
Santa Clara	7,520,000
Santa Cruz	1,068,000
Shasta	528,000
Sierra	10,400
Siskiyou	312,000
Solano	636,800
Sonoma	1,800,000
Stanislaus	2,104,000
Sutter	616,000
Tehama	232,000
Trinity	85,600
Tulare	2,276,000
Tuolumne	227,200
Ventura	2,220,800
Yolo	840,000
Yuba	600,000".

Amendment No. 2

On page 1, strike out lines 10 to 14, inclusive; strike out page 2; and on page 3, strike out lines 1 to 13, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1541—An act to amend Section 8 of the Health and Safety Code, relating to writings.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"(b) In any county in which a significant number of the population, as determined by the county clerk, speaks a language other than English as its native language, the local health department shall make copies of all circulars and pamphlets relating to family planning which are made available to the public also available in such other language."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1956—An act to add Section 10053.7 to the Welfare and Institutions Code, relating to mentally retarded persons.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "Service", and insert "Services".

Amendment No. 2

On page 2, line 14, strike out "parent's or".

Amendment No. 3

On page 2, strike out line 18, and insert

"Upon referral from a regional center for the mentally retarded, the department may".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 400

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 400—An act to amend Sections 11333, 11391, 11393, 11395 and 11655 6, and Section 11655 8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with

Section 1170) of Part 2 of Division 9 of, Section 11655 7 as added by Chapter 1422 of the Statutes of 1970, Section 11655.7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655.9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618 as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as amended by Chapter 1593 of the Statutes of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "and Moretti", and insert ", Moretti, Arnett, Belotti, Brophy, Cline, Fenton, Garcia, Harvey Johnson, LaCoste, Lewis, MacDonald, MacGillivray, Meade, Mobley, Moorhead, Pierson, Powers, Russell, Townsend, and Warren

(Coauthors: Senators Kennick and Whetmore)".

Amendment No. 2

On page 3, line 38, strike out "Every person admitted to such a place shall"; strike out lines 39 and 40; and on page 4, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 5, line 24, after "and", insert a comma.

Amendment No. 4

On page 8, line 39, after "determined", insert "pursuant to guidelines established".

Amendment No. 5

On page 9, strike out lines 1 and 2, and insert

"(e) The director shall determine the form of methadone to be used in methadone programs"

Amendment No. 6

On page 9, line 4, after "week", insert "unless otherwise authorized by the director".

Amendment No. 7

On page 9, line 12, after "urinalysis", insert "or other body fluid analysis approved by the director".

Amendment No. 8

On page 9, line 15, after "urinalysis", insert "or other body fluid analysis approved by the director".

Amendment No. 9

On page 9, line 16, strike out "shall", and insert "may".

Amendment No. 10

On page 9, line 18, after "urinalysis", insert "or other body fluid analysis approved by the director".

Amendment No. 11

On page 9, line 22, after "urinalysis", insert "or other body fluid analysis approved by the director".

Amendment No. 12

On page 9, line 36, after "urinalysis", insert "or other body fluid analysis approved by the director".

Amendment No. 13

On page 10, strike out lines 1 to 8, inclusive, and insert "collection and analysis of body fluids. Unless otherwise authorized by the director, the collection and analysis of body fluids shall be done not less than twice a week for patients receiving methadone more than twice a week, and not less than once a week for patients receiving methadone twice a week or less. In no event shall any individual who receives methadone be permitted to monitor the collection of body fluid specimens or have access to methadone other than his own."

Amendment No. 14

On page 10, line 12, after "urinalysis", insert "or other body fluid analysis".

Amendment No. 15

On page 10, line 13, after the period, insert "Nothing in this section shall prohibit body fluid analysis to be performed by the methadone program upon approval of the director "

Amendment No. 16

On page 10, line 16, after the second comma, insert "date of birth, mother's maiden name,".

Amendment No. 17

On page 10, line 17, strike out "fingerprints", and insert "thumbprint".

Amendment No. 18

On page 10, line 19, after "confidential", insert "under the provisions of this article".

Amendment No. 19

On page 12, after line 40, insert

"(f) Work-training.

(g) Employment counseling "

Amendment No. 19.5

On page 13, line 1, strike out "(f)", and insert "(h)".

Amendment No. 20

On page 13, line 13, after "unit", insert "or system".

Amendment No. 21

On page 13, line 18, strike out "assign", and insert "refer".

Amendment No. 22

On page 13, line 28, strike out "reassurance programs", and insert "information referral services".

Amendment No. 23

On page 13, line 39, strike out "11", and insert "13".

Amendment No. 24

On page 14, line 14, after "Directors", insert "nominated by the conference to be".

Amendment No. 25

On page 14, between lines 20 and 21, insert

"(h) Two former addicts currently employed in and experienced in drug treatment programs, to be appointed by the Governor."

Amendment No. 26

On page 14, line 26, after the comma, insert "except for the members appointed under subdivision (h),".

Amendment No. 27

On page 14, between lines 35 and 36, insert

"The members appointed under subdivision (h) shall hold office for one year."

Amendment No. 28

On page 14, line 36, after "member", insert "except members appointed under subdivision (h)".

Amendment No. 29

On page 15, line 10, strike out "11", and insert "13".

Amendment No. 30

On page 16, lines 35 and 36, strike out "July 1, 1973", and insert "January 1, 1973, except for Sections 15 and 16 of this act which shall become operative on July 1, 1973, provided, however, that a county mental health program pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code may include a program for the continuing treatment of narcotic addiction by methadone prior to July 1, 1973".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 26, 1972

Mr Speaker. The Chairman of your Committee on Local Government reports:

AB No. 965

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 965—An act to add Section 74807.5 to the Government Code, relating to the municipal court.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 74807.5 to", and insert "amend Section 74803 of, and to add Section 74807.5 to,".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 74803 of the Government Code is amended to read:

74803. The clerk may appoint:

(a) One deputy clerk who shall be assistant administrative officer and chief deputy.

(b) ~~Six~~ *Seven* deputy clerks IV.

(c) Four deputy clerks III.

(d) One deputy clerk III (stenographer).

(e) Four deputy clerks II.

(f) Thirteen deputy clerks I.

SEC. 2."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 2065

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2065—An act to add Section 13107.5 to the Health and Safety Code, relating to fires.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 13107.5 to", and insert "repeal Section 13107 of, and to add Section 13107 to,".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 13107 of the Health and Safety Code is repealed

~~13107. If there is reason to believe that any fire has resulted from crime or that crime has been committed in connection with any fire, the State Fire Marshal shall report that fact in writing to the district attorney of the county in which the fire occurred. If the fire occurred in a city or county having a regularly organized fire department, such investigations and reports shall be made in conjunction with the fire official of that area.~~

SEC. 2 Section 13107 is added to the Health and Safety Code, to read:

13107. (a) The State Fire Marshal shall investigate every explosion or fire occurring in those areas of the state not under the jurisdiction of a legally organized fire department or fire protection district in which there is suspicion that the crime of arson or attempted arson has been committed.

(b) Upon request of the chief fire official of a legally organized fire department, or the governing body of a fire protection district, the State Fire Marshal shall investigate any explosion or fire occurring within the jurisdiction of the fire department or fire protection district in which there is suspicion that the crime of arson or attempted arson has been committed.

(c) The State Fire Marshal shall establish a program for training local fire department personnel in arson investigation and detection.

(d) In order to carry out his responsibilities and duties pursuant to this section, the State Fire Marshal shall establish an arson investigation unit within his office, which shall be staffed with necessary personnel to perform the function for which the unit is established."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal, and the accompanying report ordered filed with the Secretary of State:

Governor's Office, Sacramento
April 26, 1972

The Honorable Ed Reinecke, President of the Senate,
and Members of the Senate
The Honorable Bob Moretti, Speaker of the Assembly,
and Members of the Assembly
State Capitol, Sacramento, California

Gentlemen: Pursuant to Chapter 1534, Statutes of 1970, I am pleased to transmit the State of California's First Environmental Goals and Policy Report

The report provides environmental goals and policies for all levels of government in the state for use in planning future growth and de-

velopment. It contains basic principles which set forth in concise language the roles of state and local government in dealing with environmental concerns.

The report is divided into four sections:

1. Environmental Pollution
2. Environmental Resources
3. Environmental Resources Planning
4. Maps

The environmental pollution section probes the root causes of specific areas of concern and contains detailed goals and specific policies designed to achieve the stated goals Areas of concern include air, land use, noise, pesticides, population, solid waste, transportation, and water.

Identified in the environmental resources section are the following areas of critical concern · scientific, scenic and educational resources; wildlife habitats, forest and agriculture, open space surrounding metropolitan areas; beaches, lakes and riverbank access; connecting links for recreation; historic, archaeological and cultural resources; lands of hazardous concern.

The environmental resources planning section contains major recommendations on land use, including the creation of a state Department of Environmental Protection to be the focal point for pollution abatement activities and programs of state government.

Another major recommendation in this section is the establishment of the Environmental Resources Protection Plan, a realistic approach to protecting the state's land and water resources.

The map section assembles up-to-date information never before brought together in one state document. It is a compilation of succinct data relating directly to the social, economic and environmental attributes and problems that make up the fabric of California.

I look forward to your review and constructive criticism of this report, and shall await your comments prior to the formal adoption of the recommended goals and policies.

Respectfully submitted,

RONALD REAGAN
Governor

MESSAGES FROM THE SENATE

Senate Chamber, April 25, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 760

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 760—An act to add Section 12973 6 to the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file.

Assembly Bills Nos. 802, 90, and **943,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 528—An act to amend Section 7273 of the Government Code, relating to relocation assistance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 145—An act to amend Section 846 of the Civil Code, relating to liability of landowners

Bill read second time, and ordered to third reading.

Assembly Bill No. 695—An act to amend Section 227a of the Civil Code, relating to adoption

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 511—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, after "commissioners", insert ", who shall be tenants of the authority,".

Amendment No. 2

On page 2, line 12, after "commissioners", insert ", who shall be tenants of the authority,".

Amendment No. 3

On page 2, line 31, after "commissioners", insert ", who are tenants of the authority,".

Amendment No. 4

On page 2, line 38, after the period, insert "If a tenant commissioner ceases to be a tenant of the authority, he shall be disqualified and another tenant shall be appointed to fill the unexpired term."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 626—An act to amend Section 1425 of the Penal Code, relating to jurisdiction of justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 1, insert

"SEC. 2. The amendments to Section 1425 of the Penal Code made by this act shall remain operative until January 1, 1975, and on and after that date Section 1425 of the Penal Code shall read as it did immediately before the effective date of this act"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 42—An act to add Article 7 (commencing with Section 19460) to Chapter 6 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84.1 to the Budget Act of 1972, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 11701, 11709, 12501, 23128, 24001.5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020, 4452.5, and 11710.5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly April 18, 1972, strike out "11701, 11709,".

Amendment No. 2

In line 5 of the title, after "Sections", insert "11710.7,".

Amendment No. 3

In line 6 of the title, strike out the last comma, and insert "and".

Amendment No. 4

In line 7 of the title, strike out ", and 11710.5".

Amendment No. 5

On page 7, strike out lines 17 to 40, inclusive; and on page 8, strike out lines 1 to 13, inclusive, and insert

"SEC. 13. Section 11710.7 is added to the Vehicle Code, to read:

11710.7. The provisions of Sections 11710 and 11710.1 shall apply to a dealer who deals exclusively in snowmobiles, except that the amount of the bond and the liability thereunder specified in Section 11710, and the dollar amounts specified in Section 11710.1, shall, with respect to a snowmobile dealer who deals exclusively in snowmobiles, be two thousand five hundred dollars ($2,500) rather than five thousand dollars ($5,000)."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Assembly Bill No. 1344—An act to add Section 22358.1 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, after "park", insert ", other than on a state highway,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 296—An act to amend Sections 3277 and 3282 of the Fish and Game Code, relating to pheasants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 578—An act to amend Section 5652 of the Fish and Game Code, relating to pollution.

Bill read second time, and ordered to third reading.

Assembly Bill No. 901—An act to amend Sections 2306, 2307, 2313, and 2315 of, and to repeal Section 2304 of, the Public Resources Code, relating to mining.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1005—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable waters

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 695

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, April 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 296	AB No 901
AB No 528	AB No. 1005
AB No. 578	

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 986 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Urban Development and Housing; and that Assembly Bill No. 1435 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Planning and Land Use.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the analysis of the investment program of the State Highway Fund. The California Highway Commission's policy of maintaining a separate investment program for excess highway funds has resulted in a loss of over $1 million of income in recent years.

Investment of excess funds in the State's Surplus Money Investment Fund would have produced $458,000 more income in 1971 In a 1969 study it was reported that $629,000 more should have been earned in 1968, and that in 1967, $350,000 more should have been earned. Recommendations made in 1969 by the California Commission on State Government Organization and Economy (the Little Hoover Commission), and by the Highway Commission's investment review committee to increase investment income were not implemented

Pooling of state highway funds with other state funds for investments permits the purchase of long-term securities which usually yield a higher return Larger balances may be invested because the needed cash on hand can be held at a minimum under a pooled investment program.

Larger sums will be available for investments in future years because of reduced general fund borrowing of excess highway funds. General fund cash flow has improved with the earlier collection of taxes under withholding which started in 1972. With more money available for investment a change in policy is needed to prevent even larger losses of income this year and in the future.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
MOTION TO RECONSIDER ASSEMBLY BILL NO. 230

In compliance with a motion given on a previous day, Mr. Ketchum moved that the vote whereby Assembly Bill No. 230 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Ketchum moved a call of the Assembly.

Mr. Keysor seconded the motion.

Motion carried. Time, 11:25 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN WILSON

Mr Deddeh announced that today is the birthday of Assemblyman Bob Wilson, of the 76th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Wilson.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

Mr Ralph was granted unanimous consent that his motion to reconsider the vote on Assembly Constitutional Amendment No. 14 be continued until the next legislative day.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN WARREN

Mr. Warren announced that today is his birthday whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to him.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 304—An act to add Sections 5203.5, 5204, 5205, and 5206 of the Elections Code, relating to referendum.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Priolo moved a call of the Assembly.

Mr. Hayden seconded the motion.

Motion carried. Time, 11:34 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 827—An act to amend Section 20704 of the Education Code, relating to school district taxes, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Cory.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bee, Beverly, Briggs, Brown, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bee, Beverly, Briggs, Brown, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong,

Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 747—An act to amend Section 25503 of the Government Code, relating to county property.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1138—An act to amend Section 13468.2 of the Education Code, relating to school certificated employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 92—An act to add Sections 19700 745 and 19700 746 to the Education Code, relating to the public educational system, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade,

Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58

NOES—Cline, Priolo, and Warren—3.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Cline, Priolo, and Warren—3.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 893—An act to repeal Section 8 of Chapter 1038 of the Statutes of 1970, relating to bonds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 583—An act to amend Section 18655 1 of the Financial Code, relating to industrial loan companies

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 787—An act to amend Section 10172 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 829—An act to amend Sections 715 and 839.5 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 863—An act to amend Section 677 of the Insurance Code, relating to Insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 866—An act to amend Sections 6518 and 6561 of the Financial Code, relating to savings and loan associations.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 982—An act to amend Sections 7150, 7153, 7153.2, 7153.3, 7171, and 7187 of, to add Sections 7153 7 and 7153 8 to, and to repeal Section 7153 4 of, the Financial Code, relating to savings and loan associations.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 916—An act to amend Section 1132 of the Education Code, relating to school elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 712—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 727—An act to amend Sections 21682 and 21683 of the Public Utilities Code, relating to aviation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 729—An act to amend Section 21407.5 of the Public Utilities Code, relating to aviation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1047—An act to amend Section 29321 of the Government Code, relating to county funds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1053—An act to amend Sections 74819 and 74820 of, to add Section 74824 to, and to repeal Section 74824 of, the Government Code, relating to the municipal court.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 180—An act relating to the destruction of authorized state bonds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Monagan:

House Resolution No. 43

Relative to the 60th Anniversary of the Girl Scouts of the United States of America

WHEREAS, The Girl Scouts of the United States of America celebrated the 60th Anniversary of its founding on March 12, 1972, and

WHEREAS, Founded with 18 members in 1912, the Girl Scouts of the United States of America now has nearly four million girls and adult members; California has 295,000 girls and 65,000 leaders, and the Tierra del Oro Council of Northern California has 26,000 girls and 5,000 leaders; and

WHEREAS, The Girl Scouts of the United States of America is deeply committed to building better relationships among persons of all ages, religions, races, and nationalities, and is vitally concerned with improving the quality of our environment, and one nationwide, long range project that translates this commitment into service is called "Action 70"; and

WHEREAS, Imbued with the spirit of mankind, the Girl Scouts has achieved wide esteem and renown for its work in developing the character of its members, as well as instilling in them principles of self-reliance, dedication, and responsibility; now, therefore, be it

Resolved by the Assembly of the State of California, That the Girl Scouts of the United States of America be commended for its exceptionally outstanding record of public service in building a stronger America, upon the occasion of the celebration of its 60th Anniversary; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Girl Scouts of the United States of America, and the Tierra del Oro Council.

Request for Unanimous Consent

Mr. Monagan was granted unanimous consent to take up House Resolution No. 43 without reference to committee or file.

Resolution read, and adopted.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 230

At 12 m., on motion of Mr. Ketchum, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 230 refused reconsideration by the following vote:

AYES—Bagley, Bee, Burton, Chappie, Cline, Collier, Conrad, Duffy, Ketchum, Lewis, Miller, Monagan, Murphy, Priolo, and Stull—15.

NOES—Arnett, Beverly, Briggs, Brown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Keysor, LaCoste, MacDonald, McAlister, Meade, Pierson, Powers, Ralph, Sieroty, Thomas, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—32.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 304

At 12:03 p.m., on motion of Mr. Priolo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 304 passed by the following vote:

AYES—Arnett, Beverly, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Karabian, Keysor, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Priolo, Ralph, Russell, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41.

NOES—Bagley, Bee, Chappie, Collier, Davis, Dent, Duffy, Fong, Harvey Johnson, Ketchum, LaCoste, Lewis, Maddy, Mobley, Monagan, Murphy, Porter, Powers, Seeley, and Wakefield—20.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 84
AB No. 337
AB No. 644
AB No. 1252

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 264
AB No. 384
AB No. 402
AB No. 665
AB No. 666

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 983

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1628

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: Be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Education reports:

ACA No. 56

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

LEROY F. GREENE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Committee on Ways and Means

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 331

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Health reports.

AB No. 1497

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, April 12, 1972

Mr Speaker: Your Committee on Planning and Land Use reports:

AB No. 609

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Ways and Means.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 41

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

RESOLUTION TO DISPENSE WITH CONSTITUTIONAL PROVISION

The following resolution was offered:

By Assemblyman Brown:

Resolved, That Senate Bill No. 331 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown,

Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—57.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 331

Mr. Brown was granted unanimous consent to take up Senate Bill No. 331, without reference to file, for purpose of consideration at this time.

Second Reading of Senate Bill No. 331

Senate Bill No. 331—An act to add Section 24045 2 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Third Reading of Senate Bill No. 331

Senate Bill No. 331—An act to add Section 24045 2 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Brown.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 331·

Governor's Office, Sacramento
April 13, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 331, "An act to add Section 24045.2 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No. 331, as amended, as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Senate Bill No. 331.

Urgency clause adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, April 26, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 1522

AB No 2165

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1522—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 19161", and insert "Sections 101, 205, 19000, 19004, 19030, 19035, 19161, and 19174, and the heading of Chapter 3 (commencing with Section 19000) of Division 8, and to add and repeal Section 101,".

Amendment No. 2

In line 2 of the title, after "Code," insert "and to amend Section 11501 of the Government Code, and Section 6 of Chapter 881 of the 1971 Statutes,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 101 of the Business and Professions Code, as amended by Section 1 of Chapter 1578 of the 1971 Statutes, is amended to read:

101. The department is comprised of.

(a) The Board of Dental Examiners of California.

(b) The Board of Medical Examiners of the State of California.

(c) The State Board of Optometry

(d) The California State Board of Pharmacy.

(e) The Board of Examiners in Veterinary Medicine.

(f) The State Board of Accountancy.

(g) The California State Board of Architectural Examiners

(h) The State Board of Barber Examiners.

(i) The State Board of Registration for ~~Civil and~~ Professional Engineers.

(j) The Contractors' State License Board.

(k) The State Board of Cosmetology.

(l) The State Board of Funeral Directors and Embalmers.

(m) The Structural Pest Control Board

(n) The Bureau of ~~Furniture and Bedding Inspection~~ *Home Furnishings*.

(o) The California Board of Nursing Education and Nurse Registration.

(p) The State Board of Dry Cleaners.

(q) The Board of Chiropractic Examiners.

(r) The Board of ~~Social Work~~ *Behavioral Science* Examiners ~~of the State of California~~.

(s) The State Athletic Commission

(t) The Cemetery Board.

(u) The State Board of Guide Dogs for the Blind

(v) The Bureau of ~~Private Investigators and Adjusters~~ *Collection and Investigative Services*.

(w) The Certified Shorthand Reporters Board

(x) The Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California

(y) The California State Board of Landscape Architects

(z) ~~The Collection Agency Licensing Bureau~~

~~(aa)~~ The Bureau of ~~Electronic Repair Dealer Registration~~ *Repair Services*.

(aa) ~~(ab)~~ The Bureau of Employment Agencies

(ab) ~~(ac)~~ The Board of Osteopathic Examiners.
(ac) The Division of Investigation.
(ad) The Bureau of Automotive Repair.
(ae) Any other boards, offices, or officers subject to its jurisdiction by law.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC 2 Section 101 is added to the Business and Professions Code, to read:

101 The department is comprised of:
(a) The State Board of Accountancy.
(b) The California State Board of Architectural Examiners.
(c) The State Board of Barber Examiners.
(d) The State Board of Registration for Professional Engineers.
(e) The Contractors' State License Board.
(f) The State Board of Cosmetology.
(g) The State Board of Funeral Directors and Embalmers.
(h) The Structural Pest Control Board.
(i) The Bureau of Home Furnishings.
(j) The State Board of Dry Cleaners.
(k) The State Athletic Commission.
(*l*) The Cemetery Board
(m) The State Board of Guide Dogs for the Blind.
(n) The Bureau of Collection and Investigative Services.
(o) The Certified Shorthand Reporters Board.
(p) The California State Board of Landscape Architects.
(q) The Bureau of Automotive Repair.
(r) The Bureau of Repair Services
(s) The Bureau of Employment Agencies.
(t) The Division of Investigation.
(u) Any other boards, offices, or officers subject to its jurisdiction by law.

This sections shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative.

SEC 3 Section 205 of the Business and Professions Code is amended to read:

205. There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:
Accountancy Fund.
California State Board of Architectural Examiners' Fund.
Athletic Commission Fund.
State Board of Barber Examiners' Fund.
Cemetery Fund
Contractors' License Fund.
Board of Cosmetology's Contingent Fund.
State Dentistry Fund.
Dry Cleaners' Fund.
State Funeral Directors and Embalmers' Fund.
Bureau of ~~Furniture and Bedding Inspection~~ *Home Furnishings* Fund.

State Board of Landscape Architects' Fund
Contingent Fund of the Board of Medical Examiners
Board of Nurse Examiners' Fund
State Optometry Fund
Pharmacy Board Contingent Fund
Physical Therapy Fund
Private Investigator and Adjuster Fund.
Professional Engineers' Fund.
Consumer Affairs Fund
Behavioral Science Examiners Fund.
Shorthand Reporters' Fund
Structural Pest Control Fund.
Board of Veterinary Examiners' Contingent Fund
Vocational Nurse Examiners' Fund

For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund Each such account or fund shall be available for expenditure only for such purposes as are now or may hereafter be provided by law

SEC 4 Section 19000 of the Business and Professions Code is amended to read:

This chapter may be cited as the ~~Furniture and Bedding Inspection~~ *Home Furnishings* Act

SEC 5 Section 19004 of the Business and Professions Code is amended to read:

19004 (a) "Bureau" refers to the Bureau of ~~Furniture and Bedding Inspection~~ *Home Furnishings*

(b) "Chief" refers to the chief of the bureau

(c) "Inspector" refers to an inspector of the department's Division of Investigation

(d) "Director" refers to the Director of Consumer Affairs

(e) "Department" refers to the Department of Consumer Affairs

(f) "Board" refers to the California Advisory Board of ~~Furniture and Bedding~~ *Home Furnishings*

SEC 6 Section 19030 of the Business and Professions Code is amended to read:

19030. ~~There is in the Department of Consumer Affairs a~~ *The* Bureau of Furniture and Bedding Inspection *in the department* under the supervision and control of the chief ~~of the Bureau of Furniture and Bedding Inspection~~ *is continued in existence as the Bureau of Home Furnishings*

SEC 7 Section 19035 of the Business and Professions Code is amended to read:

19035 ~~There is in the Bureau of Furniture and Bedding Inspection a~~ *The* California Advisory Board of Furniture and Bedding *in the bureau*, which consists of seven members appointed by the Governor, *is continued in existence as the California Advisory Board of Home Furnishings*

SEC 8 Section 19161 of the Business and".

Amendment No. 4

On page 1, line 3, after "of", insert "standards".

Amendment No. 5

On page 2, line 1, strike out "regulations".

Amendment No. 6

On page 2, lines 1 and 2, strike out "Bureau of Furniture and Bedding Inspection", and insert "bureau".

Amendment No. 7

On page 2, line 2, strike out "April", and insert "January".

Amendment No. 8

On page 2, line 3, strike out "shipped by the manufacturer", and insert "sold or offered".

Amendment No. 9

On page 2, line 4, strike out "fire retardant and shall be"; strike out lines 5 through 13, inclusive, and insert "made from flame retardant material "Flame retardant," as used in this section means a product that meets the standards adopted by the bureau."

Amendment No. 10

On page 2, line 15, strike out "manufactured for, sold to", and insert "sold".

Amendment No. 11

On page 2, after line 17, insert

"SEC. 9 Section 19174 of the Business and Professions Code is amended to read:

19174. All fees collected under this chapter shall be reported to the State Controller and paid to the State Treasurer and credited to the Bureau of Furniture and Bedding Inspection Fund *which is hereby continued in existence as the Bureau of Home Furnishings Fund*, to be expended only in carrying out this chapter.

SEC 10 The heading of Chapter 3 (commencing with Section 19000) of Division 8 of the Business and Professions Code is amended to read as follows:

CHAPTER 3 ~~FURNITURE AND BEDDING~~ *HOME FURNISHINGS*

SEC 11 Section 11501 of the Government Code is amended to read.

11501. (a) The procedure of any agency shall be conducted pursuant to the provisions of this chapter only as to those functions to which this chapter is made applicable by the statutes relating to the particular agency.

(b) The enumerated agencies referred to in Section 11500 are:

Board of Dental Examiners of California

Board of Medical Examiners of the State of California and the district review committees.

Board of Osteopathic Examiners of the State of California.

California Board of Nursing Education and Nurse Registration.

State Board of Optometry.
California State Board of Pharmacy.
State Department of Public Health.
State Board of Public Health.
Board of Examiners in Veterinary Medicine.
State Board of Accountancy.
California State Board of Architectural Examiners.
State Board of Barber Examiners
State Board of Registration for Professional Engineers.
Registrar of Contractors.
State Board of Cosmetology.
State Board of Funeral Directors and Embalmers.
Structural Pest Control Board.
Department of Navigation and Ocean Development.
Director of Consumer Affairs.
Bureau of Collection and Investigative Services.
State Fire Marshal.
State Board of Registration for Geologists.
Director of Agriculture.
Labor Commissioner.
Real Estate Commissioner.
Commissioner of Corporations.
Department of Social Welfare.
State Social Welfare Board.
Department of Mental Hygiene
Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.
Board of Pilot Commissioners for Humboldt Bay and Bar.
Board of Pilot Commissioners for the Harbor of San Diego.
Fish and Game Commission.
State Board of Education.
Insurance Commissioner.
Savings and Loan Commissioner.
State Board of Dry Cleaners.
Board of Behavioral Science Examiners.
State Board of Chiropractic Examiners.
State Board of Guide Dogs for the Blind.
Department of Aeronautics.
Board of Administration, Public Employees' Retirement System
Department of Motor Vehicles
Bureau of ~~Furniture and Bedding Inspection~~ *Home Furnishings*.
Cemetery Board.
Department of Conservation.
Department of Water Resources acting pursuant to Section 414 of the Water Code.
Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California
Certified Shorthand Reporters Board
Bureau of Repair Services
California State Board of Landscape Architects.

Department of Alcoholic Beverage Control.
California Horse Racing Board.
School districts under Section 13443 of the Education Code.
State Fair Employment Practice Commission.
Bureau of Employment Agencies.

SEC. 12. Section 6 of Chapter 881 of the 1971 Statutes is amended to read:

Sec 6. All fees collected attributable to the amendments to Sections 19006, 19007 and 19007 5 of the Business and Professions Code adopted at the 1971 Regular Session of the Legislature shall be reported to the State Controller and paid to the State Treasurer and credited to the Bureau of ~~Furniture and Bedding Inspection~~ *Home Furnishings* Fund to be expended in carrying out the provisions of Chapter 3 (commencing with Section 19000), Division 8 of the Business and Professions Code.

SEC. 13. It is the intent of the Legislature that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 101 of the Business and Professions Code, as amended by Section 1 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and, on that date Section 101 of the Business and Professions Code, as added by Section 2 of this act, which includes changes made by both Reorganization Plan No. 1 of 1970 and Section 1 of this act, shall become operative ''

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 2165—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ''standards'', and insert ''regulations''.

Amendment No. 2

On page 1, line 4, strike out ''Bureau of Furniture and Bedding Inspection'', and insert ''bureau''.

Amendment No. 3

On page 1, line 5, strike out ''January'', and insert ''April''.

Amendment No. 4

On page 1, line 5, strike out ''sold or offered for sale'', and insert ''sold by the manufacturer, and any mattress manufactured for, sold to or offered for sale for use in a hotel, motel or other place of public accommodation''.

Amendment No. 5

On page 1, line 6, strike out ''made from flame-retardant material'', and insert ''fire retardant and shall be labeled in a manner specified by the bureau''.

Amendment No. 6

On page 1, line 7, strike out "standards", and insert "regulations".

Amendment No. 7

On page 1, line 8, strike out "January", and insert "April".

Amendment No. 8

On page 1, line 9, strike out "sold or offered for sale", and insert "sold by the manufacturer, and any upholstered furniture manufactured for, sold to or offered for sale for use in a hotel, motel or other place of public accommodation".

Amendment No. 9

On page 1, lines 9 and 10, strike out "made from flame-retardant material", and insert "fire retardant and shall be labeled in a manner specified by the bureau".

Amendment No. 10

On page 1, line 10, strike out " "Flame-retardant," " and insert " "Fire retardant," ".

Amendment No. 11

On page 2, line 1, strike out "standards", and insert "regulations".

Amendment No. 12

On page 2, lines 2 and 3, strike out "Bureau of Furniture and Bedding Inspection", and insert "bureau".

Amendment No. 13

On page 2, strike out lines 4 to 7, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, April 26, 1972

Mr Speaker: The Chairman of your Committee on Government Administration reports:

AB No 1068

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Government Administration

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1068—An act to add Section 14670.3 to the Government Code, relating to letting of state property.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "agency", insert a comma.

Amendment No. 2

On page 1, line 5, strike out "and which is retained"; and strike out lines 6 and 7, and on line 8, strike out "state hospital and adjacent real property;", and insert "consisting of approximately 257 acres lying westerly of Estancia Drive in Costa Mesa, which is surplus to the state's needs;".

Amendment No. 3

On page 2, line 2, strike out "lessor", and insert "lessee".

Amendment No. 4

On page 2, line 3, strike out "lessor", and insert "lessee".

Amendment No. 5

On page 2, strike out line 12, and insert "(2) The lessee shall pay ten dollars ($10)".

Amendment No. 6

On page 2, line 16, strike out "lessor", and insert "lessee".

Amendment No. 7

On page 2, line 17, strike out "lessor", and insert "lessee".

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 1149

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1149—An act to add Chapter 12 (commencing with Section 54975) to Part 1 of Division 2 of Title 5 of the Government Code, relating to public district review commissions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "There is in each", and insert "The board of supervisors of any".

Amendment No. 2

On page 2, line 1, after "county", insert "may establish".

Amendment No. 3

On page 2, line 2, after the period, insert "It shall be the commission's responsibility to review routine complaints of consumers of services of public districts or mutual water companies as defined in Section 54978."

Amendment No. 4

On page 2, line 3, strike out "three"; and strike out line 4, and insert "five members who shall".

Amendment No. 5

On page 2, line 8, after the period, insert "In lieu of appointing five persons to serve as members of the commission, the board may elect to serve as the commission itself "

Amendment No. 6

On page 2, line 10, strike out "aspects of", and insert "routine consumer complaints regarding".

Amendment No. 7

On page 2, line 14, after "board", insert "or a city council".

Amendment No. 8

On page 2, line 17, after the period, insert "The term "public district," as used in this chapter, shall not include any of the following.

(a) A school district.

(b) A joint powers entity.

(c) A district having territory in more than one county."

Amendment No. 9

On page 2, line 31, after the period, insert "Any findings or recommendations of the commission shall be advisory only "

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

VOTE CHANGES

Mr Cullen was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 827, and on the passage of the bill, and on Assembly Bill No 747.

Mr. Pierson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1138

Mr Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1138

Mr. Bill Greene was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the urgency clause to Assembly Bill No. 92, and on the passage of the bill.

Mr. Powers was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 304

Mr Wood was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No 304

Mr Bagley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 304.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered·

Assembly Concurrent Resolution No. 80: By Assemblyman Duffy—Relative to foreign medical graduates

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 81: By Assemblymen MacGillivray, Ketchum, LaCoste, Mobley, Briggs, Chappie, Duffy, Ray E Johnson, Monagan, Powers, and Wood—Relative to cattle grazing on state park system grasslands

Held at Desk by order of the Speaker pro Tempore.

ADJOURNMENT

At 12.15 p m , Speaker pro Tempore Bee declared the Assembly adjourned until 2 p m., Thursday, April 27, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-fourth Legislative Day

One Hundred Sixteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 27, 1972

The Assembly met at 2 p m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Chappie moved a quorum call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 2.03 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2:13 p.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Raymond T. Seeley, Member of the Assembly, 75th District:

Our Father In Heaven: We thank Thee for this day and for the opportunity to serve our fellow men

We ask that You give us the desire to put service above self and give us the courage to vote our own convictions.

Help us to realize that our country is great today because of what we can do for our country, not what our country can do for us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Moorhead then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Biddle, seconded by Mr. Belotti

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Lanterman, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Speaker pro Tempore Bee.
Mr. Collier, on request of Speaker pro Tempore Bee.
Mr. Dunlap, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. MacDonald, on request of Speaker pro Tempore Bee.
Mr. Priolo, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Townsend, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 26, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Thursday, April 27.

I will be attending the Ways & Means Subcommittee #6 meeting at Pt. Mugu.

Sincerely,

JOHN L. E. COLLIER, Assemblyman
Fifty-fourth District

April 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker I would like to be excused from session on Thursday, April 27, because of legislative business. I shall be touring Pt. Mugu with members of the Ways and Means Subcommittee #6 of which I am chairman.

Sincerely,

JOHN F DUNLAP, Assemblyman
Fifth District

April 27, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session today, April 27, on legislative business.

I will be conferring with Long Beach City officials concerning tidelands oil legislation and in particular AB 1700 (Brown) now pending in the Ways and Means Committee.

Respectfully,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

April 27, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, April 27, 1972, for legislative business.

I will be meeting with a leader of the Mexican-American community to discuss greater participation of Mexican-Americans in the judiciary.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

April 26, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob. I respectfully request that I be excused from Session April 27th to inspect the site of the Pt. Mugu State Park. I hope to resolve project questions raised in Ways and Means Committee by the Legislative Analyst.

If the Legislature meets on Friday, April 28th, I am scheduled to speak to students of California Luthern College in Thousand Oaks.

Sincerely,

J. K MacDONALD, Assemblyman
Thirty-seventh District

April 25, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Speaker Moretti: I respectfully request that I be excused from session on Thursday, April 27, 1972, due to legislative business

As Chairman of the Planning and Land Use Committee, I have been asked to speak at the Annual Meeting of the American Institute of Planners in Palm Springs.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixteenth District

NOTE: For letter explaining the absence of Mr Badham on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 24, 1972, pages 2064–2065.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2350	Natural Resources and Conservation

Assembly Concurrent Resolution No.	*Committee*
80	Health
81	Natural Resources and Conservation

Senate Bill No.	*Committee*
760	Finance and Insurance

COMMUNICATIONS

Assembly Chamber, April 27, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

AB No 511
AB No. 626
AB No. 1344

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, April 27, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 25

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 27, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined·

AB No 102	AB No 1092	AB No 1560
AB No 376	AB No. 1107	AB No 1541
AB No 515	AB No 1122	AB No 1737
AB No. 684	AB No 1360	AB No 1911
AB No 754	AB No 1400	AB No 1956
AB No 910	AB No 1455	AB No. 2060
AB No 965	AB No 1499	AB No 2143

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, April 27, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No 261
AB No 471
AB No 605

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 27, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 95

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 716

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1877

With amendments with the recommendation Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 432	AB No. 759
AB No. 683	AB No. 1282

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 302	AB No. 589	AB No. 643
AB No. 497	AB No 590	AB No. 851

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 365

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, April 26, 1972

Mr Speaker. Your Committee on Transportation reports:

AB No. 278

With amendments with the recommendation. Amend, and do pass as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, April 25, 1972

Mr Speaker Your Committee on Revenue and Taxation reports:

AB No 290

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, April 25, 1972

Mr. Speaker· Your Committee on Revenue and Taxation reports.

AB No 572

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Constitutional Amendments

Assembly Chamber, April 26, 1972

Mr Speaker Your Committee on Constitutional Amendments reports:

ACA No 51

With amendments with the recommendation Amend, and be adopted, as amended

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No 48

With amendments with the recommendation. Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file.

Committee on Labor Relations

Assembly Chamber, April 26, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

AB No. 1368

AB No 1206

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Criminal Justice

Assembly Chamber, April 27, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No. 836

With amendments with the recommendation· Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading

Assembly Chamber, April 27, 1972

Mr. Speaker. Your Committee on Criminal Justice reports:

AB No 749

AB No. 925

AB No. 1057

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bills ordered to second reading.

Committee on Labor Relations

Assembly Chamber, April 27, 1972

Mr. Speaker· Your Committee on Labor Relations reports:

AB No 791

AB No. 1019

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bills ordered to second reading

Committee on Governmental Organization

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 761
AB No 1027

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RALPH, Chairman

Above bills ordered to second reading.

Committee on Transportation

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 842

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, April 27, 1972

Mr Speaker Your Committee on Transportation reports:

ACR No. 47

With the recommendation Be adopted, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent Calendar.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, April 27, 1972

Mr. Speaker Your Committee on Transportation reports:

AB No. 913

With the recommendation. Do pass.

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, April 27, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No 853

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 958
AB No. 968

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Local Government

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1059	AB No. 1535	AB No 1845
AB No. 1377	AB No. 1604	AB No 2013

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 209

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 2323

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1863

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 1000

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, April 27, 1972

Mr. Speaker The Chairman of your Committee on Natural Resources and Conservation reports:

SB No 183

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 183—An act to amend Sections 4541, 4562, and 4566 of, to add Section 4543 to, to repeal Article 5 (commencing with Section 4571) and Article 10 (commencing with Section 4611) of Chapter 8 of Part 2 of Division 4 of, and to add and repeal Article 5 (commencing with Section 4571) and Article 10 (commencing with Section 4610) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to forest practices, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 6, line 24, of the printed bill, as amended in Senate April 10, 1972, strike out "December 1", and insert "January 31".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 669

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 669—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 28, of the printed bill, after "5251", insert ", 5403,".

Amendment No. 2

On page 2, line 34, strike out "For purposes of this section, "flashing lights" refers"; and strike out lines 35 and 36.

Amendment No. 3

On page 2, line 39, strike out "contain public service messages or".

Amendment No. 4

On page 3, line 4, after "5251", insert ", 5403,".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 1872

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1872—An act to amend Section 5620 of the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 5358.5 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 5358 5 is added to the Welfare and Institutions Code, to read:

5358 5 When any conservatee placed into a facility pursuant to this chapter leaves the facility without the approval of the conservator or

the person in charge of the facility, the conservator may take the conservatee into custody and return him to the facility. A conservator, at his discretion, may request a peace officer to detain the conservatee and return such person to the facility in which he was placed, pursuant to Section 7325 of the Welfare and Institutions Code. Whenever possible, persons charged with apprehension of persons pursuant to this section shall dress in plain clothes and shall travel in unmarked vehicles.

SEC 2 Section 5620 of the Welfare and".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, April 27, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

AB No 1495

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1495—An act to amend Section 2703 of the Business and Professions Code, relating to healing arts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2703 of", and insert "add Article 1 5 (commencing with Section 2721) to Chapter 6 of, and Article 1 5 (commencing with Section 4509.6) to Chapter 10 of, Division 2 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. In its concern for the quality and availability of health care services in California, the Legislature finds that a number of factors prevent the full utilization of the service capabilities of nursing personnel, as well as preventing full career development for nurses. First, the ability of a licensed vocational nurse has been hampered because responsibility for licensing these two occupations was divided between two licensing boards Second, basic differences in the content and duration of various training programs for registered nurses prevents development of a nursing "career ladder," and is particularly discouraging to minorities who wish to become registered nurses Third, the legal status of nurses performing certain procedures or acting in certain roles is ambiguous at this time, despite the demonstrated competence of many nurses to perform them Fourth, the lack of any legal standards for nurse aides prevents them from receiving credit for their knowledge and skill in attempting to advance to a

licensed category of nursing, as well as failing to provide adequate standards for public protection. Fifth, the full development of career opportunities and service utilization of psychiatric technicians is limited because they are licensed by the same licensing board as licensed vocational nurses.

It is the purpose of the Legislature in enacting this act that:

(a) Responsibility for licensing vocational and registered nurses be combined under one licensing board, with a view of nursing education as a continuous process for training nurses to perform at successively higher levels of responsibility.

(b) Training programs for registered nurses are encouraged to offer courses enabling students to become licensed as vocational nurses after the first year of training, to give vocational nurses maximum opportunity for advancing to the registered nursing field

(c) Licensing requirements for categories of nurses should not include graduation from an educational program if the courses required for graduation do not relate to the capability of graduates to perform as nurses.

(d) Nursing education programs offering a baccalaureate degree are encouraged to offer licensure-related courses first, as lower division courses, so that registered nurses who are graduated from other types of nursing programs can transfer to these schools for advanced training without loss of credit.

(e) The licensing board for nursing personnel should develop a standard equivalency test for licensure as a vocational nurse, and for licensure as a registered nurse, to eliminate the problems that have occurred by delegating this function to schools. The parts of these tests should relate to the educational qualifications for licensure, so that an individual should not have to take courses for licensure if he demonstrates his proficiency by passing that part, or parts, of the equivalency examination

(f) The state should issue a State Associate of Science degree to every nurse who is a graduate of a diploma nursing education program and does not already possess a degree. This associate degree will be equivalent to associate degrees issued by community colleges to nursing graduates for purposes of matriculating to schools offering a baccalaureate in nursing and shall be accepted by all universities and colleges in California with a nursing program

(g) Responsibility for licensing psychiatric technicians should be separated from the agency licensing nurses, and phased into an appropriate licensing body.

(h) Training programs for nurse aides should be certified to allow graduates to achieve recognition for their capabilities in advancing to higher levels of nursing.

SEC. 2 Article 1 5 (commencing with Section 2721) is added to Chapter 6 of Division 2 of the Business and Professions Code, to read:

Article 1 5. Nursing Practice Administration

2721. As used in this chapter:

(a) Associate Nursing Education Program means an accredited program for training registered nurses, lasting two years, and based in a community college which offers an associate degree in nursing.

(b) Diploma Nursing Education Program means an accredited program for training registered nurses, lasting three years, and based in a licensed hospital.

(c) Baccalaureate Nursing Education Program means an accredited program for training registered nurses, lasting four years, and based in a college or university which offers a bachelor's degree in nursing.

2721 1 The California Board of Nursing Education and Nurse Registration and the Board of Vocational Nurse and Psychiatric Technician Examiners are abolished.

2721 2 There is hereby created in the Department of Consumer Affairs, a Board of Nursing Examiners of the State of California consisting of thirteen members Within the meaning of this article, "board," refers to the Board of Nursing Examiners of the State of California The board shall perform all of the functions and duties heretofore performed by the California Board of Nursing Education and Nurse Registration pursuant to Chapter 6 (commencing with Section 2700) of this division, and the Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California pursuant to Chapter 6 5 (commencing with Section 2840) of this division. Any reference in state law, except Chapter 10 (commencing with Section 4500) of this division, to either the California Board of Nursing Education and Nurse Registration or the Board of Vocational Nurse and Psychiatric Technician Examiners shall be construed to refer to the Board of Nursing Examiners of the State of California

2721 3 Each member of the board shall be a citizen of the United States and a resident of the State of California Three members shall represent the public at large, and shall not be licensed under any board under this division or any board referred to in Sections 1000 or 3000, and shall have no pecuniary interests in the provision of health care services Three members shall be licensed registered nurses, under the provisions of this chapter, one of whom shall be a graduate of an associate nursing education program, one of whom shall be a graduate of a diploma nursing education program, and one of whom shall be a graduate of a baccalaureate nursing education program, and each of whom shall have had at least five continuous years' experience in the active practice of his profession, and who shall not be engaged as an educator or administrator of a nursing education program under the provisions of this chapter Three members shall be licensed vocational nurses, under the provisions of Chapter 6 5 (commencing with Section 2840) of this division, each of whom shall be actively practicing his profession and shall have had at least five continuous years' experience. One member shall be a licensed registered nurse, who shall be an administrator or an educator of a program for training registered nurses with at least five years' continuous experience One member shall be a licensed vocational nurse who is functioning as an administrator or an educator of a program for training licensed vocational nurses, with at least five years' experience. One member shall be a licensed physician with at least five years' experience One member shall be a hospital administrator with at least five years' experience. No person shall serve more than two consecutive terms.

2721.4. Members of the board shall be appointed by the Governor for a term of four years. The terms of the members of the board first appointed shall expire as follows: two registered nurses and two vocational nurses on January 15, 1974; three members on January 15, 1975; three members on January 15, 1976; three members on January 15, 1977. Vacancies occurring shall be filled by appointment for the unexpired term in the manner provided above.

2721.5. (a) On and after the effective date of this article registered nurses shall be licensed pursuant (1) to this article and (2) any other provision of this chapter which is not inconsistent with the provisions of this article.

(b) On and after the effective date of this article licensed vocational nurses shall be licensed pursuant (1) to this article and (2) any other provision of Chapter 6 5 (commencing with Section 2840) of this division which is not inconsistent with the provisions of this article.

2721.6. (a) Licensed vocational nurses shall be capable of providing basic nursing services, including, but not limited to, care for basic health needs, interpersonal relation skills, and ability to perform simple health tests.

(b) Registered nurses shall be capable of providing all basic nursing services which licensed vocational nurses are licensed to perform, and shall be capable of providing advanced nursing services, including, but not limited to, collecting data regarding health status, administering treatment procedures under orders, and recognizing and reporting abnormalities in the physical condition of patients under the care of licensed physicians.

2721.7. The board shall determine, by regulation, the respective functions and duties of licensed vocational nurses and licensed registered nurses, in accordance with specifications set forth in Section 2721.6, and the provisions of this article regulating functions and duties of nurses.

2721.8. The board shall prescribe a written examination for licensure as a registered nurse.

2721.9. (a) An applicant for licensure as a registered nurse shall comply with each of the following.

(1) Have completed general education requirements as shall be determined by the board

(2) Have successfully completed the courses of instruction prescribed by the board for licensure, in a program in this state accredited by the board for training registered nurses, or have successfully completed courses of instruction outside of this state which, in the opinion of the board, are equivalent to the minimum requirements of the board for licensure established for an accredited program in this state

(3) Have committed no act, which, if committed by a licensee, would be grounds for disciplinary action

(b) An applicant who has received his training from a school of nursing in a country outside the United States and who has complied with the provisions of subdivision (a) shall qualify for licensure by successfully passing the examination prescribed by the board

2721.10 (a) An applicant for a licensed vocational nurse license shall comply with each of the following:

(1) Be at least 17 years of age.

(2) Have completed such general education requirements as shall be determined by the board.

(3) Have completed the courses of instruction prescribed by the board for licensure in a program in this state accredited by the board for the training of licensed vocational nurses, or have completed courses of instruction outside of this state which the board determines are equivalent to the minimum requirements of the board for licensure established by regulation for an accredited program in this state.

(4) Have committed no act, which, if committed by a licensee, would be grounds for disciplinary action.

2721 11. An applicant for a license under this article who completes the prescribed course of instruction in a program located outside of this state shall be deemed to have complied with the provisions of paragraph (2) of subdivision (a) of Section 2721 9 or provisions of paragraph (3) of subdivision (a) of Section 2721.10, as the case may be, if the program in which the applicant completed his prescribed courses of instruction was a program which, in the opinion of the board, was equivalent to the minimum requirements of the board for an accredited program in this state at the time the applicant was a student in such program

2721 12. The board may accredit programs for training registered nurses and programs for training licensed vocational nurses.

2721.13 (a) An accredited program for training registered nurses is one which has been approved by the board, gives a course of instruction approved by the board covering not less than 24 months, and is affiliated or conducted in connection with one or more licensed hospitals

(b) The board shall determine by regulation the required subjects of instruction, and the number of hours of instruction, together with the required number of hours in fields of clinical experience, to be completed in an accredited program for licensure as a registered nurse.

(c) Within four months of its appointment, the board shall determine the required subjects of instruction and the required number of hours of instruction to be completed in an accredited program for licensure as a registered nurse, and shall annually review such requirements and make such changes as may be necessary for insuring that training programs for registered nurses produce graduates competent to perform registered nurse roles

2721 14. (a) An accredited program for training licensed vocational nurses is one which has been approved by the board and gives a course of instruction in vocational nursing required by the board for licensure as a vocational nurse, whether such program is established by the State Board of Education, or other public or private agencies or institutions, which covers at least 12 months, and is affiliated or conducted in connection with one or more licensed hospitals.

(b) The board shall determine by regulation the required subjects of instruction, and the number of hours of instruction, together with the required number of hours in fields of clinical experience, to be completed in an accredited program for licensure as a vocational nurse.

(c) Within four months after its appointment, the board shall determine the required subjects of instruction and the required number

of hours of instruction to be completed in an accredited program for licensure as a vocational nurse, and shall annually review such requirements and make such changes as may be necessary for insuring that training programs for vocational nurses produce graduates competent to perform vocational nurse roles.

2721.15. The board shall deny accreditation to any program for the training of registered nurses or vocational nurses which, in the opinion of the board, does not give credit for licensure to the knowledge and skill possessed by a student applicant as a result of his past training and experience.

2721.16. The board shall, within one year after this section becomes effective, review its accreditation standards for programs for training registered nurses to require that:

(a) Such programs for registered nurses be encouraged to offer courses enabling students to qualify as licensed vocational nurses after the first year of training.

(b) Baccalaureate nursing education programs be encouraged to offer courses required for licensure as a registered nurse as lower division courses.

(c) Baccalaureate nursing education programs recognize the California Associate of Science degree in nursing granted by the State Department of Education as equivalent to an Associate of Science degree in nursing granted by a California community college.

2721.17. The State Department of Education shall issue a "California Associate of Science" degree in the field of nursing to all registered nurses in California who apply therefor within one year of the effective date of this section, who are graduates of diploma nursing education programs and do not at the time of application otherwise possess an academic degree in the field of nursing.

2721.18. The board shall develop a standard equivalency examination for licensure as a vocational nurse and a standard equivalency examination for licensure as a registered nurse. Each examination shall consist of parts which correspond to the courses of instruction required for licensure as a vocational nurse, or as a registered nurse. An applicant shall be granted a license if he successfully passes each part of the equivalency examination for licensure as a registered nurse or licensure as a vocational nurse and is otherwise qualified under this article. Successful completion of any part of either equivalency examination shall be deemed by the board as successful completion of the corresponding course of instruction required for licensure, and an applicant shall not have to complete any course of instruction for licensure for which he demonstrates his proficiency by passing that part of the equivalency examination.

2721.19. (a) The board shall review existing programs in California for training nurse aides, and, based upon such review, shall develop standards, for accrediting nurse aide training programs, which are not inconsistent with the provisions of this article relating to nursing education and experience. Within one year after this section goes into effect, the board shall accredit nurse aide training programs meeting the board's accreditation standards.

(b) The board shall determine by regulation the amount of additional training necessary for nurse aides who are graduates of accredited programs to qualify to become licensed as vocational nurses.

2721 20 It is the intention of the Legislature that all licensed registered nurses, including licentiates who are graduates of nonacademic hospital-based "diploma" programs, should be given every opportunity for receiving academic credit for their past training and experience by baccalaureate nursing programs when attempting to further their nursing education by earning a baccalaureate degree in nursing.

The board shall report to the Legislature no later than January 15, 1974, concerning:

(a) The current policies of baccalaureate nursing education programs for extending academic credit to licensed registered nurses who are graduates of nonbaccalaureate nursing programs.

(b) Baccalaureate nursing education programs which do not offer nursing courses, required for licensure, as lower division courses

(c) Steps that baccalaureate nursing education programs could take to increase the opportunities for licensed registered nurses to receive credit for their past training and experience when attempting to earn a baccalaureate degree in nursing

(d) Recommendations for improving the opportunities for licensed registered nurses who are not graduates of baccalaureate nursing education programs to earn a baccalaureate degree in nursing.

SEC. 3 Article 1.5 (commencing with Section 4509 6) is added to Chapter 10 of Division 2 of the Business and Professions Code, to read:

Article 1.5. Board of Psychiatric Technician Examiners

4509 6. (a) It is the intention of the Legislature that this article establish a temporary authority for insuring the safe utilization of psychiatric technicians

(b) Recognizing that psychiatric technicians are a category of health manpower whose potential utilization could greatly augment California's mental health care delivery system, and recognizing that psychiatric technicians are shifting from employment in hospital settings to community mental health settings, the Legislature intends that this article provide only an interim licensing authority for psychiatric technicians It is the intention of the Legislature that on or before January 1, 1976, a permanent responsibility for licensing psychiatric technicians shall be transferred to an appropriate state agency.

4509 7 There is hereby established in the Department of Consumer Affairs a Board of Psychiatric Technician Examiners of the State of California, consisting of 10 members As used in this chapter, "board," or "the board," refers to the Board of Psychiatric Technician Examiners of the State of California. The board shall perform all of the functions and duties heretofore performed by the Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California pursuant to this chapter.

4509.8. Each member of the board shall be a citizen of the United States and a resident of California. One member shall be a licensed psychologist representing state mental hospitals One member shall be a psychiatrist who is an administrator of a local mental health program. One member shall be a nurse educator. One member shall be a dean of curriculum of the community college systems with experience in developing curricula for training mental health workers. One member shall be a psychiatric hospital administrator who is not a physician. Two members shall be licensed psychiatric technicians One member shall be a public member who is active in a voluntary organization for assisting the mentally ill. One member shall be a public member who is active in a voluntary organization for assisting socially and economically disadvantaged persons with mental health problems

4509.9. Members of the board shall be appointed by the Governor for a period ending January 1, 1976. Vacancies occurring shall be filled by appointment for the unexpired term within 30 days after such vacancy occurs.

4509.10. Six members of the board constitute a quorum for transaction of business at any meeting

4509.11. The board may employ whatever personnel is necessary for the administration of this chapter.

4509 12. Each member of the board shall receive a per diem and expenses as provided in Section 103.

4509 13. This article shall remain operative until January 1, 1976, and after that date shall have no force and effect."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Government Administration reports:

AB No. 1045

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Government Administration

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1045—An act to amend Sections 19577, 19578, 19579 of the Welfare and Institutions Code, relating to rehabilitation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "19577,".

Amendment No. 2

On page 1, strike out lines 1 to 9, inclusive; on page 2, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 3

On page 2, line 9, after "Any", insert "state agency,".

Amendment No. 4

On page 2, line 16, after "handicapped", insert "who have indicated an interest in supplying such goods and services by contacting individual governmental entities".

Amendment No. 5

On page 2, line 17, strike out "3", and insert "2".

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 2147

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2147—An act to amend Section 8693 of the Fish and Game Code, relating to gill nets.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "from", insert "the lighthouse at Point Pinos in waters between 40 and 60 fathoms from sunset Thursday to sunset Sunday and except between a line running due west magnetic from the south steamplant stack at Moss Landing and a line running due west magnetic from".

Amendment No. 2

On page 1, line 12, strike out "50", and insert "40".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 1392

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1392—An act to amend Section 20017.77 of the Government Code, relating to Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the heading of the printed bill, after "Coombs", insert "Dymally,".

Amendment No. 2

In line 4 of the heading, after "Grunsky,", insert "Moscone,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 20017.77 of the Government Code is amended to read:

20017.77. Notwithstanding the provisions of Section 20017.75, "law enforcement member" shall also include officers and employees in (a) the Department of Corrections employed to perform the duties now performed in positions with the following class titles: Director of Corrections; Deputy Director, Department of Corrections; Deputy Director, Institutions, Camps and Program Services Division; Deputy Director, Parole and Community Services; *Member Adult Authority, Adult Authority Representative, Executive Officer, Adult Authority, special representative, Adult Authority;* warden; Warden-San Quentin; superintendent II and III, Department of Corrections, deputy superintendent; correctional administrator; ~~program~~ administrator, correctional institution; all classes of correctional program supervisor; correctional captain, correctional lieutenant, correctional sergeant; correctional officer; all classes of women's correctional supervisor; Assistant Deputy Director, Parole and Community Services, all classes of parole administrator, adult parole; all classes of parole agent, adult parole; Assistant Director, Investigations and Law Enforcement Liaison; senior special agent; special agent; all classes of women's parole agent; medical facility superintendent; Superintendent, California In-

stitution for Women, and (b) the Department of the Youth Authority employed to perform the duties now performed in positions with the following class titles: Director, Department of the Youth Authority; *Member, Youth Authority, Executive Officer, Youth Authority Board, Youth Authority Representative;* Chief, Division of Parole and Community Services; Deputy Chief, Division of Parole and Community Services, program administrator, correctional school; assistant superintendent, correctional school; all classes of superintendent, correctional school, Youth Authority camp superintendent; assistant superintendent, Youth Authority camp; Chief, Division of Institutions; treatment team supervisor; all classes of transportation officers, Youth Authority; security officer; all classes of group supervisors; all classes of parole agent, Youth Authority; all classes of youth counselor; supervisor community treatment programs; correctional casework training supervisor; correctional casework trainee."

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive; and on page 2, strike out lines 1 to 39, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1583

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1583—An act to add Section 313 to the Business and Professions Code, relating to a pilot implementation program for mechanics to perform automobile emission and safety work as the first phase of a total automotive repair and maintenance and mechanic training and certification, registration or licensing program, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 2, line 5, strike out "program", and insert "pilot study".

Amendment No. 2

On page 2, line 7, strike out "program", and insert "pilot study".

Amendment No. 3

On page 2, line 12, after "bids", insert "for the pilot study".

Amendment No. 4

On page 2, line 17, strike out "California", and insert "State".

Amendment No. 5

On page 2, line 18, strike out "program to be conducted", and insert "pilot study".

Amendment No. 6

On page 2, line 18, strike out "develop", and insert "recommend".

Amendment No. 7

On page 2, line 21, strike out "Included in the program", and insert "The pilot study".

Amendment No. 8

On page 2, line 21, strike out "be", and insert "include".

Amendment No. 9

On page 2, line 22, after "consideration", insert "and discussion".

Amendment No. 10

On page 2, line 29, strike out "the".

Amendment No. 11

On page 3, line 1, strike out "The", and insert "An".

Amendment No. 12

On page 3, lines 1 and 2, strike out "authorized by this section", and insert "shall be included in the pilot study This initial training program".

Amendment No. 13

On page 3, line 3, strike out "program", and insert "pilot study".

Amendment No. 14

On page 3, line 5, after "a", insert "recommended".

Amendment No. 15

On page 3, line 8, strike out "program", and insert "pilot study".

Amendment No. 16

On page 3, line 9, strike out "California", and insert "State".

Amendment No. 16.5

On page 3, line 10, strike out "Highwy", and insert "Highway".

Amendment No. 17

On page 3, line 12, strike out "program, the", and insert "pilot study. The".

Amendment No. 18

On page 3, line 13, strike out "such persons", and insert "the contractors".

Amendment No. 19

On page 3, line 14, after "agency", insert "shall be delivered".

Amendment No. 20

On page 3, line 15, strike out "May 1, 1973", and insert "March 15, 1973".

Amendment No. 21

On page 3, line 18, strike out the first "California", and insert "State".

Amendment No. 22

On page 3, line 21, strike out "_____ dollars ($_____)", and insert "three hundred ninety thousand dollars ($390,000)"

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 26, 1972

Mr Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1964

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1964—An act to amend Sections 4456 and 11700 of, to add Sections 396 and 397 to, to add Chapter 7 (commencing with Section 3100) to Division 2 of, and to add Article 1.5 (commencing with Section 11730) to Chapter 4 of Division 5 of the Vehicle Code, relating to mobilehomes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Harvey Johnson", and insert "Assemblymen Harvey Johnson and Moretti".

Amendment No. 2

On page 3, line 18, after the period, insert "The board shall give public notice of the date, time, and place of its meetings in such manner as the board deems necessary to advise interested members of the public of such facts"

Amendment No. 3

On page 3, between lines 26 and 27, insert

"(f) Voting by the board on all matters shall be by rollcall vote and a record shall be kept of such votes on any matter before the board"

Amendment No. 4

On page 3, line 28, strike out "fifty dollars ($50)", and insert "thirty-five dollars ($35)".

Amendment No. 5

On page 4, line 5, strike out "3013", and insert "3103".

Amendment No. 6

On page 4, strike out lines 16 to 18, inclusive, and insert

"(2) Undertake to adjudicate, resolve, or settle any complaint from the public or a mobilehome purchaser pertaining to the activities of any mobilehome dealer and to order repair, service, or restitution in behalf of a mobilehome purchaser, and against a mobilehome dealer, where substantial evidence supports such an order."

Amendment No. 7

On page 10, line 17, strike out "twenty-five thousand dollars ($25,000)", and insert fifteen thousand dollars ($15,000)".

Amendment No. 8

On page 10, lines 18 and 19, strike out "ten thousand dollars ($10,000)", and insert five thousand dollars ($5,000)".

Amendment No. 9

On page 15, after line 32, insert

"11744. No one other than a licensed mobilehome dealer shall charge or receive a fee, charge, or commission for the original sale or resale of a mobilehome."

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 2092

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2092—An act to amend Section 22100 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, after "shall", insert "not be made before entering the intersection. After entering the intersection, the left turn shall".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, April 27, 1972

Mr Speaker. The Chairman of your Committee on Welfare reports:

AB No. 1896

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1896—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants in aid to recipients of public assistance equivalent to amounts granted under the Senior Citizens Property Tax Assistance Law.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out "equivalent to amounts granted under the Senior Citizens Property Tax Assistance Law".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Recipients of assistance under the Old Age Security Law have their housing needs met by a housing allowance of up to sixty-three dollars ($63) per month for an individual recipient and up to ninety dollars ($90) per month for a couple Fifteen dollars ($15) of such allowance is computed as an allowance for property taxes in the case of recipients who own their own homes. Some recipients, however, have taxes imposed on their homes in excess of such allowance, and for such homeowners the amount of such excess shall be deemed to be a special need.

SEC. 2."

Amendment No. 3

On page 1, between lines 2 and 3, insert

"12162 The amount of any property tax imposed on the home owned by a single recipient in any fiscal year in excess of one hundred eighty dollars ($180) shall be a special need of such recipient, and, at the election of such recipient, a pro rata share of such amount shall be added to the monthly grant otherwise allowed such recipient or the

total of such excess shall be paid to such recipient in two installments when property taxes are due. The amount of any property tax imposed on the home of a couple who are recipients under this chapter in excess of one hundred eighty dollars ($180) in any fiscal year shall be a special need of such recipients and a pro rata share of such amount shall either be apportioned between and added to the monthly grants otherwise allowed such recipients or the total of such excess, at their election, shall be apportioned between them and paid in two installments when property taxes are due.

All county departments shall inform affected recipients of their rights under this section."

Amendment No. 4

On page 1, strike out lines 3 to 8, inclusive; and on page 2, strike out lines 1 to 3, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 722
AB No. 723
AB No. 1609

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 722—An act to add Section 25563.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On line 1 of the title of the printed bill, strike out "add Section 25563.3 to", and insert "amend Sections 17054, 17064, 17202, 17203, 17233, 17771, 17778, 17854, 18414.5, 18645, 18683, 24343, 24437, and 25933 of, to add Sections 18643, 18644, 25563 3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 17054 of the Revenue and Taxation Code is amended to read:

17054. In the case of individuals computing their tax under Section 17041 or Section 17048, the following credits for personal exemption may be deducted from the tax imposed.

(a) In the case of a single individual, a credit of twenty-five dollars ($25).

(b) In the case of a head of household or a married individual, a credit of fifty dollars ($50) A husband and wife shall receive but one credit for personal exemption of fifty dollars ($50) If the husband and wife make separate returns, the credit may be taken by either or divided between them If one spouse was a resident for the entire year and the other spouse was a nonresident for all or any portion of the taxable year, the personal exemption shall be divided equally and the portion deductible by the nonresident shall be determined under Section 17055. The preceding sentence shall not apply to a nonresident active member of the armed forces of the United States or any auxiliary branch thereof and his or her spouse

(c) Except as provided in ~~Section 17057(c)~~ *subdivision (e) of Section 17057*, a credit of eight dollars ($8) for each dependent (as defined in Section 17056)—

(1) Whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than ~~six hundred dollars ($600)~~ *seven hundred fifty dollars ($750)*, or

(2) Who is a child of the taxpayer and who (A) has not attained the age of 19 at the close of the calendar year in which the taxable year of the taxpayer begins, or (B) is a student.

(3) No exemption shall be allowed under this subdivision for any dependent who has made a joint return with his spouse under Section 18402 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins.

(4) For purposes of paragraph (2), the term "child" means an individual who (within the meaning of Section 17182) is a son, stepson, daughter or stepdaughter of the taxpayer.

(5) For purposes of ~~paragraph (2)(B)~~ *subparagraph (B) of paragraph (2)* of this subdivision and Section 17059, the term "student" means an individual who during each of five calendar months during the calendar year in which the taxable year of the taxpayer begins—

(A) Is a full-time student at an educational institution, or

(B) Is pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational institution or of a state or political subdivision of a state

For purposes of this paragraph, the term "educational institution" means only an educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on

(d) A credit for personal exemption of eight dollars ($8) for the taxpayer if he is blind at the close of his taxable year

(e) A credit for personal exemption of eight dollars ($8) for the spouse of the taxpayer if a separate return is made by the taxpayer,

and if the spouse is blind and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

(f) For the purposes of this section, an individual is blind only if either: his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

SEC. 2. Section 17064 of the Revenue and Taxation Code is amended to read:

17064. (a) For purposes of Section 17063, the excess investment interest for any taxable year is the amount by which the investment interest expense for the taxable year exceeds the ~~net investment income for the taxable year~~ *sum of—*

(A) The net investment income for the taxable year, and

(B) The amount (if any) by which the deductions allowable under Sections 17202, 17203, paragraph (1) or (2) of subdivision (a) of Section 17204, and Section 17252 attributable to property of the taxpayer subject to a net lease exceeds the gross rental income produced by such property for the taxable year.

(b) For purposes of this section,

(1) The term "net investment income" means the excess of investment income over investment expenses,

(2) The term "investment income" means—

(A) The gross income from interest, dividends, rents, and royalties,

(B) The net short-term capital gains attributable to the disposition of property held for investment, and

(C) Amounts treated under Sections 18211 and 18212 as gain from the sale or exchange of property which is neither a capital asset nor property described in Section 18181 or Section 18182,

but only to the extent such income, gain, and amounts are not derived from the conduct of a trade or business.

(3) The term "investment expenses" means the deductions allowable under *Section 17202*, paragraphs (1) or (2) of subdivision (a) of Section 17204, Sections 17207 to 17211.7, inclusive, Sections 17217 to 17221, inclusive, Section 17252, or Section 17681 of this part, directly connected with the production of investment income. For purposes of this paragraph, the deduction allowable under Sections 17208 to 17211.7, inclusive, with respect to any property may be treated as the amount which would have been allowable had the taxpayer depreciated the property under the straight-line method for each taxable year of its useful life for which the taxpayer has held the property, and the deduction allowable under Section 17681 of this part with respect to any property may be treated as the amount which would have been allowable had the taxpayer determined the deduction under Section 17681 of this part without regard to Sections 17686 and 17687 for each taxable year for which the taxpayer has held the property.

(4) The term "investment interest expense" means interest paid or accrued on indebtedness incurred or continued to purchase or carry

property held for investment. For purposes of the preceding sentence, interest paid or accrued on indebtedness incurred or continued in the construction of property to be used in a trade or business shall not be treated as an investment interest expense.

(c) For purposes of this section property which is subject to a net lease entered into after October 9, 1969, shall be treated as property held for investment, and not as property used in a trade or business.

~~(d) For purposes of this chapter, property shall be considered to be subject to a net lease for a taxable year if—~~

~~(1) For such taxable year the sum of the deductions with respect to such property which are allowable solely by reason of Section 17202 is less than 15 percent of the rental income produced by such property, or~~

~~(2) The lessor is either guaranteed a specific return or is guaranteed in whole or in part against loss of income.~~

(d) (1) For purposes of this chapter, property shall be considered to be subject to a net lease for a taxable year if—

(A) For such taxable year the sum of the deductions of the lessor with respect to such property which are allowable solely by reason of Section 17202 (other than rents and reimbursed amounts with respect to such property) is less than 15 percent of the rental income produced by such property, or

(B) The lessor is either guaranteed a specified return or is guaranteed in whole or in part against loss of income.

(2) If a parcel of real property of the taxpayer is leased under two or more leases, subparagraph (A) of paragraph (1) of this subdivision shall, at the election of the taxpayer, be applied by treating all leased portions of such property as subject to a single lease.

(3) At the election of the taxpayer, subparagraph (A) of paragraph (1) of this subdivision shall not apply with respect to real property of the taxpayer which has been in use for more than five years.

(4) An election under paragraph (2) or (3) shall be made at such time and in such manner as the Franchise Tax Board prescribes by regulations

SEC 3. Section 17202 of the Revenue and Taxation Code is amended to read:

17202. (a) There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including—

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered;

(2) Traveling expenses (including amounts expended for meals and lodging other than amounts which are lavish or extravagant under the circumstances) while away from home in the pursuit of a trade or business, and

(3) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

For purposes of the preceding sentence, the place of residence of a Member of Congress (including any delegate and resident commissioner) within the state, congressional district, territory, or possession

which he represents in Congress shall be considered his home, but amounts expended by such members within each taxable year for living expenses shall not be deductible for income tax purposes in excess of three thousand dollars ($3,000).

(b) No deduction shall be allowed under subdivision (a) for any contribution or gift which would be allowable as a deduction under Sections 17214, 17215, 17216, and 17216.2 were it not for the percentage limitations, the dollar limitations, or the requirements as to the time of payment, set forth in such sections.

(c) (1) No deduction shall be allowed under subdivision (a) for any payment made~~,~~, directly or indirectly, to an official or employee of any government, or of any agency or instrumentality of any government, if the payment constitutes an illegal bribe or kickback or, if the payment is to an official or employee of a foreign government, the payment would be unlawful under the laws of the United States if such laws were applicable to such payment and to such official or employee. The burden of proof in respect of the issue, for the purposes of this paragraph, as to whether a payment constitutes an illegal bribe or kickback (or would be unlawful under the laws of the United States) shall be upon the Franchise Tax Board to the same extent as it bears the burden of proof when the issue relates to fraud.

~~(2) If in a criminal proceeding a taxpayer is convicted of making a payment (other than a payment described in paragraph (1)) which is an illegal bribe or kickback, or his plea of guilty or nolo contendere to an indictment or information charging the making of such a payment is entered or accepted in such a proceeding, no deduction shall be allowed under subdivision (a) on account of such payment or any related payment made prior to the date of the final judgment in such proceeding.~~

~~(3) If a taxpayer claimed a deduction for a payment described in paragraph (2) which is disallowed because of a final judgment entered after the close of the taxable year for which the deduction was claimed, and if the proceeding was based on an indictment returned or an information filed prior to the expiration of the period for the assessment of any deficiency for such taxable year, the period for the assessment of any deficiency attributable to the deduction of such payment shall not expire prior to the expiration of one year from the date of such final judgment, and such deficiency may be assessed prior to the expiration of such one-year period notwithstanding the provision of any other law or rule of law which would otherwise prevent such assessment.~~

(2) No deduction shall be allowed under subdivision (a) for any payment (other than a payment described in paragraph (1)) made, directly or indirectly, to any person, if the payment constitutes an illegal bribe, illegal kickback, or other illegal payment under any law of the United States, or under any law of a state (but only if such state law is generally enforced), which subjects the payor to a criminal penalty or the loss of license or privilege to engage in a trade or business. For purposes of this paragraph, a kickback includes a payment in

consideration of the referral of a client, patient, or customer. The burden of proof in respect of the issue, for purposes of this paragraph, as to whether a payment constitutes an illegal bribe, illegal kickback, or other illegal payment shall be upon the Franchise Tax Board to the same extent as it bears the burden of proof when the issue relates to fraud.

(3) No deduction shall be allowed under subdivision (a) for any kickback, rebate, or bribe made by any provider of services, supplier, physician, or other person who furnishes items or services for which payment is or may be made under the Social Security Act, or in whole or in part out of federal funds under a state plan approved under such act, if such kickback, rebate, or bribe is made in connection with the furnishing of such items or services or the making or receipt of such payments. For purposes of this paragraph, a kickback includes a payment in consideration of the referral of a client, patient, or customer.

(d) No deduction shall be allowed under subdivision (a) for any fine or similar penalty paid to a government for the violation of any law.

(e) If in a criminal proceeding a taxpayer is convicted of a violation of the antitrust laws, or his plea of guilty or nolo contendere to an indictment or information charging such a violation is entered or accepted in such a proceeding, no deduction shall be allowed under subdivision (a) for two-thirds of any amount paid or incurred—

(1) On any judgment for damages entered against the taxpayer under Section 4 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (commonly known as the Clayton Act), on account of such violation or any related violation of the antitrust laws which occurred prior to the date of the final judgment of such conviction, or

(2) In settlement of any action brought under such Section 4 on account of such violation or related violation.

The preceding sentence shall not apply with respect to any conviction or plea before January 1, 1971, or to any conviction or plea on or after such date in a new trial following an appeal of a conviction before such date.

(f) For special rule relating to expenses in connection with subdividing real property for sale, see Sections 18197 to 18199, inclusive.

SEC. 4. Section 17203 of the Revenue and Taxation Code is amended to read:

17203. (a) There shall be allowed as a deduction all interest paid or accrued within the taxable year on indebtedness. However, no deduction shall be allowed to the extent that it is connected with income not taxable under this part. The proper apportionment and allocation of the deduction with respect to taxable and nontaxable income shall be determined under rules and regulations prescribed by the Franchise Tax Board.

(b) (1) If personal property or educational services are purchased under a contract—

(A) Which provides that payment of part or all of the purchase price is to be made in installments; and

(B) In which carrying charges are separately stated but the interest charge cannot be ascertained;

then the payments made during the taxable year under the contract shall be treated for purposes of this section as if they included interest equal to 6 percent of the average unpaid balance under the contract during the taxable year For purposes of the preceding sentence, the average unpaid balance is the sum of the unpaid balance outstanding on the first day of each month beginning during the taxable year, divided by 12.

For purposes of this paragraph, the term "educational services" means any service (including lodging) which is purchased from an educational institution (as defined in subdivision (c) of Section 17150) and which is provided for a student of such institution.

(2) In the case of any contract to which paragraph (1) applies, the amount treated as interest for any taxable year shall not exceed the aggregate carrying charges which are properly attributable to such taxable year.

(c) The amendments made in subdivision (b) shall apply to payments made during taxable years beginning after December 31, 1963.

(d) (1) The amount of investment interest (as defined in subparagraph (D) of paragraph (3)) otherwise allowable as a deduction under this ~~chapter~~ *part* shall be limited, in the following order, to—

(A) Twenty-five thousand dollars ($25,000) (twelve thousand five hundred dollars ($12,500), in the case of a separate return by a married individual), plus

~~(B) The amount of the net investment income (as defined in subparagraph (A) of paragraph (3)), plus~~

(B) The amount of the net investment income (as defined in subparagraph (A) of paragraph (3), plus the amount (if any) by which the deductions allowable under this section (determined without regard to this subdivision) and Sections 17202, 17203, paragraph (1) or (2) of subdivision (a) of Section 17204, or Section 17252 attributable to property of the taxpayer subject to a net lease exceeds the rental income produced by such property for the taxable year, plus

(C) An amount equal to the amount by which the ~~net long-term capital gain exceeds the net short-term capital loss~~ *total amount of capital gains recognized exceeds the total amount of capital losses recognized* for the taxable year, plus

(D) One-half of the amount by which investment interest exceeds the sum of the amounts described in subparagraphs (A), (B), and (C).

In the case of a trust, the twenty-five thousand dollar ($25,000) amount specified in subparagraph (A) and in subparagraph (A) of paragraph (2), shall be zero. In determining the amount described in subparagraph (C), only gains and losses attributable to the disposition of property held for investment shall be taken into account.

(2) (A) The amount of disallowed investment interest for any taxable year shall be treated as investment interest paid or accrued in the succeeding taxable year. The amount of the interest so treated which is allowable as a deduction by reason of the first sentence of this paragraph for any taxable year shall not exceed one-half of the amount by which—

(i) The net investment income for such taxable year plus twenty-five thousand dollars ($25,000), exceeds

(ii) The investment interest paid or accrued during such taxable year (determined without regard to this paragraph) or twenty-five thousand dollars ($25,000), whichever is greater.

(B) If—

(i) An amount of disallowed investment treated under subparagraph (A) as investment interest paid or accrued in the taxable year is not allowable as a deduction for such taxable year by reason of the second sentence of subparagraph (A), and

~~(ii) The taxpayer is entitled to a deduction under Section 18151 for such taxable year (whether or not the taxpayer claims such deduction), the amount of such disallowed investment interest shall be reduced by an amount equal to the amount of the deduction allowable under Section 18151.~~

(ii) The taxpayer is not required to recognize a portion of capital gains by reason of Section 18162.5 (whether or not the taxpayer recognizes such gains), the amount of such disallowed investment interest shall be reduced by an amount equal to the amount not recognizable under Section 18162.5.

(3) For purposes of this subdivision—

(A) The term "net investment income" means the excess of investment income over investment expenses.

(B) The term "investment income" means—

(i) The gross income from interest, dividends, rents, and royalties,

~~(ii) The net short term capital gain attributable to the disposition of property held for investment, and~~

(ii) The capital gain attributable to the disposition of property held for investment and held for not more than one year, and

(iii) Any amount treated under Sections 18211 and 18212 to 18218, inclusive as gain from the sale or exchange of property which is neither a capital asset nor property described in Sections 18181 and 18182

but only to the extent such income, gain, and amounts are not derived from the conduct of a trade or business

(C) The term "investment expenses" means the deductions allowable under *Section 17202*, paragraph (1) or (2) of subdivision (a) of Section 17204, Sections 17207, 17208 to 17211.7, inclusive, 17217 to 17221, inclusive, 17232, or 17681 directly connected with the production of investment income For purposes of this subparagraph, the deduction allowable under Sections 17208 to 17211.5, inclusive, with respect to any property may be treated as the amount which would have been allowable had the taxpayer depreciated the property under the straight-

line method for each taxable year of its useful life for which the taxpayer has held the property, and the deduction allowable under Section 17681 with respect to any property may be treated as the amount which would have been allowable had the taxpayer determined the deduction under Section 17681 without regard to Sections 17683 to 17688, inclusive, for each taxable year for which the taxpayer has held the property.

(D) The term "investment interest" means interest paid or accrued on indebtedness incurred or continued to purchase or carry property held for investment.

(E) The term "disallowed investment interest" means with respect to any taxable year, the amount not allowable as a deduction solely by reason of the limitations in paragraph (1) and subparagraph (A) of paragraph (2).

(4) (A) For purposes of this subdivision, property subject to a lease shall be treated as property held for investment, and not as property used in a trade or business, for a taxable year, if—

~~(i) For such taxable year the sum of the deductions with respect to such property which are allowable solely by reason of Section 17202 is less than 15 percent of the rental income produced by such property, or~~

(i) For such taxable year the sum of the deductions of the lessor with respect to such property which are allowable solely by reason of Section 17202 (other than rents and reimbursed amounts with respect to such property) is less than 15 percent of the rental income produced by such property, or

(ii) The lessor is either guaranteed a specified return or is guaranteed in whole or in part against loss of income

(B) In the case of a partnership, each partner shall, under regulations prescribed by the Franchise Tax Board, take into account separately his distributive share of the partnership's investment interest and the other items of income and expense taken into account under this subdivision.

(C) For purposes of this subdivision, interest paid or accrued on indebtedness incurred or continued in the construction of property to be used in a trade or business shall not be treated as investment interest.

(5) ~~For purposes of Section 18151 (relating to deductions for capital gains)~~ *The* an amount equal to the amount of investment interest which is allowable as a deduction by reason of subparagraph ~~(c)~~ *(C)* of paragraph (1) of this subdivision shall be treated as gain from the sale or other disposition of property which is neither a capital asset nor property described in Sections 18181 and 18182

(6) This subdivision shall not apply with respect to investment interest, investment income, and investment expenses attributable to a specific item of property, if the indebtedness with respect to such property—

(A) Is for a specified term, and

(B) Was incurred before December 17, 1969, or is incurred after December 16, 1969, pursuant to a written contract or commitment which, on such date and at all times thereafter prior to the incurring of such indebtedness, is binding on the taxpayer.

(e) The amendments made in subdivision (d) shall apply to taxable years beginning after December 31, 1971.

(7) For purposes of subparagraph (A) of paragraph (4)—

(A) If a parcel of real property of the taxpayer is leased under two or more leases, clause (i) of subparagraph (A) of paragraph (4) shall, at the election of the taxpayer, be applied by treating all leased portions of such property as subject to a single lease; and

(B) At the election of the taxpayer, clause (i) of subparagraph (A) of paragraph (4) shall not apply with respect to real property of the taxpayer which has been in use for more than five years

An election under subparagraph (A) or (B) shall be made at such time and in such manner as the Franchise Tax Board prescribes by regulations.

SEC 5 Section 17233 of the Revenue and Taxation Code is amended to read:

17233. (a) In the case of an activity engaged in by an individual, if such activity is not engaged in for profit, no deduction attributable to such activity shall be allowed under this part except as provided in this section

(b) In the case of an activity not engaged in for profit to which ~~subsection~~ *subdivision* (a) applies, there shall be allowed—

(1) The deductions which would be allowable under this part for the taxable year without regard to whether or not such activity is engaged in for profit, and

(2) A deduction equal to the amount of the deductions which would be allowable under this part for the taxable year only if such activity were engaged in for profit, but only to the extent that the gross income derived from such activity for the taxable year exceeds the deductions allowable by reason of paragraph (1)

(c) For purposes of this section, the term "activity not engaged in for profit" means any activity other than one with respect to which deductions are allowable for the taxable year under Section 17202 or under subdivision (a) or (b) of Section 17252.

(d) If the gross income derived from an activity for two or more of the taxable years in the period of five consecutive taxable years which ends with the taxable year exceeds the deductions attributable to such activity (determined without regard to whether or not such activity is engaged in for profit), then, unless the Franchise Tax Board establishes to the contrary, such activity shall be presumed for purposes of this ~~chapter~~ *part* for such taxable year to be an activity engaged in for profit In the case of an activity which consists in major part of the breeding, training, showing, or racing of horses, the preceding sentence shall be applied by substituting the period of seven consecutive taxable years for the period of five consecutive taxable years

(e) (1) A determination as to whether the presumption provided by subdivision (d) applies with respect to any activity shall, if the taxpayer so elects, not be made before the close of the fourth taxable year (sixth taxable year, in the case of an activity described in the last sentence of such subdivision) following the taxable year in which the taxpayer first engages in the activity. For purposes of the preceding

sentence, a taxpayer shall be treated as not having engaged in an activity during any taxable year beginning before January 1, 1970.

(3) If the taxpayer makes an election under paragraph (1), the presumption provided by subdivision (d) shall apply to each taxable year in the five-taxable-year (or seven-taxable-year) period beginning with the taxable year in which the taxpayer first engages in the activity, if the gross income derived from the activity for two or more of the taxable years in such period exceeds the deductions attributable to the activity (determined without regard to whether or not the activity is engaged in for profit).

(3) An election under paragraph (1) shall be made at such time and manner, and subject to such terms and conditions, as the Franchise Tax Board may prescribe.

SEC. 6. Section 17771 of the Revenue and Taxation Code is amended to read:

17771. (a) For purposes of this article, the term "undistributed net income" for any taxable year means the amount by which the distributable net income of the trust for such taxable year exceeds the sum of—

(1) The amounts for such taxable year specified in paragraphs (1) and (2) of subdivision (a) of Section 17761, and

(2) The amount of taxes imposed on the trust attributable to such distributable net income.

(b) For purposes of this article, the term "accumulation distribution" for any taxable year of the trust means the amount by which the amounts specified in paragraph (2) of subdivision (a) of Section 17761 for such taxable year, exceed distributable net income for such year reduced (but not below zero) by the amounts specified in paragraph (1) of subdivision (a) of Section 17761.

(c) For purposes of this article, the term "taxes imposed on the trust" means the amount of the taxes which are imposed for any taxable year of the trust under this part (without regard to this article) and which, under regulations prescribed by the Franchise Tax Board, are properly allocable to the undistributed portions of the distributable net income and gains in excess of losses from sales or exchanges of capital assets. The amount determined in the preceding sentence shall be reduced by any amount of such taxes deemed distributed under Sections 17773, 17774, or subdivisions (d) and (e) of Section 17777, to any beneficiary.

(d) For purposes of this article, the term "preceding taxable year" does not include any taxable year of the trust—

(1) Which precedes by more than five years the taxable year of the trust in which an accumulation distribution is made, if it is made in a taxable year beginning before January 1, 1974,

(2) Which begins before January 1, 1969, in the case of an accumulation distribution made during a taxable year beginning after December 31, 1973, or

(3) Which begins before January 1, 1969, in the case of a capital gain distribution made during a taxable year beginning after December

31, 1968. In the case of a preceding taxable year with respect to which a trust qualifies (without regard to this article) under the provisions of Article 2, for purposes of the application of this article to such trust for such taxable year, such trust shall, in accordance with regulations prescribed by the Franchise Tax Board, be treated as a trust to which Article 3 applies.

(e) For purposes of this article, the term "undistributed capital gain" means, for any taxable year of the trust beginning after December 31, 1968, the amount by which—

(1) Gains in excess of losses from the sale or exchange of capital assets, to the extent that such gains are allocated to corpus and are not (A) paid, credited, or required to be distributed to any beneficiary during such taxable year, or (B) paid, permanently set aside, or used for the purposes specified in Section 17734, exceed

(2) The amount of taxes imposed on the trust attributable to such gains. For purposes of paragraph (1) the deduction under Section 18151 (relating to deduction for excess of capital gains over capital losses) shall not be taken into account.

(f) For purposes of this article, the term "capital gain distribution" for any taxable year of the trust means, to the extent of undistributed capital gain ~~for such taxable year~~, that portion of—

(1) The excess of the amounts specified in paragraph (2) of subdivision (a) of Section 17761 for such taxable year over distributable net income for such year reduced (but not below zero) by the amounts specified in paragraph (1) of subdivision (a) of Section 17761, over

(2) The undistributed net income of the trust for all preceding taxable years.

SEC 7. Section 17778 of the Revenue and Taxation Code is amended to read:

17778. (a) Except as otherwise provided in this section, the amendments made to this chapter at the 1971 ~~Regular~~ *First Extraordinary* Session of the Legislature shall apply to taxable years beginning after December 31, 1970

(b) (1) Amounts paid, credited, or required to be distributed by a trust on or before the last day of a taxable year of the trust beginning before January 1, 1974, shall not be deemed to be accumulation distributions to the extent that such amounts were accumulated by a trust in taxable years of such trust beginning before January 1, 1969, and would have been excepted from the definition of an accumulation distribution by reason of subdivision (b) of Section 17771, as in effect on December 31, 1968, if they had been distributed on the last day of the last taxable year of the trust beginning before January 1, 1969

(2) For taxable years of a trust beginning before January 1, 1970, the first sentence of Section 17772 (as amended at the 1971 ~~Regular~~ *First Extraordinary* Session of the Legislature) shall not apply, and the amount of the accumulation distribution of the trust for such taxable years shall be deemed to be an amount within the meaning of paragraph (2) of subdivision (a) of Section 17761 distributed on the last day of each of the preceding taxable years to the extent that such

amount exceeds the total of any undistributed net income for any taxable years intervening between the taxable year with respect of which the accumulation distribution is determined and such preceding taxable year.

(3) In the case of a trust which was in existence on December 31, 1969, Section 17777, as amended at the 1971 ~~Regular~~ *First Extraordinary* Session of the Legislature, shall not apply to capital gain distributions made to a beneficiary before January 1, ~~1972~~ *1973* If the beneficiary receives capital gain distributions from more than one such trust before January 1, ~~1972~~ *1973*, the preceding sentence shall apply to capital gain distributions from only one of such trusts, such one to be designated by the taxpayer in accordance with regulations prescribed by the Franchise Tax Board

SEC. 8. Section 17854 of the Revenue and Taxation Code is amended to read:

17854. (a) The taxable income of a partnership shall be computed in the same manner as in the case of an individual except that—

(1) The items described in Section 17852 shall be separately stated; and

(2) The following deductions shall not be allowed to the partnership:

(A) The standard deduction provided in Section 17171;

(B) The deduction for taxes provided in Section 17204(a) with respect to taxes, described in Section 18006, paid to another state;

(C) The deduction for charitable contributions provided in Sections 17214 to 17216, inclusive;

(D) The deduction for political contributions provided in Section 17234; and

(E) The additional itemized deductions for individuals provided in Article 7 of Chapter 3

(b) Any election affecting the computation of taxable income derived from a partnership shall be made by the partnership *except that the election under Section 17689.5 (relating to deduction and recapture of certain mining exploration expenditures), under subdivision (d) of Section 17064 (relating to definition of net lease), or under Section 17203 (relating to limitation on interest on investment indebtedness), shall be made by each partner separately.*

SEC. 9. Section 18414.5 of the Revenue and Taxation Code is amended to read:

18414.5. For taxable years beginning on and after January 1, 1972, and ending on or before November 30, 1973, every resident individual shall make a declaration of estimated tax if—

(a) Gross income can reasonably be expected to include income other than wages (as defined in Section 18807) amounting to one thousand dollars ($1,000) or more in the case of a return filed by a single person or a joint return filed by a married couple, or five hundred dollars ($500) or more in the case of a separate return filed by a married person, and

(b) The tax computed under Section 17041 or 17048 upon the estimated income for the taxable year, minus the sum of any credits against the tax provided by this part, is—

(1) One hundred dollars ($100) or more in the case of a return by a single person or a joint return filed by a married couple, or

(2) Fifty dollars ($50) or more in the case of a separate return filed by a married person.

(c) If on or before January 31 (or March 1, in the case of an individual referred to in paragraph (2) of subdivision (b) of Section 18435, relating to income from farming or fishing) of the succeeding taxable year the taxpayer files a return, for the taxable year for which the declaration is required, and pays in full the amount computed on the return as payable, then, under regulations prescribed by the Franchise Tax Board—

(1) If the declaration is not required to be filed during the taxable year, but is required to be filed on or before January 15, such return shall be considered as such declaration; and

(2) If the tax shown on the return (reduced by the sum of the credits against tax provided by subdivision (b) of this section) is greater than the estimated tax shown in a declaration previously made, or in the last amendment thereof, such return shall be considered as the amendment of the declaration.

In the application of this subdivision, in the case of a taxable year beginning on any date other than January 1, there shall be substituted, for the 15th or last day of the months specified in this subdivision, the 15th or last day of the months which correspond thereto.

SEC. 10. Section 18643 of the Revenue and Taxation Code is repealed.

~~18643. A jeopardy assessment is immediately due and payable, and proceedings for collection may be commenced at once. The taxpayer, however, may stay collection and prevent the jeopardy assessment from becoming final by filing, within 10 days after the date of mailing or issuing the notice of jeopardy assessment, a petition for reassessment, accompanied by a bond or other security in such amount as the Franchise Tax Board may deem necessary, not exceeding double the amount (including interest and penalties and additions thereto) as to which the stay is desired.~~

SEC 11. Section 18643 is added to the Revenue and Taxation Code, to read:

18643 (a) A jeopardy assessment is immediately due and payable, and proceedings for collection may be commenced at once.

(b) The collection of the whole or any amount of a jeopardy assessment may be stayed, at any time before the assessment becomes final, by filing with the Franchise Tax Board (1) a bond in an amount equal to the amount as to which the stay is desired, conditioned upon the payment of the amount, the collection of which is stayed by the bond, upon notice and demand at any time after the assessment becomes final, together with interest thereon from the date of the jeopardy notice and demand to the date of payment, or (2) other security in such amount as the Franchise Tax Board may deem necessary, not exceeding double the amount (together with interest thereon) as to which the stay is desired

(c) Upon the filing of the bond or other security the collection of so much of the amount assessed as is covered by the bond or other security shall be stayed The taxpayer shall have the right to waive such stay at any time in respect of the whole or any part of the

amount covered by the bond or other security, and if as a result of such waiver any part of the amount covered by the bond or other security is paid, then the bond or other security shall, at the request of the taxpayer, be proportionately reduced. If any portion of the jeopardy assessment is abated, the bond or other security shall, at the request of the taxpayer, be proportionately reduced.

(d) The Franchise Tax Board may, prior to the time the assessment becomes final, stay collection of the whole or any amount of a jeopardy assessment if it finds that jeopardy does not exist.

(e) Where collection of the whole or any amount of a jeopardy assessment has been stayed under this section, the period of limitation on any action to collect shall be tolled during the time of such stay.

SEC. 12. Section 18644 of the Revenue and Taxation Code is repealed.

~~18644. If a petition for reassessment, accompanied by bond or other security, is not filed within the 10-day period, the assessment becomes final.~~

SEC. 13. Section 18644 is added to the Revenue and Taxation Code, to read:

18644. Within 60 days after the mailing or issuance of each jeopardy assessment the taxpayer may file with the Franchise Tax Board a written petition for reassessment, specifying in the petition the grounds upon which it is based. If no petition for reassessment is filed, the jeopardy assessment becomes final upon expiration of the 60-day period. The filing of a petition for reassessment shall not operate to stay collection. Collection may be stayed only as provided in Section 18643.

SEC. 14. Section 18645 of the Revenue and Taxation Code is amended to read:

18645. If a petition for reassessment, ~~accompanied by bond or other security,~~ is filed ~~within the 10-day period~~, the Franchise Tax Board shall reconsider the *jeopardy* assessment and, if the taxpayer has so requested in his petition, the Franchise Tax Board shall grant him or his authorized representative an oral hearing. The Franchise Tax Board's action upon the petition for reassessment is final upon the expiration of 30 days from the date when it mails notice of its action to the taxpayer, unless within that 30-day period the taxpayer appeals in writing from the action of the Franchise Tax Board to the board.

SEC. 2. Section 18646 of the Revenue Taxation Code is amended to read:

18646. The taxpayer may appeal to the board from the Franchise Tax Board's action on the petition for reassessment, the appeal to be made in the manner prescribed by Section 18594. The provisions of Article 2 of Chapter 18 relating to an appeal from the action of the Franchise Tax Board on a protest against an additional tax proposed to be assessed shall be applicable to the appeal.

SEC. 15. Section 18682 of the Revenue and Taxation Code is repealed.

~~18682. If any taxpayer, upon notice and demand by the Franchise Tax Board, fails or refuses to make and file a return (other than a declaration of estimated tax required under Sections 18414, 18414.5,~~

~~and 18415) required by this part, the Franchise Tax Board, notwithstanding the provisions of Section 18648, may estimate the net income and compute and levy the amounts of the tax due from any available information. In such case 25 percent of the tax, in addition to the penalty added under Section 18681, shall be added to the tax and shall be due and payable upon notice and demand from the Franchise Tax Board.~~

SEC. 16. Section 18683 of the Revenue and Taxation Code is amended to read:

18683. If any taxpayer fails or refuses to furnish any information requested in writing by the Franchise Tax Board *or fails or refuses to make and file a return required by this part upon notice and demand by the Franchise Tax Board*, the Franchise Tax Board may add a penalty of 25 percent of the amount *of tax determined pursuant to Section 18648 or* of any deficiency tax assessed by the Franchise Tax Board concerning the assessment of which the information *or return* was required.

SEC. 17. Section 24343 of the Revenue and Taxation Code is amended to read:

24343 (a) There shall be allowed as a deduction all the ordinary and neceessaary expenses paid or incurred during the income year in carrying on any trade or business, including—

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered; and

(2) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which it has no equity.

(3) Traveling expenses (including amounts expended for meals and lodging other than amounts which are lavish or extravagant under the circumstances) while away from home in the pursuit of a trade or business.

(b) (1) No deduction shall be allowed under subdivision (a) for any payment made, directly or indirectly, to an official or employee of any government, or of any agency or instrumentality of any government, if the payment constitutes an illegal bribe or kickback or, if the payment is to an official or employee of a foreign government, the payment would be unlawful under the laws of the United States if such laws were applicable to such payment and to such official or employee. The burden of proof in respect of the issue, for the purposes of this paragraph, as to whether a payment constitutes an illegal bribe or kickback (or would be unlawful under the laws of the United States) shall be upon the Franchise Tax Board to the same extent as it bears the burden of proof when the issue relates to fraud

~~(2) If in a criminal proceeding a taxpayer is convicted of making a payment (other than a payment described in paragraph (1)) which is an illegal bribe or kickback, or his plea of guilty or nolo contendere to an indictment or information charging the making of such a payment is entered or accepted in such a proceeding, no deduction shall be allowed under subdivision (a) on account of such payment or any~~

~~related payment made prior to the date of the final judgment in such proceeding.~~

~~(3) If a taxpayer claimed a deduction for a payment described in paragraph (2) which is disallowed because of a final judgment entered after the close of the income year for which the deduction was claimed, and if the proceeding was based on an indictment returned or an information filed prior to the expiration of the period for the assessment of any deficiency for such income year, the period for the assessment of any deficiency attributable to the deduction of such payment shall not expire prior to the expiration of one year from the date of such final judgment, and such deficiency may be assessed prior to the expiration of such one-year period notwithstanding the provision of any other law or rule of law which would otherwise prevent such assessment.~~

(2) No deduction shall be allowed under subdivision (a) for any payment (other than a payment described in paragraph (1)) made, directly or indirectly, to any person, if the payment constitutes an illegal bribe, illegal kickback, or other illegal payment under any law of the United States, or under any law of a state (but only if such state law is generally enforced), which subjects the payor to a criminal penalty or the loss of license or privilege to engage in a trade or business. For purposes of this paragraph, a kickback includes a payment in consideration of the referral of a client, patient, or customer. The burden of proof in respect of the issue, for purposes of this paragraph, as to whether a payment constitutes an illegal bribe, illegal kickback, or other illegal payment shall be upon the Franchise Tax Board to the same extent as it bears the burden of proof when the issue relates to fraud.

(3) No deduction shall be allowed under subdivision (a) for any kickback, rebate, or bribe made by any provider of services, supplier, physician, or other person who furnishes items or services for which payment is or may be made under the Social Security Act, or in whole or in part out of federal funds under a state plan approved under such act, if such kickback, rebate, or bribe is made in connection with the furnishing of such items or services or the making or receipt of such payments. For purposes of this paragraph, a kickback includes a payment in consideration of the referral of a client, patient, or customer.

(c) No deduction shall be allowed under subdivision (a) for any contribution or gift which would be allowable as a deduction under Sections 24357, 24358, and 24359 were it not for the percentage limitations, or the requirements as to the time of payment, set forth in such sections.

(d) For purposes of this part, whenever the amount of capital contributions evidenced by a share of stock issued pursuant to Section 303(c) of the Federal National Mortgage Association Charter Act (12 U.S.C., Section 1718) exceeds the fair market value of the stock as of the issue date of such stock, the initial holder of the stock shall treat the excess as ordinary and necessary expenses paid or incurred during the income year in carrying on a trade or business.

(e) No deduction shall be allowed under subdivision (a) for any fine or similar penalty paid to a government for the violation of any law.

(f) If in a criminal proceeding a taxpayer is convicted of a violation of the antitrust laws, or its plea of guilty or nolo contendere to an indictment or information charging such a violation is entered or accepted in such a proceeding, no deduction shall be allowed under subdivision (a) for two-thirds of any amount paid or incurred—

(1) On any judgment for damages entered against the taxpayer under Section 4 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (commonly known as the Clayton Act), on account of such violation or any related violation of the antitrust laws which occurred prior to the date of the final judgment of such conviction, or

(2) In settlement of any action brought under such Section 4 on account of such violation or related violation

The preceding sentence shall not apply with respect to any conviction or plea before January 1, 1971, or to any conviction or plea on or after such date in a new trial following an appeal of a conviction before such date

SEC 18 Section 24437 of the Revenue and Taxation Code is amended to read

24437. In case of a social club or other membership organization which is operated primarily to furnish services or goods to members and which is not exempt from taxation, deductions for the taxable year in furnishing services, insurance, goods, or other items of value to members shall be allowed only to the extent of income derived during such year from members or transactions with members (including income derived during such year from institutes or trade shows which are primarily for the education of members) If for any such taxable year such deductions exceed income, the excess shall be treated as a deduction attributable to furnishing services, insurance, goods, or other items of value to members paid or incurred in the succeeding taxable year

This section shall not be applicable to any organization which is taxable as a bank, financial institution, or insurance company or is affiliated with such an organization, ~~or an organization which has made an election before October 9, 1969, under Internal Revenue Code Section 456(c),~~ or which for each day of any taxable year is a national securities exchange subject to regulation under the Security Exchange Act of 1934 or a contract market subject to regulation under the Commodity Exchange Act

SEC 19 Section 25563 3 is added to the Revenue".

Amendment No. 3

On page 1, line 4, strike out "estimated tax", and insert " "estimated tax" ".

Amendment No. 4

On page 1, after line 6, insert

"SEC 20. Section 25761a of the Revenue and Taxation Code is repealed

~~25761a. The jeopardy assessments provided for in this article shall be immediately due and payable and proceedings for collection may be commenced at once. The taxpayer may stay collection and prevent the~~

~~jeopardy assessment from becoming final by filing, within 10 days after the date of mailing or issuing the notice of jeopardy assessment, a petition for reassessment, accompanied by a bond or other security in such amount as the Franchise Tax Board may deem necessary, not exceeding double the amount, including interest, penalties, and additions thereto, as to which the stay is desired.~~

~~If a petition for reassessment, accompanied by bond or other security, is not filed within the 10-day period, the assessment shall become final.~~

~~If a petition for reassessment, accompanied by bond or other security, is filed within the 10-day period, the Franchise Tax Board shall reconsider the assessment and, if the taxpayer has so requested in its petition, the Franchise Tax Board shall grant it or its authorized representative an oral hearing. The Franchise Tax Board's action upon the petition for reassessment is final upon the expiration of 30 days from the date when it mails notice of its action to the taxpayer, unless within that 30-day period the taxpayer appeals in writing from the action of the Franchise Tax Board to the board.~~

~~The taxpayer may appeal to the board from the Franchise Tax Board's action on the petition for reassessment, the appeal to be made in the manner prescribed by Section 25667. The provisions of Article 1 of Chapter 20 relating to an appeal from the action of the Franchise Tax Board on a protest against an additional tax proposed to be assessed shall be applicable to the appeal.~~

SEC. 21 Section 25761a is added to the Revenue and Taxation Code, to read:

25761a. (1) A jeopardy assessment is immediately due and payable, and proceedings for collection may be commenced at once

(2) The collection of the whole or any amount of a jeopardy assessment may be stayed, at any time before the assessment becomes final, by filing with the Franchise Tax Board (1) a bond in an amount equal to the amount as to which the stay is desired, conditioned upon the payment of the amount, the collection of which is stayed by the bond, upon notice and demand at any time after the assessment becomes final, together with interest thereon from the date of the jeopardy notice and demand to the date of payment; or, (2) other security in such amount as the Franchise Tax Board may deem necessary, not exceeding double the amount (together with interest thereon) as to which the stay is desired.

(3) Upon the filing of the bond or other security the collection of so much of the amount assessed as is covered by the bond or other security shall be stayed. The taxpayer shall have the right to waive such stay at any time in respect of the whole or any part of the amount covered by the bond or other security, and if as a result of such waiver any part of the amount covered by the bond or other security is paid, then the bond or other security shall, at the request of the taxpayer, be proportionately reduced. If any portion of the jeopardy assessment is abated, the bond or other security shall, at the request of the taxpayer, be proportionately reduced.

(4) The Franchise Tax Board may, prior to the time the assessment becomes final, stay collection of the whole or any amount of a jeopardy assessment if it finds that jeopardy does not exist.

(5) Where collection of the whole or any amount of a jeopardy assessment has been stayed under this section, the period of limitation on any action to collect shall be tolled during the time of such stay.

(6) Within 60 days after the mailing or issuance of each jeopardy assessment the taxpayer may file with the Franchise Tax Board a written petition for reassessment, specifying in the petition the grounds upon which it is based. If no petition for reassessment is filed the jeopardy assessment becomes final upon expiration of the 60-day period. The filing of a petition for reassessment shall not operate to stay collection. Collection may be stayed only as provided in paragraphs (2), (3), and (4) of this section.

(7) If a petition for reassessment is filed, the Franchise Tax Board shall reconsider the jeopardy assessment and, if the taxpayer has so requested in his petition, shall grant the taxpayer or his authorized representative an oral hearing. The Franchise Tax Board's action upon the petition for reassessment is final upon the expiration of 30 days from the date when it mails notice of its action to the taxpayer, unless within that 30-day period the taxpayer appeals in writing from the action of the Franchise Tax Board to the board.

(8) The taxpayer may appeal to the board from the Franchise Tax Board's action on the petition for reassessment, the appeal to be made in the manner prescribed by Section 25667. The provisions of Article 1 of Chapter 20 relating to an appeal from the action of the Franchise Tax Board on a protest against an additional tax proposed to be assessed shall be applicable to the appeal

SEC. 22. Section 25932 of the Revenue and Taxation Code is repealed

~~25932. If any taxpayer, upon notice and demand by the Franchise Tax Board, fails or refuses to make and file a return required by this part, the Franchise Tax Board is authorized to make an estimate of the net income and to compute and levy the amount of the tax due from any available information. In such case 25 percent of the tax, in addition to the amounts added under Section 25931, shall be added to the tax and shall be due and payable upon notice and demand from the Franchise Tax Board.~~

SEC. 23. Section 25933 of the Revenue and Taxation Code is amended to read:

25933. If any taxpayer fails or refuses to furnish any information requested in writing by the Franchise Tax Board *or fails or refuses to make and file a return required by this part upon notice and demand by the Franchise Tax Board*, the Franchise Tax Board may add a penalty of 25 percent of the amount *of tax determined pursuant to Section 25731 or* of any ~~additional~~ *deficiency* tax assessed by ~~it~~ *the Franchise Tax Board* concerning the ~~determination~~ *assessment* of which ~~such~~ *the* information *or return* was required.

SEC 24. Sections 1, 3, 4 and 17 of this act shall become operative for taxable years beginning after December 31, 1971.

SEC 25. Sections 15, 16, 22 and 23 of this act shall become operative January 1, 1973.

SEC. 26. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 723—An act to amend Section 17072 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 17072", and insert "Sections 17072, 17207, 17216.2, 17402, 17411, 17503, 17511, 17673, 17711, 17712, 17734, 17737, 17852, 18152, 18172, 18181, 18182, 18183, 18187, 18189, 18190, 18191, 18192, 18202, 18242, of, and to repeal Sections 18151 and 18162".

Amendment No. 2

On page 3, strike out line 6, and insert

"SEC. 2. Section 17207 of the Revenue and Taxation Code is amended to read:

17207. (a) (1) There shall be allowed as a deduction any debt which becomes worthless within the taxable year; (2) When satisfied that a debt is recoverable only in part, the Franchise Tax Board may allow such debt in an amount not in excess of the part charged off within the taxable year, as a deduction.

(b) For purposes of subdivision (a), the basis for determining the amount of the deduction for any bad debt shall be the adjusted basis provided in Section 18041 for determining the loss from the sale or other disposition of property.

(c) In lieu of any deduction under subdivision (a), there shall be allowed (in the discretion of the Franchise Tax Board) a deduction for a reasonable addition to a reserve for bad debts

(d) (1) (A) Subdivisions (a) and (c) shall not apply to any nonbusiness debt; and

(B) Where any nonbusiness debt becomes worthless within the taxable year, the loss resulting therefrom shall be considered a loss from the sale or exchange, during the taxable year, of a capital asset held for not more than ~~six months~~ *one year*.

(2) For purposes of paragraph (1), the term "nonbusiness debt" means a debt other than—

(A) A debt created or acquired (as the case may be) in connection with a trade or business of the taxpayer; or

(B) A debt the loss from the worthlessness of which is incurred in the taxpayer's trade or business.

(e) This section shall not apply to a debt which is evidenced by a security as defined in *subparagraph (C) of paragraph (2) of subdivision (g) of* Section 17206 ~~(g) (2) (C)~~.

(f) A payment by the taxpayer in discharge of part or all of his obligation as a guarantor, endorser, or indemnitor of a noncorporate obligation the proceeds of which were used in the trade or business of the borrower shall be treated as a debt becoming worthless within such taxable year for purposes of this section (except that subdivision (d) shall not apply), but only if the obligation of the borrower to the person to whom such payment was made was worthless (without regard to such guaranty, endorsement, or indemnity) at the time of such payment.

(g) (1) In the case of a taxpayer who is a dealer in property, in lieu of any deduction under subdivision (a), there shall be allowed (in the discretion of the Franchise Tax Board) for any taxable year beginning on and after January 1, 1967, a deduction—

(A) For a reasonable addition to a reserve for bad debts which, may arise out of his liability as a guarantor, endorser, or indemnitor of debt obligations arising out of the sale by him of real property or tangible personal property (including related services) in the ordinary course of his trade or business; and

(B) For the amount of any reduction in the suspense account required by *clause (i) of subparagraph (B) of* paragraph (4) ~~(B) (i)~~.

(2) Except as provided in paragraph (1), no deduction shall be allowed to a taxpayer for any addition to a reserve for bad debts which may arise out of his liability as guarantor, endorser, or indemnitor of debt obligations

(3) The opening balance of a reserve described in *subparagraph (A) of* paragraph (1) ~~(A)~~ for the first taxable year beginning on and after January 1, 1967, for which a taxpayer maintains such reserve shall, under regulations prescribed by the Franchise Tax Board, be determined as if the taxpayer had maintained such reserve for the preceding taxable years.

(4) (A) Except as provided by subparagraph (C), each taxpayer who maintains a reserve described in *subparagraph (A) of* paragraph (1) ~~(A)~~ shall, for purposes of this subdivision and Section 17122, establish and maintain a suspense account The initial balance of such account shall be equal to the opening balance described in paragraph (3).

(B) At the close of each taxable year the suspense account shall be—

(i) Reduced by the excess of the suspense account at the beginning of the year over the reserve described in *subparagraph (A) of* paragraph (1) ~~(A)~~ (after making the addition for such year provided in such paragraph), or

(ii) Increased (but not to an amount greater than the initial balance of the suspense account) by the excess of the reserve described in *subparagraph (A) of* paragraph (1) ~~(A)~~ (after making the addition for such year provided in such paragraph) over the suspense account at the beginning of such year

(C) Subparagraphs (A) and (B) shall not apply in the case of the taxpayer who maintained for his last taxable year beginning before

January 1, 1967, a reserve for bad debts under subdivision (c) which included debt obligations described in *subparagraph (A) of* paragraph (1) ~~(A)~~.

(5) If the taxpayer establishes a reserve under *paragraph (1) of* subdivision (g) ~~(1)~~ of this section for a taxable year beginning on and after January 1, 1967, and ending before December 1, 1968, the establishment of such reserve shall not be considered as a change in method of accounting for purposes of *subdivision (c) of* Section 17561 ~~(c)~~.

SEC. 3. Section 17216.2 of the Revenue and Taxation Code is amended to read:

17216.2. (a) The amount of any charitable contribution of property otherwise taken into account under Section 17214 shall be reduced by the sum of—

(1) The amount of gain which would not ~~have been long term capital gain~~ *be determined under paragraph (2) or (3) of subdivision (a) of Section 18162.5*, if the property contributed had been sold by the taxpayer at its fair market value (determined at the time of such contribution), and

(2) In the case of a charitable contribution—

(A) Of tangible personal property, if the use by the donee is unrelated to the purpose or function constituting the basis for its exemption under Section 23701 (or, in the case of a governmental unit, to any purpose or function described in Section 17214), or

(B) To or for the use of a private foundation (as defined in Section 509(a) of the Internal Revenue Code), other than a private foundation described in ~~subsection~~ *Section 170* (b)(1)(E) of that code ~~50 percent of~~ the amount of gain which would have been ~~long term capital gain~~ *recognized under paragraph (2) or (3) of subdivision (a) of Section 18162.5* if the property contributed had been sold by the taxpayer at its fair market value (determined at the time of such contribution).

For purposes of applying this subdivision (other than in the case of gain to which Section 18211 applies), property which is property used in the trade or business (as defined in Section 18182) shall be treated as a capital asset.

(b) For purposes of subdivision (a), in the case of a charitable contribution of less than the taxpayer's entire interest in the property contributed, the taxpayer's adjusted basis in such property shall be allocated between the interest contributed and any interest not contributed in accordance with regulations prescribed by the Franchise Tax Board.

SEC. 4. Section 17402 of the Revenue and Taxation Code is amended to read:

17402. (a) In the case of property distributed in complete liquidation of a corporation, other than a collapsible corporation to which Section 17411 applies if—

(1) The liquidation is made in pursuance of a plan of liquidation adopted on or after December 31, 1950; and

(2) The distribution is in complete cancellation or redemption of all the stock, and the transfer of all the property under the liquidation occurs within some one calendar month following the year 1950, then in the case of each qualified electing shareholder (as defined in ~~subsection~~ *subdivision* (c)) gain upon the shares owned by him at the time of the adoption of the plan of liquidation shall be recognized only to the extent provided in ~~subsection~~ *subdivision* (e).

(b) For purposes of this section, the term "excluded corporation" means a corporation which at any time between January 1, 1956, and the date of the adoption of the plan of liquidation, both dates inclusive, was the owner of stock possessing 50 percent or more of the total combined voting power of all classes of stock entitled to vote on the adoption of such plan

(c) For purposes of this section, the term "qualified electing shareholder" means a shareholder (other than an excluded corporation) of any class of stock (whether or not entitled to vote on the adoption of the plan of liquidation) who is a shareholder at the time of the adoption of such plan, and whose written election to have the benefits of ~~subsection~~ *subdivision* (a) has been made and filed in accordance with ~~subsection~~ *subdivision* (d), but in the case of a shareholder other than a corporation, only if written elections have been so filed by shareholders (other than corporations) who at the time of the adoption of the plan of liquidation are owners of stock possessing at least 80 percent of the total combined voting power (exclusive of voting power possessed by stock owned by corporations) of all classes of stock entitled to vote on the adoption of such plan of liquidation.

(d) The written elections referred to in ~~subsection~~ *subdivision* (c) must be made and filed in such manner as to be not in contravention of regulations prescribed by the Franchise Tax Board The filing must be within 30 days after the date of the adoption of the plan of liquidation or within one month after the effective date of this amended section whichever is later and may be made by the liquidating corporation or by its stockholders

(e) In the case of a qualified electing shareholder—

(1) There shall be recognized and treated as a dividend, so much of the gain as is not in excess of his ratable share of the earnings and profits of the corporation accumulated after February 28, 1913, such earnings and profits to be determined as of the close of the month in which the transfer in liquidation occurred under ~~subsection (a)(2)~~ *paragraph (2) of subdivision (a)*, but without diminution by reason of distribution made during such month; but by including in the computation thereof all amounts accrued up to the date on which the transfer of all the property under the liquidation is completed; and

(2) There shall be recognized, and treated as a ~~short-term or long-term~~ capital gain, as the case may be, so much of the remainder of the gain as is not in excess of the amount by which the value of that portion of the assets received by him which consists of money, or of stock or securities acquired by the corporation after August 15, 1950, exceeds his ratable share of such earnings and profits.

SEC 5 Section 17411 of the Revenue and Taxation Code is amended to read:

17411. Gain from—

(a) The sale or exchange of stock of a collapsible corporation;

(b) A distribution in partial or complete liquidation of a collapsible corporation, which distribution is treated under this part as in part or full payment in exchange for stock, and

(c) A distribution made by a collapsible corporation which, under *paragraph (1) of subdivision (c) of* Section 17323 ~~(c) (1)~~, is treated, to the extent it exceeds the basis of the stock, in the same manner as a gain from the sale or exchange of property, to the extent that it would be considered (but for the provisions of this article) as gain from the sale or exchange of a capital asset held ~~for more than six months~~ shall, except as provided in this article, be considered as gain from the sale or exchange of property which is not a capital asset.

SEC. 6 Section 17503 of the Revenue and Taxation Code is amended to read:

17503. (a) Except as provided in subdivision (b), the amount actually distributed or made available to any distributee by any employees' trust described in Section 17501 which is exempt from tax under Section 17631 shall be taxable to him, in the year in which so distributed or made available, under Sections 17101 to 17112.7, inclusive (relating to annuities). The amount actually distributed or made available to any distributee shall not include net unrealized appreciation in securities of the employer corporation attributable to the amount contributed by the employee. Such net unrealized appreciation and the resulting adjustments to basis of such securities shall be determined in accordance with regulations prescribed by the Franchise Tax Board.

(b) In the case of an employees' trust described in Section 17501, which is exempt from tax under Section 17631, if the total distributions payable with respect to any employee are paid to the distributee within one taxable year of the distributee on account of the employee's death or other separation from the service, or on account of the death of the employee after his separation from the service, the amount of such distribution, to the extent exceeding the amount contributed by the employee (determined by applying Section 17106), which employee contributions shall be reduced by any amount theretofore distributed to him which were not includable in gross income, shall be considered a gain from the sale or exchange of a capital asset held for more than ~~six months~~ *one year but not more than five years*.

Where such total distributions include securities of the employer corporation, there shall be excluded from such excess the net unrealized appreciation attributable to that part of the total distributions which consists of the securities of the employer corporation so distributed. The amount of such net unrealized appreciation and the resulting adjustments to basis of the securities of the employer corporation so distributed shall be determined in accordance with regulations prescribed by the Franchise Tax Board.

This subdivision ~~(b)~~ shall not apply to distributions paid to any distributee to the extent such distributions are attributable to contribu-

tions made on behalf of the employee while he was an employee within the meaning of subdivision (a) of Section 17502.2.

(c) For purposes of this section—

(1) The term "securities" means only shares of stock and bonds or debentures issued by a corporation with interest coupons or in registered form.

(2) The term "securities of the employer corporation" includes securities of a parent or subsidiary corporation (as defined in subdivisions (e) and (f) of Section 17535) of the employer corporation.

(3) The term "total distributions payable" means the balance to the credit of an employee which becomes payable to a distributee on account of the employee's death or other separation from the service, or on account of his death after separation from the service.

(d) The first sentence of subdivision (b) shall apply to a distribution paid after December 31, 1969 only to the extent that it does not exceed the sum of—

(1) The benefits accrued by the employee on behalf of whom it is paid during plan years beginning before January 1, 1970, and

(2) The portion of the benefits accrued by such employee during plan years beginning after December 31, 1969, which the distributee establishes does not consist of the employee's allocable share of employer contributions to the trust by which such distribution is paid.

The Franchise Tax Board shall prescribe such regulations as may be necessary to carry out the purposes of this subdivision.

SEC. 7. Section 17511 of the Revenue and Taxation Code is amended to read:

17511. Except as provided in subdivision (a), if an annuity contract is purchased by an employer for an employee under a plan which meets the requirements of Section 17515 (whether or not the employer deducts the amounts paid for the contract under such section), the employee shall include in his gross income the amounts received under such contract for the year received as provided in Sections 17101 to 17112.7, inclusive (relating to annuities).

(a) If—

(1) An annuity contract is purchased by an employer for an employee under a plan described in the first paragraph;

(2) Such plan requires that refunds of contributions with respect to annuity contracts purchased under such plan be used to reduce subsequent premiums on the contracts under the plan; and

(3) The total amounts payable by reason of an employee's death or other separation from the service, or by reason of the death of an employee after the employee's separation from the service, are paid to the payee within one taxable year of the payee,

then the amount of such payments, to the extent exceeding the amount contributed by the employee, which employee contributions shall be reduced by any amounts theretofore paid to him which were not includable in gross income, shall be considered a gain from the sale or exchange of a capital asset held for more than ~~six months~~ *one year but not more than five years*. This subdivision shall not apply to amounts

paid to any payee to the extent such amounts are attributable to contributions made on behalf of the employee while he was an employee within the meaning of subdivision (a) of Section 17502 2.

(b) For purposes of subdivision (a), the term "total amounts" means the balance to the credit of an employee which becomes payable to the payee by reason of the employee's death or other separation from the service, or by reason of his death after separation from the service.

(c) Subdivision (a) shall apply to a payment paid after December 31, 1969, only to the extent it does not exceed the sum of—

(1) The benefits accrued by the employee on behalf of whom it is paid during plan years beginning before January 1, 1970, and

(2) The portion of the benefits accrued by such employee during plan years beginning after December 31, 1969, which the payee establishes does not consist of the employee's allocable share of employer contributions under the plan under which the annuity contract is purchased.

The Franchise Tax Board shall prescribe such regulations as may be necessary to carry out the purposes of this subdivision

(d) For purposes of this section, the term "employee" includes an individual who is an employee within the meaning of subdivision (a) of Section 17502.2, and the employer of such individual is the person treated as his employer under subdivision (d) of Section 17502 2

SEC. 8. Section 17673 of the Revenue and Taxation Code is amended to read:

17673. (a) Each participant in the common trust fund in computing its taxable income shall include, whether or not distributed and whether or not distributable—

(1) As part of its ~~gains and losses from sales or exchanges of capital assets held for more than six months~~ *capital gains or losses*, its proportionate share of the *net capital* gains ~~and~~ *or* losses of the common trust fund ~~from sales or exchanges of capital assets held for not more than six months~~ ;

~~(2) As part of its gains and losses from sales or exchanges of capital assets held for more than six months, its proportionate share of the gains and losses of the common trust fund from sales or exchanges of capital assets held for more than six months;~~

~~(3)~~ *(2)* Its proportionate share of the ordinary taxable income or the ordinary net loss of the common trust fund, computed as provided in Section 17674.

(b) The appropriate or proportionate share of any participant in any income of a common trust fund which would not be taxable by this state or which this state would be prohibited from taxing by the Constitution of this state or of the United States if received directly by the participants shall not be taxable to the recipients of such income.

SEC. 9 Section 17711 of the Revenue and Taxation Code is amended to read:

17711. If the taxpayer so elects upon his return for a taxable year, the cutting of timber (for sale or for use in the taxpayer's trade or business) during such year by the taxpayer who owns, or has a contract right to cut, such timber (providing he has owned such timber

or has held such contract right for a period of more than ~~six months~~ *one year* prior to the beginning of such year) shall be considered as a sale or exchange of such timber cut during such year. In case such election has been made, gain or loss to the taxpayer shall be recognized in an amount equal to the difference between the adjusted basis for depletion of such timber in the hands of the taxpayer and the fair market value of such timber. Such fair market value shall be the fair market value as of the first day of the taxable year in which such timber is cut, and shall thereafter be considered as the cost of such cut timber to the taxpayer for all purposes for which such cost is a necessary factor. If a taxpayer makes an election under this section such election shall apply with respect to all timber which is owned by the taxpayer or which the taxpayer has a contract right to cut and shall be binding upon the taxpayer for the taxable year for which the election is made and for all subsequent years, unless the Franchise Tax Board, on showing of undue hardship, permits the taxpayer to revoke his election; such revocation, however, shall preclude any further elections under this section except with the consent of the Franchise Tax Board For purposes of this section and Section 17712, the term "timber" includes evergreen trees which are more than six years old at the time severed from the roots and are sold for ornamental purposes

SEC. 10 Section 17712 of the Revenue and Taxation Code is amended to read:

17712. In the case of the disposal of timber held for more than ~~six months~~ *one year* before such disposal, by the owner thereof under any form or type of contract by virtue of which such owner retains an economic interest in such timber, the difference between the amount realized from the disposal of such timber and the adjusted depletion basis thereof, shall be considered as though it were a gain or loss, as the case may be, on the sale of such timber. In determining the gross income, the adjusted gross income, or the taxable income of the lessee, the deductions allowable with respect to rents and royalties shall be determined without regard to the provisions of this section. The date of disposal of such timber shall be deemed to be the date such timber is cut, but if payment is made to the owner under the contract before such timber is cut the owner may elect to treat the date of such payment as the date of disposal of such timber. For purposes of this section, the term "owner" means any person who owns an interest in such timber, including a sublessor and a holder of a contract to cut timber.

SEC. 11. Section 17734 of the Revenue and Taxation Code is amended to read:

17734. (a) In the case of an estate or trust (other than a trust meeting the specifications of Article 2) there shall be allowed as a deduction in computing its taxable income (in lieu of the deductions allowed by Sections 17214 and 17303, relating to deduction for charitable, etc., contributions and gifts) any amount of the gross income, without limitation, which pursuant to the terms of the governing instrument is, during the taxable year, paid for a purpose specified in Sections 17214 and 17303. If a charitable contribution is paid after the close of such

taxable year and on or before the last day of the year following the close of such taxable year, then the trustee or administrator may elect to treat such contribution as paid during such taxable year. The election shall be made at such time and in such manner as the Franchise Tax Board by regulations prescribes

(b) In the case of an estate, and in the case of a trust (other than a trust meeting the specifications of Article 2 (commencing with Section 17751) of this chapter) required by the terms of its governing instrument to set aside amounts which was—

(1) Created on or before December 31, 1970, if—

(A) An irrevocable remainder interest is transferred to or for the use of an organization described in Section 17214, or

(B) The grantor is at all times after December 31, 1970, under a mental disability to change the terms of the trust; or

(2) Established by a will executed on or before December 31, 1970, if—

(A) The testator dies before October 9, 1972, without having republished the will after December 31, 1970, by codicil or otherwise,

(B) The testator at no time after December 31, 1970, had the right to change the portions of the will which pertain to the trust, or

(C) The will is not republished by codicil or otherwise before October 9, 1972, and the testator is on such date and at all times thereafter under a mental disability to republish the will by codicil or otherwise,

there shall also be allowed as a deduction in computing its taxable income any amount of the gross income, without limitation, which pursuant to the terms of the governing instrument is, during the taxable year, permanently set aside for a purpose specified in Section 17214, or is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance, or operation of a public cemetery not operated for profit In the case of a trust, the preceding sentence shall apply only to gross income earned with respect to amounts transferred to the trust before December 31, 1970, or transferred under a will to which paragraph (2) applies

(c) In the case of a pooled income fund (as defined in subdivision (e)), there shall also be allowed as a deduction in computing its taxable income any amount of the gross income attributable to gain from the sale of a capital asset held for more than ~~six months~~ *one year*, without limitation, which pursuant to the terms of the governing instrument is, during the taxable year, permanently set aside for a purpose specified in Section 17214.

(d) To the extent that the amount otherwise allowable as a deduction under this subdivision consists of gain from the sale or exchange of capital assets held for more than ~~six months~~ *one year*, proper adjustment shall be made to take into account any gain not recognized to the estate or trust under Section ~~18151~~ *18162.5* (relating to recognized capital gains and losses). In the case of a trust, the deduction allowed by this subdivision shall be subject to Section 17811 (relating

to unrelated business income) and Sections 17812 to 17818, inclusive (relating to prohibited transactions)

(e) For purposes of subdivision (c), a pooled income fund is a trust—

(1) To which each donor transfers property, contributing an irrevocable remainder interest in such property to or for the use of an organization described in subparagraph (A) of paragraph (1) of subdivision (b) of Section 23707 (other than clauses (vii), (viii), (ix) or (x)), and retaining an income interest for the life of one or more beneficiaries (living at the time of such transfer),

(2) In which the property transferred by each donor is commingled with property transferred by other donors who have made or make similar transfers,

(3) Which cannot have investments in securities which are exempt from taxes imposed by this part,

(4) Which includes only amounts received from transfers which meet the requirements of this subdivision,

(5) Which is maintained by the organization to which the remainder interest is contributed and of which no donor or beneficiary of an income interest is a trustee, and

(6) From which each beneficiary of an income interest receives income, for each year for which he is entitled to receive the income interest referred to in paragraph (1), determined by the rate of return earned by the trust for such year

For purposes of determining the amount of any charitable contribution allowable by reason of a transfer of property to a pooled fund, the value of the income interest shall be determined on the basis of the highest rate of return earned by the fund for any of the three taxable years immediately preceding the taxable year of the fund in which the transfer is made In the case of funds in existence less than three taxable years preceding the taxable year of the fund in which a transfer is made, the rate of return shall be deemed to be 6 percent per annum, except that the Franchise Tax Board may prescribe a different rate of return.

(f) In the case of a private foundation which is not exempt from taxation under Section 23701d for the taxable year, the provisions of this section shall not apply and the provisions of Section 17214 shall apply

SEC 12 Section 17737 of the Revenue and Taxation Code is amended to read

17737 If on the termination of an estate or trust, the estate or trust has—

(a) A capital loss carryover under Section ~~18152(b)~~ *18152*, or

(b) For the last taxable year of the estate or trust deductions (other than the deduction allowed under *subdivision (d) of* Section 17734) in excess of gross income for such year, then such carryover or such excess shall be allowed as a deduction, in accordance with regulations prescribed by the Franchise Tax Board, to the beneficiaries succeeding to the property of the estate or trust

SEC 13 Section 17852 of the Revenue and Taxation Code is amended to read

17852. In determining his income tax, each partner shall take into account separately his distributive share of the partnership's—

(a) Gains and losses from sales or exchanges of capital assets ~~held for not more than six months~~ ;

~~(b) Gains and losses from sales or exchanges of capital assets held for more than six months;~~

~~(c)~~ *(b)* Gains and losses from sales or exchanges of property described in Section 18181 and 18182 (relating to certain property used in a trade or business and involuntary conversions) ;

~~(d)~~ *(c)* Charitable contributions (as defined in Section 17214) ;

~~(e)~~ *(d)* Political contributions (as defined in Section 17234) ;

~~(f)~~ *(e)* Taxes, described in Section 18006, paid to another state on such income;

~~(g)~~ *(f)* Other items of income, gain, loss, deduction, or credit, to the extent provided by regulations prescribed by the Franchise Tax Board; and

~~(h)~~ *(g)* Taxable income or loss, exclusive of items requiring separate computation under other ~~subsections~~ *subdivisions* of this section.

SEC. 14. Section 18151 of the Revenue and Taxation Code is repealed.

~~18151. (a) If for any taxable year the net long term capital gain exceeds the net short-term capital loss, 50 percent of the amount of such excess shall be a deduction from gross income. In the case of an estate or trust, the deduction shall be computed by excluding the portion (if any), of the gains for the taxable year from sales or exchanges of capital assets, which, under Sections 17752 and 17762 (relating to inclusions of amounts in gross income of beneficiaries of trusts), is includable by the income beneficiaries as gain derived from the sale or exchange of capital assets.~~

~~(b) The provisions of subdivision (a) shall apply with respect to taxable years which end on or before November 30, 1972.~~

SEC 15. Section 18152 of the Revenue and Taxation Code is amended to read:

18152. (a) Losses from sales or exchanges of capital assets shall be allowed only to the extent of the gains from such sales or exchanges, plus (if such losses exceed such gains) whichever of the following is smallest:

(1) The taxable income for the taxable year,

(2) One thousand dollars ($1,000) ; ~~or~~

~~(3) The sum of—~~

~~(A) The excess of the net short-term capital loss over the net long-term capital gain, and~~

~~(B) One half of the excess of the net long-term capital loss, over the net short-term capital gain.~~

(b) In the case of a husband or wife who files a separate return, the amount specified in paragraph (2) of subdivision (a) shall be five hundred dollars ($500) in lieu of one thousand dollars ($1,000).

(c) For purposes of subdivision (a), taxable income shall be computed without regard to gains or losses from sales or exchanges of capital assets. If the taxpayer elects to pay the optional tax imposed by Section 17048, "taxable income" as used in this section shall read as "adjusted gross income".

(d) If a taxpayer has a net capital loss for any taxable year — *the excess of such net capital loss shall be a capital loss in the succeeding taxable year.*

~~(1) The excess of the net short-term capital loss over the net long-term capital gain for such year shall be a short-term capital loss in the succeeding taxable year, and~~

~~(2) The excess of the net long-term capital loss over the net short-term capital gain for such year shall be a long-term capital loss in the succeeding taxable year.~~

~~(e) (1) For purposes of determining the excess referred to in paragraph (1) of subdivision (d), an amount equal to the amount allowed for the taxable year under paragraph (1), (2), or (3) of subdivision (a) of this section shall be treated as a short-term capital gain in such year.~~

~~(2) For purposes of determining the excess referred to in paragraph (2) of subdivision (d), an amount equal to the sum of—~~

~~(A) The amount allowed for the taxable year under paragraphs (1), (2), or (3) of subdivision (a) of this section, and~~

~~(B) The excess of the amount described in subparagraph (A) over the net short-term capital loss (determined without regard to this section) for such year,~~

~~shall be treated as a short-term capital gain in such year.~~

~~(f) In the case of any amount which, under subdivision (d) and subdivision (a) (as in effect for taxable years beginning before January 1, 1971), is treated as a capital loss in the first taxable year beginning after December 31, 1970, subdivision (d) and subdivision (a) (as in effect for taxable years beginning before January 1, 1971) shall apply (and subdivision (d) and subdivision (a) as in effect for taxable years beginning after December 31, 1970, shall not apply) to the extent such amount exceeds the total of any net capital gains (determined without regard to subdivisions (d), (e), and (f)) of taxable years beginning after December 31, 1970.~~

(e) In the case of a net capital loss which a taxpayer is entitled to carry over from any taxable year beginning before January 1, 1972—

(1) If the net short-term capital loss (as defined prior to the repeal of Section 18162 by the 1972 Session of the Legislature) exceeded the net long-term capital gain (as defined prior to the repeal of Section 18162 by the 1972 Session of the Legislature), the excess shall be carried over at 100 percent

(2) If the net long-term capital loss (as defined prior to the repeal of Section 18162 by the 1972 Session of the Legislature) exceeded the net short-term capital gain (as defined prior to the repeal of Section 18162 by the 1972 Session of the Legislature), the excess shall be carried over at 50 percent

SEC 16 Section 18162 of the Revenue and Taxation Code is repealed

~~18162 For purposes of this part—~~

~~(a) The term "short-term capital gain" means gain from the sale or exchange of a capital asset held for not more than six months, if and to the extent such gain is taken into account in computing gross income~~

~~(b) The term "short-term capital loss" means loss from the sale or exchange of a capital asset held for not more than six months, if and to the extent that such loss is taken into account in computing taxable income.~~

~~(c) The term "long-term capital gain" means gain from the sale or exchange of a capital asset held for more than six months, if and to the extent such gain is taken into account in computing gross income.~~

~~(d) The term "long-term capital loss" means loss from the sale or exchange of a capital asset held for more than six months, if and to the extent that such loss is taken into account in computing taxable income.~~

~~(e) The term "net short-term capital gain" means the excess of short-term capital gains for the taxable year over the short-term capital losses for such year.~~

~~(f) The term "net short-term capital loss" means the excess of short-term capital losses for the taxable year over the short-term capital gains for such year.~~

~~(g) The term "net long-term capital gain" means the excess of long-term capital gains for the taxable year over the long-term capital losses for such year.~~

~~(h) The term "net long-term capital loss" means the excess of long-term capital losses for the taxable year over the long-term capital gains for such year.~~

~~(i) The term "net capital gain" means the excess of—~~

~~(i) The sum of the gains from sales or exchanges of capital assets, plus taxable income of the taxpayer or one thousand dollars ($1,000), whichever is smaller, over~~

~~(ii) The losses from such sales or exchanges.~~

~~For purposes of this subparagraph, taxable income shall be computed without regard to gains or losses from sales or exchanges of capital assets. If the taxpayer elects to pay the optional tax under Section 17048, the term "taxable income" as used in this subparagraph shall be read as "adjusted gross income."~~

~~(j) The term "net capital loss" means the excess of the losses from sales or exchanges of capital assets over the sum allowed under Section 18152(a).~~

SEC. 17. Section 18172 of the Revenue and Taxation Code is amended to read:

18172. (a) In the case of a person acquiring property from a decedent or to whom property passed from a decedent (within the meaning of Section 18045), if—

(1) The basis of such property in the hands of such person is determined under Section 18044, and

(2) Such property is sold or otherwise disposed of by such person within ~~six months~~ *five years* after the decedent's death, then such person shall be considered to have held such property for more than ~~six months~~ *one year but not more than five years*.

(b) This section shall apply with respect to decedent's dying after December 31, 1970.

SEC. 18. Section 18181 of the Revenue and Taxation Code is amended to read:

18181. (a) If, during the taxable year, the recognized gains upon sales or exchanges of property used in the trade or business, plus the recognized gains from the compulsory or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or the threat or imminence thereof) of property used in the trade or business and capital assets ~~held for more than six months~~ into other property or money, exceed the recognized losses from the sales, exchanges, and conversions, such gains and losses shall be considered as gains and losses from sales or exchanges of capital assets ~~held for more than six months~~. If such gains do not exceed such losses, such gains and losses shall not be considered as gains and losses from sales or exchanges of capital assets.

(b) In determining, for purposes of this section, whether gains exceed losses, the gains described therein shall be included only if and to the extent taken into account in computing gross income and the losses described therein shall be included only if and to the extent taken into account in computing taxable income, except that subdivision (a) of Section 18152 shall not apply

(c) For purposes of this section, losses (including losses not compensated for by insurance or otherwise) upon the destruction, in whole or in part, theft or seizure, or requisition or condemnation of (1) property used in the trade or business or (2) capital assets ~~held for more than six months~~ shall be considered losses from a compulsory or involuntary conversion

In the case of any involuntary conversion (subject to the provisions of this section but for this sentence) arising from fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business or of any capital asset ~~held for more than six months~~, this section shall not apply to such conversion (whether resulting in gain or loss) if during the taxable year the recognized losses from such conversions exceed the recognized gains from such conversions

SEC. 19. Section 18182 of the Revenue and Taxation Code is amended to read

18182. (a) For the purposes of this section and Section 18181, the term "property used in the trade or business" means property used in the trade or business, of a character which is subject to the allowance for depreciation provided in Sections 17208 to 17211.7, inclusive, ~~held for more than six months,~~ and real property used in the trade or business, ~~held for more than six months,~~ which is not.

(1) Property of a kind which would properly be includable in the inventory of the taxpayer if on hand at the close of the taxable year,

(2) Property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business, or

(3) A copyright, a literary, musical or artistic composition, a letter or memorandum, or similar property, held by a taxpayer described in subdivision (c) of Section 18161

(b) Such term also includes timber with respect to which Sections 17711 and 17712 are applicable Such term also includes cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy, or sporting purposes, and held by him for 24 months or more

from the date of acquisition, and other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy, or sporting purposes, and held by him for 12 months or more from the date of acquisition. It does not include poultry.

(c) In the case of an unharvested crop on land used in the trade or business and held for more than ~~six months~~ *one year*, if the crop and the land are sold or exchanged (or compulsorily or involuntarily converted as described in Section 18181) at the same time and to the same person, the crop shall be considered as "property used in the trade or business."

SEC. 20. Section 18183 of the Revenue and Taxation Code is amended to read:

18183. For the purpose of this part, in the case of bonds, debentures, notes, or certificates or other evidences of indebtedness, which are capital assets in the hands of the taxpayer, and which are issued by any corporation, or by any government or political subdivision thereof—

(a) Amounts received by the holder on retirement of such bonds or other evidences of indebtedness shall be considered as amounts received in exchange therefor (except that in the case of bonds or other evidences of indebtedness issued before January 1, 1955, this subdivision shall apply only to those issued with interest coupons or in registered form, or to those in such form on December 31, 1954)

(3) This subdivision shall not apply to—sale or exchange of bonds or other evidences of indebtedness issued by a corporation after May 27, 1969 held by the taxpayer more than ~~six months~~ *one year*, any gain realized shall (except as provided in the following sentence) be considered gain from the sale or exchange of a capital asset ~~held for more than six months~~. If at the time of original issue there was an intention to call the bond or other evidence of indebtedness before maturity, any gain realized on the sale or exchange thereof which does not exceed an amount equal to the original issue discount (as defined in Section 18184) reduced by the portion of original issue discount previously includable in the gross income of any holder (as provided in paragraph (2) of subdivision (c)) shall be considered as gain from the sale or exchange of property which is not a capital asset

(2) Except as provided in paragraph (3), on the sale or exchange of bonds or other evidences of indebtedness issued by a government or political subdivision thereof after December 31, 1954, or by a corporation after December 31, 1954, and on or before May 27, 1969, held by the taxpayer more than ~~six months~~ *one year*, any gain realized which does not exceed—

(A) An amount equal to the original issue discount (as defined in Section 18184), or

(B) If at the time of original issue there was no intention to call the bond or other evidence of indebtedness before maturity, an amount which bears the same ratio to the original issue discount (as defined in Section 18184) as the number of complete months that the

bond or other evidence of indebtedness was held by the taxpayer bears to the number of complete months from the date of original issue to the date of maturity,

shall be considered as gain from the sale or exchange of property which is not a capital asset Gain in excess of such amount shall be considered gain from the sale or exchange of a capital asset ~~held more than six months~~.

(3) This subdivision shall not apply to—

(A) Obligations the interest on which is not includable in gross income under Section 17137 (relating to certain governmental obligations); or

(B) Any holder who has purchased the bond or other evidence of indebtedness at a premium.

(4) In the case of obligations with respect to which the taxpayer has made an election provided by Section 17581 (relating to accounting rules for certain obligations issued at a discount), this section shall not require the inclusion of any amount previously includable in gross income.

(c) (1) There shall be included in the gross income of the holder of any bond or other evidence of indebtedness issued by a corporation after May 27, 1969, the ratable monthly portion of original issue discount multiplied by the number of complete months (plus any fractional part of a month determined in accordance with the last sentence of this paragraph) such holder held such bond or other evidence of indebtedness during the taxable year Except as provided in paragraph (2), the ratable monthly portion of original issue discount shall equal the original issue discount (as defined in Section 18184) divided by the number of complete months from the date of original issue to the stated maturity date of such bond or other evidence of indebtedness. For purposes of this section, a complete month commences with the date of original issue and the corresponding day of each succeeding calendar month (or the last day of a calendar month in which there is no corresponding day), and, in any case where a bond or other evidence of indebtedness is acquired on any other day, the ratable monthly portion of original issue discount for the complete month in which such acquisition occurs shall be allocated between the transferor and the transferee in accordance with the number of days in such complete month each held the bond or other evidence of indebtedness

(2) For purposes of this subdivision, the ratable monthly portion of original issue discount shall not include an amount, determined at the time of any purchase after the original issue of such bond or other evidence of indebtedness, equal to the excess of—

(A) The cost of such bond or other evidence of indebtedness incurred by such holder, over

(B) The issue price of such bond or other evidence of indebtedness increased by the portion of original discount previously includable in the gross income of any holder (computed without regard to this paragraph),

divided by the number of complete months (plus any fractional part of a month commencing with the date of purchase) from the date of such purchase to the stated maturity date of such bond or other evidence of indebtedness.

(3) For purposes of paragraph (2), the term "purchase" means any acquisition of a bond or other evidence of indebtedness, but only if the basis of the bond or other evidence of indebtedness is not determined in whole or in part by reference to the adjusted basis of such bond or other evidence of indebtedness in the hands of the person from whom acquired, or under Section 18044 (relating to property acquired from a decedent).

(4) This subdivision shall not apply to any holder who has purchased the bond or other evidence of indebtedness at a premium.

(5) The basis of any bond or other evidence of indebtedness in the hands of the holder thereof shall be increased by the amount included in his gross income pursuant to paragraph (1)

SEC 21. Section 18187 of the Revenue and Taxation Code is amended to read.

18187. If gain or loss from a short sale is considered as gain or loss from the sale or exchange of a capital asset under Section 18186 and if on the date of such short sale substantially identical property has been held by the taxpayer for not more than ~~six months~~ *one year* (determined without regard to the effect, under ~~paragraph~~ *subdivision* (b) of this section, of such short sale on the holding period), or if substantially identical property is acquired by the taxpayer after such short sale and on or before the date of the closing thereof—

(a) Any gain on the closing of such short sale shall be considered as a gain on the sale or exchange of a capital asset held for not more than ~~six months~~ *one year* (notwithstanding the period of time any property used to close such short sale has been held), and

(b) The holding period of such substantially identical property shall be considered to begin (notwithstanding Sections 18163 through 18170, relating to the holding period of property) on the date of the closing of the short sale, or on the date of a sale, gift, or other disposition of such property, whichever date occurs first. This ~~paragraph~~ *subdivision* shall apply to such substantially identical property in the order of the dates of the acquisition of such property, but only to so much of such property as does not exceed the quantity sold short.

For purposes of this section, the acquisition of an option to sell property at a fixed price shall be considered as a short sale, and the exercise or failure to exercise such option shall be considered as a closing of such short sale.

SEC 22. Section 18189 of the Revenue and Taxation Code is amended to read:

18189. If on the date of such short sale substantially identical property has been held by the taxpayer for more than ~~six months~~ *one year*, any loss on the closing of such short sale shall be considered as a loss on the sale or exchange of a capital asset held for more than ~~six months~~ *one year* (notwithstanding the period of time any property used to close such short sale has been held, and notwithstanding Section 18191).

SEC 23. Section 18190 of the Revenue and Taxation Code is amended to read.

18190. (a) *Subdivision (a) of* Section 18187 ~~(a)~~ or *Section* 18189 shall not apply to the gain or loss, respectively, on any quantity of property used to close such short sale which is in excess of the quantity of the substantially identical property referred to in the applicable ~~subsection~~ *subdivision*.

(b) For purposes of Sections 18187 and 18189—

~~(i)~~ *(1)* The term "property" includes only stocks and securities (including stocks and securities dealt with on a "when issued" basis), and commodity futures, which are capital assets in the hands of the taxpayer;

~~(ii)~~ *(2)* In the case of futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange, a commodity future requiring delivery in one calendar month shall not be considered as property substantially identical to another commodity future requiring delivery in a different calendar month, and

~~(iii)~~ *(3)* In the case of a short sale of property by an individual the term "taxpayer," in the application of this section and Sections 18187 and 18189, shall be read as "taxpayer or his spouse", but an individual who is legally separated from the taxpayer under a decree of divorce or of separate maintenance shall not be considered as the spouse of the taxpayer

(c) Where the taxpayer enters into two commodity futures transactions on the same day, one requiring delivery by him in one market and the other requiring delivery to him of the same (or substantially identical) commodity in the same calendar month in a different market, and the taxpayer subsequently closes both such transactions on the same day, Sections 18187 and 18189 shall have no application to so much of the commodity involved in either such transaction as does not exceed in quantity the commodity involved in the other.

(d) (1) In the case of a taxpayer who is a dealer in securities (within the meaning of Section 18196)—

~~(i)~~ *(A)* If, on the date of a short sale of stock, substantially identical property which is a capital asset in the hands of the taxpayer has been held for not more than ~~six months~~ *one year*, and

~~(ii)~~ *(B)* If such short sale is closed more than 20 days after the date on which it was made, *subdivision (b) of* Section 18187 ~~(b)~~ shall apply in respect of the holding period of such substantially identical property.

(2) For purposes of ~~subparagraph~~ *paragraph* (1)—

~~(i)~~ *(A)* The last sentence of Section 18187 applies; and

~~(ii)~~ *(B)* The term "stock" means any share or certificate of stock in a corporation, any bond or other evidence of indebtedness which is convertible into any such share or certificate, or any evidence of an interest in, or right to subscribe to or purchase, any of the foregoing.

SEC 24 Section 18191 of the Revenue and Taxation Code is amended to read:

18191 (a) Gain or loss attributable to the sale or exchange of, or loss attributable to failure to exercise, a privilege or option to buy or sell property shall be considered gain or loss from the sale or exchange of property which has the same character as the property to which the

option or privilege relates has in the hands of the taxpayer (or would have in the hands of the taxpayer if acquired by him).

(b) For purposes of subdivision (a), if loss is attributable to failure to exercise a privilege or option, the privilege or option shall be deemed to have been sold or exchanged on the day it expired

(c) (1) In the case of gain on lapse of an option granted by the taxpayer as part of a straddle, the gain shall be deemed to be gain from the sale or exchange of a capital asset held for not more than ~~six months~~ *one year* on the day that the option expired. — — .

(2) This subdivision shall not apply to any person who holds securities for sale to customers in the ordinary course of his trade or business.

(3) For purposes of this subdivision—

(A) The term "straddle" means a simultaneously granted combination of an option to buy, and an option to sell, the same quantity of a security at the same price during the same period of time

(B) The term "security" has the meaning assigned to such term by *subdivision (c) of* Section 18196 ~~(c)~~.

(d) This section shall not apply to—

(1) A privilege or option which constitutes property described in subdivision (a) of Section 18161,

(2) In the case of gain attributable to the sale or exchange of a privilege or option, any income derived in connection with such privilege or option which, without regard to this section, is treated as other than gain from the sale or exchange of a capital asset;

(3) A loss attributable to failure to exercise an option described in Section 18188; or

(4) Gain attributable to the sale or exchange of a privilege or option acquired by the taxpayer before March 1, 1959, if in the hands of the taxpayer such privilege or option is a capital asset.

SEC. 25. Section 18192 of the Revenue and Taxation Code is amended to read:

18192. A transfer (other than by gift, inheritance, or devise) of property consisting of all substantial rights to a patent, or an undivided interest therein which includes a part of all such rights, by any holder shall be considered the sale or exchange of a capital asset ~~held for more than six months~~, regardless of whether or not payments in consideration of such transfer are—

(a) Payable periodically over a period generally coterminous with the transferee's use of the patent; or

(b) Contingent on the productivity, use, or disposition of the property transferred.

SEC. 26. Section 18202 of the Revenue and Taxation Code is amended to read:

18202 Amounts received from the assignment or release by an employee, after more than 20 years' employment, of all his rights to receive, after termination of his employment and for a period of not less than five years (or for a period ending with his death), a percentage of future profits or receipts of his employer shall be considered an

amount received from the sale or exchange of a capital asset held for more than ~~six months~~ *one year but not more than five years* if—

(a) Such rights were included in the terms of the employment of such employee for not less than 12 years;

(b) Such rights were included in the terms of the employment of such employee before June 6, 1955, and

(c) The total of the amounts received for such assignment or release is received in one taxable year and after the termination of such employment.

SEC 27. Section 18242 of the Revenue and Taxation Code is amended to read:

18242. (a) For purposes of this article, the term "averageable income" means the amount by which taxable income for the computation year (reduced as provided in subdivision (b)) exceeds 133⅓ percent of average base period income

(b) The taxable income for the computation year shall be reduced by—

(1) The amount (if any) to which Section 17112.5 applies, and

(2) The amounts included in the income of a beneficiary of a trust under subdivision (a) of Section 17776

(c) For purposes of this article—

(1) The term "average base period income" means one-fourth of the sum of the base period incomes for the base period.

(2) The base period income for any taxable year is the taxable income for such year—

(A) Decreased by the amounts included in the income of a beneficiary of a trust under subdivision (a) of Section 17776; and

(B) For taxable years beginning prior to January 1, 1967, increased by the amount of the deductions for personal exemption claimed for such year; and

~~(C) For the purposes of this article, with respect to computation years beginning after December 31, 1971, the percentages provided for in Section 18162.5 shall be applied to the capital gains and losses for the base years beginning after December 1, 1967, and ending on or before December 31, 1972.~~

(d) For purposes of this article—

(1) The term "computation year" means the taxable year for which the taxpayer chooses the benefits of this article

(2) The term "base period" means the four taxable years immediately preceding the computation year.

(3) The term "base period year" means any of the four taxable years immediately preceding the computation year

(4) The term "joint return" means the return of a husband and wife made under Section 18402.

SEC 28 This act shall apply to taxable years beginning after December 31, 1971

SEC. 29. This act provides for a tax levy within the".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 1609—An act to amend Section 531 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "531 of the Revenue and Taxation Code, relating to taxation", and insert "20816 of the Education Code, relating to taxation for the support of the public schools, and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 20816 of the Education Code, as amended by Chapter 1783 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

20816 (a) The maximum rate of school district tax, including any maximum rate fixed pursuant to Section 20803, is increased in any fiscal year for any school district situated wholly or in part within a county which, in the 1968–1969 fiscal year, household furnishings and personal effects were enrolled on the county assessment roll

(b) The increase in maximum tax rate shall be in an amount equal to the 2 percent of the total of the school district tax rates at which property taxes were levied and collected for purposes of the district during the 1968–1969 fiscal year, but subject to the provisions of subdivision (c)

(c) *(1)* On or before the first day of February in any year, the governing board of the district may submit a petition to the county superintendent of schools requesting that officer to fix the maximum tax rate of the district for the next succeeding fiscal year at a rate higher than that provided for in subdivision (b) The petition shall demonstrate, on the basis of the best information available to the governing board, that the net loss in revenue which would have resulted to the district in the 1968–1969 fiscal year if household furnishings and personal effects had been exempted from property taxation, taking into consideration increases in state equalization aid which would have accrued to the district as result thereof, exceeds the revenues produced by the increase in maximum tax rate provided for in subdivision (b).

(2) The assessor shall estimate the total amount of assessed value lost by reason of the exemption for household furnishings and personal effects between the 1968–1969 and 1969–1970 fiscal years and shall certify his findings to the county auditor and the county superintendent of schools The county superintendent of schools shall estimate the amount of equalization aid to be received by the district on the basis of the loss in assessed value certified by the assessor The county auditor shall apply the tax rate of the district for the 1968–1969 fiscal year to the amount of assessed value determined by the assessor and from

the amount computed shall subtract the amount certified by the county superintendent of schools The tax rate of the district for this purpose shall then be computed by determining the rate which will reflect this remaining amount. The district shall be bound by this determination of the auditor, whether it is more than, or less than, the amount of increase authorized by subdivision (b).

(3) This subdivision ~~(c)~~ shall not apply to any district which has not first availed itself of this subdivision on or before February 1, 1972

(d) Notwithstanding any other provision of this section, if any school district imposed a tax under an authorization contained in this section prior to the 1971–1972 fiscal year, such district is authorized to impose such tax for the 1972–1973 fiscal year and fiscal years thereafter, whether or not such district was legally entitled to impose a tax under this section in the first instance

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

As a part of the general program of property tax relief adopted by the Legislature at its 1968 First Extraordinary Session and approved, in part, by the voters as Proposition 1-a on the ballot for the general election held on Tuesday, November 5, 1968, the Legislature exempted household furnishings and personal effects from property taxation One of the major reasons for enacting such exemption was that almost insurmountable problems were created by the administration of the tax on this particular type of personal property, which caused wide variations between counties with respect to assessment practices

In order to enable school districts to recoup revenue losses caused by the exemption for household furnishings and personal effects, Section 22 5 of Chapter 1 of the Statutes of the 1968 First Extraordinary Session of the Legislature added Section 20816 to the Education Code to permit such districts to impose a small additional tax on property generally. In the 1969–1970 and 1970–1971 fiscal years, the low wealth school districts in Humboldt County took advantage of this authorization

However, due to a change in administration in tax officials in Humboldt County, it is no longer certain whether or not these school districts were eligible in the first instance to impose the tax authorized by Section 20816, and no such tax was collected for them in the 1971–1972 fiscal year To enable these low wealth districts, as well as all other districts similarly situated, to collect this revenue for the 1972–1973 fiscal year, it is necessary that this act take effect immediately ''

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 28, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

ACA No 30

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 42 to Article XIII thereof, relating to property tax limitations.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, strike out "Assemblyman Cline", and insert "Assemblymen Cline and Wakefield".

Amendment No. 2

On page 2, line 10, strike out "1", and insert "1½".

Resolution ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 453

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 453—An act to add Sections 17152 and 24303 to the Revenue and Taxation Code, relating to exclusions from gross income, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 19, 1972, strike out line 9; and in line 10, strike out "25-mile radius of the epicenter of".

Amendment No. 2

On page 2, line 20, strike out "earthquake and such property was"; and in line 21, strike out "located within a 25-mile radius of the epicenter of".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, April 26, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports

AB No. 1418

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1418—An act to add Sections 18020 and 18021 to, and to amend Section 17055 of, the Revenue and Taxation Code, relating to taxation to take effect immediately, tax levy

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 19, 1972, strike out "and 18021", and insert ", 18021, and 23710".

Amendment No. 2

On page 3, line 6, after "which", insert "discriminate on the basis of sex, race, religion, or national or ethnic origin and".

Amendment No. 3

On page 3, lines 13 and 14, strike out "or any other state".

Amendment No. 4

On page 4, line 8, after "SEC. 4.", insert "Section 23710 is added to the Revenue and Taxation Code, to read:

23710. (a) In the case of an organization described in Section 23701d, excepting those organizations which would be deemed a "private foundation" under Section 509 of the Internal Revenue Code, none

of the following activities shall be deemed "carrying on propaganda, or otherwise attempting to influence legislation".

(1) Appearances before, submission of statements to, or sending communications to, the committees, or individual members, of Congress or of any legislative body of a state, a possession of the United States, or a political subdivision of any of the foregoing with respect to legislation or proposed legislation of direct interest to the organization; or

(2) Communication of information between the organization and its members or contributors or the press with respect to legislation or proposed legislation of direct interest to the organization.

(b) For purposes of subdivision (a), matters of interest to the organization are those directly affecting any purpose for which it is organized and operated.

(c) Subdivision (a) shall not apply to any attempt to influence the general public, or segments thereof, with respect to legislative matters, elections, or referendums.

SEC. 5 "

Amendment No. 5

On page 4, line 10, strike out "SEC 5 ", and insert "SEC 6 "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, April 27, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 2268

With author's amend~~ments with the~~ recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, after "Criminal", insert "Offender".

Amendment No. 2

On page 2, line 21, strike out "and serious misdemeanor".

Amendment No. 3

On page 3, line 11, strike out the second "the", and insert "an arrest, detention, or other".

Amendment No. 4

On page 3, line 13, after "include", insert ", where appropirate,".

Amendment No. 5

On page 3, strike out line 40; and strike out page 4.

Amendment No. 6

On page 5, lines 1 and 2, strike out "Disposition of Criminal", and insert "Recording".

Amendment No. 7

On page 5, line 4, after "All", insert "basic".

Amendment No. 8

On page 5, line 7, strike out "Attorney General", and insert "Department of Justice".

Amendment No. 9

On page 5, strike out lines 10 to 40, inclusive; and on page 6, strike out lines 1 to 31, inclusive, and insert

"By each arresting agency, the following personal identification data:

Name—(full name)
Aliases
Monikers
Race
Sex
Date of birth
Place of birth (state or country)
Height
Weight
Hair color
Eye color
CII number
FBI number
Social security number
California operators license number
Fingerprint classification number
Henry
NCIC
Address

By each arresting agency, the following arrest data:

Arresting agency
Booking number
Date of arrest

Offenses charged
Statute citations
Literal descriptions
Police disposition
Released
Turned over to
Complaint filed

By each lower court, the following court data:
County and court name
Date complaint filed
Original offenses charged in complaint
To superior court
Held to answer
Certified plea
Disposition—Lower court
Not convicted
Dismissed
Acquitted
Court trial
Jury trial
Convicted
Plea
Court trial
Jury trial
Date of disposition
Convicted offenses
Sentence
Proceedings suspended
Reason suspended

By each superior court, the following court data:
County
Date complaint filed
Type of proceeding
Indictment
Information
Certification
Original offenses charged in indictment or information
Disposition
Not convicted
Dismissed
Acquitted
Court trial
Jury trial
On transcript
Convicted—Felony, Misdemeanor
Plea
Court trial
Jury trial
On transcript

Date of disposition
Convicted offenses
Sentence
Proceedings suspended
Reason suspended
Source of reopened cases

By each custodial or corrections agency, the following corrections data:

Adult probation
County
Type of court
Court number
Offense
Date on probation
Date removed
Reason for removal
County jail (sentenced prisoners only)
Name of jail, camp, or other
Convicted offense
Sentence
Date received
Date released
Reason for release
Committing agency
Youth Authority
County
Type of court
Court number
Youth Authority number
Date received
Convicted offense
Type of receipt
Original commitment
Parole violator
Date released
Type of release
Custody
Supervision
Date terminated
Department of Corrections
County
Type of court
Court number
Department of Corrections number
Date received
Convicted offense
Type of receipt
Original commitment
Parole violator

Date released
Type of release
Custody
Supervision
Date terminated
Mentally disordered sex offenders
County
Hospital number
Date received
Date discharged
Recommendation

Amendment No. 10

On page 6, line 33, strike out "protion", and insert "portion".

Amendment No. 11

On page 6, strike out lines 38 to 40, inclusive; and on page 7, strike out lines 1 to 24, inclusive, and insert

"Article 3. Reporting Information

13150. For each arrest made, the reporting agency shall report to the Department of Justice, concerning each arrest, the applicable identification and arrest data described in Section 13126, except as otherwise provided by law.

13151. The court dispositions of such cases shall be reported by the appropriate agency within ten days of such disposition. Admissions or releases from detention facilities shall be reported within ten days of such actions.

13152. Each criminal justice agency filing a complaint subsequent to an arrest where a felony charge is recorded at the time of arrest or booking, and every criminal justice agency taking action towards an offender subsequent to such complaint shall report, in a form to be determined by the Department of Justice, such information as the Department of Justice requires. The minimum required shall include, but not be limited to, the appropriate data elements enumerated in Section 13126 describing those actions initiated or carried out by the agency.

13153. Criminal justice agencies shall report such additional criminal offender record information as the Department of Justice requires, provided that data relating to arrests for being found in any public place under the influence of intoxicating liquor under subdivision (f) of Section 647 shall not be reported or maintained by the Department of Justice without special individual justification

13154. The Department of Justice may modify the format of the data elements enumerated in Section 13126 in accord with changes in criminal procedures or the organization of the courts."

Amendment No. 12

On page 7, line 25, strike out "13133", and insert "13155"

Amendment No. 13

On page 7, line 30, strike out "13134", and insert "13156".

Amendment No. 14

On page 7, between lines 32 and 33, insert

"Article 4. Information Service".

Amendment No. 15

On page 7, line 33, strike out "13135", and insert "13175".

Amendment No. 16

On page 7, lines 35 and 36, strike out "Attorney General deems appropriate, to the Attorney General", and insert "Department of Justice deems appropriate, to the Department of Justice".

Amendment No. 17

On page 7, line 37, after "and", insert ", where applicable,".

Amendment No. 18

On page 7, line 39, after "hours", insert "of receipt by the Department of Justice".

Amendment No. 19

On page 7, line 40, strike out "13136", and insert "13176".

Amendment No. 20

On page 8, strike out lines 3 to 15, inclusive, and insert "as the Department of Justice deems appropriate, to the Department of Justice, such agency or attorney shall be provided with the criminal history of such person, or the needed portion thereof, within 72 hours of receipt by the Department of Justice.

13177. Nothing in this article shall be construed so as to prevent the Attorney General from requiring criminal justice agencies to report more information than this chapter requires or to record or report it more quickly, or to establish any other regulations that would improve the administration of justice

Article 5. Access to Information

13200. No governmental agencies, other than criminal justice agencies, and no private organizations or individuals, shall be provided with direct access to criminal offender record information

13201. No government agency other than criminal justice agencies and no private organizations or individuals shall be provided with any criminal offender record information maintained by the Department of Justice identifying individuals unless specifically authorized by law.

Government agencies other than criminal justice agencies shall not be provided with any criminal offender record information when:".

Amendment No. 21

On page 8, strike out lines 23 to 40, inclusive; and on page 9, strike out lines 1 to 5, inclusive, and insert

"13202 Every public agency or research body".

Amendment No. 22

On page 9, line 18, strike out "13142", and insert "13203".

Amendment No. 23

On page 9, strike out lines 29 to 36, inclusive, and insert "13204. Any person who willfully requests, obtains, or".

Amendment No. 24

On page 10, line 5, strike out "13141", and insert "13202".

Amendment No. 25

On page 10, line 8, strike out "($500)", and insert "($5,000)".

Amendment No. 26

On page 10, line 9, strike out "Any person who"; and strike out lines 10 to 15, inclusive.

Amendment No. 27

On page 10, line 17, strike out "3", and insert "6".

Amendment No. 28

On page 10, line 19, strike out "13200", and insert "13225".

Amendment No. 29

On page 10, line 23, after "information", insert "to noncriminal justice agencies".

Amendment No. 30

On page 10, line 24, strike out "13201", and insert "13226".

Amendment No. 31

On page 10, line 31, strike out "13202", and insert "13227".

Amendment No. 32

On page 10, line 34, strike out "13203", and insert "13228".

Amendment No. 33

On page 10, line 39, strike out "13204", and insert "13229".

Amendment No. 34

On page 11, strike out lines 3 to 13, inclusive, and insert "information to noncriminal justice agencies in this state and other states.

13230. The board shall, in its deliberations, carefully".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 1646

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1646—An act to add Section 23608 to the Water Code, relating to irrigation districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "Little Rock", and insert "Littlerock Creek".

Amendment No. 2

On page 3, line 8, strike out "Little Rock", and insert "Littlerock Creek".

Amendment No. 3

On page 3, line 17, strike out "Little Rock", and insert "Littlerock Creek".

Bill ordered reprinted, and to be re-referred to the Committee on Water

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1000

Mr Gonsalves was granted unanimous consent to take up Assembly Bill No 1000, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 1000 by Unanimous Consent

Assembly Bill No. 1000—An act to amend Sections 17910 of, and to repeal Section 20814 5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1.5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), and Chapter 4 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend Sections 16120, 29100 5, 29100.7, and 65570 of, the Government Code, and to amend Sections 218, 2611 5, 6051, 6052 5, 6201, 7102, 17041, 23151, 23184, 23186, 23333, and 23501 of, to repeal Section 6376 of, to add Sections 17053.5 and 17053.6 to, the Revenue and Taxation Code, and to repeal Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, relating to the imposition of state taxes to provide subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 3 of the heading of the printed bill, as amended in Assembly April 24, 1972, strike out "and Wood", and insert "Wood, Hayden, Thomas, Harvey Johnson, and MacDonald".

Amendment No. 2

On page 8, line 36, after "county", insert a comma.

Amendment No. 3

On page 10, line 14, strike out "of this code".

Amendment No. 4

On page 13, line 11, strike out the semicolon, and insert "and".

Amendment No. 5

On page 16, line 9, after the period, insert " "Owner" includes a person purchasing the dwelling under a contract of sale or who holds shares or membership in a cooperative housing corporation, which holding is a requisite to the exclusive right of occupancy of a dwelling."

Amendment No. 6

On page 31, line 9, after "($80)", insert a period.

Amendment No. 7

On page 37, line 24, strike out the first period.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, April 26, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No. 26

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, April 26, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 5
SB No. 126
SB No. 377

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 5—An act to add Title 7.3 (commencing with Section 66700) to the Government Code, and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 126—An act to add Section 25650.5 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 377—An act making an appropriation for state park system development, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1839 be withdrawn from the Committee on Education and re-referred to the Committee on Urban Development and Housing; that Assembly Bill No 1433 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Finance and Insurance; and that Assembly Bill No. 1127 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the audit of the data processing operations of the Public Employees' Retirement System (PERS) and the Data Processing Service Center (DPSC) which is operated by the PERS. The DPSC provides EDP services to the State Teachers' Retirement System (STRS) and the Department of Veterans' Affairs (VA).

The objectives of this audit were to evaluate the effectiveness and efficiencies of the data processing operations of the PERS and the DPSC which have annual budgets of $880,000 and $576,000 respectively, for the fiscal year 1971–72. The DPSC budget includes a share of the PERS-EDP budget.

The PERS has used EDP productively and has set up a DPSC which is one of the best examples of EDP consolidation in state government However, the audit identified areas of deficiency which require considerable improvement.

No long-range master plan has been established to provide a foundation for the effective development of management and EDP systems. Development of the Public Employees' Retirement Management Information System (PERMIS) has been stalled for 2½ years because of a lack of user involvement in basic planning and development functions.

PERS does not place necessary emphasis upon internal controls. As a result, serious control weaknesses exist in major systems that process large volumes of data. For example, automated calculation of retirement benefits has revealed that EDP records for 20 to 25 percent of the 400,000 active members contain significant inaccuracies in pay rate and service credit data. In most cases, these inaccuracies are manually detected and corrected before payment of benefits.

The DPSC is not a fully developed and well defined EDP service organization. Similar EDP programming and key punch functions are performed outside of the DPSC by the PERS and the STRS This results in wasteful utilization of total EDP resources.

Considerable inefficiency occurs daily in the computer processing of PERS data because programs have not been modified to allow for direct read-in of key-entry tapes. Annual savings of approximately $39,400 could be realized if the programs were modified.

In September 1971 the PERS, STRS, and VA completed a joint feasibility study which recommended that a new computer be installed by July 1972. However, the study falls short of providing adequate justification for a new computer. Projected work loads indicate that the existing computer can meet the needs of the users until July 1973 or beyond. As recommended in the audit report the PERS has agreed to defer procurement of a new computer. This will result in an annual savings of $40,000.

The DPSC reports a high level of computer utilization. However, the existing utilization reporting system is seriously inadequate and the reported utilization information is overstated by an undeterminable amount. Also, job processing costs and variances are not reported, and pressures are not imposed upon the DPSC or user organizations to critically evaluate the costs and effectiveness of EDP services provided.

As the result of a legislative request, PERS is currently participating in a feasibility study for a Fiscal and Personnel DPSC to provide services to member agencies of EDP Consolidation Group Four.

The report contains 69 recommendations including 13 major recommendations in the areas of planning, organization, systems effort, EDP controls, computer operations, and cost reporting. The PERS has concurred with all of the reported findings and has indicated positive intent to implement all recommendations. However, implementation of certain of the recommendations concerning the operations of the PERS-DPSC may not be necessary if PERS becomes a user of the planned Fiscal and Personnel DPSC (Consolidation Group Four).

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

Speaker Presiding

At 2 :20 p.m., Hon. Bob Moretti, 42nd District, presiding.

Speaker pro Tempore Presiding

At 2 :21 p m., Hon. Carlos Bee, 13th District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that television photographers be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 511, 626, and **1344,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1113—An act to amend Sections 14621, 14621.5, 14660, 14662, 14665, 14666, 14667, and 14801 of, to add Sections 14620 1, 14620.3 and 14628 to, and to repeal Section 14628 of, the Elections Code, relating to absent voting.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "Postage shall be paid by"; and strike out line 10.

Amendment No. 2

On page 3, line 2, after "and", insert "the".

Amendment No. 3

On page 3, strike out lines 7 to 17, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 527—An act to amend Section 14134 of the Welfare and Institutions Code, relating to health care services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted.

Amendment No. 1

On page 2, lines 25 and 26, of the printed bill, strike out "issued to or for an outpatient".

Amendment No. 2

On page 2, line 26, after the period, insert "For beneficiaries receiving skilled nursing home care, this requirement shall be limited to the first two prescriptions per month."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 262—An act to add Sections 11655.10 and 11655.11 to the Health and Safety Code, relating to narcotics, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "treatment".

Amendment No. 2

On page 2, line 19, strike out "treatment".

Amendment No. 3

On page 3, line 18, strike out "treatment".

Amendment No. 4

On page 3, line 26, strike out "treatment".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1221—An act to amend Section 781 of the Welfare and Institutions Code, relating to sealing of records

Bill read second time, and ordered to third reading.

Assembly Bill No. 1826—An act to amend Section 562 of the Welfare and Institutions Code, relating to juvenile court.

Bill read second time, and ordered to third reading.

Assembly Bill No. 673—An act to amend Section 13557 of, repeal Section 10854 of, and to add Section 10854 to, the Education Code, relating to pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 13, 1972, strike out "Section 13557", and insert "Sections 13403 and 13557".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "Section 10854", and insert "Sections 10854 and 10855".

Amendment No. 3

On page 2, line 5, after "10854.", insert "(a)".

Amendment No. 4

On page 2, line 8, strike out "; but any such"; strike out lines 9 to 21, inclusive, and insert a period.

Amendment No. 4.5

On page 2, between lines 21 and 22, insert

"(b) For the purpose of this section, corporal punishment shall include, but not be limited to, the use of physical force upon a student as a form of punishment or discipline The governing board of each school district shall adopt regulations which inform its employees of the provisions of this section and such other regulations as may be necessary.

SEC 3 Section 10855 is added to the Education Code, to read:

10855. (a) Any person employed or engaged in any school or educational institution, whether public or private, may, within the scope of his employment, use and apply such force or restraint as is reasonable and necessary under the following circumstances·

(1) To quell a disturbance which threatens physical injury to other persons;

(2) To obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil;

(3) For the purpose of self-defense; or

(4) For the protection of persons or property.

The use of reasonable and necessary force or restraint for any of the enumerated purposes does not constitute corporal punishment within the meaning of this section or Section 10854.

(b) Suitable administrative records shall be kept of any force or restraint used pursuant to this section The governing board of each school district shall adopt regulations which inform its employees of the provisions of this section and such other regulations as may be necessary.

SEC. 4 Section 13403 of the Education Code is amended to read·

13403 No permanent employee shall be dismissed except for one or more of the following causes:

(a) Immoral or unprofessional conduct

(b) Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by Chapter 188, Statutes of 1919, or in any amendment thereof

(c) Dishonesty

(d) Incompetency

(e) Evident unfitness for service.

(f) Physical or mental condition unfitting him to instruct or associate with children

(g) Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed for the government of the public schools by the State Board of Education or by the governing board of the school district employing him.

(h) Conviction of a felony or of any crime involving moral turpitude.

(i) Violation of Section 9031 of this code or conduct specified in Section 1028 of the Government Code, added by Chapter 1418 of the Statutes of 1947.

(j) Violation of any provision in Sections 12952 to 12958, inclusive, of this code.

(k) Knowing membership by the employee in the Communist Party.

(l) Violation of Section 10854 or any regulations adopted pursuant thereto."

Amendment No. 5

On page 2, line 22, strike out "SEC. 3", and insert "SEC 5".

Amendment No. 6

On page 2, line 26, after the period, insert "A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. The provisions of Section 10855 shall apply to the performance of this duty."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 84—An act to repeal Section 25520 of the Education Code, relating to physical education

Bill read second time, and ordered to third reading.

Assembly Bill No. 337—An act to add Sections 23054 5 and 23756.5 to the Education Code, relating to residence.

Bill read second time, and ordered to third reading.

Assembly Bill No. 644—An act to amend Section 2873 of the Penal Code, relating to state prisons.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1252—An act to amend Sections 2701, 2703, and 2704 of, and to add Section 2706 to, the Education Code, relating to organization of school districts.

Bill read second time, and ordered to third reading

Assembly Bill No. 983—An act to add Section 11052 5 to the Education Code, relating to high school attendance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "high".

Amendment No. 2

On page 1, line 3, after "any", insert "junior high school or".

Amendment No. 3

On page 1, line 10, after "240", insert ", but not less than 180".

Amendment No. 4

On page 1, after line 10, insert

"No computation authorized by this section shall result in any increase in state apportionments."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1628—An act relating to providing property tax remedies and assisting school districts in Merced County, making an apportionment therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 3, line 8, of the printed bill, strike out "Act", and insert "Account".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1497—An act to amend Sections 901 and 903 of the Business and Professions Code, relating to health occupations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 903", and insert ", 903, 2811 and 2892.5".

Amendment No. 2

On page 2, line 34, strike out ", which do not impose an undue hardship on"; and in line 35, strike out "those working in the field,".

Amendment No. 3

On page 3, line 3, strike out "January 1, 1973," and insert "January 1, 1974,".

Amendment No. 4

On page 3, strike out line 12, and insert "licensing agencies or boards, from organizations representing nurses, and from persons working in the fields covered by this chapter, concerning continuing education standards and alternatives for meeting such standards. In developing standards for continuing education, the council shall conduct public hearings at which recommendations may be submitted, and shall survey and evaluate existing continuing education programs, including in-service training programs, and shall grant recognition to such existing programs whenever possible No later than the effective date of standards adopted pursuant to this section, each of the affected licensing agencies and boards shall notify each of its licensees of the standards."

Amendment No. 5

On page 3, after line 14, insert

"SEC 3 Section 2811 of the Business and Professions Code is amended to read:

2811. (a) Each person holding a regular renewable license under this chapter shall apply for a renewal of his license and pay the biennial renewal fee required by this chapter each two years on or before the last day of the month following the month in which his birthday occurs, beginning with the second birthday following the date on which the license was issued, whereupon the board shall renew the license.

Each such license not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the biennial renewal fee and penalty fee required by this chapter and upon submission of such proof of the applicant's qualifications as may be required by the board, except that during such eight-year period no examination shall be required as a condition for the reinstatement of any such expired license which has lapsed solely by reason of nonpayment of the renewal fee. After the expiration of such eight-year period the board may require as a condition of reinstatement that the applicant pass such examination as it deems necessary to determine his present fitness to resume the practice of professional nursing.

(b) After January 1, ~~1975~~ *1976*, the board shall require, as a condition to the renewal of such license granted pursuant to the provisions of this chapter, that the holder thereof submit proof satisfactory to the board that, during the preceding two-year period, he has informed himself of developments in the registered nurse field occurring since the issuance of his certificate, or the last renewal thereof, whichever last occurred, either by pursuing an approved course or courses of continuing education in the registered nurse field or by other means deemed equivalent by the board. In lieu of submitting such proof, the license holder, if he so desires, may take and successfully complete an examination given by the board designed to test his knowledge of de-

velopments occurring in the registered nurse field since the issuance of his license, or the last renewal thereof, whichever last occurred.

Whenever a license has lapsed because of failure to comply with this subdivision, *the board shall notify the licensee of all courses, examinations, and other equivalent means which in the opinion of the board would bring the licensee into compliance with this subdivision if completed. Such license* ~~it~~ may be reinstated, without time limit, upon proof satisfactory to the board that the licensee has informed himself of current developments in the registered nurse field since the issuance of his certificate, or the last renewal thereof, whichever last occurred, either by the successful completion of a refresher course or by other means deemed equivalent by the board, *including any means specified in the notice to the licensee,* and by payment of fees as provided in Section 2815

(c) The board shall accept as evidence of current knowledge, meeting the requirements of subdivision (b) of this section, but shall not necessarily be limited thereto, the successful completion of a course or courses of continuing education in the registered nurse field which has been approved for this purpose by the department under standards established by the Council on Continuing Education for the Health Occupations, and as provided for in Chapter 15 (commencing with Section 900) of this division.

(d) The board may, by regulation, provide for temporary exemption from the provisions of subdivision (b) of this section in the case of licensees serving in overseas military service, and in other special circumstances wherein compliance would, in the board's opinion, constitute an unreasonable hardship for the licensees

SEC 4 Section 28925 of the Business and Professions Code is amended to read:

28925 (a) After January 1, ~~1975~~ *1976*, the board shall require, as a condition to the renewal of each license granted pursuant to the provisions of this chapter, that the holder thereof submit proof satisfactory to the board that, during the preceding two-year period, he has informed himself of developments in the vocational nurse field occuring since the issuance of his certificate, or the last renewal thereof, whichever last occurred, either by pursuing an approved course or courses of continuing education in the vocational nurse field or by other means deemed equivalent by the board In lieu of submitting such proof, the license holder, if he so desires, may take and successfully complete an examination given by the board, designed to test his knowledge of developments occurring in the vocational nurse field since the issuance of his license, or the last renewal thereof, whichever last occurred

Whenever a license has lapsed because of failure to comply with this section, ~~it~~ *the board shall notify the licensee of all courses, examinations, and other means which in the opinion of the board would bring the licensee into compliance with this subdivision if completed Such license* may be reinstated, without time limit, upon proof satisfactory to the board that the licensee has informed himself of current developments in the vocational nurse field since the issuance of his certificate, or the last renewal thereof, whichever last occurred, either by the successful

completion of a refresher course or by other means deemed equivalent by the board, *including any means specified in the notice to the licensee* and upon payment of fees as provided in Section 2895

(b) The board shall accept as evidence of current knowledge, meeting the requirements of this section, but shall not necessarily be limited thereto, the successful completion of a course or courses of continuing education in the vocational nurse field which has been approved for this purpose by the department under standards established by the Council on Continuing Education for the Health Occupations as provided for in Chapter 1.5 (commencing with Section 900) of this division.

(c) The board may, by regulation, provide for temporary exemption from the provisions of subdivision (a) of this section in the case of licensees serving in overseas military service, and in other special circumstances wherein compliance would, in the board's opinion, constitute an unreasonable hardship for the licensees.

(d) This section shall not apply to licensees during the first two years immediately following their graduation from vocational nursing school "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 609—An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, between lines 1 and 2, insert

"Each public member shall be a person who, as a result of training and experience, is exceptionally qualified to appraise resource uses in the light of ecology conservation, and planned development policies of the state and to be responsive to the state's scientific, social, esthetic, and recreational needs The Governor, the Senate Rules Committee and the Speaker of the Assembly, shall, in making such appointments, seek to assure that expertise in conservation, recreation, ecology, physical sciences and planning shall be represented on the commission.

No public member of the commission may be a lessee or holder of any right granted by the commission, nor may any public member be the partner, associate, employer, employee, or relative of any lessee or holder of any right granted by the commission."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 41—An act to amend Section 22825 of the Government Code, relating to state employees' benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "benefits", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 5, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order for this act to apply during the 1972–1973 fiscal year and grant state employees an increase in the state's share of increased health insurance cost, it is necessary for this act to take effect immediately."

Bill ordered reprinted, and returned to the second reading file.

COMMUNICATIONS

Assembly Chamber, April 27, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 84
AB No. 644
AB No. 1221
AB No. 1252
AB No. 1826

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 14 for hearing in the Committee on Rules today.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, April 27, 1972

Mr. Speaker. Your Committee on Local Government reports:

SB No 548

With the recommendation: Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, April 27, 1972

Mr Speaker. Your Committee on Rules reports:

SCR No. 14

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Rules reports.

HR No. 42

With the recommendation: That the resolution be re-referred to the Committee on Judiciary

BURTON, Chairman

Above resolution re-referred to the Committee on Judiciary.

RECESS

By unanimous consent, at 2.28 p.m, Speaker pro Tempore Bee declared the Assembly recessed until 2 30 p m, for the purpose of permitting Honorable Thomas A. Maloney, former Speaker pro Tempore of the Assembly and Member of the State Senate from San Francisco, to address the Assembly Speaker pro Tempore Bee announced that today is the 83rd birthday of Mr Maloney, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Maloney

REASSEMBLED

At 2:30 p m., the Assembly reconvened

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk James D Driscoll at the Desk.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No 14 was continued until the next legislative day

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 171—An act to add Section 4833 to the Revenue and Taxation Code, relating to property taxation

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Key-

sor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10.5 (commencing with Section 11901), 10 8 (commencing with Section 11940), and 10 9 (commencing with Section 11990) of, the Health and Safety Code, to repeal and add Sections 11217, 11480, and 11483 of the Health and Safety Code, as proposed by this act, and to amend Sections 1803, 12806, 12809, 13202, 13355 5, and 13800 of the Vehicle Code, relating to controlled substances

Bill read third time, presented by Mr. Arnett, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers Russell, Ryan, Seeley, Stacey, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—49

NOES—Brown, Burton, Meade, Miller, Sieroty, Wakefield, Warren, and Waxman—8

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

Mr Monagan announced that there would be a Republican Caucus immediately upon adjournment today, in the Assembly Lounge.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 444—An act to amend Section 14038 of, and to add Section 14038 1 to the Education Code, relating to the State Teachers' Retirement System

Bill read third time, and passed by the following vote·

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 504—An act to add Section 8538 to the Business and Professions Code, relating to structural pest control.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 2:46 p.m., Hon. Jack R. Fenton, 51st District, presiding.

Assembly Bill No. 506—An act to add Chapter 7.9 (commencing with Section 25885) to Division 20 of the Health and Safety Code, relating to pottery

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 601—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 604—An act to amend Section 18025 of the Government Code, relating to holiday compensation

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 641—An act to amend Section 8140 of the Government Code, relating to California-Nevada Interstate Compact Commission

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An act to amend Section 1602 of, and to add Section 1601 5 to, the Business and Professions Code, relating to dentists

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 246—An act to add Article 10 5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides

Bill read third time

Demand for Previous Question

Messrs Ray E Johnson, Foran, Wilson, Hayden, and Keysor demanded the previous question. Demand sustained

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—50.

NOES—Brown, Burton, Chacon, Crown, Garcia, Knox, Meade, Miller, Vasconcellos, Waxman, and Z'berg—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1331—An act to add Section 465 to the Public Utilities Code, relating to public utilities

Bill read third time, and passed by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Briggs, MacGillivray, and Stacey—3.

Bill ordered transmitted to the Senate

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1699, on request of Mr Burton.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 561—An act to amend Section 253 4 of the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Lerov F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood Z'berg, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 584—An act to amend Sections 253 1 and 253 6 of the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 704—An act to amend Section 253 2 of the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 414, on request of Mr Sieroty

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 688—An act to add Section 25274 to the Vehicle Code, relating to flashing and colored lights.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Burton and Foran—2

Bill ordered transmitted to the Senate

Assembly Bill No. 469—An act to add Article 2.5 (commencing with Section 650) to Chapter 2 of Division 1 of the Public Resources Code, relating to foresters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540—An act to amend Section 12731 of the Business and Professions Code, relating to public weighmasters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 42—Relative to ski lift safety standards

Resolution read, and adopted

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 68—Relative to the Benbow Dam

Resolution read, and adopted.

Resolution ordered transmitted to the Senate

Assembly Bill No. 802—An act to amend Section 11476 of, and to add Section 10851 5 to, the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Ryan, Seeley,

Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—Cline, Conrad, Miller, and Wakefield—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 90—An act relating to the study of amphetamines.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1112—An act to amend Sections 200, 310, and 321 of the Elections Code, relating to voter qualifications.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1078—An act to amend Sections 20, 28, 64, 113, 114, and 220 of, and to repeal Section 18 of, the Embarcadero Municipal Improvement District Act (Chapter 81 of the Statutes of 1960, First Extraordinary Session), relating to the Embarcadero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gon-

salves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Concurrent Resolution No. 35—Relative to Transportation Week.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate

Senate Joint Resolution No. 3—Relative to United States military medals.

Resolution read, and adopted by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Resolution ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3·30 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

REQUEST FOR UNANIMOUS CONSENT

Mr Monagan was granted unanimous consent that the Desk be held open today, for the purpose of receiving a message from the Governor.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 27, 1972

Mr Speaker· Your Committee on Ways and Means reports:

AB No. 392

AB No 595

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, April 27, 1972

Mr. Speaker Your Committee on Employment and Public Employees reports:

AB No. 920

AB No. 921

With the recommendation . Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MACDONALD, Vice Chairman

Above bills ordered to second reading

Assembly Chamber, April 27, 1972

Mr Speaker Your Committee on Employment and Public Employees reports:

AB No 1028

AB No 1393

With the recommendation . Do pass, and be re-referred to the Committee on Ways and Means

MACDONALD, Vice Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 922

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means and recommends that the above bill be placed on the Consent Calendar.

MACDONALD, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Criminal Justice

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 188

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Agriculture

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 112

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRIGGS, Chairman

Above bill ordered to second reading.

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 1445

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1445—An act to amend Section 14232 of, to add Chapter 6 (commencing with Section 14901) to Division 7 of, and to repeal Chapter 6 (commencing with Section 14901) of Division 7 of, the Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 3 of the printed bill, strike out lines 4 to 6, inclusive, and insert "enforcement of this chapter by an inspection tonnage tax on commercial feed to be paid by any person that distributes commercial feed to a consumer-buyer in this state"

Amendment No. 2

On page 6, line 16, strike out "approval", and insert "review".

Amendment No. 3

On page 6, strike out lines 33 to 36, inclusive, and insert "the director who are licensed under this chapter and who are subject to payment of the inspection tonnage tax in accordance with the provisions of this chapter The members of the".

Amendment No. 4

On page 10, strike out lines 24 to 27, inclusive, and insert "feed before he engages in such activity, except the following:

(a) A person that makes only retail sales of commercial feed which bear the tag or other approved indication that the commercial feed is from a licensed manufacturer or guarantor who has assumed full tax responsibility for the tonnage tax due under this chapter

(b) A person who manufactures commercial feed exclusively for feeding to his own animals"

Amendment No. 5

On page 10, strike out line 40, and on page 11, strike out line 1.

Amendment No. 6

On page 11, strike out lines 5 to 19, inclusive, and insert

"15061 An inspection tonnage tax at the maximum rate of four cents ($0 04) per ton of commercial feed sold, except whole grains, whole seeds, and whole hay when unmixed, shall be paid to the director by any person who distributes commercial feed to a consumer-buyer in this state The tax rate established by this section is the maximum tax rate The director may reduce this rate from time to time whenever he finds that the administration of this chapter may be accomplished from revenue derived from a lower tonnage tax rate"

Amendment No. 7

On page 11, strike out lines 23 to 25, inclusive

Amendment No. 8

On page 11, lines 36 and 37, strike out "or its medicated feed manufacturing endorsement"

Amendment No. 9

On page 12, lines 2 and 3, strike out "or a medicated feed manufacturing endorsement"

Amendment No. 10

On page 14 after line 13, insert

"SEC 4 This act shall become operative on January 1, 1973 "

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, April 27, 1972

Mr Speaker The Chairman of your Committee on Education reports:

AB No. 793
AB No 1182
AB No. 2182

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 793—An act to add Section 11305 to the Education Code, relating to school district governing boards.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "district", insert "and shall be as nearly equal in population as may be".

Amendment No. 2

On page 1, after line 8, insert

"Before the first day of November of the year following the year in which each decennial federal census is taken, and using the census as a basis, the governing board shall adjust the boundaries of any or all of the election wards of the district so that the wards will be as nearly equal in population as may be In establishing and adjusting the boundaries of wards the board may give consideration to· (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interest in the wards "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1182—An act to add Section 23621 to the Education Code, relating to the California state universities and colleges.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 23621 to", and insert "Article 3 (commencing with Section 24321) to Chapter 9 of Division 18 of".

Amendment No. 2

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Article 3 (commencing with Section 24321) is added to Chapter 9 of Division 18 of the Education Code, to read:

Article 3 California State University and Colleges Personnel Board

24321 Commencing on July 1, 1973, the merit system for the noninstructional employees of the California State University and Colleges shall be administered by the California State University and Colleges Personnel Board which shall consist of five members appointed by the trustees for four-year staggered terms No person who is an officer or employee of the State of California may be appointed. The trustees shall, for purposes of staggering the expiration of the terms of office, select which original appointees shall serve for which original terms and shall determine the lengths of the original terms. Any appointment to fill a vacancy shall be for the unexpired portion of the term A member may be removed by a two-thirds vote of the trustees.

24322 As used in this article:

(a) "Personnel board" means the California State University and Colleges Personnel Board established by Section 24321.

(b) "Noninstructional employees" means those employees of the California State University and Colleges whose duties have been determined by the trustees as being noninstructional.

24323. The personnel board shall adopt, and, commencing on July 1, 1973, shall administer, a merit system for noninstructional employees.

24324 The personnel board shall establish standards and procedures for the selection, appointment, promotion, and separation of noninstructional employees

24325 The personnel board shall establish a statewide job classification system including standardized job specifications, appointment standards, salaries, wages, and hours of work.

24326 The personnel board shall adopt a single grievance procedure to be applicable to all noninstructional employees and which shall provide for the right of appeal to the personnel board.

24327. An annual salary of ten thousand eighty dollars ($10,080) shall be paid to each member of the personnel board Each member shall also receive his actual and necessary traveling expenses incurred in the course of his duties

24328 The personnel board shall appoint and fix the compensation of a secretary and such other personnel as is necessary to carry out and

perform the powers, duties, purposes, functions, and jurisdiction of the personnel board.

24329. The personnel board shall meet in public, as often as the needs of the noninstructional service may require, and in such places as it may designate.

24330. The personnel board shall submit annually to the trustees a report upon any matters within the jurisdiction of the personnel board as requested by the trustees.

SEC. 2. It is the intent of the Legislature that Article 3 (commencing with Section 24321) of Chapter 9 of Division 18 of the Education Code, as added by this act, shall be implemented without prejudice or detriment to any person who, on the effective date of this act, is a noninstructional employee of the California State University and Colleges with respect to classification, position, salary, wage, employee benefits, tenure, or employment status "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 2182—An act to amend Sections 6422, 6432, 6755, 6902.05, and 6908 of, and to add Section 6908.5 to, the Education Code, relating to school psychologists.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "credentialled", and insert "credentialed".

Amendment No. 2

On page 2, line 22, strike out "credentialled", and insert "credentialed".

Amendment No. 3

On page 5, line 16, strike out "credentialled".

Amendment No. 4

On page 5, line 19, strike out ", or by a person"; strike out line 20; and in line 21, strike out "psychologist and".

Amendment No. 5

On page 5, line 22, after "Education", insert "or the Commission for Teacher Preparation and Licensing".

Amendment No. 6

On page 5, line 23, strike out "A"; and strike out lines 24 to 26, inclusive, and insert

"The credentialed school psychologist may incorporate in his case study of the child reliable information derived from the following sources: school records, another credentialed school psychologist, a licensed psychologist, a licensed educational psychologist, an educational specialist, a speech and hearing specialist, a credentialed pupil

personnel worker, a teacher, or a psychometrist, the latter having worked under the direct supervision of a credentialed school psychologist."

Amendment No. 7

On page 5, line 29, strike out "credentialled", and insert "credentialed".

Amendment No. 8

On page 6, between lines 11 and 12, insert

"(d) Consultation with community agencies, such as probation departments, mental health clinics, and welfare departments, concerning pupils who are being served by such community agencies."

Amendment No. 9

On page 6, line 12, strike out "(d)", and insert "(e)".

Amendment No. 10

On page 6, line 14, strike out "(e)", and insert "(f)".

Amendment No. 11

On page 6, line 19, strike out "(f)", and insert "(g)".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports:

AB No. 1759

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1759—An act to add Chapter 10.7 (commencing with Section 25930) to Division 20 of the Health and Safety Code, relating to imported products.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert

"25931 All products which are produced in, or imported from, a foreign country which the Department of Justice has determined, by regulation, to be a country which supplies or produces heroin for unlawful use in this state shall contain a label stating substantially as follows:

"This product was produced in, or imported from, *(name of country)* which has been determined by the Department of Justice of this

state to be a country which supplies or produces heroin for illegal use in this state." "

Bill ordered reprinted, and to be re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, April 27, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No 1054
AB No. 2040

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1054—An act to amend Section 6254.7 of the Government Code, relating to public records.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, in line 9, after "plan", insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

Assembly Bill No. 2040—An act to amend Section 33114.5 of the Health and Safety Code, relating to community redevelopment.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "as follows:", and insert "which provides that each member receive twenty-five dollars ($25) per diem per meeting, not to exceed four meetings per month, or in the alternative, one hundred dollars ($100) per month regardless of the number of meetings attended in any calendar month. In addition, members shall receive their actual and necessary expenses incurred in the discharge of their duties."

Amendment No. 2

On page 2, strike out lines 7 to 13, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2351: By Assemblyman Beverly—An act to amend Section 100 of the Elections Code, relating to elections.

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 30: By Assemblyman Moretti—Relative to the release of federal highway funds presently being withheld from California state highway projects.

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 192.

Messrs Cullen and Harvey Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 192.

Messrs Biddle and Vasconcellos were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No 192

Mr Knox was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 192.

Mr Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 171.

Mr. Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 444.

Messrs. Harvey Johnson and Wakefield, and Mrs. Fong were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 506.

Mr Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 601.

Mr Ray E Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 604

Messrs Maddy, Ketchum, and Wakefield were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1331

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 246

MESSAGES FROM THE SENATE

Senate Chamber, April 27, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 549
SB No 615
SB No 762

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time.

Senate Bill No. 549—An act to add Section 1825.7 to the Welfare and Institutions Code, relating to probation services.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 615—An act to amend Section 69950 of the Government Code, relating to fees.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 762—An act to add Section 14672.9 to the Government Code, relating to the letting of state property.

Held at Desk by order of the Acting Speaker.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Governor's Office, Sacramento
April 27, 1972

The Honorable Members of the California Legislature
State Capitol, Sacramento, California

Greetings:

DRUG ABUSE

Two years ago I brought to the attention of the people of California the growing dimensions of the drug abuse problem in our state.

At that time I outlined the first steps of a total program approach to the situation.

I pointed out that the extent to which drug abuse and narcotics addiction had infected our young people was in fact much greater and far more serious than most people realized. This is as true today as it was two years ago.

Indeed, the use of drugs—especially among the young—continues to be a scourge of our society. No venom could be more deadly than drug addiction. It claims its victims in countless personal tragedies, destroys individuals, tears families asunder and weakens the moral fiber of a people whose greatest resource and hope for the future are its youth.

We need only review the following trends to be struck by its destructiveness:

—In 1970, in Los Angeles County alone, more than 1,000 deaths were recorded due to narcotic and drug abuse. Records for the state as a whole reveal a 258 percent increase in drug-related deaths between 1966 and 1970.

—In 1970, the number of admissions to state hospitals for drug abuse soared to more than 6,000, compared to less than 600 four years previously—an increase of 1,000 percent.

—More than 36,000 minors and 99,000 adults were arrested for offenses involving drugs in 1970. *Compared with 1960, these figures represent increases of 2,200 percent for minors and 450 percent for adults.*

—In 1971, 68 percent of the wards of the California Youth Authority had histories of narcotic and drug involvement. In 1966 this proportion was 25 percent.

—In 1970, one in every five initial referrals to probation by California juvenile courts was due to involvement with drugs or narcotics. In 1966, only one in every 15 referrals involved drug abuse.

Drug abuse is found to some degree in all parts of the state. Several years ago it appeared primarily as a problem of the metropolitan and urban areas Today there is no county which does not report some problem concerning drug abuse within its boundaries. Most counties report that it is on the increase!

Data on social and economic patterns of drug abuse, collected by the State Office of Narcotics and Drug Abuse Coordination, confirms the often cited truism that this disease is no respecter of age, race, religion, economic circumstance or geographical location.

The roots of the problem are complex and are not, as yet, altogether clear. Why certain individuals use drugs, why different patterns of use are found among different people and at different times, how drug abuse is propagated and how patterns of distribution develop, all are problems which need much more serious research. However, if we are to control the problem, our strategy must be as flexible, varied and multidimensional as the disease itself

Our challenge, stemming from the basic beginnings which I outlined more than two years ago, is the continued development of a comprehensive statewide approach to the problem. I believe this effort must include the concerted participation of groups and individuals, public and private agencies, all levels of government, and citizen volunteers, along with business and industry.

We have been making significant progress in that direction during this period. As you know, we established the State Office of Narcotics and Drug Abuse Coordination and charged it with the responsibility for gathering up-to-date information on the nature and extent of drug abuse in California. Since its formation, the office has compiled data on all available informational, referral, treatment and rehabilitative resources available for drug abusers within the state. Utilizing this basic index of identified services, the State Office of Narcotics and Drug Abuse has developed strong working relationships among and between various agencies concerned with the drug abuse problem.

Another approach of significant impact was the enactment in 1970 of legislation (AB 1990) to develop coordinated, countywide community drug abuse control plans in all counties of more than 40,000 population. This law was later amended to require such plans from *every* county in the state. These plans are generally developed in consultation with public and private agencies within the county and the resulting communications provide the opportunity for the various agency administrators to compare their activities, identify areas of overlapping or conflicting services and exchange other information.

Efforts to control the traffic in drugs within the state and cut their importation across state boundaries have been intensified. To this end, a program of monitoring shipments of dangerous drugs, maintaining

surveillance on their distribution and tightening the requirements for security of such drugs while in shipment or in storage was started in 1971. It is showing positive results.

Additional positions have been provided in the budget for narcotic enforcement officers in the State Bureau of Narcotics Enforcement—with excellent results.

Through the efforts of Lt. Governor Ed Reinecke and the Commission of the Californias, cooperative relationships have been developed with the Government of Mexico. The exchange of information and the coordination of our joint efforts with Mexico have reduced the flow of narcotics and dangerous drugs into California.

With the sure recognition that prevention is still the best long-ranged answer to the drug problem, the Department of Education has mounted an extensive educational effort directed at both the primary and secondary levels to inform every child in California concerning the consequences of drug abuse. The department has also trained numerous resource "teams" to return to their communities to train others in the development of effective education and prevention programs.

In an attempt to help those already victimized by abuse and addiction, we have initiated several experimental programs to test the effectiveness of the drug Methadone in the treatment and rehabilitation of hard-core heroin addicts. To date, 33 Methadone maintenance treatment programs have been authorized throughout various areas of the state and they are now providing services to approximately 4,500 addicts.

The use of Methadone is only one of a number of approaches which have been launched during the past two years and are presently being tested. Encouragement and assistance have been given to a number of community agencies in experimenting and developing new ways of helping the drug user.

The California Council on Criminal Justice deserves great credit for the vital role it has played in the fight against drug abuse The Council has been instrumental in providing financial assistance to a wide range of community drug abuse treatment, prevention and control programs throughout the state.

During these two years, we have put into effect the major elements of our initial program approach.

With this groundwork laid we must build upon it.

There are certain underlying assumptions upon which the new program I am proposing is based. The experience of our Office of Narcotics and Drug Abuse and others working in this field, leads us to believe that certain conditions are basic prerequisites to the success of any comprehensive state drug abuse program Initially, there is the need for comprehensive planning to serve as a framework for identifying needed services. This includes evaluating the best role for existing or new services.

Whatever system of services is included in the comprehensive plan, it must not only be based on current need, but must be flexible enough to encompass alterations that are dictated by changes in the substances which are abused, changes in treatment knowledge and technology, and variations in public demand for services.

The system of services must include a central coordination point and effective integrations of programs at the community, county and state levels. Experience indicates that the most satisfactory results are to be expected where the drug abuser is treated in his own community.

The extent of services available throughout the state must be distributed so that the most appropriate treatment approach can be delivered as close to the addict or abuser as is possible.

To maximize success, a statewide comprehensive program must also involve the public, private and volunteer segments of our society, at the national, state, and local levels in a cooperative and mutually supportive endeavor. Just as the cooperative involvement of the different functioning levels of government and society must be sought, so within each community maximum involvement of all its citizens and civic organizations must be sought.

Drug abuse is a community problem, a neighborhood problem. It will not be resolved without a total community attack. The state will support local planning efforts, but the initiative, the basic development of plans, the identification of targets and needs, must be made by the community, and must reflect an expression of the community as a whole. Even the best planned programs will eventually fail in the face of community apathy

The major role of the state will be to support and encourage local planning and program development through the provision of consultation and technical assistance, approval of programs and services for funding assistance, evaluation of programs and services and utilization of community services through contractual arrangements.

Within the above framework, the massive legislative program I propose will blanket the state and reach into every neighborhood where a drug abuse problem exists

Local participation, responsibility and control over the programs will be critical to success Washington is not the source of all knowledge. Neither is Sacramento Each community knows what it needs. Some already have been meeting the challenge with their own programs Many efforts suffer from a lack of expertise, others from a lack of dollars. We will complement existing programs without duplicating effort and help create new programs where none exist.

The provision of accurate, pertinent information and education is a major objective of this program. Already, many of our young people are learning about the dangers of drug abuse in the schools. Still we believe the knowledge and expertise about drug abuse which adults need must be dramatically improved In addition to our teachers, coaches, scout leaders and others who deal with young people, parents must know about drugs and what causes drug abuse. This can help them discourage it in their own families At the same time, they will be able to achieve greater credibility in the face of widespread claims that parents don't know what they are talking about when it comes to drugs.

Our program also includes the development of model kindergarten through grade twelve drug education programs that will provide factual information and promote positive, personal decisionmaking regarding drug abuse

Efforts also will be stepped up to develop a statewide training system to provide training to teachers and other occupational and professional groups working with drug abusers. The program will seek to make the widest possible use of radio, television and newspapers in providing community education on drug abuse through instructional courses and other public awareness programs.

From the information which has been gleaned from county and community drug abuse programs during the past two years, it has become apparent that the present resource for the treatment and rehabilitation of drug abusers is not sufficient Local initiative with state assistance must make up that deficiency. I am proposing a broad range of activities at both the state and local levels to deal with the drug abuser in need of treatment and rehabilitation. Additional hospital bed space must be provided. It is needed to care for acute drug overdose and detoxification emergencies. Increased staff personnel, especially trained to screen, evaluate and refer patients to the most appropriate aftercare treatment programs following emergency hospitalization, are a necessity.

Thus, we will provide funds and facilitate the development of comprehensive, community based treatment programs that provide for detoxification services, hospital care, non-hospital residential care, outpatient treatment, counselling, social services, methadone treatment and rehabilitation services.

County welfare employees will be trained to provide assistance in directing those persons in need of help for narcotics, drug abuse or alcoholism problems to the proper agency for care, treatment and rehabilitation.

A special treatment program for drug abusers in the Youth Authority will be developed and implemented to provide more effective services to youths with drug problems.

Assistance to the drug abuser and narcotic addict will not end with the provision of treatment. The program I am proposing will augment the resources of the State Department of Rehabilitation to provide additional services to drug addicts in the areas of vocational training, vocational counselling, job referral and followup services

To further enhance our overall treatment efforts and economy of operation, the functions of the state's Research Advisory Panel and the Drug Abuse Information Project at the University of California will be combined in the Department of Mental Hygiene. I am also proposing that drug prevention and treatment programs be licensed by the state to insure their effectiveness

In addition to our continued strong support of law enforcement's efforts to reduce the availability of illicit drugs and narcotics, we are working closely with the federal government in implementing a Drug Abuse Smuggler Strike Force This is a cooperative state, federal and local law enforcement effort to stop the smuggling of illegal drugs into California and the United States.

To block one important source of illicit drugs, we will seek agreements with state and county medical associations to work within their own ranks to eliminate the overprescription of amphetamines, barbiturates and tranquillizers.

The program I am proposing will divert first-offense users or possessors of drugs from the criminal justice system. Because of the mistakes they have made in playing with drugs, the lives of young people have been blighted. The criminal record which accompanies them through life is often a millstone around their necks.

For that person arrested as a first offender for the possession of drugs, we propose to develop a system, through administrative handling, which will place him in an appropriate treatment program in his own community. Where public safety will not be compromised and the interest of the law-abiding citizen is not jeopardized, such diversion can properly be urged Of all the categories of people who engage in drug abuse, our chance for successful rehabilitation is best with the first-time drug abuser.

We should not continue to clog our criminal justice system nor saddle our young with a criminal record if there is a legitimate alternative Some communities have considered it, but because their drug abuse treatment facilities have been inadequate or nonexistent, they have abandoned such an approach. Our statewide drug abuse program will assure the availability of treatment programs so that criminal justice diversionary programs can be made possible.

Our program calls for the massive involvement of volunteers. Volunteerism is as old as American society itself *DeToqueville* commented upon the willingness of Americans to help their neighbors and their communities in attacking problems of mutual concern. As government has become ever larger, there has been a tendency on the part of some to play down the role of volunteer help. The fact is, the need has never been greater This program gives each citizen the opportunity to help in overcoming the problem of drug abuse—at the neighborhood and community level.

What we are after is "one to one"—a situation in which one person who cares can be linked with another who needs guidance and direction Over the last few years, we have developed a great body of knowledge on volunteerism—how to properly and effectively recruit, train and assist volunteers We must put that knowledge to work in a massive coordinated effort in the fight against drug abuse.

Private businesses will be called upon to release top executives so they can apply their organization and management techniques in helping to get this job done.

The program will seek to incorporate the excellent efforts of service, fraternal, religious and other community groups in the areas of drug abuse prevention, treatment and rehabilitation programs. Specific efforts to train and use doctors, pharmacists, nurses, ministers and others in drug abuse prevention and treatment programs will be made

More and more young people appear to be taking a greater interest in religious and other activities For these, a spiritual rudder and life with a purpose is replacing an empty, drug-filled existence. We must look for ways to mobilize the influence of these and others who do not use drugs to make drug use the "out" rather than the "in" thing to do.

In order to maximize the benefits of our limited resources, a methodology will be developed which will enable us to objectively evaluate the impact of drug programs in California We will develop standardized

survey devices and a centralized drug abuse data collection system which will permit us to annually prepare a drug problem profile containing objective information on the nature, scope, consequences, trends, locations and populations affected by drug abuse in California. This will enable us to assess the effectiveness of our programs and shift our approach as the problem changes or is altered

What about dollars? How are we going to finance this program? I can assure you that we will get the job done within existing resources In part, we intend to do it by rearranging our priorities so that existing tax revenues are made available for this purpose Because planning and coordination between federal, state and local government is essential if we are to prevent duplication of effort and make the most prudent use of scarce tax dollars, we will seek an agreement with the federal government to subvent federal monies to the state on the basis of a comprehensive plan.

We intend to coordinate the flow of all federal drug abuse funds, whether they come from HEW, OEO, the National Institute of Mental Health, the President's Special Action Office for Drug Abuse Prevention or elsewhere.

We are asking the federal government to coordinate its funding efforts more efficiently and what is good for them in this instance is good for us in state government. Consequently, I will direct those departments of state government administering state or federal monies for drug activities to establish their priorities and allocate their funds in coordination with the State Office of Narcotics and Drug Abuse Coordination

Finally, I want to emphasize that the comprehensive drug abuse program I am proposing is not simply a highly publicized attack—to be followed by a quiet retreat We cannot, we must not, let up in our efforts to achieve victory.

And, victory over drugs will be signaled by a decline in drug use, drug-related deaths and drug-connected crimes

This is a massive undertaking. It will cost an estimated $14 million a year. But, with the safeguards we have built into the program, I believe our citizens will get their money's worth.

And, we will have turned the corner on drug abuse in California.

Respectfully submitted,

RONALD REAGAN
Governor

Receipt

I acknowledge receipt this 27th day of April, 1972, at 4:30 p.m. of the Governor's Drug Abuse Message, dated April 27, 1972, delivered to me personally by Marian E. Fort of the Governor's Office

LAWRENCE A MURMAN
Chief Assistant Clerk

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee announced the following guests were in attendance today:

The Honorable Don A Allen, Sr, former Member of the Assembly, and his wife; the Honorable David F. Bush, former Member of the

Senate, and his wife; the Honorable Richard McCollister, former Member of the Assembly, and his wife; the Honorable John C. Williamson, former Member of the Assembly, and his wife; the Honorable Myron H Frew, former Member of the Assembly; the Honorable John W. Evans, former Member of the Assembly, and his wife; the Honorable Lester A. McMillan, former Member of the Assembly, and his wife; the Honorable William W Hansen, former Member of the Assembly; the Honorable W E "Jimmy" James, former Member of the Assembly; the Honorable Andrew R Schottky, former Member of the Senate, and his wife, the Honorable F. Douglas Ferrell, former Member of the Assembly; Mrs Frank M. Jordan, wife of the late Secretary of State; Mrs Chester Gannon, wife of the late Assemblyman; the Honorable Robert W Kenny, former Member of the Senate; the Honorable Gardiner Johnson, former Member of the Assembly, and his wife; the Honorable Arthur W. Coats, Jr., former Member of the Assembly; the Honorable Verne Hoffman, former Member of the Assembly and the Senate; the Honorable Francis C. Lindsay, former Member of the Assembly, and his wife; the Honorable Thomas A. Maloney, former Member of the Assembly and the Senate, the Honorable Edward J Carey, former Member of the Assembly, and his wife, Mrs. Beth Gilmore; Mrs Leland M Backstrand, wife of the former Member of the Assembly and the Senate; Mrs Seth Johnson, wife of the late Assemblyman; Mrs Charles Edward Chapel, wife of the late Assemblyman; the Honorable Dwight Stephenson, former Member of the Assembly, and his wife; Mrs Swift Berry, wife of the late Senator; the Honorable Luther H "Abe" Lincoln, former Member of the Assembly, and his wife; the Honorable Albert M King, former Member of the Assembly, and his wife; the Honorable Kent Redwine, former Member of the Assembly; the Honorable Edward M Gaffney, former Member of the Assembly; and the Honorable Gordon Garland, former Member of the Assembly; whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber.

ADJOURNMENT

At 4 31 p m, Acting Speaker Fenton declared the Assembly adjourned until 11 a m, Monday, May 1, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-fifth Legislative Day

One Hundred Twentieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, May 1, 1972

The Assembly met at 11 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Dent moved a quorum call of the Assembly.
Mr Conrad seconded the motion.
Motion carried. Time, 11:02 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11:14 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, La-

Coste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center.

Almighty God, We ask Your blessing on all assembled here this morning and on the work they perform for the welfare of others. Give them eyes to behold Your truth, a seeing sense to know what is right and a gentle concern for the good of others.

In Your goodness grant us these blessings so that all of us will be a little more happy.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Conrad then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Dunlap, seconded by Mr. Lewis.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. Miller, on request of Acting Speaker Fenton
Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Bill Greene, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee
Mr. Stull, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Speaker pro Tempore Bee
Mrs Fong, on request of Speaker pro Tempore Bee.
Mr Wakefield, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 1, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol Building

Dear Mr. Speaker: This is to request that I be excused from session on today, May 1, 1972, on legislative business.

I had an early morning meeting in Los Angeles with Judge Vaino Spencer regarding the new court in southcentral Los Angeles. I am now on the highway in route to Sacramento.

I thank you for your consideration in this matter.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

May 1, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request that I be excused from session on Monday, May 1, on legislative business. I shall be keeping a long-standing commitment to deliver the Law Day address to the Century City Bar Association in Century City at noon today.

Respectfully yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

May 1, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: Please have me excused from session on Monday, May 1, on legislative business. It is necessary for me to be in my district to dedicate a new facility at Stockton State Hospital.

Sincerely,

BOB MONAGAN
Minority Floor Leader

April 27, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: The Honorable Rogers C. B Morton, Secretary of the Interior, is to dedicate the Recreation Lands of the California Desert on Monday, May 1, 1972 in Imperial County at 9:45 a.m.

It will be my honor to be a part of his escort for the dedication.

I respectfully request to be excused from the Session for this occasion.

Sincerely,

RAY SEELEY, Assemblyman
Seventy-fifth District

April 28, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr. Speaker: May I respectfully request to be excused from session ~~on Monday~~, May 1, on legislative business in order to give a speech to constituents in San Marcos regarding developments in Sacramento. Thank you.

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

May 1, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from sessions on Monday, May 1st, and Tuesday, May 2nd, on legislative business.

On May 1st, I am speaking before students at the Holy Trinity School in San Pedro, and on May 2nd I will be attending a meeting called by the Division of Highways in San Pedro explaining my AB-204 (1971) relating to the connection of the Harbor Freeway and Western Avenue, in San Pedro.

Sincerely,

VINCENT THOMAS, Assemblyman
Sixty-eighth District

REPORTS

The following report was presented by the Chief Clerk:

Final Report on a Flexible Public Transportation Systems Study—In Los Angeles. (Pursuant to Senate Concurrent Resolution No. 67, 1968.) March 1972.

Above transmitted report, together with letter of transmittal from Frank J. Walton, Secretary, Business and Transportation Agency, Sacramento, dated April 18, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Press Credentials

April 25, 1972

Squire Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of your request of April 25, 1972, for accreditation of Howard Gingold as a member of the Press, Radio and Television during the 1972 Session of the Legislature. Mr. Gingold will replace Warren Olney.

Sincerely,

JOHN L. BURTON, Chairman
Joint Rules Committee

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2351	Elections and Reapportionment

Assembly Joint Resolution No.	*Committee*
30	Transportation

Senate Bill No.	*Committee*
5	Natural Resources and Conservation
126	Transportation
377	Ways and Means
549	Criminal Justice
615	Judiciary
762	Government Administration

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 31: By Assemblymen Monagan, Murphy, Maddy, Mobley, Chappie, Duffy, Ray E Johnson, Ketchum, LaCoste, Powers, and Stacey (Senators Short, Stiern, Way, and Zenovich, coauthors)—Relative to construction and operation of a Federal Job Corps Center for the rural counties of northern California.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, April 28, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 395—An act to amend Section 22105 of the Vehicle Code, relating to vehicles;

And reports the same correctly enrolled, and presented to the Governor at 2.30 p m., April 28, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 1, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No. 41
AB No. 1113

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 673

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

Assembly Chamber, May 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 30

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 347	AB No. 1000
AB No. 453	AB No. 1418

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 262	AB No. 1054	AB No. 1609
AB No. 400	AB No. 1068	AB No. 1628
AB No 527	AB No. 1149	AB No 1646
AB No 609	AB No. 1182	AB No. 1648
AB No 669	AB No 1392	AB No 1759
AB No. 722	AB No. 1445	AB No. 1872
AB No. 723	AB No 1495	AB No. 1896
AB No 793	AB No. 1497	AB No 1964
AB No 923	AB No. 1522	AB No 2040
AB No. 983	AB No 1575	AB No. 2065
AB No. 1045	AB No 1583	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2092	AB No 2165
AB No. 2147	AB No. 2182

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 1, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 782

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, May 1, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports·

AB No 416

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 1446

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RUSSELL, Chairman

Above bill ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, May 1, 1972

Mr Speaker· The Chairman of your Committee on Elections and Reapportionment reports.

AB No 1984

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1984—An act to amend Section 6201 of the Elections Code, relating to the presidential primary.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "at random".

Amendment No. 2

On page 2, line 2, after "group", insert "by the candidate to which the group is pledged, or if the group is not pledged to a candidate by the chairman of the group".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 2164

AB No. 2214

With author's amendments with the recommendation: Amend; and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2164—An act to amend Section 14005.6 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "Medi-Cal", insert ", and declaring the urgency thereof, to take effect immediately".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 2214—An act to amend Section 1242 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1241 and".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 1241 of the Business and Professions Code is amended to read:

1241. This chapter applies to all clinical laboratories in California except those owned and operated by:

(a) The United States of America, or any department, agency, or official thereof acting in his official capacity

(b) An individual licensed physician and surgeon for laboratory work performed on his own patients. If direct or indirect referred work is received from any source, all provisions of this chapter shall apply.

(c) An academic institution accredited by an accrediting agency approved by the department when clinical laboratory procedures are performed for teaching or research purposes only, if the results of any examinations performed in such laboratories are not used in the diagnosis or treatment of disease

(d) The Department of Corrections ~~The provisions of this subdivision shall be operative until January 1, 1973, and shall have no force or effect after that date.~~

(e) The California Youth Authority.

SEC. 2. Section 1242 of the Business and".

Bill ordered reprinted, and to be re-referred to the Committee on Health

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 339

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 339—An act to amend Section 17146 of, and to repeal Section 17146.5 of, the Revenue and Taxation Code, relating to exclusions from gross income under the Personal Income Tax Law, to take effect immediately, tax levy

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman", and insert "Assemblymen".

Amendment No. 2

In the heading, after "Barnes", insert ", Arnett, Belotti, Chappie, Chacon, Cline, Cory, Conrad, Deddeh, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Knox, LaCoste, MacDonald, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Quimby, Ryan, Stull, Townsend, Thomas, Wilson, and Z'berg

(Coauthors Senators Alquist, Burgener, Coombs, Dills, Grunsky, Schrade, and Walsh)".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 1, 1972

Mr Speaker: The Chairman of your Committee on Water reports:

AB No. 1185

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1185—An act to add Section 71975 to the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, after "or", insert ", to the extent the rights of bondholders are not impaired,".

Amendment No. 2

On page 2, line 24, strike out the comma; strike out lines 25 and 26; and in line 27, strike out "modification in the improvement".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 1, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 1227

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1227—An act to add Chapter 12 (commencing with Section 8875) to Division 1, Title 2 of the Government Code, relating to a population commission.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 1, of the printed bill, strike out line 5, and insert

"CHAPTER 12. CALIFORNIA ADVISORY COMMISSION ON POPULATION

8875. The Legislature finds and declares that. (1) future trends in population growth and distribution in California will exert a major influence on the physical, social, and economic structure of the state, as well as on the quality of the environment generally; and (2) there is a critical need for sound and continuing study of the implications of present and future population growth as a basis for policy and actions by state, regional, and local agencies within the state.

8876. As used in this chapter, "commission" means the California Advisory Commission on Population.

8877. There is in the state government a California Advisory Commission on Population The commission shall consist of 10 members appointed from the general public as specified in Section 8878

8878 (a) Seven members of the commission shall be appointed from the following disciplines· demography, health care, ecology, economics, urban planning, education, and law Both sexes shall be represented on the commission Three members shall be appointed from the general public without regard to discipline

(b) The commission members shall be appointed as follows·

(1) Four members shall be appointed by the Governor, one of whom shall be a member of the public with demonstrated interest in population problems

(2) Three members shall be appointed by the Speaker of the Assembly, one of whom shall be a member of the public with demonstrated interest in population problems

(3) Three members shall be appointed by the Senate Committee on Rules, one of whom shall be a member of the public with demonstrated interest in population problems.

8879 The Director of the Office of Planning and Research, the Chief of the Population Research Unit in the Department of Finance, the Chief of the Bureau of Maternal and Child Health in the Department of Public Health, and a member of the Assembly Science and Technology Advisory Council designated by the chairman of the council, shall serve as ex officio, nonvoting members of the commission.

8880 Of the initial appointments to the commission by the Governor, two shall be appointed for four-year terms, one shall be appointed for a three-year term, and one shall be appointed for a two-year term. Thereafter each appointee shall serve for a four-year term.

8881. Of the initial appointments to the commission by the Speaker of the Assembly, one shall be appointed for a four-year term; one shall be appointed for a three-year term; and one shall be appointed for a two-year term Thereafter each appointee shall serve for a four-year term

8882 Of the initial appointments to the commission by the Senate Committee on Rules, one shall be appointed for a four-year term; one shall be appointed for a three-year term; and one shall be appointed for a two year term Thereafter each appointee shall serve for a four-year term

8883 The Governor shall appoint the first chairman of the commission Thereafter, at the first meeting following July of each year, the commission shall select one member to serve as chairman

8884 Members of the commission who are not employees of the State of California shall receive fifty dollars ($50) for each day such member is engaged in the performance of the work of the commission Commission members shall be reimbursed for travel and other expenses incurred in performance of their duties

8885 The commission shall have the following powers:

(a) To appoint an executive secretary and such other administrative and technical staff as may be required to perform its duties

(b) To hold hearings, seminars, and conferences in various parts of the state, and enter into agreements to carry out the purposes of this chapter, including acceptance of federal funds for population studies

(c) To request and obtain from any department, division, commission, or other agency of the state, such assistance and information as will enable it to effectively carry out its duties

8886 The commission shall conduct studies and research and formulate recommendations directed to the role of state government in influencing patterns of population growth and distribution within California In carrying out this objective, the commission shall do all of the following:

(a) Analyze causes and consequences of patterns of natural increase, migration and population concentration in the state

(b) Analyze the impact of population growth and related demographic change upon environmental quality in the state, including problems of air and water pollution, depletion of open space and natural resources, rising demands for power, and disposal of solid wastes.

(c) Assess the effects of population growth and related demographic change upon social and economic problems in the state, including problems of public education, transportation, recreation, health, housing, and employment opportunities

(d) Evaluate the cost of public services and other governmental expenditures associated with population growth

(e) Determine effectiveness of family planning, tax policies, and other measures in implementing official state population goals

(f) Assist the State Department of Education in establishing as part of conservation education studies, curriculum related to the effects of population growth on the state's natural resource base

(g) Encourage colleges and universities within the state to establish programs for professional training in demography

(h) Advise on relations with the federal government on population matters.

(i) Seek public awareness of the effects of population growth and secure public response to alternative population policies for California.

(j) Recommend to the Governor and the Legislature population goals and policies to guide California's future growth and development.

8887. One year after its establishment, the commission shall submit a progress report on its activities to the Governor and the Legislature. Thereafter, the commission shall report to the Governor and to the Legislature on a biennial basis no later than the fifth day of the legislative session The commission's report shall set forth conclusions and findings of its studies and shall include recommendations for administrative and legislative actions required to achieve accepted population goals for California.

SEC. 2. There is hereby appropriated the sum of ninety thousand dollars ($90,000) from the General Fund to the California Advisory Commission on Population for the purposes of Chapter 12 (commencing with Section 8875), DIVISION 1, Title 2 of the Government Code".

Amendment No. 2

On page 1, strike out lines 7 to 9, inclusive; and strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 27, 1972

MR SPEAKER: The Chairman of your Committee on Governmental Organization reports:

AB No. 360

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 360—An act to add Section 17539 to the Business and Professions Code, relating to games of chance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 9, inclusive; and on page 2, strike out line 1, and insert "shall disclose clearly and conspicuously in each game solicitation, whether written or oral, each of the following:".

Amendment No. 2

On page 2, strike out lines 16 to 28, inclusive; and in line 29, strike out "(a)", and insert

"(b) It is unlawful for any person, in connection with any game of chance or series of such games, to do any or all of the following:

(1) Manipulate the game or games".

Amendment No. 3

On page 2, strike out line 32, and insert "establishment

(2) Fail to mix, distribute and disperse".

Amendment No. 4

On page 3, strike out lines 2 to 31, inclusive, and insert

"(3) Fail to award and distribute all prizewinning tokens of the value and type represented.

(4) Represent directly or by implication that the number of participants has been significantly limited, or that any particular person has been selected to win a prize.

(5) Represent directly or by implication that any person is tied with an undisclosed number of other persons for any prize or by any other means stating or implying that the odds of winning any prize are good unless the number of persons so tied or the odds of winning such prize are clearly and conspicuously disclosed in connection with such statement.

(6) Use the word "lucky" to describe any number, ticket, coupon, symbol, or other entry, or represent in any other manner directly or by implication that any number, ticket, coupon, symbol, or other entry confers or will confer an advantage upon the recipient that other recipients will not have or is more likely to win a prize than are others, or has some value that other entries do not have

(7) Represent directly or by implication that prizes have been purchased or contracted for unless they have in fact been purchased or contracted for before the contest begins

(8) Fail to furnish to requesting individuals a complete list of the names of winners of all prizes having a retail value of fifteen dollars ($15) or more, together with the city and state, and the prize won by each.

(9) Fail to maintain for five years after the conclusion of the game of chance adequate records which disclose the facts concerning the number of prizes offered, the number of prizes awarded, the method of selecting winners, the names and addresses of the winners, and facts upon which any representations or disclosures made in connection with the game of chance are based, and from which the validity of the representations or disclosures can be determined

(10) Fail to obtain the express written or oral consent of individuals before their names are used for a promotional purpose in connection with a mailing to a third person

(11) Use or distribute simulated checks, currency, or any simulated item of value

(12) Fail to disclose clearly and conspicuously on any order form, return reply coupon, or similar material, the way in which persons may participate in the contest without making or committing themselves to a purchase or incurring any other obligation or agreeing to any other act or condition."

Amendment No. 5

On page 3, line 32, strike out "(f)", and insert "(e)".

Amendment No. 6

On page 3, line 36, strike out "(g)", and insert "(d)".

Amendment No. 7

On page 3, line 38, strike out "(h)", and insert "(e)".

Amendment No. 8

On page 3, line 40, strike out "(i)", and insert "(f)".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No 2037

AB No. 2194

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2037—An act to amend Sections 13960, 13961, 13962, 13963, 13964, 13965, and 13966 of, and to add Section 13967 to, the Government Code, relating to victims of crimes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "to", insert "indemnification of".

Amendment No. 2

On page 2, line 31, after "expenses", insert ", or both,".

Amendment No. 3

On page 3, line 5, strike out "purpose", and insert "purposes".

Amendment No. 4

On page 3, line 20, strike out "The board's judgment in"; and strike out lines 21 and 22.

Amendment No. 5

On page 4, line 19, strike out "the".

Amendment No. 6

On page 4, line 37, strike out "that", and insert "so".

Amendment No. 7

On page 4, line 39, after "of", insert "the".

Amendment No. 8

On page 5, line 4, after the period, insert "The board shall have full discretion in determining a victim's eligibility and need hereunder, and the amount of such indemnification."

Amendment No. 9

On page 5, line 14, strike out "The board shall have"; strike out lines 15 to 17, inclusive, and insert "In no event shall a claim be approved pursuant to this section in excess of five thousand dollars ($5,000)."

Amendment No. 10

On page 5, line 28, after "victim", insert "has".

Amendment No. 11

On page 5, strike out lines 29 to 33, inclusive, and insert "from any other source. If a claim is paid".

Amendment No. 12

On page 5, line 35, after "paid", insert ". Such subrogation rights shall be".

Amendment No. 13

On page 5, line 35, after "against", insert "the perpetrator or".

Amendment No. 14

On page 5, line 36, strike out "causing", and insert "who is liable for".

Amendment No. 15

On page 5, line 37, after "made", insert a comma.

Amendment No. 16

On page 5, line 40, strike out "In no event shall a claim"; and on page 6, strike out lines 1 and 2.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2194—An act to amend Section 75033.1 of the Government Code, relating to Judges' Retirement Law.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "a felony in the performance of his duties as a judge", and insert "asking for or receiving or agreeing to receive a bribe pursuant to Section 93 of the Penal Code".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1996 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government; and that Assembly Bill No 1697 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Governmental Organization.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Warren, Assembly Bill No 695 was removed from the Consent Calendar

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1185

Mr Porter was granted unanimous consent that Assembly Bill No. 1185 be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1495 for hearing in the Committee on Health

APPROVAL OF JOURNALS

On motion of Mr. Fenton, the Assembly Daily Journals for April 3, 4, 5, 6, 10, 11, 12, 13, 17, 18, 19, 20, 24, 25, 26, and 27, 1972, were approved as corrected by the Minute Clerk

Majority Floor Leader Presiding

At 11 22 a m , Hon Jack R Fenton, 51st District, presiding

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file.

Assembly Bills Nos. 1113, 673, and 41, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 716—An act to amend Section 13041 of the Public Resources Code, relating to resort improvement districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "fifty dollars ($50)", and insert "twenty-five dollars ($25)".

Amendment No. 2

On page 2, lines 5 and 6, strike out "fifty dollars ($50)", and insert "twenty-five dollars ($25)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1877—An act to amend Sections 11555, and 11556 of, to amend, repeal, and add Section 11550 5 of, and to add Section 11550 3 to, the Government Code, relating to salaries of state officials.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, in line 37, strike out "California Disaster Office", and insert "Office of Emergency Services".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 432—An act to amend Section 656 of the Harbors and Navigation Code, relating to navigation

Bill read second time, and ordered to third reading.

Assembly Bill No. 683—An act to amend Sections 50081 and 50082 of the Government Code, relating to law enforcement

Bill read second time, and ordered to third reading

Assembly Bill No. 759—An act to amend Section 14056 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1282—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 302—An act to amend Section 21100 of the Public Resources Code, relating to environmental quality

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 497—An act to amend Section 19512 of the Business and Professions Code, relating to horseracing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 589—An act to add Section 1151 5 to the Government Code, relating to salary and wage payments to public employees.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 590—An act to amend Sections 11102, 11103, and 11105 of, and to add Sections 311, 311 5, and 11102.5 to, the Vehicle Code, relating to driving schools

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 643—An act to amend Section 4150 2 of the Vehicle Code, relating to motor vehicles

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 851—An act to add Sections 12748.5, 12748 6, and 12748 7 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 278—An act to amend Section 253.1 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Beverly", and insert "Assemblymen Beverly and Thomas".

Amendment No. 2

In line 1 of the title, after "of", insert ", and to add Section 301.1 to,".

Amendment No. 3

On page 2, after line 2, insert

"SEC 2 Section 301 1 is added to the Streets and Highways Code, to read

301 1 Notwithstanding Section 253 2, no portion of Route 1 shall be constructed as a freeway or expressway within the city limits of Lomita"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 572—An act to amend Section 10752 of the Revenue and Taxation Code, as amended by Chapter 1437 of the Statutes of the 1971 Regular Session, to repeal Section 10704 of the Reve-

nue and taxation Code as added by Chapter 1437 of the Statutes of the 1971 Regular Session, and to repeal Section 9269 of the Vehicle Code as added by Chapter 1437 of the Statutes of the 1971 Regular Session, relating to motor vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted·

Amendment No. 1

In line 2 of the title of the printed bill, strike out "as amended by Chapter 1437 of the Statutes of the", strike out lines 3 and 4, and in line 5, strike out "of the 1971 Regular Session,"

Amendment No. 2

In line 6 of the title, strike out "as added by Chapter 1437 of the Statutes"; and in line 7, strike out "of the 1971 Regular Session".

Amendment No. 3

In line 7 of the title, after "to", insert "taxation of".

Amendment No. 4

On page 2, strike out lines 4 to 8, inclusive.

Amendment No. 5

On page 2, line 9, strike out "3", and insert "2".

Amendment No. 6

On page 2, strike out lines 18 and 19.

Amendment No. 7

On page 2, in line 20, strike out "5", and insert "3"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article I, Sections 2 and 6 of Article IV, and Section 11 of Article IX thereof, relating to state government.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed measure, strike out ", Sections 2 and 6 of Article IV, and"; and in line 5, strike out "Section 11 of Article IX".

Amendment No. 2

On page 1, strike out lines 7 and 8, and insert "Constitution of the state be amended by amending Section 1 of Article 1 thereof to read:".

Amendment No. 3

On page 2, strike out lines 2 to 40, inclusive; on page 3, strike out lines 1 to 40, inclusive; and on page 4, strike out lines 1 to 18, inclusive.

Resolution ordered reprinted, and on file.

Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, relating to the conservation and protection of natural resources.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In line 3 of the heading of the printed measure, strike out "and Nejedly", and insert ", Nejedly, and Behr".

Amendment No. 2

In lines 3 and 4 of the title, strike out "adding Section 27 to Article I", and insert "repealing and adding Article XV thereof, by adding Section 12 to Article XX thereof, and by repealing Article XXVIII".

Amendment No. 3

In lines 4 and 5 of the title, strike out "the conservation and protection of natural resources" and insert "environmental protection".

Amendment No. 4

On page 2, line 7, strike out "by adding Section"; and strike out lines 8 to 33, inclusive, and insert "as follows:

First—That Article XV is repealed.

Second—That Article XV is added, to read:

ARTICLE XV

ENVIRONMENTAL PROTECTION

SECTION 1. It is the policy of California and a statewide concern to protect natural resources, to develop and maintain an environment of high quality, and to assure clean air, pure water, freedom from excessive noise, and enjoyment of scenic, historic, natural, and esthetic values. A local governmental body may enact measures not in conflict with state law to achieve those objectives.

The Legislature shall enact statutes to implement this section and may make them applicable to state agencies having constitutional powers.

This section shall be known as "The Conservation Bill of Rights."

SEC. 2. Tidelands fronting on water of a harbor, bay, inlet, or estuary used for purposes of navigation may not be granted or sold to a private person or corporation except as provided in Section 12 of Article XX.

SEC. 3. A person or corporation claiming or possessing frontage or tidal lands of a harbor, bay, inlet, esutary, or other navigable water may not exclude the right of way to that water when it is required for a public purpose, or destroy or obstruct free navigation of the water. The Legislature shall enact statutes that give this provision the most liberal construction, so that access to the navigable waters shall always be attainable for the people.

SEC. 4. The Legislature shall preserve open space land, and may provide for its assessment solely on use if restricted to recreation, scenic beauty, use of natural resources, or production of food or fiber.

Third—That Section 12 is added to Article XX, to read:

SEC 12. Tidelands described in Section 2 of Article XV reserved as of November 6, 1962, to the state solely for street purposes, which the Legislature declares to be neither necessary nor useful for navigation purposes, may be sold to a private person or corporation, subject to such conditions as the Legislature determines are necessary to protect the public interest.

Fourth—That Article XXVIII is repealed."

Resolution ordered reprinted, and on file.

Assembly Bill No. 836—An act to amend Section 11161 5 of the Penal Code, relating to minors

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly April 10, 1972, strike out "24", and insert "72".

Amendment No. 2

On page 2, line 26, strike out "24", and insert "72".

Set No. 2

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly April 10, 1972, strike out "of such observation".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 749—An act to amend Section 41500 of the Vehicle Code, relating to nonprosecution of nonfelony Vehicle Code violations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Set No. 1

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "presecution", and insert "prosecution".

Amendment No. 2

On page 1, line 8, strike out "as a result of a"; and on page 2, line 1, strike out "conviction of a felony".

Amendment No. 3

On page 2, after line 26, insert

"(e) The provisions of subdivisions (a), (b), and (c) shall not apply to any offense committed by a person while he is temporarily released from custody pursuant to law or while he is on parole."

Set No. 2

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "pending".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 925—An act to amend Section 1330 of, and to add Section 1331.5 to, the Penal Code, relating to criminal procedure.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed bill, after "is", insert "duly issued according to any other provision of law and is".

Amendment No. 2

On page 2, line 33, strike out "or"; and in line 34, strike out "disproving".

Amendment No. 3

On page 2, line 35, strike out "proved", and insert "shown".

Amendment No. 4

On page 2, line 36, after "facts", insert "and the court may grant such continuance as may be appropriate".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1057—An act to amend Section 27443 of the Government Code, and to amend Section 800 of the Penal Code, relating to public officers

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 27443.5 to,".

Amendment No. 2

On page 1, strike out line 4, and insert "administrator, public guardian, or public conservator and any deputy or agent of such".

Amendment No. 3

On page 2, line 1, after "administrator", insert ", public guardian, or public conservator".

Amendment No. 4

On page 2, line 4, after "administrator", insert ", public guardian, or public conservator".

Amendment No. 5

On page 2, between lines 19 and 20, insert

"SEC. 1.5 Section 27443.5 is added to the Government Code, to read:

27443.5. Employees in the office of public administrator, public guardian, or public conservator shall be subject to the provisions of Section 27443; provided that, the restrictions of Section 27443 shall apply only with respect to the administration of estates by their employing officer."

Set No. 2

Amendment No. 1

On page 2, lines 16 and 17 of the printed bill, strike out "and is forever disqualified from holding any office in this state".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 791—An act to amend Sections 1421 and 1422 of the Labor Code, relating to fair employment practices

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1422.3 to,".

Amendment No. 2

On page 3, after line 2, insert

"1422.3. The commissioner who shall have filed a complaint under Section 1422 shall not participate in the investigation or hearings

thereon except as a witness, and shall neither give his opinion on the merits of the case nor participate in the deliberations of the commission in such case."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1019—An act to repeal Article 3 (commencing with Section 2630) of Chapter 4 of Part 9 of Division 2 of, and to add Article 3 (commencing with Section 2630) to Chapter 4 of Part 9 of Division 2 of, the Labor Code, relating to employee housing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Ralph", and insert "Assemblymen Ralph, Chacon, Garcia, and McAlister".

Amendment No. 2

On page 2, line 7, after "operate", insert "such labor camp".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 761—An act to amend Section 24755 1 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1027—An act to add Section 33125 5 to the Health and Safety Code, relating to redevelopment.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 913—An act to amend Section 23330 of the Vehicle Code, relating to vehicular crossings.

Bill read second time, and ordered to third reading.

Assembly Bill No. 853—An act to amend Section 27459 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1377—An act to amend Sections 56003 1, 56003.2, 56080, 56275, 56440, 56441, 56442, and 56443 of, and to add Section 56006 1 to, and to repeal Section 56072.1 of, the Government Code, relating to districts

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1059—An act to add Section 35016 to, and to repeal Sections 35157, 35321, and 35420 of, the Government Code, relating to annexation

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1535—An act to amend Sections 12841, 13211, and 13623 of the Public Utilities Code, relating to municipal utilities districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1604—An act to add Article 4 (commencing with Section 9430) to Chapter 4 of Division 9 of the Public Resources Code, relating to resource conservation districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1845—An act to amend Section 73694 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2013—An act to amend Section 9024 of the Public Resources Code, relating to resource conservation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2323—An act to repeal Sections 35271.7 and 54797.2 of the Government Code, relating to alteration of boundaries, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "and Miller", and insert ", Miller, and Meade".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1863—An act to amend Section 50050 of, and to add Section 50054 to, the Government Code, relating to escheat of money in treasuries of local agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "50054", and insert "50055".

Amendment No. 2

On page 2, line 6, strike out "50054", and insert "50055".

Amendment No. 3

On page 2, line 8, strike out "50054", and insert "50055".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 392—An act to add Chapter 1.67 (commencing with Section 5096.71) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and municipal beach, park, recreational, and historical facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of such funds, and providing for the submission of the measure to a vote of the people at a special election to be consolidated with the 1972 general election.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

In line 10 of the title of the printed bill, as amended in Assembly March 23, 1972, strike out "1972 General Election", and insert "1974 direct primary election, and making an appropriation therefor".

Amendment No. 2

On page 2, line 6, strike out "1972", and insert "1974".

Amendment No. 3

On page 2, line 10, strike out "1972", and insert "1974".

Amendment No. 3.5

On page 3, lines 8 and 9, strike out "next general election", and insert "1974 direct primary election,".

Amendment No. 4

On page 4, line 18, strike out "1972", and insert "1974".

Amendment No. 5

On page 4, line 26, strike out "1972", and insert "1974".

Amendment No. 6

On page 4, line 35, strike out "1972", and insert "1974".

Amendment No. 7

On page 5, line 26, strike out "1972", and insert "1974".

Amendment No. 8

On page 6, line 9, strike out "1972", and insert "1974".

Amendment No. 9

On page 6, line 17, strike out "and beach", and insert ", recreation area, beach, and historical".

Amendment No. 10

On page 7, line 5, after "beaches," insert "recreation units,".

Amendment No. 11

On page 7, line 37, after the period, insert "Advance grants may be made for development projects. However, 10 percent of the grant funds shall be withheld until the project is audited by the state."

Amendment No. 12

On page 8, between lines 13 and 14, insert

"Counties shall convene all local authorities within the counties empowered to provide park and recreation services within one year following the operative date of this chapter and develop and submit to the state a priority plan for expenditure of the counties allocation. Failure to accomplish this task within the time limit shall result in a 10 percent annual reduction in the county allocation until the priority plan is submitted. Any funds not allocated to a county will remain in the bond fund and be expended under the same conditions as set forth in Section 5096.87 in 1980."

Amendment No. 13

On page 8, line 14, strike out "1978", and insert "1980".

Amendment No. 14

On page 8, line 17, strike out "1972", and insert "1974".

Amendment No. 15

On page 8, line 19, strike out "1979–80", and insert "1981–1982".

Amendment No. 16

On page 8, line 22, strike out "subdivision (b)", and insert "subdivisions (a)".

Amendment No. 17

On page 8, line 35, strike out "1972", and insert "1974".

Amendment No. 18

On page 8, line 40, strike out "1972", and insert "1974".

Amendment No. 19

On page 9, line 6, after "Code", insert "and the California Outdoor Recreation Resources Plan".

Amendment No. 20

On page 10, line 34, strike out "1972", and insert "1974".

Amendment No. 21

On page 12, line 20, strike out "January 1, 1973", and insert "July 1, 1974".

Amendment No. 22

On page 12, line 23, strike out "1972", and insert "1974".

Amendment No. 23

On page 12, line 27, strike out "1972", and insert "1974".

Amendment No. 24

On page 12, lines 31 and 32, strike out "seventh day of November, 1972", and insert "fourth day of June, 1974".

Amendment No. 25

On page 12, line 33, strike out "general", and insert "direct primary".

Amendment No. 26

On page 13, line 2, strike out "1972", and insert "1974".

Amendment No. 27

On page 13, line 12, after "act", insert ", which shall appear as Proposition 1 at such election".

Amendment No. 28

On page 13, line 28, strike out "general", and insert "direct primary".

Amendment No. 29

On page 13, line 37, strike out "1972", and insert "1974".

Amendment No. 30

On page 14, line 6, strike out "1972", and insert "1974".

Amendment No. 31

On page 14, line 15, strike out "1972", and insert "1974".

Amendment No. 32

On page 14, line 16, strike out "1972", and insert "1974".

Amendment No. 33

On page 14, line 22, strike out "1972", and insert "1974".

Amendment No. 34

On page 14, line 25, strike out "1972", and insert "1974".

Amendment No. 35

On page 14, line 36, strike out "1972", and insert "1974".

Amendment No. 36

On page 15, after line 14, insert

"SEC. 10. There is hereby appropriated to the Department of Parks and Recreation the sum of one hundred thousand dollars ($100,000) from the Bagley Conservation Fund for advance planning on projects to be financed under subdivisions (b), (c), and (e) of Section 5096 85 of the Public Resources Code."

Set No. 2

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly March 23, 1972, after "Brathwaite," insert "Brown,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 595—An act to add Section 6379 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 5, 1972, strike out "Assemblyman", and insert "Assemblymen".

Amendment No. 2

In the heading, after "Meade", insert ", Barnes, and Foran".

Amendment No. 3

In line 1 of the title, strike out "add Section 6379 to", and insert "amend Section 6369 of".

Amendment No. 4

On page 1, strike out lines 1 to 6, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 6369 of the Revenue and Taxation Code is amended to read:

6369. (a) There are exempted from the taxes imposed by this part the gross receipts from the sale, and the storage, use, or other consumption, in this state of medicines:

(1) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed on prescription filled by a registered pharmacist in accordance with law, or

(2) Furnished by a licensed physician and surgeon, dentist, or podiatrist to his own patient for treatment of the patient, or

(3) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician and surgeon, dentist, or podiatrist, or

(4) Sold to a licensed physician and surgeon, podiatrist, dentist, or hospital for the treatment of a human being

(5) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being; or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

(b) "Medicines" as used in this section mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include (1) any auditory, prosthetic, ophthalmic or ocular device or appliance, (2) articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments,

apparatus, contrivances, appliances, devices, or other mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, (3) any alcoholic beverage the manufacture, sale, purchase, possession or transportation of which is licensed and regulated by the Alcoholic Beverage Control Act (Division 9, commencing with Section 23000, of the Business and Professions Code).

(c) Notwithstanding subdivision (b), "medicines" as used in this section mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers, and other articles permanently implanted in the human body to assist the functioning of any natural organ, artery, vein, or limb and which remain or dissolve in the body, *and artificial limbs, orthopedic braces, or their replacement parts, for human beings*.

(d) "Hospital" as used in this section has the meaning ascribed to it in Section 1401 of the Health and Safety Code

(e) Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this section."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 920—An act to amend Sections 19101 and 19252 of, to add Section 19083 to, and to repeal Section 19254 of, the Government Code, relating to the state civil service.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 921—An act to amend Section 19330.5 of the Government Code, relating to the state civil service

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 112—An act to add Section 19348 5 to the Agricultural Code, relating to animals.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Assembly April 3, 1972, strike out "24-hour", and insert "28-hour".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 365—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 209—An act to amend Section 74844 of the Government Code, relating to marshal of Vallejo Municipal Court.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 548—An act to add Section 54932.1 to the Government Code, relating to city annexations, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Concurrent Resolution No. 14—Relative to the Public Utilities Commission.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "annually".

Amendment No. 2

On page 1, line 6, strike out "each".

Amendment No. 3

On page 1, line 7, strike out "of each year", and insert ", 1973".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 188—An act to amend Sections 10500, 10503, 10504, 10652, 11520, 22705, 22853, and 22854 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or embezzled", and insert ", or taken or driven in violation of Section 10851,".

Amendment No. 2

On page 1, line 6, after "stolen", insert a comma.

Amendment No. 3

On page 2, line 2, strike out "the theft or loss", and insert "such information".

Amendment No. 4

On page 2, line 6, strike out "embezzled", and insert "taken or driven in violation of Section 10851".

Amendment No. 5

On page 2, line 11, strike out "stolen or embezzled".

Amendment No. 6

On page 2, line 16, strike out "or embezzled", and insert ", or taken or driven in violation of Section 10851".

Amendment No. 7

On page 2, line 17, strike out "or embezzled", and insert ", or taken or driven in violation of Section 10851".

Amendment No. 8

On page 2, line 19, strike out "embezzlement", and insert "taking or driving,".

Amendment No. 9

On page 2, line 23, strike out "or embezzled vehicle", and insert "vehicle, or of a vehicle taken or driven in violation of Section 10851,".

Amendment No. 10

On page 2, line 25, strike out "stolen or embezzled", and insert "such".

Amendment No. 11

On page 2, line 27, strike out "stolen or embezzled", and insert "such".

Amendment No. 12

On page 2, line 35, strike out "or embezzled vehicle", and insert "vehicle, or of a vehicle taken or driven in violation of Section 10851,".

Amendment No. 13

On page 8, line 6, strike out "or embezzled".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, May 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 432
AB No. 759
AB No. 913

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 302	AB No. 761	AB No. 1059
AB No. 497	AB No 853	AB No. 1535
AB No 589	AB No 920	AB No. 1604
AB No. 590	AB No 921	AB No 1845
AB No 643	AB No. 1027	AB No. 2013

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 369—An act to amend Sections 22511 and 22511.5 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Sieroty, Stacey, Warren, Waxman, Wilson, Wood, and Z'berg—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 58—An act to amend Section 253.2 of the Streets and Highways Code, relating to state highways.

Bill read third time, presented by Mr. Beverly, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Sieroty, Warren, Waxman, Wilson, Wood, and Z'berg—51.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLYMAN LANTERMAN WELCOMED TO ASSEMBLY CHAMBER

The Members of the Assembly joined in welcoming Assemblyman Frank Lanterman, following his absence from the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 235—An act to amend Section 14103 of the Government Code, and to amend Sections 75, 85, 118, 131, 134, 143 15, 143 3, 182, and 183 of, to repeal Sections 53, 104 65, 143 1, 143 2, 186, 186 1, and 188 3 of, and to add Sections 143 1 and 143 2 to, the Streets and Highways Code, relating to the expenditures of funds available for highways

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Deddeh moved a call of the Assembly.

Motion carried. Time, 11:58 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 574—An act to amend Sections 253.1 and 253.5 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—59

NOES—Gonsalves—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1322—An act to amend Section 253.2 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—Burke—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1501—An act to add Article 2.5 (commencing with Section 12020) to Chapter 5 of Division 9 of the Education Code, relating to schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 943—An act to amend Sections 12070, 12071, and 12073 of the Penal Code, relating to firearms.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—58.

NOES—Lewis—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 528—An act to amend Section 7273 of the Government Code, relating to relocation assistance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 73

Mr Hayden was granted unanimous consent to take up Senate Bill No. 73, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 73

Senate Bill No. 73—An act to amend Section 5 of the Santa Clara County Flood Control and Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara County Flood Control and Water District, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Hayden.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 296—An act to amend Sections 3277 and 3282 of the Fish and Game Code, relating to pheasants.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act to amend Section 5652 of the Fish and Game Code, relating to pollution.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1005—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable waters.

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Keysor, LaCoste, Lanterman, MacDonald, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Sieroty, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—46.

NOES—Badham, Davis, Dent, Ray E Johnson, Ketchum, Lewis, MacGillivray, Maddy, Mobley, and Stacey—10.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file:

Assembly Constitutional Amendment No. 33, on request of Mr. Pierson.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1344—An act to add Section 22358 1 to the Vehicle Code, relating to vehicles

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1221—An act to amend Section 781 of the Welfare and Institutions Code, relating to sealing of records.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Brathwaite, Brown, Burton, Chacon, Chappie, Cory, Crown, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, LaCoste, MacDonald, McCarthy, Meade, Murphy, Pierson, Porter, Priolo, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41.

NOES—Badham, Barnes, Beverly, Biddle, Briggs, Burke, Collier, Conrad, Cullen, Davis, Dent, Hayden, Ray E Johnson, Ketchum, Lewis, McAlister, Mobley, Moorhead, Russell, and Stacey—20.

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2146

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 2146 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1092 for hearing in the Committee on Welfare.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered

Assembly Concurrent Resolution No. 82: By Assemblymen Burton, Mobley, Brown, and Ray E Johnson—Relative to relatives' responsibility under the Old Age Security Program.

Referred by the Acting Speaker to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No. 82 for hearing in the Committee on Rules.

APPRECIATION EXPRESSED

Assemblyman Frank Lanterman expressed his appreciation to the Members for their consideration and kindness during his recent illness.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 235

At 12:15 p.m., on motion of Mr Deddeh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 235 refused passage by the following vote·

AYES—Badham, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Collier, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Harvey Johnson, Karabian, Keysor, Lanterman, McCarthy, Meade, Porter, Priolo, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—34.

NOES—Arnett, Bagley, Barnes, Belotti, Biddle, Briggs, Burke, Chappie, Conrad, Davis, Dent, Duffy, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Russell, Stacey, Wood, and Z'berg—30.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:16 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 1, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2351—An act to amend Section 100 of the Elections Code, relating to elections.

ROBERT G BEVERLY

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 1, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1228

With amendments with the recommendation: Amend, and do pass, as amended.

MacDONALD, Vice Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 758

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, May 1, 1972

Mr. Speaker· The Chairman of your Committee on Elections and Reapportionment reports:

ACA No. 42

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article X and Section 15 of Article XX thereof, by adding Article III, Section 5 to Article XX, and Section 8 to Article XXIV thereof, and by repealing Section 3 of Article I, Article III, and Sections 1, 6, 10, 11, and 16 of Article XX thereof, relating to constitutional revision.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 6 of the title of the printed measure, strike out "8", and insert "7".

Amendment No. 2

On page 4, line 13, strike out "alien", and insert "a lien".

Amendment No. 3

On page 5, line 3, strike out "8", and insert "7".

Amendment No. 4

On page 5, line 5, strike out "8", and insert "7".

Amendment No. 5

On page 5, after line 10, insert

"*And be it further resolved,* That if Proposition No 10 on the June 6, 1972, direct primary ballot is adopted by the people, then Section 1 of Article X is repealed and, in that event, Section 1 of Article X as amended by the fourth paragraph of the first resolved clause shall not become operative.

~~SECTION 1. The Legislature may provide for the establishment, government, charge and superintendence of all institutions for all persons convicted of felonies. For this purpose, the Legislature may delegate the government, charge and superintendence of such institutions to any public governmental agency or agencies, officers, or board or boards, whether now existing or hereafter created by it. Any of such agencies, officers, or boards shall have such powers, perform such duties and exercise such functions in respect to other reformatory or penal matters, as the Legislature may prescribe.~~

~~The Legislature may also provide for punishment, treatment, supervision, custody and care of females in a manner and under circumstances different from men similarly convicted.~~

~~The labor of convicts shall not be let out by contract to any person, copartnership, company or corporation, and the Legislature shall, by law, provide for the working of convicts for the benefit of the State.~~"

Resolution ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 1, 1972

Mr. Speaker The Chairman of your Committee on Transportation reports:

AB No. 391	AB No. 1879
AB No. 886	AB No 1880

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 391—An act to add Section 39067 3 to the Health and Safety Code, to add Article 1 9 (commencing with Section 10776) to Chapter 2 of Part 5 of DIVISION 2 of the Revenue and Taxation Code, and to add Section 4000.3 to, and to add Article 12 (commenc-

ing with Section 5450) to Chapter 6 of Division 3 of, the Vehicle Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed bill, strike out "6", and insert "1".

Amendment No. 2

In line 6 of the title, after "Code," insert "and to repeal Section 5454 5 of the Vehicle Code as added by Section 4 of this act,".

Amendment No. 3

On page 4, line 20, strike out "6", and insert "1".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Assembly Bill No. 886—An act to add Sections 4000 3 and 27161 to, and to add Article 2 (commencing with Section 2850) to Chapter 4 of Division 2 of, the Vehicle Code, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Biddle", and insert "Assemblymen Biddle and Quimby".

Amendment No. 2

On page 3, line 40, after "27161.", insert "(a)".

Amendment No. 3

On page 4, line 8, after "disconnected", insert "or it is equipped with a vacuum spark advance disconnect approved by the board.

(b) The board may exempt from subdivision (a) any classification of motor vehicles which it determines cannot operate with the vacuum spark advance disconnected or with a vacuum spark advance disconnect approved by the board".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Assembly Bill No. 1879—An act to add Division 15 5 (commencing with Section 35850) to the Vehicle Code, relating to campers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, strike out lines 15 and 16, of the printed bill, and insert "35870. Every camper manufactured for sale in California shall have its empty or dry".

Amendment No. 2

On page 2, line 21, after "chapter", insert "prior to leaving the manufacturing plant".

Amendment No. 3

On page 2, between lines 27 and 28, insert

"No camper shall be sold, possessed for sale, or offered for sale which does not have such empty or dry weight and liquid weight and minimum vehicle size designations on it pursuant to the provisions of this chapter."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Assembly Bill No. 1880—An act to add Section 243.3 to, and to add Article 15 (commencing with Section 11780) to Chapter 4 of Division 5 of, the Vehicle Code, relating to campers.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out the second "a", and insert "and".

Amendment No. 2

On page 3, line 19, after "mounted," insert "with the propane and water tanks full,".

Amendment No. 3

On page 3, line 20, after "camper", insert "and full tanks".

Amendment No. 4

On page 3, line 20, strike out "200", and insert "750".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 1, 1972

Mr. Speaker The Chairman of your Committee on Local Government reports:

AB No 1184
AB No. 1809
AB No 2039

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

MACDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1184—An act to amend Sections 23014, 25210.9c, and 25210.77a of the Government Code, relating to counties.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 21 of the printed bill, as amended in Assembly April 17, 1972, strike out "A", and insert "For any county service area located therein, a".

Amendment No. 2

On page 3, strike out lines 32 to 40, inclusive; and strike out pages 4 and 5, and insert

"Any county which has fixed charges pursuant to this section may, by ordinance, provide a procedure for, and collect such charges, on the tax role in the same manner and at the same time as its general ad valorem property taxes are collected as provided herein. Any such ordinance shall provide that·

(a) Once a year the board of supervisors shall cause to be prepared a written report which shall contain a description of each parcel of real property receiving the particular extended service and the amount of the charge for each parcel for such year computed in conformity with the procedure set forth in the ordinance authorizing collection of such charges on the tax roll. Such report shall be filed with the clerk of the board of supervisors

(b) Upon the filing of such report, the clerk shall fix a time, date, and place for hearing thereon and for filing objections or protests thereto The clerk shall publish notice of such hearing as provided in Section 6066, prior to the date set for hearing, in a newspaper of general circulation printed and published in the county

(c) At the time, date and place stated in the notice, the board of supervisors shall hear and consider all objections or protests, if any, to the report and may continue the hearing from time to time. Upon conclusion of the hearing, the board of supervisors may adopt, revise, change, reduce, or modify any charge and shall make its determination upon each charge as described in the report and thereafter, by resolution, shall confirm the report

(d) The charges set forth in the report, as confirmed, shall appear as a separate item on the tax bill. The charge may be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes All laws applicable to the levy, collection and enforcement of county ad valorem property taxes shall be applicable to such charge "

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 1809—An act to amend Section 70102 of the Government Code, relating to courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 70102", and insert "Sections 69903, 69903 1, and 69903 2".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 69903 of the Government Code is amended to read:

69903. In any county with a population of less than 1,000,000 but more than 800,000 as determined by the 1960 federal census, the superior court shall appoint an administrative officer, who shall hold office at the pleasure of the court, and shall act as secretary to the judges of the superior court and perform the duties of jury commissioner and shall exercise such other administrative duties as may be required of him by the court. The court shall fix the qualifications of the administrative officer and may delegate to him any administrative powers and duties as are now or may hereafter by law be vested in or required to be exercised by the court The salary of the administrative officer shall be fixed by the court at not less than ~~one thousand six hundred sixty-seven dollars ($1,667)~~ *one thousand seven hundred fifty dollars ($1,750)* nor more than ~~two thousand twenty-five dollars ($2,025)~~ *two thousand one hundred twenty-six dollars ($2,126)* per month.

In such a county the court and secretary may have to assist them in the performance of their duties the following employees:

(a) Two legal research assistants, who shall be members of the bar, who shall receive a salary of not less than four hundred dollars ($400) nor more than one thousand two hundred dollars ($1,200) a month

(b) One senior administrative assistant-deputy jury commissioner, who shall receive a salary of not less than ~~eight hundred sixty-two dollars ($862)~~ *nine hundred five dollars ($905)* nor more than ~~one thousand forty-eight dollars ($1,048)~~ *one thousand one hundred dollars ($1,100)* a month.

(c) One administrative assistant-deputy jury commissioner, who shall receive a salary of not less than ~~seven hundred twenty-seven dollars ($727)~~ *seven hundred sixty-three dollars ($763)* nor more than ~~eight hundred eighty-three dollars ($883)~~ *nine hundred twenty-seven dollars ($927)* a month.

(d) One senior clerk-deputy jury commissioner, who shall receive a salary of not less than ~~five hundred eighty-four dollars ($584)~~ *six hundred thirteen dollars ($613)* nor more than ~~seven hundred ten dollars ($710)~~ *seven hundred forty-five dollars ($745)* a month.

(e) Five secretary-deputy jury commissioners, who shall receive a salary of not less than ~~five hundred thirty dollars (\$530)~~ *five hundred fifty-six dollars ($556)* nor more than ~~six hundred forty-four dollars (\$644)~~ *six hundred seventy-six dollars ($676)* a month

(f) Three clerks, who shall receive a salary of not less than ~~four hundred eighty-one dollars (\$481)~~ *five hundred five dollars ($505)* nor more than ~~five hundred eighty-four dollars (\$584)~~ *six hundred thirteen dollars ($613)* a month.

(g) One jury payroll and assembly room supervisor-deputy jury commissioner who shall receive a salary of not less than ~~five hundred eighty-four dollars (\$584)~~ *six hundred thirteen dollars ($613)* nor more than ~~seven hundred ten dollars (\$710)~~ *seven hundred forty-five dollars ($745)* a month

(h) One senior calendar clerk-deputy jury commissioner, who shall receive a salary of not less than ~~six hundred thirteen dollars (\$613)~~ *six hundred forty-four dollars ($644)* nor more than ~~seven hundred forty-five dollars (\$715)~~ *seven hundred eighty-two dollars ($782)* a month.

Such employees shall be appointed by the secretary with the approval of a majority of the judges of the superior court of such county Each such position shall be exempt from civil service laws The salaries of such persons shall be fixed by a majority of the judges of the superior court of such county The salaries of such secretary and other employees of the superior court shall be paid by the county in which they serve

SEC. 2. Section 69903 1 of the Government Code is amended to read

69903 1 In such county the superior court may appoint, with the approval of the board of supervisors, the following persons to assist the conciliation court in disposing of its business and carrying out its functions·

(a) One supervising conciliation counselor, who shall receive a salary of not less than ~~one thousand one hundred dollars (\$1,100)~~ *one thousand one hundred fifty-five dollars ($1,155)* nor more than ~~one thousand three hundred thirty-eight dollars (\$1,338)~~ *one thousand four hundred five dollars ($1,405)* a month,

(b) Four deputy conciliation counselors, who shall receive a salary of not less than seven hundred fifty dollars (\$750) nor more than one thousand one hundred dollars (\$1,100) a month, and

(c) Five clerical positions which shall be in the classified civil service

All such conciliation counselors shall be appointed by a majority of the judges with the approval of the board of supervisors. salaries to be set within the established ranges by the board of supervisors Salaries of such clerical positions to be set by the board of supervisors within the salary range set forth in the civil service standards of said county.

SEC. 3 Section 69903 2 of the Government Code is amended to read:

69903 2 Notwithstanding any other provision of this article, whenever higher compensation is provided for positions in the class of superior court clerk II in the Alameda County classified service, each

person holding a position in the classes of clerk, secretary-deputy jury commissioner, jury payroll and assembly room supervisor-deputy jury commissioner, administrative assistant-deputy jury commissioner, senior administrative assistant-deputy jury commissioner, supervising conciliation counselor, senior clerk-deputy jury commissioner, *senior calendar clerk-deputy jury commissioner*, deputy conciliation counselor, and jury commissioner specified in this article shall receive correspondingly higher compensation payable at the same time as that higher compensation provided in the salary ordinance of Alameda County."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 2039—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72712, 72750.5, 72751, 72751.1, 72751.5, 72752, 72753, and 72754 of the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 4, line 18, of the printed bill, strike out "Twelve", and insert "Three".

Amendment No. 2

On page 4, line 21, strike out "Ninety", and insert "Eighty-five".

Amendment No. 3

On page 4, strike out lines 24 to 26, inclusive, and insert

"(f) One senior EDP data systems analyst, who shall receive a monthly salary at a rate specified in Schedule 64."

Amendment No. 4

On page 8, line 16, strike out "Ten", and insert "Nine".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1433

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1433—An act to amend Section 309 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "309", and insert "1466".

Amendment No. 2

In line 2 of the title, after the comma, insert "as added by Section 5 of Chapter 1793 of the Statutes of 1971,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 1466 of the Unemployment Insurance Code, as added by Section 5 of Chapter 1793 of the Statutes of 1971, is amended to read

1466 (a) In lieu of the contributions required of employers, each county in the state shall pay into the Unemployment Fund in the State Treasury, at the times and in the manner provided in subdivision (b), an amount equal to the additional cost to the Unemployment Fund of the benefits (including extended duration benefits and federal-state extended benefits) paid based on base period county wages or county base period county wages with respect to employment of county employees Benefits otherwise payable, irrespective of this chapter, shall be charged to employers' reserve accounts in accordance with other sections of this part and shall be the liability of governmental entities or nonprofit organizations pursuant to Section 803 but the additional cost to the Unemployment Fund of the benefits paid based on base period county wages or county base period county wages pursuant to this chapter shall be borne solely by the involved county

(b) In making the payments prescribed by subdivision (a), there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from each county under this section for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund Such estimates may be made upon the basis of statistical sampling, or other method as may be determined by the director.

Upon making such determination, the director shall certify ~~to the Controller the amount determined with respect to each county in the state. The Controller shall pay to the Unemployment Fund the contributions due from each county in the state~~ *to the county officer or other person responsible for disbursements on behalf of the county the amount determined with respect to the county The officer or other person responsible for disbursements on behalf of the county shall pay to the Unemployment Fund the contributions due from the county*.

(c) The director may require from each county such employment, wage, financial, statistical, or other information and reports, properly verified, as may be deemed necessary by the director to carry out his duties under this chapter, which shall be filed with the director at the time and in the manner prescribed by him

(d) The director may tabulate and publish information obtained pursuant to this chapter in statistical form and may divulge the name of the employing county.

(e) Each county shall keep such work records as may be prescribed by the director for the proper administration of this chapter.

(f) Notwithstanding any other provision of law, no county shall be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the state."

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, April 28, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

SCR No. 6

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Concurrent Resolution No. 6—Relative to the California Law Revision Commission

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed measure, strike out "In 1956, the", and insert "The".

Amendment No. 2

On page 1, line 6, after "Legislature", insert "has".

Amendment No. 3

On page 1, line 9, after "revised" ", insert "and a study to determine whether the law relating to attachment, garnishment and property exempt from execution should be revised".

Amendment No. 4

On page 1, line 10, strike out "commission in its annual report".

Amendment No. 5

On page 1, line 11, strike out "covering its activities for 1971 requests", and insert "commission's study of these topics indicates".

Amendment No. 6

On page 1, line 12, strike out "this topic", and insert "these topics should".

Amendment No. 7

On page 2, line 3, strike out "topic", and insert "topics".

Amendment No. 8

On page 2, between lines 3 and 4, insert

"Whether the law relating to attachment, garnishment, execution, repossession of property (including the claim and delivery statute, Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of the Code of Civil Procedure, self-help repossession of property, and the Commercial Code repossession of property provisions), civil arrest, confession of judgment procedures, default judgment procedures, and related matters should be revised; and".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 1, 1972

Mr Speaker: The Chairman of your Committee on Education reports.

AB No. 1236

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1236—An act to amend Section 8502 of the Education Code, relating to early childhood education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, strike out "Leroy F. Greene", and insert "Cory".

Amendment No. 2

In line 1 of the title strike out "amend Section 8502", and insert "add Chapter 6 1 (commencing with Section 6445) to Division 6".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 6.1 (commencing with Section 6445) is added to Division 6 of the Education Code, to read:

CHAPTER 6.1. EARLY CHILDHOOD EDUCATION

6445. The Legislature hereby finds and declares that a comprehensive and coordinated program of early childhood education developed by the State Board of Education is needed to improve and restructure public education in California. The Legislature declares its intent to require that the State Board of Education establish a comprehensive program for early childhood education for children in early primary, kindergarten, and grades 1 to 3, inclusive, through a system for the development of a local master plan for early childhood education Such system shall include a phased-in program based on an increase in the number of schools in the state participating each year until maximum participation is achieved, the coordination of all available state and federal funding sources, maximizing available federal funds, and the elements specified in Section 6445 4.

6445.1. As used in this chapter:

(a) "Early childhood education" includes all educational programs, except programs or classes for exceptional children as defined in Section 6870, offered in early primary classes, kindergartens, and grades 1 to 3, inclusive, or in any one or more such classes or grades.

(b) "Educational program for early childhood education" means the entire school sponsored offering for pupils, except for exceptional children defined in Section 6870, in early primary classes, kindergartens, and grades 1 to 3, inclusive, including in-class and out-of-class activities.

(c) "Early primary grade" or "early primary class" means a class established pursuant to Section 6446.

6445.2. Beginning with the 1972–1973 fiscal year each school district maintaining kindergarten, and grades 1 to 3, inclusive, or any one or more such class or grade, may develop and submit to the Department of Education for approval a master plan for early childhood education. Each such school district shall submit to the Department of Education for approval a master plan for early childhood education no later than the 1976–1977 school year Application shall be made in accordance with rules and regulations adopted by the State Board of Education.

6445.3. The governing boards of any school districts maintaining any such class or grade may, with the approval of the Department of Education, develop and submit for approval a joint master plan for early childhood education.

6445.4. A master plan for early childhood education shall include a comprehensive statement setting forth the district's educational program for early childhood education The State Board of Education shall establish standards and criteria to be used in the evaluation of plans submitted by school districts The standards and criteria for review and approval of plans by the State Board of Education shall include, but not be limited to, provisions for·

(a) Assessment of educational needs.

(b) Opportunities for early primary education provided.

(c) Defined and measurable program objectives.

(d) A carefully articulated program from early primary through grade 3

(e) Coordination of all district resources with the objectives of the local plan.

(f) Emphasis on an individualized diagnostic approach to instruction.

(g) Strong parental involvement.

(h) Staff development and in-service training.

(i) Transportation of pupils participating in the program.

(j) Evaluation of the program.

6445 5. In approving master plans for early childhood education the Department of Education shall give preference to those districts which have the largest number of pupils determined to have special educational needs and the least financial ability to provide funds for early childhood education The State Board of Education shall adopt regulations setting forth criteria for determining special educational needs, taking into consideration such factors, among others, as low family income and low level of academic achievement.

6445 6. The State Board of Education shall adopt standards setting forth priorities for allowances under this chapter Until such time that allowances are granted to all pupils eligible in a district under Section 6445 5, a minimum of 50 percent of the amount allowed to the district in any one year shall be for such pupils Such standards may provide that allowances to district shall be provided on a phase-in basis rather than to all pupils eligible therefor under Sections 6445.8 and 6445 9 The State Board of Education may further provide that, upon its determination a district has not met the objectives of its approved plan, allowances shall not be increased in accordance with the phase-in basis of the district's approved plan. The board may provide that the failure of a district over a designated period to meet the objectives of its approved plan shall subject the district to a termination of allowances under this chapter.

6445 7 The State Board of Education shall adopt pupil performance objectives in reading and mathematics for use in district early childhood education programs not later than the 1975–1976 school year The board is authorized to take all actions necessary to effect the development, testing, validation, adoption and implementation of such objectives

6445 8. From the funds appropriated therefor by the Legislature to the Department of Education for the purposes of this chapter the Superintendent of Public Instruction shall allow school districts with approved master plans for the education of children pursuant to such plans:

(a) Five hundred dollars ($500) per pupil in average daily attendance in each early primary class

(b) One hundred thirty dollars ($130) per pupil in average daily attendance in each kindergarten class.

(c) One hundred thirty dollars ($130) per pupil in average daily attendance in grades 1 to 3, inclusive.

6445.9. In addition to the allowances provided for in Section 6445 8, the Superintendent of Public Instruction shall provide grants for pupils determined by him to have demonstrated special educational need, in accordance with Section 6445 5, as follows:

(a) One hundred dollars ($100) per pupil in average daily attendance in each early primary class.

(b) Sixty-five dollars ($65) per pupil in average daily attendance in each kindergarten class.

(c) Sixty-five dollars ($65) per pupil in average daily attendance in grades 1 to 3, inclusive.

6445 10. Funds available for allowances by the Superintendent of Public Instruction pursuant to Article 5 (commencing with Section 5789) of Chapter 5.8 of Division 6 of the Education Code to each school district which is also eligible for allowances under this chapter are hereby reappropriated for allowances to such districts under this chapter.

6445 11. Allowances under this chapter shall be made by the Superintendent of Public Instruction from funds appropriated therefor by the Legislature. The allowances shall be made as early as practicable in the fiscal year and upon order of the Superintendent of Public Instruction the State Controller shall draw his warrants upon the money appropriated, in favor of the eligible districts in the amounts ordered

6445.12. The State Board of Education shall have the power to adopt and promulgate all rules and regulations necessary to the effective administration of this chapter, including but not necessarily limited to, those specifically required to be adopted by particular provisions of this chapter.

6445.13 The governing board of the school district, in its application for approval of a master plan, may request waiver of the provisions of any section or sections of this code if such waiver is necessary to establish and operate an early childhood education program The need for waiver shall be explained and justified in the application The Superintendent of Public Instruction, with approval of the State Board of Education, may grant, in whole, or in part, any such request.

6445 14 A school district in its application for approval of a master plan for early childhood education may include children's centers' services as provided for in Section 16603.

6446. The governing board of any school district that has a master plan for early childhood education approved by the State Department of Education shall establish and maintain such number of early primary classes as are necessary to implement such approved master plan for children living in the district that are eligible for admission pursuant to Section 6446 1 but are not eligible for admission pursuant to Section 5254 and whose parents or guardians present them for admission.

6446.1. A child shall be admitted to an early primary class established pursuant to Section 6446 in any term during the first school month of the term if he is of the age prescribed For good cause the

governing board of a school district may permit a child of the proper age to be admitted to the class after the first school month of the school term.

If there is but one term during the school year, the child shall be three years and nine months of age on or before September 1 of the current school year. If there are two terms maintained during the school year, the child shall be three years and nine months on or before September 1 of the current school year, before he may be admitted in the first term of the school year, or three years and nine months of age on or before February 1 of the current school year, before he may be admitted in the second term in any school year.

6446.2 The State Board of Education shall establish minimum standards authorizing service of instructional personnel in early primary classes.

6446 3 The minimum schoolday for pupils in early primary classes is 180 minutes inclusive of recesses.

6446 4. The computation of average daily attendance in early primary classes for the purpose of determining allowances under Sections 6445.8 and 6445 9, shall be as prescribed in Section 11301. Sections 10951–10955, 11001, 11002, 11007 and 11301 6 shall apply to early primary classes

SEC. 2 There is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the purposes of Chapter 6 1 (commencing with Section 6445) of Division 6 of the Education Code the following amounts:

(a) For allowances under Section 6445.8 amounts which shall be made available for expenditure as follows:

(1) For the fiscal year 1973–74, forty-four million five hundred forty-four thousand dollars ($44,544,000).

(2) For the fiscal year 1974–75, one hundred three million nine hundred thirty-six thousand dollars ($103,936,000).

(3) For the fiscal year 1975–76, one hundred sixty-three million three hundred twenty-eight thousand dollars ($163,328,000).

(4) For the fiscal year 1976–77, two hundred twenty-two million seven hundred twenty thousand dollars ($222,720,000).

(5) For the fiscal year 1977–78, two hundred ninety-six million nine hundred sixty thousand dollars ($296,960,000).

(b) For the purposes of Section 6445.9(a), amounts which shall be made available for expenditure are as follows·

(1) For the 1973–74 fiscal year, one million eight hundred twenty-seven thousand seven hundred fifty dollars ($1,827,750)

(2) For the 1974–75 fiscal year, four million two hundred sixty-four thousand seven hundred fifty dollars ($4.264,750)

(3) For the 1975–76 fiscal year, six million seven hundred one thousand seven hundred fifty dollars ($6,701,750).

(4) For the 1976–77 fiscal year, nine million one hundred thirty-eight thousand seven hundred fifty dollars ($9,138,750).

(5) For the 1977–78 fiscal year, twelve million one hundred eighty-five thousand dollars ($12,185,000).

(c) For the purposes of Section 6445.9(b) and (c), amounts which shall be made available for expenditure as follows·

(1) For the 1973–74 fiscal year, six million five hundred sixty-six thousand five hundred thirty-seven dollars ($6,566,537).

(2) For the 1974–75 fiscal year, fifteen million three hundred twenty-one thousand nine hundred twenty dollars ($15,321,920).

(3) For the 1975–76 fiscal year, twenty-four million seventy-seven thousand three hundred three dollars ($24,077,303).

(4) For the 1976–77 fiscal year, thirty-two million eight hundred thirty-two thousand six hundred eighty-six dollars ($32,832,686).

(5) For the 1977–78 fiscal year, forty-three million seven hundred seventy-six thousand nine hundred fifteen dollars ($43,776,915)

(d) The sum of five hundred thousand dollars ($500,000) for the administration by the State Department of Education of the provisions of Chapter 6.1 (commending with Section 6445) of Division 6 of the Education Code.

Any moneys made available for expenditure under this section in any such fiscal year which are not expended may be carried over into the next succeeding fiscal year, and shall be available for expenditure in such fiscal year in addition to those funds otherwise made available by this section for such year."

Amendment No. 4

On page 1, strike out lines 2 to 11, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 1435

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1435—An act to amend Section 11000.1 of the Business and Professions Code, relating to division of lands.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "11000.1", and insert "11546".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 11546 of the Business and Professions Code is amended to read:

11546. The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, provided that:

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision.

(b) The ordinance includes definite standards for determininig the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof.

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision.

(f) The city or county must specify when development of the park or recreational facilities will begin.

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less.

The provisions of this section do not apply to industrial subdivisions.

Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No. 1463

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1463—An act to amend Section 12991 of the Agricultural Code, relating to agricultural chemicals.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, after the comma, insert "which is used or has been used for agricultural purposes,"

Amendment No. 2

On page 2, line 16, after the period, insert "This subdivision shall not apply to any economic poison, or containers thereof, used for household purposes."

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ryan:

House Resolution No. 44

Relative to a study of school vandalism

WHEREAS, School vandalism in the State of California is increasing at a staggering rate; and

WHEREAS, A report recently published by a professor at Stanford University estimated the damage to public schools throughout the nation to be one hundred million dollars yearly which money comes from new school construction funds and education programs; and

WHEREAS, In California, the estimated losses from school vandalism have been calculated to be fifty million dollars for the period 1965–1970; and

WHEREAS, In Los Angeles County alone, the losses from school vandalism approached two and one-half million dollars for the 1970–1971 fiscal year; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of school vandalism in the State of California and to direct such committee to study the feasibility of establishing a program to employ watchmen, recruited from the unemployed and welfare recipients, to patrol the schools in districts in the state where school vandalism is especially high; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 196 and Assembly Constitutional Amendment No. 14 were continued until the next legislative day.

VOTE CHANGES

Messrs Cullen, Mobley, and Moorhead were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 369.

Messrs. Mobley, Moorhead, and Russell were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 58.

Messrs. Leroy F. Greene, Conrad, and Russell were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 574

Mr. Burke was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1322.

Mr. Maddy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1005.

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1344.

Messrs. Beverly, Ray E. Johnson, and McAlister were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1221.

Mr. Ketchum was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 943.

ADJOURNMENT

At 12:20 p m, Acting Speaker Fenton declared the Assembly adjourned until 10 a m, Tuesday, May 2, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-sixth Legislative Day

One Hundred Twenty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, May 2, 1972

The Assembly met at 10 a m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Porter moved a quorum call of the Assembly.

Mr. Seeley seconded the motion.

Motion carried. Time, 10:02 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Majority Floor Leader Presiding

At 10:10 a.m., Hon. Jack R. Fenton, 51st District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10:15 a.m, Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman,

Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Teach us, Lord, to be patient. It is difficult to remain silent for so long while others seem never to cease talking. Direct us to be patient with one another so that we may maintain the spirit of love and hopefulness. Show us how to become peacemakers who joyfully bring happiness into the lives of others.

Show us how to esteem others and respect their right to an opinion or conviction which differs from ours. Help us at all times to be joyful in spirit.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Keysor then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Powers, seconded by Mr. Priolo.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Quimby, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Mobley, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton.
Mr. Thomas, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Brown, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mrs. Fong, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

The following Member was excused for the day, and his per diem was waived:

Mr. Bill Greene.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 1, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Tuesday, May 2, 1972, on legislative business I will be in my district speaking on the legislative process before the Fresno Hi Twelve Club at noon

Thank you for your consideration.

Sincerely,

ERNEST N. MOBLEY, Assemblyman
Thirty-third District

May 1, 1972

Hon Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Tuesday, May 2, 1972, on legislative business.

I will be making a legislative report to the Sertoma Club in Glendale

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

May 1, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from session, Tuesday, May 2, on legislative business

I will be addressing the Chartered Property and Casualty Underwriters Association in Los Angeles. Thank you.

Sincerely,

DAVID C PIERSON, Assemblyman
Sixty-fifth District

NOTE: For letter explaining the absence of Mr. Thomas on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 1, 1972, page 2376.

REQUEST FOR UNANIMOUS CONSENT

Mr Priolo was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Robert H. Simpson, of Sacramento, dated May 2, 1972, relative to grievances. Referred by the Acting Speaker to the Committee on Judiciary.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Joint Resolution No.	*Committee*
31	Employment and Public Employees

COMMUNICATIONS

Assembly Chamber, May 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 112
AB No. 392
AB No. 836

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 2, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 595

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 278	AB No. 1863	AB No 2323
AB No. 716	AB No. 1877	AB No. 749
AB No. 925		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 48
ACA No. 51

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 2, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr Beverly for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2351 be granted.

BURTON, Chairman

Committee on Water

Assembly Chamber, April 19, 1972

Mr. Speaker · Your Committee on Water reports:

AB No. 550

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, May 1, 1972

Mr Speaker Your Committee on Welfare reports:

AB No 680

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, May 1, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No. 383

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means with recommendation · To Consent Calendar.

BARNES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 1, 1972

Mr Speaker · Your Committee on Retirement reports:

AB No. 543

AB No 1350

With the recommendation Do pass.

BARNES, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 1, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No. 803

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 1, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No. 821

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 1, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No 1444

AB No. 1551

With amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

Above bills ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, April 26, 1972

Mr. Speaker. Your Committee on Finance and Insurance reports:

AB No 125

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, May 2, 1972

Mr Speaker: Your Committee on Government Administration reports:

AJR No. 29

With the recommendation · Be adopted, and be re-referred to the Committee on Rules with a Consent Recommendation.

RUSSELL, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, May 2, 1972

Mr. Speaker. Your Committee on Government Administration reports·

AB No. 2034

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Urban Development and Housing

Assembly Chamber, May 1, 1972

Mr. Speaker· The Chairman of your Committee on Urban Development and Housing reports:

AB No 321

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 321—An act to amend Section 33670 of the Health and Safety Code, relating to community redevelopment

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "approved prior"; and strike out lines 4 to 7, inclusive, and in line 8, strike out "residential,"

Amendment No. 2

On page 2, line 1, after "district", insert "other than a school district".

Amendment No. 3

On page 3, between lines 19 and 20, insert

"(b) The amendments to this section enacted by the Legislature at the 1972 Regular Session of the Legislature shall apply only to redevelopment plans approved on or after the effective date of such amendments It is the intent of the Legislature that school district taxes levied upon taxable property in a redevelopment project area under any redevelopment plan approved on or after such date shall not be allocated to such redevelopment agency and that school districts shall benefit from any appreciation in the assessed value of the property located in such a redevelopment project area "

Amendment No. 4

On page 3, strike out lines 20 to 40, inclusive; and strike out page 4.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 1, 1972

Mr Speaker: The Chairman of your Committee on Labor Relations reports:

AB No 9

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 9—An act to add Part 3 5 (commencing with Section 1140) to Division 2 of the Labor Code, relating to agricultural labor

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Wood", and insert "Assemblymen Wood, Arnett, Barnes, Briggs, Chappie, Ray E Johnson, Ketchum, Lanterman, MacGillivray, Mobley, Monagan, Moorhead, Brophy, Seeley, Stacey, and Stull

(Coauthors: Senators Burgener, Deukmejian, Grunsky, Lagomarsino, Nejedly, Schrade, and Marler)".

Amendment No. 2

On page 2, between lines 19 and 20, insert

"It is further declared that there now exists an inequality of bargaining power between employers producing and handling agricultural products after harvest and labor unions, arising out of the seasonal character and perishable nature of such agricultural products, and there are fundamental differences between agriculture and industry, and while the right to strike is a basic right of organized labor, such right must take into account the perishable character and the seasonal nature of agricultural products, and must be limited and regulated accordingly

Furthermore, the overriding special interest of the state with respect to certain secondary boycott activities originating in this state, but extending across state lines and directed at employers in other states, must be recognized, and such acts must be made unlawful and subject to control by the police power of this state"

Amendment No. 3

On page 2, strike out line 26, and insert "performed by an employer, or by any person on a farm, in".

Amendment No. 4

On page 3, strike out line 5; and in line 6, strike out "more", and insert "more employees during all workdays in any calendar month".

Amendment No. 5

On page 3, line 9, after "person," insert "during all workdays in any calendar month".

Amendment No. 6

On page 3, strike out line 11, and insert "such work. In".

Amendment No. 7

On page 3, line 12, strike out "man-days worked", and insert "the number of agricultural employees employed by an agricultural employer or provided by an independent contractor".

Amendment No. 8

On page 3, line 14, strike out "man-day", and insert "day".

Amendment No. 9

On page 3, line 22, after "employer", insert "and who has been so employed for at least 14 workdays during the preceding 30 calendar days, and has been employed by that employer or another agricultural employer for at least 100 workdays during the preceding calendar year".

Amendment No. 10

On page 3, line 29, strike out the first "of", and insert "or".

Amendment No. 11

On page 4, line 2, strike out the period, and insert ", or in a confidential capacity, or as a clerical employee, or as a guard.

(4) A person who is employed as an executive, professional, or technical employee.

(5) A person who has quit, been terminated, or been laid off. For purposes of this paragraph, a striker who is permanently replaced shall be considered terminated."

Amendment No. 12

On page 4, line 3, strike out "(4)", and insert "(6)".

Amendment No. 13

On page 4, line 28, strike out "1143.4", and insert "1143.8".

Amendment No. 14

On page 4, line 29, after "controversy", insert "between an agricultural employer and his agricultural employees or their representative".

Amendment No. 15

On page 4, line 30, after "tenure", insert a comma.

Amendment No. 16

On page 4, line 33, after "of", insert "agricultural".

Amendment No. 17

On page 5, line 37, after "EMPLOYEES", insert "AND EMPLOYERS".

Amendment No. 18

On page 6, line 4, after "protection," insert "except to the extent that such right may impair the rights of aggrieved or injured persons under Sections 1143 to 1143.6, inclusive,".

Amendment No. 19

On page 6, strike out line 9, and insert "authorized in subdivision (c) of Section 1143.8.

1142 2. An agricultural employer shall have the following management rights:

(a) To manage, control, and conduct his operations, including, but not limited to, the number of ranches and their locations, kinds of crops, methods of growing, harvesting, and handling crops.

(b) Except as limited and qualified by a collective bargaining agreement with a certified representative of employees, to hire, suspend, transfer, and terminate employees, and to fix wages, hours of work, time and assignment of work, size and makeup of crews, place of work, type of equipment or machinery to be used, standards and quality of work, and other conditions directly involving the specific job on which any employee is employed.

(c) To work on his own ranch or any operation thereon in any capacity at any time.

(d) To join or refuse to join any labor organization or employer organization.

(e) To speak frankly and fully to his employees or any other persons regarding any matters concerning labor relations or about the issues in any labor dispute, except that an employer shall not threaten to discharge or discharge, or threaten to reduce wages or reduce wages, solely because of any labor activity or membership in a labor organization."

Amendment No. 20

On page 6, strike out lines 14 to 28, inclusive; and in line 29, strike out "1143.2", and insert

"1143 It shall be unlawful for any labor organization, whether or not of the kind defined in subdivision (h) of Section 1140.4, its agents, or any person acting on behalf of or in the interest of any such labor organization, when directed toward an object specified in Section 1143.2:

(a) To induce or encourage any individual employed by any person to engage in a strike or refusal in the course of his employment to use, process, transport, display for sale, sell, distribute, or otherwise handle or work on any agricultural product after such product leaves the farm or situs where grown or produced, or to threaten, coerce, or restrain any individual employed as an officer, manager, supervisor, or agent to make any management decision to refuse to use, process, transport, display for sale, distribute, handle, or work on any agricultural product after such product leaves the farm or situs where grown or produced; or

(b) To picket or cause to be picketed, or threaten to picket or cause to be picketed, or otherwise to threaten, restrain, or coerce any agricultural employer or other person; or

(c) To enter into or maintain any contract or agreement, express or implied, with any such labor organization, or any employer or other person.

1143.2 The acts prohibited by Section 1143 shall be unlawful when the purpose of any or all such acts is to force, require, or persuade:

(a) Any person to cease or refrain from using, selling, displaying for sale, processing, transporting, or otherwise dealing in any agricultural product, or to cease doing business with any person using, selling, displaying for sale, processing, transporting, or otherwise dealing in any agricultural product, unless such labor organization has been certified as the representative of the employer's employees under Chapter 5 (commencing with Section 1150) of this part. However, nothing in this subdivision shall be construed to make unlawful, where not otherwise unlawful, any primary strike or primary picketing at a farm or other situs where an agricultural commodity is grown or produced.

(b) Any person to enter into any unlawful agreement pertaining to the production, processing, transporting, marketing, or sale of any agricultural product.

(c) Any agricultural employer to recognize or bargain with a labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees after a valid secret ballot election conducted pursuant to Chapter 5 (commencing with Section 1150) of this part

(d) Any agricultural employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class, rather than to employees in another labor organization or in another trade, craft, or class

(e) Any employer or self-employed person engaged in agriculture to join any labor or employer organization

1143.4 It shall be unlawful for any person to do any of the following:

(a) To threaten, restrain, or coerce, any secondary employer or any executive or management employee of any secondary employer to make a management decision not to handle, transport, process, pack, sell, or distribute any agricultural commodity of an agricultural employer with whom a labor dispute exists.

(b) To restrain, coerce, or otherwise threaten such ultimate consumer to prevent him from purchasing, consuming, or using such agricultural product.

(c) To do any act in furtherance of the conduct prohibited by Sections 1143, 1143.2, and 1143.4, even though such prohibited act is done or the prohibited conduct is consummated outside the boundaries of this state.

(d) To threaten or engage in arson, mass picketing, libel, slander, injury to person or property, or other violent conduct where an object is to prevent the preparing for market, transporting, handling, or display for sale or selling of any agricultural product

1143.6".

Amendment No. 21

On page 6, line 32, strike out "force", and insert "induce, encourage, force,".

Amendment No. 22

On page 7, line 27, strike out "1143 4", and insert "1143.8".

Amendment No. 23

On page 8, line 38, after the period, insert "However, nothing in this part shall be construed to require an agricultural employer to bargain collectively until a representative of his employees has been determined by means of a valid secret ballot election conducted in accordance with the provisions of such Chapter 5, unless such employer has unlawfully interfered with such election, in which case the board may, upon petition therefor, order the employer to bargain collectively with the representatives of his employees regardless of the results of such election."

Amendment No. 24

On page 9, line 3, after "1142", insert ", or to coerce or intimidate any employee in the enjoyment of his legal rights provided in this part, or to intimidate his family or any member thereof, picket his domicile, or injure the person or property of any employee or his family or any member thereof".

Amendment No. 25

On page 9, line 12, strike out "1143 4", and insert "1143.8".

Amendment No. 26

On page 9, line 22, strike out "(d)", and insert

"(d) To engage in any activity or conduct defined as unlawful in this part, but nothing in this section shall be construed as limiting the rights of aggrieved or injured persons under this part.

(e)".

Amendment No. 27

On page 9, line 23, strike out "1143 4", and insert "1143 8".

Amendment No. 28

On page 9, line 30, after "industry," insert "the expected duration of employment,".

Amendment No. 29

On page 9, strike out lines 32 to 36, inclusive, and insert

"(f) To cause or attempt to cause an agricultural employer to do any of the following:

(1) To pay or deliver, or agree to pay or deliver, any money or other thing of value for services which are not performed or not to be performed

(2) To establish or alter the number of employees to be employed or the assignment thereof

(3) To assign work to the employees of a particular employer

(4) To discriminate in regard to hiring, tenure of employment, or conditions of employment"

Amendment No. 30

On page 10, line 2, after the period, insert "No employer shall be required to furnish or make available to a labor organization, and no labor organization shall be required to furnish or make available to an employer, materials, information, or time to enable such employer or labor organization, as the case may be, to communicate with employees of the employer, members of the labor organization, its supporters, or adherents."

Amendment No. 31

On page 10, line 4, strike out "1143 4", and insert "1143.8".

Amendment No. 32

On page 10, line 9, after "employment", insert "which directly affect work of the employees".

Amendment No. 33

On page 10, line 11, after the comma, insert "or any question concerning the furnishing of necessary and relevant information, if any, requested by the other party in connection with the negotiation of an agreement or any issue arising under such agreement, or requiring as a condition for entering into an agreement the giving of a bond by either party in a sum adequate to compensate the other party for loss caused by breach of the agreement,".

Amendment No. 34

On page 10, line 13, after the period, insert "The failure or refusal of either party to agree to a proposal, or to the making, changing, or withdrawing of a lawful proposal, or to make a concession shall not constitute, or be evidence, direct or indirect, of a breach of this obligation, nor shall the board, in any remedial order, direct either party to make any concession or agree to any proposal or to make any payment of money except to employees who are reinstated with back pay as provided in Section 1153 4 Sections 1143 8 to 1144 6, inclusive, shall not require any agricultural employer to bargain collectively with respect to any management rights. "Management rights," as used herein, shall include, but shall not be limited to, the right to discontinue the entire farming operation or any part thereof, to contract out any part of the work thereof, to sell or lease any of the real or personal property involved therein, or to determine the methods, equipment, and facilities to be used in producing agricultural products or the agricultural products to be produced."

Amendment No. 35

On page 10, strike out lines 31 and 32, and insert "existence of a dispute, if such a dispute does in fact exist."

Amendment No. 36

On page 11, line 14, strike out "1143.4", and insert "1143.8".

Amendment No. 37

On page 11, strike out lines 19 to 40, inclusive; and on page 12, strike out lines 1 to 22, inclusive.

Amendment No. 38

On page 12, strike out line 33, and insert "the Governor. Two".

Amendment No. 39

On page 12, strike out lines 39 and 40, and insert "public. Not more than three members"

Amendment No. 40

On page 13, lines 19 and 20, strike out ", subject to confirmation by the Senate,".

Amendment No. 41

On page 13, line 21, after "shall", insert "be the exclusive representative of the board, and".

Amendment No. 42

On page 14, between lines 25 and 26, insert

"1146 8. The board may meet in executive session upon the decision of a majority of the members of the board

1146 9 The board may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the state A member of the board who participates in any such inquiry shall not be disqualified from subsequently participating in a decision of the board in the same case."

Amendment No. 43

On page 15, strike out lines 17 to 20, inclusive.

Amendment No. 44

On page 16, line 14, after the period, insert "Any hearings scheduled hereunder shall be held in the county wherein the employer has its principal place of business, or where the unfair labor practice occurred, or where the majority of the employees who are entitled to vote in an election are currently working "

Amendment No. 45

On page 17, line 5, strike out "or place of business", and insert ", place of business, or residence".

Amendment No. 46

On page 17, line 27, strike out "or designated", and insert "by a secret ballot"

Amendment No. 47

On page 17, line 34, after "employment", insert ", but if ratification of any such contract shall be required, the right to vote in such ratification shall be limited to the agricultural employees in the bargaining unit"

Amendment No. 48

On page 18, strike out lines 3 to 40, inclusive; and on page 19, strike out lines 1 to 12, inclusive, and insert

"1150 2 The unit appropriate for the purposes of collective bargaining shall consist of all agricultural employees of an agricultural employer working at the farm where such employer grows or produces agricultural products unless the persons filing a petition under this chapter and the employer involved agree that a different unit is also an appropriate bargaining unit."

Amendment No. 49

On page 19, line 31, after "chapter," insert "or that an individual or labor organization which has previously been certified as the bargaining representative is no longer a representative,".

Amendment No. 50

On page 19, line 37, strike out "The"; and strike out lines 38 to 40, inclusive; and on page 20, strike out line 1, and insert "If a second labor organization files a petition for an election alleging that 15 percent or more of the agricultural employees in the unit in question desire to be represented by that labor organization, then the board shall require that the names of both labor organizations shall appear on the ballot On all ballots, the".

Amendment No. 51

On page 20, line 6, strike out "In any case in which"; and strike out lines 7 to 19, inclusive, and insert "The date of such election shall be set at a time when the number of temporary agricultural employees entitled to vote does not exceed the number of permanent agricultural employees entitled to vote "

Amendment No. 52

On page 20, strike out line 23, and insert "persons filing the petition, the kind of relief sought, or whether the persons filing such petition did so in good faith In".

Amendment No. 53

On page 20, line 28, after "1150 8 ", insert "Within five days of receipt of such a petition filed under the provisions of subdivision (a) of Section 1150 4, the agricultural employer may file a challenge to such petition on the ground that the authorization for the filing of such petition is not valid, that such authorization is not current, or that such authorization has been obtained by fraud, misrepresentation, or coercion The issues raised by such challenge shall be set down for an appropriate hearing, and the board shall, after hearing, determine whether the petition is supported by the required authorizations 1151."

Amendment No. 54

On page 20, line 35, strike out "12", and insert "three".

Amendment No. 55

On page 20, strike out lines 36 and 37, and insert "commencement of the strike. An agricultural employee who has voted in a valid election shall not be eligible to vote in any election at the farm of another agricultural employer in the same geographical area for a period of 12 months thereafter Any agricultural employee who shall be found to have sought or accepted employment for the purposes of affecting the outcome of an election shall not be eligible to vote in an election conducted pursuant to the provisions of this part for a period of 12 months from the date of that election.

1151 2 Nothing in this chapter shall be construed to".

Amendment No. 56

On page 21, strike out lines 1 to 6, inclusive; and in line 7, strike out "1151.4", and insert

"1151 4 The agricultural employer, on request of the board, shall furnish to the board a list of agricultural employees in the bargaining unit who are qualified to vote, and such a list shall be held in confidence by the board until the time of election.

1151 6".

Amendment No. 57

On page 21, line 12, strike out "1143 4", and insert "1143 8".

Amendment No. 58

On page 21, line 25, after "1153.", insert "(a)".

Amendment No. 59

On page 21, between lines 28 and 29, insert

"(b) In the case of a strike or boycott, or threat of a strike or boycott, against an agricultural employer within 60 days of the certification of a labor organization as bargaining representative under Chapter 5 (commencing with Section 1150) of this part, the board may seek from the superior court, and the court shall be empowered to grant, and upon proper application by the board shall grant as herein provided, a restraining order enjoining such strike or boycott until the expiration of 60 days from such certification in order to enable such employer and his employees and their representative, if any, to seek to voluntarily resolve the dispute by conciliation "

Amendment No. 60

On page 21, line 34, strike out the second "a", and insert "an administrative".

Amendment No. 61

On page 22, line 19, after the period, insert "All proceedings shall be appropriately reported."

Amendment No. 62

On page 22, line 21, after "board", insert "in such administrative hearing".

Amendment No. 63

On page 22, line 40, strike out "not".

Amendment No. 64

On page 23, strike out line 1, and insert "person named in the complaint has not engaged in or is not".

Amendment No. 65

On page 23, line 29, strike out "relief or restraining order", and insert "or permanent injunctive relief".

Amendment No. 66

On page 25, line 17, after "appear", insert "in person or".

Amendment No. 67

On page 25, strike out lines 31 to 40, inclusive; and on page 26, strike out lines 1 to 7, inclusive, and insert

"1156. Whoever shall be aggrieved or shall be injured in his business or property by reason of any violation of this part, or any violation of an injunction issued as provided in this chapter or in Chapter 6 (commencing with Section 1153) of this part, may sue in any superior court of the state having jurisdiction of the parties to recover damages resulting from such unlawful action, regardless of where such unlawful action occurred, and regardless of where such damage occurred, and to costs of the suit. Upon the filing of such suit the court shall have jurisdiction to grant such temporary injunctive relief as it deems just and proper The filing of any such action shall not affect the jurisdiction of the board to act as provided in Chapter 6 (commencing with Section 1153). Petitions for temporary restraining orders alleging a violation of Section 1143, 1143 2, 1143 4, or 1143 6 shall be heard forthwith, and, if the petition alleges that substantial and irreparable injury to the petitioner is unavoidable, such temporary restraining orders may be issued without notice and shall continue in effect until the court has heard and ruled upon a request for a temporary injunction"

Amendment No. 68

On page 26, line 13, after "members", insert "or in the solicitation of prospective members in this state".

Amendment No. 69

On page 26, line 17, after the period, insert "A labor organization shall designate an agent on whom legal process may be served in the absence of any officer or agent, and a court shall, on proper application, enjoin picketing or other activity by a labor organization which fails to make such a designation.

1156.6. Any labor organization which represents employees as defined in this part, and any employer, shall be bound by the acts of its agents. Any such labor organization may sue or be sued as an entity and in behalf of the employees whom it represents in the courts of this state."

Amendment No. 70

On page 26, line 30, after "part," insert "or who shall do any act made unlawful by this part,".

Amendment No. 71

On page 27, strike out lines 14 to 28, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 1, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 1973

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1973—An act to amend Sections 5096 26 and 5099 4 of, and to add Chapter 1 8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, after "account", insert ", except those federal funds which are directed by state law to be deposited in other accounts or deposit funds".

Amendment No. 2

On page 3, lines 20 and 21, strike out "and related administrative costs", and insert "regional and statewide recreation studies, and payment of costs incurred in administering the Land and Water Conservation Fund Grants-In-Aid Program and other federal grants-in-aid programs administered by the department".

Amendment No. 3

On page 3, line 40, after "receive", insert "and disburse"

Amendment No. 4

On page 4, after line 22, insert

"SEC 6 Nothing in this act shall be construed as requiring reimbursed federal funds which result from the expenditure by local public agencies of state funds administered by the Department of Parks and Recreation for outdoor recreation purposes to be deposited in the Park and Recreation Revolving Account in the General Fund "

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 2, 1972

Mr Speaker· The Chairman of your Committee on Transportation reports·

AB No. 1306

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1306—An act to amend Section 415 of, and to add Section 486 to, the Streets and Highways Code, relating to state highways

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

Below line 1 of the heading of the printed bill, insert

"(Coauthor: Senator Nejedly)".

Amendment No. 2

In line 1 of the title, strike out the first "Section", and insert "Sections 263 3, 263 8, and"

Amendment No. 3

On page 1, line 1, after "SECTION 1", insert "Section 263 3 of the Streets and Highways Code is amended to read

263 3. The state scenic highway system shall also include:

Route 5 from:

(a) The international boundary near Tijuana to Route 75 near the south end of San Diego Bay

(b) San Diego opposite Coronado to Route 74 near San Juan Capistrano

(c) Route 210 near Tunnel Station to Route 126 near Castaic.

(d) Route 152 west of Los Banos to Route 580 near Vernalis.

(e) Route 44 near Redding to the Shasta Reservoir.

(f) Route 89 near Mt Shasta to Route 97 near Weed

(g) Route 3 near Yreka to the Oregon state line near Hilts

Route 8 from Route 5 in San Diego to Route 98 near Coyote Wells.

Route 9 from

(a) Route 17 near Santa Cruz to Route 236 near Boulder Creek.

(b) Route 236 near Boulder Creek to Route 236 near Waterman Gap

(c) Route 236 near Waterman Gap to Route 35

(d) Saratoga to Route 17 near Los Gatos

(e) Blaney Plaza in Saratoga to Route 35

Route 10 from Route 38 near Redlands to Route 62 near White Water.

Route 12 from Route 101 near Santa Rosa to Route 121 near Sonoma.

Route 14 from Route 58 near Mojave to Route 395 near Little Lake.

Route 15 from:

(a) Route 76 near the San Luis Rey River to Route 71 near Murrieta

(b) Route 74 near Romoland to Route 74 near Perris

(c) Route 138 near Cajon Pass to Route 138 near Cajon Pass.

(d) Route 58 near Barstow to Route 127 near Baker

Route 16 from Route 20 to Capay.

Route 17 from:

(a) Route 1 near Santa Cruz to Route 9 near Los Gatos

(b) Route 37 near Nicasio to Route 1 near Point Reyes Station

Route 18 from Route 138 near Mt Anderson to Route 247 near Lucerne Valley.

Route 20 from:

(a) Route 1 near Fort Bragg to Route 101 near Willits

(b) Route 101 near Calpella to Route 16

(c) Route 49 near Grass Valley to Route 80 near Emigrant Gap

Route 24 from the Alameda-Contra Costa county line to Route 680 in Walnut Creek.

Route 27 between Route 1 and Route 268

Route 29 from:

(a) Route 37 near Vallejo to Route 121 near Napa

(b) Route 221 near Napa to Route 20 near Upper Lake.

Route 30 from Route 106 near Highland to Route 18 near Running Springs

Route 33 from:

(a) Route 101 near Ventura to Route 150

(b) Route 150 to Route 166 in Cuyama Valley

(c) Route 198 near Coalinga to Route 198 near Oilfields.

Route 36 from:

(a) Route 101 near Alton to Route 3 near Peanut

(b) Route 89 near Morgan Springs to Route 89 near Deer Creek Pass

SEC 2 Section 263 8 of the Streets and Highways Code is amended to read:

263 8. The state scenic highway system shall also include: Route 198 from:

(a) Route 101 near San Lucas to Route 33 near Coalinga

(b) Route 33 near Oilfields to Route 5

(c) Route 99 near Goshen to the Sequoia National Park line

Route 210 from Route 5 near Tunnel Station to Route 2 near La Canada.

Route 280 from Route 17 in Santa Clara County to Route 80 near First Street in San Francisco

Route 299 from:

(a) Route 101 near Arcata to Route 96 near Willow Creek

(b) Route 3 near Weaverville to Route 5 near Redding.

(c) Route 89 near Burney to Route 139 near Canby

Route 395 from Route 14 near Little Lake to Route 89 near Coleville.

Route 680 from the Santa Clara-Alameda county line to ~~the Alameda-Contra Costa county line~~ *Route 24 in Walnut Creek*.

SEC. 3."

Amendment No. 4

On page 1, line 10, strike out "SEC 2", and insert "SEC. 4".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 1, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No 959

AB No 960

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 959—AN act to amend Section 13837 of the Education Code, relating to State Teachers' Retirement System.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13837", and insert "add Article 17 (commencing with Section 14130) to Chapter 4 of Division 10".

Amendment No. 2

In line 2 of the title, after "System", insert ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Article 17 (commencing with Section 14130) is added to Chapter 4 of Division 10 of the Education Code, to read:

Article 17 Los Angeles Unified School District Retirement System

14130. Chapter 1305 of the Statutes of 1971, modified the State Teachers' Retirement System for improving benefits for, and providing a source of financing from teachers and school districts which did not maintain a local retirement system. These changes make it impossible to continue the prior relationship of the Los Angeles and San Francisco Systems to the State Teachers' Retirement System. To enable these local systems to separately determine their future course of ac-

tion, Chapter 1305 of the Statutes of 1971 makes no change in the local systems other than to terminate additional subventions after June 30, 1972.

The purpose of this article is to grant authority to the Los Angeles Unified School District to take any and all necessary steps to determine whether it wishes to merge with the State Teachers' Retirement System and thereby gain the advantage of the benefit improvements and financing structure of that system, or to continue to operate a separate system under a local benefit and financing program. This authority shall include the right to expend moneys out of the local system fund to cover the expenses of the investigation of the advantages of the merger and to consummate the merger if this course appears desirable, as well as to create and maintain reasonable contingency reserves to insure an orderly and adequate transition fully protecting the interests of the Los Angeles teachers.

14131. Notwithstanding any other provision of this code, the provisions of this article shall govern the matters included in this article.

14132. The modifications to the State Teachers' Retirement System retirement, disability and family allowances formulae contained in Chapter 1305 of the Statutes of 1971 shall not apply to the Los Angeles Unified School District Retirement System, hereinafter called the city local system.

14133 An election shall be held any time prior to July 1, 1972, to determine if the affected members of the city local system are to be covered only by that system or to be covered only by the State Teachers' Retirement System The election shall be decided by a simple majority of those voting. The election shall be effective as of July 1, 1972.

The election shall be in such manner as specified by the governing board of the Los Angeles Unified School District and the results shall be transmitted to the State Teachers' Retirement System by that board no later than June 30, 1972. All costs of the election shall be borne by the employer reserve in the city local system.

14133.1 If the affected members of the city local system vote in an election held prior to July 1, 1972, to be covered only by the city local system, Sections 1433.2 through 14133.8 shall apply.

14133.2. Effective July 1, 1972, all members of the city local system are excluded from membership in the State Teachers' Retirement System except for nonlocal service A person so excluded shall retain the right to receive a retirement allowance for nonlocal service which is creditable in the State Teachers' Retirement System unless he withdraws his contributions therefor as provided in Section 14070.

14133 3 All persons who first enter employment in the Los Angeles Unified School District on or after July 1, 1972, in positions which otherwise would be eligible for membership in the State Teachers' Retirement System are members of the city local system. The State Teachers' Retirement System shall not accept these persons into membership.

14133 4. Member and employer contributions for service performed in the Los Angeles Unified School District shall be paid to the city local system.

14133.5. All persons on the city local system retired rolls on June 30, 1972, shall remain on the local rolls. The State Teachers' Retirement System will continue the subvention in Section 14120 to the local district for those persons, will pay the retired update and annual improvement factor increase directly to the retirant and will pay the two thousand dollar ($2,000) retired death benefit upon their death. Such retired death benefit will be reduced by the retired death benefit payable by the city local system.

14133 6. The city local system shall provide concurrent retirement benefits for service in the city local system as provided in Sections 13838, 13990 and 14211 as these sections read on July 1, 1972, for:

(a) Any person who was a member of both retirement systems on June 30, 1972; and

(b) Any person who could have qualified under (a) above if he had not taken a refund from either but not both systems; provided he qualifies for and redeposits prior to retirement in either system.

14133 7. Notwithstanding the provisions in Section 14211, a member of the city local system may retire concurrently and receive credit from the State Teachers' Retirement System for service performed in other states of the United States, its territories and possessions and the Dominion of Canada provided that the person is eligible under Sections 13998, 13999 and 14000, and the benefits attendant thereto.

14133.8. The city local system shall provide for and assume total financial responsibility for the full Permanent Fund benefit earned through June 30, 1972, as those benefits existed in subdivision (a) of Section 14240 on June 30, 1972

The accumulated Permanent Fund contributions related to Los Angeles local service shall be transferred to the city local system as of July 1, 1972.

14134 If affected members of the city local system on June 30, 1972, vote in an election held prior to July 1, 1972, to be covered only by the State Teachers' Retirement System, Sections 14134.1 through 14139 shall apply.

14134 1. The subvention to the city local system shall be canceled and the retired rolls transferred to the State Teachers' Retirement System as of July 1, 1972, together with the present value of the annuity and other benefits being paid from the employer and employees' reserves in the city local system less the present value of the benefit being provided out of subventions.

14134.2 There shall be no reduction of any benefit being paid to an individual as a result of Section 14134 1

14134 3 All service credited to the individual accounts in the city local system shall be transferred to the State Teachers' Retirement System on the same basis as credentialed service is credited in the State Teachers' Retirement System

14134 4. The Los Angeles Unified School District shall transfer to the Teachers' Retirement Fund as of July 1, 1972, the total contributions on deposit in the individual accounts of members of the city local system, and shall transfer not less than:

(a) An amount equal to the contributions that would have been required had all service prior to July 1, 1972, been performed as a full-time member of the State Teachers' Retirement System plus credited interest through June 30, 1972, plus 6 percent interest from July 1, 1972, to the actual date of transfer; plus

(b) An amount equal to 8 percent of the employee compensation as provided in Section 13832 for service performed from July 1, 1972, to actual date of transfer plus 6 percent interest

14134 5 The Los Angeles Unified School District shall also deposit in the Teachers' Retirement Fund an amount equal to 3 2 percent of employee compensation as provided in Section 13832 as the employer's contribution for service performed from July 1, 1972, to actual date of transfer, plus 6 percent interest.

14134 6. If the accumulated contributions in the person's account at the time of transfer to the State Teachers' Retirement System are not equal to those required in Section 14134 4, the difference between the amount in the account and the required amount is an unfunded liability and is the responsibility of the employer The Los Angeles Unified School District shall, at the time of the transfer of assets, provide the additional amount of accumulated contributions required to put each individual account in balance if the shortage is due to the rate of contributions which had been required by the city local system Such amount shall be a charge against the residual funds remaining on deposit with the Los Angeles Unified School District.

14134.7 Any funds transferred by the governing board of the Los Angeles Unified School District in accordance with Section 14134 4 in addition to the accumulated contributions already in the member's account shall be deposited as employer contributions in the Teachers' Retirement Fund, and shall not be credited to the member's account and shall not be refundable

14134 8 Persons who elected to retain the 1/70th formula when the 1/60th formula was adopted by the city local system are liable for the portion of contributions related to that election plus credited interest through June 30, 1972, and regular interest thereafter.

14134 9 Adjustments to accounts caused by late discovery shall be made in accordance with Sections 14134 4, 14134 5, 14134 6 and 14134 8.

14134 10 Those persons who took a refund of their contributions and interest from the city local system prior to July 1, 1972, and who have Permanent Fund contributions on deposit in the State Teachers' Retirement System for such service shall have the accumulated Permanent Fund contributions on deposit in the State Teachers' Retirement System as of July 1, 1972, treated in the same manner as the Permanent Fund contributions of all nonlocal members

Upon discovery and notification to such persons, they shall:

(a) Redeposit the contributions required with regular interest; or

(b) Leave the Permanent Fund accumulated contributions on deposit and receive an actuarially reduced retirement allowance

14135 The transfer of assets from the Los Angeles Unified School District to the State Teachers' Retirement System shall be in cash or

in securities in kind. While a proportionate division of each holding shall not be required, the securities transferred to the State Teachers' Retirement System shall be divided between nonconvertible fixed income investments, equities and securities convertible into equities in proportion to the book value of these security groupings to the total value of the city local system portfolio as of March 31, 1972. For this purpose, cash will be counted as equivalent to a security valued at market.

The value of securities in kind that are to be transferred shall be determined as follows. nonconvertible fixed income investments held in the portfolio on March 31, 1972, will be valued by discounting at the annualized earnings rate on the State Teachers' Retirement System's nonconvertible fixed income portfolio as of June 30, 1972, computed in accordance with established State Teachers' Retirement System procedures, plus an allowance for accrued income However, where the value for any specific security when computed in this manner would be above the value at which the security may be redeemed at the first date at which it is callable or refundable, then the applied rate shall be computed to the redemption price at the first date at which the security is redeemable or refundable, whichever is later, plus an allowance for accrued income Nonconvertible fixed income securities purchased after March 31, 1972, equities and securities convertible into equities shall be valued at market plus accrued interest if any. All securities to be transferred shall be valued as of June 30, 1972.

Either the Los Angeles Unified School District or the Teachers' Retirement Board may reject specific securities and recommend alternative selections. Selection of securities to be transferred in kind shall not be made in a manner adverse to the Teachers' Retirement Fund. Should the respective parties be unable to reach agreement by October 15, 1972, the matter shall be submitted to arbitration by a third party, and his decision shall be binding upon both parties The third party arbitrator shall be mutually agreed upon by the respective boards. If agreement cannot be reached, the arbitrator shall be appointed by the Governor from a list of four names: two names each to be submitted independently by the Los Angeles Unified School District and the State Teachers' Retirement Board

14135 1. If a net realized loss occurs from the transfer of assets at less than their book values, that loss shall be a charge against the residual funds remaining on deposit with the Los Angeles Unified School District.

14135 2 The balance of assets remaining on deposit with the Los Angeles Unified School District after the transfers, deposits and payments required by Sections 14134 1, 14134.4 and 14134.5, or after establishment of reserves from which such deposits and payments shall be made, shall be held intact by the district until the Legislature either prior thereto or thereafter expressly authorizes the expenditure thereof.

14135 3 The transfer of cash and securities in kind from the Los Angeles Unified School District to the State Teachers' Retirement System shall be accomplished by that district delivering the cash and

securities in kind at the office of the State Treasurer in Sacramento properly registered in the name of the State Teachers' Retirement System in accordance with the registration requirements of the State Teachers' Retirement System. This transfer shall be completed by June 30, 1973. Interest on any cash transfer shall be at the rate of 6 percent per annum from July 1, 1972, to date of the transfer. Any cash income payments or payments in securities to be transferred made to the Los Angeles Unified School District after June 30, 1972, which are properly allocable to the Teachers' Retirement Fund shall be paid to the Teachers' Retirement Fund.

14136. All costs of the asset transfer, asset valuation, security registration, and the administrative costs in the implementation of Chapter 1305 of the Statutes of 1971, shall be a charge against the residual funds remaining on deposit with the Los Angeles Unified School District

14137. In the event that the members of the city local system elect to be fully covered by that system so as to require a transfer of cash and securities in kind from the Teachers' Retirement Fund to the city local system, the State Teachers' Retirement System shall be bound by the conditions set forth in Sections 14135 through 14136.

14138. The Los Angeles Unified School District may continue the current annual report of member contributions and service for fiscal year 1972–1973 for all nonlocal certificated members working in the Los Angeles Unified School District The 8-percent employee and 3 2-percent employer contributions for these nonlocal members shall be remitted monthly If an annual report is submitted instead of a monthly report, it is due on July 31, 1973, and is delinquent on August 31, 1973 The provisions of Section 14056 shall apply.

14139. The city local system shall submit a list of all members of that system as of June 30, 1972, who have credentialed service which would qualify for membership in the State Teachers' Retirement System. The list shall be submitted to the State Teachers' Retirement System no later than August 31, 1972

14140. If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable

SEC 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect.

The facts constituting such necessity are: In order to permit the orderly implementation of Chapter 1305 of the Statutes of 1971 this act must take effect immediately ''

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

Assembly Bill No. 960—An act to repeal Section 14120 of the Education Code, relating to the State Teachers' Retirement Fund.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 14120", and insert "add Article 31 (commencing with Section 14451) to Chapter 4 of Division 10".

Amendment No. 2

In line 2 of the title, after "Fund", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1 Article 31 (commencing with Section 14451) is added to Chapter 4 of Division 10 of the Education Code, to read:

Article 31. Los Angeles Community College District Retirement System

14451. Chapter 1305 of the Statutes of 1971 modified the State Teachers' Retirement System for improving benefits for, and providing a source of financing from teachers and school districts which did not maintain a local retirement system These changes make it impossible to continue the prior relationship of the Los Angeles Community College District Retirement System to the State Teachers' Retirement System. To enable this local system to separately determine its future course of action, Chapter 1305 of the Statutes of 1971, makes no change in the local system other than to terminate additional subventions after June 30, 1972 The purpose of this article is to grant authority to the Los Angeles Community College District to take any and all necessary steps to determine whether it wishes to merge with the State Teachers' Retirement System and thereby gain the advantage of the benefit improvements and financing structure of that system, or to continue to operate a separate system under a local benefit and financing program. This authority shall include the right to expend moneys out of the local system fund to cover the expenses of the investigation of the advantages of the merger and to consummate the merger if this course appears desirable, as well as to create and maintain reasonable contingency reserves to insure an orderly and adequate transition fully protecting the interests of the Los Angeles Community College teachers.

14452 Notwithstanding any other provision in this code, the provisions of this article shall govern the matter contained therein

14453 The modifications to the State Teachers' Retirement System retirement, disability and family allowances formulae contained in Chapter 1305 of the Statutes of 1971 shall not apply to the Los Angeles Community College District Retirement System, hereinafter referred to as the Community College System

14454 An election shall be held any time prior to July 1, 1972, to determine if the members of the Community College System are to be covered only by that system or to be covered only by the State Teachers' Retirement System The election shall be decided by a simple majority of those voting The election shall be effective as of July 1, 1972.

The election shall be in such manner as specified by the Board of Trustees of the Los Angeles Community College District, and the results transmitted to the State Teachers' Retirement System by that Board no later than July 1, 1972. All costs of the election shall be borne by the employer reserve in the Community College System.

14454.1. If the teachers who are members of the Community College System vote in an election held prior to July 1, 1972, to be covered only by the Community College System, Sections 14454.2 through 14454.8 shall apply.

14454.2. Effective July 1, 1972, all members of the Community College System are excluded from membership in the State Teachers' Retirement System except for nonlocal service. A person so excluded shall retain the right to receive a retirement allowance for nonlocal service which is creditable in the State Teachers' Retirement System unless he withdraws his contributions therefor as provided in Section 14070.

14454.3. All persons who first enter employment in the Los Angeles Community College District on or after July 1, 1972, in positions which otherwise would be eligible for membership in the State Teachers' Retirement System are members of the Community College System. The State Teachers' Retirement System shall not accept these persons into membership.

14454.4. Member and employer contributions for service performed in the Los Angeles Community College District shall be paid to the Community College System.

14454.5. All persons on the Community College System retired rolls on June 30, 1972, shall remain on the local rolls. The State Teachers' Retirement System will continue the subvention in Section 14120 to the local district for those persons, will pay the retired update and annual improvement factor increase directly to the retirant and will pay the two thousand dollar ($2,000) retired death benefit upon their death. Such retired death benefit will be reduced by the retired death benefit payable by the Community College System.

14454.6. The Community College System shall provide concurrent retirement benefits for service in the Community College System as provided in Sections 13838, 13990 and 14211 as these sections read on July 1, 1972, for:

(a) Any person who was a member of both retirement systems on June 30, 1972; and

(b) Any person who could have qualified under (a) above except he had taken a refund from either but not both systems provided he qualifies for and redeposits prior to retirement in either system.

14454.7. Notwithstanding the provisions in Section 14211, a member of the Community College System may retire concurrently and receive credit from the State Teachers' Retirement System for service performed in other states of the United States, its territories and possessions and the Dominion of Canada provided that the person is eligible under Sections 13998, 13999 and 14000, and the benefits attendant thereto.

14454.8. The Community College System shall provide for and assume total financial responsibility for the full Permanent Fund benefit earned through June 30, 1972, as those benefits existed in subdivision

(a) of Section 14240 on June 30, 1972 The accumulated Permanent Fund contributions related to Los Angeles Community College service shall be transferred to the Community College System as of July 1, 1972.

14455 If the teachers who were members of the Community College System on June 30, 1972, vote in an election held prior to July 1, 1972, to be covered only by the State Teachers' Retirement System, Sections 14455.1 through 14661 shall apply

14455.1. The subvention to the Community College System shall be canceled and the retired rolls transferred to the State Teachers' Retirement System as of July 1, 1972, together with the present value of the annuity and other benefits being paid from the employer and employees' reserves in the Community College System less the present value of the benefit being provided out of subventions

14455 2 There shall be no reduction of any benefit being paid to an individual as a result of Section 14455 1.

14455 3 All service credited to the individual accounts in the Community College System shall be transferred to the State Teachers' Retirement System on the same basis as credentialed service is credited in the State Teachers' Retirement System.

14455 4. The Los Angeles Community College District shall transfer to the Teachers' Retirement Fund as of July 1, 1972, the total contributions on deposit in the individual accounts of members of the Community College System, and shall not be less than

(a) An amount equal to the contributions that would have been required had all service prior to July 1, 1972, been performed as a full-time member of the State Teachers' Retirement System plus credited interest through June 30, 1972, plus 6 percent interest from July 1, 1972, to the actual date of transfer; plus

(b) An amount equal to 8 percent of the employee compensation as provided in Section 13832 for service performed from July 1, 1972, to actual date of transfer plus 6 percent interest

14455 5 The Los Angeles Community College District shall also deposit in the Teachers' Retirement Fund an amount equal to 3 2 percent of employee compensation as provided in Section 13832 as the employer's contribution for service performed from July 1, 1972, to actual date of transfer, plus 6 percent interest.

14455 6. If the accumulated contributions in the person's account at the time of transfer to the State Teachers' Retirement System are not equal to those required in Section 14455 4, the difference between the amount in the account and the required amount is an unfunded liability and is the responsibility of the employer The Los Angeles Community College District shall, at the time of the transfer of assets, provide the additional amount of accumulated contributions required to put each individual account in balance if the shortage is due to the rate of contributions which had been required by the Community College System Such amount shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

14455.7. Any funds transferred by the Board of Trustees of the Los Angeles Community College District in accordance with Section 14455.4 in addition to the accumulated contributions already in the member's account shall be deposited as employer contributions in the Teachers' Retirement Fund, and shall not be credited to the member's account and shall not be refundable.

14455 8. Persons who elected to retain the 1/70th formula when the 1/60th formula was adopted by the Los Angeles Unified School District Retirement System or the Community College System are liable for the portion of contributions related to that election plus credited interest through June 30, 1972, and regular interest thereafter.

14455.9. Adjustments to accounts caused by late discovery shall be made in accordance with Sections 14455.4, 14455.5, 14455.6 and 14455.8.

14455.10. Those persons who took a refund of their contributions and interest from the Los Angeles Unified School District Retirement System or the Community College System prior to July 1, 1972, and who have Permanent Fund contributions on deposit in the State Teachers' Retirement System for such service shall have the accumulated Permanent Fund contributions on deposit in the State Teachers' Retirement System as of July 1, 1972, treated the same as the Permanent Fund contributions of all nonlocal members

Upon discovery and notification to such person, he shall:

(a) Redeposit the contributions required with regular interest; or

(b) Leave the Permanent Fund accumulated contributions on deposit and receive an actuarially reduced retirement allowance.

14456. The transfer of assets from the Los Angeles Community College District to the State Teachers' Retirement System shall be in cash or in securities in kind. While a proportionate division of each holding shall not be required, the securities transferred to the State Teachers' Retirement System shall be divided between nonconvertible fixed income investments, equities, and securities convertible into equities in proportion to the book value of these security groupings to the total value of the Community-College System portfolio as of March 31, 1972. For this purpose, cash will be counted as equivalent to a security valued at market.

The value of securities in kind that are to be transferred shall be determined as follows: nonconvertible fixed income investments held in the portfolio on March 31, 1972, will be valued by discounting at the annualized earnings rate on the State Teachers' Retirement System's nonconvertible fixed income portfolio as of June 30, 1972, computed in accordance with established State Teachers' Retirement System procedures, plus an allowance for accrued income However, where the value for any specific security when computed in this manner would be above the value at which the security may be redeemed at the first date at which it is callable or refundable, then the applied rate shall be computed to the redemption price at the first date at which the security is redeemable or refundable, whichever is later, plus an allowance for accrued income. Nonconvertible fixed income securities

purchased after March 31, 1972, equities and securities convertible into equities shall be valued at market plus accrued interest if any. All securities to be transferred shall be valued as of June 30, 1972.

Either the Los Angeles Community College District or the Teachers' Retirement Board may reject specific securities and recommend alternative assets. Selection of securities to be transferred in kind shall not be made in a manner adverse to the Teachers' Retirement Fund. Should the respective parties be unable to reach agreement by October 13, 1972, the matter shall be submitted to arbitration by a third party, and his decision shall be binding upon both parties. The third party arbitrator shall be mutually agreed upon. If agreement cannot be reached, the arbitrator shall be appointed by the Governor from a list of four names; two names each to be submitted independently by the Los Angeles Community College District and the Teachers' Retirement Board.

14456 1. If a net realized loss occurs from the transfer of assets at less than their book values, that loss shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

14456 2. The balance of assets remaining on deposit with the Los Angeles Community College District after the transfers, deposits and payments required by Sections 14455 1, 14455 4 and 14455.5, or after establishment of reserves from which such deposits and payments shall be made, shall be held intact by the district until the Legislature either prior thereto or thereafter expressly authorizes the expenditure thereof.

14456 3 The transfer of cash and securities in kind from the Los Angeles Community College District to the State Teachers' Retirement System shall be accomplished by that district delivering the cash and securities in kind at the office of the State Treasurer in Sacramento properly registered in the name of the State Teachers' Retirement System in accordance with the registration requirements of the State Teachers' Retirement System. This transfer shall be completed by September 1, 1973 Interest on any cash transfer shall be at the rate of 6 percent per annum from July 1, 1972, to date of the transfer. Any cash income payments or payments in securities made to the Los Angeles Community College District after June 30, 1972, which are on securities to be transferred to the Teachers' Retirement Fund and are properly allocable to the Teachers' Retirement Fund shall be transferred to the Teachers' Retirement Fund.

14457. All costs of the asset transfer, asset valuation, security registration, and the administrative costs in the implementation of Chapter 1305 of the Statutes of 1971, shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

14458 In the event that the members of the Community College System elect to be fully covered by that system so as to require a transfer of cash and securities in kind from the Teachers' Retirement Fund to the Community College System, the State Teachers' Retirement System shall be bound by the conditions set forth in Sections 14456 through 14456 3

14459 The Los Angeles Community College District may continue the current annual report of member contributions and service for fiscal year 1972–1973 for all nonlocal certificated members working in the Los Angeles Community College District The 8-percent employee and 3 2-percent employer contributions for these nonlocal members shall be remitted monthly. If an annual report is submitted instead of a monthly report, it is due on July 31, 1973, and is delinquent on August 31, 1973 The provisions of Section 14056 shall apply.

14460 The Community College System shall submit a list of all members of that system as of June 30, 1972, who have credentialed service which would qualify for membership in the State Teachers' Retirement System. The list shall be submitted to the State Teachers' Retirement System no later than August 31, 1972

14461. If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect

The facts constituting such necessity are: In order to permit the orderly implementation of Chapter 1305, of the Statutes of 1971, this act must take effect immediately.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No 1566

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1566—An act to add Chapter 6 (commencing with Section 12350) to Division 8 of the Elections Code, relating to the California Fair Campaign Practices Commission, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 21, of the printed bill, after the second comma, insert "sex,".

Amendment No. 2

On page 2, line 27, after the comma, insert "or their designee,".

Amendment No. 3

On page 4, line 11, after the period, insert "All qualified political parties in the state shall be represented on the commission."

Amendment No. 4

On page 5, line 38, strike out "_____ dollars"; and in line 39, strike out "($_____)", and insert fifty thousand dollars ($50,000)".

Amendment No. 5

On page 6, line 2, strike out "_____ dollars"; and in line 3, strike out "($_____)", and insert "one hundred thousand dollars ($100,000)".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1275

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1275—An act to add Part 7 (commencing with Section 12650) to Division 2 of the Insurance Code, relating to mass merchandising plans for property and casualty insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 34; and in line 35, strike out "if they are", and insert "Rates may be".

Amendment No. 2

On page 3, strike out lines 4 to 17, inclusive; and in line 18, strike out "(d)", and insert "(c)".

Amendment No. 3

On page 3, strike out line 22; and in line 23, strike out "commissioner," and insert "(d) No insurer shall".

Amendment No. 4

On page 3, line 27, strike out "(f)", and insert "(e)".

Amendment No. 5

On page 3, line 36, strike out "(g)", and insert "(f)".

Amendment No. 6

On page 4, line 4, strike out "(a)", and insert "(1)".

Amendment No. 7

On page 4, line 5, strike out "(b)", and insert "(2)".

Amendment No. 8

On page 4, line 7, strike out "(h)", and insert "(g)".

Amendment No. 9

On page 4, line 13, strike out "(i)", and insert "(h)".

Amendment No. 10

On page 4, line 17, strike out "(j)", and insert "(i)".

Amendment No. 11

On page 4, line 21, strike out "60", and insert "180".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 1858

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1858—An act to add Section 13143 7 to the Health and Safety Code, relating to fire protection.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "inconsistent", and insert "in conflict".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 2, 1972

Mr. Speaker The Chairman of your Committee on Governmental Organization reports·

AB No 558

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 558—An act to add Article 7 (commencing with Section 350) to Chapter 4 of Division 1 of the Business and Professions Code, relating to assistance to local consumer affairs programs, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, between lines 5 and 6, insert

"350 5 As used in this chapter, "local agency" means (a) any county, or (b) a city with a population in excess of 2,000,000 persons."

Amendment No. 2

On page 2, line 10, strike out "agencies", and insert "bureaus".

Amendment No. 3

On page 2, line 11, strike out "counties", and insert "local agencies".

Amendment No. 4

On page 2, line 20, strike out "counties", and insert "local agencies".

Amendment No. 5

On page 2, line 24, strike out "county", and insert "local agency".

Amendment No. 6

On page 2, line 31, strike out "counties", and insert "local agencies"

Amendment No. 7

On page 2, line 32, strike out "an equal basis to", and insert "the following basis".

Amendment No. 8

On page 2, line 33, strike out "Counties", and insert "First, to local agencies".

Amendment No. 9

On page 2, line 35, strike out "countywide consumer affairs agency", and insert "consumer affairs bureau".

Amendment No. 10

On page 2, between lines 36 and 37, insert

"(b) Second, to local agencies which, at the time of application, have a plan to create a consumer fraud division within their district attorney's office."

Amendment No. 11

On page 2, line 37, strike out "(b) Counties", and insert "(c) Third, to local agencies".

Amendment No. 12

On page 2, line 38, strike out "a county consumer affairs agency", and insert "or expand a consumer affairs bureau".

Amendment No. 13

On page 2, line 39, strike out ", by either transforming"; and strike out line 40; and on page 3, strike out lines 1 to 7, inclusive, and insert a period.

Amendment No. 14

On page 3, line 8, strike out "counties", and insert "local agencies".

Amendment No. 15

On page 3, line 18, after "office", insert "and a county consumer affairs bureau".

Amendment No. 16

On page 3, line 20, strike out "agency", and insert "bureau".

Amendment No. 17

On page 3, line 21, strike out "counties", and insert "local agencies".

Amendment No. 18

On page 3, line 23, strike out "counties", and insert "local agencies".

Amendment No. 19

On page 3, line 25, strike out "agency", and insert "bureau".

Amendment No. 20

On page 3, line 26, strike out "Counties", and insert "Local agencies".

Amendment No. 21

On page 3, line 27, strike out "agency", and insert "bureau".

Amendment No. 22

On page 4, line 6, after "agencies," insert "and".

Amendment No. 23

On page 4, line 7, strike out "and judicial forums".

Amendment No. 24

On page 4, line 26, strike out "Counties", and insert "Local agencies".

Amendment No. 25

On page 4, line 30, strike out "within the county", and insert "residing within the boundaries of the local agency".

Amendment No. 26

On page 4, line 33, strike out "county match county", and insert "local agency match agency".

Amendment No. 27

On page 4, line 34, strike out "County", and insert "Local agency".

Amendment No. 28

On page 4, line 35, strike out "county", and insert "local agency".

Amendment No. 29

On page 5, line 4, strike out "agency", and insert "bureau".

Amendment No. 29.5

On page 5, line 9, strike out "agency", and insert "bureau".

Amendment No. 30

On page 5, between lines 21 and 22, insert
"Cities ---------- $25,000.00".

Amendment No. 31

On page 5, line 25, strike out "county", and insert "local agency".

Amendment No. 32

On page 5, line 27, strike out "counties", and insert "local agencies".

Amendment No. 32.5

On page 5, line 31, strike out "agency", and insert "bureau".

Amendment No. 33

On page 5, line 36, strike out the first "2", and insert "4".

Amendment No. 34

On page 5, line 39, strike out "2 2", and insert "4 4".

Amendment No. 35

On page 6, between lines 8 and 9, insert
"Cities ---------- 1".

Amendment No. 36

On page 6, line 13, strike out "county", and insert "local agency".

Amendment No. 37

On page 6, line 14, strike out "counties", and insert "local agencies".

Amendment No. 38

On page 6, line 15, strike out "other counties", and insert "such other local agencies".

Amendment No. 39

On page 6, line 17, strike out "counties", and insert "local agencies".

Amendment No. 40

On page 6, line 29, strike out "agencies", and insert "bureau".

Amendment No. 41

On page 6, line 30, strike out "counties", and insert "local agencies".

Amendment No. 42

On page 6, line 32, strike out "five hundred fifty", and insert "seven hundred forty-five".

Amendment No. 43

On page 6, line 33, strike out "$550,000", and insert "$745,000".

Amendment No. 44

On page 6, line 40, strike out "Two hundred sixty thousand dollars ($260,000)", and insert "Three hundred eighty thousand dollars ($380,000)".

Amendment No. 45

On page 7, line 2, strike out "Two hundred sixty thousand dollars ($260,000)", and insert "Three hundred thirty-five thousand dollars ($335,000)".

Amendment No. 46

On page 7, line 3, strike out "agency", and insert "bureau".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 969

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 969—An act to amend Sections 12007, 12082, 12101 and 12105.1 of the Health and Safety Code, relating to the control of explosives.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 12105.1 of", and insert ", and 12105 1 of, and to add Section 12101.5 to,".

Amendment No. 2

On page 5, between lines 1 and 2, insert

"SEC 4. Section 12101 5 is added to the Health and Safety Code, to read:

12101 5. This chapter does not apply to any possession or use by a person licensed as a Pyrotechnic Operator-Special Effects First Class of 20 pounds or less of smokeless powder, or one pound or less of black sporting powder, if all of the following requirements are satisfied:

(a) All such powder is for use in the pursuit of the lawful business of such licensee and not for resale, and, in the case of black sporting powder, there shall be no gift, delivery or other disposition to another person who is not licensed as a Pyrotechnic Operator-Special Effects First Class. Any such licensee may sell, give, deliver, or otherwise dispose of any smokeless or black sporting power to another such licensee.

(b) The storage, use and handling of such smokeless and black powder conforms to rules, regulations, or ordinances of authorities having jurisdiction for fire prevention and suppression in the area of such storage, use, and handling of such explosives."

Amendment No. 3

On page 5, line 2, strike out "SEC 4", and insert

"SEC. 5".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No 140

With author's amendments with the recommendation Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 140—An act to amend Sections 8597 and 8598 of the Government Code, and Section 830 5 of the Penal Code, relating to peace officers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 4, line 3, of the printed bill, as amended in Senate April 4, 1972, after "section", insert "employed by the Department of Corrections".

Amendment No. 2

On page 4, line 7, after "Code", insert ", to any peace officer under this section who is employed by the Department of the Youth Authority, or to any probation officer or deputy probation officer".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

MESSAGES FROM THE SENATE

Senate Chamber, May 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 61
SB No. 630
SB No. 645
SB No. 688
SB No. 705

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No 19

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 61—An act to amend Section 24297 of the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 630—An act to amend Section 329 of the Probate Code, relating to wills.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 645—An act to amend Section 15 of the Crestline-Lake Arrowhead Water Agency Act (Chapter 40 of the Statutes of 1962, First Extraordinary Session), relating to the Crestline-Lake Arrowhead Water Agency.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 688—An act to amend Sections 22171, 22174, and 22177 of the Water Code, relating to irrigation districts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 705—An act to amend Section 8201 of the Government Code, relating to notaries public.

Held at Desk by order of the Acting Speaker.

Senate Joint Resolution No. 19—Relative to the San Felipe Division of the Central Valley Project.

Held at Desk by order of the Acting Speaker

REQUEST FOR UNANIMOUS CONSENT

Mr. Conrad was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 125

Mr Fenton was granted unanimous consent to take up Assembly Bill No 125, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, that a rush order be placed upon the bill, and that the bill be considered engrossed

Second Reading of Assembly Bill No. 125 by Unanimous Consent

Assembly Bill No. 125—An act to amend Sections 11580.2, 11620, and 11622 of, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1.5 (commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code, relating to motor vehicle insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 13 of the printed bill, as amended in Assembly April 19, 1972, strike out lines 7 and 8

Amendment No. 2

On page 15, line 9, after the period, insert "Except as provided in Section 11909, indemnity payments from collateral sources shall not affect the determination of the amount of work loss payable pursuant to this subdivision "

Amendment No. 3

On page 15, line 10, strike out "consist", and insert "consisting"

Amendment No. 4

On page 16, line 29, after the comma, insert "or the legal representative of any surviving children,"

Amendment No. 5

On page 16, strike out line 37; and in line 38, strike out "household as", and insert

"(b) Was the owner, or the spouse of"

Amendment No. 6

On page 17, between lines 6 and 7, insert

"(e) Was committing a crime punishable as a felony, or seeking to avoid lawful apprehension or arrest by a peace officer".

Amendment No. 7

On page 19, line 37, after "all", insert "reasonably related".

Amendment No. 8

On page 23, line 37, strike out "7", and insert "10".

Amendment No. 9

On page 24, strike out lines 35 to 40, inclusive; and on page 25, strike out lines 1 to 23, inclusive, and in line 24, strike out "11950", and insert

"11948. (a) If overdue benefits are awarded an insured in an arbitration proceeding provided for by this chapter, or if such benefits are paid by the insurer after receipt of notice of an attorney's representation of the claimant, a reasonable attorney's fee shall be paid to the claimant by the insurer, in addition to such benefits, unless the claim in whole or in part was fraudulent or so arbitrary as to have no reasonable foundation

(b) In any arbitration proceeding not specified in subdivision (a), the arbitrator, in his discretion, may award the claimant a reasonable attorney's fee

(c) An insurer shall be awarded a reasonable attorney's fee in the arbitration proceeding for defending a claim which is fraudulent or so arbitrary as to have no reasonable foundation Such fee may be offset against benefits due or thereafter to become due, and an award may be made against the claimant for any part of the fee not offset or paid

(d) If matters in issue between the parties are properly determinable in an action or proceeding in court, other than the arbitration proceeding provided for by this chapter, the provisions of subdivisions (a), (b), and (c) shall apply, as nearly as may be

11949".

Amendment No. 10

On page 25, line 39, strike out "or", and insert ", or negligent".

Amendment No. 11

On page 26, line 2, after the comma, insert "when determined on the basis of reasonable charges for services or products that would be made to a person with ability to pay, rather than on the basis of the charges actually made,".

Amendment No. 12

On page 26, line 11, after "permanent", insert "impairment or"

Amendment No. 13

On page 26, line 23, after "are", insert "or will be".

Amendment No. 14

On page 28, line 27, after the period, insert "Nothing in this section shall permit the owner of a motor vehicle who is not required to have basic loss insurance in effect, as required by Section 11895, to obtain basic loss insurance benefits through the assigned claims plan for injuries arising from his ownership, maintenance, or use of such motor vehicle."

Amendment No. 15

On page 29, after line 39, insert

"SEC. 5 This act shall become operative January 1, 1974."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1275

Mr. Fenton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1275, and that the bill be considered engrossed.

Speaker pro Tempore Presiding

At 10:20 a.m., Hon. Carlos Bee, 13th District, presiding.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 716, 1877, 278, 836, 749, 925, 1057, 2323, 392, and **595,** ordered to third reading.

Assembly Bills Nos. 1863 and **112,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 782—An act to add Section 7356 to the Labor Code, relating to aerial tramways.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted

Amendment No. 1

On page 1, line 6, of the printed bill, after "each", insert "known".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 416—An act to amend Section 1609.2 of the Revenue and Taxation Code, relating to local equalization proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted·

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Ray E. Johnson", and insert "Assemblymen Ray E. Johnson, Deddeh, Thomas, Stull, and Mobley.".

Amendment No. 2

On page 2, line 2, strike out "adjacent and contiguous lands", and insert "comparable properties that lie in the vicinity of the property under consideration,".

Amendment No. 3

On page 2, line 3, strike out "and", and insert ", and, at the request of the party affected or his agent,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1446—An act to add Section 14794 to the Government Code, relating to state purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "14794 to", and insert "14783.1 to, and to repeal Section 14783.1 of,".

Amendment No. 2

On page 1, line 1, strike out "14794", and insert "14783 1".

Amendment No. 3

On page 1, line 3, strike out "14794", and insert "14783 1".

Amendment No. 4

On page 1, between lines 4 and 5, insert "cards and pay the finance charges in connection with such use, for purchases, for obtaining services, and for hiring equipment.

SEC. 2. The Department of General Services shall report to the Legislature by the fifth calendar day of the 1974 and 1975 Regular Sessions of the Legislature on the costs and savings which have occurred as a result of the addition of Section 14783.1 to the Government Code by this act.

SEC 3. This act shall be operative until December 31, 1974, and thereafter is repealed and shall have no force or effect."

Amendment No. 5

On page 1, strike out lines 5 to 13, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1228—An act to add Sections 534.5 and 4837.5 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 534.5 and 4837.5", and insert "Section 534.5".

Amendment No. 2

On page 1, line 4, strike out "shall have the authority", and insert "may, by ordinance, establish a procedure".

Amendment No. 3

On page 1, line 6, strike out "of"; and strike out lines 7 and 8; and in line 9, strike out "determines that", and insert "not to exceed three years from the year of discovery when".

Amendment No. 4

On page 1, line 11, strike out "This authority will only exist", and insert "An ordinance authorized by this section shall apply only to taxes on escaped assessments in those instances".

Amendment No. 5

On page 1, after line 12, insert

"Any such ordinance shall specify the method of payment of such taxes."

Amendment No. 6

On page 2, strike out lines 1 to 13, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 758—An act to amend Section 14132 of, and to add Article 4.3 (commencing with Section 14136) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out "twenty-four", and insert "two".

Amendment No. 2

On page 2, line 17, strike out "year", and insert "month, and not to exceed twenty-four (24) services from among the above during any period of twelve (12) consecutive months; provided however that only as to physician outpatient services, any visits unused during the month immediately preceding the current month may be used in the current month, subject to the limitation that physician and other services from among the above shall not be covered in excess of twenty-four (24) among all such services during any period of twelve (12) consecutive months".

Amendment No. 3

On page 4, after line 31, insert

"SEC 3 Notwithstanding subdivision (a) of Section 14132 of the Welfare and Institutions Code, outpatient services are covered under the Medi-Cal program as follows:

Physician, hospital outpatient, optometric, chiropractic, psychology, podiatric, occupational therapy, physical therapy, speech therapy, audiology, dental services, and services of persons rendering treatment by prayer or healing by spiritual means in the practice of any church or religious denomination insofar as these can be encompassed by federal participation under an approved plan.

The extent of such coverage is limited to a maximum total of 24 services from among the above in any year As to hospital outpatient services, the above limitation on extent of coverage shall not apply to the services set forth in subdivisions (e), (f), (g), (h), (*l*), and (m) of Section 14132 of the Welfare and Institutions Code when rendered as part of a hospital outpatient visit Dental services shall be subject to the further limitations of subdivision (h) of Section 14132 of the Welfare and Institutions Code.

This section shall remain in effect only until October 1, 1973. The State Department of Health Care Services and the Legislative Analyst shall submit an analysis to the Legislature 60 days before October 1, 1973, on the effect of the provisions of this section on costs and availability of patient care."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 695—An act to amend Section 227a of the Civil Code, relating to adoption.

Bill read second time, and ordered to third reading.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 544—An act to amend Section 18406.1 of the Financial Code, relating to industrial loan companies:

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis,

Deddeh, Dent, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—47

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 744—An act to add Sections 537, 27803 and 27804 to the Vehicle Code, relating to motorcycles.

Bill read third time

The roll was called

Majority Floor Leader Presiding

At 10 32 a m , Hon Jack R Fenton, 51st District, presiding.

Call of the Assembly

Pending the announcement of the vote, Mr Biddle moved a call of the Assembly.

Motion carried Time, 11 45 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 474—An act to amend Section 10751 of, and to add Sections 10760, 10761, 10762, and 10763 to, the Education Code, relating to pupil records

Bill read third time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly

Motion carried. Time, 10 59 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 42—An act to add Article 6 (commencing with Section 19460) to Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84 1 to the Budget Act of 1972, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 42:

Governor's Office, Sacramento
April 18, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 42, "An act to add Article 7 (commencing with Section 19460) to Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84 1 to the Budget Act of 1972, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No 42, as amended, as an emergency measure

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No 42

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory,

Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 901—An act to amend Sections 2306, 2307, 2313, and 2315 of, and to repeal Section 2304 of, the Public Resources Code, relating to mining.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 2, 1972

Mr Speaker: Your Committee on Rules reports:

ACR No 82

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file.

Committee on Constitutional Amendments

Assembly Chamber, May 2, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 95

With the recommendation: Be adopted, and be re-referred to the Committee on Rules.

GARCIA, Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Judiciary

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 324

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 1049 AB No. 1453
AB No 1058 AB No. 1763

With the recommendation: Do pass.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Local Government

Assembly Chamber, May 2, 1972

Mr Speaker: Your Committee on Local Government reports:

AB No. 1903

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No 1902

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 2, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 1270

With amendments with the recommendation Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Constitutional Amendment No 95 for hearing in the Committee on Rules on Thursday, May 4, 1972.

Speaker pro Tempore Presiding

At 11.06 a m , Hon. Carlos Bee, 13th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 511—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 626—An act to amend Section 1425 of the Penal Code, relating to jurisdiction of justice courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Ralph, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—53

NOES—Miller and Waxman—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1826—An act to amend Section 562 of the Welfare and Institutions Code, relating to juvenile court

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Mac-

Gillivray, Maddy, McAlister, McCarthy, Meade, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 337—An act to add Sections 23054.5 and 23756.5 to the Education Code, relating to residence.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 644—An act to amend Section 2873 of the Penal Code, relating to state prisons.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—52.

NOES—Burke, Conrad, Leroy F. Greene, Hayden, and Stull—5.

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 474

At 11·22 a m, on motion of Mr Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 474 passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burton, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stull, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—47.

NOES—Burke, Cullen, Dent, Leroy F. Greene, Harvey Johnson, Lewis, MacDonald, Murphy, Stacey, Townsend, and Wood—11.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1623 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Judiciary; and that Assembly Bill No 1782 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Labor Relations

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 326 for hearing in the Committee on Ways and Means subcommittee today.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 82

Mr Burton was granted unanimous consent to take up Assembly Concurrent Resolution No. 82 without reference to file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 82

Assembly Concurrent Resolution No. 82—Relative to relatives' responsibility under the old age security program

Resolution read, and adopted by the following vote:

AYES—Arnett, Bee, Biddle, Briggs, Burton, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Monagan, Porter, Powers, Priolo, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—45.

NOES—Badham, Bagley, Barnes, Belotti, Beverly, Burke, Cline, Conrad, Hayden, Lanterman, MacGillivray, Russell, Seeley, and Stull—14.

Resolution ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 11 30 a.m, Hon Jack R Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 683—An act to amend Sections 50081 and 50082 of the Government Code, relating to law enforcement

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, Mac-

Donald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Beverly:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2351 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2351 for hearing in the Committee on Elections and Reapportionment.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1282—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy,

Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 913—An act to amend Section 23330 of the Vehicle Code, relating to vehicular crossings.

Bill read third time, and passed by the following vote.

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood Z'berg, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 744

At 11.34 a.m., on motion of Mr. Biddle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called.

Hon. Mike Cullen Presiding

At 11.37 a m, Hon Mike Cullen, 44th District, presiding.

Call of the Assembly Continued

Pending the announcement of the vote, Mr. Biddle moved to continue the call of the Assembly

Motion carried Time, 11:38 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Majority Floor Leader Presiding

At 11:40 a.m., Hon. Jack R. Fenton, 51st District, presiding.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 744

At 11:41 a.m., on motion of Mr Biddle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 744 passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Chacon, Chappie, Cline, Conrad, Davis, Deddeh, Dent, Duffy, Foran, Garcia, Hayden, Ray E Johnson, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Ralph, Russell, Ryan, Seeley, Stull, Townsend, Wilson, Wood, and Z'berg—41.

NOES—Burke, Burton, Collier, Cory, Cullen, Dunlap, Fenton, Gonsalves, Leroy F Greene, Harvey Johnson, Ketchum, Knox, LaCoste, Powers, Priolo, Stacey, Vasconcellos, Warren, and Waxman—19.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

Senate Bill No. 81—An act to add Section 13520.05 to the Education Code, relating to school employees' salaries

Bill read third time, and presented by Mr. Maddy.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 1—Relative to dedicating the Lakeport Vista Point-Tourist Information Center in memory of George Hoberg, Sr.

Resolution read, presented by Mr Ray E Johnson, and adopted.

Resolution ordered transmitted to the Senate

Senate Bill No. 548—An act to add Section 54932.1 to the Government Code, relating to city annexations, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Ray E Johnson

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Mike Cullen Presiding

At 11:46 a.m., Hon. Mike Cullen, 44th District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 432—An act to amend Section 656 of the Harbors and Navigation Code, relating to navigation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 145—An act to amend Section 846 of the Civil Code, relating to liability of landowners.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cul-

len, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Porter, Powers, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Briggs and Vasconcellos—2.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:53 a.m., Acting Speaker Cullen declared the quorum call of the Assembly dispensed with.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 907

Mr. Porter was granted unanimous consent that Assembly Bill No. 907 be withdrawn from the Committee on Water and re-referred to the Committee on Local Government.

CAUCUS ANNOUNCEMENTS

Mr. Cory announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 83: By Assemblymen Fenton, Monagan, Powers, Ray E. Johnson, Arnett, Badham, Barnes, Bee, Belotti, Biddle, Burke, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Porter, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Warren, Waxman, and Z'berg—Relative to commemorating the Shriners' 100th anniversary and to proclaiming the week of May 8, 1972, Centennial Shrine Week.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 83

Mr. Fenton was granted unanimous consent to take up Assembly Concurrent Resolution No. 83 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 83

Assembly Concurrent Resolution No. 83—Relative to commemorating the Shriners' 100th anniversary and to proclaiming the week of May 8, 1972, Centennial Shrine Week.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal.

Assembly Committee on Efficiency and Cost Control

May 1, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· Your Committee on Efficiency and Cost Control hereby transmits its first hearing record on the subject of the California State Exposition and Fair

Respectfully,

MIKE CULLEN
Chairman

Above report referred to the Committee on Ways and Means.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 14 was continued until the next legislative day.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 2, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 2346—An act to repeal Article 2 (commencing with Section 630) of Chapter 2 of, and to add Article 2 (commencing with Section 630) to Chapter 2 of, Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of, and to add Chapter 8 (commencing with Section 4521) to Part 2 of, Division 4 of, and to add Article 2 5 (commencing with Section 650) to Chapter 2 of Division 1 of, the Public Resources Code, relating to forestry.

EDWIN L Z'BERG

Above request ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, April 27, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 517

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Water

Assembly Chamber, April 19, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 710

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 435

With amendments with the recommendation: Amend, and do pass, as amended.

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1530

AB No. 1878

With author's amendments with the recommendation Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1530—An act to add Section 16028 to the Vehicle Code, relating to accident reports

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 16028", and insert "Sections 16028 and 16029".

Amendment No. 2

On page 1, line 4, after "16000", insert "without making a proper investigation, and any person who files a report pursuant to Section 16000".

Amendment No. 3

On page 1, line 5, after "false", insert a comma.

Amendment No. 4

On page 1, after line 7, insert

"As used in this section and in Section 16029, "making a proper investigation," means checking the license of a vehicle to determine the registered owner as indicated by records of the department, and complying with any other requirements which the department, by regulation, may determine are reasonably necessary to prevent the filing of false reports pursuant to Section 16000

SEC. 2. Section 16029 is added to the Vehicle Code, to read:

16029 Whenever it is alleged in a report to the department that a person has been involved in an accident described in Section 16000, and such person denies any involvement in writing to the department, the department shall conduct a hearing thereon. If the department finds that the person who made the allegation did so with knowledge that any information contained in the report was false, or that such person made the allegation without making a proper investigation, as specified in Section 16028, and that the person who denied involvement was not involved in such accident, the department shall administratively correct the report, and assess a civil penalty in the amount of costs of the hearing plus one hundred dollars ($100) against the person who made the allegation."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1878—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, and to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out lines 37 and 38, and insert "programs However, to the extent that any such legislation or program purports to require or permit any act that is unlawful under Section 35720 it shall be invalid Nothing contained".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1996
AB No. 2146
AB No. 1815

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1996—An act to amend Section 2151 of the Streets and Highways Code, relating to street or road expenditures.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 8, and insert "30th day of June.

The State Controller".

Amendment No. 2

On page 1, line 9, after "The", insert "report shall show the amount expended for construction by contract, maintenance by contract, construction by day labor, and maintenance by day labor. For construction and maintenance by day labor, the amount shall include the cost of material, labor, equipment, and overhead for work performed thereunder.

The".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 2146—An act to amend Section 54851 of the Government Code, relating to special district

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 54851 of the Government" and insert "add Section 47335 to the Health and Safety".

Amendment No. 2

In line 2 of the title, strike out "special district", and insert "county sanitation districts".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 4733.5 is added to the Health and Safety Code, to read:

4733.5 Where two or more county sanitation districts have joined in the purchase, ownership, use, construction, maintenance, or operation of a sewerage system, or sewage disposal or treatment plant, or refuse transfer or disposal system, or both, either within or without the districts, or have so joined for any combination of these purposes, as provided in Section 4742, and the districts hold their meetings jointly, and one or more of the directors serve as a director on more than one of such districts meeting jointly, the districts may, by joint resolution approved by each district, limit the compensation of such a director to compensation equal to not more than fifty dollars ($50) for each jointly held meeting attended by him, not to exceed one hundred dollars ($100) in any one month for attendance at jointly held meetings."

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 1815—An act to amend Section 10352 of, and to add Section 5238 to, the Streets and Highways Code, relating to the improvement acts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "either", and insert "any".

Amendment No. 2

On page 2, line 3, strike out "work, or change", and insert "work.
(2) Change".

Amendment No. 3

On page 2, line 4, after the comma, insert "as determined from the successful bid for the original work,".

Amendment No. 4

On page 2, line 5, after "($25,000)", insert ", except where the change in the cost resulted from a change in the scope of the original work".

Amendment No. 5

On page 2, line 6, strike out "(2)", and insert "(3)".

Amendment No. 6

On page 3, line 9, strike out ", or change", and insert ";
(2) Change".

Amendment No. 7

On page 3, line 10, after the comma, insert "as determined from the successful bid for the original work,".

Amendment No. 8

On page 3, line 11, after "($25,000)", insert ", except where the change in the cost resulted from a change in the scope of the original work".

Amendment No. 9

On page 3, line 12, strike out "(2)", and insert "(3)".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports:

ACA No. 3 —

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, subdivisions (a) and (c) of Section 7, subdivision (c) of Section 8, subdivision (a) of Section 10, and repealing subdivision (d) of Section 7 of, Article IV, and adding Section 8 to Article XXII thereof, relating to the Legislature.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out lines 4 to 8, inclusive, of the title of the printed measure, and insert "Sections 2 and 6 of Article IV, and Section 9 of Article V, thereof, relating to the Legislature."

Amendment No. 2

On page 2, strike out line 8, and insert:

"First—That Section 2 of Article IV be amended to read:

SEC. 2. (a) ~~The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. The Assembly has a membership of 80 Assemblymen elected for 2-year terms.~~ *The Senate shall consist of members equal in number to the number of members of the United States House of Representatives allocated to California under Federal law, and the Assembly of members twice the number of members of the Senate, to be elected by districts, numbered as hereinafter*

provided. One-half of the Senators shall be elected every two years, those from the odd-numbered districts being elected when the number of the year is divisible by four.

Second—That Section 6 of Article IV be amended to read:

SEC. 6. For the purpose of choosing members of the Legislature, the state shall be divided in ~~40~~ senatorial *districts equal in number to the number of members of the United States House of Representatives allocated to California under federal law* and ~~80~~ assembly districts *twice the number of senatorial districts* to be called senatorial and assembly districts. Such districts shall be composed of contiguous territory, and ~~Assembly districts~~ shall be as nearly equal in population as may be. Each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly. The senatorial ~~districts shall be numbered from 1 to 40, inclusive, in numerical order,~~ and the assembly districts shall be numbered ~~from 1 to 80~~ in ~~the same~~ order, commencing at the northern boundary of the state and ending at the southern boundary thereof. *Senatorial districts shall include the same territory and be determined by the same boundaries as congressional districts and each senatorial district shall include two assembly districts.* ~~In the formation of assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, and in the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any assembly or senatorial district.~~ The census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, ~~at its first regular session following the adoption of this section and thereafter at~~ *beginning on the first legislative day of, and reaching completion no later than the final day of,* the first regular session ~~following each decennial federal census~~ *in each new decade*, adjust such districts, and reapportion the representation so as to preserve the ~~assembly~~ districts as nearly equal in population as may be; ~~but in the formation of senatorial districts no county or city and county shall contain more than one senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one senatorial district,~~ provided, however, that should the Legislature ~~at the first regular session following the adoption of this section or~~ at the first regular session ~~following~~ *of* any decennial federal census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding federal census But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided for by law

In the event the Legislature does not reapportion itself by December 1, 1972, the Governor shall convene the Legislature in special session on December 4, 1972, for the purpose of reapportioning itself.

Third—That Section 9 of Article V be amended to read:

SEC. 9. The Lieutenant Governor shall have the same qualifications as the Governor. He is President of the Senate but ~~has only a casting~~ *may* vote *only in the case of a tie-vote, all Members of the Senate voting*."

Amendment No. 3

On page 2, strike out lines 9 to 32, inclusive; and strike out all of pages 3 to 5, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 1147

AB No. 2165

With author's amendments with the recommendation: Amend, and refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1147—An act to amend Sections 19035.1, 19035.3, 19060.6 and 19170 of, to add Section 19050 to, and to repeal Sections 19171, 19171.5 and 19171.6 of, the Business and Professions Code, relating to furniture and bedding.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On line 1 of the title of the printed bill, strike out "19035.1, 19035.3,".

Amendment No. 2

In line 2 of the title, strike out "Section 19050", and insert "Sections 19035.35 and 19050".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 19035.35 is added to the Business and Professions Code, to read:

19035.35. Notwithstanding any other provision of this code, each vacancy occurring in the office of an industry member of the board after the effective date of this section shall be filled by the appointment of an industry member at large, without regard to any branch of the industry."

Amendment No. 4

On page 2, strike out lines 2 to 31, inclusive; and on page 3, strike out lines 1 to 23, inclusive.

Amendment No. 5

On page 3, line 24, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 6

On page 3, line 32, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 7

On page 4, line 9, strike out "SEC. 5", and insert "SEC 4".

Amendment No. 8

On page 5, line 1, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 9

On page 5, line 6, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 10

On page 5, line 23, strike out "SEC. 8", and insert "SEC. 7".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 2165—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly April 26, 1972, strike out "by the", and insert "or offered for sale by a".

Amendment No. 2

On page 2, strike out line 7, and insert "manufacturer or wholesaler for use in this state, including any mattress sold to".

Amendment No. 3

On page 2, line 9, after "state", insert a comma.

Amendment No. 4

On page 2, line 14, strike out "by the", and insert "or offered for sale by a".

Amendment No. 5

On page 2, line 15, strike out "manufacturer, and", and insert "manufacturer or wholesaler for use in this state, including".

Amendment No. 6

On page 2, line 16, strike out "manufactured for,".

Amendment No. 7

On page 2, line 18, after "state", insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 1865
AB No. 1868

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1865—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "relations", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, strike out line 7, and insert

"CHAPTER 1. ADMINISTRATION

14500. There is in state government the Peace Officer Community Relations Commission. It is the intention of the Legislature that this commission administer a program to improve relations between peace officers and the public they serve.

14501 The Legislature hereby finds and declares that peace officer community relations in some areas of the state have deteriorated in a manner that is detrimental to the public welfare. While law enforcement agencies are by no means solely responsible for whatever discord exists, the special role of the police in society places upon them much of the burden for alleviating it.

14502 (a) The Peace Officer Community Relations Commission shall consist of nine members the Attorney General or his designee; a member of the Board of the Commission on Peace Officer Standards and Training designated by that board; a member of the Board of California Council on Criminal Justice designated by that board; and the following members appointed by the Governor—a city executive, a county executive (one executive to be from the Northern region of California and one from the Southern region of California); a public defender; a person who shall be an officer, director, or professional staff member of a nonprofit corporation that has as one of its primary concerns the safety and well-being of Mexican-American residents of California; a person who shall be an officer, director, or professional staff member of a nonprofit corporation that has as one of its primary concerns the safety and well-being of black residents of California; and a student who is an officer of a student body association of a California state university or college, University of California or a community college, who shall be chosen from the nominees submitted to the Governor by the Student Presidents' Associations of the University of California, the California State University and Colleges, and the community colleges

(b) The members shall serve 2-year terms The members first appointed shall arrange themselves by lot so that the terms of five members shall expire June 1, 1974, and that of four members June 1, 1975.

14503 The commission shall establish an advisory committee which shall meet at least every three months to review the commission's activities and provide advice and consultation The advisory committee shall be broadly representative of civilian interests in peace officer community relations, and shall include, but not be limited to, representatives of business, labor, civic and social service organizations, minority groups, youth and students, senior citizens, women, ex-offenders, and civilians with expertise in police-community relations

14504 (a) The Peace Officers Community Relations Commission shall make an annual report of their program to the state Legislature Such annual report shall comment on the successes and failures in developing better community relations and include suggestions to improve the program It shall also discuss the finance operation of the commission and any needs for modifications in funding.

14505 (a) The commission may, subject to the State Civil Service Act, employ such clerical and technical staff as are necessary to carry out the provisions of this title

(b) The commission may adopt such rules and regulations as are necessary to carry out the provisions of this title pursuant to Chapter 4 5 (commencing with Section 11371) of Part 1, Division 3 of the Government Code.

(c) The members of the commission and the advisory committee shall receive a per diem and expenses

CHAPTER 2. POWERS AND DUTIES

14550. The commission shall approve and fund programs to improve relations between peace officers and the public within defined priority areas. These programs shall include incentives for peace officers which will better enable them to develop and maintain good relationships with the public while carrying out their basic duty of safeguarding the community.

14551. (a) A priority area is a geographic area within a city or county where peace officer community relations are strained, hampering effective law enforcement and citizen respect for and communication with their peace officers.

Criteria indicating a priority area include a high crime rate particularly a high number of violent crimes and serious property crimes, frequent assaults on and deaths of peace officers, frequent justifiable homicides effected by peace officers, repetitive instances of civil disturbances or civil disorders, a high concentration of young people or minority group persons with past records of poor police-community relations, and other evidence of recognizable tension in the area provided by the applicant agency.

(b) As used in this title, "peace officer" means a sworn full-time employee of a city police department or a sheriff's department.

14552. Application to operate a program of community curriculum and incentives shall be submitted to the Peace Officer Community Relations Commission and may be made by any of the following:

(a) A board of supervisors,

(b) A city council, or

(c) A police department or sheriff's department.

14553. (a) Each application shall contain a detailed description of the priority area to be served.

(b) Each application shall contain a detailed proposal to develop and administer a curriculum of courses intended to produce effective law enforcement through improved peace officer-community relations within a priority area.

(c) The courses shall be designed to familiarize and teach the peace officer the priority area history, mores, sociological character, economic and social needs, political concerns, language and residents' perspectives of the criminal justice system and law enforcement

(d) Each program shall include a system of financial and other incentives contingent on successful completion of various portions of the curriculum by officers working in the priority area.

(e) The curriculum design, incentive planning, and course presentation elements of the program shall include the maximum feasible participation of priority area residents Civilian instructors and knowledgeable residents of the priority area shall design the courses and requirements in each curriculum. Civilian participants shall be given reasonable access to policy, statistical, and other background information about law enforcement agency operations in order that they may make informed decisions about the appropriate scope and content of the community curriculum and the associated incentives.

(f) Each application shall include letters commenting on the proposal from residents and civic, social service, and neighborhood groups which serve the priority area.

(g) These courses shall be taught within the geographical confines of the priority area.

(h) The courses shall be taught by knowledgeable instructors with a civilian perspective on the needs of the priority areas. There shall be minimal use of professional peace officers as instructors.

(i) Each curriculum shall include adequate opportunity for peace officers to explain their policies, programs, and perspectives to priority area residents and civilian participants in the planning, operation, and instruction of the community curriculum. No such community education element shall exceed 20 percent of the total number of hours in the curriculum.

(j) A curriculum comprising at last 80 hours of class time must be provided. The commission shall review the proposed curriculum and approve the same before operating funds are released.

(k) Each project shall include provision for at least 40 hours of annual continuing education through the community curriculum or participation in the community service projects or internships for the entire period of the grant for all officers who receive incentive pay pursuant to this chapter.

(*l*) Every project funded shall require that all full-time sworn personnel of the applicant agency who regularly work within the priority area shall participate in the community curriculum training program.

14554. (a) Approval of a program grant by the commission shall be based upon the need of the priority area, the likelihood that the project proposed will improve peace officer-community relations and thereby improve law enforcement, and the funds available.

(b) Grants shall be for a three-year period, with funds released one year at a time.

(c) Grants shall be sufficient to reimburse all budgeted costs which are properly attributable to the operation of a project However, no grant funds shall be used to purchase any real property nor shall any grant include more than five thousand dollars ($5,000) or 10 percent of the grant, whichever is less, for nonconsumable fixtures and equipment.

(d) The agency which has primary patrol responsibility in a priority area shall be the preferred grantee in the event that more than one application is received to operate a program in a specific priority area.

(e) No grant shall be for more than 30 percent of the entire amount available under this title

14555. The commission annually shall evaluate the effectiveness of every program funded under this title.

SEC. 2 The sum of nine hundred fifty thousand dollars ($950,000) is hereby appropriated from the General Fund for the purposes of this act, of which one hundred thousand dollars ($100,000) may be utilized for administration, exclusive of evaluation costs."

Amendment No. 3

On page 1, strike out lines 8 to 11, inclusive; and on page 2, strike out lines 1 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

Assembly Bill No. 1868—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "relations", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, strike out line 7, and insert

"CHAPTER 1. ADMINISTRATION

14500. There is in state government the Peace Officer Community Relations Commission. It is the intention of the Legislature that this commission administer a program to improve relations between peace officers and the public they serve.

14501. The Legislature hereby finds and declares that relations between peace officers and the community in some areas of the state have deteriorated in a manner that is detrimental to the public welfare. While law enforcement agencies are by no means solely responsible for whatever discord exists, the special role of the police in society places upon them much of the burden for alleviating it.

14502. (a) The Peace Officer Community Relations Commission shall consist of nine members: the Attorney General or his designee; a member of the Board of the Commission on Peace Officer Standards and Training designated by that board; a member of the Board of the California Council on Criminal Justice designated by that board; and the following members appointed by the Governor—a city executive, a county executive (one executive to be from the Northern region of California and one from the Southern region of California); a public defender; a person who shall be an officer, director, or professional staff member of a nonprofit corporation that has as one of its primary concerns the safety and well-being of Mexican-American residents of California; a person who shall be an officer, director, or professional staff member of a nonprofit corporation that has as one of its primary concerns the safety and well-being of black residents of California; and a student who is an officer of a student body association of the University of California; a California state university or college, or a community college, who shall be chosen from the nominees submitted to the Governor by the Student President's Associations of the University of California, the California State University and Colleges, and the community colleges.

(b) The members shall serve two-year terms The members first appointed shall arrange themselves by lot so that the term of five members shall expire June 1, 1974, and that of four members June 1, 1975.

14503. The commission shall establish an advisory committee which shall meet at least every three months to review the commis-

sion's activities and provide advice and consultation. The advisory committee shall be broadly representative of civilian interests in peace officer community relations and shall include, but not be limited to, representatives of business, labor, civic and social service organizations, minority groups, youth and students, senior citizens, women, ex-offenders, and civilians with expertise in police-community relations.

14504. The Peace Officers Community Relations Commission shall make an annual report of their program to the state Legislature Such report shall comment on the successes and failures in developing better community relations and include suggestions to improve the program. It shall also discuss the finance operations of the commission and any needs for modifications in funding.

14505. (a) The commission may, subject to the State Civil Service Act, employ such clerical and technical staff as are necessary to carry out the provisions of this title.

(b) The commission may adopt such rules and regulations as are necessary to carry out the provisions of this title pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of the Government Code.

(c) The members of the commission and the advisory committee shall receive a per diem and expenses.

CHAPTER 2. POWERS AND DUTIES

14525. It is the intent of the Legislature by the enactment of this title to encourage voluntary positive responsiveness on the part of the peace officers to the community in order that effective law enforcement may be extended and maintained in defined priority areas.

The commission shall approve and fund programs to improve relations between peace officers and the public within defined priority areas. These programs shall include incentives for peace officers which will better enable them to develop and maintain good relationships with the public while carrying out their basic duty of safeguarding the community.

14526. (a) A priority area is a geographic area within a city or county where peace officer community relations are strained, hampering effective law enforcement and citizen respect for and communication with their peace officers.

Criteria indicating a priority area include a high crime rate, particularly a high number of violent crimes and serious property crimes, frequent assaults on and deaths of peace officers, frequent justifiable homicides effected by peace officers, repetitive instances of civil disturbances or civil disorders, a high concentration of young people and minority group persons with past records of poor police-community relations, and other evidence of recognizable tension in the area provided by the applicant agency.

(b) As used in this title, "peace officer" means a sworn full-time employee of a city police department or a sheriff's department.

14527 Application to operate a project under this title shall be submitted to the Peace Officer Community Relations Commission and may be made by any of the following:

(a) A board of supervisors,

(b) A city council, or

(c) A police or sheriff's department.

14528. (a) Each application shall contain a detailed description of the priority area to be served.

(b) Each application shall contain a detailed proposal to solicit sytematic and comprehensive citizen input and to utilize such input to improve law enforcement through better peace officer community relations and concomitant citizen cooperation in a priority area.

(c) Each application shall contain a system of financial and other incentives for peace officers who participate in the direct citizen feedback program described hereinafter.

14529. (a) All programs funded under this title shall contain at least the following elements:

(1) Peace officer-civilian contacts, including field interrogations, traffic and misdemeanor citations, and responses to calls for services, will be utilized to solicit input. Other peace officer-citizen contacts may also be used for solicitation of input. An input report card or form shall be given to every person during his contact with a peace officer. These report forms or cards shall contain a return address and be postage prepaid.

Each form or card shall be numbered or otherwise identified so that it may be connected with all other reports or documents which result from the peace officer-citizen contact A detachable stub containing this number, which may be retained by the citizen, shall be part of the form or card. The officer shall enter his badge number and the time, date, and location of the contact on the form or card The citizen may thereafter complete the remainder and mail the same to the agency. The citizen shall not be required to identify himself on the form or card.

(2) In any program to serve priority areas in which five percent or more of the residents utilize a language other than English, the input report form or card shall also be provided in such language.

(3) The proposed program shall include procedures for receiving, categorizing, and making a permanent record of the information received by the applicant agency, including the recording of such information in the personnel file of each peace officer to whom it relates.

(4) Every project shall include a system to provide the individual peace officer with rapid feedback of citizen comments resulting from contacts with the officer.

(5) Every project funded shall require that all full-time sworn personnel of the applicant agency who regularly work within the priority shall participate in the immediate positive feedback program

(b) Each project shall include a system of financial and other incentives over and above normal benefits to reward officers who work in a priority area for participation in this direct citizen feedback program. A composite of citizen feedback reports must be a factor in consideration for pay raises, promotions, assignments, and other financial and nonfinancial incentives (in addition to the basic reward for program participation) shall be correlated with citizen feedback which affirmatively indicates improved law enforcement effectiveness for an officer through improved community relations

(c) A program may include such other method of citizen input as the applicant may devise and the commission approves. All such projects shall be limited to priority areas

(d) Each application shall include letters commenting on the proposal from residents and civic, social service, and neighborhood groups which serve the priority area Each program shall include a scheme to inform priority area residents that the project is operating and to solicit their cooperation

(e) Application for funding for the second and later years of a program pursuant to this title shall include a plan for increasing citizen input and the comprehensive and systematic consideration of such input in processes of planning, policymaking, resource allocation, and evaluation by the applicant agency.

14530. (a) Approval of a program grant by the commission shall be based upon the need of the priority area, the likelihood that the project proposed will improve peace officer community relations and thereby improve law enforcement, and the funds available.

(b) Grants shall be for at least a two-year period, with funds released on an annual or more frequent basis.

(c) Grants shall be sufficient to reimburse all budgeted costs which are properly attributable to the operation of a project However, no grant funds shall be used to purchase any real property nor shall any grant include more than five thousand dollars ($5,000) or 10 percent of the grant, whichever is less, for nonconsumable fixtures and equipment.

(d) The agency which has primary patrol responsibility in a priority area shall be the preferred grantee in the event that more than one application is received to operate a program in a specific priority area.

(e) No grant shall be for more than 30 percent of the entire amount available under this chapter.

14531. The commission annually shall evaluate the effectiveness of every program funded pursuant to this title.

SEC. 2 The amount of nine hundred fifty thousand dollars ($950,000) is hereby appropriated from the General Fund for the purposes of this title of which one hundred thousand dollars ($100,000) may be utilized for administration, exclusive of evaluation costs."

Amendment No. 3

On page 1, strike out lines 8 to 11, inclusive; and on page 2, strike out lines 1 to 8, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports

AB No. 1866

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1866—An act to add Title 8 (commencing with Section 14500) to Part 4 of the Penal Code, relating to peace officer-community relations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "relations", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, strike out line 7, and insert

"CHAPTER 1. ADMINISTRATION

14500. There is in state government the Peace Officer Community Relations Commission. It is the intention of the Legislature that this commission administer a program to improve relations between peace officers and the public they serve.

14501. The Legislature hereby finds and declares that peace officer community relations in some areas of the state have deteriorated in a manner that is detrimental to the public welfare While law enforcement agencies are by no means solely responsible for whatever discord exists, the special role of the police in society places upon them much of the burden for alleviating it.

14502. (a) The Peace Officer Community Relations Commission shall consist of nine members· the Attorney General or his designee; a member of the Board of the Commission on Peace Officer Standards and Training designated by that board; a member of the Board of California Council on Criminal Justice designated by that board; and the following members appointed by the Governor—a city executive; a county executive (one executive to be from the Northern region of California and one from the Southern region of California); a public defender; a person who shall be an officer, director, or professional staff member of a nonprofit corporation that has as one of its primary concerns the safety and well-being of Mexican-American residents of California; a person who shall be an officer, director, or professional staff member of a nonprofit corporation that has as one of its primary concerns the safety and well-being of black residents of California; and a student who is an officer of a student body association of the University of California, of a California state university or college, or of a community college, who shall be chosen from the nominees submitted to the Governor by the Student Presidents Associations of the University of California, the California State University and Colleges, and the community colleges.

(b) The members shall serve 2-year terms. The members first appointed shall arrange themselves by lot so that the terms of five members expire June 1, 1974, and that of four members June 1, 1975.

14503. The commission shall establish an advisory committee which shall meet at least every three months to review the commission's activities and provide advice and consultation The advisory committee shall be broadly representative of civilian interests in peace officer community relations and shall include, but not be limited to, representatives of business, labor, civic and social service organizations, minority groups, youth and students, senior citizens, women, ex-offenders, and civilians with expertise in police-community relations.

14504. (a) The Peace Officer Community Relations Commission shall make an annual report of their program to the state Legislature Such report shall comment on the successes and failures in developing better community relations and include suggestions to improve the program. It shall also discuss the financial opera- of the commission and any needs for modifications in funding.

14505. (a) The commission may, subject to the State Civil Service Act, employ such clerical and technical staff as are necessary to carry out the provisions of the title.

(b) The commission may adopt such rules and regulations as are necessary to carry out the provisions of this title pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1, Division 3 of the Government Code.

(c) The members of the commission and the advisory committee shall receive a per diem and expenses.

CHAPTER 2 POWERS AND DUTIES

14575. It is the intent of the Legislature by this title to establish a program for the purpose of improving relations between the police and the public by encouraging peace officers to reside in priority areas as defined herein in order that they may better understand priority area residents and individual and community needs for law enforcement assistance.

The commission shall approve and fund programs to improve relations between peace officers and the public within defined priority areas. These programs shall include incentives for peace officers which will enable them to develop and maintain good relationships with the public while carrying out their basic duty of safeguarding the community.

14576. (a) A priority area is a geographic area within a city or county where peace officer community relations are strained, hampering effective law enforcement and citizen respect for and communication with their peace officers

Criteria indicating a priority area, including a high crime rate, are, particularly, a high number of violent crimes and serious property crimes, frequent assaults on and deaths of peace officers. frequent justifiable homicides effected by peace officers, repetitive instances of civil disturbances or civil disorders, a high concentration of young people and minority group persons with past records of poor police-community relations, and other evidence of recognizable tension in the area provided by the applicant agency.

(b) As used in this title, "peace officer" means a sworn full-time employee of a city police department or sheriff's department.

14577. Applications under this title shall be submitted to the Peace Officer Community Relations Commission and may be made by any of the following:

(a) A county.

(b) A city.

(c) A police department, or sheriff's department.

(d) A nonprofit corporation.

The commission shall review applications and award grants based on the needs of the priority area, the funds available and the likelihood that improved police-community relations will result if the program is funded.

14578. (a) Each application shall contain a detailed description of the priority area to be served.

(b) Each application shall contain a detailed proposal to distribute rent and mortgage payment supplements to officers who voluntarily live in the priority area. Each proposal shall provide that peace officers having at the time of the grant or thereafter established residence in the priority area shall receive a monthly subsidy. This subsidy shall represent at least 25 percent of the officer's rent or home ownership payment.

(c) Each application shall contain an estimate of the number of officers expected to participate and a budget sharing both the costs of subgrants to eligible officers and the costs of administration.

(d) Applications by organizations which are not governmental entities or agencies shall contain detailed information on their fiscal responsibility.

14579. Upon receipt of a grant, the grantee agency shall, by advertisements, notices, or other suitable means, inform all peace officers who reside or who might wish to reside in the priority area of the availability of the subsidy.

14580. (a) Subsidies shall be awarded and distributed by the grantee in accordance with procedures approved by the commission.

(b) All grants shall be subject to an annual independent audit.

14581. (a) Grants shall be for a three-year period, with funds released by the commission on an annual or more frequent basis.

(b) Grants shall be sufficient to reimburse all budgeted costs which are properly attributable to the operation of a project. However, no grant funds shall be used to purchase any real property nor shall any grant include more than five thousand dollars ($5,000) or 10 percent of the grant, whichever is less, for nonconsumable fixtures and equipment.

(c) The agency which has primary patrol responsibility in a priority area shall be the preferred grantee in the event that more than one application is received to operate a program in a specific priority area.

(d) No grant shall be for more than 30 percent of the entire amount available under this chapter.

(e) No grantee shall utilize more than 12 percent of any grant for the costs of administration thereof.

14582 The commission shall annually evaluate the effectiveness of every program funded under this title.

SEC 2 The sum of nine hundred fifty thousand dollars ($950,000) is hereby appropriated from the General Fund for the purposes of this act, of which one hundred thousand dollars ($100,000) may be utilized for administration, exclusive of evaluation costs."

Amendment No. 3

On page 1, strike out lines 8 to 11, inclusive; and on page 2, strike out lines 1 to 8, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 32: By Assemblymen Waxman, Sieroty, Cory, Miller, Brown, Burton, Chacon, Crown, Fenton, Fong, Leroy F Greene, Keysor, McCarthy, Moretti, Priolo, Townsend, and Warren (Senators Beilenson and Marks, coauthors)—Relative to Genocide Convention of the United Nations.

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Messrs Leroy F Greene, LaCoste, and Russell were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 544.

Mr. Crown was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 42, and on the passage of the bill.

Mr Priolo was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 337.

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 644.

Mr. Hayden was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 644.

Mr Badham was granted unanimous consent that he be recorded as voting "Aye." instead of "No," on Assembly Bill No 644

Messrs Maddy, Chappie, and Lewis were granted unanimous consent that they be recorded as voting "Aye" on Assembly Concurrent Resolution No 82.

Mr Monagan was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Concurrent Resolution No. 82.

Mr. Cullen was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the urgency clause to Assembly Bill No 1282, and on the passage of the bill

Mr Ketchum was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 474.

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 626.

Mr Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 683.

Mr Chappie was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 145

ADJOURNMENT

At 12 m., Acting Speaker Cullen declared the Assembly adjourned until 11 a m., Wednesday, May 3, 1972, out of respect to the memory of the late Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-seventh Legislative Day

One Hundred Twenty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 3, 1972

The Assembly met at 11 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly
Mr. Knox seconded the motion.
Motion carried. Time, 11:04 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11·10 a.m , Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, In these days of new ideas, some uplifting, some confusing, in days of man's awakening to his own immense potential and his creative vocation, let us not forget that You are the source of life, and of existence.

Let us not forget that all that we discover in man and in his world is a new facet of Your love, a new reason why we must work in love and in haste towards the creation of a world of brothers living in peace and plenty.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Speaker Moretti then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Monagan, seconded by Mr Conrad.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere·

Mr. Moorhead, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Biddle, on request of Speaker pro Tempore Bee.
Mrs Brathwaite, on request of Speaker pro Tempore Bee
Mr Campbell, on request of Acting Speaker Fenton.
Mrs. Fong, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 1, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker. I respectfully request that I be excused from session on Wednesday, May 3, 1972, on legislative business

I will be in the district discussing current legislation with members of the aerospace industry.

Sincerely,

CARLOS J MOORHEAD, Assemblyman
Forty-third District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointment to Public Works Board

May 2, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Robert Badham to the Public Works Board to replace former Assemblyman Peter Schabarum.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Joint Resolution No.	*Committee*
32	Rules

Senate Bill No.	*Committee*
61	Environmental Quality
630	Judiciary
645	Water
688	Water
705	Judiciary

Senate Joint Resolution No.	*Committee*
19	Water

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 84: By Assemblyman Fenton—Relative to a recess of the Assembly.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, May 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 147—An act to amend Section 20800 of the Education Code, relating to school district taxes;

And reports the same correctly enrolled, and presented to the Governor at 1 30 p m., May 2, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, May 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 26—Relative to Solidarity Day;

And reports the same correctly enrolled, and presented to the Secretary of State on the second day of May, 1972, at 1.30 p.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 416
AB No. 758
AB No. 1228

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1057

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 339	AB No 1435	AB No. 1880
AB No. 782	AB No. 1446	AB No. 1984
AB No. 1019	AB No 1566	AB No. 2039
AB No. 1147	AB No. 1809	AB No. 2268
AB No. 1433		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1184
AB No. 2165

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 42

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 387

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 1952

AB No 1956

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 190

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 1495

With recommendation: That the subject matter of the bill be referred to the Select Committee on Health Manpower, for the purpose of making a recommendation to the Assembly Standing Committee on Health.

CAMPBELL, Chairman

Subject matter of the above bill re-referred to the Select Committee on Health Manpower.

Committee on Water

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 679
AB No. 905

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 1142
AB No. 1646

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 1691

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 1100

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1942

With amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 3, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

ACR No 46

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, May 3, 1972

Mr Speaker Your Committee on Criminal Justice reports:

AB No 973

With the recommendation: Do pass.

BEVERLY, Chairman

Above bill ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports.

AB No. 598

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 598—An act to add Article 2 5 (commencing with Section 5420) to Chapter 6 of Part 3 of Division 5 of the Health and Safety Code, relating to waste materials

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Article 2 5 (commencing with Section 5420) to Chapter 6 of Part 3 of Division 5", and insert "Chapter 6.5 (commencing with Section 25100) to Division 20".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Chapter 6 5 (commencing with Section 25100) is added to Division 20 of the Health and Safety Code, to read.

CHAPTER 6 5 · HAZARDOUS WASTE CONTROL

Article 1. Findings and Declarations

25100 The Legislature finds that increasing quantities of hazardous wastes are being generated in the state and that without adequate

safeguards for handling and disposal, such wastes can create conditions which threaten the public health and safety and create hazards to wildlife.

25101. The Legislature therefore declares that in order to prevent such hazardous conditions it is in the public interest to establish regulations and to maintain a program to provide for the safe handling and disposal of hazardous wastes.

Article 2. Definitions

25110 Unless the context indicates otherwise the definitions in this article govern the construction of this chapter

25111. "Department" means the State Department of Public Health

25112 "Director" means the Director of Public Health.

25113. "Disposal" means to abandon, deposit, intern or otherwise discard waste as a final action after their use has been achieved or a use is no longer intended.

25114. "Disposal site" means the location where any final deposition of solid waste occurs.

25115. "Extremely hazardous waste" means any hazardous waste or mixture of hazardous wastes which, if human exposure should occur, may likely result in death, disabling personal injury or illness during, or as a proximate result of, any disposal of such waste or mixture of wastes because of its quantity, concentration, or chemical characteristics.

25116. "Handling" means the transport, transfer from one place to another, or packaging of hazardous and extremely hazardous waste

25117. "Hazardous waste" means any waste material or mixture of wastes which is toxic, corrosive, flammable, an irritant, a strong sensitizer, which generates pressure through decomposition. heat or other means, if such a waste or mixture of wastes may cause substantial personal injury, serious illness or harm to wildlife, during, or as a proximate result of any disposal of such wastes or mixture of wastes The terms "toxic," "corrosive," "flammable," "irritant," and "strong sensitizer" shall be given the same meaning as in the California Hazardous Substances Act (Chapter 13 (commencing with Section 28740) of Division 21).

25118. "Person" also includes any city, county, district, the state or any department or agency thereof.

25119. "Processing" means to treat, detoxify, neutralize, incinerate, or otherwise process a hazardous waste to remove its harmful properties or characteristics for disposal in accordance with regulations established by the department in conjunction with any other agency authorized to regulate or control waste.

25120. "Processing facility" means any facility or location where any final treatment, incineration, processing or deposition of hazardous waste occurs.

25121. "Recycle" means to process, alter, or otherwise treat a hazardous waste for subsequent use.

Article 3. Hazardous Waste Advisory Committee

25130. The department shall establish a hazardous waste advisory committee to provide consultation to the department concerning matters covered by the chapter. The committee shall advise the department on the development of standards, rules, and regulations for hazardous waste management, and shall supply recommendations concerning methods by which existing hazardous waste management practices and the laws regulating them may be supplemented and improved.

25131. The committee shall consist of seven members appointed by the director who shall be knowledgeable in hazardous waste management. The members shall insofar as possible represent the interests of the public, local government, agriculture, manufacturing industry, local health departments, and the waste management industry.

25132 At least two members of the committee shall represent the interests of the public and shall have no financial interest in any of the recommendations or studies of the committee. Such financial interest shall include, but not be limited to, service as a consultant to any person specializing in waste disposal, as a tenant or landlord of property used for waste disposal, or as an attorney of a party with a direct financial interest in hazardous waste disposal.

Article 4. Listings

25140. The department shall prepare, adopt and may revise when appropriate, a listing of the wastes which are determined to be hazardous, and a listing of the wastes which are determined to be extremely hazardous When identifying such wastes the department shall consider, but not be limited to, the immediate or persistent toxic effects to man and wildlife and the resistance to natural degradation or detoxification of the wastes.

Article 5. Standards

25150. The department shall adopt, and may revise when appropriate, minimum standards and regulations for the handling, processing, and disposal of hazardous and extremely hazardous wastes to protect against hazards to the public health and to wildlife. Before adoption of such standards and regulations the department shall consult with and secure technical assistance from the Department of Agriculture, the Department of Fish and Game, the Department of Industrial Relations, Division of Industrial Safety, the State Air Resources Board, the State Water Resources Control Board and the State Fire Marshal.

25151. The department may adopt varying standards for different areas of the state depending on population density, climate, geology and other factors relevant to hazardous waste processing and disposal

25152 Before adopting or revising minimum standards and regulations for the handling, processing, and disposal of hazardous and extremely hazardous wastes, the department shall hold at least one public hearing in Sacramento, or in a city within the area of the state to be affected by the proposed regulations. The department shall adopt

the proposed regulations after making changes or additions that are appropriate in view of the evidence and testimony presented at the public hearing or hearings.

25153. Any person who is producing a waste material which he may reasonably consider to be as extremely hazardous waste, and which he does not intend to recycle for reuse and intends to dispose of as waste, shall notify the department of his intent to dispose of such waste material.

25154. After the effective date of the regulations adopted by the department pursuant to this article, it shall be unlawful for any person to dispose of any hazardous or extremely hazardous waste except as provided for in such regulations.

25155. After July 1, 1973, no extremely hazardous waste as listed by the department pursuant to Section 25140, may be disposed of without prior processing to remove its harmful properties or as specified by the regulations of the department for the handling and disposal of the particular extremely hazardous waste.

Article 6. Transportation

25160. After July 1, 1973, the person producing a hazardous waste listed by the department pursuant to Section 25140 shall provide the driver of any truck, a crew member of any train, or the captain of any vessel carrying such hazardous wastes with a manifest containing a list of the hazardous wastes carried, the amount of such waste, the general chemical and mineral composition of such waste listed by probable maximum and minimum percentages, the origin and destination of any such waste carried, and antidotes, first aid, or safety measures to be taken in case of accidental contact with the particular hazardous waste being carried. The person carrying, or handling the hazardous waste shall have the manifest in his possession while carrying or handling the hazardous waste and shall release the manifest to a person responsible for disposal of the hazardous waste at the time of delivery. Such manifest shall be shown to any department official or officer of the California Highway Patrol upon demand.

25161. The department shall adopt and enforce all rules and regulations, including the form and content of the manifest, necessary and appropriate to accomplish the purposes of Section 25160.

25162. Manifests required by other agencies of the state or the federal government which describe the character and amount of hazardous wastes being carried shall satisfy the requirement of Section 25160.

Article 7. Other Provisions

25170. The department in performing its duties under this chapter shall:

(a) Establish procedures for evaluation and coordination of research and development regarding methods of hazardous waste handling and disposal and may conduct appropriate studies relating to hazardous wastes.

(b) Maintain a technical reference center on hazardous waste disposal, recycling practices, and related information for public and private use.

(c) Render technical assistance to state and local agencies in the planning and operation of hazardous waste programs.

(d) Provide for appropriate surveillance of hazardous waste processing and disposal practices in the state.

25180 No provision of this chapter shall be construed to require disposition of hazardous waste at the site of production, provided, that the transportation of such waste conforms to all applicable regulations.

Article 8 Enforcement

25180 The minimum standards and regulations adopted by the department pursuant to Section 25150 shall be enforced by the department or any local health officer.

25181 Whenever, in the judgment of the department, any person has engaged in or is about the engage in any acts or practices which constitute or will constitute a violation of any provision of this chapter, or any rule, regulation, or order issued thereunder, and at the request of the department, the Attorney General may make application to the superior court for an order enjoining such acts or practices, or for an order directing compliance, and upon a showing by the department that such person has engaged in or is about to engage in any such acts or practices, a permanent or temporary injunction, restraining order, or other order may be granted.

25182. Every civil action brought under the provisions of this chapter at the request of the department shall be brought by the Attorney General in the name of the people of the State of California and any such actions relating to the same processing or disposal of hazardous wastes may be joined or consolidated.

25183 Any civil action brought pursuant to this chapter shall be brought in the county in which the processing or disposal of hazardous waste is made or proposed to be made.

25184 In any civil action brought pursuant to this chapter in which a temporary restraining order, preliminary injunction, or permanent injunction is sought, it shall not be necessary to allege or prove at any stage of the proceeding that irreparable damage will occur should the temporary restraining order, preliminary injunction, or permanent injunction not be issued, or that the remedy at law is inadequate, and the temporary restraining order, preliminary injunction, or permanent injunction shall issue without such allegations and without such proof.

25185 The director or any duly authorized employee of the department may at any reasonable hour of the day, enter a factory, plant, construction site, waste disposal site, establishment or any environment where hazardous wastes are stored, handled, processed or disposed of, in order to carry out the purposes of this chapter."

Amendment No. 3

On page 2, strike out lines 2 to 33, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Government Administration reports:

AB No. 2130
AB No. 918

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Government Administration.

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2130—An act to add Section 41083 to the Welfare and Institutions Code, relating to Napa State Hospital.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Section 14670.1 of the Government Code, relating to the letting of state property."

Amendment No. 2

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 14670.1 of the Government Code is amended to read:

14670.1. Notwithstanding Section 14670, the Director of General Services, with the consent of the Department of Mental Hygiene, may let to a ~~nonprofit corporation~~ *public governmental agency*, for the purpose of *locating and* conducting ~~an educational and work program for mentally retarded persons~~ *its trainable mentally retarded program*, and for a period not to exceed 50 years, real property not exceeding 10 acres located within the grounds of the Napa State Hospital.

The lease authorized by this section shall be nonassignable and shall be subject to periodic review every five years. Such review shall be made by the Director of General Services, who shall:

(a) Assure the state the original purposes of the lease are being carried out;

(b) Determine what, if any, adjustment should be made in the terms of the lease.

The lease shall also provide for ~~an initial capital outlay~~ *the erection of a school building facility* by the lessee ~~of thirty thousand dollars ($30,000)~~ prior to ~~January 1, 1976~~ *July 1, 1977*. Such ~~capital outlay may be, or may have been, contributed before or~~ *building shall not be erected until* after the effective date of the act ~~adding~~ *amending* this section."

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

Assembly Bill No. 918—An act to amend Section 54.2 of the Civil Code, relating to guide dogs for the blind.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 54.1 and".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 54 1 of the Civil Code is amended to read:

54.1 (a) Blind persons, visually handicapped persons, and other physically disabled persons shall be entitled to full and equal access, as other members of the general public, to accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motorbuses, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law, or state or federal regulation, and applicable alike to all persons.

(b) Blind persons, visually handicapped persons, and other physically disabled persons shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease, or compensation in this state, subject to the conditions and limitations established by law, or state or federal regulation, and applicable alike to all persons.

"Housing accommodations" means any real property, or portion thereof, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings, but shall not include any accommodations included within subdivision (a) or any single family residence the occupants of which rent, lease, or furnish for compensation not more than one room therein.

Nothing in this subdivision shall require any person renting, leasing or providing for compensation real property to modify his property in any way or provide a higher degree of care for a blind person, visually handicapped person, or other physically disabled person than for a person who is not physically disabled

Nothing in this part shall require any person renting, leasing, or providing for compensation real property, if such person refuses to accept tenants who have dogs, to accept as a tenant a blind person, visually handicapped person, or other physically disabled person who has a dog, including a guide dog

(c) Persons licensed to train guide dogs for the blind pursuant to Chapter 9 5 (commencing with Section 7200) of Division 5 of the Busi-

ness and Professions Code, may take dogs, for the purpose of training them as guide dogs, in any of the places specified in paragraphs (a) and (b), above.

SEC. 2. Section 54.2 of the Civil Code is amended".

Amendment No. 3

On page 1, line 12, strike out "their"; and on page 2, strike out line 1, and insert "may".

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 850
AB No. 1189
AB No. 1261

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 850—An act to add Section 14026 to the Welfare and Institutions Code, relating to improper use of a Medi-Cal card or labels.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "label", insert "to which he knows he has no legal entitlement".

Amendment No. 2

On page 1, lines 9 and 10, strike out "to which he has no legal entitlement".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1189—An act to add Article 17 (commencing with Section 429 60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert

Article 17. Medical and Health Care for the Aging

429.60. The state department shall maintain a program to promote availability of medical and health care for the aging. The state department may contract with local governmental agencies and voluntary nonprofit organizations for conducting pilot projects designed to determine the most effective and most efficient methods of providing medical and health care services for the aging.

For purposes of this section, the term "aging" means persons who are eligible for old age benefits under social security. Such program may include, but is not limited to:

(a) Technical and financial assistance to local agencies for pilot projects developing or testing new or innovative systems for assuring the availability of medical and health care for the aging. Pilot projects may include, but are not limited to:

(1) Mobile health clinics.

(2) Mobile health teams.

(3) Patient transportation systems.

(4) Patient surveillance and referral systems.

(b) Studies of the health and medical care of the aging of the state.

(c) Coordination with similar programs of the federal government, other states, and voluntary agencies.

(d) Development of recommendations for improved systems of medical and health care.

(e) Collection and summarization of statistics describing needs for and effectiveness of various methods of providing health and medical care."

Amendment No. 2

On page 1, strike out lines 7 and 8.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1261—An act to add Section 5721 to the Welfare and Institutions Code, relating to the Short-Doyle Act.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive; and on page 2, strike out line 1, and insert

"5721. Notwithstanding any other provisions of law, the director in allocating funds to counties shall use population as the major factor in determining the amount of each allocation. It is the intent of this section that, where feasible, and without impairing the effectiveness of existing programs, the allocation to any given county shall not deviate from the mean per capita funding by more than 10 percent and that any increased amounts in Short-Doyle funds over and above the funding of the previous year shall be allocated on a population basis except where extraordinary circumstances require some other distribu-

tion. The director shall annually report to the Legislature prior to the commencement of each legislative session the amount of each allocation made in the previous year together with an explanation for allocations which are not in conformity with the intent of this section."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 396

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 396—An act to amend Section 73 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 40, of the printed bill, after "highway", insert "which has been superseded by relocation".

Amendment No. 2

On page 3, strike out lines 3 to 5, inclusive, and insert "in a state of good repair. This requirement shall not obligate the department for widening, new construction, or major reconstruction, except as the commission may direct. A state of good repair requires maintenance, as defined in Section 27, including litter removal, weed control, and tree and shrub trimming to the time of relinquishment."

Amendment No. 3

On page 3, strike out lines 13 and 14, and insert "repair, or is not".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 428

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 428—An act to amend Section 405 of, and to repeal Section 2420 of, the Vehicle Code, relating to motor vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly March 20, 1972, strike out "amend Section 405 of, and to repeal Section 2420 of," and insert "add Sections 5350.3 and 5350.5 to".

Amendment No. 2

In line 2 of the title, strike out "motor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 5350.3 is added to the Vehicle Code, to read:

5350.3. No trailer coach manufactured on or after the effective date of this section, shall be sold or offered for sale in this state, unless such trailer coach has been issued, upon completion of the manufacturing process, a certificate of origin, on a form approved by the department, which contains the following:

(a) The name and address of the manufacturer.

(b) The trade name of the unit.

(c) The series or model name of the unit.

(d) The shipping weight of the unit.

(e) The width and length of the unit.

(f) The serial number of the unit.

(g) The date that the title transferred from manufacturer and to whom the title was transferred.

(h) A certification of facts signed by a responsible agent of the manufacturer.

SEC 2. Section 5350 5 is added to the Vehicle Code, to read:

5350 5. Application for the original registration of, or for an original certificate of ownership to, a new trailer coach, shall be accompanied by a certificate of origin, or true copy thereof, from the manufacturer showing the date of sale to the dealer or person first receiving it from the manufacturer, the name of the dealer or person and a description sufficient to identify the trailer coach, and a certification that the trailer coach was new when sold. If sold through a dealer, the dealer shall certify that the trailer coach was new when sold to the applicant."

Amendment No. 4

On page 1, strike out lines 2 and 3; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1262

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1262—An act to amend Section 24073 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after the comma, insert "off-sale beer and wine license, on-sale beer and wine license, on-sale beer and wine public premises license,".

Amendment No. 2

On page 1, line 7, after the second "county", insert "or counties".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 1075

AB No. 1198

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1075—An act to add Sections 26468, 26505, 26506, 26511, 26569.1, 26569.2 and 26569.3 to the Health and Safety Code, relating to food.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26505, 26506,",

Amendment No. 1.5

On page 2, strike out lines 3 to 6, inclusive, and insert

"26468. (a) It is unlawful for any person to advertise any meat using any meat quality designation which incorporates or adopts any word, term, or phrase specified by the United States Department of Agriculture unless such meat has been graded for quality by the United States Department of Agriculture.

(b) It is unlawful for any person to advertise any meat food product, as defined in Section 18665 of the Agricultural Code, as containing meat which conforms to any meat quality designation which incorporates or adopts any word, term, or phrase specified by the United States Department of Agriculture, unless the meat contained in such meat food product has been graded for quality by the United States Department of Agriculture."

Amendment No. 2

On page 2, strike out lines 7 to 19, inclusive; strike out page 3; and on page 4, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 4, line 6, strike out "SEC. 4", and insert

"SEC. 2".

Amendment No. 4

On page 4, line 13, strike out "SEC. 5", and insert

"SEC. 3".

Amendment No. 5

On page 4, strike out lines 15 to 19, inclusive, and insert

"26569 1. (a) It is unlawful and constitutes misbranding for any person, to label any meat using any meat quality designation which incorporates or adopts any word, term, or phrase specified by the United States Department of Agriculture unless such meat has been graded for quality by the United States Department of Agriculture.

(b) It is unlawful and constitutes misbranding for any person, to label any meat food product, as defined in Section 18665 of the Agricultural Code, as containing meat which conforms to any meat quality designation which incorporates or adopts any word, term, or phrase specified by the United States Department of Agriculture, unless the meat contained in such meat food product has been graded for quality by the United States Department of Agriculture."

Amendment No. 6

On page 4, line 20, strike out "SEC. 6", and insert

"SEC. 4".

Amendment No. 7

On page 4, line 26, strike out "SEC. 7", and insert "SEC. 5".

Amendment No. 8

On page 4, line 31, strike out ", as defined in Section 26506," and insert "shall only be labeled as chopped or ground beef, or hamburger, and".

Amendment No. 9

On page 4, lines 34 and 35, strike out "not over", and insert "more than 25 percent, but less than".

Amendment No. 10

On page 4, lines 36 and 37, strike out "not over 22", and insert "more than 20 percent but less than 25".

Amendment No. 11

On page 4, lines 38 and 39, strike out "not over 17", and insert "more than 15 percent but less than 20".

Amendment No. 12

On page 4, line 40, strike out "not".

Amendment No. 13

On page 5, line 1, strike out "over 12", and insert "less than 15".

Amendment No. 14

On page 5, between lines 1 and 2, insert

"(e) "Restaurant," as used in this section, includes restaurants, itinerant restaurants, vehicles, vending machines, or institutions including hospitals, schools, asylums, eleemosynaries, and all other places where food is served to the public for consumption on the premises of sale which are not included within the definitions of the terms restaurants, itinerant restaurants, vehicles, and vending machines."

Amendment No. 15

On page 5, line 2, strike out "It", and insert "(f) It".

Amendment No. 16

On page 5, after line 6, insert

"This act shall become operative on July 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1198—An act to add Section 26468 to, and to add Article 1.5 (commencing with Section 26505) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 14, of the printed bill, after "hospitals," insert "schools,".

Amendment No. 2

On page 3, strike out lines 19 to 40, inclusive; strike out page 4; and on page 5, strike out line 1.

Amendment No. 3

On page 5, line 2, strike out "26505.8", and insert "26505.5".

Amendment No. 4

On page 5, line 9, strike out "Hamburger or imitation", and insert "Imitation".

Amendment No. 5

On page 5, line 12, strike out "in order of predominance"; strike out lines 13 to 21, inclusive, and insert a period.

Amendment No. 6

On page 5, line 22, strike out "(c)", and insert "(b)".

Amendment No. 7

On page 5, between lines 27 and 28, insert

"(c) No retail food production and marketing establishment, official meat establishment, or restaurant shall use the terms "hamburger," "burger," or any other cognate thereof in any advertisement, label, or menu to refer to any product which is not hamburger. A retail food production and marketing establishment, official meat establishment, or restaurant selling or serving imitation hamburger may refer to such product as imitation hamburger or by any other term which accurately informs the customer of the nature of the food product which he is sold or served."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 625

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 625—An act to add Section 14797 to, and to repeal Section 14797 of, the Revenue and Taxation Code, relating to inheritance taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3 of the printed bill, after line 13, insert

"SEC. 3. The reference to the class of a county in Section 2 of this act is a reference to the classes of counties contained in Chapter 2 (commencing with Section 28020) of Part 5 of Division 2 of Title 3 of the Government Code, as the provisions thereof were amended by Chapter 1204 of the Statutes of the 1971 Regular Session."

Set No. 2

Amendment No. 1

On page 2, line 23, of the printed bill, before "The" insert "14797."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 588

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 588—An act relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly April 19, 1972, after "Part 1", insert "(commencing with Section 6001), Part 1.5 (commencing with Section 7200) and Part 1.6 (commencing with Section 7251)".

Amendment No. 2

On page 2, line 7, after the first comma, insert "(1)".

Amendment No. 3

On page 2, line 10, after the comma, insert "such as a post exchange,".

Amendment No. 4

On page 2. line 11, strike out "January 1, 1972", and insert "December 15, 1971, and (2) if such transaction was made taxable for the first time by the enactment of Chapter 1741 of the Statutes of the 1971 Regular Session Transactions subject to tax prior to this date shall continue to be taxed.".

Amendment No. 5

On page 2, line 17, strike out "1976", and insert "1974".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 3, 1972

Mr. Speaker. The Chairman of your Committee on Criminal Justice reports:

AB No 871

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 871—An act to add Section 3057 to the Penal Code, relating to prisoners.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 3057 to", and insert "amend Sections 11126 and 21363 6 of the Government Code, to amend Section 459 of the Health and Safety Code, to amend Sections 4304, 4305, 5002, 5051, 5081, 6050, and 13011 of, to add Sections 3057, 5009, 5010, 5011, 5012, 5013, 5014, 5015, and 5016 to, to add Title 5 (commencing with Section 13600) to Part 4 of, and to repeal Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of,".

Amendment No. 2

In line 2 of the title, strike out "prisoners", and insert "corrections".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 11126 of the Government Code is amended to read:

11126. Nothing contained in this article shall be construed to prevent a state agency from holding executive sessions during a regular or special meeting to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing As a condition to holding an executive session on the complaints or charges to consider disciplinary action or to consider dismissal such officer or employee shall be given written notice of his right to have a public hearing rather than an executive session, which notice shall be delivered to him personally or by mail at least 24 hours before the time for holding a regular or special meeting. If notice is not given, any disciplinary or other action taken against any officer or employee at such executive session shall be null and void The state agency also may exclude from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the state agency. Following the public hearing or executive session the agency may deliberate on the decision to be reached in an executive session

Nothing in this article shall be construed to prevent state agencies, which administer the licensing of persons engaging in businesses or professions, from holding executive sessions to prepare, approve, grade or administer examinations.

Nothing in this article shall be construed to prohibit a state agency from holding an executive session to deliberate on a decision to be reached based upon evidence introduced in a proceeding required to be conducted pursuant to Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code or similar provision of law.

Nothing in this article shall be construed to prevent any state agency from holding an executive session to consider matters affecting the national security.

Nothing in this article shall be construed to grant a right to enter any correctional institution or the grounds of a correctional institution where that right is not otherwise granted by law, nor shall anything in this article be construed to prevent a state agency from holding an executive session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion or consideration is expressly prohibited by statute.

Nothing in this article shall be construed to prevent any executive session to consider the conferring of honorary degrees, or gifts, donations and bequests which the donor or proposed donor has requested in writing to be kept confidential.

Nothing in this article shall be construed to prevent the Alcoholic Beverage Control Appeals Board from holding an executive session for the purpose of holding a deliberative conference as provided in Section 11125 of the Government Code

Nothing in this article shall be construed to prevent the Trustees of the California State Colleges from holding executive sessions dealing with site selection for such state colleges.

Nothing in this article shall be construed to prevent the Franchise Tax Board from holding executive sessions for the purpose of discussion of confidential tax returns or data the public disclosure of which is prohibited by law.

Nothing in this article shall be construed to prevent ~~the Board of Corrections~~ *any crime study commission* from holding executive sessions when considering reports of crime conditions under the provisions of Section 6027 of the Penal Code

Nothing in this article shall be construed to prevent the State Air Resources Board from holding executive sessions when considering the prioprietary specifications and performance data of manufacturers.

Nothing in this article shall be construed to prevent the Board of Administration of the Public Employees Retirement System from holding executive sessions when considering investment decisions.

Nothing in this article shall be construed to prevent the governing body of a public agency, or such boards, commissions, administrative officers, or other representatives as may properly be designated by law or by such governing body, from holding executive sessions with its representatives at any time in discharging its responsibilities under Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of this code as such sessions relate to salaries, salary schedules, or compensation paid in the form of fringe benefits.

SEC. 2. Section 21363.6 of the Government Code is amended to read

21363.6. The special death benefit is also payable if the deceased was the Administrator of the Youth and Adult Corrections Agency, or was a state member appointed by the Administrator of the Youth and Adult Corrections Agency, the Youth Authority, the Board of Trustees of the California Institution for Women or the California Women's Board of Terms and Parole, ~~the Board of Corrections~~, or was a member of ~~the Board of Corrections or~~ the Youth Authority not already classified as a prison member, provided that his death occurred as a result of misconduct of an inmate of a state prison, correctional school or facility of the Department of Corrections or the Youth Authority, or a parolee therefrom

The special death benefit provided by this section is not payable unless the death of the member arose out of and was in the course of his official duties as determined by the Industrial Accident Commission, using the same procedure as in workmen's compensation hearings; and unless there is a child or wife who qualifies under subdivision (b) of Section 21364.

The 1972 amendments to this section shall not affect the rights of any person under this section that may have accrued prior to the effective date of such amendments.

SEC. 3. Section 459 of the Health and Safety Code is amended to read:

459 The county health officer shall investigate health and sanitary conditions in every county jail and other detention facility of the county at least annually. He may make such additional investigations of any county jail or other detention facility of the county as he may determine are necessary. He shall submit his report to the Attorney General, the ~~Board~~ *Director* of Corrections, the sheriff or other person in charge of such jail or detention facility, and to the board of supervisors. In any city having a health officer, such health officer shall investigate health and sanitary conditions in every city jail and other detention facility at least annually. He may make such additional investigations of any city jail or detention facility as he may determine are necessary. He shall submit his report to the Attorney General, the ~~Board~~ *Director* of Corrections, the person in charge of such jail or detention facility, and to the governing body of the city.

Whenever so requested by the sheriff, the chief of police, the local legislative body, or the ~~Board~~ *Director* of Corrections, but not oftener than twice annually, the county health officer or, in cities having a city health officer, the city health officer, shall investigate health and sanitary conditions in any of the jails and detention facilities described in this section, and submit his report to each of the officers and agencies authorized in this section to request such investigation and to the Attorney General and the ~~Board~~ *Director* of Corrections.

The investigating officer shall determine if the food, clothing, and bedding is of sufficient quantity and quality which at least shall equal minimum standards and requirements prescribed by the ~~Board~~ *Department* of Corrections for the feeding, clothing and care of prisoners in all county, city and other local jails and detention facilities, and if the sanitation requirements required by Article 2 (commencing with Section 28540), Chapter 11, Division 21 of this code for restaurants have been maintained

SEC. 4. Section 3057 is added to the Penal Code,".

Amendment No. 4

On page 2, after line 16, insert

"SEC 5 Section 4304 of the Penal Code is amended to read:

4304. The committee shall file a report within 90 days after the 31st day of December of the calendar year for which such report is made, copies of which shall be filed with the county board of supervisors, the presiding or senior judge, the sheriff, the ~~Board~~ *Director* of Corrections, and the Attorney General

SEC. 6. Section 4305 of the Penal Code is amended to read:

4305 The committee shall annually inspect the city and county adult detention facilities Such inspection shall be concerned with the conditions of inmate employment, detention, care, custody, training, and treatment on the basis of, but not limited to, the minimum standards established by the ~~Board~~ *Director* of Corrections A report of such visitations together with pertinent recommendations shall be annually filed in accordance with the provisions of Section 4304 of this code.

SEC. 7 Section 5002 of the Penal Code is amended to read:

5002. (a) The department shall succeed to and is hereby vested with all of the powers and duties exercised and performed by the following departments, boards, bureaus, commissions and officers when such powers and duties are not otherwise vested by law:

(1) The Department of Penology

(2) The State Board of Prison Directors

(3) The Board of Prison Terms and Paroles

(4) The Advisory Pardon Board

(5) The Bureau of Paroles

(6) The warden and the clerk of the California State Prison at San Quentin

(7) The warden and the clerk of the California State Prison at Folsom

(8) The warden or superintendent of and the clerk of the California Institution for Men

(9) The California Crime Commission

(10) The Board of Corrections

(b) Whenever any designation of any of the departments, boards, bureaus, commissions or officers mentioned in subdivision (a) is contained in any provision of law and such designation is expressly made to refer to the Department of Corrections, the Board of Corrections or the Adult Authority, then the Department of Corrections, the Board of Corrections or the Adult Authority, to whichever one the designation is made to refer, shall exercise the power or perform the duty heretofore exercised or performed by the particular departments, boards, bureaus, or officers mentioned in subdivision (a).

(c) The powers and duties of the State Board of Prison Directors and of the clerks of the state prisons and the California Institution for Men are transferred to and shall be exercised and performed by the Department of Corrections, except as may be otherwise expressly provided by law.

(d) The powers and duties of wardens of the state prisons and the California Institution for Men, presently or hereafter, expressly vested by law in them shall be exercised by them but such exercise shall be subject to the supervision and control of the Director of Corrections. All powers and duties not expressly vested in the wardens are transferred to and shall be exercised and performed by the Department of Corrections. When the designation of warden is expressly made to refer to the Department of Corrections, the department shall exercise the power and perform the duty heretofore exercised or performed by the warden.

(e) The powers and duties of the Advisory Pardon Board and the Board of Prison Terms and Paroles are transferred to and shall be exercised and performed by the Adult Authority except as may be otherwise expressly provided by law.

SEC 8 Section 5009 is added to the Penal Code, to read·

5009 The Adult Authority, California Women's Board of Terms and Parole, the Youth Authority Board, and the Director of the Youth Authority shall file with the Department of Corrections for informa-

tion of the department or for review and advice to the respective agency as the department may determine, all rules, regulations and manuals relating to or in implemention of policies, procedures, or enabling laws.

SEC. 9. Section 5010 is added to the Penal Code, to read:

5010. The plans and specifications of every jail, prison, or other place of detention of persons charged with or convicted of crime or of persons detained pursuant to the Juvenile Court Law or the Youth Authority Act, if such plans and specifications involve construction, reconstruction, remodeling, or repairs of an aggregate cost in excess of one thousand five hundred dollars ($1,500), shall be submitted to the Department of Corrections for its recommendations Upon request of any city, city and county, or county, the department shall consider the entire program or group of detention facilities currently planned or under consideration by the city, city and county, or county, and make a study of the entire needs of the city, city and county, or county therefor, and make recommendations thereon. No state department or agency other than the department shall have authority to make recommendations in respect to plans and specifications for the construction of county jails or other county detention facilities or for alterations thereto, except such recommendations as the department may request from any such state department or agency.

SEC 10 Section 5011 is added to the Penal Code, to read:

5011. (a) The Department of Corrections shall establish minimum standards for local detention facilities by July 1, 1973 The Department of Corrections shall review such standards biennially and make any appropriate revisions.

(b) The standards shall include, but not be limited to, the following: health and sanitary conditions, fire and life safety, security, rehabilitation programs, recreation, treatment of persons confined in local detention facilities, and personnel training

(c) In establishing minimum standards, the Department of Corrections shall seek the advice of the following:

(1) For health and sanitary conditions:

The State Department of Health, physicians, psychiatrists, local public health officials, and other interested persons.

(2) For fire and life safety:

The State Fire Marshal, local fire officials, and other interested persons.

(3) For security, rehabilitation programs, recreation, and treatment of persons confined in local detention facilities:

The Department of the Youth Authority, local juvenile justice commissions, local correction officials, experts in criminology and penology, and other interested persons.

(4) For personnel training:

The Commission on Peace Officer Standards and Training, psychiatrists, experts in criminology and penology, the Department of the Youth Authority, local correctional officials, and other interested persons.

SEC. 11. Section 5012 is added to the Penal Code, to read

5012 The Department of Corrections shall inspect each local detention facility in the state by January 1, 1974, and shall inspect each such facility biennially thereafter

SEC 12. Section 5013 is added to the Penal Code, to read·

5013 Inspections of local detention facilities shall be made biennially Inspections shall include, but not be limited to, the following·

(a) Health and safety inspections conducted pursuant to Section 459 of the Health and Safety Code.

(b) Fire and life safety inspections pursuant to Sections 13145 and 13146 of the Health and Safety Code

(c) Fire suppression preplanning inspections by the local fire department.

(d) Security, rehabilitation programs, recreation, treatment of persons confined in local detention facilities, and personnel training by the staff of the Department of Corrections.

Reports of each facility's biennial inspection shall be furnished to the official in charge of the local detention facility, the local governing body, the grand jury, and the presiding or sole judge of the superior court in the county where the detention facility is located Such reports shall set forth the areas wherein the local detention facility has complied and has failed to comply with the minimum standards established pursuant to Section 5011.

SEC. 13 Section 5014 is added to the Penal Code, to read:

5014. The Department of Corrections shall file with the Legislature by March 31, 1974, and on March 31, in each even-numbered year thereafter, reports of the inspection of those local detention facilities that have not complied with the minimum standards established pursuant to Section 5011. The reports shall specify those areas in which the facility has failed to comply and the estimated cost to the facility necessary to accomplish compliance with the minimum standards.

SEC 14 Section 5015 is added to the Penal Code, to read:

5015. The Department of Corrections is authorized to apply for any funds that may be available from the federal government to further the purposes of Sections 5011 to 5013, inclusive.

SEC 15 Section 5016 is added to the Penal Code, to read·

5016 For the purpose of this title, "local detention facility" means any city, county, city and county, or regional facility used for the confinement for more than 24 hours of adults or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors

SEC 16 Section 5051 of the Penal Code is amended to read:

5051 The director shall be appointed by the Governor with the advice and consent of the Senate He shall hold office at the pleasure of the Governor, but before the director may be removed, charges against him, which charges may be preferred by any person, shall be heard by the ~~Board of Corrections~~ *Personnel Board* The ~~Board of Corrections~~ *Personnel Board* shall make detailed findings with respect to the charges and submit the findings to the Governor The Governor may,

but need not, abide by the findings of the ~~Board of Corrections~~ *Personnel Board*, and may retain or remove the director. If the Governor removes the director his action shall be final. He shall receive an annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code, and shall devote his entire time to the duties of his office.

SEC. 17. Section 5081 of the Penal Code is amended to read:

5081. The Governor may remove any member of the Adult Authority for misconduct, incompetency or neglect of duty after a full hearing by the ~~Board of Corrections~~ *Personnel Board*.

SEC. 18. Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of the Penal Code is repealed.

SEC 19 Section 6050 of the Penal Code is amended to read:

6050. The Governor, upon recommendation of the director, and with the advice and consent of the Senate, shall appoint the wardens of the various state prisons and the Superintendent of the California Institution for Women The superintendent and each warden shall be subject to removal by the director, but before a warden or a superintendent may be removed by the director, charges against him, which charges may be preferred by any person, shall be heard by the ~~Board of Corrections~~ *Personnel Board*. The ~~Board of Corrections~~ *Personnel Board* shall make detailed findings with respect to the charges and submit the findings to the director The director may, but need not, abide by the findings of the ~~Board of Corrections~~ *Personnel Board*, and may retain or remove the warden or superintendent If the director removes the warden or superintendent his action shall be final. The superintendent and wardens shall continue to be exempt from civil service.

The Personnel Board shall fix the compensation of the wardens of the state prisons and of the Superintendent of the California Institution for Women.

SEC. 20. Section 13011 of the Penal Code is amended to read:

13011. The bureau may serve as statistical and research agency to the Department of Corrections, the Adult Authority, ~~the Board of Corrections,~~ the Department of the Youth Authority, and the California Woman's Board of Terms and Parole

SEC. 21. Title 5 (commencing with Section 13600) is added to Part 4 of the Penal Code, to read:

TITLE 5 CRIME STUDY COMMISSION

13600. The Governor may create by executive order a Crime Study Commission.

13601. It shall be the duty of the Crime Study Commission to make a study of the entire subject of crime, with particular reference to conditions in the State of California, including causes of crime, possible methods of prevention of crime, methods of detection of crime and apprehension of criminals, methods of prosecution of persons accused of crime, the entire subject of penology, and to report its findings, its conclusions and recommendations to the Governor at such times as he may require, and to the Legislature of California at each regular session.

13602. The commission shall consist of not less than three nor more than five members, who shall be appointed by the Governor The members of the commission shall serve without compensation, except that they shall receive their actual and necessary expenses incurred in the discharge of their duties.

The executive order creating the commission shall fix a time within which the commission shall make its final report. Each commission shall cease to exist when it makes its final report.

13603. The commission may investigate any and all matters relating to the subjects specified in the order creating it. In the exercise of its powers the commission shall be subject to the following conditions and limitations:

(a) A witness at any hearing shall have the right to have present at such hearing counsel of his own choice, for the purpose of advising him concerning his constitutional rights.

(b) No hearing shall be televised or broadcast by radio, nor shall any mechanical, photographic or electronic record of the proceedings at any hearing be televised or broadcast by radio.

13604. The Secretary of the Human Relations Agency may furnish for the use of the commission such facilities, supplies, and personnel as may be available therefor.

13605. The commission shall make all its reports and recommendations to the Director of Corrections. The Director of Corrections shall consider such reports and recommendations, and shall submit his own comments and recommendations on the subject matter thereof, to the Governor and the Legislature, within the first 30 days of the next succeeding general session of the Legislature The Director of Corrections shall also file copies of such reports with the Attorney General, the State Library, and such other state departments as may appear to have an official interest in the subject matter of the report or reports in question.

13606. The Governor shall report to each regular session of the Legislature the names of any persons appointed under Section 13602, together with a statement of expenses incurred.

SEC. 22. The Board of Corrections is abolished.

On and after the effective date of this act the Department of Corrections shall succeed to and be entitled to the immediate possession and control of all of the records, books, papers, equipment, and other property, both real and personal, of the Board of Corrections which is abolished by this act.

All personnel of the Board of Corrections shall be transferred to the Department of Corrections

SEC 23 Wherever in any statute "Board of Corrections" appears, it shall mean Director of Corrections or Department of Corrections, as the context requires, unless it is inconsistent with the purposes of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1697

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1697—An act to amend Section 14657 of the Government Code, relating to the Television Advisory Committee.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 14657 of", and insert "add Chapter 8 (commencing with Section 11800) to Part 1 of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5.5 of Division 3 of Title 2 of,".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1 Chapter 8 (commencing with Section 11800) is added to Part 1 of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 8 CALIFORNIA TELECOMMUNICATIONS AUTHORITY

11800. This chapter shall be known as the Quimby Public Telecommunications Act.

11801. The Legislature of the State of California hereby declares that the state shall assist and support in the fullest, appropriate utilization of telecommunications technology for service to the people of California and all administrative and legislative agencies of state government.

11802 As used in this chapter, the following definitions, unless the context otherwise requires, shall govern the construction of this chapter:

(a) "Public telecommunications system" means all public broadcasting facilities relating to noncommercial public and instructional broadcasting; interconnection systems whether by microwave, cable, satellite or other means; instructional television fixed service (ITFS); community antenna television (CATV) and any other cable television systems; broadcast translators, computer-assisted information retrieval and other data transmission systems; and any other electronic means of information exchange

(b) "Authority" means the California Telecommunications Authority

11803 In order to develop and implement policies which ensure the orderly growth and the fullest use of public telecommunications to serve the public interest, there is hereby created the California Telecommunications Authority in the state government

11804. The California Telecomunications Authority shall assume all powers and responsibilities previously held by the Television Advisory Committee and the Department of General Services under Section 14657 of the Government Code

11805. The authority shall be comprised of the Attorney General, the Superintendent of Public Instruction, the President of the University of California, the Chancellor of the California State University and Colleges, the Chancellor of the California Community Colleges, the Secretary of Business and Transportation, the Secretary of Resources, the Secretary of Human Relations, the Secretary of Agriculture and Services, the Director of the Department of Finance, and seven citizens of the state Three of the citizens shall be appointed by the Governor, two of the citizens shall be appointed by the Rules Committee of the Senate and two of the citizens shall be appointed by the Speaker of the Assembly The citizen members shall be selected without regard to political belief or affiliation

11806. Terms for the citizen members shall be for a period of four years except for the members first appointed whose terms shall be determined by lot at the first official meeting of the authority. Three members shall serve for two years, two members shall serve for three years, and two members shall serve for four years.

11807. The authority shall elect its own officers who shall serve for one year, that year to run from July 1 of each year Officers may succeed themselves in office

11808 The authority shall hold public meetings at such places within the state as it shall designate, at least once quarterly and at such other times as in its judgment may be necessary

11809 The members of the authority shall receive no compensation for their services but will be reimbursed for their expenses in performing their duties.

11810 The authority shall appoint an executive director who shall devote his entire time to performance of his duties and who shall serve at the will of the authority. The executive director shall be the secretary of the authority and shall employ such staff as is authorized by the authority

11811 The powers and duties of the authority shall include, but not be limited to the following

(a) Adopt and, as necessary, amend and repeal suitable rules for the management of its affairs

(b) Maintain a headquarters in Sacramento

(c) Develop and support a statewide policy to encourage the orderly growth, development and effective use of a public telecommunications system to serve the state's educational institutions, governmental agencies, cultural organizations and the citizens of the state

(d) Assist local and regional agencies and organizations in making effective use of telecommunications

(e) Establish and develop a statewide public telecommunications system which may include, but shall not be limited to, the following:

(1) Computers, display mechanisms, interconnection devices, and any other equipment necessary to provide for, or pilot test, portions of an efficient telecommunications system, serving as many public interests and agencies as effectively as possible.

(2) An interconnection system for open or closed circuit distribution facilities

(3) Noncommercial public television stations to serve areas not already served by such stations and where the authority has been unable to successfully assist a community group or organization in developing such a station

(f) Operate portions of the statewide telecommunications system which cannot be operated more efficiently by other public or community agencies.

(g) Provide coordination of, and information on, matters relating to the use of telecommunications by agencies of state government, the public education system, and individuals, associations, and institutions interested in the utilization of telecommunications and its ability to serve the interests of the people of California

(h) Review applications for federal funds under Title 1 of the Public Broadcasting Act, and adopt such criteria as are necessary to judge the acceptability of such applications for federal funds

(i) Apply for and receive federal, state, and public funds from appropriate sources to carry out its functions

(j) Enter into leases, contracts, or other arrangements as may be necessary to carry out its functions

(k) Make grants to other related agencies to assist them in carrying out their functions

(l) Make recommendations to the Governor and the Legislature for changes in fiscal and other policies which will achieve the most effective use of public telecommunications.

(m) Conduct explorations, research, demonstrations or training in matters relating to public telecommunications in the state directly, or through contact with appropriate agencies, organizations or individuals

(n) Make reasonable rules and regulations to carry out the provisions of this chapter

11812 Nothing in this chapter shall be deemed to supersede the responsibilities of any state agency or regional or local governing body except as expressly provided.

SEC 2 Section 14657 of the Government Code is repealed

~~14657 The Director and the Department of General Services succeed to and are vested with all the duties, powers, purposes, responsibilities, and jurisdiction heretofore vested in the Television Advisory Committee and the position of Television Coordinator by Article 8.5 (commencing with Section 893) of Chapter 1 of Division 3 of the Education Code~~

SEC 3 Article 8 (commencing with Section 14716) of Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 4. The sum of fifty thousand dollars ($50,000) is appropriated from the General Fund to the California Telecommunications Authority for the purposes of this act ''

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 792

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 792—An act to add Section 13815 to the Health and Safety Code, relating to fire districts.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 9, and on page 2, line 1, strike out "district furnishing the water".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

MESSAGES FROM THE SENATE

Senate Chamber, May 2, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No. 106

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, May 2, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

AB No 412

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, May 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 42	SB No 189	SB No. 496
SB No. 43	SB No. 373	SB No 953
SB No. 110	SB No 492	

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 10

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 42—An act to amend Section 12101 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 43—An act to add Sections 10219.6 and 10301.6 to and Chapter 2 (commencing with Section 30100) to Division 16 of, and to repeal Chapter 2 (commencing with Section 30100) of Division 16 of, the Elections Code, relating to reapportionment

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 110—An act to amend Section 194 of the Code of Civil Procedure, and to add Section 1045 to the Penal Code, relating to juries.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 189—An act to amend Sections 27516, 27517, 27517.5, and 27518 of the Elections Code, relating to elections

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 373—An act to amend Section 11457 of the Welfare and Institutions Code, relating to needy children.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 492—An act to amend Sections 74364, 74369 and 74374 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 496—An act to add Section 25210.4b to the Government Code, relating to county service areas.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 953—An act to amend Sections 24331, 24332, 24333, 24335, and 24340 of the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Speaker pro Tempore.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 of Article I thereof, relating to juries

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 416, 1228, and 758, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 550—An act to amend Section 1 of Chapter 137 of the Statutes of 1966, First Extraordinary Session, Section 3 of Chapter 1679 of the Statutes of 1967, Sections 2 and 3 of Chapter 1356 of the Statutes of 1969, and Section 2 of Chapter 920 of the Statutes of 1970, relating to water pollution.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 2, line 19, of the printed bill, after the comma, insert "that portion of the".

Amendment No. 2

On page 2, line 22, after "act", insert "equal to the amount of such funds, as determined by the State Water Resources Control Board, which would have been received in the form of a state grant under the Clean Water Bond Law of 1970".

Amendment No. 3

On page 2, line 24, after "such", insert "portion of the".

Amendment No. 4

On page 3, line 22, after the comma, insert "that portion of the".

Amendment No. 5

On page 3, line 24, after "Session," insert "equal to the amount of such funds, as determined by the State Water Resources Control Board, which would have been received in the form of a state grant under the Clean Water Bond Law of 1970".

Amendment No. 6

On page 3, line 26, after "such", insert "portion of the".

Amendment No. 7

On page 4, line 8, after the comma, insert "that portion of the".

Amendment No. 8

On page 4, line 11, after "Code", insert "equal to the amount of such funds, as determined by the State Water Resources Control Board, which would have been received in the form of a state grant under the Clean Water Bond Law of 1970".

Amendment No. 9

On page 4, line 13, after "such", insert "portion of the".

Amendment No. 10

On page 4, line 38, after the comma, insert "that portion of the".

Amendment No. 11

On page 4, line 39, after "act", insert "equal to the amount of such funds, as determined by the State Water Resources Control Board, which would have been received in the form of a state grant under the Clean Water Bond Law of 1970".

Amendment No. 12

On page 5, line 1, after "such", insert "portion of the".

Amendment No. 13

On page 5, line 24, after the comma, insert "that portion of the".

Amendment No. 14

On page 5, line 25, after "act", insert "equal to the amount of such funds, as determined by the State Water Resources Control Board, which would have been received in the form of a state grant under the Clean Water Bond Law of 1970"

Amendment No. 15

On page 5, line 27, after "such", insert "portion of the".

Amendment No. 16

On page 6, line 2, after "that", insert "a portion of".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 680—An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "aid to the needy disabled", and insert "public social services".

Amendment No. 2

On page 2, line 17, strike out "under Chapter"; strike out line 18; and in line 19, strike out "division".

Amendment No. 3

On page 2, line 36, strike out "under Chapter"; strike out line 37; and in line 38, strike out "division".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 543—An act to amend Section 31520 1 of the Government Code, relating to county employees' retirement.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1350—An act to add Section 20606 to the Government Code, relating to Public Employees' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 803—An act to add Section 31835 01 to the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 821—An act to amend Section 20360 of, and to add Section 20983.2 to, the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly April 10, 1972, after "Constitution," insert "except those appointed pursuant to subdivision (i) of Section 4 thereof,".

Amendment No. 2

On page 2, line 35, after "Constitution", insert ", except those appointed pursuant to subdivision (i) of Section 4 thereof,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1444—An act to amend Section 20017 77 of the Government Code, relating to Public Employees' Retirement System

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, line 20, of the printed bill, after the second semicolon, insert "chaplains of all religious denominations;".

Amendment No. 2

On page 3, line 6, after the semicolon, insert "chaplains of all religious denominations;".

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

Assembly Bill No. 1551—An act to amend Section 20017 8 of, and to add Section 21252 04 to, the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "20017 8", insert "and 20019.3".

Amendment No. 3

On page 2, line 2, after "pools," insert "and whose duties also include law enforcement,".

Amendment No. 4

On page 2, line 14, after "SEC 2.", insert "Section 20019.3 of the Government Code is amended to read:

20019 3. "Local safety member" also includes all employees of a city who have by contract been included within this system, and whose principal duties consist of active protection, rescue, and rendition of aid or assistance to persons injured or imperiled in water areas at ocean beaches and the recovery from such water areas of submerged objects and bodies of persons drowned or believed to have drowned in such areas, or the immediate supervision thereof, including persons employed to perform the duties now performed under the titles of aquatics director, chief lifeguard, captain lifeguards, lieutenant lifeguards, beach lifeguard, *or equivalent successor classes,* but who performs additional duties, some of which (including the maintenance of peace and order and the apprehension of law violators) are customarily

performed by police or peace officers, and whose other duties (such as resuscitation work involving the use of special equipment in cases having no connection with their principal duties) which in other areas are customarily performed by firemen, and other and further duties which do not come directly within any of the aforesaid classifications but are essential to the safety and security of the public, excluding those whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise clearly do not fall within the scope of active lifeguarding or lifesaving service, even though such a person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active lifeguarding or lifesaving service.

The provisions of this section do not apply to the employees of any contracting agency having a contract with the board made prior to the date this section takes effect, unless and until the agency elects to subject itself and its employees to the provisions of this section by amendment to its contract with the board pursuant to Section 20461.5; except that an election is required only among the employees to whom the provisions of this section apply.

SEC 3 ''

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

Assembly Bill No. 324—An act to amend Section 690.3 of the Code of Civil Procedure, relating to attachment and execution.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1049—An act to amend Section 1563 of the Evidence Code, relating to evidence.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1058—An act to add Article 5 (commencing with Section 1864) to Chapter 2, of Title 3, Part 4, Division 3 of the Civil Code, relating to possessory liens on vessels.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1453—An act to repeal Article 4 (commencing with Section 500) of Chapter 2 of Division 3 of the Harbors and Navigation Code, relating to vessels

Bill read second time, and ordered to third reading.

Assembly Bill No. 1763—An act to amend Section 17535 of the Business and Professions Code, relating to advertising remedies.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1903—An act to amend Sections 53649, 53651, 53660, 53663, 53665, and 53668 of, and to repeal Section 53662 of, the Government Code, relating to local government

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 5, line 6, of the printed bill, strike out "This may be a".

Amendment No. 2

On page 5, strike out line 7.

Amendment No. 3

On page 5, line 21, after "53663 ", insert "(a)".

Amendment No. 4

On page 5, line 22, strike out the colon.

Amendment No. 5

On page 5, line 23, strike out "(a) Within", and insert "within".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1902—An act to amend Section 4 of Chapter 63 of the Statutes of 1880, relating to protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly April 17, 1972, strike out "surplus land", and insert "real or personal property".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1270—An act to amend Sections 17, 995, 996, and 997 of, and to amend and renumber Section 995a of, the Penal Code, relating to crimes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 17, 995, 996, and 997 of, and", and insert "Section 17 of, to add Section 995.1 to, and".

Amendment No. 2

On page 2, line 28, after "court", insert ", upon motion of the defendant,".

Amendment No. 3

On page 2, strike out lines 34 to 40, inclusive; and on page 3, strike out lines 1 to 17, inclusive, and insert

"SEC. 2 Section 995 1 is added to the Penal Code, to read:

995 1. Upon motion of the defendant at the time of his arraignment, an indictment or information pending in a superior court may be removed from the court in which it is pending and the criminal action transferred to the appropriate municipal or justice court if in the opinion of the superior court the criminal action should be treated as a misdemeanor, provided that the criminal offense is punishable as a felony or misdemeanor pursuant to Section 17."

Amendment No. 4

On page 3, line 20, strike out "995.1", and insert "995.2".

Amendment No. 5

On page 3, strike out lines 26 to 40, inclusive; and strike out page 4

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 517—An act to add Section 23356.1 to the Business and Professions Code, relating to alcoholic beverages

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Ketchum", and insert "Assemblymen Ketchum and Quimby".

Amendment No. 2

On page 2, line 9, after "winetasting", insert "and selling".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 710—An act to amend Section 100 of the Harbors and Navigation Code, relating to navigable waters

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted.

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "floodwaters and waters lawfully diverted from any stream or river", and insert "the floodwaters of any river, stream, slough, or other watercourse while flowing over adjoining lands outside of the regular channel".

Amendment No. 2

On page 1, line 8, strike out "while flowing over land outside of the"; and strike out lines 9 and 10, and insert a period.

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 435—An act to amend Sections 2365 and 2366 of, and to add Sections 2366.3 and 2366.5 to, the Education Code, relating to school district reorganization.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3, line 14, of the printed bill, as amended in Assembly April 6, 1972, strike out "shall", and insert "may".

Bill ordered reprinted, and returned to the second reading file.

COMMUNICATIONS

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1049
AB No. 1058
AB No. 1350
AB No. 1453
AB No. 1763

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, May 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 803

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 was continued until the next legislative day

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1268

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1268 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 41—An act to amend Section 22825 of the Government Code, relating to state employees' benefits, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 41:

Governor's Office, Sacramento
April 25, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 41, "An act to amend Section 22825 of the Government Code, relating to state employees' benefits,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 41 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No 41

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Monagan moved a call of the Assembly.

Motion carried Time, 11:20 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 278—An act to amend Section 253 1 of, and to add Section 301.1 to, the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Briggs, Brophy, Brown, Burke, Chappie, Cline, Conrad, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Seeley, Thomas, Wakefield, Wilson, Wood, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced the Honorable Earle P. Crandall, former Member of the Assembly, of San Jose, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT OF SUBCOMMITTEE ON ADVOCATE REGISTRATION IN JOURNAL

Mr. Quimby was granted unanimous consent that the Supplemental Report of the Subcommittee on Advocate Registration be printed as an appendix to this day's Journal; and that 1,000 additional copies of the appendix be printed.

RECESS

By unanimous consent, at 11:24 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 11:30 a.m.

REASSEMBLED

At 11:30 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 392—An act to Add Chapter 1 67 (commencing with Section 5096.71) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and municipal beach, park, recreational, and historical facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and dis-

— —

position of such funds, and providing for the submission of the measure to a vote of the people at a special election to be consolidated with the 1974 direct primary election, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Bill Greene, Garcia, and Chacon:

House Resolution No. 45

Relative to a study of equal employment opportunities for Mexican-Americans in public education

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the equal employment opportunities for Mexican-Americans in teaching and counseling positions at all levels of public education in the State of California; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 1283
AB No. 1429
AB No. 1644

With author's amendments with the recommendation: Amend, and refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1283—An act to amend Section 17301 of the Education Code, relating to the financial support of public education, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 17301 of the Education Code", and insert "Sections 1822 2, 5756, 6851, 6871, 6873, 7459, 11257, 11301, 11872, 13704, 14111, 14657, 17301, 17303 5, 17352, 17402, 17405, 17407, 17551, 17601 1, 17603 5, 18355, 18358, 18401, 18452, 18455, 18456, 18460, 20701, 20702, 20703, 20704, 20705, 20706, 20801, 20801.5, 20802.8, 20806, and 20816 of, to amend the heading of Article 1 (commencing with Section 20701) of Chapter 3, Division 16 of, to add Sections 5605, 7456, 7460, 7461, 11003.5, 11255, 11401, 11404, 17300, 17303, 18451, 20707, 20708, 20709, 20710, and 20711 to, and to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of, Article 2 (commencing with Section 17651) and Article 11 (commencing with Section 18101), to Chapter 3, Division 14 of, Chapter 3.5 (commencing with Section 18472) to Division 14 of, Article 2 (commencing with Section 20751) to Chapter 3, Division 16 of, Chapter 3.5 (commencing with Section 20911) and Chapter 3 6 (commencing with Section 20931) to Division 16 of, to repeal Sections 885 5, 895 6, 895.7, 895.8, 895.9, ~~893 11,~~ 5605, 5605 5, 5605.6, 5606, 5607, 5608, 5609, 5610, 5611, 5612, 5613, 5658, 5659, 5660, 5661, 5662, 5663, 5664, 6852, 6853, 6854, 6855, 6913.1, 6914, 6915, 6916, 6917, 6918, 6919, 7456, 7460, 7461, 11401, 11404, 17300, 17303, 17411 1, 17601.5, 17616, 17951, 18451, 18456 2, 20800, 20802.6, 20803, 20804, 20804.1, 20804.2, 20804 3, 20805, 20807, 20808, 20808.5, and 20810 of, and to repeal Article 2 (commencing with Section 17651), Article 2 1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 6 (commencing with Section 17851), Article 7 (commencing with Section 17901), Article 7 1 (commencing with Section 17920), Article 7.2 (commencing with Section 17940), Article 8 5 (commencing with Section 17970), Article 11 (commencing with Section 18101), Article 15 (commencing with Section 18301), and Article 17.5 (commencing with Section 18421) of, Chapter 3 of Division 14 of, to repeal Article 2 (commencing with Section 20751) of Chapter 3, Division 16 of, and Chapter 3 5 (commencing with Section 20910) of Division 16 of, the Education Code, and to amend Section 20532 of the Government Code"

Amendment No. 2

In line 2 of the title, strike out "and"

Amendment No. 3

In line 3 of the title, after "therefor", insert ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 4

On page 1, line 1, after "SECTION 1", insert "Section 885 5 of the Education Code is repealed

~~885 5. In addition to all other amounts payable to the county school service fund on account of special education schools, programs, and classes maintained by the county superintendent of schools for the education of physically handicapped minors, mentally retarded minors, severely mentally retarded minors, and educationally handicapped minors, there shall be paid by the school districts in which such minors reside, an amount, per unit of average daily attendance of any such minors being educated by the county superintendent of schools in the current fiscal year, equal to the amount produced in the district in the current fiscal year by the appleable tax rates specified in Section 17702 per unit of the total average daily attendance of the district.~~

SEC 2 Section 895 6 of the Education Code is repealed.

~~895.6 The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded minors who come within the provisions of Section 6902 and for the rental of property and the purchase of equipment by the county superintendent of schools for special training schools and classes for such minors. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools (1) the total of any balances remaining to be expended for this purpose, and (2) the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors who come within the provisions of Section 6902 and by adding to the result the amount required for rental of property and purchase of equipment~~

~~The county auditor and the county board of supervisors shall determine the tax necessary to produce the amount certified when levied upon the taxable property of all the districts under the jurisdiction of the county superintendent of schools which have not been approved by the county superintendent of schools to maintain such schools or classes. The board of supervisors shall at the time of levying other county taxes levy the tax so determined in each school district which had during the preceding fiscal year not been approved by the county superintendent of schools to maintain such schools or classes, except that the tax levied shall not exceed ten cents ($0 10) for each one hundred dollars ($100) of assessed valuation and shall be levied notwithstanding the provisions of Section 20751 or 20803.~~

~~The amount received from the tax shall be deposited in the county school service fund.~~

~~In the event the amount received from the tax levied is less than~~

~~the amount certified by the county superintendent of schools the difference shall, with the approval of the Superintendent of Public Instruction, be paid the county superintendent of schools from the county school service fund contingency account pursuant to Section 18353.~~

SEC 3 Section 895.7 of the Education Code is repealed

~~895.7. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded minors who come within the provisions of Section 6903 and for rental of property and the purchase of equipment by the county superintendent of schools for special training schools or classes for such minors. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of such mentally retarded minors and by adding to the result the amount required for rental of property and the purchase of equipment. The board of supervisors may include in such amount a sum for capital outlay.~~

~~The board of supervisors shall, at the time of levying other county taxes, levy an identical rate of tax in all elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools in the district, and all unified or high school districts which have an average daily attendance of less than 8,000 in the high schools of the district under the jurisdiction of the county superintendent of schools, and for which approval has not been granted by the county superintendent for the district to establish and maintain such classes for the education of mentally retarded minors who come within the provisions of Section 6903 and any school district with an elementary or high school average daily attendance of more than 8,000 for which the county superintendent maintains such class upon the taxable property in such districts sufficient to produce an amount equal to all costs of the education of such minors which are in excess of the amounts apportioned from the State School Fund for the average daily attendance of such minors. The amount received from this tax shall be deposited in the county school service fund.~~

~~The tax shall be levied and collected on a current basis during the fiscal year on the basis of estimates of average daily attendance levels, assessed valuation levels, and the other factors involved. Excess amounts collected in any year may be applied to reduction of the tax in succeeding fiscal years, and the amount to be raised by the tax in any fiscal year may be increased by the amount of deficiency in the tax collected in prior fiscal years.~~

SEC 4 Section 895.8 of the Education Code is repealed

~~895.8. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county~~

~~tax for the identification and education of physically handicapped minors who come within the provisions of Section 6801 or 6802 and for the rental of property and the purchase of equipment by the county superintendent of schools for the schools or classes for such minors.~~

~~The county superintendent of schools, when actually maintaining schools or classes for handicapped minors for districts with an average daily attendance in excess of 8,000 in the elementary or secondary schools of the district when such education is by agreement of the governing board of such school district, shall with the approval of the county board of education certify to the county auditor and the county board of supervisors on or before July 15th of each year the amount of money required to be raised by tax for the education of physically handicapped minors who come within the provisions of Section 6801 or 6802 under the same conditions and circumstances as an amount of money is certified and the tax levied for districts with less than 8,000 average daily attendance in the elementary or secondary schools of the district for the education of such physically handicapped minors, but such tax in districts of more than 8,000 average daily attendance shall not include any amount for the education of physically handicapped minors actually conducted by the local school district or for contract services of such education by another school district.~~

~~The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amounts to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of such physically handicapped minors and by adding to the result the amount required for rental of property, the purchase of equipment, and capital outlay.~~

~~The board of supervisors shall, at the time of levying other county taxes, levy an identical rate of tax in all elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools in the district, and all unified or high school districts which have an average daily attendance of less than 8,000 in the high schools under the jurisdiction of the county superintendent of schools, and for which approval has not been granted by the county superintendent for the district to establish and maintain such classes for the education of physically handicapped minors who come within the provisions of Section 6801 or 6802 upon the taxable property in such districts sufficient to produce such amounts. The amount received from this tax shall be deposited in the county school service fund.~~

~~The tax shall be levied and collected on a current basis during the fiscal year on the basis of estimates of average daily attendance levels, assessed valuation levels, and the other factors involved. Excess amounts collected in any year may be applied to reduction of the tax in succeeding fiscal years, and the amount to be raised by the tax in any fiscal year may be increased by the amount of deficiency in the tax collected in prior fiscal years.~~

~~The Superintendent of Public Instruction shall adopt such rules~~

~~and regulations as he may deem necessary to the implementation of this section.~~

SEC. 5. Section 895.9 of the Education Code is repealed

~~895.9. (a) The Superintendent of Public Instruction shall reduce the allowances to county school service funds to be made in a fiscal year under Section 18355 by an amount determined by: (1) multiplying sixty cents ($0.60) by each one hundred dollars ($100) of the total assessed valuation of all the elementary or unified school districts for whom the county superintendent of schools maintains schools or classes in grades kindergarten through eight, inclusive, pursuant to Section 894; (2) dividing the product so derived by the total average daily attendance of pupils included in the foundation program computed for the districts for pupils in grades kindergarten through eight, inclusive, in the elementary or unified school districts for whom the county superintendent of schools maintains schools or classes in grades kindergarten through eight, inclusive, pursuant to Section 894; and (3) multiplying the quotient so derived by the average daily attendance of pupils attending the special schools or classes maintained by the county superintendent of schools in grades kindergarten through eight, inclusive, pursuant to Section 894.~~

~~(b) The Superintendent of Public Instruction shall reduce the allowances to county school service funds to be made in a fiscal year under Section 18358 by an amount determined by: (1) multiplying fifty cents ($0.50) by each one hundred dollars ($100) of the total assessed valuation of all the high school or unified school districts for which the county superintendent of schools maintains schools or classes in grades 9 through 12, inclusive, pursuant to Section 894; (2) dividing the product so derived by the total average daily attendance of pupils included in the foundation program computed for the districts for pupils in grades 9 through 12, inclusive, in the high school or unified school districts for whom the county superintendent of schools maintains schools or classes in grades 9 through 12, inclusive, pursuant to Section 894; and (3) multiplying the quotient so derived by the average daily attendance of pupils attending the special schools or classes maintained by the county superintendent of schools in grades 9 through 12, inclusive, pursuant to Section 894.~~

SEC 6 Section 895.11 of the Education Code is repealed

~~895.11. The Superintendent of Public Instruction shall reduce the allowance to each county school service fund made pursuant to Sections 18355 and 18358 by an amount equal to the amount paid into the fund by school districts pursuant to Section 885.5.~~

SEC. 7. Section 1822.2 of the Education Code is amended to read

1822.2. Any district which includes as a whole at the time of unification or other reorganization under Division 5 of this code, any district or districts having outstanding bonded indebtedness not assumed pursuant to this article shall pay for the use of the school property of the included district or districts an annual charge to the account of such included district or districts to be administered as a trust fund by or under the direction of the county superintendent of schools The annual charge shall be equal to the annual amount required for the interest and redemption of the outstanding bonds of such included district or districts

The county superintendent of schools shall apply the annual charge to the interest and bond redemption of the included district or districts

The governing board of the reorganized district shall include in its annual budget an amount equal to the annual charge If it fails to do so, the county superintendent of schools shall add the amount to the budget submitted by the governing board

The county board of supervisors shall include the annual tax to be levied upon the assessed valuation of the reorganized district a tax sufficient to provide for the annual charge. ~~The tax may be at a rate in excess of the maximum rate provided in Section 20751~~ While the annual charge is in effect, the board of supervisors need not levy a tax on the assessed valuation of the included district or districts for interest and bond redemption if the amount of the annual charge upon the reorganized district is sufficient for such interest and bond redemption.

The annual charge shall continue for the entire period during which any bonded indebtedness is outstanding against any included district.

SEC 8 Section 5605 of the Education Code is repealed

~~5605. The governing board of any elementary school district situated within a high school district maintaining a junior high school shall permit pupils who have completed the sixth year of the elementary school to attend the junior high school and shall pay to the high school district for the education of the pupils a tuition charge determined pursuant to this section. The amount of the tuition charge shall be computed as follows:~~

~~(a) By multiplying each one hundred dollars ($100) of the assessed valuation of the elementary school district for the current fiscal year, by a computational tax rate set by the governing board of the high school district maintaining the junior high schools or, in the event such board fails to set the rate by the time specified, the computational tax rate set by the county superintendent of schools. The computational tax rate shall be not less than one dollar and fifty cents ($1.50) nor more than 10 percent more than the weighted average of the total operating tax rates of the elementary districts in the high school district, increased, where applicable, by a rate which will raise the total of the following amounts (1) the percentage of miscellaneous funds (as defined by Section 17606), specified in Section 17603.5, and 50 percent of funds under the provisions of Public Law 874, 81st Congress, or under any similar provisions of any other act of Congress in 1969/1970, 70 percent in 1970/1971, and 90 percent in 1971/1972 and each year thereafter, utilized for the elementary school district for the fiscal year; and (2) in the case of an elementary school district not eligible for an increase in foundation program pursuant to either Section 17671 or Section 17676, the total of the amount required by Section 17924 to be raised by the district for the fiscal year by application of an excess in general fund tax rate to be eligible for apportionments of supplemental support, provided that such required amount was actually raised by the district. For purposes of such computations, the assessed valuation of the district shall be modified as required by Section~~

~~17262. The weighted average of the total operating tax rates, as used in this subdivision, shall be computed by multiplying the total operating tax rate of each elementary district in the high school district by the total average daily attendance of the respective elementary district and dividing the sum of the products so obtained by the sum of the average daily attendance of all the elementary districts.~~

~~(b) By multiplying the product derived under subdivision (a) by the ratio which the average daily attendance of pupils of the elementary school district attending grades 7 and 8 of the junior high school during the current fiscal year, bears to the total average daily attendance of the elementary school district, including such pupils in grades 7 and 8, during the current fiscal year. For the purposes of this section, average daily attendance of kindergarten pupils shall not be adjusted by a factor of 1.5, as provided in Section 11301.~~

~~On or before January 1st of each fiscal year, the governing board of the elementary school district shall draw its warrant in favor of the high school district against the general fund of the elementary school district in the amount of fifty percent (50%) of the estimated tuition charge due to the high school district for the attendance of pupils at the junior high school during the current fiscal year. The amount of the warrant shall be credited to the general fund of the high school district.~~

~~On or before July 15th following the close of the fiscal year, the governing board of the elementary school district shall draw its warrant in favor of the high school district against the general fund of the elementary school district in the amount of the difference between the final tuition as computed by this section and the first installment paid to the high school district. The amount of the warrant shall be credited to the general fund of the high school district. The revenues, although received after the close of the fiscal year shall be considered revenues of the preceding fiscal year.~~

SEC. 9 Section 5605 is added to the Education Code, to read

5605. Commencing with the 1972–1973 year and thereafter, any elementary district, situated within a high school district maintaining a junior high school, which has elected to send its seventh and eighth grade pupils to the junior high school shall not maintain regular day classes for seventh and eighth grades. Any elementary district, situated within a high school district maintaining a junior high school, which has not elected to send its seventh and eighth grade pupils to the junior high school or which has withdrawn from the junior high school system shall maintain regular day classes for its seventh and eighth grades and may require its pupils who have completed the sixth year of the elementary school to attend such seventh and eighth grade classes of the elementary district.

SEC. 10. Section 5605.5 of the Education Code is repealed.

~~5605.5. (a) The governing board of a high school district which maintains a junior high school shall prior to July 1 of each fiscal year compute on the basis of current estimates of cost and average daily attendance the amount by which costs during the succeeding fiscal year of educating pupils in grades seven and eight exceeds the total of federal and state apportionments and the tuition payments to be~~

~~received by the district during the succeeding fiscal year for such pupils. The governing board shall also divide the amount so computed by the number of units of such average daily attendance to ascertain the amount of such cost which is attributable to each such unit of average daily attendance.~~

~~(b) If none of the elementary districts within the high school district maintains grades seven and eight or if grades seven and eight are maintained by the elementary district for fewer than 90 percent of the pupils in grades seven and eight who reside in the elementary district, the amount computed under subdivision (a) of this section may be included in the budget of the high school district and a tax levied pursuant to Section 20808.5.~~

~~(c) If an elementary district within the high school district has 10 percent or less of the pupils in grades 7 and 8 residing in the district attending a junior high school of the high school district, the high school district shall certify to the elementary district prior to July 1 of each fiscal year the amount computed under subdivision (a) of this section that is attributable to each unit of average daily attendance of pupils who reside in such elementary district and attend the junior high school of the high school district. The amount certified by the high school district shall be paid to such district by the elementary district as tuition for such pupils. The governing board of the elementary district shall include the amount so certified in its budget and a tax to raise such amount may be levied pursuant to Section 20808. The remainder of the amount computed under subdivision (a) of this section may be raised by a tax levied pursuant to Section 20808.5 upon the assessed valuation of the high school district excluding the assessed valuation of the elementary district affected by this subdivision.~~

SEC. 11. Section 5605.6 of the Education Code is repealed

~~5605.6. For the purposes of Section 5605, the assessed valuation of the district shall be that as shown by the current equalized assessment roll of the district plus a sum determined by adding to such assessed valuation an amount which would, if the current tax rate, as defined in Section 17604 as it read on January 1, 1963, of such district were levied on such added amount, produce or will produce 10 percent of the equivalent of all federal funds as federal funds are defined in Section 17605 as it read on January 1, 1963, and 75 percent of the equivalent of all miscellaneous funds as miscellaneous funds are defined in Section 17606 as it read on January 1, 1963, received or to be received by such district for the fiscal year for which such added amount was determined.~~

SEC. 12. Section 5606 of the Education Code is repealed

~~5606. If the tuition is not fixed before the time fixed for the county superintendent of schools to submit the budgets of the district to the board of supervisors, the county superintendent having jurisdiction over the elementary school district shall fix the amount of the tuition and shall incorporate the amount in the budgets of the districts concerned.~~

SEC. 13. Section 5607 of the Education Code is repealed

~~5607. If the trustees in any school district fail to draw warrants for tuition due to a high school district, the county superintendent of~~

40 0 16 9 200

~~schools shall draw his warrant therefor~~

SEC 14. Section 5608 of the Education Code is repealed.

~~5608. The tuition charge shall cease to be paid after the pupil has satisfactorily completed the seventh and eighth grades in the junior high school.~~

SEC 15 Section 5609 of the Education Code is repealed

~~5609. The average daily attendance of all pupils from a district paying the tuition provided for, enrolled in the first two years of the junior high school, shall be kept separate and shall be credited to the elementary school district in which the pupils reside.~~

SEC. 16 Section 5610 of the Education Code is repealed

~~5610. The governing board of any elementary school district not situated in a high school district maintaining a junior high school may permit pupils of their district who have completed the sixth year of the elementary school to attend any junior high school in any district, and shall pay to the district for the education of the pupils by order of the county superintendent of schools, a tuition charge which shall be agreed upon by the governing board of the elementary school district and the governing board of the district maintaining the junior high school.~~

SEC. 17. Section 5611 of the Education Code is repealed

~~5611. The board of school trustees, under the arrangement described in Section 5610 shall not pay a tuition charge greater than the average net cost per pupil for educating pupils in the junior high schools of the district of attendance, as ascertained by the county superintendent of schools, less the amount of any apportionments withheld from the elementary school district and added to the high school district pursuant to Section 17411 or Section 17411.1, whichever is in effect. The tuition charge shall cease to be paid after the pupil has completed two years of work in the junior high school.~~

SEC 18 Section 5612 of the Education Code is repealed

~~5612. The average daily attendance of all pupils from a district paying the tuition provided for, enrolled in the first two years of the junior high school, shall be kept separate and shall be credited to the elementary school district in which the pupils reside.~~

SEC 19 Section 5613 of the Education Code is repealed.

~~5613. Whenever the average daily attendance of pupils enrolled in the first two years of the junior high school of a district is less than 25 for any school year, the junior high school shall lapse.~~

SEC. 20. Section 5658 of the Education Code is repealed

~~5658. Whenever a person residing in an elementary school district but not in any high school district or in any unified school district attends a high school in any district within the State, the governing board of the district maintaining the high school shall on or before July 15th of the succeeding school year certify, separately, to the county superintendent of schools having jurisdiction over the elementary school district the amount chargeable to the elementary school district and the amount chargeable to the county school service fund under the jurisdiction of the county superintendent of schools, as tuition for the education of the person during the preceding school year.~~

SEC 21 Section 5659 of the Education Code is repealed

5659. The tuition for the education of any person described in Section 5658 shall be computed as follows.

From the total current expense of education, exclusive of the expense of transportation, of pupils in grades 9 through 12 of the high school district or unified school district for the preceding school year subtract state and federal apportionments received by the district except federal apportionments under the act of Congress entitled, "An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874 / 81st Congress), or under any similar provision of any other act of Congress received on account of the attendance of pupils residing in the district, and divide the remainder by the total number of units of average daily attendance in grades 9 through 12 of the high school district or unified school district during the preceding school year.

The total tuition chargeable to any elementary school district shall be computed as follows.

(a) Multiply the resulting quotient by the units of average daily attendance during the preceding school year of pupils in grades 9 through 12 residing in the elementary school district, and not residing on a military reservation of the United States, and attending the high schools of the high school district or unified school district, subtract the amount of federal apportionments under the act of Congress entitled, "An act to provide financial assistance for local educational agencies in areas affected by federal activities and for other purposes," approved September 30, 1950 (Public Law 874 / 81st Congress), or under any similar provision of any other act of Congress received on account of attendance of pupils residing in the elementary school districts, and not residing on a military reservation of the United States, and attending the high schools of the high school district or unified school district, add two hundred dollars ($200) for each of such units of average daily attendance for the use of buildings and equipment, and add the actual expense of transportation provided by the high school district to such pupils.

(b) Add to the total arrived at under subdivision (a) the total current expense less federal and state apportionments to the high school district or unified school district of education of pupils of the elementary school district as described in Section 5658 in any classes whatever other than classes in grades 9 through 12 of the high school district or unified school district.

The total amount chargeable against the county school service fund of any county shall be determined by (a) multiplying the quotient utilized under subdivision (a), above, by the units of average daily attendance during the preceding school year of pupils in grades 9 through 12 residing in the elementary school district, and on a military reservation of the United States, and attending the high schools of the high school district or unified school district, and (b) adding thereto the total current expense less federal and state apportionments to the high school district or unified school district of education of pupils of the elementary school district as described in Section 5658 and residing on a military reservation of the United States in any classes whatever other than classes in grades 9 through

~~12 of the high school district or unified school district~~

~~For the purposes of this section, the Superintendent of Public Instruction shall define the term "total current expenses of education" and the term "actual expense of transportation."~~

SEC. 22 Section 5660 of the Education Code is repealed

~~5660. The county superintendent of schools shall transmit a copy of the certificate certifying the amount chargeable against any elementary school district under his jurisdiction not later than the succeeding July 20th to the board of supervisors of each county within which any part of the elementary school district is located.~~

SEC 23. Section 5661 of the Education Code is repealed

~~5661. If the elementary school district is located entirely within one county, the board of supervisors shall at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20804, inclusive, and Sections 20901 and 21001 of this code levy a tax on all taxable property in the elementary school district sufficient to raise the amount set forth in the certificate. If the elementary school district is located in more than one county, the tax shall be determined, levied, and collected at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20857, inclusive, and Sections 20901 and 21001 of this code. The maximum rate of school district tax which may be levied pursuant to this section for any high school district or unified school district in any school year on each one hundred dollars ($100) of assessed valuation within the elementary school district shall be seventy-five cents ($0.75) if the average daily attendance of high school pupils living within the elementary school district and attending a high school in such high school district or unified school district during the preceding school year did not exceed 15.~~

SEC 24 Section 5662 of the Education Code is repealed

~~5662. The receipts of the tax shall be credited by the county treasurer of each county to the high school district or unified school district, except that if the county superintendent of schools of another county has jurisdiction over the high school district or unified school district, the county auditor of each county in which any portion of the tax is collected shall determine the amount of the receipts of the tax and shall direct the county treasurer of his county to transmit the amount to the county treasurer of the county of which the superintendent of schools has jurisdiction, who shall credit the amount to the high school district or unified school district. The county treasurer of any county crediting the receipts of the tax to a high school district or unified school district shall notify the county superintendent of schools and county auditor of the county and the governing board of the high school district or unified school district of the fact, naming the amount credited.~~

SEC. 25. Section 5663 of the Education Code is repealed

~~5663. The county superintendent of schools shall pay to each high school district and unified school district from the unapportioned county high school fund under his jurisdiction, the amount chargeable to the fund as shown by the certificate of the governing board of the high school district or unified school district.~~

SEC 26 Section 5664 of the Education Code is repealed

54 0 16 9 270

~~5661. This section applies to any elementary school district wholly included in a unified school district or a high school district, including a union high school district, joint union high school district, or county high school district, and which inclusion is effective for all purposes on or after July 1, 1956, and which elementary school district is required, pursuant to this article (commencing at Section 5651), to pay, during the first fiscal year commencing on the date inclusion is effective for all purposes, to the unified district or high school district in which it is included two hundred dollars ($200) for each unit of average daily attendance for use of buildings and equipment as part of the tuition charge on account of persons residing in the elementary district who, during the preceding fiscal year, attended high school in the high school district or unified district in which such elementary district is included.~~

~~Notwithstanding other provisions of law, such elementary district shall not be liable for the payment of such two hundred dollars ($200) a unit of average daily attendance if, prior to the date the inclusion is effective for all purposes, the elementary district assumes liability for the outstanding bonded indebtedness of the high school district, if it is included in a high school district, or for the outstanding bonded indebtedness of the unified district for high school and community college purposes, if the elementary district is included in a unified district.~~

~~For the purposes of this section, the county superintendent of schools shall determine, pursuant to Section 21802, the amount of outstanding indebtedness of a unified school district issued for high school and community college purposes.~~

~~Liability for such outstanding bonded indebtedness may be assumed at any election held for such purpose in accordance with law except that, if the elementary district is included in a unified school district, at the request of the governing board of such elementary district, the ballot shall contain, in addition to other required provisions, the words "For assumption of liability of outstanding bonded indebtedness of / / / / District issued for high school purposes and community college purposes [if there is no such indebtedness for community college purposes the reference to community college purposes shall be deleted] / Yes" and "For assumption of liability for outstanding bonded indebtedness of / / / / District, issued for high school purposes and community college purposes [if there is no such indebtedness for community college purposes, the reference to community college purposes shall be deleted] / No".~~

SEC. 27. Section 5756 of the Education Code is amended to read:

5756. *(a) For the purpose of crediting attendance for apportionments to high school and unified districts from the State School Fund, all attendance in adult classes and evening high schools shall be reported separately as attendance in classes for adults.*

(b) For the purpose of crediting attendance for apportionments ~~from the State School Fund during the fiscal year,~~ *to community college districts from the State Community College Fund,* "adult" means any person who has attained his 21st birthday on or before ~~(a)~~ *(1)* September 1st, January 1st, or March 1st of the quarter for which

he is enrolled or ~~(b)~~ *(2)* September 1st or February 1st of the semester for which he has enrolled, and who has enrolled in less than 10 class hours as defined in Section 11480 ~~for community college districts or 12 periods of not less than 40 minutes each per week for high school districts~~

SEC. 28. Chapter 6.10 (commencing with Section 6499 230) is added to Division 6 of the Education Code, to read.

CHAPTER 6.10 EDUCATIONALLY DISADVANTAGED YOUTH PROGRAMS

6499 230. It is the intent of the Legislature to provide quality educational opportunities for all children in the California public schools The Legislature recognizes that because of differences in family income, differing language barriers, and pupil transiency, differing levels of financial aid are necessary to provide quality education for all students

6499 231. From the funds appropriated by the Legislature for the purposes of this chapter, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall administer this chapter and make apportionments to school districts to meet the total approved expense of the school districts incurred in establishing education programs for pupils who qualify economically and educationally in preschool, kindergarten, or any of grades 1 through 12, inclusive Nothing in this chapter shall *in any way* preclude the use of federal funds for educationally disadvantaged youth

6499.232. Maximum apportionments allowable to school districts shall be determined by the following factors

(a) An index of "potential impact of bilingual-bicultural pupils" determined by dividing the percent of pupils in the district with Spanish and Oriental surnames, as determined by the annual ethnic survey conducted by the Department of Education, by the statewide average percentage of such pupils for unified, elementary, or secondary districts, as appropriate

(b) A ratio of the district's "index of family poverty," defined as the district's Elementary and Secondary Education Act, Title I entitlement, divided by its average daily attendance in grades 1 through 12, or any thereof maintained, divided in turn by the state average index of family poverty for unified, elementary, or secondary districts, as appropriate

(c) A ratio of the district's "index of pupil transiency," as computed from the relationship between the district's average daily attendance and its total annual enrollment, divided by the state average index of pupil transiency for unified, elementary, or secondary districts, as appropriate

The district's total maximum apportionment under this chapter shall be determined by computing the product of (1) one-third the sum of the above three factors, (2) the number of pupils receiving aid for dependent children support, and (3) a constant amount of three hundred dollars ($300), or such amount as the Superintendent of Public Instruction may determine so that the sum of all allocations will not exceed the funds appropriated by the Legislature for the purposes of this chapter.

6499 233 For the fiscal year 1972–1973, the superintendent shall allocate to local districts an amount equal to not less than 40 percent of the total amount computed under Section 6499 232 For the fiscal year 1973–1974, the superintendent shall allocate not less than 40 percent of the total amount so computed and not more than 90 percent of the amount computed For the 1974–1975 fiscal year and thereafter, the superintendent shall allocate to each district not less than 40 percent nor more than 100 percent of the amount so computed

6499 234 In approving programs under this chapter, the State Board of Education shall give due consideration to the effectiveness of the program and shall not continue in operation any program that, upon evaluation, has been shown to be of low effectiveness and which has only limited possibility of improved effectiveness

For the fiscal year 1973–1974 and for each year thereafter, districts which demonstrate a high degree of program effectiveness shall receive amounts up to their entitlement limits Districts which demonstrate low levels of program effectiveness shall continue to receive their initial apportionments but the superintendent of Public Instruction may reduce the additional computed apportionments due such districts, if he determines that such programs have limited possibilities of improved achievement

6499 235. The Superintendent of Public Instruction shall apportion the funds available for programs in accord with procedures specified in this chapter and policies which may be adopted by the State Board of Education Funds shall be allocated to each district within its entitlement based upon a plan submitted by the district to the Superintendent of Public Instruction, and approved by the State Board of Education. The plan shall include (1) an explicit statement of what the district seeks to accomplish, (2) a description of the program and activities designed to achieve these purposes, and (3) a planned program of annual evaluation, including a statement of the criteria to be used to measure the effectiveness of the program

6499 236 The State Board of Education shall adopt regulations setting forth the standards and criteria to be used in the administration, monitoring, evaluation, and dissemination of programs submitted for consideration under this chapter; 1 percent of the total appropriation for the purposes of this chapter shall be retained by the Department of Education for these purposes Funds appropriated for the purposes of this chapter not allocated as previously specified shall be allocated by the State Board of Education to promote the intent of this chapter to provide education programs to as many eligible pupils as possible and to stimulate the development, implementation, and evaluation of innovative programs.

6499.237. The Superintendent of Public Instruction shall submit annually to the Governor and to each house of the Legislature a report evaluating the programs established pursuant to this chapter, together with his recommendations concerning whether the same should be continued in operation

6499 238 There is hereby appropriated from the General Fund in

the State Treasury to the State School Fund for the fiscal year 1972–1973 an amount equal to twenty-one dollars and fifty cents ($21 50) multiplied by the total statewide average daily attendance of the preceding fiscal year in kindergarten and grades 1 to 12, inclusive, to be used for the purposes of Chapter 6 10 (commencing with Section 6499 230) of Division 6 of the Education Code For the fiscal year 1973–1974 the amount per such unit of average daily attendance shall be forty-three dollars ($43), and for the fiscal year 1974–1975 and thereafter, it shall be fifty-three dollars and seventy-five cents ($53 75).

SEC 29 Section 6851 of the Education Code is amended to read:

6851 Whenever a school district maintains a school or classes at a tuberculosis or polio ward, hospital or sanatorium established and maintained by a county or group of counties, any minor or adult who has been admitted to such ward, hospital or sanatorium is, if otherwise qualified, eligible to attend such school or classes ~~but shall be deemed to be, for the purposes of this code, a resident of the school district in which he resided prior to his admission to such tuberculosis or polio ward, hospital or sanatorium~~

The minimum schoolday for such classes is 180 minutes. Whenever two or more districts are authorized and operate such schools or classes the governing boards of the districts may jointly employ personnel to administer and conduct the programs

~~The school district maintaining the school shall, no later than 30 days following the date of enrollment of a student who resides in another school district under this section, notify the district of residence of the student's enrollment.~~

SEC 30. Section 6852 of the Education Code is repealed.

~~6852. The cost for a school year of educating any minor or adult who attends such a school or class and who is deemed to be a resident of the district in which he resided prior to his admission to such tuberculosis or polio ward, hospital, or sanatorium shall be paid by the school district of which any such minor or adult is a resident to the district maintaining a school or class in which such minor or adult is enrolled pursuant to this article. The cost shall be determined by dividing the total current expenditures of the school district during such school year for the maintenance of such school or classes, less all apportionments from the State or allocations from the Federal Government on account of such school or classes, by the total number of units of average daily attendance in such school or classes during such school year.~~

~~Minors in such schools or classes shall be apportioned excess cost apportionments for handicapped minors as stated elsewhere in this code.~~

~~The Superintendent of Public Instruction shall adopt standards and regulations relating to administration, attendance, accounting and counseling in hospital schools and classes.~~

SEC 31 Section 6853 of the Education Code is repealed

~~6853. Not later than July 15th of each year, the district maintaining such school or classes shall forward its claim to the district of residence, for the cost of educating minors or adults who are residents of such district during the preceding school year, and~~

~~the governing board of such district shall upon the receipt thereof pay such claim.~~

SEC 32 Section 6854 of the Education Code is repealed

~~6854. The governing board of the district to whom the claim prescribed by Section 6853 is presented may include in its budget the amount necessary to pay the claim, and if the amount is included in the budget the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied.~~

SEC 33 Section 6855 of the Education Code is repealed

~~6855. The governing board of any school district maintaining a school or classes at a tuberculosis or polio ward, hospital or sanatorium, may include in its budget the amount necessary to maintain such school or classes, and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied.~~

SEC 34 Section 6871 of the Education Code is amended to read

6871 With the approval of the county superintendent of schools, any school district having a physically handicapped minor, mentally retarded minor, severely mentally retarded minor, or multiply handicapped minor for whom special education facilities and services as prescribed by Section 6870 are not available or cannot be reasonably provided, and for whom the State of California has no appropriate special education facilities and services, shall, and any school district having an educationally handicapped minor for whom special education facilities and services as prescribed by Section 6870 are not available or cannot be reasonably provided, and for whom the State of California has no appropriate special education facilities and services, may, in lieu of establishing and maintaining the needed special education facilities and services at an unreasonable cost to the district, pay to the parent or guardian of such minor toward the tuition for such minor, enrolled in a public or private nonsectarian school, institution, or agency within or outside of California offering the special education facilities and services made necessary by the minor's disabilities, an amount not to exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance for the particular category under ~~Section 18102, 18102.2, 18102.4, or 18102.6, the amount allowable per unit of average daily attendance for the particular category under Section 18060, and the amount per unit of average daily attendance provided from revenue derived from district taxation for the current expense of education of a normal child in the schools of the district. For purposes of computing the amount per unit of average daily attendance provided from revenue derived from district taxation, there shall be excluded amounts produced by rates levied for special or restricted purposes, such as the rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19413, 19610, 20801 to 20802.8, inclusive, 20806, and 20807, and there shall be included amounts produced by rates levied for general districtwide current support purposes, including the rates levied pursuant to Sections 20808 and~~

~~20808.5~~ *Sections 17652, 17639, and 18060* As used in this article "tuition" includes the cost to the parent or guardian of transporting a minor enrolled in a public or private nonsectarian school, institution, or agency under this section to and from school

The provisions of this section shall be applicable as well to situations where the special educational facilities and services are available but are an unreasonable distance away from the home of the minor. The Superintendent of Public Instruction shall adopt rules and regulations to implement the determination of the unreasonableness of such cost and distance, and any other rules and regulations deemed necessary by him for the effective administration of this chapter The county superintendent of schools shall make a finding as to the unreasonableness of such cost or distance for the school districts within his jurisdiction and shall report such findings to the Superintendent of Public Instruction, who, if he approves such findings, shall authorize payments pursuant to this section and Sections 6872 and 6873

The provisions of this section shall be applicable as well to situations where the public special educational facilities and services are available but the attending physician of the physically handicapped, mentally retarded, severly mentally retarded, multiply handicapped, or educationally handicapped minor or the attending optometrist of the physically handicapped minor who is blind, partially seeing, or visually handicapped has recommended that it is in the best interests of the health and welfare of such minor that the minor be enrolled in a private nonsectarian school, institution or agency offering the special education facilities and services made necessary by the minor's disabilities, and such recommendation has been approved by the county health officer and the county superintendent of schools on forms specified by the Superintendent of Public Instruction

Priority in providing special education facilities and services shall be given to public school, or state-operated, programs. State and school district support for an exceptional child's education at a private nonsectarian school, institution, or agency shall be approved pursuant to this chapter only if no publicly operated programs are available to the minor within a reasonable distance from his residence, or if such programs do not meet the specialized needs of the minor, as determined under the procedures established by this chapter Priority in approving private nonsectarian schools, institutions, or agencies shall be given to the nearest such school, institution, or agency from where the parent or guardian of the exceptional child resides and which provides training and education as defined in Section 6870

In instances where public funds are paid to the parent or guardian of a minor pursuant to this section, toward the tuition of such minor enrolled in a private nonsectarian school, institution, or agency, the school, institution, or agency enrolling such minor shall at the end of each school year submit a written progress report on each such minor on forms provided by the Superintendent of Public Instruction, and shall forward such forms to the county superintendent of schools of the county authorizing placement Such reports shall be used by the

70 0 16 y 345

county superintendent of schools to determine continued eligibility for placement and reimbursement under this chapter

In no event shall the total of any allowances or apportionments of state funds be made to a school district in behalf of a pupil receiving an allowance pursuant to this section in excess of the total of such amounts which would have been allowed or apportioned to the district if the pupil were in attendance at a school in the district

SEC. 35. Section 6873 of the Education Code is amended to read:

6873. Upon verification of the attendance reported and the claim submitted, the Superintendent of Public Instruction shall apportion to the school district submitting the report and the claim of the parent or guardian of such minor for the tuition in question an amount sufficient to satisfy the claim but not in excess of the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance for the particular category under ~~Section 18102, 18102.2, 18102.4, or 18102.6, and the amount allowable per unit of average daily attendance for the particular category under Section 18060. In the case of a multiply handicapped minor the amount apportioned shall not exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance under Section 18102, and the amount allowable per unit of average daily attendance for the particular category under Section 18060~~ *Sections 17652, 17659, and 18060*.

The apportionments for physically handicapped, mentally retarded, and multiply handicapped minors shall be made from the *State School Fund* ~~funds reserved under the provisions of subdivision (c) of Section 17303.5. The apportionments for educationally handicapped minors shall be made from the funds reserved under the provisions of subdivision (g) of Section 17303.5. The apportionments shall be made for each fiscal year immediately following the fiscal year in which the attendance occurs~~.

SEC. 36. Section 6913.1 of the Education Code is repealed.

~~6913.1. The maximum rate of school district tax for any school year is hereby increased by such amount as the governing board of any school district which maintains or has entered into an agreement with another district or with the county superintendent of schools for educational services or facilities, including the rental of property or purchase of equipment, for mentally retarded minors who come within the provisions of Sections 6902 and 6903 may include in its budget and the board of supervisors shall levy a school district tax necessary to raise such amount.~~

~~Such budget expenditures may include the cost of equipment and facilities, the lease or lease/purchase of buildings, lease of land, alteration or additions to existing buildings, or other necessary capital outlay expenditures in connection with such educational services.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in the tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during~~

~~that fiscal year required or authorized for the education of mentally retarded minors who come within the provisions of Sections 6902 and 6903.~~

SEC 37 Section 6914 of the Education Code is repealed.

~~6914. Whenever any school district maintains special training schools or classes for the education of mentally retarded minors who come within the provisions of Section 6903, or special schools, classes or integrated programs where a qualified special teacher is provided for the education of physically handicapped minors who come within the provisions of Sections 6901 and 6902, the governing board of the school district may apply to the Superintendent of Public Instruction for an apportionment pursuant to Sections 6914 to 6919, inclusive.~~

SEC 38 Section 6915 of the Education Code is repealed.

~~6915. The application shall be made prior to September 1st of each school year in the form and manner prescribed by the Superintendent of Public Instruction and shall include an estimate of the average daily attendance that will be credited to such schools, classes or integrated programs during the school year for which an advance apportionment is requested. Such estimate shall be based upon the number of minors residing in the district or in an adjacent district that come within the provisions of Sections 6901, 6902, and 6903 and who will attend such schools, classes or integrated programs, and shall be subject to the approval of the Superintendent of Public Instruction.~~

SEC 39 Section 6916 of the Education Code is repealed

~~6916. Not later than 30 days after such application, the Superintendent of Public Instruction, if he approves, shall apportion to each applicant school district from the State General Fund, as an advance against future apportionments from the State School Fund to such district, an amount equal to the maximum amount allowable for each type of program included in the request per unit of average daily attendance to school districts for the excess expense of educating mentally retarded minors who come within the provisions of Section 6903, and physically handicapped minors who come within the provisions of Sections 6901 and 6902 multiplied by eight and the product thereof multiplied by the number of special classes or integrated programs maintained by the applicant school district for such minors.~~

SEC 40 Section 6917 of the Education Code is repealed

~~6917. The Superintendent of Public Instruction shall furnish an abstract of all apportionments made to school district of any county under Sections 6914 to 6919, inclusive, to the State Controller, the Department of Finance and to the county auditor, county treasurer and county superintendent of schools of the county and shall certify such apportionments to the State Controller who shall thereupon draw his warrants on the State General Fund in favor of the county treasurer of each county for the amounts apportioned to the districts of the county.~~

SEC 41 Section 6918 of the Education Code is repealed

~~6918. All moneys received by the treasurer of a county under Sections 6914 to 6919, inclusive, shall be credited by the treasurer to the general fund of the school district of the county exactly as~~

~~apportioned by the Superintendent of Public Instruction.~~

SEC 42 Section 6919 of the Education Code is repealed.

~~6919. During the next two fiscal years after the fiscal year in which such apportionment is advanced to a school district under Sections 6914 to 6919, inclusive, the State Controller shall deduct from apportionments made to each such school district from the State School Fund an amount equal to the amount apportioned to such district under Sections 6914 to 6919, inclusive, and pay the same into the State General Fund.~~

SEC 43 Section 7456 of the Education Code is repealed

~~7456. The county superintendent of schools, with the approval of the county board of education, and the governing board of each school district, or joint powers governing board, which maintains a regional occupational center or regional occupational program pursuant to this chapter, shall certify to the county auditor and to the county board of supervisors, on or before August 10 of each year, the amount of money required to be raised by a tax for the education of pupils attending the regional occupational center, or regional occupational program, maintained by the county superintendent of schools or by a school district, as the case may be, and for the purposes set forth in Section 7453.~~

~~The amount shall be determined by subtracting from the total cost of education of such pupils in the regional occupational center, or regional occupational program, including transportation, to the county superintendent of schools or school district, as the case may be, (1) the total of any balances remaining to be expended for this purpose and (2) the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund or to the school district, as the case may be, for the education of such pupils and by adding to the result the amount required for the purposes set forth in Section 7453. At the time of levying county taxes, the board of supervisors shall levy a district tax for each regional occupational center, or regional occupational program, maintained in the county by the governing board of a school district pursuant to this chapter upon the taxable property of the school district sufficient to produce the amount required by this section; and the board of supervisors may levy a county tax for each regional occupational center, or regional occupational program, maintained in the county by the county superintendent of schools pursuant to this chapter sufficient to produce the amount required by this section, upon the following taxable property within school districts under the jurisdiction of the county superintendent maintaining the regional occupational center or regional occupational center program.~~

~~(a) In a county in which the governing board of a school district is not maintaining a regional occupational center or regional occupational program pursuant to this chapter, upon all the taxable property within school districts under the jurisdiction of the county superintendent maintaining the regional occupational center or regional occupational center program.~~

~~(b) In a county in which the governing boards of one or more school districts are maintaining a regional occupational center or~~

~~regional occupational program pursuant to this chapter, upon the taxable property within that portion of the territory within school districts under the jurisdiction of the county superintendent maintaining the regional occupational center or regional occupational center program which is not included in territory of such school districts.~~

~~The amount received from this tax shall be deposited in the county school service fund, or, if the regional occupational center, or regional occupational program, for which such tax was levied is maintained by a school district, in the county treasury to the credit of the general fund of that school district.~~

~~The maximum rate of the countywide or district tax levied for the purposes of this section, except for the purposes set forth in Section 7453, shall not exceed ten cents ($0.10) on each one hundred dollars ($100) of assessed valuation within the county or district, as the case may be, and the maximum rate of the countywide or district tax levied under this section for the purposes set forth in Section 7453 shall not exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation in the county or district, as the case may be.~~

~~As used in this section, school district includes each of those school districts which are cooperating in the maintenance of a regional occupational center, or regional occupational program, with the approval of the county superintendent of schools pursuant to Section 7451.~~

SEC. 44. Section 7456 is added to the Education Code, to read:

7456. The governing board of each school district, joint powers governing board, or county school board which maintains a regional occupational center or regional occupational program pursuant to this chapter, shall report to the school districts of residence which are cooperating in the maintenance of a regional occupational center, or regional occupational program, the average daily attendance generated by participating pupils who are residents of the various cooperating districts. The school districts of residence shall transfer to the district or county school board maintaining the regional occupational center or program an amount per pupil representing tuition costs for the program or center plus any transportation costs under the provisions of Section 7452.

SEC. 45. Section 7459 of the Education Code is amended to read:

7459. A regional occupational center established and maintained pursuant to a joint powers agreement pursuant to the provisions of Article 1 (commencing with Section 6500) of the Chapter 5 of Division 7 of Title 1 of the Government Code shall receive in annual operating funds from the participating school districts an amount per unit of average daily attendance as ~~follows:~~ *provided in Sections 17652 and 17659.*

~~(a) From each participating school district which is not eligible for state equalization aid, four hundred seventy-two dollars ($472).~~

~~(b) From each participating school district which is eligible for state equalization aid, but not eligible for the increase in foundation program pursuant to Article 2.1 (commencing with Section 17671) of Chapter 3 of Division 14, four hundred seventy-two dollars ($472).~~

~~(c) From each participating school district which is eligible for state equalization aid and is eligible for the increase in foundation program pursuant to Article 2.1 (commencing with Section 17671) of Chapter 3 of Division 14, four hundred ninety-two dollars ($492).~~

~~(d) From each participating school district which is eligible for state equalization and is not eligible for the increase in foundation program pursuant to Article 2.1 (commencing with Section 17671) of Chapter 3 of Division 14, but is eligible for supplemental support, five hundred twelve dollars ($512).~~

~~(e) From each participating school district which is eligible for state equalization aid, and is eligible for the increase in foundation program pursuant to Article 2.1 (commencing with Section 17671) of Chapter 3 of Division 14, and is eligible for supplemental support, five hundred thirty-two dollars ($532).~~

~~(f) Any adjustments in the state apportionment allowance formula for average daily attendance shall automatically be applied to the above subdivisions.~~

SEC 46 Section 7460 of the Education Code, as added by Chapter 1368 of the Statutes of 1969, is repealed.

~~7460. Units of average daily attendance in the regional occupational centers or regional occupational programs of a county for a fiscal year are the quotient arising from dividing the total number of days of pupil's attendance in such centers, or programs, during the fiscal year by 175 and the average daily attendance so computed shall be credited to the county school service fund if the center, or program, is maintained by a county superintendent of schools or if the center, or program, is maintained by a school district, to the district maintaining the center or program.~~

~~Attendance in regional occupational centers, or regional occupational programs, operated under subdivision (a) of Section 7451.5 shall be considered pupil's attendance under this section, but attendance in regional occupational centers, or regional occupational programs, under subdivision (b) of Section 7451.5 shall not be so considered.~~

~~As used in this section, "school district" includes each of those districts which are cooperating in the maintenance of the center or program, with the approval of the county superintendent of schools, pursuant to Section 7451, and units of average daily attendance of pupils residing in such school district shall be credited to the school district or county office of education as may be appropriate.~~

SEC 47 Section 7460 is added to the Education Code, to read

7460. Units of average daily attendance in the regional occupational centers or regional occupational programs operated by a county or district superintendent of schools are the quotient arising from dividing the total number of days of pupil's attendance in such centers, or programs, during the fiscal year by 175. The average daily attendance so computed shall be credited to the school districts in which the pupils reside.

Attendance in regional occupational centers, or regional occupational programs, operated under subdivision (a) of Section 7451.5 shall be considered pupil's attendance under this section, but attendance in regional occupational centers, or regional

occupational programs under subdivision (b) of Section 7451 5 shall not be so considered

SEC 48 Section 7461 of the Education Code is repealed

~~7461. Any district or county superintendent who operates a 60/minute regional occupational program shall be credited with one/third of a unit of average daily attendance for each student in a 60/minute regional occupational program and two/thirds of a unit of average daily attendance in a 120/minute program.~~

SEC 49 Section 7461 is added to the Education Code, to read:

7461 Any district or county superintendent operating a 60-minute regional occupational program shall credit the district of residence with one-third of a unit of average daily attendance for each student in a 60-minute regional occupational program and two-thirds of a unit of average daily attendance in a 120-minute program.

SEC 50 Section 11003 5 is added to the Education Code, to read:

11003 5 The minimum schoolday for pupils of kindergartens, and for mentally retarded minors in special training schools or classes prescribed in Section 6903, is 180 minutes inclusive of recesses Except as authorized in Section 11301 6, no unit of average daily attendance shall be credited for attendance in a special class if the minimum schoolday of such special class is less than 180 minutes

SEC 51 Section 11255 is added to the Education Code, to read:

11255 For the purposes of this chapter, "regular day class" means a class maintained during the regular schoolday as defined by the governing board of the school district. Classes in special day and evening and summer schools, juvenile hall schools and classes, opportunity schools and classes, continuation schools and classes, regional occupational center programs and classes, and vocational schools, and classes for the physically handicapped, mentally retarded, severely mentally retarded, educationally handicapped, and mentally gifted are not regular day classes for the purposes of this chapter

SEC 52 Section 11257 of the Education Code is amended to read:

11257 ~~Each elementary, high school, and unified school district shall report to the Superintendent of Public Instruction on forms prepared by the Department of Education in addition to all other attendance data as required, the active enrollment as of the the third Wednesday of eah school month and the actual attendance on the third Wednesday of each school month, except that if such day is a school holiday, the active enrollment and actual attendance of the first immediate preceding schoolday shall be reported. "Active enrollment"~~

For the purposes of this chapter, "active enrollment" on a day a count is taken means the pupils in enrollment in the regular ~~schooldays~~ *day schools* of the district on the first day of the school year on which the schools were in session, plus all later enrollees, minus all withdrawals since that day

SEC 53 Section 11301 of the Education Code is amended to read:

11301 The units of average daily attendance in the *regular day* elementary schools of a district for a fiscal year shall be computed ~~by dividing the total number of days of pupils attendance in all~~

~~kindergarten and elementary schools and classes of the district during the fiscal year by the number of days school was actually taught in the regular day elementary schools of the district during the fiscal year, plus the units of average daily attendance credited to the district on account of the education of seventh and eighth grade pupils in a junior high school pursuant to Section 11404.~~

~~For the purposes of this article, a day of kindergarten attendance is based on the 180/minute minimum day, and shall be adjusted to 180 when the minimum day is less than 180 minutes as authorized by Section 11003.~~

~~Commencing on July 1, 1970, when the minimum schoolday for pupils in kindergarten is less than 180 minutes as authorized by Section 11003, the average daily attendance shall be adjusted by a multiplication factor of 0.417.~~

~~Commencing on July 1, 1971, the minimum schoolday for pupils in kindergartens is 180 minutes inclusive of recesses, and no units of average daily attendance shall be credited for attendance in kindergarten classes if the minimum schoolday of such classes is less than 180 minutes.~~

~~For the purposes of this article, a day of attendance in special training schools or classes defined by Section 6903 is based on a 180/minute minimum day. When the minimum day is less than 180 minutes, as authorized by Section 11003, the average daily attendance shall be adjusted by a multiplication factor of 0.417.~~ *as follows.*

(a) Record the active enrollment on the third Wednesday of each school month. For the purposes of this section, the last school month of the school year may be less than 20 days, in such case, active enrollment shall be taken on the last Wednesday on which school is maintained in that month.

(b) Divide the sum of the active enrollments recorded pursuant to subdivision (a) by the number of months schools are maintained. The quotient so obtained, plus the units of average daily attendance credited to the district on account of the education of seventh and eighth grade pupils in a junior high school pursuant to Section 11404, shall be the average daily attendance.

SEC. 54. Section 11401 of the Education Code is repealed.

~~11401. The average daily attendance in the high schools of a district other than evening high schools, continuation high schools, and continuation education classes, for a fiscal year are the quotient arising from dividing the total number of days of pupils' attendance in the regular day high schools, summer schools, special high school classes, and the part/time vocational courses of the district, exclusive of the number of days of pupils' attendance in the seventh and eighth grades of junior high schools, during the fiscal year by the number of days school was actually taught in the regular day schools of the district during the fiscal year.~~

SEC. 55. Section 11401 is added to the Education Code, to read:

11401. The units of average daily attendance in the regular day high schools of a district for a fiscal year shall be computed as follows:

(a) Record the active enrollment on the third Wednesday of each school month. For the purposes of this section, the last school month

of the school year may be less than 20 days; in such case, active enrollment shall be taken on the last Wednesday on which school is maintainned in that month

(b) Divide the sum of the active enrollments recorded pursuant to subdivision (a) by the number of months schools are maintained. The quotient shall be the average daily attendance.

SEC. 56. Section 11404 of the Education Code is repealed

~~11404. The units of average daily attendance for a fiscal year of pupils residing in any elementary school district and attending the seventh and eighth grades of a junior high school shall be determined separately and shall be computed by dividing the total number of days of pupils attendance in said grades by the number of days school was actually taught during the fiscal year in the regular day high schools of the district maintaining the junior high school the average daily attendance so computed shall be credited to the elementary school district in which the pupils reside~~

SEC. 57. Section 11404 is added to the Education Code, to read:

11404. The units of average daily attendance for a fiscal year of pupils residing in any elementary school district and attending the seventh and eighth grades in regular day classes of a junior high school shall be determined separately and shall be computed as follows:

(a) Record the active enrollment on the third Wednesday of the school month For the purposes of this section, the last school month of the school year may be less than 20 days, in such case, enrollment shall be taken on the last Wednesday on which school is maintained in that month.

(b) Divide the sum of the active enrollments recorded pursuant to subdivision (a) by the number of months schools were maintained The quotient shall be the average daily attendance

SEC 58. Section 11872 of the Education Code is amended to read.

11872. For the purpose of providing funds with which to obtain school meals for needy pupils, the governing board of ~~any school~~ *a community college* district may levy and collect a district tax over and above the maximum elsewhere specified in this code Not more than 6 percent of such funds may be used for the administrative and clerical costs of conducting such a program

SEC 59. Section 13704 of the Education Code is amended to read

13704 The governing board of a ~~school~~ *community college* district may cause the levy and collection annually of a school district tax upon the taxable property within the district in the number of cents per one hundred dollars ($100) of assessed valuation in the district as will be sufficient to raise the amount estimated by the governing board to be required to provide revenue to meet its obligations under Sections 13710 and 13711. This rate of taxation shall be in addition to the annual rate of taxation allowed by law to be levied for the district. All moneys raised by this tax shall be used solely for the requirements of Sections 13710 and 13711 and excess moneys raised in any one year shall be applied to the requirements of the following year

SEC. 60. Section 14111 of the Education Code is amended to read

14111. *Community college district* ~~District~~ taxes may be levied

and collected annually pursuant to this section by the respective districts at the same time and in the same manner as other district taxes are levied and collected The tax shall be in addition to any other *community college* district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of taxes for ~~school~~ *community college* district purposes

Such tax is for the purpose of providing funds to make contributions to the Teachers' Retirement Fund required of school districts under Section 14100

The tax provided by this section shall not exceed ~~ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property in an elementary school district or~~ five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within a ~~high school district or~~ community college district.

~~In a unified school district the tax provided by this section shall not exceed fifteen cents ($0.15) per each one hundred dollars ($100) of the assessed value of property within the district.~~

~~The tax provided by this section shall be further limited by crediting the amount of foundation support provided in Section 17668.5 of the Education Code for retirement contributions.~~

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate provided by this section, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year required by Section 14100

SEC. 61. Section 14657 of the Education Code is amended to read:

14657. For the purpose of providing funds which may be necessary to make the payments required by any *community college* district retirement plan, district taxes shall be levied and collected annually by the ~~respective~~ districts at the same time and in the same manner as other district taxes are levied and collected The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes For the purposes of this section any local retirement system shall be deemed to be a district retirement plan

SEC. 62. Section 17300 of the Education Code is repealed:

~~17300. It is the intent of the Legislature that the administration of the laws governing the financial support of the public school system in this State be conducted within the purview of the following principles and policies.~~

~~The system of public school support should be designed to strengthen and encourage local responsibility for control of public education. Local school districts should be so organized that they can facilitate the provision of full educational opportunities for all who attend the public schools. Local control is best accomplished by the development of strong, vigorous, and properly organized local school administrative units. It is the State's responsibility to create or facilitate the creation of local school districts of sufficient size to properly discharge local responsibilities and to spend the tax dollar effectively.~~

~~Effective local control requires that all local administrative units contribute to the support of school budgets in proportion to their~~

~~respective abilities, and that all have such flexibility in their taxing programs as will readily permit of progress in the improvement of the educational program. Effective local control requires a local taxing power, and a local tax base which is not unduly restricted or overburdened.~~

~~The system of public school support should assure that state, local, and other funds are adequate for the support of a realistic foundation program. It is unrealistic and unfair to the less wealthy districts to provide for only a part of the financing necessary for an adequate educational program.~~

~~The system of public school support should permit and encourage local school districts to provide and support improved district organization and educational programs. The system of public school support should prohibit the introduction of undesirable organization and educational practices, and should discourage any such practices now in effect. Improvement of programs in particular districts is in the interests of the State as a whole as well as of the people in individual districts, since the excellence of the programs in some districts will tend to bring about program improvement in other districts.~~

~~The system of public school support should make provisions for the apportionment of state funds to local school districts on a strictly objective basis that can be computed as well by the local districts as by the State. The principle of local responsibility requires that the granting of discretionary powers to state officials over the distribution of state aid and the granting to those officials of the power to impose undue restriction on the use of funds and the conduct of educational programs at the local level be avoided.~~

~~The system of public school support should effect a partnership between the State, the county, and the local district, with each participating equitably in accordance with its relative ability. The respective abilities should be combined to provide a financial plan between the State and the local agencies known as the foundation program for public school support. Toward this foundation program, each county and district, through a uniform method should contribute in accordance with its true financial ability.~~

~~The system of public school support should provide, through the foundation program, for essential educational opportunities for all who attend the public schools. Provision should be made in the foundation program for adequate financing of all educational services.~~

~~The broader based taxing power of the State should be utilized to raise the level of financial support in the properly organized but financially weak districts of the State, thus contributing greatly to the equalization of educational opportunity for the students residing therein. It should also be used to provide a minimum amount of guaranteed support to all districts, for such state assistance serves to develop among all districts a sense of responsibility to the entire system of public education in the State. State assistance to all districts also would create a tax leeway for the exercise of local initiative.~~

SEC 63 Section 17300 is added to the Education Code, to read

17300 It is the intent and purpose of the Legislature that a

guaranteed level of support through a block grant distribution shall be provided for each pupil in the schools and programs of elementary, high school, unified districts, and the county superintendents of schools, and that weighted factors are to be used to recognize the need for different support at the separate levels

It is also recognized that the needs of pupils vary so that different amounts per child are required in order to assure equal educational opportunities It is the intent of the Legislature that additional support shall be provided either by using weighted factors to increase the guaranteed level of support for certain programs or by categorical aid allowances so that diverse needs can be met Such increases in support shall not be dependent on the wealth of the individual district

It is also the intent of the Legislature that school districts should be allowed to exceed the guaranteed level of support by increased tax effort, but that each district shall be guaranteed the same support per child at the various grade levels for a given tax effort

It is also the intent and purpose of the Legislature annually to adjust the levels of support and the categorical aid allowances to offset inflationary or deflationary changes in the cost of education

SEC 64"

Amendment No. 5

On page 1, strike out line 10, and on page 2, strike out lines 1 and 2, and insert "credited to all elementary, high, and unified school districts and to all county superintendents of schools in the state, as certified by the".

Amendment No. 6

On page 2, line 15, strike out "_____ ($._____)", and insert "two hundred sixty-eight dollars and seventy-eight cents ($268.78)"

Amendment No. 7

On page 2, strike out lines 18 to 20, inclusive, and insert "year credited to all elementary, high, and unified school districts and to all county superintendents of schools in the state, as certified".

Amendment No. 8

On page 2, line 22, strike out "seventy cents ($0 70)", and insert "seventy-nine cents ($0 79)"

Amendment No. 9

On page 2, strike out lines 25 and 26, and in line 27, strike out "school tuition funds", and insert "elementary, high, and unified school districts and to all county superintendents of schools in the state"

Amendment No. 10

On page 3, line 14, strike out "Sections 17303", and strike out lines 15 to 24, inclusive, and insert "Section 17303 5, an amount not to exceed one percent of the total apportionment from subdivisions (a) and (b) of this section in the preceding fiscal year for the purposes set forth in Section 17303 5"

Amendment No. 11

On page 3, in lines 28 and 29, strike out "Sections 17303 and", and insert "Section".

Amendment No. 12

On page 3, in lines 33 and 34, strike out "and in Sections 11256 and 17251".

Amendment No. 13

On page 3, after line 35, insert

"(e) For the 1973–1974 fiscal year and each fiscal year thereafter, using the 1972–1973 fiscal year as the base year, the unit amounts under subdivisions (a) and (b) of this section shall be considered increased or decreased, as the case may be, by an amount determined by the application of an adjustment index developed cooperatively by the Superintendent of Public Instruction, the Legislative Analyst, and the Director of Finance This adjustment index shall reflect the expected change in the cost of a basic educational program, including any additional costs mandated by the Legislature, for the fiscal year under consideration Commencing with the 1973–1974 fiscal year, the Director of Finance shall notify the State Controller and the Superintendent of Public Instruction of the increased or decreased amounts to be transferred from the General Fund in the State Treasury to the State School Fund resulting from the application of the index to the amounts otherwise transferable pursuant to subdivisions (a) and (b) of this section.

SEC 65. Section 17303 of the Education Code is repealed.

~~17303. The amount transferred pursuant to subdivision (a) of Section 17301 shall be expended for basic aid, equalization aid, allowances for adults, supplemental support and allowances to the county school tuition funds to be apportioned on account of average daily attendance~~

SEC. 66 Section 17303 is added to the Education Code, to read:

17303 The State School Fund shall be apportioned by the Superintendent of Public Instruction to all elementary, high, and unified school districts and to all county superintendents of schools in the manner prescribed by law

SEC 67 Section 17303 5 of the Education Code is amended to read:

17303.5 The amount transferred pursuant to ~~subdivision (b) of~~ Section 17301 shall be expended in accordance with the following schedule:

(a) Twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to ~~seventy cents ($0.70)~~ *seventy-nine cents ($0 79)* multiplied by the average daily attendance credited during the preceding fiscal year

to all ~~kindergarten, elementary, high school, junior college and adult schools~~ *elementary, high, and unified school districts and to all county superintendents of schools* in the state ~~and to county school tuition funds,~~ for allowance to county school service funds pursuant to subdivision (a) of Section 18352

(b) ~~Four dollars and forty cents ($4.40)~~ *Six dollars and seventy-seven cents ($6.77)* multiplied by the total average daily attendance credited to all ~~kindergarten, elementary, high school, junior college and adult schools~~ *elementary, high, and unified school districts and to all county superintendents of schools* in the state ~~and to county school tuition funds~~ during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.

(c) ~~Nineteen dollars and fifty/two cents ($19.52)~~ *Two dollars and forty-three cents ($2.43)* multiplied by the total average daily attendance credited to all ~~kindergarten, elementary, high school, junior college and adult schools~~ *elementary, high, and unified school districts and to all county superintendents of schools* in the state ~~and to county school tuition funds~~ during the preceding school year, for the purposes of Sections 18060 and 18062; ~~and Article 11 (commencing with Section 18101) of Chapter 3 of this division~~

(d) ~~Three dollars and six cents ($3.06)~~ *Three dollars and forty-four cents ($3.44)* multiplied by the total average daily attendance credited to all ~~kindergarten, elementary, high school, junior college and adult schools~~ *elementary, high, and unified school districts and to all county superintendents of schools* in the state ~~and to county school tuition funds~~ during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352

(e) ~~One dollar and sixty/seven cents ($1.67)~~ *One dollar and seventy cents ($1.70)* multiplied by the average daily attendance during the preceding fiscal year credited to all ~~kindergarten, elementary, high school, junior college and adult schools~~ *elementary, high, and unified school districts and to all county superintendents of schools* in the state ~~and to county school tuition funds~~ for allowances to school districts for the purposes of Section 6426.

~~(f) Sixty dollars and ninety/two cents ($60.92) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for base aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.~~

(f) The difference between the sum of the unit amount in subdivisions (a) and (b) of Section 17301 for the fiscal year and the sum of the amounts in subdivisions (a) through (e), inclusive, of this section multiplied by the average daily attendance during the preceding fiscal year credited to all elementary, high, and unified school districts and to all county superintendents of schools in the state for guaranteed levels of support, in accordance with Sections 17652 to 17659, inclusive, and allowances to the county school tuition

funds on account of average daily attendance in elementary, high, and unified school districts and county superintendents of schools.

~~(g) Eight dollars and sixty-five cents ($8.65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6.~~

SEC. 68. Section 17352 of the Education Code is amended to read:

17352. (a) The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in the amounts and manner as herein prescribed so as to provide in each warrant a portion of the total amount certified by the Superintendent of Public Instruction as apportioned under the provisions of Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive, during the fiscal year from the State School Fund to the school districts under the jurisdiction of the county superintendent of schools of the county, to the county school service fund, and to the county school tuition fund of the county.

(1) Warrants for amounts allowed to the county school service funds under subsections (a) and (b) of Section 18352 shall be for amounts equal to 6 percent in July, 12 percent in August, 10 percent in September, and 8 percent in each remaining month of the fiscal year of the amounts certified by the Superintendent of Public Instruction as a part of the advance apportionment.

(2) Warrants for amounts apportioned to school districts and county school service funds for classes maintained by county superintendents of schools and to the county school tuition funds shall be for amounts equal to ~~6~~ *4* percent in *each of the months of* July, ~~12 percent in~~ August, ~~and~~ 8 ~~percent in~~ September, October, November, *and* December ~~, and January,~~ of the amounts certified by the Superintendent of Public Instruction as a part of the advance apportionment. *In January the amount shall be 36 percent of the amount certified by the Superintendent of Public Instruction as the advance apportionment.*

(3) Warrants in the months of February to May, inclusive, shall be for amounts equal to ~~one/sixth~~ *one-tenth* of the difference between the amounts certified by the Superintendent of Public Instruction for school districts and county school service funds for classes maintained by county superintendents of schools and county school tuition funds as the first principal apportionment and the amounts required by ~~subdivision~~ *paragraph* (2) of this subdivision. An additional ~~one/sixth~~ *five-tenths* of such difference shall be included in the warrants for the month of ~~February~~ *May*.

(4) Warrants for the month of June shall be for amounts equal to the difference between the amounts certified by the Superintendent of Public Instruction for school districts and county school service funds for classes maintained by county superintendents of schools and county school tuition funds as the second principal apportionment and the amounts required by ~~subdivisions~~ *paragraphs* (2) and (3) of this subdivision.

(5) Warrants in ~~the months of September to November, inclusive, shall include one/tenth of the estimated total amounts of the special~~

~~purpose apportionment, as determined by the Superintendent of Public Instruction Warrants in~~ December shall include ~~one/tenth~~ *four-tenths* of the amounts certified by the Superintendent of Public Instruction as the special purpose apportionment ~~, as adjusted, if necessary, to correct excesses or deficiencies in the estimates made for purposes of the warrants in the months of September to November, inclusive~~ An additional one-tenth of ~~the~~ *such* amounts ~~of the special purpose apportionment~~ shall be included in the warrants for the months from January to June, inclusive.

(6) Warrants in June shall include the total amounts certified by the Superintendent of Public Instruction as the final apportionment.

(b) The drawing of the warrants required to be drawn during any one of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year The warrants shall be paid by the State Treasurer from the State School Fund and are not subject to the provisions of ~~Government Code~~ Section 16003 *of the Government Code*

SEC. 69 Section 17402 of the Education Code is amended to read:

17402 The Superintendent of Public Instruction shall on or before February 20th of each year apportion to each elementary ~~school district~~, high ~~school district~~, ~~community college district,~~ *and unified school district and each* county school service fund ~~;~~ and county school tuition fund, the total amounts allowed to them under Sections 6426, *17651 to 17659, inclusive* ~~17751, 17801, 17851, 17901, 17902, 17904, 17926, 17951, 17952~~, 18060, 18062, ~~18102,~~ 18352, 18355, 18358, 18401, and Sections 18451 to 18456, inclusive, whichever are in effect This apportionment shall be called the first principal apportionment.

SEC. 70 Section 17405 of the Education Code is amended to read:

17405 The Superintendent of Public Instruction shall on or before December 10th of each year apportion·

(a) To each elementary, high school, and ~~community college~~ *unified school* district, and county school service fund the total of amounts allowed to them under Sections 18051 to 18059, inclusive, ~~and Sections 18301 to 18307, inclusive,~~ and

(b) To each school district maintaining a high school or high schools, each county superintendent of schools, the California Youth Authority and the State Department of Education the total of amounts allowed to them under Sections 18251 to 18255, inclusive.

This apportionment shall be called the special purpose apportionment.

SEC 71 Section 17407 of the Education Code is amended to read.

17407. The Superintendent of Public Instruction shall on or before June 25th of each year apportion to each elementary ~~school district~~, high ~~school district~~, ~~community college~~ *and unified school* district, *and each* county school service fund ~~;~~ and county school tuition fund, the total amounts allowed to them under Sections 6426, ~~17751~~ *17651 to 17659, inclusive*, ~~17801, 17851, 17901, 17902, 17904, 17926, 17951, 17952,~~ 18060, 18062, ~~18102,~~ 18352, 18355, 18358, 18401, and Sections 18451 to 18456, inclusive, whichever are in effect This apportionment shall be called the second principal apportionment

SEC 72 Section 17411 1 of the Education Code is repealed.

~~17411.1. The Superintendent of Public Instruction shall withhold from the apportionment to a community college district, as a part of the first principal apportionment and second principal apportionment, the amount allowed the district for the average daily attendance in grades 13 and 14 by reason of the operation of Section 17666.2 of pupils residing in the district who were in attendance at a community college in another district. The amount withheld per unit of average daily attendance shall be determined by dividing the total amount of basic state aid and state equalization aid computed for the district of residence of such pupils by the total foundation program average daily attendance of the district.~~

~~The Superintendent of Public Instruction shall add the amount withheld to the apportionment required to be made to the community college district maintaining the community college at which the pupils were in attendance.~~

SEC 73 Section 17551 of the Education Code is amended to read:

17551 No school district, other than one newly formed, shall, except as otherwise provided in this article ~~(commencing with Section 17551)~~, receive any apportionment from the State School Fund unless it has maintained the regular day schools of the district for at least 175 days ~~during the next preceding fiscal year~~

For purposes of this section, each regular day school shall be maintained for at least the legal minimum schoolday for the appropriate level

For the purposes of this article, the Board of Governors of the California Community Colleges shall establish standards to determine whether the districts within its jurisdiction have maintained the regular day schools of the district for at least 175 days during the next preceding fiscal year.

SEC 74 Section 17601 1 of the Education Code is amended to read:

17601 1 For the purposes of this chapter, the governing board of each *elementary, high, and unified* school district shall report to the Superintendent of Public Instruction during each fiscal year the average daily attendance of the district for all full school months during (1) the period between July 1st and December 31st, inclusive, to be known as the "first period" report for the first principal apportionment, and (2) the period between July 1st and April 15th, inclusive, to be known as the "second period" report for the second principal apportionment The county superintendent of schools shall report the average daily attendance for the schools and classes maintained by him and the average daily attendance for the county school tuition fund If the average daily attendance in the regular day schools of a district for the period of time between July 1 and June 30 is greater or lesser than the average daily attendance in the regular day schools reported for the second period report, the appropriate increases and decreases in the several categories of attendance for which separate foundation programs are required to be computed shall be recomputed on the basis of the foundation program and assessed valuation of the district of the fiscal year in which such increases and decreases in average daily attendance were

applicable and the appropriate increases and decreases in apportionments shall be added or withheld in the next succeeding fiscal year pursuant to Section 17414

Each report shall be prepared in accordance with instructions on forms prescribed and furnished by the Superintendent of Public Instruction and average daily attendance shall be computed in the following manner

(a) The average daily attendance in the regular elementary, junior high, and high schools maintained by the school districts shall be determined ~~by dividing the total number of days of attendance in~~ *in accordance with Sections 14301, 11401, and 11404 for* all full school months in each period ; ~~by the number of days such schools are actually taught in all full school months in each period~~ .

If the average daily attendance in schools and classes maintained by school districts other than regular day schools and classes for the period of time between July 1 and June 30 is greater or lesser than the average daily attendance in such schools and classes reported for the second period report, the separate state support which is provided for attendance in such schools and classes shall be recomputed on the basis of the fiscal year average daily attendance, and increases and decreases in apportionments shall be added or withheld in the next succeeding fiscal year pursuant to Section 17414.

~~(b) The average daily attendance in grades 13 and 14 of the regular day schools of each community college shall be determined pursuant to the provisions of Article 5.5 (commencing with Section 11375). For community colleges under the provisions of this paragraph, the "first period" shall be the first semester and the "second period" shall be the "academic year" (first and second semester). The average daily attendance in each period shall not exceed 1.2 times the number of different pupils actively enrolled in the district during the period in which the census is taken.~~

(b) ~~(c)~~ The average daily attendance in summer school and outdoor science and conservation education classes maintained during the period between the last day the regular day schools are in session during the preceding year and the first day the regular day schools are in session during the current year shall be reported on both the first period and second period reports. Such average daily attendance shall be computed by dividing the days of attendance by 175 ~~For community colleges, the hours of attendance shall be divided by 525, and the average daily attendance shall not exceed 1.2 times the total number of different pupils enrolled in the district in the summer school.~~

(c) ~~(d)~~ The attendance for schools and classes maintained by the county superintendent of schools and for the county school tuition fund credited after the last full school month of the second period of the preceding year and prior to the end of each reporting period shall be reported on each report The average daily attendance of the school, class, or fund shall be determined for the first period by dividing the days of attendance by 100 and for the second period, the days of attendance shall be divided by 175

(d) ~~(e)~~ The days of attendance in classes for adults continuation schools and classes, regional occupation centers and opportunity

schools and classes maintained after the last full school month of the second period of the preceding year and prior to the end of each reporting period shall be reported on each report The average daily attendance in such schools and classes shall be determined for the first period by dividing the days of attendance by 100, for the second period, the days of attendance shall be divided by 175

SEC 75. Section 17601.5 of the Education Code is repealed.

~~17601.5 The tax collector of a county in an area proclaimed by the Governor to be in a state of disaster as a result of storms and floods occurring between December 1, 1964, and June 30, 1965, shall certify in writing to the Superintendent of Public Instruction on or before May 15, 1965, the amount of school district taxes due and uncollected for each school district of the county for the fiscal year 1964/65 resulting from such disaster.~~

~~Whenever any allowance from the State School Fund is required to be computed by the Superintendent of Public Instruction, the assessed valuation of a school district as adjusted under other provisions of this code for the fiscal year 1964/65 shall be decreased by an amount computed under the provisions of this section.~~

~~The decrease determined by the Superintendent of Public Instruction shall be an amount which would, if the tax rate of such district were levied on such amount, produce the amount by which the due and uncollected taxes exceeds five percent (5%) of the total taxes computed by the application of the tax rate of the district to the assessed valuation of the district.~~

~~On or before May 15 of each of the succeeding five fiscal years, the county tax collector shall notify the Superintendent of Public Instruction the amount of the due and uncollected taxes, as previously certified by the county tax collector for the fiscal year 1964/65, which were collected, together with any interest and penalties on such taxes which were collected, during such fiscal year for each school district. The Superintendent of Public Instruction shall withhold from apportionments made from the State School Fund to such school district during such fiscal year the same proportion of the additional state aid computed on account of the decrease in assessed valuation pursuant to this section that the collections of taxes, interest and penalties bear to the total of the due and uncollected taxes previously certified. In no case shall the total amount withheld during the five/year period exceed the additional state aid allowed on account of the decrease in assessed valuation authorized in this section and the additional amounts allowed under Section 17253.~~

~~For the purposes of this section, the school district tax rate shall be the sum of the tax rates levied for the purpose of producing revenue for the school district general fund, and the amount certified by the county tax collector shall consist solely of the due and uncollected taxes from such levies.~~

SEC 76. Section 17603 5 of the Education Code is amended to read

17603.5 The amounts computed as allowable to any school district for ~~state equalization aid~~ *guaranteed support pursuant to Section 17652* shall be reduced by ~~fifty percent (50%)~~ *one hundred*

percent (100%) of miscellaneous funds as defined in Section 17606.

~~In no event shall the reduction exceed the total amount allowable as equalization aid to the school district for the fiscal year. For such purposes, miscellaneous funds, as defined in Section 17606, received by a unified school district, shall be allocated to the kindergarten and elementary, high school and community college grades, respectively, on the basis of the proportion of the district's total average daily attendance in each such grade level, and the provisions of Section 17601 shall be applicable.~~

Should the amount of miscellaneous funds, as defined in Section 17606, actually received by a school district for any fiscal year be more or less than that reported to the Superintendent of Public Instruction, the Superintendent of Public Instruction shall during the fiscal year next succeeding withhold from or add to the apportionment made to the district from the State School Fund the amount of the excess or deficiency in the apportionment ~~of state equalization aid~~ from the State School Fund for the preceding year, if the amount of the excess or deficiency in such apportionment was one hundred dollars ($100) or more

SEC 77. Section 17616 of the Education Code is repealed.

~~17616. The average daily attendance of pupils attending high school courses maintained by an elementary school district shall be, for the purposes of Sections 10951 to 11653, inclusive, Sections 17151 to 18460, inclusive, Sections 18651 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, considered average daily attendance in high school classes maintained by a high school district and apportionments of one hundred twenty-five dollars ($125) per unit of average daily attendance, and no more, on account of such average daily attendance shall be made to the elementary school district.~~

SEC 78 Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 79 Article 2 (commencing with Section 17651) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 2 Computation of Foundation Program for School Districts

17651. The Superintendent of Public Instruction shall compute for each school district the amount of school support therefor, in the manner prescribed by this article

17652 The Superintendent of Public Instruction shall compute for each elementary, high, and unified school district and for each county superintendent of schools an amount of guaranteed support for each pupil in average daily attendance, using weighted factors representing additional costs of educating pupils at the separate levels or with special needs.

(a) For the fiscal year 1972–1973 the guaranteed support base shall be six-hundred fifty dollars ($650) for each unit of average daily attendance reported

(b) For the fiscal year 1973–1974 and each year thereafter, the guaranteed support base in subdivision (a) shall be modified, if necessary, by an adjustment index developed cooperatively by the

Superintendent of Public Instruction, the Legislative Analyst and the Director of Finance. This adjustment index shall reflect the expected change in the cost of a basic educational program, including any additional costs mandated by the Legislature, for the fiscal year under consideration.

(c) The weighted factors to be applied to the guaranteed support base in subdivision (a) for the different kinds of average daily attendance are as follows.

Kind of average daily attendance	Factor
Kindergarten through 6	1.00
7th and 8th	1 15
9 through 12	1 25
Classes for adults	1 00
(Physically handicapped)	
Hearing handicapped	4 40
Vision handicapped	4 40
Orthopedic—other health impaired	3 40
Aphasic	4 40
Deaf-blind multihandicapped	10 30
Other multihandicapped	6 20
Pregnant minors	1 50
Regular day classes	2 00
Remedial physical education	2 00
Other remedial instruction—speech	4.30
Individual instruction	2 70
(Mentally retarded)	
Educable	2.10
Trainable	3.10
(Educationally handicapped)	
Special day classes	3.10
Learning disability groups	4 30
Home and hospital instruction	2.70

17653 For each district with less than 300 units of average daily attendance at the elementary level, on account of each necessary small elementary school as defined in Section 17653.5, the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

Average daily attendance	Minimum number of certificated employees	Amount to be computed
0– 25	1	16,800
26– 50	2	33,600
51– 75	3	50,400
76–100	4	67,200

From this computed amount the Superintendent of Public Instruction shall deduct the product of the necessary small school average daily attendance and the unit amount of guaranteed support

175 0 16 10 240

for the appropriate grade level as provided in Section 17652 Any balance shall be allowed as additional guaranteed support for sparsity

The necessary small school amounts in this section shall be modified annually, if necessary, by the adjustment index authorized in subdivision (b) of Section 17652

17653 5 For the purposes of Section 17653, a "necessary small school" is an elementary school with an average daily attendance of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, during the current fiscal year; maintained by a school district with less than 300 units of average daily attendance at the elementary level, and to which school any of the following conditions apply.

(a) If as many as five pupils residing in the district and attending grades kindergarten to 8, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to 8, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(c) If the Superintendent of Public Instruction grants a request made pursuant to this subdivision. If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified in subdivision (a) or (b) were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request

17655 For each district with less than 1,000 units of average daily attendance at the high school level, on account of each necessary small high school as defined in Section 17655 5 the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount.

150 0 16 10 990

Average daily attendance	Minimum number of certificated employees	Amount to be computed
1– 20	3	45,600
21– 40	4	62,100
41– 60	5	78,600
61– 75	6	95,100
76– 90	7	111,600
91–105	8	128,100
106–120	9	144,600
121–135	10	161,100
136–150	11	177,600
151–180	12	194,100
181–220	13	210,600
221–260	14	227,100
261–300	15	243,600

From this computed amount, the Superintendent of Public Instruction shall deduct the product of the necessary small school average daily attendance and the unit amount of guaranteed support for the appropriate grade level as provided in Section 17652 Any balance shall be allowed as additional guaranteed support for sparsity

The necessary small school amounts in this section shall be modified annually, if necessary, by the adjustment index authorized in subdivision (b) of Section 17652

17655 5 A necessary small high school for the purposes of Section 17655 is a high school with an average daily attendance of less than 301, or a junior high school with an average daily attendance of less than 75 in grade 9 maintained by a school district with less than 1,000 units of average daily attendance at the high school level, and to which school any of the following conditions apply:

(a) The high school had an average daily attendance of less than 100 in grades 9 through 12 during the preceding fiscal year and is more than 15 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 20 miles or 25 percent of the pupils would be required to travel 30 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school

(b) The high school had an average daily attendance of 100 or more and less than 150 in grades 9 through 12 during the preceding fiscal year and is more than 10 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 18 miles or 25 percent of the pupils would be required to travel 25 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school

(c) The high school had an average daily attendance of 150 or more and less than 200 in grades 9 through 12 during the preceding fiscal year and is more than 7½ miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 15 miles or 25 percent of the pupils would be required to travel 20 miles one way from a point on a well-traveled

road nearest their homes to the nearest other public high school.

(d) The high school had an average daily attendance of 200 or more and less than 300 in grades 9 through 12 during the preceding fiscal year and is more than five miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 10 miles or 25 percent of the pupils would be required to travel 15 miles to the nearest other public high school

(e) Topographical or other conditions exist in the district which would impose unusual hardships on the pupils if the number of miles specified above were required to be traveled In these cases, the Superintendent of Public Instruction may, when requested, and after investigation, grant exceptions from the distance requirements

17656 In addition to the guaranteed support per unit of average daily attendance in grades kindergarten through 6, 7, and 8, and 9 through 12, respectively, as provided in Sections 17652, 17653, and 17655 there is established an adequacy range of school support. This adequacy range includes an incentive level of support and a top level of support for each of the three grade levels An elementary, high, or unified school district may, as authorized in Sections 17657 to 17659, inclusive, establish expenditure levels per unit of average daily attendance in grades kindergarten through 6, 7 and 8, and 9 through 12 within this adequacy range

For the 1972–1973 fiscal year as a base the incentive and top levels of the adequacy range are

Grade level	Incentive level	Top level of adequacy range
K through 6	$725	$900
7 and 8	834	1,035
9 through 12	912	1,127

The levels of support in this section shall be modified annually, if necessary, by the adjustment index authorized in subdivision (b) of Section 17652.

17657. A district shall, in accordance with the provisions of Section 17658, determine its expenditure per unit of average daily attendance in grades kindergarten through 6, 7, and 8, and 9 through 12, respectively, for the preceding fiscal year Using the adjustment indices provided by the Superintendent of Public Instruction on or before December 1 of the current year, the governing board shall then determine the district's adjusted expenditure levels for the budget year

If a district's adjusted expenditure levels for the budget year are at or below the incentive level of support established in Section 17656, they may be maintained or increased, by board resolution, by any amount up to the incentive level of support In no case, however, shall this increase exceed 10 percent of the district's adjusted expenditure levels for the budget year

If a district's adjusted expenditure levels for the budget year are above the incentive level of support but at or below the top level of the adequacy range established in Section 17656, they may be maintained, but may not be increased except by election of the voters of the district as authorized in Section 20761

192 0 16 10 320

The tax rates necessary to accomplish the authorized expenditure levels shall be set in accordance with the provisions of Section 17659

If a district's expenditure levels of the preceding fiscal year, without adjustment, exceed the top level of the adequacy range, the provisions of Section 17660 shall apply

17658 The expenditure per unit of average daily attendance shall be determined separately for grades kindergarten through 6, 7, and 8, and 9 through 12, as follows:

(a) The expenditures shall include the tuition paid to regional occupational centers and programs plus all expenditures from the general fund less

(1) State income for adult classes and special education

(2) Expenditures for purposes authorized by Sections 1822 2, 15517, and 15518

(3) Federal and state income for prekindergarten education

(4) State income provided for home-to-school transportation and all other categorical programs except those in subdivision (a) (1)

(5) Income from all federal sources

(b) The average daily attendance used shall be the fiscal year average daily attendance exclusive of the average daily attendance for attendance in adult schools and classes and exclusive of the average daily attendance for children in physically handicapped, mentally retarded, and educationally handicapped programs

The Superintendent of Public Instruction shall prescribe special procedures for determining the 1972-1973 budget year expenditure levels for the average daily attendance in grades kindergarten through 6, 7, and 8, and 9 through 12 which shall be consistent with the concepts in this section and Section 17657

17659 After a school district has determined its desired or authorized expenditures levels, whichever is lesser, in accordance with Sections 17657 and 17658, the guaranteed amounts per one cent of tax in subdivisions (a) and (b) of this section shall be used to determine the tax rate necessary to achieve these expenditure levels

On or before January 1 of the year preceding the budget year, the district shall certify such tax rate to the Superintendent of Public Instruction and the county auditor

Districts with adjusted expenditure levels for the budget year between the incentive level and the top level of the adequacy range shall for each grade level certify separately the maximum tax rate to reach the incentive level and that tax rate in the upper range necessary to reach the authorized expenditure level at or below the level of the adequacy range

The board of supervisors of each county shall annually at the time of levying other county taxes cause such taxes to be collected in the district in accordance with the provisions of Chapter 3 6 (commencing with Section 20931) of Division 16 Using the tax rate certified in each range and average daily attendance reported by the district, the Superintendent of Public Instruction shall compute the allowance for each school district to be added to that provided in Sections 17652, 17653, and 17655

(a) From the guaranteed support base to the incentive level of support the guarantee per one cent of tax and the maximum tax rates

allowed shall be.

Type of district	Designated A D A.	Guaranteed per one cent of tax	Maximum tax allowed for this purpose
Elem , K through 8 program.	K–6	$2.50	
	7th & 8th	2 90	$ 30
Elem., K through 6 program with 7th and 8th in junior high	K–6	$3 334	$ 225
	7th & 8th	11.60	075
High school	9–12	$5.00	$.20
Unified.	K–6	$2 50	
	7th & 8th	2.90	$ 50
	9–12	5 00	

(b) From the incentive level of support to the top level of the adequacy range, the guarantee per one cent of tax and the maximum tax rate allowed shall be

Type of district	Designated A D.A.	Guarantee per one cent tax	Maximum tax rate
Elem , K through 8 ..	K–8	$1.90	$ 96
Elem., K through 6 program with 7th & 8th in junior high	K–6	$2 431	$.72
	7th & 8th	8 375	24
High school . . .	9–12	$4.30	$.50
Unified	K–8	$1.90	$1.46
	9–12	4 30	

Those high school districts educating seventh and eighth grade pupils pursuant to Section 5602, after determining the expenditure levels per unit of seventh and eighth grade average daily attendance in accordance with the provisions of Sections 17657 and 17658, shall determine the tax rate in accordance with this section and certify that such rate shall be levied on the territory of each elementary school district participating in the junior high school The allowance computed by the Superintendent of Public Instruction based on this rate and the seventh and eighth grade average daily attendance of the participating districts shall be apportioned directly to the high school district

The Superintendent of Public Instruction shall also adjust annually the guaranteed per one cent of tax in subdivisions (a) and (b) of this section on the basis of the average elementary and high school assessed valuation per unit of average daily attendance in the state.

17660 A district whose actual expenditure levels for fiscal year 1971–1972 per unit of average daily attendance, as determined under the provisions of Section 17658, are above the top level of the adequacy range described in Section 17656 shall be allowed the same expenditure levels, with no adjustment, for the 1972–1973 fiscal year,

and may levy a local school district tax above the maximum tax rate provided for the adequacy range to support the expenditure levels For the 1973–1974 fiscal year and thereafter the district shall reduce its expenditure per ~~unit~~ of average daily attendance by 20 percent of the difference between the top level of the adequacy range and the allowed expenditure per unit of average daily attendance of the prior year

Notwithstanding the preceding provisions, a district, by election of the voters of the district, as authorized in Section 20761, may establish expenditure levels above the adequacy range and levy a local tax rate above the maximum tax in the adequacy range to support such expenditures.

If no successful election is held, the expenditure level of the district in fiscal year 1977–1978 shall be the top level of the adequacy range for that year.

SEC. 80 Article 2.1 (commencing with Section 17671) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 81 Article 225 (commencing with Section 17680) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 82. Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 83 Article 4 (commencing with Section 17751) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 84 Article 5 (commencing with Section 17801) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 85 Article 6 (commencing with Section 17851) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 86 Article 7 (commencing with Section 17901) of Chapter 3 of Division 14 of the Education Code is repealed

SEC. 87. Article 7 1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 88. Article 7 2 (commencing with Section 17940) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 89 Section 17951 of the Education Code is repealed

~~17951. The allowance for each unit of average daily attendance during the fiscal year for adults, as adults are defined in Section 5756, shall be as follows:~~

~~(a) For high school districts the allowance shall be three hundred fifty dollars ($350) less the product of fifty cents ($0.50) multiplied by each one hundred dollars ($100) of the assessed valuation of the district per unit of average daily attendance exclusive of adults~~

~~(b) For each unit of average daily attendance attached to a community college the allowance shall be five hundred twenty dollars ($520) less the product of twenty/four cents ($0.24) multiplied by each one hundred dollars ($100) of the assessed valuation of the district per unit of average daily attendance exclusive of adults.~~

~~The allowance provided by this section for each unit of average daily attendance of an adult, as an adult is defined in Section 5756, not residing in the district and not residing in any district maintaining a community college shall be limited to one hundred twenty/five dollars ($125) as basic state aid and no allowance shall be~~

~~made based on state equalization aid. The total of base and equalization aid allowed each district shall not be less than one hundred twenty/five dollars ($125) for each unit of average daily attendance during the fiscal year for resident adults, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults.~~

~~If any computation made under any of the preceding paragraphs of this section produces an allowable amount not in excess of one hundred twenty/five dollars ($125) per unit of average daily attendance, such allowable amount computed shall be adjusted if, and to the extent necessary, so that the actual allowance shall not exceed one hundred twenty/five dollars ($125) per unit of average daily attendance of the adults in high schools and community colleges during the preceding fiscal year.~~

SEC 90 Article 8 3 (commencing with Section 17970) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 91 Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 92 Article 11 (commencing with Section 18101) is added to Chapter 3 of Division 14 of the Education Code to read

Article 11 Allowances for Mentally Retarded, Severely Mentally Retarded, Physically Handicapped, and Educationally Handicapped Minors

18101 The Superintendent of Public Instruction shall allow, during the current fiscal year, to each school district and county superintendent of schools maintaining special day classes for the education of physically handicapped minors (as defined by Sections 6801 and 6802), mentally retarded minors (as defined by Sections 6901 and 6902), severely mentally retarded minors (as defined by Section 6903), and educationally handicapped minors (as defined by Section 6750), the amounts prescribed in Section 17652.

18102. For each special class or program for which a state allowance is provided under this article or under Section 18060 or 18062, each school district and each county superintendent of schools maintaining such special classes or programs shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each special class or program.

If the Superintendent of Public Instruction determines that the current expense of operating a special class or program as defined in the California School Accounting Manual does not equal or exceed the sum provided in Section 17652, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17414

Expenditures for equipment that the Superintendent of Public Instruction determines are necessary for instruction in a special class or program for physically handicapped minors shall be considered as current expense for purposes of this section. In any year the district's allowable expenditure for such equipment may not exceed 1 percent

of the current expense of operating the district's physically handicapped program

18103 As used in this article, "special day classes" includes integrated programs of instruction for physically handicapped children including those handicapped in vision or hearing where the services of a qualified special teacher are provided.

An integrated program of instruction for physically handicapped children including those handicapped in vision or hearing shall be defined as any program in which such physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, supplementary teaching services of a full-time special teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program Such supplementary teaching services may include instruction in the appropriate tool skills, the provision of special materials and use of appropriate special equipment, and counseling and guidance necessary to enable physically handicapped children and those handicapped in vision and hearing to benefit fully from their instruction.

As used in this section, physically handicapped children means those physically handicapped children who are deemed eligible for special class placement as defined by the State Board of Education

SEC. 93. Article 15 (commencing with Section 18301) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 94. Section 18355 of the Education Code is amended to read:

18355. The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service funds (a) for all emergency schools maintained in each elementary school district of the county by the county superintendent of schools, (b) all special schools or classes for mentally retarded minors and severely mentally retarded minors maintained in each elementary school district of the county by the county superintendent of schools, (c) each elementary school maintained in juvenile halls, juvenile homes, and juvenile camps, by the county superintendent of schools, and all opportunity schools and classes maintained by the county superintendent of schools pursuant to Sections 6502 and 6503, and (d) all schools and classes for educationally handicapped minors maintained in each elementary school district of the county by the county superintendent of schools, the same amount as he would compute as the ~~foundation program~~ *guaranteed support* of the elementary school district under Section ~~17655.5 or Section 17656~~ *17652*.

No allowance shall be made for emergency schools which is in excess of the actual expense of maintaining the emergency school

SEC. 95 Section 18358 of the Education Code is amended to read

18358. For all physically handicapped pupils, mentally retarded minors and educationally handicapped minors of secondary grade, and handicapped adults, educated by the county superintendent of schools and for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, the Superintendent of Public Instruction shall allow the same amount as he would compute for the ~~foundation program~~

guaranteed support of a high school district under Section ~~17665~~ *17652*

However, with respect to handicapped adults, the following limits shall apply

(a) The total of allowances for education of handicapped adults in classes established by the county superintendent of schools pursuant to Section 5746 shall not exceed fifty thousand dollars ($50,000) in any one fiscal year The Superintendent of Public Instruction shall establish a system of priorities that he shall by rule or regulation adopt which shall give highest priority to those counties in which no or an insufficient program for the education of handicapped adults is provided by the school districts within the county, in order to comply with the limitation prescribed by this subdivision

(b) The Superintendent of Public Instruction shall allow for handicapped adults the amount specified in Section ~~17951~~ *17652* for each unit of average daily attendance for adults for high school districts

SEC 96 Section 18401 of the Education Code is amended to read

18401 The Superintendent of Public Instruction shall allow to each county school tuition fund ~~one hundred twenty-five dollars ($125)~~ *the amount per unit of average daily attendance as specified in Section 17652 of the Education Code* for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the fiscal year ~~Such average daily attendance shall not be included in the computations provided for in Section 17702~~

SEC 97 Article 17 5 (commencing with Section 18421) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 98 Section 18451 of the Education Code is repealed

~~18451. (a) The total amount allowed from the State School Fund as basic and equalization aid, and allowances in lieu of basic and equalization aid allowed pursuant to Sections 18355, 18358 and 18401, to be apportioned on account of average daily attendance during the fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and county school tuition funds on account of elementary, high school, and junior college school pupils shall not exceed the amount provided by law therefor.~~

~~(b) The total amount allowed from the State School Fund pursuant to Sections 18060, 18062, and 18102 shall not exceed the amount provided by law therefor.~~

SEC 99 Section 18451 is added to the Education Code, to read

18451 (a) The total amount allowed from the State School Fund as guaranteed support pursuant to Sections 17652 to 17659, inclusive, to be apportioned on account of average daily attendance during the fiscal year, credited to all elementary, high, and unified school districts, and to the county school service funds and county school tuition funds, shall not exceed the amount provided by law therefor

(b) The total amount allowed from the State School Fund pursuant to Sections 6426, 18051 to 18058 1, inclusive, 18060, 18062, and 18352 shall not exceed the amount prescribed by law therefor

SEC 100 Section 18452 of the Education Code is amended to read

218 0 16 10 450

18452 If the total amount allowed from the State School Fund to all school districts, county school service funds, and county school tuition funds under Sections ~~6426, 6762, 17751, 17801, 17851, 17901, 17902, 17904, 17905, 17906, 17926, 17951, 17952, 17970, 18355, 18358, and 18401~~ *17651 to 17659, inclusive,* on account of average daily attendance during the fiscal year credited to all ~~kindergarten,~~ elementary, high ~~school~~ , ~~junior college and adult schools in the state~~ and *unified school districts and all county school service funds and* county school tuition funds is less than the amount provided by law for such purposes, the balance shall be allowed pursuant to Section 18460

SEC 101 Section 18455 of the Education Code is amended to read.

18455 If the total amount allowed from the State School Fund to all school districts, county school service funds, and county tuition funds under Sections ~~17751, 17801, 17851, 17926, 17951, 17952, 17901, 17902, 17903, 17904, 17970, 18355, 18358, and 18401~~ *17652 to 17659, inclusive*, on account of average daily attendance during the fiscal year credited to all ~~kindergarten,~~ elementary, high ~~school~~ , ~~junior college and adult schools in the state~~ and *unified school districts and all county school service funds and* county school tuition funds is more than the total amount provided by law for such purposes, the amount allowed ~~each such district as equalization aid from the State School Fund~~ *pursuant to subdivision (a) of Section 17652* shall be reduced proportionately *until the amount allowed pursuant to Sections 17652 to 17659, inclusive, is equal to or less than the amount provided in the State School Fund for the purposes of funding allowances pursuant to Sections 17652 to 17659, inclusive*.

SEC 102 Section 18456 of the Education Code is amended to read:

18456. If the total amount allowed from the State School Fund to all districts and county school service funds under Sections *6426,* 18060, *and* 18062, ~~18102, 18102.2, 18102.4, and subdivisions 1(c), 1(d), 1(e), 1(f), and 1(g) of Section 18102.9 on account of average daily attendance during the fiscal year~~ is more than the total amount provided by law for such purposes, the total amount allowed each such district and each such county school service fund from the State School Fund pursuant to said sections shall be reduced proportionately

SEC 103. Section 18456.2 of the Education Code is repealed.

~~18456.2. If the total amount allowed from the State School Fund to all districts and county school service funds under Section 18102.6 and subdivisions 1(a), 1(b), and 2(b) of Section 18102.9 on account of average daily attendance during the fiscal year is more than the total amount provided by law for such purposes, the total amount allowed each such district and each such county school service fund from the State School Fund pursuant to said sections shall be reduced proportionately.~~

SEC. 104. Section 18460 of the Education Code is amended to read

18460 If the total amount allowed ~~county school service funds~~ under *each of* Sections ~~18351 to 18354, inclusive~~ *6426, 17652 to 17659,*

inclusive, 18051 to 18058.1, inclusive, 18060, 18062, and 18352 is less than ~~the amounts~~ *that* provided by ~~Section 18352~~ *law,* the balance shall be ~~added to the balances resulting from the application of Sections 18061, 18152, and 18153. Only so much of the total of such balances as is actually necessary shall be~~ used as follows

(a) First, to restore proportionately the amounts reduced under Section 18455.

(b) Second, to restore ~~, in the order herein listed,~~ the amounts reduced ~~under~~ *pursuant to* Section ~~18156~~ *18061*.

(c) Third, to restore ~~proportionately~~ the amounts reduced ~~under Sections 18156.1 and 18156.2~~ *pursuant to Section 18456*

~~Any remaining balances otherwise transferable under subdivisions (b) and (c) of Section 17301 shall revert to the General Fund.~~

SEC. 105. Chapter 3.5 (commencing with Section 18472) is added to Division 14 of the Education Code, to read:

CHAPTER 3.5. COMMUNITY COLLEGE DISTRICT FINANCIAL SUPPORT

Article 1. Appropriations to and Expenditures from State Community College Fund

18472. (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State Community College Fund such sums, in addition to the sums accruing to the State Community College Fund from other sources, as shall provide in the State Community College Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all community college districts in the state as certified by the Office of the Chancellor, California Community Colleges, one hundred eighty dollars ($180).

(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State Community College Fund as are certified from time to time by the office of the chancellor to be necessary to meet actual computed apportionments from the State Community College Fund for the purposes set forth in this chapter and any other provision in law, provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, one hundred sixty-seven dollars and fifty-three cents ($167.53) per pupil in average daily attendance during the preceding fiscal year credited to all community college districts in the state as certified by the office of the chancellor.

(c) In addition to the amounts authorized to be transferred to the State Community College Fund from the General Fund under subdivisions (a) and (b), the Controller shall transfer from the General Fund to the State Community College Fund during the fiscal year, upon certification of the office of the chancellor, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in this chapter, an amount not to exceed 1 percent of the total apportionment from the State Community College Fund in the preceding fiscal year for the purposes set forth in this chapter.

18473 The amount transferred pursuant to Section 18472 shall be expended as provided in this chapter and any other provision of law In the event the amount provided by Section 18472 is less than the apportionments computed for community college districts the office of the chancellor shall reduce the amount authorized as equalization aid in Section 18487 until the amount to be apportioned pursuant to this chapter is equal to or less than the amount provided by Section 18472

Article 2 Reporting Periods

18478 For the purposes of this chapter, the governing board of each district shall report to the office of the chancellor during each fiscal year the average daily attendance of the district for all full school months during (1) the period between July 1st and December 31st, inclusive, to be known as the "first period" report for the first principal apportionment, and (2) the period between July 1st and April 15th, inclusive, to be known as the "second period" report for the second principal apportionment If the average daily attendance in the regular day schools of a district for the period of time between July 1 and June 30 is greater or lesser than the average daily attendance in the regular day schools reported for the second period report, the appropriate increases and decreases in the several categories of attendance for which separate foundation programs are required to be computed shall be recomputed on the basis of the foundation program and assessed valuation of the community college district of the fiscal year in which such increases or decreases in average daily attendance were applicable and the appropriate increases and decreases in apportionments shall be added or withheld in the next succeeding fiscal year pursuant to Section 18492

(a) The average daily attendance in grades 13 and 14 of the regular day schools of each junior college shall be determined pursuant to the provisions of Article 5 5 (commencing with Section 11475) For junior colleges, under the provisions of this paragraph, the "first period" shall be the first semester and the "second period" shall be the "academic year" (first and second semester) The average daily attendance in each period shall not exceed 1 2 times the number of different pupils enrolled in the district during the period

(b) The average daily attendance in summer school maintained during the period between the last day the regular day schools are in session during the preceding year and the first day the regular day schools are in session during the current year shall be reported on both the first period and second period reports Such average daily attendance shall be computed by dividing the hours of attendance by 525, and the average daily attendance shall not exceed 1 2 times the total number of different pupils enrolled in the district in the summer school

(c) The days of attendance in classes for adults maintained after the last full school months of the second period of the preceding year and prior to the end of each reporting period shall be reported on each report

Article 3 Computation of Allowances to Community College Districts by the Office of the Chancellor, California Community Colleges

18481. The office of the Chancellor, California Community Colleges shall compute for each community college district the amount of school support therefor, in the manner prescribed by this article.

18482 (a) Except for a community college district which qualifies under subdivision (b), for each community college district, he shall multiply the number of units of average daily attendance, during the fiscal year, in grades 13 and 14 computed for the district under Sections 11475, 11478, and 11501, by six hundred forty-three dollars ($643)

(b) For each community college district which has an average daily attendance of less than 1,001 during the fiscal year 1965–1966 and during the fiscal year 1966–1967, and for each community college district which has an average daily attendance of less than 1,001 during the fiscal year and qualifies as a necessary small community college district as defined in Section 18483 for the fiscal year 1969–1970 and fiscal years thereafter, the office of the chancellor shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount

Average daily attendance	Minimum number of full-time certificated employees	Amount to be computed
1– 150	12	$172,900
151– 200	15	225,133
201– 300	18	277,366
301– 400	21	329,599
401– 500	24	381,832
501– 600	27	434,065
601– 700	30	486,298
701– 800	33	538,531
801– 900	36	590,764
901–1,000	39	643,000

(c) A community college district shall not be eligible for the foundation program computed under subdivision (b), unless it levies during the fiscal year a tax, exclusive of taxes for building and sites debt service and building and sites capital outlay, of not less than thirty-five cents ($0 35)

For purposes of this section and Section 18484, the average daily attendance of a community college district shall be computed in the manner prescribed by Sections 11475, 11478, and 11501 except that there shall be excluded from the computation the attendance of all students deemed "nonresident" as defined in Sections 25505 and 25505 1 Notwithstanding the above provisions of this section, the attendance of students deemed nonresidents as provided in Sections 25505 and 25505 1 shall be included in the average daily attendance of a community college for the purposes of Section 18484

241 0 16 10 565

The office of the chancellor shall exclude from the computation provided by this section the average daily attendance during the fiscal year of adults, as adults are defined in Section 5756, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp, or farm for adults.

(d) In the event a community college district to which the provisions of subdivision (b) applies is included by any reorganization authorized by law in a community college district which has an average daily attendance of 1,001 or more, the office of the chancellor shall continue to compute the foundation program for the community college district included by such reorganization in accordance with the provisions of subdivision (b)

18483 For the purposes of Section 18482 a necessary small community college district is a community college district with an average daily attendance of less than 1,001 during the fiscal year, and which comes within the following conditions

(a) The projection of the average daily attendance, as used and defined in Section 18482 for the district for the next three immediately succeeding fiscal years shall not exceed 1,001

(b) Any one of the following conditions applies

(1) One campus of the community college district is more than 30 miles by a well-traveled road from the nearest other public community college, and either 90 percent of the pupils, exclusive of adults as defined in Section 5756, would be required to travel 20 miles, or 25 percent of the pupils, exclusive of adults as defined in Section 5756 would be required to travel 30 miles one way from a point on a well-traveled road to the nearest other public community college

(2) The conditions under paragraph (1) of this subdivision do not apply, but on annual application of the district the office of the chancellor has determined for the fiscal year that the district is located in an area sufficiently remote so as to necessitate local current expenditures significantly higher than statewide average current expenditures for community colleges

18484 The office of the chancellor shall allow to each community college district one hundred twenty-five dollars ($125) for each unit of average daily attendance in grades 13 and 14.

Average daily attendance for the purpose of this section shall be computed under Sections 11475, 11478, and 11501, subject to the provisions of Section 18482

The office of the chancellor shall exclude from the computation of allowances provided by this section the average daily attendance of adults, as adults are defined in Section 5756

18485 On or before November 15th of each year, the county auditor of each county shall furnish to the office of the Chancellor, California Community Colleges, in a manner he is herein authorized to prescribe, the assessed valuation and tax rates of each community college district or portion of district situated within his county as shown by the equalized assessment roll of the county for the year

18486 The office of the chancellor shall compute for each district described herein the amount, to be known as district aid, which a tax levied on each one hundred dollars ($100) of 100 percent of the

assessed valuation in such district as shown by the equalized assessment roll of the district for the current year would produce if levied, if such tax were twenty-five cents ($0 25) in the district

18487 The office of the chancellor shall compare the total of the amounts allowed to, and computed for, each community college district pursuant to Sections 18484 and 18486, with the amount of the foundation program computed for each district pursuant to Section 18482.

If the total amount computed for any district pursuant to Sections 18484 and 18486, is less than the amount of the foundation program computed for such district pursuant to Section 18482, he shall add to the amount computed for such district pursuant to Sections 18484 and 18486, such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Section 18482

18488 No state equalization aid shall be allowed unless there shall have been levied pursuant to this code, for a community college district during the fiscal year, a tax, exclusive of taxes for building and sites debt service, and building and sites capital outlay, of not less than twenty-five cents ($0 25)

18489. The office of the chancellor shall compute the state equalization aid pursuant to this article upon the basis that the district's assessed value has not been reduced by the exemption of 15 percent of the assessed value of business inventories in the district or reduced by the homeowner's property tax exemption

18490 The allowance for each unit of average daily attendance during the fiscal year for adults, as adults are defined in Section 5756 shall be five hundred twenty dollars ($520) less the product of twenty-four cents ($0 24) multiplied by each one hundred dollars ($100) of the assessed valuation of the community college district per unit of average daily attendance exclusive of adults

The allowance provided by this section for each unit of average daily attendance of an adult, as an adult is defined in Section 5756, not residing in the district and not residing in any district maintaining a community college shall be limited to one hundred twenty-five dollars ($125) as basic state aid and no allowance shall be made based on state equalization aid The total of basic and equalization aid allowed each district shall not be less than one hundred twenty-five dollars ($125) for each unit of average daily attendance during the fiscal year for resident adults

If any computation made under any of the preceding paragraphs of this section produces an allowable amount not in excess of one hundred twenty-five dollars ($125) per unit of average daily attendance, such allowable amount computed shall be adjusted if, and to the extent necessary, so that the actual allowance shall not exceed one hundred twenty-five dollars ($125) per unit of average daily attendance of the adults in community colleges during the preceding fiscal year

18491 The office of the chancellor shall allow to each community college district for each unit of average daily attendance of pupils not residing in the district and not residing in any district maintaining a community college, one hundred twenty-five dollars ($125) as basic

state aid

There shall be excluded from the computation of allowances provided by this section the average daily attendance of adults, as adults are defined in Section 5756

18492. The office of the chancellor shall make corrections for community college district apportionments in accordance with Section 17414

18493 The office of the chancellor shall withhold from the apportionment to a community college district, as a part of the first principal apportionment and second principal apportionment, the amount allowed the district for the average daily attendance in grades 13 and 14 by reason of the operation of Section 18482 of pupils residing in the district who were in attendance at a community college in another district The amount withheld per unit of average daily attendance shall be determined by dividing the total amount of basic state aid and state equalization aid computed for the district of residence of such pupils by the total foundation program average daily attendance of the district

The office of the chancellor shall add the amount withheld to the apportionment required to be made to the community college district maintaining the community college at which the pupils were in attendance.

18494 No real or personal property, including money, accepted pursuant to Section 1044 of this code by the governing board of any district maintaining a community college, shall be considered in determining the eligibility of the district for an apportionment from the State School Fund nor in determining the amount thereof.

Article 4. Certification of Allowances to Community College Districts

18501 (a) The office of the chancellor shall certify to the State Controller the amount to be apportioned to each community college district

On or before July 15th of each year he shall certify to the State Controller an amount to be known as the advance apportionment for community colleges This apportionment shall be based on the reports of the district for the second report period of the preceding year

(b) On or before February 20th of each year the office of the chancellor shall certify to the State Controller an amount to be known as the first principal apportionment for community colleges This apportionment shall be based on the attendance reports of the first report period of the current year and should not exceed the amount provided by law for community colleges

(c) On or before June 25th of each year the office of the chancellor shall certify to the State Controller an amount to be known as the second principal apportionment for community colleges The second principal apportionment shall be based on the attendance reports of the second report period of the current year and shall not exceed the amount provided by law for community colleges

18502 The office of the chancellor shall notify each county treasurer, county auditor, and county superintendent of schools of

the amount of apportionment for each community college district under the jurisdiction of the county treasurer, county auditor and county superintendent of schools The notification shall contain enough information to show how each apportionment was made for each district

18503 (a) The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in the amounts and manner as herein prescribed so as to provide in each warrant a portion of the total amount certified by the office of the chancellor as apportioned under the provisions of Section 18481 to 18494, inclusive, during the fiscal year from the State Community College Fund to the school districts under the jurisdiction of the county superintendent of schools of the county

(1) Warrants for amounts apportioned to community colleges shall be equal to 6 percent in July, 12 percent in August, and 8 percent in September, October, November, December, and January, of the amounts certified by the office of the chancellor as a part of the advance apportionment

(2) Warrants in the months of February to May, inclusive, shall be for amounts equal to one-sixth of the difference between the amounts certified by the office of the chancellor to districts as the first principal apportionment and the amounts required by subdivision (a) (1) An additional one-sixth of such difference shall be included in the warrants for the month of February

(3) Warrants for the month of June shall be for amounts equal to the difference between the amounts certified by the office of the chancellor to districts and as the second principal apportionment and the amounts required by subdivisions (a) (1) and (a) (2)

(b) The drawing of the warrants required to be drawn during any one of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year. The warrants shall be paid by the State Treasurer from the State Community College Fund and are not subject to the provisions of Section 16003 of the Government Code

SEC 106 The heading of Article 1 (commencing with Section 20701) of Chapter 3 of Division 16 of the Education Code is amended to read

Article 1 Determination of Tax Levies Required for ~~School~~ *Community College* Districts

SEC 107 Section 20701 of the Education Code is amended to read

20701 After approving the budget of a ~~school~~ *community college* district, the county superintendent of schools shall determine the amount of money which must be provided by a ~~school~~ *community college* district tax

SEC. 108 Section 20702 of the Education Code is amended to read

20702 He shall determine this amount by deducting from the total estimated needs of the ~~school~~ *community college* district as

shown by its budget the total estimated income of the ~~school~~ *community college* district from all sources other than a ~~school~~ *community college* district tax for the current school year as estimated in the budget. The remainder, if any, shall be the minimum amount of the ~~school~~ *community college* district tax to be levied by the board of supervisors for the particular ~~school~~ *community college* district

SEC. 109. Section 20703 of the Education Code is amended to read.

20703. The board of supervisors shall fix such a rate for the *community college* district tax as will produce the amount of district tax money requested by the particular district

SEC 110. Section 20704 of the Education Code is amended to read.

20704 The board of supervisors shall determine the rate of *community college* district tax necessary to be levied as follows:

(a) They shall divide the amount of taxes as required to be raised by the unequalized value of the secured roll of the last assessment roll of the district after due allowance for delinquencies The rate shall be such as will produce the amount determined as necessary to be raised by taxation on the secured roll

(b) Except in counties that distribute property taxes according to Chapter 3 (commencing with Section 4701) of Part 8 of Division 1 of the Revenue and Taxation Code, the allowance for delinquencies shall be fixed by determining for the last three preceding years the percentage that the combined amounts of taxes uncollected at the end of each year bear to the total amount of taxes levied for those years.

(c) In counties that distribute property taxes according to Chapter 3 (commencing with Section 4701) of Part 8 of Division 1 of the Revenue and Taxation Code, an allowance for subsequent additions, cancellations, and corrections affecting the tax roll shall be fixed by determining for the last three preceding years the percentage that the combined amounts of such items at the end of each year bear to the total amount of taxes levied for those years

An allowance for delinquencies may be fixed for which the maximum limit is established by determining for the last three preceding years the percentage that the combined amounts of all county-levied uncollected taxes at the end of each year bears to the amount of all county-levied taxes for those years

SEC 111 Section 20705 of the Education Code is amended to read:

20705. The board of supervisors of each county or city and county shall annually at the time and in the manner of levying county or city and county taxes levy and cause to be collected a district tax for each ~~school~~ *community college* district whose budget shows a district tax to be necessary

SEC 112 Section 20706 of the Education Code is amended to read

20706 If the board of supervisors refuses or neglects to make the tax levy pursuant to Sections 20701 to ~~20801~~ *20711*, inclusive, and Sections 20901 and 21001, the levy shall be made by the county

auditor.

SEC. 113 Section 20707 is added to the Education Code, to read.

20707 (1) Except as otherwise provided in this code, the maximum rate of community college district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for any community college district in any school year on each one hundred dollars ($100) of assessed valuation within the district shall be as follows.

(a) In any separate community college district, thirty-five cents ($0 35) for community college purposes, and ten cents ($0.10) for adult education purposes

(b) As used in this section "adult education purposes" means all current expenses of the district for which district taxes may be levied, excluding the expenses for which district taxes may be levied under Sections 14214, 14657, 20801 5, 20802.6, and 20806 of this code and Section 20532 of the Government Code, for adult classes as provided for in Chapter 5.5 (commencing with Section 5701), Division 6 of this code. "Adult education purposes" includes classes for adults authorized under Article 4 (commencing with Section 5726), Article 5 (commencing with Section 5731), and Article 6 (commencing with Section 5736) of Chapter 5.5 of Division 6.

SEC 114. Section 20708 is added to the Education Code, to read.

20708 Any maximum rate of tax for any community college district may be increased and, having been increased may be decreased by an amount equal to or less than the amount of such increase, by a majority vote of the qualified electors of the community college district at an election which may be ordered by the governing board of the community college district of its own motion and shall be ordered within 90 days after the filing with the governing board of a petition signed by not less than 10 percent of the registered voters of the district, requesting that an election be ordered, unless the petitioners request that the election be consolidated with the annual election for members of the governing board, or that the election be consolidated with the general election

Any decrease in an increased maximum tax rate pursuant to this section shall not be in an amount which will reduce the tax rate for the district below the maximum specified in Section 20707 The governing board shall determine whether the increase or decrease shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot.

Pursuant to the order of the governing board, the election shall be called, held, and conducted by the county superintendent of schools, as nearly as is practicable in accordance with the provisions of Chapter 6 (commencing with Section 1301) of Division 4.

The specification of the election order shall contain the information provided in Section 1323 and shall be furnished the county superintendent of schools by the governing board of the district for all maximum tax increase or decrease elections ordered by it

257 0 16 11 40

The costs incurred by the county clerk or registrar of voters and the county superintendent of schools in connection with this section shall be paid out of the funds of the district

Except as otherwise herein provided, the ballot used in the election shall contain substantially the words "Shall the proposed (increase decrease) in the maximum tax rates from _____ ($_____) to _____ ($_____) for each one hundred dollars ($100) of assessed valuation of property, such rate to be in effect in the _____ School District for the school year (or years) 19__ to 19__, the revenues of which are to be used for _____, be authorized?" or the words "Shall the proposed (increase decrease) in the maximum tax rates from _____ ($_____) to _____ ($_____) for each one hundred dollars ($100) of assessed valuation of property commencing on _____, such rate to be in effect in the _____ School District for the school years commending 19__, the revenues of which are to be used for _____, be authorized?" Opposite such words, in separate lines, the words "Yes" and "No" shall be printed, with a voting square opposite each such word. If, at any prior election held in the district, the maximum tax rate of the district was increased for a specified period of time, and if the election is called for the purpose of continuing in effect the previously authorized increase in the maximum tax rate of the district, the ballot shall contain substantially the words "Shall the existing maximum tax rate of _____ ($_____) for each one hundred dollars ($100) of assessed valuation of property be continued in the _____ School District for the school years 19__ to 19__, the revenues of which are to be used for _____" Opposite such words in separate lines, the words "Yes" and "No" shall be printed with a voting square opposite each word Each voter shall stamp a cross in the voting square after the answer he desires to give.

Whenever the maximum tax rate of a community college district is increased for either a specified or unspecified period of time and during such period an election is called for the purpose of further increasing the maximum tax rate of the district, the ballot used in the election shall show only the authorized maximum tax rate of the district in effect at the time of the election and the proposed maximum tax rate.

If an election for a decrease in an increased maximum tax rate of a district is held in any year prior to or concurrently with the district election for governing board members, any decrease adopted at such election shall become effective on July 1st following the election. If an election for a decrease in an increased tax rate of a district is held in any year after the date of the district election for governing board members, any decrease adopted at such election shall not become effective until July 1st of the next succeeding year

SEC. 115 Section 20709 is added to the Education Code, to read

20709 Any such increase in tax rates for the community college district shall remain in effect only for the period specified on the ballot, if such period was specified by the governing board

SEC 116. Section 20710 is added to the Education Code, to read

20710. Notwithstanding any provision of law to the contrary, no election for the purpose of increasing or decreasing any maximum

tax rate for a community college district shall be held within 45 days before a statewide election or within 45 days after a statewide election unless conducted at the same time as such statewide election, subject to the provisions of Chapter 4 (commencing with Section 23300) of Part 2 of Division 12 of the Elections Code

SEC 117. Section 20711 is added to the Education Code, to read.

20711 Notwithstanding the provisions of this article or any other provisions of law to the contrary, the governing board of a district maintaining a community college may each year have levied and collected school district taxes, for that year, without limitation as to rate, for purposes of providing funds for the annual district share of any project approved pursuant to Chapter 19 (commencing with Section 20050) of Division 14, including any funds required to obtain federal funds for such project or any part of the project

SEC. 118 Article 2 (commencing with Section 20751) of Chapter 3 of Division 16 of the Education Code is repealed

SEC 119. Article 2 (commencing with Section 20751) is added to Chapter 3 of Division 16 of the Education Code, to read·

Article 2. Determination of Tax Levies Required for School Districts

20751 The maximum property tax rate which any elementary, high, or unified school district may levy, in addition to that levied under Chapter 3.5 (commencing with Section 20911) and Chapter 3 6 (commencing with Section 20931), shall not exceed the combined rates as follows

(a) The rate necessary to raise revenue authorized, or approved by the voters as provided in Sections 17660 and 20762, which allows a district's expenditure levels to exceed the top level of the adequacy range

(b) The rate necessary to pay the principal and interest on school district bonds, to repay state building aid loans, or for the leasing of school buildings under Section 15708

(c) The rate necessary to raise local funds for expenditure as specifically authorized by Section 1822.2, 16633, 16635, 16645.9, 15517, and 15518

20752 The board of supervisors shall determine the rate of district tax necessary to be levied as follows·

(a) They shall divide the amount of taxes as required to be raised by the unequalized value of the secured roll of the last assessment roll of the district after due allowance for delinquencies The rate shall be such as will produce the amount determined as necessary to be raised by taxation on the secured roll.

(b) Except in counties that distribute property taxes according to Chapter 3 (commencing with Section 4701) of Part 8 of Division 1 of the Revenue and Taxation Code, the allowance for delinquencies shall be fixed by determining for the last three preceding years the percentage that the combined amounts of taxes uncollected at the end of each year bear to the total amount of taxes levied for those years

(c) In counties that distribute property taxes according to Chapter 3 (commencing with Section 4701) of Part 8 of Division 1

of the Revenue and Taxation Code, an allowance for subsequent additions, cancellations, and corrections affecting the tax roll shall be fixed by determining for the last three preceding years the percentage that the combined amounts of such items at the end of each year bear to the total amount of taxes levied for those years

An allowance for delinquencies may be fixed for which the maximum limit is established by determining for the last three preceding years the percentage that the combined amounts of all county-levied uncollected taxes at the end of each year bears to the amount of all county-levied taxes for those years

20753 The board of supervisors of each county or city and county shall annually at the time and in the manner of levying county or city and county taxes levy and cause to be collected a district tax for each school district whose budget shows a district tax to be necessary

20754 If the board of supervisors refuses or neglects to make the tax levy pursuant to this article, the levy shall be made by the county auditor

20755 An elementary, high, or unified school district may increase its expenditure levels as described in Sections 17656 to 17660, inclusive, by a majority vote of the qualified electors of the school district at an election which may be ordered by the governing board of the school district of its own motion and shall be ordered within 90 days after the filing with the governing board of the petition signed by not less than 10 percent of the registered voters of the district, requesting that an election be ordered, unless the petitioners request that the election be consolidated with the annual election for members of the governing board, or that the election be consolidated with the general election

The governing board shall determine whether the increase shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot

Pursuant to the order of the governing board, the election shall be called, held, and conducted by the county superintendent of schools, as nearly as is practicable in accordance with the provisions of Chapter 6 (commencing with Section 1301) of Division 4

The specification of the election order shall contain the information provided in Section 1323 and shall be furnished the county superintendent of schools by the governing board of the district for all expenditure level increase elections ordered by it

The costs incurred by the county clerk or registrar of voters and the county superintendent of schools in connection with this section shall be paid out of the funds of the district.

Except as otherwise herein provided, the ballot used in the election shall contain substantially the words: "Shall the _____ District be authorized to levy the necessary property tax rate required to support increases in the expenditure levels as described in Sections 17659 to 17660, inclusive, of the Education Code Such increase to be $_____ per unit of average daily attendance in kindergarten through 6, $_____ per unit of average daily

attendance in 7 and 8, and $_____ per unit of average daily attendance in 9 through 12, above the authorized incentive level in Section 17656 of the Education Code Such increases in expenditure levels to be in effect in the district for the school years 19__ to 19__?". Opposite such words in separate lines, the words "Yes" and "No" shall be printed with a voting square opposite each such word. Each voter shall stamp a cross in the voting square after the answer he desires to give

SEC. 120 Section 20800 of the Education Code is repealed.

~~20800 The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount of the proposed expenditures of the school district required or authorized pursuant to Article 1 (commencing with Section 5950 of Chapter 6 of, and Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the elementary or high school district, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~In a unified school district the increase provided by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) if the district maintains one or more elementary schools and high schools, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized by Article 1 (commencing with Section 5950 of Chapter 6 of, or Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code, provided, however, that a district may accumulate from year to year any unencumbered balance derived from the tax levied under this section so long as the accumulated money is ultimately expended for a purpose authorized by Article 1 (commencing with Section 5950) of Chapter 6 of, or Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code.~~

SEC 121 Section 20801 of the Education Code is amended to read

20801 The maximum rate of ~~school~~ *a community college* district tax for any school year is hereby increased by such amount as will produce the amount of the proposed expenditures of the school district required or authorized pursuant to Sections 13561 and 13561.1, Sections 16551 to 16566, inclusive, and Sections 16651 to 16664, inclusive, of this code as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the

preceding school year derived from the revenue from the increase in the rate of tax provided by this section.

The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the district, and said increase shall be in addition to any other school district tax authorized by law to be levied.

~~In a unified school district the increase provided by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property within the district if the district maintains one or more elementary schools and high schools, and shall not exceed fifteen cents ($0.15) per each one hundred dollars ($100) if the district maintains, in addition, one or more community colleges, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~In a high school district which maintains a community college, the increase provided for by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property within the district, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year required or authorized by Sections 13561 and 13561.1, Sections 16551 to 16566, inclusive, and Sections 16651 to 16664, inclusive, of this code.

SEC. 122. Section 20801.5 of the Education Code is amended to read:

20801.5. The maximum rate of ~~school~~ *a community college* district tax for any school year is hereby increased by such amount as will produce the amount which the district is required to pay to the state in the administration of the Old Age and Survivors' Insurance System pursuant to Section 22551 of the Government Code, plus the amount of employer's contribution for which the district is liable under the provisions of Section 22553 of the Government Code, as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section

If at the end of any school year there remains an unencumbered balance derived from the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of such obligations of the district.

SEC. 123. Section 20802.6 of the Education Code is repealed

~~20802.6. The maximum tax rate of any school district whose boundaries are coterminous with the boundaries of a city and county is hereby increased by such amount as will produce the amount necessary to pay the district's share of the premiums payable for medical and hospitalization insurance or service coverage afforded to employees of the district, less any unencumbered balances remaining at the end of the preceding fiscal year derived from the~~

~~increase in the rate of tax provided by this section.~~

SEC 124. Section 20802.8 of the Education Code is amended to read

20802.8. The rate of ~~school~~ *community college* district tax for adult education purposes in any school year is hereby established as authorized in Section ~~20751, paragraphs (c) to (g), inclusive,~~ *20707* by such amount as will produce the amount of the proposed expenditures of the school district for adult education purposes as shown by the budget of the district for such school year less state apportionment, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the rate of tax provided by Section ~~20751~~ *20707*.

If at the end of any school year there remains an unencumbered balance derived from the revenue of the tax rate hereby provided for adult education purposes, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year for adult education purposes

SEC 125. Section 20803 of the Education Code is repealed

~~20803. Any maximum rate of tax for any district may be increased and, having been increased, may be decreased by an amount equal to or less than the amount of such increase, by a majority vote of the qualified electors of the school district at an election which may be ordered by the governing board of the school district of its own motion and shall be ordered within 90 days after the filing with the governing board of a petition signed by not less than 10 percent of the registered voters of the district, requesting that an election be ordered, unless the petitioners request that the election be consolidated with the annual election for members of the governing board, or that the election be consolidated with the general election.~~

~~Any decrease in an increased maximum tax rate pursuant to this section shall not be in an amount which will reduce the tax rate for the district below the maximum specified in Section 20751. The governing board shall determine whether the increase or decrease shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time. If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot.~~

~~Pursuant to the order of the governing board, the election shall be called, held, and conducted by the county superintendent of schools, as nearly as is practicable in accordance with the provisions of Chapter 6 of Division 4 of this code.~~

~~The specification of the election order shall contain the information provided in Section 1223 of this code and shall be furnished the county superintendent of schools by the governing board of the district for all maximum tax increase or decrease elections ordered by it.~~

~~The costs incurred by the county clerk or registrar of voters and the county superintendent of schools in connection with this section shall be paid out of the funds of the district.~~

~~Except as otherwise herein provided, the ballot used in the~~

~~election shall contain substantially the words "Shall the proposed (increase decrease) in the maximum tax rates from / / / / (/ / / / /) to / / / / (/ / / / /) for each one hundred dollars ($100) of assessed valuation of property, such rate to be in effect in the / / / / School District for the school year (or years) 19 / to 19 /; the revenues of which are to be used for / / / /; be authorized ?" or the words "Shall the proposed (increase decrease) in the maximum tax rates from / / / / (/ / / / /) to / / / / (/ / / / /) for each one hundred dollars ($100) of assessed valuation of property commencing on / / / /; such rate to be in effect in the / / / / School District for the school years commencing 19 /; the revenues of which are to be used for / / / /; be authorized ?" Opposite such words, in separate lines, the words "Yes" and "No" shall be printed, with a voting square opposite each such word. If, at any prior election held in the district, the maximum tax rate of the district was increased for a specified period of time, and if the election is called for the purpose of continuing in effect the previously authorized increase in the maximum tax rate of the district, the ballot shall contain substantially the words "Shall the existing maximum tax rate of / / / / ($ / / / /) for each one hundred dollars ($100) of assessed valuation of property be continued in the / / / / School District for the school years 19 / to 19 /; the revenues of which are to be used for / / / /" Opposite such words in separate lines, the words "Yes" and "No" shall be printed with a voting square opposite each such word. Each voter shall stamp a cross in the voting square after the answer he desires to give.~~

~~Whenever the maximum tax rate of a school district is increased for either a specified or unspecified period of time and during such period an election is called for the purpose of further increasing the maximum tax rate of the district, the ballot used in the election shall show only the authorized maximum tax rate of the district in effect at the time of the election and the proposed maximum tax rate.~~

~~If an election for a decrease in an increased maximum tax rate of a district is held in any year prior to or concurrently with the district election for governing board members, any decrease adopted at such election shall become effective on July 1st following the election. If an election for a decrease in an increased tax rate of a district is held in any year after the date of the district election for governing board members, any decrease adopted at such election shall not become effective until July 1st of the next succeeding year.~~

SEC 126 Section 20804 of the Education Code is repealed

~~20804. Any such increase in tax rates shall remain in effect only for the period specified on the ballot, if such period was specified by the governing board.~~

SEC 127 Section 20804.1 of the Education Code is repealed

~~20804.1. When either a separate high school district, the boundaries of which are not coterminous with a community college district, or a unified school district, operates a community college and has, pursuant to the provisions of Section 20803, increased the maximum tax rate otherwise applicable to the district, and thereafter, while such increased tax rate continues in effect, ceases~~

~~to operate the community college, the maximum tax rate as so increased shall, beginning with the school year in which the district ceases to operate the community college, be reduced by thirty/five cents ($0.35) on each one hundred dollars ($100) of assessed valuation.~~

SEC 128 Section 20804.2 of the Education Code is repealed

~~20804.2. Whenever a high school district and a community college district which are coterminous have, pursuant to provisions of Section 20803, increased the combined tax rate otherwise applicable to the districts, and thereafter, the districts cease to be coterminous, the maximum tax rate of the high school district shall be the previously authorized combined tax rate less thirty/five cents ($0.35) on each one hundred dollars ($100) of assessed valuation.~~

SEC 129 Section 20804.3 of the Education Code is repealed.

~~20804.3. Notwithstanding any provision of law to the contrary, no election for the purpose of increasing or decreasing any maximum tax rate for any school district shall be held within 45 days before a statewide election or within 45 days after a statewide election unless conducted at the same time as such statewide election, subject to the provisions of Chapter 1 (commencing with Section 23300) of Part 2 of Division 12 of the Elections Code.~~

SEC 130 Section 20805 of the Education Code is repealed.

~~20805. Any election called pursuant to Sections 20801 to 20804, inclusive, may be consolidated with any other election pursuant to the provisions of Chapter 1 (commencing with Section 23300) of Part 2 of Division 12 of the Elections Code.~~

SEC 131 Section 20806 of the Education Code is amended to read

20806 For the purpose of providing funds for the payment by ~~the~~ *a community college* district of all or part of the premiums, dues, or other charges for health and welfare benefits on active officers and employees and retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, or on the spouses and dependent children of such active and retired officers and employees, or on both such active and retired officers and employees and their spouses and dependent children, which the governing board of a district may have authorized in accordance with the provisions of Article 1 (commencing with Section 53200) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code and for the expenses incurred by the district in administration of a program involving the payment of such health and welfare benefits, district taxes may be levied and collected annually by the ~~respective~~ district at the same time and in the same manner as other district taxes are levied and collected The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes. Moneys collected pursuant to this section may also be expended for the requirements of Section 13658.

The provisions of this section authorizing the payment of all or part of the premiums, dues, or other charges for health and welfare benefits for the retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, shall

be limited in applicability to any school district, or of two or more school districts governed by governing boards of identical personnel, having an average daily attendance of 400,000 or more as shown by the annual report of the county superintendent of schools for the preceding year.

SEC. 132 Section 20807 of the Education Code is repealed

~~20807. The maximum rate of school district tax under Sections 20751 and 20753, inclusive, for any fiscal year is hereby increased by such amount as will provide the amount of the proposed expenditures for programs for educating handicapped minors under Sections 6750 to 6762, inclusive, which are in excess of state apportionments as shown by the budget of the district as finally adopted by the governing board of the district.~~

~~Such proposed expenditures may include the cost of equipment and facilities, the lease or lease/purchase of buildings, lease of land, alterations or additions to existing buildings, or other necessary capital outlay expenditures in connection with such programs.~~

~~If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that year required or authorized by Sections 6750/6762, inclusive, of this code.~~

SEC. 133 Section 20808 of the Education Code is repealed

~~20808. (a) The maximum rate of any elementary or unified school district is, commencing with the fiscal year 1964/5, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of tuition or of educating pupils in grades seven and eight, exceeds the cost during the current fiscal year of educating pupils in grades kindergarten or one through six maintained by the district, exclusive of all federal and state apportionments.~~

~~(b) The computations prescribed by subdivision (a) of this section shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase. If an elementary school district withdraws from a junior high school or a system of junior high schools pursuant to Sections 5625 to 5628, any such remaining unencumbered balance derived from the revenue of the increase in tax rate hereby provided~~

~~may be transferred by resolution of the governing board of the elementary school district to the general fund. In the fiscal year following such transfer, the amount of such remaining unencumbered balance which is transferred to the general fund of the district shall be used to reduce the amount for which the maximum rate of school district tax may be increased pursuant to subdivision (a) of this section for the purposes of educating pupils in grades 7 and 8 in such elementary school district.~~

SEC. 134 Section 20808.5 of the Education Code is repealed

~~20808.5. (a) The maximum tax rate of a high school district which maintains a junior high school is, commencing with the fiscal year 1964/1965, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of educating pupils in grades seven and eight, exceeds the total of federal and state apportionments and the tuition payments received by the district during the current fiscal year for such pupils pursuant to Sections 5605 and 5605.5. The rate of tax for such purpose shall not be levied on the assessed valuation of any elementary district included in such high school district if the elementary district has 10 percent or less of the pupils in grades seven and eight who reside in the elementary district attending a junior high school of the high school district.~~

~~(b) The computations prescribed by subdivision (a) shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase.~~

SEC. 135 Section 20810 of the Education Code is repealed.

~~20810. The maximum rate of school district tax is hereby increased for any school year for any school district which is obligated to pay to another school district tuition or other expenses of educating pupils in grades 7 and 8 in a junior high school. The increase in such maximum tax rate shall be in the amount necessary to produce that part of such tuition or expense obligation which represents the allocation, by the district maintaining the junior high school, of any part of its retirement or health and welfare benefit contributions under Sections 14210 and 14214 of this code, Sections 20532, 22551 and 22553 of the Government Code, and Article 1 (commencing with Section 53200) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, less any unencumbered~~

~~balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~If at the end of any school year there remains an unencumbered balance derived from the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of such obligations of the district.~~

SEC. 136 Section 20816 of the Education Code is amended to read

20816. (a) The maximum rate of ~~school~~ *a community college* district tax, including any maximum rate fixed pursuant to Section 20803, is increased in any fiscal year for any school district situated wholly or in part within a county which, in the 1968–1969 fiscal year, household furnishings and personal effects were enrolled on the county assessment roll

(b) The increase in maximum tax rate shall be in an amount equal to the 2 percent of the total of the school district tax rates at which property taxes were levied and collected for purposes of the district during the 1968–1969 fiscal year, but subject to the provisions of subdivision (c).

(c) On or before the first day of February in any year, the governing board of the district may submit a petition to the county superintendent of schools requesting that officer to fix the maximum tax rate of the district for the next succeeding fiscal year at a rate higher than that provided for in subdivision (b) The petition shall demonstrate, on the basis of the best information available to the governing board, that the net loss in revenue which would have resulted to the district in the 1968–1969 fiscal year if household furnishings and personal effects had been exempted from property taxation, taking into consideration increases in state equalization aid which would have accrued to the district as result thereof, exceeds the revenues produced by the increase in maximum tax rate provided for in subdivision (b).

The assessor shall estimate the total amount of assessed value lost by reason of the exemption for household furnishings and personal effects between the 1968–1969 and 1969–1970 fiscal years and shall certify his findings to the county auditor and the county superintendent of schools. The county superintendent of schools shall estimate the amount of equalization aid to be received by the district on the basis of the loss in assessed value certified by the assessor. The county auditor shall apply the tax rate of the district for the 1968–1969 fiscal year to the amount of assessed value determined by the assessor and from the amount computed shall subtract the amount certified by the county superintendent of schools The tax rate of the district for this purpose shall then be computed by determining the rate which will reflect this remaining amount The district shall be bound by this determination of the auditor, whether it is more than, or less than, the amount of increase authorized by subdivision (b)

This subdivision (c) shall not apply to any district which has not first availed itself of this subdivision on or before February 1, 1972

SEC 137. Chapter 3.5 (commencing with Section 20910) of

Division 16 of the Education Code is repealed

SEC. 138. Chapter 3.5 (commencing with Section 20911) is added to Division 16 of the Education Code, to read:

CHAPTER 3 5 STATEWIDE SCHOOL TAXES

Article 1 Levy and Collection of Taxes

20911 The board of supervisors of each county shall annually, commencing with the 1972–1973 fiscal year, at the time and in the manner of levying other county taxes, levy and cause taxes to be collected throughout the county, as provided in this chapter. The local laws governing the collection of property taxes and related penalties and interest charges shall apply as state law in the collection of the property taxes provided for in this chapter

20912 The additional taxes shall be levied and collected throughout the entire territory of the county for elementary, and high school purposes The board of supervisors shall fix a property tax rate of two dollars and fifty cents ($2.50) on each one hundred dollars ($100) of 100 percent of the assessed valuation in the county as shown on the equalized assessment roll for the current year

20913. The State Controller, with the cooperation of the Superintendent of Public Instruction and the treasurers and auditors of the several counties, shall direct the establishment of any procedures necessary in connection with the payment of refunds of property taxes levied and collected pursuant to this article

The Superintendent of Public Instruction is authorized to make any adjustments which may be necessary for purposes of such procedures, and for purposes of offsetting any excess or deficiency in taxes levied and collected pursuant to this article in preceding fiscal years

20914. The moneys collected from the taxes, both current and delinquent, imposed pursuant to this article during the fiscal year shall be received by the county treasurer. Such amounts as are not required for purposes of tax refunds shall be remitted within 15 days after receipt, pursuant to procedures and directions prescribed by the State Controller, to the State Treasurer for deposit in the State School Fund

20915 With respect to taxes upon the unsecured roll after the most recent lien date of taxes, there shall, in each fiscal year beginning in the 1972–1973 fiscal year, be credited to and allocated for payment from the county treasury to the State Treasurer pursuant to Section 20914, the amount that would have been collected had the rate determined by Section 20912 been applied to the unsecured roll

20916. The amount deposited in the State School Fund pursuant to this chapter shall be used for the payment of the allowances to school districts as computed by the Superintendent of Public Instruction under Sections 17652 to 17659, inclusive

SEC 139 Chapter 3 6 (commencing with Section 20931) is added to Division 16 of the Education Code, to read

326 0 16 11 315

CHAPTER 3.6. STATE SCHOOL WEALTH EQUALIZING TAXES

Article 1. Levy and Collection of Taxes

20931. The board of supervisors of each county shall annually, commencing with the 1972–1973 fiscal year, at the time and in the manner of levying other county taxes, levy and cause taxes to be collected, as provided pursuant to Section 17659. The laws governing the collection of local property taxes and related penalties and interest charges shall apply in the collection of the property taxes levied pursuant to this chapter

20932. The State Controller, with the cooperation of the Superintendent of Public Instruction and the treasurers and auditors of the several counties, shall direct the establishment of any procedures necessary in connection with the payment of refunds of property taxes levied and collected pursuant to this article

The Superintendent of Public Instruction is authorized to make any adjustments which may be necessary for purposes of such procedures, and for purposes of offsetting any excess or deficiency in taxes levied and collected pursuant to this article in preceding fiscal years.

20933. The moneys collected from the taxes, both current and delinquent, imposed pursuant to this article during the fiscal year shall be received by the county treasurer. Such amounts as are not required for purposes of tax refunds shall be remitted within 15 days after receipt, pursuant to procedures and directions prescribed by the State Controller, to the State Treasurer for deposit in the State School Fund.

20934. With respect to taxes upon the unsecured roll in each district after the most recent lien date of taxes, there shall, in each fiscal year beginning in the 1972–1973 fiscal year, be credited to and allocated for payment from the county treasurer to the State Treasurer pursuant to Section 20933, the amount that would have been collected had the rates determined pursuant to Section 17659 been applied to the unsecured roll

20935. The amount deposited in the State School Fund pursuant to this chapter shall be used for the payment of the allowances to school districts as computed by the Superintendent of Public Instruction under Sections 17656 to 17659, inclusive

SEC 140. Section 20532 of the Government Code is amended to read

20532. The governing body of a contracting agency having taxing power, or of a ~~school~~ *community college* district included under Chapter 4.5 of this part, shall, if necessary, levy and collect annually a special tax upon the assessable property within the agency or district in the number of cents per one hundred dollars ($100) of assessable property as will be sufficient to raise the amount estimated by the governing body to be required to provide sufficient revenue to meet the obligations of the agency or district for contributions to this system under and after termination of the contract This rate of taxation may be in addition to the annual rate of taxation allowed by law to be levied in that agency or district Any member of, or recipient of a benefit from, this system by reason of such a contract

may maintain any appropriate action or proceeding to require performance of the duty herein and by Section 20564 imposed on a governing body

SEC 141 This act shall be deemed operative for the entire 1972–1973 fiscal year as though the same had been enacted into law and become operative on July 1, 1972. The Superintendent of Public Instruction shall, for such purposes, have authority to take all necessary steps to effect the mid-fiscal-year transition involved, including the authority to adjust allowance computations, apportionments, and disbursements ordered from the State School Fund

SEC 142 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the urgently needed program of financial support for the public schools provided for by this act may be put into effect as early as possible in the 1972–1973 school year, it is necessary that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1428—An act to add Section 823 to the Education Code, relating to county superintendents of schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 823 to", and insert "Article 1.5 (commencing with Section 16820) to Chapter 1 of Division 13 of".

Amendment No. 2

In line 2 of the title, strike out "county superintendents of schools", and insert "early childhood education, and making an appropriation therefor".

Amendment No. 3

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Article 1.5 (commencing with Section 16820) is added to Chapter 1 of Division 13 of the Education Code, to read:

Article 1.5. Transportation for Early Primary Pupils

16820 The Legislature hereby declares that a comprehensive program of early childhood education is necessary to improve and restructure public education in California so as to provide each pupil with an opportunity for the early development of primary skills. The program shall include early primary classes as an integral part of early childhood education.

The Legislature further finds that the transportation of pupils in early primary classes to and from school is an essential aspect of such program and a necessary part of any educational program designed for such children.

16821. Notwithstanding any other provision of law, the governing board of any school district may provide for the transportation of pupils in early primary classes to and from school whenever in the judgment of the board such transportation is advisable and good reasons exist therefor. A governing board may allow for the transportation of parents of pupils enrolled in early primary classes for the purpose of accompanying their children to and from the attendance center offering such early primary classes.

Children meeting the eligible age requirement for enrollment in an early primary class who are attending a children's center, child day care center, or preschool program operated by a public or private agency are deemed to be enrolled in an early primary class for the purpose of this section.

Districts shall receive state reimbursements for the transportation of early primary pupils pursuant to Article 10 (commencing with Section 18051) of Chapter 3 of Division 14 of the Education Code.

SEC. 2. There is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the purpose of providing state reimbursements for the transportation of early primary pupils pursuant to Section 16821, amounts for transfer to augment subdivision (b) of Section 17303.5 of the Education Code and which shall be made available for expenditure as follows:

(a) For the fiscal year 1973–74, eight hundred sixty-nine thousand eight hundred fifty dollars ($869,850).

(b) For the fiscal year 1974–75, two million twenty-nine thousand six hundred fifty dollars ($2,029,650).

(c) For the fiscal year 1975–76, three million one hundred eighty-nine thousand four hundred fifty dollars ($3,189,450).

(d) For the fiscal year 1976–77, four million three hundred forty-nine thousand two hundred fifty dollars ($4,349,250).

(e) For the fiscal year 1977–78, five million seven hundred ninety-nine thousand dollars ($5,799,000).

Any moneys made available for expenditure under this section in any such fiscal year which are not expended may be carried over into the next succeeding fiscal year, and shall be available for expenditure in such fiscal year in addition to those funds otherwise made available by this section for such year.

SEC. 3. This act shall become operative only if Assembly Bill No. _____ of the 1972 Regular Session is enacted into law."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 25, of the printed bill, after "Any", insert "school district maintaining an".

Amendment No. 2

On page 2, line 26, strike out "number", and insert "percentage".

Amendment No. 3

On page 2, between lines 32 and 33, insert

"The number of school districts whose applications may be approved by the Superintendent of Public Instruction shall not exceed four."

Amendment No. 4

On page 2, line 33, strike out "The number of abstract", and insert "Abstract".

Amendment No. 5

On page 3, line 6, strike out "th", and insert "the".

Amendment No. 6

On page 3, strike out lines 13 to 16, inclusive, and insert "program to carry out the provisions of this article, except the provisions of Sections 7497.2, 7497.7, and 7497.8, including, but not limited to, recruiting, training, selecting, placing, and supervising the mathematics specialists, coordinating all matters, and providing in-service training of local teaching staffs."

Amendment No. 7

On page 3, in lines 36 and 37, strike out "consisting of not more than 30 students", and insert ", however, the Superintendent of Public Instruction may increase this maximum amount for each fiscal year commencing with fiscal year 1973–1974 and thereafter by an amount determined by the application of the Consumer Price Index, all items, of the Bureau of Labor Statistics of the United States Department of Labor, measured by the calendar year next preceding the fiscal year to which it applies, to this maximum amount. The classes shall consist of not more than 35 students".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Majority Floor Leader Presiding

At 11.43 a.m., Hon. Jack R. Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 78—An act to amend Section 351 of, and to repeal Sections 352 and 353 of, the Labor Code, relating to labor.

Bill read third time.

Hon. Joe A. Gonsalves Presiding

At 11:58 a.m., Hon. Joe A. Gonsalves, 66th District, presiding.

Majority Floor Leader Presiding

At 12:02 p.m., Hon. Jack R. Fenton, 51st District, presiding.

The question being on the passage of Assembly Bill No. 78.

Bill passed by the following vote·

AYES—Bagley, Barnes, Bee, Belotti, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Bill Greene, Leroy F. Greene, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—45.

NOES—Arnett, Badham, Beverly, Briggs, Burke, Cline, Collier, Conrad, Dent, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, MacGillivray, Monagan, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—24

Bill ordered transmitted to the Senate.

Assembly Bill No. 812—An act to amend Section 3505 of the Agricultural Code, relating to fairs

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Beverly, Brown, Burton, Chacon, Cline, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—49

NOES—Badham, Barnes, Belotti, Briggs, Brophy, Burke, Conrad, Dent, Hayden, Mobley, Monagan, Murphy, Stull, Wakefield, and Wood—15.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to add Section 201.5 to the Elections Code, relating to voter registration

Bill read third time, and passed by the following vote:

AYES—Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—48

NOES—Badham, Barnes, Brophy, Burke, Chappie, Conrad, Dent, Hayden, Ray E. Johnson, MacGillivray, Mobley, Monagan, Murphy, Stacey, Stull, Wakefield, and Wood—17

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 41

At 12 12 p.m , on motion of Mr Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The urgency clause to Assembly Bill No. 41 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene,, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12·13 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 291, on request of Mr Deddeh.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mrs. Davis, Assembly Bill No. 302 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22.2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 497—An act to amend Section 19512 of the Business and Professions Code, relating to horseracing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 589—An act to add Section 1151.5 to the Government Code, relating to salary and wage payments to public employees

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 590—An act to amend Sections 11102, 11103, and 11105 of, and to add Sections 311, 311.5, and 11102.5 to, the Vehicle Code, relating to driving schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty,

Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An act to amend Section 41502 of the Vehicle Code, relating to motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 851—An act to add Sections 12748.5, 12748.6, and 12748.7 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty,

Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 761—An act to amend Section 24755.1 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1027—An act to add Section 33125.5 to the Health and Safety Code, relating to redevelopment

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 853—An act to amend Section 27459 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An act to amend Sections 56003 1, 56003 2, 56080, 56275, 56440, 56441, 56442, and 56443 of, and to add Section 56006 1 to, and to repeal Section 56072.1 of, the Government Code, relating to districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1059—An act to add Section 35016 to, and to repeal Sections 35157, 35321, and 35420 of, the Government Code, relating to annexation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1535—An act to amend Sections 12841, 13211, and 13623 of the Public Utilities Code, relating to municipal utilities districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1604—An act to add Article 4 (commencing with Section 9430) to Chapter 4 of Division 9 of the Public Resources Code, relating to resource conservation districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1845—An act to amend Section 73694 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2013—An act to amend Section 9024 of the Public Resources Code, relating to resource conservation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 920—An act to amend Sections 19101 and 19252 of, to add Section 19083 to, and to repeal Section 19254 of, the Government Code, relating to the state civil service.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 921—An act to amend Section 19330.5 of the Government Code, relating to the state civil service.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 209—An act to amend Section 74844 of the Government Code, relating to marshal of Vallejo Municipal Court.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 14—Relative to the Public Utilities Commission.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan. Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 836—An act to amend Section 11161 5 of the Penal Code, relating to minors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—Stull—1.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 299

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, May 2, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No 890

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above bill ordered to second reading

Committee on Retirement

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 961

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 961—An act to amend Section 13961 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Barnes", and insert "Assemblymen McCarthy and Barnes".

Amendment No. 2

In line 1 of the title, after "of", insert ", to add Section 13991.5 to, to add Article 15 (commencing with Section 14116) to Chapter 4 of Division 10 of, to repeal Section 13853 of, and to repeal Article 29 (commencing with Section 14440) of Chapter 4 of Division 10 of,".

Amendment No. 3

In line 2 of the title, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, line 1, after "1 ", insert "Section 13853 of the Education Code is repealed.

~~13853. "Time" or "service" with respect to a local system shall include periods of time and service rendered therein, compensation earned during which was a basis for tax paid for the support of the Old Age, Survivors, Disability and Health Insurance program under the Federal Social Security Act, regardless of whether such compensation was included in the calculation of benefits to which the person earning such compensation became entitled.~~

SEC. 2."

Amendment No. 5

On page 2, after line 4, insert

"SEC 3 Section 13991 5 is added to the Education Code, to read:

13991.5 Those persons who on June 30, 1972, were receiving a service retirement or disability retirement allowance or survivor benefit from the State Teachers' Retirement System who, at the time that benefit was computed, had it reduced by a portion of a social security

benefit to which they were otherwise entitled shall have that reduction removed prospectively effective July 1, 1972

SEC. 4 Article 15 (commencing with Section 14116) is added to Chapter 4 of Division 10 of the Education Code, to read:

Article 15. San Francisco Local System

14116 Notwithstanding any other provision of this code, the provisions of this article shall govern the matters included in this article.

14116 1. On July 1, 1972 and thereafter all persons who first enter employment in the San Francisco Unified School District and the San Francisco Community College District in positions requiring membership in State Teachers' Retirement System are members of State Teachers' Retirement System in accordance with Section 13941. These new members are excluded from coverage under the Old Age, Survivors, Disability and Health Insurance (Federal Social Security) Law for service performed as a member of State Teachers' Retirement System

14116 2. Member and employer contributions for local service of a local system member shall be paid to the local system only for all service performed during the 1972–1973 school year.

14116 3. The accumulated Permanent Fund contributions related to San Francisco local service performed prior to July 1, 1972, shall be retained in the Teachers' Retirement Fund during the 1972–1973 fiscal year Credited interest shall be applied to member accounts for the 1972–1973 fiscal year.

14116 4 Each credentialed member of the San Francisco City and County Employees' Retirement System on June 30, 1972, shall make an irrevocable election to be covered only by that system or to be covered only by the State Teachers' Retirement System for prior and future service performed in the San Francisco Unified School District or the San Francisco Community College District This election shall be made no later than February 15, 1973, and shall be effective as of July 1, 1972.

This election shall be on a form and executed in such manner as the Superintendent of the San Francisco Unified School District and the Superintendent of the San Francisco Community College District shall specify.

Each district shall notify State Teachers' Retirement System of the individual's election with a copy thereof no later than March 1, 1973. Failure of a person to execute this election shall constitute an irrevocable election for coverage by the San Francisco City and County Employees' Retirement System.

14116 5 All persons on the San Francisco system retired rolls on June 30, 1972, shall remain on the local rolls The State Teachers' Retirement System will continue the subvention in Section 14120 to the local district for those persons, will apply the percentage update and annual improvement factor to payments being made by the State Teachers' Retirement System directly to the retirant, and will pay the two-thousand-dollar ($2,000) retired death benefit upon their death The retired death benefit will be reduced by the retired lump-sum death benefit payable by the San Francisco system

The allowance that would have been payable had the member retired solely under the State Teachers' Retirement System, including the percentage update calculated under Sections 14332, 14333 and 14334, shall be taken into account in computing the amount of increase for the ten dollar ($10) a month per year of service minimum benefit.

14116 6. If a person dies, becomes disabled, or retires after June 30, 1972, and prior to the execution of an irrevocable election, the election of system coverage shall be made immediately and all benefits shall be paid in accordance with that election.

If a person has made the election to be covered only by the State Teachers' Retirement System and dies, becomes disabled or retires prior to July 1, 1973, benefits shall be paid as though the election had been executed on July 1, 1972.

14116 7. If a person has made an election to be covered only by the State Teachers' Retirement System and dies, becomes disabled or retires prior to July 1, 1973, the determination of a shortage or overage in his account shall be made immediately, and any shortage due to the State Teachers' Retirement System which is payable by the member shall be paid prior to the payment of any benefit.

14116.8. Contributions payable by the member shall be paid with credited interest thereon through June 30, 1972, plus 6 percent interest on the June 30, 1972, balance for period from July 1, 1972, to date of payment

14116 9. Persons who select to be covered only by the State Teachers' Retirement System and already have credit for classified or other noncertificated service in the San Francisco local system shall not have that credit transferred to the State Teachers' Retirement System

14116.95. The San Francisco City and County Employees' Retirement System shall provide concurrent retirement benefits for classified and other noncertificated service in the San Francisco system according to the provisions applicable to miscellaneous employees of the time of the concurrent retirement for:

(a) Members of that system who transfer to the State Teachers' Retirement System after June 30, 1972; and

(b) Persons who were members of both retirement systems on June 30, 1972, and

(c) Any person who could have qualified under (b) if he had not taken a refund from either but not both systems, provided he qualifies for and redeposits prior to retirement.

14116 10 Notwithstanding the provisions in Section 14211, a member of the San Francisco local system may retire concurrently and receive credit for service performed in other states of the United States, its territories and possessions and the Dominion of Canada provided that person is eligible under Sections 13998, 13999, and 14000

14116 11 If a person elects to be covered only by the State Teachers' Retirement System under Section 14116 4, there shall be deposited in the Teachers' Retirement Fund as of July 1, 1973

(a) An amount equal to the contributions that would have been required had all service prior to July 1, 1972, been performed as a full-time member of State Teachers' Retirement System plus credited

interest through June 30, 1972, plus 6 percent interest for the balance of the 1972–1973 fiscal year, plus

(b) An amount equal to 8 percent of the employee compensation as provided in Section 13832 for service performed during the 1972–1973 fiscal year, plus 6 percent interest; plus

(c) An amount equal to 3.2 percent of employee compensation as provided in Section 13832 as the employer's portion for service performed during the 1972–1973 fiscal year, plus 6 percent interest.

14116 12. If the accumulated contributions in the person's local fund account at the time of transfer to the State Teachers' Retirement System are not equal to those required in Section 14116.11, the difference between the amount in the account and the required amount is an unfunded liability and is the responsibility of the employer. The San Francisco City and County Employees' Retirement System shall, at the time of the transfer of assets, provide the additional amount of accumulated contributions required to put each individual account in balance if the shortage is due to the rate of contributions which had been required by that local system. Such amount shall be a charge against the employer's reserve in the San Francisco City and County Employees' Retirement System attributable to the San Francisco Unified School District and the San Francisco Community College District.

Any funds transferred by the local system in addition to the accumulated contributions already in the member's account shall be deposited as employer contributions in the Teachers' Retirement Fund, and shall not be credited to the member's account and shall not be refundable

Those persons in the San Francisco local system who elected the option to reduce their contributions by the amount of the old age portion of the social security contribution and those who are members of that system under San Francisco City Charter Section 8.507 are liable for this portion of any shortage in their accumulated contributions due to the Teachers' Retirement Fund, plus credited interest through June 30, 1972, and plus regular interest thereafter This applies also to those persons who elected to have the required retroactive social security payment paid from their account in the local system at the time such coverage was adopted.

14117. The San Francisco City and County Employees' Retirement System shall provide for and assume total financial responsibility for the full Permanent Fund benefit earned through June 30, 1972, for those persons who elect to be covered only by the local system, as those benefits existed in subdivision (a) of Section 14240 on June 30, 1972. There shall be no reduction in local benefits because of this section

14117.1. Adjustments to accounts caused by late discovery shall be made in accordance with Sections 14116 11 and 14116.12.

14117.2 Those persons who have taken a refund of their contributions and interest from the San Francisco local system prior to July 1, 1972, and who have Permanent Fund contributions on deposit in State Teachers' Retirement System for such service shall have the accumulated Permanent Fund contributions on deposit in State Teachers' Retirement System as of July 1, 1972, handled the same as the Permanent Fund contributions of all nonlocal members.

Upon discovery and notification to such persons, they shall:

(a) Deposit the contributions required with regular interest; or,

(b) Leave the Permanent Fund accumulated contributions on deposit and receive an actuarially reduced retirement allowance.

14118. The San Francisco Unified School District may continue the current annual report of member contributions and service for fiscal year 1972–73 for all nonlocal certificated members working in the San Francisco Unified School District The 8 percent employee and 3 2 percent employer contributions for these nonlocal members shall be remitted monthly. If an annual report is submitted instead of a monthly report, it is due on July 31, 1973, and is delinquent on August 31, 1973. The provisions of Section 14056 shall apply.

14119 All costs of the selection, asset transfer, asset valuation, security registration, and the administrative costs in the implementation of Chapter 1305 of the Statutes of 1971 shall be borne by the employer reserve in the San Francisco City and County Employees' Retirement System related to the unified school district and the community college account.

14119 1 For the members of the San Francisco local system who select to be covered only by the State Teachers' Retirement System, the transfer of assets from the San Francisco local system to the State Teachers' Retirement System shall be in cash or in securities in kind While a proportionate division of each holding shall not be required, the securities transferred to the State Teachers' Retirement System shall be divided between nonconvertible fixed income investments, equities, and securities convertible into equities in proportion to the book value of these security groupings to the total value of the San Francisco local system portfolio as of March 31, 1972 For this purpose, cash will be counted as equivalent to a security valued at market.

The value of securities in kind that are to be transferred shall be determined as follows Nonconvertible fixed income investments held in the portfolio on March 31, 1972, will be valued by discounting at the annualized earnings rate on the State Teachers' Retirement System's nonconvertible fixed income portfolio as of June 30, 1973, computed in accordance with established State Teachers' Retirement System procedures, plus an allowance for accrued income However, where the value for any specific security when computed in this manner would be above the value at which the security may be redeemed at the first date at which it is callable or refundable, then the applied rate shall be computed to the redemption price at the first date at which the security is redeemable or refundable, whichever is later, plus an allowance for accrued income Nonconvertible fixed income securities purchased after March 31, 1972, equities and securities convertible into equities shall be valued at market plus accrued interest if any. All securities to be transferred shall be valued as of June 30, 1973

Either the San Francisco City and County Employees' Retirement System or the Teachers' Retirement Board may reject specific securities and recommend alternative assets Selection of securities to be transferred in kind shall not be made in a manner adverse to the Teachers' Retirement Fund Should the respective parties be unable to reach agreement by August 15, 1973, the matter shall be submitted to arbitra-

tion by a third party, and his decision shall be binding upon both parties The third party arbitrator shall be mutually agreed upon If agreement cannot be reached, the arbitrator shall be appointed by the Governor from a list of four names; two names each to be submitted independently by the San Francisco City and County Employees' Retirement System and the Teachers' Retirement Board

14119 2 If a net realized loss occurs from the transfer of assets at less than their book values, that loss shall be a charge against the employer's reserve resident in the San Francisco City and County Employees' Retirement System attributable to the San Francisco Unified School District and the San Francisco Community College District

14119 3 Residual employer funds shall remain in the San Francisco employer reserve in the local system, and shall be credited on a year-to-year basis as determined by the San Francisco City and County Employees' Retirement System to the employer's accounts in that reserve attributable to the San Francisco Unified School District and the San Francisco Community College District

14119 4 The transfer of cash and securities in kind from the San Francisco City and County Employees' Retirement System to the Teacher's Retirement Fund shall be accomplished by that system delivering the cash and securities in kind at the office of the State Treasurer in Sacramento properly registered in the name of the State Teachers' Retirement System in accordance with the registration requirements of the State Teachers' Retirement System This transfer shall be completed by September 1, 1973 Interest on any cash transfer shall be at the rate of 6 percent per annum from July 1, 1973, to date of the transfer Any cash income payments or payments in securities made to the San Francisco local system after June 30, 1973, which are on securities to be transferred to the Teachers' Retirement Fund and are properly allocable to the Teachers' Retirement Fund shall be transferred to the Teachers' Retirement Fund

14119 5 In the event that a preponderance of the members of the San Francisco local system elect to be fully covered by that system so as to require a transfer of cash and securities in kind from the Teachers' Retirement Fund to the San Francisco local system, the State Teachers' Retirement System shall be bound by the conditions enumerated in Sections 14119 1, 14119.2 and 14119.4

14119 6. The San Francisco City and County Employees' Retirement System shall submit a list of all members of the system as of June 30, 1972, who have credential service which would qualify for membership in State Teachers' Retirement System The list shall be submitted to State Teachers' Retirement System no later than October 31, 1972

14119 7 If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

SEC 5 Article 29 (commencing with Section 14440) of Chapter 4 of Division 10 of the Education Code is repealed.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect.

The facts constituting such necessity are: In order to permit the orderly implementation of Chapter 1305 of the Statutes of 1971 this act must take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2352: By Assemblymen Porter, Ketchum, Badham, MacDonald, Harvey Johnson, Lewis, and Stacey (Senators Alquist, Bradley, Coombs, Cusanovich, Deukmejian, Dills, Harmer, Kennick, Schrade, Stiern, Teale, and Wedworth, coauthors)—An act to amend Section 11271 of the Government Code, relating to state funds.

Held at Desk by order of the Acting Speaker.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1699, on request of Mr. Burton.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 14 was continued until the next legislative day.

VOTE CHANGES

Messrs. Maddy, Duffy, and Meade were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 278.

Messrs. Burke, Stull, and Meade were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 392.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 392.

Messrs Lewis and Maddy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 78

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 812.

Mr. Cline was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 812

Mr. Cullen was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bills Nos. 1604 and 2013.

Messrs. Wood, Burke, and Mobley were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 812.

Mr Beverly was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 699.

Messrs. Brophy and Wakefield were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No 41, and on the passage of the bill.

Messrs. Bagley and Mobley were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 78.

ADJOURNMENT

At 12:20 p m , Acting Speaker Fenton declared the Assembly adjourned until 2 p m , Thursday, May 4, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

APPENDIX TO ASSEMBLY DAILY JOURNAL FOR MAY 3, 1972

REPORT OF SUBCOMMITTEE ON ADVOCATE REGISTRATION

Assembly Chamber, May 2, 1972

Mr. Speaker: The Subcommittee on Advocate Registration submits a supplemental list of approved legislative advocates for publication in the Assembly Journal.

This list is a complete supplement to the printed registry for 1972 and will be revised as additional registrations make it necessary.

JOHN P. QUIMBY, Chairman

Index Page

Corrections and/or Additions to 1972 Directory 2649
Termination of Accounts—Advocates Listed in 1972 Directory .. 2650
Deceased Advocates (Listed in 1972 Directory) 2650
New Registrations Since Printing of Legislative Advocates and Organizations—1972 Directory 2650
New Accounts—Advocates Listed in 1972 Directory 2652
1972 Organizations (Additions) 2653

Corrections and/or Additions to 1972 Directory

BRADY, Bernard R.
Bernard R. Brady and Associates
California League of Senior Citizens
(This advocate should not have been listed in the 1972 Directory)

	Phone Number
LOKEY, Roy Eugene, 14271 Mulberry Drive, Suite A, Los Gatos 95030 (Additional address)	(408) 374-0308
MARSH, William F., 2802 Francis Lane, Costa Mesa 92626 (New address)	(714) 545-7337
VICENCIA, Frank D., 9706 E Compton Blvd., Suite 7, Bellflower 90706 (New address)	(213) 920-1746

Phone Number

Terminations of Accounts—Advocates Listed in 1972 Directory

GARLAND, Gordon H.
California Chiropractic Association
(Termination of one account)

HOAGLAND, Charles E.
Automobile Manufacturers Association, Inc.
(Complete termination)

NEILSON, Royal A.
Plumbing-Heating-Cooling Contractors of California
(Complete termination)

SANFORD, Russell E.
California Motorcycle Industry Council, Inc.
(Termination of one account)

Deceased Advocates (Listed in 1972 Directory)

Thigpen, W. R.
Read, Ben H.

New Registrations Since Printing of Legislative Advocates and Organizations—1972 Directory

BEAUCHAMP, Robert, D.D.S.
Garland, Gordon H.

BLOCK, Richard L, 4050 Wilshire Blvd.,
Los Angeles 90010 (213) 381-2577
INA Corporation and wholly owned subsidiaries

CAMPBELL, F. E., D.D.S.
Garland, Gordon H.

DEWITT, Dennis L., 1127-11th Street, Room 540,
Sacramento 95814 (916) 444-2147
California Dental Association
Southern California Dental Association

DEWITT, James, Capitol Park Hotel,
Sacramento 95814 (916) 441-5361
728 Elm Avenue, Long Beach 90813 (213) 435-2360
Protective Council of California Senior Citizens, Inc.

DYER, Martin B., 923-12th Street,
Sacramento 95814 (916) 443-8107
California Manufacturers Association

EDWARDS, Dennis L., 1108 O Street,
Sacramento 95814 (916) 446-6641
1425 South San Pedro Street,
Los Angeles 90011 (213) 687-3201
Classified Employee Relations Council

GREEN, Donald C., 717 K Street, Suite 308,
Sacramento 95814 (916) 446-5266
California Applicants' Attorneys Association
Common Cause

	Phone Number
HASS, E. Ewing, 1331 Ridgeway Drive, Sacramento 95822	(916) 443-5660
3M Company	
JOHNSTON, Clay M., 3558 W. 8th Street, Los Angeles 90005	(213) 383-1281
California Lathing & Plastering Contractors Association, Inc.	
Western Awning Association	
JONES, Kermit C., 926 J Street, Suite 1014, Sacramento 95814	(916) 446-2186
445 So. Figueroa, Suite 1500, Los Angeles 90017	(213) 482-3620
Air Transport Association of America	
United Air Lines	
JONES, William R., 1108 O Street, Sacramento 95814	(916) 446-6641
1425 South San Pedro, Los Angeles 90011	(213) 687-3201
Classified Employee Relations Council	
KANE, Gary Paul, 1006 - 4th Street, Sacramento 95814	(916) 447-2871
Redevelopment Agency of the City of Sacramento	
KELLY, William H., Jr., 5960 - 19th Avenue Sacramento 95820	(916) 455-2285
Camellia City Bingo Association	
KENNEDY, V. Dennis, 1127 - 11th Street, Room 702, Sacramento 95814	(916) 444-6352
California Mortgage Bankers Association	
Pest Control Operators of California	
MULLIGAN, Kerry W , 1431 - 3rd Street, Suite 11, Sacramento 95814	(916) 442-1156
Kerry W. Mulligan & Assoc.	
PEDERSEN, Glenn C , 1108 O Street, Sacramento 95814	(916) 446-6641
4525 Irvine Street, North Hollywood 91602	(213) 762-0691
Classified Employee Relations Council	
RANSOM, Lawrence E , City Hall, 100 North Garfield, Room 301, Pasadena 91109	(213) 577-4442
P.E R S. Retirement Betterment Committee, Inc.	
RAU, Katherine A., 4218 San Juan Avenue, Fair Oaks 95628	(916) 489-7812
Animal Wards	
RIEPMA, Siert F., Suite 1202, 1725 K Street, N.W., Washington, D C 20006	(202) 785-3232
National Association of Margarine Manufaeturers	
ROBYN, Richard A , 7 North Main Street, San Andreas 95249	(209) 754-4062
R. A. Robyn & Associates	

	Phone Number
SENGER, Alan F., 927 - 10th Street, Suite 302, Sacramento 95814	(916) 444-3767
Automobile Manufacturers Association, Inc.	
WAKEFIELD, George W., 649 South Olive Street, Suite 1000, Los Angeles 90014	(213) 485-0101
Southern California Symphony-Hollywood Bowl Association	
WARNE, William E., 2090 - 8th Avenue, Sacramento 95818	(916) 442-4338
Orange County Water District	
WEITZMAN, Hyman, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
4134 N. Sierra Way, San Bernardino 92407	(714) 885-8900
California Ambulance Association	
California Refuse Removal Council	
WENDIN, Daniel G., 961 Regent Drive, Los Altos 94022	(408) 255-1200
Boole & Babbage, Inc.	
WRIGHT, Richard, 5276 L Street, Sacramento 95819	(916) 457-1382
California Loan and Finance Association	

New Accounts—Advocates Listed in 1972 Directory

BECKUS, Robert J.
- Adamson Companies
- Association of Bay Area Governments
- Association of Northern California Defense Counsels
- Association of Southern California Defense Counsels
- California Association for Health, Physical Education and Recreation
- California Automobile Dealers Association
- California Chiropractic Association
- California Dry Cleaners Association
- California Laundry and Linen Supply Association
- California Special Districts Association
- California Thoroughbred Breeders Association
- Horsemen's Benevolent and Protective Association
- Knudsen Corporation (Todd Foods, a subsidiary thereof)
- Otay Municipal Water District
- Southern California Association of Governments

BURKE, William R.
- Interment Association of California

BURNS, Donald Carlton
- California Association of Marriage and Family Counselors

DESMOND, Gerald J.
- California Safety Center
- Physicians Health Congress

FARBER, Joseph M.
Allied Insurance Company
Insurance Company of North America

GARLAND, Gordon H.
Robert Beauchamp, D.D.S.
F E. Campbell, D.D.S.

HEWITT, Patricia S.
California Association of School Psychologists & Psychometrists
California Association of School Social Workers
California Council of Pupil Service Organizations
California Personnel and Guidance Association

LANDON, James L.
Marine Cooks & Stewards Union
Stewards Security, Inc.

LEFEVRE, Allan D.
Judson Steel Corporation

MARSH, Harold, Jr.
Board of Trade of San Francisco
Wholesalers Credit Association

REED, James S.
Common Cause

ROPE, Robert S.
Los Angeles County Lifeguard Association

VEGLIA, Albert J.
Driving School Association of California, Inc.
National Auto Auction Association
R. L Polk & Co.

WAGNER, Shelly
Metropolitan News
Spencer-Roberts, Woodward and McDowell

WALTERS, Robert G.
Aveo Community Developers, Inc.

1972 ORGANIZATIONS

ADAMSON COMPANIES
Beckus, Robert J.

AIR TRANSPORT ASSOCIATION OF AMERICA
Jones, Kermit C.; Nielson, Edwin J.*

ALLIED INSURANCE COMPANY
Farber, Joseph M.

ANIMAL WARDS
Rau, Katherine A.

ASSOCIATION OF BAY AREA GOVERNMENTS
Beckus, Robert J.

* Previously listed in 1972 Directory

ASSOCIATION OF NORTHERN CALIFORNIA DEFENSE COUNSELS
Beckus, Robert J.

ASSOCIATION OF SOUTHERN CALIFORNIA DEFENSE COUNSELS
Beckus, Robert J.

AUTOMOBILE MANUFACTURERS ASSOCIATION, INC.
Senger, Alan F. (Charles E. Hoagland terminated)

AVCO COMMUNITY DEVELOPERS, INC.
Walters, Robert G.

BOARD OF TRADE OF SAN FRANCISCO
Marsh, Harold, Jr.

BOOLE & BABBAGE, INC.
Wendin, Daniel G.

CALIFORNIA APPLICANTS' ATTORNEYS ASSOCIATION
Green, Donald C.

CALIFORNIA AMBULANCE ASSOCIATION
Weitzman, Hyman

CALIFORNIA ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION AND RECREATION
Beckus, Robert J.

CALIFORNIA ASSOCIATION OF MARRIAGE AND FAMILY COUNSELORS
Burns, Donald Carlton

CALIFORNIA ASSOCIATION OF SCHOOL PSYCHOLOGISTS & PSYCHOMETRISTS
Hewitt, Patricia S.

CALIFORNIA ASSOCIATION OF SCHOOL SOCIAL WORKERS
Hewitt, Patricia S

CALIFORNIA AUTOMOBILE DEALERS ASSOCIATION
Beckus, Robert J.

CALIFORNIA CHIROPRACTIC ASSOCIATION
Beckus, Robert J.

CALIFORNIA COUNCIL OF PUPIL SERVICE ORGANIZATIONS
Hewitt, Patricia S.

CALIFORNIA DENTAL ASSOCIATION
DeWitt, Dennis L.; Muir, J. E. "Skip" *

CALIFORNIA DRY CLEANERS ASSOCIATION
Beckus, Robert J.

CALIFORNIA LATHING & PLASTERING CONTRACTORS ASSOCIATION, INC.
Johnston, Clay M.

CALIFORNIA LAUNDRY AND LINEN SUPPLY ASSOCIATION
Beckus, Robert J.

CALIFORNIA LOAN AND FINANCE ASSOCIATION
Chandler, Laurence *; Wright, Richard

* Previously listed in 1972 Directory

CALIFORNIA MANUFACTURERS ASSOCIATION
Dyer, Martin B.; Knight, Thomas F.*; Libra, A. L.*; McClung, Emmons *
CALIFORNIA MORTGAGE BANKERS ASSOCIATION
Kennedy, V. Dennis
CALIFORNIA PERSONNEL AND GUIDANCE ASSOCIATION
Hewitt, Patricia S.
CALIFORNIA REFUSE REMOVAL COUNCIL
Weitzman, Hyman
CALIFORNIA SAFETY CENTER
Desmond, Gerald J.
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
Beckus, Robert J.
CALIFORNIA THOROUGHBRED BREEDERS ASSOCIATION
Beckus, Robert J.
CAMELLIA CITY BINGO ASSOCIATION
Esposito, Ray R.*; Kelly, William H., Jr.; Parino, Salvador *
CLASSIFIED EMPLOYEE RELATIONS COUNCIL
Edwards, Dennis L.; Jones, William R.; Pedersen, Glenn C.
COMMON CAUSE
Green, Donald C ; Reed, James S.*
DRIVING SCHOOL ASSOCIATION OF CALIFORNIA, INC.
Veglia, Albert J.
HORSEMEN'S BENEVOLENT AND PROTECTIVE ASSOCIATION
Beckus, Robert J.
INA CORPORATION (and wholly owned subsidiaries)
Block, Richard L
INSURANCE COMPANY OF NORTH AMERICA
Farber, Joseph M.
INTERMENT ASSOCIATION OF CALIFORNIA
Burke, William R.
JUDSON STEEL CORPORATION
LeFevre, Allan D.
KERRY W. MULLIGAN & ASSOC.
Mulligan, Kerry W.
KNUDSEN CORPORATION (TODD FOODS, a subsidiary thereof)
Beckus, Robert J.
LOS ANGELES COUNTY LIFEGUARD ASSOCIATION
Rope, Robert S.
MARINE COOKS & STEWARDS UNION
Landon, James L
METROPOLITAN NEWS
Wagner, Shelly
NATIONAL ASSOCIATION OF MARGARINE MANUFACTURERS
Riepma, Siert F.

* Previously listed in 1972 Directory

NATIONAL AUTO AUCTION ASSOCIATION
Veglia, Albert J.
ORANGE COUNTY WATER DISTRICT
Warne, William E.
OTAY MUNICIPAL WATER DISTRICT
Beckus, Robert J.
P.E.R.S. RETIREMENT BETTERMENT COMMITTEE, INC.
Houston, George W.*; Jones, Howard L.*; Ransom, Lawrence E.; Weber, Arnold*
PEST CONTROL OPERATORS OF CALIFORNIA
Kennedy, V. Dennis
PHYSICIANS HEALTH CONGRESS
Desmond, Gerald J.
PROTECTIVE COUNCIL OF CALIFORNIA SENIOR CITIZENS, INC.
DeWitt, James
R. A. ROBYN & ASSOCIATES
Robyn, Richard A.
R. L. POLK & CO.
Veglia, Albert J.
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
Kane, Gary Paul
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
Beckus, Robert J.
SOUTHERN CALIFORNIA DENTAL ASSOCIATION
DeWitt, Dennis L.; Muir, J E. "Skip"*
SOUTHERN CALIFORNIA SYMPHONY-HOLLYWOOD BOWL ASSOCIATION
Wakefield, George W.
SPENCER-ROBERTS, WOODWARD AND McDOWELL
Wagner, Shelly
STEWARDS SECURITY, INC.
Landon, James L.
THREE-M COMPANY
Hass, E. Ewing; Veglia, A. J.*
UNITED AIR LINES
Jones, Kermit C.; Nielson, Edwin J.*
WESTERN AWNING ASSOCIATION
Johnston, Clay M.
WHOLESALERS CREDIT ASSOCIATION
Marsh, Harold, Jr.

* Previously listed in 1972 Directory

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-eighth Legislative Day

One Hundred Twenty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 4, 1972

The Assembly met at 2 p.m.
Hon Bob Moretti, Speaker of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Motion carried. Time, 2:03 p m.
The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

REQUEST FOR UNANIMOUS CONSENT

Mr. Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

Hon. Kenneth Cory Presiding

At 2.09 p.m., Hon. Kenneth Cory, 69th District, presiding.

Majority Floor Leader Presiding

At 2:12 p m., Hon. Jack R. Fenton, 51st District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2:13 p.m., Acting Speaker Fenton declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Col-

lier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, In our times of chilling loneliness, we look and listen and long for any voice and vibration of hope.

Some of us, at some times, are prisoners of our selfishness, of our own injustice and inequity to others

Help us to see in the dedicated abandonment of those who labor for right causes, the pathway through the prison walls of our own making, Help us to hope and dream for what is better. For the new is never totally new, but preceded by a dream, a promise, an anticipation.

If we do not hope for what is beyond expectation we will not find it.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Pierson then led the Assembly in the pledge of allegiance to the Flag.

READING OF JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Quimby, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Deddeh, on request of Acting Speaker Fenton.
Mr. Ketchum, on request of Acting Speaker Fenton.
Mr. Maddy, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Acting Speaker Fenton
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton
Mr. Karabian, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 2, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully wish to be excused from session on Thursday, May 4, for legislative business.

I will be appearing before the Eighth International Trucking Conference in San Francisco to speak on the industry's responsibility to help improve environmental quality while performing services with maximum safety.

Sincerely,

WADIE P. DEDDEH, Assemblyman
Seventy-seventh District

April 18, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, May 4, on legislative business.

I shall be addressing the Bakersfield Rotary Club and have a meeting scheduled with the San Miguel Farm Bureau members.

Sincerely,

WILLIAM M. KETCHUM, Assemblyman
Twenty-ninth District

May 1, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, May 4, 1972, on legislative business. I will be speaking at the annual conference of the California Jury Commissioners Association.

Very truly yours,

KEN MADDY, Assemblyman
Thirty-second District

REPORTS

The following report was presented by the Chief Clerk:

Interim Report on Feasibility Study for Motorist Information Facilities Along State Primary and Interstate Highways. (In accordance with Assembly Concurrent Resolution No. 55, 1971.) April 1972.

Above transmitted report, together with letter of transmittal from Howard C. Ullrich, Chief Deputy Director, Department of Public Works, Sacramento, dated April 5, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2352	Water

Senate Bill No.	*Committee*
42	Welfare
43	Elections and Reapportionment
110	Criminal Justice
189	Elections and Reapportionment
373	Welfare
492	Local Government
496	Local Government
953	Environmental Quality

Senate Constitutional Amendment No.	*Committee*
10	Criminal Justice

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2353: By Assemblyman Bagley (Senator Behr, coauthor)—An act to amend Section 5558 of, and to add Sections 5506.5 and 5538.5 to, the Public Resources Code, relating to regional park districts.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2354: By Assemblyman Warren—An act to amend Sections 682.3 and 690.50 of the Code of Civil Procedure, relating to judgment debtors, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, May 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 435
AB No. 821
AB No. 1902

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 710
AB No. 1270
AB No. 1903

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 321	AB No. 969	AB No. 1878
AB No. 360	AB No. 1227	AB No. 1879
AB No. 391	AB No. 1236	AB No. 1973
AB No. 517	AB No. 1306	AB No. 1996
AB No. 558	AB No. 1463	AB No. 2037
AB No. 572	AB No. 1530	AB No. 2146
AB No. 791	AB No. 1644	AB No. 2164
AB No. 886	AB No. 1815	AB No. 2194
AB No. 959	AB No. 1858	AB No. 2214
AB No. 960	AB No. 1866	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 428

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 375	AB No. 1029
AB No. 384	AB No. 1710

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 31
ACR No. 32
ACR No. 39
ACR No. 41
ACR No. 71

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 423
AB No. 1502

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 824

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 220

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No. 5
SCR No. 6

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Committee on Health

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1977

With amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Urban Development and Housing

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1118

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BRATHWAITE, Chairman

Above bill ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No 1719

AB No 1597

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bills ordered to second reading.

Committee on Agriculture

Assembly Chamber, May 4, 1972

Mr. Speaker. Your Committee on Agriculture reports·

AB No 719

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRIGGS, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 4, 1972

Mr Speaker. Your Committee on Education reports:

AB No. 257

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 488
AB No. 833
AB No. 954

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 2334

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation to be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 401
AB No. 781
AB No. 929

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Committee on Welfare

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Welfare reports:

SB No. 197

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 1061

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 975

With the recommendation: Do pass.

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Agriculture

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 471

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRIGGS, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 515

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1230

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 1873

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1873—An act to add Section 38109 to the Health and Safety Code, and to add Section 7518 to the Welfare and Institutions Code, relating to mentally retarded persons.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "to amend, repeal, and add Section 5325 of,".

Amendment No. 2

In line 2 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 2, line 5, strike out "minor", and insert "person".

Amendment No. 4

On page 2, line 7, strike out "minor", and insert "person".

Amendment No. 5

On page 2, line 8, strike out "minor", and insert "person".

Amendment No. 6

On page 2, line 9, strike out "minor's", and insert "retardate's".

Amendment No. 7

On page 2, line 15, strike out "minor", and insert "person".

Amendment No. 8

On page 2, line 16, strike out "minor", and insert "person".

Amendment No. 9

On page 2, line 17, strike out "minor", and insert "retardate".

Amendment No. 10

On page 2, line 19, strike out "minor", and insert "retardate".

Amendment No. 11

On page 2, line 21, strike out "minor", and insert "retardate".

Amendment No. 12

On page 2, line 22, strike out "minor", and insert "retarded person".

Amendment No. 13

On page 2, between lines 27 and 28, insert

"If the mentally retarded person is an adult and has neither a guardian or conservator, consent to treatment may be given by someone other than the retardate on the retardate's behalf only if the retarded person is mentally incapable of giving his own consent

SEC. 2. Section 5325 of the Welfare and Institutions Code is amended to read:

5325. Each person involuntarily detained for evaluation or treatment under provisions of this part, *each person admitted as a voluntary patient to a state hospital, a private mental institution, or a county psychiatric hospital, and each mentally retarded person committed to a state hospital pursuant to Article 5 (commencing with Section 6500),*

Chapter 2 of Part 2 of Dwision 6 shall have the following rights, a list of which shall be prominently posted in English and Spanish in all facilities providing such services and otherwise brought to his attention by such additional means as the Director of Mental Hygiene may designate by regulation:

(a) To wear his own clothes; to keep and use his own personal possessions including his toilet articles; and to keep and be allowed to spend a reasonable sum of his own money for canteen expenses and small purchases.

(b) To have access to individual storage space for his private use.

(c) To see visitors each day.

(d) To have reasonable access to telephones, both to make and receive confidential calls.

(e) To have ready access to letter writing materials, including stamps, and to mail and receive unopened correspondence.

(f) To refuse shock treatment.

(g) To refuse lobotomy.

(h) Other rights, as specified by regulation.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC 3 Section 5325 is added to the Welfare and Institutions Code, to read:

5325. Each person involuntarily detained for evaluation or treatment under provisions of this part, each person admitted as a voluntary patient to a state hospital, a private mental institution, or a county psychiatric hospital, and each mentally retarded person committed to a state hospital pursuant to Article 5 (commencing with Section 6500), Chapter 2 of Part 2 of Division 6 shall have the following rights, a list of which shall be prominently posted in English and Spanish in all facilities providing such services and otherwise brought to his attention by such additional means as the Director of Health may designate by regulation:

(a) To wear his own clothes; to keep and use his own personal possessions including his toilet articles; and to keep and be allowed to spend a reasonable sum of his own money for canteen expenses and small purchases.

(b) To have access to individual storage space for his private use.

(c) To see visitors each day.

(d) To have reasonable access to telephones, both to make and receive confidential calls.

(e) To have ready access to letter writing materials, including stamps, and to mail and receive unopened correspondence.

(f) To refuse shock treatment.

(g) To refuse lobotomy.

(h) Other rights, as specified by regulation.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative."

Amendment No. 14

On page 2, line 28, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 15

On page 3, after line 15, insert

"If the patient is an adult and has neither a guardian or conservator, consent to treatment may be given by someone other than the patient on the patient's behalf only if the patient is mentally incapable of giving his own consent.

SEC. 5. It is the intent of the Legislature, that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 5325 of the Welfare and Institutions Code, as amended by Section 2 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Section 5325 of the Welfare and Institutions Code, as added by Section 3 of this act, which includes the changes in Section 5325 made by both Reorganization Plan No. 1 of 1970 and Section 2 of this act, shall become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 912

With author's amendment with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 912—An act to add Article 1.5 (commencing with Section 2660) to Chapter 4 of Title 1 of Part 3 of the Penal Code, relating to special visitation rights for state prisoners.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 9; and in line 10, strike out "24 hours," and insert "of a visitation".

Amendment No. 2

On page 2, strike out lines 15 to 17, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 677

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 677—An act to amend Section 21671.5 of the Public Utilities Code, relating to airports.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, between lines 20 and 21, insert

"Notwithstanding any other provisions of this article, the commission shall not employ any personnel either as employees or independent contractors without the prior approval of the board of supervisors."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 1885
AB No. 1897
AB No 2114

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1885—An act to add Article 4 (commencing with Section 17111) to Chapter 2 of Division 13 of the Education Code, relating to school cafeterias.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 3 of the title of the printed bill, after "cafeterias", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, line 4, after the comma, insert "in accordance with the federal Elderly Americans Nutrition Act and".

Amendment No. 3

On page 2, lines 4 and 5, strike out "Director of Social Welfare with the advice of the".

Amendment No. 4

On page 2, line 6, strike out "62", and insert "65".

Amendment No. 5

On page 2, line 14, strike out "Director of Social Welfare", and insert "California Commission on Aging".

Amendment No. 6

On page 2, line 17, after the second "the", insert "Elderly Americans Nutrition Act, the".

Amendment No. 7

On page 2, lines 31 and 32, strike out "Director of Social Welfare", and insert "California Commission on Aging".

Amendment No. 8

On page 2, after line 34, insert

"SEC. 2. There is hereby appropriated from the General Fund, for allocation by the Director of Finance during the 1972–1973 fiscal year, the sum of fifty thousand dollars ($50,000), or so much thereof as is necessary, for purposes of funding the state share of costs incurred pursuant to this act."

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

Assembly Bill No. 1897—An act to add Section 12152.6 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendment pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert

"12152.6. If it is determined pursuant to the State Housing Law that the dwelling of a recipient of aid to the aged does not meet the requirements of the State Housing Law or the rules and regulations adopted pursuant thereto, the recipient".

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

Assembly Bill No. 2114—An act to add Section 18306 to the Welfare and Institutions Code, relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

Strike out line 1 of the title of the printed bill; in line 2 of the title, strike out "Code," and insert "An act".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. The Legislature hereby finds and declares that Fresno County is a uniquely appropriate area for a senior citizens transportation pilot project because of the following facts·

(1) Fresno County ranks in the top one-fifth of the state for percentage of population over 65;

(2) Fresno County is primarily a rural, agrarian area where public transportation is not readily available; and

(3) Fresno County's population is sufficiently low that a transportation pilot project of small size would still have a meaningful county-wide effect.

Pursuant to such legislative findings, the California Commission on Aging shall establish a transportation pilot project in Fresno County for the benefit of persons over age 65. Such pilot project shall be funded pursuant to the Older Americans Act of 1965, as amended, and shall be implemented through the purchase by the state of four model senior citizens minibuses, as developed by the Department of Transportation.

The California Commission on Aging shall submit to the Legislature a report on the success of such pilot project within three years"

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 3, 1972

Mr Speaker· The Chairman of your Committee on Labor Relations reports·

AB No 1782

With author's amendments with the recommendation Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1782—An act to amend Section 6424 of the Labor Code, relating to trenches and excavations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6424 of", and insert "add Section 6423 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 6423 is added to the Labor Code, to read

6423 Whenever the state, a county, city and county, or city issues a call for bids for the construction of a pipeline sewer, sewage disposal system, boring and jacking pits, or similar trenches or open excavations, which are five feet or deeper, such call shall specify that each bid submitted in response thereto shall contain, as a bid item, adequate sheeting, shoring, and bracing for the protection of life or limb "

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 4, 1972

Mr. Speaker. The Chairman of your Committee on Revenue and Taxation reports:

AB No. 1133

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill 1133—An act to add Section 202 7 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert

"202 7. Personal property owned or used by student governments of the University of California".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, May 2, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 1850

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

MACDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1850—An act to amend Sections 3501, 3504, 3505, 3505.2, 3507, and 3507.5 of, to add Sections 3505.01 and 3506 to, and to repeal Section 3506 of, the Government Code, relating to public employer-employee relations.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Section 3506", and insert "Sections 3506 and 3507.1".

Amendment No. 2

On page 3, lines 7 and 8, strike out ", or over the scope of such matters".

Amendment No. 3

On page 3, line 11, strike out "all"; strike out lines 12 and 13; and in line 14, strike out "to,".

Amendment No. 4

On page 3, line 22, after "assign", insert ", classify,".

Amendment No. 5

On page 3, line 30, strike out "and".

Amendment No. 6

On page 3, line 31, after "and", insert "numbers and types of".

Amendment No. 7

On page 3, line 32, strike out the period and insert a semicolon.

Amendment No. 8

On page 3, between lines 32 and 33, insert

"(h) Determine the functions and programs of its constituent departments, commissions and boards;

(i) Set standards of service and work;

(j) Determine the procedures and standards of selection and promotion for employees; and

(k) Determine its budget and organization."

Amendment No. 9

On page 4, line 37, after "qualifications", insert ", in the same manner,".

Amendment No. 10

On page 5, line 1, after "shall", insert ", in the same manner;".

Amendment No. 11

On page 5, line 7, strike out "salary "

Amendment No. 12

On page 5, lines 13 and 14, strike out ", including the chairman,".

Amendment No. 13

On page 6, between lines 20 and 21, insert

"(g) Resolve disputes concerning whether or not an issue or issues are subject to meeting and conferring under Section 3504."

Amendment No. 14

On page 6, line 21, strike out "(g)", and insert "(h)".

Amendment No. 15

On page 6, line 23, strike out "this chapter", and insert "Section 3506".

Amendment No. 16

On page 6, line 24, strike out "(h)", and insert "(i)".

Amendment No. 17

On page 6, line 30, strike out "(i)", and insert "(j)".

Amendment No. 18

On page 7, line 40, after "determined", insert "by the mutual agreement of the parties, and if they do not agree, then".

Amendment No. 19

On page 8, line 16, after the third "in", insert "California".

Amendment No. 20

On page 11, between lines 35 and 36, insert

"SEC 9. Section 3507.1 of the Government Code is repealed.

~~3507.1. In the absence of local procedures for resolving disputes on the appropriateness of a unit of representation, upon the request of any of the parties, the dispute shall be submitted to the Department of Conciliation of the Department of Industrial Relations for mediation or for recommendation for resolving the dispute.~~"

Amendment No. 21

On page 11, line 36, strike out "9", and insert "10".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1623
AB No. 1914

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1623—An act to amend Section 509 of the Code of Civil Procedure, relating to claim and delivery.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 509 of", and insert "add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of,".

Amendment No. 2

In line 2 of the title, after "delivery", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of the Code of Civil Procedure is repealed.

SEC 2. Chapter 2 (commencing with Section 509) is added to Title 7 of Part 2 of the Code of Civil Procedure, to read:

CHAPTER 2. CLAIM AND DELIVERY OF PERSONAL PROPERTY

509 The plaintiff in an action to recover the possession of personal property may, at the time of issuance of summons, or at any time before trial, claim the delivery of such property to him as provided in this chapter

510 (a) Where a delivery is claimed, the plaintiff, by verified complaint or by an affidavit or declaration under penalty of perjury made by plaintiff, or by someone on his behalf, filed with the court, shall show:

(1) That the plaintiff is the owner of the property claimed or is entitled to the possession thereof, and the source of such title or right; and if plaintiff's interest in such property is based upon a written instrument, a copy thereof shall be attached;

(2) That the property is wrongfully detained by the defendant, the means by which the defendant came into possession thereof, and the cause of such detention according to his best knowledge, information, and belief;

(3) A particular description of the property, a statement of its actual value, and a statement to his best knowledge, information, and belief concerning the location of the property and of the residence and business address, if any, of the defendant;

(4) That the property has not been taken for a tax, assessment, or fine, pursuant to a statute; or seized under an execution against the property of the plaintiff; or, if so seized, that it is by statute exempt from such seizure.

(b) The court shall, without delay, examine the complaint and affidavit or declaration, and if it is satisfied that they meet the requirements of subdivision (a), he shall issue an order directed to the defendant to show cause why the property should not be taken from the defendant and delivered to the plaintiff. Such order shall fix the date and time for the hearing thereon, which shall be no sooner than 10 days from the issuance thereof, and shall direct the time within which service thereof shall be made upon the defendant. Such order shall inform the defendant that he may file affidavits on his behalf with the court and may appear and present testimony on his behalf at the time of such hearing, or that he may, at or prior to such hearing, file with the court a written undertaking to stay the delivery of the property, in accordance with the provisions of Section 514, and that, if he fails to appear, plaintiff will apply to the court for a writ of possession. Such order shall fix the manner in which service thereof shall be made, which shall be by personal service, or in accordance with the provisions of Section 1011, or in such manner as the judge may determine to be reasonably calculated to afford notice thereof to the defendant under the circumstances appearing from the complaint and affidavit or declaration.

(c) Upon examination of the complaint and affidavit or declaration and such other evidence or testimony as the judge may, thereupon, require, a writ of possession may be issued prior to hearing, if probable cause appears that any of the following exist.

(1) The defendant gained possession of the property by theft, as defined by any section of Title 13 (commencing with Section 459) of Part 1 of the Penal Code;

(2) The property consists of one or more negotiable instruments or credit cards;

(3) By reason of specific, competent evidence shown, by testimony within the personal knowledge of an affiant or witness, the property is perishable, and will perish before any noticed hearing can be had, or is in immediate danger of destruction, serious harm, concealment, or removal from this state, or of sale to an innocent purchaser, and that the holder of such property threatens to destroy, harm, conceal, remove it from the state, or sell it to an innocent purchaser.

Where a writ of possession has been issued prior to hearing under the provisions of this section, the defendant or other person from whom possession of said property has been taken may apply to the court for

an order shortening the time for hearing on the order to show cause, and the court may, upon such application, shorten the time for such hearing, and direct that the matter shall be heard on not less than 48 hours' notice to the plaintiff.

(d) Under any of the circumstances described in subdivision (a), or in lieu of the immediate issuance of a writ of possession under any of the circumstances described in subdivision (c), the judge may, in addition to the issuance of an order to show cause, issue such temporary restraining orders, directed to the defendant, prohibiting such acts with respect to the property, as may appear to be necessary for the preservation of rights of the parties and the status of the property

(e) Upon the hearing on the order to show cause, the court shall consider the showing made by the parties appearing, and shall make a preliminary determination, which party, with reasonable probability, is entitled to possession, use, and disposition of the property, pending final adjudication of the claims of the parties. If the court determines that the action is one in which a prejudgment writ of possession should issue, it shall direct the issuance of such writ.

511 (a) A writ of possession shall not issue to enter the private premises of any person for the purpose of seizure of property, unless the court shall determine from competent evidence that there is probable cause to believe that the property or some part thereof is located therein.

(b) A writ of possession shall not issue until plaintiff has filed with the court a written undertaking executed by two or more sufficient sureties, approved by the court, to the effect that they are bound to the defendant in double the value of the property, as determined by the court, for the return of the property to the defendant, if return thereof be ordered, and for the payment to him of any sum as may from any cause be recovered against the plaintiff

512 (a) The writ of possession shall be directed to the sheriff, constable, or marshal, within whose jurisdiction the property is located. It shall describe the specific property to be seized, and shall specify the location or locations where, as determined by the court from all the evidence, there is probable cause to believe the property or some part thereof will be found It shall direct the levying officer to seize the same if it is found, and to retain it in his custody There shall be attached to such writ a copy of the written undertaking filed by the plaintiff, and such writ shall inform the defendant that he has the right to except to the sureties upon such undertaking or to file a written undertaking for the redelivery of such property, as provided in Section 514.

(b) Upon probable cause shown by further affidavit or declaration by plaintiff or someone on his behalf, filed with the court, a writ of possession may be endorsed by the court, without further notice, to direct the levying officer to search for the property at another location or locations and to seize the same, if found

513 The levying officer must forthwith take the property, if it be in the possession of the defendant or his agent, and retain it in his custody, provided that, when the property is used as a dwelling, such

as a house trailer, mobile home, or boat, the same shall be taken by placing a keeper in charge of the property, at plaintiff's expense, for two days. At the expiration of such period, the officer shall remove its occupants and take the property into his immediate custody.

If the property or any part thereof is in a building or enclosure, the levying officer must demand its delivery, announcing his identity, purpose, and the authority under which he acts. If it is not voluntarily delivered, he shall cause the building or enclosure to be broken open in such manner as he reasonably believes will cause the least damage to the building or enclosure, and take the property into his possession He may call upon the power of the county to aid and protect him, but if he reasonably believes that entry and seizure of the property will involve a substantial risk of death or serious bodily harm to any person, he shall refrain from seizing the property, and shall forthwith make a return before the court from which the writ issued, setting forth the reasons for his belief that such risk exists. The court shall make such orders and decrees as may be appropriate.

The levying officer must, without delay, serve upon the defendant a copy of the writ of possession and written undertaking, the complaint and affidavit or declaration, by delivering the same to him personally, if he can be found, or to his agent from whose possession the property is taken; or, if neither can be found, by leaving them at the usual place of abode of either with some person of suitable age and discretion; or, if neither have any known place of abode, by mailing them to their last known address

514. At any time prior to the hearing of the order to show cause, or before the delivery of the property to the plaintiff, the defendant may require the return thereof upon filing with the court a written undertaking executed by two or more sufficient sureties, approved by the court, to the effect that they are bound in double value of the property, as stated in the verified complaint, affidavit, or declaration of the plaintiff, or as determined by the court for the delivery thereof to the plaintiff, if such delivery be ordered, and for the payment to him of such sum as may for any cause be recovered against the defendant. At the time of filing such undertaking, the defendant shall serve upon the plaintiff or his attorney, in the manner provided by Section 1011, a notice of filing of such undertaking, to which a copy of such undertaking shall be attached, and shall cause proof of service thereof to be filed with the court. If such undertaking be filed prior to hearing of the order to show cause, proceedings thereunder shall terminate, unless exception is taken to such sureties If, at the time of filing of such undertaking, the property shall be in the custody of the levying officer, such property shall be redelivered to the defendant five days after service of notice of filing such undertaking upon the plaintiff or his attorney

——515. The qualification of sureties under any written undertaking referred to in this chapter shall be such as are prescribed by this code, in respect to bail upon an order of civil arrest Either party may, within two days after service of an undertaking or notice of filing an undertaking under the provisions of this chapter, give written notice to the court and the other party that he excepts to the sufficiency of

the sureties. If he fails to do so, he is deemed to have waived all objections to them When a party excepts, the other party's sureties must justify on notice within not less than two, nor more than five, days, in like manner as upon bail on civil arrest. If the property be in the custody of the levying officer, he shall retain custody thereof until the justification is completed or waived or fails If the sureties fail to justify, the levying officer shall proceed as if no such undertaking had been filed. If the sureties justify or the exception is waived, he shall deliver the property to the party filing such undertaking.

516 When the levying officer has taken property as provided in this chapter, he must keep it in a secure place and deliver it to the party entitled thereto, upon receiving his fees for taking and his necessary expenses for keeping the same, after expiration of the time for filing of an undertaking for redelivery and for exception to the sureties upon any undertaking, unless the court shall by order stay such delivery.

517 In cases where the property taken is claimed by any person other than the defendant or his agent, the rules and proceedings applicable in cases of third party claims after levy under execution or attachment shall apply.

518. The levying officer must return the writ of possession, with his proceedings thereon, to the court in which the action is pending, within 20 days after taking the property mentioned therein.

519 After the property has been delivered to a party or the value thereof secured by an undertaking as provided in this chapter, the court shall, by appropriate order, protect that party in the possession of such property until the final determination of the action.

520 In all proceedings brought to recover the possession of personal property, all courts, in which such actions are pending, shall, upon request of any party thereto, give such actions precedence over all other civil actions, except actions to which special precedence is otherwise given by law, in the matter of the setting of the same for hearing or trial, and in hearing or trial thereof, to the end that all such actions shall be quickly heard and determined

521. (a) This chapter shall be operative only until January 1, 1975, and on and after that date shall have no force or effect

SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

The Supreme Court of California, in *Blair* v. *Pitchess*, 5 Cal 3rd 258, decided on July 1, 1971, held the California claim and delivery law unconstitutional, as violative of procedural due process

As a result of that case, there is no statutory plan whereby owners of personal property, unjustly withheld by persons having possession thereof, can secure an order or follow a judicial procedure to recover immediate possession of such property This act is necessary to provide such a remedy.

SEC 4 The Legislature declares this act is for the purpose of giving persons claiming the legal right to possession of property the legal remedies necessary to do so, within the requirements of procedural due

process as set forth in the decision of *Blair* v. *Pitchess,* and that this act will enable controversies to be decided within the judicial system, and prevent controversies arising which will disturb the peace and well-being of the people of the State of California.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1914—An act to amend Section 2924 of, and to add Sections 2924f, 2924g, and 2924h to, and to repeal Section 2924d of, the Civil Code, and to amend Sections 692 and 694 of the Code of Civil Procedure, relating to mortgages and deeds of trust.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 6 of the printed bill, strike out line 7, and insert

"692. Before the sale of property on execution ~~or under power contained in any deed of trust on real property or a leasehold estate therein or any mortgage on real property or a leasehold estate therein~~, notice thereof must be given as follows:

1. In case of perishable property: by posting written notice of the time and place of sale in three public places in the city where the property is to be sold, if the property is to be sold in a city, or, if not, then in three public places in the judicial district in which the property is to be sold, for such time as may be reasonable, considering the character and condition of the property.

2. In the case of other personal property: by posting a similar notice in three public places in the city where the property is to be sold, if the property is to be sold in a city, or, if not, then in three public places in the judicial district in which the property is to be sold, for not less than 10 days and also, not less than 10 days prior to the sale, by mailing a notice of the time and place of the sale to the judgment debtor at his business or residence address last known to the judgment creditor or his attorney or delivering such notice to the judgment debtor. It shall be the duty of the party delivering an execution to an officer for levy to furnish the information required by such levying officer to comply with the provisions of this subdivision.

3. In case of real property or a leasehold estate therein: by posting a similar notice particularly describing the property at least 20 days before the date of sale, in one public place in the city where the property is to be sold, if the property is to be sold in a city, or, if not, then in one public place in the judicial district in which the property is to be sold and publishing a copy thereof once a week for the same period, in some newspaper of general circulation published in the city in which the property or the real property in which such a leasehold estate was demised or some part thereof is situated, if any part thereof is situated in a city, if not, then in some newspaper of general circulation published in the judicial district in which the property or some

part thereof is situated, or, in case no newspaper of general circulation is published in the city or judicial district, as the case may be, in some newspaper of general circulation published in the county in which the property or some part thereof is situated and at least 20 days before the date of sale by mailing by certified mail a notice of the time and place of sale to the judgment debtor at his business or residence address last known to the judgment creditor or his attorney or delivering such notice to the judgment debtor. It shall be the duty of the party delivering an execution to an officer for levy to furnish the information required by the levying officer to comply with the provisions of this subdivision Where real property is to be sold ~~under power of sale contained in any deed of trust or under power of sale contained in a mortgage or where real property is to be sold~~, under execution upon a judgment a copy of said notice shall be posted in some conspicuous place on the property to be sold, at least 20 days before date of sale, and where a leasehold estate in real property is to be sold under ~~such a power of sale or~~ execution upon a judgment a copy of said notice shall be posted in some conspicuous place on the real property in which such a leasehold estate was demised, at least 20 days before date of sale In addition to particularly describing the property, the notice shall describe the property by giving its street address, if any, or other common designation, if any; but, if a legal description of the property is given, the validity of the notice shall not be affected by the fact that the street address or other common designation recited is erroneous or that the street address or other common designation is omitted The term newspaper of general circulation as used herein is as defined in Article 1 (commencing with Section 6000) of Chapter 1, Division 7, Title 1 of the Government Code The term "judgment debtor" does not include a trustor or mortgagor.

4. When the judgment under which the property is to be sold is made payable in a specified kind of money or currency, the several notices required by this section must state the kind of money or currency in which bids may be made at such sale, which must be the same as that specified in the judgment."

Amendment No. 2

On page 6, strike out lines 8 to 40, inclusive; and on page 7, strike out lines 1 to 38, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 3, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AJR No. 6

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Joint Resolution No. 6—Relative to oil drilling.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 17, of the printed measure, as amended in Assembly March 22, 1972, after "any", insert "future".

Resolution ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 708

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 708—An act to add Article 4 (commencing with Section 5055) to Chapter 1 of Division 5 of the Public Resources Code, relating to nonmotorized travelers

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 13, of the printed bill, after "places", insert "or a sleeping area".

Amendment No. 2

On page 3, line 14, strike out "cooking", and insert "a cooking area or".

Amendment No. 3

On page 3, line 22, strike out "The department may establish additional"; strike out line 23; and in line 24, strike out "park system."

Amendment No. 4

On page 3, line 37, strike out "Nonmotorized", and insert

"5055.7 Consistent with other objectives, the department shall coordinate all planning, construction, and site selection of nonmotorized traveler accommodations with other existing and future state park system camping facilities in order to maximize use by the nonmotorized

traveler. The department, in planning nonmotorized traveler accommodations, shall take into consideration the fact that the nonmotorized traveler may travel on streets and highways or on trails.

5055.8. Nonmotorized".

Amendment No. 5

On page 4, line 7, strike out "5055.7", and insert "5055.9".

Amendment No. 6

On page 4, line 8, strike out "January 5", and insert "February 1".

Amendment No. 7

On page 4, line 15, after the period, insert "The report shall also include plans for the development of nonmotorized traveler accommodations for the next fiscal year."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 579

AB No. 1628

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 579—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 8, line 9, of the printed bill, as amended in Assembly April 19, 1972, strike out "Except in an emergency, the", and insert "The".

Amendment No. 2

On page 8, lines 16 and 17, strike out "county and regional".

Amendment No. 3

On page 8, lines 17 and 18, strike out "In case of an emergency", and insert "Upon receipt of evidence that a concentration of air contaminants in any place is presenting an imminent and substantial endangerment to the health of persons, and that the districts affected are not taking reasonable action to abate the concentration of air contaminants".

Amendment No. 4

On page 8, line 21, strike out "constituting the emergency".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1628—An act relating to providing property tax remedies and assisting school districts in Merced County, making an apportionment therefore, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, between lines 12 and 13, as amended in Assembly April 27, 1972, insert

"SEC. 4. Before any apportionment is made to a school district pursuant to Section 2 of this act, the district shall have secured an audit prepared by an independent auditor approved by the county superintendent of schools, or by the Auditor General, of the financial and budgetary conditions of the district, including a management review and recommendations, if necessary, of specific actions to improve the district's financial position."

Amendment No. 2

On page 3, line 13, strike out "SEC. 4", and insert "SEC. 5".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1375

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1375—An act to amend Section 10854 of the Revenue and Taxation Code, and to amend Sections 5106 and 36125 of the Vehicle Code, relating to vehicles

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 20, of the printed bill, after "renewal", insert "for the next following year".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

ACR No. 62

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 62—Relative to factory-built housing

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed measure, strike out the first comma.

Amendment No. 2

On page 1, strike out lines 13 to 15, inclusive; and on page 2, strike out line 1.

Amendment No. 3

On page 2, line 2, strike out the second comma.

Amendment No. 4

On page 2, line 4, strike out the first comma.

Amendment No. 5

On page 2, line 4, after the semicolon, insert "and

WHEREAS, It is also recognized that factory-built housing units are wider than many highway lanes in the state and should, therefore, be permitted to be hauled on the public highways only under permit conditions that assure adequate safety and convenience to all persons using such highways;".

Amendment No. 6

On page 2, line 13, strike out "12' 6" ", and insert "12 feet 6 inches".

Amendment No. 7

On page 2, line 17, strike out "12' 6" ", and insert "12 feet 6 inches".

Amendment No. 8

On page 2, line 19, after "Works", insert "submit a".

Amendment No. 9

On page 2, line 20, strike out "back".

Amendment No. 10

On page 2, line 20, after "30th", insert "calendar".

Amendment No. 11

On page 2, line 21, strike out the comma, and insert "of the Legislature on".

Amendment No. 12

On page 2, line 22, after "resolution", insert ", including in the report the procedures established by the department".

Resolution ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 2002

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2002—An act to add Sections 3 3, 12 1, 12.2, 12.3, 12.4, 12 5, 12.6, and 12.7 to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), relating to the Contra Costa County Flood Control and Water Conservation District.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "amend Sections 3, 5, 5.5, 6.1, 6.2, 7, 11, 13, 14, 18, 18 5, 22, 27, and 31 of, to".

Amendment No. 2

In line 1 of the title, strike out "3.3", and insert "3.2, 3 3, 5.6, 5 7".

Amendment No. 3

In lines 1 and 2 of the title, strike out "and 12.7 to", and insert "12.7, 19, 19.1, 19.2, 19.3, and 19.4 to, and to repeal Sections 3.2, 19, 19.1, and 27.7 of,".

Amendment No. 4

On page 2, line 1, after "SECTION 1.", insert "Section 3 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec 3. The board of supervisors of the district created by this act, by resolution thereof adopted from time to time, may establish zones *or subzones* within said district without reference to the boundaries of other zones *or subzones*, setting forth in such resolutions descriptions thereof by metes and bounds and entitling each of such zones by a zone number, and institute zone *or subzone* projects for the specific benefit of such zones *or subzones*. Such zones shall, as far as practicable, include complete watersheds. *Any subzone formed shall be entitled with a zone number and a letter of the alphabet.*

Such zones *or subzones* may *also* be established in the manner prescribed in Section 11 of this act, independently of the institution of any project relating to such zone *or subzone*.

Alternately, such zones *or subzones* may be formed concurrently with and as a part of the proceeding for the installation of a project relating to such zones *or subzones* in the manner prescribed in Section 11 of this act.

If prior to taking final action to form any zone *or subzone*, the exterior boundaries of which will include any lands lying within the exterior boundaries of any chartered or incorporated city within the district, the board of supervisors receives the resolution or ordinance adopted by a majority of the members of the governing body of such city requesting exclusion of such city territory from the zone *or subzone*, the board shall exclude such territory.

~~After a watershed zone has been formed and a project or projects adopted therefor, a subzone or subzones may be formed for areas less than the watershed, and a project or projects adopted therefor. Subzones and projects therefor shall be formed in the manner provided in this section and Section 11 of this act. A subzone or zones and projects therefor may be formed and approved concurrently with the formation of the watershed zone. Any subzone so formed shall be entitled with a watershed zone number and a letter of the alphabet.~~

SEC. 2. Section 3 2 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is repealed.

~~Sec 3.2. In determining the boundaries of complete watersheds and subzones within such watersheds, the board may consider and include lands immediately adjacent and contiguous to the watershed which will be benefited by being made a part of such watershed zone or subzone.~~

~~In establishing boundary lines for watershed zones and subzones, the board and the county boundary commission may, in the interests of convenience and the certainty of the boundaries, adopt boundary lines established by the county assessor for the purpose of making assessments on real property, provided, however, that if a parcel of land under a single ownership of record consists of more than 10 acres, there shall be a division of such parcel for the purpose of having the~~

~~boundary of the watershed zone or subzone lie as closely as is practicable to the actual watershed line. Lands excluded from a zone by action of the governing body of a city shall not be construed as a material deviation from including all lands within a watershed.~~

SEC. 3. Section 3.2 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec. 3.2. Any parcel, parcels, or tract of land may be annexed to a zone or subzone, and any parcel, parcels, or tract of land within any zone or subzone may be excluded where such annexation or exclusion is required due to land division or development affecting, or requiring the adjustment of existing zone or subzone boundaries Proceedings for annexation or exclusion may be instituted by the board by resolution specifying its intention to annex or exclude such parcel, parcels, or tract of land, describing the proposed land to be annexed or excluded and specifying a time and place for public hearing on such resolution, which public hearing may be held at any place within the district, and directing the clerk to give notice of such public hearing, as hereinafter provided. In the alternative, such proceedings may be instituted by the filing with the board of a petition signed by 10 percent or more of the owners, as defined in Section 11, of the land to be annexed or excluded. The petition shall contain:

(a) The name of the zone or subzone affected by the annexation or exclusion.

(b) The reason for annexation or exclusion of the land.

(c) A description of the land to be annexed or excluded.

(d) The assent of the petitioners to the annexation or exclusion.

(e) A request that the described land be annexed to or excluded from the zone or subzone.

When the petition has been filed with the board, the board shall fix a time and place for a hearing thereon, which public hearing may be held at any place within the district, and cause a notice of such hearing to be given as provided in Section 3.3. The notice shall state:

(a) The date the petition was filed.

(b) The location and boundaries of the land described in the petition.

(c) The prayer of the petition.

(d) The time and place fixed for hearing on the petition.

(e) That all persons interested in or affected by such change in the zone or subzone boundaries may appear and show cause why the change should not be made. At the hearing, the board shall hear all relevant evidence for or against the petition

Failure to show cause by any person interested in or affected by the change is deemed to be his assent to any change the board may make in the zone or subzone boundaries.

At the conclusion of the hearing, if it deems the annexation or exclusion of all or part of the land to be for the best interests of the zone or subzone, the board may by resolution annex or exclude all or part of the land described in the petition and shall, in such resolution, describe the zone or subzone boundaries as changed. If no effective

date for such annexation or exclusion is specified in the resolution, then the effective date shall be deemed to be the date of the resolution.

The exclusion of any land or territory from a zone or subzone does not release such land or territory from any debts or obligations for which it was liable at the time of the exclusion unless otherwise specified in the resolution of exclusion.

In the case of annexation, the board may require that the owners of annexed land shall pay a sum not to exceed the amount of the taxes or assessments which the owners or their predecessors in interest would have been required to pay if the annexed land had been included in the zone or subzone when it was formed.

SEC. 4."

Amendment No. 5

On page 4, line 18, strike out "SEC. 2.", and insert

"SEC. 5. Section 5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec. 5 The district is hereby declared to be a body corporate and politic and as such shall have, in addition to the other powers vested in it by this act, the following powers:

1. To have perpetual succession.

2 To sue and be sued in the name of said district.

3. To adopt a seal.

4 To acquire by grant, purchase, lease, gift, devise, contract, condemnation, construction, or otherwise, and to hold, use, enjoy, sell, let, and dispose of real and personal property of every kind, including lands, structures, buildings, rights-of-way, easements, and privileges, and to construct, maintain, alter and operate any and all works or improvements, within or without the district, necessary or proper to carry out any of the objects or purposes of this act and convenient to the full exercise of its powers, and to complete, extend, add to, alter, remove, repair or otherwise improve any works, or improvements, or property acquired by it as authorized by this act.

5 To store water in surface or underground reservoirs within or outside of the district for the common benefit of the district or of any zone or zones affected; to conserve and reclaim water for present and future use within the district; to appropriate and acquire water and water rights, and import water into the district and to conserve within or outside of the district, water for any purpose useful to the district; to commence, maintain, intervene in, defend or compromise, in the name of the district, or otherwise, and to assume the costs and expenses of, any action or proceeding involving or affecting the ownership or use of waters or water rights within or without the district, used or useful for any purpose of the district or of common benefit to any land situated therein, or involving the wasteful use of water therein; to commence, maintain, intervene in, defend and compromise and to assume the cost and expenses of any and all actions and proceedings now or hereafter begun; to prevent interference with or diminution of, or to declare rights in the natural flow of any stream or

surface or subterranean supply of waters used or useful for any purpose of the district or of common benefit to lands within the district or to its inhabitants; to prevent unlawful exportation of water from said district; to prevent contamination, pollution or otherwise rendering unfit for beneficial use the surface or subsurface water used or useful in said district, and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger or damage the inhabitants, lands, or use of water in, or flowing into, the district; provided, however, that said district shall not have power to intervene or take part in, or to pay the costs or expenses of, actions or controversies between the owners of lands or water rights which do not affect the interest of the district.

6. To control the flood and storm waters of said district and the flood and storm waters of streams that have their sources outside of said district, but which streams and the floodwaters thereof, flow into said district, and to conserve such waters for beneficial and useful purposes of said district by spreading, storing, retaining and causing to percolate into the soil within or without said district, or to save or conserve in any manner all or any of such waters and protect from damage from such flood or storm waters the watercourses, watersheds, harbors, public highways, life and property in said district, and the watercourses outside of the district of streams flowing into the district, and to prevent waste of water or diminution of the water supply in, or exportation of water from said district, and to obtain, retain and reclaim drainage, storm, flood and other waters for beneficial use in said district; provided, that nothing in this act contained shall authorize the carrying out of any plan of improvement, the purpose of which is, or the effect of which will be, to take water which flows in any watershed in said district and transport or sell same for use anywhere outside of the district when the water level of any gravel beds within the district is below the normal level and such water could reasonably be used to replenish the water level of said gravel beds; provided further, that none of the provisions of this act shall preclude the exercise by any other political subdivision that may now or hereafter exist, wholly or in part, within the district from exercising its powers, although such powers may be of the same nature as the powers of said district. Any such other political subdivision may, by written agreement with the district, provide for the use, or joint use, of property or facilities in which any such other political subdivision has an interest, or for the use, or joint use, of property or facilities in which said district has an interest.

7. To cooperate and to act in conjunction with the State of California or any of its engineers, officers, boards, commissions, departments, or agencies, the United States of America, or any federal department or agency, or with any public or private corporation, or with the County of Contra Costa or adjacent counties, in the construction of any work for the controlling of flood or storm waters of or flowing into said district, or for the protection of life or property therein, or for the purpose of conserving said waters for beneficial use within said district, or in any other works, acts, or purposes provided for herein, and to adopt and carry out any definite plan or system of work for any such purpose.

8. To carry on technical and other investigations of all kinds, make measurements, collect data and make analyses, studies, and inspections pertaining to water supply, water rights, control of floods and use of water, both within and without said district, and for such purposes said district shall have the right of access through its authorized representatives to all properties within said district. The district, through its authorized representatives may enter upon such lands and make examinations, surveys, and maps thereof

9. To enter upon any land, to make surveys and locate the necessary works of improvement and the lines for channels, conduits, canals, pipelines, roadways and other rights-of-way; to acquire by purchase, lease, contract, condemnation, gift, devise, or other legal means all lands and water and water rights and other property necessary or convenient for the construction, use, supply, maintenance, repair and improvement of said works, including works constructed and being constructed by private owners, lands for reservoirs for storage of necessary water, and all necessary appurtenances, and also where necessary or convenient to said end, and for said purposes and uses, to acquire and to hold, the capital stock of any mutual water company or corporation, domestic or foreign, owning water or water rights, canals, waterworks, franchises, concessions, or rights, when the ownership of such stock is necessary to secure a water supply required by the district or any part thereof, upon the condition that when holding such stock, the district shall be entitled to all the rights, powers and privileges, and shall be subject to all the obligations and liabilities conferred or imposed by law upon other holders of such stock in the same company; to enter into and do any acts necessary or proper for the performance of any agreement with the United States, or any state, county, district of any kind, public or private corporation, association, firm or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any rights, works or other property of a kind which might be lawfully acquired or owned by the district; to acquire the right to store water in any reservoirs, or to carry water through any canal, ditch or conduit not owned or controlled by the district; to grant to any owner or lessee the right to the use of any water or right to store such water in any reservoir of the district, or to carry such water through any tunnels, canal, ditch, or conduit of the district, to enter into and do any acts necessary or proper for the performance of any agreement with any district of any kind, public or private corporation, association, firm or individual, or any number of them for the transfer or delivery to any such district, corporation, association, firm or individual of any water right or water pumped, stored, appropriated or otherwise acquired or secured, for the use of the district, or for the purpose of exchanging the same for other water, water right or water supply in exchange for water, water right or water supply to be delivered to said district by the other party to said agreement.

10. To incur indebtedness and to issue bonds in the manner herein provided

11. To cause taxes or assessments to be levied and collected for the purpose of paying any obligation of the district, and to carry out any of the purposes of this act, in the manner hereinafter provided.

12. To make contracts, and to employ labor, *and to employ for temporary services only, expert appraisers, consultants, attorneys, and technical advisers,* and to do all acts necessary for the full exercise of all powers vested in said district or any of the officers thereof by this act.

13. To exercise the right of eminent domain, either within or without said district, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, *including property required for recreational facilities,* whether such property be already devoted to any public use by any district or other public corporation, or agency, or otherwise; provided, however, that the district in exercising such power shall in addition to the damage for the taking, injury, or destruction of property, also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, poles, of any public utility which is required to be moved to a new location *except that the district shall not be required to pay the cost of such removal, reconstruction or relocation work by any private person, corporation, public utility, public agency or other district of their facilities located within a public road right-of-way where the public jurisdiction owning and controlling the road would not be obligated to pay for the work had it directed such as part of, or necessitated by, road construction or maintenance to be undertaken by such public jurisdiction* ; and ~~provided further, that~~ notwithstanding any other provision of this act or any other law, no property shall be taken *by eminent domain* unless it is taken upon a finding by a court of competent jurisdiction that the taking is for a more necessary public use than that to which it has already been appropriated, and provided further, that no right shall exist in said district to take by proceedings in eminent domain any property, including water rights, appropriated to public use by any existing city and county or municipal utility district. The district shall also have and may exercise the right to condemn any existing works or improvements in said district or along streams flowing into said district now or hereafter used to control flood or storm waters, or to conserve such flood or storm waters or to protect any property in said district or along streams flowing into said district from damage from such flood or storm waters, and it is hereby declared that the use of the property, lands, rights-of-way, easements, or materials which may be condemned, taken or appropriated under the provision of this act is a public use subject to the regulation and control of the state in the manner prescribed by law; provided, however, that nothing in this act contained shall be deemed to authorize said district, or any person or persons to divert the waters of any river, creek, stream, irrigation system, canal or ditch, or the waters thereof or therein unless compensation therefor be first provided in the manner prescribed by law.

The power of eminent domain vested in the district shall include the power to condemn in the name of the district either the fee simple or any lesser estate, easement, or interest in any real property which the board of supervisors of the district by resolution shall determine is necessary for carrying out the purposes of this act. Such resolution shall be prima facie evidence that the taking of such fee simple or any lesser estate or easement or interest as the case may be, is necessary.

Whenever real property which is devoted to or held for some other public or quasi-public use is required by the district for any purpose authorized by this act, the district may condemn real property adjacent thereto or in the immediate vicinity thereof to be exchanged for the real property so required by the district.

Nothing in this act contained shall be construed as in any way affecting the plenary power of any existing city and county or municipal utility district to provide for a water supply for such city and county or municipal utility district, or as affecting the absolute control of any properties of such city and county or municipal utility district necessary for such water supply and nothing herein contained shall be construed as vesting any power of control over such properties in such Contra Costa County Flood Control and Water Conservation District or in any officer thereof, or in any person referred to in this act.

14. To make contracts with the County of Contra Costa *and cities and districts within the county,* and to employ labor for the purpose of doing flood control work and for inspecting and passing upon the adequacy of drainage plans provided for each proposed new subdivision in the County of Contra Costa.

15. To construct, accept, maintain, repair, or otherwise improve structures or channels for any purpose, in whole or in part, related to the purposes and powers of the district, or perform any act necessary or incidental to the complete exercise and effect of any of its powers.

16. The district may provide, operate, maintain, and charge for public use of recreation facilities in connection with flood control works and improvements within the jurisdiction of the district.

17 In connection with flood control works and related improvements, the district may install and maintain appropriate landscaping and take other actions as necessary for the purpose of mitigation of environmental damage resulting from such works and improvements.

18. The district may cause to be designed and inserted in the specifications and contract for any flood control channel or storm drain planned to be constructed under this act as an open channel, provision for the construction in conjunction therewith of facilities for the covering or crossing over of any such portion, or a part of such portion, if, in the judgment of such governing body, such crossing or covering will not impair the usefulness of such flood control channel or storm drain and will not be otherwise adverse to the best interests of the district.

SEC. 6. Section 5 5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

SEC 5 5. The ~~commission~~ *board, pursuant to Sections 5 1, 5 2, 5.3, and 5 4,* may order the construction of all structures and appurtenances,

channels, culverts, ditches and any work incident to the collection and control of storm waters in the whole or any portion of any of the streets, highways, or public places or in property or in rights-of-way owned by the district; provided, that said district shall first obtain the consent to ~~said~~ *such assessment district* work from the legislative body or other agency having jurisdiction of the territory within which any of the proposed work is to be done

SEC. 7. Section 5 6 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec. 5.6. The district may make and enforce within its boundaries, including both unincorporated and incorporated territory, if any, all necessary and proper ordinances and regulations for:

(a) The protection, control and maintenance of natural and artificial watercourses, drainage structures, dams, reservoirs, levees, water distribution and conservation facilities and rights-of-way therefor or appurtenant thereto.

(b) All other flood control and water conservation purposes consistent with this act and not in conflict with the laws of this state.

SEC. 8. Section 5 7 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read·

Sec. 5 7. Any violation of an ordinance or regulation of the district is a misdemeanor punishable by a fine not to exceed one hundred dollars ($100), or imprisonment not to exceed 30 days, or by both such fine and imprisonment. Any such violation or threatened violation may also be enjoined by civil suit.

SEC. 9. Section 6.1 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec. 6.1. As provided in this section, the board ~~shall~~ *may* appoint a commission consisting of five (5) members who shall be residents of the County of Contra Costa. The board may delegate any or all of its powers to the commission. The board may by resolution provide for compensation for services and payment of the actual necessary expenses incurred by said members in the performance of official duties under this act, payable from the funds of the district. Members of the commission shall serve four (4) year terms and may be replaced or reappointed by the board at the completion of their term. Terms shall be staggered so that not less than one nor more than two commissioners are to be regularly appointed in any one year All vacancies shall be filled for the unexpired term of the commissioner whose office is vacant in the same manner as such commissioner received appointment, except that the board of supervisors shall allocate each office on the commission to a supervisorial district and appointments to any vacancy in such office shall be made by the supervisor then representing such supervisorial district.

When the board of supervisors has delegated any or all of its powers to the commission, the terms "board" and "board of supervisors" mean the commission. The commission may, by resolution, certified to

by the chairman of the commission, take action with reference to any and all matters which have been delegated to it by the Board of Supervisors of the County of Contra Costa

SEC. 10. Section 6 2 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read.

Sec. 6 2. Upon the formation of each zone pursuant to the provisions of this act, the board of supervisors shall appoint a zone advisory board composed of five resident electors of, *or owner of real property within,* said zone Said zone advisory board shall be consulted by the board of supervisors or the commissioners of the district in all matters affecting such zone ~~and no action relating to such matters shall be taken by either or both of said bodies until a report on the proposed action shall have been made by the zone advisory board. Said report by said zone advisory board shall be made within 30 days after delivery to each of its members of a statement of proposed zone action and request for a report thereon by said zone advisory board~~.

The board may appoint drainage area advisory boards for each drainage area composed of resident electors of, or owners of real property within, each such drainage area.

SEC 11. Section 7 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec 7. The *county counsel,* district attorney, county surveyor, county assessor, county tax collector, county clerk, county auditor, purchasing agent and county treasurer of the County of Contra Costa, and their successors in office, and all their assistants, deputies, clerks and employees, and all other officers of said Contra Costa County, their assistants, deputies, clerks and employees, shall be ex officio officers, assistants, deputies, clerks and employees, respectively, of the district, and shall respectively perform, unless otherwise provided by the board, the same various duties for the district as for said Contra Costa County, in order to carry out the provisions of this act

All such officers, deputies, clerks and employees shall receive their actual necessary expenses in the performance of official duties under this act payable from the funds of the district *The board by resolution may make provision to fully compensate the county counsel for all costs of providing extraordinary legal services to the district Officers, assistants, deputies, clerks and employees of the district may, without prejudice to their rights, be transferred to the service of the County of Contra Costa*

SEC 12. Section 11 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read·

Sec 11 The board may institute projects for single zones and joint projects for two or more zones, for the financing, constructing, maintaining, operating, extending, repairing or otherwise improving any work or improvement of common benefit to such zone or participating zones For the purpose of acquiring authority to proceed with any such project, the board shall adopt a resolution specifying its intention to undertake such project, together with the engineering es-

timates of the cost of same to be borne by the particular zone and in the case of participating zones the proportionate cost to be borne by each of the participating zones and fixing a time and place for public hearing of said resolution and which shall refer to a map or maps showing the general location and general construction of said project. Notice of such hearing shall be given for a period of not less than twenty (20) days. If there is a newspaper of general circulation published or circulated in the territory proposed to be formed into a zone, notice shall be given by publication pursuant to Section 6066 of the Government Code If there is no newspaper published or circulated in the territory, then such publication shall be made in a newspaper of general circulation which the board determines most likely to give notice to residents of the territory. Publication shall be complete at least seven (7) days before said hearing If the exterior boundaries of such a proposed zone will include lands lying within the exterior boundaries of any chartered or incorporated city within the district, the board of supervisors shall submit to the governing body of such cities, a copy of the resolution specifying its intention to form such a zone and undertake such project. Such resolution shall be forwarded to any affected city at least 20 days before the date set for the public hearing.

At the time and place fixed for the hearing, or at any time to which said hearing may be continued ~~,~~, the board shall consider all written and oral objections to the proposed project. Upon the conclusion of the hearing the board may abandon the proposed project or proceed with the same, unless prior to the conclusion of said hearing *either (1)* a written protest against the proposed project signed by a majority in number of the holders of title to real property, or assessable rights therein, or evidence of title thereto, representing one-half or more of the assessed valuation of the real property within such zone or within any of the participating zones for which said project was initiated, be filed with the board, in which event further proceedings relating to such project must be suspended for not less than six months following the date of the conclusion of said hearing, or said proceeding may be abandoned in the discretion of the board *; or (2) a written petition for an election signed by at least 25 percent of the registered voters within such zone or within any of the participating zones for which the project was initiated, be filed with the board, in which event the board shall by resolution call a special election within such zone or zones for the purpose of determining whether the board shall proceed with such project. In such latter event, in all particulars not recited in such resolution, such special election shall be held as nearly as practicable in conformity with the general election laws of the state, and if a majority of the votes cast at such special election are against proceeding with such project further proceedings relating to such project must be suspended for not less than six months following the date of the election, or such proceeding may be abandoned in the discretion of the board .*

In all matters in this section referred to, the last equalized assessment roll of the County of Contra Costa next preceding the filing of the protest shall be prima facie evidence as to the ownership of real

property, the names and number of the persons who are the holders of title or evidence of title, or assessable rights therein, and as to the assessed valuation of real property within the zone or within any of the participating zones for which the project was initiated.

Executors, administrators, special administrators, and guardians may sign the protest provided for in this act on behalf of the estate represented by them. If the property is assessed in the name of such representatives, that fact shall establish the right of such representatives to sign the protest; if assessed in the name of the decedent, minor or incompetent person, certified copies of the letters or such other evidence as may be satisfactory to the board must be produced

Where real property appears to be owned in common or jointly or by a partnership, or where letters of representatives of decedents, minors or guardians are joint, only one of the owners or representatives or partners may sign the protest for all joint owners or representatives or partners; provided, the party claiming the right to protest for all produces the written consent of his coowners or representatives or partners so to do, duly acknowledged by the consenting coowners or representatives or partners in the manner that deeds of real property are required to be acknowledged to entitle such deeds to be recorded in the recorder's office of the county

Where real property is assessed in the name of a trustee or trustees, such trustee or trustees shall be deemed to be the person entitled to sign the protest, and if assessed in the name of more than one trustee the right to sign the protest shall be determined in like manner as above provided with respect to coowners.

The protest of any public or quasi-public corporation, private corporation or unincorporated association, may be signed by any person authorized by the board of directors or trustees or other managing body thereof, which authorization shall be in writing; and a proxy executed by an officer or officers thereof, attested by its seal and duly acknowledged, shall constitute sufficient evidence of such authority, and shall be filed with the board.

The owner of any real property or interest therein, appearing upon the assessment roll, which has been assessed in the wrong name or to unknown owners, or which has passed from the owner appearing as such on the last equalized assessment roll, since the same was made, shall be entitled to sign the protest represented thereby, either by the production of a proxy from such former owner, or by furnishing evidence of his ownership by a conveyance duly acknowledged showing the title to be vested in the person claiming the right to sign the protest, accompanied by a certificate of a competent searcher of titles, certifying that a search of the official records of the county, since the date of the conveyance, discloses no conveyance or transfer out from the grantee or transferee named in the conveyance.

Where the real property has been contracted to be sold, the vendee shall be entitled to sign the protest, unless such real property is assessed in the name of the vendor, in which event the vendor shall be entitled to so do.

The board shall likewise be entitled to inquire and take evidence for the purpose of identifying any person claiming the right to sign the protest as being the person shown on the assessment roll or otherwise as entitled thereto. And, unless satisfactory evidence is furnished, the right to sign said protest may be denied.

SEC. 13."

Amendment No. 6

On page 5, line 1, strike out "SEC. 3", and insert "SEC. 14".

Amendment No. 7

On page 7, line 9, strike out "SEC. 4", and insert "SEC. 15".

Amendment No. 8

On page 7, line 32, strike out "SEC. 5", and insert "SEC. 16".

Amendment No. 9

On page 8, line 5, strike out "SEC. 6", and insert "SEC. 17".

Amendment No. 10

On page 8, line 19, strike out "SEC. 7", and insert "SEC. 18".

Amendment No. 11

On page 9, line 7, strike out "SEC. 8", and insert "SEC. 19".

Amendment No. 12

On page 10, after line 11, insert

"SEC. 20. Section 13 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec. 13. (1) Whenever the board determines that a bonded indebtedness should be incurred to pay the cost of any work or improvement in any zone or zones, the board may by resolution, determine and declare the respective amounts of bonds necessary to be issued in each zone in order to raise the amount of money necessary for each work or improvement and the denomination and the maximum rate of interest of said bonds The board shall cause a copy of the resolution, duly certified by the clerk, to be filed for record in the Office of the Recorder of Contra Costa County within five days after its issuance. From and after said filing of said copy of said resolution the board shall be deemed vested with the authority to proceed with the bond election.

(2) After the filing for record of the resolution specified in subdivision (1) of this section, the board may call a special bond election in said zone or participating zones at which shall be submitted to the qualified electors of said zone or participating zones the question whether or not bonds shall be issued in the amount or amounts determined in said resolution and for the purpose or purposes therein stated. Said bonds and the interest thereon shall be paid from revenue derived from annual taxes or assessments levied as provided in this act.

(3) Said board shall call such special bond election by ordinance and not otherwise and submit to the qualified electors of said zone or participating zones, the proposition of incurring a bonded debt in said zone or participating zones in the amount and for the purposes stated in said resolution and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred, provided, that it shall be sufficient to give a brief, general description of such objects and purposes, and refer to the recorded copy of such resolution adopted by said board, and on file for particulars; and said ordinance shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and the maximum rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, and the form and contents of the ballot to be used The rate of interest to be paid on such indebtedness shall not exceed ~~five percent (5%)~~ *7 percent (7%)* per annum For the purposes of said election, said board shall in said ordinance establish special bond election precincts within the boundaries of each zone and participating zone and may form election precincts by consolidating the precincts established for general elections in said district to a number not exceeding six general precincts for each such special bond election precinct, and shall designate a polling place and appoint one inspector, one judge and one clerk for each of such special bond election precincts.

In all particulars not recited in said ordinance, such special bond election shall be held as nearly as practicable in conformity with the general election laws of the state

Said board shall cause a map or maps to be prepared covering a general description of the work to be done, which said map shall show the location of the proposed works and improvements and shall cause the said map to be posted in a prominent place in the county courthouse for public inspection for at least thirty (30) days before the date fixed for such election.

Said ordinance calling for such special bond election shall, prior to the date set for such election, be published pursuant to Section 6062 of the Government Code in a newspaper of general circulation circulated in each zone and participating zone affected The last publication of such ordinance must be at least fourteen (14) days before said election, and if there be no such newspaper, then such ordinance shall be posted in five public places designated by the board, in each zone and participating zone for at least thirty (30) days before the date fixed for such election No other notice of such election need be given nor need polling placecards be issued.

Any defect or irregularity in the proceedings prior to the calling of such special bond election shall not affect the validity of the bonds authorized by said election. Where a project affects a single zone only, if at such election two-thirds ($\frac{2}{3}$) of the votes cast in said zone on the proposition of incurring a bonded indebtedness are in favor thereof, then bonds for such zone for the amount stated in such proceedings shall be issued and sold as in this act provided Where the incurring of bonded indebtedness by participating zones is to be determined at

such election, no bonds for any of such participating zones shall be issued or sold unless two-thirds (⅔) of the votes cast on the proposition in each such participating zone are in favor of incurring the bonded indebtedness to be undertaken by such zone.

SEC. 21. Section 14 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec. 14. The board shall, subject to the provisions of this act, prescribe by resolution the form of said bonds, which must include a designation of the zone or participating zone affected, and of the interest coupons attached thereto. Said bonds shall be payable annually or semiannually at the discretion of the board each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid

The board may divide the principal amount of any issue into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of any other series. The maturity of each series shall comply with this section. The board may fix a date, not more than two years from the date of issuance, for the earliest maturity of each issue or series of bonds Beginning with the date of the earliest maturity of each issue or series, not less than one-fortieth of the indebtedness of such issue or series shall be paid every year. The final maturity date shall not exceed 40 years from the time of incurring the indebtedness evidenced by each issue or series.

The bonds shall be issued in such denomination as the board may determine, except that no bonds shall be of a less denomination than one hundred dollars ($100), nor of a greater denomination than one thousand dollars ($1,000), and shall be payable on the days and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of ~~five per centum (5%)~~ *7 percent (7%)* per annum, and shall be made payable annually or semiannually, and said bonds shall be numbered consecutively and shall be signed by the chairman of the board, and countersigned by the auditor of said district, and the seal of said district shall be affixed thereto by the clerk of the board. Either or both such signatures may be printed, engraved or lithographed The interest coupons of said bonds shall be numbered consecutively and signed by the said auditor by his printed, engraved or lithographed signature In case any such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such bonds and coupons, and signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds

SEC 22. Section 18 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read·

See 18. The provisions of law of this state, prescribing the time and manner of levying, assessing, equalizing and collecting county property taxes, including the sale of property for delinquency, and the

redemption from such sale, and the duties of the several county officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act. All property exempt from taxation for county purposes under the provisions of the Revenue and Taxation Code of the State of California is exempt from taxation for the purposes of this act. Property used for free public libraries and free museums, ~~growing crops,~~ property used exclusively for public schools, and such as may belong to this state, or to any county, city and county, or municipal corporation within this state shall be exempt from assessment, except such lands and the improvements thereon located outside of the county, city and county or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said county, city and county, or municipal corporation; provided, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to assessment.

SEC. 23. Section 18.5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec 18 5. *(a)* The total amount of taxes and assessments levied on property within any zone shall not exceed twenty cents ($0.20) on each one hundred dollars ($100) of assessed valuation, exclusive of the amounts necessary for interest and redemption of any bonds voted within such zone *or any taxes and assessments levied for drainage areas pursuant to Section 12 4* ; except a special tax may be levied in a subzone, zone or participating zone as provided in *subdivision 3 of* Section ~~12.3~~ *12* of this act to meet contractual obligations with another governmental body, if, at an election held in such subzone, zone or participating zone, in the same manner as a bond election, the proposed imposition of special tax is approved by a majority of the votes cast on such proposition.

(b) The board shall have power, in any year, to levy taxes or assessments pursuant to subdivision (a) of this section upon all property within any zone or subzone with an adopted project to pay for work authorized pursuant to subdivision 17 of Section 5. Further, a special tax or assessment not to exceed two cents ($0 02) on each one hundred dollars ($100) of assessed valuation may be levied in addition to the total twenty cents ($0 20) of taxes and assessments on each one hundred dollars ($100) of assessed valuation specified in subdivision (a) of this section to pay for work authorized by subdivision 17 of Section 5

SEC. 24. Section 19 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is repealed.

~~SEC. 19. Notwithstanding Title 5, Division 2, Part 1, Chapter 8, of the Government Code, the Contra Costa County Flood Control and Water Conservation District is validly created for the purposes of assessment and taxation. The creation of any zone in the district shall~~

~~not be effective for purposes of assessment or taxation for the Fiscal Year 1951-1952 and shall not be effective for such purposes for any fiscal year thereafter unless the statement and map or plat required by Title 5, Division 2, Part 1, Chapter 8, of the Government Code are filed with the county assessor and the State Board of Equalization on or before the first of February of the year in which the assessments or taxes are to be levied. Until such time as the creation of any zone shall be effective for purposes of assessment or taxation, any tax or assessment levied by the board shall be levied at a uniform rate on all property in the district.~~

~~For the Fiscal Year 1951-1952, but for no other fiscal year, notwithstanding Section 18 of this act, the assessment and equalization of property for the purpose of district taxation shall be effected as provided in this section.~~

~~Assessments of the district for the Fiscal Year 1951-1952 are liens on the property the same as if they were county taxes, except that the district assessment liens attach as of noon on the day after this act becomes effective.~~

~~It is presumed that the assessments of property made by the county assessor and by the State Board of Equalization for county taxation purposes for the Fiscal Year 1951-1952 are the correct assessments for purposes of assessment by the district and the rolls prepared by the county assessor and the State Board of Equalization shall be used for purposes of levying and collecting the assessments for the district. If the ownership or taxable situs or value of any property changes between noon on the first Monday in March, 1951, and the date on which attaches the lien for assessments of the district for the Fiscal Year 1951-1952, then, on petition of the taxpayer affected to the assessing authority, suitable entry shall be made on the assessment roll, in the manner prescribed by the State Board of Equalization, to indicate such change in the ownership or taxability or value of the property for purposes of assessment by the district.~~

~~In equalizing the assessments made by the county assessor, the Board of Supervisors of Contra Costa County, sitting as the county board of equalization, in addition to its regular equalization duties, shall also, in the same manner and under the same rules, equalize the valuation of property for purposes of assessment by the district in accordance with the requirements of this section and any such changes made by the county board of equalization in the assessment roll shall be entered in the manner prescribed by the State Board of Equalization.~~

~~If, for purposes of assessments by the district, a change in the assessment for county taxation purposes is not sought under this section before the end of the period during which such assessment may be equalized, or corrected on a petition for reassessment, such assessment, if valid for county taxation purposes, is conclusively presumed to be the correct assessment for assessment purposes of the district.~~

~~The board may prescribe by ordinance any necessary procedure, in accordance with the policy of this act, for the purpose of assessing, equalizing, levying, and collecting taxes or assessments for the district~~

~~for the Fiscal Year 1951-1952. Except as provided in this section, Section 18 of this act is applicable to the assessment and equalization of property for the purpose of district assessments for the Fiscal Year 1951-1952.~~

SEC 25. Section 19 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec. 19. Any storm drain maintenance district organized in Contra Costa County under the Storm Drain Maintenance District Act (Chapter 265 of the Statutes of 1937) or zone established under the Contra Costa County Storm Drainage District Act (Chapter 1532 of the Statutes of 1953) may be converted into a drainage area in the manner provided by Sections 19.1, 19.2, 19.3, and 19.4 of this act.

SEC 26. Section 19.1 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is repealed

~~SEC. 19.1. A zone formed or proposed to be formed under this act, or the acquisition of any property or the construction of any improvement thereby, shall not be subject to any of the provisions of the District Investigation Law of 1933.~~

SEC. 27. Section 19.1 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec 19.1. Proceedings for the conversion of a storm drain maintenance district or Contra Costa County Storm Drainage District zone into a drainage area may be commenced by the board by the adoption of a resolution which shall:

(a) State the name and the boundaries of the district or zone proposed to be converted and the name or number and the boundaries of the drainage area proposed to be established

(b) State that a tax may be levied pursuant to Section 12.4 to pay for services or works of improvement furnished within such area after due allowance has been made for existing unencumbered funds standing to the credit of the district or zone in the county treasury.

(c) Fix a time and place for a public hearing on the conversion which shall not be less than 30 nor more than 60 days after the adoption of the resolution.

SEC 28. Section 19.2 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec 19.2. Notice of the conversion hearing shall be given in the same manner and within the same time as provided for the giving of notice of a hearing on a resolution of intention to establish a drainage area

The notice shall:

(a) Contain the text of the resolution

(b) State the time and place for hearing

(c) State that at the hearing the testimony of all interested persons or taxpayers for or against the conversion will be heard.

SEC. 29. Section 19.3 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec 19.3. At the hearing protests against the conversion may be made orally or in writing by any interested persons or taxpayers. The hearing may be continued from time to time, but must be completed within 30 days. At the conclusion of the hearing the board of supervisors may abandon the proceedings or may, after passing upon all protests, by resolution order the district or zone converted into a drainage area. The conversion shall be effective immediately upon the adoption of the resolution, subject only to compliance with the requirements of Chapter 8 (commencing with Section 54900), Part 1, Division 2, Title 5 of the Government Code Upon conversion any unencumbered funds standing to the credit of the district or zone in the county treasury shall be transferred to the credit of the newly established drainage area, and all indebtedness of the district or zone shall become indebtedness of the drainage area Upon conversion of a district or zone, the right, title and interest to any property owned or controlled by, or held for the district or zone, or for the benefit of the district or zone shall vest absolutely in the Contra Costa County Flood Control and Water Conservation District to be used for the benefit of the drainage area unless otherwise specified in the resolution of conversion

SEC 30. Section 19.4 is added to the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), to read:

Sec 19.4. From and after the adoption of a resolution of conversion in accordance with Section 19 3, the newly established drainage area may levy, collect, and expend taxes and assessments as provided by Section 12.4 of this act.

SEC 31. Section 22 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec 22. All contracts for any improvement or unit of work when the cost thereof according to the estimate of the engineer, will exceed ~~five~~ *ten* thousand dollar ~~($5,000)~~ *($10,000)*, shall be let to the lowest responsible bidder or bidders in the manner hereinafter provided. The board shall first determine whether such contract shall be let as a single unit for the whole of the work, or shall be divided into severable convenient parts, or both, according to the best interests of the district. The board shall make call for bids and advertise such call by three (3) insertions in a daily newspaper of general circulation or by two (2) insertions in a weekly newspaper of general circulation printed and published in said district inviting sealed proposals for the construction or performance of the improvement or work before any contract is made therefor. Such call for bids shall state whether such work is to be performed as a unit for the whole thereof or shall be divided into severable convenient specific parts, or both, as stated in the call The board may let such work by single contract for the whole thereof as a unit or it may divide such work into severable convenient parts by separate con-

tracts, as stated in such call, according to the best interests of the district. The board shall require the successful bidder or bidders to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in ~~Title 1, Division 5, Chapter 3 of the Government Code~~ *Chapter 7 (commencing with Section 3247) of Title 15 of Part 4 of Division 3 of the Civil Code* and to be subject to the provisions of that chapter The board shall also have the right to reject any and all bids. In the event no proposals are received pursuant to advertisement therefor, or the estimated cost of such work does not exceed the sum of ~~five~~ *ten* thousand dollars ~~($5,000)~~ *($10,000)*, or the work consists of channel protection, or maintenance work, or emergency work when necessary in order to protect life and property from impending flood damage, the board of supervisors may, without advertising for bids therefor, have said work done by day labor, under the direction of the board, by contract, or by a combination of the two The district shall have the power to acquire in the open market without advertising for bids therefor, materials, equipment and supplies for use in any work or for any other purpose; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds ~~two~~ *five* thousand ~~five hundred~~ dollars ~~($2,500)~~ *($5,000)*, without advertising for bids and awarding the contract therefor to the lowest responsible bidder

SEC 32 Section 27 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec 27 Notwithstanding any provisions of this act to the contrary, the withdrawal of all the area lying within the exterior boundaries of any chartered or incorporated city from ~~the district~~ *a zone* may be effected by the vote of a majority of the qualified electors of said city voting at any regular or special election on the proposition to withdraw the area lying within such city from the ~~district~~ *zone, where such zone's adopted project, if any, has been completed* Said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge. The city council shall cause the results of the election to be certified to the board of supervisors of the ~~district~~ *zone* and if a majority of the votes cast on the proposition to withdraw such area from the ~~district~~ *zone* are in favor thereof, thereupon the area lying within the exterior boundaries of such city shall no longer be a part of the ~~district~~ *zone* ; provided, however, that the withdrawal of the area lying within the exterior boundaries of such city from the ~~district~~ *zone* shall not release the area so withdrawn from debts and obligations for or upon which it was liable or chargeable at the time such withdrawal was made.

SEC 33 Section 27 7 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is repealed

~~SEC. 27.7. Whenever the board determines that a zone has been formed and the boundaries thereof are not contiguous with the watershed line, and a new zone in the same area has been declared formed, the board may, upon giving the notice specified in Section 11 of this act, declare the first formed zone dissolved. Upon such dissolution, the territory contained within the zone first formed shall remain liable for any outstanding contract of such zone, or any bonded indebtedness which may have been voted in such zone.~~

SEC. 34. Section 31 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) is amended to read:

Sec 31. The legal title to all property acquired under the provisions of this act shall immediately and by operation of law vest in said district, and shall be held by said district, in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth in this act. The board is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property, as herein provided; and said board may determine, by resolution duly entered in their minutes that any property, real or personal, held by said district is no longer necessary to be retained for the uses and purposes thereof, and may thereafter sell, lease or otherwise dispose of said property in the manner prescribed by law for such action by counties *; provided, however, that notwithstanding any other provision of law, the board may grant an easement or permit for use of any real property of the district to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation, upon such terms and conditions as the board sees fit, upon a finding by the board that the interest in land conveyed is in the public interest and will not substantially conflict or interfere with the use of such property by the district for the purpose for which it was acquired*

The board may by resolution vacate or abandon easements for flood control or drainage purposes whenever it determines that they are no longer required for public use."

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1321
AB No. 1360
AB No 1603

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1321—An act to add Section 25425 2 to the Education Code, relating to the community college fees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 25425.2 to the Education Code,".

Amendment No. 2

In line 2 of the title, strike out "the".

Amendment No. 3

In line 2 of the title, after "fees", insert ", and making an appropriation therefor".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. The California Commission on Aging may establish two pilot projects in community college districts for the benefit of persons 65 years of age or over. One such project shall be located in a community college district located in the northern part of the state and the other project shall be located in a community college district located in the southern part of the state

SEC 2 In a community college district in which a pilot project is located, any person 65 years of age or older who resides in the district shall, upon his request, be enrolled in a community college and admitted to membership in the student body for all purposes. No fee shall be required of such a person nor shall any attendance of such a person in a class be reported for the purpose of receiving an allowance or apportionment from the State School Fund.

SEC 3 The commission shall reimburse the community college districts for the district's costs in connection with the program, using funds provided pursuant to the Older Americans Act of 1965 (Public Law 89-73), as amended, and funds appropriated therefor by the Legislature.

SEC 4 There is hereby appropriated from the General Fund in the State Treasury to the California Commission on Aging the sum of $ _____."

Amendment No. 5

On page 1, strike out lines 2 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 1360—An act to amend Section 6443 of, to add Sections 6444, 6445, 6446, and 6447 to, and to repeal Section 18270 of, the Education Code, and to repeal Sec 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 5, line 36, of the printed bill, as amended in Assembly April 24, 1972, after "Code", insert "and for the administration thereof".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1603—An act to add Section 16867 to the Edution Code, relating to senior citizens.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 16867 to the Education Code,".

Amendment No. 1.5

In line 2 of the title, after "citizens", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. The California Commission on Aging may establish two pilot projects to provide transportation for organized senior citizens' groups of 25 or more persons, each of whom is 65 years of age or older. One such pilot project shall be located in an elementary or high school district in the northern part of the state and the other project shall be located in such a district in the southern part of the state.

The projects shall consist of a contract between each participating school district and the commission providing for the use of school district transportation equipment by the organized senior citizens' group, when such use does not interfere with the use of the equipment by the pupils of the district. The commission shall reimburse the school district for all costs attributable to the project using funds appropriated therefor by the Legislature and funds allocated pursuant to the Older Americans Act of 1965 (Public Law 89-73), as amended.

SEC 2 Any school district which enters into a contract with the commission pursuant to this act may take all actions necessary to fulfill the terms of the contract.

SEC. 3. This act shall cease to be operative on June 30, 1975

SEC. 4. There is hereby appropriated from the General Fund in the State Treasury to the California Commission on Aging the sum of $-------- for the purposes of this act."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1714

AB No. 1882

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1714—An act relating to Indian education, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 35, of the printed bill, after "concentration", insert "of 10 percent or more".

Amendment No. 2

On page 3, line 15, strike out "A", and insert "At each school participating, an Indian".

Amendment No. 3

On page 3, line 15, strike out "work", and insert "be established".

Amendment No. 4

On page 3, line 31, strike out "multimedia"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1882—An act to amend Sections 31203, 31206, and 31215 of the Education Code, relating to scholarships.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 31203, 31206, and 31215 of", and insert "add Section 269 to".

Amendment No. 2

In line 2 of the title, strike out "relating to scholarships", and insert "and to amend Section 7185 of the Financial Code, relating to loans for vocational education".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 269 is added to the Education Code, to read:

269 The Superintendent of Public Instruction shall approve courses of vocational training for the purposes of loans authorized by Section 7185 of the Financial Code.

SEC. 2. Section 7185 of the Financial Code is amended to read:

7185 An association may, with or without security, make loans, advance credit, and purchase obligations representing loans and advances of credit (all of which are hereinafter referred to in this section as "loans") for the payment of expenses of college or university education, but no association shall have loans under this section, exclusive of any loan which is or which at the time of its making was otherwise authorized, aggregating at any one time more than 5 percent of its total assets An association making a loan under this section may require a comaker or comakers, insurance, guaranty under a government student loan guarantee plan, or other protection against contingencies The borrower shall certify to the association that the proceeds of the loan are to be used by a full-time student solely for the payment of expenses of college or university education *or for the payment of expenses of vocational education*.

For the purpose of this section the term "college or university education" means education at an institution which provides an education program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit towards such a degree *For the purpose of this section the term "vocational education" means any course of training designed to increase the ability of a person to obtain or advance in employment of any kind and approved by the Superintendent of Public Instruction pursuant to Section 269 of the Education Code.*

Amendment No. 4

On page 1, strike out lines 2 to 5, inclusive; and strike out pages 2 to 4, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, May 3, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 155

AB No. 334

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, May 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

~~AB No. 263~~
AB No. 490

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

NOTE: On May 18, 1972, the action was rescinded whereby Assembly Bill No. 263 was ordered to enrollment. See page 3477.

Senate Chamber, May 3, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 108	SB No. 526	SB No. 843
SB No 156	SB No. 539	SB No. 906
SB No. 201	SB No. 582	SB No. 965
SB No. 232	SB No. 591	SB No. 1196
SB No 269	SB No. 604	SB No. 1280
SB No. 398	SB No 761	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 38

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 108—An act to amend the heading of Chapter 9 (commencing with Section 29500) of, and to add Article 7 (commencing with Section 29590) to Chapter 9 of, Part 2 of Division 10 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 156—An act to amend Section 16522 of the Government Code, relating to deposits of state money.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 201—An act to amend Section 23512 of the Elections Code, relating to nomination petitions.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 232—An act to amend Sections 1113, 1129, and 1344 of the Education Code, relating to school district elections.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 269—An act to amend Section 1320 of the Penal Code, relating to bail.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 398—An act to amend Section 203 of, to add Sections 202, 204, 205, and 206 to, and to repeal Sections 202 and 204 of, the Probate Code, relating to probate.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 526—An act to amend Sections 62479, 62482, and 62487 of the Agricultural Code, relating to milk.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 539—An act to add Section 13583.7 to the Education Code, relating to school classified employees.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 582—An act to amend Sections 102001, 102002, 102050, 102051, 102052, 102100, 102180, and 102205 of, and to add Sections 102023 and 102052.5 to, the Public Utilities Code, relating to transit districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 591—An act to amend Section 65302 of, and to add Section 65302.3 to, the Government Code, relating to planning.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 604—An act to permit late filing of documents by fire protection districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 761—An act to amend Section 12143 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 843—An act to amend Sections 12950 and 12951 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 906—An act relating to duplication of property taxes to finance fire protection, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 965—An act to amend Section 12931 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1196—An act to amend Section 40501 of the Elections Code, relating to elections.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1280—An act to amend Sections 213 and 4651 of the Labor Code, relating to compensation and disability payments.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 38—Relative to acquisition, construction, and improvement of student health facilities.

Held at Desk by order of the Acting Speaker.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1621

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1621 be withdrawn from the Committee on Education, and re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Thomas was granted unanimous consent that the following letters of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the review of the program budget format of the Department of Rehabilitation prepared by the Auditor General. The program budget should be a prime legislative tool in monitoring and modifying the plans and activities of the executive branch.

The purpose of this review has been to evaluate the format of the Department of Rehabilitation's $60 million program budget to determine whether it provides the kind of information which would make it the effective tool that it should be, and whether the information contained in the budget would be worthwhile to submit to the scrutiny of a legislative post audit.

The department's program budget, reputed to be one of the best in the state, was found to be lacking in the following respects:

Its main program, Vocational Rehabilitation of the Disabled, was not well defined in that it included program elements, such as Rehabilitation for Daily living, which have goals other than vocational rehabilitation.

The same program contained a Basic Vocational Rehabilitation Process element which was subdivided into components representing major disability groups: physically disabled, mentally ill, alcoholics, mentally retarded, behavior disorders, and sensory disorders. These element components gave the appearance of representing separate controllable activities when, in fact, this was not true.

The program budget lacked any meaningful measures of program effectiveness.

The numbers of the various types of disabled people in need of rehabilitation are not given or compared with the number the department is actually serving.

Benefit-cost analyses are included in the budget, but they do not compare the relative worth of anything that the department or the Legislature has any control over These analyses should compare the value of alternative approaches to achieving the same goals.

The department has not taken exception to any of the concepts presented in the report. If the recommendations are followed, the Department of Rehabilitation will have a model program budget suitable for other state agencies to follow. A revised program budget will give the Legislature a sound basis for analyzing and evaluating the extent, direction, and value of department programs. It will also provide a suitable document to use for legislative post auditing.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on the audit of the data processing operations of the State Teachers' Retirement System (STRS) performed by the Office of the Auditor General. The objective of the audit was to evaluate the effectiveness and efficiency of the data processing operation which has an annual budget of $483,000 for the fiscal year 1971–72.

STRS obtains computer services from the Public Employees' Retirement System (PERS) data processing service center (DPSC). It also maintains an in-house programming staff, key punch section, and electric accounting machine (EAM) unit in its EDP division.

The audit found that the EDP resources are not being utilized most effectively and efficiently within STRS and that the situation is presently opportune to consolidate STRS' EDP resources with those of PERS. Maximum annual savings of $46,000 would result from the conversion of EAM applications to the computer and the consolidation of STRS' key punch operation with that of PERS.

The present systems and programming efforts are adequate, but they lack the formalization necessary for a successful implementation of systems and programs. There is a definite need for a uniform approach in developing and establishing control of systems and programming documentation.

A good long-range plan exists in STRS. However, the means for updating this plan and for evaluating future plans are not provided for in the present organization.

The organization also does not provide for an adequate means of enforcing the reporting requirements for contributions by the counties. STRS therefore is unable to ascertain the accuracy of the members' records until the members retire or terminate the system by other means. The report recommends the creation of a strong internal auditing unit to provide for management control and compliance enforcement.

Departmental-user control exists between STRS and the PERS-DPSC. However, user control is deficient within STRS at the various batching stations which should be directly responsible for establishing the original control of data.

As a result of a legislative request, STRS is currently participating in a feasibility study for a Fiscal and Personnel DPSC to provide services to the participating agencies of EDP Consolidation Group Four

The report contains 37 recommendations in the areas of organization, systems effort, and data processing operations. STRS has concurred with all of the reported findings and has already taken action to implement most of the recommendations. The recommendations pertaining to the placement of personnel or precesses at specific points in the organization are being considered by STRS in light of other management activities—primarily the development of the Consolidation Group Four implementation plan.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 1903, 1270, 710, and **435,** ordered to third reading.

Assembly Bills Nos. 821 and **1902,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 387—An act to amend Section 20814.5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Mobley", and insert "Assemblymen Mobley and LaCoste".

Amendment No. 2

On page 7, line 38, after "the", insert "actual".

Amendment No. 3

On page 7, line 39, strike out ", as"; and strike out line 40; and on page 8, strike out line 1; and in line 2, strike out "value,".

Amendment No. 4

On page 8, between lines 9 and 10, insert

"For purposes of determining the "actual assessed value of land" in the district in the base year, any assessor who had announced that he was using an assessment ratio of less than 25 percent in the base year pursuant to Section 401 of the Revenue and Taxation Code shall adjust the actual assessed value of the land in the district in the base year to the assessed value which would have been on the roll had the assessor announced a 25-percent assessment ratio."

Amendment No. 5

On page 9, strike out lines 31 to 33, inclusive, and insert "factoring the assessed values in any county in which the assessor had announced that he was using an assessment ratio of less than 25 percent in any year to the value which would have been on the roll had such assessor announced a 25-percent assessment ratio."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 190—An act to amend Section 28772 of, to repeal Section 28758.5 of, and to add Sections 28742.5, 28762.5, 28776.1, 28776.2, and 28776.3 to, the Health and Safety Code, relating to hazardous substances.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly April 13, 1972, strike out lines 15 and 16; and in line 17, strike out "is unlawful.", and insert "28762.5."

Amendment No. 2

On page 3, line 20, strike out "and", and insert "or".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 679—An act to add Chapter 16 (commencing with Section 235) to Part 5 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 905—An act to amend Section 15 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1142—An act to add Section 20980.5 to the Water Code, relating to irrigation districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1646—An act to add Section 23608 to the Water Code, relating to irrigation districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1691—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 3, line 28, of the printed bill, strike out "biannually and fees", and insert "biennially, subject to compliance by applicants with renewal requirements prescribed by regulations. Fees".

Bill ordered reprinted, and returned to the second reading file.

NOTE: Later this day Assembly Bill No. 1691 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 1100—An act to add Section 100.26 to the Streets and Highways Code, relating to state freeways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "and", insert "a contract for".

Amendment No. 2

On page 1, line 8, strike out "commenced", and insert "been awarded".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1942—An act to add Section 255.5 to the Health and Safety Code, relating to crippled children's services and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "give priority in determining", and insert "not deny".

Amendment No. 2

On page 1, line 4, after "eligibility", insert "or aid".

Amendment No. 3

On page 1, line 5, strike out "to those persons", and insert "because an otherwise eligible person is".

Amendment No. 4

On page 1, line 7, after "facility", insert ", whether or not all or part of such treatment services are performed by the staff at such facility, provided that treatment services at such facility are under the general supervision of a Crippled Children Services Program panel physician".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 973—An act to add Section 17410 to the Welfare and Institutions Code, relating to county general assistance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 299—An act to add Sections 14005.8 and 14132.5 to the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 14005.8 and 14132.5 to", and insert "amend Sections 14132 and 14133 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 14132 of the Welfare and Institutions Code, as amended by Chapter 32 of the Statutes of 1972, is amended to read.

14132. The following is the basic schedule of benefits under this chapter:

(a) Outpatient services are covered as follows:

Physician, hospital outpatient, optometric, chiropractic, psychology, podiatric, occupational therapy, physical therapy, speech therapy, audiology, and services of persons rendering treatment by prayer or healing by spiritual means in the practice of any church or religious denomination insofar as these can be encompassed by federal participation under an approved plan.

The extent of such coverage is limited to a maximum total of two services from among the above in any month, and not to exceed twenty-four (24) services from among the above during any period of twelve (12) consecutive months; provided however that only as to physician outpatient services, any visits unused during the month immediately preceding the current month may be used in the current month, sub-

ject to the limitation that physician and other services from among the above shall not be covered in excess of twenty-four (24) among all such services during any period of twelve (12) consecutive months. As to hospital outpatient services, the above limitation on extent of coverage shall not apply to the services set forth in subdivisions (e), (f), (g), (h), (*l*), and (m) when rendered as part of a hospital outpatient visit.

(b) Hospital inpatient care, including physician services, is covered to a maximum of sixty-five (65) days in a period of twelve (12) consecutive months, subject to utilization controls.

(c) Nursing home care, including physician services and prescription drugs, subject to the Medi-Cal Drug Formulary, are covered to the extent of a full year of service in any period of twelve (12) consecutive months, subject to utilization controls Other covered services listed in subdivision (a) of this section shall be subject to outpatient service controls described in subdivision (a) of this section.

(d) Purchase of prescription drugs is covered, but not to exceed two prescriptions purchased during any one month, as prescribed, subject to the Medi-Cal Drug Formulary.

(e) Hospital outpatient dialysis services and home hemodialysis services, including physician services, medical supplies, drugs and equipment required for dialysis, are covered, subject to utilization controls.

(f) Outpatient laboratory and outpatient X-ray services are covered to the extent prescribed.

(g) Blood and blood derivatives are covered.

(h) Emergency and essential diagnostic and restorative dental services, except for orthodontic, fixed bridgework, and partial dentures that are not necessary for balance of a complete artificial denture, are covered, subject to utilization controls. Notwithstanding the foregoing, the director may by regulation provide for certain artificial dentures necessary for obtaining employment.

(i) Medical transportation is covered, subject to utilization controls.

(j) Home health care services are covered, subject to utilization controls

(k) Prosthetic and orthotic devices and eyeglasses are covered, subject to utilization controls.

(*l*) Hearing aids are covered, subject to utilization controls.

(m) Durable medical equipment and medical supplies are covered, subject to utilization controls.

(n) Physical therapy services, occupational therapy services, speech therapy services and audiology services provided in rehabilitation centers approved by the department are covered, subject to utilization controls and approval by the department of extended treatment plans.

(o) Intermediate care facility services, including physician services and prescription drugs, subject to the Medi-Cal Drug Formulary, are covered to the extent of a full year of service in any period of twelve (12) consecutive months, subject to utilization controls.

(p) Methadone maintenance administered by a treatment facility under an approved methadone maintenance program, insofar as this service is eligible for federal participation funds.

SEC 2 Section 14133 of the Welfare and Institutions Code is amended to read:

14133 The following is the supplemental schedule of benefits under this chapter:

(a) Outpatient physician services, except for elective services are covered, subject to utilization controls

(b) Inpatient hospital care, including physician services and except for elective services, is covered to the extent of three hundred (300) days during a period of twelve (12) consecutive months, subject to utilization controls.

(c) Prescription drugs, except for elective services, are covered, as prescribed, subject to utilization controls.

(d) Methadone maintenance administered by a treatment facility under an approved methadone maintenance program, insofar as this service is eligible for federal participation funds. ''

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 890—An act to amend Sections 3700 and 3714 of, and to add Sections 3714.5, 3723 5, and 3728 5 to, the Public Resources Code, relating to geothermal resources.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Environmental Quality, was read, and adopted:

Amendment No. 1

On page 3, line 1, of the printed bill, strike out ''shall have the authority to''; strike out lines 2 to 4, inclusive; and in line 5, strike out ''within a geothermal resources area'', and insert '', pursuant to regulation, may exclude from the operation of this chapter certain wells in geothermal resources areas, as defined by the supervisor, when he determines that there is no probability of encountering geothermal resources''.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 302—An act to amend Section 21100 of the Public Resources Code, relating to environmental quality

Bill read second time, and ordered to third reading

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 1691.

COMMUNICATIONS

Assembly Chamber, May 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 905
AB No. 973

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

ASSEMBLY BILL NO. 2353 REFERRED TO COMMITTEE

Acting Speaker Fenton referred Assembly Bill No. 2353 to the Committee on Local Government.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 4, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2353—An act to amend Section 5558 of, and to add Sections 5506.5 and 5538.5 to, the Public Resources Code, relating to regional park districts.

WILLIAM T. BAGLEY

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1977

Mr. Townsend was granted unanimous consent to take up Assembly Bill No. 1977, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 1977 by Unanimous Consent

Assembly Bill No. 1977—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, relating to hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "reports upon such"; and strike out lines 11 and 12, and insert "annual reports to the Legislature upon hospitals administered by the Department of Corrections. Such reports shall be made pursuant to the".

Amendment No. 2

On page 3, line 28, strike out "reports upon such"; and strike out lines 29 and 30, and insert "annual reports to the Legislature upon hospitals administered by the Department of Corrections. Such reports shall be made pursuant to the".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 40 for hearing in the Committee on Rules today.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 716—An act to amend Section 13041 of the Public Resources Code, relating to resort improvement districts.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Pierson, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

BIRTHDAY GREETINGS EXTENDED TO SPEAKER PRO TEMPORE BEE

Mr. Badham announced that tomorrow is the birthday of Speaker pro Tempore Carlos Bee, of the 13th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Bee.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 925—An act to amend Section 1330 of, and to add Section 1331.5 to, the Penal Code, relating to criminal procedure.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown,

Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—52.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1057—An act to amend Section 27443 of, and to add Section 27443.5 to, the Government Code, and to amend Section 800 of the Penal Code, relating to public officers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 595—An act to amend Section 6369 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 695—An act to amend Section 227a of the Civil Code, relating to adoption

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2323—An act to repeal Sections 35271.7 and 54797.2 of the Government Code, relating to alteration of boundaries, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs Chappie, Lanterman, Hayden, Garcia, and Arnett demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 2323.

The roll was called.

CALL OF THE ASSEMBLY

Pending the announcement of the vote, Mr. Knox moved a call of the Assembly.

Motion carried. Time, 3 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 416—An act to amend Section 1609.2 of the Revenue and Taxation Code, relating to local equalization proceedings.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Dent, Dunlap, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1049—An act to amend Section 1563 of the Evidence Code, relating to evidence.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. David A. Pierson Presiding

At 3 .03 p.m., Hon. David A. Pierson, 65th District, presiding.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 106—An act to amend Section 472 of, and to repeal and add Section 471.5 of, the Code of Civil Procedure, relating to pleading, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 106?

Amendment No. 1

On page 2, line 18, of the printed bill, strike out "a pleading other than a complaint or"; and in line 19, strike out "cross-complaint", and insert "the answer".

Amendment No. 2

On page 2, line 21, strike out "respond", and insert "demur".

Amendment No. 3

On page 2, line 22, strike out "pleading", and insert "answer".

Amendment No. 4

On page 3, line 15, strike out "Section", and insert "Sections".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—60.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Mr. Duffy was granted unanimous consent that Assembly Bill No. 976 be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 155

Mr. Duffy was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 155, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 155

Assembly Bill No. 155—An act to amend Sections 2147, 2177 5, and 2178 of, to add Article 4.6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193.7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 155?

Senate Amendments of April 17, 1972
Amendment No. 1

On page 5, line 9, of the printed bill, as amended in Assembly March 23, 1972, after "schools", insert "before or".

Senate Amendments of April 26, 1972
Amendment No. 1

On page 4, line 22, of the printed bill, as amended in Senate April 17, 1972, after "of", insert "no more than".

Amendment No. 2

On page 4, line 23, strike out "for the 1972–1973 fiscal year".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr. Speaker—61.

NOES—None

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1763—An act to amend Section 17535 of the Business and Professions Code, relating to advertising remedies.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Fong,

Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1699—An act to amend Sections 456.5 and 456.6 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 837—An act to amend Section 30 17 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey

Johnson, Ray E. Johnson, Keysor, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 3:12 p m., Hon. Jack R. Fenton, 51st District, presiding.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1863—An act to amend Section 50050 of, and to add Section 50055 to, the Government Code, relating to escheat of money in treasuries of local agencies.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 112—An act to add Section 19348.5 to the Agricultural Code, relating to animals.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN RYAN

Mrs. Brathwaite announced that tomorrow is the birthday of Assemblyman Leo J. Ryan, of the 27th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Ryan.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 515

Mr. Warren was granted unanimous consent to take up Assembly Bill No. 515, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 515 by Unanimous Consent

Assembly Bill No. 515—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly April 25, 1972, after "central", insert "office".

Amendment No. 2

On page 3, line 7, after the second "to", insert "quickly".

Amendment No. 3

On page 4, line 13, after "Every", insert "local".

Amendment No. 4

On page 4, line 30, after the period, insert "In those areas in which a public safety agency of the state provides such emergency services, the system shall include such public safety agencies "

Amendment No. 5

On page 4, line 34, after "number", insert ", and shall maintain a separate number for nonemergency telephone calls".

Amendment No. 6

On page 5, line 35, strike out "Preparedness", and insert "Services".

Amendment No. 7

On page 5, line 39 strike out "and".

Amendment No. 8

On page 5, line 40, after "Service", insert ", the California Highway Patrol, and the State Division of Forestry".

Amendment No. 9

On page 5, after line 40, insert

"Technical and operational standards for systems shall be established and reviewed by the Communications Division of the Department of General Services on or before December 31, 1973, after consultation with all agencies specified in this section"

Amendment No. 10

On page 6, between lines 19 and 20, insert

"(d) Plans filed pursuant to subdivisions (a) and (b) shall conform to minimum standards established pursuant to Section 53114"

Amendment No. 11

On page 6, line 37, after the period, insert "The report specified in this subdivision shall contain, in addition, an estimate of the fiscal impact to local public agencies which will be caused by implementation of the provisions of this article."

Amendment No. 12

On page 7, line 13, strike out "telephone".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1396

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1396 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Agriculture.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 2323

At 3:15 p.m., on motion of Mr Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2323 refused adoption by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—37.

NOES—Badham, Barnes, Burke, Chappie, Cline, Conrad, Dent, Ray E. Johnson, MacGillivray, Mobley, Moorhead, Priolo, Seeley, Stacey, Stull, Thomas, and Wakefield—17.

Further Consideration of Assembly Bill No. 2323

Assembly Bill No. 2323—An act to repeal Sections 35271.7 and 54797.2 of the Government Code, relating to alteration of boundaries, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Motion to Amend

Mr. Knox moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 1, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, strike out line 5.

Amendment No. 3

On page 2 of the bill, strike out lines 1 through 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3.19 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1300

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 1300 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1300 for hearing in the Committee on Health on Monday, April 8.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 40, Assembly Concurrent Resolutions Nos. 44, 60, 66, 69 and 77 for hearing in the Committee on Rules on Tuesday, April 9

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 196 and Assembly Constitutional Amendment No. 14 was continued until the next legislative day

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee.

Senate Bill No	*Committee*
108	Transportation
156	Finance and Insurance
201	Elections and Reapportionment

Senate Bill No.	*Committee*
232	Elections and Reapportionment
269	Criminal Justice
398	Judiciary
526	Agriculture
539	Education
582	Transportation
591	Planning and Land Use
604	Local Government
761	Finance and Insurance
843	Finance and Insurance
906	Local Government
965	Finance and Insurance
1196	Elections and Reapportionment
1280	Finance and Insurance

Senate Concurrent Resolution No.	*Committee*
38	Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Rules reports:

ACA No. 95

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 35

With the recomendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Labor Relations

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

AB No. 1400

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MeCARTHY, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 4, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 264

AB No 1000

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Committee on Planning and Land Use

Assembly Chamber, May 4, 1972

Mr Speaker· Your Committee on Planning and Land Use reports:

AB No. 658

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committeee on Ways and Means.

PRIOLO, Chairman

Above bill ordered to second reading

Committee on Finance and Insurance

Assembly Chamber, May 3, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

AB No. 777

With the recommendation· Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 3, 1972

Mr Speaker Your Committee on Finance and Insurance reports:

AB No 280

AB No 693

With the recommendation: Do pass.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports·

AB No. 718

AB No. 991

AB No. 992

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1498

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Rules

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Rules reports.

SJR No. 1

SJR No. 11

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BURTON, Chairman

Above resolutions ordered on file.

Committee on Elections and Reapportionment

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 1158

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 1566

AB No. 1570

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WAXMAN, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Health

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 976

AB No. 1212

With author's amendemnts with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 976—An act to add Section 2516.1 to the Business and Professions Code, relating to physicians' assistants.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert

"Physicians employing physician's assistants remain responsible for their own acts or omissions, including responsibility for the use of due care in the supervision and direction of physician's assistants employed by them"

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1212—An act to add Section 11823.1 to the Education Code, relating to health examinations and treatment.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 1, of the printed bill, strike out lines 3 to 9, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert

"11823.1. A physician, surgeon, optometrist, psychiatrist or dentist who is an employee of any municipal or community hospital licensed by the state may perform health examinations of school children upon school premises and may, with the consent of a parent or parents, refer children in need of health treatment to a hospital or other licensed medical facility for such treatment. Before such services or treatments are allowed, approval shall be secured by a contract between the local board of education and the municipal or community hospital. Such persons conducting health examinations shall be exempt from credential requirements as specified in Section 11753 of the Education Code"

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 3, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports.

AB No 599

With author's amendments with the recommendation Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 599—An act to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to workmen's compensation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 1; and in line 2, strike out "permanently," and insert "(Gov.C.) is temporarily disabled".

Amendment No. 2

On page 2, line 10, after "pension", insert ", whichever occurs first".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 3, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports.

AB No 2074

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2074—An act to amend Sections 18203, 18405, 18405.2, 18406, 18406.1, 18406.2, 18601, 18615, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406.3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203.5, 18205, 18205.5, 18668, and 18668.1 of, the Financial Code, relating to industrial loan companies.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 4, line 5, of the printed bill, after "18205", insert "(a)".

Amendment No. 1.5

On page 4, line 6, after "company", insert "which commenced business on or before November 22, 1970,"

Amendment No. 2

On page 4, line 8, strike out "five", and insert "three",

Amendment No. 3

On page 4, line 9, strike out "($500,000)", and insert "($300,000)".

Amendment No. 4

On page 4, between lines 11 and 12, insert

"(b) Any company which commenced business on or after November 23, 1970, which opens an additional branch office or place of business shall have and shall thereafter maintain paid-up capital of five hundred thousand dollars ($500,000) plus additional capital of twenty-five thousand dollars ($25,000) for each branch office."

Amendment No. 5

On page 4, after line 35, insert

"18405 An industrial loan company may make loans and purchase, sell, or discount the following obligations: bona fide trust receipts, secured or unsecured choses in action, chattel mortgages, conditional sales contracts, or security agreements."

Amendment No. 6

On page 5, line 1, before "Except", insert "(a)".

Amendment No. 7

On page 5, line 2, after "shall", insert "not".

Amendment No. 8

On page 6, line 32, strike out "personal", and insert "real".

Amendment No. 9

On page 7, between lines 6 and 7, insert

"The principal amount of all loans or other obligations which are partially secured by real property, but not primarily secured by real property, shall in no event exceed in the aggregate 25 percent of the company's outstanding loans and obligations"

Amendment No. 10

On page 7, line 37, strike out "Section 18203", and insert "Sections 18203 and 18205".

Amendment No. 11

On page 7, line 40, strike out "Each industrial loan company shall", and insert "The commissioner may require each industrial loan company to".

Amendment No. 12

On page 8, line 10, strike out "or", and insert a comma.

Amendment No. 13

On page 8, line 11, after "bond," insert "or a banker's blanket bond,".

Amendment No. 14

On page 13, line 40, strike out "or guarantor".

Amendment No. 15

On page 14, line 5, strike out "or guarantor".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1225

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1225—An act to add Section 18102 13 to the Education Code, relating to special education programs.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 and 8, and insert "reimburse annually each applicant school district or county superintendent of schools an amount equal to fifty dollars ($50) per child for admission and placement processing for each pupil who is subsequently identified as".

Amendment No. 2

On page 2, line 2, after the second "handicapped", insert "and placed in such programs operated by the applicant school district or county superintendent of schools"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1419

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1419—An act to amend Section 25502.5 of the Education Code, relating to community colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 25502.6 to,".

Amendment No. 2

On page 1, line 4, strike out "pupils", and insert "students".

Amendment No. 3

On page 1, line 5, strike out "adults and minors", and insert "persons".

Amendment No. 4

On page 1, strike out lines 8 to 11, inclusive; on page 2, strike out lines 1 to 6, inclusive; in line 7, strike out "classes. The", and insert

"The governing board of a district maintaining community college classes may require that the following students pay tuition:

(a) Those 21 years of age or over, enrolled in either graded or ungraded classes, and taking less than 10 credit hours; and

(b) Those enrolled in classes for adults, regardless of age or the number of units for which they are enrolled

The".

Amendment No. 5

On page 2, line 10, after "maintained", insert "by the district".

Amendment No. 6

On page 2, after line 10, insert

"The reference to "21 years of age" in this section is not affected by Chapter 1748 of the Statutes of 1971

SEC 2. Section 25502.6 is added to the Education Code, to read:

25502 6 Tuition shall not be charged the following students in classes maintained by a community college:

(a) Those under 21 years of age who are enrolled in graded classes and taking less than 10 credit hours; and

(b) Those enrolled in classes in English and citizenship for foreigners; and

(c) Those enrolled in classes in elementary subjects; and

(d) Those enrolled in classes which are required in order that the participant may qualify for a high school diploma

The reference to "21 years of age" in this section is not affected by Chapter 1748 of the Statutes of 1971."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2355: By Assemblyman Murphy—An act to add Section 4606 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2356: By Assemblyman Ralph—An act to repeal and to add Chapter 10 (commencing with Section 3500) of, to repeal Chapter 10.5 (commencing with Section 3525) of, Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Division 2 of Part 7 of the Labor Code, relating to public employees.

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 85: By Assemblymen Vasconcellos, Brown, Stull, and Lewis (Senator Way, coauthor)—Relative to the Joint Committee on the Master Plan for Higher Education.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Hayden:

House Resolution No. 46

Relative to Citizen Suggestion awards

WHEREAS, The Legislature is committed to reducing the cost of state government, wherever possible, through greater efficiency; and

WHEREAS, Many private citizens may have ideas which will result in substantial savings to the state; and

WHEREAS, To encourage such citizens to come forward and present their ideas, it may be appropriate to offer financial awards for money-saving ideas; and

WHEREAS, California counties may pay awards to citizens for ideas resulting in financial savings to the counties pursuant to Chapter 458 of the Statutes of 1971, and the Congress has a bill before it, HR 12053, which would establish a similar reward plan with regard to savings to the federal government; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the establishment of a program of cash incentives for citizens who contribute practical ideas that improve the efficiency of state government and result in financial savings to the state; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Messrs. Stacey and Mobley were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 716.

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 925, 1057, 595, and 695.

Mr Wilson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1049.

Messrs. Cline and Wakefield were granted unanimous consent that they be recorded as voting "Aye" on all items on the Consent Calendar.

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 695.

ADJOURNMENT

At 3.22 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a m , Monday, May 8, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Sixty-ninth Legislative Day

One Hundred Twenty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, May 8, 1972

The Assembly met at 11 a.m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Campbell moved a quorum call of the Assembly.

Motion carried. Time, 11:02 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

REQUEST FOR UNANIMOUS CONSENT

Mr. Campbell was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11:20 a.m, Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, The poor cannot find You in their cold and dirty tenements. The hopeless cannot find You in their hallucinatory drugs. The hungry cannot find You at mealtimes. The sick and suffering cannot find You in their sleepless nights.

You depend on us, Father, to make You visible in the lives of these people. Help all of us, in this chamber and without, to make every effort to bring meaning and hope into the lives of all.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Deddeh then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Powers, seconded by Mr. Beverly.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Bill Greene, on request of Acting Speaker Ralph.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Badham, on request of Acting Speaker Fenton.
Mr. Barnes, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Conrad, on request of Acting Speaker Fenton.
Mr. Porter, on request of Acting Speaker Fenton.
Mr. Russell, on request of Acting Speaker Fenton.
Mr. Townsend, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Acting Speaker Fenton.
Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Karabian, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Seeley, on request of Acting Speaker Fenton.
Mr. Thomas, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 5, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I would like to request that I be excused on legislative business from the session on Monday, May 8, 1972.

I will be attending a large charity benefit in my district for the purposes of preserving the coastal area in Laguna Beach I will also be meeting with several of my constituents regarding two judicial appointments.

Thank you for this courtesy.

Cordially,

ROBERT E. BADHAM, Assemblyman
Seventy-first District

May 1, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: Due to legislative business in my District, I respectfully request that I be excused from session Monday, May 8, 1972

I will be participating in the California State University at San Diego's Diamond Founders' Day. This will include several speeches and a press conference.

Respectfully,

E. RICHARD BARNES, Assemblyman
Seventy-eighth District

May 5, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Monday, May 8, 1972, due to legislative business.

I am speaking before a high school in my district in the morning and am meeting with officers of a Republican women's group in Los Angeles at 12.00 noon.

Very truly yours,

BILL BROPHY, Assemblyman
Forty-eighth District

May 3, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob: This is to request that I be excused from session on legislative business on Monday, May 8 and Tuesday, May 9.

I will be hosting the Governing Board of the Council of State Governments at the Sheraton-Universal Hotel, Universal City.

Very truly yours,

CHARLES J. CONRAD, Assemblyman
Fifty-seventh District

May 4, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to respectfully request that I be excused from Session on Monday, May 8, 1972, and Tuesday, May 9, 1972, on legislative business. I will be conferring with city officials from Bellflower, Downey and Lynwood regarding their position on SB 776, as amended in the Senate April 26, 1972.

Sincerely,

CARLEY V. PORTER, Assemblyman
Thirty-eighth District

May 4, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol Building, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from session, Monday, May 8, 1972, on legislative business.

I will be meeting with Members of the City Council to discuss Assembly Bill No. 2005 and how it will affect the City of Burbank. We will also be discussing other matters relating to educational finance.

Sincerely,

NEWTON R. RUSSELL, Assemblyman
Sixty-second District

May 3, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol Building

Dear Bob: I respectfully request that I be excused from session on Monday, May 8, 1972 on legislative business. I will be the speaker at the General Meeting of the National Electrical Contractors Association and also will be attending various workshop meetings during the day. Thank you.

Sincerely,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

REPORTS

The following report was presented by the Chief Clerk:

Bulletin No. 132-72. The California State Water Project in 1972. Appendix D: Costs of Recreation and Fish and Wildlife Enhancement. March 1972.

Above transmitted report, together with letter of transmittal from W. R Gianelli, Director, Department of Water Resources, Sacramento, dated May 4, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

COMMUNICATIONS

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 155—An act to amend Sections 2147, 2177.5, and 2178 of, to add Article 4 6 (commencing with Section 2185) to Chapter 5 of Division 2 of and Section 2193.7 to, and to repeal Section 2193.7 (as added by Chapter 113 of the 1971 Statutes) of, the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately;

~~Assembly Bill No. 263—An act to add Sections 13841.7, 13841.8, 13841.9, 13841.10, 13841.11, and 13841.12 to the Health and Safety Code, relating to fire protection districts;~~

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., May 8, 1972.

JAMES D. DRISCOLL, Chief Clerk

NOTE: On May 18, 1972, the action was rescinded whereby Assembly Bill No. 263 was reported correctly enrolled and presented to the Governor. See page 3477.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1100

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2323

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 41
ACR No. 71

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 190
AB No. 579
AB No. 588
AB No. 1360
AB No. 1628

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 3
ACR No. 62

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 6

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1551	AB No. 1850	AB No. 1897
AB No. 1603	AB No. 1865	AB No. 1914
AB No. 1691	AB No. 1868	AB No. 1942
AB No. 1697	AB No. 1873	AB No. 1977
AB No. 1714	AB No. 1882	AB No. 2114
AB No. 1782	AB No. 1885	AB No. 2130

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 9	AB No. 708	AB No. 1198
AB No. 299	AB No. 792	AB No. 1212
AB No. 387	AB No. 850	AB No. 1261
AB No. 396	AB No. 871	AB No. 1262
AB No. 550	AB No. 890	AB No. 1321
AB No. 598	AB No. 912	AB No. 1375
AB No. 599	AB No. 918	AB No. 1419
AB No. 625	AB No. 961	AB No. 1429
AB No. 677	AB No. 1075	AB No. 1444
AB No. 680	AB No. 1189	AB No. 1225

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1957

AB No. 1999

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No 974

With the recommendation Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No 112

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1184	AB No. 1809
AB No. 1378	AB No. 2039
AB No. 1677	AB No. 2143

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 2065

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, May 4, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 1323

With the recommendation: Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 202

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 202—An act to add Section 1167.1 to the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section", and insert "amend Sections 417.10 and 417.20 of, and to add Sections 415.45 and".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 415.45 is added to the Code of Civil Procedure, to read:

415 45. (a) A summons in an action for unlawful detainer of real property primarily used for commercial purposes may be served by posting if upon affidavit it appears to the satisfaction of the court in which the action is pending that the party to be served cannot with reasonable diligence be served in any manner specified in this article other than publication and that:

(1) A cause of action exists against the party upon whom service is to be made or he is a necessary or proper party to the action; or

(2) The party to be served has or claims an interest in real property in this state that is subject to the jurisdiction of the court or the relief demanded in the action consists wholly or in part in excluding such party from any interest in such property.

(b) The court shall order the summons to be posted on the premises in a manner most likely to give actual notice to the party to be served and direct that a copy of the summons and of the complaint be forthwith mailed to such party if his address is ascertained before expiration of the time prescribed for posting of summons.

(c) Service of summons in this manner is deemed complete on the 10th day after posting.

(d) Notwithstanding an order for posting of the summons, a summons may be served in another manner authorized by Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure, except publication, in which event such service shall supersede any posted summons.

SEC. 2. Section 417.10 of the Code of Civil Procedure is amended to read:

417.10 Proof that a summons was served on a person within this state shall be made:

(a) If served under Section 415.10, 415.20, or 415.30, by the affidavit of the person making such service showing the time, place, and manner of service and facts showing that such service was made in accordance with this chapter Such affidavit shall recite or in other manner show the name of the person to whom a copy of the summons and of the complaint were delivered, and, if appropriate, his title or the capacity in which he is served, and that the notice required by Section 412 30 appeared on the copy of the summons served, if in fact it did appear.

If service is made by mail pursuant to Section 415 30, proof of service shall include the acknowledgment of receipt of summons in the form provided by that section or other written acknowledgment of receipt of summons satisfactory to the court.

(b) If served by publication pursuant to Section 415 50, by the affidavit of the publisher or printer, or his foreman or principal clerk, showing the time and place of publication, and an affidavit showing the time and place a copy of the summons of the complaint were mailed to the party to be served, if in fact mailed.

(c) If served pursuant to another statute of this state, in the manner prescribed by such statute or, if no manner is prescribed, in the manner prescribed by this section for proof of a similar manner of service.

(d) By the written admission of the party.

(e) If served by posting pursuant to Section 415.45, by the affidavit of the person who posted the premises, showing the time and place of posting, and an affidavit showing the time and place copies of the summons and of the complaint were mailed to the party to be served, if in fact mailed.

SEC. 3. Section 417.20 of the Code of Civil Procedure is amended to read:

417.20. Proof that a summons was served on a person outside this state shall be made:

(a) If served in a manner specified in a statute of this state, as prescribed by Section 417.10, and if service is made by mail pursuant to Section 415.40, proof of service shall include evidence satisfactory to the court establishing actual delivery to the person to be served, by a signed return receipt or other evidence;

(b) In the manner prescribed by the court order pursuant to which the service is made;

(c) Subject to any additional requirements that may be imposed by the court in which the action is pending, in the manner prescribed by the law of the place where the person is served for proof of service in an action in its courts of general jurisdiction; or

(d) By the written admission of the party.

(e) If served by posting pursuant to Section 415 45, by the affidavit of the person who posted the premises, showing the time and place of posting, and an affidavit showing the time and place copies of the summons and of the complaint were mailed to the party to be served, if in fact mailed.

SEC. 4. Section 1167.1 is added to the Code of".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 5, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 755

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 755—An act to amend Section 34272 of the Health and Safety Code, relating to housing.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, after the comma, insert "and subject to the conditions in this section,".

Amendment No. 2

On page 2, line 2, after "an", insert "officer or".

Amendment No. 3

On page 2, line 5, after the period, insert "An officer or employee of a city or county in which an authority is established may serve as a commissioner only if such officer or employee does not exercise powers or duties in his office or employment that may conflict with the exercise of the independent judgment required to carry out the purposes of an authority."

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 4, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1268

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1268—An act to add Part 2 (commencing with Section 22500) to Division 15 of the Streets and Highways Code, relating to the installation and maintenance of landscaping and lighting on public streets and parks and providing for the formation of special assessment districts and the levy and collection of special assessments to pay the costs and expenses thereof.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend the heading of Division 15 (commencing with Section 22000) of, and".

Amendment No. 2

In line 2 of the title, after "of", insert a comma

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. The heading of DIVISION 15 (commencing with Section 22000) of the Streets and Highways Code is amended to read:

DIVISION 15. TREE PLANTING, *LANDSCAPING, AND LIGHTING*

SEC. 2. Part 2 (commencing with Section 22500)".

Amendment No. 4

On page 2, between lines 3 and 4, insert

"CHAPTER 1. INTRODUCTORY PROVISIONS

Article 1. General"

Amendment No. 5

On page 2, after line 5, insert

"22501. This part shall apply to local agencies whose annual taxes are carried on the county assessment roll and are collected by the county.

22502. This part provides an alternative procedure for making the improvements herein authorized and shall not apply to or affect any other provisions of this code.

22503. An assessment district shall consist of all territory which, as determined by the legislative body, will be benefited by the improvements and is to be assessed to pay the costs thereof

22504. An assessment district may consist of all or any part of the territory within the local agency and, in the case of a county, may consist of all or any part of the unincorporated territory of the county.

22505. An assessment district may consist of contiguous or noncontiguous areas. The improvements in one area need not be of benefit to other areas.

22506. The provisions of Chapter 2 (commencing with Section 5115) of Part 3 of Division 7, pertaining to the extension of the work or the assessment district beyond the boundaries of a local agency, are by this reference incorporated in this part.

22507. The provisions of Division 4 (commencing with Section 2800) shall not apply to this part or proceedings taken pursuant thereto.

22508. Any resolution, notice, report, diagram or assessment which is required to contain a description of the improvements, the boundaries of the assessment district or any zones therein, or the lines and dimensions of any lot or parcel of land may, for a full and detailed description thereof, refer to any plan or map which is on file with the clerk, the county auditor, or the county assessor and which is open to public inspection. The plan or map so referred to shall govern for all details of the description.

22509. This part shall be liberally construed to effectuate its purpose. Any proceedings taken under this part and any assessment levied pursuant thereto shall not be invalidated for failure to comply with the provisions of this part if such failure does not substantially and adversely affect the rights of any person. All determinations made by the legislative body pursuant to this part shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.

Article 2. Definitions

22520. The definitions contained in this article govern the construction of this part unless the context otherwise requires. The definition of a word or phrase applies to any variants thereof.

22521. "Assessment district" means an assessment district formed pursuant to this part.

22522. "Clerk" means the clerk or secretary of a local agency or its legislative body.

22523. "Engineer" means the city engineer, county engineer, engineer of the district, or any other person designated by the legislative body as the engineer for the purposes of this part, including any officer, board, or employee of the local agency or any private person or firm specially employed by the local agency as engineer for the purposes of this part.

22524. "Fiscal year" means a 12-month period commencing on July 1 and ending on the following June 30.

22525. "Improvement" means one or any combination of the following:

(a) The installation or planting of landscaping.

(b) The installation or construction of statuary, fountains, and other ornamental structures and facilities.

(c) The installation or construction of public lighting facilities.

(d) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.

(e) The maintenance or servicing, or both, of any of the foregoing.

22526. "Incidental expenses" include:

(a) The costs of preparation of the report, including, plans, specifications, estimates, diagram, and assessment.

(b) The costs of printing, advertising, and the giving of published, posted, and mailed notices.

(c) Compensation payable to the county for collection of assessments.

(d) Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.

(e) Any other expenses incidental to the construction or installation of the improvements or to the maintenance and servicing thereof.

22527. "Including," unless expressly limited, means including without limitation.

22528. "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

22529. "Legislative body" means the legislative body or governing board of any local agency.

22530. "Local agency" means a county, a city and county, a city, or a special district.

22531. "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

(a) Repair, removal, or replacement of all or any part of any improvement.

(b) Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.

(c) The removal of trimmings, rubbish, debris, and other solid waste.

22532. "Property owner" means any person shown as the owner of land on the last equalized county assessment roll; when such person is no longer the owner, then any person entitled to be shown as owner on the next county assessment roll; where land is subject to a recorded written agreement of sale, any person shown therein as purchaser.

22533. "Public agency" means the state and federal governments, any city, city and county, county, or other public corporation formed pursuant to charter, general law, or special act, for the performance of governmental or proprietary functions within limited boundaries and any department, board, commission, independent agency, or instrumentality of any of the foregoing

22534. "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaires, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

22535. "Public places" means one or any combination of the following:

(a) Any public street, highway, road, alley, lane, boulevard, parkway, or other way dedicated to or used for public use.

(b) Any public property, right-of-way, or leasehold interest which is in use in the performance of a public function and which adjoins any of the ways described in subdivision (a).

22536. "Public utility" means any public utility subject to the jurisdiction of and regulated by the Public Utilities Commission.

22537. "Resolution" includes an ordinance.

22538. "Service" or "servicing" means the furnishing of:

(a) Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

(b) Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

22539. "Special district" means any public corporation, other than a county or a city, formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries and which is authorized by such law or act to make any of the improvements or to furnish the maintenance or services provided for in this part.

22540. "Treasurer" means the treasurer of a local agency.

Article 3. Notice

22550. "Notice" means any resolution, order, notice, or other instrument authorized or required by this part to be published, posted, or mailed.

22551 The clerk shall give notice or cause the same to be given in accordance with this article, unless the legislative body delegates the duty of giving the notice to some other officer or board.

22552. Published notice shall be made pursuant to Section 6061 of the Government Code.

22553. Publication of notice of hearing shall be commenced at least 10 days prior to the date of hearing specified therein.

22554 Posted notices, other than of hearings for the formation of an assessment district or for the annexation of territory to an existing district, shall be made by posting upon any official bulletin board customarily used by the local agency or legislative body for the posting of notices.

22555 Posted notices of hearings for the formation of an assessment district or for the annexation of territory to an existing district shall be headed "Notice of Improvement" in letters at least one inch in height. The notices, not less than three in all, shall be posted at intervals of not more than 300 feet along all streets within the proposed assessment district or within the territory proposed to be annexed to an existing district, as the case may be. Posting of notice of those hearings shall be completed at least 10 days prior to the date of hearing specified therein.

22556 Mailed notice shall be sent by first-class mail and deposited, postage prepaid, in the United States mails and shall be deemed given when so deposited. Mailed notice to property owners shall be given by mailing to those persons whose names and addresses appear on the last equalized county assessment roll.

22557 Mailed notices of hearings for the formation of an assessment district or for the annexation of territory to an existing district shall be given to property owners within the proposed assessment district or within the territory proposed to be annexed to an existing district, as the case may be Mailed notice of those hearings shall be given at least 10 days prior to the date of hearing specified therein.

Article 4. Reports

22565. The engineer shall prepare reports in accordance with this article.

22566. A report shall be prepared for each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described in the report.

22567. A report shall refer to the assessment district by its distinctive designation, specify the fiscal year to which the report applies and, with respect to that year, shall contain:

(a) Plans and specifications for the improvements.

(b) An estimate of the costs of the improvements.

(c) A diagram for the assessment district.

(d) An assessment of the estimated costs of the improvements.

22568. The plans and specifications shall show existing and proposed improvements. The plans and specifications need not be detailed, but shall be sufficient if they show or describe the general nature, location, and extent of the improvements If the assessment district is divided into zones, the plans and specifications shall indicate the class and type of improvements to be provided for each such zone. The plans or specifications may be prepared as separate instruments or either or both may be incorporated in the diagram as a combined instrument.

22569. The estimate of the costs of the improvements for the fiscal year shall contain estimates for the following:

(a) The total improvement costs, being the total costs of constructing or installing all proposed improvements and of maintaining and servicing all existing and proposed improvements, including all incidental expenses.

(b) The amount of any surplus or deficit in the improvement fund to be carried over from a previous fiscal year.

(c) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(d) The amount, if any, of the annual installment for the fiscal year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments.

(e) The net amount to be assessed upon assessable lands within the assessment district, being the total improvement costs, as referred to in subdivision (a), increased or decreased, as the case may be, by any of the amounts referred to in subdivision (b), (c), or (d).

22570. The diagram for an assessment district shall show (a) the exterior boundaries of the assessment district, (b) the boundaries of any zones within the district, and (c) the lines and dimensions of each lot or parcel of land within the district Each lot or parcel shall be identified by a distinctive number or letter.

22571. The lines and dimensions of each lot or parcel of land shown on the diagram shall conform to those shown on the county assessor's maps for the fiscal year to which the report applies. The diagram may refer to the county assessor's maps for a detailed description of the lines and dimensions of any lots or parcels, in which case, those maps shall govern for all details concerning the lines and dimensions of such lots or parcels.

22572. The assessment shall refer to the fiscal year to which it applies and shall:

(a) State net amount, determined in accordance with Section 22569, to be assessed upon assessable lands within the assessment district.

(b) Describe each assessable lot or parcel of land within the district.

(c) Assess the net amount upon all assessable lots or parcels of land within the district by apportioning that amount among the several lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements

The assessment may refer to the county assessment roll for a description of the lots or parcels, in which case that roll shall govern for all details concerning the description of the lots or parcels

22573 The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements

22574 The diagram and assessment may classify various areas within an assessment district into different zones where, by reason of variations in the nature, location, and extent of the improvements, the various areas will receive differing degrees of benefit from the improvements A zone shall consist of all territory which will receive substantially the same degree of benefit from the improvements.

CHAPTER 2 ORGANIZATION OF THE ASSESSMENT DISTRICT; LEVY OF FIRST ASSESSMENT

Article 1. Formation of an Assessment District

22585 Proceedings for the formation of an assessment district shall be initiated by resolution The resolution shall

(a) Propose the formation of an assessment district pursuant to this part

(b) Describe the improvements

(c) Describe the proposed assessment district and specify a distinctive designation for the district

(d) Order the engineer to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1

The descriptions need not be detailed but shall be sufficient if they enable the engineer to generally identify the nature, location, and extent of the improvements and the location and extent of the assessment district

22586 Upon completion, the engineer shall file the report with the clerk for submission to the legislative body The legislative body may approve the report, as filed, or it may modify the report in any particular and approve it as modified

22587 After approval of the report, either as filed or as modified, the legislative body shall adopt a resolution of intention The resolution shall.

(a) Declare the intention of the legislative body to order the formation of an assessment district and to levy and collect assessments pursuant to this part

(b) Generally describe the improvements

(c) Refer to the proposed assessment district by its distinctive designation and indicate the general location of the district.

(d) Refer to the report of the engineer, on file with the clerk, for a full and detailed description of the improvements, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the district.

(e) Give notice of, and fix a time and place for, a hearing by the legislative body on the question of the formation of the assessment district and the levy of the proposed assessment.

22588. The clerk shall give notice of hearing by causing the resolution of intention to be published, posted, and mailed.

22589 Prior to the conclusion of the hearing, any interested person may file a written protest with the clerk, or, having previously filed a protest, may file a written withdrawal of that protest A written protest shall state all grounds of objection A protest by a property owner shall contain a description sufficient to identify the property owned by him.

22590 The legislative body shall hold the hearing at the time and place fixed in the resolution of intention and in any order continuing the hearing All interested persons shall be afforded the opportunity to hear and be heard. The legislative body shall consider all oral statements and all written protests or communications made or filed by any interested persons.

22591. During the course or upon the conclusion of the hearing, the legislative body may order changes in any of the matters provided in the report, including changes in the improvements, the boundaries of the proposed assessment district and any zones therein, and the proposed diagram or the proposed assessment The legislative body may, without further notice, order the exclusion of territory from the proposed district, but shall not order the inclusion of additional territory within the district except upon written request by a property owner for the inclusion of his property or upon the giving of mailed notice of hearing to property owners upon the question of the inclusion of their property in the district

22592 Upon the conclusion of the hearing, the legislative body shall determine whether a majority protest exists For that purpose, the extent of the territory of the proposed assessment district shall be adjusted in accordance with any orders excluding territory from or including additional territory within the district

22593 Proceedings for the formation of the assessment district shall be abandoned if there is a majority protest unless, by a four-fifths vote of all members of the legislative body, the protest shall be overruled A majority protest exists if, upon the conclusion of the hearing, written protests filed and not withdrawn represent property owners owning more than 50 percent of the area of assessable lands within the proposed district.

22594. If a majority protest has not been filed, the legislative body may adopt a resolution ordering the improvements and the formation of the assessment district and confirming the diagram and assessment, either as originally proposed by the legislative body or as changed by it The adoption of the resolution shall constitute the levy of an assessment for the fiscal year referred to in the assessment

Article 2 Changes of Organization for Assessment Districts

22605 The legislative body, either in a single proceeding or by separate proceedings, may order one or any combination of the following changes of organization:

(a) The annexation of territory to an existing assessment district formed under this part

(b) The detachment of territory from an existing assessment district formed under this part

(c) The dissolution of an existing assessment district formed under this part

(d) The consolidation into a single assessment district formed under this part of any combination of two or more of any of the following

(1) An existing assessment district formed pursuant to this part.

(2) An existing lighting, street lighting, maintenance, or tree planting district formed pursuant to Chapter 26 (commencing with Section 5820) of Part 3 of Division 7, Part 1 (commencing with Section 18000), Part 2 (commencing with Section 18300), or Part 3 (commencing with Section 18600) of Division 14, or Part 1 (commencing with Section 22000) of this division, or pursuant to any procedural ordinance adopted by a charter city.

22606. Proceedings for a change or organization may be.

(a) Undertaken subsequent to or concurrently with proceedings for the formation of an assessment district under this chapter Any or all such proceedings may be conditioned on the completion of any other or all such proceedings

(b) Combined with proceedings for the formation of an assessment district under this chapter In such case, any of the several resolutions, reports, notices, or other instruments provided for in this part may be combined into single documents

22607 Except as otherwise provided in this article, proceedings for a change of organization shall be initiated, conducted, and completed in substantial accordance with the procedure provided in Article 1 (commencing with Section 22585) of this chapter for the formation of an assessment district

22608 In annexation proceedings, the resolutions, report, notices of hearing, and right of majority protest shall be limited to the territory proposed to be annexed Notice of hearing on the proposed annexation shall be published, posted, and mailed. Mailed notice may be dispensed with as to all property owners who shall have filed a written request for the annexation of their property

22609 In detachment proceedings, the resolutions, report, notices of hearing, and right of majority protest shall be limited to the territory proposed to be detached The legislative body may dispense with

(a) The resolution and report required by Sections 22585 and 22586 and may initiate proceedings by the adoption of the resolution of intention

(b) Posted and mailed notice of hearing

22610 In dissolution proceedings, the legislative body may dispense with the resolution and report required by Sections 22585 and 22586 and may initiate dissolution proceedings by the adoption of the resolution of intention. The legislative body may dispense with posted and mailed notice of hearing If the legislative body orders the dissolution of an assessment district, any moneys in the improvement fund for the district shall be transferred to the general fund of the local agency

CHAPTER 3 LEVY OF ANNUAL ASSESSMENTS AFTER FORMATION OF AN ASSESSMENT DISTRICT

22620 This chapter shall apply to all annual assessments levied after the formation of an assessment district

22621. Proceedings shall be taken pursuant to this chapter for any fiscal year during which an assessment is to be levied and collected within an existing assessment district

22622. The legislative body shall adopt a resolution which shall generally describe any proposed new improvements or any substantial changes in existing improvements and order the engineer to prepare and to file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of this part.

22623. Upon completion, the engineer shall file the report with the clerk for submission to the legislative body The legislative body may approve the report, as filed, or it may modify the report in any particular and approve it as modified

22624 After approval of the report, either as filed or as modified, the legislative body shall adopt a resolution of intention The resolution shall:

(a) Declare the intention of the legislative body to levy and collect assessments within the assessment district for the fiscal year stated therein

(b) Generally describe the existing and proposed improvements and any substantial changes proposed to be made in existing improvements

(c) Refer to the assessment district by its distinctive designation and indicate the general location of the district.

(d) Refer to the report of the engineer, on file with the clerk, for a full and detailed description of the improvements, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the district

(e) Give notice of the time, as fixed by Section 22625, and the place for hearing by the legislative body on the levy of the proposed assessment

22625 The date, hour, and place of the hearing is hereby fixed as the date, hour, and place of the first regular meeting in June, as specified in any ordinance, resolution, or order of the legislative body fixing the time and place of its regular meetings.

22626 The clerk shall give notice of hearing by causing the resolution of intention to be published and posted

22627 The clerk shall give mailed notice of hearing to property owners owning lots or parcels in the following categories:

(a) Where there is an increase in the amount proposed to be assessed upon any lot or parcel by reason of a change of zone or a change in the formula or method of apportioning the net amount to be assessed upon lands within the assessment district

(b) Where there has been a division of any lot or parcel of land assessed during the previous fiscal year and, as a result thereof, the divided lots or parcels are owned by different persons

22628 Any interested person may, prior to the conclusion of the hearing, file a written protest with the clerk or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection A protest by a property owner shall contain a description sufficient to identify the property owned by him

22629 The legislative body shall hold the hearing at the time and place specified in the resolution and in any order continuing the hearing All interested persons shall be afforded the opportunity to hear and be heard The legislative body shall consider all oral statements and all written protests made or filed by any interested person The legislative body may continue the hearing from time to time, provided, that no continuance shall be made to a date subsequent to the following July 1 without the prior consent of the county auditor

22630 During the course or upon the conclusion of the hearing, the legislative body may order changes in any of the matters provided in the report, including changes in the improvements, any zones within the assessment district, and the proposed diagram or the proposed assessment

22631 Upon the conclusion of the hearing, the legislative body may adopt a resolution confirming the diagram and assessment, either as originally proposed or as changed by it The adoption of the resolution shall constitute the levy of an assessment for the fiscal year referred to in the assessment

CHAPTER 4. COMPLETION OF PROCEEDINGS; COLLECTION OF ASSESSMENTS

Article 1 Completion of Proceedings, Filing of Diagram and Assessment

22640 Hearings upon the formation of an assessment district, upon a change of organization for an existing district, or upon the levy of annual assessments after formation of a district shall be concluded and any resolution confirming a diagram and an assessment shall be adopted not later than

(a) July 1 of the fiscal year during which the assessments are to be collected on the county assessment roll, or

(b) Such later date, not beyond the third Monday in August, as the county auditor may authorize

22641 Immediately after the adoption of any resolution confirming a diagram and assessment and by not later than the third Monday in August, the clerk shall file a diagram and assessment, or a certified copy thereof, with the county auditor

Article 2 Collection of Assessments

22645 After the filing of the diagram and assessment, the county auditor shall enter on the county assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the assessment

22646 The assessments shall be collected at the same time and in the same manner as county taxes are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments

22647 After collection by the county, the net amount of the assessments, after deduction of any compensation due the county for collection, shall be paid to the treasurer

CHAPTER 5 FINANCIAL PROVISIONS

22655 Upon receipt of moneys representing assessments collected by the county, the treasurer shall deposit the moneys in the treasury of the local agency to the credit of an improvement fund for the assessment district from which they were collected, and the moneys shall be expended only for the improvements authorized for such district

22656 If there is a surplus or a deficit in the improvement fund of an assessment district at the end of any fiscal year, the surplus or deficit shall be carried forward to the next annual assessment to be levied within such district and applied as a credit or a debit, as the case may be, against such assessment

22657 If there is a deficit in the improvement fund of an assessment district during any fiscal year, the legislative body, from any available and unencumbered funds of the local agency, may provide for:

(a) A contribution to the improvement fund

(b) A temporary advance to the improvement fund and direct that the advance be repaid from the next annual assessments levied and collected within the assessment district

22658 The legislative body may accept contributions from any source toward payment of improvement costs The legislative body, at any time either before or after the confirmation of the assessment, may provide for contributions towards payment of improvement costs from the funds of the local agency All contributions shall be deposited in the improvement fund of the assessment district for which the contribution was provided

22659 All contributions authorized prior to confirmation of an assessment shall be deducted from the total improvement costs to be assessed within the assessment district

22660 The legislative body may by resolution determine that the estimated cost of specified proposed improvements, other than costs of maintenance and servicing, is greater than can be conveniently raised from a single annual assessment and order that such estimated cost shall be raised by an assessment levied and collected in installments

over a period not to exceed five fiscal years. The resolution shall generally describe the proposed improvements, set forth the estimated cost thereof, specify the number of annual installments and the fiscal years during which they are to be collected, and fix or determine the amount of each annual installment

22661 After adoption of a resolution providing for annual installment assessments, the engineer, in preparing reports required by Article 4 (commencing with Section 22565) of Chapter 1 of this part, shall include in the estimate and the assessment for each fiscal year specified in the resolution the amount of the annual installment fixed or determined for such year.

22662 If a resolution providing for annual installment payments has been adopted, in the resolution or subsequent thereto, the legislative body may provide for

(a) The accumulation of the moneys collected from the annual installments in the improvement fund until there shall be sufficient moneys to pay all or part of the cost of the improvements described in the resolution

(b) A temporary advance to the improvement fund from any available and unencumbered funds of the local agency to pay all or part of the cost of the improvements described in the resolution and direct that the advance be repaid from the annual installments levied and collected during the fiscal years designated in the resolution

22663 Public property owned by any public agency and in use in the performance of a public function shall not be subject to assessment under this part unless the resolution of intention expressly provides that it shall be assessed If the resolution provides that public property shall be assessed, the local agency conducting the proceedings shall be liable for payment of all amounts so assessed Any such amounts shall be payable from the general fund of the local agency unless the resolution of intention designates some other fund To the extent that any such amounts are paid by the public agency owning the public property, the local agency conducting the proceedings shall not be liable therefor

CHAPTER 6 PERFORMING THE WORK

22675 The legislative body, by contract or otherwise, shall provide for the performance of all work ordered by it pursuant to this part, including the construction and installation of any improvements and the furnishing of maintenance or service for any improvements

22676 All or any part of the improvements may be constructed, installed, or owned and all or any part of the maintenance and servicing of any of the improvements may be provided by one or any combination of any of the following

(a) The local agency conducting proceedings

(b) Any other public agency

(c) Any public utility

22677 The local agency, by contract made with another public agency or with a public utility, may provide for the construction, installation, or ownership of any improvements or for the furnishing of

maintenance or service for any improvements Any contract with another public agency shall be made in compliance with all laws applicable to the other public agency and to the local agency Any contract with a public utility shall be made in compliance with and subject to all tariffs, rules, and rate schedules of the public utility on file with and approved by the Public Utilities Commission Except as otherwise provided in this section, a contract may contain such provisions as may be agreed upon by the local agency and the other public agency or the public utility, as the case may be

22678. Except for any work provided for by contract made pursuant to Section 22677, the legislative body shall provide for the construction or installation of all improvements and for the furnishing of maintenance and service for any improvements in accordance with and subject to all laws applicable to the local agency, including any laws requiring the letting of contracts after competitive bidding

22679 The legislative body may (a) provide for the construction or installation of any improvements authorized by this part by proceedings taken pursuant to any other special assessment law or, in the case of a charter city, any procedural ordinance of the city and, (b) provide for the maintenance or servicing of those improvements by proceedings taken pursuant to this part The proceedings may be taken separately or combined If combined, any of the several resolutions, reports, notices or other instruments provided for in this part may be combined with those provided for in the other special assessment law or procedural ordinance ''

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, May 8, 1972

Mr Speaker The Chairman of your Committee on Elections and Reapportionment reports

AB No 1568

With author's amendments with the recommendation Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1568—An act to amend Section 11503 of the Elections Code, relating to campaign disclosure

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to add Chapter 2 5 (commencing with Section 11900) to Division 8 of the Elections Code,"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Chapter 2 5 (commencing with Section 11900) is added to Division 8 of the Elections Code, to read.

CHAPTER 2.5 CAMPAIGN COMMUNICATIONS REFORM ACT

Article 1 Definitions

11900 This chapter shall be known and may be cited as the "California Campaign Communications Reform Act"

11901 Unless the context otherwise clearly requires, the definitions set forth in this article shall govern the construction of this chapter.

11902 "Communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities and telephones; but with respect to telephones, spending or an expenditure shall be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate for elective office to communicate with potential voters (excluding any costs of telephone incurred by a volunteer for use of telephone by him)

11903 "Elective office" includes all state, county, judicial and district offices and all municipal offices in a general law or chartered city, chosen at an election conducted within this state "Elective office" also includes membership on a county central committee "Elective office" does not include any office within the meaning of Section 102(3) of the Federal Election Campaign Act of 1971

11904 "Candidate" means any person who seeks nomination or election to an elective office at any election or primary conducted within this state

11905 "Person" includes any individual, firm, association, organization, partnership, business trust, committee, corporation or company.

Article 2 Campaign Expenditures

11910 To the extent that any person sells space in any newspaper or magazine to a candidate in connection with such candidate's campaign for nomination for, or election to, any elective office, the charges made for the use of such space in connection with his campaign shall not exceed the charges made for comparable use of such space for other purposes

11911 Subject to Section 11913, no candidate in an election for an elective office may spend for the use of communications media on behalf of his candidacy in such election a total amount in excess of the greater of

(a) Sixteen cents ($0 16) multiplied by the number of registered voters in the jurisdiction or district in which the election is held, or

(b) Fifty thousand dollars ($50,000)

11912 Subject to Section 11913, no candidate in an election for an elective office may spend for the use of broadcast stations on behalf of his candidacy in such election a total amount in excess of 60 percent of the amount determined under Section 11911 with respect to such election

11913. Each amount determined under Sections 11911 and 11912 shall be increased during each calendar year by the percentage certified by the Secretary of Labor of the United States and published in the Federal Register pursuant to Section 104(a)(4) of the Federal Election Campaign Act of 1971.

11914 For purposes of the computations required by subdivision (a) of Section 11911, the number of registered voters in each jurisdiction and district is the number reported in the Secretary of State's first report of registration in each even-numbered year under subdivision (a) of Section 6460. Each county clerk shall, at the time he transmits the required information under subdivision (a) of Section 6460 to the Secretary of State, determine the number of registered voters in each jurisdiction and district within the county The figure contained in the report of registration or the figure so determined by the county clerk shall be used for each election until the next report of registration under subdivision (a) of Section 6460.

11915 Amounts spent for the use of communications media on behalf of candidates for elective office shall, for purposes of this section, be deemed to have been spent by such candidate

11916 For purposes of this article, spending and charges for the use of communications media include not only the direct charges of the media but also agents' commissions allowed the agent by the media.

11917. For purposes of this article, any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for elective office shall be charged against the expenditure limitation under this section applicable to the election in which such medium is used. For purposes of this article primary elections are separate from general elections, and expenditures for which communications media are used prior to or on the date of the primary election shall be charged against the expenditure limitation applicable to the primary election

11918. No person may make any charge for the use by or on behalf of any candidate for elective office of any newspaper, magazine, or outdoor advertising facility, unless such candidate or a person specifically authorized by such candidate in writing to do so certifies in writing to the person making such charge that the payment in such charge will not violate this article

11919. As used in this article, "station licensee" has the same meaning as in Section 315 of the Federal Communications Act of 1934

11920 No station licensee may make any charge for the use of a broadcasting station by or on behalf of any candidate for elective office unless such candidate or a person specifically authorized by such candidate in writing to do so certifies to such licensee in writing that the payment of such charge will not violate this article.

11921 By this section the Legislature expresses its intent to be bound by the provisions of subsection 315(d) of the Federal Communications Act of 1934 The Legislature finds and stipulates that the expenditure limitations contained in this article will not exceed the amounts which would be determined under Sections 104(a)(1)(B) and 104(a)(2)(B) of the Federal Campaign Communications Reform Act if said act were applicable to the elections covered by this chapter.

11922. The Secretary of State shall prescribe such regulations as may be necessary or appropriate to carry out this article ''

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and on page 2, strike out lines 1 to 11, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, May 8, 1972

Mr Speaker The Chairman of your Committee on Government Administration reports

AB No 2324

With author's amendments with the recommendation Amend, and re-refer to the Committee on Government Administration

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2324—An act to amend Section 3 of Chapter 491 of the Statutes of 1971, relating to the transfer of the real property of the DeWitt State Hospital facility

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 1 of the printed bill, after line 5, insert

"SEC 2 Section 3 5 is added to Chapter 491 of the Statutes of 1971, to read

SEC 3 5 For the purposes of Section 3 of this act, public purpose shall mean any use of the property which is of a public character, or which will benefit the employment or economy of the surrounding area ''

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 8, 1972

Mr Speaker The Chairman of your Committee on Transportation reports

AB No 1272

AB No 2019

With author's amendments with the recommendation Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1272—An act to amend Section 12803 of, and to add Section 12805 5 to, the Vehicle Code, relating to drivers' licenses.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, line 12, of the printed bill, after "California", insert ", including such a course in an adult class,".

Amendment No. 2

On page 2, line 18, strike out " To", and insert ", unless such applicant is at the time of application, and has been continuously for at least one year immediately prior to making such application, licensed in another state If such applicant has such a license, he shall submit proof to the department, in a manner to be determined by the department, of satisfactory completion of a three-hour course in automobile driver education given by any secondary school of California, including such a course in an adult class, pursuant to provisions of the Education Code, or equivalent instruction in a secondary school of another state, or equivalent professional instruction acceptable to the department, or given by a driving school or an independent driving instructor licensed under the provisions of Chapter 1 (commencing with Section 11100) of Division 5

To"

Amendment No. 3

On page 2, line 33, after "(b)", insert "nor more than five dollars ($5) for the three-hour course described in subdivision (b)"

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Assembly Bill No. 2019—An act to add Section 24360 10 to the Health and Safety Code, relating to the Bay Area Air Pollution Control District

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 24360 10 to", and insert "amend Sections 24355 2 and 39402 of".

Amendment No. 2

In line 2 of the title, strike out "the Bay Area Air Pollution Control District", and insert "air pollution".

Amendment No. 3

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1 Section 24355 2 of the Health and Safety Code is amended to read·

24355 2 The control officer shall observe and enforce

(a) The provisions of this chapter and Chapter 3 5 (commencing with Section 39077) of Part 1 of DIVISION 26

(b) All orders, regulations, and rules prescribed by the board.

(c) All variances and standards which the hearing board has prescribed.

(d) All provision of the Vehicle Code relating to the emission or control of air contaminants

SEC 2 Section 39402 of the Health and Safety Code is amended to read

39402 The control officer shall observe and enforce:

(a) The provisions of this chapter and Chapter 3.5 (commencing with Section 39077) of Part 1.

(b) All orders, regulations, and rules prescribed by the regional board

(c) All variances and standards which the regional hearing board has prescribed

(d) All provisions of the Vehicle Code relating to the emission or control of air contaminants "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 8, 1972

Mr Speaker The Chairman of your Committee on Governmental Organization reports

AB No 2006

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2006—An act to add Chapter 19 5 (commencing with Section 9790) to Division 3 of the Business and Professions Code, relating to the licensing and regulation of electronic technicians, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 3, line 2, of the printed bill, after "vehicle", insert "which is not used or maintained for commercial purposes,".

Amendment No. 2

On page 3, line 12, after "vehicle", insert "which is not used or maintained for commercial purposes".

Amendment No. 3

On page 4, between lines 31 and 32, insert

"In addition to the five appointed members of the board, the director shall be an ex officio member of the board "

Amendment No. 4

On page 4, strike out lines 32 to 34, inclusive.

Amendment No. 5

On page 5, line 2, strike out ", January 1, 1975, two members,"; strike out line 3, and insert "June 1, 1974, two members June 1, 1975, two members June 1, 1976."

Amendment No. 6

On page 5, line 9, strike out "twice a year."; and in line 10, strike out "Additional meetings", and insert "twice, but not more than six times, each year. Meetings".

Amendment No. 6.5

On page 5, line 25, strike out "questins", and insert "questions".

Amendment No. 7

On page 6, line 30, strike out "(d) maintain"; strike out lines 31 to 33, inclusive, and insert "and (d)".

Amendment No. 8

On page 7, line 40, after "examinations", insert ", or has otherwise qualified for such license pursuant to this chapter,".

Amendment No. 9

On page 9, line 17, after "Section", insert "9790 27 "

Amendment No. 10

On page 10, line 22, strike out "learner's", and insert "trainee".

Amendment No. 11

On page 11, line 31, strike out "compiled", and insert "complied".

Amendment No. 12

On page 13, strike out lines 3 and 4, and insert "not be renewable Such applicant shall file a new".

Amendment No. 13

On page 13, line 6, strike out "9790 40 ", and insert "9790 41 If a renewal application is filed within 90 days after the applicant's birthday, a 50 percent penalty shall be added to the renewal fee."

Amendment No. 14

On page 13, strike out lines 9 to 22, inclusive, and insert "for the applications, examinations, licenses, renewals and permits required by this chapter, in accordance with a determination which shall be made by the board of categories of such applications, examinations, licenses, renewals, and permits, based on the costs of administering the provisions applicable to each "

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 8, 1972

Mr Speaker. The Chairman of your Committee on Governmental Organization reports:

AB No 840

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 840—An act to amend Section 3857 of, and to add Section 3901 5 to, the Agricultural Code, relating to district agricultural associations

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out ", as amended by Chapter 474 of the Statutes of 1971,"

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 8, 1972

Mr Speaker The Chairman of your Committee on Retirement reports

AB No 1938

With author's amendments with the recommendation Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, 21294, and 21298 of, and to add Section 21300 5 to, the Government Code relating to retirement

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Below line 1 of the heading of the printed bill, insert

"(Coauthor Senator Carrell)".

Amendment No. 2

On page 3, line 22, strike out "one-sixtieth", and insert "one-fiftieth".

Amendment No. 3

On page 3, line 28, strike out "one-sixtieth", and insert "one-fiftieth".

Amendment No. 4

On page 3, line 35, strike out "10", and insert "five".

Amendment No. 5

On page 4, between lines 6 and 7, insert

"The amendment to this section at the 1972 Regular Session of the Legislature shall be applicable only to members who retire for disability on or after the effective date of the amendments to this section at the 1972 Regular Session of the Legislature"

Amendment No. 6

On page 4, after line 12, insert

"SEC 6 This act shall become operative on the first of the month following the month in which statutes enacted at the 1972 Regular Session of the Legislature become effective"

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 8, 1972

Mr Speaker The Chairman of your Committee on Retirement reports

ACA No. 50

With author's amendments with the recommendation Amend, and re-refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 29 to Article IV thereof, relating to retirement benefits of law enforcement and firefighting personnel

Resolution read

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed measure, after "prescribe", insert "minimum standards for".

Amendment No. 2

On page 2, line 1, after "personnel", insert ", to include but not be limited to pension and survivors' benefits available to members of the California Highway Patrol"

Resolution ordered reprinted, and to be re-referred to the Committee on Retirement.

MESSAGES FROM THE SENATE

Senate Chamber, May 4, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed.

AB No 270
AB No 771
AB No 2008

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, May 4, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SCR No 14

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, May 4, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 61
AB No 149
AB No 438

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, May 4, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day passed:

SB No. 439
SB No 886
SB No 1428

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, May 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted·

SCR No. 46

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 439—An act to amend Section 26614 5 of the Government Code, relating to county searches

Held at Desk by order of the Acting Speaker.

Senate Bill No. 886—An act to add Section 403 to, and to repeal Section 403 of, the Probate Code, relating to executors of estates

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1428—An act to amend Section 1, 32, 35, and 101 of, and to add Section 50 to, the Agricultural Code, relating to agriculture.

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 46—Relative to the Joint Legislative Budget Committee.

Held at Desk by order of the Acting Speaker

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 1824 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Planning and Land Use, and that Assembly Bill No 1474 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bill was this day on the second reading file:

Assembly Bill No. 1100, ordered to third reading

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 375—An act to amend Section 11556 of, and to add Section 11555 5 to, the Government Code, to add Title 6 (commencing with Section 13800) and Title 6.5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of, the Penal Code, relating to criminal justice.

Bill read second time, and ordered to third reading.

Assembly Bill No. 384—An act to amend Section 23801 of the Education Code, relating to state colleges

Bill read second time, and ordered to third reading.

Assembly Bill No. 1029—An act to amend Section 12101 1 of the Welfare and Institutions Code, relating to old age security.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1710—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions.

Bill read second time, and ordered to third reading

Assembly Bill No. 423—An act to amend Sections 10559 and 12500 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1502—An act to amend Section 13114 of the Health and Safety Code, relating to the State Fire Marshal.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 824—An act to add Section 17525.1 to the Education Code, relating to state school support.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "and repeal".

Amendment No. 2

On page 2, line 4, after the period, insert "Such waiver shall be limited to not more than three administrative positions"

Amendment No. 3

On page 2, after line 4, insert

"The Superintendent of Public Instruction shall submit a report to the Legislature by the fifth calendar day of each regular session of the number of waivers and the reasons for granting such waivers pursuant to this section

This section shall remain in effect only until July 1, 1975, and as of that date is repealed."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1118—An act to amend Section 2640 of the Labor Code, relating to employee housing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1719—An act to amend Sections 280, 282, 310, 321, 322, 323, and 450 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed bill, insert "(Coauthor. Senator Carpenter)".

Amendment No. 2

On page 2, line 33, after "number", insert ", and shall be so advised by the registration clerk or deputy registrar".

Amendment No. 3

On page 2, line 40, after "number", insert ", and shall be so advised by the registration clerk or deputy registrar".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1597—An act to amend Section 6401 of the Elections Code and Section 25041 of the Government Code, relating to candidates.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and"; strike out line 2 of the title, and insert ", relating to".

Amendment No. 2

On page 1, line 8, strike out "the full"; strike out line 9, and in line 10, strike out "three months", and insert "as long as he has been eligible to vote in the state".

Amendment No. 3

On page 2, strike out lines 13 to 18, inclusive

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 719—An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831, 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the head-

ings of Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508 5, 32509.5, 61809.1, 61809 3, 61809 7, 62050 1, 62301.5, 62707 6, 62707 7, 62707 8, 62707 9, 62714 1, and 62717 1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2.5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Murphy", and insert "Assemblymen Murphy and LaCoste".

Amendment No. 2

On page 33, strike out lines 19 to 28, inclusive, and insert

"63041 If the proposed plan submitted to the voters pursuant to this chapter is not approved, no plan may be submitted to the producers for their approval or disapproval pursuant to this chapter unless it is first approved by a statute."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 257—An act to amend Sections 13103, 13117.2, 13120 1, 13125 1, 13130, and 13165 of, and to add Sections 51 and 13113 2 to, the Education Code, relating to teacher preparation and licensing

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 12, 1972, after the second comma, insert "13141,".

Amendment No. 2

On page 3, line 15, strike out "Requirements", and insert "Minimum requirements".

Amendment No. 3

On page 4, lines 9 and 10, strike out "subdivision (b) of Section 403", and insert "Section 403(b)".

Amendment No. 4

On page 4, line 17, after "SEC. 4 ", insert "Section 13117.2 of the Education Code is amended to read:".

Amendment No. 5

On page 5, between lines 32 and 33, insert

"SEC. 8. Section 13141 of the Education Code is amended to read:

13141. The minimum requirements for the services credential with a specialization in administrative services are all of the following:

(a) The possession of a valid teaching credential as specified in Section 13130 or a services credential with a specialization in pupil personnel services.

(b) A minimum of three years of successful, full-time classroom teaching experience in the public schools, or in private schools of equivalent status or three years of further experience in the field of pupil personnel services.

(c) The passage of an examination selected and interpreted by the commission or its approved waiver as set forth in Sections 13150 and 13158.

(d) A program of specialized and professional preparation in administrative services approved by the commission or one-year internship in a commission-approved program of supervised in-service training in administrative services or an examination in administrative services.

The services credential with a specialization in administrative services shall authorize the holder to serve as a superintendent, associate superintendent, deputy superintendent, principal, assistant principal, supervisor, consultant, coordinator, or in an equivalent or intermediate level administration position.

Any person who administers a pupil personnel program shall hold a services credential with a pupil personnel or administrative specialization."

Amendment No. 6

On page 5, line 33, strike out "8", and insert "9".

Amendment No. 7

On page 6, lines 20 and 21, strike out "SEC. 9. Sections 2 to 8, inclusive," and insert

"SEC. 10. Sections 2, 6, 7, 8, and 9".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 781—An act to add Section 13593.5 to the Education Code, relating to classified school employees

Bill read second time, and ordered to third reading

Assembly Bill No. 929—An act to amend Section 13447 of the Education Code, relating to public school employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 975—An act to add Sections 10554 3 and 10554 4 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 471—An act to add Section 1718 to the Civil Code, relating to repair of farm equipment.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1230—An act to add Section 66521 5 to the Government Code, and to amend Sections 30101 and 30102 of, and to add Section 30101 1 to, the Streets and Highways Code, relating to toll bridge revenues

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted

Amendment No. 1

On page 3, line 5, of the printed bill, after "purpose", insert ", including delivery of the proposal regarding such expenditures, as prepared by the commission, to such bondholders within 45 days after receiving the proposal from the commission"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1400—An act to amend Sections 53, 57, 7304, 7314, 7344, 7350, 7681, 7683, 7721, 7904, and 7906 of, to add Sections 55.1, 154, and 155 to add Chapter 6 (commencing with Section 140) to Division 1 of, to add Part 1 (commencing with Section 6300) and Part 3 1 (commencing with Section 7400) to Division 5 of, to repeal Sections 79, 7682, 7722, 7723, and 7724 of, to repeal Part 1 (commencing with Section 140) of Division 5 of, to repeal Part 1 (commencing with Section 6300) of Division 5 of, the Labor Code, and to amend Section 830 3 of the Penal Code, relating to industrial safety.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted

Set No. 1

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly April 24, 1972, strike out "55.1,".

Amendment No. 2

In line 7 of the title, strike out "79,".

Amendment No. 3

On page 2, strike out lines 20 to 26, inclusive.

Amendment No. 4

On page 3, strike out lines 15 to 18, inclusive

Set No. 2

Amendment No. 1

In lines 7 and 8 of the heading of the printed bill, as amended in Assembly April 24, 1972, strike out "and Wilson", and insert "Wilson, Fong, Garcia, Gonsalves, Meade, and Vasconcellos".

Amendment No. 2

In lines 9 and 10 of the heading, strike out "and Zenovich", and insert "Zenovich, Holmdahl, and Walsh".

Amendment No. 3

In lines 7 and 8 of the title, strike out "Part 1 (commencing with Section 140) of Division 5", and insert "Chapter 6 (commencing with Section 140) of Division 1,".

Amendment No. 4

On page 18, strike out lines 23 to 29, inclusive

Amendment No. 5

On page 22, line 37, after "6701", insert ", which are in high hazard industries as defined in subdivision (b) of Section 6701"

Amendment No. 6

On page 23, lines 37 and 38, strike out "one hundred thousand dollars ($100,000)", and insert "one million dollars ($1,000,000)".

Amendment No. 7

On page 24, line 3, strike out "amended", and insert "awarded".

Amendment No. 8

On page 24, line 20, strike out "Section 6705", and insert "this section".

Amendment No. 9

On page 25, line 11, after "negotiate", insert "a contract"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 264—An act to add Section 8577 to the Education Code, relating to public schools.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 2, line 11 of the printed bill, as amended in Assembly March 21, 1972, strike out "men", and insert "persons"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1000—An act to amend Sections 17910 of, and to repeal Section 20814 5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), and Chapter 4 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend Sections 16120, 29100.5, 29100 7, and 65570 of, the Government Code, and to amend Sections 218, 2611.5, 6051, 6052 5, 6201, 7102, 17041, 23151, 23184, 23186, 23333, and 23501 of, to repeal Section 6376 of, to add Sections 17053 5 and 17053 6 to, the Revenue and Taxation Code, and to repeal Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, relating to the imposition of state taxes to provide subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 32, line 33, of the printed bill, as amended in Assembly April 27, 1972, after "SEC. 36 ", insert "Notwithstanding any other provision of this act to the contrary, no appropriation contained in this act shall be operative for any purpose and no funds shall be expended for any purpose under the provisions of this act, until such time as such funds are specifically appropriated by the Legislature.

SEC 37 "

Set No. 2

Amendment No. 1

On page 26, lines 32 and 33, of the printed bill, as amended in Assembly on April 27, 1972, strike out "following refunds shall be made." and insert "taxpayer shall be entitled to a credit under Section 17053.5 to the extent of his tax liability plus a refund in excess of that amount up to the lesser of eighty dollars ($80) combined credit and refund or the amount indicated on the following table:".

Set No. 3

Amendment No. 1

In line 15 of the title of the printed bill, as amended in Assembly April 27, 1972, after the comma, insert "and to amend Section 11018 of the Welfare and Institutions Code,".

Amendment No. 2

On page 25, strike out lines 14 to 20, inclusive; and in line 21, strike out "(6)", and insert "(5)".

Amendment No. 3

On page 27, strike out lines 19 to 33, inclusive, and insert

"23151. (a) With the exception of financial corporations, every corporation doing business within the limits of this state and not expressly exempted from taxation by the provisions of the Constitution of this state or by this part, shall annually pay to the state, for the privilege of exercising its corporate franchises within this state, a tax according to or measured by its net income, to be computed at the rate of ~~7~~ *7.6* percent upon the basis of its net income for the next preceding income year. In any event, each such corporation shall pay annually to the state, for the said privilege, a minimum tax of one hundred dollars ($100).

(b) For calendar or fiscal years ending after December 31, ~~1971~~ *1972*, the rate of tax shall be ~~7.6~~ *9* percent instead of ~~7~~ *7.6* percent as provided by subdivision (a).

(c) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in subdivision (a) shall be two hundred dollars ($200) instead of one hundred dollars ($100)."

Amendment No. 4

On page 31, between lines 4 and 5, insert

"SEC. 31.5. Section 11018 of the Welfare and Institutions Code is amended to read:

11018. *(a)* Notwithstanding Section 11008, in computing the amount of income available to support a recipient, the first sixty dollars ($60) per quarter of any casual income or income from inconsequential resources which is received infrequently or irregularly shall be exempt.

(b) In addition to that income exempted in subdivision (a), any funds received pursuant to Section 17053 6 of the Revenue and Taxation Code shall be treated as inconsequential resource of income to the recipient "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 658—An act to amend Sections 51061, 51282, and 51283 of the Government Code, relating to open-space property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out the comma, and insert "which granted an open-space easement prior to January 1, 1975, if it finds that the subject land was owned by such educational institution on January 1, 1972, and".

Amendment No. 2

On page 2, line 31, after "easement", insert "granted prior to January 1, 1975,".

Amendment No. 3

On page 2, line 33, after the comma, insert "if the land was owned by such educational institution on January 1, 1972, and".

Amendment No. 4

On page 3, line 18, after "petition", insert "with respect to a contract entered into prior to January 1, 1975,".

Amendment No. 5

On page 3, line 24, after "code", insert ", and if the land was owned by such educational institution on January 1, 1972".

Amendment No. 6

On page 4, line 37, after "contract", insert "entered into prior to January 1, 1975,".

Amendment No. 7

On page 4, line 39, after the comma, insert "if the land was owned by such educational institution on January 1, 1972, and"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 777—An act to amend Section 10434 of the Insurance Code, relating to insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly April 19, 1972, strike out "A domestic", and insert "An admitted life".

Amendment No. 2

On page 2, line 19, strike out "company's", and insert "insurer's".

Amendment No. 3

On page 2, line 24, strike out "domestic company", and insert "insurer".

Amendment No. 4

On page 2, line 26, strike out "domestic".

Amendment No. 5

On page 2, line 27, strike out "company", and insert "insurer".

Amendment No. 6

On page 2, strike out lines 37 to 40, inclusive.

Amendment No. 7

On page 3, line 1, strike out "(d)", and insert "(e)".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 280—An act to amend Section 11622 of the Insurance Code, and to amend Sections 16023, 16059, 16377, 16430, 16435, 16451, 16500, 16550, 17151, 17155, and 17709 of the Vehicle Code, relating to financial responsibility for vehicle accidents.

Bill read second time, and ordered to third reading

Assembly Bill No. 693—An act to amend Section 10270.55 of the Insurance Code, relating to insurance

Bill read second time, and ordered to third reading.

Assembly Bill No. 718—An act to amend Section 7152 of the Financial Code, relating to savings and loan associations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 991—An act to repeal Section 18 5 of Chapter 548 of the Statutes of 1968, relating to underwritten title companies

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 992—An act to add Section 1656 1 to the Insurance Code, relating to insurance

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1158—An act to add Section 1302 5 to the Education Code, relating to school district elections

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 1162 of, and to"

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, after "SECTION 1", insert "Section 1162 of the Education Code is amended to read:

1162 Whenever a vacancy occurs, or whenever a resignation has been filed with the county superintendent of schools containing a deferred effective date, the county superintendent of schools having jurisdiction shall ~~immediately~~ call a special election, *in accordance with Section 1302 5*, to elect a successor to serve during the remainder of the term in which the vacancy occurs or will occur

~~The~~ *If Section 1302.5 is not applicable to the district the* special election shall be conducted no later than the 120th day after the written resignation is filed with the county superintendent of schools.

The election shall be called and conducted in as nearly the same manner as practicable as other governing board member elections.

SEC. 2."

Amendment No. 4

On page 1, line 4, strike out "school district elections", and insert "a school district bond election or a special election to fill a vacancy on the governing board of a school district".

Amendment No. 5

On page 1, strike out line 6, and insert ", with a district election, a regular state election, or a regular municipal election.

The provisions of this section are applicable only in school district territory in which a regular state or municipal election is held at least once a year."

Bill ordered reprinted, and returned to the second reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 220—An act relating to health science facilities, and in this connection to amend Sections 4, 8, and 17 of Chapter 665 of the Statutes of 1971, and to provide health science facilities by the adoption of a construction program therefor, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, making an appropriation therefor, and providing for the submission of the measure to the people at a special election to be consolidated with the General Election of 1976.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Senate April 5, 1972, strike out "Coauthor Assemblyman Monagan", and insert "Coauthors. Assemblymen Monagan and Barnes".

Amendment No. 2

On page 5, line 11, after the period, insert "Proceeds of such bonds may be used for the purpose of constructing on-campus teaching hospitals on the University of California campuses at Davis and Irvine only upon approval of the Legislature "

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 197—An act to amend Section 19629 of the Welfare and Institutions Code, relating to rehabilitation

Bill read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, May 8, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 991
AB No 992
AB No 1118

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 280	AB No 929
AB No 693	AB No 975
AB No 781	AB No 1029

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 334—An act to amend Sections 73914 and 73915 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 334?

Amendment No. 1

On page 4, line 39, of the printed bill, as amended in Assembly March 13, 1972, after "payable", insert ", but shall only be effective until the 61st day following adjournment of the next following regular session of the Legislature".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. MacGillivray moved a call of the Assembly

Motion carried Time, 11:25 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Ralph was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No 196 and Assembly Constitutional Amendment No 14 were continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 673, on request of Mr Sieroty.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 749—An act to amend Section 41500 of the Vehicle Code, relating to nonprosecution of nonfelony Vehicle Code violations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Stacey, Stull, Warren, Wilson, Wood, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1228—An act to add Section 534 5 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Sieroty, Stacey, Stull, Warren, Wilson, Wood, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 543—An act to amend Section 31520.1 of the Government Code, relating to county employees' retirement.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Warren, Wilson, Wood, and Mr Speaker—55

NOES—None

Bill ordered transmitted to the Senate.

Hon. Leon Ralph Presiding

At 11:32 a m, Hon Leon Ralph, 55th District, presiding.

Assembly Bill No. 1903—An act to amend Sections 53649, 53651, 53660, 53663, 53665, and 53668 of, and to repeal Section 53662 of, the Government Code, relating to local government.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1270—An act to amend Section 17 of, to add Section 995 1 to, and to amend and renumber Section 995a of, the Penal Code, relating to crimes

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Fenton moved a call of the Assembly.

Motion carried Time, 11:39 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 905—An act to amend Section 15 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—56

NOES—Cullen and Stacey—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 973—An act to add Section 17410 to the Welfare and Institutions Code, relating to county general assistance

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 302—An act to amend Section 21100 of the Public Resources Code, relating to environmental quality

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—56.

NOES—Davis—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:46 a m, Mr Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in Room 3188, at this time, to consider Senate Bill No. 326 and Assembly Bill No. 422 and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 326 and Assembly Bill No. 422 for hearing in the Committee on Ways and Means today.

CONSIDERATION OF DAILY FILE (RESUMED) -- THIRD READING OF SENATE BILLS

Senate Bill No. 365—An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Deddeh.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 365:

Governor's Office, Sacramento
April 3, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 365, "An act making an appropriation to the Board of Governors of the California Community Colleges, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No. 365, as amended, as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Senate Bill No 365.

Urgency clause adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Crown, Cullen, Davis, Ded-

deh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Stacey, Stull, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Stacey, Stull, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2357: By Assemblymen Arnett and Ryan (Senator Gregorio, coauthor)—An act to amend Sections 196 and 197 of the Penal Code, relating to homicide

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2358: By Assemblyman Gonsalves—An act to add Article 3 (commencing with Section 51350) to Chapter 1, Part 2, Division 1, Title 5 of the Government Code, relating to cities.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2354	Judiciary
2355	Finance and Insurance
2356	Employment and Public Employees

Assembly Concurrent Resolution No.	*Committee*
85	Rules

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 8, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1485

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, May 8, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports.

AB No. 1297

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1297—An act to amend Sections 3662, 3664, 3667, 3668, and 3669 of, and to add Section 3662 5 to, the Public Utilities Code, relating to highway carriers.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 17, of the printed bill, after "after", insert "30 days".

Amendment No. 2

On page 2, line 21, strike out "truck", and insert "truckload".

Amendment No. 3

On page 2, line 29, strike out "shall", and insert "may".

Amendment No. 3.5

On page 2, line 29, strike out "or".

Amendment No. 4

On page 2, line 34, after "published", insert "common carrier".

Amendment No. 5

On page 2, line 38, strike out "adequate", and insert "compensatory to the carrier performing the service".

Amendment No. 6

On page 2, line 39, after "the", insert "volume and commodities involved, and the".

Amendment No. 7

On page 3, lines 15 and 16, strike out "or different from the rates and charges established pursuant to", and insert "except as otherwise provided by"

Amendment No. 8

On page 3, lines 25 and 26, strike out "or different from the rates and charges established pursuant to", and insert "except as otherwise provided by".

Amendment No. 9

On page 4, lines 1 and 2, strike out "or different from the rates established pursuant to", and insert "except as otherwise provided by".

Amendment No. 10

On page 4, lines 16 and 17, strike out "or different from the rates or charges established pursuant to" and insert "except as otherwise provided by".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 8, 1972

Mr Speaker · The Chairman of your Committee on Local Government reports

SB No. 410

With author's amendments with the recommendation Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 410—An act to amend Sections 74662, 74663, 74664, 74665, 74666, and 74674 of the Government Code, relating to courts.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate April 11, 1972, after "of", insert ", and to add Section 74661 5 to,"

Amendment No. 2

On page 1, line 2, after "SECTION 1 ", insert "Section 74661 5 is added to the Government Code, to read

74661 5 The judges of the San Jose-Milpitas Judicial District may appoint two traffic commissioners Each commissioner shall possess the

same qualifications as the law requires of a judge of the court Within the jurisdiction of the court and under the direction of the judges, each commissioner shall exercise the powers and perform the duties authorized by law to be performed by a traffic referee and a commissioner of the superior court, and such additional powers and duties as may be prescribed by law Each commissioner shall hold office at the pleasure of the judges and shall receive a salary equal to eighty-one and one-half percent (81 5%) of the salary of a judge of the municipal court. Each commissioner shall be ex officio deputy clerk of the court and shall be a member of any retirement system which includes attachés of the court and shall receive the same fringe benefits as granted to such attachés Commissioners shall not engage in the private practice of the law

One commissioner shall not be appointed before July 1, 1973.

SEC 1 5 ''

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 8, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 217

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 217—An act to add Section 4062 to, and to add and repeal Section 4062 1 of, the Business and Professions Code, relating to pharmacy.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 11, 1972, strike out ''Assemblyman'', and insert ''Assemblymen''.

Amendment No. 2

In the heading, after ''Johnson'', insert ''and Bagley''.

Amendment No. 3

In lines 1 and 2 of the title, strike out ''4062 to, and to add and repeal Section 4062 1 of,'' and insert ''4333 to''.

Amendment No. 4

On page 2, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 4333 is added to the Business and Professions Code, to read:

4333. (a) Notwithstanding any other provision of this code, in every pharmacy there shall be posted on the premises in a place conspicuous to customers a list of the 100 prescription drugs most frequently sold in this state as determined by the board. The list shall show the retail price for each such drug in accordance with regulations adopted by the board, and shall be revised quarterly on dates specified by the board as the board shall direct."

Amendment No. 5

On page 2, strike out lines 17 to 38, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 334

At 11 58 a.m., on motion of Mr. MacGillivray, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No 334 by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 8, 1972

Mr Speaker Your Committee on Ways and Means reports:

SB No 326

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 8, 1972

Mr Speaker · Your Committee on Ways and Means reports:

AB No 422

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 8, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 1650

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP BILLS

Mr Brown was granted unanimous consent to take up Senate Bill No. 326 and Assembly Bill No 422, without reference to file, for the purpose of reading the bills a second time and adopting the committee amendments at this time, and that Senate Bill No 326 be returned to the third reading file, instead of the second reading file

Second Reading of Bills by Unanimous Consent

Senate Bill No. 326—An act making an appropriation for the support of the fair hearing function of the State Department of Social Welfare and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 1 of the printed bill, as amended in Senate March 24, 1972, strike out lines 6 to 9, inclusive, and insert "contractual service from other public agencies or accredited law schools in California, for support of the Department of Social Welfare's fair hearing functions, provided that the undisbursed balance of this appropriation as of June 30, 1972, shall be reappropriated and be available for expenditure through December 31, 1972 "

Bill ordered reprinted, and returned to the third reading file.

Assembly Bill No. 422—An act to repeal Section 27004 of, and to add Sections 27004, 27005, 27006, 27007, and 27008 to, the Elections Code, relating to recall

Bill read second time, and ordered to third reading.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Priolo was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 966 for hearing in the Committee on Planning and Land Use, on Tuesday, May 9.

Mr Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 515 for hearing in the Committee on Ways and Means, on Wednesday, May 10

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 75 for hearing in the Committee on Ways and Means, on Wednesday, May 10

RESOLUTIONS

The following resolution was offered:

By Assemblyman Knox

House Resolution No. 47

Relative to commending Assemblyman James W Dent

WHEREAS, Assemblyman James W Dent, distinguished legislator and statesman, will retire from the Assembly at the end of his term; and

WHEREAS, Assemblyman Dent was born in Martinez and educated in California schools, receiving his Bachelor of Arts degree in Mathematics and a Masters degree in Education at the University of California, and has done additional graduate work at Columbia and Stanford Universities; and

WHEREAS, He is distinguished scholastically as a member of the National Honor Society, Phi Beta Kappa, and holds an Educational Honorary Membership in Phi Delta Kappa; and

WHEREAS, During his career as an educator and administrator in California schools he has taught in high schools in Chico, Vallejo, and San Jose, and served as vice principal of San Jose High School, Superintendent of Campbell High School District, President of Vallejo Junior College and Superintendent of Mt Diablo Unified School District until his retirement in 1966, and

WHEREAS, Assemblyman Dent was first elected in 1966 to represent the 10th Assembly District, and

WHEREAS, During his terms in the Assembly he has been instrumental in authoring and co-authoring major legislation and serves as Vice-Chairman of the Committee on Resources and Conservation, as a member of the Committee on Education, as chairman of the subcommittee on Administration and Personnel, as a member of the Committee on Employment and Public Employees, and as a member of the Committee on Retirement, and

WHEREAS, In addition, Assemblyman Dent has authored or supported numerous legislative measures in the fields of environmental control, law enforcement and consumer protection, as well as numerous bills relating to schools and all facets of education, and

WHEREAS, He also served on the state's Allocation Board which is responsible for allocating all state school building aid funds as well as other state emergency funds; and

WHEREAS, An active leader in professional and community organizations, Assemblyman Dent is a Past President of the California Association of School Administrators, the California Schoolmaster's Club and the Concord Rotary Club, has served on the Board of Directors of Contra Costa United Fund, Contra Costa Council of Community Services, Northern California Industry Education Council, Northern California Council on Economic Education and Diablo Scholarships, Inc.; and

WHEREAS, Married to Frances Dechman Dent, who is also active in civic and community affairs, Assemblyman Dent and his wife are the parents of three children and have five grandchildren, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend their esteemed colleague, Assemblyman James W. Dent, for his many years of dedicated public service as educator, administrator, legislator and statesman and extend their best wishes for an enjoyable retirement from the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman James W. Dent.

Request for Unanimous Consent

Mr Knox was granted unanimous consent to take up House Resolution No. 47 without reference to committee or file

Resolution read

Majority Floor Leader Presiding

At 12:07 p.m, Hon Jack R. Fenton, 51st District, presiding

Hon. Joe A. Gonsalves Presiding

At 12·18 p m, Hon Joe A Gonsalves, 66th District, presiding

Members Made Coauthors of House Resolution No. 47

Mr. Knox was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 47 as coauthors.

Resolution read, as amended, and adopted unanimously

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN HAYDEN

Mr Wood announced that yesterday was the birthday of Assemblyman Richard Hayden, of the 22nd District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Hayden

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1270

At 11·24 a m, on motion of Mr Fenton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1270 refused passage by the following vote:

AYES—Bagley, Bee, Beverly, Burton, Crown, Cullen, Dent, Dunlap, Fenton, Fong, Garcia, Leroy F. Greene, Harvey Johnson, Knox, Maddy, Meade, Miller, Pierson, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, and Mr Speaker—26

NOES—Arnett, Belotti, Briggs, Burke, Chacon, Chappie, Cline, Collier, Cory, Davis, Deddeh, Duffy, Foran, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Murphy, Powers, Priolo, Stacey, Stull, Wilson, and Wood—34

Motion to Reconsider Assembly Bill No. 1270 on Next Legislative Day

Mr Fenton moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1270 was this day refused passage.

Assembly Bill No. 1270 ordered to the unfinished business file.

Majority Floor Leader Presiding

At 12:25 p m., Hon. Jack R. Fenton, 51st District, presiding

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 26 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 803—An act to add Section 31835 01 to the Government Code, relating to the County Employees' Retirement Law of 1937

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 324—An act to amend Section 690 3 of the Code of Civil Procedure, relating to attachment and execution.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

CAUCUS ANNOUNCEMENTS

Mr Stull announced that there would be a Republican Caucus immediately upon adjournment today, in the Assembly Lounge.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93

Acting Speaker Fenton was granted unanimous consent that Assembly Constitutional Amendment No 93 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Labor Relations.

VOTE CHANGES

Messrs Pierson, Hayes, and Mobley were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 749.

Messrs Pierson, Hayes, Miller, and Mobley were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1228

Mr Hayes was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 543 and 1903.

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 543

Mr MacDonald was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1270.

Messrs Chacon and Keysor were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 1270

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1903.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Moretti, Gonsalves, Pierson, Fenton, and Monagan:

House Resolution No. 48

Relative to congratulating the Los Angeles Lakers

WHEREAS, The Los Angeles Lakers recently won the 1971–72 National Basketball Association championship, and

WHEREAS, During the 1971–72 season the Lakers compiled an all-time professional sports winning streak of 33 consecutive games, an all-time NBA win-loss record of 69–13, another record for scoring 100 or more points in 81 of 82 regular season games, and

WHEREAS, In the NBA best-of-seven-games playoffs, the Lakers defeated the Chicago Bulls in four straight games, the defending NBA champion Milwaukee Bucks in four out of six contests, and the New York Knicks, four victories to one loss, in the finals, thus becoming the first team in NBA history to win 80 games in a season, while at the same time suffering the fewest losses of any team in one NBA season, and

WHEREAS, Jack Kent Cooke is owner of the Lakers, Fred Schaus is general manager, the coaches are NBA "Coach of the Year" William Sharman and his assistant, K. C Jones, and the trainer is Frank O'Neill, and

WHEREAS, The members of the Lakers are Captain Wilt Chamberlain, who was the rebounding leader during the historic season and who also became the NBA's all-time best rebounder during the 1971–72 campaign, Jerry West, NBA leader in assists the past season; Gail Goodrich, Jim McMillian, Harold "Happy" Hairston, Pat Riley, Leroy Ellis, Flynn Robinson, Jim Cleamons, John Trapp and Keith Erickson; and

WHEREAS, The Lakers' attendance of more than 800,000 was helped by a number of California legislators who are among the team's most loyal fans; and

WHEREAS, Although achieving playoff status eight times since moving to Los Angeles from Minneapolis in 1960, this is the first world basketball championship ever won by the Los Angeles Lakers; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members extend their heartiest congratulations to the Los Angeles Lakers for their triumph in the 1971–72 National Basketball Association Championship, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Los Angeles Lakers

Request for Unanimous Consent

Mr Gonsalves was granted unanimous consent to take up House Resolution No 48 without reference to committee or file

Resolution read

Members Made Coauthors of House Resolution No. 48

Mr Gonsalves was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No 48 as coauthors

Resolution read, as amended, and adopted unanimously

ADJOURNMENT

At 12:30 p m, Acting Speaker Fenton declared the Assembly adjourned until 10 a m, Tuesday, May 9, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventieth Legislative Day

One Hundred Twenty-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, May 9, 1972

The Assembly met at 10 a m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Ketchum moved a quorum call of the Assembly.
Motion carried Time, 10 .02 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10 18 a.m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We all wish to be remembered. It is part of that mystery in us which is akin to immortality.

Give us each day the moral courage to perform each task as if it were our last; the willingness to show each person encountered the kindness of a brother; and the fortitude to avoid the things that make us less a man. Perhaps then the good that we do will live after us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Brown then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Knox, seconded by Mr Stull.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere.

Mr. Briggs, on request of Speaker pro Tempore Bee.
Mr Brophy, on request of Speaker pro Tempore Bee
Mr Conrad, on request of Speaker pro Tempore Bee.
Mr Porter, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr Biddle, on request of Speaker pro Tempore Bee
Mr Campbell, on request of Speaker pro Tempore Bee
Mr Hayes, on request of Speaker pro Tempore Bee
Mr. Seeley, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived.

Mr Karabian.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 8, 1972

Honorable Robert Moretti, Speaker
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from session on Tuesday, May 9, 1972

I am meeting with prison officials regarding a recent escape from the Frontera Women's Institution and escapes from other institutions in my district.

Due to the fact that my constituents and the employees of these institutions are fearful of bodily harm, I feel it is mandatory that I hold this meeting

Your favorable consideration of this request would be sincerely appreciated

Sincerely,

JOHN V. BRIGGS, Assemblyman
Thirty-Fifth District

May 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker I respectfully request to be excused from Session on Tuesday, May 9, 1972, on legislative business

I am meeting with officials of the City Demonstration Agency and residents' councils in connection with the problems of the Model Cities Program

Sincerely,

BILL BROPHY, Assemblyman
Forty-Eighth District

NOTE For letters explaining the absences of Messrs. Conrad and Porter on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 8, 1972, page 2746.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee.

Assembly Bill No.	*Committee*
2309	Local Government
2357	Criminal Justice
2358	Local Government

Senate Bill No	*Committee*
439	Local Government
886	Judiciary
1428	Agriculture

Senate Concurrent Resolution No.	*Committee*
46	Rules

COMMUNICATIONS

Assembly Chamber, May 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 106—An act to amend Section 472 of, and to repeal and add Section 471.5 of, the Code of Civil Procedure, relating to pleading, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 412—An act to amend Section 52 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts;

Assembly Bill No. 490—An act to amend Section 44750 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 1:30 p.m., May 8, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1158
AB No. 1597

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 264

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 515

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 9, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1623
AB No 2002
AB No 2074

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 8, 1972

Mr Speaker Your Committee on Transportation reports:

AB No. 1316

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, May 8, 1972

Mr Speaker Your Committee on Welfare reports:

AB No 633

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 3, 1972

Mr Speaker· Your Committee on Finance and Insurance reports:

AB No 1275

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, May 8, 1972

Mr. Speaker The Chairman of your Committee on Commerce and Public Utilities reports.

AB No 2018

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2018—An act to amend Section 9902 6 of the Business and Professions Code, relating to employment agencies

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive; and strike out page 2, and insert

"SECTION 1. Section 9902.6 of the Business and Professions Code is repealed.

~~9902.6. The provisions of this chapter shall not apply to any person engaged in the business of management consulting and who in the course of said business acts solely on behalf of, and is compensated solely by, an employer to identify, appraise or recommend an individual or individuals for consideration for an executive or professional position, provided that:~~

~~(a) The compensation for each such position is at the rate of not less than fifteen thousand dollars ($15,000) per year.~~

~~(b) In no instance is the individual who is identified, appraised, or recommended for consideration for such position charged a deposit, retainer, or fee directly or indirectly in connection with such identification, appraisal, or recommendation, or for registration or for preparation of any resume, or on account of any other personal service performed by the person engaged in the business of management consulting and who in the course of said business is retained by the employer to identify, appraise, or recommend individuals for executive or professional positions.~~

~~(c) In no instance does the person engaged in management consulting advertise positions for which the compensation is at the rate of less than fifteen thousand dollars ($15,000) per year, or that any of the fees mentioned in subdivision (b) are charged by such person.~~"

Bill ordered reprinted. and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, May 8, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No 1437

With author's amendments with the recommendation Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1437—An act to add Chapter 6 (commencing with Section 12351) to Division 8 of the Elections Code, relating to campaign contributions, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 13, inclusive; strike out all of pages 2 and 3, and insert

"12351 There is in the State Treasury the Senate Campaign Fund, to which fund there is hereby appropriated the sum of one million two hundred thousand dollars ($1,200,000) each fiscal year.

12352. There is in the State Treasury the Assembly Campaign Fund, to which fund there is hereby appropriated the sum of two million four hundred thousand dollars ($2,400,000) each fiscal year.

12353. On the date of each direct primary election the Assembly Campaign Fund and the Senate Campaign Fund shall not be subject to further appropriation After certification as his party's nominee, each Assembly and Senate nominee shall file with the State Controller, within 10 days, a form indicating whether he is willing to participate or not in the financing of his general election campaign from the Assembly Campaign Fund, or the Senate Campaign Fund, respectively. Participation shall be voluntary.

12354. Any nominee who participates shall finance his general election campaign exclusively by public financing, except that he may receive no more than ten dollars ($10), directly or indirectly, from a single source, whether it is an individual or committee If he or the treasurer of his campaign committee knowingly accepts more than ten dollars ($10) from a single source, he or his treasurer, respectively, is guilty of a misdemeanor if the amount accepted is less than five hundred dollars ($500), or a felony if the amount accepted is five hundred dollars ($500) or more

12355 Each nominee who participates shall appoint a treasurer who shall receive, disburse, and keep a true account of all money contributed and disbursed for campaign purposes, including the full name, street address, city of each contributor and the amount of his contribution

12356 No more than 20 percent of publicly supplied funds shall be spent for staff salaries, advertising agency commissions or public relations consultant salaries. Such 20 percent shall include moneys rebated to advertising agencies or public relations firms by radio and television stations and newspapers for the buying of radio or television time or newspaper space

12357 Each party's percentage of the money in the Assembly Campaign Fund or Senate Campaign Fund shall be determined by dividing the total number of votes cast for all nominees for election to the Assembly, or for election to the Senate, respectively, in the preceding general election into the total of all votes cast for that party's nominees for election to the Assembly or election to the Senate. The

amount available to all the party nominees shall be determined by multiplying that party's percentage by the total amount available in the Assembly Campaign Fund or the Senate Campaign Fund, respectively. The amount to which each party nominee shall be entitled shall be determined by dividing the total amount available to the party in the Assembly Campaign Fund by 80, or the Senate Campaign Fund by 40, respectively.

12358. In the case of a special election to fill a vacancy, thirty thousand dollars ($30,000) shall be allocated from the fund for Assembly nominees and sixty thousand dollars ($60,000) for Senate nominees, using the percentage that applied to the party in that house of the Legislature in the preceding general election. Such allocation shall be made only if there is a runoff election.

12359. The exchange or the soliciting of the exchange of a party nominee's right to participate in public financing by the party nominee in exchange for a pecuniary or political benefit is a felony.

12360. This chapter shall cease to be operative on January 1, 1978, and any funds remaining in the Assembly Campaign Fund or the Senate Campaign Fund shall revert to the General Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 8, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 705

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 705—An act to repeal Part 4 (commencing with Section 9601) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "January 1, 1977", and insert "July 1, 1973".

Amendment No. 2

On page 1, line 10, strike out "December 31, 1976", and insert "June 30, 1973".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 8, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 2052

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2052—An act to add Section 602.1 to the Penal Code, relating to barriers and gates.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, after "of", insert "any".

Amendment No. 2

On page 1, line 6, strike out "similarly dangerous devices as barriers to access", and strike out lines 7 to 12, inclusive, and insert "similar device as a barrier to access to a path, trail, road, or other entrance or exit to any public lands or to any private lands adjacent to public lands unless there is attached to such barrier a warning sign of at least one foot by two feet exterior dimensions the major portion of which shall be white."

Amendment No. 3

On page 2, strike out lines 1 to 5, inclusive.

Amendment No. 4

On page 2, line 6, strike out "(c)", and insert "(b)".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 9, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports.

AB No. 746

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 746—An act to add Section 451b to the Penal Code, relating to arson.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "willfully", and insert "maliciously".

Amendment No. 1.5

On page 1, line 6, strike out "felony", and insert "misdemeanor".

Amendment No. 2

On page 1, strike out lines 7 to 10, inclusive, and insert

"(b) Any sentence resulting from a conviction for a violation of subdivision (a) shall run".

Amendment No. 3

On page 2, line 12, after "facility", insert "used".

Amendment No. 4

On page 2, line 12, strike out the second "any", and insert "a".

Amendment No. 5

On page 2, line 13, after "person", insert "who is either charged with or has been convicted of a crime".

Amendment No. 6

On page 2, line 14, after "entity.", insert "The term "penal institution" does not include mental institutions, hospitals, or juvenile facilities."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 8, 1972

Mr Speaker: The Chairman of your Committee on Labor Relations reports:

ACA No 93

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (b) of Section 9 of Article IX thereof, relating to the University of California

Resolution read

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "subdivision (b) of".

Amendment No. 2

On page 1, line 8, strike out "subdivision (b) of".

Amendment No. 3

On page 1, strike out lines 9 to 11, inclusive, and insert

"SEC 9. (a) The University of California shall constitute a public trust, to be administered by the existing corporation known as "The Regents of the University of California," with full powers of organization and government, subject only to such legislative control as may be necessary to insure compliance with the terms of the endowments of the university and the security of its funds, *and to protect the exercise by employees of the University of California of full freedom of association, self-organization, and designation of representatives of their choosing, for the purpose of negotiating all matters affecting the terms and conditions of their employment or other mutual aid or protection*. Said corporation shall be in form a board composed of eight ex officio members, to wit: the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the President of the State Board of Agriculture, the President of the Mechanics Institute of San Francisco, the president of the alumni association of the university and the acting president of the university, and 16 appointive members appointed by the Governor; provided, however, that the present appointive members shall hold office until the expiration of their present terms. The term of the appointive members shall be 16 years; the terms of two appointive members to expire as heretofore on March 1st of every even-numbered calendar year, and in case of any vacancy the term of office of the appointee to fill such vacancy, who shall be appointed by the Governor, to be for the balance of the term as to which such vacancy exists Said corporation shall be vested with the legal title and the management and disposition of the property of the university and of property held for its benefit and shall have the power to take and hold, either by purchase or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the university or incidentally to its conduct Said corporation shall also have all the powers necessary or convenient for the effective administration of its trust, including the power to sue and to be sued, to use a seal, and to delegate to its committees or to the faculty of the university, or to others, such authority or functions as it may deem wise; provided, that all moneys derived from the sale of public lands donated to this state by act of Congress approved July 2, 1862 (and the several acts amendatory thereof), shall be invested as provided by said acts of Congress and the income from said moneys shall be inviolably appropriated to the endowment, support and maintenance of at least one college of agriculture, where the leading objects shall be (without excluding other scientific and classical studies, and including military tactics) to teach such branches of learning as are

related to scientific and practical agriculture and mechanic arts, in accordance with the requirements and conditions of said acts of Congress; and the Legislature shall provide that if, through neglect, misappropriation, or any other contingency, any portion of the funds so set apart shall be diminished or lost, the state shall replace such portion so lost or misappropriated, so that the principal thereof shall remain forever undiminished. The university shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs, and no person shall be debarred admission to any department of the university on account of sex.

(b) Meetings of the regents shall be public, with exceptions and notice requirements as may be provided by statute."

Resolution ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 8, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 612

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 612—An act to amend and repeal Section 5774.7 of the Education Code and to amend and repeal Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 24, 1972, strike out lines 8 to 12, inclusive, and insert

"(a) From any undistributed balance from the amounts transferred to the State School Fund under Section 17301 of the Education Code for the 1971–1972 fiscal year, an amount not to exceed eight hundred sixty-six thousand dollars ($866,000);

(b) From any surplus in the 1971–1972 fiscal year from the income gained from the imposition of state income tax withholding, an amount not to exceed the difference, if any, between the amount derived under subdivision (a) and eight hundred sixty-six thousand dollars ($866,000);

(c) From the amount appropriated by item 269 of the Budget Act of 1972, there is reappropriated, if necessary, an amount not to exceed the difference, if any, between the amount derived under subdivisions

(a) and (b) and eight hundred sixty-six thousand dollars ($866,000); and

(d) From funds available for expenditure pursuant to Section 5774.7 of the Education Code, an amount equal to the difference, if any, between the amount derived pursuant to subdivisions (a), (b) and (c) and eight hundred sixty-six thousand dollars ($866,000)."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 9, 1972

Mr. Speaker. The Chairman of your Committee on Local Government reports:

AB No. 523

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 523—An act to add Sections 6503.5 and 6503.7 to the Government Code, relating to joint exercise of powers, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Schabarum", and insert "Knox".

Amendment No. 2

On page 1, strike out line 3; and on page 2 strike out lines 1 to 3, inclusive, and insert

"6503.5 Whenever a joint powers agreement provides for the creation of an agency or entity which is separate from the parties to the agreement and is responsible for the administration of the agreement, such agency or entity shall, within 30 days after the effective date of the agreement or amendment thereto, cause a".

Amendment No. 3

On page 2, line 15, strike out "A", and insert "Any".

Amendment No. 4

On page 2, line 17, after "section", insert "which provides for the creation of a separate agency or entity to administer the agreement".

Amendment No. 5

On page 2, line 19, after "agreement", insert "or amendment".

Amendment No. 6

On page 2, strike out lines 23 to 25, inclusive, and insert "section, any separate agency or entity constituted pursuant to a joint powers agreement entered into prior to the effective date of this section and responsible for the administration of such agreement, shall cause a".

Amendment No. 7

On page 2, line 30, strike out "a", and insert "any".

Amendment No. 8

On page 2, line 31, after "which", insert "is required and".

Amendment No. 9

On page 2, line 31, strike out "the".

Amendment No. 10

On page 2, line 31, strike out "required"; and on line 32, strike out "by", and insert "pursuant to".

Amendment No. 11

On page 3, line 6, after "of", insert "the".

Amendment No. 12

On page 3, line 7, strike out "with", and insert "within".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 8, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 2084

With author's amendments with the recommendation Amend, and re-refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2084—An act to amend Sections 18008, 18010 5, and 18040 of, to add Section 18006 to, to repeal Sections 18003, 18006, 18009, 18010, 18011, 18013, 18050, 18051, 18053, and 18054 of, and to repeal and add Part 2 1 (commencing with Section 18200) of Division 13 of, the Health and Safety Code, relating to mobilehomes and mobilehome parks.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 18006", and insert "Sections 18003, 18005 5, 18010, and 18013".

Amendment No. 2

In line 2 of the title, strike out "18006,".

Amendment No. 3

In line 3 of the title, strike out "18011,".

Amendment No. 4

On page 1, between lines 4 and 5, insert

"SEC 2. Section 18003 is added to the Health and Safety Code, to read:

18003. "Camping trailer" is a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use."

Amendment No. 5

On page 1, line 5, strike out "SEC. 2. Section 18006", and insert "SEC 3. Section 18005 5".

Amendment No. 6

On page 2, line 2, strike out "18006", and insert "18005.5".

Amendment No. 7

On page 2, line 3, after "are", insert "occupied or".

Amendment No. 8

On page 2, strike out lines 6 and 7.

Amendment No. 9

On page 2, lines 14 and 15, strike out "for human habitation, and which contains one, but", and insert "to contain".

Amendment No. 10

On page 2, line 16, after "units", insert "to be used without a permanent foundation".

Amendment No. 11

On page 2, between lines 32 and 33, insert

"SEC 7. Section 18010 is added to the Health and Safety Code, to read:

18010 "Motor home" is a vehicular unit built on a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreational, camping, or travel use."

Amendment No. 12

On page 2, line 33, strike out "SEC. 7", and insert "SEC 8".

Amendment No. 13

On page 2, line 36, strike out "vehiele", and insert "motor home, travel trailer, truck camper, or camping trailer".

Amendment No. 14

On page 2, line 37, strike out "or a structure mounted on a"; and strike out lines 38 to 40, inclusive; and on page 3, strike out lines 1 to 5, inclusive, and insert "designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding any built-in equipment, including, but not limited to, any wardrobe, closet, cabinet, kitchen unit or fixture, or bath or toilet room."

Amendment No. 15

On page 3, strike out lines 6 and 7.

Amendment No. 16

On page 3, between lines 12 and 13, insert

"SEC 10. Section 18013 is added to the Health and Safety Code, to read:

18013. "Truck camper," a portable unit designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreational, camping, or travel use Truck campers are of two basic types, as defined below:

(a) Slide-in camper, a portable unit designed to be loaded onto, and unloaded from, the bed of a pickup truck, constructed to provide temporary living quarters for recreational, travel, or camping use.

(b) Chassis-mount camper, a portable unit designed to be affixed to a truck chassis, and constructed to provide temporary living quarters for recreational, travel, or camping use."

Amendment No. 17

On page 3, line 18, strike out "SEC. 10", and insert "SEC. 11".

Amendment No. 18

On page 3, line 23, strike out "SEC. 11", and insert "SEC. 12".

Amendment No. 19

On page 4, line 24, strike out "SEC. 12", and insert "SEC 13".

Amendment No. 20

On page 4, line 38, strike out "SEC. 13", and insert "SEC. 14".

Amendment No. 21

On page 5, line 7, strike out "SEC. 14", and insert "SEC. 15".

Amendment No. 22

On page 5, line 19, strike out "SEC. 15", and insert "SEC. 16".

Amendment No. 23

On page 5, line 21, strike out "SEC. 16", and insert "SEC. 17".

Amendment No. 24

On page 6, between lines 25 and 26, insert

"18217. "Camping trailer" is a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use."

Amendment No. 25

On page 6, line 40, after "rooms", insert "which are occupied or".

Amendment No. 26

On page 7, line 1, strike out "containing", and insert "which contain".

Amendment No. 27

On page 7, lines 23 and 24, strike out "for human habitation and which contains one, but", and insert "to contain".

Amendment No. 28

On page 7, line 24, after "units", insert "to be used without a permanent foundation".

Amendment No. 29

On page 7, between lines 30 and 31, insert

"18239. "Motor home" is a vehicular unit built on a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreational, camping, or travel use."

Amendment No. 30

On page 7, line 35, strike out the second "vehicle", and insert "motor home, travel trailer, truck camper, or camping trailer".

Amendment No. 31

On page 7, line 36, strike out "or a structure mounted on a"; and strike out lines 37 to 40, inclusive, and insert "designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding any built-in equipment, including, but not limited to, any wardrobe, closet, cabinet, kitchen unit or fixture, or bath or toilet room."

Amendment No. 32

On page 8, between lines 14 and 15, insert

"18251. "Truck camper," a portable unit designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreational, camping, or travel use. Truck campers are of two basic types, as defined below:

(a) Slide-in camper, a portable unit designed to be loaded onto, and unloaded from, the bed of a pickup truck, constructed to provide temporary living quarters for recreational, travel, or camping use.

(b) Chassis-mount camper, a portable unit designed to be affixed to a truck chassis, and constructed to provide temporary living quarters for recreational, travel, or camping use."

Amendment No. 33

On page 11, lines 12 and 13, strike out "Upon 30 days' written notice from the governing body to the department, any", and insert "Any".

Amendment No. 34

On page 11, between lines 16 and 17, insert

"The governing body of the city, county, or city and county shall notify the department in writing of its intention to assume responsibility for enforcement of this part and the regulations adopted pursuant thereto not less than 180 days prior to the designated effective date, which shall be either January 1 or July 1. Two certified copies of the ordinance, resolution, or minute order assuming responsibility for enforcement adopted by the governing body of the city, county or city and county shall accompany the notification "

Amendment No. 35

On page 11, line 30, after the first "county", insert a comma.

Amendment No. 36

On page 11, line 31, after "and", insert "the city, county, or city and county".

Amendment No. 37

On page 11, lines 33 and 34, strike out ", upon written notice from the governing body to the department,".

Amendment No. 38

On page 11, line 36, after the period, insert "The governing body of the city, county, or city and county shall notify the department in writing of its intention to cancel assumption of responsibility for enforcement of this part not less than 180 days prior to the effective date, which shall be January 1 or July 1."

Amendment No. 39

On page 11, line 36, strike out ", upon", and insert "shall acknowledge".

Amendment No. 40

On page 11, line 37, strike out the comma, and insert "and"

Amendment No. 41

On page 11, lines 37 and 38, strike out "within 30 days", and insert "on the designated date".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Government Administration reports:

AB No. 1462

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Government Administration.

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1462—An act to add Section 7253 to the Government Code, relating to public facilities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7253", and insert "4458".

Amendment No. 2

On page 1, line 1, strike out "7253", and insert "4458".

Amendment No. 3

On page 1, strike out lines 3 to 8, inclusive, and insert

"4458. Every public parking lot for every public building which is owned by a public agency including hospitals, schools, auditoriums, convention centers, and sports arenas shall have parking spaces reserved for the vehicles of physically handicapped persons in accordance with the following criteria:

(a) The number of spaces required shall be a minimum of two Additional spaces shall be added after a survey of need has been determined by the property owner

(b) For the purposes of this section physically handicapped persons shall mean those persons whose mobility is impaired to require the use of special equipment such as wheelchairs, crutches, and similar type equipment

Each parking space required by this section shall be 12 feet wide A sign shall be posted in front of each space stating that it is reserved for physically handicapped persons.

The requirements stated in Section 4452 shall apply to this section Public parking lots under contract to private corporations shall be required to meet such standards upon expiration of the existing contract"

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 8, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 1496
AB No. 1872
AB No. 1670

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1496—An act to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Duffy", and insert "Assemblymen Duffy and Waxman".

Amendment No. 1.5

In line 1 of the title, after the first "to", insert "amend Sections 14000, 14105 and 14106 of, to".

Amendment No. 2

In line 2 of the title, after the second "of", insert ", to repeal Sections 14058, 14104, 14106.5 and 14114 of, and to repeal Article 4.4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of,".

Amendment No. 3

On page 1, line 1, after the period, insert "Section 14000 of the Welfare and Institutions Code, as amended by Chapter 577 of the Statutes of 1971, is amended to read:

14000. The purpose of this chapter is to afford health care and related remedial or preventive services to recipients of public assistance and to medically indigent aged and other persons, including related social services which are necessary for those receiving health care under this chapter.

The intent of the Legislature is to provide, to the extent practicable, through the provisions of this chapter, for health care for those aged and other persons, including family persons who lack sufficient annual income to meet the costs of health care, and whose other assets are so limited that their application toward the costs of such care would jeopardize the person or family's future minimum self-maintenance and security. It is intended that whenever possible and feasible:

~~(a) Such care shall, to the extent feasible, be provided through a system of prepaid health plans through contracts with carriers.~~

(a) ~~(b)~~ The means employed shall be such as to allow, to the extent practicable, eligible persons to secure health care in the same manner employed by the public generally, and without discrimination or segregation based purely on their economic disability.

(b) ~~(c)~~ The benefits available under this chapter shall not duplicate those provided under other federal or state laws or under other contractual or legal entitlements of the person or persons receiving them

(c) ~~(d)~~ In the administration of this chapter and in establishing the means to be used, the department shall give due consideration both to the appropriate organization and to the ready accessibility and availability of the facilities and resources for health care to persons eligible under this chapter, and to new and innovative approaches to the delivery of health care services.

~~(e) In providing benefits under this chapter through prepaid health plans the department may contract with one or more carriers whereby the carrier provides a program underwriting the risk involved.~~

~~(f) In providing benefits under this chapter the department may contract with carriers or other organizations to establish pilot programs to provide health care services in the most efficient manner possible. Such programs shall demonstrate different methods of providing health care services and shall emphasize methods of utilization, review and preventive care, and shall provide incentives for using the most economical level of care. Such programs may provide benefits on the basis of class of recipient, class of benefit, geographical area, or any other reasonable classification. In entering into contracts under this subdivision the department may provide that the extent of benefit coverage may be limited to a fixed number of days, or amount, or duration of services. The contract may provide that the carrier or other organization shall continue to administer benefits provided beyond the applicable limitation. Any contracts entered into under Section 14101 shall not interfere or conflict with pilot programs established pursuant to this subdivision.~~

~~The director shall submit to the Legislature a written progress report regarding any action taken under the above provisions of this subdivision no later than the fifth legislative day of each general session.~~

~~In addition the director shall establish a pilot program to compare patient treatment profiles and prior authorization as controls of overutilization. It is the intent of the Legislature that the most cost effective system shall be established on a statewide basis. The director shall report to the Legislature the results of this project within six months of its initiation.~~

SEC 2. Section 14058 of the Welfare and Institutions Code, as amended by Chapter 577 of the Statutes of 1971, is repealed

~~14058. "Prepaid health plans" means any form of organization or any arrangement provided by a carrier for the purpose of providing, arranging, paying for, or reimbursing the cost of health care services as set forth in Article 4.1 (commencing with Section 14110) of this chapter.~~

SEC 3 Section 14104 of the Welfare and Institutions Code, as amended by Chapter 577 of the Statutes of 1971, is repealed

~~14104. The department shall, to the extent feasible, contract with one or more carriers to provide or arrange services through prepaid health plans. (a) Each prepaid health plan contract shall provide that the carrier:~~

~~1. Will insure that the health care services to be provided under the contract are readily available to beneficiaries electing to receive care under the prepaid health plan.~~

~~2. Will provide the contracted health care services on the basis of a monthly payment for each beneficiary who elects to receive care under the prepaid health plan. Such payment may be for all beneficiaries or may vary, based upon a reasonable classification of beneficiaries as determined by the director with the advice of the Health Care Commission.~~

~~3. Will, if the prepaid health plan limits the availability of any of its services to any geographical area, pay for emergency services received outside such area by a person covered by the contract whether or not the carrier's own facilities or services are available at the place where the illness or injury occurs.~~

~~4. Will furnish to the director such timely information and reports as he may find necessary in performing his functions under this chapter.~~

~~5. Will maintain such records and afford such access thereto as the director finds necessary to assure the correctness and verification of the information and reports which may be required under paragraph 4 of this subdivision.~~

~~6. Will, in determining the reasonable charge for a physician's service, take into consideration the customary charge for similar services generally made by the physician, as well as the prevailing charges in the locality for similar services.~~

~~(b) Each contract shall provide the extent to which the carrier will charge any person made eligible for health care services by this chapter.~~

~~(c) Each such contract shall provide that the carrier will agree to provide such services as defined by the department without reference to the race, religion, creed, color, national origin or ancestry of any person eligible under the provisions of this chapter.~~

~~(d) In the consideration of proposals for contracts with carriers under this chapter, the department shall, for comparative purposes, deduct from the total cost proposed by any carrier the amount of tax which that carrier would be required to pay under Part 7 (commencing with Section 12001) of Division 2 of the Revenue and Taxation Code computed on the basis of the net rate of tax, after deductions, which would have applied to such carrier for the preceding calendar year, had the amount of anticipated premium under the proposed contract been added to its taxable premiums for such year.~~

~~(e) In entering into contracts under this section the department may provide that the extent of benefit coverage by the carrier may be limited to exclude care of illness or injury resulting from or contrib-~~

~~ated to, by a major catastrophe or disaster, including but not limited to an act of war, declared or undeclared. The contract may provide that the carrier shall continue to administer the benefits provided beyond the applicable limitation.~~

~~The intent of the Legislature in enacting this subdivision is to authorize a limitation on the liability of a carrier in catastrophic situations.~~

~~(f) Consistent with the efficient and economical administration of this chapter, the department shall encourage the development of a variety of prepaid health plans within an area so that beneficiaries may have a wide choice of plans.~~

~~(g) The department shall not enter into contracts under this section unless it determines that the costs of such contracts are reasonably consistent with and potentially less than the costs of providing the same services to comparable beneficiaries within the area under the portion of the Medi-Cal program which is not covered by prepaid health plans.~~

SEC 4. Section 14105 of the Welfare and Institutions Code, as amended by Chapter 577 of the Statutes of 1971, is amended to read:

14105. The director shall prescribe the policies to be followed in the administration of this chapter, may limit the rates of payment for health care services, and shall adopt such rules and regulations as are necessary for carrying out, not inconsistent with, the provisions thereof.

Such policies and regulations shall include rates for payment for services not rendered under a contract pursuant to ~~Section 14104~~ *Chapter 8*. Standards for costs shall be based on payments of the reasonable cost for such services. Cost reports and other data submitted by providers to a state agency for the purpose of determining reasonable costs for services or establishing rates of payment shall be considered true and correct unless audited within eighteen (18) months after July 1, 1969, the close of the period covered by the report, or after the date of submission of the original or amended report by the provider, whichever is later.

Nothing in this section shall be construed to limit the correction of cost reports or rates of payment when inaccuracies are determined to be the result of intent to defraud, or when a delay in the completion of an audit is the result of willful acts by the provider or inability to reach agreement on the terms of final settlement.

Insofar as practical, consistent with the efficient and economical administration of this part, the department shall afford recipients of public assistance free choice of arrangements under which they shall receive health care benefits.

If, in the judgment of the director, the actions taken by the director under Section 14120(c) will not be sufficient to operate the Medi-Cal program within the limits of appropriated funds, he may limit the scope and kinds of health care services, except for minimum coverage as defined in Section 14056, available to persons who are not eligible under Sections 14005.1, 14005.2 and 14005.3. When and if necessary, such action shall be taken by the director with the advice of the Health Care Commission and in ways consistent with the requirements of the Federal Social Security Act. This paragraph shall not be operative until July 1, 1972.

SEC 5. Section 14106 of the Welfare and Institutions Code, as amended by Chapter 577 of the Statutes of 1971, is amended to read:

14106. The director shall, with respect to carriers and with the advice of the Health Care Commission, adopt all necessary rules and regulations to carry out the provisions of this chapter . ~~; including, but not limited to fixing reasonable minimum standards for prepaid health plans, regulations fixing the time, manner, methods and procedures for determining whether a contract with any plan shall be undertaken or withdrawn, and regulations pertaining to any other matters made necessary by the provisions of this chapter.~~

In adopting such rules and regulations, the director shall be guided by the needs of eligible persons as well as prevailing practices in the field of arrangements for health care.

~~The director shall terminate contracts with any carrier if he finds that the standards prescribed therefor are not being complied with, that claims accrued or to accrue will not be paid, or for other good cause shown. The director shall give reasonable notice of his intention to terminate the contract to any carrier, to eligible persons and others who may be directly interested, including such other persons and organizations as the director may deem necessary and proper. The notice shall state the effective date of, and the reason for, the termination.~~

SEC. 6 Section 14106.5 of the Welfare and Institutions Code, as Amended by Chapter 577 of the Statutes of 1971, is repealed.

~~14106.5. The director shall adopt all necessary rules and regulations providing for the payment for services rendered under this program on the basis of a total monthly payment for each enrolled recipient. The director may provide for methods and periods of enrollment.~~

SEC 7. Section 14114, as amended by Chapter 577 of the Statutes of 1971, is repealed.

~~14114. The director may make available information, in such form as he may deem satisfactory, as will enable the eligible persons to exercise an informed choice among the prepaid health plans which have been contracted for under this chapter. Each eligible person enrolled in a prepaid health plan shall be issued an appropriate document setting forth or authorizing the services or benefits to which that person is entitled thereunder, the procedure for obtaining benefits, and the principal provisions of the plan affecting the eligible person.~~

~~The Health Care Commission shall provide for a continuing study of the quality of care and services resulting from the operation of this chapter and for surveys and reports on prepaid health plans. With respect to such plans contracted for under this chapter, the commission may contract with the State Department of Public Health for studies and reports of the experience of such plans as to the standards of care available to eligible persons, gross and net costs, administrative costs, benefits, utilization of benefits, the portion of actual personal expenditures of eligible persons for health care which are being met by prepaid benefits, and the methods of evaluating and improving the quality of, and controlling the costs of, health care provided under such contracts; provided, however, that this section shall not be construed to require any plan to provide accounting data or statistical data not required in the normal operation of the plan.~~

SEC. 8. Article 4 4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code is repealed.

SEC 9."

Amendment No. 4

On page 1, between lines 6 and 7, insert

"Article 1. General Provisions".

Amendment No. 5

On page 2, strike out lines 10 to 12, inclusive, and insert

"(a) Encouraging the development of more efficient delivery of health care to Medi-Cal recipients."

Amendment No. 6

On page 2, after line 22, insert

"Article 2. Definitions

14250. Unless the context otherwise requires the definitions set forth in this article govern the construction of this chapter

14251. "Prepaid health care plan" means one which offers health care services based on a predetermined periodic rate rather than a fee-for-service payment. The plan may not merely indemnify for the cost of services provided The prepaid health care plan must share in the risk of providing medical and health care services.

14252 "Medi-Cal beneficiary" means a person who is eligible to receive benefits under Chapter 7 (commencing with Section 14000) of this part.

14253 "Organized practice provider" is any association of providers of medical and health services who agree with the Department of Health Care Services to furnish directly or indirectly health services to Medi-Cal beneficiaries on a predetermined periodic rate basis. Such associations include, but are not limited to, a multispecialty group practice or a "foundation for medical care" program.

14254 "Primary care physician" is either a general practitioner, an internist or pediatrician

14255 "Specialist" means a physician who is board certified, board eligible or who has limited his practice for at least one year to the specialty in question.

14256 The "basic scope of health care benefits" means:

(a) Physician's services;

(b) Hospital outpatient services;

(c) Laboratory and X-ray,

(d) Prescription drugs;

(e) Hospital inpatient care;

(f) Limited skilled nursing home care.

14257 Nothing in this act shall preclude the director from contracting with prepaid health care plans which provide only dental or optometric services in accordance with regulations issued by the department

14258 "Board" means the board of directors of an organized practice provider.

14259 "Director" means the director of the Department of Health Care Services.

14260. "Department" means the Department of Health Care Services

Article 3. Administration

14300 The department shall determine, by actuarial methods, with respect to any prepaid health care program, a prospective per capita rate of payment for services provided under this chapter for individuals enrolled with such organizations Such rate of payment shall be determined annually and shall be designed to provide a rate of payment equal to 95 percentum of the amount the department estimates (with appropriate adjustments to assure actuarial equivalence) would be payable for services covered under this chapter if such services were to be furnished by other than a prepaid health care plan for prepaid health care programs operating in areas the department determines are not medically underserved The department may approve a rate of payment exceeding 95 percentum of the amount the department estimates would be payable for services covered under this chapter if such services were to be furnished by other than a prepaid health care plan for a maximum of two successive years for prepaid health care programs operating in areas the department determines to be medically underserved For purposes of this section, a "medically underserved area" is defined as a geographic area in which there is a shortage of the number of health or health-related personnel, or facilities are inaccessible or ineffectively utilized by reason of geographic, monetary, administrative or cultural barriers The department shall indicate those areas of the state it determines to be medically underserved The per capita amounts determined shall be based on sound actuarial data and be recognized to vary between the categories of aid to families with dependent children, aid to the totally disabled, aid to the blind, and old age security In the event that enrollees in a prepaid health care plan utilize an amount of service greater than anticipated (as defined in regulations of the department), the director may by actuarial adjustment increase the periodic payment to prepaid health care plans to such beneficiaries

14301 No contract between the department and an organized practice provider shall be approved unless the organized practice provider meets the following requirements:

(a) Laboratory services are provided only in laboratories which are approved by the State Department of Public Health (except such laboratories as are exempt from approval under Section 1241 of the Business and Professions Code), participate in a performance testing program approved by the State Department of Public Health, and meet the conditions of participation under Title 18 of the Social Security Act

(b) All institutions including, but not limited to, clinics, hospitals, and skilled nursing homes, shall be licensed by the State Department of Public Health When appropriate all medical personnel of the organized practice provider shall be licensed by their respective licensing boards.

(c) The organized practice provider shall demonstrate to the department that it has adequate financial resources, physical facilities, administrative abilities and soundness of program design to carry out its contract obligations. For the purpose of this section, "adequate financial resources" shall be the minimum tangible net equity required of health care service plans pursuant to Section 21539 of the Government Code.

(d) The organized practice provider shall provide no fewer than five physicians representing on a full-time basis the four specialties of pediatrics, internal medicine, general surgery and obstetrics-gynecology, unless the department finds that in given communities it is not feasible or medically appropriate to provide all of these specialties

(e) The organized practice provider shall enroll Medi-Cal beneficiaries according to ratios established by the department, as appropriate to the medical needs of the population, but in no event shall the organized practice provider enroll more than 1,600 persons per primary care physician and 1,200 persons per each full-time equivalent physician. These ratios may be adjusted upon the recommendation of the department if appropriate use is made of allied health manpower No enrollment shall be permitted on the basis of part-time primary care physicians

(f) Physician members in the organized practice provider shall be members of the staff of a licensed, accredited hospital, including, whenever medically appropriate, all subcontracting hospitals

(g) The organized practice provider shall furnish services in such a manner as to provide continuity of care and, when services are furnished by different providers, ready referral of patients to such services at such times as may be medically appropriate

(h) A managing physician who is a primary care physician shall be assigned to each enrollee to supervise and coordinate the enrollee's care In the event that the enrollee becomes dissatisfied with his assigned managing physician, he may choose another

(i) All services shall be readily available at reasonable times to all enrollees To the maximum extent feasible the organized practice provider shall make all services readily accessible to enrollees who reside in the service area by either decentralizing the services to be provided or by providing transportation to the organized practice provider facilities if adequate public transportation is not available.

(j) The organized practice provider, to the extent reasonable and consistent with good medical practice, shall employ allied health personnel for furnishing of services

(k) An organized practice provider servicing a substantial patient population of a particular social or ethnic group, or whose primary language is other than English, must have staff of that respective linguistic or racial or ethnic group in sufficient numbers in the organized practice provider to service the enrollees at all times, including, but not limited to, the point of entry

14302 The organized practice provider shall provide directly or through subcontractors the basic scope of health care benefits as defined in Section 14256

14303 When the organized practice provider contracts to provide any of the basic scope of services through subcontractors, the subcontractors shall meet all of the qualifications of Section 14301 as appropriate for the services which the subcontractors are required to perform.

14304 The organized practice provider will maintain financial records on the accrual system and will have annual audits performed by an independent certified public accountant Certified financial statements shall be filed annually as soon as practical after the close of the prepaid health care plan's fiscal year and in any event within a period not to exceed 120 days thereafter For good cause, the department may grant exceptions to the time within which annual financial statements are to be submitted to the department.

14305 The organized practice provider shall be liable for payment on the current Medi-Cal fee schedule for all in-area emergency services and all necessary out-of-area services which are required by the contract and rendered by another provider Payment for such services shall cover treatment of emergency conditions and management of the enrollee until such time as he may reasonably be transferred to the organized practice provider

14306 All organized practice providers shall have an open enrollment period at least every year under which it accepts up to the limits of its capacity and without restrictions, except as may be authorized by the director, individuals who are eligible to enroll in such organizations in the order in which they apply for enrollment Priority shall be given to Medi-Cal beneficiaries who reside within 15 miles or 30 minutes from the organized provider facility

14307 Organized practice providers shall make all reasonable efforts to achieve, by the third contract year, an enrollment of not more than 50 percent Medi-Cal beneficiaries

14308. The organized practice provider shall provide a single standard medical record for each enrollee, and shall cooperate with subcontractors and providers of noncovered services to maintain a complete unit medical record for each enrollee.

14309 The department shall conduct periodically an onsite review of the quality of care, the necessity of the services rendered, and the appropriateness of the services provided by organized practice providers Such review shall be based on data supplied to the department by the organized practice providers as required in Section 14310

14310 The organized practice provider shall provide to the department and to the enrollees such statistical information regarding utilization of services, age and sex, specific mortality and morbidity rates, patient discomfort, patient disability, patient satisfaction, services supplied, manpower resources and costs of health care and administration, compiled from a basic data system, as the department may require

14311 The organized practice provider shall establish procedures for continuously reviewing the quality of care, the utilization of services and facilities, and costs Information derived from such review shall be made available to the department, and to the Consumer Advisory Committee

14312 Enrollment in an organized practice provider plan shall be voluntary and the organized practice provider may not use false advertising to induce enrollment.

14313 No person may be enrolled in more than one organized practice provider at any time Once a Medi-Cal beneficiary is enrolled in an organized practice provider, the enrollment may not be terminated, except for good cause, as determined by the director, for a period not to exceed one year

14314. A board of directors shall be established by an organized practice provider as follows:

(a) The board of directors shall be composed of providers, administrators, and consumers. Within one year after the first effective day of contracting with the department, an organized practice provider shall have a board of directors composed of one-third appointees of the Consumer Committee, who shall serve at the pleasure of the Consumer Committee

(b) The functions of the board shall be:

(1) To appoint an administrator to administer the organized practice provider on a day-to-day basis;

(2) To determine personnel policy, including qualifications, with consultation of the Consumer Committee;

(3) To establish methods of evaluating the services offered and provided by the organized practice provider, with consultation of the Consumer Committee;

(4) To act to correct grievances brought to its attention by the Consumer Committee;

(5) To evaluate and monitor utilization of services and facilities and assure that services are of high quality, appropriate, and medically necessary, with consultation of the Consumer Committee;

(6) To draft a budget for the following contract period covering the costs of services provided on both a unit and total cost basis, subject to approval by a majority of the members of Consumer Committee.

14315. A consumer committee shall be composed as follows·

(a) The Consumer Committee shall be composed of enrollees of the organized practice provider, elected by the total enrollment. The first members of the committee shall be potential enrollees. The organized practice provider agrees that within six months of initial operation the committee members shall reflect to the extent feasible the racial, cultural and socioeconomic characteristics of the full enrollment and shall be capable of best representing the interests of the enrollees The committee members shall actively use the organized practice provider.

(b) The Consumer Committee shall meet as often as necessary, but in no event less than once a month.

(c) The functions of the Consumer Committee shall be:

(1) To advise and consult with the board on policy matters as required by Section 14314;

(2) To establish and supervise the consumer grievance procedure through which an aggrieved enrollee may submit his complaint to the committee which shall hear the complaint and recommend action to the board;

(3) To request a public hearing, as provided in Section 14319(a), whenever it determines that the organized practice provider is not

complying with the terms of its contract and that the committee cannot resolve such dispute through recommendations to the board;

(4) To advise the board concerning establishment and changes in hours and location of services;

(5) To survey annually in the format developed by the department, the attitudes of a statistically significant number of enrollees toward the services provided and the means of problem identification and resolution, and report the results to the department;

(6) To approve the budget drafted by the board for the following contract period.

14316. If the enrollee is not satisfied with the board's disposition of his grievance, or if he does not wish first to submit his complaint to the board, the fair hearing provided in Chapter 7 shall be available to resolve all grievances regarding care and administration by the organized practice provider. Findings and recommendations of the department, based on the decision of the hearing officer, shall be binding upon the organized practice provider and the health care organization.

14317. The contract period for contracts between the department and the organized practice provider shall be two years.

14318. The contract shall provide the specific sums which the department shall pay the organized practice provider each month for each beneficiary currently enrolled in the organized practice provider.

14319. (a) Before executing an initial contract with an organized practice provider, or at any time during the contract period upon written request of a majority of the Consumer Committee, the department shall hold a public hearing to hear evidence on the ability of the organized practice provider to fulfill its responsibilities under the contract No contract shall be renewed unless the department finds that the organized practice provider has fully complied with its contract obligations The department shall hold a public hearing after notifying all Medi-Cal recipient-enrollees, to hear evidence on the organized practice provider's compliance with the contract. The department shall notify the organized practice provider of the time, place and date of the hearing

(b) The department shall encourage the organized practice provider to provide all of the services listed in Section 14053 on a prepaid basis. To the extent that the organized practice provider cannot provide all such services on a prepaid basis, the department shall encourage the organized practice provider to provide on a fee-for-service basis any services which it does not provide on a prepayment basis Any additional services other than those listed in Section 14053 may be provided at reasonable cost to the enrollees, provided that enrollees are notified of services for which they will be charged pursuant to subdivision (b) of Section 14321

(c) The state shall make payment on the current Medi-Cal fee schedule for all in-area emergency services and all necessary out-of-area services rendered by a provider other than the organized practice provider which are required by the contract Upon payment, the department shall deduct such charges from its next regular contract payment to the organized practice provider.

(d) The department shall encourage reinsurance for organized practice providers with enrollment of fewer than 20,000.

(e) In order to enable a Medi-Cal beneficiary to make a rational choice between competing health care delivery systems, and subsequently to use fully the system of his choice, the organized practice provider shall provide written information to the department for distribution to all prospective enrollees in the service area. This written information shall include a description of the basic scope of services, the days and hours when medical services are available, transportation facilities (public and emergency) and other related information necessary for a Medi-Cal beneficiary to make a rational choice whether to enroll in a given organized practice provider.

(f) The department shall annually furnish to all potential enrollees in a service area information specified in subdivision (a) on all available organized practice providers and comparable information on individual Medi-Cal providers in the area. The department shall require all potential enrollees to make an affirmative choice among all available service systems

(g) After enrollment the department shall notify the organized practice provider of the share-of-cost liability of any medically needy beneficiary and any change in eligibility status of any Medi-Cal recipient-enrollee.

14320 The department shall report annually to the Legislature on the contracts made under this act, with specific reference to the physician-patient ratio used, consumer satisfaction and dissatisfaction, the experience with regard to quality, utilization and cost in for-profit compared to not-for-profit organized practice providers

14321 In providing benefits under this chapter through prepaid health plans the department may contract with one or more carriers whereby the carrier provides a program underwriting the risk involved

In providing benefits under this chapter the department may contract with carriers or other organizations to establish pilot programs to provide health care services in the most efficient manner possible. Such programs shall demonstrate different methods of providing health care services and shall emphasize methods of utilization, review and preventive care, and shall provide incentives for using the most economical level of care Such programs may provide benefits on the basis of class of recipient, class of benefit, geographical area, or any other reasonable classification. In entering into contracts under this subdivision the department may provide that the extent of benefit coverage may be limited to a fixed number of days, or amount, or duration of services The contract may provide that the carrier or other organization shall continue to administer benefits provided beyond the applicable limitation. Any contracts entered into pursuant to this chapter shall not interfere or conflict with pilot programs established pursuant to this subdivision

The director shall submit to the Legislature a written progress report regarding any action taken under the above provisions of this subdivision no later than the fifth legislative day of each general session

In addition the director shall establish a pilot program to compare patient treatment profiles and prior authorization as controls of overutilization. It is the intent of the Legislature that the most cost effective system shall be established on a statewide basis. The director shall report to the Legislature the results of this project within six months of its initiation.

14322. The director shall establish requirements for carriers which desire to contract with the state to provide health care services on a prepaid basis.

14323. It is the intent of the Legislature that to the maximum extent feasible, organized practice providers shall include the full scope of benefits provided under this chapter.

14324. Notwithstanding the provisions of Section 14256 the director may consider applications from carriers prepared to offer a limited range of specialty services on a prepaid basis.

14325. The director may establish copayment levels and the articles or services subject to copayment as specified in Section 14134. Prepaid health plan copayments shall not exceed the levels specified in Section 14134 and shall be limited to the services specified therein.

14326. Contracts entered into pursuant to this chapter shall be awarded on a nonbid basis.

14327. Organized practice providers, the services they provide and the persons receiving such services shall not be subject to the limitations on services set forth in Section 14132, or the provisions of Section 14120(c), (d), (e), and (f) or the fifth paragraph of Section 14105."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1872—An act to amend Section 5620 of, and to add Section 5358.5 to, the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out the second "Section", and insert "Sections 5358.1 and".

Amendment No. 2

On page 1, line 2, after the first period, insert "Section 5358.1 is added to the Welfare and Institutions Code, to read:

5358.1. A conservator or public guardian appointed pursuant to this chapter shall not be held civilly or criminally liable for any action by his conservatee.

SEC. 2."

Amendment No. 3

On page 2, line 10, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 4

On page 2, line 11, after "Code", insert ", as added by Chapter 1162 of the Statutes of 1971,".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1670—An act to add Section 26559.3 to the Health and Safety Code, relating to foods.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 26559 3 to", and insert "amend Section 26559 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 26559 of the Health and Safety Code is amended to read:

26559. ~~Any food for which no standard of identity exists~~ *Any food fabricated from two or more ingredients* is misbranded ~~if it is fabricated from two or more ingredients,~~ unless it bears a label clearly stating the common or usual name of each ingredient in descending order of predominance by weight Any spice, flavoring, or coloring, except any spice, flavoring, or coloring sold as such, may be designated as spice, flavoring, or coloring without naming each.

Exemptions may be established by the department, when compliance with any requirement of this section is impractical or results in deception or unfair competition.

In adopting any regulations relating to this section, the department shall take into consideration the current regulations established by the Secretary of Health, Education, and Welfare under authority contained in the federal law.

SEC 2. This act shall become operative on the 240th day after the final adjournment of the 1972 Regular Session of the Legislature."

Amendment No. 3

On page 1, strike out lines 2 to 5, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Health

MESSAGES FROM THE SENATE

Senate Chamber, May 8, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed:

AB No 388
AB No 571

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, May 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 225
SB No. 522
SB No. 912
SB No. 933
SB No. 1053

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 225—An act to add Section 811.5 to the Education Code, relating to county superintendents of schools.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 522—An act to amend Sections 175 and to repeal Sections 174 and 266c of the Penal Code, relating to oriental exclusion laws.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 912—An act to amend Sections 17535 and 17536 of the Business and Professions Code, relating to advertising.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 933—An act relating to the public school system, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1053—An act to amend Sections 14674 and 14695 of the Education Code, relating to school district retirement plans, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that Assembly Bill No. 217 be considered engrossed.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 612

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 612, and that the bill be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 38 for hearing in the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1275

Mr. Fenton was granted unanimous consent to take up Assembly Bill No 1275, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 1275 by Unanimous Consent

Assembly Bill No. 1275—An act to add Part 7 (commencing with Section 12650) to Division 2 of the Insurance Code, relating to mass merchandising plans for property and casualty insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Assembly May 2, 1972, strike out "The following terms, as", and insert "As".

Amendment No. 2

On page 2, line 2, strike out "shall have the following"; strike out lines 3 to 12, inclusive; and in line 13, strike out "(b)".

Amendment No. 3

On page 2, line 25, strike out "Account merchandising and group", and insert "Group".

Amendment No. 4

On page 2, line 38, strike out "an account merchandising or", and insert "a".

Amendment No. 5

On page 2, lines 39 and 40, strike out "an account merchandising or", and insert "a".

Amendment No. 6

On page 3, line 21, strike out "an account merchandising or", and insert "a".

Amendment No. 7

On page 3, line 27, strike out "an account merchandising or", and insert "a".

Amendment No. 8

On page 3, lines 30 and 31, strike out "account merchandising or".

Amendment No. 9

On page 4, line 9, strike out "account merchandising or".

Amendment No. 10

On page 4, strike out lines 11 to 16, inclusive; and in line 17, strike out "(h)", and insert "(g)".

Amendment No. 11

On page 4, lines 17 and 18, strike out "to account merchandising or".

Amendment No. 12

On page 4, line 21, strike out "(i) All account merchandising and", and insert

"(h) All".

Amendment No. 13

On page 4, lines 23 and 24, strike out "mass marketing".

Amendment No. 14

On page 4, after line 30, insert

"12563. This part shall not apply to group disability or group workmen's compensation insurance."

Bill ordered reprinted, and returned to the second reading file

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 1719, 1597, 264, 1000, and **1158,** ordered to third reading.

Assembly Bills Nos. 824 ~~and 777~~, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1957—An act to amend the heading of Chapter 5 (commencing with Section 2200) of Division 3 of and to amend Sections 2200, 2205, 2210, 2212, 2223, 2241, 2289, 2290, 2291, 2300, 2302, 2330 and 2360 of, the Health and Safety Code, relating to vector control districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, strike out line 40; on page 5, strike out lines 1 to 24, inclusive, and insert

"SEC. 12. Section 2302 of the Health and Safety Code is amended to read:

2302. The board of supervisors of each county in which any part of a district is situated shall, at the time of levying county taxes, levy a tax to be known as the "_____ Mosquito Abatement District tax" *or the "_____ Vector Control District Tax"* The rate shall be such as will produce, after due allowance for delinquency, the amount determined as necessary to be raised by taxation on the secured roll."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1999—An act to amend Section 25100 5 of the Government Code, relating to county officers.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "according to the 1970 federal census", and insert "as designated by Section 28020, as amended in 1971".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 974—An act to amend Sections 25210.11, 25210.13, and 25210.14 of the Government Code, relating to county service areas.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1184—An act to amend Sections 23014, 25210.9c, and 25210.77a of the Government Code, relating to counties.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1378—An act to amend Section 73351 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1677—An act to amend Sections 26880, 26881, 26882, 26883, 26884, 26885, and 26886 of the Government Code, relating to county controllers.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1809—An act to amend Sections 69903, 69903.1, and 69903.2 of the Government Code, relating to courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2039—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72712, 72750.5, 72751, 72751.1, 72715.5, 72752, 72753, and 72754 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2143—An act to amend Section 4100.5 of the Government Code, relating to subletting and subcontracting.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2065—An act to repeal Section 13107 of, and to add Section 13107 to, the Health and Safety Code, relating to fires.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, lines 26 and 27, of the printed bill, as amended in Assembly April 26, 1972, strike out "of a fire protection district", and insert "thereof".

Amendment No. 2

On page 3, after line 8, insert

"(e) If there is reason to believe that any fire or explosion investigated by the State Fire Marshal resulted from a crime or that a crime has been committed in connection with it, the State Fire Marshal shall report that fact in writing to the district attorney of the county in which the fire or explosion occurred."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1485—An act to add Article 8 (commencing with Section 15625) to Chapter 2 of Division 11 of the Education Code, relating to high school dormitories, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "and repeal".

Amendment No. 2

On page 2, line 16, after the period, insert "All such dormitories shall be constructed in compliance with the provisions of Article 4 (commencing with Section 15451) of Chapter 2 of Division 12."

Amendment No. 3

On page 2, line 21, after "Dormitory", insert "Construction".

Amendment No. 4

On page 3, between lines 2 and 3, insert

"15629. This article shall remain in effect only until June 30, 1977, and as of that date is repealed."

Amendment No. 5

On page 3, line 6, after "Dormitory", insert "Construction".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1650—An act making an appropriation for the operation and maintenance of state park system facilities at Silverwood Lake, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly April 24, 1972, strike out "three hundred five"; and on page 2, line 1, strike out "thousand dollars ($305,000)", and insert "eight thousand dollars ($8,000)".

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate Bill was this day on the second reading file:

Senate Bill No. 220, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 112—An act to amend Section 7204 of the Government Code, relating to filing and indexing fees.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1323—An act to add Sections 25502.3 and 25502.4 to the Government Code, relating to county purchasing agents, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, May 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 974

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1378
AB No. 1677

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 2122 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Environmental Quality, and that Assembly Bill No. 1144 be withdrawn from the Committee on Education and re-referred to the Committee on Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 84

Mr Fenton was granted unanimous consent to take up Assembly Concurrent Resolution No. 84 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 84

Assembly Concurrent Resolution No. 84—Relative to a recess of the Assembly.

Resolution read, and adopted.

Resolution ordered printed, and transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 61—An act to amend Sections 5549 and 5594 of the Public Resources Code, relating to regional park districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 61?

Amendment No. 1

On page 2 of the printed bill, between lines 19 and 20, insert

"SEC. 1.5. Section 5549 of the Public Resources Code is amended to read:

5549 The ~~district~~ *general* manager has the following administrative and executive functions, powers, and duties. He shall:

(a) See that the provisions of this article and all ordinances and regulations of the district are enforced.

(b) Exercise supervision and control over all departments and offices of the district.

(c) Attend all meetings of the board unless excused by the board.

(d) Submit to the board for adoption such measures, ordinances, and regulations as he deems necessary or expedient.

(e) See that all terms and conditions imposed in favor of the district or its inhabitants in any contract are faithfully kept and performed, and call any violations to the attention of the board and to the police department.

(f) Prepare and submit the annual budget to the board, and perform such other duties as may be imposed by this article or by the board

With the approval of the board, the ~~district~~ *general* manager may bind the district, without advertising and without written contract, for the payment for supplies, labor, or other valuable consideration furnished to the district, in amounts not exceeding ~~two thousand dollars ($2,000)~~ *three thousand five hundred dollars ($3,500)*. All purchases shall be reported to the board of directors at its next regular meeting."

Amendment No. 2

On page 2, after line 33, insert

"SEC. 3. It is the intent of the Legislature, if this bill and Senate Bill 256 are both chaptered and amend Section 5549 of the Public Re-

sources Code, and this bill is chaptered after Senate Bill No. 256, that the amendments to Section 5549 proposed by both bills be given effect and incorporated in Section 5549 in the form set forth in Section 1.5 of this act. Therefore, Section 1.5 of this act shall become operative only if this bill and Senate Bill No. 256 are both chaptered, both amend Section 5549, and Senate Bill No. 256 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Pierson, Powers, Priolo, Russell, Stacey, Stull, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—46.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 149—An act to add Sections 39297.6 and 39297.7 to, and to repeal Section 39077.3 of, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 149?

Senate Amendments of April 11, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly February 23, 1972, strike out line 15, and insert "on permissive burn days as designated by the board pursuant to Section 39298. If the board does not designate days to be no burn or permissive burn days for the county, or portion of the county, in which burning pursuant to this section is to be permitted, the air pollution control district shall determine on which days such burning may take place."

Amendment No. 2

On page 3, strike out lines 31 to 33, inclusive.

Senate Amendment of April 20, 1972

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Senate April 11, 1972, after the period, insert "Notwithstanding the above provisions of this paragraph, any person actively constructing a replacement facility for a wood waste burner may be permitted, until January 1, 1978, to burn on all days for the purpose of disposing of wood waste in such a burner."

Senate Amendments of May 2, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 20, 1972, strike out "Section 39297.6", and insert "Sections 39297.6 and 39297.7".

Amendment No. 2

On page 3, line 1, strike out "Notwithstanding the above provisions of this"; and strike out lines 2 to 5, inclusive.

Amendment No. 3

On page 3, between lines 20 and 21, insert

"SEC. 3. Section 39297.7 is added to the Health and Safety Code, to read:

39297.7. Notwithstanding the provisions of Section 39296, any person actively constructing a replacement facility for an open wood waste burner may be permitted, until January 1, 1973, to burn on all days for the purpose of disposing of wood waste in such a burner."

Amendment No. 4

On page 3, line 21, strike out "3", and insert "4".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chappie moved a call of the Assembly.

Motion carried. Time, 10:30 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1270

In compliance with a motion given on a previous day, Mr. Fenton moved that the vote whereby Assembly Bill No. 1270 was refused passage be reconsidered.

Assembly Bill No. 1270 reconsidered by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Monagan, Moorhead, Pierson, Powers, Priolo, Russell, Sieroty, Stull, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 1270 Placed on the Inactive File

Mr Fenton was granted unanimous consent that Assembly Bill No. 1270 be placed upon the inactive file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 759—An act to amend Section 14056 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Moorhead, Pierson, Powers, Priolo, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—Cline and Stull—2.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article I thereof, relating to state government

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cory moved a call of the Assembly

Motion carried. Time, 10:40 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1100—An act to add Section 100 26 to the Streets and Highways Code, relating to state freeways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Cline, Collier, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Pierson, Powers, Priolo, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Z'berg, and Mr. Speaker—50.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 384—An act to amend Section 23801 of the Education Code, relating to state colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Collier and Townsend—2.

Bill ordered transmitted to the Senate.

NOTE: For explanation of vote by Mr. Townsend relative to Assembly Bill No. 384, see Assembly Journal for May 10, 1972, page 2947.

Assembly Bill No. 1710—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 10:50 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 781—An act to add Section 13593.5 to the Education Code, relating to classified school employees.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Maddy moved a call of the Assembly.

Motion carried. Time, 10:55 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN CLINE

Mr. Arnett announced that Saturday was the birthday of Assemblyman Robert C. Cline, of the 64th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr Cline.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 51

At 10 56 a.m., on motion of Mr. Cory, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No 51 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Davis—1.

Resolution ordered transmitted to the Senate.

NOTE For explanation of vote by Mr. Townsend relative to Assembly Constitutional Amendment No 51, see Assembly Journal for May 10, 1972, page 2947.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 149

At 11 a m , on motion of Mr Chappie, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 149 by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead,

Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 280, on request of Mr. Badham.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 781

At 11:04 a.m., on motion of Mr Maddy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 781 passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Chacon, Cory, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Powers, Priolo, Ralph, Ryan, Stacey, Stull, Thomas, Wilson, Wood, Z'berg, and Mr Speaker—43

NOES—Chappie, Cline, Colher, Cullen, Davis, Deddeh, Dunlap, Leroy F. Greene, Ketchum, Lanterman, Meade, Moorhead, Russell, Townsend, and Vasconcellos—15.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 11:07 a.m., Hon. Jack R. Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 438—An act to add Sections 995 and 995.1 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 438?

Senate Amendments of April 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 22, 1972, strike out "Section 995", and insert "Sections 995 and 995.1".

Amendment No. 2

On page 1, line 3, strike out "Computer software", and insert "Storage media for computer programs".

Amendment No. 3

On page 1, line 5, strike out "software", and insert "media Computer programs shall not be valued for purpose of property taxation."

Amendment No. 4

On page 2, line 1, strike out "computer software is personal"; strike out line 2; and in line 3, strike out "Computer software", and insert "storage media for computer programs".

Amendment No. 5

On page 2, line 3, strike out "is", and insert "are".

Amendment No. 6

On page 2, line 4, strike out "written instructions,".

Amendment No. 7

On page 2, line 5, strike out "and any required documentation", and insert "on which computer programs may be embodied or stored".

Amendment No. 8

On page 2, line 6, strike out "is", and insert "may be, but is not limited to".

Amendment No. 9

On page 2, line 6, after "of", insert "written".

Amendment No. 10

On page 2, line 7, after "imprints", insert ", required documentation".

Amendment No. 11

On page 2, strike out lines 8 to 21, inclusive, and insert "to enable the user to communicate with or operate a computer or other machinery.

SEC. 1.5. Section 995.1 is added to the Revenue and Taxation Code, to read:

995.1. Any storage media for computer programs subject to an escape assessment shall be valued as provided by Section 995."

Amendment No. 12

On page 2, line 23, strike out "computer software", and insert "storage media for computer programs".

Amendment No. 13

On page 2, line 24, strike out the comma.

Amendment No. 14

On page 2, line 25, strike out "as provided by Section"; and in line 26, strike out "995 of the Revenue and Taxation Code".

Amendment No. 15

On page 2, line 28, strike out "computer software", and insert "storage media for computer programs".

Amendment No. 16

On page 2, line 28, strike out "Taxpayers"; and strike out lines 29 to 35, inclusive, and insert "These programs, like the briefs an attorney develops in his practice, mathematic computations by engineers,

and business records, are not taxable for property tax purposes, either directly or indirectly.

The value of computer programs is not".

Amendment No. 17

On page 2, line 36, after "tax", insert a comma.

Amendment No. 18

On page 2, line 38, strike out "tax. To tax", and insert "tax, either directly or indirectly or through the inclusion of the value of such computer programs in evaluating related storage media for computer programs. Taxation of".

Senate Amendment of May 2, 1972

Amendment No. 1

On page 2, line 36, of the printed bill, as amended in Senate April 20, 1972, after "assessment", insert "for any year prior to the 1974 lien date".

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:~~

~~AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Waxman, Wilson, Wood, and Mr. Speaker—56.~~

~~NOES—Dunlap, Miller, Sieroty, and Z'berg—4.~~

~~Above bill ordered enrolled.~~

NOTE: On May 15, 1972, the action was rescinded whereby the Assembly concurred in the above Senate amendments to Assembly Bill No. 438, and whereby the bill was ordered enrolled. See page 3211.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 14 was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1252—An act to amend Sections 2701, 2703, and 2704 of, and to add Section 2706 to, the Education Code, relating to organization of school districts

Bill read third time, and refused passage by the following vote:

AYES—Arnett, Brown, Burton, Chacon, Cory, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Knox, MacDonald, McAlister, Meade, Miller, Priolo, Ralph, Ryan, Sieroty, Wilson, and Z'berg—26.

NOES—Barnes, Belotti, Beverly, Burke, Chappie, Cline, Collier, Davis, Hayden, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Mobley, Moorhead, Murphy, Powers, Russell, Stacey, Stull, Thomas, Townsend, Vasconcellos, and Wood—26.

Motion to Reconsider Assembly Bill No. 1252 on Next Legislative Day

Mr Ryan moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1252 was this day refused passage

Assembly Bill No 1252 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 326

Mr Burton was granted unanimous consent to take up Senate Bill No. 326, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 326

Senate Bill No. 326—An act making an appropriation for the support of the fair hearing function of the State Department of Social Welfare and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Burton

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 326:

Governor's Office, Sacramento
March 6, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 326, "An act making an appropriation for the support of the fair hearing function of the State Department of Social Welfare and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 326 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Senate Bill No 326

Urgency clause adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:32 a m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1710

At 11:33 a m, on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1710 passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Cline, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Barnes, Burke, Collier, Ketchum, Lanterman, MacGillivray, Moorhead, Russell, Stacey, and Stull—10.

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a caucus of the entire membership of the Assembly immediately upon adjournment today, in Room 2170.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 821—An act to amend Section 20360 of, and to add Section 20983 2 to, the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1902—An act to amend Section 4 of Chapter 63 of the Statutes of 1880, relating to protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson,

Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1142—An act to add Section 20980 5 to the Water Code, relating to irrigation districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1646—An act to add Section 23608 to the Water Code, relating to irrigation districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 31—Relative to State Highway Route 101 in Camarillo.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 32—Relative to motor vehicle registration.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 41—Relative to the Artesia Freeway

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 71—Relative to the Feather River.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

House Resolution No. 35—Relative to the Self-Pronouncing Alphabet.

NOTE: The full text of House Resolution No. 35 appears at page 1323 of the Assembly Daily Journal for March 23, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Assembly Concurrent Resolution No. 39—Relative to State Highway Route 101.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Concurrent Resolution No. 5—Relative to the California Law Revision Commission.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 6—Relative to the California Law Revision Commission

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 1—Relative to grape tariff.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Joint Resolution No. 11—Relative to space shuttle research and development facilities.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1507

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 763

AB No. 1939

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bills ordered to second reading.

Committee on Constitutional Amendments

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 25

ACA No. 45

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolutions ordered on file.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 56

With amendments with the recommendation: Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 483

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No. 44 ACR No. 69
ACR No. 60 ACR No. 77

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BURTON, Chairman

Above resolutions ordered on file.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 1493

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 30

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 1210

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 762

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

ACA No. 15

With amendments with the recommendation· Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

PIERSON, Chairman

Above resolution ordered on file.

Committee on Planning and Land Use

Assembly Chamber, May 8, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 1725

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1725—An act to amend Sections 65855 and 65860 of the Government Code relating to zoning and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "and", and insert "general land uses and".

Amendment No. 2

On page 2, between lines 25 and 26, insert

"SEC. 3. The Legislature finds and declares that Section 2 of this act is intended to clarify the provisions of Section 65860 of the Government Code and thereby to promote and to facilitate the uniform administration of such provisions throughout the state. It is therefore the intent of the Legislature in enacting Section 2 of this act only to declare and to clarify existing law."

Amendment No. 3

On page 2, line 26, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 1119

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water

QUIMBY, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1119—An act to amend Section 37203 of, and to add Sections 36438, 36439, and 36440 to, the Water Code, relating to water districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out "and 36440", and insert "36440, 36441, 36442, 36443, 36444, 36445, and 36446".

Amendment No. 2

In line 3 of the title, after "districts", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 4, after "more", insert "existing coterminous".

Amendment No. 4

On page 2, line 1, after "bonds", insert "may be issued and sold as the bonds of the consolidated improvement district Such bonds".

Amendment No. 5

On page 2, line 5, strike out "may", and insert ", shall".

Amendment No. 6

On page 2, line 10, strike out "or standby", and insert ", standby charges, or other".

Amendment No. 7

On page 2, lines 13 and 14, strike out "or standby charges shall", and insert ", standby charges, or other charges may".

Amendment No. 8

On page 2, line 23, after "more", insert "existing coterminous".

Amendment No. 9

On page 2, line 27, strike out the comma, and insert "and shall set forth".

Amendment No. 10

On page 2, line 29, after "bonds", insert a comma.

Amendment No. 11

On page 2, line 30, strike out "as well as", and insert "the purposes of each such improvement district, and".

Amendment No. 12

On page 2, lines 31 and 32, strike out "shall be set forth in the resolution of intention".

Amendment No. 13

On page 2, line 34, strike out "coterminus", and insert "existing coterminous".

Amendment No. 14

On page 3, line 3, after "the", insert "existing coterminous".

Amendment No. 15

On page 3, line 24, after "SEC. 4 ", insert "Section 36441 is added to the Water Code, to read:

36441. The provisions of Sections 36438 to 36440, inclusive, are in the alternative to and shall not affect any existing provisions of this division.

SEC. 5. Section 36442 is added to the Water Code, to read:

36442 After the formation of an improvement district, lands may be detached therefrom upon any terms and conditions as may be fixed by the board. If the board determines that territory should be detached from an improvement district, the board shall adopt a resolution of intention which shall state the following

(a) The intention of the board to detach certain territory from Improvement District No. ____ of _____ District.

(b) That a map showing the exterior boundaries of the territory to be detached, which map shall govern for all details as to the extent of the area to be detached, is on file with the secretary of the district and is available for inspection by any person or persons interested.

(c) The terms and conditions of the proposed detachment.

(d) That the assessments for carrying out any purpose of the improvement district, including the payment of principal of and interest on any bonds or warrants outstanding, shall or shall not be continued to be levied to the extent and in the manner provided for in the District Reorganization Act of 1965 upon the lands in the territory to be detached

(e) The time and place for a hearing by the board on the question of the detachment of such territory from the improvement district and any other matter relating to any of the foregoing

(f) That at such time and place any persons interested, including persons owning land within the area to be detached from the improvement district, may appear and be heard. Notice of such hearing shall be given in the same manner as provided in Section 36414

SEC. 6. Section 36443 is added to the Water Code, to read·

36443 At the time and place fixed, or at any time and place to which the hearing is continued, the board shall hold the hearing provided for by such resolution of intention At the hearing any person interested, including all persons owning land in the district or in the territory to be detached from the improvement district, may appear and be heard concerning any matters set forth in the resolution of intention or any matters material thereto.

SEC. 7. Section 36444 is added to the Water Code, to read:

36444. At the hearing, the board may adopt a resolution proposing modifications relating to any or all of the following:

(a) Modification of the boundaries of the territory to be detached.

(b) The exclusion from the territory to be detached of any lands described in the resolution of intention which, in its opinion, will be benefited by remaining part of the improvement district.

(c) The terms and conditions set forth in the resolution of intention, or if none, the board may adopt terms and conditions

Such resolution proposing modifications shall describe the proposed modifications and shall fix a time and place for a hearing by the board thereon The board shall not order any modifications except after publication of the resolution proposing the modifications as provided in Section 36417

SEC. 8. Section 36445 is added to the Water Code, to read

36445 At the conclusion of the hearing on the resolution of intention and of the hearing, if any, upon proposed modifications, the board may by resolution order the territory detached from the improvement district upon the terms and conditions set forth in the resolution of intention

SEC 9 Section 36446 is added to the Water Code, to read

36446. As an alternative procedure for the detachment of land from an improvement district, lands may be detached from any improvement district by resolution of the board declaring the territory detached

after receipt by the board of written consent of the owners of all of the land to be detached therefrom, which consent shall include the terms and conditions of annexation, if any.

SEC. 10."

Amendment No. 16

On page 4, after line 4, insert

"SEC. 11 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

There exists within the State of California the need to undertake extensive and comprehensive planning and construction of facilities for the collection, treatment, disposal and reclamation of sewage and waste water. In such instances, it is necessary to accomplish this in the most economical and expeditious manner In some instances this necessitates the participation of local agencies in regional solutions. In order to provide these facilities, there is the necessity for the reorganization of certain improvement districts within California water districts and the sale of bonds by one or more improvement districts and districts in the State of California at the earliest possible time. In order, therefore, to not delay undertaking such planning and construction thereby avoiding possible pollution to areas within the State of California, it is necessary that this act go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 9, 1972

Mr Speaker- The Chairman of your Committee on Finance and Insurance reports-

AB No 1279

With author's amendments with the recommendation- Amend, and refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1279—An act to amend Sections 3208.1, 3208.2, and 5303 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3208 2, and 5303", and insert "5411, 5412, and 5500 5".

Amendment No. 2

On page 2, line 1, after the period, insert "The date of a cumulative injury shall be the date determined under Section 5412."

Amendment No. 3

On page 2, strike out lines 2 to 26, inclusive, and insert

"SEC. 2 Section 5411 of the Labor Code is amended to read:

5411 The date of injury, except in cases of occupational disease *or cumulative injury*, is that date during the employment of which occurred the alleged incident or exposure, for the consequences of which compensation is claimed

SEC 3. Section 5412 of the Labor Code is amended to read:

5412. The date of injury in cases of occupational diseases *or cumulative injuries* is that date upon which the employee first suffered disability therefrom and either knew, or in the exercise of reasonable diligence should have known, that ~~said~~ *such* disability was caused by his present or prior employment.

SEC 4. Section 5500 5 of the Labor Code is amended to read:

5500 5 *(a) Liability for occupational disease or cumulative injury shall be limited to those employers who employed the employee during a period of five years immediately preceding either the date of injury, as determined pursuant to Section 5412, or the last date on which the employee was employed in an occupation exposing him to the hazards of such occupational disease or cumulative injury, whichever occurs first If the applicant presents prima facie evidence of the existence of and exposure to cumulative injury or occupational disease, such employments in which such exposure is shown to have occurred shall be conclusively presumed to have been the sole industrial cause of such injury or disease, without assessment of liability to previous years, except as provided in subdivision (d).*

(b) Where a claim for compensation benefits is made on account of an occupational disease *or cumulative injury* which may have arisen out of more than one employment, the application shall state the names and addresses of all employers *liable under subdivision (a)*, the places of employment, and the approximate periods of employment where the employee was exposed to the hazards of the occupational disease *or cumulative injury*. If the application is not so prepared or omits necessary and proper employers, any interested party, at or prior to the first hearing, may request the appeals board to join as defendant any necessary or proper party If such request is made prior to the first hearing on the application, the appeals board shall forthwith join the employer as a party defendant and cause a copy of the application together with a notice of the time and place of hearing to be served upon such omitted employer; provided, such notice can be given within the time specified in this division If such notice cannot be timely given or if the motion for joinder is made at the time of the first hearing, then the appeals board or referee before whom the hearing is held, if it is found that the omitted employer named is a necessary or proper party, may order a joinder of such party and continue the hearing so that proper notice may be given to the party or parties so joined Only one continuance shall be allowed for the purpose of joining additional parties Subsequent to the first hearing the appeals board shall join as a party defendant any additional employer when it appears that such employer is a proper party, but the liability of such employer shall not be determined until supplemental proceedings are instituted.

(c) In any case involving a claim of occupational disease ~~contracted~~ *or cumulative injury occurring* as a result of more than one employment *within the five-year period set forth in subdivision (a)*, the employee making the claim, or his dependents, may elect to proceed against any one or more of ~~the~~ *such* employers ~~named in the application~~. Where such an election is made, the employee must successfully prove his claim against any one of the employers named, and any award which the appeals board shall issue awarding compensation benefits shall be a joint and several award as against any two or more employers who may be held liable for compensation benefits. If, during the pendency of any claim wherein the employee or his dependents has made an election to proceed against one or more employers, it should appear that there is another proper party not yet joined, such additional party shall be joined as a defendant by the appeals board on the motion of any party in interest, but the liability of such employer shall not be determined until supplemental proceedings are instituted. Any employer joined as a defendant subsequent to the first hearing or subsequent to the election provided herein shall not be entitled to participate in any of the proceedings prior to the appeal board's final decision, nor to any continuance or further proceedings, but may be permitted to ascertain from the employee or his dependents such information as will enable the employer to determine the time, place, and duration of the alleged employment On supplemental proceedings, however, the right of the employer to full and complete examination or cross-examination shall not be restricted.

(d) If the employment exposing the employee to the hazards of the claimed occupational disease or cumulative injury was for more than five years with the same employer, or its predecessors in interest, the limitation of liability to the last five years of employment as set forth in subdivision (a) shall be inapplicable. Liability in such circumstances shall extend to all insurers who insured the workmen's compensation liability of such employer, during the entire period of the employee's exposure with such employer, or its predecessors in interest. The respective contributions of such insurers shall be in proportion to their respective periods of coverage As used in this subdivision, "insurer" includes an employer who during any period of the employee's exposure was self-insured or uninsured.

(e) At any time within one year after the appeals board has made an award for compensation benefits in connection with an occupational disease *or cumulative injury* ; any employer held liable under such award may institute proceedings before the appeals board for the purpose of determining an apportionment of liability or right of contribution. Such a proceeding shall not diminish, restrict, or alter in any way the recovery previously allowed the employee or his dependents, but shall be limited to a determination of the respective contribution rights, interests or liabilities of all the employers joined in the proceeding, either initially or supplementally; provided, however, if the appeals board finds on supplemental proceedings for the purpose of determining an apportionment of liability or of a right of contribution that an employer previously held liable in fact has no liability, it may dismiss such employer and amend its original award in such manner as may be required

(f) In any proceeding before the appeals board for the purpose of determining an apportionment of liability or of a right of contribution where any employee incurred a disability or death resulting from silicosis in underground metal mining operations, the determination of the respective rights and interests of all of the employers joined in the proceedings either initially or supplementally shall be as follows:

~~(a)~~ *(1)* All employers whose underground metal mining operations resulted in a silicotic exposure during the period of the employee's employment in such operations shall be jointly and severally liable for the payment of compensation and of medical, surgical, legal and hospital expense which may be awarded to the employee or his estate or dependents as the result of disability or death resulting from or aggravated by such exposure.

~~(b)~~ *(2)* In making its determination in the supplemental proceeding for the purpose of determining an apportionment of liability or of a right of contribution of percentage liabilities of the various employers engaged in underground metal mining operations the appeals board shall consider as a rebuttal presumption that employment in underground work in any mine for a continuous period of more than three calendar months will result in a silicotic exposure for the employee so employed during the period of employment if the underground metal mine was driven or sunk in rock having a composition which will result in dissemination of silica or silicotic dust particles when drilled, blasted or transported.

(g) Any employer shall be entitled to rebut such presumption by showing to the satisfaction of the appeals board, or its referee, that the mining methods used by the employer in the employee's place of employment did not result during his employment in the creation of silica dust in sufficient amount or concentration to constitute a silicotic hazard. Dust counts, competently made, at such intervals and in such locations as meet the requirements of the Division of Industrial Safety for safe working conditions may be received as evidence of the amount and concentration of silica dust in the workings where such counts have been made at the time when they were made The appeals board may from time to time, as its experience may indicate proper, promulgate orders as to the frequency with which such dust counts shall be taken in different types of workings in order to justify their acceptance as evidence of the existence or nonexistence of a silicotic hazard in the property where they have been taken.

(h) The amendments to this section adopted at the 1959 Regular Session of the Legislature shall operate retroactively, and shall apply retrospectively to any cases pending before the appeals board or courts From and after the date this section becomes effective no payment shall be made out of the fund used for payment of the additional compensation provided for in Section 4751 of this code, or out of any other state funds, in satisfaction of any liability heretofore incurred or hereafter incurred, except awards which have become final without regard to the continuing jurisdiction of the appeals board on said effective date, and the state and its funds shall be without liability therefor. This para-

graph shall not in any way effect a reduction in any benefit conferred or which may be conferred upon any injured employee or his dependents."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 531

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Assembly April 4, 1972, after "establish", insert "broad minimum standards and".

Amendment No. 2

On page 4, line 39, after "schools", insert a comma

Amendment No. 3

On page 4, line 40, strike out the comma; and on page 5, line 1, strike out "whenever appropriate", and insert "the cultural and racial diversity of our society, including".

Amendment No. 4

On page 5, line 5, strike out "members of ethnic", and insert "American Indians, American Negroes, Mexican-Americans, Asian Americans, and members of other ethnic and cultural"

Amendment No. 5

On page 5, line 11, strike out "(d)", and insert

"9240 5. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which accurately portray, whenever appropriate.

(a)".

Amendment No. 6

On page 5, line 13, strike out "(e)", and insert "(b)".

Amendment No. 7

On page 5, line 18, after "schools", insert a comma.

Amendment No. 8

On page 5, line 19, strike out "it deems", and insert "they deem".

Amendment No. 9

On page 5, line 21, after "animals", insert "and people".

Amendment No. 10

On page 6, strike out lines 5 to 12, inclusive, and insert

"9246. In the event that after the good faith acquisition of instructional materials by a governing board, the instructional materials are found to be in violation of this article and the governing board is unable to acquire other instructional matters which meet the requirements of this article in time for them to be used when the acquired materials were planned to be used, the governing board may use the acquired materials but only for that academic year."

Amendment No. 11

On page 6, line 23, after "in", insert "the State of".

Amendment No. 12

On page 6, line 32, strike out "or services".

Amendment No. 13

On page 6, line 33, after "in", insert "the State of".

Amendment No. 14

On page 6, line 40, strike out "revised", and insert "required".

Amendment No. 15

On page 7, line 8, after "(f)", insert "Maintain an office and depository in the State of California or arrange with an independently owned and operated depository in the State of California to receive and fill orders for textbooks.

(g)".

Amendment No. 16

On page 7, strike out lines 20 to 22, inclusive; and in line 23, strike out "Governing boards", and insert

"9263. Any governing board".

Amendment No. 17

On page 7, line 25, after "materials", insert "to that governing board".

Amendment No. 18

On page 7, line 26, strike out "any school", and insert "that governing board".

Amendment No. 19

On page 8, line 24, strike out the second "or", and insert "of".

Amendment No. 20

On page 9, line 38, after "of", insert "textbooks and".

Amendment No. 21

On page 10, line 4, after "the", insert "maximum".

Amendment No. 22

On page 10, line 11, strike out "English", and insert "language arts".

Amendment No. 23

On page 10, line 12, after "sciences", insert a comma.

Amendment No. 24

On page 10, line 19, strike out "distinguish"; and strike out line 20, and insert "designate any instructional material as either basic instructional material or as supplemental instructional material. The board shall not adopt or refuse to adopt any material".

Amendment No. 25

On page 10, line 21, strike out ", nor", and insert "or".

Amendment No. 26

On page 10, between lines 22 and 23, insert

"(e) The board may adopt instructional materials without designating a grade or subject, or the board may designate more than one grade or subject whenever the board determines that a single subject designation or a single grade designation would not promote the maximum efficiency of pupil learning."

Amendment No. 27

On page 10, line 27, strike out "may".

Amendment No. 28

On page 11, line 2, strike out "Curriculum"; and strike out line 3, and insert "commission a".

Amendment No. 29

On page 11, line 13, after "grades", insert "and which comply with the provisions of Article 3 (commencing with Section 9240) of Chapter 1 of this division".

Amendment No. 30

On page 11, line 27, after the period, insert "Each task force or committee shall include representatives of the various ethnic groups and of the various types of school districts, including but not limited to urban, suburban, and rural school districts, large school districts, small school districts, school districts with high assessed valuations per pupil, and school districts with low assessed valuations per pupil."

Amendment No. 31

On page 12, line 4, strike out "the time"; strike out line 5; and in line 6, strike out "materials", and insert "a time designated by the commission".

Amendment No. 32

On page 12, line 19, after "9261", insert ", a statement of the cost to the State of California of purchasing a single unit of each item of instructional material, and any discounts for quantity purchases and any discounts for payment within any specified period of time".

Amendment No. 33

On page 12, line 33, strike out "criterion", and insert "criterion-referenced".

Amendment No. 34

On page 12, line 37, after "manufacturers", insert "or other qualified persons or organizations".

Amendment No. 35

On page 12, line 39, after the period, insert "The in-service training shall be provided on terms agreed to by the publisher or manufacturer or other qualified person or organization and may be paid for by the district board."

Amendment No. 36

On page 13, line 20, strike out "The fund shall be"; strike out lines 21 to 24, inclusive, and insert "All money in the fund is continuously appropriated to the State Department of Education without regard to fiscal years for carrying out the purposes of this division."

Amendment No. 37

On page 13, strike out lines 29 to 38, inclusive, and insert "The fund shall consist of a credit for each district board, with which instructional materials adopted by the state board may be ordered and from which there shall be made to each district board a cash allotment in an amount determined by the district board but not to exceed 50 percent of the credit of the district, for use in purchasing instructional materials from any source, or for the purchase of tests or in-service training pursuant to Sections 9424 and 9425."

Amendment No. 38

On page 13, line 40, strike out the comma; and on page 14, strike out line 1; and in line 2, strike out "9441,".

Amendment No. 39

On page 14, strike out lines 12 to 21, inclusive, and insert

"9444. The fiscal year end unexpended balance of any cash allotment or credit of any district board shall be separately encumbered for the district board and shall be separately carried over into the subsequent fiscal year for their respective uses by the district board.

9445. To carry out the provisions of this article, an amount of seven dollars ($7) for each pupil enrolled in the elementary schools shall be allowed annually to the Superintendent of Public Instruction, except that this amount shall be adjusted annually in conformance with the Consumer Price Index, all items, of the Bureau of Labor Statistics of the United States Department of Labor, measured for the calendar year next preceding the fiscal year to which it applies."

Amendment No. 40

On page 14, line 32, after "materials", insert "to pupils".

Amendment No. 41

On page 14, line 34, after "of", insert "state adopted textbooks and".

Amendment No. 42

On page 14, line 35, after "pupils", insert "and the requirements of Section 7.5 of Article IX of the California Constitution".

Amendment No. 43

On page 14, line 37, after "involvement", insert "and shall promote the involvement of parents and other members of the community".

Amendment No. 44

On page 14, line 38, after "order", insert "state adopted textbooks and".

Amendment No. 45

On page 15, line 5, after the period, insert "District boards may order instructional materials from lists adopted by the state board without regard to the subject or grade designated by the state board and may use such instructional materials in any manner which will promote the maximum efficiency of pupil learning."

Amendment No. 46

On page 15, line 18, after "material", insert ", including any state adopted textbook,".

Amendment No. 47

On page 15, line 23, strike out "for educational reasons"; strike out line 24, and insert "whenever the district board demonstrates that the continued use of the material will contribute to the maximum efficiency of pupil learning."

Amendment No. 48

On page 16, line 4, after "compiling", insert a comma.

Amendment No. 49

On page 16, between lines 15 and 16, insert

"For the purposes of acquiring the various parts of any instructional materials system adopted pursuant to Section 9400, the state board may use any one or combination of the foregoing means in order to acquire all or any part of the instructional materials system."

Amendment No. 50

On page 16, strike out lines 36 to 40, inclusive; and on page 17, strike out lines 1 to 7, inclusive, and insert

"9485. The state board, in order to procure textbooks, shall:

(a) Obtain from the Department of General Services an estimate of the number of copies of each textbook which must be printed by the Department of General Services in order to obtain each textbook at a unit cost lower than that specified in the price schedule submitted by the publisher or manufacturer pursuant to subdivision (b) of Section 9422.

(b) Arrange with the Department of General Services for the printing of all textbooks the total statewide quantity of which ordered by all district boards equals or exceeds the estimates of the Department of General Services provided for in subdivision (a).

9485.5 All textbooks not printed pursuant to subdivision (b) of Section 9485 and all other instructional materials shall be obtained by the state board pursuant to Section 9481."

Amendment No. 51

On page 17, line 33, after the comma, insert "and".

Amendment No. 52

On page 17, line 35, strike out ", and (c) overhead"; strike out line 36, and in line 37, strike out "(a) and (b)".

Amendment No. 53

On page 18, line 7, after "materials", insert "printed by the Department of General Services".

Amendment No. 54

On page 18, line 9, strike out "Superintendent", and insert "Superintendent".

Amendment No. 55

On page 19, line 38, strike out "to the same extent that", and insert "after, and to the same extent that,".

Amendment No. 56

On page 19, line 40, strike out ", except that", and insert ". However,".

Amendment No. 57

On page 20, line 4, after "school", insert "student".

Amendment No. 58

On page 20, strike out line 6, and insert "be used in a nonpublic elementary school by the nonpublic elementary school student."

Amendment No. 59

On page 20, line 15, after "of", insert "Article 3 (commencing with Section 9240) and".

Amendment No. 60

On page 20, line 31, after "board", insert a period

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

ACA No. 18

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 9.7 to Article IX thereof, relating to the University of California.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "9.7", and insert "16".

Amendment No. 2

In lines 4 and 5 of the title, strike out "the University of California", and insert "higher education"

Amendment No. 3

On page 1, line 8, strike out "9.7", and insert "16".

Amendment No. 4

On page 1, line 9, strike out "9.7", and insert "16".

Amendment No. 5

On page 1, lines 9 and 10, strike out "the provisions of Section 9 of this article," and insert "any other provision of this Constitution,".

Amendment No. 6

On page 1, line 10, strike out "may", and insert "shall".

Amendment No. 7

On page 1, line 12, after "California", insert "and the California State University and Colleges".

Resolution ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 9, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1442

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1442—An act to add Section 1905 to the Streets and Highways Code, relating to grade separation projects.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 190 of, and".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, line 1, after "SECTION 1.", insert "Section 190 of the Streets and Highways Code is amended to read:

190. In each annual budget report prepared by the commission and the department under Section 143.1, commencing with the 1972–1973 fiscal year, the sum of ten million dollars ($10,000,000) shall be set aside for allocations to grade separation projects, including the elimination of existing or proposed grade crossings, the elimination of grade crossings by removal or relocation of streets or railroad tracks, and the alteration or reconstruction of existing grade separations, of separations of grade districts, cities, cities and counties, and counties on county roads or city streets as provided in Sections 189 to 191, inclusive An allocation shall be made of one-half of the estimated cost, after deducting therefrom any contribution to be made by the railroad corporations involved, towards any project which qualifies therefor under the provisions of those sections, except that in no event shall allocations be made to projects for the alteration or reconstruction of grade separations unless the affected railroad or railroads have agreed, or have been required by decision of the Public Utilities Commission, to contribute not less than 10 percent of the cost of such alteration or reconstruction project. In no event shall an allocation for a project effecting the elimination of grade crossings by removal or relocation of streets or railroad tracks be in excess of the estimated allocation that would otherwise be made for the construction of grade separation facilities on the existing alignment of the street and railroad tracks ~~and result in the removal or relocation of more than 6,000 feet of railroad tracks~~. An allocation shall be made only when the affected local agency or agencies furnish evidence to the department that all necessary orders of the Public Utilities Commission have been obtained, that all necessary agreements with affected railroad or railroads have been executed, that sufficient funds from the local agency or agencies are available and that all other matters prerequisite to awarding the construction contract within a period of six months have been or can be taken care of within that time. Funds of a local agency shall be deemed available for purposes of this section to the extent of the amount of any general obligation bonds authorized but unsold if all proceedings prior to the issuance and sale of the bonds have been validly taken and if the bonds may be validly issued and sold by the local agency at any time, even though at the time of allocation under this section the bonds have not been issued or sold Where such bond proceedings have been

taken, if the bonds are not issued and sold within six months after the time of such allocation, the commission may order the allocation canceled, and shall thereupon revert the amount thereof to the fund set aside by this section, for reallocation to another eligible project In any event, regardless of the method proposed by the local agency for the financing of its share of the project cost, if after an allocation has been made, the construction contract has not been awarded within one year, the commission may order the allocation canceled and the funds allocated shall revert to the fund set aside by this section. In financing its share of the project cost, the local agency may use any funds available to it. Notwithstanding any other provision of law, when the local agency uses funds derived from the TOPICS Program, pursuant to Chapter 6 (commencing with Section 2300) of Division 3 of the Streets and Highways Code in financing its share of the project cost, the allocation to be made pursuant to this section shall be computed as though such local agency contribution was derived from nonfederal sources and shall be computed as though the railroad had made its contribution pursuant to state law rather than pursuant to federal law.

The department and the commission may make allocations from a succeeding fiscal year's sum set aside for purposes of this section on and after January 1st preceding the beginning of such fiscal year. Engineering, right-of-way acquired for the project and utility relocation costs expended by a local agency or agencies prior to an allocation of funds for a project shall be included in the total cost thereof, even though expended prior to an allocation of state funds.

The first five million dollars ($5,000,000) of the fund set aside by this section each fiscal year shall be available for allocation and expenditure without regard to fiscal year

The department and the commission shall revert as of October 1st of each fiscal year any unallocated amount of the balance of the annual sum of ten million dollars ($10,000,000) set aside by this section for that fiscal year. Any other funds that may be set aside for the purposes of this section shall be allocated prior to the allocation of the above ten million dollars ($10,000,000) and shall be available for allocation and expenditure without regard to fiscal years

A local agency that furnishes evidence to the department that it has complied with all requirements for an allocation pursuant to this section may, if it has sufficient funds available for that purpose, proceed with the advertising for bids and the construction without prejudice to its right to receive an allocation if an allocation becomes available for that local agency before the termination of the priority list established for the year during which the construction commenced

Such project may be constructed by the local agency or agencies concerned, or, by agreement between the local agency or agencies and the department, the department may acquire the necessary rights-of-way in the name of the local agency or agencies, execute agreements with railroad corporations, present necessary applications to the Public Utilities Commission and perform all other acts to complete the project Construction work by the department shall be subject to the State Contract Act. Agreements between the department and local agencies are authorized relative to the handling and accounting of funds, including

the making of advancements thereof so as to permit prompt payment for the work accomplished, and relative to any other phase of the work.

In the event the actual cost is less than that estimated, the allocation shall be reduced accordingly If, after completion of the project, the actual cost exceeds that estimated, the allocation may be increased proportionately by the department and the commission If more projects comply with the requirements hereof than can be financed from the fund set aside by this section, allocations shall be made only to those highest on the priority list submitted by the Public Utilities Commission, except for those allocations made for projects which exceed the estimated costs. Allocations to specific projects by the department shall remain available until expended As used in this section, "local agency" includes a separation of grade district, as well as a city, city and county, or county.

SEC. 2."

Amendment No. 4

On page 1, line 4, strike out "City of Salinas", and insert "County of Monterey".

Amendment No. 5

On page 1, line 5, strike out "city street", and insert "county road".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 9, 1972

Mr Speaker. The Chairman of your Committee on Education reports:

AB No. 1658

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1658—An act to amend Section 17301 of the Education Code, relating to financial support of the public schools, and making an appropriation therefor

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "17301", and insert "19700 66".

Amendment No. 2

In lines 2 and 3 of the title, strike out ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 19700.66 of the Education Code is amended to read:

19700.66. No payment of funds may be made pursuant to an apportionment unless the district holds an election at which the electorate of the district approve the acceptance, expenditure, and repayment of at least the amount apportioned pursuant to this article. The election may be held prior to or subsequent to an apportionment. If the electors voting at such election fail to approve the proposition by *the* same majority required at a district bond election, within nine months from the date of the apportionment, the apportionment and the board's approval of the application become null ~~and void~~.

Notwithstanding the foregoing, an election held prior to the effective date of Article 9 of this chapter, pursuant to Section 19590, is valid for the purposes of the foregoing paragraph, provided that the district is not otherwise eligible to receive apportionments under Article 1 (commencing with Section 19551), Article 2 (commencing with Section 19651) and Article 3 (commencing with Section 19681) of this chapter."

Amendment No. 4

On page 1, strike out lines 2 to 9, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2359: By Assemblyman Russell—An act to add Chapter 20 6 (commencing with Section 9891) to Division 3 of the Business and Professions Code, relating to tax preparers.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2360: By Assemblyman Bill Greene—An act to amend Section 205 of the Code of Civil Procedure, relating to juries.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Townsend:

House Resolution No. 49

Relative to physician malpractice insurance rates

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of physician malpractice insurance rates; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Bill Greene:

House Resolution No. 50

Relative to manpower expenditure criteria

WHEREAS, The 1971 Legislature enacted the Welfare Reform Act of 1971 and the Employment Opportunities Act of 1971 in order to attack the root causes of unemployability and attendant widespread suffering and deprivation; and

WHEREAS, The California State Plan for Vocational Education has established a merit system of entitlement criteria in determining the relative priority of allocations of public funds for agency projects and programs, and

WHEREAS, California state agencies have the capability to facilitate negotiations with both public and nonpublic agencies that can train and employ welfare recipients, but due to the restrictiveness of the present legislation, the respective state agencies are not permitted to enter into contract negotiations with all qualified agencies; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board report to the Legislature regarding a workable plan for entitlement criteria for the allocation of public funds for direct support of state agencies with proven capabilities to incorporate the Welfare Reform Act into both public and private agencies under the Career Opportunities Development Program and the Public Service Careers Program; and be it further

Resolved, That the Advisory Coordinating Council on Public Personnel Management, created by the Governor's Executive Order No. R-30-71 dated May 20, 1971, report to the Legislature regarding a workable set of entitlement criteria for the allocation of public funds under the Intergovernmental Personnel Act of 1970 and the Employment Opportunities Act of 1971 to also include both public and private agencies with which contractual or other legal agreements exist with state offices; and be it further

Resolved, That the entitlement criteria of said workable plans of the State Personnel Board and Advisory Coordinating Council on Public Personnel Management shall give highest priority to agencies and programs which have specifications for (1) entry level classifications which lead directly to professional classification and (2) permanent job status in either public or private employment; and be it further

Resolved, That the State Personnel Board and the Advisory Coordinating Council on Public Personnel Management shall each have as part of one of their regular meeting agenda a formal request that, relative to this resolution, public and private organizations submit statements and make presentations, to be appended to the reports requested herein; and be it further

Resolved, That the reports requested herein be submitted to the Legislature on or before the fifth calendar day of the 1973 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Chairman of the State Personnel Board and the Chairman of the Advisory Coordinating Council on Public Personnel Management.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Mr. Cline was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 759.

Messrs. Russell, Waxman, Sieroty, Harvey Johnson, and Pierson, and Mrs Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 759

Messrs. LaCoste, Harvey Johnson, and Pierson, and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 61.

Messrs. Stull, Waxman, Sieroty, Harvey Johnson, and Pierson, and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1100

Mr Collier was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 384

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 384.

Mr. Townsend was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 384.

Messrs. Sieroty and Pierson, and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 384.

Messrs. Waxman, Sieroty, and Pierson were granted unanimous consent that they be recorded as voting "Aye" on the motion to reconsider the vote on Assembly Bill No. 1270.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 438.

Mr. Pierson was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 438.

Mr Meade was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 781.

Mr Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 781

Mrs. Davis was granted unanimous consent that she be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 51.

Mr. Pierson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Constitutional Amendment No. 51.

Messrs. Duffy, Lewis, Maddy, Mobley, Priolo, and Pierson, and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1710.

Mr. Sieroty was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1252.

Messrs. Harvey Johnson and Pierson, and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 149.

Mr. Pierson and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on all items on the Consent Calendar.

Mr. Pierson and Mrs. Brathwaite were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Senate Bill No. 326, and on the passage of the bill.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 196 was continued until the next legislative day.

Hon. John L. Burton Presiding

At 12.07 p.m., Hon. John L. Burton, 20th District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 9, 1972

Mr Speaker: Your Committee on Rules reports:

SCR No. 40

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 40

Mr Burton was granted unanimous consent to take up Senate Concurrent Resolution No. 40, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Senate Concurrent Resolution No. 40 by Unanimous Consent

Senate Concurrent Resolution No. 40—Relative to the Joint Committee on Seismic Safety.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committeee on Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, strike out "the Joint Committee on Seismic Safety", and insert "joint committees".

Amendment No. 2

On page 1, lines 2 and 3, strike out "Joint Committee on Seismic Safety is", and insert "joint committees named below are".

Amendment No. 3

On page 1, lines 3 and 4, strike out "June 30, 1974", and insert "the date specified after each".

Amendment No. 4

On page 1, line 5, strike out "committee. The", and insert "committees. Each such".

Amendment No. 5

On page 1, line 8, strike out "The", and insert "Each such".

Amendment No. 6

On page 1, after line 14, insert

"The named committees are:

(a) The Joint Committee on Seismic Safety, June 30, 1974.

(b) The Subcommittee on Economic Conversion, July 31, 1973. Such subcommittee shall continue in existence independently of the Joint Committee on the State's Economy should the latter committee cease to exist."

Resolution ordered reprinted, and to be placed on the Consent Calendar.

ADJOURNMENT

At 12:08 p.m., Acting Speaker Burton declared the Assembly adjourned until 11 a.m., Wednesday, May 10, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-first Legislative Day

One Hundred Twenty-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 10, 1972

The Assembly met at 11 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr. Stacey seconded the motion.
Motion carried Time, 11:02 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11:11 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father of the Universe, The issues which divide us, Your children, are always deserving of concern and control. Unity and harmony must be our goal in all matters. But in our striving for this, never let us overlook the rights and sensitivities of others Never let us try to impose our conscience on others. A free and formed conscience is each man's inalienable right and duty. Help us to respect and preserve it.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Z'berg then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Gonsalves, seconded by Mr. Briggs.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Cullen, on request of Speaker pro Tempore Bee
Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr MacGillivray, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mrs Brathwaite, on request of Speaker pro Tempore Bee
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr Seeley, on request of Speaker pro Tempore Bee

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, May 10, 1972, on legislative business.

I have been requested by a concerned group to meet in the morning to discuss AB 2232 In addition, I will be attending a luncheon meeting with agency officials regarding federally-funded housing in my district.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

May 9, 1972

Honorable Robert Moretti, Speaker
California Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: Please excuse me from session on Wednesday and Thursday, May 10 and 11, 1972, on legislative business I will be in Atlanta, Georgia, to represent you on the special committee of the National Conference of State Legislative Leaders to investigate regional data processing and computer centers.

Cordially,

MIKE CULLEN, Assemblyman
Forty-fourth District

May 10, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol Building

Dear Mr. Speaker: This is to request that I be excused from session on today, May 10, 1972, on legislative business.

I am at San Quentin prison meeting with officials and inmate, John Clutchette.

Respectfully,

BILL GREENE, Assemblyman
Fifty-third District

May 1, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Bob: I respectfully request to be excused on legislative business on Wednesday, May 10, to attend a luncheon and a reception in honor of Governor Reagan in my district.

Sincerely,

W. DON MacGILLIVRAY, Assemblyman
Thirty-sixth District

May 9, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob Please excuse me from session on Wednesday and Thursday, May 10 and 11, on legislative business I am Chairman of the

Advisory Council of the National Conference of State Legislative Leaders and will be attending a meeting of the Council in Atlanta, Georgia.

Sincerely,

BOB MONAGAN
Minority Floor Leader

May 9, 1972

Hon Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Wednesday, May 10, 1972, on legislative business.

I will be discussing legislative problems with officials of the Glendale and Burbank Chambers of Commerce, and will be presenting an Assembly resolution to the Glendale Soroptimist Club.

Sincerely,

CARLOS J. MOORHEAD, Assemblyman
Forty-third District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2359	Revenue and Taxation
2360	Judiciary

Senate Bill No.	*Committee*
225	Education
522	Criminal Justice
912	Judiciary
933	Education
1053	Retirement

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2361: By Assemblyman Priolo—An act to amend Section 1031 of the Government Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Assembly Bill No. 2362: By Assemblyman Priolo—An act to add Sections 25428.1 and 25428.2 to the Education Code, relating to community colleges.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, May 9, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 270—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4 30 p.m., May 9, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 10, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No 2006

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1957
AB No. 1999

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 10, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1275
AB No. 1650

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 10, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1719

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1000

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 824

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 777

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 10, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 44 ACR No. 69
ACR No. 60 ACR No. 77

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 50

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 1400

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1133
AB No. 1437
AB No. 1568

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 8, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 662

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 8, 1972

Mr. Speaker. Your Committee on Judiciary reports:

AB No 770

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation · To Consent.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 8, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No. 670
AB No 1153
AB No. 2036

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 8, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 566
AB No. 686

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 8, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 1801

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 9, 1972

Mr Speaker: Your Committee on Health reports:

AB No 2269

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Health reports·

ACR No 80

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, May 9, 1972

Mr. Speaker· Your Committee on Health reports:

AB No. 1851
AB No. 1870

With the recommendation: Do pass

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 1942
AB No. 1977
AB No. 1114
AB No. 1189
AB No. 1117

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 751

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Efficiency and Cost Control

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports:

AB No. 1489
AB No. 1491

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CULLEN, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports:

AB No. 2270

With the recommendation: Do pass.

CULLEN, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 335
AB No 942

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

GONSALVES, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No. 103

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 215
AB No. 281
AB No. 588
AB No. 1737

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 625

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 336
AB No. 581
AB No. 957

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

GONSALVES, Chairman

Above bills ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 1925
AB No. 1973

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 9, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

SJR No. 9

With the recommendation: Be adopted, and be re-referred to the Committee on Rules. Recommend Consent Calendar.

Z'BERG, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, May 9, 1972

Mr. Speaker· Your Committee on Natural Resources and Conservation reports:

AB No. 320

AB No. 1788

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation for Consent Calendar.

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 9, 1972

Mr. Speaker Your Committee on Natural Resources and Conservation reports.

SB No 524

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 9, 1972

Mr. Speaker· Your Committee on Natural Resources and Conservation reports:

AB No. 538

AB No. 2070

AB No 2147

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

Z'BERG, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 9, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports·

ACA No. 81

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

Z'BERG, Chairman

Above resolution ordered on file.

Committee on Judiciary

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 605

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1362

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 513
AB No. 708
AB No. 1558

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Health

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 1576

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1576—An act to amend Section 3041 of the Business and Professions Code, relating to optometry.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "3041", insert ", 3059, and 3075".

Amendment No. 3

On page 2, after line 15, insert

"SEC 2. Section 3059 of the Business and Professions Code is amended to read:

3059. On and after July 1, 1974, if the board determines that the public health and safety would be served by requiring all holders of licenses to practice optometry granted under the provisions of this chapter to continue their education after receiving such license, it may require, as a condition to the renewal thereof, that they submit proof satisfactory to the board that they have, during the preceding ~~two-year period~~ *year*, informed themselves of the developments in the practice of optometry occurring since the original issuance of their licenses by pursuing one or more courses of study satisfactory to the board or by other means deemed equivalent by the board.

SEC 3. Section 3075 of the Business and Professions Code is amended to read:

3075. (a) Each holder of a certificate of registration or a certification of issuance of his certificate of registration shall keep it conspicuously posted in his office or place of practice at all times.

(b) The board may, by rule or regulation, provide that, when the holder of a certificate of registration has more than one office or place of practice or is employed to practice optometry in more than one office or place of practice and it is infeasible to have his certificate of registration or a certification of issuance of his certificate of registration posted in more than one of such offices or places of practice, he shall have such other evidence as may be prescribed by the board that he is licensed to practice optometry in California conspicuously posted in each of such additional offices or places of practice which he has or where he is employed to practice optometry. *When the board is requested by a holder of a certificate of registration or certification of issuance of his certificate of registration to issue such other evidence that he is licensed to practice optometry, the board may charge a fee not to exceed ten dollars ($10) for each issuance of such other evidence.*"

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 10, 1972

Mr Speaker: The Chairman of your Committee on Judiciary reports:

AB No 873

AB No. 1048

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 26, of the printed bill, strike out "clerks", and insert "clerk".

Amendment No. 2

On page 2, lines 26 and 27, strike out "and Central Judicial Districts", and insert "Judicial District".

Amendment No. 3

On page 2, line 27, after the semicolon, insert "the clerk of the Central Judicial District may appoint four deputy clerks, grade III;".

Amendment No. 4

On page 2, line 34, strike out "six", and insert "eight".

Amendment No. 5

On page 3, line 2, strike out "10", and insert "11".

Amendment No. 6

On page 3, line 7, after the second comma, insert "and the clerk of the Southern Judicial District may appoint one part-time deputy clerk, grade I,".

Amendment No. 7

On page 4, strike out lines 23 to 32, inclusive, and insert "law the sum of thirteen thousand five hundred dollars ($13,500) per annum for the first year of such service, the sum of fourteen thousand dollars ($14,000) per annum for the second year of such service, the sum of fourteen thousand five hundred dollars ($14,500) per annum for the third year of such service, the sum of fifteen thousand dollars ($15,000) per annum for the fourth year of such service, and the sum of fifteen thousand five hundred dollars ($15,500) per annum for the fifth year of such".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1048—An act to amend Sections 680, 682 and 684 of the Probate Code, relating to family allowance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "who", insert "are physically or mentally incapacitated from earning a living and".

Amendment No. 2

On page 2, line 20, strike out "946", and insert "916".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 997
AB No 1744

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 997—An act to amend Sections 19505 and 19531 of the Revenue and Taxation Code, relating to senior citizens property tax assistance

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "disabled", and strike out line 7, and insert "person who is 50 percent disabled (as defined in Part 4, Title 38 of the Code of Federal Regulations, as such regulations read on January 1, 1972, pursuant to Section 355, Title 38 of the United States".

Amendment No. 2

On page 2, line 11, strike out "disabled veteran (as defined"; and in line 12, strike out "in Section 18541 of the Government", and insert "person who is 50 percent disabled (as defined in Part 4, Title 38 of the Code of Federal Regulations, as such regulations read on January 1, 1972, pursuant to Section 355, Title 38 of the United States".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 1744—An act to add Section 405 2 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, after "SEC. 2.", insert "There shall be a presumption that the full cash value of property owned by a nonprofit or limited dividend corporation, which is federally assisted, insured, or otherwise subsidized to provide housing for persons with low or moderate incomes, may be determined by the capitalization of income method of assessment in those cases where other methods of determining the full cash value of such property, such as by replacement cost or comparable sales, reflect substantially the same value as the value determined by the capitalization of income method.

SEC. 3."

Amendment No. 2

On page 2, line 1, strike out "____", and insert "78".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No 2122

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Environmental Quality

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2122—An act to amend Section 24355 2 of the Health and Safety Code, relating to air pollution

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 24355 2", and insert "Sections 24224, 24260, 24354.2, 24355 2, 39382, and 39402".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 24224 of the Health and Safety Code is amended to read:

24224. The air pollution control officer shall observe and enforce, within his air pollution control district:

(a) The provisions of this chapter ~~and Chapter 3.5~~, *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) ~~of Part 1~~ of Division 26 *relating to nonvehicular sources of air contaminants*, and all provisions of the Vehicle Code relating to the emission or control of air contaminants.

(b) All orders, regulations, and rules prescribed by the air pollution control board of the air pollution control district pursuant to this chapter.

(c) All variances and standards which the hearing board has prescribed pursuant to Article 5 (commencing with Section 24291) of this chapter.

SEC 2. Section 24260 of the Health and Safety Code is amended to read:

24260. The air pollution control board of an air pollution control district may make and enforce all needful orders, rules, and regulations necessary or proper *for the administration of the district* and to accomplish the purposes of this chapter and ~~Chapter 3.5~~ *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) ~~of Part 1~~ of Division 26 ~~for the administration of such district~~ *relating to nonvehicular sources of air contaminants*, and may perform all other acts necessary or proper to accomplish the purposes ~~of these chapters~~ *thereof*.

SEC. 3. Section 24354.2 of the Health and Safety Code is amended to read:

24354 2. The district shall do such acts as may be necessary to carry out the provisions of this chapter and ~~Chapter 3.5~~ *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) ~~of Part 1~~ of Division 26 *relating to nonvehicular sources of air contaminants*.

SEC 4 Section 24355 2 of the Health and Safety Code is amended to read·

24355 2 The control officer shall observe and enforce:

(a) The provisions of this chapter and ~~Chapter 3.5~~ *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) ~~of Part 1~~ of Division 26 *relating to nonvehicular sources of air contaminants*

(b) All orders, regulations, and rules prescribed by the board

(c) All variances and standards which the hearing board has prescribed.

SEC 5 Section 39382 of the Health and Safety Code is amended to read·

39382 The regional district shall do such acts as may be necessary to carry out the provisions of this chapter and ~~Chapter 3.5~~ *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) of ~~Part 1~~ *this division relating to nonvehicular sources of air contaminants*.

SEC 6 Section 39402 of the Health and Safety Code is amended to read

39402 The control officer shall observe and enforce:

(a) The provisions of this chapter and ~~Chapter 3.5~~ *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) of ~~Part 1~~ *this division relating to nonvehicular sources of air contaminants*.

(b) All orders, regulations, and rules prescribed by the regional board.

(c) All variances and standards which the regional hearing board has prescribed."

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, May 9, 1972

Mr Speaker: The Chairman of your Committee on Welfare reports:

AB No 1885

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1885—An act to add Article 4 (commencing with Section 17111) to Chapter 2 of Division 13 of the Education Code, relating to school cafeterias, and making an appropriation therefor

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly May 4, 1972, strike out "65", and insert "60".

Amendment No. 2

On page 2, line 16, after the period, insert "No reduction of aid to the aged pursuant to Chapter 3 (commencing with Section 12000) of Part 2 of Division 9 of the Welfare and Institutions Code shall be made by reason of such meals being provided"

Bill ordered reprinted, and to be re-referred to the Committee on Welfare

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 1152

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1152—An act to amend Sections 6484, 6487, and 6497 of the Fish and Game Code, relating to mariculture.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 6487,".

Amendment No. 2

On page 2, line 2, after the period, insert "The commission may allow the cultivation of native marine life in a mariculture area if the commission determines that such cultivation would be in the best public interest."

Amendment No. 3

On page 2, line 7, strike out " "Nonnative cultivated"; and strike out lines 8 to 20, inclusive.

Amendment No. 4

On page 2, line 21, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 5

On page 2, line 23, strike out "water and".

Amendment No. 6

On page 2, strike out line 31, and insert "is detrimental to the enhancement of the resource."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports.

AB No. 347

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001.5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 11710 7, 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020 and 4452 5, of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly April 26, 1972, after "9261," insert "11701, 11709,".

Amendment No. 2

In line 5 of the title, strike out "11710.7,".

Amendment No. 3

In line 7 of the title, strike out "and 4452.5", and insert ", 4452.5, and 11710.5".

Amendment No. 4

On page 8, strike out lines 12 to 21, inclusive, and insert

"SEC. 13. Section 11701 of the Vehicle Code is amended to read:

11701. Every manufacturer of, transporter of, or dealer in vehicles of a type subject to registration ~~or of snowmobiles~~ shall make application to the department for a license and special plates containing a general distinguishing number. The applicant shall submit proof of his status as a bona fide manufacturer, transporter, or dealer as may reasonably be required by the department.

SEC. 14. Section 11709 of the Vehicle Code is amended to read:

11709. A dealer's established place of business and such other sites or locations as may be operated and maintained by such dealers in conjunction with their established place of business shall have posted in a place conspicuous to the public in each and every location the license issued by the department to the dealer and to each salesman employed by the dealer and shall have erected or posted thereon such signs or devices providing information relating to the dealer's name, the location and address of such dealer's established place of business to enable any person doing business with such dealer to identify him properly. Every such sign erected or posted on an established place of business, shall have an area of not less than two square feet per side displayed, and shall contain lettering of sufficient size to enable the sign to be read from a distance of at least 50 feet

Notwithstanding the provisions of Section 11704 and this section, a dealer may display vehicles at a fair, exposition or similar exhibit without securing a branch license providing no actual sales are made at such events, and that such display does not exceed 30 days.

~~This section shall not be applicable to a dealer in snowmobiles.~~

SEC. 15. Section 11710.5 of the Vehicle Code is repealed.

~~11710.5. A dealer in vehicles of a type subject to registration, who holds a license and special plates issued pursuant to this article and is bonded, shall not be required to procure and file with the department another bond, as required by Section 11710 or 11710.1, before being issued or renewed a license as a dealer of snowmobiles.~~ "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1215

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1215—An act to add Section 11705.5 to the Vehicle Code, relating to dealers' licenses.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5; and on page 2, strike out lines 1 to 7, inclusive, and insert "this chapter, whenever a decision of the department suspending a license becomes final, whether by failure of the licensee to appeal the decision or by exhaustion of all appeals and judicial review, the licensee may, before the operative date of such suspension, petition the department for permission to make an offer in compromise, to be paid into the Motor Vehicle Account in the State Transportation Fund, consisting of a sum of money in lieu of serving such suspension Upon the receipt of such a petition, the department may stay the proposed suspension and cause such investigation to be made as it deems desirable and may grant such petition if it is satisfied (a) that the public welfare would not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the sum of money will achieve the desired disciplinary purposes; and (b) that the books and records of the licensee are kept in such a manner that the sales of motor vehicles which the licensee has made during previous periods of time can be determined with reasonable accuracy therefrom. Such offer in compromise shall be the equivalent of fifty dollars ($50) multiplied by the average number of vehicles sold each day during the immediately preceding 12-month period multiplied by the number of days of such proposed suspension, or if the licensee has not been in business for at least one year, then fifty dollars ($50) multiplied by the average number of vehicles sold each day during the period immediately preceding the date of such proposed suspension multiplied by the number of days of such proposed suspension Such offer in compromise shall not, however, be less than one hundred dollars ($100) nor more than two thousand five hundred dollars ($2,500).

The department may accept such an offer in compromise from the same dealer only once during any consecutive three-year period."

Amendment No. 2

On page 2, line 13, strike out ", or"; strike out line 14; and in line 15, strike out "(a),"

Amendment No. 3

On page 2, after line 16, insert

"Nothing in this section shall be construed as limiting the authority of the department to suspend or revoke the license of a vehicle dealer, nor as requiring the department to accept any offer in compromise"

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 9, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

SB No. 126

SB No 208

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 126—An act to add Section 25650 5 to the Vehicle Code, relating to vehicles.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Senate March 22, 1972, insert

"(Coauthor: Assemblyman LaCoste)".

Amendment No. 2

On page 1, line 4, strike out "All motorcycles", and insert "Every motorcycle".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Senate Bill No. 208—An act to amend Sections 24953, 25251, 25252 5, and 25803 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 23, 1972, strike out "25252.5, and 25803", and insert "and 25252.5".

Amendment No. 2

Strike out page 4.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 1924

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1924—An act to amend Section 21264 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time,

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "21264", insert ", 21364, 21365.5, and 21382".

Amendment No. 3

On page 3, after line 7, insert

"SEC 2. Section 21364 of the Government Code is amended to read:

21364. The special death benefit consists of:

(a) An amount equal to and derived from the same source as the basic death benefit exclusive of the contributions from which the annuity provided under subdivision (c) of this section is paid; and

(b) An amount sufficient, when added to the amount provided under subdivision (a) of this section, to provide, when applied according to tables adopted by the board, a monthly death allowance, equal to one-

half of his final compensation in the membership category applicable to him at the time of the injury or the onset of the disease causing death, payable to the surviving spouse to whom he was married prior to sustaining the injury or disease resulting in death, as long as such spouse lives or until her remarriage; or if there is no surviving spouse or if such spouse dies or remarries before all children of the deceased member attain age 18, to his children under 18 collectively until every child shall have died, married, or attained age 18; provided, that no child shall receive any part of the allowance after marrying or attaining age 18. During the lifetime of the surviving spouse or until such spouse remarries, an additional percentage of the death benefit allowed by this section, exclusive of the annuity under subdivision (c), shall be paid to such spouse of a member who is killed in the performance of his duty or who dies as a result of an accident or an injury caused by external violence or physical force, incurred in the performance of his duty, for each of his children during the lifetime of the child, or until the child marries or reaches the age of 18, as follows: for one child, twenty-five percent (25%); for two children, forty percent (40%); and for three or more children, fifty percent (50%); and

(c) An annuity which is the actuarial equivalent, assuming monthly payments for life to the surviving spouse, of the deceased's accumulated additional contributions at the date of his death, plus his accumulated contributions at that date based on compensation earned in any membership category other than the category applicable to him at the time of the injury or the onset of the disease causing death.

In the event the surviving spouse does not have custody of the member's children, the additional amount payable pursuant to this section shall be payable to the person having custody of the children for each child during the lifetime of the child, or until the child marries or reaches the age of 18.

The computation for time prior to entering the membership category applicable to the deceased at the time of the injury or the onset of the disease causing death shall be based on the compensation earnable by him in the position first held by him in that category.

"Spouse" for purposes of this section means a wife or ~~dependent~~ husband.

(d) On and after October 1, 1965, the provisions of this section shall apply to all contracting agencies and to the employees of all contracting agencies whether or not such agencies have previously elected to be subject to the provisions of this section.

Any child whose eligibility for an allowance pursuant to this section, commenced on or after October 1, 1965, shall lose that eligibility effective on the date of his adoption

SEC. 3 Section 21365 5 of the Government Code is amended to read:

21365.5 Upon the death of a member who has attained the minimum age for voluntary service retirement applicable to him in his last employment preceding death, and who is credited with five or more years of state service and in circumstances in which the basic death benefit is payable other than solely that of membership in a county retirement system, or a retirement system maintained by the university, a monthly

allowance equal to one-half of and derived from the same source as the unmodified retirement allowance which the member would have been entitled to receive if he had retired for service on the date of his death shall be payable.

(a) To the surviving wife of a male member as long as she lives or until her remarriage; or

(b) To a ~~dependent~~ surviving husband of a female member as long as he lives or until remarriage; or

(c) To the children under age 18 collectively if there is no surviving spouse or if the surviving spouse dies or remarries before all children of the deceased member attain age 18, until every child dies or attains age 18; provided, that no child shall receive any allowance after marrying or attaining the age of 18

Where a member does not have a surviving spouse nor any children under the age of 18 years at the time of death, no allowance shall be payable under this section.

No allowance shall be payable under this section if a special death benefit or a benefit under Section 21337 is payable.

The allowance provided by this section shall be paid in lieu of the basic death benefit but a person, or such person's guardian, qualifying for the allowance may elect before the first payment on account of it to receive such basic death benefit in lieu of the allowance.

Any person who is receiving the allowance under this section on October 1, 1959, shall have the right to elect, not later than ninety (90) days after the date upon which notice of such right is mailed to him by this system, to receive in lieu of further payments of the allowance, a sum equal to the excess of the basic death benefit which was otherwise payable on account of the member's death over the sum of the monthly payments made prior to such election.

If the total of the payments made hereunder is less than the basic death benefit which was otherwise payable on account of the member's death, the amount of the basic death benefit less any payments made pursuant to this section shall be paid in a lump sum as follows:

(a) If the person last entitled to the allowance is the remarried spouse of such member, to such spouse;

(b) Otherwise, to the surviving children of the member, share and share alike, or if there are no such children, to the estate of the person last entitled to the allowance.

The board shall compute the amount by which benefits paid pursuant to this section exceed the benefits which would otherwise be payable and shall charge any such excess against the contributions of the state so that there shall be no increase in contributions of members by reason of benefits paid pursuant to this section. As used in this section, "a surviving wife" means a wife that was married to the member for at least one year prior to his death, a "~~dependent~~ surviving husband" means a ~~dependent~~ husband that was married to the member for at least one year prior to the member's death, and "child" includes a posthumously born child of the member.

On and after the operative date of the amendment to this section at the 1971 Regular Session, this section shall apply to all contracting

agencies and to the employees of such agencies with respect to deaths occurring after such operative date, whether or not such agencies have previously elected to be subject to this section.

SEC. 4 Section 21382 of the Government Code is amended to read:

21382. If the death benefit provided by Section 21361 is payable on account of a member's death which occurs under circumstances other than those described in subdivision (a)(5) of Section 21360, or if an allowance under Section 21365 5 is payable, (a) the surviving wife or surviving ~~dependent~~ husband of the member, who has the care of unmarried children, including stepchildren, of the member who are under 18 years of age, or are incapacitated because of disability which began before and has continued without interruption after attainment of such age, or if there is no such spouse, then (b) the guardian of surviving unmarried children, including stepchildren, of the member who are under 18 years of age or so incapacitated, if any, or (c) the surviving wife or surviving ~~dependent~~ husband of the member, who does not qualify under (a) of this subdivision, if any, or if no such children under (b) or such spouse under (c), then (d) each surviving parent of the member, shall be paid regardless of the benefit provided by Section 21361, and of the beneficiary designated by the member under that section, or regardless of the allowance provided under Section 21365 5, the following applicable survivor allowance, under the conditions stated and from contributions of the state·

(1) A widow, or a widower ~~receiving at least one-half of his support from the member at the time of the member's death, and with respect to both widow and widower,~~ who was married to such member prior to the occurrence of the injury or onset of the illness which resulted in death, and has the care of unmarried children, including stepchildren, of the deceased member under 18 years of age or so incapacitated, shall be paid three hundred sixty dollars ($360) if there is one such child, or four hundred thirty dollars ($430) per month if there are two or more such children. If there also are such children who are not in the care of the surviving spouse, the portion of the allowance payable under this paragraph, assuming that these children were in the care of the surviving spouse, which is in excess of one hundred eighty dollars ($180) per month, shall be divided equally among all such children and payments made to the spouse and other children, as the case may be

(2) If there is no such surviving spouse, or if such surviving spouse dies or remarries, and if there are unmarried children, including stepchildren, of the deceased member under 18 years of age, or if there are such children not in the care of such spouse, such children shall be paid an allowance as follows.

(a) If there is only one such child, such child shall be paid one hundred eighty dollars ($180) per month,

(b) If there are two such children, such children shall be paid three hundred sixty dollars ($360) per month divided equally between them; and

(c) If there are three or more such children, such children shall be paid four hundred thirty dollars ($430) per month divided equally among them.

(3) A widow who has attained or attains the age of 62 years, or a widower who has attained or attains the age of 65 years, and was receiving at least one-half of his support from the deceased member at the time of the member's death, and, with respect to both widow and widower, who was married to such member prior to the occurrence of the injury or onset of the illness which resulted in death, and has not remarried subsequent to the member's death, shall be paid one hundred eighty dollars ($180) per month. No allowance shall be paid under this subdivision, while the surviving spouse is receiving an allowance under subdivision (1) of this section, or while an allowance is being paid under subdivision (2)(c) of this section The allowance paid under this subdivision shall be seventy dollars ($70) per month while an allowance is being paid under subdivision (2)(b) of this section.

(4) If there is no surviving spouse, or surviving children who qualify for a survivor allowance, or if such surviving spouse dies or remarries, or if such children reach age 18 or die or marry prior thereto, each of the member's dependent mother and father who has attained or attains the age of 62 or 65 years respectively, and who received at least one-half of his support from the member at the time of the member's death, shall be paid one hundred eighty dollars ($180) per month.

"Stepchildren", for purposes of this section, shall include only stepchildren of the member living with him in a regular parent-child relationship at the time of his death.

The amendments to this section enacted at the 1971 Regular Session shall apply only to survivor allowances payable for time commencing on the operative date of such amendments."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

MESSAGES FROM THE SENATE

Senate Chamber, May 9, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 109

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, May 9, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 184	SB No 753	SB No. 1379
SB No 407	SB No 1216	SB No. 1408
SB No. 573		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 184—An act to amend Section 4700 of the Civil Code, to amend Sections 395, 397.5, 1681, and 1769 of the Code of Civil Procedure, and to amend Section 11476 of the Welfare and Institutions Code, relating to family law.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 407—An act to amend Section 25643 of, and to add Section 25210.58 to, the Government Code, relating to property taxes imposed to finance fire protection, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 573—An act to amend Sections 410 30, 415.50, and 1013a of the Code of Civil Procedure, relating to civil process.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 753—An act to amend Section 136.5 of the Streets and Highways Code, relating to public works contracts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1216—An act to amend Sections 5896.5 and 5896 8 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1379—An act to add Section 10251 to the Corporations Code, relating to nonprofit corporations.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1408—An act to repeal Sections 54931.13, 54931.14, 54931.15, 54931.16, 54931.17, 54932, 54933.4, 54933.5, 54938, 54938.5, 54940, and 54941 of the Government Code, and to repeal Section 1 of Chapter 1485 of the Statutes of the 1971 Regular Session of the Legislature, relating to the late filing of documents and exemptions for purposes of property taxation.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 450 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Environmental Quality; that Assembly Bill No. 937 be withdrawn from the Committee on Governmental Organization, and re-referred to the Committee on Judiciary; and that Assembly Bill No. 2247 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Karabian was granted unanimous consent that the following communications be printed in the Journal:

May 9, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I want to publicly disclose by this letter, which I will insert in the Assembly Journal, the fact that a group of Los Angeles attorneys, businessmen and I have purchased the Metropolitan News, a legal daily newspaper.

Attached is an extensive and thorough opinion from the Legislative Counsel, as well as an Attorney General's opinion incorporated by reference, which clearly indicates that there is no conflict of interest in the situation of a legislator who owns an interest in a legal newspaper.

Sincerely,

WALTER KARABIAN
Assemblyman

Opinion of Legislative Counsel

Sacramento, April 28, 1972

Honorable Walter Karabian
Assembly Chamber

Conflict of Interest—#9516

Dear Mr Karabian:

Facts

A legislator together with four associates in Los Angeles purchased a legal newspaper, the primary function of which is to publish legal notices as required by law. The legislator is a member of the Assembly Judiciary Committee, which considers many bills relative to legal notices While the notices presently being published by the newspaper are for the most part initiated by private attorneys, there is also a possibility that the City of Los Angeles and the state will publish legal notices in this newspaper.

Question

You have asked us to discuss the possible conflict of interest situations which could arise under the facts set forth above.

Opinion and Analysis

The Code of Ethics, beginning with subdivision (a), Section 8920, Government Code,* prohibits Members of the Legislature, among others, from engaging in any business, transaction or professional activity, or incurring any obligation, in substantial conflict with the proper discharge of their duties in the public interest or in conflict with their responsibilities as prescribed by state law.

Although the courts have not interpreted subdivision (a) of Section 8920, which we shall refer to as the "substantial conflict" prohibition,

* All references unless otherwise noted will be to the Government Code.

it is our opinion that there would be at least one possible situation in which a conflict could arise, that is, if receipt of income from a legal newspaper or from an advertising contract calls for taking a position with respect to legislation other than the stance expected of legislators—i.e., impartial consideration from the point of view of the public welfare—it could well involve the legislator in a violation of subdivision (b)(1) of Section 8920, which reads:

"8920. (b) No member of the Legislature shall, during the term for which he was elected:

"(1) Accept other employment which he has reason to believe will either impair his independence of judgment as to his official duties or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties."

In addition, under subdivision (b)(5) of Section 8920, set forth below, a legislator would also be prohibited from participation by voting or taking any other action (presumably including authoring legislation) towards the enactment or defeat of legislation in committee or elsewhere in which he has a "personal interest" unless on the vote for final passage he causes to be entered in the journal a statement that he has a personal interest in the legislation under consideration but he is able to cast a fair and objective vote without violation of any provision of the Code of Ethics

Subdivision (b)(5) of Section 8920 provides as follows:

"No Member of the Legislature shall, during the term for which he was elected:

* * *

"(5) Participate, by voting or any other action, on the floor of either house, or in committee or elsewhere, in the enactment or defeat of legislation in which he has a personal interest, except as follows:

"(i) If, on the vote for final passage by the house of which he is a member, of the legislation in which he has a personal interest, he first files a statement (which shall be entered verbatum on the journal) stating in substance that he has a personal interest in the legislation to be voted on and notwithstanding such interest, he is able to cast a fair and objective vote on such legislation, he may cast his vote without violating any provision of this article;

"(ii) If the member believes that, because of his personal interest, he should abstain from participating in the vote on the legislation, he shall so advise the presiding officer prior to the commencement of the vote and shall be excused from voting on the legislation without any entry on the journal of the fact of his personal interest In the event a rule of the house, requiring that each member who is present vote aye or nay is invoked, the presiding officer shall order the member excused from compliance and shall order entered on the journal a simple statement that the member was excused from voting on the legislation pursuant to law."

Thus, these provisions of subdivision (b) (5) of Section 8920 dictate what a legislator may or may not do as to a particular measure in the light of his personal interest.

Section 8921 states that a person subject to the provisions of this article has a personal interest, if he has reason to believe or expect that he will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity. *It also provides that a person does not have such an interest if any benefit or detriment accrues to him as a member of a business, profession, occupation or group to no greater extent than any other member of such business, profession, occupation or group*

The provisions of the Code of Ethics, cited above, are also contained verbatim in Joint Rule 44 of the Senate and Assembly. Thus, the rules governing the conduct of legislators in this situation are the same under both the Joint Rules and the Code of Ethics

Since the legislator in question is a member of the Assembly Judiciary Committee and has occasion to vote upon bills requiring notice to be published it is conceivable that, under some circumstances, he could be in a position to gain financially from his official action and thus have a personal interest in legislation of this type.

However, as indicated above, Section 8921 (and subdivision (c) of Joint Rule 44) provide that such interest is not a disqualifying "personal interest" if the circumstances are such that a legislator, as a member of a class, would not derive a greater benefit or detriment than others in his class.

With respect to the legislator's vote on such legislation, we think the class exception applies and that any special benefit or detriment derived from such legislation is too speculative and remote upon which to base a conflict of interest. Thus, in the absence of any special circumstance with respect to that particular legislator, it is our opinion that he need not disqualify himself from voting upon such legislation.

If the legislator in question feels that nevertheless he *does* have a personal interest in pending legislation he should abstain from voting; and in the case where a vote is required the presiding officer shall order the member excused from compliance and shall order a statement entered in the journal that the member was excused from voting on the legislation pursuant to law (see subd. (b)(5) of Section 8920, supra).

While the provisions of the Code of Ethics discussed above should be borne in mind with respect to the situation under discussion, in the absence of special circumstances such as those discussed above we find no provisions of the Code of Ethics which would prohibit the arrangement in question.

Another provision of the Government Code which might be mentioned in this context, with respect to any contracts for legal advertising entered into with the state, is Section 1090.

Government Code Section 1090 provides as follows:

> "Members of the Legislature, state, county, special district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official

capacity, or by any body or board of which they are members. Nor shall state, county, special districts, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity."

This basic prohibition against contracting would not, in our opinion, apply to a contract between a company in which a legislator may be "interested" and an agency in another branch of state government, since a Member of the Legislature merely by virtue of his status as such, has no official connection with any other state agency, and therefore is not in the position of dealing with himself in the dual capacity of private citizen and state official. The Attorney General has reached a similar conclusion. (See 14 Ops Cal. Atty. Gen 78.)

In conclusion, we find no violation of the Code of Ethics or of Section 1090 of the Government Code in the situation you describe.

Very truly yours,

GEORGE H. MURPHY
Legislative Counsel
By John Corzine
Deputy Legislative Counsel

REQUEST FOR UNANIMOUS CONSENT

Mr. Wood was granted unanimous consent that Assembly Bill No. 1442 be considered engrossed.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1650 and **1275**, ordered to third reading.

Assembly Bills Nos. 1957 and **1999**, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1316—An act to add Section 12739 to the Business and Professions Code, relating to weights and measures, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 20, 1972, strike out lines 3 to 6, inclusive.

Amendment No. 2

On page 2, line 7, strike out "(b)", and insert "12739."

Amendment No. 3

On page 2, line 9, after "include", insert ", in the case of vehicles transporting baled hay,".

Amendment No. 4

On page 2, line 21, strike out "(1)", and insert "(a)".

Amendment No. 5

On page 2, line 23, strike out "(2)", and insert "(b)".

Amendment No. 6

On page 2, line 27, strike out "(3)", and insert "(c)".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 633—An act to add Section 15154.5 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Institution", and insert "Institutions".

Amendment No. 2

On page 1, line 3, strike out "The", and insert "Except as otherwise provided in this section, the".

Amendment No. 3

On page 2, line 4, after the period, insert "Where federal law or regulation would prohibit the use of federal funds in any such payment, the department shall disapprove the payment only as to that portion which involves such federal funds The department shall nevertheless approve the payment insofar as state and local funds are involved."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1507—An act to amend Section 6571 of, and to add Chapter 10 (commencing with Section 5800) to Division 6, Title 1 of the Government Code, and to amend Section 33138 of the Streets and Highways Code, relating to sales of public securities.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, line 25, of the printed bill, strike out "issue of".

Amendment No. 2

On page 2, line 27, strike out "the", and insert "an aggregate".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 763—An act to amend Section 1002.6 of the Education Code, relating to governing boards of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1002 6 of", and insert "add Section 1002.7 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 1002.7 is added to the Education Code, to read:

1002.7. Notwithstanding any other provision of law, if a school district governing board consists of seven (7) members and a vacancy or vacancies occur on the governing board, the vacant position or positions shall not be counted for purposes of determining how many members of the board constitute a majority; and, whenever any of the provisions of this code require unanimous action of all or a specific number of the members elected or appointed to the governing board, the vacant position or positions shall be excluded from determination of the total membership constituting the governing board."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive; and strike out all of page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1939—An act to add Section 25252.1 to the Government Code, relating to banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 18, 1972, after "add", insert "and repeal".

Amendment No. 2

On page 2, after line 17, insert

"The provisions of this section shall remain in effect until the 61st day after the final adjournment of the 1977 Regular Session of the Legislature, and as of that date is repealed."

Bill ordered reprinted, and returned to the second reading file.

Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 16 to Article IX thereof, relating to higher education.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed measure, after "California", insert ", except with respect to summer sessions and extension courses".

Request for Unanimous Consent

Mr. Garcia was granted unanimous consent that he be permitted to offer additional amendments to Assembly Constitutional Amendment No 56, prior to its being reprinted, and that the resolution be re-referred to the Committee on Ways and Means.

Motion to Amend

Mr. Garcia moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "Section 16", and insert "Section 17".

Amendment No. 2

On page 1, lines 7 and 8, strike out "Section 16", and insert "Section 17".

Amendment No. 3

On page 1, line 9, strike out "SEC. 16", and insert

"SEC 17".

Amendments read, and adopted.

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 483—An act to amend Sections 12822, 12823, 12826, and 12848 of, and to add Section 12821.5 to, the Education Code, relating to school testing

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 2 of the title, after "12821.5", insert "and 12821.7".

Amendment No. 3

On page 2, between lines 6 and 7, insert

"Individual scores from any such test shall not be used by any school district or employee thereof."

Amendment No. 4

On page 2, line 8, after "psychologist", insert "or psychometrist".

Amendment No. 5

On page 2, lines 9 and 10, strike out "on an individual basis", and insert "as part of an individual psychological evaluation".

Amendment No. 6

On page 2, between lines 12 and 13, insert

"Nothing in this section shall be construed as prohibiting a school district from administering or allowing to be administered scholastic aptitude tests for placement in postsecondary education or for the purpose of determining eligibility of students for scholarship awards, grants, or other awards relating to postsecondary education.

SEC. 2. Section 12821.7 is added to the Education Code, to read:

12821.7. Scores from group standardized scholastic aptitude tests which are presently available to school districts shall be purged from the records of students prior to the commencement of the 1978 school year."

Amendment No. 7

On page 2, line 13, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 8

On page 3, line 8, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 9

On page 3, line 17, strike out "SEC 4", and insert "SEC. 5".

Amendment No. 10

On page 3, line 28, strike out "SEC 5", and insert "SEC. 6".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1493—An act to amend Sections 10503, 10504, 10521, and 10528 of, and to repeal Section 10520 of, the Government Code, relating to the Joint Legislative Audit Committee.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 12 to 21, inclusive, and insert

"SEC. 2 Section 10504 of the Government Code, as amended by Chapter 438 of the Statutes of 1971, is amended to read·

10504 The committee shall have authority to appoint an Auditor General ~~and a deputy~~ *, deputies and staff,* who shall serve at the pleasure of the committee The committee shall fix the salary of the Auditor General The funds for the support of the committee shall be provided from the Contingent Funds of the Assembly and Senate in the same manner that such funds are made available to other joint committees of the Legislature."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1210—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "and", and insert ", the county superintendent of schools maintaining a regional occupational center or program, or".

Amendment No. 2

On page 2, line 5, after "center", insert "or program".

Amendment No. 3

On page 2, line 9, strike out "regional occupational center", and insert "in the regional occupational center or program".

Amendment No. 4

On page 2, strike out lines 17 to 20, inclusive; and in line 21, strike out "30304", and insert

"30303".

Amendment No. 5

On page 2, line 23, strike out "considered attendance at the"; and strike out lines 24 and 25, and insert "credited as attendance for purposes of".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 762—An act to add Sections 3050 1, 3050.2 and 3050 3 to the Vehicle Code, relating to new car dealers.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "investigation,".

Amendment No. 2

On page 1, line 5, strike out "any member of".

Amendment No. 3

On page 2, line 6, strike out the first comma, and insert "of".

Amendment No. 4

On page 2, lines 12 and 13, strike out "or any member thereof".

Amendment No. 5

On page 2, line 18, strike out ", any member thereof".

Bill ordered reprinted, and returned to the second reading file.

Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 24 to Article XX thereof, relating to catastrophe compensation

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 1, lines 10 and 11, of the printed measure, strike out "plenary power, unlimited by any provision of this Constitution," and insert "power".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT

Mr. Deddeh informed the Members that Errol Miller, former Consultant to the Assembly Committee on Public Employment and Retirement, had passed away on May 9, and was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Errol Miller.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 10, 1972

Mr Speaker: The Chairman of your Committee on Water reports:

AB No. 906

AB No 1643

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 906—An act to amend Sections 13¼, 13½, and 13¾ of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 13¼, 13½, and 13¾ of", and insert "Section 13¾ of, and to repeal Sections 13¼ and 13½ of,".

Amendment No. 2

On page 1, strike out line 3, and insert "is repealed."

Amendment No. 3

On page 1, strike out lines 4 to 6, inclusive; and on page 2, strike out lines 1 to 19, inclusive.

Amendment No. 4

On page 2, strike out line 22, and insert "is repealed."

Amendment No. 5

On page 2, strike out lines 23 to 40, inclusive; strike out pages 3 and 4; and on page 5, strike out lines 1 to 4, inclusive.

Amendment No. 6

On page 5, line 8, strike out "13¾", and insert "SEC. 13¾".

Set No. 2

Amendment No. 1

On page 6, line 21, of the printed bill, strike out "but may be levied"; and strike out line 22, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Water.

Assembly Bill No. 1643—An act to add Section 1.5 to the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relative to the Los Angeles County Flood Control District.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "a special", and insert "an".

Amendment No. 2

On page 2, line 7, strike out "special".

Amendment No. 3

On page 2, line 17, after the period, insert "Each member of the advisory board shall be a resident of the Los Angeles County portion of the Antelope Valley."

Amendment No. 4

On page 2, line 18, strike out "A special election shall", and insert "An election may".

Amendment No. 5

On page 2, line 25, after the period, insert "This election shall be held at a regularly scheduled primary or general election "

Amendment No. 6

On page 2, line 26, strike out "special".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No. 450

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 450—An act to add Division 22 5 (commencing with Section 30000) to the Health and Safety Code, relating to food.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert

"CHAPTER 1. STATEMENT OF INTENT

30000 The Legislature hereby finds and declares that an increasing number of marketed food products are advertised or labeled as being organic, organically grown, natural, naturally grown, or wild and that frequently such food products command premium prices.

The Legislature further finds and declares that in order to provide for the protection of the consumer in this state, it is necessary that standards relating to the use of descriptive terms to fairly identify such food products be established

In enacting the Organic Foods Act of 1972, the Legislature specifically makes no finding either that such food products are in any way superior to conventional food products or that more conventional food products lack safety, wholesomeness, or nutritional value.

CHAPTER 2. GENERAL PROVISIONS

30010. This division shall be known as the Organic Foods Act of 1972

30011. (a) Except as otherwise provided in this division, the terms "organic," "organically grown," "natural," "naturally grown," "wild," or other similar terms, shall be used in the labeling or advertising of a food only for any of the following:

(1) Raw agricultural food products produced without the use of any fertilizers, except natural fertilizers, and without the use of any chemical pesticide or economic poison, as defined in Section 12753 of the Agriculture Code For the purposes of this subdivision, the term "natural fertilizers" means those naturally occurring animal, plant, or rock substances prepared by mechanical grinding, crushing, or cutting, or by naturally occurring microbial processes.

(2) Processed foods manufactured from a raw agricultural food product as defined in subdivision (1) without the use of any food additives for which tolerances have been established by the Federal Food and Drug Administration.

(3) Meat or poultry produced without the use of any chemical or drug to stimulate or regulate growth

(b) Subdivision (a) shall not apply to the term "natural" when it is used as a grade name to describe a processing procedure established prior to the effective date of this section

30012. (a) No raw agricultural food product, processed food product, or meat or poultry shall be advertised or labeled as being "organic," "organically grown," "natural," "naturally grown," "wild," or other similar description, unless it complies with the provisions of Section 30011 and is prominently labeled as follows, or with substantially similar language:

(1) For raw agricultural food products:
GROWN WITHOUT CHEMICAL FERTILIZERS AND WITHOUT USE OF PESTICIDES.

(2) For processed food products:
GROWN WITHOUT CHEMICAL FERTILIZERS AND WITHOUT USE OF PESTICIDES NO SYNTHETIC CHEMICAL FOOD ADDITIVES USED IN PROCESSING.

(3) For meat or poultry:
NO CHEMICAL OR DRUG GROWTH REGULATORS WERE USED IN PRODUCTION OF THIS MEAT OR POULTRY

(b) For unpackaged foods, the requirements of subdivision (a) relating to labeling shall be deemed to have been met if such labeling appears prominently on or over the bin or container holding the food.

CHAPTER 3. VIOLATIONS

30020. Any person convicted of a violation of any provision of this division is guilty of a misdemeanor.

30021. If a district attorney determines that an alleged violation of this division may involve acts which occur outside the territory of his county, he may request the assistance of the Attorney General in prosecuting such alleged violation "

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 196 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 196 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1010—An act to amend Section 13456 of the Education Code, relating to leaves of absence.

Bill read third time.

Motion to Amend

Mrs. Fong moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly April 24, 1972, after the period, insert "If the district officer questions the fitness of the employee such officer may require the employee to undergo an examination by a physician designated by the district, which physician shall make the final determination regarding the teacher's fitness to perform her duties. The district shall bear the entire cost of such examination."

Amendment No. 2

On page 2, line 26, after "absence", insert "no less than two months prior to the anticipated delivery date".

Amendments read, and adopted.

Bill ordered reprinted.

Assembly Bill No. 1010 Re-referred to Committee

By unanimous consent, Assembly Bill No 1010 was re-referred to the Committee on Education, subsequent to reprinting.

Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing and adding Article XV thereof, by adding Section 12 to Article XX thereof, and by repealing Article XXVIII thereof, relating to environmental protection.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Z'berg moved a call of the Assembly.

Motion carried. Time, 11:30 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 1000 FOR SPECIAL ORDER

Mr. Moretti was granted unanimous consent that Assembly Bill No. 1000 be made a special order of business for Thursday, May 18, 1972, at 2:15 p.m.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1058—An act to add Article 5 (commencing with Section 1864) to Chapter 2, of Title 3, Part 4, Division 3 of the Civil Code, relating to possessory liens on vessels

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Powers, Ralph, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—47.

NOES—Maddy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1453—An act to repeal Article 4 (commencing with Section 500) of Chapter 2 of Division 3 of the Harbors and Navigation Code, relating to vessels

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, McAlister, McCarthy, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—47.

NOES—Maddy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 710—An act to amend Section 100 of the Harbors and Navigation Code, relating to navigable waters

Bill read third time.

Motion to Amend

Mr. Ray E Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Assembly May 3, 1972, after "the", insert "seasonal".

Amendment No. 2

On page 2, line 3, strike out "regular channel", and insert "established banks".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 693—An act to amend Section 10270 55 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Badham, Bee, Beverly, Briggs, Brown, Burke, Chacon, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Maddy, McAlister, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, and Z'berg—46.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33

Mr. Pierson was granted unanimous consent that Assembly Constitutional Amendment No. 33 be removed from the inactive file, and to take the resolution up, without reference to file, for purpose of consideration at this time.

Consideration of Assembly Constitutional Amendment No. 33

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing and adding Article XXIII thereof, relating to recall of public officers.

Resolution read.

Majority Floor Leader Presiding

At 11:42 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Assembly Constitutional Amendment No. 33 Passed and Retained

By unanimous consent, Assembly Constitutional Amendment No. 33 was passed on file, to be placed on the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1597—An act to amend Section 6401 of the Elections Code, relating to candidates.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood Z'berg, and Mr Speaker—63.

NOES—Wakefield—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 264—An act to add Section 8577 to the Education Code, relating to public schools.

Bill read third time, and refused passage by the following vote:

AYES—Brown, Burton, Chacon, Crown, Deddeh, Dunlap, Fenton, Garcia, Gonsalves, Harvey Johnson, Karabian, McCarthy, Meade, Miller, Porter, Priolo, Ryan, Sieroty, Thomas, Vasconcellos, Warren, and Waxman—22

NOES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Murphy, Pierson, Powers, Russell, Stacey, Stull, Townsend, Wakefield, and Wood—33.

Motion to Reconsider Assembly Bill No. 264 on Next Legislative Day

Mr Burton moved to reconsider on the next legislative day the vote whereby Assembly Bill No 264 was this day refused passage

Assembly Bill No 264 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 48

At 12.01 p m, on motion of Mr. Z'berg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Constitutional Amendment No 48 adopted by the following vote.

AYES—Arnett, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo,

Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—Badham, Barnes, Burke, and Stull—4.

Resolution ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:04 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 423—An act to amend Sections 10559 and 12500 of the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1502—An act to amend Section 13114 of the Health and Safety Code, relating to the State Fire Marshal

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1118—An act to amend Section 2640 of the Labor Code, relating to employee housing.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An act to add Section 1718 to the Civil Code, relating to repair of farm equipment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 718—An act to amend Section 7152 of the Financial Code, relating to savings and loan associations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 991—An act to repeal Section 18 5 of Chapter 548 of the Statutes of 1968, relating to underwritten title companies

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller,

Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 992—An act to add Section 1656.1 to the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 197—An act to amend Section 19629 of the Welfare and Institutions Code, relating to rehabilitation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee. Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 46 for hearing in the Committee on Rules.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 14 and Assembly Bill No. 1252 were continued until the next legislative day.

COMMUNICATIONS

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 334—An act to amend Sections 73914 and 73915 of the Government Code, relating to courts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 771—An act to amend Section 139 5 of the Labor Code, relating to rehabilitation of injured workmen, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11·30 a m., May 10, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 10, 1972

Mr. Speaker · Your Committee on Education reports:

AB No. 1714

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr Speaker Your Committee on Education reports·

ACA No. 67

With amendments with the recommendation Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments

LEROY F GREENE, Chairman

Above resolution ordered on file.

Assembly Chamber, May 10, 1972

Mr Speaker · Your Committee on Education reports·

AB No 1182
AB No 1499
AB No 1588

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, May 10, 1972

Mr Speaker: Your Committee on Education reports:

SB No. 143

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation to be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Education reports·

AB No. 1591

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No 470

With the recommendation: Do pass.

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Planning and Land Use

Assembly Chamber, May 10, 1972

Mr Speaker Your Committee on Planning and Land Use reports·

AB No. 687

AB No 2138

With amendments with the recommendation: Do pass, as amended.

PRIOLO, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 966

With the recommendation: Do pass.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 2135

AB No. 2136

With amendments with the recommendation · Do pass, as amended, and be re-referred to the Committee on Ways and Means.

Above bills ordered to second reading.

PRIOLO, Chairman

Committee on Health

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 400

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, May 10, 1972

Mr Speaker The Chairman of your Committee on Employment and Public Employees reports:

AB No 2252

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

MacDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2252—An act to repeal Article 5 (commencing with Section 13080) of Chapter 1 of Division 10 of Part 2 of the Education Code, Chapter 10 (commencing with Section 3500) and Chapter 10 5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code, and Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, and to add Chapter 10 (commencing with Section 3500) to Division 4 of Title 1 of Government Code, relating to public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 4 of the printed bill, line 20, after "employee", insert "or retirant".

Amendment No. 2

On page 4, line 21, after "employees", insert "or retirants".

Amendment No. 3

On page 4, line 22, after "employee", insert "or retirant".

Amendment No. 4

On page 6, line 26, strike out "act", and insert "chapter".

Amendment No. 5

On page 6, line 30, strike out "of the Government Code".

Amendment No. 6

On page 13, line 32, strike out "of this section", and insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 1871

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

MacDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1871—An act to add Section 5119 of the Welfare and Institutions Code, relating to the mental health system.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "a state hospital employee", and insert "an employee of the Department of Mental Hygiene".

Amendment No. 2

On page 1, line 6, strike out "a state hospital employee", and insert "an employee of the Department of Mental Hygiene".

Amendment No. 3

On page 2, line 1, strike out "a state employee", and insert "an employee of the Department of Mental Hygiene".

Amendment No. 4

On page 2, line 5, strike out "state hospital employee", and insert "employee of the Department of Mental Hygiene".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 2141

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2141—An act to amend Section 1415 of, and to add Sections 1402 3 and 1415 to, the Health and Safety Code, and to add Sections 7003 4 and 16200 6 to the Welfare and Institutions Code, relating to intermediate care facilities.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 1415 of, and to add Sections 1402.3 and 1415", and insert ", repeal and add Section 1415 of, and to add Section 1402.3".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 10, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 793
AB No. 1339
AB No. 2118

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 793—An act to add Section 1130.5 to the Education Code, relating to school district governing boards.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "Section 1130.5 to", and insert "Sections 1124, 1124 1, 1124 2, and 1124 3 to, to amend Sections 923 5, 1122, 1123, 1125 5, and 3254 of, and to repeal Sections 1124, 1125.6, 1125.7, 1125.8, 1126, and 1128 of,".

Amendment No. 2

On page 2, strike out lines 1 and 2, and insert

"SECTION 1. Section 923 5 of the Education Code is amended to read

923 5 A unified school district formed pursuant to the provisions of Chapter 10 (commencing with Section 3101) of Division 5 of this code may have a governing board of seven members in the event the

proposal for unification has specified a governing board of seven members. The members of such board shall be elected ~~at large or~~ by trustee areas as designated in the proposal for unification and shall serve four-year terms of office

SEC. 2. Section 1122 of the Education Code is amended to read:

1122. The county committee on school district organization shall have the power to ~~establish trustee areas, rearrange the boundaries of trustee areas, or abolish trustee areas and~~ increase or decrease the number of members of the governing board of a school district from five to seven in any school district, except one governed by a board of education provided for in the charter of a city or city and county.

Any such proposal may be initiated by the county committee or made to the county committee by a petition signed by at least five qualified electors residing in the district, or by resolution of the governing board of the district.

When any such proposal is made the county committee shall call and conduct a hearing in the district on the matter. At the conclusion of the hearing, the county committee shall approve or disapprove the proposal.

SEC. 3. Section 1123 of the Education Code is amended to read:

1123. The resolution of the county committee approving a proposal shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board. For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

~~"For the establishment (or rearrangement, or abolition) of trustee areas in _____ School District—Yes" and "For the establishment (or rearrangement, or abolition) of trustee areas in _____ School District—No"~~
(insert name) (insert name)

"For increasing the number of members of the governing board of _____ School District from five to seven—Yes" and "For increasing the number of members of the governing board of _____
(insert name) (insert name)
School District from five to seven—No."

"For decreasing the number of members of the governing board of _____ School District from seven to five—Yes" and "For decreasing the number of members of the governing board of _____
(insert name) (insert name)
School District from seven to five—No."

~~If more than one proposal appears on the ballot, all must carry in order for any to become effective.~~

SEC. 4. Section 1124 of the Education Code is repealed

~~1124. (a) If a proposal for the establishment of trustee areas formulated under Sections 1122 and 1123 is approved by a majority of the electors voting at the election, any affected incumbent board member shall serve out his term of office and succeeding board members shall be nominated and elected in accordance with Section 1128. In the~~

~~event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.~~

~~(b) If a proposal for rearrangement of boundaries is approved by a majority of the electors voting at the election, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his term of office and succeeding board members shall be nominated and elected in accordance with Section 1128.~~

~~(c) If a proposal for abolishing trustee areas is approved by a majority of the electors voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.~~

SEC 5 Section 1124 is added to the Education Code, to read:"

Amendment No. 3

On page 2, line 3, strike out "1130.5.", and insert
"1124. (a)".

Amendment No. 4

On page 2, line 5, strike out "election wards", and insert "trustee areas".

Amendment No. 5

On page 2, line 7, strike out "The number of wards", and insert
"(b) The number of trustee areas".

Amendment No. 6

On page 2, line 8, strike out "and shall be as", and insert ". Each trustee area shall be designated by an identifying number, commencing with an odd integer and running consecutively, assigned by the governing board
(c) Each trustee area shall be as".

Amendment No. 7

On page 2, line 10, strike out "Before", and insert
"(d) Before".

Amendment No. 8

On page 2, line 13, strike out "election wards", and insert "trustee areas".

Amendment No. 9

On page 2, line 14, strike out "the wards", and insert "trustee areas".

Amendment No. 10

On page 2, line 16, strike out "wards the board may", and insert "trustee areas the board shall".

Amendment No. 11

On page 2, line 17, strike out "(a)", and insert "(1)".

Amendment No. 12

On page 2, line 17, strike out "(b)", and insert "(2)".

Amendment No. 13

On page 2, line 17, strike out "(c)", and insert "(3)".

Amendment No. 14

On page 2, line 19, strike out "(d)", and insert "(4)".

Amendment No. 15

On page 2, line 19, strike out "wards", and insert "trustee areas".

Amendment No. 16

On page 2, between lines 19 and 20, insert

"SEC. 6. Section 1124.1 is added to the Education Code, to read:

1124.1. The establishment and adjustment of trustee areas shall be subject to the approval of the county superintendent of schools having jurisdiction of the district. The superintendent may withhold approval if he determines that the trustee areas, as proposed to be established or adjusted, do not conform to the criteria prescribed in subdivisions (c) and (d) of Section 1124. Such disapproval shall be communicated in writing to the school district governing board within 60 days after the proposal has been submitted to the superintendent for approval, and shall be accompanied by the superintendent's statement of the reasons therefor."

Amendment No. 17

On page 2, line 20, strike out "Notwithstanding", and insert

"SEC. 7. Section 1124.2 is added to the Education Code, to read:

1124.2. Notwithstanding".

Amendment No. 18

On page 2, line 22, strike out "1974", and insert "1975".

Amendment No. 19

On page 2, line 23, strike out "ward", and insert "trustee area".

Amendment No. 20

On page 2, line 24, strike out "ward", and insert "trustee area".

Amendment No. 21

On page 2, line 25, strike out "ward", and insert "trustee area".

Amendment No. 22

On page 2, between lines 25 and 26, insert

"SEC. 8. Section 1124.3 is added to the Education Code, to read:

1124.3. At the initial elections to be conducted pursuant to this section in April 1975, each position on every school district governing board shall stand for election. At such election, in a school district having a five-member governing board, three of such positions shall be filled by persons residing in trustee areas designated by an odd number, and two such positions shall be filled by persons residing in trustee areas designated by an even number. In school districts having a seven-member governing board, four of such positions shall be filled by persons residing in trustee areas designated by an odd number, and three such positions shall be filled by persons residing in trustee areas designated by an even number.

At the first such election persons elected from an odd-numbered trustee area shall serve an initial term of four years and persons elected from an even-numbered trustee area shall serve an initial term of two years Thereafter, all terms shall be for four years.

SEC. 9 Section 1125.5 of the Education Code is amended to read:

1125 5. (a) Whenever an elementary, high school or unified school district or a portion of any such district is annexed to another school district in which trustee areas have been established the ~~county committee on school district organization of the county having jurisdiction over~~ *governing board of* the annexing district shall study and make recommendations with respect to trustee areas of the annexing district as enlarged. ~~Procedures contained in Section 1122 shall be used for purposes of this section.~~

(b) Recommendations adopted under provisions of subdivision (a), if approved by the ~~electors~~ *county superintendent of schools having jurisdiction of the annexing district*, shall become effective on the same date that the annexing district as enlarged becomes effective for all purposes

SEC 10. Section 1125 6 of the Education Code is repealed.

~~1125 6. The county committee may provide that an election to elect trustees, pursuant to its recommendations under Section 1125 5, shall be held at the same time as is held the election to effect a change in trustee areas.~~

SEC 11. Section 1125 7 of the Education Code is repealed.

~~1125 7. In the event an election is called pursuant to Section 1123, the county superintendent of schools having jurisdiction shall, as to each trustee area having more than its allotted number of representatives in the membership of the governing board for the next succeeding school year, determine by lot which of said representatives shall relinquish their offices either immediately upon the election and qualification of the governing board members who are elected as provided in Section 1125 6 or on the first day of July next succeeding the election establishing trustee areas in the district, whichever is the later.~~

SEC 12 Section 1125 8 of the Education Code is repealed.

~~1125 8. Members elected to fill vacancies created pursuant to Section 1125 7 shall serve out the unexpired term of the office that was terminated.~~

~~The county committee shall designate by lot for each newly formed trustee area the expiring term of office for which a member shall be elected.~~

SEC 13 Section 1126 of the Education Code is repealed

~~1126. Whenever the boundaries of a county high school district are coterminous with the boundaries of a county, the board shall consist of one member from each supervisorial district in the county elected at large from the district.~~

SEC 14 Section 1128 of the Education Code is repealed.

~~1128. Except as provided in Sections 1126 and 1127, when trustee areas are established or rearranged in a district, provision shall be included for the election of members of the governing board by the~~

~~registered voters of the entire school district or for the election of the member or members residing in each trustee area by the registered voters of that particular area.~~

~~In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require the alternate method for electing board members to be utilized.~~

SEC 15. Section 3254 of the Education Code is amended to read.

3254. In any proposal ~~for unification or~~ for the formation of a community college district recommended by an augmented county committee, the augmented county committee may include a provision for a governing board of either five or seven members and may include a provision for trustee areas In establishing trustee areas each augmented county committee shall provide for representation in accordance with population and geographic factors of the entire area of the ~~unified~~ school district. As many trustee areas as needed, not to exceed seven, may be established The augmented county committee shall designate the number of members of the governing board to be elected from among the registered voters of each trustee area so that a governing board of either five or seven members is provided If the committee includes a provision for trustee areas, it shall also include a provision for the election of members of the governing board by the registered voters of the entire school district or for the election of the member or members residing in each trustee area by the registered voters of that particular trustee area.

Provisions regarding the number of trustees or trustee areas and the election of trustees by the district at large or by the registered voters of each particular trustee area shall be considered as an inherent part of the proposal and not to be construed as a separate proposition. A provision for trustee areas shall indicate the boundaries of the proposed trustee areas."

Amendment No. 23

On page 2, strike out line 26; and in line 27, strike out "Code by Section 1 of this act," and insert

"SEC 16 This act".

Amendment No. 24

On page 2, line 28, strike out "1974", and insert "1975"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1339—An act to amend Section 25413 7 to the Education Code, relating to community college governing boards, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out the second "to", and insert "of, and to add Section 25413.8 to,".

Amendment No. 2

On page 2, line 4, after "college", insert ", except a unified district having an average daily attendance of 100,000 or more as of October, 1971,".

Amendment No. 3

On page 2, line 9, strike out "In addition, at such"; strike out lines 10 to 13, inclusive, and insert "The".

Amendment No. 4

On page 2, line 19, strike out "The"; strike out lines 20 to 30, inclusive, and on page 3, strike out line 1; and in line 2, strike out "provided by law."

Amendment No. 5

On page 3, lines 6 and 7, strike out "for a separate community college governing board".

Amendment No. 6

On page 3, strike out lines 8 to 10, inclusive; and in line 11, strike out "board members".

Amendment No. 7

On page 3, line 22, strike out "If the city charter of the", and insert

"SEC. 2. Section 25413.8 is added to the Education Code, to read:

25413.8. (a) The members of the governing board of any unified district which has an average daily attendance of 100,000 or more as of October, 1971, and which maintains a community college shall call an election for the purpose of determining whether the members shall continue to serve also as members of the governing board of any unified school district having boundaries which are coterminous with the boundaries of the community college district. In addition, at such election the governing board may ask the electorate whether or not an election should be held to select the first members of the governing board of the new community college district approved by the voters. The election shall be held at the general election in accordance with the provisions of this code for conducting a regular election of governing board members. The ballots used in such election shall contain the words "Separate Community College Board—Yes" and "Separate Community College Board—No." The governing board may also place on the ballot the following words as a separate measure: "If a separate community college governing board is approved at this election, should the first members thereof: (1) be appointed as provided by

law and thereafter elected? or (2) be elected?" The governing board of the district maintaining a community college shall prepare an impartial statement explaining the ballot measures and the expected results of continuing a common governing board or establishing two separate boards and such statement shall be distributed to the voters with the sample ballot and "pro" and "con" arguments, if any, as provided by law. Each elector voting at the election shall indicate the answer he desires to give in accordance with regular election procedures.

(b) If the proposition for a separate community college governing board receives a majority "Yes" vote and either no proposition concerning the election of governing board members is placed on the ballot or the voters approve the appointment of the first governing board members, then those persons who serve as members of the governing boards of both a community college district and any such unified school district shall, on or before December 31, 1972, choose on which of the two boards they will continue to serve. Those persons who choose to serve as members of either the governing board of a community college district or the governing board of any such unified school district shall continue to serve also as members of the governing board from which they have chosen to withdraw until their successors on such boards are elected, or appointed after December 31, 1972, and have assumed office. If the city charter of the".

Amendment No. 8

On page 6, line 7, strike out "SEC. 2", and insert "SEC. 3".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 2118—An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18.5 of the Education Code, relating to community colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in Assembly April 24, 1972, strike out "However, the", and insert "The".

Amendment No. 2

On page 3, line 19, after "may", insert "not".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2363: By Assemblyman Arnett—An act to amend Section 2805 of the Labor Code, relating to the employment of aliens.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Moretti:

House Resolution No. 51

Relative to creating the Assembly Advisory Council on Public Employee Relations

WHEREAS, The number of employees employed by public jurisdictions in California has increased significantly in the last decade thereby compounding the complexities of public employee relations; and

WHEREAS, There have been a series of incidents in recent years wherein public employees have been disappointed with salaries, benefits, and working conditions to such an extent that they have engaged in work disruptions such as those involving teachers in Los Angeles last year, firemen and policemen in Vallejo in 1970, county and municipal employees in San Francisco in 1970, and social workers in Sacramento in 1967; and

WHEREAS, Reports from other jurisdictions indicate the possibility of further disruptions at an alarming rate; and

WHEREAS, It is imperative that the Assembly recognize growing public problems and anticipate solutions, before the crisis stage which has developed in other states occurs here, by availing itself of expert advice; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members establish an Advisory Council on Public Employee Relations as an advisory agency to the General Research Committee to provide the Members expert advice pertaining to the policy questions relating to the resolution of disputes between public employees and their public employers and to specifically accomplish the following:

a. Review the effectiveness of the present statutes pertaining to public employee-public employer relations;

b. Communicate to and evaluate for the Legislature the statutory solutions adopted by other states in this subject area;

c. Evaluate for the Legislature the current situation in California especially those trends pertaining to collective negotiations;

d. Hold public hearings and report to the Assembly by December 30, 1972, specific proposals for establishing an appropriate framework within which disputes can be settled between public jurisdictions and their employees; and be it further

Resolved, That the Assembly Advisory Council on Public Employee Relations shall consist of five members, appointed by the chairman of the General Research Committee, who are acknowledged within their

field as having expertise of a broad and specific kind relating to public employer-public employee relationships; and be it further

Resolved, That the chairman of the General Research Committee appoint a chairman of the advisory council and fix the terms of the members; and be it further

Resolved, That the chairman of the General Research Committee may with the advice and concurrence of the council members utilize staff to facilitate the work of the council; and be it further

Resolved, That the Committee on Rules shall provide for the expenses of the above council, and its members, for any charges, expenses or claims as it may incur under this resolution to be paid from the Assembly Contingent Fund and disbursed by the Rules Committee, upon warrants drawn by the State Controller upon the State Treasury.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 693, 1058, and 1453.

Messrs. Barnes and Burke were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 48.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Constitutional Amendment No. 48.

Mr. Porter was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 693 and 1453.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2363—An act to amend Section 2805 of the Labor Code, relating to the employment of aliens.

DIXON ARNETT

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2354—An act to amend Sections 682.3 and 690.50 of the Code of Civil Procedure, relating to judgment debtors, and declaring the urgency thereof, to take effect immediately.

CHARLES WARREN

Above requests ordered transmitted to the Committee on Rules.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Assembly Bill No. 384 and Assembly Constitutional Amendment No. 51

May 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: On Tuesday, May 9, 1972, on the Assembly Floor, I voted "No" on Assembly Bill 384 by Assemblyman Maddy, dealing with the Student's Lobby.

However, I meant to vote "Yes" on this bill and "No" on ACA 51, Assemblyman Cory's bill, adding privacy to the Constitution.

May I please have the record amended to show my change of vote on these bills Thank you.

Sincerely,

LARRY TOWNSEND

ADJOURNMENT

At 12.08 p m, Acting Speaker Fenton declared the Assembly adjourned until 2 p m, Thursday, May 11, 1972, out of respect to the memory of the late Errol Miller, of Arbuckle, former Consultant to the Assembly Committee on Public Employment and Retirement.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-second Legislative Day

One Hundred Thirtieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 11, 1972

The Assembly met at 2 p.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.
Mr. Dent seconded the motion.
Motion carried. Time, 2.02 p.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 2:15 p.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E. Townsend, Member of the Assembly, 67th District:

Dear Lord, T'was a wise man who said "Judge not, and you will not be judged; condemn not, and you will not be condemned; forgive, and you will be forgiven; give, and it will be given to you; good measure, pressed down, shaken together, running over, will be put into your lap. For the measure you give will be the measure you get back." Help us present in this Assembly to take heed to this message and thereby work closer with You, our Lord.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. McCarthy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Leroy F. Greene, seconded by Mr. Knox.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of Legislative business elsewhere:

Mr. Cullen, on request of Speaker pro Tempore Bee.
Mr. Monagan, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Ketchum, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.
Mr. Seeley, on request of Speaker pro Tempore Bee.
Mr. Bill Greene, on request of Acting Speaker Fenton.

NOTE: For letters explaining the absences of Messrs Cullen and Monagan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 10, 1972, pages 2887–2888.

NOTICE OF INTENTION TO INTRODUCE BILL

The following notice of intention to introduce a bill, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 11, 1972

Mr. Speaker: In accordance with the provisions of Joint Rule No. 8.3, I give notice of my intention to introduce a bill. The bill and the digest prepared pursuant to Joint Rule No. 8 5, are herewith filed.

Digest of Bill

Expresses legislative intent re financial support of public education. Vote—Majority; Appropriation—No; Fiscal Committee—No.

FRANK MURPHY

Above notice of intention to introduce a bill, copy of the bill, and digest ordered transmitted to the Committee on Rules.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Appointments to Commissions

May 10, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman David Pierson to the Educational Management and Evaluation Commission in accordance with the provisions of Chapter 1408, 1971 Session.

Sincerely,

BOB MORETTI
Speaker of the Assembly

May 11, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing Assemblyman Alister McAlister to the Advisory Commission on Special Education created by Chapter 1408 (SB 1526), 1971 Sesssion.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointment of Members to Select Committee on Governor's Goals and Policy Report

May 11, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: I am appointing a Select Committee on the Governor's Environmental Goals and Policy Report of the Assembly General Research Committee with the following membership: Assemblymen Brown (Chairman), Priolo (Vice Chairman), Briggs, Deddeh, Fong, Maddy and Z'berg.

The Select Committee will terminate June 30, 1972.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following report was presented by the Chief Clerk:

1971 Section 256 Report and California Continuing Functional Classification Study Report. April 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, Sacramento, dated April 24, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

F. J. Hortig, Executive Officer, State Lands Division, Sacramento, dated May 9, 1972, transmitting general plan regarding proposed sale of state school land to the Department of Parks and Recreation. Referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2361	Criminal Justice
2362	Education
2363	Labor Relations

Senate Bill No.	*Committee*
184	Judiciary
407	Revenue and Taxation
573	Judiciary
753	Transportation
1216	Local Government
1379	Finance and Insurance
1408	Revenue and Taxation

COMMUNICATIONS

Assembly Chamber, May 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 61—An act to amend Sections 5549 and 5594 of the Public Resources Code, relating to regional park districts;

Assembly Bill No. 149—An act to add Sections 39297.6 and 39297.7 to, and to repeal Section 39077.3 of, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 388—An act relating to school district taxes, and declaring the urgency thereof, to take effect immediately;

~~Assembly Bill No. 438—An act to add Sections 995 and 995.1 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.~~

Assembly Bill No. 571—An act to amend Sections 2 and 5 of, and to add Section 4.14 to, the Amador County Water Agency Act (Chapter 2137 of the Statutes of 1959), relating to the Amador County Water Agency;

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., May 10, 1972.

JAMES D. DRISCOLL, Chief Clerk

NOTE: On May 15, 1972, the action was rescinded whereby Assembly Bill No. 438 was reported correctly enrolled and presented to the Governor. See page 3211.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2008—An act to amend Section 602 of the Welfare and Institutions Code, relating to juveniles, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11.30 a.m., May 11, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 483
AB No 762
AB No. 763
AB No. 1493
AB No. 1507

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1316
AB No. 1939

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 710

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 347
AB No. 2118

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 15
ACA No. 56

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 633	AB No 1210
AB No. 873	AB No. 2084

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 202	AB No. 1048	AB No. 1658
AB No. 523	AB No. 1230	AB No 1670
AB No. 658	AB No 1268	AB No. 1725
AB No. 705	AB No. 1272	AB No 1938
AB No. 719	AB No. 1279	AB No. 2018
AB No. 746	AB No. 1283	AB No 2019
AB No. 755	AB No 1297	AB No 2052
AB No 840	AB No 1462	AB No 2141
AB No 997	AB No 1485	AB No 2324

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 257	AB No. 1119
AB No 531	AB No 1872
AB No. 1010	AB No. 2065

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 18
ACA No. 93

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 217	AB No 782	AB No 922
AB No. 439	AB No. 783	AB No 954
AB No. 459	AB No. 785	AB No. 1028
AB No. 608	AB No. 786	AB No. 1393
AB No 609	AB No. 842	AB No. 1497
AB No. 656		

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1859

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No. 38

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 188

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 47

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1628

AB No. 1952

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACA No. 95

With amendments with the recommendation. Amend, and be adopted, as amended.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 515
AB No. 900
AB No. 1206

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 46
ACR No. 75

With the recommendation: Be adopted.

BROWN, Chairman

Above resolutions ordered on file.

Committee on Planning and Land Use

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 1380

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 1447

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 2137

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Revenue and Taxation.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Agriculture

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 1445

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with the recommendation: To Consent.

BRIGGS, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Transportation

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 653

With the recommendation: Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 17

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1409

AB No. 1923

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1442

AB No. 1443

AB No. 1504

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 49

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 62

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Local Government

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 475

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 11, 1972

Mr Speaker: Your Committee on Local Government reports:

AB No. 1996

AB No. 2146

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 11, 1972

Mr. Speaker · Your Committee on Local Government reports:

AB No. 1899

With the recommendation · Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No. 2247

AB No. 1025

With author's amendments with the recommendation: Amend, and refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2247—An act to amend Section 9160 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend and renumber the heading of Chapter 1 (commencing with Section 11500) of, to amend Sections 11501, 11502, 11503, 11560, 11563, and 12053 of, and to add Sections 11503 5, 11505, and 11506 to, and Chapter 1 (commencing with Section 10500) to Division 8 of, the Elections Code, and to repeal Division 4 5 (commencing with Section 3600) of Title 1 of the Government Code,"

Amendment No. 2

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. This act shall be known and may be cited as the Campaign Reform Act of 1972.

SEC. 2. Chapter 1 (commencing with Section 10500) is added to Division 8 of the Elections Code, to read:

CHAPTER 1. CANDIDATES FOR STATE OFFICE

Article 1. Definitions

10500. Unless the context otherwise clearly requires the definitions set forth in this article shall govern the construction of this chapter.

10501. "State office" means the office of Governor, Lieutenant Governor, Attorney General, Treasurer, Controller, Superintendent of Public Instruction, Member of the State Board of Equalization, Secretary of State, State Senator, or Asesmblyman.

10502. "Candidate for state office" means an individual who seeks nomination or election to state office, whether or not such individual is elected. An individual shall be deemed to seek nomination or election if he has either taken the action necessary under the laws of this state to qualify himself for nomination or election to such office, or has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination or election to such office.

10503. "Political committee" means any committee, association, or organization which accepts contributions or makes expenditures on a political campaign of a candidate for state office during a calendar year in an aggregate amount exceeding one thousand dollars ($1,000). It also includes any committee, association, or representative of a corporation doing business within the state, or any labor union organization, which contributes money or in-kind services, to a candidate for state office.

10504. "Person" means an individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

10505. "Supervisory officer" means the Secretary of the Senate for Senate candidates, the Chief Clerk of the Assembly for Assembly candidates, and the Secretary of State for candidates for all other state offices. The Secretary of State is the supervisory officer for any committee which contributes to, or otherwise supports, the campaign of more than one candidate for nomination or election to state office.

10506. "Contribution" means any of the following:

(1) A gift, subscription, loan, advance, or deposit of money or anything of value (except a loan of money by a national or state bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any candidate.

(2) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes.

(3) A transfer of funds between political committees.

(4) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for any such purpose.

(5) Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee.

10507 "Expenditure" means any of the following:

(1) A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value (except a loan of money by a national or state bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any candidate.

(2) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure.

(3) A transfer of funds between political committees

10508. "Communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but, with respect to telephones, an expenditure shall be deemed to be an expenditure for the use of communications media only if such expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate to advertise his candidacy to potential voters (excluding any costs of telephones incurred by a volunteer for use of telephones by him).

10509. "Broadcasting station" has the same meaning as such term has under Section 315(f) of the Federal Communications Act of 1934.

10510. "Direct mail communications" means any campaign material which is sent through the mail; but in computing expenditures for direct mail communications, the cost of stamps or postage shall not be included.

10511. "Voting age population" means resident population, 18 years of age and older.

10512. "Election" means a primary, general, special primary or special runoff election for any state office.

Article 2. Expenditures for Use of Communications Media

10550. Except as according to changes in the per centum price index difference, no candidate for state office may spend for the use of communications media or direct mail communications on behalf of his candidacy in any election a total amount in excess of the greater of:

(1) Fifteen cents ($0.15) multiplied by the voting age population of the geographical area in which the election for such office is held; or

(2) Twenty-five thousand dollars ($25,000)

10551. Amounts spent on behalf of a candidate for state office shall, for purposes of this article, be deemed to have been spent by the candidate.

10552. For purposes of this article, spending and charges for the use of communications media include not only the direct charges of the media but also agents' commissions allowed the agent by the media, and any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for state office shall be charged against the expenditure limitation under this article applicable to the election in which such medium is used.

10553. At the beginning of each calendar year, the limitations imposed pursuant to Section 10550 shall be revised according to the per centum difference between the price index of the previous 12 months and the current price index, as supplied by the Bureau of Labor Statistics of the Department of Labor under the Federal Election Campaign Act of 1972. The amount so revised shall be in effect for the calendar year.

10554. Within 60 days of the effective date of this section, and during the first week of January of each year, the Secretary of State shall publish an estimate of the voting age population of each Assembly, Senate and Board of Equalization District in California for the last calendar year. The estimate shall be based upon the 1970 federal census and growth patterns as determined by the United States Department of Commerce.

Article 3. Expenditures From Personal Funds

10600. No candidate for state office may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election, in excess of the following amounts:

(1) Thirty-five thousand dollars ($35,000), in the case of a candidate for statewide office.

(2) Twenty-five thousand dollars ($25,000), in the case of a candidate for the State Senate or for Member of the State Board of Equalization.

(3) Twelve thousand five hundred dollars ($12,500), in the case of a candidate for the Assembly.

10601. For purposes of this article, "immediate family" means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.

10602 No candidate or political committee shall knowingly accept any contribution or authorize any expenditure in violation of the provisions of this article.

10603 No individual, committee, association representing a corporation doing business within the state, or labor union organization, may contribute funds, or in-kind services, in excess of twenty-five thousand dollars ($25,000) to any candidate, or committee supporting any candidate for Governor, Lieutenant Governor, Attorney General, Treasurer, Controller, Superintendent of Public Instruction, Secretary of State or Member of the State Board of Equalization, or in excess of five thousand dollars ($5,000) to any candidate or committee supporting any candidate for State Senator or Assemblyman.

10604 No individual, committee, association representing a corporation doing business within the state, or labor union organization, may contribute more than twenty-five thousand dollars ($25,000) to any political committee, or any other committee, which supports more than one candidate for state office.

10605 Any series of committees which are organized with essentially the same officers, contribute to or spend money on behalf of the same candidate or group of candidates for state office, or engage in essentially the same political activities shall, for the purpose of the spending limitations of this article, be defined as a single committee The limitations which apply to a single committee shall apply to a series of committees so organized.

10606 Contributions in the form of in-kind services shall be included within the limitations of this article at a fair price monetary value for the services rendered

Article 4 Disclosure of Campaign Funds

10650 Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents

10651. It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of

(1) All contributions made to or for such committees.

(2) The full name and mailing address (occupation and the principal place of business, if any) of every person making a contribution in excess of ten dollars ($10), and the date and amount thereof

(3) All expenditures made by or on behalf of such committee.

(4) The full name and mailing address (occupation and the principal place of business, if any) of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

10652. It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of one hundred dollars ($100) in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds one hundred dollars ($100). The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the supervisory officer

10653. Any political committee which solicits or receives contributions or makes expenditures on behalf of any candidate for state office that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee.

10654. Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding one thousand dollars ($1,000) shall file with the supervisory officer a statement of organization, within 10 days after its organization or, if later, 10 days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of one thousand dollars ($1,000).

Each such committee in existence at the date of enactment of this article shall file a statement of organization with the supervisory officer at such time as he prescribes.

The statement of organization shall include:

(1) The name and address of the committee.

(2) The names, addresses, and relationships of affiliated or connected organizations.

(3) The area, scope, or jurisdiction of the committee.

(4) The name, address, and position of the custodian of books and accounts

(5) The name, address, and position of other principal officers, including officers and members of the finance committee, if any.

(6) The name, address, office sought, and party affiliation of each candidate whom the committee is supporting, and any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party.

(7) A statement whether the committee is a continuing one.

(8) The disposition of residual funds which will be made in the event of dissolution.

(9) A listing of all banks, safety deposit boxes, or other repositories used.

(10) Such other information as shall be required by the supervisory officer.

10655 Any change in information previously submitted in a statement of organization shall be reported to the supervisory officer within a ten-day period following the change.

10656 Each treasurer of a political committee supporting a candidate or candidates, and each candidate, shall file with the appropriate supervisory officer reports of receipts and expenditures on forms to be prescribed or approved by him. Such campaign reports shall be filed on the tenth day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the thirty-first day of January. Such campaign reports shall be complete as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of five thousand dollars ($5,000) or more received after the last report is filed prior to the election shall be reported within 48 hours after its receipt.

Each campaign report shall disclose·

(1) The amount of cash on hand at the beginning of the reporting period.

(2) The full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in an aggregate amount or value in excess of one hundred dollars ($100), together with the amount and date of such contributions.

(3) The total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2) of this section.

(4) The name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers

(5) Each loan to or from any person within the calendar year in an aggregate amount or value in excess of one hundred dollars ($100), together with the full names and mailing addresses (occupations and the principal places of business, if any) of the lender and endorsers, if any, and the date and amount of such loans.

(6) The total amount of proceeds from the sale of tickets to each dinner, luncheon, rally, and other fundraising event; mass collections made at such events, and sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials

(7) Each contribution, rebate, refund, or other receipt in excess of one hundred dollars ($100) not otherwise listed under paragraphs (2) through (6), inclusive, of this section

(8) The total sum of all receipts by or for such committee or candidate during the reporting period

(9) The full name and mailing address (occupation and the principal place of business, if any) of each person to whom expenditures

have been made by such committee or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of one hundred dollars ($100), the amount, date, and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

(10) The full name and mailing address (occupation and the principal place of business, if any) of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of one hundred dollars ($100) has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure.

(11) The total sum of expenditures made by such committee or candidate during the calendar year.

(12) The amount and nature of debts and obligations owed by or to the committee, in such form as the supervisory officer may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the supervisory officer may require until such debts and obligations are extinguished.

(13) Such other information as shall be required by the supervisory officer.

10657. The reports required to be filed by Section 10661 shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

10658. Every person other than a political committee or candidate who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of one hundred dollars ($100) within a calendar year shall file with the supervisory officer a statement containing the information required by Section 10661. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

10659. A report or statement required by this article to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

A copy of the report or statement shall be preserved by the person filing it for a period of time to be designated by the supervisory officer in a published regulation.

10660. No officer shall issue any certificate of nomination or election to any person until his campaign report has been filed.

10661. No fee or charge shall be made or collected by any officer for the verifying, filing, or recording of any campaign statement.

10662 No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

Article 5. Lawful Expenses

10700. Lawful expenses are expenses for the following purposes only:

(a) For the preparing, printing, circulating, and verifying of nomination papers and for the candidate's official filing fee.

(b) For the personal traveling expenses of the candidate and of campaign personnel

(c) For rent, furnishing and maintaining headquarters and halls and rooms for public meetings, including light, heat, and telephone.

(d) For payment of the following personnel:

(1) Campaign managers.

(2) Advertising agencies and publicity agents.

(3) Stenographers and clerks.

(4) Precinct workers.

(5) Speakers.

(6) Entertainers.

(e) For the preparing, printing, and posting of billboards, signs and posters.

(f) For the preparing, printing, and distribution of literature by direct mail, including postage, throwaways, and handbills.

(g) For newspaper advertising

(h) For radio and television advertising and speech time.

(i) For office supplies, precinct lists, postage other than that provided for in subdivision (f), expressage, and telegraphing relative to candidacy.

(j) For making canvasses of voters and public opinion surveys.

(k) For conveying voters to and from the polls.

(l) For supervising the registration of voters.

(m) For watching the polling and counting of votes cast.

(n) For photographs, mats, cuts, art work, and displays.

(o) For petty cash items relative to candidacy.

10701. Neither a candidate nor committee nor any body of superior authority to which the committee is subject, whether before, during or after an election or primary, may directly or indirectly pay, expend or contribute any money or other valuable thing, or promise so to do, except for lawful expenses.

10702. No payment of money shall be made by a committee or candidate for the rent of any premises to be used as a committee room or headquarters, for holding a meeting, for the purpose of promoting the election or nomination of a candidate, or on account of or in respect to the conduct or management of an election, where alcoholic beverages are sold for consumption on the premises or are supplied to members of any club, society or association

Nothing in this section applies to any part of the premises which is ordinarily let for the purposes of offices or for holding public meetings, if that part has a separate entrance and no direct communication with any part of the premises on which any alcoholic beverages are sold or supplied

10703. Every bill, placard, poster, pamphlet or other printed matter having reference to an election or to any candidate shall bear upon its face the name and address of the printer and publisher

No payment therefor shall be made or allowed unless the name and address is so printed.

Article 6. Presentment and Payment of Claims

10750. Every claim payable by a political committee on account of or in respect to any expense incurred in the conduct and management of an election held within this state or on behalf of the candidates of the political party, organized assemblage, or body which the committee represents shall be presented to the committee within 15 days after the election. If not so presented, the claim shall not be paid, and no action shall be commenced or maintained on it.

10751. All expenses incurred by and properly presented to a political committee shall be paid within 25 days after the election and not otherwise.

10752. Every claim for expenses incurred by or on behalf of a candidate for the conduct or management of an election held within this state shall be presented to the candidate within 10 days after the day of election. If not so presented the claim shall not be paid, and no action shall be commenced or maintained on it.

10753. All expenses incurred by and properly presented to a candidate shall be paid within 25 days after the day of election and not otherwise.

10754. Any person who makes a payment in contravention of this article is guilty of a misdemeanor.

10755. The superior court of the county in which a campaign report is filed or is required to be filed may, on the completion of proper proceedings by either the political committee or candidate or a creditor of either, allow:

(a) A campaign report to be filed after the time limits specified in this chapter.

(b) An incorrect campaign report to be corrected.

(c) Any claim to be presented and paid after the time limits prescribed by this article.

10756. If the application is made by a creditor, the court may, under like conditions and upon a like showing, order the claim to be paid. A creditor is entitled to his costs.

10757. The claims of one or more creditors may be united in the same application, but the amount and specific nature of each claim shall be fully stated.

10758. A person may obtain from the superior court the relief specified in Section 10755 if he shows by competent evidence that the failure to comply with this article was occasioned not by any want of good faith on the part of the applicant but by:

(a) The absence, illness or death of the candidate.

(b) The absence, illness or death of the treasurer of the campaign committee.

(c) The misconduct of any person other than the applicant.

(d) Inadvertence or excusable neglect.

(e) Any other reasonable cause.

10759. Proper proceedings, as used in this article, consist of:

(a) The filing of an application in the office of the clerk of the superior court showing facts sufficient to entitle the applicant to relief.

(b) Such notice of the application as the court may require.

(c) Satisfactory proof by competent evidence of the allegations of the application.

10760. An order of the superior court relieves the applicant from any liability or consequences under this chapter in respect of the matters excused by the order.

10761. After an order by a superior court allowing a claim to be paid, and after payment, the political committee or candidate shall file in the same office as the original campaign report of the political committee or candidate was filed:

(a) An amended campaign report in the same form and containing the same information, as supplemented, as the original campaign report.

(b) A certificate of its allowance.

Article 7. Duties of Supervisory Officers

10800. It shall be the duty of the supervisory officer:

(1) To develop and furnish to the person required to file by the provisions of this chapter prescribed forms for the making of the reports and statements required to be filed with him under this chapter.

(2) To prepare, publish, and furnish to the person required to file such reports and statements a manual setting forth recommended uniform methods of bookkeeping and reporting.

(3) To develop a filing, coding, and cross-indexing system consonant with the purposes of this chapter.

(4) To make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; provided that any information copied from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

(5) To preserve such reports and statements for a period of 10 years from date of receipt.

(6) To compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

(7) To prepare and publish an annual report including compilations of total reported contributions and expenditures for all candidates, political committees, and other persons during the year; total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures; total amounts expended for influencing nominations and elections stated separately; total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the state and local levels for candidates and political committees; and aggregate amounts contributed by any contributor shown to have contributed in excess of one hundred dollars ($100).

(8) To prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections.

(9) To prepare and publish such other reports as he may deem appropriate.

(10) To assure wide dissemination of statistics, summaries, and reports prepared under this chapter.

(11) To make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this chapter, and with respect to alleged failures to file any report or statement required under the provisions of this chapter.

(12) To report apparent violations of law to the appropriate law enforcement authorities.

(13) To prescribe suitable rules and regulations to carry out the provisions of this chapter.

10801. Any person who believes a violation of this chapter has occurred may file a complaint with the supervisory officer If the supervisory officer determines there is substantial reason to believe such a violation has occurred, he shall expeditiously make an investigation, which shall also include an investigation of reports and statements filed by the complainant if he is a candidate, of the matter complained of. Whenever in the judgment of the supervisory officer, after affording due notice and an opportunity for a hearing, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this title or any regulation or order issued thereunder, the Attorney General on behalf of the state shall institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the superior court in and for the county in which the person is found, resides, or transacts business Upon a proper showing that such person has engaged or is about to engage in such acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court.

10802. Any action brought under this article shall be advanced on the docket of the court in which filed, and put ahead of all other classes of actions.

Article 8. Penalties

10850. Whoever willfully and knowingly violates any provision of Article 2 (commencing with Section 10550) of this chapter shall be punished by a fine of not more than five thousand dollars ($5,000) or by imprisonment of not more than five years, or both.

10851. Any person who violates any of the provisions of this chapter shall be fined not more than one thousand dollars ($1,000) or imprisoned not more than one year, or both.

10852. In case of any conviction under this chapter, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only.

SEC 3 The heading of Chapter 1 (commencing with Section 11500) of Division 8 of the Elections Code is amended and renumbered to read:

CHAPTER ~~1~~ *2*. ~~EXPENDITURES FOR~~ CANDIDATES *FOR LOCAL OFFICE*

SEC. 4. Section 11501 of the Elections Code is amended to read:

11501 "Candidate" means any person who seeks nomination or election to a ~~federal, state,~~ county, judicial, or district office, or to a municipal office in a general law or chartered city, at any election or primary conducted within this state. "Candidate" also includes persons seeking election to a county central committee at the direct primary election

SEC 5. Section 11502 of the Elections Code is amended to read:

11502. "Committee" means :

(a) ~~a~~ *A* committee or group of persons organized for the purpose or charged with the duty of conducting the election campaign ~~of any political party or~~ of any candidate or group of candidates ;

(b) Any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates; or

(c) Any duly authorized committee or subcommittee of a political party whether national, state, or local.

(d) The term "committee" does not include any committee formed by a business corporation or enterprises, or group of business corporations or enterprises, which regularly solicits political contributions from officers or employees and which makes such contributions available to political candidates on a bipartisan basis, provided that the amounts contributed by it to each political candidate shall be set forth by the candidate in his campaign statement

SEC. 6. Section 11503 of the Elections Code is amended to read:

11503 "~~Campaign~~ *Final campaign* statement" means an itemized statement ~~prepared in duplicate by a candidate and by the treasurer of a committee~~ showing ~~under each of the subdivisions of Section 11504~~ :

(a) The name of each person or organization from whom a contribution or contributions have been received, together with the specific amounts contributed by each person or organization. ~~In detail all moneys paid, loaned, contributed, or otherwise furnished, directly or indirectly, to the candidate or treasurer or for use of the candidate or treasurer, in aid of the candidate's nomination or election.~~

(b) All money ~~contributed, loaned, or~~ expended ; ~~directly or indirectly,~~ by the candidate or treasurer ~~or through any other person, in aid of the candidate's nomination or election~~ .

~~(c) The names of all persons who paid, loaned, contributed, or otherwise furnished such money in aid of the candidate's nomination or election.~~

~~(d)~~

(c) The names of all persons to whom ~~such~~ money *expended* was ~~contributed, loaned or~~ paid.

~~(e)~~

(d) The specific nature of each item *listed according to each subdivision of Section 11504* .

~~(f)~~

(e) The service performed and by whom any services were performed.

~~(g)~~
(f) The purpose for which the money was expended ; ~~contributed or loaned~~ .

SEC. 7. Section 11503.5 is added to the Elections Code, to read:

11503 5. "Preliminary campaign statement" means an itemized statement showing each person or organization from whom a contribution or contributions have been received that total more than five hundred dollars ($500), together with the specific amounts contributed by each person or organization.

SEC. 8. Section 11505 is added to the Elections Code, to read:

11505. "Contribution" means a gift, subscription, loan, advance, or deposit of money or anything of value paid, loaned or otherwise furnished, directly or indirectly, in aid of a candidate's nomination or election, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution The term "contribution" also includes the services of an employee donated by an employer, in which case the contribution shall be listed in the name of the employer.

SEC. 9. Section 11506 is added to the Elections Code, to read:

11506. "Expenditure" means a payment, distribution, loan, advance, deposit, or gift of money or anything of value paid, loaned or otherwise furnished, directly or indirectly, in aid of a candidate's nomination or election, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

SEC. 10. Section 11560 of the Elections Code is amended to read:

11560. Except as provided in Section 11561, each candidate and the treasurer of each committee shall make and file a *preliminary campaign statement preceding each election or primary and a final* campaign statement following the election or primary, as the case may be.

A campaign statement filed with respect to a primary election shall be verified. The verification shall state that the candidate or treasurer has used all reasonable diligence in its preparation, and that it is true and is as full and explicit as he is able to make it.

SEC. 11. Section 11563 of the Elections Code is amended to read:

11563. All candidates for either nomination or election and the treasurer of each committee shall file *their preliminary campaign statements between 20 and 25 days prior to the election or primary; and shall file* their *final* campaign statements ~~within~~ *between 30 and* 35 days after the election or primary, or not later than the day preceding the day upon which the candidate takes office, whichever first occurs.

SEC 12. Section 12053 of the Elections Code is amended to read:

12053. ~~Every~~ *Any* person ~~is guilty of a misdemeanor~~ who violates any of the provisions of Chapter 1 (commencing at Section 11500) of this division *is guilty of a misdemeanor, and any person who violates a provision thereof with the knowledge of the unlawfulness of such act or omission is guilty of a felony* .

SEC. 13. Division 4.5 (commencing with Section 3600) of Title 1 of the Government Code is repealed "

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 1025—An act to add Article 2 (commencing with Section 12350) to Chapter 5 of Division 8 of the Elections Code, and to add Sections 17053.5, 19269, and 19355 to the Revenue and Taxation Code, relating to the Citizen's Political Contributions Act.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "it", and insert "joint income tax liability".

Amendment No. 2

On page 2, line 14, after "($2)", insert "or more".

Amendment No. 3

On page 2, line 16, strike out "it", and insert "such designation".

Amendment No. 4

On page 2, line 30, strike out "State".

Amendment No. 5

On page 2, between lines 34 and 35, insert

"12352.5. (a) Any money raised pursuant to this article must be used for qualified campaign expenses.

(b) Qualified campaign expenses include expenditures on behalf of any candidate accepting his allocated public money, or by an agent authorized by the candidate, for the following purposes only:

(1) Television broadcasting time.

(2) Radio broadcasting time.

(3) Newspaper and magazine advertising.

(4) Postage.

(5) Charges by common carriers.

(6) Billboards.

(c) Qualified campaign expenses do not include the production costs for television and radio broadcasts and for printed advertisements.

(d) The Secretary of State shall give each candidate financing his qualified campaign expenses with public money an account name and number for his candidacy against which account all expenditures for qualified campaign expenses shall be drawn."

Amendment No. 6

On page 2, line 35, after "Treasury", insert a comma.

Amendment No. 7

On page 3, strike out line 35, and insert "Public Instruction; however, if there is no runoff for such office, the allocated funds for this office shall revert to the General Fund; and (I) 5 percent to the party's".

Amendment No. 9

On page 4, line 14, strike out "has", and insert "shall have".

Amendment No. 10

On page 4, line 17, after "chairman", insert a semicolon.

Amendment No. 11

On page 4, line 24, strike out "are", and insert "shall be".

Amendment No. 12

On page 4, line 31, after the period, insert "If a qualified political party does not have an Assembly or State Senate Caucus, then the Assembly and the Senate Close Race Factor Committee for such party shall be identical to the Statewide Close Race Factor Committee."

Amendment No. 13

On page 4, line 33, strike out "two hundred"; and in line 34, strike out "thousand dollars ($200,000)", and insert "one hundred thousand dollars ($100,000)".

Amendment No. 14

On page 5, strike out lines 14 to 35, inclusive and insert "pay for any such candidate's campaign expense enumerated in Section 12352.5.

(g) The Secretary of State shall notify each general".

Amendment No. 15

On page 5, line 39, strike out "(k)", and insert "(h)".

Amendment No. 16

On page 6, line 3, strike out "sole".

Amendment No. 17

On page 6, line 4, after "funds", insert "for any media expense enumerated in Section 12352.5".

Amendment No. 18

On page 6, line 14, after "expenditure", insert "made for media enumerated in Section 12352.5".

Amendment No. 19

On page 6, line 17, strike out "(l)", and insert "(i)".

Amendment No. 20

On page 6, line 19, strike out "dispensed as follows:"; and strike out lines 20 to 37, inclusive, and insert "placed into the Assembly Close Race Factor Fund, if he is a candidate for the office of Assemblyman, or the Senate Close Race Factor Fund, if he is a candidate for the office of State Senator."

Amendment No. 21

Strike out pages 7 to 9, inclusive; and on page 10, strike out lines 1 to 6, inclusive, and insert "placed into the Statewide Close Race Factor Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 2001

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2001—An act to add Article 7.5 (commencing with Section 13631) to Chapter 8 of Division 6 of the Public Utilities Code, relating to municipal utility districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, after "within", insert "the special".

Amendment No. 2

On page 3, line 10, after "indebtedness", insert "issued pursuant to this article".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 11, 1972

Mr Speaker: The Chairman of your Committee on Water reports:

AB No. 1185

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1185—An act to add Section 71975 to the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly May 1, 1972, strike out "If", and insert "Notwithstanding any other provision of law, within the Rainbow Municipal Water District, if".

Amendment No. 2

On page 2, lines 4 and 5, strike out "Chapter 3 (commencing with Section 71870) or".

Amendment No. 3

On page 2, line 6, after "thereafter", insert ", due to a change in conditions or circumstances,".

Amendment No. 4

On page 2, line 8, strike out "adopted pursuant to Section 71873 or", and insert "No. 438, adopted October 27, 1969, pursuant to".

Amendment No. 5

On page 2, line 9, strike out "changed or".

Amendment No. 6

On page 2, line 10, strike out "change or".

Amendment No. 7

On page 2, line 15, strike out "changed or".

Amendment No. 8

On page 2, line 17, strike out "but", and insert "provided that such modification shall not change the purpose for which the sale of bonds was originally authorized, and".

Amendment No. 9

On page 2, line 23, after "board", insert ", four-fifths of the members concurring,".

Amendment No. 10

On page 2, line 25, strike out "changed or".

Amendment No. 11

On page 2, line 30, strike out "changes or".

Amendment No. 12

On page 2, line 34, after "SEC. 2.", insert "The provisions of this act are necessary because of special circumstances within the Rainbow Municipal Water District. The district had originally authorized bonds for the construction of a waste water treatment plant for the benefit of an improvement district, but subsequently it became highly advantageous for the district to join with the City of Oceanside in the construction of a trunk sewer to dispose of the improvement district's waste water through the City of Oceanside's treatment plant rather than construct a separate waste water treatment plant. It is necessary that the district have its funds available as soon as possible to pay its share of the cost of the interceptor sewer if the district is not to lose additional funds available for the project from other sources during the 1971–1972 fiscal year. If it is necessary to secure the approval of the voters of the improvement district before the bond funds may be used for the construction of the interceptor sewer, rather than the waste water treatment plant, these additional funds will be lost and

the construction of urgently needed facilities for the protection of the public health of residents of the improvement district will be greatly delayed. This problem is not common to all districts formed under the Municipal Water District Law of 1911. It is therefore hereby declared that a general law cannot be made applicable and that the enactment of Section 71975 of the Water Code as a special law is necessary for the solution of problems existing in the Rainbow Municipal Water District.

SEC. 3."

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 569

AB No. 1162

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 569—An act to amend Sections 21026 and 21294 of the Government Code, relating to disability retirement.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 21026 and 21294 of", and insert "Section 21026 of, to add Section 21294.1 to, and to repeal and add Section 21023.5 of,".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 21023.5 of the Government Code is repealed.

~~21023.5. Notwithstanding any other provision of law, an employer may not separate because of disability a member otherwise eligible to retire for disability but shall apply for disability retirement of any member believed to be disabled, unless the member waives the right to retire for disability and elects to withdraw contributions or to permit contributions to remain in the fund with rights to service retirement as provided in Section 20393.~~

SEC. 2. Section 21023.5 is added to the Government Code, to read:

21023.5 If either:

(a) The medical examination and other available information show to the satisfaction of the retirement board that the member is:

(1) Incapacitated physically or mentally for the performance of his duties in state or local service, and

(2) Is eligible to retire for disability, or

(b) The contracting agency, state agency, or employing local public agency terminates for physical or mental disability a local safety member, law enforcement member, or prison member having custodial duties, then

(1) The retirement board for the contracting agency, state agency or employing local public agency shall forthwith retire him for disability, or

(2) If the member is qualified to be retired for service and applies for retirement prior to the effective date of his retirement for disability or within 30 days thereafter, then the board shall retire the member for service.

SEC. 3."

Amendment No. 3

On page 2, line 2, strike out "21294", and insert "21294.1".

Amendment No. 4

On page 2, strike out lines 6 to 21, inclusive, and insert

"SEC. 4. Section 21294.1 is added to the Government Code, to read:

21294.1. Upon retirement of a local safety member for industrial disability he shall receive a disability retirement allowance of at least 50 percent up to a maximum of 75 percent, depending upon the degree of permanent disability, of his final compensation plus an annuity purchased with his accumulated additional contributions, if any, or, if qualified for service retirement, he shall receive his service retirement allowance if such allowance, after deducting such annuity, is greater. The local safety member or his employer may petition the Workmen's Compensation Appeals Board for a determination of the degree of injury for purposes of determining the applicable percentage pursuant to this section.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, or in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

Assembly Bill No. 1162—An act to add Section 75033.5 to the Government Code, relating to the Judges' Retirement Law.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 75033 of, and to".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, line 1, after "1.", insert "Section 75033 of the Government Code is amended to read:

75033. Notwithstanding any other provision of this chapter, if the service of a judge, who has been elected or appointed as such, is discontinued by any means other than death, resignation, recall, impeachment, or retirement pursuant to this chapter, he shall have the right to elect in writing filed with the State Controller within ninety (90) days thereafter, and without right of revocation, whether to allow his accumulated contributions to remain in the fund. *A judge who after the effective date of the 1972 amendments to this section leaves his office to accept any lucrative office under the United States within the purview of Section 28 of Article IV of the Constitution shall not be eligible for deferred retirement under this section.* Failure to make such election shall be deemed an irrevocable election to withdraw his accumulated contributions. A judge who so elects to allow his accumulated contributions to remain in the fund shall, upon his application therefor to the State Controller after attaining age 65, be retired, and receive a retirement allowance based upon the judicial service with which he is credited, in the same manner as other judges, except that his retirement allowance is an annual amount equal to 5 percent of the compensation payable, at the time payments of the allowance fall due, to the judge holding the office which the retired judge last held prior to the discontinuance of his service as judge, multiplied by the number of years and fractions of years of service with which the retired judge is entitled to be credited at the time of such discontinuance of his service, not to exceed eight years.

SEC. 2."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 237

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 237—An act to amend Sections 54793, 54797, 56264, 56265 and 56266 of the Government Code, relating to local agency formation commissions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "54793, 54797, 56264, 56265 and 56266", and insert "54774, 54790 and 54796".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 54774 of the Government Code is amended to read:

54774. Among the purposes of a local agency formation commission are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local governmental agencies based upon local conditions and circumstances. One of the objects of the local agency formation commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local governments in each county and to shape the development of local governmental agencies so as to advantageously provide for the present and future needs of each county and its communities.

In addition to its other powers the local agency formation commission shall initiate and make studies of existing governmental agencies. Such studies shall include but shall not be limited to inventorying such agencies and determining their maximum service area and service capacities. In conducting such studies, the commission may ask for land use information, studies, and plans of cities, counties, and districts. Cities, counties, and districts shall comply with the request of the commission for such information and the commission shall make its studies available to cities, counties, and districts. In making these studies, the commission may cooperate with the county planning commissions.

In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the local agency formation commission shall develop and determine the sphere of influence of each local governmental agency within the county. As used in this section "sphere of influence" means a plan for the probable ultimate physical boundaries and service area of a local governmental agency. *Among the factors considered* ~~In~~ *in* determining the sphere of influence of each local governmental agency the commission shall consider:

(a) The maximum possible service area of the agency based upon present and possible service capabilities of the agency.

(b) The range of services the agency is providing or could provide.

(c) The projected future population growth of the area.

(d) The type of development occurring or planned for the area, including, but not limited to, residential, commercial, and industrial development.

(e) The present and probable future service needs of the area.

(f) Local governmental agencies presently providing services to such area and the present level, range and adequacy of services provided by such existing local governmental agencies.

(g) The existence of social and economic interdependence and interaction between the area within the boundaries of a local governmental agency and the area which surrounds it and which could be considered within the agency's sphere of influence.

The commission shall periodically review and update the spheres of influence developed and determined by them.

The spheres of influence, *after adoption,* shall be used by the commission as a *factor in making* ~~basis for~~ regular decisions on proposals over which it has jurisdiction. The commission may recommend governmental reorganizations to particular agencies in the county, using the spheres of influence as the basis for such recommendations. Such recommendations shall be made available, upon request, to other governmental agencies or to the public.

The commission, or the board of supervisors on behalf of the commission, is authorized to apply for or accept, or both, any financial assistance and grants-in-aid from public or private agencies or from the state or federal government or from a local government.

SEC. 2. Section 54790 of the Government Code is amended to read:

54790. The commission shall have the following powers and duties, subject to the limitations upon its jurisdiction herein set forth:

(a) To review and approve or disapprove with or without amendment, wholly, partially or conditionally proposals for:

(1) The incorporation of cities;

(2) The formation of special districts, and

(3) The annexation of territory to local agencies, (other than local agencies the annexation of territory to which is required to be made pursuant to the provisions of Division 1 (commencing with Section 56000) of Title 6 of this code); provided that a commission shall not impose any conditions which would *directly* regulate land use or subdivision requirements *Nothing in this subsection, however, shall be construed as prohibiting a commission from requiring, as a condition to annexation, that a city prezone the territory to be annexed; provided that the commission shall not specify how or in what manner the territory shall be prezoned.*

(4) The exclusion of territory from a city.

(5) The disincorporation of a city.

(6) *The consolidation of two or more cities.*

(7) The development of new communities within the jurisdiction of the commission pursuant to Sections 33021 and 33298 of the Health and Safety Code.

(b) To adopt standards and procedures for the evaluation of proposals.

(c) To make and enforce rules and regulations for the orderly and fair conduct of hearings by the commission.

(d) To incur usual and necessary expenses for the accomplishment of its functions.

(e) To appoint and assign staff personnel and to employ or contract for professional or consulting services to carry out and effect the functions of the commission.

(f) To review the boundaries of the territory involved in any proposal with respect to the definiteness and certainty thereof, the nonconformance of proposed boundaries with lines of assessment or ownership, and other similar matters affecting the proposed boundaries

(g) To waive the restrictions of Section 34312 and of subdivision (1) of Section 35002 3, and Sections 35158 and 35326 if it finds that the application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation or incorporation is so located that it cannot reasonably be annexed to another city or incorporated as a new city.

SEC 3. Section 54796 of the Government Code is amended to read:

54796 Factors to be considered in the review of a proposal shall include but not be limited to:

(a) Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas, the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for such services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests and on the local governmental structure of the county.

(d) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(e) Conformity with appropriate city or county general and specific plans.

(f) The "sphere of influence" of any local agency which may be applicable to the proposal being reviewed."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive; and strike out pages 2, 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 1824

With author's amendments with the recommendation: Amend, and refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1824—An act to amend Section 51242 of the Government Code, relating to land.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 51242", and insert "add Chapter 6.6 (commencing with Section 51075) to Part 1, Division 1, Title 5".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 6.6 (commencing with Section 51075) is added to Part 1 of Division 1 of Title 5 of the Government Code, to read:

CHAPTER 6 6. INDUSTRIAL LAND

Article 1. Declarations

51075. The purpose of this act is to provide a method whereby cities may contract with the owners of lands designated by a city as an industrial reserve to carry out long-range economic plans for the orderly development of the city and the conservation of open-space land as defined in the Williamson Act, and whereby the use of open-space land may be regulated in such a manner as to be deemed subject to an enforceable restriction within the meaning of Article XXVIII of the State Constitution.

In order to achieve the purpose of this act it is the intent of the Legislature to authorize cities that have an adopted general plan containing an industrial element to enter into a contract with the owners of land within an industrial reserve, when the land is of such size and character and is so situated as to lend itself to long-range economic development Such contract shall:

(a) Provide for the long-range economic development of the community by reserving areas designated on the general plan of the city as an industrial reserve.

(b) Provide for the restriction of land to its existing or desired open-space use on a long-term or permanent basis or until such time as it is needed for the economic development of the community.

(c) Provide for full participation by the city in development and planning decisions as to the timing of development, the location, type, and design of buildings and other structures and facilities necessary for the industrial development of the area.

(d) Provide that land restricted to open-space uses shall be deemed subject to an enforceable restriction within the meaning of Article XXVIII of the State Constitution.

(e) Provide for the fulfillment and termination of the contract by the owner for the industrial development or subdivision of his property if the development plans are in conformance with the policies of the city.

51076. The Legislature finds that the absence of methods whereby cities and the owners of land may carry out comprehensive long-range economic plans for the orderly development of land and the preservation of open space results in irrational development of land and the premature or unnecessary loss of open-space land needed for the production of food or fiber for recreation, for the enjoyment of scenic beauty, and for the use of natural resources.

51076.5. The Legislature further finds that the inability of local governments and landowners to carry out long-range comprehensive economic plans are in large part due to the following circumstances:

(a) Although cities may adopt economic plans for industrial use of land within their jurisdictions and may adopt ordinances regulating the use of such land, members of local governing bodies find it difficult, if not impossible, to bind themselves or future members to a continuation of land use policies, plans or regulations except through contracts authorized by state law.

(b) Because property owners or prospective buyers are reluctant to, or find it economically difficult to, hold land for the long-range economic benefit of the community.

(c) Because of confidence that they will be successful in having the long-range economic plans changed, prospective buyers have generally ignored existing plans, ordinances and regulations in determining prices offered for land for future development.

(d) County assessors and the State Board of Equalization have felt compelled under these circumstances and under provisions of the State Constitution to ignore present use and zoning restrictions in valuing land set aside for industrial development for assessment purposes where the present use and uses permitted by zoning ordinance do not reflect the market value of the property.

Article 2. Definitions

51077. As used in this chapter, unless otherwise apparent from the context:

(a) An "adopted general plan" is a general plan adopted by a city pursuant to Chapter 3 (commencing with Section 65100) of Title 7 which contains an industrial element.

(b) "Council" means the city council of a city which enters into an industrial development contract pursuant to this proposed legislation.

(c) "Industrial reserve" means an area containing lands set aside by a city under an adopted general plan capable of being enforceably restricted under provision of the Williamson Act.

(d) "Industrial development contract" means the written document entered into by and between the city and the landowner. A contract entered into pursuant to this article shall be an enforceable restriction within the meaning and the purposes of Article XXVIII of the State Constitution and shall be enforced by the city in such a manner as to accomplish the purpose of Article XXVIII

Article 3. Industrial Development Contracts

51078. Subject to the provisions of this chapter, any city may enter into an industrial development contract with the owner or owners of land situated within the industrial reserve of the city as designated by the adopted general plan of the city provided that·

(a) The adopted general plan contains an industrial element that clearly designates those lands that are to be considered as an industrial reserve; and

(b) The adopted general plan contains a statement or statements of the goals and policies of the city that will be followed in developing the industrial reserves of the city, and

(c) An industrial zoning ordinance is adopted that clearly limits the use of land zoned industrial to industrial use and those uses supportive of industrial development.

51079 No city may enter into an industrial development contract unless:

(a) The land is within the city; and

(b) The land is of such character, size, shape and location that it lends itself to the long-range economic planning of the city; and

(c) The land is within the industrial reserves of the city as designated by the adopted general plan of the city; and

(d) The land is subject to an enforceable restriction within the meaning of Article XXVIII of the State Constitution.

51080. The owner or owners of land designated by a city as an industrial reserve that would be subject to an enforceable restriction within the meaning of Article XXVIII of the State Constitution may petition to enter into an industrial development contract Such a petition shall be presented in writing to the city council and shall include for each parcel of land:

(a) The legal description and assessor's parcel number;

(b) The number of acres in the parcel;

(c) The names of all owners, including security holders; and

(d) Any other information required by the city

51080 5 The council shall, within 15 days after the filing of the application, at a regular meeting, either accept or reject the application If the application is rejected, the reason or reasons for such rejection shall be stated If the application is accepted, the council shall set a date for the purpose of hearing any objections to its entering into a contract with the owner or owners of the undeveloped open-space land The date set for the hearing shall be not less than 30, nor more than 45 days, from the date of the consideration of the applica-

tion. On the date set for the hearing, the council shall describe the form of the contract it is willing to enter into with the owner or owners, and shall hear any objections to its entering into the contract. The hearing may be continued or postponed until all pertinent testimony has been presented. The council shall, after hearing all testimony, make its finding as to whether or not the contract should be entered into. If the finding is to enter into the contract, the council shall authorize the execution of the contract.

A contract shall not be effective until it has been executed by all of the parties and has been recorded in the office of the county recorder of the county in which the land is situated.

51081. An industrial development contract shall:

(a) Be limited to those properties designated by the city as an industrial reserve on its adopted general plan that would qualify for an enforceable restriction within the meaning of Article XXVIII of the State Constitution; and

(b) Be for an initial period of not less than five years; and

(c) Provide for an enforceable restriction of subject property within the meaning of Article XXVIII of the State Constitution and Article 1.5 (commencing with Section 421) of Chapter 3, Part 2, Division 1 of the Revenue and Taxation Code; and

(d) Provide that on each anniversary of the effective date, a year shall be automatically added to the initial term unless notice as hereinafter provided; and

(e) Set forth the specific conditions which must be met before the contract shall be deemed fulfilled as to the whole or any part of the land described therein. Such conditions shall include: (1) the filing for and approval of an application for a building permit when such permit is for any building or structure that must be in conformance with the industrial zoning ordinance and the policies of the adopted general plan of the city; and (2) the filing for and approval of a subdivision map which is intended to provide for the industrial development of industrial property in conformance with the industrial zoning ordinance and the policies of the adopted general plan of the city; and

(f) Be binding upon, and inure to the benefit of, all successors in interest of the owner or the city.

A written notice of nonrenewal may be given, at any time not less than 60 days prior to the anniversary of the effective date of the contract, by either party.

51082 At such time as the industrial element of the general plan of the city is amended to reflect existing and anticipated future industrial and economic conditions, contracts for those properties that would no longer be in the industrial reserve are canceled without penalty provided that.

(a) The amendment of the general plan is adopted by the city pursuant to Chapter 3 (commencing with Section 65350) of Title 7; and

(b) The amendment is not the result of a particular development proposal, but rather the result of a broad based consideration of the long-range industrial and economic needs of the city.

51083. The industrial development contract may be terminated with respect to all or any portion of the land by mutual agreement of all the parties at such time that they find that there is no public interest to be served by continuing the contract in effect. Except as provided in this section, the procedure to be followed in terminating an industrial development contract prior to the end of the term of such contract shall be the same as provided for adopting an industrial development contract.

51084. No industrial development contract shall be terminated prior to the expiration of the term of the contract with respect to any land which in any of the preceding five years, including the year during which the contract is terminated, was subject to an open-space ordinance and valued for assessment as open-space land pursuant to Article 1.5 (commencing with Section 421) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code, until the payment of a termination fee. Such termination fee shall be determined as follows:

(a) Prior to any action by the council giving tentative approval to the termination of an industrial development contract, the assessor of the county in which the land is located, for each parcel of land which in any of the past five tax years, including the tax year during which termination is to be granted, has been subject to an open-space ordinance and has been valued for assessment pursuant to Article 1.5 (commencing with Section 421) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code, shall determine the market value of the land as it existed on the date the petition for termination was filed and as if the land were free of the restriction imposed by the open-space ordinance and the contract. The assessor shall multiply such value by the most recent county ratio announced pursuant to Section 401 of the Revenue and Taxation Code, and shall certify the product to the council as the termination valuation of the land for the purpose of determining the termination fee

(b) Prior to giving tentative approval to the termination of any contract, the council shall determine and certify to the county auditor the amount of any termination fee which any landowner must pay the county treasurer as deferred taxes upon termination That fee shall be an amount equal to 12½ percent of the termination valuation of the land.

(c) If the council finds that it is in the public interest to do so, it may waive all or any part of such payment, or may provide that such payments be deferred

(d) When the deferred taxes required by this section are collected, the county treasurer shall distribute such taxes to each taxing agency existing in the year of collection in each of the tax rate areas in which the parcels of land are located. After determining the amount of deferred taxes on all parcels in each tax rate area, the taxes for each tax rate area shall be distributed in the same proportion that each taxing agency's tax rate in the fiscal year of collection bears to the total tax rate of the tax rate area in the fiscal year of collection

(e) Upon tentative approval of the termination of an industrial development contract, the council shall record, in the office of the county recorder of the county in which the land is located as to which

the contract is to be terminated, a certificate which shall set forth the name of the owner of such land at the time the contract is terminated with the amount of the termination fee certified by the council as being due pursuant to this section, the contingency of any waiver or deferment of payments, and a legal description of the property. From the date of recording such certificate, the contract shall be finally terminated and, to the extent the termination fee has not yet been paid, a lien shall be created and attached against the real property described therein and any other real property located within the county owned by the person named therein as the owner Such lien shall have the force, effect and priority of a judgment lien Nothing in this section shall preclude the council from requiring payment in full of the termination fee prior to the termination becoming effective.

(f) In no case shall the termination of a contract be final until a notice of termination is actually recorded as provided in this section. Notwithstanding any other provisions of the Revenue and Taxation Code, any payments required by this section shall not create nor impose a lien or charge on the land as to which a contract is terminated except as provided in this section.

(g) Upon the payment of the termination fee or any portion thereof, the council shall record with the county recorder a written certificate of the release in whole or in part of the lien."

Amendment No. 3

On page 1, strike out lines 2 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No 277

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 277—An act to amend Sections 50568 and 50570 of, and to add Sections 50571 and 65009 to, the Government Code, and to add Section 33337.5 to the Health and Safety Code, relating to low income homeownership.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 21, of the printed bill, as amended in Assembly April 13, 1972, strike out ", the terms of", and insert "in".

Amendment No. 2

On page 3, line 22, after "50570", insert "the transferee".

Amendment No. 3

On page 3, line 22, strike out "require that"; and strike out lines 23 through 28, inclusive, and insert "covenant to restrict".

Amendment No. 4

On page 3, strike out line 32, and insert "income and (in the case of rental projects other than public housing) the transferee shall covenant to offer to sell the development or separable portions of it to its occupants before it is transferred to another purchaser on equivalent terms".

Amendment No. 5

On page 3, line 33, strike out ", or failure", and insert ". Failure".

Amendment No. 6

On page 3, lines 34 and 35, strike out "and record notice of the terms of transfer".

Amendment No. 7

On page 4, lines 1 and 2, strike out "for recording of deed restrictions".

Amendment No. 8

On page 4, line 8, strike out "restrictions", and insert "plan".

Amendment No. 9

On page 4, line 11, strike out "or to a"; and strike out line 12, and insert "on".

Amendment No. 10

On page 4, lines 14 and 15, strike out "or cooperative corporation".

Amendment No. 11

On page 4, line 23, strike out "restrictions", and insert "covenants".

Amendment No. 12

On page 4, line 25, strike out ", or to a"; and strike out line 26.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 11, 1972

Mr. Speaker. The Chairman of your Committee on Health reports:

AB No 1470

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1470—An act to add Section 10053.4 to the Welfare and Institutions Code, relating to family planning.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 10053 4 to the Welfare and Institutions", and insert "amend Section 25951 of the Health and Safety".

Amendment No. 1.5

In line 2 of the title, strike out "family planning", and insert "counseling sessions".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 25951 of the Health and Safety Code is amended to read·

25951 A holder of the physician's and surgeon's certificate, as defined in the Business and Professions Code, is authorized to perform an abortion or aid or assist or attempt an abortion, only if each of the following requirements is met:

(a) The abortion takes place in a hospital which is accredited by the Joint Commission on Accreditation of Hospitals. *Hospitals in which abortions are performed shall provide or have agreements with other individuals or public or private health agencies which the person or agency operating the hospital has determined are competent to provide a counseling session Utilization of such services shall be voluntary and shall be provided to any female approved for an abortion in such hospital without regard to age or marital status upon her request Counseling shall take place within 90 days after approval for an abortion has been made For purposes of this section "counseling session" shall mean exploring the needs of each patient to be able to refer her for further guidance or services in social, emotional, vocational, or educational matters, and further, to provide her with family planning services. Notwithstanding any other provision of law, such counseling services shall be provided as a reimbursable item under subdivision (a) of Section 14132 of the Welfare and Institutions Code for all Medi-Cal eligible persons electing to use the services*

(b) The abortion is approved in advance by a committee of the medical staff of the hospital, which committee is established and maintained in accordance with standards promulgated by the Joint Commission on Accreditation of Hospitals In any case in which the committee of the medical staff consists of no more than three licensed physicians and surgeons, the unanimous consent of all committee members shall be required in order to approve the abortion

(c) The committee of the medical staff finds that one or more of the following conditions exist.

(1) There is substantial risk that continuance of the pregnancy would gravely impair the physical or mental health of the mother; or
(2) The pregnancy resulted from rape or incest."

Amendment No. 3

On page 2, strike out lines 2 to 15, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 1770

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1770—An act to add Section 442.01 to the Health and Safety Code, and to amend Section 14103.2 of the Welfare and Institutions Code, relating to health care services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "part", insert a comma.

Amendment No. 2

On page 2, line 1, after "Code", insert a comma.

Amendment No. 3

On page 2, line 17, strike out "The California"; and strike out lines 18 to 28, inclusive, and insert

"The California Hospital Commission shall develop and recommend to the department a system for reporting provider costs for admission and treatment as reflected in charges to the Medi-Cal program for all hospitals in this state participating in the Medi-Cal program, regardless of their method or technique of accounting and charging. The department shall report annually to the Legislature on its findings and the actions taken as a result of the departmental review pursuant to Section 442.01 of the Health and Safety Code."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Health reports: AB No. 1359

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1359—An act to amend Section 1680 of the Business and Professions Code, relating to dentistry.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, strike out "professional employment", and insert "patients".

Amendment No. 2

On page 2, line 32, strike out "his dental firm", and insert "a dental corporation".

Amendment No. 2.5

On page 2, line 33, strike out "he", and insert "the dentist or corporation".

Amendment No. 3

On page 2, line 37, strike out ", except a modest"; strike out lines 38 to 40, inclusive; on page 3, strike out line 1; and in line 2, strike out "other word which the board deems appropriate".

Amendment No. 4

On page 3, strike out line 34, and insert

"Nothing in subdivision (11) shall be deemed to prevent the use of any of the following:

(a) Professional cards, announcement cards, recall notices to patients of record, and letterheads, the style and text of any of which are dignified and consistent with the custom of the dental profession in the community; provided, however, that announcement cards may be sent only when there is a change in location or an alteration in the character of the dentist's practice and only to other dentists, to members of other health professions and to the dentist's patients of record.

(b) Office door lettering and signs, provided that their style and text are dignified and consistent with the custom of the dental profession in the community.

(c) Listing of the dentist's name in a directory, provided that all dentists in similar circumstances have access to a similar listing in such directory on substantially equal terms, and provided further that such listing is consistent in style and text with the custom of the dental profession in the community."

Amendment No. 5

On page 3, strike out lines 35 to 40, inclusive; and strike out page 4.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No 1473

AB No. 2037

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1473—An act to amend Section 73084 of the Government Code, relating to courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73084", and insert "Sections 73084, 73084.1, 73084.2, 73084.3, 73084.4, 73084.5, 73084.6, 73085, 73085.1, 73085.2, 73085.3, 73085.4, 73085.5, 73085.6, 73085.8, 73085.9, 73086, 73088, 73089, 73090, 73090.1, 73090.2, and 73096 of, and to add Section 73085.10 to,".

Amendment No. 2

On page 1, strike out lines 1 to 7, inclusive and insert

"SECTION 1. Section 73084 of the Government Code is amended to read:

73084. In each municipal court established in Alameda County one clerk *who shall also be known as the court administrative officer* shall be appointed by the judge or judges of each court and he shall receive a monthly salary at the rate specified in Sections 73084.1 to ~~73084.5~~ *73084.6*, inclusive.

SEC. 2. Section 73084.1 of the Government Code is amended to read:

73084.1. The clerk *and administrative officer* of the municipal court for the Oakland-Piedmont Judicial District shall receive a monthly salary at the rate specified in schedule number ~~58~~ *60.5* of the salary schedule.

SEC. 3. Section 73084.2 of the Government Code is amended to read:

73084.2. The clerk *and administrative officer* of the municipal court for the Alameda Judicial District shall receive a monthly salary at the rate specified in schedule number ~~59~~ *51* of the salary schedule.

SEC. 4. Section 73084.3 of the Government Code is amended to read:

73084.3. The clerk *and administrative officer* of the municipal court for the Berkeley-Albany Judicial District shall receive a monthly salary at the rate specified in schedule number ~~53~~ *54* of the salary schedule.

SEC. 5. Section 73084.4 of the Government Code is amended to read:

73084.4. The clerk *and administrative officer* of the municipal court for the San Leandro-Hayward Judicial District shall receive a monthly salary at the rate specified in schedule number ~~54~~ *56* of the salary schedule.

SEC. 6. Section 73084.5 of the Government Code is amended to read:

73084.5. The clerk *and administrative officer* of the municipal court for the Fremont-Newark-Union City Judicial District shall receive a monthly salary at the rate specified in schedule number ~~51~~ *53* of the salary schedule.

SEC. 7. Section 73084.6 of the Government Code is amended to read:

73084.6. The clerk *and administrative officer* of the municipal court for the Livermore Judicial District shall receive a monthly salary at the rate specified in schedule number ~~50~~ *51* of the salary schedule.

SEC. 8. Section 73085 of the Government Code is amended to read:

73085. Deputy clerks in each municipal court in Alameda County shall be compensated as determined by Sections 73085.1 to ~~73085.7~~ *73085.10*, inclusive.

SEC. 9. Section 73085.1 of the Government Code is amended to read:

73085.1. Deputy clerks, division chiefs, shall receive a monthly salary at the rate specified in schedule number ~~50~~ *51* of the salary schedule.

SEC. 10. Section 73085.2 of the Government Code is amended to read:

73085.2. The deputy clerk, chief deputy of the Oakland-Piedmont Judicial District, shall receive a monthly salary at the rate specified in schedule number ~~53~~ *54* of the salary schedule.

SEC. 11. Section 73085.3 of the Government Code is amended to read:

73085.3. Deputy clerks grade IV shall receive a monthly salary at the rate specified in schedule number ~~45~~ *46* of the salary schedule.

SEC. 12. Section 73085.4 of the Government Code is amended to read:

73085.4. Deputy clerks grade III shall receive a monthly salary at the rate specified in schedule number ~~43~~ *44* of the salary schedule.

SEC. 13. Section 73085.5 of the Government Code is amended to read:

73085.5. Deputy clerks grade II shall receive a monthly salary at the rate specified in schedule number ~~39~~ *40* of the salary schedule, except as otherwise provided in Section 73089.

SEC. 14. Section 73085.6 of the Government Code is amended to read:

73085.6. Deputy clerks grade I shall receive a monthly salary at the rate specified in schedule number ~~35~~ *36* of the salary schedule. Appointments to such position shall be at step 2 of the schedule.

SEC. 15. Section 73085 8 of the Government Code is amended to read:

73085.8. The deputy clerk, chief deputy of the San Leandro-Hayward Judicial District, shall receive a monthly salary at the rate specified in schedule number ~~49~~ *51* of the salary schedule.

SEC. 16. Section 73085.9 of the Government Code is amended to read·

73085.9 The deputy clerk, chief deputy of the Berkeley-Albany Judicial District, shall receive a monthly salary at the rate specified in schedule number ~~48~~ *49* of the salary schedule.

SEC. 17. Section 73085 10 is added to the Government Code, to read.

73085 10. The deputy clerk, chief deputy of the Fremont-Newark-Union City Judicial District, shall receive a monthly salary at the rate specified in schedule number 49 of the salary schedule.

SEC 18 Section 73086 of the Government Code is amended to read:

73086 Notwithstanding any other provision of this article, until 90 days after the adjournment of the next regular session of the Legislature, whenever a higher compensation is provided for positions in the class of clerk II in the Alameda County classified service, each person holding a position in the class of deputy clerk I specified in this article, shall receive correspondingly higher compensation up to but not exceeding four steps on the pay schedule provided in Section 73076, payable at the same time as that higher compensation provided in the salary ordinance of Alameda County, and whenever a higher compensation is provided for positions in the class of superior court clerk I in the Alameda County classified service, each person holding a position in the class of deputy clerk II specified in this article, shall receive correspondingly higher compensation up to but not exceeding four steps on the pay schedule provided in Section 73076, payable at the same time as that higher compensation provided in the salary ordinance of Alameda County; and whenever a higher compensation is provided for positions in the class of superior court clerk II in the Alameda County classified service, each person holding a position in the classes of deputy clerk III and deputy clerk IV specified in this article shall receive correspondingly higher compensation up to but not exceeding four steps on the pay schedule provided in Section 73076, payable at the same time as that higher compensation provided in the salary ordinance of Alameda County; and whenever a higher compensation is provided for positions in the class of ~~superior court clerk III~~ *chief superior court clerk* in the Alameda County classified service, each person holding a position in the classes of chief deputy clerk, division chief, and clerk specified in this article shall receive correspondingly higher compensation up to, but not exceeding, four steps on the pay schedule provided in the salary ordinance of Alameda County

SEC. 19. Section 73088 of the Government Code is amended to read:

73088. The clerk *and administrative officer* of the municipal court for the Berkeley-Albany Judicial District may appoint the following deputy clerks:

(a) One chief deputy clerk.

(b) ~~Seven~~ *Eight* deputy clerks grade IV.

(c) Five deputy clerks grade III.

(d) ~~Eleven~~ *Twelve* deputy clerks grade II.

(e) ~~Seven~~ *Nine* deputy clerks grade I.

SEC. 20. Section 73089 of the Government Code is amended to read:

73089. The clerk *and administrative officer* of the municipal court for the Oakland-Piedmont Judicial District may appoint the following deputy clerks:

(a) One chief deputy *clerk*.

(b) Four deputy clerks, division chiefs, who shall be in charge of the civil division, criminal division, traffic division and accounting division.

(c) ~~Twenty-three~~ *Twenty-five* deputy clerks grade IV.

(d) Sixteen deputy clerks grade III.

(e) ~~Forty~~ *Thirty-nine* deputy clerks grade II; provided, that not to exceed 12 such deputy clerks may be assigned to perform duties as bail office tellers at the additional compensation of two schedule numbers.

(f) ~~Thirty~~ *Twenty-six* deputy clerks grade I

SEC. 21. Section 73090 of the Government Code is amended to read:

73090. The clerk *and administrative officer* of the municipal court for the San Leandro-Hayward Judicial District may appoint the following deputy clerks:

(a) One chief deputy clerk.

(b) ~~Nine~~ *Eleven* deputy clerks grade IV.

(c) ~~Six~~ *Seven* deputy clerks grade III.

(d) ~~Fourteen~~ *Fifteen* deputy clerks grade II.

(e) ~~Twelve~~ *Fourteen* deputy clerks grade I.

SEC. 22. Section 73090.1 of the Government Code is amended to read:

73090.1. The clerk *and administrative officer* of the municipal court for the Fremont-Newark-Union City Judicial District may appoint the following deputy clerks:

(a) *One chief deputy clerk.*

(b) Four deputy clerks grade IV.

~~(b)~~ *(c)* Two deputy clerks grade III.

~~(c)~~ *(d)* ~~Six~~ *Seven* deputy clerks grade II.

~~(d)~~ *(e)* ~~Four~~ *Six* deputy clerks grade I.

SEC. 23. Section 73090.2 of the Government Code is amended to read:

73090.2 The clerk *and administrative officer* of the municipal court for the Livermore Judicial District may appoint the following deputy clerks:

(a) ~~One~~ *Three* deputy ~~clerk~~ *clerks grade* IV.

(b) ~~One~~ *Two* deputy ~~clerk~~ *clerks grade* III.

(c) ~~Three~~ *Five* deputy clerks *grade* II.

(d) ~~Four~~ *Six* deputy clerks *grade* I.

SEC. 24. Section 73096 of the Government Code is amended to read:

73096. Official reporters of municipal courts in Alameda County, in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive ~~fifty-five dollars ($55.00)~~ *sixty dollars ($60)* a day for the days they actually are on duty under order of the court; provided, that not to exceed two official reporters in a judicial district having ~~nine~~ *three* or more judges shall each receive an annual salary, vacation leave and sick leave, in the same amounts as the official reporters of the superior court in a county with a population of 850,000 and under 1,000,000 as determined by the 1960 federal census."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2037—An act to amend Sections 13960, 13961, 13962, 13963, 13964, 13965, and 13966 of, and to add Section 13967 to, the Government Code, relating to indemnification of victims of crimes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly May 1, 1972, strike out "person", and insert "individual".

Amendment No. 2

On page 2, line 27, after "jurisdiction", insert a comma.

Amendment No. 3

On page 2, line 37, after "purpose", insert a comma.

Amendment No. 4

On page 5, line 24, after the period, insert "The state also shall be entitled to a lien, in the amount of such payment, on any recovery made by or on behalf of the victim."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 9, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 666

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 666—An act to amend Sections 20201, 23751, 23754, 23754.2, 23754.3, 25505.7, and 25505.8 of, to add Chapter 7 (commencing with Section 22800) to Division 16.5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753.2, 23754.4, 23755, 23755.1, 23755.5, 23756, 23758, 23758.05, 23758.1, 23758.3, 23761, 25505, 25505.1, 25505.2, and 25505.9 of, the Education Code, relating to student residency.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 13, 1972, strike out "23751,".

Amendment No. 1.5

In line 4 of the title, strike out "23754.4,".

Amendment No. 2

On page 3, line 28, strike out "and the California Community Colleges", and insert "or a California community college".

Amendment No. 3

On page 4, line 3, after "time", insert ", as determined by the governing board,".

Amendment No. 4

On page 4, line 6, strike out ", as determined by the governing board".

Amendment No. 5

On page 4, line 27, strike out "and", and insert "or".

Amendment No. 6

On page 4, line 38, strike out the first "and", and insert "or".

Amendment No. 7

On page 5, line 4, after "classification.", insert "An oath or affirmation may be required in connection with taking testimony necessary to ascertain a student's classification."

Amendment No. 8

On page 5, between lines 13 and 14, insert

"22838. A student classified as a nonresident shall not obtain resident classification as a result of maintaining continuous attendance at an institution without meeting the other requirements of this chapter for obtaining such classification."

Amendment No. 9

On page 5, line 14, strike out "22838", and insert "22839".

Amendment No. 10

On page 5, line 23, strike out "at variance with those"; and strike out line 24, and insert "inconsistent with those adopted by the Board of Governors of the California Community Colleges."

Amendment No. 11

On page 5, line 37, after "amount of", insert "nonresident".

Amendment No. 12

On page 6, strike out lines 34 to 40, inclusive; and strike out page 7; and on page 8, strike out lines 1 to 34, inclusive, and insert

"Article 6. Exceptions to Residence Determination

22850. A student who is a minor and remains in this state after his parent, who was theretofore domiciled in California and has moved from this state to establish residence elsewhere, shall be entitled to retain his resident classification until he has attained the age of majority and has resided in the state the minimum time necessary to establish residence, so long as continuous attendance is maintained at an institution.

22851 A student who is a minor and who provides evidence that he has been entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date shall be entitled to establish his own residence if he meets the other requirements of this chapter.

22852. A student who has not been an adult for more than one year immediately preceding the residence determination date for the semester, quarter or term for which he proposes to attend an institution shall have his immediate premajority derived California residence, if any, added to his postmajority residence to obtain the one year of California residence required by Section 22812.

22853. A student who is a natural or adopted child, stepchild or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification until he has resided in the state the minimum time necessary to establish residence, as long as continuous attendance is maintained at an institution Should that member of the armed forces of the United States be thereafter transferred on military orders to a place outside the continental United States where the member continues to serve in the armed forces of the United States, the student shall not lose his resident classification until he has resided in the state the minimum time necessary to establish residence, so long as continuous attendance is maintained at an institution.

22854. A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces assigned for educational purposes to state-supported institutions of higher education, shall be entitled to resident classification

22855 A student who is an adult alien shall be entitled to resident classification if he has been lawfully admitted to the United States for permanent residence in accordance with all applicable laws of the

United States; provided, that he has had residence in the state for more than one year after such admission prior to the residence determination date for the semester, quarter or term for which he proposes to attend an institution.

22856. A student who is a minor alien shall be entitled to resident classification if both he and his parent has been lawfully admitted to the United States for permanent residence in accordance with all applicable laws of the United States; provided, that the parent has had residence in the state for more than one year after such admission prior to the residence determination date for the semester, quarter or term for which he proposes to attend an institution.

22857. A student holding a valid credential authorizing service in the public schools of this state who is employed by a school district in a full-time position requiring certification qualifications for the school year in which the student enrolls in an institution shall be entitled to resident classification if such student meets any of the following requirements:

(a) Holding of a provisional credential and enrollment at an institution in courses necessary to obtain another type of credential authorizing service in the public schools.

(b) Holding a credential issued pursuant to Section 13125 and enrollment at an institution in courses necessary to fulfill credential requirements.

(c) Enrollment at an institution in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Section 13130.

22858. A student who is a full-time employee of an institution or a student who is a child or spouse of a full-time employee of an institution may be entitled to resident classification, as determined by the governing boards, until he has resided in the state the minimum time necessary to establish residence.

22859. A student who is a minor and resides with either his father or mother in a district or territory not in a district shall be entitled to resident classification, provided that the father or mother has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which he proposes to attend a community college and provided that he meets the other requirements of this chapter.

22859.5 A student who is an apprentice, as defined in Section 3077 of the Labor Code, shall be entitled to resident classification for attendance at a community college."

Amendment No. 13

On page 9, line 4, strike out "reciprocal".

Amendment No. 14

On page 9, between lines 13 and 14, insert

"22863. If an action is brought against a governing board as the result of the application of this chapter that governing board shall inform the governing boards of the other institutions regarding the litigation. If an action is brought against a district governing board

as a result of the application of this chapter that district governing board shall inform the Board of Governors of the California Community Colleges, who shall inform the Regents of the University of California and the Trustees of the California State University and Colleges regarding the pending litigation."

Amendment No. 15

On page 9, line 18, after "chapter.", insert "The district governing boards may adopt rules and regulations, which are not inconsistent with those adopted by the Board of Governors of the California Community Colleges, in order to insure the orderly implementation of this chapter."

Amendment No. 16

On page 9, strike out line 40; and on page 10, strike out lines 1 to 12, inclusive.

Amendment No. 17

On page 12, strike out lines 11 and 12.

Amendment No. 18

On page 13, line 11, strike out the first "and", and insert "or".

Amendment No. 19

On page 14, line 35, after "any", insert "institution,".

Amendment No. 20

On page 15, line 8, strike out "22855", and insert "22839".

Amendment No. 21

On page 15, line 10, strike out "22862", and insert "22861".

Amendment No. 22

On page 15, strike out lines 16 and 17, and insert

"SEC. 23 This act shall become operative on May 1, 1973, or the first day of the first month after the effective date thereof, whichever is later."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 1691

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1691—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Assembly May 4, 1972, strike out "or assists in the operation of".

Amendment No. 2

On page 3, line 26, after "of", insert "regulations adopted pursuant to".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 896

AB No. 897

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 896—An act to amend Section 5135 of the Public Utilities Code, relating to carriers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Except as provided in Section 5135.5, before", and insert "Before".

Amendment No. 2

On page 4, lines 16 and 17, strike out "or an officer, director, partner or associate thereof".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 897—An act to amend Section 5284 of the Public Utilities Code, relating to carriers.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 8, inclusive; and in line 9, strike out "a period of one year", and insert "terminate and the commission shall revoke such permit".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 1986

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1986—An act to amend Sections 2914, 4089, 4511, 4514, 6885, 6886, 7526, 8020, 8023.5, 9022, 9042, 9700 5, and 17862 of the Business and Professions Code, and Section 1101 of the Harbors and Navigation Code, and to repeal Sections 8740 5, 8793, 10150.5, and 10515 5 of the Business and Professions Code, and Section 1643 of the Insurance Code, relating to qualifications.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "2914," insert "3056, 3057,".

Amendment No. 2

In line 1 of the title, after "4514," insert "6060, 6062,".

Amendment No. 3

In line 3 of the title, after the comma, insert "Section 13575.5 of the Education Code, Section 12331 of the Financial Code,".

Amendment No. 4

On page 2, between lines 32 and 33, insert

"SEC. 1 3 Section 3056 of the Business and Professions Code is amended to read:

3056. Notwithstanding any other provision of this chapter, the board shall permit any person who meets all the following requirements to take the examination for a certificate of registration as an optometrist:

(a) Is over the age of 21 years

(b) Is of good moral character.

(c) ~~Is a citizen of the United States.~~

~~(d)~~ Has graduated from a college or university located in this state.

~~(e)~~ *(d)* Has a degree as a doctor of optometry issued by a university located outside the United States.

~~(f)~~ *(e)* Has at least four years experience as an instructor in optometry in a school located in the United States.

~~(g)~~ *(f)* Makes application to the board for admission to the examination within six months after the effective date of this section.

~~(h)~~ *(g)* Pays the fee specified in subdivision (b) of Section 3152.

SEC. 1.6. Section 3057 of the Business and Professions Code is amended to read:

3057. Notwithstanding any other provision of this chapter, the board shall permit a person who meets all the following requirements to take the examination for a certificate of registration as an optometrist:

(a) Is over the age of 18 years.

(b) Is of good moral character.

(c) ~~Is a citizen of the United States.~~

~~(d)~~ Has a degree as a doctor of optometry issued by a school located in another state that was not accredited by the board at the time of the issuance of the degree and that was subsequently merged into a school that is so accredited at the time of application.

~~(e)~~ *(d)* Has been licensed to practice optometry in the state in which the school from which he graduated is located.

~~(f)~~ *(e)* Pays the fee specified in subdivision (b) of Section 3152.

~~(g)~~ *(f)* Has been a resident of California for five years at the time of the application.

The provisions of this section shall be operative until December 31, 1972, and thereafter shall have no force or effect."

Amendment No. 5

On page 4, between lines 3 and 4, insert:

"SEC. 4.3. Section 6060 of the Business and Professions Code is amended to read:

6060. To be certified to the Supreme Court for admission and a license to practice law, a person who does not comply with Section 6062 shall:

(a) ~~Be a citizen of the United States.~~

~~(b)~~ Be of the age of at least 18 years.

~~(c)~~ *(b)* Be of good moral character.

~~(d)~~ *(c)* Before beginning the study of law, have either:

(1) Completed at least two years of college work, which college work shall be not less than one-half of the collegiate work acceptable for a bachelor's degree granted upon the basis of a four-year period of study by a college or university approved by the examining committee; or

(2) Reached the age of 23 years and have attained in apparent intellectual ability the equivalent of at least two years of the college work hereinabove defined. Such equivalent with respect to a person applying for admission to a law school accredited by the examining committee shall be determined by the dean or faculty thereof and with respect to all other persons shall be determined by the examining committee.

The determination by the examining committee may be made after a personal interview with the person or the examining committee may require him to pass a written examination. Such examination may be given by the examining committee, or, if the examining committee so elects, the examination may be given under its supervision by such members of the faculty of a college as the examining committee may select or by the Department of Education of this state; provided, however, that any person who receives an adverse determination by the committee without an examination or fails an examination given directly by the committee shall, upon demand made within 30 days after receiving notice thereof, have the right to be reexamined either by such faculty members or department as the committee may decide. In the event that the examination is given by the Department of Education, a fee for such examination shall be charged by the department, which fee shall not exceed fifteen dollars ($15).

The requirements of paragraph (2) of this subdivision shall not apply to a person who had reached the age of 25 years prior to commencing the study of law and who commenced such study and registered with the examining committee as provided in subdivision ~~(e)~~ *(d)* of this section prior to January 1, 1955.

~~(e)~~ *(d)* Have registered with the examining committee as a law student within three months after beginning the study of law. The examining committee, upon good cause being shown, may permit a later registration.

~~(f)~~ *(e)* Have either:

(1) Graduated from a law school accredited by the examining committee requiring substantially the full time of its students for three years.

(2) Graduated from a law school accredited by the examining committee requiring a part only of its students' time for four years.

(3) Studied law diligently and in good faith for at least four years, which study shall be:

(i) In a law school that is authorized to confer professional degrees and requires classroom attendance of its students for a minimum of 270 hours a year; or

(ii) In a law office in this state and under the personal supervision of a member of the State Bar of California who is, and for at least five years last past continuously has been, engaged in the active practice of law; or

(iii) In the chambers and under the personal supervision of a judge of a court of record of this state; or

(iv) By instruction in law from a correspondence law school requiring 864 hours of preparation and study per year for four years.

(v) By any combination of the methods referred to in paragraph (3) of this subdivision.

It shall be the duty of the attorney or judge referred to under (ii) and (iii) of paragraph (3) of this subdivision to render such periodic reports to the examining committee as the committee may require.

(4) Commence the study of law and registered as a law student as provided in subdivision ~~(e)~~ *(d)* of this section prior to January 1, 1954, and completed four years of law study, diligently and in good faith.

~~(e)~~

(f) Have passed a final bar examination given by the examining committee.

~~(h)~~

(g) After completion of his first year of law study, have passed a first-year law student's examination given by the examining committee. This requirement shall not apply to a student who satisfactorily completes the first-year course of instruction in a law school accredited by the examining committee and who either (1) commenced the study of law and registered with the examining committee as provided in subdivision ~~(c)~~ *(d)* of this section prior to January 1, 1954, or (2) had completed at least two years of college work as defined in this section prior to matriculating in such accredited law school, nor shall this requirement apply to an applicant who has passed the bar examination of a sister state or of a country wherein the common law of England constitutes the basis of jurisprudence. An applicant who is required to take such first-year examination shall not receive credit for his first year of law study until he has passed such examination; nor shall he receive credit for any law study subsequent to the first year, and before he shall have passed such examination, unless for good cause in a particular case the committee decides that credit should be given for such subsequent study or for some part thereof.

SEC. 4.6. Section 6062 of the Business and Professions Code is amended to read:

6062. To be certified to the Supreme Court for admission, and a license to practice law, a person, who has been admitted to practice law outside of this state, shall:

(a) ~~Be a citizen of the United States.~~

~~(b)~~ Be of the age of at least 18 years.

~~(c)~~ *(b)* Be of good moral character.

~~(d)~~ *(c)* Have been admitted to practice before the highest court of a sister state or of any jurisdiction where the common law of England constitutes the basis of jurisprudence and (1) have been actively and substantially engaged in the practice of law in any such jurisdiction or jurisdictions for at least four years out of the six years immediately preceding the filing of his application for admission to practice in this state or (2) demonstrated to the satisfaction of the examining committee that his experience and qualifications qualify him to take an examination. Teaching in a law school accredited by the committee and services as a judge of a court of law shall be considered practice within the meaning of this section. In determining what constitutes practice for at least four years out of the next six years immediately preceding the filing of the application, time spent, subsequent to September 16, 1940, and prior to two years after termination of hostilities between the United States and the nations with which the United States is now at war as determined by act of Congress or proclamation of the President, in active duty as a member of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, or any of their respective components, or on active sea duty as an officer or member of the crew on or in connection with vessels documented under the laws of the United States, or vessels owned by, char-

tered to, or operated by or for the account or use of, the War Shipping Administrator, when the applicant is not engaged in the practice of law within the meaning of this requirement shall be excluded.

~~(c)~~ *(d)* Have passed such examination as in the discretion of the examining committee may be required."

Amendment No. 6

On page 9, between lines 28 and 29, insert:

"SEC. 17 3 Section 13575.5 of the Education Code is amended to read:

13575 5. The Commission for Teacher Preparation and Licensing shall adopt rules and regulations providing for the recruitment of, and issuance of special credentials in the teaching of a foreign language to foreign-born persons or others having native fluency in a modern foreign language ~~who are resident in the United States~~ to teach foreign languages in the public schools of California The issuance of special credentials in the teaching of foreign languages pursuant to this section shall be limited to 500 persons a year. The commission shall prescribe the minimum standards for such special credentials and shall provide for the renewal of such credentials In issuing the credentials to any applicant the commission shall take into consideration fluency in the language to be taught, academic preparation, previous teaching experience, a knowledge of modern methods of foreign language instruction and a knowledge of peoples of other countries and their environment. ~~No person shall be issued a special credential under this section unless he is a citizen as defined in Section 1040 of the Labor Code, or has declared his intention to become a citizen in the manner prescribed in subdivision (a) of Section 1044 of the Labor Code.~~ The commission shall adopt rules and regulations which require the holder of a special credential issued under this section to undertake, within a reasonable time, a course of study which will enable the holder to become eligible for a standard teaching credential.

SEC. 17 6 Section 12331 of the Financial Code is amended to read:

12331 No license shall be granted to a prorater or continued in effect as such unless the principal managing officer thereof is at least 18 years of age, ~~a citizen of the United States,~~ a bona fide resident of this state for at least two years immediately preceding his application for a license, and shall have had at least two years' experience in consumer credit extension or credit collection activity. The commissioner shall have power and authority to refuse the granting of a license for good cause shown."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 945	AB No. 1733
AB No. 1105	AB No. 2103

With author's amendments with the recommendation: Amend, and refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 945—An act to amend Sections 17262, 27155, and 27156 of the Education Code, to amend Sections 423, 2131, 5563 and 5582 of the Revenue and Taxation Code, and to amend Section 5829 of the Streets and Highways Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "423, 2131, 5563 and 5582", and insert "401, 423, and 2131".

Amendment No. 2

In line 3 of the title, strike out "Section", and insert "Sections 2106 and".

Amendment No. 3

On page 2, after line 40, insert:

"SEC. 3.5. Section 401 of the Revenue and Taxation Code is amended to read:

401. Every assessor shall ~~assess all property subject to general property taxation from the lien date for the 1967-68 fiscal year through the 1970-71 fiscal year at a publicly announced ratio of his own choosing which shall be between 20 percent and 25 percent of full cash value. Beginning with the lien date for the 1971-72 fiscal year, he shall~~ assess all property subject to general property taxation at 25 percent of its full cash value.

~~The ratio which an assessor chooses for each fiscal year for the 1967-68 fiscal year through the 1970-71 fiscal year may be the same ratio as the ratio of assessed to full cash value announced by the assessor during the preceding fiscal year or the assessor may announce a ratio closer to 25 percent than the ratio announced by the assessor during the preceding year. No assessor shall announce a ratio farther away from 25 percent of full cash value than the ratio announced by the assessor for the preceding fiscal year.~~"

Amendment No. 4

On page 6, strike out lines 38 to 40, inclusive; and on page 7, strike out lines 1 to 20, inclusive, and insert

"SEC. 6. Section 2106 of the Streets and Highways Code is amended to read:

2106 A sum equal to the net revenue derived from one and four one-hundredths cent ($0.0104) per gallon tax under the Motor Vehicle Fuel License Tax Law shall be apportioned monthly from the Highway Users Tax Fund among counties and cities for use exclusively for county road and city street purposes, as provided in this section.

The amounts available under this section shall be apportioned, as follows:

(a) Four hundred dollars ($400) per month shall be apportioned to each city and city and county and eight hundred dollars ($800) per month shall be apportioned to each county and city and county.

(b) The balance shall be apportioned, as follows:

(1) A base sum shall be computed for each county by using the same proportions of fee-paid and exempt vehicles as are established for purposes of apportionment of funds under subdivision (d) of Section 2104.

(2) For each county the percentage of the total assessed valuation of tangible property subject to local tax levies within the county which is represented by the assessed valuation of tangible property outside the incorporated cities of the county shall be applied to its base sum, and the resulting amount shall be apportioned to the county The assessed valuation of taxable tangible property for purposes of this computation shall be that most recently used for countywide tax levies as reported to the State Controller by the State Board of Equalization. In the event an incorporation or annexation is legally completed following the base sum computation, the new city's assessed valuation shall be deducted from the county's assessed valuation. the estimate of which ~~shall~~ *may* be provided by the State Board of Equalization.

(3) The difference between the base sum for each county and the amount apportioned to the county shall be apportioned to the cities of that county in the proportion that the population of each city bears to the total population of all cities in the county. Populations used for determining expenditure of moneys under Section 2107 are to be used for purposes of this section.

No apportionment shall be made to any city or county which does not have a select system established in accordance with the provisions of Section 186.3 If all or a portion of the select system of a city or county shall by a change in the physical limits of such city or county be included within the boundaries of another city or county, such portion shall be considered to be a part of the select system of such other city or county. Any amounts which would otherwise have been apportioned to a city which does not so qualify for an apportionment shall be reapportioned to the remaining cities in the county in which such city is located or, if there are no eligible cities in the county, to the county Any amounts which would otherwise have been apportioned to a county which does not so qualify for an apportionment shall be reapportioned to the eligible cities in such county or, if there are no

eligible cities in the county, to other counties and cities pursuant to this section."

Amendment No. 5

On page 7, line 21, strike out "8", and insert "7".

Amendment No. 6

On page 7, line 32, strike out "or", and insert "of".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "36 of the California Unemployment Insurance Act", and insert "1086 of the Unemployment Insurance Code".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1733—An act to amend Section 1815.9 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1815.9", and insert "401.3".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 401.3 of the Revenue and Taxation Code, is amended to read:

401.3. The assessor shall assess all property subject to general property taxation according to its value on the lien date. *In valuing property, the assessor shall not consider sales occurring after the lien date.*"

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2103—An act to add Part 10 6 (commencing with Section 19551) to Division 2 of the Revenue and Taxation Code, relating to tax assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 12, of the printed bill, after "applicable", insert "state and local".

Amendment No. 2

On page 5, line 16, strike out "However, if they transfer", and insert "The income of the owner-occupant shall include the income of a spouse and any other related individuals, as defined in Section 17056 or 17057, residing in the dwelling unit. If more than one individual holds title to the dwelling unit, the combined annual income of all owners of record shall not exceed ten thousand dollars ($10,000). However, if an owner-occupant transfers".

Amendment No. 3

On page 5, line 17, strike out "owner whose annual income", and insert "owner-occupant whose annual income on the date of the transfer".

Amendment No. 4

On page 6, line 12, strike out "4".

Amendment No. 5

On page 7, line 39, strike out "on a form provided by the board", and insert ", on a form provided by such board,".

Amendment No. 6

On page 8, line 1, after "costs", insert a comma.

Amendment No. 7

On page 9, strike out lines 25 and 26; and in line 27, strike out "effect", and insert "this part".

Amendment No. 8

On page 9, line 29, strike out "enforcement", and insert "the administration".

Amendment No. 9

On page 9, line 5, after "submit", strike out "by" and add "bi".

Amendment No. 10

On page 9, between lines 29 and 30, insert

"19574 5. The Franchise Tax Board may charge applicants and eligible claimants for assistance such reasonable fees as it deems necessary, including charges sufficient to reimburse local agencies for the inspection services required by Sections 19567, 19569, 19570, 19571, and 19572."

Amendment No. 11

On page 9, line 32, strike out ", pursuant to this part," and insert "pursuant to this part, substantially violates the portion of the agreement required by subdivision (c) of Section 19567 or by subdivision (e) of Section 19570,".

Amendment No. 12

On page 10, line 3, strike out "or allowed," and insert "and allowed or that has been previously paid to an owner who has substantially violated the portions of the agreement required by subdivision (c) of Section 19567 or by subdivision (e) of Section 19570,".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

ACA No. 54

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (i) of Section 14¼ of, and by repealing subdivision 3 of Section 16 of, Article XIII thereof, relating to taxation.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, strike out "and Sieroty", and insert ", Sieroty, McCarthy, and Moretti".

Amendment No. 2

On page 2, strike out line 2, and insert "imposed upon insurers by this section."

Resolution ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1101

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1101—An act to add Sections 161, 906.5, and 1805.5 to the Streets and Highways Code, relating to highways.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Commencing on January 1, 1973", and insert "On construction under a contract advertised for bids after December 31, 1972".

Amendment No. 2

On page 1, line 4, after "highways", insert "upon which the operation of bicycles is permitted".

Amendment No. 3

On page 1, line 8, strike out "Commencing on January 1, 1973", and insert "On construction under a contract advertised for bids after December 31, 1972".

Amendment No. 4

On page 1, line 9, after "highways", insert "upon which the operation of bicycles is permitted".

Amendment No. 5

On page 2, line 3, strike out "Commencing on January 1, 1973", and insert "On construction under a contract advertised for bids after December 31, 1972".

Amendment No. 6

On page 2, line 5, after "streets", insert "upon which the operation of bicycles is permitted".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

Senate Chamber, May 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 326

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 10, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 1	SB No. 315	SB No. 904
SB No 123	SB No. 809	SB No. 1217
SB No. 137	SB No 844	SB No. 1479

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 4

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 1—An act to amend Section 189 of the Penal Code, relating to murder of a peace officer.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 123—An act to add Section 9001 to the Elections Code, relating to the solicitation of political contributions.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 137—An act to add Section 23621 to the Education Code, relating to the California state colleges.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 315—An act to amend Section 3528 of the Government Code, relating to state employee relations.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 809—An act to amend Section 21156 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 844—An act to add Section 10113.5 to the Insurance Code, relating to life insurance.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 904—An act to amend Section 2924.5 of the Civil Code, relating to mortgages and deeds of trust, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1217—An act to add Section 673 to the Education Code, and to amend Sections 31595, 31601, 31603, 31604, 31606, and 31607 of the Government Code, relating to county retirement systems.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1479—An act relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 4—Relative to the Highway Trust Fund.

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
1	Criminal Justice
123	Elections and Reapportionment
137	Education
315	Employment and Public Employees
809	Retirement
844	Finance and Insurance
904	Finance and Insurance
1217	Retirement
1479	Retirement

Senate Joint Resolution No.	*Committee*
4	Transportation

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read·

Assembly Chamber, May 11, 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Senate Bill No. 1479—An act relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

E RICHARD BARNES

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1503 and 1300 for hearing in the Committee on Health, on Monday, May 15, 1972.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1717 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Transportation; and that Assembly Bill No 1157 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Labor Relations.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit the Auditor General's report on the examination of the State Compensation Insurance Fund for the year ended December 31, 1971 This examination was made in accordance with the provisions of Section 11860 of the California Insurance Code.

In the opinion of the Auditor General, based upon his examination and upon representations made by the consulting actuary to the fund in regard to adequacy of the reserve for compensation benefits and expenses, the accompanying financial statements present fairly the financial position of the fund at December 31, 1971, and the results of its operations and changes in surplus for the year then ended.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 438

Mr. Gonsalves was granted unanimous consent that the Chief Clerk be directed to request that the Governor return Assembly Bill No. 438.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 763, 1939, 483, and **762,** ordered to third reading.

Assembly Bills Nos. 1316, 1507, and **1493,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 662—An act to amend Section 4600 of the Civil Code, relating to child custody.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code," insert "and to amend Section 1408 of the Probate Code,".

Amendment No. 2

On page 2, after line 17, insert

"SEC. 2. Section 1408 of the Probate Code is amended to read:

1408. As between parents claiming the guardianship adversely to each other, neither is entitled to priority ~~, but other things being equal, if the child is of tender years, it should be given to the mother, if it is of an age to require education and preparation for labor and business, then to the father~~ ."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 770—An act to add Section 125.5 to the Business and Professions Code, relating to injunctions.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 6 and 7, and insert "the district attorney of the county, in the name of the people of the State of California, issue an".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 670—An act to amend Sections 6738 and 6738.1 of the Business and Professions Code, relating to professional engineering.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1153—An act to amend Section 13413 of the Education Code, relating to certificated employees.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2036—An act to amend Section 6007 of the Business and Professions Code, relating to attorneys.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 566—An act to repeal Section 5101 of the Civil Code, and to amend Section 244 of the Government Code, relating to residence.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Set No. 1

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Waxman", and insert "Assemblymen Waxman and Dunlap".

Amendment No. 2

On page 2, line 4, strike out "are to", and insert "shall".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1, strike out line 2, and insert "amended to read:

5101. The husband is the head of the family. He may choose any reasonable place or mode of living; ~~and the wife must conform thereto~~."

Amendment No. 3

On page 2, line 22, strike out "maintain", and insert "retain".

Amendment No. 4

On page 2, line 23, after "residence", insert "in the State of California".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890.53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384.1 and 4212 of, and to repeal Section 42.5 of, the Civil Code, and to amend Section 416.70 of the Code of Civil Procedure, and to amend Sections 895.3, 5726, 5756, 5995.45, 6801, 6902, 6903, 8702, 16645 2, 23755 5, 25502 5, 25514.5, and 31231 of, and to repeal Article 5 (commencing with Section 5731) of Chapter 5.5 of Division 6 of, the Education Code, and to amend Sections 385, 8672, and 8827.5 of, and to repeal Section 3512.1 of, the Elections Code, and to amend Sections 8201, 8203.1, and 8203 7 of the Government Code, and to amend Sections 249, 250.5, 263, 1402, 1451, and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698.4, 1698.5, 1700.33, 1700.34, and 4455 of, and to repeal Sections 3080.5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203.45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Section 23102 of the Vehicle Code, and to amend Sections 504, 509, 529, 625, 631, 631.1, 781, 11263, 14005 4, 14005 6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly April 13, 1972, strike out "69903", and insert "6903".

Amendment No. 2

In line 7 of the title, strike out "25502", and insert "25502 5".

Amendment No. 3

In line 15 of the title, strike out "Sections" and insert "Section".

Amendment No. 4

In line 21 of the title, after the comma, insert "and to amend Section 4200 of the Streets and Highways Code,".

Amendment No. 5

In line 23 of the title, strike out "Section 23102", and insert "Sections 12509 and 23105".

Amendment No. 6

On page 32, line 4, strike out "under the age of 18 years,".

Amendment No. 7

On page 32, line 18, strike out "under the age of 18 years,".

Amendment No. 8

On page 45, between lines 32 and 33, insert

"SEC. 45.5. Section 4200 of the Streets and Highways Code is amended to read:

4200. If, upon the hearing of such motion, neither a trial by jury nor by the court without a jury is demanded by the defendants or any of them or by the plaintiff, such trial shall be waived, and the court shall appoint three disinterested persons as referees, to ascertain the compensation and damages to be paid to such defendants who thus waive trial. Such referees shall be residents of the city where such improvement is to be made, and over the age of ~~21~~ *18* years Each referee shall qualify by filing with the court an oath to discharge his duties faithfully and impartially. If any referee fails to qualify, or resigns, or is removed by order of court, or is or becomes unable to act, the court shall fill the vacancy."

Amendment No. 9

On page 46, strike out line 4, and insert

"SEC 47. Section 12509 of the Vehicle Code is amended to read:

12509. (a) Except as provided in subdivision (f) of Section 12514 any physically or mentally qualified person who is 15 years and 6 months or over who has successfully completed approved courses in automobile driver education and driver training as provided in Section 12507 or any physically or mentally qualified person who is over the age of 17 years and 6 months may apply to the department for an instruction permit. The department for good cause may issue to the applicant an instruction permit which shall entitle the applicant while having the permit in his immediate possession to drive a motor vehicle, including a motorcycle subject to the limitations imposed by subdivision (d) of this section, upon the highways for a period not exceeding six months when, except in the case of a motorcycle, accompanied by, and under the immediate supervision of, a California licensed driver ~~21~~ *18* years of age or over not holding a probationary type license The restriction as to the age of the person accompanying the applicant shall not apply when he is an instructor licensed under Chapter 1 (commencing with Section 11000) of Division 5 of this code or a

qualified instructor as defined in Section 18252 2 of the Education Code. The department may extend the period of the permit for an additional period not to exceed six months upon receipt of a written request from the applicant prior to the expiration of the original six-months period. The department may further restrict the permits as it may determine to be appropriate to assure the safe operation of a motor vehicle by the permittee.

(b) The department may also issue an instruction permit to any physically and mentally qualified person age 15 years and 6 months or over who has successfully completed an approved course in automobile driver education and is taking driver training as provided in Section 12507. The department may issue an instruction permit to any physically and mentally qualified person age 15 years or over who is enrolled in an approved driver education course and is at the same time or during the same semester enrolled in an approved driver training course. No student shall take driver training instruction unless he is at the same time taking driver education instruction or has successfully completed driver education. The instruction permit shall be restricted to the operation of a motor vehicle other than a motorcycle either when taking the driver training instruction of a kind referred to in Section 12507, or when practicing such instruction and accompanied by a licensed driver as provided in subdivision (a).

(c) The department may also issue an instruction permit to a person who has been issued a valid driver's license to authorize the person to obtain driver training instruction and to practice such instruction in order to obtain an additional class driver's license or an endorsement.

(d) The department may also issue an instruction permit to any physically and mentally qualified person who is 15 years and 6 months or over and has successfully completed approved courses in automobile driver education and driver training as provided in Section 12507 or to any physically and mentally qualified person who is over the age of 17 years and 6 months which shall enable the applicant while having the permit in his immediate possession to drive a motorcycle, except that such applicant shall not operate a motorcycle during hours of darkness, shall stay off any freeways which have full control of access and no crossings at grade and shall not carry any passenger except an instructor licensed under Chapter 1 (commencing with Section 11100) of Division 5 of this code or a qualified instructor as defined in Section 18252 2 of the Education Code

SEC. 48 Section 23105 of the Vehicle Code is amended to read:

23105 (a) It is unlawful for any person who is under the influence of any drug to drive a vehicle upon any highway.

(b) It is unlawful for any person who is addicted to the use of any drug, except such a person who is participating in a methadone maintenance treatment program approved pursuant to Section 11655 7 of the Health and Safety Code, to drive a vehicle upon any highway.

(c) Any person convicted under this section is guilty of a misdemeanor and shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) or by both such fine and imprison-

ment and upon a second or any subsequent conviction, within seven years of a prior conviction, by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000). A conviction under this section shall be deemed a second or subsequent conviction if the person has previously been convicted of a violation of driving a vehicle while under the influence of intoxicating liquor or any drug, or under the combined influence of intoxicating liquor and any drug.

(d) If any person is convicted of a second or subsequent offense under this section within seven years of a prior conviction and is granted probation, it shall be a condition of probation that such person be confined in jail for at least five days but not more than one year and pay a fine of at least two hundred fifty dollars ($250) but not more than one thousand dollars ($1,000).

(e) If the person convicted under this section is under the age of ~~21~~ *18* years and the vehicle used in any such violation is registered to such person, the vehicle may be impounded at the owner's expense for not less than one day nor more than 30 days."

Amendment No. 10

On page 46, strike out lines 5 to 34, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1801—An act to add Article 6 (commencing with Section 17875) to Chapter 4 of Part 3 of Division 7 of the Business and Professions Code, relating to marriage, family or child counseling corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, after "the", insert "Moscone-Knox".

Amendment No. 2

On page 2, line 16, after the first "the", insert "Moscone-Knox".

Amendment No. 3

On page 2, line 35, after "the", insert "Moscone-Knox".

Amendment No. 4

On page 3, in lines 22 and 23, strike out "the words "marriage, family or child counseling corporation" or", and insert "one or more of the words "marriage," "family" and "child" together with either of the words "counseling" or "counselor" and".

Amendment No. 5

On page 3, line 28, after "the", insert "Moscone-Knox",

Amendment No. 6

On page 3, line 33, after "the", insert "Moscone-Knox".

Amendment No. 7

On page 4, line 23, after "the", insert "Moscone-Knox".

Amendment No. 8

On page 4, line 29, before "Professional", insert "Moscone-Knox".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2269—An act to amend Section 26636 of the Health and Safety Code, relating to drugs, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1851—An act to amend Section 5352 of the Welfare and Institutions Code, relating to conservatorship.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1870—An act to amend Section 5714 of the Welfare and Institutions Code, relating to mental health.

Bill read second time, and ordered to third reading.

Assembly Bill No. 751—An act to add Section 25 9 to the Civil Code, relating to minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "the"; and strike out line 5.

Amendment No. 2

On page 1, line 6, after the comma, insert "and a minor 15 years of age or older may consent to the furnishing of hospital and medical care with regard to,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2270—An act to amend Section 20205 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 335—An act to amend Section 619.1 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "The", and insert "(a) For properties receiving the homeowners' or veterans' exemption, the".

Amendment No. 2

On page 1, strike out lines 4 to 6, inclusive, and insert "directed to the same address to which the homeowners' or veterans' exemption claim forms were sent.

(b) All other notices required by Section 619 shall be directed to the mailing address of the property owner or his designee. If the designee is the trustee or mortgagee of such".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 942—An act to amend Section 6107 of the Commercial Code, relating to bulk transfers.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted·

Amendment No. 1

On page 2, line 19, of the printed bill, strike out the period; and strike out lines 20 to 24, inclusive, and insert " ; and

(c) Sent by registered or certified mail at least 10 days before the bulk transfer is to be consumated or the sale by auction is to be commenced to the county tax collector in the county or counties in which the property to be transferred is located."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 336—An act to add Section 1604.2 to the Revenue and Taxation Code, relating to local equalization proceedings.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 581—An act to amend Section 3712 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 957—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1925—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 2, of the printed bill, after "CONTROL", insert "FINANCING".

Amendment No. 2

On page 2, line 4, after "CONTROL", insert "FINANCING".

Amendment No. 3

On page 2, line 10, after "Control", insert "Financing".

Amendment No. 4

On page 3, line 14, after "Control", insert "Financing".

Amendment No. 5

On page 7, line 29, after "and", insert ", except as provided in Section 39626,".

Amendment No. 6

On page 8, line 4, after "manner", insert "any project and any".

Amendment No. 7

On page 18, line 15, after the period, insert "Provided, however, that the preceding sentence shall not apply with respect to any bonds, notes or other obligations, or the income therefrom, for any period during which such bonds, notes or other obligations are held by (a) any participating party, (b) persons, organizations, trades, or businesses (whether or not incorporated, organized in this state, or affiliated with such participating party) owned or controlled, directly or indirectly, by such participating party, or (c) persons, organizations, trades or businesses (whether or not incorporated, organized in this state, or affiliated with such participating party) which own or control, directly or indirectly, such participating party."

Amendment No. 8

On page 18, line 39, after "issued", insert "for any of such purposes".

Set No. 2

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "that the"; strike out lines 12 and 13; and in line 14, strike out "resources, and".

Amendment No. 2

On page 2, line 15, strike out "assist private industry", and insert a comma.

Amendment No. 3

On page 2, line 16, strike out "to", and insert a comma.

Amendment No. 4

On page 2, line 18, strike out ", and to that end to promote the general"; strike out line 19; and in line 20, strike out "requirements of the people of California".

Amendment No. 5

On page 2, lines 21 and 22, strike out "private industry and commerce", and insert "industry".

Amendment No. 6

On page 2, strike out lines 23 to 25, inclusive; and in line 26, strike out "accordance with", and insert "facilities which have significant environmental impact. These processes and facilities shall be modified and supplemented to meet".

Amendment No. 7

On page 2, line 28, strike out "Such private industry and commerce", and insert "Industry".

Amendment No. 8

On page 2, strike out line 40; and on page 3, strike out lines 1 to 7, inclusive; and in line 8, strike out "structures", and insert "end to provide industry within the state with an alternative method of financing in providing, enlarging, and establishing pollution control facilities and all other related facilities which are intended to control pollution of the environment and".

Amendment No. 9

On page 3, line 11, strike out "part", and insert "chapter".

Amendment No. 10

On page 3, line 26, strike out "or", and insert "of".

Amendment No. 11

On page 3, lines 35 and 36, strike out "marketing and other studies, surveys,".

Amendment No. 12

On page 3, line 39, strike out "thereof", and insert "of any project".

Amendment No. 13

On page 4, lines 1 and 2, strike out "industry or group of industries", and insert "entity or group of entities".

Amendment No. 14

On page 4, line 3, strike out "assistance", and insert "financing".

Amendment No. 15

On page 4, line 12, strike out "thereof", and insert "of this state or the federal government and may include, but is not limited to, earth, air, or water pollution, pollution caused by solid waste disposal, thermal pollution, radiation contamination, or noise pollution".

Amendment No. 16

On page 4, lines 18 and 19, strike out "to the earth, air, or waters in, of, or about this state".

Amendment No. 17

On page 4, line 22, after the first comma, insert "recycling facilities,".

Amendment No. 18

On page 4, line 38, strike out "technological".

Amendment No. 19

On page 5, line 17, strike out the second ". The", and insert ": the".

Amendment No. 20

On page 5, line 21, strike out "shall constitute the authority".

Amendment No. 21

On page 6, line 8, strike out ", including, but not"; strike out lines 9 to 12, inclusive; and in line 13, strike out "and regulations".

Amendment No. 22

On page 6, line 17, strike out "environmental".

Amendment No. 23

On page 7, line 13, strike out "consulting engineers, architects,"; strike out lines 14 to 22, inclusive, and insert "and fix the compensation of bond counsel, financial consultants and advisers as ~~may be necessary~~ in its judgment in connection with the issuance and sale of any bonds, notes, bond anticipation notes, or other obligations of the authority, but subject in each case to the approval of the Department of Finance; to contract for engineering, architectural, accounting, or other services of appropriate state agencies as may be necessary in the judgment of the authority for the successful development of any project; and to pay the reasonable costs of consulting engineers, architects, accountants, and construction experts employed by any participating party if, in the judgment of the authority, and subject in each case to the approval of the Department of Finance, such services are necessary to the successful development of any project, and provided such services are not obtainable from any state agency."

Amendment No. 24

On page 7, strike out lines 36 to 39, inclusive.

Amendment No. 25

On page 8, lines 28 and 29, strike out "or pollution control facility shall be eligible for assistance", and insert "shall be eligible for financing".

Amendment No. 26

On page 8, line 32, strike out "insure", and insert "further".

Amendment No. 27

On page 8, strike out line 36, and insert "protection.
For the purposes of this section, the state".

Amendment No. 28

On page 9, line 1, strike out "environmental".

Amendment No. 29

On page 9, between lines 3 and 4, insert

"In addition to the foregoing, no project for water pollution control is eligible for financing under this division unless the authority finds that local public financing cannot reasonably be obtained.

Projects shall be eligible for financing in the order in which requests for financing are received by the authority In the event that requests are received regarding projects which would be eligible for financing except for the limitations on new debt in Section 39620, such requests shall be considered in the following calendar year in accordance with rules and regulations of the authority. Such rules and regulations shall give priority to projects which will achieve the maximum conservation and reuse of resources No project, construction of which was completed prior to January 1, 1971, may be financed by the authority under this division, provided, however, that additions and improvements to such a project which are commenced subsequent to January 1, 1971, may be financed by the authority."

Amendment No. 30

On page 9, lines 11 and 12, strike out "and shall not exceed the sum of two million dollars ($2,000,000)", and insert "and the proceeds of its bonds, as hereinafter defined, shall not exceed the sum of two hundred million dollars ($200,000,000)".

Amendment No. 31

On page 9, line 13, after the period, insert " "New debt" shall not include indebtedness incurred to replenish or refund existing debts except to the extent that such indebtedness exceeds the amount of such debts."

Amendment No. 32

On page 9, line 20, strike out "shall", and insert "may".

Amendment No. 33

On page 9, line 22, strike out "Such notes", and insert "Notes and agreements relating thereto and bond anticipation notes, hereinafter collectively called notes,".

Amendment No. 34

On page 9, line 24, after "a", insert "bond, agreement relating thereto, and".

Amendment No. 35

On page 9, line 25, after "contain", insert "; except that such note or renewal thereof shall mature at such time not exceeding two years from the date of issue of the original note".

Amendment No. 36

On page 10, line 31, after the comma, insert "or other moneys of the authority,".

Amendment No. 37

On page 11, lines 14 and 15, strike out "the amount of moneys derived from the project to be expended", and insert "expenditures"

Amendment No. 38

On page 13, line 21, after "bonds", insert ", notes, or other securities".

Amendment No. 39

On page 13, line 25, after the second "or", insert "retirement".

Amendment No. 40

On page 14, between lines 39 and 40, insert

"39626. No liability shall be incurred by the authority beyond the extent to which moneys have been provided under this division; except that for the purposes of meeting the necessary expenses of initial organization and operation until such date as the authority derives revenues or proceeds from bonds or notes as provided under this division, the authority may borrow money as needed for such expenses from the State Water Quality Control Fund, the General Fund in the State Treasury, and the California Environmental Protection Program Fund, or from any of such funds. Such borrowed moneys shall be repaid with interest within a reasonable time after the authority receives revenues or proceeds from bonds or notes as provided under this division."

Amendment No. 41

On page 15, line 5, strike out "such projects", and insert "a project".

Amendment No. 42

On page 15, line 10, strike out "only".

Amendment No. 43

On page 15, lines 11 and 12, strike out "for the protection of its own interest".

Amendment No. 44

On page 15, line 22, after "may", insert ", as lessor or lessee,".

Amendment No. 45

On page 15, lines 32 and 33, strike out "Any such lease may be entered into with any participating party in accordance with this division."

Amendment No. 46

On page 15, line 38, strike out "such project", and insert "all projects".

Amendment No. 47

On page 15, line 39, strike out "or", and insert "and".

Amendment No. 48

On page 16, line 1, strike out "(1)", and insert "(a)".

Amendment No. 49

On page 16, line 2, after "bonds", insert ", notes, or other evidences of indebtedness".

Amendment No. 50

On page 16, line 4, strike out "(2)", and insert "(b)".

Amendment No. 51

On page 16, line 6, strike out "of the authority", and insert ", notes, or other evidences of indebtedness".

Amendment No. 52

On page 16, line 7, strike out "in respect of", and insert "from".

Amendment No. 53

On page 16, line 12, after "bonds", insert ", notes, or other evidences of indebtedness".

Amendment No. 54

On page 16, line 13, after "bonds", insert ", notes, or other evidences of indebtedness".

Amendment No. 55

On page 16, lines 33 and 34, strike out "such bonds", and insert "bonds, notes, or other evidences of indebtedness of the authority".

Amendment No. 56

On page 16, line 34, strike out "at", and insert "of".

Amendment No. 57

On page 16, line 39, strike out "at any participating party".

Amendment No. 58

On page 17, line 3, after "bonds", insert ", notes, or other evidences of indebtedness".

Amendment No. 59

On page 17, line 5, after "bonds", insert ", notes, or other evidences of indebtedness".

Amendment No. 60

On page 17, line 6, strike out "(3)", and insert "(c)".

Amendment No. 61

On page 17, line 6, after "Pay", insert "operating and".

Amendment No. 62

On page 17, line 6, strike out "state", and insert "the authority".

Amendment No. 63

On page 17, line 10, after "sale", insert "shall be sufficient to provide funds for all the purposes provided in Section 39361 and".

Amendment No. 64

On page 17, line 16, strike out "Sec.", and insert "Section".

Amendment No. 65

On page 17, line 21, after "bonds", insert ", notes, or other evidences of indebtedness".

Amendment No. 66

On page 17, line 22, strike out "part", and insert "division".

Amendment No. 67

On page 17, lines 29 and 30, strike out "bond anticipation notes, other notes", and insert "notes,".

Amendment No. 68

On page 17, line 36, after "bonds", insert ", notes, or other obligations".

Amendment No. 69

On page 18, line 11, after "bonds", insert ", notes, or other obligations".

Amendment No. 70

On page 18, strike out line 19.

Amendment No. 71

On page 19, line 27, strike out "____", and insert "81".

Amendment No. 72

On page 19, line 31, strike out "____", and insert "81".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1973—An act to amend Sections 5096.26 and 5099.4 of, and to add Chapter 1.8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Assembly May 2, 1972, strike out ", except those federal funds which are"; strike out line 25; and in line 26, strike out "deposit funds".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 538—An act to amend Section 8836.5 of the Fish and Game Code, relating to fishing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2070—An act to amend Section 8305.5 of the Fish and Game Code, relating to abalone.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2147—An act to amend Section 8693 of the Fish and Game Code, relating to gill nets.

Bill read second time, and ordered to the Consent Calendar.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the

Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed measure, as amended in Assembly April 18, 1972, strike out "private bodies", and insert "persons, associations, or corporations, other than municipal corporations,".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 605—An act to amend Section 2845 of the Civil Code and to add Section 1058a to the Code of Civil Procedure, relating to undertakings and bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 22, as amended in Assembly April 25, 1972, strike out "rendition", and insert "entry".

Amendment No. 2

On page 2, line 24, after "given", insert "and the time for appeal has expired".

Amendment No. 3

On page 3, strike out line 1, and insert "discovery. The".

Amendment No. 4

On page 3, line 2, strike out "in such a proceeding be permitted to"; strike out line 3; and in line 4, strike out "the principal, nor to".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1362—An act to add Section 7151.6 to the Health and Safety Code, relating to human remains.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "amend Section 7114 of, and to".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 7114 of the Health and Safety Code is amended to read:

7114. Any person who performs, permits or assists at, an autopsy on a dead body without having first obtained (a) the authorization of the deceased in writing, including, but not limited to, the last will of the deceased; or (b) the authorization in writing of the person designated by Section 7100 of this code as having the right to control the disposition of the remains of the deceased; or (c) in the case of a cemetery authority or a licensed funeral director or a licensed hospital or its agents or a physician, the written or verbal authorization described in Section 7113 *or 7151.6* of this code, is guilty of a misdemeanor, except that this section shall not be applicable to the performance of an autopsy by the coroner or other officer authorized by law to perform autopsies.

SEC. 2. Section 7151.6 is added to the Health and Safety Code, to read:

7151.6. When all of the persons enumerated in subdivisions (a) to (e), inclusively of Section 7151.5 are determined after diligent search to be not available, then any specified parts of the decedent's body may be given to any of the donees for any of the purposes stated in Section 7153 5. Such determination of nonavailability shall be made only by a hospital. The hospital shall certify such nonavailability and shall authorize and specify the removal and donation of such parts.

A cemetery authority, a licensed funeral director, a physician, or any authorized assistant of a cemetery authority, licensed funeral director, or physician is not liable for performing an autopsy and donating specified body parts pursuant to such authorization unless such person or authority has actual notice that such representation of nonavailability is untrue at the time of the autopsy."

Amendment No. 4

On page 1, strike out lines 2 to 4, inclusive; and strike out page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1714—An act relating to Indian education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 4, 1972, strike out lines 21 and 22, and insert

"SEC. 7. The superintendent shall submit an annual report to the Legislature, and upon completion of the pilot programs, a final report".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article VIII thereto, adding Section 8 to Article XIII thereof, adding Section 8 to Article XXIV thereof, and by repealing Sections 2, 2.1, 3, 3.1, 3.3, 5, 6, 6½, 7, 7.5, and 8 of Article IX thereof, relating to the public schools.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed measure, after "state," insert "by adding Section 27 to Article I thereof,".

Amendment No. 2

In line 6 of the title, after "Sections", insert "1,".

Amendment No. 3

In line 6 of the title, strike out "and 8", and insert "8, and 14".

Amendment No. 4

On page 2, line 8, after "First—", insert "That Section 27 is added to Article I, to read:

SEC. 27. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.

Second—".

Amendment No. 5

On page 2, line 16, after "Sec. 2.", insert "The Superintendent of Public Instruction shall be elected at each gubernatorial election."

Amendment No. 6

On page 2, lines 17 and 18, strike out "which shall appoint as its executive officer a Superintendent of Public Instruction".

Amendment No. 7

On page 2, line 20, strike out "shall", and insert "may".

Amendment No. 8

On page 2, line 20, strike out "basis".

Amendment No. 9

On page 2, strike out lines 25 to 28, inclusive; in line 29, strike out "SEC. 5", and insert

"SEC 4".

Amendment No. 10

On page 3, between lines 4 and 5, insert

"Third—That Section 1 of Article IX is repealed.

~~Section 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the~~

~~people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.~~ "

Amendment No. 11

On page 3, line 5, strike out "Second", and insert "Fourth".

Amendment No. 12

On page 3, line 11, strike out "Third", and insert "Fifth".

Amendment No. 13

On page 3, line 22, strike out "Fourth", and insert "Sixth".

Amendment No. 14

On page 3, line 28, strike out "Fifth", and insert "Seventh".

Amendment No. 15

On page 3, line 35, strike out "Sixth", and insert "Eighth".

Amendment No. 16

On page 4, line 2, strike out "Seventh", and insert "Ninth".

Amendment No. 17

On page 4, line 8, strike out "Eighth", and insert "Tenth".

Amendment No. 18

On page 5, line 27, strike out "Ninth", and insert "Eleventh".

Amendment No. 19

On page 5, line 40, strike out "Tenth", and insert "Twelfth".

Amendment No. 20

On page 6, line 4, strike out "Eleventh", and insert "Thirteenth".

Amendment No. 21

On page 6, line 9, strike out "Twelfth", and insert "Fourteenth".

Amendment No. 22

On page 6, between lines 16 and 17, insert

"Fifteenth—That Section 14 of Article IX is repealed.

~~Sec. 14. The Legislature shall have power, by general law, to provide for the incorporation and organization of school districts, high school districts, and junior college districts, of every kind and class, and may classify such districts~~ "

Amendment No. 23

On page 6, line 17, strike out "Thirteenth", and insert "Sixteenth".

Amendment No. 24

On page 6, line 25, strike out "Fourteenth", and insert "Seventeenth".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 1591—An act to amend Section 5954 of the Education Code, relating to school classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 5954", and insert "add Article 4 (commencing with Section 5670) to Chapter 5 of Division 6".

Amendment No. 2

In line 2 of the title, after "classes", insert ", and declaring the urgency thereof, to take effect immediately",

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Article 4 (commencing with Section 5670) is added to Chapter 5 of Division 6 of the Education Code, to read:

Article 4. Evening High School Programs

5670. The governing board of a school district which maintains high schools and a continuation education program may establish and maintain evening high school programs in grades 9 to 12, inclusive, for minors subject to Section 12101.

5671. Notwithstanding any other provision of law, a governing board to which this article applies may establish the number of, and the specific days of the week on which such a program shall be in session. The governing board may further prescribe the number of hours during which the program shall be in session.

5672. An evening high school program shall consist of courses similar to the curriculum of the regular high schools of the district.

Credit for coursework satisfactorily completed shall be acceptable by all of the regular day high schools of the district.

5673. The attendance of a minor at an evening high school program shall be voluntary, but the written permission of the minor's parent or guardian is required.

5674 The attendance of a pupil in an evening high school program shall not result in the crediting of more than one unit of average daily attendance during the regular school year, even if the pupil also attends one or more classes in the regular high schools of the district.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to permit programs authorized by this act to be established at the beginning of the 1972–1973 school year, or as soon thereafter as possible, and so facilitate the orderly administration of this act, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1, strike out lines 2 to 13, inclusive; and strike out all of page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 470—An act to amend Section 12912 of the Education Code, to amend Sections 972 and 985 of the Evidence Code, and to amend Sections 220, 286, 287, 288a and 290 of, to add Section 286.5 to, and to repeal Sections 269a, 269b, 286.1 and 288b of, the Penal Code, relating to sexual offenses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 687—An act to amend Section 11525.2 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly April 17, 1972, strike out "according to the"; and strike out line 7, and insert "to assure the residents of the subdivision adequate public school service. In no case shall the local governing body require the dedication of an amount of land which would make development of the remaining land held by the subdivider economically unfeasible or which would exceed the amount of land ordinarily allowed under the procedures of the State Allocation Board."

Amendment No. 2

On page 2, line 12, strike out "The"; and strike out lines 13 through 17; and on line 18, strike out "may be made at any time.", and insert "The requirement of dedication shall be imposed at the time of approval of the tentative map. If, within 30 days after the requirement of dedication is imposed by the city or county, the school district does not offer to enter into a binding commitment with the subdivider to accept the dedication, the requirement shall be automatically terminated. The required dedication may be made any time before, concurrently with, or up to 60 days after, the filing of the final map on any portion of the subdivision."

Amendment No. 3

On page 2, line 26, strike out "demand for dedication is made", and insert "of the school district's offer to enter into the binding commitment to accept the dedication".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2138—An act to amend Section 51230 of the Government Code, relating to the California Land Conservation Act of 1965.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, after the comma, insert "any".

Amendment No. 2

On page 2, line 33, strike out "county", and insert "city, county,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 966—An act to amend Sections 65563 and 65910 of the Government Code, relating to open-space plans, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2135—An act to add Article 6 (commencing with Section 65050) Chapter 1.5 of Title 7 of the Government Code, relating to open space and resources conservation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out ", safety, or welfare", and insert "and safety".

Amendment No. 2

On page 4, line 24, after the semicolon, insert "areas required for recharge of groundwater basins;".

Amendment No. 3

On page 4, line 37, after "public", insert "health and ".

Amendment No. 4

On page 5, line 1, strike out "and".

Amendment No. 5

On page 5, line 1, after "risks", insert ", areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality".

Amendment No. 6

On page 5, line 8, after "office", insert a comma.

Amendment No. 7

On page 6, line 3, after "Recreation", insert a period.

Amendment No. 8

On page 6, line 15, strike out "Division", and insert "Commission".

Amendment No. 9

On page 6, line 19, strike out "is", and insert "are".

Amendment No. 10

On page 7, between lines 1 and 2, insert

"(c) During the preparation and revision of the plan, the council shall meet with the Technical Advisory Committee and the Office of Planning and Research as necessary to evaluate the findings and proposals of the staff and to advance effective methods of securing public review and understanding of the plan.

(d) Each member of the council shall receive fifty dollars ($50) for each day he is engaged in the performance of the work of the council. Council members shall be reimbursed for travel and other expenses incurred in the performance of their duties "

Amendment No. 11

On page 7, line 25, after the period, insert "The Legislature shall review and act upon the plan within three months following its transmittal from the Governor. The three-month period shall apply to days during which the Legislature is in session."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2136—An act to add Division 6.5 (commencing with Section 8560) to the Public Resources Code, relating to open-space lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2, lines 11 and 12, of the printed bill, strike out "public safety, and public health and welfare", and insert "and public health and safety".

Amendment No. 2

On page 2, line 27, strike out "public safety, and public health and welfare", and insert "and public health and safety".

Amendment No. 3

On page 3, line 8, after the period, insert "The program shall be incorporated into the Four Year Open Space Action Program as part of the California Open Space and Resources Conservation Plan specified in Section 65056 of the Government Code."

Amendment No. 4

On page 3, strike out lines 12 to 21, inclusive, and insert

"(a) Mendocino coast area, Mendocino County.
(b) Bolinas Lagoon, Marin County.
(c) Año Nuevo State Reserve (expansion), San Mateo County.
(d) Monterey State Beach (expansion), Monterey County.
(e) Upper Newport Bay, Orange County.
(f) Torrey Pines State Reserve (expansion), San Diego County."

Amendment No. 5

On page 3, line 28, after "Redwoods", insert "State Park (expansion)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 400—An act to amend Sections 11333, 11391, 11393, 11395 and 11655 6, and Section 11655.8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, Section 11655 7 as added by Chapter 1422 of the Statutes of 1970, Section 11655.7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655 9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618 as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as amended by Chapter 1593 of the Statutes of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted·

Amendment No. 1

On page 3, line 11, of the printed bill, as amended in Assembly April 26, 1972, after "addiction", insert "with a narcotic".

Amendment No. 2

On page 3, line 26, strike out "Section 11655 7", and insert "Article 1 (commencing with Section 4050) of Chapter 1 of Division 4 of the Welfare and Institutions Code"

Amendment No. 3

On page 4, line 18, after "approved", insert "by the local mental health director and subject to review and approval".

Amendment No. 4

On page 4, strike out line 39.

Amendment No. 5

On page 5, line 38, after "methadone", insert "or its analogues".

Amendment No. 6

On page 6, line 20, after the comma, insert "voluntarily".

Amendment No. 7

On page 6, line 21, strike out "maintenance", and insert "treatment".

Amendment No. 8

On page 6, line 23, strike out "maintenance", and insert "treatment".

Amendment No. 9

On page 6, line 35, strike out "uniform requirements", and insert "minimum standards".

Amendment No. 10

On page 7, line 3, strike out "maintenance", and insert "treatment".

Amendment No. 11

On page 7, line 10, strike out "maintenance", and insert "treatment".

Amendment No. 12

On page 7, line 22, strike out "maintenance", and insert "treatment".

Amendment No. 13

On page 7, line 28, strike out "maintenance", and insert "treatment".

Amendment No. 14

On page 7, line 40, after "treatment", insert "unless authorized by the director".

Amendment No. 15

On page 8, line 4, after "addict", insert "of childbearing age".

Amendment No. 16

On page 8, line 5, after the period, insert "The arrest and conviction records and the records of pending charges against any person seeking admission to a methadone treatment program shall be furnished to authorized program directors upon written request of the methadone program director provided such request is accompanied by a signed release from the person whose records are being requested."

Amendment No. 17

On page 8, line 7, strike out "as"; and strike out lines 8 and 9, and insert ". The director shall determine the maximum allowable dosage after consultation with the Drug Advisory Board and the Association of Methadone Programs."

Amendment No. 18

On page 8, line 29, strike out "patient's counselor", and insert "methadone program director".

Amendment No. 19

On page 8, line 35, strike out "counselor", and insert "methadone program director".

Amendment No. 20

On page 8, line 36, strike out "shall", and insert "may".

Amendment No. 21

On page 8, line 40, after "the", insert "methadone".

Amendment No. 22

On page 9, line 4, after the period, insert "It is the intent of the Legislature that "take home" privileges for those who have earned them shall only be continued if the individual does not abuse such privileges and is clearly stabilized and making progress in the program. The director shall establish necessary regulations to ensure the programs adhere to the intent."

Amendment No. 23

On page 9, lines 9 and 10, strike out "is gainfully employed,".

Amendment No. 24

On page 9, line 11, strike out "counselor," and insert "methadone program director".

Amendment No. 25

On page 9, line 40, after the period, insert "The results of any performance evaluation of any laboratory shall immediately be made available to the local programs upon request."

Amendment No. 26

On page 10, lines 7 and 8, strike out "and a copy of the card shall be maintained with the department.", and insert ". The director shall institute a single identification system to prevent multiple program registration. This system may be located at either the federal or state level."

Amendment No. 27

On page 10, line 15, strike out "maintenance", and insert "treatment".

Amendment No. 28

On page 10, line 19, strike out "maintenance", and insert "treatment".

Amendment No. 29

On page 10, between lines 30 and 31, insert

"4061. The director shall seek the advice of the California Association of Methadone Programs prior to establishing regulations pertaining to methadone treatment programs."

Amendment No. 30

On page 10, line 40, strike out "maintenance to serve as an", and insert "treatment to serve as a voluntary".

Amendment No. 31

On page 13, line 30, after "Governor", insert ", one of whom shall have experience in methadone treatment programs".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 103—An act to amend Sections 6702, 7853, 8954, 10053, 30313, and 32383 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in Senate March 23, 1972, strike out "equal to", and insert "not in excess of".

Amendment No. 2

On page 3, line 28, strike out "equal to", and insert "not in excess of".

Amendment No. 3

On page 4, line 7, strike out "equal to", and insert "not in excess of".

Amendment No. 4

On page 4, line 26, strike out "equal to", and insert "not in excess of".

Amendment No. 5

On page 5, line 5, strike out "equal to", and insert "not in excess of".

Amendment No. 6

On page 5, line 24, strike out "equal to", and insert "not in excess of".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 470	AB No. 1870
AB No. 966	AB No. 2270
AB No. 1851	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 336	AB No. 957	AB No. 2070
AB No. 581	AB No. 1153	AB No. 2269
AB No. 670	AB No. 2036	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 109—An act to repeal Sections 367d and 367e of the Penal Code, and to amend Sections 13201, 13352, 23101, 23102, 23105, and 23106 of the Vehicle Code, relating to motor vehicle offenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 109?

Senate Amendments of April 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section", and insert "repeal Sections 367d and".

Amendment No. 2

In line 1 of the title, after the comma, insert "and to amend Sections 13201, 13352, 23101, 23102, 23105, and 23106 of the Vehicle Code,".

Amendment No. 3

On page 1, after "SECTION 1.", insert "Section 367d of the Penal Code, as amended by Chapter 896 of the Statutes of 1971, is repealed.

~~367d. (a) Any person driving a motor vehicle who is under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug, shall be guilty of a misdemeanor.~~

~~(b) Any person driving a motor vehicle who is under the influence of any drug shall be guilty of a misdemeanor.~~

SEC. 2."

Amendment No. 4

On page 1, line 2, strike out "amended to read:", and insert "repealed."

Amendment No. 5

On page 1, strike out lines 3 to 11, inclusive; and strike out page 2, and insert:

"SEC 3. Section 13201 of the Vehicle Code is amended to read:

13201 A court may suspend the privilege of any person to operate a motor vehicle, for a period not exceeding six months, upon conviction of any of the following offenses:

(a) Driving while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug under *subdivision (a) of* Section 23102.

(b) Failure of the driver of a vehicle involved in an accident to stop or otherwise comply with the provisions of Section 20002

(c) Reckless driving proximately causing bodily injury to any person under Section 23104.

(d) Failure of the driver of a vehicle to stop at a railway grade crossing as required by Section 22452.

(e) Driving while addicted to the use, or under the influence of, any drug under *subdivisions (a) or (c) of* Section 23105.

SEC. 4. Section 13352 of the Vehicle Code is amended to read:

13352. The department shall immediately suspend or revoke the privilege of any person to operate a motor vehicle upon receipt of a duly certified abstract of the record of any court showing that the person has been convicted of driving a motor vehicle while under the influence of intoxicating liquor or any drug, or while under the combined influence of intoxicating liquor and any drug, or in violation of subdivision ~~(b)~~ *(c)* of Section 23105, or upon receipt of a report of a judge of the juvenile court, a juvenile traffic hearing officer, or a referee of a juvenile court showing that the person has been found to have committed the offense of operating a vehicle while under the influence of intoxicating liquor or any drug, or while under the combined influence of intoxicating liquor and any drug, or in violation of subdivision ~~(b)~~ *(c)* of Section 23105. The suspension or revocation shall be as follows:

(a) Upon a first such conviction or finding, other than under Section 23101 or 23106 such privilege shall be suspended for a period of six months, unless the court in case of the first conviction or finding only suspends such privilege under authority of Section 13201 or 13358 or recommends no suspension.

(b) Upon a first such conviction or finding under Section 23101 or 23106 such privilege shall be suspended for one year and shall not be reinstated until such person gives proof of ability to respond in damages as defined in Section 16430.

(c) Upon a second conviction or finding of driving a motor vehicle while under the influence of intoxicating liquor or any drug, or under the combined influence of intoxicating liquor and any drug, or in violation of subdivision ~~(b)~~ *(c)* of Section 23105, or any combination of such convictions or findings within seven years, such privilege shall be suspended for one year and shall not be reinstated unless and until such person gives proof of ability to respond in damages as defined in Section 16430.

(d) Upon a second such conviction or finding under Section 23101 or 23106 within three years, such privilege shall be permanently revoked.

(e) Upon a third or subsequent conviction or finding of driving a motor vehicle while under the influence of intoxicating liquor or any drug, or under the combined influence of intoxicating liquor and any drug, or in violation of subdivision ~~(b)~~ *(c)* of Section 23105, or any combination of such convictions or findings within 10 years such privilege shall be revoked and shall not be reinstated for a period of three years and until such person files proof of ability to respond in damages as defined in Section 16430.

For the purposes of subdivisions (c), (d), and (e), the finding of the juvenile court judge, the juvenile traffic hearing officer, or the referee of a juvenile court, specified in the first paragraph of this section shall also be considered a conviction.

Each judge of a juvenile court, juvenile traffic hearing officer, or referee of a juvenile court shall immediately report such findings to the department.

SEC. 5. Section 23101 of the Vehicle Code is amended to read:

23101. *(a)* Any person who, while under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, drives a vehicle *upon a highway* and when so driving does any act forbidden by law or neglects any duty imposed by law in the driving of such vehicle, which act or neglect proximately causes bodily injury to any person other than himself is guilty of a felony ~~and upon conviction thereof shall be punished by imprisonment in the state prison for not less than one year nor more than five years or in the county jail for not less than 90 days nor more than one year and by fine of not less than two hundred fifty dollars ($250) nor more than five thousand dollars ($5,000)~~.

(b) Any person who, while under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, drives a vehicle other than on a highway and when so driving does any act, or neglects any duty imposed by law, which act or neglect proximately causes death or bodily injury to any person other than himself is guilty of a felony.

(c) Any person convicted under this section shall be punished by imprisonment in the state prison for not less than one year nor more than five years or in the county jail for not less than 90 days nor more than one year and by fine of not less than two hundred fifty dollars ($250) nor more than five thousand dollars ($5,000).

SEC. 6. Section 23102 of the Vehicle Code is amended to read:

23102. (a) It is unlawful for any person who is under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, to drive a vehicle upon any highway. ~~Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction, within seven years of a prior conviction, by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000). A conviction under this section shall be deemed a second conviction if the person has previously been convicted of a violation of Section 23101 of this code.~~

(b) It is unlawful for any person who is under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, to drive a vehicle upon other than a highway.

The department shall not be required to provide patrol or enforce the provisions of this subdivision.

(c) Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction, within seven years of a prior conviction, by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000). A conviction under this section shall be deemed a second conviction if the person has previously been convicted of a violation of Section 23101.

~~(b)~~ *(d)* If any person is convicted of a second or subsequent offense under this section within seven years of a prior conviction and is granted probation, it must be a condition of probation that such person be confined in jail for at least five days but not more than one year and pay a fine of at least two hundred fifty dollars ($250) but not more than one thousand dollars ($1,000).

~~(c)~~ *(e)* If the person convicted under this section is under the age of 21 years and the vehicle used in any such violation is registered to such person, the vehicle may be impounded at the owner's expense for not less than one day nor more than 30 days.

SEC. 7. Section 23105 of the Vehicle Code, as added by Chapter 1530 of the Statutes of 1971, is amended to read:

23105. (a) It is unlawful for any person who is under the influence of any drug to drive a vehicle upon any highway.

(b) It is unlawful for any person who is under the influence of any drug to drive a vehicle upon other than a highway

The department shall not be required to provide patrol or enforce the provisions of this subdivision.

~~(b)~~

(c) It is unlawful for any person who is addicted to the use of any drug, except such a person who is participating in a methadone maintenance treatment program approved pursuant to Section 11655.7 of the Health and Safety Code, to drive a vehicle upon any highway.

~~(c)~~

(d) Any person convicted under this section is guilty of a misdemeanor and shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction, within seven years of a prior conviction, by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000). A conviction under this section shall be deemed a second or subsequent conviction if the person has previously been convicted of a violation of driving a vehicle while under the influence of intoxicating liquor or any drug, or under the combined influence of intoxicating liquor and any drug.

~~(d)~~ *(e)* If any person is convicted of a second or subsequent offense under this section within seven years of a prior conviction and is granted probation, it shall be a condition of probation that such person be confined in jail for at least five days but not more than one year and pay a fine of at least two hundred fifty dollars ($250) but not more than one thousand dollars ($1,000).

~~(e)~~ *(f)* If the person convicted under this section is under the age of 21 years and the vehicle used in any such violation is registered to such person, the vehicle may be impounded at the owner's expense for not less than one day nor more than 30 days.

SEC. 8. Section 23106 of the Vehicle Code, as added by Chapter 1530 of the Statutes of 1971, is amended to read:

23106. *(a)* Any person who, while under the influence of any drug drives a vehicle *upon a highway* and when so driving does any act forbidden by law or neglects any duty imposed by law in the driving of such vehicle, which act or neglect proximately causes bodily injury to any person other than himself is guilty of a felony ~~and upon conviction thereof shall be punished by imprisonment in the state prison for not less than one year nor more than five years or in the county jail for not less than 90 days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than five thousand dollars ($5,000)~~.

(b) Any person who, while under the influence of any drug drives a vehicle other than on a highway and when so driving does any act, or neglects any duty imposed by law, which act or neglect proximately causes bodily injury to any person other than himself is guilty of a felony.

(c) Any person convicted under this section shall be punished by imprisonment in the state prison for not less than one year nor more than five years or in the county jail for not less than 90 days nor more than one year and by fine of not less than two hundred fifty dollars ($250) nor more than five thousand dollars ($5,000)."

Senate Amendments of May 4, 1972

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in Senate April 26, 1972, strike out "Any person who", and insert "It is unlawful for any person".

Amendment No. 2

On page 4, line 38, strike out "drives", and insert "to drive".

Amendment No. 3

On page 4, line 39, strike out "does", and insert "do".

Amendment No. 4

On page 4, line 40, strike out "neglects", and insert "neglect".

Amendment No. 5

On page 5, line 3, strike out "is guilty of a felony", and insert a period.

Amendment No. 6

On page 5, line 8, strike out the period.

Amendment No. 7

On page 5, line 9, strike out "Any person who", and insert "It is unlawful for any person".

Amendment No. 8

On page 5, line 11, strike out "drives", and insert "to drive".

Amendment No. 9

On page 5, line 12, strike out "does", and insert "do".

Amendment No. 10

On page 5, line 13, strike out "neglects", and insert "neglect".

Amendment No. 11

On page 5, line 15, strike out "is guilty of a felony".

Amendment No. 12

On page 8, line 2, strike out "Any person who", and insert "It is unlawful for any person".

Amendment No. 13

On page 8, line 3, strike out "drives", and insert ", to drive".

Amendment No. 14

On page 8, line 4, strike out "does", and insert "do".

Amendment No. 15

On page 8, line 5, strike out "neglects", and insert "neglect".

Amendment No. 16

On page 8, lines 7 and 8, strike out "is guilty of a felony", and insert a period.

Amendment No. 17

On page 8, line 13, strike out the period.

Amendment No. 18

On page 8, line 14, strike out "Any person who", and insert "It is unlawful for any person".

Amendment No. 19

On page 8, line 15, strike out "drives", and insert ", to drive".

Amendment No. 20

On page 8, line 16, strike out "does", and insert "do".

Amendment No. 21

On page 8, line 16, strike out "neglects", and insert "neglect".

Amendment No. 22

On page 8, line 18, strike out "is guilty of a felony".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES — Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Chacon, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Thomas, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

Mr. Ralph was granted unanimous consent that his motion to reconsider the vote on Assembly Constitutional Amendment No. 14 be continued until the next legislative day

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1113, on request of Mr Waxman.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 679—An act to add Chapter 1.6 (commencing with Section 235) to Part 5 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Stacey, Stull, Thomas, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—50

NOES—Cline and Russell—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 375—An act to amend Section 11556 of, and to add Section 11555.5 to, the Government Code, to add Title 6 (commencing with Section 13800) and Title 6.5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of, the Penal Code, relating to criminal justice.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Chacon, Chappie, Collier, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden,

Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—47.

NOES—Badham, Beverly, Biddle, Briggs, Cline, Conrad, Dent, Russell, Stacey, Stull, and Wakefield—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 975—An act to add Sections 10554 3 and 10554.4 to the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 2:48 p m., Hon. Jack R. Fenton, 51st District, presiding

Assembly Bill No. 1719—An act to amend Sections 280, 282, 310, 321, 322, 323, and 450 of the Elections Code, relating to elections.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Stacey, Thomas, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Duffy, Mobley, Murphy, and Russell—4.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 150, on request of Mrs. Fong.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1323—An act to add Sections 25502.3 and 25502 4 to the Government Code, relating to county purchasing agents, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. MacDonald.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Cline was granted unanimous consent that Assembly Constitutional Amendment No. 30 and Assembly Bill No. 2178 be considered engrossed

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 1262
AB No 2317

With the recommendation· Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

RALPH, Chairman

Above bills ordered to second reading

Assembly Chamber, May 11, 1972

Mr. Speaker Your Committee on Governmental Organization reports:

AB No 162
AB No 568
AB No 1089

With the recommendation. Do pass.

RALPH, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 558
AB No. 1263

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Governmental Organization reports·

AB No. 1451

With the recommendation: That the bill be re-referred to the Committee on Efficiency and Cost Control.

RALPH, Chairman

Above bill re-referred to the Committee on Efficiency and Cost Control.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Governmental Organization reports.

AB No. 1727

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

RALPH, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Ways and Means

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 125

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 125

Mr. Brown was granted unanimous consent to take up Assembly Bill No 125, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file

Second Reading of Assembly Bill No. 125 by Unanimous Consent

Assembly Bill No. 125—An act to amend Sections 11580 2, 11620 and 11622 of, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1 5

(commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code, relating to motor vehicle insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 13, between lines 9 and 10, of the printed bill, as amended in Assembly May 2, 1972, insert

"11894. (a) It is the intent of the Legislature that any savings realized under this chapter by an insurer be returned to its insureds in the form of reduced premiums or dividends.

(b) Commencing on January 1, 1974, the commissioner shall report annually to the Legislature on the extent to which insurers are complying with the intent of the Legislature as expressed in subdivision (a)."

Amendment No. 2

On page 13, line 27, strike out " ; or", and insert ". Proof of such financial security may be provided, with respect to any motor vehicle, by filing with the Department of Motor Vehicles a certificate of insurance evidencing the issuance, by or on behalf of an insurer duly authorized to transact business in this state, of such a policy, consistent with the provisions of this chapter, applicable to injuries arising out of the ownership, maintenance, or use of the vehicle."

Amendment No. 3

On page 15, lines 16 and 17, strike out "one thousand dollars ($1,000)", and insert "one thousand two hundred fifty dollars ($1,250)".

Amendment No. 4

On page 19, line 7, strike out "or under the Social Security Act"

Amendment No. 5

On page 21, line 15, after the period, insert "The order may also impose reasonable sanctions against the insurer in any case in which the insurer unreasonably refuses to provide basic loss benefits to the insured."

Amendment No. 6

On page 26, line 35, strike out "excluding", and insert "including up to one hundred dollars ($100) in"

Amendment No. 7

On page 27, line 4, strike out "and", and insert "or".

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1053 for hearing in the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Warren for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2354 be granted.

BURTON, Chairman

Assembly Chamber, May 11, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr. Bagley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2353 be granted.

BURTON, Chairman

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Barnes for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 1479 be granted.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Barnes:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No 1479 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1479 for hearing in the Committee on Retirement.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bagley:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2353 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 196

In compliance with a motion given on a previous day, Mrs. Brathwaite moved that the vote whereby Assembly Bill No. 196 was refused passage be reconsidered

Assembly Bill No 196 reconsidered by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Karabian, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Re-reference of Assembly Bill No. 196

Mrs Brathwaite was granted unanimous consent that Assembly Bill No. 196 be re-referred to the Committee on Local Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1877—An act to amend Sections 11555, and 11556 of, to amend, repeal, and add Section 11550 5 of, and to add Section 11550 3 to, the Government Code, relating to salaries of state officials.

Bill read third time, and refused passage by the following vote:

AYES—Brown, Burton, Collier, Crown, Dunlap, Fenton, Fong, Foran, Gonsalves, Harvey Johnson, Karabian, Keysor, Knox, McAlister,

McCarthy, Miller, Porter, Ryan, Sieroty, Thomas, Warren, and Mr. Speaker—22.

NOES—Arnett, Badham, Barnes, Bee, Belotti, Biddle, Burke, Chappie, Cline, Conrad, Cory, Dent, Duffy, Leroy F. Greene, Hayden, Ray E Johnson, LaCoste, Lewis, MacGillivray, Maddy, Mobley, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Stacy, Vasconcellos, Wakefield, and Wood—31.

Motion to Reconsider Assembly Bill No. 1877 on Next Legislative Day

Mr. Brown moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1877 was this day refused passage

Assembly Bill No. 1877 ordered to the unfinished business file

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:26 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 824—An act to add and repeal Section 17525.1 to the Education Code, relating to state school support.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 777—An act to amend Section 10434 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1184—An act to amend Sections 23014, 25210.9e, and 25210 77a of the Government Code, relating to counties.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1378—An act to amend Section 73351 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1677—An act to amend Sections 26880, 26881, 26882, 26883, 26884, 26885, and 26886 of the Government Code, relating to county controllers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1809—An act to amend Sections 69903, 69903 1, and 69903 2 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Con-

rad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2039—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72712, 72750.5, 72751, 72751.1, 72751.5, 72752, 72753, and 72754 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2143—An act to amend Section 41005 of the Government Code, relating to subletting and subcontracting.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 44—Relative to the Joint Committee on Atomic Development and Space

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Rus-

sell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 60—Relative to the Joint Committee on the Organization and Financing of Local Government

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 69—Relative to the creation of the Joint Committee on Force Accounts

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 77—Relative to making additional funds available to the Joint Legislative Audit Committee

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

Resolution ordered transmitted to the Senate

House Resolution No. 30—Relative to the normalization of the mentally retarded

NOTE: The full text of House Resolution No. 30 appears at pages 1231–1232 of the Assembly Daily Journal for March 20, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 112—An act to amend Section 7204 of the Government Code, relating to filing and indexing fees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 40—Relative to joint committees.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bills Nos. 1252 and 264 was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 961

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 593
AB No. 790
AB No. 756
AB No 1930

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

PIERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 508
AB No 715

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 10, 1972

Mr. Speaker. Your Committee on Finance and Insurance reports:

AB No 876
AB No 2045

With the recommendation · Do pass.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker Your Committee on Finance and Insurance reports:

AB No 1141
AB No 1645

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1644

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 29

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Rules reports:

SCR No. 46

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1004

AB No. 2087

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 877

AB No. 1003

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bills ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, May 11, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 1179
AB No. 2178

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1179—An act to add Section 17041 6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 17041.6", and insert "Sections 17299 and 24437".

Amendment No. 2

On page 1, strike out lines 1 to 12, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 17299 is added to the Revenue and Taxation Code, to read·

17299. (a) In computing taxable income no deductions shall be allowed to any taxpayer on any of his gross income derived from substandard housing located in the State of California, earned during a period commencing with the first day of the month after the assessee of such property is notified and cited by the government agency authorized to issue such citations, that such property is substandard, until the first day of the month in which such government agency grants a release to the owner of such property

(b) The government agency authorized to issue citations for substandard housing shall notify the Franchise Tax Board of such citations and releases, when granted, and such notice shall include the name and address of the assessee of the property

SEC 2. Section 24437 is added to the Revenue and Taxation Code, to read:

24437. (a) In computing net income, no deductions shall be allowed to any taxpayer on any of its gross income derived from substandard housing located in the State of California, earned during a period commencing with the first day of the month after the assessee of such property is notified and cited by the government agency authorized to issue such citations that such property is substandard, until the first day of the month in which such government agency grants a release to the owner of such property.

(b) The government agency authorized to issue citations for substandard housing shall notify the Franchise Tax Board of such citations and releases from such classification, when granted, and such notice shall include the name and address of the assessee of the property."

Amendment No. 3

On page 2, line 4, strike out "SEC. 2.", and insert "SEC. 3."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2178—An act relating to sales and use taxes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "relating to sales and use taxes", and insert "to amend Sections 218, 6051, 6052 5, 6201, 17041, 17045, 23151, 23184, 23186, 23333, 23501, 30101, 30121, 30122, 30123, 30124, 30125, 30166, 30462, and 32201 of, to repeal Section 30463 of, to add Sections 401.4, 17053 5, 17053 6, and 30463 to, and to repeal Article 3 (commencing with Section 30131) of Chapter 2 of Part 13 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 218 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1972 Regular Session, is amended to read:

218. The homeowners' property tax exemption is the amount of the assessed value of the dwelling as specified in Section 1d of Article XIII of the Constitution. The exemption does not extend to property which is rented, vacant, under construction on the lien date, or which is a vacation or secondary home of the owner or owners, nor does it apply to property on which an owner receives the veteran's exemption, or to property for which an owner received an allowance for taxes, either in whole or in part, either directly or indirectly, for the property tax year from the state or any political subdivision thereof, except assistance received under the Senior Citizens Property Tax Assistance Law provided for in Part 10.5 (commencing with Section 19501) of Division 2 of this code. "Owner" includes a person purchasing the dwelling under a contract of sale or who holds shares or membership in a cooperative housing corporation, which holding is a requisite to the exclusive right of occupancy of a dwelling As used in this section, "dwelling" shall include:

(a) A single-family dwelling occupied by an owner thereof as his principal place of residence on the lien date.

(b) A multiple-dwelling unit occupied by an owner thereof on the lien date as his principal place of residence. ~~As used in this subdivision, "multiple-dwelling unit" does not include any unit containing more than two separate dwelling units.~~

(c) A condominium occupied by an owner thereof as his principal place of residence on the lien date.

(d) Premises occupied by the owner of shares or a membership interest in a cooperative housing corporation, as defined in Section 17265, as his principal place of residence on the lien date. Each exemption allowed pursuant to this subdivision shall be deducted from the total assessed valuation of the cooperative housing corporation. The exemption shall be taken into account in apportioning property taxes among owners of share or membership interests in the cooperative housing corporations so as to benefit those owners who qualify for the exemption

"Dwelling" means a building, structure or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated. For purposes of this section a two-dwelling unit shall be considered as two separate single-family dwellings

The exemption provided for in Section 1d of Article XIII of the Constitution shall first be applied to the building, structure or other shelter and the excess, if any, shall be applied to any land on which it may be located.

SEC. 2. Section 401.4 is added to the Revenue and Taxation Code, to read:

401 4 The assessor shall assess all property exempt from taxation pursuant to Sections 401 and 401.3.

SEC. 3. Section 6051 of the Revenue and Taxation Code is amended to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent *on and after July 1, 1972, and to and including December 31, 1972, and at the rate of 4¾ percent* thereafter

SEC 4. Section 6052.5 of the Revenue and Taxation Code is amended to read:

6052 5. The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent ($0 01) to and including one hundred dollars ($100) at the ~~3¾~~ *4¾* -percent rate, at the ~~4~~ *5* -percent rate, at the ~~4¾~~ *5¾* -percent rate, at the ~~5~~ *6* -percent rate, at the ~~5½~~ *6½* -percent rate, at the ~~6½~~ *6¾* -percent rate, and at any other combined rates of state, local

and transit district taxes administered by the board. The schedules shall be identical with the following tables up to the amounts specified therein:

~~3¾ percent~~

~~Price~~			~~Tax~~
~~.01~~	~~.12~~		~~.00~~
~~.13~~	~~.37~~		~~.01~~
~~.38~~	~~.64~~		~~.02~~
~~.65~~	~~.93~~		~~.03~~

~~4 percent~~

~~Price~~			~~Tax~~
~~.01~~	~~.12~~		~~.00~~
~~.13~~	~~.34~~		~~.01~~
~~.35~~	~~.59~~		~~.02~~
~~.60~~	~~.87~~		~~.03~~

~~4¼ percent~~

~~Price~~			~~Tax~~
~~.01~~	~~.11~~		~~.00~~
~~.12~~	~~.32~~		~~.01~~
~~.33~~	~~.56~~		~~.02~~
~~.57~~	~~.82~~		~~.03~~

~~5 percent~~

~~Price~~			~~Tax~~
~~.01~~	~~.10~~		~~.00~~
~~.11~~	~~.27~~		~~.01~~
~~.28~~	~~.47~~		~~.02~~
~~.48~~	~~.68~~		~~.03~~
~~.69~~	~~.89~~		~~.04~~
~~.90~~	~~1.09~~		~~.05~~

~~5¼ percent~~

~~Price~~			~~Tax~~
~~.01~~	~~.10~~		~~.00~~
~~.11~~	~~.26~~		~~.01~~
~~.27~~	~~.45~~		~~.02~~
~~.46~~	~~.65~~		~~.03~~
~~.66~~	~~.84~~		~~.04~~
~~.85~~	~~1.03~~		~~.05~~
~~1.04~~	~~1.20~~		~~.06~~

~~5½ percent~~

~~Price~~			~~Tax~~
~~.01~~	~~.10~~		~~.00~~
~~.11~~	~~.25~~		~~.01~~
~~.26~~	~~.45~~		~~.02~~
~~.46~~	~~.62~~		~~.03~~
~~.63~~	~~.79~~		~~.04~~
~~.80~~	~~.97~~		~~.05~~
~~.98~~	~~1.15~~		~~.06~~

The remainder of the schedules at the ~~3¾~~ *4¼*-percent rate, at the ~~4¼~~ *5*-percent rate, at the ~~4¾~~ *5¾*-percent rate, at the ~~5~~ *6*-percent rate, at the ~~5¼~~ *6¼*-percent rate, and at the ~~5½~~ *6½*-percent rate shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.

The "sales tax reimbursement schedule" shall be available for inspection and duplication or reproduction.

Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed. When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply

only if the purchaser requests at the time of the sale that the computation be made in this way.

The board shall enforce the provisions of this section.

SEC. 5. Section 6201 of the Revenue and Taxation Code is amended to read.

6201 An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent *on and after July 1, 1972, and to and including December 31, 1972, and at the rate of 4¾ percent* thereafter.

SEC 6. Section 17041 of the Revenue and Taxation Code is amended to read

17041. (a) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, ~~except the head of a household as defined in Section 17042,~~ taxes in the following amounts and at the following rates upon the amount of taxable income.

If the taxable income is:	The tax is:
Not over $2,000	~~1~~ *1½* % of the taxable income
Over $2,000 but not over $3,500	~~$20~~ *$30* plus ~~2~~ *2½* % of excess over $2,000
Over $3,500 but not over $5,000	~~$50~~ *$67 50* plus ~~3~~ *3½*% of excess over $3,500
Over $5,000 but not over $6,500	~~$95~~ *$120* plus ~~4~~ *4½*% of excess over $5,000
Over $6,500 but not over $8,000	~~$155~~ *$187 50* plus ~~5~~ *5½*% of excess over $6,500
Over $8,000 but not over $9,500	~~$230~~ *$270* plus ~~6~~ *6½*% of excess over $8,000
Over $9,500 but not over $11,000	~~$320~~ *$367 50* plus ~~7~~ *7½*% of excess over $9,500
Over $11,000 but not over $12,500	~~$425~~ *$480* plus ~~8~~ *8½*% of excess over $11,000
Over $12,500 but not over $14,000	~~$545~~ *$607 50* plus ~~9~~ *9½*% of excess over $12,500
Over $14,000 but not over $15,500	~~$680~~ *$750* plus ~~10~~ *10½*% of excess over $14,000
Over $15,500 *but not over $17,000*	~~$830~~ *$907 50* plus ~~11~~ *11½*% of excess over $15,500
Over $17,000	*$1,080 plus 12½% of excess over $17,000*

~~(b) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, when such resident or nonresident is the head of a household, as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income.~~

~~If taxable income is:~~	~~The tax is:~~
~~Not over $3,000~~	~~1% of the taxable income~~
~~Over $ 3,000 but not over $ 4,500~~	~~$ 30 plus 2% of excess over $ 3,000~~
~~Over $ 4,500 but not over $ 6,000~~	~~$ 60 plus 3% of excess over $ 4,500~~
~~Over $ 6,000 but not over $ 7,500~~	~~$105 plus 4% of excess over $ 6,000~~
~~Over $ 7,500 but not over $ 9,000~~	~~$165 plus 5% of excess over $ 7,500~~
~~Over $ 9,000 but not over $10,500~~	~~$240 plus 6% of excess over $ 9,000~~
~~Over $10,500 but not over $12,000~~	~~$330 plus 7% of excess over $10,500~~
~~Over $12,000 but not over $13,500~~	~~$435 plus 8% of excess over $12,000~~
~~Over $13,500 but not over $15,000~~	~~$555 plus 9% of excess over $13,500~~
~~Over $15,000 but not over $16,500~~	~~$690 plus 10% of excess over $15,000~~
~~Over $16,500~~	~~$840 plus 11% of excess over $16,500~~

(b) For taxable years beginning on and after January 1, 1974, each of the percentages in subdivision (a) shall be increased by one-half of 1 percent and the dollar amount for each such percentage shall be increased by a corresponding amount.

(c) The tax imposed by this part is not a surtax.

SEC. 7. Section 17045 of the Revenue and Taxation Code is amended to read:

17045. In the case of a joint return of a husband and wife under Section 18402, *or a head of household as defined in Section 17042, or a single person,* the tax imposed by Section 17041 shall be twice the tax which would be imposed if the taxable income were cut in half.

SEC. 8. Section 17053.5 is added to the Revenue and Taxation Code, to read:

17053.5. (a) In the case of qualified individuals, there shall be allowed, as property tax relief, credits against the tax computed under Section 17041 or Section 17048, minus all other credits provided for in this part. The amount of such credits shall be:

(1) In the case of a single individual, a credit of eighty dollars ($80).

(2) In the case of a head of household or a married individual, a credit of eighty dollars ($80). Except as provided in paragraph (3) of this section, a husband and wife shall receive but one credit for property tax relief of eighty dollars ($80) If the husband and wife file separate returns, the credit may be taken by either or divided between them, except as follows:

(A) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for all the taxable year, the resident spouse shall be allowed the full credit.

(B) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for part of the taxable year, the resident spouse shall be allowed to claim one-half the credit and the

nonresident spouse shall be allowed to claim the other one-half of the credit subject to the proration provided in subdivision (c) of this section

(C) If both spouses were nonresidents for part of the taxable year, the credit shall be divided equally between them subject to the proration provided in subdivision (c) of this section.

(3) In the case of a husband and wife, if each spouse maintained a separate principal place of residence and resided in this state during the entire taxable year, each spouse will be allowed a credit of eighty dollars ($80).

(4) In the case of a qualified individual whose principal place of residence also constitutes the principal place of residence for another qualified renter (other than a spouse), a credit of forty dollars ($40).

(b) A "qualified individual" means an individual who on March 1 of the taxable year was either a resident of this state (as defined in Section 17014) or a nonresident member of the armed forces of the United States or any auxiliary branch thereof and his or her spouse, and on such date rented and occupied premises in this state which constitute his principal place of residence. The term "qualified individual" does not include:

(1) An individual whose principal place of residence is with one or both parents or with one or both parents of his or her spouse if the homeowners' property tax exemption has been granted with respect to such residence or an individual whose principal place of residence for which the owner has been granted a homeowners' property tax exemption for such residence.

(2) An individual whose place of residence on March 1 of the taxable year is in premises which are exempt from property taxation.

(3) An individual who has been granted or whose spouse has been granted the homeowners' property tax exemption during the taxable year. This paragraph shall not apply in the case of an individual whose spouse has been granted the homeowners' property tax exemption if each spouse maintained a separate residence for the entire taxable year.

(4) An individual who has been granted or whose spouse has been granted the veterans' exemption from property taxation, except that an individual, otherwise qualified, shall be deemed a qualified individual if he is required to pay property taxes on his possessory interest in a residence that is otherwise tax exempt during the taxable year This paragraph shall not apply in the case of an individual whose spouse has been granted the veterans' exemption if each spouse maintained a separate residence for the entire taxable year.

(5) An individual or the spouse of an individual who, for the entire taxable year, received public assistance grants which took into account housing or shelter needs If such grants were received for a part of the taxable year, the credit provided by this section shall be claimed at the rate of one-twelfth for each full month such grants were not received during the income year

(6) An individual who is not obligated for rent with respect to his residence.

(c) Any individual, other than an active member of the armed forces of the United States or his or her spouse, who is a nonresident for any portion of the taxable year shall claim the credits for property tax relief set forth in subdivision (a) at the rate of one-twelfth of such credits for each full month such individual resided within this state during the taxable year.

(d) The amount of any refund resulting in whole or part from the credit provided by this section may be applied by the Franchise Tax Board against any liability due from the taxpayer under any law administered by the Franchise Tax Board.

(e) Every person claiming the credit provided in this section shall, as part of such claim, and under penalty of perjury, furnish such information as the Franchise Tax Board prescribes on a form supplied by such board. Such information shall include but not be limited to the following:

(1) Evidence acceptable to the Franchise Tax Board that the claimant was a qualified individual as defined in subdivision (b) of this section.

(2) The name, relationship and address of the claimant's landlord on March 1 of the taxable year, and the amount of monthly rent paid or incurred.

(f) The credit provided in this section shall be claimed on returns in such form as the Franchise Tax Board may from time to time prescribe, and shall be filed with the Franchise Tax Board on the date prescribed by Section 18432.

(g) The right to claim the credit provided by this section shall be personal to the individual and shall not survive his death, but such right may be exercised on an individual's behalf by his legal guardian, attorney in fact, or the conservator of his estate When an individual dies after filing a timely return in which the credit allowed by this section is claimed, the refund resulting from the allowance of such credit may be paid to his executor or administrator.

(h) For the purposes of this section, the term "principal place of residence" means a house or dwelling unit used to provide living accommodations in a building or structure and the land incidental thereto, but does not include land only, except in the case where the dwelling unit is a mobilehome.

SEC. 9. Section 17053.6 is added to the Revenue and Taxation Code, to read:

17053.6. (a) In the case of qualified individuals whose credits provided for in Section 17053.5 exceed their tax liability computed under Section 17041 or 17048, minus all other credits provided for in this part, the following refunds shall be made:

SEC. 10. Section 23151 of the Revenue and Taxation Code is amended to read:

23151. (a) With the exception of financial corporations, every corporation doing business within the limits of this state and not expressly exempted from taxation by the provisions of the Constitution of this state or by this part, shall annually pay to the state, for the privilege of exercising its corporate franchises within this state, a tax according to or measured by its net income, to be computed at the rate

of 7 percent upon the basis of its net income for the next preceding income year. In any event, each such corporation shall pay annually to the state, for the said privilege, a minimum tax of one hundred dollars ($100).

(b) For calendar or fiscal years ending after December 31, 1971, the rate of tax shall be 7.6 percent instead of 7 percent as provided by subdivision (a).

(c) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in subdivision (a) shall be two hundred dollars ($200) instead of one hundred dollars ($100).

(d) For calendar or fiscal years ending after December 31, 1972, the rate of tax shall be 9 percent instead of 7.6 percent as provided in subdivision (b).

SEC 11 Section 23184 of the Revenue and Taxation Code is amended to read.

23184 (a) Financial corporations may offset against the franchise tax the amounts paid during the income year to this state or to any county, city, town, or other political subdivisions of the state as personal property taxes, or as license fees or excise taxes for the following privileges

(1) Operating as personal property brokers or brokers as defined in the Personal Property Brokers Law provided for in Division 9 (commencing with Section 22000) of the Financial Code.

(2) Operating motor vehicles under Part 5 (commencing with Section 10701) of this division or Article 2 (commencing with Section 9250) of Chapter 6 of Division 3 of the Vehicle Code, except for Section 9265.

(3) Engaging in the business of loaning money, advancing credit, or loaning credit or arranging for the loan of money or advancing of credit or loaning of credit

(4) Storing, using or otherwise consuming in this state of tangible personal property by savings and loan associations

(b) The offset allowed to any financial corporation for any income year as provided in this section may, at the election of that financial corporation, be offset, in whole or in part, against its franchise tax for that income year or offset in whole or in part against its franchise tax in one or more of the next four succeeding years of its selection, until such time as the total amount of such offset is so utilized; provided, however, that for such purposes, offsets elected to be utilized against the franchise tax of a succeeding year shall be applied in the order of their respective years of origin and prior to the application of the offset which might otherwise be allowable for amounts paid during that income year

(c) Notwithstanding anything to the contrary contained in this section, the tax on financial corporations after the allowance of all offsets provided for herein shall not be less than 7 percent of its net income for the preceding income year nor less than the following minimum tax:

(1) In the case of financial corporations, other than credit unions whose gross income is twenty thousand dollars ($20,000) or less, one hundred dollars ($100).

(2) In the case of credit unions whose gross income is twenty thousand dollars ($20,000) or less, twenty-five dollars ($25).

(d) For purposes of this section, with respect to calendar or fiscal years ending after December 31, 1971, the tax on financial corporations after the allowance of all offsets shall not be less than 7.6 percent of its net income nor less than the minimum tax as provided by subdivision (e).

(e) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in paragraph (1) of subdivision (c) shall be two hundred dollars ($200) instead of one hundred dollars ($100).

(f) For purposes of this section, with respect to calendar or fiscal years ending after December 31, 1972, the tax on financial corporations after the allowance of all offsets shall not be less than 9 percent of its net income nor less than the minimum tax as provided by subdivision (c).

SEC. 12. Section 23186 of the Revenue and Taxation Code is amended to read:

23186. (a) The rate of tax on banks and financial corporations shall be a percentage equal to the percentage of the total amount of net income, allocable to this state, of every corporation taxable under Section 23151, other than public utilities as defined in the Public Utilities Act, for the next preceding calendar year or fiscal years ended during such calendar year, required to be paid to this state as franchise taxes according to or measured by such net income, and required to be paid to this state or its political subdivisions by such corporations as personal property taxes during the preceding calendar year or fiscal years ended in such calendar year; provided, however, that said rate of tax shall not exceed 11 percent. The percentage of the net income of every corporation taxable under Section 23151, other than public utilities as defined in the Public Utilities Act, required to be paid to this state or its political subdivisions in personal property taxes shall be determined by ascertaining the ratio which the total amount of such personal property taxes, less 7 percent thereof, bears to the total amount of net income of such corporations allocable to California, increased by the amount of such personal property taxes; provided, however, that if any such corporation sustains a net loss allocable to California the personal property taxes required to be paid by such corporation to this state or its political subdivisions during the preceding calendar year or fiscal years ended during such calendar year shall be considered for the purpose of determining such ratio only to the extent which such personal property taxes exceed such net loss allocable to California.

(b) For calendar or fiscal years ending after December 31, 1971 the 11 percent provided in the first sentence of subdivision (a) shall be 11.6 percent and the 7 percent provided in the second sentence shall be 7.6 percent.

(c) For calendar or fiscal years ending after December 31, 1972, the 11.6 percent in the first sentence of subdivision (a) shall be 13 percent and the 7.6 percent in the second sentence shall be 9 percent.

SEC 13. Section 23333 of the Revenue and Taxation Code is amended to read:

23333. (a) A taxpayer subject to Section 23186 shall, if it dissolves or withdraws prior to the date the rate is determined under Section 23186, pay a tax under Section 23332 at the maximum rate prescribed by said Section 23186; if the rate is subsequently determined to be less than the maximum prescribed by Section 23186, a refund shall, within thirty (30) days of such determination, be made as prescribed by Article 1 of Chapter 22; that part of the tax thus determined which is in excess of 7 percent shall be collected as a demand for second installment under Article 3 of Chapter 19.

(b) For calendar or fiscal years ending after December 31, 1971, the rate of tax shall be 7.6 percent instead of 7 percent as provided by subdivision (a).

(c) For calendar or fiscal years ending after December 31, 1972, the rate of tax shall be 9 percent instead of that rate as provided by subdivisions (a) and (b).

SEC. 14. Section 23501 of the Revenue and Taxation Code is amended to read:

23501 (a) There shall be imposed upon every corporation for each taxable year, a tax at the rate of 7 percent upon its net income derived from sources within this state on or after January 1, 1937, other than income for any period for which the corporation is subject to taxation under Chapter 2 of this part, according to or measured by its net income

(b) For calendar or fiscal years ending after December 31, 1971, the rate of tax shall be 7 6 percent instead of 7 percent as provided by subdivision (a).

(c) For calendar or fiscal years ending after December 31, 1972, the rate of tax shall be 9 percent instead of that rate provided in subdivisions (a) and (b).

SEC 15 Section 30101 of the Revenue and Taxation Code is amended to read·

30101. Every distributor shall pay a tax upon his distributions of cigarettes at the rate of one and one-half mills ($0.0015) for the distribution after 4 o'clock a m on July 1, 1959, of each cigarette until 12 .01 o'clock a m on August 1, 1967, and at the rate of three and one-half mills ($0 0035) for the distribution of each cigarette on and after August 1, 1967, until 12·01 o'clock a m on October 1, 1967, and at the rate of five mills ($0 005) on and after 12·01 o'clock on October 1, 1967, *until 12:01 o'clock a m on January 1, 1973, and at the rate of seven and one-half mills ($0.0075) on and after 12:01 o'clock a m on January 1, 1973*.

SEC 16 Section 30121 of the Revenue and Taxation Code is amended to read.

30121 For the privilege of holding or storing cigarettes for sale, use or consumption, a floor tax is hereby imposed upon every dealer *and every wholesaler* at the rate of ~~two mills ($0 002)~~ *two and one-half mills ($0 0025)* for each cigarette in the possession of the dealer ~~or under his~~ *or the wholesaler or under their* control in this state at 12 .01 o'clock a m on ~~August 1, 1967~~ *January 1, 1973*.

SEC. 17. Section 30122 of the Revenue and Taxation Code is amended to read:

30122. Every dealer *and every wholesaler* shall take an inventory as of 12:01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*, of all cigarettes in his possession or under his control. He shall file a report with the board on or before ~~August 31, 1967~~ *January 31, 1972*, in such form as the board may prescribe, showing the number of cigarettes in his possession or under his control at 12.01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*. The amount of tax required to be paid on the cigarettes shall be computed and shown on the dealer's ~~return~~ *or wholesaler's report*.

SEC. 18. Section 30123 of the Revenue and Taxation Code is amended to read:

30123. For the privilege of distributing cigarettes as a licensed distributor and for holding or storing cigarettes for sale, use or consumption a floor tax and cigarette indicia adjustment tax is hereby imposed upon every licensed distributor as follows:

(a) In the amount of ~~four cents ($0.04)~~ *five cents ($0.05)* for each California cigarette tax stamp or meter impression bearing the designation "20" and in the amount of ~~two cents ($0.02)~~ *two and one-half cents ($0.025)* for each California cigarette tax stamp bearing the designation "10," which is affixed to any package of cigarettes in the possession of the licensed distributor or under his control at 12:01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*.

(b) In the amount of ~~four cents ($0.04)~~ *five cents ($0.05)* for each unaffixed California cigarette tax stamp bearing the designation "20" and ~~two cents ($0.02)~~ *two and one-half cents ($0.025)* for each unaffixed California cigarette tax stamp bearing the designation "10" and ~~forty cents ($0.40)~~ *fifty-five cents ($0.55)* for each unused meter register unit, in the possession of the licensed distributor or under his control at 12:01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*. ~~The amounts levied under this subdivision shall be reduced by a discount to the distributor of twenty-five hundredths of one percent (0.25%).~~

SEC. 19. Section 30124 of the Revenue and Taxation Code is amended to read:

30124. Every licensed distributor shall take an inventory as of 12.01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*, of all packages of cigarettes to which are affixed California cigarette tax stamps or meter impressions and all unaffixed California cigarette tax stamps and unused meter register units in his possession or under his control. Every licensed distributor shall file a report with the board on or before ~~August 31, 1967~~ *January 31, 1973*, in such form as the board may prescribe, showing.

(a) The number of California cigarette tax stamps and meter impressions, with the designations thereof, which were affixed to packages of cigarettes in his possession or under his control at 12:01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*.

(b) The number of unaffixed California cigarette tax stamps, with the designations thereof, and unused meter register units which were in his possession or under his control at 12.01 o'clock a.m. on ~~August 1, 1967~~ *January 1, 1973*.

The amount of tax required to be paid with respect to the stamps, meter impressions and meter register units shall be computed and shown on the distributor's return.

SEC 20. Section 30125 of the Revenue and Taxation Code is amended to read:

30125. The taxes required to be paid by this article are due and payable on or before ~~August 31, 1967~~ *January 31, 1973*. Payments shall be made by remittances payable to the board and the payments shall accompany the reports required to be filed by this article. Any amount required to be paid by this article which is not timely paid shall bear interest at the rate of one-half of 1 percent per month or fraction thereof from ~~August 31, 1967~~ *January 31, 1973*, until paid, and shall be subject to determination, and redetermination, and any penalties provided with respect to determinations and redeterminations.

SEC 21. Article 3 (commencing with Section 30131) of Chapter 2 of Part 13 of Division 2 of the Revenue and Taxation Code is repealed.

SEC. 22 Section 30166 of the Revenue and Taxation Code is amended to read:

30166 Stamps and meter register settings shall be sold at their denominated values less ~~0.85~~ *0.56* percent to licensed distributors. Payment for stamps or meter register settings shall be made at the time of purchase, provided that a licensed distributor, subject to the conditions and provisions of this article, may be permitted to defer payments therefor.

SEC. 23. Section 30462 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

30462 All money deposited in the Cigarette Tax Fund under this part is hereby appropriated, subject to the provisions of any budget bill heretofore or hereafter enacted and Section 11006 of the Government Code, and shall, upon order of the State Controller, be drawn therefrom and allocated for the following purposes:

(a) To pay the refunds authorized by this part.

(b) To the Controller an amount not to exceed one hundred fifty thousand dollars ($150,000) in each fiscal year.

(c) For transfer to the credit of a special account in the General Fund, an amount equal to ~~30~~ *20* percent of the money in the fund which is derived from taxes imposed on and after ~~October 1, 1967~~ *January 1, 1973*, less ~~30~~ *20* percent of the cost of administering this part, such money to be disbursed by the Controller ~~on or before December 15, 1967, and~~ on the 15th day of each month ~~thereafter~~ to each city and county in this state in the following manner:

(1) The money to be allocated pursuant to this subdivision shall first be divided into two separate accounts, one for the cities and counties and counties of this state and one for the cities of this state. In order to determine the amount of money in each account, the Controller shall first determine the amount due each county, city and county and city in this state in the proportion that sales tax revenues transmitted pursuant to Part 1 5 (commencing with Section 7200) of

this division to each such city, city and county and in the unincorporated territory of a county bear to the total of such revenue in the state. In making such determinations, the Controller shall not consider any revenues derived from that portion of the taxes imposed by the county at a rate in excess of 1 percent pursuant to Part 1.5 (commencing with Section 7200) of this division. The amount due each county and city and county shall be allocated in accordance with this formula and the amount due each city shall be allocated pursuant to paragraph (2) or paragraph (3) of this subdivision.

(2) Upon the application of any city for an allocation pursuant to this paragraph, the Controller shall determine the amount of revenue derived from the city's selective local tax on, or with respect to, the sale, distribution, use, consumption, or holding of cigarettes or any other tobacco product during the 1966–1967 fiscal year, or which would have been derived from such tax if the rate in effect on August 1, 1967, had been in effect throughout such fiscal year This amount shall be adjusted, beginning on July 1, 1969, by the percentage by which the cigarette tax revenues have increased or decreased. For the 1969–1970 fiscal year the percentage shall be derived by comparing the revenues deposited in the Cigarette Tax Fund during the period January 1 through June 30, 1969, with those deposited during the period January 1 through June 30, 1968. For the 1970–1971 fiscal year and each fiscal year thereafter, the percentage shall be derived by comparing revenues deposited in the Cigarette Tax Fund during the preceding fiscal year with those deposited during the entire 1968–1969 fiscal year. The amount computed after applying the percentage factor shall then be reduced by deducting the cost to the city of administering and collecting any such tax for the 1966–1967 fiscal year If such amount, when divided by 12, is more than the amount which would be disbursed to the city at the time of the next allocation pursuant to paragraph (3) of this subdivision, an amount equal to the amount which such city would have netted from its own tax shall be allocated to such city each month pursuant to this paragraph from the account established for cities in paragraph (1), and no allocation shall be made to such city pursuant to paragraph (3) until such time as the city rescinds its right to receive an allocation under this paragraph A city which has rescinded such right may not, thereafter, file another application for an allocation pursuant to this paragraph. No city shall be eligible for a subvention pursuant to this paragraph unless, on August 1, 1967, it in fact imposed a selective local tax on, or with respect to, the sale, distribution, use, consumption or holding of cigarettes or any other tobacco product.

(3) (A) After making any allocations required by paragraph (2) of this subdivision, 50 percent of the revenue remaining in the account for the cities of this state shall be allocated to the remaining cities in the proportion that sales tax revenues transmitted pursuant to Part 1 5 (commencing with Section 7200) of this division to each remaining city bears to the total of such revenue transmitted to all remaining cities.

(B) Fifty percent thereof shall be paid to the cities receiving an allocation under this paragraph in the proportion that the population of each such city bears to the total population of all cities in this state receiving an allocation under this paragraph, as determined by the Controller For the purpose of this subdivision the population of each city is that determined by the Controller in the manner specified in Section 11005 of this code.

(d) The balance remaining in the fund shall be transferred to the General Fund of this state.

The allocation provided for in subdivision (c) shall not be made to any county, or city which, after October 1, 1967, imposes a selective local tax on, or with respect to, the sale, distribution, use, consumption, or holding of cigarettes or any other tobacco product.

Moneys disbursed pursuant to subdivision (c) of this section may be used for county, city and county, or city purposes, and may, but need not necessarily, be used for purposes of general interest and benefit to the state.

SEC 24. Section 30463 of the Revenue and Taxation Code is repealed.

~~30463. There is hereby appropriated from the Cigarette Tax Fund an amount equal to seventy percent (70%) of the money in the fund which is derived from the tax imposed pursuant to Article 2 (commencing with Section 30121) of Chapter 2 of this part, such money to be allocated by the Controller on or before December 15, 1967, to each city, city and county, and county in this state in the proportion that sales tax revenue transmitted pursuant to Part 1.5 (commencing with Section 7200) of this division to each such city, city and county and in the unincorporated territory of a county bears to the total of such revenue in the state.~~

~~The appropriation and allocations specified by the section are in addition to the allocations specified in subdivision (c) of Section 30462. The money allocated pursuant to this section shall be used for the purposes set forth in Section 151 of Chapter 963 of the Statutes of the 1967 Regular Session of the Legislature.~~

SEC 25 Section 30463 is added to the Revenue and Taxation Code, to read:

30463. Notwithstanding the provisions of Section 30462, none of the revenue derived pursuant to Article 2 (commencing with Section 30121) of Chapter 2 of this part shall be used for subventions to counties, cities and counties, and cities and the amount so derived shall not be used for purposes of computing such subventions. All revenues derived under such article shall be transferred to the State General Fund.

SEC. 26 Section 32201 of the Revenue and Taxation Code is amended to read:

32201 (a) An excise tax is imposed upon all distilled spirits sold in this state or pursuant to Section 23384 of the Business and Professions Code by manufacturers, distilled spirits manufacturer's agents, brandy manufacturers, rectifiers, or wholesalers, or sellers of distilled spirits selling distilled spirits with respect to which no tax has been paid within areas over which the federal government exercises jurisdiction, at the following rates:

On all distilled spirits of proof strength or less, one dollar and fifty cents ($1.50) per wine gallon, and at a proportionate rate for any quantity, until August 16, 1967, and on and after August 16, 1967, two dollars ($2) per wine gallon, and at a proportionate rate for any quantity *and on and after January 1, 1973, three dollars ($3) per wine gallon, and at a proportionate rate for any quantity*.

All distilled spirits in excess of proof strength shall be taxed at double the above rate.

(b) For the privilege of possessing or selling distilled spirits of proof strength or less, as to the sale of which a tax not exceeding ~~one dollar and fifty cents ($1.50)~~ *one dollar ($1)* has been paid, every licensee under Division 9 of the Business and Professions Code (other than a licensee obligated to pay a tax upon the sale thereof pursuant to subdivision (a) of this section) shall pay a floor stock tax of ~~fifty cents ($0.50)~~ *one dollar ($1)* per wine gallon, and at a proportionate rate for any quantity, upon all distilled spirits possessed by such licensee at 12:01 o'clock a.m. on ~~August 16, 1967~~ *January 1, 1973*. All distilled spirits in excess of proof strength shall be taxed at double the above rate. The tax imposed by this subdivision shall also be paid by any person who possesses such distilled spirits for sale pursuant to Sections 23100 to 23105, inclusive, of the Business and Professions Code. On or before ~~October 30, 1967~~ *March 15, 1973*, each licensee or person subject to the tax imposed by this subdivision shall prepare and file with the board on forms prescribed by the board a return showing the amount of distilled spirits owned or possessed by him at 12:01 o'clock a.m. on ~~August 16, 1967~~ *January 1, 1973*, that is subject to the tax imposed by this subdivision, and such other information as the board deems necessary for the proper administration of this part. The taxpayer shall deliver the return, together with a remittance of the amount of tax due, to the office of the board on or before such date.

All provisions, penalties and requirements in this part relating to excise taxes and provisions relative to payment of refunds, not inconsistent herewith, are applicable to the same force and extent with respect to the tax imposed under this subdivision."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and on page 2, strike out line 1; and in line 2, strike out "SEC. 2", and insert

"SEC. 27."

Amendment No. 4

On page 2, after line 5, insert

"SEC. 28. It is the intent of the Legislature that Assembly Constitutional Amendment No 30 of the 1972 Regular Session does not eliminate the property tax exemption for property used solely and exclusively for religious worship.

SEC. 29. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 1122

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664.5 to, the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 3, lines 15 and 16 of the printed bill, as amended in Assembly April 25, 1972, strike out "grant approval of an airport site and issue an airport", and insert "issue a".

Amendment No. 2

On page 3, strike out lines 22 and 23, and insert "a permit if it is satisfied that the airport will".

Amendment No. 3

On page 3, line 32, strike out "approving an airport site or".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 11, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports.

ACA No 30

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 42 to Article XIII thereof, relating to property tax limitations.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed measure, as amended in Assembly April 27, 1972, strike out "real property", and insert "each dwelling, as defined by the Legislature, occupied by an owner thereof on the lien date as his principal place of residence".

Amendment No. 2

On page 2, strike out lines 11 and 12, and insert "1 percent of the full cash value of such dwelling.

This subdivision shall not apply to any dwelling if an owner thereof has been granted an exemption for the dwelling for the assessment year pursuant to Section 1¼, 1¼a, or 1¼b of this article, nor shall it apply to any property which the Legislature, by general laws, excludes from the exemption by reason of the fact that the tax on such property is paid, either in whole or in part or either directly or indirectly, by the state or any political subdivision thereof."

Amendment No. 3

On page 3, between lines 7 and 8, insert

"Except as provided in subdivision (c), a dwelling subject to the tax limitation contained in subdivision (a) shall be exempt from all other ad valorem taxes and special assessments"

Amendment No. 4

On page 3, line 15, strike out "real property", and insert "dwellings subject to the tax limitation contained in subdivision (a)".

Amendment No. 5

On page 3, line 18, strike out "in the manner", and insert ", except for real property eligible for any of the exemptions described in Sections 1b, 1c, 1¼, 1¼a, 1¼b, 1½, and 12¾ of this article and except for real property such as may belong to this state or to any county, city and county, or municipal corporation within this state which is exempt from taxation under Section 1 of this article Real property assessed under Sections 1.60 to 1.69, inclusive, or under Section 2 6 of this article shall continue to be so assessed and such provisions shall continue in full force and effect."

Amendment No. 6

On page 3, strike out lines 19 to 33, inclusive.

Amendment No. 7

On page 3, lines 36 and 37, strike out "Section 2.6 of this article and".

Amendment No. 8

On page 4, line 35, strike out "14", and insert "12".

Amendment No. 9

On page 4, line 36, after "(j)", insert "The Legislature may provide by law for payments of state funds to tenants or other individuals not residing in a dwelling eligible for the tax limitation described in subdivision (a), or any of them It is the purpose of this subdivision to enable the Legislature to provide tax relief by means of income tax credits or deductions or by direct payments of state funds to individuals having little or no income tax liability, or any of them, in such manner as will provide commensurate tax relief to the tax relief provided for in subdivision (a) to as many individuals as the Legislature determines to be practicable.

(k)".

Resolution ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 11, 1972

Mr Speaker· The Chairman of your Committee on Planning and Land Use reports:

AB No 1315

With author's amendments with the recommendation: Amend and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1315—An act to add Section 11525.3 to the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 11525 3", and insert "amend Section 11010 of, and to add Sections 11010 01, 11011 9, and 11011 95"

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 11010 of the Business and Professions Code is amended to read·

11010 Prior to the time when subdivided lands are to be offered for sale or lease, the owner, his agent or subdivider shall notify the commissioner in writing of his intention to sell or lease such offering

The notice of intention shall contain the following information:

(a) The name and address of the owner

(b) The name and address of the subdivider.

(c) The legal description and area of lands.

(d) A true statement of the condition of the title to the land, particularly including all encumbrances thereon.

(e) A true statement of the terms and conditions on which it is intended to dispose of the land, together with copies of any contracts intended to be used.

(f) A true statement of the provisions, if any, that have been made for public utilities in the proposed subdivision, including water, electricity, gas, telephone, and sewerage facilities

(g) A true statement of the use or uses for which the proposed subdivision will be offered.

(h) A true statement of the provisions, if any, limiting the use or occupancy of the parcels in the subdivision.

(i) A true statement of the maximum depth of fill used, or proposed to be used on each lot, and a true statement on the soil conditions in the subdivision supported by engineering reports showing the soil has been, or will be, prepared in accordance with the recommendations of a registered civil engineer

(j) A true statement of the amount of indebtedness which is a lien upon the subdivision or any part thereof, and which was incurred to pay for the construction of any onsite or offsite improvement, or any community or recreational facility.

(k) A true statement or reasonable estimate, if applicable, of the amount of any indebtedness which has been or is proposed to be incurred by an existing or proposed special district, entity, taxing area or assessment district, within the boundaries of which, the subdivision, or any part thereof, is located, and which is to pay for the construction or installation of any improvement or to furnish community or recreational facilities to such subdivision, and which amounts are to be obtained by ad valorem tax or assessment, or by a special assessment or tax upon the subdivision, or any part thereof

(l) A statement approved by the public school district or districts serving the subdivision indicating the location and distance from the farthest lot in the tract to the nearest high school, junior high school and elementary school; whether schoolbus transportation is available to each of the aforementioned schools and if so at whose expense and under what conditions; and such other information concerning the availability of schools which the public school district or districts believes will be of importance to prospective purchasers of dwelling units within the subdivision.

~~(l)~~ *(m)* Such other information as the owner, his agent, or subdivider, may desire to present.

SEC. 2. Section 11010 01 is added to the Business and Professions Code, to read:

11010 01. In the public report on the subdivision prepared by the Real Estate Commissioner, he shall on the first page of said report, in type no smaller and not less prominent than the largest and most prominent type used on said first page, incorporate the statement re-

quired by Section 11010(*l*) to be filed by the subdivider concerning the availability of public schools to serve the subdivision. In the event that it is not possible to incorporate the information concerning the availability of public schools on the first page of a public report on the subdivision, the Real Estate Commissioner shall, in type of the size and prominence specified above, state on the first page of the public report on the subdivision where in the report information concerning the availability of public schools can be found. Such statement shall be in substantially the following form:

"INFORMATION CONCERNING THE AVAILABILITY OF PUBLIC SCHOOLS TO SERVE THIS SUBDIVISION IS SET FORTH ON PAGE(S) OF THIS REPORT."

The Real Estate Commissioner shall furnish one copy of the Real Estate Commissioner's public report on the subdivision to each public school district serving the subdivision.

SEC. 3. Section 11011.9 is added to the Business and Professions Code, to read:

11011.9. Lots or parcels shall not be offered for sale or lease, nor shall a deposit be accepted on, or an agreement of sale be executed for, any lot or parcel in the subdivision until a copy of the Real Estate Commissioner's public report on the subdivision has been given to the prospective purchaser and his receipt has been taken therefor. One copy of the receipt shall be kept on file in the possession of the owner, subdivider or agent of the subdivider, subject to inspection at any reasonable time by the Real Estate Commissioner or by his deputy. Copies of the receipt shall be filed by the owner, subdivider or agent of the subdivider, with the public school district or districts serving the subdivision.

SEC. 4. Section 11011.95 is added to the Business and Professions Code, to read:

11011.95. Information concerning the availability of public schools to serve the subdivision furnished by the subdivider in accordance with Section 11010(*l*) shall be verified once each ninety (90) days. The subdivider shall request such verification in writing from the school district or districts serving the subdivision. If the facts as stated in the latest statement concerning the availability of schools approved by such school district or districts have changed, a revised statement shall be prepared and approved by the public school district or districts in the same manner as set forth in Section 11010(*l*), and shall be forwarded to the Real Estate Commissioner who shall issue a revised public report on the subdivision."

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1589
AB No. 1592

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1589—An act to amend Section 31214 of the Education Code, relating to state competitive scholarships.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 40, of the printed bill, strike out "1969–70", and insert "1969–1970".

Amendment No. 2

On page 2, after line 40, insert

"SEC. 2 Section 31214 of the Education Code is amended to read:

31214. Each competitive scholarship is for the period of one academic year and the award shall be for three hundred dollars ($300); ~~four hundred dollars ($400), five hundred dollars ($500), six hundred dollars ($600), seven hundred dollars ($700), eight hundred dollars ($800), nine hundred dollars ($900), or~~ *to* not to exceed ~~nine hundred dollars ($900) plus ninety percent (90%) of tuition and fees in excess of nine hundred dollars ($900)~~ *two thousand four hundred dollars ($2,400)* in one hundred dollars ($100) amounts at the college the award winner will attend, as required by applicant's financial need, as determined by the State Scholarship and Loan Commission, but in no event in excess of an amount equal to the tuition or necessary fees, or both tuition and fees, for the academic year, including summer terms, *sessions,* or quarters of the institution at which the scholarship is used. No competitive scholarship awarded to an applicant under this section for the period of one academic year shall exceed the total amount of two thousand ~~dollars ($2,000)~~ *four hundred dollars ($2,400)*; except that the State Scholarship and Loan Commission may, for students who accelerate college attendance, increase the amount of award for one academic year proportional to the period of additional attendance resulting from attendance at a summer term, *session,* or quarter. In the aggregate, the total amount a student would receive in a four-year period may not be increased as a result of accelerating his progress to a degree by attending summer terms, *ses-*

sions, or quarters. The State Scholarship and Loan Commission may provide by appropriate rules and regulations for such reports, accounting, and statements from the award winner and college or university of attendance pertaining to the use or application of the award as it may deem proper A competitive scholarship may be renewed annually without an additional competitive examination until the award winner has received four annual awards or until he has been graduated from such an institution in an undergraduate course, whichever is the earlier, provided that at or prior to such renewal the State Scholarship and Loan Commission shall reassess the financial needs of such award winner and establish the amount of the award within the limits prescribed by this section. The scholarship shall remain in effect only during the period that the award winner achieves satisfactory academic progress and is regularly enrolled as a full-time student in an institution of collegiate grade, as described in Section 31206.

No award shall exceed ~~one thousand five hundred dollars ($1,500)~~ *two thousand dollars ($2,000)* for a year except awards given for attendance during the ~~1969-70~~ *1973-1974* fiscal year and thereafter.

SEC 3. It is the intent of the Legislature, if this bill and Assembly Bill No 1592 are both chaptered and amend Section 31214 of the Education Code, and this bill is chaptered after Assembly Bill No 1592, that the amendments to Section 31214 proposed by both bills be given effect and incorporated in Section 31214 in the form set forth in Section 2 of this act. Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No. 1592 are both chaptered, both amend Section 31214, and Assembly Bill No 1592 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 1592—An act to amend Sections 31204 and 31214 of the Education Code, relating to state competitive scholarships.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "1973-74", and insert "1973-1974".

Amendment No. 2

On page 4, after line 8, insert

"SEC 3 Section 31214 of the Education Code is amended to read:

31214. Each competitive scholarship is for the period of one academic year and the award shall be for three hundred dollars ($300) ; ~~four hundred dollars ($400), five hundred dollars ($500), six hundred dollars ($600), seven hundred dollars ($700), eight hundred dollars ($800), nine hundred dollars ($900) or~~ *to* not to exceed ~~nine hundred dollars ($900) plus ninety percent (90%) of tuition and fees in excess~~

~~of nine hundred dollars ($900)~~ *two thousand four hundred dollars ($2,400)* in one hundred dollars ($100) amounts at the college the award winner will attend, as required by applicant's financial need, as determined by the State Scholarship and Loan Commission, but in no event in excess of an amount equal to the tuition or necessary fees, or both tuition and fees, for the academic year, including summer terms, *sessions,* or quarters of the institution at which the scholarship is used. No competitive scholarship awarded to an applicant under this section for the period of one academic year shall exceed the total amount of two thousand ~~dollars ($2,000)~~ *four hundred dollars ($2,400)* ; except that the State Scholarship and Loan Commission may, for students who accelerate college attendance, increase the amount of award for one academic year proportional to the period of additional attendance resulting from attendance at a summer term, *session,* or quarter. In the aggregate, the total amount a student would receive in a four-year period may not be increased as a result of accelerating his progress to a degree by attending summer terms, *sessions,* or quarters The State Scholarship and Loan Commission may provide by appropriate rules and regulations for such reports, accounting, and statements from the award winner and college or university of attendance pertaining to the use or application of the award as it may deem proper A competitive scholarship may be renewed annually without an additional competitive examination until the award winner has received four annual awards or until he has been graduated from such an institution in an undergraduate course, whichever is the earlier, provided that at or prior to such renewal the State Scholarship and Loan Commission shall reassess the financial needs of such award winner and establish the amount of the award within the limits prescribed by this section The scholarship shall remain in effect only during the period that the award winner achieves satisfactory academic progress and is regularly enrolled as a full-time student in an institution of collegiate grade, as described in Section 31206.

No award shall exceed ~~one thousand five hundred dollars ($1,500)~~ *two thousand dollars ($2,000)* for a year except awards given for attendance during the ~~1969-70~~ *1973-1974* fiscal year and thereafter

SEC 4 It is the intent of the Legislature, if this bill and Assembly Bill No 1589 are both chaptered and amend Section 31214 of the Education Code, and this bill is chaptered after Assembly Bill No. 1589, that the amendments to Section 31214 proposed by both bills be given effect and incorporated in Section 31214 in the form set forth in Section 3 of this act Therefore, Section 3 of this act shall become operative only if this bill and Assembly Bill No 1589 are both chaptered, both amend Section 31214, and Assembly Bill No 1589 is chaptered before this bill, in which case Section 2 of this act shall not become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 11, 1972

Mr Speaker. The Chairman of your Committee on Education reports.

AB No. 1319

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1319—An act to repeal Section 16612 of the Education Code, relating to children's centers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 16612 of the Education Code", and insert "add Division 30 (commencing with Section 50000) to, and to repeal Chapter 5 (commencing with Section 16601) of Division 12 of, the Education Code, and to repeal Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code".

Amendment No. 2

In line 2 of the title, strike out "children's centers", and insert "child care and preschool developmental services, and making an appropriation therefor".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Chapter 5 (commencing with Section 16601) of Division 12 of the Education Code is repealed

SEC 2 Division 30 (commencing with Section 50000) is added to the Education Code, to read.

DIVISION 30. CHILD CARE AND PRESCHOOL DEVELOPMENTAL SERVICES

CHAPTER 1 INTENT

50000. The Legislature finds that many children fail to realize their full potential because of a lack of adequate and timely child care, educational and health care services during early childhood years.

The Legislature further finds that it is in the public interest to promote family stability and reduce dependency by making child care, preschool educational, and health services available to the children of parents who must be employed to achieve economic self-sufficiency

It is the intent of the Legislature to provide every child the opportunity to realize his full potential by establishing a system of comprehensive child care and preschool developmental services for children and families in need of such services.

It is intended that this system emphasize preschool education and developmental services for children to aid them in developing the abilities and skills which will make school achievement more possible.

It is further intended that these services involve the direct participation of parents whose children are served by these programs, and the participation of organizations and individuals interested in child care and preschool developmental programs; and that these services provide a framework for coordinated expansion of such programs in the future so that all parents and children having need of such services may obtain them.

50001. This division shall be known and cited as "The Child Care and Preschool Development Act of 1972."

CHAPTER 2 DEFINITIONS

50100. Unless the context clearly requires otherwise, the definitions set forth in this chapter govern the construction of this division.

50101. "Area council" means a local area child care and preschool development council.

50102. "Operating agency" means a school district, county superintendent of schools, county, city, public agency, private agency, or other entity which is authorized to establish, operate, and maintain services pursuant to this chapter.

50103. "Child care services" means children center services; extended child care services; family child care services, or sick child care services

50104 "Children's center services" means organized supervision and instruction to 12 or more children in a single facility providing full or part-time day care for children under eight years of age.

50105 "Extended child care services" means organized supervision of 12 or more children in a single facility providing before and after school and vacation care for children between nine and 14 years of age.

50106. "Family child care services" means supervision and instruction of children 14 years of age or younger by a family child care agency

50107. "Child care services for sick children" means full or part day care of mildly ill children on a temporary basis

50108. "Preschool developmental services" means preschool education center services; home preschool educational services, parent-child center services.

50109. "Preschool education center services" means instruction and developmental activities for children between the ages of two and five years of age in a single facility.

50110 "Home preschool educational services" means instruction and developmental activities for children and parents in the home for children under five years of age.

50111. "Parent-child center services" means instruction and developmental activities for parents and their children under five years of age. Instruction for parents may include child development education, nutrition education, family planning, consumer education, and health education.

50112. "Child care and preschool developmental program" means child care and preschool developmental service, or combination of services, provided by an operating agency.

50113 "Department" means the Department of Education.

50114. "State council" means the State Child Care and Preschool Development Council.

CHAPTER 3. AREA COUNCILS

50200. There is hereby established a statewide system of child care and preschool developmental services to be provided through a network of local area child care and preschool development councils.

50201 The Superintendent of Public Instruction shall divide the state into areas for the purpose of planning, coordinating and administering child care and preschool developmental services. As determined by the most recent census information of the United States Census Bureau, the size of an area shall include a population of not less than 20,000 or more than 200,000 children age 14 years or younger. To the extent feasible, area boundaries shall not divide communities or school districts No area shall include more than four counties.

50202. By April 1, 1973, an areawide child care and preschool development council shall be appointed in each area to act as a planning, coordinating, and administrative body for child care and preschool developmental services provided under this division.

50203 Area councils shall be composed as follows:

(a) For areas consisting of one county or less, the area council shall consist of a total of 12 members appointed by the governing body of the county.

(b) For areas consisting of two or more counties, the area council shall consist of not more than 24 members, an equal number of which shall be appointed by the governing board of each county.

50204. One-half of the appointees to each areawide council shall consist of parents of children to be served under this division; the remainder of the appointees shall be representatives selected equally from the following groups:

(a) A county health or welfare agency.

(b) An operating agency providing services under this part.

(c) An elementary or unified school district.

50205. The governing body of a county shall appoint parent members from nominations supplied by parent advisory bodies of operating agencies providing services pursuant to this division

50206. All members of an area council shall be residents of the area.

50207. Of the members of the area council first appointed, five shall serve for one year, five shall serve for two years, and the remainder shall serve for three years. Members subsequently appointed shall serve for three years

50208. The members of an area council shall serve without compensation, but shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties under this division.

Each area council shall meet at least monthly, and on call of the area council chairman, as often as necessary to fulfill its duties

50209 All meetings and records of the area council shall be open to the public.

50210 Each area council shall, by majority vote of the voting members, elect its own chairman from among the appointed members, and shall establish such committees as it deems necessary or desirable. The area council chairman shall appoint all members of committees of the area council

50211. Each area council shall appoint advisory committees composed of professional persons expert on child health, education, and welfare for technical assistance to the area council.

50212. The governing body of a county may remove a member appointed by it to the area council for neglect of duty or misconduct in office. The member may be removed only after he has been given a written copy of the charges at at least 10 days prior to a public hearing on them and has had an opportunity to be heard in person or by counsel. If a member is removed, a record of the proceedings and the charges and findings shall be filed in the office of the clerk of the county.

50213. An area council may:

(a) Obtain, hire, purchase, or rent office space, equipment, supplies, insurance, and services.

(b) Authorize and pay the expenses of council members, officers, agents, counsel and employees on council business.

(c) Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(d) Make, amend, and repeal rules and regulations, not inconsistent with, and to carry into effect, the powers and purposes of this division.

50214. An area council may select, appoint, and employ such permanent and temporary officers, agents, counsel, and employees as it requires, and determine their qualifications, duties, benefits, and compensation, subject only to the conditions and restrictions imposed by the Department of Education on the expenditure or incumbrance of the budgetary funds allocated to the area council.

50215. Each area council shall adopt an area child care and preschool developmental services plan. The purpose of the area plan shall be to ensure the provision of services as specified in this division.

50216 The area child care and preschool developmental services plan shall include:

(a) Assessment of the total number of children and families within the area in need of child care and preschool developmental services;

(b) Development of community goals and objectives for child care and preschool developmental services;

(c) Determination of the type and location of services needed within the area to meet present and future child care and preschool developmental needs;

(d) Provisions for meeting the needs of economically disadvantaged children and families on a priority basis;

(e) Coordination of child care and preschool developmental services with existing community educational, health, and welfare programs;

(f) Development of adequate arrangements for continuous in-service training and career development for supervision and instructional personnel;

(g) Provision for the evaluation of services.

50217 No area plan shall be adopted without public hearing on all provisions of the plan. Opportunity for comment on the plan shall be given to educational agencies, governmental agencies and any agency in the area providing services pursuant to this chapter.

50218 The area plan shall be reviewed and appropriate changes shall be made at least annually by the area council

50219 The area plan and any subsequent revisions shall be submitted to the Superintendent of Public Instruction for annual approval.

50220. With approval of the area plan by the Superintendent of Public Instruction, an area council shall, within the limitations of funds allocated to the council, contract with appropriate operating agencies, either public or private, for the establishment, operation, and maintenance of services pursuant to this division

50221 No funds provided pursuant to this division shall be used, in whole, or in part, for religious worship or instruction, or for the general support of any private or sectarian school system.

50222 A county, city, school district or county superintendent of schools is authorized to enter into contracts pursuant to this chapter

50223 The area council shall make application forms available for use by any operating agency desiring to provide services pursuant to this division The format of the application form shall be determined by the Superintendent of Public Instruction.

50224 Any one or all of the following shall constitute the services which may be provided under this part:

(a) Children's center services

(b) Extended child care services

(c) Family child care services

(d) Child care services for sick children

(e) Preschool education center services

(f) Home preschool education services

(g) Parent-child center services

50225 It shall be the responsibility of the department and the area council to see that all standards for services are complied with All applicable standards shall be set forth in a contract entered into pursuant to Section 50220

50226 An area council shall provide information counseling and referral services to families on all child care and preschool developmental services available within the council's area of operation

Such information, counseling and referral services shall be given on request and without cost

The location of the office or offices providing information, counseling, and guidance shall be easily accessible to families and widely publicized as to the services provided therein.

50227. All information provided pursuant to Section 50226 shall be factual and impartial with respect to agencies or individuals providing child care and preschool developmental services.

Information shall be provided on all agencies in the area

50228 All funds and expenditures of a council shall be audited at least once each year by the Department of Education or by a certified public accountant approved by the Superintendent of Public Instruction.

CHAPTER 4 DEPARTMENT POWERS AND RESPONSIBILITIES

50300 The department shall have overall responsibility for the administration, at the state level, of all child care and preschool developmental services provided pursuant to this division.

50301 The State Board of Education shall adopt rules and regulations to carry out the provisions of this division.

50302 The department shall provide area councils with all necessary technical assistance and advice to enable area councils to successfully and economically plan, implement, and administer child care and preschool developmental services in their respective areas of operation.

50303. The department shall continually evaluate the performance of area councils and agencies providing child care and preschool developmental services provided for by this division

50304. The department shall carry on any research necessary to improve child care and preschool developmental services and to further the intent of this division Such research shall include, but not be limited to, the following:

(a) The establishment, operation, and maintenance of at least two model child care and preschool developmental programs to be located in the northern and southern parts of the state, whose purpose shall be to initiate innovative methods of supervision and instruction of preschool aged children, and further, to evaluate the effect of such methods of supervision and instruction on a child's intellectual and physical development over a period of time including his progress and achievement in kindergarten through third grade.

(b) The collection of research data pertaining to child care and preschool developmental services.

(c) The development of supervision and instructional curriculum to be made available to area councils and agencies providing services

(d) The development of programs for preservice and inservice training of staff and other personnel

(e) The development of instructional methods and techniques which utilize television and other audiovisual devices

50305. The results and findings of such research shall be made available to all area councils and agencies providing services pursuant to this division, as well as to any other agency or individual on request.

50306 There shall be a State Child Care and Preschool Development Council to assist and advise the State Board of Education and the department on all matters pertaining to this division.

50307 The State Child Care and Preschool Development Council shall consist of 18 appointed voting members Six members shall represent parents whose children receive services pursuant to this division; three members shall represent the general public, three members shall represent operating agencies providing services pursuant to this division; three members shall represent area councils; and the remaining three members shall each represent one of the following professions or disciplines· early childhood education, child health, child welfare.

The Governor, the Speaker of the Assembly and the Chairman of the Senate Rules Committee shall each appoint six members of the council These shall include two parents, one member representing the general public, one member of an area council, one member of an operating agency providing services pursuant to this division and one member of a profession or discipline as provided in this section.

50308. Of the members first appointed by the Governor, the Speaker of the Assembly, and the Chairman of the Senate Rules Committee. two shall hold office for three years, two shall hold office for two years, and two shall hold office for one year. Thereafter, each member shall hold office for three years. No member shall hold office for more than two consecutive terms

50309. The members of the state council shall serve without compensation but shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties under this chapter.

50310 The state council shall meet at least quarterly, and on call of the council chairman as often as necessary to fulfill its duties. All meetings and records of the council shall be open to the public.

50311 The state council shall, by majority vote of its members, elect its own chairman and shall establish such committees as it deems necessary or desirable The council chairman shall appoint all members of committees of the state council

50312 The state council shall adopt a State Plan for the Coordinated Expansion of Child Care and Preschool Developmental Services for all children and families in need of such services The state plan shall.

(a) Identify those areas within the state most in need of child care and preschool developmental services and establish priorities for the provision of services to high need areas

(b) Establish program objectives for child care and preschool developmental services

(c) Provide for the maximum coordination and utilization of federal, state and local resources

(d) Provide for the maximum coordination of services and public school programs to insure continuity of services between child care and preschool developmental services and elementary school programs

(e) Provide for a uniform system of inservice training and career development for professional and paraprofessional personnel

(f) Provide for ongoing research and evaluation of services

50313 The state council shall annually prepare and submit a written report of its activities and its recommendations to the State Board of Education, the Superintendent of Public Instruction, the Governor, and the Legislature

50314. The departments of state government shall assist, cooperate with and furnish such information, records and documents, as the state council may request.

CHAPTER 5. SUPERVISION AND INSTRUCTIONAL PERSONNEL

50400. The Commission for Teacher Preparation and Licensing shall provide for the issuance of permits to qualified persons which shall be a prerequisite to their employment in services provided under this division.

50401. Permits issued to persons employed in positions pertaining to the supervision and instruction of children or supervision of services provided under this division may consist of two types, regular and provisional. Requirements for each type of permit shall be prescribed by the Commission for Teacher Preparation and Licensing.

50402 The same fee as that prescribed for a credential provided in Section 13182 shall be charged for either the issuance or renewal of each regular or provisional permit

50403. An area council may issue temporary certificates for the purpose of authorizing salary payments to employees of agencies providing services under this division whose permit applications are being processed The applicant for such a temporary certificate shall make a statement under oath that he has duly filed his application for a permit together with the required fee and that to the best of his knowledge no reason exists why he should not be issued a permit Such certificate shall be valid for not more than 90 days and only until the permit originally requested is either issued or denied by the Commission for Teacher Preparation and Licensing.

50404. Service under a provisional permit shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a permanent employee of a program formed under this division. Such persons employed on June 30, 1965, and who have been employed for three consecutive years prior to June 30, 1965, shall be deemed to have met the requirements for a regular permit and shall not be subject to the requirements of a provisional permit.

50405. An agency shall employ in positions pertaining to supervision and instruction of children in programs formed under this division only such persons who hold permits issued by the Commission for Teacher Preparation and Licensing Any person holding a teaching credential issued by the State Board of Education or commission is deemed to hold a regular permit that will authorize supervision and instruction of children or supervision of children in programs formed under this division. Each person employed by an operating agency for a position requiring a permit shall, not later than 95 days after the date fixed by the operating agency for the commencement of his service, file with the area council a valid permit issued on or before such date, authorizing him to serve in the position for which he was employed, and must, not later than 95 days after the renewal thereof, file the renewed permit in the same manner.

50406. Notwithstanding the provisions of this chapter or any other provision of law, a high school student or any other adult may be employed by an operating agency to serve as a nonteaching assistant under the immediate supervision and direction of persons employed in positions pertaining to the supervision and instruction of children or supervision of programs formed under this chapter to perform noninstructional work which serves to assist such personnel requiring permits in performances of supervision and instruction and administrative responsibilities

Notwithstanding the provisions of this chapter, a person may be employed by an operating agency for the purpose of providing in-home supervision of children in a family child care or group care home program. Each person shall have had a health examination made within the 12-month period preceding the date of employment. Each person shall also submit duplicate personal identification cards upon which shall appear legible fingerprints and a personal description of the applicant.

50407. An operating agency:

(a) May authorize volunteers to perform in the program any service authorized under Section 50406. The services shall be performed under the direction of persons holding regular or provisional permits.

(b) Shall require each volunteer who performs any service in the program to have on file with the operating agency a certificate defined in Section 11708 that indicates freedom of the volunteer from active tuberculosis. The operating agency may require additional health information or a report of a health examination as a condition to service in the program

50408 It is the intent of the Legislature in establishing this chapter to provide that anyone who has an interest and a capacity for working with children should have the opportunity to participate and secure training in these programs in order that he may eventually be certified for instruction and supervision.

50409 The Commission for Teacher Preparation and Licensing, in cooperation with the State Department of Education, the California State University and Colleges and community colleges and other appropriate agencies, shall establish rules and regulations for an integrated training and certification program which will foster maximum interchangeability of personnel among the programs operated pursuant to this division and mutual acceptance among the training facilities of training programs and standards.

50410 Notwithstanding any other provisions of this chapter, an operating agency providing services pursuant to this division may enter into an agreement with the State Department of Human Resources Development which will provide an opportunity to participants in work incentive programs under Division 2 (commencing with Section 5000) of the Unemployment Insurance Code for training in programs under this division Training pursuant to such agreement shall have the objective of preparation for a career in the field of child care or preschool education

No employee of a child care or preschool education program shall be displaced, and no vacancy in an authorized position in regular employment with programs under this division shall be unfilled, because of services performed by trainees under this section.

50411. Each person employed by an operating agency in a position requiring a permit as described in Section 50401, or for service as a physician, dentist, or nurse, or in the supervision of programs formed under this division, shall be deemed to be employed in a position requiring certification qualifications, but shall not be entitled to membership in the State Teachers' Retirement System or in any district retirement system for employees in positions requiring certification qualifications unless such person meets the criteria established in Section 13956.1 which shall take precedent over that section.

Each other person employed by a school district in a program formed under the provisions of this division shall be deemed for all purposes, including retirement, to be a person employed by the school district in a position not requiring certification qualifications.

50412. The provisions of Section 13525, Section 13525 1, or Section 13526 of the Education Code shall not apply to employees of a school district's child care and preschool developmental program.

50413. A district may lay off an employee required to have such a permit at any time during the school year for lack of work or lack of funds or may provide for his employment for not to exceed 90 days in any one school year on an intermittent basis which shall not be deemed probationary service The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first, except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff.

50414. Service performed prior to _____shall not be included in computing the service required as a prerequisite for attainment of, or eligibility to, classification as a permanent children's center employee.

A person who is employed by a district as a probationary employee in a position requiring a permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of programs formed under this chapter and who has served in such a position for three complete consecutive school years as defined in Sections 13328 and 13464, immediately prior to _____may be dismissed only in accordance with the provisions of Section 13444

Other persons who are employed as probationary employees in positions requiring such permits on or after_____may be dismissed in accordance with the provisions of Section 13443.

50415. Any city, county, or city and county charter provision to the contrary notwithstanding, each person employed by a school district on July 1, 1955, and each person employed by a school district on September 11, 1957, who was theretofore excluded, solely by reason of the provisions of the predecessor of Section 16626 in effect prior to July 1, 1955, or who was theretofore excluded solely by reason of the provisions of the predecessor of this section prior to September 11, 1957, from membership in any retirement system in which the district

participates or to which it contributes for the purpose of providing retirement rights and benefits for employees of the district not employed in a status requisite for membership in the State Teachers' Retirement System, shall become a member of the retirement system from which he was excluded, on July 1, 1955, or on September 11, 1957, if theretofore excluded solely by reason of the provisions of the predecessor of this section in effect prior to that date. Every such member shall be entitled to credit for service in children's centers rendered prior to July 1, 1955, or prior to September 11, 1957, if therefore excluded, and before he became a member of the system, in the same manner as if he had not theretofore been excluded from membership in the retirement system, except that he shall not be required to make any contributions to the retirement system in respect to such service rendered prior to his membership, and all contributions necessary to provide benefits on account of such service shall be paid to the retirement system by the school district by which the member is employed. For the purpose of computing benefits for services rendered prior to July 1, 1955, as provided in this section, the average monthly salary earned by such employee in the fiscal year 1954–55 shall be used and for the purpose of computing benefits for service rendered between July 1, 1955, and September 11, 1957, for members receiving credit for service between those dates under the provisions of the predecessor of this section as amended by Chapter 1238 of the Statutes of 1957, the average monthly salary earned by such employees in the fiscal year 1956–57 shall be used.

Notwithstanding any other provisions of this section, for the purpose of computing benefits for any person retired on and after January 1, 1958, for services rendered prior to July 1, 1955, as provided in this section, and for the purpose of computing benefits for service rendered between July 1, 1955, and September 11, 1957, for members receiving credit for service between those dates under the provisions of this section, the "final compensation" of such person shall be computed in the same manner as for other employees who are included in the same retirement system and in the same class of retirement system members and who are not affected by this section The amendment to the predecessor of this section enacted at the 1963 session shall be applied to increase the allowances, payable subsequent to October 1, 1963, in respect to those members who retired on or after July 1, 1955.

Notwithstanding any other provision of this section no increased allowance shall be paid, as authorized by this section, to any person who has retired between July 1, 1955, and October 1, 1963, unless the person to whom the increase would otherwise be payable mails written application for the increase to the appropriate retirement system prior to April 1, 1964

50416 Any person who is employed in a children's center on October 1, 1965, and who was brought into membership in a retirement system on October 1, 1963, notwithstanding his prior election pursuant to Section _____ as it read prior to October 1, 1963, not to be a member of such system, shall have the same rights under such system with respect to his service in a children's center as he would have had under Section 50415 had he elected thereunder to be a member of such system.

50417. Every employee of a children's center who before his employment in such center was employed by the district maintaining such center in a position entitling him to membership in, and who was a member of, the retirement system maintained by such district, and if such employee's contributions to such retirement system were returned to him when he was employed in the children's center, such employee shall have the right to elect, by written document filed with the Board of Administration, Public Employees' Retirement System, at any time within 90 days after the date upon which the notice of the right to make such election is mailed by such system, either to the member's latest address on file in the office of such system, or to the office of the governing board of such district or districts, and prior to the date of retirement, to contribute to such system, subject to minimum payments fixed by the Board of Administration, and in one or more sums, or in not to exceed 60 monthly payments, an amount which, when added to his accumulated contributions, including interest, transferred as required in paragraph (1) of subdivision (b) of Section 14696, will make total amount, equal to the accumulated contributions, including interest, which would have been credited to him in such plan, if he had never had his contributions returned to him. Such employee shall pay to the Public Employees' Retirement System interest on the unpaid balance of the amount payable to such system, beginning with the date of transfer at the rate of interest currently used from time to time under the system. If such employee elects to make, and makes, such contributions and pays such interest, but not otherwise, he shall receive credit under such employees' system, as state service, for all prior service rendered while he was not a member of such plan.

CHAPTER 6. SERVICE STANDARDS

50500. The State Board of Education shall prescribe minimum supervision and educational standards for all child care and preschool education services provided under this division.

50501. All child care and preschool developmental services established pursuant to this division shall meet the requirements of Section 107 (the Federal Interagency Day Care Requirements) of Public Law 90-222 (Economic Opportunity Amendments of 1967)

50502. The ratio of qualified adult supervisors to children shall not be less than 1 to 15 in preschool educational programs.

The department may, under rules and regulations reviewed by the state council, modify all supervision ratio requirements on a pilot project basis to determine if quality programs can be accomplished at reduced cost. All such projects shall, in their evaluation, be compared to programs operated under existing requirements The intent of waiving such ratios shall be to increase the efficiency and economy of such programs as they relate to the child's growth and development

50503. Preschool-aged children provided services pursuant to this division shall be diagnostically screened according to procedures prescribed by the department for gross-motor, fine motor-adaptive, cognative, language, and personal-social skills when they enter a program and at appropriate intervals thereafter in order to provide services appropriate for each child's developmental level and to provide early identification of children who have special needs

Individualized instruction shall be prescribed for each child's needs as indicated by the screening.

The results of the screening and the instruction prescribed for each child shall be discussed with the parent or parents of the child. At their discretion parents may choose not to have their child participate in such developmental assessment programs.

50504. The State Board of Education shall devise developmental standards expressed in ranges for gross-motor, fine motor-adaptive, cognative, language, and personal-social skills appropriate for the age levels of children under the age of 6 in the program.

50506. Diagnostic screening of children enrolled in preschool programs pursuant to this division shall be administered only by trained individuals according to standards established by the department.

Children speaking a language other than English shall be screened in their own language as well as in English.

50507 The Department of Public Health shall set and enforce standards for health and nutrition services to be provided by area councils and by operating agencies pursuant to the requirements of this division.

50508 The Department of Public Health is authorized to contract with local health departments for the purpose of implementing Sections 50512, 50518, 50523, and 50529.

50509. Each area child care and preschool developmental council shall have a health advisor or a group of health advisors, at least one of whom shall be a physician, and an advisor who is knowledgeable in nutritional matters

50510 Each area council shall provide the Department of Public Health annually with a plan satisfactory to the Department of Public Health indicating the program and budget for health and nutrition services to be provided by operating agencies within the operating area, and the names of its health and nutrition advisors

50511. Area health and nutrition advisors shall assist operating agencies in carrying out their responsibilities under this division

50512 The Department of Public Health shall carry out an annual onsite evaluation of the health and nutrition services provided within each operating area, and of the health records maintained by each operating agency.

50513 Where an operating agency is found by the Department of Public Health to be deficient in its health or nutrition services or where an area council is deficient in its plan for health and nutrition services, or in carrying out its responsibility to arrange for screening pursuant to Section 50516, the Department of Public Health shall notify the operating agency area council of the deficiencies, and shall, upon request, provide technical assistance including assistance authorized in Sections 50518 and 50523, prior to recommending nonapproval.

50514 Within four weeks after enrolling in a child care or preschool developmental program, a parent or guardian of each child shall present evidence to the operating agency of the following

(a) Immunizations against diptheria, pertussis and tetanus, polio, smallpox, measles where appropriate to the child's age, as determined

by the Department of Public Health, and such other immunizations as the Department of Public Health shall require

(b) Results of a tuberculin test received by the child within the prior six months, where appropriate to the child's age, as determined by the Department of Public Health.

(c) A statement signed by a physician that the child is under the regular care of a physician and that the child is receiving appropriate treatment for any known medical disability or illness; or that the child has been examined by that physician within the last year, or, in the case of children two years of age or less, that the child has been so examined within the last six months; and that the child is receiving approprite treatment for any known medical disability or illness.

(d) If the child is five years of age or older, a statement signed by a dentist that the child is under the regular care of that dentist and that the child is receiving appropriate treatment for any known dental disability, or that the child has been examined by that dentist within the last year, and that the child is receiving appropriate treatment for any known dental disability.

50515. Where the requirements of Section 50514 have not been met, the operating agency may, with the written consent of the parent or guardian, arrange for the provision of needed services pursuant to Sections 50521 and 50522.

50516. Each enrolled child shall be screened for vision, hearing, nutritional anemia, and, where appropriate, sickle cell anemia; and such other tests for health related disabilities as the Department of Public Health may require, in a manner and at intervals appropriate to his age, and in accordance with standards set by the Department of Public Health.

50517. Each area council shall arrange for screening services to be provided to children enrolled in child care or preschool developmental programs within the area for the purpose of implementing Section 50516 in accordance with standards set by the Department of Public Health.

50518. The area council shall make maximum use of resources within the operating area to carry out the screening program prescribed in Section 50516. Where the Department of Public Health determines that screening services are not reasonably available in the area, it shall arrange for the provision of necessary equipment or personnel.

50519. Each operating agency shall notify the parents or guardians of enrolled children as to the results of tests performed pursuant to Section 50516. The notification shall indicate whether treatment for a health or nutritional disability is recommended Where such recommendation for treatment has been made, and after a reasonable period of time the operating agency determines that the child has not received treatment for the problem, the operating agency shall, with the written consent of the child's parent or guardian, arrange for treatment in the manner provided in Sections 50521 and 50522.

50520. Where the health status of a child enrolled in a child care or preschool developmental program indicates an illness or disability,

the operating agency shall notify the child's parent or guardian of the illness or disability. Where after a reasonable period of time the program determines that the child has not received treatment for the problem, the operating agency shall, with the written consent of the child's parent or guardian, arrange for treatment in the manner provided in Sections 50521 and 50522.

50521. Prior to arranging for treatment, an operating agency shall notify the child's family or guardian of the probable cost of such treatment. Where the cost of treatment will not be covered by private insurance and the parent or guardian indicates an inability to pay, the operating agency shall attempt to determine whether the child is eligible for California Medical Assistance, crippled children services or other publicly financed health care program which will cover the cost of the treatment

50522 Where the treatment to be provided pursuant to Section 50521 is not covered by, or the child is not eligible for private health insurance, the California Medical Assistance, crippled children's services, or other publicly financed health care program, and the parent or guardian indicates an inability to pay the cost of treatment, the parent or guardian may make application to the Department of Public Health for financial assistance. Such assistance shall be provided by the Department of Public Health according to the schedule of financial eligibility established by the crippled children's services program, and shall continue so long as the child requires treatment and is enrolled.

50523. Where follow-up treatment is needed by an enrolled child and such services are not present in the area, the Department of Public Health shall arrange for the provision of such services.

50524. At least one person in a supervisory role in each child care and preschool developmental program shall be trained by means of appropriate course- or job-related experience in observation of health status and performance of health procedures according to standards set by the Department of Public Health

50525. Each operating agency shall make provision for emergency care of children requiring treatment at a hospital or a clinic.

50526 Each child care and preschool developmental program providing care for four hours or more in a day shall provide a meal or meals which meets at least two-thirds of a child's daily nutritional requirements

50527. With the assistance of the Department of Education, each area council shall insure that child care and preschool developmental programs make maximum use of available federal funds and food commodities in carrying out their nutrition programs.

50528 Each operating agency shall keep a record indicating the health and nutritional status of enrolled children on forms approved by the Department of Public Health.

50529 The Department of Public Health shall designate one urban child care or preschool developmental program and one rural child care or preschool developmental program for the purpose of expanding the health and nutritional screening in such programs to include children under five years of age who are not enrolled in a child care or preschool program. In cooperation with the designated programs,

the Department of Public Health shall inform parents living within proximity of a designated program that health and nutrition screening will be given at the site of the program. Health and nutritional screening shall include at least those tests specified in Section 50516. Where a child has a reported deficiency, the Department of Public Health shall notify the parent of the deficiency, and shall attempt to determine whether treatment is received. Where the Department of Public Health determines the child has not received needed treatment within a reasonable period, it shall with the written consent of the parent or guardian arrange for follow-up treatment in accordance with the provisions of Sections 50521 and 50522.

The Department of Public Health shall report to the Legislature in January 1974 on the demand for and effectiveness of this project.

CHAPTER 7. FINANCIAL PROVISIONS

50600 Upon the approval of an area plan by the Superintendent of Public Instruction, state funds previously allocated or apportioned to local agencies for the provision of children's center and compensatory preschool education programs within the area shall be allocated to the area council so that contracts may be executed with appropriate agencies for the provision of child care and preschool development services.

50601 Child care and preschool development services shall be funded by the state on an area basis using the maximum federal funds available for such purpose All funds shall be transmitted through the department to each area council.

50602 Consistent with federal law, all federal programs, including the Social Security Act and the Demonstration Cities and Metropolitan Development Act of 1966 (P L 89-754; 80 Stats 1259), which provide funds for child care and preschool developmental services shall only be administered in this state by the Department of Education.

50603 In order to improve program quality, ensure maximum coordination of services, and eliminate unnecessary administrative duplication of existing publicly funded child care and preschool developmental services, the Superintendent of Public Instruction shall make application, pursuant to the provisions of Public Law 90-577 (Intergovernmental Cooperation Act of 1968), to the federal Office of Economic Opportunity, the Secretary of the Department of Health, Education and Welfare, and the Secretary of the Department of Labor for the purpose of providing administrative control and responsibility, at the state level, by the Department of Education of all federally funded child care and preschool development programs

50604 Until such time as the application is approved pursuant to Section 50603, the Department of Education and the Department of Social Welfare shall enter into a contract requiring the Department of Education to provide all child care and preschool services to families and children receiving public assistance or who are former or potential recipients of public assistance

50605 All services provided actual and potential recipients of public assistance pursuant to this chapter shall be considered "public social services" as defined by the Social Security Act and Section 10051 of the Welfare and Institutions Code

50606 Except where federal law expressly otherwise provides, a contract entered into pursuant to Section 50604 shall:

(a) Be executed and signed by both departments no later than July 1 of each fiscal year

(b) Contain a provision allowing an area council to certify the eligibility of actual, former and potential recipients for services pursuant to this chapter

(c) Require the Department of Social Welfare to provide the Department of Education with information on current eligibility requirements for actual, former and potential recipients of public assistance

(d) Provide for a standard application form for the admission and eligibility determination of actual, former and potential recipients of public assistance as well as all other families and children receiving services pursuant to this division.

(e) Provide for the development and implementation of audit standards and procedures to ensure that applicable federal requirements are met

(f) Provide that the Department of Social Welfare shall notify the Department of Education in writing within 30 days upon the discovery of any audit exceptions pursuant to subdivision (e); and where such findings indicate that federal requirements are not being met and that federal participation may be imperiled, provide that the Department of Education shall immediately take such corrective action as is necessary to ensure federal participation

(g) Require county welfare departments to provide a system of referral to area councils for public assistance recipients in need of or desiring services provided pursuant to this division.

(h) Require that any child or family residing in one of the following areas shall be considered a potential recipient of public assistance for the purposes of this division.

(1) Areas designated as disadvantaged in accordance with Section 9602 of the Unemployment Insurance Code.

(2) Areas in the Model Cities Program

(3) Areas designated under Title I of the Elementary and Secondary Education Act of 1965 and where at least 25 percent of the population of school age children are recipients of public assistance

(i) Require the Department of Social Welfare to provide such timely and necessary fiscal and statistical information as may be required by the Department of Education

(j) Provide for the maximum utilization of inkind funding resources allowable under federal law and regulation

50607 The Department of Social Welfare and the Department of Education shall institute procedures to obtain maximum federal reimbursements for all eligible participants provided services between July 1, 1971, and the effective date of this division as required by Chapter 1619 of the Statutes of 1970 The hourly cost of services to such participants shall be computed for each school district or agency when filing for retroactive federal reimbursements Former and potential recipients shall be included as those eligible.

50608. The admission of a child and parent to child care services provided pursuant to this division shall be determined in the following priority order:

(a) There is but one parent in the home and such parent supports or cares, or both, for the child, or the parent is physically or mentally unable either to support the family or care for the child, or there is but one parent in the home and this parent requires education or training to qualify for entrance upon employment that will make the family economically self-sufficient.

(1) The parent having care of the child is attending school or receiving instruction under the state vocational rehabilitation program or under the Manpower Development and Training Act or under other programs authorized for a parent or parents in families qualifying for aid to families with dependent children, other than a program described in paragraph (2) of this subdivision, as evidenced by a statement from any one of such agencies, or that one parent in a two-parent family is attending school or receiving instruction under any one of such programs, and the other parent is employed or mentally or physically incapacitated, or the parent or parents could enter into a program such as is described in this section if child care services were available to the family.

(2) The parent or parents having care of the child are participating under a work-incentive program established pursuant to Section 432 of the Social Security Act, as evidenced by a statement from the Secretary of Labor or his representative, or that one parent in a two-parent family is so participating and the other parent is either employed or mentally or physically incapacitated to the extent that he is unable to care for the child, or the parent or parents could participate in such a program if child care services were available to the family. A person continuously employed or engaged in on-the-job training for one year under a program described in Section 432(b)(1) of that act shall, for the purposes of this section, be deemed to be participating under a work-incentive program during the year unless federal law or regulations shall prescribe a different period.

(b) There are two parents in the home, each of whom is either working or is physically or mentally unable to either support the family or care for the child.

(c) Either parent is attending school or receiving instruction, and the other parent, if any, is gainfully employed

50609. Admission of a child and parent to preschool developmental services provided pursuant to this division shall be determined in the following priority order:

(a) Those children and parents who qualify as actual, former or potential recipients of public assistance

(b) Those children whose future development and school achievement is apt to be impaired without preschool developmental services

Special priority shall be given to those children in families included in subdivision (a) and (b) where English is not the language primarily used in the home.

50610. The governing board of a school district or a county superintendent of schools shall establish in the county treasury a fund to be known as the "Child Care and Preschool Developmental Services Fund" into which shall be paid all funds received for, or from the operation of, child care and preschool developmental services. The costs incurred in the maintenance and operation of child care and preschool developmental programs shall be paid from the fund, except that any contributions authorized or required to be paid by the district on account of services of employees of a child care and preschool developmental program to a retirement system shall be paid from the general fund of the district or from funds of the district derived from a special tax levied pursuant to Section 14657 or 14758 of the Education Code or Section 20532 of the Government Code. Money credited to the child care and preschool developmental fund shall be maintained in accounts in the fund and shall be identified as to source. Money credited to and expended from accounts in the fund that have been derived from the assessment of local taxes shall be restricted for the purpose for which the tax was raised, except that this restriction shall not apply to transportation of preschool pupils

50611. The governing board of a school district or a county superintendent of schools operating and maintaining a preschool developmental program may permit the use of and furnish maintenance for buildings, grounds and equipment, and the use of existing administrative personnel, for the purposes of the program. The amount of expense incurred under this section may be paid from the available child care and preschool developmental program funds

50612 The governing board of any school district, or the county superintendent of schools with the approval of the county board of education, may establish and maintain services for children and families residing within the district or within the jurisdiction of a county superintendent of schools

50613. The county superintendent of schools of each county, with the approval of the county board of education shall have the authority to establish and maintain services in the same manner and to the same extent as governing boards of school districts, except that nothing in this section shall be construed as vesting in the county superintendent of schools any authority to alone effect the levy and collection of any county, school, or other local taxes for the support of any such services. The establishment and maintenance of any services by the county superintendent of schools shall be undertaken, subject to the prior approval of the county board of education, upon the application of one or more school districts under his jurisdiction, and such establishment and maintenance shall be upon such terms and conditions as may be provided for in a written contract entered into between the county superintendent of schools and the governing board of any such district.

50614 Any school district, the governing board of which has entered into a contract with the county superintendent of schools for the establishment and maintenance of a child care and preschool developmental program pursuant to this section, shall be deemed to be maintaining a child care and preschool developmental program.

50615 Pursuant to Sections 20501 to 21001, inclusive, the governing board of any school district maintaining a child care program may include in its budget the amount necessary to carry out its child care program pursuant to this division and the board of supervisors shall levy a school district tax necessary to raise such amount The tax shall be in addition to any other school district tax authorized by law to be levied.

50616. After the effective date of this chapter,, if no state funds are made available for the support of child care services, a school district may provide for the continuance of child care services established and maintained in such school district.

50617. Any tax raised pursuant to Section 50615 may be used to purchase land or buildings, to erect new buildings, to make alterations or additions to existing buildings, and to purchase furniture, apparatus or equipment for services or facilities under this division.

50618. There is hereby appropriated without regard to fiscal year the sum of twenty-five million dollars ($25.000,000) to be made available to the Department of Education for the purposes of this division.

SEC 2 Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code is repealed.

SEC. 3. Notwithstanding any other provision of law, the amounts appropriated to the Department of Education pursuant to Item 273 of the Budget Act of 1972 shall not be reduced by any amount appropriated

SEC. 4. Any unexpended amounts appropriated pursuant to Section 39.7(b), Chapter 578, Statutes of 1971, shall be transferred to the Department of Education for the purposes of this division "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 144	AB No. 545	AB No 1458
AB No. 317	AB No. 1419	AB No 2280

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 144—An act to amend Sections 890, 891, and 894 of, to add Sections 890.1, 896 3, and 896 4 to, and to repeal Section 896 1 of, the Military and Veterans Code, and to amend Section 10652 of the Education Code, relating to tuition.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 20, 1972, after "Cory," insert "Deddeh,".

Amendment No. 2

In lines 2 and 3 of the title, strike out "Sections 890, 891, and 894 of," and insert "Section 890 of, and".

Amendment No. 3

In line 3 of the title, strike out "Sections", and insert "Section".

Amendment No. 4

In lines 3 and 4 of the title, strike out ", 896.3, and 896.4 to, and to repeal Section 896.1 of," and insert "to,".

Amendment No. 5

In lines 5 and 6 of the title, strike out ", and to amend Section 10652 of the Education Code".

Amendment No. 6

On page 3, strike out lines 36 to 40, inclusive; and strike out pages 4 and 5.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 317—An act to add Section 11487 to, and Article 8.7 (commencing with Section 17980) to Chapter 3 of Division 14 of, the Education Code, relating to community colleges.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 12, 1972, strike out "11487 to, and Article"; strike out line 2; in line 3, strike out "Chapter 3 of Division 14 of,", and insert "25505.10 to".

Amendment No. 2

On page 2, strike out lines 9 to 12, inclusive, and insert

"SECTION 1. Section 25505.10 is added to the Education Code, to read

25505.10. Notwithstanding any other provision of law, for purposes of enrollment and apportionment, any student who is a district resident shall be deemed a resident of the community college district in which he attends a community college, instead of the community college district of which he is a resident, if both".

Amendment No. 3

On page 3, strike out lines 8 to 26, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 545—An act to add Article 6 (commencing with Section 13090) to, and to repeal Article 5 (commencing with Section 13080) of, Chapter 1 of Division 10 of, the Education Code, relating to public educational employment.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Keysor", and insert "Assemblymen Keysor, Meade, Karabian, Knox, Quimby, Thomas, Townsend, and Waxman".

Amendment No. 2

In line 1 of the title, strike out "13090", and insert "13091".

Amendment No. 3

On page 2, line 4, strike out "13090", and insert "13091".

Amendment No. 4

On page 2, line 10, strike out "13090", and insert "13091".

Amendment No. 5

On page 3, line 22, strike out "13091. When", and insert "13901.5. As".

Amendment No. 6

On page 3, line 39, after "provided", insert a comma.

Amendment No. 7

On page 4, line 5, after "further", insert a comma.

Amendment No. 8

On page 5, line 5, strike out "five", and insert "four".

Amendment No. 9

On page 5, line 6, strike out "five", and insert "four".

Amendment No. 10

On page 8, line 38, after "selected", insert "or wish to select".

Amendment No. 11

On page 9, line 14, strike out "of subdivision (b), paragraph (2)", and insert "of paragraph (2) of subdivision (b)".

Amendment No. 12

On page 9, line 38, strike out "or (3)", and insert ", (3) or (4)".

Amendment No. 13

On page 9, line 38, after "(c)", insert ", or pursuant to subdivision (g),".

Amendment No. 14

On page 10, line 18, after "(3)", insert "or (4)".

Amendment No. 15

On page 10, line 19, after "(c)", insert ", or pursuant to subdivision (g)".

Amendment No. 16

On page 10, line 26, after "provided", insert a comma.

Amendment No. 17

On page 10, between lines 31 and 32, insert

"(g) If, by January 1 of any school year, no employees' organization has made a claim of majority support in an appropriate negotiating unit pursuant to subdivision (b), an employees' organization may submit to a board of education a petition signed by a majority or more of the employees in an appropriate negotiating unit requesting that an election be held to determine whether such employees desire to select an organizational representative for the purposes specified in subdivision (a) An employee may sign such a petition though not a member of any employees' organization.

Upon the filing of such a petition, the board of education shall immediately post a notice of such request upon a bulletin board at each school or other facility in which members of the unit claimed to be appropriate are employed.

An employees' organization shall have the right to appear on the ballot if, within 15 workdays after the posting of such notice, it makes the showing of interest required by paragraph (2) of subdivision (b) Immediately upon expiration of the 15-workday period following the posting of the notice, the board of education shall transmit to the commission the petition and the names of all employees' organizations that have the right to appear on the ballot."

Amendment No. 18

On page 11, line 25, strike out "aforesaid".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1419—An act to amend Section 25502.5 of, and to add Section 25502.6 to, the Education Code, relating to community colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly May 4, 1972, strike out "the following"; strike out lines 16 to 21,

inclusive, and insert "tuition for such classes be paid by those students who are 21 years of age or older who enroll in graded or ungraded classes or in classes for adults, and who take less than 10 class hours."

Amendment No. 2

On page 2, line 34, strike out "and taking less than 10 credit hours", and insert "or ungraded classes, or in classes for adults".

Bill ordered reprinted, and re-referred to the Committee on Education.

Assembly Bill No. 1458—An act to amend Section 6498 of the Education Code, relating to demonstration programs

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Leroy F. Greene", and insert "McAlister".

Amendment No. 2

In line 1 of the title, strike out "Section 6498 of", and insert "Sections 6721, 6727, 6728, 6731, 6735, 6738, and 6739 of, and to repeal Sections 6722, 6723, and 6724 of,".

Amendment No. 3

In line 2 of the title, strike out "demonstration programs", and insert "technical, agricultural, and natural resource conservation schools".

Amendment No. 4

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 6721 of the Education Code is amended to read:

6721. The county superintendent of schools ~~shall~~ , *with the approval of the county board of education, may* establish and operate a *technical, agricultural, and natural resource conservation* school, or schools, ~~subject to the management and control of the county board of education, as provided by this article when directed to do so by a county ordinance enacted as provided in Sections 6722 and 6723~~ *for the purposes described in Section 6720*.

SEC .2. Section 6722 of the Education Code is repealed

~~6722. An ordinance directing the county superintendent of schools to establish and operate a school, or schools, as provided in this article, may be submitted to the people and adopted in the manner provided in Article 1 (commencing with Section 3700) of Chapter 2, Division 4 of the Elections Code for initiative ordinances, or it may be submitted to the people as provided in Article 2 (commencing with Section 3750) of Chapter 2, Division 4 of the Elections Code upon a majority vote of the board of supervisors.~~

SEC. 3. Section 6723 of the Education Code is repealed

~~6723. The ordinance directing the establishment of technical, agricultural and natural resource conservation schools shall prescribe~~

~~(a) The number of such schools to be established within the county.~~

~~(b) The location of each school.~~

SEC 4 Section 6724 of the Education Code is repealed.

~~6724. The board of supervisors of a county, by ordinance subject to the referendum, may authorize the county superintendent of schools to enter into agreements to participate in the operation of an existing technical, agricultural or natural resource conservation school in another county, without the procedure specified by Sections 6722 and 6723.~~

SEC. 5. Section 6727 of the Education Code is amended to read:

6727 Schools established pursuant to this article may be operated on a full-time placement care basis and facilities may be provided for children in attendance to live at such schools if such arrangements are deemed appropriate *The county superintendent of schools maintaining such schools may provide necessary transportation to the pupils in attendance, if full-time placement care is not deemed in the best interest of the pupil.*

SEC 6 Section 6728 of the Education Code is amended to read:

6728. The county board of education maintaining one or more schools established pursuant to this article shall appoint a board of admissions to these schools consisting of a representative of the ~~child welfare division of the county~~ welfare department, ~~where applicable,~~ a representative of the ~~county~~ *juvenile* probation department, *two school district administrators,* one *member of the* ~~qualified~~ lay ~~person~~ *public*, ~~a principal of a high school within the county, and one other qualified persons designated by the board maintaining the school, which two persons shall not be members of such county board~~ *and designated members of the staff of the county superintendent of schools* The ~~principal of each such school,~~ *president of the county board of education and* the county superintendent of schools ~~, and a representative of the State Board of Education~~ shall be ex officio members of the board of admissions The board of admissions may enlist the assistance of any other qualified persons for consultation, evaluation of the needs of students, and advice regarding the admission program ~~A~~ *The* chairman of the board of admissions shall be ~~elected~~ *appointed* by the ~~members of the board~~ *county superintendent of schools*

~~The board shall meet at least once each calendar month at such time and place as may be designated by the chairman.~~

If two or more counties agree to operate such a school jointly each county shall select its own board of admissions as otherwise provided in this section Any reference in this article to the board of admissions is to the board established by the county in which the child is resident if the school is jointly operated by two or more counties

SEC 7 Section 6731 of the Education Code is amended to read.

6731 Subject to the provisions of Section 6729 of this code, the county board of education maintaining a school established pursuant to this article shall admit to the school only minors from the age of 13 to 18 years, inclusive, who are qualified for technical or prevoca-

tional training by satisfactory completion of the eighth grade and a reasonable exhibition of aptitude, who are residents of the county having jurisdiction over the school. *Such* ~~Students~~ *students* may be ~~admitted to~~ *considered for* the school *by the board of admissions* upon the recommendation of the county superintendent of schools or the chief administrative officer of the school last attended by the minor. Students who are not residents of the county having jurisdiction over the school may be admitted to the school if approved by the board of admissions, provided that the county of residence shall pay by agreement to the governing board of the school all actual expenses of operation and instruction, including building and grounds, minus state and federal apportionments, not received from contracts with the parents or guardians of the minor, or from the minor's school district of residence.

No minor shall be admitted to a technical, agricultural and natural resource conservation school without the written approval of his parent or guardian, or retained in such school following withdrawal of approval by his parent or guardian

Juvenile court judges are hereby empowered to refer from their courts to the board of admissions of the county for study as to qualifications for admittance as a student, any minor brought before them who in their opinion can properly qualify for admission. Upon determination of the board of admissions that such minor is otherwise qualified for admission, if the juvenile court judge enters an order waiving jurisdiction of such minor for the purpose of allowing the minor to attend such technical, agricultural or natural resource conservation school, subject to consent by the minor's parent or guardian as provided in this section, the minor shall be admitted to the school.

SEC. 8 Section 6735 of the Education Code is amended to read:

6735. A student at a technical, agricultural, and natural resource conservation school may ~~, in the discretion of the board of admissions,~~ be assigned part time to a vocational course in a place of employment. Such courses may be developed through the cooperation of the county officials, the board of admission, school personnel, local employers and local labor organizations. Local representatives of the Department of Employment, the Department of Industrial Relations and the Division of Apprenticeship Standards, shall cooperate in the development of such courses.

Such vocational training shall be offered subject to the provisions of Article 2 (commencing with Section 1290) of Chapter 2 of Part 4, Division 2 of the Labor Code

SEC. 9. Section 6738 of the Education Code is amended to read·

6738. The cost of securing sites or constructing and equipping buildings and the cost of housing and equipment in technical, agricultural, and natural resource conservation schools, including but not restricted to, the necessary dormitories, dining halls, and other living quarters for pupils and employees of the ~~county~~ *school* shall be a charge against the funds of the county maintaining the school Such buildings shall be deemed "school buildings" within the meaning of Section 21701 ~~The governing board of any technical, agricultural and natural resource conservation school may employ such principals, assistants,~~

~~teachers and other employees as are necessary in the judgment of the board for the proper conduct of the school and may pay them from the funds of the county. Persons serving as teachers' assistants or principals shall be qualified persons certificated by the State of California.~~

SEC 10 Section 6739 of the Education Code is amended to read:

6739 ~~The board of supervisors of any county in which a school is established pursuant to this article may, or the boards of supervisors of any counties jointly operating a school pursuant to this article, may each, levy and cause to be collected a tax not to exceed a maximum of five cents ($0 05) per one hundred dollars ($100) of the taxable property of the county to provide funds for the support of such schools.~~ *For purposes of schools established pursuant to this article by the county board of education, the county superintendent of schools, with the approval of the county board of education, shall certify to the county auditor and to the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a countywide tax for the maintenance of the schools The board of supervisors shall levy and collect the required amount in the same manner as other county taxes are levied or collected The tax shall not exceed five cents ($0 05) per each hundred dollars ($100) of assessed valuation for the purposes of Section 6738 and shall not exceed ten cents ($0 10) per each hundred dollars ($100) of assessed valuation for the purposes of this section The amount received from this tax shall be deposited in the county school service fund*

The governing board may employ such certificated and non-certificated employees as are necessary in the judgment of the board for the proper conduct of the school The expenses of lodging and boarding pupils, where applicable, residing within the buildings of a technical, agricultural and natural resource conservation school shall be paid from the sums received from contracts with the child's parents or guardians, from the funds of the county within which the school is located, and from the funds of the county of residence of the student.

The operating expenses of the school, exclusive of capital expenditures and of the expenses of lodging and boarding the student, shall be a charge upon the funds of the county."

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 2280—An act to amend Section 15517 of the Education Code, relating to school district taxation, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", and declaring the urgency thereof, to take effect immediately".

Bill ordered reprinted, and to be re-referred to the Committee on Education

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 11, 1972

Mr. Speaker. The Chairman of your Committee on Ways and Means reports:

AB No. 69

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990 1, and 13990.2 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Section 13990.7 of, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Sections 13990 7 and 13990 8 to, to add Chapter 2 (commencing with Section 13992) to Part 4 6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2.5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4 5 of Division 3 of Title 2 of, to repeal Section 13990 6 of, to repeal Chapter 3 (commencing with Section 13992) of Part 4 5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections 20, 183, and 30050 of, to add Sections 185.5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to business and transportation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 8 of the printed bill, as amended in Assembly April 13, 1972, strike out lines 1 and 2, and insert

"(b) Matching funds for regional transportation planning"

Amendment No. 2

On page 9, between lines 24 and 25, insert

"(g) There is no intent to diminish or preempt the existing authorities and responsibilities of regional, local, and district transportation agencies which have been established by state statute or pursuant to federal policy in their handling of transportation matters which are exclusively local or regional in nature."

Amendment No. 3

On page 13, line 5, strike out "in cooperation with"; and strike out line 6, and insert "upon request of, the various public and private transportation entities in strengthening their development".

Amendment No. 4

On page 13, line 7, after "of", insert "balanced integrated".

Amendment No. 5

On page 13, line 9, after "services", insert "in support of statewide and regional goals".

Amendment No. 6

On page 13, line 10, after "Developing", insert ", in cooperation with local and regional transportation entities,".

Amendment No. 7

On page 13, line 10, strike out "available".

Amendment No. 8

On page 13, line 11, after "opportunities", insert "which are now, and may become, available to the state and to regional and local agencies".

Amendment No. 9

On page 13, line 12, after "needs", insert ", as provided by statute".

Amendment No. 10

On page 13, line 16, strike out "are or"; and strike out line 17, and insert "the Legislature has made, or may make, the responsibility of the department."

Amendment No. 11

On page 13, between lines 19 and 20, insert

"(f) Coordinating and developing transportation research and demonstration projects."

Amendment No. 12

On page 13, line 25, after "system", insert "for the state".

Amendment No. 13

On page 13, strike out lines 30 to 37, inclusive, and insert "and goals The department shall consider, carefully evaluate, and incorporate into the plan, as appropriate, the transportation plans of federal, state, regional, and local agencies and districts, and private transportation organizations "

Amendment No. 14

On page 14, line 1, after the period, insert "The board shall hold public hearings on the plan, and shall solicit the views of the general public and of the various public and private entities affected."

Amendment No. 15

On page 14, line 9, after "The", insert "proposed".

Amendment No. 16

On page 14, strike out lines 15 to 40, inclusive; and on page 15, strike out lines 1 and 2, and insert

"(b) Forecasts of transportation needs and deficiencies

(c) Recommendations for the general transportation system of the state, including land, water, and air transportation, based on the studies of alternative plans and their evaluation as required by subdivisions (e) and (f) of Section 14041.5.

(d) An environmental impact statement as required by state and federal law.

(e) An implementation program, including recommendations concerning the allocation of available funds to various modes and geographic areas, the desired authority, roles, and responsibilities of the various levels of government concerned with transportation, a schedule of improvement programs, an operations program, a financial plan, and necessary policies and legislation for implementation of the proposed State Transportation Plan

14041.5 The proposed State Transportation Plan shall be based on studies including, but not limited to, the following factors:

(a) Determination of existing inventories of travel demands, goods movements, and transportation facilities and equipment.

(b) A review of existing statutory requirements affecting transportation services

(c) A review of existing financial resources for transportation planning, development, and operation.

(d) Study and evaluation of advanced concepts for transportation systems for consideration in alternative plans.

(e) Alternative plans based on varying assumptions of financial resources, levels of transportation services, and modal mix.

(f) An evaluation of alternative plans considering the relationships between transportation and economic, land use, taxation, environment, and social factors, policies, and goals."

Amendment No. 17

On page 15, line 18, strike out "(b), (c), and (d)", and insert "(a), (b), and (c)".

Amendment No. 18

On page 15, line 19, strike out "14041", and insert "14041.5".

Amendment No. 19

On page 16, strike out line 40; and on page 17, strike out lines 1 to 24, inclusive, and insert

"(b) Forecasts of transportation needs and deficiencies

(c) Recommendations for the general transportation system of the region, including land, water, and air transportation, based on the studies of alternative plans and their evaluation as required by subdivisions (d) and (e) of Section 65081.5

(d) An environmental impact statement as required by state and federal law

(e) An implementation program, including recommendations concerning the allocation of available funds to various modes and geographic areas, the desired authority, roles, and responsibilities of the various levels of government concerned with transportation, a schedule of improvement programs, an operations program, a financial plan, and necessary policies and legislation for implementation of the regional transportation plan

65081.5 A regional transportation plan shall be based on studies including, but not limited to, the following factors:

(a) Determination of existing inventories of travel demands, goods movements, and transportation facilities and equipment.

(b) A review of existing financial resources for transportation planning, development, and operation.

(c) Study and evaluation of advanced concepts for transportation systems for consideration in alternative plans.

(d) Alternative plans based on varying assumptions of financial resources, levels of transportation services, and modal mix.

(e) An evaluation of alternative plans considering the relationships between transportation and economic, land use, taxation, environment, and social factors, policies, and goals."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

SB No. 410

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 410—An act to amend Sections 74662, 74663, 74664, 74665, 74666, and 74674 of, and to add Section 74661.5 to, the Government Code, relating to courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly May 8, 1972, strike out "traffic".

Amendment No. 2

On page 1, line 7, strike out "Within the"; strike out lines 8 to 12, inclusive, and on page 2, line 1, strike out "prescribed by law."

Amendment No. 3

On page 2, line 8, strike out "Commissioners shall"; and strike out line 9.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 11, 1972

Mr Speaker. The Chairman of your Committee on Health reports:

AB No 1500

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1500—An act to amend Section 2514 of the Business and Professions Code, relating to physicians' assistants.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 7 and 8, and insert "or the scope of its functions in general, or the fitting or adaption of lenses or frames for the aid thereof

(b) The prescribing or directing the use of, or using, any optical device in connection with ocular exercises, visual training, vision training or orthoptics.

(c) The prescribing of contact lenses for, or the fitting or adaption of contact lenses to, the human eye

(d) The practice of dentistry or dental hygiene as".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 10, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No 73

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 73—An act to amend Section 990 of, and to add Section 990.1 to, the Government Code, relating to insuring public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 31, and insert "omission of the officer committed or made in the course and scope of his employment, pursuant to a lawful, proper, direct order, command, or directive by a superior officer, and any insurance or indemnity contract or agreement".

Amendment No. 2

On page 2, line 32, strike out "insurance contract".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 11, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports·

AB No 826
AB No 1487

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 826—An act to add Section 18745 5 to the Business and Professions Code, relating to professional boxing.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "the round in which the punch was"; strike out line 8, and insert "a point or a fraction thereof for each such punch."

Amendment No. 2

On page 2, line 2, after the period, insert "Upon such a determination, each such official shall penalize the boxer pursuant to subdivision (a) "

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

Assembly Bill No. 1487—An act to add Section 18711.5 to the Business and Professions Code, relating to professional boxing

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 18711.5 to", and insert "amend Sections 18711, 18712, 18714, 18715, 18720 5, 18721, 18721.5, 18722 and 18723 5 of".

Amendment No. 1.5

In line 2 of the title, after "to", insert "sports, including".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 18711 of the Business and Professions Code is amended to read:

18711. Except as provided in Section 18713, every club licensed under this chapter shall, within 72 hours after the determination of every contest, match, or exhibition for which an admission fee is charged and received, furnish to the ~~commission~~ *State Board of Equalization* a written report duly verified by one of its officers, showing the number of tickets issued or sold for such contest, match, or exhibition, the amount of the gross receipts or value thereof, and the gross price charged directly or indirectly and no matter by whom received, for the sale, lease, or other exploitation of broadcasting and television rights of such contest, match, or exhibition, and without any deductions whatsoever for commissions, brokerage, distribution fees, advertising, or any other expenses, charges, and recoupments in respect thereto and such other matters as the commission may prescribe Such club shall also, within the same time, pay to the ~~commission~~ *State Board of Equalization* a tax, exclusive of any federal taxes paid thereon, of one cent ($0 01) for each twenty cents ($0 20), or fraction thereof, of the amount paid for admission to such contest, match, or exhibition, and of the gross price as described above for the sale, lease, or other exploitation of broadcasting or television rights thereof, except that in no case shall such tax be less than twenty-five dollars ($25). Said tax shall apply uniformly at the same rate to all clubs subject to the tax The tax on admissions applies to the amount actually paid for admission, and not to the regular established price No tax is due in the case of a person admitted free of charge

SEC 2 Section 18712 of the Business and Professions Code is amended to read

18712 An inspector or other employee duly authorized by the commission shall be present at all contests, matches and exhibitions and see that the rules are strictly observed, and ~~also~~ *to take any action necessary for the administration and enforcement of the provisions of this chapter which the commission administers and enforces A representative of the State Board of Equalization shall* be present at the

counting of the gross receipts of all such contests, matches, and exhibitions. ~~The inspector or other employee duly authorized by the commission are~~ *Such representative is* authorized to assist in the counting of tickets and in the computation of the tax due thereon, and to take any other action necessary for the administration and enforcement of provisions of this chapter *which the board administers and enforces*. ~~The inspector or other employee duly authorized by the commission~~ *Such representative* shall immediately mail to the ~~commission~~ *board* the official statement of gross receipts received by him from the officers of the club.

SEC 3 Section 18714 of the Business and Professions Code is amended to read:

18714 Whenever any club fails to make a report of any contest, match, or wrestling exhibition within the period prescribed by this chapter or whenever such report is unsatisfactory to the ~~commission the executive officer~~ *State Board of Equalization it* may examine or cause to be examined the books and records of the club and subpoena and examine under oath its officers and other persons as witnesses for the purpose of determining the total amount of its gross receipts for any contest, match, or wrestling exhibition and the amount of tax due pursuant to this chapter, which tax ~~he~~ *the board* may upon and as the result of such examination fix and determine.

SEC 4 Section 18715 of the Business and Professions Code is amended to read:

18715. In case of default in the payment of any tax ascertained to be due under this chapter, together with the expenses incurred in making such examination, for a period of 30 days after notice to such delinquent club of the amount fixed by the ~~executive officer~~ *board*, such delinquent shall, without action by the *board or* commission, forfeit its license and shall be thereby disqualified from receiving any new license or any renewal of license

It shall, in addition, forfeit to the people of the State of California the sum of five hundred dollars ($500), which may be recovered by the Attorney General in the name of the people of the State of California, in the same manner as other penalties are by law recovered

SEC 5 Section 18720 5 of the Business and Professions Code is amended to read.

18720.5. No person shall charge or receive an admission fee for exhibiting a simultaneous telecast of any live, current, or spontaneous boxing or sparring match, or wrestling exhibition or performance, on a closed-circuit telecast viewed within this state without a permit therefor issued by the ~~commission~~ *State Board of Equalization*

Application for such a permit shall be on a form supplied by the ~~commission~~ *board* and shall contain such information as the ~~commission~~ *board* deems necessary, including the locations where such telecasts are to be viewed Except as otherwise provided in Section 18720.7, the permit shall be issued without charge. The permit may be denied only for the following reasons.

(a) That the information required by the ~~commission~~ *board* is not supplied by the applicant, or

(b) That the applicant is currently in default on the payment of any taxes or fees required by this article

SEC 6. Section 18721 of the Business and Professions Code is amended to read:

18721 Every person who charges and receives an admission fee for exhibiting a simultaneous telecast of any live, current, or spontaneous boxing or sparring match, or wrestling exhibition or performance on a closed circuit telecast viewed within this state shall, within 72 hours after such event, furnish to the ~~commission~~ *State Board of Equalization* a verified written report on a form which is supplied by the ~~commission~~ *board* showing the number of tickets issued or sold, and the gross receipts ~~therefore~~ *therefor* without any deductions whatsoever. Such person shall also, at the same time, pay to the ~~commission~~ *board* a tax, exclusive of federal taxes thereon, of one cent ($0 01) for each twenty cents ($0.20) or fraction thereof, of the amount paid for admission to the showing of the contest, match, or exhibition In no event, however, shall the tax be less than twenty-five dollars ($25) The tax shall apply uniformly at the same rate to all persons subject to the tax The tax on admission applies to the amount actually paid for admission, and not to the regular established price No tax is due in the case of a person admitted free of charge

SEC 7 Section 18721 5 of the Business and Professions Code is amended to read:

18721 5 A representative of the ~~commission~~ *State Board of Equalization* shall be present at and observe the computation of the number of tickets issued or sold and the determination of the gross receipts

SEC 8 Section 18722 of the Business and Professions Code is amended to read.

18722 Whenever any person fails to make a report of a closed-circuit television showing of any contest, match, or exhibition within the period prescribed by Section 18721 or whenever such report is unsatisfactory to the ~~commission, the executive officer~~ *State Board of Equalization, it* may examine or cause to be examined the books and records of the person and subpoena and examine under oath the person or its officers and other persons as witnesses for the purpose of determining the total amount of the gross receipts of a closed-circuit television showing of any contest, match, or exhibition and the amount of tax due pursuant to this article, which tax ~~he~~ *the board* may upon and as the result of such examination fix and determine

SEC 9 Section 18723 5 of the Business and Professions Code is amended to read·

18723 5 In case of default in the payment of any tax ascertained to be due under this article, the ~~commission~~ *State Board of Equalization* may refuse to issue a permit to conduct another such telecast to any person so defaulting, regardless of whether the application for such permit is made solely in the name of such person or together with others ''

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive, and strike out page 2.

Bill ordered reprinted and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, May 11, 1972

Mr Speaker: The Chairman of your Committee on Elections and Reapportionment reports·

AB No 1567
AB No. 2172

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1567—An act to amend Section 3750 of the Government Code, relating to campaign reporting

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3750", and insert "and renumber the heading of Chapter 1 5 (commencing with Section 11700) of Division 8 of, to add Chapter 1 (commencing with Section 11500) to Division 8 of, and to repeal Chapter 1 (commencing with Section 11500) and Chapter 2 (commencing with Section 11800) of Division 8 of, and Section 12053 of, the Elections Code, and to repeal Chapter 3 (commencing with Section 3750) of Division 4 5 of Title 1"

Amendment No. 2

On page 1, line 1, strike out "Section 3750 of the Government Code is", and insert "Chapter 1 (commencing with Section 11500) of Division 8 of the Elections Code is repealed

SEC 2 Chapter 1 (commencing with Section 11500) is added to Division 8 of the Elections Code, to read.

CHAPTER 1 CONTRIBUTIONS AND EXPENDITURES FOR CANDIDATES

11500 This act shall be known and may be cited as the Campaign Receipts and Expenditures Reporting Law

11501 The Legislature finds and declares as follows

(a) The people have a right to expect from their elected representatives at all levels of government assurances of the utmost in integrity, honesty, and fairness in their dealings,

(b) The people further have a right, in order to knowledgeably vote for candidates for public office, to a true and timely disclosure of the identity of a candidate's financial backers and the extent of their financial support,

(c) The people further have a right to be assured that funds and services donated to a candidate are used solely for lawful campaign expenses

To these ends, the Legislature enacts this division The Legislature hereby intends to sustain, to the extent necessary, public confidence in government at all levels, by assuring the people of the fairness and honesty of election campaigns.

Article 2 Disclosure in State and Local Elections

11550 Unless the context otherwise clearly requires, the following definitions shall govern the construction of this chapter.

(a) The term "election" includes any general, special, primary, or recall election held in this state.

(b) The term "candidate" means an individual who seeks nomination or election to any elective office at any election, but does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971 The term "candidate" does not include any person who is not listed on the ballot unless such person qualifies to have write-in votes counted on his behalf

(c) The term "elective office" includes all state, county, judicial and district offices, and all municipal offices in a general law or chartered city, chosen at an election "Elective office" also includes membership on a county central committee "Elective office" does not include any office within the meaning of Section 301(c) of the Federal Election Campaign Act of 1971

(d) The term "political committee" means any person who accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding one thousand dollars ($1,000)

(e) The term "measure" means a constitutional amendment or other proposition submitted to a popular vote at any election, whether by initiative, referendum or recall procedure or otherwise, or circulated for purposes of submission to a popular vote at any election, whether or not the proposition qualifies for the ballot

(f) The term "contribution" means.

(1) A gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination or election of any person to elective office, or the passage or defeat of any measure, or for the purpose of circulating any petition to qualify a measure for the ballot,

(2) A contract, promise, or agreement, whether or not legally enforceable, to make a contribution for any such purpose;

(3) The granting of any discount or rebate, not available to the general public, for any such purpose,

(4) A transfer of funds between political committees, and

(5) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee without charge for any such purpose

Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services provided without compensation, by individuals volunteering a portion or all of their time on behalf of a candidate or political committee

(g) The term "expenditure" means

(1) A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value made for the purpose of influencing

the nomination or election of any person to elective office, or the passage or defeat of any measure, or for the purpose of circulating any petition for qualifying a measure for the ballot;

(2) A contract, promise, or agreement, whether or not legally enforceable, to make an expenditure; and

(3) A transfer of funds between political committees.

(h) The term "person" includes any individual, firm, association, partnership, business trust, corporation, company, labor organization, committee, and any other organization or group of persons.

(i) The term "commission" means the Campaign Disclosure Review Commission

(j) The term "supervisory officer" means the Secretary of State.

(k) The term "county clerk" does not mean "registrar of voters."

11551. Every political committee shall have a chairman and a treasurer. One person may simultaneously hold the offices of chairman and treasurer No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

11552 Every person who receives a contribution in excess of one hundred dollars ($100) for a political committee shall, on demand of the treasurer, and in any event within five days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount of the contribution and the name, address, occupation, and the name of employer, if any, of the person making such contribution, and the date on which the contribution was received All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee

11553 It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of

(a) All contributions made to or for such committee;

(b) The full name, address, occupation, and name of employer, if any, of every person making a contribution in excess of one hundred dollars ($100), and the date and amount of such contribution;

(c) All expenditures made by or on behalf of such committee; and

(d) The full name, mailing address, occupation and principal place of business of every person to whom any expenditure is made, the date and amount of such expenditure, and the name of, and the office sought by, each candidate on whose behalf such expenditure was made

11554 It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of one hundred dollars ($100) in amount and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds one hundred dollars ($100) The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Secretary of State

11555. Every political committee which solicits or receives contributions or makes expenditures on behalf of any candidate that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee. Such a notice shall be announced immediately before or after each radio and television advertisement broadcast by or on behalf of such a committee.

11556. Every political committee shall include on the face or front page of all literature and advertisements soliciting funds the following notice

"A copy of our report is filed with the Secretary of State and is (or will be) available for purchase from the Secretary of State, 111 Capitol Mall, Sacramento, California 95814 "

If the report of the committee is or will be on file only with one or more county clerks, the notice shall be modified accordingly.

11557. The supervisory officer shall compile and furnish to the Office of State Printing, not later than the last day of March of each year, an annual report for each political committee which has filed a report with him under this chapter during the period from February 1 of the preceding calendar year through January 31 of the year in which such annual report is made available to the Office of State Printing Each such annual report shall contain

(a) A copy of the statement of organization of the political committee required under Section 11558, together with any amendments thereto, and

(b) A copy of each report filed by such committee as required under Section 11562 from February 1 of the preceding year through January 31 of the year in which the annual report is so furnished to the Office of State Printing.

The Office of State Printing shall make copies of such annual reports available for sale to the public by the Secretary of State as soon as practicable

11558. Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding one thousand dollars ($1,000) shall file with the supervisory officer a statement of organization, within 10 days after its organization or, if later, 10 days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of one thousand dollars ($1,000). Each such committee in existence at the date of enactment of this act shall file a statement with the supervisory officer within 10 days after the effective date of this chapter.

11559. The statement of organization required by Section 11558 shall include:

(a) The name, address, and telephone number, if any, of the committee;

(b) The names, addresses, telephone numbers, if any, and relationships of affiliated or connected organizations,

(c) The area, scope, or jurisdiction of the committee;

(d) The name, address, telephone number, if any, and position of the custodian of books and accounts;

(e) The name, address, telephone number, if any, of the chairman, the treasurer and any other principal officers, including officers and members of the finance committee, if any;

(f) The name, office sought and party affiliation of each candidate whom the committee is supporting, and any other individual, if any, whom the committee is supporting for nomination or election to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party; and the title and ballot number, if any, of each measure which the committee supports or opposes, or in connection with which the committee circulates petitions, together with a statement whether the committee supports or opposes the measure;

(g) A statement whether the committee is a continuing one;

(h) The disposition of residual funds which will be made in the event of dissolution;

(i) A listing of all banks, safety deposit boxes, or other repositories used; and

(j) Such other information as shall be required by the Secretary of State.

11560 Any change in information previously submitted in a statement of organization filed under Section 11558 shall be reported to the supervisory officer within 10 days of the change

11561 Any committee which, after having filed one or more statements of organization, disbands or determines it will not receive contributions or make expenditures during the calendar year in an aggregate amount exceeding one thousand dollars ($1,000) shall so notify the supervisory officer.

11562 Each treasurer of a political committee and every candidate shall file reports of receipts and expenditures on forms to be prescribed by the supervisory officer. Such reports shall be filed on the 30th and 10th days next preceding the day on which an election is held in connection with which the candidate or committee has made or received contributions or expenditures, and within 35 days after each such election Such reports shall also be filed by December 31 of each year in which no such election is held Such reports shall be complete at least as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of two thousand dollars ($2,000) or more received too late to be reported in the last regular report prior to an election shall be reported within 48 hours after its receipt Any report placed in a correctly addressed envelope and mailed postage prepaid, at any place within the state, shall be deemed filed on the third day after it is so mailed Any report may be filed within the three business days prior to the date on which it is required to be filed by this section

11563 Candidates for elective offices to be filled by the voters of the state or for Member of the Senate or Assembly, member of the State Board of Equalization, and judge of the superior court shall file their reports with the Secretary of State, and a copy of each report with the clerk of the county in which the candidate resides Candidates for all other offices shall file their reports with the clerk of the county

in which the candidate resides The state central committee of each party shall file its reports with the Secretary of State and a copy of each report with the clerks of San Francisco and Los Angeles counties. Each county central committee of each party shall file its reports with the Secretary of State and a copy of each report with the clerk of the county in which it is located. All other committees shall file their reports and copies thereof with each official with whom any candidate supported by the committee is required to file.

11564. Each report filed under Section 11562 shall disclose:

(a) The amount of cash on hand at the beginning of each period;

(b) The full name, mailing address, occupation, principal place of business and name of employer, if any, of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in a aggregate amount or value in excess of one hundred dollars ($100), together with the amount and date of such contributions;

(c) The total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (b) of this section;

(d) The name and address of each political committee or candidate from which the reporting committee or candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers;

(e) Each loan to or from any person within the calendar year in an aggregate amount or value in excess of one hundred dollars ($100), together with the full names and mailing addresses, occupations, principal places of business, and names of employers, if any, of the lender and endorsers, if any, and the date and amount of such loans;

(f) The total amount of proceeds from:

(i) The sale of tickets to each dinner, luncheon, rally, and other fundraising event;

(ii) Mass collections made at such events; and

(iii) Sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials,

(g) Each contribution, rebate, refund, or other receipt in excess of one hundred dollars ($100) not otherwise listed under paragraphs (b) through (f) of this section;

(h) The total sum of all receipts by or for such committee or candidates during the reporting period,

(i) The full name and mailing address, occupation, principal place of business, and name of employer, if any, of each person to whom expenditures have been made by such committee or candidate or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of one hundred dollars ($100), the amount, date and purpose of each such expenditure, and the name and office sought by each candidate on whose behalf such expenditure was made;

(j) The full name and mailing address, occupation, principal place of business, and name of employer, if any, of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of one hundred dollars ($100) has been made, and which is

not otherwise reported, including the amount, date and purpose of such expenditure;

(k) The total sum of expenditures made by such committee or candidate;

(*l*) The amount and nature of debts and obligations owed by or to the committee and a continuous reporting of their debts and obligations after the election until such debts and obligations are extinguished; and

(m) Such other information as shall be required by the supervisory officer.

11565 The reports required to be filed by Section 11562 shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or the candidate shall file a statement to that effect.

11566. Every person other than a political committee or candidate who makes contributions or expenditures, other than by contributions to a political committee or candidate, in an aggregate amount in excess of one hundred dollars ($100) within a calendar year shall file with the supervisory officer a statement containing the information required to be included in a report filed under Section 11562. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative

11567 Each report or statement required by this chapter to be filed by a treasurer of a political committee, a candidate, or by any other person, and each amendment thereto, shall be verified. The verification shall state that the person filing the document has used all reasonable diligence in its preparation, and that it is true and is as full and explicit as he is able to make it.

11568 Any person who is required to file any statement or report or amendment thereto under this chapter, may consolidate the statements or reports or amendments thereto, provided that all the information required by this chapter is stated Such consolidated statements, reports, and amendments shall be filed on the dates required by this chapter, and copies shall be filed with each official with whom a copy is required to be filed under this chapter. If a political committee which is required to file reports under this chapter would also be required to file reports under the Federal Election Campaign Act of 1971, but is relieved of its obligation to so file because of regulations published under Section 306(c) of that act, then the reports filed under this chapter must contain all the information which would have been required to be filed under the Federal Election Campaign Act of 1971 were it not for Section 306(c) of that act and the regulations published thereunder.

11569 The supervisory officer shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that contributions and expenditures be reported in separate schedules. In determining aggregate amounts of

contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

11570 It shall be the duty of the supervisory officer to.

(a) Develop prescribed forms for the making of the reports and statements required to be filed under this chapter;

(b) Prepare a manual setting forth recommended uniform methods of bookkeeping and reporting for persons required to file statements and reports under this chapter; and

(c) Prepare and publish an annual report as required by Section 11557.

11571. It shall be the duty of the supervisory officer and the clerk of each county, with respect to those statements and reports required to be filed with each respective official:

(a) To publish and furnish the forms developed by the supervisory officer to each person required to file any such form;

(b) To publish the manual prepared by the supervisory officer and furnish it to persons required to file statements and reports under this chapter;

(c) To make the reports and statements filed with him or copies thereof available for public inspection and copying, commencing as soon as practicable but not later than the end of the second business day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; provided, that any information copied from such reports and statements shall not be utilized by any person for the purpose of soliciting contributions or for any commercial purpose;

(d) To preserve such reports and statements or microfilm copies thereof for a period of not less than 10 years from the date of receipt,

(e) To compile and maintain a current list of all statements or parts of statements pertaining to each candidate; and

(f) To report apparent violations of law to the appropriate law enforcement authorities.

Article 3. Disclosure in Federal Elections

11572 Every person who is required to file a statement of organization or a report of receipts and expenditures under Title III of the Federal Election Campaign Act of 1971 shall file an originally signed copy of each such statement or report and each amendment or modification of each such statement or report with the Secretary of State Each such statement or report and each such amendment or modification shall be filed with the Secretary of State on the same day it is required to be filed with the appropriate federal official.

11573. Every person who is required to file a document with the Secretary of State under Section 11572 in connection with an election for member of the United States House of Representatives shall deposit a copy of such document with the county clerk of the county in which the candidate resides If contributions or expenditures on behalf of more than one candidate for member of the United States House of Representatives are reported in one document, copies of the document shall be deposited with the county clerk of each county in which any of the candidates reside Every person who is required to file a docu-

ment with the Secretary of State under Section 11572 in connection with an election other than for member of the United States House of Representatives shall deposit a copy of such document with the county clerks of San Francisco and Los Angeles counties. Documents shall be deposited under this section no more than one business day after the day upon which they are required to be filed with the Secretary of State. As used in this section, "county clerk" does not mean registrar of voters.

Article 4. Penalties

11575. The Attorney General shall enforce the provisions of this chapter District attorneys shall have concurrent power and responsibilities in regard to statements required to be filed in their jurisdiction.

11576. Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and any person who willfully or knowingly violates a provision thereof is guilty of a felony.

11577. Violations of this chapter include, but are not limited to:

(a) Failing to file any statement at the time required under this chapter.

(b) Filing a statement or report containing any materially false information

(c) Making or receiving a contribution in violation of this chapter.

(d) Filing a statement which omits material information

(e) Failing to designate a campaign treasurer.

(f) In the case of a candidate or member of a committee, receiving a contribution without reporting it to the campaign treasurer.

11578 In addition to any other penalty provided by law, any error or omission of the requirements of this chapter willfully or knowingly committed shall be punishable by a fine of not less than the amount of the error or omission.

11579 Prosecution for a violation of this chapter must be commenced within two years after the date on which the violation occurred.

11580. (a) Any candidate, campaign treasurer, committee or other person or combination of persons who willfully, knowingly or by gross neglect violates the requirements of this chapter shall be liable for the amount of contributions received which are not properly reported in a civil action brought by a resident or residents of the state. Any person, before filing a civil action under this chapter, must first so notify the district attorney who has jurisdiction under Section 11575. The district attorney shall respond within 15 days after receipt of such notification, indicating if he intends to file a civil or criminal action. If the district attorney so indicates, no other action may be brought until final adjudication of such action. If the district attorney indicates to the contrary, or does not respond within 15 days after he is notified, the person may bring his civil action. If a judgment is entered against the defendant or defendants in such action, the plaintiff or plaintiffs shall receive 50 percent of the amount recovered The remaining 50 percent shall be deposited in the General Fund of the state.

(b) Not more than one judgment with respect to any particular contribution or expenditure may be obtained under this section from any defendant A resident may only recover one judgment against a

defendant. Not more than the amount involved in the violations found by the tribunal may be recovered from one or all the defendants in an action.

(c) Actions filed for the same violation or violations shall have precedence for purposes of trial in order of time filed. Such actions shall be dismissed once judgment has been entered in a previously filed action or has resulted in a court approved settlement. No action for the same violation or violations may thereafter be maintained. The court may dismiss any action for failure of the plaintiff or plaintiffs to proceed in good faith or diligently to recover the amounts provided by this section. The action may be dismissed on motion of the Attorney General, the district attorney, the plaintiff in another action brought under this section, or the defendant

(d) No action to recover a civil penalty may be initiated while a criminal prosecution under Section 11576 is pending or if a fine has been imposed under Section 11576 or Section 11578. No action shall be brought under this section more than three years from the date of violation.

11581. No officer shall issue any certificate of nomination or election to any person until his campaign statements have been filed in the form required by this chapter.

11582. No person shall make a contribution in the name of another person and no person shall knowingly accept a contribution made by one person in the name of another person.

11583. No person shall make an anonymous contribution in excess of one hundred dollars ($100). Any anonymous contribution received in excess of one hundred dollars ($100) shall escheat to the state.

11584. Any person filing a statement or report after the deadline imposed by this chapter shall pay to the official with whom it is filed a penalty of one hundred dollars $100, unless the person seeking to file the statement or report attaches a statement signed under penalty of perjury that he is unable to afford the penalty fee.

Article 5. Campaign Disclosure Review Commission

11585. The Campaign Disclosure Review Commission consists of the Controller, the Auditor General, a member appointed by the State Board of Accountancy, and a member appointed by the board of governors of the State Bar. No more than two members of the commission shall be affiliated with the same political party.

11586. The commission may employ and fix the compensation in accordance with Article XXIV of the Constitution, and it may contract for such professional assistants and clerical and other employees as it deems necessary for the proper conduct of its responsibilities

11587. The superior court of a county shall issue, at the request of the commission or any person authorized by the commission, a subpoena for the production of such documents and records located within the county as may be necessary to carry out the responsibilities of the commission. No member, employee or agent of the commission shall divulge or make known in any manner any particulars of any record, document, or information which he receives by virtue of his connection with the commission, except in furtherance of the work of the commission.

11588. The commission shall make field investigations and audits with respect to statements and reports filed with the Secretary of State under this chapter. Investigations and audits shall be made with respect to the reports of each candidate who has received more than 15 percent of the total vote cast for the office for which he is running in either the primary or general or special election or in connection with whose candidacy the commission determines more than ten thousand dollars ($10,000) has been expended. Investigations and audits shall also be made of the statements and reports of each committee supporting one or more such candidates, insofar as such statements and reports relate to the support of such candidates.

11589. No audit or investigation by the commission shall begin until after the last date for filing the first report following the general or special election for the office for which the candidate ran. Each audit shall be complete and the report of the commission made public no later than four months after the first date for beginning the audit. The report of the commission shall contain the commission's findings in detail with respect to the accuracy and completeness of each statement and report reviewed and its findings with respect to any statements or reports that should have been but were not filed.

11590. The commission shall from time to time issue reports to the Legislature stating whether there is evidence of substantial amounts being received or spent in election campaigns which are not being reported under this chapter, together with any recommendations of the commission for changes in this chapter in order that its purposes may be more effectively carried out.

SEC. 3. The heading of Chapter 1.5 (commencing with Section 11700) of Division 8 of the Elections Code is amended and renumbered to read:

CHAPTER ~~1.5~~ *2*. ENDORSEMENT OF CANDIDATES FOR PARTISAN OFFICES

SEC 4 Chapter 2 (commencing with Section 11800) of Division 8 of the Elections Code is repealed.

SEC. 5. Section 12053 of the Elections Code is repealed.

~~12053. Every person is guilty of a misdemeanor who violates any of the provisions of Chapter 1 (commencing at Section 11500) of this division.~~

SEC 6 Chapter 3 (commencing with Section 3750) of Division 4.5 of Title 1 of the Government Code is repealed.

SEC. 7. If any provision of this act or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect any other provisions or applications of this act which can be effected without the invalid provision or application, and to this end the provisions of this act are severable."

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and on page 2, strike out lines 1 to 3, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 2172—An act to amend Section 11504 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend and renumber the heading of Chapter 1.5 (commencing with Section 11700) of Division 8 of, to repeal Chapter 1 (commencing with Section 11500) and Chapter 2 (commencing with Section 11800) of Division 8 of, and Section 12053 of, and to add Chapter 1 (commencing with Section 11500) to Division 8 of, the Elections Code, and to repeal Chapter 3 (commencing with Section 3750) of Division 4.5 of Title 1 of the Government Code,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 1 (commencing with Section 11500) of Division 8 of the Elections Code is repealed.

SEC. 2. Chapter 1 (commencing with Section 11500) is added to Division 8 of the Elections Code, to read:

CHAPTER 1. CONTRIBUTIONS AND EXPENDITURES FOR CANDIDATES

Article 1. General Provisions

11500. This act shall be known and may be cited as the Campaign Receipts and Expenditures Reporting law.

11501. The Legislature finds and declares as follows:

(a) The people have a right to expect from their elected representatives at all levels of government assurances of the utmost in integrity, honesty, and fairness in their dealings;

(b) The people further have a right, in order to knowledgeably vote for candidates for public office, to a true and timely disclosure of the identity of a candidate's financial backers and the extent of their financial support;

(c) The people further have a right to be assured that funds and services donated to a candidate are used solely for lawful campaign expenses.

To these ends, the Legislature enacts this division. The Legislature hereby intends to sustain, to the extent necessary, public confidence in government at all levels, by assuring the people of the fairness and honesty of election campaigns.

Article 2. Definitions

11510. Unless the context otherwise requires, the definitions set forth in this article shall govern the interpretation of this chapter.

11511. "Person" includes any individual, partnership, corporation, association or other organization.

11512. "Election" means any primary, general or special election held in this state.

11513. "Candidate" means.

(a) An individual listed on the ballot, or who has qualified to have write-in votes on his behalf counted by election officials, for nomination for or election to the United States Senate or House of Representatives, or any state, county, city, judicial or district office.

(b) An individual or group of individuals listed on the ballot, or qualified to have write-in votes on their behalf counted by election officials, in the presidential primary for election as delegate to a national convention of a political party.

11514 "Measure" means any constitutional amendment or other proposition submitted to a popular vote at an election, whether by initiative, referendum or recall procedure or otherwise, or circulated for purposes of submission to a popular vote at any election, whether or not the proposition qualifies for the ballot.

11515. "Committee" means any person or combination of persons who directly or indirectly receives contributions or makes expenditures or contributions for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of one or more candidates, or the passage or defeat of any measure, including any committee or subcommittee of a political party, whether national, state or local, once contributions received or expenditures made with respect to elections in this state total five hundred dollars ($500) or more in a calendar year.

11516. "Contribution" means a gift, loan, subscription, advance, pledge or promise of money or anything of value, whether or not legally enforceable, made directly or indirectly in aid of or in opposition to the nomination or election of one or more candidates or the qualification for the ballot or adoption of one or more measures

The term "contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies and similar fundraising events; the candidate's own money or property used on behalf of his candidacy, the granting of discounts or rebates not available to the general public; cancellation of indebtedness; and payments for the services of any person who is serving as an agent of a candidate or committee by a person other than the candidate or committee, or a person whose expenditures the candidate or committee must report under this chapter.

The term "contribution" further includes any transfer, gift, loan, advance, deposit, pledge or promise of money or anything of value, whether or not legally enforceable, received directly or indirectly by a committee from another committee

The term "contribution" does not include nonprofessional personal services, nor the use of private property when utilized directly by the owner or lessee thereof in the course of rendering such services.

11517 "Anonymous contribution" means a contribution which does not include the name (surname or given name in the case of an individual) and address of the contributor

11518 "Expenditure" means a payment, pledge or promise of payment of money or anything of value for goods, materials, services or facilities in aid of, or in opposition to, the nomination or election of one or more candidates, or the qualification for the ballot or adoption of one or more measures

The term "expenditure" includes any transfer, payment, gift, loan, advance, deposit, pledge or promise of money or anything of value, whether or not legally enforceable, made directly or indirectly by one committee to another committee.

11519. "Campaign statement" means an itemized report, made according to a form prescribed and supplied by the Secretary of State, which provides the following information:

(a) The cumulative total amount of all contributions received and expenditures made with respect to an election or elections held during the calendar year in which the statement is required to be filed, including but not limited to contributions received and expenditures made in aid of or in opposition to a candidate before he qualifies for the ballot, contributions received and expenditures made following the election, and contributions received and expenditures made in the year preceding the calendar year in which the election or elections are held.

(b) The name (given name and surname in the case of an individual) and address by street and city of each person, committee, or combination of persons acting jointly from whom a contribution or contributions totaling one hundred dollars ($100) or more have been received, together with the total amount contributed by each such person, committee, or combination of persons If the contributor is a corporation, unincorporated association or committee, the names and addresses of the president and treasurer thereof shall be shown, and if there is no president or treasurer, then the names and addresses of the individuals in charge shall be shown.

(c) The name (given name and surname in the case of an individual) and address by street and city of each person or combination of persons acting jointly to whom an expenditure or expenditures totaling one hundred dollars ($100) or more, have been made, together with the total amount furnished to such person or combination of persons and a brief description of goods, services or facilities provided in consideration;

(d) The total amount of expenditures for each candidate or measure supported or opposed for each election during the calendar year with respect to which expenditures have been made; and

(e) The full names and residential addresses of the candidate and his campaign treasurer if filed by a candidate, and the full name and address of the committee and the full name and residential address of the committee's treasurer if filed by a committee.

Where goods, services, facilities or anything of value other than money is contributed or expended, the monetary value thereof shall be the fair market value.

11520. All loans of money, property, or services made to a candidate or committee must be reported in detail in each applicable campaign statement. The reporting shall include:

(a) The date of the loan.
(b) The amount.
(c) The maker.
(d) All guarantors.
(e) Due date.
(f) Date repaid upon the occurrence.
(g) By whom repaid upon the occurrence.

All loans or promises to make a loan to a candidate or committee must specify a date for repayment within one year after the election. Loans not fully repaid by the specified repayment date will be considered forgiven on that date, for the purposes of this chapter, and as such must be reported in a supplemental campaign statement.

Article 3. Filing of Campaign Statements

11525. Before receiving any contribution or making any expenditure, each candidate and each committee shall appoint a campaign treasurer, to serve at their pleasure, who shall keep a true and full record of contributions and expenditures, including the information required by Sections 11529 and 11519, and who shall prepare the campaign statements for the candidate or committee in the form and at the times required by this chapter. A candidate or committee may appoint as many deputy campaign treasurers, to serve at their pleasure, as they deem desirable. A candidate may appoint himself as his campaign treasurer.

11526. All contributions received by a candidate or by a person as an agent of a candidate shall be reported promptly by the recipient to the candidate's treasurer or deputy treasurer. All contributions received by a person as an agent of a committee shall be reported promptly by the recipient to the committee's treasurer or deputy treasurer.

11527. Each candidate, each committee, and any other person, provided such person has received contributions or made expenditures in excess of five hundred dollars ($500) other than as an agent for a candidate or committee (in which case the contribution or expenditure shall be reported by the candidate or committee), shall file a campaign statement during each of the following periods:

(a) Between the 25th and 30th day preceding an election in which the candidate is seeking nomination for an election to an office or in connection with which the committee or person has received contributions or made expenditures;

(b) Prior to the 10th day preceding such election; and

(c) Within 45 days following the election.

(d) A supplemental campaign statement shall be filed every six months following the election so long as a candidate or committee has unpaid obligations still outstanding, whether legally enforceable or not.

(e) If the statement filed under subdivision (b) or (c) of this section is filed after all obligations have been satisfied, it shall be designated as a final campaign statement

(f) If further contributions are received after the filing of a final campaign statement, a supplemental campaign statement shall be filed by the 5th day of the next succeeding month

11528. Campaign statements shall include all information not previously reported as required by Section 11519 for contributions received and expenditures made up to no more than three (3) days prior to the date of filing.

11529 Copies of each campaign statement shall be filed, as follows:

(a) Campaign statements for candidates for statewide offices and for statewide measures—two copies with the Secretary of State, two copies

with the clerk of Los Angeles County and two copies with the clerk of the City and County of San Francisco;

(b) Campaign statements for Representatives in Congress, members of the State Legislature, and for candidates and measures to be voted upon in more than one county but not statewide—two copies with the Secretary of State and two copies with the clerk of each county which, in whole or in part, is included in the election district in which the candidate seeks nomination or election, or in which the measure is to be voted upon;

(c) Campaign statements for candidates not mentioned above, and measures to be voted upon in a single county—two copies with the county clerk; if the candidates or measures are to be voted upon within a single city, two copies of each statement shall also be filed with the clerk of that city;

(d) Campaign statements of the state central committees of political parties—two copies with the Secretary of State and two copies with the clerks of the counties in which the party has its state headquarters, and northern and southern California headquarters, if any

11530. No fee or charge shall be made or collected by any officer for the filing or recording of any campaign statement, or for the forms upon which statements are to be filed.

11531. When the campaign statement required to be made to any officer under the provisions of this chapter has been deposited in the United States mail addressed to such officer, it shall be deemed to have been received by him on the date of the deposit. It shall be presumed, until the contrary is established, that the date shown by the post office cancellation mark on the envelope containing the statement is the date it was deposited in the United States mail.

11532. A campaign statement shall be verified by the campaign treasurer by oath or affirmation before any officer authorized to administer oaths. The verification shall state that the campaign treasurer has used all reasonable diligence in its preparation, and that to his knowledge it is true and complete

11533. A candidate need not file a campaign statement if neither the contributions nor the expenditures for his campaign exceed five hundred dollars ($500). However, the candidate shall file a written declaration between the 25th and 30th day preceding the election, with the officials with whom he would be obligated to file a campaign statement, to the effect that neither his campaign contributions nor expenditures have exceeded five hundred dollars ($500) If contributions received or expenditures made thereafter exceed five hundred dollars ($500), the candidate shall subsequently file campaign statements at the times required.

11534. No contribution shall be made, directly or indirectly, by any person or combination of persons acting jointly in a name other than the name by which they are identified for legal purposes, or in the name of another person or combination of persons No person shall make a contribution in his or its name of money or anything of value belonging to another person or received from another person on the condition that it be used as a contribution.

11535 No person shall make an anonymous contribution or contributions to a candidate, committee or any other person in a calendar year totaling one hundred dollars ($100) or more. Any anonymous contribution of one hundred dollars ($100) or more shall not be accepted or expended by the intended contributors, but rather shall be paid to the State Treasurer to be deposited in the General Fund of the state

Article 4. Duties of Public Officials

11560. Campaign statements shall be open for public inspection and reproduction at a charge not to exceed six cents ($0 06) per page during regular hours, and from 9 a m to 5 p m on the Saturday and Sunday preceding an election, at the offices of the officer with whom the campaign statements have been filed The Secretary of State and each county or city clerk shall mail a copy of a campaign statement to any person who so requests in writing at a charge not to exceed 12 cents ($0.12) per page.

11561 Campaign statements shall be preserved by the officer with whom they are filed for at least 10 years.

11562 The Secretary of State shall:

(a) Prescribe and supply appropriate forms for campaign statements and declarations required by this chapter Such forms shall be furnished through the county clerk to all candidates and committees

(b) Prepare and publish a manual explaining the duties of persons and committees under this chapter. Such manual shall be distributed in the same manner as the forms authorized in subdivision (a) of this section.

11563 The Secretary of State and county clerks shall:

(a) Determine whether required statements and declarations have been filed with their respective offices and, if so, whether they conform on their face with the requirements of this chapter;

(b) Notify promptly all persons and committees who have failed to file a statement in the form and at the time required by this chapter;

(c) Report apparent violations of this chapter to the appropriate law enforcement authorities; and

(d) Compile and maintain a current list of all statements or parts of statements filed with their office pertaining to each candidate and each measure.

Article 5 Penalties

11600 The Attorney General shall enforce the provisions of this chapter. District attorneys shall have concurrent power and responsibilities in regard to statements required to be filed in their jurisdiction

11601 Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and any person who willfully or knowingly violates a provision thereof is guilty of a felony

Violations of this chapter include, but are not limited to:

(a) Failing to file any statement at the time required under this act

(b) Filing a statement or report containing any materially false information

(c) Making or receiving a contribution in violation of the act.

(d) Filing a statement which omits material information.

(e) Failing to designate a campaign treasurer.

(f) In the case of a candidate or member of a committee, receiving a contribution without reporting it to the campaign treasurer

11602 In addition to any other penalty provided by law, any error or omission of the requirements of this chapter willfully or knowingly committed shall be punishable by a fine of not less than the amount of the error or omission.

11603. Prosecution for a violation of this chapter must be commenced within two years after the date on which the violation occurred

11604. (a) Any candidate, campaign treasurer, committee or other person or combination of persons who willfully, knowingly or by gross neglect violates the requirements of this chapter shall be liable for the amount of contributions received and expenditures made which are not properly reported in a civil action brought by a resident or residents of the state Any person, before filing a civil action under this chapter, must first so notify the district attorney who has jurisdiction under Section 11600 The district attorney shall respond within 15 days after receipt of such notification, indicating if he intends to file a civil or criminal action If the district attorney so indicates, no other action may be brought until final adjudication of such action If the district attorney indicates to the contrary, or does not respond within 15 days after he is notified, the person may bring his civil action If a judgment is entered against the defendant or defendants in such action, the plaintiff or plaintiffs shall receive 50 percent of the amount recovered The remaining 50 percent shall be deposited in the General Fund of the state

(b) Not more than one judgment with respect to any particular contribution or expenditure may be obtained under this section from any defendant A resident may only recover one judgment against a defendant Not more than the amount involved in the violations found by the tribunal may be recovered from one or all the defendants in an action.

(c) Actions filed for the same violation or violations shall have precedence for purposes of trial in order of time filed Such actions shall be dismissed once judgment has been entered in a previously filed action or has resulted in a court approved settlement No action for the same violation or violations may thereafter be maintained The court may dismiss any action for failure of the plaintiff or plaintiffs to proceed in good faith or diligently to recover the amounts provided by this section The action may be dismissed on motion of the Attorney General, the district attorney, the plaintiff in another action brought under this section, or the defendant

(d) No action to recover a civil penalty may be initiated while a criminal prosecution under Section 11601 is pending or if a fine has been imposed under that section No action shall be brought under this section more than three years from the date of violation

11605 No officer shall issue any certificate of nomination or election to any person until his campaign statements or the written declaration required in Section 11533 have been filed in the form required by this chapter.

11606 The nomination for, or election to, office of any candidate who willfully or knowingly violates a provision of this chapter, or whose campaign treasurer or deputy campaign treasurer violates a provision of this chapter with such candidate's knowledge, shall be voidable. The candidate's right to nomination or election may be tested in a quo warranto action brought in accordance with Sections 803 to 811, inclusive, of the Code of Civil Procedure The case shall be in a preferred position for purposes of trial and appeal, so as to assure a speedy disposition of the matter. If the nomination or election to office is voided, the nomination or office shall be filed as required by law in the case of a vacancy.

11607. Nothing in this article shall conflict with the authority of the Senate and Assembly of this state and the Senate and House of Representatives of the United States Congress to judge the qualifications of their members as provided by the Constitution of this state and of the United States.

11608. Any person may sue for injunctive relief to compel compliance with the provisions of this chapter.

11609. If any provision of this chapter, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of the act and the application of such provision to other persons and circumstances shall not be affected thereby

SEC. 3. The heading of Chapter 1.5 (commencing with Section 11700) of Division 8 of the Elections Code is amended and renumbered to read:

CHAPTER ~~1.5.~~ *2.* ENDORSEMENT OF CANDIDATES FOR PARTISAN OFFICES

SEC 4. Chapter 2 (commencing with Section 11800) of Division 8 of the Elections Code is repealed

SEC 5. Section 12053 of the Elections Code is repealed.

~~12053. Every person is guilty of a misdemeanor who violates any of the provisions of Chapter 1 (commencing with Section 11500) of this division.~~

SEC 6 Chapter 3 (commencing with Section 3750) of Division 4.5 of Title 1 of the Government Code is repealed."

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 11, 1972

Mr. Speaker The chairman of your Committee on Planning and Land Use reports.

AB No 1454

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1454—An act to amend Sections 11526, 11549 5 and 11549 6 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 11549.6", and insert ", 11549.6 and 11551 6".

Amendment No. 2

On page 2, line 2, after "agency", insert a comma.

Amendment No. 3

On page 3, line 14, after "map", insert "and with the conditions to the approval thereof".

Amendment No. 4

On page 3, after line 14, insert

"SEC. 4. Section 11551.6 of the Business and Professions Code is amended to read:

11551.6. The *advisory agency, appeal board or* governing body of any city or county shall determine whether the discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13000) of the Water Code. In the event that the *advisory agency, appeal board or* governing body finds that the proposed waste discharge would result in or add to violation of requirements of such board, ~~it~~ *the body making such finding* may disapprove the tentative map or maps of the subdivision."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2364: By Assemblyman Foran—An act to amend Section 39090 of the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Acting Speaker

RESOLUTIONS

The following resolution was offered:

By Assemblyman Knox:

House Resolution No. 52

Relative to the San Francisco Bay Area Rapid Transit District

WHEREAS, In 1972, the San Francisco Bay Area Rapid Transit District is expected to commence partial operation of its 75-mile rail system being constructed at the cost of $1 3 billion; and

WHEREAS, With a nationwide trend in decreased usage of public transportation systems and an increase in cost of operating such systems, it is apparent that BART, in the long run, will be unable to generate sufficient revenues from fares to pay for its operating expenses, let alone pay for the cost of constructing the 75-mile rail system; and

WHEREAS, The expected cost of operating BART during the 1975–1976 fiscal year is estimated to be $35 million, which is approximately 2 7 percent of the cost of constructing the 75-mile rail system, and

WHEREAS, The costs of operating BART are largely fixed, meaning that a decrease in service will not bring a comparable reduction in the operating cost; and

WHEREAS, The required revenue to operate BART can be secured by continuing the ½-percent retail transactions and use tax and from funds made available under Chapter 1400 of the Statutes of 1971, and

WHEREAS, In such a case, BART could be operated on a no-fare basis, thus making transportation available to the economically deprived individuals, while also providing an economic incentive to those who commute in their automobiles to discontinue such commuting; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of operating the San Francisco Bay Area Rapid Transit District on a no-fare basis; and be it further

Resolved, That such committee report its finding and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1642

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 1642 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Labor Relations

VOTE CHANGES

Messrs Maddy and Mobley were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 679

Mr Cline was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 679

Messrs Stacey and Wakefield were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 375

Mr Mobley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1719.

Messrs LaCoste, Maddy, and Harvey Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1719.

Messrs Powers and Ralph were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 1877

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1877.

Mr. Cory was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1877.

Mr McCarthy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1877.

ADJOURNMENT

At 3.32 p m., Acting Speaker Fenton declared the Assembly adjourned until 11 a m., Monday, May 15, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-third Legislative Day

One Hundred Thirty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, May 15, 1972

The Assembly met at 11 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr Priolo seconded the motion.
Motion carried. Time, 11:04 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11·20 a m., Speaker pro Tempore Bee declared a quorum of the Assembly present
The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers,

Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Pray to You, Father, To inspire world, national, and local leaders to work together in mutual trust that their efforts may give hope to the discouraged and peace to the world.

We pray that the far too many sick, homeless, and jobless may escape the prison of their misery.

We pray that all men living in suspicion and fear may find courage and confidence in You, Father, and in Your children —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Cullen then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr. Dunlap, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr Ketchum, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Knox, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Acting Speaker Cory.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Chacon, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived:

Mr. Bill Greene.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal

May 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I have been requested to appear and open Grand Parlor of the Native Sons of the Golden West at South Lake Tahoe on Monday, May 15.

It is respectfully requested that I be excused on legislative business

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

May 10, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I would like to be excused from session on Monday, May 15 because of legislative business concerning AB 2135 through 2140 This legislation is the effort of the Joint Committee on Open Space Lands of which I am Chairman

The meeting, with the Junior League Council, in San Francisco, will be finished by noon time and I will return to the Capitol to fulfill my committee commitments.

Sincerely,

JOHN F. DUNLAP, Assemblyman
Fifth District

May 12, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker· I respectfully request to be excused from the session on Monday, May 15, 1972, on legislative business. I will be speaking to the Monterey Park Kiwanis Club with regard to sponsoring a youth program.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

May 8, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker This letter is to request that I be excused from Session on Monday, May 15, on legislative business

I shall be addressing the Clearing House Association in Paso Robles on this day at noon.

Thank you for your consideration of my request.

Sincerely,

WILLIAM M KETCHUM, Assemblyman
Twenty-ninth District

May 11, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: This is to request that I be excused from attending Assembly session on Monday, May 15, 1972, on legislative business I will be in my district meeting with constituents on legislation, and speaking to the Kern River-Lake Isabella Board of Realtors

Sincerely,

KENT H STACEY, Assemblyman
Twenty-eighth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of Subcommittee on State Electrical Energy Policy

May 12, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir: This will authorize creation of the Subcommittee on State Electrical Energy Policy of the Assembly Planning and Land Use Committee with the following membership: Assemblymen Warren (Chairman), Chappie, McCarthy and Priolo (ex officio)

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following report was presented by the Speaker:

Effects of Therapeutic Abortion Law on the Medical Profession, Patient-Doctor Relationships, Relationships Between the Medical Profession and General Public. (Pursuant to House Resolution No. 44, 1971)

Above transmitted report, together with letter of transmittal from William J Kurtz, Director, Department of Public Health, Berkeley, dated April 24, 1972, referred by the Speaker pro Tempore to the Committee on Health

---

The following reports were presented by the Chief Clerk:

State Personnel Board Activities Under the Welfare Reform Act of 1971 (March 1, 1972 to April 30, 1972.) May 4, 1972.

Above transmitted report, together with letter of transmittal from Richard L Camilli, Executive Officer, State Personnel Board, Sacramento, dated May 10, 1972, referred by the Speaker pro Tempore to the Committee on Welfare

A Survey to Determine the Need for Additional Safety Standards for School Bus Tires. (Pursuant to Assembly Concurrent Resolution No. 86.)

The Ratio of Public School Administrators to Classroom Teachers in California. (Pursuant to Education Code Section 17526.)

California School Districts Spending Less Than the Specified Amount for Teachers Salaries. (Pursuant to Education Code Section 17504.)

Miller-Unruh Reading Testing Program, Results for Educationally Handicapped Pupils, Spring, 1971. (Pursuant to Education Code Section 5779.) April 1972.

Enrollment of Educationally Handicapped Children Exceeding 2 Percent Limitation. (Pursuant to Education Code Section 6752, as amended.)

Above transmitted reports, together with letters of transmittal from Wilson Riles, Director, Department of Education, Sacramento, dated May 10, 1972, referred by the Speaker pro Tempore to the Committee on Education.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

F. J Hortig, Executive Officer, State Lands Division, Sacramento, dated May 9, 1972, transmitting general plan regarding proposed sale of state school land to the Department of Public Works, Division of Highways Referred by the Speaker pro Tempore to the Committee on Planning and Land Use

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Assembly Bill No	*Committee*
2364	Transportation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2365: By Assemblyman Seeley—An act to add Chapter 2 (commencing with Section 7285) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to airport user fees.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 335	AB No 751	AB No. 1591
AB No 566	AB No 942	AB No. 2138
AB No 662	AB No 1362	

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 605
AB No. 686
AB No 687

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 15, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 46
ACR No. 75

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 125

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined

ACR No 47
AJR No. 29

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, May 15, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

ACA No 54
ACA No. 67

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 69	AB No. 666	AB No 1419
AB No. 144	AB No. 793	AB No. 1714
AB No. 277	AB No. 1122	AB No. 1885
AB No 317	AB No. 1185	AB No. 1973
AB No. 400	AB No. 1339	AB No. 2037

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No 81

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 1589	AB No 1801	AB No. 2122
AB No. 1592	AB No. 1824	AB No. 2135
AB No. 1643	AB No. 1871	AB No. 2136
AB No. 1733	AB No. 1924	AB No 2247
AB No. 1744	AB No 2001	AB No. 2252
AB No. 1770	AB No. 2103	AB No. 2280

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 15, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 73	AB No. 945	AB No. 1359
AB No 450	AB No. 1025	AB No 1454
AB No 545	AB No. 1105	AB No. 1458
AB No 569	AB No 1152	AB No. 1470
AB No. 770	AB No 1162	AB No. 1473
AB No 826	AB No. 1179	AB No. 1487
AB No. 896	AB No 1215	AB No. 1496
AB No 897	AB No. 1315	AB No. 1500
AB No 906	AB No. 1319	AB No 1576

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 1082

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 149

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1813

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 1308

With amendments with the recommendation · Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No 1431
AB No 1563
AB No. 1610

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bills ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

ACA No. 42

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

WAXMAN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 2149

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 907

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 2074

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 2043

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Efficiency and Cost Control

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports:

AB No. 1452

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CULLEN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports:

AB No. 1490

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CULLEN, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 1895

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1895—An act to add Section 19901 to the Health and Safety Code, relating to the elderly.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman McAlister", and insert "Assemblymen McAlister, Barnes, Brathwaite, Chacon, Davis, Dunlap, Garcia, Knox, LaCoste, MacDonald, Moretti, Murphy, Pierson, Porter, Powers, Ryan, Sieroty, Townsend, Vasconcellos, and Wilson".

Amendment No. 2

In line 1 of the title, strike out "add Section 19901 to the Health and Safety", and insert "amend Sections 19521 and 19532 of the Revenue and Taxation".

Amendment No. 3

In line 2 of the title, strike out "the elderly", and insert "Senior Citizens Property Tax Assistance".

Amendment No. 4

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 19521 of the Revenue and Taxation Code is amended to read:

19521. *(a)* Subject to the limitations provided in this part, a claimant may, to the extent provided in Section 19523, file with the Franchise Tax Board, pursuant to Article 3 (commencing with Section 19531) of this part, a claim for assistance from the State of California of a sum equal to a percentage of the property taxes accrued and paid by the claimant on his homestead

(b) If the claimant's income for the taxable year ending immediately prior to the commencement of the fiscal year for which assistance is claimed was such that the claimant would receive assistance equal to at least 50 percent of the property tax, such claimant shall be authorized to submit and endorse his claim for such assistance to the local tax collector, to be credited as a payment of such property tax when the first installment is due, and prior to any period when such tax payments would be delinquent. The local taxing authority shall then be authorized to submit such claim to the Franchise Tax Board and receive disbursement of the assistance funds in place of the claimant. The Franchise Tax Board shall disburse such funds to the presenting taxing authority upon receipt of an endorsed claim, in the same manner as those claims presented by claimants

(c) Any claimant to qualify for and receive a payment of assistance for the immediate prior fiscal year pursuant to subdivision (a) will not qualify for treatment under subdivision (b).

SEC. 2. Section 19532 of the Revenue and Taxation Code is amended to read.

19532 (a) The claim *other than one filed by a local taxing authority, pursuant to subdivision (b) of Section 19521* on which the assistance is based shall be filed after May 15 of the fiscal year for which assistance is claimed but on or before October 15 succeeding the fiscal year for which assistance is claimed *Claims filed pursuant to, and in accordance with the provisions of subdivision (b) of Section 19521 may be filed by local taxing authorities upon receipt by them of such endorsed claims*

(b) The state shall assist the claimant after June 30 and before November 30 of the calendar year in which the claim is filed, except that if the claim is defective, assistance shall be made as promptly as is practicable after the claim has been perfected The Franchise Tax Board, whenever in its judgment good cause exists, may grant a reasonable extension of time for filing a claim The extension must be requested before the end of the filing period No extension or extensions shall aggregate more than six months from the due date provided for filing the claim, and no extension shall be granted for the due date provided in subdivision (c). The first claim filed shall include proof of the claimant's age, acceptable to the Franchise Tax Board

(c) A claimant who, because of a medically certified incapacity, is prevented from filing a timely claim, shall be permitted to file a claim

within six months after the end of his medical incapacity or three (3) years succeeding the end of fiscal year for which assistance is claimed, whichever date is earlier."

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 15, 1972

Mr Speaker: The Chairman of your Committee on Retirement reports:

AB No. 2050

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2050—An act to amend Sections 20013, 20014, 20017.5, 20017.6, 20017.7, 20017.75, 20017 76, 20017.77, 20017.8, 20017.9, 20602.92, 20605, 20612, 20750, 20750 3, 20803 7, 20950, 20980.5, 21022, 21250 1, 21252.1, 21252 6, 21290 5, 21292 5, 21293, 21295, 21363 and 21364.7 of, to add Sections 20604, 20750 86, 21252 7, 21252.8, 21252.9, 21252 95, 21263, 21263 1, 21263 2, 21263 3, 21363 5, 21385 7, and 22311 to, and to repeal Sections 20013.5, 20014.4, 20014.5, 20014.6, 20014 7, 20014.9, 20604, 20750 36, 20750 37, 20750 4, 20750.41, 20750.42, 20750 425, 20750.435, 20803.5, 20803 6, 20980 6, 20980 7, 21020.5, 21020 6, 21020.75, 21022 1, 21208, 21209, 21252.10, 21252 2, 21252 3, 21252.4, 21252.9, 21263, 21263.1, 21264, 21264 1 as added by Statutes of 1970, Ch. 150, 21264.1, as added by Statutes of 1970, Ch 719, 21264 5, 21290 6, 21290.75, 21292.75, 21293 6, 21293 7, 21293 8, 21363.4, 21363 5, 21363 75, 21364.75 and 21364 8 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, after "21022", insert ", 21224".

Amendment No. 2

In line 5 of the title, strike out "21363 and 21364.7", and insert "21330, 21361, 21363, 21364.7, 21367 51, and 21386".

Amendment No. 3

In line 5 of the title, after "20750 86", insert ", 21228, 21229".

Amendment No. 4

On page 15, between lines 26 and 27, insert

"SEC. 45 1. Section 21224 of the Government Code is amended to read:

21224. The adjustments provided by this article are subject to the following limitations:

(a) No adjustment shall be made for any year for which the adjustment is less than 1 percent of the base allowance, and the adjustment for any year shall not exceed 6 percent of the base allowance.

(b) No monthly allowance in any year may exceed an amount equal to the base allowance increased by 2 *3* percent per year compounded for the number of years intervening between the end of the base year and the beginning of the calendar year in which the adjustment is made

(c) No monthly allowance in any year shall be less than the base allowance

(d) No adjustment shall be made in any year in which the actuarial interest rate is less than 4 5 percent.

SEC 45 2. Section 21228 is added to the Government Code, to read.

21228. In addition to the increase of allowance authorized by and granted pursuant to the provisions of Section 21222 and notwithstanding the limitation in subdivision (b) of Section 21224, the monthly allowance paid with respect to a person retired or a member who died on or before July 1, 1971, shall be adjusted by a 10 percent increase

The percentage shall be applied to the allowance payable on the operative date of this section or in the case of a contracting agency on the date this section becomes applicable to the contracting agency, and the increased allowance shall be paid for time on and after that date and until the first day of April immediately following the date of such application The base allowance shall be adjusted by the same percentage effective with that annual adjustment.

This section shall not apply to any contracting agency or its employees, unless and until the agency elects to be subject to the provisions of this section by amendments to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provisions in such contract making the contracting agency subject to the provisions of this section.

SEC 45 3 Section 21229 is added to the Government Code, to read

21229 The amendments to this article at the 1972 Regular Session changing the maximum adjusted allowance which may be paid in any year shall apply only with respect to adjustments in allowances for time commencing on or after the annual adjustment date next following the operative date of this section Such amendment shall not apply to allowances payable for service to a public agency whose contract is terminated prior to the operative date of such amendments "

Amendment No. 5

On page 26, strike out lines 1 to 4, inclusive, and insert "Such percentage shall be 50 If there be".

Amendment No. 6

On page 33, between lines 26 and 27, insert

"SEC. 77.1. Section 21330 of the Government Code is amended to read:

21330. In lieu of the retirement allowance for his life alone, a member or retired member may elect, or revoke or change a previous election prior to the approval of the previous election, to have the actuarial equivalent of his retirement allowance as of the date of retirement applied to a lesser retirement allowance, in accordance with one of the optional settlements specified in this article. Said election or revocation or change thereof, with respect to ~~patrol, local safety or law enforcement members~~ *a member subject to Section 21263 at retirement*, shall apply to all of the retirement allowance, if, at the effective date of retirement for service or for industrial disability, said member has no ~~wife~~ *spouse*, children or dependent parents who would qualify for ~~continuance of the~~ *an* allowance *under Section 21263* after the death of said member; or, if at retirement ~~said member has a wife, children or dependent parents~~ *there are persons* who would so qualify, then said election, or revocation, or change thereof shall apply only to the portion of the allowance which ~~would not be continued after the member's death, regardless of dependents~~ *exceeds the amount of the allowance payable to the survivor*.

An actuarial equivalent under this article shall be computed on the basis of the mortality tables and actuarial interest rate in effect under the system on December 1, 1970

SEC. 77.2. Section 21361 of the Government Code is amended to read:

21361. The basic death benefit is payable in all cases where the retirement system is liable under Section 21360 for either the basic or a special death benefit and the special death benefit is not payable.

The basic death benefit shall consist of:

(a) The accumulated contributions of the member.

(b) An amount, provided from contributions by the state, or a contracting agency, equal to one-twelfth of the annual compensation earnable by the deceased during the 12 months immediately preceding his death, multiplied by the number of completed years of current service credited to the member, but not to exceed ~~one-half of~~ such compensation.

The basic death benefit for a member who dies under the circumstances described in subdivision (a)(5) of Section 21360 shall not exceed an amount which when added to the death benefit paid for such member under such other system equals the maximum death benefit payable under that system, if the death is not the result of injury or disease arising out of and in the course of his employment under that system; provided, however, that such benefit shall be at least equal to his accumulated contributions The basic death benefit for such member shall be the amount of his accumulated contributions if death is the result of disease or injury arising out of and in the course of employment under such other system."

Amendment No. 7

On page 35, between lines 38 and 39, insert

"SEC 85 1. Section 21367.51 of the Government Code is amended to read·

21367.51 Upon the death of any person, after retirement and while receiving a retirement allowance from this system, there shall be paid to his estate or to such beneficiary as he shall nominate by written designation duly executed and filed with the board, the sum of ~~five hundred dollars ($500)~~ *seven hundred fifty dollars ($750)* , to be provided from contributions by the state or contracting agency, as the case may be.

On and after the operative date of the amendment to this section at the 1969 Regular Session, this section shall apply to all contracting agencies and to the employees of such agencies whether or not such agencies have previously elected to be subject to this section."

Amendment No. 8

On page 36, between lines 3 and 4, insert

"SEC. 87 Section 21386 of the Government Code is amended to read

21386. The rate of contribution of a member subject to this article shall include, in addition to his normal rate, two dollars ($2) per month or fraction thereof, or ninety-three cents ($0 93) for each biweekly payroll period or fraction thereof, where salaries are paid on such basis Such contributions shall not become a part of a member's accumulated contributions or be treated or administered as normal contributions and shall not be refundable to a member under any circumstances Such contributions shall be available only for payment of survivors' allowances under this article.

This section shall not apply to state members. "

Amendment No. 9

On page 36, line 4, strike out "87", and insert "88".

Amendment No. 10

On page 36, line 14, strike out "88", and insert "89".

Amendment No. 11

On page 36, line 14, strike out "86", and insert "87".

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 12, 1972

Mr Speaker· The Chairman of your Committee on Labor Relations reports·

AB No 1642

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1642—An act to add Section 12005 to the Unemployment Insurance Code, relating to the career opportunities development program.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section", and insert "amend Section 3093 of, and to add Sections 3093 15, 3093.20, and 3093.25 to, the Labor Code, and to amend Section 12002 of, and to add Sections".

Amendment No. 2

In line 1 of the title, after "12005", insert ", 12005.1, 12005.2, 12005.3, 12005.4, 12005 5, 12005.6, 12005 7, 12005.8, 12005 25, and 12005:55 to,".

Amendment No. 3

In line 3 of the title, after "program", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, line 1, after "SECTION 1.", insert "Section 3093 of the Labor Code is amended to read:

3093. (a) The provisions of this section will apply only when voluntarily requested by the parties to a collective bargaining agreement or by an employer, his association, or a union, or its representative where there is no collective bargaining agreement

(b) Nothing in this section may be construed in any way so as to compel, regulate, interfere with, or duplicate the provisions of any established training programs which are operated under the terms of any collective bargaining agreements or unilaterally by any employer or bona fide labor union.

(c) Services contemplated under this section may be provided only when voluntarily requested and shall be denied when it is found that existing prevailing conditions in the area and industry would in any way be lowered or adversely affected.

(d) The California Apprenticeship Council in cooperation with the Departments of Education and Employment and the Board of Governors of the California Community Colleges may foster and promote on-the-job training programs other than apprenticeship as follows. (1) programs for journeymen in the apprenticeable occupations to keep them abreast of current techniques, methods and materials and opportunities for advancement in their industries; (2) programs in other than apprenticeable occupations for workers entering the labor market for the first time or workers entering new occupations by reason of having been displaced from former occupations by reason of economic, industrial, technological scientific changes or developments; (3) such

programs shall be in accord with and agreed to by the parties to any applicable collective bargaining agreements and where appropriate will include joint employer-employee cooperation in the programs.

(e) The Division of Apprenticeship Standards when requested may foster and promote voluntary on-the-job training programs in accordance with this section, and assist employers, employees and other interested persons and agencies in the development and carrying out of such programs. The Division of Apprenticeship Standards shall cooperate in these functions with the Departments of Education and Employment and the Board of Governors of the California Community Colleges and other governmental agencies. The Division of Apprenticeship Standards may cooperate with the Departments of Corrections and Youth Authority in the development of training programs for inmates and releasees of correctional institutions.

(f) The programs, where appropriate, may include related and supplemental classroom instruction offered and administered by state and local boards responsible for vocational education.

(g) The activities and services of the Division of Apprenticeship Standards in training programs under this section shall be performed without curtailing or in any way interfering with the division's activities and services in apprenticeship.

(h) The Division of Apprenticeship Standards may contract with, and receive reimbursements from, appropriate federal, state and other governmental agencies.

(i) The vocational education activities and services of the Department of Education, the Board of Governors of the California Community Colleges, and local public school districts shall not be abridged or abrogated through implementation of this section.

(j) "On-the-job training" as used in this section refers exclusively to training confined to the needs of a specific occupation and conducted at the jobsite for *(1)* employed workers, *(2) work experience education students as defined by Article 5.5 (commencing with Section 5985) of Chapter 5 of Division 7 of the Education Code, (3) persons in cooperative vocational education programs, (4) vocational education students enrolled in work-study programs, (5) persons in work-study and cooperative education programs authorized under Title IV of the Higher Education Act of 1965, as amended, Public Law 89-329, and (6) persons enrolled in those occupational preparation programs of the United States Department of Labor, such as Neighborhood Youth Corps, Operation Mainstream, Public Service Careers Program, Job Opportunities in the Business Sector, and the Concentrated Employment Program*.

(k) The term journeyman, as used in this section, means a person who has either (1) completed an accredited apprenticeship in his craft, or (2) who has completed the equivalent of an apprenticeship in length and content of work experience and all other requirements in the apprenticeship standards for the craft which has workers classified as journeymen in an apprenticeable occupation.

(l) Nothing in this section shall be construed to require prior approval, ratification, or reference of any training program to the Division of Apprenticeship Standards or the Department of Industrial Relations.

SEC. 2. Section 3093.15 is added to the Labor Code, to read:

3093.15. The California Apprenticeship Council is authorized to establish standards for minimum wages, maximum hours, and working conditions for all persons engaged in training pursuant to Section 3093.

SEC. 3. Section 3093.20 is added to the Labor Code, to read:

3093 20. For the purposes of the pilot public agency program established pursuant to Unemployment Insurance Code Section 12005 2, the ratio of trainees to journeymen for state-supported agencies shall not be less than that required of private enterprise contractors or subcontractors, suppliers, or manufacturers covered by Section 1777.5.

SEC. 4. Section 3093.25 is added to the Labor Code, to read:

3093 25. For the purposes of the Pilot Public Agency program established pursuant to Unemployment Insurance Code Section 12005.2, journeymen comprise those persons (a) holding a certificate of training recognized by the California Apprenticeship Council or (b) whose qualifications and training meet the standards of the California Apprenticeship Council.

SEC. 5. Section 12002 of the Unemployment Insurance Code is amended to read:

12002. As used in this division a "Career Opportunities Development Program" includes but is not limited to:

(a) Analysis and reevaluation of job descriptions and skill requirements, and wherever necessary restructuring of jobs in order to insure that maximum entry level positions are available requiring minimum qualifications and that jobs at all levels of the agency employment provide the greatest possible opportunities for promotion based upon demonstrated performance capability;

(b) Development of career ladders extending wherever possible from minimum qualification entry level positions to high-level professional and managerial positions to give new and existing agency staff the greatest possible opportunities for vertical and horizontal career mobility;

(c) Reexamination of civil service testing and selection requirements and practices to insure that such requirements and practices are in conformance with the standards for testing and selection adopted by the California Fair Employment Practices Commission;

(d) Reexamination of recruiting policies and practices to insure that positive opportunities are provided to groups suffering present or prior employment discrimination to seek and obtain available employment opportunities, and,

(e) Development and operation of career education and training programs providing academic and job skills to facilitate permanent employment and upward job mobility, *including assistance to programs authorized by Section 12005 1*.

SEC. 6."

Amendment No. 5

On page 1, after line 5, insert

"SEC 7 Section 12005.1 is added to the Unemployment Insurance Code, to read:

12005.1. There is hereby established a pilot occupational preparation program, based upon certification of marketable skills, pursuant to Labor Code Section 3093, which provides for California Apprentice-

ship Council administered on-the-job training (nonapprenticeship). The pilot program features state agency participation, and at a level statutorily required of government contractors. An objective of the program is a feasibility report for statewide implications.

SEC 8. Section 12005 2 is added to the Unemployment Insurance Code, to read:

12005.2. As pilot state agencies, the Department of Public Health, in cooperation with the University of California, shall establish within 150 days of the effective date of this section an occupational preparation program pursuant to Labor Code Section 3090. The location of the state agency jobsites shall be within one of the operational vocational planning areas established pursuant to Article 10 4 (commencing with Section 6268) of Chapter 6 of Division 6 of the Education Code. The local training committees shall include both public and private employer representatives, and the occupations covered shall not be restricted to the allied health specializations.

SEC. 9 Section 12005.3 is added to the Unemployment Insurance Code, to read:

12005 3 Within 90 days of the effective date of this section, the pilot state agencies, in cooperation with the State Personnel Board shall provide appropriate classifications for budgeted and nonbudgeted trainees, pursuant to Section 12005 2 The State Personnel Board shall assist the pilot public agencies in establishing the training programs and committees, and the board shall assist local employer involvement in the program

SEC 10 Section 12005 4 is added to the Unemployment Insurance Code, to read·

12005 4 Within 90 days of the effective date of this section, the Department of Human Resources Development shall advise the Department of Public Health, and the Division of Apprenticeship Standards of the Department of Industrial Relations regarding specific staff services available for labor market information, occupational analysis, and placement.

SEC 11 Section 12005.5 is added to the Unemployment Insurance Code, to read:

12005 5 The California Apprenticeship Council shall report to the Legislature on June 1, 1973, and January 1, 1974, regarding the feasibility of alternative levels of participation of those categories of persons described in paragraphs (2) to (6) of subdivision (j) of Section 3093 of the Labor Code The report shall include findings and recommendations on workability of program administration by the Division of Apprenticeship Standards and the specific staffing requirements to service such program.

SEC 12 Section 12005 6 is added to the Unemployment Insurance Code, to read:

12005 6 In cooperation with the California Advisory Council on Vocation Education and Technical Training, and the vocational area planning committees established pursuant to Article 10 4 (commencing with Section 6268) of Chapter 6 of Division 6 of the Education Code, the Advisory Coordinating Council on Public Personnel Management, created by the Governor's Executive Order No. R-30-71 dated May 20,

1971, shall report to the Legislature on June 1, 1973, and January 1, 1974, regarding (a) the feasibility of alternative levels of state, county, municipal, school and special district participation in programs established pursuant to Section 12005 2, especially as such program may include persons covered by the Employment Opportunity Act of 1971 and the Welfare Reform Act of 1971, and (b) a comparison of the costs [of certificated institutional training versus the costs] of certificated on-the-job training programs pursuant to Labor Code Section 3090 versus the costs of certificated institutional training programs.

SEC. 13. Section 12005.7 is added to the Unemployment Insurance Code, to read:

12005.7. As a continuing State Personnel Board effort in connection with Unemployment Insurance Code Section 12005 3, the board shall utilize the resources and results of programs established by the Employment Opportunity Act of 1971 and the Welfare Reform Act of 1971 in providing assistance to the pilot state agency participants

SEC. 14. Section 12005.8 is added to the Unemployment Insurance Code, to read:

12005.8. There is hereby established the Student Career Opportunities Development Program Interagency Committee, comprising representatives of (a) the Center for Health Careers of the Department of Public Health, who shall serve as committee chairman and coordinator of the pilot program established pursuant to Section 12005.1, (b) the Advisory Coordinating Council on Public Personnel Management, created by the Governor's Executive Order No. R-30-71 dated May 20, 1971, (c) the State Personnel Board, (d) the Division of Apprenticeship Standards of the Department of Industrial Relations, (e) the California State Universities and Colleges, (f) the University of California; and an equal number of local representatives, appointed by the committee chairman, from a county office of education, regional occupational center or program, council of business and industry organizations, council of labor organizations, vocational area planning committee created pursuant to Article 10.4 (commencing with Section 6268) of Chapter 6 of Division 6 of the Education Code, and council of student career club organizations The committee shall report to the Legislature on or before the fifth calendar day of each regular session regarding the committee's findings and recommendations as to (1) the workability of the pilot program, (2) fiscal considerations involving state legislation, and (3) occupational guidance services required, used, and needed by program participants, for each of the following: occupational interest inventory tests, occupational aptitude tests, occupational literacy tests, occupational proficiency tests, practical education and training course plans for achieving the applicant occupational proficiency certificate objectives, and labor market estimates of the demand and supply of the applicant's occupational certificate specialization.

SEC 15. Section 12005.25 is added to the Unemployment Insurance Code, to read:

12005.25. Pursuant to Education Code Section 7451, the county superintendents of schools, in those counties within the vocational area selected pursuant to Section 12005 2, shall assist the pilot state agencies in obtaining the services of a local regional occupational

center or regional occupational program If such regional occupational center or regional occupational program does not exist, then the respective county superintendent shall formally report to the local school and college governing boards regarding those steps necessary and county assistance available for establishing a program, including the state and local fiscal effects of such establishment.

SEC. 16. Section 12005.55 is added to the Unemployment Insurance Code, to read:

12005.55. The county superintendents of schools, in those counties within the vocational area selected pursuant to Section 12005 2, shall report to the California Apprenticeship Council on April 1, 1973, and October 1, 1973, regarding a workable set of guidelines whereby an educational agency and the Division of Apprenticeship Standards could cooperatively develop a program which met all of the requirements of a work experience education program and an on-the-job training program and which, in part at least, would be serviced by the Division of Apprenticeship Standards. The Department of Education and the office of the Chancellor of the California Community Colleges shall assist the county superintendents in the implementation of this section, and shall assign liaison personnel for such purpose.

SEC 17. For the purposes of this act, for the fiscal year July 1, 1972 through June 30, 1973, there is hereby appropriated from the General Fund the sum of ninety thousand dollars ($90,000), to be allocated as follows:

(1) Thirty thousand dollars ($30,000) to the Division of Apprenticeship Standards.

(2) Ten thousand dollars ($10,000) to the State Personnel Board.

(3) Ten thousand dollars ($10,000) to the Advisory Coordinating Council on Public Personnel Management.

(4) Thirty thousand dollars ($30,000) to the Department of Public Health

(5) Ten thousand dollars ($10,000) to the University of California.

SEC. 18 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A consequence of the current unemployment situation is a statewide adverse impact on young persons and the occupationally untrained and displaced The early effectiveness of this legislation will help cushion and ameliorate this circumstance."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No 541

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 541—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure and to amend Section 9503 of the Commercial Code, relating to repossession.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 117 of, to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 117 of the Code of Civil Procedure is amended to read:

117. All judges of the justice court, except as otherwise provided in this section, and judges of the municipal court shall exercise the jurisdiction conferred by this chapter, and while sitting in the exercise of said jurisdiction shall be known and referred to as the small claims court, provided, that the jurisdiction of such court, when sitting as a small claims court, shall be confined to cases for the recovery of money only where the amount claimed does not exceed five hundred dollars ($500) *and to cases for the repossession of consumer goods, as defined in Section 510.2, irrespective of the value of such goods*, except that a municipal judge sitting as a small claims court shall also have jurisdiction in proceedings in unlawful detainer after default in rent for residential property where the term of tenancy is not greater than month to month, and where the whole amount claimed is five hundred dollars ($500) or less.

Such courts shall have jurisdiction in actions to enforce payment of delinquent unsecured personal property taxes if the legality of the tax is not contested by the defendant.

Action shall be commenced and maintained in small claims court as follows:

(1) When a defendant has contracted to perform an obligation in a particular judicial district, an action founded on such obligation may be commenced and maintained either in the judicial district where such obligation is to be performed, or in which the defendant, or any such defendant, resides at the commencement of the action.

(2) When the action is for repossession of consumer goods, either the judicial district where the defendant resides, or where the goods are located, shall be the proper judicial district for the trial of the action.

~~(2)~~

(3) When the action be for injury to person or to personal property, either the judicial district where the injury occurs, or where the

defendants, or any of them, reside at the commencement of the action, shall be the proper judicial district for the trial of the action.

~~(3)~~

(4) In all other cases, actions shall be commenced and maintained in the judicial district in which the defendant, or any such defendant, resides at the commencement of the action.

SEC. 2. Chapter 2 (commencing with Section".

Amendment No. 3

On page 1, line 4, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 4

On page 3, strike out lines 13 to 40, inclusive; and on page 4, strike out lines 1 to 28, inclusive, and insert

"511.2. (a) Any person who wishes to recover the possession of consumer goods may commence an action in the small claims court.

(b) The plaintiff shall file a Notice of Suit for Repossession and an affidavit stating (1) he has a security interest in the goods, particularly describing them, (2) the defendant is in default on the security agreement, (3) the nature of the default, (4) the goods have not been taken for a tax, assessment or fine which was levied pursuant to any provision of law, (5) the goods have not been levied upon under an execution or attachment, or if so levied upon, is exempt from execution or attachment. A copy of the security agreement shall be attached to the affidavit.

The Notice of Suit for Repossession shall be in the following form:

NOTICE OF SUIT FOR REPOSSESSION AND OPPORTUNITY FOR COURT HEARING

IN THE SMALL CLAIMS COURT OF _____ JUDICIAL DISTRICT COUNTY OF _____ STATE OF CALIFORNIA CASE NUMBER_____

_____vs._____
Plaintiff(s) Defendant(s)

A lawsuit has been filed against you, indicating that you have missed the following payment(s) on your _____.
(describe contract/obligation)

_____	$_____	$_____
(date(s) due)	(amount of each payment)	(total)
Late charges		_____
Collection charges		_____
TOTAL DUE		$_____

If you dispute any part of this claim, or if any of the above amounts are incorrect, you have a legal right to a hearing in court. You may obtain a court hearing by filling out the bottom portion of this notice and returning it to the clerk of the above-entitled court in the enclosed envelope on or before _____. You will be
(15th day from date of service)
notified by mail by the court of the date and time set for the hearing. You may have this matter transferred to the appropriate higher court having jurisdiction by filing a Request for Transfer with the clerk of this court on or before _____.
(15th day from date of service)

If you do not desire a court hearing, and wish to avoid repossession, you may do so by paying _____ to _____
(total due) (name of creditor)
at _____ on or before _____.
(address of creditor) (15th day from date of service)
IF YOU DO NOT PAY _____ OR RETURN THE ATTACHED FORM AS SET FORTH ABOVE, THE PLAINTIFF MAY REPOSSESS _____ WITHOUT FURTHER NOTICE OR HEARING.
(total due) (describe secured goods)

IF YOU WISH TO SEEK THE ADVICE OF AN ATTORNEY IN THIS MATTER, YOU SHOULD DO SO PROMPTLY SO THAT YOU MAY ACT BEFORE THE DEADLINE.

REQUEST FOR HEARING
NO._____

_____VS._____
(Plaintiff) (Defendant)

I desire a court hearing in this matter.

_____
(name of defendant)

_____
(address of defendant)

_____
(signature of defendant)

RECEIPT FOR REQUEST FOR HEARING

_____
Name of Plaintiff

_____
Date of Mailing

_____
Place of Mailing

(c) A copy of the affidavit mentioned in subdivision (b) and the Notice of Suit for Repossession shall be served in lieu of an affidavit and order for appearance described in Section 117b upon the defendant in the manner prescribed by Section 117c.

(d) The defendant shall have 15 days from the receipt of service of the papers mentioned in subdivision (c) to reinstate his right to possession of the goods, or to file a Request for Hearing or Request for Transfer. In order to reinstate his right to possession of the goods, the defendant shall pay to the plaintiff all payments which are presently due, all payments becoming due prior to reinstatement, and all charges incurred by the plaintiff as a result of the defendant's default.

If the defendant files a Request for Transfer, the court shall transfer the case to the appropriate higher court having jurisdiction for trial without the necessity of further filing of pleadings by either party.

If the defendant files a Request for Hearing, the court shall fix a time for hearing and mail a notice of the time and place for hearing to the parties. The court shall conduct the hearing within 15 days of the filing of the Request for Hearing, unless one of the parties, for good cause, is granted a continuance.

(e) If the defendant fails to reinstate his right to possession, or does not file a Request for Transfer or Request for Hearing within the time specified in subdivision (d), upon the filing of an affidavit by the plaintiff to the effect that the defendant has not reinstated his right to possession, the court shall enter his default and make an order authorizing repossession of the consumer goods by the plaintiff. The order shall specify that the repossession is authorized only if the goods are not located within a building or enclosure.

In the event the goods are located within a building or enclosure, the court shall order the sheriff, marshal, or the constable to take possession of the goods and deliver them to the plaintiff Upon receipt of the order, the officer shall publicly demand delivery of the goods. If the goods are not delivered and the officer is not voluntarily allowed to enter the building or enclosure, he may cause the building or enclosure to be broken open and take the possession of the goods. Upon taking possession of the goods, the officer shall deliver them to the plaintiff.

(f) After repossession of the goods by the plaintiff or his agent, or upon receipt of the goods after repossession by the officer, the plaintiff shall mail a notice to the defendant, stating that he may cure the default and reinstate the security agreement within 10 days from receipt of the notice by paying the past due installments, late charges, collection fees, and reasonable repossession costs, all of which shall be itemized, and that upon receipt of the payment the plaintiff shall return the goods to the defendant. The notice shall also state that if the defendant fails or is unable to cure the default and reinstate the security agreement, he shall have an additional 10 days within which to pay the entire balance due under the security agreement and redeem the goods.

(g) An order or judgment obtained in an action brought pursuant to this section shall not have the effect of res judicata or collateral estoppel in any other action.

511 25. If an action to recover possession of consumer goods is commenced in a court other than the small claims court, a copy of the affidavit and Notice of Suit for Repossession shall be attached to the complaint "

Amendment No. 5

On page 8, line 5, strike out "SEC. 3", and insert "SEC 4".

Amendment No. 6

On page 8, line 28, strike out "SEC. 4", and insert "SEC. 5".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 12, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1687

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1687—An act to amend Section 35743 of the Health and Safety Code, relating to fair housing.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to".

Amendment No. 2

In line 1 of the title, after "of", insert ", and to add Section 17963 to,".

Amendment No. 3

In line 2 of the title, strike out "fair".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 1953 is added to the Civil Code, to read:

1953. It is the intention of the Legislature to occupy the field of regulation by law of the relations of landlord and tenant, except as follows:

(a) A city, county, or city and county may adopt health and safety ordinances not in conflict with state law which create rights and duties of landlords and tenants.

(b) A city, county, or city and county may protect residential tenants from unreasonable lease provisions by requiring that specific information or guarantees be included in leases, or by prohibiting particular clauses in leases for residential use.

(c) The Legislature does not intend to express an intention to preclude local rent control, nor an intention to authorize it.

SEC. 2. Section 53635 of the Government Code is amended to read:

53635. So far as possible, all money belonging to, or in the custody of, a local agency, including money paid to the treasurer or other official to pay the principal, interest, or penalties of bonds, shall be deposited for safekeeping in state or national banks in the state selected by the treasurer or other official having the legal custody of the money, or may be invested in:

(a) Bonds or interest-bearing notes or obligations of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

(b) Bonds of this state, or those for which the faith and credit of this state are pledged for the payment of principal and interest

(c) Bonds of any county, city, metropolitan water district, municipal utility district, or school district of this state.

(d) Bonds, consolidated bonds, collateral trust debentures, consolidated debentures, or other obligations issued by federal land banks or federal intermediate credit banks established under the Federal Farm Loan Act, as amended, in debentures and consolidated debentures issued by the Central Bank for Cooperatives and banks for cooperatives established under the Farm Credit Act of 1933, as amended, in bonds or debentures of the Federal Home Loan Bank Board established under the Federal Home Loan Bank Act, in stock, bonds, debentures and other obligations of the Federal National Mortgage Association *or of*

the Government National Mortgage Association established under the National Housing Act as amended, and in the bonds of any federal home loan bank established under ~~said~~ *such* act, *and in evidences of indebtedness qualifying under Section 26082 of the Revenue and Taxation Code*.

SEC. 3. Section 17963 is added to the Health and Safety Code, to read:

17963. A city or county may by ordinance provide procedures and remedies for the enforcement of this part and the rules and regulations promulgated pursuant to this part within its jurisdiction which shall be in addition to the enforcement procedures and remedies provided in this part and the rules and regulations promulgated pursuant to this part.

SEC. 4. Section 35743 of the Health and Safety".

Amendment No. 5

On page 2, lines 4 and 5, strike out "augmenting the efforts of the State Fair Employment Practice Commission".

Amendment No. 6

On page 2, line 5, strike out "Nothing", and insert "However, to the extent that any such legislation or program purports to require or permit any act that is unlawful under Section 35720 it shall be invalid. Nothing".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 15, 1972

Mr Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1195

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1195—An act to amend Section 18300 of the Health and Safety Code, relating to mobilehomes.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, line 6, of the printed bill, strike out "A city, county, or city and county,"; and strike out lines 7 to 18, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1964

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1964—An act to amend Sections 4456 and 11700 of, to add Sections 396 and 397 to, to add Chapter 7 (commencing with Section 3100) to Division 2 of, and to add Article 1.5 (commencing Section 11730) to Chapter 4 of Division 5 of the Vehicle Code, relating to mobilehomes.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 5, line 35, of the printed bill, as amended in Assembly April 27, 1972, strike out ", each member of the board".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 11, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports:

SB No. 61

With author's amendments with the recommendation Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 61—An act to amend Section 24297 of the Health and Safety Code, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate April 3, 1972, between lines 24 and 25, insert

"The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels"

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 1474

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1474—An act to add Section 19818 to the Health and Safety Code, relating to inflammable materials.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 19818 to", and insert "amend Section 28756 of, and to add Section 28775.5 to,".

Amendment No. 2

In line 2 of the title, strike out "inflammable materials", and insert "flammable materials, and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 28756 of the Health and Safety Code is amended to read:

28756. The term "banned hazardous substance" means:

(a) Any toy, or other article intended for use by children, which is a hazardous substance, or which bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted, or

(b) Any hazardous substance intended or packaged in a form suitable, for use in the household, which the department by regulation classifies as a "banned hazardous substance" on the basis of a finding that, notwithstanding such cautionary labeling as is or may be required under this chapter for that substance, the degree or nature of the hazard involved in the presence or use of such substance in households is such that the objective of the protection of the public health and safety can be adequately served only by keeping such substance, when so intended or packaged out of the channels of intrastate commerce.

(c) Any article of clothing, other than diapers, which is intended for the use of children 14 years of age or younger which is not in compliance with flammability standards for such clothing established by the department.

SEC. 2. Section 28775.5 is added to the Health and Safety Code, to read:

28775.5. The department shall adopt such regulations, in conformity with the Federal Hazardous Substances Act where applicable, as it determines are reasonably necessary to protect children 14 years of age or under from injury due to flammable clothing.

SEC. 3. The sum of _____ ($_____) is hereby appropriated from the General Fund to the State Department of Public Health for expenditures in carrying out the provisions of this act."

Amendment No. 4

On page 1, strike out lines 2 to 4, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1717

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1717—An act to amend Section 100 1 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 100 1 of", and insert "amend Section 100 21 of, to add Sections 103.7, 103 8, 103.9, and 256 2 to, and to add Article 6 (commencing with Section 834.1) to Chapter 4 of Division 1 of,".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 100.21 of the Streets and Highways Code is amended to read:

100 21. *(a)* Whenever a street or highway closing agreement is required by Section 100 2, the department shall not acquire, except by gift, and except in hardship or protective cases as determined by the department or the commission, any real property for a freeway through a city until such an agreement is first executed with the city council,

or for a freeway through unincorporated territory in a county until such an agreement is first executed with the board of supervisors. The department shall give notice to the city council or the board of supervisors, as the case may be, of any acquistion of such real property prior to the execution of such an agreement.

(b) Where a proposed freeway requires the execution of an agreement pursuant to Section 100 2 from more than one city or county, the restrictions of this section with respect to the acquisition of property by the department shall also apply to such acquisitions in a city or county which has executed such an agreement, if such city or county is adjacent to a city or county which has not executed such an agreement with respect to the proposed freeway.

SEC. 2 Section 103 7 is added to the Streets and Highways Code, to read·

103 7 The department shall grant the owner of real property a minimum of 14 days, after the submission of a written offer to acquire such property, to accept or reject the offer.

SEC 3 Section 103 8 is added to the Streets and Highways Code, to read

103.8. (a) In case of a dispute between the department and a person as to the amount he should be offered for his real property, the person may request a hearing by the Office of Administrative Procedure to resolve the dispute.

(b) The office shall adopt rules and regulations necessary to implement subdivision (a).

(c) This section shall be applicable only where the appraised value of the real property, as determined by the department, is fifty thousand dollars ($50,000) or less and the amount in dispute is two thousand dollars ($2,000) or less

(d) The finding of the office shall be final and conclusive on both the department and the person.

SEC 4 Section 103 9 is added to the Streets and Highways Code, to read:

103 9. (a) The department shall adopt rules and regulations with respect to the disposition of property improvements on real property acquired by it.

(b) The department shall inform the owner of the real property to be acquired by it of such rules and regulations

SEC 5 Section 256 2 is added to the Streets and Highways Code, to read·

256 2 Within one year after the Legislature has deleted a highway, or a portion thereof, from the state highway system or from the California freeway and expressway system, the commission shall reevaluate the location of other adopted routes that may be affected by such deletion

SEC 6. Article 6 (commencing with Section 834 1) is added to Chapter 4 of Division 1 of the Streets and Highways Code, to read.

Article 6 Allowances to Local Agencies for Severance Aid

834 1 For purposes of this article

(a) "Local agency" means a city or a county.

(b) "Board" means the State Board of Equalization.

(c) "State highway purposes" does not include property acquired for public transit facilities, such as property acquired pursuant to Section 150.

834.2. On or after July 1, 1973, whenever real property within a local agency, the unincorporated area in the case of a county, is acquired for state highway purposes, the board shall calculate an amount of severance aid as provided in this section, in addition to any other allowances provided by law to be paid to the local agency.

Following the acquisition of such property, based on the amount of tax revenues the local agency would have received from such property if there had been no such acquisition, the board shall calculate the local agency's severance aid as follows: For the year following such acquisition, the local agency shall be allowed the amount of tax revenues that would have been paid during the year of acquisition, if the taxes assessed on the property acquired were then paid in full; for the second year, the local agency shall be allowed 80 percent of such amount; for the third year, the local agency shall be allowed 60 percent of such amount; for the fourth year, the local agency shall be allowed 40 percent of such amount; and for the fifth year, the local agency shall be allowed 20 percent of such amount.

834 3. On or before April 1st of each year, the department shall advise the board of the real property described in Section 834 2 acquired by the department during the prior fiscal year within each local agency that may be eligible for severance aid pursuant to this article.

On or before April 20th of each year, the board shall determine and certify to the State Controller the amount of severance aid computed and to be allowed to local agencies under Section 834 2 for the fiscal year. On or before May 15th of each year, the State Controller shall allocate from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund the amount of severance aid computed and to be allowed to local agencies for the current fiscal year as so certified.

834 4. (a) No money shall be allocated to any local agency for any fiscal year pursuant to this article, unless the Legislature approves such allocation for that fiscal year pursuant to this section by appropriating the money from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund for such purpose.

(b) In case the amount of money appropriated by the Legislature for purposes of this article during any fiscal year is insufficient to pay the amounts provided for in Section 834 2, the amounts provided for in that section shall be reduced proportionately

834 5 No allowance of severance aid shall be made as provided in Section 834 2 unless the total assessed value of taxable real property within the local agency is reduced by 0 5 percent or more during a fiscal year by reason of acquisitions giving rise to severance aid as provided in Section 834 2 In determining whether or not the value of such acquisitions is equal to 0 5 percent or more of the value of taxable real property, all such acquisitions made during each fiscal year shall be considered as one sum."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 15, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports.

AB No. 1987

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1987—An act to amend Sections 5551 and 5552 of, to add Sections 5550 and 5550 5 to, and to repeal Section 5550 of, the Business and Professions Code, relating to architecture

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 5550 and 5550 5", and insert "Section 5550".

Amendment No. 2

On page 2, line 11, after "to", insert "the".

Amendment No. 3

On page 2, line 13, strike out "Such"; and strike out line 14; and in line 15, strike out "controlled by," and insert "In adopting such criteria, the board shall consider".

Amendment No. 4

On page 2, strike out lines 17 to 27, inclusive.

Amendment No. 5

On page 2, line 28, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 6

On page 2, line 31, strike out "satisfactorily passes", and insert "passes the examinations required by the board".

Amendment No. 7

On page 2, line 40, strike out "SEC 5", and insert "SEC 4"

Amendment No. 8

On page 3, strike out lines 5 to 10, inclusive, and insert

"(a) Satisfy the board that he is not applying for the examination in this state for the purpose of avoiding the requirements of the state of which he is a resident"

Amendment No. 9

On page 3, line 25, strike out "of", and insert "or"

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

SB No. 232

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 232—An act to amend Sections 1113, 1129, and 1344 of the Education Code, relating to school district elections.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4, line 27, of the printed bill, as amended in Senate April 19, 1972, strike out "75", and insert "90".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

~~REPORTS OF STANDING COMMITTEES~~

~~Committee on Education~~

~~Assembly Chamber, May 16, 1972~~

~~Mr. Speaker: The Chairman of your Committee on Education reports:~~

~~AB No. 1217~~

~~With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.~~

~~LEROY F. GREENE, Chairman~~

~~SECOND READING OF BILLS—AUTHOR'S AMENDMENTS~~

~~Assembly Bill No. 1217—An act to amend Section 11403 of, and to add Section 11402.5 to, the Education Code, relating to high school attendance.~~

~~Bill read second time.~~

~~Consideration of Author's Amendments~~

~~The following amendments, pursuant to the Assembly Rules, were read, and adopted:~~

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out "Section 11403 of, and to add Section 11402.5 to," and insert "Sections 16603, 16603.1, and 16616 of".

Amendment No. 1.5

In line 2 of the title, strike out "high school attendance", and insert "children's centers".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 16603 of the Education Code is amended to read:

16603. The need of a parent and child for service in a children's center shall be determined upon one of the following conditions:

(a) There is but one parent in the home and such parent supports or cares, or both, for the child, or the parent is physically or mentally unable either to support the family or care for the child, or there is but one parent in the home and this parent requires education or training to qualify for entrance upon employment that will make the family economically self-sufficient.

(b) There are two parents in the home, each of whom is either working or is physically or mentally unable to either support the family or care for the child.

(c) A child is in need of a preschool educational program before entrance to kindergarten because of disadvantage arising from home and community environmental conditions.

(d) Either parent is attending school or receiving instruction, and the other parent, if any, is gainfully employed.

(e) The services of the parent having care of the child are necessary as a qualified and acceptable teacher in a public school or as a qualified and acceptable supervisor to serve in the supervision and instruction of children in a children's center or a supervisor of a children's center program, or as a qualified and acceptable aide in such program, as shall be evidenced by a statement from the employing authority of the public school to the governing body of the children's center.

(f) The services of the parent having care of the child are necessary as a registered nurse, or licensed vocational nurse, as evidenced by a statement from the responsible employer to the governing body of the children's center.

(g) The services of the parent having care of the child are necessary to meet an emergency arising from the necessity of harvesting or processing crops, or as an agricultural worker.

(h) The parent or parents having care of the child are attending school or receiving instruction under the state vocational rehabilitation program or under the Manpower Development and Training Act or under other programs authorized for a parent or parents in families qualifying for aid to families with dependent children other than a program described in (i), as evidenced by a statement from any one of such agencies, or that one parent in a two-parent family is attending school or receiving instruction under any one of such programs, and the

~~other parent is employed or mentally or physically incapacitated, or the parent or parents could enter into a program such as is described in this section if children's center services were available to the family.~~

~~(i) The parent or parents having care of the child are participating under a work incentive program established pursuant to Section 432 of the Social Security Act, as evidenced by a statement from the Secretary of Labor or his representative, or that one parent in a two-parent family is so participating and the other parent is either employed or mentally or physically incapacitated to the extent that he is unable to care for the child, or the parent or parents could participate in such a program if children's center services were available to the family. A person continuously employed or engaged in on-the-job training for one year under a program described in Section 432(b)(1) of that act shall, for the purposes of this section, be deemed to be participating under a work incentive program during that year, unless federal law or regulations shall prescribe a different period.~~

~~*(j) The parent or parents are enrolled in a high school and would otherwise be unable to attend school without the services of a children's center program for the child.*~~

~~Sec. 2. Section 16603.1 of the Education Code is amended to read:~~

~~16603.1. A person meeting a condition described in subdivision (a), (b), (h), or (i), or (j) of Section 16603 has priority over a person meeting a condition described in subdivisions (c) through (g), inclusive, of that section, provided that service to a child enrolled in a children's center as of the effective date of the amendments to this section shall not be terminated.~~

~~Sec. 3. Section 16616 of the Education Code is amended to read:~~

~~16616. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. For parents who come within the provisions of Section 16604, the schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels. The schedule shall provide as nearly as possible an amount equal to sixteen cents ($0.16) per hour per child. The fee schedule shall be on an hourly basis, and shall be uniformly applied; *except that there shall be no fee charged for a parent enrolled in high school who is utilizing children's centers and would not otherwise be able to attend school without the services of a children's program for a child*.~~

~~The State Department of Education and the State Department of Social Welfare, or any county welfare department, are authorized to enter into a contract to provide for services under this chapter to families receiving public assistance or who are former or potential recipients of public assistance as defined by regulations of the State Department of Social Welfare whereby the State Department of Social Welfare or the county department pays either the total cost of such services or so much of the cost as will permit the maximum federal financial participation in such cost to become available.~~

~~The State Department of Social Welfare or a county welfare department shall have only such functions, duties, and responsibilities with respect to the educational program carried on in children's centers as is required by law and federal regulations.~~"

~~Amendment No. 3~~

~~On page 1, strike out lines 2 to 8, inclusive; and strike out page 2. Bill ordered reprinted, and to be re-referred to the Committee on Education.~~

NOTE: Later this day, the action was rescinded whereby the above report of the Committee on Education relative to Assembly Bill No. 1217 was received and read in the Assembly, and whereby the bill was read a second time, author's amendments read and adopted, and the bill ordered reprinted, and to be re-referred to the Committee on Education. See page 3214.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 1396

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1396—An act to amend Section 38341 of the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 38341", and insert "Sections 61842, 61843, and 61845".

Amendment No. 2

In line 2 of the title, after "milk", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 61842 of the Agricultural Code is amended to read:

61842. Class 1 comprises:

(a) Any fluid milk, fluid skim milk, or fluid cream that is supplied to consumers as market milk, market skim milk, or market cream or concentrated milk:, *with the exception of the following:*

(1) Any combination of market milk, market skim milk, or market cream which is sterilized and packaged in hermetically sealed containers.

(2) Any combination of market milk, market skim milk, or market cream which is sterilized and packaged in presterilized containers

under aseptic conditions to achieve commercial sterility in order to meet marketing requirements for sterilized cream or sterilized half and half in states other than this state; provided, however, that nothing in this paragraph shall authorize the sale within this state of any product as a sterilized product which does not meet the standards and requirements for sterilized products contained in Division 15 (commencing with Section 32501).

~~(b) Any combination of market milk, market skim milk, and market cream, or any market milk which is not sterilized and packaged in hermetically sealed containers.~~

~~(c)~~ *(b)* Any other dairy product or products resembling milk products in which the use of market milk or any components or derivatives of market milk is required by, or pursuant to, the provisions of this code.

~~(d)~~ *(c)* Any fluid milk, fluid skim milk, fluid cream, milk fat, or milk solids not fat which is used in the standardizing or fortifying of market milk or any dairy product which is defined in this section as class 1.

~~(e)~~ *(d)* Any product which is required by any regulations adopted by the director pursuant to Article 2 (commencing with Section 36631), Chapter 1, Part 3, Division 15 of this code to be made from market milk or any components or derivative of market milk

~~(f)~~ *(e)* Any fluid milk, fluid skim milk, fluid cream, milk fat or milk solids not fat used in any filled product or imitation milk product, when the product imitated or resembled, is defined in this section as class 1.

SEC. 2. Section 61843 of the Agricultural Code is amended to read:

61843. Class 2 comprises any fluid milk, fluid skim milk, or fluid cream which is used in the manufacture of any product *defined in paragraph (2) of subdivision (a) of Section 68142 or* for which a definition and standard is prescribed in Division 15 (commencing with Section 32501) ~~of this code~~, except any such product which is included in class 1, class 3 or class 4

SEC. 3. Section 61845 of the Agricultural Code is amended to read:

61845. Class 4 comprises all fluid milk, fluid skim milk, or fluid cream, which is used in the manufacture of butter, cheese other than cottage cheese, dried milk, dried skim milk, nonfat dry milk solids, defatted milk solids, dried buttermilk, or any product for which no definition and standards are prescribed in Division 15 (commencing with Section 32501) ~~of this code~~, *except the products defined in paragraph (2) of subdivision (a) of Section 61842*.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The provisions of this act clarify the ambiguities in the milk classification provisions for producer pricing purposes In order to clarify such ambiguities as soon as possible to avoid further problems, it is necessary that this act go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 15, 1972

Mr Speaker The Chairman of your Committee on Water reports:

AJR No. 23

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Joint Resolution No. 23—Relative to the San Felipe Water Project

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, lines 13 and 14, of the printed measure, strike out "withhold federal funds from", and insert "not expend any further funds for construction of".

Amendment No. 2

On page 2, lines 14 and 15, strike out "it has been more fully examined", and insert "full environmental impact studies have been completed".

Resolution ordered reprinted, and to be re-referred to the Committee on Water

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 15, 1972

Mr Speaker: The Chairman of your Committee on Local Government reports:

AB No 2053

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2053—An act to add Section 2636 to the Revenue and Taxation Code, relating to collection of liens.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 2636 to the Revenue and Taxation", and insert "amend Section 55501 of the Water".

Amendment No. 2

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 55501 of the Water Code is amended to read:

55501. The board may fix and collect rates or charges for the use and supply of water furnished by the system, and to apply the receipts from the rates or charges to the expenses of the administration and government of the district and the use, operation and extension of the waterworks and water supply.

The revenues obtained from such rates or charges may be in lieu of or supplemental to revenues obtained by the levy of taxes

The district board may provide for the collection of the rates or charges as a part of the annual general county tax bill provided the district furnishes in writing to the board of supervisors and to the county auditor the description of each parcel for which a charge is to be billed together with the amount of the charge applicable to each parcel in sufficient time to meet the schedule established by the county for inclusion of such items on the county general tax bill The parcel description may be the parcel number assigned by the county assessor to the parcel In such case the charge shall become a lien against the parcel of land to which it is charged in the same manner as the county general taxes Penalties may be collected for late payment of the charge or the amount thereof unpaid in the manner and at the same rates as that applicable for late payment or the amount thereof unpaid of county general taxes.

If the district collects charges through the county general tax bill, the amount of the charge and any applicable penalty shall be stated on the tax bill separately from all other taxes, if practicable "

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 15, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports·

AB No 505

AB No 1374

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 505—An act to amend Sections 12709, 12714, 12718, 12728, 12747, 12751, 12756, 12762, 12779, 12784, and 12788 of, and to add Section 12799 25 to, the Business and Professions Code, relating to weighmasters

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "12714, 12718, 12728, 12747,"; strike out line 2; and in line 3, strike out "Section", and insert "12747, and 12779 of, and to add Sections 12728 1, 12762.1, and".

Amendment No. 2

On page 2, strike out lines 14 to 35, inclusive; and on page 3, strike out lines 1 to 39, inclusive, and insert

"SEC. 2. Section 12728.1 is added to the Business and Professions Code, to read·

12728.1. When the scale is located at the site where the vehicle is loaded and the vehicle is weighed before entering a highway, the gross weight of any vehicle whose prescribed load limit is 76,800 pounds shall not be permitted to exceed by more than 500 pounds the prescribed load limit for the vehicle or combination of vehicles as a unit of equipment Under such circumstances, any weighmaster or deputy weighmaster who certifies the weight of a load which exceeds by more than 500 pounds the".

Amendment No. 3

On page 4, line 2, strike out "SEC. 5.", and insert

"SEC 3."

Amendment No. 4

On page 4, line 12, strike out "cancelled", and insert "canceled".

Amendment No. 5

On page 4, strike out lines 15 to 40, inclusive; and on page 5, strike out lines 1 to 27, inclusive, and insert

"SEC. 4. Section 12762.1 is added to the Business and Professions Code, to read:

12762.1 When the scale is located at the site where the vehicle is loaded and the vehicle is weighed before entering a highway, the gross weight of any vehicle whose prescribed load limit is 76,800 pounds shall not be permitted to exceed by more than 500 pounds the prescribed load limit for the vehicle or combination of vehicles as a unit of equipment. Under such circumstances, any weighmaster or deputy weighmaster who certifies the weight of a load which exceeds by more than 500 pounds the".

Amendment No. 6

On page 5, line 30, strike out "SEC. 9.", and insert

"SEC. 5."

Amendment No. 7

On page 5, line 40, strike out "cancelled", and insert "canceled"

Amendment No. 8

On page 6, strike out lines 3 to 40, inclusive; and on page 7, strike out lines 1 to 6, inclusive

Amendment No. 9

On page 7, line 7, strike out "SEC 12.", and insert "SEC. 6."

Amendment No. 10

On page 7, strike out lines 9 to 23, inclusive, and insert

"12799 25 When the scale is located at the site where the vehicle is loaded and the vehicle is weighed before entering a highway, the gross weight of any vehicle whose prescribed load limit is 76,800 pounds shall not be permitted to exceed by more than 500 pounds the prescribed load limit for the vehicle or combination of vehicles as a unit of equipment. Under such circumstances, any weighmaster or deputy weighmaster who certifies the weight of a load which exceeds by more than 500 pounds the".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Assembly Bill No. 1374—An act to amend Sections 39130 and 39184 of the Health and Safety Code, relating to air pollution.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after the comma, insert "and to amend Section 27156 of the Vehicle Code,"

Amendment No. 2

On page 1, line 3, after "39130 ", insert "No person shall sell, offer for sale, or advertise, or, except in an application to the board for certification of a device, represent, any device as a motor vehicle pollution control device unless that device has been certified by the board."

Amendment No. 3

On page 1, line 3, after the first comma, insert "offer for sale,".

Amendment No. 4

On page 1, line 4, strike out "as a certified device any", and insert "any motor vehicle pollution control device as a certified"

Amendment No. 5

On page 1, line 5, strike out "No person shall install or sell for"; strike out lines 6 and 7; and in line 8, strike out "the board."

Amendment No. 6

On page 1, line 11, after "39184 ", insert "No person shall sell, offer for sale, or advertise, or, except in an application to the board for accreditation of a device, represent, any device as a motor vehicle pollution control device for use on any used motor vehicle unless that device has been accredited by the board "

Amendment No. 7

On page 1, line 11, after the first comma, insert "offer for sale,".

Amendment No. 8

On page 1, line 12, strike out "as an accredited device any", and insert "any motor vehicle pollution control device as an accredited".

Amendment No. 9

On page 2, line 1, strike out "No person shall install or"; strike out lines 2 and 3, and in line 4, strike out "been accredited by the board."

Amendment No. 10

On page 2, after line 5, insert

"SEC 3. Section 27156 of the Vehicle Code is amended to read:

27156 No person shall operate or leave standing upon any highway any motor vehicle which is required to be equipped with a motor vehicle pollution control device under Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code or any other certified motor vehicle pollution control device required by any other state law or any rule or regulation adopted pursuant to such law, or required to be equipped with a motor vehicle pollution control device pursuant to the National Emissions Standards Act (42 U S C., Secs. 1857f-1 to 1857f-7, inclusive) and the standards and regulations promulgated thereunder, unless the motor vehicle is equipped with the required motor vehicle pollution control device which is correctly installed and in operating condition No person shall disconnect, modify, or alter any such required device

No person shall sell, offer for sale, ~~or~~ advertise, *or represent* any device, apparatus, or mechanism intended for use with, or as a part of, any required motor vehicle pollution control device or system which alters or modifies the original design or performance of any such motor vehicle pollution control device or system.

When the court finds that a person has willfully violated this section, he shall be fined the maximum amount that may be imposed in the case, and no part of the fine may be suspended

"Willfully," as used in this section, has the same meaning as the meaning of that word prescribed in Section 7 of the Penal Code.

No person shall operate a vehicle after notice by a traffic officer that such vehicle is not equipped with the required certified motor vehicle pollution control device correctly installed in operating condition, except as may be necessary to return the vehicle to the residence or place of business of the owner or driver or to a garage, until the vehicle has been properly equipped with such a device

The notice to appear issued or complaint filed for a violation of this section shall require that the person to whom the notice to appear is issued or against whom the complaint is filed produce proof of correction pursuant to Section 40150.

This section shall not apply to an alteration, modification, or modifying device, apparatus, or mechanism found by resolution of the State Air Resources Board either:

(1) To not reduce the effectiveness of any required motor vehicle pollution control device; or

(2) To result in emissions from any such modified or altered vehicle which are at levels which comply with existing state or federal standards for that model year of the vehicle being modified or converted.

The provisions of this section apply to motor vehicles of the United States or its agencies, to the extent authorized by federal law."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

Senate Chamber, May 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SJR No. 1

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 176	SB No 742	SB No. 1243
SB No. 390	SB No. 810	SB No. 1300
SB No. 554	SB No. 888	SB No. 1356
SB No. 556	SB No. 1183	

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 176—An act to add Section 21702.2 to the Education Code, relating to school district bonds.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 390—An act to amend Section 4217 of the Revenue and Taxation Code, relating to delinquent taxes.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 554—An act to amend Section 1252 of, and to add Section 1253.5 to, the Unemployment Insurance Code, relating to unemployment.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 556—An act to add Section 1229 to the Business and Professions Code, relating to clinical laboratories.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 742—An act to add Section 647 to the Evidence Code, relating to presumptions.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 810—An act to amend Section 10177.1 of the Business and Professions Code, relating to real estate licenses.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 888—An act to amend Sections 11106, 11507, 11719, and 11802 of the Vehicle Code, relating to occupational licensing.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1183—An act to amend Section 2736 of the Business and Professions Code, relating to nurses

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1243—An act to add Sections 41, 42, and 43 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1300—An act to amend Section 42721 of, and to repeal Article 2 5 (commencing with Section 42685) of Chapter 2 of Division 17 of, the Agricultural Code, relating to containers

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1356—An act to amend Section 5010 1 of the Public Resources Code, relating to the state park system.

Held at Desk by order of the Speaker pro Tempore

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11·24 a m., Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Rules in Room 3188, at this time, to consider a request by Mr. Murphy.

~~RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1217~~

~~Mr. Vasconcellos was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1217, and that the bill be considered engrossed.~~

NOTE: Later this day, the action was rescinded whereby unanimous consent was granted that a rush order be placed upon Assembly Bill No 1217, and whereby the bill was considered engrossed See page 3214

REQUEST FOR UNANIMOUS CONSENT

Mr Vasconcellos was granted unanimous consent that Assembly Joint Resolution No 23 be considered engrossed

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 662, 751, 605, 1362, 1591, 687, and **2138,** ordered to third reading.

Assembly Bills Nos. 566, 686, 335, and **942,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 217—An act to add Section 4333 to the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 439—An act relating to the establishment of a regional criminal justice center by the Yosemite Junior College District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 459—An act to amend Section 790.03 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 608—An act to amend Section 6871 2 of, and to add Section 6873.3 to, the Public Resources Code, relating to state lands.

Bill read second time, and ordered to third reading.

Assembly Bill No. 609—An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands.

Bill read second time, and ordered to third reading.

Assembly Bill No. 656—An act to amend Sections 25101, 25111, 25212, 25232, 25300, 25503, 25608, and 29551 of the Corporations Code, relating to investments.

Bill read second time, and ordered to third reading.

Assembly Bill No. 782—An act to add Section 7356 to the Labor Code, relating to aerial tramways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 783—An act to add Chapter 8 (commencing with Section 21200) to Division 8 of the Business and Professions Code, relating to skiing safety.

Bill read second time, and ordered to third reading.

Assembly Bill No. 785—An act to amend Sections 7340, 7341, 7343 and 7348 of the Labor Code, relating to aerial tramways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 786—An act to add Section 7357 to the Labor Code, relating to aerial tramways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 842—An act to amend Sections 34046 and 34047 of the Vehicle Code, relating to cargo tanks.

Bill read second time, and ordered to third reading.

Assembly Bill No. 922—An act to amend Sections 18730 and 18731 of the Government Code, relating to state civil service, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 954—An act to amend Section 2 of Chapter 1423 of the Statutes of 1971, relating to financial support for the public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1028—An act to add Section 22810.1 to the Government Code, relating to state employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1393—An act to amend Section 18021.7 of the Government Code, relating to fire suppression employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1497—An act to amend Sections 901, 903, 2811 and 2892.5 of the Business and Professions Code, relating to health occupations.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1859—An act to amend Sections 2 and 5 of Chapter 1524 of the Statutes of 1970, relating to mentally disordered minors, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 20, 1972, after "Sections", insert "1,".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 1 of Chapter 1524 of the Statutes of 1970 is amended to read:

Section 1. The Superintendent of Public Instruction shall, subject to the availability of *state or* federal funds, select not more than four existing development centers for handicapped minors established pursuant to Article 2 (commencing with Section 16645.1) of Chapter 5 of

Division 12 of the Education Code, for the conduct of a pilot program for mentally disordered minors. Insofar as possible, such centers shall be selected from a representative cross-section of existing programs.

As used in this act, a "mentally disordered minor" means a child who is determined by the governing board of the school district maintaining a development center for handicapped minors to be unable, because of mental disorders, to adequately function in the regular school program.

SEC. 2."

Amendment No. 3

On page 1, line 6, strike out "2.", and insert "3."

Amendment No. 4

On page 2, line 19, strike out "3.", and insert "4."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1628—An act relating to providing property tax remedies and assisting school districts in Merced County, making an apportionment therefore, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1952—An act to amend Sections 2519 and 2519.5 of, to add Section 2520 to, and to repeal Section 2520 of, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, Section 7, subdivision (c) of Section 8, Section 10, Section 11, subdivisions (a) and (c) of Section 12, and subdivision (b) of Section 23 of Article IV, amending Sections 3 and 9 of Article V, and adding Section 8 to Article XXII thereof, relating to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 8 of the title of the printed measure, as amended in Assembly April 25, 1972, after the comma, insert "amending Section 20 of Article XX,".

Amendment No. 2

On page 3, line 5, strike out "Proclamation", and insert "proclamation".

Amendment No. 3

On page 3, line 6, after the period, insert "When so assembled it has power to legislate only on subjects specified in the proclamation but may provide for expenses and other matters incidental to the session."

Amendment No. 4

On page 6, line 2, after "12", insert "of Article IV".

Amendment No. 5

On page 7, line 14, after "Thirteenth—", insert "That Section 20 of Article XX be amended to read:

SEC. 20 Terms of elective offices provided for by this Constitution, *other than Members of the Legislature,* commence on the Monday after January 1 following election. The election shall be held in the last even-numbered year before the term expires.

Fourteenth—".

Resolution ordered reprinted, and on file.

Assembly Bill No. 515—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 4, 1972, strike out "Assemblyman Warren", and insert "Assemblymen Warren and Russell".

Amendment No. 2

On page 4, line 7, after "system", insert a comma.

Amendment No. 3

On page 4, between lines 17 and 18, insert

"53108 5. "Communications Division," as used in this article, means the Communications Division of the Department of General Services."

Amendment No. 4

On page 5, lines 24 and 25, strike out "Attorney General", and insert "Communications Division, with the advice and assistance of the Attorney General,".

Amendment No. 5

On page 5, line 27, strike out "Attorney General", and insert "Communications Division, with the advice and assistance of the Attorney General,".

Amendment No. 6

On page 5, line 29, strike out "Attorney General", and insert "Communications Division, with the advice and assistance of the Attorney General,".

Amendment No. 7

On page 5, line 37, strike out "To", and insert "53114 1. To".

Amendment No. 8

On page 5, line 38, strike out "section, the Attorney General", and insert "article, the Communications Division".

Amendment No. 9

On page 5, strike out line 40; and on page 6, line 1, strike out "Services, the".

Amendment No. 10

On page 6, line 10, after the period, insert "Such agencies shall provide all necessary assistance and consultation to the Communications Division to enable it to perform its duties specified in this article."

Amendment No. 11

On page 6, line 11, strike out "Technical", and insert "53114 2 Technical".

Amendment No. 12

On page 6, line 13, strike out "of the Department of General Services".

Amendment No. 13

On page 6, line 15, strike out "this section", and insert "Section 53114 1".

Amendment No. 14

On page 6, line 22, strike out "Attorney General", and insert "Communications Division".

Amendment No. 15

On page 6, line 29, strike out "Attorney General", and insert "Communications Division".

Amendment No. 16

On page 6, line 37, strike out "53114", and insert "53114 2"

Amendment No. 17

On page 6, strike out lines 38 to 40, inclusive; and on page 7, strike out lines 1 to 3, inclusive, and insert

"53116 The Attorney General may, in behalf of the Communications Division or on his own initiative, commence judicial proceedings to enforce compliance by any public agency or public utility providing telephone service with the provisions of this article."

Amendment No. 18

On page 7, line 5, strike out "Attorney General", and insert "Communications Division".

Amendment No. 19

On page 7, line 11, strike out "Attorney General", and insert "Communications Division, with the advice and assistance of the Attorney General,".

Amendment No. 20

On page 7, line 39, after "General", insert "and the Communications Division".

Amendment No. 21

On page 8, strike out lines 2 to 5, inclusive, and insert "Attorney General shall commence judicial proceedings to enforce compliance with the provisions of this section and Section 53118, where a public agency or public safety agency has failed to timely enter into such agreement or file copies thereof."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 900—An act to add Sections 13922.5 and 14105.6 to the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 12, of the printed bill, as amended in Assembly April 20, 1972, strike out "value"; strike out line 13; in line 14, strike out "to them", and insert "market value of them as determined".

Amendment No. 2

On page 4, line 38, strike out "1974", and insert "1973".

Amendment No. 3

On page 5, line 3, strike out "1974", and insert "1973".

Amendment No. 4

On page 5, line 8, strike out "1974", and insert "1973".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1206—An act to add Section 1420.1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

In the fifth line of the heading of the printed bill, as amended in Assembly April 24, 1972, strike out "Senator Kennick", and insert "Senators Kennick, Behr, and Zenovich".

Set No. 2

Amendment No. 1

On page 2, strike out line 6 of the printed bill, as amended in Assembly April 24, 1972, and insert "between the ages of 40 and 64".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1380—An act to amend Section 11000.1 of the Business and Professions Code, relating to subdivision of lands.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1447—An act to amend Section 21686 of the Public Utilities Code, relating to air transportation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 21686 of the Public Utilities Code,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. That allocation of twenty thousand dollars ($20,000) made from the Aeronautics Fund by the Department of Aeronautics to the City of Chowchilla and expended by the city for the purchase of real property in connection with the expansion of the city's airport is hereby ratified, validated, confirmed, and declared legally effective for all purposes.

SEC. 2. The Legislature finds and declares that Section 1 of this act is necessary since special facts and circumstances applicable to the City of Chowchilla, and not generally applicable, make the accomplishment of this purpose impossible by any general law. There exists a dispute as to the validity of an allocation made by the Department of Aeronautics to the City of Chowchilla from the Aeronautics Fund for airport expansion purposes based on a good faith expenditure of these funds. The Legislature further finds and declares that this is the only such acquisition of property involved, that the purpose of this act is impossible to accomplish by any general law, and that special legislation applicable only to the City of Chowchilla is therefore necessary."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2137—An act to add Part 16 (commencing with Section 36001) to Division 2 of the Revenue and Taxation Code, relating to open-space lands and taxation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 15, line 15, of the printed bill, as amended in Assembly April 20, 1972, strike out "financial"; and in line 16, strike out "assistance", and insert "grants".

Amendment No. 2

On page 15, line 24, strike out "assistance", and insert "grants".

Amendment No. 3

On page 15, line 35, strike out the first "and".

Amendment No. 4

On page 15, line 36, after "reservations", insert "; and (5) guide and shape urban expansion".

Amendment No. 5

On page 17, strike out line 39, and insert

"36387. Fund assistance reserved for regional and local projects as specified in Section 36380, shall be available to districts eligible for open-space projects in the fiscal year in which the allocation is made, plus the following fiscal year. At the expiration of this time, funds which have not been committed to regional and local projects approved by the secretary or by a regional open-space authority shall revert to the fund and shall be allocated to contingency projects as provided in Section 36390.

36388. The Secretary of the Resources Agency shall".

Amendment No. 6

On page 18, line 4, strike out "36388", and insert "36389".

Amendment No. 7

On page 18, line 19, strike out "36389", and insert "36390".

Amendment No. 8

On page 18, line 29, strike out "36390", and insert "36391".

Amendment No. 9

On page 18, line 30, strike out "63689", and insert "36390".

Amendment No. 10

On page 18, line 36, strike out "36391", and insert "36392".

Amendment No. 11

On page 18, line 38, strike out "36389", and insert "36390".

Amendment No. 12

On page 19, line 5, strike out "36392", and insert "36393".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 653—An act to add Article 11 (commencing with Section 28060) to Chapter 5 of Division 12 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1403—An act to amend Section 8353 of the Revenue and Taxation Code, and to amend Section 2103 of the Streets and Highways Code, relating to highway funds.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1923—An act to amend Section 951, and to repeal Section 907, of the Streets and Highways Code, relating to county highways.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1996—An act to amend Section 2151 of the Streets and Highways Code, relating to street or road expenditures.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2146—An act to add Section 4733.5 to the Health and Safety Code, relating to county sanitation districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1899—An act to amend Sections 26821, 26821.2, 26822, 26822.2, 26823, 26824, 26825, 26826, 26826.2, 26827, 26827.2, 26830, 72055, 72056, 72058, 72060, 72061, and 72062 of the Government Code, relating to fees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1262—An act to amend Section 24073 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2317—An act to amend Section 25007 of, and to add Section 25000.5 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 162—An act to amend Section 8926 of, to add Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) to Division 4.5, Title 1, and to repeal Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) of Division 4.5, Title 1, of the Government Code, relating to conflicts of interest.

Bill read second time, and ordered to third reading

Assembly Bill No. 568—An act to add Section 25508 1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1089—An act to add Section 422.5 to the Government Code, relating to the state reptile.

Bill read second time, and ordered to third reading.

Assembly Bill No. 961—An act to amend Section 13961 of, to add Section 13991 5 to, to add Article 15 (commencing with Section 14116) to Chapter 4 of Division 10 of, to repeal Section 13853 of, and to repeal Article 29 (commencing with Section 14440) of Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Retirement, was read, and adopted:

Amendment No. 1

On page 9, lines 16 and 17, of the printed bill, as amended in Assembly May 3, 1972, strike out "The third party", and insert "In making his determination, the third party arbitrator shall be guided by the Constitution, other existing provisions of law, including this section, and the formal investment resolution of the Teachers' Retirement Board

The"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 876—An act to amend Section 3364.55 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2045—An act to add Section 2549 to the Civil Code, relating to real property.

Bill read second time, and ordered to third reading

Assembly Bill No. 1141—An act to add Section 760.1 to the Financial Code, relating to banking

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1645—An act to amend Sections 855, 1206, and 1383 of the Financial Code, relating to banking

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 3, 1972, strike out "Assemblyman Russell", and insert "Assemblymen Russell, Moretti, Miller, Arnett, Bagley, Barnes, Brathwaite, Belotti, Brown, Burke, Chacon, Cullen, Dent, Fong, Bill Greene, Leroy F. Greene, Hayden, Keysor, Lewis, McAlister, Maddy, Meade, Mobley, Pierson, Porter, Priolo, Ralph, Ryan, Townsend, Vasconcellos, and Wood (Coauthors: Senators Alquist, Carpenter, Dymally, Lagomarsino, Moscone, and Nejedly)".

Amendment No. 2

On page 2, strike out lines 20 and 21, and insert "who are enrolled in any school which meets the requirements for grants authorized by Title I of the".

Amendment No. 3

On page 3, line 34, strike out "independent".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1004—An act to add Sections 3405 and 4027 to the Penal Code, and to add Section 519 to the Welfare and Institutions Code, relating to abortions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 519", and insert "Sections 519 and 1773".

Amendment No. 2

On page 2, after line 31, insert

"SEC. 4. Section 1773 is added to the Welfare and Institutions Code, to read:

1773. No condition or restriction upon the obtaining of an abortion by a female committed to the authority, pursuant to the Therapeutic Abortion Act (Chapter 11 (commencing with Section 25950), Division 20 of the Health and Safety Code), other than those contained in that act, shall be imposed. Females found to be pregnant and desiring abortions, shall be assisted to determine their eligibility for an abortion pursuant to law, and if determined to be eligible, shall be assisted in so obtaining."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2087—An act to add Division 2 7 (commencing with Section 2500) to the Welfare and Institutions Code, relating to health care for prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 5, line 3, of the printed bill, strike out "34th week of pregnancy", and insert "date established by the obstetrician in charge of furnishing prenatal care to the pregnant prisoner".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 877—An act to add Section 670 to the Penal Code, relating to punishment for crimes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 670 to", and insert "amend Section 1672 of the Military and Veterans Code, and Sections 37, 128, 190, 190.1, 209, 219, 4500, and 12310 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 1672 of the Military and Veterans Code is amended to read:

1672 Any person who is guilty of violating Sections 1670 or 1671 is punishable as follows:

(a) If his act or failure to act causes the death of, or greaty bodily injury to, any person, he is punishable by ~~death or~~ imprisonment in the state prison for life, *with or without the possibility of parole,* at the discretion of the jury trying the case, or at the discretion of the court where a jury does not try the case.

(b) If his act or failure to act does not cause the death of, or great bodily injury to, any person, he is punishable by imprisonment in the state prison for not more than 20 years, or a fine of not more than ten thousand dollars ($10,000), or both. However, if such person so acts or so fails to act with the intent to hinder, delay, or interfere with the preparation of the United States or of any state for defense or for war, or with the prosecution of war by the United States, or with the rendering of assistance by the United States to any other nation in connection with that nation's defense, the minimum punishment shall be imprisonment in the state prison for not less than one year, and the

maximum punishment shall be imprisonment in the state prison for not more than 20 years, or by a fine of not more than ten thousand dollars ($10,000), or both.

SEC. 2. Section 37 of the Penal Code is amended to read:

37. Treason against this state consists only in levying war against it, adhering to its enemies, or giving them aid and comfort, and can be committed only by persons owing allegiance to the state. The punishment of treason shall be ~~death~~ *life imprisonment without possibility of parole*.

SEC. 3. Section 128 of the Penal Code is amended to read:

128. Every person who, by willful perjury or subornation of perjury, procures the conviction and execution of any innocent person, is punishable by ~~death~~ *life imprisonment without possibility of parole*.

SEC. 4. Section 190 of the Penal Code is amended to read:

190. Every person guilty of murder in the first degree shall suffer ~~death, or~~ confinement in the state prison for life, *with or without possibility of parole,* at the discretion of the court or jury trying the same, and the matter of punishment shall be determined as provided in Section 190.1, and every person guilty of murder in the second degree is punishable by imprisonment in the state prison from five years to life.

SEC. 5. Section 190.1 of the Penal Code is amended to read:

190.1. The guilt or innocence of every person charged with an offense for which the penalty is in the alternative ~~death or~~ imprisonment for life *with the possibility of parole or imprisonment for life without the possibility of parole* shall first be determined, without a finding as to penalty. If such person has been found guilty of an offense punishable by life imprisonment ~~or death~~ *with possibility of parole or life imprisonment without possibility of parole*, and has been found sane on any plea of not guilty by reason of insanity, there shall thereupon be further proceedings on the issue of penalty, and the trier of fact shall fix the penalty. Evidence may be presented at the further proceedings on the issue of penalty, of the circumstances surrounding the crime, of the defendant's background and history, and of any facts in aggravation or mitigation of the penalty. The determination of the penalty of life imprisonment ~~or death~~ *with or without possibility of parole* shall be in the discretion of the court or jury trying the issue of fact on the evidence presented, and the penalty fixed shall be expressly stated in the decision or verdict. The ~~death~~ penalty *of life imprisonment without possibility of parole* shall not be imposed, however, upon any person who was under the age of 18 years at the time of the commission of the crime The burden of proof as to the age of said person shall be upon the defendant.

If the defendant was convicted by the court sitting without a jury, the trier of fact shall be the court If the defendant was convicted by a plea of guilty, the trier of fact shall be a jury unless a jury is waived. If the defendant was convicted by a jury, the trier of fact shall be the same jury unless, for good cause shown, the court discharges that jury in which case a new jury shall be drawn to determine the issue of penalty.

In any case in which defendant has been found guilty by a jury, and the same or another jury, trying the issue of penalty, is unable to reach a unanimous verdict on the issue of penalty, the court shall dismiss the jury and either impose the punishment for life *with possibility of parole* in lieu of ordering a new trial on the issue of penalty, or order a new jury impaneled to try the issue of penalty, but the issue of guilt shall not be retried by such jury.

SEC. 6. Section 209 of the Penal Code is amended to read:

209. Any person who seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away any individual by any means whatsoever with intent to hold or detain, or who holds or detains, such individual for ransom, reward or to commit extortion or to exact from relatives or friends of such person any money or valuable thing, or any person who kidnaps or carries away any individual to commit robbery, or any person who aids or abets any such act, is guilty of a felony and upon conviction thereof ~~shall suffer death or~~ shall be punished by imprisonment in the state prison for life without possibility of parole; ~~at the discretion of the jury trying the same,~~ in cases in which the person or persons subjected to such kidnapping suffers or suffer bodily harm, or shall be punished by imprisonment in the state prison for life with possibility of parole in cases where such person or persons do not suffer bodily harm.

Any person serving a sentence of imprisonment for life without possibility of parole following a conviction under this section as it read prior to ~~the effective date of this act~~ *September 22, 1951* shall be eligible for a release on parole as if he had been sentenced to imprisonment for life with possibility of parole.

SEC. 7 Section 219 of the Penal Code is amended to read:

219. Every person who unlawfully throws out a switch, removes a rail, or places any obstruction on any railroad with the intention of derailing any passenger, freight or other train, car or engine and thus derails the same, or who unlawfully places any dynamite or other explosive material or any other obstruction upon or near the track of any railroad with the intention of blowing up or derailing any such train, car or engine and thus blows up or derails the same, or who unlawfully sets fire to any railroad bridge or trestle over which any such train, car or engine must pass with the intention of wrecking such train, car or engine, and thus wrecks the same, is guilty of a felony and punishable with ~~death or~~ imprisonment in the state prison for life, *with or* without possibility of parole, at the option of the jury trying the case, in cases where no person suffers bodily harm; and shall be punished with ~~death~~ *imprisonment in state prison for life without possibility of parole* in cases where any person suffers bodily harm.

SEC 8. Section 4500 of the Penal Code is amended to read:

4500. Every person undergoing a life sentence in a state prison of this state, who, with malice aforethought, commits an assault upon the person of another, other than another inmate, with a deadly weapon or instrument, or by any means of force likely to produce great bodily injury is punishable with ~~death~~ *life imprisonment without possibility of parole*; however, in cases in which the person subjected

to such assault does not die within a year and a day after such assault as a proximate result thereof, or the person so assaulted is another inmate, the punishment shall be ~~death or~~ imprisonment in the state prison for life *without possibility of parole or imprisonment in state prison for life* without possibility of parole for nine years, at the discretion of the court or jury trying the same, and the matter of punishment shall be determined as provided in Section 190.1 of this code. For the purpose of computing the days elapsed between the commission of the assault and the death of the person assaulted, the whole of the day on which the assault was committed shall be counted as the first day.

Any person who, under this section, is punished by imprisonment ~~rather than death~~ *for life without possibility of parole for nine years*, shall be required to serve his sentence consecutively to any sentence he is presently serving.

SEC. 9. Section 12310 of the Penal Code is amended to read:

12310. Every person who willfully and maliciously explodes or ignites any destructive device or any explosive which causes mayhem or great bodily injury to any person is guilty of a felony, and shall be punished by ~~death or~~ imprisonment in the state prison for life, *with or without the possibility of parole*. The punishment shall be determined in the manner provided for in Section 190.1."

Amendment No. 3

On page 1, strike out lines 2 to 6, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1003—An act to add Sections 3406 and 3408 to the Penal Code, and Section 521 to the Welfare and Institutions Code, relating to female prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3408", and insert "4023.5".

Amendment No. 2

In line 2 of the title, strike out "Section 521", and insert "Sections 521 and 1774".

Amendment No. 3

On page 2, strike out line 3, and insert "is pregnant. The superintendent may adopt reasonable rules and regulations with regard to the conduct of examinations to effectuate such determination

If the prisoner is found to be pregnant, she is entitled".

Amendment No. 4

On page 2, line 8, strike out "for the"; and in line 9, strike out "purpose of generally treating prisoners".

Amendment No. 5

On page 2, between lines 10 and 11, insert

"Any physician providing services pursuant to this section shall possess a current, valid, and unrevoked certificate to engage in the practice of medicine issued pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code."

Amendment No. 6

On page 2, line 11, strike out "3408", and insert "4023.5".

Amendment No. 7

On page 2, line 13, strike out "3408", and insert "4023.5".

Amendment No. 8

On page 2, line 16, strike out "If she is", and insert "The superintendent of such facility may adopt reasonable rules and regulations with regard to the conduct of examinations to effectuate such determination.

If the prisoner is".

Amendment No. 9

On page 2, line 22, strike out "for the purpose of generally"; and in line 23, strike out "treating prisoners".

Amendment No. 10

On page 2, between lines 27 and 28, insert

"Any physician providing services pursuant to this section shall possess a current, valid, and unrevoked certificate to engage in the practice of medicine issued pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code."

Amendment No. 11

On page 2, line 30, strike out "state or".

Amendment No. 12

On page 2, line 39, strike out "for the"; and in line 40, strike out "purpose of generally treating prisoners".

Amendment No. 13

On page 3, after line 4, insert

"SEC 4. Section 1774 is added to the Welfare and Institutions Code, to read:

1774. Any female who has been committed to the authority shall have the right to summon and receive the services of any physician and surgeon of her choice in order to determine whether she is pregnant. The director may adopt reasonable rules and regulations with regard to the conduct of examinations to effectuate such determination.

If she is found to be pregnant, such female is entitled to a determination of the extent of the medical services needed by her and to the receipt of such services from the physician and surgeon of her choice. Any expenses occasioned by the services of a physician and surgeon whose services are not provided by the facility shall be borne by such female.

Any physician providing services pursuant to this section shall possess a current, valid, and unrevoked certificate to engage in the practice of medicine issued pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code."

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 103, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 188—An act to amend Sections 10500, 10503, 10504, 10652, 11520, 22705, 22853, and 22854 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 17—An act to add Section 12804.5 to the Vehicle Code, relating to drivers' licenses.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 475—An act to amend Section 5470 of the Health and Safety Code, relating to sanitation.

Bill read second time, and ordered to the Consent Calendar.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1450 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government; that Assembly Bill No 1786 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Natural Resources and Conservation; and that Assembly Bill No. 1314 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Education.

COMMUNICATIONS

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 162	AB No 785	AB No 1028
AB No. 439	AB No. 786	AB No. 1089
AB No. 608	AB No. 842	AB No 1393
AB No. 653	AB No 876	AB No. 1899
AB No. 656	AB No 922	AB No. 2045
AB No. 783		

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1141	AB No. 1409	AB No. 1923
AB No. 1380	AB No. 1645	AB No 2317

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252 CONTINUED

Mr. Ryan was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1252 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS

MOTION TO RECONSIDER ASSEMBLY BILL NO. 264

In compliance with a motion given on a previous day, Mr. Burton moved that the vote whereby Assembly Bill No. 264 was refused passage be reconsidered.

Assembly Bill No. 264 reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Burton, Campbell, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Keysor, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—49

NOES—None

By unanimous consent, Assembly Bill No 264 was ordered to the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1650—An act making an appropriation for the operation and maintenance of state park system facilities at Silverwood Lake, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 1650:

Governor's Office, Sacramento
May 3, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 1650, "An act making an appropriation for the operation and maintenance of state park system facilities at Silverwood Lake, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 1650, as amended, as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 1650.

Motion to Re-refer Assembly Bill No. 1650 to Committee

Mr. Cullen moved that Assembly Bill No. 1650 be re-referred to the Committee on Natural Resources and Conservation.

Mr. Warren seconded the motion.

Hon. Kenneth Cory Presiding

At 11:58 a.m., Hon. Kenneth Cory, 69th District, presiding.

Motion lost by the following vote:

AYES—Cullen, Fong, Garcia, McCarthy, Sieroty, Warren, and Z'berg—7.

NOES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Cline, Collier, Conrad, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stull, and Wood—37.

The question being on the adoption of the urgency clause to Assembly Bill No. 1650.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Mr Speaker—58.

NOES—Cullen—1.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Cline, Collier, Conrad,

Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Mr. Speaker—58.

NOES—Cullen—1.

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1957—An act to amend the heading of Chapter 5 (commencing with Section 2200) of Division 3 of and to amend Section 2200, 2205, 2210, 2212, 2223, 2241, 2289, 2290, 2291, 2300, 2302, 2330 and 2360 of, the Health and Safety Code, relating to vector control districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1999—An act to amend Section 25100.5 of the Government Code, relating to county officers

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Rules, pursuant to Joint Rule No 8 3, recommends that introduction of the following proposed bill by Assemblyman Murphy be permitted.

An act relating to the financial support of public education.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Murphy.

Resolution Permitting Introduction of Bill

Resolved, That permission to introduce the following bill be granted

An act relating to the financial support of public education

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time

Assembly Bill No. 2366: By Assemblyman Murphy—An act relating to the financial support of public education

Referred by the Acting Speaker to the Committee on Education

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 15, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2366—An act relating to the financial support of public education.

FRANK MURPHY, JR

Above request ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 15, 1972

Mr. Speaker Your Committee on Rules recommends:

That the request by Mr Murphy for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2366 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Murphy:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2366 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Murphy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2366 for hearing in the Committee on Education subcommittee on Tuesday, May 16.

ACTION RESCINDED ON ASSEMBLY BILL NO. 438

Mr Gonsalves was granted unanimous consent to rescind the action whereby Assembly Bill No 438 was reported correctly enrolled and presented to the Governor on May 10, 1972 (Assembly Journal, page 2953), and whereby the Senate amendments to the bill were concurred in and the bill ordered to enrollment on May 9, 1971 (Assembly Journal, page 2852).

Further Consideration of Senate Amendments to Assembly Bill No. 438

Assembly Bill No. 438—An act to add Sections 995 and 995.1 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 438?

Senate Amendments of April 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 22, 1972, strike out "Section 995", and insert "Sections 995 and 995.1".

Amendment No. 2

On page 1, line 3, strike out "Computer software", and insert "Storage media for computer programs".

Amendment No. 3

On page 1, line 5, strike out "software", and insert "media Computer programs shall not be valued for purpose of property taxation."

Amendment No. 4

On page 2, line 1, strike out "computer software is personal"; strike out line 2; and in line 3, strike out "Computer software", and insert "storage media for computer programs".

Amendment No. 5

On page 2, line 3, strike out "is", and insert "are",

Amendment No. 6

On page 2, line 4, strike out "written instructions,",

Amendment No. 7

On page 2, line 5, strike out "and any required documentation", and insert "on which computer programs may be embodied or stored".

Amendment No. 8

On page 2, line 6, strike out "is", and insert "may be, but is not limited to".

Amendment No. 9

On page 2, line 6, after "of", insert "written".

Amendment No. 10

On page 2, line 7, after "imprints", insert ", required documentation".

Amendment No. 11

On page 2, strike out lines 8 to 21, inclusive, and insert "to enable the user to communicate with or operate a computer or other machinery.

SEC. 1.5. Section 995.1 is added to the Revenue and Taxation Code, to read:

995.1. Any storage media for computer programs subject to an escape assessment shall be valued as provided by Section 995."

Amendment No. 12

On page 2, line 23, strike out "computer software", and insert "storage media for computer programs".

Amendment No. 13

On page 2, line 24, strike out the comma.

Amendment No. 14

On page 2, line 25, strike out "as provided by Section"; and in line 26, strike out "995 of the Revenue and Taxation Code".

Amendment No. 15

On page 2, line 28, strike out "computer software", and insert "storage media for computer programs".

Amendment No. 16

On page 2, line 28, strike out "Taxpayers"; and strike out lines 29 to 35, inclusive, and insert "These programs, like the briefs an attorney develops in his practice, mathematic computations by engineers, and business records, are not taxable for property tax purposes, either directly or indirectly.

The value of computer programs is not".

Amendment No. 17

On page 2, line 36, after "tax", insert a comma.

Amendment No. 18

On page 2, line 38, strike out "tax. To tax", and insert "tax, either directly or indirectly or through the inclusion of the value of such computer programs in evaluating related storage media for computer programs. Taxation of".

Senate Amendment of May 2, 1972

Amendment No. 1

On page 2, line 36, of the printed bill, as amended in Senate April 20, 1972, after "assessment", insert "for any year prior to the 1974 lien date".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Badham and Ryan—2.

NOES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister,

McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60

Appointment of Committee on Conference Concerning Assembly Bill No. 438

The Acting Speaker appointed Messrs. Gonsalves, Badham, and Deddeh as a Committee on Conference concerning Assembly Bill No 438.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitution Amendment No. 14 and Assembly Bill No. 1877 were continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1217

Mr. Vasconcellos was granted unanimous consent to rescind the action whereby earlier this day the report of the Committee on Education relative to Assembly Bill No 1217 was received and read in the Assembly, and whereby the bill was read a second time, author's amendments read and adopted, and the bill ordered reprinted and to be re-referred to the Committee on Education, and to rescind the action whereby unanimous consent was granted that a rush order be placed upon the bill, and that the bill be considered engrossed

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1230 for hearing in the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 10, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 620

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 960

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BARNES, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 9, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No 328

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

Z'BERG, Chairman

Above bill ordered to second reading

Committee on Urban Development and Housing

Assembly Chamber, May 15, 1972

Mr. Speaker The Chairman of your Committee on Urban Development and Housing reports.

ACA No 77

With author's amendments with the recommendation Amend, and refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXXV thereto, relating to housing

Resolution read

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed measure, as amended in Assembly April 18, 1972, strike out lines 14 to 28, inclusive, and insert

"SECTION 1 The use of public funds to provide housing for any persons in this state serves a public purpose

The Legislature shall have the power to do all of the following in order to provide housing for any persons in this state:

(a) Make loans or grants to any person, firm, corporation, body, entity, or agency, either public or private

(b) Acquire real property

(c) Authorize the issuance of revenue bonds not secured by the taxing power of the state to finance the purposes set forth in subdivisions (a) and (b) In authorizing the issuance of such bonds the Legislature may declare its intent to make voluntary appropriations to assist such financing

(d) Exempt property used from taxation

SEC 2 No provision of this Constitution including, but not limited to, Sections 1 and 25 of Article XIII and Sections 1 and 2 of Article XVI shall be construed as a limitation upon the authority granted to the Legislature pursuant to this article Nothing contained in this article shall authorize any state public body to develop, construct, or acquire a low rent housing project without complying with Article XXXIV "

Resolution ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 15, 1972

Mr. Speaker. The Chairman of your Committee on Urban Development and Housing reports:

AB No. 165

With author's amendments with the recommendation Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 165—An act to amend Sections 34802, 34804, 34805, 34807, 34808, 34809, 34832, 34833, 34860, 33861, 34862, 34863, 34864, 34865, 34866, 34867, 34868, 34869, 34871, 34872, 34873, 34874, 34875, 34876, 34877, 34878, 34900, 34901, 34902, 34903, 34904, 34905, 34906, 34907, 34908, 34909, 34910, 34911, 34912, 34913, 34914, 34915, 34916, 34917, 34918, 34919, 34941, 34942, 34944, 34945, 34946, and 34947 of, to amend the heading of Article 4 (commencing with Section 34900) of Chapter 1 of Part 3 of Division 24 of, to add Part 10 (commencing with Section 37600) to Division 24 of the Health and Safety Code, relating to housing, and making an appropriation therefor

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 17, line 33, of the printed bill, as amended in Assembly April 4, 1972, after the closing parenthesis, insert "of this part"

Amendment No. 2

On page 18, strike out lines 33 and 34

Amendment No. 3

On page 19, line 26, after the closing parenthesis, insert "of this part".

Amendment No. 4

On page 20, line 4, after the closing parenthesis, insert "of this part".

Amendment No. 5

On page 22, line 3, after the comma, insert "Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code,"

Amendment No. 6

On page 27, strike out lines 10 to 12, inclusive, and insert "any federal law."

Amendment No. 7

On page 33, line 1, strike out "a qualified sponsor", and insert "any nonprofit housing corporation, consumer housing cooperative, limited dividend housing corporation, public entity,".

Amendment No. 8

On page 33, line 35, after the semicolon, insert "for the provision of moneys for the Land Acquisition and Development Fund in order to purchase real property suitable for future planning of housing developments as provided in this part;".

Amendment No. 9

On page 33, line 36, strike out "Housing Development Fund", and insert "State Housing Finance Fund".

Amendment No. 10

On page 34, between lines 10 and 11, insert

"In anticipation of the sale of its bonds, the agency may issue negotiable bond anticipation notes and may renew such notes from time to time Such bond anticipation notes shall be paid from the proceeds of sale of the bonds of the agency in anticipation of which they were issued Such notes and the resolution authorizing them may contain any provisions, conditions, or limitations which a bond resolution of the agency may contain

The agency may create a fund in which to place the proceeds of its bonds and notes "

Amendment No. 11

On page 34, line 18, strike out "under", and insert "as defined in Section 3104 of".

Amendment No. 12

On page 34, line 21, after "purposes", insert "of Section 3104".

Amendment No. 13

On page 38, line 26, after "1", insert "of each year"

Amendment No. 14

On page 39, line 22, strike out "Capital Reserve Fund", and insert "capital reserve fund"

Amendment No. 15

On page 44, line 21, strike out "sponsors", and insert "nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, public entities,"

Amendment No. 16

On page 45, strike out lines 23 to 27, inclusive, and insert "which the project is located"

Amendment No. 17

On page 46, strike out lines 28 to 40, inclusive, and on page 47 strike out line 1

Amendment No. 18

On page 47, line 2, strike out "37745", and insert "37744".

Amendment No. 19

On page 47, line 13, strike out "37746", and insert "37745"

Amendment No. 20

On page 47, line 21, strike out "37747", and insert "37746".

Amendment No. 21

On page 54, line 16, strike out "association", and insert "associations".

Amendment No. 22

On page 57, line 5, strike out the blank, and insert "77".

Amendment No. 23

On page 57, line 8, strike out the blank, and insert "77".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 15, 1972

Mr Speaker. The Chairman of your Committee on Ways and Means reports:

AB No. 1114

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1114—An act to add Chapter 6 (commencing with Section 436 75) to Part 1 of Division 1 of the Health and Safety Code, relating to laboratories, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendment pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 17 of the printed bill, after "urine", insert "or other body fluid analysis"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 15, 1972

Mr Speaker The Chairman of your Committee on Finance and Insurance reports.

AB No 931

AB No 932

With author's amendments with the recommendation Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 931—An act to add Section 1918 to the Civil Code, relating to prepayment of loans

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, line 1, of the printed bill, after "property", insert "containing four or fewer residential units"

Amendment No. 2

On page 2, line 2, after "prepay", insert ", in whole or in part,"

Amendment No 3

On page 2, line 3, after "time", insert "An amount not exceeding 20 percent of the unpaid balance may be prepaid in any 12-month period without penalty"

Amendment No. 4

On page 2, line 7, after "amount", insert "not to exceed an amount"

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance

Assembly Bill No. 932—An act to add Section 2924e to the Civil Code, relating to secured obligations

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 1, line 4, of the printed bill, after "mortgage", insert "on real property containing four or fewer residential units and"

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports-

SB No 377

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 377—An act making an appropriation for state park system development, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "two hundred thousand dollars ($200,000)", and insert "two hundred eighty thousand dollars ($280,000)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Rush Order Placed Upon Printing of Senate Bill No. 377

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No 377.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:13 p m, Acting Speaker Cory declared the quorum call of the Assembly dispensed with.

VOTE CHANGES

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on the motion to reconsider the vote on Assembly Bill No. 264.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No" on the motion to re-refer Assembly Bill No. 1650 to the Committee on Natural Resources and Conservation

ADJOURNMENT

At 12 15 p m , Acting Speaker Cory declared the Assembly adjourned until 10 a m , Tuesday, May 16, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-fourth Legislative Day

One Hundred Thirty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, May 16, 1972

The Assembly met at 10 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Foran moved a quorum call of the Assembly.
Mr. MacDonald seconded the motion.
Motion carried. Time, 10:12 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10:20 a.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Your creation is characterized by a uniqueness which we often overlook. Each individual's talents are often unique and his contribution to society often indispensable, which we sometimes fail to see. Open our eyes to the goodness in others. Never let us, in our own desire to excel, stifle the initiative of others or close doors on their special contribution to a better world and a happier man.

Let us be more concerned about "what gets done," rather than "who does it."—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Stull, seconded by Mr. Ryan.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Garcia, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mr. Burke, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.
Mr. Priolo, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Monagan, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 16, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from on Tuesday, May 16, 1972 on Legislative Business. I will be in Novato conferring with constituents on school finance and other legislative matters.

Thank you for your consideration.

Sincerely yours,

WILLIAM T. BAGLEY, Assemblyman
Seventh District

May 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Tuesday, May 16, 1972.

I will be meeting with officials of Fountain Valley and with the Orange County Sanitation District.

Thank you for this courtesy.

Sincerely,

ROBERT H. BURKE, Assemblyman
Seventieth District

May 15, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from attending Assembly session on Tuesday, May 16, 1972, on legislative business. I will be in my district meeting with constituents to discuss pending legislation, and will be speaking to the Insurance Women of Kern County.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

May 15, 1972

Honorable Bob Moretti
Rm 3164, State Capitol

Dear Bob, I am writing to request an excuse from session for Tuesday, May 16, on legislative business.

I will be addressing a group of faculty and students at San Jose State College at that time.

Best regards,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

REPORTS

The following report was presented by the Speaker:

Progress Report No. 18 on the Disposal of State Interest in the Squaw Valley State Recreation Area As Required by Assembly Bill No. 557, Chapter 1251, Stats. of 1967. March 1, 1972.

Above transmitted report, together with letter of transmittal from William Penn Mott, Jr., Director, Department of Parks and Recreation, Sacramento, dated May 1, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2385	Revenue and Taxation

Senate Bill No.	*Committee*
176	Education
390	Revenue and Taxation
554	Finance and Insurance
556	Health
742	Judiciary
810	Commerce and Public Utilities
888	Transportation
1183	Health
1243	Water
1300	Agriculture
1356	Natural Resources and Conservation

COMMUNICATIONS

Assembly Chamber, May 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 515
AB No. 900
AB No. 1206
AB No. 1859

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 877
AB No. 1003
AB No. 1447

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 16, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined:

ACA No 95

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 16, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No 1644
AB No 1691

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, May 16, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 1101
AB No 1567
AB No 1925
AB No 1986
AB No 2172

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 15, 1972

Mr Speaker Your Committee on Environmental Quality reports:

AB No 1582

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

FONG, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 15, 1972

Mr Speaker Your Committee on Environmental Quality reports:

AB No 598

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

FONG, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

SB No. 953

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

FONG, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 2157

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 328

With amendments with the recommendation: Amend, and do pass, as amended.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 1652

AB No. 2016

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUSSELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 2066

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 1462

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with a Consent recommendation.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Environmental Quality

Assembly Chamber, May 15, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 93

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, May 15, 1972

Mr Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 407

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 407—An act to amend Sections 65302, 65553, 65800, and 65860 of, and to add Article 10.7 (commencing with Section 65580) to Chapter 3 of, and Article 4.2 (commencing with Section 65930) to Chapter 4 of, Title 7, of the Government Code, to add Chapter 8 (commencing with Section 2650) to Division 2 of the Public Resources Code, and to amend Section 3 of Chapter 1657 of the Statutes of 1967, relating to land.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed bill, strike out "8 (commencing with Section 2650", and insert "9 (commencing with Section 2750".

Amendment No. 2

In line 7 of the title, after "land", insert ", and making an appropriation therefor".

Amendment No. 3

On page 5, line 21, strike out "severely".

Amendment No. 4

On page 5, line 27, strike out "a fault"; and strike out lines 28 to 35, inclusive, and insert "an active fault zone or an active fault trace on the official maps compiled pursuant to Chapter 9 (commencing with Section 2750) of Division 2 of the Public Resources Code shall prepare and adopt a local fault movement hazard lands plan for the regulation of land use in such area. The plan".

Amendment No. 5

On page 6, lines 4 and 5, strike out "Division of Mines and Geology", and insert "State Geologist".

Amendment No. 6

On page 6, line 7, strike out "its", and insert "the".

Amendment No. 7

On page 6, line 14, after "plan", insert "of the city or county".

Amendment No. 8

On page 7, line 19, strike out "a fault"; and strike out lines 20 to 23, inclusive; and in line 24, strike out "1974," and insert "an active fault zone or an active fault trace on the official maps compiled pursuant to Chapter 9 (commencing with Section 2750) of Division 2 of the Public Resources Code shall".

Amendment No. 9

On page 8, strike out lines 2 to 27, inclusive, and insert

"SEC. 7. Chapter 9 (commencing with Section 2750) is added to Division 2 of the Public Resources Code, to read:

CHAPTER 9. FAULT MOVEMENT HAZARD LANDS

2750. As used in this chapter:

(a) "Active fault trace" means the surface location of an earth fracture plane, along which there has been tectonic displacement of the two sides relative to one another and parallel to the fracture, and along which there is a reasonable likelihood that displacement of the ground surface could recur within 200 years, in the judgment of the State Geologist with concurrence of the State Mining and Geology Board.

(b) "Active fault zone" means the linear area enclosed within the outermost of a group of clearly related faults that mark a zone of crustal weakness. Such a zone generally is one-quarter mile or less in width encompassing one or more active fault traces. In unusual circumstances, a wider zone may be designated where known active traces, related to the same fault, occur more than one-quarter mile apart

(c) "Known active fault traces and fault zones" shall include, but not be limited to, the San Andreas, San Jacinto, Hayward, Calaveras, Newport-Inglewood, White Wolf, and San Fernando faults and fault zones.

2751. The division shall compile maps, at the largest practicable scale, showing the location of all known active fault traces and active fault zones to the degree of accuracy permitted by the state of knowledge. Such maps shall include assigned risks for each active fault zone

which will assign a probability intensity of movement for the zone. The maps shall be compiled from all available federal, state, local, and private data, which will be filed and maintained by the division and will be accessible for public inspection.

2752. The initial maps compiled pursuant to this chapter shall be submitted not later than July 1, 1974, to all affected cities and counties for their review and comment. Other concerned jurisdictions, agencies, organizations, and persons may review and comment on such maps. All such comments shall be returned within 90 days to the State Mining and Geology Board for its consideration. The official maps, based on criteria approved by the State Mining and Geology Board shall be disseminated by the division to each city and county having jurisdiction over lands lying within any such zone within 90 days after review by the affected cities and counties.

2753. The division shall periodically review new geologic and seismic data and shall prepare and transmit as provided in Section 2752 revisions to the official maps of active fault traces and active fault zones every two years after September 1, 1974."

Amendment No. 10

On page 8, after line 37, insert

"SEC 9. The sum of one hundred thousand dollars ($100,000) is hereby appropriated from the General Fund to the Division of Mines and Geology of the Department of Conservation for the purposes of Chapter 9 (commencing with Section 2750) of Division 2 of the Public Resources Code."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 1314

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1314—An act to add Division 27 (commencing with Section 42000) to the Education Code, relating to consumer education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Division 27 (commencing with Section 42000) to", and insert "amend Sections 8551 and 8571 of",

Amendment No. 2

In line 2 of the title, after "edueation", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 8551 of the Education Code is amended to read:

8551. The adopted course of study for grades 1 through 6 shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:

(a) English, including knowledge of, and appreciation for literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, and composition.

(b) Mathematics, including concepts, operational skills, and problem solving.

(c) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system including the role of the entrepreneur and labor; man's relations to his human and natural environment; eastern and western cultures and civilizations; and contemporary issues.

(d) Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry and on man's place in ecological systems.

(e) Fine arts, including instruction in the subjects of art and music, aimed at the development of aesthetic appreciation and the skills of creative expression.

(f) Health, including instruction in the principles and practices of individual, family, and community health.

(g) Physical education, with emphasis upon such physical activities for the pupils as may be conducive to health and vigor of body and mind, for a total period of time of not less than 200 minutes each 10 schooldays, exclusive of recesses and the lunch period

(h) Consumer education, with emphasis upon the rights and responsibilities of the consumer in the American economic system, and upon the development of sound judgment in determining actual value among goods and services.

~~(h)~~ *(i)* Such other studies as may be prescribed by the governing board.

SEC. 2. Section 8571 of the Education Code is amended to read:

8571. The adopted course of study for grades 7 through 12 shall offer courses in the following areas of study:

(a) English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking.

(b) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system including the role of the entrepreneur and labor; man's relations to his human and natural environment; eastern and western cultures and civilizations; and contemporary issues.

(c) Foreign language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language.

(d) Physical education, with emphasis given to such physical activities as may be conducive to health and to vigor of body and mind.

(e) Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation and on man's place in ecological systems, and with appropriate applications of the interrelation and interdependence of the sciences.

(f) Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem-solving procedures

(g) Fine arts, including art, music, or drama, with emphasis upon developement of aesthetic appreciation and the skills of creative expression.

(h) Applied arts, including instruction in the areas of consumer and homemaking education, industrial arts, general business education, or general agriculture.

(i) Vocational-technical education designed and conducted for the purpose of preparing youth for gainful employment in such occupations and in such numbers as appropriate to the manpower needs of the state and the community served and relevant to the career desires and needs of the students.

(j) Automobile driver education, designed to develop a knowledge of the provisions of the Vehicle Code and other laws of this state relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true appreciation of the causes, seriousness and consequences of traffic accidents, and to develop the knowledge and attitudes necessary for the safe operation of motor vehicles A course in automobile driver education shall include education in the safe operation of motorcycles.

(k) Consumer education, with emphasis upon the rights and responsibilities of the consumer in the American economic system, and upon the development of sound judgment in determining actual value among goods and services.

~~(k)~~

(l) Such other studies as may be prescribed by the governing board.

SEC 3 The sum of one hundred fifty thousand dollars ($150,000) is hereby appropriated from the General Fund to the Department of Education for curriculum design and teacher training of consumer education."

Amendment No. 4

On page 1, strike out lines 2 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1369

AB No. 926

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1369—An act to amend Section 10094 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 10094 of", and insert "Sections 10094 and 10095 of, and to add Section 10094.4 to,".

Amendment No. 2

On page 2, after line 24, insert

"SEC. 2. Section 10094.4 is added to the Insurance Code, to read:

10094.4. The association shall maintain one office in the northern part of the state, and one office in the southern part of the state.

SEC. 3 Section 10095 of the Insurance Code is amended to read:

10095 (a) Within 30 days following the effective date of this chapter, the association shall submit to the commissioner, for his review, a proposed plan of operation, consistent with the provisions of this chapter, creating an association consisting of all insurers licensed to write and engaged in writing in this state, on a direct basis, basic property insurance or any component thereof in homeowners or other dwelling multiperil policies. Every such insurer shall be a member of the association and shall remain a member as a condition of its authority to transact such kinds of insurance in this state.

(b) The proposed plan shall authorize the association to assume and cede reinsurance on risks written by insurers in conformity with the program.

(c) Under the plan, each insurer shall participate in the writings, expenses, profits and losses of the association in the proportion that its premiums written during the second preceding calendar year bear to

the aggregate premiums written by all insurers in the program, excluding that portion of the premiums written attributable to the operation of the association.

(d) The plan shall provide for administration by a governing committee under rules to be adopted by it with the approval of the commissioner Voting on administrative questions of the association and facility shall be weighted in accordance with each insurer's premiums written during the second preceding calendar year as disclosed in the reports filed by the insurer with the commissioner.

(e) The plan shall provide for a plan to encourage persons to secure basic property insurance through normal channels from an admitted insurer or a licensed surplus line broker by informing such persons what steps they must take in order to secure such insurance through normal channels

~~(e)~~ *(f)* The plan shall be subject to the approval of the commissioner and shall go into effect upon the tentative approval of the commissioner. The commissioner may, at any time, withdraw his tentative approval or he may, at any time after he has given his final approval revoke such approval if he feels it is necessary to carry out the purposes of the chapter The withdrawal or revocation of such approval shall not affect the validity of any policies executed prior to the date of such withdrawal If the commissioner disapproves or withdraws or revokes his approval to all or any part of the plan of operation, the association shall within 30 days, submit for review an appropriately revised plan or part thereof, and, if the association fails to do so, or if the revised plan so filed is unacceptable, the commissioner shall promulgate such a plan of operation or part thereof as he may deem necessary to carry out the purpose of this chapter.

~~(f)~~ *(g)* The association may, on its own initiative or at the request of the commissioner, amend the plan of operation, subject to approval by the commissioner, who shall have supervision of the inspection bureau, the facility and the association. The commissioner or any person designated by him, shall have the power of visitation of and examination into the operation and free access to all the books, records, files, papers, and documents that relate to operation of the facility and association, and may summon, qualify and examine as witnesses all persons having knowledge of such operations including officers, agents or employees thereof."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 926—An act to amend Sections 13010, 13469.1, and 13651 2 of the Education Code, relating to school employees.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "The", and insert "Whether or not the endorsement is required, the".

Amendment No. 2

On page 2, line 38, strike out "a.", and insert "(a)".

Amendment No. 3

On page 3, line 3, strike out "b.", and insert "(b)".

Amendment No. 4

On page 3, line 5, strike out "c.", and insert "(c)".

Amendment No. 5

On page 3, line 7, strike out "d.", and insert "(d)".

Amendment No. 6

On page 3, line 15, strike out "e.", and insert "(e)".

Amendment No. 7

On page 3, line 18, strike out "f.", and insert "(f)".

Amendment No. 8

On page 3, strike out lines 39 and 40; and on page 4, strike out lines 1 and 2, and insert "accident or illness. Whether or not the endorsement is required, the district shall then cause the employee to receive his normal wage or salary less appropriate deductions including but not limited to employee retirement contributions."

Amendment No. 9

On page 5, line 39, strike out "The district, in turn, shall"; strike out line 40; and on page 6, strike out line 1; and in line 2, strike out "other authorized", and insert "Whether or not the endorsement is required, the district shall then cause the employee to receive his normal wage or salary less appropriate deductions including but not limited to employee retirement".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 15, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1056

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1056—An act to add Article 14 3 (commencing with Section 1064) to Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to life and disability insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 14, insert

"1064.2. (a) This article shall apply to life insurance policies, disability insurance policies, annuity contracts, and contracts supplemental to life and disability insurance policies and annuity contracts issued by persons authorized to transact such insurance in this state at any time.

(b) This article shall not apply to:

(1) Any such policies or contracts, or any part of such policies or contracts, under which the risk is borne by the policyholder.

(2) Any such policy or contract or part thereof assumed by the impaired insurer under a contract of reinsurance, other than reinsurance for which assumption certificates have been issued.

(3) Any such policy or contract issued by fraternal benefit societies and nonprofit hospital service plan corporations.

1064.3. This article shall be liberally construed to effect the purpose set forth in Section 1064.1 which shall constitute an aid and guide to interpretation.

1064.4. As used in this article:

(a) "Account" means any of the three accounts specified in subdivision (a) of Section 1064.5.

(b) "Association" means the California Life and Disability Insurance Guaranty Association created under Section 1064.5.

(c) "Contractual obligation" means any obligation under any covered policy.

(d) "Covered policy" means any policy or contract within the scope of this article under Section 1064.2.

(e) "Impaired insurer" means (1) an insurer which, after the effective date of this article, becomes insolvent and is placed under a final order of liquidation, rehabilitation, or conservation by a court of competent jurisdiction, or (2) an insurer deemed by the commissioner, after the effective date of this article, to be unable or potentially unable to fulfill its contractual obligations.

(f) "Premiums" means direct gross insurance premiums and annuity considerations written on covered policies, less return premiums and considerations thereon and dividends paid or credited to policyholders on such direct business. "Premiums" does not include premiums and considerations on contracts between insurers and reinsurers. As used in Section 1064.8, "premiums" are those for the calendar year preceding the determination of impairment.

(g) "Member insurer" means any person authorized to transact in this state any kind of insurance to which this article applies under Section 1064.2.

(h) "Person" means any individual, corporation, partnership, association, or voluntary organization.

(i) "Resident" means any person who resides in this state at the time the impairment is determined and to whom contractual obligations are owed.

1064.5. (a) There is hereby created a nonprofit legal entity to be known as the California Life and Disability Insurance Guaranty Association. All member insurers shall be and remain members of the association as a condition of their authority to transact insurance in this state. The association shall perform its functions under the plan of operation established and approved under Section 1064.9, and shall exercise its powers through a board of directors established under Section 1064.6. For purposes of administration and assessment, the association shall maintain the following three accounts:

(1) The disability insurance account.

(2) The life insurance account.

(3) The annuity account.

(b) The association shall come under the immediate supervision of the commissioner, and shall be subject to the applicable provisions of the insurance laws of this state.

1064.6. (a) The board of directors of the association shall consist of not less than five nor more than nine members serving terms as established in the plan of operation. The members of the board shall be selected by member insurers subject to the approval of the commissioner. Vacancies on the board shall be filled for the remaining period of the term in the manner described in the plan of operation. To select the initial board of directors, and initially organize the association, the commissioner shall give notice to all member insurers of the time and place of the organizational meeting In determining voting rights at the organizational meeting each member insurer shall be entitled to one vote in person or by proxy. If the board of directors is not selected within 60 days after notice of the organizational meeting, the commissioner may appoint the initial members.

(b) In approving selections or in appointing members to the board, the commissioner shall consider, among other things, whether all member insurers are fairly represented

(c) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board of directors, but members of the board shall not otherwise be compensated by the association for their services.

1064.7. In addition to the powers and duties enumerated elsewhere in this article:

(a) If a domestic insurer is an impaired insurer, the association may, prior to an order of liquidation or rehabilitation, and subject to any conditions imposed by the association other than those which impair the contractual obligations of the impaired insurer, and approved by the impaired insurer and the commissioner, do any of the following:

(1) Guarantee or reinsure, or cause to be guaranteed, assumed, or reinsured, all the covered policies of the impaired insurer

(2) Provide such moneys, pledges, notes, guarantees or other means as are proper to effectuate paragraph (1), and assure payment of the contractual obligations of the impaired insurer pending action under paragraph (1).

(3) Loan money to the impaired insurer.

(b) If a foreign or alien insurer is an impaired insurer, the association may, prior to an order of liquidation, rehabilitation, or conservation, with respect to the covered policies of residents and subject to

any conditions imposed by the association other than those which impair the contractual obligations of the impaired insurer, and approved by the impaired insurer and the commissioner, do any of the following.

(1) Guarantee or reinsure, or cause to be guaranteed, assumed, or reinsured, the impaired insurer's covered policies of residents.

(2) Provide such moneys, pledges, notes, guarantees, or other means as are proper to effectuate paragraph (1), and assure payment of the impaired insurer's contractual obligations to residents pending action under paragraph (1).

(3) Loan money to the impaired insurer.

(c) If a domestic insurer is an impaired insurer under an order of liquidation or rehabilitation, the association shall, subject to the approval of the commissioner, do all of the following:

(1) Guarantee, assume, or reinsure, or cause to be guaranteed, assumed, or reinsured the covered policies of the impaired insurer.

(2) Assure payment of the contractual obligations of the impaired insurer.

(3) Provide such moneys, pledges, notes, guarantees, or other means as are reasonably necessary to discharge such duties

If the association fails to act within a reasonable period of time, the commissioner shall have the powers and duties of the association under this article with respect to such domestic impaired insurer.

(d) If a foreign or alien insurer is an impaired insurer under an order of liquidation, rehabilitation, or conservation, the association shall, subject to the approval of the commissioner, do all of the following.

(1) Guarantee, assume, or reinsure, or cause to be guaranteed, assumed, or reinsured the covered policies of residents.

(2) Assure payment of the contractual obligations of the impaired insurer to residents

(3) Provide such moneys, pledges, notes, guarantees, or other means as are reasonably necessary to discharge such duties.

If the association fails to act within a reasonable period of time, the commissioner shall have the powers and duties of the association under this article with respect to such foreign or alien impaired insurer.

(e) (1) In carrying out its duties under subdivisions (c) and (d), the association may request that there be imposed policy liens, contract liens, moratoriums on payments, or other similar means, and such liens, moratoriums, or similar means may be imposed if the commissioner does both of the following

(A) Finds that the amounts which can be assessed under this article are less than the amounts needed to assure full and prompt performance of the impaired insurer's contractual obligations, or that the economic or financial conditions as they affect member insurers are sufficiently adverse to render the imposition of policy or contract liens, moratoriums, or similar means to be in the public interest

(B) Approves the specific policy liens, contract liens, moratoriums, or similar means to be used

(2) Before being obligated under subdivisions (c) and (d), the association may request that there be imposed temporary moratoriums or liens on payments of cash values and policy loans, and such temporary moratoriums and liens may be imposed if they are approved by the commissioner.

(f) The association shall have no liability under this section for any covered policy of a foreign or alien insurer whose domiciliary jurisdiction or state of entry provides, by statute or regulation, for residents of this state protection substantially similar to that provided by this article for residents of other states

(g) The association may render assistance and advice to the commissioner, upon his request, concerning rehabilitation, payment of claims, continuations of coverage, or the performance of other contractual obligations of any impaired insurer.

(h) The association shall have standing to appear before any court in this state with jurisdiction over an impaired insurer concerning which the association is or may become obligated under this article. Such standing shall extend to all matters germane to the powers and duties of the association, including, but not limited to, proposals for reinsuring or guaranteeing the covered policies of the impaired insurer and the determination of the covered policies and contractual obligations.

(i) (1) Any person receiving benefits under this article shall be deemed to have assigned his rights under the covered policy to the association to the extent of the benefits received because of this article, whether the benefits are payments of contractual obligations or continuation of coverage. The association may require an assignment to it of such rights by any payee, policy or contract owner, beneficiary, insured, or annuitant as a condition precedent to the receipt of any rights or benefits conferred by this article upon such person. The association shall be subrogated to these rights against the assets of any impaired insurer.

(2) The subrogation rights of the association under this subsection shall have the same priority against the assets of the impaired insurer as that possessed by the person entitled to receive benefits under this article.

(j) The contractual obligations of the impaired insurer for which the association becomes or may become liable shall be as great as but no greater than the contractual obligations of the impaired insurer would have been in the absence of an impairment unless such obligations are reduced as permitted by subdivision (e), but the association shall have no liability with respect to any portion of a covered policy to the extent that the death benefit coverage on any one life exceeds an aggregate of three hundred thousand dollars ($300,000).

(k) The association may do any of the following

(1) Enter into such contracts as are necessary or proper to carry out the provisions and purposes of this article.

(2) Sue or be sued, including taking any legal actions necessary or proper for recovery of any unpaid assessments under Section 1064 8

(3) Borrow money to effect the purposes of this article Any notes or other evidence of indebtedness of the association not in default shall be legal investments for domestic insurers, and may be carried as admitted assets.

(4) Employ or retain such persons as are necessary to handle the financial transactions of the association, and to perform such other functions as become necessary or proper under this article.

(5) Negotiate and contract with any liquidator, rehabilitator, conservator, or ancillary receiver to carry out the powers and duties of the association

(6) Take such legal action as may be necessary to avoid payment of improper claims.

(7) Exercise, for the purposes of this article and to the extent approved by the commissioner, the powers of a domestic life or disability insurer, but in no case may the association issue insurance policies or annuity contracts other than those issued to perform the contractual obligations of the impaired insurer

1064 8 (a) For the purpose of providing the funds necessary to carry out the powers and duties of the association, the board of directors shall assess the member insurers, separately for each account, at such times and for such amounts as the board finds necessary The board shall collect the assessments after 30 days written notice to the member insurers before payment is due

(b) There shall be three classes of assessments, as follows·

(1) "Class A" assessments shall be made for the purpose of meeting administrative costs and other general expenses not related to a particular impaired insurer

(2) "Class B" assessments shall be made to the extent necessary to carry out the powers and duties of the association under Section 1064 7 with regard to an impaired domestic insurer

(3) "Class C" assessments shall be made to the extent necessary to carry out the powers and duties of the association under Section 1064 7 with regard to an impaired foreign or alien insurer

(c) (1) The amount of any Class A assessment for each account shall be determined by the board The amount of any Class B or C assessment shall be divided among the accounts in the proportion that the premiums received by the impaired insurer on the policies covered by each account bears to the premiums received by such insurer on all covered policies

(2) Class A and Class C assessments against member insurers for each account shall be in the proportion that the premiums received on business in this state by each assessed member insurer on policies covered by each account bears to such premiums received on business in this state by all assessed member insurers

(3) Class B assessments for each account shall be made separately for each state in which the impaired domestic insurer was authorized to transact insurance at any time, in the proportion that the premiums received on business in such state by the impaired insurer on policies covered by such account bears to such premiums received in all such states by the impaired insurer The assessments against member insurers shall be in the proportion that the premiums received on business in each such state by each assessed member insurer on policies covered by each account bears to such premiums received on business in each state by all assessed member insurers

(4) Assessments for funds to meet the requirements of the association with respect to an impaired insurer shall not be made until necessary to implement the purposes of this article. Classification of assess-

ments under subdivision (b), and computation of assessments under this subdivision, shall be made with a reasonable degree of accuracy, recognizing that exact determinations may not always be possible.

(d) The association may abate or defer, in whole or in part, the assessment of a member insurer if, in the opinion of the board, payment of the assessment would endanger the ability of the member insurer to fulfill its contractual obligations The total of all assessments upon a member insurer for each account shall not in any one calendar year exceed 2 percent of such insurer's premiums in this state on the policies covered by the account.

(e) In the event an assessment against a member insurer is abated or deferred, in whole or in part, because of the limitations set forth in subdivision (d), the amount by which such assessment is abated or deferred, shall be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in this section. If the maximum assessment, together with the other assets of the association in either account, does not provide in any one year in either account an amount sufficient to carry out the responsibilities of the association, the necessary additional funds shall be assessed as soon thereafter as permitted by this article.

(f) The board may, by an equitable method as established in the plan of operation, refund to member insurers, in proportion to the contribution of each insurer to that account, the amount by which the assets of the account exceed the amount the board finds is necessary to carry out during the coming year the obligations of the association with regard to that amount, including assets accruing from net realized gains and income from investments. A reasonable amount may be retained in any account to provide funds for the continuing expenses of the association and for future losses if refunds are impractical

(g) It shall be proper for any member insurer, in determining its premium rates and policyowner dividends as to any kind of insurance within the scope of this act, to consider the amount reasonably necessary to meet its assessment obligations under this article.

(h) The association shall issue to each insurer paying an assessment under this article a certificate of contribution, in a form prescribed by the commissioner, for the amount so paid All outstanding certificates shall be of equal dignity and priority without reference to amounts or dates of issue. A certificate of contribution may be shown by the insurer in its financial statement as an asset in such form and for such amount, if any, and period of time as the commissioner may approve

1064 9. (a) (1) The association shall submit to the commissioner a plan of operation and any amendments thereto necessary or suitable to assure the fair, reasonable, and equitable administration of the association. The plan of operation and any amendments thereto shall become effective upon approval in writing by the commissioner

(2) If the association fails to submit a suitable plan of operation within 180 days following the effective date of this article, or if at any time thereafter the association fails to submit suitable amendments to the plan, the commissioner shall, after notice and hearing, adopt and promulgate such reasonable rules as are necessary or advisable

to effectuate the provisions of this article. Such rules shall continue in force until modified by the commissioner or superseded by a plan submitted by the association and approved by the commissioner.

(b) All member insurers shall comply with the plan of operation.

(c) The plan of operation shall, in addition to requirements enumerated elsewhere in this article, do all of the following:

(1) Establish procedures for handling the assets of the association.

(2) Establish the amount and method of reimbursing members of the board of directors under Section 1064 6.

(3) Establish regular places and times for meetings of the board of directors.

(4) Establish procedures for records to be kept of all financial transactions of the association, its agents, and the board of directors.

(5) Establish the procedures whereby selections for the board of directors shall be made and submitted to the commissioner.

(6) Establish any additional procedures for assessments under Section 1064.8.

(7) Contain additional provisions necessary or proper for the execution of the powers and duties of the association.

(d) The plan of operation may provide that any or all powers and duties of the association, except those under paragraph (3) of subdivision (k) Section 1064.7 and Section 1064.8, are delegated to a corporation, association, or other organization which performs or will perform functions similar to those of this association, or its equivalent, in two or more states. Such a corporation, association, or organization shall be reimbursed for any payments made on behalf of the association, and shall be paid for its performance of any function of the association. A delegation under this subdivision shall take effect only with the approval of both the board of directors and the commissioner, and may be made only to a corporation, association, or organization which extends protection not substantially less favorable and effective than that provided by this article.

1064 10. In addition to the duties and powers enumerated elsewhere in this article·

(a) The commissioner shall do all of the following:

(1) Notify the board of directors of the existence of an impaired insurer not later than three days after a determination of impairment is made or he receives notice of impairment.

(2) Upon request of the board of directors, provide the association with a statement of the premiums in the appropriate states for each member insurer.

(3) When an impairment is declared and the amount of the impairment is determined, serve a demand upon the impaired insurer to make good the impairment within a reasonable time. Notice to the impaired insurer shall constitute notice to its shareholders, if any. The failure of the insurer to promptly comply with such demand shall not excuse the association from the performance of its powers and duties under this article.

(4) In any liquidation or rehabilitation proceeding involving a domestic insurer, be appointed as the liquidator or rehabilitator If a foreign or alien member insurer is subject to a liquidation proceeding in its domiciliary jurisdiction or state of entry, the commissioner shall be appointed conservator.

(b) The commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state of any member insurer which fails to pay an assessment when due or fails to comply with the plan of operation As an alternative the commissioner may levy a forfeiture on any member insurer which fails to pay an assessment when due Such forfeiture shall not exceed 5 percent of the unpaid assessment per month, but no forfeiture shall be less than one hundred dollars ($100) per month.

(c) Any action of the board of directors or the association may be appealed to the commissioner by any member insurer if such appeal is taken within 30 days of the action being appealed Any final action or order of the commissioner shall be subject to judicial review in a court of competent jurisdiction

(d) The liquidator, rehabilitator, or conservator of any impaired insurer may notify all interested persons of the effect of this article

1064 11 To aid in the detection and prevention of insurer impairments:

(a) The board of directors shall, upon majority vote, notify the commissioner of any information indicating any member insurer may be unable or potentially unable to fulfill its contractual obligations.

(b) The board of directors may, upon majority vote, request that the commissioner order an examination of any member insurer which the board in good faith believes may be unable or potentially unable to fulfill its contractual obligations. The commissioner may conduct such examination. The examination may be conducted as a National Association of Insurance Commissioners examination or may be conducted by such persons as the commissioner designates The cost of such examination shall be paid by the association, and the examination report shall be treated as are other examination reports In no event shall such examination report be released to the board of directors of the association prior to its release to the public, but this shall not excuse the commissioner from his obligation to comply with subsection (c). The commissioner shall notify the board of directors when the examination is completed The request for an examination shall be kept on file by the commissioner, but it shall not be open to public inspection prior to the release of the examination report to the public, and shall be released at that time only if the examination discloses that the examined insurer is unable or potentially unable to meet its contractual obligations

(c) The commissioner shall report to the board of directors when he has reasonable cause to believe that any member insurer examined at the request of the board of directors may be unable or potentially unable to fulfill its contractual obligations

(d) The board of directors may, upon majority vote, make reports and recommendations to the commissioner upon any matter germane to the solvency, liquidation, rehabilitation, or conservation of any member insurer Such reports and recommendations shall not be considered public documents

(e) The board of directors may, upon majority vote, make recommendations to the commissioner for the detection and prevention of insurer impairments.

(f) The board of directors shall, at the conclusion of any insurer impairment in which the association carried out its duties under this article or exercised any of its powers under this article, prepare a report on the history and causes of such impairment, based on the information available to the association, and submit such report to the commissioner

1064 12 The association may recommend a natural person to serve as a special deputy to act for the commissioner and under its supervision in the liquidation, rehabilitation, or conservation of any member insurer

1064 13 (a) Nothing in this article shall be construed to reduce the liability for unpaid assessments of the insureds of an impaired insurer operating under a plan with assessment liability

(b) Records shall be kept of all negotiations and meetings in which the association or its representatives are involved to discuss the activities of the association in carrying out its powers and duties under Section 1064 7 Records of such negotiations or meetings shall be made public only upon the termination of a liquidation, rehabilitation, or conservation proceeding involving the impaired insurer, upon the termination of the impairment of the insurer, or upon the order of a court of competent jurisdiction Nothing in this subdivision shall limit the duty of the association to render a report of its activities under Section 1064 14

(c) For the purpose of carrying out its obligations under this article, the association shall be deemed to be a creditor of the impaired insurer to the extent of assets attributable to covered policies reduced by any amounts to which the association is entitled as subrogee pursuant to subdivision (1) of Section 1064 7 All assets of the impaired insurer attributable to covered policies shall be used to continue all covered policies and pay all contractual obligations of the impaired insurer as required by this article Assets attributable to covered policies as used in this subsection is that proportion of the assets which the reserves that should have been established for such policies bear to the reserve that should have been established for all policies of insurance written by the impaired insurer

(d) (1) Prior to the termination of any liquidation rehabilitation, or conservation proceeding, the court may take into consideration the contributions of the respective parties including the association, the shareholders and policyowners of the impaired insurer, and any other party with a bona fide interest, in making an equitable distribution of the ownership rights of such impaired insurer In such a determination consideration shall be given to the welfare of the policyholders of the continuing or successor insurer

(2) No distribution to stockholders, if any, of an impaired insurer shall be made until and unless the total amount of assessments levied by the association with respect to such insurer have been fully recovered by the association

(e) It shall be a prohibited unfair trade practice for any person to make use in any manner of the protection afforded by this article in the sale of insurance

(f) (1) If an order for liquidation or rehabilitation of an insurer domiciled in this state has been entered, the receiver appointed under such order shall have a right to recover on behalf of the insurer, from any affiliate that controlled it, the amount of distributions, other than stock dividends paid by the insurer on its capital stock, made at any time during the five years preceding the petition for liquidation or rehabilitation subject to the limitations of paragraphs (2) to (4), inclusive, of this subdivision

(2) No such dividend shall be recoverable if the insurer shows that when paid the distribution was lawful and reasonable, and that the insurer did not know and could not reasonably have known that the distribution might adversely affect the ability of the insurer to fulfill its contractual obligations

(3) Any person who as an affiliate that controlled the insurer at the time the distributions were paid shall be liable up to the amount of distributions he received Any person who was an affiliate that controlled the insurer at the time the distributions were declared, shall be liable up to the amount of distributions he would have received if they had been paid immediately If two persons are liable with respect to the same distributions, they shall be jointly and severally liable

(4) The maximum amount recoverable under this subdivision shall be the amount needed in excess of all other available assets of the impaired insurer to pay the contractual obligations of the impaired insurer

(5) If any person liable under paragraph (3) is insolvent, all its affiliates that controlled it at the time the dividend was paid shall be jointly and severally liable for any resulting deficiency in the amount recovered from the insolvent affiliate

1064 14 The association shall be subject to examination and regulation by the commissioner The board of directors shall submit to the commissioner, not later than May 1 of each year, a financial report for the preceding calendar year in a form approved by the commissioner and a report of its activities during the preceding calendar year

1064 15. The association shall be exempt from payment of all fees and all taxes levied by this state or any of its subdivisions, except taxes levied on real property

1064 16 There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member insurer or its agents or employees, the association or its agents or employees, members of the board of directors, or the commissioner or his representatives, for any action taken by them in the performance of their powers and duties under this article

1064 17 All proceedings in which the impaired insurer is a party in any court in this state shall be stayed 60 days from the date an order of liquidation, rehabilitation, or conservation is final to permit proper legal action by the association on any matters germane to its powers or duties As to a judgment under any decision, order, verdict, or finding based on default, the association may apply to have such judgment set aside by the same court that made such judgment and shall be permitted to defend against such suit on the merits ''

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 16, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports·

AB No 1320

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1320—An act to amend Section 11711 of the Vehicle Code, relating to vehicle dealers

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Deddeh", and insert "Foran".

Amendment No. 2

On page 1, line 3, after "person", insert "(1)".

Amendment No. 3

On page 1, line 8, strike out "; provided," and insert "and"

Amendment No. 4

On page 2, line 1, after the first "or", insert "(2) if any person".

Amendment No. 5

On page 2, line 4, after "or", insert "(3)".

Amendment No. 6

On page 2, line 5, after the comma, insert "then any".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports·

AB No 1074

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1074—An act to add Section 19805 5 to the Business and Professions Code, relating to standard bread loaves.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 1 of the printed bill, after line 10, insert

"SEC. 2. This act shall become operative one year after its effective date."

Set No. 2

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 19805 5 to the Business and Professions", and insert "amend Section 26559 of the Health and Safety".

Amendment No. 2

In line 2 of the title, strike out "standard".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 26559 of the Health and Safety Code is amended to read:

26559 *(a)* Any food for which no standard of identity exists is misbranded if it is fabricated from two or more ingredients, unless it bears a label clearly stating the common or usual name of each ingredient in descending order of predominance by weight Any spice flavoring, or coloring, except any spice, flavoring, or coloring sold as such, may be designated as spice, flavoring, or coloring without naming each.

Exemptions may be established by the department, when compliance with any requirement of this ~~section~~ *subdivision* is impractical or results in deception or unfair competition

(b) Whenever any bread is wrapped, in any wrapping, for sale through retail outlets, there shall appear on the body of the wrapping or on the insert band a list specifying each ingredient in the bread in the order of predominance of each such ingredient This subdivision shall not be construed to require the listing of ingredients constituting less than 1 percent of the content of the bread."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports.

AB No. 892

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 892—An act to add Section 17267 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 1, line 3, of the printed bill, after "deduction", insert a comma

Amendment No. 2

On page 1, line 5, strike out "or ill health", and insert ", ill health, or for the spaying or neutering of such pets".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

MESSAGES FROM THE SENATE

Senate Chamber, May 15, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 146
AB No 329
AB No 346

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, May 15, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SCR 40

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 15, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 564
AB No. 1484

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, May 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 85	SB No 256	SB No. 339
SB No. 127	SB No 262	SB No 1126
SB No. 250	SB No. 281	SB No. 1246

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 12

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No 50

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 85—An act to amend Section 395 of the Code of Civil Procedure, relating to civil actions.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 127—An act to establish procedures for the assessment of open-space lands, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 250—An act to amend Sections 253.7 and 470 of the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 256—An act to amend Sections 5535, 5538, 5549, 5553, 5556, and 5559 of, to add Section 5542.5 to, and to repeal Section 5550 of, the Public Resources Code, relating to regional park districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 262—An act to amend Sections 23301, 23302, 23303, 233306, 23321, 23322, 23324, 23325, 23344, 23346, 23398, 23402, 23420, 23422, 23447 and 23452 of, and to add Sections 23300.5, 23446 5, and 23493 to, and to repeal Section 23343 of, the Government Code, relating to creation of new counties.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 281—An act making an appropriation to the Emergency Fund in augmentation of Item 79, Budget Act of 1971.

Referred by the Speaker pro Tempore to the Committee on Ways and Means.

Senate Bill No. 339—An act to amend Sections 54784 and 66180 of, and to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of, the Government Code, and to amend Section 24351 of the Health and Safety Code, relating to city selection committees

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1126—An act to add Section 222 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1246—An act to amend Section 1 of Chapter 1084 of the Statutes of 1970 and Section 599 of Chapter 1593 of the Statutes of 1971, relating to homemaker services

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 12—Relative to the preservation and protection of an archaeological site.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 50—Relative to congratulating Thomas A Maloney on his 83rd birthday.

Held at Desk by order of the Speaker pro Tempore

REQUEST FOR UNANIMOUS CONSENT

Mr Maddy was granted unanimous consent that Assembly Bill No. 165 be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Constitutional Amendment No 27 for hearing in the Committee on Rules

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1486

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1486 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 281 for hearing in the Committee on Ways and Means, on Wednesday, May 17, 1972

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file·

Assembly Bills Nos. 515, 900, 1206, 877, and **1003,** ordered to third reading.

Assembly Bills Nos. 1859 and **1447,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1082—An act to add Section 17500 3 to the Business and Professions Code, relating to home solicitation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out ", the mails or otherwise," and insert "or the mails, except catalogues,".

Amendment No. 2

On page 2, line 5, after "statement", insert ", except a greeting,".

Amendment No. 3

On page 2, line 6, after "questions," insert "that the purpose of the contact is to effect a sale, by doing".

Amendment No. 4

On page 2, line 8, strike out "The", and insert "Stating the"

Amendment No. 5

On page 2, line 9, strike out "The legal", and insert "Stating the trade".

Amendment No. 6

On page 2, strike out line 11.

Amendment No. 7

On page 2, line 12, strike out "(4) The", and insert "(3) Stating the".

Amendment No. 8

On page 2, between lines 12 and 13, insert

"(4) And, in the case of an "in person" contact, the person making the solicitation shall, in addition to meeting the requirements of paragraphs (1), (2) and (3), offer to give, and shall give upon acceptance of such offer, a card which states the information required by paragraphs (1) and (2) as well as the address of the nearest place of business of one of such persons so identified "

Amendment No. 9

On page 2, line 14, after "contract", insert ", except a contract relating to the sale or transfer of real property or corporate or municipal securities,".

Amendment No. 10

On page 2, line 16, strike out "void", and insert "voidable".

Amendment No. 11

On page 2, line 18, after "contract", insert ", by following the procedures provided by Chapter 2 (commencing with Section 1688) of Title 5 of Part 2 of Division 3 of the Civil Code for rescission of contracts

(c) If the contract is a retail installment sale, as defined by Section 1802 5 of the Civil Code, each bill statement, coupon book, or other written notification furnished to the buyer informing him of the due date of his first installment shall include a statement, which shall notify the buyer of each of the following in size equal to at least 10-point type

(1) That the contract is voidable by the buyer if the person making the solicitation at the time of initially contacting the buyer failed to clearly identify (i) himself, (ii) the person he represents, or (iii) the kind of goods or services offered for sale

(2) That if the buyer makes the first installment payment, or if 30 days have elapsed, whichever occurs later, before the buyer gives notice of rescission to the seller, the buyer shall no longer have such right to avoid the contract

If such notice is given, and if the first installment payment is made by the buyer, or 30 days have elapsed, whichever occurs later, the contract shall no longer be voidable under this section by reason of any violation of this section, and the buyer shall not be entitled to rescission

If the contract is not a retail installment sales contract, it shall no longer be voidable under this section after 30 days have elapsed from the date the contract was made

(d) Where any provision of law other than this section provides a penalty for the violation of any offense specified in this section it shall be a defense to the imposition of such a penalty as to any defendant who did not commit the act constituting the offense that the defendant did not know, and with the exercise of reasonable care could not have known, that the act was committed which constitutes the violation of this section"

Amendment No. 12

On page 2, line 19, strike out "(c)", and insert "(e)".

Amendment No. 13

On page 2, line 21, after "organization", insert ", but does not include any nonprofit charitable organization".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1813—An act to add Section 39252 to the Health and Safety Code, and to repeal Section 5 of Chapter 1509 of the Statutes of 1970, relating to air pollution.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly March 22, 1972, strike out "Assemblyman Biddle", and insert "Assemblymen Biddle, Quimby, Deddeh, and Wilson".

Amendment No. 2

In line 1 of the title, strike out "39252", and insert "39115".

Amendment No. 3

In line 2 of the title, strike out "repeal Section 5", and insert "amend Section 9".

Amendment No. 4

On page 2, line 1, strike out "39252", and insert "39115".

Amendment No. 5

On page 2, line 8, strike out "39252 ", and insert "39115 (a)".

Amendment No. 6

On page 2, line 9, after "Basin", insert ", as defined by the board,"

Amendment No. 7

On page 2, line 10, after "system", insert ", a gaseous fuel system, or a catalytic converter".

Amendment No. 8

On page 2, line 12, strike out "(a)", and insert "(1)".

Amendment No. 9

On page 2, line 12, after "motor vehicle", insert "having a manufacturer's gross vehicle weight rating of under 6,001 pounds, except a motor vehicle which is leased from any person whose principal business is leasing motor vehicles or a motorcycle".

Amendment No. 10

On page 2, line 15, strike out "motor", and insert "such".

Amendment No. 11

On page 2, line 16, strike out "(b)", and insert "(2)".

Amendment No. 12

On page 2, between lines 20 and 21, insert

"(3) "Gaseous fuel system" means a fuel system which permits a motor vehicle equipped with such system to be operated on compressed natural gas, liquefied natural gas, or liquefied petroleum gas.

(4) "Catalytic converter" is a device which converts the carbon monoxide and hydrocarbon exhaust emissions of a motor vehicle into carbon dioxide and water.

(b) Subdivision (a) shall not apply to fleet vehicles which meet the exhaust emission standards specified in Title 42 of the United States Code, Section 1857f-1(b)(1)."

Amendment No. 13

On page 2, strike out lines 21 and 22, and insert

"SEC. 2. Section 9 of Chapter 1509 of the Statutes of 1970 is amended to read:

Sec 9. Sections 7 and 8 of this act shall become operative on January 1, 1971 and on and after December 31, ~~1975~~ *1980*, shall be of no further force or effect."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1308—An act to amend Section 24007 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "is", insert "either (1)".

Amendment No. 2

On page 1, line 7, strike out "dealer or", and insert "dealer, or (2) sold".

Amendment No. 3

On page 1, line 8, strike out "dismantled or is", and insert "dismantled, or (3)".

Amendment No. 4

On page 2, line 6, after "is", insert "either (1)".

Amendment No. 5

On page 2, line 7, strike out "dealer or", and insert "dealer, or (2) sold".

Amendment No. 6

On page 2, after line 29, insert

"SEC. 2. Section 24007 of the Vehicle Code is amended to read:

24007. (a) No dealer or person holding a retail seller's permit shall sell a new or used ~~motor~~ vehicle which is not in compliance with the provisions of this code and department regulations adopted pursuant to this code unless the vehicle is *either (1)* sold to another dealer, or *(2) sold* for the purpose of being wrecked or dismantled, or ~~is~~ *(3)* sold exclusively for off-highway use

(b) No ~~dealer~~ *person* shall sell a new or used motor vehicle subject to the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code which is not in compliance with the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code and the rules and regulations of the State Air Resources Board, unless the vehicle is *either (1)* sold to ~~another~~ *a* dealer, or *(2) sold* for the purpose of being wrecked or dismantled ~~The~~ *A* dealer shall, with each application for initial registration of a new motor vehicle or transfer of registration of a motor vehicle subject to Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code, transmit to the Department of Motor Vehicles, a valid certificate of compliance *from* a licensed motor vehicle pollution control device installation and inspection station *indicating* that such vehicle is properly equipped with a certified device or devices which are in proper operating condition and which are in compliance with the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code

Effective February 1, 1973, with respect to new vehicles having a gross vehicle weight of 6,001 pounds or less, ~~the~~ *a* dealer may transmit, in lieu of such certificate of compliance, a statement, in the form approved by the commissioner, signed by the dealer indicating that the dealer has made no carburetor or ignition adjustment or other alteration or modification of the vehicle's exhaust emission control device or system.

SEC 3. It is the intent of the Legislature, if this bill and Senate Bill No. 149 are both chaptered and amend Section 24007 of the Vehicle Code, and this bill is chaptered after Senate Bill No 149, that the amendments to Section 24007 proposed by both bills be given effect and incorporated in Section 24007 in the form set forth in Section 2 of this act. Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 149 are both chaptered, both amend Section 24007, and Senate Bill No 149 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1431—An act providing for the conveyance of Old Bale Mill Park by the County of Napa to the Department of Parks and Recreation for inclusion in the state park system.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, after the period, insert "The conveyance shall not be made prior to July 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1563—An act to add Chapter 3 3 (commencing with Section 5600) to Division 5 of the Public Resources Code, to amend Sections 13987, 17204, and 24345 of, to add Section 15551 1 to, and to add Part 12 (commencing with Section 28001) to Division 2 of, the Revenue and Taxation Code, relating to the financing of the acquisition and improvement of land and facilities for recreational purposes by local agencies, and making an appropriation therefor, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 5, line 4, of the printed bill, strike out the second "and".

Amendment No. 2

On page 5, line 5, after "districts", insert ", and any districts established for the purpose of acquisition, development, control, conservation, or distribution of water or water rights and which provide recreational facilities".

Amendment No. 3

On page 8, line 13, after "10751", insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1610—An act to amend Section 3 of Chapter 558 of the Statutes of 1970, relating to deer.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

In line 2 of the title, after "deer", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 3 of Chapter 558 of the Statutes of 1970 is repealed

~~Sec. 3. This act shall be operative only until December 30, 1972, and shall have no force or effect after that date.~~

SEC 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to prevent any gap in the law which may result from the normal effective date of the bills enacted at the 1972 Regular Session of the Legislature being after December 30, 1972, it is necessary that the provisions of this act go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article X and Section 15 of Article XX thereof, by adding Article III, Section 5, to Article XX, and Section 7 to Article XXIV thereof, and by repealing Section 3 of Article I, Article III, and Sections 1, 6, 10, 11, and 16 of Article XX thereof, relating to constitutional revision.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed measure, as amended in Assembly May 1, 1972, strike out "by amending"; and strike out line 4 of the title.

Amendment No. 2

In line 7 of the title, strike out "Article III, and", and insert "Articles III, X, and".

Amendment No. 3

In line 8 of the title, after "XX", insert ", and Article XXI"

Amendment No. 4

On page 2, strike out lines 28 and 29; and on page 3, strike out lines 1 to 16, inclusive, and insert

"Fourth—That Article X is repealed."

Amendment No. 5

On page 3, strike out lines 25 to 32, inclusive.

Amendment No. 6

On page 3, line 33, strike out "Eleventh", and insert "Tenth".

Amendment No. 7

On page 3, strike out line 34, and insert
"Eleventh—That Article XXI is repealed.
Twelfth—That Section 7 is added to Article XXIV to".

Amendment No. 8

On page 4, strike out lines 2 to 7, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 2149—An act to add Chapter 5 (commencing with Section 5210) to Division 4 of the Elections Code, relating to advisory referendums, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Chapter 5 (commencing with Section 5210) to Division 4 of the Elections", and insert "Article 3 5 (commencing with Section 1024) to Chapter 3 of Division 4 of the Education".

Amendment No. 2

On page 1, strike out line 1, and insert
"SECTION 1 Article 3 5 (commencing with Section 1024) is added to Chapter 3 of Division 4 of the Education Code, to read:

Article 3 5 Advisory Elections

1024. The governing board of a community college district may, at a special election called for that purpose, submit to the electors of the district any matter coming before the board, for an advisory expression by the electors as to whether or not a specified course of action by the board is favored by the electors

1025 The election shall be ordered by a resolution adopted by a majority of the members of the governing board The resolution shall set forth the proposed governing board course of action and may set forth alternative courses of action, if any, as separate proposals Such resolution shall constitute an order of election

1026 Ballot propositions at an election authorized by this article shall set forth the proposed governing board course of action, or alternative courses of action, and shall state that the vote on such proposal is advisory only and will not be binding on the governing board.

1027 The election shall be conducted in the manner prescribed by Chapter 6 (commencing with Section 1301) of this division, and may be consolidated with other elections pursuant to Section 1333

1028 The outcome of the election shall be advisory only and shall not be deemed to have in any manner limited or restricted the rights, duties, or powers of the school district governing board or any other officers or employees of the district.

1029. This article shall only apply to the Hartnell Joint Junior College District."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and on page 2, strike out lines 1 to 12, inclusive.

Amendment No. 4

On page 2, line 18, strike out "local agencies", and insert "community college districts".

Amendment No. 5

On page 2, lines 20 and 21, strike out "are not intrinsically legislative in nature but which".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 907—An act to amend Section 167 10 of the Estero Municipal Improvement District Act (Chapter 82 of the Statutes of 1960, First Extraordinary Session), relating to the Estero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, lines 1 and 2, of the printed bill, strike out "issued or heretofore", and insert "heretofore issued, heretofore authorized but unissued,".

Amendment No. 2

On page 2, line 13, strike out "and private".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2074—An act to amend Sections 18203, 18405, 18405 2, 18406, 18406.1, 18406 2, 18601, 18615, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406 3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203 5, 18205, 18205 5, 18668, and 18668.1 of, the Financial Code, relating to industrial loan companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 4, 1972, strike out "18405, 18405 2, 18406, 18406 1", and insert "18405.2, 18406".

Amendment No. 2

On page 3, strike out lines 17 to 40, inclusive; and on page 4, strike out lines 1 to 15, inclusive.

Amendment No. 3

On page 4, strike out lines 34 to 40, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2043—An act to amend Section 27321.5 of the Government Code, relating to county recorders.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, after the semicolon, insert "and,".

Amendment No. 2

On page 2, line 5, strike out "the", and insert "one".

Amendment No. 3

On page 2, line 6, after "mortgagor", insert "designated for the purpose of receiving such notice".

Amendment No. 4

On page 2, line 7, strike out "Provided, however", and insert "However".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1452—An act to amend Sections 11757 and 11758 of the Government Code, relating to California Information Systems Implementation Committee.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Efficiency and Cost Control, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, line 19, strike out "and".

Amendment No. 2

On page 2, line 24, strike out the period, and insert "; and".

Amendment No. 3

On page 2, after line 24, insert

"(f) The December 31, 1974, report shall include an evaluation of the success of any adopted State Electronic Data Processing Master Plan, make a determination of the adequacy of installed data processing resources to meet current and anticipated state needs, and direct a reevaluation of the available technology and the plan, if required."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1490—An act to add Section 20233 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Efficiency and Cost Control, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "accountant", insert ", who is not in public employment,".

Amendment No. 2

On page 1, line 8, strike out "and", and insert a comma.

Amendment No. 3

On page 2, line 1, after "Senate", insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 620—An act to amend Section 2983.2 of, and to add Section 1917 to, the Civil Code, relating to automobile sales financing.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 8 to 35, inclusive, and insert

"2983.2. Any provision in any conditional sale contract for the sale of a motor vehicle to the contrary notwithstanding, at least 10 days' written notice of intent to sell a repossessed motor vehicle must be given to all persons liable on the contract. The notice shall be personally served or shall be sent by certified mail, return receipt requested, directed to the address of the persons shown on the contract, unless such persons have notified the holder in writing of a different address. The notice shall set forth that there is a right to redeem the motor vehicle and the total amount required as of the date of the notice to redeem; may inform such persons of their privilege of reinstatement of the contract, if the holder extends such privilege, shall give notice of the holder's intent to resell the motor vehicle at the expiration of 10 days from the date of giving or mailing the notice, or if given by mail and either the place of deposit in the mail or the place of address is outside of this state, the period of notice shall be 20 days instead of 10 days; shall disclose the place at which the motor vehicle will be returned to the buyer upon redemption or reinstatement; and shall designate the name and address of the person to whom payment shall be made. During the period provided under said notice, the person or persons liable on the contract may pay in full the indebtedness evi-

denced by the contract Such persons shall be liable for any deficiency after the sale of the repossessed motor vehicle if it is a new motor vehicle and if the notice prescribed by this section is given within 60 days of repossession and includes the following:

1 A notice, in at least eight-point bold type if the notice is printed, reading as follows. "Notice You are subject to suit and liability if the amount obtained upon sale of the vehicle is insufficient to pay the contract balance and any other amounts due "

2 An itemization of the contract balance and of any delinquency, collection or repossession costs and fees In addition, the notice shall either set forth the computation or estimate of the amount of any credit for unearned finance charges or canceled insurance as of the date of the notice or shall state that such a credit may be available against the amount due

For purposes of this section, there is hereby established a presumption affecting the burden of proof that the value of the repossessed motor vehicle was the wholesale price which existed on the first day a repossessor could resell such vehicle under this section, as set forth in established used car price guides customarily used by California automobile dealers This presumption may be rebutted only by clear and convincing proof that the vehicle, while in the buyer's possession, had received use which prevents resale of the vehicle at the wholesale price.

The presumption established by this section shall not apply if the vehicle was resold at a price higher than the wholesale price, in which case the resale price shall be the value of the vehicle for the purposes of this section "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 960—An act to add Article 31 (commencing with Section 14451) to Chapter 4 of Division 10 of the Education Code, relating to the State Teachers' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 2, 1972, strike out "Barnes", and insert "Bee".

Amendment No. 2

On page 3, lines 8 and 9, strike out "July 1, 1972", and insert February 15, 1973"

Amendment No. 3

On page 3, line 19, strike out "July 1, 1972", and insert "March 1, 1973".

Amendment No. 4

On page 3, line 20, strike out "employer reserve", and insert "pension accumulation fund"

Amendment No. 5

On page 3, line 23, strike out "July 1, 1972", and insert "February 15, 1973".

Amendment No. 6

On page 3, line 31, strike out "nonlocal service", and insert "service performed outside the local system".

Amendment No. 7

On page 3, line 38, strike out "are", and insert "shall be".

Amendment No. 8

On page 4, lines 22 and 23, strike out "either but not both systems", and insert "the community college system or its predecessor, the Los Angeles Unified School District Retirement System, but not both the State Teachers' Retirement System and the community college system".

Amendment No. 9

On page 5, line 3, strike out "July 1, 1972", and insert "February 15, 1973".

Amendment No. 10

On page 5, line 5, strike out "14661", and insert "14458".

Amendment No. 11

On page 5, line 28, strike out "full-time", and insert "nonlocal".

Amendment No. 12

On page 5, line 30, strike out "June 30", and insert "July 1".

Amendment No. 13

On page 6, line 16, after the period, insert "Clerical errors in the assignment of rates, or errors in rates due to incorrectly reported birth dates are the responsibility of the member."

Amendment No. 14

On page 6, line 19, after "14455.4", insert "and 14455 6".

Amendment No. 15

On page 6, lines 27 and 28, strike out "the portion of", and insert "any shortage in".

Amendment No. 16

On page 6, line 34, strike out "Those", and insert "For those".

Amendment No. 17

On page 6, line 35, strike out "Los Angeles Unified"; strike out line 36, and insert "community".

Amendment No. 18

On page 6, line 37, after "system", insert "or its predecessor, the Los Angeles Unified School District Retirement System,".

Amendment No. 19

On page 7, strike out lines 11 to 40, inclusive; strike out page 8; and on page 9, strike out lines 1 to 21, inclusive, and insert

"14455.11. As of July 1, 1972, the State Teachers' Retirement System shall do all of the following·

(a) Recalculate the benefits which begin to accrue to the community college system members during fiscal year 1972–73, under the provisions of Chapter 1305, Statutes of 1971.

(b) Pay to those retirants the difference between the recalculated benefits and the amounts they actually received during 1972–73

(c) Assume financial responsibility for the ongoing benefit payments.

(d) Credit the community college system for the amount of benefit payments made to persons whose benefits begin to accrue during fiscal year 1972–73

14455 12 If the community college system grants any benefit during fiscal year 1972–73, which is not in Chapter 1305, Statutes of 1971, or is better, the community college system shall pay the present value of such benefits in accordance with Section 14455 1, to the State Teachers' Retirement System"

Amendment No. 20

On page 9, line 22, strike out "14459", and insert "14456".

Amendment No. 21

On page 9, line 32, strike out "14460", and insert "14457".

Amendment No. 22

On page 9, line 38, strike out "14461", and insert "14458".

Amendment No. 23

On page 10, line 4, after "SEC 2.", insert "This act shall be operative July 1, 1972

SEC 3."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

SECOND READING OF SENATE BILLS

Senate Bill No. 149—An act to amend Section 24007 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 328—An act to add Chapter 6 (commencing with Section 5800) to Division 5 of the Public Resources Code, relating to public lands

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted·

Amendment No. 1

On page 2 of the printed bill, as amended in Senate April 11, 1972, after line 30, insert

"5804 If a public entity does not have statutory power to enact ordinances, the governing body of such public entity is hereby em-

powered to introduce and enact the ordinance required by Section 5802 at any regular or adjourned regular meeting."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
MOTION TO RECONSIDER ASSEMBLY BILL NO. 1877

In compliance with a motion given on a previous day, Mr. Brown moved that the vote whereby Assembly Bill No. 1877 was refused passage be reconsidered.

Assembly Bill No. 1877 reconsidered by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Briggs, Brown, Chacon, Chappie, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Porter, Powers, Russell, Sieroty, Stull, Thomas, Townsend, Warren, and Mr. Speaker—41.

NOES—Murphy—1.

Assembly Bill No. 1877 Placed on the Inactive File

Mr. Brown was granted unanimous consent that Assembly Bill No. 1877 be placed upon the inactive file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Chappie was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

Majority Floor Leader Presiding

At 10:34 a.m., Hon Jack R Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 710—An act to amend Section 100 of the Harbors and Navigation Code, relating to navigable waters.

Bill read third time, and passed by the following vote:

Ayes—Arnett, Badham, Bee, Beverly, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Murphy, Pierson, Porter, Powers, Russell, Seeley, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—44.

NOES—Dunlap, Knox, LaCoste, McAlister, Sieroty, Warren, and Z'berg—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maddy moved a call of the Assembly.

Motion carried. Time, 10:35 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT

Mr. LaCoste was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 929—An act to amend Section 13447 of the Education Code, relating to public school employees.

Bill read third time.

Demand for Previous Question

Messrs. Townsend, Sieroty, Chacon, Murphy, and Cory demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Warren moved a call of the Assembly.

Motion carried. Time, 10:47 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Porter was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Hon. Carley V. Porter Presiding

At 10:49 a.m., Hon. Carley V. Porter, 38th District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Porter was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1275—An act to add Part 7 (commencing with Section 12650) to Division 2 of the Insurance Code, relating to mass merchandising plans for property and casualty insurance.

Bill read third time.

Motion to Amend

Mr. Fenton moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "12650", and insert "12670".

Amendment No. 2

On page 1, line 1, strike out "12650", and insert "12670".

Amendment No. 3

On page 1, line 7, strike out "12650", and insert "12670".

Amendment No. 4

On page 2, line 1, strike out "12651", and insert "12671".

Amendment No. 5

On page 2, line 26, strike out "12652", and insert "12672".

Amendment No. 6

On page 3, line 6, after "(c)", insert "The underwriting standards for individual risk selection shall not, on the whole, be more restrictive than the standards used by the insurer for individual risk selection in the sale of the same kind of insurance in this state, other than pursuant to group plans.

(d)".

Amendment No. 7

On page 3, line 9, after "plan", insert ", whether favorable or unfavorable, including but not limited to premium rates, benefits, duration of coverage, policyholder services, conversion privileges available, and the financial interests in the plan, if any, of the sponsoring employer, association, organization, or group".

Amendment No. 8

On page 3, line 10, strike out "(d)", and insert "(e)".

Amendment No. 9

On page 3, line 14, strike out "(e)", and insert "(f)".

Amendment No. 10

On page 3, line 23, strike out "(f)", and insert "(g)".

Amendment No. 11

On page 3, line 40, strike out "(g)", and insert "(h)".

Amendment No. 12

On page 4, line 4, strike out "(h)", and insert

"(i) All group plans shall provide that upon termination of employment or membership, or upon the discontinuance of the plan, the insured member or employee may maintain his policy in force at the group rate upon payment of premium for either (1) 60 days from the date he terminates employment or membership or the plan is discontinued, or (2) for 30 days after he has exercised his right to maintain his policy on an individual basis as provided in subdivision (j), whichever is longer.

(j)".

Amendment No. 13

On page 4, strike out lines 11 to 13, inclusive; and in line 14, strike out "12563", and insert "The insurer shall give notice of the employee or member's right to maintain his policy under this subdivision The insured shall have 30 days after receipt of the notice from the insurer to exercise his option to maintain the policy in force.

12673 "

Amendment No. 14

On page 4 after line 15, insert

"12675 Casualty insurance written pursuant to this part shall be subject to the provisions of Chapter 10 (commencing with Section 660) Part 1, Division 1, relating to the cancellation of, or failure to renew, automobile liability, automobile physical damage and automobile collision insurance

12676 Property insurance written pursuant to this part shall be subject to the provisions of Chapter 11 (commencing with Section 675) of Part 1 of Division 1, relating to the cancellation of, or failure to renew, certain property insurance."

Amendments read ~~, and adopted~~ .

~~Bill ordered reprinted, and to be returned to the third reading file.~~

NOTE: Later this day, the action was rescinded whereby the above amendments to Assembly Bill No 1275 were adopted, and whereby the bill was ordered reprinted, and to be returned to the third reading file. The amendments were subsequently withdrawn by Mr Fenton See page 3270

Majority Floor Leader Presiding

At 10.55 a.m , Hon Jack R. Fenton, 51st District, presiding.

Assembly Bill No. 483—An act to amend Sections 12822, 12823, 12826, and 12848 of, and to add Sections 12821 5 and 12821.7 to, the Education Code, relating to school testing.

Bill read third time, and passed by the following vote:

AYES—Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald,

MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Pierson, Porter, Powers, Quimby, Russell, Seeley, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—50

NOES—Badham, Cline, Collier, Conrad, Dent, Hayes, Lanterman, Moorhead, Ryan, and Stull—10.

Bill ordered transmitted to the Senate

Assembly Bill No. 1851—An act to amend Section 5352 of the Welfare and Institutions Code, relating to conservatorship.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1275

Mr. Fenton was granted unanimous consent to rescind the action whereby earlier this day the Assembly adopted amendments to Assembly Bill No 1275, and whereby the bill was ordered reprinted, and to be returned to the third reading Mr. Fenton was also granted unanimous consent that his amendments to Assembly Bill No 1275 be withdrawn.

REQUEST FOR UNANIMOUS CONSENT

Mr Chacon was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1939—An act to add and repeal Section 25252.1 to the Government Code, relating to banks.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1870—An act to amend Section 5714 of the Welfare and Institutions Code, relating to mental health.

Bill read third time, and passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2270—An act to amend Section 20205 of the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—Badham—1.

Bill ordered transmitted to the Senate.

Hon. Kenneth Cory Presiding

At 11.05 a.m., Hon Kenneth Cory, 69th District, presiding.

Assembly Concurrent Resolution No. 46—Relative to indeterminate sentencing.

Resolution read.

Majority Floor Leader Presiding

At 11.11 a.m., Hon Jack R. Fenton, 51st District, presiding

The roll was called, and Assembly Concurrent Resolution No. 46 adopted by the following vote:

AYES—Arnett, Belotti, Beverly, Biddle, Brown, Chacon, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Murphy, Pierson, Porter, Powers, Quimby, Ryan, Seeley, Sieroty, Thomas, Warren, Waxman, Wilson, Wood, and Z'berg—43

NOES—Badham, Barnes, Briggs, Cline, Collier, Cory, Ketchum, Lanterman, MacGillivray, Moorhead, Russell, and Stull—12.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 75—Relative to awarding Fred Clawson.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stull, Thomas, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 662—An act to amend Section 4600 of the Civil Code, and to amend Section 1408 of the Probate Code, relating to child custody.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Briggs, Brown, Burton, Cline, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—45.

NOES—Barnes, Belotti, Chacon, Collier, Conrad, Cullen, Davis, Gonsalves, Ketchum, Lanterman, McAlister, Moorhead, Murphy, Russell, Stull, and Townsend—16.

Bill ordered transmitted to the Senate.

Assembly Bill No. 605—An act to amend Section 2845 of the Civil Code and to add Section 1058a to the Code of Civil Procedure, relating to undertakings and bonds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1362—An act to amend Section 7114 of, and to add Section 7151.6 to, the Health and Safety Code, relating to human remains.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell Ryan, Seeley Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 401

At 11 21 a m , on motion of Mr Maddy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 401 passed by the following vote

AYES—Arnett, Badham, Bee, Belotti, Beverly, Biddle, Burton, Chacon, Chappie, Dent, Duffy, Dunlap, Fenton, Fong, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy Pierson Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Warren, Waxman, Wood, and Z'berg—45

NOES—Briggs, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Leroy F Greene, Stull, and Wilson—11

~~Bill ordered transmitted to the Senate~~

NOTE Later this day a motion to reconsider the vote whereby Assembly Bill No 401 was passed was offered by Mr Cory See page 3283

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1591—An act to add Article 4 (commencing with Section 5670) to Chapter 5 of Division 6 of the Education Code, relating to school classes, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanter-

man, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 687—An act to amend Section 11525.2 of the Business and Professions Code, relating to subdivisions

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Biddle, Brown, Chacon, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—52.

NOES—Chappie, Cory, Davis, and Ketchum—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 439—An act relating to the establishment of a regional criminal justice center by the Yosemite Junior College District.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 656—An act to amend Sections 25101, 25111, 25212, 25232, 25300, 25503, 25608, and 29551 of the Corporations Code, relating to investments.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 782—An act to add Section 7356 to the Labor Code, relating to aerial tramways.

Bill read third time.

Speaker pro Tempore Presiding

At 11 45 a m , Hon Carlos Bee, 13th District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Badham, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie Cline, Collier Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes Harvey Johnson, Ray E Johnson Karabian, Ketchum, Keysor, Knox LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead Murphy, Pierson, Porter, Powers, Ralph, Russell Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 783—An act to add Chapter 8 (commencing with Section 21200) to Division 8 of the Business and Professions Code, relating to skiing safety.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—Chappie and Cullen—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 785—An act to amend Sections 7340, 7341, 7343, and 7348 of the Labor Code, relating to aerial tramways

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burton, Chacon, Chappie, Cline Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent. Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson Karabian, Ketchum, Keysor. Knox, LaCoste. Lanterman, Lewis, MacDonald, MacGillivray, Maddy. McAlister. Meade, Miller. Moorhead, Murphy, Pierson, Porter, Powers. Ralph, Russell, Ryan, Seeley. Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 786—An act to add Section 7357 to the Labor Code, relating to aerial tramways

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Moorhead, Murphy. Pierson, Porter, Powers, Ralph, Russell. Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Leroy F Greene, Assembly Bill No 686 was removed from the Consent Calendar

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22 2.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1316—An act to add Section 12739 to the Business and Professions Code, relating to weights and measures, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1507—An act to amend Section 6571 of, and to add Chapter 10 (commencing with Section 5800) to Division 6, Title 1 of the Government Code, and to amend Section 33138 of the Streets and Highways Code, relating to sales of public securities.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1493—An act to amend Sections 10503, 10504, 10521, and 10528 of, and to repeal Section 10520 of, the Government Code, relating to the Joint Legislative Audit Committee.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 670—An act to amend Sections 6738 and 6738.1 of the Business and Professions Code, relating to professional engineering.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1153—An act to amend Section 13413 of the Education Code, relating to certificated employees

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2036—An act to amend Section 6007 of the Business and Professions Code, relating to attorneys

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2269—An act to amend Section 26636 of the Health and Safety Code, relating to drugs, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 336—An act to add Section 1604.2 to the Revenue and Taxation Code, relating to local equalization proceedings.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 581—An act to amend Section 3712 of the Revenue and Taxation Code, relating to property taxation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown,

Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 957—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 538—An act to amend Section 8836 5 of the Fish and Game Code, relating to fishing

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2070—An act to amend Section 8305 5 of the Fish and Game Code, relating to abalone

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2147—An act to amend Section 8693 of the Fish and Game Code, relating to gill nets.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 47—Relative to rural railroad crossings.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 29—Relative to a veterans hospital for northern California.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.
NOES—None

Resolution ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Concurrent Resolution No. 38—Relative to acquisition, construction, and improvement of student health facilities.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 46—Relative to the Joint Legislative Budget Committee.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

RE-REFERENCE OF ASSEMBLY BILL NO. 1275

Mr. Fenton was granted unanimous consent that Assembly Bill No. 1275 be re-referred to the Committee on Finance and Insurance, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1275 for hearing in the Committee on Finance and Insurance on Wednesday, May 17, 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 50

Mr. McCarthy was granted unanimous consent to take up Senate Concurrent Resolution No. 50 without reference to committee, or file.

Consideration of Senate Concurrent Resolution No. 50

Senate Concurrent Resolution No. 50—Relative to congratulating Thomas A Maloney on his 83rd birthday.

Resolution read.

Members Made Coauthors of Senate Concurrent Resolution No. 50

Mr. McCarthy was granted unanimous consent that all Members of the Assembly who are present today be placed upon Senate Concurrent Resolution No. 50 as coauthors.

Request for Unanimous Consent

Mr McCarthy was granted unanimous consent to take up Senate Concurrent Resolution No. 50, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 50, as Amended

Senate Concurrent Resolution No. 50—Relative to congratulating Thomas A Maloney on his 83rd birthday

Resolution read, as amended, and adopted unanimously.

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 929

At 12 m., on motion of Mr Warren, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 929 refused passage by the following vote:

AYES—Bee, Beverly, Brown, Burton, Chacon, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Pierson, Porter, Powers, Quimby, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—35.

NOES—Badham, Barnes, Belotti, Biddle, Chappie, Cline, Collier Conrad, Cullen, Davis, Dent, Hayden, Ray E Johnson, Ketchum, Lanterman, Lewis, MacGillivray, Miller, Moorhead, Murphy, Russell, Ryan, Seeley, Stull, and Wood—25.

Motion to Reconsider Assembly Bill No. 929 on Next Legislative Day

Mr Warren moved to reconsider on the next legislative day the vote whereby Assembly Bill No 929 was this day refused passage.

Assembly Bill No 929 ordered to the unfinished business file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 401 ON NEXT LEGISLATIVE DAY

Mr Cory moved to reconsider on the next legislative day the vote whereby Assembly Bill No 401 was this day passed

Assembly Bill No 401 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 03 p m , Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with.

COMMUNICATIONS

Assembly Chamber, May 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 109—An act to repeal Sections 367d and 367e of the Penal Code, and to amend Sections 13201, 13352, 23101, 23102, 23105, and 23106 of the Vehicle Code, relating to motor vehicle offenses,

And reports the same correctly enrolled, and presented to the Governor at 11 a m , May 16, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 16, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No. 75

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 16, 1972

Mr Speaker: Your Committee on Health reports:

AB No 645

With amendments with the recommendation· Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading

Assembly Chamber, May 16, 1972

Mr. Speaker. Your Committee on Health reports:

AB No. 1872

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 1873

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means, with recommendation To Consent.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Planning and Land Use

Assembly Chamber, May 16, 1972

Mr Speaker Your Committee on Planning and Land Use reports
AB No 2139

With amendments with the recommendation Do pass, as amended

PRIOLO, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, May 16, 1972

Mr Speaker Your Committee on Local Government reports,
SB No 352

With amendments with the recommendation Amend, and do pass, as amended

KNOX, Chairman

Above bill ordered to second reading

Committee on Retirement

Assembly Chamber, May 16, 1972

Mr Speaker Your Committee on Retirement reports,
AB No 818

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

BARNES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, May 16, 1972

Mr Speaker Your Committee on Retirement reports
SB No 1479

With the recommendation Do pass

BARNES, Chairman

Above bill ordered to second reading

Assembly Chamber, May 16, 1972

Mr Speaker Your Committee on Retirement reports
ACR No 64

With the recommendation Be adopted

BARNES, Chairman

Above resolution ordered on file

Assembly Chamber, May 16, 1972

Mr Speaker Your Committee on Retirement reports
AB No 1426
AB No 2021

With the recommendation Do pass

BARNES, Chairman

Above bills ordered to second reading

Assembly Chamber, May 16, 1972

Mr Speaker · Your Committee on Retirement reports.

AB No 1358
AB No 2184

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BARNES, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, May 16, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No. 1998

With author's amendments with the recommendation · Amend, and refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1998—An act to repeal Section 13590 3 of the Education Code, relating to classified public school employees

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "amend Section 13590 2 of, and to".

Amendment No. 2

In line 1 of the title, after "of", insert a comma

Amendment No. 3

On page 1, line 1, after "SECTION 1 ", insert "Section 13590 2 of the Education Code is amended to read.

13590.2 The governing board of each district shall provide the extent to which, and establish the method by which ordered overtime or overtime in time of critical emergency is compensated The board shall provide for such compensation ~~or compensatory time off~~ at a rate at least equal to time and one-half the regular rate of pay of the employee designated and authorized to perform the overtime ~~Notwithstanding the foregoing provisions the board may declare overtime to have been necessary as a critical emergency and provide for cash compensation or compensatory time off at a rate less than the overtime rate~~

Overtime is defined to include any time required to be worked in excess of eight hours in any one day and in excess of 40 hours in any calendar week If a governing board establishes a workday of less than eight hours but more than seven hours and a workweek of less than 40

hours but more than 35 hours for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday and workweek shall be deemed to be overtime The foregoing provisions are not intended to apply to properly designated part-time positions with an assigned workday of less than eight hours and a workweek of less than 40 hours even though all such positions constitute all of the positions within a class

~~Critical emergency as used in this section means a civil disaster or other such major occurrence that requires the use of school employees to the detriment of the financial ability of the district to meet the requirements of this section.~~

For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensating time off, or other paid leave of absence shall be considered as time worked by the employee.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing with Section 13701) of this chapter.

SEC. 2."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 16, 1972

Mr Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1450

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1450—An act to amend Section 73113 of the Government Code, relating to courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73113", and insert "Sections 73113, 73663, 73665, 73666, and 73667".

Amendment No. 2

On page 2, after line 26, insert

"SEC 2 Section 73663 of the Government Code is amended to read:

73663 The clerk may appoint, with the approval of the judge, one

chief deputy clerk, ~~two~~ *three* deputy clerks III, one deputy clerk II, and ~~five~~ *four* deputy clerks I.

SEC. 3. Section 73665 of the Government Code is amended to read:

73665. The marshal may appoint, with the approval of the judge *and the concurrence of the board of supervisors*, ~~two~~ *three* deputy marshals, ~~and~~ one senior clerk-typist-matron *and one intermediate clerk-typist*.

SEC. 4. Section 73666 of the Government Code is amended to read:

73666. The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the following salary schedule:

Salary Schedule

	~~Step A~~	~~Step B~~	~~Step C~~	~~Step D~~	~~Step E~~
~~Clerk~~	~~$556~~	~~$584~~	~~$613~~	~~$644~~	~~$676~~
~~Chief deputy clerk~~	~~405~~	~~425~~	~~447~~	~~469~~	~~493~~
~~Deputy clerk III~~	~~395~~	~~415~~	~~436~~	~~458~~	~~481~~
~~Deputy clerk II~~	~~367~~	~~385~~	~~405~~	~~425~~	~~447~~
~~Deputy clerk I~~	~~341~~	~~358~~	~~376~~	~~395~~	~~415~~
~~Marshal~~	~~584~~	~~613~~	~~644~~	~~676~~	~~710~~
~~Deputy marshal~~	~~517~~	~~543~~	~~570~~	~~598~~	~~628~~
~~Senior clerk-typist-matron~~	~~395~~	~~415~~	~~436~~	~~458~~	~~481~~
Clerk	*$716 56*	*$752 94*	*$790 40*	*$829 01*	*$870 89*
Chief deputy clerk	*522 54*	*549.01*	*576 53*	*605.19*	*633 86*
Deputy clerk III	*510 40*	*534.67*	*562 21*	*589 77*	*619.54*
Deputy clerk II	*474.00*	*497.16*	*522 54*	*549 01*	*576 53*
Deputy clerk I	*438.75*	*461 89*	*485 05*	*510 40*	*534.67*
Marshal	*1,138 00*	--	--	--	--
Deputy marshal	*716.56*	*752 94*	*790 40*	*829 01*	*870 89*
Senior clerk-typist-matron	*534 67*	*562 21*	*589 77*	*619 54*	*650 41*
Intermediate clerk-typist	*438 75*	*461 89*	*485 05*	*510 40*	*534 67*

SEC 5. Section 73667 of the Government Code is amended to read

73667. The positions enumerated in Section 73666 are deemed to be equivalent in job and salary level to certain positions in the classified service of the civil service system of the County of Humboldt, or in some instances, to such positions with ~~an upward~~ *a* range adjustment on the salary range schedule of the County of Humboldt The following table sets forth the court classifications with the equivalent county classifications and appropriate range adjustment, if any, shown opposite thereto:

Court classification	County classification
Clerk	Senior clerk plus 14 ranges
Chief deputy clerk	Senior clerk plus 1 range
Deputy clerk III	Senior clerk
Deputy clerk II	Account clerk
Deputy clerk I	Intermediate clerk
Marshal	~~Deputy sheriff I plus 5 ranges~~ *Sheriff's lieutenant minus 2 ranges*
Deputy marshal	Deputy sheriff I
Senior clerk-typist-matron	Senior clerk-typist *plus 2 ranges*
Intermediate clerk-typist	*Intermediate clerk-typist*

In the event that the salary for any county classification which is shown above is increased, then the salary for the equivalent court classification shall be automatically increased to the same amount, with an additional upward range adjustment on the salary range schedule of the County of Humboldt when such range adjustment is indicated in the above table If the salary for any county classification which is shown above is increased prior to the effective date of this section, the resulting salary increase for the appropriate court classification shall become applicable on the effective date of this section Any salary increase for a court classification which results from this section shall be effective only until 60 days after the adjournment of the Legislature at its next regular session."

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Quimby", and insert "Assemblymen Quimby and Belotti"

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 2144

AB No. 2164

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2144—An act to add Article 1 (commencing with Section 3900) of Chapter 8 5 of Division 2 to, and to repeal Article 1 (commencing with Section 3901) of Chapter 8 5 of Division 2 of, the Business and Professions Code, relating to nursing home administrators

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of", and insert "to".

Amendment No. 2

In line 2 of the title, after "Division 2", strike out "to", and insert "of".

Amendment No. 3

On page 4, line 7, strike out "Ninety days after the board has adopted a"; and strike out line 8; and in line 9, strike out "provisional licenses under Section 3922", and insert "On or after July 1, 1972".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 2164—An act to amend Section 14005.6 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly May 1, 1972, after "person", insert "is not eligible for aid under any of the chapters set forth in Section 14005.1 or has an application pending for aid under any of said chapters, and".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 1122

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664.5 to, the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly May 11, 1972, strike out "An", and insert

"21664.5. An".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1753

AB No. 1975

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1753—An act to add Chapter 5.5 (commencing with Section 20000) to Division 8 of the Business and Professions Code, relating to unfair collection practices.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 2 of the printed bill, between lines 31 and 32, insert

"(c) Nothing in subdivision (a) shall be deemed to prohibit a credit union chartered under Division 5 (commencing with Section 14000) of the Financial Code or under the Federal Credit Union Act (Chapter 14 (commencing with Section 1751) of Title 12 of the United States Code) from providing information to an employer when the employer is ordinarily and necessarily entitled to receive such information because he is an employee, officer, committee member or agent of such credit union."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1975—An act to add Section 31671 3 to the Government Code, relating to county retirement systems.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 31671 3 to", and insert "amend Sections 70142 and 72190 of".

Amendment No. 2

In line 2 of the title, strike out "county retirement systems", and insert "court commissioners".

Amendment No. 3

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 70142 of the Government Code is amended to read:

70142. Every court commissioner shall be a citizen of the United States, a resident of this state, and, if required by the court for which he is to be a commissioner, shall have been admitted to practice before the Supreme Court of the state for a period of at least five years immediately preceding his appointment He shall hold office during the pleasure of the court appointing him and shall not engage in the private practice of law.

Notwithstanding any other provision of law, a court commissioner in any county with a population of 3,000,000 or more who has been duly appointed and has thereafter been retired for service, may be assigned by the presiding judge of a court to serve as a court commissioner of the court for such periods as he is needed for the prompt and efficient discharge of the business of that court. While so serving, he shall be paid the full compensation of a court commissioner, payable as follows: He shall continue to receive his retirement allowance, and in addition the county shall pay him the amount equal to the difference between such retirement allowance and such full compensation. Such employment shall not operate to reinstate him as a member of the county retirement system or to terminate or suspend his retirement rights or allowance, and no deductions shall be made from his compensation as contributions to the retirement system

SEC. 2. Section 72190 of the Government Code is amended to read:

72190. Within the jurisdiction of the court and under the direction of the judges, commissioners of municipal courts shall exercise all the powers and perform all of the duties authorized by law to be performed by commissioners of superior courts and such additional powers and duties as may be prescribed by law They shall possess the same qualifications the law requires of a judge *and shall hold office during the pleasure of the court appointing them* and shall not engage in the private practice of law. They shall be ex officio deputy clerks.

Notwithstanding any other provision of law, a commissioner of a municipal court of any judicial district in any county with a population of 3,000,000 or more who has been duly appointed and has thereafter been retired for service, may be assigned by the presiding judge of a court to serve as a court commissioner of the court for such periods of time as he is needed for the prompt and efficient discharge of the business of that court. While so serving, he shall be paid the full compensation of a court commissioner, payable as follows: He shall continue to receive his retirement allowance, and in addition the county shall pay him the amount equal to the difference between such retirement allowance and such full compensation Such employment shall not operate to reinstate him as a member of the county retirement system or to terminate or suspend his retirement rights or allowance, and no deductions shall be made from his compensation as contributions to the retirement system."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 16, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1756

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1756—An act to add Section 21700 5 to the Vehicle Code, relating to school buses.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 2 of the title of the printed bill, strike out "schoolbuses", and insert "buses".

Amendment No. 2

On page 1, line 3, strike out "drive a schoolbus when it is"; and strike out lines 4 and 5, inclusive, and insert "knowingly drive a bus which is transporting any public or private school pupil who is enrolled in kindergarten or any of grades 1 to 12, inclusive, to or from a public or private school, unless every such pupil is seated in a seat."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 14 and Assembly Bill No 1252 were continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the Desk be held open today to receive the Message from the Senate relative to the Senate budget bill.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2367: By Assemblyman Moorhead—An act to amend Section 451 of the Evidence Code, relating to judicial notice

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Chacon:

House Resolution No. 53

Relative to governmental contracting for consulting services

WHEREAS, Various agencies, departments, bureaus, boards, and commissions within the state, as well as numerous local governmental entities, enter into a large number of contracts with private firms for consulting services; and

WHEREAS, Such contracts involve significant amounts of fees and volume of services, which could immeasurably enhance business opportunities for Mexican-Americans, blacks, and other minorities, and

WHEREAS, Methods of awarding such contracts are often discriminatory against consulting firms owned, managed or operated by persons from minority groups, whether or not competitive bidding is required, and

WHEREAS, The result of such discrimination is that very few contracts for consulting services to state and local governmental entities are being awarded to consulting firms owned, managed, or operated by persons from minority groups; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to the appropriate committee for study the subject of contracting for consulting services by entities of the state and local government, with a special emphasis upon the problems faced by consulting firms which are owned, managed, or staffed by persons from minority groups; and be it further

Resolved, That such committee coordinate its efforts with any similar committee established by the Senate during the 1972 Regular Session, and report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

VOTE CHANGES

Messrs McAlister and LaCoste were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 710

Messrs Ryan and Cline were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 483.

Mr Moorhead was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 483

Messrs Stull and Hayes were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 483

Messrs Wood and Moorhead were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1851

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 46.

Mr Ray E Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 75.

Messrs Powers and Hayes were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 662

Messrs MacDonald and McAlister were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1362

Mr Hayes was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1591

Mr Lanterman was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Concurrent Resolution No 46

Mr Pierson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 710, 401, 929, 1939, 483, 1851, 1870, 2270, 662, 605, 1362, and 687; on the urgency clause to Assembly Bill No 1591, and on the passage of the bill, and on Assembly Concurrent Resolutions Nos 46 and 75.

Messrs Dunlap and Chappie were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 782.

Messrs Burton and Conrad were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 786

Mr Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 656.

Hon. John J. Miller Presiding

At 5 06 p m, Hon John J Miller, 17th District, presiding

ADJOURNMENT

At 5 07 p m, Acting Speaker Miller declared the Assembly adjourned until 11 a m, Wednesday, May 17, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-fifth Legislative Day

One Hundred Thirty-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 17, 1972

The Assembly met at 11 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday readmg.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mrs Fong seconded the motion.
Motion carried. Time, 11.02 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11 10 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present
The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell Ryan, Seeley, Sieroty, Stull Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, The trials and triumphs which punctuate each day are sometimes discouraging, sometimes exalting. Help us, Father, to be humble enough to know that failure is not part of our heritage, but simply something which is encountered in its making. Help us to be humble enough to know that triumphs are successes only when they result from hard work, honesty, and integrity.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Knox then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Mobley, seconded by Mr. Ray E Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Meade, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Burke, on request of Speaker pro Tempore Bee.
Mr. Collier, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr. Murphy, on request of Speaker pro Tempore Bee.
Mr. Stacey, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I have been requested to speak before the Lincoln Park Federated Women's Club at 11 30 a.m. on Wednesday, May 17. The commitment to do so was made nearly two months ago.

I respectfully request that I be excused from Session on May 17 on legislative business.

Sincerely,

BILL BROPHY, Assemblyman
Forty-eighth District

May 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Session on Wednesday, May 17, 1972.

I will be meeting with constituents of Seal Beach at an afternoon meeting and with Seal Beach City Councilmen and other officials of that City in the evening.

Sincerely,

ROBERT H. BURKE, Assemblyman
Seventieth District

May 15, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I received an invitation from the Education Commission of the States to participate in a conference on school finance to be held in Los Angeles, and I accepted prior to your ruling concerning absence from the Legislature on Thursdays.

Therefore, I respectfully request that I be excused from session on May 17, 18 and 19 on legislative business to attend this conference.

Respectfully yours,

JOHN L. E. COLLIER, Assemblyman
Fifty-fourth District

May 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker· I respectfully request to be excused from attending the session on Wednesday, May 17, 1972, on legislative business.

I will be addressing the San Gabriel High School Political Forum.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

May 15, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker· I respectfully request to be excused from session on Wednesday, May 17, 1972 on legislative business. I will be addressing the San Lorenzo Valley Republican Women Federated in Boulder Creek.

Sincerely,

FRANK MURPHY, JR., Assemblyman
Thirty-first District

May 16, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from attending Assembly session on Wednesday, May 17, 1972, on legislative business I will be in my district discussing pending legislation with constituents, and speaking to the Ridgecrest Rotary Club. I will also be speaking to the Comprehensive Health Planning Association of Kern County in Bakersfield.

Sincerely,

KENT H. STACEY, Assemblyman
Twenty-eighth District

REPORTS

The following report was presented by the Chief Clerk:

A Status Report to the Legislature on a New Approach to Higher Education. (In accordance with Assembly Concurrent Resolution 104, 1971.) April 1972.

Above transmitted report, together with letter of transmittal from Glenn S Dumke, Chancellor, the California State University and Colleges, Los Angeles, dated May 12, 1972, referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2367	Judiciary

Senate Bill No.	*Committee*
85	Judiciary
127	Revenue and Taxation
250	Transportation
256	Local Government
262	Local Government
339	Local Government
1126	Revenue and Taxation
1246	Welfare

Senate Joint Resolution No.	*Committee*
12	Planning and Land Use

COMMUNICATIONS

Assembly Chamber, May 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 64

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 77

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1964

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 237	AB No. 1114	AB No. 1717
AB No 931	AB No. 1195	AB No. 1756
AB No 932	AB No 1374	AB No. 2053
AB No. 1004		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1503

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 281

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 2169

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1300

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 260

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 2180

AB No. 2285

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 17, 1972

Mr Speaker: Your Committee on Education reports·

SB No. 64

With the recommendation· Do pass

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, May 17, 1972

Mr Speaker. Your Committee on Education reports.

AB No 1324

With the recommendation Do pass

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Environmental Quality

Assembly Chamber May 17. 1972

Mr Speaker· Your Committee on Environmental Quality reports

AB No 1084

With amendments with the recommendation Amend, and do pass, as amended

FONG, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, May 17, 1972

Mr Speaker Your Committee on Education reports

AB No 1715

AB No 1898

AB No 1943

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

LEROY F GREENE, Chairman

Above bills ordered to second reading

Committee on Labor Relations

Assembly Chamber, May 16, 1972

Mr Speaker The Chairman of your Committee on Labor Relations reports

AB No 1157

With author's amendments with the recommendation Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1157—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Keysor", and insert "Subcommittee on the Sylmar Tunnel Disaster (Assemblymen Keysor, Fenton, and Russell)".

Amendment No. 2

On page 1, strike out lines 4 to 7, inclusive, and insert

"PART 9. TUNNEL AND MINE SAFETY

CHAPTER 1. TUNNELS AND MINES

7950. This part shall be known and may be cited as "The Tunnel and Mine Safety Act of 1972."

7951. As used in this part:

(a) Tunnel shall include excavation, construction, alteration, repairing, renovating, demolishing, or operation of any tunnel except tunnel work covered under the compressed air safety orders adopted by the Industrial Safety Board.

(b) "Tunnel" means an underground passageway, excavated by men and equipment working below the earth's surface, that provides a subterranean route along which men, equipment, or substances can move

(c) "Mine" means any excavation or opening above or below ground used for removal of ore, minerals, gravel, sand, rock, or other materials intended for manufacturing, sale or other purposes. It shall include quarries and open pit operations

(d) "Access shaft" means a vertical shaft used as a regular means of worker access to underground mines and tunnels under construction, renovation, or demolition.

(e) "Lower explosive limit" means the lowest concentration at which a gas or vapor can be ignited or will explode

(f) "Face" means the head of the tunnel where soil is being removed, or that area in a mine where digging is underway

(g) "Muck" means excavated dirt, rock, or other material

(h) "Permissible equipment" means equipment tested and approved by the U.S. Bureau of Mines and the division which is safe for use in gassy or extrahazardous tunnels or underground mines

7952. There shall be within the division a separate unit of safety engineers trained to inspect all tunnel construction and mine operations.

7953. Sufficient manpower shall be maintained to provide for two inspections of underground mines annually, one inspection of surface mines or quarries annually, and six inspections of tunnels under construction annually.

7954. To assist the unit of safety engineers in determining the safety of tunnel construction and mine operation, the division shall make available at least one industrial hygiene engineer and one chemist. A laboratory for analysis of dust, gas, vapors, soil, or other materials shall be available to members of this unit.

7955. Before any actual construction may be started on a tunnel or mine, a prejob safety conference shall be held with an authorized representative of the division.

The division shall classify all tunnels or mines as one of the following classifications:

(a) Nongassy, which classification shall be applied to tunnels or mines where there is little likelihood of encountering gas during the construction of the tunnel. Such tunnels shall be constructed under regulations, rules, and orders developed by the division and board and approved by the board. This subdivision shall not prohibit the division chief or his representatives from establishing any special orders that they feel are necessary for safety

(b) Gassy, which classification shall be applied to tunnels or mines where there is a possibility gas will be encountered Special safety measures, including those set forth in Sections 7965 to 7976, inclusive, those established by the division and board and adopted by the board, or special orders written by the chief or his representatives shall be observed in construction of gassy tunnels in addition to regular rules, orders, special orders, or regulations.

(c) Extrahazardous, which classification shall be applied to tunnels or mines where gas or vapors have caused an explosion or fire, where the likelihood of encountering petroleum vapors exists, or where tests show a concentration of hydrocarbon petroleum vapors in excess of 20 percent of the lower explosive limit within three inches of the roof, face, floor, or walls of any open workings Construction in extrahazardous tunnels shall conform to safety measures set forth in Sections 7977 to 7985, inclusive, any rules, regulations, orders, or special orders of the division, or any special rules, orders, or regulations adopted by the board

7956. All personnel, including both employees working above ground and those in the tunnel or mine, shall be informed of the classification designated by the division for that job. A notice of the classification and any special orders, rules, or regulations to be used in construction, remodeling, demolition, or operation of the tunnel or mine shall be prominently posted at the site.

7957. An emergency rescue plan shall be developed by the employer for every tunnel or mine Such plan, including a current map of the tunnel or mine, shall be provided to local fire and rescue units, to the division, and to every employee at the place of employment.

7958. A trained rescue crew of at least five men shall be provided at all tunnels and underground mines with 10 or more employees. At underground mines or tunnels with more than 25 employees, a minimum of two trained rescue crews shall be maintained Employees may be used for such rescue crews.

7959. Rescue crews shall be familiar with all emergency equipment necessary to effect a rescue or search for missing employees in case of an accident or explosion. Such rescue crews shall hold practices with equipment and using emergency rescue plan procedures at least once monthly during construction or operation of the tunnel or mines At least one rescue crew shall be maintained above ground at all times and within 30 minutes travel of the tunnel or mine site if the total employees on all shifts working underground exceed 25.

7960 In any tunnel or underground mine, tests for gas or vapors shall be made prior to start of work at each shift. If any concentration of gas at or above 10 percent of the lower explosive limit is recorded, and if the tunnel or mine is classified nongassy, the division shall be notified immediately.

7961. The division shall investigate immediately any notification of a gas reading 10 percent of the lower explosive limit or higher by an employer in a tunnel or underground mine classified as nongassy If the inspection determines the likelihood of encountering more gas or vapor, the division may halt operations until the tunnel or mine can be reclassified.

7962. A safety representative qualified to recognize hazardous conditions and acceptable to the division shall be designated by the employer in any tunnel or mine. He shall have the authority to correct unsafe conditions and unsafe practices, and shall be responsible for directing the required safety programs.

7963. All underground mines and tunnels shall have telephone or other communication systems to the surface in operation at any time there are persons underground Such systems shall be installed in such a manner that destruction or removal of one phone or communication device does not make other phones or communication devices inoperative.

7964. Whenever an access shaft is used as the normal means of entrance or exit to an underground mine or tunnel, it shall be constructed of fireproof material or fireproofed by chemical or other means.

CHAPTER 2. GASSY AND EXTRAHAZARDOUS TUNNELS

7965. Any tunnel or mine classified by the division as gassy shall operate under special procedures adopted by the board, as well as rules, regulations, special orders, or general orders for nongassy mines and tunnels

7966. In any tunnel classified as gassy by the division, there shall be tests for gas or vapors taken prior to each shift and at least hourly during actual operation. A log shall be maintained for inspection by the division showing results of each test. No excavation, muck removal, or other production work shall take place until a probe hole at least 200 feet deep has been drilled through the face of the tunnel or mine

and tests made on soil removed from the test probe During construction or operation of a gassy tunnel or mine, no production may be started unless at least 20 feet of probe hole remains ahead of the face or digging area.

7967. Whenever gas levels in excess of 10 percent of the lower explosive limit are encountered in a tunnel or mine classified as gassy, the division shall be notified immediately by telephone or telegraph.

7968. In any gassy tunnel or mine the devision may order work halted until adequate testing can be completed to determine the level of hazard from gases or vapors A notice of such shutdown shall be filed with the division inspector's superiors as soon as practicable Any overruling of such order must be made by the chief or his designated representative and must be in writing An onsite inspection must be made by the person overruling an inspector's order prior to resumption of work.

7969. In any gassy tunnel or mine the division shall review plans for electrical lighting and power for equipment. When it is necessary for safety, the inspector may require changes in the amount and type of lighting, and may require permissive-type wiring, switches tools, and equipment.

7970. In any tunnel or mine classified gassy, smoking shall be prohibited and the employer shall be responsible for collecting all personal sources of ignition such as lighters and matches from employees entering the tunnel.

7971. Whenever there is any ignition of gas or vapor in a tunnel or mine, all work shall cease, employees shall be removed, and reentry except for rescue purposes shall be prohibited until the division has conducted an inspection and authorized reentry for maintenance or production in writing.

7972. If the level of gas in any tunnel or mine reaches 20 percent of its lower explosive level at any time all men shall be removed, the division notified immediately by telephone or telegram, and no one shall reenter the tunnel or mine until written approval is given by the division.

7973 In any tunnel or mine classified as gassy, all employees shall be informed of any special orders made by the division following an inspection Such notice shall be given before entering the tunnel or mine A copy of any orders subsequently written by the division shall be posted and all employees shall be notified at a safety meeting called by the safety representative before they are permitted to start work.

7974 In any tunnel classified as gassy by the division, ventilation shall include continuous exhausting of fumes and air Fans for this purpose shall be located at the surface, and shall be reversible from a single switch at the portal or shaft

7975. A "kill" button capable of cutting off all equipment shall be maintained in any gassy tunnel or mine The safety representative or his designated representative shall cut off power at any time gas or vapor levels reach 10 percent of the lower explosive level or more Before work is restarted every employee underground shall be informed of the level of gas or vapor recorded, and a permanent record shall be called to the surface and retained in a special log.

7976. In any tunnel or mine classified as gassy, the division shall determine the number of fire extinguishers necessary and their locations.

7977. Any tunnel or mine classified as extrahazardous by the division shall comply with the provisions for gassy tunnels in this chapter, as well as regulations, rules, special orders, and general orders of the division or board.

7978. In any extrahazardous tunnel or mine smoking by employees or open flame shall be prohibited. Welding or cutting with arc or flame underground in other than fresh air shall be done under the direct supervision of qualified persons who shall test for gas and vapors before welding or cutting starts and continuously during such an operation. No cutting or welding shall be permitted in atmospheres where any concentration of gas or vapor reaches 20 percent of the lower explosive level or more.

7979. In tunnels or mines classified extrahazardous, sufficient air must be supplied to maintain an atmosphere of all of the following conditions:

(a) Not less than 20 percent oxygen.

(b) Not more than 0 5 percent carbon dioxide

(c) Not more than 5 parts per million nitrogen dioxide.

(d) No petroleum vapors or other toxic gases in concentrations exceeding the threshold limit values established annually by the American Conference of Governmental Industrial Hygienists.

7980. All electrical equipment and machines, including diesel engines, used in tunnels or mines classified extrahazardous shall be permissible equipment.

7981. An escape chamber, identified by prominent lighting, shall be maintained within 1,000 feet of the face of any tunnel classified extrahazardous, and shall be supplied with an independent air supply and a separate communication system.

7982. Records of airflow and air sample tests to assure compliance with required standards shall be maintained by the employer at the site of any tunnel or mine classified extrahazardous. Such records shall be made available to any division representative upon request.

7983. The main fan line used for ventilation in any tunnel or mine classified extrahazardous shall contain a cut-off switch capable of halting all machinery underground automatically should the fan fail or its performance fall below minimum power needed to maintain a safe atmosphere.

7984. In any tunnel or mine classified extrahazardous a device or devices which automatically and continuously test the atmosphere for gases or vapors shall be maintained Such device or devices shall be placed as near the face or area of operation as practical, but never more than 200 feet from such point. The division shall determine if additional monitors are necessary and where they should be located.

7985. All such testing device or devices shall be U S Bureau of Mines approved and shall automatically sound an alarm and activate flashing red signals visible to employees underground whenever the concentration of gases or vapors reaches or exceeds permissible levels

Permissible levels may be established lower than the limits set in division rules, regulations, or general orders whenever a division inspector considers such action necessary to make the operation safe for employees.

CHAPTER 3. LICENSING AND PENALTIES

7990. In any tunnel or mine under jurisdiction of the division, the use of explosives shall be limited to persons licensed by the division

7991 To obtain a license under Section 7790, a person shall pass an oral and written examination given by the division. Application for such license shall cost fifteen dollars ($15), which is nonreturnable. Licenses shall be renewable annually at a fee of five dollars ($5)

7992 The board shall determine qualifications for persons seeking an "explosive operator's license" and rules and regulations for use of explosives in tunnels or mines

7993. Any person holding an "explosive operator's license" who is convicted of violating any safety order involving the use or handling of explosives shall have his license suspended for not less than 30 days upon hearing by the division, in addition to any other penalties he may be assessed.

7994 Any person holding an "explosive operator's license" who is convicted of violating safety orders involving use or handling of explosives in which the violation is judged to be responsible for an accident involving serious injury or death shall have his license revoked for at least one year, in addition to any other penalties he may be assessed Any person who has had his "explosive operator's license" revoked may apply for a new license after the minimum period of revocation expires. He shall be required to pass all examinations before a new license is granted.

7995. Any person who has had his "explosive operator's license" revoked who is subsequently convicted of violations of a safety order involving the use or handling of explosives shall have his license permanently revoked in addition to other penalties he may be assessed

7996. All safety equipment required to provide safe employment in tunnels or underground mines shall be U S Bureau of Mines approved, and shall be certified acceptable by the division.

7997. The board shall review and update general orders for tunnels and mines annually. Representatives of the unit inspecting tunnels and mines shall be consulted during each review and shall be permitted to submit suggested changes to the general orders at any time."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 2202

With author's amendments with the recommendation Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2202—An act to amend Sections 901, 903, 2811, and 2892.5 of, and to add Sections 906, 907, and 908 to, the Business and Professions Code, relating to health occupations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "12", and insert "15".

Amendment No. 2

On page 2, line 16, strike out "One", and insert "Four".

Amendment No. 3

On page 2, between lines 18 and 19, insert

"No more than two members of the 14 members appointed to the council pursuant to subdivisions (b), (c) and (d) shall be members of the same organization representing registered or vocational nurses. For the purposes of this section, local branches or chapters of organizations representing registered or vocational nurses which are part of a larger statewide or regional organization shall not be considered as different organizations."

Amendment No. 4

On page 5, line 10, strike out "1975," and insert "1977,".

Amendment No. 5

On page 6, line 28, strike out "1975," and insert "1977,".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 17, 1972

Mr Speaker The Chairman of your Committee on Judiciary reports:

AB No 652

AB No 865

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Judiciary

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 652—An act to add Section 1669 to the Civil Code, relating to contracts.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Assembly April 4, 1972, after "section", insert "or to contracts which are contingent upon securing favorable governmental action in connection with obtaining a loan.

As used in this section, "governmental action" does not include a judicial proceeding".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

Assembly Bill No. 865—An act to amend Section 1031 of the Code of Civil Procedure, relating to court costs

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "disbursements", insert "; provided, that where the prevailing party recovers less than the amount prescribed by law as the maximum limitation upon the jurisdiction of small claims courts and where such prevailing party could have brought his action in the small claims court the court may, in its discretion, allow or deny costs to such prevailing party, or may allow costs in part in such amount as it may deem proper"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 17, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 1786

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1786—An act to amend Section 8495 of the Fish and Game Code, relating to fishing.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8495", and insert "Sections 8486 and 8843".

Amendment No. 2

On page 1, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 8496 of the Fish and Game Code is amended to read:

8496. Within the California halibut trawl grounds the following requirements shall apply to the use of trawl nets.

(a) Open season shall be June ~~1~~ *16* through ~~January 30~~ *March 14*.

(b) No California halibut which weighs less than four pounds each in the round may be possessed aboard trawl vessels.

(c) Not more than 500 pounds of fish other than California halibut may be possessed.

(d) It is unlawful to operate a trawl net in such a way as to damage or destroy other types of fishing gear which is buoyed or otherwise visibly marked.

(e) Sections 8392, 8833, and 8836 do not apply to trawl nets when used or possessed on such California halibut trawl grounds

SEC. 2 Section 8843 of the Fish and Game Code is amended to read

8843. It is unlawful to use any trawl net with cod-end mesh less than 7½ inches in length in waters less than 25 fathoms deep, adjacent to the mainland shore, *or within three miles from the mainland shore, whichever is the greater distance*, between a line running due west (270° true) from Point Arguello and a line running due south (180° true) from Point Mugu *except that smaller mesh sizes may be authorized pursuant to the provisions of Section 8606*.

This section shall remain in effect only until the 61st day after the final adjournment of the 1975 Regular Session of the Legislature, and as of that date is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

SB No. 1216

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1216—An act to amend Sections 5896.5 and 5896.8 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "a", and insert "the".

Amendment No. 2

On page 2, line 3, after "or", insert "a".

Amendment No. 3

On page 2, line 3, strike out "will", and insert "has voluntarily agreed to".

Amendment No. 4

On page 2, line 4, strike out "the", and insert "all".

Amendment No. 5

On page 2, line 4, strike out "which would"; and strike out line 5, and insert ", excluding costs of users' connections to underground electric or communication facilities."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 2156

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2156—An act to amend Section 19699.22 of the Education Code, relating to school construction.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 19699.22", and insert "add Chapter 7 (commencing with Section 19301) to Division 14"

Amendment No. 2

In line 2 of the title, strike out "school construction", and insert "child care and preschool facility construction, and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 7 (commencing with Section 19301) is added to Division 14 of the Education Code, to read:

CHAPTER 7. THE STATE CHILD CARE AND PRESCHOOL FACILITY CONSTRUCTION LAW OF 1972

Article 1 General Provisions

19301. The Legislature hereby declares that it is in the interest of the state and the people thereof for the state to provide suitable facilities for child care and preschool developmental services provided pursuant to Chapter 5 (commencing with Section 16601) of Division 12 The Legislature finds there is an acute need throughout this state for safe and well-designed facilities appropriate for the purposes of child care and preschool developmental services; and, further, the Legislature finds that expansion of such services will be imperiled without the acquisition or construction of additional child care and preschool facilities.

This chapter shall be known as the State Child Care and Preschool Facility Constructon Law of 1972.

Article 2 Definitions

19311. The following terms wherever used or referred to in this chapter, in any indenture entered into pursuant hereto, shall have the following meanings, respectively, unless a different meaning appears from the context:

(a) "Board" means the State Board of Education.

(b) The term "project" means any one or more facilities owned or operated or authorized to be acquired, constructed, furnished, and equipped by the board for use by agencies providing child care and preschool developmental service pursuant to Chapter 5 (commencing with Section 16601). A project may include the acquisition and improvement of sites, the planning and construction of permanent or temporary facilities, and acquisition and renovation of existing buildings, or a combination of such facilities, which may include facilities already completed and facilities authorized for future completion, designated by the board as a project in providing for the issuance of revenue bonds or notes.

(c) The term "bonds" or "revenue bonds" means the written evidence of any obligation, other than revenue bond anticipation notes, issued by the board with the approval of the State Board of Control, payment of which is secured by a pledge of revenues or any part of revenues, as provided in this article, in order to obtain funds with which to carry out the purposes of this article, irrespective of the form of such obligations.

(d) The terms "notes" and "revenue bond anticipation notes" means the written evidence of any obligation issued by the board, pursuant to Section 19322, in anticipation of the sale of revenue bonds, for the purpose of obtaining funds to carry out the purposes of this article

(e) The term "revenues" means and includes any and all fees, rates, rentals and other charges received or receivable in connection with, and any and all other incomes and receipts of whatever kind and character derived by, the board from the operation of or arising from a project, including any such revenue as may have been or may

be impounded or deposited in any fund in the State Treasury created by this article for the security of any notes or bonds issued hereunder, or for the purpose of providing for the payment thereof or the interest thereon

(f) The "holder of bonds" or "bondholder" or any similar terms shall mean any person who shall be the bearer of any outstanding revenue bond or bond registered to bearer or not registered or the registered owner of any such outstanding revenue bond or bond which shall at the time be registered other than to bearer.

(g) The term "indenture" means an agreement entered into by the board pursuant to which revenue bonds are issued, regardless of whether such agreement is expressed in the form of a resolution of the board or by other instrument

(h) The term "person" includes any individual, firm, corporation, association, copartnership, trust, business trust or receiver or trustee or conservator for any thereof, but does not include this state or any public corporation, political subdivision, city, county, district or any agency thereof or of this state.

(i) (1) The present tense includes the past and future tenses, and the future, the present.

(2) The masculine gender includes the feminine and neuter

(3) The singular number includes the plural, and the plural the singular.

(4) "Shall" is mandatory and "may" is permissive.

Article 3. Powers of the State Board of Education

19321. The board, for the purposes of this chapter, has power and is hereby authorized, in addition to and amplification of all other powers conferred upon said board by the Constitution of the State of California or by any statute of the State of California:

(a) To acquire subject to the Property Acquisition Law, Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code, by grant, purchase, gift, devise, or lease, and to hold and use any real or personal property necessary or convenient or useful for the carrying on of any of its powers pursuant to the provisions of this chapter

(b) To construct and control any project

(c) To fix rates, rents or other charges for the use of any project acquired, constructed, equipped, furnished, operated or maintained by the board, or for services rendered in connection therewith, and to alter, change or modify the same at its pleasure, subject to any contractual obligation which may be entered into by the board with respect to the fixing of such rates, rents or charges

(d) To enter into covenants to increase rates or charges from time to time as may be necessary pursuant to any such contract or agreement with the holders of any bonds of the board

(e) At any time and from time to time, with the approval of the State Board of Control, to issue revenue bonds in order to raise funds for the purpose of establishing any project or of acquiring lands for any project, or of acquiring, constructing, improving, equipping or furnishing any project or of refinancing any project, including pay-

ment of principal and interest on revenue bond anticipation notes, or for any combination of such purposes, which bonds may be secured as hereinafter provided.

(f) At any time and from time to time, with the approval of the State Board of Control, to issue revenue bond anticipation notes pursuant to Section 19322.

(g) To adopt such rules and regulations as may be necessary to enable the board to exercise the powers and to perform the duties conferred or imposed upon the board by this chapter

(h) Nothing contained in this section or elsewhere in this article shall be construed directly or by implication to be in anywise in derogation of or in limitation of powers conferred upon or existing in the board by virtue of provisions of the Constitution or statutes of this state.

19322. The board, with the approval of the State Board of Control, may issue revenue bond anticipation notes, in anticipation of the sale of revenue bonds. Before issuing any such notes, the board shall, by resolution approved by the State Board of Control, authorize their issuance, declare the purpose for which the proceeds of the notes shall be expended and specify the maximum amount of notes to be issued for such purpose.

Revenue bond anticipation notes shall bear interest at such rate or rates as the board may determine, not exceeding 7 percent per annum, payable annually or semiannually, and shall mature on such date or dates as the board may determine and set forth in the resolution authorizing their issuance, but not more than three years from their date

The proceeds from the sale of notes shall be used only for the purposes for which the proceeds of the sale of bonds may be used in anticipation whereof the notes are issued.

All notes issued, including renewal notes, and the interest thereon shall be payable from the proceeds of the sale of the bonds, the revenues of the project, any appropriations made for that purpose or all such sources, and not otherwise, except that in the event that the sale of the bonds shall not have occurred prior to the maturity of the notes issued in anticipation thereof, the board, with the approval of the State Board of Control, may issue renewal notes in order to pay the notes then maturing No renewal notes shall be issued after the sale of the bonds in anticipation of which the original note was issued

Revenue bond anticipation notes may be secured by a pledge of, and lien upon, the proceeds of the sale of bonds, the revenues of the project and any other legally available funds

A resolution authorizing the issuance of revenue bond anticipation notes may include such provisions as the board deems necessary or advisable for the security of the notes issued thereunder, and may include any and all provisions authorized to be included in indentures by this article.

19323 Notes authorized to be issued under this chapter shall be sold by the State Treasurer, for cash, in such manner as the said Treasurer shall be directed by a resolution requesting such sale adopted by the board and approved by the State Board of Control.

19324. The validity of the authorization and issuance of any revenue bonds or revenue bond anticipation notes by the board, with the approval of the State Board of Control, is not dependent on nor affected in any way by

(a) Proceedings taken by the board for the acquisition, construction or completion of any project or any part thereof.

(b) Any contracts made by the board in connection with the acquisition, construction or completion of any project.

(c) The failure to complete any project for which bonds or notes are authorized to be issued.

19325 The board, with the approval of the State Board of Control, shall issue revenue bonds and revenue bond anticipation notes in its name and as its obligation, but no bond or note issued or sold pursuant to this chapter shall be or become a lien, charge, or liability against the State of California or against the board or against the property or funds of either, except, in the case of revenue bonds, to the extent of the pledge of revenues or part of revenues of the project, as may be provided by the indenture pursuant to which revenue bonds are issued and, in the case of notes, to the extent of the pledge of revenues of the project and proceeds of the sale of bonds, as may be provided in the resolution authorizing the issuance of the notes. Every such bond and note issued by the board shall contain a recital on the face thereof, stating that neither the payment of the principal nor any part thereof, nor any interest thereon, constitutes a debt, liability or obligation of the State of California.

19326 The revenue bonds and revenue bond anticipation notes issued pursuant to this chapter shall not exceed twenty-five million dollars ($25 000 000) in total amount.

19327 The board, with the approval of the State Board of Control, shall determine the time, form and manner of the issuance of revenue bonds and revenue bond anticipation notes.

19328 The board, with the approval of the State Board of Control, may enter into indentures providing for the aggregate principal amount, date or dates, maturities interest rates, denominations, form, registration transfer and interchange of any revenue bonds and coupons issued pursuant to this chapter, and the terms and conditions on which the same shall be executed issued, secured sold paid redeemed funded and refunded Reference on the face of the bonds to such indenture by its date of adoption or the apparent date on the face thereof, is sufficient to incorporate all of the provisions thereof and of this chapter into the body of the bonds and their appurtenant coupons Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds has recourse to all of the provisions of the indenture and of this chapter

19329 An indenture pursuant to which bonds are issued may with the approval of the State Board of Control, include any and all such covenants and agreements on the part of the board as the board deems necessary or advisable for the better security of the bonds issued thereunder.

19330. An indenture may provide that payments of principal and interest of bonds shall be secured by all or by part of revenues

19331. An indenture may include a clause relating to the bonds issued thereunder requiring the board to pay or cause to be paid punctually the principal of all such bonds and the interest thereon on the date or dates, or at the place or places, and in the manner mentioned in such bonds and in the coupons appertaining thereto in accordance with such indenture

19332 An indenture may include a clause relating to the bonds issued thereunder, requiring the board to operate the project continuously, to the extent practicable under conditions as they may from time to time exist, in an efficient and economical manner.

19333 An indenture may include a clause relating to the bonds issued thereunder requiring the board to make all necessary repairs, renewals and replacements to any project, and to keep the project at all times in good repair, working order and condition.

19334 An indenture may include a clause relating to the bonds issued thereunder requiring the board to preserve and protect the security of the bonds and the rights of the holders thereof and to warrant and defend such rights

19335 An indenture may include a clause relating to the bonds issued thereunder requiring the board to pay and discharge or cause to be paid and discharged all lawful claims for labor, materials and supplies or other charges which, if unpaid, might become a lien or charge upon the revenues, or any part thereof, of any project acquired, constructed or completed from the proceeds of the sale of the bonds, or upon any physical properties, or which might impair the security of the bonds.

19336. An indenture may include a clause relating to the bonds issued thereunder which limits, restricts, or prohibits any right, power or privilege of the board to mortgage or otherwise encumber, sell, lease or dispose of any improvements constructed from the proceeds of the bonds, or to enter into any lease or agreement which impairs or impedes the operation of a project, or any part thereof, necessary to secure adequate revenues or which otherwise impairs or impedes the rights of the holders of the bonds with respect to such revenues.

19337 An indenture may include a clause relating to the bonds issued thereunder requiring the board to fix, prescribe and collect rates, rentals or other charges in connection with the services and facilities furnished from the project acquired, constructed or purchased from part or all of the proceeds of the bonds, sufficient to pay the principal of and interest on the bonds as they become due and payable, together with such additional sums as may be required for any fund created by this chapter, for the further security of such bonds or as a depreciation charge or other charge in connection with such project.

19338 An indenture may include a clause relating to the bonds issued thereunder requiring the board to hold or cause to be held in trust the revenues or any part of revenues pledged to the payment of such bonds and the interest thereon, or to any reserve or other fund

created by this chapter for the further protection of the bonds, and to apply such revenues or any part of revenues or cause them to be applied only as provided in the indenture.

19339. An indenture may include a clause defining the power of the board in applying the proceeds of the sale of any issue of bonds for the acquiring, constructing, or completing of any project or any part thereof.

19340. An indenture may include a clause requiring, specifying or limiting the kind, amount and character of insurance to be maintained by the board on any project, or any part thereof, and the use and disposition of the proceeds of any such insurance thereafter collected

19341. An indenture may include a clause providing the events of default and the terms and conditions upon which any or all of the bonds of the board then or thereafter issued may become or be declared due and payable prior to maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

19342. An indenture may include a clause designating the rights, limitations, powers and duties arising upon breach by the board of any of the convenants, conditions, or obligations contained in any indenture

19343. An indenture may include a clause prescribing a procedure by which the terms and conditions of the indenture may be subsequently amended or modified with the consent of the board, subject to the approval of the State Board of Control, and the vote or written assent of the holders of a specified principal amount or specified proportion of the bonds issued and outstanding Such clause may provide for meetings of bondholders and for the manner in which the consent of the bondholders may be given The clause shall specifically state the effect of such amendment or modification upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom.

With respect to any clause providing for the modification or amendment of an indenture, the board, with the approval of the State Board of Control may agree that bonds held by the State Treasurer, the United States or any instrumentality thereof, or the State of California or any political subdivision thereof (including every municipal corporation, district, public corporation, board or agency of any kind or class) shall not be counted as outstanding bonds, or be entitled to vote or assent, but shall, nevertheless, be subject to any such modification or amendment.

19344. An indenture may include a clause or clauses providing for such other acts and matters as may be necessary or convenient or desirable in order better to secure the bonds or to make the bonds more marketable.

19345 The State Treasurer shall act as trustee for the board and the holders of bonds issued hereunder, and the board may authorize the trustee to act on behalf of the holders of the bonds, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders The board may provide in the indenture for the deposit of all revenues received from the project with such trustee to be held in a sep-

arate account in the State Child Care and Preschool Facility Revenue Fund created by this chapter. The money in such fund shall be disbursed only as provided in the indenture.

19346. The board, with the approval of the State Board of Control, shall prescribe the duties and powers of any such trustee with respect to the issuance, authentication, sale and delivery of the bonds and the payment of principal and interest thereof, the redemption of the bonds, the registration and discharge from registration of the bonds, and the management of any sinking fund or other funds provided as security for the bonds.

19347. With the approval of the State Board of Control, the board may provide for one or several issues of bonds and may issue bonds in series or may divide any issue into one or more divisions and fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or be of the same interest rate, but the terms thereof shall in each case be provided for by the board, with the approval of the State Board of Control, at or prior to the issue thereof.

19348. Bonds may be issued as coupon bonds or as registered bonds With the approval of the State Board of Control, the board may provide for the interchange of coupon bonds for registered bonds and registered bonds for coupon bonds, and may provide that the bonds shall be registered as to principal only, or as to both principal and interest, or otherwise as the board may determine.

19349. Bonds shall bear interest at a rate of not to exceed 7 percent per annum, payable annually or semiannually or in part annually and in part semiannually.

19350. Bonds may be callable upon such terms, conditions, and upon such notice as the board, with the approval of the State Board of Control, may determine, and upon the payment of such premium as may be fixed by the board, with the approval of the State Board of Control, in the proceedings for the issuance of the bonds No bond is subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

19351. The board, with the approval of the State Board of Control, may provide for the payment of the principal and interest of bonds at any place within or without the State of California, and in specified coin or currency of the United States.

19352. The board, with the approval of the State Board of Control, may provide for the execution and authentication of bonds and notes by the manual, lithographed or printed facsimile signature of officers of the board and, in the case of bonds, by additional authentication by the State Treasurer as trustee. If any of the officers whose signatures or countersignatures appear upon the notes, bonds or coupons cease to be officers before the delivery of the notes, bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers had remained in office until the delivery of the notes, bonds or coupons.

19353. Bonds shall bear dates prescribed by the board, with the approval of the State Board of Control. Bonds may be serial bonds or sinking fund bonds with such maturities as the board, with the approval of the State Board of Control, may determine. No bond by its terms shall mature in more than 50 years from its own date and, in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

19354. Immediately after the adoption of a resolution by the board and its approval by the State Board of Control, directing the preparation of any bonds or notes authorized under this chapter, the State Treasurer shall prepare the requisite number of suitable bonds or notes of the denominations, and in accordance with the specifications contained in such resolution.

19355. When the bonds authorized to be issued under this chapter shall be duly executed, they shall be sold by the State Treasurer, for cash, in such parcels and numbers as the said Treasurer shall be directed by the Governor of the state, under seal thereof, after a resolution requesting such sale shall have been adopted by the board and approved by the State Board of Control Before offering any of said bonds for sale, the said Treasurer shall detach therefrom all coupons, if any, which have matured or will mature before the day fixed for such sale.

19356 Bonds and notes may be sold at either public or private sale. The board, with the approval of the State Board of Control, may fix terms and conditions for the sale or other disposition of any authorized issue of bonds or notes The State Treasurer, when authorized by resolution of the board approved by the State Board of Control, may sell bonds and notes at less than their par or face value, but no bond or note may be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser an average of more than 7 percent per annum, payable semiannually, according to standard tables of bond values

19357 The board may provide for the security of bonds The board may use and expend all or any part of any funds or proceeds of any property owned by it, whether received by gift, appropriation or otherwise, if not restricted as to the use of such funds or proceeds of property by the terms of any gift or trust or provision of law for the redemption of bonds issued pursuant to the provisions of this chapter and the payment of interest due thereon

19358. All costs and expenses incident to the issuance and sale of notes may be paid out of the proceeds of the sale of the notes All costs and expenses incident to the issuance and sales of bonds and all costs and expenses incident to the redemption of revenue bond anticipation notes retired with proceeds from the sale of the bonds may be paid out of the proceeds of the sale of the bonds Interest on bonds may be paid out of the proceeds of the sale of the bonds during the actual construc-

tion of any project for the acquisition, construction or completion of which the bonds have been issued, and for a period of not to exceed two years thereafter as provided for in the indenture.

19359. The board, with the approval of the State Board of Control, may provide that notes or bonds and the interest thereon shall be secured by all or by part of revenues of a project upon the basis of which the notes or bonds are issued or authorized to be issued, and shall constitute such lien upon the revenues of such project as may be provided for in such notes or in any indenture

19360. Pending the actual issuance or delivery of revenue bonds, the board, with the approval of the State Board of Control, may issue temporary or interim bonds, certificates or receipts of any denomination whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

19361. The board, with the approval of the State Board of Control, may provide for the replacement of lost, destroyed or mutilated notes, bonds, and coupons.

19362. Bonds and notes issued pursuant to the provisions of this chapter and the interest or income therefrom are exempt from all taxation in this state other than gift, inheritance and estate taxes

19363. Notwithstanding any other provision of law, all notes and bonds hereafter sold and delivered pursuant to the provisions of this chapter are legal investments for all trust funds and for the funds of all insurance companies, banks, both commercial and savings, trust companies, and the state school funds, and may also be used as security for the deposit of public moneys in banks in this state Such bonds are also legal investments for any public or private funds which may be invested in county, municipal or school district bonds, and may be deposited as security for the performance of any act whenever the bonds of any county, municipality or school district may be so deposited

19364 The board, with the approval of the State Board of Control, may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued under the provisions of this chapter All provisions of this chapter applicable to the issuance of revenue bonds are applicable to the funding or refunding bonds and to the issuance, sale or exchange thereof

19365 Funding or refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be funded or refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such funding or refunding bonds These expenses include the difference in amount between the par value of the funding or refunding bonds and any amount less than par for which the funding or refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such funding or refunding bonds from the date of sale thereof to the date of payment of the bonds to be funded or refunded or to the date upon which the bonds to be funded or refunded will be paid pursuant to

the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

19366. All bonds and notes issued under the provisions of this chapter are negotiable instruments, except when registered in the name of a registered owner.

19367. Before issuing any bond or bonds pursuant to the provisions of this chapter, the board shall by resolution, approved by the State Board of Control, declare the purpose for which the proceeds of the bonds proposed to be issued shall be expended and shall specify the maximum amount of bonds to be issued or sold for such purpose, and bonds shall not be issued or sold for such purpose in an amount exceeding such specified maximum except with the consent of bondholders, pursuant to amendment or modification of an indenture, as provided in Section 19343. Nothing in this section contained shall be construed to prevent the board, with the approval of the State Board of Control, from amending any such resolution prior to the issuance of bonds authorized thereby to increase or decrease the maximum amount of bonds to be issued or sold. The issuance of bonds for one or more projects may be included in a single resolution of authorization.

19368. The board has full charge of the acquisition, construction and completion of all projects authorized by them and may proceed with such work forthwith.

19369. The board may construct any project and acquire all property necessary therefor on such terms and conditions as it may deem advisable. When any part of the work is to be done or performed by any public body or by the United States jointly or in conjunction with the board, the portion of the cost thereof to be borne by the board may be turned over to the government of the United States or to any other public body to be expended by it in the acquisition, construction or completion of the project

19370. Title to all property acquired by the board and the revenues and income therefrom is in the State of California The title to any moneys, revenues, sinking funds, reserve funds and other funds created by this chapter and the income thereof pledged to the payment of the principal or interest or any bonds issued thereunder is subject to trusts declared in favor of the bondholders All such property, and the income therefrom, are exempt from all taxation by the State of California or by any county, city and county, city, district, political subdivision or public corporation thereof

19371 At all times the operation, maintenance, control, repair, construction, reconstruction, alteration and improvement of any project are vested in the board subject to such authorized leases as may be permitted by any indenture

19372 The board may use for the payment of the costs of acquisition, construction or completion of any project any funds made available to the board by the State of California or any other funds

provided by the board from any source, to be expended for the accomplishing of the purposes set forth in this chapter, ~~together~~ with the proceeds of revenue bonds and revenue bond anticipation notes issued and sold by the board.

19373. The board may insure against loss of revenues from any cause whatsoever and the proceeds of any such insurance shall be used solely for the payment of bonds and notes and the interest thereon.

19374. The board may insure against public liability or property damage. The board may, with the approval of the State Board of Control, provide in an indenture for the carrying of such or any other insurance in such amount and of such character as it shall determine, and for the payment of the premiums thereon.

19375. When authorized by resolution of the board, as provided in this chapter, the State Treasurer shall prepare and procure the printing or engrossing of notes, bonds, coupons, indentures or other instruments and contracts or agreements of every kind required or convenient for or pertaining to the issuance or sale of notes or bonds.

19376. The board shall fix rents, charges and fees for all projects acquired, constructed or completed under the terms of this chapter for the use thereof by any persons utilizing the facilities thereof, subject to such contractual obligations as may be entered into by the board and the holders of notes and bonds issued under this chapter. The board is authorized to change rents, charges and fees from time to time, as conditions warrant. To the extent and in the manner provided in the indenture, all rents, charges and fees shall at all times be fixed to yield annual revenue equal to annual operating and maintenance expenses, including repairs and insurance costs and all redemption payments and interest charges and reserve fund requirements on revenue bonds at any time issued and outstanding hereunder, as the same become due.

19377. Rent, charges, and fees collected in error may be refunded by the board in accordance with regulations prescribed by the board. Refunds of rent, charges, and fees collected for facilities requested by agencies and not utilized by them may be made for good cause by the board in such amounts and under such conditions as may be prescribed by regulations adopted by the board.

19378. The board, with the approval of the State Board of Control, may include in an indenture such limitations as to competitive projects, both as to location and comparative rentals, as may be deemed necessary or desirable for the security of revenue bonds issued pursuant to this chapter.

19379. The board, with the approval of the State Board of Control, may also include in an indenture a covenant that no project acquired, constructed or completed from the proceeds of revenue bonds issued under the provisions of this chapter shall be used without charge therefor or any facilities thereof be furnished free of charge to any agency

19380. The holder of any bond or note issued pursuant to this chapter may by mandamus or other appropriate proceeding require and compel the performance of any of the duties imposed upon the

board or upon any official or employee or assumed by any thereof, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction or insurance of any project, or the collection, deposit, investment, application and disbursement of rents, rates, charges, fees and all other revenues derived from the operation and use of any project or in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds and notes under this chapter The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds and notes issued pursuant to this chapter.

19381. The proceeds from the sale of all bonds and notes authorized under the provisions of this chapter, except those proceeds used to redeem outstanding notes, shall be deposited forthwith by the State Treasurer, on order of the State Controller, in the State Treasury to the credit of a fund to be designated as the State Child Care and Preschool Facility Construction Fund, which fund is hereby created. The money in such construction fund shall be expended, pursuant to claims filed by the board with the State Controller, for the purposes authorized by this chapter, or as provided in the indenture or notes, and for such other purposes, subject to the restrictions provided by law, by the notes, or by the indenture, as may be authorized by resolution of the board approved by the State Board of Control. Moneys required to meet the costs of acquisition or construction and all expenses and costs incidental to the acquisition, construction, furnishing and equipping of any project authorized by this chapter shall be paid from the said construction fund as herein provided upon claim filed by the board and after audit by the State Controller in the manner provided by law and upon warrants drawn by the Controller.

19382 To the extent and in the manner provided in the indenture or in a resolution authorizing the issuance of notes, all revenues received from the operation of any project acquired or constructed by the board under the provisions of this chapter shall be transmitted by the board at least once in every calendar month, to the State Treasurer On order of the State Controller, the said Treasurer shall deposit such revenues in the State Treasury to the credit of the State Child Care and Preschool Facility Revenue Fund, which fund is hereby created. Moneys in the State Child Care and Preschool Facility Revenue Fund shall be used to pay the costs of operation and maintenance of the projects authorized by this article, including refunds authorized by Section 19377, to provide the amounts required for interest and redemption of notes and bonds as provided in this article, and for any other purposes authorized by resolution of the board approved by the State Board of Control, subject to any restrictions provided by law, a resolution authorizing the issuance of notes, or the indenture

19383 For the payment of the principal and interest of the notes and bonds authorized to be issued under this chapter, an interest and redemption fund in the State Treasury is hereby created, to be designated the State Child Care and Preschool Facility Interest and Redemption Fund From the money deposited in the State Child Care and Preschool Facility Construction Fund, the State Treasurer, on

order of the State Controller, shall transfer to the State Child Care and Preschool Facility Interest and Redemption Fund such sums as may be required to pay the interest as it becomes due on all notes and bonds sold and outstanding for the construction or acquisition of a particular project authorized under this chapter during the period of actual construction or acquisition thereof and during such period thereafter as may be provided in the indenture or authorized by resolution of the board approved by the State Board of Control. The State Treasurer, on order of the State Controller, shall thereafter transfer from the State Child Care and Preschool Facility Revenue Fund to the State Child Care and Preschool Facility Interest and Redemption Fund such sums as may be required to pay the interest on said notes and bonds and redeem the principal thereof as such interest payments and note and bond redemptions fall due for all notes and bonds issued under the provisions of this chapter.

19384. Any balance remaining in any of the funds created by this chapter after payment of all costs, expenses, and charges authorized to be expended therefrom, may be allocated and used for such other purposes incidental to the acquisition, construction, furnishing, equipping, and maintenance of such projects authorized under the provisions of this chapter as the board, with the approval of the State Board of Control, may determine.

19385. Moneys in the State Child Care and Preschool Facility Construction Fund may be invested by the board, with the approval of the State Board of Control, subject only to such limitations as may be provided in any resolution authorizing the issuance of revenue bond anticipation notes or in any indenture providing for the issuance of revenue bonds. All securities or other investments made under the provisions of this chapter shall be held by the State Treasurer as custodian thereof. All interest or other earnings received pursuant to such investments shall be collected by the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the fund from which such interest or other earnings are derived.

19386. After all of the notes and revenue bonds shall have been fully paid and discharged, or provision for their payment and discharge irrevocably made, any surplus moneys in the State Child Care and Preschool Facility Construction Fund shall, subject to the limitations and restrictions in any resolution authorizing the issuance of the notes or in any indenture providing for the issuance of the revenue bonds, remain available for the acquisition of sites for, and for the construction, equipping and furnishing of, facilities for child care and preschool developmental services pursuant to Chapter 5 (commencing with Section 16601) of Division 12.

19387. All money in the funds created by the provisions of this chapter is hereby appropriated for expenditure in carrying out the purposes herein provided.

19388. This chapter shall be liberally construed to carry out the objects and purposes and the declared policy of the State of California as in this chapter set forth."

Amendment No. 4

On page 1, strike out lines 2 to 11, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1775

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1775—An act to add Section 8507 to the Education Code, relating to courses of study.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 8507 to", and insert "amend Sections 8503, 8571, and 8573 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 8503 of the Education Code is amended to read:

8503. The adopted course of study shall provide instruction at the appropriate elementary and secondary grade levels and subject areas in personal and public safety and accident prevention, fire prevention; the protection and conservation of resources, including the necessity for the protection of our environment; and health, including the effects of alcohol, narcotics, drugs, and tobacco upon the human body

There shall be a comprehensive health education program in the elementary and secondary schools consistent with the Framework for Health Instruction in California Public Schools adopted by the State Board of Education The State Department of Education in cooperation with the State Department of Public Health shall provide consultation and assistance to districts in developing their programs.

SEC 2. Section 8571 of the Education Code is amended to read:

8571. The adopted course of study for grades 7 through 12 shall offer courses in the following areas of study:

(a) English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking.

(b) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system including the role of the entrepreneur and labor; man's relations to his human and natural environment; eastern and western cultures and civilizations; and contemporary issues.

(c) Foreign language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language.

(d) Physical education, with emphasis given to such physical activities as may be conducive to health and to vigor of body and mind.

(e) Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation and on man's place in ecological systems, and with appropriate applications of the interrelation and interdependence of the sciences

(f) Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem-solving procedures.

(g) Fine arts, including art, music, or drama, with emphasis upon development of aesthetic appreciation and the skills of creative expression.

(h) Applied arts, including instruction in the areas of consumer and homemaking education, industrial arts, general business education, or general agriculture.

(i) Vocational-technical education designed and conducted for the purpose of preparing youth for gainful employment in such occupations and in such numbers as appropriate to the manpower needs of the state and the community served and relevant to the career desires and needs of the students.

(j) Automobile driver education, designed to develop a knowledge of the provisions of the Vehicle Code and other laws of this state relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true appreciation of the causes, seriousness and consequences of traffic accidents, and to develop the knowledge and attitudes necessary for the safe operation of motor vehicles. A course in automobile driver education shall include education in the safe operation of motorcycles.

(k) Health education including instruction in individual, family, and community health.

~~(k)~~ *(l)* Such other studies as may be prescribed by the governing board.

SEC. 3. Section 8573 of the Education Code is amended to read:

8573. No pupil shall receive a diploma of graduation from grade 12 who has not completed the course of study and met the standards of proficiency prescribed by the governing board. Standards of proficiency

in basic skills shall be such as will enable individual achievement and ability to be ascertained and evaluated. Requirements for graduation shall include:

(a) English.
(b) American history.
(c) American government.
(d) Mathematics.
(e) Science.
(f) Physical education, unless the pupil has been exempted pursuant to the provisions of this code.
(g) Health education including instruction in individual, family, and community health, unless the pupil has been exempted pursuant to Section 8701.
~~(g)~~ *(h)* Such other courses as may be prescribed."

Amendment No. 3

On page 1, strike out lines 2 and 3; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 2366

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2366—An act relating to the financial support of public education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Sections 6741, 17300, 17303 5, 17414, 17417, 17503, 17603.5, 17651, 17653, 17654 5, 17655 5, 17664, 17665, 18102 8, 18102.9, 18102.10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520.3, 17301, 17301.1, 17301.2, 17662, 17662 3, 17662.5, 18102, and 20751 to, to add Chapter 1 7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913 1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665 5, 18102, 18102 2, 18102.4, 18102.6, 20751, 20800, 20801.5, 20802.8, 20807, 20808, 20808 5, and 20816 of,

to repeal Article 2.1 (commencing with Section 17671), Article 2.5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code,".

Amendment No. 1.5

In line 1 of the title, after "education" insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, after line 13, insert

"SEC. 2. Section 1835 of the Education Code is repealed.

~~1835. If all of the territory of any school district becomes part of two or more school districts of any type, and the inclusion in the two or more new school districts of the several portions of territory comprising the original school district is effective for all purposes on the same date, the county superintendent of schools having jurisdiction over the original district shall assume responsibility for:~~

~~(a) Completing all records and reports of the original district.~~

~~(b) Paying all outstanding obligations, except obligations resulting from contracts which are to be assumed by a succeeding district.~~

~~(c) Preparing for proper filing all records of the district required to be kept permanently by the provisions of any applicable code.~~

~~(d) Distributing records as provided in Section 1834.~~

~~(e) Employing an auditor as required in Section 17206.~~

~~(f) Discharging such other functions as he shall deem necessary to the dissolution of the district.~~

~~In discharging these duties the county superintendent may request the services of employees of the original district and the succeeding districts shall release such employees to the county superintendent for the purpose of accomplishing the requirements of this section. The salaries of such employees and all other necessary expenses of completing the requirements of this section shall be charged against the accumulated funds of the dissolved district prior to the final distribution of such funds to the succeeding districts.~~

SEC. 3. Section 5661 of the Education Code is repealed.

~~5661. If the elementary school district is located entirely within one county, the board of supervisors shall at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20804, inclusive, and Sections 20901 and 21001 of this code levy a tax on all taxable property in the elementary school district sufficient to raise the amount set forth in the certificate. If the elementary school district is located in more than one county, the tax shall be determined, levied, and collected at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20857, inclusive, and Sections 20901 and 21001 of this code. The maximum rate of school~~

~~district tax which may be levied pursuant to this section for any high school district or unified school district in any school year on each one hundred dollars ($100) of assessed valuation within the elementary school district shall be seventy-five cents ($0.75) if the average daily attendance of high school pupils living within the elementary school district and attending a high school in such high school district or unified school district during the preceding school year did not exceed 15.~~

SEC. 4. Section 6741 of the Education Code is amended to read:

6741. A student shall be deemed to be a resident of the high school district in which he lived at the time of his admission to the program and the excess cost for a school year of educating such student shall be paid by the high school district of which he is a resident to the county superintendent who is providing education for the students. The excess cost shall be determined by dividing the total current expense of education as defined in Section 17503 and also excluding expense of boarding and lodging during such school year by the total number of units of average daily attendance in such school or classes during such school year, less state and federal apportionments on account of such average daily attendance.

Average daily attendance of students shall be computed, for purposes of this article, by dividing the number of days such student attended the schools or classes by the number of days that the schools or classes were taught, except that with respect to a student attending such schools or classes for more than 175 days in a school year, the average daily attendance shall be computed by using the divisor of 175.

For purposes of computing average daily attendance 180 minutes of class attendance shall be deemed to constitute a schoolday, and no more than 15 hours of class time per week shall be considered

Not later than July 15th of each year, the superintendent of schools of the county providing education for students shall forward his claim for the excess expense reimbursement to the high school district of residence of each student during the preceding school year, and the governing board of such high school district shall upon receipt thereof pay such claims

~~The governing board of the high school district to which the claim is presented may include in its budget the amount necessary to pay the claim, and, if the amount is included in the budget, the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied. All amounts raised by such a tax shall be expended only for the purposes of this article.~~

SEC. 5 Section 6854 of the Education Code is repealed

~~6854. The governing board of the district to whom the claim prescribed by Section 6853 is presented may include in its budget the amount necessary to pay the claim, and if the amount is included in the budget the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied.~~

SEC. 6. Section 6855 of the Education Code is repealed.

~~6855. The governing board of any school district maintaining a school or classes at a tuberculosis or polio ward, hospital or sanatorium,~~

~~may include in its budget the amount necessary to maintain such school or classes, and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied~~

SEC. 7. Section 6913.1 of the Education Code is repealed.

~~6913.1. The maximum rate of school district tax for any school year is hereby increased by such amount as the governing board of any school district which maintains or has entered into an agreement with another district or with the county superintendent of schools for educational services or facilities, including the rental of property or purchase of equipment, for mentally retarded minors who come within the provisions of Sections 6902 and 6903 may include in its budget and the board of supervisors shall levy a school district tax necessary to raise such amount.~~

~~Such budget expenditures may include the cost of equipment and facilities, the lease or lease-purchase of buildings, lease of land, alteration or additions to existing buildings, or other necessary capital outlay expenditures in connection with such educational services.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in the tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized for the education of mentally retarded minors who come within the provisions of Sections 6902 and 6903.~~

SEC. 8. Section 13520.3 is added to the Education Code, to read:

13520.3. When a school district operates on a year around schedule pursuant to Chapter 7 (commencing with Section 32100) of Division 22, the salaries of employees who are employed for the extended school year may be adjusted in accordance with the ratio of the extension of the school year in months bears to the length of the school year in months prior to the commencement of year around operation

SEC. 9. Section 13704 of the Education Code is repealed.

~~13704. The governing board of a school district may cause the levy and collection annually of a school district tax upon the taxable property within the district in the number of cents per one hundred dollars ($100) of assessed valuation in the district as will be sufficient to raise the amount estimated by the governing board to be required to provide revenue to meet its obligations under Sections 13710 and 13711. This rate of taxation shall be in addition to the annual rate of taxation allowed by law to be levied for the district. All moneys raised by this tax shall be used solely for the requirements of Sections 13710 and 13711 and excess moneys raised in any one year shall be applied to the requirements of the following year.~~

SEC. 10. Section 14657 of the Education Code is repealed.

~~14657. For the purpose of providing funds which may be necessary to make the payments required by any district retirement plan, district taxes shall be levied and collected annually by the respective districts at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other dis-~~

~~trict tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes. For the purpose of this section any local retirement system shall be deemed to be a district retirement plan.~~

SEC 11. Section 14758 of the Education Code is repealed.

~~14758. For the purpose of providing funds which may be necessary to make the payments required by any joint district retirement plan, district taxes shall be levied and collected annually by the respective districts at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes.~~

SEC 12. Chapter 1.7 (commencing with Section 17270) is added to Division 14 of the Education Code, to read:

CHAPTER 1.7. ADJUSTMENTS TO USABLE ASSESSED VALUATION

17270. The Legislature hereby declares that its intent in enacting this chapter is to provide a reasonable and equitable method for ascertaining the value of property located within school districts for use in connection with the administration of state laws providing for the allocation of state funds to such districts for school purposes on the basis of value and provide for more equal educational opportunity for students residing in districts of varying wealth per unit of average daily attendance and to improve the equity among taxpayers residing in or owning property in districts of varying wealth.

The Legislature hereby further declares that in enacting this chapter it has no intention to affect in any way, whether directly or indirectly, any determination of the assessed value of property for tax purposes.

17271. Each school district shall report to the Superintendent of Public Instruction:

(a) The total assessed valuation of the district; and

(b) The amount equal to:

(1) Ten percent of the total assessed valuation in the 1973–1974 fiscal year.

(2) Twenty percent of the total assessed valuation in the 1973–1974 fiscal year.

(3) Thirty percent of the total assessed valuation in the 1974–1975 fiscal year.

(4) Forty percent of the total assessed valuation in the 1975–1976 fiscal year.

(5) Fifty percent of the total assessed valuation in the 1976–1977 fiscal year and following.

17272. The Superintendent of Public Instruction shall compute the total amounts reported to him pursuant to subdivision (b) of Section 17271. He shall divide the total by the statewide average daily attendance for the preceding fiscal year The amount computed pursuant to this section is the assessed valuation redistribution amount per unit of average daily attendance.

17273. The Superintendent of Public Instruction shall compute for each school district the amount derived by multiplying the assessed

valuation redistribution amount per unit of average daily attendance by the average daily attendance of the district for the preceding fiscal year.

The amount computed pursuant to this section is the redistribution amount.

17274. (a) Each school district shall compute the amount which the revenue derived from the levy and collection of school district taxes would have been if it had been collected and been based upon an assessed valuation reduced by the percentage specified in subdivision (b) of Section 17271.

(b) The amount computed pursuant to subdivision (a) shall be subtracted from the total amount of tax revenue To that result shall be added the redistribution amount.

(c) If the amount computed pursuant to subdivision (b) is less than the amount actually raised by the levy and collection of local school district taxes, the difference shall be transmitted to the School District Wealth Equalization Fund.

(d) If the amount computed pursuant to subdivision (b) is more than the amount raised by the levy and collection of local school district taxes, the Superintendent of Public Instruction shall allow to the district an amount equal to such difference from the School District Wealth Equalization Fund.

SEC. 13. Section 17300 of the Education Code is amended to read:

17300. It is the intent of the Legislature that the administration of the laws governing the financial support of the public school system in this state be conducted within the purview of the following principles and policies:

The system of public school support should be designed to strengthen and encourage local responsibility for control of public education Local school districts should be so organized that they can facilitate the provision of full educational opportunities for all who attend the public schools. Local control is best accomplished by the development of strong, vigorous, and properly organized local school administrative units. It is the state's responsibility to create or facilitate the creation of local school districts of sufficient size to properly discharge local responsibilities and to spend the tax dollar effectively

Effective local control requires that all local administrative units contribute to the support of school budgets in proportion to their respective abilities, and that all have such flexibility in their taxing programs as will readily permit of progress in the improvement of the educational program Effective local control requires a local taxing power, and a local tax base which is not unduly restricted or overburdened.

The system of public school support should assure that state, local, and other funds are adequate for the support of a realistic ~~foundation~~ *educational* program. It is unrealistic and unfair to the less wealthy districts to provide for only a part of the financing necessary for an adequate educational program.

The system of public school support should permit and encourage local school districts to provide and support improved district organization and educational programs The system of public school support

should prohibit the introduction of undesirable organization and educational practices, and should discourage any such practices now in effect Improvement of programs in particular districts is in the interests of the state as a whole as well as of the people in individual districts, since the excellence of the programs in some districts will tend to bring about program improvement in other districts.

The system of public school support should make provision for the apportionment of state funds to local school districts on a strictly objective basis that can be computed as well by the local districts as by the state The principle of local responsibility requires that the granting of discretionary powers to state officials over the distribution of state aid and the granting to these officials of the power to impose undue restriction on the use of funds and the conduct of educational programs at the local level be avoided

The system of public school support should effect a partnership between the state, the county, and the local district, with each participating equitably in accordance with its relative ability The respective abilities should be combined to provide a financial plan between the state and the local agencies ~~known as the foundation program~~ for public school support. Toward this ~~foundation~~ *support* program, each county and district, through a uniform method should contribute in accordance with its true financial ability.

The system of public school support should provide ~~, through the foundation program,~~ for essential educational opportunities for all who attend the public schools Provision should be made ~~in the foundation program~~ for adequate financing of all educational services.

The broader based taxing power of the state should be utilized to raise the level of financial support in the properly organized but financially weak districts of the state, thus contributing greatly to the equalization of educational opportunity for the students residing therein It should also be used to provide a minimum amount of guaranteed support to all districts, for such state assistance serves to develop among all districts a sense of responsibility to the entire system of public education in the state State assistance to all districts also would create a tax leeway for the exercise of local initiative

The Legislature further declares that in order to reduce the burden of inequitable property taxation it is in the best interest of the state to provide, from other than ad valorem property taxes, a predominate portion of the statewide cost of education in the elementary and secondary schools of the state The Legislature further declares that the funds to be provided are required in order to reduce the disproportionate demand upon property taxpayers for support of educational services and programs, equalize wide variations in the ability of local communities to support such services and programs, and to assist school districts in meeting increased demands due to concentrations of educationally disadvantaged pupils

In recognition of these disparities it is the intent of the Legislature to apportion funds for school purposes in such a manner as to provide adequate educational programs for all students regardless of where they reside or the wealth of their parents and neighbors.

In implementing its intent the Legislature declares that, although the present system of funding does not meet desirable criteria, sudden changes of great magnitude in the system of public school finance would disrupt the educational system of many districts and thereby damage the whole public school system of the state, the educational welfare of all students, and the economy of the state; therefore, rapid change is undesirable and unacceptable

Accordingly, the Legislature declares its intent to improve with all reasonable and deliberate speed, financial support of education in districts which have less than the statewide average assessed valuation per unit of average daily attendance as rapidly as those districts can efficiently utilize additional support, and at the same time allow districts with more than the statewide assessed valuation per unit of average daily attendance sufficient time to readjust their programs to new methods of financing to avoid precipitous disruption of present programs.

SEC. 14. Section 17301 of the Education Code is repealed.

~~17301. (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, one hundred eighty dollars ($180).~~

~~(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State School Fund as are certified from time to time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes set forth in Section 17303.5; provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, ninety-eight dollars and ninety-two cents ($98.92) for the fiscal year 1970-1971 and fiscal years thereafter, per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, less the amount, if any, by which seventy cents ($0.70) multiplied by the number of units of average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds exceeds twenty-one dollars and fifty cents ($21.50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance.~~

~~For purposes of this subdivision, amounts transferrable to the State School Fund for the purposes of subdivision (b) and subdivision (i) of Section 17303.5, commencing with the amounts transferrable for the 1969–1970 fiscal year, shall be considered separately, and amounts otherwise transferrable but not required for the respective purposes of those subdivisions in any fiscal year shall be retained in the General Fund to be devoted to the respective purposes in the next succeeding fiscal year.~~

~~(c) In addition to the amounts authorized to be transferred to the State School Fund from the General Fund under subdivisions (a) and (b) of this section, the Controller shall transfer from the General Fund to the State School Fund during the fiscal year, upon certification of the Superintendent of Public Instruction, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in Sections 17303 and 17303.5, an amount not to exceed the lesser of: (1) 1 percent of the total apportionment from the State School Fund in the preceding fiscal year for the purposes set forth in Section 17303 or 17303.5, or (2) the net amount, if any, by which the total amounts authorized to be transferred from the General Fund to the State School Fund under subdivisions (a) and (b) of this section in prior fiscal years have exceeded the total amounts actually apportioned in prior fiscal years for the purposes set forth in Sections 17303 and 17303.5.~~

~~(d) He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Sections 17303 and 17303.5 and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive) of this chapter and in Sections 11256 and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18160, inclusive.~~

SEC. 15. Section 17301 is added to the Education Code to read:

17301. The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums as are necessary for the state to provide a specified percentage of the current expense of education, as defined by subdivision (b) of Section 17503, for each pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary and high schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction. For the 1973–1974 fiscal year the percentage shall be 45 percent, for the 1974–1975 fiscal year the percentage shall be 55 percent, and for the 1975–1976 fiscal year, and each fiscal year thereafter, the percentage shall be 65 percent. The amounts so transferred shall be increased by an amount which shall reflect the application of the consumer price index to the current expense of education per unit of average daily attendance for the preceding year. The Controller shall adjust such transfers to reflect increases or decreases as estimated by the Superintendent of Public Instruction for the current year in the statewide units of average daily attendance in the kindergartens, elementary, and high schools of the state.

The Controller shall also transfer two hundred seventy-eight dollars and ninety-two cents ($278 92) from the General Fund to the State School Fund per pupil in average daily attendance credited to the community colleges of the state during the preceding fiscal year.

SEC. 16 Section 17301 1 is added to the Education Code, to read

17301 1. The State Controller shall also transfer an amount equal to the percentage specified in Section 17301 for any new or expended program authorized or required by law which was not authorized or required in the preceding fiscal year

SEC. 17 Section 17301.2 is added to the Education Code, to read

17301 2. The State Controller shall also transfer an amount from the General Fund to the School District Wealth Equalization Fund equal to any deficit created in that fund.

SEC 18. Section 17303 5 of the Education Code is amended to read

17303 5. The amount transferred pursuant to ~~subdivision (b) of~~ Section 17301 shall be expended, *in part,* in accordance with the following schedule.

(a) ~~Twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0 70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352.~~

~~(b) Four dollars and forty cents ($4 40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.~~

~~(c)~~ Nineteen dollars and fifty-two cents ($19 52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division.

~~(d) Three dollars and six cents ($3 06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352.~~

~~(e)~~

(b) One dollar and sixty-seven cents ($1 67) multiplied by the average daily attendance during the preceding fiscal year credited to all

kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426.

~~(f) Sixty dollars and ninety-two cents ($60.92) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.~~

~~(g)~~

(c) Eight dollars and sixty-five cents ($8.65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6.

SEC. 19. Section 17414 of the Education Code is amended to read:

17414. If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund at least one hundred dollars ($100) more or at least one hundred dollars ($100) less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction, in accordance with regulations that he is herewith authorized to adopt not later than the third succeeding fiscal year shall withhold from, or add to, the apportionment made during such fiscal year, the amount of such excess or deficiency, as the case may be. Notwithstanding, any other provision of this code to the contrary, excesses withheld or deficiencies added by the Superintendent of Public Instruction under this section shall be added to or allowed from any portion of the State School Fund ~~except that portion reserved as allowances for basic state aid~~.

SEC 20. Section 17417 of the Education Code is amended to read:

17417. Wherever the attendance of pupils is not included in the computation of the average daily attendance of a school district for any fiscal year because the certification document of the person employed by the district to instruct such pupils was not in force during the period of such attendance, the governing board of the district may, upon payment of the salary of such person pursuant to Section 13515, or similar provisions of law, report such attendance to the Superintendent of Public Instruction during the fiscal year in which such salary is paid. Such report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction. Thereafter the Superintendent of Public Instruction shall add to the apportionment from the State School Fund to the district during the next succeeding fiscal year or years, as determined by him but not exceeding three, the additional amount to which the district would have been entitled in the fiscal year next succeeding that in which such attendance was not included in the computation of the average daily attendance of the district if such amount is at least one hundred dollars ($100) or more.

Any such additional amount shall be apportioned from the State School Fund before any other apportionment from such fund is made and shall be allowed from any portion of such fund ~~except that portion reserved as allowances for basic state aid~~.

SEC. 21. Section 17503 of the Education Code is amended to read:

17503. For purposes of this section:

(a) "Salaries of classroom teachers" and "teacher" shall have the same meanings as prescribed by Section 17200 of this code provided, however, that the cost of all health and welfare benefits provided to the teachers by the school district shall be included within the meaning of salaries of classroom teachers.

(b) "Current expense of education" means the gross total expended (not reduced by estimated income or estimated federal and state apportionments) for the purposes classified in the final budget of a school district (except one which, during the preceding fiscal year, had less than 101 units of average daily attendance) submitted to and approved by the county superintendent of schools pursuant to Section 20607 of this code for administration, instruction (including salaries and other expense), health services, operation of plant, maintenance of plant, and fixed charges. "Current expense of education" shall not include those purposes classified as transportation of pupils, food service, community service, capital outlay, state school building loan repayment; and shall not include the amount expended pursuant to any lease agreement for plant and equipment or the amount expended from funds received from the federal government pursuant to the "Economic Opportunity Act of 1964" or any extension of such act of Congress.

For the purposes of Section 17301, there shall also be excluded all federal funds expended, except the amounts received pursuant to Public Law 81-874.

There shall be expended during each fiscal year for payment of salaries of classroom teachers:

(a) By an elementary school district, sixty percent (60%) of the district's current expense of education.

(b) By a high school district, fifty percent (50%) of the district's current expense of education.

(c) By a community college district, fifty percent (50%) of the district's current expense of education.

(d) By a unified school district, fifty-five percent (55%) of the district's current expense of education.

If the Superintendent of Public Instruction determines that a school district has not expended the applicable percentage of current expense of education for the payment of salaries of classroom teachers during the preceding fiscal year, he shall, in apportionments made to the school district from the State School Fund after April 15 of the current fiscal year, designate an amount of such apportionment or apportionments equal to the apparent deficiency in district expenditures. Any amount so designated by the Superintendent of Public Instruction shall be deposited in the county treasury to the credit of the school district, but shall be unavailable for expenditure by the district pending the determination to be made by the Superintendent of Public Instruction on any application for exemption which may be submitted to the Super-

intendent of Public Instruction. In the event it appears to the governing board of a school district that the application of the preceding paragraphs of this section during a fiscal year results in serious hardship to the district, or in the payment of salaries of classroom teachers in excess of the salaries of classroom teachers paid by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district apply to the Superintendent of Public Instruction in writing not later than September 15th of the succeeding fiscal year for exemption from the requirements of the preceding paragraphs of this section for the fiscal year on account of which the application is made Upon receipt of such application, duly approved, the Superintendent of Public Instruction shall grant the district exemption for any amount that is less than one thousand dollars ($1,000), and if the amount is one thousand dollars ($1,000), or greater may grant the district exemption, to the extent deemed necessary by him, from such requirements for the fiscal year on account of which the application is made. If such exemption is granted the designated moneys shall be immediately available for expenditure by the school district governing board. If no application for exemption is made or exemption is denied, the Superintendent of Public Instruction shall order the designated amount or amount not exempted to be added to the amounts to be expended for salaries of classroom teachers during the next fiscal year.

The Superintendent of Public Instruction shall enforce the requirements prescribed by this section, and may adopt necessary rules and regulations to that end He may require the submission to him, during the school year, by school district governing boards and county superintendents of schools, of such reports and information as may be necessary to carry out the provisions of this section

SEC 22. Section 17603 5 of the Education Code is amended to read

17603.5. The amounts computed as allowable to any school district for state ~~equalization~~ aid shall be reduced by fifty percent (50%) of miscellaneous funds, as defined in Section 17606. In no event shall the reduction exceed the total amount allowable as ~~equalization~~ *state* aid to the school district for the fiscal year For such purposes, miscellaneous funds, as defined in Section 17606, received by a unified school district, shall be allocated to the kindergarten and elementary, high school and community college grades, respectively, on the basis of the proportion of the district's total average daily attendance in each such grade level, and the provisions of Section 17601 shall be applicable

Should the amount of miscellaneous funds, as defined in Section 17606, actually received by a school district for any fiscal year be more or less than that reported to the Superintendent of Public Instruction, the Superintendent of Public Instruction shall during the fiscal year next succeeding withhold from or add to the apportionment made to the district from the State School Fund the amount of the excess or deficiency in the apportionment of state ~~equalization~~ aid from the State School Fund for the preceding year, if the amount of the excess or deficiency in such apportionment was one hundred dollars ($100) or more.

SEC. 23. The heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of the Education Code is amended to read:

Article 2. Computation of Foundation ~~Program~~ *Programs and School Support* for School Districts

SEC 24. Section 17651 of the Education Code is amended to read:

17651. The Superintendent of Public Instruction shall compute for each school district the amount of ~~a foundation program of~~ school support therefor, in the manner prescribed by this article ~~(commencing at Section 17651)~~.

SEC 25. Section 17653 of the Education Code is amended to read:

17653. For any unified school district which was effective for all purposes on or before July 1, 1964, and which during the current fiscal year meets the standards prescribed in Section 17672, the ~~foundation~~ *support* program actually computed for such district under this article ~~and the supplemental support program for such district under Article 7.1 of this chapter~~ shall be increased by 5 percent for the first fiscal year of its existence, 4 percent for the second fiscal year of its existence, 3 percent for the third fiscal year of its existence, 2 percent for the fourth fiscal year of its existence, and 1 percent for the fifth fiscal year of its existence.

SEC. 26. Section 17654.5 of the Education Code is amended to read:

17654.5. For each elementary school district which maintains only one school with an average daily attendance of less than 101, he shall make one of the following computations, whichever provides the lesser amount:

(1) For each small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the ~~district eight thousand six hundred twenty-five dollars ($8,625)~~ *the product of 25 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

(2) For each small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~seventeen thousand two hundred fifty dollars ($17,250)~~ *the product of 50 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

(3) For each small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~twenty-five thousand eight hundred seventy-five dollars ($25,875)~~ *the product of 75 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

(4) For each small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~thirty-four thousand five hundred dollars ($31,500)~~ *the product of 100 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

SEC 27. Section 17655 5 of the Education Code is amended to read·

17655.5 ~~(a)~~ For each district on account of each necessary small school (giving regard to the number of teachers actually employed or average daily attendance), he shall make one of the following computations, whichever provides the lesser amount·

(1) For each necessary small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the district ~~eight thousand six hundred twenty-five dollars ($8,625)~~ *the product of 25 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

(2) For each necessary small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~seventeen thousand two hundred fifty dollars ($17,250).~~ *the product of 50 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*

(3) For each necessary small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~twenty-five thousand eight hundred seventy-five dollars ($25,875).~~ *the product of 75 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*

(4) For each necessary small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~thirty-four thousand five hundred dollars ($31,500)~~ *the product of 100 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

~~(b) For each district on account of each small school not determined to be a necessary small school under Section 17655 he shall make one of the following computations, whichever applies:~~

~~(1) If the total of the units of average daily attendance of the district during the fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school, is less than 901, he shall multiply the units of average daily attendance in the school by three hundred forty-five dollars ($345).~~

~~(2) If the total of the units of average daily attendance in the district during the fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school, is 901 or more, he shall multiply the units of average daily attendance by three hundred fifty-five dollars ($355).~~

SEC. 28. Section 17656 of the Education Code is repealed.

~~17656. For each elementary school district which, exclusive of pupils attending the seventh and eighth grades of a junior high school, has an average daily attendance of 101 or more but less than 901 during the fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school and pupils for whom a foundation program is computed under Section 17655.5 by three hundred forty-five dollars ($345).~~

~~For each elementary school district which, exclusive of pupils attending the seventh and eighth grades of a junior high school, has an average daily attendance of 901 or more during the fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, and pupils for whom a foundation program is computed under Section 17655.5 by three hundred fifty-five dollars ($355).~~

SEC. 29. Section 17660 of the Education Code is repealed.

~~17660. For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of less than 901 during the fiscal year, on account of the attendance during the fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11401 and 5612, he shall multiply the average daily attendance in such grades by three hundred forty-five dollars ($345).~~

~~For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of 901 or more during the fiscal year, on account of the attendance during the fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11401 and 5612, he shall multiply the average daily attendance in such grades by three hundred fifty-five dollars ($355).~~

SEC. 30. Section 17662 of the Education Code is repealed.

~~17662. The foundation program for each elementary school district shall be the total of the amounts computed for the district pursuant to Sections 17655.5, 17656, and 17660.~~

SEC 31. Section 17662 is added to the Education Code, to read:

17662 (a) The Superintendent of Public Instruction shall allow to each school district on account of the average daily attendance credited to the district in the appropriate grade levels an amount computed in accordance with subdivision (b) of this section plus any amount pursuant to the provisions of Sections 17654.5 and 17655.5.

No apportionment may be less than one hundred twenty dollars ($120) per unit of average daily attendance.

(b) The apportionment to a school district equals the product of the number of units of average daily attendance of the district and the appropriate percentage specified in Section 17301 and the statewide average current expense of education as defined in subdivision (b) of Section 17503 and the relative support index of the district.

SEC 32. Section 17662.3 is added to the Education Code, to read:

17662.3. The relative wealth index of a school district is the quotient of the assessed valuation per unit of average daily attendance of the district, as reduced pursuant to Section 17271, divided by the statewide assessed valuation per unit of average daily attendance.

SEC 33. Section 17662.5 is added to the Education Code, to read:

17662.5. The relative support index of a school district is computed in the following manner:

(a) For districts with a relative wealth index of 1.5 or less, the relative support index is 0.991 plus one-half multiplied by one minus the relative wealth index.

(b) For districts with a relative wealth index greater than 1.5, the relative support index is the reciprocal of 0.9 multiplied by the relative wealth index.

SEC 34. Section 17664 of the Education Code is amended to read:

17664. ~~(a)~~ For each district on account of each necessary small high school the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

Average daily attendance	Minimum number of certificated employees	Amount to be computed
1– 20	3	~~$42,600~~
21– 40	4	~~51,000~~
41– 60	5	~~59,100~~
61– 75	6	~~67,800~~
76– 90	7	~~76,200~~
91–105	8	~~84,600~~
106–120	9	~~93,000~~

121–135	10	~~101,400~~
136–150	11	~~109,800~~
151–180	12	~~118,200~~
181–220	13	~~126,600~~
221–260	14	~~135,000~~
261–300	15	~~143,400~~

For each district which has an average daily attendance of less than 21 and for which fewer than three certificated employees were employed, he shall compute ~~eight thousand four hundred dollars ($8,400)~~ for each of the teachers employed in the school

~~(b) For each district on account of each small high school not determined to be a necessary small high school under Sections 17663, 17663.5, and 17663.7, he shall make one of the following computations, whichever applies.~~

~~(1) If the total of the units of average daily attendance in the district during the fiscal year is less than 301, he shall multiply the units of average daily attendance during the fiscal year in the school by four hundred seventy-eight dollars ($478).~~

~~(2) If the total of the units of average daily attendance in the district during the fiscal year is more than 300, he shall multiply the units of average daily attendance during the fiscal year in the school by four hundred eighty-eight dollars ($488).~~

For the purposes of this section a "certificated employee" is an equivalent full-time position of an individual holding a credential authorizing service, and performing service in grades 9 through 12 in any secondary school Any fraction of an equivalent full-time position shall be deemed to be a full-time position

The foundation program established by this section for high schools with an average daily attendance of less than 301 shall not apply to any high school established after July 1, 1961 unless the establishment of such schools has been approved by the Superintendent of Public Instruction.

SEC 35. Section 17665 of the Education Code is amended to read

17665 For each high school district which has an average daily attendance of 301 or more during the fiscal year, he shall ~~multiply the average daily attendance by four hundred eighty-eight dollars ($488)~~ *compute the allowance in accordance with subdivision (b) of Section 17662 plus any amount pursuant to Section 17664*

SEC. 36 Section 17665 5 of the Education Code is repealed

~~17665 5. For a high school district which has an attendance credited pursuant to Section 10815, he shall multiply the average daily attendance by four hundred eighty-eight dollars ($488).~~

SEC. 37. Article 2 1 (commencing with Section 17671) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 38 Article 2 5 (commencing with Section 17680) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 39. Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 40 Article 3 (commencing with Section 17701) is added to Chapter 3 of DIVISION 14 of the Education Code, to read:

Article 3. Adjustments to Expenditures

17701. In computing the transfer to the State School Fund pursuant to Section 17301 and the apportionments to districts pursuant to Section 17662, the Superintendent of Public Instruction shall annually adjust the amounts by a factor which is a function of the adjustment in the services less rent index as prescribed by this article

17702. For the purposes of this article the following definitions shall apply·

(a) "Relative expenditure index" is the quotient of the district's expenditure per unit of average daily attendance divided by the statewide average current expense of education per unit of average daily attendance.

(b) "Relative salary index" is the quotient of the district's average salary for certificated or classified employees by the statewide average salary for certificated or classified employees.

Separate computations are to be made for each category of employees

(c) The "reasonable expenditure increment factor" for a district which has a relative expenditure index greater than one is the quotient of the change in the services less rent index divided by the square of the relative expenditure index.

The "reasonable expenditure increment factor" for a district which has a relative expenditure index equal to or less than one is the product of the services less rent index multiplied by the sum of minus two times the relative expenditure index plus three

17703 Annual salary increases for the employees of a district which has relative expenditure index greater than one may not exceed the amount determined by the application of a factor which is the quotient of the services less rent index divided by the square of the relative salary index.

17704 Annual salary increases for the employees of a district which has a relative expenditure index equal to or less than one may not exceed the amount determined by the application of a factor which is the product of the services less rent index multiplied by the sum of minus two times the relative expenditure index plus three

17705 With respect to increases in salaries of certificated employees the Superintendent of Public Instruction shall disregard any increases granted on account of additional academic training

17706 The expenditures per unit of average daily attendance in any school district may not increase by a factor greater than the reasonable expenditure increment factor.

17707. In the event a district exceeds the increases authorized by Sections 17702, 17703, and 17705 regarding expenditure increases and salary increases the Superintendent of Public Instruction shall withhold from apportionments any amount in excess of such computations. When computing the statewide average current expense of education he shall also omit any amounts attributable to excessive increases in salaries or expenditures per unit of average daily attendance

17708. Apportionments from the State School Fund shall be adjusted to reflect the application of the reasonable expenditure index to the apportionment for each school district.

SEC. 41. Article 4 (commencing with Section 17751) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 42. Article 5 (commencing with Section 17801) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 43. Article 7 (commencing with Section 17901) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 44. Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 44.5. Article 7.2 (commencing with Section 17940) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 45. Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 46. Section 18102 of the Education Code is repealed.

~~18102. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of physically handicapped minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of physically handicapped minors by the maximum class size established by law for special day classes for physically handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of seventeen thousand two hundred sixty dollars ($17,260).~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of physically handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660.~~

~~(2) The product of the average daily attendance of physically handicapped minors in grades 9 to 12, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for junior college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC. 47 Section 18102 is added to the Education Code, to read:

18102 The Superintendent of Public Instruction shall allow to each school district and county superintendent of schools for each particular category of minors in a special education program during the current fiscal year an amount computed as follows:

(a) He shall divide the average daily attendance in each particular category of minors in a special education program by the maximum class size established by law for special day classes for each particular category of minor in a special education program, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) He shall then determine for each particular category the product of the amount computed under subdivision (a) multiplied by the maximum class size established by law for special day classes for the particular category.

(c) He shall then multiply the amount computed under subdivision (b) by the following amount for the particular grade level and category:

Category	Elementary school grades (K–8)	High school grades (9–12)
Physically handicapped		
Class-size maximum of 3	$5,400	------
Class-size maximum of 5	----	$2,965
Class-size maximum of 6	2,520	------
Class-size maximum of 8	1,800	1,670
Class-size maximum of 10	1,370	1,240
Class-size maximum of 12	1,080	950
Class-size maximum of 16	----	590
Class-size maximum of 20	----	375
Mentally retarded (as defined in Section 6902)		
Class-size maximum of 15	570	440
Class-size maximum of 18	420	285
Mentally retarded (as defined in Section 6903)	920	785
Educationally handicapped	1,000	870

SEC 48 Section 18102 2 of the Education Code is repealed

~~18102 2 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of mentally retarded minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of mentally retarded minors by the maximum class size established by law for special day classes for mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of thirteen thousand eight hundred ninety dollars ($13,890), and~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and~~

~~(2) The product of the average daily attendance of mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC. 49. Section 18102.4 of the Education Code is repealed.

~~18102.4. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of severely mentally retarded minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of severely mentally retarded minors by the maximum class size established by law for special day classes for severely mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of fifteen thousand two hundred sixty dollars ($15,260), and~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of severely mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and~~

~~(2) The product of the average daily attendance of severely mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC. 50. Section 18102.6 of the Education Code is repealed.

~~18102.6. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of educationally handicapped minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of educationally handicapped minors, less the enrollment in excess of the maximum class size authorized pursuant to Section 6751.1, by the maximum class size estab-~~

~~lished by law for special day classes for educationally handicapped minors, and increasing the quotient to the next highest integer where fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of sixteen thousand two hundred sixty dollars ($16,260), and~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of educationally handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and~~

~~(2) The product of the average daily attendance of educationally handicapped minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for junior college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC. 51. Section 18102.8 of the Education Code is amended to read:

18102.8 The governing board of a school district with an average daily attendance of less than 2,000 pupils during the current fiscal year, or a county superintendent of schools, may apply to the Superintendent of Public Instruction whenever sparsity of population or transportation distances make it impossible to maintain classes of the maximum size as prescribed by this code or by the State Board of Education. If the Superintendent of Public Instruction, upon review, finds that it is impossible to maintain classes of the maximum size as prescribed by this code or by the State Board of Education, he may add to the amounts allowed under ~~Sections 18102 to 18102.6, inclusive,~~ *Section 18102* an amount sufficient to provide for the needed classes, but not more per special class than the applicable amounts computed in ~~those sections~~ *that section*.

SEC. 52. Section 18102.9 of the Education Code is amended to read:

18102.9 (1) In addition to the allowances provided under ~~Sections~~ *Section* 18102 ~~to 18102.6, inclusive~~, the Superintendent of Public Instruction shall allow to school districts and county superintendents of schools for each unit of average daily attendance for an amount as follows:

(a) For instruction of educationally handicapped minors in learning disability groups, ~~one thousand eight hundred eighty dollars ($1,880)~~ *two thousand four hundred eighty dollars ($2,480)*.

(b) For instruction of educationally handicapped minors in homes or in hospitals, one thousand three hundred dollars ($1,300).

(c) For instruction of physically handicapped minors in remedial physical education, ~~seven hundred seventy-five dollars ($775)~~ *nine hundred fifty dollars ($950)*.

(d) For remedial instruction of physically handicapped minors in other than physical education, ~~two thousand dollars ($2,000)~~ *two thousand seven hundred forty dollars ($2,740)*.

(e) For instruction of blind pupils when a reader has actually been provided to assist the pupil with his studies, or for individual instruction in mobility provided blind pupils under regulations prescribed by the State Board of Education, or when braille books are purchased, ink print materials are transcribed into braille, or sound recordings and other special supplies and equipment are purchased for blind pupils, or for individual supplemental instruction in vocational arts, business arts, or homemaking for blind pupils, nine hundred ten dollars ($910).

Braille books purchased, braille materials transcribed from ink print, sound recordings purchased or made, and special supplies and equipment purchased for blind pupils for which state or federal funds were allowed are property of the state and shall be available for use by blind pupils throughout the state as the State Board of Education shall provide.

(f) For other individual instruction of physically handicapped minors, one thousand three hundred dollars ($1,300).

(g) For the instruction of physically handicapped minors in regular day classes, ~~one thousand eighteen dollars ($1,018)~~ *one thousand one hundred dollars ($1,100)*.

(2) (a) The allowances provided under ~~Sections~~ *Section* 18102 ~~to 18102.6, inclusive,~~ may be increased proportionately on account of special day classes convened, or other instruction provided a pupil, for days in a school year which are in excess of the number of days in the school year on which the regular day schools of a district are convened.

(b) The Superintendent of Public Instruction shall compute for each applicant school district and county superintendent of schools in providing in such year a program of specialized consultation to teachers, counselors and supervisors for educationally handicapped minors, an amount equal to the product of ten dollars ($10) and the average daily attendance of pupils enrolled in special day classes, learning disability groups, and home and hospital instruction for educationally handicapped minors.

SEC. 53. Section 18102.10 of the Education Code is amended to read:

18102.10. For each special class or program for which a state allowance is provided under this article or under Section 18060 or 18062, each school district and each county superintendent of schools maintaining such special classes or programs shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each special class or program.

If the Superintendent of Public Instruction determines that the current expense of operating a special class or program as defined in the California School Accounting Manual does not equal or exceed the sum of *the* basic ~~state aid, and state equalization aid provided in the regular foundation program per unit of average daily attendance~~ *program support* and the allowance provided under this article ~~, and any amount~~

~~of local tax funds contributed to the foundation program~~ for each pupil in average daily attendance in the special class or program maintained by a school district for each pupil in average daily attendance in special classes or programs maintained by the county superintendent of schools, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17414.

~~Beginning with the 1971/72 fiscal year, expenditures~~ *Expenditures* for equipment that the Superintendent of Public Instruction determines are necessary for instruction in a special class or program for physically handicapped minors shall be considered as current expense for purposes of this section. In any year the district's allowable expenditure for such equipment may not exceed 1 percent of the current expense of operating the district's physically handicapped program.

SEC. 54. Section 18355 of the Education Code is amended to read:

18355. The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service funds: (a) for all emergency schools maintained in each elementary school district of the county by the county superintendent of schools, (b) all special schools or classes for mentally retarded minors and severely mentally retarded minors maintained in each elementary school district of the county by the county superintendent of schools, (c) each elementary school maintained in juvenile halls, juvenile homes, and juvenile camps, by the county superintendent of schools, and all opportunity schools and classes maintained by the county superintendent of schools pursuant to Sections 6502 and 6503, and (d) all schools and classes for educationally handicapped minors maintained in each elementary school district of the county by the county superintendent of schools, the same amount ~~as he would compute as the foundation program of the~~ *per* elementary ~~school district~~ *pupil as he would allow* under Section ~~17655.5 or Section 17656~~ *17651*.

No allowance shall be made for emergency schools which is in excess of the actual expense of maintaining the emergency school.

SEC. 55 Section 18358 of the Education Code is amended to read:

18358 For all physically handicapped pupils, mentally retarded minors and educationally handicapped minors of secondary grade, and handicapped adults, educated by the county superintendent of schools and for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, the Superintendent of Public Instruction shall allow the same amount ~~as he would compute for the foundation program of a~~ *per* high school ~~district~~ *pupil as he would allow* under Section ~~17665~~ *17651*.

However, with respect to handicapped adults, the following limits shall apply:

(a) The total of allowances for education of handicapped adults in classes established by the county superintendent of schools pursuant to Section 5746 shall not exceed fifty thousand dollars ($50,000) in any one fiscal year. The Superintendent of Public Instruction shall

establish a system of priorities that he shall by rule or regulation adopt which shall give highest priority to those counties in which no or an insufficient program for the education of handicapped adults is provided by the school districts within the county, in order to comply with the limitation prescribed by this subdivision.

(b) The Superintendent of Public Instruction shall allow for handicapped adults the amount specified in Section 17951 for each unit of average daily attendance for adults for high school districts

SEC. 56. Section 18401 of the Education Code is amended to read:

18401. The Superintendent of Public Instruction shall allow to each county school tuition fund ~~one hundred twenty-five dollars ($125)~~ *one hundred twenty dollars ($120)* for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the fiscal year. Such average daily attendance shall not be included in the computations provided for in Section 17702.

SEC. 57. Section 20404 of the Education Code is amended to read:

20404. On or before August 15, the county board of education shall file with the board of supervisors a certified statement showing the amount of money to be raised by a county tax for purposes of this chapter The board of supervisors shall fix a rate for the county tax sufficient to produce the amount specified in the statement and shall, at the time of levying other county taxes, levy the tax so fixed

The proceeds of the tax levied pursuant to this section shall be credited to the single county school service fund of the county and any expenses of the county superintendent of schools, the county board of education, and the county committee on school district organization required by Section 881 or any other sections of this code required to be paid from the county general fund shall not be paid from such fund but shall be paid from the money in the single county school service fund.

A tax levied pursuant to this section shall not exceed the rate of ten cents ($0.10) per one hundred dollars ($100) of assessed valuation for administrative and business functions

SEC. 58. Section 20751 of the Education Code is repealed.

~~20751. (1) Except as otherwise provided in this code, the maximum rate of school district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for any school district in any school year on each one hundred dollars ($100) of assessed valuation within the district shall be as follows:~~

~~(a) Except as provided in subdivision (b) of this section, in any separate elementary school district, eighty cents ($0.80) for elementary school purposes, or ninety cents ($0.90) for combined kindergarten and elementary school purposes.~~

~~(b) In any separate elementary school district whose current expenses of education for the 1963-1964 or 1964-1965 fiscal year were less than twice the amount of the foundation program applicable to the district, one dollar and twenty-five cents ($1.25) for elementary school purposes, or one dollar and thirty-five cents ($1.35) for combined kindergarten and elementary school purposes.~~

~~(c) Except as provided in subdivision (d) of this section, in any separate high school district seventy-five cents ($0.75) for high school purposes, and ten cents ($0.10) for adult education purposes.~~

~~(d) In any separate high school district where current expenses of education for the high school purposes for the 1963-64 fiscal year were less than twice the amount of the foundation program computed for high school purposes, eighty-five cents ($0.85) for high school purposes and ten cents ($0.10) for adult education purposes.~~

~~(e) In any separate college district, thirty-five cents ($0.35) for college purposes, and ten cents ($0.10) for adult education purposes.~~

~~(f) In any unified school district one dollar and fifty-five cents ($1.55) for combined elementary school and high school purposes; or one dollar and sixty-five cents ($1.65) for combined kindergarten, elementary school and high school purposes; or one dollar and sixty-five cents ($1.65) for combined kindergarten, elementary school, and high school purposes, and ten cents ($0.10) for adult education purposes.~~

~~(g) Any unified school district whose current expenses of education per unit of average daily attendance for the 1963-64 fiscal year were less than six hundred dollars ($600), two dollars and ten cents ($2.10) for combined elementary school and high school purposes; two dollars and twenty cents ($2.20) for combined kindergarten, elementary school, and high school purposes; or two dollars and twenty cents ($2.20) for combined kindergarten, elementary school, and high school purposes, and ten cents ($0.10) for adult education purposes.~~

~~(h) As used in this section "adult education purposes" means all current expenses of the district for which district taxes may be levied, excluding the expenses for which district taxes may be levied under Sections 14214, 12657, 20801.5, 20802.6 and 20806 of this code and Section 20537 of the Government Code, for adult classes as provided for in Chapter 5.5 (commencing with Section 5701), Division 6 of this code. "Adult education purposes" includes classes for adults authorized under Articles 4, 5 and 6, inclusive of Chapter 5.5 (commencing with Section 5701) of Division 6 of this code.~~

~~(2) If the maximum tax rate of a school district in effect on the effective date of the amendment to this section adopted at the 1964 First Extraordinary Session of the Legislature is, because of an increase adopted by the district electors pursuant to Section 20803, more than the applicable rate prescribed in subdivision (1) of this section, the maximum tax rate of such district shall continue to be the maximum rate prescribed by this section prior to such 1964 amendment plus the amount of the increase over such rate adopted by the district electors pursuant to Section 20803 prior to the 1964 amendment to this section, for the period for which such increase was adopted by the voters, and upon the expiration of such period, the maximum tax rate of such district shall be the applicable rate prescribed in subdivision (1) of this section. If any such voted increase in effect on such effective date results in a maximum rate which is less than that prescribed in subdivision (1) of this section as so amended in 1964, the maximum rate of such district shall be that prescribed in subdivision (1) of this section as so amended or as subsequently amended. Nothing in this~~

~~section shall be construed to prevent a change in the maximum tax rate of a school district subject to and in the manner prescribed by Section 20802.~~

SEC. 59. Section 20751 is added to the Education Code, to read

20751. (a) It is the intent of the Legislature that statutory maximum tax rates be sufficient to permit an average wealth school district to provide an average expenditure program when local revenues are combined with state allowances and apportionments.

(b) The maximum tax rate per each one hundred dollars ($100) of assessed valuation for an elementary, high school, and unified school district is as set forth in the following table:

Fiscal Year	Elementary	High School	Unified
1973–1974	$2 00	$1 20	$3 20
1974–1975	1.75	1.10	2 85
1975–1976 and following	1.50	1 00	2 50

(c) The maximum tax rate for a community college district is thirty-five cents ($0 35) for community college purposes and ten cents ($0 10) for adult education purposes, on each one hundred dollars ($100) of assessed valuation.

(d) The maximum tax rates set forth in this section may be exceeded with the approval of a majority of the electorate pursuant to Section 20803.

SEC. 60. Section 20800 of the Education Code is repealed.

~~20800. The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount of the proposed expenditures of the school district required or authorized pursuant to Article 4 (commencing with Section 5950 of Chapter 6 of, and Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the elementary or high school district, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~In a unified school district the increase provided by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) if the district maintains one or more elementary schools and high schools, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized by Article 4 (commencing with Section 5950 of Chapter 6 of, or Article 1 (commencing with Section 6500) of Chapter~~

~~7 of Division 6 of this code, provided, however, that a district may accumulate from year to year any unencumbered balance derived from the tax levied under this section so long as the accumulated money is ultimately expended for a purpose authorized by Article 4 (commencing with Section 5950) of Chapter 6 of, or Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code.~~

SEC. 61. Section 20801 5 of the Education Code is repealed.

~~20801 5. The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount which the district is required to pay to the State in the administration of the Old Age and Survivors' Insurance System pursuant to Section 22551 of the Government Code, plus the amount of employer's contribution for which the district is liable under the provisions of Section 22553 of the Government Code, as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~If at the end of any school year there remains an unencumbered balance derived from the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of such obligations of the district.~~

SEC 62 Section 20802 8 of the Education Code is repealed.

~~20802 8. The rate of school district tax for adult education purposes in any school year is hereby established as authorized in Section 20751, paragraphs (c) to (g), inclusive, by such amount as will produce the amount of the proposed expenditures of the school district for adult education purposes as shown by the budget of the district for such school year less state apportionment, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the rate of tax provided by Section 20751.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the tax rate hereby provided for adult education purposes, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year for adult education purposes.~~

SEC 63 Section 20806 of the Education Code is amended to read:

20806 For the purpose of providing funds for the payment by the district of all or part of the premiums, dues, or other charges for health and welfare benefits on active officers and employees and retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, or on the spouses and dependent children of such active and retired officers and employees, or on both such active and retired officers and employees and their spouses and dependent children, which the governing board of a district may have authorized in accordance with the provisions of Article 1 (commencing with Section 53200) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code and for the expenses incurred by the district in administration of a program involving the payment of such health

and welfare benefits, district taxes, *up to a maximum of five cents ($0 05) per one hundred dollars ($100) of assessed valuation,* may be levied and collected annually by the respective district at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes Moneys collected pursuant to this section may also be expended for the requirements of Section 13658

The provisions of this section authorizing the payment of all or part of the premiums, dues, or other charges for health and welfare benefits for the retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, shall be limited in applicability to any school district, or of two or more school districts governed by governing boards of identical personnel, having an average daily attendance of 400,000 or more as shown by the annual report of the county superintendent of schools for the preceding year.

SEC. 64. Section 20807 of the Education Code is repealed.

~~20807. The maximum rate of school district tax under Sections 20751 and 20753, inclusive, for any fiscal year is hereby increased by such amount as will provide the amount of the proposed expenditures for programs for educating handicapped minors under Sections 6759 to 6762, inclusive, which are in excess of state apportionments as shown by the budget of the district as finally adopted by the governing board of the district.~~

~~Such proposed expenditures may include the cost of equipment and facilities, the lease or lease-purchase of buildings, lease of land, alterations or additions to existing buildings, or other necessary capital outlay expenditures in connection with such programs.~~

~~If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that year required or authorized by Sections 6759-6762, inclusive, of this code.~~

SEC. 65. Section 20808 of the Education Code is repealed.

~~20808. (a) The maximum rate of any elementary or unified school district is, commencing with the fiscal year 1964-5, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of tuition or of educating pupils in grades seven and eight, exceeds the cost during the current fiscal year of educating pupils in grades kindergarten or one through six maintained by the district, exclusive of all federal and state apportionments.~~

~~(b) The computations prescribed by subdivision (a) of this section shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase. If an elementary school district withdraws from a junior high school or a system of junior high schools pursuant to Sections 5625 to 5628, any such remaining unencumbered balance derived from the revenue of the increase in tax rate hereby provided may be transferred by resolution of the governing board of the elementary school district to the general fund. In the fiscal year following such transfer, the amount of such remaining unencumbered balance which is transferred to the general fund of the district shall be used to reduce the amount for which the maximum rate of school district tax may be increased pursuant to subdivision (a) of this section for the purposes of educating pupils in grades 7 and 8 in such elementary school district.~~

SEC. 66. Section 20808 5 of the Education Code is repealed.

~~20808 5. (a) The maximum tax rate of a high school district which maintains a junior high school is, commencing with the fiscal year 1964-1965, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of educating pupils in grades seven and eight, exceeds the total of federal and state apportionments and the tuition payments received by the district during the current fiscal year for such pupils pursuant to Sections 5605 and 5605.5. The rate of tax for such purpose shall not be levied on the assessed valuation of any elementary district included in such high school district if the elementary district has 10 percent or less of the pupils in grades seven and eight who reside in the elementary district attending a junior high school of the high school district.~~

~~(b) The computations prescribed by subdivision (a) shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase.~~

SEC. 67. Section 20816 of the Education Code is repealed.

~~20816. (a) The maximum rate of school district tax, including any maximum rate fixed pursuant to Section 20803, is increased in any fiscal year for any school district situated wholly or in part within a county which, in the 1968–1969 fiscal year, household furnishings and personal effects were enrolled on the county assessment roll.~~

~~(b) The increase in maximum tax rate shall be in an amount equal to the 2 percent of the total of the school district tax rates at which property taxes were levied and collected for purposes of the district during the 1968–1969 fiscal year, but subject to the provisions of subdivision (c).~~

~~(c) On or before the first day of February in any year, the governing board of the district may submit a petition to the county superintendent of schools requesting that officer to fix the maximum tax rate of the district for the next succeeding fiscal year at a rate higher than that provided for in subdivision (b). The petition shall demonstrate, on the basis of the best information available to the governing board, that the net loss in revenue which would have resulted to the district in the 1968–1969 fiscal year if household furnishings and personal effects had been exempted from property taxation, taking into consideration increases in state equalization aid which would have accrued to the district as result thereof, exceeds the revenues produced by the increase in maximum tax rate provided for in subdivision (b).~~

~~The assessor shall estimate the total amount of assessed value lost by reason of the exemption for household furnishings and personal effects between the 1968–1969 and 1969–1970 fiscal years and shall certify his findings to the county auditor and the county superintendent of schools. The county superintendent of schools shall estimate the amount of equalization aid to be received by the district on the basis of the loss in assessed value certified by the assessor. The county auditor shall apply the tax rate of the district for the 1968–1969 fiscal year to the amount of assessed value determined by the assessor and from the amount computed shall subtract the amount certified by the county superintendent of schools. The tax rate of the district for this purpose shall then be computed by determining the rate which will reflect this remaining amount. The district shall be bound by this determination of the auditor, whether it is more than, or less than, the amount of increase authorized by subdivision (b).~~

~~This subdivision (c) shall not apply to any district which has not first availed itself of this subdivision on or before February 1, 1972.~~

SEC. 68. Sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 60, 61, 62, 64, 65, 66, and 67 of this act shall become operative on July 1, 1975. From July 1, 1973, until July 1, 1975, the taxes for special purposes actually levied in all school districts which will be eliminated pursuant to those sections of this act shall be reduced by an amount which will limit the revenues of each district to not more than will provide the prior year's expenditure level plus the application of the reasonable expenditure increment factor pursuant to Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of the Education Code. All such rates shall be reduced proportionately unless the county superintendent of schools approves an alternate method of reduction."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, May 16, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SCR No. 50

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 16, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SCR No. 6

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, May 16, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 70

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, May 16, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 162
SB No 878
SB No. 1007

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 162—An act to amend Sections 1162, 1163, 1164, and 1165 of, and to add Section 1162 5 to, the Education Code, to amend Sections 10202.5, 10210, and 10219 2 of, and to add Section 10202.4 to, the Elections Code, and to amend Sections 36512 5 and 36512 6 of, and to add Section 36512 5 to, the Government Code, relating to special elections

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 878—An act to add Article 6 (commencing with Section 12095) to Chapter 5 of Division 9 of the Education Code, relating to industrial education work stations and safety.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1007—An act to amend Sections 5523, 5563, 5564, 5566, 5567, 5568, 5762, 5763, 5765, 5766, 5767, and 5768 of, and to repeal Section 5570 of, the Revenue and Taxation Code, relating to in-lieu taxes on domestic animals, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1082, 1308, 2149, 907, and **620,** ordered to third reading.

Assembly Bill No. 2043, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1582—An act to amend Section 39061 of the Health and Safety Code, and to add Section 235 to the Revenue and Taxation Code, relating to air pollution, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 39061 of", and insert "add Chapter 8 (commencing with Section 39280) to Part 1 of Division 26".

Amendment No. 2

In line 4 of the title, after "therefor", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Chapter 8 (commencing with Section 39280) is added to Part 1 of Division 26 of the Health and Safety Code, to read:

CHAPTER 8. AIR POLLUTION CONTROL SUBVENTION PROGRAM

39280. As used in this chapter, "dollars budgeted" means moneys derived from revenue sources within a district or districts for use in the district's or districts' air pollution control programs.

39281. The board shall administer, pursuant to this chapter, such funds as may be appropriated to it for the purposes of this chapter.

39282. The board may subvene up to one dollar ($1) for every dollar budgeted for use by any of the following:

(a) A county or regional air pollution control district whose boundaries include an entire air basin.

(b) A unified district formed pursuant to Article 7 (commencing with Section 24330) of Chapter 2 of Division 20 whose boundaries include an entire air basin.

(c) County districts, including any unified districts, whose boundaries together include an entire air basin, and who are parties to one joint powers or other enforceable agreement which provides for all of the following:

(1) Uniform rules and regulations among all districts, excluding administrative rules and regulations.

(2) At least four meetings per year of the Basinwide Air Pollution Control Coordinating Council formed under Section 39272, or an equivalent procedure for basinwide consideration of policy matters.

(3) Suitable sharing of qualified air pollution personnel and equipment.

Subventions under this section shall not exceed twenty-three cents ($0.23) per capita. A subvention made pursuant to Section 39283 shall preclude subvention under this section.

39283. In air basins where funds are not subvened pursuant to Section 39281, the board may subvene up to two dollars ($2) for every three dollars ($3) budgeted by an air pollution control district. Subventions under this section shall not exceed eighteen and four-tenths cents ($0.184) per capita

39284. In air basins having less than 98,000 population, the board may subvene more than the specified amount allowed under Section 39282, if the subvention does not exceed forty-five thousand dollars ($45,000) per air basin, and each air pollution control district affected adopts a budget equal to or exceeding twenty-three cents ($0.23) per capita.

39285. The per capita limits in Sections 39282 and 39283 and the forty-five thousand dollar ($45,000) limit in Section 39284 may be increased by the board to reflect the effects of inflation on the moneys needed to carry out air pollution control programs No increase shall be made without the prior written approval of the Director of Finance.

39286. No moneys shall be subvened pursuant to this chapter unless the air pollution control district or districts affected are actively and effectively engaged in the reduction of air contaminants pursuant to the coordinated basinwide air pollution control plan and related county programs approved by the board pursuant to Section 39274 and 39275. When the board finds, pursuant to a resolution from the board of directors of an air pollution control district, or upon completion of proceedings conducted by the board pursuant to Section 39054, 39274, or 39275, that an air pollution control district is not so engaged in the reduction of air contaminants, the subvention which would have been allocated to such district pursuant to Section 39282 or 39283, plus such additional sum as may be necessary, if moneys are available from appropriations for the purposes of this chapter, shall be allocated to

the board itself to carry out the approved plan or program If the board acts under this section pursuant to a resolution of the board of directors of an air pollution control district, it may do so without proceeding under Section 39054, 39274, or 39275.

39287. The subvention otherwise due an air pollution control district may be reduced by the board up to an amount equal to the funds which are granted to the district by the federal government. In so reducing a subvention, the board shall take into account all the following factors:

(a) The purpose for which the federal funds were granted.

(b) The needs of the district in relationship to the needs of other districts.

(c) Any special and worthy programs conducted by the district not required by the plan or program approved by the board pursuant to Sections 39274 and 39275.

(d) The severity of air pollution within the district.

(e) Any other factors which the board reasonably determines should be considered.

39288. The board may review as it deems necessary the programs and expenditures by each air pollution control district receiving a subvention under this chapter to ascertain that the funds budgeted from nonstate sources are in fact being expended substantially in accordance with the budget on which the subvention was based. If the board finds that such are not being so expended, the board may do any of the following:

(a) Cease any further payments under the subvention.

(b) Withhold future subventions.

(c) Bring an action against the district or the counties or cities supporting the district to recover the subvention paid that fiscal year.

(d) Assume the powers of the district without further proceedings under other provisions of this part.

The board may allocate to itself sufficient moneys to conduct reviews authorized by this section.

39289. Any moneys not otherwise subvened or allocated by the board pursuant to this chapter may be used for supplemental subventions upon application up to a one-to-one matching basis or, in the board's discretion, for any other purpose related to the control of contaminants from nonvehicular sources. Matching supplemental subventions having unusual merit shall be given preference over expenditures for other purposes. In making supplemental subventions the board may consider federal grants received by the applicant and by other air pollution control districts.

39290. The board shall adopt such regulations as may be necessary or advisable to carry out the purposes and provisions of this chapter.

39291. Any moneys appropriated to the board for expenditure under this chapter not allocated during the fiscal year shall revert to the General Fund.

SEC. 2. Section 235 is added to the Revenue and Taxation Code, to read:

235. Equipment used to abate or control atmospheric pollution or contamination by removing, altering, disposing, or storing of pollutants, contaminants, or wastes, and which has been constructed, reconstructed, erected, acquired, or installed to meet air pollution control emission standards established by or pursuant to law, is exempt from property taxation for five years after the equipment is placed in operation.

SEC 3. Section 2 of this act shall become operative upon the effective date of a constitutional amendment authorizing such property tax exemptions.

SEC. 4. There is hereby appropriated for the fiscal year 1972–1973, from the General Fund to the State Air Resources Board, the sum of four million six hundred thousand dollars ($4,600,000) for the purposes of carrying out the provisions of Chapter 8 (commencing with Section 39280) of Part 1 of Division 26 of the Health and Safety Code.

SEC. 5. There is hereby appropriated for the fiscal year 1972–1973, from the General Fund to the State Air Resources Board, the sum of two million four hundred thousand dollars ($2,400,000) for the State Air Resources Board's nonvehicular programs This appropriation shall be reduced by the amount of any appropriation made from the General Fund in the Budget Act for fiscal year 1972–1973 for the State Air Resources Board's nonvehicular programs. Any appropriation in such Budget Act to the State Air Resources Board from the Motor Vehicle Account in the State Transportation Fund, shall be reduced by the amount by which the appropriation for the State Air Resources Board's nonvehicular programs is increased by this act

SEC 6 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Air pollution is widespread and affects the health of many people. Effective air pollution control has not been developed in some counties, in part due to lack of funds. This act will provide the lacking funds and should bring about, without further delay, effective air pollution control programs throughout the state."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out page 3

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2157—An act to add Section 2251 to the Fish and Game Code, relating to the importation of mammals

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "mammals", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, after line 25, insert

"SEC. 2. There is hereby appropriated a sum of _____ from the General Fund to the Department of Fish and Game to carry out the provisions of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 328—An act to amend Section 11552 of the Business and Professions Code, relating to subdivision maps.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 17, and insert

"(b) If any person who appeared at the proceedings below or any person on whom the advisory agency's action or recommendation would have an adverse effect is".

Amendment No. 2

On page 2, line 25, after the period, insert "Notice of the appeal shall be recorded in the office of the county recorder."

Amendment No. 3

On page 2, line 27, strike out "interested party", and insert "appellant".

Amendment No. 4

On page 3, lines 10 and 11, strike out "interested party", and insert "person who appeared in the proceedings below or any person on whom the appeal board's action would have an adverse effect".

Amendment No. 5

On page 3, line 19, strike out "interested party", and insert "appellant".

Amendment No. 6

On page 3, line 21, strike out "interested party", and insert "appellant".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1652—An act to amend Section 986 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2016—An act to amend Section 19955 of the Health and Safety Code, relating to public accommodations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 93—An act to add Section 39297.5 to the Health and Safety Code, relating to air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Environmental Quality, was read, and adopted:

Amendment No. 1

On page one, strike out lines 4 through 8, and on page two, strike out lines 1 through 4, and insert "mainland coast, no air pollution control district shall adopt regulations more stringent than those provided for in Chapter 10, Division 26, Health and Safety Code"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 645—An act to add Section 26440 to the Health and Safety Code, relating to food labeling.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, after "container", insert "or".

Amendment No. 2

On page 2, line 15, after the period, insert "This section shall not apply to canned foods, except foods intended for consumption by infants. This section shall not apply to foods which are packaged by the retailer on the premises where such foods are to be sold."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1872—An act to amend Section 5620 of, and to add Sections 5358.1 and 5358.5 to, the Welfare and Institutions Code, relating to mental health.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "to amend Section 5620 of, and".

Amendment No. 2

In line 2 of the title, after "to", strike out the comma

Amendment No. 3

On page 2, strike out lines 20 to 28, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2139—An act to amend Section 51238 of, and to add Section 51238 5 to, the Government Code, relating to the California Land Conservation Act of 1965.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, after "for", insert "free".

Amendment No. 2

On page 2, line 16, after the period, insert "The owner's agreement that his land be used for free, public recreation shall not be construed as an implied dedication to such use."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1426—An act to add Section 13969.1 to the Education Code and Section 20365 to the Government Code, relating to retirement.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2021—An act to amend Section 21155 of the Government Code, relating to retirement.

Bill read second time, and ordered to third reading

Assembly Bill No. 1358—An act to amend Section 31641.01 of the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2184—An act to amend Section 20009 1 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890.53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384 1 and 4212 of, and to repeal Section 42 5 of, the Civil Code, and to amend Section 416 70 of the Code of Civil Procedure, and to amend Sections 895 3, 5726, 5756, 5995 45, 6801, 6902, 6903, 8702, 16645 2, 23755 5, 25502 5, 25514 5, and 31231 of, and to repeal Article 5 (commencing with Section 5731) of Chapter 5 5 of Division 6 of, the Education Code, and to amend Sections 385, 8672, and 8827 5 of, and to repeal Section 3512 1 of, the Elections Code, and to amend Sections 8201, 8203.1, and 8203.7 of the

Government Code, and to amend Sections 249, 250 5, 263, 1402, 1451, and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698 4, 1698 5, 1700 33, 1700 34, and 4455 of, and to repeal Section 3080 5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203 45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Section 23102 of the Vehicle Code, and to amend Sections 504, 509, 529, 625, 631, 631 1, 781, 11263, 14005 4, 14005.6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate Bill was this day on the second reading file:

Senate Bill No. 328, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 953—An act to amend Sections 24331, 24332, 24333, 24335, and 24340 of the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 75—An act to amend Section 22 of Chapter 523 of the Statutes of 1867–1868, relating to public lands

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 22 of", and insert "add Section 22 5 to".

Amendment No. 2

On page 1, strike out lines 1 and 2, and in line 3, strike out "Section 22 Every", and insert

"SECTION 1. Section 22 5 is added to Chapter 523 of the Statutes of 1867–1868, to read.

Section 22 5. Notwithstanding the provisions of Section 22 of this act, if the unincorporated town is situated entirely within a state park, the".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 352—An act to add Sections 53859 and 53859 5 to the Government Code, relating to temporary borrowing and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted·

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "(Coauthor: Assemblyman Knox)", and insert "(Coauthor· Assemblyman Ray E Johnson)".

Amendment No. 2

In line 1 of the title, strike out "add Sections 53859 and 53859 5 to", and insert "amend Sections 53856 and 53858 of, and to add Section 53859 and to add and repeal Section 53859 5 to,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 53856 of the Government Code is amended to read·

53856. Any taxes, income, revenue, cash receipts, accrued accounts receivable ~~from state or federal governments for which funds have been committed or appropriated~~ or other moneys of the local agency, including moneys deposited in inactive or term deposits, may be pledged to the payment of the note or notes and the interest thereon, except, however, that no moneys which, when received by the local agency, will be encumbered for a special purpose may be pledged for the payment of the note or notes or the interest thereon unless an equivalent amount of the proceeds from said note or notes is set aside for and used for said special purpose. The note or notes and the interest thereon are a first lien upon and charge against the taxes, income, revenue, cash receipts, accrued accounts receivable ~~from state or federal governments for which funds have been committed and appropriated~~ or other moneys pledged for the payment thereof.

SEC 2. Section 53858 of the Government Code is amended to read:

53858. Notes shall not be issued pursuant to this article in any fiscal year in an amount which, when added to the interest payable thereon, shall exceed 85 percent of the estimated amount of the then uncollected taxes, income, revenue, cash receipts, accrued accounts receivable ~~from state or federal governments for which funds have been committed and appropriated~~ and other moneys of the local agency which will be available for the payment of said notes and the interest thereon; provided, however, that to the extent that any principal of or interest on such notes is secured by a pledge of the amount in any inactive or term deposit of the local agency, the term of which will terminate during said fiscal year, such principal and interest may be disregarded in computing said limit.

SEC 3 Section 53859 is added to the Government Code, to read:

53859 As used in this article, "accrued accounts receivable" shall mean moneys payable pursuant to an existing grant contract between the local agency and one or more federal or state agencies, the right to payment to be subject only to the right of the state or federal agencies to determine if the local agency shall have complied with all terms and conditions of the contract precedent to payment.

SEC. 4. Section 53859 5 is added to the Government Code, to read:

53859 5 Temporary borrowing may be made by local agencies solely on the security of accrued accounts receivable in which event notes issued hereunder shall, by their terms, be payable solely from the proceeds of such accounts receivable Such special obligations, notwithstanding any other provision of this article, may be in any amount not to exceed five hundred thousand dollars ($500,000) and may be made payable for any period of time up to 36 months from the date of issue. Interest on the notes shall be payable from the proceeds of the accounts receivable unless other funds are legally available for such purpose. Section 53857 shall not be applicable to any borrowing made pursuant to this section

The provisions of this section shall be applicable only to local agencies located within counties of the 43rd class and shall become inoperative 60 days after final adjournment of the 1973 Regular Session of the Legislature."

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and on page 2, strike out lines 1 to 12, inclusive.

Amendment No. 5

On page 2, line 13, strike out "SEC. 3", and insert "SEC. 5".

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1479—An act relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, May 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 1426
AB No 2021

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 17, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No 1358 AB No. 2016
AB No 1652 AB No 2184

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolutions Nos 66 and 85 for hearing in the Committee on Rules, on Thursday, May 18.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14 CONTINUED

Mr. Ralph was granted unanimous consent that his motion to reconsider the vote on Assembly Constitutional Amendment No. 14 be continued until the next legislative day.

RECESS

By unanimous consent, at 11 :19 a m , Speaker pro Tempore Bee declared the Assembly recessed until 11 .30 a.m.

REASSEMBLED

At 11 :30 a.m., the Assembly reconvened.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 459—An act to amend Section 790.03 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Chacon, Cline, Conrad, Deddeh, Dent, Duffy, Fenton, Fong, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Miller, Monagan, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—42.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 568—An act to add Section 25508 1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Chacon, Cline, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, Miller, Mobley, Monagan, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2045—An act to add Section 2549 to the Civil Code, relating to real property.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Biddle, Briggs, Brown, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, Mobley, Monagan, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 877, on request of Mr. Cory.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 688

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Water reports:

AB No 711

AB No. 906

With the recommendation. Do pass.

PORTER, Chairman

Above bills ordered to second reading

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Water reports:

AB No 1690

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 1119
AB No. 1121
AB No. 1185
AB No. 2001
AB No 2300

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 2002

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, May 16, 1972

Mr. Speaker · Your Committee on Planning and Land Use reports.

AB No. 2140

With amendments with the recommendation · Do pass, as amended, and be re-referred to the Committee on Ways and Means

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 2052

With author's amendments with the recommendation Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2052—An act to add Section 602.1 to the Penal Code, relating to barriers and gates.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly May 9, 1972, strike out lines 3 to 7, inclusive; and strike out all of page 2, and insert

"602 1. (a) Any person, whether or not employed by a public body or agency, who erects, maintains or retains the use of any single strand of cable, chain, wire, rope or similar device as a barrier to the entrance to or exit from a path, trail, road, or other entrance to any public lands or to any private lands adjacent to public lands shall attach to such barrier a warning sign of at least one foot by two feet exterior dimensions, the major portion of which shall be white, and shall inspect the barrier, and repair it if necessary, at least once every 12-month period

(b) Any person who violates this section is guilty of a misdemeanor

(c) Nothing in this section shall prohibit the erection, maintenance or retention of lawfully constructed, well-identified gates capable of being easily seen.

(d) This section applies only to barriers erected or replaced after its effective date."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 17, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 178

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 178—An act to amend Section 95 of the Labor Code, as amended by Chapter 701, Statutes 1971, and Section 830 3 of the Penal Code, as amended by Chapter 1695, Statutes 1971, relating to peace officers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Garcia", and insert "Assemblymen Garcia and Bill Greene".

Amendment No. 2

Strike out lines 1 to 3, inclusive, of the title, and insert "An act to amend Section 830 4 of the Penal Code, relating".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 830.4 of the Penal Code is amended to read:

830 4. (a) The following persons are peace officers while engaged in the performance of the duties of their respective employments:

(1) Security officers of the California State Police Division.

(2) The Sergeant at Arms of each house of the Legislature.

(3) Bailiffs of the Supreme Court and of the courts of appeal.

(4) Guards and messengers of the Treasurer's office

(5) The Director of the Department of Harbors and Watercraft and employees of such department designated by him pursuant to Section 71 2 of the Harbors and Navigation Code.

(6) Members of a state college police department appointed pursuant to Section 24651 of the Education Code.

(7) The hospital administrator of a state hospital under the jurisdiction of the Department of Mental Hygiene and police officers designated by him pursuant to Section 4312 of the Welfare and Institutions Code.

(8) Any railroad or steamboat company policeman commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code

(9) Persons designated by a cemetery authority pursuant to Section 8325 of the Health and Safety Code.

(10) Harbor policemen regularly employed and paid as such by a county, city, or district, and the port warden and special officers of the Harbor Department of the City of Los Angeles. However, notwithstanding the provisions of Section 171c, 171d, or 12027, such persons are not peace officers for purposes of such sections except when designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, as peace officers for such purposes

(11) Special officers of the Department of Airports of the City of Los Angeles commissioned by the city police commission.

(12) The chief of toll services, captains, lieutenants, and sergeants employed by the Department of Public Works on vehicular crossings pursuant to Chapter 13 (commencing with Section 23250) of Division 11 of the Vehicle Code

(13) Persons employed as members of a security patrol of a school district pursuant to Section 15832 of the Education Code

(14) Duly authorized federal employees, when they are engaged in enforcing applicable state or local laws on property owned or possessed by the United States government and with the written consent of the sheriff or the chief of police, respectively, in whose jurisdiction such property is situated.

(15) Security guards of the County of Los Angeles.

(b) The authority of any such peace officer extends to any place in the state as to a public offense committed or which there is probable cause to believe has been committed with respect to persons or property the protection of which is the immediate duty of such officer

(16) Security officers, station officers, traffic control officers, parking control checkers, animal control officers, animal license inspectors, and park rangers of the City of Los Angeles, while engaged in their regular duties as such."

Amendment No. 4

On page 1, strike out lines 2 to 12, inclusive; and strike out all of pages 2 through 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No. 889

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 889—An act to amend Sections 21102, 21103, 21104, 21105, 21107, 21150, and 21151 of, to add Section 21002 to, and to add Chapter 2 5 (commencing with Section 21060) to Division 13 of, the Public Resources Code, relating to environmental quality.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 21002", and insert "Sections 21002, 21103 5, 21108, 21152, and 21153".

Amendment No. 2

In line 3 of the title, after "21060)", insert "and Chapter 5 (commencing with Section 21160)".

Amendment No. 3

On page 3, line 2, strike out "means", and insert "includes".

Amendment No. 4

On page 3, line 4, after "regional", insert "agency".

Amendment No. 5

On page 3, line 26, after "certificate", insert a comma.

Amendment No. 6

On page 3, between lines 26 and 27, insert

"21066 "Person" includes any person, firm, association, organization, partnership, business trust, corporation company, district, county, city and county, city, town, the state, and any of the agencies and political subdivisions of such entities "

Amendment No. 7

On page 3, line 39, strike out "a"; strike out line 40, and on page 4, line 1, strike out "Section 21100", and insert "an environmental impact report.

Feasibility and planning studies exempted by this section from the preparation of an environmental impact report shall nevertheless include consideration of environmental factors"

Amendment No. 8

On page 4, line 7, strike out "coordinate the development of", and insert "develop proposed".

Amendment No. 9

On page 4, between lines 10 and 11, insert

"The Office of Planning and Research shall complete development of proposed objectives, criteria, and procedures no later than 90 days after the final adjournment of the 1972 Regular Session of the Legislature and shall immediately transmit such objectives, criteria, and procedures to the Council on Intergovernmental Relations for review and comment.

Within 60 days after their receipt, the Council on Intergovernmental Relations shall review the proposed objectives, criteria, and procedures and shall forward its comments to the Secretary of the Resources Agency.

Within 30 days after receipt of such comments, the Secretary of the Resources Agency shall, after making any changes he deems appropriate, formally adopt the objectives, criteria, and procedures and shall transmit them to all affected public agencies

The Secretary of the Resources Agency may provide for publication of a bulletin to provide public notice of proposed projects and environmental impact reports prepared in compliance with this division."

Amendment No. 10

On page 4, line 11, after "SEC 5 ", insert "Section 21103.5 is added to the Public Resources Code, to read.

21103.5. The Office of Planning and Research shall periodically review the objectives, criteria, and procedures and shall recommend proposed changes in the same manner as provided in Section 21103 for the adoption of the original objectives, criteria, and procedures

SEC. 6."

Amendment No. 11

On page 4, line 18, strike out "SEC 6", and insert

"SEC. 7".

Amendment No. 12

On page 4, line 26, after "public", insert "and shall be filed by the responsible state official with the appropriate local planning agency of any city, county, or city and county which will be affected by the project".

Amendment No. 13

On page 4, line 27, strike out "SEC 7", and insert "SEC. 8".

Amendment No. 14

On page 4, line 38, strike out "SEC 8", and insert

"SEC. 9 Section 21108 is added to the Public Resources Code, to read:

21108. If, on the basis of an initial study, a state agency, board, or commission finds and determines that a proposed project will not have a significant effect upon the environment, the environmental impact report prescribed by this division shall not be required.

SEC 10".

Amendment No. 15

On page 5, line 15, strike out "SEC. 9", and insert "SEC 11"

Amendment No. 16

On page 5, strike out lines 28 to 30, inclusive, and in line 31, strike out "pursuant to Section 21103"

Amendment No. 17

On page 5, after line 34, insert

"SEC. 12. Section 21152 is added to the Public Resources Code, to read

21152 If, on the basis of an initial study, a local agency finds and determines that a proposed project will not have a significant effect upon the environment, the environmental impact report prescribed by this division shall not be required.

SEC 13. Section 21153 is added to the Public Resources Code, to read·

21153 Prior to completing the environmental impact report every local agency shall consult with, and obtain comments from, any public agency which has jurisdiction by law or special expertise with respect to any environmental impact involved

SEC. 14. Chapter 5 (commencing with Section 21160) is added to Division 13 of the Public Resources Code, to read

CHAPTER 5. SUBMISSION OF INFORMATION

21160 Whenever any person applies to any public agency for a lease, permit, license, certificate, or other entitlement for use, the public agency may require that person to submit data and information which may be necessary to enable the public agency to prepare an environmental impact report

SEC 15 The Legislature finds and declares that Section 2 of this act is intended to clarify existing provisions of the Environmental Quality Act of 1970 and thereby to facilitate and to promote uniform administration of the Environmental Quality Act of 1970 throughout

the state. It is therefore the intent of the Legislature in enacting Section 2 of this act only to declare and to clarify existing law."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered.

Assembly Concurrent Resolution No. 86: By Assembyman Z'berg—Relative to off-highway vehicle fuel revenues.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 31 for hearing in the Committee on Employment and Public Employees today.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 974—An act to amend Sections 25210 11, 25210 13, and 25210.14 of the Government Code, relating to county service areas

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Lanterman was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer an amendment to Assembly Bill No 974 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 5, of the printed bill, after the semicolon, insert "provided that, proceedings under this subdivision shall be available only to the governing body of a city located in a county with less than four million population;".

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 653—An act to add Article 11 (commencing with Section 28060) to Chapter 5 of Division 12 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Mobley, Monagan, Pierson, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 966—An act to amend Sections 65563 and 65910 of the Government Code, relating to open-space plans, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 329—An act to add Sections 38743, 38744, and 38745 to the Government Code, relating to water service

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 329?

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly April 4, 1972, after "a", insert "monthly"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gon-

salves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 922—An act to amend Sections 18730 and 18731 of the Government Code, relating to state civil service, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 954—An act to amend Section 2 of Chapter 1423 of the Statutes of 1971, relating to financial support for the public schools, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, McCarthy, Mobley, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Badham, Cory, and Miller—3.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Badham, Cory, and Miller—3

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 566—An act to amend Section 5101 of the Civil Code, and to amend Section 244 of the Government Code, relating to residence

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 335—An act to amend Section 619 1 of the Revenue and Taxation Code, relating to property taxation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 942—An act to amend Section 6107 of the Commercial Code, relating to bulk transfers

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1628—An act relating to providing property tax remedies and assisting school districts in Merced County, making an apportionment therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacDonald MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley Sieroty Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1952—An act to amend Sections 2519 and 2519.5 of, to add Section 2520 to, and to repeal Section 2520 of, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman Lewis MacDonald MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter Powers, Priolo, Ralph, Russell, Ryan Seeley, Sieroty Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1380—An act to amend Section 11000 1 of the Business and Professions Code, relating to subdivision of lands.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly Biddle, Briggs, Brown, Burton, Chacon, Chappie Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1409—An act to amend Section 8353 of the Revenue and Taxation Code, and to amend Section 2103 of the Streets and Highways Code, relating to highway funds

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pier-

son, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1923—An act to amend Section 951, and to repeal Section 907, of the Streets and Highways Code, relating to county highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacDonald MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley Sieroty Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1996—An act to amend Section 2151 of the Streets and Highways Code, relating to street or road expenditures

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2146—An act to add Section 4733 5 to the Health and Safety Code, relating to County Sanitation Districts

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1262—An act to amend Section 24073 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2317—An act to amend Section 25007 of, and to add Section 25000 5 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1141—An act to add Section 760 1 to the Financial Code, relating to banking.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1645—An act to amend Sections 855, 1206, and 1383 of the Financial Code, relating to banking.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory,

Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 103—An act to amend Sections 6702, 7853, 8954, 10053, 30313, and 32383 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 188—An act to amend Sections 10500, 10503, 10504, 10652, 11520, 22705, 22853, and 22854 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pier-

son, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 17—An act to add Section 12804.5 to the Vehicle Code, relating to drivers' licenses

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood Z'berg and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 475—An act to amend Section 5470 of the Health and Safety Code, relating to sanitation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley Barnes, Bee, Belotti Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacDonald MacGillivray, Maddy, McAlister McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 281

Mr Brown was granted unanimous consent to take up Senate Bill No 281, without reference to file, for the purpose of consideration at this time.

Second Reading of Senate Bill No. 281 by Unanimous Consent

Senate Bill No. 281—An act making an appropriation to the Emergency Fund in augmentation of Item 79, Budget Act of 1971.

Bill read second time

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Brown

Resolved, That Senate Bill No. 281 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and

the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Majority Floor Leader Presiding

At 12·07 p m., Hon. Jack R Fenton, 51st District, presiding

Third Reading of Senate Bill No. 281

Senate Bill No. 281—An act making an appropriation to the Emergency Fund in augmentation of Item 79, Budget Act of 1971.

Bill read third time, and presented by Mr Brown

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill 281:

Governor's Office, Sacramento
February 28, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 281, "An act making an appropriation to the Emergency Fund in augmentation of Item 79, Budget Act of 1971,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 281 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey

Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1479

Mr. Barnes was granted unanimous consent to take up Senate Bill No. 1479, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Barnes:

Resolved, That Senate Bill No. 1479 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Senate Bill No. 1479

Senate Bill No. 1479—An act relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Barnes.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley,

Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Rush Order Placed Upon Printing of Assembly Bill No. 2366

Mr. Cory was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2366, and that the bill be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cullen was granted unanimous consent that the following reports, submitted by the California Information Systems Implementation Committee, pursuant to the provisions of Assembly Bill No. 1663, Chapter 1237, Statutes of 1971, be printed in the Journal:

California Information Systems Implementation Committee

Sacramento, February 4, 1972

Members of the Legislature
and
Governor Ronald Reagan

Dear Members and Governor Reagan: Under the provisions of Chapter 1237, Statutes of 1971, (AB 1663—MacDonald), a California Information Systems Implementation Committee is established for the specific purpose of formulating recommendations regarding the appropriate legislative and executive actions required to implement the state's electronic data processing (EDP) policies which are currently set forth in the Government Code (commencing with Section 11700). The committee is to begin its work immediately and will expire on June 30, 1972

Chapter 1237 also requires the submission of a report to the Legislature and the Governor on February 1, 1972 specifying the recommendations and procedures for implementing conclusions reached by the committee. Because of the length of the 1971 session, it has been determined that a letter describing the objectives and plans of the committee will be transmitted to fulfill the reporting requirements. The detailed report containing the recommendations and an implementation plan will be completed and submitted before June 30, 1972.

Joint Legislative-Executive Effort

For the first time the numerous problems associated with the effective statewide control, utilization and management of electronic data processing technology will be considered jointly by the Legislature and the administration through the California Information Systems Implementation Committee. This committee is composed of the chairmen of the Joint Legislative Budget Committee, the Joint Legislative Audit Committee, and the Assembly Committee on Efficiency and Cost Control, together with the Director of the Department of Finance and General Services, and the Governor or his designee (the Secretary of Business and Transportation).

The specific purposes of the committee can be summarized as follows:

1. Review existing EDP policies.
2. Develop an organization structure within state government which will provide for implementation of policies and plans and also encourage the utilization of EDP technology to meet the state's information requirements.
3. Develop a methodology to be used to determine the optimum development of the state's computer resources
4. Determine the necessary activities required to effectively operate state data processing installations.
5. Determine how to maximize EDP as a management tool.
6. Prepare a report designed to stimulate action.

The Current Environment

Numerous studies by the Legislature, administration and private consultants have identified the problems that exist and which will impede the state's use of modern computer technology during the 1970's. This environment can be described as follows:

1. A continued orientation to "departmental data processing" which encourages individual departments to develop plans for new information systems and the acquisition of electronic computers without consideration of the overall requirements of the state This has resulted in:
   a. Continued requests by individual departments to acquire computer hardware and develop department-oriented information systems Each attempt to integrate systems or control their acquisitions becomes a major confrontation with the requesting department.
   b. The lack of a standard approach to the design of information files makes an interchange of data between departments or retrieval of data by the Legislature and executive branch management costly and extremely difficult if not impossible.
   c. A lack of statewide standards in the operation of computer centers, with a resultant absence of compatibility in programming languages, file management systems, teleprocessing monitors and operating systems. This situation also limits the possibility for computer centers to absorb workload from other centers, serve as a backup or communicate with each other. Therefore, most centers operate at less than optimum efficiency.

2. There are no existing plans to develop a statewide data communications network to support the various state information systems (in operation or in the design stages) which will require extensive data communications capability.
3. Insufficient progress has been made toward the utilization of current state-of-the-art computer technology. The state should capitalize on such concepts as: the establishment of data bases with terminal access to this data from remote locations; the use of mini-computers for pre-processing and communications control; and the use of independent manufacturers' plug to plug compatible devices (disk devices. tape units, terminals, etc.) which can lower hardware cost significantly.

A Time for Action

We are convinced that the studies, research and the efforts of the past five years have brought the state to a level of awareness which can now be translated into a specific plan which will enhance the use of electronic data processing as well as provide significant dollar savings or an improved level of service or both.

Costs for EDP totaled $83 million in fiscal year 1971–72 A recent feasibility study to develop a consolidated EDP service center approach for fiscal and personnel functions revealed that without consolidation, agencies performing these functions would expend over a five-year period a total of $32,271,214 for EDP. Through the consolidated approach these agencies anticipate expending $28,523,510 or a savings of $4,747,704. This is just one example of the savings that can result from consolidation. Significantly improved information systems using modern EDP equipment are other benefits to be gained from consolidation.

We intend to develop recommendations which will have the backing of both the Legislature and the administration It is anticipated that these recommendations will include full consideration of the needs of all state users of EDP as well as the following major items.

Consolidation of Computer Resources

The existing 45 electronic computers currently operating in the executive branch (exclusive of the state colleges and the university) could be consolidated into from five to eight service centers These centers could be organized along agency or functional lines (such as for Law Enforcement) or both. To fully utilize the computer technology available today, these centers should be equipped with large scale electronic computers.

Data Base Approach

In order to provide required information for both legislative and executive decisionmaking, together with the routine production of reports and services to the public, the concept of utilizing multi-use data bases structured to facilitate the one-time collection and storage of data in common formats should be a part of any overall plan.

An Organizational Structure for EDP

The problem of how the state should be organized to best control, manage and utilize its EDP resources must be addressed by this committee. The logical alternatives available for consideration include:

1. A governmental unit structure to provide management of EDP consolidated centers together with a strong central EDP control and development unit in an existing state agency such as the Department of Finance.
2. A Department of Data Processing Services which would centralize all responsibility within one state organizational unit
3. A strong centralized EDP planning, evaluation, and control unit (with management audit authority) that would operate within the existing consolidation group structures.

Funding for Consolidation

The issue of providing sufficient funds to accomplish the conversion of existing departmental data processing systems to consolidated EDP service centers must be addressed. There is little doubt that consolidation will require a specific commitment from the Legislature and administration for additional funds.

Personnel Resources

The entire question of EDP personnel resources must be evaluated as a part of any major statewide consolidation effort. A salary and classification structure must be established to attract and retain the necessary EDP specialists The existing EDP training program to develop personnel must be enhanced and conducted on a statewide basis

These items and others will be further developed for presentation to the Legislature and the Governor before June 30, 1972.

Sincerely,

FRANK J. WALTON, Secretary
Business & Transportation Agency
VERNE ORR, Director
Department of Finance
FRANK E OLIVER
for LAWRENCE ROBINSON, JR, Director Department of General Services
STEPHEN P. TEALE, Chairman
California Information Systems Implementation Committee, and Joint Legislative Budget Committee
VINCENT THOMAS, Chairman
Joint Legislative Audit Committee
MIKE CULLEN, Chairman
Assembly Committee on Efficiency and Cost Control

Sacramento, May 17, 1972

Members of the Legislature
and
Governor Ronald Reagan

Dear Members and Governor Reagan· The California Information Systems Implementation Committee respectfully submits for your con-

sideration its second interim report together with a number of recommendations which we believe should become part of the Budget Bill of 1972.

Joint Legislative-Executive Committee

This committee is a joint legislative-executive body which was established by Chapter 1237 (Statutes of 1971). Its specific purpose is to formulate recommendations regarding appropriate legislative and executive actions required for implementing the state's electronic data processing policies as set forth in the Government Code.

In an interim report to all members of the Legislature and Governor Reagan on February 4, 1972, we stated that for the first time the numerous problems associated with the effective statewide control, utilization, and management of electronic data processing (EDP) technology will be considered jointly by the Legislature and the Administration through this committee We also called your attention to the fact that numerous studies by the Legislature, Administration and private consultants have identified the problems that exist and which will impede the state's use of modern computer technology during the 1970's.

After summarizing these problems, our report maintained that state officials had been brought to a level of awareness which could now be translated into a specific plan. A primary feature of any plan was to be, in our judgment, the establishment of from five to eight consolidated EDP service centers.

1971 Conference Committee (Budget Bill) Actions

As you will recall, the 1971 Conference Committee acted to eliminate budgetary support for the Office of Management Services because of a lack of progress in resolving the problems associated with electronic data processing. All the higher management positions were abolished and fifteen staff positions were transferred to the Department of Finance together with the responsibility for the control and coordination of EDP.

The 1971 Conference Committee also made numerous recommendations which were designed to hasten EDP consolidation and halt continued proliferation and misuse of departmental computers.

Following these actions, the exempt position of the State Data Processing Officer was authorized in the Department of Finance (also under Chapter 1237) and an EDP Control and Development Unit was established by the Director of Finance.

EDP Master Plan and Implementation Schedule Approved

The California Information Systems Implementation Committee has regularly met during 1972, and technical staff associated with each of the members have participated in all deliberations. It was agreed by the committee that the State Data Processing Officer would develop a Long-Range Master Plan and prepare an implementation schedule following the guidelines established in our February 4, 1972 report

This master plan has now been completed and was approved by Governor Ronald Reagan and his Cabinet in April 1972 The Information Systems Committee reviewed the plan and granted approval in May 1972.

Essentials of the EDP Master Plan

In preparing the plan, over 60 unconsolidated users of electronic data processing were identified by the Department of Finance. These users were being serviced by more than 25 separate computer installations throughout state government.

Consolidated Data Centers

The plan will establish five major consolidated data centers utilizing the principle of the computer utility. These centers are designated as follows:

Center	*Title*
I	Business and Services Center
II	Revenue Center
III	Human Relations Center
IV	Law Enforcement
V	State Colleges

These major data centers will use large-scale computers, provide backup capability, be capable of modular expansion and contraction, and will be linked to user departments by remote terminals and satellite mini-processors.

The Law Enforcement Center and State Colleges will continue to function under a structure that has received previous legislative and executive fiscal and organizational sanction. The remaining centers are slated for in-line upgrades to newer or expanded computers in order to achieve the projected cost reductions The initial phases of the plan will result in consolidation of computers, computer operations, and systems programming support.

Standard Operating Procedures

Each new consolidated data center will have a uniform organizational structure. The standard business programming language for all centers will be ANS COBOL, and uniform conventions for use in teleprocessing applications will be installed at all centers A state teleprocessing network will also be installed to serve all departments.

Legislation has been prepared which will authorize exempt data center directors to be appointed as required to provide technical leadership and management to each center, and revolving funds are proposed to facilitate the funding of the centers.

Common Data Bases

When consolidation of computers has been achieved, the benefits associated with common integrated data bases will be realized. The concept of the common data base is that each data element is maintained only once and is utilized by any computer program requiring that element. This approach will permit new or improved applications to be developed with fewer tasks, less time, and lower costs The data base approach also has the potential for more readily providing information for decisionmaking to legislative and executive agencies.

Cost Benefits To Be Achieved

This plan has been designed to achieve direct cost reduction and cost-avoidance totaling $185,000,000 in the next five years. These savings can be projected for the following reasons·

1. The data processing power per dollar invested increases significantly with larger computers.
2. Consolidated data centers permit a fuller and more efficient use of this resource
3. Improved management of consolidated data centers will occur because of the ability to more adequately organize, control, and operate five centers as compared to 25.
4. The cost of data processing support greatly exceeds the cost of computers and related devices Consolidation will result in fewer support personnel, greater productivity of programmers through use of advanced techniques, and reduced facility requirements
5. A significant reduction in the cost of data processing applications by the use of the data base approach, improved computers and storage devices, and faster installation of new applications (which themselves reduce state costs). The latter can occur because of a higher skilled staff which will be using improved techniques resulting in optimum use of both machine and personnel resources.

Conversion Plans

The immediate goal of this plan is to first convert to the Business and Services Center and the Revenue Center the computer programs now run on the decentralized computers slated for consolidation ·

This conversion effort must be completed as rapidly as possible in order to release existing computers and begin achieving savings from the rental payments on these machines Therefore, it is planned to request an augmentation to the budget which will be considered as "seed money" to facilitate this conversion and other related "start-up" projects.

Specific Recommendations

The above discussion is intended to provide sufficient information to support the recommendations which are summarized below

RECOMMENDATION NO 1—Revolving Funds

Four revolving funds are proposed to support the Business and Services, Revenue, Human Relations and Law Enforcement Consolidated Data Centers. The state colleges can continue to operate under their existing budgetary structure

These revolving funds will provide the fiscal mechanism needed to develop and operate the consolidated data centers This will be accomplished by amendments to AB 1251.

RECOMMENDATION NO. 2—Budget Bill Item Changes

Changes are recommended to all Budget Bill items which support data processing. Funds will be identified for (1) computer systems and other processing equipment on lease or to be purchased; (2) EDP site modification; and (3) personnel consisting of computer operations

management and supervision, computer operations, systems support personnel (software), and other positions considered to be a part of computer operations

These funds will be deducted from the appropriate categories of expenditure and reflected as a separately scheduled category of expenditures within the existing appropriation item under the title—"Consolidated Data Center".

RECOMMENDATION NO. 3—Control Language

Budget Bill control language is proposed to provide flexibility in the implementation of this program The Department of Finance is given the authority to transfer funds to the budget items supporting consolidated data centers as required to implement the approved plan.

The Joint Legislative Budget Committee is to be notified quarterly of all such transfers made under this section.

RECOMMENDATION NO 4—Budget Augmentation

A The Information Systems Committee unanimously endorses the request by the Administration that $4 7 million be appropriated in a new budget item These funds are to be used as the "seed money" for this consolidation plan and the funds will be applied to the two major new centers—Business and Services and Revenue Specifically, these funds will be allocated for (1) conversion of existing computer programs to the computers installed at each center; (2) to prepare the computer facilities required to house the consolidated data centers, and (3) for all other one-time expenses related to start-up operations which are not now budgeted in departmental budgets such as freight, magnetic tape and discs, and training.

The Department of Finance estimates that the funds required for this conversion will be recovered from savings within two years and returned to the General Fund

B In addition to the committee request for an augmentation of $4 7 million, Senator Teale, Assemblyman Cullen, and Assemblyman Thomas urge that an additional augmentation of $1 million be added to the Budget Bill in order that the Human Relations Center can also be activated during the 1972–73 fiscal year The Administration plan establishes this center but does not schedule any departments for conversion except the conversion of the Department of Human Resources Development (HRD) which is now in progress

The Legislative Analyst in his Analysis of the Budget Bill for Fiscal Year 1972–73 recommends the establishment of this center because of the acquisition by HRD of a large, new powerful and expandable computer system with federal funds It should be pointed out that this computer can absorb the computer workload of the Departments of Public Health, Mental Hygiene and part of the workload in Social Welfare The Senate Finance Committee adopted this recommendation and its version of the budget stipulates that an agency center be established on January 1, 1973.

Appended to this report is a justification prepared by the Legislative Analyst for the additional $1 million in augmentation funds It appears that this proposed expenditure would be recovered within two years

and generate savings of approximately $6 5 million over a five-year period. The total savings from an agency data center in the Human Relations Agency could be as high as $14 5 million over a five-year period if the assumptions made by the Legislative Analyst are used as a basis for planning.

It should be noted that the Auditor General has also been authorized by the Joint Legislative Audit Committee independent of this committee to study data processing operations in the Human Relations Agency. These findings should provide additional information relative to the consolidation plans for the HRA already proposed by the Administration and the Legislative Analyst Because the $1 million in conversion funds for the departments in the HRA is not available for expenditure until after December 1, 1972, it will be possible to modify the conversion schedule based on the Auditor General's findings, if this should become necessary.

RECOMMENDATION NO. 5—Section 4 Modification

This committee has evaluated the provisions of Section 4 of the Budget Bill and the accompanying Supplemental Report Language. Modification has been proposed which will retain the strong central control of data processing expenditures The proposed language now stipulates that the department directors must certify that criteria and procedures have been met, with final approval given to the Department of Finance. This will simplify the paperwork processing while maintaining central control and authority for approval of expenditures The Senate Finance Committee included the new Section 4 language in its version of the budget.

Additional detailed information on this EDP consolidation program is available upon request.

Once again, we urge your acceptance of these recommendations.

Sincerely,

FRANK J. WALTON, Secretary
Business & Transportation Agency

VERNE ORR, Director
Department of Finance

LAWRENCE ROBINSON, JR., Director
Department of General Services

STEPHEN P TEALE, Chairman
California Information Systems Implementation Committee, and Joint Legislative Budget Committee

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

MIKE CULLEN, Chairman
Assembly Committee on Efficiency and Cost Control

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 87: By Assemblyman Waxman —Approving an amendment to the Charter of the City of Culver City, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 87

Mr Waxman was granted unanimous consent to take up Assembly Concurrent Resolution No 87 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 87

Assembly Concurrent Resolution No. 87—Approving an amendment to the Charter of the City of Culver City, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Pierson, Porter, Powers Priolo Ralph Russell Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

Sacramento, California

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol Sacramento, California

Dear Mr Driscoll· Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the Charter of the City of Culver City.

Very truly yours,

HENRY A. WAXMAN

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 87).

CAUCUS ANNOUNCEMENTS

At 12·13 p m., Acting Speaker Fenton announced that there would be a Democratic Caucus immediately, in the Assembly Lounge.

COMMUNICATIONS

Assembly Chamber, May 17, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 564—An act to amend Sections 16018, 16128, 16301, 16330, 16331, 16333, 16334, 16335 1, 16336, 16338, and 16340

of, to add Section 16350.5 to, to add Chapter 9 (commencing with Section 16850) to Part 5 of Division 9 of, and to repeal and add Article 1 (commencing with Section 16320) to Chapter 3 of Part 4 of Division 9 of, the Water Code. relating to sewage services, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1484—An act to amend Sections 24212, 24354, and 39380 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 12:15 p.m., May 17, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

AB No. 946

AB No. 2004

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

McCARTHY, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

ACA No. 93

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

McCARTHY, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Committee on Governmental Organization

Assembly Chamber, May 11, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 1292

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent

RALPH, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 874

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 874—An act to amend Section 6319 of the Labor Code, relating to safety.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, after "party", insert a comma.

Amendment No. 2

On page 2, strike out lines 1 and 2, and insert "his representative, a report of investigation made of a complaint, excepting therefrom confidential information and trade secrets."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 1460

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1460—An act to add Chapter 2.2 (commencing with Section 980) to Part 3 of Division 2 of the Labor Code, relating to agricultural labor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "and Ray E. Johnson", and insert ", Ray E. Johnson, Ketchum, Stacey, and Seeley".

Amendment No. 2

On page 1, lines 6 and 7, strike out "the employer's workers and others", and insert "persons other than the employer's workers".

Amendment No. 3

On page 2, strike out lines 3 to 9, inclusive, and insert "residing in such areas. Therefore, it is the intent".

Amendment No. 4

On page 2, line 10, strike out the second "the"; and strike out line 11, and insert "persons who may not be involved in a labor dispute, and their families,".

Amendment No. 5

On page 2, strike out lines 21 to 25, inclusive, and insert "public upon which persons other than workers employed by such employer reside"

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 2142

AB No. 2252

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

MacDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2142—An act to repeal Chapter 10 (commencing with Section 3500) and Chapter 10.5 (commencing with Section 3525) of, and to add Chapter 10 (commencing with Section 3500) to, Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960), Part 7, Division 2 of the Labor Code, relating to public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 28, of the printed bill, strike out "It"; and strike out line 29, and insert "The Legislature declares that:".

Amendment No. 2

On page 4, line 13, strike out "act", and insert "chapter".

Amendment No. 3

On page 4, line 18, strike out "act", and insert "chapter".

Amendment No. 4

On page 8, line 20, strike out "act", and insert "chapter".

Amendment No. 5

On page 10, line 36, strike out "act", and insert "chapter".

Amendment No. 6

On page 13, line 29, after "Act", insert "(Chapter 9 (commencing with Section 54950) of Division 2 of Title 5)".

Amendment No. 7

On page 17, line 2, strike out the semicolon, and insert ", shall be inapplicable to the employer and employees covered by Public Utilities Code Sections 28850 and 28851,".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

Assembly Bill No. 2252—An act to repeal Article 5 (commencing with Section 13080) of Chapter 1 of Division 10 of Part 2 of the Education Code, Chapter 10 (commencing with Section 3500) and Chapter 10.5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code, and Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, and to add Chapter 10 (commencing with Section 3500) to Division 4 of Title 1 of Government Code, relating to public employees.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 16 of the printed bill, as amended in Assembly May 10, 1972, in line 22, after "Code", insert ", the San Francisco Bay Area Rapid Transit District Act of 1957, as codified in Sections 28850 and 28851 of the Public Utilities Code,".

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 88: By Assemblymen Vasconcellos, Chacon, Russell, and Ralph (Senators Carpenter, Grunsky, Petris, and Whetmore, coauthors)—Relative to the Joint Committee on Educational Goals and Evaluation.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Davis:

House Resolution No. 54

Relative to fish entrails

Resolved by the Assembly of the State of California, That the Members hereby request the Department of Fish and Game to study the feasibility of prohibiting the dumping of fish entrails in the reservoirs of this state which are used for domestic water supply; and be it further

Resolved, That the Department of Fish and Game report its findings and recommendations to the Assembly no later than the fifth calendar day of the 1973 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of the Department of Fish and Game.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 568.

Mr. Leroy F. Greene was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 653.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 1252, 929, and 401 were continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Desk be held open today for the purpose of receiving the message from the Senate relative to the Budget Bill, and that Mr. Brown will ask that the rules be temporarily suspended for the purpose of setting Senate Bill No 50 for hearing in the Committee on Ways and Means on Thursday, May 18.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:40 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

MESSAGES FROM THE SENATE

Senate Chamber, May 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 50

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 50—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Referred by the Acting Speaker to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 50 for hearing in the Committee on Ways and Means on Thursday, May 18.

ADJOURNMENT

At 5 04 p m. Acting Speaker Fenton declared the Assembly adjourned until 1 .30 p m., Thursday, May 18, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-sixth Legislative Day

One Hundred Thirty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 18, 1972

The Assembly met at 1·30 p m

Hon. Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Chappie moved a quorum call of the Assembly.

Motion carried Time, 1·32 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 1 50 p m., Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by the Honorable Paul Priolo, Member of the Assembly, 60th District:

Father, At the end of this legislative week we thank You for a variety of things, but especially we thank You for the men and women who believe in our nation and what it stands for; for those who see wrongs, but are willing to work within our system to correct them; for those who believe in peaceful and dignified means of promoting the cause of peace and justice. We thank You, Father, for cheerful and optimistic people to serve us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Speaker Moretti then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mrs. Davis, seconded by Mr MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Lanterman, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Collier, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton.
Mr. Karabian, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mr Collier on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 17, 1972, page 3299.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Robert G. Bezzant, Director of Public Works, Engineering Department, City of San Mateo, dated May 16, 1972, relative to state land grants in response to request for reports required by Section 6374, Public Resources Code. Referred by the Acting Speaker to the Committee on Planning and Land Use.

REPORTS

The following report was presented by the Speaker:

Report to Assembly on In-Service Training Programs for Private Facilities in Response to Assembly Concurrent Resolution 179, 1971 Regular Session. May 15, 1972.

Above transmitted report, together with letter of transmittal from J. M. Stubblebine, M.D., Director of Mental Hygiene, Sacramento, dated May 15, 1972, referred by the Acting Speaker to the Committee on Health.

The following report was presented by the Chief Clerk·

Bulletin No. 130-70. Hydrologic Data: 1970, Volume V: Southern California. March 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated May 16, 1972, referred by the Acting Speaker to the Committee on Water.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent Resolution No.	*Committee*
86	Transportation
88	Rules

Senate Bill No.	*Committee*
182	Elections and Reapportionment
878	Education
1007	Revenue and Taxation

RESOLUTIONS

The following resolution was offered:

By Assemblyman MacGillivray:

House Resolution No. 55

Relative to University of California parking fees

WHEREAS, Automobile parking on campus is a requisite for most students and employees of the University of California; and

WHEREAS, In the absence of state support of parking facility expenses, the university's policy is to recover the parking operation costs from parking fees; and

WHEREAS, Newspaper accounts suggest a substantial parking operation profit in 1970–1971 on one university campus and employees and students on other campuses question the extremely high parking charges, and

WHEREAS, It has not been the desire of the Legislature that the university's general operations be subsidized by revenues from student or employee parking fees; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Analyst be requested to audit the parking facility operations of the University of California; and be it further

Resolved, That the Legislative Analyst be requested to advise the Legislature as to the financial soundness of the university parking facility operations and whether employees or students may be subsidizing general program through excessive parking fees.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, May 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 974

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading

Assembly Chamber, May 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2043

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 620
AB No. 907
AB No. 1082
AB No 1308
AB No. 2149

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 1872

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 18, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 328
AB No. 645
AB No. 2139

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 18, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No 407	AB No 1369	AB No. 1642
AB No. 505	AB No 1396	AB No. 1687
AB No. 541	AB No 1431	AB No 1753
AB No 892	AB No 1450	AB No 1987
AB No. 1056	AB No 1452	AB No 1998
AB No 1074	AB No. 1474	AB No. 2050
AB No 1314	AB No. 1490	AB No. 2087
AB No. 1320	AB No. 1610	AB No 1895

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 960	AB No 1813	AB No. 2137
AB No 961	AB No 2074	AB No. 2164
AB No 1122		

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 18, 1972

Mr. Speaker. Your Committee on Revenue and Taxation reports:

AB No. 1179

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 1133

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

ACA No. 54

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports

AB No. 13

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SB No 203

With the recommendation: Do pass.

WAXMAN, Chairman

Above bill ordered to second reading

Committee on Retirement

Assembly Chamber, May 11, 1972

Mr. Speaker. Your Committee on Retirement reports

AB No. 123

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar

BARNES, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 215	AB No. 580	AB No. 791
AB No 299	AB No. 680	AB No. 1977
AB No 579	AB No 708	

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Ways and Means reports.

AB No. 190	AB No. 572	AB No. 983
AB No. 320	AB No. 625	AB No 1019
AB No. 513	AB No. 890	AB No 1368
AB No. 517	AB No 958	AB No. 1570

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Ways and Means reports.

AB No 1588
AB No 1691
AB No 1942

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker · Your Committee on Ways and Means reports:

ACR No 80

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 143
SB No. 377
SB No. 524

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1489
AB No. 1491

With the recommendation: That the bills be re-referred to the Committee on Retirement.

BROWN, Chairman

Above bills re-referred to the Committee on Retirement.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 666
AB No. 1061
AB No. 1737

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

ACA No. 77

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

BRATHWAITE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, May 18, 1972

Mr Speaker· Your Committee on Urban Development and Housing reports.

AB No. 165

With the recommendation· Do pass, and be re-referred to the Committee on Constitutional Amendments

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, May 18, 1972

Mr Speaker. Your Committee on Urban Development and Housing reports:

AB No 1041

With the recommendation: Do pass.

BRATHWAITE, Chairman

Above bill ordered to second reading

Assembly Chamber, May 18, 1972

Mr. Speaker Your Committee on Urban Development and Housing reports·

AB No 1281 AB No 1840
AB No 1839 AB No 1842

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BRATHWAITE, Chairman

Above bills ordered to second reading

Assembly Chamber, May 18, 1972

Mr Speaker Your Committee on Urban Development and Housing reports·

AB No 1698

With amendments with the recommendation Amend, and do pass, as amended

BRATHWAITE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker Your Committee on Urban Development and Housing reports

AB No 2032

With amendments with the recommendation Amend do pass as amended, and be re-referred to the Committee on Ways and Means

BRATHWAITE Chairman

Above bill ordered to second reading

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 2320

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Criminal Justice reports

AB No. 73

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Criminal Justice reports·

AB No. 1707

AB No. 1754

AB No. 2099

With the recommendation: Do pass

BEVERLY, Chairman

Above bills ordered to second reading.

Committee on Government Administration

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Government Administration reports:

AB No 1068

With amendments with the recommendation· Amend. do pass, as amended, and be re-referred to the Committee on Ways and Means

RUSSELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 16, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 918

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

RUSSELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 1611

With amendments with the recommendation: Amend, and do pass, as amended.

RUSSELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 2130

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with a Consent recommendation.

RUSSELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Government Administration reports:

SB No. 762

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1833

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1833—An act to amend Section 11475 of the Education Code, relating to average daily attendance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 11475", and insert "Sections 11475 and 11479".

Amendment No. 2

On page 1, line 3, strike out "pupils"; and strike out line 4, and insert "regularly enrolled students of a community college district in 13th-".

Amendment No. 3

On page 1, line 7, strike out "computing the"; and strike out lines 8 and 9.

Amendment No. 4

On page 2, line 1, strike out "a factor as determined", and insert "the weekly student contact hours as recorded for the fourth week of five or six consecutive schooldays each semester or quarter by statewide factors heretofore established".

Amendment No. 5

On page 2, line 3, strike out ", to represent the"; and strike out lines 4 to 9, inclusive, and insert ". The census day shall be Monday of the fourth week."

Amendment No. 6

On page 2, line 10, strike out "factor", and insert "factors".

Amendment No. 7

On page 2, line 13, strike out "pupils", and insert "students".

Amendment No. 8

On page 2, line 14, strike out "on Saturday may", and insert "in summer sessions of four weeks or more shall".

Amendment No. 9

On page 2, line 21, after "section", insert "using the following formula: multiply the sum of the weekly student contact hours in each class during the third week of the class by the number of weeks of the class and divide by 525. The census day shall be Monday of the third week."

Amendment No. 10

On page 2, after line 21, insert

SEC. 2. Section 11479 of the Education Code is amended to read:

11479. The units of average daily attendance of ~~pupils~~ *students*, including adults as defined in Section 5756, enrolled in summer ~~schools~~ *sessions of less than four weeks* shall be computed by dividing the total class hours of attendance by 525. *A summer quarter of a community college on a four-quarter system shall not be considered a summer session.*

~~The Department of Finance, in cooperation with the Board of Governors of the California Community Colleges, shall determine the census day or days and establish the factor or factors representing the relationship between class or contact hours and average daily attendance of students, including adults, enrolled in summer schools. The factor or factors shall be used in computing average daily attendance for apportionment of state funds commencing with summer school attendance for the next fiscal year after the establishment and approval of a~~

~~factor or factors by the Department of Finance. The average daily attendance shall be computed by multiplying the applicable factor or factors by the sum of the class or contact hours per week, multiplying the product so derived by the number of weeks, and dividing the resulting product by 525.~~

~~Any factor or factors established for such purposes shall be reviewed from time to time by the Department of Finance in cooperation with the Board of Governors of the California Community Colleges.~~

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Education reports·

AB No 1469

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1469—An act to amend Section 17601.1 of the Education Code, relating to attendance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "district", insert "and community college district".

Amendment No. 2

On page 3, line 6, strike out "first semester and the "second"; strike out lines 7 to 11, inclusive, and insert "summer session and the fall semester for semester system colleges, the summer and fall quarters for colleges on the three quarter system, and the summer and fall quarters for colleges on the four quarter system The "second period" shall be the "academic year" which is the summer session plus the first and second semester for semester system colleges, the summer session plus the first and second quarters for three quarter system colleges, and the summer, fall, and winter quarters for four quarter system colleges.

The "academic year" for three or four quarter system colleges is reported on the annual report and adjustments shall be made as set forth in the first paragraph of this section "

Amendment No. 3

On page 3, line 21, strike out ", and the average"; strike out lines 22, 23, and 24, and insert "for all classes of less than four weeks duration For summer sessions of four weeks or more, average daily attendance shall be computed as provided in Section 11475."

Amendment No. 4

On page 4, line 4, after "175", insert "for kindergarten and grades 1 to 12, inclusive. In community colleges, the divisor for contact hours of adult classes is 300 for the first period and 525 for the second period".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 814
AB No. 1633

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 814—An act to add Division 4 (commencing with Section 12500) to the Unemployment Insurance Code, relating to manpower development effectiveness programs, and making an appropriation therefor

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "and Arnett", and insert ", Arnett, Bagley, Brathwaite, Chacon, Dent, Duffy, Fong, Knox, Keysor, LaCoste, Maddy, Miller, Mobley, Ryan, Vasconcellos, and Warren

(Coauthors: Senators Burgener, Carpenter, Cusanovich, Dymally, Grunsky, Lagomarsino, Moscone, and Stiern)".

Amendment No. 2

On page 2, strike out line 8, and insert

"CHAPTER 1. POLICY

12500. The Legislature hereby finds and declares that there exists in this state a serious need to increase the effectiveness of manpower development programs For this purpose, the Legislature intends that the two pilot California Career Guidance Centers, established pursuant to this division, shall serve as regional manpower development resource centers, amply equipped to serve public and private agencies with modern occupational measurement and career guidance materials and a professional resource staff, oriented to the labor market characteristics of the area in which they are situated The Department of Education,

in cooperation and consultation with the agencies represented in the Career Guidance Center Advisory Committee, established pursuant to Section 12512, shall provide state level guidance and supervision to the two career guidance pilot projects.

The Legislature further intends that each guidance center study and recommend: (a) occupational testing programs, occupational curriculum designs, and occupational competency certification for jobs that young and adult students can enter from high schools, technical schools and colleges, community colleges, and employer personnel programs; and (b) fiscal accountability measures for occupational preparation programs.

CHAPTER 2. DEFINITIONS

12501. "Board" means State Board of Education.

12502 "Commission" means the Commission for Teacher Preparation and Licensing.

12503 "Department" means the Department of Education.

12504. "Guidance center" means a California career guidance center.

CHAPTER 3. CALIFORNIA CAREER GUIDANCE CENTERS

12510. Two pilot guidance centers shall be established, one located in the southern portion of this state and one located in the northern portion.

12511. The two guidance centers shall be established pursuant to guidelines adopted by the board pursuant to Section 12514.

12512 There is hereby established a Career Guidance Center Advisory Committee composed of representatives of the Department of Human Resources Development, the Office of the Chancellor of the California Community Colleges, the department, the commission, the Department of Industrial Relations, the Department of Consumer Affairs, the California Advisory Council on Vocational Education and Technical Training, and the State Personnel Board.

12513. The Superintendent of Public Instruction, or his designee, shall be the chairman of the Career Guidance Center Advisory Committee, and shall hold at least one public meeting of the committee per quarter.

12514. The Superintendent of Public Instruction, in consultation with the Career Guidance Center Advisory Committee, shall recommend guidelines for adoption by the board for the administration of this division. The board shall adopt guidelines which shall include, but not be limited to, criteria for selection of project sites, fiscal accountability, interagency contractual procedures, teacher credential review procedures, evaluation procedures, and overall program administration.

12515. Selection of the two guidance center sites shall be made by the board upon recommendation of the Superintendent of Public Instruction, after consultation with the Career Guidance Center Advisory Committee.

12516 To prospective public and private agencies and employers, local school and college district governing boards are authorized to re-

lease at their own discretion only the following career guidance information: (a) name, (b) permanent address, and (c) that board's issuance of a certificate, diploma, or degree relative to occupational competencies. Nothing shall prohibit local school and college district governing boards from releasing additional information, if specifically requested by the student. The board and the Board of Governors of the California Community Colleges are authorized to establish guidelines respecting this section.

12517. In administering this division, the board shall adopt guidelines, pursuant to Section 12514, regarding contractual procedures for specific public agency services, whereby:

(a) The department provides occupational analysis, testing, and competency information; fiscal accountability measurement information; career guidance information; in-service training information; student follow-up study information; occupational competency certification information; and information on guidance center relationships with local education and personnel agencies.

(b) The Department of Human Resources Development provides information cited in subdivision (a), labor market information, and placement information.

(c) The Office of the Chancellor of the California Community Colleges provides information cited in subdivision (a) and professional educator licensure preparation information on those degree programs, degree-equivalency programs, partial fulfillment procedure-programs, and programs permitting substitution of experience in lieu of academic degrees and programs, which can be applied to the career and personnel guidance field.

(d) The Department of Industrial Relations, including its member divisions, provides information cited in subdivision (a), informaton on the evaluation of work experiences relative to occupational competencies, and information as to how work experience education can be incorporated into on-the-job training programs.

(e) The Department of Consumer Affairs, including its member boards and commissions, provides information cited in subdivision (a), information on the evaluation of work experiences relative to occupational competencies, and information as to the feasibility of substituting experience in lieu of formal education required for licenses.

(f) The commission provides information cited in subdivision (c).

(g) The State Personnel Board provides information cited in subdivision (a).

(h) The California Advisory Council on Vocational Education and Technical Training provides information cited in any of subdivisions (a) to (e), inclusive

Nothing shall prohibit the above agencies from providing services in addition to those cited above.

All contracts pursuant to this section are public records and shall bear the following information: cost breakdown, with associated expenditures of public funds; time periods of the services rendered and products delivered; and the relationship of contracted services and products to those made available by the guidance centers.

12518. The Superintendent of Public Instruction shall appoint a local advisory committee for each guidance center. Each local advisory committee shall be composed of 10 members selected for their interest and abilities in the field of manpower development.

The local advisory committees shall, from time to time, make formal findings and recommendations regarding the operation of the career guidance center and shall report thereon to the Superintendent of Public Instruction.

CHAPTER 4. POWERS AND DUTIES

12520. A guidance center may exercise such powers as are necessary to carry out the provisions of this division, in accordance with guidelines adopted by the board, including, but not limited to, the formation and execution of contracts to employ staff and provide products and services pursuant to this division.

12521. A guidance center shall develop a planned program consisting of the following components:

(a) An inventory of career and personnel guidance measurement instruments for use in determining occupational interests, occupational aptitudes, occupational literacies, and occupational proficiencies, based upon both written and nonwritten instruments.

(b) An inventory of resource materials on preparation for occupational competencies. Using validated occupational analysis procedures, the guidance center shall develop a system of collecting and coordinating local, state, and national occupational information that results in data related to job and occupational availability and job and occupational competencies at entry, technician, and professional levels.

(c) An inventory and development of techniques and practices for standard and direct cost estimations of occupational preparation programs, including institutional, on-the-job, and home-study training.

(d) An inventory of effective career guidance practices as developed by both public and private educational and personnel agencies, and incorporate these into the model plan where feasible.

(e) The development of techniques and practices for in-service training of staff in educational and personnel agencies for effective use of materials and programs collected, identified, and developed by the guidance centers

(f) A study of the feasibility of certifying occupational competencies The guidance center shall make recommendations for certifying occupational competencies.

(g) The development of a procedure whereby students utilizing guidance center services shall be followed up on a periodic and systematic basis

(h) A study and report to the Career Guidance Center Advisory Committee by the fifth calendar day of January of each year on the need for the development of new credentials and licenses for career guidance and personnel guidance workers associated with guidance center related activities.

12522 A guidance center shall establish and publish a price and in-service training schedule for the use of the purchasers of the products and services, including but not limited to, the items specified in subdivisions (a) to (h), inclusive, of Section 12521.

CHAPTER 5. MISCELLANEOUS

12530. By the fifth calendar day of the 1973 Regular Session of the Legislature, the Superintendent of Public Instruction shall report to the Legislature on those guidelines adopted by the board pursuant to this division.

12531. The guidance centers shall be evaluated by the department, in cooperation and consultation with the Career Guidance Center Advisory Committee. The evaluation shall include, but not be limited to, the factors listed in Sections 12517 and 12521. The Superintendent of Public Instruction shall submit his evaluation to the Legislature by the fifth calendar day of the 1974 Regular Session.

SEC. 2. There is hereby appropriated from the General Fund the sum of five hundred thousand dollars ($500,000) to the Superintendent of Public Instruction, to be expended for the supervision and administration of career guidance centers established pursuant to Sections 12514 and 12515 of the Unemployment Insurance Code.

It is the intent of the Legislature that this amount be matched by an equal amount from federal funds available to the Department of Education and those agencies represented in the Career Guidance Center Advisory Committee, established pursuant to Section 12512 of the Unemployment Insurance Code."

Amendment No. 3

On page 2, strike out lines 10 to 15, inclusive; and strike out pages 3 to 11, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1633—An act to amend Section 6268.2 of the Education Code, relating to vocational education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6268 2 of", and insert "Sections 6268 2, 6268 6, 6268.7, 6268.8, 6268 10, 6268.12, 6268.14, 6268.15, 6268.16, 6268 20, and 6268.22 of, and to add Sections 6268.9, 6268.24, 6268 26, and 6268.28 to,".

Amendment No. 2

On page 1, line 4, after "vocational", insert "planning".

Amendment No. 3

On page 2, after line 5, insert

"SEC. 2. Section 6268.6 of the Education Code is amended to read:

6268.6. Each area vocational *planning* committee shall be composed of ~~18~~ *19* members, as follows: ~~three representatives~~

(a) Three members who shall be members of ~~the~~ governing boards of ~~junior~~ *community* college districts within the area; ~~three representatives~~

(b) Three members who shall be members of *governing boards of* school districts maintaining high schools within the area; ~~one~~

(c) One representative of the Department of Human Resources Development; ~~and five~~

(d) Five public members who, through knowledge and experience, are representative of ~~the industries~~ *business and industry, and labor organizations* in the area; ~~two~~ ;

(e) Three public members who, *through personal involvement and experience,* are knowledgeable about the disadvantaged. *At least one such member shall be representative of the private organizations concerned with manpower training programs or opportunity programs, or both, for the disadvantaged in the area* ; ~~three~~

(f) Three members representing private post-secondary educational institutions *within the area which have been* authorized or approved under the provisions of paragraph (2) of subdivision (a) ~~of~~, and subdivisions (b), (c), and (d) of, Section 29007, and ~~of~~ Section 29007 5; ~~and one person~~

(g) One member representing a county office of education within the ~~region~~ *area*

SEC 3 Section 6268 7 of the Education Code is amended to read:

6268 7. Each area *vocational planning* committee shall determine a system of membership rotation so that, after the first two years of operation *the terms of* approximately one-third of the ~~members~~ *committee membership* will ~~be replaced~~ *expire* each year *The term of appointment for each area vocational planning committee member shall extend for a period of three years.*

SEC 4. Section 6268 8 of the Education Code is amended to read

6268 8. The members of each area vocational *planning* committee shall be selected in the following manner·

(a) Each of the three ~~representatives~~ *members* of ~~the~~ governing boards of ~~local junior~~ *community* college districts within the area shall be selected by a majority ~~vote~~ of *the votes cast in an election by* the governing boards of ~~junior college~~ *community college districts* within the area *The governing board of each community college district within the area shall have one vote in each election*

(b) Each of the three ~~representatives~~ *members* of *governing boards of* school districts maintaining high schools within the area shall be selected by a majority ~~vote~~ of *the votes cast in an election by* the governing boards of school districts maintaining high schools within the area *The governing board of each school district maintaining high schools within the area shall have one vote in each election.*

(c) The representative of the Department of Human Resources Development shall be selected by the Director of *the Department of* Human Resources Development

(d) Each of the ~~seven~~ *eight* public members shall be selected jointly by the Director of *the Department of* Human Resources Development, the Director of Vocational Education, and the Chancellor of the California Community Colleges

(e) The representative of a county office of education shall be selected by a majority vote of the county superintendents of schools in the ~~region~~ *area*.

(f) Each of the three representatives of the private postsecondary educational institutions shall be selected by a majority of the votes cast in an election by the administrators of the private postsecondary educational institutions in the area Each private postsecondary educational institution administrator shall have one vote in the election for each representative. The election shall be conducted in a manner to insure that each representative shall be connected with a different private postsecondary educational institution in the area.

SEC. 5. Section 6268 9 is added to the Education Code to read

6268 9. Pursuant to Section 6268.22, provision shall be made for the election of alternate representatives, not to exceed two each for categories (a), (b), and (f) of Section 6268.6, at such time a selection takes place pursuant to Section 6268 8.

Vacancies in the committee membership shall be filled as follows: (a) the seating of an alternative representative, provided such person exists, or, lacking such alternate, (b) a selection for the appropriate category pursuant to Section 6268 8.

SEC. 6. Section 6268 10 of the Education Code is amended to read:

6268.10. Members of each area vocational *planning* committee shall serve without compensation, but they shall receive their actual and necessary traveling expenses in performing their duties under this article.

SEC. 7. Section 6268 12 of the Education Code is amended to read:

6268 12. Each area vocational *planning* committee shall, within two years following the initial meeting of the committee, develop and submit to the State Board of Education and to the Board of Governors of the California Community Colleges, and to any other appropriate policymaking body, an area master plan providing for maximum coordination between vocational, technical, adult, and continuation education agencies within the area, together with recommendations for the implementation of such master plan in the area

SEC. 8. Section 6268.14 of the Education Code is amended to read:

6268.14. Each area vocational *planning* committee shall ~~, no later than March 1, 1971,~~ *at the end of six months and one year following the committee's initial meeting, submit a* report *in each instance* to the State Board of Education, the Board of Governors of the California Community Colleges, and the California Advisory Council on Vocational Education and Technical Training on the progress of ~~each~~ *the* committee toward the development of a master plan, and the committee's recommendations on short-term improvement of existing vocational education programs.

~~The State Board of Education and the Board of Governors of the California Community Colleges shall report to the Legislature on the progress reports of the vocational education committees within 60 days after the board shall have received such reports.~~

SEC 9. Section 6268 15 of the Education Code is amended to read:

6268.15 Each area vocational *planning* committee shall arrange for at least one meeting each year for county superintendents of schools and superintendents of secondary and community college districts located in the area for the purpose of communicating progress toward the development of the area master plan and for the purpose of jointly planning vocational education opportunities as predicated upon employment projections within the area.

Copies of the minutes of such meetings shall be submitted to the Superintendent of Public Instruction and to the Chancellor of California Community Colleges

SEC 10. Section 6268 16 of the Education Code is amended to read:

6268 16. Within one year of the receipt of the area plans from each of the area vocational *planning* committees, the State Board of Education and the Board of Governors of the California Community Colleges, with the advice of the California Advisory Council on Vocational Education and Technical Training, shall develop and thereafter shall amend annually, the state master plan in accordance with area master plans.

SEC. 11. Section 6268 20 of the Education Code is amended to read:

6268 20. It is the intent of the Legislature in enacting this article that the area vocational *planning* committees formed hereunder, in forming their area master plans, shall give due consideration to all relevant planning efforts in the vocational area, both prior and concurrent, and to planning guidelines developed by the State Board of Education, the Board of Governors of the California Community Colleges, and the California Manpower Coordinating Committee.

SEC 12 Section 6268 22 of the Education Code is amended to read:

6268 22 It is the intent of the Legislature in enacting this article that *(1)* the ~~vocational education~~ staff of ~~both~~ the State Board of Education and the Board of Governors of the California Community Colleges *and (2) the Department of Human Resources Development*, through the coordination of the Director of ~~Vocational~~ Education, shall be responsible for its implementation and administration

SEC 13 Section 6268 24 is added to the Education Code, to read:

6268 24 Each area vocational planning committee shall make provision for local dissemination and response to the area vocational planning committee reports, as follows:

(a) The area vocational planning committee shall formally adopt its report to findings and recommendations, by majority vote of its membership, and shall immediately circulate the report to all agencies and organizations of each category prescribed in Section 6268 6 and to all other agencies and organizations requesting the report.

(b) Within 60 days of the receipt of the report, the governing boards of community college districts within the area, the governing boards of school districts maintaining high schools within the area, and the Department of Human Resources Development shall respond regarding acceptance and feasibility of implementing the recommendations

(c) The area vocational planning committee shall solicit from other parties in receipt of the report their responses regarding acceptance and feasibility of implementing the recommendations.

(d) Within 120 days of the adoption of the report, the area vocational planning committee shall report, pursuant to Section 6268.14, its evaluation regarding local acceptance of the committee findings and recommendations, acceptance by state agencies of the committee findings and recommendations, the nature and extent of participation by all those agencies and organizations of each category prescribed in Section 6268 6, and ways to improve committee effectiveness in the execution of the provisions of this article.

Pursuant to Section 6268 22, provisions shall be made for appropriate regulation for the implementation of this section.

SEC. 14. Section 6268.26 is added to the Education Code, to read:

6268.26. Each area vocational planning committee shall send a copy of its report to each local vocational education advisory committee within the area established pursuant to Section 6257. Each such committee shall advise its district governing boards regarding findings and recommendations of the area vocational planning committee report.

SEC. 15. Section 6268 28 is added to the Education Code, to read:

6268 28. Pursuant to Section 6268.22, provision shall be made for an evaluation of the effectiveness of the area vocational planning committees in their execution of the provisions of this article, as regards: (a) local acceptance of the findings and recommendations of the area vocational planning committees, (b) acceptance by state agencies of the findings and recommendations of the area vocational planning committees, (c) nature and extent of participation by all those agencies and organizations of each category prescribed in Section 6268 6, (d) recommendations for improving the effectiveness of the area vocational planning committees in the execution of the provisions of this article, (e) findings and recommendations regarding the capability of the area vocational planning committees for area master planning, and (f) the potential and capacity of the area vocational planning committees for supporting the development and maintenance of the state master plan for vocational and technical education pursuant to Section 6268.16."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 212

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 212—An act to amend Sections 5771, 5792, 6481.5, 6490, 6491, 6492, 6497, 6499.207, 6741, 7456, 7459, 11257, 11301, 11401, 11404, 17301, 17303.5, 17352, 17354, 17402, 17407, 17411, 17501, 17502,

17551, 17601, 17601 1, 18060, 18062, 18102.8, 18102.9, 18102 10, 18355, 18358, 18451, 18452, 18453, and 18455 of, to amend the heading of Chapter 3 (commencing with Section 17601) of Division 14 of, to amend the heading of Article 1 (commencing with Section 17601) of Chapter 3 of Division 14 of, to add Sections 5774.9, 5780 5, 5784 5, 5786 5, 6499 208, 6499.219, 6499 220, 6499.221, 11255, 17300 and 18102 to, to add Article 2 (commencing with Section 17651) and Article 3 (commencing with Section 17701) to Chapter 3 of Division 14 of, to add Article 1 (commencing with Section 20701), to Chapter 3 of Division 16 of, to add Chapter 3.5 (commencing with Section 20911) to Division 16 of, to repeal Sections 885 5, 5605, 5605 5, 5605 6, 5658, 5659, 5660, 5661, 5662, 5663, 5664, 6499.208, 6854, 6855, 6913 1, 11872, 13704, 14111, 16633, 16635, 16635 1, 16645 9, 17263. 17263 1, 17263 2, 17264, 17300, 17303, 17603.5, 17606, 17616, 18102, 18102.2, 18102.4, 18102 6, 25541.5, 25541.7, and 25542 of, to repeal Article 2 (commencing with Section 17651), Article 2 1 (commencing with Section 17671), Article 2.5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 6 (commencing with Section 17851), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8.5 (commencing with Section 17970) of Chapter 3 of Division 14 of, to repeal Article 3 (commencing with Section 20201) of Chapter 1 of Division 15 of, to repeal Article 1 (commencing with Section 20701), Article 2 (commencing with Section 20751), Article 3 (commencing with Section 20800) and Article 4 (commencing with Section 20851) of Chapter 3 of Division 16 of, and to repeal Chapter 3.5 (commencing with Section 20910) of Division 16 of, the Education Code, relating to the financial support of public education, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "6499.207,".

Amendment No. 1.5

In line 11 of the title, strike out "and", and insert a comma.

Amendment No. 2

In line 12 of the title, after "17701)", insert ", Article 4 (commencing with Section 17751), and Article 5 (commencing with Section 17801)".

Amendment No. 3

In line 17 of the title, strike out "5661,".

Amendment No. 4

In line 17 of the title, strike out "6854, 6855,".

Amendment No. 5

On page 10, strike out lines 35 and 36.

Amendment No. 6

On page 20, strike out lines 13 to 34, inclusive

Amendment No. 7

On page 23, strike out lines 11 and 12.

Amendment No. 8

On page 23, strike out lines 21 and 22.

Amendment No. 9

On page 38, strike out lines 17, 18, and 19, and insert "of this section, $_____ for the 1972–1973 fiscal year, $_____ for the 1973–1974 fiscal year, $_____ for the 1974–1975 fiscal year, and $_____ for the 1975–1976 fiscal year".

Amendment No. 10

On page 39, between lines 37 and 38, insert

"(e) Commencing with the 1975–1976 fiscal year, and fiscal years thereafter, the amounts specified in subdivisions (a) and (b) shall be increased or decreased, as the case may be, by the application of the Consumer Price Index for all items of the Bureau of Labor Statistics of the United States Department of Labor for the preceding fiscal year."

Amendment No. 11

On page 52 strike out lines 16 to 40, inclusive, on page 53, strike out lines 1 to 3, inclusive, and insert

"(a) For each unit of average daily attendance at the elementary level, he shall compute the amount of six hundred dollars ($600)

(b) For each unit of average daily attendance at the high school level, he shall compute the amount of seven hundred seventy-five dollars ($775)."

Amendment No. 12

On page 58, between lines 37 and 38, insert

"SEC. 77 5. Article 4 (commencing with Section 17751) is added to Chapter 3 of Division 14 of the Education Code, to read·

Article 4. Computation of Authorized Expenditure Increment Factor and Authorized Expenditure Level

17751. The authorized expenditure increment factor and the authorized expenditure level for school districts shall be computed pursuant to this article.

17752. For the purposes of this article:

(a) The "consumer price index" is the all items index computed by the United States Department of Labor for the calendar year preceding the fiscal year to which it applies.

(b) The "relative expenditure index" of a school district is the quotient of the district's expenditure per unit of average daily attendance for the prior fiscal year divided by the statewide average current expense of education for the particular category of school district.

(c) The "statewide average current expense of education" is the amount computed pursuant to this subdivision.

The Superintendent of Public Instruction shall determine for the preceding fiscal year the amount per unit of average daily attendance of the total of·

(1) State funds allocated as basic aid, equalization aid, and supplemental support for the 1972–1973 fiscal year, and thereafter state funds allocated to the district excluding funds for special education and state categorical aid

(2) Local property tax funds raised by district taxes for the 1972–1973 fiscal year and, for subsequent fiscal years, the tax actually levied by the district.

Such amount shall be increased for any district, for the 1972–1973 fiscal year, to reflect an override which was approved by the electorate for that year, but which was not actually levied

17753 For school districts with a relative expenditure index less than one, the authorized expenditure increment factor is the product of the consumer price index multiplied by the difference between three minus two times the relative expenditure index of the district.

17754 For school districts with a relative expenditure index which is equal to or greater than one, the authorized expenditure increment factor is the quotient of the consumer price index divided by the square of the relative expenditure index

17755 The authorized expenditure level of a school district is the level of expenditure per unit of average daily attendance for the preceding fiscal year multiplied by the authorized expenditure increment factor of the district

17756 The statewide average current expense of education and the district current expense of education excludes state and federal categorical aid funds, and allowances for special education, but includes funds allowed to a district pursuant to Public Law 81-874.

17757. Notwithstanding any other provision of law, a school district has an authorized expenditure increment factor of less than one, the district may exceed its authorized expenditure level upon the affirmative vote of a majority of the electors of the district voting at an election called for the purpose of determining a vote upon that proposition pursuant to Article I (commencing with Section 20701) of Chapter 3 of Division 16."

Amendment No. 13

On page 58, after line 40, insert

"SEC 78.5. Article 5 (commencing with Section 17801) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 5. Apportionments Based Upon School District Taxes

17801. The revenue limit of a school district is the authorized expenditure level multiplied by the average daily attendance of the district.

17802. The Superintendent of Public Instruction shall subtract from the revenue limit of the district the amount to be received from basic program support. The amount required to reach the revenue limit shall be raised by a local property tax, as specified in this article.

17803 The maximum tax rates per one hundred dollars ($100) of assessed valuation for school districts, except for a school district in which the electors have authorized a higher maximum under the provisions of Section 17757, are as follows:

Fiscal year	Elementary level	High school level
1973–1974	$1.00	$0.60
1974–1975	1.00	0 60
1975–1976	1.00	0.60

17804. The proceeds of the taxes levied pursuant to this article shall be deposited into the State School Property Tax Fund.

17805. The Superintendent of Public Instruction shall apportion to each school district which levies and collects a tax pursuant to this article, the amount per unit of average daily attendance set forth in the following table for each cent of tax levied by the district, up to the maximum rate set forth in Section 17803.

	Amount to be apportioned per cent per unit of average daily attendance	
Fiscal year	Elementary level	High school level
1973–1974	$3 50	$6.50
1974–1975	4.00	8.00
1975–1976	5.00	9.00

17806. Commencing with the 1976–1977 fiscal year, the Superintendent of Public Instruction shall adjust the amounts to be apportioned to fully distribute the additional funds available pursuant to Section 17301 in accordance with other applicable provisions of law."

Amendment No. 14

On page 73, strike out lines 39 and 40; strike out page 74; and on page 75, strike out line 1, and insert

"20706. Notwithstanding any other provision of law, after the effective date of this article, no tax may be levied and collected pursuant to any provision authorizing an increase in the maximum rate of school district taxes except pursuant to Sections 1835, 5661, 6854, 6855, 15518, 19443, 19619, and 20812."

Amendment No. 15

On page 75, line 22, strike out ", commencing with the 1973–1974 fiscal year,".

Amendment No. 16

On page 75, line 27, strike out "for"; strike out lines 28 to 35, inclusive, and insert "at the following rates per each one hundred dollars ($100) of assessed valuation:

At the elementary level $1 40
At the high school level 1.10".

Amendment No. 17

On page 76, strike out lines 3 to 8, inclusive.

Amendment No. 18

On page 79, strike out lines 18 and 19, and insert

"SEC 111. There is hereby appropriated from the General Fund in the State Treasury to the Superintendent of Public Instruction the sum of one hundred million dollars ($100,000,000) for the purposes of Chapter 6 8 (commencing with Section 6499 200) of Division 6 of the Education Code."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports.

AB No. 1009

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1009—An act to add Chapter 3 5 (commencing with Section 55550) to Part 2 of Division 2 of Title 5 of the Government Code, relating to districts and public utilities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, between lines 3 and 4, insert

"CHAPTER 3 5 DISTRICT AND PUBLIC UTILITY RATE INCREASES"

Amendment No. 2

On page 1, line 4, strike out "It is the policy of this state that every", and insert "Every".

Amendment No. 3

On page 1, line 6, after "services", insert "shall".

Amendment No. 4

On page 2, line 5, strike out "should", and insert "shall".

Amendment No. 5

On page 2, line 8, strike out "should", and insert "shall".

Amendment No. 6

On page 2, line 9, strike out "should", and insert "shall".

Amendment No. 7

On page 2, line 14, after the period, insert "No such rate increase shall become effective unless and until the requirements for providing notice contained in this section have been satisfied "

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 1783

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1783—An act to amend Section 8836 4 of the Fish and Game Code, relating to trawlnets.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 8836 4", and insert "add Article 14 (commencing with Section 8500) to Chapter 2 of Part 3 of Division 6"

Amendment No. 2

In line 2 of the title, strike out "trawlnets", and insert "invertebrates".

Amendment No. 3

On page 1, strike out lines 1 to 12, inclusive; and strike out page 2, and insert

"SECTION 1. Article 14 (commencing with Section 8500) is added to Chapter 2 of Part 3 of Division 6 of the Fish and Game Code, to read:

Article 14. Tidal Invertebrates

8500 No mollusks, crustaceans, or other invertebrates may be taken for commercial purposes in any tide pool or tidal area, including tide flats or other areas between the high tide mark and 1,000 feet beyond the low tide mark, without a revocable permit issued by the department. The taking of mollusks, crustaceans, or other invertebrates pursuant to this section shall be under such regulations as the commission shall prescribe, which shall be consistent with the provisions of this division "

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

SB No. 5

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 5—An act to add Title 7 3 (commencing with Section 66700) to the Government Code, and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate April 25, 1972, strike out "Senator Nejedly", and insert "Senators Nejedly, Rodda, Lagomarsino, Stevens, Carrell, Richardson, Schrade, Alquist, Cusanovich, Kennick, Carpenter, Whetmore, Way, Short, Grunsky, Moscone, Collier, Holmdahl, Behr, Dills, Marler, Stiern, Burgener, Deukmejian, Gregorio, Roberti, Marks, Beilenson, Zenovich, Petris, Coombs, and Teale (Coauthors: Assemblymen Z'berg, Moretti, LaCoste, Arnett, Barnes, Belotti, Brown, Campbell, Chacon, Davis, Dent, Dunlap, Fenton, Fong, Gonsalves, Hayes, Karabian, Keysor, Porter, Priolo, Sieroty, Thomas, Townsend, Warren, and Wood)".

Amendment No. 2

On page 6, between lines 19 and 20, insert

"(h) The right to operate a disposal site found by the State Water Resources Control Board to be adequately regulated by another governmental agency under subdivision (b) of Section 14020 of the Water Code."

Amendment No. 3

On page 9, line 8, strike out "19", and insert "25".

Amendment No. 4

On page 9, line 17, strike out "Three", and insert "Six".

Amendment No. 5

On page 9, line 18, strike out "container industry", and insert "glass, can, paper, and chemical industries".

Amendment No. 6

On page 9, line 20, after "(7)", insert "Three representatives of the agriculture and timber industries.

(8)".

Amendment No. 7

On page 9, line 22, strike out "(8)", and insert "(9)".

Amendment No. 8

On page 9, line 23, strike out "(9)", and insert "(10)".

Amendment No. 9

On page 9, line 24, strike out "(10)", and insert "(11)".

Amendment No. 10

On page 10, between lines 11 and 12, insert

"(f) Providing advice and assistance to the board in connection with the study by the board of the nature, extent, and methods of reducing and controlling the litter problem statewide."

Amendment No. 11

On page 10, line 27, strike out "1974", and insert "1975".

Amendment No. 12

On page 11, line 36, after "regional", insert "or subregional".

Amendment No. 13

On page 12, line 7, strike out "1975", and insert "1976".

Amendment No. 14

On page 12, line 9, after the period, insert "Where appropriate such plans may include elements providing for subregional solid waste management covering more than one county or parts thereof Such plans shall not supersede plans of any local jurisdiction unless there is agreement by all parties concerned."

Amendment No. 15

On page 15, line 4, strike out "1974", and insert "1975".

Amendment No. 16

On page 15, line 14, strike out "January", and insert "July".

Amendment No. 17

On page 16, line 39, strike out "1974", and insert "1975".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No 548

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 548—An act to amend Section 26806 of the Government Code, relating to court translators.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Arnett", and insert "Assemblymen Arnett and Garcia"

Amendment No. 2

On page 2, line 9, strike out ", and to"; strike out lines 10 to 18, inclusive; and in line 19, strike out "(b)", and insert

"(b) In counties having a population of which 5 percent or more speak the same foreign language, according to the latest official United States Census Bureau Population Statistics, the county clerk shall employ at least one interpreter-translator, fluent in the foreign language spoken and in English, in each judicial district of the superior, municipal and justice courts within the county The employment need not, however, be full time where the need does not so justify, so long as the interpreter is actually available when needed and his part-time availability does not result in injury to the non-English-speaking person

(c) To ensure that only fully qualified interpreters are employed, prior to employment each foreign language interpreter shall have passed an examination, given by the employing office, designed to measure the applicant's competence both in English and in the foreign language in which he will be interpreting No educational prerequisites or testing or evaluation methods not significantly related to actual job requirements may be required or used "

Amendment No. 3

On page 2, line 24, strike out "(c)", and insert "(d)".

Amendment No. 4

On page 2, line 35, strike out "(d)", and insert "(e)"

Amendment No. 5

On page 3, line 12, strike out "(f)", and insert "(g)".

Amendment No. 6

On page 3, line 13, strike out "(e)", and insert "(f)".

Amendment No. 7

On page 3, line 16, strike out "(d)", and insert "(e)".

Amendment No. 8

On page 3, line 21, strike out "(f)", and insert "(g)".

Amendment No. 9

On page 3, line 25, after "proceeding", insert "or for recordation in the county recorder's office"

Amendment No. 10

On page 3, line 26, strike out "(d)", and insert "(e)".

Amendment No. 11

On page 3, after line 36, insert

"(h) In any county where the responsibility for employing and assigning foreign language interpreters is placed in a person or office other than the county clerk, that person or office may continue to carry out this function and the duties imposed upon the county clerk by the provisions of this section shall apply equally to such a person or office"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 17, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

AB No 1459

AB No 284

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1459—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and insert "State Hospital, until such time as:"

Amendment No. 2

On page 2, strike out lines 21 to 34, inclusive, and insert "following needs of patients and residents, as defined in Article 4 (commencing with Section 540) of subchapter 3 of Chapter 1 of Title 9 of the California Administrative Code

A Crisis intervention

B Inpatient services intensive

C Inpatient services: subacute care for persons requiring extended inpatient care but not in an intensive psychiatric or medical milieu, as part of an overall plan for community placement or outpatient care and rehabilitation

D Outreach services, with counseling support to families, surrogate families, as well as to the mentally ill in the community as opposed to in clinical settings

E Community mental health therapeutic programs, including occupational and recreational therapy.

F Rehabilitative programs of a vocational nature

G Medication renewal, with provision for consistent monitoring and reevaluation of medication

H Outpatient counseling and psychiatric services available to patients in geographic locations accessible to them

I. Training and consultation services to operators of out-of-home care facilities.

J. Children's services· the full range thereof, with a view to the special needs of children."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 284—An act to amend Sections 5115 and 5116 of the Welfare and Institutions Code, relating to facilities for the mentally and physically handicapped

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "MacDonald", and insert "Duffy".

Amendment No. 2

Strike out line 2 of the heading

Amendment No. 3

In line 1 of the title, strike out "Sections 5115 and 5116", and insert "Section 5120".

Amendment No. 4

In line 3 of the title, after "handicapped", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 1, line 1, strike out "5115", and insert "5120".

Amendment No. 6

On page 1, between lines 2 and 3, insert

"5120. It is the policy of this state as declared and established in this act and in the Lanterman-Petris-Short Act that the care and treatment of mental patients be provided in the local community In order to achieve uniform statewide implementation of the policies of this act, it is necessary to establish the statewide policy that, *notwithstanding any other provision of law, no city or county shall discriminate in the enactment, enforcement, or administration of any zoning laws, or-*

dinances, or rules and regulations between the use of property for the treatment of general hospital *or nursing home* patients ~~may also be used~~ *and the use of property* for the psychiatric care and treatment of patients, both inpatient and outpatient

~~Inpatient~~ *Health facilities for inpatient* and outpatient psychiatric care and treatment shall be permitted in any area zoned for hospitals *or nursing homes, or in which hospitals and nursing homes are permitted by conditional use permit .*

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Unless health facilities which care for and treat mental patients are immediately treated on the same basis as other health facilities with respect to zoning, it will be impossible to provide for the care and treatment of mental patients in their local communities."

Amendment No. 7

On page 1, strike out lines 3 to 7, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 17, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No. 742

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 742—An act to amend Section 13303 of, and to repeal Section 14027 of, the Water Code, to add Section 54740 to the Government Code, and to repeal Sections 4766 5 and 6523.01 of the Health and Safety Code, relating to water quality.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13303 of, and to repeal Section 14027", and insert "Sections 13164 and 13303 of, to add Section 13171 to, and to repeal Section 14027 and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7".

Amendment No. 2

On page 2, line 1, after "SECTION 1 ", insert "Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of the Water Code is repealed.

SEC. 2. Section 13164 of the Water Code is amended to read:

13164. The state board shall formulate, adopt and revise general procedures for the formulation, adoption and implementation by regional boards of water quality control plans During the process of formulating or revising such procedures, the state board shall consult with and evaluate the recommendations of any affected regional boards ~~and may seek the advice of the Water Quality Advisory Committee~~.

SEC 3. Section 13171 is added to the Water Code, to read:

13171. The state board may establish a Water Quality Coordinating Committee, consisting of at least one member of each of the nine regional boards, to assist the state board in carrying out its responsibilities in water quality control.

SEC. 4."

Amendment No. 3

On page 2, line 10, strike out "SEC 2", and insert "SEC. 5".

Amendment No. 4

On page 2, line 19, strike out "SEC 3", and insert "SEC 6".

Amendment No. 5

On page 2, line 34, strike out, "SEC. 4", and insert "SEC. 7".

Amendment No. 6

On page 3, line 17, strike out "SEC 5", and insert "SEC 8

Set No. 2

Amendment No. 1

On page 3 of the printed bill, after line 33, insert

"SEC 9 The provisions of Sections 13416 and 13418 of the Water Code shall not apply to any loan to the Isla Vista Sanitary District pursuant to the provisions of Chapter 6 (commencing with Section 13400) of Division 7 of the Water Code "

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 18, 1972

Mr Speaker The Chairman of your Committee on Revenue and Taxation reports·

AB No 1382

AB No 1738

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1382—An act to amend Section 17530 5 to the Business and Professions Code, relating to income tax return preparation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 17530.5", and insert "add Section 17530 6".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 17530 6 is added to the Business and Professions Code, to read·

17530.6 (a) It is a misdemeanor for any person, including any individual, firm, corporation, association, partnership, joint venture, or any employee or agent therefor, to fail to sign any state income tax return, or to fail to include his name, address, and social security number on any state income tax return, which he prepares for another for compensation, or which he assists another in the preparation of for compensation

(b) Any person, including any individual, firm, corporation, association, partnership, joint venture, or any employee or agent therefor, who is guilty of negligence in the preparation of any federal or state income tax return for another for compensation, or in assisting another for compensation in the preparation of such a return, shall be liable in the amount of three times the amount of actual damages sustained as a result of such negligence This subdivision shall not apply to any person licensed pursuant to this code when the preparation or assisting others in the preparation of income tax returns falls within the scope of activities authorized by such license "

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1738—An act to amend Sections 218 and 255 5 of the Revenue and Taxation Code, relating to property taxation

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill after line 15, insert

"SEC. 3 Public assistance grants shall not be reduced as a result of the provisions of this act

SEC. 4 Sections 1 and 3 of this act shall become operative only if Assembly Bill No 1000 of the 1972 Regular Session is not enacted into law "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 2186

With author's amendments with the recommendation Amend, and refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2186—An act to amend Sections 16431 and 20022 of, and to add Section 13927 to, the Government Code, relating to the Public Employees' Retirement System

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Barnes", and insert "Assemblymen Barnes and MacDonald"

Amendment No. 2

In line 1 of the title, strike out "and 20022 of," and insert ", 20022, and 53609 of ".

Amendment No. 3

In line 2 of the title after the first comma insert "to add Chapter 8 (commencing with Section 18310) to Part 1 of Division 5 of Title 2 of, and to add Article 11 (commencing with Section 53212) to Chapter 2 of Part 1 of Division 2 of Title 5 of,"

Amendment No. 4

In lines 2 and 3 of the title strike out " the Public Employees' Retirement System", and insert "deferred compensation".

Amendment No. 5

On page 1, line 4, strike out "16431", and insert "18310 or 53213".

Amendment No. 6

On page 2, between lines 19 and 20, insert

"Deferred compensation funds are public pension or retirement funds for the purposes of Section 13 of Article XII of the Constitution "

Amendment No. 7

On page 2, line 20, after the period, insert "Chapter 8 (commencing with Section 18310) is added to Part 1 of Division 5 of Title 2 of the Government Code, to read:

CHAPTER 8. DEFERRED COMPENSATION

18310. Each state agency, with the approval of the State Board of Control, may establish for its officers and employees a deferred compensation plan which meets the requirements of Section _____ of the Internal Revenue Code of the United States. Participation in such plan shall be by written agreement between such officers and employees and the state agency which shall provide for deferral of a portion of such officers' or employees' wages Officers and employees of any state agency having a deferred compensation plan may authorize deductions to be made from their wages for the purpose of participating in such deferred compensation plan.

SEC. 4."

Amendment No. 8

On page 3 after line 6, insert

"SEC 5 Article 1 1 (commencing with Section 53212) is added to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

Article 1.1. Deferred Compensation

53212 As used in this article, "local agency" means a county, city, public district, or any public or municipal corporation

53213 Each local agency, with the approval of the State Board of Control, may establish for its officers and employees a deferred compensation plan which meets the requirements of Section _____ of the Internal Revenue Code of the United States Participation in such plan shall be by written agreement between such officers and employees and the governing body of the local agency which shall provide for deferral of a portion of such officers' or employees' wages Officers and employees of any local agency having a deferred compensation plan may authorize deductions to be made from their wages for the purpose of participating in such deferred compensation plan

SEC. 6 Section 53609 of the Government Code is amended to read

53609 Notwithstanding the provisions of this chapter or any other provisions of this code, funds held by a local agency pursuant to a written agreement between the agency and employees of the agency to defer a portion of the compensation otherwise receivable by the agency's employees and pursuant to a plan for such deferral as adopted by the governing body of the agency *and approved by the State Board of Control*, may be invested in the types of investments set forth in Section 53601 and 53602 of this code, and may additionally be invested in corporate stocks, bonds, and securities, mutual funds, savings and loan accounts, credit union accounts, annuities, mortgages, deeds of trust, or other security interests in real or personal property Nothing herein shall be construed to permit any type of investment prohibited by the Constitution

Deferred compensation funds are public pension or retirement funds for the purposes of Section 13 of Article XII of the Constitution "

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1040

AB No 1598

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1040—An act to add Sections 37042, 37043, and 37044 to the Health and Safety Code, relating to relocation assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 37042, 37043, and 37044", and insert "amend Sections 7267 8 and 7268 of the Government Code, and to add Section 37042".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 7267 8 of the Government Code is amended to read

7267 8 (a) Except as provided in subdivision (b), payments under the provisions of this chapter shall be made to eligible persons in accordance with such rules and regulations as shall be adopted by the ~~State Board of Control~~ *Commission of Housing and Community Development* ~~for property acquisitions by a state agency, or the governing body of any other public entity, for property acquisitions by such entity~~ *All state agencies shall administer relocation assistance in accordance with the rules and regulations adopted by the Commission of Housing and Community Development.*

~~(b) Payments under the provisions of this chapter by the Department of Public Works for property acquisitions shall be in accordance with such rules and regulations as shall be adopted by the department.~~

~~(c) Such regulations shall provide that the payments and assistance required of a public entity under this chapter shall be administered in a manner that is fair and reasonable and as uniform as practicable. The regulations shall also provide that the payments shall be made as promptly as possible or, in hardship cases, in advance. In addition, the regulations shall provide a reasonable mileage limitation in determining the actual and reasonable expense in moving a business for purposes of Section 7262.~~

(b) All public entities, other than state agencies, may elect to make payments for property acquisitions and administer relocation assistance in accordance with the rules and regulations adopted by the Commission of Housing and Community Development

SEC. 2. Section 7268 of the Government Code is amended to read:

7268 ~~The State Board of Control is authorized to adopt rules and regulations to implement payments under this chapter by state agencies other than the Department of Public Works. The Department of Public Works is authorized to adopt rules and regulations to implement payments under this chapter by it. The governing bodies of other public entities are authorized to adopt rules and regulations to implement payments under this chapter by such entities.~~ *(a) The Commission of Housing and Community Development shall adopt rules and regulations for the implementation of payments under this chapter and for the uniform administration of relocation assistance by public entities carrying out the provisions of this chapter.*

(b) The Commission of Housing and Community Development shall conform such rules and regulations to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and the rules and regulations promulgated pursuant thereto.

(c) Such rules and regulations shall provide that the payments and assistance required of a public entity under this chapter shall be administered in a manner that is fair and reasonable and as uniform as practicable. The regulations shall also provide that the payments shall be made as promptly as possible or, in hardship cases, in advance In addition, such rules and regulations shall provide a reasonable mileage limitation in determining the actual and reasonable expense in moving a business for purposes of Section 7262

(d) In adopting such rules and regulations the Commission of Housing and Community Development shall seek the advice of public entities carrying out the provisions of this chapter.

(e) All public entites, other than state agencies, are authorized to adopt rules and regulations to implement payments and to administer relocation assistance under this chapter.

SEC. 3. Section 37042 is added to the Health and Safety Code, to read:

37042. The commission shall exercise the powers and duties relating to relocation assistance by public entities pursuant to the provisions of Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code.

SEC 4 The Legislature intends that the provisions of this act shall aid in the uniform administration of relocation assistance by public entities throughout this state.

SEC. 5. This act shall become operative one year after its effective date."

Amendment No. 3

On page 1, strike out lines 2 and 3; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

Assembly Bill No. 1598—An act to add Section 10131.6 to the Business and Professions Code, relating to real estate brokers.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 2 of the printed bill, strike out lines 10 to 13, inclusive, and insert "vehicle designed and equipped for human habitation which is at least (1) eight feet in width at the main portion of the body or (2) 40 feet in length at the main portion of the body. "Mobilehome" does not include a motor vehicle "

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 18, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports·

AB No 300

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 300—An act to amend Sections 6801, 6802, 6802 1, 6802 15, 6802 2, 6803, 6803 1, 6804, 6805, 6806, 6806 1, 6808, 6809, 6812, 6812 1, 6812 5, 6813, 6814, 6815, 6816, 6817, 6818, 6820, 6820 1, 6820 2, 6851, 6852 6853, 6901, 6902, 6902 05, 6902 07, 6902 08, 6902 085, 6902.09, 6902 095, 6902 10, 6902 1, 6902 2, 6902 4, 6902 5, 6903, 6903 1, 6903 3, 6904, 6904 1, 6904 3, 6904 5, 6905, 6906 5, 6907, 6910, 6911, 6912, 6912 5, 6913, 6913 1, 6914, 6915, 6916, 6931, and 6932 of the Education Code, relating to special education.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 9, 1972, after "Sections", insert "821, 885 5, 6153, 6750, 6751, 6751 1, 6752, 6752 2, 6753, 6754, 6755, 6755 1, 6755 2, 6755 3, 6756, 6757, 6758, 6759, 6760, 6761, 6770, 6771, 6772, 6790"

Amendment No. 2

In line 2 of the title, strike out "6802 2,"

Amendment No. 3

In line 5 of the title, after "6853", insert "6870, 6873,".

Amendment No. 4

In line 9 of the title, strike out "and 6932 of", and insert "6932, 6941, 6947, 6951, 11054, 11226, 11227, 11228, 11229, 11555, 11556, 16645 2, 17305.7, 18101, 18102, 18102 2, 18102 4, 18102.6, 18102 9, 18102 10, 18355, 18358, 19682, 19683, 19683 5, 20807, 25601, and 26501 of, and to amend the heading of Chapter 7 1 (commencing with Section 6750) of Division 6 of, and to amend the heading of Article 2 (commencing with Section 6770) of Chapter 7 1 of Division 6 of, and to amend the heading of Chapter 7 2 (commencing with Section 6790) of Division 6 of, and to amend the heading of Article 7 (commencing with Section 11226) of Chapter 2 of Division 9 of, and to amend the heading of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of,".

Amendment No. 5

On page 2, line 1, after "SECTION 1.", insert "Section 821 of the Education Code is amended to read·

821. The county superintendent of schools may contract with any other county superintendent of schools for the purpose of providing the educational services or conducting programs authorized for a county superintendent of schools for the education of educationally handicapped ~~minors~~ *pupils*, physically handicapped ~~minors~~ *pupils*, and mentally retarded ~~minors~~ *pupils*. A contract entered into pursuant to this section shall be approved by each board of education of the counties involved before it may be given effect.

SEC. 1 1. Section 885.5 of the Education Code is amended to read:

885 5. In addition to all other amounts payable to the county school service fund on account of special education schools, programs, and classes maintained by the county superintendent of schools for the education of physically handicapped ~~minors~~ *pupils*, mentally retarded ~~minors~~ *pupils*, severely mentally retarded ~~minors~~ *pupils*, and educationally handicapped ~~minors~~ *pupils*, there shall be paid by the school districts in which such ~~minors~~ *pupils* reside, an amount, per unit of average daily attendance of any such ~~minors~~ *pupils* being educated by the county superintendent of schools in the current fiscal year, equal to the amount produced in the district in the current fiscal year by the applicable tax rates specified in Section 17702 per unit of the total average daily attendance of the district

SEC. 1 2. Section 6153 of the Education Code is amended to read.

6153 The governing board of any school district maintaining a home-teaching program, or providing home instruction as authorized by law for ~~minors~~ *pupils* afflicted with any form of handicap, may provide such home teaching or instruction on Saturday

No pupil shall be required to attend upon a home-teaching program or home instruction on Saturday without the consent of his parent or guardian.

SEC 1 3. The heading of Chapter 7 1 (commencing with Section 6750) of Division 6 of the Education Code is amended to read·

CHAPTER 7 1 EDUCATIONALLY HANDICAPPED ~~MINORS~~ *PUPILS*

SEC 1 4. Section 6750 of the Education Code is amended to read:

6750 As used in this chapter, "educationally handicapped ~~minors~~ *pupils*" are ~~minors~~ *pupils under the age of 21 years* who, by reason of marked learning or behavior disorders, or both, cannot benefit from the regular educational program, and who, as a result thereof, require the special education programs authorized by this chapter Such learning or behavior disorders shall be associated with a neurological handicap or emotional disturbance and shall not be attributable to mental retardation

The reference to "under the age of 21 years," in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

SEC 1 5 Section 6751 of the Education Code is amended to read:

6751. The governing board of any school district or a county superintendent of schools with the approval of the county board of education, maintaining schools in juvenile halls or juvenile homes, ranches, or camps as authorized by the Welfare and Institutions Code, may provide for any one or more of the special educational programs for educationally handicapped ~~minors~~ *pupils* authorized in this section A county superintendent of schools may enter into an agreement pursuant to Section 6753 with the governing board of a school district having less than 901 average daily attendance in the elementary schools or less than 901 in the high schools of the district to provide any one or more of such special educational programs for the district, or the county superintendent of schools may enter into an agreement pursuant to Section 6753 with the governing board of a school district having an average daily attendance of 901 or more in the elementary schools of the district or 901 or more in the high schools of the district to provide only those special educational programs for the district which are set forth in subdivision (a), (c), or (d), or any combination thereof. Whenever a special educational program for educationally handicapped pupils set forth in subdivision (a) or (d) of this section is provided by a county superintendent of schools for a district with an average daily attendance of 901 or more in the elementary schools of the district or 901 or more in the high schools of the district, pursuant to an agreement entered into pursuant to Section 6753, the foundation program prescribed in Section 17656 for an elementary district with an average daily attendance of 901 or more shall apply to educationally handicapped pupils of the elementary schools of the district who are in such a special education program and the foundation program prescribed in Section 17665 shall apply to educationally handicapped pupils of the high schools of the district who are in such a special educational program

Such special educational programs shall be provided in accordance with standards for each approved by the State Board of Education Such standards shall emphasize fundamental school subjects with the aim of returning the pupils to the regular school program at the earliest possible date consistent with the interest of the pupil.

The special educational programs for educationally handicapped ~~minors~~ *pupils* are·

(a) Special day classes (elementary and secondary) Under this program, educationally handicapped pupils unable to function in a regular class are assigned to a special day class. The special day class shall be maintained for not less than the minimum schoolday. In this program, fundamental school subjects shall be emphasized as prescribed by the State Board of Education.

(b) Learning disability groups (elementary and secondary). In this program, the pupil remains in his regular class but is scheduled for individual or small group instruction given by a special teacher Whenever one to four educationally handicapped pupils are instructed at the same time by the same teacher in a learning disability group conducted by a school district or county superintendent of schools, the total attendance credited for such pupils shall equal one unit of attendance for each 60 minutes of instruction.

(c) Specialized consultation to teachers, counselors, and supervisors (elementary and secondary). Under this program, specialized consultation is provided teachers, counselors, and supervisors relative to the learning disabilities of individual pupils and special education services required by such pupils

(d) Home and hospital instruction (elementary and secondary). Under this program, a pupil who is unable to function in a school setting and who does not attend school receives instruction at the appropriate grade level at home or in a hospital

SEC 1.6 Section 6751.1 of the Education Code is amended to read·

6751 1 The maximum size for the special educational programs for educationally handicapped ~~minors~~ *pupils* defined in Section 6751 shall be as follows.

(a) For special day classes the maximum enrollment shall be 12 pupils per class

If after the beginning of the school year it is determined that classes are at maximum size, that additional pupils will be without schooling unless additional classes are established, and that additional qualified teachers are not available for employment, a school district or a county superintendent of schools may, on forms provided for this purpose by the Department of Education, request permission of the Superintendent of Public Instruction to exceed the maximum class size for all or a part of the remainder of the school year. The Superintendent of Public Instruction may approve such request for all or a part of the remainder of the school year, provided the maximum size is not increased by more than two pupils above the maximum enrollment specified

(b) For learning disability groups the maximum enrollment shall be 32; however, participation in any given learning disability group shall be for at least 30 minutes and shall not exceed eight pupils at any one time

The instruction provided by a full-time teacher, whether offered by a single teacher or two or more part-time teachers, shall result in not more than eight units of average daily attendance being credited as the result of such instruction

SEC. 1 7. Section 6752 of the Education Code is amended to read:

6752. A school district maintaining special educational programs for educationally handicapped ~~minors~~ *pupils* shall not enroll at any given time more than 2 percent of total district enrollment in such programs except as permitted by special authorization of the Superintendent of Public Instruction. As used in this section, total district enrollment means the average number of pupils, exclusive of pupils for whom a tuition payment is charged pursuant to Chapter 10 (commencing with Section 6950) of Division 6, enrolled at the end of the first school month and the sixth school month of the school year

The superintendent shall report to each regular session of the Legislature (1) the school districts, and county superintendents of schools permitted to exceed the 2 percent during the preceding school year, (2) the number of additional pupils involved, and (3) the reasons existing that resulted in granting the permission requested

A county superintendent of schools maintaining schools in juvenile halls or juvenile homes, ranches, or camps as authorized by the Welfare and Institutions Code shall not enroll at any given time more than 2 percent of the juvenile population thereof in programs for educationally handicapped ~~minors~~ *pupils* except as permitted by the Superintendent of Public Instruction.

The 2-percent limitation prescribed by this section does not include pupils participating in a program for educationally handicapped ~~minors~~ *pupils* pursuant to Section 6751 5

SEC 1 8. Section 6752 2 of the Education Code is amended to read:

6752 2 Approval of the Superintendent of Public Instruction pursuant to Section 6752 1 shall be based on but not limited to the following:

(a) Actual demand for the program as demonstrated by the recommendations for placement by the local admission committee authorized in Section 6755.

(b) District experience in the operation of programs for educationally handicapped ~~minors~~ *pupils*.

(c) The demonstrated ability of the district to return educationally handicapped ~~minors~~ *pupils*, who can participate effectively, to the regular school program.

SEC 1 9 Section 6753 of the Education Code is amended to read:

6753 The governing board of a school district which has an average daily attendance of less than 901 in the elementary schools of the district or less than 901 in the high schools of the district may enter into agreement with the county superintendent of schools to provide special educational programs for educationally handicapped ~~minors~~ *pupils*. The governing board of a school district may enter into agreements with the governing boards of other school districts for the education of educationally handicapped ~~minors~~ *pupils* The district of residence having pupils receiving special education under the provisions of this section shall pay all current expenses entailed in providing such special education which are over and above all state apportionments made to the county superintendent or school district providing the program

SEC. 1.10. Section 6754 of the Education Code is amended to read:

6754. Before initiating any program for educationally handicapped ~~minors~~ *pupils* the governing board of a school district or county superintendent of schools shall apply to the Superintendent of Public Instruction for approval to do so and shall furnish such relevant information with respect to such proposed special education programs as may be required by the Superintendent of Public Instruction Such application and such information shall be on forms provided by the Superintendent of Public Instruction.

SEC. 1.11. Section 6755 of the Education Code is amended to read:

6755. (a) Admission of ~~minors~~ *pupils* to programs for the educationally handicapped established under the provisions of this chapter shall be made only on the basis of an individual evaluation according to standards established by the State Board of Education and upon individual recommendation of an admission committee which shall include an administrator in charge of special education programs in the school district or county or administrator designated by the school district or county superintendent of schools, an experienced special education teacher, a school nurse, and a school psychologist or other pupil personnel worker authorized to serve as a school psychologist who has examined the child under consideration for eligibility and placement The admission committee shall use such health reports as are needed to properly evaluate the child The admission committee shall have the services or presence of other pupil personnel workers, educational specialists, school nurses, social workers, optometrists, or physicians as the committee may require and request

The recommendation shall include a statement, that in the professional judgment of the members of the admission committee the ~~minor~~ *pupil* is recommended for placement in a program for educationally handicapped ~~minors~~ *pupils* to ameliorate a marked learning disability or behavior disorder, or both, associated with a neurological handicap or emotional disturbance, or both Any member of the admission committee dissenting from the final committee recommendation shall attach to the final recommendation a statement of reasons for such objection and alternative recommendations

(b) The administrative head of a school district or office of the county superintendent of schools may make an interim placement of a pupil in a program for the educationally handicapped for a period not to exceed 90 days whenever a pupil transfers into the school district from another school district in which his last enrollment was in a program for educationally handicapped ~~minors~~ *pupils*, such an interim placement may be made without the complete documentation specified in subdivision (a) Before the expiration of the 90-day period such interim placement shall be reviewed by the admission committee and a final recommendation shall be made by the admission committee in accord with the requirements of this chapter The committee may utilize information, records, and reports from the admission committee proceedings of the school district or county program from which the pupil transferred.

SEC 1.12. Section 6755 1 of the Education Code is amended to read:

6755 1 The admission committee shall annually (1) review the appropriateness of the placement of ~~minors~~ *pupils* in special educational programs under the provisions of this chapter and (2) submit recommendations as to the return of such ~~minors~~ *pupils* to the regular school program, continuance in the program for the educationally handicapped, transfer to other special educational programs, or referral to other agencies

SEC. 1 13 Section 6755 2 of the Education Code is amended to read:

6755 2. Whenever any ~~minor~~ *pupil* is being evaluated for placement in a program for the educationally handicapped by an admission committee pursuant to Section 6755 or a review and recommendation procedure is being conducted by an admission committee pursuant to Section 6755 1, the parent or guardian of the ~~minor~~ *pupil* shall have the right to have a physician, optometrist, psychologist, social worker, or teacher, whether certificated or not, represent the ~~minor~~ *pupil* and present additional material, if any, to assist the admission committee in its determination with respect to the ~~minor~~ *pupil*.

The representative so selected shall have no decisionmaking power with respect to any determination to be made by the admission committee The representative so selected may be an employee of the school district.

SEC 1 14. Section 6755.3 of the Education Code is amended to read:

6755 3. No ~~minor~~ *pupil* shall be required to participate in a program for educationally handicapped ~~minors~~ *pupils* unless the admission committee or a member of the admissions committee appointed by such committee has personally consulted with the parent or guardian of the ~~minor~~ *pupil* regarding the learning disorders of the ~~minor~~ *pupil* and the objectives of the program, and the parent or guardian has subsequent to such counseling and prior to participation in a special educational program, filed written consent to such participation with the governing board of the school district or with the office of the county superintendent of schools

SEC. 1.15. Section 6756 of the Education Code is amended to read:

6756. The State Board of Education shall adopt rules and regulations which shall prescribe standards for the individual identification and evaluation of educationally handicapped ~~minors~~ *pupils* and their admission to special education programs for educationally handicapped ~~minors~~ *pupils* In arriving at such standards the State Board of Education shall receive assistance from an advisory committee consisting of one member from the State Department of Education, one member from the State Department of Mental Hygiene and one member from the State Department of Public Health, such members to be appointed by the heads of the respective departments named. In addition, such advisory committee may consist of such additional members as are appointed by the State Board of Education

SEC 1.16 Section 6757 of the Education Code is amended to read:

6757. The State Board of Education shall adopt rules and regulations which shall prescribe standards for special educational programs for educationally handicapped ~~minors~~ *pupils* which shall include, but need not be limited to, individual evaluation of pupils and curriculum

content for each type of program authorized pursuant to this chapter, and provisions for periodic examination, reevaluation, or transfer of educationally handicapped ~~minors~~ *pupils* participating in special educational programs maintained for each type of program authorized under the provisions of this chapter.

The Commission for Teacher Preparation and Licensing shall adopt rules and regulations which prescribe standards for teacher qualifications for each type of program authorized pursuant to this chapter.

SEC. 1.17 Section 6758 of the Education Code is amended to read:

6758. The testing or screening of all pupils in a particular grade, school, or district shall not be a condition of eligibility for apportionment under the provisions of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14. In the event the governing board of a school district elects to do such testing or screening, only such tests or screening procedures as are approved by the State Board of Education for this purpose shall be used School districts intending to do such testing or screening shall give written notice to the parents or guardians of the pupils concerned at least 15 days prior to such testing or screening and shall provide copies of any written instruments to be used for such testing or screening in the office of the principal of the school the pupils attend for examination by such parents or guardians No ~~minor~~ *pupil* shall be required to participate in such screening or testing unless the parent or guardian files prior written consent to such participation with the governing board of such school district

SEC. 1.18. Section 6759 of the Education Code is amended to read:

6759. The Superintendent of Public Instruction shall establish supervisory and consultative services for programs for educationally handicapped ~~minors~~ *pupils* and shall employ personnel who shall devote their entire time to the provision of such services.

SEC. 1.19. Section 6760 of the Education Code is amended to read:

6760. Educationally handicapped ~~minors~~ *pupils* who come within the provisions of Sections 6750 and 6752 may be enrolled in experimental programs conducted by a school district or a county superintendent of schools. Experimental programs for such ~~minors~~ *pupils* shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him.

The school district or county superintendent of schools conducting the experimental program shall be entitled to an apportionment equal to the amount which would have been credited to them had these ~~minors~~ *pupils* been enrolled in programs authorized in Section 6751

The Superintendent of Public Instruction may waive the maximum class size standards prescribed by Section 6751.1 whenever he approves an experimental program submitted by a school district or county superintendent of schools to conduct experimental studies to determine the proper maximum class size standards.

This section shall remain in effect for a period of three years following the effective date of its enactment, and shall have no force or effect thereafter.

SEC. 1.20. Section 6761 of the Education Code is amended to read:

6761 The Superintendent of Public Instruction shall:

(a) Prescribe the form and manner of notification of intention to initiate a program

(b) Prescribe the procedures for qualifying for allowances for special day classes, and for authorized instruction in other than special day classes of educationally handicapped ~~minors~~ *pupils*.

SEC. 1.21. The heading of Article 2 (commencing with Section 6770) of Chapter 7.1 of Division 6 of the Education Code is amended to read.

Article 2 Education of Certain Educationally Handicapped ~~Minors~~ *Pupils*

SEC. 1.22. Section 6770 of the Education Code is amended to read:

6770 With the approval of the Superintendent of Public Instruction, any school district having an educationally handicapped ~~minor~~ *pupil* as defined by this chapter for whom, because of the severity of the handicap, special education facilities and services are not available and cannot be reasonably provided under the provisions of this chapter, and for whom the State of California has no appropriate special education facilities and services, may, in lieu of establishing and maintaining the needed special education facilities and services at an unreasonable cost to the district, pay to the parent or guardian of such ~~minor~~ *pupil* toward the tuition for such ~~minor~~ *pupil*, enrolled in a public or private nonsectarian school within or outside of California offering the special education facilities and services made necessary by the ~~minor's~~ *pupil's* handicap, an amount not to exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the maximum amount allowable per unit of average daily attendance for excess current expenses under Sections 18060 and 18102, and the amount per unit of average daily attendance provided from revenue derived from district taxation for support of the schools of the district. As used in this article "tuition" includes the cost to the parent or guardian of transporting a ~~minor~~ *pupil* enrolled in a public or private nonsectarian school under this section to and from school

SEC. 1.23. Section 6771 of the Education Code is amended to read:

6771 A school district having an educationally handicapped ~~minor~~ *pupil* receiving the benefits of special education facilities and services under the provisions of Section 6770 shall report the attendance of such ~~minor~~ *pupil* and submit any claim the district may have for the regular and special purpose apportionment to be used in payment to the parent or guardian of such ~~minor~~ *pupil* toward any tuition arising out of such attendance through the county superintendent of schools to the Superintendent of Public Instruction. The aforementioned report and claim shall be submitted at the time and in the manner prescribed by the Superintendent of Public Instruction. The county superintendent of schools shall verify the attendance reported and claim submitted in the manner prescribed by the Superintendent of Public Instruction

SEC. 1.24. Section 6772 of the Education Code is amended to read:

6772. Upon verification of the attendance reported and the claim submitted, the Superintendent of Public Instruction shall apportion to the school district submitting the report and the claim of the parent or guardian of such ~~minor~~ *pupil* for the tuition in question an amount sufficient to satisfy the claim but not in excess of the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question and the maximum amount allowable per unit of average daily attendance for reimbursement of excess current expenses under Sections 18060 and 18102. The apportionments shall be made from the funds reserved under the provisions of subdivision (c) of Section 17303.5 for each fiscal year immediately following the fiscal year in which the attendance occurs and shall not be subject to the provisions of Section 18456.

SEC. 1.25. The heading of Chapter 7.2 (commencing with Section 6790) of Division 6 of the Education Code is amended to read:

CHAPTER 7.2. GUARANTEED LOANS TO TEACHERS OF EDUCATIONALLY HANDICAPPED ~~MINORS~~ *PUPILS*

SEC. 1.26. Section 6790 of the Education Code is amended to read:

6790. In order to assure having for the ensuing year certificated personnel qualified to teach educationally handicapped ~~minors~~ *pupils*, as defined in Section 6750, enrolled in programs of special education maintained by a school district or a county superintendent of schools, the governing board of the school district or the county superintendent of schools may enter into an agreement with any employee holding a position requiring certification qualifications who teaches, or any certified person under contract to teach, educationally handicapped ~~minors~~ *pupils* for the ensuing school year for the school district or the county superintendent of schools, whereby the school district or the county superintendent of schools may make a loan of financial assistance, in such amount not in excess of that specified in Section 6792, as they may in writing agree upon, for such employee or certificated person under contract to undertake during the summers between academic school years specialized preparation, including courses, workshops, or specialized offerings, to teach educationally handicapped ~~minors~~ *pupils*, as approved by the Superintendent of Public Instruction.

SEC. 1.27."

Amendment No. 6

On page 2, line 11, after "person", insert "under the age of 21 years".

Amendment No. 6.5

On page 2, between lines 12 and 13, insert

"The reference to "under the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter."

Amendment No. 7

On page 4, strike out lines 23 to 40, inclusive; and on page 5, strike out lines 1 to 28, inclusive.

Amendment No. 8

On page 9, line 8, strike out "maintaned", and insert "maintained".

Amendment No. 9

On page 10, line 15, after "6812.1.", insert "Pupils between the ages of 3 and 21 and".

Amendment No. 10

On page 10, line 16, strike out "Pupils".

Amendment No. 11

On page 15, line 19, strike out "maintaind", and insert "maintained"

Amendment No. 12

On page 16, lines 4 and 5, strike out "minor or adult", and insert "person".

Amendment No. 13

On page 16, between lines 30 and 31, insert

"SEC 28 1 Section 6870 of the Education Code is amended to read:

6870 It is the intent and purpose of the Legislature in enacting this chapter to provide special educational facilities and services to exceptional children who, because the school district or county superintendent of schools of the county in which they reside has no appropriate special education facilities and services or they cannot reasonably be provided to fit their needs, or because the State of California has no facilities to educate them, are unserved by this state's school system or by state institutions or agencies. It is the further intent and purpose of the Legislature to provide the Department of Education with broad administrative discretion, consistent with the needs of exceptional children and the intent of this chapter, in carrying out its responsibilities under this chapter The Superintendent of Public Instruction may adopt rules and regulations consistent with this chapter which he deems necessary for the effective administration thereof.

(a) As used in this chapter·

(1) An educationally handicapped ~~minor~~ *pupil* means an educationally handicapped ~~minor~~ *pupil* as defined by Chapter 7 1 (commencing with Section 6750) of this division

(2) A physically handicapped ~~minor~~ *pupil* means a physically handicapped ~~minor~~ *pupil* as defined by Chapter 8 (commencing with Section 6801) of this division

(3) A mentally retarded ~~minor~~ *pupil* means a mentally retarded ~~minor~~ *pupil* as defined by Sections 6901 and 6902.

(4) A severely mentally retarded ~~minor~~ *pupil* means a mentally retarded ~~minor~~ *pupil* as defined by Sections 6901 and 6903.

(5) A multihandicapped ~~minor~~ *pupil* as determined by the Superintendent of Public Instruction means a ~~minor~~ *pupil* with any combination of handicaps described above in paragraphs (1), (2), (3), and (4).

(6) Exceptional children includes all ~~minors~~ *pupils* defined in paragraphs (1) to (5), inclusive, of this subdivision

(b) "Special educational facilities and services" means:

(1) In the case of an educationally handicapped ~~minor~~ *pupil*, the special educational facilities and services specified in Chapter 7.1 (commencing with Section 6750) of this division

(2) In the case of a physically handicapped ~~minor~~ *pupil*, the special educational facilities and services specified in Article 1 (commencing with Section 6801) of Chapter 8 of this division and Article 9 (commencing with Section 894) of Chapter 4 of Division 3.

(3) In the case of a mentally retarded ~~minor~~ *pupil*, other than a severely mentally retarded ~~minor~~ *pupil*, the special educational facilities and services specified in Sections 6902 and 895, insofar as applicable.

(4) In the case of a severely mentally retarded ~~minor~~ *pupil*, the special educational facilities and services specified in Sections 6903 and 895, insofar as applicable.

(5) In the case of a multihandicapped ~~minor~~ *pupil*, the special educational facilities appropriate to the ~~minor's~~ *pupil's* handicaps as determined by the county superintendent of schools.

SEC 28 2. Section 6873 of the Education Code is amended to read:

6873. Upon verification of the attendance reported and the claim submitted, the Superintendent of Public Instruction shall apportion to the school district submitting the report and the claim of the parent or guardian of such ~~minor~~ *pupil* for the tuition in question an amount sufficient to satisfy the claim but not in excess of the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question and the amount allowable per unit of average daily attendance for the particular category under Section 18102, 18102.2, 18102.4 or 18102.6, and the amount allowable per unit of average daily attendance for the particular category under Section 18060 In the case of a multiply handicapped ~~minor~~ *pupil* the amount apportioned shall not exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance under Section 18102, and the amount allowable per unit of average daily attendance for the particular category under Section 18060. The apportionments for physically handicapped, mentally retarded and multiply handicapped shall be made from the funds reserved under the provisions of subdivision (c) of Section 17303 5 The apportionment for educationally handicapped shall be made from funds reserved under the provisions of subdivision (g) of Section 17303 5 The apportionment shall be made for each fiscal year immediately following the fiscal year in which the attendance occurs ''

Amendment No. 13.50

On page 16, line 34, after "pupils", insert "under the age of 21 years".

Amendment No. 13.75

On page 16, between lines 37 and 38, insert

"The reference to "under the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter."

Amendment No. 14

On page 17, line 10, after "age", insert "and less than 21 years of age".

Amendment No. 14.5

On page 17, between lines 16 and 17, insert

"The reference to "less than 21 years of age" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter."

Amendment No. 15

On page 17, strike out lines 19 to 40, inclusive, and insert

"6902.05 (a) Admission of a ~~minor~~ *pupil* to a special educational program for the mentally retarded established under the provisions of Sections 6901 to 6913, inclusive, and in Sections 895 to 895.7, inclusive, shall be made only on the basis of an individual evaluation according to standards established by the State Board of Education and upon individual recommendation of ~~a local~~ *an* admission committee which shall include an administrator in charge of special education programs in the district or county or other administrator designated by the school district or county superintendent of schools, an experienced special education teacher, a school nurse, and a school psychologist or other pupil personnel worker authorized to serve as a school psychologist who has examined the child under consideration for eligibility and placement.

Whenever possible, the persons serving on the admission committee for mentally retarded ~~minors~~ *pupils* may also serve on the admission committee for educationally handicapped ~~minors~~ *pupils*.

The admission committee shall use such medical reports as are needed to properly evaluate the child. The admission committee shall have the services or presence of other pupil personnel workers, educational specialists, school nurses, social workers, or physicians as the committee may require and request. Such recommendation shall include a statement that in the professional judgment of the members of the admission committee the ~~minor~~ *pupil* recommended for placement in any program for the mentally retarded can reasonably be expected to benefit from such placement. Any member of the ~~local~~ admission committee dissenting from the final committee recommendation shall attach to the final recommendation a statement of reasons for such objection.

(b) The administrative head of a school district or office of the county superintendent of schools may make an interim placement of a pupil in a program for the mentally retarded for a period not to exceed 30 schooldays whenever a pupil transfers into the school district from another school district in which his last enrollment was in a program for mentally retarded ~~minors~~ *pupils*. Such an interim placement may be made without the complete documentation specified in subdivision (a). Before the expiration of the 30-day period such interim placement shall be reviewed by the admission committee and a final recommendation shall be made by the committee in accord with the requirements of this chapter. The committee may utilize information, records, and reports from the admission committee proceedings of the school district or county program from which the pupil transferred."

Amendment No. 16

On page 19, line 10, strike out "Educaton", and insert "Education".

Amendment No. 17

On page 21, line 8, strike out "credential", and insert "credentialed".

Amendment No. 18

On page 31, line 40, after "pupils", insert "under the age of 21 years".

Amendment No. 18.5

On page 32, between lines 3 and 4, insert

"The reference to "under the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter "

Amendment No. 19

On page 32, line 10, after "pupils", insert "under the age of 21 years".

Amendment No. 19.5

On page 32, between lines 12 and 13, insert

"The reference to "under the age of 21 years" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter."

Amendment No. 20

On page 32, strike out lines 13 to 15, inclusive, and insert

"SEC. 63. Section 6941 of the Education Code is amended to read:

6941. As used in this chapter, "handicapped children" means any of the following:

(a) Physically handicapped ~~minors~~ *pupils* as defined in Chapter 8 (commencing with Section 6801) of this division.

(b) Mentally retarded ~~minors~~ *pupils* as defined by Sections 6901 and 6902.

(c) Severely mentally retarded ~~minors~~ *pupils* as defined by Sections 6901 and 6903.

(d) Educationally handicapped ~~minors~~ *pupils* as defined in Chapter 7.1 (commencing with Section 6750) of this division.

(e) Multihandicapped ~~minors~~ *pupils* which refers to any combination of (a), (b), (c), or (d).

SEC. 64. Section 6947 of the Education Code is amended to read:

6947. It is the intent of the Legislature, in enacting this section, to encourage school districts and county superintendents of schools to design, implement, and evaluate innovative, exemplary education and training programs for the exceptional ~~minors~~ *pupils* enrolled in the public schools of this state Therefore, the Superintendent of Public Instruction is hereby granted broad administrative discretion to approve exemplary experimental programs to operate at variance with Education Code Sections 6421 through 6434, 6750 through 6759, 6801 through 6820, 6901 through 6933, 11054, and 11227.

Such variance may include the guarantee of full apportionment for approved experimental programs which vary from maximum class size or duration or both and other provisions relating to deriving apportionment per average daily attendance when in the opinion of the Superintendent of Public Instruction the quality and innovativeness of the experimental program warrants.

Enrollment in experimental programs for exceptional ~~minors~~ *pupils* shall be limited to any combinations of children enrolled in programs for exceptional ~~minors~~ *pupils* as specified in this section, at the time of application for approval to operate the experimental program. In any event, no more than 5 percent of the statewide enrollment of exceptional ~~minors~~ *pupils* in each of the programs included in this section may be enrolled in experimental programs in a given fiscal year.

The Superintendent of Public Instruction shall adopt rules and regulations relating to the application for, operation of, and evaluation of, exemplary experimental programs for exceptional ~~minors~~ *pupils*.

This section shall remain in effect for a period of three years following the effective date of its enactment, and shall have no force or effect thereafter.

SEC. 65. Section 6951 of the Education Code is amended to read:

6951. Whenever a school district provides education in kindergarten or grades 1 through 12 for children who reside in a regularly established licensed children's institution located either within or without the boundaries of the district, the district shall be reimbursed for the actual cost of educating each such child by the county or city and county in which the child resided prior to his admission to the children's institution. Whenever a school district provides education in kindergarten or grades 1 through 12 for children who reside in an institution or in a family home, pursuant to a commitment or placement under Chapter 2 (commencing with Section 500) of Part 1 of Division 2 of the Welfare and Institutions Code, located either within or without the boundaries of the district, or whenever a school district provides education in special schools or classes for mentally retarded ~~minors~~ *pupils* coming within the provisions of Section 6902 or 6903, physically handicapped ~~minors~~ *pupils* coming within the provisions of Section 6801, or educationally handicapped ~~minors~~ *pupils* educated pursuant to Section 6751.5, who reside in a licensed children's institution or family home located either within or without the boundaries of the district, the district shall be reimbursed for the actual cost of educating each such child by the county or city and county in which the child resided prior to his admission to the institution or home. If the child's prior residence cannot be ascertained or if his residence was outside the State of California, the district shall be reimbursed for the actual cost of educating such child by the county or city and county in which the institution or family home is located. The pupil residing in an institution or family home under this section does not acquire residence in the district wherein the institution or family home is located during the period of residence in the institution or family home.

SEC. 66. Section 11054 of the Education Code is amended to read:

11054. With respect to educationally handicapped ~~minors~~ *pupils* provided instruction pursuant to Chapter 7 1 (commencing with Section 6750), Division 6 of this code, the minimum schoolday in any high school is 240 minutes.

SEC. 67 The heading of Article 7 (commencing with Section 11226) of Chapter 2 of Division 9 of the Education Code is amended to read:

Article 7 Attendance of Educationally Handicapped ~~Minors~~ *Pupils*

SEC. 68 Section 11226 of the Education Code is amended to read:

11226. Attendance of educationally handicapped ~~minors~~ *pupils*, as identified pursuant to Chapter 7 1 (commencing with Section 6750) of Division 6, enrolled in a special day class, who attend school for the same number of minutes as constitute a minimum schoolday prescribed in Sections 11008 and 11054, shall constitute a day of attendance. Each clock hour of teaching time devoted to individual instruction of educationally handicapped ~~minors~~ *pupils* shall count as one day of attendance. The average daily attendance of all educationally handicapped ~~minors~~ *pupils* shall be computed by dividing the total number of days of attendance of the pupils by the number of days taught in the regular schools of the district.

SEC. 69. Section 11227 of the Education Code is amended to read:

11227. With respect to educationally handicapped ~~minors~~ *pupils* given instruction at home, in a hospital, or in a regularly established nonprofit, tax-exempt, licensed children's institution, each clock hour of teaching time devoted to the individual instruction of such pupils shall count as one day of attendance No provision of this chapter (commencing at Section 10951) limiting the number of days of attendance with which a pupil may be credited in any one calendar day is applicable to such pupils, but no such pupil shall be given individual instruction for more than three hours in any one day or credited with more days of attendance for individual instruction during any fiscal year than the number of legal calendar days school may be maintained during such fiscal year.

SEC 70 Section 11228 of the Education Code is amended to read:

11228. The attendance of all educationally handicapped ~~minors~~ *pupils* given instruction by a school district shall be reported annually to the county superintendent of schools together with all other attendance on forms provided by the Superintendent of Public Instruction.

SEC. 71. Section 11229 of the Education Code is amended to read:

11229. The attendance of educationally handicapped ~~minors~~ *pupils* instructed by the county superintendent of schools pursuant to Section 6751 shall be credited as follows.

(a) The attendance of elementary pupils taught in special classes maintained for educationally handicapped ~~minors~~ *pupils* shall be credited to the county school service fund as attendance upon a single emergency elementary school for special class instruction of such pupils. The attendance of pupils of secondary grade in special classes maintained for educationally handicapped ~~minors~~ *pupils* shall be credited to the county school service fund as attendance upon a single emergency secondary school for special class instruction for such pupils

(b) The attendance of elementary pupils in learning disability groups maintained for educationally handicapped ~~minors~~ *pupils* shall be credited to the county school service fund as attendance upon a single emergency elementary school for learning disability group instruction of educationally handicapped ~~minors~~ *pupils* The attendance of pupils of secondary grade in learning disability groups maintained for educationally handicapped pupils shall be credited to the county school service fund as attendance upon a single emergency secondary school for learning disability group instruction of educationally handicapped ~~minors~~ *pupils*.

(c) The attendance of elementary pupils given instruction in the home, hospital, or a regularly established licensed children's institution shall be credited to the county school service fund as attendance upon a single emergency elementary school for home, hospital, or a regularly established licensed children's institution instruction of educationally handicapped ~~minors~~ *pupils*. The attendance of pupils of secondary grade given instruction in the home, hospital, or a regularly established licensed children's institution shall be credited to the county school service fund as attendance upon a single emergency secondary school for home, hospital, or a regularly established licensed children's institution instruction of educationally handicapped ~~minors~~ *pupils*

SEC. 72 Section 11555 of the Education Code is amended to read:

11555 The average daily attendance of educationally handicapped elementary ~~minors~~ *pupils* given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175

SEC 73 Section 11556 of the Education Code is amended to read:

11556 The average daily attendance of educationally handicapped ~~minors~~ *pupils* of secondary grade given instruction by a county superintendent of school and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175

SEC. 74. Section 16645 2 of the Education Code is amended to read

16645 2 The governing body of any school district or a county superintendent of schools with the approval of the county board of education is authorized to establish and maintain, upon the approval of the Superintendent of Public Instruction one or more development centers for physically handicapped and mentally retarded ~~minors~~ *pupils* between 3 years and 21 years of age residing in, and in the custody of persons residing in, the district or county The governing body or county superintendent shall determine the hours days, and months during which the development center is to be maintained

The establishment and maintenance of any development center for physically handicapped and mentally retarded ~~minors~~ *pupils* by the county superintendent of schools shall be undertaken subject to the prior approval of the county board of education, upon the application of one or more school districts under his jurisdiction, and such estab-

lishment and maintenance shall be upon such terms and conditions as may be provided for in a written contract between the county superintendent of schools and the governing body of any school district.

~~Minors~~ *Pupils* who are otherwise eligible for development center placement as determined by the Superintendent of Public Instruction, and who are betweeen 18 months and 3 years of age, may be enrolled in experimental programs conducted by a school district or county superintendent of schools maintaining a development center Experimental programs for such ~~minors~~ *pupils* shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him

The reference to "21 years of age" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

SEC. 75. Section 17305.7 of the Education Code is amended to read:

17305.7. The Superintendent of Public Instruction shall also allow as otherwise provided in Section 17305 for the driver training instruction necessary to be safely tested for a driver's license at the Department of Motor Vehicles, those physically handicapped ~~minors~~ *pupils*, mentally retarded ~~minors~~ pupils who come within the provisions of Section 6902, and educationally handicapped ~~minors~~ *pupils* who are in attendance in a public secondary school in California which offers such qualified instruction, and who may qualify for a driver's license, or other license, issued by the California Department of Motor Vehicles, a total allowance not to exceed two hundred dollars ($200) including the reimbursement provisions set forth in Section 18251 to each school district and county superintendent of schools All driver training for pupils herein described must be provided by qualified teachers, as defined by Sections 18252.1 and 18252 2 The provisions of this section may not be applied if reimbursement allowable under Sections 18251 to 18255, inclusive, is sufficient to meet the total cost of instruction as herein described.

It is the intent of the Legislature that driver training instruction be provided pupils as a part of the high school curriculum, and the Legislature finds and declares that exceptional children are entitled to the benefit of such instruction so far as their individual capabilities permit, understanding that those pupils herein described often require individualized and amplified driver training instruction in order to succeed in becoming safe operators of motor vehicles Since without a means of self-transportation much of the overall program of education and rehabilitation provided for by the Legislature would be of little avail to the person without the mobility required to become a productive and well-adjusted member of society, the Legislature further declares that it is incumbent upon the state to share in the cost of providing a most needed and desirable program of driver training instruction for these exceptional children.

SEC. 76. The heading of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of the Education Code is amended to read:

Article 11. Allowances for Mentally Retarded, Severely Mentally Retarded, Physically Handicapped and Educationally Handicapped ~~Minors~~ *Pupils*

SEC. 77. Section 18101 of the Education Code is amended to read:

18101. The Superintendent of Public Instruction shall allow, during the current fiscal year, to each school district and county superintendent of schools maintaining special day classes for the education of physically handicapped ~~minors~~ *pupils* (as defined by Sections 6801 and 6802), mentally retarded ~~minors~~ *pupils* (as defined by Sections 6901 and 6902), severely mentally retarded ~~minors~~ *pupils* (as defined by Section 6903), and educationally handicapped ~~minors~~ *pupils* (as defined by Section 6750), the amounts prescribed by this article for each of the respective types of class maintained for the fiscal year.

SEC 78 Section 18102 of the Education Code is amended to read:

18102. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of physically handicapped ~~minors~~ *pupils* during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of physically handicapped ~~minors~~ *pupils* by the maximum class size established by law for special day classes for physically handicapped ~~minors~~ *pupils*, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of seventeen thousand two hundred sixty dollars ($17,260).

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts

(1) The product of the average daily attendance of physically handicapped ~~minors~~ *pupils* in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660

(2) The product of the average daily attendance of physically handicapped ~~minors~~ *pupils* in grades 9 to 12, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of physically handicapped ~~minors~~ *pupils* in grades 13 and 14, and the foundation program per pupil established for junior college districts with an average daily attendance in excess of 1,000 by Section 17666 2

SEC 79 Section 18102 2 of the Education Code is amended to read.

18102 2. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of mentally retarded ~~minors~~ *pupils* during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of mentally retarded ~~minors~~ *pupils* by the maximum class size established by law for special day classes for mentally retarded ~~minors~~ *pupils*, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of thirteen thousand eight hundred ninety dollars ($13,890), and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:

(1) The product of the average daily attendance of mentally retarded ~~minors~~ *pupils* in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of mentally retarded ~~minors~~ *pupils* in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.

(3) The product of the average daily attendance of physically handicapped ~~minors~~ *pupils* in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2

SEC. 80. Section 18102.4 of the Education Code is amended to read:

18102.4. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of severely mentally retarded ~~minors~~ *pupils* during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of severely mentally retarded ~~minors~~ *pupils* by the maximum class size established by law for special day classes for severely mentally retarded ~~minors~~ *pupils*, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of fifteen thousand two hundred sixty dollars ($15,260), and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts

(1) The product of the average daily attendance of severely mentally retarded ~~minors~~ *pupils* in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of severely mentally retarded ~~minors~~ *pupils* in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.

(3) The product of the average daily attendance of physically handicapped ~~minors~~ *pupils* in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2

SEC. 81. Section 18102.6 of the Education Code is amended to read.

18102 6. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of educationally handicapped ~~minors~~ *pupils* during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of educationally handicapped ~~minors~~ *pupils*, less the enrollment in excess of the maximum class size authorized pursuant to Section 6751 1, by the maximum class size established by law for special day classes for educationally handicapped ~~minors~~ *pupils*, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of sixteen thousand two hundred sixty dollars ($16,260), and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:

(1) The product of the average daily attendance of educationally handicapped ~~minors~~ *pupils* in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of educationally handicapped ~~minors~~ *pupils* in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of physically handicapped ~~minors~~ *pupils* in grades 13 and 14, and the foundation program per pupil established for junior college districts with an average daily attendance in excess of 1,000 by Section 17666 2

SEC 82 Section 18102 9 of the Education Code is amended to read.

18102 9. (1) In addition to the allowances provided under Sections 18102 to 18102 6, inclusive, the Superintendent of Public Instruction shall allow to school districts and county superintendents of schools for each unit of average daily attendance an amount as follows:

(a) For instruction of educationally handicapped ~~minors~~ *pupils* in learning disability groups, one thousand eight hundred eighty dollars ($1,880).

(b) For instruction of educationally handicapped ~~minors~~ *pupils* in homes or in hospitals, one thousand three hundred dollars ($1,300).

(c) For instruction of physically handicapped ~~minors~~ *pupils* in remedial physical education, seven hundred seventy-five dollars ($775).

(d) For remedial instruction of physically handicapped ~~minors~~ *pupils* in other than physical education, two thousand dollars ($2,000)

(e) For instruction of blind pupils when a reader has actually been provided to assist the pupil with his studies, or for individual instruction in mobility provided blind pupils under regulations prescribed by the State Board of Education, or when braille books are purchased, ink print materials are transcribed into braille, or sound recordings and other special supplies and equipment are purchased for blind pupils, or for individual supplemental instruction in vocational arts, business arts, or homemaking for blind pupils, nine hundred ten dollars ($910).

Braille books purchased, braille materials transcribed from ink print, sound recordings purchased or made, and special supplies and equipment purchased for blind pupils for which state or federal funds were allowed are property of the state and shall be available for use by blind pupils throughout the state as the State Board of Education shall provide.

(f) For other individual instruction of physically handicapped ~~minors~~ *pupils*, one thousand three hundred dollars ($1,300)

(g) For the instruction of physically handicapped ~~minors~~ *pupils* in regular day classes, one thousand eighteen dollars ($1,018)

(2) (a) The allowances provided under Sections 18102 to 18102.6, inclusive, may be increased proportionately on account of special day classes convened, or other instruction provided a pupil, for days in a school year which are in excess of the number of days in the school year on which the regular day schools of a district are convened

(b) The Superintendent of Public Instruction shall compute for each applicant school district and county superintendent of schools in providing in such year a program of specialized consultation to teachers, counselors and supervisors for educationally handicapped ~~minors~~ *pupils*, an amount equal to the product of ten dollars ($10) and the average daily attendance of pupils enrolled in special day classes, learning disability groups, and home and hospital instruction for educationally handicapped ~~minors~~ *pupils*.

SEC. 83. Section 18102.10 of the Education Code is amended to read:

18102.10. For each special class or program for which a state allowance is provided under this article or under Section 18060 or 18062, each school district and each county superintendent of schools maintaining such special classes or programs shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each special class or program

If the Superintendent of Public Instruction determines that the current expense of operating a special class or program as defined in the California School Accounting Manual does not equal or exceed the sum of basic state aid, and state equalization aid provided in the regular foundation program per unit of average daily attendance and the allowance provided under this article, and any amount of local tax funds contributed to the foundation program for each pupil in average daily attendance in the special class or program maintained by a school district for each pupil in average daily attendance in special classes or programs maintained by the county superintendent of schools, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17414

Beginning with the 1971–72 fiscal year, expenditures for equipment that the Superintendent of Public Instruction determines are necessary for instruction in a special class or program for physically handicapped ~~minors~~ *pupils* shall be considered as current expense for purposes of this section. In any year the district's allowable expenditure for such equipment may not exceed 1 percent of the current expense of operating the district's physically handicapped program.

SEC. 83.1. Section 18355 of the Education Code is amended to read:

18355. The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service funds (a) for all emergency schools maintained in each elementary school district of the county by the county superintendent of schools, (b) all special schools or classes for mentally retarded ~~minors~~ *pupils* and severely mentally retarded ~~minors~~ *pupils* maintained in each elementary school district of the county by the county superintendent of schools, (c) each elementary school maintained in juvenile halls, juvenile homes, and juvenile camps, by the county superintendent of schools, and all opportunity schools and classes maintained by the county superintendent of schools pursuant to Sections 6502 and 6503, and (d) all schools and classes for educationally handicapped ~~minors~~ *pupils* maintained in each elementary school district of the county by the county superintendent of schools, the same amount as he would compute as the foundation program of the elementary school district under Section 17655.5 or Section 17656.

No allowance shall be made for emergency schools which is in excess of the actual expense of maintaining the emergency school.

SEC. 83.2. Section 18358 of the Education Code is amended to read:

18358. For all physically handicapped pupils, mentally retarded ~~minors~~ *pupils* and educationally handicapped ~~minors~~ *pupils* of secondary grade, and handicapped adults, educated by the county superintendent of schools and for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, the Superintendent of Public Instruction shall allow the same amount as he would compute for the foundation program of a high school district under Section 17665.

However, with respect to handicapped adults, the following limits shall apply:

(a) The total of allowances for education of handicapped adults in classes established by the county superintendent of schools pursuant to Section 5746 shall not exceed fifty thousand dollars ($50,000) in any one fiscal year. The Superintendent of Public Instruction shall establish a system of priorities that he shall by rule or regulation adopt which shall give highest priority to those counties in which no or an insufficient program for the education of handicapped adults is provided by the school districts within the county, in order to comply with the limitation prescribed by this subdivision.

(b) The Superintendent of Public Instruction shall allow for handicapped adults the amount specified in Section 17951 for each unit of average daily attendance for adults for high school districts.

SEC. 84. Section 19682 of the Education Code is amended to read:

19682. As used in this article, "exceptional children" means physically handicapped ~~minors~~ *pupils*, mentally retarded ~~minors~~ *pupils*, educationally handicapped ~~minors~~ *pupils*, or multihandicapped ~~minors~~ *pupils* required or allowed to be educated pursuant to Sections 6801 to 6855, inclusive, Sections 6901 to 6919, inclusive, Sections 6750 to 6761, inclusive.

SEC. 85. Section 19683 of the Education Code is amended to read:

19683. Allocations under this article may be made in such amount as may be necessary, and in such manner as to distribute the available funds equitably among school districts, giving consideration to the needs of each district and the number of children within each district who are blind, partially seeing, aphasic, deaf, hard-of-hearing, mentally retarded, orthopedic or other health-impaired, multihandicapped, speech handicapped, or educationally handicapped

In computing the number of such children there shall be included.

(a) The number of them residing in the district.

(b) The number of handicapped ~~minors~~ *pupils* who are actually living within the district five or more days a week, although their legal residence may be outside the district and who are educated pursuant to Section 6805.

(c) The number of them who reside outside of the district, except those described in subdivision (b), and who are to be educated by the district, excluding mentally retarded ~~minors~~ *pupils* within the provisions of Section 6902 who reside within a district having an average daily attendance of 900 or more and which does not meet the requirements of Section 19590 concerning outstanding bonded indebtedness.

Allocations for housing and equipment for ~~minors~~ *pupils* having speech defects or disorders shall be allowed in new schools constructed after July 1, 1968, and in existing schools constructed between July 1, 1933, and July 1, 1968 Such housing and equipment shall be designed and provided to permit their utilization for remedial and other special services including speech therapy, speech reading (lipreading) and auditory training for the speech and hearing handicapped, screening and testing for speech and hearing defects, or both, psychological testing of exceptional children, subject matter tutoring of exceptional children, and other specialized activities required by such children In addition to the maximum building area allowances provided in Sections 19583, 19585, 19586, and 19587, not more than an additional 200 square feet of building area shall be allowed for each new school so planned and constructed.

Each existing school, constructed between July 1, 1933, and July 1, 1968, shall be allowed not more than an additional 200 square feet of building area only for construction thereon of a new speech facility At the option of the applicant district, the board may allocate funds to convert existing facilities or to provide a combination of new construction and conversion of existing facilities to provide housing for such ~~minors~~ *pupils* having speech defects or disorders, provided the cost of such conversion or combination of new construction and conversion does not exceed the computed cost for 200 square feet of new classroom construction based upon cost standards adopted by the board At the further option of the applicant district, and in lieu of new building construction or conversion, the board may allocate funds for the acquisition of mobile speech therapy facilities, provided the cost of such mobile facilities does not exceed the combined computed cost for 200 square feet of new classroom construction, based upon cost standards adopted by the board, at all such schools which will be served by the mobile facility.

SEC. 86. Section 19683 5 of the Education Code is amended to read

19683 5 Notwithstanding any provisions of this article to the contrary, apportionments for the construction of facilities and the purchase of essential furniture and equipment for the education of exceptional children may, subject to the approval of the Department of Education, be made to any school districts not otherwise eligible to receive apportionments under Article 1 (commencing with Section 19551) and Article 2 (commencing with Section 19651) of this chapter, for the education of blind, partially seeing, aphasic, deaf, hard-of-hearing, mentally retarded, orthopedic or other health-impaired, multihandicapped, and educationally handicapped ~~minors~~ *pupils*.

The Department of Education may approve applications in those situations where the facilities will be used by a county superintendent of schools required to educate physically handicapped ~~minors~~ *pupils* pursuant to Section 894 and mentally retarded ~~minors~~ *pupils* pursuant to Section 895 A school district may educate such ~~minors~~ *pupils* by agreement with a county superintendent of schools required to educate such ~~minors~~ *pupils* Priority in the use of such facilities shall be given to pupils from districts other than the applicant district

Except as otherwise provided in this section, not more than 50 percent of the amount of any apportionment made pursuant to this section shall be repaid Repayments shall be made in the following manner 50 percent of the amount of the apportionment shall be repaid in full with interest by the district, in such annual amounts and at such interest rate over such period as the State Allocation Board may determine, not to exceed 20 years from the date the apportionment became final In any school year in which 50 percent or more of the pupils in average daily attendance, as determined by the county superintendent of schools, and served by such facilities are not pupils from districts other than the applicant district, the repayment for the succeeding fiscal year shall be an amount which would have been payable if such district had been required to repay 100 percent of the apportionment over such period

The county board of supervisors of the county whose superintendent of schools conducts classes in such facility during any fiscal year shall at such time or times within such fiscal year as may be agreed upon between the county and the school district but in any case not later than the end of such fiscal year, pay to the school district having the obligation to repay the apportionment made under this section for the construction of such facility, an amount equal to 80 percent of the amount the district is required to repay in said fiscal year with respect to the apportionment described above

The county board of supervisors shall raise the amount required through a general tax levy on the property within the participating districts, or through a tuition charge not to exceed one hundred sixty dollars ($160) a year per pupil by the county superintendent of schools to the school districts of residence of pupils attending the facility other than the district having the obligation to repay or through a combination of these

The county superintendent of schools shall notify the county board of supervisors of his intention to approve a school district's application for an allocation under this article before he approves the application

SEC. 87. Section 20807 of the Education Code is amended to read

20807 The maximum rate of school district tax under Sections 20751 and 20753, inclusive, for any fiscal year is hereby increased by such amount as will provide the amount of the proposed expenditures for programs for educating handicapped ~~minors~~ *pupils* under Sections 6750 to 6762, inclusive, which are in excess of state apportionments as shown by the budget of the district as finally adopted by the governing board of the district.

Such proposed expenditures may include the cost of equipment and facilities, the lease or lease-purchased of buildings, lease of land, alterations or additions to existing buildings, or other necessary capital outlay expenditures in connection with such programs.

If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that year required or authorized by Sections 6750–6762, inclusive, of this code.

SEC 88. Section 25601 of the Education Code is amended to read.

25601. Every deaf ~~minor~~ *person* between the ages of 3 and 21 years of suitable capacity, who is a resident of the state, is entitled to an education in the California School for the Deaf free of charge

Priority in admission to the California School for the Deaf shall be given to elementary age deaf ~~minors~~ *persons* residing in sparsely populated regions where appropriate educational facilities and services are not available or cannot be reasonably provided and to secondary age deaf ~~minors~~ *persons* in need of a high school program

The reference to 21 years in this subdivision is not affected by Section 1 of Chapter 1748 of the Statutes of 1971.

SEC 89 Section 26501 of the Education Code is amended to read:

26501. Every resident ~~minor~~ *person* in California, of suitable age and capacity, as determined by means of diagnosis at the diagnostic and treatment schools for neurologically handicapped children, is entitled to enrollment in a school for neurologically handicapped children, free of charge.

Children with neurological handicaps, not residents of California, may be admitted to the benefits of the schools upon paying to the State Department of Education, quarterly in advance, the actual support cost at the average cost of maintaining pupils in the school for the period in question This cost shall be determined by the Department of Education with the approval of the Department of General Services

The reference to suitable age and children in this subdivision shall not be affected by Section 1 of Chapter 1748 of the Statutes of 1971."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, May 18, 1972

Mr Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 1198

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1198—An act to add Section 26468 to, and to add Article 1.5 (commencing with Section 26505) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5, lines 25 and 26, of the printed bill, as amended in Assembly May 3, 1972, strike out "and official meat establishments".

Amendment No. 2

On page 5, line 40, strike out "or the local health".

Amendment No. 3

On page 6, line 1, strike out "department".

Amendment No. 4

On page 6, line 3, strike out "official meat establishment,".

Amendment No. 5

On page 6, lines 7 and 8, strike out "official meat establishment,".

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

Senate Chamber, May 17, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate appointed Senators Petris, Deukmejian and Gregorio as a Committee on Conference concerning:

Assembly Bill No. 438.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 17, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 83

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, May 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 557	SB No 685
SB No. 599	SB No 855
SB No. 664	SB No. 1452

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, May 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 16

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 72

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 557—An act to add Section 3194.5 to the Health and Safety Code, relating to blood tests

Held at Desk by order of the Acting Speaker.

Senate Bill No. 599—An act to amend Section 2620 of the Business and Professions Code, relating to physical therapy.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 664—An act to amend Section 39493 of the Agricultural Code, relating to margarine.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 685—An act to amend Section 1793 1 of the Civil Code, relating to warranties

Held at Desk by order of the Acting Speaker

Senate Bill No. 855—An act to repeal Sections 11002 and 11018 7 of, and to add Section 11018 7 to, the Business and Professions Code, relating to subdivided lands

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1452—An act to amend Section 21754 of the Education Code, relating to school district bonds, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Joint Resolution No. 16—Relative to television blackouts of sports events.

Held at Desk by order of the Acting Speaker.

Senate Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 40 of Article XIII thereof, relating to indebtedness of public entities.

Held at Desk by order of the Acting Speaker

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 263

Mr Belotti was granted unanimous consent that the Chief Clerk be directed to request that the Governor return Assembly Bill No 263, and further that upon the return of the bill to the Assembly, that the actions be rescinded whereby the bill was correctly enrolled and presented to the Governor on May 8, 1972 (Assembly Journal, page 2747) and whereby the bill was ordered to enrollment on May 4, 1972 (Assembly Journal, page 2711), and that the bill be returned to the Senate

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 1289 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health, that Assembly Bill No 1299 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Governmental Organization, that Assembly Bill No 1490 be withdrawn from the Committee on Ways and Means, and re-referred to the Committee on Retirement, that Assembly Bill No 1895 be withdrawn from the Committee on Welfare, and re-referred to the Committee on Revenue and Taxation; and that Assembly Bill No 1072 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Agriculture.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 328, 645, and **2139,** ordered to third reading

Assembly Bill No. 1872, ordered to the Consent Calendar

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1503—An act to add Article 18 (commencing with Section 429 70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted.

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "Innovations", and insert "Pilot Projects".

Amendment No. 2

On page 2, line 13, strike out "innovation programs", and insert "pilot projects".

Amendment No. 3

On page 2, line 20, strike out "chapter", and insert "article".

Amendment No. 4

On page 2, line 23, after "following", insert "on a pilot program basis".

Amendment No. 5

On page 3, line 4, after the period, insert "Nothing in this section shall preclude approved projects from utilizing the offices of physicians, dentists, pharmacists, and other clinical settings as training sites."

Amendment No. 6

On page 3, line 15, strike out "appraised", and insert "apprised".

Amendment No. 7

On page 3, strike out lines 24 to 31, inclusive, and insert

"429 77 (a) Pilot projects may be approved in the following fields:

(1) Expanded role medical auxiliaries
(2) Expanded role nursing
(3) Expanded role dental auxiliaries
(4) Maternal child care personnel
(5) Pharmacy personnel.
(6) Mental health personnel"

Amendment No. 8

On page 4, between lines 9 and 10, insert

"The state department shall report to the Legislature and appropriate licensing boards annually beginning one year after the operative date of the Governor's Reorganization Plan No 1 of 1970 concerning the results of each evaluation"

Amendment No. 9

On page 4, strike out lines 16 to 19, inclusive, and insert

"SEC 2 This act shall become operative on the same date as the Governor's Reorganization Plan No 1 of 1970 becomes operative"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2169—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "licenses", insert ", and making an appropriation therefor".

Amendment No. 2

On page 3, after line 18, insert

"SEC. 2. There is hereby appropriated a sum of _____ from the General Fund to the Department of Fish and Game to carry out the provisions of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1300—An act to amend Section 28280.1 of the Health and Safety Code, relating to food processing establishments.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 28280.1", and insert "Sections 28802, 28802.5, and 28840"

Amendment No. 2

In line 2 of the title, strike out "food processing establishments", and insert "retail food production and marketing establishments, and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 28802 of the Health and Safety Code is amended to read

28802. "Retail food production and marketing establishment," as used in this chapter, means any room, building, or place, or portion thereof, maintained, used, or operated for, or in conjunction with, the retail sale of food, or preparation of food. Retail food production and marketing establishment does not include *an off-sale general premises (licensed pursuant to the Alcoholic Beverage Control Act (Division 9 (commencing with Section 23000), Business and Professions Code)) in which packaged foods are incidentally sold,* a restaurant, including an "itinerant restaurant," "vehicle" and "vending machine" as defined in Chapter 11 (commencing with Section 28520) of this division, "bakery" as defined in Chapter 6 (commencing with Section 28190) of this

division, wholesale food manufacturing, distributing or storage establishment, including, but not limited to, the licensed premises or branch office of a winegrower, brandy manufacturer, or wine blender, subject to the provisions of Chapter 7 (commencing with Section 28280) of this division, or a locker plant subject to the provisions of Chapter 12 (commencing with Section 28700) of this division, health facilities subject to the provisions of Chapters 2 (commencing with Section 1400) and 3 (commencing with Section 1500) of Division 2 of this code, or official meat establishments subject to the provisions of the Agricultural Code

SEC. 2. Section 28802.5 of the Health and Safety Code is amended to read:

28802.5 ~~The~~ *Except as otherwise provided in this section, the* provisions of this chapter shall not apply to roadside stands, *food establishments which are open to the outside air, or drive-in dairies or areas therein, in* which ~~sell~~ *there is displayed for sale* only produce ~~or~~, shell eggs, or ~~both produce and shell eggs~~, *packaged foods, or any two or more of such products*. The department shall adopt rules and regulations for ~~roadside produce stands~~ *such establishments* as it determines are reasonably necessary for the protection of the public health and safety. *Such rules and regulations shall require the issuance of permits by local health departments to such establishments which satisfy the requirements of such rules and regulations.*

Such establishments shall be required to have a permit within a reasonable time after the adoption of rules and regulations pursuant to this chapter, as determined by the department.

As used in this section, "drive-in dairies" means establishments which produce, process, and sell milk to the consumer on the same premises.

SEC. 3. Section 28840 of the Health and Safety Code is amended to read:

28840. All food establishments *in which food is prepared or utensils are washed* shall have at least a one-compartment sink which shall be separate from the facilities used for hand washing. Each food establishment constructed after the effective date of this chapter shall have at least a one-compartment metal sink with metal drainboards.

Where utensils are washed by hand, there shall be provided in each new food establishment constructed after the effective date of this chapter, at least a two-compartment metal sink with metal drainboards. The sink compartments and drainboards shall be large enough to adequately clean the largest utensils used. An adequate supply of hot and cold running water under pressure shall be provided for each sink compartment. A one-compartment utensil sink which is in use on the effective date of this chapter may be continued in use until replaced.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

Local health officers have made various rulings affecting retail food production and marketing establishments in a manner which is inconsistent with the intention of the Legislature. Thus, in order to effectuate the intention of the Legislature and to avoid needless confusion and chaos in the enforcement of the provisions relating to retail food pro-

duction and marketing establishments, it is necessary that this act go into effect immediately."

Amendment No. 4

On page 1, strike out lines 2 to 9, inclusive

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2180—An act to amend Section 25445 5 of the Education Code, relating to community colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, after "district", insert "; provided, however, that the name shall continue to contain the words "Community College District" or "Community College," as the case may be".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2285—An act to add Article 2 5 (commencing with Sections 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted·

Amendment No. 1

In the heading of the printed bill, after "Fong," insert "Garcia, MacDonald,".

Amendment No. 2

On page 2, line 2, strike out "10", and insert "30".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1324—An act to amend Sections 308 and 308a of the Penal Code, and to amend Section 10602 of the Education Code, relating to smoking and tobacco

Bill read second time, and ordered to third reading.

Assembly Bill No. 1084—An act to amend Sections 24225, 24226, 24295, 24297, 24299, 24300, 24301, 24312, 24313, 24314, 24357, 24357 1, 24365 6, 24365 8, 24365 10, 24367 2, 24367 3, 24367 4, 24367 11, 39420, 39421, 39474, 39476, 39478, 39480, 39492, 39493, 39494 of, and to add Sections 24314 1, 24321 1, 24367 12, 24367 13, 39494 1, and 39500 1 to the Health and Safety Code, relating to air pollution.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, after "39493," insert "and".

Amendment No. 2

In line 6 of the title, after the first "to", insert a comma.

Amendment No. 3

On page 2, line 13, strike out "Two members", and insert "One member".

Amendment No. 4

On page 2, line 14, strike out "practice", and insert "the practice of".

Amendment No. 5

On page 2, strike out lines 18 and 19; and on page 3, strike out lines 1 and 2, and insert "be a physician and surgeon licensed in this state. One member shall be a public member."

Amendment No. 6

On page 4, line 33, strike out "identify", and insert "identity".

Amendment No. 7

On page 6, line 2, strike out "Two members", and insert "One member".

Amendment No. 8

On page 6, line 3, strike out "practice", and insert "the practice of".

Amendment No. 9

On page 6, strike out lines 7 to 10, inclusive, and insert "be a physician and surgeon licensed in this state One member shall be a public member."

Amendment No. 10

On page 8, line 28, strike out "Two members", and insert "One member".

Amendment No. 11

On page 8, line 34, strike out "representative from"; strike out lines 35 to 37, inclusive; and in line 38, strike out "medicine.", and insert "physician and surgeon licensed in this state One member shall be a public member."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1715—An act to add Section 938 1 to the Education Code, relating to public schools.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1898—An act to amend Section 19594 of the Education Code, relating to state school building aid.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1943—An act to amend Section 10608 of the Education Code, relating to pupils

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 711—An act to amend Section 31158 of the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 906—An act to amend Section 13¾ of, and to repeal Sections 13¼ and 13½ of, the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1119—An act to amend Section 37203 of, and to add Sections 36438, 36439, 36440, 36441, 36442, 36443, 36444, 36445, and 36446 to, the Water Code, relating to water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1121—An act to amend Sections 38 and 38 1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1185—An act to add Section 71975 to the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2001—An act to add Article 7 5 (commencing with Section 13631) to Chapter 8 of Division 6 of the Public Utilities Code, relating to municipal utility districts.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2300—An act to add Section 22235 to the Water Code, relating to irrigation districts

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2002—An act to amend Sections 3, 5, 5 5, 6 1, 6 2, 7, 11, 13, 14, 18, 18 5, 22, 27, and 31 of, to add Sections 3 2, 3 3, 5 6, 5 7, 12 1, 12 2, 12 3, 12 4, 12 5, 12 6, 12 7, 19, 19 1, 19 2, 19 3, and 19 4 to, and to repeal Sections 3 2, 19, 19 1, and 27 7 of, the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), relating to the Contra Costa County Flood Control and Water Conservation District

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted.

Amendment No. 1

On page 13, line 34, of the printed bill, as amended in Assembly May 4, 1972, strike out "except that the district shall not be"; and strike out lines 35 to 40, inclusive, and on page 14, strike out lines 1 and 2; and in line 3, strike out "jurisdiction".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2140—An act to amend Sections 6950, 6952, and 6953 of the Government Code, relating to the acquisition of interests in open-space areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "and Moretti", and insert "Moretti, and Wilson".

Amendment No. 2

In line 1 of the title, after "of", insert ", and to add Section 6953.1 to,".

Amendment No. 3

In line 2 of the title, after the comma, insert "and to add Section 1238.8 to the Code of Civil Procedure,".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 1238.8 is added to the Code of Civil Procedure, to read:

1238.8 Subject to the provisions of this title, the right of eminent domain may be exercised by the state or city, county, or city and county in behalf of the following public uses: the acquisition of open-space areas for the preservation of natural and human resources; for managed resource production; for outdoor recreation; for the shaping of urban growth; for the health, welfare and well-being of the public, or for public safety.

SEC. 2. Section 6950 of the Government Code is".

Amendment No. 5

On page 3, after line 2, insert

"SEC. 4. Section 6953.1 is added to the Government Code, to read:

6953.1. Lands must be designated in an open-space plan of an adopted local general plan prepared pursuant to Article 10.5 (commencing with Section 65560) of Chapter 3 of Title 7. Lands preserved pursuant to this chapter shall not be sold, disposed of or used for any other public purpose, unless the open-space plan has been amended, showing that the change in use is in the best interests of the health, safety, and welfare of the public."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 946—An act to add Section 1178.5 to the Labor Code, relating to labor.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2004—An act to amend Sections 1684, 1695, 1696.5, 1698.1, and 1698.4 of the Labor Code, relating to farm labor contractors.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1292—An act to add Section 23428 20 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Organization, was read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly April 20, 1972, strike out "One"; and strike out lines 7 to 11, inclusive, and insert

"The provisions of Section 23399 and the numerical limitation of Section 23430 shall not"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file.

Senate Bills Nos. 75 and **352**, ordered to third reading

SECOND READING OF SENATE BILLS

Senate Bill No. 260—An act to amend Section 13469 1 of the Education Code, relating to school employees

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Senate April 3, 1972, after line 33, insert

"SEC 2. Section 13469 1 of the Education Code is amended to read

13469 1 Governing boards of school districts shall provide by rules and regulations for industrial accident and illness leaves of absence for persons employed in a position requiring certification qualifications The governing board of any district which is created or whose boundaries or status is changed by an action to organize or reorganize districts completed after the effective date of this section shall provide by rules and regulations for such leaves of absence on or before the date on which the organization or reorganization of the district becomes effective for all purposes as provided in Section 1704 of this code

Such rules or regulations shall include the following provisions:

a Allowable leave shall be for not less than 60 days during which the schools of the district are required to be in session or when the employee would otherwise have been performing work for the district in any one fiscal year for the same accident,

b. Allowable leave shall not be accumulated from year to year;

c. Industrial accident or illness leave shall commence on the first day of absence;

d. When a person employed in a position requiring certification qualifications is absent from his duties on account of an industrial accident or illness, he shall be paid such portion of the salary due him for any month in which the absence occurs as, when added to his temporary disability indemnity under Division 4 or Division 4.5 of the Labor Code, will result in a payment to him of not more than his full salary;

The phrase "full salary" as utilized in this subdivision shall be computed so that it shall not be less than the employee's "average weekly earnings" as that phrase is utilized in Section 4453 of the Labor Code. For purposes of this section, however, the maximum and minimum average weekly earnings set forth in Section 4453 of the Labor Code shall otherwise not be deemed applicable.

e. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award;

f. When an industrial accident or illness leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due him for the same illness or injury.

Upon termination of the industrial accident or illness leave, the employee shall be entitled to the benefits provided in Sections 13467, 13468 and 13469, and for the purposes of each of these sections, his absence shall be deemed to have commenced on the date of termination of the industrial accident or illness leave, provided that if the employee continues to receive temporary disability indemnity, he may elect to take as much of his accumulated sick leave which, when added to his temporary disability indemnity, will result in a payment to him of not more than his full salary.

The governing board may, by rule or regulation, provide for such additional leave of absence for industrial accident or illness as it deems appropriate.

During any paid leave of absence, the employee ~~shall~~ *may* endorse to the district the temporary disability indemnity checks received on account of his industrial accident or illness. The district, in turn, shall issue the employee appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement and other authorized contributions.

~~The governing board may require that an employee serve or have served continuously a specified period of time with the district after his date of employment as determined pursuant to Sections 13262 through 13266 of this code before the benefits provided by this section are made available to him provided that such period shall not exceed three years after such date of employment.~~

Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California unless the governing board authorizes travel outside the state.

In the absence of rules and regulations adopted by the governing board pursuant to this section an employee shall be entitled to indus-

trial accident or illness leave as provided in this section but without limitation as to the number of days of such leave ~~and without any requirement of a specified period of service in the district~~.

SEC. 3. It is the intent of the Legislature, if amendments to Section 13469 1 of the Education Code proposed by both this bill and A B 926 are enacted, that both amendments be given effect and incorporated in Section 13469 1 in the form set forth in Section 2 of this act Therefore, in the event both this bill and A B 926 are chaptered and amend Section 13469 1 and this bill is chaptered after A B. 926, Section 2 of this act shall become operative at the same time that Section 13469.1 as amended by A B 926 becomes operative, and at that time, Section 13469 1 of the Education Code as amended by Section 1 of this act is repealed ''

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 64—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Bill read second time, and ordered to third reading

Senate Bill No. 688—An act to amend Sections 22171, 22174, and 22177 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered to the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, May 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 946	AB No 1898	AB No. 2004
AB No. 1121	AB No. 1943	AB No. 2300
AB No. 1715		

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, May 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 711
AB No 1324

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 146—An act to add Sections 6508 5 and 6509 to, and to amend Section 18358 of, the Education Code, relating to special schools and classes, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 146?

Senate Amendments of March 23, 1972

Amendment No. 1

On page 3, line 20, of the printed bill, as amended in Assembly February 10, 1972, strike out "the county and".

Amendment No. 2

On page 3, line 22, after the period, insert "If the school districts so excused contract for students who are eligible to attend a continuation education program, transportation may be provided by the county or district."

Amendment No. 3

On page 3, line 33, after the first "all", insert "students enrolled in grades 9 to 12, inclusive, in".

Senate Amendments of April 24, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate March 23, 1972, strike out line 22, and insert

"18358. For all physically handicapped pupils, mentally retarded minors and educationally handicapped minors of secondary grade, and handicapped adults, educated by the county superintendent of schools ~~and~~, for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, *and for all students enrolled in grades 9 to 12, inclusive, in opportunity schools and classes and all continuation schools and classes maintained by the county superintendent of schools,* the Superintendent of Public Instruction shall allow the same amount as he would compute for the foundation program of a high school district under Section 17665.

However, with respect to handicapped adults, the following limits shall apply:

(a) The total of allowances for education of handicapped adults in classes established by the county superintendent of schools pursuant to Section 5746 shall not exceed fifty thousand dollars ($50,000) in any one fiscal year. The Superintendent of Public Instruction shall establish a system of priorities that he shall by rule or regulation adopt which shall give highest priority to those counties in which no or an insufficient program for the education of handicapped adults is provided by the school districts within the county, in order to comply with the limitation prescribed by this subdivision.

(b) The Superintendent of Public Instruction shall allow for handicapped adults the amount specified in Section 17951 for each unit of average daily attendance for adults for high school districts."

Amendment No. 2

On page 2, strike out lines 23 to 30, inclusive; and on page 3, strike out lines 1 to 19, inclusive.

Senate Amendments of May 1, 1972

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Senate April 24, 1972, strike out "If the"; and strike out lines 16 to 18, inclusive.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chappie moved a call of the Assembly.

Motion carried. Time, 1 58 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Wood was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

In compliance with a motion given on a previous day, Mr Ralph moved that the vote whereby Assembly Constitutional Amendment No. 14 was refused adoption be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Ralph moved a call of the Assembly

Motion carried Time, 2·03 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stacey was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 929

In compliance with a motion given on a previous day, Mr Warren moved that the vote whereby Assembly Bill No. 929 was refused passage be reconsidered.

Assembly Bill No. 929 reconsidered by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Chacon, Chappie, Cline, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—Conrad—1.

Assembly Bill No. 929 Placed on Inactive File

On request of Mr. Warren, Assembly Bill No. 929 was placed on the inactive file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 401

In compliance with a motion given on a previous day, Mr. Cory moved that the vote whereby Assembly Bill No. 401 was passed be reconsidered.

Assembly Bill No. 401 refused reconsideration by the following vote:

AYES—Bee, Brown, Burton, Chacon, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Garcia, Leroy F. Greene, Knox, MacDonald, Meade, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—27.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Chappie, Cline, Conrad, Dent, Duffy, Fong, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, Mobley, Monagan, Priolo, Seeley, Stacey, Stull, Wilson, and Wood—29.

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

At 2:16 p.m., Mr. Stull was granted unanimous consent that the Republican Caucus be permitted to meet at this time in the Assembly Lounge.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 410
SB No. 496
SB No. 604

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 1624

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1624—An act to add Section 54780.1 to the Government Code, relating to local agency formation commissions

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 54780 1 to", and insert "amend Sections 54780 and 54782 5 of, and to add Sections 54780 1 and 54782 7 to,"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 54780 of the Government Code is amended to read:

54780 There is hereby created in each county a local agency formation commission. Except as provided in ~~Section~~ *Sections 54780 1,* 54781 and 54782, the commission shall consist of five members, selected as follows:

(a) Two representing the county, appointed by the board of supervisors from their own membership The board of supervisors shall appoint a third supervisor who shall be an alternate member of the commission He is authorized to serve and vote in place of any supervisor on the commission who is absent or who disqualifies himself from participating in a meeting of the commission

(b) Two representing the cities in the county, each of whom shall be a city officer, appointed by the city selection committee. The city selection committee shall also designate one alternate member who shall be appointed and serve pursuant to Section 54784

(c) One representing the general public appointed by the other four members of the commission.

SEC 2 Section 54780.1 is added to the Government Code, to read:

54780 1 Notwithstanding the provisions of Section 54780, in any county having a population of 6 million or more, as shown in the 1970 federal decennial census, the commission shall consist of nine members selected as follows:

(a) Three representing the county, appointed by the board of supervisors from their own membership The board of supervisors shall appoint a fourth supervisor who shall be an alternate member of the

commission He is authorized to serve and vote in place of any supervisor on the commission who is absent or disqualifies himself from participating in a meeting of the commission

(b) Three representing the cities in the county, each of whom shall be a city officer Two of the city representatives shall be appointed by the city selection committee The third city representative shall be a city officer of the city with the largest population incorporated within the county, as shown in the 1970 federal decennial census appointed by the governing body of that city The city selection committee shall also designate one alternate city member of the commission who is authorized to serve and vote in place of any city officer on the commission who is absent or disqualifies himself from participating in a meeting of the commission pursuant to Section 54784

(c) Three representing the general public appointed by the other six members of the commission.

SEC. 3. Section 54782.5 of the Government Code is amended to read:

54782 5 When appointing a public member pursuant to ~~Sections~~ *Section* 54780, *54780 1,* 54781, or 54782, the commission may also appoint an alternate public member who shall be authorized to serve and vote in place of a regular public member who is absent or disqualifies himself from participating in a meeting of the commission

SEC. 4. Section 54782.7 is added to the Government Code, to read:

54782 7. If a commission consists of nine members as provided in Section 54780 1, the commission shall be enlarged to 11, rather than 7 members, if two commissioners are added to the commission pursuant to Section 54782.6 to represent the special districts of the county. The two special district representatives shall be appointed to the commission in the same manner and at the same time as special district representatives are appointed pursuant to Section 54782 6 ''

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr Speaker. The Chairman of your Committee on Education reports:

AB No. 860

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 860—An act to amend the heading of Article 9 (commencing with Section 1081) of Chapter 3 of Division 4 of, to add Section 1081 5 to, and to repeal Sections 1081 and 1081 5 of, the Education Code, relating to school field trips and excursions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Quimby", and insert "Fenton".

Amendment No. 2

In line 1 of the title, strike out "the heading of Article 9 (commencing with", strike out lines 2 and 3 of the title, and insert "Section 10815 of, and to add Section 16524 to, the".

Amendment No. 3

In lines 5 and 6 of the title, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 Section 10815 of the Education Code is amended to read

10815 The governing board of any school district or the county superintendent of schools of any county may:

(a) Conduct field trips or excursions in connection with courses of instruction or school-related social, educational, cultural, athletic, or school band activities to and from places in the state, any other state, the District of Columbia, or a foreign country for pupils enrolled in elementary or secondary schools A field trip or excursion to and from a foreign country may be permitted to familiarize students with the language, history, geography, natural sciences, and other studies relative to the district's course of study for such pupils

(b) Engage such instructors, supervisors, and other personnel as desire to contribute their services over and above the normal period for which they are employed by the district, if necessary, and provide equipment and supplies for such field trip or excursion

(c) Transport by use of district equipment, contract to provide transportation, or arrange transportation by the use of other equipment, of pupils, instructors, supervisors or other personnel to and from places in the state, any other state, the District of Columbia, or a foreign country where such excursions and field trips are being conducted; provided that, when district equipment is used, the governing board shall secure liability insurance, and if travel is to and from a foreign country, such liability insurance shall be secured from a carrier licensed to transact insurance business in such foreign country

(d) Provide supervision of pupils involved in field trips or excursions by certificated employees of the district

No pupil shall be prevented from making the field trip or excursion because of lack of sufficient funds To this end, the governing board shall coordinate efforts of community service groups to supply funds for pupils in need of them

No group shall be authorized to take a field trip or excursion authorized by this section if any pupil who is a member of such an

identifiable group will be excluded from participation in the field trip or excursion because of lack of sufficient funds

No expenses of pupils, instructors, supervisors, or other personnel participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country, authorized by this section shall be paid with school district funds *or any other public funds*.

The attendance or participation of a pupil in a field trip or excursion authorized by this section shall be considered attendance for the purpose of crediting attendance for apportionments from the State School Fund in the fiscal year. Credited attendance resulting from such field trip or excursion shall be limited to the amount of attendance which would have accrued had the students not been engaged in the field trip or excursion, but shall not exceed 10 schooldays The Superintendent of Public Instruction shall advise the Legislature of the total amount of attendance credits which resulted from all field trips or excursions during the 1972–1973 fiscal year and the 1973–1974 fiscal year.

All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents or guardians of pupils taking out-of-state field trips or excursions shall sign a statement waiving such claims

No transportation allowances shall be made by the Superintendent of Public Instruction for expenses incurred with respect to field trips or excursions which have an out-of-state destination Any school district which transports pupils, teachers or other employees of the district in schoolbuses within the state and to destinations within the state, pursuant to the provisions of this section, shall report to the Superintendent of Public Instruction on forms prescribed by him the total mileage of schoolbuses used in connection with such educational excursions In computing the allowance to such school district for regular transportation there shall be deducted therefrom an amount equal to the depreciation of schoolbuses used for such transportation in accordance with rules and regulations adopted by the Superintendent of Public Instruction.

SEC. 2. Section 16524 is added to the Education Code, to read:

16524. The governing board of any school district may lend school band instruments, music, uniforms, and other regalia to persons who are or have been members of the school band for use by them on excursions to foreign countries whether or not such an excursion is sanctioned by the governing board

The governing board may require the borrower to make a deposit or take other measures to insure that the items borrowed will be returned in usable condition."

Amendment No. 5

On page 1, strike out lines 2 and 3; and strike out all of pages 2 to 6, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, May 18, 1972

Mr Speaker: The Chairman of your Committee on Agriculture reports.

AB No 1072

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1072—An act to amend Section 61845 of the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "61845", and insert "35783".

Amendment No. 2

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1 Section 35783 of the Agricultural Code is amended to read·

35783 Market milk for pasteurization shall be cooled to 50 degrees Fahrenheit or below and shall be maintained in transit at not to exceed 52 degrees Fahrenheit On or before January 1, 1972, all market milk dairies shall provide sufficient refrigeration capacity to reduce the temperature of the milk to 50 degrees Fahrenheit or below, as indicated by a recording thermometer, within one hour after completion of the first milking, or five hours after the beginning of milking, whichever is first, and to maintain it at such temperature until delivery. The director shall promulgate regulations to provide ~~for emergencies that may occur as a result of equipment failure~~ *for temporary deviations from the temperature requirements of this section that may occur as a result of emergencies arising from equipment failure, or as a result of other unusual circumstances* "

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 18, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports

AB No 214

AB No 1263

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 214—An act to add Sections 19453 and 20108 to the Government Code, and Section 5664 to the Welfare and Institutions Code, relating to mental health, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended in Assembly April 12, 1972, and insert

"An act to add Sections 18107 and 20108 to the Government Code, and Sections 5664, 5755.5 and 5755.6 to the Welfare and Institutions".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 18107 is added to the Government Code, to read:

18107. Any employee of the State Department of Mental Hygiene transferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code, shall be entitled to retain sick leave accumulated at the time of termination of state employment. Such sick leave shall be held in a reserve account by the state to be used, if necessary, only at such time as the transferred employee's sick leave benefits accrued as a county employee become exhausted. When county sick leave benefits are exhausted such employee shall be entitled to utilize his state reserve account sick leave, until exhausted. The cost of preserving and paying for the state reserve account sick leave shall be totally funded by the state.

SEC. 2. Section 20108 is added to the Government Code, to read:

20108. To the extent possible, the board shall resolve conflicts between retirement systems applicable to state hospital employees transferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code.

SEC. 3. Section 5664 is added to the Welfare and Institutions Code, to read:

5664. Each county Short-Doyle plan adopted for the 1973–74 fiscal year and each fiscal year thereafter for a county or counties in which a state hospital is scheduled to be closed shall contain a complete program, to be developed jointly by the State Department of Mental Hygiene and the county, for absorbing as many of the staff of such hospital into the local mental health programs as may be needed by the county. Such programs shall include a redefinition of occupational positions, if necessary, and a recognition by the counties of licensed psychiatric technicians for treatment of the mentally disordered, mentally retarded, drug abusers, and alcoholics.

The county may establish retraining programs for the State Department of Mental Hygiene employees transferring to county mental programs provided such programs are financed entirely with state and federal funds made available for that purpose

The State Department of Mental Hygiene shall notify the counties and the Legislature at least one year in advance of planned state hospital closures.

SEC. 4 Section 5755 5 is added to the Welfare and Institutions Code, to read:

5755 5. The five-year state plan for community mental health services pursuant to Section 5755 shall include a detailed analysis of the alternatives being considered in terms of projected future hospital closures

SEC. 5 Section 5755 6 is added to the Welfare and Institutions Code, to read:

5755 6. To the extent feasible, the full supporting details of any planned state hospital closures shall be included in the budget required by the State Constitution to be submitted by the Governor at each regular session of the Legislature for the 1973–74 fiscal year and each fiscal year thereafter

SEC 6. There is hereby appropriated to the State Department of Mental Hygiene from the General Fund the sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary for the purposes of funding county retraining programs established pursuant to Section 5664 of the Welfare and Institutions Code."

Amendment No. 3

On page 2, strike out lines 2 to 13, inclusive; and strike out all of pages 3 and 4

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1263—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9811, 9817, 9819, 9820, 9823, 9825, 9830, and 9873 of the Business and Professions Code, relating to repair dealers

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 18, 1972, strike out "9811,"

Amendment No. 2

In line 2 of the title, after "9825," insert "and".

Amendment No. 3

In line 2 of the title, strike out ", and 9873".

Amendment No. 3.5

On page 2, strike out lines 20 to 23, inclusive, and insert "Services "

Amendment No. 4

On page 3, line 3, strike out "tape recorders, or phonograph", and insert "or audio or video recorders, or playback".

Amendment No. 5

On page 3, line 4, after "home", insert "or in private motor vehicles,".

Amendment No. 6

On page 3, line 13, after "dishwasher," insert "or".

Amendment No. 7

On page 3, line 14, strike out "; and any other"; and strike out lines 15 to 19, inclusive, and insert a period.

Amendment No. 8

On page 3, line 28, strike out "or phonograph", and insert "or audio or video recorders, or playback".

Amendment No. 9

On page 3, line 37, strike out "phonograph", and insert "audio or video recorder or playback".

Amendment No. 10

On page 4, line 9, strike out "and phonographic", and insert "or audio or video recorders or playback".

Amendment No. 11

On page 4, line 10, after "home", insert "or in private motor vehicles,".

Amendment No. 12

On page 4, strike out lines 13 to 23, inclusive; and in line 24, strike out "SEC. 7.", and insert
"SEC. 6."

Amendment No. 13

On page 4, line 30, strike out "SEC. 8.", and insert
"SEC. 7."

Amendment No. 14

On page 5, line 12, strike out "SEC. 9.", and insert
"SEC. 8."

Amendment No. 15

On page 5, line 19, strike out "SEC. 10 ", and insert
"SEC. 9."

Amendment No. 16

On page 5, line 29, strike out "SEC. 11.", and insert
"SEC. 10."

Amendment No. 17

On page 6, line 12, strike out "SEC. 12.", and insert
"SEC. 11."

Amendment No. 18

On page 6, strike out lines 16 to 22, inclusive, and insert "in this state and shall register with the bureau upon forms".

Amendment No. 19

On page 6, line 29, strike out "director", and insert "bureau".

Amendment No. 20

On page 6, strike out lines 38 to 40, inclusive; and strike out page 7.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 18, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

ACA No. 30

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 42 to Article XIII thereof, relating to property tax limitations.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 4, line 2, of the printed measure, as amended in Assembly May 11, 1972, after "Sections", insert "1a,".

Amendment No. 2

On page 4, line 3, after "1½," insert "1½a, 1⅝,".

Amendment No. 3

On page 5, line 11, strike out "majority", and insert "two-thirds".

Resolution ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 1093

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1093—An act to amend Sections 3950 and 4700 of the Fish and Game Code, relating to mammals.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 3950 and 4700", and insert "add and repeal Section 4181.3".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 4181 3 is added to the Fish and Game Code, to read:

4181 3. The department shall file an annual report with the Legislature, not later than the fifth calendar day of each regular session of the Legislature, indicating the numbers, method of take, area of depredation, crops depredated, and the disposition of gray squirrels taken under Section 4181.

This section shall remain in effect only until January 31, 1975, and as of that date is repealed."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 884

AB No. 1421

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 884—An act to add Sections 13131 and 13133 to the Education Code, relating to certificated employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "270, 271,".

Amendment No. 2

In line 1 of the title, after the second "to", insert ", and to add Article 2.5 (commencing with Section 831) to Chapter 2 of Division 3 of,".

Amendment No. 3

In line 2 of the title, strike out "certificated employees", and insert "drug abuse education, and making an appropriation therefor".

Amendment No. 4

On page 1, line 1, after "SECTION 1", insert "Section 270 is added to the Education Code, to read.

270. The Superintendent of Public Instruction shall require that all certificated employees of all school districts who have not satisfactorily completed a course on drug abuse pursuant to Section 13133 or Section 13131, whichever is in effect, shall, by September 1, 1976, either satisfactorily complete a course in drug abuse or successfully pass an equivalency examination, prescribed by the Superintendent of Public Instruction.

SEC. 2 Section 271 is added to the Education Code, to read·

271. The Superintendent of Public Instruction shall for the purposes of Section 270 prescribe a course on drug abuse and an equivalency examination, both of which shall include information on all of the following:

(a) Drugs, including but not limited to narcotics and dangerous drugs, and their effects upon human beings

(b) Cultural, historical, and anthropological factors in the use of drugs by human beings.

(c) Social factors in peer drug use.

(d) Interpersonal and psychological factors in drug use.

SEC. 3 Article 2 5 (commencing with Section 831) is added to Chapter 2 of Division 3 of the Education Code, to read:

Article 2 5. Drug Abuse

831 Each county superintendent of schools shall establish a county drug abuse advisory council which shall consist of at least the following members:

(a) An educator experienced in drug abuse curriculum development and drug abuse problems.

(b) A licensed physician and surgeon experienced in the area of drug abuse and who has been nominated by the county medical society.

(c) A consultant in drug abuse of the county department of mental health

(d) A consultant from a functioning, community-based drug treatment program

(e) Classroom teachers from each level of the public elementary, junior high, and high schools in the county.

(f) Two students from the public junior high and high schools in the county.

(g) A representative of any parent-teachers association

(h) Such other persons, as deemed necessary by a majority of the members specified in subdivision (a) through (g), to insure adequate racial, cultural, and ethnic representation

832. Each county superintendent of schools may establish additional advisory subcommittees as required by special geographic, cultural, or racial characteristics.

833. The county drug abuse advisory council established pursuant to Section 831 shall advise the county superintendent of schools with respect to

(a) The public instruction curricula, in grades kindergarten through 12 on substance use and abuse.

(b) The coordination of the public school substance abuse programs with the countywide community drugs abuse control plan.

(c) The improvement and revision of in-service training programs on substance abuse for certificated employees and other personnel and of school programs for the identification, evaluation, and appropriate therapeutic referral of symptomatic drug using students.

(d) Available expert consultation from appropriate sources in each program area and possible contractual arrangements to provide adequate evaluation, intervention, and referral sources for students.

834. Each county superintendent of schools shall submit the county substance abuse program to the Superintendent of Public Instruction on or before September 1 of each year commencing with 1973.

835. The Superintendent of Public Instruction shall coordinate and compile all county substance abuse programs.

836. The Superintendent of Public Instruction shall report to the Legislature by the fifth calendar day of the 1973 Regular Session on the progress of the county drug abuse programs anud shall submit to the Legislature by the fifth calendar day of each subsequent regular session a statewide school substance abuse plan.

837. The Superintendent of Public Instruction shall make apportionments from funds appropriated therefor by the Legislature, to the county superintendents of schools for expenditure pursuant to priorities established by each county superintendent of schools, with the advice of the county drug abuse advisory council, which shall in all cases include:

(a) In-service education of public school employees.

(b) Community-based and professional consultation in the planning of service programs.

(c) Training of teachers and students in student counseling programs.

(d) The funding of school-oriented programs as alternatives to drug use.

SEC. 4."

Amendment No. 5

On page 1, line 5, strike out "SEC 2", and insert "SEC. 5".

Amendment No. 6

On page 1, between lines 9 and 10, insert

"SEC. 6. There is hereby appropriated from the General Fund the sum of _____ ($_____) to the Superintendent of Public Instruction for the purposes of carrying out the provisions of Article 2.5 (commencing with Section 831) of Chapter 2 of Division 3 of the Education Code."

Amendment No. 7

On page 1, line 10, strike out "SEC. 3 Section 1", and insert "SEC. 7. Section 4".

Amendment No. 8

On page 2, line 3, strike out "SECTION 1", and insert "Section 4".

Amendment No. 9

On page 2, line 4, strike out "unoperative and Section 2", and insert "inoperative and Section 5".

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 1421—An act to repeal Chapter 2 (commencing with Section 9301) of Division 8 of, to amend the heading of Chapter 4 (commencing with Section 9951) of Division 8 of, to amend Sections 9951, 9953, 9958, 9959, 10001, 10010, 10011, 10012, 10013, 10052 10053, 10054, 10055, 10151, 10152, 10153, 10154, 10155, 10156, and 10251 of, and to add Sections 10005, 10015, and 10157 to, and Article 2 (commencing with Section 9980) to Chapter 4 of Division 8 of, the Education Code, relating to textbooks, and making an appropriation therefor

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to Assembly Rules, were read, and adopted:

Amendment No. 1

On page 4 of the printed bill, strike out lines 3 to 21, inclusive, and insert:

"9980 From funds appropriated by the Legislature for the purposes of this section, the Superintendent of Public Instruction shall annually apportion to each county superintendent of schools the sum of _____ ($_____) for each student entitled to attend the public elementary schools under his jurisdiction, but in attendance at a school other than a public school under the provisions of Section 12154

The county superintendent of schools shall use these funds for the purchase of textbooks to be used by such nonpublic school students after the nonpublic school certifies to the county superintendent of schools that the textbooks are desired and will be used by such nonpublic school students"

Amendment No. 2

On page 12, line 7, strike out "No. ____", and insert "No. 62".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file·

Senate Bill No. 688, on request of Mr. Ray E. Johnson.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 1000

The hour having arrived, Assembly Bill No 1000 was taken up.

Assembly Bill No. 1000—An act to amend Sections 17910 of, and to repeal Section 20814 5 of, the Education Code, to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), and Chapter 4 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend Sections 16120, 29100.5, 29100.7, and 65570 of, the Government Code. and to amend Sections 218, 2611 5, 6051, 6052 5, 6201, 7102. 17041, 23151, 23184, 23186, 23333, and 23501 of, to repeal Section 6376 of, to add Sections 17053 5 and 17053 6 to, the Revenue and Taxation Code, and to repeal Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, and to amend Section 11018 of the Welfare and Institutions Code, relating to the imposition of state taxes to provide subventions to local government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Monagan moved a call of the Assembly.

Motion carried Time, 3 40 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

At 3 41 p m , on motion of Mr Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called and the vote whereby Assembly Constitutional Amendment No. 14 was refused adoption reconsidered by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs Brown Burton Campbell, Chacon Cline, Cory Crown Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor Knox, LaCoste, MacDonald, MacGillivray, Maddy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Barnes, Biddle, Chappie, Conrad, Ketchum, Lewis, McAlister, Mobley, Russell, Stull, and Wakefield—11

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

Mr Ralph was granted unanimous consent to take up Assembly Constitutional Amendment No 14, without reference to file, for purpose of consideration at this time.

Consideration of Assembly Constitutional Amendment No. 14

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 19 of Article IV thereof, relating to the conduct of a lottery by the state

Resolution read

Demand for Previous Question

Messrs Cory, Murphy, Bill Greene, Deddeh, and Stacey demanded the previous question Demand sustained

The question being on the adoption of Assembly Constitutional Amendment No 14

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Ralph moved a call of the Assembly.

Motion carried. Time, 3.54 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3:55 p m., Mr. Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in Room 3188, at this time.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 289

Mr. Gonsalves was granted unanimous consent that Assembly Bill No. 289 be withdrawn from the Committee on Ways and Means, and re-referred to the Committee on Revenue and Taxation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 33: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to federal lands adjacent to Point Mugu State Park.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 33

Mr MacDonald was granted unanimous consent to take up Assembly Joint Resolution No. 33 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 33

Assembly Joint Resolution No. 33—Relative to federal lands adjacent to Point Mugu State Park

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers,

Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

ACTION RESCINDED ON ASSEMBLY BILL NO. 263

Pursuant to unanimous consent granted earlier this day to Mr. Belotti, the action was rescinded whereby Assembly Bill No. 263 was reported correctly enrolled and presented to the Governor on May 8, 1972, and whereby the bill was ordered to enrollment on May 4, 1972.

Assembly Bill No. 263 ordered returned to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2323—An act to repeal Sections 35271.7 and 54797.2 of the Government Code, relating to alteration of boundaries.

Bill read third time, and passed by the following vote:

AYES—Bagley, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Priolo, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—42

NOES—Conrad, Harvey Johnson, Ketchum, MacGillivray, Powers, Russell, Seeley, Stacey, and Stull—9.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 146

At 4·10 p m., on motion of Mr Chappie, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 146 by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 1000

At 4:12 p m., by unanimous consent, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 1000 adopted by the following vote·

AYES—Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Burke, Conrad, Dent, Ketchum, Lewis, Maddy, Monagan, Seeley, Stacey, Stull, and Wakefield—16.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Burke, Conrad, Dent, Ketchum, Lewis, Maddy, Monagan, Seeley, Stacey, Stull, and Wakefield—16.

~~Bill ordered transmitted to the Senate.~~

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No. 1000 was passed was offered by Mr Monagan See page 3630.

COMMUNICATIONS

Assembly Chamber, May 18, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 329—An act to add Sections 38743, 38744, and 38745 to the Government Code, relating to water service;

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., May 18, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 93	AB No. 926	AB No. 2144
AB No. 865	AB No. 1975	AB No. 2157
AB No 874		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 18, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 652
AB No. 2052

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 755

With the recommendation Do pass.

BRATHWAITE, Chairman

Above bill ordered to second reading

Assembly Chamber, May 18, 1972

Mr Speaker· Your Committee on Urban Development and Housing reports.

AB No. 1962

With the recommendation· Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading

Committee on Commerce and Public Utilities

Assembly Chamber, May 18, 1972

Mr Speaker· Your Committee on Commerce and Public Utilities reports·

AB No 799

With amendments with the recommendation· Amend, and do pass, as amended

POWERS, Chairman

Above bill ordered to second reading.

NOTE On May 22, 1972, the above report of the Committee on Commerce and Public Utilities relative to Assembly Bill No 799 was withdrawn See page 3677.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 677
AB No. 65

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

POWERS, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 2018
AB No. 424
AB No. 1147
AB No 1494

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No 239
SB No. 247
SB No. 249

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

POWERS, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 616

With the recommendation: Do pass.

POWERS, Chairman

Above bill ordered to second reading

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 617
AB No. 870

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Finance and Insurance

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1275

With amendments with the recommendation: Amend, and do pass, as amended

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports·

AB No 1931

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker· Your Committee on Finance and Insurance reports·

AB No. 2044

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 1405
AB No 1814
AB No 2046

With the recommendation: Do pass.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 205
AB No 1140
AB No 2113

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

PIERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1519

AB No. 1626

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation · To Consent Calendar.

PIERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Rules

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Rules reports.

AJR No. 22

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No. 85

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Transportation

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Transportation reports:

SB No. 230

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Transportation reports·

AB No. 1556

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 396
AB No. 1306

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with a recommendation. To Consent.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 18, 1972

Mr Speaker· Your Committee on Transportation reports:

AB No. 1945

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation. To Consent.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No. 977

With the recommendation· Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker. Your Committee on Transportation reports:

AB No 1375

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 1372
AB No. 1374
AB No 1970

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1756

With the recommendation: Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 268

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 488
AB No. 784
AB No. 1400

With amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1819

With amendments with the recommendation· Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 50

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 50

Mr. Brown was granted unanimous consent to take up Senate Bill No 50, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file, instead of the second reading file

SECOND READING OF SENATE BILL NO. 50 BY UNANIMOUS CONSENT

Senate Bill No. 50—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill as amended in Senate May 16, 1972, strike out line 4 and insert

"GENERAL GOVERNMENT

LEGISLATIVE

Item	Amount
1—For salaries of Senators	$780,000
2—For mileage of Lieutenant Governor, Senators and statutory officers of the Senate	1,800
3—For expenses of Members of the Senate	356,400
4—For contingent expenses of the Senate, including personal services for officers, clerks and all other employees, and legislative committees thereof composed in whole or in part of Members of the Senate, to be transferred by the State Controller to the Senate Contingent Fund	7,963,421
5—For salaries of Assemblymen	1,560,000
6—For mileage of Assemblymen and statutory officers of the Assembly	3,600
7—For expenses of Members of the Assembly	712,800
8—For contingent expenses of the Assembly including personal services for officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly, to be transferred by the State Controller to the Assembly Contingent Fund	10,787,387
9—For expenses of Joint Legislative Committee for the Revision of the Penal Code	169,871
10—For payment of the state's proportionate share of	

Item		Amount
	the expenses of the National Conference of Legislative Leaders ..... to be transferred by the State Controller in equal amounts to the Senate and Assembly Contingent Funds.	1,000
11	—For legislative printing, binding, mailing and other necessary expenses, and in addition thereto, any amounts received from the sale of legislative publications ..... Notwithstanding any other provision of Section 2 of this act, this appropriation shall be available until June 30, 1974	4,000,000
12	—For the expenses of joint committees and their members and for any charges, expenses, or claims they may incur, to be transferred by the State Controller to the Contingent Funds of the Assembly and Senate, available without regard to fiscal years, to be paid on certification of chairmen of the committees to which allocations have been made by statute or concurrent resolution or by resolution of the Joint Rules Committee	3,939,000
13	—For support of Legislative Counsel Bureau	2,072,572
14	—For support of California Law Revision Commission	175,900
15	—For support of California Commission on Uniform State Laws	23,100
16	—For state's contribution to the Legislators' Retirement Fund, in accordance with Section 9358 of the Government Code	642,134
	JUDICIAL	
17	—For support of Supreme Court of California, Courts of Appeal, Judicial Council of California and Commission on Judicial Qualifications . provided, that the funds appropriated in this item may be allocated or reallocated between them by order of the Judicial Council subject to being reported to the Director of Finance	9,404,206
18	—For support of Judicial Council, for implementing uniformity and consistence of procedure in traffic courts, payable from the Motor Vehicle Fund, to be expended only upon receipt of an equal amount from the federal government . .	17,897
19	—For state's share of salaries of judges of superior courts as provided by Section 68206 of the Government Code . . . . . provided, that any funds which are unexpended due to vacancies in judgeships may be expended by the Judicial Council for extra compensation, expenses and staff for judges assigned by the	12,286,216

Item		Amount
	Chairman of the Judicial Council	
	EXECUTIVE	
20	For support of Governor and of Governor's office (exempt from the provisions of Sections 925 6, 12410 and 13320 of the Government Code)	1,690,450
21	For support of Governor's residence (exempt from the provisions of Sections 925 6, 12410 and 13320 of the Government Code)	17,400
22	For rental of Governor's residence provided, that funds appropriated by this item shall be expended in amounts of not to exceed $1,250 each month to be made available until such time as the state provides a new residence for the Governor	15,000
23	For special contingent expenses, Governor's office (exempt from the provisions of Sections 925 6, 12410 and 13320 of the Government Code)	15,000
23 1	For support of Office of Intergovernmental Management in the Governor's office and in addition thereto, any amounts received from federal grants or other sources	134,163
23 2	For support of Council on Intergovernmental Relations in the Governor's office	47,541
24	For support of Agriculture and Services Agency	118,753
25	For support of Business and Transportation Agency, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971	192,776
26	For support of Business and Transportation Agency to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 25 of this act	9,402
27	For support of Human Relations Agency provided that, any rule or regulation adopted by the Secretary of the Human Relations Agency during the 1972–73 fiscal year which results in additional cost to the state shall only be effective from and after the date upon which it is approved as to availability of funds by the Department of Finance	301,096
28	For support of Resources Agency provided that $50,000 of the amount appropriated by this item shall be available without regard to fiscal year, provided further, that $25,000 of the amount so available shall be expended by the agency for the development of the California Protected Waterway Plan, provided further, that	301,178

Item		Amount
	$25,000 shall be expended on grants to local agencies for development of detailed waterway management plans pursuant to Section 2 of Chapter 761 of the Statutes of 1971; provided further, such grants shall only be made to a local agency which matches funds received on a dollar-for-dollar basis	
29—For support of Office of Emergency Services, California Emergency Council and advisory committees ..... and in addition, any amounts received from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item.		1,006,451
	Schedule:	
	(a) Personal services 1,500,275	
	(b) Operating expenses and equipment 941,134	
	(c) Reimbursements ..... –691,308	
	(d) Federal grants ..... –743,650	
30—For support of Office of Planning and Research		89,457
	Schedule:	
	(a) Personal services 140,648	
	(b) Operating expenses and equipment 28,809	
	(c) Federal grants ..... –80,000	
30.1—For support of the Office of Planning and Research, in augmentation of Item 30		200,000
	Schedule:	
	(a) Personal services 35,000	
	(b) Operating expenses and equipment 15,000	
	(c) Contract services 150,000	
	provided, that the Office of Planning and Research shall prepare an inventory of those presently undeveloped open areas in their natural state or used for agriculture which are in imminent danger of becoming urbanized, suburbanized, or acquired for construction by any public agency and propose methods by which these endangered open areas might be conserved, such recommendations not to be limited to public acquisition, provided, further, that the Office of Planning and Research shall report to the Legislature in two phases, the first phase (the identification phase) due by March 1, 1973, and the second phase (the recommendations for conservation) to be due June 30, 1973	
31—For support of Lieutenant Governor		291,629

Item		Amount
	Schedule	
	(a) Personal services	199,583
	(b) Operating expenses and equipment	92,046
35—For support of Commission of the Californias		40,031
37—For support of Department of Commerce		1,593,888
	Schedule.	
	(a) Personal services	1,372,895
	(b) Operating expenses and equipment	604,450
	(c) Minor capital outlay	44,000
	(d) Reimbursements	–427,457

GENERAL ADMINISTRATION

38—For support of Department of Justice		25,592,657
	Schedule	
	(a) Personal services	24,120,105
	(b) Operating expenses and equipment	10,863,658
	(c) Reimbursements	–3,922,910
	(d) Amount payable from tort liability (Item 46)	–796,086
	(e) Amount payable from Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 (Item 39)	–2,570,271
	(f) Federal grants	–2,091,839
	(g) Amount payable from Chapter 1429, Statutes of 1970	–10,000
	provided, that the department shall report to the Legislature on the accuracy and completeness of the criminal histories entered and maintained in the Criminal Justice Information System, and the criteria and procedure for entering such histories in the system	
39—For support of Department of Justice, to be transferred to and in augmentation of Item 38, Budget Act of 1972, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		2,570,271
40—For support of Commission on Peace Officer Standards and Training, payable from the Peace Officers' Training Fund		934,595
	Schedule	
	(a) Personal services	685,400
	(b) Operating expenses and equipment	249,195
41—For allocation to cities, counties, and cities and counties, pursuant to Section 13523 of the Penal		

Item		Amount
	Code, and for payment of contracts pursuant to Section 13503(c) of the Penal Code, Commission on Peace Officer Standards and Training, payable from the Peace Officers' Training Fund	12,170,000
42	—For support of California Council on Criminal Justice to and including the 60th day following the adjournment of the 1972 Regular Session of the Legislature...	112,131
	provided, that any amounts remaining unexpended from this appropriation shall be transferred to Item 42.5 for expenditure, provided further, that the council shall immediately fund the development of a master plan for automated information and communications systems containing a description of existing and proposed state and local systems, their capacities, uses, users, and costs, provided further, that the master plan shall contain recommendations for legislation or regulations preventing duplication of data systems and communications networks, a description of the security and privacy standards that will be maintained in these systems, an outline of the legislative or administrative actions that must be taken to establish a coordinated system, and a summary statement of the purposes and uses of criminal justice information and communications systems, together with detailed performance standards.	
42 5	—For support of the California Criminal Justice Board and the Advisory Committee on Criminal Justice, in implementation of the provisions of Assembly Bill 375 of the 1972 Regular Session.	37,377
	provided, that if A B 375 results in the California law being declared out of conformity with federal law by the appropriate federal agency, the money appropriated by this item shall be for the support of the California Council on Criminal Justice;	
43	—For expenditure by California Council on Criminal Justice until the 61st day following the adjournment of the 1972 Regular Session and thereafter by the California Criminal Justice Board created by Assembly Bill No 375 of the 1972 Regular Session for the state's cash match for federal grants made by the Law Enforcement Assistance Administration, to be allocated by the Department of Finance	5,750,000
	provided, that if A B 375 results in the California law being declared out of conformity with federal law by the appropriate federal agency, the money appropriated by this item shall be for expenditure by the California Council on Criminal Justice, pro-	

Item		Amount
	vided further, the amounts available under this item shall not exceed the amounts required for the state's cash match for federal grants made by the Law Enforcement Assistance Administration, provided further, that the council shall make the upgrading of local adult and juvenile detention facilities and personnel a first priority in the use of available federal funds, provided further, that the council shall distribute 90 percent of Part C action funds for local governments on the basis of each planning region's population and the remainder of such funds to areas of high crime incidence, provided further, that no planning region shall receive less than 0.25 percent of such funds, provided further, that the state's contributions to local projects required by federal law shall be on a project basis, proportionate to project costs	
44—For support of the California Crime Technological Research Foundation .		78,750
45—For contribution to counties for providing legal assistance to indigents in accordance with Section 987 6 of the Penal Code.		1,429,500
46—For the administration, investigation, adjustment, defense and payment of tort liability claims, settlements, compromises and judgments against the state, its officers, servants and employees, for expenditure by the Department of Finance in its discretion in respect to, or for allocation by the Department of Finance in its discretion to, state agencies, departments, boards, bureaus or commissions supported from the General Fund, or for the purchase of insurance protecting the state, its officers, servants and employees against such tort liability claims, including the defense of such claims whether or not liability exists, Department of Finance		1,000,000
and in addition thereto, there is hereby appropriated from each fund, other than the General Fund, an amount sufficient to pay the cost of administration, investigation, adjustment, defense, and payment of tort liability claims, settlements, compromises and judgments against the state of the state agency supported from such fund, arising from activities of such state agency, or for the purchase of insurance protecting the state, its officers, servants and employees of such state agency against tort liability claims and for the defense of such claims whether or not liability exists, provided, that no expenditures from any such appropriation from a fund other than the General Fund for payment of tort liability claims shall be made		

Item		Amount
	unless approved by the Department of Finance in its discretion, and provided further, that any funds appropriated herein may be expended for either, or any combination, of the purposes specified herein as may be approved by the Department of Finance.	
47—For the payment of claims and Attorney General services pursuant to Chapter 5 (commencing with Section 13960) of Part 4 of Division 3 of Title 2 of the Government Code, including claims not subject to legislative approval, approved by the State Board of Control after the operative date of Chapter 1269 of the Statutes of 1971 and prior to July 1, 1972, State Board of Control		900,000
Schedule:		
(a) Claims	800,000	
(b) Attorney General services	100,000	
and in addition thereto, there is hereby appropriated for the purpose of this item any amount on deposit in the Indemnity Fund, pursuant to Section 13964 of the Government Code.		
48—For support of State Controller		7,583,461
Schedule		
(a) Personal services	7,186,809	
(b) Operating expenses and equipment	2,574,758	
(c) Reimbursements	–840,589	
(d) Amount payable from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund (Item 49)	–106,358	
(e) Amount payable from the Motor Vehicle Fuel Account in the Transportation Tax Fund (Item 50)	–990,255	
(f) Amount payable from the State School Building Aid Fund (Item 51)	–159,801	
(g) Amount payable from the Aeronautics Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 (Item 52)	–81,103	
The appropriation made by this item shall be in lieu of any allocation made pursuant to subdivision (b) of Section 30462 of the Revenue and Taxation Code during the 1972–73 fiscal year and no funds shall be allocated to the State Controller pursuant to Section 30462 during the 1972–73 fiscal year.		
49—For support of State Controller, payable from the		

Item		Amount
	Motor Vehicle Transportation Tax Account in the Transportation Tax Fund	106,358
50—For support of State Controller, payable from the Motor Vehicle Fuel Account in the Transportation Tax Fund		990,255
51—For support of State Controller, payable from the State School Building Aid Fund		159,801
52—For support of State Controller, payable from the Aeronautics Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971.		81,103
53—For support of State Board of Equalization		26,486,349
Schedule		
(a) Personal services	29,117,983	
(b) Operating expenses and equipment	6,956,455	
(c) Reimbursements	-7,070,150	
(d) Amount payable from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund (Item 54)	-1,147,386	
(e) Amount payable from the Motor Vehicle Fuel Account in the Transportation Tax Fund (Item 55)	-1,370,553	
54—For support of State Board of Equalization, payable from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund		1,147,386
55—For support of State Board of Equalization, payable from the Motor Vehicle Fuel Account in the Transportation Tax Fund		1,370,553
56—For support of Secretary of State		2,318,540
Schedule		
(a) Personal services	1,524,054	
(b) Operating expenses and equipment	803,586	
(c) Minor capital outlay	25,000	
(d) Reimbursements	-34,100	
57—For printing constitutional amendments and other ballot measures, Secretary of State		282,500
58—For payment of per diem and mileage allowance to each presidential elector, in accordance with Section 25108 of the Elections Code, Secretary of State		1,700
59—For support of California Heritage Preservation Commission		800
60—For support of State Treasurer		1,062,774
Schedule		
(a) Personal services	917,205	
(b) Operating expenses and equipment	502,035	

Item		Amount
	(c) Reimbursements	-356,466
61—For support of Department of Finance Schedule		4,071,794
	(a) Personal services	3,312,566
	(b) Operating expenses and equipment	888,678
	(c) Reimbursements	-129,450
62—For support of Commission on California State Government Organization and Economy		156,366
63—For support of California Commission on Interstate Cooperation		110,730
64—For support of Military Department Schedule		4,364,564
	(a) Personal services	4,439,143
	(b) Operating expenses and equipment	2,075,860
	(c) Minor capital outlay	57,900
	(d) Reimbursements	-84,304
	(e) Federal grants	-2,124,035
provided, that no expenditures shall be made from this appropriation as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, which in the absence of such expenditure, or of this appropriation, would be available to the Commanding General of the State Military Forces, the California National Guard or the California National Guard Reserve from the federal government		
65—For payment of military retirements, in accordance with the provisions of Sections 228 and 256 of the Military and Veterans Code, Military Department		448,506
66—For support of California Cadet Corps Schedule		100,653
	(a) Personal services	52,441
	(b) Operating expenses and equipment	48,212
67—For support of Public Utilities Commission Schedule		6,913,273
	(a) Personal services	10,792,042
	(b) Operating expenses and equipment	2,325,455
	(c) Reimbursements	-160,000
	(d) Amount payable from the Transportation Rate Fund (Item 68)	-6,044,224
68—For support of Public Utilities Commission, payable from the Transportation Rate Fund		6,044,224

Item		Amount
	MISCELLANEOUS	
69—For support of Commission on the Status of Women		49,500
69.1—For support of Intergovernmental Board on Electronic Data Processing		15,250
70—For support of California Arts Commission		200,030
71—For support of California Horse Racing Board, payable from the Fair and Exposition Fund. Schedule		420,712
(a) Personal services	316,945	
(b) Operating expenses and equipment	103,767	
72—For support of Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, payable from the Board of Pilot Commissioners' Special Fund		37,030
73—For the state's contribution for the cost of a basic health benefits plan, for annuitants and other employees, in accordance with Sections 22828 and 22829 of the Government Code, which is not chargeable to any other appropriation		4,503,764
provided, that no portion of these funds shall be used to pay employer contributions under the Meyers-Geddes State Employees' Medical and Hospital Care Act with respect to an enrollment of any annuitant during an open enrollment period occurring after January 1, 1971, or any enrollment not authorized under rules of the Board of Administration in effect on January 1, 1971		
74—For refunding of payments of taxes, licenses, fees and other receipts which have been erroneously collected and deposited in the General Fund for the refund of which no other provision is made by law, for refunding of amounts withheld and deposited in a fund in the State Treasury to any person who is determined to be liable to a taxpayer by reason of withholding and transmitting payments of taxes, interest, and penalties for the refund of which no other provision is made by law, and for payment or prior judgments, liens or encumbrances pursuant to Section 12516 of the Government Code		30,000
provided, that expenditures made under this item shall be charged to the year in which the warrant is issued by the State Controller		
	PROPERTY TAX RELIEF	
75—For providing property tax assistance to claimants, in accordance with the provisions of the Sen-		

Item		Amount
	ior Citizens Property Tax Assistance Law, Part 10.5 (commencing at Section 19501), of Division II of the Revenue and Taxation Code, Franchise Tax Board	56,000,000
76—	For reimbursement to local taxing authorities for revenue lost by reason of the repeal or reduction of the property tax on the following classes of property affected by the following provisions of the Revenue and Taxation Code (1) business inventories under Section 219; (2) motion pictures under Section 988; (3) livestock under Section 5523; and (4) wine and brandy under Section 992, State Controller . .. . The appropriation made by this item shall be in lieu of the appropriation for the same purpose contained in subdivision (a) of Government Code Section 16100 as added by Chapter 1, Statutes of 1971, First Extraordinary Session	138,000,000
77—	For providing reimbursement to local taxing authorities for revenue lost by reason of the assessment of open-space lands under Sections 423 and 423.5 of the Revenue and Taxation Code, and in accordance with the provisions of Government Code Sections 16107–16118, inclusive, as added by Chapter 1 of the Statutes of 1971, First Extraordinary Session, State Controller .. . . The appropriation made by this item shall be in lieu of the appropriation for the same purpose contained in subdivision (a) of Government Code Section 16100, as added by Chapter 1, Statutes of 1971, First Extraordinary Session, and may not be augmented.	13,000,000
78—	For reimbursement to local taxing authorities for revenue lost by reason of the homeowners' property tax exemption granted pursuant to Section 1d of Article XIII of the Constitution	254,800,000
	DEBT SERVICE	
79—	For payment of interest, on order of the Director of Finance, on transfers of money from any fund or account subject to investment, to the General Fund under Section 16310 of the Government Code, computed at a rate determined by the Pooled Money Investment Board to be a rate of interest prescribed by Section 16310 of the Government Code	2,000,000

Item		Amount
	UNALLOCATED	
80	For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service exclusive of personnel in the University of California and in the California State Colleges, whose compensation, or portion thereof, is chargeable to the General Fund, the increase in compensation provided for in any increased salary range or rate including staff benefits established on or after July 1, 1972 by the State Personnel Board or other salary-fixing authority	47,488,500
	For state officers and employees whose compensation, including staff benefits, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide increases in compensation, including staff benefits, for each such officer or employee, in accordance with this item, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes.	
	Before any increased salary range or rate established for any position for the 1972–73 fiscal year shall become effective, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or may be made available from the appropriation in this item, to meet the cost of such increases	
81	For university salary increases, to be allocated by the Department of Finance to the regents of the university, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including staff benefits, of increases in compensation provided for in any increased salary range or rate established on or after July 1, 1972, for the 1972–73 fiscal year by the regents of the university	33,276,500
	provided, that increase in compensation provided by increased salary ranges for positions established for the 1972–73 fiscal year shall not result in total annual salary increases, including staff bene-	

Item		Amount
	fits, of more than $33,276,500.	
	Before the Regents of the University of California establish any increased salary range or rate for the 1972–73 fiscal year, a certification shall be obtained from the Department of Finance that sufficient money either is available in funds authorized for the University of California or may be made available from the appropriation in this item to meet the cost of such increases.	
82	—For California State Colleges salary increases, to be allocated by the Department of Finance to the Trustees of the California State Colleges, in augmentation of appropriations for support or for other purposes, in such amounts as will defray the cost, including staff benefits, of increases in compensation provided for in any increased salary range or rate established on or after July 1, 1972, for the 1972–73 fiscal year by the Trustees of the California State Colleges	35,495,300
	provided, that increases in compensation provided by this item for increased salary ranges for positions established for the 1972–73 fiscal year shall not result in total annual salary increases, including staff benefits, of more than $35,495,300	
	Before the Trustees of the California State Colleges establish any increased salary range or rate for the 1972–73 fiscal year, a certification shall be obtained from the Department of Finance that sufficient money either is available in funds authorized for the California State Colleges or may be made available from the appropriation in this item, to meet the cost of such increases	
83	—For allocation by executive order of the Department of Finance to the several courts, state agencies, and counties, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will defray the state's share of the cost of the increases in compensation for judges, justices and related classes as provided in Section 68203 of the Government Code.	688,000
84	—For allocation by executive order of the Department of Finance to the several state agencies in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available from the General Fund for an increase of $2 per month in the state's contribution for the cost of a basic health benefits plan, for annuitants, state officers and employees in accordance with Sections 22825, 22828 and 22829 of the Government Code, which is not chargeable to any other appropriation	2,062,000

Item Amount

For state officers and employees whose compensation is payable from special funds, there is hereby appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide payment of an increase of $2 per month in the state's contribution for the cost of a basic health benefits plan for state officers and employees in accordance with Sections 22825, 22828 and 22829 of the Government Code, which amount is to be made available by executive order of the Department of Finance to the several state agencies in augmentation of their respective appropriations for support for other purposes

Provided, that no portion of these funds shall be used to pay employer contributions under the Meyers-Geddes State Employees' Medical and Hospital Care Act with respect to an enrollment of any annuitant during an open enrollment period occurring after January 1, 1971, or any enrollment not authorized under rules of the Board of Administration in effect on January 1, 1971

85—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies 1,000,000

and in addition, $1,500,000 is appropriated for loans that may be made from the Emergency Fund to state agencies which derive their support from the General Fund or from sources other than the General Fund, upon such terms and conditions for repayment as may be prescribed by the Department of Finance and any sum so loaned shall, if ordered by the Department of Finance, be transferred by the State Controller to the fund from which the support of the agency is derived Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law and which in the judgment of the Director of Finance constitute cases of actual necessity, but these shall be limited to purposes which have been specifically approved by the Legislature in budget acts or other legislation, except that not more than $100,000 of this item may be expended for emergencies for which no such prior authorization exists

Provided, that the Director of Finance shall file with the Joint Legislative Budget Committee within 10 days after approval, copies of all executive orders and allotment promises for allocations from the Emergency Fund stating the reasons for,

Item		Amount

and the amount of, all such executive orders and allotment promises for allocations.

Provided further, that any augmentation from this item to any program in excess of 10 percent of the amount authorized for expenditure in the 1972–73 fiscal year for such program shall become effective no sooner than 30 days after notification in writing to the Joint Legislative Budget Committee or no sooner than such lesser time as the committee, or its designee, may in each instance determine, except that no such limit shall apply if the Director of Finance states in writing to the Chairman of the Joint Legislative Budget Committee the necessity and urgency for the allocation which, in the judgment of the director, makes prior approval impractical.

86—For claim of the Secretary of the State Board of Control, to be paid from the several funds, in accordance with the following schedule			55,866
Schedule:			
(a) General Fund		45,872	
(b) Fish and Game Preservation Fund		185	
(c) State Highway Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		1,364	
(d) Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		679	
(e) Motor Vehicle Fuel Account in the Transportation Tax Fund		449	
(f) Motor Vehicle License Fee Account in the Transportation Tax Fund		88	
(g) State Fair Fund		101	
(h) Manpower Development Fund		182	
(i) Unemployment Administration Fund		428	
(j) Unemployment Compensation Disability Fund		356	
(k) Water Resources Revolving Fund		6,162	

AGRICULTURE AND SERVICES

87—For support of Department of Agriculture			12,438,786
Schedule:			
(a) Personal services		18,127,000	
(b) Operating expenses and equipment		6,572,804	

Item		Amount
	(c) Emergency pest detection and eradication	911,725
	(d) Reimbursements	-3,552,515
	(e) Amount payable from the Department of Agriculture Fund (Sections 224(1) and 224(2), Agricultural Code)	-1,500,000
	(f) Amount payable from the Department of Agriculture Fund (Item 88)	-7,863,527
	(g) Amount payable from the Fair and Exposition Fund (Item 89)	-256,701
88	For support of Department of Agriculture, payable from the Department of Agriculture Fund	7,863,527
89	For support of Department of Agriculture, payable from the Fair and Exposition Fund	256,701
90	For salaries of county agricultural commissioners or compensation for services performed for county agricultural departments, Department of Agriculture, to be expended in accordance with the provisions of Section 2224 of the Agricultural Code	171,600
91	For payments to cities and counties for lands under contract as agricultural preserves on July 1 of the 1972–73 fiscal year, Department of Agriculture, to be expended in accordance with the provisions of Section 51260 of the Government Code	446
92	The sum of $130,000 of the money appropriated by Section 19627 of the Business and Professions Code, for support of district agricultural fairs or combined county and district agricultural fairs, is hereby reappropriated from the Fair and Exposition Fund during the 1972–73 fiscal year for transfer to the General Fund by the State Controller upon order of the Director of Finance.	
93	For furnishing of workmen's compensation to disaster service workers and their dependents, in accordance with the provisions of Sections 3201 through 6002 of the Labor Code, including the reimbursing of the State Compensation Insurance Fund for the cost of services as adjusting agent, Governor's office, Office of Emergency Services The State Compensation Insurance Fund may draw from the State Treasury out of the appropriation made by this item, without at the time presenting vouchers and itemized statements, any portion of the appropriation contained in this item, to be used as a cash revolving fund Expenditures made from the revolving fund in payment of claims for workmen's compensation and adjusting	88,600

Item		Amount
	services are excepted from the operation of Section 925.6 of the Government Code Reimbursement of the revolving fund for such expenditures shall be made upon presentation to the State Controller of an abstract or statement of such expenditures Such abstract or statement shall be in such form as the State Controller requires	
94—For support of State Board of Accountancy, payable from the Accountancy Fund		458,746
95—For support of California State Board of Architectural Examiners, payable from the California State Board of Architectural Examiners' Fund		146,960
96—For support of State Athletic Commission		195,100
96.5—For support of the Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Automotive Repair Fund Schedule		2,740,000
(a) Personal services	1,255,579	
(b) Operating expenses and equipment	1,484,421	
97—For support of State Board of Barber Examiners, payable from the State Board of Barber Examiners' Fund		469,857
98—For support of Board of Behavioral Science Examiners of the State of California, payable from the Behavioral Science Examiners Fund		135,178
99—For support of Cemetery Board, payable from the Cemetery Fund		85,407
100—For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners' Fund		115,177
101—For support of Bureau of Collection and Investigative Services, Department of Consumer Affairs, payable from the Collection Agency Fund		209,310
102—For support of Bureau of Collection and Investigative Services, Department of Consumer Affairs, payable from the Private Investigator and Adjuster Fund		106,212
103—For support of Contractors' State License Board, payable from the Contractors' License Fund Schedule.		2,876,688
(a) Personal services	1,819,447	
(b) Operating expenses and equipment	1,057,241	
104—For support of State Board of Cosmetology, payable from the Board of Cosmetology's Contingent Fund Schedule		938,187
(a) Personal services	309,668	

Item		Amount
	(b) Operating expenses and equipment 628,519	
105—For support of Board of Dental Examiners of California, payable from the State Dentistry Fund .		339,446
106—For support of State Board of Dry Cleaners, payable from the Dry Cleaners' Fund . . Notwithstanding the provision of Section 14660 5 of, and Sections 16346 to 16350, inclusive, of the Government Code, or any other provisions of law, any money in the Dry Cleaner's Fund not appropriated for administering and enforcing the provisions of Chapter 18 (commencing with Section 9500) of Division 3 of the Business and Professions Code, or augmentations under Section 11006 of the Government Code, shall remain in such fund and shall not be used for any other purpose		328,379
107—For support of Bureau of Employment Agencies, Department of Consumer Affairs, payable from the Bureau of Employment Agencies Fund		254,886
108—For support of State Board of Funeral Directors and Embalmers, payable from the State Funeral Directors and Embalmers' Fund. . .		122,675
109—For support of Bureau of Furniture and Bedding Inspection, Department of Consumer Affairs, payable from the Bureau of Furniture and Bedding Inspection Fund		488,212
110—For support of State Board of Registration for Geologists, payable from the Geology Fund . .		50,011
111—For support of State Board of Guide Dogs for the Blind		5,000
112—For support of California State Board of Landscape Architects, payable from the State Board of Landscape Architects' Fund		39,851
113—For support of Board of Medical Examiners of the State of California, payable from the Contingent Fund of the Board of Medical Examiners . . Schedule		1,302,846
(a) Personal services .	321,220	
(b) Operating expenses and equipment	995,626	
(c) Reimbursements . . .	-14,000	
114—For support of Board of Medical Examiners of the State of California, payable from the Physical Therapy Fund .		52,798
115—For support of Board of Medical Examiners of the State of California, payable from the Hearing Aid Dispensers Fund .		29,642
116—For support of State Board of Examiners of Nursing Home Administrators, payable from the Nursing Home Administrator's State License Examining Board Fund . .		75,483

Item		Amount
117—For support of California Board of Nursing Education and Nurse Registration, payable from the California Board of Nursing Education and Nurse Registration Fund		819,949
Schedule:		
(a) Personal services	348,850	
(b) Operating expenses and equipment	471,099	
118—For support of Nurses' Registry, payable from the Nurses' Registry Fund		14,031
119—For support of State Board of Optometry, payable from the State Optometry Fund		86,623
120—For support of Board of Osteopathic Examiners of the State of California, payable from the Contingent Fund of the Board of Osteopathic Examiners		14,452
121—For support of California State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund		764,699
Schedule.		
(a) Personal services	373,661	
(b) Operating expenses and equipment	391,038	
122—For support of State Board of Registration for Professional Engineers, payable from the Professional Engineers' Fund		733,449
Schedule		
(a) Personal services	429,035	
(b) Operating expenses and equipment	304,414	
123—For support of Bureau of Repair Dealer Services, Department of Consumer Affairs, payable from the Repair Services Fund		322,706
124—For support of Certified Shorthand Reporters Board, payable from the Shorthand Reporters' Fund		45,124
125—For support of Structural Pest Control Board, payable from the Structural Pest Control Fund		525,298
Schedule		
(a) Personal services	180,528	
(b) Operating expenses and equipment	344,770	
126—For support of Board of Examiners in Veterinary Medicine, payable from the Board of Veterinary Examiners' Contingent Fund		95,818
127—For support of Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California, payable from the Vocational Nurse and Psychiatric Technician Examiners' Fund		465,743
128—For support of Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California, payable from the Vocational Nurse and		

Item		Amount
	Psychiatric Technician Examiners' Fund from those moneys deposited under the provisions of Section 4547 of the Business and Professions Code	75,617
129—For support of State Board of Control		151,207
130—For support of California Exposition and Fair Executive Committee, Department of General Services, and for payment of principal and interest on revenue bonds to meet the provisions of Government Code Section 15849, to be transferred by the State Controller to Item 131, Budget Act of 1972, in accordance with the following schedule		1,531,322
Schedule		
(a) Support	401,322	
(b) Payment of interest and principal on revenue bonds	1,130,000	
provided, that no more than the amount actually needed to pay any deficit in principal and interest on the revenue bonds shall be made available for expenditure from category (b) of this item, provided further, that no more than $181,322 of the amount contained in this item shall be expended for support of the executive committee if admissions fees are raised		
131—For support of California Exposition and Fair Executive Committee, Department of General Services, and for payment of principal and interest on revenue bonds to meet the provisions of Government Code Section 15849, payable from the State Fair Fund		0
Schedule.		
(a) Support	2,787,664	
(b) Payment of interest and principal on revenue bonds	1,130,000	
(c) Amount payable from General Fund (Item 130)	-1,531,322	
(d) Amount payable from State Fair Fund as revenue from operations	-2,051,342	
(e) Amount payable from the State Fair Fund (Item 132)	-265,000	
(f) Reimbursements	-70,000	
132—For support of California Exposition and Fair Executive Committee, payable from the State Fair Fund, in accordance with Section 19622, Business and Professions Code		265,000
133—For support of State Fire Marshal		937,256
Schedule		
(a) Personal services	990,443	
(b) Operating expenses and equipment	185,813	

Item		Amount
(c) Reimbursements	−164,000	
(d) Amount payable from Dry Cleaners' Fund (Item 134)	−75,000	
134—For support of State Fire Marshal, payable from the Dry Cleaners' Fund		75,000
135—For support of Franchise Tax Board Schedule		32,346,176
(a) Personal services	20,567,207	
(b) Operating expenses and equipment	11,865,207	
(c) Reimbursements	−86,238	
136—For support of Department of General Services for transfer to the Service Revolving Fund, to be transferred by the State Controller in such amounts as the Department of Finance may authorize, provided, that the money so transferred shall not be available for expenditure after June 30, 1973, and any unencumbered balances shall be returned to the General Fund as of June 30, 1973		5,481,316
137—For support of Department of General Services, payable from the State School Building Aid Fund		1,000,530
138—For augmentation of the Service Revolving Fund, to be transferred by the State Controller in such amounts and at such times as funds are made available. Upon approval of the State Board of Control, the State Controller shall transfer to this item from any appropriation made from the General Fund or any special fund by the provisions of this act that part of such appropriation which is intended to be used and is available for the purchase or replacement of equipment and provided any funds in the Service Revolving Fund may be used to purchase equipment from the General Fund or special funds of the state at the depreciated value of the equipment at the time of purchase, payable at the option of the Service Revolving Fund over the remaining depreciation period		
139—For expenditure by Office of State Printing, Department of General Services, payable from the Service Revolving Fund Schedule		22,360,731
(a) Personal services	9,505,590	
(b) Operating expenses and equipment	12,855,141	
provided, that any balances in the Service Revolving Fund are subject to Sections 16420, 16421 and 16422 of the Government Code, and are available for augmentation of this appropriation by executive order of the Department of Finance		
140—For support of Department of General Services		

Item		Amount
	for activities financed from the Service Revolving Fund, other than the Office of State Printing	43,916,197
	Schedule	
	(a) Personal services	29,467,456
	(b) Operating expenses and equipment	44,426,939
	(c) Minor capital outlay	100,000
	(d) Reimbursements	-23,596,352
	(e) Amount payable from the General Fund (Item 136)	-5,481,316
	(f) Amount payable from the State School Building Aid Fund (Item 137)	-1,000,530
	provided, that any balances in the Service Revolving Fund are subject to Sections 16420, 16421 and 16422 of the Government Code, and are available for augmentation of this appropriation by executive order of the Department of Finance.	
141—For expenditure by Office of Architecture and Construction, Department of General Services, payable from the Architecture Revolving Fund, for the purposes specified in Section 14957 of the Government Code		4,719,639
	Schedule	
	(a) Personal services	4,152,919
	(b) Operating expenses and equipment	1,014,520
	(c) Reimbursements	-447,800
	provided, that any balances in the Architecture Revolving Fund continue to be appropriated by and subject to Section 14957 of the Government Code, and are available for construction and for augmentation of this appropriation, provided further, that during 1972–73 fiscal year, the Office of Architecture and Construction, Department of General Services, shall gradually reduce expenditures for staff to a level commensurate with the funds necessary to maintain a staff sufficient to perform a basic architectural and engineering services workload volume of $20 million as projected to June 30, 1973	
142—For support of Office of Architecture and Construction, Department of General Services, payable from the Architecture Public Building Fund		1,438,280
	Schedule	
	(a) Personal services	1,098,390
	(b) Operating expenses and equipment	339,890
143—For support of Department of Industrial Relations		23,236,143

Item		Amount
	Schedule.	
	(a) Personal services . . 19,934,984	
	(b) Operating expenses and equipment 4,037,231	
	(c) Reimbursements .... –301,290	
	(d) Federal grants . . .. –434,782	
144	—For payment of the additional compensation for subsequent injury provided for by Sections 4750 through 4755 of the Labor Code, Department of Industrial Relations	2,004,000
145	—For support of State Personnel Board..... . ... Schedule:	9,066,636
	(a) Personal services 5,440,992	
	(b) Operating expenses and equipment 1,682,792	
	(c) For implementation of Division 4 (commencing with Section 12000) of the Unemployment Insurance Code, pursuant to subdivision (d), Section 39 7, Chapter 578, Statutes of 1971 3,800,000	
	(d) Reimbursements .... –1,857,148	
146	—For support of Board of Administration of the Public Employees' Retirement System, to be transferred by the State Controller to Item 147, Budget Act of 1972	18,000
147	—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Retirement Fund, pursuant to Section 20202 5 of the Government Code . . . . Schedule:	4,568,071
	(a) Personal services 3,874,841	
	(b) Operating expenses and equipment 1,946,450	
	(c) Reimbursements .. .. –643,154	
	(d) Amount payable from State Employees' Contingency Reserve Fund (Item 148) .... –592,066	
	(e) Amount payable from General Fund (Item 146) . . . . –18,000	
148	—For support of Board of Administration of the Public Employees' Retirement System, payable from the State Employees' Contingency Reserve Fund, in accordance with the provisions of Section 22840 of the Government Code	592,066
149	—For support of State Teachers' Retirement System, payable from the Teachers' Retirement Fund	3,535,813

Item		Amount
	Schedule.	
	(a) Personal services	2,641,695
	(b) Operating expenses and equipment	1,183,118
	(c) Reimbursements	-289,000
150—For support of Department of Veterans Affairs		749,752
	Schedule.	
	(a) Personal services	958,494
	(b) Operating expenses and equipment	163,274
	(c) Amount payable from the Veterans' Farm and Home Building Fund of 1943 (Item 151)	-372,016
151—For support of Department of Veterans Affairs, payable from the Veterans' Farm and Home Building Fund of 1943		372,016
152—For educational assistance to veterans' dependents, Department of Veterans Affairs, to be expended under the provisions of Sections 890 through 899 of the Military and Veterans Code		2,085,100
153—For support of Veterans' Home of California		3,903,692
	Schedule.	
	(a) Personal services	6,733,174
	(b) Operating expenses and equipment	1,466,595
	(c) Reimbursements	-1,784,640
	(d) Federal grants	-2,511,437
	provided, that none of the funds herein appropriated shall be expended for the payment of sick leave pay for member employees	
	The Veterans' Home of California shall collect from home members, after due consideration of income and family status, fees and charges for domiciliary, nursing home, and hospital care.	
154—For contribution to counties toward the compensation and expenses of county service officers, Department of Veterans Affairs, to be expended in accordance with Section 972 of the Military and Veterans Code, payable from the surplus of the Veterans' Farm and Home Building Fund of 1943		500,000

BUSINESS AND TRANSPORTATION

BUSINESS

155—For support of Department of Alcoholic Beverage Control		6,441,851
	Schedule:	
	(a) Personal services	5,246,640

Item		Amount
(b) Operating expenses and equipment	1,215,211	
(c) Reimbursements	-20,000	
156—For support of Alcoholic Beverage Control Appeals Board Schedule.		140,203
(a) Personal services	114,500	
(b) Operating expenses and equipment	25,703	
157—For support of State Banking Department Schedule.		0
(a) Personal services	20,000	
(b) Operating expenses and equipment	12,500	
(c) Reimbursements	-32,500	
158—For support of State Banking Department, to be transferred to and in augmentation of Item 157, Budget Act of 1972, upon order of the Department of Finance, payable from the State Banking Fund provided, that this ~~amount~~ shall be a temporary loan to be repaid upon such terms and conditions as may be prescribed by the Department of Finance.		32,500
159—For support of State Banking Department, payable from the State Banking Fund Schedule.		1,626,134
(a) Personal services	1,357,400	
(b) Operating expenses and equipment	268,734	
160—For support of Department of Corporations Schedule		3,187,000
(a) Personal services	3,572,041	
(b) Operating expenses and equipment	692,937	
(c) Reimbursements	-1,077,978	
161—For support of Department of Housing and Community Development Schedule.		1,312,662
(a) Personal services	1,847,065	
(b) Operating expenses and equipment	617,611	
(c) Reimbursements	-954,228	
(d) Federal reimbursements	-197,786	
162—For support of Department of Insurance Schedule		3,230,197
(a) Personal services	3,801,959	
(b) Operating expenses and equipment	1,010,242	
(c) Reimbursements	-1,582,004	
163—To the Department of Insurance for reimburse-		

Item		Amount
ment of the Crime Insurance Pool pursuant to Chapter 10 (commencing with Section 10101) of Part 1 of Division 2 of the Insurance Code		500,000
164—To pay the state's share of the cost of providing riot and civil disorders insurance pursuant to Chapter 2 of the Insurance Code		1,650,000
165—For support of Department of Real Estate, payable from the Real Estate Fund		3,609,133
Schedule:		
(a) Personal services	2,614,098	
(b) Operating expenses and equipment	1,403,436	
(c) Reimbursements	-60,000	
(d) Amount payable from the Real Estate Education, Research and Recovery Fund—Education Research (Item 166 (a))	-198,401	
(e) Amount payable from the Real Estate Education, Research and Recovery Fund—Recovery Act (Item 166 (b))	-150,000	
166—For educational, research and recovery needs of the real estate industry in California, payable from the Real Estate Education, Research and Recovery Fund		520,401
Schedule		
(a) Education research	370,401	
(b) Recovery Act	150,000	
to be allocated by the Department of Finance in amounts as it finds necessary to the University of California, exempt from Section 31 of this act, and to the Department of Real Estate, to carry out the provisions of Section 10451.5 of the Business and Professions Code		
167—To Department of Real Estate, payable from the education and research account of the Real Estate Education, Research and Recovery Fund for the purpose of endowing a Real Estate Chair at the University of California, the conditions governing said endowment shall be specified by the Real Estate Commissioner		500,000
168—For support of Department of Savings and Loan, payable from the Savings and Loan Inspection Fund		2,925,825
Schedule		
(a) Personal services	2,366,159	
(b) Operating expenses and equipment	559,666	

Item		Amount
	TRANSPORTATION	
169—For support of State Transportation Board, Office of Transportation Planning and Research, to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 172 of this act		8,254
170—For support of State Transportation Board, Office of Transportation Planning and Research, payable from the Aeronautics Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 172 of this act		4,357
171—For support of State Transportation Board, Office of Transportation Planning and Research, payable from the Harbors and Watercraft Revolving Fund, to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 172 of this act		1,452
172—For support of State Transportation Board, Office of Transportation Planning and Research, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		315,831
Schedule		
(a) Personal services	197,593	
(b) Operating expenses and equipment	132,301	
(c) Amount payable from General Fund (Item 169)	–8,254	
(d) Amount payable from Aeronautics Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 (Item 170)	–4,357	
(e) Amount payable from Harbors and Watercraft Revolving Fund (Item 171)	–1,452	
173—For support of Department of Aeronautics, payable from the Aeronautics Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		555,740
Schedule		
(a) Personal services	351,289	
(b) Operating expenses and equipment	316,813	
(c) Reimbursements	–112,362	
174—For support of Department of the California		

Item		Amount
	Highway Patrol, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971	133,836,712
	Schedule	
	(a) Personal services	109,150,954
	(b) Operating expenses and equipment	26,200,563
	(c) Minor capital outlay	91,395
	(d) Reimbursements	-1,606,200
175—For payments of deficiencies in appropriations for the Department of the California Highway Patrol which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the sum of $500,000, or so much thereof as may be necessary, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		
176—For support of Vehicle Equipment Safety Commission, payable from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund		11,641
177—For support of Department of Motor Vehicles, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		65,354,398
	Schedule:	
	(a) Personal services	61,404,027
	(b) Operating expenses and equipment	20,075,322
	(c) Reimbursements	-5,972,515
	(d) Amount payable from Motor Vehicle License Fee Account in the Transportation Tax Fund (Item 178)	-8,930,621
	(e) Amount payable from Harbors and Watercraft Revolving Fund (Item 179)	-650,686
	(f) Amount payable from the California Environmental Protection Program Fund (Item 180)	-237,860
	(g) Amount payable from Driver Training Penalty Assessment Fund (Chapter 1454, Statutes of 1969)	-58,511
	(h) Amount payable from the Abandoned Vehicle Trust Fund	-274,758
provided that, if the State Air Resources Board defers the requirement for exhaust emission control devices as set forth in Chapter 1507, Statutes of 1971, the funds included herein for implemen-		

Item		Amount
	tation of Section 4602 of the Vehicle Code shall be reduced accordingly and no notification of the general public under Section 7 of Chapter 1507, Statutes of 1971, shall be made. Provided, any surplus accumulated from the service and transfer fee portion of the program established pursuant to Chapter 1816 of the Statutes of 1971 shall be continuously appropriated to the Off-Highway Vehicle Fund.	
178	—For support of Department of Motor Vehicles, payable from the Motor Vehicle License Fee Account in the Transportation Tax Fund ..... to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 177 of this act, as provided by Section 11003 of the Revenue and Taxation Code	8,930,621
179	—For support of Department of Motor Vehicles, payable from the Harbors and Watercraft Revolving Fund ..... to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 177 of this act, for undocumented vessel registration and fee collection	650,686
180	—For support of Department of Motor Vehicles, payable from the California Environmental Protection Program Fund .... to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 177 of this act, as provided by Section 39071 of the Health and Safety Code	237,860
180.5	—For support of the Department of Motor Vehicles, payable from the Abandoned Vehicle Trust Fund ..... to be transferred to the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971, in augmentation of Item 177 of this act	274,758
181	—For payment of deficiencies in appropriations for the Department of Motor Vehicles which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the sum of $500,000, or so much thereof as may be necessary, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971	
182	—For allocation and expenditure by the Public Utilities Commission to assist cities, counties, and cities	

Item		Amount
and counties in paying their share of the cost of constructing grade crossing protection works, in augmentation of Chapter 1302 of the Statutes of 1961, payable from the State Highway Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 . . . . . The appropriation made by this item shall be available without regard to fiscal years		1,000,000

RESOURCES

183—To Resources Agency for support of the Tahoe Regional Planning Agency		50,000
183.1—For support of California Advisory Commission on Marine and Coastal Resources, as provided by Sections 8800 to 8827, inclusive, of the Government Code, Resources Agency		52,885
184—For support of the Environmental Protection Program, Resources Agency and Business and Transportation Agency, payable from moneys in the California Environmental Protection Program Fund, to be allocated by the two secretaries. . Schedule		1,144,690
(a) Purchase of ecological reserves .	544,690	
(b) Environmental land classification and inventory. .	55,000	
(c) Ecology education and school district environmental land acquisition and development	345,000	
(d) Waterway management planning	50,000	
(e) Roadside ecological viewing areas	150,000	
185—For support of State Air Resources Board, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 . . . . Schedule		3,861,590
(a) Personal services .	2,925,999	
(b) Operating expenses and equipment	1,815,591	
(c) Reimbursements . . .	–880,000	
185.1—For nonvehicular program, State Air Resources Board		700,000
185.2—For vacuum spark advance disconnect and mandatory vehicle inspection, south coast air basin, State Air Resources Board, payable from the Motor Vehicle Account of the State Transportation Fund created by Chapter 1243, Statutes of 1971		10,435,000
186—For support of any advisory committee appointed pursuant to Article 4 (commencing with Section 190), Chapter 2, Division 1, of the Water Code, to be expended only upon authorization of the chair-		

Item		Amount
man of the advisory committee		8,000
187—For support of California-Nevada Interstate Compact Commission		27,500
188—For support of Colorado River Board of California		92,767
Schedule:		
(a) Personal services	224,879	
(b) Operating expenses and equipment	53,450	
(c) Reimbursements	-185,562	
189—For support of Department of Conservation		43,554,654
Schedule:		
(a) Personal services	40,732,075	
(b) Operating expenses and equipment	12,373,231	
(c) Minor capital outlay	200,000	
(d) Fire protection contract—counties	2,942,056	
(e) Fire protection contract—United States Forest Service	1,463,241	
(f) Emergency fire suppression and detection	200,000	
(g) Federal reimbursements	-728,300	
(h) Reimbursements	-11,877,869	
(i) Amount payable from Petroleum and Gas Fund (Item 190)	-1,406,633	
(j) Amount payable from Petroleum and Gas Fund—Geothermal Resources Account (Item 191)	-15,750	
(k) Amount payable from Subsidence Abatement Fund (Item 192)	-133,714	
(l) Amount payable from Strong-Motion Instrumentation Program Fund (Item 193)	-193,683	
provided, that an amount not more than $1,000,000 in emergency fire suppression and detection costs and related emergency revegetation costs, which exceed the amount scheduled in (f) can be expended from the amounts contained in schedules (a) and (b) without approval of the Department of Finance.		
190—For support of Department of Conservation, in carrying out the functions of the Division of Oil and Gas, payable from the Petroleum and Gas Fund		1,406,633
191—For support of Department of Conservation, in carrying out the functions of the Division of Oil and Gas, payable from the Petroleum and Gas Fund—Geothermal Resources Account		15,750
192—For support of Department of Conservation, in carrying out the functions of the Division of Oil and Gas, payable from the Subsidence Abatement		

Item		Amount
Fund		133,714
193—For support of Department of Conservation in carrying out the functions of the Division of Mines and Geology, payable from the Strong-Motion Instrumentation Program Fund		193,683
194—For support of State Lands Division, State Lands Commission, Department of Conservation		1,674,000
Schedule:		
(a) Personal services	2,272,205	
(b) Operating expenses and equipment	544,436	
(c) Reimbursements	-58,887	
(d) Amounts payable under the provisions of Chapter 138, Statutes of 1964	-1,083,754	
195—For support of Department of Fish and Game, and for the maintenance and construction of fish screens and other stream improvements, payable from moneys in the Fish and Game Preservation Fund, including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item		17,672,958
Schedule		
(a) Personal services	12,629,050	
(b) Operating expenses and equipment	7,164,800	
(c) Minor capital outlay	129,000	
(d) Reimbursements	-1,306,657	
(e) Federal reimbursements	-943,235	
196—To pay for the purchase of land for game production, improvement of waterfowl areas and research in game management under the provisions of the Pittman-Robertson Act, fish restoration and management projects under the provisions of the Dingell-Johnson Act, and commercial fisheries research and development projects under the provisions of the Commercial Fisheries Research and Development Act (Bartlett Act), Department of Fish and Game, payable from moneys in the Fish and Game Preservation Fund, including revenue subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item		4,274,800
Schedule.		
(a) Pittman-Robertson program	2,966,600	
(b) Dingell-Johnson program	819,800	

Item		Amount
	(c) Commercial fish research and development	334,000
	(d) Anadromous Fish Act	154,400
	provided, that any moneys received in reimbursement of expenditures from this item shall be credited to this appropriation and reverted to the unappropriated balance of the Fish and Game Preservation Fund.	
197—For state's share of the expenses of the Pacific Marine Fisheries Commission, in accordance with the Pacific Marine Fisheries Compact, Department of Fish and Game, payable from moneys in the Fish and Game Preservation Fund, including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item		14,600
198—For research in the development of commercial fisheries of the Pacific Ocean and of marine products, Marine Research Committee, payable from the Fish and Game Preservation Fund from revenues derived under the provisions of Section 8046 of the Fish and Game Code		185,500
199—For support of Wildlife Conservation Board, payable from the Wildlife Restoration Fund Schedule:		122,500
	(a) Personal services	88,685
	(b) Operating expenses and equipment	33,815
	provided, that any money in the Wildlife Restoration Fund in excess of the appropriation made by this item shall continue to be available pursuant to Section 1352 of the Fish and Game Code	
200—For support of Klamath River Compact Commission		9,725
201—For support of Department of Navigation and Ocean Development		101,494
202—For preparation of California Comprehensive Ocean Area Plan and Marine Transport, Terminal and Navigation Plan, Department of Navigation and Ocean Development and in addition thereto, any amounts received from federal grants or other sources		28,000
203—For support of Department of Navigation and Ocean Development, payable from the Harbors and Watercraft Revolving Fund Schedule		1,286,331
	(a) Personal services	832,300
	(b) Operating expenses and equipment	460,525

Item			Amount
	(c) Minor capital outlay	370,700	
	(d) Amount payable from General Fund (Item 201)	-101,494	
	(e) Amount payable from General Fund (Item 202)	-155,000	
	(f) Amount payable from Recreation and Fish and Wildlife Enhancement Fund (Item 329)	-120,700	
204	For feasibility determinations in accordance with provisions of Section 85.3 of the Harbors and Navigation Code, Department of Navigation and Ocean Development, payable from the Harbors and Watercraft Revolving Fund		50,000
205	To pay the state's share of the cost of local participation required in connection with the Orange County Beach Erosion Control Project, in accordance with Section 335 5 of the Water Code, as added by Chapter 108 of the 1967 Regular Session, the state's share of small beach erosion projects as provided by Section 335 2 of the Water Code, and administrative costs, Department of Navigation and Ocean Development		128,700
	Schedule		
	(a) Orange County, Anaheim Bay Harbor to Newport Bay (stage 5 (b), state's share)	128,700	
206	For loans to cities, counties, or districts pursuant to Sections 70 2 and 71 4 of the Harbors and Navigation Code, Department of Navigation and Ocean Development, payable from the Harbors and Watercraft Revolving Fund		2,005,000
	Schedule		
	(a) Berkeley Marina—City of Berkeley	250,000	
	(b) San Leandro Marina	100,000	
	(c) Crescent City Harbor—Del Norte County	750,000	
	(d) Oceanside Harbor—San Diego County	250,000	
	(e) Santa Cruz Harbor	555,000	
	(f) Planning loans	100,000	
207	For grants for construction and development of small craft launching facilities to cities, counties, or districts pursuant to Section 83 of the Harbors and Navigation Code, Department of Navigation and Ocean Development, payable from the Harbors and Watercraft Revolving Fund		745,000
	Schedule		
	(a) Mayflower Park—County of Riverside	145,000	

Item			Amount
	(b) Packers Bay—Shasta Lake	400,000	
	(c) Trinity Center—Clair Engle Lake	175,000	
	(d) Medicine Lake—County of Siskiyou	25,000	
208—For allotment, pursuant to Section 663 7 of the Harbors and Navigation Code, for boating safety and enforcement programs, Department of Navigation and Ocean Development, payable from the Harbors and Watercraft Revolving Fund			425,000
209—For repairs of damage at small craft harbor facilities constructed pursuant to Sections 70 2, 71.4, and 83 of the Harbors and Navigation Code, caused by emergency conditions, including but not limited to tidal waves or severe storms, as may be authorized by the Director of Finance, with the consent of the Governor, the sum of $100,000, or as much thereof as may be necessary, payable from the Harbors and Watercraft Revolving Fund and, for payment of deficiencies in appropriations for the Department of Navigation and Ocean Development which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the sum of $100,000 or so much thereof as may be necessary, payable from the Harbors and Watercraft Revolving Fund			
211—For support of Department of Parks and Recreation			20,099,998
Schedule:			
	(a) Personal services	17,100,484	
	(b) Operating expenses and equipment	6,747,486	
	(c) Reimbursements	–2,115,380	
	(d) Amount payable from Item 212	–1,454,000	
	(e) Amount payable from Item 213	–178,592	
provided, that no expenditure shall be made from any funds appropriated by this item to advertise or award any concession contract or agreement which involves a total investment by any private party in excess of $200,000, unless the expenditures for advertising or awarding the specific contract or agreement for concession operations have been authorized by the Legislature			
212—For support of the Department of Parks and Recreation, to be transferred to and in augmentation of Item 211 of this act by the State Controller provided, that these funds shall be available only for expenditure at Hearst San Simeon State Historical Monument; and further provided, that any revenue in excess of these expenditures derived			1,454,000

Item		Amount
from Hearst San Simeon State Historical Monument, as determined by the Director of the Department of Parks and Recreation, shall be transferred to a special account in the General Fund, and shall be available only for appropriation by the Legislature for maintenance and capital outlay at Hearst San Simeon State Historical Monument		
213—For support of Department of Parks and Recreation, payable from Section 663 7 (d) of the Harbors and Navigation Code, Harbors and Watercraft Revolving Fund, to be transferred to and in augmentation of Item 211 of this act by the State Controller		178,592
214—For support of Reclamation Board		252,704
Schedule		
(a) Personal services	135,662	
(b) Operating expenses and equipment	117,042	
215—For support of San Francisco Bay Conservation and Development Commission		267,795
Schedule		
(a) Personal services	218,291	
(b) Operating expenses and equipment	74,504	
(c) Reimbursements	-25,000	
216—For transfer to the Water Resources Revolving Fund, to be transferred by the State Controller in such amounts as the Department of Finance may authorize, for support of Department of Water Resources, including cooperative work with other agencies		11,208,000
Schedule		
(a) Continuing formulation of the California Water Plan	6,055,000	
(b) Implementation of the State Water Resources Development System	79,000	
(c) Public safety and prevention of damage	4,714,740	
(d) Services	359,260	
(e) General management	4,324,147	
(f) General Fund reimbursements	-844,073	
(g) Other fund reimbursements	-3,480,074	
provided, that the money so transferred be placed in a special account in that fund and shall not be available for expenditure after June 30, 1973, and any unencumbered balances shall be returned to the General Fund as of June 30, 1973, and provided further, that any amount withdrawn from this item and expended for work in the federal		

Item		Amount
	cooperative program must be matched by an expenditure of like amount by the federal government in this state for this purpose	
217—For expenditure by the Department of Water Resources, in accordance with Sections 12570 through 12875 of the Water Code, for payment of, and for reimbursement for necessary advances made for, the cost of cooperation by the state for major flood control projects adopted by the Legislature, for small flood control projects approved under Section 12750 of the Water Code, and for watershed protection and flood prevention projects as authorized by Sections 12850 through 12875 of the Water Code, and administrative costs, Department of Water Resources. . . . . provided, that no expenditure shall be made until the local organizations give assurances that they will maintain and operate the projects after completion in such manner as will accomplish the purposes for which the projects were authorized and constructed and as may be required by the federal agencies concerned and the Department of Water Resources, and that the local organizations will hold and save the State of California free from damages or claims due to the construction, installation, or operation of the project.		7,500,000
218—For support of State Water Resources Control Board ... . Schedule:		4,325,306
(a) Personal services	5,017,000	
(b) Operating expenses and equipment	6,229,696	
(c) Reimbursements	–204,000	
(d) Federal grants	–1,267,390	
(e) Amount payable from Clean Water Bond Fund	–5,450,000	

HUMAN RELATIONS

219—For support of California Job Development Corporation Law Executive Board	406,988
220—For support of Department of Corrections . Schedule.	111,903,781
(a) I Reception and diagnosis .. 1,310,295	
(b) II Institutional program 90,629,830	
(c) III Releasing authorities 1,076,410	
(d) IV Community correctional program 15,563,540	
(e) VI Administration 3,323,706	

Item		Amount
	provided, that upon executive order of the Department of Finance, any portion of this item which reflects savings due to reduction of population may be transferred to and in augmentation of Item 231, Budget Act of 1972	
220 1	—For in-service training of personnel in the Department of Corrections, in addition to funds for that purpose in Item 220 ...	842,962
220 2	—For augmentation of the Inmate Welfare Fund, Department of Corrections ...	250,000
220 3	—For increasing inmate pay slots, Department of Corrections ...	156,000
220 4	—For increasing inmate wages, Department of Corrections ...	212,000
220 5	—For staff support, inmate self-help groups, Department of Corrections ...	39,000
221	—For transportation of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Sections 3000 et seq. of the Welfare and Institutions Code and 11190 et seq. of the Penal Code, in accordance with the provisions of Section 26749 of the Government Code ...	120,842
	provided, that claims made against this item of appropriation shall be filed by the local jurisdictions within six months after the end of the month in which such transportation costs were incurred; and provided further, that expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the State Controller	
222	—For expenses of transporting fugitives from justice from outside the state, in accordance with the provisions of Sections 1389, 1549 and 1557 of the Penal Code ...	359,275
	provided, that expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the State Controller	
223	—For court costs and county charges, payable under Sections 4700 and 4700 5 of the Penal Code, in connection with coroners' services and trials of inmates charged with commission of a crime or crimes while incarcerated in a state institution or prison under the Department of Corrections, Department of Corrections ...	429,588
	provided, that claims made against this item of appropriation shall be filed by the local jurisdictions within six months after the end of the month in which such court costs and county charges were incurred, and provided further, that expenditures made under this item shall be charged to the fiscal	

Item		Amount
	year in which the warrant is issued by the State Controller	
224—For support of Department of the Youth Authority		52,378,215
	Schedule:	
	(a) I. Community services 1,241,336	
	(b) II Rehabilitation services 49,779,679	
	(c) III. Research 553,722	
	(d) IV. Youth Authority Board 450,761	
	(e) V Administration undistributed 352,717	
	provided, that upon executive order of the Department of Finance, any portion of this item which reflects savings due to reduction of population may be transferred to and in augmentation of Item 231, Budget Act of 1972	
225—For transportation of persons committed to Department of the Youth Authority to or between its facilities, including the return of parole violators		43,540
	provided, that expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the State Controller	
226—For reimbursements to counties for maintenance of juvenile homes and camps, Department of the Youth Authority, to be expended in accordance with the provisions of Sections 880 through 890 of the Welfare and Institutions Code		3,337,340
227—For reimbursements to counties for construction of juvenile homes and camps, Department of the Youth Authority, to be expended in accordance with Section 891 of the Welfare and Institutions Code		600,000
228—For payment of the state's share, as determined by the Department of Finance, of expenses incurred by local agencies in supervising and controlling juveniles as defined by Sections 600 through 607 of the Welfare and Institutions Code, at the international border between California and Mexico, pursuant to Section 1760(d) of said code, Department of the Youth Authority.		143,646
229—For county delinquency prevention commissions, Department of the Youth Authority, to be allocated by the Director of the Youth Authority, in accordance with Section 1752.5 of the Welfare and Institutions Code		33,300
230—For county delinquency prevention commissions and research and training grants, Department of the Youth Authority		200,000
	provided, that grants for research and training in delinquency and crime prevention shall be allocated by the Director of the Youth Authority in	

Item		Amount
	accordance with Section 1752.6 of the Welfare and Institutions Code, provided further, that expenditure of these funds are contingent upon receipt of federal funds to initiate the programs in an amount equal to, or greater than, allocations from this appropriation.	
231—For assistance to counties in their operation of special probation supervision programs, in accordance with Sections 1820 through 1827 of the Welfare and Institutions Code, Department of the Youth Authority. . . .. provided, that the amount payable to any county shall be limited to the amount of its entitlement which would be calculated on the basis of the reduced commitment rate achieved during the 1971–72 fiscal year. Moneys appropriated by this item shall be available to reimburse counties for their expenditures for the cost of new or expanded special probation supervision programs established above the level of effort in probation supervision maintained by these counties during the 1965–66 fiscal year. Expenditures made under this item to reimburse counties for their cost of special probation supervision programs shall be charged to the year the warrant is issued by the State Controller.		18,931,300
232—For support of Department of Health Care Services, payable from the Health Care Deposit Fund and in addition thereto, any amounts received from federal grants or other sources; provided, that any rule or regulation adopted by the Director of the Department of Health Care Services during the 1972–73 fiscal year which adds to the cost of the Medical Assistance Program shall only be effective from and after the date upon which it is approved as to availability of funds by the Department of Finance; provided further, that upon order of the Director of Finance additional funds may be transferred from the Health Care Deposit Fund for the cost of administering the extension of medical assistance program benefits to eligible mentally retarded persons under the care of the Department of Mental Hygiene as provided in Item 245 of this act		22,364,614
233—For transfer to the Health Care Deposit Fund to provide for Medical Assistance Program expenditures .... provided, that the amount authorized to be expended by this item shall fully cover the state's share of payments for services for the 1972–73 fiscal year as defined in the Welfare and Institutions		653,358,365

Item		Amount
	Code; provided further, that such additional amounts as may be determined by the Director of Finance as necessary to extend and administer Medical Assistance Program benefits to eligible mentally retarded persons under the care of the Department of Mental Hygiene are hereby appropriated in augmentation of this item and shall be transferred to the Health Care Deposit Fund from the General Fund upon the certification of the Director of Finance, provided further, that upon recommendation of the Director of Health Care Services the Director of Finance may authorize the transfer of funds to Item 257(b) for residential care rate allowances, and to Item 257(c) for intermediate care rate allowances, provided further, that no funds shall be expended from this item for statewide implementation of the proposed Medi-Cal Management System.	
234—For support of Department of Human Resources Development, for transfer by the State Controller to the Manpower Development Fund for expenditure for the work incentive program as specified in Section 5400 of the Unemployment Insurance Code (Chapter 1369, Statutes of 1968) . . .. provided, that the State Controller shall transfer these funds only at such time as federal funds from the United States Department of Labor (Title IV of the Social Security Act of 1935, as amended by PL 90-248) are deposited in the Manpower Development Fund and no transfer so made shall exceed twenty-five (25) percent of the amount of federal funds so deposited; provided further, the amount available for transfer to the Manpower Development Fund shall be reduced by the amounts in cash or in kind available from other sources as the state's share of the work incentive program as determined by the State Department of Human Resources Development and certified to the State Controller		9,424,374
235—For support of Department of Human Resources Development, for transfer by the State Controller to the Manpower Development Fund, for expenditure for the purposes of the Human Resources Development Act of 1968 commencing with Section 9000 of the Unemployment Insurance Code Schedule.		3,857,581
	(a) General Fund... . 3,786,328	
	(b) Department of Human Resources Development Contingent Fund 71,253	
236—For support of Department of Human Resources Development		138,889

Item		Amount
	and in addition, any amounts received from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item	
	Schedule.	
	(a) Office of Economic Opportunity	1,152,002
	(b) Federal grants	-1,082,113
	(c) Commission on Aging	747,840
	(d) Federal grants	-678,840
237—For payment to various local jurisdictions and state agencies for support of the Migrant Master Plan in cooperation with the federal government programs, resulting from the Economic Opportunity Act, Department of Human Resources Development		409,298
	Schedule	
	(a) Operations	2,265,825
	(b) Federal grants	-1,856,527
238—For support of Department of Human Resources Development, payable from the Department of Human Resources Development Contingent Fund and in addition thereto, any grants made available by the federal government; provided, that all or any portion of this appropriation may be transferred to the Unemployment Administration Fund upon executive order of the Department of Finance.		530,295
239—For support of Department of Human Resources Development, for the payment of expenses incurred by the Department of Finance in examining the books of the Department of Human Resources Development, pursuant to Section 13294 of the Government Code, payable from moneys credited to this state's account in the Unemployment Trust Fund and made available to this state under Section 903 of the Social Security Act, as amended provided that		19,239
	(a) Such money is requisitioned from the Unemployment Trust Fund pursuant to Section 1528.5 of the Unemployment Insurance Code	
	(b) The period within which such money may be obligated is specifically limited to the period ending June 30, 1973	
	(c) The total amount obligated pursuant to this item during the 1972–73 fiscal year shall not exceed the amount by which	
	(1) The aggregate of the amounts credited to the account of this state pursuant to Section 903 of the Social Security Act during such fiscal year and	

Item		Amount
	the 14 preceding fiscal years, exceeds (2) The aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such 15 fiscal years	
240—For administration of unemployment compensation disability benefits, Department of Human Resources Development, payable from the Unemployment Compensation Disability Fund ..... Schedule:		14,298,753
	(a) Personal services 10,969,391	
	(b) Operating expenses and equipment 3,329,362	
241—For support of Department of Mental Hygiene .. Schedule:		7,007,034
	(a) Personal services ... 7,633,715	
	(b) Operating expenses and equipment 2,224,106	
	(c) Reimbursements ... -2,850,787	
	Provided that, of this amount, $25,000 shall be made available to the Citizens Advisory Council for carrying out its purposes as required by the law	
242—For research and training programs, Department of Mental Hygiene ..... Schedule:		1,836,347
	(a) Research..... 809,342	
	(b) Training 1,027,005	
	Any amounts received for research and training programs, from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item Provided, that research projects shall not duplicate research projects funded from this item nor from any other state or federal funding source Provided further, that of the amount budgeted for training, $175,000 shall be available for educational stipends to be used either in state hospitals or local programs.	
242.5—For support of Langley Porter Neuropsychiatric Institute and Neuropsychiatric Institute at University of California at Los Angeles, Department of Mental Hygiene ...		14,761,825
	provided, that upon approval of the Department of Finance, the State Controller shall transfer to the Department of Rehabilitation such part of these appropriations that are related to the cooperative rehabilitation services program to match federal funds for the cooperative rehabilitation services program, provided further, that such transfer shall enable the state to make maximum	

Item			Amount
utilization of available federal funds Provided, that these funds are made available for conducting research programs into the causes and cures of mental retardation, aging, cognition, drug abuse, training in the care and treatment of the mentally retarded, care, treatment and rehabilitation of patients in these facilities under the programs for this item, and other research projects which are not duplications of other research projects funded by the state or through federal sources			
243—For support of the hospitals for the mentally ill for judicially committed patients, patients committed pursuant to the Penal Code and those mentally ill patients whose county of residence is not participating in a local mental health program as provided in Division 5 of the Welfare and Institutions Code, Department of Mental Hygiene			19,531,664
provided, that any portion of this item may be transferred upon order of the Department of Finance to Item 245, Budget Act of 1972, for assistance to local agencies for mental health services. Provided further, that upon approval of the Department of Finance, the State Controller shall transfer to the Department of Rehabilitation such part of these appropriations that are related to the cooperative rehabilitation services program to match federal funds for the cooperative rehabilitation services program, provided further, that such transfer shall enable the state to make maximum utilization of available federal funds Provided further, that upon order of the Department of Finance, the State Controller shall transfer funds between this item and Item 244 for purposes of paying the cost of care of mentally retarded patients in a state hospital			
244—For the Mental Retardation Program, Human Relations Agency, Office of Mental Retardation Schedule			110,606,955
(a) State operations		89,569,302	
(1) State hospital services, Department of Mental Hygiene	90,392,578		
(2) Office of Mental Retardation	100,000		
(3) Reimbursements	-128,303		
(4) Federal reimbursements .	-694,973		
(5) Federal grants .	-100,000		
(b) Local assistance .		21,037,653	

353 10 1 185

Item		Amount
(1) Regional center operations, Department of Public Health	14,367,196	
(2) Protective living services	16,281,505	
(3) Family repayments	–549,590	
(4) Federal reimbursements	–2,822,953	
(5) Federal grants	–6,238,505	

Provided, that the Department of Finance may authorize the transfer of funds from this item to the Department of Social Welfare to match federal funds to provide protective living services to the mentally retarded

Provided further, that upon order of the Department of Finance, the State Controller shall transfer funds between this item and Item 243 for purposes of paying the cost of care of mentally retarded patients in a state hospital

Provided further, that upon executive order of the Department of Finance, any portion of section (a), subsection (1) of this item which reflects savings due to reduction of population shall be transferred to and in augmentation of section (b), subsection (1) of this item.

245—For assistance to local agencies in the establishment and operation of mental health services, in accordance with the provisions of Division 5 of the Welfare and Institutions Code, Department of Mental Hygiene 201,437,283

Schedule:

(a) Local mental health services ... 123,310,597
(b) State-operated services 78,126,686

Provided, that the Department of Finance may authorize the transfer of funds from this item to the Health Care Deposit Fund for the state's share of expenditures for mental health services provided to patients eligible under the California Medical Assistance Program

Provided further, that upon order of the Department of Finance, any portion of this item may be transferred to and in augmentation of Item 243, Budget Act of 1972

Provided further, that upon order of the Department of Finance, such part of these appropriations that are related to the cooperative rehabilitation services program may be transferred to the Department of Rehabilitation to match federal funds for the cooperative rehabili-

Item		Amount
	tation services program to enable the state to make maximum utilization of available federal funds, provided further, that, of the amount appropriated by this item up to $500,000 shall be available for expenditure for the purpose of matching federal funds to provide rehabilitation program for alcoholics Provided further, that upon order of the Department of Finance, up to $400,000 may be transferred from this item to Item 241, Budget Act of 1972, for the purpose of conducting evaluation studies of the local mental health programs as required by Chapter 1609, Statutes of 1971 Provided further, that upon order of the Department of Finance funds may be transferred to the Department of Social Welfare to match federal funds in order to provide services to former, potential, and current recipients of public assistance receiving mental health services under the provisions of Division 5 of the Welfare and Institutions Code.	
246—For support of Department of Public Health Schedule		11,722,502
(a) Personal services ..	16,962,585	
(b) Operating expenses and equipment	6,412,605	
(c) Reimbursements	–6,815,182	
(d) Amount payable from the Motor Vehicle Account, State Transportation Fund created by Chapter 1243, Statutes of 1971 (Item 248)	–71,913	
(e) Amount payable from Health Facility Construction Loan Fund	–135,732	
(f) Federal funds ..	–4,629,861	
247—For support of regional dialysis centers, established pursuant to Article 7 7 (commencing with Section 417), Chapter 2, Part 1, Division 1, of the Health and Safety Code, Department of Public Health .		625,248
248—For support of Department of Public Health, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 ..		71,913
249—For assistance to counties, and cities and counties, to be expended for services to physically handicapped children, in accordance with provisions of Sections 249 through 273 of the Health and Safety Code, Department of Public Health Schedule		18,261,300
(a) Diagnosis	1,041,706	

Item		Amount
	(b) Treatment	16,623,473
	(c) Therapy services	2,951,841
	(d) Noncounty resident care	30,000
	(e) Administrative allowance	885,999
	(f) Program administration	865,800
	(g) Medi-Cal administrative expense	423,820
	(h) Reimbursements	-454,616
	(i) Federal grants	-2,342,723
	(j) Estimated family repayments	-1,764,000
	provided, that the allocations of funds shall be made in such a manner as to insure the availability of funds during the entire fiscal year 1972–73 within the limits of this appropriation	
250	For assistance to counties, and cities and counties, for maintenance of tuberculosis sanatoria, Department of Public Health including an additional amount of five dollars and sixteen cents ($5 16) per patient-day in accordance with Sections 3300 and 3301 of the Health and Safety Code; leasing of facilities in accordance with Section 3295 of the Health and Safety Code; and reimbursement of burial expenses in accordance with Section 3296 of the Health and Safety Code.	300,147
251	For assistance to counties by the establishment of local health services, in accordance with Section 1157 of the Health and Safety Code, Department of Public Health	800,727
252	For assistance to cities, counties, local health agencies and local health districts for the establishment of minimum standards of personnel, organization and administration of local health departments, in accordance with the provisions of Chapter 8, Part 2, Division 1 of the Health and Safety Code, Department of Public Health	4,797,545
254	For support of Department of Rehabilitation ... Schedule:	7,025,363
	(a) I. Vocational Rehabilitation of the Disabled	6,914,061
	(1) Total program	54,661,287
	(2) Reimbursements	-2,752,658
	(3) Federal funds	-44,994,568
	(b) II Development of Community Resources	111,302
	(1) Total program	2,817,573
	(2) Federal funds	-2,706,271
	(c) III. Disability Determination	0
	(1) Total program	9,700,554
	(2) Federal funds	-9,700,554
	(d) IV Department Administration	0

Item		Amount
	(1) Total program 2,744,264	
	(2) Amounts chargeable to programs I through III ..... -2,744,264	
	Provided, that upon approval of the Director of Finance the above programs may be augmented from other budget items in this act where funds have been budgeted for transfer to the Department of Rehabilitation for the programs contained in this budget item Provided further, that such transfers shall enable the state to make maximum utilization of available federal funds.	
255—For support of Department of Social Welfare Such appropriation, together with any grants made available by the federal government for support of the Department of Social Welfare during the 1972–73 fiscal year		8,255,354
Schedule		
(a) Personal services	11,377,842	
(b) Operating expenses and equipment	5,312,231	
(c) Reimbursements	-1,486,720	
(d) Federal grants	-6,947,999	
255.1—For contracting for the conduct of fair hearings, with the Office of Administrative Hearings, Department of General Services only, Department of Social Welfare		1,411,691
Schedule:		
(a) Operating expenses	2,566,710	
(b) Federal grants	-1,155,019	
255 2—For contracting for legal services with the Attorney General only, Department of Social Welfare		181,378
Schedule:		
(a) Operating expenses....	329,777	
(b) Federal grants	-148,399	
255 3—For contracting for audit functions with the State Controller only, Department of Social Welfare		556,834
Schedule.		
(a) Operating expenses	1,012,425	
(b) Federal grants	-455,591	
257—For the cost of the state's share of homemaker or attendant care services for which federal grants-in-aid are made to the state, as specified in Section 11172 of the Welfare and Institutions Code, for costs of the state share of residential care rate allowances granted to recipients of public assistance as described in Section 13900 of the Welfare and Institutions Code, who require a nonmedical protective living arrangement; for costs of the		

Item		Amount
	state share of intermediate care rate allowances granted to recipients of public assistance as described in Section 13900 of the Welfare and Institutions Code, for the cost of the state's share of special needs of public assistance recipients, as provided in Sections 12151, 12152, 12154, 12155, 12651, 13101 and 13700 of the Welfare and Institutions Code, Department of Social Welfare	87,293,100
	Schedule	
	(a) Homemaker or attendant care service 20,910,900	
	(b) Residential care rate allowance . 26,579,700	
	(c) Intermediate care rate allowance 12,496,300	
	(d) Special needs 27,306,200	
	Provided, that upon recommendation of the Director of Social Welfare, the Director of Finance may authorize the transfer of funds to Item 233 for skilled nursing homes or intermediate care services	
257 1	—For the cost of the state share of unmet shelter needs of public assistance recipients, Department of Social Welfare, to be transferred to and in augmentation of the appropriation authorized by Sections 15200 to 15204 inclusive, Welfare and Institutions Code, upon order of the Department of Finance, $3,000,000, together with any grants made available by the federal government for this purpose	
258	—For the cost of special social service programs for which federal grants-in-aid are made to the state, for rehabilitative and employment services, for grants or services to local agencies for the extension of child welfare services, for the cost of the adoptions programs and care of children, to be expended in accordance with the provisions of Section 16100 et seq. of the Welfare and Institutions Code, for the costs incurred by counties and cities in maintaining approved services for the licensing and inspection of agencies for child care and home finding and agencies for the care of the aged, to be expended in accordance with the provisions of Sections 16004 and 16202 of the Welfare and Institutions Code, for the cost of local agency special training, for the cost of providing child care services for former, current, and potential recipients as provided by Sections 10811 and 10811 5 of the Welfare and Institutions Code, and for the costs of statewide social services administration improvement programs, Department of Social Welfare	5,667,390

Item		Amount
	Schedule	
	(a) Employment services	11,775,035
	(b) Educational and child care services	32,859,826
	(c) Child protection	1,927,720
	(d) Adoptions	15,635,689
	(e) Licensing	950,400
	(f) Public welfare manpower	88,000
	(g) Demonstration programs	833,512
	(h) Child care—county services	13,333,333
	(i) Federal grants	-71,736,125
259—For the state's share of the nonfederal administrative costs of administering the payment of aid grants under Part 3 (commencing with Section 11000) of Division 9 of the Welfare and Institutions Code as provided by Section 42.5 of Chapter 578, Statutes of 1971, Department of Social Welfare		49,398,600
	Provided, that the department may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination when said county allows its contract to terminate or in the absence of a contract as provided in Section 11050 of the Welfare and Institutions Code. Upon recommendation of the Director of Social Welfare, the Director of Finance may authorize the transfer of funds to Item 255 for this purpose	

EDUCATION

EDUCATION

260—For payment of the state's share of the operating costs of the Educational Commission of the States and for necessary traveling expenses relating to participation, Department of Education		24,000
261—For support of Department of Education, Superintendent of Public Instruction and State Board of Education		6,007,638
	Schedule.	
	(a) Personal services	15,078,826
	(b) Operating expenses and equipment	9,669,990
	(c) Reimbursements	-3,750,385
	(d) Amount payable from State School Building Aid Fund (Item 262)	-277,900
	(e) Federal grants	-14,837,893
	(f) New careers in education	125,000
262—For support of Department of Education, payable		

616 10 1 500

Item		Amount
	from the State School Building Aid Fund	277,900
263—For cooperation with the federal government for the improvement of instruction under the provisions of Title 3 of the National Defense Education Act of 1958, Department of Education		173,500
264—For support of special schools, Department of Education		8,813,325
	and in addition, any amounts received from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item	
	Schedule:	
	(a) California School for the Blind	1,278,783
	(b) Diagnostic School for Neurologically Handicapped Children, Northern California	762,051
	(c) Diagnostic School for Neurologically Handicapped Children, Southern California.	782,425
	(d) California School for the Deaf, Berkeley	2,675,796
	(e) California School for the Deaf, Riverside	3,314,270
	provided, that transfers between items in the above schedule cannot be made without the approval of the Department of Finance	
265—For support of State Educational Agency for Surplus Property, payable from the Surplus Education Property Revolving Fund		6,235,000
	Schedule:	
	(a) Personal services	2,019,300
	(b) Operating expenses and equipment	4,245,200
	(c) Reimbursements	–29,500
266—For support of Division of Libraries, Department of Education and Board of Library Examiners		1,915,687
	Schedule:	
	(a) Personal services	1,964,976
	(b) Operating expenses and equipment	6,626,215
	(c) Reimbursements	–455,818
	(d) Federal grants	–6,219,686
268—For transfer by the State Controller from the General Fund to the State School Fund for cost increases due to inflation		88,000,000
	this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications:	
	(1) Compute the 1972–73 apportionment without regard to the appropriation in this item	
	(2) Determine the number of average daily at-	

Item		Amount
	tendance in all districts for which equalization aid was computed in 1972–73 (3) Divide the number of average daily attendance in all districts for which equalization was computed into the amount appropriated by this item (4) Multiply the amount per average daily attendance computed in (3) above by the average daily attendance in each district for which equalization aid was computed, and apportion this amount to the district (5) The additional amount apportioned shall be shown separately and shall be labeled as "Additional Equalization Aid for Cost Increases Due to Inflation" For purposes of determining eligibility for apportionments of funds appropriated in this item, and more particularly, in determining the average daily attendance in school districts for which equalization aid was computed, the Superintendent of Public Instruction shall compute the same by considering solely individual school district wealth, disregarding the effects of the areawide school support mechanism, and as though no areawide school support programs were in operation anywhere in the state	
268 1	—For transfer by the State Controller from the General Fund to the State School Fund for cost increases due to inflation . . . this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications (1) Compute the 1972–73 apportionment without regard to the appropriation in this item (2) Determine the number of average daily attendance in all districts for which equalization aid was computed in 1972–73 (3) Divide the number of average daily attendance in all districts for which equalization was computed into the amount appropriated by this item (4) Multiply the amount per average daily attendance computed in (3) above by the average daily attendance in each district for which equalization aid was computed, and apportion this amount to the district (5) The additional amount apportioned shall be shown separately and shall be labeled as "Additional Equalization Aid for Cost Increases Due to Inflation"	100,000,000

Item	Amount
For purposes of determining eligibility for apportionments of funds appropriated in this item, and more particularly, in determining the average daily attendance in school districts for which equalization aid was computed, the Superintendent of Public Instruction shall compute the same by considering solely individual school district wealth, disregarding the effects of the areawide school support mechanism, and as though no areawide school support programs were in operation anywhere in the state Provided, such funds are to be used only to fund teachers, supplies and equipment which would not otherwise be funded, providing further that none of these funds shall be used to hire additional administrative personnel, such as superintendents, assistant superintendents and administrative assistants, or to increase salaries of presently employed school personnel, provided further that this item shall be increased by an amount so that the total shall not exceed $165 million upon notification by the Controller that in his opinion General Fund revenues will be sufficient to fund such amount. The Controller shall estimate the amount of General Fund revenues necessary to fund all General Fund appropriations encumberable during the 1972–73 fiscal year and shall allocate to the Superintendent of Public Instruction surpluses in amounts so that the total of this item shall not exceed $165 million Such allocations shall be used in augmentation of the funds provided for in this item The Controller shall make such estimates not later than October 1, 1972	
269—For support of the Educational Improvement Act of 1969, Department of Education, to be expended in accordance with the provisions of Chapter 6.8 (commencing with Section 6499 200) of Division 6 of the Education Code .	65,000,000
270—For support of instructional television programs, Department of Education, to be expended in accordance with the provisions of Section 18270 of the Education Code	604,000
271—For support of Department of Education . provided, that the appropriation made by this item is limited to carrying out the provisions of Sections 6450 through 6454, 6455 1 through 6474, 6481 through 6486, 6490 through 6498, and 13355 1 through 13355 15 of the Education Code	11,000,000
272—For support of special elementary school reading instruction programs and for the purposes of Chapter 1600, Statutes of 1971, Department of	

Item		Amount
	Education	19,278,000
273—For support of children's centers, Department of Education, to be apportioned by the department in the manner provided by Chapter 5, Division 12 of the Education Code, to school districts and other eligible agencies maintaining children's centers pursuant to Sections 16601 through 16645 25 of the Education Code		21,892,700
Schedule		
(a) Children's centers	28,522,988	
(b) Development centers for handicapped minors	4,725,000	
(c) Preschool education	21,313,812	
(d) Reimbursements	-32,669,100	
provided, that the Department of Finance may, by executive order, transfer funds scheduled in subdivisions (a) and (c), above, for and in augmentation of the amount scheduled in subdivision (b) of Item 258 of this act, for purposes of meeting the state matching fund requirements for child care services provided for under Public Law 90-248, and further provided, that all state and local funds for the children's centers and preschool programs and all federal funds for child care services generated by state and local in-kind matching funds shall be expended in meeting Public Law 90-248 requirements and in expanding needed services in children's centers and preschool programs		
273 1—For the cost of child care services and child care training programs pursuant to the provisions of Sections 10811 and 10811.5, Welfare and Institutions Code, Department of Education		3,000,000
provided, that the Department of Finance may, by executive order, transfer funds from this item to, and in augmentation of, the amount scheduled in subdivision (h) of Item 258, for purposes of meeting the state matching fund requirements for child care services provided for under Public Law 90-248		
274—For grants to teachers of physically handicapped minors, Department of Education, to be expended in accordance with the provisions of Chapter 8 5 (commencing with Section 6875) of Division 6 of the Education Code		150,000
275—For publishing, purchasing and shipping free textbooks, Department of Education		12,584,422
Schedule		
(a) Personal services	191,600	

Item		Amount
(b)	Operating expenses and equipment	12,542,822
(c)	Reimbursements	−150,000

provided, that no money appropriated by this item shall be expended for the publishing, purchasing, and shipping of any textbook which is not included in the budget request submitted to the Governor for the 1972–73 fiscal year for the textbook phase of Department of Education operations, without prior approval of the Department of Finance; provided further, that none of the moneys appropriated by this item may be expended for publishing, purchasing or shipping any textbook, which has been conditionally approved or adopted by the State Board of Education subject to the condition that revisions will be made in such textbook by the publisher, unless and until such revisions have been made to the complete satisfaction of said board.

Provided, that none of this appropriation shall be available to finance contracts in respect to basic textbooks adopted by the State Board of Education during the 1971–72 or 1972–73 fiscal years in which the total price, including sales and use tax, for any textbook submitted on a finished-book basis exceeds by more than 13 percent the average of the three highest total prices for a competitive textbook submitted on the basis of leasing plates to the state or in which said total price for any such textbook exceeds by more than 13 percent the sum of the manufacturing cost of such textbook as estimated by the State Department of General Services, and the average royalty cost of the three highest priced competitive textbooks, except that upon a finding by the State Board of Education that the book submitted on a finished-book basis is clearly superior in quality and utility to others submitted on a leased-plate basis, this appropriation shall be available to finance contracts at a cost to be agreed upon by the State Board of Education if such cost does not exceed by more than 13 percent the sum of the manufacturing cost of such textbook as estimated by the State Department of General Services and the average royalty cost of the three highest priced competitive textbooks

Provided further, that none of this appropriation shall be available to finance contracts for textbooks adopted as supplemental textbooks by the State Board of Education during the 1971–72 or 1972–73 fiscal years in which the unit price, including sales and use tax, for any textbook submitted

Item Amount

on a finished-book basis exceeds the unit manufacturing cost of such textbook as estimated by the State Department of General Services, multiplied by the average of the ratios of the total computed unit cost of each other supplementary textbook submitted to the state on a leased-plate basis for the same grade level to the unit manufacturing cost of each such other textbook, plus 13 percent of the unit manufacturing cost of the textbook which is offered on a finished-book basis

For the purposes of this item, three means all if fewer than three competitive textbooks are submitted on a leased-plate basis and textbooks includes teachers' manuals or editions.

However, this appropriation shall be available, without regard to the foregoing conditions, to finance contracts for textbooks adopted as supplementary textbooks by the State Board of Education during the 1971–72 or 1972–73 fiscal year for which offers were received on both a leased-plate and finished-book basis if the State Board of Education accepts the lesser of the two offers

The Department of Finance shall maintain a procedure which will indicate any cases in which the numbers and estimated costs of textbooks represented in printing or purchase orders placed during the budget year vary from the amounts contained in the budget schedule submitted by the Department of Education upon which this item of appropriation is based All changes shall be contained in a report by the Department of Education to the Joint Legislative Budget Committee prior to August 1, 1973

Provided further, that no funds shall be available to finance contracts for basic textbooks, supplementary textbooks, or separate teachers' manuals adopted by the State Board of Education during the 1972–73 fiscal year in which the royalty for any such textbook exceeds by more than 10 percent an amount equal to the net price of that book multiplied by the average of the ratios of royalty to net price of all competitive books of its respective type, basic, supplementary, or separate teachers' manuals

276—For assistance to public libraries, Division of Libraries, Department of Education, to be apportioned by the Division of Libraries as provided in Chapter 1 5 (commencing with Section 27111) of Division 20 of the Education Code .. 1,346,000

277—For vocational education programs in public

Item		Amount
	school districts, conducted under the provisions of Section 6254 of the Education Code, Department of Education	550,000
	Schedule	
	(a) Payments to public school districts	52,289,236
	(b) Federal grants	–51,739,236
278—For transfer by State Controller to the Teachers' Retirement Fund for State Teachers' Retirement System		135,000,000
279—For support of Commission for Teacher Preparation and Licensing, payable from the Teacher Credentials Fund		2,105,806
	Schedule:	
	(a) Personal services	1,315,456
	(b) Operating expenses and equipment	790,350
279.1—For development of credential examinations, Teacher Preparation and Licensing Commission provided, that the amount appropriated by this item shall be repaid to the General Fund, with interest at 6 percent per annum, by July 1, 1975		250,000
280—For support of Project SHARE pilot tutoring programs, Department of Education, to be expended in accordance with Chapter 1199 of the Statutes of 1970		550,000

HIGHER EDUCATION

281—For support of Coordinating Council for Higher Education		475,466
	Schedule	
	(a) Personal services	513,055
	(b) Operating expenses and equipment	460,808
	(c) Federal grants	–498,397
282—For payment of the state's share of the operating costs of the Western Interstate Commission on Higher Education, Department of Finance		15,000
283—For support of University of California, exempt from Section 31 of this act		360,857,214
284—For deferred maintenance projects, University of California, exempt from Section 31 of this act provided, that expenditures from this item shall be limited to items of deferred maintenance included on the priority list to be submitted by the university to the Joint Legislative Budget Committee, provided further, that no expenditures shall be made from this appropriation unless an equal contribution from the university is made from funds not appropriated in this act		500,000
285—For Psychiatric Instruction Program, University		

Item		Amount
of California, exempt from Section 31 of this act provided, that the University of California shall submit to the Joint Legislative Budget Committee on or before September 15, 1973, and annually during the life of the program, a report as to progress of this program and of total program expenditures		150,000
286—For research in the conversion of sea water and brackish water to fresh water, University of California, exempt from Section 31 of this act		308,100
287—For research in dermatology, University of California, exempt from Section 31 of this act		92,000
288—For research in mosquito control, University of California, exempt from Section 31 of this act, payable from the California Water Fund		300,000
Schedule.		
(a) Organized research	400,000	
(b) Reimbursement	−100,000	
290—For support of Hastings College of Law		1,598,426
Schedule:		
(a) Personal services	2,053,580	
(b) Operating expenses and equipment	781,971	
(c) Reimbursement	−1,180,295	
(d) Federal grants	−56,830	
290 1—For additional support associated with the development of a second campus in San Diego, Hastings College of Law		278,100
Schedule		
(a) Personal services	35,700	
(b) Operating expense and equipment	242,400	
291—For support of Trustees of the California State Colleges and the California State Colleges		345,681,181
Schedule		
(a) Personal services	353,268,223	
(b) Operating expenses and equipment	80,157,539	
(c) Reimbursements	−87,744,581	
provided, that the funds appropriated in the above schedule may be reallocated upon order of the Trustees of the California State Colleges subject to being reported to the Department of Finance		
The Trustees of the California State Colleges may approve any transfer of funds within function between the chancellor's office and any state college, or between any state college and any other state college Notwithstanding the provisions of Section 24053 1(a) of the Education Code, the authorization of an augmentation of a category from		

Item			Amount
	additional reimbursements from regular session student charges in excess of one-half of 1 percent of the amount budgeted by college, requires prior Department of Finance approval And further provided, that no instructional faculty authorized in 1972–73 will be used for general administration, department chairmanships or noninstructional research		
292—For support of Trustees of the California State Colleges and the California State Colleges			5,963,602
Schedule			
(a) For Educational Opportunity Program student grants . .		3,331,680	
(b) For augmentation of San Jose Master of Social Work program		93,202	
(c) For support of California State Colleges and Universities Student Presidents Association .		54,000	
(d) For the Innovation and Improvement Fund . .		2,484,720	
Subschedule			
(1) Credit by examination and measurement of achievement	30,000		
(2) New method of instruction (student self-reliance)	250,000		
(3) Innovation equipment	250,000		
(4) College and systemwide projects	700,000		
(5) Improvement in instructional administration and faculty skills	900,000		
(6) Library development (automation) .	250,000		
(7) Systemwide administration and evaluation	104,720		
provided, that funds available under (d) (4) shall be budgeted at the 19 individual colleges based upon a pro rata share of full-time enrollments, provided further, that funds available under this item shall be expended only in the sequence of priorities set forth in the above schedule			
293—For support of Trustees of the California State Colleges and the California State Colleges			217,779

Item		Amount
	Schedule	
	(a) Personal services 23,335	
	(b) Operating expenses and equipment 194,444	
	provided, that the funds appropriated in the above schedule may be reallocated upon order of the Trustees of the California State Colleges subject to being reported to the Department of Finance, and provided further, that the funds appropriated in this item shall be available for the statewide Academic Senate of the California State Colleges	
294—For support of California Maritime Academy . Schedule.		891,000
	(a) Personal services 942,909	
	(b) Operating expenses and equipment 394,491	
	(c) Reimbursements . . . . . –246,000	
	(d) Federal grants –200,400	
295—For support of Board of Governors of the California Community Colleges . . . . . Schedule		998,807
	(a) Personal services 1,527,388	
	(b) Operating expenses and equipment 512,921	
	(c) Reimbursements . . . . . –1,041,502	
296—For support of community college extended opportunity programs, Board of Governors of the California Community Colleges, conducted under the provisions of Sections 25524 through 25528 7 of the Education Code		6,600,000
297—For support of State Scholarship and Loan Commission . . . . . Schedule		968,351
	(a) Personal services 654,485	
	(b) Operating expenses and equipment 347,044	
	(c) Amount payable from the State Guaranteed Loan Reserve Fund (Item 299) . . . . . –33,178	
298—For scholarship awards under provisions of Sections 31201 through 31218 of the Education Code, for grant awards under provisions of Sections 31261 through 31267 of the Education Code, for graduate fellowship awards under provisions of Sections 31240 through 31251 of the Education Code, and for medical contracts under provisions of Sections 31285 1 through 31285 4 of the Education Code, State Scholarship and Loan Commission		30,422,705

734 10 2 400

Item		Amount
Schedule:		
(a) Competitive Scholarship Program	24,401,816	
(b) College Opportunity Grant Program	4,402,650	
(c) Fellowships for Graduate Study	958,239	
(d) Contracts for Study of Medicine	660,000	
299—For support of State Scholarship and Loan Commission, payable from the State Guaranteed Loan Reserve Fund		33,178

CAPITAL OUTLAY SECTION

SEC 2.2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury

STATE BUILDING PROGRAM

GENERAL GOVERNMENT

UNALLOCATED

300—For project planning, to be allocated by the Department of Finance, subject to approval by the State Public Works Board, to state agencies .... The amount appropriated in this item is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future fiscal year	50,000
300.1—For modifications and upgrading of the underground primary electrical distribution system at the Veterans Home, Yountville, Department of Veterans Affairs	170,390
300.2—For capital outlay, State Allocations Board, subject to the approval of the State Public Works Board, for purposes of Article 9 (commencing with Section 19700 51), Chapter 10, Division 14, Education Code, payable from the School Building Safety Fund	30,000,000
300.3—For preliminary plans, working drawings, and initial site development for a Governor's Mansion, Department of General Services, from the Bagley Conservation Fund	150,000

BUSINESS AND TRANSPORTATION

301—For capital outlay, Department of the California Highway Patrol, payable from the Motor Vehicle	

Item		Amount
	Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971	2,635,620
	Schedule	
	(a) Radio communications equipment and construction—statewide	786,170
	(b) Land acquisition and working drawings for office building—El Cajon	205,000
	(c) Land acquisition, working drawings and construct office building—Fairfield	119,500
	(d) Working drawings and construct office building—San Diego	398,700
	(e) Land acquisition for office building—San Juan Capistrano	82,000
	(f) Working drawings and construct office building—Torrance	370,000
	(g) Land acquisition and working drawings for office building—Ventura	229,000
	(h) Land acquisition and working drawings for office building—West Valley	427,000
	(i) Construction program planning	18,250
302—For capital outlay, Department of Motor Vehicles, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971		3,573,280
	Schedule	
	(a) Land acquisition for office building and parking facilities—Costa Mesa	375,000
	(b) Land acquisition for office building and parking facilities—Merced	325,000
	(c) Construct alterations for EDP site —Sacramento	250,000
	(d) Land acquisition for office building and parking facilities—Santa Clara	448,500
	(e) Working drawings and construct office building and parking facilities—Bell	525,780
	(f) Working drawings and construct office building and parking facilities—Modesto	36,500
	(g) Working drawings and construct office building and parking facilities—Redwood City	500,000

Item		Amount
(h) Working drawings and construct office building and parking facilities—Santa Cruz	405,000	
(i) Working drawings and construct office building and parking facilities—Santa Rosa	517,500	
(j) Preliminary planning	20,000	
(k) Land acquisition—San Mateo	170,000	

HUMAN RELATIONS

303—For capital outlay, Department of Corrections. Schedule.		495,000
Correctional Institution—Tehachapi:		
(a) Remodel Sewage Plant	160,000	
State Prison at Folsom		
(b) Improve sewage plant in cooperation with City of Folsom	185,000	
(c) Preliminary planning, departmentwide	150,000	
304—For capital outlay, Department of the Youth Authority		150,000
Schedule:		
Preston School of Industry		
(a) Steam distribution system improvements, Phase III	150,000	
305—For capital outlay, Department of Mental Hygiene		2,500,000
Schedule:		
(a) Alterations, repairs, and relocation of facilities at Agnews State Hospital	300,000	
(b) Improvements to meet hospital accreditation standards, statewide	2,100,000	
(c) Structural surveys for earthquake resistance, statewide	100,000	

HIGHER EDUCATION

306—For capital outlay, University of California, minor projects, payable from the Capital Outlay Fund for Public Higher Education	3,000,000
307—For capital outlay, University of California, subject to the approval of the State Public Works Board, provided, that withdrawals shall be as required to meet current obligations as certified by the University of California	1,500,000

758 10 2 570

Item		Amount
	Schedule:	
	Langley Porter Neuropsychiatric Institute.	
	(a) Alterations	1,500,000
308—For capital outlay, the Regents of the University of California, subject to the approval of the State Public Works Board, said approvals in accordance with the below priority listing, and excepting such funding assistance as may be secured from other sources, shall allocate the cash income received from the educational fee and designated by the Regents for capital outlay purposes for expenditure as set forth in the following schedule..		35,570,000
	Schedule.	
	(1) General planning, universitywide	300,000
	(2) Preliminary plans, general campus, universitywide	200,000
	(4) Reserve for cost-rise augmentation, universitywide	621,000
	(4.1) Equip biological sciences unit 4, Davis	446,000
	(4.2) Equip natural sciences unit 1 conversion, Irvine	41,000
	(5) Equip clinics expansion and parking, San Francisco health sciences	137,000
	(6) Equip school of nursing building, San Francisco health sciences	53,000
	(7) Equip physics unit 1, Davis	331,000
	(8) Equip mathematical sciences building, Berkeley	274,000
	(9) Equip alterations to physical sciences unit 1, Santa Barbara	102,000
	(10) Equip engineering unit 1, Irvine	405,000
	(11) Equip chemistry addition, Davis	360,000
	(12) Equip applied science building, Santa Cruz	105,000
	(13) Equip social sciences unit 1, Irvine	337,000
	(14) Equip social sciences unit 1, Santa Cruz	394,000
	(15) Equip initial equipment for third college, San Diego	261,000
	(16) Equip Kresge College academic unit, Santa Cruz	137,000
	(17) Equip Wickson Hall addition, Davis	242,000
	(18) Equip improvements at hospital, San Diego health sciences	1,327,000

Item		Amount
(19)	Preliminary plans, working drawings and construct utilities and site development, Riverside	785,000
(20)	Preliminary plans, working drawings and construct sea water discharge collection, San Diego	40,000
(21)	Construct health sciences emergency power expansion, Los Angeles health sciences	337,000
(22)	Preliminary plans, working drawings and construct central control system, Santa Barbara	470,000
(23)	Preliminary plans, working drawings and construct utilities and site development, Los Angeles	385,000
(24)	Preliminary plans, working drawings and construct exterior lighting, Los Angeles	100,000
(25)	Preliminary plans, working drawings and construct utilities and site development, Santa Barbara	70,000
(26)	Preliminary plans, working drawings and construct utilities and site development, Davis	650,000
(27)	Preliminary plans, working drawings and construct utilities and site development, Santa Cruz	184,000
(27 1)	Preliminary plans, working drawings and construct utilities and site development, Irvine.	325,000
(27 2)	Preliminary plans, working drawings and construct utilities and site development, San Diego	184,000
(28)	Preliminary plans, working drawings and construct fire protection, Santa Cruz	325,000
(29)	Preliminary plans, working drawings and construct fire alarm system additions, Berkeley .	365,000
(30)	Preliminary plans, working drawings and construct fire protection, Doe Library, Berkeley .	1,000,000
(31)	Preliminary plans, working drawings and construct fire protection, Davis .	499,000
(32)	Preliminary plans, working drawings and construct fire protection, San Diego	206,000

Item	Amount
(33) Preliminary plans, working drawings and construct fire protection, San Francisco	80,000
(34) Preliminary plans, working drawings and construct fire protection, life science building, Berkeley	355,000
(35) Preliminary plans, working drawings and construct improvements at Orange County Medical Center, step 2, Irvine health sciences	282,000
(35.1) Preliminary plan, working drawing, construct and equip complete areas in basic science building, San Diego health sciences	226,000
(36) Construct addition to University Hospital of San Diego County, South Wing, San Diego health sciences	136,000
(37) Construct life sciences unit 3, Los Angeles	5,844,000
(38) Construct marine biology instruction and research building, San Diego	5,022,000
(39) Construct learning resources center, Santa Barbara	2,499,000
(40) Construct college No. 7 academic unit, Santa Cruz	1,408,000
(41) Preliminary plans and working drawings for third college-academic unit, San Diego	218,000
(41.1) Preliminary plans, working drawings for mathematics and computer instruction building, Irvine	453,000
(42) Preliminary plans, working drawings and construct improvement at University Hospital of San Diego County, San Diego health sciences	560,000
(43) Construct clinics, medical sciences and university building alterations, step 1, San Francisco health sciences	1,550,000
(44) Preliminary plans, working drawings and construct Roadhouse Hall, alteration, Davis	1,350,000

774 10 3 10

Item		Amount
(45) Preliminary plans and working drawings for Moffitt Hospital addition, San Francisco health sciences	676,000	
(47) Preliminary plans and working drawings for university library unit 2, Santa Cruz	220,000	
(48) Preliminary plans and working drawings for Doe Library addition, Berkeley	434,000	
(49) Preliminary plans and working drawings for library addition, Santa Barbara	371,000	
(50) Working drawings, construct and equip applied sciences building completion, step 1, Santa Cruz	388,000	
(51) Preliminary plans, working drawings and construct alterations, Berkeley	1,500,000	
Provided, that subject to the approval by the electorate of the Health Sciences Facilities Construction Program Bond Act of 1971, priority numbers 35, 35 1, 36, 42, 43, and 45 are hereby deleted from this item, provided further, that the funds in priority number 33 shall be so allocated as to result in a viable project in the event no additional funds are made available for that purpose		
308.5—For capital outlay, University of California, subject to the approval of the State Public Works Board, payable from the Capital Outlay Fund for Public Higher Education, Chapter 1, Statutes of 1971 (First Extraordinary Session), provided that withdrawal shall be as required to meet current obligations as certified by the University of California		11,526,000
Schedule		
(1) Construct humanities building, San Diego	5,226,000	
(2) Construct engineering unit 2, Santa Barbara	6,300,000	
309—For capital outlay, Trustees of the California State Colleges, subject to the approval of the State Public Works Board, payable from the Capital Outlay Fund for Public Higher Education, provided, that withdrawals shall be as required to meet current obligations as certified by the Trustees of the California State Colleges		32,257,000
Schedule.		
Statewide.		
Trustees of the California State Colleges		

Item		Amount
(a)	Project planning for the 1973–74 fiscal year.	50,000
(b)	Campus master planning	205,000
(c)	General studies	100,000
(d)	Special land acquisition	250,000
	San Diego State College	
(e)	Working drawings for arts and sciences rehabilitation	51,000
	State College, Bakersfield	
(g)	Equip science building I	404,000
(h)	Equip central plant II	15,000
	Chico State College	
(i)	Equip classroom and office building	400,000
	State College, Dominguez Hills.	
(j)	Equip natural resources building	500,000
	Humboldt State College·	
(k)	Equip natural resources building	425,000
	California State Polytechnic College, Kellogg-Voorhis Campus.	
(*l*)	Equip science building	150,000
	Los Angeles State College.	
(m)	Equip physical science building	500,000
	State College, San Bernardino·	
(n)	Equip cafeteria	129,000
	San Fernando Valley State College.	
(o)	Equip library building	400,000
	San Jose State College.	
(p)	Equip science building 2, II	500,000
	Stanislaus State College.	
(q)	Equip science building	268,000
(r)	Equip classroom building conversion	12,000
	Chico State College	
(s)	Equip applied arts building	300,000
(t)	Equip life science building	300,000
	State College, Dominguez Hills.	

Item		Amount
	(u) Equip library classroom administration building	500,000
	(v) Equip social science building	255,000
	State College, Fullerton:	
	(w) Equip engineering building	200,000
	State College, Hayward:	
	(x) Equip library building .	500,000
	(y) Equip speech drama building	110,000
	California State Polytechnic College, Kellogg–Voorhis Campus:	
	(z) Equip convert library .	150,000
	Los Angeles State College:	
	(aa) Equip library addition	100,000
	State College, Long Beach	
	(bb) Equip drama building	331,000
	(cc) Equip library building II	339,000
	(dd) Equip engineering building II	375,000
	(ee) Equip psychology building .	100,000
	State College, San Bernardino:	
	(ff) Equip biological science building	170,000
	(gg) Equip physical science building	150,000
	San Francisco State College:	
	(hh) Equip life science building	500,000
	(ii) Equip physical science building	500,000
	(jj) Equip library addition	225,000
	San Jose State College:	
	(kk) Equip business classroom building .	160,000
	Sacramento State College:	
	(*ll*) Working drawings for utilities 1972 . .	45,000
	Fresno State College:	
	(mm) Working drawings for central plant addition	150,000
	(nn) Working drawings for utilities 1973	40,000
	State College, Hayward:	

Item		Amount
(pp) Working drawings and construction for conversion of science and fine arts	250,000	
California State Polytechnic College, San Luis Obispo Campus:		
(qq) Construct conversion of science I	171,000	
Chico State College:		
(rr) Working drawing and construction for conversion of life sciences	232,000	
State College, Bakersfield:		
(ss) Working drawings and construction for conversion of the initial buildings	176,000	
State College, San Bernardino:		
(tt) Working drawings and contruction for conversion of initial buildings	170,000	
State College, Dominguez Hills:		
(uu) Working drawings and construction for conversion of initial buildings	344,000	
Fresno State College:		
(vv) Working drawings and construction for conversion of laboratory school	175,000	
California State Polytechnic College, San Luis Obispo Campus:		
(ww) Working drawings for conversion of science II	18,000	
California State Polytechnic College, Kellogg-Voorhis Campus:		
(yy) Working drawing and construction of utilities 1972 (electric)	800,000	
State College, Long Beach:		
(zz) Working drawing and construction for utilities 1972 (sewage and water)	76,000	
Sacramento State College:		

Item		Amount
(aaa) Construct site development 1972 (roads)		512,000
California State Polytechnic College, San Luis Obispo Campus:		
(bbb) Construct access road		804,000
Fresno State College:		
(ccc) Working drawings and construction of utilities 1972 (drainage)		400,000
San Diego State College:		
(ddd) Working drawing and construction of utilities 1972 (electrical)		325,000
Sacramento State College:		
(eee) Construct library		8,100,000
State College, Bakersfield:		
(fff) Working drawings for initial library addition		70,000
Sonoma State College:		
(ggg) Working drawings for library administration building		207,000
Humboldt State College:		
(hhh) Working drawings for library addition		215,000
State College, Long Beach:		
(iii) Working drawings for administration III		267,000
Los Angeles State College:		
(jjj) Land acquisition		1,347,000
State College, Bakersfield:		
(kkk) Working drawings and construction for outdoor P.E facilities I		427,000
(*lll*) Working drawings for initial P E facility		58,000
Stanislaus State College:		
(mmm) Working drawings for cafeteria		86,000
State College Bakersfield:		

Item		Amount
	(nnn) Working drawings and construction for initial corporation yard	334,000
	(ooo) Working drawings and construction for utilities 1972	292,000
	Sonoma State College:	
	(ppp) Working drawings and construction for corporation yard	150,000
	State College, Bakersfield:	
	(qqq) Construct classroom office building I	2,311,000
	Sonoma State College:	
	(rrr) Construct classroom office building 2	2,245,000
	California State Polytechnic College, San Luis Obispo Campus:	
	(sss) Construct architect classroom building	1,072,000
	San Jose State College:	
	(ttt) Construct, remodel Centennial Hall	134,000
	State College, Bakersfield:	
	(uuu) Working drawings for science building II	188,000
	State College, San Fernando Valley:	
	(vvv) Working drawings for business and economics building	282,000
	State College, San Bernardino:	
	(www) Working drawings for classroom building	160,000
	Notwithstanding the provisions of Section 2.2 of this act, the equipment items in this item shall be available for expenditure only during the 1972–73 and 1973–74 fiscal years	
310	—For capital outlay, Trustees of the California State Colleges, minor projects to be allocated to the state colleges, payable from the Capital Outlay Fund for Public Higher Education	2,300,000
311	—For capital outlay, Trustees of the California State Colleges, to be allocated to the state colleges; provided, that grants of money from the federal government become available under the terms of the	

Item		Amount
granting agency and the provisions of Section 17, of this act, thereby releasing an equal amount of state appropriated funds which are hereby reappropriated, payable from the Capital Outlay Fund for Public Higher Education .		0
Schedule:		
State College, Hayward:		
(a) Working drawings for classroom building 2	94,000	
Humboldt State College:		
(d) Working drawings for marine laboratory addition	18,000	
San Diego State College:		
(e) Working drawings for humanities classroom building	130,000	
California State Polytechnic College, San Luis Obispo Campus:		
(f) Working drawings for faculty office building	90,000	
California State Polytechnic College, San Luis Obispo Campus:		
(g) Construct architecture classroom building . . .	2,460,000	
(h) Federal reimbursements	-2,792,000	

DISTRICT FAIR CONSTRUCTION PROGRAM

312—The sum of $74,530 of the money appropriated by Section 19630 of the Business and Professions Code, for district agricultural fairs or citrus fairs and expositions, is hereby reappropriated from the Fair and Exposition Fund during the 1972–73 fiscal year for engineering services, Department of Agriculture

313—For payment to 1A District Agricultural Association, payable from the Fair and Exposition Fund 194,100

WILDLIFE CONSERVATION PROGRAM

314—For capital outlay, Department of Fish and Game, payable from the Fish and Game Preservation Fund, including revenues subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item 260,000

Item		Amount
Schedule:		
(a) Land acquisition for wildlife habitat	10,000	
(b) Expansion of office—Region I	20,000	
(c) Replacement of hatchery ponds—Darrah Springs Hatchery	30,000	
(d) Replacement of hatchery ponds—Moccasin Creek Hatchery	110,000	
(e) Replacement of hatchery ponds—San Joaquin Hatchery	30,000	
(f) Fillmore Hatchery operations building—plans	10,000	
(g) Construct Region II headquarters	50,000	

PARKS AND RECREATION ACQUISITION AND DEVELOPMENT PROGRAM

315—For project planning, to be allocated by the Department of Finance, subject to approval by the State Public Works Board, payable from the Harbors and Watercraft Revolving Fund . . . 40,000

316—For capital outlay, Department of Navigation and Ocean Development, for plans, working drawings and construction of launching and parking facilities, payable from the Harbors and Watercraft Revolving Fund . . 1,770,980

Schedule:

(a) Construct finger floats and mooring buoys at Angel Island State Park	114,000
(b) Construct berthing, parking and sanitary facilities at Brannan Island State Recreation Area	378,000
(c) Construct sanitary facilities, grading, paving, landscaping and utilities at Folsom Lake, Granite Bay	129,500
(d) Construct launching ramp, boarding dock, parking and sanitary facilities at Folsom Lake, Rattlesnake Bar	132,000
(e) Completion of construction project at Kings Beach	155,000
(f) Construct multiple-purpose launching ramp at Long Beach	630,000
(g) Construct boat ramp, boarding docks and parking facilities at Millerton Lake Recreational Area	232,480

Provided, that, any money received from the Federal Land and Water Funds in reimbursement of expenditures from this item shall be credited to this appropriation and reverted to the unappro-

Item			Amount
priated balance of the Harbors and Watercraft Revolving Fund			
317—For capital outlay, Department of Parks and Recreation, Hearst San Simeon State Historical Monument, payable from funds accumulated under the provisions of Item 257, Budget Act of 1969; Item 214, Budget Act of 1970; and Item 208, Budget Act of 1971			25,000
318—For capital outlay, Department of Parks and Recreation, payable from the State Park Contingent Fund			0
Schedule:			
(a) Annadel Farms, land acquisition		836,400	
(b) Anza-Borrego Desert State Park, land acquisition		122,400	
(c) Big Basin Redwoods State Park, land acquisition		191,250	
(d) Castle Rock State Park, land acquisition		26,300	
(e) Carlsbad State Beach, land acquisition		357,000	
(f) Humboldt Redwoods State Park, land acquisition		306,000	
(g) Carmel River State Beach, land acquisition		884,000	
(h) Point Mugu State Recreation Area, land acquisition		2,149,650	
(i) Reimbursements from the Federal Land and Water Conservation Fund		-4,873,000	
318.1—For capital outlay, Department of Parks and Recreation, payable from the State Park Contingent Fund			0
Schedule:			
(a) Humboldt Redwood State Park, land acquisition		490,000	
(b) Reimbursements from Save-the-Redwoods League		-490,000	
318.2—For capital outlay, Department of Parks and Recreation, subject to approval of the State Public Works Board, payable from the Bagley Conservation Fund, notwithstanding the provision of Section 316, Chapter 1, Statutes of 1971			8,873,000
Schedule:			
(a) Acquisition		3,640,000	
Subschedule:			
(1) Inholding purchases	250,000		
(2) Morro Bay	350,000		

Item			Amount
(3) Opportunity purchases	250,000		
(4) Sonoma	350,000		
(5) Mount Diablo	125,000		
(6) Little River	75,000		
(7) Rincon Point	65,000		
(8) Allensworth	200,000		
(9) Refugio Beach	1,900,000		
(10) Acquisition costs	75,000		
(b) Development		4,996,912	
Subschedule:			
(1) San Diego Museum	200,000		
(2) Pt Mugu State Park	924,100		
(3) Sea Cliff State Beach . .	979,200		
(4) Silver Strand State Beach	215,780		
(5) Sonoma Coast State Beach	200,000		
(6) Angel Island	173,100		
(7) Refugio State Beach .	150,000		
(8) Pismo State Beach	150,000		
(9) Russian Gulch State Park	184,000		
(10) Carpinteria State Beach	500,000		
(11) MacKerricher State Park	132,000		
(12) Clear Lake State Park	341,000		
(13) Folsom (Brown's Ravine)	138,500		
(14) Minor Program	709,232		
(c) Design and development		236,088	

CALIFORNIA WATER FACILITIES PROGRAM

319—For land, easements and rights-of-way, including but not limited to, borrow pits, spoil areas and easements for levees, clearing, flood control works and flowage, and for appraisals, surveys, and engineering studies necessary for the completion or operation of the following projects in the Sacramento and San Joaquin watersheds as authorized by Section 8617 1 and Sections 12570 through 12875 of the Water Code; and for advances to the federal government or payments to the federal government or others for incidental construction

854 10 3 410

Item			Amount
	or reconstruction items which are an obligation of the state in connection with the completion or operation of the aforesaid projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, powerlines, communication lines, pipelines, irrigation works and other structures and facilities and for appraisals, surveys and engineering studies incident thereto, to the Department of Water Resources		1,607,000
	Schedule:		
	(a) Sacramento River and Tributaries Flood Control Project	82,000	
	(b) San Joaquin River and Tributaries Flood Control Project	115,000	
	(c) Fresno River Flood Control Project	10,000	
	(d) Chowchilla River Flood Control Project	10,000	
	(e) Sacramento River Bank Protection Project	1,390,000	
	Notwithstanding the provisions of Section 2 2 of this act, the amount in this item shall be available for expenditure only during the 1972–73 fiscal year; and provided further, that this item shall be exempt from the provisions of Section 7 of this act		

COMMUNITY COLLEGE CONSTRUCTION BOND ACT PROGRAM

SEC 2 4 The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years for expenditure only for the programs contemplated by the Community College Construction Program Bond Act of 1972 All such appropriations shall be paid out of the State Construction Program Fund

320	—For capital outlay, Board of Governors of the California Community Colleges, to be allocated, subject to the prior approval of the State Public Works Board, by the Board of Governors of the California Community Colleges to the community college districts for expenditure by said community college districts, as set forth in the schedule below, payable from the State Construction Program Fund		43,663,902
	Schedule:		
	Santa Clarita Community College District, College of the Canyons:		
	(a) Equip instructional resource center	189,185	

Item		Amount
	West Valley Community College District, Mission Campus:	
(b)	Working drawings for site development—utilities, Phase I	26,569
	Santa Clarita Community College District, College of the Canyons:	
(c)	Initial complement of library books	98,313
	State Center Community College District, Reedley College:	
(d)	Working drawings and construct air conditioning in existing buildings	171,002
	Hartnell Community College District, Hartnell College:	
(e)	Equip gymnasium-pool complex	26,757
	Los Rios Community College District, American River College:	
(f)	Equip men's physical education addition	21,936
	Peralta Community College District, Merritt College:	
(g)	Equip gymnasium and outdoor physical education facility	18,014
	North Orange County Community College District, Cypress College:	
(h)	Equip men's shower and locker building	14,597
	San Luis Obispo County Community College District, Cuesta College:	
(i)	Equip physical education building, Phase I B	15,768
	Santa Barbara Community College District, Santa Barbara City College:	
(j)	Equip physical education complex	2,728
	State Center Community College District, Reedley College:	

870 10 3 490

Item		Amount
(k)	Equip physical education combative and gymnastics addition .	10,339
	West Valley Joint Community College District, Saratoga College:	
(*l*)	Equip physical education building . .	97,667
	Butte Community College District, Butte College:	
(m)	Construct gymnasium	1,113,827
(n)	Construct shower and locker building . .	606,931
(o)	Construct outdoor physical education facilities .	311,031
	Fremont-Newark Community College District, Ohlone College:	
(p)	Construct indoor physical education facilities .	1,061,705
	Kern Community College District, Bakersfield College:	
(q)	Working drawings and construct physical education addition .	157,261
	Porterville College:	
(r)	Working drawings and construct physical education addition	230,578
	Mt San Antonio Community College District, Mt San Antonio College:	
(s)	Working drawings and construct and equip physical education and locker addition	164,134
	Napa Community College District, Napa College:	
(t)	Working drawings for gymnasium complex .	78,016
	Peralta Community College District, College of Alameda:	
(u)	Working drawings for gymnasium and locker room building	51,911
	San Bernardino Community College District, Crafton Hills College:	

Item		Amount
(v)	Construct physical education center	387,692
(w)	Construct outdoor physical education courts	47,412
	Santa Monica Community College District, Santa Monica City College:	
(x)	Working drawings, construct, and equip alterations to gymnasium	125,677
	Hartnell Community College District, Hartnell College:	
(y)	Equip drama-music building	92,304
	Solano County Community College District, Solano College:	
(z)	Working drawings and construct music and little theater building	764,522
	State Center Community College District, Fresno City College:	
(aa)	Working drawings and construct art center, Phase I, unit B	1,109,588
	Peralta Community College District, Laney College:	
(bb)	Construct theater	915,692
	Santa Barbara Community College District, Santa Barbara City College:	
(cc)	Working drawings for theater and music building	57,679
	Fremont-Newark Community College District, Ohlone College:	
(dd)	Construct college center	595,372
	Merced Community College District, Merced College:	
(ee)	Working drawings, construct and equip administration building addition	179,322
	Coast Community College District, Orange Coast College:	
(ff)	Working drawings for administration building.	19,290
	State Center Community College	

878 10 3 530

Item		Amount
	District, Reedley College:	
(gg)	Working drawings and construct maintenance building	45,168
	West Valley Joint Community College District, Saratoga College:	
(hh)	Construct warehouse-maintenance building	234,390
	Kern Community College District, Cerro Coso College:	
(ii)	Working drawings and construct Phase I utilities (offsite)	194,581
	San Jose Community College District, Evergreen Valley College:	
(jj)	Construct utilities and site development, Phase I A	185,132
(kk)	Working drawings for central utilities building	18,089
	Marin Community College District, College of Marin:	
(*ll*)	Working drawings and construct site development (1972)	121,253
	Indian Valley Colleges:	
(mm)	Construct site development (1969)	501,493
(nn)	Working drawings for power plant and corporation yard	4,453
	Ventura County Community College District, Oxnard College:	
(oo)	Working drawings and construct site development, Phase I	484,002
(pp)	Working drawings and construct offsite development	33,017
(qq)	Working drawings for site development, Phase II	26,004
	Los Angeles Community College District, West Los Angeles College:	
(rr)	Working drawings for utilities and site development	10,554
	San Luis Obispo County Community College District, Cuesta College:	

Item	Amount
(ss) Equip science center and forum building	149,797
West Valley Joint Community College District, Saratoga College:	
(tt) Equip business and administration building	102,900
Mt San Jacinto Junior College District, Mt San Jacinto College:	
(uu) Equip science building	12,754
Marin Community College District, College of Marin:	
(vv) Equip library building	141,527
State Center Community College District, Fresno City College:	
(ww) Equip mathematics, science and health building	82,926
(xx) Equip art center, Phase I, unit A	37,811
San Mateo Junior College District, Skyline College:	
(yy) Equip campus center building "C"	69,953
Contra Costa Community College District, Los Medanos College:	
(zz) Equip college complex	370,872
(aaa) Equip initial complement of library books	48,090
Fremont-Newark Community College District, Ohlone College:	
(bbb) Equip resource center building	225,600
(ccc) Equip northeast instructional unit	100,392
(ddd) Equip southeast instructional unit	70,500
(eee) Equip northwest instructional unit	96,574
(fff) Equip southwest instructional unit	91,744
(ggg) Equip north lecture hall	8,597
(hhh) Equip south lecture hall	8,597
Kern Community College District, Cerro Coso College:	

Item		Amount
(iii)	Equip new campus, Phase I	127,385
	Butte Community College District, Butte College:	
(jjj)	Equip life science and agriculture buildings	83,782
(kkk)	Equip physical science building	36,240
(*lll*)	Equip engineering and technology buildings	50,400
(mmm)	Equip instructional materials center	196,419
	San Joaquin Delta Community College District, San Joaquin Delta College:	
(nnn)	Equip PHI project	403,779
	San Diego Community College District, San Diego City College:	
(ooo)	Equip remodel "A" and Thatcher buildings	50,982
	Solano County Junior College District, Solano College:	
(ppp)	Equip vocational arts building No 2	139,344
	Saddleback Community College District, Saddleback College:	
(qqq)	Equip science-mathematics building	221,603
	Merced Community College District, Merced College:	
(rrr)	Working drawings and construct elevators for vocational and science buildings	60,653
	Pasadena Area Community College District, Pasadena City College:	
(sss)	Working drawings and construct elevators for "C" building	91,434
	Santa Clarita Community College District, College of the Canyons:	
(ttt)	Construct classroom center	776,438
	Contra Costa Community College District, Diablo Valley College:	

Item		Amount
(uuu) Construct art building		655,676
Santa Clarita Community College District, College of the Canyons:		
(vvv) Construct laboratory center		1,604,158
Coast Community College District, Golden West College:		
(www) Construct humanities, arts and science building		1,359,829
West Valley Joint Community College District, Saratoga College:		
(xxx) Construct and equip law enforcement building		116,795
North Orange County Community College District, Cypress College:		
(yyy) Construct humanities building		2,400,331
San Jose Community College District, Evergreen Valley College:		
(zzz) Construct cluster "A"		1,513,532
Marin Community College District, College of Marin:		
(aaaa) Construct and equip art building remodel		222,197
Rancho Santiago Community College District, Santa Ana College:		
(bbbb) Construct social science-language arts building, Phase I and II		1,179,054
San Jose Community College District, Evergreen Valley College:		
(cccc) Construct cluster "C"		916,829
North Orange County Community College District, Cypress College:		
(dddd) Construct drama building		835,568
Santa Barbara Community College District, Santa Barbara City College:		
(eeee) Construct art and communication building		1,073,687
San Luis Obispo County Commu-		

Item		Amount
	nity College District, Cuesta College:	
(ffff)	Construct library center and administration building	1,132,560
	Los Rios Community College District, American River College:	
(gggg)	Working drawings for electronics, auto-mechanics, and welding additions	54,968
	Yuba Community College District, Yuba College:	
(hhhh)	Working drawings, construct and equip conversion of agriculture and welding laboratories	86,986
	Long Beach Community College District, Long Beach City College:	
(iiii)	Working drawings, construct and equip life science remodel	126,559
	Los Rios Community College District, Cosumnes River College:	
(jjjj)	Working drawings for classroom building	54,600
	Redwoods Joint Community College District, College of the Redwoods:	
(kkkk)	Construct fine arts building (music-art)	1,022,840
	Ventura County Community College District, Ventura College:	
(*llll*)	Working drawings for classroom building	14,996
	Marin Community College District, Indian Valley Colleges:	
(mmmm)	Working drawings for inner college "A"	14,920
	Butte Community College District, Butte College:	
(nnnn)	Working drawings for business, law enforcement, and home economics building	25,745
	San Francisco Community College District, City College of San	

Item	Amount
Francisco:	
(oooo) Working drawings for Cloud Hall East	71,762
Coast Community College District, Golden West College:	
(pppp) Working drawings for mathematics and science addition No 2	31,576
Marin Community College District, Indian Valley Colleges:	
(qqqq) Working drawings for inner college "B"	17,733
Ventura County Community College District, Moorpark College:	
(rrrr) Construct classroom and laboratory complex	991,181
State Center Community College District, Fresno City College:	
(tttt) Working drawings for language arts building . .	18,660
(uuuu) Working drawings for art center, Phase II	27,922
Reedley College:	
(vvvv) Working drawings, construct and equip forum building	301,548
Saddleback Community College District, Saddleback College:	
(wwww) Working drawings for fine arts building	84,942
State Center Community College District, Reedley College:	
(xxxx) Working drawings and construct engineering and electronics building	420,206
Coast Community College District, Orange Coast College:	
(yyyy) Working drawings for forum building No 3 and art addition	27,025
North Orange County Community College District, Cypress College:	

Item		Amount
(zzzz) Working drawings for vocational-technical building No 2 .	89,701	
Los Rios Community College District, American River College:		
(aaaaa) Working drawings and construct horticulture addition	171,092	
Sacramento City College:		
(bbbbb) Working drawings and construct aeronautics addition	476,350	
San Joaquin Delta Community College District, San Joaquin Delta College:		
(ccccc) Working drawings and construction for Omega project	3,186,419	
San Diego Community College District, San Diego City College:		
(ddddd) Working drawings for mathematics-science building	61,323	
San Joaquin Delta Community College District, San Joaquin Delta College:		
(eeeee) Working drawings for Delta project . .	179,307	
Los Rios Community College District, Sacramento City College:		
(fffff) Working drawings for classroom-administration building, Phases I and II . .	164,724	
Los Angeles Community College District, Los Angeles Trade-Technical College:		
(ggggg) Construct business science building, Phase I	517,278	
Kern Community College District, Bakersfield College:		
(hhhhh) Working drawings and construct business education addition .	177,287	
Kern Community College District, Porterville College:		

Item		Amount
(iiiii) Working drawings and construct trade-technical complex		154,205
Cerritos Community College District, Cerritos College:		
(kkkkk) Working drawings for paramedical building		62,320
Glendale Community College District, Glendale College:		
(*lllll*) Working drawings for technical education building		39,678
Santa Barbara Community College District, Santa Barbara City College:		
(mmmmm) Working drawings for vocational-technology building		15,915
Oceanside-Carlsbad Community College District, Mira Costa College:		
(nnnnn) Working drawings and construct machine shop .		149,095
San Luis Obispo County Community College District, Cuesta College:		
(ooooo) Working drawings for business education, engineering, mathematics and technical building .		34,312
Los Angeles Community College District, East Los Angeles College:		
(ppppp) Working drawings for library learning center addition		7,707
Sweetwater Community College District, Southwestern College:		
(qqqqq) Construct and equip library and audiovisual center		920,354
Peralta Community College District, Merritt College:		
(rrrrr) Working drawings for library building .		42,313
Coast Community College District, Golden West College:		

Item	Amount
(sssss) Working drawings for library and multimedia addition No 3	39,548
Yuba Community College District, Yuba College: (uuuuu) Working drawings for library building	28,821
Coast Community College District, Golden West College: (vvvvv) Working drawings for music addition No 1	16,599
San Diego Community College District, San Diego City College: (wwwww) Land acquisition No 3	622,920
Los Angeles Community College District, Los Angeles Trade-Technical College: (xxxxx) Land acquisition, main campus	112,948
San Francisco Community College District, City College of San Francisco: (yyyyy) Construct and equip science building remodel	95,754
Grossmont Community College District, Grossmont College: (zzzzz) Working drawings, construct and equip bookstore conversion to faculty and administration offices	78,612
Contra Costa Community College District, Los Medanos College: (aaaaaa) Construct physical education complex	673,207
Santa Clarita Community College District, College of the Canyons: (bbbbbb) Working drawings and construct physical education locker building	1,060,218
Fremont-Newark Community College District, Ohlone College: (ccccccc) Construct outdoor physical education unit	202,929

944 10 4 220

Item	Amount
North Orange County Community College District, Cypress College:	
(dddddd) Working drawings for men's gymnasium	53,591
Marin Community College District, College of Marin:	
(eeeeee) Working drawings and construct outdoor physical education facilities	91,281
Contra Costa Community College District, Los Medanos College:	
(ffffff) Working drawings, construct and equip physical education fields and swimming pool .	409,161
Allen Hancock Community College District, Allen Hancock College:	
(gggggg) Working drawings and construct tennis courts	58,273
(iiiiii) Working drawings for outdoor physical education facilities	4,748
Fremont-Newark Community College District, Ohlone College:	
(jjjjjj) Construct swimming pool	152,202
Merced Community College District, Merced College:	
(kkkkkk) Equip art-music building	51,461
Santa Clarita Community College District, College of the Canyons:	
(*llllll*) Construct site development, Phase III	168,860
Fremont-Newark Community College District, Ohlone College:	
(mmmmmm) Construct site development, Phase II	274,443
San Jose Community College District, Evergreen Valley College:	
(nnnnnn) Working drawings for utilities and site development I B	5,957
Contra Costa Community College District, Los Medanos College:	

Item	Amount
(oooooo) Working drawings and construct site development, Phase III	216,878
State Center Community College District, Reedley College:	
(pppppp) Working drawings, construct and equip administration building alterations	133,010
Coast Community College District, Golden West College:	
(qqqqqq) Working drawings, construct and equip administration addition	44,884
Lassen Community College District, Lassen College:	
(rrrrrr) Working drawings and construct dining facility	521,198
Santa Clarita Community College District, College of the Canyons:	
(ssssss) Construct activity center	1,043,841
San Luis Obispo County Community College District, Cuesta College:	
(tttttt) Working drawings for cafeteria-bookstore	34,212
Butte Community College District, Butte College:	
(uuuuuu) Working drawings for administration building	25,936
(vvvvvv) Working drawings for campus center building	52,926
Marin Community College District, Indian Valley Colleges:	
(wwwwww) Working drawings for administration and student center	2,352
Kern Community College District, Porterville College:	
(xxxxxx) Working drawings, construct and equip maintenance-transportation building	55,319

STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT PROGRAM

SEC 25 The following sums of money, or so much thereof, as may be necessary, unless otherwise provided herein, are hereby appropriated for the 1972–73 fiscal year beginning July 1, 1972, and ending June 30, 1973 All such appropriations, unless otherwise herein provided, shall be paid out of the State Beach, Park, Recreational and Historical Facilities Fund in the State Treasury.

LOCAL ASSISTANCE

Item		Amount
321—For project review for purposes set forth in Section 5096 15(d) of the Public Resources Code, Department of Parks and Recreation, payable from the State Beach, Park, Recreational and Historical Facilities Fund		84,048

CAPITAL OUTLAY

322—For capital outlay, Department of Parks and Recreation, for purposes set forth in Section 5096.15(a) of the Public Resources Code for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years, payable from the State Beach, Park, Recreational, and Historical Facilities Fund		1,064,300
Schedule:		
(a) Land acquisition, Manchester Beach	188,000	
(b) Land acquisition, Topanga Canyon	9,000	
(c) Land acquisition, Torrey Pines State Reserve	107,000	
(d) Land acquisition, Annadel Farms	102,000	
(e) Land acquisition, Cardiff State Beach	1,606,500	
(f) Anticipated federal reimbursements	–948,200	
323—For capital outlay, Department of Parks and Recreation, for purposes set forth in Section 5096.15(b) of the Public Resources Code for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years, payable from the State Beach, Park, Recreational and Historical Facilities Fund		2,990,395
Schedule:		
(a) For development, Pendleton Beach	150,000	
(b) For development, Point Mugu State Recreation Area	2,840,395	
324—For capital outlay, Department of Parks and Recreation for the purposes set forth in Section 5096 15(a) and 5096 15(b) of the Public Resources Code, payable from the State Beach, Park, Recreational and Historical Facilities Fund		119,500

Item		Amount
	Schedule:	
	(a) For project planning under provisions of Section 5096 15(b) of the Public Resources Code	119,500

REAPPROPRIATION

325—Notwithstanding any other provisions of law, the undisbursed balances, on the effective date of this act, of the appropriations provided in the following citations, are reappropriated for the purposes (and the limitations) provided for in said appropriations (and any reappropriations), and shall be available for expenditure until June 30, 1973:

Land Acquisition:
- Item 362(a) Budget Act of 1965
- Item 362(b) Budget Act of 1965
- Item 362(c) Budget Act of 1965
- Item 423(a) Budget Act of 1966
- Item 423(c) Budget Act of 1966
- Item 423(f) Budget Act of 1966
- Item 423(h) Budget Act of 1966
- Item 423(i) Budget Act of 1966
- Item 423(m) Budget Act of 1966
- Item 423(q) Budget Act of 1966
- Item 423(r) Budget Act of 1966
- Item 423(t) Budget Act of 1966
- Item 343 7(b) Budget Act of 1967
- Item 343 7(c) Budget Act of 1967
- Item 377 1(a) Budget Act of 1968
- Item 422(a) Budget Act of 1969
- Item 422(b) Budget Act of 1969

Development:
- Item 424(c) Budget Act of 1966
- Item 378(a) Budget Act of 1968
- Item 423(a) Budget Act of 1969
- Item 423(c) Budget Act of 1969

RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND ACT PROGRAM

SEC 2 6 The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1972–73, 1973–74, and 1974–75 fiscal years for expenditure only for programs contemplated by the Recreation and Fish and Wildlife Enhancement Bond Act All such appropriations shall be paid out of the Recreation and Fish and Wildlife Enhancement Fund

WILDLIFE CONSERVATION PROGRAM

326—	For capital outlay, Wildlife Conservation Board, Department of Fish and Game, for purposes of the Recreation and Fish and Wildlife Enhancement Bond Act, payable from the Recreation and Fish and Wildlife Enhancement Fund	1,405,500

Item		Amount
Schedule:		
(a) For construction, Black Rock Rearing Ponds, Phase II	225,000	
(b) For construction, Fish Springs Hatchery	708,500	
(c) For purchase, fishing access sites, State Water Facilities	337,000	
(d) For development, wildlife habitat	60,000	
(e) For anadramous fish enhancement—Feather River	75,000	

PARKS AND RECREATION ACQUISITION AND DEVELOPMENT PROGRAM

327—For capital outlay, Department of Parks and Recreation, for purposes of the Recreation and Fish and Wildlife Enhancement Bond Act, payable from the Recreation and Fish and Wildlife Enhancement Fund 10,854,432

Schedule:

(a) For development, Antelope Reservoir	402,800
(b) For development, Del Valle Reservoir	1,229,250
(c) For development, Frenchman Reservoir	601,800
(d) For development, Perris Reservoir	4,250,000
(e) For development, Pyramid Reservoir	243,800
(f) For development, San Luis Reservoir State Recreation Area, O'Neill Forebay	2,333,710
(g) For development, Sawpit Canyon Area	1,772,572
(h) Interim facilities, Silverwood Lake	20,500

provided, that any savings incurred in subitem (a) above, shall be used for fishing sites at the Frenchman Reservoir project (subitem (c) above)

328—For project planning, Department of Parks and Recreation, for purposes of the Recreation and Fish and Wildlife Enhancement Bond Act, payable from the Recreation and Fish and Wildlife Enhancement Fund 758,112

329—For minor capital outlay, Department of Navigation and Ocean Development, for purposes of the Recreation and Fish and Wildlife Enhancement Bond Act, payable from the Recreation and Fish and Wildlife Enhancement Fund 120,700

Item		Amount
330—For capital outlay, Department of Navigation and Ocean Development, for purposes of the Recreation and Fish and Wildlife Enhancement Bond Act, payable from the Recreation and Fish and Wildlife Enhancement Fund		1,438,000
Schedule:		
(a) Development of boating facility, Perris Reservoir—Phase I	349,000	
(b) Development of boating facility, Perris Reservoir—Phase II	210,000	
(c) Development of boating facility, Pyramid Reservoir	804,000	
(d) Reimbursement to Harbors and Watercraft Revolving Fund for planning at Perris and Pyramid Reservoirs	75,000	
332—For project planning, to be allocated by the Department of Finance, subject to approval by the State Public Works Board, payable from the Recreation and Fish and Wildlife Enhancement Fund		17,500
The amount appropriated in this item is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future fiscal year		

HEALTH SCIENCE FACILITIES CONSTRUCTION BOND ACT PROGRAM

SEC 27 The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years for expenditure only for the programs contemplated by the Health Science Facilities Construction Program Bond Act of 1971 All such appropriations shall be paid out of the Health Science Facilities Construction Program Fund

STATE BUILDING PROGRAM

333—For capital outlay, University of California, subject to approval of the State Public Works Board, said approvals in accordance with the below priority listing, payable from the Health Sciences Facilities Construction Program Fund; provided, that withdrawals shall be as required to meet current obligations as certified by the University of California		10,038,000
Schedule:		
1 Preliminary planning, health sciences, universitywide	400,000	
2 Reserve for cost-rise, universitywide	400,000	

Item		Amount
3	Preliminary plans, working drawings and construct improvements at Orange County Medical Center, step 2, Irvine	282,000
3 1	Preliminary plans, working drawings, construct and equip complete areas in basic science building, San Diego health sciences	226,000
4	Construct addition to University Hospital of San Diego County, south wing, San Diego	136,000
5.	Construct medical sciences unit 1, Irvine	1,185,000
6	Construct school of dentistry building, San Francisco	3,322,000
7	Preliminary plans and working drawings for heating plant No 2, San Francisco	88,000
8	Preliminary plans, working drawings and construct improvements at University Hospital at San Diego County, San Diego	560,000
9	Construct clinics, medical sciences and U C hospital buildings alterations, step 1, San Francisco	1,550,000
10	Preliminary plans and working drawings for Moffitt Hospital addition, San Francisco	676,000
12	Preliminary plans, working drawings, construct and equip clinical faculty facilities at San Francisco General Hospital, step 3, San Francisco	78,000
12 1	Preliminary plans, working drawings, construct and equip animal holding facilities, Elliott Field Station, San Diego	187,000
13.	Construct and equip animal services building at University Hospital of San Diego County, San Diego	470,000
14	Equip remodel nursery/delivery suite at University Hospital of San Diego County, San Diego	92,000
15	Preliminary plans, working drawings, construct and equip animal facilities, step 1—relocate experimental animal surgery, San Francisco	162,000

Item		Amount
16	Construct rural animal facility, step 1, San Francisco	224,000
333 5—For capital outlay, University of California, subject to the approval of the State Public Works Board, payable from the Health Sciences Facilities Construction Program Fund; provided that expenditures from this item shall be made to augment state funds budgeted for projects in Item 333 to the extent to which federal grants fall short of the maximum amounts anticipated in determining the matching state funds in Item 333		7,964,000

GENERAL SECTIONS

SEC 4 Notwithstanding any other provisions of this act, no appropriations made herein, or funds obtained from any other source, over $10,000 may be expended by any state entity for expansion, improvement or addition to electronic data processing activities, personnel, equipment, facilities or supplies during fiscal year 1972–73, or any expenditure budgeted for fiscal year 1973–74 for electronic data processing activities, personnel, equipment, facilities and supplies unless the Director of Finance certifies that the criteria and procedures set forth in the Supplementary Report of the Committee on Conference on the Budget Act of 1970 have been met and followed

The provisions of this section shall not apply to the University of California, the State Compensation Insurance Fund, agencies provided for by Article VI of the Constitution, or the Legislature

SEC 4 5. Subject to the provisions of this act, any appropriation for expenditure under this act during the 1972–73 fiscal year, may, with the approval of the Department of Finance, be encumbered prior to July 1, 1972, by incurring obligations to be paid after June 30, 1972; and in addition any appropriation for expenditure provided by the Budget Act of 1973 during the 1973–74 fiscal year, may, with the approval of the Department of Finance, be encumbered prior to July 1, 1973, by incurring obligations to be paid after June 30, 1973

SEC 5 Because it is necessary to insure the availability of adequate equipment for physical facilities constructed for the operation of custodial, mental health, educational, administrative, military, and other agencies of the state government; because uncertainties as to completion dates make precise advance planning of equipment purchases impossible; and since delivery of some kinds of equipment cannot be made for six months or longer from the date of ordering; state agencies are therefore authorized to incur obligations, to be met during the 1973–74 fiscal year, for the purchase of equipment related to capital outlay projects for which the Legislature has appropriated construction funds; provided, that no obligation shall be incurred under the provisions of this section without the approval of the Department of Finance and the State

Public Works Board Purchase orders issued and contracts entered into under the provisions of this section shall not exceed a total of two million dollars ($2,000,000) in estimated cost

SEC 7 Any acquisition of land or other real property included in any appropriation made herein for capital outlay except appropriations from the California Water Fund or the State Highway Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 or appropriations to the Board of Governors of the California Community Colleges for allocation to the community college districts shall be subject to the provisions of the Property Acquisition Law

All property acquisitions, notwithstanding other exemptions of this section, shall be reported to the State Public Works Board

SEC 8 No money appropriated herein in any item for capital outlay may be expended by any state agency, including the University of California, the state colleges and the community colleges, except amounts for acquisition of land or other real property, amounts needed for equipment, minor projects and amounts appropriated specifically for preliminary surveys, studies and planning until the State Public Works Board and the Department of Finance have approved preliminary plans for the project to be financed from such item of appropriation for capital outlay with the exception that community college approvals by the Public Works Board will apply only to the allocation of state capital outlay funds appropriated heretofore and hereafter by the Legislature; including land acquisition and equipment funds; provided further, that unless excepted by the conditions of Section 20084 of the Education Code, the Public Works Board shall not approve for allocation any appropriated amounts for working drawings or construction where said working drawings or construction have been started by a community college prior to approval of the state-appropriated amounts by the Public Works Board, and all such amounts not approved by the board under this criterion shall be reverted to the unappropriated balance of the appropriate fund; provided further, no major project for which appropriation is made hereunder regarding which the Director of Finance or his authorized representative requests review of working plans shall be put out to bid until the working plans therefor have been approved by the Department of Finance; provided further, that no money appropriated herein may be spent for working drawings for any project as to which there has been made substantial change or changes from the preliminary plans as approved by the State Public Works Board and the Department of Finance unless there has first been obtained the approval of the Department of Finance to make such change or changes; provided further, that no more than one hundred dollars ($100) of the money appropriated herein may be spent for any single unit of equipment until prior approval for purchase of such equipment shall have been given by the Department of Finance

Nothing in this section shall be construed to limit or control the

Department of Public Works in the expenditure of State Highway Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 money appropriated for capital outlay purposes

The Department of Public Works shall report to the State Public Works Board the expenditures for capital outlay, except minor projects, from appropriations contained in this act

SEC 8 5 In making appropriations to state agencies which are eligible for federal assistance programs, it is the intent and understanding of the Legislature that applications made by such agencies for federal funds under any such programs shall be for the maximum amount allowable under federal law

SEC. 9 Notwithstanding any other provision of law, the portion of each sum of money heretofore appropriated or allocated, hereby appropriated or hereafter allocated to the Regents of the University of California for capital outlay which remains after the purpose for which each said sum was appropriated or allocated has been accomplished, and which have been or hereafter are withdrawn from the State Treasury by the Regents of the University of California pursuant to the provisions of Section 23201 of the Education Code, together with increments, by way of interest or otherwise, on any such appropriation or allocations, shall be used and expended by the Regents of the University of California in executing and furthering the building and improvement program of the University of California; provided, that no sums in excess of $50,000 shall be allocated by the Regents of the University of California to projects for the purpose of augmenting those projects without prior approval of the State Public Works Board of the requested augmentation Sums used and expended pursuant to this section shall be available for expenditure in payment of any encumbrances heretofore or hereafter incurred without regard to fiscal years; provided, however, that any unencumbered balances existing as of the date on which each such appropriation or allocation otherwise would lapse, shall then revert

SEC 10 Notwithstanding any other provisions of law, the undisbursed balances, on the effective date of this act, of the appropriations provided in the following citations, are reappropriated for the purposes provided for in said appropriations, and shall be available for expenditure until June 30, 1973:

Department of Conservation:
Item 344(b), Budget Act of 1968
Item 344(c), Budget Act of 1968
Item 344(d), Budget Act of 1968
Item 344(j), Budget Act of 1968
Item 396(a), Budget Act of 1969
Item 396(b), Budget Act of 1969
Item 396(d), Budget Act of 1969
Item 396(e), Budget Act of 1969
Item 396(f), Budget Act of 1969
Item 396(g), Budget Act of 1969

Department of Navigation and Ocean Development:

Item 357(a), Budget Act of 1968, as amended by Section 10 6 of the Budget Act of 1971
Chapter 71, Statutes of 1970
Department of Parks and Recreation:
Item 358(d), Budget Act of 1968; provided that no funds may be spent until one or more lease agreements for the concession at Pueblo de Los Angeles State Monument is approved and signed by the Director of the State Department of Parks and Recreation; provided further, that any such lease agreement shall contain a formula for sharing the cost of capital improvements and equipment at the Pueblo de Los Angeles State Monument between the state and the concessionaire; provided further, that any such lease entered into shall be reviewed by the Attorney General and Legislative Analyst, in addition to any other reviews required by law; provided further, that funds subject to this provision shall be available to match federal funds granted to the state for the restoration of Pueblo de Los Angeles
Item 410(e), Budget Act of 1969
Item 410(f), Budget Act of 1969
University of California:
Item 377(a), Budget Act of 1969
Item 377(b), Budget Act of 1969, as amended by Section 11 1 of the Budget Act of 1971
Item 377(c), Budget Act of 1969
Item 377(d), Budget Act of 1969
Item 377(f), Budget Act of 1969
Item 377(*l*), Budget Act of 1969
Item 377(q), Budget Act of 1969
Item 377(r), Budget Act of 1969
Item 377(s), Budget Act of 1969
State Colleges:
Trustees of the California State Colleges:
Item 330(b), Budget Act of 1968
Chico State College:
Item 339(a), Budget Act of 1967
Item 339(b), Budget Act of 1967
Item 339(g), Budget Act of 1967
Item 329(a), Budget Act of 1968
Item 329(b), Budget Act of 1968
State College, Dominguez Hills:
Item 333(u), Budget Act of 1968
Item 383(b), Budget Act of 1969
State College, Fullerton:
Item 329(i), Budget Act of 1968
Item 329(j), Budget Act of 1968
State College, Hayward:
Item 339(x), Budget Act of 1967
Item 329(m), Budget Act of 1968
Item 329(n), Budget Act of 1968

Humboldt State College:
Item 329(o), Budget Act of 1968
State College, Long Beach:
Item 339(jj), Budget Act of 1967
Item 329(t), Budget Act of 1968
State College, Los Angeles:
Item 339(qq), Budget Act of 1967
Item 339(ss), Budget Act of 1967
Item 383(g), Budget Act of 1969
Sacramento State College:
Item 329(w), Budget Act of 1968
State College, San Bernardino:
Item 339(bbb), Budget Act of 1967
Item 333(z), Budget Act of 1968
San Diego State College:
Item 408(bbb), Budget Act of 1966
San Francisco State College:
Item 352(wwx), Budget Act of 1965
Item 408(ggg), Budget Act of 1966
Item 333(m), Budget Act of 1968
San Jose State College:
Item 353(c), Budget Act of 1965
Item 408(nnn), Budget Act of 1966
Item 339(ppp), Budget Act of 1967
Item 347 12(s), Budget Act of 1970
Stanislaus State College:
Item 339(vvv), Budget Act of 1967
State Polytechnic College, Kellogg-Voorhis Campus:
Item 383(n), Budget Act of 1969

SEC 10 1 As of June 30, 1972, the unexpended balance of the appropriation made by Item 79, Budget Act of 1971, shall revert to the unappropriated balance of the General Fund

As of July 1, 1972, the amount reverted as of June 30, 1972, for Item 79, Budget Act of 1971, is reappropriated and shall be available until June 30, 1973, and may be expended on written authorization of the Department of Finance issued on or before said date, for emergencies, within the meaning of said item, occurring during the 1971–72 fiscal year

SEC 10 2 Notwithstanding any other provisions of law, Item 282(a) and Item 296(d), Budget Act of 1968 and Item 329(a) and Item 348(d) of the Budget Act of 1969, are reappropriated for the same purposes to the Department of Education and Department of Social Welfare, respectively, and shall be available until June 30, 1973, for expenditure adjustments relating to the 1968–69 and 1969–70 fiscal years under the provisions of Public Law 90-248

SEC 10 3 On July 1, 1973, $3,000,000 of the unexpended balance of the appropriation made by Item 291, Budget Act of 1972, is reappropriated This amount is for the purpose of the purchase of library books and book processing and for the purchase of replacement instructional equipment until June 30, 1974

SEC 10 7 The unexpended balance of funds appropriated to the Department of Social Welfare by Chapter 578, Statutes of 1971, Section 39 7 (b), is hereby reappropriated to the Department of Education for the cost of child care services and child care training programs pursuant to the provisions of Sections 10811 and 10811 5, Welfare and Institutions Code, provided, that the Department of Finance may, by executive order, transfer funds in augmentation of the amount scheduled in subdivision (h) of Item 258 for purposes of meeting the state matching fund requirements for child care services provided for under Public Law 90-248

SEC 10 8 The unexpended balance of the appropriation made by Item 271, Item 272, Item 274, and Item 275, of the Budget Act of 1971 is hereby reappropriated until June 30, 1973, to the Department of Education, for the purpose of remodeling facilities in order to implement the department's reorganization plan

SEC 11 As of June 30, 1972, the unencumbered balance of the appropriations provided in the following citations shall revert to the unappropriated balance of the General Fund:

State Air Resources Board:

Section 2, Chapter 714, Statutes of 1970

SEC 11 1 As of June 30, 1972, $150,000 of the unencumbered balance of the appropriation made by Section 10 1, Budget Act of 1963, as reappropriated by Sections 10 1, Budget Act of 1965 and Section 10 2, Budget Act of 1968, shall revert to the unappropriated balance of the General Fund

SEC 11 3 As of June 30, 1972, the $1,433,066 appropriation made from the Capital Outlay Fund for Public Higher Education by Item 301 9, Budget Act of 1971, is deleted from that item

SEC 11 4 As of June 30, 1972, the $13,207,000 appropriation made from the Capital Outlay Fund for Public Higher Education by Item 299 1, Budget Act of 1971, is deleted from that item

SEC 11 5 As of June 30, 1972, the capital outlay projects in Item 299 1, as listed below, for the University of California are deleted from that item and are no longer authorized

Item 299 1(58), Budget Act of 1971	4,590,000
Item 299 1(59), Budget Act of 1971	100,000
Item 299 1(60), Budget Act of 1971	170,000
Item 299 1(61), Budget Act of 1971	1,045,000
Item 299 1(62), Budget Act of 1971	248,000
Item 299 1(63), Budget Act of 1971	59,000
Item 299 1(64), Budget Act of 1971	497,000
Item 299 1(65), Budget Act of 1971	168,000
Item 299 1(66), Budget Act of 1971	413,000
Item 299 1(67), Budget Act of 1971	5,008,000
Item 299 1(68), Budget Act of 1971	208,000
Item 299 1(69), Budget Act of 1971	23,000
Item 299 1(70), Budget Act of 1971	14,000
Item 299 1(71), Budget Act of 1971	12,000
Item 299 1(72), Budget Act of 1971	73,000
Item 299 1(73), Budget Act of 1971	424,000

Item 299 1(74), Budget Act of 1971 . 39,000
Item 299 1(75), Budget Act of 1971 100,000
Item 299 1(76), Budget Act of 1971 16,000

SEC 11 6 As of June 30, 1972, the unencumbered balance of the appropriation made by Chapter 1352, Statutes of 1970, shall revert to the unappropriated balance of the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971

SEC 11 7 As of June 30, 1972, the unencumbered balance of the appropriations provided in the following citations shall revert to the unappropriated balance of the State Construction Program Fund:

Board of Governors of the California
Community Colleges:
Item 309(oxjj), Budget Act of 1971
Item 309(oxll), Budget Act of 1971

SEC 11 9 As of June 30, 1972, the unencumbered balance of the appropriation made in the following items shall revert to the unappropriated balance of the State Beach, Park, Recreational and Historical Facilities Fund:

Item 313(a), Budget Act of 1971
Item 314(ax), Budget Act of 1971

SEC 11 10 As of June 30, 1972, the unexpended balance of the appropriation made by Item 244, Budget Act of 1971, shall revert to the unappropriated balance of the General Fund

As of July 1, 1972, the amount reverted as of June 30, 1972, from Item 244, Budget Act of 1971, is reappropriated to and in augmentation of Item 245(a), Budget Act of 1972

SEC 17. The Trustees of the California State Colleges having made applications for federal grant funds which would reimburse in whole or in part any appropriation made by Items 309 and 310, Budget Act of 1972, and Item 301 5, Budget Act of 1971, any state-appropriated funds thereby released, equal in amount to federal grants made to any project in Items 309 and 310, Budget Act of 1972, and Item 301 5, Budget Act of 1971, notwithstanding any other provisions of law, may be used as a source of funding for Item 311, Budget Act of 1972; and provided that, any state funds released by federal grants in excess of those needed for Item 311, Budget Act of 1972, shall revert to the unappropriated balance of the Capital Outlay Fund for Public Higher Education

For the purposes of complying with this section, the State Controller shall consider a written federal grant commitment as adequate for the release of state funds

SEC 18 9 The sum of $90,000,000 reserved by Section 153 of Chapter 963, Statutes of 1967, is appropriated together with other funds available therefor, for the purposes of capital outlay under items contained within Section 2 2 of this act

SEC 18 10 The unappropriated balance of the $90,000,000 in revenues made available by Section 153, Chapter 963, Statutes of 1967, for capital outlay purposes, as of June 30, 1973, is appropriated for all General Fund purposes and shall be transferred to the General Fund on June 30, 1973

SEC 19 On or before September 30, 1972, the State Controller shall transfer to the General Fund any amount of surplus and working capital advances in the Service Revolving Fund for the Office of State Printing which totals in excess of $6,472,197 as of June 30, 1972, and shall apply the amount of such transfer first against any outstanding working capital advances

No machinery or equipment shall be purchased by or for the Office of State Printing except as provided for in this act and for emergency replacements which shall be reported to the Joint Legislative Budget Committee quarterly.

No augmentation shall be made to the capital of the Service Revolving Fund for the benefit of the Office of State Printing during the 1972–73 fiscal year except as specifically provided for in this act.

Any proposed capital addition to the Service Revolving Fund for the benefit of the Office of State Printing for the 1973–74 fiscal year shall be included in the proposed budget for that fiscal year as an appropriation out of the General Fund.

SEC 19 1. The unencumbered balance of the Department of Human Resources Development Contingent Fund, which at any time during the 1972–73 fiscal year exceeds $1,000,000, is hereby appropriated for transfer to the General Fund; such transfer to be made from time to time by the State Controller

SEC 19 3 There is hereby appropriated $20,000,000 for transfer by the State Controller during the 1972–73 fiscal year from the Motor Vehicle Transportation Tax Account in the Transportation Tax Fund to the State School Fund

SEC 19 6. (a) Since the State Scholarship and Loan Commission must announce in the spring of 1973 those individuals to whom state scholarship awards will be granted for the following fall semester of 1973 and, since the Budget Act of 1973 may not be enacted in adequate time, the State Scholarship and Loan Commission is authorized to incur scholarship obligations for the maximum number of awards authorized by Section 31204 of the Education Code in a amount not to exceed $29,000,000 during the 1972–73 fiscal year for awards to be in effect during the 1973–74 fiscal year

(b) Since the State Scholarship and Loan Commission must announce in the spring of 1973 those individuals to whom graduate fellowship awards will be granted for the following fall semester of 1973 and, since the Budget Act of 1973 may not be enacted in adequate time, the State Scholarship and Loan Commission is authorized to incur graduate fellowship obligations for the maximum number of awards authorized by Section 31247 of the Education Code in an amount not to exceed $1,560,000 during the 1972–73 fiscal year for awards to be in effect during the 1973–74 fiscal year

(c) Since the State Scholarship and Loan Commission must announce in the spring of 1973 those individuals to whom College Opportunity Grants will be granted for the following fall semester of 1973 and, since the Budget Act of 1973 may not be enacted in adequate time, the State Scholarship and Loan Commission is authorized to incur College Opportunity Grant obligations for the

maximum number of awards authorized by Section 31263 of the Education Code in an amount not to exceed $5,962,000 during the 1972–73 fiscal year for awards to be in effect during the 1973–74 fiscal year.

The intent of this authorization is to prevent the occurrence of there being insufficient funds available to support state scholarships and graduate fellowships, or College Opportunity Grants, the recipients of which have already been notified of their award It is necessary that the State Scholarship and Loan Commission announce awards in the spring of each year, often prior to the time the Budget Bill containing the appropriation for this purpose is enacted, in order that students receiving the scholarship awards may have sufficient time to plan for entering or returning to school the following fall

SEC 20 No money appropriated by this act shall be used to pay the salary of any authorized state position, which position was vacant continuously during the period between October 1, 1971, and July 1, 1972 The State Controller, no later than August 1, 1972, shall notify in writing the Department of Finance of any authorized state position which was vacant continuously during such period. All such positions, except those exempt from civil service or those positions authorized for the California State Colleges, are abolished effective September 1, 1972

The State Controller, not later than 30 days prior to the convening of the 1973 Regular Session of the Legislature, shall furnish the Joint Legislative Budget Committee a report on all positions as of July 1, 1972, which were unfilled continuously during the period between October 1, 1971, and July 1, 1972, identifying therein all positions authorized for continuation by the Department of Finance

SEC 20.1 Notwithstanding any other provisions of law, expenditures under Item 13 of this act or any appropriation in augmentation of such item shall be exempt from the provisions of Sections 11033, 13320 and 13325 of, and Chapter 3 (commencing with Section 14250) of Part 5 of, and Chapter 6 (commencing with Section 14780) of Part 5 5 of, Division 3 of Title 2 of the Government Code and Sections 4, 6, 8, and 25 of this act, and may be expended as set forth in the Governor's Budget, or for such other purposes, including expenditures for such number of positions in various classifications, as may be authorized by the Joint Committee on Rules

SEC. 21 3. Since it is imperative for the Department of the California Highway Patrol to purchase special service automobiles in order to adequately patrol the highways of this state and since such automobiles can be purchased more effectively and economically on an annual basis with relation to the model year, which so-called year bridges two fiscal years, the Department of the California Highway Patrol is authorized to incur automotive equipment purchase obligations in an amount not to exceed $1,500,000 during the 1972–73 fiscal year for delivery beginning in the 1973–74 fiscal year, and the sum of $1,500,000 is hereby appropriated from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 to the Department of the California Highway Patrol This

146 10 5 470

appropriation shall be available until July 1, 1973

SEC 21 4. Since it is imperative that the maximum amount of time possible be provided the State Board of Education and the Curriculum Commission in the selection of textbooks and the State Printer to print the textbooks for the ensuing school year, the Department of Education and the Department of General Services are authorized subject to those provisions in Item 275 of this act to incur textbook printing obligations in an amount not to exceed $5,000,000 during the 1972–73 fiscal year for delivery by the State Printer to the Department of Education beginning in the 1973–74 fiscal year

SEC 22 No purchase order for acquisition or replacement of motor vehicles shall be issued against any appropriation made herein until the Department of General Services has investigated and established the necessity therefor

All passenger-type motor vehicles purchased from any appropriation made by this act for the use of state employees and officers, except constitutional officers, shall be of the light class, as defined by the State Board of Control, unless excepted by the Director of General Services on the basis of unusual requirements, such as use by the California Highway Patrol, which would justify the need for an automobile of a heavier class

SEC 23. All passenger-type motor vehicles purchased either from any appropriation made by this act or from any other appropriation available therefor for the use of the Department of Public Works, except for use of officers excepted in Section 22 of this act, shall be of the light class, as defined by the State Board of Control, unless excepted by the Director of General Services on the basis of unusual requirements which would justify the need for an automobile of a heavier class

SEC 24 None of the moneys appropriated by this act or for an expenditure which is supplemented from money appropriated by this act shall be used to purchase furnishings for any house or apartment of three or more rooms other than a dormitory which is rented to a state employee except for a superintendent of an institution, warden of a prison, or physicians This provision shall not apply to the purchase of refrigerators, heaters, air-conditioning equipment, stoves, linoleum, or equipment normally furnished in construction of the house as may be determined by the State Board of Control. Any such funds that are appropriated by this act for this purpose shall be held intact and be reverted to the fund from which they were appropriated. It is the intent of the Legislature that no money shall be appropriated henceforth for the purpose of house furnishings Such furnishings are not to be provided by the state nor shall any money be paid from this appropriation for their replacement, repair or otherwise except in connection with the disposal of the same.

SEC 25 No moneys appropriated by this act shall be used, either directly or by supplementing any other appropriation, to purchase rugs or carpets for any state office except for offices used by elective officers, the President of the University of California, a Chancellor of the University of California, the Chancellor of the California State

Colleges, a president of a state college, department heads and for other facilities or areas under the control of the agencies financed by this act in accordance with standards issued by the Director of General Services, such standards to be formulated by the Director of General Services with the advice and counsel of the Department of Finance and the Legislative Analyst The Director of General Services shall furnish a detailed report annually to the Joint Legislative Budget Committee of all rugs or carpets purchased for state facilities under this section

Approval of the Director of General Services shall be obtained prior to procurement and installation of such materials The Director of General Services may authorize the use of carpeting in other specialized facilities not meeting the established standards 30 days after notification in writing of the proposal with justification therefor to the Joint Legislative Budget Committee

SEC 26 Whenever herein an appropriation is made for support it shall include salaries and all other proper expenses, including repairs and equipment, incurred in connection with the institution, department, board, bureau, commission, officer, employee, or other agency, for which such appropriation is made

Whenever herein an appropriation is made for capital outlay, it shall include acquisition of land or other real property, major construction, improvements, equipment, designs, working plans, specifications, repairs and equipment necessary in connection with a construction or improvement project

Whenever herein any item of appropriation contains provisions for acquisition of land or other real property, it shall include all necessary expenses in connection with the acquisition of such property

Whenever herein an appropriation is made in accordance with a schedule set forth after such appropriation, the expenditures from such item for each category or project included in the schedule shall be limited to the amount specified for such category or project, except as otherwise provided in this act Each such schedule is a restriction or limitation upon the expenditure of the respective appropriation made by this act, does not itself appropriate any money, and is not itself an item of appropriation

As used in this act in reference to such schedules "category" or "project" means a class of expenditures such as, but not limited to

(a) "Personal services" which shall include all expenditures for payment of officers and employees of the state, including salaries and wages, workmen's compensation, unemployment compensation benefits (if enacted into law), insurance premiums for workmen's compensation coverage, the state's contributions to the Public Employees' Retirement Fund, the Teachers' Retirement Fund, the University of California Retirement Fund to provide for that portion of retirement costs to be provided for Hastings College of Law in Item 290 of this Budget Act, the Old Age and Survivors' Insurance Revolving Fund, the State Employees' Contingency Reserve Fund, and the state's cost of a basic health benefits plan, but do not include compensation of independent contractors rendering personal services to the

state under contract.

(b) "Operating expenses and equipment" which shall include all expenditures for purchase of materials, supplies, equipment, services (other than services of state officers and employees), and all other proper expenses,

(c) "Construct" or "construction" when used in connection with a capital outlay project shall include all such related things as fixtures, installed equipment, and auxiliary facilities,

(d) "Working drawings" are defined as a complete set of plans and specifications showing and describing all phases of a project, architectural, structural, mechanical, electrical, civil engineering, and landscaping systems to the degree necessary for the purposes of accurate bidding by contractors and for the use of artisans in constructing the project All necessary professional fees and administrative service costs are included in the preparation of such drawings

(e) "Minor projects" include construction, improvements, repairs and equipment projects not specifically set forth in the schedule

For the purpose of further interpreting the meaning of the words, terms and phrases used in such schedules, reference is hereby made to those documents entitled, "State of California Governor's Budget for 1972–73 and State of California Budget Supplement for 1972–73," submitted by the Governor to the Legislature at the 1972 Regular Session, the uniform accounting system prescribed by the Department of General Services under the provisions of Section 13290 of the Government Code, and the appropriate portions thereof The State Board of Control shall establish such interpretations as are necessary to carry out the provisions of this section and shall furnish the same to the State Controller and to every state agency to whom appropriations are made under this act

SEC 26 5 Whenever herein an appropriation is made for support or other expenses for an institution, department, board, bureau, commission, officer, employee, or other agency, there shall be charged to such appropriation from which salaries and wages are paid workmen's compensation, the state's contribution to the Public Employees' Retirement Fund as provided by Sections 20751 and 20752 of the Government Code, the state's contribution to the Teachers' Permanent Fund and the Retirement Annuity Fund as provided by Sections 14209 and 14210 of the Education Code, the state's contribution to the Old Age and Survivors' Insurance Revolving Fund as provided by Sections 20782 and 20783 of the Government Code, the state's contribution to the State Employees' Contingency Reserve Fund and the state's contribution for the cost of a basic health benefits plan as provided by Sections 22828 and 22829 of the Government Code

As of the effective date of this act, the state's contributions as provided by Sections 22828 and 22829 of the Government Code for any month shall be charged to the same appropriations used for payment of salaries and wages from which the employee premium contributions for such month are deducted

The appropriations made by Sections 20751, 20752, 20782, 20783,

IND 10 5 640

22828, and 22829 of the Government Code, by Sections 14209 and 14210 of the Education Code, shall continue to be available for expenditure, and shall be charged for any expenditure which is not chargeable to an appropriation for support or other expenses as provided in this section This transfer may be chargeable to such appropriation for a previous fiscal year if there are no funds available from that fiscal year

The State Controller may transfer to the State Payroll Revolving Fund the contributions required by Sections 20751, 20752, 20782, 20783, 22828, and 22829 of the Government Code, and upon certification by the Board of Administration of the Public Employees' Retirement System in accordance with Sections 20754 and 20784 of the Government Code, may transfer from the State Payroll Revolving Fund to the Public Employees' Retirement Fund and the Old Age and Survivors' Insurance Revolving Fund the amounts of contributions so certified

SEC 27 The Department of Finance may, pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to whom an appropriation is made herein, authorize the augmentation of the amount available for expenditure for a category or project designated in any schedule set forth for such appropriation by transfer from any of the other designated categories or projects within the same schedule The Department of Finance shall furnish the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee a report on all authorizations given pursuant to this section during the preceding month

An augmentation of any amount available for expenditure for a category or project designated in any line of any schedule set forth for such appropriation by transfer from any of the other designated categories or projects within the same schedule shall not exceed, in the aggregate, 20 percent of the amount so scheduled on that line

SEC 28 The Director of Finance may authorize the augmentation of the amount available for expenditure for any category in the schedule set forth for any appropriation in this act or any additional category in the amount of any funds which he estimates will be received by an officer, department, division, bureau, or other agency during the 1972–73 fiscal year from any other state agency, from any agency of local government or the federal government, from any appropriation made by the Legislature or from any other source which he determines has not been taken into consideration in said schedule, or is in excess of the amount so taken into consideration, except that the director may authorize expenditures for a new program not identified in the budget as such or for purposes which in his judgment constitute an increase in the level of services above that authorized by the Budget Act or other existing law not sooner than 30 days after notification in writing of the necessity therefor to the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee, or not sooner than such lesser time as the chairman of said commit-

tee, or his designee, may in each instance determine

The Director of Finance may also reduce any category whenever he determines that funds to be received will be less than the amount taken into consideration in the schedule

Notwithstanding the provisions of Section 13320 and following of the Government Code nor the foregoing provisions of this section, the provisions of this section shall have no force or effect during such time as the Legislature is in session

SEC 28 1 Since it is the intent of the Legislature in enacting this budget that no qualified student be denied admission to the California State Colleges or to the University of California because of a budget deficiency caused by unanticipated additional enrollments, the Director of Finance may, following the adoption of a resolution by the Trustees of the California State Colleges or the Regents of the University of California declaring an enrollment emergency, authorize the accelerated expenditure of amounts budgeted for the state colleges or the university, in the form of an agreement to seek a supplementary appropriation from the General Fund to the extent necessary to insure that all qualified students can be admitted, when he certifies that the systemwide enrollment of the California State Colleges or of the University of California exceeds by 2 percent or more the enrollment upon which the budget for the state colleges or the university was based, provided that no increased expenditure may exceed $5 million in the aggregate or be authorized sooner than 30 days after notification in writing of the necessity therefor to the Chairman of the Joint Legislative Budget Committee and the chairman of committee in each house which considers appropriations, or not sooner than such lesser time as the chairman of such committee, or his designee, may in each instance determine The provisions of this section shall apply only to undergraduate admissions of California residents

SEC 28 2 The Director of General Services may not initiate a lease agreement between the state and another entity, public or private, in which the state is lessee when the agreement is to be for the lease of a building which will be for the occupancy of any agency or agencies of the state with a firm lease period of five years or longer and an annual rental in excess of $5,000 or if the agreement contains an option for the purchase of the lease property, unless not less than 30 days prior to such authorization he notifies the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee or his designee in writing of his intention to initiate such an agreement, or not sooner than such lesser time as the chairman of said committee, or his designee, may in each instance determine

SEC 28 3 The Department of Social Welfare shall submit to the Department of Finance for its approval all assumptions underlying all estimates related to (1) average monthly caseloads for each of the categorical aid programs, (2) the average grant for each of the categorical aid programs, (3) the total estimated expenditures for each of the categorical programs, (4) savings or costs associated with all

regulatory or statutory changes Such approval of the Department of Finance must be secured prior to the utilization of any such estimates A listing of all of the approved assumptions, as well as all supporting data provided by the Department of Social Welfare or developed independently by the Department of Finance, shall be made available to the Joint Legislative Budget Committee immediately following approval of the assumptions by the Department of Finance

SEC 28 5. Approvals by the Department of Finance to the creation of deficiencies pursuant to Section 11006 of the Government Code and approvals to expend at rates which, in the opinion of the Director of Finance, will require a deficiency appropriation shall be made in writing and filed with the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee within 10 days after approval stating the reasons for and amount of such authorization

SEC 28 7. All appropriations for the support of the California State Colleges and the Trustees of the California State Colleges shall be subject to the provisions of Section 13320 of the Government Code and applicable Budget Act restrictions, with the following exceptions·

(a) The trustees may approve any transfer of funds within or between one or more of the programs for which funds are appropriated for the support of the California State Colleges The trustees may also approve any transfer of funds between the chancellor's office and any state college, or between any state college and any other state college In addition, the trustees may authorize the augmentation of the amount available for a category designated in any schedule set forth for such appropriation by transfer from any of the other designated categories, including additional reimbursements within the same schedule, and shall furnish the Joint Legislative Budget Committee a report of such authorizations given during the preceding quarter.

(b) The trustees may approve the substitution of one item of equipment for another within budgetary functions and the use of savings in equipment allotments

(c) The trustees may approve travel, both within and outside the state, and payment of allowances and expenses related to travel, moving and the relocation of employees in accordance with the allowances established by the State Board of Control and within funds appropriated for this purpose

(d) The trustees may, within funds appropriated for the support of the California State Colleges, establish new positions, make changes in existing positions and the position payroll roster, and temporarily reassign positions, provided that all such new positions and significant changes, as defined by the Department of Finance, in grade or class of existing positions shall be shown as administrative adjustments in the subsequent budgetary submissions and shall be subject to review during the legislative budget process

(e) The trustees may transfer, without the approval of the De-

partment of Finance, excess salary savings funds from the salary savings reserve allotments for expenditure, provided they do not exceed 20 percent of salary savings Excess salary savings funds are those funds projected to be in excess of the amount budgeted, provided that, the highest priority on the reallocation of any funds pursuant to this section shall be the maintenance of the Educational Opportunity Program at the 11,014 FTE level adopted by the trustees

SEC. 29 Premiums for official bonds may be paid out of appropriations contained in this act, notwithstanding the period covered by such bonds.

SEC 30 Whenever an expenditure is authorized from the Emergency Fund, from price increase funds, from the salary increase funds, or from a special fund pursuant to Section 11006 of the Government Code, in addition to an appropriation made by this act, such authorized expenditures may, for accounting purposes, be deemed to be an augmentation and increase of the appropriation made by this act

SEC 31 The appropriations under this act, unless otherwise provided, shall be subject to the provisions of Section 13320 of the Government Code requiring expenditures to be made in accordance with the allotments and other provisions of fiscal year budgets approved by the Department of Finance

The fiscal year budget shall authorize in such manner as the Department of Finance shall prescribe all established positions whose continuance for the year is approved and all new positions No new positions shall be established unless authorized by the Department of Finance on the basis of work program and organization

The Director of Finance shall, within 10 days of authorizing any new position, notify the Chairman of the Joint Legislative Budget Committee and the chairman of the committee in each house which considers appropriations

Any new position authorized during the fiscal year pursuant to the provisions of this section shall be separately stated as such for the subsequent fiscal year budget for the agency in which the new position was created

All positions created pursuant to this section during the fiscal year shall terminate at the end of the fiscal year unless specific authority for their continuance is granted by the Legislature

Each fiscal year budget shall provide for a salary savings reserve to which shall be transferred on a document initiated by the agency and submitted to the Department of Finance the unencumbered balance remaining in each allotment for salaries and wages at the close of each quarter or other period of time covered by the allotment The unencumbered balance remaining in each budget allotment for salaries and wages shall be computed by deducting from the amount of the allotment the expenditures and accrued obligations for salaries and wages chargeable to such allotment for the period covered thereby The amount in the salary savings reserve shall not be available for expenditure except upon transfer to allotments for

salaries and wages approved by the Department of Finance Such transfer shall be approved only after it has been demonstrated to the satisfaction of the Department of Finance that the allotment to be augmented is insufficient to meet necessary expenditures for salaries and wages

No money in any salary savings reserve may be expended to pay increases in salary ranges established after July 1, 1971, unless the Department of Finance certifies to the State Personnel Board, or other salary-fixing authority, prior to the adoption of such increased salary range that funds will be made available to pay the increased salaries resulting therefrom Provided, that the provisions of this paragraph shall not apply to salaries fixed by the State Personnel Board based on prevailing rates pursuant to Government Code Section 18853

A certification on a payroll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the State Controller that such expenditures comply with the provisions of this section

Each agency, department, board, commission, and institution, for whose benefit and support appropriations are made in this act, shall certify to the Director of Finance that its expenditures have been made for the purposes stated in the budget, as implemented by the Budget Act, except as the purposes stated have been revised, in accordance with law, by the Department of Finance subsequent to the enactment of the Budget Act.

SEC 32 The officers of the various departments, boards, commissions and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditures in excess of such appropriations, except the consent of the Department of Finance be first obtained, and a certificate, in writing, duly signed by the director of said department, of the unavoidable necessity of such expenditure, and any indebtedness attempted to be created against the state in violation of the provisions of this section shall be absolutely null and void; and shall not be allowed by the State Controller nor paid out of any state appropriation. Any member of any such department, board, commission or institution, who shall vote for any expenditure, or create any indebtedness against the state in excess of the respective appropriations made by this act, except by the consent of the Department of Finance and the certificate in this section provided to be first obtained, shall be liable on his official bond for the amount of such indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm or corporation to whom such indebtedness is owing

The Department of Finance shall submit copies of certificates approved by it under this section to the Chairman of the Joint Legislative Budget Committee, and the chairman of the committee in each house which considers appropriations, quarterly, and shall indicate in the case of each certificate the code section or section of this act

under which the department gave its consent to exceed the particular appropriation

SEC 32.5 No funds included in this act shall be expended for support of the Department of Commerce unless and until the Department of Commerce is placed within, and commences and continues operations as a part of, the Agriculture and Services Agency, as required by Section 14980 of the Government Code

SEC 32.6 No funds included in this act shall be expended for the support of any agency, board, bureau, commission, committee, council, department, division, office, or unit unless such body is operating in and reporting in the administrative structure to which it is assigned by statute, by a valid, effective, and operative reorganization plan of the Governor submitted to the Legislature, or by this act

SEC 32.8 As of June 30, 1972, the unencumbered balance of the revenues provided by Chapter 1326, Statutes of 1965, and appropriated by Section 32.7 of the Budget Act of 1967, shall be transferred to the unappropriated balance of the General Fund

SEC 33 If any item of appropriation in this act is vetoed, eliminated or reduced by the Governor under Section 10 of Article IV of the Constitution while approving portions of this act, such veto, elimination or reduction shall not affect the other portions of this act and these other portions of this act, so approved, shall have the same effect in law as if any vetoed or eliminated items of appropriation had not been present in this act and as if any reduced item of appropriation had not been reduced

SEC 34 If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional

SEC 35 This act, inasmuch as it provides for an appropriation for the usual current expenses of the state, shall, under the provisions of Section 8 of Article IV of the Constitution of the State of California, take effect immediately

SEC 36 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

There exists an extreme shortage of physical facilities for the operation of the custodial, mental treatment, educational, administrative, military and other agencies of the state government, the present facilities being entirely inadequate due to great increases in population and added governmental responsibilities The capital outlay appropriations in this budget are all in continuation of an existing program to remedy the aforesaid shortage of facilities and to promote and sustain the economy of the state If they are not available for expenditure on July 1, 1972, the existing program will be delayed The expeditious correction of such condition and the

efficient operation of the state's business requires the immediate availability of the new capital outlay appropriation and the uninterrupted availability of reappropriated capital outlay items contained in this measure It is therefore necessary that this act go into immediate effect "

Amendment No. 2

On page 2, strike out lines 5 to 48, inclusive, and strike out pages 3 to 131, inclusive

Bill ordered reprinted, and to be returned to the third reading file

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1000 ON NEXT LEGISLATIVE DAY

Mr. Monagan moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1000 was this day passed.

Assembly Bill No. 1000 ordered to the unfinished business file.

NOTE: Later this day Mr. Monagan withdrew his motion to reconsider the vote whereby Assembly Bill No 1000 was passed See page 3653.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14

At 4:14 p.m., on motion of Mr Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 14 refused adoption by the following vote·

AYES—Arnett, Badham, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Cory, Cullen, Deddeh, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Knox, Meade, Miller, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—38.

NOES—Bagley, Barnes, Belotti, Beverly, Biddle, Burke, Chappie, Conrad, Crown, Davis, Dent, Duffy, Dunlap, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Powers, Russell, Sieroty, Stull, Wakefield, and Z'berg—34.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:17 p.m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calender.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1859—An act to amend Sections 1, 2 and 5 of Chapter 1524 of the Statutes of 1970, relating to mentally disordered minors, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1447—An act relating to air transportation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 149—An act to amend Section 24007 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF INTENTION TO INTRODUCE BILL

The following notice of intention to introduce a bill, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 18, 1972

Mr Speaker In accordance with the provisions of Joint Rule No 8 3, I give notice of my intention to introduce a bill The bill and the digest prepared pursuant to Joint Rule No 8 5, are herewith filed.

Digest of Bill

Provides that a cause of action may not be brought or maintained against a public entity for nuisance Provides such immunity shall expire on the 61st day after final adjournment of the 1974 Regular Session of the Legislature. Authorizes maintenance of actions based on nuisance after that date arising prior to that date if requisite procedure is followed and if substantive law is not changed prior to that date

Vote—Majority, Appropriation—No; Fiscal Committee—No

LEON D RALPH

Above notice of intention to introduce a bill, copy of the bill, and digest ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 18, 1972

Mr Speaker· The Chairman of your Committee on Ways and Means reports:

AB No 69
AB No 1251
AB No 1714

With author's amendments with the recommendation· Amend, and refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990 1, and 13990 2 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Section 13990 7 of, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Sections 13990 7 and 13990 8 to, to add Chapter 2 (commencing with Section 13992) to Part 4 6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2 5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4 5 of Division 3 of Title 2 of, to repeal Section 13990 6 of, to repeal Chapter 3 (commencing with Section 13992) of Part 4.5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections 20, 183, and 30050 of, to add Sections 185 5 and 194 to to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to business and transportation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly May 11, 1972, after "Schabarum," insert "Foran,".

Amendment No. 2

In lines 1 and 2 of the title, strike out "and 13990 2", and insert "13990 2, 13990 4, 13990.6, 13990 7, 13992, 13993, 13994, and 66518"

Amendment No. 3

In lines 3 and 4 of the title, strike out "to amend and renumber Section 13990 7 of,".

Amendment No. 4

Strike out line 6 of the title, and insert "to add Section 13990 9 to, to add a chapter heading immediately preceding Section 13992 of, to add Chapter 3".

Amendment No. 5

In line 7 of the title, strike out "13992", and insert "13995".

Amendment No. 6

In lines 12 and 13 of the title, strike out "Section 13990.6 of, to repeal", and insert "the heading of".

Amendment No. 7

In line 20 of the title, after "20," insert "92,".

Amendment No. 8

On page 4, line 35, after "with", insert "independent".

Amendment No. 9

On page 5, line 12, strike out "13990 6", and insert "13990 7".

Amendment No. 10

On page 5, between lines 34 and 35, insert

"SEC 7 5. Section 13990 4 of the Government Code is amended to read:

13990 4. The appointed members of the board shall designate a chairman of the board by majority vote to preside at all meetings. He shall serve for a one-year term and may not serve more than two successive terms.

The board shall also appoint an executive secretary who shall administer the affairs of the board as directed by the board and who shall serve at the pleasure of the board "

Amendment No. 11

On page 5, strike out line 36, and insert "amended to read:

13990 6. The functions and duties of the board shall be to advise and assist the Secretary of *the* Business and Transportation *Agency* and the Legislature in formulating and evaluating state policy and plans for transportation programs within the state. In addition it shall perform the following specific duties:

(a) Direct the Office of Transportation Planning and Research

(b) ~~(a)~~ Request and review reports ~~from the Office of Transportation Planning and Research, and~~ from other sources as it may determine, pertaining to public financial participation in transportation system development, planning, construction, and operation, including the extent and nature of participation by local, regional, state, and federal governments.

(c) ~~(b)~~ Review master plans for major portions of the overall statewide transportation system, including but not limited to such plans as the California Freeway and Expressway System, the State Aviation Master Plan, and regional transportation plans developed by such organizations as the ~~Bay Area~~ *Metropolitan* Transportation ~~Study~~ Commission, the Transportation Association of Southern California, *and* the San Diego Comprehensive Planning Organization

(d) ~~(c)~~ Review the transportation implications of major statewide and regional comprehensive general plans, including, but not limited to such plans as the State ~~Development Plan~~ *Environmental Goals and Policy Report*, the State Parks and Recreation Plan, reports of the San Francisco Bay Conservation and Development Commission, the Southern California Association of Governments, and the Association of Bay Area Governments.

(e) ~~(d)~~ Based upon ~~said~~ *such* reviews of financing and master plans, present such advice and recommendations as it deems appropriate to the Secretary of *the* Business and Transportation *Agency and the Legislature*.

(f) ~~(e)~~ Assist, if so requested, in the determination of geographic boundaries of regional transportation districts, utilizing wherever possible the logical groupings of cities and counties as established by existing planning agencies, and provide appropriate recommendations to the secretary and to the Legislature for their establishment.

(g) ~~(f)~~ Assist any appropriate committee of the Legislature whose activities relate to the transportation field, if requested, in the field of overall balanced transportation, or any segment thereof.

(h) Review the annual budgets of the Department of Transportation.

(i) Review the expenditures of all funds appropriated from the Transportation Planning and Research Account in the State Transportation Fund for the purpose of transportation planning and research ''

Amendment No. 12

On page 5, line 38, strike out ''and renumbered''.

Amendment No. 12.5

On page 5, line 39, strike out ''13990 6'', and insert ''13990 7''.

Amendment No. 13

On page 6, strike out lines 6 to 40, inclusive; and on page 7, strike out lines 1 to 23, inclusive, and insert

''SEC 10 Section 13990 9 is added to the Government Code, to read:

13990.9 The board shall exercise its independent judgment and discretion in performing its functions and duties

SEC 10 4 The heading of Chapter 3 (commencing with Section 13992) of Part 4.5 of Division 3 of Title 2 of the Government Code is repealed.

~~CHAPTER 3 STATE OFFICE OF TRANSPORTATION PLANNING AND RESEARCH~~

SEC. 10 5 A chapter heading immediately preceding Section 13992 of the Government Code is added, to read:

CHAPTER 2 OFFICE OF TRANSPORTATION PLANNING AND RESEARCH

SEC 10 6 Section 13992 of the Government Code is amended to read:

13992 It is declared to be the policy of the state and the intent of the Legislature to provide an office in the ~~Business and~~ *State* Transportation ~~Agency~~ *Board* which shall develop and recommend to the ~~State Transportation Board and the Secretary of Business and Transportation~~ *board* statewide transportation policies, systems, purposes and standards, and programs for research in transportation and for *the* improvement of transportation services, including recommended financing consistent with such policies and services It is further declared to be the policy of the state and the intent of the Legislature that the office ~~should~~ *, through the board, shall* provide information and research to any appropriate committee of the Legislature whose activities relate to the transportation field, upon request, in order to aid the Legislature

in considering or enacting proposed statutes relating to balanced transportation ~~of~~ *or* any segment thereof

SEC. 10.7. Section 13993 of the Government Code is amended to read:

13993. There is in the ~~Business and~~ *State* Transportation ~~Agency~~ *Board* an Office of Transportation Planning and Research ~~The office shall be in charge of a chief appointed by the Governor, and who shall hold office at his pleasure. The chief of the office shall also serve as Executive Secretary to the State Transportation Board.~~ *The executive officer of the board shall be in charge of the office*

SEC. 11 Section 13994 of the Government Code is amended to read:

13994. The ~~duties of the office may include, but not be limited to, the following:~~

~~(a) Act~~ *Office of Transportation Planning and Research shall serve* as the ~~principal~~ staff ~~agency~~ to the State Transportation Board in fulfilling its functions and duties ~~as prescribed in Section 13990.6;~~

~~(b) Act as the principal staff agency to the secretary in~~ *by, but not limited to:*

(a) Undertaking special studies and investigations on matters concerning the growth and development of transportation in the state and~~, in this capacity, undertake special studies and investigations, submit~~ *submitting* reports~~, recommend~~ *and recommending* legislation, regulations, and administrative policies~~, and render advice to the State Transportation Board and the secretary when requested;~~.

~~(c) Review and report to the State Transportation Board and the secretary~~ *(b) Reviewing and reporting* on the long-range effectiveness of major transportation programs of local, regional, state, and federal governments in meeting transportation demands not supplied by the private sector and in protecting and enhancing community socioeconomic values throughout the state~~;~~.

~~(d) Coordinate~~ *(c) Coordinating* planning for existing and future modes of transportation in the interest of economy, safety, and welfare of the people of the state~~;~~

~~(e) Coordinate~~ *(d) Coordinating* research, demonstrations, and development programs in the field of transportation, including inland boating, to encourage maximum use of existing knowledge and to foster development of new knowledge in all applicable subjects required to improve the economy, safety, and benefits of the statewide transportation system~~;~~.

~~(f) Provide~~ *(e) Providing, through the board,* information to and ~~cooperate~~ *cooperating* with the Legislature or any of its committees or offices in connection with studies and matters relevant to the development of transportation in the state, including responding to legislative resolutions relating to, among other things, overall balanced transportation or any segment thereof ''

Amendment No. 14

On page 7, line 24, strike out ''2'', and insert ''3''.

Amendment No. 15

On page 7, line 25, strike out ''13992'', and insert ''13995''.

Amendment No. 15.5

On page 7, line 28, strike out "2", and insert "3".

Amendment No. 16

On page 7, line 31, strike out "13992", and insert "13995".

Amendment No. 17

On page 7, line 34, strike out "13993", and insert "13996".

Amendment No. 18

On page 7, line 38, strike out "allocation by the board", and insert "expenditure"

Amendment No. 19

On page 8, line 1, after "planning", insert "and regional transportation planning by statutorily created regional transportation planning agencies".

Amendment No. 20

On page 8, line 4, after "planning", insert "by councils of governments".

Amendment No. 21

On page 8, strike out lines 9 to 11, inclusive, and insert

"13997 The amount allocated to a council of governments from the Transportation Planning and Research Account for the purpose of subdivision (b) of Section 13996 shall not exceed the specified percent of its regional transportation planning cost for each fiscal year, as follows:

(a) During the 1972–1973 fiscal year, 50 percent.

(b) During the 1973–1974 fiscal year, 40 percent.

(c) During the 1974–1975 fiscal year, 30 percent

(d) During the 1975–1976 fiscal year, and during any fiscal year thereafter, 25 percent "

Amendment No. 22

On page 8, strike out lines 31 to 40, inclusive; and on page 9, strike out lines 1 to 32, inclusive, and insert

"(a) While local communities may accept or reject federal and state planned transportation development, considerable pressure is exerted to accept these plans because the upper levels of government have the power to and do transfer funds to other areas when their plans are rejected by the local communities To preclude the continuation of this practice, the authority of the local communities to influence the transportation development within their areas must be established by statute so that local communities may be free of undue duress to the maximum extent possible.

(b) The effects of transportation development on economic growth and stability evidence no marked difference between urban and rural areas However, urban transportation development materially affects the locational structure of urban society, both as to individuals and businesses, the public costs of mobility, land usage, the environment, the rate at which fossilized and other energy fuels are consumed, and other community values In short, the quality of life for current and

future generations is to a large extent determined by the transportation decisionmaking process. Therefore, providing an adequate, safe, and efficient transportation system may be the objective of rural transportation planning. However, it is but one of several objectives used to establish the criteria by which urban transportation development plans should be evaluated.

(c) Of all the states, California has both the greatest number and the highest percentage of its total population living in urban areas Therefore, the consequence of urban sprawl and the impotency of voluntary regional planning represent the major impediments to rational transportation planning in California The creation of regional authorities with the responsibility for implementing that which is planned by the authority is a condition precedent to meaningful urban multimodal planning.

(d) The absence of confidence in the street and road planning and needs determination practices requires the use of arbitrary allocation formulas developed by compromises reached decades ago which do not reflect current and future needs The addition of multimodal considerations will complicate the problem of revenue allocation which was never rationally resolved even for roads only solutions to transportation problems In order to minimize useless planning by those who do not have the authority or the resources to implement their plans, the responsibilities for the construction, operation, and control of resource allocation for the various types of components should be established before multimodal planning commences

(e) The poor quality and absence of practical alternatives for urban transportation are the consequence of the erroneous assumption that the designation and appropriation of most resources to the completion of grand road systems, such as the National System of Interstate and Defense Highways and the California Freeway and Expressway System, will solve urban problems Primary attention must be given to changing planning practices so that planning is directed to the solution of transportation problems, rather than simply the conscious stimulation of highway travel, in urban areas which, in turn, leads to the designation of additional urban highway systems "

Amendment No. 23

On page 11, line 4, strike out the comma, and insert "and".

Amendment No. 24

On page 11, line 5, strike out ", and the Office of"; strike out lines 6 to 8, inclusive, and in line 9, strike out "section".

Amendment No. 25

On page 11, line 12, strike out the first comma, and insert "and".

Amendment No. 26

On page 11, line 12, strike out ", and the"; and strike out line 13, and insert "in".

Amendment No. 27

On page 11, line 20, strike out the first comma, and insert "and".

Amendment No. 28

On page 11, line 20, strike out ", and the"; and strike out line 21, and insert "who, on".

Amendment No. 29

On page 11, line 30, strike out the comma, and insert "and".

Amendment No. 30

On page 11, line 31, strike out ", and the Office of"; and strike out line 32, and insert a period.

Amendment No. 31

On page 11, line 39, strike out the comma, and insert "and".

Amendment No. 32

On page 11, strike out line 40; and on page 12, line 1, strike out "Research", and insert "Works".

Amendment No. 33

On page 13, line 27, after "Planning", insert "(except as specified in Section 92 of the Streets and Highways Code)".

Amendment No. 34

On page 13, line 39, strike out "prepare", and insert "coordinate the preparation of".

Amendment No. 35

On page 14, strike out lines 13 to 17, inclusive, and insert "and goals The proposed State Transportation Plans shall consist of regional plans and the required interregional linkages"

Amendment No. 36

On page 14, strike out lines 18 to 36, inclusive; strike out page 15; and on page 16, strike out lines 1 to 20, inclusive, and insert

"14041 The department shall not commence the preparation of a proposed State Transportation Plan until it has submitted its recommendations to the Legislature on, and the Legislature has enacted, the following items, which relate to the findings of Section 14000:

(a) Provisions to insure that local communities will have adequate control over any future transportation development within their area.

(b) Provisions setting forth the criteria which shall guide the development and evaluation of segments of the State Transportation Plan

(c) Provisions encouraging the creation of regional authorities with the responsibility to implement that which is planned, and designating the authorities and responsibilities of others for areas without effective regional authorities

(d) Provisions designating the authority and responsibilities for the construction, operation, and control of resource allocations for the various types of components of the total transportation system.

(e) Provisions designating the necessary changes to be made in planning practices"

Amendment No. 37

On page 16, line 21, after "A", insert "progress".

Amendment No. 38

On page 16, line 24, strike out "subdivision (a) of".

Amendment No. 39

On page 16, strike out lines 30 and 31; and in line 32, strike out "(d)", and insert
"(c)".

Amendment No. 40

On page 16, line 34, after "The", insert "progress".

Amendment No. 41

On page 16, lines 36 and 37, strike out "subdivisions (a), (b), and (c) of Section 14041.5", and insert "Section 14041".

Amendment No. 42

On page 20, between lines 25 and 26, insert

"SEC. 16.5. Section 66518 of the Government Code is amended to read:

66518. When allocating funds for construction on the state highway system within the region, the California Highway Commission shall conform to the regional transportation plan and the schedule of priorities for such construction included therein The California Highway Commission, however, may deviate from the regional transportation plan and the schedule of priorities established for construction on the interstate system and the state highway system within the region ~~because of an overriding statewide interest~~ *when it makes a specific finding that serious deficiencies on an interregional link exist and the elimination of such deficiencies is of statewide importance.*"

Amendment No. 43

On page 22, strike out lines 13 to 18, inclusive.

Amendment No. 44

On page 22, between lines 37 and 38, insert

"SEC 29.5. Section 92 of the Streets and Highways Code is amended to read:

92. The department may do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways which are under its jurisdiction, possession, or control

The planning of such highways located within the jurisdiction of a statutorily created regional transportation planning agency shall be under the direction of such planning agency, unless the commission makes a specific finding that serious deficiencies on an interregional link exist and that the elimination of such deficiencies is of statewide importance. In the event of such a finding, the department may plan to eliminate such deficiencies in advance of other projects designated by the statutorily created regional transportation planning agency."

Amendment No. 45

On page 23, line 14, strike out ", and shall"; and strike out lines 15 to 20, inclusive, and insert a period

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1251—An act to add Article 10 (commencing with Section 16429) to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to data processing, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Set No. 1

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Article 10 (commencing with Section 16429) to Chapter 2 of Part 2 of Division 4", and insert "Chapter 8 (commencing with Section 11775) to Part 1 of Division 3".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Chapter 8 (commencing with Section 11775) is added to Part 1 of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 8. CONSOLIDATED ELECTRONIC DATA CENTERS

11775. There is in the Department of Justice the Law Enforcement Consolidated Data Center. The center shall be in charge of the Law Enforcement Consolidated Data Center Director, who shall be appointed by and serve at the pleasure of the Governor, or if no such person is appointed by the Governor, a data center manager shall be appointed pursuant to Article XXIV of the Constitution The director or manager shall be responsible for the efficient and effective management and operation of the center

11776. There is in the Business and Transportation Agency, at the agency level, the Business and Services Consolidated Data Center. The center shall be in charge of the Business and Services Consolidated Data Center Director, who shall be appointed by and serve at the pleasure of the Governor, or if no such person is appointed by the Governor, a data center manager shall be appointed pursuant to Article XXIV of the Constitution The director or manager shall be responsible for the efficient and effective management and operation of the center

11777 There is in the Agriculture and Services Agency, at the agency level, the Revenue Consolidated Data Center. The center shall be in charge of the Revenue Consolidated Data Center Director, who shall be appointed by and serve at the pleasure of the Governor, or if no such person is appointed by the Governor, a data center manager shall be appointed pursuant to Article XXIV of the Constitution.

The director or manager shall be responsible for the efficient and effective management and operation of the center

11778. There is in the Human Relations Agency, at the agency level, the Human Relations Consolidated Data Center The center shall be in charge of the Human Relations Consolidated Data Center Director, who shall be appointed by and serve at the pleasure of the Governor, or if no such person is appointed by the Governor, a data center manager shall be appointed pursuant to Article XXIV of the Constitution. The director or manager shall be responsible for the efficient and effective management and operation of the center

11779 There is hereby created in the State Treasury, the Consolidated Data Center Service Revolving Fund. which fund is continuously appropriated without regard to fiscal years for the purposes of this chapter. The fund shall consist of the following:

(a) All moneys appropriated by the Legislature to such fund or payable into such fund in accordance with law

(b) All moneys received into the State Treasury from any source in payment for services rendered by the respective consolidated data centers.

(c) All moneys heretofore appropriated for the support of any or all of the consolidated data centers

11780 The Consolidated Data Center Service Revolving Fund shall be divided into four accounts, one account for each consolidated data center Moneys appropriated by the Legislature to the fund under subdivision (a) of Section 11779 shall be credited to the account of the consolidated data center for which the appropriation is made. Moneys paid into the fund pursuant to subdivision (b) of Section 11779 shall be credited to the account of the consolidated data center rendering the services for which payment is made."

Amendment No. 3

On page 1, strike out lines 2 and 3; and on page 2, strike out lines 1 to 24, inclusive.

Set No. 2

Amendment No. 1

In the heading of the printed bill, strike out "and Mobley", and insert "Barnes, MacDonald, Mobley, and Thomas (Coauthor. Senator Teale)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1714—An act relating to Indian education, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly May 11, 1972, after "Belotti," insert "Chacon,".

Amendment No. 2

In line 1 of the title, after "act", insert "to add Section 31263 5 to the Education Code,".

Amendment No. 3

On page 4, strike out lines 1 to 10, inclusive, and insert

"SEC. 9. Section 31263 5 is added to the Education Code, to read:

31263 5 In addition to grants authorized under Section 31263, there shall be available up to 25 grants in each of the fiscal years 1972–73, 1973–74, and 1974–75, which shall be awarded only to Indian students. The recipients of such grants shall be eligible for renewal of their awards until they have completed an A.B degree or its equivalent in conformance with terms prescribed by the State Scholarship and Loan Commission Such grants shall be awarded to students who meet the eligibility requirements of Section 31264

To assist in administering these grants, the State Scholarship and Loan Commission shall appoint an advisory committee composed of not more than five individuals who are experienced in problems of education for Indian students

Not more than twenty-five thousand dollars ($25,000) of the funds appropriated for the purposes of this section shall be expended in any fiscal year for the purposes of this section "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May, 18, 1972

Mr Speaker· The Chairman of your Committee on Education reports:

AB No. 1467

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1467—An act to add Sections 13590 5 and 13590 6 to the Education Code, relating to school classified employees

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 13590 2 of, and".

Amendment No. 1.5

In line 1 of the title, after the second "to", insert a comma,

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 13590.2 of the Education Code is amended to read:

13590.2. The governing board of each district shall provide the extent to which, and establish the method by which, ordered overtime or overtime in time of critical emergency is compensated The board shall provide for such compensation or compensatory time off at a rate at least equal to time and one-half the regular rate of pay of the employee designated and authorized to perform the overtime Notwithstanding the foregoing provisions the board may declare overtime to have been necessary as a critical emergency and provide for cash compensation or compensatory time off at a rate less than the overtime rate

Overtime is defined to include any time required to be worked in excess of eight hours in any one day and in excess of 40 hours in any calendar week If a governing board establishes a workday of less than eight hours but ~~more than~~ seven hours *or more* and a workweek of less than 40 hours but ~~more than~~ 35 hours *or more* for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday and workweek shall be deemed to be overtime The foregoing provisions ~~are not intended to apply to properly designated part-time positions with an assigned workday of less than eight hours and a workweek of less than 40 hours even though all such positions constitute all of the positions within a class~~ *do not apply to classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established, nor to positions for which a workday of eight hours and a workweek of 40 hours has been established, but in which positions employees are temporarily assigned to work fewer than eight hours per day or 40 hours per week when such reduction in hours is necessary to avoid layoffs for lack of work or lack of funds and the consent of the majority of affected employees to such reduction in hours has been first obtained*

Critical emergency as used in this section means a civil disaster or other such major occurrence that requires the use of school employees to the detriment of the financial ability of the district to meet the requirements of this section.

For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensating time off, or other paid leave of absence shall be considered as time worked by the employee

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing with Section 13701) of this chapter.

SEC 2 Section 13590 5 is added to the Education".

Amendment No. 3

On page 2, line 27, strike out "SEC 2", and insert "SEC 3".

Amendment No. 4

On page 2, line 27, strike out "13590 5", and insert "13590 6".

Amendment No. 5

On page 3, line 17, strike out "and seventh", and insert "or seventh day".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr Speaker. The Chairman of your Committee on Education reports:

AB No 1250

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1250—An act to amend Section 16609 of, and to add Section 16603 5 to, the Education Code, relating to children's centers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 2, lines 1 and 2, of the printed bill, strike out "laboratory instruction in day care services and for providing", and insert "instruction and".

Amendment No. 2

On page 2, line 2, after "training", insert "in preschool and day care services for persons fulfilling requirements for teaching credentials and permits".

Amendment No. 3

On page 2, line 13, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 14, strike out "day care laboratory instruction", and insert "instruction in preschool and day care services".

Amendment No. 5

On page 2, line 22, strike out "Said", and insert "The".

Amendment No. 6

On page 2, line 25, strike out "said", and insert "the".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 18, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 816

With author's amendments with the recommendation Amend, and refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 816—An act to add Chapter 5.6 (commencing with Section 5765) to Division 6 of the Education Code, relating to the Elementary School Reading Achievement Program, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "and repeal".

Amendment No. 2

On page 4, between lines 20 and 21, insert

"5765.8. The Superintendent of Public Instruction shall annually evaluate programs established pursuant to this chapter and report his finding to the Legislature.

5765.9 This chapter shall remain in effect until July 1, 1976, and as of that date is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1928

With author's amendments with the recommendation Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1928—An act to amend Section 300, 301, 800, and 816 of the Corporations Code, relating to directors of corporations

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "800, and 816 of", and insert "501, 800 and 816 of, and to add Section 809 5 to,".

Amendment No. 2

On page 2, strike out lines 22 to 25, inclusive, and insert "issued, the minimum number shall be one, (2) if a corporation only has one shareholder, the minimum number shall be one, and (3) if a corporation has only two shareholders, the minimum number shall be two. However,".

Amendment No. 3

On page 3, between lines 1 and 2, insert:

"SEC 3 Section 501 of the Corporations Code is amended to read:

501 The bylaws of a corporation may make provisions not in conflict with law or its articles for:

(a) The time, place, and manner of calling, conducting, and giving notice of shareholders' and directors' meetings The bylaws may dispense with notice of all regular or annual meetings of shareholders except as required under Section 2201, or of all regular meetings of directors, or both.

(b) The method of publication of notices of meetings of the shareholders or directors when publication is required.

(c) The manner of execution, revocation, and use of proxies.

(d) The number, qualifications, duties, and compensation of directors; the time of their annual election; *and* the requirements of a quorum for a directors' meeting; ~~which shall not be less than one-third of the authorized number of directors nor less than two~~ *in accordance with Section 816*.

The authorized number of directors may be changed by amendment of the articles, or, unless the articles forbid, by a bylaw duly adopted by the shareholders, or, if the articles or bylaws permit an indefinite number of directors pursuant to Section 301, by a bylaw duly adopted by the directors; but the votes or written consents of shareholders holding more than 80 percent of the voting power are necessary to reduce the authorized number of directors below five.

(e) The appointment and authority of an executive committee and other committees of the board of directors.

(f) The appointment, duties, compensation, and tenure of office of officers other than directors.

(g) Special qualifications of persons who may be shareholders, and reasonable restrictions upon the right to transfer or hypothecate shares.

(h) The mode of determination of shareholders of record.

(i) The making of annual reports and financial statements to the shareholders or dispensing therewith.

(j) The issue of certificates for shares prior to full payment.

(k) Any other proper and lawful regulations."

Amendment No. 4

On page 3, line 2, strike out "SEC. 3.", and insert "SEC. 4."

Amendment No. 5

On page 3, between lines 9 and 10, insert

"SEC. 5. Section 809.5 is added to the Corporations Code, to read:

809.5. If a corporation has not issued shares and all the directors resign, die or become incompetent, or in the case of a nonstock corporation if a corporation has no members other than the directors and all the directors resign, die or become incompetent, the superior court of the county in which the principal office of the corporation is or was located may appoint directors of the corporation upon petition of a creditor of the corporation or of the personal representative of a deceased director or of the guardian or conservator of an incompetent director."

Amendment No. 6

On page 3, line 10, strike out "SEC. 4 ", and insert

"SEC. 6."

Amendment No. 7

On page 3, line 17, strike out "a corporation has"; and strike out lines 18 and 19, and insert "the authorized number of directors is one, in which case one director constitutes a quorum."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 970

AB No. 971

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 970—An act to amend Section 8016 of the Business and Professions Code, relating to shorthand reporters.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 8016 of", and insert "add Article 5 (commencing with Section 8040) to Chapter 13 of Division 3 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Article 5 (commencing with Section 8040) is added to Chapter 13 of DIVISION 3 of the Business and Professions Code, to read.

Article 5. Shorthand Reporting Corporations

8040. A shorthand reporting corporation is a corporation which is registered with the Certified Shorthand Reporters Board and has a currently effective certificate of registration from the board pursuant to the Moscone-Knox Professional Corporation Act, Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code, and this article Subject to all applicable statutes, rules and regulations, such shorthand reporting corporation is entitled to practice shorthand reporting With respect to a shorthand reporting corporation, the governmental agency referred to in the Moscone-Knox Professional Corporation Act is the Certified Shorthand Reporters Board.

8041. An applicant for registration as a shorthand reporting corporation shall supply to the board all necessary and pertinent documents and information requested by the board concerning the applicant's plan of operation. The board may provide forms of application. If the board finds that the corporation is duly organized and existing pursuant to the general corporation law; that, except as provided in Section 13403 of the Corporations Code, each officer, director, shareholder, and each employee who will render professional services is a licensed person as defined by Section 13401 of the Corporations Code; and that from the application it appears that the affairs of the corporation will be conducted in compliance with law and the rules and regulations of the board, the board shall upon payment of the registration fee in such amount as it may determine issue a certificate of registration. The application shall be signed and verified by an officer of the corporation

8042 Each shorthand reporting corporation shall file with the board at such times as the board may require a report containing such information pertaining to qualification and compliance with the statutes, rules and regulations of the board as the board may require. The fee for filing such a report shall be fixed by the board. All reports shall be signed and verified by an officer of the corporation

8043. The name of a shorthand reporting corporation and any name or names under which it may be rendering professional services shall contain and be restricted to the name or the last name of one or more of the present, prospective, or former shareholders or of persons who were associated with a predecessor person, partnership, corporation or other organization or whose name or names appeared in the name of such predecessor organization and shall include the words "shorthand reporting corporation" or wording or abbreviations denoting corporate existence.

8044. Except as provided in Section 13403 of the Corporations Code, each director, shareholder, and officer of a shorthand reporting corporation shall be a licensed person as defined by Section 13401 of the Corporations Code.

8045 The income of a shorthand reporting corporation attributable to professional services rendered while a shareholder is a disqualified person, as defined by Section 13401 of the Corporations Code, shall not in any manner accrue to the benefit of such shareholder for his shares in the shorthand reporting corporation.

8046. A shorthand reporting corporation shall not do or fail to do any act the doing of which or the failure to do which would constitute unprofessional conduct under any statute, rule or regulation now or hereafter in effect which pertains to shorthand reporters or shorthand reporting. In conducting its practice it shall observe and be bound by such statutes, rules and regulation to the same extent as a person holding a license under this chapter. The board shall have the same powers of suspension, revocation, and discipline against a shorthand reporting corporation as are now or hereafter authorized by Section 8009, or by any other statute against such individual licensees.

8047. The board may formulate and enforce rules and regulations to carry out the provisions of this article, including rules and regulations requiring (a) that the articles of incorporation or bylaws of a shorthand reporting corporation shall include a provision whereby the capital stock of such corporation owned by a disqualified person, as defined by Section 8045, or a deceased person shall be sold to the corporation within such time as such rules and regulations may provide; and (b) that a shorthand reporting corporation as a condition of obtaining a certificate pursuant to the Moscone-Knox Professional Corporation Act and this article shall provide adequate security by insurance or otherwise for claims against it by its clients for errors and omissions arising out of the rendering of professional services."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 971—An act to amend Section 8018 of the Business and Professions Code, relating to shorthand reporters.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8018", and insert "Sections 8016 and 8018".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 8016 of the Business and Professions Code is amended to read:

8016. No person shall engage in the practice of shorthand reporting as defined in this chapter, unless such person is the holder of a certificate in full force and effect issued by the board. This section does not apply to a salaried, full-time employee of a district attorney or of any department or agency of the state who is employed as a hearing reporter. ~~Nothing in this chapter shall be construed to prohibit the employment of any shorthand reporter not holding a certificate until a certified~~

~~shorthand reporter is available. Oral depositions, however, may be reported by a person not certified under this chapter only if the noncertified reporter delivers to the parties or their counsel present at the deposition, at the commencement of the deposition, an affidavit that no certified shorthand reporter is then available, or upon stipulation on the record, at the commencement of the deposition, by the parties or their counsel present at the deposition.~~

SEC. 2 Section 8018 of the Business and".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 289

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 289—An act to add Section 17054 1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 5, 1972, strike out "add Section 17054.1 to", and insert "amend Section 17146 of, and to add Section 17146.7 to,".

Amendment No. 2

On page 3, strike out lines 25 to 34, inclusive; and in line 35, strike out "SEC 2.", and insert

"SECTION 1 Section 17146 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session, is amended to read:

17146 Gross income does not include the salary, wages, bonuses, allowances, and other compensation, ~~except pensions and retirement pay,~~ received by an individual for his services on extended active duty as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate For the purposes of this section, the term "extended active duty" means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period.

SEC 2. Section 17146.7 is added to the Revenue and Taxation Code, to read:

17146 7. Gross income does not include pensions and retirement pay received by an individual for his services as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate. In the case of a taxpayer whose adjusted gross income for the taxable year exceeds fifteen thousand dollars ($15,000), the amount of the exclusion allowed by this section shall be reduced by fifty cents ($0 50) for each dollar ($1) of such income in excess of fifteen thousand dollars ($15,000)

SEC. 3. This act shall become operative only in the event that the initiative constitutional amendment proposing to add Article XIIIA to, to amend Section 16 of Article XIII of, and to repeal Section 14½ of Article XIII of, the State Constitution, to be submitted to the electors at the General Election on November 7, 1972, is not approved by the voters.

SEC. 4."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

VOTE CHANGES

Messrs. Duffy and Beverly were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 1000, and on the passage of the bill.

Mr. Briggs was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the urgency clause to Assembly Bill No 1000, and on the passage of the bill

Mr. Stacey was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause to Assembly Bill No. 1000, and on the passage of the bill.

Mr Chappie was granted unanimous consent that he be recorded as voting "No" on the motion to reconsider the vote on Assembly Constitutional Amendment No. 14.

Mr. Gonsalves was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the motion to reconsider the vote on Assembly Constitutional Amendment No 14.

Messrs. Mobley, Russell, and McAlister were granted unanimous consent that they be recorded as voting "No" on the motion to reconsider the vote on Assembly Constitutional Amendment No 14

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on the motion to reconsider the vote on Assembly Bill No. 401.

Mr. Russell was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2323

Messrs Bagley, Powers, Keysor, Maddy, Gonsalves, and Chappie were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 14

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1252 was continued until the next legislative day.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1000 WITHDRAWN

Mr Monagan was granted unanimous consent to withdraw his motion to reconsider the vote whereby Assembly Bill No. 1000 was passed.

Assembly Bill No. 1000 ordered transmitted to the Senate.

ADJOURNMENT

At 4:22 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a m , Monday, May 22, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-seventh Legislative Day

One Hundred Forty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, May 22, 1972

The Assembly met at 11 a m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Hayden moved a quorum call of the Assembly.
Mr Conrad seconded the motion.
Motion carried Time, 11.01 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 11·15 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present
The roll call was completed, and the following answered to their names:

Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

PRAYER

The following prayer was offered by the chaplain, Father Leo McAllister:

Father, Direct the leaders of our state and nation in their efforts to build communities of peace, love, and justice. Save them from over-reaction and under-reaction in the face of failure.

Help all of us to live in hope and trust in each other. Let us not impute unworthy motives, even to our enemies.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. MacGillivray then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr. Ray E. Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Campbell, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lewis, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family, and desired to waive his per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Bagley, on request of Speaker pro Tempore Bee.
Mr. Biddle, on request of Speaker pro Tempore Bee.
Mr. Bill Greene, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family.

Mr. Quimby, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Ryan, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 18, 1972

Honorable Bob Moretti
Speaker, California State Assembly
State Capitol Building, Sacramento, California

Dear Mr Speaker: I would respectfully request to be excused from the daily Session on Monday, May 22, 1972

The Joint Committee on the Master Plan for Higher Education, of which I am a member, is holding a hearing on that day in San Bernardino.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

May 22, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker I respectfully request that I be excused from legislative session today because I have arranged two conferences with a candidate and a municipal court judge in San Diego and also will be speaking to the Downtown Republican Businessmen's Club at noon Thank you

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

May 18, 1972

Honorable Bob Moretti
Rm 3164, State Capitol

Dear Bob, I am writing to request an excuse from session for Monday, May 22, on legislative business

I will be at California State College, San Bernardino, at that time, chairing a meeting of the Joint Committee on the Master Plan for Higher Education

Best regards,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

REPORTS

The following report was presented by the Chief Clerk.

Youth Service Bureaus in California: Progress Report Number 3. (In accordance with Section 1902, Welfare and Institutions Code.) January 1972

Above transmitted report together with letter of transmittal from Allen F Breed Director, Department of Youth Authority, Sacramento, dated May 19, 1972 referred by the Speaker pro Tempore to the Committee on Criminal Justice

COMMUNICATIONS

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 42
ACA No. 30

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

Assembly Chamber, May 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 80

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1084 AB No 2180
AB No. 1300 AB No 2285

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 2002

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

Assembly Chamber, May 22, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 69	AB No 1198	AB No 1714
AB No. 214	AB No. 1263	AB No 2252
AB No. 289	AB No 1292	

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 178	AB No. 1040	AB No. 1563
AB No. 284	AB No 1093	AB No 1582
AB No 548	AB No. 1157	AB No 1624
AB No. 742	AB No. 1251	AB No. 1633
AB No. 814	AB No. 1382	AB No. 1738
AB No. 816	AB No 1421	AB No. 1775
AB No 860	AB No. 1459	AB No. 1783
AB No. 884	AB No. 1460	AB No. 1786
AB No. 889	AB No 1467	AB No. 1833
AB No 970	AB No 1469	AB No. 1928
AB No. 1009	AB No. 1503	AB No 2140

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2142	AB No. 2186
AB No 2169	AB No. 2202

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, May 18, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No 2089

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Labor Relations reports.

AB No 1288

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, May 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

SB No. 373

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 696

AB No. 1205

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 1681

With the recommendation: Do pass.

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 22, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1541

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 22, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1187

AB No. 1932

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 22, 1972

Mr Speaker: Your Committee on Health reports:

AB No. 1670

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Governmental Organization

Assembly Chamber, May 19, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports.

AB No 389

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 389—An act to amend Section 24016 of the Business and Professions Code, relating to alcoholic beverages

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 24016 of", and insert "Sections 25658, 25659, 25660 5, 25661, 25662, 25663, and 25665 of, and to repeal Section 25663 5 of,".

Amendment No. 2

In line 2 of the title, after "Code," insert "and to amend Sections 23102 and 23123 5 of the Vehicle Code,".

Amendment No. 3

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1 Section 25658 of the Business and Professions Code is amended to read:

25658 (a) Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any person under the *voting* age ~~of 21 years~~ is guilty of a misdemeanor.

(b) Any person under the *voting* age ~~of 21 years~~ who purchases any alcoholic beverage, or any person under the *voting* age ~~of 21 years~~ who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars ($100), no part of which shall be suspended

(c) Any on-sale licensee who knowingly permits a person under the *voting* age ~~of 21 years~~ to consume any alcoholic beverage in the on-sale premises, whether or not the licensee has knowledge that the person is under the *voting* age ~~of 21 years,~~ is guilty of a misdemeanor.

SEC 2. Section 25659 of the Business and Professions Code is amended to read:

25659. For the purpose of preventing the violation of Section 25658, any licensee, or his agent or employee, may refuse to sell or serve alcoholic beverages to any person who is unable to produce adequate written evidence that he or she is over the *voting* age ~~of 21 years~~.

SEC. 3 Section 25660.5 of the Business and Professions Code is amended to read:

25660 5 Any person who sells, gives, or furnishes to any person under the *voting* age ~~of 21 years~~ any false or fraudulent written, printed, or photostatic evidence of the majority and identity of such person or who sells, gives or furnishes to any person under the *voting* age ~~of 21 years~~ evidence of majority and identification of any other person is guilty of a misdemeanor.

SEC 4. Section 25661 of the Business and Professions Code is amended to read:

25661. Any person under the *voting* age ~~of 21 years~~ who presents or offers to any licensee, his agent or employee, any written, printed, or photostatic evidence of age and identity which is false, fraudulent or not actually his own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who has in his possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a misdemeanor and shall be punished by a fine of at least one hundred dollars ($100), no part of which shall be suspended.

SEC 5. Section 25662 of the Business and Professions Code is amended to read

25662 Any person under the *voting* age ~~of 21 years~~ who has any alcoholic beverage in his possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor This section does not apply to possession by a person under the *voting* age ~~of 21 years~~ making a delivery of an alcoholic beverage in pursuance of the order of his parent or in pursuance of his employment

SEC 6. Section 25663 of the Business and Professions Code is amended to read.

25663. Every person who employs or uses the services of any person under the *voting* age ~~of 21 years~~ in or on that portion of any premises, during business hours, which are primarily designed and used for the sale and service of alcoholic beverages for consumption on the premises is guilty of a misdemeanor.

SEC 7 Section 25663 5 of the Business and Professions Code is repealed

~~25663 5. Notwithstanding Section 25663 or any other provision of law, persons 18 to 21 years of age may be employed as musicians, for entertainment purposes only, during business hours on premises which are primarily designed and used for the sale and service of alcoholic beverages for consumption on the premises, if live acts, demonstrations,~~

~~or exhibitions which involve the exposure of the private parts or buttocks of any participant or the breasts of any female participant are not allowed on such premises. However, the area of such employment shall be limited to a portion of the premises that is restricted to the use exclusively of musicians or entertainers in the performance of their functions, and no alcoholic beverages shall be sold, served, consumed, or taken into that area.~~

SEC 8. Section 25665 of the Business and Professions Code is amended to read:

25665 Any licensee under an on-sale license issued for public premises, as defined in Section 23039, who permits a person under the *voting* age ~~of 21 years~~ to enter and remain in the licensed premises without lawful business therein is guilty of a misdemeanor Any person under the *voting* age ~~of 21 years~~ who enters and remains in the licensed public premises without lawful business therein is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars ($100), no part of which shall be suspended

SEC. 9. Section 23102 of the Vehicle Code is amended to read:

23102 (a) It is unlawful for any person who is under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, to drive a vehicle upon any highway. Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction, within seven years of a prior conviction, by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000) A conviction under this section shall be deemed a second conviction if the person has previously been convicted of a violation of Section 23101 of this code

(b) If any person is convicted of a second or subsequent offense under this section within seven years of a prior conviction and is granted probation, it must be a condition of probation that such person be confined in jail for at least five days but not more than one year and pay a fine of at least two hundred fifty dollars ($250) but not more than one thousand dollars ($1,000)

(c) If the person convicted under this section is under the *voting* age ~~of 21 years~~ and the vehicle used in any such violation is registered to such person, the vehicle may be impounded at the owner's expense for not less than one day nor more than 30 days

SEC 10 Section 23123 5 of the Vehicle Code is amended to read

23123.5 (a) No person under the *voting* age ~~of 21 years~~ shall knowingly possess, transport, or have under his control in any motor vehicle any alcoholic beverage, unless such person is accompanied by a parent or legal guardian or is employed by a licensee under the Alcoholic Beverage Control Act (Division 9, commencing with Section 23000, of the Business and Professions Code), and is possessing, transporting or has such alcoholic beverage in a motor vehicle under his control during regular hours and in the course of his employment.

(b) If the vehicle used in any violation of subdivision (a) is registered to such person under the *voting* age ~~of 21 years,~~ the vehicle may be impounded at the owner's expense for not less than one day nor more than 30 days for each violation.

(c) Any such person under ~~21 years of~~ *the voting* age found guilty under this section shall also have his driver's license suspended for not less than 15 days nor more than 30 days.

SEC. 11. This act shall become operative only if Assembly Constitutional Amendment No. 25 of the 1972 Regular Session is adopted by the people, in which event it shall become operative at the same time as Assembly Constitutional Amendment No. 25, or at the time this bill becomes effective, whichever occurs later."

Bill ordered reprinted, and to re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 19, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1299

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1299—An act to amend Section 18908 of the Health and Safety Code, relating to building standards.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18908 of", and insert "Sections 18901, 18904, 18910, 18911, and 18913 of, and to repeal Section 18907 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 18901 of the Health and Safety Code is amended to read:

18901 There is in the Department of General Services a State Building Standards Commission consisting of the Director of General Services and 10 members appointed by the Governor subject to confirmation by the Senate

All appointed members of the commission shall be experienced in building construction and building codes and standards, except that the public members need not have such experience.

The Governor shall appoint (a) three members from among the professions and industries concerned with building construction, of whom one shall be an architect, one a structural engineer and one a contractor, (b) three members from among the general public; (c) one member from organized labor in the building trades; and (d) three members from among local government officials.

The members of the commission shall serve without compensation Members of the commission who are not state officers shall be paid their actual necessary travel expenses.

The term of office of such appointed members shall be four years and they shall hold office until the appointment and qualification of their successors The terms of two members of the commission in office on the effective date of the amendments to this section enacted at the 1965 Regular Session of the Legislature shall expire on January 1, 1966, the term of three on January 1, 1967, the term of two on January 1, 1968, and the term of three on January 1, 1969 The term of each such member shall be determined by lot

The Director of General Services shall serve as the chairman of the commission The Director of General Services may, as provided in Section 7 5 of the Government Code, designate a Deputy Director of the Department of General Services to act in his place as chairman The commission shall elect a vice chairman annually from among its members

~~The State Architect shall be an advisory member, and the~~ *The* Governor may appoint advisory members from the state agencies which administer and enforce building regulations

~~The Director of General Services shall provide the necessary staff services to the commission and~~ *The commission by a majority vote of all its members shall appoint an executive secretary, who shall be exempt from civil service and whose salary shall be set by the Director of Finance in accordance with the provisions of law The executive secretary* may appoint, in accordance with civil service and other provisions of law, such officers and employees as may be necessary to carry out the intent and purposes of this part

SEC 2 Section 18904 of the Health and Safety Code is amended to read

18904 It is the purpose of this part to provide the means for eliminating duplication, conflict and overlapping in state building regulations and ~~not to substitute the commission for the responsibilities now vested by law in various state agencies~~ *to provide a single state building standards code* To that end each state agency concerned shall continue to prepare such building regulations as it is authorized and finds necessary, but such regulations shall not be effective until ~~approved~~ *adopted* by the commission The commission shall review such regulations ~~, and if it finds duplication, conflict, or overlapping. or if it finds that the nomenclature or arrangement does not conform to that adopted by the commission or that a proposed regulation is not written in conformance with standards required under Section 18911. it shall require any agency to submit revisions of such regulations within not less than 120 days nor more than 180 days after date of the receipt of the request. If such agency does not do so within 180 days, the commission shall convene a committee composed of a representative from the agen-~~

~~cies affected and a member of each of the advisory panels affected. This committee shall prepare a recommendation for commission action. Upon such recommendation, or, if the committee does not prepare such a recommendation and deliver it to the commission within 45 days after being convened, the~~ *The* commission may rewrite, edit, or amend such existing and proposed regulations ~~consistent with the intent of this part, and~~ as provided by the Administrative Procedure Act It shall not, however, be required that hearings or other administrative procedures be duplicated on unchanged portions of administrative regulations previously adopted, and approved by the commission

SEC. 3. Section 18907 of the Health and Safety Code is repealed

~~18907. The commission shall withhold approval and shall require change, including substantive change where necessary, in any proposed or existing regulation only if it finds duplication, conflict or overlapping, or when the nomenclature or arrangement does not conform to that adopted by the commission or when the proposed regulation is not written in conformance with standards required under Section 18911. New or amended regulations submitted to the commission shall be approved, or the state agency concerned shall be notified in writing why approval is denied within 120 calendar days after such regulations have been submitted. The commission shall notify all other state agencies concerned with respect to existing as well as proposed regulations and shall make recomendations to eliminate conflicts and to assure consistency and uniformity of all statewide building standards.~~

SEC 4 Section 18910 of the Health and Safety Code is amended to read:

18910. Any agency, person, firm or corporation that is or may be affected by any regulation, rule, omission or decision of any state agency, relating to ~~duplication, conflict, or overlapping of building regulations, nomenclature or arrangement not conforming to that adopted by the commission or regulations or rules not written in conformance with standards required under Section 18911~~ *building regulations adopted by the commission* may ask the commission for interpretation or reconsideration of such rule or regulation.

Any request for interpretation or reconsideration shall be in writing to the commission, and the decisions of the commission shall likewise be in writing

The commission may designate a committee to investigate and report to the commission its findings on any such request for interpretation or reconsideration filed with the commission

After such interpretation by the commission, proceedings for appeal shall be conducted in accordance with the provisions of the Administrative Procedure Act

SEC 5. Section 18911 of the Health and Safety Code is amended to read:

18911. All building regulations shall be written, administered, and interpreted on a performance basis consistent with state and nationally recognized standards for building construction as set forth by the commission, in view of the use and occupancy of each structure, and the qualities and quantities of available materials, and methods of construction, to best preserve and protect the public health and safety.

If the commission determines that any regulations are necessary to carry out the intent and purpose of this part, it shall ~~request the appropriate agency having regulatory powers to~~ adopt such regulations. ~~If such agency does not do so within 180 days following the date of the request, the commission shall adopt regulations relating to the subject matter which shall remain in effect until such agency adopts regulations on the subject matter and such regulations are approved by the commission~~ in accordance with the provisions of ~~Sections~~ *Section* 18904 ~~and 18907~~.

SEC 6 Section 18913 of the Health and Safety Code is amended to read:

18913. For the purpose of this part "building" means any structure as to which state agencies have regulatory power, built for support, shelter, housing or enclosure of persons, animals, chattels, equipment, or property of any kind, and also includes structures wherein things may be grown, made, produced, kept, handled, stored, or disposed of. All appendages, accessories, apparatus, appliances, ~~and~~ equipment, *and extensions of water, waste, fuel, gas, and electrical systems* installed as a part of a building or structure, *including, but not limited to, extensions to machinery, equipment, or appliances,* shall be deemed to be a part thereof, but "building" shall not include machinery, equipment, or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway, or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code."

Amendment No. 3

On page 1, strike out lines 2 to 5, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, May 22, 1972

Mr. Speaker The Chairman of your Committee on Agriculture reports:

AB No 1075

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1075—An act to add Sections 26468, 26511, 26569 1, 26569 2 and 26569 3 to the Health and Safety Code, relating to food

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 3, 1972, strike out "26511,".

Amendment No. 2

On page 5, strike out lines 4 to 10, inclusive

Amendment No. 3

On page 5, line 11, strike out "SEC 3", and insert "SEC. 2".

Amendment No. 4

On page 5, line 34, strike out "SEC 4", and insert "SEC. 3".

Amendment No. 5

On page 5, lines 37 and 38, strike out "use other than white light to display meat for sale at retail", and insert "display any meat for sale at retail under any light which could deceive a purchaser as to the quality of meat displayed".

Amendment No. 6

On page 5, line 40, strike out "SEC 5", and insert "SEC 4".

Amendment No. 7

On page 6, line 2, strike out "or hamburger".

Amendment No. 8

On page 6, line 4, strike out ", official meat establishments, and"; strike out lines 5 and 6, and insert "or frozen food locker plants".

Amendment No. 9

On page 6, line 8, strike out "or hamburger".

Amendment No. 10

On page 6, line 9, strike out "or hamburger".

Amendment No. 11

On page 6, line 10, strike out "more than 25 percent, but less than 30 percent", and insert "the highest permissible".

Amendment No. 12

On page 6, line 11, strike out the period, and insert "shall be labeled "chopped beef," "ground beef," or "hamburger" "

Amendment No. 13

On page 6, strike out lines 12 to 27, inclusive, and insert

"(b) Chopped or ground beef having less than the highest permissible fat content which is held for sale shall be labeled, in descending order according to the fat content, as follows

(1) If it has less than the highest permissible fat content but more fat content than any other chopped or ground beef held for sale by the retail food production and marketing establishment or frozen food locker plant, it shall be labeled "lean ground beef."

(2) If it has less fat content than the fat content of chopped or ground beef held for sale by the retail food production and marketing establishment or frozen food locker plant which is labeled "lean ground beef" but more fat content than any other chopped or ground beef which is held for sale by the retail food production and marketing establishment or frozen food locker plant, it shall be labeled "extra lean ground beef."

(3) If it has less fat content than the fat content of chopped or ground beef held for sale by the retail food production and marketing establishment or frozen food locker plant which is labeled "extra lean ground beef," it shall be labeled "super lean ground beef," "deluxe ground beef," or with any other name which denotes that it is chopped or ground beef of the lowest fat content held for sale by the food production and marketing establishment or frozen food locker plant.

(c) No person shall be prosecuted for any violation of this section unless both of the following occur

(1) The retail food production and marketing establishment or the frozen food locker plant, as the case may be, in which the violation occurred is immediately notified in writing of each violation by the state department

(2) At least two or more violations of this section have been found to have occurred in the same establishment or plant, as the case may be, within a consecutive 21-day period.

(d) As used in this section the following definitions shall apply:

(1) "Frozen food locker plant" has the same meaning as that term is defined in Section 28700

(2) "Retail food production and marketing establishment" has the same meaning as that term is defined in Section 28802 "

Amendment No. 14

On page 6, line 28, strike out "(f)", and insert "(e)"

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No 2294

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2294—An act to amend Sections 510, 512, 513, 514, 515, 517, 520, 537 5, and 538 of, and to add Section 511 to, and to repeal Section 511 of, the Code of Civil Procedure, and to add Section 9503 to, and to repeal Section 9503 of, the Uniform Commercial Code, relating to creditor's rights.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Stull", and insert "Assemblymen Stull, Barnes, Belotti, and Brophy (Coauthor · Senator Whetmore)".

Amendment No. 2

In line 1 of the title, strike out "510, 512, 513, 514, 515, 517, 520, 537 5," and insert "537.5".

Amendment No. 3

In lines 2 and 3 of the title, strike out ", and to add Section 511 to, and to repeal Section 511 of,".

Amendment No. 4

On page 1, strike out lines 1 to 10, inclusive; strike out pages 2 to 4, inclusive; on page 5, strike out lines 1 to 33, inclusive; and in line 34, strike out "SEC. 10 ", and insert

"SECTION 1."

Amendment No. 5

On page 6, line 15, strike out "SEC. 11", and insert

"SEC 2".

Amendment No. 6

On page 6, line 18, strike out "must issue the writ of attachment",

Amendment No. 7

On page 6, strike out line 20, and insert "a writ of attachment showing:".

Amendment No. 8

On page 6, line 22, strike out the semicolon and insert a period.

Amendment No. 9

On page 6, line 26, strike out " , and", and insert a period.

Amendment No. 10

On page 6, strike out lines 36 to 40, inclusive; and on page 7, strike out lines 1 to 4, inclusive, and insert

"The court or the justice shall, without delay, examine the complaint and affidavit or declaration, and if it is satisfied that they meet the requirement stated in subdivisions 1, 2, 3, and 4, he shall issue an

order directed to the defendant to show cause why the property should not be taken from the defendant Such order shall fix the date and time for the hearing thereon, which shall be no sooner than 10 days from the issuance thereof, and shall direct the time within which service thereof shall be made upon the defendant. Such order shall inform the defendant that he may file affidavits on his behalf with the court and may appear and present testimony on his behalf at the time of such hearing, and that, if he fails to appear, plaintiff will apply to the court for a writ of attachment. Such order shall fix the manner in which service thereof shall be made, which shall be by personal service, or in accordance with the provisions of Section 1011, or in such manner as the judge may determine to be reasonably calculated to afford notice thereof to the defendant under the circumstances appearing from the complaint and affidavit or declaration."

Amendment No. 11

On page 7, line 9, strike out "12", and insert "3".

Amendment No. 12

On page 7, line 23, strike out "13", and insert "4".

Amendment No. 13

On page 7, line 28, after "party", insert ", his representative, or assignee".

Amendment No. 14

On page 8, line 17, after "where", insert "there is a showing that".

Amendment No. 15

On page 8, line 38, after "assignee", insert ", so long as such representative or assignee is properly licensed by the State of California,".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 22, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

AB No 1289

AB No 1854

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1289—An act to amend Section 1242 of the Business and Professions Code, relating to clinical laboratories.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1242 of the Business and"; and strike out line 2 of the title, and insert "Sections 14133 and 14133.1 of the Welfare and Institutions Code, relating to Medi-Cal."

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 14133 of the Welfare and Institutions Code is amended to read:

14133. The following is the supplemental schedule of benefits under this chapter:

(a) Outpatient physician services, except for elective services are covered; subject to utilization controls.

(b) Outpatient chiropractic services as determined by the director, except for elective services are covered, subject to utilization controls.

~~(b)~~ *(c)* Inpatient hospital care, including physician and podiatric services and except for elective services, is covered to the extent of three hundred (300) days during a period of twelve (12) consecutive months, subject to utilization controls.

~~(c)~~ *(d)* Prescription drugs, except for elective services, are covered, as prescribed, subject to utilization controls

SEC. 2. Section 14133.1 of the Welfare and Institutions Code is amended to read:

14133.1. The director shall establish procedures under which prior authorization for services under the supplemental schedule of benefits may be requested and granted on the basis of an extended treatment plan where such services are medically necessary and there is a need for continuity of treatment of a chronic or extended condition Such prior authorization for supplemental services may be requested by a physician *or chiropractor* upon the patient's initial visit if the physician *or chiropractor* believes that an extended treatment plan is needed from the time of the initial visit"

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 1854—An act to add Section 10110.5 to the Insurance Code, relating to health insurance

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 10110.5 to the Insurance Code", and insert "Sections 10123.5, 10124, and 11512.5 to the Insurance Code, and Section 12532.9 to the Government Code".

Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 12532.9 is added to the Government Code, to read:

12532 9. On and after the effective date of this section, every health care service plan shall offer coverage to any member of the plan, and shall provide coverage for mental or nervous disorders of any member which is at least equal to the following minimum requirements:

(a) In the case of benefits based upon confinement as an inpatient in any hospital, including a mental hospital, the benefits shall be not less than those provided by the plan for any confinement as an inpatient in a hospital for any other human illness or injury.

(b) In the case of outpatient benefits, such benefits shall be not less than those provided by the plan as outpatient benefits for any other human illness or injury.

(c) If the plan does not provide outpatient benefits for other human illness or injury, the outpatient coverage offered shall provide benefits of not less than five hundred dollars ($500) per calendar year for each member, or for a minimum of 20 consultations per calendar year.

SEC 2. Section 10123 5 is added to the Insurance Code, to read:

10123.5. On and after the effective date of this section, every insurer issuing disability insurance shall offer coverage to every insured, and shall provide coverage for mental or nervous disorders of any insured which is at least equal to the following minimum requirements:

(a) In the case of benefits based upon confinement as an inpatient in any hospital, including a mental hospital, the benefits shall be not less than those provided by the policy of disability insurance for any confinement as an inpatient in a hospital for any other human illness or injury.

(b) In the case of outpatient benefits, such benefits shall be not less than those provided by the policy as outpatient benefits for any other human illness or injury.

(c) If the policy does not provide outpatient benefits for other human illness or injury, the outpatient coverage offered shall provide benefits of at least five hundred dollars ($500) per calendar year for each insured, or for a minimum of 20 consultations per calendar year.

SEC 3 Section 10124 is added to the Insurance Code, to read.

10124 On and after the effective date of this section, every self-insured employee benefit plan shall offer coverage to any employee member of the plan and his dependents, and shall provide coverage for mental or nervous disorders of any employee or his dependents which is at least equal to the following minimum requirements:

(a) In the case of benefits based upon confinement as an inpatient in any hospital, including a mental hospital, the benefits shall be not less than those provided by the plan for any confinement as an inpatient in a hospital for any other human illness or injury.

(b) In the case of outpatient benefits, such benefits shall be not less than those provided by the plan as outpatient benefits for any other human illness or injury.

(c) If the plan does not provide outpatient benefits for other human illness or injury, the outpatient coverage offered shall provide benefits of at least five hundred dollars ($500) per calendar year for each employee and each of his dependents or for a maximum of 20 consultants per calendar year.

SEC. 4. Section 11512.5 is added to the Insurance Code, to read:

11512.5. On and after the date of this section, every nonprofit hospital service plan, including those issuing family hospital service contracts and group hospital service contracts, shall offer coverage to any member of the plan, and shall provide coverage, for mental or nervous disorders of any member which is at least equal to the following minimum requirements:

(a) In the case of benefits based upon confinement as an inpatient in any hospital, including a mental hospital, the benefits shall be not less than those provided by the plan for any confinement as an inpatient in a hospital for any other human illness or injury.

(b) In the case of outpatient benefits, such benefits shall be not less than those provided by the plan as outpatient benefits for any other human illness or injury.

(c) If the plan does not provide outpatient benefits for other human illness or injury, the outpatient coverage offered shall provide benefits of at least five hundred dollars ($500) per calendar year for each member, or for a minimum of 20 consultations per calendar year."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, May 18, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports: AB No. 2114

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2114—An act relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 4, 1972, strike out lines 15 and 16, and insert "four minibuses, which shall be suitably equipped to meet the transportation needs of persons over age 65."

Amendment No. 2

On page 2, after line 19, insert

"There is hereby appropriated from the General Fund to the California Commission on Aging for the purposes of this act, thirty thousand dollars ($30,000), or as much thereof as may be necessary "

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

MESSAGES FROM THE SENATE

Senate Chamber, May 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 29	AB No. 443
AB No. 365	AB No. 691
AB No 419	

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, May 18, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

AJR No. 16

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, May 18, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 103
SB No 188

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, May 18, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed·

SB No. 153	SB No. 389	SB No. 967
SB No 293	SB No 706	SB No 1143
SB No 369	SB No. 854	SB No 1282

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, May 18, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted

SCR No 43

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 153—An act to amend Section 34898 of the Government Code, relating to cities.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 293—An act to amend Section 61600 of, and to add Sections 61623 6, 61623.7, 61623 8, 61623 9, and 61623 10 to, the Government Code, relating to community services districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 369—An act to add Section 20025 5 to the Government Code, relating to retirement.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 389—An act to amend Section 2821 of the Revenue and Taxation Code, relating to taxation

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 706—An act to amend Sections 5, 15, and 30 of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to the Humboldt Bay Harbor, Recreation, and Conservation District, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 854—An act to amend Sections 634 and 700 of the Welfare and Institutions Code, relating to juvenile court.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 967—An act to amend Sections 4080 and 4085 of, and to repeal Section 4081 of, the Elections Code, and to amend Sections 34452, 34460 and 34462 of the Government Code, relating to city charters

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1143—An act to amend Section 4036 of the Business and Professions Code and to amend Sections 11007, 11166, and 11166 02 of the Health and Safety Code, relating to prescriptions

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1282—An act relating to the maintenance of the various codes, as follows:

Education Code:

by amending Sections 10301, 22522, 22523, 22524, 22601, 22603, 22604, 22605, 22606, 22607, 22635, 22700, 22703, 23602, 23620, 23701, 23752, 23752 4, 23753 3, 23754, 23754 2, 24000.1, 24002, 24053 1, 24054, 24054 5, 24054 7, 24055, 24101, 24202, 24206 5, 24303, 24352, 24353, 24502, 25201, 25506, 31226, 31226 2, 31751, and 31752

Government Code:
by amending Sections 11126, 15854.1, 15854.5, 18007, 18022, 50330, and 50330.4
Penal Code:
by amending Sections 602.10 and 626
Vehicle Code:
by amending Section 165

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 43—Relative to the Metropolitan Water District of Southern California.

Held at Desk by order of the Speaker pro Tempore.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1582 be withdrawn from the Committee on Ways and Means, and re-referred to the Committee on Revenue and Taxation; and that Senate Bill No 1379 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT—ASSEMBLY BILL NO. 799

Mr Powers was granted unanimous consent to withdraw the Report of the Committee on Commerce and Public Utilities relative to Assembly Bill No 799, which was submitted on May 18, 1972 (Assembly Journal, page 3509), and to submit a substitute report on the bill.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 799

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 799

Mr Powers was granted unanimous consent to take up Assembly Bill No. 799, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 799 By Unanimous Consent

Assembly Bill No. 799—An act to add Section 18716 to the Business and Professions Code, relating to professional boxing.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "participated", insert "in California".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 389 for hearing in the Committee on Governmental Organization, on Thursday, May 25, 1972.

Mr. Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2214 for hearing in the Committee on Health today and Assembly Bill No. 1299 for hearing in the Committee on Governmental Organization, on Thursday, May 25, 1972

Mr Ketchum was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1483 for hearing in the Committee on Agriculture, on Wednesday, May 24, 1972.

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporaily suspended for the purpose of setting Assembly Bill No. 1422 for hearing in the Committee on Criminal Justice, on Tuesday, May 23, 1972.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:20 a m, Mr. MacGillivray was granted unanimous consent that the Committee on Environmental Quality be permitted to hold a special meeting at this time, to consider Assembly Bill No 2341, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2341 for hearing in the Committee on Environmental Quality.

RUSH ORDER PLACED UPON PRINTING OF BILLS

Mr. Arnett was granted unanimous consent that a rush order be placed upon the printing of Assembly Constitutional Amendments Nos. 36 and 37, and Assembly Bill No. 446, and that the bills be considered engrossed.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 16 FROM COMMITTEE

Mr. Wakefield gave notice that on the second legislative day he would move to withdraw Assembly Bill No 16 from the Committee on Education.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1300, 2180, 2285, and 1084, ordered to third reading.

NOTE. Later this day Assembly Bill No. 1300 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 2002, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1133—An act to add Section 202 7 to the Revenue and Taxation Code, relating to property taxation

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 13—An act to add Section 12461.1 to the Government Code, relating to reports of the Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, in line 5, after "act", insert ", and other expenditures authorized pursuant to statute,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 123—An act to amend Sections 13801, 13813, 14100, 14111 and 17668 5 of, and to add Section 13803 to, the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 3, 1972, strike out "Section 13803 to", and insert "Article 17 (commencing with Section 14130) to Chapter 4 of Division 10 of".

Amendment No. 2

In line 4 of the title, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, strike out lines 6 to 16, inclusive.

Amendment No. 4

On page 4, line 28, after "SEC. 6.", insert "Article 17 (commencing with Section 14130) is added to Chapter 4 of Division 10 of the Education Code, to read:

Article 17. Los Angeles Unified School District Retirement System

14130. Chapter 1305 of the Statutes of 1971, modified the State Teachers' Retirement System for improving benefits for, and providing a source of financing from teachers and school districts which did not maintain a local retirement system. These changes make it impossible to continue the prior relationship of the Los Angeles and San Francisco systems to the State Teachers' Retirement System. To enable these local systems to separately determine their future course of action, Chapter 1305 of the Statutes of 1971 makes no change in the local systems other than to terminate additional subventions after June 30, 1972.

The purpose of this article is to grant authority to the Los Angeles Unified School District to take any and all necessary steps to determine whether it wishes to merge with the State Teachers' Retirement System and thereby gain the advantage of the benefit improvements and financing structure of that system, or to continue to operate a separate system under a local benefit and financing program. This authority shall include the right to expend moneys out of the local system fund to cover the expenses of the investigation of the advantages of the merger and to consummate the merger if this course appears desirable, as well as to create and maintain reasonable contingency reserves to insure an orderly and adequate transition fully protecting the interests of the Los Angeles teachers.

14131. Notwithstanding any other provision of this code, the provisions of this article shall govern the matters included in this article.

14132. The modifications to the State Teachers' Retirement System retirement, disability and family allowances formulae contained in Chapter 1305 of the Statutes of 1971 shall not apply to the Los Angeles Unified School District Retirement System, hereinafter called the city local system.

14133. An election shall be held any time prior to July 1, 1972, to determine if the affected members of the city local system are to be covered only by that system or to be covered only by the State Teachers' Retirement System The election shall be decided by a simple majority of those voting. The election shall be effective as of July 1, 1972.

The election shall be in such manner as specified by the governing board of the Los Angeles Unified School District and the results shall be transmitted to the State Teachers' Retirement System by that board no later than June 30, 1972 All costs of the election shall be borne by the employer reserve in the city local system

14133.1. If the affected members of the city local system vote in an election held prior to July 1, 1972, to be covered only by the city local system, Sections 14133 2 through 14133.8 shall apply.

14133 2 Effective July 1, 1972, all members of the city local system are excluded from membership in the State Teachers' Retirement System except for nonlocal service A person so excluded shall retain the right to receive a retirement allowance for nonlocal service which is creditable in the State Teachers' Retirement System unless he withdraws his contributions therefor as provided in Section 14070.

14133 3. All persons who first enter employment in the Los Angeles Unified School District on or after July 1, 1972, in positions which otherwise would be eligible for membership in the State Teachers' Retirement System are members of the city local system. The State Teachers' Retirement System shall not accept these persons into membership

14133 4. Member and employer contributions for service performed in the Los Angeles Unified School District shall be paid to the city local system

14133 5 All persons on the city local system retired rolls on June 30, 1972, shall remain on the local rolls The State Teachers' Retirement System will continue the subvention in Section 14120 to the local district for those persons, will pay the retired update and annual improvement factor increase directly to the retirant and will pay the two-thousand-dollar ($2,000) retired death benefit upon their death. Such retired death benefit will be reduced by the retired death benefit payable by the city local system.

14133 6 The city local system shall provide concurrent retirement benefits for service in the city local system as provided in Sections 13838, 13990 and 14211 as these sections read on July 1, 1972, for:

(a) Any person who was a member of both retirement systems on June 30, 1972; and

(b) Any person who could have qualified under (a) above if he had not taken a refund from either but not both systems; provided he qualifies for and redeposits prior to retirement in either system.

14133.7. Notwithstanding the provisions in Section 14211, a member of the city local system may retire concurrently and receive credit from the State Teachers' Retirement System for service performed in other states of the United States, its territories and possessions and the Dominion of Canada provided that the person is eligible under Sections 13998, 13999 and 14000, and the benefits attendant thereto

14133 8 The city local system shall provide for and assume total financial responsibility for the full Permanent Fund benefit earned through June 30, 1972, as those benefits existed in subdivision (a) of Section 14240 on June 30, 1972

The accumulated Permanent Fund contributions related to Los Angeles local service shall be transferred to the city local system as of July 1, 1972

14134. If affected members of the city local system on June 30, 1972, vote in an election held prior to July 1, 1972, to be covered only by the State Teachers' Retirement System, Sections 14134 1 through 14139 shall apply.

14134 1 The subvention to the city local system shall be canceled and the retired rolls transferred to the State Teachers' Retirement System as of July 1, 1972, together with the present value of the

annuity and other benefits being paid from the employer and employees' reserves in the city local system less the present value of the benefit being provided out of subventions.

14134.2. There shall be no reduction of any benefit being paid to an individual as a result of Section 14134.1.

14134.3. All service credited to the individual accounts in the city local system shall be transferred to the State Teachers' Retirement System on the same basis as credentialed service is credited in the State Teachers' Retirement System.

14134.4. The Los Angeles Unified School District shall transfer to the Teachers' Retirement Fund as of July 1, 1972, the total contributions on deposit in the individual accounts of members of the city local system, and shall transfer not less than:

(a) An amount equal to the contributions that would have been required had all service prior to July 1, 1972, been performed as a nonlocal member of the State Teachers' Retirement System plus credited interest through June 30, 1972, plus 6 percent interest from July 1, 1972, to the actual date of transfer; plus

(b) An amount equal to 8 percent of the employee compensation as provided in Section 13832 for service performed from the date due in the system's office plus 6 percent interest.

14134.5. The Los Angeles Unified School District shall also deposit in the Teachers' Retirement Fund an amount equal to 3.2 percent of employee compensation as provided in Section 13832 as the employer's contribution for service performed from the date due in the system's office, plus 6 percent interest.

14134.6. If the accumulated contributions in the person's account at the time of transfer to the State Teachers' Retirement System are not equal to those required in Section 14134.4, the difference between the amount in the account and the required amount is an unfunded liability and is the responsibility of the employer. The Los Angeles Unified School District shall, at the time of the transfer of assets, provide the additional amount of accumulated contributions required to put each individual account in balance if the shortage is due to the rate of contributions which had been required by the city local system. Such amount shall be a charge against the residual funds remaining on deposit with the Los Angeles Unified School District. Clerical errors in assignment of rates or errors in rates due to incorrectly reported birth dates are the responsibility of the member.

14134.7. Any funds transferred by the governing board of the Los Angeles Unified School District in accordance with Section 14134.4 in addition to the accumulated contributions already in the member's account shall be deposited as employer contributions in the Teachers' Retirement Fund, and shall not be credited to the member's account and shall not be refundable.

14134.8. Persons who elected to retain the $\frac{1}{70}$th formula when the $\frac{1}{60}$th formula was adopted by the city local system are liable for the portion of contributions related to that election plus credited interest through June 30, 1972, and regular interest thereafter.

14134.9. Adjustments to accounts caused by late discovery shall be made in accordance with Sections 14134.4, 14134.5, 14134.6 and 14134.8.

14134 10 Those persons who took a refund of their contributions and interest from the city local system prior to July 1, 1972, and who have Permanent Fund contributions on deposit in the State Teachers' Retirement System for such service shall have the accumulated Permanent Fund contributions on deposit in the State Teachers' Retirement System as of July 1, 1972, treated in the same manner as the Permanent Fund contributions of all nonlocal members.

Upon discovery and notification to such persons, they shall:

(a) Redeposit the contributions required with regular interest; or

(b) Leave the Permanent Fund accumulated contributions on deposit and receive an actuarially reduced retirement allowance.

14138 The Los Angeles Unified School District may continue the current annual report of member contributions and service for fiscal year 1972–1973 for all nonlocal certificated members working in the Los Angeles Unified School District The 8-percent employee and 3 2-percent employer contributions for these nonlocal members shall be remitted monthly If an annual report is submitted instead of a monthly report, it is due on July 31, 1973, and is delinquent on August 31, 1973 The provisions of Section 14056 shall apply.

14139. The city local system shall submit a list of all members of that system as of June 30, 1972, who have credentialed service which would qualify for membership in the State Teachers' Retirement System. The list shall be submitted to the State Teachers' Retirement System no later than August 31, 1972

14140 If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

SEC. 7."

Amendment No. 5

On page 5, between lines 27 and 28, insert·

"SEC. 8. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect.

The facts constituting such necessity are· In order to permit the orderly implementation of Chapter 1305 of the Statutes of 1971 this act must take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 215—An act to amend Section 6359 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time, and ordered to third reading.

Assembly Bill No. 299—An act to amend Sections 14132 and 14133 of the Welfare and Institutions Code, relating to medical assistance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 579—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

Assembly Bill No. 580—An act to add Sections 39079, 39079 5, and 39276 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 680—An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

Assembly Bill No. 708—An act to add Article 4 (commencing with Section 5055) to Chapter 1 of Division 5 of the Public Resources Code, relating to nonmotorized travelers

Bill read second time, and ordered to third reading.

Assembly Bill No. 791—An act to amend Sections 1421 and 1422 of, and to add Section 1422 3 to, the Labor Code, relating to fair employment practices.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1977—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, relating to hospitals

Bill read second time, and ordered to third reading.

Assembly Bill No. 190—An act to amend Section 28772 of, to repeal Section 28758 5 of, and to add Sections 28742 5, 28762 5, 28776 1, 28776 2, and 28776.3 to, the Health and Safety Code, relating to hazardous substances.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 320—An act to add Sections 84 5, 991, and 1809 to the Streets and Highways Code, relating to streets and highways.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 513—An act to add Article 4 (commencing with Section 6750) to Chapter 6 of Part 1 of Division 6 of the Fish and Game Code, relating to aquatic plants.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 517—An act to add Section 23356 1 to the Business and Professions Code, relating to alcoholic beverages

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 572—An act to amend Section 10752 of the Revenue and Taxation Code, and to repeal Section 9269 of the Vehicle Code, relating to taxation of motor vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 625—An act to add Section 14797 to, and to repeal Section 14797 of, the Revenue and Taxation Code, relating to inheritance taxation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 890—An act to amend Sections 3700 and 3714 of, and to add Sections 3714 5, 3723 5, and 3728 5 to, the Public Resources Code, relating to geothermal resources

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 958—An act to amend Section 92.6 of the Streets and Highways Code, relating to state freeways.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 983—An act to add Section 11052.5 to the Education Code, relating to school attendance.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1019—An act to repeal Article 3 (commencing with Section 2630) of Chapter 4 of Part 9 of Division 2 of, and to add Article 3 (commencing with Section 2630) to Chapter 4 of Part 9 of Division 2 of, the Labor Code, relating to employee housing

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1368—An act to amend Section 3074 of the Labor Code, relating to apprenticeship programs

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1570—An act to amend Sections 14978 and 15670 of the Elections Code, relating to elections

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1588—An act to amend Sections 18422 and 18423 of the Education Code, relating to school district severance aid

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1691—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1942—An act to add Section 255 5 to the Health and Safety Code, relating to crippled children's services and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 666—An act to amend Sections 20201, 23754, 23754 2, 23754 3, 25505 7, and 25505 8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753 2, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758 1, 23758 3, 23761, 25505, 25505 1, 25505 2, and 25505.9 of, the Education Code, relating to student residency.

Bill read second time,

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 4, line 14, of the printed bill, as amended in Assembly May 11, 1972, after "residence", insert ", pursuant to Article 5 (commencing with Section 22845) of this chapter".

Amendment No. 2

On page 4, line 28, after "resident", insert ", pursuant to Section 22812,".

Amendment No. 3

On page 4, line 30, after the first "resident", insert ", pursuant to Section 22814,".

Amendment No. 4

On page 4, line 30, after the second "resident", insert ", pursuant to Section 22815,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1061—An act to add Chapter 5 5 (commencing with Section 18310) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly April 17, 1972, strike out "green light and green thumb", and insert "Green Light-Green Thumb".

Amendment No. 2

On page 2, line 16, strike out "all in-kind equipment", and insert "the necessary in-kind equipment and materials for projects under which the Green Light-Green Thumb programs contract with a department or agency of the state In projects under which the Green Light-Green Thumb programs contract directly with local government entities, such local governmental entities shall supply the necessary in-kind equipment and materials."

Amendment No. 3

On page 2, strike out lines 17 and 18.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1737—An act to amend Section 15606 of the Government Code, relating to the duties of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in Assembly April 25, 1972, strike out "retailers", and insert "retail grocers".

Amendment No. 2

On page 2, line 37, strike out "compute", and insert "report".

Amendment No. 3

On page 3, line 22, after "audit", insert ", from the time such changes are adopted"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1041—An act to add Section 33320.2 to the Health and Safety Code, relating to redevelopment

Bill read second time, and ordered to third reading

Assembly Bill No. 1281—An act to amend Sections 33126 and 34278 of the Health and Safety Code, relating to public agency personnel

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1839—An act to amend Section 33401 of the Health and Safety Code, relating to redevelopment

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1840—An act to amend Section 33601 of the Health and Safety Code, relating to redevelopment agencies

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1842—An act to amend Section 33352 of the Health and Safety Code, relating to redevelopment

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1698—An act to amend Section 18300 of the Health and Safety Code, relating to mobilehomes

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 18300 of", and insert "add Section 18300.1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 18300.1 is added to the Health and Safety Code, to read:

18300 1. Any person may file an application with the governing body of any city, city and county, or county for a conditional use permit for a mobilehome or mobilehome park. The governing body, or the planning commission if designated by the governing body, shall hold a public hearing on any such application Notice of the time and place of the hearing, including a general explanation of the matter to be considered and including a general description of the area affected, shall be given at least two weeks before the hearing and shall be published at least once in a newspaper of general circulation, published and circulated in the city, city and county, or county, as the case may be. When any hearing is held on an application for a conditional use permit for a mobilehome or mobilehome park, a staff report with recommendations and the basis for such recommendations shall be included in the record of the hearing The decision of the governing body shall be final and the reasons for the decision shall be included in the record."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive, and strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2032—An act to amend Sections 35700, 35711, 35720, 35730 5, 35740, and 35742 of the Health and Safety Code, relating to fair housing

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert ", and to add Section 35747 to,".

Amendment No. 2

On page 4, after line 39, insert

"SEC. 7. Section 35747 is added to the Health and Safety Code, to read:

35747 Nothing contained in this part relating to the selection of housing accommodations on the basis of sex shall apply to any of the following.

(a) Dormitories, institutional housing, residential hotels, or similar accommodations which are publicly held out to provide housing for only one specified sex.

(b) Hotels, roominghouses, boardinghouses, guesthouses, or similar accommodations which do not provide sanitary facilities required by the State Housing Law, Part 1 5 (commencing with Section 17910) of Division 13, or administrative regulations adopted pursuant thereto, which would permit acceptance of guests of both sexes."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2320—An act to amend Sections 33450, 33452, and 33457 of the Health and Safety Code, relating to redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted.

Amendment No. 1

On page 3 of the printed bill, after line 15, insert

"SEC 4. The amendments of Sections 33450, 33452, and 33457 of the Health and Safety Code, made by this act do not constitute a change in, but are declaratory of, the preexisting law "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 73—An act to amend Section 990 of, and to add Section 990 1 to, the Government Code, relating to insuring public employees

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 11, 1972, in lines 6 and 7, strike out "under Section 3294 of the Civil Code or otherwise"

Amendment No. 2

On page 2, lines 30 and 31, strike out "under Section 3294 of the Civil Code or otherwise"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1707—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile court law, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 1754—An act to amend Section 4110 of, and to repeal Section 4132 of, the Penal Code, relating to county industrial farms

Bill read second time, and ordered to third reading

Assembly Bill No. 2099—An act to amend Section 1181 of the Penal Code, relating to criminal procedure

Bill read second time, and ordered to third reading

Assembly Bill No. 1068—An act to add Section 14670 3 to the Government Code, relating to letting of state property

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 26, 1972, strike out "14670.3", and insert "14670.4".

Amendment No. 2

On page 1, line 1, strike out "14670.3", and insert "14670.4".

Amendment No. 3

On page 1, line 3, strike out "14670.3", and insert "14670.4".

Amendment No. 4

On page 1, line 4, after "agency", insert "for park purposes".

Amendment No. 5

On page 1, line 9, strike out "westerly of", and insert "adjacent to"

Amendment No. 6

On page 2, strike out lines 17 to 21, inclusive, and in line 22, strike out "(3)", and insert "(2)".

Amendment No. 7

On page 2, line 25, strike out "(4)", and insert "(3)".

Amendment No. 8

On page 2, lines 27 and 28, strike out "July 1, 1977", and insert "December 31, 1973".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 918—An act to amend Sections 54.1 and 54.2 of the Civil Code, relating to guide dogs for the blind

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in Assembly May 3, 1972, strike out "5", and insert "3".

Set No. 2

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Assembly May 3, 1972, after the period, insert "Such persons shall carry and display, upon request, identification in such form as shall be prescribed by the State Board of Guide Dogs for the Blind."

Amendment No. 2

On page 3, after line 16, insert

"Such persons shall carry and display, upon request, identification in such form as shall be prescribed by the State Board of Guide Dogs for the Blind."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1611—An act relating to the transfer of property by the Director of General Services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Assembly April 18, 1972, insert

"(Coauthor: Senator Collier)".

Amendment No. 2

On page 1, line 2, strike out "sell, exchange, or lease", and insert "grant at no cost".

Amendment No. 3

On page 1, line 5, after "state," insert "and subject to the terms and conditions of Sections 3 and 4 of this act,".

Amendment No. 4

On page 10, after line 40, insert

"SEC. 2. The Director of General Services shall also transfer such personal property located on the real property described in Section 1 as, in the judgment of the director, is reasonable, necessary and desirable for the use of the property for the purposes to which the property will be put by Mendocino County.

SEC 3. There is hereby excepted and reserved in the state all deposits of minerals, including oil and gas, in the lands described in Section 1 of this act and to the state, or persons authorized by the state, the right to prospect for, mine, and remove such deposits from such lands.

SEC 4. In the event the county ceases to use the property transferred by this act for a public purpose, the property shall revert to the state"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2130—An act to amend Section 14670 1 of the Government Code, relating to the letting of state property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 3, 1972, strike out "amend Section 14670 1 of", and insert "add Section 14670.2 to".

Amendment No. 2

In line 5 of the title, after "property", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, line 5, strike ou "14670.1 of", and insert "14670 2 is added to".

Amendment No. 4

On page 2, line 6, strike out "is amended", and insert a comma.

Amendment No. 5

On page 2, line 7, strike out "14670 1", and insert "14670.2".

Amendment No. 6

On page 2, line 9, after "may", insert ", in the best interests of the state,".

Amendment No. 7

On page 2, line 25, strike out "erection", and insert "establishment".

Amendment No. 8

On page 2, line 28, strike out "building shall not be erected", and insert "facility shall not be established".

Amendment No. 9

On page 2, after line 30, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Napa Unified School District has planned to commence a program for the trainable mentally retarded by September of 1972 in facilities to be established on real property which is proposed to be leased from the state and which is located within the grounds of the Napa State Hospital. In order that such program may be implemented in September of 1972, it is necessary that this act, which authorizes such a lease, go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 755—An act to amend Section 34272 of the Health and Safety Code, relating to housing

Bill read second time, and ordered to third reading

Assembly Bill No. 1962—An act to amend Sections 18008, 18010.5, 18055, and 18056 of, and to repeal Sections 18003, 18009, and 18013 of the Health and Safety Code, relating to vehicles

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 5, and insert "to contain not more than two dwelling units to be used without a".

Bill ordered reprinted, and returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 677—An act to amend Section 21671.5 of the Public Utilities Code, relating to airports

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 65—An act to amend Section 7076.5 of the Business and Professions Code, relating to Contractors' State License Board.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 616—An act to add Section 7030 to the Business and Professions Code, relating to contractors

Bill read second time, and ordered to third reading

Assembly Bill No. 1275—An act to add Part 7 (commencing with Section 12650) to Division 2 of the Insurance Code, relating to mass merchandising plans for property and casualty insurance

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "12650", and insert "12670".

Amendment No. 2

On page 1, line 1, strike out "12650", and insert "12670".

Amendment No. 3

On page 1, line 7, strike out "12650", and insert "12670".

Amendment No. 4

On page 2, line 1, strike out "12651", and insert "12671".

Amendment No. 5

On page 2, line 26, strike out "12652", and insert "12672"

Amendment No. 6

On page 3 line 6, after "(c)", insert "The underwriting standards for individual risk selection shall not, on the whole, be more restrictive than the standards used by the insurer for individual risk selection in the sale of the same kind of insurance in this state, other than pursuant to group plans.

(d)".

Amendment No. 7

On page 3, line 9, after "plan", insert ", whether favorable or unfavorable, including but not limited to premium rates, benefits, duration of coverage, policyholder services, conversion privileges available, and the financial interests in the plan, if any, of the sponsoring employer, association, organization, or group".

Amendment No. 8

On page 3, line 10, strike out "(d)", and insert "(e)".

Amendment No. 9

On page 3, line 14, strike out "(e)", and insert "(f)".

Amendment No. 10

On page 3, line 23, strike out "(f)", and insert "(g)".

Amendment No. 11

On page 3 line 40, strike out "(g)", and insert "(h)".

Amendment No. 12

On page 4, line 4, strike out "(h)", and insert

"(i) All group plans shall provide that upon termination of employment or membership, or upon the discontinuance of the plan, the insured member or employee may maintain his policy in force at the group rate upon payment of premium for either (1) 60 days from the date he terminates employment or membership or the plan is discontinued, or (2) for 30 days after he has exercised his right to maintain his policy on an individual basis as provided in subdivision (j), whichever is longer.

(j)".

Amendment No. 13

On page 4, strike out lines 11 to 13, inclusive; and in line 14 strike out "12563", and insert "The insurer shall give notice of the employee or member's right to maintain his policy under this subdivision The insured shall have 30 days after receipt of the notice from the insurer to exercise his option to maintain the policy in force

12763."

Amendment No. 14

On page 4, after line 15, insert

"12675. Casualty insurance written pursuant to this part shall be subject to the provisions of Chapter 10 (commencing with Section 660), Part 1, Division 1, relating to the cancellation of, or failure to renew, automobile liability, automobile physical damage and automobile collision insurance.

12676. Property insurance written pursuant to this part shall be subject to the provisions of Chapter 11 (commencing with Section 675) of Part 1 of Division 1, relating to the cancellation of, or failure to renew, certain property insurance."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1931—An act to amend Sections 17769 and 17775 of, and to add Sections 17769 1, 17769 2, 17775 1, 17775 2, and 17775.3 to, the Business and Professions Code, and to amend Sections 12214, 12215, 12401 1, 17207, 17211, 17212, 17608 1, 22202, 22208, 22615 5, 24202, 24208, and 24609 1 of, and to add Sections 12214 1, 17211 1, 22208 1, and 24208 1 to, the Financial Code, relating to persons licensed by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, strike out ", and to add Sections 12214 1, 17211 1, 22208 1, and 24208 1 to,".

Amendment No. 2

On page 2, line 9, strike out "shall", and insert "may"

Amendment No. 3

On page 4, strike out lines 35 to 40, inclusive, and on page 5, strike out lines 1 to 4, inclusive.

Amendment No. 4

On page 5, line 5, strike out "SEC 10 ", and insert "SEC 9."

Amendment No. 5

On page 5, line 15, strike out "SEC 11 ", and insert "SEC. 10."

Amendment No. 6

On page 5, line 25, strike out "SEC 12 ", and insert "SEC 11."

Amendment No. 7

On page 6, line 11, strike out "SEC 13 ", and insert "SEC 12 "

Amendment No. 8

On page 6, strike out lines 25 to 34, inclusive

Amendment No. 9

On page 6, line 35, strike out "SEC 15 ", and insert "SEC 13."

Amendment No. 10

On page 7, line 5, strike out "SEC 16 ", and insert "SEC. 14."

Amendment No. 11

On page 7, line 15, strike out "SEC. 17.", and insert "SEC. 15 "

Amendment No. 12

On page 7, line 33, strike out "SEC 18 ", and insert "SEC. 16."

Amendment No. 13

On page 7, strike out line 40, and on page 8, strike out lines 1 to 5, inclusive.

Amendment No. 14

On page 8, line 6, strike out "SEC 20 ", and insert "SEC. 17."

Amendment No. 15

On page 8, line 16, strike out "SEC. 21 ", and insert "SEC. 18."

Amendment No. 16

On page 8, line 33, strike out "SEC 22 ", and insert "SEC. 19."

Amendment No. 17

On page 8, strike out line 40; and on page 9 strike out lines 1 to 5, inclusive.

Amendment No. 18

On page 9, line 6, strike out "SEC 24 ", and insert "SEC. 20."

Amendment No. 19

On page 9, strike out line 16, and insert "SEC. 21 (a) Sections 1 to 5, inclusive, and Sections 7 to 20,".

Amendment No. 20

On page 9, after line 19, insert

"(b) Sections 1 to 7, inclusive, of this act shall become operative only if Senate Bill No 1154 of the 1972 Regular Session is chaptered, and in that event Sections 1 to 7, inclusive, of this act shall become operative on the dates specified in subdivision (a) "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2044—An act to amend Sections 1662, 1665, 1751, and 1760 5 of the Insurance Code, relating to insurance

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "agent or"

Amendment No. 2

On page 1, line 4, strike out "either".

Amendment No. 3

On page 2, strike out lines 5 to 14, inclusive, and insert

"1665 The bond of an insurance broker shall be in the amount of ~~one~~ *five* thousand dollars ~~($1,000)~~ *($5,000)*, and the total aggregate liability on such bond shall be limited to such amount Such bond shall be contingent on the accounting by the broker to any person requesting the broker to obtain insurance, for moneys or premiums collected by the broker for insurance other than life."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1405—An act to amend Section 29000 of the Financial Code, and to amend Section 673 of the Insurance Code, relating to premium financing

Bill read second time, and ordered to third reading

Assembly Bill No. 1814—An act to amend Section 1256 of the Unemployment Insurance Code, relating to unemployment insurance

Bill read second time, and ordered to third reading.

Assembly Bill No. 2046—An act to amend Sections 2711, 2801, 2801 1, 2803, and 2804 of, and to add Section 2805 to, the Unemployment Insurance Code, relating to unemployment disability insurance

Bill read second time, and ordered to third reading.

Assembly Concurrent Resolution No. 85—Relative to the Joint Committee on the Master Plan for Higher Education

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted.

Amendment No. 1

In line 2 of the heading of the printed measure, strike out "and Lewis", and insert "Lewis, and Meade"

Amendment No. 2

In line 3 of the heading, strike out "Coauthor Senator Way", and insert "Coauthors Senators Way, Dymally, Alquist, Carpenter, and Rodda".

Amendment No. 3

On page 1, line 4, strike out "July 31", and insert "July 1"

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 1556—An act to repeal Section 576 of the Streets and Highways Code, relating to state highways.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Z'berg", and insert "Assemblymen Z'berg and MacDonald",

Amendment No. 2

In line 1 of the title, strike out "repeal", and insert "amend".

Amendment No. 3

On page 1, strike out line 2, and insert "Code is amended to read:
576 Route 276 is from Route 198 near Three Rivers to ~~Mineral King~~ *Oak Grove* "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1945—An act to add Sections 20896 and 20897 to the Business and Professions Code, relating to petroleum advertising.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 20896 and 20897 to the Business and Professions", and insert "Section 39052 3 to the Health and Safety".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive; and in line 4, strike out "request", and insert

"SECTION 1 Section 39052.3 is added to the Health and Safety Code, to read:

39052 3 The board may request,".

Amendment No. 3

On page 1, strike out lines 6 and 7, inclusive, and insert "manner a claim that a fuel or fuel additive reduces motor vehicle exhaust emissions,"

Amendment No. 4

On page 2, line 4, strike out "If the department", and insert

"The board may conduct, and may request the Department of Consumer Affairs to assist the board in, such further investigation as may appear warranted under the circumstances

If the board, or the board and the Department of Consumer Affairs if the latter has assisted in the investigation,".

Amendment No. 5

On page 2, line 7, strike out "department shall report its", and insert "board shall report the".

Amendment No. 6

On page 2, line 8, strike out "this code", and insert "the Business and Professions Code".

Amendment No. 7

On page 2, strike out lines 10 to 16, inclusive, and insert

"SEC 2. The sum of twenty-one thousand dollars ($21,000) is appropriated from the Motor Vehicle Account in the State Transportation Fund for expenditure by the State Air Resources Board during the 1972–1973 fiscal year for the purpose of carrying out the provisions of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 977—An act to amend Section 21953 of the Vehicle Code, relating to pedestrians.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No 1372—An act to repeal Section 1 5 of the Vehicle Code, relating to the operative date of acts affecting the Vehicle Code, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1374—An act to amend Sections 39130 and 39184 of the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1970—An act to amend Sections 21712 and 23123 5 of the Vehicle Code, relating to vehicles

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1756—An act to add Section 21700 5 to the Vehicle Code, relating to buses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 488—An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 4, line 33, of the printed bill, as amended in Assembly April 20, 1972, strike out "The"; and strike out lines 34 to 40, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 784—An act to amend Section 7344 of the Labor Code, relating to aerial tramways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7344", and insert "Sections 7344 and 7350".

Amendment No. 2

On page 2, after line 1, insert

"SEC 2 Section 7350 of the Labor Code is amended to read:

7350 The division may fix and collect such fees for the inspection of aerial passenger tramways as it deems necessary *to cover the actual costs of making such an inspection*~~, but the charge for each inspection shall not exceed fifty dollars ($50) for the first inspection of each new aerial passenger tramway installation and twenty-five dollars ($25) for the reinspection of existing equipment and subsequent inspections of new equipment. No charge shall be made in any one year for more than one inspection except where safety orders have not been complied with and subsequent inspections are necessary. Then an additional fee not to exceed twenty-five dollars ($25) may, in the discretion of the division, be charged for not more than one subsequent inspection annually~~."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1400—An act to amend Sections 53, 57, 7304, 7314, 7344, 7350, 7681, 7683, 7721, 7904, and 7906 of, to add Sections 154, and 155 to add Chapter 6 (commencing with Section 140) to Division 1 of, to add Part 1 (commencing with Section 6300) and Part 3 1 (commencing with Section 7400) to Division 5 of, to repeal Sections 7682, 7722, 7723, and 7724 of, to repeal Chapter 6 (commencing with Section 140) of Division 1, of, to repeal Part 1 (commencing with Section 6300) of Division 5 of, the Labor Code, and to amend Section 830 3 of the Penal Code, relating to industrial safety

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 8, 1972, strike out ", and 155 to", and insert "and 155 to,".

Amendment No. 2

On page 2, line 5, after the second "of", insert "the".

Amendment No. 3

On page 2, line 6, after "for", insert "the".

Amendment No. 4

On page 7, between lines 20 and 21, insert

"6301 6 "Chief" means the Chief of the Division of Industrial Safety."

Amendment No. 5

On page 9, strike out lines 6 and 7, and insert

"6313 "Special order" means any order written by the chief or his authorized representative to correct an unsafe condition "

Amendment No. 6

On page 9, between lines 15 and 16, insert

"The chief or his authorized representatives may issue a "special order" whenever he finds an unsafe condition, device or place of employment which poses a threat to the health or safety of an employee and which cannot be made safe under existing rules, regulations or orders of the board "

Amendment No. 7

On page 12, line 32, strike out "Contractors", and insert "Contractors' ".

Amendment No. 8

On page 12, line 34, strike out "repeat", and insert "repeated",

Amendment No. 9

On page 14, strike out lines 7 and 8

Amendment No. 10

On page 16, line 20, after "division", insert a period.

Amendment No. 11

On page 18, line 7, strike out "the then", and insert "of a".

Amendment No. 12

On page 20, between lines 25 and 26, insert

"6600 5 A notice of appeal from any civil penalty levied pursuant to Section 6322 must be filed in writing with the division within 15 days of its imposition An administrative adjudication of the imposition of such civil penalty upon the filing of such an appeal shall be made pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code "

Amendment No. 13

On page 23, line 22, strike out "a".

Amendment No. 14

On page 24, line 13, after "supply", insert "of"

Amendment No. 15

On page 24, line 23, after "carrying", insert "out"

Amendment No. 16

On page 27, line 11, strike out "boilers", and insert "boiler"

Amendment No. 17

On page 27, line 28, after "7904", insert "of the Labor Code".

Amendment No. 18

On page 27, line 39, strike out "subdivision (b) of".

Amendment No. 19

On page 32, after line 31, insert

"SEC 27 This act shall be operative January 1, 1973 "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1819—An act to amend Section 1816 of, to add Section 13105 to, and to repeal Sections 13355, 13355 5, 13356, and 13358 of, the Vehicle Code, relating to juvenile offenses

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1816", and insert "Sections 1816 and 13203".

Amendment No. 2

On page 2, between lines 24 and 25, insert

"SEC 2 5 Section 13203 of the Vehicle Code is amended to read:

13203 I no event shall a court ~~, other than a juvenile court,~~ suspend the privilege of any person to operate a motor vehicle or as a condition of probation prohibit the operation of a motor vehicle for a period of time longer than that specified in this code Any such prohibited order of a court, whether imposed as a condition of probation or otherwise, shall be null and void, and the department shall restore or reissue a license to any person entitled thereto irrespective of any such invalid order of a court."

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Stull", and insert "Murphy".

Bill ordered reprinted, and returned to the second reading file

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 260, ordered to third reading

SECOND READING OF SENATE BILLS

Senate Bill No. 203—An act to amend Section 1115 of the Education Code, relating to school district elections

Bill read second time, and ordered to third reading

Senate Bill No. 143—An act to amend Section 6423 of the Education Code, relating to public schools

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 377—An act making an appropriation for state park system development, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 524—An act to amend Sections 4437 and 4438 of the Public Resources Code, relating to forest products, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 762—An act to add Section 14672 9 to the Government Code, relating to the letting of state property.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Government Administration, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Senate April 26, 1972, after "let", insert "in the best interests of the state".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 410—An act to amend Sections 74662, 74663, 74664, 74665, 74666, and 74674 of, and to add Section 74661 5 to, the Government Code, relating to courts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 496—An act to add Section 25210 4b to the Government Code, relating to county service areas

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 604—An act to permit late filing of documents by fire protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 239—An act to add Section 7030 5 to the Business and Professions Code, relating to contractors

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 247—An act to amend Sections 7028 and 7028 1 of the Business and Professions Code, relating to licensing of contractors.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 249—An act to amend Section 5090 of the Business and Professions Code, relating to accountants.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 230—An act to amend Sections 253 1, 253 2, and 253 3 of the Streets and Highways Code, relating to state highways

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 253.1, 253 2, and 253.3 of", and insert "add Sections 301 2 and 322 1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 301.2 is added to the Streets and Highways Code, to read:

301 2 Notwithstanding Section 253 2, the California freeway and expressway system shall not include that portion of Route 1 from Route 22 to Route 47

SEC 2. Section 322 1 is added to the Streets and Highways Code, to read:

322 1 Notwithstanding Section 253 1, the California freeway and expressway system shall not include that portion of Route 22 from Route 1 near Long Beach to Studebaker Road in Long Beach."

Amendment No. 3

On page 1, strike out lines 2 to 15, inclusive; and strike out pages 2 to 4, inclusive

Bill ordered reprinted, and returned to the second reading file.

COMMUNICATIONS

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1041	AB No 1754	AB No 2046
AB No 1405	AB No 1814	AB No 2099
AB No. 1707		

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 513	AB No 1368	AB No. 1840
AB No 958	AB No 1372	AB No 1842
AB No 977	AB No 1588	AB No. 1970
AB No 1281	AB No 1839	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 1300.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN MADDY

Mr. Duffy announced that today is the birthday of Assemblyman Ken Maddy, of the 32nd District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Maddy.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2048

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 2048 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Urban Development and Housing

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 70—An act to amend Section 888 2 of, and to add Article 4 5 (commencing with Section 913 10) to Chapter 2 of Title 4 of Part 2 of, the Penal Code, relating to grand juries

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 70?

Senate Amendments of April 3, 1972

Amendment No. 1

On page 3, line 20, of the printed bill, as amended in Assembly February 24, 1972, strike out "the jurors shall be selected", and insert "the court shall select persons".

Amendment No. 2

On page 3, line 20, after "random", insert a comma.

Amendment No. 3

On page 3, line 22, strike out "The court shall"; and strike out line 24

Amendment No. 4

On page 3, line 25, strike out "impartial jury"

Senate Amendments of April 20, 1972

Amendment No. 1

On page 3, line 25, of the printed bill, as amended in Senate April 3, 1972, after the period, insert "The sole judge or a judge designated by the presiding judge shall personally interview the persons selected to determine if they are competent for service as grand jurors."

Senate Amendments of May 2, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 20, 1972, after "to", insert "amend Section 888 2 of, and to".

Amendment No. 2

In line 2 of the title, after the third "of", insert a comma.

Amendment No. 3

On page 2, line 1, after "SECTION 1.", insert "Section 888 2 of the Penal Code is amended to read:

888 2 As used in this title as applied to a grand jury, "required number" means ~~22~~ *27* in a county having a population exceeding ~~four~~ *six* million, *23 in a county having a population of six million or less and 200,000 or more,* and 19 in any other ~~counties~~ *county*.

SEC. 2 "

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Z'berg moved a call of the Assembly.

Mr McCarthy seconded the motion.

Motion carried Time, 11:38 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1252 was continued until the next legislative day

Hon. Ken Cory Presiding

At 11:42 a m, Hon Ken Cory, 69th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 974—An act to amend Sections 25210 11, 25210 13, and 25210.14 of the Government Code, relating to county service areas.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hay-

den, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr Speaker—53

NOES—Cline, Cullen, Hayes, Miller, Priolo, and Wakefield—6

Bill ordered transmitted to the Senate.

Speaker pro Tempore Presiding

At 11:46 a m , Hon. Carlos Bee, 13th District, presiding.

Assembly Bill No. 763—An act to add Section 1002 7 to the Education Code, relating to governing boards of school districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Crown, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Pierson, Porter, Powers, Priolo, Russell, Sieroty, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—45

NOES—Badham, Belotti, Burke, Collier, Conrad, Cory, Cullen Davis, Duffy, Ray E Johnson, Ketchum, MacGillivray, Mobley, Moorhead, Murphy, Seeley, Stacey, and Wakefield—18

Bill ordered transmitted to the Senate.

Assembly Bill No. 1497—An act to amend Sections 901, 903, 2811 and 2892 5 of the Business and Professions Code, relating to health occupations

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None

Bill ordered transmitted to the Senate

Hon. Ken Cory Presiding

At 11:55 a m , Hon Ken Cory, 69th District, presiding

Assembly Bill No. 1899—An act to amend Sections 26821, 26821 2, 26822, 26822 2, 26823, 26824, 26825, 26826, 26826 2, 26827, 26827 2, 26830, 72055, 72056, 72058, 72060, 72061, and 72062 of the Government Code, relating to fees.

Bill read third time

Re-reference of Assembly Bill No. 1899

By unanimous consent, Assembly Bill No. 1899 was re-referred to the Committee on Judiciary.

Speaker pro Tempore Presiding

At 12:03 p m , Hon Carlos Bee, 13th District, presiding

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 70

At 12:04 p m , on motion of Mr. Z'berg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No 70 by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—45

NOES—Burke, Cline, Collier, Conrad, Davis, Duffy, Hayden, Ketchum, MacGillivray, Maddy, Mobley, Moorhead, Priolo, Russell, Seeley, Stacey, Wakefield, and Wood—18

Above bill ordered enrolled

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2043—An act to amend Section 27321 5 of the Government Code, relating to county recorders

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1652—An act to amend Section 986 of the Military and Veterans Code, relating to veterans.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2016—An act to amend Section 19955 of the Health and Safety Code, relating to public accommodations

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1358—An act to amend Section 31641 01 of the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2184—An act to amend Section 20009 1 of the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 328—An act to add Chapter 6 (commencing with Section 5800) to Division 5 of the Public Resources Code, relating to public lands

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 953—An act to amend Sections 24331, 24332, 24333, 24335, and 24340 of the Health and Safety Code, relating to air pollution

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 50

Mr. Brown was granted unanimous consent to take up Senate Bill No. 50, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 50

Senate Bill No. 50—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Brown

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade; Miller, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Badham, Burke, Collier, Conrad, Cory, Lanterman, Maddy, Mobley, Moorhead, and Wakefield—10.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade; Miller, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Badham, Burke, Collier, Conrad, Cory, Lanterman, Maddy, Mobley, Moorhead, and Wakefield—10.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Warren was granted unanimous consent that Assembly Bill No. 971 be considered engrossed.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:12 p m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with

RE-REFERENCE OF SENATE BILL NO. 377

Mr Z'berg was granted unanimous consent that Senate Bill No 377 be re-referred to the Committee on Natural Resources and Conservation.

REQUEST FOR UNANIMOUS CONSENT

Mr. Leroy F. Greene was granted unanimous consent that Assembly Bill No 212 be considered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 615

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 18, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 826

With amendments with the recommendation: Amend, and do pass, as amended.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, May 22, 1972

Mr Speaker: Your Committee on Environmental Quality reports:

AB No. 2341

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, May 22, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 2334

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 22, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No 1706

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, May 22, 1972

Mr Speaker The Chairman of your Committee on Governmental Organization reports:

AB No 2006

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2006—An act to add Chapter 19 5 (commencing with Section 9790) to Division 3 of the Business and Professions Code. relating to the licensing and regulation of electronic technicians, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 8, 1972, after "to", insert "amend Section 9872 of, and to".

Amendment No. 2

On page 3, strike out lines 17 to 19, inclusive

Amendment No. 3

On page 4, line 32, strike out "each member", and insert "two members".

Amendment No. 4

On page 4, line 33, strike out "a licensed electronic technician. The", and insert "licensed electronic technicians Two of the"

Amendment No. 5

On page 4, line 35, after "license ", insert "Three of the members of the board shall be public members "

Amendment No. 6

On page 7, in lines 9 and 10, strike out "and who demonstrates that he is of good moral character".

Amendment No. 7

On page 11, strike out lines 30 to 35, inclusive, and insert "licensee."

Amendment No. 8

On page 14, strike out lines 6 to 12, inclusive, and insert

"SEC 3 Section 9872 of the Business and Professions Code is amended to read

9872 The money in the Repair Services Fund necessary for the administration of this chapter *and Chapter 19 5 (commencing with Section 9790) of this division* is hereby continuously appropriated for

such purposes. Money in excess of a year and a half's operating cost shall be transferred to the General Fund from the Repair Services Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 1227

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1227—An act to add Chapter 12 (commencing with Section 8875) to Division 1, Title 2 of the Government Code, relating to a population commission.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 1, 1972, after "add", insert "and repeal".

Amendment No. 2

On page 3, line 12, strike out the second comma.

Amendment No. 3

On page 3, strike out lines 14 to 30, inclusive, and insert

"8880. The term of each member of the commission shall be three years."

Amendment No. 4

On page 3, line 31, strike out "8883", and insert "8881".

Amendment No. 5

On page 3, line 35, strike out "8884", and insert "8882".

Amendment No. 6

On page 4, line 1, strike out "8885", and insert "8883".

Amendment No. 7

On page 4, line 9, before "acceptance", insert "the".

Amendment No. 8

On page 4, line 14, strike out "8886", and insert "8884".

Amendment No. 9

On page 4, line 36, after "Determine", insert "the".

Amendment No. 10

On page 5, line 14, strike out "8887", and insert "8885".

Amendment No. 11

On page 5, line 16, strike out "Thereafter, the"; and strike out lines 17 to 19, inclusive, and insert "On or before the 61st day after final adjournment of the 1975 Regular Session the commission shall submit a final report to the Governor and the Legislature. The commission's final report shall".

Amendment No. 12

On page 5, between lines 23 and 24, insert

"8886 The provisions of this chapter shall remain in effect only until the 61st day after final adjournment of the 1975 Regular Session of the Legislature, at which time they are repealed "

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 22, 1972

Mr Speaker. The Chairman of your Committee on Local Government reports:

AB No 1208

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1208—An act to amend Section 10110 of, and to add Section 10110 1 to, the Streets and Highways Code, relating to the Municipal Improvement Act of 1913.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 3, line 10, after "entered", insert "into".

Amendment No. 3

On page 3, line 13, strike out "applinaces", and insert "appliances".

Amendment No. 4

On page 3, line 29, strike out the period, and insert ", or".

Amendment No. 5

On page 3, line 30, strike out "Bonds", and insert "In the event bonds".

Amendment No. 6

On page 3, line 30, after "issued", insert ", such amounts have been paid"

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 2309

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2309—An act relating to state highways

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "relating to state highways", and insert "to add Chapter 10 (commencing with Section 60400) to Division 2 of Title 6 of the Government Code, relating to districts".

Amendment No. 2

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Chapter 10 (commencing with Section 60400) is added to division 2 of Title 6 of the Government Code, to read:

CHAPTER 10. COUNTY CONTROLLED DISTRICTS

60400. "County controlled district," as used in this chapter, means every governmental agency or entity which is located wholly within a county and is governed by the board of supervisors of the county.

60401 The Legislature finds and declares that there has been a proliferation of county controlled districts in this state which are unresponsive to the electorates they have been established to serve, politically nonaccountable, lacking of any participation in the democratic process, and unable to fulfill the urban and regional needs of

the people of the state, and which are severely undermining the strength and effectiveness of local self-government by counties throughout the state.

60402 Every county controlled district which is vested with the power to tax or levy an assessment is hereby dissolved on January 1, 1976. All property, assets, and liabilities of a county controlled district shall be transferred on such date to the county in which it is located.

60403. The county in which a county controlled district is located shall, on the date specified in Section 60402, succeed to all powers, duties, and functions of the county controlled district for the purpose of winding up the affairs of the district All taxable property within the former boundaries of the county controlled district shall continue to be taxable for the purpose of paying the bonded or other indebtedness of such district outstanding or contracted for at the time of the dissolution of the district, and until such bonded or other indebtedness shall have been satisfied. The amount of money to be raised by taxes for such purpose shall be determined, and such taxes shall be levied and collected, pursuant to the provisions of the law under which the county controlled district was governed prior to its dissolution.

60404. Any county may create assessment or other special zones as provided by law to assume the powers, duties, and functions of county controlled districts dissolved pursuant to this chapter.

60405 Any county may submit to the voters of the county the question of whether the county as a whole should succeed to the liabilities of any county controlled district dissolved pursuant to this chapter and thereafter operate the facilities of the district as part of the county government If the question is approved by a majority of the voters voting on the proposition, all taxable property within the county shall be taxable for the purpose of paying the bonded or other indebtedness of the county controlled district outstanding or contracted for at the time of the dissolution of the district

60406 After the effective date of this chapter, no county controlled district shall be created located wholly within a county and vested with the power to tax or levy an assessment, whether by special law or pursuant to a general law authorizing the formation of a district."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 22, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 897

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 897—An act to amend Section 5284 of the Public Utilities Code, relating to carriers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "5284", and insert "239".

Amendment No. 2

In line 2 of the title, strike out "carriers", and insert "warehousemen".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 239 of the Public Utilities Code is amended to read:

239. "Warehouseman" includes:

(a) Every corporation or person owning, controlling, operating or managing any building or structure in which property, other than liquid petroleum commodities in bulk, and other than baled cotton, is regularly stored for compensation within this state, in connection with or to facilitate the transportation of property by a common carrier or vessel, or the loading or unloading of property, other than liquid petroleum commodities in bulk, and other than a dock, wharf, or structure, owned, operated, controlled, or managed by a wharfinger.

(b) Every corporation or person owning, controlling, operating, or managing any building, structure, or warehouse, in which merchandise, other than *(1)* secondhand household goods or effects, ~~and other than~~; *(2)* liquid petroleum commodities in bulk, ~~and other than~~; *(3)* baled cotton, ~~and other than~~; *(4)* merchandise sold but retained in the custody of the vendor; *or (5) business records, microfilms, negative or positive print film, video or audio tapes, computer disks or tapes, or similar property not held for sale*, is stored for the public or any portion thereof, for compensation, within this state, except warehouses conducted by any nonprofit, cooperative association or corporation which is engaged in the handling or marketing of the agricultural products of its members and warehouses conducted by the agents, individual or corporate, of such associations or corporations, while acting within the limitations imposed by law on their principals

(c) Every corporation or person owning, controlling, operating or managing any building, structure, warehouse, elevator, or plant in which food commodities, received from the public or any portion thereof, are stored for compensation, including cold storage plants and refrigerating plants, but not including private homes, hotels, restaurants, or exclusively retail establishments, or others not storing articles of food for other persons for compensation. "Food com-

modities" means all products, stuffs, preparations, substances, or articles which are customary or proper for food for human beings, and includes meat and meat products, fruit, vegetables, fresh fish, shellfish, game, poultry, eggs, butter, cheese, and milk."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 22, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 1140

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1140—An act to add Section 1475 to, and to repeal Section 1475 of, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 18, 1972, after "to", insert "amend Section 1473 of, to amend and renumber Section 1475 of, to".

Amendment No. 2

On page 2, line 14, after "SECTION 1.", insert "Section 1473 of the Unemployment Insurance Code is amended to read:

1473. As used in this chapter - :

(a) "State employee" means an individual who has been employed full time for the previous six consecutive months by the Regents of the University of California or the Trustees of the *California* State *University and* Colleges and who (1) receives a *written* notice of permanent layoff, or a *written* notice of layoff of more than 120 days in duration, with an effective date on or after March 1, 1971, or (2) terminates his employment or has terminated his employment on or after March 1, 1971, within 30 days after ~~being notified in writing by~~ *receiving a written notice from* his appointing power that he is subject to such layoff,

due to a reduction in staff arising from reductions in any budget act, or any other source of funds, other than by scheduled termination However, nothing in this subdivision shall permit a state employee to receive unemployment compensation benefits if he would be ineligible for or disqualified to receive such benefits under Article 1 (commencing with Section 1251) of Chapter 5 of this part.

(b) "State wages" means all remuneration payable to a state employee for personal services performed as a state employee prior to (1) the effective date of such notice of layoff or (2) 30 days after such employee is notified in writing by his appointing power, as described in subdivision (a), including the reasonable cash value of all remuneration payable in any medium other than cash Such term shall only include all such remuneration paid on and after January 1, 1970, for new claims filed with an effective date on or before December 31, 1971

(c) "Base period" means the base period defined by Section 1275.

SEC. 2. Section 1473 of the Unemployment Insurance Code is amended to read:

1473. As used in this chapter - :

(a) "State employee" means an individual who has been employed full time for the previous six consecutive months by the Regents of the University of California or the Trustees of the *California* State *University and* Colleges and who (1) receives a *written* notice of permanent layoff, or a *written* notice of layoff of more than 120 days in duration, with an effective date on or after March 1, 1971, or (2) terminates his employment or has terminated his employment on or after March 1, 1971, within 30 days after ~~being notified in writing by~~ *receiving a written notice from* his appointing power that he is subject to such layoff, due to a reduction in staff arising from reductions in any budget act, or any other source of funds, other than by scheduled termination However, nothing in this subdivision shall permit a state employee to receive unemployment compensation benefits if he would be ineligible for or disqualified to receive such benefits under Article 1 (commencing with Section 1251) of Chapter 5 of this part

(b) "State wages" means all remuneration payable to a state employee for personal services performed as a state employee prior to (1) the effective date of such notice of layoff or (2) 30 days after such employee is notified in writing by his appointing power, as described in subdivision (a), including the reasonable cash value of all remuneration payable in any medium other than cash Such term shall ~~only~~ include all such remuneration paid on and after January 1, 1970, ~~for new claims filed with an effective date on or before December 31, 1971~~

(c) *"State base period" means the period of the last four complete consecutive calendar quarters, and any subsequent complete and partial calendar month or months, immediately preceding the effective date of a new claim for unemployment compensation benefits by a state employee.*

(d) "Base period" means the base period defined by Section 1275.

SEC. 3."

Amendment No. 3

On page 3, line 36, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 4

On page 5, line 5, after the period, insert "Each employing unit subject to this chapter shall promptly supply the director, upon his request, with a copy of the written notice specified by subdivision (a) of Section 1473."

Amendment No. 5

On page 5, between lines 17 and 18, insert

"SEC 5. Section 1475 of the Unemployment Insurance Code is amended and renumbered to read:

~~1475.~~ *1476* (a) In lieu of the contributions required of employers, the State of California shall pay into the Unemployment Fund in the State Treasury at the times and in the manner provided in subdivision (b), an amount equal to the additional cost to the Unemployment Fund of the benefits (including extended duration benefits and federal-state extended benefits) paid based on base period state wages with respect to employment of state employees Benefits otherwise payable, irrespective of this chapter, shall be charged to employers' reserve accounts in accordance with other sections of this part and shall be the liability of governmental entities or nonprofit organizations pursuant to ~~Sections 710, 711, and 713~~ *Section 803*, but the additional cost to the Unemployment Fund of the benefits paid based on base period state wages pursuant to this chapter shall be borne solely by the State of California

(b) In making the payments prescribed by subdivision (a), there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from the State of California for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund Such estimates may be made upon the basis of statistical sampling, or other method as may be determined by the director

Upon making such determination, the director shall certify to the *State* Controller or other responsible disbursing officer the amount determined with respect to the State of California The *State* Controller or other responsible disbursing officer shall pay to the Unemployment Fund the contributions due from the State of California The director shall charge to any special fund *not funded by any budget act or other state appropriation*, which is responsible for the salary of any employee, the amount of additional cost to the Unemployment Fund of the benefits paid with respect to that state employee.

(c) The director may require from each employing unit subject to this chapter employment, wage, financial, statistical, or other information and reports, properly verified, as may be deemed necessary by the director to carry out his duties under this chapter, which shall be

filed with the director at the time and in the manner prescribed by him. *Each employing unit subject to this chapter shall promptly supply the director, upon his request, with a copy of the written notice specified by subdivision (a) of Section 1473.*

(d) The director may tabulate and publish information obtained pursuant to this chapter in statistical form and may divulge the name of the employing unit.

(e) Each employing unit shall keep such work records as may be prescribed by the director for the proper administration of this chapter.

(f) Notwithstanding any other provision of this section, the State of California shall not be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California."

Amendment No. 6

On page 5, line 18, strike out "SEC 3", and insert "SEC. 6".

Amendment No. 7

On page 5, between lines 19 and 20, insert

"SEC. 7. It is the intent of the Legislature that this bill shall be given effect and shall be operative except as provided by this section and Section 8. It is the intent of the Legislature that if both this bill and Assembly Bill No. 221 are chaptered, and this bill and Assembly Bill No. 221 amend Section 1473 of the Unemployment Insurance Code, and this bill repeals and adds Section 1475 of the Unemployment Insurance Code and Assembly Bill No 221 amends and renumbers Section 1475 of the Unemployment Insurance Code, that the provisions of both bills be given effect as follows:

(a) If this bill is chaptered after Assembly Bill No 221 is chaptered, the amendment to Section 1473 of the Unemployment Insurance Code made by Section 1 of this bill and the repeal and addition of Section 1475 of the Unemployment Insurance Code made by Sections 3 and 4 of this bill shall not take effect, and the changes made by both bills shall be given effect and incorporated in Sections 1473 and 1476 of the Unemployment Insurance Code in the form set forth in Sections 2 and 5 of this bill.

(b) If this bill is chaptered before Assembly Bill No 221 is chaptered, the changes made in Sections 1473 and 1475 of the Unemployment Insurance Code by Sections 1, 3, and 4 of this bill shall become inoperative upon the effective date of Assembly Bill No 221 and the changes made in Sections 1473 and 1475 of the Unemployment Insurance Code by Sections 2 and 5 of this bill shall not take effect

SEC. 8. It is the intent of the Legislature that if Assembly Bill No. 221 is not chaptered, the changes made in Sections 1473 and 1475 of the Unemployment Insurance Code by Sections 2 and 5 of this bill shall not take effect."

Amendment No. 8

On page 5, line 26, strike out "SEC. 4", and insert "SEC. 9".

Amendment No. 9

On page 5, line 33, strike out "SEC 5", and insert "SEC 10".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 35
AB No. 205
~~AB No. 2074~~

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 35—An act to add Section 5600.5 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out "5600.5", and insert "4136".

Amendment No. 2

In line 2 of the title, after "health," insert "making an appropriation therefor,".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 4136 is added to the Welfare and Institutions Code, to read:

4136. Notwithstanding any other provisions of law:

(a) The Department of Mental Hygiene shall maintain all existing state hospitals, programs and assistance for the mentally ill and mentally retarded, until such time as:

(1) The department submits to the Legislature at least one year prior to closure of any state hospital except Agnew and Mendocino State Hospitals, a complete and detailed plan to implement community programs for the mentally ill and the mentally retarded in all counties affected, including schedules for closure or phase down of state hospitals, plans for utilizing state employees, programs and assistance; and

(2) A complete study is conducted by the Legislature or a committee thereof to determine whether the level of community treatment and the

availability of community facilities and programs is adequate to maintain quality mental health care and the possibility of establishing a cooperative community and state hospital program for the mentally ill and mentally retarded in each of the counties affected, and a report of such study is submitted to the Legislature

(b) The Department of Mental Hygiene may take no action which results in the removal of resources supplied to counties and referred to in the one- or five-year plan submitted under the provisions of Chapter 2 (commencing with Section 5650) of Part 2 of Division 5 and accepted by the state, unless:

(1) A three-part report is submitted and certified by the Secretary of the Human Relations Agency as documenting the ability of the county to provide for the needs of patients and residents as defined in Article 4, Subchapter 3, Title 9 of the California Administrative Code, with the following additions and emphasis:

A. Crisis intervention.

B Inpatient services: intensive.

C. Inpatient services: subacute care for persons requiring extended inpatient care but not in an intensive psychiatric or medical milieu, as part of an overall plan for community placement or outpatient care and rehabilitation.

D Outreach services, with counseling support to families, surrogate families, as well as to the mentally ill in the community as opposed to in clinical settings.

E Community mental health therapeutic programs, including occupational, recreational therapy.

F. Rehabilitative programs of a vocational nature.

G. Medication renewal—the provision for consistent monitoring and reevaluation of medication.

H. Outpatient counseling and psychiatric services available to patients in geographic locations accessible to them.

I. Training and consultation services to operators of out-of-home care facilities.

J. Children's services—the full range of the above with a view to the special needs of children.

(2) Each such report contains three sections as follows:

A. A section submitted by the director of the local mental health program documenting the plan whereby the county could provide for the needs of:

(1) All patients who would have been placed at the state hospital;

(2) All patients currently at the local level and under treatment who are potentially state hospital placements; and

(3) All persons potentially subject to displacement from mental health services appropriate to their needs by reason of the closing of any state facility, program, or assistance

B. A review by the Mental Health Advisory Board of the county plan with recommendations and comments.

C. A transcript of a public hearing to be convened by the local board of supervisors to consider the report, with three weeks prior notification to the public and publication of the plan for purposes of distribution to all interested parties without charge.

(3) The above reporting process is completed within four months of notification to the county of the intent of the State Department of Mental Hygiene to change, terminate, or diminish the provision of any service which the county indicated intent to utilize in its one-year or five-year plan

(c) State hospitals shall admit persons needing state hospital care after prior screening by a county Short-Doyle agency until July 1, 1973, and thereafter until closed pursuant to subdivision (b) of this section.

SEC. 2. There is hereby appropriated to the Department of Mental Hygiene from the General Fund the sum of fifteen million dollars ($15,000,000) for the purposes of this act.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to insure proper care and treatment of California's mentally ill and mentally retarded, it is necessary that this act take immediate effect."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 205—An act to amend Sections 976.7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the heading of the printed bill, after "Gonsalves," insert "Harvey Johnson,".

Amendment No. 2

In line 7 of the heading, after "Mills," insert "Moscone,".

Amendment No. 3

In line 1 of the title, after "Sections", insert "634.5,".

Amendment No. 4

On page 6, between lines 18 and 19, insert

"SEC. 8.5. Section 634.5 of the Unemployment Insurance Code is amended to read:

634.5. Notwithstanding any other provision of this division, no provision of this article excluding service from "employment" shall apply to any employing unit described by Section 605.1 or 608, except as provided by this section. With respect to any employing unit described by Section 605.1 or 608, "employment" does not include service excluded under Sections ~~625 to~~ 629, ~~inclusive,~~ 631, 635, and 639 to 649, inclusive, or service performed in any of the following:

(a) In the employ of (1) a church or convention or association of churches or (2) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches.

(b) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order

(c) In the employ of a school which is not an institution of higher education.

(d) By an individual receiving such rehabilitation or remunerative work in a facility conducted for the purpose of carrying out a program of either:

(1) Rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury;

(2) Providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market.

(e) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training

(f) For a hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution."

Amendment No. 5

On page 6, line 29, strike out "1972", and insert "1973".

Amendment No. 6

On page 8, line 16, strike out "Sections 1 to 12, inclusive, of".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

~~Assembly Bill No. 2071—An act to amend Sections 18203, 18105.2, 18106, 18106.2, 18601, 18615, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18106.3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203.5, 18205, 18205.5, 18668, and 18668.1 of, the Financial Code, relating to industrial loan companies.~~

~~Bill read second time.~~

~~Consideration of Author's Amendments~~

~~The following amendments, pursuant to the Assembly Rules, were read, and adopted:~~

~~Amendment No. 1~~

~~In line 2 of the title of the printed bill, as amended in Assembly May 1, 1972, after "18615," insert "18661,"~~

~~Amendment No. 2~~

~~On page 7, between lines 2 and 3, insert~~

~~"SEC. 14.5. Section 18661 of the Financial Code is amended to read:~~

~~18661. (a) An industrial loan company may provide and collect the costs for credit life insurance on the life of one or more of the borrowers and credit disability insurance to provide indemnity for pay-~~

~~ments becoming due on the indebtedness, with his or her consent, the form to be approved by the commissioner and in an amount not in excess of the amount of the indebtedness. The amount charged to the borrower for such insurance shall not exceed, in the case of credit life insurance, the amount provided in (1) or (2) following, whichever is less, or, in the case of credit disability insurance, unless a regulation has been promulgated and established pursuant to Section 18661.1, in which case the amount charged shall not exceed the amount prescribed by such regulation, the amount provided in (1) following.~~

~~(1) The premium rate filed with the Commissioner of Insurance for the coverage provided pursuant to Article 5.9 (commencing with Section 779.1), Chapter 1, Part 2, Division 1 of the Insurance Code and which has not been disapproved by him, or~~

~~(2) Fifty cents ($0.50) per year per one hundred dollars ($100) of indebtedness (and in the same proportion for longer or shorter maturities and larger or smaller amounts) or such different maximum as is fixed by the Commissioner of Insurance by a valid and effective regulation hereafter adopted.~~

~~(b) An industrial loan company may collect the costs for insurance of tangible personal or real property offered as security for a loan, reasonably insured against loss for a reasonable term considering the circumstances of the loan, when the policy of insurance is made payable to the borrower or any member of his family, even though the customary mortgagee clause is attached, and if the insurance is sold at standard rates through duly licensed insurance agents except that if title insurance is obtained in connection with a loan, the costs for such insurance may only be collected if: (a) the loan is in an amount of at least one thousand dollars ($1,000) and is secured by the lien of a deed of trust or mortgage on real property which is the subject of such policy of title insurance; (b) the policy of title insurance is made payable to the lender or jointly to such lender and the borrower as their interests may appear; (c) the amount of such insurance does not exceed the amount of the loan; (d) such insurance is placed at standard rates through a title insurance company authorized to do business in the State of California; and (e) the provisions of the loan require payment in not less than 12 months. A policy of title insurance may not be required in connection with the renewal or extension of a loan with an unpaid principal balance of less than one thousand dollars ($1,000). Such costs as herein authorized are not included in computing the maximum charges which may be made under this division.~~

~~(c) If life or disability insurance is provided pursuant to this section, and if the insured borrower dies or becomes disabled during the term of the loan contract, the insurance shall be sufficient to pay the total amount due on the loan (excluding unearned charges) outstanding on the date of his death, or all amounts which become due on the loan thereafter during the period of such disability as the case may be, without any exception, reservation or limitation, subject, however, to the provisions of Section 18661.2. Any such life or disability insurance as is provided shall be in force as soon as the loan is made. A licensee shall not require credit life or disability insurance as a condition of making a loan.~~"

~~Amendment No. 3~~

~~On page 11, line 2, after "in", insert "subdivision (b) of".~~

~~Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.~~

NOTE: On May 23, 1972, the action was rescinded whereby the above report of the Committee on Ways and Means relative to Assembly Bill No 2074 was received and read in the Assembly, whereby the bill was read a second time, author's amendments to the bill read and adopted, and the bill ordered reprinted, and to be returned to the Committee on Ways and Means See page 3763.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

ACR No. 72

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 72—Relative to awards to state employees.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 6 of the printed measure, in line 15, strike out "drivers", and insert "driver's".

Amendment No. 2

On page 10, line 2, strike out "Controllers' ", and insert "Controller's".

Amendment No. 3

On page 10, line 4, strike out "suggestion", and insert "suggestions".

Amendment No. 4

On page 12, line 13, after "($32,590)", insert ", provided, this award shall not be deemed authorized if Assembly Concurrent Resolution No 75 of the 1972 Regular Session is adopted".

Resolution ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 1871

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Employment and Public Employees

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1871—An act to add Section 5119 of the Welfare and Institutions Code, relating to the mental health system

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 10, 1972, strike out "Section 5119 of", and insert "Sections 18107 and 20108 to the Government Code, and to add Sections 5119, 5664, 5755.5 and 5755.6 to".

Amendment No. 2

In line 2 of the title, after "system", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 18107 is added to the Government Code, to read

18107. Any employee of the State Department of Mental Hygiene transferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code, shall be entitled to retain sick leave accumulated at the time of termination of state employment. Such sick leave shall be held in a reserve account by the state to be used, if necessary, only at such time as the transferred employee's sick leave benefits accrued as a county employee become exhausted. When county sick leave benefits are exhausted such employee shall be entitled to utilize his state reserve account sick leave, until exhausted. The cost of preserving and paying for the state reserve account sick leave shall be totally funded by the state.

SEC. 2. Section 20108 is added to the Government Code, to read:

20108. To the extent possible the board shall resolve conflicts between retirement systems applicable to state hospital employees transferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code.

SEC. 3. Section 5119 is added to the Welfare and".

Amendment No. 4

On page 2, after line 15, insert

"SEC. 4. Section 5664 is added to the Welfare and Institutions Code, to read

5664. Each county Short-Doyle plan adopted for the 1973–74 fiscal year and each fiscal year thereafter for a county or counties in which a state hospital is scheduled to be closed shall contain a complete program, to be developed jointly by the State Department of Mental

Hygiene and the county, for absorbing as many of the staff of such hospital into the local mental health programs as may be needed by the county Such programs shall include a redefinition of occupational positions, if necessary, and a recognition by the counties of licensed psychiatric technicians for treatment of the mentally disordered, mentally retarded, drug abusers, and alcoholics.

The county may establish retraining programs for the State Department of Mental Hygiene employees transferring to county mental health programs provided such programs are financed entirely with state and federal funds made available for that purpose

Beginning July 1, 1973, the State Department of Mental Hygiene shall notify the counties and the Legislature at least six months in advance of planned state hospital closures

SEC 5. Section 5755 5 is added to the Welfare and Institutions Code, to read:

5755 5 The five-year state plan for community mental health services pursuant to Section 5755 shall include a detailed analysis of the alternatives being considered in terms of projected future hospital closures.

SEC 6. Section 5755 6 is added to the Welfare and Institutions Code, to read·

5755 6. To the extent feasible, the full supporting details of any planned state hospital closures shall be included in the budget required by the State Constitution to be submitted by the Governor at each regular session of the Legislature for the 1973–74 fiscal year and each fiscal year thereafter

SEC 7 There is hereby appropriated to the State Department of Mental Hygiene from the General Fund the sum of five hundred thousand dollars ($500 000), or so much thereof as may be necessary for the purposes of funding county retraining programs established pursuant to Section 5664 of the Welfare and Institutions Code "

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 22, 1972

Mr Speaker: The Chairman of your Committee on Education reports·

ACA No. 36

ACA No. 37

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 23 of Article XX thereof, relating to higher education.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

Strike out line 4 of the title of the printed measure and insert "Section 16 of Article XX thereof, by adding Articles IX and XIX thereto, by adding Section 5 to Article XIII thereof, and by repealing Article IX thereof, relating to".

Amendment No. 2

On page 1, line 7, strike out "by amending", and insert "as follows·
First—That Article IX is repealed
Second—That Article IX is added, to read

ARTICLE IX

HIGHER EDUCATION

SECTION 1 The Legislature shall provide for and support public institutions of higher education

SEC. 2 (a) The California State Colleges are a public trust administered by the Trustees, a corporation with full powers of organization and government subject only to the legislative control necessary to assure compliance with the terms of endowments and security of funds The corporation has title to all property and has all powers necessary or convenient for effective administration of the trust, including the power to delegate

Sixteen Trustees are appointed by the Governor and approved by the Senate, a majority of the members concurring Terms of appointive Trustees are 12 years A vacancy is filled for the remainder of the term One term begins March 1 each year except that 2 terms begin March 1 every 3d year

A Trustee may be removed from office for failing to attend at least 50 percent of the scheduled meetings of the Trustees in any two-year period, by a favorable two-thirds vote of the membership of the Trustees

Meetings of the Trustees are open to the public, but exceptions and notice requirements shall be prescribed by statute

The primary function of the California State Colleges is instruction The Trustees may not award the doctoral degree unless authorized by the Legislature

The Legislature may change the name "California State Colleges" by statute

(b) The Select Commission on State College Trustees, which is hereby created, shall consist of the Chief Justice of the California Supreme Court, the President pro Tempore of the Senate, the Speaker of the Assembly, the chairman of the Trustees of the California State Colleges, the chairman of the statewide academic senate of the state colleges, a student representative appointed by the council of student body presidents of the state colleges, one public member appointed by the President pro Tempore of the Senate, and one public member appointed by the Speaker of the Assembly The Chief Justice of the Cali-

fornia Supreme Court, or his designee, shall serve as chairman of the commission Each public member and the student representative shall serve at the pleasure of the appointing power.

The Select Commission on State College Trustees shall recommend at least two, but not more than four, persons to the Governor for appointment for each vacancy in the office of a Trustee appointed by the Governor pursuant to subdivision (a) of this section The Governor shall fill such vacancy only from the persons so recommended

SEC. 3. (a) The University of California is a public trust administered by the Regents, a corporation with full powers of organization and government subject only to the legislative control necessary to assure compliance with the terms of endowments and security of funds The corporation has title to all property and has all powers necessary or convenient for effective administration of the trust, including the power to delegate The Regents shall receive all funds derived from sale of lands pursuant to Act of Congress of July 2, 1862 and amendatory acts.

Sixteen Regents are appointed by the Governor and approved by the Senate, a majority of the members concurring Terms of appointive Regents are 12 years A vacancy is filled for the remainder of the term One term begins March 1 each year except that 2 terms begin March 1 every 3d year

A Regent may be removed from office for failing to attend at least 50 percent of the scheduled meetings of the Regents in any two-year period, by a favorable two-thirds vote of the membership of the Regents

Meetings of the Regents are open to the public, but exceptions and notice requirements shall be prescribed by statute

(b) The Select Commission on University Regents, which is hereby created, shall consist of the Chief Justice of the California Supreme Court, the President pro Tempore of the Senate, the Speaker of the Assembly, the chairman of the Regents of the University of California, the chairman of the academic senate of the university, a student representative appointed by the council of student body presidents of the university, one public member appointed by the President pro Tempore of the Senate, and one public member appointed by the Speaker of the Assembly. The Chief Justice of the California Supreme Court, or his designee, shall serve as chairman of the commission Each public member and the student representative shall serve at the pleasure of the appointing power

The Select Commission on University Regents shall recommend at least two, but not more than four, persons to the Governor for appointment for each vacancy in the office of a Regent appointed by the Governor pursuant to subdivision (a) of this section The Governor shall fill such vacancy only from the persons so recommended

SEC 4 Public institutions of higher education shall be kept free from political or sectarian influence in the administration of their affairs, including the selection of personnel, and in the appointment of Regents, Trustees, and board members Academic freedom and responsibility shall be assured.

Third—That Section 5 is added to Article XIII, to read:

SEC 5. Property owned by the California School of Mechanical Arts, California Academy of Sciences, or Cogswell Polytechnical College, or held in trust for the Huntington Library and Art Gallery, or their successors, is exempt from taxation The Legislature may amend or revoke any of these exemptions.

Fourth—That Article XIX is added, to read:

ARTICLE XIX

SCHEDULE

SECTION 1 Except for tax exemptions stated in Article XIII, the rights, powers privileges, and confirmations conferred by Sections 10 and 15 of Article IX in effect on November 7, 1972, relating to Stanford University and the Huntington Library and Art Gallery, are continued in effect

SEC 2 Commencing March 1, 1974, Regents of the University of California and Trustees of the State Colleges shall be appointed in accordance with Article IX, Sections 3 and 4 Those already appointed shall complete their terms and, for this purpose only, the number of appointive Regents may exceed 16 until March 1, 1988 To fill vacancies created solely by transition to Article IX, Sections 3 and 4, the Governor may make interim appointments not to exceed 3 years Interim appointees are not subject to Senate confirmation

Fifth—That Section 16 of Article XX be amended to read

SEC 16 When the term of any officer or commissioner is not provided for in this Constitution, the term of such officer or commissioner may be declared by law, and, if not so declared, such officer or commissioner shall hold his position as such officer or commissioner during the pleasure of the authority making the appointment, but in no case shall such term exceed four years, provided, however, that in the case of any officer or employee of any municipality governed under a legally adopted charter, the provisions of such charter with reference to the tenure of office or the dismissal from office of any such officer or employee shall control, and provided further, that the term of office of any person heretofore or hereafter appointed to hold office or employment during good behavior under civil service laws of the State or of any political division thereof shall not be limited by this section

~~The Legislature may provide terms of office for not to exceed eight years for the members of any state agency created by it in the field of public higher education which is charged with the management, administration, and control of the State College System of California~~ "

Amendment No. 3

On page 1, strike out lines 8 to 10, inclusive, and strike out all of page 2

Resolution ordered reprinted, and to be re-referred to the Committee on Education

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 9 of Article IX thereof, relating to the Regents of the University of California

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

Strike out lines 4 and 5 of the title of the printed measure, and insert "Section 16 of Article XX thereof, by adding Articles VIII, IX, and XIX thereto, by adding Section 5 to Article XIII thereof, and by repealing Article IX thereof, relating to education"

Amendment No. 2

On page 2, strike out line 7, and insert "Constitution of the state be amended as follows:

First—That Article VIII is added, to read:

ARTICLE VIII

PUBLIC SCHOOL SYSTEM

SECTION 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement

SEC 2 A Superintendent of Public Instruction shall be elected by the qualified electors of the State at each gubernatorial election He shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election

SEC 3 The State Board of Education, on nomination of the Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction who shall be exempt from State civil service and whose terms of office shall be four years

This section shall not be construed as prohibiting the appointment, in accordance with law, of additional Associate Superintendents of Public Instruction subject to State civil service

SEC 4 A Superintendent of Schools for each county shall be elected by the qualified electors thereof at each gubernatorial election; provided, that the Legislature may authorize two or more counties to unite and elect one Superintendent for the counties so uniting

SEC 5 Notwithstanding any provision of this Constitution to the contrary, the Legislature shall prescribed the qualifications required of county superintendents of schools and shall fix their salaries, and for these purposes shall classify the several counties in the State

SEC 6 It shall be competent to provide in any charter framed for a county under any provision of this Constitution, or by the amendment of any such charter, for the election of the members of the county board of education of such county and for their qualifications and terms of office

SEC 7 The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established

SEC 8 Each person, other than a substitute employee, employed by a school district as a teacher or in any other position requiring certification qualifications shall be paid a salary which shall be at the rate of an annual salary of not less than twenty-four hundred dollars ($2,400) for a person serving full time, as defined by law.

The Public School System shall include all kindergarten schools, elementary schools, secondary schools, technical schools, and State colleges, established in accordance with law and, in addition, the school districts and the other agencies authorized to maintain them. No school or college or any other part of the Public School System shall be, directly or indirectly, transferred from the Public School System or placed under the jurisdiction of any authority other than one included within the Public School System.

The Legislature shall add to the State School Fund such other means from the revenues of the State as shall provide in said fund for apportionment in each fiscal year, an amount not less than one hundred and eighty dollars ($180) per pupil in average daily attendance in the kindergarten schools, elementary schools, secondary schools, and technical schools in the Public School System during the next preceding fiscal year

The entire State School Fund shall be apportioned in each fiscal year in such manner as the Legislature may provide, through the school districts and other agencies maintaining such schools, for the support of, and aid to, kindergarten schools, elementary schools, secondary schools, and technical schools except that there shall be apportioned to each school district in each fiscal year not less than one hundred twenty dollars ($120) per pupil in average daily attendance in the district during the next preceding fiscal year and except that the amount apportioned to each school district in each fiscal year shall be not less than twenty-four hundred dollars ($2,400).

Solely with respect to any retirement system provided for in the charter of any county or city and county pursuant to the provisions of which the contributions of, and benefits to, certificated employees of a school district who are members of such system are based upon the proportion of the salaries of such certificated employees contributed by said county or city and county, all amounts apportioned to said county or city and county, or to school districts therein, pursuant to the provisions of this section shall be considered as though derived from county or city and county school taxes for the support of county and city and county government and not money provided by the State within the meaning of this section.

The Legislature shall provide for the levying annually by the governing body of each county, and city and county, of such school district taxes, at rates not in excess of the maximum rates of school district tax fixed or authorized by the Legislature, as will produce in each fiscal year such revenue for each school district as the governing board thereof shall determine is required in such fiscal year for the support of all schools and functions of said district authorized or required by law.

SEC. 9. Nothing in this Constitution contained shall forbid the formation of districts for school purposes situate in more than one county or the issuance of bonds by such district under such general laws as have been or may hereafter be prescribed by the Legislature; and the officers mentioned in such laws shall be authorized to levy and assess such taxes and perform all such other acts as may be prescribed therein for the purpose of paying such bonds and carrying out the other powers conferred upon such districts, provided, that all such bonds shall be issued subject to the limitations prescribed in section eighteen of article eleven hereof.

SEC. 10 The Legislature shall provide for the appointment or election of the State Board of Education and a board of education in each county.

SEC. 11. The State Board of Education shall adopt textbooks for use in grades one through eight throughout the State, to be furnished without cost as provided by statute

SEC. 12. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools, nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State

SEC. 13. The Legislature shall have power, by general law, to provide for the incorporation and organization of school districts, high school districts, and community college districts, of every kind and class, and may classify such districts.

Second—That Article IX is repealed.

Third—That Article IX is added, to read:

ARTICLE IX

HIGHER EDUCATION

SECTION 1. The Legislature shall provide for and support public institutions of higher education.

SEC. 2 Community colleges are governed by locally elected boards The Legislature shall provide for a State community college board.

SEC 3. (a) The California State Colleges are a public trust administered by the Trustees, a corporation with full powers of organization and government subject only to the legislative control necessary to assure compliance with the terms of endowments and security of funds. The corporation has title to all property and has all powers necessary or convenient for effective administration of the trust, including the power to delegate

Sixteen Trustees are appointed by the Governor and approved by the Senate, a majority of the members concurring Terms of appointive Trustees are 12 years. A vacancy is filled for the remainder of the term One term begins March 1 each year except that 2 terms begin March 1 every 3d year

A Trustee may be removed from office for failing to attend at least 50 percent of the scheduled meetings of the Trustees in any two-year period, by a favorable two-thirds vote of the membership of the Trustees.

Meetings of the Trustees are open to the public, but exceptions and notice requirements shall be prescribed by statute.

The primary function of the California State Colleges is instruction. The Trustees may not award the doctoral degree unless authorized by the Legislature.

The Legislature may change the name "California State Colleges" by statute.

(b) The Select Commission on State College Trustees, which is hereby created, shall consist of the Chief Justice of the California Supreme Court, the President pro Tempore of the Senate, the Speaker of the Assembly, the chairman of the Trustees of the California State Colleges, the chairman of the statewide academic senate of the state colleges, a student representative appointed by the council of student body presidents of the state colleges, one public member appointed by the President pro Tempore of the Senate, and one public member appointed by the Speaker of the Assembly The Chief Justice of the California Supreme Court, or his designee, shall serve as chairman of the commission Each public member and the student representative shall serve at the pleasure of the appointing power

The Select Commission on State College Trustees shall recommend at least two but not more than four, persons to the Governor for appointment for each vacancy in the office of a Trustee appointed by the Governor pursuant to subdivision (a) of this section The Governor shall fill such vacancy only from the persons so recommended

SEC 4 (a) The University of California is a public trust administered by the Regents, a corporation with full powers of organization and government subject only to the legislative control necessary to assure compliance with the terms of endowments and security of funds The corporation has title to all property and has all powers necessary or convenient for effective administration of the trust, including the power to delegate The Regents shall receive all funds derived from sale of lands pursuant to Act of Congress of July 2, 1862 and amendatory acts

Sixteen Regents are appointed by the Governor and approved by the Senate, a majority of the members concurring Terms of appointive Regents are 12 years A vacancy is filled for the remainder of the term One term begins March 1 each year except that 2 terms begin March 1 every 3d year

A Regent may be removed from office for failing to attend at least 50 percent of the scheduled meetings of the Regents in any two-year period, by a favorable two-thirds vote of the membership of the Regents

Meetings of the Regents are open to the public, but exceptions and notice requirements shall be prescribed by statute

(b) The Select Commission on University Regents, which is hereby created, shall consist of the Chief Justice of the Supreme Court, the President pro Tempore of the Senate, the Speaker of the Assembly, the chairman of the Regents of the University of California, the chairman of the academic senate of the university, a student representative appointed by the council of student body presidents of the university, one public member appointed by the President pro Tempore

of the Senate, and one public member appointed by the Speaker of the Assembly. The Chief Justice of the California Supreme Court, or his designee, shall serve as chairman of the commission Each public member and the student representative shall serve at the pleasure of the appointing power.

The Select Commission on University Regents shall recommend at least two, but not more than four, persons to the Governor for appointment for each vacancy in the office of a Regent appointed by the Governor pursuant to subdivision (a) of this section The Governor shall fill such vacancy only from the persons so recommended

SEC. 5. Public institutions of higher education shall be kept free from political or sectarian influence in the administration of their affairs, including the selection of personnel, and in the appointment of Regents, Trustees, and board members Academic freedom and responsibility shall be assured.

Fourth—That Section 5 is added to Article XIII, to read

SEC 5. Property owned by the California School of Mechanical Arts, California Academy of Sciences, or Cogswell Polytechnical College, or held in trust for the Huntington Library and Art Gallery, or their successors, is exempt from taxation. The Legislature may amend or revoke any of these exemptions.

Fifth—That Article XIX is added, to read:

ARTICLE XIX

SCHEDULE

SECTION 1. Except for tax exemptions stated in Article XIII, the rights, powers, privileges, and confirmations conferred by Sections 10 and 15 of Article IX in effect on November 7, 1972, relating to Stanford University and the Huntington Library and Art Gallery, are continued in effect.

SEC. 2 Commencing March 1, 1974, Regents of the University of California and Trustees of the State Colleges shall be appointed in accordance with Article IX, Sections 3 and 4 Those already appointed shall complete their terms and, for this purpose only, the number of appointive Regents may exceed 16 until March 1, 1988 To fill vacancies created solely by transition to Article IX, Sections 3 and 4, the Governor may make interim appointments not to exceed 3 years. Interim appointees are not subject to Senate confirmation.

Sixth—That Section 16 of Article XX be amended to read·

SEC. 16. When the term of any officer or commissioner is not provided for in this Constitution, the term of such officer or commissioner may be declared by law; and, if not so declared, such officer or commissioner shall hold his position as such officer or commissioner during the pleasure of the authority making the appointment; but in no case shall such term exceed four years; provided, however, that in the case of any officer or employee of any municipality governed under a legally adopted charter, the provisions of such charter with reference to the tenure of office or the dismissal from office of any such officer or employee shall control; and provided further, that the term of office of any person heretofore or hereafter appointed to hold office or employment during good behavior under civil service laws of the State or of any political division thereof shall not be limited by this section.

~~The Legislature may provide terms of office for not to exceed eight years for the members of any state agency created by it in the field of public higher education which is charged with the management, administration, and control of the State College System of California.~~

And be it further resolved, That it is the intent of the Legislature that in the event Assembly Constitutional Amendment No. 67 of the 1972 Regular Session is approved by electors the provisions of the first resolved clause of this resolution which adds Article VIII to the Constitution of the state is repealed."

Amendment No. 3

On page 2, strike out lines 8 to 40, inclusive; and strike out all of pages 3 and 4.

Resolution ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 22, 1972

Mr Speaker The Chairman of your Committee on Education reports.

AB No 446

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 446—An act to amend Section 22601 of, and to add Section 22601.1 to, the Education Code, relating to the California State Colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 22601 of, and to add Section 22601.1 to," and insert "repeal Sections 22600, 22601, 22601.5, and 22602 of".

Amendment No. 2

In line 2 of the title, after "State", insert "University and".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 22601 of the Education Code is repealed.

~~22600. The California State University and Colleges shall be administered by a board designated as the Trustees of the California State University and Colleges, which is hereby created.~~

SEC. 2. Section 22601 of the Education Code is repealed.

~~22601. The board shall be composed of the following four ex officio members: the Governor, the Lieutenant Governor, the Superintendent of Public Instruction, and the person named by the trustees to serve as the Chancellor of the California State Colleges; and 16 appointive members appointed by the Governor and subject to confirmation by two-thirds of the Senate. The Speaker of the Assembly shall have the status of a legislative interim committee on the subject of the California State Colleges and shall meet with the board and participate in its work to the extent that such participation is not incompatible with his position as a Member of the Legislature.~~

SEC. 3 Section 22601 5 of the Education Code is repealed

~~22601 5. The term of the appointive trustees shall be eight years.~~

SEC. 4. Section 22602 of the Education Code is repealed.

~~22602. The expiration of a trustee's term of office as a member of the State Board of Education or any earlier vacancy in that office shall create a vacancy in his trusteeship, unless the term ascribed thereto by lot has already expired. In case of any vacancy on the board of trustees, the Governor shall appoint a successor for the balance of the term as to which such vacancy exists.~~ ''

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and on page 3, strike out lines 1 to 4, inclusive.

Amendment No. 5

On page 3, line 5, strike out ''SEC 3. Section 2 of the'', and insert ''SEC. 5. This''.

Amendment No. 6

On page 3, line 6, strike out ''No. ____'', and insert ''No. 36''.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 22, 1972

Mr. Speaker. The Chairman of your Committee on Water reports:

AB No. 743

AB No. 1643

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 743—An act to amend Section 8411 of, and to add Sections 8412, 8413, 8414, and 8414 2 to, the Water Code, relating to flood plain regulations

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, after the period, insert "The state shall not pay any of the cost of lands, easements, and rights-of-way associated with the flood control project as set forth in the project report of the federal agency unless flood plain regulations are adopted in accordance with the requirements of this chapter"

Amendment No. 2

On page 3, line 32, strike out "department or board", and insert "local flood control agency having jurisdiction over the project area".

Amendment No. 3

On page 3, line 35, strike out "department or board", and insert "local flood control agency".

Amendment No. 4

On page 4, line 6, strike out "area involved", and insert "project area".

Bill ordered reprinted, and to be re-referred to the Committee on Water

Assembly Bill No. 1643—An act to add Section 15 to the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relative to the Los Angeles County Flood Control District.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly May 10, 1972, strike out "Los Angeles", and strike out line 21, and insert "area annexed to the district pursuant to this section"

Amendment No. 2

On page 2, line 22, strike out "may", and insert "shall".

Amendment No. 3

On page 2, line 25, after "township 5", insert "north"

Bill ordered reprinted, and to be re-referred to the Committee on Water.

Rush Order Placed Upon Printing of Assembly Bill No. 2006

Mr Russell was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 2006, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2006 for hearing in the Committee on Governmental Organization, on Wednesday, May 23

VOTE CHANGES

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 974.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 974.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 763

Mr. Ralph was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
557	Health
599	Health
664	Agriculture
685	Judiciary
855	Judiciary
1452	Education

Senate Constitutional Amendment No.	*Committee*
72	Education

Senate Joint Resolution No.	*Committee*
16	Rules

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Powers:

House Resolution No. 56

Relative to the regulation of advertising practices by public utilities

WHEREAS, There has been considerable public criticism of the advertising programs of many public utilities in California, and

WHEREAS, This criticism is hereby found to be justified with regard to some of the advertising done by California utilities; and

WHEREAS, Excessive amounts of money collected from the ratepayers appear to be spent by some California public utilities on advertising; and

WHEREAS, Many of the individual advertising campaigns do not appear to be justified in terms of the benefits which accrue to the ratepayers from such campaigns, and

WHEREAS, The Public Utilities Commission has the authority to disallow unreasonable advertising expenditures from the total operating expenses which public utilities are permitted to recover from their ratepayers and thereby effectively stop such unreasonable and unjustified advertising, and

WHEREAS, The commission has exercised this authority in a generally satisfactory manner, and in recent rate cases particularly has shown evidence of becoming stricter in its allowance of advertising expenses; now, therefore, be it

Resolved by the Assembly of the State of California, That the Public Utilities Commission is urged to continue its strict regulation of advertising by public utilities and particularly that the commission include explicit findings on advertising in its decision in every major rate case; and be it further

Resolved, That the commission is urged to continue the downward pressure evident in recent cases on the overall level of advertising expenditures by public utilities; and be it further

Resolved, That the commission is urged to adopt the following guideline in its examination of individual advertising campaigns and to set strict standards in its interpretation of the guideline that advertising expenditures shall be allowed only if it is demonstrated, with the burden of demonstration on the public utility, that such expenditures produce substantial benefits for the ratepayers, and be it further

Resolved, That in its regulation of the advertising expenditures of public utilities the commission attempt to develop explicit guidelines and a consistent body of precedents on what constitutes a reasonable level of advertising expenditures and what constitutes advertising of substantial benefit to the ratepayers

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Powers and Moretti

House Resolution No. 57

Relative to the Public Utilities Commission

WHEREAS, The Assembly Committee on Commerce and Public Utilities has studied the subject of the estimating practices of household goods carriers, and

WHEREAS, The committee has found that the regulation of household goods carriers' estimates by the Public Utilities Commission prohibits charging less than certain minimum rates, but does not prohibit the making of estimates which do not reflect a proper application of those minimum rates; and

WHEREAS, The committee has found that this system of regulation actually encourages deliberate underestimating by some household goods carriers as a competitive practice; and

WHEREAS, The committee has also found, according to the carriers' own reports filed with the Public Utilities Commission, substantial underestimating did occur in 1969; and

WHEREAS, The committee has found that a system of regulation which encourages underestimation as a competitive practice, supported by statistical evidence of a widespread or deliberate underestimation, clearly demonstrates that a serious problem exists, and

WHEREAS, The Public Utilities Commission investigated this problem for 1½ years and came to the conclusion that "as a means of protecting the public the present estimating rule has proved to be worthless"; and

WHEREAS, The commission proceeded to issue a new rule effective April 1, 1972, which aims at resolving a problem related to the problem of underestimating as a competitive practice but which does not appear to have any direct effect on the problem of deliberate underestimating, and

WHEREAS, The best that the commission could say about the anticipated effect of the new rule on underestimating was that "hopefully, it will engender a desire on the part of carriers to be more accurate in estimating to avoid collection problems", and

WHEREAS, It appears that this new order may be a step in the right direction, but it does not go far enough in correcting prevailing abuses involving deliberate underestimating; now, therefore, be it

Resolved by the Assembly of the State of California, That the Public Utilities Commission is hereby requested to accumulate evidence involving its experience under its new estimating rules, to institute proceedings concerning the problem of deliberate underestimating by household goods carriers; and therefrom to develop regulations and orders which are designed to eliminate deliberate underestimating as a competitive practice; and be it further

Resolved, That the commission is requested to complete its investigation and to prepare and issue orders and regulations designed to eliminate deliberate underestimating by household goods carriers as a competitive practice by March 15, 1973.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

ASSEMBLY BILL NO. 93 WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Mr Brown was granted unanimous consent that Assembly Bill No 93 be withdrawn from the Committee on Ways and Means and placed upon the second reading file for the next legislative day

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 89: By Assemblyman Hayes—Approving amendments to the Charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on May 9, 1972

Referred by the Speaker pro Tempore to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT

Mr Brown was granted unanimous consent that Senate Bill No 50 be transmitted to the Senate at this time.

Hon. Frank Lanterman Presiding

At 3:18 p m., Hon. Frank Lanterman, 47th District, presiding

VOTE CHANGES

Mr. Lanterman was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Senate Bill No 50, and on the passage of the bill.

ADJOURNMENT

At 3:19 p.m., Acting Speaker Lanterman declared the Assembly adjourned until 9 30 a m., Tuesday, May 23, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-eighth Legislative Day

One Hundred Forty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, May 23, 1972

The Assembly met at 9:30 a.m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.

Motion carried. Time, 9 31 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 9:47 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Heavenly Father, We are all tempted at times to despise some members of our society. Help us to avoid this weakness. For if we despise another then we will never be able to make anything of him. Nothing that we despise in another is entirely absent in ourselves Do not let us expect from others more than we are willing to do ourselves, but let us try and understand all with love in our hearts —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Russell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Deddeh, seconded by Mr. Hayden.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Bee, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton.
Mr. Ralph, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Brophy, on request of Acting Speaker Fenton.

NOTICE OF INTENTION TO INTRODUCE BILL

The following notice of intention to introduce a bill, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 23, 1972

Mr. Speaker: In accordance with the provisions of Joint Rule No. 8.3, I give notice of my intention to introduce a bill. The bill and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed.

Digest of Bill

Requires each beekeeper, apiary owner, apiary operator, or the person in possession of any apiary to pay to the Director of Agriculture a prescribed annual assessment fee, which is required to be used for designated purposes. Provides for penalty for failure to pay such a fee within a designated time period.

Establishes the Apiary Board, with prescribed membership, power, and duties, which is required to be advisory to the director on all matters relating to the beekeeping industry and which is authorized to make recommendations on all matters affecting the activities of the Department of Agriculture in relation to the beekeeping industry. Authorizes the director to appoint the Apiary Projects Leader as the secretary of the board

Vote—Majority; Appropriation—Yes, Fiscal Committee—Yes.

ERNEST A MOBLEY

Above notice of intention to introduce a bill, copy of the bill, and digest ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
153	Local Government
293	Local Government
369	Retirement
389	Revenue and Taxation
706	Local Government
854	Criminal Justice
967	Local Government
1143	Health
1282	Judiciary

Senate Concurrent Resolution No.	*Committee*
43	Water

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 90: By Assemblyman MacDonald—Relative to drinking water supplies.

Held at Desk by order of the Acting Speaker

COMMUNICATIONS

Assembly Chamber May 22, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 83—Relative to commemorating the Shriners' 100th anniversary and to proclaiming the week of May 8, 1972, Centennial Shrine Week;

And reports the same correctly enrolled, and presented to the Secretary of State on the 22nd day of May, 1972, at 1 30 p m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 146—An act to add Sections 6508 5 and 6509 to, and to amend Section 18358 of, the Education Code, relating to special schools and classes, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 1.30 p m , May 22, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 23, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 488	AB No 1611
AB No 918	AB No 1737

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 784	AB No 1962
AB No. 1556	AB No 2320
AB No. 1698	

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1075

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 85

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 23, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

AB No. 1072 AB No 1598
AB No 1250 AB No 2156

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 18, 1972

Mr Speaker Your Committee on Rules reports:

ACR No 66

With the recommendation Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Finance and Insurance

Assembly Chamber, May 17, 1972

Mr Speaker Your Committee on Finance and Insurance reports·

AB No 675
AB No 862

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

PIERSON, Chairman

Above bills ordered to second reading.

Committee on Welfare

Assembly Chamber, May 22, 1972

Mr Speaker Your Committee on Welfare reports:

SB No 42

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, May 22, 1972

Mr Speaker Your Committee on Welfare reports:

AB No 1896

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Welfare reports:

AB No. 1391

With amendments with the recommendation. Amend, and do pass, as amended

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1743

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1743—An act to add Article 5 (commencing with Section 7300) to Chapter 10 of Division 2 of the Financial Code, relating to savings and loan associations

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert

"7300 Every association shall, within three years from the effective date of this section, file notice with the commissioner of the census tracts within which it actively extends mortgage capital or loans and shall, annually after such filing, file notice with the commissioner, of any additional census tracts then actively served.

7301. No association shall withdraw residential".

Amendment No. 2

On page 1, line 8, strike out "area within", and insert "census tract with respect to".

Amendment No. 3

On page 1, line 9, strike out "is authorized to operate by its charter or any law", and insert "has given notice pursuant to Section 7300".

Amendment No. 4

On page 2, line 2, strike out "7301", and insert "7302".

Amendment No. 5

On page 2, line 4, strike out "area", and insert "census tract with respect to which it has given notice pursuant to Section 7300".

Amendment No. 6

On page 2, line 5, strike out "of capital".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 22, 1972

Mr Speaker The Chairman of your Committee on Labor Relations reports

AB No 2028

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2028—An act to add Chapter 10 (commencing with Section 3500) to Division 4 of Title 1 of, and to repeal Chapter 10 (commencing with Section 3500) and Chapter 10 5 (commencing with Section 3525) of Division 4 of Title 1 of, the Government Code, relating to public employer-employee relations

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 4 of the printed bill, in line 33, after "the", insert "primary".

Amendment No. 2

On page 4, strike out lines 37 to 40, inclusive, and on page 5, strike out lines 1 to 4, inclusive, and insert

"(k) "Employer" or "public employer" means the State of California or any political subdivision of the state, including, without limitation, any town, city, county, borough, district, school board, board of regents, social service or welfare agency, public and quasi-public corporation, housing authority or other authority of a public agency established by law, and any person or persons designated by the employer to act in its interest in dealing with employees "

Amendment No. 3

On page 5, line 6, after "certification", strike out "of", and insert "by".

Amendment No. 4

On page 5, strike out lines 29 to 33, inclusive.

Amendment No. 5

On page 5, line 34, strike out "(r)", and insert "(q)".

Amendment No. 6

On page 5, line 38, strike out "(s)", and insert "(r)".

Amendment No. 7

On page 6, line 6, strike out "(t)", and insert "(s)".

Amendment No. 8

On page 6, strike out lines 11 to 17, inclusive.

Amendment No. 9

On page 6, line 18, strike out "(v)", and insert "(t)".

Amendment No. 10

On page 6, line 24, strike out "(w)", and insert "(u)".

Amendment No. 11

On page 6, line 28, strike out "(x)", and insert "(v)".

Amendment No. 12

On page 6, line 29, strike out "(a)", and insert "(i)".

Amendment No. 13

On page 7, line 3, strike out "(b)", and insert "(ii)".

Amendment No. 14

On page 7, line 7, strike out "(y)", and insert "(w)".

Amendment No. 15

On page 7, line 12, strike out "(z)", and insert "(x)".

Amendment No. 16

On page 7, line 15, strike out "(aa)", and insert "(y)".

Amendment No. 17

On page 7, line 25, strike out "(bb)", and insert "(z)".

Amendment No. 18

On page 7, line 27, strike out "(cc)", and insert "(aa)".

Amendment No. 19

On page 7, strike out lines 29 to 40, inclusive; and on page 8, strike out line 1, and insert

"3503. Employees shall have the right of self-organization, the right to form, join, or assist any employee organization of their own choosing, and to bargain for wages, hours, terms and conditions of employment. They shall have the right to engage in lawful concerted activities free from restraint or coercion of any kind

Employees shall likewise have the right to refrain from any such activities or organizations except to make payment of such service fees as are provided for exclusive representation or when agreements require membership in such organization as a condition of employment."

Amendment No. 20

On page 8, strike out lines 2 to 18, inclusive, and insert

"3504. An employer must check off dues when so authorized by an employee, except that, if there is an exclusive representative, the employer cannot honor checkoff authorization from any employee organization other than the exclusive representative. Employers may also deduct any other moneys as the employee shall designate and authorize if such deductions do not conflict with conditions of this chapter."

Amendment No. 21

On page 8, strike out lines 30 and 31, and insert

"The board may appoint mediators to attempt to resolve disputes between employers and employee organizations."

Amendment No. 22

On page 9, line 9, strike out "mediators", and insert "factfinders and".

Amendment No. 23

On page 9, line 10, strike out ", etc.", and insert a period.

Amendment No. 24

On page 9, line 20, after "board", insert ", with consideration for the history of collective bargaining and the desires of employees,".

Amendment No. 25

On page 10, line 22, strike out "majority vote", and insert "a majority of valid votes cast".

Amendment No. 26

On page 10, line 27, after "votes", insert "cast".

Amendment No. 27

On page 12, strike out lines 13 to 25, inclusive, and insert

"3510. Written agreements shall be subject to ratification of the employees involved unless such requirement is waived by the employees. All such agreements shall be reduced to writing and be executed by both parties. Such agreements may, but are not required to, include impasse procedures which lead to final and binding arbitration. If an organization's constitution or bylaws require ratification of agreements, then such ratification shall be sought from members only. Agreements which require ratification cannot become effective until ratification is received. Suits for violation of contracts between parties shall be brought in the appropriate court. Parties shall make an honest effort to act within the legislative session so that the Legislature may approve or disapprove promptly."

Amendment No. 28

On page 12, strike out lines 38 to 40, inclusive, and insert

"Any provisions of an agreement which do not require legislative approval may be effected upon consent of parties."

Amendment No. 29

On page 13, strike out lines 8 to 16, inclusive, and insert

"Contracts are enforceable in court Contracts in force at time this chapter becomes effective which conflict with this chapter but are not otherwise illegal remain in force until the expiration date. However, voluntary discontinuance of such agreements may occur after the effective date of this chapter."

Amendment No. 30

On page 13, line 19, strike out "interpretation or application of agreement", and insert "a contract".

Amendment No. 31

On page 13, line 24, after "to", insert "an".

Amendment No. 32

On page 13, line 25, strike out "and", and insert "in a".

Amendment No. 33

On page 13, line 27, strike out "statements of issues in good faith", and insert ", in good faith, statements of issues".

Amendment No. 34

On page 13, strike out lines 32 to 37, inclusive, and insert

"(b) After 15 days of impasse, the board shall submit to both parties seven names from a list of available factfinders who shall be qualified, disinterested persons. Each party shall alternately strike three names and the remaining person shall be the factfinder He is empowered to make recommendations and a factual study within 10 days of selection If an impasse still exists five days after such submission, facts shall be made public information. The cost of factfinding shall be borne by the board."

Amendment No. 35

On page 15, strike out lines 2 to 35, inclusive, and insert

"3512 (a) Strikes are illegal for workers not included in a certified unit, for workers in a unit which have not fully utilized procedures for the resolution of disputes, and during collective bargaining

(b) Workers may strike if all good faith procedures have been complied with, if proceedings for prevention of prohibited action have been exhausted, if there has been a 60-day cooling-off period, and if 10 days' notice has been given.

(c) The board may set conditions for strike in such cases as are deemed crucial to public safety The board may also rule that an impending strike is illegal "

Amendment No. 36

On page 16, line 6, strike out "(a)", and insert

"(A)".

Amendment No. 37

On page 16, line 8, strike out "(b)", and insert "(B)".

Amendment No. 38

On page 16, line 39, strike out "coersive", and insert "coercive".

Amendment No. 39

On page 16, line 40, strike out "(a)", and insert "(A)".

Amendment No. 40

On page 17, line 2, strike out "(b)", and insert "(B)".

Amendment No. 41

On page 17, strike out lines 4 to 10, inclusive.

Amendment No. 42

On page 18, line 34, strike out "2547", and insert "254".

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

MESSAGES FROM THE SENATE

Senate Chamber, May 22, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 97	AB No 664	AB No 872
AB No 373	AB No 827	AB No. 893
AB No. 603	AB No 828	AB No 1078

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, May 22, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted·

ACR No. 28

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, May 22, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day passed·

SB No 9	SB No 576	SB No 1045
SB No 168	SB No 927	SB No 1076
SB No 187	SB No 932	SB No 1149
SB No 198	SB No 958	SB No 1276
SB No 300	SB No 1034	SB No 1485
SB No. 459		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, May 22, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 67

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 9—An act to amend Sections 29530 and 29532 of the Government Code, to amend Sections 99240, 99267, and 99305 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, and 7264 of, and to add Sections 6357 1, 6357 2, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Senate Bill No. 168—An act to add Section 72602 15 to the Government Code, relating to Los Angeles County Municipal Courts

Held at Desk by order of the Acting Speaker

Senate Bill No. 187—An act to amend Section 3106 of the Education Code, relating to school district unification and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Senate Bill No. 198—An act to add Article 8 5 (commencing with Section 1075) to Chapter 3 of Division 4 of the Education Code, relating to scholarship and loan funds

Held at Desk by order of the Acting Speaker.

Senate Bill No. 300—An act to amend Sections 74502, 74503, 74504, and 74507 of the Government Code, relating to municipal courts

Held at Desk by order of the Acting Speaker

Senate Bill No. 459—An act to amend Sections 74002, 74003, 74004, and 74005 of the Government Code, relating to courts

Held at Desk by order of the Acting Speaker

Senate Bill No. 576—An act to amend Section 11003 4 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 927—An act to amend Section 16402 of the Education Code, relating to school district property

Held at Desk by order of the Acting Speaker.

Senate Bill No. 932—An act to amend Sections 15961 and 15962 of, and to add Section 15962.5 to, the Education Code, relating to school district contracts

Held at Desk by order of the Acting Speaker

Senate Bill No. 958—An act to amend Sections 71254 and 71540 of the Water Code, relating to municipal water districts

Held at Desk by order of the Acting Speaker

Senate Bill No. 1034—An act to amend Section 16056 of the Vehicle Code, relating to financial responsibility.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1045—An act to amend Section 112 of the Code of Civil Procedure, relating to justice courts

Held at Desk by order of the Acting Speaker

Senate Bill No. 1076—An act to authorize the transfer of lands, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker

Senate Bill No. 1149—An act to add Article 11 (commencing with Section 28070) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles

Held at Desk by order of the Acting Speaker

Senate Bill No. 1276—An act to amend Section 2760 of the Business and Professions Code, relating to nurses

Held at Desk by order of the Acting Speaker

Senate Bill No. 1485—An act to amend Section 6011 of the Education Code, relating to outdoor science programs, and declaring the urgency thereof, to take effect immediately

Referred by the Acting Speaker to the Committee on Education

Senate Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (m) of Section 4 of Article XXIV thereof, relating to state civil service

Held at Desk by order of the Acting Speaker

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1449

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1449 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 1698, 1611, 1275, 1556, 488, 784, 1400, and **1819,** ordered to third reading.

Assembly Bills Nos. 666, 1061, 1737, 2320, 918, 1962, and **799,** ordered to the Consent Calendar

---

NOTE. Later this day Assembly Bill No 918 was re-referred to the Committee on Ways and Means

---

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2089—An act to amend Section 11450 of the Welfare and Institutions Code, relating to foster home care

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Welfare, was read, and adopted

Amendment No. 1

On page 3, of the printed bill, as amended in Assembly April 19, 1972, strike out lines 4 to 8, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1288—An act to add Chapter 1 5 (commencing with Section 1870) to Part 7 of Division 2 of the Labor Code, relating to labor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted

Amendment No. 1

On page 12, line 30, of the printed bill, after "origin", insert ", age".

Amendment No. 2

On page 12, line 37, after "origin", insert ", age".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1681—An act to add Section 11019 to the Welfare and Institutions Code, relating to public assistance

Bill read second time, and ordered to third reading.

Assembly Bill No. 1541—An act to amend Section 8 of the Health and Safety Code, relating to writings.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted.

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Assembly April 26, 1972, strike out "speaks", and insert "reads"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1187—An act to amend, repeal, and add Sections 6316 and 6326 of the Welfare and Institutions Code, relating to mental health

Bill read second time, and ordered to third reading

Assembly Bill No. 1932—An act to amend Section 14104 3 of the Welfare and Institutions Code, relating to health care services

Bill read second time, and ordered to third reading

Assembly Bill No. 615—An act to add Section 120 5 to the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 17, 1972, between lines 11 and 12, insert

"The contents of each newsletter shall be subject to the approval of the director."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 826—An act to add Section 18745 5 to the Business and Professions Code, relating to professional boxing

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1972 strike out "Section 18745 5", and insert "Sections 18745 5 and 18745 6".

Amendment No. 2

On page 1, line 3, after "who", insert "intentionally".

Amendment No. 3

On page 1, lines 5 and 6, strike out ", whether intentionally or accidentally,".

Amendment No. 4

On page 2 after line 14, insert

"SEC 2 Section 18745 6 is added to the Business and Professions Code to read

18745 6 Referees of boxing contests shall enforce the rules and regulations of the commission The commission shall, pursuant to the

authority given it in Sections 18672, 18673, 18681, 18682.5 and 18682.6, discipline referees of boxing contests who fail to enforce the commission's rules and regulations ''

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2341—An act to add Article 3.5 (commencing with Section 8574.1) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to the state oil spill contingency plan, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, in line 21, strike out ''If the'', strike out lines 22 to 26, inclusive, and in line 27, strike out ''responsible, expenditures'', and insert ''Expenditures''.

Amendment No. 2

On page 2, line 32, after the period, insert ''If the party responsible for the spill is identified, that party shall be liable for the expenditures accounted for under this section, in addition to any other liability which may be provided for by law, in an action brought by the Attorney General. The proceeds from any such action shall be paid into the State Water Pollution Cleanup and Abatement Account of the State Water Quality Control Fund ''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2334—An act to add Section 19653 to the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, between lines 12 and 13, insert

''Further, the ballot for the election held for the purpose of forming the new union elementary school district shall contain a statement to the effect that approval of unionization shall be deemed to constitute a consent on behalf of the newly formed union district to accept, expend, and repay apportionments under the State School Building Aid Law to the extent that the former authorization for apportionments has not been utilized ''

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1706—An act to amend Sections 924.1 and 924.2 of the Penal Code, relating to grand juries.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 924.1 and 924.2 of", and insert "add Section 924.4 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 924.4 is added to the Penal Code, to read:

924.4 If no indictment is returned, the court that impaneled the grand jury shall, upon application of either party, order disclosure of all or part of the testimony of a witness before the grand jury to a defendant and the prosecutor in connection with any pending or subsequent criminal proceeding before any court if the court finds, following an in camera hearing, which shall include the court's review of the grand jury's testimony, that the testimony is relevant and that granting the order would not substantially frustrate justice."

Amendment No. 3

On page 1, strike out lines 2 to 4, inclusive, and strike out page 2.

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 93—An act to add Section 39297.5 to the Health and Safety Code, relating to air pollution

Bill read second time, and ordered to third reading

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file.

Senate Bill No. 230, ordered to third reading

Senate Bill No. 762, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 373—An act to amend Section 11457 of the Welfare and Institutions Code, relating to needy children

Bill read second time, and ordered to the Consent Calendar

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO 2074

Mr Brown was granted unanimous consent to rescind the action whereby the report of the Committee on Ways and Means relative to Assembly Bill No 2074 was received and read in the Assembly on May 22, 1972, and whereby the bill was read a second time, author's amendments to the bill read and adopted, and the bill ordered reprinted, and to be re-referred to the Committee on Ways and Means (Assembly Journal, pages 3723–3728).

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1300 for hearing in the Committee on Ways and Means, on Wednesday, May 24.

COMMUNICATIONS

Assembly Chamber, May 23, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 1187
AB No 1681
AB No. 1932

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file

Assembly Bill No. 470, on request of Mr Brown

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1089—An act to add Section 422 5 to the Government Code, relating to the state reptile

Bill read third time, and passed by the following vote·

AYES—Arnett, Beverly, Biddle, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wood, and Mr Speaker—46

NOES—Miller—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 900—An act to add Sections 13922 5 and 14105 6 to the Welfare and Institutions Code, relating to medical assistance.

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Cullen moved a call of the Assembly

Motion carried Time, 10 07 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr MacDonald was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 346—An act to amend Section 3002 of the Fish and Game Code, and to amend Section 653o of the Penal Code, relating to sea mammals

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 346?

Senate Amendments of April 6, 1972

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Ryan", and insert "Assemblymen Ryan and LaCoste".

Amendment No. 2

In line 2 of the title, strike out "add Section 653j to", and insert "amend Section 653o of"

Amendment No. 3

In line 2 of the title, strike out "whales", and insert "sea mammals".

Amendment No. 4

On page 2, strike out lines 1 to 19, inclusive, and insert

"SEC 2 Section 653o of the Penal Code is amended to read

653o It is unlawful to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of any alligator, crocodile, polar bear, leopard, ocelot, tiger, cheetah, jaguar, sable antelope, wolf (Canus lupus), zebra, whale, cobra, python, sea turtle, colobus monkey, kangaroo, vicuna, sea otter, free roaming feral horse, *dolphin, porpoise*, or Spanish lynx

~~Violation of this section constitutes a misdemeanor.~~

Any person who violates any provision of this section is guilty of a misdemeanor and shall be subject to a fine of not less than one thousand dollars ($1,000) and not to exceed five thousand dollars ($5,000) or imprisonment in the county jail for not to exceed six months, or both such fine and imprisonment, for each violation "

Amendment No. 5

On page 2, line 22, strike out "whale", and insert "dolphin or porpoise".

Senate Amendments of May 9, 1972

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in Senate April 6, 1972, strike out ", porpoise," and insert "or porpoise (Delphinidae),".

Amendment No. 2

On page 3, line 7, after "porpoise", insert "(Delphinidae)".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Beverly, Biddle, Briggs, Brown, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Duffy, Fenton, Foran, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Thomas, Warren, Wood, and Mr. Speaker—44.

NOES—None

Above bill ordered enrolled.

Hon. Mike Cullen Presiding

At 10 10 a.m., Hon. Mike Cullen, 44th District, presiding

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 64—Relative to increased retirement benefits for members of the Public Employees' Retirement System

Resolution read, and adopted.

Resolution ordered transmitted to the Senate

Assembly Bill No. 1082—An act to add Section 17500.3 to the Business and Professions Code, relating to home solicitation

Bill read third time, and passed by the following vote:

AYES—Arnett, Beverly, Biddle, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, and Wood—51

NOES—None

Bill ordered transmitted to the Senate

Majority Floor Leader Presiding

At 10 12 a.m., Hon. Jack R. Fenton, 51st District, presiding

Assembly Bill No. 907—An act to amend Section 167.10 of the Estero Municipal Improvement District Act (Chapter 82 of the Statutes of 1960, First Extraordinary Session) relating to the Estero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Ryan moved a call of the Assembly

Motion carried Time, 10 14 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1426—An act to add Section 13969 1 to the Education Code and Section 20365 to the Government Code, relating to retirement

Bill read third time, and passed by the following vote·

AYES—Arnett, Beverly, Biddle, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—54

NOES—None

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 907

At 10 15 a m , on motion of Mr Ryan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Assembly Bill No 907 adopted by the following vote

AYES—Arnett, Beverly, Biddle, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Me-

Alister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Beverly, Biddle, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2021—An act to amend Section 21155 of the Government Code, relating to retirement

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—55

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 328—An act to amend Section 11552 of the Business and Professions Code, relating to subdivision maps.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. MacDonald moved a call of the Assembly

Motion carried Time, 10·17 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 906—An act to amend Section 13¾ of, and to repeal Sections 13¼ and 13½ of, the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—58

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No 2180—An act to amend Section 25445 5 of the Education Code, relating to community colleges

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 900

At 10 20 a m , on motion of Mr Cullen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 900 passed by the following vote

AYES—Arnett, Barnes, Biddle, Brown, Burton, Chappie, Collier, Conrad, Cory, Cullen Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor Knox, LaCoste, MacDonald Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Porter, Quimby, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Warren, Wood, and Mr Speaker—43

NOES—Lanterman Lewis, and Stull—3

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 328

At 10 21 a m, on motion of Mr MacDonald, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 328 passed by the following vote·

AYES—Arnett, Barnes, Beverly, Biddle, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Thomas, Warren, Wood, Z'berg, and Mr Speaker—41

NOES—Chappie, Cullen, Duffy, Ketchum, Lewis, Murphy, Russell, Stacey, and Stull—9

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1084—An act to amend Sections 24225, 24226, 24295, 24297, 24299, 24300, 24301, 24312 24313, 24314, 24357, 24357.1, 24365.6, 24365 8, 24365.10, 24367 2, 24367 3, 24367 4, 24367 11, 39420, 39421, 39474, 39476, 39478, 39480, 39492, 39493, and 39494 of, and to add Sections 24314 1, 24321 1, 24367 12, 24367 13, 39494 1, and 39500 1 to, the Health and Safety Code, relating to air pollution

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—59

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 579—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution.

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wood, Z'berg, and Mr Speaker—59

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 580—An act to add Sections 39079, 39079 5, and 39276 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—63.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 708—An act to add Article 4 (commencing with Section 5055) to Chapter 1 of Division 5 of the Public Resources Code, relating to nonmotorized travelers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr Speaker—59

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1754—An act to amend Section 4110 of, and to repeal Section 4132 of, the Penal Code, relating to county industrial farms

Bill read third time and passed by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves,

Leroy F Greene, Hayden, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Ketchum and Lewis—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 2099—An act to amend Section 1181 of the Penal Code, relating to criminal procedure

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 960 for hearing in the Committee on Ways and Means, on Wednesday, May 24

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 755—An act to amend Section 34272 of the Health and Safety Code, relating to housing

Bill read third time, and passed by the following vote

AYES—Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Chappie, Collier, Conrad Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1405—An act to amend Section 29000 of the Financial Code, and to amend Section 673 of the Insurance Code, relating to premium financing

Bill read third time, and passed by the following vote:

AYES—Barnes, Belotti, Beverly, Biddle, Briggs Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh,

Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAllister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 352—An act to amend Sections 53856 and 53858 of, and to add Section 53859 and to add and repeal Section 53859 5 to, the Government Code, relating to temporary borrowing and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Ray E. Johnson.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 95

Mr Moretti was granted unanimous consent to take up Assembly Constitutional Amendment No 95, temporarily passed on file, out of order, for purpose of consideration at this time

Consideration of Assembly Constitutional Amendment No. 95

Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, Section 7, subdivision (c) of Section 8, Section 10, Section 11, subdivisions (a) and (c) of Section 12, and subdivision (b) of Section 23 of Article IV, amending Sections 3 and 8 of Article V, amending Section 20 of Article XX, and adding Section 9 to Article XXII thereof, relating to the Legislature

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivary, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Biddle, Burke, Ketchum, MacDonald, Moorhead, Murphy, Russell, and Stull—8

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1814—An act to amend Section 1256 of the Unemployment Insurance Code, relating to unemployment insurance

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Vasconcellos was granted unanimous consent that a photographer be permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1350—An act to add Section 20606 to the Government Code, relating to Public Employees Retirement System

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Beverly, Biddle, Briggs, Brown Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

Hon. Joe A. Gonsalves Presiding

At 10 55 a m , Hon Joe A Gonsalves, 66th District, presiding

Assembly Bill No. 125—An act to amend Sections 11580 2, 11620, and 11622 of, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1 5 (commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code relating to motor vehicle insurance

Bill read third time, and presented by Mr Fenton

Motion to Amend by Mr. Foran

Mr Foran moved the adoption of the following amendment:

Amendment No. 1

On page 26 of the printed bill, as amended May 11, 1972, in line 34, strike out "one thousand dollars ($1,000)", and insert "five hundred dollars ($500)".

Amendment read

Roll Call Demanded

Messrs Foran, McCarthy, and Fenton demanded a roll call

The roll was called, and the amendment refused adoption by the following vote

AYES—Beverly, Chacon, Crown, Foran, Harvey Johnson, Knox, Maddy, McAlister, McCarthy, Meade, Miller, Powers, Sieroty, Warren, Waxman, and Z'berg—16

NOES—Arnett, Barnes, Belotti, Biddle, Briggs, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Mobley, Moorhead, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Wilson, Wood, and Mr Speaker—43

Motion to Amend by Mr. Z'berg

Mr Z'berg moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "add Article 1 5"; and strike out line 4; and in line 5, strike out "3", and insert "repeal Section 17158".

Amendment No. 2

On page 19, line 22, after "11909 ", insert "(a)".

Amendment No. 3

On page 19, between lines 28 and 29, insert

"(b) Notwithstanding any other provision of law, basic loss insurance benefits payable under this chapter to an injured person shall be paid regardless of any sick leave with pay to which such person might be entitled from his employment. Neither the receipt of basic loss insurance benefits nor the receipt of sick leave with pay shall affect an injured person's right to receive either such benefit."

Amendment No. 4

On page 28, between lines 12 and 13, insert

"Article 7.5 Comparative Negligence

11960. (a) Notwithstanding Section 1714 of the Civil Code, contributory negligence shall not bar recovery in any action brought by a person or his personal representative to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle if the contributory negligence which is attributed to the person is not as great as the negligence of the defendant. Any damages awarded the person or his personal representative shall be reduced in proportion to the amount of the contributory negligence which is attributed to the person.

(b) Except as otherwise provided in subdivision (a), the defenses of contributory negligence and assumption of risk and the doctrine of last clear chance shall not apply to any action to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle."

Amendment No. 5

On page 30, line 29, after "SEC. 5 ", insert "Section 17158 of the Vehicle Code is repealed

~~17158. No person riding in or occupying a vehicle owned by him and driven by another person with his permission and no person who as a guest accepts a ride in any vehicle upon a highway without giving compensation for such ride, nor any other person, has any right of action for civil damages against the driver of the vehicle or against any other person legally liable for the conduct of the driver on account of personal injury to or the death of the owner or guest during the ride, unless the plaintiff in any such action establishes that the injury or death proximately resulted from the intoxication or willful misconduct of the driver.~~

SEC. 6 "

Amendments read.

Request for Division of Question

Mr. Z'berg asked for a division of the question on the amendments offered by him to Assembly Bill No. 125, as follows

1. That Amendment No. 3 be considered as a separate question
2. That Amendment No. 4 be considered as a separate question
3. That Amendment No. 5 be considered as a separate question

Ruling by Acting Speaker

Acting Speaker Gonsalves ruled that the amendments are divisible as requested.

Consideration of Question 1—Z'berg Amendments
Amendment No. 3

On page 19, between lines 28 and 29, insert

"(b) Notwithstanding any other provision of law, basic loss insurance benefits payable under this chapter to an injured person shall be paid regardless of any sick leave with pay to which such person might be entitled from his employment Neither the receipt of basic loss insurance benefits nor the receipt of sick leave with pay shall affect an injured person's right to receive either such benefit."

Amendment No. 3 Withdrawn

Mr Z'berg was granted unanimous consent that Amendment No. 3 of the amendments offered by him to Assembly Bill No. 125 be withdrawn.

Consideration of Question 2—Z'berg Amendments
Amendment No. 4

On page 28, between lines 12 and 13, insert

"Article 7 5. Comparative Negligence

11960 (a) Notwithstanding Section 1714 of the Civil Code, contributory negligence shall not bar recovery in any action brought by a person or his personal representative to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle if the contributory negligence which is attributed to the person is not as great as the negligence of the defendant Any damages awarded the person or his personal representative shall be reduced in proportion to the amount of the contributory negligence which is attributed to the person

(b) Except as otherwise provided in subdivision (a), the defenses of contributory negligence and assumption of risk and the doctrine of last clear chance shall not apply to any action to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle "

Amendment read, and refused adoption by the following vote:

AYES—Beverly, Burton, Chacon, Collier, Crown, Cullen, Foran, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Powers, Ryan, Sieroty, Warren, Waxman, and Z'berg—20

NOES—Arnett, Badham, Belotti, Biddle, Briggs, Burke, Chappie, Cline, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, and Mr. Speaker—42.

Consideration of Question 3—Z'berg Amendments

Amendment No. 5

On page 30, line 29, after "SEC. 5.", insert "Section 17158 of the Vehicle Code is repealed.

~~17158. No person riding in or occupying a vehicle owned by him and driven by another person with his permission and no person who as a guest accepts a ride in any vehicle upon a highway without giving compensation for such ride, nor any other person, has any right of action for civil damages against the driver of the vehicle or against any other person legally liable for the conduct of the driver on account of personal injury to or the death of the owner or guest during the ride, unless the plaintiff in any such action establishes that the injury or death proximately resulted from the intoxication or willful misconduct of the driver.~~

SEC. 6."

Amendment read, and refused adoption by the following vote:

AYES—Burton, Chacon, Crown, Cullen, Duffy, Foran, Knox, McAlister, McCarthy, Meade, Miller, Powers, Sieroty, Warren, Waxman, and Z'berg—16.

NOES—Arnett, Badham, Biddle, Briggs, Burke, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—42.

Amendments Nos. 1 and 2 Withdrawn—Z'berg Amendments

Mr. Z'berg was granted unanimous consent that Amendments Nos. 1 and 2 of the amendments offered by him to Assembly Bill No. 125 be withdrawn.

Motion to Amend by Mr. Burton

Mr. Burton moved the adoption of the following amendments.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 11, 1972, after "add", insert "Section 661.2 to, and".

Amendment No. 2

Strike out lines 3 and 4 of the title, and in line 5, strike out "3 of the Vehicle Code", and insert "of Division 2 of, the Insurance Code".

Amendment No. 3

On page 2, line 1, after "SECTION 1", insert "Section 661.2 is added to the Insurance Code, to read:

661.2. Notwithstanding any other provision of this article, a notice of nonrenewal of a policy of basic loss insurance, as specified in Chapter 5 (commencing with Section 11890) of Part 3 of Division 2, shall be effective only if it is based on one or more of the following reasons:

(a) Nonpayment of premium.

(b) The driver's license or motor vehicle registration of the named insured or of any other operator who either resides in the same household or customarily operates an automobile insured under the policy has been under suspension or revocation during the policy period, or during the policy period or the 180 days immediately preceding its effective date.

SEC. 2."

Amendment No. 4

On page 9, line 28, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 10, line 14, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 6

On page 10, line 32, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 7

On page 13, between lines 21 and 22, insert

"(c) Commencing January 1, 1975, each insurer issuing or renewing a policy of basic loss insurance covered by this chapter shall reduce the premium charge for that portion of the premium for such policy attributable to the basic loss coverage by 45 percent from the rate charged therefor immediately prior to January 1, 1974."

Amendment No. 8

On page 30, line 29, strike out "SEC. 5", and insert "SEC. 6".

Amendments read.

Request for Division of Question

Mr. Burton asked for a division of the question on the amendments offered by him to Assembly Bill No. 125, as follows:

1. That Amendment No. 3 be considered as a separate question.
2. That Amendment No. 7 be considered as a separate question.

Ruling by Acting Speaker

Acting Speaker Gonsalves ruled that the amendments are divisible as requested.

Consideration of Question 1—Burton Amendments

Amendment No. 3

On page 2, line 1, after "SECTION 1.", insert "Section 661.2 is added to the Insurance Code, to read:

661.2. Notwithstanding any other provision of this article, a notice of nonrenewal of a policy of basic loss insurance, as specified in Chapter 5 (commencing with Section 11890) of Part 3 of Division 2, shall be effective only if it is based on one or more of the following reasons:

(a) Nonpayment of premium.

(b) The driver's license or motor vehicle registration of the named insured or of any other operator who either resides in the same household or customarily operates an automobile insured under the policy

has been under suspension or revocation during the policy period, or during the policy period or the 180 days immediately preceding its effective date.

SEC. 2."

Amendment read, and refused adoption by the following vote:

AYES—Burton, Chacon, Crown, Davis, Deddeh, Dunlap, Foran, Karabian, Knox, LaCoste, Maddy, McAlister, McCarthy, Meade, Miller, Sieroty, Warren, Waxman, Wilson, and Z'berg—20

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Cline, Collier, Conrad, Cory, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Lanterman, MacDonald, MacGillivray, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wood, and Mr. Speaker—39.

Consideration of Question 2—Burton Amendments

Amendment No. 7

On page 13, between lines 21 and 22, insert

"(c) Commencing January 1, 1975, each insurer issuing or renewing a policy of basic loss insurance covered by this chapter shall reduce the premium charge for that portion of the premium for such policy attributable to the basic loss coverage by 45 percent from the rate charged therefor immediately prior to January 1, 1974."

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Motion carried. Time, 11:33 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 842—An act to amend Sections 34046 and 34047 of the Vehicle Code, relating to cargo tanks

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan,

Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1028—An act to add Section 22810.1 to the Government Code, relating to state employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 162—An act to amend Section 8926 of, to add Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) to Division 4 5, Title 1, and to repeal Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) of Division 4.5, Title 1, of the Government Code, relating to conflicts of interest.

Bill read third time.

Demand for Previous Question

Messrs. Chappie, Dent, MacDonald, Ryan, and Badham demanded the previous question Demand sustained.

The question being on the passage of the bill.

Assembly Bill No. 162 Passed and Retained

By unanimous consent, Assembly Bill No. 162 was passed on file, to retain its place on file.

Assembly Bill No. 876—An act to amend Section 3364.55 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION OF GUESTS

Mr. Deddeh, of the 77th District, introduced the Honorable Pete Wilson, Mayor of San Diego, former Member of the Assembly from the 76th District, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 515—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—Burke—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1206—An act to add Section 1420 1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2149—An act to add Article 3 5 (commencing with Section 1024) to Chapter 3 of Division 4 of the Education Code, relating to advisory referendums, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Wood moved a call of the Assembly.

Motion carried Time, 12 10 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 7 OF BURTON AMENDMENTS TO ASSEMBLY BILL NO. 125

At 12.12 p m , on motion of Mr Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

~~Vote on Amendment No 7 of amendments offered by Mr Burton to to Assembly Bill No 125~~

~~AYES—Arnett, Badham, Beverly, Burton, Chacon, Cline, Crown, Davis, Deddeh, Dunlap, Foran, Garcia, Karabian, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Powers, Russell, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—29~~

~~NOES—Bagley, Barnes, Belotti, Biddle, Burke, Chappie, Collier, Conrad, Cory, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Lanterman, Lewis, MacGillivray, Moorhead, Murphy, Porter, Priolo, Quimby, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wood, and Mr Speaker—35~~

Request for Unanimous Consent to Rescind Action on Vote on Amendment No. 7 to Assembly Bill No. 125

Mr Burton was granted unanimous consent to rescind the action whereby a roll call vote was taken in the Assembly, on this day, on Amendment No 7 of the amendments offered by him to Assembly Bill No 125.

The question being on the adoption of Amendment No 7 of the amendments offered by Mr Burton to Assembly Bill No 125.

Amendment No 7 adopted by the following vote·

AYES—Arnett, Badham, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—Burke, Dent, Ketchum, Stacey, and Stull—5.

Bill ordered reprinted, and to be returned to the third reading file.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 2149

At 12·14 p.m., on motion of Mr Wood, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2149 refused adoption by the following vote:

AYES—Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Collier, Cory, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Porter, Quimby, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—45.

NOES—Biddle, Burton, Cline, Conrad, Cullen, Davis, Deddeh, Duffy, Hayden, Ketchum, Knox, Miller, Murphy, Powers, Priolo, Russell, Ryan, and Stacey—18.

Motion to Reconsider Urgency Clause to Assembly Bill No. 2149 on Next Legislative Day

Mr. Wood moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No 2149 was this day refused adoption.

Rules Temporarily Suspended to Take up Motion to Reconsider Urgency Clause to Assembly Bill No. 2149

Mr. Wood was granted unanimous consent that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider the vote on the urgency clause to Assembly Bill No 2149 on this day.

Urgency Clause to Assembly Bill No. 2149 Reconsidered

In compliance with a motion given, Mr. Wood moved that the vote whereby the urgency clause to Assembly Bill No. 2149 was this day refused adoption be reconsidered

Urgency clause to Assembly Bill No 2149 reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Mur-

phy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69

NOES—None.

Assembly Bill No. 2149 Passed and Retained

By unanimous consent Assembly Bill No. 2149 was passed on file, to retain its place on file.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 1081 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Finance and Insurance, and that Assembly Bill No 1785 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Transportation.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.16 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Seeley, Assembly Bill No. 1019 was removed from the Consent Calendar

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22 2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1872—An act to add Sections 5358 1 and 5358.5 to the Welfare and Institutions Code, relating to mental health.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1715—An act to add Section 938 1 to the Education Code, relating to public schools.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad,

Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1898—An act to amend Section 19594 of the Education Code, relating to state school building aid

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1943—An act to amend Section 10608 of the Education Code, relating to pupils.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1119—An act to amend Section 37203 of, and to add Sections 36438, 36439, 36440, 36441, 36442, 36443, 36444, 36445, and 36446 to, the Water Code, relating to water districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1121—An act to amend Sections 38 and 38.1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1185—An act to add Section 71975 to the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis. MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2001—An act to add Article 7.5 (commencing with Section 13631) to Chapter 8 of Division 6 of the Public Utilities Code, relating to municipal utility districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2300—An act to add Section 22235 to the Water Code, relating to irrigation districts

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 946—An act to add Section 1178 5 to the Labor Code, relating to labor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2004—An act to amend Sections 1684, 1695, 1696 5, 1698.1 and 1698.4 of the Labor Code, relating to farm labor contractors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 80—Relative to foreign medical graduates

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAl-

ister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Joint Resolution No. 22—Relative to noise pollution.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 23, 1972

Mr Speaker. Your Committee on Rules, pursuant to Joint Rule No. 8.3, recommends that introduction of the following proposed bill by Assemblyman Mobley be permitted:

An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees.

BURTON, Chairman

COMMUNICATIONS

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 666

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2006

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 23, 1972

Mr. Speaker · Your Committee on Transportation reports:

AB No. 1704

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, May 23, 1972

Mr. Speaker · Your Committee on Judiciary reports:

AB No. 2329

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Governmental Organization reports ·

AB No. 1143

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RALPH, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 23, 1972

Mr Speaker · Your Committee on Education reports ·

AB No 85

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, May 16, 1972

Mr Speaker · Your Committee on Retirement reports:

AB No 1162

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation To Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Rules reports:

ACA No. 27

With the recommendation: That the resolution be re-referred to the Committee on Governmental Organization

BURTON, Chairman

Above resolution re-referred to the Committee on Governmental Organization.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No 15

With the recommendation. Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Constitutional Amendments

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 67

With amendments with the recommendation· Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 42

With amendments with the recommendation. Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No 15

ACA No. 81

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolutions ordered on file.

Committee on Finance and Insurance

Assembly Chamber, May 17, 1972

Mr. Speaker · Your Committee on Finance and Insurance reports:

AB No 2112

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 806

AB No 1159

With the recommendation: Do pass.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Health

Assembly Chamber, May 23, 1972

Mr Speaker: Your Committee on Health reports.

AB No 284

AB No 2164

With the recommendation. Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading

Assembly Chamber, May 23, 1972

Mr Speaker · Your Committee on Health reports:

AB No 1470

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

. CAMPBELL, Chairman

Above bill ordered to second reading

RESOLUTIONS

The following resolution was offered:

By Assemblyman Mobley

Resolution Permitting Introduction of Bill

Resolved, That permission to introduce the following bill be granted ·

An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees.

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox,

LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2368: By Assemblyman Mobley—An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 91: By Assemblyman Chappie—Approving amendments to the Charter of the City of Roseville, County of Placer, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 91

Mr. Chappie was granted unanimous consent to take up Assembly Concurrent Resolution No. 91 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 91

Assembly Concurrent Resolution No. 91—Approving amendments to the Charter of the City of Roseville, County of Placer, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2353 for hearing in the Committee on Local Government, on Thursday, May 25.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Warren·

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2354 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2354 for hearing in the Committee on Judiciary, on Thursday, May 25

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means·

Assembly Bill No. 918.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered

Assembly Concurrent Resolution No. 92: By Assemblyman Dunlap —Relative to the Joint Committee on Open Space Lands

Held at Desk by order of the Acting Speaker.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Senate Bill No. 1485—An act to amend Section 6011 of the Education Code, relating to outdoor science programs, and declaring the urgency thereof, to take effect immediately

LEROY F GREENE

Assembly Chamber, May 23, 1972

Mr. Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2368—An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees

ERNEST A MOBLEY

Assembly Chamber, May 23, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 2364—An act to amend Section 39090 of the Health and Safety Code, relating to air pollution

JOHN F FORAN

Assembly Chamber, May 23, 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 2358—An act to add Article 3 (commencing with Section 51350) to Chapter 1, Part 2, Division 1, Title 5 of the Government Code, relating to cities.

JOE A GONSALVES

Assembly Chamber, May 23 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Assembly Bill No. 2356—An act to repeal and to add Chapter 10 (commencing with Section 3500) of, to repeal Chapter 10 5 (commencing with Section 3525) of, Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Division 2 of Part 7 of the Labor Code, relating to public employees

LEON D RALPH

Above requests ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

ACA No 56

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 17 to Article IX thereof, relating to higher education

Resolution read

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 2 of the printed measure, as amended in Assembly May 10, 1972, after line 9, insert

"*And be it further resolved,* That Assembly Constitutional Amendment No 56 of the 1972 Regular Session shall, if adopted by the people, become operative on July 1, 1973 "

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 23, 1972

Mr Speaker. The Chairman of your Committee on Ways and Means reports:

AB No 598

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 598—An act to add Chapter 6 5 (commencing with Section 25100) to Division 20 of the Health and Safety Code, relating to waste materials

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 8, line 1, of the printed bill, as amended in Assembly May 3, 1972, strike out "25180", and insert
"25171".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports.

AB No. 1385
AB No. 2342

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1385—An act to amend Sections 7000 5, 7002, 7003, and 7007 of the Business and Professions Code, relating to contractors.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 4, line 7, of the printed bill, after the period, insert "The term of the additional general building contractor shall expire on June 1, 1975 The term of the additional public member shall expire on June 1, 1974."

Amendment No. 2

On page 4, line 10, strike out "Seven", and insert "SIX"

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

Assembly Bill No. 2342—An act to amend Section 4104 of the Government Code, relating to contractors

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, in line 7, strike out "subcontractor licensed by the State of California", and insert "contractor"

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 1735

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1735—An act to add Section 6023 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Gonsalves", and insert "Assemblymen Gonsalves, Conrad, and Monagan (Coauthors. Senators Cusanovich and Zenovich)".

Amendment No. 2

In line 1 of the title, strike out "6023", and insert "6010 4".

Amendment No. 3

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1 Section 6010 4 is added to the Revenue and Taxation Code, to read:

6010 4. If two or more persons engaged in the production of motion pictures for use in any media form a partnership for the purpose of reducing the cost of producing motion pictures through the sharing of the use of equipment, studio facilities and the services of personnel, the furnishing (without transferring title to tangible personal property) of such equipment, facilities and personnel by the partnership to its members shall not constitute either a "sale" or "purchase" "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 23, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 1332

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1332—An act to add Section 18252.7 to the Education Code, relating to public schools

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 3, insert

"The driver training provided under contract by a private driver training school shall be under the exclusive control and management of the governing board of the school district and shall comply with all rules and regulations of the State Board of Education relating to driver training offered by the public schools, except that a driver training instructor of the private driver training school shall not be required to possess any teaching credential or certification document of any kind."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, May 23, 1972

Mr Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

AB No 1313

AB No. 1991

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1313—An act to add Chapter 4 (commencing with Section 3800) to Division 4 5 of Title 1 of the Government Code, relating to campaign contributions

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 1, and insert

"CHAPTER 4 ZONING APPLICATIONS

3800 Any person applying for a zoning change or variance to be heard by the legislative body of a city, city and county, or county, and any person appearing in favor of, or in opposition to, such application.

(1) Who has made a political contribution as defined in Section 3753 within two years of the hearing to any current member of the legislative body,

(2) Whose client, in the case of an attorney appearing on behalf of such client, has made such a contribution within two years of the hearing of which he has knowledge,

(3) Whose spouse, blood relative, blood relative of his spouse, principal, agent or partner has made such a contribution within two years of the hearing of which he has knowledge, or

(4) Who is the employee, director or shareholder of a corporation which has made such a contribution within two years of the hearing of which he has knowledge, shall file a signed statement with the clerk of the legislative body, at or before the opening of the meeting of the legislative body at which such application is heard, disclosing to the best of his knowledge the date, amount, and recipient of each such contribution

Any person who violates this section is guilty of a misdemeanor

3801 The clerk shall keep each statement filed pursuant to this chapter for a period of two years as a public record

3802 The clerk shall provide forms, and instructions for completing and filing such forms, for statements required by this chapter.

3803 The Legislature finds and declares that the provisions of this chapter constitute a matter of statewide concern."

Amendment No. 2

On page 2, strike out lines 2 to 26, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment

Assembly Bill No. 1991—An act to amend Section 1156 of the Government Code, relating to payroll deductions

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections"

Amendment No. 2

In line 1 of the title, after "1156", insert "and 1156 1".

Amendment No. 3

On page 2, strike out lines 17 to 35, inclusive, and insert

"(h) Voluntary contributions to a political action committee approved under subdivision (d) of Section 1156 1 Such political action committee shall expend such contributions without charge, excepting actual costs, in accordance with the employee's direction In the event the employee makes such a voluntary contribution but fails to indicate a choice of either parties or candidates, the political action committee shall distribute the funds in a manner it determines best serves the purpose of the committee The form used by the employee to designate parties or candidates shall be processed in such a manner that no person other than the employee himself, or the political action committee,

shall have knowledge of the political parties or candidates for partisan office to which or to whom the employee is contributing The willful discovery or disclosure to anyone other than the employee himself, or the political action committee of an employee designee, is a misdemeanor.

The political action committee shall disclose to each party or candidate to which it sends contributions the names and addresses of those members who have specifically designated that particular party or candidate to receive their contributions."

Amendment No. 4

On page 3, after line 1, insert

"SEC. 2. Section 1156 1 of the Government Code is amended to read·

1156 1 For those state officers and employees under the uniform payroll system, the State Controller shall provide for the administration of payroll deductions for purposes set forth in Section 1156 For all other state officers and employees and for persons receiving allowances or benefits under other state retirement systems, the appropriate state officer shall provide for such administration. The Controller and the other appropriate officers shall in administering payroll deductions:

(a) Provide for determination of the additional cost involved in making deductions under subsections (c), (d) and (f) of Section 1156 and for the collection of such costs from the organization receiving the deductions. The amounts collected shall be deposited in the General Fund by the State Controller, or in another appropriate fund by the other officer or board

(b) Provide for an agreement from organizations receiving deductions to relieve the state, its officers and employees of any liability that may result from authorizations made under Section 1156

(c) The Board of Control shall approve deductions under subsection (f) of Section 1156, taking into consideration the following standards:

(1) That the sponsoring employee organization has been recognized under the provisions of Section 3507 of this code

(2) That the program will be accepted by a reasonable number of state employees (500 or more) and that continued participation to that extent can be reasonably expected.

(3) That the program is available to employees in all occupations and is not restricted to a geographic area of the state

(4) That the program has been approved by the Insurance Commissioner if it is within his jurisdiction

(5) That the program is available only to members of the sponsoring employee organization.

The Controller or the appropriate state officer may decline to make deductions for a membership benefit program provided under subdivision (f) of Section 1156 if, after examination of the program, it is reasonably determined that it would not be administratively feasible or practical to make such deductions

(d) The Board of Control shall approve deductions under subdivision (h) of Section 1156 for political action committees which meet all of the following standards:

(1) The membership consists of a majority of state employees and retired state employees, excluding elected or appointed state officials.

(2) The group is formally organized for the purpose of engaging in lawful political activities.

(3) The group has 500 or more state employees and retired state employees."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1965

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1965—An act to amend Sections 1941 and 1942 of, to add Section 789 8, 1927.1, and 1942 5 to, and to add Chapter 2.5 (commencing with Section 1954) to Title 5, Part 4, Division 3 of, and to repeal Sections 1941.1, 1941.2, and 1942.5 of, the Civil Code, and to amend Section 89 of, and to add Section 1170.1 to the Code of Civil Procedure, and to add Part 6 (commencing with Section 6000) to Division 24 of the Health and Safety Code, relating to landlord and tenant.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "6000", and insert "35750".

Amendment No. 2

On page 1, line 3, strike out "Section".

Amendment No. 3

On page 2, line 9, strike out "or", and insert "of".

Amendment No. 4

On page 2, between lines 31 and 32, insert

"(c) For the purpose of computing the deduction from rent where the lessee elects to repair the dilapidations himself, he shall be compensated at a reasonable rate, which shall not be less than the minimum wage established by law.

(d) Where the cost of such repairs requires an expenditure greater than an amount equal to one month's rent for the premises, the tenant may apply his costs of the repair to rent only if (1) he contracts with a person competent to make them, and (2) he submits, together with the notice required by this section, copies of cost estimates of three repairmen and contracts with the one submitting the lowest estimate. The tenant may not deduct more than 110 percent of the lowest estimate. For the purposes of this section it is presumed that a repairman who has been licensed to perform the services necessary to make the repair is competent."

Amendment No. 5

On page 2, line 32, strike out "(c)", and insert "(e)".

Amendment No. 6

On page 2, line 33, strike out "thirty", and insert "30".

Amendment No. 7

On page 4, line 26, after "ordinance", insert ", and the violation was not intentionally or negligently caused by the tenant. For the purposes of this subdivision, violations caused by ordinary wear and tear are not intentionally or negligently caused by the tenant".

Amendment No. 8

On page 5, line 1, before "(a)", insert "1942.5."

Amendment No. 9

On page 5, line 13, after "States", insert ", or for the exercise of any right authorized by law".

Amendment No. 10

On page 6, at the end of line 19, insert "verified".

Amendment No. 11

On page 6, line 28, strike out "or", and insert "of".

Amendment No. 12

On page 7, line 18, strike out the first comma.

Amendment No. 13

On page 7, line 32, strike out the second comma.

Amendment No. 14

On page 14, line 10, after "in", insert "an".

Amendment No. 15

On page 14, line 28, after "in", insert "an".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 1098

With author's amendments with the recommendation Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1098—An act to amend Section 50262 of, to add Sections 50264, 50265, 50266, 50267, 50268, 50269, 50270, 50271, 50272, 50273, 50274, and 50275 to, and to repeal Sections 50264 and 50265 of, the Government Code, to amend Section 35743 of the Health and Safety Code, and to amend Sections 1420 5 and 1432 of the Labor Code, relating to human relations commissions.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "50264," insert "50264 1,".

Amendment No. 2

On page 4, strike out lines 17 to 35, inclusive.

Amendment No. 3

On page 4, line 36, strike out "(n)", and insert "(m)".

Amendment No. 4

On page 5, line 3, strike out "(o)", and insert "(n)".

Amendment No. 5

On page 5, line 6, strike out "(p)", and insert "(o)".

Amendment No. 6

On page 5, line 7, after "investigation", insert "of any subject properly before the commission".

Amendment No. 7

On page 5, line 14, strike out "(q)", and insert "(p)".

Amendment No. 8

On page 5, line 19, strike out "(r)", and insert "(q)".

Amendment No. 9

On page 5, line 24, strike out "(s)", and insert "(r)".

Amendment No. 10

On page 5, line 27, strike out "(t)", and insert "(s)".

Amendment No. 11

On page 5, line 30, strike out "(u)", and insert "(t)".

Amendment No. 12

On page 5, between lines 35 and 36, insert

"SEC. 3.5. Section 50264.1 is added to the Government Code, to read.

50264.1. A commission may enter into, at the discretion of the Director of the Human Relations Commission, cooperative working agreements with state and federal agencies having related responsibilities, such agreements to include but not be limited to information sharing, complaint referral, and common investigation procedures, when these agreements will aid in carrying out the purposes and provisions of this article. Any cooperative working agreement between a local human relations commission and the Fair Employment Practice Commission entered into pursuant to this subdivision shall provide for either the local commission or the Fair Employment Practice Commission, but not both, to conduct any formal hearing required on any complaint filed with either, or both, and based on the same events Such agreement shall also provide that the same provisions and procedures which govern the proceedings and hearings, of the Fair Employment Practice Commission shall govern the proceedings and hearings of the local human relations commission."

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 1815

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1815—An act to amend Section 10352 of, and to add Section 5238 to, the Streets and Highways Code, relating to the improvement acts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 2, 1972, strike out "10352 of, and to add Section 5238 to," and insert "5236 of".

Amendment No. 2

In line 3 of the title, strike out "improvement acts", and insert "Improvement Act of 1911".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 5236 of the Streets and Highways Code is amended to read:

5236 After construction has begun, the legislative body, or the superintendent of streets if authorized by the legislative body, may order changes in the work without the necessity of a hearing The order shall be in writing, and the amount of any change ordered shall not exceed one thousand dollars ($1,000) when the total amount of the *original* contract does not exceed ~~one hundred~~ *twenty* thousand dollars ~~($100,000)~~ *($20,000)*, nor ~~1~~ *5* percent of the amount of any original contract which exceeds ~~one hundred~~ *twenty* thousand dollars ~~($100,000)~~ *($20,000)* No change shall exceed ~~four~~ *ten* thousand ~~five hundred~~ dollars ~~($1,500)~~ *($10,000)* The limitations on the cost of changes permitted by this section shall not apply where *(1)* the change is requested in writing by the owner of property subject to assessment for the improvement under construction and the nature of the change requested is such that the cost thereof will be assessed exclusively against the property of the person requesting the change, *or (2) the change in the work will not adversely affect the benefiting property and any increase in the cost resulting from such changes will be paid by the city and will not be assessed against the property within the assessment district.*"

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 42 for hearing in the Committee on Ways and Means, on Wednesday, May 24.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1252 was continued until the next legislative day.

AMENDMENTS WITHDRAWN

Acting Speaker Fenton was granted unanimous consent that Amendments Nos. 1, 2, 4, 5, 6, and 8 of the amendments offered by Mr Burton to Assembly Bill No. 125 on this day be withdrawn.

VOTE CHANGES

Mr. Arnett was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 328

Mr. Russell was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 328.

Mr. Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 328.

Mr Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 328.

Messrs. Russell, Moorhead, and McAlister were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1754

Mr. Moorhead was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 1089, 900, 1082, 1426, 906, 2180, 579, 2099, 755, and 1405; on the urgency clauses to Assembly Bills Nos. 907 and 580, and on the passage of the bills; and on concurrence in Senate amendments to Assembly Bill No 346.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 95.

Mr. Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Constitutional Amendment No 95

Mr. Russell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 95.

Mr. Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 95

Messrs. Stull and McAlister were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1814

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 755.

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1089.

Mr. Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 1082, 1084, and 579, and on the urgency clause to Assembly Bill No 580, and on the passage of the bill

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 346; on Assembly Bills Nos. 1350, 1089, 900, 1082, 1426, 906, 2180, 1084, 579, 1754, 2099, 755, 1405, and 1814; and on the urgency clauses to Assembly Bills Nos. 907 and 580, and Senate Bill No 352, and on the passage of the bills.

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 842.

Mr Ketchum was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1206.

Messrs Powers and Russell were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on the urgency clause to Assembly Bill No 2149.

Mr. Bagley was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Amendment No. 7, offered by Mr. Burton, to Assembly Bill No 125.

Mr. Moorhead was granted unanimous consent that he be recorded as voting "Aye" on Amendment No. 7, offered by Mr. Burton, to Assembly Bill No 125.

ADJOURNMENT

At 12 25 p m., Acting Speaker Fenton declared the Assembly adjourned until 10:45 a.m , Wednesday, May 24, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Seventy-ninth Legislative Day

One Hundred Forty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 24, 1972

The Assembly met at 10 45 a m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

Assistant Chief Clerk R Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.

Motion carried Time, 10 .47 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10.54 a m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAlister:

Father, We listen to your word this morning as it is written in Ecclesiastes.

"My son, if you aspire to serve the Lord,
prepare yourself for an ordeal.
Be sincere of heart, be steadfast,
and do not be alarmed when disaster comes.
Cling to Him and do not leave Him,
so that you may be honoured at the end of your days.
Whatever happens to you, accept it,
and in the uncertainties of your humble state, be patient,
since gold is tested in the fire, and chosen men
in the furnace of humiliation.
Trust Him and He will uphold you,
follow a straight path and hope in Him."—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Gonsalves then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Ryan, seconded by Mr. Lewis

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Burke, on request of Acting Speaker Fenton.
Mr Monagan, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 23, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker. I respectfully request that I be excused from Session on Wednesday, May 24, 1972

I have made arrangements to meet with the Seal Beach Chamber of Commerce that day.

Sincerely,

ROBERT H BURKE, *Assemblyman*
Seventieth District

May 24, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on Wednesday, May 24, on legislative business. I will be in Los Angeles attending a meeting on agricultural problems.

Sincerely,

BOB MONAGAN, Assemblyman
Twelfth District

May 23, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol

Dear Mr Speaker: I respectfully request that I be excused from session on Wednesday, May 24, 1972, on legislative business.

I will be in my district having conferences with teachers and parents of the Los Feliz area concerning educational finance problems.

Sincerely,

CARLOS J MOORHEAD, Assemblyman
Forty-Third District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of and Appointment of Members to Subcommittee on State Parks Authorization and Funding

May 24, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir This will authorize creation of the Subcommittee on State Parks Authorization and Funding of the Assembly Natural Resources and Conservation Committee with the following membership: Assemblymen Chacon (Chairman), Dent, and Dunlap

Sincerely,

BOB MORETTI
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

May 23, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim: Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot argu-

ments, proof of publication, and election results pertaining to the amendments to the Charter of the City of Roseville

Sincerely,

GENE CHAPPIE

Accompanying documents ordered filed with the Secretary of State (ACR No. 91).

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2368	Agriculture

Assembly Concurrent Resolution No.	*Committee*
90	Water
92	Rules

Senate Bill No.	*Committee*
9	Transportation
168	Judiciary
187	Education
198	Education
300	Judiciary
459	Judiciary
576	Revenue and Taxation
927	Education
932	Education
958	Water
1034	Finance and Insurance
1045	Judiciary
1076	Government Administration
1149	Transportation
1276	Health

Senate Constitutional Amendment No.	*Committee*
67	Employment and Public Employees

COMMUNICATIONS

Assembly Chamber, May 23, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 70—An act to amend Section 888 2 of, and to add Article 4 5 (commencing with Section 913 10) to Chapter 2 of Title 4 of Part 2 of, the Penal Code, relating to grand juries;

Assembly Bill No. 365—An act to add Section 54934 to the Government Code, relating to recreation and park districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 691—An act to repeal Section 30700 7 of the Water Code, relating to county water districts, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 4 p m , May 23, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 29—An act to amend Section 203 of the Revenue and Taxation Code, relating to the college exemption from property taxation;

Assembly Bill No. 419—An act to amend Sections 34270, 34271, 34272, and 34276 of the Health and Safety Code, relating to housing authorities;

Assembly Bill No. 443—An act to amend Section 2873 5 of the Business and Professions Code, relating to licensed vocational nurses;

And reports the same correctly enrolled, and presented to the Governor at 11 30 a m , May 24, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2334

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 826
AB No 1541

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, May 24, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 56

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 125
AB No. 1275
AB No. 1400

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1819

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1061

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 799

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 15

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 24, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 13	AB No. 1289	AB No 1945
AB No 389	AB No 1299	AB No. 2294
AB No 1208	AB No. 1931	

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 73	AB No 1068	AB No. 1871
AB No. 123	AB No 1227	AB No. 2114
AB No. 300	AB No 1643	AB No. 2130

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 72

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 23, 1972

Mr. Speaker. Your Committee on Health reports:

ACR No 59

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Natural Resources and Conservation

Assembly Chamber, May 23, 1972

Mr Speaker · Your Committee on Natural Resources and Conservation reports.

AB No 2346

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 1093

With the recommendation: Do pass.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 1152

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SJR No. 10

With the recommendation: Be adopted, and be re-referred to the Committee on Rules.

Z'BERG, Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Urban Development and Housing

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 721

With amendments with the recommendation: Amend, and do pass, as amended.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Judiciary reports·

AB No. 1023	AB No. 1172	AB No. 1928
AB No. 1026	AB No. 1175	AB No. 1975
AB No. 1067		

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, May 23, 1972

Mr Speaker: Your Committee on Rules reports:

AJR No. 4

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 7

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Judiciary

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 202

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 970

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation to Consent.

WARREN, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Governmental Organization

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No 360

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 1550

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1550—An act to add Chapter 11 5 (commencing with Section 25956) to Division 20 of the Health and Safety Code, relating to abortions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "AND PREGNANCY".

Amendment No. 2

On page 2, lines 10 and 11, strike out "terms "pregnancy counseling service" or", and insert "term".

Amendment No. 3

On page 2, line 12, strike out "mean", and insert "means".

Amendment No. 4

On page 2, line 13, strike out "counseling".

Amendment No. 5

On page 2, line 14, after "pregnancy", insert "or which provides abortion information and which refers women to any particular physician or hospital for the purpose of obtaining an abortion or which provides information to the public as to the availability of a physician or hospital for such purpose".

Amendment No. 6

On page 2, line 20, strike out "pregnancy counseling service,".

Amendment No. 7

On page 2, line 21, strike out "or employee", and insert "employee, or volunteer worker".

Amendment No. 8

On page 2, line 22, after "thereof", insert a comma.

Amendment No. 9

On page 2, lines 23 and 24, strike out "or pregnancy".

Amendment No. 10

On page 2, line 25, strike out "or employee", and insert "employee, or volunteer worker".

Amendment No. 11

On page 2, line 27, strike out "or employee", and insert ", employee, or volunteer worker".

Amendment No. 12

On page 2, line 29, after the second comma, insert "volunteer worker,".

Amendment No. 13

On page 2, line 30, strike out "pregnancy counseling service or".

Amendment No. 14

On page 2, line 31, after "discuss", insert "with such person".

Amendment No. 15

On page 3, line 7, strike out "pregnancy counseling service,".

Amendment No. 16

On page 3, line 8, strike out "or employee", and insert ", employee, or volunteer worker"

Amendment No. 17

On page 3, after line 13, insert

"25957.4 No physician who, and no hospital in which abortions are performed which, knowingly receives referrals of abortion patients from abortion counseling services shall directly or indirectly make, or offer to make, to such services from which the referrals are received, and no such services shall receive, or agree to receive, from such physician or hospital, any payment, contribution, commission, rebate, refund, preference, dividend, discount, or other consideration, whether earned or unearned during any period in which such referrals are received or made. Such period includes six months prior to and six months after any such referral. Violation of this section shall be a felony.

25957.6 An abortion counseling service is conclusively presumed to be acting as a "capper" or "steerer" within the meaning of Section 2399 of the Business and Professions Code if it does all of the following:

(a) Advertises to the public.

(b) Quotes prices for an abortion with respect to any physician who, with knowledge that the service advertises and quotes prices, receives referrals from such service for an abortion.

(c) Quotes prices or provides price information for an abortion with respect to any hospital which receives referrals from such service for an abortion.

(d) Refers more than 25 percent of its clients to any such physician or hospital for the purpose of obtaining an abortion

Violation of this section shall be a misdemeanor."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, May 23, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No. 1787

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1787—An act to amend Section 8305.5 of the Fish and Game Code, relating to abalone.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8305 5", and insert "Sections 8304 and 8307".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1 Section 8304 of the Fish and Game Code is amended to read.

8304. It is unlawful to take any abalone, the shell of which, measured in greatest diameter, is less than the following specifications red abalone, 7¾ inches, green abalone, 7 inches, pink abalone and white abalone, 6½ inches; black abalone, ~~5~~ 5½ inches; pinto abalone, threaded abalone, and flat abalone, 4 inches

SEC 2 Section 8307 of the Fish and Game Code is amended to read:

8307 In District 19, within one mile of the shores of Anacapa, Santa Cruz, Santa Rosa, Santa Barbara, San Nicolas, San Clemente, and San Miguel Islands, black abalones may be taken during the season for lobsters as defined in Section 8251 for use as bait in lobster traps

Abalones so taken may not be brought to the mainland or to Santa Catalina Island at any time

There is no bag limit on black abalone so taken, but no black abalone shall be taken under this section the shell of which measures less than ~~five~~ 5½ inches in greatest diameter"

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 24, 1972

Mr Speaker: The Chairman of your Committee on Judiciary reports:

AB No 95

AB No 2337

With author's amendments with the recommendation Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 95—An act to add Sections 789 8, 789.9, and 2983.8 to the Civil Code, relating to mobilehomes

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 11, 1972, strike out "and Bee", and insert "Bee, and Wilson".

Amendment No. 2

On page 2, strike out lines 4 to 7, inclusive, and insert

"789 8 There shall be no entry charge as a condition of tenancy in a mobilehome park, nor shall there be any transfer or selling fee as a condition of sale of a mobilehome within a mobilehome park, even if such mobilehome is to remain within the park, if the park management performs no service in the sale of the mobilehome "

Amendment No. 3

On page 2, line 20, after "Section", insert "35780 or".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2337—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In lines 1 and 2 of the heading of the printed bill, strike out "and Beverly", and insert "Beverly, and Waxman (Coauthor Senator Wedworth)".

Amendment No. 2

On page 1, line 11, strike out "4", and insert "3".

Amendment No. 3

On page 2, line 17, strike out "1", and insert "2".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 2250

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2250—An act to amend Section 24 of the Streets and Highways Code, relating to state highways

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 24", and insert "Sections 183 and 2108".

Amendment No. 2

In line 2 of the title, strike out "state highways", and insert "highways, and making an appropriation therefor".

Amendment No. 3

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 183 of the Streets and Highways Code is amended to read:

183. All money available for the acquisition of real property or interests therein for state highways, or for the construction, maintenance or improvement of state highways ~~or highways in state parks~~ shall be deposited in the State Highway ~~Fund~~ *Account* The moneys in said ~~fund~~ *account* are appropriated and shall be allocated and expended for the purposes and in the manner provided in this code.

SEC. 2. Section 2108 of the Streets and Highways Code is amended to read:

2108 The balance of the moneys in the Highway Users Tax ~~Fund~~ *Account* after making the apportionments provided in Sections 2104 to 2107.5, inclusive, *and after continuously appropriating an annual amount of nine hundred thousand dollars ($900,000) to the Department of Parks and Recreation for the construction, maintenance or*

improvement of highways in state parks, shall be transferred to the State Highway ~~Fund~~ *Account in the State Transportation Fund* for expenditure on state highways."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 24, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1081

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1081—An act to amend Section 556 of the Insurance Code, relating to insurance claims.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 556", and insert "add Article 5 (commencing with Section 570) to Chapter 6 of Division 1".

Amendment No. 2

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1 Article 5 (commencing with Section 570) is added to Chapter 6 of Division 1 of the Insurance Code, to read.

Article 5 Truth in Insurance

570 An insurer shall, prior to the issuance of any policy of insurance issued in this state, inform the applicant for insurance as to the basis of valuation of loss which is used by the insurer when paying a claim The insurer shall use as the basis of valuation the replacement value of the insured object, which is the value of an equivalent object in similar condition

571 The insurer shall adjust the premium charge at each billing date in proportion to the depreciation or appreciation, as the case may be, in value of the insured property at the time of the billing date

572 The insurer shall set out in prominent type and in a prominent place, in both the application for insurance and the policy, each of the following

(a) The basis of valuation for the property to be insured as provided by Section 570, and

(b) The fact that the premium charges are to be adjusted periodically as provided by Section 571.

573. In the event of a loss, the insurance company shall not cancel out the policy.

574. This chapter shall not apply to any policy of insurance in which the insurer and the applicant have mutually agreed that the valuation of loss under the policy shall be the actual cash or replacement value of an object equivalent to the insured property in new condition.

575. This chapter shall apply only to policies of insurance issued or renewed on or after the effective date of this chapter ''

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Committee on Transportation

Assembly Chamber, May 24, 1972

Mr. Speaker. The Chairman of your Committee on Transportation reports:

AB No. 1785

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1785—An act to amend Section 24242 of the Health and Safety Code, and to amend Section 27153 5 of the Vehicle Code, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 24242", and insert "Sections 24242, 39077.1, and 39441".

Amendment No. 2

On page 1, line 3, strike out "No person shall", and insert "A person shall not".

Amendment No. 3

On page 1, line 7, strike out "is·"; and strike out lines 8 to 13, inclusive, and insert "has a density that is equal to or greater than 40 percent as measured by an opacity meter approved by the Department of the California Highway Patrol pursuant to subdivision (c) of Section 27153 5 of the Vehicle Code."

Amendment No. 4

On page 2, strike out line 1, and insert

"SEC. 2. Section 39077.1 of the Health and Safety Code is amended to read:

39077 1 No person shall discharge into the atmosphere from any single nonvehicular source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which ~~is:~~

~~(a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or~~

~~(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a)~~ *has a density that is equal to or greater than 40 percent as measured by an opacity meter approved by the Department of the California Highway Patrol pursuant to subdivision (c) of Section 27153.5 of the Vehicle Code.*

SEC. 3. Section 39441 of the Health and Safety Code is amended to read:

39441. A person shall not discharge into the atmosphere from any single nonvehicular source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which ~~is:~~

~~(a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or~~

~~(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a)~~ *has a density that is equal to or greater than 40 percent as measured by an opacity meter approved by the Department of the California Highway Patrol pursuant to subdivision (c) of Section 27153.5 of the Vehicle Code.*

SEC. 4. Section 27153.5 of the Vehicle Code is".

Amendment No. 5

On page 2, line 3, strike out "Any", and insert "No".

Amendment No. 6

On page 2, line 5, strike out "not".

Amendment No. 7

On page 2, line 7, strike out "is:"; strike out lines 8 to 13, inclusive; and in line 14, strike out "(b) Any", and insert "has a density that is equal to or greater than 20 percent as measured by an opacity meter

(b) No".

Amendment No. 8

On page 2, line 15, strike out "not".

Amendment No. 9

On page 2, strike out lines 18 to 24, inclusive, and insert "has a density that is equal to or greater than 40 percent as measured by an opacity meter approved by the department"

Amendment No. 10

On page 2, line 25, after "(c)", insert "The department shall by regulation, adopt such standards for opacity meters as it determines are reasonably necessary to insure the accuracy and reliability of opacity meters to be utilized in measuring the density of the emission of air contaminants. The department shall approve opacity meters which meet such standards.

(d)".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 2179

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2179—An act to add Article 5 (commencing with Section 2940) to Chapter 2 of Division 3 of the Labor Code, relating to employment.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "Article 4", and insert

"Article 5"

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

MESSAGES FROM THE SENATE

Senate Chamber, May 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 50.

And appointed Senators Collier, Marler and Teale, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 328

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, May 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 524
AB No. 622

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, May 23, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day passed:

SB No. 284	SB No. 425	SB No. 635
SB No. 311	SB No 478	SB No 689
SB No. 340	SB No 625	SB No. 1239

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 284—An act to add Section 464 to the Health and Safety Code, relating to hospitals

Held at Desk by order of the Acting Speaker.

Senate Bill No. 311—An act to amend Sections 11006.2, 12158 and 12660 of, and to add Section 11006 3 to, the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Acting Speaker

Senate Bill No. 340—An act to amend Sections 54784 and 66181 of the Government Code, and to amend Section 24351 1 of the Health and Safety Code, relating to city selection committees.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 425—An act to amend Section 253.2 of the Streets and Highways Code, relating to state highways

Held at Desk by order of the Acting Speaker

Senate Bill No. 478—An act relating to the establishment of a school of veterinary medicine at a campus of the University of California in Southern California.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 625—An act to amend Section 13085 of the Education Code, relating to public school employees

Held at Desk by order of the Acting Speaker.

Senate Bill No. 635—An act to amend Sections 7332, 7342, 7351 and and 7420 of, and to add Section 7402 to, the Business and Professions Code, relating to cosmetology.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 689—An act to amend Section 15002 1 of the Education Code, relating to school sites

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1239—An act to amend Section 65860 of the Government Code, relating to zoning

Held at Desk by order of the Acting Speaker.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 50

The Speaker appointed Messrs Brown, Lanterman, and Porter as a Committee on Conference concerning Senate Bill No. 50

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1464

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1464 be withdrawn from the Committee on Health, and re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 1541, 826, 2334, and **1706,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 66—Relative to the Fairs Allocation and Classification Committee.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 1, line 2, of the printed measure, after "That", insert "in addition to any funds heretofore or hereafter made available to it,".

Amendment No. 2

On page 1, lines 2 and 3, strike out "_____ dollars ($_____)", and insert "fourteen thousand seven hundred thirty-five dollars ($14,735)".

Amendment No. 3

On page 1, line 8, strike out "said Contingent Funds equally", and insert "the said fund".

Amendment No. 4

On page 1, line 11, after the period, insert "The funds made available by this resolution and any funds heretofore made available to the committee shall be available only through January 31, 1972."

Resolution ordered reprinted, and to be placed on the Consent Calendar

Assembly Bill No. 675—An act to add Section 1264 2 to the Unemployment Insurance Code, relating to unemployment compensation benefits

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, strike out line 3 of the printed bill, and insert

"1264 2 Notwithstanding any other provision of this part to the contrary, a woman who has requested a maternity leave of absence on the advice of her physician, who is denied such leave, who then has voluntarily left her most recent employment because of pregnancy, and who is ineligible to receive unemployment compensation benefits because of such leaving, shall become eligible to receive such benefits after the birth of her child, or other termination of her pregnancy, if she is in all other respects eligible"

Amendment No. 2

On page 1, strike out lines 4 to 6, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 862—An act to amend Section 410 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 5 and 6, and insert "except for such action as may be taken by a judicial tribunal as permitted or required by law"

Amendment No. 2

On page 2, strike out line 13, and insert "referee or to the appeals board

The right of the director or any other party".

Amendment No. 3

On page 2, strike out lines 21 to 30, inclusive, and insert "of the party's right to seek such review."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1896—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants in aid to recipients of public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in Assembly April 27, 1972, strike out "have their housing needs met by", and insert "presently receive".

Amendment No. 2

On page 2, line 26, after the period, insert "The total amount allowed a single recipient or a couple who are recipients as a special need under this section shall not exceed five hundred dollars ($500) in any fiscal year "

Amendment No. 3

On page 2, between lines 28 and 29, insert

"The additional allowance provided by this section shall not be considered in computing the grant payable to the recipient under Sections 12150 and 12151, and shall not be subject to the monetary limitations set forth in those sections."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1391—An act to add Section 11250 7 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out "11250 7", and insert "11019".

Amendment No. 2

On page 1, line 1, strike out "11250 7", and insert "11019".

Amendment No. 3

On page 1, line 3, strike out "11250 7", and insert "11019".

Amendment No. 4

On page 2, line 3, strike out "under this chapter", and insert "over age 16".

Amendment No. 5

On page 2, line 7, strike out "under this chapter".

Amendment No. 6

On page 2, line 12, after "unemployable", insert "due to age or".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1704—An act to add Section 104 16 to the Streets and Highways Code, relating to state highways.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 2, after line 10, of the printed bill, insert

"The provisions of this section shall not apply to any land (a) which the department is receiving rent from or (b) which the department determines with the concurrence of the city council of the city in which the land is located, or with the concurrence of the board of supervisors of the county if the land is located in the unincorporated area thereof, is not feasible to be developed into a park"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2329—An act relating to earthquakes.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In the title of the printed bill, strike out "relating to earthquakes", and insert "to add Chapter 3 6 (commencing with Section 751 50) to Title 10 of Part 2 of the Code of Civil Procedure, relating to earth movements disasters"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 (a) This act is enacted as an exercise of the police power of the state, for the purpose of serving the general welfare of the people of California by:

(1) Making fully available for continued use and new development the entire area owned by each entity, whether public or private, which purpose can only be accomplished by reestablishing with certainty the present location of land boundaries

(2) Facilitating the sale, mortgage or lease of land parcels in the state

(3) Confirming and establishing the exact areas available for public use in streets, highways, flood control channels, public utility and other public ways.

(4) Minimizing the loss of area by property owners whose boundaries have been disturbed by earth movements such as but not limited to slides, subsidence, lateral or vertical displacements or similar disasters caused by man or by earthquakes or other acts of God, by equitably reestablishing property lines or by allocating to adjacent owners areas of land released by the narrowing or relocating the lines of public streets, highways or other public ways, with the consent of the city, county or state, as the case may be, under whose jurisdiction such streets, highways or ways are vested, given for the promotion of the general welfare.

(5) By declaring lots or parcels of land made substandard in size according to existing zoning laws as a result of compaction or other earth movement, of legal size according to such laws where no equitable adjustment of boundaries can be reasonably made.

(6) Correcting existing public records by recording the results of judicial proceedings, including official maps which reflect the land boundaries reestablished subsequent to the disasters described in paragraph (4).

(7) Permitting these ends to be accomplished in a single action in rem, brought with respect to a reasonably large land area affected by the disaster, rather than in numerous actions affecting single or a small number of parcels of land.

(b) The Legislature finds that the attainment of each of the objectives enumerated in this section will significantly promote the general welfare of all the people in the tate

SEC 2 Chapter 3 6 (commencing with Section 751 50) is added to Title 10 of Part 2 of the Code of Civil Procedure, to read:

CHAPTER 3 6 EARTH MOVEMENTS DISASTERS ACT

751 50 If the boundaries of land owned either by public or by private entities have been disturbed by earth movements such as, but not limited to, slides, subsidence, lateral or vertical displacements or similar disasters caused by man, or by earthquake or other acts of God, so that such lands are in a location different from that at which they were located prior to the disaster, an action in rem may be brought to equitably reestablish boundaries and to quiet title to land within the boundaries so reestablished

751 51 (a) An action authorized by this chapter may be commenced by

(1) A county in which lands were affected by a disaster described in Section 751 50 with or without the joinder of a city or cities included in the county and within the area so affected

(2) A city, if the disaster has affected land in the city.

(3) Any other entity or person owning or having an interest in or lien upon land affected by the disaster if granted permission by the court to bring the action, and if the county in which the land is located is made a party to the action.

(b) In an action authorized by this chapter every entity in actual and peaceable possession of, or having an estate or interest in or lien upon any of the land affected by the action, whose possession or evidence of estate or interest is either recorded or known to the plaintiffs, the city, if the land is within a city, the county in which the land is located, and the State of California must be designated in the complaint of the action, and given notice in the manner required by this chapter.

(c) All unknown entities, including owners, lien or interest claimants, heirs, devisees, legatees or assigns, may be described in the caption and complaint as "all entities claiming any interest in or lien upon, the real property herein described or any part of it."

751 52. An entity which is a permissive plaintiff under this chapter, may bring a separate action with respect to separate portions of the disaster area of sufficient size to equitably reestablish boundaries without harm to other areas of the common disaster, its decision regarding the desirability of the separate action, and regarding the area to be dealt with in each action to be approved by the court.

751 53 The complaint shall substantially include:

(a) A statement of the facts which make the provisions of this chapter applicable.

(b) A description of the exterior boundaries of the real property area sought to be affected by the action

(c) A specification of the estate, title, interest or claim owned, and in the actual possession of the plaintiff or plaintiffs in described parts of the entire real property sought to be affected by the action.

(d) A specification of the estate, title, interest or claim, so far as they are known to the plaintiffs or either of them, and so far as they are capable of being discovered by reasonably diligent search by the plaintiff or plaintiffs, in each separate part of the entire real property sought to be affected by the action

(e) A specification of the street areas sought to be vacated or offered by the plaintiff, or plaintiffs, to be vacated in whole or in part for judicial equitable allocation to landowners for the mitigation of the losses inflicted upon the landowners by the particular disaster or disasters to which this act is applicable

(6) A proposed replatting of the entire real property sought to be affected by the action, embodying the land boundaries as fixed by the disaster, except as these boundaries have been equitably and judicially readjusted, or as liberalized by judicially directed use of the vacated lands

751 54 Summons, publication of notice, posting and related matters and procedures shall be governed by the provisions of Sections 751 05 through 751 10, inclusive, of the Code of Civil Procedure

751 55 Upon the completion of the service, publication and posting of the summons, as may be required by this chapter, the court has complete jurisdiction over the parties plaintiff or plaintiffs and the entire real property described in the complaint as intended to be affected by the action, and over every entity having or claiming an estate, right, title or interest in or to, or lien upon, all or any part of the property, and shall be considered to have obtained the possession and control of the property for the purposes of the action with complete jurisdiction to render the judgment provided for in this chapter

751.56. (a) An answer to the complaint must be served within 90 days after the first publication of the notice, or such further time not exceeding 30 days, as the court for good cause may grant

(b) An answer must:

(1) Specifically set out the particulars in which the claimant's estate, right, title, or interest in or to, or lien upon all or any part of the property is different from, or greater than, the interest of the claimant as it is described in the complaint.

(2) Be confined to rights based on events occurring at the time of, or since the time of the disaster

(c) To whatever extent, if at all, the answering party has rights against anyone whatsoever, based upon facts or events which occurred before the disaster, the claims shall remain unaffected by the action brought under this chapter and shall be assertable subsequent to the conclusion of the action at any time and in any manner permitted by law, notwithstanding the judgment granted in this action, recognizing however the finality of this judgment as to the consequences, with respect to land boundaries as applicable to land in the disaster area.

751 57 A party to an action authorized by this chapter may file a notice of the pendency of the action in the form and at the place and with the effects specified by law.

751 58 The vacating of streets, highways, or other public ways within or abutting the area affected by the disaster, in whole or in part, by the voluntary action of the governmental agency under whose jurisdiction the streets, highways, or ways are vested, for the purpose of making it possible for the court to mitigate the hardships suffered by entities because of the change in land boundaries caused by the disaster can be accomplished by the affected governmental agency expressing the offer in the proceedings followed by the court's acceptance thereof in an action authorized by this chapter, without complying with any other formalities of law.

751.59 In an action of the type authorized by this chapter, judgment shall not be given by default, but the court must require proof of the facts alleged in the complaint and other pleadings

751 60 The judgment shall.

(a) Determine the land boundaries of each parcel of land located within the entire area of real property sought to be affected by the action, whether owned publicly or privately, as fixed by the disaster, except as these boundaries have been judicially and equitably readjusted and as liberalized by judicial equitable allocation of lands voluntarily vacated by a city, county or the state under this act

(b) Determine the entity or entities having estates, rights, titles, interests and claims in and to each parcel, whether legal or equitable, present or future, vested or contingent, or whether they consist of mortgages or liens of any description

(c) Approve and direct the proper filing of an official map covering the entire area of real property sought to be affected by the action, as a substitute for the plat maps previously filed, but rendered inaccurate by the disaster

751 61 In reaching the conclusions called for by Section 751 60, the court shall give effect to the changes in land boundaries caused by the disaster, mitigated, however, so far as can equitably be done by

adjustment of land boundaries and by allocating to contiguous lots parts of the land released by a city, county or the state by its voluntary vacation of areas formerly constituting public ways, which vacatings of streets shall be approved by the judgment

751 62 The judgment shall be conclusive with respect to land boundaries upon every entity who at the commencement of the action had or claimed an estate, right, title or interest in or to or lien upon a part of the entire area of real property described in the complaint as intended to be affected by the action, and upon every entity claiming under any such person by title subsequent to the commencement of the action

751.63 A certified copy of the judgment shall be recorded, at the expense of the plaintiff or plaintiffs in the action, in the office of the recorder of the county in which the affected land is situated and shall constitute constructive notice of the findings therein and of the official plat or plats referred to therein, which findings and plats shall supersede and control all prior plats, maps and documents to the extent inconsistent therewith

751 64 The remedies provided for by this chapter are cumulative and in addition to any other remedy provided by law for quieting or establishing title to real property or the boundaries of it

751 65 This chapter may be cited as the Earth Movements Disaster Act."

Amendment No. 3

On page 1, strike out lines 2 to 15, inclusive; and strike out pages 2 to 5, inclusive

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1143—An act to amend Sections 9801, 9802, 9803, 9805, 9820, 9823, 9825, 9831, 9841, and 9844 of the Business and Professions Code, relating to repair services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly April 20, 1972, after "of", insert ", and to add Sections 9834, 9835, 9836, and 9837 to,".

Amendment No. 2

On page 5, strike out lines 16 to 36, inclusive; and in line 37, strike out "SEC 9 ", and insert

"SEC 9 Section 9834 is added to the Business and Professions Code, to read·

9834 A person possesses good moral character within the meaning of Section 9831 unless·

(a) He has done any act which, if done by a service dealer, would be grounds for invalidation of his registration.

(b) He has habitually done any acts involving dishonesty, fraud, or deceit whereby he has substantially benefited or whereby substantial injury has been sustained by other persons.

(c) He would represent a potential danger to persons or property while in a private home

SEC 10. Section 9835 is added to the Business and Professions Code, to read.

9835. No person applying for registration under this chapter shall be required to submit to the director any attestation by other persons to his good moral character.

SEC. 11. Section 9836 is added to the Business and Professions Code, to read:

9836. Upon refusal to validate the registration of an applicant by the director on the grounds that the applicant does not possess good moral character, the director shall, within 30 days thereafter, give the following information, in writing, to the applicant

(a) The reasons for the denial on the basis of lack of good moral character.

(b) The earliest date on which the applicant may reregister

(c) Those things which the applicant must do in order to demonstrate that he has been rehabilitated

SEC 12 Section 9837 is added to the Business and Professions Code, to read

9837 The director under the provisions of this chapter shall develop criteria to evaluate the rehabilitation of an applicant refused validation of registration on the ground of lack of good moral character.

SEC 13."

Amendment No. 3

On page 6, line 30, strike out "SEC 10 ", and insert

"(c) No act shall be grounds for invalidation of a registration under this section which does not have a substantial relationship to the functions and responsibilities of the service dealer

SEC. 14."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 85—An act to amend Sections 651, 658, 671, 802, 811, 822, 871, 885, 885 1, 885 3, 886 1, 886 3 as added by Chapter 182 of the Statutes of 1968, 886 3 as amended by Chapter 557 of the Statutes of 1970, 887 2 as added by Chapter 182 of the Statutes of 1968, 887 2 as amended by Chapter 557 of the Statutes of 1970, 888 1, 888 2 as added by Chapter 182 of the Statutes of 1968, 888 2 as amended by Chapter 557 of the Statutes of 1970, 889 3 as added by Chapter 182 of the Statutes of 1968, 889 3 as amended by Chapter 557 of the Statutes of 1970, 889 4, 890 2 as added by Chapter 182 of the Statutes of 1968, 890 2 as amended by Chapter 557 of the Statutes of 1970, 891 as amended by Section 1 of Chapter 1379 of the Statutes of 1970, 891 as amended by Section 19 of Chapter 1379 of the Statutes of 1970, 891 1 as amended by Section 2 of Chapter 1379 of the Statutes of 1970, 891 1 as amended by Section 20 of Chapter 1379 of the Stat-

utes of 1970, 892, 899 6, 899 7, 6017, 8054, 16653 5, 17301, 17303 5, 17654 5, 17655 5, 17664, 17671 18351, 18351 3, 18352, 18361, 20107, 20400, and 20404 of, to add Sections 750, 897 2, 13381, 15416, 17654, and 17662 to, and to repeal Sections 886, 887, 888, 889, 889 1, 890, 13158, as added by Chapter 2 of the Statutes of 1959, 13159, as added by Chapter 2 of the Statutes of 1959, 13160, as added by Chapter 2 of the Statutes of 1959, 13161, as added by Chapter 2 of the Statutes of 1959, 13161 5, as added by Chapter 1383 of the Statutes of 1961, 17656, 17660, 17662, 17665, 17665 5, and 18351 1 of, the Education Code, relating to county superintendents of schools and county boards of education, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

In line 18 of the title of the printed bill, as amended in Assembly April 3, 1972, after "18352", strike out first comma.

Amendment No. 1.5

In line 19 of the title, strike out "750,"

Amendment No. 2

On page 4, line 7, strike out "1974", and insert "1975".

Amendment No. 3

On page 4, line 15, strike out "suuperintendents", and insert "superintendents".

Amendment No. 4

On page 5, line 18, strike out "1973", and insert "1974".

Amendment No. 5

On page 5, line 21, strike out "1973", and insert "1974".

Amendment No. 6

On page 7, strike out lines 26 to 32, inclusive.

Amendment No. 7

On page 8, line 8, strike out "educatioon", and insert "education".

Amendment No. 8

On page 13, line 1, after "or", insert "the".

Amendment No. 9

On page 14, line 15, after "or", insert "the".

Amendment No. 10

On page 15, line 5, after "or", insert "the".

Amendment No. 11

On page 15, line 18, strike out ", of this code".

Amendment No. 12

On page 15, line 33, strike out "of this code,".

Amendment No. 13

On page 15, line 37, after "or", insert "the".

Amendment No. 14

On page 16, line 19, strike out ", of this code".

Amendment No. 15

On page 16, line 34, strike out "of this code,"

Amendment No. 16

On page 17, lines 23 and 24, strike out "of this code".

Amendment No. 17

On page 18, line 1, after "or", insert "the".

Amendment No. 18

On page 18, lines 28 and 29, strike out "of this code".

Amendment No. 19

On page 19, line 6, after "or", insert "the".

Amendment No. 20

On page 20, line 32, after "grounds", insert a comma.

Amendment No. 21

On page 33, line 40, strike out "unexpected", and insert "unexpended".

Amendment No. 22

On page 34, line 6, strike out "unexpected", and insert "unexpended".

Amendment No. 23

On page 35, strike out lines 21 to 25, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1162—An act to amend Section 75033 of, and to add Section 75033.5 to, the Government Code, relating to the Judges' Retirement Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 11, 1972, strike out "Assemblyman Barnes", and insert "Assemblymen Barnes and Brown".

Amendment No. 2

On page 2, line 7, strike out "A judge who after"; strike out lines 8 to 11; and in line 12, strike out "retirement under this section."

Amendment No. 3

On page 2, between lines 28 and 29, insert

"If after retirement and actual commencement of benefits hereunder, such a retired judge becomes entitled to any salary, retirement benefits, or other compensation as the incumbent of any public office, the retirement allowance otherwise payable to him shall, during the time he is entitled to receive such salary, retirement benefits, or other compensation, be reduced by the amount of such salary, retirement benefits, or other compensation."

Amendment No. 4

On page 3, line 29, strike out "said", and insert "such a".

Amendment No. 5

On page 3, line 30, after "salary", insert ", retirement benefits,".

Amendment No. 6

On page 3, line 33, after "salary", insert ", retirement benefits,".

Amendment No. 7

On page 3, line 34, after "salary", insert ", retirement benefits,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 27 to Article I thereof, by adding Article VIII thereto, adding Section 8 to Article XIII thereof, adding Section 8 to Article XXIV thereof, and by repealing Sections 1, 2, 2 1, 3, 3 1, 3 3, 5, 6, 6½, 7, 7 5, 8, and 14 of Article IX thereof, relating to the public schools.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed measure, as amended in Assembly May 11, 1972, after the comma, insert "by amending and renumbering Section 9 of Article IX thereof,".

Amendment No. 2

In line 5 of the title, after the second comma, insert "adding Section 2 to Article IX thereof, adding Section 5 to Article XIII thereof,".

Amendment No. 3

In line 7 of the title, strike out "AND", and insert "10, 11, 12, 13,".

Amendment No. 4

In line 7 of the title, after "14", insert ", and 15".

Amendment No. 5

On page 3, between lines 28 and 29, insert

"Fifth—That Section 2 is added to Article IX, to read:

SEC. 2. Except for tax exemptions stated in Article XIII, the rights, powers, privileges, and confirmations conferred by Sections 10 and 15 of Article IX in effect on November 7, 1972, relating to Stanford University and the Huntington Library and Art Gallery, are continued in effect."

Amendment No. 6

On page 3, line 29, strike out "Fifth", and insert "Sixth".

Amendment No. 7

On page 3, line 30, strike out "Sixth", and insert "Seventh".

Amendment No. 8

On page 3, line 31, strike out "Seventh", and insert "Eighth".

Amendment No. 9

On page 3, line 33, strike out "Eighth", and insert "Ninth".

Amendment No. 10

On page 3, line 35, strike out "Ninth", and insert "Tenth".

Amendment No. 11

On page 3, line 37, strike out "Tenth", and insert "Eleventh".

Amendment No. 12

On page 3, line 38, strike out "Eleventh", and insert "Twelfth".

Amendment No. 13

On page 3, line 40, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 14

On page 4, line 2, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 15

On page 4, line 4, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 16

On page 4, between lines 5 and 6, insert

"Sixteenth—That Section 9 of Article IX is amended and renumbered to read:

~~SEC. 9.~~

SECTION 1. (a) The University of California shall constitute a public trust, to be administered by the existing corporation known as "The Regents of the University of California," with full powers of

organization and government, subject only to such legislative control as may be necessary to insure compliance with the terms of the endowments of the university and the security of its funds. Said corporation shall be in form a board composed of eight ex officio members, to wit: the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president of the State Board of Agriculture, the president of the Mechanics Institute of San Francisco, the president of the alumni association of the university and the acting president of the university, and 16 appointive members appointed by the Governor; provided, however, that the present appointive members shall hold office until the expiration of their present terms. The term of the appointive members shall be 16 years; the terms of two appointive members to expire as heretofore on March 1st of every even-numbered calendar year, and in case of any vacancy the term of office of the appointee to fill such vacancy, who shall be appointed by the Governor, to be for the balance of the term as to which such vacancy exists Said corporation shall be vested with the legal title and the management and disposition of the property of the university and of property held for its benefit and shall have the power to take and hold, either by purchase or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the university or incidentally to its conduct. Said corporation shall also have all the powers necessary or convenient for the effective administration of its trust, including the power to sue and to be sued, to use a seal, and to delegate to its committees or to the faculty of the university, or to others, such authority or functions as it may deem wise; provided, that all moneys derived from the sale of public lands donated to this state by act of Congress approved July 2, 1862 (and the several acts amendatory thereof), shall be invested as provided by said acts of Congress and the income from said moneys shall be inviolably appropriated to the endowment, support and maintenance of at least one college of agriculture, where the leading objects shall be (without excluding other scientific and classical studies, and including military tactics) to teach such branches of learning as are related to scientific and practical agriculture and mechanic arts, in accordance with the requirements and conditions of said acts of Congress, and the Legislature shall provide that if, through neglect, misappropriation, or any other contingency, any portion of the funds so set apart shall be diminished or lost, the state shall replace such portion so lost or misappropriated, so that the principal thereof shall remain forever undiminished The university shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs, and no person shall be debarred admission to any department of the university on account of sex.

(b) Meetings of the regents shall be public, with exceptions and notice requirements as may be provided by statute.

Seventeenth—That Section 10 of Article IX is repealed.

~~Sec. 10. The trusts and estates erected for the founding, endowment and maintenance of the Leland Stanford Junior University, under~~

~~and in accordance with "An act to advance learning, etc.," approved March ninth, eighteen hundred and eighty-five, by the endowment grant executed by Leland Stanford and Jane Lathrop Stanford on the eleventh day of November, A. D. eighteen hundred and eighty-five, and recorded in liber eighty-three of deeds, at page twenty-three, *et seq.*, records of Santa Clara County, and by the amendments of such grant, and by gifts, grants, bequests, and devises supplementary thereto, and by confirmatory grants, are permitted, approved and confirmed. The board of trustees of the Leland Stanford Junior University, as such, or in the name of the institution, or by other intelligible designation of the trustees or of the institution, may receive property, real or personal, and wherever situated, by gift, grant, devise, or bequest for the benefit of the institution, or of any department thereof, and such property, unless otherwise provided, shall be held by the trustees of the Leland Stanford Junior University upon the trusts provided for in the grant founding the university, and amendments thereof, and grants, bequests and devises supplementary thereto. The Legislature, by special act, may grant to the trustees of the Leland Stanford Junior University corporate powers and privileges, but it shall not thereby alter their tenure, or limit their powers or obligations as trustees. All property now or hereafter held in trust for the founding, maintenance or benefit of the Leland Stanford Junior University, or of any department thereof, may be exempted by special act from State taxation, and all personal property so held, the Palo Alto farm as described in the endowment grant to the trustees of the university, and all other real property so held and used by the university for educational purposes exclusively, may be similarly exempted from county and municipal taxation; *provided*, that residents of California shall be charged no fees for tuition unless such fees be authorized by act of the Legislature.~~

Eighteenth—That Section 11 of Article IX is repealed.

~~SEC. 11. All property now or hereafter belonging to "The California School of Mechanical Arts," an institution founded and endowed by the late James Lick to educate males and females in the practical arts of life, and incorporated under the laws of the State of California, November twenty-third, eighteen hundred and eighty-five, having its school buildings located in the city and county of San Francisco, shall be exempt from taxation. The trustees of said institution must annually report their proceedings and financial accounts to the Governor. The Legislature may modify, suspend, and revive at will the exemption from taxation herein given.~~

Nineteenth—That Section 12 of Article IX is repealed

~~SEC. 12. All property now or hereafter belonging to the "California Academy of Sciences," an institution for the advancement of science and maintenance of a free museum, and chiefly endowed by the late James Lick, and incorporated under the laws of the State of California, January sixteenth, eighteen hundred and seventy-one, having its buildings located in the city and county of San Francisco, shall be exempt from taxation. The trustees of said institution must annually report~~

~~their proceedings and financial accounts to the Governor. The Legislature may modify, suspend, and revive at will the exemption from taxation herein given.~~

Twentieth—That Section 13 of Article IX is repealed.

~~SEC. 13. All property now or hereafter belonging to the Cogswell Polytechnical College, an institution for the advancement of learning, incorporated under the laws of the State of California, and having its buildings located in the city and county of San Francisco, shall be exempt from taxation. The trustees of said institution must annually report their proceedings and financial accounts to the Governor. The Legislature may modify, suspend, and revive at will the exemption from taxation herein given.~~ ''

Amendment No. 17

On page 4, line 6, strike out ''Fifteenth'', and insert ''Twenty-first''.

Amendment No. 18

On page 4, between lines 6 and 7, insert

''Twenty-second—That Section 15 of Article IX is repealed

~~SEC. 15. The trusts and estates created for the founding, endowment and maintenance of the Henry E. Huntington Library and Art Gallery, under and in accordance with an act of the Legislature approved March 10, 1885, chapter forty-seven of the Statutes of California of 1885, by the endowment grant executed by Henry E. Huntington and Arabella D. Huntington on the thirtieth day of August, 1910, and recorded in book 6937, page 97 of deeds, records of Los Angeles, California, on the fifteenth day of September, 1919, and by the amendments of such grant and by gifts and grants supplementary thereto and by confirmatory grants are permitted, approved and confirmed. The board of trustees of the Henry E. Huntington Library and Art Gallery, as such, or in the name of the institution, or by other intelligible designation of the trustees, or of the institution, may receive property, real or personal, and wherever situated, by gift, grant, devise, or bequest, for the benefit of the institution, and such property, unless otherwise provided, shall be held by the trustees of the Henry E. Huntington Library and Art Gallery upon the trusts provided for in the grant founding the institution, and amendments thereof and grants supplementary thereto. All property as of July 1, 1920, held in trust for the founding, maintenance or benefit of the Henry E. Huntington Library and Art Gallery and the increments thereof and all personal property received in exchange therefore shall be exempt from taxation. The Legislature may modify, suspend and revive at will the exemption from taxation herein given. The trustees of said institution shall annually report their proceedings to the person who for the time being shall fill the office of Secretary of State of the State of California, and said trustees shall accompany said report with a full account of their financial operations for the preceding year and with a statement of the financial affairs of the institution.~~

Amendment No. 18.5

On page 4, line 12, strike out ''Sixteenth'', and insert ''Twenty-third''.

Amendment No. 19

On page 4, between lines 19 and 20, insert

"Twenty-fourth—That Section 5 is added to Article XIII, to read.

SEC. 5. Property owned by the California School of Mechanical Arts, California Academy of Sciences, or Cogswell Polytechnical College, or held in trust for the Huntington Library and Art Gallery, or their successors, is exempt from taxation. The Legislature may amend or revoke any of these exemptions "

Amendment No. 20

On page 4, line 20, strike out "Seventeenth", and insert "Twenty-fifth".

Resolution ordered reprinted, and on file.

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article III, Section 5 to Article XX, and Section 7 to Article XXIV thereof, and by repealing Section 3 of Article I, Article III, X, and Sections 1, 6, 10, 11, and 16 of Article XX, and Article XXI thereof, relating to constitutional revision

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted.

Amendment No. 1

On page 3, between lines 3 and 4 of the printed measure, as amended in Assembly May 16, 1972, insert

"SEC. 4. Salaries of elected state officers may not be reduced during their term of office. Laws that set these salaries are appropriations "

Amendment No. 2

On page 3, line 4, strike out "4", and insert "5".

Amendment No. 3

On page 3, strike out lines 27 to 29, inclusive, and insert

"SEC 5. The labor of convicts shall not be let out by contract to any person, copartnership, company or corporation, and the Legislature shall, by law, provide for the working of convicts for the benefit of the state."

Amendment No. 4

On page 4, line 8, after "office", insert "and from voting".

Resolution ordered reprinted, and on file.

Assembly Bill No. 2112—An act to amend Section 982 of the Unemployment Insurance Code, relating to employer reserve accounts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted.

Amendment No. 1

In line 1 of the title, strike out "Section 982 of", and insert "Sections 621, 982, 1256.1, 1263, 1277, 1277.5, 1528.5, and 2629 of, and to add Sections 803.1, 803.2, and 1260.1 to,".

Amendment No. 2

In line 2 of the title, strike out "employer reserve accounts", and insert "unemployment insurance".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 621 of the Unemployment Insurance Code is amended to read:

621. "Employee" means all of the following:

(a) Any officer of a corporation.

(b) Any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee.

(c) (1) Any individual, other than an individual who is an employee under subdivision (a) or (b), who performs services for remuneration for any employing unit if the contract of service contemplates that substantially all of such services are to be performed personally by such individual either:

(A) As an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dryclearing services, for his principal.

(B) As a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, his principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations.

(2) An individual shall not be included in the term "employee" under the provisions of this subdivision if such individual has a substantial investment in facilities used in connection with the performance of such services, other than in facilities for transportation, or if the services are in the nature of a single transaction not part of a continuing relationship with the employing unit for whom the services are performed.

(d) Any individual who is an employee pursuant to Section 601.5 *or 680*.

SEC. 2. Section 803.1 is added to the Unemployment Insurance Code, to read:

803.1. Notwithstanding any other provision of this article, if an entity acquires or succeeds to another entity in any manner, the method

of reimbursement financing, in lieu of contributions required of employers, elected by the acquiring entity shall apply to all service performed in the employ of the acquiring entity. The acquiring entity shall be liable for the reimbursement of all benefits chargeable to the entity acquired under any method of reimbursement financing elected by the entity acquired. "Entity" as used in this section means any entity as defined by subdivision (a) of Section 803.

SEC. 3. Section 803.2 is added to the Unemployment Insurance Code, to read:

803.2. Notwithstanding any other provision of this article, an entity which elected any method of reimbursement financing under Section 803 and which has acquired a previously accumulated favorable reserve account under Section 712 or subdivision (e) of Section 803 shall be liable for the reimbursement of benefits pursuant to such election for any benefits chargeable to the reserve account and based upon wages paid prior to such election, to the extent that such benefits exceed the previously accumulated favorable reserve account. "Entity" as used in this section means any entity as defined by subdivision (a) of Section 803.

SEC. 4. Section 982 of the Unemployment".

Amendment No. 4

On page 2, between lines 32 and 33, insert

"SEC 5. Section 1256.1 of the Unemployment Insurance Code is amended to read:

1256 1. (a) If the employment of an individual is terminated due to his absence from work for a period in excess of 24 hours because of his incarceration and he is convicted of the offense for which he was incarcerated or of any lesser included offense, he shall be deemed to have left his work voluntarily without good cause for the purposes of Section 1256 A plea or verdict of guilty, *or a conviction following a plea of nolo contendere, is deemed to be a conviction within the meaning of this section* irrespective of whether an order granting probation or other order is made suspending the imposition of the sentence or whether sentence is imposed but execution thereof is suspended; ~~or a conviction following a plea of nolo contendere, is deemed to be a conviction within the meaning of this section~~.

(b) Notwithstanding any other provision of this division, any determination made prior to a conviction or other final disposition of the criminal complaint or accusation by the court as to whether an individual who is terminated due to his absence from work because of incarceration voluntarily leaves without good cause may, if no appeal has been taken from the determination, for good cause be reconsidered by the department during the benefit year or extended duration period to which the determination relates Notice of any reconsidered determination shall be given to the claimant and any employer or employing unit which received notice under Section 1328 or 1331, and the claimant or employer may appeal therefrom in the manner prescribed in Section 1328.

SEC 6. Section 1260 1 is added to the Unemployment Insurance Code, to read·

1260 1 Notwithstanding any other provision of this division, benefits shall not be denied to any individual by reason of cancellation of wage credits or total reduction of his benefit rights for any cause other than discharge for misconduct connected with his work, fraud in connection with a claim for benefits, or receipt of disqualifying income This section shall not be construed to authorize cancellation of wage credits or total reduction of benefit rights for any cause whatsoever, nor shall it limit or affect any other section that provides for cancellation of wage credits or total reduction of benefit rights for any cause permitted under this section.

SEC 7. Section 1263 of the Unemployment Insurance Code is amended to read:

1263. (a) Any individual convicted under Section 2101 by any court of competent jurisdiction of willfully making a false statement or knowingly failing to disclose a material fact to obtain or increase any benefit or payment under this division shall forfeit any rights to benefits for the week in which the criminal complaint was filed and for the fifty-one (51) consecutive calendar weeks which immediately follow such week, irrespective of a subsequent order under the provisions of Section 1203 4 of the Penal Code allowing such individual to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty or dismissing the criminal complaint, but a forfeiture of benefits under this subdivision shall extend no later than the effective date of any such order under Section 1203 4 of the Penal Code, and, if the period of forfeiture has not previously expired, the forfeiture of benefits under this subdivision shall terminate as of the effective date of any such order

(b) Any individual convicted under Section 2101 by any court of competent jurisdiction of willfully making a false statement or knowingly failing to disclose a material fact to obtain or increase any benefit or payment under this part, Part 3 (commencing with Section 3501), or Part 4 (commencing with Section 4001) shall, irrespective of a subsequent order under the provisions of Section 1203 4 of the Penal Code allowing such individual to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty or dismissing the criminal complaint, be ineligible to receive unemployment compensation or extended duration benefits or federal-state extended benefits for the week in which the criminal complaint was filed, or any subsequent week, for which he is first otherwise in all respects eligible for unemployment compensation or extended duration benefits or federal-state extended benefits and for nine subsequent weeks for which he is otherwise in all respects eligible for unemployment compensation or extended duration benefits or federal-state extended benefits. No disqualification under this subdivision shall be applied to any week if all or any portion of the week is beyond the three-year period next succeeding the date of the filing of the criminal complaint

(c) The department shall, effective upon the date of the filing of a criminal complaint against an individual prosecuted under Section 2101, suspend the payment of benefits to the indivdual.

(d) A plea or verdict of guilty, *or a conviction following a plea of nolo contendere, is deemed to be a conviction within the meaning of this section* irrespective of whether an order granting probation or other order is made suspending the imposition of the sentence or whether sentence is imposed but execution thereof is suspended; ~~or a conviction following a plea of nolo contendere, made to a charge of an offense under Section 2101 is deemed to be a conviction within the meaning of this section~~.

(e) Notwithstanding the provisions of this section, an individual may during a period of forfeiture under subdivision (a) of this section meet the conditions to remove any disqualification that is imposed under Sections 1260 or 1261, or subdivision (b) of this section, but no week during the period of forfeiture shall be used to offset the amount of any overpayment.

SEC. 8. Section 1277 of the Unemployment Code is amended to read:

1277. ~~Wages~~ *Notwithstanding the provisions of Section 1281, if the base period of a new claim includes wages which were* paid prior to the ~~filing~~ *effective date* of ~~a valid claim~~ and not used in the computation of the award ~~may be used for the purpose of computing the amount of any other award only if within the 12-month~~ *for a previous valid claim, the new claim shall not be valid unless, during the 52-week* period *immediately* following the *effective* date of ~~the filing of the~~ *previous* valid claim, the individual was paid sufficient wages to meet the eligibility requirement *of subdivision (a) of* Section 1281 and had some work. For the purpose of this section only the term "wages" includes any and all compensation for personal services performed as an employee for the purpose of meeting the eligibility requirement under *subdivision (a)* of Section 1281. This section is not applicable to the computation of an award for disability benefits but the establishment of a valid claim for disability benefits shall not constitute a valid claim for unemployment compensation benefits unless the claimant was paid sufficient wages and performed some work to entitle the claimant to an award under this section.

SEC. 9. Section 1277.5 of the Unemployment Insurance Code is amended to read.

1277.5. In determining, under Section 1277, whether ~~wages paid prior to the filing of a valid claim may be used in computing the amount of any other award~~ *a new claim is valid*, if the individual had some work during the ~~12-month~~ *52-week* period *immediately* following the ~~filing~~ *effective date* of the *previous* valid claim, then twice the amount which an individual was entitled to receive under Part 2 (commencing with Section 2601) of this division or under Division 4 (commencing with Section 3201) of the Labor Code, or under any workmen's compensation law, employer's liability law, or disability insurance law of any other state or of the federal government, *or under the maritime doctrine of maintenance and cure* ~~12-month~~ *52-week* pe-

riod *immediately* following the ~~filing~~ *effective date* of the *previous* valid claim, shall be considered as wages paid to the individual during that ~~12-month~~ *52-week* period for purposes of meeting the eligibility requirements of *subdivision (a)* of Section 1281. The amounts so included shall not be considered wages for the purpose of computing the weekly benefit amount of the individual under Section 1280.

SEC 10. Section 1528 5 of the Unemployment Insurance Code is amended to read:

1528.5. (a) Money credited to the account of this state in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to Section 903 of the Social Security Act, as amended, may not be requisitioned from this state's account or used except for the payment of benefits and for the payment of expenses incurred for the administration of this part. Such money may be requisitioned pursuant to Section 1529 for the payment of benefits Such money may also be requisitioned and used for the payment of expenses incurred for the administration of this part but only pursuant to a specific appropriation by the Legislature and only if the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:

(1) Specifies the purposes for which such money is appropriated and the amounts appropriated therefor.

(2) Limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law.

(3) Limits the amount which may be obligated during a fiscal year to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this state pursuant to Section 903 of the Social Security Act, as amended, during the same fiscal year and the ~~14~~ *24* preceding fiscal years, exceeds (ii) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such ~~15~~ *25* fiscal years.

(b) Amounts credited to this state's account in the Unemployment Trust Fund under Section 903 of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged, except that no amount obligated for administration during a fiscal year specified herein may be charged against any amount credited during such a fiscal year earlier than the ~~14th~~ *24th* preceding such fiscal year

(c) Money appropriated pursuant to this section for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and, upon requisition, shall be deposited in the Unemployment Administration Fund, but, until expended, shall remain a part of the Unemployment Fund The director and the Controller shall maintain a separate record of the deposit, obligation, expenditure, and return of funds so deposited Any money so deposited which either will not be obligated within the period specified by the appropriation law or remains un-

obligated at the end of the period, and any money which has been obligated within the period but will not be expended shall be returned promptly to the account of this state in the Unemployment Trust Fund.

SEC 11. Section 2629 of the Unemployment Insurance Code is amended to read:

2629. *(a)* Except as provided in this section, an individual is not eligible for disability benefits *under this part* for any day of unemployment and disability for which he has received, or is entitled to receive *"other* benefits*,"* in the form of cash payments ~~for~~.

(b) "Other benefits" as used in this section means:

(1) ~~temporary~~ *Temporary* disability indemnity*,* under a workmen's compensation law*, of this state or of any other state or of the federal government*

(2) Temporary disability benefits under any employer's liability law of this state*,* or of any other state*,* or of the federal government.

(3) Temporary disability benefits for work-connected injuries or illness under the maritime doctrine of maintenance and cure.

(c) If such ~~cash payments~~ *"other benefits"* are less than the amount ~~he~~ *an individual* would otherwise receive as disability benefits under this part, he shall be entitled to receive, for such day, if otherwise eligible, disability benefits *under this part* reduced by the amount of such ~~cash payments~~ *"other benefits"*. If after receipt of, or determination of entitlement to receive, ~~temporary disability~~ *such other* benefits ~~under a workmen's compensation law~~, a claim for ~~unemployment compensation~~ disability benefits *under this part* is filed during the same continuous period of disability, because of a disability for which ~~the workmen's compensation~~ *a* claim *for such other benefits* was made, the maximum amount of *disability* benefits payable ~~hereunder~~ *under this part* during the disability benefit period thereby established shall be reduced by the amount of ~~temporary disability~~ *such "other* benefits*"* which the claimant *has* received or has been determined to be entitled to receive ~~under the Workmen's Compensation Law~~."

Amendment No. 5

On page 2, line 33, strike out "SEC. 2", and insert "SEC. 12".

Amendment No. 6

On page 2, line 39, strike out "SEC. 3", and insert "SEC. 13".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 806—An act to add Chapter 11 (commencing with Section 872) to Title 10 of Part 2 of the Code of Civil Procedure, relating to environmental defense actions.

Bill read second time, and ordered to third reading

Assembly Bill No. 1159—An act to add Sections 1014.1 and 1017.1 to the Education Code, relating to school district employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 284—An act to amend Section 5120 of the Welfare and Institutions Code, relating to facilities for the mentally and physically handicapped, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2164—An act to amend Section 14005.6 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1470—An act to amend Section 25951 of the Health and Safety Code, relating to counseling sessions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

On page 2, lines 26 and 27, of the printed bill, as amended in Assembly May 11, 1972, strike out "shall be provided as a reimbursable item", and insert "are defined as a hospital outpatient service".

Amendment No. 2

On page 3, after line 29, insert

"SEC 2. The State Department of Public Health shall conduct a study of preabortion procedures, including counseling by private or public agencies and psychological screening, and the effects that such preabortion procedures have upon the persons involved The department shall report its findings to the Legislature by January 1, 1974."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1019—An act to repeal Article 3 (commencing with Section 2630) of Chapter 4 of Part 9 of Division 2 of, and to add Article 3 (commencing with Section 2630) to Chapter 4 of Part 9 of Division 2 of, the Labor Code, relating to employee housing.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, May 24, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 806
AB No. 1159

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2369: By Assemblyman Cullen—An act to amend Section 630 of the Probate Code, relating to estates.

Held at Desk by order of the Acting Speaker.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1393—An act to amend Section 18021 7 of the Government Code, relating to fire suppression employees.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burton, Cline, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Porter, Priolo, Seeley, Stacey, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 2149, on request of Mr. Wood.

Assembly Bill No. 686, on request of Mr. Priolo

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 299—An act to amend Sections 14132 and 14133 of the Welfare and Institutions Code, relating to medical assistance.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Brown, Burton, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Murphy, Porter, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—52.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr Brown announced that all Members who wish to appear before the Conference Committee on the Budget (Senate Bill No 50), should do so today between 1.30 p m. and 3 p m in the Senate Lounge.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 680—An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to public social services

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Biddle, Brown, Burton, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Porter, Priolo, Russell, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Maddy was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 488—An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools

Bill read third time

Demand for Previous Question

Messrs Foran, McCarthy, Priolo, Beverly, and Hayes demanded the previous question Demand sustained

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly

Motion carried. Time, 11 24 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
MOTION TO WITHDRAW ASSEMBLY BILL NO. 16 FROM COMMITTEE

The motion by Mr. Wakefield to withdraw Assembly Bill No. 16 from the Committee on Education was read.

CAUCUS ANNOUNCEMENTS

At 11:25 a.m., Mr. Stull was granted unanimous consent that the Republican Caucus be permitted to meet at this time in the Assembly Lounge.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1492 for hearing in the Committee on Efficiency and Cost Control, Friday, May 26, 1972.

FURTHER CONSIDERATION OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 16 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Wakefield moved that Assembly Bill No 16 be withdrawn from the Committee on Education

Motion Withdrawn

Mr Wakefield was granted unanimous consent to withdraw his motion to withdraw Assembly Bill No 16 from the Committee on Education.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 488

At 12:37 p.m., on motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 488 refused passage by the following vote:

AYES—Burton, Chacon, Cullen, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Keysor, Knox, LaCoste, Lewis, McAlister, McCarthy, Meade, Quimby, Ryan, Sieroty, Thomas, Vasconcellos, Warren, and Z'berg—24

NOES—Badham, Barnes, Belotti, Beverly, Biddle, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, MacGillivray, Murphy, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, Wilson, and Wood—24.

Motion to Reconsider Assembly Bill No. 488 on Next Legislative Day

Mr. Dunlap moved to reconsider on the next legislative day the vote whereby Assembly Bill No 488 was this day refused passage.

Assembly Bill No. 488 ordered to the unfinished business file.

BILLS REMOVED FROM CONSENT CALENDAR

On request of Mr. Bagley, Senate Bill No 373 was removed from the Consent Calendar

On request of Mr. Foran, Assembly Bill No 958 was removed from the Consent Calendar.

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No. 22 2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2002—An act to amend Sections 3, 5, 5 5, 6 1, 6 2, 7, 11, 13, 14, 18, 18 5, 22, 27, and 31 of, to add Sections 3 2, 3 3, 5 6, 5 7, 12 1, 12 2, 12 3, 12 4, 12 5, 12 6, 12 7, 19, 19 1, 19 2, 19 3, and 19 4 to, and to repeal Sections 3 2, 19, 19.1, and 27 7 of, the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), relating to the Contra Costa County Flood Control and Water Conservation District

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1133—An act to add Section 202 7 to the Revenue and Taxation Code, relating to property taxation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 190—An act to amend Section 28772 of, to repeal Section 28758 5 of, and to add Sections 28742 5, 28762 5, 28776.1, 28776.2, and 28776 3 to, the Health and Safety Code, relating to hazardous substances.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 320—An act to add Sections 84.5, 991, and 1809 to the Streets and Highways Code, relating to streets and highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 513—An act to add Article 4 (commencing with Section 6750) to Chapter 6 of Part 1 of Division 6 of the Fish and Game Code, relating to aquatic plants.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 517—An act to add Section 23356.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap. Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 572—An act to amend Section 10752 of the Revenue and Taxation Code, and to repeal Section 9269 of the Vehicle Code, relating to taxation of motor vehicles, declaring the urgency thereof, to take effect immediately.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 625—An act to add Section 14797 to, and to repeal Section 14797 of, the Revenue and Taxation Code, relating to inheritance taxation.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 890—An act to amend Sections 3700 and 3714 of, and to add Sections 3714 5, 3723 5, and 3728.5 to, the Public Resources Code, relating to geothermal resources.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 983—An act to add Section 11052 5 to the Education Code, relating to school attendance.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1368—An act to amend Section 3074 of the Labor Code, relating to apprenticeship programs

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1570—An act to amend Sections 14978 and 15670 of the Elections Code, relating to elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1588—An act to amend Sections 18422 and 18423 of the Education Code, relating to school district severance aid.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1691—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1942—An act to add Section 255 5 to the Health and Safety Code, relating to crippled children's services and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1281—An act to amend Sections 33126 and 34278 of the Health and Safety Code, relating to public agency personnel.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1839—An act to amend Section 33401 of the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1840—An act to amend Section 33601 of the Health and Safety Code, relating to redevelopment agencies

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1842—An act to amend Section 33352 of the Health and Safety Code, relating to redevelopment

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 677—An act to amend Section 21671 5 of the Public Utilities Code, relating to airports.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 65—An act to amend Section 7076 5 of the Business and Professions Code, relating to Contractor's State License Board

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 85—Relative to the Joint Committee on the Master Plan for Higher Education.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox,

LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 977—An act to amend Section 21953 of the Vehicle Code, relating to pedestrians.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1372—An act to repeal Section 1 5 of the Vehicle Code, relating to the operative date of acts affecting the Vehicle Code, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1374—An act to amend Sections 39130 and 39184 of the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1970—An act to amend Sections 21712 and 23123.5 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 143—An act to amend Section 6423 of the Education Code, relating to public schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox,

LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 524—An act to amend Sections 4437 and 4438 of the Public Resources Code, relating to forest products, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 410—An act to amend Sections 74662, 74663, 74664, 74665, 74666, and 74674 of, and to add Section 74661.5 to, the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox,

LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 496—An act to add Section 25210.4b to the Government Code, relating to county service areas.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 604—An act to permit late filing of documents by fire protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 239—An act to add Section 7030.5 to the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 247—An act to amend Sections 7028 and 7028.1 of the Business and Professions Code, relating to licensing of contractors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 249—An act to amend Section 5090 of the Business and Professions Code, relating to accountants

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Priolo,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Acting Speaker Fenton announced that all committees scheduled to meet at 1.45 p.m. today would meet instead at 2 p m.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:39 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waxman was granted unanimous consent that Assembly Bills Nos. 1313, 1965, and 1991 be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 399 for hearing in the Committee on Judiciary, on Thursday, May 25, 1972.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1252 was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letters of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We transmit herewith the Auditor General's report resulting from his review of the Medi-Cal funding system currently in use by the fiscal intermediaries of the state The fiscal intermediaries maintain bank accounts of their own wherein state warrants are deposited for funds to pay Medi-Cal providers

The current staggered check funding system of the intermediaries is presently saving the state approximately $650,000 per year over previous procedure However, the Centralized Treasury System plan for Medi-Cal, if implemented, would enable the state to earn an additional $389,000 per year. Savings of $104,000 would result from eliminating Blue Shield's bank service charges and reconciliation costs Retention of the funds in the state treasury rather than in Blue Shield's bank accounts would result in interest earnings of $285,000

It is recommended that the Department of Health Care Services adopt the Centralized Treasury System plan no later than August

1972, and combine California Blue Shield's two bank accounts into one Centralized Treasury System account to realize the benefits stated above.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a performance audit report prepared by the Auditor General on the State Controller's operations.

The Controller's Office is one of several fiscal control agencies responsible for the collection, control, investment, expenditure and auditing of the state's resources. No overall conclusion is expressed in the report which suggests that each functional area be studied separately Such a study would include agencies other than the Controller's Office.

Six recommendations are made in the report all of which require legislation. Some of the legislation has been unsuccessful in the past.

The Controller by statute serves on more than 20 boards and commissions Some of these positions are inconsistent with his other duties and responsibilities For example, as a member of the Board of Equalization he hears appeals of Franchise Tax Board decisions which he makes as a member of that board

Changes in the administration and collection of inheritance taxes, in addition to those already made by the Controller, could save the state over $1 million each year. By transferring to the Controller's Office the inheritance tax duties now performed by the counties some $785,000 could be saved.

The complete abolishment of the inheritance tax referee system, which was attempted by the Controller on several occasions, could save the state about $200,000 a year. The heirs would receive about $2 million more by eliminating the appraiser's fees charged against the estates

As of August 30, 1971 about $17 million of inheritance tax payments due to the state were delinquent. The six percent interest on such delinquencies is not an effective incentive to encourage early payment of taxes.

The sale of $1 5 million of stock certificates held by the state as custodian of unclaimed property needs to be expedited Statutes need to be amended clarifying the state's title and allowing some flexibility in the handling of such sales Also, it is recommended that unclaimed property of deceased persons be treated the same as abandoned property to allow an earlier transfer of about $7 million to the state's general fund

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Revenue and Taxation.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ray E. Johnson:

House Resolution No. 58

Relative to medical malpractice litigation

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of medical malpractice litigation and the feasibility of creating a state administrative agency to initially hear and determine the merits of medical malpractice cases, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 807

AB No. 1848

With the recommendation: Do pass.

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1905

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1085

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Planning and Land Use

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 371
AB No. 376
AB No. 1363

With the recommendation · Do pass.

PRIOLO, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 407
AB No. 1122

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PRIOLO, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 1725

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 24, 1972

Mr Speaker · Your Committee on Education reports:

AB No. 1419
AB No 1589
AB No. 1766

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 1764
AB No 1816

With the recommendation Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1603

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation bill be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 144	AB No. 1250
AB No. 317	AB No. 1366
AB No. 1165	AB No. 1833

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation bills be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 816	AB No. 1592
AB No. 834	AB No. 1775

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Commerce and Public Utilities

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 1959

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1959—An act to amend Section 7026.1 of the Business and Professions Code, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "1973", and insert "1974"

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 24, 1972

Mr Speaker: The Chairman of your Committee on Water reports:

SB No. 468

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 468—An act to add Sections 17 1, 17.2, and 17.3 to, the San Diego County Flood Control District Act (Chapter 55 of the Statutes of 1966, First Extraordinary Session), relating to the San Diego County Flood Control District.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 12 of, and".

Amendment No. 2

On page 2, line 1, after "SECTION 1.", insert "Section 12 of the San Diego County Flood Control District Act (Chapter 55 of the Statutes of 1966, First Extraordinary Session) is amended to read:

Sec 12 In each of the zones the board shall appoint a commission as follows. one representative of all the soil conservation districts situated entirely or partially within the zone, one representative of all the water agencies situated entirely or partially within the zone; three or more representatives of the unincorporated territory of the zone, the precise number to be determined as hereinafter specified, and one additional representative appointed by the board if such appointment is necessary to make the total number of representatives an uneven number.

As used in this section the term "water agencies" means any person operating a dam having an impounding capacity of 2,500 acre-feet or more, and any public agency representing the owners of, or controlling, water rights that in the determination of the board would or could be affected by zone or district projects.

The board shall appoint the representative of the soil conservation districts from a list of one or more nominees proposed by all of such districts acting in concert.

The board shall appoint the representative of the water agencies from a list of one or more nominees proposed by all of such agencies acting in concert.

Representatives of the unincorporated area shall be not less than three in number and shall be nominated and appointed by the board. The number of representatives authorized for the unincorporated territory shall be determined according to the following table, provided, however, where the application of such table results in the appointment of less than three representatives for the unincorporated territory the board shall appoint additional representatives so that the number of representatives for the unincorporated territory shall be at least three:

Zone	One representative for *	One additional representative for *
1	30, or less	each additional full 30
2	100, or less	each additional full 100
3	40, or less	each additional full 40
4	20, or less	each additional full 20
5	10, or less	each additional full 10

* The numbers in the center and right columns represent millions of dollars of assessed valuation.

Upon annexation to the district, any corporate area of any city which is within or partially within any zone shall have the right to representation on the zone commission for said zone and the number of representatives shall be determined and they shall be appointed and serve in like manner as representatives of the unincorporated territory, except that they shall be nominated by the city council.

If the position of representative of the soil conservation districts or of the water agencies is or becomes vacant for any reason, the clerk of the board shall give to each of said districts or agencies, as the case may be, 30 days notice of the time and place at which will be held a meeting for the purpose of nominating a representative of its own choosing. If the position of representative of any city or of the unincorporated territory is or becomes vacant for any reason the board shall appoint the representative nominated by the city council or by the board of supervisors, as the case may be, only, and such position shall remain vacant unless and until such nomination and appointment is made.

In all zones representatives shall serve four-year terms, except that the initial appointment of one-half the representatives, as determined by lot, shall be for a two-year term, only, so that the terms of the representatives will be staggered. Any representative appointed by the board for the purpose of making the total number of representatives an uneven number shall be appointed only for a two-year term Zone representatives may be reappointed by the board to serve additional terms

Each zone representative shall receive such sum as may be fixed by the board not exceeding ten dollars ($10) for each meeting of the zone commission attended by him, not exceeding two meetings in any calendar month. The board by resolution may provide for the reimbursement from funds of the district of actual and necessary expenses incurred by such representatives in the performance of official duties under this act.

Notwithstanding any other provision of this section, in no event shall the total number of commissioners for any zone exceed the following nine persons: one soil conservation district representative; one water agency representative; and seven representatives of the unincorporated territory of the zone and the corporate area of any city within the zone which may have been annexed to the district. Where the corporate area of a city is included in the zone, the representation shall be apportioned between the unincorporated territory and the corporate area on the basis of assessed valuation.

SEC. 2."

Amendment No. 3

On page 4, line 11, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 4

On page 5, line 16, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Water reports: AB No. 1994

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1994—An act to amend Section 7.1 of the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted: -

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7.1 of", and insert "Sections 7.1 and 13 of, and to add Section 13.5 to,".

Amendment No. 2

In line 3 of the title, after "Agency", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 7, after line 9, insert

"SEC 2. Section 13 of the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961) is amended to read as follows:

Sec. 13 The agency shall not incur any indebtedness or liability exceeding in any year the income and revenue provided for such year,

and any indebtedness or liability incurred in violation of this section shall be absolutely void and unenforceable. This section shall have no application to debts and liabilities incurred pursuant to the provisions of this act authorizing the issuance of bonds, the levying of special assessments, or the execution of contracts with the United States or the state, *or the issuance of negotiable promissory notes*

SEC. 3. Section 13.5 is added to the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), to read·

Sec. 13 5. The agency may issue negotiable promissory notes for any purpose for which the agency is authorized to expend funds, including the refunding of any outstanding promissory notes, such notes to bear interest at a rate not exceeding 7 percent per annum; provided, however, that such notes shall be general obligations of the agency payable from revenues and taxes, unless paid from other available funds of the agency, in the same manner as bonds of the agency; and provided further, that the maturity shall not be later than five years from the date thereof and that the total aggregate amount of such notes outstanding at any one time shall not exceed 2 percent of the assessed valuation of the taxable property in the agency.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Kern County Water Agency proposes to construct a joint use canal to transport water to various member units and to Kern County Water Agency Improvement District No 4 in order to supply these areas with much-needed water and alleviate a serious overdrafting of the underground basin In order for the agency to be able to proceed with this project as rapidly as possible and prevent further unnecessary depletions of the underground water resources of the agency and protect the health and safety of its residents, the agency needs to be able to issue negotiable promissory notes to obtain financing for this project during the interim between the time bonds are authorized and the time they can be sold in an orderly and economical manner It is necessary, therefore, that this act go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, May 24, 1972

Mr Speaker. The Chairman of your Committee on Water reports:

AJR No. 23

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Joint Resolution No. 23—Relative to the San Felipe Water Project.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed measure, as amended in Assembly May 15, 1972, after "are", insert "being evaluated and may be".

Amendment No. 2

On page 1, line 8, strike out "would", and insert "could".

Amendment No. 3

On page 2, strike out lines 1 to 20, inclusive, and insert

"WHEREAS, There has not yet been determined publicly the effect of Decision 1379 of the State Water Resources Control Board upon the proposed project; and

WHEREAS, An environmental impact study has not been made on the San Felipe Water Project; and

WHEREAS, Such environmental impact study should include a study of the impact upon the service area, the Sacramento-San Joaquin Delta, the San Francisco Bay, and any areas of origin, both the impact of the project being completed and the impact should it not be completed; and

WHEREAS, The study should include examination of the effect of pending prohibition of discharges of waste water into the San Francisco Bay by the Environmental Protection Agency and the California Regional Water Quality Control Board, and

WHEREAS, There have been many as yet unanswered questions raised as to how much the project will cost and who will bear these costs; and

WHEREAS, The need for San Felipe Project water is based on further urban expansion and consequent destruction of agricultural land, and

WHEREAS, Delaying the San Felipe Water Project until the above issues can be thoroughly investigated and the many significant questions satisfactorily answered is both logical and necessary; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to not expend any further funds for construction of the San Felipe Water Project except as necessary.

(1) To determine the total construction cost and the total cost to the consumer of the San Felipe Project, including the cost of in-county storage treatment and delivery of the water to be delivered pursuant to the project;

(2) To determine the effect of Decision 1379 of the State Water Resources Control Board upon the San Felipe Project, and

(3) To allow public review and comment by the affected cities and county boards of supervisors upon the above, and be it further".

Resolution ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 1006
AB No. 2080

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1006—An act to amend Section 2600 of the Penal Code, relating to prisoners.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2600 of the Penal Code", and insert "add Section 4023 5 to, and amend Section 2600 of, the Penal Code, and to add Sections 862 and 882.5 to the Welfare and Institutions Code".

Amendment No. 2

On page 2, after line 39, insert

"SEC. 2. Section 4023.5 is added to the Penal Code, to read:

4023.5. Any person confined in a county or city jail shall have, in addition to any other rights he may have, the right to visit, confidentially, with any clergyman, as defined in Section 1030 of the Evidence Code, subject to the discretion of the jail authorities to prohibit visitations with clergymen who have been convicted of a felony

SEC. 3. Section 862 is added to the Welfare and Institutions Code, to read:

862. Any person detained in a juvenile hall shall have, in addition to any other rights he may have, the right to visit, confidentially, with any clergyman, as defined in Section 1030 of the Evidence Code, subject to the discretion of the juvenile hall authorities to prohibit visitations with clergymen who have been convicted of a felony.

SEC. 4. Section 882.5 is added to the Welfare and Institutions Code, to read:

882 5. Any person committed to a juvenile home, ranch, camp, or forestry camp shall have, in addition to any other rights he may have, the right to visit, confidentially, with any clergyman, or defined in Section 1030 of the Evidence Code, subject to the discretion of the appropriate authorities to prohibit visitations with clergymen who have been convicted of a felony."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

Assembly Bill No. 2080—An act to amend Section 1078 of the Penal Code, relating to jurors

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Section 600 5 to the Code of Civil Procedure, and to"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 600.5 is added to the Code of Civil Procedure, to read

600 5. The examination of prospective jurors is to insure the selection of a fair and impartial jury and shall include all questions which permit a party to determine whether a basis for challenge for cause of a prospective juror exists or whether to exercise a peremptory challenge as to any prospective juror

SEC 2. Section 1078 of the Penal Code is".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, May 24, 1972

Mr Speaker: The Chairman of your Committee on Welfare reports AB No. 1897

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Welfare

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1897—An act to add Section 12152 6 to the Welfare and Institutions Code, relating to public assistance

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly May 4, 1972, after "aged", insert "is substandard, in that it".

Amendment No. 2

On page 2, strike out line 9, and insert "to".

Amendment No. 3

On page 2, line 10, strike out "or the", and insert " A recipient who moves from substandard housing to economical suitable available standard housing shall receive an additional allowance for any actual

housing expense in excess of the applicable maximum housing allowance. If homeownership offers monthly expenses comparable to renting, a recipient living in substandard housing shall receive an additional allowance of up to five hundred dollars ($500) to be applied to necessary".

Amendment No. 4

On page 2, between lines 11 and 12, insert

"The home repair allowance shall be allowed only for homeowners."

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 24, 1972

Mr Speaker. The Chairman of your Committee on Education reports:

AB No. 72

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 72—An act to amend Section 15707 of the Education Code, relating to school district property

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Deddeh", and insert "Porter".

Amendment No. 2

In line 1 of the title, strike out "to amend Section 15707 of the Education Code,".

Amendment No. 3

In line 2 of the title, after "property", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. If, at an election conducted on November 3 of 1970 pursuant to Sections 15707 and 15708 of the Education Code, at least 60 percent of the votes cast were in favor of a lease or agreement proposed to be entered into by a unified school district and if such lease or agreement does not effect an increase in the existing maximum tax rate of the district, such election shall, notwithstanding the provisions of Sections 15710 and 15711 of the Education Code in effect at the time of such election or thereafter, constitute continuing authority for the governing board of the district at any time prior to July 1, 1974, to enter into the lease or agreement submitted to the voters at such election

SEC. 2. This act shall remain in effect until July 1, 1974, and as of that date is repealed.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to permit the Downey Unified School District of Los Angeles County, or any other unified school district similarly situated, to proceed without unnecessary delay to construct an educational center by means of a lease-purchase agreement which was approved by the voters of the district, it is necessary that this act take immediate effect."

Amendment No. 5

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 531

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 9, 1972, after "by", insert "the Joint Committee on Textbooks and Curriculum ("

Amendment No. 2

In line 2 of the heading, strike out "(Coauthors Senators Dymally and Harmer", and insert "and (Coauthors Senators Rodda, Dymally, and Harmer)".

Amendment No. 3

On page 3, between lines 35 and 36, insert

"9221.3 "Basic instructional material" means instructional materials designed for use by pupils as a principal learning resource and which meet in organization and content the basic requirements of the intended course

9221.5. "Supplementary instructional materials" means instructional materials designed to serve, but not limited to, one or more of the following purposes, for a given subject, at a given grade level

(1) To provide more complete coverage of a subject or subjects included in a given course.

(2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level.

(3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.

(4) To provide for meeting the diverse educational needs of pupils caused by a condition of cultural disparity."

Amendment No. 4

On page 10, line 32, strike out "annually", and insert "biennially".

Amendment No. 5

On page 10, strike out lines 36 to 39, inclusive, and insert

"(a) The state board shall adopt not less than five but not more than 15 of any of the following, per subject, per grade. (1) instructional materials, (2) instructional materials systems, (3) a combination of instructional materials and instructional materials systems."

Amendment No. 6

On page 11, line 4, after "systems", insert ", as determined by the state board; however, in no event shall the state board adopt less than two basic instructional materials and instructional materials systems per subject, per grade".

Amendment No. 7

On page 11, between lines 4 and 5, insert

"(c) In the event that a district board establishes to the satisfaction of the state board that the adoption of basic instructional materials do not promote the maximum efficiency of pupil learning in the district, the state board shall adopt additional basic instructional materials subject to the limitations in subdivisions (a) and (b) "

Amendment No. 8

On page 11, line 5, strike out "(c) The board shall annually", and insert

"(d) The state board shall biennially"

Amendment No. 9

On page 11, line 12, strike out "(d) The", and insert

"(e) The state".

Amendment No. 10

On page 11, line 14, strike out "The board shall not", and strike out lines 15 to 20, inclusive; and in line 21, strike out "(e) The", and insert

"(f) The state".

Amendment No. 11

On page 11, line 22, strike out ", or the", and insert "and the state".

Amendment No. 12

On page 11, line 23, after "the", insert "state".

Amendment No. 13

On page 11, line 27, strike out "annual", and insert "biennial".

Amendment No. 14

On page 11, line 31, strike out "years' ", and insert "biennial".

Amendment No. 15

On page 11, line 34, strike out "years' ", and insert "biennial".

Amendment No. 16

On page 11, line 37, strike out "year", and insert "biennial period".

Amendment No. 17

On page 12, line 1, after "the", insert "state".

Amendment No. 18

On page 14, line 35, strike out ", to include a dollar"; and strike out line 36, and insert a period.

Amendment No. 19

On page 15, strike out line 25; and in line 26, strike out "credit of the district," and insert "by the state board".

Amendment No. 20

On page 16, strike out line 17, and insert

"9445. The State Controller shall during each fiscal year, commencing with fiscal year 1973–1974, transfer from the General Fund of the state to the State Instructional Materials Fund, an".

Amendment No. 21

On page 16, line 18, strike out "for each pupil enrolled in"; and strike out line 19, and insert "per pupil in average daily attendance in the elementary schools during the preceding fiscal year, as certified by the".

Amendment No. 22

On page 17, line 20, after "for", insert "state adopted".

Amendment No. 23

On page 17, line 31, after the period, insert "All district orders for instructional materials not adopted by the state shall be placed directly with the publisher or manufacturer at any of its offices in the State of California"

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 24, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 1831

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1831—An act to amend Section 20808.5 of the Education Code, relating to school district taxes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20808 5", and insert "repeal Sections 20808, 20808 5, and 20810".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 20808 of the Education Code is repealed

~~20808. (a) The maximum rate of any elementary or unified school district is, commencing with the fiscal year 1961/5, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of tuition or of educating pupils in grades seven and eight, exceeds the cost during the current fiscal year of educating pupils in grades kindergarten or one through six maintained by the district, exclusive of all federal and state apportionments~~

~~(b) The computations prescribed by subdivision (a) of this section shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase. If an elementary school district withdraws from a junior high school or a system of junior high schools pursuant to Sections 5625 to 5628, any such remaining unencumbered balance derived from the revenue of the increase in tax rate hereby provided may be transferred by resolution of the governing board of the elementary school district to the general fund. In the fiscal year following such transfer, the amount of such remaining unencumbered balance which is transferred to the general fund of the district shall be used to reduce the amount for which the maximum rate of school district tax may be increased pursuant to subdivision (a) of this section for the purposes of educating pupils in grades 7 and 8 in such elementary school district.~~

SEC. 2. Section 20808 5 of the Education Code is repealed

~~20808.5. (a) The maximum tax rate of a high school district which maintains a junior high school is, commencing with the fiscal year 1964–1965, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of educating pupils in grades seven and eight, exceeds the total of federal and state apportionments and the tuition payments received by the district during the current fiscal year for such pupils pursuant to Sections 5605 and 5605.5. The rate of tax for such purpose shall not be levied on the assessed valuation of any elementary district included in such high school district if the elementary district has 10 percent or less of the pupils in grades seven and eight who reside in the elementary district attending a junior high school of the high school district.~~

~~(b) The computations prescribed by subdivision (a) shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase.~~

SEC 3. Section 20810 of the Education Code is repealed.

~~20810. The maximum rate of school district tax is hereby increased for any school year for any school district which is obligated to pay to another school district tuition or other expenses of educating pupils in grades 7 and 8 in a junior high school. The increase in such maximum tax rate shall be in the amount necessary to produce that part of such tuition or expense obligation which represents the allocation, by the district maintaining the junior high school, of any part of its retirement or health and welfare benefit contributions under Sections 14210 and 14214 of this code, Sections 20532, 22551 and 22553 of the Government Code, and Article 1 (commencing with Section 53200) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~If at the end of any school year there remains an unencumbered balance derived from the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of such obligations of the district.~~ ''

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1283

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1283—An act to amend Sections 1822.2, 5756, 6851, 6871, 6873, 7459, 11257, 11301, 11872, 13704, 14111, 14657, 17301, 17303.5, 17352, 17402, 17405, 17407, 17551, 17601.1, 17603.5, 18355, 18358, 18401, 18452, 18455, 18456, 18460, 20701, 20702, 20703, 20704, 20705, 20706, 20801, 20801.5, 20802 8, 20806, and 20816 of, to amend the heading of Article 1 (commencing with Section 20701) of Chapter 3, Division 16 of, to add Sections 5605, 7456, 7460, 7461, 11003 5, 11255, 11401, 11404, 17300, 17303, 18451, 20707, 20708, 20709, 20710, and 20711 to, and to add Chapter 6.10 (commencing with Section 6499.230) to Division 6 of, Article 2 (commencing with Section 17651) and Article 11 (commencing with Section 18101), to Chapter 3, Division 14 of, Chapter 3.5 (commencing with Section 18472) to Division 14 of, Article 2 (commencing with Section 20751) to Chapter 3, Division 16 of, Chapter 3.5 (commencing with Section 20911) and Chapter 3.6 (commencing with Section 20931) to Division 16 of, to repeal Sections 885 5, 895 6, 895.7, 895.8, 895.9, 895.11, 5605, 5605.5, 5605.6, 5606, 5607, 5608, 5609, 5610, 5611, 5612, 5613, 5658, 5659, 5660, 5661, 5662, 5663, 5664, 6852, 6853, 6854, 6855, 6913.1, 6914, 6915, 6916, 6917, 6918, 6919, 7456, 7460, 7461, 11401, 11404, 17300, 17303, 17411.1, 17601 5, 17616, 17951, 18451, 18456 2, 20800, 20802.6, 20803, 20804, 20804.1, 20804 2, 20804.3, 20805, 20807, 20808, 20808.5, and 20810 of, and to repeal Article 2 (commencing with Section 17651), Article 2.1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 6 (commencing with Section 17851), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7.2 (commencing with Section 17940), Article 8 5 (commencing with Section 17970), Article 11 (commencing with Section 18101), Article 15 (commencing with Section 18301), and Article 17 5 (commencing with Section 18421) of, Chapter 3 of Division 14 of, to repeal Article 2 (commenc-

ing with Section 20751) of Chapter 3, Division 16 of, and Chapter 3.5 (commencing with Section 20910) of Division 16 of, the Education Code, and to amend Section 20532 of the Government Code, relating to the financial support of public education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in Assembly May 3, 1972, and insert "Sections 6741, 17300, 17303.5, 17414, 17417, 17503, 17603.5, 17651, 17653, 17654.5, 17655.5, 17664, 17665, 18102 8, 18102 9, 18102 10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3, 17301, 17301.1, 17301.2, 17662, 17662 3, 17662 5, 18102, and 20751 to, to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1.7 (commencing with Section 17270) to, and Article 3 (commencing wth Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913 1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665 5, 18102, 18102 2, 18102 4, 18102 6, 20751, 20800, 20801.5, 20802 8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2.1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7 1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code,".

Amendment No. 2

Strike out lines 3 to 49, inclusive, of the title.

Amendment No. 3

In line 51 of the title, strike out ", and declaring"; strike out line 52, and in line 53, strike out "immediately".

Amendment No. 4

On page 5, strike out lines 1 and 2, and insert

"SECTION 1. It is the intent of the Legislature in this act to provide for the financial support of public education in the following manner:

(a) A funding mechanism which (1) minimizes the wealth disparities that presently exist between school districts and (2) enables every child in the state to receive an equal education opportunity.

(b) An adequate level of financial support for the education of every child through a combination of a reasonable level of state assistance and local effort.

(c) An orderly transition from the present system to a new system of school finance.

(d) A system whereby at least 55 percent of the educational support is provided from the General Fund in the State Treasury.

(e) A reasonable level of annual increases from the state to meet the pressures of inflation without the necessity of annual legislative action.

(f) The continuation of local control of educational programs and the level of local property tax rates.

(g) A mechanism of expenditure controls to replace the present ineffective method of property tax limitations.

(h) A system for the elimination of most of the presently authorized school district permissive override taxes.

(i) A system for minimum reliance on the property tax for the support of public education.

SEC 2 Section 1835 of the Education Code is repealed.

~~1835. If all of the territory of any school district becomes part of two or more school districts of any type, and the inclusion in the two or more new school districts of the several portions of territory comprising the original school district is effective for all purposes on the same date, the county superintendent of schools having jurisdiction over the original district shall assume responsibility for:~~

~~(a) Completing all records and reports of the original district.~~

~~(b) Paying all outstanding obligations, except obligations resulting from contracts which are to be assumed by a succeeding district.~~

~~(c) Preparing for proper filing all records of the district required to be kept permanently by the provisions of any applicable code.~~

~~(d) Distributing records as provided in Section 1834.~~

~~(e) Employing an auditor as required in Section 17206.~~

~~(f) Discharging such other functions as he shall deem necessary to the dissolution of the district.~~

~~In discharging these duties the county superintendent may request the services of employees of the original district and the succeeding districts shall release such employees to the county superintendent for the purpose of accomplishing the requirements of this section. The salaries of such employees and all other necessary expenses of completing the requirements of this section shall be charged against the accumulated funds of the dissolved district prior to the final distribution of such funds to the succeeding districts.~~

SEC 3 Section 5661 of the Education Code is repealed

~~5661. If the elementary school district is located entirely within one county, the board of supervisors shall at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20801, inclusive, and Sections 20901 and 21001 of this code levy a tax on all taxable property in the elementary school district sufficient to raise the amount set forth in the certificate. If the elementary school district is located in more than one county, the tax shall be determined, levied, and collected at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20857, inclusive, and Sections 20901 and 21001 of this code. The maximum rate of school dis-~~

~~trict tax which may be levied pursuant to this section for any high school district or unified school district in any school year on each one hundred dollars ($100) of assessed valuation within the elementary school district shall be seventy-five cents ($0.75) if the average daily attendance of high school pupils living within the elementary school district and attending a high school in such high school district or unified school district during the preceding school year did not exceed 15~~

SEC. 3.5. Chapter 6.10 (commencing with Section 6499.230) is added to Division 6 of the Education Code, to read:

CHAPTER 6.10. EDUCATIONALLY DISADVANTAGED YOUTH PROGRAMS

6499.230 It is the intent of the Legislature to provide quality educational opportunities for all children in the California public schools. The Legislature recognizes that because of differences in family income, differing language barriers, and pupil transiency, differing levels of financial aid are necessary to provide quality education for all students.

6499.231. From the funds appropriated by the Legislature for the purposes of this chapter, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall administer this chapter and make apportionments to school districts to meet the total approved expense of the school districts incurred in establishing education programs for pupils who qualify economically and educationally in preschool, kindergarten, or any of grades 1 through 12, inclusive. Nothing in this chapter shall in any way preclude the use of federal funds for educationally disadvantaged youth.

6499.232 Maximum apportionments allowable to school districts shall be determined by the following factors:

(a) An index of "potential impact of bilingual-bicultural pupils" determined by dividing the percent of pupils in the district with Spanish and Oriental surnames, as determined by the annual ethnic survey conducted by the Department of Education, by the statewide average percentage of such pupils for unified, elementary, or secondary districts, as appropriate.

(b) A ratio of the district's "index of family poverty," defined as the district's Elementary and Secondary Education Act, Title I entitlement, divided by its average daily attendance in grades 1 through 12, or any thereof maintained, divided in turn by the state average index of family povery for unified, elementary, or secondary districts, as appropriate.

(c) A ratio of the district's "index of pupil transiency," as computed from the relationship between the district's average daily attendance and its total annual enrollment, divided by the state average index of pupil transiency for unified, elementary, or secondary districts, as appropriate.

The district's total maximum apportionment under this chapter shall be determined by computing the product of (1) one-third the sum of the above three factors, (2) the number of pupils receiving aid for dependent children support, and (3) a constant amount of three hundred dollars ($300), or such amount as the Superintendent of Public

Instruction may determine so that the sum of all allocations will not exceed the funds appropriated by the Legislature for the purposes of this chapter.

6499.233. For the fiscal year 1972–1973, the superintendent shall allocate to local districts an amount equal to not less than 40 percent of the total amount computed under Section 6499.232. For the fiscal year 1973–1974, the superintendent shall allocate not less than 40 percent of the total amount so computed and not more than 90 percent of the amount computed. For the 1974–1975 fiscal year and thereafter, the superintendent shall allocate to each district not less than 40 percent nor more than 100 percent of the amount so computed.

6499.234. In approving programs under this chapter, the State Board of Education shall give due consideration to the effectiveness of the program and shall not continue in operation any program that, upon evaluation, has been shown to be of low effectiveness and which has only limited possibility of improved effectiveness.

For the fiscal year 1973–1974 and for each year thereafter, districts which demonstrate a high degree of program effectiveness shall receive amounts up to their entitlement limits. Districts which demonstrate low levels of program effectiveness shall continue to receive their initial apportionments but the Superintendent of Public Instruction may reduce the additional computed apportionments due such districts, if he determines that such programs have limited possibilities of improved achievement

6499.235. The Superintendent of Public Instruction shall apportion the funds available for programs in accord with procedures specified in this chapter and policies which may be adopted by the State Board of Education. Funds shall be allocated to each district within its entitlement based upon a plan submitted by the district to the Superintendent of Public Instruction, and approved by the State Board of Education The plan shall include (1) an explicit statement of what the district seeks to accomplish, (2) a description of the program and activities designed to achieve these purposes, and (3) a planned program of annual evaluation, including a statement of the criteria to be used to measure the effectiveness of the program.

6499.236. The State Board of Education shall adopt regulations setting forth the standards and criteria to be used in the administration, monitoring, evaluation, and dissemination of programs submitted for consideration under this chapter; 1 percent of the total appropriation for the purposes of this chapter shall be retained by the Department of Education for these purposes Funds appropriated for the purposes of this chapter not allocated as previously specified shall be allocated by the State Board of Education to promote the intent of this chapter to provide education programs to as many eligible pupils as possible and to stimulate the development, implementation, and evaluation of innovative programs.

6499 237. The Superintendent of Public Instruction shall submit annually to the Governor and to each house of the Legislature a report evaluating the programs established pursuant to this chapter, together with his recommendations concerning whether the same should be continued in operation.

6499 238 There is hereby appropriated from the General Fund in the State Treasury to the State School Fund for the fiscal year 1972–1973 an amount equal to twenty-one dollars and fifty cents ($21.50) multiplied by the total statewide average daily attendance of the preceding fiscal year in kindergarten and grades 1 to 12, inclusive, to be used for the purposes of Chapter 6.10 (commencing with Section 6499.230) of Division 6 of the Education Code. For the fiscal year 1973–1974 the amount per such unit of average daily attendance shall be forty-three dollars ($43); and for the fiscal year 1974–1975 and thereafter, it shall be fifty-three dollars and seventy-five cents ($53.75).

SEC. 4. Section 6741 of the Education Code is amended to read:

6741. A student shall be deemed to be a resident of the high school district in which he lived at the time of his admission to the program and the excess cost for a school year of educating such student shall be paid by the high school district of which he is a resident to the county superintendent who is providing education for the students. The excess cost shall be determined by dividing the total current expense of education as defined in Section 17503 and also excluding expense of boarding and lodging during such school year by the total number of units of average daily attendance in such school or classes during such school year, less state and federal apportionments on account of such average daily attendance.

Average daily attendance of students shall be computed, for purposes of this article, by dividing the number of days such student attended the schools or classes by the number of days that the schools or classes were taught, except that with respect to a student attending such schools or classes for more than 175 days in a school year, the average daily attendance shall be computed by using the divisor of 175.

For purposes of computing average daily attendance 180 minutes of class attendance shall be deemed to constitute a schoolday, and no more than 15 hours of class time per week shall be considered.

Not later than July 15th of each year, the superintendent of schools of the county providing education for students shall forward his claim for the excess expense reimbursement to the high school district of residence of each student during the preceding school year, and the governing board of such high school district shall upon receipt thereof pay such claims.

~~The governing board of the high school district to which the claim is presented may include in its budget the amount necessary to pay the claim, and, if the amount is included in the budget, the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied. All amounts raised by such a tax shall be expended only for the purposes of this article.~~

SEC. 5. Section 6854 of the Education Code is repealed.

~~6854. The governing board of the district to whom the claim prescribed by Section 6853 is presented may include in its budget the amount necessary to pay the claim, and if the amount is included in the budget the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied.~~

SEC. 6. Section 6855 of the Education Code is repealed.

~~6855. The governing board of any school district maintaining a school or classes at a tuberculosis or polio ward, hospital or sanatorium, may include in its budget the amount necessary to maintain such school or classes, and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied.~~

SEC. 7. Section 6913.1 of the Education Code is repealed.

~~6913.1. The maximum rate of school district tax for any school year is hereby increased by such amount as the governing board of any school district which maintains or has entered into an agreement with another district or with the county superintendent of schools for educational services or facilities, including the rental of property or purchase of equipment, for mentally retarded minors who come within the provisions of Sections 6902 and 6903 may include in its budget and the board of supervisors shall levy a school district tax necessary to raise such amount.~~

~~Such budget expenditures may include the cost of equipment and facilities, the lease or lease-purchase of buildings, lease of land, alteration or additions to existing buildings, or other necessary capital outlay expenditures in connection with such educational services.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in the tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized for the education of mentally retarded minors who come within the provisions of Sections 6902 and 6903.~~

SEC. 8. Section 13520.3 is added to the Education Code, to read:

13520.3. When a school district operates on a year-around schedule pursuant to Chapter 7 (commencing with Section 32100) of Division 22, the salaries of employees who are employed for the extended school year may be adjusted in accordance with the ratio of the extension of the school year in months bears to the length of the school year in months prior to the commencement of year-around operation. No classroom teacher may be required to participate in a year-around program without his consent.

SEC. 9. Section 13704 of the Education Code is repealed.

~~13704. The governing board of a school district may cause the levy and collection annually of a school district tax upon the taxable property within the district in the number of cents per one hundred dollars ($100) of assessed valuation in the district as will be sufficient to raise the amount estimated by the governing board to be required to provide revenue to meet its obligations under Sections 13710 and 13711. This rate of taxation shall be in addition to the annual rate of taxation allowed by law to be levied for the district. All moneys raised by this tax shall be used solely for the requirements of Sections 13710 and 13711 and excess moneys raised in any one year shall be applied to the requirements of the following year.~~

SEC. 10. Section 14657 of the Education Code is repealed.

~~14657. For the purpose of providing funds which may be necessary to make the payments required by any district retirement plan, district taxes shall be levied and collected annually by the respective dis-~~

~~tricts at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes. For the purposes of this section any local retirement system shall be deemed to be a district retirement plan.~~

SEC. 11. Section 14758 of the Education Code is repealed.

~~14758. For the purpose of providing funds which may be necessary to make the payments required by any joint district retirement plan, district taxes shall be levied and collected annually by the respective districts at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes.~~

SEC. 12 Chapter 1 7 (commencing with Section 17270) is added to Division 14 of the Education Code, to read:

CHAPTER 1.7. ADJUSTMENTS TO USABLE ASSESSED VALUATION

17270. The Legislature hereby declares that its intent in enacting this chapter is to provide a reasonable and equitable method for ascertaining the value of property located within school districts for use in connection with the administration of state laws providing for the allocation of state funds to such districts for school purposes on the basis of value and provide for more equal educational opportunity for students residing in districts of varying wealth per unit of average daily attendance and to improve the equity among taxpayers residing in or owning property in districts of varying wealth

The Legislature hereby further declares that in enacting this chapter it has no intention to affect in any way, whether directly or indirectly, any determination of the assessed value of property for tax purposes.

17271. Each school district shall report to the Superintendent of Public Instruction:

(a) The total assessed valuation of the district; and

(b) The amount equal to:

(1) Ten percent of the total assessed valuation in the 1972–1973 fiscal year.

(2) Twenty percent of the total assessed valuation in the 1973–1974 fiscal year.

(3) Thirty percent of the total assessed valuation in the 1974–1975 fiscal year

(4) Forty percent of the total assessed valuation in the 1975–1976 fiscal year.

(5) Fifty percent of the total assessed valuation in the 1976–1977 fiscal year and following.

17272. The Superintendent of Public Instruction shall compute the total amounts reported to him pursuant to subdivision (b) of Section 17271 for each type of district He shall make a separate computation for elementary school districts, high school districts, and unified school districts He shall divide the total for each type of district by the statewide average daily attendance for the preceding fiscal year for each type of district. The amount computed pursuant to this section

is the assessed valuation redistribution amount per unit of average daily attendance for each type of district

17273. The Superintendent of Public Instruction shall compute for each school district the amount derived by multiplying the assessed valuation redistribution amount per unit of average daily attendance by the average daily attendance of the district for the preceding fiscal year.

The amount computed pursuant to this section is the redistribution amount

17273.5. The "district assessed valuation" for each district is the total assessed valuation minus the amount reported for it pursuant to subdivision (b) of Section 17271 plus the redistribution amount for the type of district computed pursuant to Section 17273.

17274. (a) Each school district shall compute the amount which the revenue derived from the levy and collection of school district taxes would have been if it had been collected and been based upon an adjusted assessed valuation computed pursuant to Section 17273.5

(b) Each district shall compute the total amount of revenue derived from the levy of school district taxes on property lying within the district

(c) If the amount computed pursuant to subdivision (a) is less than the amount computed pursuant to subdivision (b), the difference shall be transmitted to the School District Wealth Equalization Fund

(d) If the amount computed pursuant to subdivision (a) is more than the amount computed pursuant to subdivision (b), the Superintendent of Public Instruction shall allow to the district an amount equal to such difference from the School District Wealth Equalization Fund

SEC 13. Section 17300 of the Education Code is amended to read:

17300. It is the intent of the Legislature that the administration of the laws governing the financial support of the public school system in this state be conducted within the purview of the following principles and policies:

The system of public school support should be designed to strengthen and encourage local responsibility for control of public education. Local school districts should be so organized that they can facilitate the provision of full educational opportunities for all who attend the public schools Local control is best accomplished by the development of strong, vigorous, and properly organized local school administrative units It is the state's responsibility to create or facilitate the creation of local school districts of sufficient size to properly discharge local responsibilities and to spend the tax dollar effectively

Effective local control requires that all local administrative units contribute to the support of school budgets in proportion to their respective abilities, and that all have such flexibility in their taxing programs as will readily permit of progress in the improvement of the educational program Effective local control requires a local taxing power, and a local tax base which is not unduly restricted or overburdened.

The system of public school support should assure that state, local, and other funds are adequate for the support of a realistic ~~foundation~~ *educational* program. It is unrealistic and unfair to the less wealthy

districts to provide for only a part of the financing necessary for an adequate educational program.

The system of public school support should permit and encourage local school districts to provide and support improved district organization and educational programs. The system of public school support should prohibit the introduction of undesirable organization and educational practices, and should discourage any such practices now in effect. Improvement of programs in particular districts is in the interests of the state as a whole as well as of the people in individual districts, since the excellence of the programs in some districts will tend to bring about program improvement in other districts.

The system of public school support should make provision for the apportionment of state funds to local school districts on a strictly objective basis that can be computed as well by the local districts as by the state. The principle of local responsibility requires that the granting of discretionary powers to state officials over the distribution of state aid and the granting to these officials of the power to impose undue restriction on the use of funds and the conduct of educational programs at the local level be avoided.

The system of public school support should effect a partnership between the state, the county, and the local district, with each participating equitably in accordance with its relative ability. The respective abilities should be combined to provide a financial plan between the state and the local agencies ~~known as the foundation program~~ for public school support Toward this ~~foundation~~ *support* program, each county and district, through a uniform method should contribute in accordance with its true financial ability.

The system of public school support should provide, ~~through the foundation program,~~ for essential educational opportunities for all who attend the public schools Provision should be made ~~in the foundation program~~ for adequate financing of all educational services.

The broader based taxing power of the state should be utilized to raise the level of financial support in the properly organized but financially weak districts of the state, thus contributing greatly to the equalization of educational opportunity for the students residing therein. It should also be used to provide a minimum amount of guaranteed support to all districts, for such state assistance serves to develop among all districts a sense of responsibility to the entire system of public education in the state State assistance to all districts also would create a tax leeway for the exercise of local initiative

The Legislature further declares that in order to reduce the burden of inequitable property taxation it is in the best interest of the state to provide, from other than ad valorem property taxes, a predominant portion of the statewide cost of education in the elementary and secondary schools of the state. The Legislature further declares that the funds to be provided are required in order to reduce the disproportionate demand upon property taxpayers for support of educational services and programs, equalize wide variations in the ability of local communities to support such services and programs, and to assist school districts in meeting increased demands due to concentrations of educationally disadvantaged pupils.

In recognition of these disparities it is the intent of the Legislature to apportion funds for school purposes in such a manner as to provide adequate educational programs for all students regardless of where they reside or the wealth of their parents and neighbors

In implementing its intent the Legislature declares that, although the present system of funding does not meet desirable criteria, sudden changes of great magnitude in the system of public school finance would disrupt the educational system of many districts and thereby damage the whole public school system of the state, the educational welfare of all students, and the economy of the state; therefore, rapid change is undesirable and unacceptable.

Accordingly, the Legislature declares its intent to improve with all reasonable and deliberate speed, financial support of education in districts which have less than the statewide average assessed valuation per unit of average daily attendance as rapidly as those districts can efficiently utilize additional support, and at the same time allow districts with more than the statewide assessed valuation per unit of average daily attendance sufficient time to readjust their programs to new methods of financing to avoid precipitous disruption of present programs.

It is further the intent of the Legislature to study the possibility of adopting an apportionment system based upon weighted units of average daily attendance

SEC. 14. Section 17301 of the Education Code is repealed

~~17301. (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, one hundred eighty dollars ($180).~~

~~(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State School Fund as are certified from time to time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes set forth in Section 17303.5, provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, ninety-eight dollars and ninety-two cents ($98.92) for the fiscal year 1970-1971 and fiscal years thereafter, per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, less the amount, if any, by which seventy cents ($0.70) multiplied by the number of units of average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds exceeds twenty-one dollars and fifty cents ($21.50) multiplied by the~~

~~total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance.~~

~~For purposes of this subdivision, amounts transferrable to the State School Fund for the purposes of subdivision (h) and subdivision (i) of Section 17303.5, commencing with the amounts transferrable for the 1969–1970 fiscal year, shall be considered separately, and amounts otherwise transferrable but not required for the respective purposes of those subdivisions in any fiscal year shall be retained in the General Fund to be devoted to the respective purposes in the next succeeding fiscal year.~~

~~(c) In addition to the amounts authorized to be transferred to the State School Fund from the General Fund under subdivisions (a) and (b) of this section, the Controller shall transfer from the General Fund to the State School Fund during the fiscal year, upon certification of the Superintendent of Public Instruction, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in Sections 17303 and 17303.5, an amount not to exceed the lesser of: (1) 1 percent of the total apportionment from the State School Fund in the preceding fiscal year for the purposes set forth in Section 17303 or 17303.5, or (2) the net amount, if any, by which the total amounts authorized to be transferred from the General Fund to the State School Fund under subdivisions (a) and (b) of this section in prior fiscal years have exceeded the total amounts actually apportioned in prior fiscal years for the purposes set forth in Sections 17303 and 17303.5.~~

~~(d) He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Sections 17303 and 17303.5 and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive) of this chapter and in Sections 11256 and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive.~~

SEC 15 Section 17301 is added to the Education Code, to read:

17301. The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums as are necessary for the state to provide a specified percentage of the current expense of education, as defined by subdivision (b) of Section 17503, for each pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary and high schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction For the 1972–1973 fiscal year the percentage shall be 45 percent, and for the 1973–74 fiscal year the percentage shall be 55 percent, and for the 1974–1975 fiscal year, and each fiscal year thereafter, the percentage shall be 60 percent. The amounts so transferred shall be increased by an amount which shall

reflect the application of an adjustment index developed cooperatively by the Superintendent of Public Instruction, the Legislative Analyst, and the Director of Finance This adjustment index shall reflect the expected change in the cost of a basic educational program, plus any additional costs mandated by the Legislature, for the fiscal year under consideration. The Controller shall adjust such transfers to reflect increases or decreases as estimated by the Superintendent of Public Instruction for the current year in the statewide units of average daily attendance in the kindergartens, elementary, and high schools of the state.

The Controller shall also transfer two hundred seventy-eight dollars and ninety-two cents ($278 92) from the General Fund to the State School Fund per pupil in average daily attendance credited to the community colleges of the state during the preceding fiscal year.

SEC. 16. Section 17301.1 is added to the Education Code, to read:

17301.1. The State Controller shall also transfer an amount equal to the percentage specified in Section 17301 for any new or expanded program authorized or required by law which was not authorized or required in the preceding fiscal year.

SEC 17. Section 17301.2 is added to the Education Code, to read:

17301.2. The State Controller shall also transfer an amount from the General Fund to the School District Wealth Equalization Fund equal to any deficit created in that fund.

SEC. 18. Section 17303.5 of the Education Code is amended to read:

17303 5. The amount transferred pursuant to ~~subdivision (b) of~~ Section 17301 shall be expended, *in part,* in accordance with the following schedule:

(a) ~~Twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0 70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352.~~

~~(b) Four dollars and forty cents ($4 40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.~~

~~(c)~~ Nineteen dollars and fifty-two cents ($19 52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division.

~~(d) Three dollars and six cents ($3.06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352.~~

~~(e)~~ *(b)* One dollar and sixty-seven cents ($1.67) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426.

~~(f) Sixty dollars and ninety-two cents ($60.92) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.~~

~~(g)~~ *(c)* Eight dollars and sixty-five cents ($8.65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6.

SEC. 19. Section 17414 of the Education Code is amended to read:

17414. If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund at least one hundred dollars ($100) more or at least one hundred dollars ($100) less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction, in accordance with regulations that he is herewith authorized to adopt not later than the third succeeding fiscal year shall withhold from, or add to, the apportionment made during such fiscal year, the amount of such excess or deficiency, as the case may be. Notwithstanding, any other provision of this code to the contrary, excesses withheld or deficiencies added by the Superintendent of Public Instruction under this section shall be added to or allowed from any portion of the State School Fund ~~except that portion reserved as allowances for basic state aid~~.

SEC. 20. Section 17417 of the Education Code is amended to read:

17417. Wherever the attendance of pupils is not included in the computation of the average daily attendance of a school district for any fiscal year because the certification document of the person employed by the district to instruct such pupils was not in force during the period of such attendance, the governing board of the district may, upon payment of the salary of such person pursuant to Section 13515, or similar provisions of law, report such attendance to the Superintendent of Public Instruction during the fiscal year in which such salary is paid. Such report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction. Thereafter the Superintendent of Public Instruction shall add to the apportionment from the State School Fund to the district during the next succeeding fiscal year or years, as determined by him but not exceeding

three, the additional amount to which the district would have been entitled in the fiscal year next succeeding that in which such attendance was not included in the computation of the average daily attendance of the district if such amount is at least one hundred dollars ($100) or more.

Any such additional amount shall be apportioned from the State School Fund before any other apportionment from such fund is made and shall be allowed from any portion of such fund ~~except that portion reserved as allowances for basic state aid~~.

SEC 21. Section 17503 of the Education Code is amended to read:

17503. For purposes of this section.

(a) "Salaries of classroom teachers" and "teacher" shall have the same meanings as prescribed by Section 17200 of this code provided, however, that the cost of all health and welfare benefits provided to the teachers by the school district shall be included within the meaning of salaries of classroom teachers.

(b) "Current expense of education" means the gross total expended (not reduced by estimated income or estimated federal and state apportionments) for the purposes classified in the final budget of a school district (except one which, during the preceding fiscal year, had less than 101 units of average daily attendance) submitted to and approved by the county superintendent of schools pursuant to Section 20607 of this code for administration, instruction (including salaries and other expense), health services, operation of plant, maintenance of plant, and fixed charges "Current expense of education" shall not include those purposes classified as transportation of pupils, food service, community service, capital outlay, state school building loan repayment; and shall not include the amount expended pursuant to any lease agreement for plant and equipment or the amount expended from funds received from the federal government pursuant to the "Economic Opportunity Act of 1964" or any extension of such act of Congress.

For the purposes of Section 17301, there shall also be excluded all federal funds expended, except the amounts received pursuant to Public Law 81-874.

There shall be expended during each fiscal year for payment of salaries of classroom teachers:

(a) By an elementary school district, sixty percent (60%) of the district's current expense of education.

(b) By a high school district, fifty percent (50%) of the district's current expense of education.

(c) By a community college district, fifty percent (50%) of the district's current expense of education.

(d) By a unified school district, fifty-five percent (55%) of the district's current expense of education

If the Superintendent of Public Instruction determines that a school district has not expended the applicable percentage of current expense of education for the payment of salaries of classroom teachers during the preceding fiscal year, he shall, in apportionments made to the school district from the State School Fund after April 15 of the cur-

rent fiscal year, designate an amount of such apportionment or apportionments equal to the apparent deficiency in district expenditures. Any amount so designated by the Superintendent of Public Instruction shall be deposited in the county treasury to the credit of the school district, but shall be unavailable for expenditure by the district pending the determination to be made by the Superintendent of Public Instruction on any application for exemption which may be submitted to the Superintendent of Public Instruction. In the event it appears to the governing board of a school district that the application of the preceding paragraphs of this section during a fiscal year results in serious hardship to the district, or in the payment of salaries of classroom teachers in excess of the salaries of classroom teachers paid by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district apply to the Superintendent of Public Instruction in writing not later than September 15th of the succeeding fiscal year for exemption from the requirements of the preceding paragraphs of this section for the fiscal year on account of which the application is made Upon receipt of such application, duly approved, the Superintendent of Public Instruction shall grant the district exemption for any amount that is less than one thousand dollars ($1,000), and if the amount is one thousand dollars ($1,000), or greater may grant the district exemption, to the extent deemed necessary by him, from such requirements for the fiscal year on account of which the application is made If such exemption is granted the designated moneys shall be immediately available for expenditure by the school district governing board If no application for exemption is made or exemption is denied, the Superintendent of Public Instruction shall order the designated amount or amount not exempted to be added to the amounts to be expended for salaries of classroom teachers during the next fiscal year.

The Superintendent of Public Instruction shall enforce the requirements prescribed by this section, and may adopt necessary rules and regulations to that end He may require the submission to him, during the school year, by school district governing boards and county superintendents of schools, of such reports and information as may be necessary to carry out the provisions of this section

SEC 22 Section 17603 5 of the Education Code is amended to read·

17603 5 The amounts computed as allowable to any school district for state ~~equalization~~ aid shall be reduced by fifty percent (50%) of miscellaneous funds, as defined in Section 17606 In no event shall the reduction exceed the total amount allowable as ~~equalization~~ *state* aid to the school district for the fiscal year For such purposes, miscellaneous funds, as defined in Section 17606, received by a unified school district, shall be allocated to the kindergarten and elementary, high school and community college grades, respectively, on the basis of the proportion of the district's total average daily attendance in each such grade level, and the provisions of Section 17601 shall be applicable

Should the amount of miscellaneous funds, as defined in Section 17606, actually received by a school district for any fiscal year be more or less than that reported to the Superintendent of Public In-

struction, the Superintendent of Public Instruction shall during the fiscal year next succeeding withhold from or add to the apportionment made to the district from the State School Fund the amount of the excess or deficiency in the apportionment of state ~~equalization~~ aid from the State School Fund for the preceding year, if the amount of the excess or deficiency in such apportionment was one hundred dollars ($100) or more

SEC 23 The heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of the Education Code is amended to read:

Article 2 Computation of Foundation ~~Program~~ *Programs and School Support* for School Districts

SEC. 24. Section 17651 of the Education Code is amended to read:

17651 The Superintendent of Public Instruction shall compute for each school district the amount of ~~a foundation program of~~ school support therefor, in the manner prescribed by this article ~~(commencing at Section 17651)~~

SEC 25. Section 17653 of the Education Code is amended to read:

17653 For any unified school district which was effective for all purposes on or before July 1, 1964, and which during the current fiscal year meets the standards prescribed in Section 17672, the ~~foundation~~ *support* program actually computed for such district under this article ~~and the supplemental support program for such district under Article 7.1 of this chapter~~ shall be increased by 5 percent for the first fiscal year of its existence, 4 percent for the second fiscal year of its existence, 3 percent for the third fiscal year of its existence, 2 percent for the fourth fiscal year of its existence, and 1 percent for the fifth fiscal year of its existence

SEC 26 Section 17654 5 of the Education Code is amended to read:

17654 5 For each elementary school district which maintains only one school with an average daily attendance of less than 101, he shall make one of the following computations, whichever provides the lesser amount:

(1) For each small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the ~~district eight thousand six hundred twenty-five dollars ($8,625)~~ *the product of 25 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

(2) For each small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~seventeen thousand two hundred fifty dollars ($17,250)~~ *the product of 50 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662.*

(3) For each small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~twenty-five thousand eight hundred seventy-five dollars ($25,875)~~ *the product of 75 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*

(4) For each small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~thirty-four thousand five hundred dollars ($34,500)~~ *the product of 100 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*

SEC. 27 Section 17655 5 of the Education Code is amended to read

17655 5. (a) For each district on account of each necessary small school (giving regard to the number of teachers actually employed or average daily attendance), he shall make one of the following computations, whichever provides the lesser amount·

(1) For each necessary small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the district ~~eight thousand six hundred twenty-five dollars ($8,625)~~ *the product of 25 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*.

(2) For each necessary small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~seventeen thousand two hundred fifty dollars ($17,250)~~ *the product of 50 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*

(3) For each necessary small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~twenty-five thousand eight hundred seventy-five dollars ($25,875)~~ *the product of 75 multiplied by the appropriate percentage specified in Section 17301 multiplied* by the appropriate factor specified in Section 17662

(4) For each necessary small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~thirty-four thousand five hundred dollars ($34,500)~~ *the product of 100 multiplied by the appropriate percentage specified in Section 17301 multiplied by the appropriate factor specified in Section 17662*

~~(b) For each district on account of each small school not determined to be a necessary small school under Section 17655 he shall make one of the following computations, whichever applies:~~

~~(1) If the total of the units of average daily attendance of the district during the fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school, is less than 901, he shall multiply the units of average daily attendance in the school by three hundred forty-five dollars ($345).~~

~~(2) If the total of the units of average daily attendance in the district during the fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school, is 901 or more, he shall multiply the units of average daily attendance by three hundred fifty-five dollars ($355).~~

(b) For each elementary district which exclusive of pupils attending the seventh and eighth grades of a junior high school has an average daily attendance of 101 or more during the fiscal year, he shall compute the allowance in accordance with subdivision (b) of Section 17662, plus any amount pursuant to Section 17664. If the amount computed for 1972–73 is less than six hundred fifty dollars ($650) per unit of average daily attendance, he shall substitute therefor the sum of six hundred fifty dollars ($650) In subsequent fiscal years the minimum amount authorized shall be 88 percent of the statewide average current expense of education per pupil.

SEC 28 Section 17656 of the Education Code is repealed

~~17656 For each elementary school district which, exclusive of pupils attending the seventh and eighth grades of a junior high school, has an average daily attendance of 101 or more but less than 901 during the fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school and pupils for whom a foundation program is computed under Section 17655.5 by three hundred forty-five dollars ($345).~~

~~For each elementary school district which, exclusive of pupils attending the seventh and eighth grades of a junior high school, has an average daily attendance of 901 or more during the fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, and pupils for whom a foundation program is computed under Section 17655.5 by three hundred fifty-five dollars ($355).~~

SEC. 29 Section 17660 of the Education Code is repealed.

~~17660. For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of less than 901 during the fiscal year, on account of the attendance during the fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by three hundred forty-five dollars ($345).~~

~~For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of 901 or more during the fiscal year, on account of the attendance during the fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by three hundred fifty-five dollars ($355).~~

SEC 30 Section 17662 of the Education Code is repealed.

~~17662. The foundation program for each elementary school district shall be the total of the amounts computed for the district pursuant to Sections 17655.5, 17656, and 17660.~~

SEC 31. Section 17662 is added to the Education Code, to read:

17662 (a) The Superintendent of Public Instruction shall allow to each school district on account of the average daily attendance credited to the district in the appropriate grade levels an amount computed in accordance with subdivision (b) of this section plus any amount pursuant to the provisions of Sections 17654 5, 17655 5, and 17664.

No apportionment may be less than one hundred twenty dollars ($120) per unit of average daily attendance

(b) The apportionment to a school district equals the product of the number of units of average daily attendance of the district and the appropriate percentage specified in Section 17301 and the statewide average current expense of education for the type of district (elementary, high school, or unified) as defined in subdivision (b) of Section 17503 and the relative support factor of the district

SEC 32. Section 17662 3 is added to the Education Code, to read:

17662 3 The relative wealth index of a school district is the quotient of the assessed valuation per unit of average daily attendance of the district, as adjusted pursuant to Chapter 1 7 of Division 14 (commencing with Section 17270), divided by the statewide assessed valuation per unit of average daily attendance for the particular type of school district

SEC 33 Section 17662 5 is added to the Education Code, to read·

17662 5. The relative support factor of a school district is computed in the following manner

(a) For districts with a relative wealth index of 1 5 or less, the relative support factor is 0 991 plus one-half multiplied by one minus the relative wealth index.

(b) For districts with a relative wealth index greater than 1.5, the relative support factor is the reciprocal of 0.9 multiplied by the relative wealth index

SEC. 34. Section 17664 of the Education Code is amended to read:

17664. ~~(a)~~ For each district on account of each necessary small high school the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

Average daily attendance	Minimum number of certificated employees	Amount to be computed
1- 20	3	~~$12,600~~
21- 40	4	~~51,000~~
41- 60	5	~~59,400~~
61- 75	6	~~67,800~~
76- 90	7	~~76,200~~
91-105	8	~~84,600~~
106-120	9	~~93,000~~
121-135	10	~~101,400~~
136-150	11	~~109,800~~
151-180	12	~~118,200~~
181-220	13	~~126,600~~
221-260	14	~~135,000~~
261-300	15	~~143,100~~

For each district which has an average daily attendance of less than 21 and for which fewer than three certificated employees were employed, he shall compute ~~eight thousand four hundred dollars ($8,400)~~ for each of the teachers employed in the school

~~(b) For each district on account of each small high school not determined to be a necessary small high school under Sections 17663, 17663.5, and 17663.7, he shall make one of the following computations, whichever applies:~~

~~(1) If the total of the units of average daily attendance in the district during the fiscal year is less than 301, he shall multiply the units of average daily attendance during the fiscal year in the school by four hundred seventy-eight dollars ($178).~~

~~(2) If the total of the units of average daily attendance in the district during the fiscal year is more than 300, he shall multiply the units of average daily attendance during the fiscal year in the school by four hundred eighty-eight dollars ($488).~~

For the purposes of this section a "certificated employee" is an equivalent full-time position of an individual holding a credential authorizing service, and performing service in grades 9 through 12 in any secondary school. Any fraction of an equivalent full-time position shall be deemed to be a full-time position

The foundation program established by this section for high schools with an average daily attendance of less than 301 shall not apply to any high school established after July 1, 1961 unless the establishment of such schools has been approved by the Superintendent of Public Instruction.

SEC. 35. Section 17665 of the Education Code is amended to read:

17665. For each high school district which has an average daily attendance of 301 or more during the fiscal year, he shall ~~multiply the average daily attendance by four hundred eighty-eight dollars ($488)~~ *compute the allowance in accordance with subdivision (b) of Section 17662 plus any amount pursuant to Section 17664 If the minimum amount computed for 1972–73 is less than eight hundred twelve dollars ($812), he shall substitute therefor the sum of eight hundred twelve dollars ($812) In subsequent fiscal years, the minimum amount authorized shall be 80 percent of the statewide average current expense of education for high school districts*

SEC 36. Section 17665 5 of the Education Code is repealed

~~17665 5. For a high school district which has an attendance credited pursuant to Section 10815, he shall multiply the average daily attendance by four hundred eighty-eight dollars ($488).~~

SEC 37 Article 2 1 (commencing with Section 17671) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 38. Article 2 5 (commencing with Section 17680) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 39 Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of the Education Code is repealed

SEC. 40 Article 3 (commencing with Section 17701) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 3 Adjustments to Expenditures

17701 In computing the transfer to the State School Fund pursuant to Section 17301 and the apportionments to districts pursuant to Section 17662, the Superintendent of Public Instruction shall annually adjust the amounts by a factor which is a function of the adjustment in the services less rent index as prescribed by this article

17702 For the purposes of this article the following definitions shall apply·

(a) "Relative expenditure index" is the quotient of the district's expenditure per unit of average daily attendance divided by the state-

wide average current expense of education per unit of average daily attendance for the particular type of district (elementary, high school, or unified)

(b) "Relative salary index" is the quotient of the district's average salary for certificated or classified employees by the statewide average salary for certificated or classified employees

Separate computations are to be made for each category of employees

(c) The "reasonable expenditure increment factor" for a district which has a relative expenditure index greater than one is the quotient of the change in the services less rent index divided by the square of the relative expenditure index

The "reasonable expenditure increment factor" for a district which has a relative expenditure index equal to or less than one is the product of the services less rent index multiplied by the sum of minus two times the relative expenditure index plus three

17703 Annual salary increases for the employees of a district which has relative salary index greater than one may not exceed the amount determined by the application of a factor which is the quotient of the consumer price index divided by the square of the relative salary index

17704 Annual salary increases for the employees of a district which has a relative salary index equal to or less than one may not exceed the amount determined by the application of a factor which is the product of the consumer price index multiplied by the sum of minus two times the relative salary index plus three

17705. With respect to increases in salaries of certificated employees the Superintendent of Public Instruction shall disregard any increases granted on account of additional academic training or promotion to a different job category

17706 The expenditures per unit of average daily attendance in any school district may not increase by a factor greater than the reasonable expenditure increment factor

17707 In the event a district exceeds the increases authorized by Sections 17703, 17704, and 17705 regarding expenditure increases and salary increases the Superintendent of Public Instruction shall withhold from apportionments any amount in excess of such computations. When computing the statewide average current expense of education he shall also omit any amounts attributable to excessive increases in salaries or expenditures per unit of average daily attendance

17708 Apportionments from the State School Fund shall be adjusted to reflect the application of the reasonable expenditure index to the apportionment for each school district

SEC 41 Article 4 (commencing with Section 17751) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 42 Article 5 (commencing with Section 17801) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 43 Article 7 (commencing with Section 17901) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 44. Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 44.5 Article 7 2 (commencing with Section 17940) of Chapter 3 of DIVISION 14 of the Education Code is repealed.

SEC. 45. Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC 46 Section 18102 of the Education Code is repealed.

~~18102. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of physically handicapped minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of physically handicapped minors by the maximum class size established by law for special day classes for physically handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of seventeen thousand two hundred sixty dollars ($17,260).~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of physically handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660.~~

~~(2) The product of the average daily attendance of physically handicapped minors in grades 9 to 12, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for junior college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC 47. Section 18102 is added to the Education Code, to read:

18102 The Superintendent of Public Instruction shall allow to each school district and county superintendent of schools for each particular category of minors in a special education program during the current fiscal year an amount computed as follows:

(a) He shall divide the average daily attendance in each particular category of minors in a special education program by the maximum class size established by law for special day classes for each particular category of minor in a special education program, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) He shall then determine for each particular category the product of the amount computed under subdivision (a) multiplied by the maximum class size established by law for special day classes for the particular category.

(c) He shall then multiply the amount computed under subdivision

(b) by the following amount for the particular grade level and category:

Category	Elementary school grades (K–8)	High school grades (9–12)
Physically handicapped		
Class-size maximum of 3	$5,400	--
Class-size maximum of 5	--	$2,965
Class-size maximum of 6	2,520	--
Class-size maximum of 8	1,800	1,670
Class-size maximum of 10	1,370	1,240
Class-size maximum of 12	1,080	950
Class-size maximum of 16	--	590
Class-size maximum of 20	--	375
Mentally retarded (as defined in Section 6902)		
Class-size maximum of 15	570	440
Class-size maximum of 18	420	285
Mentally retarded (as defined in Section 6903)	920	785
Educationally handicapped	1,000	870

SEC. 48. Section 18102 2 of the Education Code is repealed.

~~18102.2. The Superintendent if Public Instruction shall allow to each school district or county superintendent of schools for the education of mentally retarded minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of mentally retarded minors by the maximum class size established by law for special day classes for mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of thirteen thousand eight hundred ninety dollars ($13,890), and~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and~~

~~(2) The product of the average daily attendance of mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC. 49. Section 18102 4 of the Education Code is repealed.

~~18102.4. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of severely mentally retarded minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of severely mentally retarded minors by the maximum class size established by law for special day classes for severely mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of fifteen thousand two hundred sixty dollars ($15,260), and~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts.~~

~~(1) The product of the average daily attendance of severely mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and~~

~~(2) The product of the average daily attendance of severely mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC. 50 Section 18102.6 of the Education Code is repealed

~~18102.6. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of educationally handicapped minors during the current fiscal year an amount computed as follows:~~

~~(a) Dividing the average daily attendance of educationally handicapped minors, less the enrollment in excess of the maximum class size authorized pursuant to Section 6751.1, by the maximum class size established by law for special day classes for educationally handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced.~~

~~(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of sixteen thousand two hundred sixty dollars ($16,260), and~~

~~(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:~~

~~(1) The product of the average daily attendance of educationally handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and~~

~~(2) The product of the average daily attendance of educationally handicapped minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.~~

~~(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for junior college districts with an average daily attendance in excess of 1,000 by Section 17666.2.~~

SEC 51. Section 18102 8 of the Education Code is amended to read:

18102 8. The governing board of a school district with an average daily attendance of less than 2,000 pupils during the current fiscal year, or a county superintendent of schools, may apply to the Superintendent of Public Instruction whenever sparsity of population or transportation distances make it impossible to maintain classes of the maximum size as prescribed by this code or by the State Board of Education. If the Superintendent of Public Instruction, upon review, finds that it is impossible to maintain classes of the maximum size as prescribed by this code or by the State Board of Education, he may add to the amounts allowed under ~~Sections 18102 to 18102 6, inclusive,~~ *Section 18102* an amount sufficient to provide for the needed classes, but not more per special class than the applicable amounts computed in ~~those sections~~ *that section*.

SEC 52. Section 18102.9 of the Education Code is amended to read:

18102.9. (1) In addition to the allowances provided under ~~Sections~~ *Section* 18102 ~~to 18102.6, inclusive~~, the Superintendent of Public Instruction shall allow to school districts and county superintendents of schools for each unit of average daily attendance for an amount as follows:

(a) For instruction of educationally handicapped minors in learning disability groups, ~~one thousand eight hundred eighty dollars ($1,880)~~ *two thousand four hundred eighty dollars ($2,480)*.

(b) For instruction of educationally handicapped minors in homes or in hospitals, one thousand three hundred dollars ($1,300).

(c) For instruction of physically handicapped minors in remedial physical education, ~~seven hundred seventy-five dollars ($775)~~ *nine hundred fifty dollars ($950)*.

(d) For remedial instruction of physically handicapped minors in other than physical education, ~~two thousand dollars ($2,000)~~ *two thousand seven hundred forty dollars ($2,740)*.

(e) For instruction of blind pupils when a reader has actually been provided to assist the pupil with his studies, or for individual instruction in mobility provided blind pupils under regulations prescribed by the State Board of Education, or when braille books are purchased, ink print materials are transcribed into braille, or sound recordings and other special supplies and equipment are purchased for blind pupils, or for individual supplemental instruction in vocational arts, business arts, or homemaking for blind pupils, nine hundred ten dollars ($910).

Braille books purchased, braille materials transcribed from ink print, sound recordings purchased or made, and special supplies and equipment purchased for blind pupils for which state or federal funds were allowed are property of the state and shall be available for use by blind pupils throughout the state as the State Board of Education shall provide

(f) For other individual instruction of physically handicapped minors, one thousand three hundred dollars ($1,300).

(g) For the instruction of physically handicapped minors in regular day classes, ~~one thousand eighteen dollars ($1,018)~~ *one thousand one hundred dollars ($1,100)*.

(2) (a) The allowances provided under ~~Sections~~ *Section* 18102 ~~to 18102.6, inclusive,~~ may be increased proportionately on account of special day classes convened, or other instruction provided a pupil, for days in a school year which are in excess of the number of days in the school year on which the regular day schools of a district are convened.

(b) The Superintendent of Public Instruction shall compute for each applicant school district and county superintendent of schools in providing in such year a program of specialized consultation to teachers, counselors and supervisors for educationally handicapped minors, an amount equal to the product of ten dollars ($10) and the average daily attendance of pupils enrolled in special day classes, learning disability groups, and home and hospital instruction for educationally handicapped minors.

SEC 53. Section 18102 10 of the Education Code is amended to read:

18102.10. For each special class or program for which a state allowance is provided under this article or under Section 18060 or 18062, each school district and each county superintendent of schools maintaining such special classes or programs shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each special class or program.

If the Superintendent of Public Instruction determines that the current expense of operating a special class or program as defined in the California School Accounting Manual does not equal or exceed the sum of *the* basic ~~state aid, and state equalization aid provided in the regular foundation program per unit of average daily attendance~~ *program support* and the allowance provided under this article ~~, and any amount of local tax funds contributed to the foundation program~~ for each pupil in average daily attendance in the special class or program maintained by a school district for each pupil in average daily attendance in special classes or programs maintained by the county superintendent of schools, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17414.

~~Beginning with the 1971-72 fiscal year, expenditures~~ *Expenditures* for equipment that the Superintendent of Public Instruction determines are necessary for instruction in a special class or program for physically handicapped minors shall be considered as current expense for purposes of this section. In any year the district's allowable expenditure for such equipment may not exceed 1 percent of the current expense of operating the district's physically handicapped program.

SEC 54 Section 18355 of the Education Code is amended to read:

18355 The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service funds: (a) for all emergency schools maintained in each elementary school district of the county by the county superintendent of schools, (b) all special schools or classes for mentally retarded minors and severely mentally retarded minors maintained in each elementary school district of the county by the county superintendent of schools, (c) each elementary school maintained in juvenile halls, juvenile homes, and

juvenile camps, by the county superintendent of schools, and all opportunity schools and classes maintained by the county superintendent of schools pursuant to Sections 6502 and 6503, and (d) all schools and classes for educationally handicapped minors maintained in each elementary school district of the county by the county superintendent of schools, the same amount ~~as he would compute as the foundation program of the~~ *per* elementary ~~school district~~ *pupil as he would allow* under Section ~~17655.5 or Section 17656~~ *17651*.

No allowance shall be made for emergency schools which is in excess of the actual expense of maintaining the emergency school.

SEC. 55. Section 18358 of the Education Code is amended to read:

18358. For all physically handicapped pupils, mentally retarded minors and educationally handicapped minors of secondary grade, and handicapped adults, educated by the county superintendent of schools and for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, the Superintendent of Public Instruction shall allow the same amount ~~as he would compute for the foundation program of a~~ *per* high school ~~district~~ *pupil as he would allow* under Section ~~17665~~ *17651*.

However, with respect to handicapped adults, the following limits shall apply:

(a) The total of allowances for education of handicapped adults in classes established by the county superintendent of schools pursuant to Section 5746 shall not exceed fifty thousand dollars ($50,000) in any one fiscal year The Superintendent of Public Instruction shall establish a system of priorities that he shall by rule or regulation adopt which shall give highest priority to those counties in which no or an insufficient program for the education of handicapped adults is provided by the school districts within the county, in order to comply with the limitation prescribed by this subdivision

(b) The Superintendent of Public Instruction shall allow for handicapped adults the amount specified in Section 17951 for each unit of average daily attendance for adults for high school districts.

SEC 56. Section 18401 of the Education Code is amended to read:

18401 The Superintendent of Public Instruction shall allow to each county school tuition fund ~~one hundred twenty-five dollars ($125)~~ *one hundred twenty dollars ($120)* for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the fiscal year Such average daily attendance shall not be included in the computations provided for in Section 17702.

SEC 57 Section 20404 of the Education Code is amended to read.

20404. On or before August 15, the county board of education shall file with the board of supervisors a certified statement showing the amount of money to be raised by a county tax for purposes of this chapter The board of supervisors shall fix a rate for the county tax sufficient to produce the amount specified in the statement and shall, at the time of levying other county taxes, levy the tax so fixed

The proceeds of the tax levied pursuant to this section shall be credited to the single county school service fund of the county and any expenses of the county superintendent of schools, the county board of education, and the county committee on school district organization required by Section 881 or any other sections of this code required to

be paid from the county general fund shall not be paid from such fund but shall be paid from the money in the single county school service fund

A tax levied pursuant to this section shall not exceed the rate of ten cents ($0.10) per one hundred dollars ($100) of assessed valuation for administrative and business functions

SEC. 58. Section 20751 of the Education Code is repealed.

~~20751. (1) Except as otherwise provided in this code, the maximum rate of school district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for any school district in any school year on each one hundred dollars ($100) of assessed valuation within the district shall be as follows:~~

~~(a) Except as provided in subdivision (b) of this section, in any separate elementary school district, eighty cents ($0.80) for elementary school purposes, or ninety cents ($0.90) for combined kindergarten and elementary school purposes.~~

~~(b) In any separate elementary school district whose current expenses of education for the 1963–1964 or 1961–1965 fiscal year were less than twice the amount of the foundation program applicable to the district, one dollar and twenty-five cents ($1.25) for elementary school purposes, or one dollar and thirty-five cents ($1.35) for combined kindergarten and elementary school purposes.~~

~~(c) Except as provided in subdivision (d) of this section, in any separate high school district, seventy-five cents ($0.75) for high school purposes, and ten cents ($0.10) for adult education purposes.~~

~~(d) In any separate high school district whose current expenses of education for the high school purposes for the 1963–64 fiscal year were less than twice the amount of the foundation program computed for high school purposes, eighty-five cents ($0.85) for high school purposes and ten cents ($0.10) for adult education purposes.~~

~~(e) In any separate college district, thirty-five cents ($0.35) for college purposes, and ten cents ($0.10) for adult education purposes.~~

~~(f) In any unified school district one dollar and fifty-five cents ($1.55) for combined elementary school and high school purposes; or one dollar and sixty-five cents ($1.65) for combined kindergarten, elementary school, and high school purposes, or one dollar and sixty-five cents ($1.65) for combined kindergarten, elementary school, and high school purposes, and ten cents ($0.10) for adult education purposes.~~

~~(g) Any unified school district whose current expenses of education per unit of average daily attendance for the 1963–64 fiscal year were less than six hundred dollars ($600), two dollars and ten cents ($2.10) for combined elementary school and high school purposes; two dollars and twenty cents ($2.20) for combined kindergarten, elementary school, and high school purposes, or two dollars and twenty cents ($2.20) for combined kindergarten, elementary school, and high school purposes, and ten cents ($0.10) for adult education purposes.~~

~~(h) As used in this section "adult education purposes" means all current expenses of the district for which district taxes may be levied, excluding the expenses for which district taxes may be levied under~~

~~Sections 14214, 14657, 20801.5, 20802.6 and 20806 of this code and Section 20532 of the Government Code, for adult classes as provided for in Chapter 5.5 (commencing with Section 5701), Division 6 of this code. "Adult education purposes" includes classes for adults authorized under Articles 4, 5 and 6, inclusive of Chapter 5.5 (commencing with Section 5701) of Division 6 of this code.~~

~~(2) If the maximum tax rate of a school district in effect on the effective date of the amendment to this section adopted at the 1964 First Extraordinary Session of the Legislature is, because of an increase adopted by the district electors pursuant to Section 20803, more than the applicable rate prescribed in subdivision (1) of this section, the maximum tax rate of such district shall continue to be the maximum rate prescribed by this section prior to such 1964 amendment plus the amount of the increase over such rate adopted by the district electors pursuant to Section 20803 prior to the 1961 amendment to this section, for the period for which such increase was adopted by the voters, and upon the expiration of such period, the maximum tax rate of such district shall be the applicable rate prescribed in subdivision (1) of this section. If any such voted increase in effect on such effective date results in a maximum rate which is less than that prescribed in subdivision (1) of this section as so amended in 1961, the maximum rate of such district shall be that prescribed in subdivision (1) of this section as so amended or as subsequently amended. Nothing in this section shall be construed to prevent a change in the maximum tax rate of a school district subject to and in the manner prescribed by Section 20803.~~

SEC. 59. Section 20751 is added to the Education Code, to read:

20751. (a) It is the intent of the Legislature that statutory maximum tax rates be sufficient to permit an average wealth school district to provide an average expenditure program when local revenues are combined with state allowances and apportionments

(b) The maximum tax rate per each one hundred dollars ($100) of assessed valuation for an elementary, high school, and unified school district is as set forth in the following table:

Fiscal Year	Elementary	High School	Unified
1972–1973	$2.00	$1.20	$3.20
1973–1974	1.75	1.10	2 85
1974–1975 and following	1.50	1 00	2 50

(c) The maximum tax rate for a community college district is thirty-five cents ($0 35) for community college purposes, and ten cents ($0 10) for adult education purposes, on each one hundred dollars ($100) of assessed valuation.

(d) The maximum tax rates set forth in this section may be exceeded with the approval of a majority of the electorate pursuant to Section 20803.

(e) If the authorized expenditure level for the 1972–73 fiscal year exceeds seven hundred twenty-five dollars ($725) for elementary dis-

tricts or exceeds nine hundred twelve dollars ($912) for high school districts, such expenditures may not be increased except by election of the voters of the district

(f) If, during 1973–74, and in subsequent fiscal years, the authorized expenditure level exceeds the statewide average current expense of education per unit of average daily attendance for the elementary districts and 112 percent of the statewide average current expense for high school districts, such expenditures may not be increased except by election of the voters of the district.

SEC 60. Section 20800 of the Education Code is repealed.

~~20800. The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount of the proposed expenditures of the school district required or authorized pursuant to Article 4 (commencing with Section 5950 of Chapter 6 of, and Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the elementary or high school district, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~In a unified school district the increase provided by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) if the district maintains one or more elementary schools and high schools, and said increase shall be in addition to any other school district tax authorized by law to be levied.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized by Article 4 (commencing with Section 5950 of Chapter 6 of, or Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code, provided, however, that a district may accumulate from year to year any unencumbered balance derived from the tax levied under this section so long as the accumulated money is ultimately expended for a purpose authorized by Article 4 (commencing with Section 5950) of Chapter 6 of, or Article 1 (commencing with Section 6500) of Chapter 7 of Division 6 of this code.~~

SEC 61. Section 20801.5 of the Education Code is repealed.

~~20801.5. The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount which the district is required to pay to the State in the administration of the Old Age and Survivors' Insurance System pursuant to Section 22551 of the Government Code, plus the amount of employer's contribution for which the district is liable under the provisions of Section 22563 of the Government Code, as shown by the budget of the district~~

~~for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.~~

~~If at the end of any school year there remains an unencumbered balance derived from the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of such obligations of the district.~~

SEC. 62. Section 20802.8 of the Education Code is repealed.

~~20802.8. The rate of school district tax for adult education purposes in any school year is hereby established as authorized in Section 20751, paragraphs (c) to (g), inclusive, by such amount as will produce the amount of the proposed expenditures of the school district for adult education purposes as shown by the budget of the district for such school year less state apportionment, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the rate of tax provided by Section 20751.~~

~~If at the end of any school year there remains an unencumbered balance derived from the revenue of the tax rate hereby provided for adult education purposes, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year for adult education purposes.~~

SEC 63. Section 20806 of the Education Code is amended to read:

20806. For the purpose of providing funds for the payment by the district of all or part of the premiums, dues, or other charges for health and welfare benefits on active officers and employees and retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, or on the spouses and dependent children of such active and retired officers and employees, or on both such active and retired officers and employees and their spouses and dependent children, which the governing board of a district may have authorized in accordance with the provisions of Article 1 (commencing with Section 53200) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code and for the expenses incurred by the district in administration of a program involving the payment of such health and welfare benefits, district taxes, *up to a maximum of five cents ($0.05) per one hundred dollars ($100) of assessed valuation,* may be levied and collected annually by the respective district at the same time and in the same manner as other district taxes are levied and collected The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes Moneys collected pursuant to this section may also be expended for the requirements of Section 13658.

The provisions of this section authorizing the payment of all or part of the premiums, dues, or other charges for health and welfare benefits for the retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, shall be limited in applicability to any school district, or of two or more school districts

governed by governing boards of identical personnel, having an average daily attendance of 400,000 or more as shown by the annual report of the county superintendent of schools for the preceding year.

SEC 64. Section 20807 of the Education Code is repealed.

~~20807. The maximum rate of school district tax under Sections 20751 and 20753, inclusive, for any fiscal year is hereby increased by such amount as will provide the amount of the proposed expenditures for programs for educating handicapped minors under Sections 3759 to 6762, inclusive, which are in excess of state apportionments as shown by the budget of the district as finally adopted by the governing board of the district.~~

~~Such proposed expenditures may include the cost of equipment and facilities, the lease or lease-purchase of buildings, lease of land, alterations or additions to existing buildings, or other necessary capital outlay expenditures in connection with such programs.~~

~~If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that year required or authorized by Sections 6750-6762, inclusive, of this code.~~

SEC 65. Section 20808 of the Education Code is repealed.

~~20808. (a) The maximum rate of any elementary or unified school district is, commencing with the fiscal year 1964-5, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of tuition or of educating pupils in grades seven and eight, exceeds the cost during the current fiscal year of educating pupils in grades kindergarten or one through six maintained by the district, exclusive of all federal and state apportionments~~

~~(b) The computations prescribed by subdivision (a) of this section shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase. If an elementary school district withdraws from a junior high school or a system of junior high schools pursuant to Sections 5828 to 5628, any such remaining unencumbered balance derived from the revenue of the increase in tax rate hereby provided may be transferred by resolution of the governing board of the elementary school district~~

~~to the general fund. In the fiscal year following such transfer, the amount of such remaining unencumbered balance which is transferred to the general fund of the district shall be used to reduce the amount for which the maximum rate of school district tax may be increased pursuant to subdivision (a) of this section for the purposes of educating pupils in grades 7 and 8 in such elementary school district.~~

SEC. 66. Section 20808.5 of the Education Code is repealed.

~~20808.5. (a) The maximum tax rate of a high school district which maintains a junior high school is, commencing with the fiscal year 1961-1965, increased by an amount sufficient to produce the amount by which the cost during the current fiscal year, of educating pupils in grades seven and eight, exceeds the total of federal and state apportionments and the tuition payments received by the district during the current fiscal year for such pupils pursuant to Sections 5605 and 5605.5. The rate of tax for such purpose shall not be levied on the assessed valuation of any elementary district included in such high school district if the elementary district has 10 percent or less of the pupils in grades seven and eight who reside in the elementary district attending a junior high school of the high school district.~~

~~(b) The computations prescribed by subdivision (a) shall be made on the basis of current estimates of cost and average daily attendance, pursuant to rules and regulations of the Superintendent of Public Instruction. The Superintendent of Public Instruction shall also, by rule and regulation, prescribe the accounting procedures and all other procedures to govern the fixing of district tax rates and the disposition of the additional tax revenues provided pursuant to this section.~~

~~Of the additional tax revenues provided pursuant to this section, there shall be expended by a school district during a fiscal year, no more than the actual additional cost during that fiscal year of educating pupils in grades seven and eight as computed for purposes of subdivision (a). If at the end of any fiscal year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the payment of the obligations for which such tax revenues are afforded by this section and to offset such tax rate increase.~~

SEC. 67. Section 20816 of the Education Code is repealed.

~~20816. (a) The maximum rate of school district tax, including any maximum rate fixed pursuant to Section 20803, is increased in any fiscal year for any school district situated wholly or in part within a county which, in the 1968-1969 fiscal year, household furnishings and personal effects were enrolled on the county assessment roll.~~

~~(b) The increase in maximum tax rate shall be in an amount equal to the 2 percent of the total of the school district tax rates at which property taxes were levied and collected for purposes of the district during the 1968-1969 fiscal year, but subject to the provisions of subdivision (c).~~

~~(c) On or before the first day of February in any year, the governing board of the district may submit a petition to the county superintendent of schools requesting that officer to fix the maximum tax rate of the district for the next succeeding fiscal year at a rate higher than that~~

~~provided for in subdivision (b). The petition shall demonstrate, on the basis of the best information available to the governing board, that the net loss in revenue which would have resulted to the district in the 1968–1969 fiscal year if household furnishings and personal effects had been exempted from property taxation, taking into consideration increases in state equalization aid which would have accrued to the district as result thereof, exceeds the revenues produced by the increase in maximum tax rate provided for in subdivision (b).~~

~~The assessor shall estimate the total amount of assessed value lost by reason of the exemption for household furnishings and personal effects between the 1968–1969 and 1969–1970 fiscal years and shall certify his findings to the county auditor and the county superintendent of schools. The county superintendent of schools shall estimate the amount of equalization aid to be received by the district on the basis of the loss in assessed value certified by the assessor. The county auditor shall apply the tax rate of the district for the 1968–1969 fiscal year to the amount of assessed value determined by the assessor and from the amount computed shall subtract the amount certified by the county superintendent of schools. The tax rate of the district for this purpose shall then be computed by determining the rate which will reflect this remaining amount. The district shall be bound by this determination of the auditor, whether it is more than, or less than, the amount of increase authorized by subdivision (b).~~

~~This subdivision (c) shall not apply to any district which has not first availed itself of this subdivision on or before February 1, 1972.~~

SEC. 68. Sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 60, 61, 62, 64, 65, 66, and 67 of this act shall become operative on July 1, 1974. From July 1, 1972, until July 1, 1974, the taxes for special purposes actually levied in all school districts which will be eliminated pursuant to those sections of this act shall be reduced by an amount which will limit the revenues of each district to not more than will provide the prior year's expenditure level plus the application of the reasonable expenditure increment factor pursuant to Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of the Education Code. All such rates shall be reduced proportionately unless the county superintendent of schools approves an alternate method of reduction."

Amendment No. 5

Strike out pages 6 to 114, inclusive.

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 3, 1972, strike out "Assemblyman Arnett", and insert "the Assembly Committee on Education (Leroy F Greene (Chairman), Chacon (Vice Chairman), Arnett, Cline, Cory, Dent, Dunlap, Fong, Bill Greene, Keysor, Lewis, Maddy, McAlister, Ryan, and Vasconcellos) and Murphy

(Assigned to Arnett)".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2369—An act to amend Section 630 of the Probate Code, relating to estates.

MIKE CULLEN

Above request ordered transmitted to the Committee on Rules.

VOTE CHANGES

Messrs McAlister, Keysor, Beverly, Miller, and Stacey were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1393.

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 299.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 299

Messrs Keysor, Waxman, Sieroty, Warren, Miller, and Stacey were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 299.

Messrs. Wakefield, Waxman, Sieroty, Warren, and Miller were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 680.

ADJOURNMENT

At 12:44 p.m., Acting Speaker Fenton declared the Assembly adjourned until 1:30 p.m, Thursday, May 25, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eightieth Legislative Day

One Hundred Forty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 25, 1972

The Assembly met at 1.30 p.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Monagan moved a quorum call of the Assembly.
Mr. Ketchum seconded the motion.
Motion carried. Time, 1:32 p.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 1·46 p.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E. Townsend, Member of the Assembly, 67th District:

Heavenly Father, We offer our voices of thanks for another day of life with its privileges and opportunities. We ask You to join forces with us to enact social and moral laws that will naturally and directly produce good men, and thus a good society.

Grant us the wisdom to fulfill Your work both here in Sacramento and in our own homes so that California and the nation can be a better place for all mankind.

In Your name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Stull then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Monagan, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mrs. Fong, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Speaker pro Tempore Bee.
Mr. Moorhead, on request of Speaker pro Tempore Bee

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 16, 1972

The Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I respectfully request to be excused from session on May 25th and 26th as I have been asked to serve on the Advisory Committee for the Educational Testing Service Center for Statewide Educational Assessment on these dates. The committee is meeting in Princeton, New Jersey.

Sincerely,

MARCH FONG, Assemblyman
Fifteenth District

REPORTS

The following reports were presented by the Chief Clerk:

Report to the Legislature Relative to a Study of Reimbursement to Physicians Under Medi-Cal Length-of-Stay Criteria. (In response to Assembly Concurrent Resolution No. 115, 1971.) May 15, 1972.

Above transmitted report, together with letter of transmittal from Earl W Brian, M D., Director, Department of Health Care Services, Sacramento, referred by the Speaker pro Tempore to the Committee on Health.

Air Resources Board's Report to the Legislature on Assembly Line Testing. (In accordance with Assembly Concurrent Resolution No. 25, 1972.) May 10, 1972.

Above transmitted report, together with letter of transmittal from John A Maga, Executive Officer, Air Resources Board, Sacramento, dated May 22, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

NOTICE OF INTENTION TO INTRODUCE BILL

The following notice of intention to introduce a bill, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 25, 1972

Mr. Speaker: In accordance with the provisions of Joint Rule No. 8 3, I give notice of my intention to introduce a bill. The bill and the digest prepared pursuant to Joint Rule No. 8 5, are herewith filed.

Digest of Bill

Appropriates $22,021 to pay a Medi-Cal claim of Fresno County previously denied by the State Board of Control.

Vote—⅔; Appropriation—Yes; Fiscal Committee—Yes.

ERNEST A. MOBLEY

Above notice of intention to introduce a bill, copy of the bill, and digest ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee.

Assembly Bill No.	*Committee*
2369	Judiciary

Senate Bill No.	*Committee*
284	Health
311	Welfare
340	Local Government
425	Transportation
478	Education
625	Education

Senate Bill No.	*Committee*
635	Commerce and Public Utilities
689	Education
1239	Planning and Land Use

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 31 for hearing in the Committee on Rules today.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2370: By Assemblymen Knox, Ketchum, Monagan, Porter, and Quimby (Senators Dills, Marler, Petris, and Teale, co-authors)—An act to add and repeal Section 22.4 of the Civil Code, relating to the liability of public entities.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, May 24, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1078—An act to amend Sections 20, 28, 64, 113, 114, and 220 of, and to repeal Section 18 of, the Embarcadero Municipal Improvement District Act (Chapter 81 of the Statutes of 1960, First Extraordinary Session), relating to the Embarcadero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., May 24, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 97—An act to amend Section 31108 of the Government Code, relating to county employees;

Assembly Bill No. 346—An act to amend Section 3002 of the Fish and Game Code, and to amend Section 653o of the Penal Code, relating to sea mammals;

Assembly Bill No. 373—An act to amend Section 22171 of the Water Code, relating to irrigation districts;

Assembly Bill No. 603—An act to add Section 24.1 to the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of the Statutes of 1949), relating to Alameda County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 664—An act to amend Section 68 of the Antelope Valley-East Kern Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Antelope Valley-East Kern Water Agency, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 827—An act to amend Section 20704 of the Education Code, relating to school district taxes, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 828—An act to amend Section 18612 of the Health and Safety Code, relating to mobilehome parks;

Assembly Bill No. 872—An act relating to the boundaries of street lighting districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 893—An act to repeal Section 8 of Chapter 1038 of the Statutes of 1970, relating to bonds;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., May 25, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 16—Relative to furtherance of family planning research and services;

Assembly Concurrent Resolution No. 28—Relative to the utilization of state hospital employees;

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of May, 1972, at 10 a.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1391

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2329

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1706

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 42
ACA No. 67

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 66

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 35	AB No. 615	AB No. 1140
AB No. 95	AB No. 897	AB No. 1815
AB No. 598		

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 205	AB No. 1735	AB No. 2044
AB No. 743	AB No. 1743	AB No. 2250
AB No. 1098	AB No 1854	AB No. 2309
AB No. 1288	AB No. 2028	AB No. 2341
AB No 1332	AB No. 2032	AB No. 2342

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1415

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, May 23, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 183

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Ways and Means reports·

AB No. 593	AB No. 770	AB No 1504
AB No 654	AB No. 961	AB No. 1930
AB No. 756	AB No. 1443	

With the recommendation· Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 24, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 69	AB No 1182	AB No. 2135
AB No. 715	AB No. 1300	AB No. 2136
AB No. 819	AB No. 1690	

With the recommendation: Do pass

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACA No. 20

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 24, 1972

Mr Speaker: Your Committee on Ways and Means reports:

ACR No 49

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 42

With the recommendation: Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 24, 1972

Mr Speaker: Your Committee on Ways and Means reports:

ACA No. 56

With the recommendation: Be adopted.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 62

With amendments with the recommendation: Amend, and be adopted, as amended.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 968

AB No. 2331

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1054

With the recommendation: Do pass.

BRATHWAITE, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, May 25, 1972

Mr. Speaker Your Committee on Revenue and Taxation reports:

AB No 705

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, May 25, 1972

Mr. Speaker. Your Committee on Revenue and Taxation reports·

AB No 984

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, May 25, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports

AB No 1266

AB No 1609

With amendments with the recommendation· Amend, and do pass, as amended

GONSALVES, Chairman

Above bills ordered to second reading

Committee on Employment and Public Employees

Assembly Chamber, May 25, 1972

Mr Speaker· Your Committee on Employment and Public Employees reports.

ACR No 72

With the recommendation Be adopted, and be re-referred to the Committee on Ways and Means, with the recommendation that it be placed on the Consent Calendar

HAYES, Chairman

Above resolution re-referred to the Committee on Ways and Means

Assembly Chamber, May 25, 1972

Mr. Speaker· Your Committee on Employment and Public Employees reports·

AJR No. 31

With the recommendation: Be adopted, and be re-referred to the Committee on Rules, with recommendation that resolution be placed on Consent Calendar.

HAYES, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 1278

With the recommendation: Do pass.

HAYES, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 17, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports·

AB No 1516

With amendments with the recommendation· Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 843

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

PIERSON, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports.

AB No. 1269

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1802

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 257

AB No. 359

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Agriculture

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 512 AB No. 1520

AB No. 1276 AB No. 1792

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent.

BRIGGS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Agriculture reports:

SB No. 245

SB No 526

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRIGGS, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Agriculture reports:

AB No 1396

AB No. 1483

With the recommendation. Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRIGGS, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1246

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation to be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 1614

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 1760

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RALPH, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No 724

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Finance and Insurance

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 1056

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

PIERSON, Chairman

Subject matter of the above bill referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports

AB No 1978

AB No. 1988

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1978—An act to amend Sections 1751 and 1754 of, and to add Section 1751 5 to the Probate Code, relating to conservators.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 2355 and 2356 of the Civil Code, to add Section 6107.5 to the Government Code, to amend".

Amendment No. 2

In lines 1 and 2 of the title, strike out "and to add Section 1751.5 to the Probate Code", and insert "to add Sections 1751.5, 1754.5, and 1755.5 to, and to add Chapter 2 5 (commencing with Section 1776) to Division 5 of, the Probate Code, and to amend Sections 13861, 13871, and 13872 of, to add Sections 17146 and 17839 to, and to repeal Section 17146 of, the Revenue and Taxation Code".

Amendment No. 3

In line 2 of the title, strike out "conservators", and insert "present and former United States government personnel, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 Section 2355 of the Civil Code is amended to read:

2355 An agency is terminated, as to every person having notice thereof, by:

1 The expiration of its term;

2. The extinction of its subject;

3 The death of the agent,

4 His renunciation of the agency; ~~or~~,

5 The incapacity of the agency to act as such *; or*

6 The divorce, dissolution, annulment, or adjudication of the nullity of marriage of, or the judicial or legal separation of, principal and attorney-in-fact, or commencement by the attorney-in-fact of an action

for such relief, in the case of a power of attorney, if the attorney-in-fact was the spouse of the principal, and the principal has become an absentee as defined in Section 1751 5 of the Probate Code, unless the power of attorney expressly provides otherwise in writing.

SEC. 2 Section 2356 of the Civil Code is amended to read.

2356. *(a)* Unless the power of an agent is coupled with an interest in the subject of the agency, it is terminated by (1) its revocation by the principal; (2) his death; or (3) his incapacity to contract.

~~Provided, that~~ *(b) However*, any bona fide transaction entered into with such agent by any person acting without actual knowledge of such revocation, death, or incapacity shall be binding upon the principal, his heirs, devisees, legatees, and other successors in interest~~; and provided, further, that nothing herein contained shall affect the provisions of Section 1216 of this Code~~

Under this subdivision, in the case of an agent of a principal who is an absentee as defined in Section 1751 5 of the Probate Code, while the absentee continues in his missing status, and until receipt by the parties of notice from the secretary of the department or head of the agency concerned, or his delegate, of the termination of such missing status by the making of a finding of the death of the absentee, the parties shall be deemed to be without actual knowledge of any such revocation, death, or incapacity of the principal.

(c) Nothing in this section shall affect the provisions of Section 1216

SEC 3. Section 6107 5 is added to the Government Code, to read:

6107.5 No fee shall be charged in any proceedings for conservatorship of the estate of an "absentee" as defined in Section 1751 5 of the Probate Code or in other proceedings to validate, confirm, or authorize a transaction respecting, or to set aside the property of, such an "absentee"

SEC. 4. Section 1751 of the Probate Code is".

Amendment No. 5

On page 2, strike out lines 3 to 12, inclusive, and insert

"SEC 5 Section 1751 5 is added to the Probate Code, to read:

1751 5 For the purposes of this chapter:

(a) "Absentee" means either of the following·

(1) A member of a uniform service covered by United States Code, Title 37, Chapter 10, who is determined thereunder by the secretary concerned or his delegate to be in missing status, as missing status is defined therein.

(2) An employee of the United States government or an agency thereof covered by United States Code, Title 5, Chapter 55, Subchapter VII, who is determined thereunder by the head of the department or agency concerned or his delegate to be in missing status as missing status is defined therein

(b) "Secretary concerned" has the same meaning as defined in United States Code, Title 37, Section 101 "

Amendment No. 6

On page 2, line 13, strike out "SEC. 3", and insert "SEC. 6".

Amendment No. 7

On page 2, lines 28 and 29, strike out "United States Department of Defense, at least fifteen (15)", and insert "secretary concerned or to the head of the United States department or agency concerned, as the case may be, at least 15".

Amendment No. 8

On page 2, lines 38 and 39, strike out "ten (10)", and insert "10".

Amendment No. 9

On page 3, line 8, strike out "of his status as", and strike out line 9, and insert "complying with Section 1283 of the Evidence Code, showing the determination of the secretary of the military department or the head of the department or agency concerned or his delegate, as the case may be, that the "absentee" is in missing status."

Amendment No. 10

On page 3, line 15, after "States", insert ", or the authorized delegate thereof".

Amendment No. 11

On page 3, line 17, after "himself", insert a comma

Amendment No. 12

On page 3, after line 17, insert

"SEC 7 Section 1754 5 is added to the Probate Code, to read·

1754 5. If the proposed conservatee is an "absentee" as defined in Section 1751 5, the notice to the United States or its department, agency, or officer, required in Section 1754 or required in any other law, shall include the last known military rank or grade and the social security account number of the proposed conservatee, shall be accompanied by a complete copy of the petition and shall be delivered only by a method which would be sufficient for service of a summons in a civil action. The court shall not appoint the spouse of the absentee as conservator of the absentee unless the spouse alleges in the verified petition for the appointment of the conservator, and the court finds, that the spouse has not commenced any action or proceeding for judicial or legal separation, divorce, annulment, or adjudication of nullity, or dissolution of their marriage An official written report or record complying with Section 1283 of the Evidence Code that a proposed conservatee is an absentee as defined in Section 1751 5 shall be received as evidence of such fact and the court shall not determine the status of the proposed conservatee inconsistent with the status determined as shown by such written report or record

SEC 8 Section 1755 5 is added to the Probate Code, to read

1755 5 In the case of the conservatorship of an "absentee" as defined in Section 1751 5, the petition to terminate the conservatorship may also be filed by any party who is eligible under Section 1754 to oppose or be made a party to the petition for conservatorship. If the

petition alleges and the court finds that the "absentee" has returned to the controllable jurisdiction of the military department or civilian department or agency concerned, or is deceased, as determined under 37 United States Code, Section 556 or 5 United States Code, Section 5565, as the case may be, the court shall order the conservatorship terminated An official written report or record of such military department or civilian department or agency that the "absentee" has returned to such controllable jurisdiction or is deceased shall be received as evidence of such fact.

Termination does not preclude institution of new proceedings for appointment of a conservator for the person, estate, or person and estate of such former "absentee" for any other appropriate cause specified in Section 1751.

SEC. 9. Chapter 2 5 (commencing with Section 1776) is added to Division 5 of the Probate Code, to read.

CHAPTER 2 5 PERSONAL PROPERTY OF ABSENTEES

1776. As used in this chapter:

(a) "Absentee" and "secretary concerned" shall have the same meaning as defined in Section 1751 5.

(b) "Eligible spouse" shall mean the spouse of an absentee, which spouse has not commenced any action or proceeding for judicial or legal separation, divorce, annulment, adjudication of nullity, or dissolution of the marriage of such spouse and the absentee

(c) "Family of an absentee" shall mean an eligible spouse, if any, or if no eligible spouse, the child or children of an absentee, equally, or if no child or children, the parent or parents of an absentee, equally, and the conservator or guardian of the estate of any person bearing such relationship to the absentee.

1777 If the court finds that it will be in the best interest of an absentee, the court may set aside to the family of an absentee personal property of the absentee situated in California in which the absentee's interest therein does not exceed five thousand dollars ($5,000), for the purpose of managing, controlling, encumbering, selling, or conveying, or otherwise engaging in any transaction with respect to such property.

1778 A verified petition showing that this chapter is applicable together with a prayer that not exceeding five thousand dollars ($5,000) of the personal property of the absentee be set aside as provided in this chapter may be filed by any person in whose favor the estate of the absentee may be set aside or by any person to whom the absentee has issued a general power of attorney while serving in the armed forces of the United States or while an employee of any agency or department of the United States, which power of attorney was valid and effective at the time issued, whether or not the same has expired or terminated Such verified petition shall include in its caption the last known military rank or grade and the social security account number of the absentee and shall contain a specific description and estimate of the value of all of the absentee's property, wherever situated (including all sums due the absentee from the United States), a designation of the property to be set aside, and facts establishing that setting

aside such property is necessary and in the best interest of the absentee. If such property is to be set aside for the benefit of the spouse of the absentee, the verified petition shall allege, and the court shall find, that the spouse is an eligible spouse as defined in Section 1776. The petition shall set forth, so far as known to the petitioner, the names and residences of all persons comprising the family of the absentee, as defined in Section 1776, and shall contain an allegation whether a guardian or conservator of the estate of any member of the family of the absentee has been appointed There shall be attached to the petition a certificate complying with Section 1283 of the Evidence Code, showing the determination of the secretary of the military department or the head of the department or agency concerned or his delegate, as the case may be, that the absentee is in missing status Such certificate shall be received as evidence of such fact and the court shall not determine the status of the absentee inconsistent with the status shown in such certificate

1779. Upon filing of the petition, the court shall set the petition for hearing by the court Notice of the nature of the proceedings and of the time and place of the hearing thereon, together with a copy thereof, shall be mailed by the petitioner to all persons comprising the family of the absentee, as defined in Section 1776, and shall be delivered by the same method specified in Section 1754.5 to the secretary concerned or to the head of the United States department or agency concerned, as the case may be, at least 15 days before such hearing date Whenever a notice to any officer or agency of this state or of the United States would be required upon a petition for the appointment of a guardian of an alleged incompetent person, a like notice shall be given of the petition under this chapter Any officer or agency of this state or the United States or the authorized delegate thereof, or any relative or friend of the absentee, may appear and oppose the petition.

1780. If, upon the hearing of the petition, the court finds that the allegations of the petition are true and correct, the court shall set aside to the family of the absentee, in the order specified, personal property of the absentee situated in California (excluding any sums due the absentee from the United States) in which the absentee's interest therein does not exceed five thousand dollars ($5,000). No bond shall be required of any person to whom property of the absentee has been set aside by the court pursuant to this chapter

1781 If the court finds that the value of all of the absentee's property, wherever situated, exceeds five thousand dollars ($5,000) or that the absentee owns or has any interest in real property, wherever situated, such finding shall not deprive the court of jurisdiction to set aside to the family of the absentee personal property of the absentee situated in California in which the absentee's interest therein does not exceed five thousand dollars ($5,000) and the court shall set aside such personal property to the family of the absentee, in the order specified, if the court finds that all of the other provisions of this chapter have been complied with

1782 For the purposes of this chapter, any property or interest therein or lien thereon which the absentee holds as joint tenant shall be included in determining the estate of the absentee and its value

and may be set aside to the family of the absentee as specfied herein; provided, however, that such joint tenancy interest may only be set aside to a member of the absentee's family who was a joint tenant with the absentee in such property.

1783. Within six months after the absentee has returned to the controllable jurisdiction of the military department or civilian agency or department concerned, or within six months after the determination of death of the absentee by the secretary concerned or the head of the department or agency concerned or his delegate, as the case may be, the former absentee or the personal representative of the deceased absentee may, by motion in the same proceeding, require the person or persons to whom the property of the absentee was set aside to account for the property and the proceeds thereof, if any. The time of return to the controllable jurisdiction of the military department or civilian department or agency concerned or the determination of the time of death of the absentee, shall be determined in the manner provided in Section 1755.5. This section does not in any manner derogate the finality and conclusiveness of any order, judgment, or decree previously entered in the proceeding.

SEC. 10. Section 13861 of the Revenue and Taxation Code is amended to read:

13861. All proceeds of any Federal ~~war risk insurance~~ *War Risk Insurance, National Service Life Insurance, or Servicemen's Group Life Insurance* policy of any veteran of World War I ~~or~~, World War II, *Korean War, or Vietnam Conflict (as defined in subdivision (c) of Section 17146)* which are or may become payable to the estate of the veteran are exempt from the tax imposed by this part.

SEC. 11. Section 13871 of the Revenue and Taxation Code is amended to read:

13871 *(a)* Property transferred to a class A, B, or C transferee who is a dependent of the transferor is exempt from the tax imposed by this part if the transferor dies as the result of disease contracted or injury suffered by reason of military service in the line of duty and not due to his own willful misconduct, and while serving in the armed forces of the United States between September 16, 1940, and the termination of all wars in which the United States is now engaged

(b) Property transferred to a class A, B, or C transferee who is a dependent of the transferor is exempt from the tax imposed by this part if the transferor dies as a result of disease contracted or injury suffered by reason of military service in the line of duty and not due to his own willful misconduct and while serving in a combat zone, as determined under subdivision (c) of Section 17146.

SEC 12. Section 13872 of the Revenue and Taxation Code is amended to read:

13872. *(a) Subdivision (a) of* Section 13871 is retroactive with respect to all transfers made by any such transferor dying on or after September 16, 1940.

(b) Subdivision (b) of Section 13871 is retroactive with respect to all transfers made by any transferor dying on or after February 28, 1961.

SEC 13. Section 17146 of the Revenue and Taxation Code is repealed

~~17146. Gross income does not include the salary, wages, bonuses, allowances, and other compensation, except pensions and retirement the term "extended active duty" means any period of active duty as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate. For the purposes of this section, the term "extended active duty" means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period.~~

SEC 14. Section 17146 is added to the Revenue and Taxation Code, to read:

17146. (a) The total of the following items are not included in gross income:

(1) The salary, wages, bonuses, allowances, and other compensation received by an individual for his services as a member of the armed forces of the United States, including any auxiliary branch thereof, and not specifically excluded from gross income under paragraph (2), (3), or (4) of this subdivision, up to and including one thousand dollars ($1,000) per annum in the aggregate.

(2) The salary, wages, bonuses, allowances, and other compensation received by an individual for his service as a member below the grade of commissioned officer of the armed forces of the United States, including any auxiliary branch thereof, for any month during any part of which such individual either:

(i) Served in a combat zone during an induction period, as defined in Section 17025.

(ii) Was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone during an induction period. However, this subparagraph shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under paragraph (3) of subdivision (c) of this section.

(3) The salary, wages, bonuses, allowances, and other compensation as does not exceed five hundred dollars ($500) received by an individual for his service as a commissioned officer of the armed forces of the United States, including any auxiliary branch thereof, for any month during any part of which such individual either:

(i) Served in a combat zone during an induction period, as defined in Section 17025.

(ii) Was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone during an induction period. However, the subparagraph shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under paragraph (3) of subdivision (c) of this section.

(4) The salary, wages, bonuses, allowances, and other compensation received by an individual for his service as a member of the armed forces of the United States, including any auxiliary branch thereof, for any month during any part of which such individual is in a missing status during the Vietnam Conflict, other than a period with respect to which it is officially determined that he is officially absent from his post of duty without authority.

(5) The salary, wages, bonuses, allowances, and other compensation received by an individual for active service as a civilian employee for any month during any part of which such individual is in a missing status during the Vietnam Conflict as a result of such conflict, other than a period with respect to which it is officially determined that he is officially absent from his post of duty without authority.

(b) For purposes of this subdivision, the Vietnam Conflict began February 28, 1961, and ends on the date designated by the President by Executive Order as the date of the termination of combatant activities in Vietnam. For purposes of this subdivision, an individual is in a missing status as a result of the Vietnam Conflict if immediately before such status began he was performing service in Vietnam or was performing service in Southeast Asia in direct support of military operations in Vietnam.

(c) For purposes of this section:

(1) The term "commissioned officer" does not include a commissioned warrant officer.

(2) The term "combat zone" means any area which the President of the United States by Executive Order designates, for the purposes of United States Code, Title 26, Section 112, or corresponding provisions of prior federal income tax laws, as an area in which armed forces of the United States are or have (after February 28, 1961) engaged in combat.

(3) Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone

(4) The term "salary, wages, bonuses, allowances and other compensation" does not include pensions and retirement pay

(5) The term "missing status" means the status of an individual as a member of a uniformed service or the status of an employee in the active federal service who is officially carried or determined to be absent in a status of any of the following.

(i) Missing.

(ii) Missing in action.

(iii) Interned in a foreign country

(iv) Captured, beleaguered, or besieged by a hostile force.

(v) Detained in a foreign country against his will

(6) The term "employee" means an employee in or under an agency who is a citizen or national of the United States or an alien admitted to the United States for permanent residence, but does not include a part-time or intermittent employee or native labor casually hired on an hourly or daily basis However, such an employee who enters a status listed in paragraph (5) of this section who is either inside the continental United States or is a resident at or in the vicinity of the place of his employment in a territory or possession of the United States or in a foreign country and who was not living there solely as a result of his employment is an employee for the purpose of this article only on a determination by the head of the agency concerned that this status is the proximate result of employment by the agency.

(7) The term "agency" means an executive agency and a military department of the United States.

SEC. 15. Section 17839 is added to the Revenue and Taxation Code, to read:

17839. In the case of any individual who dies during an induction period (as defined in Section 17025) while in active service as a member of the armed forces of the United States, if such death occurred while serving, in a combat zone (as determined in Section 17146) or as a result of wounds, disease, or injury incurred while so serving, each of the following provisions shall apply:

(a) Any tax imposed by this part shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior taxable year ending on or after the first day he so served in a combat zone after February 28, 1961

(b) Any tax under this part which is unpaid at the date of his death (including interest, additions to the tax, and additional amounts) shall not be assessed, and if assessed the assessment shall be abated, and if collected shall be credited or refunded as an overpayment.

SEC 16 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A substantial number of citizens of this state, and others who own or possess property in this state, who have or will enter the military service, or other U.S. government service, have performed or may hereafter perform, such service in an area of hostilities in which the United States is, and has been, engaged. In the course of such service, many of such persons are now, or may hereafter be, in a missing status, as defined in U.S. Code Title 37, Chapter 10 or Title 5, Chapter 55, Subchapter VII; that is, declared by authority of those statutes to be missing; missing in action; interned in a foreign country; captured, beleaguered, or besieged by a hostile force; or detained in a foreign country against their will. With particular reference to persons in missing status by reason of hostilities in Southeast Asia: more of them are from California and more of their spouses and families live in California than any other state. The number of them from California, and the number of their spouses and families who live in California, are each larger in proportion to the respective total number than the population of California is as a proportion of the total population of the United States

Such missing status is causing immediate prejudice to the estates of such missing persons, and difficulty and hardship to their families by their inability to consumate transactions, such as to sell property, withdraw funds, cash checks, transfer securities and the like, upon which the families are dependent The provisions and amendments hereby enacted must be effective immediately and without delay in order to avoid such immediate prejudice, hardship, and difficulty.

Such persons in missing status and their families and other members of the armed forces engaged in, or who have died as a result of combat and their families are suffering and will suffer immediate prejudice, hardship, and unfairness by reason of the fact that personal income tax and inheritance tax parts of the Revenue and Taxation Code do

not contain exemptions and exclusions relating to combat service and combat deaths comparable to the provisions of the Internal Revenue Code relating to such matters, and by reason of the fact that certain exemptions and exclusions applicable to earlier wars have not been updated. The Revenue and Taxation Code provisions hereby enacted must become effective immediately in order to avoid such prejudice and hardship.

For these reasons this act is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and shall go into immediate effect.

SEC. 17. This act shall be known as the P.O.W.-M.I.A. Family Relief Act of 1972."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1988—An act to amend Sections 74191, 74192, 74193, 74194, and 74195 of the Government Code, relating to courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 23 to 40, inclusive; and on page 3, strike out lines 1 to 40, inclusive; and on page 4, strike out line 1, and insert

"SEC. 3. Section 74193 of the Government Code is amended to read:

74193 The clerk and administrator shall appoint:

(a) One ~~chief~~ ~~deputy~~ *assistant* clerk, who shall receive a biweekly salary at a rate specified in Schedule ~~66~~ *68* of Section 74196.

(b) Two deputy clerks, who shall be ~~chief~~ ~~clerks~~ *principal deputy clerks*, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~55~~ *61* of Section 74196.

(c) One deputy clerk, who shall be a *senior* legal stenographer, who shall receive a biweekly salary at a rate specified in Schedule ~~42~~ *48* of Section 74196.

(d) ~~Thirteen~~ *Fifteen* deputy clerks, who shall be court clerks, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~53~~ *59* of Section 74196.

(e) ~~Three~~ *Two* deputy clerks, who shall be deputy clerks III, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~45~~ *47* of Section 74196.

(f) ~~Six~~ *Five* deputy clerks, who shall be deputy clerks II, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~39~~ *41* of Section 74196.

(g) Sixteen deputy clerks who shall be typist-clerks II, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~32~~ *34* of Section 74196.

(h) ~~Eleven~~ *Thirteen* deputy clerks, who shall be senior deputy clerks, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~40~~ *42* of Section 74196.

(i) Six deputy clerks, who shall be associate deputy clerks, each of whom shall receive a biweekly salary at a rate specified in Schedule 36 of Section 74196

~~(i)~~ *(j)* ~~Six~~ *Eight* deputy clerks, who shall be cashier-clerks, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~35~~ *37* of Section 74196.

~~(j)~~ *(k)* One deputy clerk, who shall be an accountant *II*, who shall receive a biweekly salary at a rate specified in Schedule ~~56~~ *60* of Section 74196.

~~(k)~~ *(l)* ~~One~~ *Two* deputy ~~clerk~~ *clerks*, who shall be ~~an~~ account ~~clerk~~ *clerks* II, ~~who~~ *each of whom* shall receive a biweekly salary at a rate specified in Schedule ~~40~~ *42* of Section 74196.

~~(l)~~ *(m)* One deputy clerk, who shall be an account clerk I, who shall receive a biweekly salary at a rate specified in Schedule ~~33~~ *35* of Section 74196.

~~(m)~~ *(n)* One deputy clerk, who shall be a data-processing technician III, who shall receive a biweekly salary at a rate specified in Schedule ~~50~~ *52* of Section 74196.

~~(n)~~ *(o)* One deputy clerk, who shall be a data-processing technician I, who shall receive a biweekly salary at a rate specified in Schedule ~~38~~ *40* of Section 74196.

~~(o)~~ *(p)* One deputy clerk, who shall be a keypunch supervisor, who shall receive a biweekly salary at a rate specified in Schedule ~~40~~ *42* of Section 74196

~~(p)~~ *(q)* ~~Five~~ *Seven* deputy clerks, who shall be keypunch operators, each of whom shall receive a biweekly salary at a rate specified in Schedule ~~31~~ *36* of Section 74196 ''

Amendment No. 2

On page 4, line 27, strike out ''principle'', and insert ''principal''.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 25, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

SB No. 1007

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1007—An act to amend Sections 5523, 5563, 5564, 5566, 5567, 5568, 5762, 5763, 5765, 5766, 5767, and 5768 of, and to repeal Section 5570 of, the Revenue and Taxation Code, relating to in lieu taxes on domestic animals, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Senate May 11, 1972, after "5566.", insert "(a)".

Amendment No. 2

On page 2, line 25, strike out "the owners", and insert "any owner".

Amendment No. 3

On page 2, between lines 28 and 29, insert

"(b) In those cases wherein the board determines that an audit would have been required under Section 469 if the livestock were subject to property taxation, rather than to the provisions of this part, the assessor shall perform such audits of the books and records of the owners of livestock subject to the provisions of this part as the board by rules and regulations may prescribe."

Amendment No. 4

On page 3, line 32, after "5765.", insert "(a)".

Amendment No. 5

On page 3, line 33, strike out "the owners", and insert "any owner".

Amendment No. 6

On page 3, between lines 36 and 37, insert

"(b) In those cases wherein the board determines that an audit would have been required under Section 469 if the racehorses were subject to property taxation, rather than to the provisions of this part, the assessor shall perform such audits of the books and records of the owners of racehorses subject to the tax imposed by this part as the board by rules and regulations may prescribe."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 1744

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1744—An act to add Section 405.2 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 10, 1972, after the first "to", insert "amend Section 402 1 of, and to".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 402 1 of the Revenue and Taxation Code is amended to read:

402 1. In the assessment of land, the assessor shall consider the effect upon value of any enforceable restrictions to which the use of the land may be subjected. Restrictions shall include but are not necessarily limited to *restrictions imposed upon nonprofit or limited dividend corporations which are federally assisted, insured, or otherwise subsidized to provide housing for elderly or handicapped persons or persons with low or moderate incomes, or to* zoning restrictions limiting the use of land and any recorded contractual provisions limiting the use of lands entered into with a governmental agency pursuant to *federal or* state laws or applicable local ordinances There shall be a rebuttable presumption that restrictions will not be removed or substantially modified in the predictable future and that they will substantially equate the value of the land to the value attributable to the legally permissible use or uses.

Grounds for rebutting the presumption may include but are not necessarily limited to the past history of like use restrictions in the jurisdiction in question and the similarity of sales prices for restricted and unrestricted land The possible expiration of a restriction at a time certain shall not be conclusive evidence of the future removal or modification of the restriction unless there is no opportunity or likelihood of the continuation or renewal of the restriction, or unless a necessary party to the restriction has indicated an intent to permit its expiration at that time.

In assessing land where the presumption is unrebutted, the assessor shall not consider sales of otherwise comparable land not similarly restricted as to use as indicative of value of land under restriction, unless the restrictions have a demonstrably minimal effect upon value.

In assessing land under an enforceable use restriction wherein the presumption of no predictable removal or substantial modification of the restriction has been rebutted, but where the restriction nevertheless retains some future life and has some effect on present value, the assessor may consider, in addition to all other legally permissible information, representative sales of comparable land not under restriction but upon which natural limitations have substantially the same effect as restrictions.

For the purposes of this section, low or moderate incomes are those which are within the limits required of applicants for tenancy on land owned by a nonprofit or limited dividend corporation which is federally assisted, insured, or otherwise subsidized

It is hereby declared that the purpose and intent of the Legislature in enacting this section is to provide for a method of determining whether a sufficient amount of representative sales information is available for land under use restriction in order to ensure the accurate assessment of such land. It is also hereby declared that the further purpose and intent of the Legislature in enacting this section and Section 1630 of the Revenue and Taxation Code is to avoid an assessment policy which, in the absence of special circumstances, considers uses for land which legally are not available to the owner and not contemplated by local government, and that these sections are necessary to implement the public policy of encouraging and maintaining effective land use planning. Nothing in this statute shall be construed as requiring the assessment of any land at less than as required by Section 401 of this code or as prohibiting the use of representative comparable sales information on land under similar restrictions when such information is available.

SEC. 2. Section 405.2 is added to the Revenue and".

Amendment No. 4

On page 2, line 3, strike out "other", and insert "otherwise".

Amendment No. 5

On page 2, strike out lines 5 to 16, inclusive, and insert

"SEC. 3. The provisions of Section 1 of this act shall only become operative if Assembly Constitutional Amendment No. 78 of the 1972 Regular Session of the Legislature is not approved by the voters; in which case, Section 1 shall become operative on the lien date next following such approval.

SEC. 4. The provisions of Section 2 of this act shall".

Amendment No. 6

On page 2, line 20, strike out "Section 1", and insert "Section 2".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 722

AB No. 723

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 722—An act to amend Sections 17054, 17064, 17202, 17203, 17233, 17771, 17778, 17854, 18414 5, 18645, 18683, 24343, 24437, and 25933 of, to add Sections 18643, 18644, 25563.3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 10, line 40, of the printed bill, as amended in Assembly April 27, 1972, strike out "Sections 17202, 17203," and insert "Section 17202".

Amendment No. 2

On page 12, line 31, strike out "17232", and insert "17252".

Amendment No. 3

On page 14, line 17, after "(d)", insert "by the First Extraordinary Session of the 1971 Legislature and the Regular Session of the 1972 Legislature".

Amendment No. 4

On page 21, line 29, after "amount", insert "(together with interest thereon to date of payment)".

Amendment No. 5

On page 21, line 31, strike out "at any time", and insert "by the Franchise Tax Board".

Amendment No. 6

On page 21, line 32, strike out ", together with interest"; and strike out line 33; and in line 34, strike out "to the date of payment".

Amendment No. 7

On page 21, line 37, after "thereon", insert "to the date of payment".

Amendment No. 8

On page 29, line 2, after "amount", insert "(together with interest thereon to date of payment)".

Amendment No. 9

On page 29, line 4, strike out "at any time", and insert "by the Franchise Tax Board,".

Amendment No. 10

On page 29, line 5, strike out ", together with interest"; strike out line 6; and in line 7, strike out "to the date of payment".

Amendment No. 11

On page 29, line 10, after "thereon", insert "to date of payment".

Amendment No. 12

On page 31, line 4, after "January 1," strike out "1973", and insert "1974".

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "17233,".

Amendment No. 2

In line 3 of the title, strike out "24437,".

Amendment No. 3

On page 2, line 16, after "entire", insert "taxable".

Amendment No. 4

On page 3, line 17, strike out "17182", and insert "17056".

Amendment No. 5

On page 13, line 40, strike out "an".

Amendment No. 6

On page 14, strike out lines 34 to 40, inclusive; strike out page 15; and on page 16, strike out lines 1 to 13, inclusive; and in line 14, strike out "SEC. 6", and insert
"SEC. 5".

Amendment No. 7

On page 18, line 11, strike out "SEC. 7", and insert
"SEC. 6".

Amendment No. 8

On page 19, line 13, strike out "SEC. 8", and insert
"SEC. 7".

Amendment No. 9

On page 20, line 2, strike out "SEC. 9", and insert
"SEC. 8".

Amendment No. 10

On page 21, line 7, strike out "SEC 10", and insert
"SEC. 9".

Amendment No. 11

On page 21, line 20, strike out "SEC. 11", and insert
"SEC. 10".

Amendment No. 12

On page 21, line 28, after "Board", insert a colon.

Amendment No. 13

On page 22, line 18, strike out "SEC. 12", and insert
"SEC. 11".

Amendment No. 14

On page 22, line 23, strike out "SEC. 13", and insert "SEC. 12".

Amendment No. 15

On page 22, line 34, strike out "SEC. 14", and insert "SEC. 13".

Amendment No. 16

On page 23, strike out lines 7 to 15, inclusive; and in line 16, strike out "SEC. 15", and insert "SEC. 14".

Amendment No. 17

On page 23, line 30, strike out "SEC. 16", and insert "SEC. 15".

Amendment No. 18

On page 24, line 1, strike out "SEC. 17", and insert "SEC. 16".

Amendment No. 19

On page 27, strike out lines 6 to 31, inclusive, and in line 32, strike out "SEC 19", and insert "SEC. 17".

Amendment No. 20

On page 27, line 34, after "article," insert "with respect only to income years beginning after December 31, 1971, and before January 1, 1973,".

Amendment No. 21

On page 27, line 38, strike out "SEC. 20", and insert "SEC. 18".

Amendment No. 22

On page 28, line 33, strike out "SEC. 21", and insert "SEC. 19".

Amendment No. 23

On page 30, line 17, strike out "SEC. 22", and insert "SEC. 20".

Amendment No. 24

On page 30, line 28, strike out "SEC. 23", and insert "SEC. 21".

Amendment No. 25

On page 30, strike out line 40, and insert

"SEC. 22. The intent of the Legislature in the addition of Section 24437 to the Revenue and Taxation Code through the enactment of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature was to identify the organizations making an election under subsection (c) of Section 456 of the Internal Revenue Code, and shall not be construed to adopt the substantive provisions of subsection (c) of Section 456 of the Internal Revenue Code.

SEC. 23. Sections 1, 3, 4 and 16 of this act shall become".

Amendment No. 26

On page 31, strike out line 3, and insert

"SEC. 24. Sections 14, 15, 20 and 21 of this act shall".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 723—An act to amend Sections 17072, 17207, 17216 2, 17402, 17411, 17503, 17511, 17673, 17711, 17712, 17734, 17737, 17852, 18152, 18172, 18181, 18182, 18183, 18187, 18189, 18190, 18191, 18192, 18202, 18242, of, and to repeal Sections 18151 and 18162 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "18202,".

Amendment No. 2

On page 6, line 7, strike out "determined", and insert "recognized".

Amendment No. 3

On page 6, line 21, after the comma, insert a dash.

Amendment No. 4

On page 8, line 24, strike out "as the case may be,".

Amendment No. 5

On page 9, line 7, strike out "held".

Amendment No. 6

On page 10, line 1, strike out "one year but not more"; and in line 2, strike out "than".

Amendment No. 7

On page 11, line 36, strike out "one year but not more than".

Amendment No. 8

On page 19, line 11, after the comma, insert "or".

Amendment No. 9

On page 24, line 36, strike out "(3) This subdivision shall not apply to —", and insert

"(b) (1) Except as provided in paragraph (3), on the".

Amendment No. 10

On page 27, line 25, after "If", insert "a".

Amendment No. 11

On page 31, strike out lines 16 to 33, inclusive; and in line 34, strike out "SEC. 27", and insert
"SEC. 26".

Amendment No. 12

On page 32, line 37, strike out "SEC. 28", and insert
"SEC. 27".

Amendment No. 13

On page 32, line 39, strike out "SEC. 29", and insert
"SEC. 28".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 24, 1972

Mr. Speaker: The Chairman of your Committee on Finance and Insurance reports.

AB No. 1330

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1330—An act to add Section 10351 to the Insurance Code, relating to disability insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "disability".

Amendment No. 2

On page 1, line 3, after "insurance", insert ", contract for a nonprofit hospital service plan, or self-insured employees benefit plan".

Amendment No. 3

On page 1, line 4, strike out "renewed", and insert "amended".

Amendment No. 4

On page 1, line 8, strike out "a nursing home, as defined in Section", in line 9, strike out "3902 of the Business and Professions Code," and insert "an extended care facility, as defined in subsection (j) of Section 1395x, 42 United States Code,".

Amendment No. 5

On page 2, line 1, strike out "a nursing home", and insert "an extended care facility".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 25, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports.

AB No. 1583

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1583—An act to add Section 313 to the Business and Professions Code, relating to a pilot implementation program for mechanics to perform automobile emission and safety work as the first phase of a total automotive repair and maintenance and mechanic training and certification, registration or licensing program, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out ", registration or licensing".

Amendment No. 2

On page 2, line 10, strike out "develop", and insert "consider".

Amendment No. 3

On page 2, line 11, strike out "certification or licensing", and insert "determining the ability".

Amendment No. 4

On page 2, strike out lines 19 to 22, inclusive, and insert "The pilot study and".

Amendment No. 5

On page 3, line 2, after "mechanics", insert ", utilizing, to the fullest extent practicable, each of the following:

(1) Apprenticeship programs.

(2) Community college programs.

(3) Licensed lamp and brake adjusting stations.

(4) Licensed motor vehicle pollution control device installation and inspection stations.

(e) Monitoring of mechanics competency".

Amendment No. 6

On page 3, strike out lines 3 to 9, inclusive.

Amendment No. 7

On page 3, line 18, strike out ", registration or licensing".

Amendment No. 8

On page 4, lines 19 and 20, strike out ", retraining, and licensure or certification", and insert "and retraining"

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 25, 1972

Mr Speaker. The Chairman of your Committee on Governmental Organization reports·

AB No 2242

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2242—An act to amend Section 19627 of the Business and Professions Code, relating to the Fair and Exposition Fund.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title, strike out "amend Section 19627 of", and insert "add Section 19627 1 to"

Amendment No. 2

On page 1, strike out line 1, and insert

"19627 1 Any unallocated moneys at the end of any fiscal year from the appropriation made by Section 19627 are hereby appropriated to the department to be allocated for capital outlay to county, district, or combined county and district fairs for fair projects involving public health and safety, for projects that are required by physical changes to the fair site, such as highway relocation, and for projects that are required to protect the fair property or installation, such as fencing and flood protection "

Amendment No. 3

On page 1, strike out lines 2 to 4, inclusive, and strike out pages 2 and 3

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 30

AB No. 1488

With author's amendments with the recommendation: Amend, and refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 30—An act to add Section 18753 to the Business and Professions Code, relating to professional boxing.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 18802 5 and".

Amendment No. 2

In line 2 of the title, strike out "professional".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 18802.5 is added to the Business and Professions Code, to read:

18802 5. (a) The commission shall, consistent with the purposes of this article, promulgate rules and regulations requiring that a disability insurance program be provided for each amateur boxer who performs on the same program as a professional boxing contest, sparring match, or exhibition. Such insurance program shall provide minimum financial benefits, no less than the minimum financial benefits provided for professional boxers pursuant to Section 18802, for periods of disability caused by participation in an amateur boxing contest held on the same program as a professional boxing contest, sparring match, or exhibition.

(b) The cost of the disability insurance program for the amateur boxer shall be borne entirely by the promoter of the professional program at which the amateur boxer performs.

(c)(1) A promoter may, but is not required to, add to the price of each ticket sold for a professional boxing contest an amount specifically designated by him on the ticket for contribution as a donation to the disability insurance program established by this section. Such additional amount shall not be subject to the admissions tax required by Section 18711. Nothing in this subdivision shall authorize the addition of such amounts to less than all of the tickets sold for the professional boxing program involved.

(2) At the time of payment of the admissions tax required by Section 18711, a promoter shall pay to the commission any amounts collected pursuant to this subdivision

(3) Money received pursuant to this subdivision shall be deposited in the Amateur Boxer Disability Account which is hereby created in the General Fund, to be held in trust and appropriated without regard to fiscal years for purposes of this section, as follows

(i) For the benefit of the promoter who donated the money to meet his costs of providing disability insurance pursuant to this section. Nothing in this subdivision shall grant to any person other than the promoter who donated the money any right or interest in such account.

(ii) In the event the promoter dies or retires, for the benefit of all other promoters in meeting their costs of providing disability insurance pursuant to this section

SEC. 2 Section 18753 is added to the Business''

Amendment No. 4

On page 1, line 6, after "exhibitions", insert "unless the promoter of the professional boxing contest, sparring match, or exhibition has provided disability insurance for the amateurs as provided in Section 18802.5"

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 1488—An act to amend Sections 18801 and 18802 of the Business and Professions Code, relating to professional boxing.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18801 and 18802 of", and insert "18633, 18801, and 18802 of, and to add Section 18806 to,"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 18633 of the Business and Professions Code is amended to read.

18633 All moneys deposited in the General Fund pursuant to Section 18632 which has been received by the commission pursuant to Sections 18800 ~~and~~, 18801 *and 18806* is hereby continuously appropriated as follows

(a) Moneys in the Boxer's Trust Fund Account, for purposes of the trust fund created pursuant to Section 18800

(b) Moneys in the Boxer's Pension Account, for purposes of the pension plan established under Section 18801

(c) Moneys in the Disability Insurance Program Account, for purposes of the disability insurance program established under Section 18803

SEC 2 Section 18801 of the Business and''

Amendment No. 3

On page 2, after line 29, insert

"SEC. 3. Section 18806 is added to the Business and Professions Code, to read:

18806. (a) A promoter may, but is not required to, add to the price of each ticket sold for a professional boxing contest an amount specifically designated by him on the ticket for contribution as a donation, either or both, to the pension plan established pursuant to Section 18801, or to the disability insurance program established pursuant to Section 18802. Such additional amount shall not be subject to the admissions tax required by Section 18711. Nothing in this subdivision shall authorize the addition of such amounts to less than all the tickets sold for the professional boxing contest involved.

(b) At the time of payment of the admissions tax required by Section 18711, a promoter shall pay to the commission any amounts collected pursuant to subdivision (a) of this section

(c) Where not otherwise specifically designated by the promoter, amounts collected pursuant to this section shall be allocated equally for support of the pension program and the disability insurance program.

(d) (1) Money received pursuant to this section for support of the pension program shall be deposited in the Boxer's Pension Account. (2) Money received pursuant to this section for support of the disability insurance program shall be deposited in the Disability Insurance Program Account which is hereby created in the General Fund.

(e) Any amounts received pursuant to this section may be considered by the commission to reduce all of the allocations required by Sections 18801 and 18802; but, no such amounts donated shall be considered to offset the donor's allocation or any other particular person's allocation otherwise required of him pursuant to Sections 18801 and 18802."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

ACR No. 59

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Concurrent Resolution No. 59—Relative to mental health. Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed measure, strike out "May 15", and insert "July 15".

Amendment No. 2

On page 2, line 24, strike out "June 15", and insert "September 15".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1449

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1449—An act to amend Section 70046 of the Government Code, relating to courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "fourteen thousand two hundred sixty-eight dollars ($14,268)", and insert "sixteen thousand four hundred thirteen dollars ($16,413)".

Amendment No. 2

On page 1, lines 8 and 9, strike out "forty-five dollars ($45)", and insert "fifty-five dollars ($55)".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, May 25, 1972

Mr Speaker The Chairman of your Committee on Criminal Justice reports:

AB No 1762

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1762—An act to add Section 26532 to the Government Code, relating to district attorneys.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "relating to subjects under his jurisdiction", and insert "brought pursuant to Chapter 1 (commencing with Section 17500) of Part 3 of Division 7 of the Business and Professions Code or Section 3369 of the Civil Code,".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1373

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1373 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Dunlap was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Committee on Open Space Lands

May 23, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol, Sacramento, California

Dear Mr. Driscoll: As Chairman of the Joint Committee on Open Space Lands, it is my pleasure to transmit to the Assembly a "State Open Space and Resources Conservation Program for California". This report graphically points up the need for a uniform and comprehensive approach to preserving California's resources.

We have reached a point in our history when only bold and direct state action will preserve California's open space resources for both present and future generations It is clear that traditional approaches to preserving these resources are no longer adequate As a report to the Legislature prepared by this Committee in 1970 so aptly stated, " . changes in traditional attitudes and methods of dealing with the land are matters of necessity. This message is clear: no action now—no open space in the future."

Sincerely,

JOHN F DUNLAP, Chairman

Above report referred to the Committee on Planning and Land Use.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 66

Mr. Belotti was granted unanimous consent that Assembly Concurrent Resolution No. 66 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of amendment.

Consideration of Assembly Concurrent Resolution No. 66

Assembly Concurrent Resolution No. 66—Relative to the Fairs Allocation and Classification Committee.

Resolution read.

Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed measure, as amended in Assembly May 24, 1972, strike out "1972", and insert "1973".

Amendment read, and adopted.

Resolution ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1762 for hearing in the Committee on Criminal Justice, on Tuesday, May 30.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 1391, ordered to third reading

NOTE: Later this day Assembly Bill No. 1391 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 2329, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1093—An act to add and repeal Section 4181.3 of the Fish and Game Code, relating to mammals

Bill read second time, and ordered to third reading.

NOTE: Later this day Assembly Bill No. 1093 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 1152—An act to amend Sections 6484 and 6497 of the Fish and Game Code, relating to mariculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly May 10, 1972, strike out "and maintaining", and insert ", maintaining, and harvesting".

Amendment No. 2

On page 2, line 9, strike out "cultivation", and insert "exclusive privilege of cultivation and subsequent harvest".

Amendment No. 3

On page 2, line 10, after "cultivation", insert "and harvest".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 721—An act to add Section 25209.5 to the Government Code, relating to counties

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25209.5", and insert "50028".

Amendment No. 2

In line 2 of the title, strike out "counties", and insert "housing".

Amendment No. 3

On page 1, line 1, strike out "25209.5", and insert "50028".

Amendment No. 4

On page 1, line 3, strike out "25209.5", and insert "50028".

Amendment No. 5

On page 1, line 3, strike out "The board of supervisors", and insert "A local agency".

Amendment No. 6

On page 1, line 6, after "program", insert a comma.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1023—An act to add Chapter 11 (commencing with Section 186) to Division 1 of the Probate Code, relating to bequests to minors.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1026—An act to add Section 1162 5 to the Civil Code, relating to gifts to minors

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1067—An act to amend Section 260 of the Probate Code, relating to estates

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1172—An act to amend Sections 1510 and 1513 of the Probate Code, relating to guardians and wards.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1175—An act to amend Section 4357 of the Civil Code, relating to child support.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1928—An act to amend Section 300, 301, 501, 800 and 816 of, and to add Section 809.5 to, the Corporations Code, relating to directors of corporations.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1975—An act to amend Sections 70142 and 72190 of the Government Code, relating to court commissioners.

Bill read second time, and ordered to the Consent Calendar.

Assembly Joint Resolution No. 4—Relative to requiring North Vietnam to account for each American missing in action or listed as a prisoner of war as a result of the conflict in Vietnam.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted.

Amendment No. 1

On page 1, of the printed measure, strike out lines 1 to 13, inclusive.

Amendment No. 2

On page 2, strike out lines 11 to 25, inclusive, and insert "conflict; now, therefore, be it".

Resolution ordered reprinted, and to be placed on the Consent Calendar

Assembly Joint Resolution No. 7—Relative to the war in Indochina.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted

Amendment No. 1

Below line 2 of the heading of the printed measure, insert

"(Coauthor Senator Walsh)".

Amendment No. 2

On page 2, strike out lines 20 to 24, inclusive.

Amendment No. 3

On page 2, lines 26 and 27, strike out ", which date shall be no later than December 31, 1972,".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 202—An act to amend Sections 417.10 and 417.20 of, and to add Sections 415.45 and 1167.1 to, the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 8, 1972, strike out "Sections 415.45 and 1167.1", and insert "Section 415.45".

Amendment No. 2

On page 4, strike out lines 9 to 29, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 360—An act to add Section 17539 to the Business and Professions Code, relating to games of chance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly May 1, 1972, after "chance", insert "or skill".

Amendment No. 2

On page 2, strike out lines 14 and 15, and insert

"(3) The approximate numerical odds of winning each prize. However, in a contest in which odds cannot be determined with reasonable accuracy there shall be disclosed the approximate number of individuals to whom the contest solicitation is being disseminated as such fact may be reasonably determined."

Amendment No. 3

On page 2, line 37, after "chance", insert "or skill".

Amendment No. 4

On page 5, line 21, after "association", insert ", but does not include any charitable trust, corporation or other organization exempted from taxation under Section 23701d of the Revenue and Taxation Code or Section 501(c)(3) of the Internal Revenue Code of 1954."

Amendment No. 5

On page 5, line 23, strike out "includes", and insert "and "game of skill" include".

Amendment No. 6

On page 5, line 25, strike out the second comma, and insert "or skill or upon a combination of chance or skill, with or".

Amendment No. 7

On page 5, after line 26, insert

"(g) Nothing in this section shall be construed to hold any newspaper publisher or radio or television broadcaster liable for publishing or broadcasting any advertisement relating to a game of chance or skill or any series of such games, unless such publisher or broadcaster is the person conducting or holding any such game."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 807—An act to add Section 4000.5 to the Penal Code, relating to prisoners' rights.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1848—An act to add Section 1009.1 to the Penal Code, relating to accusatory pleadings.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1905—An act to amend and renumber Section 480 of the Penal Code, as added by Chapter 1256 of the Statutes of 1963, relating to forgery of letters.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 371—An act to amend Section 11579 of, and to add Section 11577.5 to, the Business and Professions Code, relating to division of land.

Bill read second time, and ordered to third reading.

Assembly Bill No. 376—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1363—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1725—An act to amend Sections 65855 and 65860 of the Government Code, relating to zoning and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly May 9, 1972, after "plan", insert "only".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1419—An act to amend Section 25502.5 of, and to add Section 25502.6 to, the Education Code, relating to community colleges.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1589—An act to amend Section 31214 of the Education Code, relating to state competitive scholarships.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1766—An act to amend Section 13121 of the Education Code, relating to certificated employees.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1764—An act to add Section 13085.2 to the Education Code, relating to public school employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1816—An act to amend Section 13364 of the Education Code, relating to teachers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1603—An act relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Assembly May 4, 1972, after "SEC. 3.", insert "The California Commission on Aging shall study the feasibility of using charter buslines for the transportation of senior citizens.

SEC. 4."

Amendment No. 2

On page 2, line 26, strike out "SEC. 4", and insert "SEC. 5".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 958—An act to amend Section 92.6 of the Streets and Highways Code, relating to state freeways.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 373—An act to amend Section 11457 of the Welfare and Institutions Code, relating to needy children.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 1391 and **1093.**

COMMUNICATIONS

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1023	AB No. 1766
AB No. 1026	AB No. 1905
AB No. 1067	

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 807	AB No. 1816
AB No. 1363	AB No 1848
AB No 1764	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Majority Floor Leader Presiding

At 1 55 p m , Hon Jack R Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 488

In compliance with a motion given on a previous day, Mr. Dunlap moved that the vote whereby Assembly Bill No 488 was refused passage be reconsidered

Assembly Bill No 488 reconsidered by the following vote·

AYES—Bagley, Barnes, Bee, Belotti, Briggs, Brown, Chappie, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Ray E Johnson, Karabian, Keysor, Knox,

LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Pierson, Priolo, Ralph, Seeley, Sieroty, Thomas, Townsend, Warren, Wilson, Wood, and Mr Speaker—42.

NOES—Beverly, Collier, Conrad, Hayden, Ketchum, Monagan, Murphy, Stull, and Wakefield—9

Assembly Bill No. 488 Passed and Retained

By unanimous consent, Assembly Bill No. 488 was passed on file, to retain its place on file.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1158—An act to amend Section 1162 of, and to add Section 1302 5 to, the Education Code, relating to school district elections

Bill read third time.

Motion to Amend

Mr Meade moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in Assembly May 8, 1972, after "year", insert ", and which is located in a county of the first class".

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 762—An act to add Sections 3050 1, 3050 2 and 3050.3 to the Vehicle Code, relating to new car dealers.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Quimby, Ralph, Russell, Sieroty, Stacey, Thomas, Townsend, Warren, Wilson, Wood, and Mr Speaker—47

NOES—Badham, Burke, Chappie, Collier, Seeley, Stull, and Wakefield—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Biddle was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 89 FROM COMMITTEE

Mr Burton was granted unanimous consent that Assembly Concurrent Resolution No. 89 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 89

Assembly Concurrent Resolution No. 89—Approving amendments to the Charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on May 9, 1972.

Resolution read, presented by Mr. Burton, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, and Mr Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

May 22, 1972

Mr James D. Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim: Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Long Beach.

Very truly yours,

JAMES A. HAYES, Assemblyman
Thirty-ninth District

Accompanying documents ordered filed with the Secretary of State (ACR No 89)

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No. 399

With amendments with the recommendation Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 915
AB No. 979
AB No. 1137

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 987

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 399

Mr. Murphy was granted unanimous consent to take up Senate Bill No. 399, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file, instead of the second reading file.

Second Reading of Senate Bill No. 399 By Unanimous Consent

Senate Bill No. 399—An act to add Section 395.5 to the Code of Civil Procedure, and to add Sections 128 and 129 to the Corporations Code, relating to codification of various provisions to be omitted from the California Constitution in its revision.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, after "revision", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 9, insert

"SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the

meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act codifies some of the provisions of the California Constitution which will be deleted if Senate Constitutional Amendment No. 6 of the 1972 Regular Session is adopted by the people on June 6, 1972. Since this act would not otherwise take effect on such date, it is necessary that this act take effect immediately in order to prevent a lapse in the law in the event that such constitutional amendment is adopted by the people."

Bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing and adding Article XXIII thereof, relating to recall of public officers

Resolution read.

Speaker Presiding

At 2:12 p.m., Hon. Bob Moretti, 42nd District, presiding.

The question being on the adoption of Assembly Constitutional Amendment No. 33.

Resolution refused adoption by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Cory, Dent, Fenton, Foran, Gonsalves, Hayden, Keysor, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Pierson, Priolo, Quimby, Ralph, Seeley, Stacey, Thomas, Townsend, Waxman, Wood, and Mr. Speaker—29.

NOES—Badham, Barnes, Biddle, Burke, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Bill Greene, Ketchum, LaCoste, Lewis, McAlister, Murphy, Russell, Sieroty, Stull, Vasconcellos, Wakefield, Warren, and Wilson—25.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file.

Assembly Bill No. 422, on request of Mr. Pierson.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 125—An act to amend Sections 11580.2, 11620, and 11622 of, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of the Insurance Code, and to add Article 1.5 (commencing with Section 4030) to Chapter 1 of Division 3 of the Vehicle Code, relating to motor vehicle insurance.

Bill read third time.

Speaker pro Tempore Presiding

At 2:17 p.m., Hon. Carlos Bee, 13th District, presiding.

Demand for Previous Question

Messrs. Chappie, Dent, Townsend, Stacey, and Belotti demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Biddle, Briggs, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacGillivray, McCarthy, Mobley, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—49.

NOES—Badham, Beverly, Brown, Burke, Burton, Crown, Bill Greene, Karabian, Knox, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Sieroty, Stull, Wakefield, and Z'berg—21.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2138—An act to amend Section 51230 of the Government Code, relating to the California Land Conservation Act of 1965.

Bill read third time.

Hon. Kenneth Cory Presiding

At 2:43 p.m., Hon Kenneth Cory, 69th District, presiding

Demand for Previous Question

Messrs. Townsend, Belotti, Deddeh, Wilson, and Keysor demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Motion to Re-refer Assembly Bill No. 2138 to Committee

Mr. Duffy moved that Assembly Bill No. 2138 be re-referred to the Committee on Agriculture.

Mr. Conrad seconded the motion.

Point of Order

Mr. Dunlap arose to the following point of order That the motion to re-refer Assembly Bill No. 2138 to committee is out of order because the demand for the previous question on the passage of the bill has been sustained.

Ruling by Acting Speaker

The Acting Speaker ruled the point of order well taken.

Speaker pro Tempore Presiding

At 3:05 p.m., Hon. Carlos Bee, 13th District, presiding

The question being on the passage of Assembly Bill No. 2138.

The roll was called.

Call of the Assembly

At 3 08 p m , pending the announcement of the vote, Mr Dunlap moved a call of the Assembly

Motion carried by the following vote

AYES—Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Quimby, Ralph, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—37

NOES—Arnett, Bagley, Biddle, Briggs, Burke, Chappie, Cline, Davis, Duffy, Hayden, Ray E Johnson, Ketchum, MacGillivray, Mobley, Monagan, Priolo, Seeley, Stacey, Stull, and Wood—20.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 217—An act to add Section 4333 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

Majority Floor Leader Presiding

At 3 10 p m , Hon Jack R. Fenton, 51st District, presiding

The question being on the passage of the bill,

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Harvey Johnson moved a call of the Assembly

Motion carried Time, 3.32 pm

The Acting Speaker directed the Sergeant of Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

BILLS PASSED ON FILE

Assembly Bill No. 162—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1308—An act to amend Section 24007 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 620—An act to amend Section 2983 2 of, and to add Section 1917 to, the Civil Code, relating to automobile sales financing.

Bill read third time, and passed by the following vote

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—51

NOES—Badham, Biddle, Briggs, Burke, Chappie, Cline, Dent, Ray E. Johnson, Lewis, MacGillivray, Mobley, Monagan, Priolo, Russell, Stacey, and Stull—16.

Bill ordered transmitted to the Senate.

Assembly Bill No. 645—An act to add Section 26440 to the Health and Safety Code, relating to food labeling.

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—Ketchum and Stacey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 215—An act to amend Section 6359 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—57.

NOES—Badham, Collier, Cullen, Leroy F. Greene, Mobley, and Murphy—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1977—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, relating to hospitals.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1698—An act to add Section 18300.1 to the Health and Safety Code, relating to mobilehomes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Biddle, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62

NOES—Bee and Beverly—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1611—An act relating to the transfer of property by the Director of General Services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 784—An act to amend Sections 7344 and 7350 of the Labor Code, relating to aerial tramways

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1819—An act to amend Sections 1816 and 13203 of, to add Section 13105 to, and to repeal Sections 13355, 13355 5, 13356, and 13358 of, the Vehicle Code, relating to juvenile offenses

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden Harvey Johnson Ray E Johnson Karabian Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan Murphy Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—Cullen and Stull—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1681—An act to add Section 11019 to the Welfare and Institutions Code, relating to public assistance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1932—An act to amend Section 14104 3 of the Welfare and Institutions Code, relating to health care services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 93—An act to add Section 39297.5 to the Health and Safety Code, relating to air pollution

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, and Mr Speaker—57.

NOES—Harvey Johnson and Z'berg—2

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities.

Resolution read.

Assembly Constitutional Amendment No. 81 Passed and Retained

By unanimous consent, Assembly Constitutional Amendment No. 81 was passed on file, to retain its place on file.

Hon. Ken Cory Presiding

At 4:34 p.m., Hon Ken Cory, 69th District, presiding.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2138

At 4:35 p m , on motion of Mr. Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2138 passed by the following vote:

AYES—Bagley, Barnes, Bee, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—41.

NOES—Arnett, Badham, Belotti, Beverly, Biddle, Briggs, Burke, Chappie, Cline, Collier, Conrad, Davis, Duffy, Hayden, Ray E Johnson, Ketchum, LaCoste, Lewis, MacDonald, MacGillivray, Mobley, Monagan, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—30.

Motion to Reconsider Assembly Bill No. 2138 on Next Legislative Day

Mr. Ketchum moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2138 was this day passed

Assembly Bill No. 2138 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 217

At 4:38 p.m., on motion of Mr. Harvey Johnson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 217 refused passage by the following vote:

AYES—Arnett, Bagley, Bee, Brown, Burton, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Knox, LaCoste, McAlister, McCarthy, Meade, Miller, Pierson, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—33.

NOES—Badham, Barnes, Belotti, Beverly, Biddle, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, Mobley, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, and Wood—35

Motion to Reconsider Assembly Bill No. 217 on Next Legislative Day

Mr Harvey Johnson moved to reconsider on the next legislative day the vote whereby Assembly Bill No 217 was this day refused passage.

Assembly Bill No. 217 ordered to the unfinished business file.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 666—An act to amend Sections 20201, 23754, 23754 2, 23754 3, 25505.7, and 25505 8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753.2, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758.1, 23758 3, 23761, 25505, 25505 1, 25505 2, and 25505 9 of, the Education Code, relating to student residency.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1061—An act to add Chapter 5 5 (commencing with Section 18310) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1737—An act to amend Section 15606 of the Government Code, relating to the duties of the State Board of Equalization.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2320—An act to amend Sections 33450, 33452, and 33457 of the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1962—An act to amend Sections 18008, 18010.5, 18055, and 18056 of, and to repeal Sections 18003, 18009, and 18013 of the Health and Safety Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 799—An act to add Section 18716 to the Business and Professions Code, relating to professional boxing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 15—Relative to immigrant children.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 762—An act to add Section 14672 9 to the Government Code, relating to the letting of state property.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules, pursuant to Joint Rule No. 8.3, recommends that introduction of the following proposed bill by Assemblyman Mobley be permitted:

An act relating to Medi-Cal.

BURTON, Chairman

Assembly Chamber, May 25, 1972—

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Ralph for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2356 be granted.

BURTON, Chairman

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Gonsalves for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2358 be granted.

BURTON, Chairman

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Mobley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2368 be granted.

BURTON, Chairman

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Cullen for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2369 be granted.

BURTON, Chairman

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Leroy F. Greene for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 1485 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Gonsalves:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2358 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Ralph:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2356 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Mobley:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2368 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad,

Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Cullen:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2369 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Leroy F. Greene:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No 1485 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Mobley:

Resolution Permitting Introduction of Bill

Resolved, That permission to introduce the following bill be granted:

An act relating to Medi-Cal.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2371: By Assemblymen Mobley and Maddy—An act relating to Medi-Cal.

Held at Desk by order of the Acting Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 2371—An act relating to Medi-Cal.

ERNEST A. MOBLEY

Above request ordered transmitted to the Committee on Rules.

REMARKS ON CONDITION OF THE FILE

Messrs. Knox and Priolo were granted unanimous consent to speak on the condition of the file

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4 52 p m, Acting Speaker Cory declared the quorum call of the Assembly dispensed with.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1252 was continued until the next legislative day.

COMMUNICATIONS

Assembly Chamber, May 25, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 524—An act to add Section 66504.1 to the Government Code, relating to the Metropolitan Transportation Commission, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., May 25, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 31

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 54

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Rules reports:

HR No. 57

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, May 25, 1972

Mr. Speaker · Your Committee on Rules reports:

HR No. 56

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1150

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1286

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No 231

With the recommendation · Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker · Your Committee on Local Government reports:

SB No 1216

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 237

AB No. 1207

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 2353

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 406

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1208

AB No. 1815

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading

Committee on Governmental Organization

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 389

With the recommendation: Do pass.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1260

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 61

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No 78

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No 1407

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 692
AB No 2019
AB No 2092

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 2229

With the recommendation: Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 2284

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 549

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

FONG, Chairman

Above bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Chacon was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 377 for hearing in the Committee on Natural Resources and Conservation (subcommittee).

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 794

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 794—An act to amend Sections 1010, 1064, 1064.1, 5004, and 5136 of the Public Utilities Code, relating to carriers, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, line 14, of the printed bill, strike out ", and the City"; and strike out lines 15 and 16, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 1297

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1297—An act to amend Sections 3662, 3664, 3667, 3668, and 3669 of, and to add Section 3662.5 to, the Public Utilities Code, relating to highway carriers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the title of the printed bill, as amended in Assembly May 8, 1972, strike out "3662,".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive; and on page 2, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 3662.5 is added to the Public Utilities Code, to read:

3662.5. (a) Any radial highway common carrier or highway contract carrier may agree with any shipper on rates, rules, or charges for truckload transportation different from the rates, rules, or charges established by the commission pursuant to Section 3662; provided, that such rates, rules, or charges are just, reasonable, nondiscriminatory, and compensatory to the carrier performing the service, taking into consideration the volume and commodities involved and the specialized requirements of the service involved. Upon 30 days' notice to all interested parties, the carrier shall file with the commission a tariff containing such rates, rules, or charges. If no complaint if filed pursuant to subdivision (c), such tariff shall become effective."

Amendment No. 3

On page 2, strike out lines 31 to 38, inclusive, and insert

"(c) The commission may, upon complaint or on its own motion for good cause, hold a hearing on, or may suspend for a period not to exceed 120 days, or both, any tariff or any rate, rule, or charge contained in such tariff filed pursuant to this section. The commission shall approve the proposed".

Amendment No. 4

On page 3, line 1, after "reasonable," insert "nondiscriminatory,".

Amendment No. 5

On page 3, line 4, strike out "particular transportation".

Amendment No. 6

On page 3, line 14, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 7

On page 3, line 21, strike out "Section 3662.5", and insert "Sections 3662.5, 3663, and 3666".

Amendment No. 8

On page 3, line 22, strike out "4", and insert "3".

Amendment No. 9

On page 3, line 32, strike out "Section 3662 5", and insert "Sections 3662.5, 3663, and 3666".

Amendment No. 10

On page 3, line 37, strike out "5", and insert "4".

Amendment No. 11

On page 4, strike out line 9, and insert "Sections 3662.5, 3663, and 3666."

Amendment No. 12

On page 4, line 10, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 13

On page 4, strike out line 25, and insert "Sections 3662.5, 3663, and 3666."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 25, 1972

Mr Speaker: The Chairman of your Committee on Judiciary reports: AB No. 1937

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1937—An act to amend Section 1780 of, to amend and renumber Section 1770 of, and to add Sections 1770, 1780.5, and 1780.6 to, the Civil Code, relating to the Consumer Legal Remedies Act

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1780 of, to amend and renumber"; and strike out line 2 of the title, and insert "Section 3369 of, and to add Section 3370.1".

Amendment No. 2

In lines 3 and 4 of the title, strike out "Consumer Legal Remedies Act", and insert "specific or preventive relief".

Amendment No. 3

On page 1, strike out lines 1 to 4; and strike out all of pages 2 and 3; and on page 4, strike out lines 1 to 30, inclusive, and insert

"SECTION 1. Section 3369 of the Civil Code is amended to read:

3369. 1. Neither specific nor preventive relief can be granted to enforce a penalty or forfeiture in any case, nor to enforce a penal law, except in a case of nuisance or unfair competition.

2. Any person performing or proposing to perform an act of unfair competition within this state may be enjoined in any court of competent jurisdiction.

3. As used in this section, unfair competition shall mean and include unlawful, unfair or fraudulent business practice and unfair, *deceptive,* untrue or misleading advertising and any act denounced by Business and Professions Code Sections 17500 to 17535, inclusive.

4 As used in this section, the term person shall mean and include natural persons, corporations, firms, partnerships, joint stock companies, associations and other organizations of persons.

5 Actions for injunction under this section may be prosecuted by the Attorney General or any district attorney in this state in the name of the people of the State of California upon their own complaint or upon the complaint of any board, officer, person, corporation or association or by any person acting for the interests of itself, its members or the general public."

Amendment No. 4

On page 4, line 31, strike out "1780.6", and insert "3370.1".

Amendment No. 5

On page 4, line 33, strike out "1780.6", and insert "3370.1".

Amendment No. 6

On page 4, line 34, strike out "title", and insert "chapter".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No. 2216

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2216—An act to amend Section 19628 of the Welfare and Institutions Code, relating to blind persons.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 11, strike out "shall", and insert "may".

Amendment No. 3

On page 2, line 3, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 8, strike out "shall", and insert "may".

Amendment No. 5

On page 2, lines 13 and 14, strike out "which dispenses food and dairy products,".

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, May 25, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No. 1373

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1373—An act to amend Section 803 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Hayden", and insert "Assemblymen Hayden, Lewis, Meade, Maddy, McAlister, Monagan, Ralph, Townsend, and Quimby (Coauthors: Senators Alquist, Coombs, Grunsky, and Zenovich)".

Amendment No. 2

In line 1 of the title, strike out "Section 803", and insert "Section 880 of, and to add Sections 20110, 20806.5, and 20806.6 to, the Education Code, and to amend Sections 802 and 803 of, to add Article 6 (commencing with Section 821) to Chapter 3 of Part 1 of Division 1 of, and to repeal Section 803.5 of,".

Amendment No. 2.5

In line 2 of the title, after "insurance", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, after "SECTION 1.", insert "Section 880 of the Education Code is amended to read:

880. All expenses shall be paid out of the county school service fund necessary for the county board of education and the county superintendent of schools to perform the duties, render the services and comply with the provisions of Education Code Sections 811, 812, 857, 885.2, 1131, 6815, 6932, 7103, 11706, 12821, 12822, 12825, 13512, 13528, *13653,* 16858, 16860, 16902, 17206, 17460, 20102, 20105, 20106, *20110,* 21052 and 21053 *and with the provisions of Part 1 (commencing with Section 100) of Division 1 of the Unemployment Insurance Code.*

The provisions of this section shall not be construed to prohibit support from the county general fund from being provided for duties and services performed pursuant to the sections and part enumerated above.

SEC. 2. Section 20110 is added to the Education Code, to read:

20110. There is hereby established in the county schools service fund of each county the "classified service unemployment account." This account shall be excluded from limitations placed on budgetary controls and reserves and shall function for the purpose of implementation of Section 13658 and Article 6 (commencing with Section 821) of Chapter 3 of Part 1 of Division 1 of the Unemployment Insurance Code.

Each county superintendent of schools shall administer the unemployment insurance program pursuant to the Unemployment Insurance Code for the school employers in the county or any combination of counties.

Two or more county superintendents may join together whereby one may administer the program. Any one or more county superintendents may contract with any school district or regional data center operated by a county superintendent of schools for the purpose of implementation and operation of the unemployment program Each school employer under the jurisdiction of such county superintendent shall respond as soon as possible, in no case later than 48 hours, to inquiries made on behalf of such county superintendent in reference to any aspect of the unemployment insurance program Each county superintendent or agent therefore who is responsible for administering the unemployment insurance program shall be responsible for timely responses to any inquiry by the State Treasurer, State Controller, or other officer or person responsible for disbursements on behalf of the joint account, the Classified School Employees Fund in the State Treasury as established by Section 822 of the Unemployment Insurance Code and the Unemployment Fund in the State Treasury. Any school employer which fails to pay the contributions, interest, charges or levies within the time required shall be liable for interest on moneys due at the rate of ½ percent per month. If the school employer fails, without good and substantial cause, to pay any sums required within the time required a penalty of 10 percent of the amount noticed, billed or required may be made by a county superintendent of schools.

SEC. 3. Section 20806 5 is added to the Education Code, to read:

20806 5. For the purpose of implementing Section 13658, a school employer, while utilizing General Fund moneys derived pursuant to Section 20806, may levy and collect for such disbursements for prior, current, and future years, as the need may indicate, for suitable reimbursements, payments and reserves for individual employer's obligations pursuant to Section 821 of the Unemployment Insurance Code. Such moneys shall be held in a revolving account by a district, or county superintendent of schools or in such fund or account as may be designated by law or contract When any such moneys are held by a county, they shall be excluded from limits placed on budgetary controls or reserves

SEC. 4. Section 20806 6 is added to the Education Code, to read:

20806 6. For each school year, the board of supervisors of each county shall cause to be levied a tax as set forth in Sections 823 and 824 of the Unemployment Insurance Code.

SEC 5 Section 802 of the Unemployment Insurance Code is amended to read:

802 (a) The State of California, or any instrumentality of this state or of this state and one or more other states, ~~or the governing board of any school district,~~ for which services are performed that do constitute employment under Section 605, 605 1, ~~605 2,~~ or 605 5 may, in lieu of the contributions required of employers, elect to finance its liability for unemployment compensation benefits, extended duration benefits, and federal-state extended benefits with respect to such services by any method of financing coverage that is permitted under Section 803.

(b) Any election under Section 803 for financing coverage under this section shall take effect with respect to services performed from and after the first day of the calendar quarter in which the election is filed with the director, and shall continue in effect for not less than two full calendar years. Thereafter the election under Section 803 may be terminated as of January 1 of any calendar year only if the state or instrumentality ~~or governing board,~~ on or before the 31st day of January of that year, has filed with the director a written application for termination The director may for good cause waive the requirement that a written application for termination shall be filed on or before the 31st day of January In no event shall any method of financing coverage by an election under Section 803 be valid that would establish any different method of financing coverage for any calendar quarter where an election for coverage has also been made by the state or any instrumentality under any provision of Article 4 (commencing with Section 701) of this chapter.

(c) The director may require from the state ; *and* each instrumentality, ~~and each governing board,~~ including any agent thereof, such employment, financial, statistical, or other information and reports, properly verified, as may be deemed necessary by the director to carry out his duties under this division, which shall be filed with the director at the time and in the manner prescribed by him.

(d) The director may tabulate and publish information obtained pursuant to this section in statistical form and may divulge the name of the state ; *or* instrumentality ; ~~or governing board~~ .

(e) The state ; *and* each instrumentality, ~~and each governing board,~~ including any agent thereof, shall keep such work records as may be prescribed by the director for the proper administration of this division.

(f) Except as inconsistent with the provisions of this section, the provisions of this division and authorized regulations shall apply to any matter arising pursuant to this section.

SEC. 6."

Amendment No. 4

On page 6, after line 2, insert

"SEC. 7 Section 803 5 of the Unemployment Code is repealed.

~~803.5. For the employing units specified in Section 135 2, no obligation to the Unemployment Fund shall be owing under any financing method until after December 15, 1972, and employing units shall choose a method for financing unemployment insurance coverage during the month of July, 1972. Obligation to the Unemployment Fund shall be dependent upon the choice made by or on behalf of the employing unit. However, the employing units shall otherwise conform to the requirements of this division, particularly to those pertaining to records and timely reports.~~

SEC 8. Article 6 (commencing with Section 821) is added to Chapter 3 of Part 1 of Division 1 of the Unemployment Insurance Code, to read:

Article 6. Financing Unemployment Insurance Coverage for Public School Employees

821. (a) Effective January 1, 1972, each employing unit defined by Section 135.3 shall, in lieu of the contributions required of employers, pay into the Unemployment Fund the cost of benefits, including extended duration benefits and federal-state extended benefits, paid based on base period wages with respect to employment for such employing unit and charged to its account in the manner provided by Section 1026, pursuant to authorized regulations which shall prescribe the rate or amount, time, manner, and method of payment or advance payment or providing a good and sufficient bond to guarantee payment of contributions.

(b) Sections 1030, 1030.5, 1031, 1032, and 1032.5, and any provision of this division for the noncharging of benefits to the account of an employer, shall not apply to an employing unit under subdivision (a) of this section.

(c) In making the payments prescribed by subdivision (a), there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from each employing unit for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund. Such estimates may be made upon the basis of such statistical sampling, or other method as may be determined by the director.

Upon making such determination, the director shall give notice of the determination by certified mail to the employing unit The director may cancel any contributions or portion thereof which he finds has been erroneously determined. The director shall charge to any special fund, which is responsible for the salary of any employee of such employing unit the amount determined by the director for which the fund is liable pursuant to this section. The contributions due from the employing unit shall be paid from the classified school employees account established by Section 823 or other liable fund to the Unemployment Fund by the State Treasurer or other officer or person responsible for disbursements on behalf of the employing unit within 30 days of the date of mailing of the director's notice of determination to the employing unit. The director for good cause may extend for not to exceed 60 days the time for paying without penalty the amount determined and required to be paid Contributions are due upon the date of mailing of the notice of determination and are delinquent if not paid on or before the 30th day following the date of mailing of such notice. Any employing unit which fails to pay the contributions required within the time required shall be liable for interest on the contributions at the rate of $\frac{1}{2}$ percent per month or fraction thereof from and after the date of delinquency until paid, and any employing unit which without good cause fails to pay any contributions required within the time required shall pay a penalty of 10 percent of the amount of such contributions. If the employing unit fails to pay the contributions re-

quired on or before the delinquency date, the director may assess the employing unit for the amount required by the notice of determination. The provisions of Article 8 (commencing with Section 1126) of Chapter 4 of Part 1 of this division with respect to the assessment of contributions, and the provisions of Chapter 7 (commencing with Section 1701) of Part 1 of this division with respect to the collection of contributions, shall apply to the assessments provided by this section The provisions of Sections 1177 to 1184, inclusive, relating to refunds and overpayments, shall apply to amounts paid to the Unemployment Fund pursuant to this section.

(d) Notwithstanding any other provision of this section, no employing unit shall be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California

822 There is hereby established in the State Treasury the "Classified School Employees Fund". Moneys received from tax levies pursuant to Section 825, together with any charges, notices, fees, interest, penalties, assessments, or other revenue, shall be deposited in this fund and shall be invested by the State Treasurer in such securities as are eligible under Section 16430 of the Government Code, and any increment of earnings shall be credited to the fund.

823. For the purpose of providing funds for the payment of billings, notices, and other expenses of unemployment insurance for classified school employees pursuant to Section 13658 of the Education Code each county board of supervisors or county auditor shall levy, at the same time and in the same manner as other taxes are levied and collected, a tax or taxes as set forth below The tax shall be in addition to any other taxes now or hereafter authorized by law, and shall not be considered in fixing maximum rates of taxes for school district purposes, or any other purpose Moneys collected pursuant to this section shall be remitted to the State Treasury within 60 days of collection.

For the fiscal year 1972–1973, a countywide tax of one-half cent ($0 005) per one hundred dollars ($100) assessed valuation, shall be levied; and,

For the fiscal year 1973–1974, a tax rate of three-quarters cent ($0 0075) per one hundred dollars ($100) of assessed valuation, shall be levied.

After April 1, 1974, the schedule set forth in Section 824 shall apply for purposes of determining the amount of levy, if any, which shall be made.

824 When the balance in the Classified School Employees Fund in the State Treasury on March 31 of any calendar year is in an amount appropriate to the following schedule, each county board of supervisors or county auditor shall, upon notice from the appropriate official or responsible person of such balance, levy a tax equal to the tax rate set forth in the following schedule and remit such proceeds to the State Treasury within 60 days of collection to be deposited in such fund

If, as of March 31 of each year after 1974, the Classified School Employees Fund unencumbered balance equals or exceeds the amount set forth on any line of column 1 and is less than the amount set forth

in column 2 of that same line, each county board of supervisors or county auditor shall, pursuant to Section 823, levy the rate (per one hundred dollars ($100) of assessed valuation) set forth on that line in column 3 below:

Line	Fund Level Column 1	Column 2	Tax Rate ($ per $100) Column 3
1	$0	$1,000,000	$0.009
2	1,000,000	1,500,000	0.007
3	1,500,000	2,000,000	0.005
4	2,000,000	3,000,000	0.004
5	3,000,000	4,000,000	0 003
6	4,000,000	5,000,000	0.002
7	5,000,000	6,000,000	0.001

825. Each school employer as set forth in Section 135.3 shall, for the purpose of providing funds for the payment of all or part of charges for unemployment insurance benefits, fees, notices, assessments, interest or penalties, on behalf of employees, pursuant to Section 13658 of the Education Code and for the expenses incurred by the employer in administering such program, levy and collect taxes annually at the same time and in the same manner as other taxes are levied and collected. The tax shall be in addition to any other tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of taxes.

826. Each school employer shall each fiscal year budget an amount not less than that which is determined, but in no case less than fifteen dollars ($15) per each covered classified employee, as follows:

Each employer in the categories specified below shall multiply the fiscal year budget, or proposed budget, for all wages of covered classified employees by the percentage specified below for each category.

Category Employers	Average Daily Attendance (ADA)	Multiplier
a. Any over; and Such personnel commissions serving same	96,000	0.2%
b. Any with between	48,000 and 96,000	0 25%
c. Any with between	24,000 and 48,000	0.3%
d. Any with between	12,000 and 24,000	0 5%
e. Any with between	6,000 and 12,000	0.7%
f. Any with between	3,000 and 6,000	0 8%
g. County offices and personnel commissions except as stated in a. above, and school employers with under	3,000	1.0%

827. The Classified School Employees Fund in the State Treasury shall be partially reimbursed from the funds budgeted under Section 826 by virtue of "a local experience charge", as set forth in Section 828, which shall be made by the appropriate official, as the employer's -

responsibility for sharing in the reimbursement billing caused by the school employer's experience Such reimbursement charge shall be placed as an information item on the governing board's agenda for the next following regular meeting

828. Each school employer will be responsible for a quarterly local experience charge as set forth below, together with such charges or penalties set by the appropriate official for administrative indiscretions including tardiness, error, as well as all costs for benefits and administration resulting from failure to properly cover an employee. Such reimbursement for charges shall be delinquent after 30 days from receipt of notice and thereafter subject to penalties and interest as determined by the appropriate official However, if funds are not available to pay local experience charges, when the budget requirements as set forth in Section 826 were adhered to, interest or penalties may be waived by the county superintendent for a period of not to exceed nine (9) months. The formula to be used by county superintendents of schools for calculating the local experience charge to be levied against each school employer under that jurisdiction is as follows:

Local Experience Charge

Step (a) The amount of benefits paid during the quarter shall be divided by the number of employees on the school employer's last quarterly contribution return and report of wages to the department.

Step (b) The amount derived by step (a) shall be distributed in line 1, then 2 and then 3, in accordance with the following table.

That portion of step (a) which is equal to or exceeds column (a) and is not greater than column (b) shall be multiplied by the rate on the same line.

	VALUE DERIVED IN STEP (a) IS TO BE DISTRIBUTED			
LINE	COLUMN (a)		COLUMN (b)	RATE
1	$ 0 0	up to	$40 00	10%
2	$40 01	up to	$80.00	5%
3	$80.01	and over		1%

Step (c) The values in step (b) shall be added.

Step (d) The sum derived in step (c) shall be multiplied by the number of employees on the school employer's last quarterly contribution return and report of wages

829 The total amount derived in step (c) of Section 828 shall be the amount that the county superintendent of schools or empowered entity shall on behalf of the employers under such jurisdiction reimburse the Classified School Employees Fund in the State Treasury. However, this amount shall not exceed one and seven-tenths percent. (1 7%) of the actual annual wages paid by a school employer in any calendar year as indicated in the four quarterly reports to the department.

830 For the purpose of financing unemployment insurance coverage for classified employees employed by the school employers under specially funded projects, the funding agency shall remit to each school

employer two and seven-tenths percent (2.7%), plus the rate in effect under Section 976.5, of the taxable wages paid to such employees. The school employer shall forward with each quarterly remittance to the Classified School Employee Fund in the State Treasury such an amount, whether or not received from the funding agency, for deposit. Such funds become the property of the fund and shall not be held exclusively for employees of specially funded projects.

831. Each school employer employing classified school employees pursuant to specially funded projects or contracts shall by using Section 825 budget and remit with quarterly reports to the Classified School Employees Fund in the State Treasury, a surcharge of one percent (1%) of such employees' total wages.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is essential that school employers have knowledge prior to June 30, 1972, of which method of financing they will be under and have knowledge of the statutory authority to levy such tax rates as are necessary for the implementation of the program For these reasons it is essential that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 1319

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1319—An act to add Division 30 (commencing with Section 50000) to, and to repeal Chapter 5 (commencing with Section 16601) of Division 12 of, the Education Code, and to repeal Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code, relating to child care and preschool developmental services, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3, line 30, of the printed bill, as amended in Assembly May 11, 1972, strike out "children", and insert "child care".

Amendment No. 2

On page 3, line 33, strike out "Children's", and insert "Child care".

Amendment No. 3

On page 3, line 36, strike out "under eight years of age", and insert "eight years of age or younger".

Amendment No. 4

On page 4, strike out line 3, and insert "younger in a home licensed pursuant to Section 16000 of the Welfare and Institutions Code."

Amendment No. 5

On page 4, line 36, strike out "provided through", and insert "planned and administered by".

Amendment No. 6

On page 4, line 38, strike out "The", and insert "By January 1, 1973, the".

Amendment No. 7

On page 8, between lines 19 and 20, insert

"50223.5 In the event an application by an agency to provide services is disapproved by the area council, the agency may appeal the decision of the area council to the department."

Amendment No. 8

On page 8, line 22, strike out "Children's", and insert "Child care".

Amendment No. 9

On page 8, line 33, after "information", insert a comma.

Amendment No. 10

On page 8, line 34, strike out "all".

Amendment No. 11

On page 8, line 35, after "services", insert "pursuant to this division and all other services and providers of services licensed pursuant to Section 16000 of the Welfare and Institutions Code which are".

Amendment No. 12

On page 9, line 30, after "and", insert "operating".

Amendment No. 13

On page 10, line 3, strike out "instruction", and insert "early education".

Amendment No. 14

On page 10, line 5, strike out "instruction", and insert "early education".

Amendment No. 15

On page 10, line 10, after "The", insert "early education".

Amendment No. 16

On page 10, strike out lines 11 and 12, and insert "curriculum."

Amendment No. 17

On page 11, line 13, strike out "but shall be reimbursed for any"; strike out lines 14 and 15, and insert ", except that each member shall be paid a per diem of twenty-five dollars ($25) for each day's attendance at a meeting of the council. The members of the council shall also receive their actual and necessary traveling expenses incurred in the course of their duties."

Amendment No. 18

On page 14, line 7, strike out "or group care".

Amendment No. 19

On page 19, line 27, strike out "qualified adult supervisors to", and insert "persons holding permits issued pursuant to Section 50400 to preschool age".

Amendment No. 20

On page 19, line 28, strike out "preschool"; strike out line 29, and insert "child care and preschool developmental programs "

Amendment No. 21

On page 19, line 35, strike out "The"; and strike out lines 36, 37, and 38.

Amendment No. 22

On page 19, line 40, strike out "diagnostically screened", and insert "continually assessed".

Amendment No. 23

On page 20, lines 3 and 4, strike out "when they enter a program and at appropriate intervals thereafter".

Amendment No. 24

On page 20, strike out lines 6 to 14, inclusive, and insert "and to identify learning difficulties serious enough to recommend diagnostic screening and treatment for children with special needs

The assessment and screening of children shall not be used to categorize children into special groups or to deny a child services.

The record of assessment for each child shall be discussed with the parents, parent, or guardian of the child.

Any diagnostic screening and prescribed treatment of a child for learning difficulties shall be approved by the parents, parent, or guardian.

Amendment No. 25

On page 20, strike out line 16, and insert "appropriate developmental standards, expressed in ranges, for assessing the gross".

Amendment No. 26

On page 20, line 18, strike out "appropriate for the age levels".

Amendment No. 27

On page 20, line 20, strike out "50506.", and insert

"50505. The State Board of Education shall devise appropriate standards for diagnostically screening the physical, intellectual, and emotional development of children under the age of six in the program."

Amendment No. 28

On page 20, strike out lines 24 and 25, and insert

"50506. Children who speak a language other than English shall be assessed and screened in their own language as well as in English."

Amendment No. 29

On page 20, line 26, after "50507.", insert "The Department of Education and the Department of Public Health shall enter into a contract to provide funds to the Department of Public Health for the purpose of carrying out its responsibilities under this division.

50507.5".

Amendment No. 30

On page 20, line 31, strike out "local health departments", and insert "public and private health agencies".

Amendment No. 31

On page 20, lines 34 and 35, strike out "child care and preschool developmental".

Amendment No. 32

On page 20, line 36, strike out "advisers", and insert "advisors".

Amendment No. 33

On page 20, line 37, strike out "adviser", and insert "advisor".

Amendment No. 34

On page 21, line 3, after "by", insert "the area council".

Amendment No. 35

On page 21, line 5, strike out "advisers", and insert "advisors".

Amendment No. 36

On page 21, line 10, strike out "an annual onsite evaluation", and insert "periodic onsite evaluations".

Amendment No. 37

On page 21, line 20, after "agency", insert "and the".

Amendment No. 38

On page 21, line 23, after "nonapproval", insert "to the Department of Education".

Amendment No. 39

On page 21, line 29, strike out "smallpox," and insert "and".

Amendment No. 40

On page 22, line 1, strike out "that", and insert "a".

Amendment No. 41

On page 22, line 8, strike out the first "that", and insert "a".

Amendment No. 42

On page 22, line 10, strike out "that", and insert "a".

Amendment No. 43

On page 22, between lines 37 and 38, insert

"50518.5. Each area council which receives services from the Department of Public Health pursuant to Section 50518 shall reimburse the Department of Public Health for the cost of such services."

Amendment No. 44

On page 23, line 5, after "received", insert "a diagnostic evaluation and, if needed,".

Amendment No. 45

On page 23, line 15, after "received", insert "a diagnostic evaluation and, if needed,".

Amendment No. 46

On page 23, line 24, after "pay", insert "the cost of treatment".

Amendment No. 47

On page 23, line 32, strike out "the".

Amendment No. 48

On page 24, line 5, strike out "arrange for", strike out line 6, and insert "assist the parent or guardian or operating agency in the identification of services outside of the area."

Amendment No. 49

On page 24, line 19, strike out "two-thirds", and insert "one-half".

Amendment No. 50

On page 24, line 35, after "preschool", insert "developmental".

Amendment No. 51

On page 25, line 12, strike out "demand for and"; strike out line 13, and insert "results of this project."

Amendment No. 52

On page 25, strike out lines 17 to 29, inclusive, and insert

"Article 1. General Provisions

50600. There shall be a single state appropriation for child care and preschool developmental services. The single appropriation shall be made to the Department of Education for child care and preschool developmental services and shall consolidate appropriations previously made to the department and the Department of Social Welfare for children's centers, compensatory preschool education programs, and child care services under the Welfare Reform Act of 1971.

50601. Child care and preschool developmental services pursuant to this division shall be funded by the state on an area basis using the

maximum federal funds available for such purposes, and all funds shall be transmitted through the department to each area council.

The Superintendent of Public Instruction may receive and expend all funds made available by the state, its political subdivisions, the federal government, and other sources, and, within the limitation of funds available, shall act as an agent for the transmittal of such funds for services to the area councils.

50602. The superintendent may accept and expend grants, gifts, and legacies of money and, with the consent of the Department of Finance, may accept and expend grants, gifts, and legacies of other property, in furtherance of the purposes of this division.

50603. The Superintendent of Public Instruction, in the same manner and subject to the same conditions as other state agencies, shall submit a program budget annually to the Department of Finance, including not only expenditures proposed to be made under this division, but also expenditures proposed to be made under any related program or by any other state agency, designed to provide services incidental to the functions to which this division relates. The Superintendent of Public Instruction may require state departments to contract with it for services to carry out the provisions of this division.

50604. On or before March 15, 1974, and on or before March 15 of each year thereafter, each area council shall submit to the department a revised area plan for the next succeeding fiscal year which includes such revisions as are necessary or desirable to make the plan compatible with the budget for that fiscal year submitted by the Governor to the Legislature. By May 1, 1974, and by May 1 of each year thereafter, the department shall review and approve each area council plan together with such revisions and revised estimates Such approval shall be subject to the amount appropriated for the purposes of such plans in the Budget Act for such fiscal year as enacted into law.

After May 1, 1973, each area council may submit to the department a preliminary plan for expansion of services during the 1973–74 fiscal year. The department shall review and approve each preliminary plan. Such approval shall be subject to the amount appropriated for the purposes of such plans

50605. If, after the review specified in Section 50604, the area council plan is approved, the superintendent shall determine the amount of state funds available for each area council for child care and preschool developmental services under the approved area council plan from the funds appropriated for such purpose.

50607. The superintendent shall submit to the State Board of Education for its approval a proposed formula for the equitable allocation of funds to area councils for the purposes of this division. The allocation formula shall, to the extent feasible, be based on the following criteria:

(a) The number of children of families in need of child care and preschool developmental services.

(b) The need for child care and preschool developmental services within an area

(c) The presence within an area of any of the following:

(1) An area designated as disadvantaged in accordance with Section 9602 of the Unemployment Insurance Code.

(2) Model cities program.

(3) An area designated under Title I of the Elementary and Secondary Education Act of 1965 where at least 25 percent of the population of school age children are recipients of public assistance.

50609. It is the intent of the Legislature that by July 1, 1973, state funds previously allocated or apportioned to public and private agencies for services pursuant to Sections 16601 to 16644, inclusive, of the Education Code, Sections 16150 to 16157, inclusive, and Sections 10811 and 10811.5 of the Welfare and Institutions Code be allocated by the Superintendent of Public Instruction, to the fullest extent feasible, to area councils for the provision of services.

50610. Agencies providing services pursuant to Sections 16601 to 16644, inclusive, of the Education Code, Sections 16150 to 16157, inclusive, and Sections 10811 and 10811.5 of the Welfare and Institutions Code immediately prior to the effective date of this division may continue to provide services, at their option, for a period not to exceed three years beginning on July 1, 1973. After such period of time, an area council may continue to contract with the agency for the provision of services.

50616. The number of children served by any agency pursuant to Section 50610 shall not exceed the number served immediately prior to the effective date of this division unless the agency and the area council mutually agree that the agency will provide services to additional children after July 1, 1973.

After July 1, 1973, the cost of all services provided by an agency pursuant to Sections 50610 shall be reimbursed at rates determined in accordance with Section 50619.

50617. Area councils may secure local participation from any source except parent fees for the nonfederal share of expenditures for the purposes of financing services under this division.

50618. The Superintendent of Public Instruction shall reserve not less than 5 percent of any General Fund appropriation from any fiscal year for funding of services where local participation is available for part of the nonfederal share of expenditures.

To qualify under this provision the local share shall not be less than 25 percent of the cost of the nonfederal share of expenditures.

50619. The Superintendent of Public Instruction shall establish rates of payment for services purchased by area councils for child care and preschool developmental services. An equitable system of rates shall be developed prior to July 1, 1973.

50620. If an area council has not been established or is unable to perform the functions required under this division, the Superintendent of Public Instruction may contract directly with an operating agency to provide the services required under this division."

Amendment No. 53

On page 25, line 30, strike out "50602", and insert "50621".

Amendment No. 54

On page 25, line 37, strike out "50603", and insert "50622".

Amendment No. 55

On page 26, line 11, strike out "50604", and insert "50623".

Amendment No. 56

On page 26, line 12, strike out "50603", and insert "50622".

Amendment No. 57

On page 26, line 18, strike out "50605", and insert "50624".

Amendment No. 58

On page 26, line 18, after "actual", insert ", former,".

Amendment No. 59

On page 26, between lines 22 and 23, insert

"For the purposes of this division:

(a) "Former recipients of public assistance" shall mean any families and children who were recipients of public assistance within the past five years.

(b) "Potential recipient of public assistance" shall mean any families and children who are likely to become recipients of public assistance, and shall include:

(1) Families and children eligible for medical assistance pursuant to Section 14005 of the Welfare and Institutions Code.

(2) Families and children who would be eligible for public assistance if earning exemptions granted under Sections 11008 and 11451.6 of the Welfare and Institutions Code applied to them.

(3) Families and children likely to become recipients of public assistance within five years.

(4) Families and children whose income from all sources is at or below the low budget standard of living for an urban family established by the Bureau of Labor Statistics, Department of Labor."

Amendment No. 60

On page 26, line 23, strike out "50606", and insert "50625".

Amendment No. 60.5

On page 26, line 25, strike out "50604", and insert "50623".

Amendment No. 61

On page 26, line 33, strike out "actual,".

Amendment No. 62

On page 26, line 36, strike out "actual,".

Amendment No. 63

On page 27, line 34, strike out "50607", and insert "50626".

Amendment No. 64

On page 28, line 4, strike out "50608", and insert "50627".

Amendment No. 65

On page 29, line 12, strike out "50609", and insert "50628".

Amendment No. 66

On page 29, between lines 23 and 24, insert

"Article 2. Parent Fees

50650. The parents of every child in a program established under this division shall pay a monthly fee for each month during which the child participates. The amount of the fee shall be determined in accordance with Section 50652 by the area council in which the program is located. Collection of the fee shall be the responsibility of the area council, but the actual collection may be delegated to an operating agency.

50651. The minimum fee for each family shall be five dollars ($5) per month. The maximum fee shall be the actual cost of services provided or an amount determined in accordance with Section 50652, whichever is less.

50652. A family shall pay the minimum fee if its total monthly income from all sources is less than an amount determined by increasing the minimum basic standard of adequate care established by Section 11452 of the Welfare and Institutions Code for a family of the same size by 50 percent. If the income of the family exceeds the minimum income thus determined, the maximum fee it can be charged shall be based upon the amount of total monthly income from all sources in excess of the minimum income in accordance with the following schedule:

Excess Income	Maximum Fee
$0–$100	$5 or 30 percent of excess income, whichever is greater
101– 200	30 plus 35 percent of excess income over $100
201– 300	65 plus 40 percent of excess income over $200
301– 400	105 plus 45 percent of excess income over $300
401 and above	150 plus 50 percent of excess income over $400

Total monthly income from all sources shall be determined by excluding all legal withholdings, including taxes, health and retirement payments, and court-ordered withholding amounts.

Article 3. School District Financing".

Amendment No. 67

On page 29, line 24, strike out "50610", and insert "50700".

Amendment No. 68

On page 30, line 8, strike out "50611", and insert "50701".

Amendment No. 69

On page 30, line 17, strike out "50612", and insert "50702".

Amendment No. 70

On page 30, line 23, strike out "50613", and insert "50703".

Amendment No. 71

On page 31, line 1, strike out "50614", and insert "50704".

Amendment No. 72

On page 31, line 8, strike out "50615", and insert "50705".

Amendment No. 73

On page 31, line 16, strike out "50616", and insert "50706".

Amendment No. 74

On page 31, line 21, strike out "50617", and insert "50707".

Amendment No. 75

On page 31, strike out lines 26 to 29, inclusive.

Amendment No. 76

On page 31, strike out lines 33 to 40, inclusive, and insert

"SEC 3. There is hereby appropriated from the General Fund, without regard to fiscal year, the sum of twenty-five million dollars ($25,000,000), to the Department of Education for the purposes of Division 30 (commencing with Section 50000) of the Education Code"

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 11, 1972, strike out "Assemblyman Moretti", and insert "Assemblymen Moretti, Brathwaite, Burton, Chacon, Cullen, Deddeh, Fenton, Fong, Garcia, Harvey Johnson, Karabian, Knox, MacDonald, McCarthy, Priolo, Ryan, Townsend, Vasconcellos, Waxman, and Z'berg.

(Coauthors: Senators Alquist, Dymally, Roberti, and Zenovich)".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1236

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1236—An act to add Chapter 6 1 (commencing with Section 6445) to Division 6 of the Education Code, relating to early childhood education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 1, 1972, after "act", insert "to amend Section 16601.5 of, to add Sections 16602.5 and 16602.6 to, and".

Amendment No. 1.5

In line 3 of the title, after "of", insert a comma.

Amendment No. 2

On line 3 of the title, after the comma, insert "and to amend Section 16150 of, to amend the heading of Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of, and to add Sections 16151.5 and 16153.5 to, the Welfare and Institutions Code,".

Amendment No. 3

On page 2, strike out line 8, and insert

"6445. For the purposes of this chapter, "early childhood education programs" are defined as all educational programs, except those for exceptional children as defined in Section 6870, offered in the public school system, including in-class and out-of-class activities, for children age three years and nine months, to eight years under a comprehensive master plan approved by the State Board of Education which is designed to assure:

(a) A comprehensive restructuring of primary education in California kindergarten through third grade to more fully meet the unique needs, talents, interests and abilities of each child.

(b) That early educational opportunities are made available to children who are three years and nine months of age to take advantage of the capacity for learning of children at this age level

(c) The cooperation and participation of parents in the educational program to the end that the total community is involved in the development of the program.

(d) The pupils participating will develop an increased competency in the skills necessary to the successful achievement in later school subjects such as reading, language, and mathematics.

(e) Maximize the use of existing state and federal funds in the implementation of early childhood education programs.

6445.1. The Legislature hereby finds and declares that a comprehensive program of early childhood education is needed to restructure public education in California. The Legislature, therefore, declares its intent to require that the State Board of Education develop a comprehensive program for children ages three years and nine months, to eight years. The objectives of this plan will include assurance that each child will have an individualized program to permit the development of his maximum potential and that all pupils who have completed the third grade of the state's educational system will have achieved a level of competence in the basic skills of reading, language, and mathematics sufficient to continued success in their educational experiences. The system will be based on the development of a local master plan for early childhood education which shall include a phase-in program based on an increase in the number of schools in the state participating each year until maximum participation is achieved."

Amendment No. 4

On page 2, strike out lines 9 and 10; and on page 3, strike out lines 1 to 27, inclusive.

Amendment No. 5

On page 4, line 34, strike out "special".

Amendment No. 6

On page 5, line 5, strike out "6445.8 and 6445.9", and insert "6445 10 and 6445.11".

Amendment No. 7

On page 5, strike out lines 10 to 13, inclusive, and insert "approved plan. The board shall provide for an annual review of the success of each local district in meeting the objectives of its approved plan for early childhood education. The board shall adopt rules and regulations governing the termination of allowances to districts which are unsuccessful in meeting the objectives of their approved plan."

Amendment No. 8

On page 5, between lines 20 and 21, insert

"6445.8 (a) Each district with an approved master plan shall submit to the Department of Education a report of its early childhood education program. Such report shall be submitted in a form and manner and at such times, but not less than annually, as prescribed by the State Board of Education. The report shall include, but not be limited to, factors relating to:

(1) Fiscal expenditures.

(2) Degree and success of program implementation.

(3) Quantitative estimate of pupil progress

(b) The Department of Education shall derive a composite score for each school which shall be obtained from each of the three factors listed in subdivisions (1), (2), and (3) of this section In determining such score, the Department of Education shall, for the first year of participation by the school, assign a weight of 20 percent for factor (1), 70 percent for factor (2), 10 percent for factor (3). For the second year

of participation by the school, the factors shall be assigned a weight of 10 percent for factor (1), 50 percent for factor (2), 40 percent for factor (3). For the third and each subsequent year of participation, only factors (2) and (3) shall be considered and shall receive equal weighting.

6445.9. The Department of Education shall compute an index of student attainment for each participating school, using factors which have been shown to be predictive of school success. The obtained score for each school shall be weighted by the degree this score meets or exceeds the predicted school achievement level Obtained scores falling below the predicted level of attainment shall be treated as a zero score. The State Department of Education shall inform each participating district of the relative performance of their participating schools. Such data shall regularly be analyzed and evaluated and submitted to the Legislature in the form of an annual report not later than the fifth legislative day of each regular session of the Legislature."

Amendment No. 9

On page 5, line 21, strike out "6445.8", and insert "6445.10".

Amendment No. 10

On page 5, line 33, strike out "6445.9", and insert "6445.11".

Amendment No. 11

On page 5, line 34, strike out "6445.8", and insert "6445.10".

Amendment No. 12

On page 5, line 36, strike out "special".

Amendment No. 13

On page 6, line 4, strike out "6445.10", and insert "6445.12".

Amendment No. 14

On page 6, line 11, strike out "6445.11", and insert "6445.13".

Amendment No. 15

On page 6, between lines 18 and 19, insert

"6445.14. Allowances shall not be granted under this chapter to a district unless the fiscal effort of the district with respect to early childhood education for any fiscal year of participation under this chapter was not less than the fiscal effort for that purpose for the fiscal year preceding the district's participation under this chapter."

Amendment No. 16

On page 6, line 19, strike out "6445.12", and insert "6445.15".

Amendment No. 17

On page 6, line 25, strike out "6445.13", and insert "6445.16".

Amendment No. 18

On page 6, line 33, after "request", insert "when, in the opinion of the Superintendent of Public Instruction, failure to grant such request would hinder the implementation and maintenance of the district's program".

Amendment No. 19

On page 6, line 34, strike out "6445.14", and insert "6445.17".

Amendment No. 20

On page 7, line 1, strike out "early primary classes", and insert "classes for pupils who have attained the age of three years and nine months,".

Amendment No. 21

On page 7, line 31, strike out "6445.8 and 6445.9", and insert "6445.10 and 6445.11".

Amendment No. 22

On page 7, line 32, strike out "10951–10955", and insert "10951 to 10955, inclusive".

Amendment No. 23

On page 7, between lines 34 and 35, insert

"6446.5. So much of the moneys appropriated for allowances pursuant to Section 6445.11, as is needed, shall be for the purpose of providing state funds to be matched with available federal funds to support those pupils eligible under the Social Security Act for public social services. Federal reimbursement shall be obtained by the Department of Social Welfare for services to children of those families, designated by the State Department of Education, eligible for federal financial participation under the Social Security Act. The State Department of Social Welfare and the State Department of Education shall enter into a contract wherein the Department of Education agrees to provide educational services for such pupils wherein the Department of Social Welfare agrees to pay to the Department of Education all costs of services to participants.

SEC. 2. Section 16601 5 of the Education Code is amended to read:

16601 5. The facilities used for any children's center established pursuant to this chapter shall first be used for children of families meeting the conditions of Section 16603.1 and may then be made available for children eligible for any children's center, ~~day care, or~~ preschool *or group child care* program, authorized by the laws of this state, *and any early childhood education program conducted under Chapter 6 1 (commencing with Section 6445) of Division 6.*

The Department of Education shall develop guidelines and procedures for allocating funds appropriated for compensatory preschool educational programs as defined in Section 16151 of the Welfare and Institutions Code to augment preschool, children's center, and group child care programs, and early childhood education programs conducted under Chapter 6 1 (commencing with Section 6445) of Division 6. Any moneys appropriated for such purpose in any fiscal year which

are not expended may be carried over into the next succeeding fiscal year, and shall be available for expenditure in such fiscal year in addition to those funds appropriated for such purpose for such year.

SEC. 3. Section 16602.5 is added to the Education Code, to read:

16602.5. A school district in its application for approval of a master plan for early childhood education pursuant to Chapter 6.1 (commencing with Section 6445) of Division 6 shall include children's centers' services as provided for in this chapter.

SEC. 4. Section 16602.6 is added to the Education Code, to read:

16602 6. The term "elementary school" contained in Section 425 of the United States Code (The National Defense Education Act of 1958, P.L. 85-864 as amended) shall include early primary, and preschool classes, including preschool classes in children's centers, for the purpose of the cancellation provisions of the Loans to Students in Institutions of Higher Learning.

SEC. 5. The heading of Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code is amended to read:

CHAPTER 2.5. PRESCHOOL, CHILDREN'S CENTER, ~~AND DAY CARE~~ *GROUP CHILD CARE, AND EARLY CHILDHOOD EDUCATION* PROGRAMS

SEC. 6. Section 16150 of the Welfare and Institutions Code is amended to read:

16150. The Legislature finds and declares that preschool programs with a strong educational component are of great value to all children in preparing them for success in school, and constitute an essential component of public social services as defined in Section 16151 The Legislature further finds that such programs are often not available to many children who, because of the low income of their families, parents in training, or minimal employment, are deprived of adequate care and this valuable educational experience. Therefore, it is the intention of the Legislature in enacting this chapter to provide equal educational opportunity to children of low-income or disadvantaged families through appropriate arrangements for preschool ~~and extended day care~~ *, children's center, group child care, and early childhood education* programs of an educational value to be developed in accordance with a contractual agreement between the State Department of Health and the State Department of Education The Legislature believes that the introduction of young children to an atmosphere of learning will improve their performance and increase their motivation and productivity when they enter school. In order to achieve this end, all programs established under this chapter shall be centered upon a defined educational program developed, conducted, and administered with the maximum feasible participation of the families served by the program

SEC. 7. Section 16151 5 is added to the Welfare and Institutions Code, to read:

16151.5. The State Department of Social Welfare shall enter into a contract with the State Department of Education to provide for a statewide system of social services for children educated under an early

childhood education master plan pursuant to Chapter 6.1 (commencing with Section 6445) of Division 6 of the Education Code, to be established by school districts for children and families who meet the requirement for services under Education Code Section 6446.5. Social services shall include those provided for in Section 10053 and in Part 3 (commencing with Section 11000) of Division 9 of this code and the Federal Social Security Act Amendments of 1967.

SEC. 8. Section 16153.5 is added to the Welfare and Institutions Code, to read:

16153.5. Notwithstanding any other provision of this code, the State Department of Social Welfare shall not provide any per capita reimbursement pursuant to Section 16151.5 on account of any local school district program established pursuant to this chapter which does not meet the educational standards established by the State Board of Education.

All programs established pursuant to this chapter shall meet the requirements of Section 107 of Public Law 90-222 (Economic Opportunity Amendments of 1967).

The State Department of Social Welfare shall have only such functions, duties and responsibilities with respect to early childhood education programs conducted pursuant to Chapter 6.1 (commencing with Section 6445) of Division 6 of the Education Code as is required by law and federal regulations."

Amendment No. 24

On page 7, line 35, strike out "SEC. 2", and insert "SEC. 9".

Amendment No. 25

On page 7, lines 36 and 37, strike out "Superintendent of Public Instruction", and insert "Department of Education".

Amendment No. 26

On page 7, line 40, strike out "6445.8", and insert "6445.10".

Amendment No. 27

On page 8, line 16, strike out "Section 6445.9(a)", and insert "subdivision (a) of Section 6445.11".

Amendment No. 28

On page 8, line 33, strike out "Section 6445.9(b) and (c)", and insert "subdivisions (b) and (c) of Section 6445.11".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1458

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1458—An act to amend Sections 6721, 6727, 6728, 6731, 6735, 6738, and 6739 of, and to repeal Sections 6722, 6723, and 6724 of, the Education Code, relating to technical, agricultural, and natural resource conservation schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "and 6739", and insert "6739, and 6740".

Amendment No. 2

On page 7, strike out lines 9 and 10; in line 11, strike out "purposes of", and insert "Section 6738 and".

Amendment No. 3

On page 7, after line 27, insert

"SEC. 11. Section 6740 of the Education Code is amended to read:

6740. The school attendance of such students shall be credited to the county school service fund of the county superintendent of schools providing the education for the students; and State School Fund apportionments on account of such attendance shall be made to the fund in the amount, per unit of average daily attendance, as ~~provided in Section 18358~~ *would be computed for the foundation program of a high school under Section 17665*."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1578

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1578—An act to amend Section 1 of the Education Code, relating to public education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1 of", and insert "Sections 13355 1, 13355 2, 13355 4, 13355 6, 13355 62, and 13355 9 of, and to add Sections 13355 16, 13355.17, and 13355.18 to,".

Amendment No. 2

In line 2 of the title, strike out "public education", and insert "teaching development and improvement".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 13355 1 of the Education Code is amended to read

13355.1. It is the intent of the Legislature that professional development and program improvement centers be established throughout the state to offer comprehensive in-service and preservice training programs to strengthen the instructional techniques of classroom teachers ~~in kindergarten and grades 1 through 6~~ *from preschool to grade 12*, inclusive, and of those teachers who will be entering classroom teaching in the same grade levels from teacher training institutions in California and from outside of the state. It is also the intention of the Legislature that the professional development and program improvement centers shall emphasize the improvement of teaching and programs in reading and mathematics, improve the teacher's skills in diagnosing learning disabilities of pupils, and develop corrective programs of instruction

It is also the intention of the Legislature that in sparsely populated areas, involving long distances, in which the establishment of professional development and program improvement centers are not feasible, the in-service and preservice teacher training shall be provided under joint programs between school districts and county superintendents of schools to strengthen the instructional techniques of classroom teachers in kindergarten and grades 1 through 8 and of those teachers who will be entering classroom teaching in the same grade levels from teacher training institutions in California and from outside the state.

It is the further intention of the Legislature that all district, state, and federal resources related to teacher training be integrated and coordinated with preservice and in-service training programs established by this article in order to improve the educational achievement of pupils enrolled in both categorical aid programs and regular instructional programs

SEC 2. Section 13355 2 of the Education Code is amended to read:

13355 2 As used in this article:

(a) "Center" means a professional development and program improvement center which is ~~an elementary~~ a school designated as such upon application of a school district by the State Board of Education. It is a school in which a program under either Title I of the Elemen-

tary and Secondary Education Act of 1965, the Miller-Unruh Basic Reading Act (Chapter 5 8 (commencing with Section 5770) of Division 6), or the mathematics improvement program (Chapter 5.9 (commencing with Section 5799) of Division 6) is in operation.

(b) "Satellite school" means any ~~other~~ school or schools in the district designated as such by the district and approved by the State Board of Education. Satellite schools shall be ~~named~~ *staffed* in accordance with the priority measures established by Section 13355.6.

(c) "Program" means a professional development and program improvement center program established pursuant to this article.

(d) "Joint program" shall mean a program undertaken through joint agreement by two or more school districts or county superintendents of schools joined together for the purpose of providing in-service and preservice training to teachers teaching kindergarten and grades 1 through 8 and to those teachers who will be entering classroom teaching in the same grade levels in the schools of the districts participating in the joint agreement.

SEC. 3 Section 13355.4 of the Education Code is amended to read:

13355 4. Each school designated as a center shall employ a staff of teachers, administrative and auxiliary personnel, and teacher aides and shall provide training for such staff which serve as ~~substitutes~~ *replacement personnel* in the satellite school when the regular satellite school staff is released for in-service training

The center may also provide preservice training for teacher candidates from any teacher training institution, for teacher aides, and for preservice training of newly employed teachers from outside of the state

SEC. 4. Section 13355.6 of the Education Code is amended to read:

13355 6 Satellite schools shall be designated and approved as those schools which meet all of the following criteria:

(a) The schools which have ~~the largest~~ *a large* concentration of pupils whose reading achievement scores fall below the first quartile, as measured by the most recently administered Miller-Unruh Basic Reading Test, or any other applicable statewide reading test, and those schools which have ~~the largest~~ *a large* concentration of pupils whose mathematic achievement scores fall below the first quartile as measured by applicable statewide mathematic achievement tests. In each satellite school, the district shall designate one or more master teachers to act as resource teachers in reading and mathematics and to work with other teachers in the strengthening of instructional techniques and program improvement;

(b) The schools ~~shall~~ *may* maintain a summer session and integrate its instructional program with the preservice and in-service training program performed during the summer;

(c) The schools which have the largest concentration of teachers who will assure the district that they will continue to teach in the satellite schools for the second school year following their participation in the center program.

SEC. 5. Section 13355.62 of the Education Code is amended to read:

13355 62. The designated agent of any joint program may apply to establish a program of in-service and preservice training for class-

room teachers in lieu of applying to establish a center pursuant to Section 13355 5 The application shall contain a detailed plan cooperatively developed with a teacher training institution and shall include all of the following·

(a) A description of the training program for the staff employed by the joint program to provide in-service and preservice training in the schools of the participating districts.

(b) A description of the in-service training program to be provided by the joint program to the teachers in the schools of the participating districts

(c) A description of the preservice training program to be provided to teacher candidates and new teachers from outside of the state

(d) A description of the program for followup training to be provided to personnel of the schools of the district which have had training

(e) Evidence that the district intends to integrate its existing preservice and in-service training programs with the professional development and program improvement programs authorized by this article and evidence that the district intends to increase its level of financial support from district, state and federal sources for districtwide in-service training programs

(f) Assurance that joint programs shall be undertaken first in the schools of the participating districts which have (1) ~~the largest~~ *a large* concentration of pupils whose reading achievement scores fall in the first quartile, as measured by the most recently administered Miller-Unruh Basic Reading Test, or any other applicable statewide reading test, (2) ~~the largest~~ *a large* concentration of pupils whose mathematic achievement scores fall in the first quartile as measured by applicable statewide mathematic achievement tests, and (3) the largest concentration of teachers who will assure the district that they will continue to teach in the schools for the second school year following their participation in the program

SEC 6. Section 13355 9 of the Education Code is amended to read·

13355 9 School districts which have established centers or joint programs shall report to the State Board of Education the scores of pupils in schools whose teachers have participated in programs, and, in addition, shall report scores of pupils in similar schools whose teachers did not participate in programs ~~Reports shall also be made revealing the amount of progress each pupil in satellite schools made for each year of instruction by teachers receiving in-service or preservice training in the centers.~~ *Achievement data shall be reported after pupils have been instructed for a full year by personnel who have completed the Professional Development Center training program* The State Board of Education, on the basis of such reports, shall report annually to the Legislature the success of the program and shall make recommendations to improve the program.

SEC 7 Section 13355 16 is added to the Education Code, to read:

13355 16 Commencing in the 1968–69 fiscal year and in each fiscal year thereafter, the State Board of Education may approve an allocation of up to 5 percent of the funds authorized under the provisions

of Article 4 (commencing with Section 6481) of Chapter 6.5 of Division 6 for the purposes specified in Section 13355.14.

SEC. 8. Section 13355.17 is added to the Education Code, to read:

13355.17. The State Board of Education shall approve the allocation of at least 80 percent of the funds annually received by the State of California under the provisions of Public Law 90-35 (90th Congress), Part B and Part D, for the programs authorized by Article 3.5 (commencing with Section 6475) of Chapter 6.5 of Division 6 or by this article.

SEC. 9. Section 13355.18 is added to the Education Code, to read:

13355.18. School districts may elect to apply for either or both of the programs authorized, but individual teachers may receive special in-service or preservice training through only one of the programs authorized, pursuant to Article 3.5 (commencing with Section 6475) of Chapter 6.5 of Division 6 or by this article."

Amendment No. 4

On page 1, strike out lines 2 to 4, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, May 25, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 410

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, May 25, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 267	SB No. 546	SB No 1048
SB No. 299	SB No. 603	SB No. 1329
SB No. 370	SB No. 1031	

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 267—An act to amend Section 117 of the Code of Civil Procedure, as amended by Chapter 572 of the Statutes of 1971, relating to small claims courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 299—An act to amend Sections 69895 and 69900 of the Government Code, relating to court attachés.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 370—An act to add Section 21230 to the Government Code, relating to Public Employees' Retirement System.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 546—An act to amend Sections 21554 and 26078 of, and to add Section 21555.5 to, of the Water Code, relating to irrigation districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 603—An act to amend Section 8411 of the Water Code, relating to flood control.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1031—An act to amend Section 224 of the Civil Code, relating to adoption.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1048—An act to amend Sections 537 5 and 539 of, and to add Sections 537, 537.1, 537 2, 537.3, 538, 538 1, 538.2, 538 3, 538 4, 538 5, 541, 542 1, 542 2, 542 3, 542 4, 542b, and 542e to, and to repeal Sections 537, 538, 541, and 542b of, the Code of Civil Procedure, and to add Sections 126.1, 15006.1, and 15501 1 to the Corporations Code, and to amend Section 7203 of the Government Code, relating to attachment in commercial actions.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1329—An act to amend Sections 10152, 10460, 10462 and 10463 of the Business and Professions Code, relating to real estate licenses

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Mr. Cline was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No 762

Mr. Bill Greene was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 762.

Messrs. Stacey and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 762.

Mr. Lewis was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No 33.

Messrs Biddle, Duffy, and LaCoste were granted unanimous consent that they be recorded as voting "No" on Assembly Constitutional Amendment No 33.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on the motion to reconsider the vote on Assembly Bill No. 488.

Mr LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 89

Mr. MacDonald was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 125

Mr Burton was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 125

Messrs Garcia, McCarthy, and Harvey Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 125

Messrs Stull and Monagan were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1308

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 620.

Mr Stacey was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 620

Mr Conrad was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 620

Mr Barnes was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 645

Messrs Russell, Harvey Johnson, Karabian, Conrad, and Wood were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 645

Mr Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1819

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 2138

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 217.

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 215

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 215

Mr Sieroty was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 1698

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1932.

Mr Dent was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 2138

Mr. LaCoste was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 2138

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote

May 25, 1972

Jim Driscoll
Chief Clerk, Assembly
Room 3194, State Capitol, Sacramento, California

Dear Jim: I wish to explain the reason for my change of vote today, from "no" to "aye" on AB 2138 (Item #53).

There were several bills on call and I inadvertently changed my vote, thinking I was voting on AB 217 (Item #54).

Sincerely,

ERNEST LaCOSTE

RUSH ORDER PLACED UPON PRINTING OF BILLS

Acting Speaker Cory was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 1319 and 1236, and that the bills be considered engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 877, on request of Mr. Cory.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

May 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Due to my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on May 24 and 25, 1972.

Sincerely yours,

CARLEY V. PORTER

ADJOURNMENT

At 4:57 p.m., Acting Speaker Cory declared the Assembly adjourned until 9:30 a.m., Friday, May 26, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-first Legislative Day

One Hundred Forty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, May 26, 1972

The Assembly met at 9:30 a.m.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Assistant Chief Clerk R. Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Warren moved a quorum call of the Assembly.

Motion carried Time, 9:32 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9:43 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers,

Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, In these days of beginnings, help us to chart our courses and set our compasses.

Help us to be concerned more with becoming, than with just being.

Help us to assess wisely and accept humbly, our destiny, for in so doing we accept our own selves.

Give us the courage to expose ourselves to the risk of being rejected, ignored, or even of failing.

Help us to avoid the cocoon of safety, at the expense of achievement.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Gonsalves then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Wilson, seconded by Mr. Collier.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Deddeh, on request of Acting Speaker Fenton.
Mr. Knox, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mrs. Fong, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton
Mr. Wakefield, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mrs Fong on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 25, 1972, page 3926.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2370	Judiciary
2371	Ways and Means

Senate Bill No.	*Committee*
267	Judiciary
299	Judiciary
370	Retirement
546	Water
603	Water
1031	Judiciary
1048	Judiciary
1329	Commerce and Public Utilities

COMMUNICATIONS

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 721

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 202
AB No 1725

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1158

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 4
AJR No. 7

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 49
AJR No. 31

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 66

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 26, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 2358

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

MacDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2358—An act to add Article 3 (commencing with Section 51350) to Chapter 1, Part 2, Division 1, Title 5 of the Government Code, relating to cities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "to", insert "counties and".

Amendment No. 2

On page 1, line 5, strike out "Contract Cities", and insert "County Contract Services".

Amendment No. 3

On page 2, line 4, strike out "all", and insert "only those additional".

Amendment No. 4

On page 2, lines 4 and 5, strike out "by the county".

Amendment No. 5

On page 2, lines 5 and 6, strike out "which are in excess of the existing operating costs of the county", and insert "so contracted or authorized".

Amendment No. 6

On page 2, line 9, strike out "existing", and insert "those".

Amendment No. 7

On page 2, lines 9 and 10, strike out "such as for personnel, building depreciation, or maintenance,".

Amendment No. 8

On page 2, lines 10 and 11, strike out "necessary costs for", and insert "attributable to".

Amendment No. 9

On page 2, line 11, strike out "provided or".

Amendment No. 10

On page 2, line 11, strike out "by the county".

Amendment No. 11

On page 2, line 12, after "county", insert ", as determined by resolution of the board of supervisors, or which are general overhead costs of operation of the county government".

Amendment No. 12

On page 2, strike out line 13, and insert

"SEC 2 It is the intent of the Legislature to encourage intergovernmental contracts which eliminate the need for duplicate facilities, equipment, and personnel, and which thereby reduce the overall cost of government In furtherance of this intent, a county with a population of more than six million persons, which supplies contract services to the cities therein, shall charge such cities only the additional costs for such services incurred by the county, without regard to any allocation of the general overhead costs attributable to the operations of the county government or to the costs of services made available without charge throughout the county General overhead costs, for the purposes of this section, are those costs which a county would incur regardless of whether or not it provided a service under contract to a city."

Amendment No. 13

On page 2, strike out lines 14 to 22, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 2345

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2345—An act to authorize the assessment or reassessment of property in disaster areas, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "and Stacey", and insert "Stacey, and Davis".

Amendment No. 2

On page 2, line 4, after the second "of", insert "any field or row crops, or".

Amendment No. 3

On page 2, line 10, after "crop", insert "in such field or".

Amendment No. 4

On page 2, line 12, after "by", insert "flooding, major misfortune,".

Amendment No. 5

On page 2, line 15, strike out "such freezing", and insert "any of such".

Amendment No. 6

On page 2, line 17, after the first "of", insert "the land on which crops were damaged or destroyed or of".

Amendment No. 7

On page 2, line 23, after "such", insert "field,".

Amendment No. 8

On page 3, line 14, after "that", insert "the flooding, the major misfortune,".

Amendment No. 9

On page 3, lines 15 and 16, strike out "which caused the Governor to proclaim the area to be in a state of disaster".

Amendment No. 10

On page 3, line 17, after the first "crop", insert "volume".

Amendment No. 11

On page 3, line 17, after the second "crop", insert "volume".

Amendment No. 12

On page 4, line 21, after "recent", insert "floods, major misfortunes,".

Amendment No. 13

On page 4, line 22, after "of", insert "fields,".

Amendment No. 14

On page 4, line 33, after the second "the", insert "fields of row crops,".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 26, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 2347

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2347—An act to amend Sections 8507, 8515, 8552, 8569, 8570, 8571, 8624, 8635, 8636, 8638, 8639, 8641, 8642, 8644, 8648, 8652 and 8697.3 of, and to repeal Section 8654 of, the Business and Professions Code, relating to structural pest control.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, strike out "8639, 8641, 8642, 8644, 8648," and insert "8642"

Amendment No. 2

On page 6, line 8, strike out "and who had guilty", and insert "if he had".

Amendment No. 3

On page 6, line 9, strike out "such", and insert "the".

Amendment No. 4

On page 6, line 12, strike out "Willful departure", and insert "Departure".

Amendment No. 5

On page 6, line 20, strike out "Willful and deliberate disregard", and insert "Disregard".

Amendment No. 6

On page 6, strike out lines 33 to 40, inclusive; and on page 7, strike out lines 1 to 11, inclusive, and insert

"SEC. 11. Section 8642 of the Business and Professions".

Amendment No. 7

On page 7, line 16, strike out "substantially".

Amendment No. 8

On page 7, strike out lines 17 to 35, inclusive, and insert

"SEC. 12. Section 8652 of the Business and Professions".

Amendment No. 9

On page 8, in lines 38 to 39, strike out "if the same is recommended by the hearing officer".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REQUEST FOR UNANIMOUS CONSENT

Mr. Arnett was granted unanimous consent that Assembly Bill No. 1283 be considered engrossed.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1399

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1399 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Local Government.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 721, ordered to third reading

Assembly Bills Nos. 202, 360, and **1725**, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1415—An act to add Section 34271.5 to the Health and Safety Code, relating to housing authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 593—An act to amend Section 18300 of the Government Code, relating to firefighters.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 654—An act to amend Sections 1652, 24353 and 53857 of the Government Code, to amend Sections 4746.1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to government financing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 756—An act to amend Section 4702 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 770—An act to add Section 125.5 to the Business and Professions Code, relating to injunctions.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 961—An act to amend Section 13961 of, to add Section 13991 5 to, to add Article 15 (commencing with Section 14116) to Chapter 4 of Division 10 of, to repeal Section 13853 of, and to repeal Article 29 (commencing with Section 14440) of Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1443—An act to amend Section 9606.7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1504—An act to add Section 569 to the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1930—An act to add Sections 775 and 1586.5 and Division 14 (commencing with Section 30000) to the Financial Code, to add Sections 586 1, 590, 1514.5 and 1520 to the Probate Code, to add Section 2240 to the Civil Code, to add Section 568.1 to the Code of Civil Procedure, to amend Section 8102 of the Commercial Code, and to amend Sections 10250 and Section 27002 of the Corporations Code, relating to securities depositories.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990.1, 13990.2, 13990.4, 13990 6, 13990 7, 13992, 13993, 13994, and 66518 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Section 13990.9 to, to add a chapter heading immediately preceding Section 13992 of, to add Chapter 3 (commencing with Section 13995) to Part 4.6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2.5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4 5 of Division 3 of Title 2 of, to repeal the heading of Chapter 3 (commencing with Section 13992) of Part 4 5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections 20, 92, 183, and 30050 of, to add Sections 185.5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to business and transportation

Bill read second time, and ordered to third reading

Assembly Bill No. 715—An act to add Section 4655 5 to the Labor Code, and to amend Section 2629 of, and to repeal Section 2708.1 of, the Unemployment Insurance Code, relating to workmen's disability benefits.

Bill read second time, and ordered to third reading.

Assembly Bill No. 819—An act to amend Sections 77, 77 2, and 77.3 of the Harbors and Navigation Code, relating to yacht and ship brokers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1182—An act to add Article 3 (commencing with Section 24321) to Chapter 9 of Division 18 of the Education Code, relating to the California state universities and colleges.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1300—An act to amend Sections 28802, 28802 5, and 28840 of the Health and Safety Code, relating to retail food production and marketing establishments, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 1690—An act to add Section 11421 to the Water Code, relating to the Central Valley Project, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2135—An act to add Article 6 (commencing with Section 65050) Chapter 1 5 of Title 7 of the Government Code, relating to open-space and resources conservation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2136—An act to add Division 6 5 (commencing with Section 8560) to the Public Resources Code, relating to open-space lands.

Bill read second time, and ordered to third reading

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 1, 4, 6, 8, 10, 11, 15, and 17 of, adding Sections 23, 24, 25, 26, and 27 to, and repealing Section 5 of, Article VI thereof, and by repealing Sections 4 and 5 of Article XXII thereof, relating to courts.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed measure, as amended in Assembly April 17, 1972, strike out "amending"; and strike out lines 4, 5, and 6, and insert "adding Section 23 to Article VI".

Amendment No. 2

On page 2, line 7, strike out "as follows.", and insert "by adding Section 23 to Article VI thereof, to read:

SEC. 23 Notwithstanding any other existing provision of this Constitution to the contrary, the Legislature may establish a single trial court of general jurisdiction, including, but not limited to, provisions prescribing all supportive services and personnel of such court."

Amendment No. 3

On page 2, strike out lines 8 to 24, inclusive; and strike out pages 3 to 7, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 62—Relative to factory-built housing

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 2, line 18, of the printed measure, as amended in Assembly May 4, 1972, after "to", insert "determine under what circumstances

the safe movement of factory-built housing units can be accomplished on the state highway system, and to".

Amendment No. 2

On page 2, line 18, after "establish", insert "appropriate".

Amendment No. 3

On page 2, strike out lines 19 and 20; and in line 21, strike out "system", and insert "therefor".

Amendment No. 4

On page 2, line 35, strike out "procedures"; and strike out line 36, and insert "basis for its determination of under what circumstances the safe movement of factory-built housing units can be accomplished and any procedures adopted therefor; and be it further".

Resolution ordered reprinted, and on file.

Assembly Bill No. 968—An act to amend Sections 13990, 13990 2, 13990.4, 13990.6, 13992, 13993, and 13994 of, and to add Section 13990 9 to, the Government Code, relating to transportation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 13 to 40, inclusive; and on page 3, strike out lines 1 and 2, and insert

"SEC. 2. Section 13990.2 of the Government Code is amended to read:

13990 2. There is in the ~~Business and Transportation Agency~~ *state government* a State Transportation Board. The board consists of seven members. The Governor shall nominate and, with the advice and consent of the Senate, shall appoint the members of the board Except as provided in Section 13990 7, the members shall hold office for terms of four years and until their successors are appointed

Whenever a term expires or a vacancy occurs when the Legislature is not in session, the Governor shall appoint a successor to fill the vacancy. The Senate shall consider without further presentation any appointment made when the Legislature is not in session. If the Senate consents to any appointment, such person shall hold office to the end of the term to which appointed. If the Senate takes no final action on any appointment at the next regular session of the Legislature following such appointment, the person so appointed shall hold office only until the adjournment of such session If the Senate by final vote refuses to consent, the person so appointed shall hold office only until such refusal. One Member of the Senate appointed by the Senate Rules Committee and one Member of the Assembly appointed by the Speaker thereof shall be ex officio members without vote and together shall constitute a Joint Legislative Committee on Transportation, and shall participate in the activities of the board to the extent that such participa-

tion is not incompatible with their positions as Members of the Legislature.

~~The term of an appointee to a vacancy is the duration of his predecessor's term.~~

~~A nominee to fill a vacancy which occurs when the Legislature is not in session shall serve as a member of the State Transportation Board until the first day of the next regular session of the Legislature.~~"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2331—An act making an appropriation to pay the claim of Mary Ann Hampson.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "Hampson", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, after line 5, insert

"SEC 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to settle, out-of-court, an action against the state for personal injury, thereby terminating a lengthy court procedure and ending a hardship to the injured person as quickly as possible, it is necessary for this act to take effect immediately."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1054—An act to amend Section 6254.7 of the Government Code, relating to public records.

Bill read second time, and ordered to third reading.

Assembly Bill No. 984—An act to amend Section 17045 of, and to add Section 17046 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 31, of the printed bill, strike out "1970", and insert "1971".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1266—An act to amend Section 10758 of the Revenue and Taxation Code, relating to the taxation of trailer coaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 10758 of", and insert "add Section 11003.5 to".

Amendment No. 2

In line 2 of the title, after "coaches", insert ", and making an appropriation".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 11003 5 is added to the Revenue and Taxation Code, to read:

11003.5. (a) In the case of a trailer coach on which the fee imposed under this part has been paid and on which taxes have been paid pursuant to an assessment under Division 1 of this code for a fiscal year commencing in the calendar year for which fee under this part has been paid, the fee imposed under this part shall be refunded upon application to the Department of Motor Vehicles The claim for refund shall contain

(1) Evidence acceptable to the Department of Motor Vehicles that the fee under this part has been paid with respect to the trailer coach; and

(2) A receipt from the city, city and county, or county to which the property taxes for the trailer coach were paid or the tax bill and a canceled check or a copy of them, showing the taxes were paid

(b) Notwithstanding Section 11003 3, an amount equivalent to the refund under this section with respect to a trailer coach shall be withheld from the disbursement required by Section 11003 3 to the county in which such trailer coach is located and shall instead be transferred to the unrestricted balance of the General Fund.

(c) There is hereby appropriated from the General Fund to the Department of Motor Vehicles the amounts necessary to make the refunds provided in subdivision (a)."

Amendment No. 4

On page 1, strike out lines 2 to 13, inclusive; and strike out all of page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1609—An act to amend Section 20816 of the Education Code, relating to taxation for the support of the public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in Assembly April 27, 1972, strike out "Humboldt", and insert "Sonoma".

Amendment No. 2

On page 4, line 11, strike out "Humboldt", and insert "Sonoma".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1278—An act to amend Sections 3507.3 and 3533 of the Government Code, relating to licensed psychiatric technicians.

Bill read second time, and ordered to third reading

Assembly Bill No. 1516—An act to add Section 2954.4 to the Civil Code, relating to real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "2954.4.", insert "(a)".

Amendment No. 2

On page 2, line 1, after "is", insert "not".

Amendment No. 3

On page 2, line 2, strike out "when not paid", and in line 3, strike out "within", and insert "until at least".

Amendment No. 4

On page 2, after line 3, insert

"(b) This section is not applicable to loans made by a credit union subject to the provisions of Division 5 (commencing with Section 14000) of the Financial Code, by an industrial loan company subject to the provisions of Division 7 (commencing with Section 18000) of the Financial Code, or by a personal property broker subject to the provisions of Division 9 (commencing with Section 22000) of the Financial Code"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1269—An act to amend Section 11656 6 of the Insurance Code, relating to group workmen's compensation policies.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1802—An act to amend Section 770 3 of the Insurance Code, relating to tax sheltered annuities.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, between lines 18 and 19, insert

"Every admitted insurer, licensed insurance broker, and licensed insurance agent may enter into an arrangement with the governing body of any state department or state agency for offering annuities to the employees of the department or agency.

SEC. 2. The amendment of Section 770 3 of the Insurance Code made by this chapter does not constitute a change in, but is declaratory of, the existing law."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 257—An act to amend Sections 13103, 13117.2, 13120.1, 13125.1, 13130, 13141, and 13165 of, and to add Sections 51 and 13113.2 to, the Education Code, relating to teacher preparation and licensing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 8, 1972, strike out "13120.1,".

Amendment No. 2

On page 4, strike out lines 33 to 36, inclusive.

Amendment No. 3

On page 4, line 37, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 4

On page 5, line 8, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 5

On page 5, line 24, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 6

On page 6, line 15, strike out "SEC 9", and insert "SEC. 8".

Amendment No. 7

On page 7, line 3, strike out "SEC. 10", and insert "SEC. 9".

Amendment No. 8

On page 7, line 3, strike out "6, 7, 8, and 9", and insert "5, 6, 7, and 8".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 359—An act to amend Sections 1091, 1095, and 1096 of, and to add Sections 1096.5 and 8508 to, the Education Code, relating to public schools.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 24, 1972, strike out "Sections", and insert "Section".

Amendment No. 2

In line 2 of the title, strike out "and 8508".

Amendment No. 3

On page 3, strike out lines 11 to 28, inclusive

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1396—An act to amend Sections 61842, 61843, and 61845 of the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1483—An act to add Section 23.5 to the Agricultural Code, relating to catfish farms.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1246—An act to amend Section 1 of Chapter 1619 of the Statutes of 1971, relating to handicapped students at community colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 2, line 2, of the printed bill, after "excess", insert "direct district".

Amendment No. 2

On page 2, line 4, after "for", insert "physically".

Amendment No. 3

On page 2, line 8, after "each", insert "physically".

Amendment No. 4

On page 2, strike out line 11; and in line 12, strike out "this section shall be required", and insert

"(b) Each district applying for the apportionments authorized by this section shall require each physically handicapped student for whom benefits are to be provided".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1760—An act to amend Section 19545 of the Business and Professions Code, relating to horseracing

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 724—An act to amend Sections 17226, 18244, 19523, 19526, 19531, 23332.5, 23701r, 23732, 24372, 24378, 24438, 24837.5 and 25553 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly April 19, 1972, strike out lines 27 to 33, inclusive.

Amendment No. 2

On page 15, line 26, strike out "Public".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 915—An act to add Article 1.5 (commencing with Section 14411) to Chapter 3 of Division 6 of the Business and Professions Code, relating to trade names.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 979—An act to amend Sections 581a and 583 of the Code of Civil Procedure, relating to dismissal of actions.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1137—An act to amend Section 296.41 of the Probate Code, relating to simultaneous death.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 987—An act to add Section 690.8 to the Code of Civil Procedure, relating to execution and attachments.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "one year", and insert "six months".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1150—An act to amend Section 5750.9 of the Education Code, relating to special schools and classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, line 2, strike out "amended to read:", and insert "repealed."

Amendment No. 3

On page 1, strike out lines 3 to 5, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1286—An act to add Section 825.5 to the Penal Code, relating to visitation of prisoners

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "psychiatrist", insert a comma

Amendment No. 2

On page 1, lines 4 and 5, strike out "has been employed by the prisoner's", and insert "is employed by the prisoner or his".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 231—An act to amend Section 5321 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered to third reading

Assembly Bill No. 237—An act to amend Sections 54774, 54790 and 54796 of the Government Code, relating to local agency formation commissions

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 11, 1972, after "of", insert ", and to add Sections 35703.5 and 35803.5 to,".

Amendment No. 2

On page 2, strike out line 2, and insert-

"SECTION 1. Section 35703.5 is added to the Government Code, to read:

35703.5. No petition seeking the consolidation of two or more cities shall be circulated or filed pursuant to this article, nor shall any public officer accept any such petition for filing until approval of the local agency formation commission is first obtained pursuant to Chapter 6.6 (commencing with Section 54773) of Part 1, Division 2, Title 5.

SEC. 1.3. Section 35803.5 is added to the Government Code, to read:

35803.5. No petition seeking the consolidation of two cities shall be circulated or filed pursuant to this article, nor shall any public officer accept any such petition for filing until approval of the local agency formation commission is first obtained pursuant to Chapter 6.6 (commencing with Section 54773) of Part 1, Division 2, Title 5.

SEC. 1.5. Section 54774 of the Government Code is".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1207—An act to amend Sections 6468, 6468.1, 6468.2, 6468.3, 6468.5 of, and to add Section 6468.8 to, the Streets and Highways Code, relating to improvement bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "As an alternative", and insert "In addition".

Amendment No. 2

On page 2, line 6, strike out "as an alternative", and insert "in addition".

Amendment No. 3

On page 2, lines 36 and 37, strike out "in use in the performance of a public function as", and insert "owned by the City (County) of --------".

Amendment No. 4

On page 3, line 24, strike out the period, and insert "and neither the (here insert city or county) nor any officer thereof is to be liable for payment otherwise."

Amendment No. 5

On page 3, strike out line 25; and in line 26, strike out "officer", and insert

"The officer, officers, or board".

Amendment No. 6

On page 3, line 26, after the comma, insert "is obligated".

Amendment No. 7

On page 3, line 27, strike out "a", and insert "in the".

Amendment No. 8

On page 3, line 27, after "levy", insert "for".

Amendment No. 9

On page 3, line 29, strike out the first "in".

Amendment No. 10

On page 3, line 30, after the first comma, insert "sufficient".

Amendment No. 11

On page 4, line 1, after "City", insert "(County)".

Amendment No. 12

On page 4, line 7, after "city", insert "(county)",

Amendment No. 13

On page 7, line 1, strike out "installments", and insert "maturity".

Amendment No. 14

On page 7, line 2, strike out "shall mature and be payable on a date which".

Amendment No. 15

On page 7, line 3, strike out "which"; and strike out lines 4 and 5, and insert "next succeeding this date."

Amendment No. 16

On page 7, line 17, after "a", insert "prepayment",

Amendment No. 17

On page 7, line 18, strike out "unmatured".

Amendment No. 18

On page 7, line 18, after "principal", insert "amount of bond".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2353—An act to amend Section 5558 of, and to add Sections 5506.5 and 5538.5 to, the Public Resources Code, relating to regional park districts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "districts", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 35, strike out "may", and insert "shall".

Amendment No. 3

On page 3, between lines 7 and 8, insert

"Notwithstanding any other provision of this section, the board of any district organized pursuant to Sections 5506 5 and 5538.5 of this article may designate and employ officers and employees of the county in which the district is located as the district police force required by this section."

Amendment No. 4

On page 3, after line 17, insert

"SEC. 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that an election for the purpose of determining whether a regional park district shall be created and established in Marin County may be held concurrently with the general election to be held on November 7, 1972, it is necessary that this act go into effect immediately."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1208—An act to amend Section 10110 of, and to add Section 10110.1 to, the Streets and Highways Code, relating to the Municipal Improvement Act of 1913.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1815—An act to amend Section 5236 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 389—An act to amend Sections 25658, 25659, 25660.5, 25661, 25662, 25663, and 25665 of, and to repeal Section 25663.5 of, the Business and Professions Code, and to amend Sections 23102 and 23123.5 of the Vehicle Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1260—An act to amend Section 25251 of, and to add Section 25110 to, the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 25251 of, and to add Section 25110 to," and insert "add Section 25251.1 to".

Amendment No. 2

On page 1, line 1, strike out "25110", and insert "25251.1".

Amendment No. 3

On page 1, line 3, strike out "25110", and insert "25251.1".

Amendment No. 4

On page 1, line 3, after "may", insert "also".

Amendment No. 5

On page 1, strike out line 10, and insert

"SEC. 2. Section 1 of this act shall become operative only if the Department of the California Highway Patrol, in a written report to the Legislature, approves of the use, on motor vehicles upon the highways, of the lighting system described in Section 1 of this act, and, if so, on the date specified by the department in such report.

SEC. 3. The Department of the California Highway Patrol shall submit a written report to the Legislature no later than June 1, 1973, which indicates the department's approval or disapproval, of the use, on motor vehicles upon the highways, of the lighting system described in Section 1 of this act."

Amendment No. 6

On page 1, strike out lines 11 to 13, inclusive; and strike out page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 692—An act to amend Sections 11713 and 11806 of the Vehicle Code, relating to occupational licenses.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2019—An act to amend Sections 24355.2 and 39402 of the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2092—An act to amend Section 22100 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2229—An act to add Section 25254 to the Vehicle Code, relating to lighting equipment.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2284—An act to add Chapter 5.7 (commencing with Section 5761) to Division 6 of the Educational Code, relating to bilingual-bicultural education, and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "and".

Amendment No. 2

In line 2 of the heading, after "Ralph", insert ", Bee, Brathwaite, Briggs, Burton, Campbell, Cory, Cullen, Deddeh, Duffy, Dunlap, Garcia, Gonsalves, Harvey Johnson, Karabian, Ketchum, LaCoste, MacDonald, Maddy, McCarthy, McAlister, Meade, Pierson, Porter, Quimby, Sieroty, Townsend, Waxman, Z'berg, and Wilson
(Coauthors: Senators Alquist, Carrell, Dills, Gregorio, Mills, Moscone, Roberti, Short, Song, Stiern, Walsh, and Zenovich)".

Amendment No. 3

On page 3, line 22, after "a", insert "non-English-speaking".

Amendment No. 4

On page 4, line 15, after "Each", insert "non-English-speaking".

Amendment No. 5

On page 5, line 21, strike out "of", and insert "available to".

Amendment No. 6

On page 5, line 31, after "districts", insert "which administer child care centers".

Amendment No. 7

On page 5, line 36, strike out ". If a school district starts a"; strike out lines 37 to 40, inclusive, and insert ", designed to develop full fluency in English and in the primary language of the limited-English-speaking participants."

Amendment No. 8

On page 6, lines 14 and 15, strike out "in the comprehensive bilingual-bicultural program", and insert "in districts participating in programs provided by this chapter".

Amendment No. 9

On page 6, line 16, strike out "Within", and insert "Insofar as possible, within".

Amendment No. 10

On page 6, lines 18 and 19, strike out "and children whose dominant language is other than English,".

Amendment No. 11

On page 6, line 20, strike out "whose dominant language is", and insert "proficient in".

Amendment No. 12

On page 6, line 30, strike out "board", and insert "State Board of Education".

Amendment No. 13

On page 7, lines 36 and 37, strike out "working with limited-English-speaking children", and insert "teaching classes funded by this chapter".

Amendment No. 14

On page 7, line 37, strike out "Such"; strike out lines 38 to 40, inclusive; and on page 8, strike out line 1.

Amendment No. 15

On page 8, strike out lines 6 to 40, inclusive; and on page 9, strike out lines 1 to 8, inclusive, and insert

"Section 5764 5. The Department of Education shall administer the provisions of this chapter. The responsibilities of the Department of Education in administering this chapter shall include, but are not limited to, the duty.

(a) To review proposals from school districts made in accordance with this chapter; and to recommend acceptable projects for approval by the board;

(b) To encourage experimentation and innovation in the field of bilingual-bicultural education at the school, district and state levels;

(c) To foster the maximum practicable involvement of parents of children enrolled in bilingual-bicultural classes;

(d) To make recommendations to districts in the areas of in-service training for teachers and teacher aides, curriculum, testing and testing mechanisms, and the development of materials for bilingual-bicultural education classes;

(e) To develop and recommend to the Commission for Teacher Preparation and Licensing standards for the certification of teaching personnel for bilingual-bicultural classes;

(f) To develop an annual evaluation of bilingual-bicultural programs within the state for submission to the Legislature and to the Governor."

Amendment No. 16

On page 9, lines 14 and 15, strike out "establishment of the bureau or task force on bilingual-bicultural education", and insert "administration of this chapter".

Amendment No. 17

On page 9, strike out lines 20 and 21.

Amendment No. 18

On page 9, line 22, strike out "(3)", and insert "(2)".

Amendment No. 19

On page 9, line 24, strike out "(4)", and insert "(3)".

Amendment No. 20

On page 9, line 28, strike out "(5)", and insert "(4)".

Amendment No. 21

On page 9, line 30, strike out "(6)", and insert "(5)".

Amendment No. 22

On page 9, line 32, strike out "(7)", and insert "(6)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 549—An act to amend Sections 24224, 24260, 24297, and 39298 8 of, to repeal Section 24296 of, and to add Section 24296 and 24296.5 to, the Health and Safety Code, relating to air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Schabarum", and insert "Beverly".

Amendment No. 2

In line 1 of the title, strike out "and 39298.8 of,"; strike out line 2 of the title; and in line 3 of the title, strike out "24296.5 to", and insert "24354.2, 24355 2, 24361.4, 24362 1, 24365 6, 39298.8, 39382, 39402, 39460, and 39476 of, to add Sections 24296, 24296 5, 24365 5, 39475, and 39475.5 to, and to repeal Sections 24296, 24365.5, and 39475 of".

Amendment No. 3

On page 3, lines 7 and 8, strike out "Streets and Highways", and insert "Health and Safety".

Amendment No. 4

On page 3, line 28, after "That", insert ", due to conditions beyond the reasonable control of the petitioner,".

Amendment No. 5

On page 3, strike out lines 34 to 36, inclusive.

Amendment No. 6

On page 4, strike out line 10, and insert

"SEC. 7. Section 24354.2 of the Health and Safety Code is amended to read:

24354.2. The district shall do such acts as may be necessary to carry out the provisions of this chapter and Chapter 3 5 (commencing with Section 39077) *and Chapter 10 (commencing with Section 39295)* of Part 1 of Division 26.

SEC. 8. Section 24355.2 of the Health and Safety Code is amended to read:

24355.2. The control officer shall observe and enforce:

(a) The provisions of this chapter and Chapter 3.5 (commencing with Section 39077) *and Chapter 10 (commencing with Section 39295)* of Part 1 of Division 26.

(b) All orders, regulations, and rules prescribed by the board.

(c) All variances and standards which the hearing board has prescribed.

SEC. 9. Section 24361.4 of the Health and Safety Code is amended to read:

24361.4. Nothing in this article limits in any way the power of the board to make needful orders, rules, and regulations pursuant to other provisions of this chapter or Chapter 3.5 (commencing with Section 39077) *or Chapter 10 (commencing with Section 39295)* of Part 1 of Division 26. Nothing in this article permits any action contrary to any such order, rule, or regulation.

SEC. 10. Section 24362.1 of the Health and Safety Code is amended to read:

24362.1. At any time after the resolution of necessity has been adopted, the board may make and enforce all needful orders, rules, and regulations necessary or proper to accomplish the purposes of this chapter and Chapter 3.5 (commencing with Section 39077) *and Chapter 10 (commencing with Section 39295)* of Part 1 of Division 26.

SEC. 11. Section 24365.5 of the Health and Safety Code is repealed.

~~24365.5. If the hearing board finds that because of conditions beyond control compliance with Article 10 (commencing with Section 24360) of this chapter, Chapter 3.5 (commencing with Section 39077) of Part 1 of Division 26, or with any rule, regulation, or order of the air pollution control board will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation or activity, in either case without a sufficient corresponding benefit or advantage to the people in the reduction of air contamination, it shall prescribe other and different requirements not more onerous applicable to plants and equipment operated either by named classes of industries or persons, or to the operation of separate persons; provided, however, that no variance may permit or authorize the maintenance of a nuisance.~~

SEC. 12. Section 24365.5 is added to the Health and Safety Code, to read:

24365.5. (a) Upon making the specific findings set forth in subdivision (b), the hearing board shall prescribe requirements other than those imposed by statute or by any rule, regulation, or order of the board, not more onerous, applicable to plants and equipment operated by specified industry or business or for specified activity, or to the operations of individual persons. However, no variance shall be granted if the operation under the variance will result in a violation of Section 24360.

(b) No variance shall be granted unless the hearing board makes all of the following findings:

(1) That the petitioner for a variance is in violation of a provision of Article 10 (commencing with Section 24360) of this chapter or of Chapter 3.5 (commencing with Section 39077) of Part 1 of Division 26, or of any rule, regulation, or order of the board.

(2) That, due to conditions beyond the reasonable control of the petitioner, requiring compliance would result in either an arbitrary

or unreasonable taking of property or the practical closing and elimination of a lawful business.

(3) That such closing or taking would be without a corresponding benefit in reducing air contaminants.

SEC. 13. Section 24365.6 of the Health and Safety Code is amended to read:

24365.6. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with subdivision (a) of Section 24365.5*, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

SEC. 14. Section 39298.8 of the Health and Safety Code".

Amendment No. 7

On page 4, after line 31, insert

"SEC. 15. Section 39382 of the Health and Safety Code is amended to read:

39382. The regional district shall do such acts as may be necessary to carry out the provisions of this chapter and Chapter 3 5 (commencing with Section 39077) *and Chapter 10 (commencing with Section 39295)* of Part 1.

SEC. 16. Section 39402 of the Health and Safety Code is amended to read:

39402. The control officer shall observe and enforce:

(a) The provisions of this chapter and Chapter 3.5 (commencing with Section 39077) *and Chapter 10 (commencing with Section 39325)* of Part 1.

(b) All orders, regulations, and rules prescribed by the regional board.

(c) All variances and standards which the regional hearing board has prescribed.

SEC 17. Section 39460 of the Health and Safety Code is amended to read:

39460. The regional board shall adopt and may, from time to time, amend rules and regulations, including, but not limited to, rules and regulations establishing standards to implement this chapter and Chapter 3.5 (commencing with Section 39077) *and Chapter 10 (commencing with Section 39295)* of Part 1 Such rules and regulations shall be based on surveys and studies made by the regional district and such other information as may be available to the regional district. The rules and regulations shall be adopted only after the regional board has considered the matter at a public hearing at which all interested persons are afforded the opportunity to appear and urge or oppose adoption of the resolution. The regional board shall give notice of its intention to adopt or amend rules and regulations and give notice of the hearing by publication pursuant to Section 6061 of the Government Code in each of the counties within the regional district not less than 10 days prior

to the hearing. The notice shall contain the time and place of the hearing and such other information as may be necessary to reasonably apprise the people within the regional district of the nature and purpose of the meeting. The hearing may be adjourned from time to time in order to permit presentation of all pertinent testimony.

SEC. 18. Section 39475 of the Health and Safety Code is repealed.

~~39475. If the hearing board finds that because of conditions beyond control compliance with Article 6 (commencing with Section 39430) of this chapter, Chapter 3.5 (commencing with Section 39077) of Part 1, or with any rule, regulation, or order of the regional board will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation or activity, in either case without a sufficient corresponding benefit or advantage to the people in the reduction of air contamination, it shall prescribe other and different requirements not more onerous applicable to plants and equipment operated either by named classes of industries or persons, or to the operation of separate persons; provided, however, that no variance may permit or authorize the maintenance of a nuisance.~~

SEC. 19. Section 39475 is added to the Health and Safety Code, to read:

39475. Upon making the specific findings set forth in Section 39475.5, the hearing board shall prescribe requirements other than those imposed by statute or by any rule, regulation, or order of the regional board, not more onerous, applicable to plants and equipment operated by specified industry or business or for specified activity, or to the operations of individual persons. However, no variance shall be granted if the operation under the variance will result in a violation of Section 39430.

SEC. 20. Section 39475.5 is added to the Health and Safety Code, to read:

39475.5 No variance shall be granted unless the hearing board makes all of the following findings:

(a) That the petitioner for a variance is in violation of a provision of Article 6 (commencing with Section 39430) of this chapter or of Chapter 3.5 (commencing with Section 39077) of Part 1, or of any rule, regulation, or order of the regional board.

(b) That, due to conditions beyond the reasonable control of the petitioner, requiring compliance would result in either (1) an arbitrary or unreasonable taking of property, or (2) the practical closing and elimination of a lawful business.

(c) That such closing or taking would be without a corresponding benefit in reducing air contaminants.

SEC. 21. Section 39476 of the Health and Safety Code is amended to read:

39476. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 39475*, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the regional district *from the reduction of air contami-*

nants and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 183—An act to amend Sections 4541, 4562, and 4566 of, to add Section 4543 to, to repeal Article 5 (commencing with Section 4571) and Article 10 (commencing with Section 4611) of Chapter 8 of Part 2 of Division 4 of, and to add and repeal Article 5 (commencing with Section 4571) and Article 10 (commencing with Section 4610) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to forest practices, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "amend Sections 4541, 4562, and 4566 of, to add"; strike out lines 2 to 6, inclusive, of the title; and in line 7 of the title, strike out "Part 2 of Division 4 of," and insert "repeal and add Section 4580.5 to".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 4580.5 of the Public Resources Code is repealed.

~~4580.5. The board, upon a finding of an emergency, may on its own motion adopt temporary rules which shall be effective for a period not to exceed 120 days. Such rules shall become permanent upon adoption in accordance with procedures for amending forest practice rules.~~

SEC 2. Section 4580 5 is added to the Public Resources Code, to read:

4580.5. The board, upon a finding of an emergency, may on its own motion adopt temporary forest practice rules necessary to protect the public interest and carry out the policy of the state as specified in this chapter, which rules shall be effective for a period not to exceed 180 days."

Amendment No. 3

On page 2, strike out lines 2 to 32, inclusive; strike out pages 3 to 10, inclusive; and on page 11, strike out lines 1 to 6, inclusive, and in line 7, strike out "SEC. 10", and insert

"SEC. 3".

Amendment No. 4

On page 11, line 18, strike out "It", and insert "In view of this emergency, it".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 42—An act to amend Section 12101 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 245—An act to amend Section 49572 of the Agricultural Code, relating to plums, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 526—An act to amend Sections 62479, 62482, and 62487 of the Agricultural Code, relating to milk.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1216—An act to amend Sections 5896.5 and 5896.8 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 406—An act to amend Section 6499 of, and add Section 6492.5 to, the Health and Safety Code, relating to sanitary districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted:

Amendment No. 1

On page 2 line 15, of the printed bill, as amended in Senate April 20, 1972, strike out "64925", and insert "6492.5".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

COMMUNICATIONS

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 231
AB No 715
AB No. 1278
AB No. 1690
AB No. 2229

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 593	AB No. 979	AB No. 1483
AB No. 692	AB No. 1137	AB No. 1504
AB No. 756	AB No. 1269	AB No. 1760
AB No. 915	AB No. 1443	AB No 1930

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

BILLS PASSED ON FILE

Assembly Bill No. 84—Passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 399

Mr Murphy was granted unanimous consent to take up Senate Bill No 399, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 399

Senate Bill No. 399—An act to add Section 395.5 to the Code of Civil Procedure, and to add Sections 128 and 129 to the Corporations Code, relating to codification of various provisions to be omitted from the California Constitution in its revision, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Murphy.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Murphy moved a call of the Assembly.

Motion carried. Time, 9:53 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Ketchum was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1041—An act to add Section 33320.2 to the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bills Nos. 1556 and **488**—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 826—An act to add Sections 18745 5 and 18745.6 to the Business and Professions Code, relating to professional boxing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chappie, Cline, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—52

NOES—Conrad—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2334—An act to add Section 19653 to the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen,

Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article III, Section 5 to Article XX, and Section 7 to Article XXIV thereof, and by repealing Section 3 of Article I, Articles III, X, and Sections 1, 6, 10, 11, and 16 of Article XX, and Article XXI thereof, relating to constitutional revision.

Resolution read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Beverly moved a call of the Assembly

Motion carried Time, 10:08 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PASSED ON FILE

Assembly Bill No. 806—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 284—An act to amend Section 5120 of the Welfare and Institutions Code, relating to facilities for the mentally and physically handicapped, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Murphy, Powers, Quimby,

Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2164—An act to amend Section 14005 6 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Briggs and Cline—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—Briggs and Cline—2.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1848—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 371—An act to amend Section 11579 of, and to add Section 11577.5 to, the Business and Professions Code, relating to division of land.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Ketchum, Priolo, and Russell—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 376—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Murphy and Russell—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1363—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wilson, Wood, and Mr. Speaker—58.

NOES—Bill Greene and Sieroty—2

Bill ordered transmitted to the Senate

Assembly Bill No. 1816—An act to amend Section 13364 of the Education Code, relating to teachers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory,

Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 958—An act to amend Section 92 6 of the Streets and Highways Code, relating to state freeways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Constitutional Amendment No. 56 and **Assembly Concurrent Resolution No. 66**—Passed on file.

THIRD READING OF SENATE BILLS

Senate Bill No. 98—An act to amend Sections 19682, 19683, and 19683 5 of, and to add Sections 19682.5, 19682.7, and 19682 9 to, the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr. Lewis.

Urgency Clause

Urgency clause read.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly

Motion carried. Time, 10 40 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Leroy F. Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

COMMUNICATIONS

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 622—An act to repeal Chapter 3 (commencing with Section 2600) of Part 9 of Division 2 of the Labor Code, relating to the registration of factories;

And reports the same correctly enrolled, and presented to the Governor at 9:30 a.m., May 26, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 531	AB No. 1162	AB No 1896
AB No. 1143	AB No 1470	AB No. 1897
AB No 1152	AB No. 1603	AB No. 2089

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 23

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 72	AB No 1550	AB No 1959
AB No 675	AB No. 1704	AB No. 1994
AB No. 862	AB No. 1762	AB No. 2080
AB No. 1006	AB No 1785	AB No. 2179
AB No. 1081	AB No. 1787	AB No 2337
AB No. 1385	AB No. 1831	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Efficiency and Cost Control

Assembly Chamber, May 26, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports:

AB No. 1492

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Retirement, with recommendation: To Consent Calendar.

CULLEN, Chairman

Above bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1492

Mr. Cullen was granted unanimous consent to take up Assembly Bill No. 1492, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 1492 by Unanimous Consent

Assembly Bill No. 1492—An act to amend Sections 20100, 20101 and 20104 of the Government Code, relating to Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Efficiency and Cost Control, were read, and adopted:

Amendment No. 1

On page 2, strike out lines 12 to 14, inclusive, of the printed bill, and insert

"(c) An official of a city and county which is a contracting agency of the system, and an official of a life insurer, an officer of a bank, an official of a health insurer, appointed by the Governor and confirmed by the State Senate."

Amendment No. 2

On page 2, line 15, strike out "Five", and insert "Three".

Amendment No. 3

On page 2, strike out lines 17 and 18.

Amendment No. 4

On page 2, line 19, strike out "(2)", and insert "(1)".

Amendment No. 5

On page 2, line 19, after the first "the", insert "active and retired".

Amendment No. 6

On page 2, line 21, strike out "(3) Two members", and insert "(2) A member".

Amendment No. 7

On page 2, line 24, strike out "(4)", and insert "(3)".

Amendment No. 8

On page 2, strike out lines 27 to 35, inclusive.

Amendment No. 9

On page 3, strike out line 2, and insert "subdivision (c) and subparagraph (1) of".

Amendment No. 10

On page 3, line 7, strike out "(3)", and insert "(2)".

Amendment No. 11

On page 3, strike out lines 12 to 18, inclusive, and insert "years expiring January 15. The member prescribed".

Amendment No. 12

On page 3, line 19, strike out "(4)", and insert "(3)".

Amendment No. 13

On page 3, line 31, after the period, insert "Such appointment shall be for the unexpired term and subject to confirmation by the State Senate."

Amendment No. 14

On page 4, between lines 2 and 3, insert

"The person elected pursuant to subparagraph (1) of subdivision (d) of Section 20100 prior to amendment in the 1972 Regular Session shall serve until the expiration of the term for which he was elected."

Amendment No. 15

On page 4, strike out lines 7 to 10, inclusive, and insert "members. The board shall".

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1492 for hearing in the Committee on Retirement on Tuesday, May 30, 1972.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 64—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Bill read third time, and presented by Mr Stull.

Demand for Previous Question

Messrs. Duffy, Russell, Quimby, Badham, and Stacey demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly.

Motion carried. Time, 10:52 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:52 a.m., Mr. Chacon was granted unanimous consent to hold a special meeting of the Subcommittee on Parks at this time, to consider Senate Bill No. 377 and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 377 for hearing in subcommittee today.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 98

At 10:53 a.m., on motion of Mr. Lewis, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 98 refused adoption by the following vote:

AYES—Arnett, Bagley, Belotti, Beverly, Brathwaite, Brown, Chacon, Chappie, Conrad, Cory, Duffy, Dunlap, Foran, Garcia, Hayden, Ray E. Johnson, Karabian, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, and Wilson—39.

NOES—Badham, Burke, Cline, Collier, Cullen, Dent, Leroy F. Greene, Russell, and Stull—9.

Motion to Reconsider Urgency Clause to Senate Bill No. 98 on Next Legislative Day

Mr Lewis moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 98 was this day refused adoption.

Senate Bill No. 98 ordered to the unfinished business file.

BILLS PASSED ON FILE

Assembly Bills Nos. 1778, 206, 1029, 264, 1158, Assembly Constitutional Amendment No. 45, Assembly Bills Nos. 751, 608, 609, 1324, 2285 and **791**—Passed on file.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 162—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2139—An act to amend Section 51238 of, and to add Section 51238 5 to, the Government Code, relating to the California Land Conservation Act of 1965.

Bill read third time.

Motion to Re-refer Assembly Bill No. 2139 to Committee

Mr. Ketchum moved that Assembly Bill No. 2139 be re-referred to the Committee on Agriculture.

Mr. Briggs seconded the motion.

Motion lost by the following vote:

AYES—Badham, Barnes, Belotti, Briggs, Burke, Chappie, Collier, Conrad, Davis, Dent, Duffy, Hayden, Ray E. Johnson, Ketchum, LaCoste, Lewis, MacGillivray, Maddy, Mobley, Monagan, Murphy, Powers, Russell, Seeley, Stacey, Stull, and Wood—27.

NOES—Bee, Brown, Burton, Chacon, Cline, Cory, Cullen, Dunlap, Fenton, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, MacDonald, McAlister, McCarthy, Meade, Miller, Priolo, Quimby, Ralph, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—30.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly.

Motion carried. Time, 11·20 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

ANNOUNCEMENT OF COMMITTEE MEETING WAYS AND MEANS

Mr. Brown was granted unanimous consent that the Committee on Ways and Means be permitted to meet at 8 a m , on Tuesday, May 30, instead of 8 a.m., on Wednesday, May 31, and that the Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 13, 123, 144, 168, 205, 268, 300, 317, 396, 424, 508, 550, 598, 612, 615, 617, 696, 705, 816, 818, 833, 870, 918, 1068, 1140, 1143, 1147, 1179, 1205, 1210, 1230, 1292, 1306, 1375, 1431, 1442, 1445, 1446, 1462, 1494, 1503, 1519, 1563, 1592, 1610, 1621, 1626, 1670, 1700, 1813, 1833, 1873, 1925, 2018, 2066, 2074, 2113, 2130, 2140, 2157, and 2169, Assembly Constitutional Amendment No 31 and Assembly Concurrent Resolution No. 59, for hearing in the Committee on Ways and Means on Tuesday, May 30.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 637 for hearing in the Committee on Retirement on Tuesday, May 30, 1972.

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No. 92 for hearing in the Committee on Rules on Tuesday, May 30, 1972.

-REQUEST FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that Assembly Bills Nos. 160, 168, and 1503, and Assembly Concurrent Resolution No. 59, be considered engrossed.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 1252, 2138, and 217 were continued until the next legislative day.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 399

At 11:22 a.m , on motion of Mr Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No 399 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Town-

send, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 42

At 11:25 a.m., on motion of Mr. Beverly, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 42 refused adoption by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Powers, Quimby, Ralph, Ryan, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—40.

NOES—Arnett, Badham, Barnes, Belotti, Briggs, Cline, Conrad, Davis, Hayden, Ray E. Johnson, Ketchum, LaCoste, MacGillivray, Murphy, Russell, Seeley, Stull, Wilson, and Wood—19.

Motion to Reconsider Assembly Constitutional Amendment No. 42 on Next Legislative Day

Mr. Beverly moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 42 was this day refused adoption.

Assembly Constitutional Amendment No. 42 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 64

At 11:28 a.m., on motion of Mr. Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 64 refused passage by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Brown, Burton, Chacon, Collier, Conrad, Duffy, Dunlap, Garcia, Leroy F. Greene, Hayden,

Karabian, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, Meade, Miller, Monagan, Powers, Priolo, Quimby, Russell, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—35.

NOES—Badham, Bagley, Briggs, Burke, Chappie, Cline, Cullen, Dent, Foran, Ketchum, Keysor, Lewis, Murphy, Seeley, and Stacey—15.

Motion to Reconsider Senate Bill No. 64 on Next Legislative Day

Mr. Stull moved to reconsider on the next legislative day the vote whereby Senate Bill No. 64 was this day refused passage.

Senate Bill No. 64 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2139

At 11:29 a.m., on motion of Mr. Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2139 refused passage by the following vote:

AYES—Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Foran, Garcia, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, MacDonald, McAlister, McCarthy, Meade, Miller, Priolo, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—34.

NOES—Arnett, Badham, Barnes, Belotti, Briggs, Burke, Chappie, Cline, Collier, Conrad, Cullen, Davis, Dent, Duffy, Hayden, Ray E. Johnson, Ketchum, LaCoste, Lewis, MacGillivray, Mobley, Monagan, Murphy, Powers, Russell, Seeley, Stacey, Stull, and Wood—29.

Motion to Reconsider Assembly Bill No. 2139 on Next Legislative Day

Mr. Dunlap moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2139 was this day refused passage.

Assembly Bill No. 2139 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:29 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 82

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent.

DEDDEH, Chairman

Above bill ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 26, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 1987

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1987—An act to amend Sections 5551 and 5552 of, to add Section 5550 to, and to repeal Section 5550 of, the Business and Professions Code, relating to architecture.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 15, 1972, strike out line 13, and insert

"(1) Conviction of a felony if the felony is related to the applicant's competence to perform the licensed activity."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 26, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 1503

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1503—An act to add Article 18 (commencing with Section 429.70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly May 18, 1972, after "nursing", insert ", including, but not limited to, specialty areas of nursing such as midwifery".

Amendment No. 2

On page 3, line 6, strike out "midwifery,".

Amendment No. 3

On page 3, line 31, after the comma, insert "a description of the health care agency to be used for training students,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 26, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 168

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 168—An act to add Chapter 2.5 (commencing with Section 429 60) to Part 1, Division 1 of the Health and Safety Code, relating to health professions planning grants, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 2, line 29, strike out "shall make grants", and insert "is authorized to make grants, from funds appropriated by the Legislature for such purpose,".

Amendment No. 3

On page 3, between lines 6 and 7, insert

"429 63. The state department shall conduct a survey to determine possible applicants for grants under this chapter and shall report annually to the Legislature beginning in January 1974 concerning all of the following:

(1) The number and characteristics of potential applicants for claims under this chapter.

(2) An evaluation of each possible applicant, and a ranking by priority of all possible applicants.

(3) Recommendations as to the amount of funds needed to be appropriated for innovative programs of education in the health professions."

Amendment No. 4

On page 3, strike out lines 7 to 12, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, May 26, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1655

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

MacDONALD, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1655—An act to add Section 30 to the Streets and Highways Code, relating to sidewalks.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "30 to the Streets and Highways", and insert "19956 5 to the Health and Safety".

Amendment No. 2

In line 2 of the title, after "to", insert "curbs and".

Amendment No. 3

On page 1, line 1, strike out "30", and insert "19956.5".

Amendment No. 4

On page 1, lines 1 and 2, strike out "Streets and Highways", and insert "Health and Safety".

Amendment No. 5

On page 1, strike out lines 3 to 7, inclusive, and insert

"19956.5. Any curb or sidewalk constructed in this state with private funds shall conform to the provisions of Chapter 7 (commencing with Section 4450) of Division 5 of Title 1 of the Government Code.

This section shall apply, but not be limited in application, to any curb or sidewalk which after construction with private funds will be

turned over to a city or county for public use, in order to provide full and easy access to, and use of, such curb or sidewalk by the physically handicapped."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 160

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 160—An act to add Sections 76 and 78 to, Chapter 5 (commencing with Section 90) to Title 1 of Part 1 of, and Sections 142 and 905 to, and to repeal Chapter V,A (commencing witih Section 116) of Title 1 of Part 1 of, the Code of Civil Procedure, to add Section 6008 to the Government Code, and to amend Sections 1463 2, 1463.3, 1463 4, and 1463.9 of, to add Section 1463 to, and to repeal Section 1463 of, the Penal Code, relating to courts, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 76 and 78 to, Chapter 5 (commencing"; and strike out lines 2 to 9, inclusive, and insert "place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 There shall be submitted to the people at the election to be held on the seventh day of November, 1972, Assembly Constitutional Amendment No. 20, proposed by the Legislature at the 1972 Regular Session Except as otherwise provided in this act, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measure submitted pursuant to this act.

SEC. 2 Within five days after either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No. 20, whichever occurs later, the author of such amendment

and one member of the opposite house who voted with the majority on the amendment shall be appointed by the presiding officers of the respective houses to draft the argument for adoption of the measure. If such constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure. No argument shall exceed 500 words. All such arguments shall be filed with the Secretary of State within 10 days after either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No. 20, whichever occurs later.

SEC. 3. Upon either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No. 20, whichever occurs later, the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this act and shall also request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code. The title and the analysis shall be filed with the Secretary of State within 10 days after either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No. 20 whichever occurs later. The measure submitted pursuant to this act shall be designated on the ballot at the election by its ballot title.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to place the necessary constitutional provision on the ballot at the earliest possible time, it is necessary that this act go into immediate effect."

Amendment No. 3

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 to 33, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 93: By Assemblymen Collier and Lanterman—Relative to State Highway Route 7.

Held at Desk by order of the Acting Speaker.

VOTE CHANGES

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1041.

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 826.

Mr. Cline was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 2164, and on the passage of the bill.

Messrs. Priolo and Russell were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 371.

Mr. Russell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 376.

Mr. Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 376.

Messrs. Miller and Vasconcellos were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 64.

Mr. Bagley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 64.

Mr Bill Greene was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1363.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Absence

May 26, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on May 26, 1972.

Sincerely yours,

CARLEY V. PORTER

ADJOURNMENT

At 11.30 a.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Tuesday, May 30, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-second Legislative Day

One Hundred Forty-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, May 30, 1972

The Assembly met at 11 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Assistant Chief Clerk R. Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.

Mr. Deddeh seconded the motion.

Motion carried. Time, 11:07 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11:09 a.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

O Lord, You are changeless, and yet it is within Your providence, that there be change.

Give to men and women of government the ability to be unchanging in their principles yet open to change in their perspective. Give them a willingness to accept criticism and correction.

Make them men and women of such instruction that, in the words of Edmund Burke, they will "augur misgovernment at a distance, and snuff the approach of tryanny in every tainted breeze".—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Cullen then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Duffy, seconded by Mr. Seeley.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Foran, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr. Bill Greene, on request of Acting Speaker Fenton.
Mr MacDonald, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Speaker pro Tempore Bee.
Mr. Ralph, on request of Speaker pro Tempore Bee.
Mr. Waxman, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 25, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from Session on Tuesday, May 30 through Thursday, June 1, 1972, on legislative business.

I will be attending the International Congress of Transportation Conferences in Washington, D.C., on May 30 through June 4, 1972.

Sincerely,

JOHN FRANCIS FORAN, Assemblyman
Twenty-third District

REPORTS

The following report was presented by the Speaker:

Report to the Legislature Concerning the College Opportunity Grant Program. (Pursuant to the provisions of Section 31266 of the Education Code.) May 1, 1972.

Above transmitted report, together with letter of transmittal from Arthur S. Marmaduke, Director, State Scholarship and Loan Commission, Sacramento, dated May 24, 1972, referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
93	Transportation

COMMUNICATIONS

Assembly Chamber, May 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 549	AB No. 1266	AB No. 1516
AB No 987	AB No. 1286	AB No. 1802
AB No. 1260	AB No. 1415	AB No. 2331

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 237	AB No. 724
AB No. 359	AB No. 1609

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 62

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 360

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 85	AB No. 1297	AB No. 1583
AB No. 722	AB No. 1458	AB No. 1744
AB No. 723		

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, May 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 30	AB No 1578	AB No 1988
AB No. 794	AB No. 1655	AB No. 2112
AB No. 1330	AB No. 1937	AB No. 2216
AB No. 1449	AB No. 1978	AB No. 2242
AB No 1488		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 25, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No. 1173
AB No 1174
AB No. 1965

With the recommendation: That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

WARREN, Chairman

Subject matter of the above bills referred to the Committee on Rules.

Committee on Elections and Reapportionment

Assembly Chamber, May 30, 1972

Mr Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 646

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 1272

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 30, 1972

Mr Speaker Your Committee on Transportation reports:

AB No 2328

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, May 30, 1972

Mr Speaker· Your Committee on Local Government reports:

AB No 1906

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 30, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No 492

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 2053
AB No. 1268

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 54

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, May 26, 1972

Mr Speaker: The Chairman of your Committee on Judiciary reports:

SB No. 204

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 204—An act to amend Sections 5350, 5352 1, 5353, and 5365 of, to add Section 5358 1 to, and to amend, repeal, and add Section 7325 of, the Welfare and Institutions Code, relating to mental health conservatorships, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 20, 1972, strike out lines 23 to 27, inclusive, and insert "shall have the right to demand a court or jury trial on the issue whether he is gravely disabled. Demand for court or jury trial shall be made within 10 days of the hearing on the conservatorship petition.

Court or jury trial shall commence within 10 days".

Amendment No. 2

On page 4, line 23, strike out "U.S.", and insert "United States".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 25, 1972

Mr Speaker· The Chairman of your Committee on Transportation reports·

AB No. 1717

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1717—An act to amend Section 100 21 of, to add Sections 103 7, 103 8, 103 9, and 256 2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 15, 1972, strike out "Section 100 21", and insert "Sections 100 21 and 135".

Amendment No. 2

On page 4, line 5, after "SEC 5.", insert "Section 135 of the Streets and Highways Code is amended to read

135 The department may enter into contracts for the removal or relocation of structures or improvements situated upon real property over which a right-of-way for state highway purposes has been or is to be acquired *The city or county in which such property is located shall be regarded as a third party beneficiary to such contracts for the purpose of promoting health, safety, and welfare and to enable such local governments to enforce local building ordinances.*

SEC 6."

Amendment No. 3

On page 4, line 13, strike out "SEC 6", and insert "SEC 7".

Amendment No. 4

On page 4, line 21, after "county", insert ", or a district which assesses property for taxation purposes and levies taxes or assessments on the property so assessed or for which county officers assess property and collect taxes or assessments".

Amendment No. 5

On page 4, lines 27 and 28, strike out ", the unincorporated area in the case of a county,".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 25, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 2095

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2095—An act to amend Section 9400 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "(1)", and insert "(a)".

Amendment No. 2

On page 1, line 5, strike out "except vehicles", and insert "based on the gross vehicle weight rating of such vehicles, as determined by the Department of the California Highway Patrol, according to the following schedule:

Gross Vehicle Weight Rating	Fee
8,001 lbs. to and including 10,000 lbs.	$ 18
10,001 lbs. to and including 12,000 lbs.	30
12,001 lbs. to and including 14,000 lbs.	46
14,001 lbs to and including 16,000 lbs	66
16,001 lbs. to and including 18,000 lbs	90
18,001 lbs. to and including 20,000 lbs.	116
20,001 lbs. to and including 22,000 lbs.	144
22,001 lbs. to and including 24,000 lbs.	176
24,001 lbs. to and including 26,000 lbs.	208
26,001 lbs. to and including 28,000 lbs.	240
28,001 lbs to and including 30,000 lbs.	272
30,001 lbs. to and including 32,000 lbs.	304
32,001 lbs. to and including 34,000 lbs.	336
34,001 lbs. to and including 36,000 lbs.	368
36,001 lbs. to and including 38,000 lbs.	400
38,001 lbs. to and including 40,000 lbs.	432
40,001 lbs to and including 42,000 lbs.	464
42,001 lbs. and over	490

(b) In addition to any other registration fee, there may be paid the following fee for registration of any commercial motor vehicle with a gross vehicle weight rating of less than 8,001 pounds—fee—$12.

SEC. 2. The amendments made to Section 9400 of the Vehicle Code by this act shall apply to the fees paid by commercial vehicles commencing with the 1974 calendar year and each calendar year thereafter. Section 9400 of the Vehicle Code, as it read immediately prior to the amendments made by this act, shall apply to the fees paid by commercial vehicles for the 1973 and earlier calendar years."

Amendment No. 3

On page 1, strike out lines 6 to 8, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 30, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 2265
AB No. 2293

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2265—An act to add Chapter 1 (commencing with Section 29001) and Chapter 1.5 (commencing with Section 29081) to, to repeal Article 1 (commencing with Section 29001) of Chapter 1 of, and to amend and renumber the heading of Article 2 (commencing with Section 29051) of Chapter 1 of, Division 21 of the Education Code, relating to private schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, after "Stull", insert ", Biddle,".

Amendment No. 2

In line 1 of the title, strike out "29001", and insert "29000".

Amendment No. 3

On page 2, line 4, strike out "29001", and insert "29000".

Amendment No. 4

On page 2, line 10, strike out "29001", and insert "29000".

Amendment No. 4.5

On page 2, line 13, strike out the third "of", and insert "for".

Amendment No. 5

On page 2, between lines 16 and 17, insert

"29001. It is the intent of the Legislature to encourage privately supported education and protect the integrity of degrees and diplomas conferred by privately supported as well as publicly supported educational institutions.

It is also the intent of the Legislature to encourage the recognition by tax-supported institutions of work completed and degrees and diplomas issued by privately supported institutions, to the end that students may have equal opportunities for equal accomplishment and ability.

In the present period the need for educational services for the youth is so great that it cannot be met by tax-supported institutions alone. The contribution of privately supported educational institutions to the preservation of our liberties is essential. These objectives can best be achieved by protecting the integrity of degrees and diplomas issued by such institutions.

It is further the intent of the Legislature that private institutions offering postsecondary education in this state be subject to fair and meaningful licensing and regulation in order that the people of this state may be assured that they are receiving educational programs of a quality commensurate with the financial consideration offered and that they and the proprietors of quality educational enterprises are protected against fraudulent and unscrupulous operators."

Amendment No. 6

On page 2, line 32, strike out "of", and insert "for".

Amendment No. 7

On page 3, line 37, strike out "of", and insert "for".

Amendment No. 8

On page 4, lines 3 and 4, strike out "of paragraph (2) of subdivision (a)".

Amendment No. 9

On page 4, line 4, strike out the comma and insert a period.

Amendment No. 10

On page 4, strike out lines 5 to 8, inclusive, and insert "One such member shall be selected from a school or college operating under paragraph (1) of subdivision (a) of Section 29023 and one shall be the administrative head of a school or college operating under subdivision (b), (c), or (d) of Section 29023. Except as provided elsewhere in this section, no person".

Amendment No. 11

On page 4, strike out lines 20 to 23, inclusive, and insert

"In addition, the following shall serve as ex officio members of the council:

(a) The Chief of the Division of Labor Law Enforcement.

(b) The Chief of the Division of Apprenticeship Standards.

(c) One administrative head of an institution operating exclusively under the provisions of paragraph (3) of subdivision (a) of Section 29023 appointed by the Director of Education; such appointment shall no longer be made when all such institutions have qualified under other provisions of the code.

Ex officio members have no vote."

Amendment No. 12

On page 5, line 8, after "meetings", insert ", and when on official council business approved by the Director of Education,".

Amendment No. 13

On page 5, line 10, after "The", insert "council, with the approval of the".

Amendment No. 14

On page 5, line 10, after "Education", insert a comma.

Amendment No. 15

On page 5, line 20, after "council", insert ", and shall be in writing".

Amendment No. 16

On page 8, line 17, strike out "not".

Amendment No. 17

On page 8, line 19, strike out "not".

Amendment No. 18

On page 8, line 19, strike out "until", and insert "when".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 2293—An act to add Article 3 (commencing with Section 25428) to Chapter 1 of Division 18 5 of the Education Code, relating to community college student organization fees, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3 (commencing with Section 25428)", and insert "2.5 (commencing with Section 25427.8)".

Amendment No. 2

On page 1, line 1, strike out "3", and insert "2.5".

Amendment No. 3

On page 1, line 2, strike out "25428", and insert "25427.8".

Amendment No. 4

On page 2, line 1, strike out "3", and insert "2.5".

Amendment No. 5

On page 2, line 3, strike out "25428", and insert "25427.8".

Amendment No. 6

On page 2, line 5, strike out "a", and insert "any".

Amendment No. 7

On page 2, line 8, strike out "25428 1", and insert "25427.81".

Amendment No. 8

On page 2, line 15, strike out "25428.2", and insert "25427.82".

Amendment No. 9

On page 2, lines 16 and 17, strike out "a majority of the student body", and insert "two-thirds of the students".

Amendment No. 10

On page 2, line 19, strike out "25428.3", and insert "25427 83".

Amendment No. 11

On page 2, line 23, after the first "the", insert "voluntary".

Amendment No. 12

On page 2, line 27, strike out "25428.4", and insert "25427.84".

Amendment No. 13

On page 2, line 32, strike out "25428.5", and insert "25427 85".

Amendment No. 14

On page 2, line 38, strike out "25428 6", and insert "25427.86".

Amendment No. 15

On page 2, line 40, after the period, insert "Such funds may be used only to provide essential activities closely related to, but not normally included as part of, the regular instructional program of the college. Such funds may also be used to operate a campus store, a cafeteria, and other projects not inconsistent with the purposes of the college."

Amendment No. 16

On page 3, line 5, strike out "25428 7", and insert "25427.87".

Amendment No. 17

On page 3, line 11, strike out "25428 8", and insert "25427.88".

Amendment No. 18

On page 3, line 12, strike out "1975", and insert "1974".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 30, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 1846

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1846—An act to add Part 6 1 (commencing with Section 19998) to Division 13 of the Health and Safety Code, relating to factory-built schools

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Part 6 1 (commencing with Section 19998) to Division 13 of the Health and Safety", and insert "Article 2 5 (commencing with Section 15371) to Chapter 2 of Division 11 of the Education".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Article 2 5 (commencing with Section 15371) is added to Chapter 2 of Division 11 of the Education Code, to read·

Article 2 5 Factory-built School Buildings

15371 This article shall apply only to factory-built buildings used as school buildings As used in this article, a "factory-built building" means any building for use as a school building which is either wholly manufactured or is in substantial part manufactured at an offsite location in accordance with standards prescribed by the Department of General Services, to be wholly or partially assembled or erected on a school site Any such building purchased, or leased for a total time in excess of three years or under a purchase agreement, shall be deemed to be the construction or alteration of a school building as those terms are used in Article 3 (commencing with Section 15401) and Article 4 (commencing with Section 15451) of this chapter, and all of the provisions of each of those articles, not inconsistent with the provisions of this article, shall apply with respect to factory-built buildings used as school buildings

15372. The Department of General Services shall adopt standards as to the safety of design and construction of factory-built buildings for use as school buildings, and shall prescribe procedures for the plans, specifications, methods of construction, and estimates of cost of a factory-built school building to be submitted to the department for approval as provided in Section 15373.

15373. A manufacturer of factory-built buildings for use as school buildings may submit to the Department of General Services for approval, its plans, specifications, methods of construction, and estimates of cost of such buildings At the same time the manufacturer shall pay to the Department of General Services a filing fee in amounts determined by the Department of General Services based on the estimated unit cost of such factory-built buildings, but not exceeding 5 percent of such estimated cost. The minimum fee in any case shall be fifty dollars ($50).

15374. The Department of General Services, in accordance with standards and procedures adopted pursuant to Section 15372, and as such standards and procedures may thereafter be modified, shall either approve or reject such plans, specifications, and methods of construction Approval shall not be given unless such plans, specifications, and methods of construction are in accordance with standards adopted by the department pursuant to Section 15372 The department may inspect the facilities and manufacturing processes of a manufacturer to determine the manufacturer's ability to produce factory-built school buildings in accordance with the plans, specifications, and methods of construction which the manufacturer has submitted to the department The Department of General Services shall notify the State Department of Education of its approval of a manufacturer's plans, specifications, and methods of construction of a factory-built school building

15375 Upon the Department of General Services' approval of a manufacturer's plans, specifications, and methods of construction of a factory-built school building, a school district, whenever it is otherwise required by any of the provisions of Article 3 (commencing with Section 15401), or Article 4 (commencing with Section 15451) of this chapter to submit to the Department of General Services or to the State Department of Education the plans and specifications for the construction of a school building may, instead, include in its application for approval to each of such departments a notification that it intends to utilize such factory-built school building Before granting its approval for the use of such buildings, the Department of General Services shall ensure that the plans, specifications, and methods of construction of such buildings have been approved and are in accordance with standards adopted by the department pursuant to Section 15372 which are in effect at the time such application for approval is passed upon by the department Whenever a school district complies with the alternative procedure prescribed by this section it shall not be required to pay the filing fee prescribed by Sections 15407 and 15457.

15376 Whenever a school district has contracted for the purchase of a factory-built building, or for the lease of such a building for a total time in excess of three years or under a purchase agreement, the Department of General Services shall have responsibility for ensuring that, in the manufacture of such factory-built school buildings, proper quality control and in-process inspection procedures are followed and that all such factory-built school buildings furnished the school district under such contract are in accordance with the plans, specifications, and methods of construction approved by the department and the

standards adopted by the department under Section 15372 The Department of General Services may delegate the onsite inspection functions to a qualified independent contractor.

15377. The provisions of Sections 15406, 15410, 15411, 15457, 15458, 15459, and 15461 shall not apply with respect to the manufacture, sale, or lease of factory-built buildings used as school buildings if the provisions of this article are otherwise complied with."

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file·

Assembly Bills Nos. 968, 2331, 1266, 1609, 1516, 257, 359, 724, 1286, 2353, and **1260,** ordered to third reading.

NOTE: Later this day Assembly Bills Nos. 1266 and 1260 were re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1415, 1802, 987, 237, 1207, and **549,** ordered to the Consent Calender.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 82—An act to add Section 30101 6 to the Streets and Highways Code, relating to toll bridges.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 3 of the heading of the printed bill, after "Cullen," insert "Deddeh,".

Amendment No. 2

In line 5 of the heading, after "Waxman," insert "Wilson,".

Amendment No. 3

On page 1, after line 6, insert

"Members of the California Highway Patrol in all cases while on duty are persons directly connected with the operation of toll bridges, tubes, and other toll highway crossings as such persons are designated in all of the bond resolutions adopted by the authority to authorize the issuance of bonds to finance the construction of toll structures."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 406, ordered to the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 1266 and **1260.**

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1379

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1379 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Retirement.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities.

Resolution read.

Motion to Amend

Mr. Knox moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 9 and 10, of the printed measure, as amended in Assembly May 11, 1972, strike out "shall have the power to make", and insert "may provide for".

Amendment read, and adopted

Resolution ordered reprinted, and to be returned to the third reading file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2372: By Assemblyman Beverly—An act to amend Section 13510 of the Penal Code, relating to peace officers.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS MOTION TO RECONSIDER SENATE BILL NO. 64

In compliance with a motion given on a previous day, Mr. Stull moved that the vote whereby Senate Bill No 64 was refused passage be reconsidered.

Senate Bill No. 64 reconsidered by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Collier, Conrad, Cullen, Deddeh, Duffy, Fenton, Fong, Garcia,

Gonsalves, Leroy F. Greene, Hayden, Hayes, Karabian, Knox, La-Coste, McAlister, McCarthy, Meade, Monagan, Moorhead, Porter, Powers, Priolo, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—41.

NOES—Chappie, Cline, Davis, Dent, Ray E. Johnson, Ketchum, Keysor, Lewis, MacGillivray, Maddy, Mobley, Murphy, and Seeley—13.

Senate Bill No. 64 Passed and Retained

By unanimous consent, Senate Bill No. 64 was passed on file, to retain its place on file.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 751—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

Majority Floor Leader Presiding

At 11 38 a m , Hon Jack R Fenton, 51st District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1556—An act to amend Section 576 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brown, Chacon, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Keysor, Knox, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Pierson, Porter, Powers, Priolo, Russell, Ryan, Sieroty, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—Badham, Briggs, Burke, Chappie, Cullen, Duffy, Ketchum, LaCoste, Lewis, Mobley, Moorhead, Murphy, Seeley, Stacey, Stull, and Wakefield—16.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252

In compliance with a motion given on a previous day, Mr. Ryan moved that the vote whereby Assembly Bill No 1252 was refused passage be reconsidered

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Ryan moved a call of the Assembly

Motion carried Time, 11 52 a.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Wood was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

MOTIONS TO RECONSIDER BILLS CONTINUED

Mr. Ketchum was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No 2138 be continued until the next legislative day.

Mr Lewis was granted unanimous consent that his motion to reconsider the vote on the urgency clause to Senate Bill No. 98 be continued until the next legislative day.

Mr. Harvey Johnson was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 217 be continued until the next legislative day.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 42

In compliance with a motion given on a previous day, Mr Beverly moved that the vote whereby Assembly Constitutional Amendment No. 42 was refused adoption be reconsidered

Assembly Constitutional Amendment No. 42 reconsidered by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—61

NOES—Lewis, and Wakefield—2

Assembly Constitutional Amendment No. 42 Passed and Retained

By unanimous consent, Assembly Constitutional Amendment No. 42 was passed on file, to retain its place on file

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2139 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 2139 was continued until the next legislative day.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bills Nos. 1778, 206, and **84**—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1029—An act to amend Section 12101.1 of the Welfare and Institutions Code, relating to old age security.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 264—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1158—An act to amend Section 1162 of, and to add Section 1302.5 to, the Education Code, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wood, and Mr. Speaker—51

NOES—Burke, Chappie, Davis, Dent, Leroy F. Greene, Ketchum, McAlister, Miller, Mobley, Monagan, Stacey, Stull, Wakefield, and Wilson—14

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2329—An act to add Chapter 3.6 (commencing with Section 751.50) to Title 10 of Part 2 of the Code of Civil Procedure, relating to earth movements disasters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson,

Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1023—An act to add Chapter 11 (commencing with Section 186) to Division 1 of the Probate Code, relating to bequests to minors

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1026—An act to add Section 1162 5 to the Civil Code, relating to gifts to minors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1067—An act to amend Section 260 of the Probate Code, relating to estates.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade,

Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1172—An act to amend Sections 1510 and 1513 of the Probate Code, relating to guardians and wards.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1175—An act to amend Section 4357 of the Civil Code, relating to child support.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1928—An act to amend Section 300, 301, 501, 800 and 816 of, and to add Section 809 5 to, the Corporations Code, relating to directors of corporations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers,

Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1975—An act to amend Sections 70142 and 72190 of the Government Code, relating to court commissioners.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 4—Relative to requiring North Vietnam to account for each American missing in action or listed as a prisoner of war as a result of the conflict in Vietnam.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 7—Relative to the war in Indochina.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—McAlister—1.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1905—An act to amend and renumber Section 480 of the Penal Code, as added by Chapter 1256 of the Statutes of 1963, relating to forgery of letters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1419—An act to amend Section 25502.5 of, and to add Section 25502.6 to, the Education Code, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1589—An act to amend Section 31214 of the Education Code, relating to state competitive scholarships.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1766—An act to amend Section 13121 of the Education Code, relating to certificated employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 49—Relative to earthquake-proofing of state highways and bridges.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 31—Relative to construction and operation of a Federal Job Corps center for the rural counties of northern California.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

House Resolution No. 54—Relative to fish entrails.

NOTE: The full text of House Resolution No 54 appears at page 3406 of the Assembly Daily Journal for May 17, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

House Resolution No. 57—Relative to the Public Utilities Commission.

NOTE: The full text of House Resolution No. 57 appears at pages 3743–3744 of the Assembly Daily Journal for May 22, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

House Resolution No. 56—Relative to the regulation of advertising practices by public utilities.

NOTE: The full text of House Resolution No. 56 appears at pages 3742–3743 of the Assembly Daily Journal for May 22, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory,

Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 488

Mr. Dunlap was granted unanimous consent to take up Assembly Bill No. 488, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 488

Assembly Bill No. 488—An act to add Article 2.3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools.

Bill read third time.

Motion to Amend

Mr. Dunlap moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 10, of the printed bill, as amended in Assembly May 22, 1972, strike out "shall", and insert "may".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1300

Mr Townsend was granted unanimous consent to take up Assembly Bill No. 1300, out of order, for purpose of consideration at this time

Consideration of Assembly Bill No. 1300

Assembly Bill No. 1300—An act to amend Sections 28802, 28802.5, and 28840 of the Health and Safety Code, relating to retail food production and marketing establishments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan,

Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 373

Mr. Bagley was granted unanimous consent to take up Senate Bill No. 373, out of order, for purpose of amendment.

Consideration of Senate Bill No. 373

Senate Bill No. 373—An act to amend Section 11457 of the Welfare and Institutions Code, relating to needy children.

Bill read third time

Motion to Amend

Mr Bagley moved the adoption of the following amendment:

Amendment No. 1

On page 2, after line 14, of the printed bill, insert

"SEC 2. Section 11457 of the Welfare and Institutions Code is amended to read.

11457. Fines, penalties or forfeitures imposed under Section 270d of the Penal Code shall be deposited in the general fund of the county treasury and shall not be taken into account in determining the amount of aid to be paid Payment for child support made by or collected in any way from absent parents, will be taken into account in determining the amount of aid to be paid.

Money from absent parents for support of a needy child, when collected by or paid through any public officer or agency, shall be *either transmitted to the needy family provided aid, to be used for the support of the needy child, or* transmitted to the ~~county~~ department ~~providing aid~~ to be used for the support of the child All absent parents' payments or collections available to the ~~county~~ department for support of the child shall be applied first to support for the calendar month following receipt by the ~~county~~ department, and any balance remaining shall either be applied against future needs or be treated as reimbursement for past support furnished from public assistance funds

~~The balance of funds which are treated as reimbursement for past support are to be apportioned according to the sharing of aid, provided, however, that any amount which would otherwise be apportioned to the State of California shall be retained by the county to offset county costs of collection of support payments from absent parents and to offset costs of welfare fraud investigations.~~

SEC. 3. It is the intent of the Legislature, if this bill and Senate Bill No. 540 are both chaptered and amend Section 11457 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No. 540, that Section 11457 of the Welfare and Institutions Code, as amended by Section 1 of this act, be further amended on the operative date of Senate Bill No 540 in the form set forth in Section 2 of this act to incorporate the changes in Section 11457 proposed by Senate Bill No. 540. Therefore, if Senate Bill No 540 is chaptered before this bill and amends Section 11457, Section 2 of this act shall become operative at the same time as Senate Bill No. 540 becomes operative."

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 162, on request of Mr Cory.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 11 for hearing in the Education Subcommittee on School Finance.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 1252

At 12:12 p.m., on motion of Mr. Ryan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby Assembly Bill No. 1252 was refused passage reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Burton, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Karabian, Knox, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Priolo, Ryan, Sieroty, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—42.

NOES—Belotti, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Hayes, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacGillivray, Mobley, Monagan, Moorhead, Murphy, Powers, Russell, Seeley, Stacey, and Wakefield—25.

Assembly Bill No. 1252 Passed and Retained

By unanimous consent, Assembly Bill No. 1252 was passed on file, to retain its place on file

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.13 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 30, 1972

Mr. Speaker · Your Committee on Rules recommends:

That the request by Mr. Mobley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2371 be granted.

BURTON, Chairman

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No 92

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, May 30, 1972

Mr Speaker · Your Committee on Ways and Means reports:

AB No 1953

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 30, 1972

Mr Speaker · Your Committee on Education reports:

AB No 1339

With the recommendation . Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No 1933

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

HAYES, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 2102

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 30, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 1416

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1416—An act making an appropriation to support pediatric kidney dialysis and kidney transplantations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation to support pediatric kidney dialysis and kidney transplantations", and insert "to amend Sections 417 and 417 3 of the Health and Safety Code, relating to kidney diseases, and making an appropriation therefor".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 417 of the Health and Safety Code is amended to read:

417 *(a)* Up to four regional dialysis centers with up to two in the northern and up to two in the southern part of the state, shall be established for the treatment of persons suffering from chronic uremia.

Each such center shall be located in a metropolitan area and shall have an affiliation with a large hospital or medical school, but shall not be necessarily a physical part of such institution These institutions, however, shall be able to provide a full range of medical, surgical and rehabilitation services The ~~State Department of Public Health~~ *state department* shall only act as a granting agency for state funds which are appropriated for the establishment and the continuation of the four centers The state department, upon the advice of the review committee which is provided for by Section 417 3, may contract with any such hospital or medical care institution for the administration and operation of one of the regional dialysis centers. It is not the intent of this section that any new hospital or medical school be established.

(b) Any moneys appropriated by the act amending this section at the 1972 Regular Session of the Legislature may be used either in existing dialysis and kidney transplantation programs for children or to establish new programs for such purposes Any new or existing dialysis center funded pursuant to this subdivision shall provide for children the same center dialysis, home dialysis, and outpatient clinic services as are provided under subdivision (a) Any new center funded pursuant to this subdivision shall be designated as a pediatric renal failure center. Funds granted for aid to children under the provisions of this subdivision shall be based upon need as determined by the Renal Dialysis Review Committee established pursuant to Section 417 3 and such funds shall only cover costs not recoverable from direct or third party payments A dialysis center may use funds provided under this subdivision for payment of costs for kidney transplantation services at any hospital where a person eligible for such funds receives such services For purposes of this subdivision, a child is any person 18 years of age or under

SEC 2. Section 417 3 of the Health and Safety Code is amended to read

417 3 The ~~Director of Public Health~~ *director* shall appoint a review committee, upon nomination of the represented party, not to exceed ~~seven~~ *nine* members, two of whom shall represent the California Medical Association, one to represent the University of California administraton, one to represent the National Kidney Disease Foundation in California, one to represent the ~~State Department of Public Health~~ *state department, one shall be a physician specializing in kidney transplantion, one shall be a physician specializing in pediatric nephrology,* and two members to represent the lay public The chairman of the committee shall be appointed by the Governor This committee shall establish standards for the expenditure of state funds which are provided for the establishment and support of regional dialysis centers to assure the availability of specialized personnel, resources, and equipment necessary to enable such centers to function and care for patients with severe uremia The director shall choose from a list provided by the review committee the institutions which qualify under the standards established to receive grants of state funds to establish and continue a regional dialysis center The review committee shall also examine periodically the performance of established regional dialysis centers and recommend continuation grants to the director. The members of

the review committee shall serve for a two-year period and may be reappointed. Not more than half the membership of the committee shall be changed during any one year. The committee shall serve without compensation, but shall receive their necessary travel expenses.

SEC. 3. The sum of five hundred ninety thousand dollars ($590,000) is hereby appropriated to the State Department of Public Health for purposes of carrying out the provisions of subdivision (b) of Section 417 of the Health and Safety Code."

Amendment No. 3

On page 1, strike out lines 2 to 5, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 30, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

SB No. 582

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 582—An act to amend Sections 102001, 102002, 102050, 102051, 102052, 102100, 102180, and 102205, of, and to add Sections 102023 and 102052.5 to, the Public Utilities Code, relating to transit districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 102205", and insert "102205, and 102331".

Amendment No. 2

On page 6, line 19, strike out "financing", and insert "financial".

Amendment No. 3

On page 8, line 14, after the period, insert "In determining the level of service, the board shall consider user benefits and community benefits, in terms of one or more of the following factors: availability of service, patronage, population, and capital improvements."

Amendment No. 4

On page 8, between lines 20 and 21, insert

"SEC. 11. Section 102331 of the Public Utilities Code is amended to read:

102331. In addition to revenues and receipts from other sources, the board may levy and collect a property tax. The board may impose different rates of taxation in areas within the district ~~based upon and related to the net cost of providing service to such areas as reasonably determined by the board~~."

Amendment No. 5

On page 8, line 21, strike out "SEC. 11", and insert

"SEC. 12".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 30, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 1522

AB No. 1961

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1522—An act to amend Sections 101, 205, 19000, 19004, 19030, 19035, 19161 and 19174, and the heading of Chapter 3 (commencing with Section 19000) of Division 8, and to add and repeal Section 101, of the Business and Professions Code, and to amend Section 11501 of the Government Code, and Section 6 of Chapter 881 of the 1971 Statutes, relating to furniture and bedding.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 26, 1972, after "101", insert ", as amended by Section 1 of Chapter 1578 of the 1971 Statutes".

Amendment No. 2

On page 4, line 14, strike out "sections", and insert "section".

Amendment No. 3

On page 5, line 18, before "This", insert

"19000."

Amendment No. 4

On page 6, line 11, strike out "standards", and insert "regulations".

Amendment No. 5

On page 6, line 13, strike out "January", and insert "April".

Amendment No. 6

On page 6, strike out lines 15 to 30, inclusive, and insert "offered for sale by a manufacturer or wholesaler for use in this state, including any mattress sold to or offered for sale for use in a hotel, motel or other place of public accommodation in this state, shall be fire retardant and shall be labeled in a manner specified by the bureau. One year after adoption of regulations by the bureau, but not later than April 1, 1975, all upholstered furniture sold or offered for sale by a manufacturer or wholesaler for use in this state, including any upholstered furniture sold to or offered for sale for use in a hotel, motel or other place of public accommodation in this state, shall be fire retardant and shall be labeled in a manner specified by the bureau. "Fire retardant," as used in this section means a product that meets the regulations adopted by the bureau."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Assembly Bill No. 1961—An act to amend the heading of Chapter 12.5 (commencing with Section 7800) of Division 3, and Sections 101, 7800, 7801, 7804, 7805, 7806, 7810, 7811, 7814, 7817, 7820, 7823, 7824, 7825, 7832, 7833, 7834, 7837, 7839, 7840, 7842, 7843, 7845, 7847, 7851, 7860, 7872, 7880, 7881, 7884, 7885, 7886 and 7887 of, and to add Sections 7802.1, 7803.1, 7804.1, 7807.1, 7830.1, 7835.1, 7838.1, 7839.1, 7841.1, 7842.1, 7843.1, 7845.1, 7847.6, 7848.1, 7850.1, and 7852.1 to, and to add and repeal Section 101 of, the Business and Professions Code, relating to geologists and geophysicists, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "7811," insert "7813,".

Amendment No. 2

In line 4 of the title, after "7834," insert "7835,".

Amendment No. 3

In line 4 of the title, after "7840," insert "7841,".

Amendment No. 4

In line 7 of the title, strike out "7838.1,".

Amendment No. 5

In line 8 of the title, after "7850.1," insert "7850 6,".

Amendment No. 6

On page 2, line 6, after "of", insert "geology and".

Amendment No. 7

On page 2, line 9, strike out "science of geophysics", and insert "sciences of geology and geophysics".

Amendment No. 8

On page 2, line 10, strike out "geophysical or seismological", and insert "geological and geophysical".

Amendment No. 9

On page 4, line 8, strike out "of", and insert "for".

Amendment No. 10

On page 4, line 35, strike out "reporting, advising," and insert "study of the physical earth by means of measuring its natural and induced fields of force, including, but not limited to, electric, gravity, and magnetic, and its responses to natural and induced energy and the interpreting of these measurements and the relating of them to the geology of the earth."

Amendment No. 11

On page 4, strike out lines 36 to 40, inclusive; and on page 5, strike out lines 1 to 14, inclusive.

Amendment No. 12

On page 6, between lines 38 and 39, insert

"SEC 15 5 Section 7813 of the Business and Professions Code is amended to read

7813 ~~The five geologist members of the board shall be appointed so that there is one member from each of Administrative Districts 1, 2, 3, 4, and 5.~~ *Each of the five geologist members of the board shall be appointed from each of the districts established in Section 7812*

Except as otherwise provided in Section 7814, as each geologist member's term expires, his place shall be filled by the appointment of a registered geologist whose principal office for the practice of geology is in the same administrative district as the person in the expiring term

The public members of the board may reside anywhere in the state."

Amendment No. 13

On page 7, between lines 15 and 16, insert "The Governor shall appoint the additional public member provided for by the Governor's Reorganization Plan No 2 submitted to the Legislature at the 1970 Regular Session to fill the vacancy created by the expiration of the term of office of the geologist member from Administrative District

No. 5 whose term expires January 1, 1971. The first appointment shall be for a term expiring June 1, 1974 Each appointment thereafter shall be for a four-year term expiring June 1 of the fourth year following the year in which the previous term expired."

Amendment No. 14

On page 8, line 23, strike out "business", and insert "Business".

Amendment No. 15

On page 9, between lines 29 and 30, insert

"SEC 26. Section 7835 of the Business and Professions Code is amended to read·

7835. All geologic plans, specifications, reports or documents shall be prepared by a registered geologist, or registered certified specialty geologist, or by a subordinate employee under his direction. In addition, they shall be signed by ~~him~~ *such registered geologist, or registered certified specialty geologist* or stamped with his seal, either of which shall indicate his responsibility for them."

Amendment No. 16

On page 9, line 30, strike out "26", and insert "27".

Amendment No. 17

On page 9, line 37, strike out "him", and insert "such registered geophysicist, registered certified specialty geophysicist, registered geologist, or registered certified specialty geologist,".

Amendment No. 18

On page 9, line 40, strike out "27", and insert "28".

Amendment No. 19

On page 10, strike out lines 9 to 12, inclusive.

Amendment No. 20

On page 10, between lines 34 and 35, insert·

"SEC 31 5 Section 7841 of the Business and Professions Code is amended to read:

7841 An applicant for registration as a geologist shall have all the following qualifications.

(a) Be of good moral character.

(b) Meet one of the following educational requirements fulfilled at a school or university whose geological curricula meet criteria established by rules of the board

(1) Graduation with a major in geology.

(2) Completion of 30 semester units in geological science courses leading to a major in geology, of which at least 24 units are in the third or fourth year, or graduate courses

(c) Have at least seven years of professional geological work which shall include either a minimum of three years of professional geological work under the supervision of a registered geologist or a registered civil

or petroleum engineer, except that prior to July 1, 1970, professional geological work shall qualify under this subdivision if it is under the supervision of a qualified geologist or a registered civil or petroleum engineer, or a minimum of five years' experience in responsible charge of geological work *Professional geological work does not include routine sampling, laboratory work, or geological drafting*

Each year of undergraduate study in the geological sciences shall count as one-half year of training up to a maximum of two years, and each year of graduate study or research counts as a year of training.

Teaching in the geological sciences at college level shall be credited year for year toward meeting the requirement in this category, provided that the total teaching experience includes six semester units per semester, or equivalent if on the quarter system, of third or fourth year or graduate courses

Credit for undergraduate study, graduate study, and teaching, individually, or in any combination thereof, shall in no case exceed a total of four years towards meeting the requirement for at least seven years of professional geological work as set forth above.

The ability of the applicant shall have been demonstrated by his having performed the work in a responsible position, as the term "responsible position" is defined in regulations adopted by the board The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in regulations adopted by it.

(d) Successfully pass a written examination."

Amendment No. 21

On page 11, lines 4 to 6, inclusive, strike out "geophysics, geology, seismology, mathematics, physics, mineral sciences, engineering, chemistry, computer sciences," and insert "a geophysical related science".

Amendment No. 22

On page 11, lines 10 to 12, inclusive, strike out "or the equivalent, in the courses stipulated in this section, or in a combination of these courses and other", and insert "in".

Amendment No. 23

On page 11, line 20, strike out "the effective date of this chapter", and insert "July 1, 1973".

Amendment No. 24

On page 11, line 24, after the period, insert "Professional geophysical work does not include the routine maintenance or operation of geophysical instruments, or, even if carried out under the responsible supervision of a professional geophysicist, the routine reduction or plotting of geophysical observations."

Amendment No. 25

On page 16, between lines 15 and 16, insert

"SEC 42 5 Section 7850.6 is added to the Business and Professions Code, to read:

7850.6. An applicant who has passed the examination for a certified specialty geophysicist and has otherwise qualified under this chapter in the specialty, upon payment of the fee fixed by this chapter shall have a certificate issued to him as a certified specialty geophysicist. A certificate of certified specialty geophysicist shall be signed by the president and secretary and issued under the seal of the board."

Amendment No. 26

On page 16, line 27, after "registration", insert a comma.

Amendment No. 27

On page 17, line 29, after "geology", insert "or geophysics".

Amendment No. 28

On page 18, line 16, after "geophysicist", insert "or geologist".

Amendment No. 29

On page 20, line 5, after "geologist", insert "or a geophysicist".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, May 30, 1972

Mr. Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No 1008

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1008—An act to amend Section 11501 of the Agricultural Code, relating to pesticides.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 15 to 18, inclusive, and insert

"(f) To encourage the development and implementation of pest management systems, stressing application of biological and cultural pest control techniques with selective pesticides when necessary to achieve acceptable levels of control with the least possible harm to nontarget organisms and the environment."

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 377 for hearing in the Committee on Natural Resources and Conservation, on Wednesday, May 31, 1972.

VOTE CHANGES

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1556.

Mr Monagan was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1556.

Mr Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1556

Mr Lanterman was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1556

Mr Arnett was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1556.

Messrs Barnes and Lanterman were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1029

Messrs Stull and Mobley were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1158

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1158

Mr. Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1158

Mr McAlister was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1158.

Mr Moorhead was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1158

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on the motion to reconsider Assembly Constitutional Amendment No 42

Mr McAlister was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Joint Resolution No 7

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 1300, and on the passage of the bill.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

EXPLANATION OF ABSENCE

May 30, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on May 30, 1972.

Sincerely yours,

CARLEY V. PORTER

ADJOURNMENT

At 12:16 p.m., Acting Speaker Fenton declared the Assembly adjourned until 10:45 a.m., Wednesday, May 31, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-third Legislative Day

One Hundred Fiftieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 31, 1972

The Assembly met at 10:45 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk R. Brian Kidney at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Deddeh moved a quorum call of the Assembly.
Mr. Barnes seconded the motion.
Motion carried. Time, 10:47 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Hon. Wadie P. Deddeh Presiding

At 10:48 a.m., Hon. Wadie P. Deddeh, 77th District, presiding.

Speaker pro Tempore Presiding

At 11 a.m., Hon. Carlos Bee, 13th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11:02 a.m., Speaker pro Tempore Bee declared a quorum of the Assembly present.
The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves,

Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We are grateful for the promise of these days of high level negotiation. We are grateful for the level of trust which is emerging slowly among those who differ philosophically We are confident that as time progresses, the basic honesty of all men can become a more evident reality in our times

We pray that henceforth our paths to peace will not have to lead through the graveyards of our youth —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Townsend then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Ray E Johnson, seconded by Mr. Belotti

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Foran, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Speaker pro Tempore Bee.
Mrs Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Campbell, on request of Speaker pro Tempore Bee
Mr Dunlap, on request of Speaker pro Tempore Bee
Mr. Hayes, on request of Speaker pro Tempore Bee
Mr. MacDonald, on request of Speaker pro Tempore Bee
Mr Moorhead, on request of Speaker pro Tempore Bee
Mr. Quimby, on request of Speaker pro Tempore Bee.
Mr Waxman, on request of Acting Speaker Fenton.

The following Member was excused for the day, and his per diem was waived:

Mr. Bill Greene.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 30, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is respectfully requested that I be excused on May 31 in order that I might meet with the Tahoe-Truckee Chamber of Commerce.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

NOTE: For letter explaining the absence of Mr. Foran on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 30, 1972, page 4082.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, May 31, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Assembly Bill No. 2370—An act to add and repeal Section 22.4 of the Civil Code, relating to the liability of public entities

JOHN T. KNOX

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee

Assembly Bill No	*Committee*
2372	Criminal Justice

COMMUNICATIONS

Assembly Chamber, May 31, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 488

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 31, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 81

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 31, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 257

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 968

AB No. 2353

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1207

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, May 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 92

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 31, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 20

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1150	AB No 1492	AB No 2347
AB No 1246	AB No 2284	AB No 2358
AB No 1373		

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1987

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 123	AB No. 705	AB No 1503
AB No 168	AB No 1068	AB No. 2066
AB No. 205	AB No. 1442	

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 144	AB No. 1462	AB No 1833
AB No. 396	AB No. 1494	AB No 1873
AB No 424	AB No 1610	AB No 2113
AB No 918	AB No. 1626	

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 30, 1972

Mr Speaker Your Committee on Ways and Means reports:

ACA No 31

With the recommendation: That the resolution be re-referred to the Committee on Constitutional Amendments

BROWN, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 1563

With the recommendation: That the bill be re-referred to the Committee on Revenue and Taxation.

BROWN, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

Assembly Chamber, May 30, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 617

AB No. 1446

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Retirement

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Retirement reports:

SB No. 1053

With amendments with the recommendation: Amend, and do pass, as amended.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, May 31, 1972

Mr. Speaker · Your Committee on Transportation reports:

AB No. 428

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation · To Consent.

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, May 25, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 1215

AB No. 2054

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bills ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 24, 1972

Mr Speaker · Your Committee on Finance and Insurance reports:

AB No. 1171

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation · To Consent Calendar

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, May 3, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1076

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, May 31, 1972

Mr. Speaker · Your Committee on Local Government reports:

HR No 23

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

KNOX, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Assembly Chamber, May 31, 1972

Mr Speaker · Your Committee on Local Government reports:

AB No 881

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 31, 1972

Mr. Speaker The Chairman of your Committee on Finance and Insurance reports ·

AB No 1342	AB No 1712
AB No 1702	AB No. 1713

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1342—An act to amend Section 3600 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 3600 of", and insert "add Section 3600 3 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 3600 3 is added to the Labor Code, to read:

3600 3 (a) For the purposes of Section 3600, an off-duty peace officer who is performing, within the jurisdiction of his employing agency, a service he would, in the course of his employment, have been required to perform if he were on duty, is performing a service growing out of and incidental to his employment and is acting within the course of his employment if, as a condition of his employment, he is required to be on call within such jurisdiction during his off-duty hours

(b) As used in this section, "peace officer" means active law enforcement officers and fire suppression personnel who are full-time employees of a city, county, police or fire protection district, or of any other district furnishing police protection or fire suppression services."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1702—An act to amend Sections 5405, 5410, and 5804 of, to repeal Section 5406 of, and to add Section 5406 to, the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5405, 5410," and insert "5410".

Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive; and on page 2, strike out lines 1 to 9, inclusive; and in line 10, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 3

On page 2, line 26, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 4

On page 2, line 31, strike out "10", and insert "seven".

Amendment No. 5

On page 2, line 33, strike out "SEC 4", and insert "SEC. 3".

Amendment No. 6

On page 3, line 3, strike out "SEC. 5", and insert "SEC 4".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1712—An act to add Section 4601 to, and to repeal Sections 4601, 4602, 4603, and 4605 of, the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 3 of the printed bill, strike out line 14, and insert "not later than 120 days after the date when this act".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1713—An act to amend Section 112 of the Labor Code, relating to workmen's compensation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 1 of the printed bill, strike out line 13; on page 2, strike out line 1; and in line 2, strike out "State of California"

Amendment No. 2

On page 2, line 5, after the period, insert "All members of the appeals board, except the two members who are representative of the public, shall be experienced attorneys at law admitted to practice in the State of California."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, May 31, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 2339

With author's amendments with the recommendation. Amend, and refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2339—An act to amend Sections 12020, 12500, 12501 1, 12504, 12505, and 12510 of the Business and Professions Code, relating to weights and measures.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 12510 of", and insert "12508, 12509, and 12510 of, and to add Section 12012.1 to,".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 12012 1 is added to the Business and Professions Code, to read:

12012.1. The director may bring an action to enjoin the violation, or the threatened violation, of any provision of this division, or of any regulation adopted pursuant thereto, in the superior court in the county in which such violation occurs or is about to occur There may be joined in one proceeding any number of defendants alleged to be violating the same provisions or regulations, although their properties, interests, residence, or place of business, may be in several counties and the violations separate and distinct Any proceeding which is brought pursuant to this section shall be governed in all other respects by the provisions of Chapter 3 (commencing with Section 525), Title 7, Part 2 of the Code of Civil Procedure The county sealer of any county acting through the district attorney or county counsel of that county may bring an action to enjoin the violation in such county or the threatened violation in such county of any provision of this division or of any regulation adopted pursuant thereto in the same manner as may the director, and if the director joins as a party plaintiff, such actions shall not be limited to violations occurring within the county.

SEC. 1 5 Section 12020 of the Business and".

Amendment No. 3

On page 4, strike out line 15, and insert

"SEC 6. Section 12508 of the Business and Professions Code is amended to read:

12508 ~~Any~~ *Except as provided in Section 12509, any* person who removes or obliterates any tag or device placed upon any weight, measure, or weighing or measuring instrument by a sealer is guilty of a misdemeanor.

SEC 7 Section 12509 of the Business and Professions Code is amended to read·

12509 When any weight, measure, or weighing or measuring instrument has been repaired and corrected, and has been reinspected and found correct the sealer shall remove the tag or device with the words "Out of order," and shall seal and mark such weight, measure, or weighing or measuring instrument in the manner provided for the marking of the same where, upon inspection, it is found correct.

Upon completion of corrective repairs or adjustments, and with the authorization from the sealer, a repairman may remove an "Out of order" tag or device, and the weight, measure, or weighing or measuring instrument may be placed in service pending reinspection by the sealer

SEC. 8. Section 12510 of the Business and Professions".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

MESSAGES FROM THE SENATE

Senate Chamber, May 30, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 184
AB No 307

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, May 30, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed·

AB No 487	AB No 837	AB No 1053
AB No 697	AB No. 856	AB No 1142
AB No 813	AB No 905	AB No. 1646

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, May 30, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted.

ACR No 84
ACR No 87

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled

Senate Chamber, May 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 47	SB No 648
SB No 461	SB No 773
SB No 486	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 47—An act to add Section 7265 to the Revenue and Taxation Code, relating to the San Francisco Bay Area Rapid Transit District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 461—An act to amend Section 69899 5 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 486—An act to amend the heading of Chapter 3 (commencing with Section 71820) of Part 6 of Division 20 and Sections 71820, 71821, 71822, and 71823 of the Water Code, relating to municipal water districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 648—An act to add Section 904.7 to the Penal Code, relating to grand juries

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 773—An act to amend Sections 1326 and 1327 of the Penal Code, relating to process

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1272—An act to amend Section 12803 of, and to add Section 12805 5 to, the Vehicle Code, relating to drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted·

Amendment No. 1

On page 3, between lines 9 and 10, of the printed bill, as amended in Assembly May 8, 1972, insert

"This subdivision shall not apply to any person who does not reside within 25 miles of any school which offers a course of classroom instruction described in this subdivision"

Amendment No. 2

On page 3, line 24, strike out "10-hour".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2328—An act to add Section 66515 5 to the Government Code, relating to public transit

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "system", insert "entirely".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1906—An act to amend Section 4215 of the Government Code, relating to protection of public utilities in public contracts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "accurately indicated", and insert "indicated with a reasonable degree of accuracy".

Amendment No. 2

On page 2, line 6, after "responsible", insert ", as between the public agency and the contractor,".

Amendment No. 3

On page 2, line 6, after "delays", insert "such as defined in the contract".

Amendment No. 4

On page 2, line 8, after "utilities", insert ", provided the contractor takes reasonable precautions to avoid damage to the existing utilities. The contract documents shall include provisions that the contractor shall not be assessed liquidated damages for delay in completion of the project, when such delay was caused by failure of the public agency or the owner of the utility to provide for removal or relocation of the existing utility facilities".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2053—An act to amend Section 55501 of the Water Code, relating to collection of liens.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted.

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly May 15, 1972, strike out "rates or charges", and insert "charges for services rendered in the current or immediately preceding fiscal year".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1268—An act to amend the heading of Division 15 (commencing with Section 22000) of, and to add Part 2 (commencing with Section 22500) to Division 15 of, the Streets and Highways Code, relating to the installation and maintenance of landscaping and lighting on public streets and parks and providing for the formation of special assessment districts and the levy and collection of special assessments to pay the costs and expenses thereof.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted.

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly May 8, 1972, strike out "parks", and insert "property".

Amendment No. 2

On page 3, line 16, after "2800)", insert "and Division 4 5 (commencing with Section 3100)".

Amendment No. 3

On page 5, line 31, after "roll", insert ", if such person is known to the local agency".

Amendment No. 4

On page 5, line 34, strike out "and", and insert "or"

Amendment No. 5

On page 7, line 13, strike out "commenced", and insert "completed".

Amendment No. 6

On page 8, line 24, after "show", insert "and describe".

Amendment No. 7

On page 11, line 3, after "district", insert "and any proposed zones therein".

Amendment No. 8

On page 12, line 13, strike out "but", and insert "provided, that the legislative body shall also order a proportionate reduction in the scope of the work so that the remaining lots within the district are not assessed larger amounts as a result of such exclusion The legislative body".

Amendment No. 9

On page 12, line 34, after the comma, insert "or, if filed, has been overruled,".

Amendment No. 10

On page 13, line 30, strike out "or", and insert "of".

Amendment No. 11

On page 17, line 26, strike out the first "a", and insert "the".

Amendment No. 12

On page 19, line 12, after "the", insert "total".

Amendment No. 13

On page 19, line 18, after the second "the", insert "total".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1953—An act to add Article 9 (commencing with Section 1820) to Chapter 4 of Division 2 of the Business and Professions Code, relating to dentistry, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted·

Amendment No. 1

On page 3, line 17, of the printed bill, as amended in Assembly April 20, 1972, after the period, insert "The committee shall appoint three persons who are students in the dental health sciences to advise and assist the committee in its duties and functions under this article. Such student advisers shall not be members of the committee."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1339—An act to amend Section 25413 7 of, and to add Section 25413 8 to, the Education Code, relating to community college governing boards, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3, line 37, of the printed bill, as amended in Assembly May 10, 1972, strike out "In addition, at such"; strike out lines 38 to 40, inclusive; and on page 4, line 1, strike out "community college district approved by the voters "

Amendment No. 2

On page 4, line 7, strike out "The"; strike out lines 8 to 12, inclusive; and in line 13, strike out "(2) be elected?" ".

Amendment No. 3

On page 4, strike out lines 25 to 27, inclusive; and in line 28, strike out "board members,".

Amendment No. 4

On page 4, line 38, strike out ", or appointed".

Amendment No. 5

On page 5, strike out lines 11 to 29, inclusive.

Amendment No. 6

On page 5, line 30, strike out "In the event that a proposition concerning the"; strike out line 31; and in line 32, strike out "ballot and the voters approve the", and insert "The".

Amendment No. 7

On page 5, lines 32 and 33, strike out "first governing board members, such election", and insert "the members of the first community college governing board".

Amendment No. 8

On page 6, line 16, strike out "In the event that a proposition concerning"; strike out lines 17 and 18; and in line 19, strike out "governing board members, the", and insert "The".

Amendment No. 9

On page 7, line 22, strike out "of the Education Code".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1933—An act to amend Section 3507.3 of the Government Code, relating to public employee organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Employment and Public Employees, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "There may be more than one separate professional employee organization representing employees of a particular profession."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2102—An act to amend Section 274c of the Code of Civil Procedure, relating to court reporters

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "274c.", insert "(a)".

Amendment No. 2

On page 1, line 7, strike out the comma.

Amendment No. 3

On page 1, lines 9 and 10, strike out "all arraignments, pleas and sentences of defendants in criminal cases,".

Amendment No. 4

On page 2, after line 8, insert

"(b) An official reporter of a municipal court, where ordered by the court, shall, at the arraignment, entry of plea, or sentencing in a criminal action or proceeding, take down in shorthand all the proceeding. The provisions of subdivision (a) and this subdivision shall not apply to an infraction, or to a misdemeanor as described in subdivision (b) of Section 42001 of the Vehicle Code unless ordered by the court"

Bill ordered reprinted, and returned to the second reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 646—An act to amend Sections 1618 and 1631 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1618 and 1631", and insert "Section 1618".

Amendment No. 2

On page 1, strike out line 11; and strike out all of page 2.

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 492—An act to amend Sections 74364, 74369 and 74374 of the Government Code, relating to courts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 54—An act to amend Sections 25210.21 and 25210.22 of the Government Code, relating to county service areas

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 25210.21 and 25210.22 of", and insert "Section 25210.18 of, and to add Section 25210.18a to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 25210.18 of the Government Code is amended to read

25210.18. The hearing may be continued from time to time, but must be completed within 30 days At the conclusion of the hearing the board shall find and determine the extent to which the services described in the resolution of intention are extended county services. After making the finding the board may abandon the proposed establishment of the county service area or may, after passing upon all protests, determine to establish the area. If the board abandons the proposed establishment of the county service area the county services found by the board to be extended county services shall not thereafter be provided to the area from general funds of the county If the board determines to establish the area it shall by resolution so declare and finally determine and establish the boundaries of the county service area and designate the types of services to be performed therein *and adopt a resolution either:*

(a) Declaring the area finally established without an election; or

(b) Declaring the area established, subject to confirmation by the voters of the proposed area on the question of establishment of such area.

In establishing the boundaries of the area the board may alter the exterior boundaries of the area to include less territory than that described in the notice of the hearing but it may not include any territory not described in the notice of the hearing

Land devoted primarily to agricultural or livestock uses and being used for the commercial production of agricultural or livestock products shall be excluded from a county service area if such land is contiguous to other land which is not included within the described exterior boundaries of the county service area, if the board of supervisors finds that such land will not be benefited by any of the types of extended services proposed to be provided within the county service area Such land may, however, be included in the county service area, if the owner requests its inclusion.

In designating the types of services to be performed in the county service area the board may eliminate one or more of the types of services specified in the resolution of intention to establish the area but may not include any types of services not specified in the resolution of intention.

Upon the adoption of ~~the~~ *a* resolution establishing ~~the~~ *an* area *without an election*, the area is established for all purposes, subject only to compliance with the requirements of Chapter 8 *(commencing with Section 54900)*, Part 1, Division 2, Title 5 of the Government Code and subject to the provisions of Article 2 5 of this chapter.

SEC 2 Section 25210 18a is added to the Government Code, to read:

25210 18a. Any resolution adopted pursuant to Section 25210 18 declaring a county service area established subject to confirmation by the voters upon the question thereof shall:

(a) Call, provide for and give notice of a special election upon such question;

(b) Fix a date of election; and

(c) Provide for the question to be submitted to the voters

The election shall be held and conducted by the county and the ballots canvassed in accordance with the provisions of Article 1 (commenc-

ing with Section 3700) of Chapter 2, Division 4 of the Elections Code.

After canvass of returns of an election on the question of establishment of a county service area, the board of supervisors shall adopt a resolution either (i) confirming the prior declaration of establishment of the area and finally establishing the area, if a majority of the votes cast upon such question are in favor of establishment of the area; or (ii) determining the prior declaration of establishment defeated by failure to receive the required vote, in which case the county services found by the board to be extended county services shall not thereafter be provided to the area from general funds of the county

Any resolution adopted pursuant to this section establishing a county service area shall not be subject to the provisions of Article 2.5 of this chapter.

Upon adoption pursuant to this section of a resolution finally establishing an area, the area is established for all purposes subject only to compliance with the requirements of Chapter 8 *(commencing with Section 54900)*, Part 1, Division 2, Title 5 of the Government Code."

Amendment No. 3

On page 1, strike out lines 2 to 17, inclusive; and strike out page 2.

Bill ordered reprinted, and returned to the second reading file.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2204

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 2204 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Labor Relations.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2139 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 2139 was continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 711, on request of Mr Stacey.

Majority Floor Leader Presiding

At 11·10 a m , Hon. Jack R Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 66—Relative to the Fairs Allocation and Classification Committee

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burton, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lewis, MacGillivray, Maddy, McAlister,

Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wilson, Wood, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 721—An act to add Section 50028 to the Government Code, relating to housing.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bagley moved a call of the Assembly.

Motion carried. Time, 11:24 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 819—An act to amend Sections 77, 77.2, and 77.3 of the Harbors and Navigation Code, relating to yacht and ship brokers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 715—An act to add Section 4655.5 to the Labor Code, and to amend Section 2629 of, and to repeal Section 2708.1 of, the Unemployment Insurance Code, relating to workmen's disability benefits.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown,

Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1054—Passed on file.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television photographers be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1278—An act to amend Sections 3507 3 and 3533 of the Government Code, relating to licensed psychiatric technicians.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 231—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2331—An act making an appropriation to pay the claim of Mary Ann Hampson, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2331:

Governor's Office, Sacramento
May 23, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 2331, "An act making an appropriation to pay the claim of Mary Ann Hampson,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 2331 as an emergency measure.

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 2331.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1516—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 257—An act to amend Sections 13103, 13117 2, 13125.1, 13130, 13140, 13141, and 13165 of, and to add Sections 51 and 13113 2 to, the Education Code, relating to teacher preparation and licensing.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy

F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 359—An act to amend Sections 1091, 1095, and 1096 of, and to add Section 1096.5 to, the Education Code, relating to public schools

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Barnes, Collier, Stull, and Wakefield—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1053

Mr. Barnes was granted unanimous consent to take up Senate Bill No. 1053, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file.

Second Reading of Senate Bill No. 1053 by Unanimous Consent

Senate Bill No. 1053—An act to amend Sections 14674 and 14695 of the Education Code, relating to school district retirement plans, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 3, 1972, strike out line 34, and insert

"(a) Sixty-five percent of such balance shall be distributed to the undistributed reserve of the general fund of the district to be reduced to cash as necessary and appropriated in any year by majority vote of the governing board. Until the balance of the assets has been reduced to cash, the governing board may invest and reinvest the assets in securities legal for the investment of funds of the State Teachers' Re-

tirement System when in the judgment of the governing board any sale and reinvestment is advisable. Ten percent of this amount shall be used only for maintenance operation.

(b) Twenty percent of such balance shall be transferred to a special account in the undistributed reserve of the district's general fund to be reduced to cash as necessary in order to be used only for the purpose of reducing the tax collected pursuant to Section 14111 in order to provide the contributions required by Section 14100 to the Teacher's Retirement Fund. In the event that the special account is not wholly distributed for the purpose of making such contribution, the balance in the special account shall be released to the undistributed reserve. Until the balance of the assets has been reduced to cash, the governing board may invest and reinvest the assets in securities legal for the investment of funds of the State Teachers' Retirement System when in the judgment of the governing board any sale and reinvestment is advisable.

(c) Fifteen percent of such balance shall be held intact".

Amendment No. 2

On page 3, line 11, after the period, insert "The supplemental annuity may be paid in lump sum or in installments for the life of the person eligible, or his beneficiary, after his retirement."

Amendment No. 3

On page 3, strike out lines 12 through 14, inclusive; and in line 15, strike out "member", and insert

"No such participant in the annuity reserve fund".

Amendment No. 4

On page 3, line 18, after "system", insert ", except participants who have separated from service by reason of retirement, including deferred retirement, or death".

Amendment No. 5

On page 3, line 24, after "contributions", insert ", including interest earned,".

Amendment No. 6

On page 3, line 26, strike out "date of retirement, or".

Amendment No. 7

On page 3, line 27, after "discontinuance", insert ", or, if a retired member, the date of retirement prior to June 30, 1972",

Amendment No. 8

On page 3, line 28, after "contributions", insert ", including interest earned,".

Amendment No. 9

On page 3, line 28, after "all", insert "such".

Amendment No. 10

On page 3, line 31, after "contributions", insert "to the local district retirement system".

Amendment No. 11

On page 4, line 5, after "fund", insert ", as approved by the governing board of the school district".

Amendment No. 12

On page 4, line 26, after the period, insert "The local district retirement board shall continue to function as the annuity reserve board pending its establishment."

Amendment No. 13

On page 4, line 35, after "securities", insert "and cash".

Amendment No. 14

On page 4, line 36, after "in", insert "a trust fund in".

Amendment No. 15

On page 5, strike out lines 3 to 36, inclusive, and insert "All payments from the district's annuity reserve fund shall be made in the same manner as payments from school district funds."

Bill ordered reprinted, and to be returned to the third reading file.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Barnes:

Resolved, That Senate Bill No. 1053 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 724—An act to amend Sections 17226, 18244, 19523, 19526, 19531, 23332.5, 23701r, 23732, 24372, 24378, 24438, 24837.5 and 25553 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Fenton, Gon-

salves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—Briggs, Burton, Deddeh, and Wakefield—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2353—An act to amend Section 5558 of, and to add Sections 5506 5 and 5538.5 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Stacey and Wakefield—2

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Stacey and Wakefield—2

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 260—An act to amend Section 13469 1 of the Education Code, relating to school employees

Bill read third time, and presented by Mr. Keysor.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo,

Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Senate Bill No. 64—Passed on file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 203—An act to amend Section 1115 of the Education Code, relating to school district elections.

Bill read third time, and presented by Mr. Lewis.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 230—An act to add Sections 301 2 and 322.1 to the Streets and Highways Code, relating to state highways.

Bill read third time, and presented by Mr. Cullen.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Burke—1

Bill ordered transmitted to the Senate.

Senate Bill No. 373—An act to amend Section 11457 of the Welfare and Institutions Code, relating to needy children.

Bill read third time, and presented by Mr. Bagley.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacGillivray, Maddy,

McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 42—An act to amend Section 12101 of the Welfare and Institutions Code, relating to public social services and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Burton.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Badham, Burke, Cline, Collier, Conrad, Hayden, Stull, and Wakefield—8.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Badham, Burke, Cline, Collier, Conrad, Hayden, Stull, and Wakefield—8.

~~Bill ordered transmitted to the Senate.~~

NOTE: Later this day a motion to reconsider the vote whereby Senate Bill No. 42 was passed was offered by Mr. Badham See page 4152

Senate Bill No. 220—An act relating to health science facilities, and in this connection to amend Sections 4, 8, and 17 of Chapter 665 of the Statutes of 1971, and to provide health science facilities by the adoption of a construction program therefor, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said

funds, making an appropriation therefor, and providing for the submission of the measure to the people at a special election to be consolidated with the general election of 1976.

Bill read third time, and presented by Mr. Monagan.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker —60.

NOES—Ralph—1.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 791—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2046—An act to amend Sections 2711, 2801, 2801 1, 2803, and 2804 of, and to add Section 2805 to, the Unemployment Insurance Code, relating to unemployment disability insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 608—An act to amend Section 6871 2 of, and to add Section 6873 3 to, the Public Resources Code, relating to state lands

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Burke, Ketchum, Stacey, and Stull—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 609—An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—46.

NOES—Arnett, Badham, Burke, Cline, Collier, Conrad, Dent, Ketchum, Lewis, MacGillivray, Monagan, Stacey, and Stull—13.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1053

Mr. Barnes was granted unanimous consent to take up Senate Bill No. 1053, without reference to file, for purpose of consideration at this time.

Third Reading of Senate Bill No. 1053

Senate Bill No. 1053—An act to amend Sections 14674 and 14695 of the Education Code, relating to school district retirement plans, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Barnes.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Stacey, Deddeh, Ryan, Wilson, and Townsend demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 1053.

Urgency clause adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Badham, Burke, Cory, Ketchum, MacGillivray, Ryan, and Seeley—7.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hay-

den, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Badham, Burke, Cory, Ketchum, MacGillivray, Ryan, and Seeley—7.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 721

At 12 40 p m., on motion of Mr Bagley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Assembly Bill No 721 refused passage by the following vote·

AYES—Bagley, Bee, Brown, Burton, Cory, Crown, Cullen, Duffy, Fenton, Fong, Garcia, Leroy F Greene, Keysor, McAlister, Miller, Ralph, Ryan, Sieroty, Warren, and Mr. Speaker—20

NOES—Arnett, Badham, Barnes, Beverly, Briggs, Burke, Chacon, Cline, Collier, Conrad, Deddeh, Dent, Hayden, Ray E Johnson, Ketchum, LaCoste, Lewis, MacGillivray, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, Wilson, and Wood—30

Motion to Reconsider Assembly Bill No. 721 on Next Legislative Day

Mr Bagley moved to reconsider on the next legislative day the vote whereby Assembly Bill No 721 was this day refused passage

Assembly Bill No 721 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.42 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 81

Mr Knox was granted unanimous consent to take up Assembly Constitutional Amendment No 81, temporarily passed on file, out of order, for purpose of amendment

Consideration of Assembly Constitutional Amendment No. 81

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities

Resolution read

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Knox was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amend-

ments to Assembly Constitutional Amendment No 81 which add a total of more than 25 words to the resolution, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Knox moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, as amended in Assembly May 30, 1972, strike out lines 9 to 18, inclusive, and insert

"SEC. 14. The Legislature may provide for the issuance of revenue bonds to finance the acquisition, construction, and installation of environmental pollution control facilities, including the acquisition of all technological facilities necessary or convenient for pollution control, and for the lease or sale of such facilities to persons, associations, or corporations, other than municipal corporations; provided, that such revenue bonds shall not be secured by the taxing power of the state. No provision of".

Amendment read, and adopted.

Resolution ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Knox was granted unanimous consent that the following communication be printed in the Journal·

May 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: The amendments submitted to ACA 81 on this day, May 31, 1972, are intended solely to clarify the intent of the proposed constitutional amendment without making any substantive change in the policy thereof.

Very truly yours,

JOHN T. KNOX

MOTION TO RECONSIDER SENATE BILL NO. 42 ON NEXT LEGISLATIVE DAY

Mr Badham moved to reconsider on the next legislative day the vote whereby Senate Bill No. 42 was this day passed

Senate Bill No. 42 ordered to the unfinished business file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1756

Mr. Chacon was granted unanimous consent to take up Assembly Bill No. 1756, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 1756

Assembly Bill No. 1756—An act to add Section 21700.5 to the Vehicle Code, relating to buses.

Bill read third time.

Motion to Amend

Mr. Chacon moved the adoption of the following amendments

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 16, 1972, strike out "Assemblyman Chacon", and insert "Assemblymen Chacon, Stull, Deddeh, Barnes, and Wilson
(Coauthors Senators Schrade and Mills)".

Amendment No. 2

On page 1, line 6, after "bus", insert "within the City of San Diego".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 377 for hearing in the Committee on Natural Resources and Conservation.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 202—An act to amend Sections 417.10 and 417 20 of, and to add Section 415 45 to, the Code of Civil Procedure, relating to unlawful detainer

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 360—An act to add Section 17539 to the Business and Professions Code, relating to games of chance

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1725—An act to amend Sections 65855 and 65860 of the Government Code, relating to zoning and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister McCarthy Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 593—An act to amend Section 18300 of the Government Code, relating to firefighters

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis MacGillivray, Maddy, McAlister McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 654—An act to amend Sections 1652, 24353 and 53857 of the Government Code, to amend Sections 4746 1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to government financing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 756—An act to amend Section 4702 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 770—An act to add Section 125 5 to the Business and Professions Code, relating to injunctions

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 961—An act to amend Section 13961 of, to add Section 13991 5 to, to add Article 15 (commencing with Section 14116) to Chapter 4 of Division 10 of, to repeal Section 13853 of, and to repeal

Article 29 (commencing with Section 14440) of Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1443—An act to amend Section 9606 7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1504—An act to add Section 569 to the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1930—An act to add Sections 775 and 1586 5 and Division 14 (commencing with Section 30000) to the Financial Code, to add Sections 586 1, 590, 1514 5 and 1520 to the Probate Code, to add Section 2240 to the Civil Code, to add Section 568 1 to the Code of Civil Procedure, to amend Section 8102 of the Commercial Code, and to amend Sections 10250 and Section 27002 of the Corporations Code, relating to securities depositories.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1269—An act to amend Section 11656 6 of the Insurance Code, relating to group workmen's compensation policies

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1396—An act to amend Sections 61842, 61843, and 61845 of the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1483—An act to add Section 23 5 to the Agricultural Code, relating to catfish farms

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1760—An act to amend Section 19545 of the Business and Professions Code, relating to horseracing

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh Dent, Duffy, Fenton, Fong, Garcia,

Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 915—An act to add Article 1 5 (commencing with Section 14411) to Chapter 3 of Division 6 of the Business and Professions Code, relating to trade names.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 979—An act to amend Sections 581a and 583 of the Code of Civil Procedure, relating to dismissal of actions

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1137—An act to amend Section 296 41 of the Probate Code, relating to simultaneous death.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1208—An act to amend Section 10110 of, and to add Section 10110 1 to, the Streets and Highways Code, relating to the Municipal Improvement Act of 1913

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1815—An act to amend Section 5236 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 692—An act to amend Sections 11713 and 11806 of the Vehicle Code, relating to occupational licenses

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2019—An act to amend Sections 24355 2 and 39402 of the Health and Safety Code, relating to air pollution

Bill read third time, and passed by the following vote

AYES—Arnett Badham Bagley, Barnes, Bee Belotti, Beverly, Briggs Brown Burke, Burton Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong Garcia, Gonsalves, Leroy F Greene Hayden, Harvey Johnson, Ray E Johnson, Karabian Ketchum Keysor, Knox LaCoste Lanterman, Lewis, MacGillivray Maddy, McAlister, McCarthy Meade, Miller, Mobley, Monagan, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2092—An act to amend Section 22100 of the Vehicle Code, relating to vehicles

Bill read third time, and passed by the following vote·

AYES—Arnett Badham Bagley Barnes Bee Belotti, Beverly, Briggs Brown, Burke, Burton Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy Fenton, Fong Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson Ray E Johnson, Karabian Ketchum Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray Maddy McAlister McCarthy Meade, Miller, Mobley Monagan, Murphy, Pierson Porter, Powers, Priolo Ralph Russell Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 245—An act to amend Section 49572 of the Agricultural Code relating to plums, and declaring the urgency thereof to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read and adopted by the following vote

AYES—Arnett Badham Bagley Barnes Bee Belotti Beverly, Briggs Brown Burke, Burton Chacon Cline, Collier Conrad Cory Crown, Cullen Davis, Deddeh, Dent, Duffy Fenton Fong Garcia, Gonsalves Leroy F Greene Hayden Harvey Johnson Ray E Johnson, Karabian Ketchum Keysor Knox, LaCoste Lanterman, Lewis, MacGillivray Maddy McAlister McCarthy Meade Miller, Mobley Monagan Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos Warren Wilson Wood Z'berg, and Mr Speaker—64

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett Badham Bagley, Barnes, Bee Belotti, Beverly, Briggs Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory,

Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 526—An act to amend Sections 62479, 62482, and 62487 of the Agricultural Code, relating to milk

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1216—An act to amend Sections 5896.5 and 5896 8 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1794

Mr. Leroy F. Greene was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1794, and that the bill be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Wakefield was granted unanimous consent that Assembly Bill No. 1717 be considered engrossed.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 2138 and 217, and the urgency clause to Senate Bill No. 98, were continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, May 30, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 17
HR No. 32
HR No. 36
HR No 40
HR No. 58

With the recommendation: That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

Committee on Ways and Means

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 290

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 933

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 187

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

ACA No. 62

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

LEROY F. GREENE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1421

With the recommendation: Do pass, and be re-referred to the Committee on Constitutional Amendments.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1420

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 531

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1469

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1822

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker. Your Committee on Education reports:

AB No. 1832

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 11
AB No. 1794

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 11—An act to amend Section 17301 of the Education Code, relating to financial support of public schools

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "17301", and insert "6903".

Amendment No. 2

In line 2 of the title, strike out "financial support of".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 6903 of the Education Code is amended to read:

6903. The education of mentally retarded minors who do not come within the provisions of Section 6902, who are six or more, and less than ~~18~~ *25* years of age and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, shall be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive. The education of such mentally retarded minors who are five or more and less than six years of age may be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive.

Any such minor who becomes ~~18~~ *25* years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year.

Notwithstanding Chapter 1748 of the Statutes of 1971, Section 25 of the Civil Code, or any other provision of law, for the purposes of this section, "minor" means a person under 25 years of age.

Notwithstanding other provisions of this section any such minor who is participating regularly in an approved occupational training program in the manner set forth in Sections 6931 and 6932 may be permitted by the governing board of the district or county superintendent of schools, as the case may be, maintaining such training program to continue thereon until his ~~21st~~ *25th* birthday."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive; and strike out pages 2 and 3.

Set No. 2

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Cory", and insert "Assemblymen Cory and Briggs".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3, line 36, of the printed bill, after "who", insert "shall be representatives of both proprietary and public institutions and who"

Amendment No. 2

On page 3, line 38, after the period, insert "At least a majority of the members of the committee shall be actively working or otherwise involved in the area of occupational and technical education and training."

Amendment No. 3

On page 4, line 18, strike out "only"

Amendment No. 4

On page 4, line 21, strike out "section", and insert "chapter"

Set No. 2

Amendment No. 1

On page 2, between lines 23 and 24, of the printed bill, insert

"Occupational education and training grants shall be awarded without regard to race, creed, national origin or ancestry, or sex."

Amendment No. 2

On page 4, between lines 6 and 7, insert

"A grant shall be deemed vacated if the recipient does not begin the course of training within six months after the grant is awarded."

Amendment No. 3

On page 4, line 28, after "31295 9 ", insert "Nothing in this chapter shall be interpreted to require any institution to admit an award winner into such institution, or to continue him once he is admitted.

31296."

Amendment No. 4

On page 4, line 34, strike out "31296.", and insert

"31296.2."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1745

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1745—An act to add Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "program", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, between lines 5 and 6, insert

"6601 It is the intent of the Legislature in enacting this article to set up a pilot study program of assistance to pupils who are not achieving according to expectation Such program shall be known as the learning assisted program The program shall be established in one school district designated by the State Board of Education.

6602. Learning assisted pupils are pupils whose total score on both group intelligence and achievement tests are in the lowest 15 percentile range of the scores attained in such tests by all of the pupils enrolled in the schools of the district.

Pupils coming within the provisions of Section 6750, Section 6902, or Section 6903 shall not participate in the pilot program provided pursuant to this article. Pupils participating in the pilot program provided pursuant to this article shall not be given the designation of "educationally handicapped" or "mentally retarded"

6603. The total number of pupils enrolled in this pilot program shall not exceed 80. Such pupils shall be included in regular classes and scheduled to participate in individual or small group instruction

Whenever one to four learning assisted pupils are instructed at the same time by the same teacher in a learning assisted class, the total attendance credited for such pupils shall equal one unit of attendance for each 60 minutes of instruction.

For learning assisted groups the maximum enrollment shall be 32 pupils Participation, however, in any given learning assisted group shall be for one regular class period and shall not exceed eight pupils at any one time The instruction either offered by a full-time teacher or two or more part-time teachers shall result in no more than eight units of average daily attendance being credited as a result of such instruction.

The Superintendent of Public Instruction shall describe criteria for the identification of learning assisted pupils in addition to those specified in Section 6602 and shall develop standards for the learning assisted program as well as recommended caseloads

The allowance for this program shall be computed on the basis of one thousand five hundred dollars ($1,500) per unit of average daily attendance

6604 The regular classroom teacher of the learning assisted pupils shall receive special assistance from a consultant in adapting the curriculum and methods, or both, of the regular instruction program to fit the individual pupil needs.

This special consultant may work directly with the learning assisted pupils for diagnostic purposes or special counseling and may provide the regular teacher with special instructional materials

6605. Evaluation of the pilot program provided for by this article shall be made by a team appointed by the State Department of Education. Such evaluation shall take place prior to January 1, 1974

SEC. 2 This act is an urgency statute necessary for the immediate study of pupils who are not achieving according to expectation

Many pupils will continue to be inadequately taught and thereby less able to function in our society unless methods are developed to overcome learning handicaps at the earliest possible time In order that the pilot program provided for by this act may be established and put into effect for the 1972–1973 school year, it is essential that the act take effect immediately."

Amendment No. 3

On page 1, strike out lines 7 to 12, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 1404

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1404—An act to amend Section 4920 of, and to add Section 4922.5 to, the Public Utilities Code, relating to travel promoters

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out the first "Section", and insert "Sections 4908 and".

Amendment No. 2

On page 1, line 1, after "SECTION 1", insert "Section 4908 of the Public Utilities Code is amended to read:

4908 "Adequate bond" means a corporate bond of an amount at least equal to the amount required under the contract between the travel promoter and the transportation carrier or company *or person providing any other services in conjunction with such transportation*. The aggregate liability of the surety on such bond shall, in no event, exceed the amount of such bond.

SEC. 2."

Amendment No. 3

On page 2, line 14, strike out "SEC 2", and insert "SEC. 3."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, May 31, 1972

Mr Speaker The Chairman of your Committee on Health reports:

AB No 1835

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1835—An act to repeal Section 6555 of the Business and Professions Code, relating to business and professions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to add Section 1200.5 to, and".

Amendment No. 2

In line 1 of the title, after "of", insert a comma.

Amendment No. 3

On page 2, after line 15, insert

"SEC. 2. Section 1200.5 is added to the Business and Professions Code, to read:

1200.5. It is the intent of the Legislature that the people of this state shall be afforded the opportunity to receive the services of any clinical laboratory at the lowest cost consistent with quality, and that no law shall be construed to reduce competition among or fix the charges of clinical laboratories."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No. 88 and Senate Joint Resolution No. 10 for hearing in the Committee on Rules, on Thursday, June 1, 1972.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burke:

House Resolution No. 59

Relative to bicycle safety

WHEREAS, Recently in California the popularity of bicycle use has grown tremendously; and

WHEREAS, Although bicyclists are subject to great peril and injury in case of an accident, they are not required to demonstrate any skill in operating bicycles, nor are they required to demonstrate any knowledge of our traffic laws; and

WHEREAS, The death and accident rates of bicyclists have increased sharply over the past few years, and are continuing to increase with each succeeding year; and

WHEREAS, Bicycle safety education is not mandatory in California's schools, although the majority of our school children ride bicycles from the time they are in elementary school; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of bicycle safety in California; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Messrs Ketchum, McAlister, Harvey Johnson, and Pierson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Concurrent Resolution No. 66.

Mr Briggs was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 359.

Mr LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 724

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 724

Mr Ralph was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 220

Mr Wood was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 609.

Mr Burke was granted unanimous consent that he be recorded as voting "No" on Assembly Bills Nos 608 and 609

Mr Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 721

Mr Beverly was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 721.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Absence

May 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on May 31, 1972.

Sincerely yours,

CARLEY V. PORTER

ADJOURNMENT

At 12:47 p m., Acting Speaker Fenton declared the Assembly adjourned until 1:30 p.m., Thursday, June 1, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-fourth Legislative Day

One Hundred Fifty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 1, 1972

The Assembly met at 1 30 p.m.

Hon. Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Assistant Chief Clerk R Brian Kidney at the Desk.

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.

Motion carried. Time, 1·32 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Speaker pro Tempore Presiding

At 1 42 p m , Hon Carlos Bee, 13th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 1 48 p m . Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Help all who are engaged in fields of human endeavor and enterprise, and especially those entrusted with the duty of making just laws, to drink deeply of Your wisdom especially as is found in Sacred Scripture. For in this source You establish a real dialogue with us as well as giving us the motivation to do our best.

Help our legislators to become aware of people's needs, hopes, and disappointments, not so much through the medium of another's study but insofar as is possible through their own work and experience.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Sieroty then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Monagan, seconded by Mr. Fenton.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr Foran, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Biddle, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Hayes, on request of Acting Speaker Fenton
Mr. MacDonald, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Quimby, on request on Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton
Mr. Waxman, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mr Foran on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 30, 1972, page 4082.

REPORTS

The following report was presented by the Chief Clerk:

Bulletin No. 132-72, Appendix A. 1971 Annual Financial Report. April 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated May 31, 1972, referred by the Speaker pro Tempore to the Committee on Water

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
47	Revenue and Taxation
461	Local Government
486	Water
648	Criminal Justice
773	Criminal Justice

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 94: By Assemblyman Deddeh —Relating to driver's license requirements.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 95: By Assemblyman Ryan—Relative to the Joint Committee on Textbooks and Curriculum.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, May 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 84—Relative to a recess of the Assembly;

And reports the same correctly enrolled, and presented to the Secretary of State on the 31st day of May, 1972, at 3 p.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1268	AB No 1953
AB No 1339	AB No. 2053

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 1933
AB No 2102
AB No 2328

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 81

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1522

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 11	AB No. 1416	AB No. 2265
AB No. 82	AB No. 1846	AB No. 2293
AB No. 984	AB No. 2095	AB No. 2345
AB No. 1008		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1756

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 1938

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No. 1911

AB No 1924

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Retirement reports:

SB No. 1217

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Retirement reports·

AB No. 596 AB No 1455

AB No 895 AB No 1960

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BARNES, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 31, 1972

Mr Speaker · Your Committee on Retirement reports.

SB No 809

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker Your Committee on Retirement reports:

AB No 1910

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BARNES, Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Judiciary reports.

AB No. 1557

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation · To Consent.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr Speaker. Your Committee on Judiciary reports.

HR No. 42

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

WARREN, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Judiciary reports

AB No 366
AB No 1088
AB No 2354

With amendments with the recommendation. Amend, and do pass, as amended.

WARREN, Chairman

Above bills ordered to second reading

Committee on Labor Relations

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Labor Relations reports:

AB No. 2072

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

McCARTHY, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 377

With the recommendation: Do pass.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports.

AB No. 681

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Criminal Justice

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 908

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No. 1625

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 1452

With the recommendation: Do pass, and be re-referred to the Committee on Constitutional Amendments

LEROY F. GREENE, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 1485

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Education reports.

SCA No. 72

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

LEROY F. GREENE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Committee on Water

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Water reports.

AB No. 740

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation to Consent.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 738
AB No. 739
AB No. 741

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 743
AB No. 772

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, May 31, 1972

Mr. Speaker Your Committee on Water reports

SJR No. 19

With the recommendation: Be adopted, and be re-referred to the Committee on Rules

PORTER, Chairman

Above resolution re-referred to the Committee on Rules

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Water reports·

SB No. 645
SB No 1243

With the recommendation · Do pass

PORTER, Chairman

Above bills ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No. 760
SB No. 761
SB No. 843
SB No. 844
SB No. 965

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No 1280

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1433

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

AB No 2041

With the recommendation. That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

PIERSON, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports: AB No. 1373

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports: AB No 2222

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 24, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports: AB No. 2042

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports: AB No. 339

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports: AB No. 1382

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports: AB No. 1564

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 1105

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 1, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports

AB No. 723

With the recommendation: Do pass.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports:

AB No 555

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 1733

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

AB No. 1724

AB No 1735

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bills ordered to second reading

Committee on Local Government

Assembly Chamber, June 1, 1972

Mr. Speaker· Your Committee on Local Government reports:

SB No. 906

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 965
AB No. 1077
AB No. 1655

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 1450
AB No. 1936

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Committee on Judiciary

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No. 1264

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No. 1527

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1527—An act to amend Section 2117 of the Business and Professions Code, relating to the Board of Medical Examiners of the State of California.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "ten thousand eighty dollars ($10,080) per year, and traveling expenses necessary in the performance of his duties, to be paid from the".

Bill ordered reprinted, and to be re-referred to the Committee on Health

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 30, 1972

Mr Speaker: The Chairman of your Committee on Retirement reports.

AB No 1379

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1379—An act to amend the heading of Chapter 4 (commencing with Section 13801) of Division 10 of Part 2 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend the heading of Chapter 4 (commencing with Section 13801) of Division 10 of Part 2 of", and insert "add Section 14002 to".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 14002 is added to the Education Code, to read

14002. Notwithstanding any other provisions of this article, any retirant whose qualifications for membership and service credit were as a certificated medical doctor employed as an adult education school physician on a part-time basis, continuously, during the period commencing in 1944 and ending in 1971, and who had been employed simultaneously as a full-time city director of public health for more than 30 years may receive service credit for all the service he performed as a school physician provided he paid or pays the required employee contributions and credited interest therefor, and providing such retirant files written application to have his allowance increased. Any allowable increase authorized by these provisions shall become payable from the date this act becomes effective.

This act shall cease to be operative 30 days after the effective date of statutes enacted at the 1972 Regular Session The rights of any person who has received service credit pursuant to the provisions of this section shall be continued after this section becomes inoperative."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No 1665

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1665—An act to amend Section 14693 of the Education Code, relating to school district retirement systems.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Barnes", and insert "Knox".

Amendment No. 2

In line 1 of the title, strike out "amend Section 14693 of the Education", and insert "add and repeal Section 20990 of the Government"

Amendment No. 3

In line 2 of the title, strike out "school district".

Amendment No. 4

In line 2 of the title, strike out "systems", and insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 1, strike out line 1, and insert

"SECTION 1. Section 20990 is added to the Government Code, to read:

20990. Notwithstanding any other provision of this article, a miscellaneous member who would otherwise be required to retire in 1972, shall not be retired, in the member's discretion, if the member's appointing power determines that (1) a suitable replacement cannot be adequately trained by the member's retirement date, (2) such member has skills needed in performing specialized work, and (3) the lack of a person with such skills in the member's position will result in serious stoppage of public business. Any member whose retirement is delayed pursuant to this section shall be retired not later than June 30, 1973

This section shall remain in effect only until June 30, 1973, and on such date is repealed

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to assure continuity of public business by temporarily preventing the mandatory retirement of certain public employees whose skills are currently not immediately replaceable, it is necessary that this act go into immediate effect."

Amendment No. 6

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, June 1, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 1399

With author's amendments with the recommendation: Amend, and refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1399—An act to repeal Section 6103.9 of the Government Code, relating to fees

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 6103.8 of, and".

Amendment No. 2

In line 1 of the title, after "of", insert a comma

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1 Section 6103 8 of the Government Code is amended to read:

6103 8 (a) Sections 6103 and 27383 do not apply to any fee or charge for recording full releases executed or recorded pursuant to Sections *4616 and 50037 of the Public Resources Code, and Sections* 2194, 6758, 7873 8997, 10100, 11496, 12494, 14307, 14308, 16066, 16067, 30323 and 32362 of the Revenue and Taxation Code or required to be recorded pursuant to subdivision (d) of Section 675 of the Code of Civil Procedure, where there is full satisfaction of the amount due under the lien which is released.

(b) The fee for recording full releases listed in subdivision (a) shall be six dollars ($6).

(c) In the case of releases required to be recorded pursuant to subdivision (d) of Section 675 of the Code of Civil Procedure, the recording agency shall be billed quarterly or, at the option of the agency, at more frequent intervals. All billing shall refer to the agency certificate number of the recorded releases.

(d) The fee for recording full releases for any document relating to an agreement to reimburse a county for public aid granted by the county shall be six dollars ($6 00).

(e) The fee for filing any release of judgment which was in favor of a government agency and recorded pursuant to Section 6103 or 27383 shall be six dollars ($6.00)

SEC. 2 Section 6103 9 of the Government Code is ".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 1, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 1303

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1303—An act to add Section 25011 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 25011 to the Business and Professions", and insert "amend Sections 172 and 172a of the Penal".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 172 of the Penal Code is amended to read:

172. (a) Every person who, within one-half mile of the land belonging to this state upon which any state prison, or within 1,900 feet of the land belonging to this state upon which any Youth Authority institution is situated, or within one mile of the grounds belonging to the University of California, at Berkeley, or within one mile of the grounds belonging to the University of California at Santa Barbara, as such grounds existed as of January 1, 1961, *or within one mile of*

the grounds belonging to Leland Stanford Junior University, or within one mile of the grounds belonging to Fresno State College, as such grounds existed as of January 1, 1959, or within three miles of the University Farm at Davis, or within 1½ miles of any building actually occupied as a home, retreat, or asylum for ex-soldiers, sailors, and marines of the Army and Navy of the United States, established or to be established by this state, or by the United States within this state, or within the State Capitol, or within the limits of the grounds adjacent and belonging thereto, sells or exposes for sale, any intoxicating liquor, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100), or by imprisonment for not less than 50 days or by both such fine and imprisonment, in the discretion of the court.

(b) The provision of subdivision (a) of this section prohibiting the sale or exposure for sale of any intoxicating liquor within 1,900 feet of the land belonging to this state upon which any Youth Authority institution is situated shall not apply with respect to the Fred C Nelles School for Boys

(c) Except within the State Capitol or the limits of the grounds adjacent and belonging thereto, as mentioned in subdivision (a) of this section, the provisions of this section shall not apply to the sale or exposing or offering for sale of ale, porter, wine, similar fermented malt or vinous liquor or fruit juice containing one-half of 1 percent or more of alcohol by volume and not more than 3 2 percent of alcohol by weight nor the sale or exposing or offering for sale of beer

(d) Distances provided in this section shall be measured not by airline but by following the shortest highway or highways as defined in Section 360 of the Vehicle Code connecting the points in question In measuring distances from the Folsom State Prison, the measurement shall start at the entrance gate of the prison.

(e) The provision of subdivision (a) of this section prohibiting the sale or exposure for sale of any intoxicating liquor within 1½ miles of any building actually occupied as a home, retreat, or asylum for ex-soldiers, sailors, and marines of the Army and Navy of the United States shall not apply to the Veterans' Home at Yountville, Napa County, California.

SEC 2. Section 172a of the Penal Code is amended to read·

172a Every person who, within one and one-half miles of the university grounds or campus, upon which are located the principal administrative offices of any university having an enrollment of more than 1,000 students, more than 500 of whom reside or lodge upon such university grounds or campus, sells or exposes for sale, any intoxicating liquor, is guilty of a misdemeanor, provided, however, that the provisions of this section shall not apply to nor prohibit the sale of any of said liquors by any regularly licensed pharmacist who shall maintain a fixed place of business in said territory, upon the written prescription of a physician regularly licensed to practice medicine under the laws of the State of California when such prescription is dated by the physician issuing it, contains the name of the person for whom the prescription is written, and is filled for such person only and within 48 hours of its date; provided further, that the provisions of this

section shall not apply to nor prohibit the sale of any of said liquors for chemical or mechanical purposes, provided further, that the provisions of this section shall not apply to nor prohibit the sale or exposing or offering for sale of ale, porter, wine, similar fermented malt, or vinous liquor or fruit juice containing one-half of 1 percent or more of alcohol by volume and not more than 3 2 percent of alcohol by weight nor the sale or exposing or offering for sale of beer.

In measuring distances from the university grounds or campus of any such university, such distances shall not be measured by airline but by following the shortest road or roads connecting the points in question. ~~With respect to Leland Stanford Junior University measurements from the university grounds or campus shall be by airline measurement.~~

Any license issued and in effect in the City and County of San Francisco on the effective date of the amendment of this section enacted at the 1961 Regular Session of the Legislature may be transferred to any location in the City and County of San Francisco."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, May 31, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 400
AB No. 2074

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 400—An act to amend Sections 11333, 11391, 11393, 11395 and 11655 6, and Section 11655 8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, Section 11655 7 as added by Chapter 1422 of the Statutes of 1970, Section 11655 7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655 9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618 as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as amended by Chapter 1593 of the Statutes of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5, of the printed bill, as amended in Assembly May 11, 1972, strike out lines 13 and 14.

Amendment No. 2

On page 7, line 34, strike out "as determined by the department with"; and strike out line 35, and insert "by the local program director according to criteria established by the director."

Amendment No. 3

On page 7, line 38, strike out "director", and insert "local program director according to criteria established by the director".

Amendment No. 4

On page 9, line 18, after "The", insert "local program".

Amendment No. 5

On page 9, line 21, after "The", insert "local program".

Amendment No. 6

On page 10, line 3, after "analysis", insert "shall certify those programs meeting an acceptable level of performance,".

Amendment No. 7

On page 10, line 5, after "performance", insert a period.

Amendment No. 8

On page 10, line 7, strike out the second period

Amendment No. 9

On page 16, line 20, strike out "_____", and insert "twenty million dollars ($20,000,000)".

Amendment No. 10

On page 16, line 23, strike out "_____", and insert "fifty thousand dollars ($50,000)".

Amendment No. 11

On page 16, strike out lines 27 to 33, inclusive, and insert "1973."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2074—An act to amend Sections 18203, 18405.2, 18406, 18406.2, 18601, 18615, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406.3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203.5, 18205, 18205.5, 18668, and 18668.1 of, the Financial Code, relating to industrial loan companies

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 16, 1972, after "18615," insert "18661,".

Amendment No. 2

On page 7, between lines 2 and 3, insert

"SEC 14.5. Section 18661 of the Financial Code is amended to read:

18661. *(a)* An industrial loan company may provide and collect the costs for credit life insurance on the life of one or more of the borrowers and credit disability insurance to provide indemnity for payments becoming due on the indebtedness, with his or her consent, the form to be approved by the commissioner and in an amount not in excess of the amount of the indebtedness. The amount charged to the borrower for such insurance shall not exceed, in the case of credit life insurance, the amount provided in (1) or (2) following, whichever is less, or, in the case of credit disability insurance, unless a regulation has been promulgated and established pursuant to Section 18661.1, in which case the amount charged shall not exceed the amount prescribed by such regulation, the amount provided in (1) following:

(1) The premium rate filed with the Commissioner of Insurance for the coverage provided pursuant to Article 5.9 (commencing with Section 779.1), Chapter 1, Part 2, Division 1 of the Insurance Code and which has not been disapproved by him, or

(2) Fifty cents ($0.50) per year per one hundred dollars ($100) of indebtedness (and in the same proportion for longer or shorter maturities and larger or smaller amounts) or such different maximum as is fixed by the Commissioner of Insurance by a valid and effective regulation hereafter adopted

(b) An industrial loan company may collect the costs for insurance of tangible personal or real property offered as security for a loan, reasonably insured against loss for a reasonable term considering the circumstances of the loan, when the policy of insurance is made payable to the borrower or any member of his family, even though the customary mortgagee clause is attached, and if the insurance is sold at standard rates through duly licensed insurance agents except that if title insurance is obtained in connection with a loan, the costs for such insurance may only be collected if: (a) the loan is in an amount of at least one thousand dollars ($1,000) and is secured by the lien of a deed of trust or mortgage on real property which is the subject of such policy of title insurance, (b) the policy of title insurance is made payable to the lender or jointly to such lender and the borrower as their interests may appear; (c) the amount of such insurance does not exceed the amount of the loan; (d) such insurance is placed at standard rates through a title insurance company authorized to do business in the State of California, and (e) the provisions of the loan require payment in not less than 12 months. A policy of title insurance may

not be required in connection with the renewal or extension of a loan with an unpaid principal balance of less than one thousand dollars ($1,000) Such costs as herein authorized are not included in computing the maximum charges which may be made under this division

(c) If life or disability insurance is provided pursuant to this section, and if the insured borrower dies or becomes disabled during the term of the loan contract, the insurance shall be sufficient to pay the total amount due on the loan (excluding unearned charges) outstanding on the date of his death, or all amounts which become due on the loan thereafter during the period of such disability, as the case may be, without any exception, reservation or limitation, subject, however, to the provisions of Section 18661.2 Any such life or disability insurance as is provided shall be in force as soon as the loan is made A licensee shall not require credit life or disability insurance as a condition of making a loan."

Amendment No. 3

On page 11, line 2, after "in", insert "subdivision (b) of".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 2204

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2204—An act to amend Section 6254 of the Education Code, relating to vocational education

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6254 of", and insert "3075 of, and to add Sections 3093 5 and 3098 to, the Labor Code, and to add Section 6258 to".

Amendment No. 2

In line 2 of the title, after "education", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 3075 of the Labor Code is amended to read:

3075 Local or state joint apprenticeship committees may be selected by the employer and the employee organizations, in any trade in

the state or in a city or trade area, whenever the apprentice training needs of such trade justifies such establishment Such joint apprenticeship committees shall be composed of an equal number of employer and employee representatives *In the case where the related and supplemental training is provided by a community college district, school district, regional occupational program, or regional occupational center, the Director of Vocational Education or his designee shall serve as advisor to the joint apprenticeship committee.*

SEC. 2 Section 3093 5 is added to the Labor Code, to read:

3093 5. There is within the Division of Apprenticeship Standards a staff on public works apprenticeship compliance, the operations of which shall be directed to ensuring that the provisions of Section 1777.5 are complied with throughout the state.

SEC. 3. Section 3098 is added to the Labor Code, to read:

3098. The awarding body of any contract for public works, as those terms are defined in Article 1 (commencing with Section 1720) of Chapter 1 of Part 7 of Division 2, when such contract is subject to Section 1777 5, shall formally notify in writing, within 30 days of the award, the Division of Apprenticeship Standards and the local joint apprenticeship committee regarding said award, and each month thereafter, until the expiration of said contract, regarding the ratio of apprentices to journeymen employed, with particular reference to the certificated fixed number of apprentices to journeymen

SEC 4 Section 6258 is added to the Education Code, to read

6258 The Division of Apprenticeship Standards, in cooperation with the Vocational Education Section of the Department of Education and the Office of the Chancellor of the California Community Colleges, shall, no later than January 1, 1974, formulate a plan for the transfer from the administrative jurisdiction of the California Apprenticeship Council to the several joint apprenticeship committees, all aspects of the administration of training programs conducted pursuant to Chapter 4 (commencing with Section 3070), of Division 3, of the Labor Code, which, because of variations in local labor markets, industries, and occupational needs, can most practicably be administered at the local level The plan may recommend that the transfers of administrative jurisdiction be effected by reciprocity agreements and similar means The Director of Vocational Education and the Chancellor of the California Community Colleges shall designate a representative who shall assist the Division of Apprenticeship Standards in formulating the plan

SEC 5 There is hereby appropriated from the General Fund in the State Treasury the sum of one hundred thousand dollars ($100,000) to the Division of Apprenticeship Standards to be expended for the purposes prescribed in Section 3093 5 of the Labor Code "

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, May 30, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports

AB No. 1224

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1224—An act to amend Section 2805 of the Vehicle Code, relating to vehicles

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Chacon, Deddeh, Beverly", and insert "Beverly, Deddeh".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 1, 1972

Mr Speaker The Chairman of your Committee on Education reports.

AB No 2014

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2014—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, strike out lines 10 to 14, inclusive, of the printed bill, and insert

"30301 It is the purpose of this chapter to provide private institutions of higher education within the state an additional means by

which to expand, enlarge, and establish dormitory, academic, and related facilities, to finance such facilities, and to refinance existing facilities."

Amendment No. 2

On page 2, line 38, after "facility", insert "(including for an institution of higher education which maintains and operates a school of medicine, structures or facilities providing or designed to provide services as a hospital or clinic, whether such hospital or clinic is operated directly by the institution of higher education or by a separate nonprofit corporation, the member or members of which consist of the educational institution or the members of its governing body)".

Amendment No. 3

On page 3, between lines 18 and 19, insert

"'Cost,' as applied to a project or portion thereof financed under the provisions of this chapter, embraces all or any part of the cost of construction and acquisition of all lands, structures, real or personal property, rights, rights of way, franchises, easements and interests acquired or used for a project, the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, the cost of all machinery and equipment, financing charges, interest prior to, during and for a period after completion of such construction as determined by the authority, provisions for working capital, reserves for principal and interest and for extensions, enlargements, additions, replacements, renovations and improvements, the cost of engineering, financial and legal services, plans, specifications, studies, surveys, estimates, administrative expenses and other expenses necessary or incident to determining the feasibility of constructing any project or incident to the construction or acquisition or financing thereof."

Amendment No. 4

On page 4, line 33, strike out "officer", and insert "officers and the executive secretary".

Amendment No. 5

On page 4, line 35, after "bonds", insert ", including a blanket bond covering all members of the authority and staff,".

Amendment No. 6

On page 4, lines 36 and 37, strike out "twenty-five thousand dollars ($25,000)", and insert "fifty thousand dollars ($50,000)".

Amendment No. 7

On page 5, line 18, after the period, insert "It shall not be or constitute a conflict of interest for a member of the authority to be affiliated with a bank that serves the authority as bond trustee, depository of funds, or in any other financial, advisory, or fiduciary capacity."

Amendment No. 8

On page 5, line 20, after "Sacramento", insert "or in any other city as the authority decides is reasonably required".

Amendment No. 9

On page 5, line 24, strike out "part", and insert "chapter".

Amendment No. 10

On page 6, line 29, strike out "To", and insert "To employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, and such other employees and agents as may be necessary in its judgment and to fix their compensation.
(k) To"

Amendment No. 11

On page 7, line 5, strike out "(k)", and insert "(*l*)".

Amendment No. 12

On page 7, line 10, strike out "(*l*)", and insert "(m)".

Amendment No. 13

On page 7, line 17, strike out "(m)", and insert "(n)".

Amendment No. 14

On page 7, line 22, strike out "(n)", and insert "(o)".

Amendment No. 15

On page 7, between lines 26 and 27, insert
"(p) To charge, and equitably apportion among participating colleges, its administrative costs and expenses incurred in the exercise of the powers and duties conferred by this chapter."

Amendment No. 16

On page 9, strike out lines 12 to 14, inclusive, and insert "determine."

Amendment No. 17

On page 14, line 4, after "fixing", insert ", charging, and collecting of the rates, rents, fees, and charges herein authorized and required by the provisions of such resolution or trust agreement to be fixed, established, and collected".

Amendment No. 18

On page 15, line 32, strike out "30319 5 ", and insert "30320."

Amendment No. 19

On page 15, line 39, strike out "last construction"; strike out line 40, on page 16, strike out lines 1 and 2, and insert "notice of completion is filed."

Amendment No. 20

On page 16, line 6, strike out "30320.", and insert "30321."

Amendment No. 21

On page 16, line 27, strike out "30321.", and insert "30322 "

Amendment No. 22

On page 17, line 10, strike out "30325 ", and insert "30323."

Amendment No. 23

On page 17, between lines 17 and 18, insert

"30324. The exercise of the powers granted by this chapter will be in all respects for the benefit of the people of this state, for the increase of their commerce, welfare, and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of a project by the authority will consitute the performance of an essential public function, neither the authority nor its agent shall be required to pay any taxes or assessments upon or in respect of a project or any property acquired or used by the authority under the provisions of this chapter, or upon the income therefrom, and any bonds issued under the provisions of this chapter, their transfer and the income therefrom, shall at all times be free from taxation of every kind by the state and by the municipalities and other political subdivisions in the state."

Amendment No. 24

On page 17, line 21, strike out "30326.", and insert "30325."

Amendment No. 25

On page 17, strike out line 31, and insert "30326. The State Controller and his legally".

Amendment No. 26

On page 17, line 37, strike out "30328.", and insert "30327."

Amendment No. 27

On page 18, line 3, strike out "30329.", and insert "30328."

Amendment No. 28

On page 19, line 23, strike out "30330.", and insert "30329."

Amendment No. 29

On page 19, line 38, strike out "30331.", and insert "30330."

Amendment No. 30

On page 19, line 39, strike out "30330", and insert "30329".

Amendment No. 31

On page 20, line 11, strike out "30332.", and insert "30331."

Amendment No. 32

On page 20, line 22, strike out "30333.", and insert "30332 "

Amendment No. 33

On page 20, line 23, strike out "30329", and insert "30328".

Amendment No. 34

On page 20, line 34, strike out "30330", and insert "30328".

Amendment No. 35

On page 21, line 4, strike out "30330", and insert "30329".

Amendment No. 36

On page 21, line 14, strike out "30334.", and insert "30333."

Amendment No. 37

On page 21, line 31, strike out "30335.", and insert "30334."

Amendment No. 38

On page 21, line 34, strike out "30336.", and insert "30335."

Amendment No. 39

On page 21, line 37, strike out "30337.", and insert "30336."

Amendment No. 40

On page 22, line 7, strike out "30338.", and insert "30337."

Bill ordered reprinted, and to be re-referred to the Committee on Education

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 1, 1972

Mr Speaker The Chairman of your Committee on Judiciary reports.

AB No 1481

With author's amendments with the recommendation. Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1481—An act to amend Sections 328 and 441 of, and to add Sections 590, 590.1, 590.2, 590.3, 590.4, 590.5, 590.6, 590.7, 590.8, 590.9 and 1004 to, and Article 3 (commencing with Section 648) to Chapter 10 of Division 3 of, the Probate Code, relating to decedents' estates

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and to add Sections"; and strike out line 2, and in line 3, strike out "and 1004 to, and", and insert "to add an article heading immediately below the

heading of Chapter 8 (commencing with Section 570) of Division 3 of, to add Article 2 (commencing with Section 590) to Chapter 8 of Division 3 of, to add".

Amendment No. 2

In line 4 of the title, after the first comma, insert "and to add Section 1004 to,".

Amendment No. 3

On page 2, line 27, after "prepaid", insert a comma.

Amendment No. 4

On page 3, strike out lines 19 and 20, and insert

"SEC. 3. An article heading is added immediately below the heading of Chapter 8 (commencing with Section 570) of Division 3 of the Probate Code, to read:

Article 1. Powers and Duties Generally

SEC 4 Article 2 (commencing with Section 590) is added to Chapter 8 of Division 3 of the Probate Code, to read:

Article 2. Court Supervision and Proceedings".

Amendment No. 5

On page 3, line 36, strike out "590", and insert "590.1".

Amendment No. 6

On page 3, strike out lines 38 and 39.

Amendment No. 7

On page 4, line 11, strike out "562 to 565", and insert "590 2 to 590.5".

Amendment No. 8

On page 4, strike out lines 17 and 18

Amendment No. 9

On page 5, line 18, strike out "560 1", and insert "590.2".

Amendment No. 10

On page 5, strike out lines 20 and 21.

Amendment No. 11

On page 7, line 5, strike out "563 and 564", and insert "590.3 and 590.4".

Amendment No. 12

On page 7, strike out lines 20 and 21.

Amendment No. 13

On page 7, strike out lines 35 and 36.

Amendment No. 14

On page 7, line 39, strike out "564", and insert "590.4".

Amendment No. 15

On page 8, strike out lines 5 and 6.

Amendment No. 16

On page 8, strike out lines 16 and 17.

Amendment No. 17

On page 8, strike out lines 23 and 24.

Amendment No. 18

On page 8, strike out lines 31 and 32.

Amendment No. 19

On page 10, line 19, strike out "state", and insert "estate".

Amendment No. 20

On page 11, line 34, strike out "SEC. 13", and insert "SEC. 5".

Amendment No. 21

Strike out pages 12 to 14, inclusive; and on page 15, strike out lines 1 to 9, inclusive, and insert

"Article 3. Simplified Administration of Small Estates

648 The person named as executor in the will of a decedent, or a person entitled by law to administer his estate, pursuant to Sections 409 and 422 may prepare and cause to be filed with the county clerk of the county of the decedent's residence a verified petition for probate of will and letters testamentary, or for letters of administration, in the form provided by Sections 326 and 440 with, however, the inclusion of averments (1) that petitioner believes that the value of decedent's gross estate does not exceed ten thousand dollars ($10,000), if the the estate consists entirely of personal property, or thirty thousand dollars ($30,000), if the estate includes any interest in real property, and (2) facts showing that he is entitled to administer the estate. Where the decedent has left a will, there shall be attached to the petition the original of the decedent's will, and an affidavit of a person entitled under Section 329 to give evidence showing the due execution of the will

649 (a) If the petition is for probate of a will, petitioner shall give notice by publishing the same once in a newspaper published in the county, at least 15 days before the date fixed for the issuance of letters, or, if there is no such newspaper, then by posting If the petition is for letters of administration, alleging that the decedent died intestate, the petitioner shall give notice by posting Notice by posting under this section shall be given by causing the notice to be posted at the courthouse of the county where the petition is filed, at least 15 days before the date fixed for the issuance of letters. At least 15 days before the date fixed for the issuance of letters, copies of the notice shall be personally served upon the heirs of the testator and the devisees and legatees named in the will and all persons named as

executors who are not petitioning, or mailed, postage prepaid, from a post office within this state, addressed to them at their respective places of residence, if known to the petitioner, if not, at the county seat of the county where the proceedings are pending As used in this section "post office" includes mailbox, subpost office, substation, and mail chute or other like facility regularly maintained by the government of the United States Proof that the notice required by this subdivision has been duly given shall be filed with the clerk before letters may be issued.

(b) The notice shall be substantially as follows·

(Title of court, proceeding and case number.)

NOTICE OF PETITION FOR ADMINISTRATION UNDER SMALL ESTATES ACT

Notice is hereby given that (petitioner) has filed with the clerk of the above entitled court a petition under the Simplified Administration of Small Estates Act (Sections 648 through 658 of the California Probate Code), requesting the following action: _____

_____

_____

A writing dated _____ is attached to the petition as decedent's last will. *

Unless written objection is filed with such clerk on or before _____ (date to be fixed by petitioner), letters testamentary or of administration will be issued by the clerk to the petitioner, the above-mentioned writing will be deemed to be decedent's last will, * and administration of the estate will be commenced pursuant to the Simplified Administration of Small Estates Act.

Note. Under such Act, no bond is required of the petitioner, the court will not supervise the administration of the estate, and no notice of any action of the executor or administrator or of other steps taken in the administration of the estate will be received, except for notice of the proposed distribution of the decedent's estate Upon written objections filed with the clerk, or upon the request of the person having letters testamentary or of administration, at any time during the proceeding, administration of the estate under court supervision will ensue.

_____ _____

(Date) Petitioner

_____

Address

* Delete sentence or clause where not appropriate.

(c) The date fixed in the notice for the filing of objections shall be not less than 15 days after publication, posting, service, or mailing of the notice, whichever date is the latest The day of publication, posting, service, or mailing shall be excluded

650 If one or more objections are filed with the clerk on or before the date fixed in the notice, the clerk shall set the petition for hearing in the probate department of the superior court, and shall cause

notice of the hearing to be mailed at least 10 days before the hearing date to the petitioner, to the objecting party or parties, and to all persons entitled to notice under subdivision (a) of Section 649. Further proceedings shall be in accordance with the applicable parts of Division 3 (commencing with Section 300), exclusive of this article

651 In the absence of objection filed with the clerk on or before the date fixed in the notice, the clerk, after the date fixed in the notice, shall issue to the petitioner letters testamentary or of administration

All letters testamentary and letters of administration issued pursuant to this article shall be designated on their face as letters testamentary (or letters of administration) under the Simplified Administration of Small Estates Act.

The executor or administrator, promptly after letters are issued, shall cause notice to creditors to be published pursuant to Sections 700 and 701. When a creditor's claim is filed with the clerk before being presented to the executor or administrator, it shall be filed in duplicate. The clerk shall immediately deliver or mail to the executor or administrator, or his attorney, one of the duplicates of the claim

652 The executor or administrator shall file an inventory and appraisement, secure a determination of California inheritance tax liability in the same manner as provided by Section 14560 and following of the Revenue and Taxation Code, collect the decedent's assets and pay creditors' claims and taxes owed by the decedent or decedent's estate. The executor or administrator may sell personal property of the estate, not specifically bequeathed Payment of creditors' claims and sales of personal property hereunder shall not require court approval

653 (a) At any time after four months and not more than nine months have elapsed from the date of the first publication of notice to creditors, the executor or administrator shall file with the clerk an affidavit stating that the required notices have been given, that no creditors' claims have been filed or that any claims so filed have been allowed, or compromised, and paid, that no objections to the will or to the administration of the estate pursuant to this article have been filed, that all tax liabilities of the decedent and of the estate have been paid, and that the estate is in a condition to be closed There shall be attached to such affidavit a certificate of the State Controller to the effect that all California inheritance taxes have been paid or that no tax is due The affidavit shall set forth a table of distribution of the decedent's estate, in accordance with the decedent's will or the laws of intestate succession

(b) At least 10 days prior to the filing of the affidavit, the executor or administrator shall serve upon or mail to the persons entitled to notice under subdivision (a) of Section 649 a copy of the affidavit, and shall file proof of such service or mailing with the clerk

(c) In the absence of objection filed prior thereto, the filing with the clerk of the affidavit, together with the proof of service of mailing, shall confer upon the affiant the same authority to distribute the estate, in accordance with the table of distribution therein contained, as a decree of final distribution rendered pursuant to Article 3 (commencing with Section 1020) of Chapter 16 of Division 3 After filing the

affidavit the affiant, in the event the estate includes an interest in real property, shall cause a copy of the same, certified by the county clerk, to be recorded in any county in which such real property is located.

(d) Failure of the executor or administrator to file the affidavit required to be filed pursuant to subdivision (a) of this section within the period therein provided, shall not affect the validity of such affidavit filed by the executor or administrator after expiration of such period.

654 If an executor or administrator to whom letters have been issued under this article should for any reason cease to act, letters shall be issued to a successor executor or administrator A petition for the appointment of a successor executor or administrator shall be filed with the clerk, and notice thereof, which shall fix a date on or before which objections to the petition must be filed, shall be posted and served upon or mailed to the persons entitled to notice under subdivision (a) of Section 649, in the manner provided therein, at least 10 days prior to the date fixed in the notice Proof that the notice required by this section has been duly given shall be filed with the clerk before letters may be issued. In the absence of objection filed with the clerk on or before the date fixed in the notice, the clerk after the date fixed in the notice, shall issue to the petitioner letters testamentary or of administration

655. If, after letters have been issued, (a) any person interested in the estate shall file an objection to the right of the executor or administrator to administer the estate, to any actions of the executor or administrator, or to the administration of the estate under this article, or (b) the executor or administrator shall file a statement alleging that the estate cannot be administered advantageously under this article, or (c) an inventory and appraisement is filed showing that the gross estate as of the date of the decendent's death is of a value in excess of either or both of the limits set forth in Section 648, then the clerk shall forthwith, and without notice, issue general letters testamentary or of administration to the then acting executor or administrator, and all further proceedings shall be governed by the applicable parts of Division 3 (commencing with Section 300), exclusive of this article Upon the issuance of such general letters, or at any time thereafter, the court on its own motion, or on application of any person interested in the estate, may require the filing of a bond and make other orders with respect thereto, as provided by the applicable parts of Division 3 (commencing with Section 300), exclusive of this article The issuance of such general letters shall not require republication of a notice to creditors which has been duly published, invalidate a proper inventory previously filed, invalidate any action previously taken in good faith by the executor or administrator, or prejudice the rights of any person who has dealt with the executor or administrator in good faith and in reliance upon his authority

656. When the estate is administered as a small estate pursuant to this article and no general letters are issued, the compensation executors, administrators, and their attorneys shall be one-half of the commissions allowed under Section 901, for executors and administrators, and one-half the compensation allowed under Section 910 for conducting ordinary probate proceedings, for attorneys No additional com-

pensation shall be allowed If there are two or more executors, administrators, or attorneys, the total compensation for their services shall not exceed the amounts herein provided.

657. As used in this article, the term "estate" means assets subject to probate administration.

658. This article shall be known and may be cited as The Simplified Administration of Small Estates Act It shall apply to estates of decedents dying on or after July 1, 1973."

Amendment No. 22

On page 15, line 13, strike out "Article I", and insert "article".

Amendment No. 23

On page 15, line 14, strike out "562–567", and insert "590.2 to 590.7,".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 441", and insert ", 441, and 757".

Amendment No. 2

On page 15, between lines 9 and 10, insert

"SEC 6. Section 757 of the Probate Code is amended to read:

757. When property is directed by the will to be sold, or authority is given in the will to sell property, the executor may sell the same either at public auction or private sale, and with or without notice, as he may determine; but he must make a return of sales and obtain confirmation thereof as in other cases In either case no title passes unless the sale is confirmed by the court, but the necessity of the sale, or its advantage or benefit to the estate or to those interested therein, need not be shown. If directions are given in the will as to the mode of selling, or the particular property to be sold, such directions must be observed.

No sale shall be confirmed pursuant to this section (1) unless proof of publication of the notice of hearing of the petition for confirmation of the sale has been published pursuant to Section 6063a of the Government Code in a newspaper of general circulation in the county where the land or some portion thereof lies, if there is one so published. If there is no such newspaper, then publication of the petition for confirmation shall be in such newspaper as the court or judge may direct. (2) Unless proof of publication of notice of sale pursuant to Sections 780 and 782 has been furnished to the court." .

Amendment No. 3

On page 15, line 10, strike out "SEC 14.", and insert "SEC. 7"

Amendment No. 4

On page 15, after line 38, insert

"SEC 8. It is intended that the reduced fee schedule in Section 658 shall apply only to the independent administration of estates provided for in this act.

SEC. 9 No provision in this act shall be construed to eliminate any required publication of notice of sale of real property or any other publication of notice required by the Probate Code "

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, June 1, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No 1598

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing.

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1598—An act to add Section 10131.6 to the Business and Professions Code, relating to real estate brokers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "add Section 10131.6 to", and insert "amend Section 10132 of, and to add Section 10131.6 to,".

Amendment No. 2

On page 2, strike out line 20, and insert

"(d) In order to carry out the provisions of this section, the commissioner shall prescribe by regulation, after consultation with the Department of Motor Vehicles, methods and procedures to assure compliance with requirements of the Vehicle Code pertaining to mobilehome registration, collection of sales and use taxes, and transaction documentation.

SEC. 2 Section 10132 of the Business and Professions Code is amended to read:

10132 A real estate salesman within the meaning of this part is a natural person who, for a compensation or in expectation of a compensation, is employed by a licensed real estate broker to do one or more of the acts set forth in Sections 10131, 10131.1, 10131.2, ~~and 10131.3~~ *10131.3 and 10131.6*.

SEC. 3 The provisions of this act shall become"

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

Majority Floor Leader Presiding

At 1.52 p.m., Hon. Jack R. Fenton, 51st District, presiding

NAMES OF MEMBERS PLACED UPON MORNING ROLL CALL

Acting Speaker Fenton was granted unanimous consent that the following Members, who are attending the meeting of the Conference Committee on the Budget (Senate Bill No. 50), be excused, and their names added to the morning roll call: Messrs. Brown, Lanterman, and Porter.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1539 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Natural Resources and Conservation; and that Assembly Bills Nos. 1102 and 1103 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Local Government.

MESSAGES FROM THE SENATE

Senate Chamber, May 31, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 399
SB No. 1053

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1373

Mr. Hayden was granted unanimous consent to take up Assembly Bill No 1373, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be considered engrossed.

Second Reading of Assembly Bill No. 1373 by Unanimous Consent

Assembly Bill No. 1373—An act to amend Section 880 of, and to add Sections 20110, 20806.5, and 20806.6 to, the Education Code, and to amend Sections 802 and 803 of, to add Article 6 (commencing with Section 821) to Chapter 3 of Part 1 of Division 1 of, and to repeal Section 803.5 of, of the Unemployment Insurance Code, relating to unemployment insurance, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, line 28, strike out "levy and"; and on line 29, strike out "collect", and insert "budget"

Amendment No. 2

On page 11, line 4, after the word "unit ", insert "Each employing unit shall send a copy to the county superintendent of schools serving that unit for the unemployment program with timely documentation of charges or determination."

Amendment No. 3

On page 11, line 11, after the word "the", strike out "classified school"; and on line 12, strike out "employees account", and insert "Classified School Employees Fund".

Amendment No. 4

On page 11, line 14, after the word "Treasurer", insert ", State Controller,".

Amendment No. 5

On page 11, line 17, after the word "unit."; insert "Each employing unit shall send a copy to the county superintendent of schools serving that unit for the unemployment program with timely documentation of charges or determination "

Amendment No. 6

On page 12, line 15, strike out lines 15, 16, 17, and 18, and insert "fund All money in the fund is hereby appropriated to the State Department of Education without regard to fiscal year for carrying out the purposes of this article for making refunds and for investment through the Surplus Money Investment Fund, and further that seventy-five thousand dollars ($75,000) from such fund is hereby appropriated to the Department of Education for fiscal years 1972–1973 and 1973–1974, without regard to the budget, to reimburse expenditures and overhead incurred in the implementation of an unemployment insurance program covering classified school employees and the administration thereof by the Department of Education. Thereafter, the department shall establish a program within the budget of the department whereby the department shall continue to perform as the administrator of the program and provide representation on behalf of school employers at hearings and tribunals held by the Department of Human Resources Development concerning the validity of claims The Department of Education is hereby authorized to obtain data from any school employer and to act as an agent individually or collectively for school employers in matters pertaining to unemployment insurance."

Amendment No. 7

On page 12, line 23, after the word "supervisors", strike out "or county auditor"

Amendment No. 8

On page 12, line 25, after the word "levied", strike out "and collected"

Amendment No. 9

On page 12, line 30, after the word "remitted", insert "by the county auditor".

Amendment No. 10

On page 12, line 31, after the word "within", strike out "60", and insert "30".

Amendment No. 11

On page 12, line 31, after the word "collection", insert ", and shall be deposited in the Classified School Employees Fund".

Amendment No. 12

On page 12, line 38, strike out "After April 1, 1974", and insert "For the 1974–1975 fiscal year and subsequent fiscal years".

Amendment No. 13

On page 13, strike out lines 1 through 29, and insert

"824 On or before April 10, 1974 and each calendar year thereafter, the Department of Education shall notify the county board of supervisors and the county auditor of each county, of the cash balance in the Classified School Employees Fund as of March 31 of that year If such balance as a multiple of the total amount of unemployment benefits charged to school employers during the preceding calendar year equals or exceeds the amount set forth on any line of column 1 and is less than the amount set forth in column 2 of that same line, each county board of supervisors shall, pursuant to Section 823, levy a tax at the rate (per one hundred dollars ($100) of assessed valuation) set forth on that line in column 3 below Thus, the Department of Education shall divide the past year's disbursements into the unencumbered balance of the fund to establish a multiple and so inform each county auditor of the appropriate tax rate The county auditor shall remit the proceeds of such tax to the State Treasury within 30 days of collection to be deposited in the Classified School Employees Fund

Line	Fund Multiple On March 31 Column 1	Column 2	Tax Rate ($ per $100) Column 3
1	0 0	1 0	$0 009
2	1.0	1 25	0 007
3	1 25	1 5	0.005
4	1 5	2 0	0 004
5	2.0	2 5	0 003
6	2.5	3 0	0.002
7	3.0, or more		0.001".

Amendment No. 14

On page 13, strike out lines 30 and 31, and insert

"825. For the purpose of providing funds for the payment by each school employer as defined in Section 135 3".

Amendment No. 15

On page 13, line 35, after the second word "the", insert "school"

Amendment No. 16

On page 13, line 36, after the word "program," strike out "levy and"; and in line 37, strike out "collect taxes", and insert "taxes may be levied and collected".

Amendment No. 17

On page 13, line 39, after the word "other", insert "school employers' ".

Amendment No. 18

On page 14, line 1, after the word "taxes", insert "for school purposes"

Amendment No. 19

On page 14, line 3, after the word "amount", insert "which together with unencumbered balance will be".

Amendment No. 20

On page 14, line 7, after the word "budget," strike out the words "or proposed budget,".

Amendment No. 21

On page 15, line 2, strike out the words "after 30 days from receipt", and insert "30 days from the date".

Amendment No. 22

On page 15, strike out lines 3 and 4, and insert "and if not paid within the time required the school employer shall pay a penalty of ten percent (10%) of the unpaid amount plus interest at the rate of one-half of 1 percent (.005%) per month However, if funds"

Amendment No. 23

On page 15, line 8, strike out "county superintendent", and insert "Department of Education"

Amendment No. 24

On page 15, line 16, after the word "during", strike out the word "the", and insert "any".

Amendment No. 25

On page 15, line 18, after the word "employer's", strike out "last".

Amendment No. 26

On page 15, line 19, after the word "department", insert "for that quarter".

Amendment No. 27

On page 16, line 14, after the word "employer", insert "or county auditor".

Amendment No. 28

On page 16, line 26, after the word "wages", insert "for 1972–1973 and 1973–1974 fiscal years, and thereafter from twenty-five hundredths (.25%) to one and one-half percent (1.5%) of such wages as experience rated by notification from the State Department of Education which shall at least annually calculate experiences of school employers relative to usage of the Unemployment Fund by generally and specially funded employees".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP BILLS

Mr Gonsalves was granted unanimous consent to take up Assembly Bills Nos 339, 1724 and 1735, without reference to file, for the purpose of reading the bills a second time and adopting the committee amendments at this time, and that the bills be considered engrossed

Second Reading of Assembly Bills Nos. 339, 1724, and 1735 by Unanimous Consent

Assembly Bill No. 339—An act to amend Section 17146 of, and to repeal Section 17146 5 of, the Revenue and Taxation Code, relating to exclusions from gross income under the Personal Income Tax Law, to take effect immediately, tax levy

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Set No. 1

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 1, 1972, strike out "repeal Section 17146.5 of", and insert "add Sections 17146 7 and 17146 8 to,".

Amendment No. 2

On page 2, line 7, after "services", insert "on extended active duty"

Amendment No. 3

On page 2, strike out lines 11 to 14, inclusive; and in line 15, strike out "SEC 3 ", and insert

"For purposes of this section and Section 17146 8, the term "extended active duty" means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period.

SEC 2 Section 17146 7 is added to the Revenue and Taxation Code, to read:

17146 7 Gross income does not include pensions and retirement pay received by an individual for his services as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate In the case of a taxpayer whose adjusted gross income for the taxable year exceeds fifteen thousand dollars ($15,000), the amount of the exclusion allowed by this section shall be reduced by fifty cents ($0 50) for each one dollar ($1) of such income in excess of fifteen thousand dollars ($15,000).

SEC 3 Section 17146 8 is added to the Revenue and Taxation Code, to read.

17146.8. Gross income does not include salary, wages, bonuses, allowances, and other compensation received by an individual for his services on other than extended active duty as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate In the case of a taxpayer whose adjusted gross income for the taxable year exceeds fifteen thousand dollars ($15,000), the amount of the exclusion allowed by this section shall be reduced by fifty cents ($0 50) for each one dollar ($1) of such income in excess of fifteen thousand dollars ($15,000)

SEC 4 "

Set No. 2

Amendment No. 1

In line 5 of the heading of the printed bill, as amended in Assembly May 1, 1972, after "Ryan," insert "Stacey,"

Amendment No. 2

In line 8 of the heading, after "Grunsky," insert "Lagomarsino,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1724—An act to repeal Chapter 2.5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2 5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to tax credits and payments under the Personal Income Tax Law, and making an appropriation therefor, to take effect immediately, tax levy

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 4, line 17, of the printed bill, after "(a)", insert ", as it applies to each dependent,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1735—An act to add Section 6010 4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 23, 1972, strike out line 17, and insert "and services by the partnership to its members for the purpose of the production of motion pictures by its members shall not".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 2102, ordered to third reading

Assembly Bills Nos. 2328, 2053, 1268, 1953, 1339, and **1933**, ordered to the Consent Calendar

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 123—An act to amend Sections 13801, 13813, 14100, 14111 and 17668 5 of, and to add Article 17 (commencing with Section 14130) to Chapter 4 of Division 10 of the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Dent moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 22, 1972, after "add", insert "Article 13 5 (commencing with Section 14084) and".

Amendment No. 2

On page 3, between lines 2 and 3, insert

"SEC. 3 5. Article 13 5 (commencing with Section 14084) is added to Chapter 4 of Division 10 of the Education Code, to read

Article 13 5 Transfer of Assets—Los Angeles Unified School District Retirement System and Los Angeles Community College District Retirement System

14084 This article details the provisions relating to the transfer of assets from the Los Angeles Unified School District Retirement System and the Los Angeles Community College District Retirement System to the State Teachers' Retirement System should the members of the above-named local systems elect to be wholly covered by the State Teachers' Retirement System, as well as the provisions of law covering the transfer of assets from the State Teachers' Retirement System to the above-named local systems should the members of the local systems elect to be wholly covered by the above-named local systems.

The purpose of the asset valuation method described in this article shall be to provide equality for each party

The transfer of assets provided for in this article shall be in cash or in securities in kind Without in any way limiting the definition of "securities" and so that it may be perfectly clear, this term shall include notes secured by mortgages or real estate mortgages

14084 1 Sections 14085 through 14091 apply to the transfer of assets as of June 30, 1972, as they relate to the Los Angeles Unified School District Retirement System

14085 The total market value of the State Teachers' Retirement Funds' securities shall be established as of the close of business on June 30, 1972 The accrued income on the securities at June 30, 1972, cash on hand, the investment principal in course of collection and the members contributions receivable shall be added to the total market value of securities and, after deducting interest and principal collected in advance and retirement claims payable and filed, this amount shall be divided by the total of member contribution reserves plus reserves for retirement annuities, death annuities, and survivor benefits. The quotient thus obtained, computed to eight places past the decimal,

shall be divided into the total of the cash, market values of the securities in kind which are to be transferred, established as of the close of business on June 30, 1972, and any accrued income thereon, to provide the values of the Los Angeles Unified School District's assets for transfer.

Accrued income properly computed shall include any delinquent interest at the face rate on any item which, while in default, is guaranteed or insured by an agency of the United States government

Values established in accordance with the above procedures shall be obtained and approved by each board, who may obtain the assistance of other parties and may, if they so desire, agree to binding valuations by a mutually agreed upon independent party.

Either the Los Angeles Unified School District or the Teachers' Retirement Board may reject specified securities for transfer and recommend alternative selections.

Selection of securities to be transferred in kind shall not be made in a manner adverse to the Teachers' Retirement Fund While a proportionate division of each holding shall not be required, the State Teachers' Retirement System shall be entitled to a division of the city local system's securities distributed between nonconvertible fixed income investments, equities, and securities convertible into equities in proportion to the book value of these security groupings to the total value of the city local system's portfolio as of June 30, 1972. However, the Teachers' Retirement Board may reject any securities which do not qualify under its investment resolution as amended December 18, 1970.

Should the respective parties be unable to reach agreement on market value of assets by October 15, 1972, the matter shall be submitted to arbitration by an independent party who, in making his determination shall be guided by the State Constitution, existing law, the formal investment resolution of the Teachers' Retirement Board as amended December 18, 1970, and the provisions of this article, and his decision shall be binding upon both parties to the extent that it is legal under state law. The arbitrator shall be mutually agreed upon by the respective boards If agreement cannot be reached, the market value shall be established by a panel of three arbitrators, one appointed by the Los Angeles Unified School District, one by the Teachers' Retirement Board and the third selected by mutual agreement of the first two. Decisions of the arbitration panel shall be binding upon the Los Angeles Unified School District and the State Teachers' Retirement System to the extent that it is legal under state law.

14086. To mitigate the possibility of conflicts arising because of changing market valuations over time, the transfer shall be effected as soon as possible. To this end, a partial transfer consisting of cash and securities in kind valued at market plus accrued income equivalent to 90 percent of the estimated value of the annuity savings (active member accumulated contributions) shown on the city system's records shall be made as soon after June 30, 1972, as possible with a subsequent adjustment in its valuation amount effected as soon as the aforementioned valuation quotient is computed A decision as to which stocks shall be eligible for transfer must be agreed upon by both parties prior

to the valuation date to avoid any possible inequity For the total of the common and preferred stocks to be transferred, any change in the market value between the valuation date and the actual date of transfer shall bear a close relationship to the change in the Standard & Poor's Composite Stock Index of 500 companies between the same dates

14086 1 If the Los Angeles Unified School District Retirement System incurs a net realized loss from the transfer of assets at less than their book values, that loss shall be a charge against the residual funds remaining on deposit with the Los Angeles Unified School District

14086 2 The transfer of cash and securities in kind from the Los Angeles Unified School District to the State Teachers' Retirement System shall be accomplished by that district delivering the cash and securities in kind at the office of the State Treasurer in Sacramento properly registered in the name of the State Teachers' Retirement System in accordance with the registration requirements of the State Teachers' Retirement System This transfer shall be completed by June 30, 1973 Interest on the actual amount of any cash transfer shall be at the rate of 6 percent per annum from July 1, 1972, to date of the transfer Any cash income payments or payments on securities received in the form of securities by the Los Angeles Unified School District after June 30, 1972, which are properly allocable to the Teachers' Retirement Fund shall be paid to the Teachers' Retirement Fund

14087 If the Los Angeles Unified School District's assets contributed are recorded in the State Teachers' Retirement System's accounts at a total amount different than the total member annuity savings (active member accumulated contributions) and present value of retired roll being financed from local system reserves transferred to the State Teachers' Retirement System, the difference shall be recorded in the State Teachers' Retirement System's account as a deferred item which is to be amortized over a 25-year period

14088 All costs of the asset transfer, asset valuation, security registration, and the administrative costs in the implementation of Chapter 1305, Statutes 1971, as they relate to the local system, shall be a charge against the residual funds remaining on deposit with the Los Angeles Unified School District

14089 The balance of assets remaining on deposit with the Los Angeles Unified School District after the transfers, deposits and payments required by this article or after establishment of reserves from which such deposits and payments shall be made, shall be held intact by the districts until the Legislature either prior thereto or thereafter expressly authorizes the expenditure or other disposition thereof

14090 In the event that the members of the Los Angeles Unified School District Retirement System elect to be fully covered by their local system so as to require a transfer of cash and securities in kind from the Teachers' Retirement Fund to the Los Angeles Unified School District Retirement System, the State Teachers' Retirement System shall contribute cash or securities in kind The quotient obtained under Section 14085 shall be divided into the total of the cash, market values of the securities in kind which are to be transferred, established as of

the close of business June 30, 1972, and any accured income thereon, to provide the valuation of the assets which are to be transferred to the local system The actual cash contributed shall bear interest at the rate of 6 percent per annum from the date due until the date of transfer.

14091 If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable ''

Amendment No. 3

On page 3, line 12, strike out "1972", and insert "1973".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the second reading file.

Assembly Bill No. 168—An act to add Chapter 2 5 (commencing with Section 429.60) to Part 1, Division 1 of the Health and Safety Code, relating to health professions planning grants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 205—An act to amend Sections 634.5, 976 7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance

Bill read second time, and ordered to third reading.

Assembly Bill No. 705—An act to repeal Part 4 (commencing with Section 9601) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time, and ordered to third reading

Assembly Bill No. 1068—An act to add Section 14670 4 to the Government Code, relating to letting of state property.

Bill read second time, and ordered to third reading

Assembly Bill No. 1442—An act to amend Section 190 of, and to add Section 190 5 to, the Streets and Highways Code, relating to grade separation projects

Bill read second time, and ordered to third reading.

Assembly Bill No. 1503—An act to add Article 18 (commencing with Section 429 70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health

Bill read second time, and ordered to third reading.

Assembly Bill No. 2066—An act to add Section 13110 5 to the Health and Safety Code, relating to fires

Bill read second time, and ordered to third reading

Assembly Bill No. 144—An act to amend Section 890 of, and to add Section 890 1 to the Military and Veterans Code, relating to tuition

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 396—An act to amend Section 73 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 424—An act to add Sections 18685 and 18754 to the Business and Professions Code, relating to professional boxing

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 918—An act to amend Sections 54 1 and 54 2 of the Civil Code, relating to guide dogs for the blind.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1462—An act to add Section 4458 to the Government Code, relating to public facilities.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1494—An act to add Section 18747 3 to the Business and Professions Code, relating to professional boxing

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1610—An act to repeal Section 3 of Chapter 558 of the Statutes of 1970, relating to deer, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1626—An act to amend Section 1227 of the Financial Code, relating to commercial banks.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1833—An act to amend Sections 11475 and 11479 of the Education Code, relating to average daily attendance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1873—An act to add Section 38109 to the Health and Safety Code, to amend, repeal, and add Section 5325 of, and to add Section 7518 to, the Welfare and Institutions Code, relating to mentally retarded persons

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2113—An act to amend Section 1027 of the Unemployment Insurance Code, relating to unemployment insurance

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 617—An act to add Section 129 to the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in Assembly April 17, 1972, after the period, insert "Nothing in this subdivision shall be construed as authorizing or requiring any board to set or to modify any fee charged by a licentiate"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1446—An act to add Section 14783.1 to, and to repeal Section 14783.1 of, the Government Code, relating to state purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly May 2, 1972, after "cards", insert "for purchases of fifty dollars ($50) or less".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 428—An act to add Sections 5350.3 and 5350.5 to the Vehicle Code, relating to vehicles

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Assembly May 3, 1972, strike out "title", and insert "ownership was".

Amendment No. 2

On page 2, line 16, after "from", insert "the"

Amendment No. 3

On page 2, line 17, strike out "title", and insert "ownership".

Amendment No. 4

On page 2, after line 31, insert

"SEC. 2. This act shall become operative on July 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1215—An act to add Section 11705.5 to the Vehicle Code, relating to dealers' licenses

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted

Amendment No. 1

On page 2, line 33, of the printed bill, as amended in Assembly May 10, 1972, strike out "fifty dollars ($50)", and insert "one hundred dollars ($100)".

Amendment No. 2

On page 3, line 3, strike out "fifty dollars ($50)", and insert "one hundred dollars ($100)".

Amendment No. 3

On page 3, line 9, strike out "two thousand five hundred dollars ($2,500)", and insert "five thousand dollars ($5,000)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2054—An act to add Section 161 to the Streets and Highways Code, relating to highway rain grooves.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 5, inclusive; and in line 6, strike out "(b) The department shall", and insert

"161. The department may".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1171—An act to amend Sections 14202, 14254, 14903, 14910, 15101, 15150, 15201, 15704, 15752, 15753, and 15757 of, and to add Section 15102.2 to, the Financial Code, relating to credit unions.

Bill read second time.

Consideration of Committee Amendments

The following amendment proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 3, line 22, of the printed bill, strike out "200", and insert "100"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1076—An act to add Section 1736.5 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1736.5", and insert "1657.5".

Amendment No. 2

On page 1, line 1, strike out "1736 5", and insert "1657.5".

Amendment No. 3

On page 1, strike out lines 3 to 5, inclusive, and insert

"1657.5. When an application for a license or certificate of convenience to act as an insurance solicitor is filed, the commissioner shall notify, in writing, every agent or broker named in the statement required by Section 1657 who is employing or has agreed to employ such applicant. Such notice shall contain the name and address of each employing agent or broker."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 881—An act to amend Section 36080 of the Streets and Highways Code, relating to parking and business improvement areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 36080 of", and insert "and renumber Section 36081 of, and to add Section 36081 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 36081 is added to the Streets and Highways Code, to read:

36081 At any time after one year from the date of the adoption of an ordinance establishing an area, representatives of 35 percent or more of the number of those businesses within the area who pay the tax imposed pursuant to this part may request in writing that the area be disestablished.

Upon receipt of a request for disestablishment of an area signed by 35 percent or more of the number of those businesses paying taxes within the area, the city council shall, by resolution, fix a date, time, and place for hearing on disestablishment of the area The hearing shall be held not less than 15 days nor more than 30 days after the request is filed Notice of the hearing shall be given as provided in Section 36022, except that notice shall be published and mailed at least 15 days prior to the date set for the hearing

On the date and at the time set for the hearing, the council shall meet and hear all requests for, and objections to, disestablishment of the area If written requests for disestablishment of the area are submitted by representatives of 50 percent or more of the number of those businesses who pay the tax imposed pursuant to this part, the city council, by ordinance, shall disestablish the area.

Notwithstanding any other provision of this section, if the petition requesting disestablishment of the area is signed by representatives of more than 50 percent of the number of those businesses within the area who pay taxes imposed pursuant to this part, the city council may, by ordinance, disestablish the area without notice and hearing

If an area is disestablished pursuant to this section, no further taxes may be collected in such area However, the city council may impose and collect such tax as is necessary and sufficient to pay existing contractual obligations and operating costs attendant to the disestablishment The costs for which an additional tax is to be imposed after disestablishment and the rate of the tax shall be provided in the ordinance disestablishing the area.

SEC. 2. Section 36081 of the Streets and Highways Code is amended and renumbered to read

~~36081~~ *36082* Upon disestablishment of an area, any proceeds of the tax, or assets acquired with such proceeds, shall be subject to disposition as the city council shall determine ''

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive, and strike out page 2.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 290—An act to add Section 23710 to, and to amend Sections 17214 and 24359 of, the Revenue and Taxation Code, relating to activities of organizations exempt under the Bank and Corporation Tax Law.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3, line 32, of the printed bill, as amended in Assembly March 22, 1972, after the comma, insert ''except organizations established or controlled by an organization or organizations which are not qualified to receive tax deductible contributions pursuant to Section 23701d, or organizations established or controlled by one or more individuals or organizations acting jointly with one or more organizations that are not qualified to receive tax deductible contributions pursuant to Section 23701d, or private foundations as defined in Section 509 of the United State Internal Revenue Code or, organizations which discriminate on the basis of sex, color, religion, or national origin ''

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1420—An act to add Section 13490 to the Education Code, relating to school certificated employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13490", and insert "13491".

Amendment No. 2

On page 1, line 1, strike out "13490", and insert "13491".

Amendment No. 3

On page 1, line 3, strike out "13490", and insert "13491".

Amendment No. 4

On page 1, lines 6 and 7, strike out "shall be released from their regular duties without loss of compensation or".

Amendment No. 5

On page 1, line 9, after "salary", insert "when such duties are required after the regular schoolday or after the regular school year".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1822—An act to add Section 24215 to the Education Code, relating to the state university and colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted.

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly April 19, 1972, after "are", insert "persons prepared for library work by virtue of at least a fifth year Masters of Library Science degree from an accredited library school Such persons are"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1832—An act to amend Section 31226 1 of the Education Code, relating to the state college educational opportunity program

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 31226 1 of", and insert "add Sections 22508 5 and 22508 6 to".

Amendment No. 2

In lines 2 and 3 of the title, strike out "the state college educational opportunity program", and insert "public higher education".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 22508 5 is added to the Education Code, to read:

22508.5 Each institution of public higher education shall require that all applications for any type of financial aid for students shall disclose all taxable income and all nontaxable income

SEC 2 Section 22508 6 is added to the Education Code, to read:

22508 6 (a) Each state university and college, when determining eligibility for any state university or college educational opportunity program, and each governing board of a school district maintaining a community college, when determining eligibility for any community college educational opportunity program, shall consider nontaxable income

(b) The Regents of the University of California are requested to provide that nontaxable income be considered in all determinations of eligibility for any educational opportunity programs at the University of California "

Amendment No. 4

On page 1, strike out lines 2 to 11, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 646 and **54**, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 933—An act relating to the public school system, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 187—An act to amend Section 3106 of the Education Code, relating to school district unification and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 424	AB No 1626
AB No 1494	AB No 2113

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 184—An act to amend Sections 214 8, 251, 254, 254 5, 270, and 271 of, and to add Sections 215.1 and 259 7 to, the Revenue and Taxation Code, relating to taxation.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 184?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 20, 1972, strike out "and 254", and insert "254, 254.5, 270, and 271".

Amendment No. 2

On page 3, line 27, after "SEC 5 ", insert "Section 254 5 of the Revenue and Taxation Code, as amended by Chapter 1633 of the Statutes of 1971, is amended to read:

254 5 Affidavits for the welfare exemption *and the veterans' organization exemption* shall be filed in duplicate on or before March 15 of each year with the assessor concerned and shall be accompanied by duplicate certified copies of the financial statements of the owner and operator. Copies of the affidavits and financial statements shall be forwarded not later than April 1 by the assessor with his recommendations for approval or denial to the board which shall review all such affidavits and statements and may institute an independent audit or verification of the operations of the owner and operator to ascertain whether both the owner and operator meet the requirements of Sections 214 of the Revenue and Taxation Code In this connection the board shall consider, among other matters, whether·

(a) The services and expenses of the owner or operator (including salaries) are excessive, based upon like services and salaries in comparable public institutions,

(b) The operations of the owner or operator, either directly or indirectly, materially enhance the private gain of any individual or individuals,

(c) Any capital investment of the owner or operator for expansion of physical plant is justified by the contemplated return thereon, and required to serve the interests of the community

(d) The property on which exemption is claimed is used for the actual operation of an exempt activity and does not exceed an amount of property reasonably necessary to the accomplishment of the exempt purpose

The board shall make a finding as to the eligibility of each applicant and the applicant's property and shall forward its finding to the assessor concerned not later than June 1 In a case where the board conducts a hearing with respect to the eligibility of the applicant and the applicant's property, the time for making the finding and forwarding it to the assessor concerned is extended to no later than June 15 The assessor may deny the claim of an applicant the board finds eligible but may not grant the claim of an applicant the board finds ineligible

SEC 6."

Amendment No. 3

On page 3, line 33, strike out "SEC 6 ", and insert

"SEC. 7. Section 270 of the Revenue and Taxation Code, as added by Chapter 303 of the Statutes of 1971, is amended to read·

270 (a) With respect to property as to which the college, cemetery, church, exhibition, orphange, *veterans' organization* or welfare exemption was available but for which a timely application for exemption was not filed—

(1) Ninety percent of any tax or penalty or interest thereon shall be canceled or refunded provided an appropriate application for exemption is filed on or before the first day of March of the calendar year next succeeding the calendar year in which the exemption was not claimed by a timely application, or, if the application is filed thereafter,

(2) Eighty-five percent of any tax or penalty or interest thereon shall be canceled or refunded provided an appropriate application for exemption is filed and relief is not authorized under Section 214 01 or 271

(b) Notwithstanding the provisions of subdivision (a), any tax or penalty or interest thereon exceeding two hundred fifty dollars ($250) in total amount shall be canceled or refunded provided it is imposed upon property entitled to relief under subdivision (a) for which an appropriate claim for exemption has been filed

(c) With respect to property as to which the welfare exemption *or veterans' organization exemption* was available, all provisions of Section 254 5, other than the specified dates for the filing of affidavits and other acts, are applicable to this section

SEC. 8 Section 271 of the Revenue and Taxation Code, as added by Chapter 303 of the Statutes of 1971, is amended to read:

271 (a) Provided that an appropriate application for exemption is filed on or before the first day of March of the calendar year next succeeding the calendar year in which the property was acquired, any tax or penalty or interest thereon—

(1) Imposed upon property owned by any organization qualified for the college, cemetery, church, exhibition, orphanage, *veterans' organization* or welfare exemption which is acquired by such organization during a given calendar year, after the lien date but prior to the first day of the fiscal year commencing within that calendar year, when the property is of a kind which would have been qualified for the college, cemetery, church, exhibition, orphanage, *veterans' organization* or welfare exemption if it had been owned by such organization on the lien date, shall be canceled or refunded,

(2) Imposed upon property owned by any organization which would have qualified for the college, cemetery, church, exhibition, orphanage, *veterans' organization* or welfare exemption had the organization been in existence on the lien date, which was acquired by it during that calendar year after the lien date in that year but prior to the commencement of such fiscal year, and of a kind that presently qualifies for such exemption and that would have so qualified for such fiscal year had it been owned by such organization on such lien date and had the organization been in existence on such lien date, shall be canceled or refunded,

(3) Imposed upon property acquired after the beginning of any fiscal year by an organization qualified for the college, cemetery, church, exhibition, orphanage, *veterans' organization* or welfare exemption and the property is of a kind which would have qualified for an exemption if it had been owned by such organization on the lien date, whether or not that organization was in existence on the lien date, shall be canceled or refunded in the proportion that the number of days for which the property was so qualified during the fiscal year bears to 365

(b) Eighty-five percent of any tax or penalty or interest thereon imposed upon property which would be entitled to relief under the provisions of subdivision (a) or Section 214 01, except that an appropriate application for exemption was not filed within the time required by the applicable provision, shall be canceled or refunded provided that an appropriate application for exemption is filed after the last day on which relief could be granted under subdivision (a) or Section 214 01.

(c) Notwithstanding the provisions of subdivision (b), any tax or penalty or interest thereon exceeding two hundred fifty dollars ($250) in total amount shall be canceled or refunded provided it is imposed upon property entitled to relief under subdivision (b) for which an appropriate claim for exemption has been filed.

(d) With respect to property acquired after the beginning of the fiscal year for which relief is sought, the provisions of subdivisions (b) and (c) shall apply only to that pro rata portion of any tax or penalty or interest thereon which would have been canceled or refunded had the property qualified for relief under paragraph 3 of subdivision (a).

SEC. 9."

Amendment No. 4

On page 5, line 7, strike out "SEC. 7", and insert

"SEC 10"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Monagan, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, and Mr. Speaker—46.

NOES—Miller—1.

Above bill ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

Mr. Ketchum was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No 2138 be continued until the next legislative day.

Mr. Dunlap was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2139 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 435—An act to amend Sections 2365 and 2366 of, and to add Sections 2366 3 and 2366.5 to, the Education Code, relating to school district reorganization

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Collier, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—50

NOES—Briggs, Conrad, and Murphy—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 377

Mr Barnes was granted unanimous consent to take up Senate Bill No. 377, without reference to file, for purpose of consideration at this time.

Consideration of Senate Bill No. 377

Senate Bill No. 377—An act making an appropriation for state park system development, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Barnes

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 377.

Governor's Office, Sacramento
April 14, 1972

To the Honorable Members of the Senate and Assembly:

> **Senate Bill No. 377,** "An act making an appropriation for state park system development, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No 377 as an emergency measure

Respectfully,

RONALD REAGAN
Governor

The question being on the adoption of the urgency clause to Senate Bill No 377.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—54.

NOES—Vasconcellos—1.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Wilson, Wood, and Mr Speaker—54.

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.10 p m, Mr Leroy F. Greene was granted unanimous consent to hold a special meeting of the Committee on Education at this time, in the rear of the Assembly Chamber.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER SENATE BILL NO. 42

In compliance with a motion given on a previous day, Mr Badham moved that the vote whereby Senate Bill No. 42 was passed be reconsidered.

Senate Bill No. 42 refused reconsideration by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Briggs, Cline, Collier, Conrad, Duffy, Hayden, Lewis, Monagan, Russell, and Stull —15.

NOES—Bee, Brown, Burton, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Ralph, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker —40

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

At 2·20 p m, Acting Speaker Fenton announced that there would be a caucus of the entire membership of the Assembly at this time, in the Assembly Lounge.

APPROVAL OF JOURNALS

On motion of Acting Speaker Fenton, the Assembly Daily Journals for May 1, 2, 3, 4, 8, 9, 10, 11, 15, 16, 17, 18, 22, 23, 24, 25, 26, 30, and 31, 1972, were approved as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT TO TRANSMIT SENATE BILL NO. 377 TO THE SENATE

Mr Barnes was granted unanimous consent that Senate Bill No. 377 be transmitted to the Senate at this time.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1778, on request of Mr. Sieroty.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1003—An act to add Sections 3406 and 4023.5 to the Penal Code and Sections 521 and 1774 to the Welfare and Institutions Code, relating to female prisoners.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Ralph, Russell, Ryan, Sieroty, Stacey Stull, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—52

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 488—An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Dunlap moved a call of the Assembly

Motion carried Time, 3·10 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Lewis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1187—An act to amend, repeal, and add Sections 6316 and 6326 of the Welfare and Institutions Code, relating to mental health.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Barnes and Stull—2.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Constitutional Amendment No. 15—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article III, Section 5 to Article XX, and Section 7 to Article XXIV thereof, and by repealing Section 3 of Article I, Articles III, X, and Sections 1, 6, 10, 11, and 16 of Article XX, and Article XXI thereof, relating to constitutional revision.

Resolution read.

Motion to Amend

Mr Beverly moved the adoption of the following amendments.

Amendment No. 1

In line 4 of the title of the printed measure, as amended in Assembly May 24, 1972, strike out the first comma, and insert "and".

Amendment No. 2

In lines 4 and 5 of the title, strike out ", and Section 7 to Article XXIV".

Amendment No. 3

In line 6 of the title, strike out "10, 11,".

Amendment No. 4

On page 3, strike out lines 21 and 22; and in line 23, strike out "Tenth", and insert
"Eighth".

Amendment No. 5

On page 3, line 24, strike out "Eleventh", and insert
"Ninth".

Amendment No. 6

On page 3, strike out lines 25 to 32, inclusive.

Amendments read, and adopted.

Resolution ordered reprinted, and to be returned to the third reading file.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities.

Resolution read.

Demand for Previous Question

Messrs Deddeh, Dent, Bagley, Chacon, and Wood demanded the previous question Demand sustained.

The question being on the adoption of Assembly Constitutional Amendment No 81.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Knox moved a call of the Assembly.

Motion carried. Time, 3 .35 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Crown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PASSED ON FILE

Assembly Bill No. 1541—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending and renumbering Section 9 of Article IX thereof, by adding Section 27 to Article I thereof, by adding Article VIII thereto, adding Section 8 to Article XIII thereof,

adding Section 2 to Article IX thereof, adding Section 5 to Article XIII thereof, adding Section 8 to Article XXIV thereof, and by repealing Sections 1, 2, 2.1, 3, 3.1, 3 3, 5, 6, 6½, 7, 7 5, 8, 10, 11, 12, 13, 14, and 15 of Article IX thereof, relating to the public schools.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Leroy F. Greene moved a call of the Assembly

Motion carried. Time, 3:40 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Dunlap was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 488

At 3:41 p m., on motion of Mr. Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 488 passed by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—41

NOES—Badham, Barnes, Belotti, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Dent, Hayden, Ray E Johnson, Ketchum, MacGillivray, Mobley, Monagan, Murphy, Russell, Seeley, Stacey, Stull, and Wood—23.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 81

At 3.42 p m., on motion of Mr Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Assembly Constitutional Amendment No 81 refused adoption by the following vote

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Burton, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey

Johnson, Karabian, Keysor, Knox, LaCoste MacGillivray, McAlister, Miller, Mobley, Monagan Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Wood, and Z'berg—41

NOES—Badham, Cory, Deddeh, Maddy, Murphy, Pierson, and Warren—7

Motion to Reconsider Assembly Constitutional Amendment No. 81 on Next Legislative Day

Mr. Knox moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No 81 was this day refused adoption

Assembly Constitutional Amendment No 81 ordered to the unfinished business file

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 806—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1159—An act to add Sections 1014.1 and 1017.1 to the Education Code, relating to school district employees

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Karabian moved a call of the Assembly.

Motion carried Time, 3 53 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

BILLS PASSED ON FILE

Assembly Bills Nos. 1019, 807, 1764 and **877**—Passed on file

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1848 and **Assembly Constitutional Amendment No 56**—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file

Assembly Bills Nos. 2135 and **2136,** on request of Mr Dunlap

BILLS PASSED ON FILE

Assembly Concurrent Resolution No. 62—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1054—An act to amend Section 6254 7 of the Government Code, relating to public records

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 231—An act to amend Section 5321 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—61.

NOES—None

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bills Nos. 1609 and **1286**—Passed on file

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1516—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 162—An act to amend Section 8926 of, to add Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) to Division 4 5, Title 1, and to repeal Chapter 1 (commencing with Section 3600) and Chapter 2 (commencing with Section 3700) of Division 4 5, Title 1, of the Government Code, relating to conflicts of interest.

Bill read third time.

Demand for Previous Question

Messrs Duffy, Deddeh, Bill Greene, Wilson, and Stacey demanded the previous question Demand sustained.

The question being on the passage of the bill

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Cory moved a call of the Assembly

Motion carried Time, 4 20 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1159

At 4:21 p m , on motion of Mr Karabian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 1159 refused passage by the following vote:

AYES—Badham, Bagley, Bee, Belotti, Beverly, Briggs, Chacon, Collier, Crown, Cullen, Davis, Deddeh, Dent, Fong, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, Maddy, McAlister, Miller, Mobley, Pierson, Powers, Priolo, Ralph, Seeley, Stacey, Thomas, Townsend, Warren, and Wood —37.

NOES—Arnett, Barnes, Burke, Chappie, Cline, Conrad, Cory, Duffy, Dunlap, Gonsalves, Bill Greene, Ketchum, MacGillivray, Murphy, Sieroty, Stull, Vasconcellos, Wilson, Z'berg, and Mr Speaker—20.

Motion to Reconsider Assembly Bill No. 1159 on Next Legislative Day

Mr Karabian moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1159 was this day refused passage

Assembly Bill No 1159 ordered to the unfinished business file

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 67

At 4 23 p.m , on motion of Mr Leroy F Greene, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No 67 refused adoption by the following vote

AYES—Arnett, Bagley, Bee Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton,

Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr. Speaker—48.

NOES—Barnes, Briggs, Burke, Chappie, Cline, Conrad, Davis, Duffy, Hayden, Ray E. Johnson, Ketchum, LaCoste, Lewis, Monagan, Stacey, and Stull—16.

Motion to Reconsider Assembly Constitutional Amendment No. 67 on Next Legislative Day

Mr. Leroy F. Greene moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No 67 was this day refused adoption.

Assembly Constitutional Amendment No 67 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 162

At 4:26 p.m., on motion of Mr. Cory, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 162 refused passage by the following vote:

AYES—Arnett, Beverly, Briggs, Chacon, Cline, Conrad, Cory, Davis, Deddeh, Duffy, Dunlap, Garcia, Leroy F Greene, Hayden, Keysor, LaCoste, Lewis, Maddy, McAlister, McCarthy, Meade, Monagan, Pierson, Powers, Priolo, Russell, Sieroty, Stull, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—34.

NOES—Barnes, Bee, Belotti, Burke, Chappie, Crown, Dent, Fenton, Ray E. Johnson, Ketchum, Knox, MacGillivray, Miller, Mobley, Murphy, Seeley, and Stacey—17.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4 27 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1415—An act to add Section 34271.5 to the Health and Safety Code, relating to housing authorities

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy,

Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1802—An act to amend Section 770.3 of the Insurance Code, relating to tax-sheltered annuities.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 987—An act to add Section 690 8 to the Code of Civil Procedure, relating to execution and attachments.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 237—An act to amend Sections 54774, 54790 and 54796 of, and to add Sections 35703 5 and 35803 5 to, the Government Code, relating to local agency formation commissions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo,

Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1207—An act to amend Sections 6468, 6468.1, 6468.2, 6468.3, 6468.5 of, and to add Section 6468.8 to, the Streets and Highways Code, relating to improvement bonds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 549—An act to amend Sections 24224, 24260, 24297, 24354.2, 24355.2, 24361.4, 24362.1, 24365.6, 39298.8, 39382, 39402, 39460, and 39476 of, to add Sections 24296, 24296.5, 24365.5, 39475, and 39475.5 to, and to repeal Sections 24296, 24365.5, and 39475 of, the Health and Safety Code, relating to air pollution.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 92—Relative to the Joint Committee on Open Space Lands.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hay-

den, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 406—An act to amend Section 6499 of, and add Section 6492.5 to, the Health and Safety Code, relating to sanitary districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2373: By Assemblyman Sieroty—An act to add Section 3755 to the Government Code, relating to political contributions.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2374: By Assemblyman Chappie—An act to repeal Chapter 354, Statutes of 1869-70, relating to the Town of Hornitos

Held at Desk by order of the Acting Speaker.

Assembly Concurrent Resolution No. 96: By Assemblyman Briggs—Approving amendments to the Charter of the City of Placentia, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972.

Referred by the Acting Speaker to the Committee on Rules

Assembly Concurrent Resolution No. 97: By Assemblymen McCarthy Moretti, and Murphy (Senators Behr, Kennick, and Zenovich, coauthors)—Relative to the Joint Committee on Aging

Held at Desk by order of the Acting Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2373—An act to add Section 3755 to the Government Code, relating to political contributions.

ALAN SIEROTY

Above request ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Sieroty:

House Resolution No. 60

Relative to the California Council on Criminal Justice

WHEREAS, The principle of community-based corrections programs has been repeatedly endorsed by national and state authorities and organizations; and

WHEREAS, Many community service organizations and other private agencies in this state have developed such programs; and

WHEREAS, Federal support for private agency corrections projects is available under Title I, Part C, and Title I, Part E, of the Omnibus Crime Control and Safe Streets Act, and is in accord with recommendations of governmental and private corrections experts; and

WHEREAS, The policy of the California Council on Criminal Justice that private agency corrections projects may not be funded from the state agency share of federal criminal justice funds but must be sponsored by local governments, amounts to the reduction of federal funds available to such projects, in that some local governments have refused to sponsor such projects or are unable to give approval within reasonable periods of time; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is requested to assign to an appropriate committee for study the subject of the policy and procedures of the California Council on Criminal Justice regarding the funding of private agency corrections projects; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Chappie:

House Resolution No. 61

Relative to the maintenance of overcrossings and undercrossings

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of whether the cities and the counties or the state should maintain publicly owned overcrossings and undercrossings located within a state highway right-of-way; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Chappie:

House Resolution No. 62

Relative to allocations for heavy rainfall and storm damage on county roads

WHEREAS, $500,000 is apportioned annually from the Highway Users Tax Account in the Transportation Tax Fund to various counties under Section 2110.5 of the Streets and Highways Code for heavy rainfall and storm damage on county roads, and

WHEREAS, The percentage of allocation to each county has remained unchanged since 1963; and

WHEREAS, A study should be undertaken to determine whether the allocations for heavy rainfall and storm damage on county roads pursuant to the percentages specified in Section 2110.5 reflect the needs of the various counties in this instance, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of allocations of highway funds for heavy rainfall and storm damage on county roads; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 117 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Transportation; and that Assembly Bills Nos 857 and 858 be withdrawn from the Committee on Government Administration and re-referred to the Committee on Local Government.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the votes on Assembly Bills Nos 217 and 721, and the urgency clause to Senate Bill No. 98 were continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Knox for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2370 be granted.

BURTON, Chairman

COMMUNICATIONS

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 487—An act to amend Sections 73823 and 73824 of the Government Code, relating to courts;

Assembly Bill No. 697—An act to add Section 55507 to the Water Code, relating to county waterworks districts;

Assembly Bill No. 813—An act to add Section 55337 to the Water Code, relating to county waterworks districts;

Assembly Bill No. 837—An act to amend Section 30.17 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District;

Assembly Bill No. 905—An act to amend Section 15 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District;

Assembly Bill No. 1053—An act to amend Sections 74819 and 74820 of, to add Section 74824 to, and to repeal Section 74824 of, the Government Code, relating to the municipal court;

Assembly Bill No. 1646—An act to add Section 23608 to the Water Code, relating to irrigation districts;

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m., June 1, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 87—Approving an amendment to the Charter of the City of Culver City, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of June, 1972, at 3:30 p.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 856—An act to amend Sections 1173 and 1178 of the Streets and Highways Code, relating to county road divisions;

Assembly Bill No. 1142—An act to add Section 20980.5 to the Water Code, relating to irrigation districts;

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., June 1, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Rules reports:

ACA No 3

With amendments with the recommendations: Amend, and re-refer to the Committee on Constitutional Amendments.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Rules reports:

SJR No. 10

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 1, 1972

Mr Speaker. Your Committee on Rules reports:

SJR No. 9

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Rules reports:

ACR No. 88

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Planning and Land Use

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 2133

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Ways and Means with Consent recommendation.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 594

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No. 2132

With amendments with the recommendation: Do pass, as amended.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports·

AB No 350

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Ways and Means with Consent recommendation.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Education reports.

AB No 1217

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Education reports

AB No 1875

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker. Your Committee on Education reports:

AB No 1192

AB No 1647

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bills ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker. Your Committee on Education reports:

AB No 1794

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Transportation

Assembly Chamber, June 1, 1972

Mr. Speaker. Your Committee on Transportation reports.

SB No 504

SB No. 888

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Transportation reports·

SB No. 108

SB No 126

With the recommendation Do pass

DEDDEH, Chairman

Above bills ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Transportation reports.

SB No. 582

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Transportation reports.

AB No. 505

With the recommendation · Do pass.

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Transportation reports·

SB No. 208

SB No 243

SB No 753

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Transportation reports.

AB No. 602

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 1, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 2097

With amendments with the recommendation Amend, and do pass, as amended

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Transportation reports.

AB No. 2343

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 1, 1972

Mr Speaker· Your Committee on Ways and Means reports:

AB No. 83

With the recommendation Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, June 1, 1972

Mr Speaker: Your Committee on Labor Relations reports.

AB No. 1966

With amendments with the recommendation· Amend, and do pass, as amended

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 1, 1972

Mr Speaker· Your Committee on Criminal Justice reports:

SB No. 140

With amendments with the recommendation. Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 1, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

AB No 746

With amendments with the recommendation. Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Agriculture

Assembly Chamber, May 31, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No 1075
AB No 1198
AB No. 1074

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRIGGS, Chairman

Above bills ordered to second reading

Committee on Criminal Justice

Assembly Chamber, June 1, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

AB No 1285

With amendments with the recommendation· Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, June 1, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No. 919 ——— AB No 391
AB No. 1880 AB No 1381
AB No. 773

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 919—An act to amend Sections 26304, 35550, 35551, 35553, 35600, and 35784 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "35550, 35551, 35553, 35600", and insert "35553".

Amendment No. 2

On page 2, strike out lines 16 to 24, inclusive; strike out pages 3 to 5, inclusive; and on page 6, strike out lines 1 to 18, inclusive, and in line 19, strike out "SEC. 4", and insert
"SEC 2".

Amendment No. 3

On page 6, strike out lines 32 to 40, inclusive; and on page 7, strike out lines 1 to 8, inclusive, and in line 9, strike out "SEC. 6", and insert "SEC. 3".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Assembly Bill No. 1880—An act to add Section 243.3 to, and to add Article 1 5 (commencing with Section 11780) to Chapter 4 of Division 5 of, the Vehicle Code, relating to campers.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 1, 1972, after "act", insert "to amend Section 40000 23 of,".

Amendment No. 2

In line 1 of the title, strike out "and".

Amendment No. 3

In line 3 of the title, after "of," insert "and to add Division 15.5 (commencing with Section 35850) to,".

Amendment No. 4

On page 2, line 4, strike out "rents, or leases campers", and insert "or offers for sale, any camper".

Amendment No. 5

On page 2, line 11, strike out "Except as provided in subdivision (b), it", and insert "It".

Amendment No. 6

On page 2, line 21, strike out "not".

Amendment No. 7

On page 2, line 22, after "a", insert "separate".

Amendment No. 8

On page 2, line 22, after "article", insert "to act as a camper dealer, but such dealer shall only be required to pay a fee of eleven dollars ($11) for such separate license".

Amendment No. 9

On page 3, line 8, strike out "11712", and insert "11710, 11710.1, 11710 2, 11711, 11712, 11713".

Amendment No. 10

On page 3, line 11, after the period, insert "Unless otherwise provided, or the context otherwise requires, whenever the term "vehicle" appears in such sections, it shall be deemed to mean "camper" for the purposes of this article."

Amendment No. 11

On page 3, line 14, after the comma, insert "or".

Amendment No. 12

On page 3, line 15, strike out "or leases any camper", and insert "any camper manufactured on or after March 1, 1973".

Amendment No. 13

On page 3, line 20, after the comma, insert "or".

Amendment No. 14

On page 3, line 21, strike out ", or lease any camper", and insert "any camper manufactured on or after March 1, 1973".

Amendment No. 15

On page 3, line 24, strike out ", or less,".

Amendment No. 16

On page 3, after line 33, insert

"SEC. 3. Division 15.5 (commencing with Section 35850) is added to the Vehicle Code, to read:

DIVISION 15.5. CAMPERS

CHAPTER 1. DEFINITIONS AND GENERAL PROVISIONS

35850. "Liquid weight" means the weight of the camper when the water and propane tanks with which it is equipped have been filled to designed capacity.

35851. This division does not apply to any person not engaged in the purchase or sale of campers as a business, disposing of any camper acquired for his own use, or for use in his business when the camper has been so acquired and used in good faith, and not for the purpose of avoiding the provisions of this division

CHAPTER 2. WEIGHT AND SERIAL NUMBERS OF CAMPERS

35870. Every camper manufactured for sale in California shall have a distinguishing serial number and its liquid weight designated on it pursuant to the provisions of this chapter prior to leaving the manufacturing plant.

Such serial number and liquid weight shall be securely affixed to the rear of the camper on the lower left corner of the exterior wall, not less than six inches above the floorline, or on the exterior wall immediately adjacent to the main floor, not less than six inches above the floorline.

No camper shall be sold, possessed for sale, or offered for sale which does not have such serial number and liquid weight designations on it pursuant to the provisions of this chapter

SEC 4 Section 40000 23 of the Vehicle Code is amended to read

40000 23 A violation of any of the following provisions shall constitute a misdemeanor, and not an infraction

Chapter 5 (commencing with Section 35550), Division 15, relating to weight restrictions except in cases of weight violations where the amount of excess weight is less than 4,501 pounds

Chapter 2 (commencing with Section 35870), Division 15 5, relating to weight of campers.

SEC. 5 This act shall become operative on March 1, 1973 ''

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Assembly Bill No. 773—An act to add Section 75 1 to the Streets and Highways Code, relating to state highways.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after the second ''to'', insert '', and to amend Section 100.21 of,''

Amendment No. 2

On page 2, line 6, strike out ''Subdivision (a)'', and insert ''If the location of the proposed state highway has not been so approved, the department shall not acquire any real property for the proposed state highway in the city or the unincorporated area of the county without giving a 60-day notice of intent to acquire the real property to the city council or the board of supervisors, as the case may be The department shall not acquire the real property if the city council or the board of supervisors disapproves of the acquisition in writing to the department within the 60-day period.

(c) Subdivisions (a) and (b)''.

Amendment No. 3

On page 2, after line 10, insert

''SEC 2 Section 100 21 of the Streets and Highways Code is amended to read·

100 21 Whenever a street or highway closing agreement is required by Section 100 2, the department shall not acquire, except by gift, ~~and except in hardship or protective cases as determined by the department or the commission,~~ any real property for a freeway through a city until such an agreement is first executed with the city council, or for a freeway through unincorporated territory in a county until such an agreement is first executed with the board of supervisors

The department shall give *a 60-day* notice to the city council or the board of supervisors, as the case may be, of ~~any acquisition of~~ such *intent to acquire* real property *in hardship or protective cases, as determined by the department or the commission,* prior to the execution of

such an agreement *The department shall not acquire the real property if the city council or the board of supervisors disapproves of the acquisition in writing to the department within the 60-day period* ''

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

Assembly Bill No. 391—An act to add Section 39067 3 to the Health and Safety Code, to add Article 1 9 (commencing with Section 10776) to Chapter 2 of Part 5 of Division 2 of the Revenue and Taxation Code, and to add Section 4000 3 to, and to add Article 12 (commencing with Section 5450) to Chapter 1 of Division 3 of, the Vehicle Code, and to repeal Section 5454 5 of the Vehicle Code as added by Section 4 of this act, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly May 1, 1972, strike out ''Not later than January 1, 1973, the'', and insert ''The''.

Amendment No. 2

On page 2, lines 6 and 7, strike out ''At such time, the'', and insert ''The''

Amendment No. 3

On page 2, between lines 11 and 12, insert

''The board may, with the cooperation of the Department of the California Highway Patrol, also provide for the inspection of passenger vehicles in the South Coast Air Basin to determine whether such vehicles are in safe mechanical condition.''

Amendment No. 4

On page 2, line 15, after the period, insert ''The board may adopt different standards for different classes of such vehicles, as the board reasonably determines to be appropriate ''

Amendment No. 5

On page 3, line 7, after ''operate'', insert '', or to contract with private facilities to operate,''.

Amendment No. 6

On page 4, strike out line 16, and insert

''4000 3 The''.

Amendment No. 7

On page 4, strike out line 31, and insert

''5450 The department''.

Amendment No. 8

On page 6, line 7, after "SEC 6 ", insert "The State Air Resources Board, in cooperation with the Department of Consumer Affairs, shall prepare a handbook for the owners of motor vehicles subject to the provisions of this act, which describes the inspection program established pursuant to this act, the procedures which are conducive to low emissions of pollutants from motor vehicles, the typical maintenance programs encountered in vehicles which fail to meet the standards adopted under this act, and the procedure for ascertaining whether motor vehicle repair shops are overcharging owners when making repairs to control the emission of pollutants Such handbook shall be distributed to all such owners at the time of the commencement of the inspection program established by this act

SEC 7 Sections 1, 2, 3, and 4 of this act shall become operative on the date specified by the State Air Resources Board, after considering the time needed by the Department of Motor Vehicles to implement its portion of the programs specified in this act, which date shall not be earlier than January 1, 1973, nor later than January 1, 1974

SEC 8."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Assembly Bill No. 1381—An act to amend Sections 20710, 20820, 20826 and 20880 of the Business and Professions Code, relating to petroleum

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "908", and insert "2699"

Amendment No. 2

On page 2, line 4, strike out "1656", and insert "2699".

Amendment No. 3

On page 2, line 8, strike out "even", and insert "lower".

Amendment No. 4

On page 2, line 18, strike out "actual total".

Amendment No. 5

On page 2, line 20, strike out "actual total"

Amendment No. 6

On page 2, strike out lines 21 and 22, and insert "per gallon shall include fuel taxes and exclude any amount in reimbursement of sales tax. Any amount to be collected in reimbursement of sales tax shall be indicated on the sign".

Amendment No. 7

On page 2, strike out line 32, and insert "one sign, which may be the sign required by subdivision (a), showing"

Amendment No. 8

On page 2, line 33, strike out the first comma.

Amendment No. 9

On page 2, line 34, strike out "The actual total"; and strike out lines 35 to 40, inclusive.

Amendment No. 9.5

On page 3, line 11, after "20826.", insert "(a)".

Amendment No. 10

On page 3, in lines 14 and 15, strike out "total fuel-tax-included".

Amendment No. 11

On page 3, strike out lines 17 to 24, inclusive, and insert "purchaser. The price per gallon shall include fuel taxes and exclude any amount in reimbursement of sales tax Any amount to be collected in reimbursement of sales tax shall be indicated by a sign in the manner required by subdivision (a) of Section 20820 "

Amendment No. 12

On page 3, between lines 24 and 25, insert

"(b) A price indicator used in connection with a computing meter pump or a pump designed to compute price, where the pump is intended for self-service and is currency or token operated, may designate a price which includes both fuel taxes and an amount in reimbursement of sales tax When an amount in reimbursement of sales tax is included in the price registered on the price indicator of a self-service currency or token operated pump, a sign shall be conspicuously displayed on the dispensing apparatus showing on a horizontal plane the words "INCLUDING SALES TAX," and the tax rate (as "Including 5% Sales Tax")."

Amendment No. 13

On page 3, line 32, strike out "and grade"

Amendment No. 14

On page 3, line 33, strike out "permitted", and insert "required"

Amendment No. 15

On page 3, in lines 37 and 38, strike out "and grade".

Amendment No. 16

On page 4, line 4, strike out "price"

Amendment No. 17

On page 4, line 6, strike out "net fuel tax-included"; and strike out line 7, and insert "minimum octane".

Amendment No. 18

On page 4, line 8, strike out "and grade"

Amendment No. 19

On page 4, line 9, strike out "permitted", and insert "required".

Amendment No. 20

On page 4, in lines 10 and 11, strike out "unless otherwise"

Amendment No. 21

On page 4, line 12, strike out "the net fuel tax-included", strike out line 13, and insert "the minimum octane".

Amendment No. 22

On page 4, line 14, strike out "and grade".

Amendment No. 23

On page 4, line 32, strike out "actual".

Amendment No. 24

On page 4, line 33, strike out "including taxes", and insert ", including fuel taxes and excluding any amount in reimbursement of sales tax,".

Amendment No. 25

On page 5, after line 35, insert

"(f) The numerals indicating the price per gallon used in an advertising sign shall be identical in numerical value with the numerals indicating the price per gallon of a computing meter pump or pump designed to compute price, where the pump is intended for self-service and is currency or token operated and when the amount of reimbursement of sales tax is included in the computed price of the pump; otherwise the provisions of subdivision (b) of Section 20880 shall apply

SEC 5 The provisions of this act relating to posting of octane numbers shall not be operative unless and until the Federal Trade Commission adopts regulations relating to posting of octane numbers, in which case this act shall become operative at the time designated in the regulations "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 1, 1972

Mr Speaker· The Chairman of your Committee on Transportation reports.

AB No 117

With author's amendments with the recommendation Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 117—An act to amend Section 11703 1 of the Vehicle Code, relating to vehicle dealers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 11703 1 of", and insert "Sections 11710 and 11710 1 of, and to add Article 1 5 (commencing with Section 11750) to Chapter 4 of Division 5 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 11710 of the Vehicle Code is amended to read:

11710 (a) ~~Before~~ *Except as provided in Section 11752, before* any dealer's license shall be issued or renewed by the department to any applicant therefor, the applicant shall procure and file with the department a good and sufficient bond in the amount of ~~five~~ *twenty* thousand dollars ~~($5,000)~~ *($20,000)* with corporate surety thereon, duly licensed to do business within the State of California, or a cash bond in such amount, approved as to form by the Attorney General, and conditioned that the applicant shall not practice any fraud, make any fraudulent representation which will cause a monetary loss to a purchaser, seller, financing agency, or governmental agency

(b) Liability under such bond is to remain at ~~five~~ *twenty* thousand dollars ~~($5,000)~~ *($20,000)* If the amount of liability under the bond is decreased or there is outstanding a final court judgment for which the dealer and bonding company is liable, the dealer's license shall be automatically suspended In order to reinstate the license and special plates, the licensee shall either file an additional bond or restore the bond on file to the original amount, or shall terminate the outstanding judgment for which he and the bonding company are liable

(c) A dealer's license, or renewal of such license, shall not be issued to any applicant therefor, unless and until such applicant shall file with the department a good and sufficient instrument in writing in which he shall appoint the director as the true and lawful agent of the applicant upon whom all process may be served in any action, or actions, which may thereafter be commenced against such applicant, arising out of any claim for damages suffered by any firm, person, association or corporation, by reason of the violation of the applicant of any of the terms and provisions of this code or any condition of the dealer's bond The applicant shall stipulate and agree in such appointment that any process directed to the applicant, when personal service of process upon him cannot be made in this state after due diligence, in such a case which is served upon the director, or in the event of his absence from his office, upon any employee in charge of the office of such director, shall be of the same legal force and effect as if served upon the applicant personally The applicant shall further stipulate and agree in writing that the agency created by such appointment shall continue for and during the period covered by any license that may be issued and so long thereafter as the applicant may be made to answer in damages for a violation of this code or any condition of his bond, as aforesaid The instrument appointing the director as the agent for the applicant for service of process shall be acknowledged by the applicant before a notary public In any case wherein the licensee be served with process by service thereof upon the director one copy of the summons and complaint shall be left with the director or in his office in Sacramento or mailed to the office of the director in

Sacramento A fee of five dollars ($5) shall also be paid to the director at the time of service of the copy of the summons and complaint. Such service on the director shall be a sufficient service on the licensee; provided, a notice of such service and a copy of the summons and complaint shall be forthwith sent by registered mail by the plaintiff or his attorney to the licensee A copy of the summons and complaint shall also be mailed by the plaintiff or his attorney to the surety on the applicant's bond at the address of the surety given in such bond, postpaid and registered with request for return receipt The director shall keep a record of all process so served upon him which record shall show the day and hour of service and shall retain the summons and complaint so served on him on file Where the licensee is served with process by service thereof upon the director, the licensee shall have and be allowed 30 days from and after the service thereof within which to answer any complaint or other pleading which may be filed in said cause; and provided further, that for purposes of venue, where the licensee is served with process by service thereof upon the director, the service shall be deemed to have been made upon the licensee in the county in which he has or last had his established place of business

SEC 2 Section 11710 1 of the Vehicle Code is amended to read:

11710 1 An applicant may, in lieu of and subject to the same conditions as the bond required by Section 11710, deposit with the department a cash bond in the sum of ~~five~~ *twenty* thousand dollars ~~($5,000)~~ *($20,000)* , evidence, together with an assignment to the director, of deposit of said sum in banks authorized to do business in this state and insured by the Federal Deposit Insurance Corporation, or investment certificates or share accounts in the amount of ~~five~~ *twenty* thousand dollars ~~($5,000)~~ *($20,000)* issued by a savings and loan association doing business in this state and insured by the Federal Savings and Loan Insurance Corporation

SEC 3 Article 1 5 (commencing with Section 11750) is added to Chapter 4 of Division 5 of the Vehicle Code, to read:

Article 1 5 Vehicle Consumers Indemnity Fund

11750 It shall be the purpose of the Vehicle Consumers Indemnity Fund to serve as an alternative to Sections 11710, 11710 1, and 11711 for members or associate members of the Independent Automobile Dealers Association of California up to the sum of twenty thousand dollars ($20,000) for each dealer in any one year, subject to the express limitations provided for in this article

11751 Within 90 days after the effective date of this article, the Independent Automobile Dealers Association of California shall establish the Vehicle Consumers Indemnity Fund, hereinafter referred to in this article as the "fund"

11752 Before any dealer's license shall be issued or renewed by the department, to any applicant therefor, such applicant shall do one of the following:

(a) File with the department a good and sufficient bond in the amount of twenty thousand dollars ($20,000), with corporate surety thereon, as provided in Section 11710, or the alternate form of cash bond in the sum of twenty thousand dollars ($20,000) as specified by Section 11710 1.

(b) Participate in the Vehicle Consumers Indemnity Fund, as provided for in this article This subdivision shall not apply to a dealer who deals exclusively in motorcycles or trailer coaches

The director shall have the power to approve a suitable plan of organization and operation of such fund and to approve and assist in the adoption of the rules necessary or advisable to effectuate the purposes and provisions of this article

11753 The fund shall be established and maintained as follows

(a) The members or associate members of the Independent Automobile Dealers Association of California may be assessed an entrance fee not to exceed one hundred dollars ($100) and an annual levy or assessment not to exceed six hundred dollars ($600) per year

(b) Whenever the total amount in the fund on June 30th of any year exceeds by one million dollars ($1,000,000) the total of any unpaid demands made upon the fund from all sources, the fund shall refund to its members, in proportion to their respective contributions as reflected in the most recent year end independent audit, or may reflect the credit on their annual renewal fee for the maintenance of the fund The board of directors of the fund, with the consent of the Director of Motor Vehicles, may increase the minimum total amount in the fund, based upon experience or prospective requirements

(c) Notwithstanding the provisions of subdivisions (a) and (b), the fund may withhold any refund to members during any period when a member is in the process of liquidation or a cessation of business

(d) The fund shall send a written notice of assessment to each member assessed, within 10 days after the levy of any assessment The amount shall be paid to the fund by each dealer assessed not later than 90 days following written notice of assessment, but may not exceed the amounts per year specified in subdivision (a)

(e) A report of each levy assessment shall be made to the director by the fund within 10 days after the levy.

(f) If any member fails to pay the assessment when due, the fund shall report such failure in writing to the director within 24 hours of such default

(g) Any person desiring to participate in the fund shall make written application to the fund and deposit current assessment and evidence of membership in the Independent Automobile Dealers Association of California Such deposit shall be refunded if the application is denied

(h) Upon due and careful examination of an applicant, the fund shall either certify to the director that the applicant has been accepted as a participant in the fund and that the fund will be responsible for indemnities as provided in the article or shall advise the applicant that his participation in the fund has been denied, in which event the applicant may appeal as provided in subdivision (m) of Section 11755

11754 Whenever it has been determined that moneys are due to the State of California pursuant to Section 11755, the director shall direct the fund to pay such amounts at the direction of, and in the amount as directed by, the director, within 120 days Payments to other claimants shall be held in abeyance until there has been sufficient time to determine the amount of all claims to be made against any particular dealer

11755 (a) The director shall not direct the fund in any one

calendar year to pay obligations that exceed in the aggregate the total in the fund after allowance for all amounts to be added to such accounts during such year by assessment as provided in this article

(b) Whenever it appears to the director that the fund has done any of the following, the director may forthwith take possession of the property and business of the fund and retain possession until the board of directors of the fund satisfies the director that it will operate in conformity with this article·

(1) Violated any provisions of this article or any law of this state.

(2) Not paid the amounts as directed by the director pursuant to this article

(3) Invested its funds in violation of this article

(4) Not levied the assessments as required by this article

(5) Has not brought and diligently prosecuted an action to enforce payment as required by this article.

(6) Neglected or refused to submit its books, papers and affairs to the inspection of any examiner.

During the time the director has such possession, he shall perform the duties and carry out the obligations of the fund

(c) Whenever the director has taken possession of the property and business of the fund, the fund may, within 10 days after such taking, if it deems itself aggrieved thereby, apply to the superior court in the county in which the head office of the fund is located, to enjoin further proceedings The court, after requiring the director to show cause why further proceedings should not be enjoined, and after a hearing and a determination of the facts upon the merits, may dismiss such application or enjoin the director from further proceedings and direct him to surrender the property and business to the fund, or make such further order as may be appropriate

(d) An appeal may be taken from the judgment of the court by the director or by the fund in the manner provided by law for appeals from the judgment of a superior court An appeal from the judgment of the court does not operate as a stay of the judgment unless the court, on good cause, so orders

(e) The fund shall have authority to submit reports and make recommendations to the director regarding the financial condition or suspected fraudulent practices of any dealer Such reports and recommendations shall not be public documents There shall be no liability on the part of, and no cause of action of any nature arising against the fund, its members, directors, employees or agents, or the director or his authorized representatives, for any statements made by them in any reports or recommendations made hereunder

(f) The fund may invest its funds only as provided by the rules of the director adopted with a view to preserving reasonable necessary liquidity

(g) Income from investments shall be recorded in an income account and be used to defray expenses of administration, and income from investments that exceeds an amount determined by the board of directors of the fund to be adequate to provide for current expenses may be credited to members' accounts Each member's account shall receive credit ratably based on the account balance, for the amount of the excess Income received by the fund, whether or not credited to the members' accounts, shall be subject to a demand of the director made pur-

suant to this article, except as to that portion reserved by the board of directors of the fund for expenses of administration during the calendar year

(h) Expenses of administration that exceed income from investments at year end shall be charged to members' accounts Each member's account shall be charged ratably based on the account balance for the amount of the excess.

(i) The fund shall have authority to borrow funds when necessary to effectuate the provisions of this article

(j) The director shall give prompt notice to the fund, when the director has filed any legal action or accusation to either suspend or revoke a dealer's license.

(k) Certificates issued by the fund shall be nontransferable and shall be exempt from the provisions of the Corporate Securities Law of 1968, and from any provisions of the Insurance Code.

(*l*) The director and his duly designated representatives may at any time investigate the affairs and examine the books, accounts, records and files used by the fund. The director and his duly designated representatives shall have free access to the offices, books, accounts, papers, records, files, safes, and vaults of the fund

(m) Any member aggrieved by any action or decision of the fund may appeal to the Office of Administrative Procedure within 30 days from the action or decision.

(n) Priorities of payment shall be first, the payment of state fees and costs as provided in this code, second, the payment of consumer claims reduced to judgment pursuant to provisions of this code; third, verified claims filed by consumers for conduct described in Section 11711, without the necessity of reducing to judgment, fourth, to the extent funds are available and not disbursed, the fund may pay claims from dealer to dealer Claims disputed by dealers may be sent to voluntary arbitration, administrative procedure hearings or to court, at the option of either party."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 1, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports·

AB No 1034

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1034—An act to add Section 7029 6 to the Business and Professions Code, relating to contractors

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, after line 2, insert

"SEC. 2. The provisions of this act shall become operative July 1, 1973 "

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No 2134

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2134—An act to add Section 11610.8 to the Business and Professions Code, relating to real property.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "otherwise not subject to", and insert "excluded from".

Amendment No. 2

On page 1, line 5, strike out "by", and insert "under".

Amendment No. 3

On page 1, line 6, after "subdivision", insert "pursuant to paragraph 4 of subdivision (3) of Section 11535".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 1, 1972

Mr Speaker The Chairman of your Committee on Education reports

AB No 1969

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1969—An act to amend Sections 13480, 13482.05, 13482.10, 13482 30, 13482 35, 13482 45, 13483, 13483.05, 13483.35, 13484, 25490 05, and 25490 10 of, and to repeal Sections 13482.15 and 13482 20 of, the Education Code, relating to community colleges

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 20, of the printed bill, after "a", insert "contract or".

Amendment No. 2

On page 3, line 38, strike out "regular"

Amendment No. 3

On page 4, line 8, strike out "regular".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, June 1, 1972

Mr Speaker. The Chairman of your Committee on Environmental Quality reports:

AB No. 941

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 941—An act to amend Section 39057 of the Health and Safety Code, relating to agricultural burning

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblymen Ray E. Johnson, Mobley, and"; and strike out line 2 of the heading, and insert "Assemblyman Wood".

Amendment No. 2

In line 1 of the title, strike out "39057", and insert "39297 3".

Amendment No. 3

In line 2 of the title, strike out "agricultural".

Amendment No. 4

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 39297.3 of the Health and Safety Code is amended to read.

39297 3 Nothing in this chapter shall be construed to prohibit burning for right-of-way clearing by a public entity or utility or for levee, *reservoir,* and ditch maintenance *Before any material may be burned, it shall be thoroughly dried and stacked to promote combustion.* "

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 1, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports.

AB No. 2064

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2064—An act to amend Sections 667 and 2205 of, and to add Chapter 7 5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 5 of the printed bill, after line 4, insert

"SEC 4 No provision of this act is intended in any way to affect the authority of the State Solid Waste Management Board or the State Solid Waste Management and Resource Recovery Advisory Council proposed to be created under the provisions of Senate Bill No. 5 of the 1972 Regular Session or to vest any authority in the State Geologist to regulate solid waste disposal."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, June 1, 1972

Mr Speaker The Chairman of your Committee on Water reports:

AB No. 1994

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1994—An act to amend Sections 7.1 and 13 of, and to add Section 13.5 to, the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4, line 9, of the printed bill, as amended in Assembly May 24, 1972, after "exceed", insert "the lesser of either three million dollars ($3,000,000) or".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, June 1, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

AB No. 1976

With author's amendments with the recommendation: Amend, and refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1976—An act to add Section 26506 to the Health and Safety Code, relating to food.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert "percentage by weight of fat and the calorie content per unit of weight or measure. The source or origin of the fat content shall be stated and if the fat has been hydrogenated the label shall contain a statement of such fact."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, May 31, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports

AB No. 503

AB No 659

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 503—An act to repeal Section 1016 of the Evidence Code, relating to privileges

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend"

Amendment No. 2

On page 1, strike out line 2, and insert "amended to read:

1016 ~~There~~ *(a) Except as provided in subdivision (b), there* is no privilege under this article as to a communication relevant to an issue concerning the mental or emotional condition of the patient if such issue has been tendered by.

~~(a)~~ *(1)* The patient,

~~(b)~~ *(2)* Any party claiming through or under the patient;

~~(c)~~ *(3)* Any party claiming as a beneficiary of the patient through a contract to which the patient is or was a party; or

~~(d)~~ *(4)* The plaintiff in an action brought under Section 376 or 377 of the Code of Civil Procedure for damages for the injury or death of the patient.

(b) In any adversary proceeding, if the patient tenders an issue concerning his mental or emotional condition, he may either waive the privilege or submit to an examination by an expert in mental and emotional disorders appointed by the court or other person conducting the proceeding If the testimony of the expert fails to disclose information sufficient to resolve the issue, the privilege under this section is waived, but only to the extent necessary for the determination of the issue.

(c) Subdivision (b) does not apply to any proceeding brought pursuant to Section 5275 of the Welfare and Institutions Code."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

Assembly Bill No. 659—An act to add Section 1796 to the Civil Code, relating to warranties

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1796 to", and insert "Chapter 2 (commencing with Section 1796) to Title 1 7 of Part 4 of Division 3 of".

Amendment No. 2

On page 1, strike out lines 1 to 8, inclusive, and on page 2, strike out lines 1 to 11, inclusive, and insert

"SECTION 1 Chapter 2 (commencing with Section 1796) is added to Title 1 7 of Part 4 of Division 3 of the Civil Code, to read

CHAPTER 2. DURATION OF WARRANTIES

1796 The implied warranties provided for by this title shall not terminate before their duration when an individual transfers major consumer goods to another individual, nor shall any express warranty accompanying major consumer goods terminate before the end of the warranty period when such goods are transferred by one individual to another. Each transferee shall be entitled to the full use and enjoyment of such implied and express warranties during the warranty period just as if the retail buyer who purchased such major consumer goods new had not transferred them.

1796 1. "Individual," for purposes of this chapter, does not include a manufacturer, distributor, or retailer.

1796.2. "Major consumer goods," for purposes of this chapter, means· automobiles, trailers, mobilehomes, lawnmowers, refrigerators, freezers, ranges, washers, dryers, dishwashers, air conditioners, heaters, television sets, radios, phonograph equipment, and water heaters

1796 3. A manufacturer, retailer, or distributor may require that written notice be given by the subsequent transferee to such manufacturer, retailer, or distributor upon the subsequent transfer of any major consumer goods within 60 days of the transfer

1796.4. A retailer, manufacturer, or distributor shall affix to, enclose with, or in any other manner attach or accompany with any major consumer goods offered for retail sale a "Notice of Warranty" which fully sets out the express warranties, if any, and setting forth the requirement, if any, of written notice to the manufacturer, distributor or retailer upon a subsequent transfer in at least 8-point type. The notice shall give the address of the manufacturer, distributor, or retailer

1796 5 The provisions of this chapter shall not affect the rights and obligations of parties as determined by case law in this state The rights and remedies provided by this chapter are cumulative and shall not be construed as restricting any rights or remedies otherwise available "

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

VOTE CHANGES

Mr Miller was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 184.

Mr Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 184

Mr Briggs was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 435

Mr Warren was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 435

Mr Maddy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the motion to reconsider the vote on Senate Bill No 42

Mr Murphy was granted unanimous consent that he be recorded as voting "No" on the motion to reconsider the vote on Senate Bill No 42.

Mr Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1003

Mr Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 435

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 435

Mr Briggs was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 488

Mr Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 81

Mr Brown was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Constitutional Amendment No 81

Mr Powers was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 162

Messrs Duffy and Bill Greene were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 1159

Mr Cline was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 67

Mr Ray E Johnson was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No 67

Mr Briggs was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 162

Mr McCarthy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 162

COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal

Explanation of Absence—May 24, 25, 26, 30, and 31, 1972

May 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on May 24, 25, 26, 30 and 31, 1972

Cordially,

FRANK LANTERMAN

Explanations of Absence—June 1, 1972

June 1, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on June 1, 1972.

Cordially,

FRANK LANTERMAN

June 1, 1972

Honorable Roberti Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on June 1, 1972.

Sincerely yours,

CARLEY V. PORTER

ADJOURNMENT

At 4:32 p.m., pursuant to the provisions of Assembly Concurrent Resolution No. 84, the Assembly adjourned until 2 p.m., Wednesday, June 7, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-fifth Legislative Day

One Hundred Fifty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 7, 1972

Pursuant to the provisions of Assembly Concurrent Resolution No. 84, the Assembly met at 2 p m.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Conrad moved a quorum call of the Assembly.

Motion carried. Time, 2 02 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2·17 p.m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller,

Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NAMES OF MEMBERS PLACED UPON MORNING ROLL CALL

Acting Speaker Fenton was granted unanimous consent that the following Members, who are attending the meeting of the Conference Committee on the Budget (Senate Bill No. 50), be excused, and their names added to the morning roll call: Messrs Brown, Lanterman, and Porter.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, In life's circumstances, which are not, at times, exactly kind to us, save us from the eroding torture of self-pity.

Give us the ability to find in You and in ourselves the strength to cope with life's daily ration of problems and disappointments.

Give us a joyful and hopeful disposition in all eventualities. Let us neither cynically despise the world nor be consumed by its pleasures — AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Monagan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Foran, seconded by Mr. Russell.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere

Mr. Ralph, on request of Acting Speaker Fenton
Mr. Townsend, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Biddle, on request of Acting Speaker Fenton
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Acting Speaker Fenton
Mr Garcia, on request of Acting Speaker Fenton
Mr. Bill Greene, on request of Acting Speaker Fenton.
Mr Hayes, on request of Acting Speaker Fenton
Mr Knox, on request of Acting Speaker Fenton
Mr LaCoste, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton.
Mr Quimby, on request of Acting Speaker Fenton.
Mr Thomas, on request of Acting Speaker Fenton
Mr. Wakefield, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 7, 1972

Hon. Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session today I am meeting with people in my district on several legislative matters including the Century Freeway suit (my AB 2343) and child care centers (my AB 1250).

Sincerely,

LEON D. RALPH, Assemblyman
Fifty-fifth District

June 7, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol Building

Dear Bob: I respectfully request that I be excused from session today on Legislative business. At noon I will be speaking to the Los Angeles Chamber of Commerce and then this evening I will be handing out diplomas at the Compton Adult High School Thank you.

Sincerely,

LARRY TOWNSEND, Assemblyman
Sixty-seventh District

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, June 7, 1972

Mr Speaker. Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2372—An act to amend Section 13510 of the Penal Code, relating to peace officers

ROBERT G BEVERLY

Assembly Chamber, June 7, 1972

Mr. Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2365—An act to add Chapter 2 (commencing with Section 7285) to Part 1 7 of Division 2 of the Revenue and Taxation Code, relating to airport user fees.

RAY SEELEY

Above requests ordered transmitted to the Committee on Rules.

REPORTS

The following report was presented by the Speaker:

Fifth Annual Report on the Implementation of the California Therapeutic Abortion Act. Pursuant to Section 25955.5 of the Health and Safety Code.

Above transmitted report, together with letter of transmittal from William J. Kurtz, Director, Department of Public Health, Berkeley, referred by the Acting Speaker to the Committee on Health.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2373	Elections and Reapportionment
2374	Local Government

Assembly Concurrent Resolution No.	*Committee*
94	Transportation
95	Rules
97	Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 34: By Assemblyman MacDonald (Senator Lagomarsino, coauthor)—Relative to strip mining in the Los Padres National Forest.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, June 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 184—An act to amend Sections 214.8, 251, 254, 254.5, 270, and 271 of, and to add Sections 215.1 and 259.7 to, the Revenue and Taxation Code, relating to taxation;

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., June 7, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 881
AB No. 1076
AB No. 1420

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 123	AB No 617
AB No. 290	AB No. 1446

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 7, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined

ACA No. 42

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 391	AB No 1272	AB No. 1880
AB No 400	AB No 1598	AB No 1994
AB No 428	AB No 1822	AB No. 2074
AB No. 1215		

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 117	AB No. 1379	AB No. 1832
AB No 503	AB No 1381	AB No. 1835
AB No 659	AB No 1399	AB No. 1906
AB No 773	AB No 1404	AB No 1961
AB No 919	AB No. 1481	AB No. 1969
AB No 941	AB No 1527	AB No 1976
AB No 1034	AB No. 1665	AB No 2054
AB No 1171	AB No 1702	AB No 2134
AB No 1224	AB No. 1712	AB No 2204
AB No. 1303	AB No 1713	AB No. 2339
AB No 1342	AB No 1745	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 2, 1972

Mr Speaker · Your Committee on Health reports:

~~AB No 1528~~ AB No. 1371
AB No 2145 AB No 1414
AB No. 1852

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bills ordered to second reading

NOTE · Later this day, the action was rescinded whereby the above report of the Committee on Health relative to Assembly Bill No 1528 was received and read in the Assembly, and whereby the bill was ordered to second reading

---

Assembly Chamber, June 2, 1972

Mr Speaker Your Committee on Health reports:

AB No 1861

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 2, 1972

Mr. Speaker: Your Committee on Health reports·

AB No. 2348

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 2, 1972

Mr. Speaker: Your Committee on Health reports.

AB No. 1457

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent.

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 7, 1972

Mr. Speaker · Your Committee on Education reports.

AB No. 884

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Retirement

Assembly Chamber, May 31, 1972

Mr Speaker · Your Committee on Retirement reports.

AB No. 1032

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BARNES, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, May 23, 1972

Mr Speaker · Your Committee on Natural Resources and Conservation reports.

SB No 5

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Water

Assembly Chamber, May 31, 1972

Mr. Speaker Your Committee on Water reports:

AJR No 23

With amendments with the recommendation. Amend, be adopted, as amended, and be re-referred to the Committee on Rules

PORTER, Chairman

Above resolution ordered on file

Committee on Retirement

Assembly Chamber, May 31, 1972

Mr Speaker. Your Committee on Retirement reports·

AB No 569

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, May 31, 1972

Mr Speaker: Your Committee on Retirement reports:

AB No 1036

With amendments with the recommendation· Amend, do pass, as amended.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, June 7, 1972

Mr. Speaker: Your Committee on Transportation reports·

AB No. 347

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, June 7, 1972

Mr Speaker· Your Committee on Health reports.

AB No 850

AB No 1958

With amendments with the recommendation. Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bills ordered to second reading

Assembly Chamber, June 7, 1972

Mr. Speaker Your Committee on Health reports·

AB No. 1459

AB No 2214

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bills ordered to second reading.

Committee on Local Government

Assembly Chamber, June 7, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No 523

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

KNOX, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, June 7, 1972

Mr Speaker · Your Committee on Judiciary reports

AB No 1394

With amendments with the recommendation Amend, and do pass, as amended

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 7, 1972

Mr Speaker Your Committee on Judiciary reports.

AB No 1267

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 7, 1972

Mr Speaker · Your Committee on Ways and Means reports ·

AB No 13

With amendments with the recommendation. Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 7, 1972

Mr Speaker Your Committee on Ways and Means reports

AB No 300

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, May 9, 1972

Mr Speaker Your Committee on Natural Resources and Conservation reports.

AB No 2060

With amendments with the recommendation: Amend, and do pass, as amended

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, June 7, 1972

Mr Speaker: Your Committee on Government Administration reports:

AB No 2249

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 857	AB No 1102
AB No. 858	AB No. 1103

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 857—An act to amend Section 61765 of the Government Code, relating to districts.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "five", and insert "ten".

Amendment No. 2

On page 1, line 5, strike out "$5", and insert "$10".

Amendment No. 3

On page 1, line 6, strike out "three", and insert "six"

Amendment No. 4

On page 1, line 6, strike out "$3", and insert "$6".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 858—An act to amend Section 16002 5 of the Business and Professions Code, relating to vending machines.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, after "Quimby", insert
"(Coauthors Senators Collier, Dills, and Whetmore)".

Amendment No. 2

On page 1, line 6, strike out "dispensing tangible personal property"

Amendment No. 3

On page 2, lines 8 and 9, strike out "dispensing tangible personal property"

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 1102—An act to amend Section 73679 of the Government Code, relating to municipal courts.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73679", and insert "Sections 73674 and 73677".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 73674 of the Government Code is amended to read.

73674. The clerk may appoint: (a) one chief deputy clerk; (b) ~~four senior deputy clerks~~ *one municipal courtroom clerk*; (c) ~~seven deputy clerks II or deputy clerks I~~ *one account clerk III*; *(d) three senior deputy clerks; (e) eight deputy clerks II or I* as may be determined by the judge with the concurrence of the board of supervisors Each of these employees shall receive the monthly salary specified in Section 73677 for his classification.

SEC 2 Section 73677 of the Government Code is amended to read

73677 Persons employed in any of the positions authorized by this article shall be paid the salary assigned to the following ranges as set in the salary schedule contained in Section 73676

(a) Deputy clerk I ---------- Range ~~20~~ *22½*
(b) Deputy clerk II ---------- Range ~~21~~ *23½*
(c) Senior deputy clerk ---------- Range ~~23~~ *26½*
(d) *Account clerk III* ---------- *Range 26½*
(e) *Municipal courtroom clerk* ---------- *Range 27½*
(f) ~~(d)~~ Chief deputy clerk ---------- Range ~~26~~ *31*
(g) ~~(e)~~ Clerk ---------- Range ~~35~~ *37½*

Each person employed on the effective date of this section in the office of the clerk, including the clerk, shall receive credit for prior continuous service in office including service in departments superseded upon the establishment of the municipal court, and his prior service shall be deemed service in the new position, provided, however, that such credit shall be given only when the judge of the court determines that the officer or employee is entitled to receive it. Officers and employees shall be appointed at the first step for the range assigned to their classification except if it is difficult to secure qualified personnel, or if a person of unusual qualifications is appointed, the judge may appoint such person at the second step of the range assigned to that classification.

In the case of the appointment of the clerk of the municipal court, the judge shall be authorized, if he deems it necessary, to appoint the clerk at a higher step, not to exceed the fifth step of the range assigned to that classification as set forth in Section 73676, and, provided further, that if the judge is unable to secure a qualified person to fulfill the position of clerk of the municipal court for a salary as hereinabove provided, then the judge with the concurrence of the board of supervisors may establish a salary at a rate not to exceed one thousand one hundred dollars ($1,100) monthly ''

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

Assembly Bill No. 1103—An act to amend Section 74849 of the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 74849", and insert "Sections 74843 and 74847".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 74843 of the Government Code is amended to read:

74843. The clerk may appoint:

(a) One chief deputy clerk

(b) ~~Five senior deputy clerks~~ *Two municipal courtroom clerks.*

(c) One account clerk III

(d) Three senior deputy clerks.

~~(c)~~

(e) ~~Nine~~ *Eleven* deputy clerks II or deputy clerks I as shall be determined by the judges with the concurrence of the board of supervisors.

Each of these employees shall receive the monthly salary specified in Section 74847 for his classification.

SEC. 2 Section 74847 of the Government Code is amended to read:

74847. Persons employed in any of the positions authorized by this article except the marshal shall be paid the salary assigned to the following ranges as set forth in the salary schedule contained in Section 74846:

(a) Deputy clerk I ---------- Range ~~20~~ *22½*
(b) Deputy clerk II ---------- Range ~~21~~ *23½*
(c) Senior deputy clerk ---------- Range ~~23~~ *25½*
(d) ~~Chief deputy clerk~~ *Account* clerk III ---------- Range ~~26~~ *26½*
(e) ~~Clerk~~ *Municipal courtroom* clerk ---------- Range ~~35½~~ *27½*
(f) ~~Clerk II~~ *Chief deputy clerk* ---------- Range ~~19~~ *31*
(g) ~~Deputy marshal—female~~ *Clerk* ---------- Range ~~23½~~ *38½*
(h) ~~Deputy marshal I~~ *Clerk II* ---------- Range ~~29~~ *21½*
(i) ~~Deputy marshal II~~ *Deputy marshal—female* ---- Range ~~30~~ *26½*
(j) ~~Chief deputy marshal—office supervisors~~
Deputy marshal I ---------- Range ~~30½~~ *32*
(k) Deputy marshal II ---------- *Range 33*
(l) Chief deputy marshal—office supervisors ---------- *Range 34*

Each person employed in the office of the clerk and the office of the marshal, including the clerk and the marshal, on the effective date of the amendments to this section enacted at the 1967 Regular Session of the Legislature shall receive credit for prior continuous service in office including service in departments superseded upon the establishment of the municipal court, and his prior service shall be deemed service in the new position, provided, however, that such credit shall be given only when the judges of the court determine that the officer or employee is entitled to receive it The clerk, deputy clerks, and attachés of the court shall be appointed at the first step for the range assigned to their classification, except if it is difficult to secure qualified personnel, or if a person of unusual qualifications is hired, the judges may appoint such person at the second step of the range assigned to that classification In the case of the appointment of the clerk of the municipal court, the judges shall be authorized, if they deem it necessary, to appoint the clerk at a higher step, not to exceed the fifth step of the range assigned to that classification as set forth in Section 74846, and, provided, further, that if the judges are unable to secure a qualified person to fulfill the position of clerk of the municipal court for a salary as hereinabove provided, then the judges with the concurrence of the board of supervisors may establish a salary at a rate not to exceed one thousand one hundred twenty-seven dollars ($1,127) monthly."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No 140

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 140—An act to add Title 7 8 (commencing with Section 67500) to the Government Code, relating to the San Diego Regional Transportation Agency.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Regional", and insert "Area".

Amendment No. 2

On page 1, line 4, strike out "REGIONAL", and insert "AREA".

Amendment No. 3

On page 1, strike out lines 7 to 9, inclusive, and insert

"PART 1. GENERAL PROVISIONS AND DEFINITIONS

67500. This title shall be known and may be cited as the "San Diego Area Transportation Agency Act."

67501. The Legislature finds and declares that:

The County of San Diego constitutes one of the major regions and metropolitan areas of California The San Diego region has an immediate need for a regional agency and decisionmaking body to plan for the existing and future transportation requirements of the region Since there are 13 city governments and one county government within the region, it is necessary to establish a means for providing an integrated regional transportation system under existing laws These jurisdictions, however, recognize that within the region there is a need for different types of transportation systems and different levels of services It is, therefore, necessary to develop a regional plan to coordinate the various transportation modes and to determine the desirability of individual modes within each jurisdiction.

The planning of regional transportation systems in the regions and metropolitan areas of the state are matters of statewide concern and cannot be adequately provided for by statutes and charters applicable only to the cities and counties The unique nature of the San Diego

region and its regional transportation requirements are such that a general statute cannot be made applicable, and the enactment of a special statute and the creation of a regional transportation agency are required

67502 Unless the context otherwise requires, as used in this title:

(a) "Agency" means the San Diego Area Transportation Agency

(b) "Board" means the governing body of the agency

(c) "Region" means all of the territory within the County of San Diego.

PART 2. ORGANIZATION

67505 The San Diego Area Transportation Agency is hereby created The agency includes all of the territory of the region

67506 (a) The governing body of the agency shall consist of the following 15 members:

(1) One member from the County of San Diego, as provided in subdivision (b).

(2) One member from each of the 13 cities in the County of San Diego, as provided in subdivision (b).

(3) One member from the San Diego Unified Port District, as provided in subdivision (c)

(b) The members and their alternates representing the cities and the county on the comprehensive planning organization policy committee shall also represent their respective jurisdictions on the board.

(c) The Board of Commissioners of the San Diego Unified Port District shall appoint from that body and at any time remove a regular board member and an alternate board member to represent the San Diego Unified Port District on the board

(d) The Director of Public Works shall appoint to the board a representative who shall have no vote from the San Diego District of the Division of Highways of the Department of Public Works

67507 The term of office of regular and alternate members of the board shall be three years The term of office of any regular or alternate member of the board shall, however, end upon his ceasing to be a member of the legislative body which he represents on the board

PART 3 COMPENSATION OF THE MEMBERS OF THE BOARD

67510 Each regular member of the board shall receive compensation of fifty dollars ($50) for each day or portion of a day devoted to attendance on business of the agency The total compensation to be paid to any member during any single month shall not exceed three hundred dollars ($300) In the absence of a regular member, the alternate member attending in his place shall receive the compensation provided by this section

67511 The compensation provided for in this part shall be paid to each member for each day or portion of a day during which he was in attendance (a) at one or more meetings of the board or any committee thereof, and (b) upon any other function or responsibility of the agency

67512 The board shall adopt rules and regulations specifying the functions and responsibilities of the members, other than attendance at meetings of the board or any committee thereof, for which compensation is to be paid and providing a procedure for the submission of claims for that compensation

67513 Each regular or alternate member of the board engaging in necessary travel in attendance on business of the agency shall be entitled to payment of the reasonable and other travel expenses incurred by him The board shall adopt rules specifying what constitutes necessary travel, determining the allowable items and maximum amounts of expense, and providing a procedure for the submission of claims.

PART 4 OFFICERS AND COMMITTEES OF THE BOARD

67515 The board shall elect and, at any time, may remove its president and vice president, both of whom shall be members of the board.

67516. In the absence or disability of the president, the vice president shall exercise all powers of the president

67517. The board may establish standing and special committees of members of the board, determine the number of members to serve on each committee, and shall specify the affairs of the agency to be assigned to each such committee

67518. The president shall make all appointments to standing and special committees. In making appointments, the president shall give consideration to the preferences and experience of the members of the board and, insofar as practical, provide for representation from each of the several areas within the region

67519. A standing or special committee shall have no administrative control over the functions of the agency Each such committee shall keep itself fully informed of those affairs of the agency assigned to it and shall report to the board such information and recommendations as may be necessary to permit the board to properly consider such affairs.

PART 5 MEETINGS AND VOTING

67520 The board or any committee thereof may meet and transact business at any place or places within the region.

67521 The board shall adopt rules establishing the location of its principal meeting place and fixing the date and times of its regular meetings at that place The board shall also adopt rules of procedure, consistent with this title, concerning its deliberations and the calling, holding, and conduct of meetings of the board and its committees The board shall also determine what constitutes a conflict of interest, establishing rules and regulations thereon If the board decides that a member has a conflict of interest in a matter before the board, the member shall remove himself as to that matter and his alternate shall fill the vacant seat Article 4 6 (commencing with Section 1120) of Chapter 1 of Division 4 of Title 1 shall be applicable to members of the board.

67522. The agency shall be deemed a local agency under the Ralph M Brown Act, Chapter 9 (commencing with Section 54950) of Part 1

of Division 2 of Title 5, and shall be subject to the provisions of that act and, to the extent of any inconsistency between that act and this title, the provisions of this title shall control

67523 The president, or in his absence, the vice president, shall be the presiding officer of the board In the absence of both the president and the vice president, the board may elect a president pro tem from among the members of the board present at any meeting.

67524 A majority of the board shall constitute a quorum for the transaction of business at any meeting Less than a quorum may continue a meeting and may compel the attendance of absent members of the board

67525. Each member of the board present at a meeting shall be entitled to cast one vote, except that immediately following the vote upon a particular matter one-half or more of the members present may demand weighted voting upon that matter, in which case the members present shall be entitled to cast weighted votes, as follows.

Member representing	Weighted votes
County of San Diego	25
City of San Diego	40
City of Del Mar	1
City of San Marcos	1
City of Carlsbad	1
City of Imperial Beach	2
City of Coronado	2
City of Vista	2
City of National City	3
City of La Mesa	3
City of Escondido	3
City of Oceanside	3
City of El Cajon	4
City of Chula Vista	5
San Diego Unified Port District	5

Any action taken by the weighted voting procedure provided for in this section shall constitute the final decision of the board and shall take precedence over the unweighted vote

67526 Any matter that is the subject of a vote at a meeting of the board shall be deemed carried under the following circumstances

(a) In the case of unweighted voting, if it receives the affirmative vote of the majority of the board

(b) In the case of weighted voting, if it receives the affirmative vote of at least five members of the board present who also represent more than 50 percent of the total number of weighted votes entitled to be cast by the board

67527 Until otherwise provided by law, any city incorporated after the effective date of this title shall be entitled to one vote for both weighted and unweighted voting purposes The board shall review the weighted voting formula periodically, but in no case more frequently than every two years and at least one every five years, and shall recommend to the Legislature any changes it deems appropriate

PART 6 TRANSPORTATION AGENCY OFFICERS AND EMPLOYEES

67530 The board shall appoint an executive director who shall have charge of administering the affairs of the agency, subject to the direction and policies of the board

67531 The executive director shall, subject to the approval of the board, appoint such employees as may be necessary to carry out the functions of the agency

67532 Nothing in this part shall exempt the executive director or any other agency employee from serving as an employee of any other agency or jurisdiction in the region

67533 In the absence of selection by the executive director of other persons as employees of the agency, the following county officers are designated as, and empowered to act as, ex officio employees of the agency:

(a) County counsel, ex officio the agency attorney

(b) Clerk of the board of supervisors, ex officio the agency clerk

(c) County auditor and controller, ex officio the agency controller

(d) County treasurer, ex officio the agency treasurer

67534. The board shall determine the compensation to be paid to the executive director and employees of the agency and for that purpose shall establish appropriate salaries or wages or ranges of salaries or wages

67535 The board may also authorize the payment of the actual and necessary expenses incurred by any officer or employee in the performance of his duties and shall establish criteria and standards for determining the nature and amounts of the expenses to be paid

67536 The board shall provide for an annual audit as provided in Section 26883.

PART 7 POWERS

67540 The agency is a public body corporate and politic and a public agency of the state, has perpetual succession, and may adopt a seal and alter it at its pleasure

67541 The agency has and may exercise any express powers granted to it, any powers necessary to, implied in, or incidental to express powers, and any powers essential to the declared objects and purposes of the agency

67542 The agency may contract for, or employ, any professional services required for the performance of work and services

67543 Section 67542 shall specifically apply to contracting with local jurisdictions, including the comprehensive planning organization, in order to minimize conflict between the jurisdictions involved in the regional planning process

67544 The agency may contract for, and obtain, insurance against any insurable risk reasonably anticipated to result from the exercise of any powers or functions of the agency or the performance of any duties by the officers and employees of the agency Such insurance shall be of such character and in such amount as the board shall specify

67545 The agency, by agreement with any other public agency, may provide for the joint exercise of any power common to the contracting parties pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

67546 The agency may sue and be sued, except as otherwise provided by law, in all actions and proceedings and in all courts and tribunals of competent jurisdiction

67547. An action to determine the validity of any contract or of any warrants, obligations or other evidence of indebtedness of the agency may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure

67548 All claims and actions for money or damages against the agency and its officers and employees are governed by Division 3 6 (commencing with Section 810) of Title 1. The agency shall be deemed a "local public entity" within the meaning of Division 3 6.

67549 The agency may acquire any real or personal property, or any interest in any such property, by deed, purchase, lease, contract, gift, devise, or otherwise

67550 The agency may dispose of any real or personal property, or any interest in any such property, by deed, sale, lease, contract, or otherwise.

67551. The acquisition of property, or any interest in property, which is authorized by this part shall be limited to such property as is necessary to carry out the planning responsibilities of the agency

PART 8 INTERGOVERNMENT RELATIONS

CHAPTER 1 INTERGOVERNMENTAL COOPERATION

67555 The agency, by contract or otherwise, may accept contributions from any public agency or private person and may make contributions to any public agency Contributions may be in the form of money, services, labor, materials, real or personal property, or the construction, maintenance, and operation of any facility

67556 The agency and any public agency may make any of their property or facilities available for the use of the other and may authorize their respective officers and employees to furnish advice, assistance, or services to the other

67557 The agency, upon request, may provide any local agency with advice and assistance in filing and processing applications for financial assistance with the state or federal government and in obtaining any such financial assistance within the meaning of Section 67560

CHAPTER 2 REVIEW OF APPLICATIONS FOR FINANCIAL ASSISTANCE

67560 Any application to the federal or state government for any grant of money, whether an outright or a matching grant, by the county, city, or any transportation district within the region shall, if it contains a transportation element, first be submitted to the agency for review as to its compatibility with the regional transportation plan developed pursuant to Part 9 (commencing with Section 67570) The agency shall approve and forward only those applications that are compatible with the plan

Review by the agency, however, is not required where revenues derived from the Motor Vehicle Fuel License Tax Law are subvented to local governmental entities in accordance with statutory provisions.

67561 (a) It is the intention of the Legislature that the federal government, the state, and local agencies in the region will participate in support of the agency The Legislature further intends that financial support of the activities of the agency will be made available from federal, state, and local sources which would normally be available for transportation and general planning purposes in the region.

(b) The agency and the Business and Transportation Agency shall negotiate contracts or agreements whereby federal-aid highway funds available for planning, and the necessary state matching funds from the State Highway Account in the State Transportation Fund, may be made available for support of the activities of the agency insofar as they relate to highway, road, and street planning for the region.

(c) The agency shall also negotiate, either directly or through the Office of Planning and Research or other appropriate agency, with the United States Department of Housing and Urban Development for grants or contributions of federal funds which may be available to support the study and planning activities of the agency

67562 A copy of every application by a local agency for financial assistance, as defined by administrative regulations adopted by the board, shall be submitted to the agency The agency shall have not more than 30 days to review the application and shall either forward it to the agency from whom financial assistance is requested or return it to the applicant with comments and recommendations

67563 For the purpose of this part, the agency shall be deemed a statutorily created regional transportation planning agency eligible to disburse funds under Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3

67564 The board may adopt rules prescribing a procedure and providing standards and criteria to be followed by the board in reviewing applications for financial assistance The rules may exempt from review certain classes of applications described by amount, project, purpose of assistance sought, or other relevant criteria The rules may authorize the executive director to review, comment on, or make recommendations upon certain classes of applications and to prescribe by rule supplementary standards and criteria not inconsistent with those contained in the rules

67565 Projects of the San Diego Unified Port District are exempt from this chapter

PART 9 REGIONAL TRANSPORTATION PLAN

67570 The agency shall develop a regional transportation plan no later than three years after the effective date of this title In developing the regional transportation plan, the agency shall consider

(a) The ecological, economic, and social impact of existing and future regional transportation systems upon various facets of the region, including, but not limited to, housing, employment recreation environment, land-use policies, including coastal development, and the economically disadvantaged

(b) The regional plans prepared and adopted by organizations concerned with policies and programs designed to meet the near and long-term planning needs of the region Such consideration shall include, but not be limited to, plans prepared and adopted by the comprehensive planning organization, the San Diego County Environmental Development Agency, and the Office of Planning and Research

67571. In developing the regional transportation plan, the executive director and other agency employees shall work closely with the comprehensive planning organization and the San Diego County Environmental Development Agency to minimize conflict between the agencies in coordinating the planning functions and to avoid duplication

67572 The regional transportation plan shall include, but not be limited to, the following segments of the regional transportation system.

(a) The national system of interstate and defense highways, the California freeway and expressway system, and other highways within the state highway system.

(b) The transbay bridge.

(c) Mass transit systems.

The agency shall pay particular attention to the interfacing of the various modes of transportation.

67573 The regional transportation plan shall also include an estimate of the regional transportation needs during the ensuing 10 years and a schedule of priorities for the construction, modification, and maintenance of various segments of the regional transportation system on a project basis to meet such needs

67574 In addition, the regional transportation plan shall include a financial plan for the regional transportation system The financial plan shall include a proposal for each segment of the system, including the amount and sources of revenues necessary to construct and operate that segment

In developing the financial plan, the agency shall consider various sources of revenues, without regard to any constraints imposed by law on expenditures from such sources, necessary to assure adequate financing of the system and, if necessary, recommend appropriate legislation to the Legislature to secure such financing.

PART 10 EFFECTUATION OF THE REGIONAL TRANSPORTATION PLAN

67575 If the executive director of the agency concludes that there is an inconsistency between the regional transportation plan or any elements thereof and the existing or proposed plans of a local agency, the executive director shall give mailed notice of nonconformity to the local agency

67576 A notice of nonconformity shall identify the inconsistency and contain a statement of facts and reasons supporting the executive director's conclusion of inconsistency

67577 Within 30 days after the giving of mailed notice of nonconformity, or within such additional time as the board may authorize,

the local agency shall either (a) take such steps as may be necessary to eliminate the inconsistency or (b) file an application with the executive director requesting a hearing and determination by the board on the question of inconsistency. Any such application shall contain a statement of the facts and reasons supporting the local agency's conclusion that there is no inconsistency.

67578. Upon the filing with the executive director of an application requesting a hearing and determination by the board on the question of inconsistency, the executive director shall fix a time and place of hearing on the question and give mailed notice thereof to the local agency The date of the hearing shall be at least 15 days, but not more than 30 days, after the date of mailing of the notice

67579. At the hearing, the board shall consider the executive director's written notice of nonconformity and the local agency's application for a hearing The board shall receive evidence from the executive director, authorized representatives of the local agency, and any other interested public agency or private person At the conclusion of the hearing, if the board is of the opinion that an inconsistency exists, the board shall adopt a resolution which states that conclusion and which states the facts and reasons supporting its conclusion The executive director shall immediately transmit a certified copy of such resolution to the local agency

67580 Upon receipt of a certified copy of the board's resolution adopted pursuant to Section 67579, the local agency shall have 30 days to take such steps as may be necessary to eliminate the inconsistency

67581 At the conclusion of the hearing, if the board is of the opinion that an inconsistency exists, the board may adopt an order directing the local agency to cease and desist from enforcing any inconsistent provisions of any existing plan, ordinance or regulation of the local agency or from adopting any proposed plan, ordinance or regulation, or any amendments to any thereof, containing inconsistent provisions Any violation of a cease and desist order may be enjoined by the superior court in San Diego County on application of the agency Injunctive proceedings shall be governed by Chapter 3 (commencing with Section 525 of Title 7 of Part 2 of the Code of Civil Procedure, except that no undertaking shall be required in any action commenced by the agency

67582 The provisions of this part do not apply to any city within the region or to the County of San Diego with respect to state highway location therein.

67583. The regional transportation plan shall be subjected to continuous review by the agency, with revisions prepared as the need may arise Revisions to the plan shall be adopted whenever necessary by the agency

67584 The construction of any transbay bridge in the region shall not be commenced without the approval of the agency This section shall not apply to modifications of bridges in existence on the effective date of this section, except modifications which provide for the construction of additional lanes of traffic on such bridges or for the construction of rapid transit facilities on such bridges

PART 11. REFERENDUM ON CONTINUED OPERATION OF SAN DIEGO AREA TRANSPORTATION AGENCY

67585 The board shall submit to the voters of the region, at a special election held throughout the region, the question of whether the agency shall continue in operation

67586 The question, or measure, submitted at the special election shall be in substantially the following form.

"Shall the San Diego Area Transportation Agency be continued in existence and continue to exercise the powers and duties provided therefor in the San Diego Area Transportation Agency Act?"

On the ballot opposite such measure, and to the right of it, the words "Yes" and "No" shall be printed on separate lines with a voting box opposite each word

67587 The San Diego County Board of Supervisors shall call a special election upon such measure to be held throughout the region on November 2, 1976

The calling of an election by the board shall be at least 90 days, but not more than 120 days prior to the date of the election Immediately following, the board shall notify the County Clerk of San Diego County

The special election required to be called pursuant to this section shall be consolidated with the statewide general election to be held on that date

67588 The board shall cause notice of the special election called pursuant to Section 67587 to be published, as provided in Section 6062, in a newspaper of general circulation, circulated and published in the region Such published notice shall be completed not less than 20 days prior to the date set for the special election.

67589 Except as otherwise provided in this title, all provisions of law applicable to the submission to the voters of measures proposed by the Legislature shall be applicable to the measure submitted pursuant to this title

67590 The county clerk shall cause ballot pamphlets to be printed for the special election The ballot pamphlets shall contain, in the order prescribed

(a) A ballot title of the measure,

(b) An impartial analysis of the measure; and

(c) An argument for and an argument against the measure

The number of ballot pamphlets to be printed shall not exceed $1\frac{1}{10}$ times the number of registered voters in the region The ballot pamphlet need not contain all or any part of this title.

The county clerk shall cause the ballot pamphlet to be mailed to each registered voter within the region not less than 10 days prior to the election

67591 The president of the board shall designate a member or group of members of the board to write an argument for the continuation of the agency

Arguments against continuation of the agency may be submitted by any elected official of a local agency located within the region, other than an elected official who is a member of the board.

Arguments for and arguments against the measure shall not exceed 500 words in length and shall be submitted to the county clerk at least 60 days prior to the date set for the election If more than one argument against the measure is submitted, the county clerk shall select one of the arguments for printing in the ballot pamphlet and distribution to the voters of the region.

67592. The County Counsel of San Diego County shall prepare and submit to the county clerk a ballot title and an impartial analysis of the measure within 60 days prior to the date set for the election The impartial analysis shall not exceed 500 words in length and shall describe the powers and duties of the agency as provided in this title The measure submitted shall be designated on the ballot at the election by its ballot title

67593 Any costs incurred by the County Counsel of San Diego County preparing the ballot title and impartial analysis pursuant to Section 67592 are a proper charge against the agency and shall be paid by the agency.

67594. The county clerk shall cause a sample ballot, similar to the official ballot, to be printed and mailed to each voter within the region along with the ballot pamphlet

67595 The special election on the measure shall be conducted by the county as nearly as possible in accordance with provisions in the Elections Code governing the conduct of municipal elections

67596 The San Diego County Board of Supervisors shall canvass the vote and shall, by resolution, certify the results of the canvass Any costs incurred by the county, its officers or employees, in connection with the special election are a proper charge against the agency and shall be paid by the agency

67597 If after the canvass of the vote, the majority of those voting at the special election have voted for continuation of the agency, the agency shall continue in existence and shall continue to exercise the powers and duties provided in this title

67598 If after the canvass of the vote, the majority of those voting at the special election have voted for dissolution of the agency, the agency shall be dissolved and the County of San Diego shall be successor of the agency for purposes of winding up the affairs of the agency In winding up the affairs of the agency, the county shall follow and comply with, as nearly as possible, the procedures set forth in Article 4 (commencing with Section 56500) of Chapter 9 of Part 5 of Division 1 of Title 6, except that the assets of the dissolved agency which are to be distributed pursuant to the provisions of Section 56507 shall be distributed to the County of San Diego

67599 The agency shall merge with or otherwise join any multifunctional regional planning organization, if it has transportation planning responsibilities, within one year of the creation of such an organization ''

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 7, 1972

Mr Speaker· The Chairman of your Committee on Transportation reports

AB No 441

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 441—An act to amend Section 11710.1 of the Vehicle Code, relating to vehicle dealers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 6, 1972, strike out "11710 1", and insert "11713".

Amendment No. 2

In line 2 of the title, after "dealers", insert ", manufacturers, and transporters"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 11713 of the Vehicle Code is amended to read·

11713 It shall be unlawful and a violation of this code for the holder of any license issued under this article

(a) To make or disseminate or cause to be made or disseminated before the public in this state, in any newspaper or other publication, or any advertising device, or by public outcry or proclamation, or in any other manner or means whatever, any statement which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading, or to so make or disseminate or cause to be so disseminated any such statement as part of a plan or scheme with the intent not to sell any vehicle or service so advertised at the price stated therein, or as so advertised.

(b) To advertise or offer for sale or exchange in any manner, any vehicle not actually for sale at the premises of such dealer or available to said dealer from the manufacturer or distributor of such vehicle at the time of the advertisement or offer; provided however, that this subdivision does not apply to advertising or offering for sale or exchange any used mobilehome, as defined by Section 18008 of the Health and Safety Code, or used commercial coach, as defined by Section 18012 of the Health and Safety Code, other than a recreational vehicle, as defined by Section 18010 5 of the Health and Safety Code, where such advertising or offering for sale is not contrary to any terms

of a contract between the seller of the mobilehome or commercial coach and the owner of the mobilehome park, and which mobilehome or commercial coach is either in place on a lot rented or leased for human habitation within an established mobilehome park, as defined in Section 18214 of the Health and Safety Code, or is otherwise located, pursuant to a local zoning ordinance or permit, on a lot where its presence has been authorized or its continued presence and such use would be authorized, for a total and uninterrupted period of at least one year

(c) To fail within 48 hours in writing to withdraw any advertisement of a vehicle that has been sold or withdrawn from sale

(d) To advertise or represent a vehicle as a new vehicle if such vehicle falls within the purview of Section 665 of this code

(e) To engage in the business for which licensee is licensed without having in force and effect a good and sufficient bond with corporate surety as hereinbefore provided.

(f) For any licensed dealer to engage in the business for which such dealer is licensed without at all times maintaining an established place of business as required by this code

(g) To include as an added cost to the selling price of a vehicle, an amount for licensing or transfer of title of the vehicle, which amount is not due to the state unless, *prior to the sale*, such amount has ~~in fact~~ been paid by ~~the~~ *a* dealer ~~prior to such sale~~ *to the state in order to avoid penalties that would have accrued because of late payment of such fees*

(h) To employ any person as a salesman who has not been licensed pursuant to Article 2 (commencing with Section 11800) of this chapter, and whose license is not displayed on the premises of the dealer as provided in Section 11804

(i) To deliver, following sale, a vehicle for operation on California highways, if such vehicle does not meet all of the equipment requirements of Division 12 (commencing with Section 24000) of this code

(j) To use or permit the use of the special plates assigned to him for any purpose other than permitted by Section 11715

(k) To advertise or otherwise represent, or knowingly to allow to be advertised or represented on his behalf or at his place of business, that no downpayment is required in connection with the sale of a vehicle when a downpayment is in fact required and the buyer is advised or induced to finance such downpayment by a loan in addition to any other loan financing the remainder of the purchase price of the vehicle

(*l*) To participate in the sale of a motor vehicle reported to the Department of Motor Vehicles under the provisions of Section 5900 of this code without making the return and payment of any sales tax due and required by Section 6451 of the Revenue and Taxation Code

(m) To permit the use of his dealer's license, supplies, or books by any other person for the purpose of permitting that person to engage in the sale of vehicles required to be registered under this code, or to permit the use of his dealer's license, supplies, or books to operate a branch location to be used by any other person, if, in either situation, the licensee has no financial or equitable interest or investment in the

vehicles sold by, or the business of, or branch location used by, such person, or has no such interest or investment other than commissions, compensations, fees, or any other thing of value received for the use of the dealer's license, supplies, or books to engage in the sale of vehicles.

(n) To disconnect, turn back, or reset the odometer of any motor vehicle in violation of Section 28050 or 28051."

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, June 7, 1972

Mr. Speaker. The Chairman of your Committee on Water reports:

AB No. 2352

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2352—An act to amend Section 11271 of the Government Code, relating to state funds.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, strike out "charged to any such fund".

Amendment No. 2

On page 2, line 10, strike out "by the Department of Water Resources", and insert "to any fund if the inclusion of such costs would result in a charge".

Bill ordered reprinted, and to be re-referred to the Committee on Water

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 7, 1972

Mr Speaker. The Chairman of your Committee on Natural Resources and Conservation reports.

AB No 1539

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1539—An act to amend Section 5780.8 of the Public Resources Code, relating to recreation and park districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5780.8", and insert "5784.7".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 5784.7 of the Public Resources Code is amended to read:

5784.7. At the election for the formation of the recreation and park district, the proposition may be placed on the ballot as to whether or not the district is to establish a tax ceiling and, if a tax ceiling is to be established, the amount of the tax ceiling may be placed on the ballot. In this event, the tax ceiling shall not, however, exceed a rate of ~~fifty~~ *sixty* cents ~~($0.50)~~ *($0.60)* on each one hundred dollars ($100) of assessed valuation."

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

SB No. 599

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 599—An act to amend Section 2620 of the Business and Professions Code, relating to physical therapy.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate April 24, 1972, strike out line 3, and insert

"2620. Physical".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Health reports: AB No. 1417

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1417—An act making an appropriation for the purpose of supporting kidney transplantation centers in California.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for the purpose of"; strike out line 2 thereof, and insert "to add Article 7.9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor."

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Article 7 9 (commencing with Section 419) is added to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, to read·

Article 7 9. Kidney Transplant Centers

419. (a) The state department may establish kidney transplant centers for the treatment of persons suffering from kidney disease. The number and location of these centers shall be determined on a regional basis Each center shall be located in a hospital in a metropolitan area recommended by the review committee created pursuant to Section 419.3 which is affiliated with a large teaching or medical school hospital Kidney transplant centers shall provide a full range of medical, surgical, and rehabilitative services for persons with kidney disease. The state department shall act as the granting agency for state funds which are appropriated for the establishment and maintenance of these centers The director, with the advice of the Transplantation Review Committee, may contract with any hospital for the administration and operation of the kidney transplant centers It is not the intent of this section that any new hospital or any new renal transplant facility be established

(b) Any hospital which meets the requirements of subdivision (a) may make application to the review committee for a grant of state funds provided pursuant to Section 419 1.

419.1. (a) The state department shall provide sufficient funds to assist centers in developing the capability of performing approximately 50 to 100 new kidney transplant procedures annually, including medical and surgical services necessary for kidney transplantation.

(b) The state department shall also provide sufficient funds for all of the following purposes:

(1) To increase availability of cadaver kidneys, and to facilitate the coordination of kidney transplant services with other hospitals, agencies, and organizations

(2) To develop and utilize methods to increase success in transplantation, including, but not limited to, the development of immunosuppressive agents and histocompatibility testing

(3) To provide for the training of surgeons and other professional personnel in kidney transplantation techniques and the care of kidney transplantation patients.

(4) To provide equipment and renovation necessary to support kidney transplant services.

419 2. The centers shall receive and make use of any outside source of funds that may become available from federal, voluntary, philanthropic, or other sources to augment state funds.

419 3. The director shall appoint a Transplantation Review Committee, upon nomination of the represented party, not to exceed seven members One member shall represent the California Medical Association, one member shall represent the California Regional Kidney Disease Program of the Regional Medical Program, one member shall represent the University of California administration, one member shall represent the state department, one member shall represent the Kidney Foundation of Northern California, one member shall represent the Kidney Foundation of Southern California, and one member shall represent the lay public The chairman shall be appointed by the Governor. The committee shall establish standards for kidney transplantation facilities which apply for the state grants for the kidney transplant centers The committee shall compile a list of qualified applicants for such grants and recommend the best qualified of the applicants to the director The director shall award the grants upon receiving the committee's recommendations The committee shall examine periodically the performance of the kidney transplant centers and recommend continuing grants to the director as necessary to maintain the services required of these centers Members of the Transplantation Review Committee shall serve for two years and may be reappointed Not more than half of the membership of the committee shall be changed during any one year The committee shall serve without compensation, but shall receive necessary travel expenses

419 4. (a) The funds provided by the state shall only be expended for kidney transplantation or for necessary ancillary services, including, but not limited to, all of the following

(1) Treating complications which may result from surgery, immunosuppressive therapy, dialysis, procurement, live and cadaveric kidney salvaging, histocompatibility testing, and preparation and care of live or cadaver donors and their kidneys

(2) The training of surgeons to be qualified in kidney transplantation

(3) The training of medical, laboratory, and paramedical personnel in the preparation care of kidney transplant patients

(4) To increase the availability of live and cadaver kidney for transplantation and the development and utilization of methods, drugs, and equipment to increase successful kidney transplantation

(5) To provide equipment and remodeling of facilities necessary to provide kidney transplant services.

(b) Funds provided under this article shall not be utilized to pay for general medical care which should come from private, local, federal, or other state sources

SEC. 2 There is hereby appropriated to the State".

Amendment No. 3

On page 1, strike out lines 4 and 5, and insert "establishment of four kidney transplant centers pursuant to Article 7 9 (commencing with Section 419) of Chapter 2, Part 1, DIVISION 1 of the Health and Safety Code "

Bill ordered reprinted, and to be re-referred to the Committee on Health

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 2, 1972

Mr. Speaker · The Chairman of your Committee on Health reports:

AB No 854

AB No 2026

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 854—An act to add Section 2727 7 to the Business and Professions Code, relating to nurse anesthetists.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "may", and insert "shall".

Amendment No. 2

On page 1, line 3, after "anesthetics", insert "only"

Amendment No. 3

On page 1, line 5, after "dentist", insert ", and only".

Amendment No. 4

On page 1, after line 12, insert

"SEC. 2. The provisions of this act shall become operative on July 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 2026—An act to amend Section 14105 of, to add Section 14105 to, and to repeal Section 14105 of, the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, lines 9 and 10, of the printed bill, strike out "and the State Controller".

Amendment No. 2

On page 3, line 9, strike out "in", and insert "on".

Amendment No. 3

On page 3, lines 23 and 24, strike out "and the State Controller".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 885	AB No 1490
AB No. 1489	AB No. 1491

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 885—An act to add Section 31454 7 to the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "31454 7", and insert "21294.1".

Amendment No. 2

In line 2 of the title, strike out "the County Employees Retirement Law of 1937", and insert "disability retirement".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 21294.1 is added to the Government Code, to read:

21294.1. In addition to the disability allowance received pursuant to Section 21294, a local safety member may receive an allowance of up to 25 percent of his final compensation if the board determines that his disability is permanent and prevents the member from being employed in any manner. The board shall establish the percentage based upon the extent of the member's disability

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, or in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section."

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

Assembly Bill No. 1489—An act to amend Section 20206 of the Government Code, relating to the Public Employees' Retirement System

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Any fees paid for"; strike out line 7; and strike out page 2, and insert "Commencing with July 1, 1974, whenever the board elects to contract with outside firms for investment counseling services it shall obtain proposals from all interested firms and conduct a public meeting at which a consultant or consultants shall be selected by the board. At least once in each three-year period after the prior selection, a consultant or consultants shall be obtained by the same procedure upon submission of new proposals.

The board shall submit annually to the Joint Legislative Retirement Committee sufficiently detailed investment performance reports."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

Assembly Bill No. 1490—An act to add Section 20233 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 16, 1972, after "add", insert "Section 13891 5 to the Education Code, and to add".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma

Amendment No. 3

In line 2 of the title, strike out "Public Employees' Retirement System", and insert "retirement systems".

Amendment No. 4

On page 1, line 1, after the period, insert "Section 13891 5 is added to the Education Code, to read:

13891 5 The board shall employ a certified public accountant or public accountant, who is not in public employment, to audit the financial statements of the State Teachers' Retirement System The costs of such audit shall be paid from the income of the Teachers' Retirement Fund The audit shall be made annually commencing with the year ending June 30, 1974 The board shall file a copy of the audit report with the Governor, the Secretary of the Senate, and the Chief Clerk of the Assembly

Nothing in this section shall prevent the Department of Finance or the Auditor General from making such additional audits of the system as are deemed necessary The costs of any such audit shall be paid by the system, which shall be exempt from a pro rata general administrative charge for such services

SEC 2."

Amendment No. 5

On page 1, line 4, after "accountant", insert "or public accountant".

Amendment No. 6

On page 1, line 5, strike out "make an audit of the system", and insert "audit the financial statements of the Public Employees' Retirement System"

Amendment No. 7

On page 2, line 1, strike out "interest income from", and insert "the income of".

Amendment No. 8

On page 2, lines 2 and 3, strike out "after the close of each fiscal year and the ", and insert "annually commencing with the year ending June 30, 1974 The".

Amendment No. 9

On page 2, after line 5, insert

"Nothing in this section shall prevent the Department of Finance or the Auditor General from making such additional audits of the system

as are deemed necessary The costs of any such audit shall be paid by the system, which shall be exempt from a pro rata general administrative charge for such services ''

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

Assembly Bill No. 1491—An act to amend Sections 20127 and 20321 of the Government Code, relating to the Public Employees' Retirement System

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ''Sections 20127 and'', and insert ''Section''

Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive; on page 2, strike out lines 1 to 9, inclusive; and in line 10, strike out ''SEC. 2 '', and insert ''SECTION 1 ''

Amendment No. 3

On page 2, after line 23, insert

''In making the 1973 and 1974 valuations, the board shall establish a data base and procedures which will make it possible to make annual valuations of the system Starting June 30, 1975, annual valuations shall be made ''

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, June 7, 1972

Mr Speaker: The Chairman of your Committee on Retirement reports:

AB No 962

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 962—An act to amend Section 14020 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 14020 of", and insert "Sections 13813, 13828 4, 13840, 13846 5, 13885, 13886, 13891, 13940, 13994, 13996, 13999, 14000, 14020, 14022, 14023, 14028, 14030, 14036, 14040, 14060, 14061, 14073, 14080 2, 14083, 14154, 14182, 14189, 14190, 14211, 14217, 14218, 14223 5, 14227, 14398, and 16626 of, to amend the heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of, to amend and renumber Section 13835 of, to add Sections 13835, 13835.1, 13862, 13863, 13864, 14030 5, 14116, 14210.1, 14220 1, 14223, 14241.1, 14243 5, 14281 1, 14394.1, and 14405 to, to repeal and add Article 24 (commencing with Section 14300) to Chapter 4 of Division 10 of, to repeal Sections 14112.1, 14122, 14188, 14216, 14223, 14264, 14399, 14400, and 14401 of,".

Amendment No. 2

In line 1 of the title, after "Code," insert "and to amend Section 11126 of the Government Code,".

Amendment No. 3

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 13813 of the Education Code is amended to read:

13813. The revision of the State Teachers' Retirement Law, including this section, enacted at the ~~1970~~ *1971 and 1972* Regular ~~Session~~ *Sessions* of the Legislature, shall not be construed to affect ~~the structure of the accounts and~~ benefits of persons retired prior to July 1, 1972, or their beneficiaries, except as specifically provided.

SEC. 2. Section 13828 4 of the Education Code is amended to read:

13828.4. "Benefits" means any monthly payment due a retirant, *disabilitant* or other beneficiary, and includes lump sum payments due on account of death.

SEC. 3. Section 13835 of the Education Code is amended and renumbered to read:

~~13835.~~

13835.2. "Disability" or "disabled" means any medically determinable physical or mental impairment which can be expected to be of long, continued and indefinite duration which prevents a ~~teacher~~ *member* from performing his usual duties for his employer; or the duties of a position of comparable level for which he is qualified by education, training and experience, and excludes any condition resulting from willful, self-inflicted injury.

SEC. 4 Section 13835 is added to the Education Code, to read:

13835 "Disabilitant" is a member of this system receiving a disability allowance.

SEC 5. Section 13835.1 is added to the Education Code, to read:

13835 1 "Disability allowance" means the benefit being paid by this system to a disabilitant

SEC 6. Section 13840 of the Education Code is amended to read·

13840. "Local system" means any retirement system, ~~including for the purpose of this chapter, the Old Age, Survivors, Disability and Health Insurance program provided by the Federal Social Security~~

~~Act, but~~ exclusive of this system, for the retirement of teachers, or for membership or coverage which for this purpose is equivalent to membership, in which public school teachers are eligible, operated by a city, city and county, county, or other political subdivision of the state ~~, or with respect to the Federal Social Security Act, the United States~~.

SEC. 7. Section 13846 5 of the Education Code is amended to read:

13846 5. "Projected earned salary" means a 2 percent increase *compounded annually* applied to the highest annual salary earned by ~~a~~ *the* member ~~in~~ *during* any one of the three school years *immediately* preceding death, or disability ~~,~~ *and projected to the June 30th prior to age 60 from the July 1st of the year of death or disability.*

SEC. 8 Section 13862 is added to the Education Code, to read:

13862. "Plan vesting" means the rights of the member upon completion of the minimum number of required years of credited service provided in the retirement plan to entitle the member or his beneficiary to a monthly retirement allowance, disability allowance, survivor, family or death benefit at a future date, prior to the completion of which the member upon resignation from service is entitled only to a refund of his accumulated contributions as provided in this chapter.

SEC 9 Section 13863 is added to the Education Code, to read:

13863 "Provisional vesting" means the right of the member upon the completion of the minimum number of years of credited service and attainment of the minimum specified age after which the member may retire at any time and be entitled to receive a monthly retirement allowance.

SEC 10. Section 13864 is added to the Education Code, to read:

13864 "Final vesting" means the right of a member or a beneficiary to receive a monthly retirement allowance, disability allowance, or a family benefit when the member has completed the minimum number of years of credited service, has attained the minimum specified age, has formally terminated his active service, has made application for retirement, or has been formally retired in accordance with Section 13849, after which the kind and amount of the retirement allowance is fixed and cannot thereafter be changed except as provided in this chapter.

SEC 11 Section 13885 of the Education Code is amended to read:

13885. The board may take such action as it deems necessary to insure the continued right of retirants, *disabilitants* or beneficiaries of members or retirants, to receive monthly payments.

~~Such action may be in the form of properly witnessed affidavits or receipts from persons receiving the payments.~~

SEC. 12. Section 13886 of the Education Code is amended to read:

13886. The board may *in its discretion* hold a hearing for the purpose of determining any question presented to it involving any right, benefit or obligation of a person under this chapter.

When a hearing is held, the proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, relating to administrative adjudication and the board shall have all of the powers granted

therein. The provisions of Section 11508 of the Government Code relating to the location of the hearing shall not apply however and the hearing shall be held at such time and place as may be determined by the board.

SEC. 13. Section 13891 of the Education Code is amended to read:

13891. In addition to other records and accounts, the board shall keep such records and accounts as are necessary to show at any time:

(a) The total accumulated contributions of members, exclusive of accumulated tax-sheltered contributions.

(b) All other accumulated contributions in the Permanent Fund, reserved for the payment of survivor allowances.

(c) The total accumulated annuity deposits of members ~~in the Teachers' Annuity Deposit Fund~~.

(d) The total accumulated ~~deposits~~ *revenue for* retired teachers less payments made ~~for annuities for retired teachers~~.

(e) The *total* contributions of the state ~~to the retirement fund~~.

(f) The total accumulated tax-sheltered contributions of members.

(g) The total contributions of the employer

SEC. 14. Section 13940 of the Education Code is amended to read.

13940. All persons who were members of the California State Teachers' Retirement System on June 30, 1944, ~~including persons who are members of a local system,~~ are members of the system

SEC 15 Section 13994 of the Education Code is amended to read:

13994. A member ~~shall~~ *may elect to* receive credit for time during which he serves in the active military service of the United States or of ~~the~~ *this* state including active service in any uniformed auxiliary of, or to, any branch of such military service created or authorized as such auxiliary by the Congress of the United States of America or by the Legislature of the State of California, or in the full-time paid service of the American Red Cross ~~rendered~~ *performed* prior to September 10, 1957, during war with any foreign power or during other national emergency, or in time of peace if he is drafted for such service by the United States government, if he was employed in a status ~~requisite for~~ *requiring* membership, or in a status, time served in which is included in this chapter, within one year prior to entering such service

Time during which a member for other cause is absent without compensation, on leave or otherwise, shall not be included

Time included under this section shall be considered as served in the state in which the member was last employed before entering such service.

SEC 16. Section 13996 of the Education Code is amended to read.

13996. A member shall receive credit for time during which he is excluded from membership because of membership in any other retirement system and during which he serves in a status ~~requisite for~~ *requiring* membership in this system or its predecessors, if he subsequently ceases to be a member of, and ceases to be entitled to benefits from, the other requirement system and becomes a member of this system

~~Such credit shall not be given if the termination of membership in the other system resulted from his voluntary withdrawal, after January 1, 1960, of his contributions to that system.~~

Such credit shall not be given if the member may redeposit withdrawn contributions in any other retirement system.

SEC. 17. Section 13999 of the Education Code is amended to read:

13999 Every person who was a member or retirant of the California State Teachers' Retirement System on June 30, 1944, ~~shall~~ *may elect to* receive credit for time served outside this state prior to July 1, 1944, as follows

(a) ~~He shall receive credit~~ *Credit* for time served in a status which in this state ~~is requisite for~~ *requires* membership, in other states of the United States and its territories and possessions and in Canada.

(b) ~~He shall receive credit~~ *Credit* for time served in teaching positions in publicly supported and publicly administered universities or colleges in the United States and its territories and possessions and in Canada

(c) ~~He shall receive credit~~ *Credit* for time served in teaching positions in schools supported and administered by the United States government.

(d) ~~A member shall receive credit~~ *Credit* for time served as a physiotherapist during World War I in the Medical Department of the United States Army; provided, he was employed in a position ~~requisite for~~ *requiring* membership in this system within one year prior to entering such service.

(e) ~~Members who are employed in the California School for the Deaf or the California School for the Blind, or in special classes maintained by the public schools of this state, for the instruction of the deaf, the hard of hearing, the blind, or the semisighted shall receive credit for time served in publicly supported residential schools for the deaf and blind outside this state.~~ *Credit for time served in publicly supported residential schools for the deaf and blind outside this state and credit for time served in the California School for the Deaf or the California School for the Blind, or in special classes maintained by the public schools of this state for the instruction of the deaf, the hard of hearing, the blind, or the semisighted.*

SEC. 18. Section 14000 of the Education Code is amended to read:

14000 A member ~~shall~~ *may elect to* receive credit for time served in publicly supported and administered schools in other states of the United States and its territories and possessions and in Canada as a teacher of children who are deaf or blind or both deaf and blind if the member fulfills all of the following conditions:

(a) He is credited with at least 10 years of service in this state as a teacher of children who are both deaf and blind.

(b) Within five years immediately preceding the date when he became a member of this system he served at least one year in publicly supported and administered schools in other states of the United States, its territories and possessions, or in Canada, as a teacher of children who were both deaf and blind.

(c) He was a member of this system on October 1, 1959.

SEC 19 Section 14020 of the Education Code is amended to read:

14020 Contributions made by a member shall be credited to his individual account by the board.

Interest shall be credited to his individual account on the accumulated contributions therein, *excluding member accumulated contributions while being paid as benefits under the provisions of Section 14186 or 14260,* at rates declared from time to time by the board.

SEC. 20. Section 14022 of the Education Code is amended to read:

14022. Each member who retires *or on whose account a disability allowance or family benefit is payable* is required to have contributed to the Permanent Fund at the following rates for the service credited to him under the system:

(a) Twelve dollars ($12) for each year of service prior to July 1, 1935, but contributions shall not be required for more than 30 years of service performed prior to July 1, 1935

(b) Twenty-four dollars ($24) for each year of service from July 1, 1935, to July 1, 1944.

(c) Sixty dollars ($60) for each year of service after July 1, 1944, and prior to July 1, 1972.

SEC. 21. Section 14023 of the Education Code is amended to read:

14023. Any person to whom service performed outside of the state after January 1, 1914, is credited and any person who has claimed exemption from the provisions of the system or its predecessor or who is excluded from the system because of being a member of another retirement system while serving in a position requiring membership in this system or its predecessor, and who later becomes subject to its provisions ~~shall~~ *may elect to* pay, in addition to the sum due under Section 14022 for each year of credited service ~~rendered~~ *performed* prior to July 1, ~~1911~~ *1944*, either outside the state or while exempt or while a member of any other system, *plus* regular interest on the amount which would have been contributed had he been a member of the system when the service was performed Regular interest shall begin to accrue on the first day of July next following the end of the school year in which *the* service was performed.

SEC. 22. Section 14028 of the Education Code is amended to read.

14028 Members' contributions to the Retirement Annuity Fund for service credited after June 30, 1944, and prior to July 1, 1972, shall be in the amounts required based on percentage rates of contribution applicable for the years included in such period If such contributions are not paid prior to the effective ~~retirement~~ *date of retirement, disability or death,* payment shall be made in a lump sum; or in such amounts as the board may specify under authority granted by Section 14060.

SEC. 23. Section 14030 of the Education Code is amended to read·

14030. ~~If, at retirement,~~ *If at the time of retirement, disability or death,* there are contributions remaining to the credit of the member which were made with respect to time on the basis of which the member will not be entitled to receive a benefit, the board shall refund to the member accumulated contributions as it may allocate to such time

SEC 24. Section 14030 5 is added to the Education Code, to read:

14030.5. If a member of a local retirement system transfers to the State Teachers' Retirement System as a member of the local system, and has accumulated contributions in his account in excess of those

required by the State Teachers' Retirement System, the excess amount shall be credited to his individual account in the Annuity Deposit Fund unless he requests in writing to receive a refund of that excess amount within 60 days of notification by the system

SEC. 25 Section 14036 of the Education Code is amended to read:

14036 Persons who have been excluded from membership under Sections 13963, 13964, 13965, or 13966, and school nurses excluded under Section 13968, who subsequently become members shall receive credit for the service performed while so excluded provided they elect to pay, and pay, prior to retirement *or payment of a disability allowance, whichever occurs first,* and in a manner provided by the board, contributions with respect to such service with *regular* interest ~~at a rate to be determined by the board~~.

Such contributions shall be equal to what they would have been had they not been excluded from membership but calculated at the rate of contribution first applicable to them as members, or upon their reentry to membership.

The provisions of this section shall not apply to service as a school nurse during which time the person was a member of the Public Employees' Retirement System and was excluded from membership in this system under Section 13968.

SEC 26. Section 14040 of the Education Code is amended to read

14040. Except as otherwise provided in this article a member of the system who ~~receives~~ *elects to receive pay for* credit for military or Red Cross service under Section 13994 shall pay such amounts as may be necessary, when added to contributions for the Permanent and Retirement Annuity Funds, deducted by the ~~agency~~ *employer* during his absence, to make his contributions to the Permanent Fund and to the Retirement Annuity Fund, equal to the contributions he would have made had he not been absent from ~~the~~ service ~~of the employing agency~~. The contributions made shall be remitted to the board and administered by the board in the same manner as contributions deducted from salary payments ~~The employing agency may, at its option, make the contributions for the member, and contributions made by the agency shall be administered as if made by the member~~ If the member was not employed ~~by an employing agency~~ *in a status requiring membership* at the time he entered the military service or said auxiliaries thereof, or the service of the Red Cross, his contributions to and his benefits from the Retirement Annuity Fund for such service shall be based upon the salary he was receiving ~~in his last employment~~ prior to entering ~~the~~ military service or ~~the an auxiliaries~~ *auxiliary* thereof, or the service of the Red Cross

SEC 27. Section 14060 of the Education Code is amended to read:

14060 If more or less than the correct amount of the contributions is paid with respect to any salary payment, including salary payments to exchange teachers for service outside of this state, proper adjustments shall be made, without interest, in connection with subsequent salary payments, or adjustments may be made by direct cash payments between the member and the employing agency or the board. Adjustments to correct any other errors in payments to or by the board may be made in the same manner.

If the board determines that an amount is due the system from a person who has retired, *is receiving a disability allowance or died,* including one who has applied for retirement *or disability allowance* but has not received his first ~~retirement warrant,~~ *benefit check* and that the person is unable to pay the amount due, the board may withhold all or part of subsequent payments due the member, or due on his account, until the amounts so withheld equal the amount due plus interest at the rate in use ~~under~~ *by* the system.

Losses or gains resulting from error in amounts within the limits set by the State Board of Control for automatic writeoff, and losses or gains in greater amounts specifically approved for writeoff by the State Board of Control, shall be debited or credited, as the case may be, to the *appropriate* reserve ~~against deficiencies in interest earned in other years, losses under investments, and other contingencies~~.

SEC. 28. Section 14061 of the Education Code is amended to read:

14061. Any overpayments made to or for the decedent either in the form of benefits, contributions or payments made to the Federal Internal Revenue Service, *Franchise Tax Board,* or insurance companies and not recovered prior to the, or following the, demise of the decedent shall be recovered from any death benefit that may be paid by the system.

SEC 29. Section 14073 of the Education Code is amended to read:

14073. If a member ceases to be entitled to credit for service in this system because he has become entitled to credit for such service in another retirement system supported wholly or in part by funds of the United States government, or any state government or political subdivision thereof, ~~except a local system,~~ he is entitled to a refund of the contributions paid the Teachers' Permanent Fund after July 1, 1935 ~~without interest except for such interest as was paid by the member, and the accumulated annuity contributions on account of such service~~.

SEC. 30. Section 14080 2 of the Education Code is amended to read:

14080.2. An election pursuant to Section 14080 to redeposit contributions previously withdrawn may be made by a member any time prior to the date of his retirement *or payment of disability allowance, whichever occurs first.*

If any payment due because of such election is not received at the Sacramento office of the board within 120 days of its due date, the election shall be canceled. Upon such cancellation of election the member's rate of annuity fund contributions shall be determined retroactively as it would have been had the election not been made, any payments made under the election shall be refunded to the member after deducting any retirement annuity fund contributions due because of the adjustment in his rate.

In the event of cancellation of the election the member may at any time prior to the date of his retirement *or payment of disability allowance, whichever occurs first,* again elect to redeposit contributions previously withdrawn or refunded, in accordance with Section 14080 and all the laws, rules and regulations pertaining thereto.

A disabilitant who elects not to redeposit, after attainment of three years of credited service subsequent to the last disability payment, may at any time prior to the date of subsequent retirement elect to redeposit, pursuant to Section 14080

SEC 31 Section 14083 of the Education Code is amended to read:

14083. Any person whose contributions were refunded to him and who has received, or will qualify for the receipt of a retirement allowance from the Public Employees' Retirement System, or from the ~~retirement system of the~~ University of California *Retirement System* or the Legislators' Retirement System *or a local system* ~~has the right to reenter this system and~~ *may elect* to redeposit the contributions refunded to him, with regular interest, without being employed in a status ~~requisite for~~ *requiring* membership in this system

~~Such redeposit shall be in the form of a single lump sum payment.~~

A person who *elects to redeposit as provided herein* ~~is reinstated to membership on account of this section is~~ *shall* not ~~entitled to~~ receive credit for service which might otherwise be creditable under the provisions of Section 13999 ~~relating to credit for service rendered outside the state prior to July 1, 1944~~.

SEC 32. Section 14112.1 of the Education Code is repealed

~~14112.1. The state shall deposit that portion of the annual appropriation required for payments of subventions to local districts in a lump sum into the Teachers' Retirement Fund, when requested by the Teachers' Retirement Board. The remainder of the annual appropriation shall be deposited into the Teachers' Retirement Fund monthly.~~

SEC 33 Section 14116 is added to the Education Code, to read:

14116. Employer or state contributions made to the system are to finance the employer obligation for all of the members of the system and, therefore, shall not be credited to the individual accounts of the members of the system Such contributions shall be held in the reserves of the system to finance the employers' share of the cost of all benefits payable by the system Under no circumstances shall employer contributions be allocated or awarded to individual members, retirants, or their spouses or beneficiaries.

SEC. 34 Section 14122 of the Education Code is repealed.

~~14122. The system shall compute the amount of service credited by local systems and the Permanent Fund contributions credited on July 1, 1972, to members on account of such service to persons who are members of local systems and pay to districts maintaining local systems the total amount of such contributions with the credited interest accrued on Permanent Fund contributions for such service rendered after July 1, 1944.~~

SEC 35 Section 14154 of the Education Code is amended to read:

14154 A member's marriage, divorce, annulment of marriage or the termination of membership constitutes a revocation of his previous designation of a beneficiary - *except as provided herein*

Any designation of beneficiary in effect on October 1, 1967, which was filed prior to the occurrence of any of the conditions specified herein is void

After any revocation or voidance of a beneficary designation, a member may designate the same or another beneficiary or beneficiaries according to the procedure in Section 14153

A nomination of beneficiary filed with the system after an interlocutory decree in a dissolution of marriage action has been issued by the court shall continue to be valid after filing of the final decree of the dissolution of marriage

SEC. 36. Section 14182 of the Education Code is amended to read:

14182. The benefits provided in Section 14180, except as otherwise provided, are payable upon receipt of proof of a member's death which occurred:

(a) While he was employed in a position requiring membership in this system, and was receiving compensation because of such employment, and before the effective date of his retirement or after such date if under the provisions of Section 14281 he is to be considered as an active member at the time of death, or

(b) While the member was disabled, if disability had been continuous from the last day for which compensation was paid to him, or

(c) While he was on a leave of absence without compensation, granted *in accordance with the Education Code and* for reason other than disability, *or military service* ~~and within 18 months after the last day for which compensation was paid~~, or

(d) Within four months after the termination of the member's employment in a position requiring membership in this system; provided, first that death was not included within the provisions of subdivision (b), ~~and, second, that death does not occur more than 18 months after the last day for which compensation was paid to him,~~ or

(e) Within six months of his last day of service if an application for retirement was received by the system ~~prior to his death~~ *within four months of his last day of service*, provided benefits are not payable under Section 14280.

SEC. 37. Section 14188 of the Education Code is repealed.

~~14188. Family benefits shall begin to accrue on the first day of the month following the death of the member.~~

SEC. 38. Section 14189 of the Education Code is amended to read:

14189. There shall be deducted from the family benefit any benefits payable to a beneficiary from other public systems:, *exclusive of benefits payable for reasons other than the same event which caused payment of the family benefit.*

SEC. 39. Section 14190 of the Education Code is amended to read:

14190. No person shall be entitled to receive the benefit provided under Section 14186, *as it read on June 30, 1972,* upon the death of a member if he is qualified to receive this benefit on account of the death of another member. If he would qualify for more than one benefit, except for this section, the benefit to be paid shall be the greater of the amounts which would otherwise be payable.

SEC. 40. The heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of the Education Code is amended to read:

Article 20. ~~Retirement~~ *Service or Disability Allowance* —General Provisions

SEC. 41. Section 14210.1 is added to the Education Code, to read:

14210.1 A disability shall become effective upon the date designated by the person as the effective date of disability, or upon the day of the month following the last day of service for which salary is payable to the person, whichever is later.

In no event shall the disability become effective or disability allowance begin to accrue earlier than the first day of the month in which the application is received by this system in Sacramento, or earlier than the date upon and continuously after which he is determined to the satisfaction of the board to have been mentally incompetent, or earlier than the date upon and continuously after which the person is determined to the satisfaction of the board to have been disabled.

SEC. 42 Section 14211 of the Education Code is amended to read:

14211 Any member who comes within any of the following descriptions may be retired for service at his option upon written application therefor to the board:

(a) Who has attained age 55 years or more and who has at least five years of credited California service, if five of the final six years of credited service have been in this state

(b) Who is credited with service which is not used as a basis for benefits under any other public retirement system, provided he *has attained age 55 and* retires concurrently under the Public Employees' Retirement System, ~~as a state member of that system, or as an employee of a local school district or of a superintendent,~~ or under the ~~retirement system of the~~ University of California *Retirement System,* or under a local system

In the calculation of allowances of members who qualify for retirement under subdivision (b) of this section, and who are not qualified for retirement under subdivision (a) of this section, there shall be excluded any service performed in other states of the United States, its territories and possessions or in the Dominion of Canada.

Application for retirement under subdivision (b) may be made at any time, and such applicants are not subject to the provisions of Section 14218.

SEC 43 Section 14216 of the Education Code is repealed

~~14216 Every application for retirement shall state the date on which the member desires to retire.~~

~~Such application shall be executed within a period of time as prescribed by the board.~~

SEC 44 Section 14217 of the Education Code is amended to read.

14217 Failure of a member to complete the documents required for retirement *or disability allowance* within 180 days after receipt of ~~the~~ *such* application ~~for retirement~~ in the office of the board in Sacramento, makes the application null and void

SEC 45 Section 14218 of the Education Code is amended to read

14218 (a) If the last day of a member's service was ~~rendered~~ *performed* prior to July 1, 1935, he shall have the right to make application for retirement *or disability allowance* only after ~~rendering~~ *performing* additional service in a status ~~requisite for~~ *requiring* membership in this system, of not less than two years, after June 30, 1950.

(b) Subdivision (a) of this section shall not be applicable if a member ~~rendered~~ *performed* at least three schooldays of service on or after July 1, 1935, and prior to July 1, 1950, even though compensation for such service was not paid out of any public funds, and if such person taught for 15 years or more before July 1, 1935 *This provision became effective on November 10, 1969.*

(c) Insofar as subdivision (b) of this section creates any rights to a retirement *or disability* allowance under this chapter, such allowance shall only be payable for periods commencing with the effective date of the addition of subdivision (b) of this section

SEC. 46 Section 14220 1 is added to the Education Code, to read:

14220 1 The board may require any member receiving a disability allowance, who has not attained the age of 60, to undergo annual medical examination If the examination, together with other available information, shows to the satisfaction of the board that the member is no longer disabled, his disability allowance shall cease Should any such member refuse to submit to medical examination, as herein provided, payments to such member under the disability shall be discontinued and all rights of the member in the disability allowance shall be revoked

SEC 47 Section 14223 of the Education Code is repealed

~~14223. Upon cancellation of the retirement allowance, the person's individual account shall be credited with the amount of his accumulated contributions, exclusive of annuity deposit and tax-sheltered contributions, as they were at the date of retirement, less the sum of all payments made under Section 14240(a) or 14260(a) or similar provisions in effect on June 30, 1972. The reduction shall not be greater than the total of such accumulated contributions.~~

~~The person's account shall be credited with the Permanent Fund contributions, whether made by him prior to or after retirement, for service performed prior to July 1, 1944.~~

SEC 48 Section 14223 is added to the Education Code, to read:

14223 Upon cancellation of a retirement or disability allowance which began to accrue after June 30, 1972, the person's individual account shall be credited with the amount of his accumulated contributions as they were on the effective date of retirement or disability allowance, less the sum of all payments made under subdivision (a) of Section 14240 or Section 14260 The reduction shall not be greater than the total of such accumulated contributions

Upon the cancellation of a retirement that began to accrue after June 30, 1972, the person's accumulated annuity deposit and accumulated tax-sheltered annuity contribution accounts shall be credited with the amounts of such contributions as they were on the effective date of retirement less the sum of all payments made under subdivisions (b) and (c) of Section 14240

SEC 49 Section 14223 5 of the Education Code is amended to read:

14223 5 Upon cancellation of the retirement allowance *which began to accrue prior to July 1, 1972,* the person's individual account shall be credited with amounts which are the actuarial equivalents at that time, as based on the disabled life, where retirement had been for disability, or on active life where the retirement had been for service of the annuities being paid from *the Retirement Annuity Fund, Permanent Fund and* the Annuity Deposit Fund or tax-sheltered contributions Such credited amounts shall not exceed the amount of his accumulated contributions as they were in those accounts at the date of retirement

SEC 50. Section 14227 of the Education Code is amended to read:

14227 ~~Any retirant retired for disability~~ *A disabilitant* may be employed in a position requiring certification qualifications The employment does not operate ~~to reinstate the disability retirant as a member of this system,~~ ~~or~~ to terminate or suspend his disability ~~retirement~~ allowance except as provided in Sections 14220 and 14220 5, and no deduction shall be made from his salary as contributions to this system

SEC 51 Section 14241 1 is added to the Education Code, to read:

14241 1 Persons who are retired under a previously existing local teachers' retirement system who have not retired under the State Teachers' Retirement System for the Permanent Fund benefit prior to July 1, 1972, shall have that Permanent Fund benefit computed under the law in effect on June 30, 1972, whenever they retire in the future

SEC 52 Section 14243 5 is added to the Education Code, to read:

14243 5 If a retirant reenters the system as a member and subsequently retires, the minimum retirement allowance is the allowance provided by Section 14243 adjusted for age in accordance with Article 24 (commencing with Section 14300) of this chapter

SEC 53. Section 14264 of the Education Code is repealed.

~~14264. In no event shall the retirement allowance for disability, exclusive of any annuity provided by accumulated annuity deposits and accumulated tax-sheltered contributions, be less than the amount of the service retirement allowance, exclusive of any annuity purchased by accumulated annuity deposits and accumulated tax-sheltered contributions, which the retiring member would have received if he had retired for service instead of disability.~~

SEC 54 Section 14281 1 is added to the Education Code, to read:

14281 1 The election of an irrevocable option as provided in Section 14284 shall preclude the payment of disability or family benefits to the member or any beneficiary Members receiving a disability allowance under Section 14260 may not file an irrevocable election of option as provided in Section 14284

SEC. 54 5 Article 24 (commencing with Section 14300) of Chapter 4 of Division 10 of the Education Code is repealed

SEC 55 Article 24 (commencing with Section 14300) is added to Chapter 4 of Division 10 of the Education Code, to read:

Article 24 Reinstatements

14300 The purpose of this article is to provide for the computation of retirement allowances to be granted to a person who:

(a) Previously retired from this system and subsequently reinstates as a member; or

(b) Previously receive a disability allowance from this system and subsequently receives a service retirement under subdivision (a) of Section 14240

14301 If the retirant returns to active service and performs less than three years of credited service prior to subsequent retirement, he shall have added to the retirement allowance he was receiving immediately prior to reentry an amount based on the service performed after his last reentry computed in accordance with the retirement formula

provided in the law in effect on the date his subsequent retirement is effective but using the same final compensation that was used in the calculation of the retirement allowance he was receiving immediately prior to the last reentry.

If three or more years of credited service are performed after the last reentry, he shall receive the greater of his previous allowance recomputed on the basis of age, determined by deducting from his age at his subsequent retirement the time during which he was retired or the allowance he was receiving immediately prior to reentry, plus an amount based on service performed after his last reentry computed in accordance with Section 13838 and Section 14240

14302. If less than three years of credited service are performed after his last reentry, he shall receive the lesser of the disability retirement allowance he was receiving at time of reentry or the service retirement allowance based on subdivision (a) of Section 14240 using the actual credited service, the final compensation upon which the disability allowance was based, and an age, but not less than 55, determined by deducting from his age at his subsequent retirement the time he was retired, plus an amount based upon the credited service after his last reentry computed in accordance with subdivision (a) of Section 14240 using the final compensation which was used in the computation of his disability retirement allowance.

If three or more years of credited service are performed after his last reentry, he shall receive a retirement allowance calculated under the provisions of Section 13838 and subdivision (a) of Section 14240.

14303. If less than three years of credited service are performed after discontinuance of the disability allowance, he shall receive a retirement allowance which is the lesser of the service retirement allowance computed under subdivision (a) of Section 14240 based on actual and projected service and salary or the disability allowance he was receiving immediately prior to discontinuance of that allowance, exclusive of increments added for children He may not elect to pay for or receive credit for service with which he was not credited on the effective date of the disability allowance.

If three or more years of credited service are performed after discontinuance of the disability allowance, he shall receive a retirement allowance computed under subdivision (a) of Section 14240 based on actual and projected service and salary He may pay for and receive credit for creditable service with which he was not credited on the effective date of his disability allowance

SEC. 56 Section 14394.1 is added to the Education Code, to read:

14394 1 Any disability allowance which has accrued and remains unpaid to a disabilitant at the time of his death shall be paid to:

(a) The person entitled to receive a benefit under Section 14186, or if none, to

(b) The beneficiary entitled to receive the death benefit under Section 14180

SEC 57. Section 14398 of the Education Code is amended to read:

14398. Whenever any warrant drawn in payment of contributions or accumulated contributions or benefits under this system remains unclaimed or the *legal* claimant cannot be found, *the Teachers' Retire-*

ment Board shall redeposit the proceeds of such warrant ~~shall be redeposited~~ in the *Teachers' Retirement* ~~fund~~ *Fund*, and *shall* ~~held~~ *hold such proceeds* for the *legal* claimant without further accumulation of interest, and such redeposit shall not operate to reinstate the membership of the claimant in this system.

~~The proceeds revert to and become a part of the contributions of the state for the respective year, and shall be applied to meet the liabilities of the state on account of which the contributions were made.~~

The above provisions shall apply to warrants drawn and canceled by the Controller pursuant to Section 17070 of the Government Code, except that upon notice of cancellation, the proceeds revert to and become a part of the Teachers' Retirement Fund, and shall be applied to meet the liabilities of the Teachers' Retirement Fund

The board may at any time, after reversion of proceeds as provided above to the Teachers' Retirement Fund and upon receipt of proper information satisfactory to it, return from the Teachers' Retirement Fund an amount equal to such proceeds to the credit of the legal claimant

SEC 58 Section 14399 of the Education Code is repealed

~~14399. The board may credit the proceeds of any unclaimed benefit due under this chapter directly to the contributions of the state for the respective year if it determines that the legal claimant to the benefit cannot be located. Any amount credited by the board under this authority shall be administered as provided in Section 14398.~~

SEC 59. Section 14400 of the Education Code is repealed

~~14400. The provisions of Section 14399 apply to warrants drawn under this system and canceled by the Controller pursuant to Section 17070 of the Government Code, except that upon notice of cancellation, the proceeds revert to and become a part of the contributions of the state for the respective year, and shall be applied to meet the liabilities of the state on account of which such contributions were made.~~

SEC 60 Section 14401 of the Education Code is repealed

~~14401. The board may at any time, after reversion of proceeds to the state under Sections 14398, 14399 and 14400, and upon receipt of proper information satisfactory to it, return from state contributions, an amount equal to such proceeds, to the credit of the claimant to be administered in the manner provided under this system.~~

SEC 61 Section 14405 is added to the Education Code, to read

14405 Whenever a refund cannot be made under the provisions of Section 14072, or a benefit cannot be paid because the member cannot be found, the accumulated contributions credited to his account shall be transferred to the Teachers' Retirement Fund

If a person whose accumulated contributions were transferred to the Teachers' Retirement Fund returns to a position requiring membership, the system shall return such contributions to his account with interest that would have been credited to his account had the funds not been transferred

SEC. 62 Section 16626 of the Education Code is amended to read

16626 Each person employed by a school district in a position requiring a children's center permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the

supervision of the children's center program, shall be deemed to be employed in a position requiring certification qualifications; ~~but shall not be entitled to membership in the State Teachers' Retirement System or in any district retirement system for employees in positions requiring certification qualifications unless such person meets the criteria established in Education Code Section 13956.1 which shall take precedence over the above section of said code~~.

Each other person employed by a district in a children's center under the provisions of this chapter (commencing with Section 16601) shall be deemed for all purposes, including retirement, to be a person employed by the school district in a position not requiring certification qualifications.

The provisions of Section 13525, Section 13525.1 or Section 13526 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, shall not apply to employees in children's centers.

A district may lay off an employee required to have such a permit at any time during the school year for lack of work or lack of funds or may provide for his employment for not to exceed 90 days in any one school year on an intermittent basis which shall not be deemed probationary service. The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first, except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff.

Service performed prior to the effective date of this section shall not be included in computing the service required as a prerequisite for attainment of, or eligibility to, classification as a permanent children's center employee.

A person who is employed by a district as a probationary employee in a position requiring a children's center permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of the children's program and who has served in such a position for three complete consecutive school years as defined in Sections 13328 and 13464 of the Education Code, immediately prior to the effective date of this section may be dismissed only in accordance with the provisions of Section 13444.

Other persons who are employed as probationary employees in positions requiring such permits on or after the effective date of this section may be dismissed in accordance with the provisions of Section 13443.

SEC. 63. Section 11126 of the Government Code is amended to read:

11126. Nothing contained in this article shall be construed to prevent a state agency from holding executive sessions during a regular or special meeting to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing. As a condition to holding an executive session on the complaints or charges to consider disciplinary action or to consider dis-

missal such officer or employee shall be given written notice of his right to have a public hearing rather than an executive session, which notice shall be delivered to him personally or by mail at least 24 hours before the time for holding a regular or special meeting If notice is not given, any disciplinary or other action taken against any officer or employee at such executive session shall be null and void The state agency also may exclude from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the state agency Following the public hearing or executive session the agency may deliberate on the decision to be reached in an executive session

Nothing in this article shall be construed to prevent state agencies, which administer the licensing of persons engaging in businesses or professions, from holding executive sessions to prepare, approve, grade or administer examinations

Nothing in this article shall be construed to prohibit a state agency from holding an executive session to deliberate on a decision to be reached based upon evidence introduced in a proceeding required to be conducted pursuant to Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code or similar provision of law

Nothing in this article shall be construed to prevent any state agency from holding an executive session to consider matters affecting the national security

Nothing in this article shall be construed to grant a right to enter any correctional institution or the grounds of a correctional institution where that right is not otherwise granted by law, nor shall anything in this article be construed to prevent a state agency from holding an executive session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion or consideration is expressly prohibited by statute

Nothing in this article shall be construed to prevent any executive session to consider the conferring of honorary degrees, or gifts, donations and bequests which the donor or proposed donor has requested in writing to be kept confidential

Nothing in this article shall be construed to prevent the Alcoholic Beverage Control Appeals Board from holding an executive session for the purpose of holding a deliberative conference as provided in Section 11125 of the Government Code

Nothing in this article shall be construed to prevent the Trustees of the California State Colleges from holding executive sessions dealing with site selection for such state colleges

Nothing in this article shall be construed to prevent the Franchise Tax Board from holding executive sessions for the purpose of discussion of confidential tax returns or data the public disclosure of which is prohibited by law

Nothing in this article shall be construed to prevent the Board of Corrections from holding executive sessions when considering reports of crime conditions under the provisions of Section 6027 of the Penal Code

Nothing in this article shall be construed to prevent the State Air Resources Board from holding executive sessions when considering the proprietary specifications and performance data of manufacturers

Nothing in this article shall be construed to prevent the Board of Administration of the Public Employees Retirement System from holding executive sessions when considering investment decisions.

Nothing in this article shall be construed to prevent the Teachers' Retirement Board of the State Teachers' Retirement System from holding executive sessions when considering investment decisions

Nothing in this article shall be construed to prevent the governing body of a public agency, or such boards, commissions, administrative officers, or other representatives as may properly be designated by law or by such governing body, from holding executive sessions with its representatives at any time in discharging its responsibilities under Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of this code as such sessions relate to salaries, salary schedules, or compensation paid in the form of fringe benefits."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Veto Message—Assembly Bill No. 70

Governor's Office, Sacramento
June 2, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 70 entitled, "An act to amend Section 888.2 of, and to add Article 4.5 (commencing with Section 913.10) to Chapter 2 of Title 4 of Part 2 of, the Penal Code, relating to grand juries."

The problems of restructuring California's grand jury system has been the subject of much recent discussion. Last year I requested Attorney General Evelle Younger to conduct a comprehensive study of the State's grand jury laws. As a result of this study, legislation has been introduced which would improve our present system of conducting grand jury activities.

Assembly Bill 70, by contrast, addresses only one facet of the grand jury problem and would increase rather than resolve some of the basic objections which have been made due to the current system.

AB 70 would complicate the method prescribed by statute for the selection of grand juries, would require the impanelment of new grand juries in some counties every 30 days under certain circumstances, would prevent a uniform method of administering grand jury selection throughout the state, and would divide responsibility for the utilization of the grand jury process in criminal cases.

I feel that new legislation concerning grand jury selection procedures, incorporating the principle of random selection, should be

part of a comprehensive revision of the grand jury system Such an overall approach is included in Senate Bill 813, presently pending before the Legislature.

Because of the availability of comprehensive legislation, and because of the deficiences contained in AB 70, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 2nd day of June, 1972, at 4·00 P.M. of Assembly Bill No 70, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY
Assistant Chief Clerk

Above bill ordered to the unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, June 1, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No 557

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, June 5, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No 112
AB No 393

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, June 1, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted

ACR No 89

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, June 1, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 230
SB No 373
SB No 1216

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, June 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 377

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, June 5, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 220
SB No 260
SB No. 762

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, June 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

SB No 20	SB No 1241
SB No 970	SB No 1385

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, June 5, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed.

SB No 275	SB No 499	SB No 901
SB No 414	SB No 636	SB No 907
SB No 446	SB No 670	SB No 955
SB No. 470	SB No 819	SB No 1083

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 5, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted·

SCA No 23
SCA No 65
SCA No 73

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 5, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No 55

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 20—An act to amend Section 653f of the Penal Code, relating to solicitation to commit a crime

Held at Desk by order of the Acting Speaker

Senate Bill No. 970—An act to amend Sections 10801, 10805, and 10808 of the Education Code, relating to school district attendance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1241—An act to amend Sections 76.1, 77, 77 1, and 77.9 of, and to repeal Section 76 2 of, the Harbors and Navigation Code, relating to yacht and ship brokers.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1385—An act to amend Sections 73562, 73563, 73563.2, 74222, 74223, and 74223 2 of the Government Code, relating to courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 275—An act to amend Section 75033 of the Government Code, relating to judges' retirement

Held at Desk by order of the Acting Speaker

Senate Bill No. 414—An act to amend Section 146 of, and to add Section 146 1 to, the Streets and Highways Code, relating to state highways

Held at Desk by order of the Acting Speaker.

Senate Bill No. 446—An act to amend Section 205.7 of the Revenue and Taxation Code, relating to taxation

Held at Desk by order of the Acting Speaker.

Senate Bill No. 470—An act to amend Sections 13274 and 13732 of the Education Code, relating to public schools

Held at Desk by order of the Acting Speaker.

Senate Bill No. 499—An act to add Section 24317 to the Education Code, relating to state college employees

Held at Desk by order of the Acting Speaker.

Senate Bill No. 636—An act to amend Section 7393.3 of the Business and Professions Code, relating to cosmetology

Held at Desk by order of the Acting Speaker.

Senate Bill No. 670—An act to add Sections 6803 3 and 6902.055 to the Education Code, relating to special education.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 819—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 901—An act to amend Section 128 of the Business and Professions Code and to repeal Section 3 of Chapter 1363 of the Statutes of 1971, relating to businesses and professions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 907—An act to amend Section 13443 of the Education Code, relating to public school employees.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 955—An act to add Section 7 10 to, and to repeal Section 7.8 of, the Ventura County Flood Control Act (Chapter 44 of the Statutes of 1944, Second Extraordinary Session), relating to the Ventura County Flood Control District, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1083—An act to amend Section 25541 7 of the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1¼b of Article XIII thereof, relating to taxation.

Held at Desk by order of the Acting Speaker

Senate Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 3 to Article XVI thereof, relating to retirement benefits of public retirement systems

Held at Desk by order of the Acting Speaker

Senate Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 11¼ to Article XIII thereof, relating to personal income taxes.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 55—Approving amendments to the Charter of the City of Albany, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972.

Held at Desk by order of the Acting Speaker.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1284 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Education; that Assembly Bill No. 993 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Health; that Assembly Bill No. 1376 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Planning and Land Use; that Assembly Bill No. 1594 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Governmental Organization; that Assembly Bill No. 652 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Criminal Justice; and that Assembly Concurrent Resolution No 86 be withdrawn from the Committee on Transportation, and re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT

Mr Conrad was granted unanimous consent that Assembly Bill No. 441 be considered engrossed.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Briggs was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 486, 1073, 2264 and Assembly Concurrent Resolution No. 38 for hearing in the Committee on Agriculture today.

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 436, 1045, 2063, 2324 and Senate Bill No 1076 for hearing in the Committee on Government Administration, on Thursday, June 8, 1972.

Mr Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 93 for hearing in the Committee on Transportation, on Thursday, June 8.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file.

Assembly Bills Nos. 123, 617, 1446, 290, and **1420,** ordered to third reading

Assembly Bills Nos. 1076 and **881,** ordered to the Consent Calendar.

NOTE Later this day Assembly Bill No 1076 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, 21294, and 21298 of, and to add Section 21300.5 to, the Government Code, relating to retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly May 8, 1972, after "member", insert "other than school members".

Amendment No. 2

On page 2, between lines 33 and 34, insert

"This section shall not be applicable to school members."

Amendment No. 3

On page 3, line 24, strike out "one-fiftieth", and insert "one-sixtieth".

Amendment No. 4

On page 3, line 29, strike out "one-fiftieth", and insert "one-sixtieth".

Amendment No. 5

On page 3, line 37, strike out "five", and insert "10".

Amendment No. 6

On page 4, strike out lines 8 to 12, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 596—An act to amend Sections 20020 and 20021.5 of the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 895—An act to amend Section 31592.2 of the Government Code, relating to the County Employees Retirement Act of 1937.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1455—An act to add Sections 22013.4 and 22014.1 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1960—An act to amend Section 31724 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1910—An act to amend Sections 21252.45 and 21252 6 of the Government Code, relating to the Public Employees' Retirement System

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 4, line 8, of the the printed bill, strike out "this provision", and insert "the amendments to this section at the 1972 Regular Session".

Amendment No. 2

On page 4, line 11, after "effective", insert "and as to any such member, the reduction in the percentage of final compensation shall apply to all local safety service to such agency, if any of such local safety service has been included in the federal system".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1557—An act to amend Section 11513 of the Government Code, relating to examination of witnesses.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted

Amendment No. 1

On page 2, lines 34 and 35, of the printed bill, strike out "hearing officer in charge of any local office", and insert "Office of Administrative Hearings"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 366—An act to add Chapter 3.5 (commencing with Section 536) to Title 7 of Part 2 of the Code of Civil Procedure, relating to civil proceedings.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 9, line 14, of the printed bill, as amended in Assembly April 18, 1972, strike out "subdivision", and insert "subdivisions".

Amendment No. 2

On page 10, line 21, after "No", insert "environmental".

Amendment No. 3

On page 10, line 29, after "No", insert "environmental".

Amendment No. 4

On page 10, line 35, after the period, insert "Such person, however, is a "conditionally necessary party" as provided in Section 389 of the Code of Civil Procedure."

Amendment No. 5

On page 10, line 36, after "No", insert "environmental".

Amendment No. 6

On page 11, line 6, after the period, insert "Such person, however, is a "conditionally necessary party" as provided in Section 389 of the Code of Civil Procedure."

Amendment No. 7

On page 11, line 7, after "No", insert "environmental".

Amendment No. 8

On page 11, line 9, strike out "an", and insert "the".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1088—An act to amend Section 1714.1 of the Civil Code, relating to willful misconduct.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "or guardian".

Amendment No. 2

On page 1, line 8, strike out "or guardian".

Amendment No. 3

On page 2, lines 2 and 3, strike out "or of a guardian".

Amendment No. 4

On page 2, line 4, strike out "ten", and insert "two".

Amendment No. 5

On page 2, line 5, strike out "($10,000)", and insert "($2,000)".

Amendment No. 6

On page 2, line 8, strike out "ten", and insert "two".

Amendment No. 7

On page 2, line 9, strike out "($10,000)", and insert "($2,000)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2354—An act to amend Sections 682 3 and 690 50 of the Code of Civil Procedure, relating to judgment debtors, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 3, line 36, of the printed bill, after "exemption.", insert "If a claim of exemption be allowed, the judgment creditor shall have the right, at any time during the effective period of the claim of exemption, to move the court for consideration of the claim previously granted on the grounds of a material change of circumstances affecting the debtor's exemption rights If the judgment creditor does make such a motion, he must support his motion by a statement under oath alleging the changed circumstances which support his motion for consideration."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2072—An act to amend Section 1777.5 of the Labor Code, relating to apprentices

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 908—An act to amend Section 3041 of, and to add Section 3041.5 to, the Penal Code, relating to parole.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "3041 of, and to add Section 3041 5 to," and insert "3020 of".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive; and strike out pages 2 to 4, inclusive, and insert

"SECTION 1 Section 3020 of the Penal Code is amended to read:

3020 *(a)* In the case of all persons heretofore or hereafter sentenced under the provisions of Section 1168 ~~of this code~~, the Adult Authority may determine and redetermine, after the actual commencement of imprisonment, what length of time ~~, if any,~~ such person shall be imprisoned, unless the sentence ~~be~~ is sooner terminated by commutation or pardon by the Governor of the ~~State~~ *state*.

(b) Each prisoner shall be heard for parole consideration within six months of his reception by the Department of Corrections At that time he shall be given a prospective parole date. Prior to the initial hearing the Department of Corrections shall prepare for the use of the

Adult Authority a complete report on the prisoner including, but not limited to, a medical report, psychiatric report, and any special items necessary for the particular prisoner.

(c) The parole date granted at the initial hearing shall be contingent on the prisoner's completion of a reasonable correctional program designated by the department, which may include, but need not be limited to, education, trade training, therapy, counseling, self-help programs, stress assessment unit, and psychological testing and evaluation. The program shall be set forth in writing on a form provided by the department. A copy of the form shall be provided to the prisoner.

(d) When a prospective parole date is granted more than 12 months from the initial hearing, the prisoner shall be placed on a review calendar six months prior to the scheduled parole date or one year from the initial hearing, whichever occurs sooner. To insure that the program on which the parole date is based is being complied with, the Adult Authority or its representative shall personally interview the prisoner and review his file. Thereafter, progress reviews shall be scheduled at least once a year.

(e) When a prospective parole date is granted within 12 months or less from the initial hearing, a representative panel shall periodically review each case to verify that the conditions of the program are being complied with.

(f) Program adjustments may be made as changing case factors and individual circumstances make necessary to achieve the objective of optimum release readiness If a prisoner's performance of his program has been exemplary, an advancement of his parole date shall be considered by the progress review panel.

(g) No parole date shall be rescinded except upon good cause after a hearing in which the prisoner is personally present A prisoner's failure to conform to the program shall be considered good cause to rescind his parole date.

(h) Prior to each progress review hearing the Department of Corrections shall prepare a written evaluation of a prisoner's progress If the department determines that a prisoner is not conforming to the conditions of his program, it shall bring that fact to the attention of the Adult Authority."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1625—An act to repeal Sections 174 and 266c of the Penal Code, relating to importation of Chinese or Japanese.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 740—An act to amend Section 13360 of the Water Code, relating to water quality.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13360", and insert "add Chapter 3 5 (commencing with Section 13180) to Division 7".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 3 5 (commencing with Section 13180) is added to Division 7 of the Water Code, to read:

CHAPTER 3 5. REGULATIONS BASED UPON THE FEDERAL WATER POLLUTION CONTROL ACT

13180 The Legislature finds and declares that the health, safety and welfare of the people of the state require that, to the extent reasonably possible, state laws and regulations for the control of the quality of waters of the state should comply with or be consistent with the Federal Water Pollution Control Act (33 U S.C. 1151 et seq.) and acts amendatory thereof or supplementary thereto, and federal regulations and guidelines issued pursuant thereto, in order that the quality of waters of the state be fully protected for use and enjoyment by the people of the state, in order to avoid direct regulation by the federal government of persons already subject to regulation under state law pursuant to this division, and in order to assure continuity of the federal-state program of grants for waste treatment plants pursuant to the federal act and to Chapter 13 (commencing with Section 13970) of this division.

13181. The Legislature further finds and declares that although the Federal Water Pollution Control Act, as originally enacted, declared the policy of Congress to recognize, preserve, and protect the primary responsibilities of the states in preventing and controlling water pollution, subsequent amendments to the federal act, and to regulations and guidelines issued thereunder, have been made and continue to be made which increasingly preempt the field of water pollution control, but that such preemption is subject to nonpreemption in those states which have effective water pollution control laws, provided that such states also comply with, and continue to comply with, the requirements of federal statutes, regulations, and guidelines as they are amended from time to time

13182 The Legislature further finds and declares that pending amendments of the Federal Water Pollution Control Act indicate that there will be many future changes in regulations and guidelines implementing the federal act; that changes therein will probably be made with frequency, and that the most effective way in which to maintain the integrity of the Porter-Cologne Water Quality Control Act without federal preemption is to authorize the state board to adopt and amend state regulations based upon the changing requirements of the federal act, and federal regulations and guidelines issued pursuant thereto, provided that such state regulations are consistent with and help implement the declarations of policy set forth in Section 13000.

13183. The state board may adopt and amend regulations governing water quality and water pollution control, based upon and in compliance with the requirements of the Federal Water Pollution Control Act, and acts amendatory thereof or supplementary thereto, and regulations and guidelines issued thereunder, as they are amended from time to time To the extent necessary to prevent preemption, regulations adopted or amended by the state board may include procedures or provisions different from or inconsistent with those of this division All regulations adopted or amended pursuant to this chapter must be found by the state board to be consistent with the declarations of policy set forth in Section 13000, and to be necessary in the judgment of the board for the purpose of preventing preemption by the federal government.

SEC. 2. This act shall become operative only if, and on the date on which, the State Water Resources Control Board adopts a resolution declaring that Congress in the calendar year 1972 enacted S. 2770 or H.R. 11896, or some substitute bill, containing provisions such as those in Title IV of both S. 2770 and H R. 11896 which authorize the Administrator of the Environmental Protection Agency to issue permits for the discharge of pollutants into navigable and other waters, as defined, and authorize, in lieu of such federal permit program, a state permit program which meets the requirements of federal statutes, regulations, and guidelines. On or before January 15, 1973, the State Water Resources Control Board shall adopt a resolution declaring whether or not the provisions of this act are operative in accordance with the requirements of this section ''

Amendment No. 3

On page 1, strike out lines 2 to 7, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 738—An act to amend Sections 4010 5, 4011.5, and 4011 6 of the Health and Safety Code, relating to water systems

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 739—An act to amend Section 190 of the Water Code, relating to regional water resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 741—An act to amend Section 175 of the Water Code, relating to water

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1433—An act to amend Section 1466 of the Unemployment Insurance Code, as added by Section 5 of Chapter 1793 of the Statutes of 1971, relating to unemployment insurance

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2222—An act to add Section 12408.1 to the Insurance Code, relating to title insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2042—An act to add Section 2954.7 to the Civil Code, relating to prepayment of loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 17, of the printed bill, after "balance ", insert "This section shall not apply to loans made pursuant to the California Credit Union Law (Section 14000 et seq. of the Financial Code), the Industrial Loan Law (Section 18000 et seq. of the Financial Code), or the Personal Property Brokers Law (Section 22000 et seq. of the Financial Code)."

Set No. 2

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "10", and insert "7".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1382—An act to add Section 17530.6 to the Business and Professions Code, relating to income tax return preparation.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly May 18, 1972, after "(a)", insert "(1)".

Amendment No. 2

On page 2, line 5, strike out "firm, corporation,".

Amendment No. 3

On page 2, between lines 11 and 12, insert

"(2) It is a misdemeanor for any corporation to fail to include its name, address, and corporation number on any state income tax return which it prepares for another for compensation, or which it assists another in the preparation of for compensation As used in this paragraph "corporation number" means the number assigned by the Franchise Tax Board which the corporation uses to identify itself on its own tax returns filed pursuant to the Bank and Corporation Tax Law (Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code). An individual who acts on behalf of a corporation pursuant to this paragraph is not subject to paragraph (1)."

Amendment No. 4

On page 2, line 20, after "negligence", insert ", including, but not limited to, any penalties or interest which the taxpayer is required to pay, but not including the amount of any federal or state income tax which the taxpayer is required to pay, for which there shall be no liability under this subdivision".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1564—An act to amend Section 17055 of, to add Section 17060 5 to, and to repeal Section 17234 of, the Revenue and Taxation Code, relative to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 29, of the printed bill, after "taken", insert "; except the credit allowed under Section 18551.1 (relating to credit for tax withheld)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 723—An act to amend Sections 17072, 17207, 17216.2, 17402, 17411, 17503, 17511, 17673, 17711, 17712, 17734, 17737, 17852, 18152, 18172, 18181, 18182, 18183, 18187, 18189, 18190, 18191, 18192, 18242, of, and to repeal Sections 18151 and 18162 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1733—An act to amend Section 401 3 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "Section 401.3", and insert "Sections 401 3 and 1815.9".

Amendment No. 2

On page 2, line 4, after the period, insert "However, post lien date sales of the subject property being valued may be considered. In addition, if an assessee introduces post lien date sales data in an equalization hearing, the assessor may also introduce post lien date sales data at such hearing.

SEC 2. Section 1815 9 of the Revenue and Taxation Code is amended to read:

1815.9. In valuing property the board shall not consider sales occurring after the lien date of the assessment rolls being sampled. *The board may consider post lien date sales of the property being valued, provided such sales occur not more than 90 days after the lien date.*"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 965—An act to amend Section 74803 of, and to add Section 74807.5 to, the Government Code, relating to the municipal court.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1077—An act to amend Section 73710 of the Government Code, relating to courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1655—An act to add Section 19956.5 to the Health and Safety Code, relating to curbs and sidewalks.

Bill read second time, and ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No 1655 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 1450—An act to amend Sections 73113, 73663, 73665, 73666, and 73667 of the Government Code, relating to courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 16, 1972, after "Sections", insert "73107, 73110,".

Amendment No. 2

On page 1, line 1, after "SECTION 1", insert "Section 73107 of the Government Code is amended to read·

73107. There shall be one clerk of the San Bernardino County Municipal Court District to be known as the municipal court coordinator who shall be appointed by a majority vote of the council of presiding judges from among the top three applicants certified to such council by the Civil Service Commission of the County of San Bernardino on the basis of a competitive examination. He shall receive a salary at a rate specified in range ~~76~~ *79* of Section 73113.5. He shall be the appointing power for those positions listed in Section 73113.

SEC 2 Section 73110 of the Government Code is amended to read:

73110 There shall be one marshal of the San Bernardino County Municipal Court District who shall be appointed by, and serve at the pleasure of, a majority of the council of presiding judges and who shall

receive a salary at a rate specified in range ~~71~~ *73* of Section 73113 5. The marshal shall be the appointing power for those positions listed in Section 73113 as being appointed by the marshal.

SEC. 3."

Amendment No. 3

On page 2, strike out lines 11 to 24, inclusive, and insert

"2	68	Clerk of the municipal court II
3	64	Clerk of the municipal court I
2	61	Asst. clerk of the municipal court II
3	53	Asst. clerk of the municipal court I
2	54	Municipal court chief clerk
1	54	Municipal court calendar clerk
12	52	Municipal court clerk
3	46	Municipal court clerk assistant
1	45	Senior fiscal assistant
1	41	Fiscal assistant
1	43	Principal clerk
19	40	Senior clerk
34	34	Intermediate clerk
4	43	Senior stenographer-clerk".

Amendment No. 4

On page 2, strike out lines 30 to 38, inclusive, and insert

"1	67	Marshal's captain
1	64	Marshal's lieutenant
5	61	Marshal's sergeant
23	56	Deputy marshal
1	50	Marshal's clerical coordinator
2	49	Bailiff
0	43	Principal clerk
5	40	Senior clerk
6	34	Intermediate clerk
1	30	Clerk".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1936—An act to amend and renumber Section 54797.3 of, and to add Section 54797.3 to, the Government Code, relating to cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after the first comma, insert "and to add Chapter 4 (commencing with Section 58950) to Division 2, Title 6 of,".

Amendment No. 2

In line 2 of the title, strike out "relating to cities", and insert "and to amend Section 13917.5 of the Health and Safety Code, relating to local government".

Amendment No. 3

On page 2, strike out lines 1 to 18, inclusive, and insert "if an application is for the incorporation of a new city or the annexation of territory to an existing city, the commission may, in any resolution approving such incorporation or annexation, provide that any territory of a fire protection district which is to be dissolved pursuant to Part 2 7 (commencing with Section 13801) of Division 12 of the Health and Safety Code as a result of such incorporation or annexation, or any territory which is to be detached from such a fire protection district or a county service area organized pursuant to Chapter 2 2 (commencing with Section 25210.1) of Part 2, Division 2, Title 3 as a result of such incorporation or annexation, shall be subject to any of the terms and conditions authorized in Section 56470, as the commission may specify in such resolution with respect to such territory.

SEC. 3. Chapter 4 (commencing with Section 58950) is added to Division 2 of Title 6 of the Government Code, to read.

CHAPTER 4. DISTRICT INDEBTEDNESS

58950. If territory has been detached from a district and such detached territory is subject to terms and conditions imposed by the local agency formation commission pursuant to Section 56470 and such terms and conditions require that the detached territory continue to be taxed for the payment of principal and interest on outstanding bonds of the district, the governing body of the district from which the territory was detached may absolve and relieve the detached territory of its annual tax liability as follows:

(a) The district board shall, by resolution, declare its intention to relieve the detached territory of its annual tax liability for payment of principal and interest on outstanding district bonds The resolution shall describe the detached territory, specify the annual liability the territory will be relieved of, state the reason or reasons why the detached territory should be relieved, and fix a time, date, and place for a public hearing on the proposed relief of liability.

(b) The district board shall cause notice of the hearing to be published pursuant to Section 6066 in a newspaper of general circulation published in the territory of the district and the detached territory. The notice shall contain all the information specified in subdivision (a), and in lieu of notice the district board may cause a copy of the resolution required in subdivision (a) to be published.

(c) At the time, date and place stated in the notice, the district board shall hear and consider all objections or protests to relieving the detached territory of annual liability for payment of principal and interest on outstanding district bonds. The hearing may be continued from time to time Upon conclusion of the hearing, the district board shall determine by resolution, whether or not the detached territory should be relieved and absolved of any future annual tax liability for the outstanding bonds of the district.

(d) If the district board determines that the detached territory should be relieved of annual tax liability, it shall cause a copy of its resolution to be filed pursuant to Section 54902 with the Board of

Equalization and the county assessor of the county in which the territory is located. The detached territory shall be relieved and absolved of the annual tax liability for outstanding district bonds imposed by the local agency formation commission in the year next succeeding adoption of the resolution when assessments or taxes are to be levied for payment of the principal and interest on the bonds.

Nothing in this section shall be construed as in any way limiting the power of a bondholder to enforce his contractual rights and nothing in this section shall affect the ultimate liability of such detached territory for the bonded indebtedness of the district in case of default This section is intended to provide a means of relieving territory detached from a district from annual assessments for the principal and interest on bonded indebtedness when such territory is no longer receiving the services for which such bonded indebtedness was incurred

SEC. 4 Section 13917.5 of the Health and Safety Code is amended to read·

13917 5. The district may acquire all necessary and proper lands and facilities, or any portion thereof, *or equipment*, by means of a plan to borrow money or by purchase on contract ~~In addition, any district located in Yolo County may acquire all necessary and proper equipment by means of a plan to borrow money or by purchase on contract.~~ The amount of indebtedness to be incurred shall not exceed an amount equal to three times the actual tax income for the fiscal year preceding the year in which the indebtedness is incurred, and all such indebtedness which is incurred on or after the effective date of this act shall be repaid in approximately equal annual installments during a period not to exceed 10 years from the date on which it is incurred and shall bear interest at a rate not exceeding 6 percent per annum payable annually or semiannually or in part annually and in part semiannually. Each such indebtedness shall be authorized by a resolution adopted by the affirmative votes of at least four-fifths of the members of the district board if the board has five members or more, and by the affirmative votes of at least two-thirds of the members if the board has less than five members, and shall be evidenced by a promissory note or contract signed by at least four-fifths of the members of the district board, if the board has five members or more, or signed by at least two-thirds of the members if the board has less than five members At the time of making the general tax levy after incurring each such indebtedness and annually thereafter until such indebtedness is paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on such indebtedness as they become due, a tax shall be levied and collected sufficient to pay the interest on such indebtedness and such part of the principal as will become due before the proceeds of a tax levied at the next general tax levy will be available The indebtedness authorized to be incurred by this section shall be in addition to, and the provisions of this section shall not apply to, any bonded indebtedness authorized by vote of the electors ''

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1264—An act to amend Section 17536 of the Business and Professions Code, relating to civil penalties.

Bill read second time, and ordered to third reading.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 2 and 6 of Article IV, and Section 9 of Article V, thereof, relating to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 5 of the printed measure, as amended in Assembly May 2, 1972, strike out lines 4 and 5, and insert "by November 1, 1972, the Legislature shall convene in special session on the first Monday after the 1972 general election for".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 88—Relative to the Joint Committee on Educational Goals and Evaluation.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 3, line 35, of the printed measure, strike out "objects", and insert "objectives".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 2133—An act to add Section 18406 to the Health and Safety Code, relating to mobilehome parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or", and insert a comma

Amendment No. 2

On page 1, line 5, after the comma, insert "river, or waterway".

Amendment No. 3

On page 1, line 6, after "agency", insert a comma.

Amendment No. 4

On page 1, line 6, after "state", insert a comma

Amendment No. 5

On page 2, line 1, after the comma, insert "river, waterway,".

Amendment No. 6

On page 2, after line 1, insert

"Any public access route or routes required to be provided by the owner shall be expressly designated on a map filed with the county recorder of the county in which such mobilehome park lies, and such map shall specify the name of the owner of, and particularly describe the property involved, designate the governmental entity to which such route or routes are dedicated, and its acceptance of such dedication. The acceptance by such governmental entity of such dedication shall occur within three years after such recordation, or such dedication shall thereupon be deemed abandoned

Any public access required pursuant to this section need not be provided through or across the mobilehome park if the enforcement agency finds that reasonable public access is otherwise available within a reasonable distance from such mobilehome park Any such findings shall be set forth on the recorded map required by this section.

Nothing in this section shall be construed as requiring a mobilehome park owner to improve any access route or routes which are primarily for the benefit of nonresidents of such mobilehome park."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 594—An act to amend Section 65854 of, and to add Section 65905.5 to, the Government Code, relating to zoning.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "10", and insert "20".

Amendment No. 2

On page 2, line 31, strike out "65", and insert "120".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2132—An act to amend Section 11610 5 of the Business and Professions Code, relating to subdivisions

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 12 to 16, inclusive, and insert

"The acceptance by such governmental entity of such dedication must occur within three years of the approval of the final subdivision map, after which time, unless accepted, such dedication shall be deemed abandoned."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 350—An act to amend Section 6304.1 of the Harbors and Navigation Code, relating to harbors and navigation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Planning and Land Use, was read, and adopted:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in Assembly March 22, 1972, after "lease", insert "of real property so freed from the public trust which is".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1217—An act to amend Section 11403 of, and to add Section 11402.5 to, the Education Code, relating to high school attendance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out "amend Section 11403 of, and to".

Amendment No. 2

In lines 1 and 2 of the title, strike out "11402.5 to," and insert "6804.5 to".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 6804.5 is added to the Education Code, to read:

6804.5. Programs for pregnant pupils shall be extended to include mothers of newborn infants. Such pupils shall be eligible to continue in such programs after the birth of the infant until the infant is of public school age, or until the mother of the infant has completed her high school education, whichever occurs first.

A pupil participating in a program pursuant to this section shall have five years to complete her high school education.

The Superintendent of Public Instruction shall include the attendance of pupils participating in a program pursuant to this section as units of average daily attendance of physically handicapped minors for purposes of the computation of allowances pursuant to Article 11 (commencing with Section 18101) of Chapter 3 of Division 14.

Allowances received by a school district attributable to the attendance of pupils participating in a program pursuant to this section shall be used by the school district for child care for the infants of pupils participating in the program.

SEC 2. The provisions of this act shall become operative on July 1, 1973."

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1875—An act relating to bilingual education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out line 16; and in line 17, strike out "District may", and insert

"SEC. 5. Any school district may submit an application to the Superintendent of Public Instruction to".

Amendment No. 2

On page 3, line 20, strike out "Filipino", and insert "Tagalog".

Amendment No. 3

On page 3, lines 36 and 37, strike out "the San Francisco Unified School District", and insert "school districts".

Amendment No. 4

On page 4, strike out line 3, and insert

"SEC. 10. Any school district,".

Amendment No. 5

On page 4, strike out line 14, and insert

"SEC. 11. Any school district conducting a study program pursuant to this act".

Amendment No. 6

On page 4, strike out line 23, and insert "and any school district conducting a study program pursuant to this act may utilize".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1192—An act to amend Section 13408 of the Education Code, relating to certificated employees.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13408", and insert "Sections 13408, 13485, and 13487"

Amendment No. 2

On page 2, after line 36, insert

"SEC 3 Section 13485 of the Education Code is amended to read:

13485 It is the intent of the Legislature ~~to~~ *that governing boards* establish a ~~uniform~~ system of evaluation and assessment of the performance of certificated ~~personnel~~ *employees* within each school district ~~of the state~~ The system ~~shall involve the development and adoption by each school district~~ of ~~objective~~ evaluation and assessment ~~guidelines~~ *may, at the discretion of the governing board, be uniform throughout the district or be individually developed for territories or schools within the district, provided that all certificated employees of the district shall be subject to a system of evaluation and assessment adopted pursuant to this article*

SEC 4 Section 13487 of the Education Code is amended to read

13487 The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements

(a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress

(b) Assessment of certificated ~~personnel~~ *employee* competence as it relates to the established standards

(c) Assessment of other duties normally required to be performed by certificated employees as an adjunct to their regular assignments

(d) The establishment of procedures and techniques for ascertaining that the certificated employee is maintaining proper control and is preserving a suitable learning environment

The evaluation and assessment guidelines established pursuant to this section shall not include norms established by standardized tests as criteria for the evaluation and assessment of certificated employees "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1647—An act to add Section 10610 to the Education Code, relating to the public school system

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted.

Amendment No. 1

On page 1, line 4, of the printed bill, strike out ", within 30 days after the occurrence of the event," and insert "annually".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 505—An act to amend Sections 12709, 12747, and 12779 of, and to add Sections 12728 1, 12762 1, and 12799.25 to, the Business and Professions Code, relating to weighmasters.

Bill read second time, and ordered to third reading.

Assembly Bill No. 602—An act to amend Section 35406 of the Vehicle Code, relating to motor vehicles

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2097—An act to amend Section 23270 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, after "(b)", insert "The California Toll Bridge Authority shall, by regulation, establish the maximum towing fee which may be charged by any person authorized to tow a vehicle pursuant to subdivision (a). No such authorized person shall charge a fee for towing a vehicle which is in excess of such maximum fee established by the California Toll Bridge Authority.
(c)".

Amendment No. 2

On page 2, line 22, strike out "(c)", and insert
"(d)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2343—An act to add Section 135 8 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 2, lines 1 and 2, of the printed bill, strike out "shall take the following action", and insert a comma.

Amendment No. 2

On page 2, line 4, strike out "Complete", and insert "May complete".

Amendment No. 3

On page 2, line 6, strike out "Complete", and insert "May complete".

Amendment No. 4

On page 2, line 9, strike out "Provide", and insert "Shall provide".

Amendment No. 5

On page 2, line 11, strike out "Complete", and insert "May complete".

Amendment No. 6

On page 2, line 13, strike out "Provide", and insert "Shall provide".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 83—An act to amend Sections 3509 and 3510 of the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1966—An act to add Sections 227.3 and 227.4 to the Labor Code, relating to labor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 227.3 and 227.4", and insert "Section 227.3".

Amendment No. 2

On page 1, line 6, strike out "accrued", and insert "vested".

Amendment No. 3

On page 1, strike out line 8; and strike out page 2

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 746—An act to add Section 451b to the Penal Code, relating to arson.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly May 9, 1972, strike out "penal"; and strike out line 4, and insert "local detention facility as defined in Section 6031.4".

Amendment No. 2

On page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 7, strike out "(c)", and insert "(b)"

Amendment No. 4

On page 2, strike out lines 14 to 20, inclusive

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1075—An act to add Sections 26468, 26569 1, 26569 2 and 26569 3 to the Health and Safety Code, relating to food.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 4, line 9, of the printed bill, as amended in Assembly May 22, 1972, strike out "could", and insert "would".

Amendment No 2

On page 4, line 15, after "beef", insert "or hamburger".

Amendment No. 3

On page 4, line 21, after "beef", insert "or hamburger".

Amendment No. 4

On page 4, line 22, after "beef", insert "or hamburger".

Amendment No. 5

On page 4, line 40, after "beef", insert "or hamburger".

Amendment No 6

On page 5, line 6, after "beef", insert "or hamburger"

Amendment No. 7

On page 5, line 10, after "beef", insert "or hamburger".

Amendment No. 8

On page 5, line 13, after "beef", insert "or hamburger".

Amendment No. 9

On page 5, line 18, after "beef", insert "or hamburger".

Amendment No. 10

On page 5, line 21, after "deluxe", insert "lean"

Amendment No. 11

On page 5, line 23, after "beef", insert "or hamburger".

Amendment No. 12

On page 6, line 6, strike out "The department shall adopt such regulations as"; and strike out lines 7 and 8.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1198—An act to add Section 26468 to, and to add Article 1 5 (commencing with Section 26505) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 3, line 22, of the printed bill, as amended in Assembly May 18, 1972, after the period, insert "No list of ingredients, however, shall be required for imitation hamburger which contains not more than 10 percent added protein and water, and which does not contain binders and extenders "

Amendment No. 2

On page 3, line 28, after the period, insert "No list of ingredients, however, shall be required for imitation hamburger which contains not more than 10 percent added protein and water, and which does not contain binders and extenders "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No 1074—An act to amend Section 26559 of the Health and Safety Code, relating to bread loaves.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly May 16, 1972, after "predominance", insert ", by weight,"

Amendment No 2

On page 2, line 16, strike out "content", and insert "weight"

Amendment No. 3

On page 2, between lines 17 and 18, insert

"This subdivision does not apply to bread which is sold on the premises upon which it is baked "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1285—An act to amend Section 1208 of the Penal Code, relating to work furloughs

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

On page 2, of the printed bill, between lines 15 and 16, insert

"Notwithstanding any other provision of law, the board of supervisors may by ordinance designate a facility for confinement of prisoners classified for the work furlough program and designate the work furlough administrator as the custodian of the facility The sheriff may transfer custody of such prisoners to the work furlough administrator to be confined in such facility for the period during which they are in the work furlough program "

Amendment No. 2

On page 5, strike out lines 4 to 8, inclusive.

Bill ordered reprinted, and returned to the second reading file

SECOND READING OF SENATE BILLS

Senate Bill No. 1217—An act to add Section 673 to the Education Code, and to amend Sections 31595, 31601, 31603, 31604, 31606, and 31607 of the Government Code, relating to county retirement systems

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 873 of, and".

Amendment No. 2

In line 1 of the title, after "673 to", insert a comma.

Amendment No. 3

In lines 3 and 4 of the title, strike out "county retirement systems", and insert "county boards of education, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, between lines 3 and 4, insert

"SEC 1 5 Section 873 of the Education Code is amended to read

873 County employees assigned to the office of the county superintendent of schools shall cease to be employees of the county upon the establishment of a separate budget for the office of the county superintendent of schools, and shall thereafter be paid from the county school service fund *Other county employees assigned to functions transferred to the county board of education pursuant to Article 2 5 (commencing with Section 671) of Chapter 1 of this division shall cease to be employees of the county upon the effective date of such transfer, and shall thereafter be paid from the county school service fund* "

Amendment No. 5

On page 5, after line 32, insert

"SEC. 8 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

It is in the best interest of the people of the State of California that upon the transfer of functions to the county board of education, county employees theretofore assigned to such functions may be retained in such positions on and after such transfer as employees paid from the county school service fund In order to permit transfers of functions to become effective July 1, 1972, without such county employees incurring loss of accrued employee benefits, it is necessary that this act take effect immediately."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 809—An act to amend Section 21156 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1485—An act to amend Section 6011 of the Education Code, relating to outdoor science programs, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 645—An act to amend Section 15 of the Crestline-Lake Arrowhead Water Agency Act (Chapter 40 of the Statutes of 1962, First Extraordinary Session), relating to the Crestline-Lake Arrowhead Water Agency.

Bill read second time, and ordered to third reading

Senate Bill No. 1243—An act to add Sections 41, 42, and 43 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency

Bill read second time, and ordered to third reading.

Senate Bill No. 760—An act to add Section 12973.6 to the Insurance Code, relating to insurance

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 761—An act to amend Section 12143 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 843—An act to amend Sections 12950 and 12951 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 844—An act to add Section 10113.5 to the Insurance Code, relating to life insurance

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 965—An act to amend Section 12931 of the Insurance Code, relating to insurance

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1280—An act to amend Sections 213 and 4651 of the Labor Code, relating to compensation and disability payments

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate May 1, 1972, after "payments", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 29, insert

"SEC 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

Employees of the federal government have for some years had the option of having their salaries deposited directly into their personal bank checking accounts Negotiations between banks and employers in California have resulted in agreement on procedures whereby employees in the private sector may now request direct deposit of their paychecks if they so desire These procedures will be made available to hundreds and thousands of California employees shortly after the clarifying amendments herein are enacted into law "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 906—An act relating to duplication of property taxes to finance fire protection, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted

Amendment No. 1

In the heading of the printed bill, insert

"(Coauthor Assemblyman Ryan)".

Amendment No. 2

On page 2, strike out lines 12 to 15, inclusive, and insert "that the property within the city has been taxed twice for fire protection services in the manner described in Section 1 of this act, it shall, by resolution, make such a finding and request the board of supervisors of the

county in which the city is located to refund to the city all such taxes which have been collected. The legislative body shall cause a certified copy of such resolution to be transmitted to the board of supervisors."

Amendment No. 3

On page 2, line 16, after "of", insert "a certified copy of".

Amendment No. 4

On page 2, line 16, strike out "county", and insert "board of supervisors".

Amendment No. 5

On page 2, line 17, after "levied", insert "and collected by the county".

Amendment No. 6

On page 2, line 17, strike out "county".

Amendment No. 7

On page 2, lines 18 and 19, strike out ", and shall", and insert ". The board of supervisors shall, by resolution, appropriate and".

Amendment No. 8

On page 2, line 19, strike out "levies", and insert "moneys levied and collected".

Amendment No. 9

On page 2, line 32, after "levied", insert "and collected".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 504—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 2, after line 20, of the printed bill, insert

"SEC. 2. Section 21113 of the Vehicle Code is amended to read:

21113 (a) No person shall drive any vehicle or animal, nor shall any person stop, park, or leave standing any vehicle or animal, whether attended or unattended, upon the driveways, paths, *parking facilities,* or the grounds of any public school, state university, state college, *unit of the state park system, county park, municipal airport, or rapid transit district or any* state, county, *or* hospital district ~~, or municipal airport,~~ institution or building, ~~or unit of the state park system~~ or any educational institution exempted in whole or in part from taxation, except with the permission of, and upon and subject to such conditions and regulations as may be imposed by, the governing board or officer of the public school, state university, state college, *county park, municipal airport, rapid transit district, or* state, county, *or* hospital dis-

trict; ~~or municipal airport,~~ institution or building, or educational institution, or the Director of Parks and Recreation regarding units of the state park system

(b) Every governing board or officer shall erect or place appropriate signs giving notice of any special conditions or regulations that are imposed under this section and every board or officer shall also prepare and keep available at the principal administrative office of the board or officer, for examination by all interested persons, a written statement of all such special conditions and regulations adopted under this section

(c) When any governing board or officer permits public traffic upon the driveways, paths, *parking facilities,* or grounds under their control then, except for those conditions imposed or regulations enacted by the governing board or officer applicable to the traffic, all the provisions of this code relating to traffic upon the highways shall be applicable to the traffic upon the driveways, paths, *parking facilities,* or grounds

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 712 are both chaptered and amend Section 21113 of the Vehicle Code, and this bill is chaptered after Assembly Bill No 712, that the amendments to Section 21113 proposed by both bills be given effect and incorporated in Section 21113 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 712 are both chaptered, both amend Section 21113, and Assembly Bill No 712 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 888—An act to amend Sections 11106, 11507, 11719, and 11802 of the Vehicle Code, relating to occupational licensing

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 5, after line 1, of the printed bill, insert

"SEC 5 Section 11802 of the Vehicle Code is amended to read:

11802 (a) The department shall issue a vehicle salesman's license when satisfied that the applicant has furnished the required information, and that he intends in good faith to act as a vehicle salesman, and has paid the fees as required in Section 11809

(b) The department may refuse to issue or may suspend or revoke a license, when satisfied that:

1 The information contained in the application is incorrect

2 The applicant or licensee, based on the information contained in the application or by subsequent investigation, is not of good moral character.

The conviction of a crime, including a conviction after a plea of nolo contendere, involving moral turpitude shall be prima facie evidence that the applicant or licensee is not of good moral character

3 The applicant or licensee has outstanding an unpaid final court judgment rendered in connection with an activity licensed under the authority of this chapter

4. The applicant or licensee does not hold a valid California driver's license

5 The applicant or licensee was previously the holder of or was a partner in a partnership or was an officer, director, or stockholder involved in management of a corporation which was the holder of a license and certificate issued under this chapter, which license and certificate were revoked for cause and never reissued by the department or which license and certificate were suspended for cause and the terms of suspension have not been fulfilled

6 The applicant or licensee has violated any of the terms and provisions of Chapter 2b (commencing with Section 2981) of Title 14 of Part 4 of Division 3 of the Civil Code

7 The applicant or licensee has committed any of those acts prohibited by Section 11806 of this article

8 The applicant or licensee has failed to surrender possession of, or failed to return any vehicle to a dealer lawfully entitled thereto upon termination of employment

9 The applicant or licensee has failed to pay over funds or property received in the course of employment to the dealer entitled thereto

10 The applicant or licensee has knowingly purchased, sold or otherwise acquired or disposed of a stolen motor vehicle

(c) Pending the satisfaction of the department that the applicant has met the requirements under this chapter, it may issue a temporary permit to any person applying for a vehicle salesman's license The temporary permit shall permit the operation by the salesman for a period not to exceed 120 days while the department is completing its investigation and determination of all facts relative to the qualifications of the applicant to such a license ~~Such~~ *If the department determines to its satisfaction that the temporary permit was issued upon a fraudulent application, the department may cancel the temporary permit and such cancellation shall be effective immediately The department may also cancel such temporary permit when it has determined or has reasonable cause to believe that the application is incorrect or incomplete or the temporary permit was issued in error and such cancellation shall be effective immediately If however, the department determines that the information in the application is correct and complete, such* temporary permit shall be invalid when the applicant's license has been issued or refused *unless within five days of receipt of a notice of refusal and statement of issues the applicant demands a hearing pursuant to subdivision (b) of Section 11803 The filing of a demand for a hearing shall stay the effective date of the invalidation of the temporary permit pending a hearing and a determination of the issues The notice of refusal shall be made effective not less than five days after its receipt by the applicant*

(d) The department may issue a probationary vehicle salesman's license upon any ground or grounds contained in subdivision (b) of this section subject to conditions to be observed in the exercise of the privilege granted either upon application for issuance of a license or upon application for renewal of a license. The conditions to be attached to the exercise of the privilege shall not appear on the face of the license but shall be such as may, in the judgment of the department, be in the public interest and suitable to the qualifications of the applicant as disclosed by the application and investigation by the department of the information contained therein

SEC 6. It is the intent of the Legislature, if this bill and Senate Bill No. 743 are both chaptered and amend Section 11802 of the Vehicle Code, and this bill is chaptered after Senate Bill No 743, that the amendments to Section 11802 proposed by both bills be given effect and incorporated in Section 11802 in the form set forth in Section 5 of this act Therefore, Section 5 of this act shall become operative only if this bill and Senate Bill No 743 are both chaptered, both amend Section 11802, and Senate Bill No. 743 is chaptered before this bill, in which case Section 4 of this act shall not become operative ''

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 108—An act to amend the heading of Chapter 9 (commencing with Section 29500) of, and to add Article 7 (commencing with Section 29590) to Chapter 9 of, Part 2 of Division 10 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Bill read second time, and ordered to third reading.

Senate Bill No. 126—An act to add Section 25650.5 to the Vehicle Code, relating to vehicles

Bill read second time, and ordered to third reading.

Senate Bill No. 582—An act to amend Sections 102001, 102002, 102050, 102051, 102052, 102100, 102180, 102205, and 102331 of, and to add Sections 102023 and 102052 5 to, the Public Utilities Code, relating to transit districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 208—An act to amend Sections 24953, 25251, and 25252 5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 243—An act to amend Sections 36110 and 36125 of, to add Section 36101 to, and to repeal Sections 36106 and 36112 of, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 753—An act to amend Section 136.5 of the Streets and Highways Code, relating to public works contracts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 140—An act to amend Sections 8597 and 8598 of the Government Code, and Section 830.5 of the Penal Code, relating to peace officers.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly May 2, 1972, strike out lines 5 to 13, inclusive

Amendment No. 2

On page 4, line 14, strike out "(e)", and insert "(d)".

Amendment No. 3

On page 4, after line 18, insert

"(e) Any peace officer under this section shall have the full powers and duties of a peace officer as provided by Section 830.1 when acting pursuant to Section 8617 of the Government Code"

Bill ordered reprinted, and returned to the second reading file

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means

Assembly Bills Nos. 1076 and 1655.

COMMUNICATIONS

Assembly Chamber, June 7, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 596	AB No 741	AB No 1625
AB No 602	AB No 895	AB No 1960
AB No 738	AB No 1077	AB No 2072
AB No 739		

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar

Assembly Chamber, June 7, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 1264
AB No 2222

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
MOTION TO RECONSIDER ASSEMBLY BILL NO. 2138

In compliance with a motion given on a previous day, Mr Ketchum moved that the vote whereby Assembly Bill No 2138 was passed be reconsidered

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Ketchum moved a call of the Assembly

Motion carried. Time, 2:35 p.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Duffy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 721 WAIVED

Mr Bagley waived his motion to reconsider the vote whereby Assembly Bill No 721 was refused passage

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 81 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 81 was continued until the next legislative day.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 2285—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1756—An act to add Section 21700.5 to the Vehicle Code, relating to buses.

Bill read third time.

Hon. Kenneth Cory Presiding

At 2 39 p m , Hon. Kenneth Cory, 69th District, presiding

Majority Floor Leader Presiding

At 2:40 p m , Hon Jack R Fenton, 51st District, presiding.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Cory, Deddeh,

Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Harvey Johnson, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Powers, Priolo, Seeley, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—42.

NOES—Conrad, Cullen, Dent, Mobley, Monagan, Murphy, Russell, and Stacey—8.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article III and Section 5 to Article XX thereof, and by repealing Section 3 of Article I, Articles III, X, and Sections 1, 6, and 16 of Article XX, and Article XXI thereof, relating to constitutional revision

Resolution read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Beverly moved a call of the Assembly

Motion carried. Time, 2 44 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1541—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 2138

At 2·45 p m , on motion of Mr Ketchum, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby Assembly Bill No. 2138 was passed reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, and Wood—42

NOES—Dunlap, Sieroty, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—7

Assembly Bill No. 2138 Passed and Retained

By unanimous consent, Assembly Bill No. 2138 was passed on file, to retain its place on file.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

Explanation of Vote

June 7, 1972

James D. Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol, Sacramento, California

Dear Jim: In regard to AB 2138 (Item #84), if present I would have voted "aye" on Assemblyman Ketchum's motion for reconsideration of the bill.

Sincerely,

ERNEST LaCOSTE

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 807—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

BILLS PASSED ON FILE

Assembly Bills Nos. 69 and **968**—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1609—An act to amend Section 20816 of the Education Code, relating to taxation for the support of the public schools, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Belotti moved a call of the Assembly.

Motion carried. Time, 2:57 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Sieroty was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 168—An act to add Chapter 2 5 (commencing with Section 429 60) to Part 1, Division 1 of the Health and Safety Code, relating to health professions planning grants.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1324—An act to amend Sections 308 and 308a of the Penal Code, and to amend Section 10602 of the Education Code, relating to smoking and tobacco.

Bill read third time, and refused passage by the following vote·

AYES—Arnett, Brathwaite, Chappie, Cline, Cory, Deddeh, Dent, Fenton, Leroy F Greene, Meade, Miller, Powers, Ryan, Stacey, and Vasconcellos—15

NOES—Badham, Barnes, Bee, Belotti, Briggs, Chacon, Collier, Conrad, Davis, Duffy, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, MacDonald, MacGillivray, McAlister, Mobley, Russell, Seeley, Sieroty, Stull, Warren, Waxman, Wilson, and Wood—30

BILLS PASSED ON FILE

Assembly Bill No. 205—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1503—An act to add Article 18 (commencing with Section 429 70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2066—An act to add Section 13110 5 to the Health and Safety Code, relating to fires.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2102—An act to amend Section 274c of the Code of Civil Procedure, relating to court reporters

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—Briggs—1.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 42

At 3.10 p.m., on motion of Mr. Beverly, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 42 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54

NOES—Barnes, Belotti, Briggs, Davis, and Stull—5

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

Senate Bill No. 75—An act to add Section 22.5 to Chapter 523 of the Statutes of 1867–1868, relating to public lands

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Chappie was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No. 75 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr Chappie moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Assembly May 17, 1972, strike out "entirely within", and insert "adjacent to".

Amendment No. 2

On page 2, lines 13 and 14, strike out "such superior judge may direct", and insert "provided in this section".

Amendment No. 3

On page 2, line 18, strike out the period, and insert "; and provided further, that such moneys shall be paid for the use and benefit of a public utility district only upon written petition to the superior judge signed by a majority of the owners of real property situate in said town The petition may be on separate papers, but each paper shall contain the affidavit of the person who circulated it certifying that each name signed thereto is a true signature of the person whose name it purports to be "

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Senate Bill No. 64—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 646—An act to amend Section 1618 of the Elections Code, relating to elections

Bill read third time, and presented by Mr MacDonald.

Bill passed by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 54—An act to amend Section 25210 18 of, and to add Section 25210.18A to, the Government Code, relating to county service areas.

Bill read third time, and presented by Mr. Dent.

Bill passed by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 187—An act to amend Section 3106 of the Education Code, relating to school district unification, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Dent moved a call of the Assembly.

Motion carried. Time, 3:20 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 217

In compliance with a motion given on a previous day, Mr Harvey Johnson moved that the vote whereby Assembly Bill No. 217 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Harvey Johnson moved a call of the Assembly.

Motion carried. Time, 3:27 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on the urgency clause to Senate Bill No 98 and Assembly Bills Nos. 2139, 1159, and Assembly Constitutional Amendment No 67 were continued until the next legislative day.

BILLS PASSED ON FILE

Assembly Bill No. 1252—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1442—An act to amend Section 190 of, and to add Section 190 5 to, the Streets and Highways Code, relating to grade separation projects.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Warren, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1764—An act to add Section 13085 2 to the Education Code, relating to public school employees

Bill read third time.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Ryan moved a call of the Assembly

Motion carried Time, 3 35 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, May 31, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 438—As amended in Senate May 2, 1972—An act to add Sections 995 and 995.1 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate May 2, 1972, strike out ". Computer", and insert "except basic operational programs. Otherwise, computer".

Amendment No. 2

On page 2, line 22, after "media", insert ", except basic operational programs,".

Amendment No. 3

On page 2, line 23, after "it", insert ", except any basic operational programs".

Amendment No. 4

On page 2, strike out lines 26 to 29, inclusive; and in line 30, strike out "The value of", and insert "above Basic operational programs, like law books or other standard reference books, have value which is measurable, but any other programs, like an attorney's brief, an engineer's calculations, or business records, would be highly speculative.

It is the intent of the Legislature that only those basic operational programs which are presently being assessed and taxed in the various counties continue to be assessed and taxed during the effective period of this act. The value of other".

Amendment No. 5

On page 2, strike out line 38; and on page 3, strike out line 1 and insert

"SEC. 3. This act shall be operative with respect to property taxes for the 1972–1973 and 1973–1974 fiscal years only."

Amendment No. 6

On page 3, lines 7 and 8, strike out "on the lien date in 1972", and insert "with respect to property taxes for the 1972–1973 fiscal year".

The undersigned consent to the report:

NICHOLAS C PETRIS	JOE A. GONSALVES
GEORGE DEUKMEJIAN	WADIE P. DEDDEH
ARLEN GREGORIO	ROBERT E. BADHAM
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—None.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 187

At 3:47 p.m., on motion of Mr Dent, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Senate Bill No. 187 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Davis and Russell—2

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—Davis and Russell—2

Bill ordered transmitted to the Senate

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Sieroty, Assembly Bill No. 1626 was removed from the Consent Calendar

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 492—An act to amend Sections 74364, 74369 and 74374 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 688

Mr. Ray E. Johnson was granted unanimous consent that Senate Bill No 688 be removed from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendment.

Consideration of Senate Bill No. 688

Senate Bill No. 688—An act to amend Sections 22171, 22174, and 22177 of the Water Code, relating to irrigation districts.

Bill read second time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Ray E. Johnson was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 688 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Ray E. Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Senate April 27, 1972, after "disposal", insert ", or acquire existing sewage disposal facilities,".

Amendment No. 2

On page 2, between lines 6 and 7, insert "Notwithstanding the foregoing, the ballots of any district which is required to obtain the approval of the local agency formation commission before it may provide sewage disposal shall contain the following statement of the proposal:

"Shall the _____ Irrigation District provide for sewage disposal, or acquire existing sewage disposal facilities, within that

portion of the district, and in the manner, set forth in the proposed application to the _____ Local Agency Formation Commission, dated _____, a copy of which application is on file in the office of the district." "

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the second reading file.

REQUEST FOR UNANIMOUS CONSENT

Mr Foran was granted unanimous consent that Assembly Bill No 2096 be considered engrossed

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 968, on request of Mr. Foran.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1151

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 1151 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Environmental Quality.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1528

Mr. Stacey was granted unanimous consent to rescind the action whereby the report of the Committee on Health relative to Assembly Bill No 1528 was received and read in the Assembly on this day, and whereby the bill was ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 7, 1972

Mr Speaker: Your Committee on Health reports:

AB No 1528

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 7, 1972

Mr Speaker The Chairman of your Committee on Education reports

AB No 1357
AB No 1360
AB No 1599
AB No 1912
AB No 2123

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1357—An act to add Section 13090 to the Education Code, relating to school employer-employee relations

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13090", and insert "13085.5".

Amendment No. 2

On page 1, line 1, strike out "13090", and insert "13085.5".

Amendment No. 3

On page 1, line 3, strike out "13090", and insert "13085.5".

Amendment No. 4

On page 1, line 6, after the period, insert "The governing board, notwithstanding Section 13085, shall publicly identify all management positions annually at its first meeting of each fiscal year and shall list the positions as management positions in its minutes. Any additional position established during the fiscal year shall, at the time of establishment, be identified to indicate whether it is or is not a management position.

No position shall be identified as a management position for the purposes of this article unless it satisfies both of the following requirements.

(a) The position is one whose primary duties are other than teaching.

(b) The primary duty of the position shall be direct supervision over certificated or classified employees or both

No person serving in a management position shall be represented by any certificated or classified employee organization or by a certificated employee council established pursuant to Section 13085 Any person serving in a management position shall have the right to represent himself individually or by an employee organization whose membership is composed entirely of employees designated as holding management positions, in his employment relationships with the public school employer No certificated or classified employee organization or certificated employee council established pursuant to Section 13085 shall have any authority to meet and confer on any benefit or compensation paid to such persons

SEC 2. For the purposes of the 1972–1973 fiscal year, the initial identification by governing boards of school districts of management positions shall be made in the manner prescribed in Section 13090 of the Education Code on or before the 30th day after this act becomes effective "

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 1360—An act to amend Section 6443 of, to add Sections 6444, 6445, 6446, and 6447 to, and to repeal Section 18270 of, the Education Code, and to repeal Sec. 8.5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 4, 1972, strike out "to amend Section 6443 of,".

Amendment No. 2

In line 2 of the title, after the second comma, insert "to repeal and add Section 6443 of,".

Amendment No. 3

On page 2, strike out lines 12 and 13, and insert

"SEC. 2. Section 6443 of the Education Code is repealed.

~~6443. The Superintendent of Public Instruction may employ a television consultant or other suitable personnel for the administration of this article. The superintendent shall adopt rules and regulation.~~

~~(a) Providing for the filing with the superintendent, by the production agency, a list of the basic elements of program production costs.~~

~~(b) Providing for statewide coordination among regional instructional television agencies, offices of county superintendents of schools, school districts, and other agencies interested in instructional television services, and for the purpose, among other things, of forestalling unnecessary duplication of effort and establishing reasonable uniformity in the educational television programs developed or provided from state funds.~~

~~(c) Providing for review and approval by the State Department of Education of plans of school districts and offices of county superintendents for procuring instructional television services in their respective programs.~~

SEC. 2.5. Section 6443 is added to the Education Code, to read:".

Amendment No. 4

On page 2, line 14, strike out "may"; and strike out lines 15 to 17, inclusive, and insert "shall appoint a State Instructional Television Advisory Committee and, with the advice of the State Instructional Television Advisory Committee, shall adopt rules and regulations:".

Amendment No. 5

On page 2, line 21, strike out "uniformly".

Amendment No. 6

On page 2, line 24, strike out ", through", and strike out lines 25 to 27, inclusive, and on page 3, strike out line 1, and insert ". The content and scheduling of the instructional television programming

to be transmitted during these hours shall be determined for each geographical area of the state by the superintendent with the advice of the State Instructional Television Advisory Committee."

Amendment No. 7

On page 3, line 5, strike out "Coordinating the requirements of", and insert "Working with".

Amendment No. 8

On page 3, line 6, strike out the first "and", and insert "in".

Amendment No. 9

On page 3, line 7, strike out "instructional television program", and insert "programs for the instructional television".

Amendment No. 10

On page 3, line 14, after "region", insert "which will insure the most effective use of television as an educational resource".

Amendment No. 11

On page 3, line 15, after "for", insert "the development and production or acquisition of".

Amendment No. 12

On page 3, between lines 17 and 18, insert

"(5) Distributing instructional television programs through the most appropriate delivery system."

Amendment No. 13

On page 3, line 23, strike out "of a uniformly", and insert "and economical provision of".

Amendment No. 14

On page 3, between lines 24 and 25, insert

"(e) Providing for the acquisition of programs for the instructional television service in each region and the production or acquisition of new programs in the educational areas of highest priority of need, as defined by the superintendent."

Amendment No. 15

On page 3, line 37, after "systems", insert "within each region".

Amendment No. 16

On page 3, strike out lines 39 and 40; and on page 4, strike out line 1, and insert "organized under the auspices of one or more county superintendents of schools, or one or more school districts, or any combination of county superintendents of schools and school districts, with a".

Amendment No. 17

On page 4, between lines 5 and 6, insert

"(e) "State Instructional Television Advisory Committee" means a committee whose members shall serve at the pleasure of the Superintendent of Public Instruction and shall consist of at least 10 representatives of regional organizations and delivery systems, at least

six public school administrators or classroom teachers, and at least four professional media specialists or experts in commercial television programming."

Amendment No. 18

On page 4, between lines 31 and 32, insert

"SEC. 8 5 Sections 2, 2 5, and 7 of this act shall become operative on July 1, 1973."

Amendment No. 19

On page 4, lines 34 and 35, strike out "one million five hundred thousand dollars ($1,500,000)", and insert "one hundred thousand dollars ($100,000)".

Amendment No. 20

On page 4, line 37, after "for", insert "developing the administrative regulations and procedures that will be necessary under the provisions of this act as of July 1, 1973, and to make all further plans and preparations that will be required to ensure a smooth transition to the new state instructional television services provided by this act.

SEC 10. There is hereby appropriated from the General Fund to the Superintendent of Public Instruction, the sum of two million dollars ($2,000,000) to be expended in the fiscal year 1973–1974 for".

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 1599—An act to add Chapter 3.7 (commencing with Section 23490) to Division 17 of, and to add Chapter 1.8 (commencing with Section 23641) to Division 18 of, the Education Code, relating to universities and colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3.7 (commencing with Section 23490)"; strike out line 2; and in line 3, strike out "Section 23641) to Division 18 of," and insert "11 (commencing with Section 33800) to Division 22 of".

Amendment No. 2

In line 4 of the title, after "colleges", insert ", and making an appriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Chapter 11 (commencing with Section 33800) is added to Division 22 of the Education Code, to read

CHAPTER 11 STATE WORK-STUDY PROGRAM

33800. The Legislature finds and declares that there is a need to promote the employment of students enrolled in California institutions of higher education, particularly students with financial need, primarily during the summer months, and that the federal work-study program must be supplemented in order to meet this need.

33801. The State Scholarship and Loan Commission shall administer this chapter. The commission may adopt such rules and regulations as are necessary to carry out the provisions of this chapter. The commission shall allocate funds to colleges upon application The commission, in allocating funds to colleges, shall give consideration to enrollment, availability of federal and institutional work-study funds, and institutional capacity to provide employment within the areas approved in Section ____ of this chapter.

The commission may prescribe wages and hours of employment.

In administering this program, the commission shall seek the advice of a committee of nine members appointed by the commission and composed of college and university representatives in California accredited or candidates for accreditation by the Western Association of Schools and Colleges.

33802. No student may participate in a work-study program pursuant to this chapter unless:

(a) He has been accepted for admission as a student on at least a half-time basis, or if he is already enrolled in and attending the institution, is in good standing on at least a half-time basis either as an undergraduate, graduate, or professional student at a college or university accredited or recognized as a candidate for accreditation by the Western Association of Schools and Colleges.

(b) He is in need of the earnings from such employment in order to pursue a course of study.

33803 The commission shall require the participating colleges to determine the financial need of a student in order to determine eligibility for a work-study grant under subdivision (b) of Section 33802

33804. Work entered into by a student under a work-study grant awarded pursuant to this chapter shall be either related to the course of study being pursued by the student or in the public interest, and the conditions of employment shall be appropriate and reasonable in light of such factors as the type of work performed, the geographical region of the employment, and the proficiency of the employee.

As used in this section, "public interest" includes, but is not limited to, work in such fields as environment quality, health care, education, welfare, public safety, crime prevention and control, transportation, recreation, housing and neighborhood improvement, rural development, conservation, beautification, and other fields of human betterment and community improvement.

33805. Subject to the other provisions of this chapter, grants shall be allocated to colleges under this chapter in order to maximize federal work-study allowances.

Not to exceed 20 percent of total grant money awarded pursuant to this chapter may be used to match federal work-study funds

33806 A grant awarded pursuant to this chapter may not exceed 80 percent of the compensation received by the student in his employment, unless the commission determines, pursuant to objective regulations adopted by it, that an amount in excess of 80 percent is required in order to further the purpose of this chapter

33807 No grant may be awarded pursuant to this chapter if

(a) The grant would result in the displacement of employed workers or impair existing contracts for services, or

(b) The grant would involve the construction, operation, or maintenance of any facility which is used or to be used for sectarian instruction or a place of religious worship

33808. The commission may annually allocate not to exceed 3 percent of the annual appropriation made to colleges for expenditure pursuant to this chapter for the administration of this chapter

SEC 2 There is hereby appropriated for the purposes of this act to the State Scholarship and Loan Commission five million dollars ($5,000,000) from the General Fund for the 1972–1973 fiscal year

In each subsequent fiscal year there shall be available work-study grants in an amount equal to ____ percent of the number of full-time equivalent students multiplied by one thousand dollars ($1,000) "

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive; and strike out all of page 2

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1912—An act to amend Section 1231 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1231", and insert "17204".

Amendment No. 2

On page 1, line 1, strike out "1231", and insert "17204".

Amendment No. 3

On page 1, strike out line 3, and insert

"17204 The governing board of any school district may authorize any school district governed by it to deposit in one or more bank accounts as clearing accounts any miscellaneous receipts, including receipts from the sale of property or materials pursuant to Section 16407 or 16408 of this code, received or collected by the school district, and may provide for the withdrawals from such accounts. All moneys in any such bank account shall be paid into the county treasury within the time periods specified pursuant to Section 17152, *except that moneys paid into a clearing account established solely for the purpose of holding moneys received from the temporary rental of property acquired by a school district having an average daily attendance of 100,000 or more pending construction of school facilities on the site of such property may be held in such accounts for a period of not to exceed three years and used to pay any proper costs incurred as a result of such temporary rental, provided that when such moneys are not being used to pay such costs they may be invested, along with all other moneys deposited in clearing accounts, pursuant to Education Code Section 17203 as determined by the governing board of any such school*

district Cashiers' checks, certified checks, and money placed in the custody of the school district as security that a bidder will execute or faithfully perform a contract, if awarded to him, may be deposited in any such bank account but shall not be paid into the county treasury to the credit of the school district unless forfeited or unless unclaimed by the bidder for a period of 12 months.

Such bank accounts shall not be subject to the deposit of funds provisions of Article 2, Chapter 4, Part 1, Division 2, Title 5 of the Government Code, except to the extent provided by Section 53679 of the Government Code ''

Amendment No. 4

On page 1, strike out lines 4 to 9, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 2123—An act to repeal Section 17402 of the Education Code, relating to school finance

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out ''Leroy F Greene'', and insert ''Burke''.

Amendment No. 2

In line 1 of the title, strike out ''repeal Section 17402'', and insert ''amend Section 6871 5''.

Amendment No. 3

In line 2 of the title, strike out ''school finance'', and insert ''exceptional children''.

Amendment No. 4

On page 1, strike out lines 1 and 2, and insert

''SECTION 1. Section 6871 5 of the Education Code is amended to read:

6871 5 The parent or guardian of a minor who has been denied admission and who qualifies for tuition payment pursuant to Section 6871 shall make written application to the school district for the tuition payment prescribed in Section 6871 Within 30 days after receipt of the application, the school district shall in writing grant or deny the application, with reasons stated in case of a denial If the application is denied, the parent or guardian may appeal to the county ~~superintendent of schools, who~~ *board of education, which* shall review the decision of the school district and shall within 30 days after receipt of the appeal, either affirm or reverse the school district's decision If the county ~~superintendent of schools~~ *board of education* reverses the school district's decision, a report and claim shall be made by the school district in which the minor resides, pursuant to Sections 6872 and 6873 Thereupon the county superintendent of schools may place and contract for the placing of the exceptional child in another school district within or without the county or county offering

special educational services The superintendent may then transfer to the district or county wherein the child is placed the amount of state aid the placing district receives for that child pursuant to Section 6873 If the county ~~superintendent of schools~~ *board of education* affirms the school district's decision, the parent or guardian may, within 10 days following receipt of the county ~~superintendent of schools'~~ *board of education's* decision, further appeal to the ~~Department of Education~~ *State Board of Education* for reconsideration Within 30 days following receipt of the appeal, the ~~department~~ *board* shall, in writing either affirm or reverse the decision of the county ~~superintendent of schools~~ *board of education*, and in the case of an affirmation, shall append a statement of reasons If the ~~department~~ *board* affirms the decision of a county ~~superintendent of schools~~ *board of education* that decision shall be final If the ~~department~~ *State Board of Education* reverses the decision of a county ~~superintendent of schools~~ *board of education* not to grant the application, a report and claim shall be made by the school district in which the minor resides, pursuant to Sections 6872 and 6873 ''

Bill ordered reprinted, and to be re-referred to the Committee on Education

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, June 5, 1972

Mr Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No 1403

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1403—An act to add Section 6815 2 to the Public Resources Code, relating to state lands

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out ''shall'', and insert ''may''

Amendment No. 2

On page 1, line 4, after ''at'', insert ''not less than''.

Amendment No. 3

On page 1, line 8, strike out ''shall'', and insert ''may''.

Amendment No. 4

On page 2, line 11, strike out "throughout", and insert "throughput".

Amendment No. 5

On page 2, line 13, strike out "shall", and insert "may".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 652

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 652—An act to add Section 1669 to the Civil Code, relating to contracts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 17, 1972, strike out "Cory", and insert "Brown".

Amendment No. 2

In line 1 of the title, strike out "1669 to the Civil", and insert "2061 to the Penal Code and Section 1727 to the Welfare and Institutions".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 2061 is added to the Penal Code, to read:

2061. The director may enter into contracts with the federal government for the purpose of leasing personal property for use in institutions subject to his control.

SEC 2. Section 1727 is added to the Welfare and Institutions Code, to read:

1727. The director may enter into contracts with the federal government for the purpose of leasing personal property for use in institutions subject to his control."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive; and on page 2, strike out lines 1 to 4, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, June 7, 1972

Mr Speaker The Chairman of your Committee on Planning and Land Use reports

AB No. 1376

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1376—An act to amend Section 51200 of the Government Code, relating to land conservation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "51200", and insert "51205".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 51205 of the Government Code is amended to read:

51205. Notwithstanding any provisions of this chapter to the contrary, land devoted to recreational use or land within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, *a golf course,* or a submerged area may be included within an agricultural preserve pursuant to this chapter When such land is included within an agricultural preserve, the city or county within which it is situated may contract with the owner for the purpose of restricting the land to recreational or open-space use and uses compatible therewith in the same manner as provided in this chapter for land devoted to agricultural use For purposes of this section, where the term "agricultural land" is used in this chapter, it shall be deemed to include land devoted to recreational use and land within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, *a golf course,* or a submerged area, and where the term "agricultural use" is used in this chapter, it shall be deemed to include recreational and open-space use."

Amendment No. 3

On page 1, strike out lines 2 to 5, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Water reports AB No 1256

With author's amendments with the recommendation Amend, and re-refer to the Committee on Water

KENT STACEY, Acting Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1256—An act to add Chapter 6 (commencing with Section 775) to Division 3 of the Harbors and Navigation Code and to repeal Chapter 11 (commencing with Section 13900) of Division 7 of the Water Code, relating to vessels

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6 (commencing with Section 775) to", and strike out lines 2 and 3, and insert "10 5 (commencing with Section 13850) to"

Amendment No. 2

On page 2, strike out lines 1 and 2, and insert

"SECTION 1 Chapter 10 5 (commencing with Section 13850) is added to Division 7 of the Water"

Amendment No. 3

On page 2, line 5, strike out "6", and insert "10 5".

Amendment No. 4

On page 2, line 7, strike out "775", and insert "13850"

Amendment No. 5

On page 3, line 11, strike out "775 5", and insert "13851"

Amendment No. 6

On page 3, lines 34 and 35, strike out "any of the following watercraft (1) Every", and insert "every"

Amendment No. 7

On page 4, line 1, strike out the semicolon, and strike out lines 2 to 6, inclusive, and insert a period

Amendment No. 8

On page 4, line 7, strike out "776", and insert "13852".

Amendment No. 9

On page 4, line 12, strike out "facilities", and insert "a marine sanitation device".

Amendment No. 10

On page 4, line 14, after "amended", insert ", and such device shall be maintained so as to insure compliance with the Water Pollution Control Act, as amended".

Amendment No. 11

On page 4, line 19, strike out "777", and insert "13853".

Amendment No. 12

On page 4, line 19, strike out "776", and insert "13852".

Amendment No. 13

On page 4, line 24, strike out "778. By", and insert "13854 No later than".

Amendment No. 14

On page 4, line 32, strike out "779", and insert "13855".

Amendment No. 15

On page 4, line 35, strike out "waste", and insert "sewage".

Amendment No. 16

On page 4, line 36, strike out "780", and insert "13856"

Amendment No. 17

On page 4, lines 37 and 38, strike out "State Water Resources Control Board", and insert "state board"

Amendment No. 18

On page 4, line 38, after "adopt", insert "such".

Amendment No. 19

On page 4, line 39, strike out "to implement Sections 778 and 781", and insert "as may be necessary to implement the provisions of this chapter".

Amendment No. 20

On page 4, line 40, strike out "781 The Department of Public Health", and insert

"13857 The department, with the advice of the Department of Public Health and the state board".

Amendment No. 21

On page 5, line 5, strike out "782", and insert "13858"

Amendment No. 22

On page 5, strike out lines 13 to 19, inclusive; and in line 20, strike out "784", and insert

"13859"

Amendment No. 23

On page 5, strike out lines 29 to 31, inclusive, and insert

"13860 Any person who operates a vessel in violation of the provisions of Section 13852 is guilty of a misdemeanor"

Amendment No. 24

On page 5, line 32, strike out "786", and insert "13861".

Amendment No. 25

On page 5, line 36, strike out "787", and insert "13862".

Amendment No. 26

On page 6, line 2, strike out "787 5", and insert "13863".

Amendment No. 27

On page 6, line 3, strike out "paragraph (1) of".

Amendment No. 28

On page 6, line 4, strike out "775 5", and insert "13851".

Amendment No. 29

On page 6, line 6, strike out "788", and insert "13864".

Amendment No. 30

On page 6, strike out lines 7 to 10, inclusive, and insert "of houseboats, as defined in Section 13901, or the regulation of vessels pursuant to the provisions of Section 13f of the Federal Water Pollution Control Act, as amended, by the state board or by any regional board"

Amendment No. 31

On page 6, line 11, strike out "788 5", and insert "13865".

Amendment No. 32

On page 6, line 14, strike out "by the State Water Resources", and strike out lines 15 and 16, and insert "liquid galley, shower, and washdown waste, by the state board or by any regional board"

Amendment No. 33

On page 6, strike out lines 17 and 18

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 7, 1972

Mr Speaker The Chairman of your Committee on Criminal Justice, reports.

AB No 2268

With author's amendments with the recommendation Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 27, 1972, strike out lines 24 to 29, inclusive.

Amendment No. 2

On page 2, line 30, strike out "(f)", and insert "(e)".

Amendment No. 3

On page 12, line 7, strike out "policing agency or a court", and insert "criminal justice agency".

Amendment No. 4

On page 12, line 12, strike out "or court".

Amendment No. 5

On page 12, line 16, strike out "an agency or attorney", and insert "a criminal justice agency".

Amendment No. 6

On page 12, line 33, strike out "or attorney".

Amendment No. 7

On page 13, strike out lines 5 to 24, inclusive, and insert

"13200. All criminal justice agencies shall have access to criminal offender record information maintained by the Department of Justice

13201. Each peace officer, when acting as such, shall have access to any criminal offender record information maintained by the Department of Justice which is required by the agency employing him for the purpose of its statutory responsibilities"

Amendment No. 8

On page 15, line 24, strike out "Justice Information", and insert "Record".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 7, 1972

Mr Speaker. The Chairman of your Committee on Governmental Organization reports:

AB No 2315

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2315—An act making an appropriation for the operation of the 18th District Agricultural Association, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18th", and insert "39th".

Amendment No. 2

On page 1, strike out lines 2 to 5, inclusive, and insert "General Fund in the State Treasury to the Department of Agriculture, for the operational support of the 39th District Agricultural Association, the sum of fifty thousand dollars ($50,000), which shall be allocated by it to the 39th District Agricultural Association in accordance with a schedule to be prescribed by the department to negate revenue deficiencies caused by inclement weather and public reaction to civil disorders

No funds appropriated pursuant to this act shall be expended until a loan agreement has been entered into by the 39th District Agricultural Association and the Department of Finance providing for the repayment within 10 years from the effective date of this act to the General Fund of such funds together with any interest computed at a rate to be determined by the Department of Finance. Such repayment shall be made from the funds available for the support of the 39th District Agricultural Association, which are hereby appropriated without regard to fiscal year to the extent necessary for such repayment."

Amendment No. 3

On page 2, line 1, strike out "18th", and insert "39th".

Amendment No. 4

On page 2, strike out lines 10 to 12, inclusive, and insert "significant decrease in anticipated revenues during the 1972 exposition which, if not remedied".

Amendment No. 5

On page 2, line 13, strike out "18th", and insert "39th".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 7, 1972

Mr Speaker The Chairman of your Committee on Transportation reports

AB No 2096

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2096—An act to amend Sections 21100, 21206, and 22500 of the Vehicle Code, relating to sidewalks

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "21100, 21206, and 22500 of", and insert "21100 and 22500 of, and to add Section 21114.5 to,".

Amendment No. 2

On page 2, line 4, after "and", insert ", as specified in Section 21114 5,".

Amendment No. 3

On page 2, strike out lines 7 to 14, inclusive, and insert

"SEC 2 Section 21114.5 is added to the Vehicle Code, to read:

21114 5 Notwithstanding Section 21663 or any other provision of this code, local authorities may, by ordinance, authorize the operation of electric carts by physically disabled persons, or persons 62 years of age or older, on public sidewalks Any such ordinance shall, however, contain provisions requiring any such person who owns an electric cart to apply to the local authority for a permit and an identification sticker to so operate the cart, and requiring such person to affix such sticker to the cart in order to operate it on the sidewalk."

Amendment No. 4

On page 3, line 8, strike out "bicycles and".

Amendment No. 5

On page 3, line 9, after "ordinance", insert ", as specified in Section 21114 5".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 7, 1972

Mr Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No 2347

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2347—An act to amend Sections 8507, 8515, 8552, 8569, 8570, 8571, 8624, 8635, 8636, 8638, 8642, 8652 and 8697.3 of, and to repeal Section 8654 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out "8635, 8636, 8638, 8642", and insert "8636,"

Amendment No. 2

On page 6, strike out lines 4 to 12, inclusive, and insert "SEC. 8. Section 8636 of the Business and Professions".

Amendment No. 3

On page 6, strike out lines 20 to 26, inclusive.

Amendment No. 4

On page 7, strike out lines 6 to 31, inclusive, and insert "SEC. 9. Section 8652 of the Business and Professions".

Amendment No. 5

On page 8, line 2, strike out "SEC 17.", and insert "SEC. 10."

Amendment No. 6

On page 8, line 4, strike out "SEC 18.", and insert "SEC 11."

Amendment No. 7

On page 8, strike out line 17; and in line 18, strike out "up to a maximum sum of".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 7, 1972

Mr. Speaker. The Chairman of your Committee on Natural Resources and Conservation reports.

AB No. 669

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 669—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Assembly April 27, 1972, strike out "lights", and insert ", intermittent or mov-

ing lights (except that part necessary to give public service information such as time, date, temperature, weather, or similar information, or a message center display as defined in paragraph (4) of this subdivision)".

Amendment No. 2

On page 2, lines 36 and 37, strike out "and time and temperature displays".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 7, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

AB No 285

AB No 1544

With author's amendments with the recommendation Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 285—An act to amend Section 1606 of the Health and Safety Code, relating to blood transfusions

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 17, 1972, strike out "amend Section 1606 of", and insert "add Section 1606.5 to".

Amendment No. 2

On page 2, strike out lines 1 to 12, inclusive; on page 3, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 1606.5 is added to the Health and Safety Code, to read:

1606.5. On or after July 1, 1974, it shall be unlawful, in any transfusion of whole blood, or in any transfusion of packed or washed red cells, to use any whole blood, or any packed or washed red cells, which were obtained from a blood donor who received money, or a certificate in lieu of money which is redeemable only for goods or merchandise, or other valuable consideration in return for the donation of such blood. For the purpose of this section "any other valuable consideration" shall not include benefits received by the donor from participation in any blood assurance or blood replacement program."

Amendment No. 3

On page 3, line 39, strike out "discouraging", and insert "prohibiting"

Amendment No. 4

On page 4, line 1, strike out "could be substantially reduced; and that it is"; strike out lines 2 to 9, inclusive, and insert "can be substantially reduced; and that in order to protect the public health, the Legislature finds that it is necessary to prohibit the use of whole blood, and packed or washed red cells derived from paid donors in transfusions of whole blood, or in transfusions of packed or washed red cells."

Bill ordered reprinted, and to be re-referred to the Committee on Health

Assembly Bill No. 1544—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly April 17, 1972, strike out "chapter unless the board", and strike out lines 21 to 24, inclusive.

Amendment No. 2

On page 2, line 25, strike out "must also pass".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports.

AB No. 1408

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1408—An act to add Chapter 3 (commencing with Section 295) to Division 2a of the Probate Code, relating to administration of estates.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "estates", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, strike out lines 8 to 10, inclusive, and insert "report or record that indicates such person is an absentee, as defined in Section 1751.5 of the Probate Code,".

Amendment No. 3

On page 2, strike out lines 4 to 9, inclusive, and insert

"295.1 In order to provide for shelter, food, health care, education, transportation, and other necessities of a reasonable and adequate standard of living, the spouse, the children, or the parent, in that order, if such".

Amendment No. 4

On page 2, strike out lines 14 and 15, and insert "property in this state, including money, which has an aggregate gross value not exceeding five thousand dollars ($5,000), excluding therefrom any amount of money which is or may be payable to the absentee by the United States government attributable to services performed by the absentee in connection with his employment by the United States government, without"

Amendment No. 5

On page 2, strike out lines 35 to 40, inclusive; and strike out all of page 3, and strike out all of page 4, and strike out all of page 5, and insert

"295.3 The time in which an absentee, as defined in Section 295, shall have to commence any action against any person who executes an affidavit and receives property pursuant to Section 295.1 shall commence to run on the earlier of the following (a) 90 days after the absentee returns to the continental United States after the termination of the condition which caused his classification as an absentee, or (b) two years after the termination of the condition which caused his classification as an absentee

295.4. In the event an absentee as defined in Section 295 executed a general or special power of attorney which expires during the period which occasions such status, the general or limited power of attorney shall be continued in full force and effect until 30 days after such absentee status is terminated Any person, representative, corporation, officer or body who acts in reliance upon any such power of attorney when accompanied by a copy of the written report or record issued by an employee of the United States as stated in Section 295 shall be relieved from any liability for relying and acting upon the power of attorney

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

The families of persons who are missing in action or prisoners of war in Southeast Asia are in immediate need of funds to provide for their shelter, food, health care, education, transportation, and other necessities of life, and this act is necessary to give immediate financial relief to such persons "

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 7, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No 969

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 969—An act to amend Sections 12007, 12082, 12101, and 12105.1 of, and to add Section 12101.5 to, the Health and Safety Code, relating to the control of explosives.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3, lines 11 and 12, of the printed bill, as amended in Assembly May 2, 1972, strike out "State Fire Marshal", and insert "Department of the California Highway Patrol".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports·

HR No. 51

With author's amendments with the recommendation Amend, and re-refer to the Committee on Rules

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

House Resolution No. 51—Relative to creating the Assembly Advisory Council on Public Employee Relations.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

Between the third and fourth *Resolved* clauses of the printed measure, as printed on pages 2945 and 2946 of the Assembly Journal for May 10, 1972, insert

"*Resolved*, That the advisory council shall consult with appropriate governmental jurisdictions, including the State Personnel Board, in carrying out its duties under this resolution; and be it further".

House Resolution No. 51, as Amended

By Assemblyman Moretti:

House Resolution No. 51

Relative to creating the Assembly Advisory Council on Public Employee Relations

WHEREAS, The number of employees employed by public jurisdictions in California has increased significantly in the last decade thereby compounding the complexities of public employee relations; and

WHEREAS, There have been a series of incidents in recent years wherein public employees have been disappointed with salaries, benefits, and working conditions to such an extent that they have engaged in work disruptions such as those involving teachers in Los Angeles last year, firemen and policemen in Vallejo in 1970, county and municipal employees in San Francisco in 1970, and social workers in Sacramento in 1967, and

WHEREAS, Reports from other jurisdictions indicate the possibility of further disruptions at an alarming rate; and

WHEREAS, It is imperative that the Assembly recognize growing public problems and anticipate solutions, before the crisis stage which has developed in other states occurs here, by availing itself of expert advice; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members establish an Advisory Council on Public Employee Relations as an advisory agency to the General Research Committee to provide the Members expert advice pertaining to the policy questions relating to the resolution of disputes between public employees and their public employers and to specifically accomplish the following:

a Review the effectiveness of the present statutes pertaining to public employee-public employer relations;

b Communicate to and evaluate for the Legislature the statutory solutions adopted by other states in this subject area;

c Evaluate for the Legislature the current situation in California especially those trends pertaining to collective negotiations;

d Hold public hearings and report to the Assembly by December 30, 1972, specific proposals for establishing an appropriate framework within which disputes can be settled between public jurisdictions and their employees; and be it further

Resolved, That the Assembly Advisory Council on Public Employee Relations shall consist of five members, appointed by the chairman of the General Research Committee, who are acknowledged within their field as having expertise of a broad and specific kind relating to public employer-public employee relationships; and be it further

Resolved, That the chairman of the General Research Committee appoint a chairman of the advisory council and fix the terms of the members, and be it further

Resolved, That the chairman of the General Research Committee may with the advice and concurrence of the council members utilize staff to facilitate the work of the council; and be it further

Resolved, That the advisory council shall consult with appropriate governmental jurisdictions, including the State Personnel Board, in carrying out its duties under this resolution; and be it further

Resolved, That the Committee on Rules shall provide for the expenses of the above council, and its members, for any charges, expenses or claims as it may incur under this resolution to be paid from the Assembly Contingent Fund and disbursed by the Rules Committee, upon warrants drawn by the State Controller upon the State Treasury

Resolution, as amended, re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

AB No. 898

With author's amendments with the recommendation Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 898—An act to amend Sections 3517 and 3575 of, and to add Section 3521 to and Article 3 5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out lines 23 to 40, inclusive, and on page 4, strike out lines 1 to 39, inclusive, and insert

"3584 Except as provided in Section 3583, any highway carrier desiring a permit to operate as a livestock carrier shall file an application therefor with the commission The application shall set forth

(a) The name and address of the applicant

(b) The names and addresses of its officers, if any

(c) Full information concerning the financial condition and physical properties of the applicant

(d) Such other information necessary to the enforcement of this article as the commission may require

Before a permit is issued, the commission shall require that the applicant establish its financial responsibility The commission may, with or without hearing, issue or refuse to issue the permit If the commission finds the applicant possesses the required financial responsibility to perform the operations proposed, it shall issue a permit The commission may attach to the permit such terms and conditions as, in its judgment, are required to assure protection to persons utilizing the operation

No permit shall be issued unless it has been shown that applicant meets one of the following residence requirements If an individual,

applicant shall have resided in the State of California for not less than 90 days next preceding the filing of the application If a partnership, the partner with the largest percentage interest in the partnership shall have resided in the State of California continuously for not less than 90 days next preceding the filing of the application If a corporation, applicant shall be a domestic corporation or shall have qualified to transact business in the State of California as a foreign corporation at the time of filing of the application.

Except as otherwise provided in this article, upon compliance by an applicant with this section, the commission shall issue a permit."

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 7, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 1011

With author's amendments with the recommendation: Amend, and refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1011—An act to add Article 5 (commencing with Section 330) to Chapter 2 of Division 2 of, and to amend Section 11301 of, the Education Code, relating to the public schools, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", and to amend Section 11301 of,".

Amendment No. 2

On page 2, strike out line 5, and insert

"Article 5. State Early Childhood Educational Assessment Committee

330. It is the intent of the Legislature, in enacting this article, to provide for the early and periodic examination of pupils in the kindergarten year or prior to their entry into the regular school programs. The purpose of the Early Childhood Educational Assessment program is to acquire information upon which school program changes may be based in order to assure that the school program meets the assessed needs of individual pupils and to improve the ability of school personnel to design educational programs which meet the needs of the pupils to be served.

It is the further intent of the Legislature to ensure the success and continuous progress of pupils according to their needs and abilities and the development of programs at all levels to meet the needs of the individual pupil.

It is the further intent of the Legislature to develop assessment devices to measure pupil progress toward locally developed objectives.

331. There is in the Department of Education the Early Childhood Educational Assessment Committee, consisting of members appointed by the Superintendent of Public Instruction. The members of the Early Childhood Educational Assessment Committee shall include, but not be limited to, specialists in (a) school psychology, (b) early childhood development, (c) language, speech, vision, and hearing, (d) pediatrics, (e) curriculum, (f) planning and administration, (g) evaluation, (h) a representative of a statewide teacher organization, and (i) a representative of a statewide parent organization.

332 The Early Childhood Educational Assessment Committee shall develop and recommend to the Superintendent of Public Instruction guidelines for the administration of this article, including procedures for program development, implementation, and evaluation.

333 The Superintendent of Public Instruction, with the advice of the Early Childhood Assessment Committee, shall for the 1972–1973 and 1973–1974 school years, designate not more than 10 school districts which shall develop appropriate instruments and evaluation procedures, which may be used by teachers, for the early assessment of pupils pursuant to this article.

In developing such instruments and evaluation procedures, the Superintendent of Public Instruction, in addition to other provisions deemed necessary by the committee, shall ensure that pilot school districts:

(a) Devise rating standards for any performance samples collected which describe variations in difficulty of any test items utilized as well as descriptions of pupil performance.

(b) Devise, try out, and report the results of comprehensive assessment batteries which shall include measurement of pupil performance in at least the following areas:

(1) Psychomotor abilities, including gross and fine motor skills.

(2) General health and physical well-being, including nutrition

(3) Perceptual abilities, including visual perception and auditory comprehension.

(4) Cognitive abilities related to learning, memory, attention, conceptual, and language development.

(5) Self-concept and peer relations.

(6) Learning style.

The Superintendent of Public Instruction shall further ensure that pilot school districts

(a) Provide for suitable conditions for pupil assessment

(b) Set forth the time necessary for such assessment and report pupil performance as related to age and sex of pupils

(c) Ensure that no pupil, otherwise eligible, shall be denied admission to a school program based upon the results of such examination.

(d) Show how a pupil identified as showing educational needs markedly different from those of regular kindergarten pupils will be accommodated by the district.

(e) Show how the pupils will be reevaluated periodically and at the end of one year to assess growth, modify programs, and plan for the following year.

(f) Show how the district intends to vary the elementary curriculum based on findings of the assessment process In 1973–1974 districts shall show how local programs have been altered to meet the needs identified in such individual assessments.

(g) Provide for informing parents about the assessment process. The school district shall ensure that parents are adequately informed of the results of such assessment.

334 The pilot school districts shall provide the Superintendent of Public Instruction and the Early Childhood Educational Assessment Committee with complete final reports including, but not limited to, costs per pupil of the assessment procedure and an evaluation of the extent to which such pupil assessments have been utilized by teachers for the educational planning for the pupils so screened and examined

335. Commencing with the 1974–1975 school year, the instruments and procedures developed by pilot school districts shall be disseminated by the Superintendent of Public Instruction, on the advice of the Early Childhood Educational Assessment Committee, to other applicant school districts which the committee deems are capable of implementing the intent of the early childhood assessment procedures. Applicant school districts shall supply reports of the results of assessment instruments and procedures utilized on forms developed by the committee

336 Commencing no later than the 1977–1978 school year, the instruments and procedures for early assessment of pupils shall be made available to all school districts in California.

337 The Early Childhood Educational Assessment Committee shall submit a report to the Superintendent of Public Instruction who shall report to the Legislature during the 1976 Regular Session The report shall include, but shall not be limited to, the per pupil costs of assessment of pupils. analysis of the extent to which such pupil assessments resulted in curriculum modification and change in the pupils so examined, analysis of the achievement and functioning of the pupils so examined, and estimates of changes in enrollments in special programs as a result of implementation of this article.

338 The Superintendent of Public Instruction shall administer the provisions of this article and the regulations adopted pursuant to this article and shall employ qualified personnel for this purpose."

Amendment No. 3

On page 2, strike out lines 6 to 30, inclusive; strike out all of pages 3 to 6, inclusive, and on page 7, strike out lines 1 to 10, inclusive.

Amendment No. 4

On page 7, line 11, strike out "SEC 3", and insert "SEC 2".

Amendment No. 5

On page 7, line 13, strike out "_____ ($_____)", and insert "three hundred thousand dollars ($300,000)".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use, reports:

AB No. 1323

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1323—An act to amend the heading of Division 7 (commencing with Section 8600) of, to add chapter heading immediately preceding Section 8600 of, and to add Chapter 2 (commencing with Section 8700) to Division 7 of, the Public Resources Code, relating to siting of electric power facilities, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3, line 40, of the printed bill, strike out "five", and insert "three".

Amendment No. 2

On page 8, line 34, after the comma, insert "and in no event more than one year after the initial filing date of the application for certification,".

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, after "add", insert "a".

Amendment No. 2

On page 6, line 33, after "of the", insert "Board".

Amendment No. 3

On page 8, line 18, strike out "bar of the state", and insert "State Bar of California".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, June 7, 1972

Mr Speaker: The Chairman of your Committee on Environmental Quality reports:

AB No 1151

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Environmental Quality.

FONG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1151—An act to amend Section 12931 of the Agricultural Code, relating to economic poisons.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 12931", and insert "Sections 11708 and 11911".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 11708 of the Agricultural Code is amended to read

11708 The director may refuse to grant any license and may revoke or suspend any license if the applicant or licensee:

(a) Does not have, or has not maintained at his principal office and at each branch location, a qualified person to actively supervise all operations performed for each such location as prescribed by regulations of the director

(b) Does not have, or has not maintained, adequate safe equipment and facilities to perform the operations undertaken or to be undertaken

(c) Does not have adequately trained personnel to perform the operations undertaken or to be undertaken

(d) Violates or permits the violation of any provision of this division and Division 7 (commencing with Section 12501) pertaining to pesticides or of any regulations adopted pursuant thereto by the director or any commissioner or any industrial safety order relating to pesticides issued by the Department of Industrial Relations

(e) Fails to maintain and report to the director or commissioner, as required, information concerning pest control performed or authorized to be performed by the license or the registration of the commissioner.

Any hearing to deny, suspend or revoke such license shall be heard under the Administrative Procedure Act, Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code; provided, however, if the director finds on the basis of affidavits submitted to him by the enforcement personnel provided in Section

11501.5 or injured parties that the protection of the public welfare or safety requires immediate action, he may, without hearing, temporarily suspend or condition the license of any pest control operator and shall forthwith schedule the matter for hearing. The director may terminate such suspension or condition upon correction of the defects of equipment, establishment of adequate safety practices, or such other corrective action as he deems satisfactory to assure compliance with the requirements of the law and the regulations. In such event the matter may proceed to hearing as though the emergency action had not been taken.

Any suspension of any license ordered by the director under this section shall become effective on the date provided for in the suspension order.

SEC. 2. Section 11911 of the Agricultural Code is amended to read:

11911. The director may refuse to issue a certificate to any pilot and may revoke or suspend the certificate or apprentice certificate of a pilot, after hearing, upon finding that the pilot is not qualified to conduct the pest control operations specified in the certificate or that he has violated any provision of this division or Division 7 (commencing with Section 12501) pertaining to pesticides or any regulation adopted pursuant to such provision or any regulation of an agricultural commissioner or any industrial safety order of the Department of Industrial Relations or has not complied with any order of the director or commissioner as authorized by Section 11737.

The director may, pending hearing, suspend or condition the certificate of any pilot when, upon such investigation as he deems necessary and the receipt of affidavits by the enforcement personnel provided in Section 11501.5 or injured parties, he finds that continuance of the certificate endangers public welfare or safety The director may terminate such suspension or condition upon the taking of such corrective action as he deems satisfactory to assure qualification or compliance with the law or regulations. In such event the matter may proceed to hearing as though such action had not been taken.

Any suspension of any certificate ordered by the director under this section shall become effective on the date provided for in the suspension order."

Bill ordered reprinted, and to be re-referred to the Committee on Environmental Quality.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1764

At 3:52 p.m., on motion of Mr Ryan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1764 passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chappie, Cline, Collier, Conrad, Cory, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Leroy F. Greene, Harvey Johnson, Karabian, Ketchum, Lewis, MacGillivray, McCarthy,

Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Warren, Wood, Z'berg, and Mr. Speaker—42

NOES—Bee, Chacon, Cullen, Davis, Deddeh, Hayden, Ray E. Johnson, Maddy, McAlister, and Mobley—10.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 1609

At 3 55 p m , on motion of Mr. Belotti, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Assembly Bill No 1609 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—54

NOES—Cline, Davis, Gonsalves, and Wilson—4.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Warren, Waxman, Wood, Z'berg, and Mr Speaker—54

NOES—Cline, Davis, Gonsalves, and Wilson—4.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 217

At 3 59 p m , on motion of Mr Harvey Johnson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby Assembly Bill No. 217 was refused passage reconsidered by the following vote

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chappie, Conrad, Cory, Crown, Deddeh, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, MacGillivray, McAlister, McCarthy, Meade, Miller, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—43

NOES—Arnett, Burke, Chacon, Cline, Collier, Cullen, Dent, Ketchum, MacDonald, Mobley, Monagan, and Stull—12.

Assembly Bill No. 217 Passed and Retained

By unanimous consent, Assembly Bill No. 217 was passed on file, to retain its place on file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4.02 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Thursday, June 8th, at 9:30 a.m.—Criminal Justice (Beverly, Chairman).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 55

Mrs. Fong was granted unanimous consent to take up Senate Concurrent Resolution No 55 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 55

Senate Concurrent Resolution No. 55—Approving amendments to the Charter of the City of Albany, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972.

Resolution read, presented by Mrs Fong, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal·

Assembly Committee on Efficiency and Cost Control

Sacramento, June 7, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: Your Committee on Efficiency and Cost Control hereby transmits its report containing findings and recommendations concerning a review of the California Ecology Corps

Respectfully,

MIKE CULLEN, Chairman

Above report referred to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 98: By Assemblymen Dunlap and Vasconcellos—Relative to program planning and budgeting system for the California schools.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ryan:

House Resolution No. 63

Relative to a study of competitive bidding for state purchases of data processing equipment

WHEREAS, The State of California requires the use of competitive bids for the expenditure of millions of dollars for purchasing data processing equipment; and

WHEREAS, Competitive bids give the people of California the ability to save substantial sums of money and at the same time support the free enterprise economy through competition; and

WHEREAS, The Department of Public Works, on May 17, 1972, executed a contract for computers from IBM for over $7 million without filing request for proposals or requiring competitive bids, and

WHEREAS, The people of California now have no knowledge of possible savings or losses resulting from this contract, and legitimate business enterprises have been denied the right to present their products in open competition; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the problems involved in letting such contract without competitive bids and to direct such committee to make recommendations concerning the enforcement of the requirements of competitive bidding with regard to this and other contracts, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution; and be it further

Resolved, That the Assembly Members of the Conference Committee on the 1972–73 budget are urged to insure that all data processing equipment acquisition funds are appropriately worded so as to require free and open competitive bids by all interested manufacturers.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Mr Chacon was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1324

Mr Cline was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1324.

Mr. Duffy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1324.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 187, and on the passage of the bill.

Mr. Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1756.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Absence

June 7, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: Due to my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on June 7, 1972.

Sincerely,

CARLEY V. PORTER

ADJOURNMENT

At 4:05 p.m., Acting Speaker Fenton declared the Assembly adjourned until 1:30 p m., Thursday, June 8, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-sixth Legislative Day

One Hundred Fifty-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 8, 1972

The Assembly met at 1:30 p m

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

By unanimous consent, Acting Speaker Fenton placed a call upon the Assembly

Motion carried. Time, 1:31 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 1 52 p m, Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Mona-

gan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72

NAMES OF MEMBERS PLACED UPON MORNING ROLL CALL

Acting Speaker Fenton was granted unanimous consent that the following Members, who are attending the meeting of the Conference Committee on the Budget (Senate Bill No. 50), be excused, and their names added to the morning roll call Messrs Brown, Lanterman, and Porter.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Heavenly Father, You are the protector of all who trust in You, and without You nothing is strong, nothing is wholesome Be even more merciful toward us and guide us that we may use the good things of this life in such a way as not to lose the blessings of eternal life — AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Hayden then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Wilson, seconded by Mr Badham

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness.

Mr. Wakefield, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr. Brophy, on request of Acting Speaker Fenton
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Moorhead, on request of Acting Speaker Fenton
Mr Quimby, on request of Acting Speaker Fenton
Mr Ralph, on request of Acting Speaker Cory
Mr. Townsend, on request of Acting Speaker Fenton

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read.

Assembly Chamber, June 8, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be

heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2374—An act to repeal Chapter 354, Statutes of 1869–70, relating to the Town of Hornitos

EUGENE A CHAPPIE

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent

Resolution No.	*Committee*
98	Education

Assembly Joint

Resolution No.	*Committee*
34	Natural Resources and Conservation

Senate

Bill No.	*Committee*
20	Criminal Justice
275	Retirement
414	Transportation
446	Revenue and Taxation
470	Education
499	Education
636	Commerce and Public Utilities
670	Education
819	Governmental Organization
901	Commerce and Public Utilities
907	Education
955	Water
970	Education
1083	Education
1241	Commerce and Public Utilities
1385	Local Government

Senate Constitutional

Amendment No.	*Committee*
23	Revenue and Taxation
65	Retirement
73	Revenue and Taxation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2375: By Assemblyman Powers—An act making an appropriation to the Department of General Services.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, June 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 594	AB No 1647	AB No. 2042
AB No. 1088	AB No. 1910	AB No 2097
AB No 1192	AB No 1936	AB No 2132
AB No. 1285	AB No. 1966	AB No. 2354

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 366	AB No 1075	AB No. 1450
AB No 746	AB No 1198	AB No. 1733
AB No. 1074	AB No. 1382	

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

ACR No. 88

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to Consent Calendar

Assembly Chamber, June 8, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No. 854	AB No. 1564	AB No 2064
AB No 858	AB No 2014	AB No 2343
AB No 1557	AB No. 2026	

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 350
AB No. 1217
AB No. 1938

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Welfare reports

AB No 2198

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BAGLEY, Chairman

Above bill ordered to second reading

Committee on Environmental Quality

Assembly Chamber, June 7, 1972

Mr Speaker Your Committee on Environmental Quality reports:

AB No 1008

AB No 2122

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

FONG, Chairman

Above bills ordered to second reading

Committee on Health

Assembly Chamber, June 8, 1972

Mr Speaker. Your Committee on Health reports:

AB No 1730

With amendments with the recommendation Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading

Assembly Chamber, June 7, 1972

Mr. Speaker Your Committee on Health reports

AB No 1549

AB No 1550

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bills ordered to second reading

Committee on Education

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Education reports

AB No 860

With amendments with the recommendation Amend, and do pass, as amended

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Committee on Agriculture

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Agriculture reports

AB No. 1072

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRIGGS, Chairman

Above bill ordered to second reading

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Agriculture reports

SB No 1300

SB No 1428

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BRIGGS, Chairman

Above bills ordered to second reading

Assembly Chamber, June 8, 1972

Mr. Speaker Your Committee on Agriculture reports

ACR No 38

With amendments with the recommendation Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means, with recommendation · To Consent

BRIGGS, Chairman

Above resolution ordered on file

Assembly Chamber, June 8, 1972

Mr. Speaker · Your Committee on Agriculture reports

AB No 486

AB No. 1791

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation To Consent

BRIGGS, Chairman

Above bills ordered to second reading

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Agriculture reports

AB No 2368

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means, with recommendation To Consent

BRIGGS, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Criminal Justice

Assembly Chamber, June 8, 1972

Mr Speaker. Your Committee on Criminal Justice reports

AB No 1615

With amendments with the recommendation Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Transportation

Assembly Chamber, June 8, 1972

Mr Speaker· Your Committee on Transportation reports·

AB No 441

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 8, 1972

Mr Speaker· Your Committee on Transportation reports:

AB No 1101

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 8, 1972

Mr Speaker· Your Committee on Transportation reports

AB No 638

With the recommendation· Do pass

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Transportation reports·

AB No 1334

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Revenue and Taxation

Assembly Chamber, June 7, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports.

AB No 722

AB No 888

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bills ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

AB No 750

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 750—An act to add Sections 11018 01, 11702 1 and 11702 3 to the Business and Professions Code, relating to subdivisions

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 11018 01, 11702 1 and 11702.3 to", and insert "Article 12 (commencing with Section 11645) to Chapter 2, Part 2, Division 4 of, and Section 11702.3 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Article 12 (commencing with Section 11645) is added to Chapter 2, Part 2, Division 4 of the Business and Professions Code, to read·

Article 12 Review of Partially Improved Residential Subdivisions

11645 This article shall provide a procedure for the improvement or reversion to acreage, pursuant to Section 11702 3, of portions of partially improved or sold residential subdivisions

11645 1. A city or county may provide, by ordinance, for the review by the advisory agency or governing body of residential subdivisions for which maps have been filed more than five years previous to the

date of such review where more than a third of the lots remain unimproved or unsold, or unimproved and unsold as of such date of review. Such review shall be made for the purpose of determining whether the unimproved or unsold, or unimproved and unsold portion, or portions, of such subdivisions reasonably conform to present criteria for design or improvement.

11645 2 If the advisory agency or governing body determines that a residential subdivision is over five years old and that more than a third of its lots remain unimproved or unsold, or unimproved and unsold and that the unimproved or unsold, or unimproved and unsold portion, or portions, of the subdivision do not reasonably conform to present criteria for design or improvement, it shall cause a notice in the form of a lis pendens to be recorded stating that no future lot sales or improvement may occur in such subdivision unless the advisory agency or governing body concurs. A copy of the notice shall be sent to the Real Estate Commissioner

11645.3 When a notice has been recorded pursuant to Section 11645 2 the advisory agency or governing body may enter into an agreement with the owner of the subdivision or the owners of the lots of the subdivision to bring the unsold or unimproved, or unimproved and unsold portion, or portions, within present criteria for design or improvement The advisory agency or governing body may require security, in such form as it deems adequate for such agreement.

11645 4 If the advisory agency or governing body enters into an agreement pursuant to Section 11645 3 it shall cause the agreement to be recorded and a copy sent to the Real Estate Commissioner Such an agreement shall be deemed to be a concurrence to the future sale of lots for the purposes of Section 11645 2

11645 5 If the advisory agency or governing body determines that an unsold or unimproved, or unimproved and unsold portion, or portions of a subdivision under this article may not reasonably be brought within present criteria for design or improvement it may apply for a reversion to acreage pursuant to Section 11702 3

11645 6 For the purpose of this article, "improvement" means any taxable improvement "

Amendment No. 3

On page 1, strike out lines 2 to 6, inclusive, and on page 2, strike out lines 1 to 12, inclusive

Amendment No. 4

On page 2, line 13, strike out "3", and insert "2".

Amendment No. 5

On page 2, line 15, strike out "Section 11702 1", and insert "Article 12 (commencing with Section 11645) of Chapter 2 of this part".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

AB No. 1880

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1880—An act to amend Section 40000 23 of, to add Section 243 3 to, to add Article 1 5 (commencing with Section 11780) to Chapter 4 of Division 5 of, and to add Division 15 5 (commencing with Section 35850) to, the Vehicle Code, relating to campers

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "to amend Section 40000 23 of,".

Amendment No. 2

On page 3, line 34, strike out "(a)".

Amendment No. 3

On page 3, line 36, strike out the comma, and strike out lines 37 to 40, inclusive, on page 4, strike out lines 1 to 9, inclusive, and in line 10, strike out "(b)", and insert "any camper manufactured on or after July 1, 1973, shall complete a form provided by the Department of Motor Vehicles, which shall contain the following

(a) The manufacturer's gross vehicle weight rating of the vehicle upon which the camper is to be mounted If the exact gross vehicle weight rating is known, that figure shall be given If the exact gross vehicle weight rating is not known, the dealer shall make every reasonable effort to ascertain the manufacturer's gross vehicle rating and provide a figure based on the dealer's best estimates

(b) The camper's serial number and liquid weight with all tanks full.

(c) The combined total weight of (1) the vehicle, equipped and ready for operation on the road, upon which the camper is to be mounted, and (2) the camper with all tanks full If the exact combined weight is known, that figure shall be given If the exact combined weight is not known, the dealer shall make every reasonable effort to ascertain such combined total weight and provide a figure based on his best estimates

(d) A declaration that the combined total weight of the vehicle upon which the camper is to be mounted and the camper is, by the dealer's best estimate, at least 10 percent less than the manufacturer's gross vehicle weight rating of the vehicle upon which the camper is to be mounted

Three copies of such form shall be prepared One copy shall be sent to the department, one shall be given to the buyer of the camper, and one shall be retained by the camper dealer

11785 ''

Amendment No. 4

On page 4, line 17, strike out ''subdivision (a)'', and insert ''Section 11784''.

Amendment No. 5

On page 4, line 26, after ''tanks'', insert ''and all other liquid tanks''.

Amendment No. 6

On page 4, line 38, after ''manufactured'', insert ''on or after July 1, 1973,''.

Amendment No. 7

On page 5, strike out line 12, and insert

''SEC 4 It is the intent of the Legislature, in enacting this act, to accomplish the following

(a) To provide for greater safety on California highways by insuring a proper weight match of a camper and the vehicle upon which the camper is mounted

(b) To insure that camper dealers will not purposely mismatch a camper and the vehicle upon which the camper is to be mounted in order to make a sale, thereby endangering the camper buyer and other motorists on the highways

(c) To bring to the attention of both camper dealer and camper buyer the importance of a proper weight match of a camper and the vehicle upon which the camper is mounted ''

Amendment No. 8

On page 5, strike out lines 13 to 23, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, June 8, 1972

Mr Speaker The Chairman of your Committee on Elections and Reapportionment reports

AB No 1546

With author's amendments with the recommendation Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1546—An act to add Section 9912 to the Government Code, relating to regulation of legislative representation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", or other"; and strike out lines 4 to 6, inclusive, and on page 2, strike out line 1, and insert "shall".

Amendment No. 2

On page 2, line 2, after "transfer", insert "of twenty-five dollars ($25) or more".

Amendment No. 3

On page 2, line 14, strike out "valued at"; and in line 15, strike out "twenty-five dollars ($25) or more"

Amendment No. 4

On page 2, between lines 21 and 22, insert

"A report shall also be required pursuant to this section where transfers of less than twenty-five dollars ($25) in the aggregate exceed one hundred dollars ($100) in value within any calendar year"

Amendment No. 5

On page 2, line 28, after "name", insert "or names".

Amendment No. 6

On page 2, between lines 31 and 32, insert

"The provisions of this section shall not apply to any expenditures for food or drink or to any expenditures necessary in order to provide such food or drink where a purpose of such expenditures is not the raising of funds intended for the benefit of any candidate for public office, of any public official, or of any committee, account, or person connected with the election of such candidates or officials"

Amendment No. 7

On page 2, line 32, after "who", insert "knowingly".

Amendment No. 8

On page 2, line 33, strike out "felony", and insert "misdemeanor"

Amendment No. 9

On page 2, line 34, strike out "for 1 to 10 years," and insert "in the county jail not exceeding six months or by a"

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, June 7, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 1744

With author's amendments with the recommendation Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1744—An act to amend Section 402 1 of, and to add Section 405 2 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 3, of the printed bill, as amended in Assembly May 25, 1972, between lines 16 and 17, insert

"Interest grant payments made by the federal or a state government, to a lender or mortgagee, for or on behalf of such an owner of such housing shall not be deemed to be income of the owner of such housing earned from such housing, nor shall such payments be included in any capitalization of such income"

Amendment No. 2

On page 3, between lines 36 and 37, insert

"It is hereby declared that the purpose and intent of the Legislature in amending this section is to provide for a more equitable method of assessing low- and *moderate-income family housing than is presently* the general practice in California

Experience has indicated that in the case of federally assisted Section 236 projects, most counties are not applying the "capitalization of income approach" to assessments Such projects as have been completed and placed in operation have been assessed at 100 percent of original cost estimates Assessment in such a manner, which does not take into account the nature of the subsidies provided for the purpose of housing low- and moderate-income families and individuals, places in serious jeopardy the success of such projects and aggravates their overall management problems, especially since a relatively high level of maintenance and repairs is experienced in housing projects of this kind

An alternative to the more equitable assessment practices set forth in this legislative enactment would be to increase rents to tenants To do this would be to defeat the purpose of such programs and make it more difficult than ever to meet the housing needs of many of our citizens This alternative is unacceptable To continue to use the original cost estimates or to use replacement value or comparable sales

approach severely limits the federal government programs' and state programs' ability to meet the housing needs of our people and in fact frequently constitutes an exclusionary practice of local government. Such practice denies individuals and families of low and moderate income reasonable access to housing in communities using such inequitable assessment practices

The Legislature hereby finds that the "income approach" is the most effective evaluation concept in estimating the "full cash value" of such housing projects and that the use of this method of arriving at full cash value will in large part alleviate a critical situation which now exists in this state."

Amendment No. 3

On page 4, strike out line 17, and insert

"SEC. 3. There shall be a presumption that the full cash value of property owned by a nonprofit or limited-dividend corporation, which is federally assisted, insured, or otherwise subsidized to provide housing for persons with low or moderate incomes, may be determined by the capitalization of income method of assessment in those cases where other methods of determining the full cash value of such property, such as by replacement cost or comparable sales, reflect substantially the same value as the value determined by the capitalization of income method

SEC 4. The provisions of Section 1 of this act shall".

Amendment No. 4

On page 4, line 22, strike out "such approval", and insert "defeat of such measure".

Amendment No. 5

On page 4, line 23, strike out "SEC 4", and insert "SEC 5".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, June 7, 1972

Mr. Speaker The Chairman of your Committee on Constitutional Amendments reports:

AB No 165

With author's amendments with the recommendation Amend, and re-refer to the Committee on Constitutional Amendments

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 165—An act to amend Sections 34802, 34804, 34805, 34807, 34808, 34809, 34832, 34833, 34860, 34861, 34862, 34863, 34864, 34865, 34866, 34867, 34868, 34869, 34871, 34872, 34873, 34874, 34875, 34876, 34877, 34878, 34900, 34901, 34902, 34903, 34904, 34905, 34906, 34907, 34908, 34909, 34910, 34911, 34912, 34913, 34914, 34915,

34916, 34917, 34918, 34919, 34941, 34942, 34944, 34945, 34946, and 34947 of, to amend the heading of Article 4 (commencing with Section 34900) of Chapter 1 of Part 3 of Division 24 of, to add Part 10 (commencing with Section 37600) to Division 24 of the Health and Safety Code, relating to housing, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 18, line 6, of the printed bill, as amended in Assembly May 15, 1972, strike out "or qualified".

Amendment No. 2

On page 18, line 28, after the second "of", insert "Title 1 of".

Amendment No. 3

On page 19, line 24, after "Agency", insert a comma.

Amendment No. 4

On page 19, line 29, strike out "Banking", and insert "Banks".

Amendment No. 5

On page 27, line 31, strike out "twelve", and insert "eighteen".

Amendment No. 6

On page 27, line 32, strike out "($12,000)", and insert "($18,000)"

Amendment No. 7

On page 29, line 21, after the period, insert "(a)"

Amendment No. 8

On page 29, line 30, after "advances", insert "or unless the agency waives repayment pursuant to subdivision (b)".

Amendment No. 9

On page 29, between lines 34 and 35, insert

"(b) The agency may waive repayment of the proceeds of an advance made pursuant to this chapter if the nonprofit housing corporation or consumer housing cooperative is unable to obtain permanent financing as provided in Section 37672, provided that both of the following exist

(1) The nonprofit housing corporation or consumer housing cooperative has made diligent efforts, as determined by the agency, to obtain financing

(2) The nonprofit housing corporation or consumer housing cooperative agrees to transfer to the agency any interest in the land such corporation or cooperative has obtained wholly or in part through the use of moneys advanced pursuant to this chapter.

Amendment No. 10

On page 47, line 6, after "2", insert "of Title 1".

Amendment No. 11

On page 47, line 10, strike out "certificate", and insert "articles".

Amendment No. 12

On page 47, line 13, strike out "or company".

Amendment No. 13

On page 48, line 1, strike out "or company".

Amendment No. 14

On page 51, line 18, strike out "or qualified".

Amendment No. 15

On page 51, strike out lines 23 and 24, and insert "in the articles of incorporation."

Amendment No. 16

On page 52, line 20, strike out the first "of", and insert "or".

Amendment No. 17

On page 53, line 21, strike out "accept", and insert "file".

Amendment No. 18

On page 56, strike out lines 18 to 22, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Education reports

AB No 2280

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2280—An act to amend Section 15517 of the Education Code, relating to school district taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly May 11, 1972, strike out "by the chief", and strike out lines 6 to 10, inclusive, and insert "pursuant to Section 13143 of the Health and Safety Code by the State Fire Marshal, including the installation of protective and warning devices, or for any purpose for which the fire marshal certifies is necessary for fire and panic safety, in".

Amendment No. 2

On page 2, between lines 13 and 14, insert

"If the chief law enforcement officer having jurisdiction over the territory in which the following protective measures would be utilized, recommends that intrusion alarms or security patrols or both are necessary to protect property under the jurisdiction of the governing board of a school district, the governing board may, without compliance with the procedures otherwise prescribed by this article, establish and maintain intrusion alarms or security patrols or both "

Amendment No. 3

On page 2, line 17, after "measures", insert "and protective measures".

Amendment No. 4

On page 2, line 18, strike out "paragraph", and insert "paragraphs".

Bill ordered reprinted, and to be re-referred to the Committee on Education

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Education reports

AB No 1458

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1458—An act to amend Sections 6721, 6727, 6728, 6731, 6735, 6738, 6739, and 6740 of, and to repeal Sections 6722, 6723, and 6724 of, the Education Code, relating to technical, agricultural, and natural resource conservation schools.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly May 25, 1972, strike out lines 14 to 20, inclusive, and insert "this article the county board of education may direct the county superintendent of schools to call an election and submit to the voters of the county the question of whether the board of supervisors shall levy and collect the amount of money required to be raised by a countywide tax for the maintenance of the schools Upon approval of a majority of the voters of the county, the county superintendent of schools, with the approval of the

county board of education, shall certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a countywide tax for the maintenance of the schools. The board of supervisors".

Amendment No. 2

On page 6, strike out lines 1 to 4, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 8, 1972

Mr Speaker The Chairman of your Committee on Health reports· AB No 1856

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1856—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "a", insert "single-family".

Amendment No. 2

Strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 8, 1972

Mr Speaker The Chairman of your Committee on Health reports· AB No 1808

With author's amendments with the recommendation Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1808—An act to add Article 2.1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 2, line 6, of the printed bill, after "Services", insert ", Pilot Projects, and Medical Transport Systems".

Amendment No. 2

On page 2, between lines 15 and 16, insert

"The Legislature further finds that there is a need for properly equipped medical transport systems to transport at risk infants and crippled children who require specialized services while being transferred to health care facilities "

Amendment No. 3

On page 2, line 18, strike out "crippled children's services", and insert "medical transport systems".

Amendment No. 4

On page 2, strike out lines 19 to 25, inclusive

Amendment No. 5

On page 2, line 27, strike out "purpose", and insert "purposes".

Amendment No. 6

On page 2, strike out lines 28 to 31, inclusive, and insert "shall be to do all of the following·

(a) Establish a pilot project in one area of the state to determine whether crippled children's services can be more effectively delivered by emphasizing outpatient care and upgrading health care services in that area to meet crippled children's program standards

(b) Develop a medical transport system to transport at risk infants and crippled children who require specialized services while being transported to health care facilities "

Amendment No. 7

On page 2, line 32, strike out "Crippled children's services", and insert

"Such".

Amendment No. 8

On page 2, line 33, strike out "facilities", and insert "services".

Amendment No. 9

On page 2, line 35, strike out "facilities", and insert "services"

Amendment No. 10

On page 2, strike out lines 36 to 38, inclusive, and on page 3, strike out lines 1 and 2, and insert

"Grants for medical transport systems may only be used for the purpose of determining areas of need contracting for the purchasing of vehicles and equipment, contracting for hiring of personnel, and administering the medical transport systems "

Amendment No. 11

On page 3, strike out lines 5 to 19, inclusive, and insert "receive crippled children's pilot project grant or grants for medical transport systems

278 5 The department shall report to the Legislature by January 1, 1975 on the results of the crippled children's services pilot project, including all of the following·

(a) The extent to which the cost of providing care of children in the project area has or is likely to decrease as a result of the project

(b) The extent to which savings in time and money for families of children have resulted because of project

(c) Recommendations for expansion of the project to other areas of the state which would benefit from making crippled children's services more available to "families in need " "

Amendment No. 12

On page 3, line 20, strike out "Grant", and insert "279 Grant".

Amendment No. 13

On page 3, line 23, strike out "_____", and insert "five hundred fifty thousand dollars ($550,000)"

Amendment No. 14

On page 3, line 26, strike out "Article 2 1", strike out lines 27 to 29, inclusive, and insert "this act according to the following schedule·

Schedule

(a) For purposes of funding and administering a crippled children's services pilot project grant as provided in subdivision (a) of Section 277 of the Health and Safety Code $300,000

(b) For purposes of funding and administering medical transport systems grants as provided in subdivision (b) of Section 277 of the Health and Safety Code ..... $250,000 "

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 8, 1972

Mr Speaker The Chairman of your Committee on Health reports AB No 1768

With author's amendments with the recommendation Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1768—An act to amend Section 14184 of the Welfare and Institutions Code, relating to health care services

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 14184 of the Welfare and Institutions", and insert "Sections 1175, 1176, 1177, 1180, 1181, and 1182 of the Health and Safety".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 1175 of the Health and Safety Code is amended to read:

1175 The Legislature finds and declares that improving the efficiency and effectiveness of the delivery of health care in publicly and privately financed health care programs is of critical importance, and that present methods of delivery often do not provide for continuing efficient and comprehensive health care

It is the purpose of this part to provide financial and technical assistance through loans to ~~health service institutions and organizations, which will stimulate and enable such institutions and organizations to plan, develop, and implement~~ *potential and operating* health maintenance organizations for the efficient delivery and provision of health care.

SEC. 2 Section 1176 of the Health and Safety Code is amended to read:

1176 Unless the context otherwise requires, the definitions in this section govern the construction of this part.

(a) "Department" means the State Department of Health Care Services

(b) "Director" means the Director of Health Care Services.

(c) "Medi-Cal" means the program for providing health care as specified in the Medi-Cal Act in Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code.

(d) "Health maintenance organization" means ~~an organization~~ *a nonprofit corporation* which provides *or will provide* basic health care, including at least the following

(1) Inpatient hospital services,

(2) Outpatient hospital services;

(3) Laboratory and X-ray services;

(4) Physician services;

(5) Prescribed drugs

(e) "Subscriber" means a person who receives health care services from a health maintenance organization

SEC 3 Section 1177 of the Health and Safety Code is amended to read:

1177 The director is authorized to make loans and to provide technical assistance, as provided in this part, to ~~enable persons to~~ plan and develop health maintenance organizations in accordance with the purpose of this part, ~~and to assist health maintenance organizations to become self-supporting~~ *and shall adopt such reasonable rules and regula-*

tions as may be necessary or proper to carry out the purpose and intent of this section and to enable him to exercise the powers and perform the duties conferred upon him by this section, not inconsistent with any of the provisions of any statute of this state.

SEC. 4. Section 1180 of the Health and Safety Code is amended to read.

1180 ~~Pursuant to the authority granted in Section 1182, the~~ *The* director may ~~fund a nonprofit, nondenominational health facility by the device of a nonprofit corporation~~ *make a loan to a nondenominational health maintenance organization* composed of representatives of the health interests in the community and a broad representation of the community at large This health ~~corporation~~ *maintenance organization* shall assume responsibility for the following:

(a) Determining and assessing the on-going health needs of the community, formulating a program to meet such needs, including, but not limited to, an identification of both public and private funds which may be available for this purpose

(b) Establishing an information and referral system, including innovative methods of health education.

(c) Coordinating health activities where appropriate, and establishing better utilization of existing health facilities, programs, and services with particular emphasis to be placed on health manpower training projects.

~~(d) Laying the foundation for a community health maintenance organization.~~

~~(e)~~

(d) Promoting, development, and expansion of preventive and outpatient services, with the objective of replacing crisis medicine with an integrated, comprehensive system of health care

SEC 5. Section 1181 of the Health and Safety Code is amended to read.

1181. Recognizing the special needs of disadvantaged persons in the community, a ~~health corporation funded~~ *health maintenance organization receiving a loan* pursuant to Section 1180 shall implement or enable activity through, or in conjunction with citizens' groups representing those persons who are outside the medical care system, or who are not able to take part or full advantage of existing ~~facilities~~ *health care systems*.

SEC 6. Section 1182 of the Health and Safety Code is amended to read:

1182. The director is authorized to ~~contract with~~ *make loans to* health maintenance organizations ~~to make loans to pay a reasonable amount of the administrative, operational, and maintenance costs which exceed the income of the organization for the first three years of its operation~~

The director may specify the terms of such ~~contract~~ *loans* but the principal plus interest shall be repaid within 10 years after the date of execution of the ~~contract~~ *loan agreement*

The interest on the loans shall be 3 percent per annum and shall begin to accrue five years after the ~~health maintenance organization begins its operation~~ *execution of the loan agreement*.

~~If at any time the health maintenance organization is not making reasonable progress toward becoming self-supporting, the~~ *The* director may, after a hearing, terminate the loan on not less than six months notice."

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 8, 1972

Mr. Speaker The Chairman of your Committee on Criminal Justice reports

SB No 160

With author's amendments with the recommendation· Amend, and re-refer to the Committtee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 160—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of Youth Authority.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 6, 1972, strike out "Section 1825 of", and insert "Sections 888 and 1825 of, and to add Section 888 5 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 888 of the Welfare and Institutions Code is amended to read

888 Any county establishing such juvenile home, ranch, or camp under the provisions of this article may, by mutual agreement, accept children committed to such home, ranch, or camp by the juvenile court of another county in the state and the state shall reimburse the county maintaining the home, ranch, or camp to the amount of one-half of the ~~administrative~~ cost of maintaining each child so committed Payments received for the care of children from another county by a county operating a facility shall not be considered as a subvention to the county operating the facility for the purposes of determining the amount of state reimbursement Two or more counties may, by mutual agreement, establish such juvenile homes or camps, and the rights granted and duties imposed by this article shall devolve upon such counties acting jointly The provisions of this article shall not apply to any juvenile hall.

SEC 2 Section 888 5 is added to the Welfare and Institutions Code, to read:

888 5 Notwithstanding the provisions of Sections 887 and 888, when a county that has not established a juvenile home, ranch or camp uses funds obtained under Section 1825 to pay for a juvenile home, ranch or camp placement in another county, such other county shall not receive any state reimbursement pursuant to Sections 887 and 888 for such placements

SEC 3 Section 1825 of the Welfare and".

Amendment No. 3

On page 4, lines 37 and 38, strike out "the amount not reimbursed by the state"

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No 1951

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1951—An act to amend Section 900 of the Welfare and Institutions Code, relating to support

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "900", insert "(a)".

Amendment No. 2

On page 1, line 6, strike out "or an application for"; and in line 7, strike out "a petition"

Amendment No. 3

On page 2, after line 14, insert

"(b) This section is applicable to a minor who is the subject of a program of supervision undertaken by the probation department pursuant to Section 654 and who is temporarily placed out of his home by the probation department, with the approval of the court and the minor's parent or guardian, for a period not to exceed seven days"

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

MESSAGES FROM THE SENATE

Senate Chamber, June 7, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 574	AB No 2059
AB No 634	AB No 2304
AB No 812	

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, June 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No 29

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, June 7, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 353	AB No 657	AB No 1059
AB No 409	AB No 679	AB No 1535
AB No. 560		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, June 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 67
ACR No 91

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled

Senate Chamber, June 7, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 406

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, June 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 244	SB No 1019	SB No 1401
SB No 266	SB No. 1199	SB No 1402
SB No. 420	SB No. 1205	SB No. 1403
SB No. 885	SB No. 1383	SB No 1404

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 244—An act to amend Section 69605 of the Government Code, relating to judges.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 266—An act to amend, repeal, and add Section 10666 of the Fish and Game Code, relating to refuges.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 420—An act to amend Section 54309.1 of the Government Code, relating to revenue bonds

Held at Desk by order of the Acting Speaker

Senate Bill No. 885—An act to amend Section 69894.1 of the Government Code, relating to superior courts

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1019—An act to amend Section 13085 1 of the Education Code, relating to public school employees.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1199—An act to amend Section 13143 6 of the Health and Safety Code, relating to fire safety, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1205—An act to amend Sections 1734 and 1735 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1383—An act to amend Section 73561 of the Government Code, relating to municipal courts

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1401—An act to amend Section 10970 of the Insurance Code, relating to insurance

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1402—An act to add Chapter 9 5 (commencing with Section 655) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1403—An act to amend Section 11512 of the Insurance Code, relating to insurance

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1404—An act to add Chapter 5 2 (commencing with Section 500) to Part 1 of Division 1 of the Insurance Code, relating to insurance

Held at Desk by order of the Acting Speaker.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 1878 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Urban Development and Housing; and that Assembly Bill No 1708 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Commerce and Public Utilities

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 366, 1088, 2354, 2042, 1382, 1733, 2132, 1192, 1647, 2097, 1966, 746, and **1285,** ordered to third reading

---

NOTE Later this day Assembly Bill No 2097 was re-referred to the Committee on Ways and Means

---

Assembly Bills Nos. 1910, 1450, 1936, 594, 1075, 1198, and **1074,** ordered to the Consent Calendar

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2145—An act to amend Section 739 of the Welfare and Institutions Code, relating to minors

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1852—An act to add Section 5704 4 to the Welfare and Institutions Code, relating to mental health services

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1371—An act to amend Section 14120 of the Welfare and Institutions Code, relating to medical assistance

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1414—An act to amend Section 14124 3 of, and to add Section 14119 5 to, the Welfare and Institutions Code, relating to public social services

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1861—An act to amend Section 38105 of the Health and Safety Code, relating to regional centers for the mentally retarded

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to amend, repeal, and add Sections 38121 and 38150 of,".

Amendment No. 2

On page 1, line 9, strike out "the individual, or by".

Amendment No. 3

On page 2, following line 3, insert

"SEC. 2 Section 38121 of the Health and Safety Code is amended to read: .

38121. Judicial review shall be in the superior court for the county in which the state hospital is located. The adult requesting to be released shall be informed of his right to counsel by a member of the treatment staff of the state hospital and by the court; and if he does not have an attorney for the proceedings, the court shall immediately appoint the public defender or other attorney to assist him in preparation of a petition for the writ of habeas corpus and to represent him in the proceedings. The person shall pay the costs of such legal service if he is able

The court shall either release the adult or order an evidentiary hearing to be held within two judicial days after the petition is filed If the court finds (a) that the adult requesting release or for whom release is requested is not mentally retarded, or (b) that he is mentally retarded and that he is able to provide safely for his basic personal needs for food, shelter, and clothing, he shall be immediately released. If the court finds that he is mentally retarded and that he is unable to provide safely for his basic personal needs for food, shelter, or clothing, but that a responsible person or a regional center or other public or private agency is willing and able to provide therefor, the court shall release the mentally retarded adult to such responsible person or regional center or other public or private agency, as the case may be, subject to any conditions which the court deems proper for the welfare of the mentally retarded adult and which are consistent with the purposes of this division.

If in any proceeding under this section, the court finds that the adult is mentally retarded and has no parent, guardian, or conservator, *and is in need of a guardian or conservator,* the court shall order the appropriate regional center or the Department of Public Health to initiate, or cause to be initiated, proceedings for the appointment of a guardian or conservator for the mentally retarded adult

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes effective and on such date is repealed.

SEC. 3. Section 38121 is added to the Health and Safety Code, to read

38121. Judicial review shall be in the superior court for the county in which the state hospital is located The adult requesting to be released shall be informed of his right to counsel by a member of the treatment staff of the state hospital and by the court; and if he does not have an attorney for the proceedings, the court shall immediately appoint the public defender or other attorney to assist him in preparation of a petition for the writ of habeas corpus and to represent him in the proceedings The person shall pay the costs of such legal service if he is able.

The court shall either release the adult or order an evidentiary hearing to be held within two judicial days after the petition is filed. If the court finds (a) that the adult requesting release or for whom release is requested is not mentally retarded, or (b) that he is mentally retarded and that he is able to provide safely for his basic personal needs for food, shelter, and clothing, he shall be immediately released. If the court finds that he is mentally retarded and that he is unable to provide safely for his basic personal needs for food, shelter, or clothing, but that a responsible person or a regional center or other public or private agency is willing and able to provide therefor, the court shall release the mentally retarded adult to such responsible person or regional center or other public or private agency, as the case may be, subject to any conditions which the court deems proper for the welfare of the mentally retarded adult and which are consistent with the purposes of this division.

If in any proceeding under this section, the court finds that the adult is mentally retarded and has no parent, guardian, or conservator, and is in need of a guardian or conservator, the court shall order the appropriate regional center or the Department of Health to initiate, or cause to be initiated, proceedings for the appointment of a guardian or conservator for the mentally retarded adult

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative

SEC 4 Section 38150 of the Health and Safety Code is amended to read:

38150 Notwithstanding any other provision of law, the Department of Mental Hygiene shall not be appointed as guardian of any mentally retarded person after July 1, 1971. This chapter shall not be construed to terminate any appointment of the Department of Mental Hygiene as guardian of a mentally retarded person prior to July 1, 1971

It is the intent of this section that the Director of Public Health be appointed as guardian or conservator of a mentally retarded person as provided, pursuant to the provisions of Article 7 5 (commencing with Section 416) of Chapter 2 of Part 1 of Division 1 of this code, in any case in which the Director of Mental Hygiene would otherwise have been so appointed

Notwithstanding Section 6000 of the Welfare and Institutions Code, the admission of an adult mentally retarded person to a state hospital or private institution shall, *except as otherwise provided in this sec-*

tion, be upon the application of the person's parent or guardian or conservator ~~, and any~~ *Any* person so admitted to a state hospital may leave the state hospital at any time, if such parent, guardian, or conservator gives notice of his desire for the departure of the mentally retarded person to any member of the hospital staff and completes normal hospitalization departure procedures

An adult mentally retarded person who is competent to do so may apply for admission to a state hospital

This section shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on such date is repealed.

SEC 5 Section 38150 is added to the Health and Safety Code, to read:

38150 This chapter shall not be construed to terminate any appointment of the Department of Health as guardian of a mentally retarded person prior to July 1, 1971

It is the intent of this section that the Director of Health be appointed as guardian or conservator of a mentally retarded person as provided, pursuant to the provisions of Article 7 5 (commencing with Section 416) of Chapter 2 of Part 1 of Division 1.

Notwithstanding Section 6000 of the Welfare and Institutions Code, the admission of an adult mentally retarded person to a state hospital or private institution shall, except as otherwise provided in this section, be upon the application of the person's parent or guardian or conservator Any person so admitted to a state hospital may leave the state hospital at any time, if such parent, guardian, or conservator gives notice of his desire for the departure of the mentally retarded person to any member of the hospital staff and completes normal hospitalization departure procedures

An adult mentally retarded person who is competent to do so may apply for admission to a state hospital

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative

SEC 6. It is the intent of the Legislature that, if Reorganization Plan No 1 of 1970 becomes operative, Section 38121 of the Health and Safety Code, as amended by Section 2 of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Section 38121 of the Health and Safety Code, as added by Section 3 of this act, which includes the changes in Section 38121 made by both Reorganization Plan No 1 of 1970 and Section 2 of this act, shall become operative

SEC 7 It is the intent of the Legislature that, if Reorganization Plan No 1 of 1970 becomes operative, Section 38150 of the Health and Safety Code, as amended by Section 4 of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Section 38150 of the Health and Safety Code, as added by Section 5 of this act, which includes the changes in Section 38150 made by both Reorganization Plan No 1 of 1970 and Section 4 of this act, shall become operative "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1457—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out "control", and insert "controls".

Amendment No. 2

On page 3, line 11, strike out "protheses", and insert "prostheses".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 884—An act to add Sections 270, 271, 13131 and 13133 to, and to add Article 2.5 (commencing with Section 831) to Chapter 2 of Division 3 of, the Education Code, relating to drug abuse education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "Sections 270, 271, 13131 and 13133 to, and to"; and strike out lines 2 to 5, inclusive; and in line 6, strike out "therefor", and insert "Section 13146.1 to the Education Code, relating to certificated employees".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 13146.1 is added to the Education Code, to read:

13146.1. Subject matter examinations and their waiver, as provided in Section 13157, shall provide that, for teaching credentials, adequate knowledge of drug abuse has been acquired to teach drug abuse curriculum as required by the law and the State Board of Education."

Amendment No. 3

On page 2, strike out lines 2 to 26, inclusive; and strike out pages 3 to 5, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1032—An act to amend Sections 31652, 31672 and 31676.1 of, and to repeal Section 31652.2 of, the Government Code, relating to the County Employees Retirement System Law of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, strike out the first comma, and insert "and".

Amendment No. 2

In line 1 of the title, strike out "and 31676.1".

Amendment No. 3

On page 4, strike out lines 5 to 40, and strike out pages 5 and 6.

Set No. 2

Amendment No. 1

In line 3 of the title of the printed bill, strike out "System".

Amendment No. 2

On page 3, line 18, strike out "as"; strike out line 19, and insert "is".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Joint Resolution No. 23—Relative to the San Felipe Water Project.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1 of the printed measure, as amended in Assembly May 24, 1972, strike out line 1, and insert

"WHEREAS, Preconstruction studies of the San Felipe Division of the Central Valley Project, California, are under consideration for continued annual funding by the Congress; and

WHEREAS, Basic questions (a) of the ecological effect of the San Felipe Division, (b) of the availability of alternative water sources, including the possible effect of S 2770 thereon, (c) of cost, and (d) of the effect of water quality standards recently imposed by Decision 1379 of the California State Water Resources Control Board remain unanswered; and

WHEREAS, A decision upon construction of the San Felipe Division should properly await investigation of each and all of such questions; and

WHEREAS, It appears that the cognizant Appropriations Subcommittees of the Congress have been advised by the Bureau of Reclamation of the United States Department of Interior that its capability for fiscal 1972–73 is the sum of three hundred thousand dollars ($300,-

000), and it further appears that no part of such sum is proposed for construction of the San Felipe Division, but is instead proposed for preconstruction studies which could materially assist in providing the data above specified; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Secretary of the Interior of the United States to direct the expenditure of sums which may be appropriated for fiscal 1972–73 for the San Felipe Division of the Central Valley Project in such manner as to provide data assisting determination of the following

(1) The total construction cost and the total cost to the ultimate consumer of water proposed to be supplied by the San Felipe Division;

(2) The effect upon delivery schedules and consequent feasibility of the San Felipe Division of Decision 1379 of the California State Water Resources Control Board; and

(3) The full environmental effect of construction, as well as nonconstruction of the San Felipe Division as proposed, and to insure that all of such data shall have public review and comment by the affected public entities of the service area; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Secretary of the Interior of the United States."

Amendment No. 2

On page 1, strike out lines 2 to 8, inclusive; and strike out pages 2 and 3.

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

Assembly Bill No. 569—An act to amend Section 21026 of, to add Section 21294.1 to, and to repeal and add Section 21023.5 of, the Government Code, relating to disability retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended in Assembly May 11, 1972, and insert "An act to repeal".

Amendment No. 2

In line 3 of the title, strike out the first comma.

Amendment No. 3

On page 2, strike out lines 31 to 34, inclusive; and strike out pages 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1036—An act to amend Sections 31760 1, 31765 1, 31781.1, and 31785 of the Government Code, relating to county employees' retirement

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In lines 1 and 2, of the title of the printed bill, strike out "amend Sections 31760.1, 31765 1, 31781.1, and 31785 of", and insert "add Sections 31760.2, 31765 2, 31781.4, and 31785 1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 31760 2 is added to the Government Code, to read.

31760 2. The allowance received pursuant to Section 31760 1 shall be 75 percent, rather than 60 percent, in any county in which the board of supervisors so provides

SEC 2 Section 31765 2 is added to the Government Code, to read

31765 2 The allowance received pursuant to Section 31765 1 shall be 75 percent, rather than 60 percent, in any county in which the board of supervisors so provides

SEC. 3. Section 31781.4 is added to the Government Code, to read:

31781 4 The allowance received pursuant to Section 31781 1 shall be 75 percent, rather than 60 percent, in any county in which the board of supervisors so provides

SEC. 4. Section 31785 1 is added to the Government Code, to read:

31785 1. The allowance received pursuant to Section 31785 shall be 75 percent, rather than 60 percent, in any county in which the board of supervisors so provides "

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and strike out pages 2 to 6, inclusive.

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 11701, 11709, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020, 4452 5, and 11710 5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 10, 1972, strike out "11701, 11709,"

Amendment No. 2

In line 7 of the title, strike out ", 4452.5, and 11710 5", and insert "and 4452 5".

Amendment No. 2.5

In line 8 of the title, after "vehicles," insert "making an appropriation therefor,".

Amendment No. 3

On page 7, strike out lines 30 to 40, inclusive; and on page 8, strike out lines 1 to 25, inclusive.

Amendment No. 4

On page 16, line 33, strike out "A", and insert "(a) A".

Amendment No. 5

On page 16, between lines 36 and 37, insert

"(b) Except as otherwise provided in this section, if any fee is not paid within 30 days after such fee becomes delinquent a penalty shall be added thereto"

Amendment No. 6

On page 17, after "SEC. 33.", insert "Section 27160 of the Vehicle Code is amended to read.

27160. (a) No person shall sell or offer for sale a new motor vehicle, *except an off-highway motor vehicle subject to identification as defined in Section 38012,* which produces a maximum noise exceeding the following noise limit at a distance of 50 feet from the centerline of travel under test procedures established by the department:

(1) Any motorcycle manufactured before 1970	92 dbA
(2) Any motorcycle, other than a motor-driven cycle, manufactured after 1969, and before 1973	88 dbA
(3) Any motorcycle, other than a motor-driven cycle, manufactured after 1972, and before 1975	86 dbA
(4) Any motorcycle, other than a motor-driven cycle, manufactured after 1974, and before 1978	80 dbA
(5) Any motorcycle, other than a motor-driven cycle, manufactured after 1977, and before 1988	75 dbA
(6) Any motorcycle, other than a motor-driven cycle, manufactured after 1987	70 dbA
(7) Any snowmobile manufactured after 1972 *and before 1975*	82 dbA
(8) *Any snowmobile manufactured after 1974*	*73 dbA*
(9) Any motor vehicle with a gross vehicle weight rating of 6,000 pounds or more manufactured after 1967, and before 1973	88 dbA
~~(9)~~ *(10)* Any motor vehicle with a gross vehicle weight rating of 6,000 pounds or more manufactured after 1972, and before 1975	86 dbA

~~(10)~~ *(11)* Any motor vehicle with a gross vehicle weight rating of 6,000 pounds or more manufactured after 1974, and before 1978 ---------- 83 dbA

~~(11)~~ *(12)* Any motor vehicle with a gross vehicle weight rating of 6,000 pounds or more manufactured after 1977, and before 1988 ---------- 80 dbA

~~(12)~~ *(13)* Any motor vehicle with a gross vehicle weight rating of 6,000 pounds or more manufactured after 1987 -- 70 dbA

~~(13)~~ *(14)* Any other motor vehicle manufactured after 1967, and before 1973 ---------- 86 dbA

~~(14)~~ *(15)* Any other motor vehicle manufactured after 1972, and before 1975 ---------- 84 dbA

~~(15)~~ *(16)* Any other motor vehicle manufactured after 1974, and before 1978 ---------- 80 dbA

~~(16)~~ *(17)* Any other motor vehicle manufactured after 1977, and before 1988 ---------- 75 dbA

~~(17)~~ *(18)* Any other motor vehicle manufactured after 1987 - 70 dbA

(b) Test procedures for compliance with this section shall be established by the department, taking into consideration the test procedures of the Society of Automotive Engineers

SEC 34 Section 38280 of the Vehicle Code is amended to read:

38280. (a) ~~Notwithstanding the provisions of Section 27160, no~~ *No* person shall sell or offer for sale a new off-highway motor vehicle subject to identification which produces a maximum noise exceeding the following noise limit at a distance of 50 feet from the centerline of travel under test procedures established by the Department of the California Highway Patrol:

(1) Any such vehicle, *other than a snowmobile,* manufactured on or after January 1, 1972, and before January 1, 1973 ---------- 92 dbA

(2) Any such vehicle, *other than a snowmobile,* manufactured on or after January 1, 1973, and before January 1, 1975 ---------- 88 dbA

(3) Any such vehicle, *other than a snowmobile,* manufactured on or after January 1, 1975 ---------- 86 dbA

(4) Any snowmobile manufactured on or after January 1, 1973, and before January 1, 1975 ---------- 82 dbA

(5) Any snowmobile manufactured on or after January 1, 1975 ---------- 73 dbA

(b) Test procedures for compliance with this section shall be established by the Department of the California Highway Patrol, taking into consideration the test procedures of the Society of Automotive Engineers.

SEC 35 It is the intent of the Legislature, if this bill and Assembly Bill No. 835 are both chaptered and amend Section 27160 of the Vehicle Code, and this bill is chaptered after Assembly Bill No 835, that the amendments to Section 27160 proposed by both bills be given effect and incorporated in Section 27160 in the form set forth in Section 33 of this act Therefore, Section 33 of this act shall become operative only if this bill and Assembly Bill No. 835 are both chaptered, both amend Section 27160, and Assembly Bill No 835 is chaptered before this bill, in which case Section 20 of this act shall not become operative.

SEC 36 It is the intent of the Legislature if this bill and Assembly Bill No 835 are both chaptered and amend Section 38280 of the Vehicle Code, and this bill is chaptered after Assembly Bill No 835, that the amendments to Section 38280 proposed by both bills be given effect and incorporated in Section 38280 in the form set forth in Section 34 of this act Therefore, Section 34 of this act shall become operative only if this bill and Assembly Bill No 835 are both chaptered, both amend Section 38280, and Assembly Bill No 835 is chaptered before this bill, in which case Section 32 of this act shall not become operative

SEC. 37."

Amendment No. 7

On page 17, line 19, strike out "SEC 34", and insert

"SEC 38"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 850—An act to add Section 14026 to the Welfare and Institutions Code, relating to improper use of a Medi-Cal card or labels.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted.

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly May 3, 1972, strike out line 7, strike out page 2, and insert

"It is a misdemeanor for any person who knows he is not eligible for Medi-Cal benefits to represent himself to any health care provider as a Medi-Cal beneficiary "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1958—An act to amend Section 5330 of, amend, repeal, and add Section 5328 of, and add Section 5328 9 to, the Welfare and Institutions Code, relating to mental health.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 5330 of,"

Amendment No. 2

On page 2, strike out lines 11 and 12, and insert

"(b) When the patient, with the approval of the physician in charge of the patient, designates persons to whom".

Amendment No. 3

On page 2, strike out lines 25 to 27, inclusive, and insert "If the recipient of services is a minor, ward, or conservatee, and his parent, guardian, or conservator designates, in writing, persons to whom".

Amendment No. 4

On page 6, line 5, after "to", insert "a qualified physician or psychiatrist representing".

Amendment No. 5

On page 6, strike out lines 18 to 36, inclusive; and on line 37, strike out "SEC 5 ", and insert

"SEC. 4 "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1459—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Assembly May 18, 1972, strike out "Director", and insert "Secretary"

Amendment No. 2

On page 3, line 29, strike out "who would have been", and insert "currently".

Amendment No. 3

On page 4, line 5, after "(d)", insert "Amendments may be incorporated into the county plan based on the recommendations and comments of the Mental Health Advisory Board

(e) The report shall be submitted to the Legislative Analyst and the Joint Budget Committee for review

(f) The above reporting process shall be financed through the use of federal funds to the extent such funds are available for that purpose

(g)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2214—An act to amend Sections 1241 and 1242 of the Business and Professions Code, relating to clinical laboratory technology

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 1, 1972, strike out "Sections 1241 and 1242 of", and insert "Section 1241 of, and to add Section 1242 5 to,".

Amendment No. 2

On page 2, strike out lines 17 to 32, inclusive, and insert

"SEC 2. Section 1242.5 is added to the Business and Professions Code, to read

1242 5 The board may by regulation authorize unlicensed laboratory personnel who are employed as pulmonary technicians in respiratory services or cardiopulmonary laboratories of licensed hospitals to perform venipuncture, arterial puncture, or skin puncture for the purposes of withdrawing blood or for test purposes as defined by regulations established by the board The board shall establish the minimum training required for such persons This section shall remain in effect for two years commencing on the date this section becomes effective, and after the expiration of such two-year period shall have no force or effect "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 523—An act to add Sections 6503 5 and 6503.7 to the Government Code, relating to joint exercise of powers, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out ", and declaring the urgency thereof to take effect immediately"

Amendment No. 2

On page 2, strike out lines 24 through 30, inclusive, and insert

"Notwithstanding any other provision of this chapter, any agency or entity administering a joint powers agreement or amendment to such an agreement, which agreement or amendment becomes effective on or after the effective date of this section, which fails to file the notice required by this section within 30 days after the effective date of the agreement or amendment, shall not thereafter, and until such filings are completed, issue any bonds or incur indebtedness of any kind "

Amendment No. 3

On page 3, strike out lines 22 through 40, inclusive, and strike out page 4

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1394—An act to amend Section 690.2 of the Code of Civil Procedure, relating to execution of judgment.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "six hundred dollars"; and in line 5, strike out "($600)", and insert "five hundred dollars ($500)".

Amendment No. 2

On page 1, line 7, after "value," insert "or, if not listed in the blue book, fair market value,".

Amendment No. 3

On page 1, strike out line 9; and on page 2, strike out line 1, and insert "one thousand dollars ($1,000)."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1267—An act to add Section 17536.5 to the Business and Professions Code, relating to advertising.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 17536.5 to the Business and Professions Code", and insert "amend Section 338 of the Code of Civil Procedure".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive; and strike out page 2, and insert

"SECTION 1. Section 338 of the Code of Civil Procedure is amended to read:

338 Within three years:

1. An action upon a liability created by statute, other than a penalty or forfeiture.

2. An action for trespass upon or injury to real property

3. An action for taking, detaining, or injuring any goods, or chattels, including actions for the specific recovery of personal property.

4. An action for relief on the ground of fraud or mistake *including an action commenced under Section 17536 of the Business and Professions Code* The cause of action in such case not to be deemed to have accrued until the discovery, by the aggrieved party, *the Attorney General, or the district attorney* of the facts constituting the fraud or mistake.

5. An action upon a bond of a public official except any cause of action based on fraud or embezzlement is not to be deemed to have accrued until the discovery, by the aggrieved party or his agent, of the facts constituting said cause of action upon the bond

6. An action against a notary public on his bond or in his official capacity except that any cause of action based on malfeasance or misfeasance is not deemed to have accrued until discovery, by the aggrieved party or his agent, of the facts constituting said cause of action; provided, that any action based on malfeasance or misfeasance shall be commenced within one year from discovery, by the aggrieved party or his agent, of the facts constituting said cause of action or within three years from the performance of the notarial act giving rise to said action, whichever is later, and provided further, that any action against a notary public on his bond or in his official capacity must be commenced within six years

7. An action for slander of title to real property "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 13—An act to add Section 12461.1 to the Government Code, relating to reports of the Controller.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly May 22, 1972, after "report", insert "on the General Fund".

Amendment No. 2

On page 1, line 8, strike out "15 days of", and insert "30 days after".

Amendment No. 3

On page 2, after line 2, insert

"In preparing such quarterly report, the Controller shall consult with all necessary or appropriate public and private agencies, boards, departments and organizations, and all state and local public agencies shall provide any information requested by the Controller "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 300—An act to amend Sections 821, 885 5, 6153, 6750, 6751, 6751 1, 6752, 6752 2, 6753, 6754, 6755, 6755 1, 6755 2, 6755 3, 6756, 6757, 6758, 6759, 6760, 6761, 6770, 6771, 6772, 6790, 6801, 6802, 6802 1, 6802 15, 6803, 6803 1, 6804, 6805, 6806, 6806 1, 6808, 6809, 6812, 6812 1, 6812 5, 6813, 6814, 6815, 6816, 6817, 6818, 6820, 6820 1, 6820 2, 6851, 6852, 6853, 6870, 6873, 6901, 6902, 6902 05, 6902 07, 6902 08, 6902 085, 6902 09, 6902 095, 6902 10, 6902 1, 6902 2, 6902 4, 6902.5, 6903, 6903 1, 6903 3, 6904, 6904 1, 6904 3, 6904 5, 6905, 6906 5, 6907, 6910, 6911, 6912, 6912 5, 6913, 6913 1, 6914, 6915, 6916, 6931, 6932, 6941, 6947, 6951, 11054, 11226, 11227, 11228, 11229, 11555, 11556,

16645 2, 17305 7, 18101, 18102, 18102.2, 18102 4, 18102 6, 18102 9, 18102 10, 18355, 18358, 19682, 19683, 19683 5, 20807, 25601, and 26501 of, and to amend the heading of Chapter 7 1 (commencing with Section 6750) of Division 6 of, and to amend the heading of Article 2 (commencing with Section 6770) of Chapter 7 1 of Division 6 of, and to amend the heading of Chapter 7 2 (commencing with Section 6790) of Division 6 of, and to amend the heading of Article 7 (commencing with Section 11226) of Chapter 2 of Division 9 of, and to amend the heading of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of, the Education Code, relating to special education

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 4, line 2, of the printed bill, as amended in Assembly May 18, 1972, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" ".

Amendment No. 2

On page 16, line 12, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" ".

Amendment No. 3

On page 24, line 5, after "21", insert ", until May 1, 1973, and on and after May 1, 1973, pupils between the ages of 3 and 18,".

Amendment No. 4

On page 32, line 39, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years," except as to programs that were initiated or planned before July 1, 1972".

Amendment No. 5

On page 33, line 21, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years," except as to programs that were initiated or planned before July 1, 1972".

Amendment No. 6

On page 42, line 14, after "1971", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "18th birthday" except as to programs that were initiated or planned before July 1, 1972".

Amendment No. 7

On page 44, between lines 4 and 5, insert

"No community college shall initiate new programs relating to mentally retarded pupils after May 1, 1973, except that programs which were planned before July 1, 1972, may be completed "

Amendment No. 8

On page 49, line 11, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" ".

Amendment No. 9

On page 49, line 24, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" ".

Amendment No. 10

On page 55, line 31, after "chapter", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" ".

Amendment No. 11

On page 69, line 5, after "1971", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" ".

Amendment No. 12

On page 69, line 24, after "1971", insert "until May 1, 1973, at which time, and thereafter, the reference shall be deemed to read "under the age of 18 years" "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 2060—An act to add Chapter 11 (commencing with Section 9960) to Division 9 of the Public Resources Code, relating to resource conservation.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted·

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Assembly April 25, 1972, strike out the first comma

Amendment No. 2

On page 3, line 2, after "districts", insert ", in effect upon the effective date of this compact and as such provisions may be amended, supplemented, or otherwise changed by subsequent legislative enactment.

(c) It is not the intent of this compact that the creation of the Tahoe Resources Conservation District shall in any way affect the responsibilities, authority, and jurisdiction of the Tahoe Regional Planning Agency".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2249—An act to amend Sections 985, 986 3, 986 5, 987, 987 6 and 987 17 of, and to add Sections 986 31 and 987 17a to, the Military and Veterans Code, relating to veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Set No. 1

Amendment No. 1

On page 7, line 33, of the printed bill, after "987.17a ", insert "(a)".

Amendment No. 2

On page 8, line 15, strike out "The", and insert "(b) The".

Amendment No. 3

On page 8, line 17, after the period, insert "The department shall, upon request of the purchaser, instead increase or decrease the period fixed by the department for amortization of the purchase price without changing the amount of the installment payment The department shall provide the purchaser with full information as to the repayment options available to him under this subdivision and, upon request of the purchaser, the financial consequences of each such option "

Set No. 2

Amendment No. 1

On page 7, line 11, of the printed bill, strike out "January 1,".

Amendment No. 2

On page 8, line 12, strike out "January 1,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1528—An act to amend Section 16200 5 of the Welfare and Institutions Code, relating to licensing and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "1974", and insert "1973".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1626—An act to amend Section 1227 of the Financial Code, relating to commercial banks

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file

Senate Bills Nos. 140 and **688**, ordered to third reading

Senate Bills Nos. 1217, 1280, 906, 504, and **888,** ordered to the Consent Calendar

SECOND READING OF SENATE BILLS

Senate Bill No. 5—An act to add Title 7 3 (commencing with Section 66700) to the Government Code, and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 18, 1972, after "Code," insert "to repeal and add Sections 66713, 66740, and 66750 of the Government Code, as proposed by this act,".

Amendment No. 2

On page 4, between lines 22 and 23, insert

"This section shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on such date is repealed "

Amendment No. 3

On page 7, line 20, after "state", insert "and have specialized education and experience in natural resources conservation and resources recovery".

Amendment No. 4

On page 7, line 22, after "shall", insert "be a registered civil engineer under the laws of this state and".

Amendment No. 5

On page 7, between lines 32 and 33, insert

"(i) The State Director of Agriculture or his deputy who shall be a nonvoting ex officio member

(j) The Chief of the Division of Mines and Geology of the Department of Conservation or his deputy who shall be a nonvoting ex officio member

This section shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on such date is repealed "

Amendment No. 6

On page 10, line 12, strike out "and", and insert a comma.

Amendment No. 7

On page 10, line 13, after "Health", insert ", the State Director of Agriculture, and the Chief of the Division of Mines and Geology of the Department of Conservation".

Amendment No. 8

On page 10, between lines 14 and 15, insert

"This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed."

Amendment No. 9

On page 12, line 26, after the period, insert "Each solid waste management plan shall be submitted for review and comments to the regional planning agency for the region recognized by the council on intergovernmental relations prior to submission to the board"

Amendment No. 10

On page 16, line 23, after "SEC 2", insert "Section 66713 is added to the Government Code, to read:

66713 "Department" means the State Department of Health

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative

SEC 3 Section 66740 is added to the Government Code, to read

66740 There is in the Resources Agency the State Solid Waste Management Board.

The board shall consist of the following members:

(a) One member appointed by the Governor who is at the time of his appointment a city councilman from a city having a population of more than 250,000 persons as determined by the 1970 federal census.

(b) One member appointed by the Governor who is at the time of his appointment a county supervisor from a county having a population of more than 500,000 persons as determined by the 1970 federal census

(c) One representative of the public appointed by the Governor, who shall have specialized education and experience in environmental quality and pollution control

(d) One representative of the public appointed by the Speaker of the Assembly, who shall be a registered civil engineer under the laws of this state and have specialized education and experience in natural resources conservation and resources recovery

(e) One representative of the public appointed by the Senate Committee on Rules, who shall be a registered civil engineer under the laws of this state and have specialized education and experience in natural resources conservation and resources recovery

(f) One member appointed by the Governor from the private sector of the solid waste management industry from southern California

(g) One member appointed by the Governor from the private sector of the solid waste management industry from northern California

(h) The State Director of Health or his deputy who shall be a nonvoting ex officio member.

(i) The State Director of Agriculture or his deputy who shall be a nonvoting ex officio member

(j) The Chief of the Division of Mines and Geology of the Department of Conservation or his deputy who shall be a nonvoting ex officio member

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative

SEC 4 Section 66750 is added to the Government Code, to read

66750 (a) There is in the board the State Solid Waste Management and Resource Recovery Advisory Council The council shall consist of the following 25 members appointed by the Governor and confirmed by the Senate·

(1) Two representatives of private solid waste handlers.

(2) Two representatives of public solid waste handlers

(3) Two representatives of private solid waste disposal facility operators

(4) Two representatives of public solid waste disposal facility operators

(5) Six representatives of major private solid waste producing industries, including the glass, can, paper, and chemical industries

(6) One local public health officer

(7) Three representatives of the agriculture and timber industries

(8) Two representatives of well-established citizen-action sold waste resource recovery programs

(9) One county supervisor

(10) One city councilman

(11) Three representatives of the public at large, each of whom possesses special knowledge or experience in solid waste management and resource recovery, the conservation of natural resources, or environmental pollution

(b) The chief executive officer of the board, the State Director of Health, the State Director of Agriculture, and the Chief of the Division of Mines and Geology of the Department of Conservation shall serve as ex officio, nonvoting members

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative

SEC 5 "

Amendment No. 11

On page 18 after line 2, insert

"SEC 6 It is the intent of the Legislature that if Reorganization Plan No 1 of 1970 becomes operative, Sections 66713, 66740 and 66750 of the Government Code, as added by Section 1 of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Sections 66713 66740, and 66750 of the Government Code, as added by Sections 2, 3, and 4 respectively, of this act, which include the changes made by both Reorganization Plan No 1 of 1970 and Section 1 of this act, shall become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means

Assembly Bill No. 2097.

COMMUNICATIONS

Assembly Chamber, June 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 1414
AB No 1852
AB No 2145

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 30, 372, 794, 904, 1033, 1034, 1385, 1488, 1688, 1708, 2162, 2165, 2316, and 2342 for hearing in the Committee on Commerce and Public Utilities at 3.45 p m , on Monday, June 12, 1972

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2139

In compliance with a motion given on a previous day, Mr Dunlap moved that the vote whereby Assembly Bill No 2139 was refused passage be reconsidered

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Dunlap moved a call of the Assembly.

Motion carried Time, 2 02 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Foran was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2:04 p.m., Mr. Knox was granted unanimous consent to hold a special meeting of the Committee on Local Government in the rear of the Assembly Chamber, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1805 for hearing in the Committee on Retirement on Monday, June 12, 1972.

Hon. Kenneth Cory Presiding

At 2:05 p.m., Hon. Kenneth Cory, 69th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1275—An act to add Part 7 (commencing with Section 12670) to Division 2 of the Insurance Code, relating to mass merchandising plans for property and casualty insurance.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Crown, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—50

NOES—Badham, Beverly, Briggs, Chacon, Cullen, Deddeh, Duffy, Fong, Ketchum, MacGillivray, Mobley, Monagan, Seeley, Stull, and Waxman—15

Bill ordered transmitted to the Senate.

Assembly Bill No. 1400—An act to amend Sections 53, 57, 7304, 7314, 7344, 7350, 7681, 7683, 7721, 7904, and 7906 of, to add Sections 154 and 155 to, add Chapter 6 (commencing with Section 140) to Division 1 of, to add Part 1 (commencing with Section 6300) and Part 3.1 (commencing with Section 7400) to Division 5 of, to repeal Sections 7682, 7722, 7723, and 7724 of, to repeal Chapter 6 (commencing with Section 140) of Division 1, of, to repeal Part 1 (commencing with Section 6300) of Division 5 of, the Labor Code, and to amend Section 830.3 of the Penal Code, relating to industrial safety.

Bill read third time, presented by Mr. Fenton, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Murphy, Porter, Powers,

Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—Briggs, Ketchum, Mobley, Monagan, and Stull—5.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 877, on request of Mr Cory

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 62—Relative to factory-built housing.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Cory was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1286—An act to add Section 825 5 to the Penal Code, relating to visitation of prisoners.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 205—An act to amend Sections 634 5, 976 7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time

Request for Unanimous Consent

Mr Fenton was granted unanimous consent that Mr Ed Levy, Consultant to the Committee on Finance and Insurance, be permitted to sit at his Desk during consideration of Assembly Bill No 205

The question being on the passage of the bill

Bill passed by the following vote·

AYES—Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade,

Miller, Murphy, Pierson, Powers, Priolo, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—43

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Biddle, Burke, Chappie, Cline, Collier, Conrad, Duffy, Ray E Johnson, Ketchum, Lewis, MacGillivray, Mobley, Monagan, Russell, Seeley, Stacey, and Stull—22.

Bill ordered transmitted to the Senate

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

Explanation of Vote—Assembly Bill No. 205

June 8, 1972

Honorable Robert Moretti
Speaker of the Assembly

My dear Mr Speaker Had I been present for session on Thursday, June 8th, I would have cast an "aye" vote on Item 89, AB 205, unemployment insurance.

Very sincerely yours,

JOHN P QUIMBY

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1068—An act to add Section 14670.4 to the Government Code, relating to letting of state property

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2 38 p m , Mr Fenton was granted unanimous consent to hold a special meeting of the Subcommittee on Workmen's Compensation in the rear of the Assembly Chamber, at this time

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1446—An act to add Section 14783 1 to, and to repeal Section 14783 1 of, the Government Code, relating to state purchases.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bill No. 723—Passed on file

Majority Floor Leader Presiding

At 2 44 p m , Hon Jack R Fenton, 51st District, presiding.

BILLS PASSED ON FILE

Assembly Bill No. 505—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 83—An act to amend Sections 3509 and 3510 of the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 83

Governor's Office, Sacramento
May 31, 1972

To the Honorable Members of the Assembly and Senate.

Assembly Bill No. 83, "An act to amend Sections 3509 and 3510 of the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 83, as amended, as an emergency measure

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 83.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 75—An act to add Section 22 5 to Chapter 523 of the Statutes of 1867–1868, relating to public lands

Bill read third time, and presented by Mr Chappie

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—65.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1485—An act to amend Section 6011 of the Education Code, relating to outdoor science programs, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Monagan.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—65.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Colher, Conrad, Cory, Crown, Cullen Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 598	AB No. 1189	AB No 2140
AB No 833	AB No 1431	AB No 2346
AB No 1179	AB No. 2065	

With author's amendments with the recommendation Amend, and refer to the Committee on Ways and Means

FRANK LANTERMAN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 598—An act to add Chapter 6 5 (commencing with Section 25100) to Division 20 of the Health and Safety Code, relating to waste materials

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 4, line 11, of the printed bill, as amended in Assembly May 23, 1972, after "Waste", insert "Technical".

Amendment No. 2

On page 4, line 14, after "waste", insert "technical".

Amendment No. 3

On page 4, after line 37, insert

"25133 Members of the hazardous waste technical advisory committee shall serve without compensation, but shall be entitled to per diem and reimbursement for travel expenses incurred as a result of official committee business"

Amendment No. 4

On page 5, line 18, after "health", insert ", to domestic livestock,".

Amendment No. 5

On page 5, line 21, after "Agriculture," insert "the Department of the California Highway Patrol,".

Amendment No. 6

On page 6, line 1, strike out "as", and insert "an".

Amendment No. 7

On page 6, line 24, strike out "manifest containing a list of", and insert "list setting forth".

Amendment No. 8

On page 6, line 28, after "percentages," insert "and"

Amendment No. 9

On page 6, line 29, strike out ", and", and insert " Such list, when appropriate, may include information on"

Amendment No. 10

On page 6, line 32, strike out "manifest", and insert "list".

Amendment No. 11

On page 6, line 34, strike out "manifest", and insert "list".

Amendment No. 12

On page 6, line 36, strike out "manifest", and insert "list".

Amendment No. 13

On page 6, line 37, after "official", insert "or officer of the California Highway Patrol".

Amendment No. 14

On page 6, line 40, strike out "manifest", and insert "list".

Amendment No. 15

On page 7, line 2, strike out "Manifests", and insert "Documents".

Amendment No. 16

On page 7, between lines 27 and 28, insert

"25172. No provision of this chapter shall limit the authority of any state agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce and administer."

Amendment No. 17

On page 7, line 40, after "department," insert "the district attorney of the county in which such acts or practices occur or will occur or".

Amendment No. 18

On page 8, line 10, after "the", insert "district attorney or".

Amendment No. 19

On page 8, line 29, strike out "employee", and insert "representative".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 833—An act to amend Section 13246 of the Education Code, relating to master teachers

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13246 of", and insert "Sections 13246, 13246.5, 13247, 13247.9 and 13248 of, to amend the heading of Article 2.6 (commencing with Section 13245) of Chapter 2 of Division 10 of, and to add Sections 13246.7 and 13246.9 to,"

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "The heading of Article 2.6 (commencing with Section 13245) of Chapter 2 of DIVISION 10 of the Education Code is amended to read

Article 2.6. The *Statewide* Certified Master Teacher Law of ~~1970~~ *1972*

SEC. 2."

Amendment No. 3

On page 1, line 5, after "a", insert "statewide".

Amendment No. 4

On page 2, between lines 6 and 7, insert

"In any district with an average daily attendance of 400,000 or more, the governing board of the district may authorize elections to be conducted in areas based upon district organizational structure and any area which votes pursuant to this section to support a program shall be treated as a district for the purpose of this article

SEC. 3 Section 13246 5 of the Education Code is amended to read:

13246 5 A master teacher selection panel shall be established by the ~~county~~ *district* superintendent ~~of schools~~ in each ~~of the counties where the program~~ school ~~districts are located~~ *district*. Each panel shall be composed of the following members.

(a) One member of the governing board of the school district, selected by the governing board

(b) One administrator who is a superintendent or principal in the school district, selected by the governing board

(c) Two elementary certificated employees of the school district who spend 80 percent of their teaching time in the classroom *and who have submitted their own names in nomination*, selected by the elementary certificated employees of the school district voting in a secret ballot election ~~held not later than October 15, 1971~~ *conducted by the district superintendent*

(d) Two secondary certificated employees of the school district who spend 80 percent of their teaching time in the classroom *and who have submitted their own names in nomination*, selected by the secondary certificated employees of the school district voting in a secret ballot election ~~held not later than October 15, 1971~~ *conducted by the district superintendent*.

(e) Two public members who are not officers or employees of the school district, selected by the county superintendent of schools

The ~~county superintendent of schools or his designee from his office shall serve as the~~ chairman of the panel *shall be selected by the members of the panel*.

Any vacancies on the panel shall be filled by the appropriate appointing authority in the manner specified in this section

SEC 4 Section 13246 7 is added to the Education Code, to read:

13246 7 A master teacher selection panel may adopt reasonable rules and regulations for the implementation of this article

SEC 5. Section 13246 9 is added to the Education Code, to read:

13246 9. No master teacher selection panel or member of a master teacher selection panel may be held civilly liable by an applicant for any act or omission which occurs in the direct implementation of this article

SEC 6 Section 13247 of the Education Code is amended to read:

13247 The criteria for the selection of certified master teachers shall be established by the panel and shall require at least

(a) A master's degree in an academic field or a bachelor's degree plus 45 semester units taken after the bachelor's degree, or the equivalent, to be determined by the master teacher selection panel, of a master's degree in vocational subjects for which master's degrees are

not usually awarded, or successful completion of the competence examination prescribed in Chapter 557 of the Statutes of 1970,

(b) Eight years of total teaching experience, with four years of teaching experience in the district,

(c) That the teacher spend at least 80 percent of his teaching time in the classroom;

(c d) The demonstration of distinctly superior teaching ability

SEC 7. Section 13247 9 of the Education Code is amended to read

13247 9 The master teacher selection panel shall appoint for each applicant for a master certificate ~~not less than two, nor more than three,~~ *two* certificated employees from a school district other than the participating school district and who spend at least four-fifths of their teaching time in a classroom, who shall inquire into the professional competence of the applicant *A third certificated employee may be appointed when a distinct difference of opinion exists between the evaluation of the two certificated employees The appointed certificated employees may, if they are qualified, examine more than one applicant.* The appointed certificated employees need not be residents of the county in which the participating school district is located These appointed certificated employees shall be known as examiner teachers and shall be appointed by April 1 of the school year.

The examiner teachers shall sign affidavits stating that they have no specific knowledge of the applicant for certification as master teachers, either personally or professionally

The examiner teachers shall, *independently of each other,* make a *individual* written ~~report~~ *reports* on the applicant's professional competence to ~~the county superintendent of schools and~~ the master teacher selection panel not later than June 1st of the school year

The examiner teachers shall talk with other teachers in the school where the applicant is employed, other teachers in the school district, the principal of the school where the applicant is employed, and other administrators, parents, and students who may have specific knowledge of the applicant's professional qualities The examiner teacher shall also consider evidence of relative gains made by pupils taught by the applicant, as measured by standardized tests

Upon a favorable recommendation by the examiner teachers, the master teacher selection panel, by majority vote of those present and voting, shall issue a certificate designating the applicant as a certificated master teacher

Each certified master teacher shall be reexamined every five years pursuant to this article.

The examiner teachers shall be reimbursed for travel in connection with such inquiry ~~at a rate to be determined by the county superintendent of schools~~ Examiner teachers shall be granted time off without loss of pay for not to exceed ~~three~~ *two* schooldays during any school year *for each applicant they examine* The employing school district shall be reimbursed by the county superintendent of schools ~~of the county of the master teacher selection panel~~ for the salary of substitute teachers hired for the examiner teachers.

A separate fund shall be established for receiving application fees, to be used for the payment of examiner teachers and other related expenses ~~Deficits~~ *Any deficit* in such *a* ~~funds~~ *fund* ~~may~~ *shall* be ~~taken~~ *made up by the allocation of moneys thereto* from the ~~county school service fund or other county school fund designated by the county board of education~~ *State School Fund apportionments to the employing districts The allocation, and the transfer of moneys to the fund, shall be made upon order of the county superintendent of schools*

SEC 8 Section 13248 of the Education Code is amended to read.

13248 Any school district which employs a certified master teacher shall pay the teacher an additional stipend of four thousand dollars ($4,000) per school year over and above the regular salary which would otherwise be paid to the teacher

From moneys appropriated therefor, the Superintendent of Public Instruction shall order reimbursements to be made from state school apportionment funds each fiscal year to each school district the total of additional stipends paid to certified master teachers in such fiscal year by the district; provided, that for the 1971–1972 fiscal year, the sum of one hundred fifty thousand dollars ($150,000) is appropriated for such reimbursements from the amount transferred to the State School Fund for expenditure pursuant to subdivision (f) of Section 17303 5 Any teacher who qualifies at any time during the school year shall be presumed to have been a master teacher for the entire year and shall be entitled to payment in the full stipend amount of four thousand dollars ($4,000) ~~The manner of payment shall be determined by the county superintendent of schools.~~ ''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1179—An act to add Sections 17299 and 24437 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out ''24437'', and insert ''24436 5''.

Amendment No. 2

On page 2, line 28, strike out ''24437'', and insert ''24436 5''.

Amendment No. 3

On page 2, line 30, strike out ''24437'', and insert ''24436 5''.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1189—An act to add Article 17 (commencing with Section 429.60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 3, 1972, strike out "Assemblyman Lewis", and insert "Assemblymen Lewis and Brown".

Amendment No. 2

On page 2, line 17, strike out "section", and insert "article".

Amendment No. 3

On page 2, lines 18 and 19, strike out "social security", and insert "the Social Security Act".

Amendment No. 4

On page 3, after line 1, insert

"429.61 It is the intent of the Legislature that the California Commission on Aging be the coordinating agency of all programs for the aging in this state, except those programs designated elsewhere by the Governor or Legislature. It is further the intent of the Legislature that the commission cooperate with the state department to evaluate and further coordinate programs for emergency medical services for the aging.

429.62. The California Commission on Aging shall allocate not less than 5 percent of funds granted to it pursuant to Title III of the Older Americans Act of 1965, as amended (P L 89-73; 79 Stat 218) to experiment with the use of available mobile medical services units to provide emergency medical care for the aging.

429 63 The California Commission on Aging shall report to the Legislature not later than January 1, 1974, concerning the effectiveness of mobile health units and other programs designed to insure that emergency medical services are readily available to the aging"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1431—An act providing for the conveyance of Old Bale Mill Park by the County of Napa to the Department of Parks and Recreation for inclusion in the state park system

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 16, 1972, strike out "Department of Parks and Recreation", and insert "State of California".

Amendment No. 2

On page 1, lines 4 and 5, strike out "Department of Parks and Recreation", and insert "State of California".

Amendment No. 3

On page 1, line 6, strike out "Department of Parks and Recreation", and insert "State of California".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2065—An act to repeal Section 13107 of, and to add Section 13107 to, the Health and Safety Code, relating to fires.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 2, line 8, of the printed bill as amended in Assembly May 9, 1972, after "district", insert "or other public entity, including, but not limited to, the state, which provides fire protection".

Amendment No. 2

On page 2, line 14, after "shall", insert ", within the limitation of resources and manpower established for such purposes,".

Amendment No. 3

On page 2, line 18, strike out "establish", and insert "cooperate in the establishment of".

Amendment No. 4

On page 2, line 19, strike out "local".

Amendment No. 5

On page 3, after line 3, insert

"SEC. 3. It is the intention of the Legislature in enacting Section 13107 of the Health and Safety Code to establish a specialized unit within the office of the State Fire Marshal to provide assistance to fire officials and law enforcement officials in the investigation of the crime of arson throughout the state. It is not the intention of the Legislature to replace or duplicate any existing state or local services. It is anticipated that the State Fire Marshal will utilize all available resources, including, but not limited to, securing monetary grants to offset program costs and cooperative agreements with other state and local agencies, to carry out the intention of Section 13107 of the Health and Safety Code."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2140—An act to amend Sections 6950, 6952, and 6953 of, and to add Section 6953 1 to, the Government Code, and to add Section 1238 8 to the Code of Civil Procedure, relating to the acquisition of interests in open-space areas.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly May 18, 1972, after "or", insert "a".

Amendment No. 2

On page 2, line 22, strike out "SEC. 2.", and insert "SEC. 2.5."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2346—An act to repeal Article 2 (commencing with Section 630) of Chapter 2 of, and to add Article 2 (commencing with Section 630) to Chapter 2 of, Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of, and to add Chapter 8 (commencing with Section 4521) to Part 2 of, Division 4 of, and to add Article 2 5 (commencing with Section 650) to Chapter 2 of Division 1 of, the Public Resources Code, relating to forestry.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 32, of the printed bill, strike out "an economic interest in the exploitation", and insert "a pecuniary interest in the utilization".

Amendment No. 2

On page 17, line 21, strike out "an economic interest in the exploitation", and insert "a pecuniary interest in the utilization".

Set No. 2

Amendment No. 1

On page 2, line 31, of the printed bill, after "management.", insert "At least one member shall be from the timber industry."

Amendment No. 2

On page 28, between lines 30 and 31, insert

"4556 The board may exempt from the provisions of this article, on application, any person engaged in forest management whose ac-

tivities are limited to removal or harvest of immature trees for Christmas trees or other ornamental purposes or of incidental vegetation, such as berries, ferns, mistletoe, herbs, or other products not furnishing material suitable for industrial wood products, or both, on determining such exemption is consistent with the purposes of this chapter "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 8, 1972

Mr Speaker· The Chairman of your Committee on Commerce and Public Utilities reports·

AB No 1708

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1708—An act to amend Section 1114 of the Harbors and Navigation Code, relating to pilots

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1114 of", and insert "1207 of, and add Section 1161 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 1161 is added to the Harbors and Navigation Code, to read

1161 The _____ may, from time to time, and shall, when requested, advise the Legislature on matters affecting improvements in navigational techniques, working conditions, and safety standards involving pilots and pilot employees, and the protection of waterways and the safety of those persons using waterways covered by this division

SEC 2 Section 1207 of the Harbors and Navigation Code is amended to read

1207 It shall be the function of the committee to make recommendations to the Legislature on the following matters

(1) The rates for bar pilotage which should be established under the provisions of Section 1170

(2) Changes, if any, which should be made in the provisions relating to pilotage rates or affecting rates which are contained in Sections 1171 to 1177, inclusive.

(3) Changes, if any, which may be proposed in the basis for determining any of the rates for bar pilotage referred to in ~~subsections~~ *subdivisions* (1) and (2) of this section

(4) Changes in working conditions, employee relations, minimum standards for navigational equipment, or other economic factors which necessitate immediate review of pilotage rates "

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 2084

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2084—An act to amend Sections 18008, 18010 5, and 18040 of, to add Sections 18003, 18005 5, 18010, and 18013 to, to repeal Sections 18003, 18009, 18010, 18013, 18050, 18051, 18053, and 18054 of, and to repeal and add Part 2 1 (commencing with Section 18200) of Division 13 of, the Health and Safety Code, relating to mobilehomes and mobilehome parks.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Assembly May 9, 1972, after "equipped", insert "for being drawn by a motor vehicle and".

Amendment No. 2

On page 2, line 31, strike out "build", and insert "built".

Amendment No. 3

On page 6, line 12, after "equipped", insert "for being drawn by a motor vehicle and".

Amendment No. 4

On page 8, line 1, after "From", insert "prohibiting mobilehomes, recreational vehicles, or commercial coaches or mobilehome parks, recreational vehicle parks, or campgrounds within all or certain zones within such city, county, or city and county or from".

Amendment No. 5

On page 12, between lines 22 and 23, insert

"(e) Install a mobilehome or commercial coach on any site for the purpose of human habitation or occupancy."

Amendment No. 6

On page 13, line 3, after "permits", insert "and permits to install mobilehomes or commercial coaches".

Amendment No. 7

On page 13, line 4, after "inspections", insert "in connection therewith commensurate with the cost of enforcement".

Amendment No. 8

On page 15, line 6, strike out "18516. Permits for construction and operation", and insert

"18522. A copy of a permit to construct or operate".

Amendment No. 9

On page 16, between lines 5 and 6, insert

"18611. (a) Each mobilehome shall have access from the mobilehome lot to a driveway not less than 25 feet in clear width. All driveways shall have clear and unobstructed access to a public thoroughfare, except that any driveway may have security gates if such security gates are not in violation of local requirements adopted pursuant to Section 18302.

(b) In mobilehome parks, or portions thereof, constructed prior to September 15, 1961, each mobilehome shall have access from the mobilehome lot to a driveway not less than 15 feet in width "

Amendment No. 10

On page 17, line 8, insert

"(c) Wherever a city, county, or city and county has assumed responsibility for the enforcement of this part pursuant to Section 18402, and has adopted and is enforcing an ordinance regulating excavation, grading, and land fill imposing requirements equal to or greater than the requirements imposed by this part or regulations adopted pursuant thereto, such local ordinance shall apply.

18615 (a) The minimum distance required for the separation of a mobilehome from a building shall be 10 feet. The minimum distance required for the separation of a mobilehome from any other mobilehome shall be: 10 feet from side to side, eight feet from side to rear, and six feet from rear to rear; provided, however, that each mobilehome shall not be located closer than three feet from the rear or side lot line The minimum distance required for the separation or location of buildings from property lines shall be in accordance with the requirements of the regulations adopted pursuant to Section 18612 of this part

The minimum distance required for the separation or location of mobilehome accessory buildings or structures shall be in accordance with the requirements of the regulations adopted pursuant to Section 18626.

(b) In mobilehome parks, or portions thereof, constructed prior to September 15, 1961, no mobilehome shall be located closer than six feet from any permanent building or another mobilehome This subdivision does not, however, apply to a building which contains only a private toilet or bath, or both, that is constructed for the exclusive use of the occupants of the mobilehome lot

18616. The occupied area of a mobilehome lot shall not exceed 75 percent of the lot area."

Amendment No. 11

On page 19, line 2, insert

"The provisions of this section shall become operative July 1, 1973."

Amendment No. 12

On page 19, line 3, strike out "6", and insert "7".

Amendment No. 13

On page 19, between lines 32 and 33, insert

"18655. If the requirements of such notice have not been complied with on or before the expiration of 30 days after the mailing of the notice, the enforcement agency may suspend the permit "

Amendment No. 14

On page 19, line 33, after "notice", insert "of permit suspension".

Amendment No. 15

On page 19, lines 39 and 40, strike out "as described in Section 18654", and insert "of permit suspension".

Amendment No. 16

On page 20, strike out lines 24 to 27, inclusive.

Amendment No. 17

On page 20, line 34, strike out "7", and insert "8".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 2083

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2083—An act to add Section 18605 to, and to repeal Section 18401 of, the Health and Safety Code, relating to mobilehomes.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to repeal Section 18401 of,".

Amendment No. 2

On page 1, strike out lines 1 and 2.

Amendment No. 3

On page 2, line 2, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 2, after line 16, insert

"SEC 2 This act shall become operative July 1, 1973 "

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 1418

With author's amendments with the recommendation: Amend, and re-referred to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1418—An act to add Sections 18020, 18021, and 23710 to, and to amend Section 17055 of, the Revenue and Taxation Code, relating to taxation to take effect immediately, tax levy.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "23710", and insert "18022".

Amendment No. 2

In line 3 of the title, after "taxation", insert a comma.

Amendment No. 3

On page 2, line 30, strike out ", except for married persons filing a joint"; strike out lines 31 and 32; and in line 33, strike out "year", and insert "for an individual or married couple filing a joint return or three dollars and seventy-five cents ($3 75) for a married person filing a separate return".

Amendment No. 4

On page 3, line 2, strike out "those", and insert a colon.

Amendment No. 5

On page 3, strike out lines 3 and 4, and insert
"(1) Those organizations which would be".

Amendment No. 6

On page 3, strike out lines 6 and 7, and insert "United States Internal Revenue Code.

(2) Those organizations established or controlled by an organization or organizations which are not qualified to receive tax deductible contributions pursuant to subdivision (d) of Section 23701, or those organizations established or controlled by one or more individuals or organizations acting jointly with one or more organizations that are not qualified to receive tax deductible contributions pursuant to subdivision (d) of Section 23701.

(3) Those organizations which discriminate in membership, services or otherwise because of race, sex or national ancestry.

(d) Organizations qualified to receive moneys under this section may use such moneys only for the following purposes:".

Amendment No. 7

On page 3, line 12, strike out "any", and insert "either".

Amendment No. 8

On page 3, line 18, strike out "this section", and insert "subdivision (d)".

Amendment No. 9

On page 3, line 20, strike out "and", and insert "or".

Amendment No. 10

On page 3, strike out line 22, and insert

"(e) Those organizations qualified to receive tax-credit contributions under this section must maintain an account of such contributions separate from other moneys in the possession of the organization, and must maintain records of such account, showing:

(1) A list of all individuals, which includes the surname, given name, street address and city, to whom the statement required under subdivision (h) has been sent, the date each such statement was sent, and the amount shown on each such statement

(2) A list of all disbursements from the account, showing the recipient, amount of the payment, with a statement of the purpose for which the moneys were disbursed.

The Franchise Tax Board may examine such records at its request

(f) Any contributions which remain in the account required under subdivision (d) for the period of two years or longer shall be paid to the Franchise Tax Board.

(g) In the event an organization with moneys in an account required under subdivision (e) is dissolved, or loses the tax status required under subdivision (c), such moneys shall be promptly paid to the Franchise Tax Board.

(h) The credit allowed by this section shall be".

Amendment No. 11

On page 3, between lines 36 and 37, insert

"No individual or married couple may claim the credit allowed by this section unless such individual or married couple has the statement required by this subdivision in his possession."

Amendment No. 12

On page 3, line 37, strike out "(e)", and insert "(i)".

Amendment No. 13

On page 4, line 4, after "18020", insert ", or any person who willfully or knowingly spends, retains, deposits or otherwise uses moneys unlawfully under Section 18020,".

Amendment No. 14

On page 4, strike out lines 6 to 30, inclusive, and insert

"SEC. 4. Section 18022 is added to the Revenue and Taxation Code, to read:

18022 Any person or organization which spends, retains, deposits or otherwise uses moneys unlawfully under Section 18020 shall be liable in a civil action brought by the state for the amount of the moneys so spent, retained, deposited, or used, with costs and a reasonable attorney's fee."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

AB No 1284	AB No 1946
AB No 1467	AB No. 2091

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1284—An act to add Chapter 5 (commencing with Section 9101) to Division 7 of the Education Code, relating to schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Chapter 5 (commencing with Section 9101) to Division 7 of the Education Code,".

Amendment No. 2

In line 2 of the title, after "schools", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. The Superintendent of Public Instruction shall create, within the Department of Education, a special committee to study the feasibility of the establishment of school cities within the Los Angeles Unified School District and other metropolitan school districts within the state

The committee shall, if possible, include the superintendent of the Los Angeles Unified School District, or his representative; a member of the Los Angeles City Council; and a member of the Board of Supervisors of Los Angeles County, as well as such special consultants as the Superintendent of Public Instruction deems appropriate

SEC 2 The Superintendent of Public Instruction shall employ such staff for the committee as is required to carry out its functions

SEC 3. The committee shall, to the extent appropriate, consult with members of the public in the preparation of its study.

SEC. 4. The committee created pursuant to this act shall report its findings and recommendations to the Governor and to the Legislature by February 1, 1973.

SEC 5 For the purposes of this act, a "school city" is a complex of logically arranged buildings with interconnecting open-space and green-space.

The school city would serve the educational and recreational needs of pupils of all grade levels from a relatively large geographical area and would be planned with regard to both the location of mass transit facilities and inexpensive building sites

The school city would be of a size sufficiently large so that from two to five school cities would serve the entire elementary and secondary school population of the Los Angeles Unified School District

SEC 6. The Legislature finds and declares that the study of the concept of school cities is necessary and that the Los Angeles Unified School District, because of its large pupil population and great size, is the uniquely proper place for such a study to begin.

SEC 7 There is hereby appropriated for the General Fund in the State Treasury to the Superintendent of Public Instruction the sum of $_____ for the purposes of this act "

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1467—An act to amend Section 13590 2 of, and to add Sections 13590 5 and 13590 6 to, the Education Code, relating to school classified employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 18, 1972, strike out line 27; and in line 28, strike out "hours", and insert "average workday of four hours or more during the workweek".

Amendment No. 2

On page 3, lines 34 and 35, strike out "four hours or less", and insert "less than four hours".

Bill ordered reprinted, and to be re-referred to the Committee on Education

Assembly Bill No. 1946—An act to amend Sections 29007, 29012, and 29013 of, to add Sections 29007.2 and 29014 5 to, and to repeal Section 29009 of, the Education Code, relating to private education.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly April 20, 1972, strike out "Assemblyman Biddle", and insert "Assemblymen Biddle, Stull, and Lewis (Coauthor · Senator Rodda)".

Amendment No. 2

In line 1 of the title, strike out "amend Sections 29007, 29012,"; strike out line 2; in line 3, strike out "to, and to repeal Section 29009 of," and insert "add Sections 29023, 29031 5, 29036, 29037, and 29038 5 to"

Amendment No. 3

On page 2, strike out lines 2 and 3, in line 4, strike out "29007", and insert

"SECTION 1 Section 29023 is added to the Education Code, to read: 29023"

Amendment No. 3.3

On page 2, line 15, strike out "two", and insert "three".

Amendment No. 3.5

On page 2, line 25, strike out "29007 5", and insert "29026".

Amendment No. 4

On page 4, between lines 4 and 5, insert

"(3) A corporation which has filed with the Superintendent of Public Instruction an affidavit by the president or other head of the corporation, stating that the corporation owns an interest in real or personal property or both real and personal property used exclusively for the purpose of education, of a fair market value of not less than fifty thousand dollars ($50,000). Such affidavit shall be accompanied by an appraisal by a state inheritance tax appraiser appointed for the county in which the institution is located, describing the real or personal property or both, and showing the value of the interest of the corporation therein to be at least fifty thousand dollars ($50,000) The value of the interest of the property required to be owned by the corporation for the purposes of this section shall be deemed to be the appraised value of the interest owned by the corporation less the unpaid balance on any note secured by a mortgage or deed of trust thereon or the unpaid balance on a contract of sale thereof. Such a corporation shall file a statement of "full disclosure" by recording with the county recorder, in the county in which the school operates, an affidavit describing the institutional objectives and proposed methods of achieving them, the curriculum, instruction, faculty (with qualifications), physical facilities, administrative personnel, educational records, tuition and fee schedule, scholastic regulations, diplomas and degrees to be conferred, graduation requirements and financial stability. Certified copies of all statements and affidavits required to be filed by this section shall be forwarded by United States mail to the Department of Education within 48 hours after the filings are made with the county recorder Filing pursuant to this section shall not be interpreted to mean, and it shall be unlawful for any corporation to expressly or impliedly represent by any means whatsoever, that the State of California, the Superintendent of Public Instruction, the State Board of Education, the California State Department of Education, or any division or bureau thereof, has made any evaluation, recognition, accreditation, approval, or endorsement of the course of study."

Amendment No. 5

On page 5, strike out lines 33 to 40, inclusive; on page 6, strike out lines 1 to 9, inclusive, and insert

"SEC 2. Section 29031.5 is added to the Education Code, to read:

29031 5. The following provisions shall be applicable to all institutions operating under the authority granted by paragraph (3) of subdivision (a) of Section 29023.

(a) Except as provided in subdivision (b) of this section, on the effective date of this section and thereafter, no corporation shall be eligible to file an original affidavit with the Director of Education under the provisions of paragraph (3) of subdivision (a) of Section 29023.

(b) Only those corporations which, on the effective date of this section, are currently under the provisions cited above may continue to operate under the authority of paragraph (3) of subdivision (a) of Section 29023, provided all of the following requirements are fully complied with:

(1) On or before the 31st day of January, 1974, and each year thereafter, the corporation shall file with the Director of Education the annual affidavit required in paragraph (3) of subdivision (a) of Section 29023

(2) On or before the 31st day of January, 1974, and each year thereafter, the corporation shall apply to the Director of Education for approval under one or more provisions of this chapter, other than the provisions of paragraph (3) of subdivision (a) of Section 29023

(c) Upon receipt of any application filed pursuant to the provisions of this chapter, the Director of Education shall, within a reasonable period of time, take one of the following actions:

(1) Approve the application.

(2) Grant conditional approval not to exceed one year in duration.

(3) Disapprove the application.

(d) If the Director of Education does not grant full approval of any application made under this chapter, he shall advise the institution in specific terms of his reasons for granting conditional approval or for disapproving the application, and state the specific corrective measures needed to achieve full approval. No institution, however, shall be denied approval solely on the grounds it is not recognized or approved by a professional organization or by any governmental agency, board, or commission.

(e) The Director of Education may require a corporation to cease all operations and activities in connection with the issuance of degrees, diplomas, or certificates under the provisions of paragraph (3) of subdivision (a) of Section 29023 provided.

(1) He has advised the corporation of the specific corrective measure needed to continue its activities under the authority cited above.

(2) After a reasonable length of time has elapsed, he has made a finding of fact that the corporation has failed to accomplish all or substantially all of the specified corrective measures

All action by the Director of Education to cause a corporation to cease and desist all activities in connection with the issuance of degrees, diplomas, and certificates under the provisions of paragraph (3) of subdivision (a) of Section 29023 shall be in accordance with the provisions of the Administrative Procedure Act."

Amendment No. 6

On page 7, strike out lines 3 and 4; in line 5, strike out "29012", and insert

"SEC 3 Section 29036 is added to the Education Code, to read: 29036".

Amendment No. 7

On page 7, strike out lines 9 and 10; in line 11, strike out "29013", and insert

"SEC 4 Section 29037 is added to the Education Code, to read: 29037".

Amendment No. 8

On page 7, line 16, strike out "SEC 6 Section 29014 5", and insert "SEC. 5 Section 29038 5".

Amendment No. 9

On page 7, line 18, strike out "29014.5", and insert "29038.5".

Amendment No. 10

On page 7, line 19, after "corporation", insert "operating educational institutions"

Amendment No. 11

On page 7, lines 22 and 23, strike out "the Western Regional Accreditation Agency", and insert "an applicable regional accreditation agency recognized by the United States Office of Education".

Amendment No. 12

On page 7, line 24, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 13

On page 7, between lines 32 and 33, insert

"SEC. 7. This act shall not become operative unless Assembly Bill No 2265 is enacted at the 1972 Regular Session of the Legislature."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 2091—An act to add Section 13707 5 to the Education Code, relating to school classified employees

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "(commencing at Section 13701)"

Amendment No. 2

On page 2, line 1, strike out "plurality", and insert "simple majority"

Amendment No. 3

On page 2, line 2, after "employees", insert "in an election as provided in subdivision (a)".

Amendment No. 4

On page 2, line 3, strike out "herein", and insert "in subdivision (b)".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports.

AB No 2267

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2267—An act to add Section 12151 5 to the Health and Safety Code, relating to explosives.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 12151 5 to the Health and Safety", and insert "amend Section 14050 of the Penal".

Amendment No. 2

In line 2 of the title, strike out "explosives", and insert "building security standards, and making an appropriation therefor".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1 Section 14050 of the Penal Code is amended to read·

14050. (a) The Department of Justice shall encourage the use of technology in the prevention of crime To this end it shall develop for recommendation to the Legislature, and thereafter continually review, building security standards In carrying out these duties, the department shall consult with the Office of Architecture and Construction of the Department of General Services and shall, but is not limited to:

(1) Develop standards for a statewide building security code designed to prevent or reduce the likelihood of burglary or robbery in any building, including new single-family residences, apartments, public-owned buildings, commercial, and industrial buildings, *and explosive storage facilities, and increase the likelihood of apprehension of the perpetrators of such offenses*.

(2) Develop means of testing and certifying equipment and materials designed to prevent or reduce the likelihood of burglary or robbery in such buildings *or facilities, and increase the likelihood of apprehension of the perpetrators of such offenses*

(b) In carrying out its duties pursuant to subdivision (a) the department shall seek the advice of the State Fire Marshal, to insure that fire and life safety standards are not impaired, and shall consult with the Office of Architecture and Construction regarding state building standards.

(c) The department shall submit a progress report to the Legislature, including preliminary recommendations for building security standards to be submitted to the State Building Standards Commission for adoption as part of Title 24 of the California Administrative Code, relating to building standards, not later than January 5, 1973, and a final report not later than the fifth legislative day of the 1974 session. Thereafter, the department shall continually review and update these standards as necessary.

SEC 2. The sum of twenty thousand dollars ($20,000) is hereby appropriated from the General Fund to the Department of Justice for the purposes specified in the amendments to Section 14050 of the Penal Code made at the 1972 Regular Session of the Legislature."

Amendment No. 4

On page 1, strike out lines 3 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 85

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 85—An act to amend Sections 651, 658, 671, 802, 811, 822, 871, 885, 885.1, 885 3, 886.1, 886 3 as added by Chapter 182 of the Statutes of 1968, 886 3 as amended by Chapter 557 of the Statutes of 1970, 887 2 as added by Chapter 182 of the Statutes of 1968, 887 2 as amended by Chapter 557 of the Statutes of 1970, 888 1, 888.2 as added by Chapter 182 of the Statutes of 1968, 888 2 as amended by Chapter 557 of the Statutes of 1970, 889.3 as added by Chapter 182 of the Statutes of 1968, 889 3 as amended by Chapter 557 of the Statutes of 1970, 889.4, 890 2 as added by Chapter 182 of the Statutes of 1968, 890.2 as amended by Chapter 557 of the Statutes of 1970, 891 as amended by Section 1 of Chapter 1379 of the Statutes of 1970, 891 as amended by Section 19 of Chapter 1379 of the Statutes of 1970, 891 1 as amended by Section 2 of Chapter 1379 of the Statutes of 1970, 891.1 as amended by Section 20 of Chapter 1379 of the Statutes of 1970, 892, 899.6, 899 7, 6017, 8054, 16653 5, 17301, 17303 5, 17654 5, 17655 5, 17664, 17671, 18351, 18351 3, 18352, 18361, 20107, 20400, and 20404 of, to add Sections 897 2, 13381, 15416, 17654, and 17662 to, and to repeal Sections 886, 887, 888, 889, 889 1, 890, 13158, as added by Chapter 2 of the Statutes of 1959, 13159, as added by Chapter 2 of the Statutes of 1959, 13160, as added by Chapter 2 of the Statutes of 1959, 13161, as added by Chapter 2 of the Statutes of 1959, 13161 5, as added by Chapter 1383 of the Statutes of 1961, 17656, 17660, 17662,

17665, 17665 5, and 18351 1 of, the Education Code, relating to county superintendents of schools and county boards of education, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 4, of the printed bill, as amended in Assembly May 24, 1972, strike out lines 1 to 34, inclusive; and on page 5, strike out lines 1 to 24, inclusive; and in line 25, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 2

On page 26, lines 10 and 11, strike out "eight thousand eight hundred seventy-five dollars ($8,875)", and insert "_____ ($_____)".

Amendment No. 3

On page 26, lines 18 and 19, strike out "seventeen thousand seven hundred fifty dollars ($17,750)", and insert "_____ ($_____)".

Amendment No. 4

On page 26, lines 26 and 27, strike out "twenty-six thousand six hundred twenty-five dollars ($26,625)", and insert "_____ ($_____)".

Amendment No. 5

On page 26, lines 34 and 35, strike out "thirty-five thousand five hundred dollars ($35,500)", and insert "_____ ($_____)".

Amendment No. 6

On page 27, lines 8 and 9, strike out "eight thousand eight hundred seventy-five dollars ($8,875)", and insert "_____ ($_____)".

Amendment No. 7

On page 27, lines 16 and 17, strike out "seventeen thousand seven hundred fifty dollars ($17,750)", and insert "_____ ($_____)".

Amendment No. 8

On page 27, lines 24 and 25, strike out "twenty-six thousand six hundred twenty-five dollars ($26,625)", and insert "_____ ($_____)".

Amendment No. 9

On page 27, lines 32 and 33, strike out "thirty-five thousand five hundred dollars ($35,500)", and insert "_____ ($_____)".

Amendment No. 10

On page 34, strike out lines 18 to 24, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 1236
AB No. 1319

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1236—An act to amend Section 16601 5 of, to add Sections 16602 5 and 16602 6 to, and to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, the Education Code, and to amend Section 16150 of, to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 25, 1972, strike out "Assemblyman Cory", and insert "Assemblymen Cory, Arnett, and Vasconcellos".

Amendment No. 2

In line 2 of the title, strike out the second "and"

Amendment No. 3

In line 3 of the title, after the comma, insert "and to add Article 1.5 (commencing with Section 16820) to Chapter 1 of Division 13 of,".

Amendment No. 4

In line 4 of the title, strike out "to amend Section 16150 of,".

Amendment No. 5

In line 7 of the title, after the comma, insert "to amend Section 16150 of,".

Amendment No. 6

In line 9 of the title, after "education", insert ", and making an appropriation therefor".

Amendment No. 7

On page 3, line 14, after "a", insert "local school by school".

Amendment No. 8

On page 4, line 16, after "local", insert "school by school".

Amendment No. 9

On page 5, between lines 34 and 35, insert

"(b) A program of restructuring of kindergarten through third grade."

Amendment No. 10

On page 5, line 35, strike out "(b)", and insert "(c)".

Amendment No. 11

On page 5, lines 35 and 36, strike out "early primary education provided", and insert "educational programs for pupils 3 years and 9 months of age including children's center, day care, preschool, and child care services".

Amendment No. 12

On page 5, line 37, strike out "(c)", and insert "(d)".

Amendment No. 13

On page 5, strike out lines 38 and 39, and insert

"(e) A local program designed to systematically phase into the program all the schools of the district in no more than five years"

Amendment No. 14

On page 5, line 40, strike out "(e)", and insert "(f)".

Amendment No. 15

On page 6, line 2, strike out "(f)", and insert "(g)".

Amendment No. 16

On page 6, line 4, strike out "(g) Strong parental", and insert "(h) Parental and community".

Amendment No. 17

On page 6, line 5, strike out "(h)", and insert "(i)".

Amendment No. 18

On page 6, line 6, strike out "(i)", and insert "(j)".

Amendment No. 19

On page 6, line 8, strike out "(j)", and insert "(k)".

Amendment No. 20

On page 6, strike out lines 9 to 27, inclusive, and insert

"The State Board of Education shall not approve a plan which provides for the initiation of classes for pupils who have attained the age of 3 years and 9 months unless it also contains provisions for restructuring kindergarten and grades 1 through 3

6445.5 School districts with master plans for early childhood education approved pursuant to Section 6445.4 shall be eligible for allowances authorized under Sections 6445.12, 6445.13, and 16821. Such allowances shall be apportioned to the extent that funds are available

on a priority basis in accordance with a schedule established by the State Board of Education.

6445 6 In apportioning allowance in accordance with Section 6445 5 for early childhood education, the Department of Education shall give highest priority to (1) those districts which have the largest number of pupils determined to have educational need, and (2) those districts with the lowest measure of assessed valuation per pupil and making the most significant property tax effort.

The State Board of Education shall adopt regulations setting forth criteria for the determination of educational need which shall be based on such factors as a low level of pupil achievement and a low level of family income

6445 7 Districts receiving allowances pursuant to this chapter shall provide that a minimum of 50 percent of the amount allowed to the district in any one year shall be designated for schools with the largest number of pupils with educational need identified pursuant to Section 6445.6 until such time as allowances are authorized for all schools."

Amendment No. 21

On page 6, line 28, strike out "and 6445 11.", and insert "6445.8."

Amendment No. 22

On page 6, line 29, after "determination", insert "that".

Amendment No. 23

On page 7, line 3, strike out "6445 7", and insert "6445 9".

Amendment No. 24

On page 7, line 10, strike out "6445 8", and insert "6445 10".

Amendment No. 25

On page 7, lines 22 and 23, strike out "subdivisions (1), (2), and (3) of this section", and insert "paragraphs (1), (2), and (3) of subdivision (a)".

Amendment No. 26

On page 7, line 33, strike out "6445 9", and insert "6445.11".

Amendment No. 27

On page 7, line 40, strike out "State".

Amendment No. 28

On page 8, line 7, strike out "6445 10", and insert "6445.12".

Amendment No. 29

On page 8, line 14, strike out "early primary class", and insert "class maintained for pupils who have attained the age of 3 years and 9 months".

Amendment No. 30

On page 8, line 19, strike out "6445 11", and insert 6445 13".

Amendment No. 31

On page 8, line 20, strike out "6445 10", and insert "6445.12".

Amendment No. 32

On page 8, line 24, strike out "6445 5", and insert "6445.6".

Amendment No. 33

On page 8, line 26, strike out "early primary class", and insert "class for pupils who have attained the age of 3 years and 9 months".

Amendment No. 34

On page 8, strike out lines 31 to 37, inclusive, and insert

"6445 14 In computing allowances authorized pursuant to Section 6445 12 the Superintendent of Public Instruction shall reduce such allowances by the amount per pupil apportioned pursuant to Article 5 (commencing with Section 5789) of Division 6."

Amendment No. 35

On page 8, line 38, strike out "6445 13", and insert "6445.15".

Amendment No. 36

On page 9, between lines 5 and 6, insert

"6445 16 The Department of Education shall continuously monitor and review to assure that all funds appropriated to school districts under this chapter are expended for the purposes intended."

Amendment No. 37

On page 9, line 6, strike out "6445 14", and insert "6445 17".

Amendment No. 38

On page 9, between lines 11 and 12, insert

"6445 18 Allowances shall not be granted to a district unless the fiscal effort of that district with respect to each child participating in the early childhood education program for any fiscal year of participation under this chapter is no less than the fiscal effort of the district per elementary child not participating in the early childhood education program The Department of Education shall annually review individual district expenditures to assure the comparability of local support based on rules and regulations adopted by the State Board of Education which take into account growth in district enrollment and increases in district costs "

Amendment No. 39

On page 9, line 12, strike out "6445 15", and insert "6445 19"

Amendment No. 40

On page 9, line 18, strike out "6445 16", and insert "6445 20".

Amendment No. 41

On page 9, line 31, strike out "6445.17", and insert "6445 21"

Amendment No. 42

On page 9, line 33, strike out "centers' ", and insert "center".

Amendment No. 43

On page 10, line 5, strike out "an early primary", and insert "a"

Amendment No. 44

On page 10, between lines 21 and 22, insert

"As part of a master plan approved under Section 6445 4 school districts may authorize admission of any child who is four years of age regardless of time of admission in the school year "

Amendment No. 45

On page 10, line 24, strike out "early primary classes", and insert "classes established pursuant to Section 6446".

Amendment No. 46

On page 10, lines 25 and 26, strike out "pupils in early primary classes", and insert "classes established pursuant to Section 6446".

Amendment No. 47

On page 10, line 28, strike out "early primary classes" and insert "classes established pursuant to Section 6446".

Amendment No. 48

On page 10, lines 29 and 30, strike out "6445 10 and 6445 11", and insert "6445 12 and 6445.13".

Amendment No. 49

On page 10, line 32, strike out "to early primary classes"

Amendment No. 50

On page 10, line 34, strike out "6445 11", and insert "6445 12".

Amendment No. 51

On page 11, line 8, after the period, insert

"The children who qualify for the early childhood education programs as defined commencing with Section 6445 shall not in any way be excluded from eligibility for participation in all public services, including child care services, as well as the educational components which are provided".

Amendment No. 52

On page 12, between lines 8 and 9, insert

"SEC 5 Article 1 5 (commencing with Section 16820) is added to Chapter 1 of Division 13 of the Education Code, to read

Article 1 5 Transportation for Early Primary Pupils

16820 The Legislature hereby declares that a comprehensive program of early childhood education is necessary to improve and restructure public education in California so as to provide each pupil with an opportunity for the early development of primary skills The program shall include classes maintained for pupils, who have attained the age of 3 years and 9 months, as an integral part of early childhood education

The Legislature further finds that the transportation of pupils in such classes to and from school is an essential aspect of such program and a necessary part of any educational program designed for such children

16821 Notwithstanding any other provision of law, the governing board of any school district may provide for the transportation to and from school of pupils who have attained the age of 3 years and 9 months and are enrolled in classes established pursuant to Section 6446, whenever in the judgment of the board, such transportation is advisable and good reasons exist therefor. A governing board may allow for the transportation of parents of pupils enrolled in such classes for the purpose of accompanying their children to and from the attendance center offering such early primary classes

Children meeting the eligible age requirement for enrollment in such class who are attending a children's center, child day care center, or preschool program operated by a public or private agency are deemed to be enrolled in such class for the purpose of this section.

Districts shall receive state reimbursements for the transportation of such pupils pursuant to Article 10 (commencing with Section 18051) of Chapter 3 of Division 14 of the Education Code

SEC 6 There is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the purpose of providing state reimbursement for the transportation of pupils pursuant to Section 16821, amounts for transfer to augment subdivision (b) of Section 17303 5 of the Education Code and which shall be made available for expenditure as follows

(a) For the fiscal year 1973–74, eight hundred sixty-nine thousand eight hundred fifty dollars ($869,850).

(b) For the fiscal year 1974–75, two million twenty-nine thousand six hundred fifty dollars ($2,029,650)

(c) For the fiscal year 1975–76, three million one hundred eighty-nine thousand four hundred fifty dollars ($3,189,450)

(d) For the fiscal year 1976–77, four million three hundred forty-nine thousand two hundred fifty dollars ($4,349,250)

(e) For the fiscal year 1977–78, five million seven hundred ninety-nine thousand dollars ($5,799,000)

Any moneys made available for expenditure under this section in any such fiscal year which are not expended may be carried over into the next succeeding fiscal year, and shall be available for expenditure in such fiscal year in addition to those funds otherwise made available by this section for such year "

Amendment No. 53

On page 12, line 9, strike out "SEC 5", and insert "SEC 7".

Amendment No. 54

On page 12, line 17, strike out "SEC 6", and insert "SEC 8"

Amendment No. 55

On page 12, line 36, strike out "Health", and insert "Social Welfare".

Amendment No. 56

On page 13, line 7, strike out "SEC. 7", and insert "SEC 9".

Amendment No. 57

On page 13, line 22, strike out "SEC 8", and insert "SEC 10".

Amendment No. 58

On page 13, line 40, strike out "SEC. 9", and insert "SEC 11".

Amendment No. 59

On page 14, line 5, strike out "6445.10", and insert "6445 12".

Amendment No. 60

On page 14, line 23, strike out "6445 11", and insert "6445 13"

Amendment No. 61

On page 14, line 40, strike out "6445 11", and insert "6445 13".

Amendment No. 62

On page 15, after line 27, insert

"SEC 12 A master plan for early childhood education shall provide that to the extent feasible, funds allocated to the district pursuant to Chapter 6 10 (commencing with Section 6499 230) of DIVISION 6 of the Education Code, as added by Assembly Bill No 1283, shall be for purposes of Chapter 6 1 (commencing with Section 6445) of DIVISION 6 of the Education Code This section shall become operative only if Chapter 6 10 (commencing with Section 6499 230) is added to DIVISION 6 of the Education Code by Assembly Bill No 1283 of the 1972 Regular Session

SEC 13 It is the intent of the Legislature if both this bill and Assembly Bill No 1319 of the 1972 Regular Session are enacted that those children who qualify for early childhood education programs as defined commencing with Section 6445 of this act shall not be excluded from participation in the services defined in Section 50100 of the Education Code, as added by Assembly Bill No 1319, if they meet the admission priorities defined in Sections 50627 and 50628 of the Education Code, as added by Assembly Bill No 1319 "

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1319—An act to add DIVISION 30 (commencing with Section 50000) to, and to repeal Chapter 5 (commencing with Section 16601) of DIVISION 12 of, the Education Code, and to repeal Chapter 2 5 (commencing with Section 16150) of Part 4 of DIVISION 9 of the Welfare and Institutions Code, relating to child care and preschool developmental services, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 25, 1972, after "Burton," insert "Campbell,".

Amendment No. 2

In the heading after "McCarthy," insert "Pierson, Porter,".

Amendment No. 3

In the heading after "Priolo," insert "Ralph,".

Amendment No. 4

In the heading after "Ryan," insert "Sieroty,".

Amendment No. 5

In the heading after "Vasconcellos," insert "Warren,".

Amendment No. 6

In the heading after "Alquist," insert "Beilenson,".

Amendment No. 7

In the heading after "Dymally," insert "Gregorio, Marks, Petris,".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 25, 1972, after "to", insert "amend Sections 23550, 23553, 24675, 24678, 25546.50, and 25546 53 of, to".

Amendment No. 2

In lines 2 and 3 of the title, strike out "Chapter 5 (commencing with Section 16601)" and insert "Article 1 (commencing with Section 16601) of Chapter 5".

Amendment No. 3

In line 3 of the title, after "Code," insert "to amend Sections 17225 5 and 24371 5 of the Revenue and Taxation Code,".

Amendment No. 4

In line 3 of the title, after "to", insert "amend Section 11451.5 of, and to repeal Sections 10811 and 10811 5 of, and to repeal Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 of Division 9 of, and".

Amendment No. 5

In line 5 of the title after "of", insert a comma.

Amendment No. 6

On page 2, strike out lines 1 and 2, and insert

"SECTION 1. Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of the Education Code is repealed

SEC 2 Section 23550 of the Education Code is amended to read:

23550. The Regents of the University of California may establish and maintain a ~~children's center~~ *child care services* on or near each campus of the university pursuant to the provisions of ~~Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)* .

SEC. 3. Section 23553 of the Education Code is amended to read·

23553. Children of students of that particular campus shall have first priority for ~~attendance at a children's center~~ *child care services* established pursuant to this chapter in the order described in Section ~~16603.1~~ *50627* .

SEC 4. Section 24675 of the Education Code is amended to read·

24675 The Trustees of the California State *University and* Colleges may establish and maintain a ~~children's center~~ *child care services* on or near each state college campus pursuant to the provisions of ~~Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)* .

SEC 5 Section 24678 of the Education Code is amended to read

24678 Children of students of that particular campus shall have first priority for ~~attendance at a children's center~~ *child care services* established pursuant to this chapter in the order described in Section ~~16603.1~~ *50627* .

SEC. 6. Section 25546 50 of the Education Code is amended to read:

25546 50. The governing board of any school district maintaining a community college may establish and maintain a ~~children's center~~ *child care services* on or near each community college campus pursuant to the provisions of ~~Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)*

SEC. 7. Section 25546 53 of the Education Code is amended to read:

25546 53 Children of students of that particular campus shall have first priority for ~~attendance at a children's center~~ *child care services* established pursuant to this chapter in the order described in Section ~~16603.1~~ 50627."

Amendment No. 7

On page 2, line 3, strike out "SEC 2", and insert

"SEC 8".

Amendment No. 8

On page 3, line 26, after "private", insert "nontax exempt agency, private tax exempt".

Amendment No. 9

On page 4, line 3, after "younger", insert "for less than 24 hours a day".

Amendment No. 10

On page 6, line 15, after "members," insert "annually".

Amendment No. 11

On page 6, line 20, strike out "shall", and insert "may".

Amendment No. 12

On page 8, line 10, strike out "either public or private,".

Amendment No. 13

On page 10, line 22, strike out "early education".

Amendment No. 14

On page 10, line 23, strike out "instructional", and insert "early education".

Amendment No. 15

On page 11, line 38, after "members," insert "annually".

Amendment No. 16

On page 15, line 34, strike out "an operating agency", and insert "a school district or county superintendent of schools".

Amendment No. 17

On page 15, line 39, strike out ", but shall not be entitled to", and insert a period.

Amendment No. 18

On page 15, strike out line 40; and on page 16, strike out lines 1 to 4, inclusive

Amendment No. 19

On page 16, line 26, strike out "_____", and insert "September 18, 1959,".

Amendment No. 20

On page 16, line 29, strike out "children's center", and insert "child care program".

Amendment No. 21

On page 16, line 37, strike out "_____", and insert "September 18, 1959,".

Amendment No. 22

On page 17, line 1, strike out "_____", and insert "September 18, 1959,".

Amendment No. 23

On page 18, line 32, strike out "_____", and insert "16627".

Amendment No. 24

On page 18, line 37, strike out "children's center", and insert "child care program".

Amendment No. 25

On page 18, line 38, strike out "center", and insert "program".

Amendment No. 26

On page 18, line 39, strike out "center", and insert "program".

Amendment No. 27

On page 19, line 4, strike out "children's center", and insert "child care program".

Amendment No. 28

On page 28, strike out lines 24 to 40, inclusive; on page 29, strike out lines 1 to 8, inclusive, and insert

"If the amount appropriated in the Budget Act for such fiscal year as enacted into law differs from the amount in the Governor's Budget submitted by the Governor for such fiscal year, each area council shall submit an additional revised plan in the form and at the time required by the Department of Education.

50607. The Superintendent of Public Instruction shall allocate any funds available for new and expanded services to area councils according to ratios of population factors within each area council to the total population factors of the state. These factors are:

(a) The number of children 14 years of age or younger

(b) The number of families with a total annual income of five thousand dollars ($5,000) or less.

(c) The number of families with children with a female head of household

(d) The number of children in need of child care and preschool developmental services.

Of the state funds appropriated for new and expanded services under this division, 10 percent shall be allocated on the basis of factor (a), 25 percent shall be allocated on the basis of factor (b), 25 percent shall be allocated on the basis of factor (c), and 40 percent shall be allocated on the basis of factor (d)

For the purposes of allocating funds appropriated for the 1973–74 fiscal year, the Superintendent of Public Instruction shall determine factor (d) on an estimation of the number of children 14 years of age or younger in need of child care and preschool developmental services.

For the 1974–75 fiscal year, and thereafter, factor (d) shall be based on the number of children 14 years of age or younger in need of child care and preschool services as determined by the area plan.

50608. Of the funds allocated to each area council in accordance with Sections 50607 and 50618, there shall be reimbursed to each area council the amount required by the area council to provide services in accordance with the approved area plan Such reimbursements shall be for one month periods Claims for reimbursement shall be presented within 60 days after the close of the period for which reimbursement is sought.

50609. Claims for state reimbursement shall be made in such form and in such manner as the Superintendent of Public Instruction shall determine When certified by the Superintendent of Public Instruction, claims for state reimbursement shall be presented to the State Controller for payment. The State Controller may make such audit as he deems necessary, before and after disbursement, for the purpose of determining that such reimbursement is for expenditures made for the purposes and under the conditions authorized under this division

50610 Each claim for state reimbursement shall be payable from the appropriation made for the fiscal year in which the expenses upon which the claim is based are incurred.

50611 In determining the amounts to be reimbursed, fees paid by parents or other public or private sources in behalf of parents shall be deducted from the costs of providing services

50612. Expenditures subject to payment shall include expenditures for approved services provided through contract, salaries of area council personnel, and services provided pursuant to Section 50226.

50613 The Superintendent of Public Instruction may advance to an area council an amount not to exceed 5 percent of the amount allocated to an area council for the purpose of providing funds for preoperational costs incurred in the establishment and operation of new and expanded services pursuant to this division."

Amendment No. 29

On page 29, line 9, strike out "50609", and insert "50614".

Amendment No. 30

On page 29, line 18, strike out "50610", and insert "50615".

Amendment No. 31

On page 31, strike out lines 7 to 11, inclusive, and insert

"50624. Notwithstanding the provisions of Section 10051 of the Welfare and Institutions Code, all services provided actual, former, and potential recipients of public assistance pursuant to this division shall be considered a component of public social services."

Amendment No. 32

On page 33, line 16, after "(a)", insert "Those children who are referred for services by a child protective services program pursuant to Section 16501 of the Welfare and Institutions Code.

(b)"

Amendment No. 33

On page 34, line 15, strike out "(b)", and insert "(c)".

Amendment No. 34

On page 34, between lines 32 and 33, insert

"50629 Child care and preschool developmental services shall be limited to those families and children enumerated in subdivisions (a), (b), and (c) of Sections 50627 and 50628 Families and children with the lowest total monthly income from all sources as determined by Section 50625 shall be given priority admission to services "

Amendment No. 35

On page 37, line 37, strike out "50615", and insert "50705".

Amendment No. 36

On page 38, between lines 4 and 5, insert

"SEC 9. Section 17225 5 of the Revenue and Taxation Code is amended to read

17225 5 It is the intent of the Legislature that ~~public children's centers, day care, and preschool programs~~ *child care services* be established in locations which make it convenient for eligible families who are employed, to be employed, or who are enrolled in employment training programs

Owners of places of employment who establish facilities pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)* of the Education Code and who allow for programs to be established pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)* of the Education Code may elect, in accordance with regulations prescribed by the Franchise Tax Board, to compute the depreciation deduction provided by subdivision (a) of Section 17208 attributable to such facilities under the straight-line method using a useful life of 60 months and no salvage value Such method shall be in lieu of any other method of computing the depreciation deduction under subdivision (a) of Section 17208 and shall be allowed only for such part of facilities which are certified by the State Department of Education as being used for ~~public children's centers, day care, or preschool programs pursuant to Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *child care services pursuant to Division 30 (commencing with Section 50000)* of the Education Code

SEC. 10 Section 24371.5 of the Revenue and Taxation Code is amended to read:

24371.5 It is the intent of the Legislature that ~~public children's centers, day care, and preschool programs~~ *child care services* be established in locations which make it convenient for eligible families who are employed, to be employed or who are enrolled in employment training programs

Owners of places of employment who establish facilities pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)* of the Education Code and who allow for programs to be established pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 30 (commencing with Section 50000)* of the Education Code may elect, in accordance with regulations prescribed by the Franchise Tax Board, to compute the depreciation deduction provided by subdivision (a) of Section 24349 attributable to such facilities under the straight-line method using a useful life of 60 months and no salvage value Such method shall be in lieu of any other method of computing the depreciation deduction under subdivision (a) of Section 24349 and shall be allowed only for such part of facilities which are certified by the State Department of Education as being used for ~~public children's centers, day care, or preschool programs~~ *child care services* pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601 of Division 12~~ *Division 30 (commencing with Section 50000)* of the Education Code "

Amendment No. 37

On page 38, line 5, strike out "SEC. 2", and insert "SEC 11".

Amendment No. 38

On page 38, between lines 7 and 8, insert

"SEC 12 Section 10811 of the Welfare and Institutions Code as amended by Chapter 1726 of the Statutes of 1971, is repealed.

~~10811 Each county shall provide child care services for former, current, and potential recipients of public assistance who certify that if provided such services they will accept or maintain employment or training and who further certify that without such services they would be unable to accept or maintain employment or training. The county is authorized to charge a fee for child care services pursuant to a schedule established by the department based on the ability of the person to pay using a sliding scale, ranging from a lesser amount for parents with low-income levels to a higher amount for parents with higher income levels. In no event shall the fee exceed the fee in comparable arrangements established pursuant to Section 16611 of the Education Code. The county may contract with other public or private entities to provide child care services.~~

~~The state shall pay as its share from the funds appropriated therefor the percentage provided in subdivision (a) of Section 15200 of the nonfederal costs of the services provided pursuant to this section.~~

~~The county expenditure for services under this section shall be in addition to the amount spent during the 1970-1971 fiscal year for child care services.~~

~~This section may be cited as the Miller Child Care Services Act of 1971.~~

SEC 13 Section 10811.5 of the Welfare and Institutions Code is repealed

~~10811.5 Each county in cooperation with the department, the Department of Human Resources Development, and the Department of Education shall, provided state funds are available, establish a child care training program which gives priority to the training and employment of public assistance recipients in child care services.~~

~~The state shall pay as its share from the funds appropriated therefor 67½ percent of the nonfederal costs of the program established pursuant to this section, and the county shall pay 32½ percent of such costs.~~

SEC 14 Section 11451 5 of the Welfare and Institutions Code is amended to read·

11451 5 The purpose of this section is to provide the department with the necessary support and authority to implement provisions of the Work Incentive Program as established pursuant to Division 2 (commencing with Section 5000) of the Unemployment Insurance Code The cost of work or training-related expenses shall be paid from special funds appropriated by the Legislature for the purpose The state shall pay 67½ percent and the county shall pay 32½ percent of the additional aid furnished for such work or training-connected expenses after a deduction therefrom of any funds received from the United States government

~~The county welfare department in each county of this state shall establish a program of day care services, subject to regulations of the State Department of Health, in order to permit mothers of children, qualified for aid under this chapter, to exercise their right to participate in the Work Incentive Program authorized by Division 2 (commencing with Section 5000) of the Unemployment Insurance Code.~~

Child care services for mothers participating in the Work Incentive Program authorized by Division 2 (commencing with Section 5000) of the Unemployment Insurance Code, shall be purchased through area councils administering child care services pursuant to Division 30 (commencing with Section 50000) of the Education Code.

It is the intent of this section to make maximum use of federal funds that are available to provide training or work-related expenses and home care services. Accordingly, each county shall be required to provide or purchase ~~day~~ *child* care services and to pay for training or work-related expenses under that plan which provides the greatest financial participation by the United States government No allowance for ~~day~~ *child* care of children shall be included in the grant authorized by Section 11450 of this code.

The state shall pay 67½ percent and the county shall pay 32½ percent of the cost of ~~day~~ *child* care services after deducting therefrom the amount of funds received from the United States government

SEC. 15. Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 of DIVISION 9 of the Welfare and Institutions Code is repealed.

SEC. 16. Sections 1 to 7, inclusive, and Section 9 to 15, inclusive, of this act shall become operative on July 1, 1973.

Chapter 6 (commencing with Section 50500) and Chapter 7 (commencing with Section 50600) of DIVISION 30 of the Education Code, as added by Section 8 of this act, shall become operative on July 1, 1973."

Amendment No. 39

On page 38, line 16, strike out "SEC 3", and insert "SEC. 17".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 2265

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2265—An act to add Chapter 1 (commencing with Section 29000) and Chapter 1 5 (commencing with Section 29081) to, to repeal Article 1 (commencing with Section 29001) of Chapter 1 of, and to amend and renumber the heading of Article 2 (commencing with Section 29051) of Chapter 1 of, Division 21 of the Education Code, relating to private schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 6, line 4, of the printed bill, as amended in Assembly May 30, 1972, after the period, insert "No appointee shall serve on the council for more than six consecutive years."

Amendment No. 2

On page 9, line 8, after "subdivisions", insert "(a) (2),".

Amendment No. 3

On page 9, line 12, after "has", insert "full".

Amendment No. 4

On page 9, line 13, after "course", insert "of study".

Amendment No. 5

On page 9, line 24, after "degrees", insert ", diplomas, or certificates".

Amendment No. 6

On page 9, line 31, after "degrees", insert ", diplomas, or certificates".

Amendment No. 7

On page 9, strike out line 33; and in line 34, strike out "faculty", and insert "that the institution has the facilities, financial resources, administrative capabilities, faculty and other necessary and appropriate educational expertise and resources".

Amendment No. 8

On page 9, line 36, after "attainment", insert "or enhancement".

Amendment No. 9

On page 9, line 37, after "vocational," insert "technological,".

Amendment No. 10

On page 9, line 37, after "objective", insert "including but not limited to a degree, diploma, or certificate".

Amendment No. 11

On page 9, line 38, strike out "content and".

Amendment No. 12

On page 9, line 40, after "degree", insert ", diploma, or certificate".

Amendment No. 13

On page 10, line 2, after "compare", insert "the applicant institution".

Amendment No. 14

On page 11, line 15, after "diploma", insert "or certificate".

Amendment No. 15

On page 11, line 17, after "diploma", insert "or certificate".

Amendment No. 16

On page 13, line 9, strike out "an appropriate written document", and insert "a diploma or certificate".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Urban Development and Housing reports:

AB No. 2024

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Urban Development and Housing

BRATHWAITE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2024—An act to add Sections 7265.2 and 7265.5 to, to repeal Section 7268 of, the Government Code, and to add Section 690.8 to the Code of Civil Procedure, relating to relocation assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Sections 7265.2 and 7265.5 to,".

Amendment No. 2

In line 2 of the title, strike out the first comma.

Amendment No. 3

In line 2 of the title, strike out the second comma.

Amendment No. 4

On page 2, strike out lines 1 to 19, inclusive

Amendment No. 5

On page 2, line 20, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 6

On page 2, line 31, strike out "4", and insert "2".

Bill ordered reprinted, and to be re-referred to the Committee on Urban Development and Housing

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 8, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports.

AB No 273

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 273—An act to add Section 402e to the Penal Code, relating to ski areas.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "capable of producing audible and understandable"; and strike out line 6, and insert "for use in emergency situations Speakers for such systems shall be installed, along with a chalkboard of at least 3 square feet in size, at the terminal point of each pomo bar, rope tow, chair lift, aerial tram or other mechanism for the transportation of persons to higher elevations, and shall be used exclusively for the making of oral and written announcements in emergency situations, including, but not limited to, announcements regarding the existence of dangerous conditions on the slopes, and injuries to individuals with friends or relatives in the vicinity"

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, June 8, 1972

Mr Speaker The Chairman of your Committee on Finance and Insurance reports:

AB No 1330

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1330—An act to add Section 10351 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 25, 1972, strike out "Section 10351 to the Insurance Code," and insert "Sections 10124, 10351, and 11512 15 to the Insurance Code,".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 10124 is added to the Insurance Code, to read:

10124. Each self-insured employee benefit plan issued or renewed on or after the effective date of this section which provides benefits to an employee and his dependents for hospital confinement shall contain a provision that such benefits shall be provided for confinement in an extended care facility, as defined in subsection (j) of Section 1395x, 42 United States Code, when such confinement in an extended care facility, rather than a hospital, is pursuant to the orders of the physician attending the employee or dependent.

SEC. 2."

Amendment No. 3

On page 1, strike out lines 3 to 5, inclusive, and insert

"10351. Each policy of disability insurance issued or renewed on"

Amendment No. 4

On page 2, after line 11, insert

"SEC. 3 Section 11512.15 is added to the Insurance Code, to read:

11512 15. Each hospital service contract entered into or renewed on or after the effective date of this section, shall contain a provision that the hospital confinement benefits shall be provided for confinement in an extended care facility, as defined in subsection (j) of Section 1395x, 42 United States Code, when such confinement in an extended care facility, rather than a hospital, is pursuant to the orders of the physician attending the covered member."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Seeley for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2365 be granted.

BURTON, Chairman

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Beverly for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2372 be granted.

BURTON, Chairman

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Rules recommends.

That the request by Mr. Sieroty for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2373 be granted.

BURTON, Chairman

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Chappie for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2374 be granted.

BURTON, Chairman

Committee on Commerce and Public Utilities

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports·

AB No 1961

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 8, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 1987 AB No. 1986
AB No. 1989 AB No. 1522

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Urban Development and Housing

Assembly Chamber, June 8, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

AB No. 2012

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 2063

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 1404

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Judiciary reports·

AB No. 585 AB No 873

AB No. 735 AB No 1812

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 1048
AB No 1820

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No 459

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 8, 1972

Mr Speaker· Your Committee on Judiciary reports:

AB No 1988

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 8, 1972

Mr Speaker. Your Committee on Judiciary reports:

AB No 54
AB No 95

With the recommendation· Do pass.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 8, 1972

Mr. Speaker· Your Committee on Judiciary reports·

AB No 378
AB No 1384
AB No 1937

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means, recommended to Consent.

WARREN, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 299
SB No. 300
SB No. 1045

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Agriculture

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AB No. 1073

With the recommendation: That the bill be retained in committee and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BRIGGS, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Government Administration

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Government Administration reports:

SB No. 1076

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with a Consent Recommendation.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Local Government

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 706
SB No. 967

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 642

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 8, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

AB No. 2048
AB No. 2230

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRATHWAITE, Chairman

Above bills ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1165
AB No 1246
AB No. 1931

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 8, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 675	AB No. 1162	AB No. 2032
AB No 984	AB No. 1373	AB No 2130
AB No. 1004	AB No. 1896	

With the recommendation Do pass.

BROWN, Chairman

Above bills ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1373

Mr. Hayden was granted unanimous consent to take up Assembly Bill No. 1373, without reference to file, for purpose of consideration at this time.

Consideration of Assembly Bill No. 1373

Assembly Bill No. 1373—An act to amend Section 880 of, and to add Sections 20110, 20806 5, and 20806 6 to, the Education Code, and to amend Sections 802 and 803 of, to add Article 6 (commencing with Section 821) to Chapter 3 of Part 1 of Division 1 of, and to repeal Section 803 5 of, of the Unemployment Insurance Code, relating to unemployment insurance, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hayden moved a call of the Assembly.

Motion carried Time, 2:59 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1319

Mr. Moretti was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1319, and that the bill be considered engrossed

Speaker Presiding

At 3 p.m., Hon. Bob Moretti, 42nd District, presiding

Majority Floor Leader Presiding

At 3 03 p.m., Hon Jack R. Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mrs Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 846, 986, 1098, 1274, 1598, 1687, 1742, 2011, 2024, 2083, 2168, 2226, and 2232, and Assembly Constitutional Amendments Nos. 87 and 91, for hearing in the Committee on Urban Development and Housing on Monday, June 12, 1972.

BILLS PASSED ON FILE

Senate Bills Nos. 645 and **1243**—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 557—An act to amend Section 71145 of, add Section 71180 to, and repeal Sections 71141 and 71180 of, the Government Code, relating to judges.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 557?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 14, 1972, strike out "add Section 71180.1 to", and insert "amend Section 71145 of, add Section 71180 to, and repeal Sections 71141 and 71180 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 71141 of the Government Code is repealed.

~~71141. Judges of the municipal court and justice court shall be elected at the general state election next preceding the expiration of the term for which the incumbent has been elected.~~

SEC 2 Section 71145 of the Government Code is amended to read:

71145 The term of office of judges of ~~municipal and~~ justice courts is six years from and including the first Monday of January after the January 1st next succeeding their election. Judges shall hold office until their successors are elected and qualify, but the office shall be deemed to be vacant upon the expiration of the fixed term for the purpose of selecting a successor

SEC 3 Section 71180 of the Government Code is repealed

~~71180. Any vacancy in the office of judge of a municipal court shall be filled by appointment by the Governor, but no vacancy shall be deemed to exist in any such office before the time fixed in Sections 71080, 71082, and 71083 for the selection of the judges of such court and the time fixed by law for their qualification. The appointee shall hold office for the remainder of the unexpired term of his predecessor and until his successor is elected and qualifies.~~

~~If the office to which any person so appointed was not previously occupied, he shall hold office until his successor is elected at the general state election next succeeding the occurrence of the vacancy and qualifies. No successor to such appointee shall be elected at any election held within 10 months of the date of the occurrence of the vacancy.~~

SEC 4 Section 71180 is added to the Government Code, to read:

71180 Terms of judges of municipal courts shall be six years beginning the Monday after January 1 following their election, and they shall hold office until their successors are elected and qualify. A vacancy other than one filled by the succession of a judge as provided in Section 71080, 71082, or 71083, shall be filled by election to a full term at the next general election after January 1 following the

vacancy, but the Governor shall appoint a person to fill the vacancy temporarily until the elected judge's term begins and he qualifies."

Amendment No. 3

On page 1, strike out lines 2 to 7, inclusive; and strike out page 2.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Monagan, Murphy, Porter, Powers, Priolo, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—58.

NOES—Duffy—1.

Above bill ordered enrolled.

Assembly Bill No. 112—An act to add Section 19348.5 to the Agricultural Code, relating to animals.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 112?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly May 1, 1972, strike out "within a"; and on page 2, line 1, strike out "28-hour period".

Amendment No. 2

On page 2, line 2, strike out "while in transit".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 393—An act to amend Section 17052 of the Education Code, relating to school cafeteria funds

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 393?

Amendment No. 1

On page 2, line 9, of the printed bill, after "used", insert "primarily".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—Monagan—1.

Above bill ordered enrolled

BILLS PASSED ON FILE

Assembly Bill No. 70 (Consideration of Governor's Veto)—Passed on file

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER URGENCY CLAUSE TO SENATE BILL NO. 98

In compliance with a motion given on a previous day, Mr Lewis moved that the vote whereby the urgency clause to Senate Bill No. 98 was refused adoption be reconsidered.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Lewis moved a call of the Assembly

Motion carried Time, 3 20 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 1373

At 3 21 p m , on motion of Mr Hayden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Assembly Bill No 1373 adopted by the following vote

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—Burke, Cline, Conrad, Davis, Duffy, Ketchum, Stacey, and Stull—8.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—Burke, Cline, Conrad, Davis, Duffy, Ketchum, Stacey, and Stull—8.

Bill ordered transmitted to the Senate

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1159

In compliance with a motion given on a previous day, Mr. Karabian moved that the vote whereby Assembly Bill No 1159 was refused passage be reconsidered

Assembly Bill No 1159 reconsidered by the following vote·

AYES—Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Thomas, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1159 Passed and Retained

By unanimous consent, Assembly Bill No 1159 was passed on file, to retain its place on file

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 81 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No 81 was continued until the next legislative day

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 67

In compliance with a motion given on a previous day, Mr Leroy F. Greene moved that the vote whereby Assembly Constitutional Amendment No. 67 was refused adoption be reconsidered

Assembly Constitutional Amendment No 67 reconsidered by the following vote:

AYES — Arnett, Badham, Bagley, Bee, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Collier—1.

Assembly Constitutional Amendment No. 67 Passed and Retained

By unanimous consent, Assembly Constitutional Amendment No 67 was passed on file, to retain its place on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1252—An act to amend Sections 2701, 2703, and 2704 of, and to add Section 2706 to, the Education Code, relating to organization of school districts.

Bill read third time.

Hon. Joe A. Gonsalves Presiding

At 3 33 p m , Hon Joe A Gonsalves, 66th District, presiding.

The question being on the passage of the bill

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Ryan moved a call of the Assembly.

Motion carried Time, 3 47 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Majority Floor Leader Presiding

At 3:47 p.m., Hon. Jack R. Fenton, 51st District, presiding.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER URGENCY CLAUSE TO SENATE BILL NO. 98

At 3:48 p.m., on motion of Mr Lewis, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby the urgency clause to Senate Bill No. 98 was refused adoption reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Conrad, Davis, Deddeh, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—55.

NOES—Collier, Cullen, Dent, Leroy F. Greene, and Stull—5.

Senate Bill No. 98 Passed and Retained

By unanimous consent, Senate Bill No 98 was passed on file, to retain its place on file.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2328—An act to add Section 66515.5 to the Government Code, relating to public transit

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2053—An act to amend Section 55501 of the Water Code, relating to collection of liens

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1268—An act to amend the heading of Division 15 (commencing with Section 22000) of, and to add Part 2 (commencing with Section 22500) to Division 15 of, the Streets and Highways Code, relating to the installation and maintenance of landscaping and lighting on public streets and property and providing for the formation of special assessment districts and the levy and collection of special assessments to pay the costs and expenses thereof

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1953—An act to add Article 9 (commencing with Section 1820) to Chapter 4 of Division 2 of the Business and Professions Code, relating to dentistry, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1953

Governor's Office, Sacramento
May 30, 1972

To the Honorable Members of the Assembly and Senate:

Assembly Bill No. 1953, "An act to add Article 9 (commencing with Section 1820) to Chapter 4 of Division 2 of the Business and Professions Code, relating to dentistry, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No 1953, as amended, as an emergency measure

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No 1953

Urgency clause adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1339—An act to amend Section 25413 7 of, and to add Section 25413 8 to, the Education Code, relating to community college governing boards, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1933—An act to amend Section 3507 3 of the Government Code, relating to public employee organizations

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 144—An act to amend Section 890 of, and to add Section 890 1 to, the Military and Veterans Code, relating to tuition

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers,

Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 396—An act to amend Section 73 of the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox. LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 424—An act to add Sections 18685 and 18754 to the Business and Professions Code, relating to professional boxing

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 918—An act to amend Sections 54 1 and 54 2 of the Civil Code, relating to guide dogs for the blind

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1462—An act to add Section 4458 to the Government Code, relating to public facilities

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1494—An act to add Section 18747.3 to the Business and Professions Code, relating to professional boxing

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1610—An act to repeal Section 3 of Chapter 558 of the Statutes of 1970, relating to deer, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1833—An act to amend Sections 11475 and 11479 of the Education Code, relating to average daily attendance

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1873—An act to add Section 38109 to the Health and Safety Code, to amend, repeal, and add Section 5325 of, and to add Section 7518 to, the Welfare and Institutions Code, relating to mentally retarded persons

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2113—An act to amend Section 1027 of the Unemployment Insurance Code, relating to unemployment insurance

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden,

Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 933—An act relating to the public school system, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Senate Joint Resolution No. 10—Relative to creating a national park in Los Angeles County

Resolution read, and adopted by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

~~Resolution ordered transmitted to the Senate.~~

NOTE: Later this day a motion to reconsider the vote whereby Senate Joint Resolution No. 10 was adopted was offered by Mr. Priolo.

Senate Joint Resolution No. 9—Relative to resource recovery.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

Mr Stull announced that there would be a Republican Caucus immediately upon adjournment today, in the Assembly Lounge

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file·

Assembly Bills Nos. 206 and **264**, on request of Mr Burton.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 2139

At 3.53 p m, on motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the vote whereby Assembly Bill No 2139 was refused passage reconsidered by the following vote.

AYES—Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Priolo, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—41

NOES—Arnett, Badham, Briggs, Burke, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Ketchum, LaCoste, Lewis, Russell, Seeley, Stacey, Stull, and Wood—19

Assembly Bill No. 2139 Passed and Retained

By unanimous consent, Assembly Bill No 2139 was passed on file, to retain its place on file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3.58 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1795 and 2123 and Assembly Concurrent Resolution No 58 for hearing in the Committee on Education, on Monday, June 12, 1972

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1236

Mr Cory was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1236, and that the bill be considered engrossed

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Ways and Means reports·

AB No 160

With the recommendation · That the bill be re-referred to the Committee on Constitutional Amendments

BROWN, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Ways and Means reports·

SB No 183

With the recommendation. Do pass.

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 8, 1972

Mr Speaker · Your Committee on Ways and Means reports.

AB No 550

AB No 1470

With amendments with the recommendation. Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 8, 1972

Mr Speaker Your Committee on Ways and Means reports

AB No 82	AB No 1093	AB No 1469
AB No 512	AB No 1105	AB No 1520
AB No 743	AB No 1152	AB No 1792
AB No 862	AB No 1250	

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calandar.

BROWN, Chairman

Above bills ordered to second reading

Committee on Education

Assembly Chamber, June 8, 1972

Mr. Speaker Your Committee on Education reports:

AB No. 1042

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Retirement

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, June 8, 1972

Mr. Speaker · Your Committee on Local Government reports:

SB No. 153

SB No. 439

With the recommendation , Do pass

KNOX, Chairman

Above bills ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 889

With amendments with the recommendation · Do pass, as amended, and be re-referred to the Committee on Ways and Means

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 8, 1972

Mr. Speaker: Your Committee on Ways and Means reports.

ACR No 72

With the recommendation · Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BROWN, Chairman

Above resolution ordered on file.

Committee on Urban Development and Housing

Assembly Chamber, June 8, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

AB No 2292

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRATHWAITE, Chairman

Above bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP BILLS

Mr Brown was granted unanimous consent to take up Assembly Bills Nos 722, 2063 and 1404, without reference to file, for the purpose of reading the bills a second time and adopting the committee amendments at this time

Second Reading of Bills by Unanimous Consent

Assembly Bill No. 722—An act to amend Sections 17054, 17064, 17202, 17203, 17771, 17778, 17854, 18414.5, 18645, 18683, 24343, and 25933 of, to add Sections 18643, 18644, 25563.3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 7, line 34, of the printed bill, as amended in Assembly May 25, 1972, after the period, insert "However, a deduction shall not be disallowed under this paragraph, if, with respect to a payment described herein, the taxpayer in a court of competent jurisdiction is acquitted of making an illegal bribe, kickback or payment."

Amendment No. 2

On page 20, line 4, after "to", insert "the".

Amendment No. 3

On page 23, line 11, after the period, insert "However, a deduction shall not be disallowed under this paragraph, if, with respect to a payment described herein, the taxpayer in a court of competent jurisdiction is acquitted of making an illegal bribe, kickback or payment."

Amendment No. 4

On page 25, line 26, after "to", insert "the".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2063—An act to amend Section 4451 of, and to add Section 4457 to, the Government Code, relating to public buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, strike out "the other buildings and facilities of such district", and insert "portable buildings leased or owned by such district and not used by the physically handicapped".

Amendment No. 2

On page 2, line 8, strike out ", except that at"; strike out lines 9 to 13, inclusive, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1404—An act to amend Sections 4908 and 4920 of, and to add Section 4922.5 to, the Public Utilities Code, relating to travel promoters.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 31, 1972, strike out "Section 4922 5", and insert "Sections 4922.5 and 4925".

Amendment No. 2

On page 3, after line 11, insert

"SEC. 4. Section 4925 is added to the Public Utilities Code, to read.

4925. This chapter shall not apply to a travel promoter which is a corporation having a net worth of at least one million dollars ($1,000,000) and files with the Department of Consumer Affairs each year within 120 days after the close of its fiscal year a certificate signed by an independent certified public accountant that such corporation has at such time a net worth of at least one million dollars ($1,000,000)."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

RUSH ORDER PLACED UPON PRINTING OF BILLS

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 347, 598, 833, 1179, 1189, 1431, 2065, 2140, 2214, 2346, 722, 2063, 1404, 740, 908, 1875 and 2133, and that the bills be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 266, 316, 317, 339, 531, 588, 598, 612, 772, 816, 818, 833, 834, 1122, 1171, 1179, 1215, 1217, 1288, 1407, 1431, 1452, 1614, 1621, 1704, 1911, 2054, 2065, 2140, 2157 and 2348, and Assembly Concurrent Resolutions Nos. 59, 61, and Assembly Bills Nos. 1937, 2097, 1101, 347, 598, 833, 1179, 1189, 1431, 2065, 2140, 2214, 2346, 722, 2063, 1404, 740, 908, 1217, 1875, and 2133 for hearing in the Committee on Ways and Means on Monday, June 12, 1972

NOTICE OF INTENTION TO INTRODUCE BILL

The following notice of intention to introduce a bill, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 8, 1972

Mr Speaker In accordance with the provisions of Joint Rule No 8.3, I give notice of my intention to introduce a bill The bill and the digest prepared pursuant to Joint Rule No 8 5, are herewith filed.

Digest of Bill

Authorizes telegraph and telephone corporations to install underground as well as overhead lines and other facilities along and upon public roads or highways, waters, or lands within this state.

Vote—Majority; Appropriation—No, Fiscal Committee—No

EUGENE A CHAPPIE

Above notice of intention to introduce a bill, copy of the bill, and digest ordered transmitted to the Committee on Rules

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
244	Judiciary
266	Natural Resources and Conservation
420	Local Government
885	Local Government
1019	Education
1199	Health
1205	Finance and Insurance
1383	Judiciary
1401	Finance and Insurance
1402	Finance and Insurance
1403	Finance and Insurance
1404	Finance and Insurance

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered.

Assembly Joint Resolution No. 35: By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—Relative to the Santa Ynez River Flood Protection Project—San Miguelito Watershed.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Stull:

House Resolution No. 64

Relative to elections

WHEREAS, On June 6, 1972, U S District Court Judge George Harris directed that polls in San Francisco be kept open three hours longer than the period of time provided for balloting under California state law; and

WHEREAS, This action was taken in response to a petition filed in behalf of six San Francisco voters because they held that circumstances in that city's election procedures made it impossible to complete San Francisco's voting by 8 00 p.m.; and

WHEREAS, This action caused the counting of ballots in all of California's 58 counties to be delayed until the polls closed in San Francisco; and

WHEREAS, The three-hour delay in counting of ballots caused a great deal of confusion and anxiety throughout the state; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules assign to the Assembly Committee on Elections and Reapportionment for study the subject of the voting procedures of the City and County of San Francisco as a special order of business, and be it further

Resolved, That the Assembly Committee on Elections and Reapportionment shall undertake an immediate investigation, complete with public hearings, of this situation in order to ascertain necessary remedies such that a similar delay shall not occur in the future; and be it further

Resolved, That the Assembly Committee on Elections and Reapportionment report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1252

At 4 p.m., on motion of Mr. Ryan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1252 refused passage by the following vote:

AYES—Arnett, Bagley, Brathwaite, Briggs, Cory, Dent, Dunlap, Fenton, Fong, Garcia, Leroy F Greene, Harvey Johnson, MacDonald, McAlister, Miller, Ryan, Sieroty, Warren, and Z'berg—19.

NOES—Barnes, Bee, Belotti, Beverly, Biddle, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Foran, Gonsalves, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Mobley, Monagan, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, and Wood—35.

VOTE CHANGES

Messrs Bagley and Moretti were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1275

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1275.

Messrs Z'berg and Murphy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1275.

Mr. Waxman was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1275.

Messrs La Coste and Harvey Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1275.

Mrs Fong and Mr Deddeh were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 1275.

Messrs Chacon and Briggs were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1275

Mr Ray E Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1275.

Mr Chappie was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1275.

Mr Beverly was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1275.

Mr Lewis was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1275.

Messrs Miller, Stacey, and Ryan were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1275.

Messrs LaCoste and Chacon were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1400.

Mr Briggs was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1400.

Messrs. Z'berg, Waxman, Harvey Johnson, and Miller were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1400.

Messrs. Waxman and Miller were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1286.

Mr. Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 205.

Mr. Hayes was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 205.

Mrs. Davis was granted unanimous consent that she be recorded as "Not voting," instead of voting "No," on Assembly Bill No. 205.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No. 1485, and on the urgency clause to the bill.

Mr. Duffy was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 557.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 112.

Messrs. Burton, Briggs, and Lewis were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 1373, and on the passage of the bill.

Mr. Priolo was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the motion to reconsider the vote on Assembly Bill No. 2139.

Mr. Briggs was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the motion to reconsider the vote on Assembly Bill No. 2139.

MOTION TO RECONSIDER SENATE JOINT RESOLUTION No. 10 ON NEXT LEGISLATIVE DAY

Mr. Priolo moved to reconsider on the next legislative day the vote whereby Senate Joint Resolution No 10 was this day adopted.

Senate Joint Resolution No. 10 ordered to the unfinished business file.

BILLS PASSED ON FILE

Assembly Bill No. 1778—Passed on file.

COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

Explanations of Absence

June 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker Due to my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on June 8, 1972.

Sincerely,

CARLEY V. PORTER

June 8, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker· Because of my duties on the Budget Conference Committee, I was unable to vote on several issues that came before the Assembly on June 7 and 8, 1972.

Cordially,

FRANK LANTERMAN

ADJOURNMENT

At 4·04 p m, Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m., Monday, June 12, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-seventh Legislative Day

One Hundred Sixty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 12, 1972

The Assembly met at 9:30 a m.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr. Chappie moved a quorum call of the Assembly.

Motion carried Time, 9:31 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9:52 a m., Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Save us from despair in our daily encounter with the burden of existence. Save us from exhausting ourselves in resenting rather than patiently accepting its daily handouts.

Make us realize that the mission of service to the cause of man, the task of reducing the world's suffering, is one which has its own share of suffering. Give us the strength to accept it.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Quimby then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Dent, seconded by Mr. Meade.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Campbell, on request of Acting Speaker Fenton.

Mr. Wakefield, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Garcia, on request of Acting Speaker Fenton.

Mr. Lewis, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Moorhead, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 9, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Monday, June 12, 1972, so that I may attend the Inaugural Celebration of the Mini-Bus extension to Chinatown and Olvera Street in my district on June 12, 1972 (information attached).

Sincerely,

ALEX P. GARCIA, Assemblyman
Fortieth District

June 9, 1972

Honorable Bob Moretti, Speaker
California State Assembly
State Capitol Building, Sacramento, California

Dear Mr. Speaker: I would respectfully request to be excused from the daily session on Monday, June 12, 1972.

I will be in my district working on school finance problems and several other urgent educational matters, conferring with Dr. Donald R. Wheeler, Superintendent, and Robert Campbell, Assistant Superintendent, Redlands Unified School District; Dr. Jerome Thornsley, Superintendent of the Yucaipa Joint Unified School District, and others.

Sincerely,

JERRY LEWIS, Assemblyman
Seventy-third District

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Press Credentials

June 5, 1972

Squire Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of Donald H. Harrison's request to be an accredited press representative at the current session of the Legislature. Mr. Harrison will represent the San Diego Union.

Sincerely,

JOHN L. BURTON, Chairman
Assembly Rules Committee

COMMUNICATIONS

Assembly Chamber, June 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 89—Approving amendments to the Charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on May 9, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of June, 1972, at 11:30 a.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 13	AB No. 850
AB No 300	AB No 2060

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1032	AB No. 1394	AB No. 1861
AB No. 1036	AB No 1528	AB No 1958
AB No. 1267		

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 12, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined.

AB No. 85	AB No 1330	AB No. 1744
AB No. 165	AB No 1360	AB No 1880
AB No. 285	AB No. 1418	AB No. 1946
AB No. 523	AB No. 1458	AB No. 2084
AB No. 569	AB No. 1459	AB No 2265
AB No. 652	AB No. 1467	AB No 2268
AB No. 669	AB No 1490	AB No 2280
AB No. 884	AB No. 1544	AB No 2347
AB No 969		

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 12, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1951	AB No 2091	AB No 2267
AB No 2024	AB No 2123	AB No. 2315
AB No. 2083	AB No 2249	AB No 2352

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 140	AB No 1151	AB No. 1489
AB No 273	AB No 1256	AB No. 1491
AB No 750	AB No 1284	AB No. 1539
AB No 857	AB No. 1323	AB No. 1546
AB No 885	AB No 1357	AB No 1599
AB No 898	AB No 1376	AB No. 1708
AB No. 962	AB No 1403	AB No. 1768
AB No 1011	AB No. 1408	AB No 1808
AB No 1102	AB No 1417	AB No. 1856
AB No. 1103	AB No 1457	AB No. 1912

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 12, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

ACA No 3
AJR No 23

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolutions re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 9, 1972

Mr Speaker Your Committee on Ways and Means reports:

AB No 960

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading

Committee on Labor Relations

Assembly Chamber, June 9, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports

AB No 1782

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Labor Relations

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1782—An act to add Section 6423 to the Labor Code, relating to trenches and excavations

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 4, 1972, strike out "add Sections 6423 to", and insert "amend Section 6424 of, and to add Section 6423 to,"

Amendment No. 2

On page 1, line 6, after "pipeline", insert a comma.

Amendment No. 3

On page 2, after line 4, insert

"SEC. 2 Section 6424 of the Labor Code is amended to read:

6424. When the State of California, a county, city and county, or city requires the issuance of a permit as a condition precedent to the construction of a pipeline, sewer, private sewage disposal system, boring and jacking pits, or similar trenches, or open excavations which are five feet or deeper, and the entity issuing the permit conducts onsite inspections during construction of such trenches or excavations, such entity issuing the permit shall submit to each applicant for such permit in writing the division's safety orders relating to trenches and excavations for the purpose of informing the applicant of his responsibility to provide adequate sheeting, shoring, and bracing for the protection of life or limb.

Where the state, county, city and county, or city requires a permit for construction of such a trench or excavation five feet or deeper, but where no inspection with respect to construction of trenches or excavations is provided for by the entity requiring the permit, or where the state, county, city and county, or city does not require a permit for such construction, the employer who plans to construct a trench or excavation five feet or deeper shall, prior to beginning construction, obtain from the division a permit authorizing such construction Where a project involves several trenches or excavations, only one permit shall be required for all such trenches and excavations. The application for a permit shall contain such information as the division may deem necessary to evaluate the safety of the proposed construction The division shall set a fee to be charged for such permits in an amount reasonably necessary to cover the costs involved in investigating and issuing such permit

The division shall attach to each such permit issued by it a copy of the division's safety orders relating to excavations and trenches.

The provisions of this section shall not be applicable to the State of California, a city, city and county, county, district or public utility

subject to the jurisdiction of the Public Utilities Commission, or to any employer who has entered a public works contract with and is subject to regulations (other than the regulations specified by this section) of the State of California, a city, city and county, county, or district which require a permit and provide for inspections with respect to construction of a trench or excavation, or to the construction of trenches or excavations for the purpose of performing emergency repair work to underground facilities, *or the construction of swimming pools,* or the construction of "graves" as defined in Section 7014 of the Health and Safety Code, or to the construction or final use of excavations or trenches where the construction or final use does not require a person to descend into the excavations or trenches."

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, June 9, 1972

Mr Speaker The Chairman of your Committee on Labor Relations reports:

AB No 630

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 630—An act to amend Sections 7621, 7622, 7655, 7680, 7721, 7722, 7723, 7724, and 7725, relating to industrial safety, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly April 3, 1972, strike out "7722, 7723,".

Amendment No. 2

In line 2 of the title, after "7725", insert "of, and to repeal Sections 7722 and 7723 of, the Labor Code".

Amendment No. 3

On page 2, strike out line 31, and insert "Section 7721."

Amendment No. 4

On page 2, line 40, after "shop", insert "and field".

Amendment No. 5

On page 3, line 2, strike out "with the size of the tank or"; strike out lines 3 to 40, inclusive; and on page 4, strike out lines 1 to 16, inclusive, and insert "with a schedule that considers travel costs and expenses, inspection time, and clerical time pertinent to the inspection, but shall not include other administrative overhead expenses

Such fee schedule shall also be applicable to consultations, surveys, audits and other activities required by or related to national standards concerning the design or construction of boilers or pressure vessels or for evaluating fabricator's plant facilities.

SEC. 6. Section 7722 of the Labor Code is repealed.

~~7722. The division may, by general safety order, fix and collect fees for the field inspection of tankers. Such fees shall not exceed the following amounts:~~

~~(a) Small tanks, each—eight dollars ($8).~~

~~(b) Large tanks, per hour—eight dollars ($8).~~

SEC. 7. Section 7723 of the Labor Code is repealed

~~7723. The division may, by general safety order, fix and collect fees for the field and/or shop inspection of boilers. Such fees shall not, in any event, exceed the following amounts:~~

~~(a) For boilers 20 inches or less in diameter, or less than 3 horsepower:~~

~~(1) External inspection, six dollars ($6).~~

~~(2) Internal inspection, eight dollars ($8).~~

~~(b) For fire tube boilers over 20 inches in diameter:~~

~~(1) External inspection, eight dollars ($8).~~

~~(2) Internal inspection, fifteen dollars ($15).~~

~~(c) For water tube boilers over 20 inches in diameter:~~

~~(1) External inspection, eight dollars ($8).~~

~~(2) Internal inspection, twenty-five dollars ($25).~~ "

Amendment No. 6

On page 4, line ~~21,~~ strike out "not exceed twenty-three dollars and"; and strike out line 22, and insert "be in accordance with criteria expressed in Section 7721."

Amendment No. 7

On page 4, strike out lines 27 to 30, inclusive; and on line 31, strike out "(c)", and insert

"(a)".

Amendment No. 8

On page 4, line 37, strike out "(d)", and insert

"(b)".

Amendment No. 9

On page 4, line 38, strike out "installed tanks and/or boilers", and insert "either installed tanks or boilers, or both,".

Amendment No. 10

On page 4, line 40, strike out "(e)", and insert "(c)".

Amendment No. 11

On page 5, strike out lines 4 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, June 12, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 288

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 288—An act to add Section 6357 1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 4, 1972, strike out "Duffy", and insert "Belotti".

Amendment No. 2

In line 1 of the title, strike out "6357 1", and insert "219.5".

Amendment No. 3

In lines 2 and 3 of the title, strike out ", to take effect immediately, tax levy".

Amendment No. 4

On page 1, strike out lines 2 to 4, inclusive, and strike out all of pages 2 and 3, and insert

"SECTION 1 Section 219 5 is added to the Revenue and Taxation Code, to read

219 5 In addition to the exemption provided in Section 219, the remainder of the assessed value of hay held as feed for dairy cattle shall be exempt and such exemption shall be indicated on the assessment role.

SEC 2 This act shall become operative on the lien date in 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 12, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

AB No 1307

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1307—An act to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly April 18, 1972, strike out "Assemblyman Bee", and insert "Assemblymen Bee and Arnett".

Amendment No. 2

On page 2, line 11, strike out "Such issue of revenue bonds may, to the"; strike out lines 12 to 17, inclusive; and in line 18, strike out "protection of the bridge structures "

Amendment No. 3

On page 3, line 5, strike out "Notwithstanding"; and strike out lines 6 to 8, inclusive.

Amendment No. 4

On page 3, line 10, strike out "2,000", and insert "4,500".

Amendment No. 5

On page 3, line 16, after "County", insert ", and by the City Council of Palo Alto if any portion of the westerly approach is proposed, by the authority or the department, to be located within the city limits of Palo Alto"

Amendment No. 6

On page 3, strike out lines 17 to 23, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 12, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

SB No. 414

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 414—An act to amend Section 146 of, and to add Section 146.1 to, the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in Senate May 4, 1972, strike out "a"; strike out lines 22 to 24, inclusive, and insert "an environmental impact statement on the project has been prepared in compliance with the National Environmental Policy Act of 1969 and the State Environmental Quality Act of 1970, and (3) the".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, June 8, 1972

Mr. Speaker: The Chairman of your Committee on Welfare reports:

AB No 2216

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Welfare.

BAGLEY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2216—An act to amend Section 19628 of the Welfare and Institutions Code, relating to blind persons

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Assembly May 25, 1972, strike out "the profits", and insert "a commission".

Amendment No. 2

On page 2, line 32, strike out "profits", and insert "commission".

Amendment No. 3

On page 2, strike out lines 36 to 38, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Welfare.

MESSAGES FROM THE SENATE

Senate Chamber, June 8, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 438

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, June 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 230
AB No. 430
AB No 565
AB No. 1591

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 263
AB No 539

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 54
SB No. 646

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 9, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 364
AB No. 480
AB No. 1125

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 9, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 514	AB No 1316
AB No 753	AB No 1763

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 8, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day passed:

SB No 368
SB No 453
SB No. 464

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 8, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted·

SJR No 18

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 9, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed

SB No 224	SB No. 957	SB No 1173
SB No 438	SB No. 1072	SB No. 1488
SB No 593	SB No 1108	

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, June 9, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted:

SJR No 14

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 368—An act to amend Section 13747 of the Education Code, relating to classified employees.

Held at Desk by order of the Acting Speaker

Senate Bill No. 453—An act to amend Sections 72608, 72640, 72645 and 72649 of, to repeal Sections 72646 and 72647 of, and to add Section 72646 to, the Government Code, relating to municipal courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 464—An act to amend Section 25001.3 of the Government Code, relating to supervisorial districts

Held at Desk by order of the Acting Speaker

Senate Joint Resolution No. 18—Relative to mine safety.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 224—An act to amend Section 461 of, and to add Section 460.5 to, the Code of Civil Procedure, relating to defamation.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 438—An act to amend Section 5902 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 593—An act to amend Section 227c of, and to amend, repeal, and add Section 227b to, the Civil Code, relating to adoption

Held at Desk by order of the Acting Speaker

Senate Bill No. 957—An act to add Section 3111 5 to the Civil Code, relating to mechanic's liens.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1072—An act to amend Sections 1 5, 2 1, 2 5, 3.1, 3.5, 3 16, 3 25, 3 27, 6.55, and 7 11 of, and to add Section 1 9 to, the Fresno Metropolitan Transit District Act of 1961 (Chapter 1932 of the Statutes of 1961), relating to transit districts, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1108—An act to add Article 4 5 (commencing with Section 53070) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to counties.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1173—An act to amend Sections 33324, 33330, 33363, 33385, and 33411 of, and to add Sections 33333 5 and 33347.5 to, the Health and Safety Code, relating to redevelopment

Held at Desk by order of the Acting Speaker

Senate Bill No. 1488—An act relating to the Oroville Union High School District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Senate Joint Resolution No. 14—Relative to the establishment of a Federal-State Legislative Council.

Held at Desk by order of the Acting Speaker.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No 934 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Criminal Procedure; and that Assembly Bill No 2274 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Governmental Organization

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 209 and 1887 for hearing in the Committee on Ways and Means today at 6 p m.

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 350, 378, 1076, 1334, 1384, 1522, 1557, 1564, 1655, 1938, 1986, 1987, 1989, 2343, 2368, 1566, 1549. and 1550, and Assembly Concurrent Resolution No 86, and Senate Bill No 1076 for hearing in the Committee on Ways and Means on Wednesday, June 14, 1972

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1090 and Senate Bill No. 1199 for hearing in the Committee on Health today

Mr Belotti was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 288, that the bill be considered engrossed, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 288 for hearing in the Committee on Revenue and Taxation.

Mr Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1006, 1237, 1239, 1240, 1241, 1586, 1685, 1790, 1947, 1948, 1949, 2128, 2239, 2240, 2267, 2268, 2372, 1030 and 1864 for hearing in the Committee on Criminal Justice on Thursday, June 15, 1972

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that Assembly Bills Nos 1549 and 1550 be considered engrossed

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 1036, 850, 1958, 1394, 13, and **2060,** ordered to third reading

---

NOTE Later this day Assembly Bill No 2060 was re-referred to the Committee on Ways and Means

Assembly Bills Nos. 1861, 1032, 1267, 300, and **1528,** ordered to the Consent Calendar

---

NOTE: Later this day Assembly Bill No 1861 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2198—An act to add Section 10501 to the Unemployment Insurance Code, relating to job training.

Bill read second time, and ordered to the Consent Calendar

NOTE: Later this day Assembly Bill No. 2198 was re-referred to the Committee on Ways and Means

---

Assembly Bill No. 1008—An act to amend Section 11501 of the Agricultural Code, relating to pesticides

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2122—An act to amend Sections 24224, 24260, 24354 2, 24355 2, 39382, and 39402 of the Health and Safety Code, relating to air pollution

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1730—An act to add and repeal Section 218 of the Health and Safety Code, relating to medical aid

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add and repeal Section 218", and insert "amend Section 217"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 217 of the Health and Safety Code is amended to read:

217 All policemen, sheriffs, deputy sheriffs, members of the California Highway Patrol, and firemen in this state shall be trained to administer first aid, *including, but not limited to, cardiopulmonary resuscitation* The training which shall ~~at least~~ meet the standard ~~of the standard American Red Cross training in first aid,~~ *for first aid training prescribed by the state department, and* shall be satisfactorily completed by such policemen, sheriffs, deputy sheriffs, members of the California Highway Patrol, and firemen, as soon as practical, but in

no event more than one year after the date of employment Satisfactory completion of a refresher course approved by the ~~State Department of Public Health~~ *state department* in first aid every three years shall also be required

The state department shall designate a public agency or private nonprofit agency in each county to provide the training required by this section Such training shall be provided at no cost to the trainee

This section shall not apply to policemen, sheriffs, deputy sheriffs, members of the California Highway Patrol, and firemen whose duties are primarily clerical or administrative

As used in this section, "fireman" means any regularly employed and paid officer, employee, or member of a fire department or fire protection or firefighting agency of the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of this state or member of an emergency reserve unit of a volunteer fire department or fire protection district."

Amendment No. 3

On page 1, strike out lines 2 to 7, inclusive, and strike out pages 2 and 3

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1549—An act to add Section 25952 5 to the Health and Safety Code, relating to abortions.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 25952 5 to the Health and Safety Code," and insert "require the Board of Medical Examiners of the State of California to conduct a study and make a report".

Amendment No. 2

In line 2 of the title, after "abortions", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 The Board of Medical Examiners of the State of California shall conduct a study relating to the practices under, and the application of, the Therapeutic Abortion Act (Chapter 11 (commencing with Section 25950) of Division 20 of the Health and Safety Code) In conducting such study, the board shall hold no less than six public hearings with no less than three of such hearings held in southern California and no less than three of such hearings held in northern California The board shall give such notice of the public hearings as it determines is reasonably necessary to inform interested members of

the general public and of the medical, legal, and other interested professions Such public hearings shall be completed prior to July 1, 1973.

The study shall include, but not be limited to, a review of counseling and medical practices associated with the abortion laws of this state, a review of any changes in attitude of the medical profession, hospital administrators, and the general public toward the abortion laws of this state since the enactment of the Therapeutic Abortion Act, and a determination as to whether or not there is substantial abuse of the provisions of the Therapeutic Abortion Act authorizing abortions where the pregnancy would gravely impair the mental health of the mother

The board shall report its findings to the Legislature by January 1, 1974

SEC 2 The sum of _____ dollars ($_____), or so much thereof as may be necessary, is hereby appropriated from the surplus accumulated in the contingency fund of the Board of Medical Examiners to the Board of Medical Examiners of the State for California for expenditure to carry out the purposes of the provisions of Section 1 of this act ''

Amendment No. 4

On page 1, strike out lines 2 and 3; and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No 1550—An act to add Chapter 11 5 (commencing with Section 25956) to Division 20 of the Health and Safety Code, relating to abortions

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No 1

On page 2, of the printed bill, as amended in Assembly May 24, 1972, strike out lines 13 to 19, inclusive, and insert ''corporation which does all of the following:

(a) Receives compensation in any form for counseling services

(b) Advertises as a source of abortion information or solicits clients who desire abortion counseling

(c) Offers counseling by persons who are not licensed as marriage, family, or child counselors pursuant to Section 17800 of the Business and Professions Code or exempted from such licensing requirement pursuant to Section 17800 1 of the Business and Professions Code, or who are not registered nurses, licensed and social workers, or licensed psychologists ''

Amendment No. 2

On page 2, line 20, and page 3, line 1, strike out ''Board of Medical Examiners of the State of California'', and insert ''state department''.

Amendment No. 3

On page 3, line 8, strike out ''woman'', and insert ''person''.

Amendment No. 4

On page 3, line 12, strike out "woman", and insert "person".

Amendment No. 5

On page 3, line 14, strike out "woman", and insert "person".

Amendment No. 6

On page 3, strike out lines 16 to 24, inclusive.

Amendment No. 7

On page 3, line 26, strike out "or 25956.8".

Amendment No. 8

On page 4, line 2, strike out "contribution,".

Amendment No. 9

On page 4, line 3, after "consideration", insert "which totals more than three hundred dollars ($300)".

Amendment No. 10

On page 4, line 7, strike out "be a felony", and insert "constitute unprofessional conduct within the meaning of Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code".

Amendment No. 11

On page 4, strike out lines 8 to 24, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 860—An act to amend Section 10815 of, and to add Section 16524 to, the Education Code, relating to school field trips and excursions

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 3, line 16, of the printed bill, as amended in Assembly May 18, 1972, strike out "or any other public funds".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1072—An act to amend Section 35783 of the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Assembly May 18, 1972, strike out "temperature"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Concurrent Resolution No. 38—Relating to the cotton pink bollworm control program

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed measure, strike out "October", and insert "November"

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 486—An act to amend Sections 62707, 62707.5, 62712, and 62714 of the Agricultural Code, relating to milk.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "62712,".

Amendment No. 2

On page 5, strike out lines 2 to 40, inclusive; and on page 6, strike out lines 1 to 19, inclusive.

Amendment No. 3

On page 6, line 20, strike out "SEC 4", and insert "SEC 3"

Amendment No. 4

On page 6, strike out lines 30 to 33, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No 1791—An act to amend Sections 38731, 38732, 38733, 38734, 38735, 38741, and 38742 of, to amend the heading of Article 27 (commencing with Section 38731) of Chapter 5 of Part 3 of Division 15 of, to add Article 7 (commencing with Section 36991) to Chapter 2 of Part 3 of Division 15 of, and to add Article 32 (commencing with Section 38801), Article 33 (commencing with Section 38811), Article 34 (commencing with Section 38821), and Article 35

(commencing with Section 38861) to Chapter 5 of Part 3 of Division 15 of, the Agricultural Code, relating to standards for milk products.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted.

Amendment No. 1

On page 5, strike out lines 7 to 9, inclusive, of the printed bill, and insert "other forms"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1615—An act to add Section 14013 to the Agricultural Code, relating to pesticide

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

On page 1, line 3, of the printed bill, after "who", insert "willfully and knowingly".

Amendment No. 2

On page 1, line 5, strike out "restricted", and insert "injurious".

Amendment No. 3

On page 1, line 6, strike out "and, if", and strike out lines 7 and 8; and in line 9, strike out "of a felony", and insert "if the information or representation is of a kind which, if honestly given, would have resulted in a denial of the permit".

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 441—An act to amend Section 11713 of the Vehicle Code, relating to vehicle dealers, manufacturers, and transporters

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 638—An act to add Article 3.5 (commencing with Section 27400) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles

Bill read second time, and ordered to third reading

Assembly Bill No. 888—An act to add Section 19062.15 to the Revenue and Taxation Code, relating to taxation.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "6", and insert "4"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1961—An act to amend the heading of Chapter 12 5 (commencing with Section 7800) of Division 3, and Sections 101, 7800, 7801, 7804, 7805, 7806, 7810, 7811, 7813, 7814, 7817, 7820, 7823, 7824, 7825, 7832, 7833, 7834, 7835, 7837, 7839, 7840, 7841, 7842, 7843, 7845, 7847, 7851, 7860, 7872, 7880, 7881, 7884, 7885, 7886 and 7887 of, and to add Sections 7802 1, 7803 1, 7804 1, 7807 1, 7830 1, 7835 1, 7839 1, 7841 1, 7842 1, 7843 1, 7845 1, 7847 6, 7848 1, 7850 1, 7850 6, and 7852 1 to, and to add and repeal Section 101 of, the Business and Professions Code, relating to geologists and geophysicists, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted:

Amendment No. 1

On page 18 of the printed bill, as amended in Assembly May 30, 1972, strike out lines 27 to 29, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2012—An act to amend Sections 17921, 17922, 17925, 17930, 17952, 17958, and 17958 7, and to repeal Section 17922 5 of the Health and Safety Code, relating to housing

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 5, line 8, of the printed bill, after "section", insert "enacted at the 1972 Regular Session"

Amendment No 2

On page 5, line 9, after "regulations", insert "thereafter".

Amendment No. 3

On page 5, line 11, strike out "imposing", and insert "to impose".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 585—An act to amend Sections 74691, 74692, 74693, and 74693.1 of the Government Code, relating to courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 735—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1812—An act to amend Sections 851.5, 852, 853 and 1240 of the Probate Code, relating to title disputes

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1048—An act to amend Sections 680, 682 and 684 of the Probate Code, relating to family allowance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1820—An act to amend Section 3262 of the Civil Code, relating to works of improvement.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1988—An act to amend Sections 74191, 74192, 74193, 74194, and 74195 of the Government Code, relating to courts.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly May 25, 1972, strike out "11", and insert "13".

Amendment No. 2

On page 2, between lines 23 and 24, insert

"(e) There shall be one typist-clerk II for the court who shall be appointed by the judges of the court and who shall perform such duties as may be required of him by the court or the judges. The typist-clerk II for the court shall receive a salary at a rate specified in Schedule 34 of Section 74196."

Amendment No. 3

On page 4, line 11, strike out "Fifteen", and insert "Eighteen".

Amendment No. 4

On page 4, line 20, strike out "Sixteen", and insert "Twenty-four".

Amendment No. 5

On page 4, line 23, strike out "Thirteen", and insert "Eighteen".

Amendment No. 6

On page 4, line 30, strike out "Eight", and insert "Twelve".

Amendment No. 7

On page 4, line 37, strike out "Two", and insert "Four".

Amendment No. 8

On page 5, line 1, strike out "One deputy clerk", and insert "Two deputy clerks".

Amendment No. 9

On page 5, line 15, strike out "Seven", and insert "Ten".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 54—An act to add Section 69894 to the Government Code, relating to courts

Bill read second time, and ordered to third reading.

Assembly Bill No. 95—An act to add Sections 789 8, 789.9, and 2983 8 to the Civil Code, relating to mobilehomes

Bill read second time, and ordered to third reading

Assembly Bill No. 642—An act to repeal Chapter 3 5 (commencing with Section 21500) of Part 1 of Division 9 of the Public Utilities Code, relating to aviation

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2048—An act to amend Section 33356 of the Health and Safety Code, relating to redevelopment.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2230—An act to amend Section 37517 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar

NOTE: Later this day Assembly Bill No 2230 was re-referred to the Committee on Ways and Means

---

Assembly Bill No. 1165—An act to add Chapter 1 6 (commencing with Section 22515) to Division 16 5 of the Education Code, relating to community colleges

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "amend Section 25505 8 of, and to".

Amendment No. 2

In line 2 of the title, after "of", insert a comma.

Amendment No. 3

On page 1, line 1, after "SECTION 1.", insert "Section 25505.8 of the Education Code is amended to read

25505 8 A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less, (b) are both citizens and residents of a foreign country, or (c) are military personnel or the dependents of military personnel Any exemptions shall be made with regards to all nonresidents described in (a), or (b), or (c) above, and shall not be made on an individual basis.

A district may, ~~without~~ *with* the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the Board of Governors of the California Community Colleges not later than January 1st of each year The fee shall represent the amount per student enrolled in community colleges in all the districts of the state, which is expended by all districts for the current costs of education as defined by the California School Accounting Manual for pupils enrolled in grades 13 and 14

The Board of Governors of the California Community Colleges shall compute the amount per pupil enrolled in all districts of the state.

The amount per pupil enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 of all districts maintaining community colleges in the state and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled

The Board of Governors of the California Community Colleges shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–1963 more than 15 percent of the students enrolled were residents of another state; except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district.

SEC. 2."

Amendment No. 4

On page 2, line 24, strike out "at least".

Amendment No. 5

On page 2, line 27, after "residents", insert ", on a one-for-one basis,".

Amendment No. 6

On page 2, line 37, after the period, insert "Such agreements shall contain the provision that no additional state funds shall be required to carry out the provisions of this chapter."

Amendment No. 7

On page 3, line 21, after the period, insert "Such rules and regulations shall contain the provision that no additional state funds shall be required to carry out the provisions of this chapter."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1246—An act to amend Section 1 of Chapter 1619 of the Statutes of 1971, relating to handicapped students at community colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 26, 1972, after line 37, insert

"(d) Any funds made available for the purpose of expenditure pursuant to this act are hereby continuously appropriated without regard to fiscal year."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1931—An act to amend Sections 17769 and 17775 of, and to add Sections 17769.1, 17769.2, 17775.1, 17775.2, and 17775.3 to, the Business and Professions Code, and to amend Sections 12214,

12215, 12401.1, 17207, 17211, 17212, 17608.1, 22202, 22208, 22615.5, 24202, 24208, and 24609.1 of the Financial Code, relating to persons licensed by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 22, 1972, strike out "17775.2, and 17775.3", and insert "and 17775.2".

Amendment No. 2

On page 3, strike out lines 34 to 39, inclusive.

Amendment No. 3

On page 8, line 26, strike out "7", and insert "8".

Amendment No. 4

On page 8, line 30, strike out "7", and insert "6".

Amendment No. 5

On page 8, line 32, strike out "7", and insert "6".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 675—An act to add Section 1264.2 to the Unemployment Insurance Code, relating to unemployment compensation benefits

Bill read second time, and ordered to third reading.

Assembly Bill No. 984—An act to amend Section 17045 of, and to add Section 17046 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading

Assembly Bill No. 1162—An act to amend Section 75033 of, and to add Section 75033.5 to, the Government Code, relating to the Judges' Retirement Law.

Bill read second time, and ordered to third reading

Assembly Bill No. 1896—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants in aid to recipients of public assistance

Bill read second time, and ordered to third reading.

Assembly Bill No. 2032—An act to amend Sections 35700, 35711, 35720, 35730.5, 35740, and 35742 of, and to add Section 35747 to, the Health and Safety Code, relating to fair housing

Bill read second time, and ordered to third reading.

Assembly Bill No. 2130—An act to add Section 14670.2 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1004—An act to add Sections 3405 and 4027 to the Penal Code, and to add Sections 519 and 1773 to the Welfare and Institutions Code, relating to abortions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 550—An act to amend Section 1 of Chapter 137 of the Statutes of 1966, First Extraordinary Session, Section 3 of Chapter 1679 of the Statutes of 1967, Sections 2 and 3 of Chapter 1356 of the Statutes of 1969, and Section 2 of Chapter 920 of the Statutes of 1970, relating to water pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in Assembly May 3, 1972, after "districts", insert "; provided, however, that in the event of federal reimbursement of local funds used for construction of necessary sewage and storm drainage facilities, the portion of the funds which need not be repaid by the affected district and which shall be considered a grant shall not exceed the amount, as determined by the State Water Resources Control Board, which the state is required to agree to contribute to qualify for such federal reimbursement. Any federal funds received pursuant to any applicable federal act by the North Tahoe Public Utility District, the Tahoe City Public Utility District, or the Truckee Sanitary District as a reimbursement for construction funds loaned to the district pursuant to this act shall be deposited in the State Water Quality Control Fund and credited to the amount owed by the district to the state under the loan contract entered into pursuant to this act"

Amendment No. 2

On page 4, line 7, after "County", insert ", provided, however, that in the event of federal reimbursement of local funds used for construction of necessary sewage facilities, the portion of such funds which need not be repaid by the district and which shall be considered a grant shall not exceed the amount, as determined by the State Water Resources Control Board, which the state is required to agree to contribute to qualify for such federal reimbursement. Any federal funds received pursuant to any applicable federal act by the South Tahoe Public Utility District as a reimbursement for construction funds loaned to the district pursuant to this act shall be deposited in the

State Water Quality Control Fund and credited to the amount owed by the district to the state under the loan contract entered into pursuant to this act".

Amendment No. 3

On page 4, line 38, after "facilities", insert "; provided, however, that in the event of federal reimbursement of local funds used for construction of necessary sewage facilities, the portion of such funds which need not be repaid by the district and which shall be considered a grant shall not exceed the amount, as determined by the State Water Resources Control Board, which the state is required to agree to contribute to qualify for such federal reimbursement. Any federal funds received pursuant to any applicable federal act by the Tahoe City Public Utility District as a reimbursement for construction funds loaned to the district pursuant to this act shall be deposited in the State Water Quality Control Fund and credited to the amount owed by the district to the state under the loan contract entered into pursuant to this act".

Amendment No. 4

On page 5, line 30, after "district", insert "; provided, however, that in the event of federal reimbursement of local funds used for construction of necessary sewage and storm drainage facilities, the portion of such funds which need not be repaid by the district and which shall be considered a grant shall not exceed the amount, as determined by the State Water Resources Control Board, which the state is required to agree to contribute to qualify for such federal reimbursement. Any federal funds received pursuant to any applicable federal act by the North Tahoe Public Utility District as a reimbursement for construction funds loaned to the district pursuant to this act shall be deposited in the State Water Quality Control Fund and credited to the amount owed by the district to the state under the loan contract entered into pursuant to this act".

Amendment No. 5

On page 6, line 20, after "district", insert "; provided, however, that in the event of federal reimbursement of local funds used for construction of necessary sewage and storm drainage facilities, the portion of such funds which need not be repaid by the district and which shall be considered a grant shall not exceed the amount, as determined by the State Water Resources Control Board, which the state is required to agree to contribute to qualify for such federal reimbursement Any federal funds received pursuant to any applicable federal act by the Tahoe City Public Utility District as a reimbursement for construction funds loaned to the district pursuant to this act shall be deposited in the State Water Quality Control Fund and credited to the amount owed by the district to the state under the loan contract entered into pursuant to this act"

Amendment No. 6

On page 7, line 6, after "SEC 8 ", insert "The Legislature hereby declares that the provisions of this act are not intended to create a precedent with respect to repayment of any funds loaned by the state but are justified only because of special circumstances existing within

the Lake Tahoe Basin. State law has mandated that all waste within the Lake Tahoe watershed be transported outside the Lake Tahoe watershed in order to preserve the high quality of the waters of Lake Tahoe and to preserve the clarity and beauty of the waters of Lake Tahoe for the benefit of all the people of California.

SEC. 9."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1470—An act to amend Section 25951 of the Health and Safety Code, relating to counseling sessions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, strike out lines 12 to 16, inclusive, of the printed bill, as amended in Assembly May 24, 1972, and insert "shall provide a counseling session. Such a hospital may have agreements with other individuals or public or private health agencies which the person or agency operating the hospital has determined are competent to provide a counseling session Such a counseling session shall be voluntary and shall be provided".

Amendment No. 2

On page 2, line 19, strike out "Counseling", and insert "The counseling session".

Amendment No. 3

On page 2, line 26, after the comma, insert "one".

Amendment No. 4

On page 2, line 26, strike out "services", and insert "session".

Amendment No. 5

On page 2, line 27, strike out "are", and insert "is".

Amendment No. 6

On page 2, line 30, strike out "services", and insert "service".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 82—An act to add Section 30101 6 to the Streets and Highways Code, relating to toll bridges

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 512—An act to add Section 6404 to the Agricultural Code, relating to plants.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 743—An act to amend Section 8411 of, and to add Sections 8412 ,8413, 8414, and 8414.2 to, the Water Code, relating to flood plain regulations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 862—An act to amend Section 410 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1093—An act to add and repeal Section 4181.3 of the Fish and Game Code, relating to mammals.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1152—An act to amend Sections 6484 and 6497 of the Fish and Game Code, relating to mariculture.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1250—An act to amend Section 16609 of, and to add Section 16603.5 to, the Education Code, relating to children's centers.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1469—An act to amend Section 17601 1 of the Education Code, relating,to attendance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1520—An act to amend Sections 14581, 14585, and 14686 of, and to add Section 14622 to, the Agricultural Code, relating to fertilizing materials.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1792—An act to amend Section 36637 of the Agricultural Code, relating to definitions, standards, and permits.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1042—An act to add Section 13468.4 to the Education Code, relating to school certificated employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 13468 1 of, and".

Amendment No. 2

In line 1 of the title, strike out "13468.4 to", and insert "13468.3 to,".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 13468.1 of the Education Code is amended to read:

13468.1. Any certificated employee of any school district who has been an employee of that district for a period of one school year or more and who accepts a position requiring certification qualifications in another school district at any time during the second or any succeeding school year of his employment with the first district, or who, within the school year succeeding the school year in which such employment is terminated, signifies acceptance of his election or employment in a position requiring certification qualifications in another school district, shall have transferred with him to the second district the total amount of leave of absence for illness or injury to which he is entitled under Section 13468. *The school district may provide that the employee, at his option, may elect to receive from the district at which such leave of absence was earned, cash payment in lieu of transfer credit for the accumulated leave of absence to which he is entitled. The employee must, prior to the end of the last school year for which he was employed by such district, notify the district of his election to take cash payment in lieu of transfer credit. Cash payment shall be calculated at a rate of pay established by the district.* The State Board of Education shall adopt rules and regulations prescribing the manner in which the first district shall certify to the second district the total amount of leave of absence for illness or injury to be transferred. No governing board shall adopt any policy or rule, written or unwritten, which requires any certificated employee transferring to its district to waive any part or all of the leave of absence which he may be entitled to have transferred in accordance with this section.

SEC. 2. Section 13468.3 is added to the Education Code, to read ".

Amendment No. 4

On page 1, line 3, strike out "13468.4", and insert "13468.3".

Amendment No. 5

On page 1, lines 6 and 7, strike out "13468.3, but including retirement, shall", and insert "13468.1, but including retirement, may, with the consent of the governing board,".

Amendment No. 6

On page 1, line 11, strike out "The amount of such leave and the"; strike out line 12; strike out page 2, and insert "The lump-sum payment shall be computed by projecting the unused and accumulated leave of absence for illness or injury on a calendar basis so that the lump-sum payment will equal that amount which the employee would have been paid had he worked the time equal to the unused and accumulated leave of absence for illness or injury at a rate of compensation equal to his average rate of daily pay earned throughout his service with the district."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

Assembly Bill No. 2292—An act making an appropriation to the Department of Housing and Community Development for housing information systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation to the Department of Housing and Community Development for", and insert "to amend Section 37111 of, and to add Section 37108.5 to, the Health and Safety Code, relating to".

Amendment No. 2

In line 3 of the title, after "systems", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, line 1, strike out "SECTION. 1.", and insert

"SECTION 1. Section 37108.5 is added to the Health and Safety Code, to read:

37108.5. The department shall, in cooperation with the federal government, other state agencies, local government, and private organizations, develop a housing information system for this state. Such system shall be designed to facilitate the assemblage of information necessary for both public and private entities to make decisions and take action toward meeting the housing needs of all people of this state. Such system shall consist, at least, of an automated, continuously updated information resource to provide data, by appropriate geographic areas, related to, but not necessarily limited to, inventory of housing stock, use and occupancy data, types of mortgages and financing, and other related demographic and economic statistics.

The department shall use the major portion of any funds appropriated for the purposes of this section or received from the federal government for such purposes to establish prototype housing information systems in two or more counties or multi-county areas. At least one of the counties or multi-county areas shall be in northern California and at least one in southern California.

In establishing local prototype systems, the department shall seek to ensure that the local systems are developed with compatible features so that it will be feasible for such systems to be linked as part of a regional and eventually a statewide system with a minimum of adaptation required.

SEC. 2. Section 37111 of the Health and Safety Code is amended to read:

37111. This part does not authorize any state funds for subsidized housing of any kind. The department shall not engage in direct loan or

grant programs with funds appropriated by the Legislature or obtained by the issuance of state revenue or general obligation bonds, nor shall any local governmental agency or agency of state government be required to submit applications to the federal government for federal assistance or to negotiate with the federal government with respect to federal assistance, through the department.

The provisions of this section shall not limit the department in carrying out the provisions of Section 37108.5, including, but not limited to, requesting, receiving, and reviewing applications for subcontracts, and awarding subcontracts involving funds granted to the department by the federal government.

SEC. 3."

Amendment No. 4

On page 1, line 3, strike out "for expenditure".

Amendment No. 5

On page 1, line 4, strike out "_____ dollars ($_____)", and insert "one hundred twenty-five thousand dollars ($125,000) for expenditure".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 889—An act to amend Sections 21102, 21103, 21104, 21105, 21107, 21150, and 21151 of, to add Sections 21002, 21103.5, 21108, 21152, and 21153 to, and to add Chapter 2.5 (commencing with Section 21060) and Chapter 5 (commencing with Section 21160) to Division 13 of, the Public Resources Code, relating to environmental quality.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 17, 1972, after "Sections", insert "21100,".

Amendment No. 2

In line 3 of the title, strike out "and 21153", and insert "21153, and 21154".

Amendment No. 3

In line 4 of the title, strike out "and", and insert a comma.

Amendment No. 4

In line 5 of the title, after "21160)", insert ", and Chapter 6 (commencing with Section 21165)".

Amendment No. 5

On page 4, between lines 9 and 10, insert

"21067. "Lead agency" means the public agency which has the principal responsibility for carrying out a project which could have a significant effect upon the environment

SEC. 2 5. Section 21100 of the Public Resources Code is amended to read·

21100. All state agencies, boards, and commissions shall include in any report on any project they propose to carry out which could have a significant effect on the environment of the state, a detailed statement by the responsible state official setting forth the following:

(a) The environmental impact of the proposed action.

(b) Any adverse environmental effects which cannot be avoided if the proposal is implemented.

(c) Mitigation measures proposed to minimize the impact.

(d) Alternatives to the proposed action.

(e) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

(f) Any irreversible environmental changes which would be involved in the proposed action should it be implemented.

(g) The growth-inducing impact of the proposed action. "

Amendment No. 6

On page 7, line 23, after "SEC. 14.", insert "Section 21154 is added to the Public Resources Code, to read:

21154. Whenever any state agency, board, or commission issues an order which requires a local agency to carry out a project which may have a significant effect on the environment, any environmental impact report which the local agency may prepare shall be limited to consideration of those factors and alternatives which will not conflict with such order.

SEC. 15."

Amendment No. 7

On page 7, line 35, strike out "SEC. 15 ", and insert

"21161. Whenever a public agency has completed an environmental impact report, it shall cause a notice of completion of such report to be filed with the Secretary of the Resources Agency. The notice of completion shall briefly identify the project and shall indicate that an environmental impact report has been prepared.

SEC. 16 Chapter 6 (commencing with Section 21165) is added to Division 13 of the Public Resources Code, to read·

CHAPTER 6. LIMITATIONS

21165 When two or more public agencies are carrying out a project, any environmental impact report which may be required shall be prepared by the lead agency. In the event that a dispute arises as to which is the lead agency, any public agency may submit the question to the Office of Planning and Research, and the Office of Planning and Re-

search shall designate the lead agency, giving due consideration to the capacity of such agency to adequately fulfill the requirements of this division.

21166. When an environmental impact report has been prepared for a project pursuant to this division, no subsequent environmental impact report shall be required unless either of the following occurs:

(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

21167. Any action or proceeding to attack, review, set aside, void, or annul any act or decision of a public agency on the grounds of noncompliance with this division shall be commenced as follows

(a) An action or proceeding alleging that a public agency is carrying out a project which may have a significant effect on the environment without having decided whether an environmental impact report should be prepared shall be commenced within 180 days of the public agency's decision to carry out the project, or, if a project is undertaken without a formal decision by a public agency, within 180 days after commencement of the project

(b) Any action or proceeding alleging that a public agency has improperly determined whether an environmental impact report is required for a project shall be commenced within 180 days of such determination.

(c) Any action or proceeding alleging that an environmental impact report is not legally sufficient shall be commenced within 180 days after notice of completion of such report has been filed with the Secretary of the Resources Agency pursuant to Section 21161

(d) Any action or proceeding alleging any other violation of this division shall be commenced within 180 days of the alleged violation

SEC 17 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 1300—An act to amend Section 42721 of, and to repeal Article 2 5 (commencing with Section 42685) of Chapter 2 of Division 17 of, the Agricultural Code, relating to containers

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1428—An act to amend Section 1, 32, 35, and 101 of, and to add Section 50 to, the Agricultural Code, relating to agriculture.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 459—An act to amend Sections 74002, 74003, 74004, and 74005 of the Government Code, relating to courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted·

Amendment No. 1

On page 7, lines 7 and 8, of the printed bill, as amended in Senate May 4, 1972, strike out "1972–73 personnel and salary resolution", and insert "1971–72 Personnel and Salary Resolution".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 299—An act to amend Sections 69895 and 69900 of the Government Code, relating to court attachés.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 300—An act to amend Sections 74502, 74503, 74504, and 74507 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1045—An act to amend Section 112 of the Code of Civil Procedure, relating to justice courts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 706—An act to amend Sections 5, 15, and 30 of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to the Humboldt Bay Harbor, Recreation, and Conservation District, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 967—An act to amend Sections 4080 and 4085 of, and to repeal Section 4081 of, the Elections Code, and to amend Sections 34452, 34460 and 34462 of the Government Code, relating to city charters

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 183—An act to repeal and add Section 4580.5 to the Public Resources Code, relating to forest practices, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 153—An act to amend Section 34898 of the Government Code, relating to cities.

Bill read second time, and ordered to third reading.

Senate Bill No. 439—An act to amend Section 26614 5 of the Government Code, relating to county searches

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 1861, 2060, 2198 and 2230.

COMMUNICATIONS

Assembly Chamber, June 12, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 512	AB No 735	AB No 1812
AB No 585	AB No 1520	AB No 1820
AB No 642	AB No 1792	AB No 2048

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar

Assembly Chamber, June 12, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 638
AB No 54

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 12, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2198
AB No 2230

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 206

Mr Burton was granted unanimous consent to take up Assembly Bill No. 206, out of order, for purpose of amendment

Consideration of Assembly Bill No. 206

Assembly Bill No. 206—An act to amend Section 3501 of, and to add Chapter 10 1 (commencing with Section 3515) to Division 4 of Title 1 of, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employees

Bill read third time.

Motion to Amend

Mr Burton moved the adoption of the following amendments·

Amendment No. 1

On page 7 of the printed bill, as amended in Assembly April 24, 1972, strike out lines 3 to 40, inclusive; and on page 8, strike out lines 1 to 6, inclusive

Amendment No. 2

On page 8, strike out lines 15 to 20, inclusive

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 634—An act to amend Section 6512 of the Health and Safety Code, relating to sanitary districts, and declaring the urgency thereof to take effect immediately

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 634?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 6, 1972, between lines 20 and 21, insert

"If the district includes any part of a city, water district, or other local agency which provides water service to any territory in the district, the district shall not supply water service to such territory unless the district first obtains the consent of such city water district, or other local agency Such consent shall not be revoked if revocation will result in a decrease of the revenues available to pay the outstanding bonds of the district "

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Badham moved a call of the Assembly

Motion carried Time, 10 08 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2059—An act to add Section 54938 6 to the Government Code, relating to assessments, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2059?

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the second "for", and insert "and"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—57

NOES—None

Above bill ordered enrolled

Assembly Bill No. 2304—An act to amend Sections 25210 77f and 25831 of, and to add Section 38790 1 to, the Government Code, relating to counties and cities, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2304?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 18, 1972, after "of", insert ", and to add Section 38790 1 to,"

Amendment No. 2

In line 2 of the title of the printed bill, after "counties", insert "and cities"

Amendment No. 3

On page 3, between lines 27 and 28, insert

"SEC 2 5 Section 38790 1 is added to the Government Code, to read:

38790 1 Any city collecting garbage fees or charges may collect delinquent fees or charges in the manner provided in Section 25831 for counties "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—57

NOES—None.

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 2138, on request of Mr Dunlap

Assembly Bill No. 217, on request of Mr Harvey Johnson.

Assembly Bill No. 2139, on request of Mr Dunlap

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 634

At 10 13 a m , on motion of Mr Badham, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No 634 by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—58.

NOES—None.

Above bill ordered enrolled

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file·

Assembly Bill No. 1690, on request of Mr Porter.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 22 of Article XX (as amended November 6, 1956) thereof, relating to alcoholic beverages

Resolution read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Knox moved a call of the Assembly.

Motion carried. Time, 10·24 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Murphy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 389—An act to amend Sections 25658, 25659, 25660 5, 25661, 25662, 25663, and 25665 of, and to repeal Section 25663 5 of, the Business and Professions Code, and to amend Sections 23102 and 23123.5 of the Vehicle Code, relating to alcoholic beverages

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Beverly, Brathwaite, Briggs, Burton, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, MacGillivray, Maddy, Meade, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wood, Z'berg, and Mr. Speaker—45.

NOES—Barnes, Belotti, Biddle, Burke, Collier, Davis, Duffy, Keysor, McAlister, Porter, Ryan, and Warren—12

Bill ordered transmitted to the Senate.

Assembly Bill No. 2229—An act to add Section 25254 to the Vehicle Code, relating to lighting equipment

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, Mobley, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr Speaker—49

NOES—Dunlap, Foran, MacGillivray, Meade, Monagan, Pierson, Quimby, Sieroty, Vasconcellos, Warren, and Z'berg—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 705—An act to repeal Part 4 (commencing with Section 9601) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wood, and Mr. Speaker—59.

NOES—Sieroty—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Wood was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 123—An act to amend Sections 13801, 13813, 14100, 14111 and 17668.5 of, and to add Article 13.5 (commencing with Section 14084) and Article 17 (commencing with Section 14130) to Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, MacDon-

ald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 290—An act to add Section 23710 to, and to amend Sections 17214 and 24359 of, the Revenue and Taxation Code, relating to activities of organizations exempt under the Bank and Corporation Tax Law.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Gonsalves moved a call of the Assembly.

Motion carried Time, 10:35 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990 1, 13990 2, 13990 4, 13990.6, 13990 7, 13992, 13993, 13994, and 66518 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Section 13990 9 to, to add a chapter heading immediately preceding Section 13992 of, to add Chapter 3 (commencing with Section 13995) to Part 4 6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2 5 (commencing with Section 65080) to Title 7 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4.5 of Division 3 of Title 2 of, to repeal the heading of Chapter 3 (commencing with Section 13992) of Part 4 5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Section 10452 of the Revenue and Taxation Code, to amend Sections

20, 92, 183, and 30050 of, to add Sections 185 5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to business and transportation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, Knox, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Monagan, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—53.

NOES—Belotti, Chappie, Davis, Duffy, Ray E Johnson, Ketchum, LaCoste, Maddy, Mobley, and Murphy—10

Bill ordered transmitted to the Senate

Assembly Bill No. 1420—An act to add Section 13491 to the Education Code, relating to school certificated employees.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Vasconcellos moved a call of the Assembly.

Motion carried. Time, 10·50 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2222—An act to add Section 12408 1 to the Insurance Code, relating to title insurance.

Bill read third time, and passed by the following vote·

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Mac-

Donald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 12, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2375—An act making an appropriation to the Department of General Services

WALTER W POWERS

Above request ordered transmitted to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:52 a m, Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Rules, at this time, to consider the request by Mr Powers relative to Assembly Bill No 2375

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 723—An act to amend Section Sections 17072, 17207, 17216 2, 17402, 17411, 17503, 17511, 17673, 17711, 17712, 17734, 17737, 17852, 18152, 18172, 18181, 18182, 18183, 18187, 18189, 18190, 18191, 18192, 18242, of, and to repeal Sections 18151 and 18162 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—Briggs—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 505—An act to amend Sections 12709, 12747, and 12779 of, and to add Sections 12728 1, 12762 1, and 12799 25 to, the Business and Professions Code, relating to weighmasters.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television photographers be permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1088—An act to amend Section 1714.1 of the Civil Code, relating to willful misconduct

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—63.

NOES—Foran—1

Bill ordered transmitted to the Senate

Assembly Bill No. 2354—An act to amend Sections 682 3 and 690 50 of the Code of Civil Procedure, relating to judgment debtors, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste,

Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No 2042, on request of Mr Pierson.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2132—An act to amend Section 11610 5 of the Business and Professions Code, relating to subdivisions

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Burke, Chacon, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1966—An act to add Section 227 3 to the Labor Code, relating to labor.

Bill read third time

Motion to Amend

Mr McAlister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Assembly June 7, 1972, strike out "vested", and insert "accrued"

Amendment No. 2

On page 1, line 6, strike out "accrued", and insert "vested".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 1626—An act to amend Section 1227 of the Financial Code, relating to commercial banks

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Beverly, Biddle, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 746—An act to add Section 451b to the Penal Code, relating to arson

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 264—An act to add Section 8577 to the Education Code, relating to public schools

Bill read third time

Motion to Amend

Mr Burton moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 8, 1972, after the second "to", insert ", and to amend Section 8571 of,"

Amendment No. 2

In line 2 of the title, strike out "public schools", and insert "courses of study".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 8571 of the Education Code is amended to read:

8571 The adopted course of study for grades 7 through 12 shall offer courses in the following areas of study:

(a) English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking

(b) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; the development of the American economic system including the role of the entrepreneur and labor; man's relations to his human and natural environment; eastern and western cultures and civilizations; and contemporary issues, *including powers, duties, rights, privileges, responsibilities, options, and appeal procedures under the Military Selective Service Act of 1967*

(c) Foreign language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language

(d) Physical education, with emphasis given to such physical activities as may be conducive to health and to vigor of body and mind

(e) Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation and on man's place in ecological systems, and with appropriate applications of the interrelation and interdependence of the sciences

(f) Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem-solving procedures

(g) Fine arts, including art, music, or drama, with emphasis upon development of aesthetic appreciation and the skills of creative expression

(h) Applied arts, including instruction in the areas of consumer and homemaking education, industrial arts, general business education, or general agriculture

(i) Vocational-technical education designed and conducted for the purpose of preparing youth for gainful employment in such occupations and in such numbers as appropriate to the manpower needs of the state and the community served and relevant to the career desires and needs of the students

(j) Automobile driver education, designed to develop a knowledge of the provisions of the Vehicle Code and other laws of this state relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true appreciation of the causes, seriousness and consequences of traffic accidents, and to develop the knowledge and attitudes necessary for the safe operation of motor vehicles A course in automobile driver education shall include education in the safe operation of motorcycles

(k) Such other studies as may be prescribed by the governing board."

Amendment No. 4

On page 1, strike out lines 2 to 5, inclusive; on page 2, strike out lines 1 to 6, inclusive, and insert

"SEC. 2. Section 8577 is added to the Education Code, to read:

8577. The Superintendent of Public Instruction shall prepare".

Amendment No. 5

On page 2, lines 9 and 10, strike out "this section", and insert "subdivision (b) of Section 8571".

Amendment No. 6

On page 2, line 11, strike out "This section", and insert

"SEC 3 This act".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF SENATE BILLS

Senate Bill No. 126—An act to add Section 25650.5 to the Vehicle Code, relating to vehicles

Bill read third time, and presented by Mr. Foran

Bill passed by the following vote:

AYES—Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Brophy, Burke, Chacon, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—Bee, Cullen, Gonsalves, Ketchum, Monagan, Murphy, Priolo, and Stacey—8.

Bill ordered transmitted to the Senate.

Senate Bill No. 140—An act to amend Sections 8597 and 8598 of the Government Code, and Section 830 5 of the Penal Code, relating to peace officers

Bill read third time, and presented by Mr. Ketchum.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Biddle, Brathwaite, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 688—An act to amend Sections 22171, 22174, and 22177 of the Water Code, relating to irrigation districts

Bill read third time, and presented by Mr Ray E Johnson

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 574—An act to add Section 390 1 to the Streets and Highways Code, relating to state highways.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 574?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 253 1 and 253 5 of", and insert "add Section 390 1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 390.1 is added to the Streets and Highways Code, to read.

390.1 Notwithstanding Section 253 1, the California freeway and expressway system shall not include that portion of Route 90 from Sepulveda Boulevard in Culver City to Route 11 in Los Angeles."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out pages 2 and 3.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None.

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file.

Assembly Bill No. 70 (Consideration of Governor's Veto), on request of Mr Z'berg

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 81 and Senate Joint Resolution No. 10 were continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending and renumbering Section 9 of Article IX thereof, by adding Section 27 to Article I thereof, by adding Article VIII thereto, adding Section 8 to Article XIII thereof, adding Section 2 to Article IX thereof, adding Section 5 to Article XIII thereof, adding Section 8 to Article XXIV thereof, and by repealing Sections 1, 2, 2 1, 3, 3 1, 3 3, 5, 6, 6½, 7, 7 5, 8, 10, 11, 12, 13, 14, and 15 of Article IX thereof, relating to the public schools

Resolution read, and refused adoption by the following vote.

AYES—Arnett, Brathwaite, Chacon, Cory, Cullen, Dent, Dunlap, Fenton, Fong, Gonsalves, Leroy F Greene, Harvey Johnson, Keysor, Knox, McAlister, Meade, Pierson, Ralph, Ryan, Vasconcellos, Waxman, and Mr Speaker—22

NOES—Badham, Barnes, Belotti, Biddle, Briggs, Brophy, Burke, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Murphy, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Z'berg—38.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 307—An act to amend Section 16556 of the Education Code, relating to the use of public school buildings

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 307?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "16555", and insert "16556".

Amendment No. 2

On page 1, strike out line 1 and insert

"SECTION 1 Section 16556 of the Education Code is amended to read

16556 There is a civic center at each and every public school building and grounds within the state where the citizens, parent-teachers' association, Camp Fire Girls, Boy Scout troops, farmers' organizations,

school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts may engage in supervised recreational activities, and where they may meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside Governing boards of the school districts may authorize the use, by such citizens and organizations of any other properties under their control, for supervised recreational activities."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file—

Assembly Bill No. 1778, on request of Mr. Sieroty.

BILLS PASSED ON FILE

Assembly Bills Nos. 1264 and **1733**—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1285—An act to amend Section 1208 of the Penal Code, relating to work furloughs.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 881—An act to amend and renumber Section 36081 of, and to add Section 36081 to, the Streets and Highways Code, relating to parking and business improvement areas.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 596—An act to amend Sections 20020 and 20021.5 of the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Por-

ter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 895—An act to amend Section 31592 2 of the Government Code, relating to the County Employees Retirement Act of 1937.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1455—An act to add Sections 22013 4 and 22014 1 to the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1960—An act to amend Section 31724 of the Government Code, relating to the County Employees' Retirement Law of 1937

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlis-

ter, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2072—An act to amend Section 1777 5 of the Labor Code, relating to apprentices

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1625—An act to repeal Sections 174 and 266c of the Penal Code, relating to importation of Chinese or Japanese.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 738—An act to amend Sections 4010 5, 4011 5, and 4011 6 of the Health and Safety Code, relating to water systems.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Por-

ter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 739—An act to amend Section 190 of the Water Code, relating to regional water resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 741—An act to amend Section 175 of the Water Code, relating to water.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Por-

ter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1433—An act to amend Section 1466 of the Unemployment Insurance Code, as added by Section 5 of Chapter 1793 of the Statutes of 1971, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 965—An act to amend Section 74803 of, and to add Section 74807.5 to, the Government Code, relating to the municipal court

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1077—An act to amend Section 73710 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlis-

ter, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 88—Relative to the Joint Committee on Educational Goals and Evaluation.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 602—An act to amend Section 35406 of the Vehicle Code, relating to motor vehicles

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 809—An act to amend Section 21156 of the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor,

Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 760—An act to add Section 12973.6 to the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 761—An act to amend Section 12143 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 843—An act to amend Sections 12950 and 12951 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Por-

ter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 844—An act to add Section 10113 5 to the Insurance Code, relating to life insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 965—An act to amend Section 12931 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 582—An act to amend Sections 102001, 102002, 102050, 102051, 102052, 102100, 102180, 102205, and 102331 of, and to add Sections 102023 and 102052 5 to, the Public Utilities Code, relating to transit districts, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor,

Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 208—An act to amend Sections 24953, 25251, and 25252 5 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 243—An act to amend Sections 36110 and 36125 of, to add Section 36101 to, and to repeal Sections 36106 and 36112 of, the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Por-

ter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 753—An act to amend Section 136 5 of the Streets and Highways Code, relating to public works contracts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1382—An act to add Section 17530 6 to the Business and Professions Code, relating to income tax return preparation

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Biddle, Brathwaite, Briggs, Chacon, Chappie, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—60

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate

Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 24 to Article XX thereof, relating to catastrophe compensation

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Biddle, Brathwaite, Brophy, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell,

Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

Assembly Chamber, June 12, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 438—An act to add Sections 995 and 995.1 to the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10.30 a m , June 12, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 12, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 112—An act to add Section 19348.5 to the Agricultural Code, relating to animals;

Assembly Bill No. 353—An act to amend Section 11715 of the Insurance Code, as amended by Chapter 982 of the Statutes of 1971, relating to workmen's compensation insurer's bond;

Assembly Bill No. 393—An act to amend Section 17052 of the Education Code, relating to school cafeteria funds;

Assembly Bill No. 409—An act to amend Section 10601.5 of, and to add Section 10601 6 to, the Education Code, relating to pupil discipline;

Assembly Bill No. 557—An act to amend Section 71145 of, add Section 71180 to, and repeal Sections 71141 and 71180 of, the Government Code, relating to judges;

Assembly Bill No. 560—An act to amend Section 817 of the Education Code, relating to public school employees;

Assembly Bill No. 657—An act to add Section 21100 5 to the Vehicle Code, relating to vehicles;

Assembly Bill No. 679—An act to add Chapter 1.6 (commencing with Section 235) to Part 5 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts;

Assembly Bill No. 1059—An act to add Section 35016 to, and to repeal Sections 35157, 35321, and 35420 of, the Government Code, relating to annexation;

Assembly Bill No. 1535—An act to amend Sections 12841, 13211, and 13623 of the Public Utilities Code, relating to municipal utilities districts;

And reports the same correctly enrolled, and presented to the Governor at 11 30 a m , June 12, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 12, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 29—Relative to a veterans hospital for northern California;

Assembly Concurrent Resolution No. 67—Relative to streets and highways;

Assembly Concurrent Resolution No. 91—Approving amendments to the Charter of the City of Roseville, County of Placer, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 12th day of June, 1972, at 11:30 a m.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 12, 1972

Mr Speaker: Your Committee on Rules recommends:

That the request by Mr. Powers for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2375 be granted.

BURTON, Chairman

Committee on Local Government

Assembly Chamber, June 12, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No. 293

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 12, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No 2167

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Government Administration

Assembly Chamber, June 12, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No 2324

With amendments with the recommendation: Amend, and do pass, as amended

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, June 12, 1972

Mr Speaker: Your Committee on Rules reports:

HR No 55

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, June 12, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 1412

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 12, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 615

AB No. 1670

With amendments with the recommendation: Amend, and do pass, as amended.

LANTERMAN, Vice Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, June 12, 1972

Mr Speaker: Your Committee on Education reports:

AB No. 1468

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, June 12, 1972

Mr Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No 1850

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1850—An act to amend Sections 3501, 3504, 3505, 3505 2, 3507, and 3507 5 of, to add Sections 3505 01 and 3506 to, and to repeal Sections 3506 and 3507 1 of, the Government Code, relating to public employer-employee relations.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 4, 1972, strike out "and", and insert "3507 3,".

Amendment No. 2

In line 2 of the title, after "3507 5", insert ", 3508, and 3526".

Amendment No. 3

In line 2 of the title, strike out "and 3506", and insert ", 3506, 3511, and 3512"

Amendment No. 4

On page 2, line 2, after "their", insert "employment".

Amendment No. 5

On page 2, line 5, after "agency", insert a comma

Amendment No. 6

On page 2, line 10, after "means", insert "the State of California, except for employees subject to Chapter 10 5 (commencing with Section 3525),".

Amendment No. 7

On page 2, lines 20 and 21, strike out "or the State of California".

Amendment No. 8

On page 2, line 37, strike out "a particular dispute", and insert "an impasse".

Amendment No. 9

On page 3, line 18, after "agency", insert ", including but not limited to,"

Amendment No. 10

On page 3, line 20, after "classify," insert "lay off,".

Amendment No. 11

On page 3, line 23, strike out "Suspend or discharge", and insert "Discipline".

Amendment No. 12

On page 3, strike out lines 24 to 27, inclusive; and in line 28, strike out "(f)", and insert "(d)".

Amendment No. 13

On page 3, line 30, strike out "(g)", and insert "(e)".

Amendment No. 14

On page 3, lines 30 and 31, strike out "numbers and types of".

Amendment No. 15

On page 3, line 32, after the semicolon, insert "and".

Amendment No. 16

On page 3, strike out lines 33 to 37, inclusive; and in line 38, strike out "(k)", and insert "(f)".

Amendment No. 17

On page 3, line 38, strike out "and organization", and insert ", organization, and the merits, necessity and level of any activity or service provided to the public.

Provided, however, that the exercise of such rights does not preclude affected public employees or affected recognized employee organizations from consulting or raising grievances about the practical consequences that decisions on these matters may have on employees' safety, wages, hours, and other terms and conditions of employment".

Amendment No. 18

On page 4, line 33, strike out "employee", and insert "employment".

Amendment No. 19

On page 5, line 9, strike out "of $_____", and insert "equal to that paid the Chairman of the Public Utilities Commission".

Amendment No. 20

On page 5, line 10, strike out "of $_____", and insert "90 percent of the amount paid the chairman".

Amendment No. 21

On page 5, strike out lines 21 to 26, inclusive, and insert "commission."

Amendment No. 22

On page 5, line 35, after the period, insert "The Department of General Services shall furnish such additional staff and support as the commission may require "

Amendment No. 23

On page 6, line 10, strike out "after consulting", and insert ", after consultation".

Amendment No. 24

On page 6, line 21, strike out "and", and insert a comma.

Amendment No. 25

On page 6, between lines 27 and 28, insert

"(h) Resolve disputes concerning designation of management, confidential, and professional employees."

Amendment No. 26

On page 6, line 28, strike out "(h)", and insert "(i)".

Amendment No. 27

On page 6, line 31, strike out "(i)", and insert "(j)".

Amendment No. 28

On page 6, line 37, strike out "(j) Section 3505 1", and insert "(k) Section 3505.01".

Amendment No. 29

On page 7, line 7, strike out "do not derogate the rights granted under", and insert "are substantially equivalent to the provisions and procedures set forth in".

Amendment No. 30

On page 7, line 17, strike out "did", and insert "do".

Amendment No. 31

On page 7, line 28, strike out the first "and", and insert "of".

Amendment No. 32

On page 8, line 20, strike out "California public agency areas", and insert "public agencies in California".

Amendment No. 33

On page 9, line 5, strike out the second "and", and insert "the".

Amendment No. 34

On page 9, line 13, strike out "and", and insert a comma.

Amendment No. 35

On page 9, line 18, after "commission", insert "at the request of either party".

Amendment No. 36

On page 10, line 8, strike out "'Blacklist'", and insert "Discriminate against".

Amendment No. 37

On page 12, between lines 4 and 5, insert

"SEC. 10. Section 3507 3 of the Government Code is amended to read:

3507 3. Professional employees shall not be denied the right to be represented separately from nonprofessional employees by a professional employee organization consisting of such professional employees

~~"Professional employees," for the purposes of this section, means employees engaged in work requiring specialized knowledge and skills attained through completion of a recognized course of instruction, including, but not limited to, attorneys, physicians, registered nurses, engineers, architects, teachers, and the various types of physical, chemical, and biological scientists.~~ "

Amendment No. 38

On page 12, line 5, strike out "10", and insert "11".

Amendment No. 39

On page 12, after line 12 insert

"SEC. 12 Section 3508 of the Government Code is amended to read:

3508 The governing body of a public agency may, in accordance with reasonable standards, designate positions or classes of positions which have duties consisting primarily of the enforcement of state laws or local ordinances, and may by resolution or ordinance adopted after a public hearing, limit or prohibit the right of employees in such positions or classes of positions to form, join or participate in employee organizations where it is in the public interest to do so; however, the governing body may not prohibit the right of its employees who are full-time "peace officers" as that term is defined in Chapter 4 5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, to join or participate in employee organizations which are composed solely of such peace officers, which concern themselves solely and exclusively with the wages, hours, working conditions, welfare programs, and advancement of the academic and vocational training in furtherance of the police profession, and which are not subordinate to any other organization.

The right of *public* employees to form, join and participate in the activities of employee organizations shall not be restricted by a public agency on any grounds other than those set forth in this section

SEC 13 Section 3511 is added to the Government Code, to read:

3511. This chapter shall not apply to the public agency and public employees covered by any public transit district laws codified in the Public Utilities Code

SEC 14 Section 3512 is added to the Government Code, to read:

3512 If any clause, sentence, paragraph, or part of this chapter, or the application thereof, shall be judged by any court to be invalid, such invalidity shall only affect that clause, sentence, paragraph, or part ruled upon, and the remainder of this chapter shall remain in force It is the legislative intent that such invalid sections would have been deleted and the chapter adopted without them To this end, the revisions of the chapter are severable

SEC 15 Section 3526 of the Government Code is amended to read:

3526 As used in this chapter:

(a) "Employee organization" means any organization which includes employees of the state and which has as one of its primary purposes representing its members in employer-employee relations

(b) The provisions of this chapter apply only to the State of California ~~The "State of California" as used in this chapter means such state agencies, boards, commissions, administrative officers, or other representatives as may be designated by law.~~

(c) "Public employee" means ~~any person employed by the state, including employees of fire departments or fire services of the state, excepting those persons elected by popular vote or appointed to office by the Governor of this state~~ *only persons in faculty and faculty-related positions at the University of California and instructional and instructional-related positions at the California State University and Colleges* "

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 12, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 2274

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2274—An act to add Article 4 5 (commencing with Section 323) to Chapter 4 of Division 1 of the Business and Professions Code, relating to consumers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4 5 (commencing with Section 323)", and insert "5 5 (commencing with Section 330)".

Amendment No. 2

On page 1, lines 1 and 2, strike out "4 5 (commencing with Section 323)", and insert "5 5 (commencing with Section 330)"

Amendment No. 3

On page 1, line 5, strike out "4 5", and insert "5 5".

Amendment No. 4

On page 1, after line 5, insert

"330 Whenever the director believes from evidence satisfactory to him that any person has undertaken or is about to undertake (a) unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce, (b) the production, distribution, sale, and lease of any goods and services which may endanger the public health, safety, or welfare, or (c) the violation of any provisions of this code relating to businesses and professions licensed by any agency of the department, and regulations promulgated pursuant thereto, the director may order the person to desist and to refrain from the undertaking or threatened undertaking

331 If, after such order, the person to whom the order was directed undertakes or continues to undertake the activity which the order was intended to prohibit, the director may bring an action in the name of the people of the State of California in the Superior Court of the State of California, against the person to enjoin the person from engaging in or continuing in such activity, or doing any act or acts in furtherance thereof In the action an order or judgment may be entered awarding such preliminary or final injunction as is proper

332 The powers granted to the director by this article shall be in addition to any other powers granted him by this chapter or by any other provision of law "

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, June 12, 1972

Mr Speaker: The Chairman of your Committee on Local Government reports·

AB No 1817
AB No 2338

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1817—An act to amend Sections 6547, 6547 2, and 6547 4 of, to amend and renumber Section 6547 1 of, to add Sections 6547 1 and 6547 3 to, and to repeal Section 6547 3 of, the Government Code, relating to joint powers agreements.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 6547, 6547 2, and 6547 4 of, to amend"; and strike out line 2; and in line 3, strike out "6547 3 to, and to repeal Section 6547 3", and insert "the heading of Article 3 (commencing with Section 6580) of, and to add Article 3 (commencing with Section 6579) to, Chapter 5 of Division 7 of Title 1"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 The heading of Article 3 (commencing with Section 6580) of Chapter 5, Division 7, Title 1 of the Government Code, is amended to read:

Article ~~3~~ *4* Joint County Park Boards

SEC 2 Article 3 (commencing with Section 6579) is added to Chapter 5, Division 7, Title 1 of the Government Code, to read:

Article 3 Lease of Joint Powers Facilities

6579 Notwithstanding any other provision of law, no local agency, as defined in Section 6542 5, shall enter into a contract or agreement with a joint powers entity for the rent or lease of a facility or facilities, the cost or expenses of acquiring or constructing such facility or facilities being financed by the revenue bonds issued pursuant to Article 2 (commencing with Section 6540) of this chapter, except as provided in this article

6579 1 As used in this article, "lease or rental contract or agreement" means any lease, sublease, contract or other agreement involving land or buildings, structures or other facilities which are permanently attached to land, where the contract or agreement is made directly or indirectly between a local agency and a joint powers entity, if the proceeds of the contract or agreement provided by the local agency will be used in whole or in part by such joint powers entity for payment of principal or interest on any bonds issued by it pursuant to this chapter

6579 2 Every local agency shall enter into such lease or rental contract or agreement by ordinance No such ordinance shall take effect until and unless it shall have first been approved by a majority of the voters of the local agency The ordinance submitted to the voters shall, in general terms:

(a) Describe the facilities or facility to be leased or rented;

(b) State the terms and conditions of the lease or rental contract or agreement;

(c) State the time period for which the lease or rental contract or agreement will run; and

(d) State the total estimated amount to be paid by the local agency to the joint powers entity under the lease or rental contract or agreement and the yearly or monthly payments to be made thereon

6579 3. The governing body of any local agency introducing an ordinance pursuant to this article shall call an election for purposes of submitting to the qualified electors of the agency the question of

whether the ordinance shall be adopted Such election shall be called, held, conducted and the votes canvassed in the same manner, or as near thereto as is possible, as an election at which the local agency submits a general obligation bond proposal to its voters.

For purposes of this section the voters of the local agency shall be the voters entitled to vote at elections for members of the governing board of the agency, if the agency has an elected governing board, and the vote of each such voter shall be given the same weight as it would be given in an election for members of the governing board If a local agency does not have an elected governing board, the voters of the agency shall be the voters residing within the boundaries of the agency who would be qualified to vote for candidates for Governor at any gubernatorial election.

If a majority of the votes cast within a local agency is for adoption of the ordinance, the ordinance shall be deemed adopted; provided, however, that the ordinance shall not take effect until a certified copy of the record of the final canvass of votes is filed with the Secretary of State.

6579.4. If a local agency does not have statutory power to introduce an ordinance and submit it to the voters of the agency, the governing body of such local agency may introduce and submit such ordinance at any regular or adjourned regular meeting by the approving votes of a majority of all of its members.

6579 5. In the event that the majority of votes cast in an election called pursuant to this article is against adoption of the ordinance, no ordinance authorizing the local agency to enter into such lease or rental agreement or contract for the same purpose shall be submitted to the voters of that local agency for a period of one year from the date of the election

6579 6. This article shall not apply to any lease or rental contract or agreement between a local agency and a joint powers entity which was executed prior to the effective date of this section.

6579.7. The requirements of this article shall not apply to a lease or rental contract or agreement between a local agency and a joint powers entity, if, prior to the effective date of this section, the joint powers entity or any party to the agreement creating such entity, has taken formal action to implement any one or more projects to be acquired or constructed pursuant to the joint powers agreement and rented or leased by the local agency Formal action to implement any one or more projects shall include, but not be limited to, any of the following:

(a) The issuance of bonds pursuant to this chapter;

(b) The incurring of liability for a substantial portion of an architectural or engineering contract or other contract relating to a project;

(c) The acquisition of land or improvements for the project; and

(d) The making of a substantial contribution toward the project."

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and strike out pages 2 to 6, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

Assembly Bill No. 2338—An act to amend Sections 40128 and 40129 of, to repeal Section 40005 of, and to add Section 40005 to, the Public Utilities Code, relating to the Orange County Transit District

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 40128, and 40129 of, to repeal Section 40005", and insert "Section 40128".

Amendment No. 2

In line 2 of the title, strike out the second "40005", and insert "40182".

Amendment No. 3

On page 1, strike out lines 1 and 2

Amendment No. 4

On page 2, strike out lines 9 to 19, inclusive; and in line 20, strike out "SEC 3", and insert

"SECTION 1".

Amendment No. 5

On page 2, line 22, strike out "may", and insert "shall".

Amendment No. 6

On page 2, line 24, strike out "Title", and insert "Subchapter".

Amendment No. 7

On page 2, strike out lines 27 to 33, inclusive, and insert

"However, the district is not required to provide coverage under Subchapter II of the Federal Social Security Act, as amended, for administrative and professional employees who are members of the Orange County Employees Retirement System Notwithstanding Section 31557 of the Government Code, administrative and professional employees may be admitted to membership in the Orange County Employees Retirement System without making membership applicable to all employees of the district The board, by resolution, shall determine which employees are employed in administrative and professional classifications

SEC 2 Section 40182 is added to the Public Utilities Code, to read:

40182 The district may acquire, construct, own, or operate within, or without, the district air terminal facilities and may accept contributions of money, labor, materials, and any other property from, and

enter into any contract and cooperation with, the federal government or the state, or any department, instrumentality, or agency thereof, or any public agency for such purposes."

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, June 12, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No. 1327

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1327—An act to add Section 9281 to the Public Resources Code, relating to resource conservation districts

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 9281 to the Public Resources", and insert "amend Section 56133 of the Government".

Amendment No. 2

In line 2 of the title, strike out "resource conservation districts", and insert "local agency formation commissions".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 56133 of the Government Code is amended to read:

56133 Notwithstanding the provisions of Section 6103, the commission also may establish a schedule of processing fees for the estimated expenses of the preliminary proceedings to be taken by the commission and any reorganization committee. Such fees shall not exceed five hundred dollars ($500) for each separate change of organization contained in a proposal *In no case shall the commission charge a processing fee in excess of ten dollars ($10) when a proposal involves a single change of organization for a single parcel of land under single ownership* Such processing fee shall be deposited with the executive officer after the filing with the executive officer of any application by a legislative body for a change of organization, or the certification by the executive officer of the sufficiency of a petition Said deposit shall be made within such period as the commission may specify No further action shall be taken upon any such application or petition until said processing fee is so deposited."

Amendment No. 4

On page 1, strike out lines 2 to 9, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, June 12, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No 1155

AB No 2103

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1155—An act to amend Section 17138 of, and to add Section 17148 to, the Revenue and Taxation Code, relating to taxation, to become effective immediately, tax levy.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 36, of the printed bill, after "similar", insert "disability".

Amendment No. 2

On page 2, line 38, after the comma, insert "as defined in subdivision (*l*) of Section 830 3 of the Penal Code, or as a".

Amendment No. 3

On page 2, line 39, after the second comma, insert "as defined in Section 830 1 of the Penal Code,".

Amendment No. 4

On page 3, strike out lines 4 to 11, inclusive, and insert

"17148 (a) Gross income does not include pensions, annuities or similar benefits not to exceed one thousand dollars ($1,000) per annum in the aggregate, to the extent such pension, annuity or similar benefit is based on service which was performed by a person as a full-time policeman, as defined in Section 830 1 of the Penal Code or as a full-time fireman as defined in subdivision (*l*) of Section 830 3 of the Penal Code, in the employ of a federal, state or local government or governmental entity

(b) If a taxpayer's adjusted gross income for the taxable year exceeds fifteen thousand dollars ($15,000), the amount of the exclusion

authorized by subdivision (a) of this section shall be reduced by fifty cents ($0 50) for each one dollar ($1) of such income in excess of fifteen thousand dollars ($15,000) "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 2103—An act to add Part 10 6 (commencing with Section 19551) to Division 2 of the Revenue and Taxation Code, relating to tax assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 2, lines 9 and 10, of the printed bill, as amended in Assembly May 11, 1972, strike out "and which is not a lodginghouse, or trailer coach".

Amendment No. 2

On page 2, strike out lines 12 to 16, inclusive; and in line 17, strike out "use of premises occupied", and insert "residential structure".

Amendment No. 3

On page 2, strike out lines 22 to 30, inclusive; and in line 31, strike out "19556", and insert
"19554".

Amendment No. 4

On page 2, line 34, strike out "unfit for human habitation", and insert "substandard under applicable state and local housing or health codes".

Amendment No. 5

On page 3, line 7, strike out "19557", and insert
"19555".

Amendment No. 6

On page 3, line 13, strike out "building", and insert "health".

Amendment No. 7

On page 3, line 16, strike out "19558", and insert
"19556".

Amendment No. 8

On page 3, line 17, strike out "building,".

Amendment No. 9

On page 3, line 21, strike out "19559", and insert
"19557".

Amendment No. 10

On page 3, strike out lines 24 to 27, inclusive.

Amendment No. 11

On page 3, line 31, strike out "19561", and insert "19560"

Amendment No. 12

On page 4, line 1, strike out "building", and insert "health".

Amendment No. 13

On page 4, between lines 1 and 2, insert

"19561 This part is intended to be an experimental demonstration providing financial assistance for the rehabilitation of deteriorated dwellings Accordingly, it shall apply only to those counties having populations in excess of 700,000, pursuant to the provisions of Chapter 2 (commencing with Section 28020) of Part 5 of Division 2 of Title 3 of the Government Code The Franchise Tax Board shall only consider claims for assistance for deteriorated dwellings that are located in those counties "

Amendment No. 14

On page 4, line 7, strike out "shall provide", and insert "may provide nonrecurring"

Amendment No. 15

On page 4, line 13, after "completed", insert ". Such assistance shall be paid"

Amendment No. 16

On page 4, line 14, strike out "as", and insert " The rebate payments made under this article shall be".

Amendment No. 17

On page 4, line 22, after "year", insert a comma.

Amendment No. 18

On page 4, line 23, after "effect", insert a comma

Amendment No. 19

On page 4, line 36, strike out "6", and insert "5".

Amendment No. 20

On page 4, line 37, strike out "4", and insert "3".

Amendment No. 21

On page 5, between lines 2 to 3, insert

"No dwelling unit which is rehabilitated and whose owner is assisted under this part shall be eligible for further assistance for a period of not less than 10 years after assistance has first been granted "

Amendment No. 22

On page 5, line 7, strike out "building", and insert "health".

Amendment No. 23

On page 5, line 10, strike out "(a)".

Amendment No. 24

On page 5, line 31, after the period, insert "If the income of an owner-occupant or his successor receiving assistance should at any time rise so as to exceed fifteen thousand dollars ($15,000), the Franchise Tax Board shall terminate all further assistance Such termination shall begin from the date of certification of income in excess of such amount."

Amendment No. 25

On page 5, strike out lines 32 to 40, inclusive; and on page 6, strike out lines 1 to 33, inclusive.

Amendment No. 26

On page 7, line 15, strike out "building codes", and insert "health codes This statement shall contain at least three separate cost estimates based upon independent and competitive bids".

Amendment No. 27

On page 7, line 19, strike out "owner's", and insert "owner-occupant's".

Amendment No. 28

On page 7, strike out lines 20 to 28, inclusive, and in line 29, strike out "(g)", and insert "the previous fiscal year.
(f)".

Amendment No. 29

On page 8, between lines 4 and 5, insert

"The Franchise Tax Board shall not make any conditional commitment of assistance or extend any assistance to an owner-applicant who deliberately fails to maintain his dwelling unit, so as to make it eligible for assistance All deliberate, negligent or wanton acts by an owner-applicant that contribute substantially to the deterioration of the dwelling unit shall be grounds for the Franchise Tax Board to refuse assistance to the owner-applicant or to discontinue any assistance previously extended unless the owner-applicant makes the repairs himself necessary to eliminate such damage or repays assistance previously extended to cover such costs in an amount to be determined by the Franchise Tax Board "

Amendment No. 30

On page 8, line 14, strike out "building", and insert "health".

Amendment No. 31

On page 8, line 32, strike out "or", and insert a period

Amendment No. 32

On page 8, strike out lines 33 to 36, inclusive, and in line 37, strike out "(e)", and insert
"(d)".

Amendment No. 33

On page 8, line 38, strike out "Sections 19563 and 19565", and insert "Section 19563".

Amendment No. 34

On page 9, line 16, strike out "the rents charged for"; strike out lines 17 and 18; and in line 19, strike out "income,".

Amendment No. 35

On page 9, line 21, strike out "building", and insert "health".

Amendment No. 36

On page 9, strike out lines 36 to 38, inclusive; and in line 39, strike out "administration of".

Amendment No. 37

On page 10, line 12, strike out the first "or".

Amendment No. 38

On page 10, lines 13 and 14, strike out "tenant income certification statements", and insert "deliberately or negligently causes the deterioration of a rehabilitated dwelling"

Amendment No. 39

On page 10, line 25, after the comma, insert "or deliberately or negligently causes the deterioration of a rehabilitated dwelling,".

Amendment No. 40

On page 10, lines 34 and 35, strike out "or tenant income certification statements".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Water

Assembly Chamber, June 12, 1972

Mr. Speaker: The Chairman of your Committee on Water reports:

AB No 2212

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Water.

PORTER, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2212—An act to amend Sections 12200, 12201, 12202, and 12203 of, and to add Sections 12205 1, 12205 2, and 12205 3 to, the Water Code, relating to protection and enhancement of the Sacramento-San Joaquin Delta.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the title of the printed bill, strike out line 1; and in line 2, strike out "and to add Sections", and insert

"An act to add Sections 11129,".

Amendment No. 2

On page 2, strike out lines 1 to 32, inclusive; strike out pages 3 and 4; and on page 5, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. Section 11129 is added to the Water Code, to read:

11129. Among the purposes of the project shall be:

(1) The provision of an adequate supply of water for beneficial uses in the Sacramento-San Joaquin Delta, the measure of which shall be the sum of (a) the quantity and quality of water which would be available in the delta in the absence of the State Water Resources Development System and the Federal Central Valley Project had they never been built; and (b) the quantity and quality of water provided for water users in agreements between such water users and the Department of Water Resources providing for reimbursement of the costs of developing and delivering the new water supplies as are required for the added beneficial uses provided for in such agreements.

Improved water deliveries under subsection (1)(b), above, shall be denied to any water user in the absence of a completed repayment contract covering services to him.

(2) The enhancement of the fish, wildlife, and recreational resources of the delta, the measure of which shall be the cost of the greater of either (a) the water releases required to meet the water quality standards fixed from time to time by the State Water Resources Control Board, which shall be deemed to satisfy requirements of salinity control in the delta, or (b) (i) the water allocated by the Department of Water Resources, and approved by the Legislature, in accordance with Section 11912 of the Water Code, to such enhancement, or, in the alternative, (ii) annual water releases by the Department of Water Resources during each water year beginning with 1973 solely for such enhancement under the conditions that actually prevailed during that water year.

The water year, for the purpose of this section, shall extend from November 1 through October 31. Conservation costs as computed in the fixing of the delta water rate shall be taken into account in computing such annual costs. Penalties and revenues foregone, if any, shall be taken into account in computing annual costs of servicing such enhancement.

The amount of five million dollars ($5,000,000) which would be deposited each fiscal year in the Central Valley Water Project Construction Fund, as provided by Section 12.1 of Chapter 27, Statutes of 1966, First Extraordinary Session, and Section 6217(c) of the Public Resources Code, shall be increased to _____ million dollars ($_____).

There shall be transferred from the General Fund to the Central Valley Water Project Construction Fund each fiscal year such amount which shall, when combined with revenues deposited in such fiscal year in the Central Valley Water Project Construction Fund pursuant to Section 12.1 of Chapter 27 of the Statutes of 1966, First Extraordinary Session, and Section 6217(c) of the Public Resources Code, amount to _____ million dollars ($_____).

The amount in excess of five million dollars ($5,000,000) deposited in the Central Valley Water Project Construction Fund in accordance with this paragraph shall be for the purpose of defraying the costs allocated to fish, wildlife, and recreation enhancement in the delta in accordance with this subsection 2, and such allocation shall be reported to the Legislature separately from other allocations under the provisions of Section 11912 "

Amendment No. 3

On page 5, line 18, after "SEC ", strike out "5", and insert "2".

Amendment No. 4

On page 5, line 30, after "objectives," strike out "prior to"; and strike out line 31, and insert "the relationships of the allocation of costs of the delta facilities between the State Water Resources Development System and the Federal Central Valley Project, and the relationships, one with another, of such allocated costs among all project beneficiaries "

Amendment No. 5

On page 5, line 32, after "SEC " strike out "6", and insert "3".

Amendment No. 6

On page 6, line 6, after "SEC " strike out "7", and insert "4".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 12, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 1384

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

LANTERMAN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1384—An act to amend Sections 73341, 73351 1, 73355, 73356, 73357, and 73358 of the Government Code, relating to municipal courts

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 12538 7 to the Government Code, relating to health plans "

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 12538.7 is added to the Government Code, to read:

12538.7. Whenever the Attorney General deems it necessary he may examine the business and affairs of a health care service plan In making such examination the Attorney General·

(a) Shall have free access to all the books and papers of the health plan

(b) Shall ascertain the condition of the health plan and its ability to fulfill its obligations

(c) Shall ascertain if the health plan has complied with all laws applicable to health plan transactions

(d) May appraise or cause to be appraised by competent appraisers appointed by him all properties in which the health plan has or claims an interest, or which is security, in any form, for the payment of any debt or obligation of the health plan

Every health care service plan examined under the provisions of this article shall open its books and papers for the inspection of the Attorney General, and otherwise facilitate such examination The Attorney General may administer oaths and examine under oath any person relative to the business of the health plan If he finds the books to be carelessly or improperly kept or posted he shall employ experts to rewrite, post and balance the books at the health plan's expense

The costs and expenses of all examinations made pursuant to this section shall be charged to and collected from the health plan If any health plan refuses to pay such costs and expenses promptly when due, the Attorney General may refuse to accept the annual registration of the health plan and may take other appropriate action to prevent the health plan from continuing its activities as a health care service plan."

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive, and strike out pages 2 to 4, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1850

Mr Cullen was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1850, and that the bill be considered engrossed

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 962, 1674, 2185, 2186, 2278 and 2286 for hearing in the Committee on Retirement on Tuesday, June 13, 1972

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1411 and 2126 for hearing in the Committee on Health.

Mr Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 178, 652 and 934 for hearing in the Committee on Criminal Justice on Thursday, June 15, 1972

Mrs Fong was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2274 for hearing in the Committee on Environmental Quality on Thursday, June 15, 1972

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 290

At 11:38 a m , on motion of Mr Gonsalves, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 290 refused passage by the following vote:

AYES—Arnett, Bagley, Beverly, Brathwaite, Burton, Chacon, Cline, Cory, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41

NOES—Badham, Barnes, Belotti, Biddle, Briggs, Brophy, Burke, Chappie, Conrad, Cullen, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lanterman, MacGillivray, Maddy, Mobley, Monagan, Murphy, Russell, Stacey, and Stull—24

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1420

At 11:42 a m , on motion of Mr Vasconcellos, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 1420 passed by the following vote:

AYES—Briggs, Brown, Burton, Chacon, Chappie, Cory, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Russell, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Brophy, Burke, Cline, Collier, Conrad, Cullen, Davis, Dent, Hayes, Ray E Johnson, Ketchum, Lanterman, MacGillivray, Mobley, Monagan, Murphy, Priolo, Ryan, Seeley, Stacey, Stull, and Townsend—29

Motion to Reconsider Assembly Bill No. 1420 on Next Legislative Day

Mr. Stull moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1420 was this day passed.

Assembly Bill No. 1420 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25

At 11:44 a.m., on motion of Mr. Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 25 adopted by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, MacDonald, MacGillivray, Maddy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—55.

NOES—Barnes, Belotti, Biddle, Burke, Crown, Davis, Duffy, Keysor, Lanterman, McAlister, Mobley, Monagan, and Ryan—13.

~~Resolution ordered transmitted to the Senate.~~

NOTE: Later this day a motion to reconsider the vote whereby Assembly Constitutional Amendment No. 25 was adopted was offered by Mr. Monagan. See p. 4617.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:45 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1516, on request of Mr. Pierson.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Powers:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2375 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong,

Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Seeley:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2365 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Sieroty:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2373 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby,

Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Mobley:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2371 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

By Assemblyman Beverly:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2372 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman Chappie:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2374 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Biddle, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2375	Governmental Organization

Assembly Joint Resolution No.	*Committee*
35	Water

Senate Bill No.	*Committee*
224	Judiciary
368	Education
438	Transportation
453	Local Government
464	Elections and Reapportionment
593	Judiciary
957	Judiciary
1072	Transportation
1108	Local Government
1173	Urban Development and Housing
1488	Education

Senate Joint Resolution No.	*Committee*
14	Intergovernmental Relations
18	Labor Relations

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2375 for hearing in the Committee on Governmental Organization

Mr. Vasconcellos was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1418 for hearing in the Committee on Revenue and Taxation.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25 ON NEXT LEGISLATIVE DAY

Mr. Monagan moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 25 was this day adopted

Assembly Constitutional Amendment No. 25 ordered to the unfinished business file.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file

Assembly Bill No. 686, on request of Mr Priolo,

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 99: By Assemblyman Moretti —Relative to Manzanar Internment Camp.

Held at Desk by order of the Acting Speaker

Speaker pro Tempore Presiding

At 11 55 a m , Hon. Carlos Bee, 13th District, presiding.

VOTE CHANGES

Mr. Duffy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 634, 2059, and 2304.

Mr. Cline was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 2229

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 123, and on the passage of the bill.

Messrs Powers and Maddy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 2132.

Mr Stacey was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 126

Mr Brophy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 126

Mr. Brophy was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No 389

Mr Conrad was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2222.

Mr Duffy was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 67

Mr Bill Greene was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No 1626.

Mr Brophy was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Constitutional Amendment No 25

Messrs Mobley and Lanterman were granted unanimous consent that they be recorded as voting "No" on Assembly Constitutional Amendment No 25

Mr Cline was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No 1382

Mr Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 290.

Mr Bee was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 307, 574, 634, 2059, and 2304; on Assembly Constitutional Amendments Nos 25 and 15; on Assembly Bills Nos 2229, 705, 2222, and 505; on the urgency clause to Assembly Bill No 123, and on the passage of the bill; and on all items on the Consent Calendar

Mr Bee was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 126

ADJOURNMENT

At 12 m , Speaker pro Tempore Bee declared the Assembly adjourned until 11:30 a m , Tuesday, June 13, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-eighth Legislative Day

One Hundred Sixty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, June 13, 1972

The Assembly met at 11·30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—77.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We join with Your inspired writer in the Book of Wisdom by re-echoing these sentiments·

"Thou dost overlook men's sins, that they may repent,
For Thou lovest all things that exist,
and hast loathing for none of the things which Thou hast made,
for Thou wouldst not have made anything if Thou hadst hated it.

How would anything have endured if Thou hadst not willed it?
Or how would anything not called forth by Thee have
been preserved?
Thou sparest all things, for they are Thine, O Lord
who lovest the living" (Wis 11:23–26)—AMEN.

NAMES OF MEMBERS PLACED UPON MORNING ROLL CALL

Speaker pro Tempore Bee was granted unanimous consent that the following Members, who are attending the meeting of the Conference Committee on the Budget (Senate Bill No 50), be excused, and their names added to the morning roll call: Messrs Brown, Lanterman, and Porter.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Harvey Johnson then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Monagan, seconded by Mr Seeley

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr Wakefield, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Pierson, on request of Speaker pro Tempore Bee.

REPORTS

The following report was presented by the Speaker:

Report to Legislature—State Fire Marshal's Committee on Staffing Standards. (Pursuant to Senate Concurrent Resolution No. 75, 1971.) May 12, 1972.

Above transmitted report, together with letter of transmittal from Albert E Hole, State Fire Marshal, Sacramento, dated May 12, 1972, referred by the Speaker pro Tempore to the Committee on Health.

The following report was presented by the Chief Clerk:

Bulletin No. 130-70. Hydrologic Data: 1970. Volume II: Northeastern California. April 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated June 5, 1972, referred by the Speaker pro Tempore to the Committee on Water

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 13, 1972

Mr. Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2367—An act to amend Section 451 of the Evidence Code, relating to judicial notice.

CARLOS J. MOORHEAD

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
99	Natural Resources and Conservation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 100: By Assemblyman Badham —Relative to the Department of Human Resources Development.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lewis was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25 WAIVED

Mr Monagan waived his motion to reconsider the vote whereby Assembly Constitutional Amendment No. 25 was adopted.

Assembly Constitutional Amendment No. 25 ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1765 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Employment and Public Employees; that Assembly Bill No. 629 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Transportation; and that Assembly Bill No. 2033 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Governmental Organization.

COMMUNICATIONS

Assembly Chamber, June 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1165
AB No 1615
AB No. 1730

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 550	AB No. 1246	AB No. 1931
AB No 860	AB No 1470	AB No. 1988
AB No. 1072		

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 206
AB No 264
AB No 1966

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading file.

Assembly Chamber, June 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 486	AB No 2212
AB No 1042	AB No 2338
AB No 1327	

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1817

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 13, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 630

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No 1489	AB No. 1491
AB No. 1490	AB No 1665

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 13, 1972

Mr. Speaker. Your Committee on Retirement reports:

SB No. 369

With the recommendation: Do pass.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 637

With the recommendation: Do pass.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 701	AB No. 1562	AB No. 1919
AB No 927	AB No 1914	AB No 1922
~~AB No. 1473~~	AB No. 1915	AB No 2349

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

NOTE On June 14, 1972, the action was rescinded whereby the above report of the Committee on Judiciary relative to Assembly Bill No 1473 was received and read in the Assembly, and whereby the bill was ordered to second reading. See page 4687.

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No 1978

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No 355

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, recommended to Consent.

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No. 1841

AB No 2010

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 846 AB No. 1274

AB No. 986 AB No. 1741

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BRATHWAITE, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1098

AB No 1598

With the recommendation: Do pass.

BRATHWAITE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1040

AB No. 2083

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRATHWAITE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1638

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 1742

With the recommendation: Do pass, and be re-referred to the Committee on Constitutional Amendments.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports·

ACA No. 91

With the recommendation Be adopted, and be re-referred to the Committee on Constitutional Amendments

BRATHWAITE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, June 13, 1972

Mr. Speaker. Your Committee on Urban Development and Housing reports:

AB No. 2232

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation · To Consent Calendar.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 209	AB No 1150
AB No. 1122	AB No 2087

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 266	AB No 818	AB No 1937
AB No 316	AB No 833	AB No 2063
AB No 339	AB No 908	AB No 2133
AB No 598	AB No 1288	AB No 2214
AB No 772	AB No 1911	AB No 2348

With the recommendation: Do pass

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Ways and Means reports:

ACR No 59
ACR No 61

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No. 722	AB No 1171
AB No 740	AB No 1887
AB No 1101	AB No 2097

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading.

Committee on Local Government

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No 256

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No 2226

With the recommendation. Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading

Committee on Employment and Public Employees

Assembly Chamber, June 13, 1972

Mr Speaker· The Chairman of your Committee on Employment and Public Employees reports:

AB No. 1765

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1765—An act to amend Section 9053 of the Business and Professions Code, relating to clinical social workers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9053", and insert "Sections 9042, 9047, and 9056".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 9042 of the Business and Professions Code is amended to read:

9042 Each applicant shall furnish evidence satisfactory to the board that he complies with all the following requirements:

(a) Is at least 21 years of age.

(b) Is of good moral character

(c) Is a citizen of the United States, or has declared his intention to become a citizen A statement by the applicant, under oath, that he is a citizen or that he intends to apply for citizenship when he becomes eligible, shall be sufficient proof of compliance with this subdivision

(d) Has received a master's degree from an accredited school of social work

~~(c) Has had two years of full-time post-masters experience, acceptable to the board, in the use of psychosocial and psychotherapeutic methods and measures in a hospital, clinic, or agency. One year of such experience shall have been in a hospital, clinic, or agency in which the applicant, under professional supervision, has employed such methods or measures.~~

(e) (1) On and after July 1, 1975, has not less than two years of post-master's experience, acceptable to the board, in the use of psychosocial and psychotherapeutic methods and measures in a hospital, clinic, or agency, or while employed by a licensed clinical social worker who has had at least four years of experience in the practice of clinical social work beyond the master's degree and in accordance with the terms of Section 9056 Such experience shall have included the use of psychosocial or psychotherapeutic methods and measures in not less than 1,500 hours of direct clinical service to clients, and shall have included not less than 150 hours of supervision in not less than a two-year period At least 50 percent of such supervision shall have been by a licensed clinical social worker, and up to 50 percent may have been by licensed psychologists or licensed physicians and surgeons who are certified in psychiatry by the Board of Psychiatry and Neurology of the American Medical Association Evidence of completion of these requirements must be shown in affidavits completed by the qualified supervisors In addition, the applicant must give evidence, satisfactory to the board, of having completed not less than 100 hours of post-master's education in the use of psychosocial and psychotherapeutic methods and measures in educational programs deemed qualified by the board, including, but not limited to, programs offered by professional organizations, institutes, schools, or other recognized educational facilities A maximum of 50 hours of clinical staff meetings in a hospital, clinic or agency may be used toward completing this education requirement

(2) Prior to July 1, 1975, has had two years of full-time, post-master's experience, acceptable to the board, in the use of psychosocial and psychotherapeutic methods and measures in a hospital, clinic or agency, one year of which experience has been under professional supervision.

(f) Has not committed any of the offenses set forth in Section 9028.

SEC 2 Section 9047 of the Business and Professions Code is amended to read·

9047 The board shall issue a license to each applicant meeting the requirements of this article, which license, so long as the annual renewal fees thereof have been paid, licenses the holder thereof to engage in the practice of clinical social work as defined in Section 9049, ~~and~~ entitles the holder thereof to use the title of licensed clinical social worker, *and authorizes the holder to hold himself out as qualified to perform any of the functions delineated by this chapter* The form and contents of the license shall be determined by the director in accordance with Section 164

SEC. 3 Section 9056 of the Business and Professions Code is amended to read·

9056 A person other than a licensed clinical social worker may be employed *as an apprentice clinical social worker* by a licensed clinical social worker, a licensed psychologist, or a licensed physician and surgeon; who is certified by the ~~board in psychiatry and neurology~~ *Board of Psychiatry and Neurology* of the American Medical Association, ~~to perform limited social work functions~~ provided that:

(a) Such person ~~is a registered social worker in the State of California, or~~ has a master's degree from an accredited school or department of social work.

(b) Such person is at all times under the supervision of a licensed clinical social worker, a licensed psychologist, or a board-certified psychiatrist who shall be responsible for insuring that the extent, kind, and quality of the *clinical* social work services he performs are consistent with ~~his training and experience~~ *competent practice* and be responsible for his compliance with the provisions of this chapter, and the regulations adopted pursuant to this chapter and including those provisions set forth in Section 9051

~~(c) Such social worker is not called a clinical social worker, and such social work functions are not in the area of psychotherapy as defined in Section 9049.~~

(c) Such person does not provide clinical social work services to the public for a fee, monetary or otherwise, except as an employee of the professional person qualified under this section

(d) The employing licensed clinical social worker, licensed psychologist, or board-certified psychiatrist has submitted to the board the name and professional qualifications of such apprentice clinical social worker No licensed clinical social worker may employ more than three such apprentice clinical social workers at any given time unless specifically authorized to do so by the board No licensed clinical psychologist nor board-certified psychiatrist shall employ more than one such apprentice clinical social worker at any given time

(e) Such person complies with such regulations as the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education. ''

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 13, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 2033

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2033—An act to amend Section 23366 5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "23366.5 of", and insert "23320 of, and to add Section 23399 3 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 23320 of the Business and Professions Code is amended to read:

23320 The following are the types of licenses to be issued under this division and the annual fees to be charged therefor:

(1) Beer manufacturer's license	
(a) Steam beer manufacturer exclusively	$56 00 per year
(b) All other beer manufacturer	828 00 per year
(2) Winegrower's license or wine blender's license (to be computed only on the gallonage produced or blended), 5,000 gallons or less	22 00 per year
Over 5,000 gallons to 20,000 gallons per year	44 00 per year
Over 20,000 to 100,000 gallons per year	82 50 per year
Over 100,000 to 200,000 gallons per year	110 00 per year
Over 200,000 gallons to 1,000,000 gallons per year	165 00 per year
For each 1,000,000 gallons or fraction thereof over 1,000,000 gallons an additional	110 00 per year
(3) Brandy manufacturer's license	168 00 per year
(4) Distilled spirits manufacturer's license	276 00 per year

(5)	Distilled spirits manufacturer's agent's license	276 00 per year
(6)	Still license	12 00 per year
(7)	Rectifier's license	276 00 per year
(7a)	Distilled spirits rectifier's general license	276 00 per year
(8)	Wine rectifier's license	276 00 per year
(9)	Beer and wine importer's license	No fee
(10)	Beer and wine importer's general license	56.00 per year
(11)	Brandy importer's license	No fee
(12)	Distilled spirits importer's license	No fee
(13)	Distilled spirits importer's general license	276 00 per year
(14)	Public warehouse license	12 00 per year
(15)	Customs broker's license	12 00 per year
(16)	Wine broker's license	56 00 per year
(17)	Beer and wine wholesaler's license	56 00 per year
(18)	Distilled spirits wholesaler's license	276 00 per year
(18a)	California brandy wholesaler's license	276 00 per year
(19)	Industrial alcohol dealer's license	56 00 per year
(20)	Retail package off-sale beer and wine license	24 00 per year
(21)	Retail package off-sale general license	350 00 per year
(22)	On-sale beer license	168 00 per year
(23)	On-sale beer and wine license	168 00 per year
(24)	On-sale beer and wine license for trains (per train)	16.00 per year
(25)	On-sale beer license for fishing party boats (per boat)	32.00 per year
(26)	On-sale beer and wine license for boats (per boat)	56 00 per year
(27)	On-sale beer and wine license for airplanes (per scheduled flight)	16 00 per year
(28)	On-sale general license:	
	In cities of 40,000 population or over	580 00 per year
	In cities of less than 40,000 but more than 20,000 population	412 00 per year
	In all other localities	360 00 per year
(29)	On-sale general license for seasonal business:	
	In cities of 40,000 population or over	145 00 per quarter year
	In cities of less than 40,000 but more than 20,000 population	103 00 per quarter year
	In all other localities	90 00 per quarter year
(30)	(a) On-sale general license for bona fide clubs, (b) Club license (issued under Article 4 of this chapter), or (c) Veterans' club license (issued under Article 5 (commencing with Section 23450) of this chapter).	
	In cities of 40,000 population or over	330 00 per year
	In cities of less than 40,000 but more than 20,000	248 00 per year
	In all other localities	220.00 per year

(31) On-sale general license for trains and sleeping cars	128 00 per year
Duplicate on-sale general license for trains and sleeping car companies	32 00 per year
(32) On-sale general license for boats	332 00 per year
(33) On-sale general license for airplanes	332 00 per year
Duplicate on-sale general license for air common carriers	10 00 per year
(34) On-sale general license for vessels of more than 1,000 tons burden	128 00 per year
Duplicate on-sale general license for vessels of more than 1,000 tons burden	32 00 per year
(35) On-sale general bona fide public eating place intermittent dockside license for vessels of more than 15,000 tons displacement	360.00 per year
(36) On-sale special beer and wine license for hospitals, convalescent homes, and rest homes	*12 00 per year*

SEC 2 Section 23399 3 is added to the Business and Professions Code, to read:

23399.3 An on-sale special beer and wine license for hospitals, convalescent homes, and rest homes, authorizes the sale or service of beer and wine purchased from a licensed winegrower or beer and wine wholesaler only to patients or residents of the licensed hospital, convalescent home, or rest home Nothing in this section shall be construed to require a license for the service of beer and wine purchased at retail ''

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 13, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 2196

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2196—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and strike out page 2, and insert

"313 Notwithstanding any other provision of law to the contrary, no rule or regulation, other than those relating to examinations and qualifications for licensure, and all fee changes promulgated by all the boards, commissions or committees within the department, shall take effect until submitted to the director for review Any such rule, regulation, and fee change shall become effective five working days after being submitted to the director unless the director expressly disapproves such a rule, regulation, or fee change within such period upon the ground that such rule, regulation, or fee change is injurious to the public welfare."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 13, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No 2195

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2195—An act to amend Sections 450.5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 6011, 6013, 6014, 6015, 6016, 6017, 5000, 5514, 5515, 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "6011, 6013, 6014, 6015, 6016, 6017, 5000,".

Amendment No. 2

On page 2, strike out lines 9 to 11, inclusive, and insert

"(b) Every public member shall have been active for a period of at least two years prior to his appointment in activities organized to promote the interests of consumers To assist the Governor in selecting experienced consumer-oriented public members, the Director of the

Department of Consumer Affairs shall maintain a list of consumer-oriented organizations and their members as furnished to him by such organizations on a voluntary basis ''

Amendment No. 3

On page 2, line 23, strike out ''SEC 2 '', and insert ''SEC 3 ''

Amendment No. 4

On page 2, line 32, strike out ''SEC 3 '', and insert ''SEC 4 ''

Amendment No. 5

On page 3, line 3, strike out ''None of the members,''; and strike out lines 4 to 8, inclusive, and insert ''No more than one member of the board shall be a member of the faculty of any dental college or dental department of any medical college in California. None of the members, including the public members, shall have any financial interest in any such colleges ''

Amendment No. 6

On page 3, line 9, strike out ''SEC 4 '', and insert ''SEC 5 ''

Amendment No. 7

On page 3, line 24, strike out ''january'', and insert ''January''.

Amendment No. 8

On page 3, line 40, strike out ''SEC 5 '', and insert ''SEC 6.''

Amendment No. 9

On page 4, line 11, strike out ''SEC 6 '', and insert ''SEC 7.''

Amendment No. 10

On page 4, line 19, strike out ''SEC 7 '', and insert ''SEC 8.''

Amendment No. 11

On page 4, line 36, strike out ''SEC 8 '', and insert ''SEC 9.''

Amendment No. 12

On page 5, line 26, strike out ''SEC 9 '', and insert ''SEC 10 ''

Amendment No. 13

On page 5, line 38, strike out ''SEC 10.'', and insert ''SEC. 11 ''

Amendment No. 14

On page 6, line 8, strike out ''SEC 11 '', and insert ''SEC 12 ''

Amendment No. 15

On page 6, line 30, strike out ''SEC. 12 '', and insert ''SEC. 13.''

Amendment No. 16

On page 7, line 14, strike out "SEC. 13 ", and insert "SEC. 14."

Amendment No. 17

On page 7, line 23, strike out "SEC. 14.", and insert "SEC. 15."

Amendment No. 18

On page 8, line 8, strike out "SEC. 15.", and insert "SEC. 16."

Amendment No. 19

On page 8, line 19, strike out "SEC. 16.", and insert "SEC 17."

Amendment No. 20

On page 8, strike out lines 28 to 40, inclusive; and on page 9, strike out lines 1 to 3, inclusive, and insert

"SEC. 18 Section 4801 of the Business and Professions Code is amended to read

4801. Each member, except the public ~~member~~ *members*, shall be a graduate of some veterinary college authorized by law to confer degrees, a bona fide resident of this state for a period of at least five years last past before his appointment and shall have been actually engaged in the practice of his profession in this state during this period The public ~~member~~ *members* shall have been ~~a resident~~ *residents* of this state for a period of at least five years last past before his appointment and shall not be ~~a licentiate~~ *licentiates* of the board or of any other board under this division or of any board referred to in Sections 1000 and 3600 At no time shall there be two members on the board from the same congressional district

No person shall serve as a member of the board for more than three consecutive terms, but this provision shall not apply to any member in office at the time this provision takes effect "

Amendment No. 21

On page 9, line 4, strike out "SEC 18 ", and insert "SEC 19."

Amendment No. 22

On page 9, strike out lines 31 to 40, inclusive; and on page 10, strike out lines 1 to 23, inclusive

Amendment No. 23

On page 12, strike out lines 27 to 40, inclusive, and strike out pages 13 and 14, and on page 15, strike out lines 1 to 13, inclusive

Amendment No. 24

On page 15, line 14, strike out "SEC 28 ", and insert "SEC. 22."

Amendment No. 25

On page 16, strike out lines 11 to 40, inclusive; and on page 17, strike out lines 1 to 27, inclusive, and insert

"SEC 23. Section 7003 of the Business and Professions Code is amended to read:

7003. The terms of the members of the board in office when this chapter takes effect shall expire as follows: one general building contractor and one specialty contractor, January 15, 1940; one general building contractor and one specialty contractor, January 15, 1941; one general building contractor and one specialty contractor, January 15, 1942; the general engineering contractor, January 15, 1943.

The Governor shall, on or before January 1, 1962, appoint the first public member of the board, and his term shall expire on January 15, 1963.

The Governor shall, on or before January 1, 1964, appoint the specialty contractor member provided for at the 1963 Regular Session, and his term shall expire on January 15, 1966

Except as otherwise provided, an appointment to fill a vacancy caused by the expiration of the term of office shall be for a term of four years and shall be filled, except for a vacancy in the term of a public member, by a member from the same branch of the contracting business as was the branch of the member whose term has expired. A vacancy in the term of a public member shall be filled by another public member. Each member shall hold office until the appointment and qualification of his successor or until one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs.

Vacancies occurring in the membership of the board for any cause shall be filled by appointment for the balance of the unexpired term.

No person shall serve as a member of the board for more than three consecutive terms, but this provision shall not apply to any member in office at the time this provision takes effect.

The Governor shall appoint the ~~additional~~ *second* public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session to fill any vacancy occurring in the office of the general building contractor member of the board whose term expires January 15, 1972 An appointment to fill any vacancy on the board in that office occurring prior to January 15, 1972, shall be for a term expiring January 15, 1972 An appointment to fill any vacancy on the board in that office occurring after January 15, 1972, but prior to June 1, 1975, shall be for a term expiring June 1, 1975. An appointment to fill a vacancy on the board in that office occurring on or after June 1, 1975, shall be for a four-year term expiring on June 1 of the fourth year following the year in which the previous term expired

The Governor shall appoint the third public member authorized by the amendment made to Section 7002 at the 1972 Regular Session of the Legislature to fill the first vacancy occurring in the office of a specialty contractor member after the effective date of such amendment.

Amendment No. 26

On page 17, line 28, strike out "SEC 30.", and insert "SEC. 24."

Amendment No. 27

On page 17, line 36, strike out "SEC 31.", and insert "SEC 25."

Amendment No. 28

On page 18, line 36, strike out "SEC. 32.", and insert "SEC. 26."

Amendment No. 29

On page 19, line 13, strike out "SEC 33.", and insert "SEC. 27."

Amendment No. 30

On page 19, strike out lines 15 and 16

Amendment No. 31

On page 20, line 20, strike out "SEC 34.", and insert "SEC. 28."

Amendment No. 32

On page 20, line 23, strike out "1", and insert "2".

Amendment No. 33

On page 20, line 26, strike out "2", and insert "3".

Amendment No. 34

On page 20, line 30, strike out "SEC. 35 ", and insert "SEC. 29."

Amendment No. 35

On page 20, line 33, strike out "5", and insert "6".

Amendment No. 36

On page 20, line 36, strike out "6", and insert "7".

Amendment No. 37

On page 20, line 38, strike out "5", and insert "6".

Amendment No. 38

On page 20, line 40, strike out "SEC 36.", and insert "SEC 30."

Amendment No. 39

On page 21, line 3, strike out "9", and insert "10".

Amendment No. 40

On page 21, line 6, strike out "10", and insert "11".

Amendment No. 41

On page 21, line 8, strike out "9", and insert "10".

Amendment No. 42

On page 21, line 10, strike out "SEC 37.", and insert "SEC 31."

Amendment No. 43

On page 21, line 13, strike out "15", and insert "16".

Amendment No. 44

On page 21, line 16, strike out "16", and insert "17".

Amendment No. 45

On page 21, line 18, strike out "15", and insert "16".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, June 13, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

AB No. 1582

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1582—An act to add Chapter 8 (commencing with Section 39280) to Part 1 of Division 26 the Health and Safety Code, and to add Section 235 to the Revenue and Taxation Code, relating to air pollution, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in Assembly May 17, 1972, strike out "and to add Section 235 to the Revenue and Taxation Code,".

Amendment No. 2

On page 6, strike out lines 2 to 14, inclusive, and in line 15, strike out "SEC. 3.", and insert

"SEC. 2.".

Amendment No. 3

On page 6, line 22, strike out "SEC. 5", and insert

"SEC. 3".

Amendment No. 4

On page 6, line 36, strike out "SEC. 6", and insert

"SEC. 4".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

NOTE: On June 14, 1972, the action was rescinded whereby the above report of the Committee on Revenue and Taxation relative to Assembly Bill No 1582 was received and read in the Assembly, whereby the bill was read a second time, author's amendments read and adopted, and the bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation (See pages 4686–4687)

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 13, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

SB No 9

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 9—An act to amend Sections 29530 and 29532 of the Government Code, to amend Sections 99240, 99267, and 99305 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052.5, 6357, 7102, 7204.5, and 7264 of, and to add Sections 6357.1, 6357.2, 7204.6, and 7264.1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 21, 1972, strike out "and 29532", and insert ", 29532, and 29533".

Amendment No. 2

In lines 2 and 3 of the title, strike out "99240, 99267, and 99305", and insert "99209, 99240, 99241, 99260, 99267, 99305, 99401, 99403, 99405, and 99407".

Amendment No. 3

In line 5 of the title, strike out "and 7264", and insert "7264, and 8101.5".

Amendment No. 4

On page 3, line 3, strike out "SEC 1.2", and insert "SEC 2".

Amendment No. 5–6

On page 3, line 26, strike out "SEC 1.5", and insert

"SEC 3. Section 29533 of the Government Code is amended to read

29533. In the event that any application, if approved in accordance with Section 29532, would cause the county to incur any indebtedness or liability in any year in excess of the money in the local transportation fund for such year, the board of supervisors shall, upon notification from the ~~local~~ transportation ~~commission~~ planning agency designated in Section ~~29535, or the regional body designated in Section 99215 of the Public Utilities Code~~ *29532*, call an election pursuant to Article 7

(commencing with Section 99320) of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code Such election may be consolidated with a general election or a direct primary election The cost of such election shall, upon approval of the ~~local~~ transportation ~~commission~~ planning agency designated in Section ~~29535, or the regional body designated in Section 99215 of the Public Utilities Code~~ *29532*, be paid from the transportation fund

SEC. 4 Section 99209 of the Public Utilities Code is amended to read:

99209 "Municipal applicant" means:

(a) A city or county, including any nonprofit corporation or other legal entity wholly owned or controlled by the city or county, which operates a public transportation system*, or which on July 1, 1972, financially supported, in whole or in part, a regularly scheduled transportation service available to the public*, and which is not included, in whole or in part, within an existing transit district

(b) A city or county located within a transit district which contracts to receive public transportation service from an included transit district; provided, however, that the claim of such city or county shall be included in the claim of the included transit district

(c) A city or county outside of a transit district which contracts to receive public transportation service from a municipal applicant, from an included transit district, or from a transit district; provided, however, that the claim of such city or county shall be included in the claim of the contracting party providing such service

(d) An included municipal applicant

(e) An included transit district

(f) A transit district which contracts to receive public transportation service from another transit district or another municipal applicant

SEC. 5".

Amendment No. 7

On page 3, line 38, strike out "and", and insert a comma.

Amendment No. 8

On page 3, line 39, after the comma, insert "and, until June 30, 1975, councils of governments which have the state as a member thereof on July 1, 1972,"

Amendment No. 9

On page 4, line 14, strike out "SEC 2", and insert

"SEC 6 Section 99241 of the Public Utilities Code is amended to read:

99241 Except for apportionments made for purposes of subdivision (c) of Section 99400, which shall be subject to the rules and regulations adopted by the transportation planning agency, ~~the apportionments~~ *all matters necessary and convenient to the implementation of this chapter* shall be subject to rules and regulations, consistent with statute, promulgated by the secretary, with the advice and consent of the State Transportation Board, and those rules and regulations may be revised from time to time.

Such rules and regulations shall require evaluation and review by the transportation planning agency of public transportation claims and corresponding budgets or financial plans and other information required in connection therewith. The rules and regulations shall provide for the orderly and periodic distribution of funds in the local transportation fund to the applicant so that the areas served by the applicant will be provided public transportation services on a continuing basis and so that there will be an orderly improvement and maintenance of the system of the applicant by the use of money disbursed from the local transportation fund The rules and regulations shall provide for the approval of sufficient moneys from the local transportation fund to accomplish the intent of the Legislature as expressed in the findings and declarations in Section 99220 Such rules and regulations may require that the transportation planning agency, in reviewing claims, give due consideration to the level of the applicant's passenger fares and charges, the efficiency of the applicant's operations and operating policies and practices, the extent to which the applicant is meeting the transportation needs of the area served, and the extent to which the applicant is making full use of other available revenues and funds, including federal transportation grants

SEC. 7. Section 99260 of the Public Utilities Code is amended to read.

99260. An applicant may, ~~after the operative date of this section, and at least 90 days prior to the beginning of the following fiscal year and any fiscal year thereafter~~ *at such times as the secretary may determine*, file with the transportation planning agency a claim supported by a budget or financial plan setting forth a statement of estimated financial needs, accompanied by such other documents as may be requested by the transportation planning agency including, but not limited to, annual financial statements accompanied by a report of a certified public accountant, except that this need not be done for the then current year

SEC 8".

Amendment No. 10

On page 5, line 40, strike out "SEC. 3", and insert "SEC 9".

Amendment No. 11

On page 6, line 2, strike out "SEC. 4", and insert "SEC 10".

Amendment No. 12

On page 6, line 13, strike out "37016", and insert "37010".

Amendment No. 13

On page 6, line 18, strike out "SEC. 5", and insert "SEC. 11".

Amendment No. 14

On page 7, line 8, strike out "SEC 6", and insert

"SEC 12 Section 99401 of the Public Utilities Code is amended to read·

99401. A city, county or transit district may, ~~after the operative date of this section, and at least 90 days prior to the beginning of~~

~~the following fiscal year and any fiscal year thereafter~~ *at such times as the secretary may determine*, file with the transportation planning agency a claim ~~supported by a budget or financial plan setting forth a statement of estimated financial needs,~~ accompanied by by such ~~other~~ documents as may be required

SEC 13 Section 99403 of the Public Utilities Code is amended to read:

99403 The transportation planning agency shall review *the claim and* the budget or financial plan filed by the city or county and shall, from the analysis and evaluation thereof and giving consideration to the probable amount of claims to be paid under Article 4 (commencing with Section 99260) of this chapter and other claims from within the same county filed under this article, determine the estimated financial assistance required for the applicable fiscal year by each applicant, which amount, when determined, shall constitute and be called the "approved annual claim" of the applicant

SEC 14 Section 99405 of the Public Utilities Code is amended to read:

99405 (a) The approved claim *for the purposes set forth in subdivisions (a), (b), and (d) of Section 99400* may in no year exceed 50 percent of the amount required to meet the applicant's total proposed expenditures *for such purposes*

(b) With respect to the budgeted capital requirements in the claim of an applicant for major new facilities, the transportation planning agency notwithstanding the 50-percent limitation specified in subdivision (a), may approve up to the amount so budgeted, if the construction of such facilities has been found to be not inconsistent with regional plans by the recognized transportation planning agency for the region

SEC 15 Section 99407 of the Public Utilities Code is amended to read:

99407 The approved claim shall be transmitted by the transportation planning agency to the applicant and the county auditor shall make disbursements in the manner and at the times required by the applicant, or as determined by the transportation planning agency The approval of the claim by the transportation planning agency shall constitute the approval specified in Section 29704 of the Government Code

The approved claim of the applicant shall be reviewed by the transportation planning agency upon its own motion either during the fiscal year or thereafter The review shall include an adjustment to reconcile the estimates on which the approved claim was based with the actual costs when these are available The transportation planning agency, in determining or redetermining the approved claim, shall have full access to the books, records, and accounts of the applicant

The report prepared by the State Controller pursuant to Chapter 4 (commencing with Section 2150), Division 3 of the Streets and Highways Code shall include the expenditure of funds allocated pursuant to subdivision (c) of Section 99400.

SEC 16".

Amendment No. 15

On page 8, line 39, strike out "SEC. 7", and insert "SEC. 17".

Amendment No. 16

On page 9, line 8, strike out "SEC 8", and insert "SEC. 18".

Amendment No. 17

On page 9, line 17, strike out "6052", and insert "6052.5".

Amendment No. 18

On page 9, line 23, strike out "SEC. 9", and insert "SEC. 19".

Amendment No. 19

On page 9, line 27, strike out "6052", and insert "6052.5",

Amendment No. 20

On page 9, line 35, strike out "SEC. 10", and insert "SEC. 20".

Amendment No. 21

On page 10, strike out lines 8 and 9, and insert "shall be estimated by the State Board of Equalization for each fiscal year, commencing with the fiscal year 1972-1973 The estimate shall be made as soon as practicable after the close of each fiscal year, and the amount so estimated shall be transferred to the Transportation Planning and".

Amendment No. 22

On page 10, line 13, strike out "SEC 11", and insert "SEC 21".

Amendment No. 23

On page 10, line 22, strike out "SEC 12", and insert "SEC 22".

Amendment No. 24

On page 10, line 34, strike out "SEC 13", and insert "SEC 23".

Amendment No. 25

On page 11, line 3, strike out "SEC 14", and insert "SEC. 24".

Amendment No. 26

On page 11, line 15, strike out "SEC 15", and insert

"SEC 25 Section 8101 5 of the Revenue and Taxation Code is amended to read

8101.5. No refund of any tax shall be granted on motor vehicle fuel used in propelling an aircraft in the state, except the following refunds

(a) Any tax on motor vehicle fuel used in propelling an aircraft engaged in the business of transporting persons or property for hire or compensation under a certificate of public convenience and necessity issued by the federal government or the California Public Utilities Commission.

(b) Any tax on motor vehicle fuel used in propelling an aircraft while engaged in aerial application of dust, spray, fertilizer, seed or other materials in connection with agricultural activities, if such aerial application is conducted from an airport, airstrip, heliport or pad which is not owned or operated by a public entity

(c) Five cents ($0 05) of the tax upon each gallon of motor vehicle fuel used in propelling any aircraft, other than an aircraft referred to in subdivision (a) or (b) of this section.

(d) Any tax on motor vehicle fuel used in an aircraft engine incident to the business of construction or reconstructing by manufacture or assembly of completed aircraft or in the modification, overhaul, repair, maintenance or service of aircraft

The Legislature hereby declares its intent that the motor vehicle fuel used in propelling an aircraft, upon which the fuel tax is refunded in part, shall be subject to the provisions of Section ~~6357~~ *6357 1* with respect to the collection of sales and use tax thereon to the same extent as if the entire amount of the fuel tax had been refunded

SEC 26".

Amendment No. 27

On page 11, line 28, strike out "SEC 16", and insert "SEC 27".

Amendment No. 28

On page 11, line 29, strike out "SEC 17", and insert "SEC. 28".

Amendment No. 29

On page 11, line 37, strike out "imposes", and insert "imposed".

Amendment No. 30

On page 11, line 38, after "necessary", insert "that".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 13, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 1925

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1925—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5, line 26, of the printed bill, as amended in Assembly May 11, 1972, after "Control", insert "Financing".

Amendment No. 2

On page 5, lines 33 and 34, strike out "and two members appointed by the Governor", and insert "the State Treasurer, and the State Controller".

Amendment No. 3

On page 6, line 31, after "39610.", insert "(a)".

Amendment No. 4

On page 6, between lines 38 and 39, insert

"(b) The State Treasurer shall be the treasurer for the authority."

Amendment No. 5

On page 10, line 9, after "resources", insert "and to projects for the pretreatment of industrial waste prior to discharge into a sewerage system operated by a public agency"

Amendment No. 6

On page 10, line 34, after the period, insert "Such bonds may be authorized, without limiting the generality of the foregoing, to finance a single project for a single participating party, a series of projects for a single participating party, a single project for several participating parties, or several projects for several participating parties."

Amendment No. 7

On page 11, line 34, strike out "The bonds or notes may be sold at public or", strike out lines 35 to 38, inclusive; and in line 39, strike out "definitive bonds The authority", and insert "The bonds or notes shall be sold by the State Treasurer when and as requested by the authority Such sales may be at public or private sale, and for such price or prices and on such terms and conditions, as the authority shall determine after giving due consideration to the recommendations of any participating party to be assisted from the proceeds of such bonds or notes. Pending preparation of the definitive bonds, the State Treasurer may issue interim receipts, certificates, or temporary bonds which shall be exchanged for such definitive bonds. The State Treasurer".

Amendment No. 8

On page 12, line 9, strike out "a", and insert "any".

Amendment No. 9

On page 12, line 24, after "project", insert "or projects to be financed out of the proceeds of the bonds of any particular issue of bonds".

Amendment No. 10

On page 13, line 5, strike out "a", and insert "any".

Amendment No. 11

On page 13, between lines 6 and 7, insert

"(11) The mortgaging of land, improvements, or other assets owned by a participating party for the purpose of securing the bondholders"

Amendment No. 12

On page 13, line 26, after "project", insert "or projects,".

Amendment No. 13

On page 13, line 27, after "thereof", insert ", to be financed out of the proceeds of such bonds".

Amendment No. 14

On page 15, line 15, strike out "Any", and insert "Pending such use, any".

Amendment No. 15

On page 15, line 15, strike out ", pending such use,".

Amendment No. 16

On page 15, line 16, after "reinvested", insert "by the State Treasurer".

Amendment No. 17

On page 15, line 36, after "reinvested", insert "by the State Treasurer".

Amendment No. 18

On page 18, line 9, strike out "shall", and insert "may".

Amendment No. 19

On page 19, line 3, after "project", insert "or projects".

Amendment No. 20

On page 19, line 4, after "project", insert "or projects".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

MESSAGES FROM THE SENATE

Senate Chamber, June 12, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 352

And appointed Senators Collier, Coombs, and Dills, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

MESSAGES FROM THE SENATE

Senate Chamber, June 12, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 48

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, June 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 71
AB No 528
AB No. 712

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SB No. 75

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed

SB No 55	SB No. 812	SB No. 1046
SB No 437	SB No 908	SB No 1190
SB No 765	SB No 920	SB No 1204
SB No 747	SB No 941	SB No 1293
SB No 748	SB No 956	SB No 1325
SB No 750	SB No. 987	SB No. 1470
SB No. 781		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 55—An act to amend Section 537e of the Penal Code, relating to unmarked property

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 437—An act to add Section 21101.5 to the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 765—An act to amend Section 8101 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 747—An act to amend Sections 109 6 and 3702 of, and to add Section 4985.1 to, the Revenue and Taxation Code, relating to taxation

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 748—An act to amend Sections 3101, 3107, and 4112 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 750—An act to add Sections 2605, 2606, 2606 1, and 2617 to, to repeal Sections 2605, 2606, 2607, 2617, 2618, and 2621 of, and to repeal Chapter 2 1 (commencing with Section 2700) of Part 5 of Division 1 of, the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 781—An act to amend Sections 74702, 74703, and 74705 of, to add Sections 74702.5 and 74708 to, and to repeal 74708 and 74709 of, the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 812—An act to amend Section 869 of the Penal Code, relating to transcripts of preliminary hearings.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 908—An act to amend Sections 917 1, 917 2, 917.5 and 917 9 of the Code of Civil Procedure, relating to appeals.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 920—An act to amend Sections 70059.7 and 74647 of the Government Code, relating to official reporters.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 941—An act to amend Section 1029.6 of the Code of Civil Procedure, relating to medical malpractice actions.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 956—An act to amend the heading of Title 14 (commencing with Section 594) of Part 1 of, and to amend Section 594 of, the Penal Code, relating to malicious property destruction.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 987—An act to add Section 12825 5 to the Education Code, relating to public schools

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1046—An act to amend Sections 69994.2, 69995, 70046, 70048, 70057, 70059 7, 70130, 73649, 73959, 74351, 74352, and 74674 of, and to repeal Section 70063 of, the Government Code, relating to court reporters.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1190—An act to add Sections 6520.7 and 6520.9 to the Health and Safety Code, relating to sanitary districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1204—An act to add Section 13723.27 to the Education Code, relating to classified employees.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1293—An act to amend Section 10850 of, and to repeal Section 10850 2 of, the Welfare and Institutions Code, relating to public social services

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1325—An act to amend Sections 5784 23 and 5784.24 of the Public Resources Code, relating to recreation and park districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1470—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1327 and 650 for hearing in the Committee on Local Government on Thursday, June 15, 1972.

REQUEST FOR UNANIMOUS CONSENT

Mr Brown was granted unanimous consent that Assembly Bill No 1925 be considered engrossed.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 523, 569, 884, 1457, 1861, 2060, 2198, 2230, 2249, 527, 1714, 2371, 2140, 2065, 2112 and Assembly Concurrent Resolution No 93 for hearing in the Committee on Ways and Means on Wednesday, June 14, 1972

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1042 for hearing in the Committee on Retirement today.

Mr Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 629 and 1307 and Assembly Concurrent Resolution No 94 for hearing in the Committee on Transportation on Thursday, June 15, 1972.

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1897 for hearing in the Committee on Welfare on Wednesday, June 14, 1972

Mr Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 286 and 1155 for hearing in the Committee on Revenue and Taxation today, and Assembly Bill No 2103 for hearing in the Committee on Revenue and Taxation on Wednesday, June 14, 1972

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 567 for hearing in the Committee on Revenue and Taxation today

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1765

Mr Ryan was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1765, that the bill be considered engrossed, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1765 for hearing in the Committee on Employment and Public Employees

Hon. Jerry Lewis Presiding

At 11:47 a m , Hon Jerry Lewis, 73rd District, presiding

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 14, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 1561

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1561—An act to add Chapter 5 (commencing with Section 3780) to Division 3 of the Public Resources Code, relating to oil sumps

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Chapter 5 (commencing with Section 3780) to Division 3 of", and insert "Section 3106 5 to".

Amendment No. 2

In line 3 of the title, strike out "sumps", and insert "and gas operations".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 3106 5 is added to the Public Resources Code, to read:

3106 5 (a) Persons conducting oil and gas operations shall not use open earthen pits or open facilities of any type for the storage or evaporation of salt water and oil field brines containing residual oil. The supervisor shall order any such open pits or facilities presently in use to be cleaned of waste material or backfilled and compacted, unless the operator screens the facility and such screening is approved pursuant to subdivision (d).

(b) The disposal of waste material from oil and gas operations by discharge into any natural drainage is prohibited

(c) Uncontained leakages from production facilities or waste disposal facilities shall constitute violations of the provisions of this section.

(d) The supervisor shall approve the use of a totally screened waste disposal facility, if he determines that such screening adequately prevents the entrance of wildlife into the facility.

(e) Waste material may be disposed of at off-lease disposal facilities only through disposal organizations operating such facilities under permit granted by the division Such permits shall be granted by the division upon determination by the supervisor that the off-lease disposal facilities do not violate the provisions of this section.

(f) The provisions of this section shall not be construed to affect water quality standards as established by any state or regional authority

SEC. 2 This act shall become operative on July 1, 1973."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1561

Mr Z'berg was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1561, and that the bill be considered engrossed

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1388, 1772, 2131, 51, 81, 562, 668, 669, 1539, 1673, 1781, 1783, 1786, 1787, 1901, 2064, 2350, Assembly Concurrent Resolution No 74, Assembly Joint Resolutions Nos 6 and 34, and Senate Bill No 266 for hearing in the Committee on Natural Resources and Conservation at 1 45 p m , on Wednesday, June 14, 1972.

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 562 for hearing in the Subcommittee on State Parks Authorization and Funding at 10 a m., on Wednesday, June 14, 1972

Mr McCarthy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 630, 780 and 2082 for hearing in the Committee on Labor Relations at 9 a m , on Wednesday, June 14, 1972

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 806, on request of Mr Z'berg.

Speaker pro Tempore Presiding

At 11:50 a m., Hon Carlos Bee, 13th District, presiding.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1730, 860, 1615, 550, and **1470,** ordered to third reading.

NOTE: Later this day Assembly Bill No 1730 was re-referred to the Committee on Ways and Means

---

Assembly Bills Nos. 1072, 1988, 1165, 1246, and **1931,** ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No. 1988 was re-referred to the Committee on Ways and Means

---

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 960—An act to add Article 31 (commencing with Section 14451) to Chapter 4 of Division 10 of the Education Code, relating to the State Teachers' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 16, 1972, after "add", insert "Sections 14092, 14092 5, 14093, 14093.5, 14094, 14094.5, 14095, 14095.5, 14096, 14096 5, and 14097 to, and to add".

Amendment No. 2

In line 2 of the title, after the second "of", insert a comma.

Amendment No. 3

On page 1, line 1, after the period, insert "Section 14092 is added to the Education Code, to read.

14092. Sections 14092.5 through 14097 apply to the transfer of assets of the Los Angeles Community College District Retirement System only.

SEC 2. Section 14092 5 is added to the Education Code, to read:

14092 5 The total market value of the State Teachers' Retirement Fund's securities shall be established as of the close of business on June 30, 1973. The accrued income on the securities at June 30, 1973, cash on hand, the investment principal in course of collection, and the members' contributions receivable shall be added to the total market value of securities and, after deducting interest and principal collected in advance and retirement claims payable filed, this amount shall be divided by the total of member contribution reserves plus reserves for retirement annuities, death annuities, and survivor benefits The quotient thus obtained, computed to eight places past the decimal, shall be divided into the total of the cash, market values of the securities in kind which are to be transferred, established as of the close of business on June 30, 1973, and any accrued income thereon, to provide the values of the Los Angeles Community College District's assets for transfer. Accrued income properly computed shall include any delinquent interest at the face rate on any item which, while in default, is guaranteed or insured by an agency of the United States government Values established in accordance with the procedures specified in this section shall be obtained and approved by each board, which may obtain the assistance of other parties and may, if it so desires, agree to binding valuations by a mutually agreed upon independent party.

Either the Los Angeles Community College District or the Teachers' Retirement Board may reject specific securities for transfer and recommend alternative selections Selection of securities to be transferred in kind shall not be made in a manner adverse to the Teachers' Retirement Fund. While a proportionate division of each holding shall not be required, the State Teachers' Retirement System shall be entitled to a division of the community college district system's securities distributed between nonconvertible fixed income investments, equities, and securities convertible into equities in the proportion the book value of such security groupings bears to the total value of the community college district system's portfolio as of June 30, 1973. However, the

Teachers' Retirement Board may reject any securities which do not qualify under its investment resolution as amended December 18, 1970.

SEC. 3 Section 14093 is added to the Education Code, to read:

14093 Should the respective parties be unable to reach agreement on market value of assets by October 15, 1973, the matter shall be submitted to arbitration by an independent party who, in making his determination shall be guided by the State Constitution, existing law, the formal investment resolution of the Teachers' Retirement Board as amended December 18, 1970, and the provisions of this article, and his decision shall be binding upon both parties to the extent that it is consistent with state law The arbitrator shall be mutually agreed upon by the respective boards If agreement cannot be reached, the market value shall be established by a panel of three arbitrators, one of whom shall be appointed by the Los Angeles Community College District, one of whom shall be appointed by the Teachers' Retirement Board, and a third arbitrator who shall be selected by mutual agreement of the first two Decisions of the arbitration panel shall be binding upon the Los Angeles Community College District and the State Teachers' Retirement System to the extent that such decisions are consistent with state law.

SEC. 4. Section 14093 5 is added to the Education Code, to read:

14093 5 To mitigate the possibility of conflicts arising because of changing market valuations over time, the transfer shall be effected as soon as possible. To this end, a partial transfer consisting of cash or securities in kind, which are valued at market plus accrued income equivalent to 90 percent of the estimated value of the annuity savings (active member accumulated contributions) shown on the community college district system's records, or both such cash and securities, shall be made as soon after June 30, 1973, as possible, with a subsequent adjustment in its valuation amount effected as soon as the aforementioned valuation quotient is computed. A decision as to which stocks shall be eligible for transfer must be agreed upon by both parties prior to the valuation date to avoid any possible inequity For the total of the common and preferred stocks to be transferred, any change in the market value between the valuation date and the actual date of transfer shall bear a close relationship to the change in the Standard & Poor's Composite Stock Index of 500 companies between the same dates.

SEC. 5. Section 14094 is added to the Education Code, to read:

14094. If the Los Angeles Community College District Retirement System incurs a net realized loss from the transfer of assets at less than their book values, such loss shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

SEC 6 Section 14094 5 is added to the Education Code, to read:

14094 5 The transfer of cash or securities in kind from the Los Angeles Community College District to the State Teachers' Retirement System which is specified in Section 14093.5 shall be accomplished

by such district delivering, at the office of the State Treasurer in Sacramento, the cash or securities in kind properly registered in the name of the State Teachers' Retirement System in accordance with the registration requirements of the State Teachers' Retirement System This transfer shall be completed by June 30, 1974. Interest on the actual amount of any cash transfer shall be at the rate of 6 percent per annum compounded annually from July 1, 1972, to date of the transfer. Any cash income payments or payments on securities received in the form of securities by the Los Angeles Community College District after June 30, 1973, which are properly allocable to the Teachers' Retirement Fund, shall be paid to the Teachers' Retirement Fund.

SEC. 7. Section 14095 is added to the Education Code, to read:

14095. If the Los Angeles Community College District's assets contributed are recorded in the State Teachers' Retirement System's accounts at a total amount different than the total member annuity savings (active member accumulated contributions) and present value of retired roll being financed from local system reserves transferred to the State Teachers' Retirement System, the difference shall be recorded in the State Teachers' Retirement System's account as a deferred item which shall be amortized over a 25-year period

SEC 8 Section 14095 5 is added to the Education Code, to read:

14095 5 All costs of the asset transfer, asset valuation, security registration, and the administrative costs incurred in the implementation of Chapter 1305 of the Statutes 1971, as they relate to the local system, shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

SEC 9. Section 14096 is added to the Education Code, to read.

14096 The balance of assets remaining on deposit with the Los Angeles Community College District after the transfers, deposits, and payments required by this article or after the establishment of reserves from which such deposits and payments are to be made, shall be held intact by the district until the Legislature either prior thereto or thereafter expressly authorizes the expenditure or other disposition thereof.

SEC 10 Section 14096 5 is added to the Education Code, to read.

14096 5 In the event that the members of the Los Angeles Community College District Retirement System elect to be fully covered by their local system, so as to require a transfer of cash or securities in kind, or both such cash and securities, from the Teachers' Retirement Fund to the Los Angeles Community College District Retirement System, the State Teachers' Retirement System shall contribute cash or securities in kind The quotient obtained pursuant to Section 14093 shall be divided into the total of the cash, the market value of the securities in kind which are to be transferred, established as of the close of business June 30, 1973, and any accrued income thereon, to provide the valuation of the assets which are to be transferred to the local system The actual cash contributed shall bear interest at the rate of 6 percent per annum compounded annually from the date due until the date of transfer.

SEC. 11. Section 14097 is added to the Education Code, to read:

14097. If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

SEC. 12."

Amendment No. 4

On page 2, line 6, after "from", insert a comma.

Amendment No. 5

On page 2, line 35, strike out "System", and insert "System's".

Amendment No. 6

On page 3, line 17, strike out "through", and insert "to".

Amendment No. 7

On page 3, line 18, after "14454.8", insert ", inclusive,".

Amendment No. 8

On page 4, line 10, strike out "Community College System", and insert "community college system".

Amendment No. 9

On page 4, line 21, after "system", insert a comma.

Amendment No. 10

On page 4, line 22, after "for", insert a comma.

Amendment No. 11

On page 4, line 22, after "to", insert a comma.

Amendment No. 12

On page 5, line 4, strike out "through", and insert "to".

Amendment No. 13

On page 5, line 4, after "14458", insert ", inclusive,".

Amendment No. 14

On page 5, line 33, after "to", insert "the".

Amendment No. 15

On page 5, line 33, after "transfer", insert a comma.

Amendment No. 16

On page 6, line 20, strike out "Section", and insert "Sections".

Amendment No. 17

On page 6, line 20, after "14455.6", insert a comma.

Amendment No. 18

On page 6, line 22, after "account", insert a comma.

Amendment No. 19

On page 6, line 30, after "election", insert a comma.

Amendment No. 20

On page 6, line 32, after "thereafter", insert a period.

Amendment No. 21

On page 7, line 8, after "to", insert "any".

Amendment No. 22

On page 7, line 8, strike out "he", and insert "such person".

Amendment No. 23

On page 10, line 3, after "benefits", insert a comma.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2167—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 625 of", and insert "Sections 625 and 627.5 of, and to add Section 626.1 to,".

Amendment No. 2

On page 2, after line 18, insert

"SEC. 2. Section 626.1 is added to the Welfare and Institutions Code, to read:

626.1. A minor who is in the custody of a peace officer or probation officer has the right to have a parent or guardian present during any interrogation by the peace officer or probation officer.

SEC. 3. Section 627.5 of the Welfare and Institutions Code is amended to read:

627.5. In any case where a minor is taken before a probation officer pursuant to the provisions of Section 626 and it is alleged that such minor is a person described in Section 601 or 602, the probation officer shall immediately advise the minor and his parent or guardian that anything the minor says can be used against him and shall advise them of the minor's constitutional rights, including his right to remain silent, his right to have counsel *or a parent or guardian, or both,* present during any interrogation, and his right to have counsel appointed if he is unable to afford counsel. If the minor or his parent or guardian re-

quests counsel, the probation officer shall notify the judge of the juvenile court of such request and counsel for the minor shall be appointed pursuant to Section 634 ''

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2324—An act to amend Section 3 of Chapter 491 of the Statutes of 1971, relating to the transfer of the real property of the DeWitt State Hospital facility.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 8, 1972, strike out ''Assemblyman Chappie'', and insert ''Assemblymen Chappie and LaCoste''

Amendment No. 2

In line 1 of the title, after the first ''of'', insert '', and to add Sections 3.5 and 3 7 to,''.

Amendment No. 3

On page 1, line 3, after ''Sec 3 '', insert ''(a)''.

Amendment No. 4

On page 1, between lines 5 and 6, insert

''(b) In the event the County of Placer receives money from private persons or entities for the use of such property which exceeds the cost of maintaining such property and a reserve for depreciation, the excess amount shall be paid to the state The definition of expenditures that shall be considered as costs of maintaining such property and the determination of an acceptable amount to be established as a reserve for depreciation shall be made and mutually agreed upon by the Department of General Services and the County of Placer.''

Amendment No. 5

On page 1, line 8, after ''act'', insert ''only''.

Amendment No. 6

On page 2, after line 2, insert

''In adopting the foregoing meaning of the term public purpose, it is not the intention of the Legislature to affect the meaning of such term in any other application The foregoing definition of public purpose shall only apply to the property transferred by this act because statements made by state officials have led the public to believe that the state has, in this unique case, assumed a responsibility to assist the local economy to compensate for the negative economic impact resulting from closure of a major state facility.

SEC 3 Section 3.7 is added to Chapter 491 of the Statutes of 1971, to read:

Sec 3 7 The County of Placer shall not transfer its interest in the property transferred by this act."

Bill ordered reprinted, and returned to the second reading file.

House Resolution No. 55—Relative to University of California parking fees

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted·

Amendment No. 1

In the relating clause of the printed measure, as printed on pages 3411 and 3412 of the Assembly Journal for May 11, 1972, after "California", insert "and the California State University and Colleges".

Amendment No. 2

In line 2 of the first WHEREAS clause, after "California", insert "and the California State University and Colleges".

Amendment No. 3

In line 2 of the second WHEREAS clause, strike out "university's", and insert "University of California's and the California State University and Colleges' ".

Amendment No. 4

In line 3 of the third WHEREAS clause, after "other", insert "university and college".

Amendment No. 5

In line 2 of the fourth WHEREAS clause, strike out "university's", and insert "University of California's and the California State University and Colleges' ".

Amendment No. 6

In line 3 of the first *Resolved* clause, after "California", insert "and the California State University and Colleges".

Amendment No. 7

In line 2 of the second *Resolved* clause, after "university", insert "and college".

House Resolution No. 55, as Amended

By Assemblyman MacGillivray·

House Resolution No. 55

Relative to University of California and the California State University and Colleges parking fees

WHEREAS, Automobile parking on campus is a requisite for most students and employees of the University of California and the California State University and Colleges; and

WHEREAS, In the absence of state support of parking facility expenses, the University of California's and the California State University and Colleges' policy is to recover the parking operation costs from parking fees; and

WHEREAS, Newspaper accounts suggest a substantial parking operation profit in 1970–1971 on one university campus and employees and students on other university and college campuses question the extremely high parking charges; and

WHEREAS, It has not been the desire of the Legislature that the University of California's and the California State University and Colleges' general operations be subsidized by revenues from student or employee parking fees; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Analyst be requested to audit the parking facility operations of the University of California and the California State University and Colleges; and be it further

Resolved, That the Legislative Analyst be requested to advise the Legislature as to the financial soundness of the university and college parking facility operations and whether employees or students may be subsidizing general program through excessive parking fees.

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 1412—An act relating to the San Francisco Unified School District.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, after line 19, of the printed bill, insert

"SEC. 4 The number of units of average daily attendance estimated pursuant to Section 3 of this act shall also be added to the total average daily attendance for the 1971–1972 school year for the purposes of Section 17301 and subdivision (f) of Section 17303.5 of the Education Code."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 615—An act to add Section 129.5 to the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly May 23, 1972, after the period, insert "If the board finds and determines at the time for publishing any such newsletter that there has been no change in any law or regulation administered by the board since the previous newsletter was published, the board may omit publishing the newsletter, provided, that the newsletter shall in any event be published at least once a year "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1670—An act to amend Section 26559 of the Health and Safety Code, relating to foods.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 9, 1972, between lines 20 and 21, insert

"Notwithstanding Section 26052 or any other provision of law, as used in this section, the term "food" includes, but is not limited to, meat and dairy products The term "food" does not, however, include any alcoholic beverage "

Amendment No. 2

On page 2, line 21, strike out "the 240th", and strike out lines 22 and 23, and insert "July 8, 1974 "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1468—An act to add Article 10 (commencing with Section 10921) to Chapter 1 of Division 9 of the Education Code, relating to pupils

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted·

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "each semester or session", and insert "the first semester or quarter of the regular school term".

Amendment No. 2

On page 2, line 9, strike out "semester or session", and insert "first semester or quarter of the regular school term".

Amendment No. 3

On page 2, line 21, strike out "semester or session", and insert "school term".

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 459, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 293—An act to amend Section 61600 of, and to add Sections 61623 6, 61623.7, 61623.8, 61623 9, and 61623 10 to, the Government Code, relating to community services districts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate April 26, 1972, strike out ", and to add Sections 61623 6, 61623 7, 61623.8, 61623.9, and 61623.10 to,".

Amendment No. 2

On page 3, strike out lines 17 to 40, inclusive, and strike out pages 4 and 5.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 1730 and **1988.**

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the Desk be held open to receive the report of the Committee on Transportation relative to Assembly Concurrent Resolution No 93, and that the resolution be taken up, without reference to file, for purpose of adopting the committee amendments, and that the resolution be considered engrossed.

REDUCTION IN MEMBERSHIP OF COMMITTEE ON CRIMINAL JUSTICE

Speaker Moretti was granted unanimous consent that the membership of the Committee on Criminal Justice be reduced from nine to seven members, and accepted the resignations of Assemblymen Brathwaite and Biddle from the committee.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Reduction of Membership—Committee on Criminal Justice

June 13, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: I have accepted the resignation of Assemblywoman Yvonne Brathwaite from the Assembly Criminal Justice Committee Because of the election of Assemblyman Craig Biddle to the Senate I am reducing the membership of this committee from nine members to seven members

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Arnett was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2363 for hearing in the Committee on Labor Relations on Wednesday, June 14, 1972

Mr Foran was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 904 for hearing in the Committee on Finance and Insurance on Wednesday, June 14, 1972

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 352

The Speaker pro Tempore appointed Messrs Ray E Johnson, Mobley, and Maddy as a Committee on Conference concerning Senate Bill No 352

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 81, Senate Joint Resolution No 10, and Assembly Bill No 1420 were continued until the next legislative day

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 13, 1972

Mr Speaker Your Committee on Transportation reports

ACR No 93

With amendments with the recommendation· Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation: To Consent

DEDDEH, Chairman

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 93

Pursuant to unanimous consent granted earlier this day, Assembly Concurrent Resolution No. 93 was taken up without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time

Consideration of Assembly Concurrent Resolution No. 93 by Unanimous Consent

Assembly Concurrent Resolution No. 93—Relative to State Highway Route 7.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted.

Amendment No. 1

In line 1 of the heading of the printed measure, strike out "Assemblymen Collier and Lanterman", and insert "Assemblyman Collier".

Amendment No. 2

In line 2 of the title, strike out "Route 7", and insert "Routes 7 and 11".

Amendment No. 3

On page 2, line 7, after "is", insert "hereby".

Amendment No. 4

On page 2, line 7, strike out "of", and insert "on the needed improvements to".

Amendment No. 5

On page 2, strike out line 9, and in line 10, strike out "of improving such freeway", and insert "Pasadena"

Amendment No. 6

On page 2, lines 11 and 12, strike out " The Department shall", and insert ", which study shall include the estimated cost of such improve-

ments and whether the present proposed alignment of Route 7 should be adjusted if such improvement were constructed, and be it further

Resolved, That the department".

Amendment No. 7

On page 2, strike out lines 14 to 20, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent Resolution No.	*Committee*
100	Labor Relations

Senate Bill No.	*Committee*
55	Criminal Justice
437	Transportation
748	Revenue and Taxation
747	Revenue and Taxation
750	Revenue and Taxation
765	Revenue and Taxation
781	Judiciary
812	Criminal Justice
908	Judiciary
920	Local Government
941	Judiciary
956	Criminal Justice
987	Education
1046	Local Government
1190	Water
1204	Education
1293	Welfare
1325	Natural Resources and Conservation
1470	Governmental Organization

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1659

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1659 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Transportation

COMMUNICATIONS

Assembly Chamber, June 13, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 634—An act to amend Section 6512 of the Health and Safety Code, relating to sanitary districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1125—An act relating to the late filing of maps or plats for purposes of property taxation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1591—An act to add Article 4 (commencing with Section 5670) to Chapter 5 of Division 6 of the Education Code, relating to school classes, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2059—An act to add Section 54938.6 to the Government Code, relating to assessments, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2304—An act to amend Sections 25210 77f and 25831 of, and to add Section 38790 1 to, the Government Code, relating to counties and cities, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2 30 p m , June 13, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

AB No 889
AB No 1307
AB No. 1961
AB No 2103
AB No 2216

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

ACR No 38

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

Assembly Chamber, June 13, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 888
AB No 1155
AB No. 2274

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, June 13, 1972

Mr. Speaker. Your Committee on Constitutional Amendments reports.

SCA No 72

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports.

SB No 1452

With the recommendation Do pass.

GARCIA, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Education reports·

AB No 1236

AB No 1319

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 13, 1972

Mr. Speaker· Your Committee on Education reports:

AB No 981

With the recommendation· Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 13, 1972

Mr Speaker Your Committee on Education reports

SB No 625

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr. Speaker Your Committee on Education reports:

AB No 11
AB No 1876
AB No. 1703
AB No 2123
AB No. 1821

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 13, 1972

Mr. Speaker · Your Committee on Education reports

ACR No 53
ACR No. 58
ACR No 76

With the recommendation. Be adopted, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above resolutions re-referred to the Committee on Ways and Means

Assembly Chamber, June 13, 1972

Mr. Speaker. Your Committee on Education reports ·

AB No 1882

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation to be placed on Consent Calendar

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 13, 1972

Mr Speaker · Your Committee on Education reports:

AB No 1357
AB No 1831
AB No 1467
AB No 2293
AB No. 1596

With the recommendation · Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Education reports.

AB No 529

With amendments with the recommendation Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 2156

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Efficiency and Cost Control

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports·

AB No. 1451

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CULLEN, Chairman

Above bill ordered to second reading.

Committee on Health

~~Assembly Chamber, June 13, 1972~~

~~Mr. Speaker: Your Committee on Health reports:~~

~~AB No. 1496~~

~~With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent.~~

~~CAMPBELL, Chairman~~

~~Above bill re-referred to the Committee on Ways and Means.~~

NOTE· On June 14, 1972, the action was rescinded whereby the above report of the Committee on Health relative to Assembly Bill No. 1496 was received and read in the Assembly, and whereby the bill was re-referred to the Committee on Ways and Means. See page 4687.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Health reports·

AB No. 1261	AB No. 1544	AB No 2126
AB No. 1416	AB No. 1808	AB No. 1709
AB No. 1417		

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means

~~Assembly Chamber, June 13, 1972~~

~~Mr. Speaker: Your Committee on Health reports:~~

~~SB No. 1199~~

~~With the recommendation: Do pass.~~

~~CAMPBELL, Chairman~~

~~Above bill ordered to second reading.~~

NOTE. On June 14, 1972, the action was rescinded whereby the above report of the Committee on Health relative to Senate Bill No. 1199 was received and read in the Assembly, and whereby the bill was ordered to second reading. See page 4687.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Health reports:

AB No 1090
~~AB No. 1856~~

~~AB No. 1857~~
AB No. 285

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading.

~~Assembly Chamber, June 13, 1972~~

~~Mr. Speaker: Your Committee on Health reports:~~

~~AB No. 1858~~

~~With amendments with the recommendation: Amend, and do pass, as amended.~~

~~CAMPBELL, Chairman~~

~~Above bill ordered to second reading.~~

NOTE: On June 14, 1972, the action was rescinded whereby the above committee reports, relative to Assembly Bills Nos. 1856, 1857, and 1858 were received and read in the Assembly, and whereby the bills were ordered to second reading (See page 4687.)

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Health reports.

AB No. 431
AB No. 854

With recommendation. That the subject matter of the bills be referred to the Select Committee on Health Manpower, for the purpose of making a recommendation to the Assembly Standing Committee on Health

CAMPBELL, Chairman

Subject matter of the above bills re-referred to the Select Committee on Health Manpower.

Committee on Transportation

Assembly Chamber, June 13, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports.

AB No. 1659

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1659—An act to amend Section 39250 of the Health and Safety Code, relating to motor vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 39250 of", and insert "add Section 39116 to".

Amendment No. 2

In line 2 of the title, after the comma, insert "and to add Section 40004 to the Vehicle Code,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 39116 is added to the Health and Safety Code, to read.

39116. (a) Notwithstanding any other provision of law, on and after January 1, 1974, every 1969 or earlier model year passenger vehicle or motor truck shall be equipped with at least one fuel system approved by the board which permits such passenger vehicle or motor truck to be powered by propane, butane, or natural gas

(b) An amount, not to exceed four hundred dollars ($400), shall be loaned from the Motor Vehicle Account in the Transportation Tax Fund, by the State Controller, to the owner of a motor vehicle subject to this section for the purpose of equipping such a vehicle to meet the requirements of this section Such loan shall be repaid from any tax refund received under Section 9157 of the Revenue and Taxation Code. The State Controller shall adopt such rules and regulations as may be necessary to carry out the provisions of this subdivision, including, but not limited to, regulations regarding how a person may qualify for such a loan, the amount to be loaned, the manner of repayment, and the amount of interest to be charged

SEC 2 Section 40004 is added to the Vehicle Code, to read.

40004 Notwithstanding any other provision of law, the department shall, commencing with the 1974 calendar year and each calendar year thereafter, refuse to renew the registration of any motor vehicle subject to Section 39116 of the Health and Safety Code, unless such vehicle is equipped as required by that section."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Rush Order Placed Upon Printing of Assembly Bill No. 1659

Speaker pro Tempore Bee was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 1659, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1659 for hearing in the Committee on Transportation, on Thursday, June 15, 1972.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 13, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

SB No. 970

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 970—An act to amend Sections 10801, 10805, and 10808 of the Education Code, relating to school district attendance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Senate May 23, 1972, strike out "1801", and insert

"10801".

Amendment No. 2

On page 2, lines 17 and 18, strike out "payment of", and insert "district in which the pupil lives to pay to the district of attendance".

Amendment No. 3

On page 2, line 22, strike out ", but in any event not"; strike out lines 23 to 25, inclusive, and insert a period.

Amendment No. 4

On page 3, line 1, strike out ", but in"; strike out lines 2 to 4, inclusive, and insert a period.

Amendment No. 5

On page 3, line 21, strike out ", but in any event not"; strike out lines 22 to 24, inclusive, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that Assembly Bill No. 1384 be considered engrossed.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Appointments to Committee on Executive Salaries

June 13, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir. Pursuant to Section 11675 of the Government Code, I am appointing Assemblymen Frank Lanterman and Charles Warren to the Committee on Executive Salaries.

Sincerely,

BOB MORETTI
Speaker of the Assembly

ADJOURNMENT

At 4 02 p m, Speaker pro Tempore Bee declared the Assembly adjourned until 11 30 a m, Wednesday, June 14, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Eighty-ninth Legislative Day

One Hundred Sixty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 14, 1972

The Assembly met at 11:30 a.m.

Hon. Jack R. Fenton, Majority Floor Leader, 51st District, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, Impress on our hearts that brotherhood is no longer a religious ideal but a challenging material fact. There is no peace but universal peace, no enduring prosperity that does not encompass all mankind. Let us not sit around waiting for some genius or giant to achieve this. It must be achieved by the accumulation of efforts, small and great, of all of us, brothers.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Beverly then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Pierson.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness.

Mr. Wakefield, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere.

Mr. Cline, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive her per diem.

Mrs. Brathwaite, on request of Acting Speaker Fenton

The following Member was granted leave of absence for the day, because of a death in his family.

Mr Miller, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal.

June 12, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. I respectfully request that I be excused from legislative session on Wednesday, June 14

I will be meeting with constituents from the Woodland Hills Chamber of Commerce and El Camino Real High School in my district on matters concerning educational finance for schools in Los Angeles.

I will not be missing any committee assignments

Sincerely,

ROBERT C CLINE, Assemblyman
Sixty-Fourth District

REPORTS

The following reports were presented by the Chief Clerk:

Bikeway Planning Criteria and Guidelines. (As Requested by Assembly Concurrent Resolution No. 26, 1971.) April 1972.

Above transmitted report, together with letter of transmittal from James A Moe, Director, Department of Public Works, Sacramento, dated June 9, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation

Bulletin No. 170-71. Abstracts of DWR Publications, Volume II: July–December 1971. April 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated June 8, 1972, referred by the Acting Speaker to the Committee on Water.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2376: By Assemblyman Z'berg (Senator Way, coauthor)—An act to add Section 407 5 to the Agricultural Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 11017, 11553, 11554 12805, 14808 1, and 65040 of, to add Part 2 8 (commencing with Section 12900) to Division 3 of Title 2 of, to add Title 7 3 (commencing with Section 66700) to, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, and Title 7 3 (commencing with Section 66700) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 24263 8, 24303, 24350 3, 24354 14, 39001, 39054 1, 39059, 39066, 39068.2, 39100 3, 39195, 39201, 39261, 39262, 39314, 39392, 39461, 39482, and 39540 of, to amend the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600 7, 25611, 25650.5, 25655, 25735 5, 25804, 26203 1, and 39065 to, to add Chapter 5 (commencing with Section 4500) to Part 2 of Division 5 of, Chapter 2 (commencing with Section 39020) to Part 1 of Division 26 of, and Division 28 (commencing with Section 39800) to, and to repeal Sections 39013, 39063, 39064, and 39065 of, and to repeal Chapter 5 (commencing with Section 4500) of Part 2 of Division 5 and Chapter 2 (commencing with Section 39020) of Part 1 of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312 5 to, the Labor Code, to amend Sections 3742 and 21103 of the Public Resources Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 4000 1, 4602, 24007, 27156, 27157, 27157 5, and 40001 of the Vehicle Code, and to amend Sections 25, 230, 1003 5, 1060, 2862, 2863, 2866, 10500, 10504, 10504 1, 10504 5, 10505 5, 12232, 12233, 12617 1, 12923 1, 13050, 13147, 13203, 13220, 13625, 13973, and 13974 of, to amend and renumber the heading of Article 3 (commencing with Section 13140) and Article 4 (commencing with Section 13160) of Chapter 3 of Division 7 of, to add Article 3 (commencing with Section 174) and Article 3 5 (commencing with Section 180) to Chapter 2 of Division 1 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, and Article 1 (commencing with Section 13100) and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, relating to environmental protection, and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, June 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 230—An act to add Chapter 1.7 (commencing with Section 22530) to Division 16 5 of the Education Code, relating to academic materials;

Assembly Bill No. 364—An act to amend Section 10133 1 of the Business and Professions Code, relating to real estate;

Assembly Bill No. 430—An act to amend Section 1042 1 of the Military and Veterans Code, relating to the Veterans' Home of California;

And reports the same correctly enrolled, and presented to the Governor at 10 .00 a.m., June 14, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 480—An act to amend Section 26205 5 of, and to add Section 26205.7 to, the Government Code, relating to records;

Assembly Bill No. 565—An act to amend, repeal, and add Section 13354 of the Vehicle Code, relating to blood tests,

Assembly Bill No. 574—An act to add Section 390.1 to the Streets and Highways Code, relating to state highways;

And reports the same correctly enrolled, and presented to the Governor at 10 30 a m , June 14, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 14, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No 615
AB No 1670
AB No. 2324

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 14, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 960

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, June 14, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2167

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, June 14, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1468

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, June 14, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined.

AB No 1782

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 14, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No 2196

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 14, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 1791
AB No 2012
AB No 2292

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 14, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

ACR No 61

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 12, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 1080
AB No. 1701
AB No 1708
AB No. 898

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 1630
AB No. 2344

With the recommendation: That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

POWERS, Chairman

Subject matter of the above bills referred to the Committee on Rules.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 2347

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation: To Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 1488
AB No. 2165

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation. To Consent Calendar.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 1034
AB No. 1385
AB No. 1587

With the recommendation: Do pass.

POWERS, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 30
AB No 1351

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

POWERS, Chairman

Above bills ordered to second reading

Assembly Chamber, June 14, 1972

Mr. Speaker Your Committee on Commerce and Public Utilities reports·

SB No 606
SB No 635
SB No 810

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

POWERS, Chairman

Above bills ordered to second reading.

Committee on Health

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Health reports

AB No 1768

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 79

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above resolution ordered on file.

Committee on Planning and Land Use

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

SJR No. 12

With the recommendation: Be adopted, and be re-referred to the Committee on Rules with Consent recommendation.

PRIOLO, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AJR No. 18

With the recommendation: Be adopted, and be re-referred to the Committee on Rules with Consent recommendation.

PRIOLO, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 2134

With amendments with the recommendation: Do pass, as amended.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker. Your Committee on Planning and Land Use reports·

AB No 2029

With amendments with the recommendation Do pass, as amended, and be re-referred to the Committee on Ways and Means with Consent recommendation.

PRIOLO, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

AB No 1403

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PRIOLO, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker. Your Committee on Planning and Land Use reports:

AB No 223
AB No 750
AB No. 1323
AB No. 1559
AB No. 1376

With the recommendation· That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

PRIOLO, Chairman

Subject matter of the above bills referred to the Committee on Rules.

Committee on Criminal Justice

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 832
AB No 1798
AB No 1979

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker· Your Committee on Criminal Justice reports:

ACR No. 45

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with the recommendation: To Consent.

BEVERLY, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 831

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Criminal Justice reports·

AB No. 684	AB No 1951	AB No 2263
AB No. 1682	AB No. 2260	AB No. 2332
AB No. 1757	AB No. 2261	AB No. 2361

With the recommendation: Do pass.

BEVERLY, Chairman

Above bills ordered to second reading.

Committee on Health

Assembly Chamber, June 14, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

SB No. 599

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 599—An act to amend Section 2620 of the Business and Professions Code, relating to physical therapy.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Senate June 7, 1972, strike out "consultation", and insert "consultative services".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

MESSAGES FROM THE SENATE

Senate Chamber, June 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 787
AB No. 825
AB No. 863

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 13, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No. 137
AB No. 352
AB No. 829

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 13, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to:

SB No 140
SB No. 582
SB No. 688

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 13, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed:

SB No. 34	SB No. 730	SB No. 1192
SB No 423	SB No 998	SB No. 1361
SB No 649	SB No 1002	SB No 1369
SB No 699	SB No 1188	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 34—An act to amend Sections 66611 and 66652 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission

Held at Desk by order of the Acting Speaker

Senate Bill No. 423—An act to amend Sections 945 and 1016 of, and to add Section 1016 6 to the Education Code, relating to legal counsel for school districts

Held at Desk by order of the Acting Speaker.

Senate Bill No. 649—An act to amend Sections 1238, 1538 5, and 1539 of, to add Section 1028 to, and repeal Section 999a and Chapter 2 (commencing with Section 1510) of Title 2 of Part 2 of, the Penal Code, relating to criminal hearings

Held at Desk by order of the Acting Speaker

Senate Bill No. 699—An act to add Chapter 7 3 (commencing with Section 310 30) to Title 9 of Part 1 of the Penal Code, relating to obscenity

Held at Desk by order of the Acting Speaker

Senate Bill No. 730—An act to amend Sections 7002, 7052.5, 7054, 10375, and 10376 of, and to add Sections 7054 1, 7054 6 and 10376.5 to, the Health and Safety Code, relating to dead bodies.

Held at Desk by order of the Acting Speaker

Senate Bill No. 998—An act to amend Sections 32121 and 32129 5 of, to add Sections 32126 5 and 32129 to, and to repeal Section 32129 of, the Health and Safety Code, relating to hospital districts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1002—An act to amend Section 4300 of the Civil Code, relating to blood tests.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1188—An act to amend Section 1325 of, to add Section 1325 5 to, and to repeal Sections 1325 5 and 1330 of, the Streets and Highways Code, relating to county bridges

Held at Desk by order of the Acting Speaker

Senate Bill No. 1192—An act to amend Sections 21207, 22358 3, and 22503 5 of, and to add Section 32 to, the Vehicle Code, relating to local authorities

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1361—An act to add Section 7633 to the Business and Professions Code, and to amend Sections 10382 and 10610 of, and to add Sections 10603, 10608, 10610 1, and 10610 2 to, the Health and Safety Code, relating to vital statistics

Held at Desk by order of the Acting Speaker

Senate Bill No. 1369—An act to amend Section 8836.5 of the Fish and Game Code, relating to trawlnets

Held at Desk by order of the Acting Speaker

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. McCarthy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2033 for hearing in the Committee on Governmental Organization on Thursday, June 15, 1972.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 37 and **38**, on request of Mr Lanterman

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1582

Mr Gonsalves was granted unanimous consent to rescind the action whereby on June 13, 1972 (Assembly Journal, page 4638), the report of the Committee on Revenue and Taxation relative to Assembly Bill No. 1582 was received and read in the Assembly, and whereby the bill

was read a second time, author's amendments read and adopted, and the bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1496

Mr. Campbell was granted unanimous consent to rescind the action whereby on June 13, 1972 (Assembly Journal, page 4669), the report of the Committee on Health relative to Assembly Bill No 1496 was received and read in the Assembly, and whereby the bill was re-referred to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON BILLS

Mr Campbell was granted unanimous consent to rescind the action whereby on June 13, 1972 (Assembly Journal, pages 4669 and 4670), the reports of the Committee on Health relative to Senate Bill No 1199 and Assembly Bills Nos 1856, 1857 and 1858 were received and read in the Assembly, and whereby the bills were ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1473

Mr Warren was granted unanimous consent to rescind the action whereby on June 13, 1972 (Assembly Journal, page 4623), the report of the Committee on Judiciary relative to Assembly Bill No. 1473 was received and read in the Assembly, and whereby the bill was ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 2120, 348, 912, 1220, 1222, 1721 2080 and 1298 for hearing in the Committee on Criminal Justice on Thursday, June 15, 1972

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file

Senate Bill No. 64, on request of Mr Stull

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 960, 2167, 2324, 615, 1670, and **1468,** ordered to third reading.

NOTE Later this day Assembly Bill No. 2324 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No 637—An act to add Section 20868 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading

Assembly Bill No. 701—An act to amend Section 431 40 of the Code of Civil Procedure, relating to procedure

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 927—An act to amend Section 4507 of the Civil Code, relating to dissolution of marriage

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1562—An act to add Section 602 5 to the Code of Civil Procedure, relating to selecting jurors

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No 1914—An act to amend Section 2924 of, and to add Sections 2924f, 2924g, and 2924h to, and to repeal Section 2924d of, the Civil Code, and to amend Sections 692 and 694 of the Code of Civil Procedure, relating to mortgages and deeds of trust

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1915—An act to amend Section 235 of the Civil Code, relating to emancipation of minors

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No 1919—An act to amend Sections 825, 825 2 and 825 6 of the Government Code, relating to indemnification of public employees

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No 1922—An act to amend Section 1013a of the Code of Civil Procedure, relating to service by mail

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2349—An act to amend Section 69503 1 of, and to add Sections 69503 2 and 69503 3 to, the Government Code, relating to records

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1978—An act to amend Sections 2355 and 2356 of the Civil Code, to add Section 6107 5 to the Government Code, to amend Sections 1751 and 1754 of, to add Sections 1751 5, 1754 5, and 1755 5 to, and to add Chapter 2 5 (commencing with Section 1776) to Division 5 of, the Probate Code, and to amend Sections 13861, 13871, and 13872 of, to add Sections 17146 and 17839 to, and to repeal Section 17146 of, the Revenue and Taxation Code, relating to present and former United States government personnel, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 25, 1972, strike out "to add Section 6107.5 to the Government Code," and insert "and".

Amendment No. 2

In line 7 of the title, strike out ", and"; and strike out lines 8 to 10 inclusive, and in line 11, strike out "Code".

Amendment No. 3

On page 2, line 25, after "or", insert a comma.

Amendment No. 4

On page 3, strike out lines 15 to 22, inclusive.

Amendment No. 5

On page 3, line 23, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 6

On page 4, line 10, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 7

On page 4, line 26, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 8

On page 5, line 39, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 9

On page 6, line 23, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 10

On page 6, line 35, strike out "5565", and insert "5566".

Amendment No. 11

On page 7, line 6, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 12

On page 9, line 11, strike out "shall", and insert "may".

Amendment No. 13

On page 10, strike out lines 19 to 40, inclusive; and strike out pages 11 to 14, inclusive.

Amendment No. 14

On page 15, line 1, strike out "SEC. 16", and insert "SEC. 9".

Amendment No. 15

On page 15, strike out lines 37 to 40, inclusive; and on page 16, strike out lines 1 to 10, inclusive.

Amendment No. 16

On page 16, line 15, strike out "SEC 17", and insert "SEC 10".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 355—An act to amend Section 73101 5 of the Government Code, relating to courts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "73101 5", and insert "73121".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1 Section 73121 of the Government Code is amended to read:

73121 By majority vote, the council of presiding judges may appoint a court commissioner who shall meet the qualifications and have the powers and duties specified in Sections 72190 and 72190 1 of this code, and Sections 259 and 259a of the Code of Civil Procedure Any commissioner so appointed shall also ~~serve as,~~ and have the power and duties of, a traffic referee as provided in Article 9 (commencing with Section 72400) of Chapter 8 of Title 8 ~~of this code~~ The salary of the commissioner for all duties performed pursuant to this section shall be equal to 65 percent of the salary of a judge of the municipal court "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1841—An act to add Section 33397 to the Health and Safety Code, relating to community redevelopment agencies

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "33397 ", insert "(a)".

Amendment No. 2

On page 2, between lines 12 and 13, insert

"(b) Thirty days prior to the acquisition of real property other than by eminent domain, the agency shall provide notice of such ac-

quisition and the provisions of this section to holders of interests which would be made void and unenforceable pursuant to this section as follows:

(1) The agency shall publish notice once in a newspaper of general circulation in the community in which the agency is functioning

(2) The agency shall mail notice to holders of such interests if such holders appear of record 60 days prior to the date of acquisition

The agency may accept any release by written instrument from the holder of any such interest or may commence action to acquire such interest after the date of acquisition of the real property.

(e)"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2010—An act to add Article 1 3 (commencing with Section 17510) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to charitable solicitations.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "sales of goods", and insert "sale".

Amendment No. 2

On page 2, line 21, strike out "of goods".

Amendment No. 3

On page 2, line 23, before "solicitation", insert "sales".

Amendment No. 4

On page 2, line 27, after "ticket", insert "of admission".

Amendment No. 5

On page 2, line 39, strike out the first "other".

Amendment No. 6

On page 3, strike out lines 2 to 4, inclusive, and insert

"17510 3 Prior to any sales solicitation for charitable purposes, the seller"

Amendment No. 7

On page 3, line 37, after "letter," insert "telephone,".

Amendment No. 8

On page 4, line 4, strike out "Any", and insert "The provisions of this article shall apply to any".

Amendment No. 9

On page 4, line 5, strike out "sale", and insert "sales".

Amendment No. 10

On page 4, in lines 6 and 7, strike out "shall be subject to the provisions of this article", and insert "and to any person acting for, on behalf of, or as employee or agent of such organization"

Amendment No. 11

On page 4, line 12, strike out "or person's"

Amendment No. 12

On page 4, line 13, strike out "his", and insert "the organization's"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1098—An act to amend Section 50262 of, to add Sections 50264, 50264.1, 50265, 50266, 50267, 50268, 50269, 50270, 50271, 50272, 50273, 50274, and 50275 to, and to repeal Sections 50264 and 50265 of, the Government Code, to amend Section 35743 of the Health and Safety Code, and to amend Sections 1420.5 and 1432 of the Labor Code, relating to human relations commissions

Bill read second time, and ordered to third reading

Assembly Bill No. 1598—An act to amend Section 10132 of, and to add Section 10131.6 to, the Business and Professions Code, relating to real estate brokers.

Bill read second time, and ordered to third reading.

NOTE Later this day Assembly Bill No 1598 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 1040—An act to amend Sections 7267.8 and 7268 of the Government Code, and to add Section 37042 to the Health and Safety Code, relating to relocation assistance

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "Section 37042", and insert "Sections 37042 and 37109.5".

Amendment No. 2

On page 2, strike out lines 4 to 32, inclusive, and insert

"7267.8 (a) All public entities shall adopt rules and regulations to implement payments and to administer relocation assistance under the provisions of this chapter Such rules and regulations shall be in conformity with the guidelines adopted by the Commission of"

Amendment No. 3

On page 3, line 1, after "Development", insert "pursuant to Section 7268 Such rules and regulations shall, to the fullest extent possible, also be consistent as to federal and nonfederal projects.

(b) Notwithstanding the provisions of subdivision (a), with respect to a federally funded project, a public entity shall make relocation assistance payments and provide relocation advisory assistance as required under federal law".

Amendment No. 4

On page 3, line 14, strike out "rules and regulations", and insert "guidelines".

Amendment No. 5

On page 3, line 19, strike out "rules and regulations to", and insert "guidelines to the Presidential Guidelines promulgated by the Executive Office of the President of the United States, Office of Management and Budget,".

Amendment No. 6

On page 3, line 22, after "91-646)", insert a comma.

Amendment No. 7

On page 3, line 24, strike out "rules and regulations", and insert "guidelines".

Amendment No. 8

On page 3, line 28, strike out "regulations", and insert "guidelines".

Amendment No. 9

On page 3, line 30, strike out "rules and regulations", and insert "guidelines".

Amendment No. 10

On page 3, line 34, strike out "rules and regulations", and insert "guidelines".

Amendment No. 11

On page 3, line 36, strike out "seek the advice of", and insert "consult with the".

Amendment No. 12

On page 3, strike out lines 38 and 39, and insert

"(c) The Department of Housing and Community Development shall provide consulting and technical assistance to public entities in drafting and amending rules and regulations to implement".

Amendment No. 13

On page 4, lines 4 and 5, strike out "exercise the powers and duties", and insert "adopt guidelines".

Amendment No. 14

On page 4, line 9, after "SEC 4", insert "Section 37109 5 is added to the Health and Safety Code, to read.

37109.5 The department shall provide consulting and technical assistance to public entities in drafting and amending rules and regula-

tions relating to relocation assistance pursuant to subdivision (e) of Section 7268 of the Government Code.

SEC. 5."

Amendment No. 15

On page 4, line 13, strike out "SEC 5", and insert "SEC. 6".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2083—An act to add Section 18605 to the Health and Safety Code, relating to mobilehomes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly June 8, 1972, after "obtained", insert "by the person responsible for the installation".

Amendment No. 2

On page 2, line 9, after "coach", insert "which is required to be moved under permit".

Amendment No. 3

On page 2, between lines 10 and 11, insert

"If the person responsible for the installation is a contractor licensed pursuant to the provisions of the Contractors License Law, Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, such person shall be required to make any corrections in the installation within 10 days from the date of an incorrect installation. The owner of a mobilehome or commercial coach shall not be required to pay all or any part of the installation costs until certification of proper installation has been made by the enforcement agency."

Amendment No. 4

On page 2, line 12, strike out "testiing", and insert "testing".

Amendment No. 5

On page 2, between lines 17 and 18, insert

"The commission shall establish a schedule of fees for the permits required by this section to pay the costs of the enforcement of the provisions of this section. Such fees shall be paid to the enforcement agency."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1638—An act to amend Section 53703 of the Government Code, relating to federal aid.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, between lines 17 and 18, insert

"Where the authority to perform any act or service is delegated to a city or county by this section, the city or county may perform such act or service by means of a contract with an independent contractor, which independent contractor may be a public or private agency or private person"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 209—An act to add Sections 23601.6, 23601.9, 23601.10, and 23601.11 to, and to repeal Chapter 3 (commencing with Section 25951) of Division 19 of, the Education Code, and to repeal Section 18598 of the Government Code, relating to the California Maritime Academy

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 11, 1972, strike out "add Sections 23601.6, 23601.9, 23601.10, and 23601.11", strike out lines 2 and 3, in line 4, strike out "Section 18598 of the Government Code", and insert "amend Sections 26001 and 26151 of, and to add Sections 23601.6, 26064, 26065, 26066, and 26158 to, the Education Code"

Amendment No. 2

On page 2, strike out line 3, and insert

"23601.6 The trustees shall cooperate with the California Maritime Academy Board of Governors in all of the following matters:

(a) The provision of legal services

(b) The provision of legislative representation.

(c) The exchange of students and teachers

(d) The sharing of facilities

(e) Curriculum development

SEC. 2. Section 26001 of the Education Code is amended to read.

26001. ~~There is in the Department of Education~~ *The California Maritime Academy shall be administered by* a board of governors ~~of a state nautical school consisting of five members. The State Director of Education is the executive member. The other four members are appointed by the Governor~~ *designated as the California Maritime Academy Board of Governors, which is hereby created. The board shall be composed of the Director of the Coordinating Council for Higher Education, and seven members appointed by the Governor.*

One of the appointive members shall be an educator from the field of higher education Three of the appointive members shall be public lay members, one of whom shall be selected by the other members to serve as the chairman of the board Two of the appointive members shall be representatives of the maritime industry One appointive member shall be a representative of the Federal Maritime Administration, who shall be an ex officio, nonvoting member

SEC. 3 Section 26064 is added to the Education Code, to read:

26064 The board of governors shall cooperate with the Trustees of the California State University and Colleges in all of the matters specified in Section 23601 6.

SEC. 4. Section 26065 is added to the Education Code, to read:

26065. The board of governors shall actively recruit students for the academy.

SEC 5 Section 26066 is added to the Education Code, to read:

26066. The board of governors shall take all necessary steps, in accordance with state law, to receive the maximum possible amount of federal funds.

SEC 6. Section 26151 of the Education Code is amended to read:

26151. Any ~~male~~ resident of the state who has the required qualifications may be admitted to the school as a student Each such student shall pay the tuition fee fixed by the board of governors but such fee shall not be fixed at less than one hundred thirty-five dollars ($135) a trimester.

The board of governors may waive the required qualifications for up to 2 percent of the students.

SEC 7. Section 26158 is added to the Education Code, to read:

26158 Students at the school are eligible for state competitive scholarships and are eligible for participation in the California State University and Colleges Educational Opportunity Program

The board of governors, the Trustees of the California State University and Colleges, and the State Scholarship and Loan Commission shall cooperate to insure that all eligible students participate in the state competitive scholarship and educational opportunity programs."

Amendment No. 3

On page 2, strike out lines 4 to 25, inclusive; and strike out pages 3 to 6, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to aviation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 16, 1972, between lines 31 and 32, insert

"This section shall not apply to any expansion of an existing airport if the expansion commenced on or prior to the effective date of this section and the expansion met the approval on or prior to such effective date of each governmental agency which by law required such approval."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1150—An act to repeal Section 5750.9 of the Education Code, relating to special schools and classes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1, line 2, strike out "repealed", and insert "amended to read:".

Amendment No. 3

On page 1, between lines 2 and 3, insert

"5750.9 The provisions of this article shall be applicable only to Santa Clara County and Monterey County."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2087—An act to add Division 2.7 (commencing with Section 2500) to the Welfare and Institutions Code, relating to health care for prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 15, 1972, strike out lines 34 to 38, inclusive, and on page 3, strike out line 1, and insert "year"

Amendment No. 2

On page 6, line 17, strike out "the fifth"; and strike out lines 18 and 19, and insert "March 30, 1973

SEC. 2. Chapter 2 (commencing with Section 2550) of Part 1 of Division 2.7 of the Welfare and Institutions Code shall not become operative until the 61st day following final adjournment of the 1973 Regular Session of the Legislature."

Amendment No. 3

On page 6, strike out lines 20 to 40, inclusive; and strike out page 7.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 266—An act to add Sections 12748, 12748 1, and 12748 2 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 316—An act to amend Section 12657 of, and to add Section 12666 to, the Water Code, relating to flood control.

Bill read second time, and ordered to third reading

Assembly Bill No. 339—An act to amend Section 17146 of, and to add Sections 17146 7 and 17146 8 to, the Revenue and Taxation Code, relating to exclusions from gross income under the Personal Income Tax Law, to take effect immediately, tax levy

Bill read second time, and ordered to third reading

Assembly Bill No. 598—An act to add Chapter 6 5 (commencing with Section 25100) to Division 20 of the Health and Safety Code, relating to waste materials.

Bill read second time, and ordered to third reading.

Assembly Bill No. 772—An act to amend Section 12657 of, and to add Section 12667 to, the Water Code, relating to flood control.

Bill read second time, and ordered to third reading

Assembly Bill No. 818—An act to add Section 21157 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading.

Assembly Bill No. 833—An act to amend Sections 13246, 13246 5, 13247, 13247.9 and 13248 of, to amend the heading of Article 2 6 (commencing with Section 13245) of Chapter 2 of Division 10 of, and to add Sections 13246.7 and 13246.9 to, the Education Code, relating to master teachers.

Bill read second time, and ordered to third reading

Assembly Bill No. 908—An act to amend Section 3020 of the Penal Code, relating to parole.

Bill read second time, and ordered to third reading

Assembly Bill No. 1288—An act to add Chapter 1 5 (commencing with Section 1870) to Part 7 of Division 2 of the Labor Code, relating to labor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1911—An act to repeal and add Sections 21293 6 and 21364 8 of, and to repeal Sections 21293 7, 21293 8, 21364.75, and 21364 9 of, the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading

Assembly Bill No. 1937—An act to amend Section 3369 of, and to add Section 3370 1 to, the Civil Code, relating to the specific or preventive relief.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2063—An act to amend Section 4451 of, and to add Section 4457 to, the Government Code, relating to public buildings

Bill read second time, and ordered to third reading

Assembly Bill No. 2133—An act to add Section 18406 to the Health and Safety Code, relating to mobilehome parks.

Bill read second time, and ordered to third reading

Assembly Bill No. 2214—An act to amend Section 1241 of, and to add Section 1242.5 to, the Business and Professions Code, relating to clinical laboratory technology

Bill read second time, and ordered to third reading.

Assembly Bill No. 2348—An act to amend Section 4200 of the Welfare and Institutions Code, relating to state institutions

Bill read second time, and ordered to third reading.

Assembly Bill No. 722—An act to amend Sections 17054, 17064, 17202, 17203, 17771, 17778, 17854, 18414 5, 18645, 18683, 24343, and 25933 of, to add Sections 18643, 18644, 25563 3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 740—An act to add Chapter 3 5 (commencing with Section 13180) to Division 7 of the Water Code, relating to water quality

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1101—An act to add Sections 161, 906 5, and 1805 5 to the Streets and Highways Code, relating to highways

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1171—An act to amend Sections 14202, 14254, 14903, 14910, 15101, 15150, 15201, 15704, 15752, 15753, and 15757 of, and to add Section 15102 2 to, the Financial Code, relating to credit unions

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1887—An act to add Section 19060 to the Government Code, relating to the state civil service.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2097—An act to amend Section 23270 of the Vehicle Code, relating to vehicles

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2226—An act to add Section 37118 to the Health and Safety Code, relating to factory-built housing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 37118 to the Health and Safety", and insert "amend Sections 5072 and 7156 of the Financial".

Amendment No. 2

In line 2 of the title, after "housing", insert "loans".

Amendment No. 3

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 5072 of the Financial Code is amended to read:

5072. For the purposes of this division:

(a) "Offsite improvements" means grading, installation of sewers, drains, gutters, curbs, sidewalks and public utilities, paving and other improvements to the land, not including buildings, fences or landscaping, and

(b) "Real property" shall be deemed to be "improved real property" from the date the foundation of a building thereon is completed, *or from the time a contract is signed for construction thereon of factory-built housing which meets the requirement of the "California Factory-Built Housing Law" (Part 6 (commencing with Section 19960) of Division 13 of the Health and Safety Code)*.

SEC 2 Section 7156 of the Financial Code is amended to read:

7156. If any loan is made upon the security of real property where it is agreed or contemplated that improvements will be made to the property which shall become a part of such security, the real property shall be deemed improved real property and the value of the proposed improvements shall be included in the appraised value of such real property. At no time shall the amount advanced by the association on such loan exceed the ratio of loan to value authorized by this article. For the purpose of this computation the association shall include the value of such building or buildings at the time the amount is advanced, and the real property shall be deemed improved real property only from the time the foundation is completed, *or from the time a contract is signed for construction thereon of factory-built housing which meets the requirements of the "California Factory-Built Housing Law" (Part 6 (commencing with Section 19960) of Division 13 of the Health and Safety Code)* "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 981—An act to amend Section 13590 1 of the Education Code, relating to school classified employees, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1882—An act to add Section 269 to the Education Code, and to amend Section 7185 of the Financial Code, relating to loans for vocational education

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly May 4, 1972, after "education", insert "or for the payment of expenses of vocational education".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1357—An act to add Section 13085 5 to the Education Code, relating to school employer-employee relations

Bill read second time, and ordered to third reading.

Assembly Bill No. 1467—An act to amend Section 13590 2 of, and to add Sections 13590 5 and 13590.6 to, the Education Code, relating to school classified employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1596—An act to amend Section 13715 of the Education Code, relating to school classified employees

Bill read second time, and ordered to third reading.

Assembly Bill No. 1831—An act to repeal Sections 20808, 20808 5, and 20810 of the Education Code, relating to school district taxes.

Bill read second time, and ordered to third reading

Assembly Bill No. 2293—An act to add Article 2 5 (commencing with Section 25427 8) to Chapter 1 of Division 18 5 of the Education Code, relating to community college student organization fees, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Assembly Bill No. 529—An act to amend Section 25505 8 of the Education Code, relating to community colleges

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code," insert "and to amend Section 22840 of the Education Code, as proposed by Assembly Bill No. 666,".

Amendment No. 2

On page 1, after "SECTION 1.", insert "Section 22840 of the Education, as proposed by Assembly Bill No 666, is amended to read

22840. A student classified as a nonresident shall be required, except as otherwise provided in this chapter, to pay, in addition to other fees required by the institution, nonresident tuition ~~Such tuition shall be uniform within each type of institution and shall be approved by the governing board.~~

SEC 2."

Amendment No. 3

On page 3, after line 18, insert

"SEC. 3 Section 25505 8 of the Education Code is amended to read:

25505 8 A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less ; *and* (b) are both citizens and residents of a foreign country ; ~~or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a) ; ~~or~~ *and* (b) ; ~~or (c) above~~ , and shall not be made on an individual basis

A district may, without the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee.

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district* , which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California School Accounting Manual for pupils enrolled in grades 13 and 14

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per pupil enrolled in ~~all districts of the state~~ *the district*

The amount per pupil enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 ~~of all districts maintaining community colleges in the state~~ and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled.

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state, except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district

SEC 4 It is the intent of the Legislature, if this bill and Assembly Bill No 666 are both chaptered and amend Section 25505 8 of the Education Code, and this bill is chaptered after Assembly Bill No 666, that the amendments to Section 25505 8 proposed by both bills be given effect and incorporated in Section 25505 8 in the form set forth in Section 3 of this act Therefore, Section 3 of this act shall become operative only if this bill and Assembly Bill No 666 are both chaptered, both amend Section 25505 8, and Assembly Bill No 666 is chaptered before this bill, in which case Section 2 of this act shall not become operative "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2156—An act to add Chapter 7 (commencing with Section 19301) to Division 14 of the Education Code, relating to child care and preschool facility construction, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly May 17, 1972, strike out "Chapter 5", and strike out line 15, and insert "Division 30 (commencing with Section 50000) The"

Amendment No. 2

On page 3, lines 13 and 14, strike out "Chapter 5 (commencing with Section 16601)", and insert "Division 30 (commencing with Section 50000)".

Amendment No. 3

On page 4, strike out lines 39 and 40; on page 5, strike out lines 1 to 17, inclusive; and in line 18, strike out "(e)", and insert

"(a) To acquire, own, construct, and operate any projects, including the power to acquire real or personal property under the Property Acquisition Law (Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code), and to fix or modify as necessary pursuant to any contract or agreement with holders of any bonds of the board, rates, rents, or other charges for the use of any project Project construction shall be accomplished pursuant to Section 19368.

(b)".

Amendment No. 4

On page 5, strike out lines 28 to 30, inclusive; and in line 31, strike out "(g)", and insert

"(c) To issue revenue bond anticipation notes in accordance with Section 19322 in anticipation of the sale of revenue bonds, provided that before issuing any such notes the board shall, by resolution approved by the State Board of Control, authorize their issuance, declare the purpose for which the proceeds of the notes shall be expended and specify the maximum amount of notes to be issued

(d)".

Amendment No. 5

On page 5, line 35, strike out "(h)", and insert

"(e)".

Amendment No. 6

On page 5, strike out line 40; on page 6, strike out lines 1 to 7, inclusive, and in line 8, before "Revenue", insert

"19322."

Amendment No. 7

On page 16, strike out lines 39 and 40, and on page 17, strike out line 1, and insert

"19368 The board shall be responsible for the acquisition, construction, and operation of all projects authorized by them, provided that any construction authorized by the board shall be subject to Part 10.5 (commencing with Section 15752) of Division 3 of Title 2 of the Government Code and shall be subject to Article 4 (commencing with Section 15451) of Chapter 2 of Division 11 of the Education Code"

Amendment No. 8

On page 17, between lines 11 and 12, insert

"19369.3. The board shall establish a system of priorities to determine the relative need for proposed projects. The priorities shall contain, among other factors, the need for child care and preschool facilities in the area to be served and the unavailability of adequate, alternative facilities in the area to be served

19369.5 Prior to approving a project, the board shall determine whether an alternative facility arrangement, including leasing, rent, or lease-purchasing of a facility, would be more economical or suitable than the utilization of funds available for the construction and acquisition of a project pursuant to this chapter."

Amendment No. 9

On page 22, line 8, strike out "Chapter 5"; and strike out line 9, and insert "Division 30 (commencing with Section 50000)."

Amendment No. 10

On page 22, after line 16, insert

"SEC 2 This act shall become operative only if Assembly Bill No 1319 of the 1972 Regular Session is enacted into law, and, in such event, at the same time as Assembly Bill No 1319 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1451—An act to repeal Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) of Chapter 5 5, Division 1, Title 2 of, and to add Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) to Chapter 5.5, Division 1, Title 2 of, the Government Code, relating to world trade, and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Efficiency and Cost Control, was read, and adopted

Amendment No. 1

On page 2, line 39, of the printed bill, after the period, insert "No appropriation shall be made by this act if funds for the World Trade Library are appropriated in Item 37 of the Budget Act of 1972 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1090—An act to amend Section 26680 of the Health and Safety Code, relating to drugs and devices

Bill read second time, and ordered to third reading

Assembly Bill No. 285—An act to add Section 1606 5 to the Health and Safety Code, relating to blood transfusions

Bill read second time, and ordered to third reading

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file

Senate Bill No. 293, ordered to the Consent Calendar

SECOND READING OF SENATE BILLS

Senate Bill No. 369—An act to add Section 20025 5 to the Government Code, relating to retirement

Bill read second time, and ordered to third reading.

Senate Bill No. 256—An act to amend Sections 5535, 5538, 5549, 5553, 5556, and 5559 of, to add Section 5542 5 to, and to repeal Section 5550 of, the Public Resources Code, relating to regional park districts

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Local Government, was read, and adopted·

Amendment No. 1

On page 3, line 29, of the printed bill, as amended in Senate May 2, 1972, strike out "When a declaratory relief", and strike out lines 30 to 34, inclusive

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 1452—An act to amend Section 21754 of the Education Code, relating to school district bonds, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Senate Bill No. 625—An act to amend Section 13085 of the Education Code, relating to public school employees

Bill read second time, and ordered to the Consent Calendar

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means

Assembly Bills Nos. 2324 and **1598.**

COMMUNICATIONS

Assembly Chamber, June 14, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No 266	AB No 818	AB No 1596
AB No 637	AB No 1090	AB No 2348
AB No 772		

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 14, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

AB No 701	AB No 1887	AB No 1922
AB No 981	AB No 1915	AB No 2349
AB No 1562	AB No 1919	

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 81, Senate Joint Resolution No 10, and Assembly Bill No 1420 were continued until the next legislative day

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Deddeh was granted unanimous consent that the following opinion of Legislative Counsel be printed in the Journal

Opinion of Legislative Counsel

Sacramento, June 13, 1972

Honorable Wadie P Deddeh
Assembly Chamber

Gasoline Price Indications—#12942

Dear Mr. Deddeh · You have directed our attention to Chapter 1400 of the 1971 Statutes, to become operative July 1, 1972, which will, among other things, delete the sales and use tax exemption for motor vehicle gasoline, and have asked the question stated and considered below relating to gasoline price indications and sales tax.

Question

Do the provisions of Sections 20820, 20826, and 20880 of the Business and Professions Code, taken together, either permit or require a motor vehicle gasoline retailer to include, in the respective price indications specified in such provisions, amounts to be collected in reimbursement of sales tax?

Opinion

The provisions of Sections 20820, 20826, and 20880 of the Business and Professions Code, taken together, permit, but do not require, a motor vehicle gasoline retailer to include, in the respective price indications specified in such provisions, amounts to be collected in reimbursement of sales tax.

Analysis

Sections 20820 and 20826 of the Business and Professions Code are part of Article 5 (commencing with Section 20820) of Chapter 7 of Division 8 of that code, and regulate, among other things, price indications on retail gasoline dispensing apparatus. Section 20820 reads, in pertinent part, as follows ·

"20820 (a) No person shall sell, offer for sale, or advertise for sale, at retail to the general public, any gasoline or other motor vehicle fuel from any place of business in this state by use of or through or from any dispensing apparatus, unless there is displayed on such dispensing apparatus in a conspicuous place at least one sign showing the *actual total price per gallon* of, all gasoline or other motor vehicle fuel sold, offered for sale, or advertised for sale therefrom The *actual total price* per gallon *shall include fuel taxes and where sales tax is to be added the sign shall so state and show the rate and tax base*.

"(b) No person shall sell, offer for sale, or advertise for sale, at retail to the general public, any gasoline from any place of business in this state by use of or through or from any dispensing apparatus, unless there is displayed on such dispensing apparatus in a conspicuous place at least one sign showing the *actual total price per gallon* of, and the minimum octane number of, all gasoline sold, offered for sale, or advertised for sale therefrom The *actual total price* per gallon *shall include fuel taxes and where sales tax is to be added the sign shall so state and show the rate and tax base*.

* * *"

(Emphasis added)

Section 20826 reads as follows:

"20826 A price indicator used in connection with a computing meter pump or a pump designed to compute price fulfills the requirements of this article, provided, all letters, figures or numerals used to designate the *total fuel-tax-included price per gallon* are clear and distinct and so located as to be plainly discernible to the purchaser and, provided further, that *where sales tax is to be added* a sign so stating and designating the rate and tax base shall be conspicuously displayed on the dispensing apparatus" (Emphasis added.)

Section 20880 of the Business and Professions Code is part of Article 8 (commencing with Section 20880) of Chapter 7 of Division 8 of that code, and regulates, among other things, advertising media, such as signs, showing the retail price of gasoline Section 20880 contains the following pertinent provisions:

"20880. (a) Nothing in this article shall be construed to apply to the price signs referred to in Article 5 (commencing with Section 20820) of this chapter, provided, however, that any numerals designating the *net tax-included price per gallon* for a particular brand or trade name of gasoline or motor vehicle fuel permitted under the provisions of Article 5 (commencing with Section 20820) of this chapter, unless otherwise stated herein, shall be identical in numerical value with numerals designating the *net tax-included price per gallon* for the same brand or trade name of gasoline or other motor vehicle fuel permitted under the provisions of this article.

"(b) Nothing in this article shall be construed to apply to the price signs referred to in Article 5 (commencing with Section 20820) of this chapter, provided, however, that any numerals designating the *net tax-included price per gallon* and the minimum research octane number for a particular brand or trade name of gasoline permitted under the provisions of Article 5 (commencing with Section 20820) of this chapter, unless otherwise stated herein, shall be identical in numerical value with numerals designating the *net tax-included price per gallon* and the minimum research octane number for the same brand or trade name of gasoline permitted under the provisions of this article.

* * *

"(c) No person shall keep, maintain or display on or near the premises of any place of business in this state any advertising medium, which indicates or shows or advertises the price of gasoline or other motor vehicle fuel sold, offered for sale or advertised for sale from such premises, unless the *actual price per gallon* of gasoline or other motor vehicle fuel *including taxes* is also shown on such advertising medium, together with the word or words "gasoline" or "motor fuel" and the trade name or brand of the gasoline or other motor vehicle fuel product advertised for sale by such advertising medium

* * *" (Emphasis added)

Considering first Section 20820, we think that the provisions therein relating to "actual total price" specifically require that fuel taxes per gallon be included in such price The provisions do not, however, specifically include sales taxes, but require only that "where sales tax *is to be added* the sign shall so state and show the rate and tax base" (our emphasis) *

We think this conclusion is supported by Section 20826, which specifically refers first to a price indicator which designates "total fuel-tax-included price per gallon" and then specifically states that "where sales tax *is to be added* (our emphasis) a sign so stating . . . the rate and tax base" is required to be conspicuously displayed on the dispensing apparatus

The provisions of Section 20880 govern advertising media, such as gasoline price signs, other than price indicators on fuel dispensing apparatus However, as set forth above, subdivisions (a) and (b) of Section 20880 do require that the amounts shown on the apparatus price signs regulated by Section 20820 be identical in numerical value with the amounts shown on price signs regulated by Section 20880.

In this connection, subdivision (c) of Section 20880 requires advertising media such as price signs to show, among other things, the "actual price per gallon" of fuel "including taxes" Statutes on the same subject matter must be construed together in the light of each other so as to harmonize them (*Boyd* v *Huntington*, 215 Cal 473, 482). We think that if Sections 20820, 20826, and 20880 are so construed together, the "taxes" referred to in subdivision (c) of Section 20880 would necessarily include motor fuel taxes but would not necessarily include sales taxes Were it otherwise, that is, were the "taxes" referred to in Section 20880 to necessarily include sales taxes, the provisions of Sections 20820 and 20826 referring specifically to inclusion in price amounts only of "fuel taxes" would, because of the provisions of subdivisions (a) and (b) of Section 20880 requiring uniformity of numerical amounts on price signs, be in conflict with Section 20880

* In this connection, fuel taxes are imposed on the distributor of motor fuel (Sec. 7351, R & T C) but the amount of tax may be added to the selling price of the fuel, thus in effect permitting collecting the tax from the consumer (see *People* v *Ventura Refining Co*, 204 Cal 286, 294) Similarly, the sales tax is a tax on the seller, not the buyer, but may be collected by the retailer from the consumer (Sec 6052, R & T C), that is, the retailer may reimburse himself by collecting the amount of the tax from the consumer as part of the purchase price (*De Aryan* v *Akers*, 12 Cal 2d 781, cert den 84 L ed. 487).

We conclude, therefore, that the provisions of Sections 20820, 20826, and 20880, taken together, do not *require* that a motor vehicle gasoline retailer include in the respective price indications, on fuel dispensing apparatus and otherwise, amounts to be collected in reimbursement of sales tax.

On the other hand, we find nothing in any of the provisions in question which would *prohibit* a retailer from including such amounts in his price indications The fact of any such addition of sales tax would have to be noted on the dispensing apparatus, however, together with the rate and tax base (Secs. 20820, 20826, B & P C) and the numerical amounts shown on the apparatus and on other price indicators, such as signs, would have to be identical (Sec 20880, B & P.C.).

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By James L Ashford
Deputy Legislative Counsel

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 686

Mr Priolo was granted unanimous consent to take up Assembly Bill No. 686, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 686
CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890 53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384 1 and 4212 of, and to repeal Section 42 5 of, the Civil Code, and to amend Section 416 70 of the Code of Civil Procedure, and to amend Sections 895 3, 5726, 5756, 5995 45, 6801, 6902, 6903, 8702, 16645.2, 23755 5, 25502 5, 25514 5, and 31231 of, and to repeal Article 5 (commencing with Section 5731) of Chapter 5 5 of Division 6 of, the Education Code, and to amend Sections 385, 8672, and 8827 5 of, and to repeal Section 3512 1 of, the Elections Code, and to amend Sections 8201, 8203 1, and 8203 7 of the Government Code, and to amend Sections 249, 250 5, 263, 1402, 1451, and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698 4, 1698.5, 1700 33, 1700 34, and 4455 of, and to repeal Section 3080 5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203 45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 4200 of the Streets and Highways Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Sections 12509 and 23105 of the Vehicle Code, and to amend Sections 504, 509, 529, 625, 631, 631.1, 781, 11263, 14005 4, 14005 6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Bill read third time.

Motion to Amend

Mr Priolo moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "5726, 5756, 5995.45, 6801, 6902, 6903," and insert "5995 45,".

Amendment No. 2

In line 7 of the title, strike out "16645 2, 23755 5, 25502 5, 25514 5," and insert "23755.5,".

Amendment No. 3

In the title, strike out line 8; and in line 9, strike out "Chapter 5 5 of Division 6 of,".

Amendment No. 4

In line 13 of the title, strike out "249, 250 5, 263,".

Amendment No. 4.5

In line 26 of the title, strike out "625,".

Amendment No. 5

On page 18, strike out lines 8 to 31, inclusive.

Amendment No. 6

On page 19, strike out lines 10 to 40, inclusive; and on page 20, strike out lines 1 to 19, inclusive

Amendment No. 7

On page 20 strike out lines 31 to 40, inclusive, and on page 21, strike out lines 1 to 24, inclusive

Amendment No. 8

On page 21, strike out lines 33 to 40, inclusive; and strike out pages 22 and 23; and on page 24, strike out lines 1 to 34, inclusive

Amendment No. 9

On page 27, strike out lines 22 to 40, inclusive; and on page 28, strike out lines 1 to 16, inclusive

Amendment No. 10

On page 28, line 17, strike out "24 3", and insert "24".

Amendment No. 11

On page 29, line 7, strike out "24 4", and insert "24 1".

Amendment No. 12

On page 30, line 14, strike out "24 5", and insert "24 2".

Amendment No. 13

On page 52, strike out lines 3 to 31, inclusive

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Assembly Bill No.	*Committee*
2376	Natural Resources and Conservation

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Briggs was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 203 for hearing in the Committee on Finance and Insurance today.

Mr. Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 160 for hearing in the Committee on Constitutional Amendments

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read·

Assembly Chamber, June 14, 1972

Mr Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2376—An act to add Section 407 5 to the Agricultural Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 11017, 11553, 11554 12805, 14808 1, and 65040 of, to add Part 2 8 (commencing with Section 12900) to Division 3 of Title 2 of, to add Title 7.3 (commencing with Section 66700) to, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, and Title 7 3 (commencing with Section 66700) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 24263 8, 24303, 24350.3, 24354 14, 39001, 39054.1, 39059, 39066, 39068.2, 39100 3, 39195, 39201, 39261, 39262, 39314, 39392, 39461, 39482, and 39540 of, to amend the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600.7, 25611, 25650 5, 25655, 25735 5, 25804, 26203 1, and 39065 to, to add Chapter 5 (commencing with Section 4500) to Part 2 of Division 5 of, Chapter 2 (commencing with Section 39020) to Part 1 of Division 26 of, and Division 28 (commencing with Section 39800) to, and to repeal Sections 39013, 39063, 39064, and 39065 of, and to repeal Chapter 5 (commencing with Section 4500) of Part 2 of Division 5 and Chapter 2 (commencing with Section 39020) of Part 1 of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312 5 to, the Labor Code, to amend Sections

3742 and 21103 of the Public Resources Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 4000 1, 4602, 24007, 27156, 27157, 27157 5, and 40001 of the Vehicle Code, and to amend Sections 25, 230, 1003 5, 1060, 2862, 2863, 2866, 10500, 10504, 10504 1, 10504.5, 10505 5, 12232, 12233, 12617.1, 12923.1, 13050, 13147, 13203, 13220, 13625, 13973, and 13974 of, to amend and renumber the heading of Article 3 (commencing with Section 13140) and Article 4 (commencing with Section 13160) of Chapter 3 of Division 7 of, to add Article 3 (commencing with Section 174) and Article 3 5 (commencing with Section 180) to Chapter 2 of Division 1 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, and Article 1 (commencing with Section 13100) and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, relating to environmental protection, and making an appropriation therefor.

EDWIN L Z'BERG

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 14, 1972

Mr Speaker: The Chairman of your Committee on Governmental Organization reports:

AB No. 2035

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2035—An act to add Sections 313 and 313 5 to the Business and Professions Code, relating to consumer protection.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 313 and 313 5 to", and insert "amend Section 316 of, and to add Sections 313 and 313 5 to,".

Amendment No. 2

On page 1, line 3, strike out "shall", and insert "may".

Amendment No. 3

On page 1, line 9, strike out "shall", and insert "may".

Amendment No. 4

On page 2, after line 2, insert

"SEC 3 Section 316 of the Business and Professions Code is amended to read:

316 (a) The Consumer Advisory Council consists of ~~five~~ *seven* members appointed by the Governor, two of whom shall represent busi-

ness, one of whom shall represent labor, ~~and~~ two of whom shall represent voluntary consumer agencies, *and two of whom shall be public members*.

(b) One Member of the Senate, appointed by the Senate Committee on Rules, and one Member of the Assembly, appointed by the Speaker of the Assembly shall meet with, and participate in, the work of the council to the extent that such participation is not incompatible with their positions as Members of the Legislature. The Members of the Legislature appointed to the council shall serve at the pleasure of the appointing power. For the purposes of this chapter such Members of the Legislature shall constitute a joint legislative committee on the subject of this chapter and shall have the powers and duties imposed upon such committee by the Joint Rules of the Senate and Assembly ''

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

Rush Order Placed Upon Printing of Assembly Bill No. 2035

Mr. Maddy was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2035, and that the bill be considered engrossed

REQUEST FOR UNANIMOUS CONSENT

Mr Brown was granted unanimous consent that Assembly Bill No. 2195 be considered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AB No. 941

With the recommendation. Do pass as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

FONG, Chairman

Above bill ordered to second reading

Committeè on Water

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Water reports:

SB No. 546

With the recommendation · Do pass.

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Water reports:

SCR No 43

With the recommendation. Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

PORTER, Chairman

Above resolution ordered on file

Assembly Chamber, June 14, 1972

Mr Speaker · Your Committee on Water reports:

SB No 486

SB No. 958

With the recommendation. Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker · Your Committee on Water reports:

ACR No. 90

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with recommendation To Consent

PORTER, Chairman

Above resolution re-referred to the Committee on Ways and Means

Assembly Chamber, June 14, 1972

Mr Speaker. Your Committee on Water reports:

AB No 1994

With the recommendation Do pass

PORTER, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Water reports.

AB No 1692

AB No 2333

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 1255

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Water reports.

AB No. 2212

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

PORTER, Chairman

Subject matter of the above bill referred to the Committee on Rules

Committee on Commerce and Public Utilities

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 1033

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, June 13, 1972

Mr. Speaker· Your Committee on Health reports:

AB No. 1496

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation To Consent

CAMPBELL, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Health reports·

AB No 1858

With the recommendation· Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker · Your Committee on Health reports:

AB No 1856

AB No 1857

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Health reports·

SB No 1199

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, June 14, 1972

Mr Speaker · Your Committee on Judiciary reports:

AB No 659

With amendments with the recommendation: Amend, and do pass, as amended

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker. Your Committee on Judiciary reports:

AB No 1538

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 1154

AB No 1920

With the recommendation· Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Judiciary reports

AB No 2037

AB No 2337

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, recommended to Consent

WARREN, Chairman

Above bills ordered to second reading

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr. Speaker. Your Committee on Retirement reports ·

AB No 1666

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading

Assembly Chamber, June 13, 1972

Mr. Speaker · Your Committee on Retirement reports

AB No 1805

AB No. 1042

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BARNES, Chairman

Above bills ordered to second reading

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Retirement reports ·

AB No 1277 AB No. 1908

AB No. 1674 AB No 2185

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means, with recommendation To Consent Calendar

BARNES, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Retirement reports ·

AB No 2278

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation. To Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 14, 1972

Mr. Speaker · Your Committee on Education reports:

AB No 183
AB No 707
AB No. 2182

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker. Your Committee on Education reports:

AB No. 1464

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr. Speaker. Your Committee on Education reports.

AB No. 1326

With amendments with the recommendation: Amend, and do pass, as amended

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker Your Committee on Education reports:

AB No. 814
AB No. 1884

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means, with recommendation bill be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr Speaker · Your Committee on Education reports:

AB No 1167
AB No. 1170
AB No. 1360
AB No 1767
AB No 2265

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Education reports:

AB No 1912

AB No 2362

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 96

SB No. 176

SB No. 478

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 878

With the recommendation · Do pass.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr. Speaker · Your Committee on Education reports ·

AB No. 1458

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Education reports:

SB No. 137

SB No 539

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bills ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Education reports:

AB No. 72

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker. Your Committee on Education reports·

AB No 1658

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, June 14, 1972

Mr. Speaker. Your Committee on Labor Relations reports:

AB No 780

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Labor Relations reports:

AB No. 2082

With the recommendation: Do pass

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Elections and Reapportionment reports·

AB No. 887

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Revenue and Taxation reports:

AB No 1582

With amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Judiciary reports

AB No 1473

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading

Committee on Agriculture

Assembly Chamber, June 14, 1972

Mr Speaker: The Chairman of your Committee on Agriculture reports

SB No 525

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Agriculture

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 525—An act to amend Sections 62186 and 62472 of the Agricultural Code, relating to milk

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 62186 and 62472", and insert "Section 62186".

Amendment No. 2

On page 2, strike out lines 7 to 35, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 14, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No 549

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 549—An act to add Section 1825 7 to the Welfare and Institutions Code, relating to probation services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1825 7 to", and insert "amend Section 1825 of, and to add Section 1825 7 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 1825 of the Welfare and Institutions Code is amended to read:

1825. (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963 The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825 7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year Persons committed to the Department of Corrections and subsequently discharged

under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203 03 of the Penal Code or Section 704 or 1752.1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number" The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1) The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	—	—	—	—	—	—
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100.000	100,000	100,000	100,000	100,000	100.000
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code.

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions. the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

SEC 2 Section 1825 7 is added to the Welfare".

Amendment No. 3

On page 1, lines 3 and 4, strike out ", during such times as", and insert "in which".

Amendment No. 4

On page 1, line 5, strike out "are", and insert "were".

Amendment No. 5

On page 1, line 5, after "entities", insert "on January 1, 1972".

Amendment No. 6

On page 1, line 7, strike out "January", and insert "July".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Thursday, June 15, at 11 a.m.—Elections and Reapportionment (Waxman, Chairman).

ADJOURNMENT

At 4:05 p.m., Acting Speaker Fenton declared the Assembly adjourned until 1:30 p.m., Thursday, June 15, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninetieth Legislative Day

One Hundred Sixty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 15, 1972

The Assembly met at 1.30 p m

Hon. Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Badham moved a quorum call of the Assembly.

Motion carried Time, 1.31 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 1 49 p m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, The realization that each of us is a composite of what other people make us comes slowly and sometimes hesitantly to our consciousness. Help us to be aware of our effect on others For it is within our potential to add to or take from the good in this world. Help us to remember that deeds, not words, speak loudest. We pray that the good we do will live after us and that the evil will be interred with our bones.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Wilson then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Monagan.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Wakefield, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive her per diem:

Mrs. Brathwaite, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Brophy, on request of Acting Speaker Fenton.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Resignation of Assemblyman W. Craig Biddle

June 14, 1972

Honorable Ronald Reagan
Governor of California
State Capitol, Sacramento, California

Dear Governor Reagan: In accordance with Section 1750(c) of the Government Code, I am transmitting herewith the resignation of Assemblyman W. Craig Biddle as a member of the Assembly, effective June 15, 1972, at 4:00 p.m.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Creation of and Appointment of Members to Subcommittee on the San Francisco Primary Vote

June 15, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: This will authorize creation of the Subcommittee on the San Francisco Primary Vote of the Assembly Elections and Reapportionment Committee with the following membership: Assemblymen Priolo (Chairman), Brown and Crown.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
34	Planning and Land Use
423	Education
649	Criminal Justice
699	Criminal Justice
730	Health
998	Health
1002	Health
1188	Local Government
1192	Local Government
1361	Health
1369	Natural Resources and Conservation

COMMUNICATIONS

Assembly Chamber, June 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 48—An act to add Section 767 to the Insurance Code, relating to insurance;

Assembly Bill No. 352—An act to amend Section 816 of the Insurance Code, relating to insurance;

Assembly Bill No. 829—An act to amend Sections 715 and 839.5 of the Insurance Code, relating to insurance;

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., June 15, 1972

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 14, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 307—An act to amend Section 16556 of the Education Code, relating to the use of public school buildings;

And reports the same correctly enrolled, and presented to the Governor at 4:30 p m , June 14, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1412

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee

Assembly Chamber, June 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 529
AB No. 1638
AB No. 2226

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1841
AB No 2010

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 15, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 209
AB No. 1122
AB No 1150
AB No 1978
AB No 2087

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber June 15, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined

AB No 2033

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee

Assembly Chamber, June 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 686

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Finance and Insurance reports

SB No 904

With the recommendation. Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Finance and Insurance reports.

AB No 1330

AB No 2031

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

PIERSON, Chairman

Above bills ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Finance and Insurance reports.

AB No 1676

AB No 2094

AB No 2174

With the recommendation That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

PIERSON, Chairman

Subject matter of the above bills referred to the Committee on Rules

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 599	AB No. 1342
AB No 926	AB No. 1713
AB No. 1279	AB No 2098

With the recommendation: Do pass.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr. Speaker Your Committee on Finance and Insurance reports:

AB No 809

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 1013	AB No 1825
AB No. 1705	AB No 1992

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Ways and Means reports.

AB No. 2112

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Ways and Means reports.

SB No 1076

With the recommendation. Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Ways and Means reports.

AB No. 1989	AB No 2198
AB No 2044	AB No 2230

With the recommendation. Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Ways and Means reports

AB No 350	AB No 1334	AB No 1655
AB No 428	AB No 1457	AB No 1861
AB No 523	AB No 1522	AB No 1906
AB No 1189	AB No 1557	AB No 1987

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Ways and Means reports·

ACR No 78

With the recommendation Be adopted

BROWN, Chairman

Above resolution ordered on file

Assembly Chamber, June 14, 1972

Mr. Speaker Your Committee on Ways and Means reports·

AB No 378	AB No 1260	AB No 1832
AB No 527	AB No 1384	AB No 1924
AB No 775	AB No 1550	AB No 2140
AB No 1117	AB No. 1592	

With the recommendation Do pass

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 14, 1972

Mr Speaker Your Committee on Ways and Means reports:

AB No 317
AB No 588
AB No 1076
AB No 1735

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Education reports·

AB No 1355

With amendments with the recommendation Be amended, and that the bill, as amended, be returned to the committee, and the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Education reports·

AB No 545

AB No 2181

With the recommendation. That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

LEROY F. GREENE, Chairman

Subject matter of the above bills referred to the Committee on Rules

Assembly Chamber, June 15, 1972

Mr Speaker. Your Committee on Education reports.

AB No 1633

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation to be placed on Consent Calendar

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Education reports.

AB No 1011

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports·

AB No 888

AB No 1598

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 888—An act to add Section 19062 15 to the Revenue and Taxation Code, relating to taxation.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly June 12, 1972, after "19062 15.", insert "(a)".

Amendment No. 2

On page 1, after line 7, insert

"(b) This section shall not apply where the number of exemptions claimed for withholding purposes is different from the number of exemptions claimed on the taxpayer's return"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1598—An act to amend Section 10132 of, and to add Section 10131 6 to, the Business and Professions Code, relating to real estate brokers.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted·

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly June 1, 1972, strike out "at least (1) eight feet in width at the main", and strike out line 18; and in line 19, strike out "portion of the body", and insert "greater than (1) eight feet in width and (2) forty feet in length"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker· The Chairman of your Committee on Ways and Means reports

AB No 2265

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2265—An act to add Chapter 1 (commencing with Section 29000) and Chapter 1 5 (commencing with Section 29081) to, to repeal Article 1 (commencing with Section 29001) of Chapter 1 of, and to amend and renumber the heading of Article 2 (commencing with Section 29051) of Chapter 1 of, Division 21 of the Education Code, relating to private schools

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 8, 1972, strike out "add Chapter 1 (commencing with Section 29000)", strike out lines 2 to 5, inclusive, in line 6, strike out "Division 21", and insert "amend Section 29018 5".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 29018 5 of the Education Code is amended to read:

29018 5 ~~The Superintendent of Public Instruction shall appoint a statewide advisory committee consisting of 15 members, of whom 9 shall be the administrative heads of schools or colleges which are operated exclusively under one or more of the following sections: Sections 29007(a)(2) and 29007 5, of whom 3 shall represent schools or colleges operating under the following sections: 29007(a)(1), 29007(b), 29007(c) and 29007(d), and of whom 1 each of the remaining 3 shall represent respectively, labor, management and the general public. The Superintendent of Public Instruction or his delegate shall be an ex officio member of, and serve as secretary and chief executive officer for, the committee. The chiefs of the Division of Labor Law Enforcement and Apprenticeship Standards, or their designate, shall also serve as ex officio members of the committee. Ex officio members shall have no vote.~~

~~This committee shall act in an advisory capacity to the Superintendent of Public Instruction in promulgation of rules provided for by Section 29018, the Superintendent of Public Instruction or his delegate shall advise the committee prior to instituting any action to deny, suspend, or withdraw recognition of courses or schools under the provisions of Sections 29007(a)(2) and 29007 5. The Superintendent of Public Instruction shall take into consideration the committee's recommendations before denying, suspending, or withdrawing recognition of courses or schools under said sections.~~

~~This committee shall meet at least twice each year, or upon call by the Superintendent of Public Instruction.~~

~~Committee members shall serve for three-year terms, and shall not be eligible to immediately succeed themselves. With respect to the appointment of the first committee, however, 15 members as set forth in~~

~~the first paragraph of this section shall be appointed with indeterminate terms and. at the first meeting, a drawing by lot shall be held at which 5 members shall be selected to serve for three-year terms, 5 for two-year terms, and 5 for one-year terms.~~

~~The Superintendent of Public Instruction may impanel special committees of technically qualified persons to assist him in the development of standards for courses and the evaluation of any course or school applying for recognition under the provisions of Sections 29007(a)(2) and 29007.5. These special committees shall be empowered to make such inspections and studies as may be necessary to enable them to advise the Superintendent of Public Instruction or the statewide committee in regard to action to be taken in any particular situation. Members of these special committees shall not be connected in any way with a school which may be the subject of inspection or investigation.~~

~~The statewide advisory committee members and the special committee members will serve at no expense to the state.~~

(a) There is a Council for Private Postsecondary Educational Institutions consisting of the Director of Education, or his designee, and 12 additional members who shall be appointed by the Director of Education as follows:

(1) Six members who shall be administrative heads of institutions operating under the authority of Section 29007 or Section 29007.5. One such member shall be selected from a school or college operating under paragraph (1) of subdivision (a) of Section 29007 and one shall be the administrative head of a school or college operating under subdivision (b), (c), or (d) of Section 29007. Except as provided elsewhere in this section, no person shall be eligible for appointment if he is the administrative head of an institution authorized exclusively under the provisions of paragraph (3) of subdivision (a) of Section 29007.

(2) Six shall represent the public. Four members shall be appointed who have a strong interest in developing private postsecondary academic, vocational, technical, and professional education; two members representing the public shall be representatives of business and labor that employ substantial numbers of persons in positions requiring vocational and technical skills.

In addition, the following shall serve as ex officio members of the council:

(a) The chief of the Division of Labor Law Enforcement.

(b) The chief of the Division of Apprenticeship Standards.

(c) One administrative head of an institution operating exclusively under the provisions of paragraph (3) of subdivision (a) of Section 29007 appointed by the Director of Education; such appointment shall no longer be made when all such institutions have qualified under other provisions of the code.

Ex officio members have no vote.

(b) The first members shall be appointed on or before January 15, 1973, and the Director of Education shall designate the date of the first meeting of the council.

The terms of office of the members of the council shall commence on January 15, 1973, and the members shall enter upon their terms of office by lot so that the terms of four members shall expire on January 15, 1974; the terms of four members shall expire on January 15, 1975; and the terms of four members shall expire on January 15, 1976

Thereafter, the terms of the members of the council shall be three years No appointee shall serve on the council for more than six consecutive years

At the first meeting of the council, and annually thereafter, the members shall select one of their number to serve as chairman and one to serve as vice chairman The vice chairman shall preside over all meetings of the council in the absence of the chairman.

(c) Any vacancy on the council shall be filled in the same manner as provided for appointment of council members in subdivision (a) of this section The appointee to fill a vacancy shall hold office only for the balance of the unexpired term

(d) Appointed members of the council shall receive no compensation but shall receive their actual expenses for attendance at official council meetings, and when on official council business approved by the Director of Education, not to exceed board of control expense allowances

(e) The council, with the approval of the Director of Education, may determine the time and place of council meetings which shall not be fewer than six times in each calendar year

(f) The council may advise the Director of Education on the establishment of policy for the administration of this chapter and on the adoption of regulations governing the exercise of authority conferred on the Director of Education by this chapter All advice communicated to the Director of Education shall be adopted by an affirmative vote of a majority of the membership of the council, and shall be in writing

(g) The Director of Education, with the advice of the council, shall:

(1) Establish policy for the administration of this chapter

(2) Adopt regulations not inconsistent with this chapter governing the exercise of authority conferred by this chapter which shall be adopted in accordance with Chapter 4 5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code

(3) Prepare, annually, a proposed budget for the support of the activities of the Department of Education pursuant to this chapter The proposed budget shall be presented to the council for its review and recommendations ''

Amendment No. 3

On page 2, strike out lines 2 to 31, inclusive, and strike out all of pages 3 to 24, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, June 14, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day passed

SB No 169	SB No 484	SB No 915
SB No. 251	SB No. 857	SB No 916
SB No. 255		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 14, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed·

SB No. 1014

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, June 14, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

SCR No 23
SCR No. 24

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 169—An act to amend Section 29 of Chapter 549, Statutes of 1955, relating to the Montalvo Municipal Improvement District

Held at Desk by order of the Acting Speaker

Senate Bill No. 251—An act to amend Section 72 5 of the Harbors and Navigation Code, relating to harbors and navigation

Held at Desk by order of the Acting Speaker.

Senate Bill No. 255—An act to amend Section 71180 of the Government Code, relating to courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 484—An act requiring the State Lands Commission to negotiate for the acquisition of certain federal lands by purchase or exchange

Held at Desk by order of the Acting Speaker.

Senate Bill No. 857—An act to add Section 5782 25 to, the Public Resources Code, relating to recreation and park districts

Held at Desk by order of the Acting Speaker.

Senate Bill No. 915—An act to amend Section 977 of the Penal Code, relating to criminal procedure

Held at Desk by order of the Acting Speaker.

Senate Bill No. 916—An act to add Section 513 to the Public Resources Code, relating to the state park system

Held at Desk by order of the Acting Speaker

Senate Bill No. 1014—An act to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 23—Relative to the utilization of public lands for outdoor recreation

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 24—Relative to the preservation and protection of an archaeological site

Held at Desk by order of the Acting Speaker

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file·

Assembly Bills Nos. 209, 1122, 1150, 2087, and **529,** ordered to third reading

Assembly Bills Nos. 1978, 1841, 2010, 1638, and **2226,** ordered to the Consent Calendar

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2347—An act to amend Sections 8507, 8515, 8552, 8569, 8570, 8571, 8624, 8636, 8652 and 8697 3 of, and to repeal Section 8654 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, strike out "8552,"

Amendment No. 2

On page 3, strike out lines 25 to 32, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1034—An act to add Section 7029.6 to the Business and Professions Code, relating to contractors

Bill read second time, and ordered to third reading.

Assembly Bill No. 1385—An act to amend Sections 7000 5, 7002, 7003, and 7007 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to third reading

NOTE: Later this day Assembly Bill No. 1385 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 1587—An act to add Chapter 2.5 (commencing with Section 16150) to Part 1 of Division 7 of the Business and Professions Code, relating to licensing

Bill read second time, and ordered to third reading

Assembly Bill No. 30—An act to add Sections 18802 5 and 18753 to the Business and Professions Code, relating to boxing.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly May 25, 1972, after "provided", insert ", if feasible,".

Amendment No. 2

On page 2, line 3, strike out "Such insurance program shall"; and strike out lines 4 to 9, inclusive

Amendment No. 3

On page 3, line 7, after "provided", insert ", if feasible,"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1351—An act to amend Section 3771 of the Public Utilities Code, relating to carriers.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted.

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "more than one such suspension", and insert "consecutive suspensions"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1768—An act to amend Sections 1175, 1176, 1177, 1180, 1181, and 1182 of the Health and Safety Code, relating to health care services.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly June 8, 1972, between lines 11 and 12, insert

"SEC. 7. This act shall become operative only if Assembly Bill No 1496 of the 1972 Regular Session is enacted and becomes effective and, in such case, shall become operative at the same time as A B. 1496 becomes operative."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Concurrent Resolution No. 79—Relative to street and road financing.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted

Amendment No. 1

On page 1, lines 12 and 13, of the printed measure, strike out "office of Auditor General", and insert "State Highway Users Tax Study Commission".

Amendment No. 2

On page 2, line 3, strike out "office of Auditor General", and insert "State Highway Users Tax Study Commission".

Amendment No. 3

On page 2, line 7, strike out "Auditor General", and insert "State Highway Users Tax Study Commission"

Resolution ordered printed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2134—An act to add Section 11610.8 to the Business and Professions Code, relating to real property.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly June 1, 1972, strike out "(3)", and insert

"(e)".

Amendment No. 2

On page 2, line 1, after "11535", insert "because such property is in excess of forty (40) acres and was created as such a parcel after December 31, 1969,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2029—An act to add Sections 34211.1, 65302.2, and 65307 to, and to amend Section 34217 of, the Government Code, relating to local plans.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "34211", insert a comma.

Amendment No. 2

On page 2, line 26, strike out "commission", and insert "agency".

Amendment No. 3

On page 2, line 32, strike out "commission", and insert "agency".

Amendment No. 4

On page 3, strike out line 5.

Amendment No. 5

On page 3, line 7, after the comma, insert "the scenic highway element,".

Amendment No. 6

On page 3, line 11, after "county", insert a comma.

Amendment No. 7

On page 3, line 17, after "year", insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1403—An act to add Section 6815.2 to the Public Resources Code, relating to state lands.

Bill read second time, and ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No. 1403 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 832—An act to add Section 18860.1 to the Government Code, relating to salaries of correctional officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"18860.1. (a) The Legislature".

Amendment No. 2

On page 2, strike out lines 2 to 9, inclusive, and insert

"(b) The board shall adjust the salary of each classification of correctional officers in an amount equivalent to 5 percent higher than the nearest equivalent classification of California Highway Patrol member. The board shall increase the salary of each classification of correctional counselor in an amount equal to 5 percent. The salary increases provided for by this subdivision are intended to attract and induce individuals to pursue a career in corrections."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1798—An act to establish a correctional training academy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert "Academy for the purpose of developing and maintaining the highest level of proficiency among correctional officers."

Amendment No. 2

On page 1, after line 9, insert

"SEC. 2. The Department of Corrections shall develop a training plan, with training to commence on or about January 1, 1973.

SEC. 3. The Correctional Training Academy shall seek to utilize a portion of the physical facilities of the California Highway Patrol Academy in Sacramento, and shall do so on a cost-reimbursement basis, pursuant to an interagency agreement The establishment of a central academy location or facility shall not preclude the giving of correctional officer training and refresher training in the various geographical areas of the State of California.

SEC. 4. The academy and its regional training activities shall be open to the Youth Authority and to county and other community correctional personnel on a cost-reimbursement basis."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1979—An act to add Section 5060 5 to the Penal Code and Section 1773 to the Welfare and Institutions Code, relating to corrections.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5060.5 to the Penal Code and Section"; and strike out lines 2 and 3, and insert "authorize participation by the Department of the Youth Authority and the Department of Corrections in a cooperative experimental correctional program."

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 It is the purpose and intention of the Legislature, in enacting this act, to improve the correctional and rehabilitative process The Legislature finds that, at present, the correctional functions are fragmented between echelons of government and between units of government on the same level To this end, the demonstration of a correctional systems approach would be of great value The County of Ventura has expressed its interest in conducting such a demonstration effort in cooperation with the Department of Corrections and the Department of the Youth Authority, as well as federal government and local jurisdictions within the county

SEC 2. The Department of the Youth Authority and the Department of Corrections shall contract with the County of Ventura and with such other political subdivisions within such county as may desire to participate, and with the federal government, if it desires to participate, for the mutual provision of custodial, diagnostic, rehabilitative, probation, parole, and any other services required to participate in a cooperative experimental correctional program, described as the Ventura County Unified Correctional System Demonstration Project

SEC. 3 Where care is provided under a contractual agreement provided for in this act, the state may reimburse other governmental units for services to California prisoners from funds appropriated for the support of such prisoners

SEC 4. Use may be made of the 90-day diagnostic referral of juveniles program, as conducted by the Youth Authority under Section 704 of the Welfare and Institutions Code, for juvenile participants in the experimental project provided for in this act, without charge to the using agency

SEC 5 (a) The funds for the project provided for in this act shall be obtained from the California Council on Criminal Justice or such other funding agency as shall be appropriate

(b) The term of such project shall be two years However, nothing in this act shall preclude the Department of the Youth Authority, the Department of Corrections, or other entities engaged in the project

from continuing the relationship and system created under this act as an operational program if necessary operating funds are obtained therefor.

(c) Reports on the progress of the demonstration project shall be made to the Secretary of the Human Relations Agency not later than one year after the effective date of this act, with a supplemental report not later than the twentieth month after such effective date A final report shall be submitted within three months after the termination of the project. The reports shall be compiled and submitted by the contracting parties jointly or, in the event of the failure thereof, by the Department of Corrections."

Amendment No. 3

On page 1, strike out lines 2 and 3; and on page 2, strike out lines 1 to 23, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 684—An act to add Title 6 5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1682—An act to amend Section 1182 of the Penal Code, relating to new trials in criminal cases

Bill read second time, and ordered to third reading

Assembly Bill No. 1757—An act to add Section 633 6 to the Penal Code, relating to recordation of witnesses' statements.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1951—An act to amend Section 900 of the Welfare and Institutions Code, relating to support.

Bill read second time, and ordered to third reading

Assembly Bill No. 2260—An act to add Section 1233 to the Government Code, relating to peace officers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2261—An act to amend Section 1208 of the Penal Code, relating to work furlough.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2263—An act to amend Section 1370 of the Penal Code, relating to criminal procedure

Bill read second time, and ordered to third reading

Assembly Bill No. 2332—An act to amend Sections 13210, 13352, and 13550 of the Vehicle Code, relating to drivers' licenses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2361—An act to amend Section 1031 of the Government Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 941—An act to amend Section 39297.3 of the Health and Safety Code, relating to burning.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Environmental Quality, was read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly June 1, 1972, strike out "Before any material may be burned, it shall"; and strike out line 13, and insert "No material may be burned pursuant to this section unless (a) burning is permitted on the day pursuant to Section 39298, and (b) the material has been thoroughly dried and stacked to promote combustion"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1994—An act to amend Sections 7 1 and 13 of, and to add Section 13 5 to, the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1692—An act to amend Section 71255 of the Water Code, relating to municipal water districts

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2333—An act to amend Sections 2, 13 1, and 26 of, to add Sections 1.1, 4.1, 4 45, 4 6, 4 7, 14 15, 16 1, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 4 2, 4 6, and 4.7 of, the Sutter County Water Agency Act (Chapter 2088 of the Statutes of 1959), relating to the Sutter County Water Agency

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1033—An act to amend Sections 1063, 3604, 3623, and 5135 of the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1496—An act to amend Sections 14000, 14105 and 14106 of, to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of, to repeal Sections 14038, 14104, 14106 5 and 14114 of, and to repeal Article 4 4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 6, line 26, of the printed bill, as amended in Assembly May 9, 1972, after "8", insert "(commencing with Section 14200) of this part".

Amendment No. 2

On page 8, line 15, after "14114", insert "of the Welfare and Institutions Code".

Amendment No. 3

On page 9, line 27, strike out "health care organizations and".

Amendment No. 4

On page 10, line 3, strike out "and health care organizations".

Amendment No. 5

On page 10, line 9, after "requires", insert a comma.

Amendment No. 6

On page 10, line 32, strike out ", board eligible", and insert "or board eligible in,".

Amendment No. 7

On page 10, line 33, after "to", insert a comma.

Amendment No. 8

On page 11, line 21, strike out "95 per centum of".

Amendment No. 9

On page 11, line 22, after "amount", insert "which".

Amendment No. 10

On page 11, line 29, strike out "95 per centum".

Amendment No. 11

On page 11, lines 32 and 33, strike out "for a maximum of two successive years".

Amendment No. 12

On page 11, line 38, after the second "or", insert "in which".

Amendment No. 13

On page 12, line 27, after "Health", insert ", or be exempt from licensure by the State Department of Public Health".

Amendment No. 14

On page 12, line 28, after "appropriate", insert a comma.

Amendment No. 15

On page 12, line 35, strike out "contract", and insert "contractual".

Amendment No. 16

On page 12, line 38, strike out "21539", and insert "12539".

Amendment No. 17

On page 13, strike out lines 17 to 20, inclusive.

Amendment No. 18

On page 13, line 21, strike out "(g)", and insert "(f)".

Amendment No. 19

On page 13, line 26, strike out "(h)", and insert "(g)".

Amendment No. 20

On page 13, line 27, strike out "assigned", and insert "provided".

Amendment No. 21

On page 13, line 27, after "enrollee", insert ", to the extent feasible,".

Amendment No. 22

On page 13, line 31, strike out "(i)", and insert "(h)".

Amendment No. 23

On page 13, line 39, strike out "(j)", and insert "(i)".

Amendment No. 24

On page 14, line 3, strike out "(k)", and insert "(j)".

Amendment No. 25

On page 16, line 14, after "Consumer", insert "Advisory".

Amendment No. 26

On page 16, line 15, after "Consumer", insert "Advisory".

Amendment No. 27

On page 16, line 24, after "Consumer", insert "Advisory".

Amendment No. 28

On page 16, line 26, after "Consumer", insert "Advisory".

Amendment No. 29

On page 16, line 30, after "Consumer", insert "Advisory".

Amendment No. 30

On page 16, line 34, after "Consumer", insert "Advisory".

Amendment No. 31

On page 16, strike out lines 35 and 36; and in line 37, strike out "(a)", and insert
"14315. (a)".

Amendment No. 32

On page 17, line 8, after "Consumer", insert "Advisory".

Amendment No. 33

On page 17, line 10, after "Consumer", insert "Advisory".

Amendment No. 34

On page 18, line 12, after "Consumer", insert "Advisory".

Amendment No. 35

On page 19, line 34, strike out "in for-profit", and insert "of for-profit as".

Amendment No. 36

On page 19, line 37, after "plans", insert a comma.

Amendment No. 37

On page 20, line 2, after "programs", insert ", each of which may be set up to exist for a maximum of two years,".

Amendment No. 38

On page 20, line 20, strike out "subdivision", and insert "section".

Amendment No. 39

On page 20, line 23, strike out "subdivision", and insert "section".

Amendment No. 40

On page 20, line 40, after "14256", insert a comma.

Amendment No. 41

On page 21, line 12, after "provide", insert a comma

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1858—An act to add Section 13143.7 to the Health and Safety Code, relating to fire protection.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly May 2, 1972, strike out "or county", and insert "and county,".

Amendment No. 2

On page 2, line 9, strike out "regarding", and insert "relating to fire and panic safety in".

Amendment No. 3

On page 2, strike out lines 14 to 17, inclusive, and insert "agency."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1856—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1857—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, relating to Short-Doyle Act.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 659—An act to add Chapter 2 (commencing with Section 1796) to Title 1.7 of Part 4 of Division 3 of the Civil Code, relating to warranties.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Assembly June 1, 1972, after "shall", insert "permanently".

Amendment No. 2

On page 3, line 15, after "accompany", insert "permanently".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1538—An act to add Section 17507 to the Business and Professions Code, relating to advertising

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "17507", and insert "17508".

Amendment No. 2

On page 2, line 1, strike out "17507", and insert "17508".

Amendment No. 3

On page 2, line 3, strike out "17507", and insert "17508".

Amendment No. 4

On page 2, line 19, after "attorney", insert "in cooperation with the Attorney General,".

Amendment No. 5

On page 2, line 20, strike out "30 days", and insert "a reasonable time".

Amendment No. 6

On page 2, line 29, after the period, insert "Section 17534 shall not apply to violations of this section."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1154—An act to amend Section 583 of the Code of Civil Procedure, relating to dismissal of actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2 of the printed bill, strike out lines 2 and 3; and in line 4, strike out "is ordered,".

Amendment No. 2

On page 2, line 31, after "(b)", insert "and any extensions thereof pursuant to subdivision (f)".

Amendment No. 3

On page 3, line 8, after "in", insert "any subdivision of".

Set No. 2

Amendment No. 1

On page 2, line 37, of the printed bill, strike out "five", and insert "three".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1920—An act to amend Sections 196a, 242, 4359, 4702, and 4809 of the Civil Code, relating to family law.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "196a, 242, 4359, 4702, and 4809", and insert "242 and 4702".

Amendment No. 2

On page 2, strike out lines 1 to 21, inclusive, and insert

"SECTION 1. Section 242 of the Civil Code is amended to".

Amendment No. 3

On page 2, strike out lines 27 to 38, inclusive; and on page 3, strike out lines 1 to 22, inclusive, and insert

"SEC. 2. Section 4702 of the Civil Code is amended to".

Amendment No. 4

On page 4, strike out lines 13 to 40, inclusive; and strike out all of page 5.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2037—An act to amend Sections 13960, 13961, 13962, 13963, 13964, 13965, and 13966 of, and to add Section 13967 to, the Government Code, relating to indemnification of victims of crimes.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 11, 1972, strike out lines 14 to 16, inclusive, and insert

"(2) Any person who is financially dependent upon, and who suffers a pecuniary loss as the result of a person having sustained physical injury or death as a direct result of a crime of violence; and".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2337—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly May 24, 1972, strike out "2", and insert "1"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1666—An act to amend Section 14694 of the Education Code, relating to school district retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 14694 of the Education Code", and insert "Sections 20017.7, 20017.75, 20803 7, and 22013 of the Government Code".

Amendment No. 2

In line 2 of the title, strike out "school district retirement", and insert "the Public Employees' Retirement System".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 20017 7 of the Government Code is amended to read:

20017 7 "Law enforcement member" includes *all* persons ~~employed in the Division of Narcotic Enforcement in~~ *within* the Department of Justice ~~,~~ *designated as peace officers* ~~whose principal duties consist of active law enforcement, including persons employed to perform the duties now performed under the titles of chief of bureau, assistant chief of bureau, supervising narcotic agent, narcotic field supervisor, senior narcotic agent, narcotic pharmacist agent, narcotic chemist agent, narcotic agent, narcotic specialist agent, and narcotic agent trainee, but excluding those whose principal duties are clerical or otherwise and which do not clearly fall within the scope of active law enforcement service, even though such a person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement. Any employee of the division who is eligible for law enforcement membership on September 30, 1965, shall have the right to elect not to accept law enforcement membership. If such an election is made the member shall remain subject to the provisions governing narcotic enforcement members in effect as of June 1, 1965. A member shall be conclusively presumed to have accepted law enforcement membership unless he states in writing to the board within 90 days after the board's mailing to him notice of his right of election that he has elected not to become a law enforcement member.~~

SEC 2. Section 20017.75 of the Government Code is amended to read:

20017.75 "Law enforcement member" means ~~only (a) those persons employed in the Bureau of Criminal Identification and Investigation, whose principal duties consist of active law enforcement and who are peace officers as defined in Section 830 2 of the Penal Code, but excluding clerical personnel or those whose principal duties are clerical or otherwise and which do not clearly fall within the scope of active law enforcement service, even though such a person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active law enforcement~~ *(a) all persons within the Department of Justice designated as peace officers* and (b) the members of the California State Police Division who are peace officers as defined in Section 830 2 of the Penal Code and whose principal duties consist of active law enforcement, but excluding clerical personnel or those whose principal duties are that of telephone operator, machinist, mechanic, security officer or otherwise clearly not within the scope of active law enforcement, even though the person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active law enforcement

SEC 3 Section 20803.7 of the Government Code is amended to read:

20803 7. "Law enforcement service" means service rendered as a law enforcement member only while receiving compensation for such service, except as provided in Article 4 (commencing with Section 20890) of this chapter It also includes service rendered in an employment in which persons have since become law enforcement members.

"Law enforcement service" also includes service as an investigator prior to the effective date of the 1972 Statutes within the Department of Justice of persons who prior to the effective date of the 1972 Statutes were classed as miscellaneous members and who are employed as such investigators on the effective date of the 1972 Statutes and became law enforcement members in such employment on that date

SEC. 4 Section 22013 of the Government Code is amended to read:

22013. "Policeman" as used in this part includes members of the California Highway Patrol, ~~law enforcement members employed by the Bureau of Narcotic Enforcement and Bureau of Criminal Identification and Investigation and the deputy director and assistant director of the Justice Department,~~ *all persons within the Department of Justice designated as peace officers,* sheriffs, undersheriffs, deputy sheriffs, marshals and deputy marshals, and any other employee of a public agency other than the state or University of California in a position designated as a policeman's position by the board; provided, any such position named herein or as may be designated by the board, is not contrary to any definition, ruling or regulation issued by the federal agency relating to the term "policeman" for the purposes of Section 218(d)(5)(A) of the Social Security Act."

Amendment No. 4

On page 1, strike out lines 2 to 13, inclusive; and strike out pages 2 to 9, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1805—An act to add Section 20024 2 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1042—An act to amend Section 13468 1 of, and to add Section 13468 3 to, the Education Code, relating to school certificated employees

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2278—An act to add Section 14265 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "and repeal".

Amendment No. 2

In line 1 of the title after "14265", strike out "to", and insert "of".

Amendment No. 3

On page 1, line 3, strike out "The retirement allowance of any retirant shall", and insert "(a) A person retired for service may apply for and receive a disability retirement allowance with the same effective date of the service retirement providing that all of the following conditions are satisfied:

(1) The person can prove that at the time of his service retirement, he was eligible for a disability retirement and was unaware of that fact.

(2) The person was certified by competent medical authority as being disabled prior to the effective date of his service retirement

(3) The person has an effective date for service retirement in June 1969, and the certification for disability in subdivision (2) was executed prior to June 30, 1970.

(b) If there is an increase in the allowance because of the change from service retirement to a disability retirement, that increase shall be payable from the effective date of the service retirement.

(c) This section shall be inoperative after June 30, 1973, and is repealed as of that date "

Amendment No. 4

On page 1, strike out lines 4 to 10, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 183—An act to amend Section 13087.1 of the Education Code, relating to public school employees.

Bill read second time, and ordered to third reading

Assembly Bill No. 707—An act to amend Section 13710 of, and to add Section 13678 to, the Education Code, relating to school district employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2182—An act to amend Sections 6422, 6432, 6755, 6902 05, and 6908 of, and to add Section 6908.5 to, the Education Code, relating to school psychologists.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1464—An act to add Chapter 8 5 (commencing with Section 1160) to Part 2 of Division 1 of the Health and Safety Code, relating to health, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, line 25, of the printed bill, after the period, insert "Such standards and regulations shall insure that there is no duplication of state funding or supplanting of federal funds by reason of the funds provided pursuant to this chapter."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1326—An act to add Section 13557.5 to the Education Code, relating to school officers and employees

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "No teacher," and insert "Notwithstanding any other provision of this code, no".

Amendent No. 2

On page 1, line 5, strike out "thereof", and insert "of such district or board".

Amendment No. 3

On page 1, strike out lines 8 to 10, inclusive; and strike out page 2, and insert "school property, unless such district, board, or person has undertaken to provide transportation for such pupil to and from the school premises, has undertaken a school-sponsored activity off the premises of such school, or has otherwise specifically assumed such responsibility or liability.

In the event of such a specific undertaking, the district, board, or person shall be liable or responsible for the conduct or safety of any pupil only while such pupil is or should be under the immediate and direct supervision of an employee of such district or board."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1912—An act to amend Section 17204 of the Education Code, relating to school districts

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2362—An act to add Sections 25428.1 and 25428.2 to the Education Code, relating to community colleges

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1458—An act to amend Sections 6721, 6727, 6728, 6731, 6735, 6738, 6739, and 6740 of, and to repeal Sections 6722, 6723, and 6724 of, the Education Code, relating to technical, agricultural, and natural resource conservation schools

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 72—An act relating to school district property, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 24, 1972, strike out "Assemblyman Porter", and insert "Assemblymen Porter and Fenton".

Amendment No. 2

On page 2, line 4, strike out "votes cast", and insert "electors voting on the proposition"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1658—An act to amend Section 19700 66 of the Education Code, relating to financial support of the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 9, 1972, after "schools", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 16, after "Article 9", insert "(commencing with Section 19700 51)".

Amendment No. 3

On page 2, between lines 22 and 23, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order that eligible school districts may avail themselves of the funds authorized by this act and undertake needed rehabilitation and replacement of inadequate school facilities at the earliest possible time, it is necessary that this act take effect immediately "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 2082—An act to amend Section 1413 of the Labor Code, relating to domestic workers

Bill read second time, and ordered to third reading

Assembly Bill No. 887—An act to amend Sections 11803, 11831, 11832, 11833, and 11834 of the Elections Code, relating to ballot measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, after "assumes", insert a comma.

Amendment No. 2

On page 2, line 6, after "association", insert a comma.

Amendment No. 3

On page 2, line 30, strike out "filled", and insert "filed".

Amendment No. 4

On page 3, line 30, strike out "and", and insert "or".

Amendment No. 5

On page 3, line 40, strike out "and", and insert "or".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1582—An act to add Chapter 8 (commencing with Section 39280) to Part 1 of Division 26 the Health and Safety Code, relating to air pollution, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 17, 1972, strike out "Assemblyman Biddle", and insert "Assemblymen Biddle, Cline, and Quimby".

Amendment No. 2

In lines 3 and 4 of the title, strike out "and to add Section 235 to the Revenue and Taxation Code,".

Amendment No. 3

On page 6, strike out lines 2 to 14, inclusive; and in line 15, strike out "SEC. 4", and insert

"SEC. 2".

Amendment No. 4

On page 6, line 22, strike out "SEC. 5" and insert "SEC. 3".

Amendment No. 5

On page 6, line 36, strike out "SEC. 6", and insert "SEC. 4".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1473—An act to amend Sections 73084, 73084.1, 73084.2, 73084.3, 73084 4, 73084 5, 73084 6, 73085, 73085 1, 73085.2, 73085.3, 73085.4, 73085 5, 73085.6, 73085 8, 73085.9, 73086, 73088, 73089, 73090, 73090.1, 73090.2, and 73096 of, and to add Section 73085.10 to, of the Government Code, relating to courts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1972, after "Sections", insert "73076,".

Amendment No. 2

On page 2, line 2, after "SECTION 1.", insert "Section 73076 of the Government Code is amended to read:

73076. ~~The following salary schedule shall apply to all persons employed by municipal courts in Alameda County.~~

~~Salary Schedule~~

~~Schedule number~~	~~Step 1~~	~~Step 2~~	~~Step 3~~	~~Step 4~~	~~Step 5~~
~~33~~	~~$436~~	~~$458~~	~~$481~~	~~$505~~	~~$530~~
~~33.5~~	~~447~~	~~469~~	~~493~~	~~517~~	~~543~~
~~34~~	~~458~~	~~481~~	~~505~~	~~530~~	~~556~~
~~34.5~~	~~469~~	~~493~~	~~517~~	~~543~~	~~570~~
~~35~~	~~481~~	~~505~~	~~530~~	~~556~~	~~584~~
~~35.5~~	~~493~~	~~517~~	~~543~~	~~570~~	~~598~~
~~36~~	~~505~~	~~530~~	~~556~~	~~584~~	~~613~~
~~36.5~~	~~517~~	~~543~~	~~570~~	~~598~~	~~628~~
~~37~~	~~530~~	~~556~~	~~584~~	~~613~~	~~644~~
~~37.5~~	~~543~~	~~570~~	~~598~~	~~628~~	~~660~~
~~38~~	~~556~~	~~584~~	~~613~~	~~644~~	~~676~~
~~38.5~~	~~570~~	~~598~~	~~628~~	~~660~~	~~693~~
~~39~~	~~584~~	~~613~~	~~644~~	~~676~~	~~710~~
~~39.5~~	~~598~~	~~628~~	~~660~~	~~693~~	~~727~~
~~40~~	~~613~~	~~644~~	~~676~~	~~710~~	~~745~~
~~40.5~~	~~628~~	~~660~~	~~693~~	~~727~~	~~763~~
~~41~~	~~644~~	~~676~~	~~710~~	~~745~~	~~782~~
~~41.5~~	~~660~~	~~693~~	~~727~~	~~763~~	~~801~~

Salary Schedule

Schedule number	Step 1	Step 2	Step 3	Step 4	Step 5
42	676	710	745	782	821
42.5	693	727	763	801	841
43	710	745	782	821	862
43.5	727	763	801	841	883
44	745	782	821	862	905
44.5	763	801	841	883	927
45	782	821	862	905	950
45.5	801	841	883	927	974
46	821	862	905	950	998
46.5	841	883	927	974	1,023
47	862	905	950	998	1,048
47.5	883	927	974	1,023	1,074
48	905	950	998	1,048	1,100
48.5	927	974	1,023	1,074	1,127
49	950	998	1,048	1,100	1,155
49.5	974	1,023	1,074	1,127	1,184
50	998	1,048	1,100	1,155	1,213
50.5	1,023	1,074	1,127	1,184	1,243
51	1,048	1,100	1,155	1,213	1,274
51.5	1,074	1,127	1,184	1,243	1,306
52	1,100	1,155	1,213	1,274	1,338
52.5	1,127	1,184	1,243	1,306	1,371
53	1,155	1,213	1,274	1,338	1,405
53.5	1,184	1,243	1,306	1,371	1,440
54	1,213	1,274	1,338	1,405	1,475
54.5	1,243	1,306	1,371	1,440	1,512
55	1,274	1,338	1,405	1,475	1,549
55.5	1,306	1,371	1,440	1,512	1,588
56	1,338	1,105	1,475	1,549	1,626
56.5	1,371	1,440	1,512	1,588	1,667
57	1,105	1,475	1,549	1,626	1,707
57.5	1,440	1,512	1,588	1,667	1,750
58	1,475	1,549	1,626	1,707	1,792
58.5	1,512	1,588	1,667	1,750	1,837
59	1,549	1,626	1,707	1,792	1,882
59.5	1,588	1,667	1,750	1,837	1,929
60	1,626	1,707	1,792	1,882	1,976
60.5	1,667	1,750	1,837	1,929	2,025
61	1,707	1,792	1,882	1,976	2,075
61.5	1,750	1,837	1,929	2,025	2,126
62	1,792	1,882	1,976	2,075	2,179
62.5	1,837	1,929	2,025	2,126	2,232
63	1,882	1,976	2,075	2,179	2,288
63.5	1,929	2,025	2,126	2,232	2,344
64	1,976	2,075	2,179	2,288	2,402
64.5	2,025	2,126	2,232	2,344	2,461
65	2,075	2,179	2,288	2,402	2,522

~~Salary Schedule~~

~~Schedule number~~	~~Step 1~~	~~Step 2~~	~~Step 3~~	~~Step 4~~	~~Step 5~~
~~65.5~~	~~2,126~~	~~2,232~~	~~2,344~~	~~2,461~~	~~2,584~~
~~66~~	~~2,179~~	~~2,288~~	~~2,402~~	~~2,522~~	~~2,648~~
~~66.5~~	~~2,232~~	~~2,344~~	~~2,461~~	~~2,584~~	~~2,713~~
~~67~~	~~2,288~~	~~2,402~~	~~2,522~~	~~2,648~~	~~2,780~~
~~67.5~~	~~2,344~~	~~2,461~~	~~2,584~~	~~2,713~~	~~2,849~~
~~68~~	~~2,402~~	~~2,522~~	~~2,648~~	~~2,780~~	~~2,919~~
~~68.5~~	~~2,461~~	~~2,584~~	~~2,713~~	~~2,849~~	~~2,991~~
~~69~~	~~2,522~~	~~2,648~~	~~2,780~~	~~2,919~~	~~3,065~~
~~69.5~~	~~2,584~~	~~2,713~~	~~2,849~~	~~2,991~~	~~3,141~~

Whenever reference to numbered salary schedules is made in any section of this article, the schedule found in the salary ordinance of the County of Alameda shall apply

SEC. 1.5."

Amendment No. 3

On page 2, line 15, strike out "60.5", and insert "M-108".

Amendment No. 4

On page 2, line 22, strike out "51", and insert "M-61".

Amendment No. 5

On page 2, line 28, strike out "54", and insert "M-76".

Amendment No. 6

On page 2, line 34, strike out "56", and insert "M-86".

Amendment No. 7

On page 2, line 40, strike out "53", and insert "M-71".

Amendment No. 8

On page 3, line 6, strike out "51", and insert "M-61".

Amendment No. 9

On page 3, line 16, strike out "51", and insert "M-61".

Amendment No. 10

On page 3, line 22, strike out "54", and insert "M-76".

Amendment No. 11

On page 3, line 27, strike out "46", and insert "190".

Amendment No. 12

On page 3, line 32, strike out "44", and insert "180".

Amendment No. 13

On page 3, line 37, strike out "40", and insert "160".

Amendment No. 14

On page 4, line 2, strike out "36", and insert "140".

Amendment No. 15

On page 4, line 10, strike out "51", and insert "M-61".

Amendment No. 16

On page 4, line 15, strike out "49", and insert "M-51".

Amendment No. 17

On page 4, line 22, strike out "49", and insert "M-51".

Amendment No. 18

On page 4, lines 32 and 33, strike out "up to but not exceeding four steps on the pay schedule provided in Section 73076,"

Amendment No. 19

On page 5, line 9, strike out "up to but not", strike out line 10; and in line 11, strike out "Section 73076,"

Amendment No. 20

On page 5, line 19, strike out "up to, but not", strike out line 20, and insert "payable at the same time as that higher compensation provided in the".

Amendment No. 21

On page 6, line 6, strike out "two", and insert "five".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file.

Senate Bill No. 256, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 606—An act to repeal Section 21605 of the Public Utilities Code, relating to aviation

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 635—An act to amend Sections 7332, 7342, 7351 and 7420 of, and to add Section 7402 to, the Business and Professions Code, relating to cosmetology

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 810—An act to amend Section 10177.1 of the Business and Professions Code, relating to real estate licenses.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 546—An act to amend Sections 21554 and 26078 of, and to add Section 21555.5 to, of the Water Code, relating to irrigation districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 486—An act to amend the heading of Chapter 3 (commencing with Section 71820) of Part 6 of Division 20 and Sections 71820, 71821, 71822, and 71823 of the Water Code, relating to municipal water districts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 958—An act to amend Sections 71254 and 71540 of the Water Code, relating to municipal water districts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1199—An act to amend Section 13143.6 of the Health and Safety Code, relating to fire safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 96—An act to amend Section 17503 of the Education Code, relating to public schools

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 176—An act to add Section 21702.2 to the Education Code, relating to school district bonds

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 478—An act relating to the establishment of a school of veterinary medicine at a campus of the University of California in Southern California.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 878—An act to add Article 6 (commencing with Section 12095) to Chapter 5 of Division 9 of the Education Code, relating to industrial education work stations and safety

Bill read second time, and ordered to third reading.

Senate Bill No. 137—An act to add Section 23621 to the Education Code, relating to the California State Colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate April 26, 1972, after "of", insert "no less than".

Amendment No. 2

On page 2, line 5, after "institution", insert ", provided that the number of credit units accepted from an accredited institution shall not exceed the maximum number of credit units accepted by such institution".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 539—An act to add Section 13583.7 to the Education Code, relating to school classified employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted·

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "However, if the termination date of any specially funded program is other than June 30, such notice shall be given not less than 30 days prior to the effective date of their layoff"

Bill ordered reprinted, and returned to the second reading file

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 1385 and 1403.

COMMUNICATIONS

Assembly Chamber, June 15, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No 1033	AB No 1857
AB No 1692	AB No 2333
AB No 1805	AB No 2362

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar

Assembly Chamber, June 15, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

AB No 707	AB No 2082	AB No 2263
AB No 1587	AB No 2260	AB No 2332
AB No 1682	AB No 2261	AB No 2361
AB No 1757		

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

REQUEST FOR UNANIMOUS CONSENT

Mr Stull was granted unanimous consent that Assembly Bill No 2265 be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal.

Assembly Committee on Efficiency and Cost Control

Sacramento, June 14, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. Your Committee on Efficiency and Cost Control hereby transmits its report containing certain findings and conclusions concerning the Electronic Data Processing Operations of the State Department of Motor Vehicles

Respectfully,

MIKE CULLEN, Chairman

Above report referred to the Committee on Transportation

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 263—An act to add Sections 13841 7, 13841 8, 13841 9, 13841 10, 13841 11, and 13841 12 to the Health and Safety Code, relating to fire protection districts

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 263?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly April 4, 1972, after "13841 7 ", insert "(a)"

Amendment No. 2

On page 2, line 4, strike out ", for the purpose of electing members"; strike out lines 5 to 7, inclusive, and insert "submit to the voters at any district election the question of whether the directors shall be elected by divisions

(b) If the question is submitted to the voters at a general district election, the notices required by Sections 23511, 23521, and 23522 of the Elections Code shall contain a statement of the question to appear on the ballot If the question is submitted to the voters at any district election, other than a general district election, the notice of election and ballot shall contain a statement of the question

If at the election the majority of the voters voting upon the question approves the election of directors by divisions, then the board shall promptly by resolution divide the district into as many divisions as there are directors, which shall be as nearly equal in population as practicable, and it shall assign a number to each division

(c)".

Amendment No. 3

On page 2, line 16, strike out "adoption of the resolution", and insert "approval by the voters of the election of directors by divisions".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Bélotti, Brown, Burton, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hayden, Hayes, Ray E Johnson, Ketchum, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—48

NOES—None

Above bill ordered enrolled

Assembly Bill No. 539—An act to amend Section 6487 of the Health and Safety Code, relating to sanitary districts

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 539?

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "other", and insert "similar".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—50

NOES—None

Above bill ordered enrolled

Assembly Bill No. 753—An act to add Section 1111.9 to the Education Code, relating to school district elections

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 753?

Amendment No. 1

On page 2, line 2, of the printed bill, after "terms", insert a comma

Amendment No. 2

On page 2, line 4, strike out "The incumbent", and strike out lines 5 to 9, inclusive, and insert "Immediately after the initial election, the newly elected members from such trustee area shall draw lots to

determine which of the members shall serve a two-year term and which of the members shall serve a four-year term ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Bill Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Knox, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—51.

NOES—None

Above bill ordered enrolled

Hon. Kenneth Cory Presiding

At 2 p m , Hon Kenneth Cory, 69th District, presiding

Assembly Bill No. 1316—An act to add Section 12739 to the Business and Professions Code, relating to weights and measures, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1316?

Amendment No. 1

On page 2, line 19, of the printed bill, as amended in Assembly May 10, 1972, strike out ''purchaser'', and insert ''of either the purchaser or the broker''.

Amendment No. 2

On page 2, line 35, strike out ''purchaser'', and insert ''of either the purchaser or the broker''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1763—An act to amend Section 17535 of the Business and Professions Code, relating to advertising remedies.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1763?

Amendment No. 1

On page 2, after line 13, of the printed bill, insert

"SEC 2 Section 17535 of the Business and Professions Code is amended to read:

17535 Any person, corporation, firm, partnership, joint stock company, or any other association or organization which violates or proposes to violate this chapter may be enjoined by any court of competent jurisdiction *The court may make such orders or judgments, including the appointment of a receiver, as may be necessary to prevent the use or employment by any person, corporation, firm, partnership, joint stock company, or any other association or organization of any practices which violate this chapter, or which may be necessary to restore to any person in interest any money or property, real or personal, which may have been acquired by means of any practice in this chapter declared to be unlawful*

Actions for injunction under this section may be prosecuted by the Attorney General or any district attorney, *county counsel, city attorney, or city prosecutor* in this state in the name of the people of the State of California upon their own complaint or upon the complaint of any board, officer, person, corporation or association or by any person acting for the interests of itself, its members or the general public

SEC 3. It is the intent of the Legislature, if this bill and Senate Bill No. 912 are both chaptered and amend Section 17535 of the Business and Professions Code, and this bill is chaptered after Senate Bill No 912, that the amendments to Section 17535 proposed by both bills be given effect and incorporated in Section 17535 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 912 are both chaptered, both amend Section 17535, and Senate Bill No 912 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hill Greene, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

Above bill ordered enrolled.

CAUCUS ANNOUNCEMENTS

At 2 02 p m, Speaker Moretti was granted unanimous consent that the Democratic Caucus be permitted to meet at this time in the Assembly Lounge, and Mr Monagan was granted unanimous consent that the Republican Caucus be permitted to meet at this time in the Sergeant at Arms' Office.

Majority Floor Leader Presiding

At 2.55 p m, Hon Jack R Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.56 p m, Mr Garcia was granted unanimous consent to hold a special meeting of the Committee on Constitutional Amendments in the rear of the Assembly Chamber, at this time

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Mr Brown was granted unanimous consent that members of the staff of the Assembly Committee on Ways and Means and Mr A Alan Post, Legislative Analyst, be permitted to sit at his desk during consideration of the Report of the Committee on Conference on Senate Bill No 50

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, June 13, 1972

Mr Speaker The Committee on Conference concerning

Senate Bill No. 50—As amended in Assembly May 18, 1972—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 2, line 20, strike out "7,963,421", and insert "8,744,131".

Item No. 8

Amendment No. 2

On page 2, line 30, strike out "10,787,387", and insert "12,237,387".

Item No. 9

Amendment No. 3

On page 2, between lines 32 and 33, insert

"9 5—For expenses of Joint Legislative Committee on Siting of Teaching Hospitals 200,000
provided, that funds appropriated in this item shall be expended in accordance with the Supplemental Report of the Committee on Conference on the Budget Act of 1972 "

Item No. 11

Amendment No. 4

On page 2, line 42, strike out "4,000,000", and insert "4,550,000".

Amendment No. 5

On page 2, strike out line 45, and insert

"without regard to fiscal years; provided further, that funds appropriated by this item shall not be expended for the purpose of providing the compilation of any California code or portion thereof in computer usable form, except as expressly authorized in writing by the Joint Rules Committee."

Item No. 12

Amendment No. 6

On page 3, line 7, strike out "3,939,000", and insert "4,039,000".

Item No. 18

Amendment No. 7

On page 3, line 28, strike out the second comma, strike out line 29; and in line 30, strike out "amount from the federal government".

Item No. 19.5

Amendment No. 8

On page 3, between lines 38 and 39, insert

"19.5—For transfer by the State Controller to the Judges' Retirement Fund ..... 420,000".

Item No. 20.1

Amendment No. 9

On page 3, between lines 44 and 45, insert

"20.1—For support of the Governor's office, for printing of the Governor's Budget ..... 250,000".

Item No. 23.1

Amendment No. 10

On page 4, strike out lines 12 and 13, and insert

"and in addition thereto, any amounts received from federal grants or other sources Provided, that the state clearinghouse shall forward copies of all state agencies' comments on proposed federal regulations to the Chairman of the Joint Legislative Budget Committee or his designee, and the chairman of the committee in each house which considers appropriations Provided, further, that the Office of Intergovernmental Management shall transmit a report to the Legislature by December 1, 1972, assessing the impact of the Federal Model City Program in California and its effectiveness in solving community problems"

Item No. 24.1

Amendment No. 11

On page 4, between lines 16 and 17, insert

"24.1—For support and preparation of premises of the Revenue Consolidated Data Center, Agriculture and Services Agency _____ 0
Schedule.
(a) Support _____ 3,252,959
(b) Transfers from other items _____ −2,985,675
(c) Reimbursements _____ −267,284
Provided that no funds appropriated in this item or obtained from any other source may be expended by the Consolidated Data Center or any state agency for whom services are to be performed by the Consolidated Data Center, pursuant to a contract for expansion, improvement, or addition to electronic data processing activities, personnel, equipment, facilities or supplies as defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, during fiscal year 1972–73 or any expenditures budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or rental of equipment, personal services, or supplies, as these terms are defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, is competitively bid, provided further, that any expenditures under this item shall comply completely with the provisions of Section 4 of this act; provided further, that any expenditure under this item shall comply with provisions of the Supplemental Report of the Committee on Conference on the Budget Act of 1972, provided further, that no expenditures may be made under this item unless legislation expressly authorizing the Revenue Consolidated Data Center is enacted at the 1972 Regular Session."

Item No. 26.1

Amendment No. 12

On page 4, between lines 26 and 27, insert

"26.1—For support and preparation of premises of the Business and Services Consolidated Data Center, Business and Transportation Agency _____ 0
Schedule.
(a) Support _____ 15,448,945
(b) Transfers from others items _____ −11,259,523
(c) Reimbursements _____ −4,189,422
Provided that no funds appropriated in this item or obtained from any other source may be expended by the Consolidated Data Center or any state agency for whom services are to be performed by the Consolidated Data Center, pursuant to a contract for expansion,

improvement, or addition to electronic data-processing activities, personnel, equipment, facilities or supplies as defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, during fiscal year 1972–73 or any expenditures budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or rental of equipment, personal services, or supplies, as these terms are defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, is competitively bid; provided further, that any expenditures under this item shall comply completely with the provisions of Section 4 of this act, provided further, that any expenditure under this item shall comply with provisions of the Supplemental Report of the Committee on Conference on the Budget Act of 1972, provided further, that no expenditures may be made under this item unless legislation expressly authorizing the Business and Services Consolidated Data Center is enacted at the 1972 Regular Session."

Item No. 27.1

Amendment No. 13

On page 4, between lines 34 and 35, insert

"27.1—For support of the Human Relations Consolidated Data Center, Human Relations Agency 0

Schedule

(a) Support 6,800,604

(b) Transfers from others items ..... −2,209,662

(c) Reimbursements ..... −4,590,942

Provided that no funds appropriated in this item or obtained from any other source may be expended by the Consolidated Data Center or any state agency for whom services are to be performed by the Consolidated Data Center, pursuant to a contract for expansion, improvement, or addition to electronic data-processing activities, personnel, equipment, facilities or supplies as defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, during fiscal year 1972–73 or any expenditures budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or rental of equipment, personal services, or supplies, as these terms are defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, is competitively bid, provided further, that any expenditures under this item shall comply completely with the provisions of Section 4 of this act, provided further, that any expenditure under this item shall comply with provisions of the Supplemental Report of the Committee on Conference

on the Budget Act of 1972; provided further, that no expenditures may be made under this item unless legislation expressly authorizing the Human Relations Consolidated Data Center is enacted at the 1972 Regular Session."

Item No. 29

Amendment No. 14

On page 5, line 12, strike out "941,134", and insert "939,162".

Amendment No. 15

On page 5, between lines 14 and 15, insert

"(e) Consolidated data center---------- 1,972

Provided, that the funds appropriated in subitem (e) may be allocated by the Office of Emergency Services to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 24 1 "

Item No. 30.1

Amendment No. 16

On page 5, line 22, strike out "200,000", and insert "28,500".

Amendment No. 17

On page 5, strike out lines 23 to 42, inclusive, and insert

"provided, that the Office of Planning and Research shall prepare an inventory of lands of statewide significance or of critical concern, or both, as defined in the Environmental Goals and Policy Report issued by the Governor's Office, dated April, 1972; provided further, that these lands shall be described in sufficient detail to allow cities and counties to ascertain the precise area considered significant and critical; provided further, that the office shall hold public hearings on the Environmental Goals and Policy Report to be sure that the inventory includes all lands which are of statewide significance or lands which are of critical concern, or both, such hearings to be completed by January 1, 1974."

Item No. 31

Amendment No. 18

On page 5, line 43, strike out "291,629", and insert "335,163".

Amendment No. 19

On page 5, line 45, strike out "199,583", and insert "243,117"

Amendment No. 20

On page 5, line 47, strike out "92,046", and insert "85,174"

Amendment No. 21

On page 5, between lines 47 and 48, insert

"(c) Consolidated data center ---------- 6,872

Provided, that the funds appropriated in subitem (c) may be allocated by the Lieutenant Governor to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (c) to Item 26.1 "

Item No. 37

Amendment No. 22

On page 6, line 2, strike out "1,593,888", and insert "1,752,188".

Amendment No. 23

On page 6, line 4, strike out "1,372,895", and insert "1,444,395".

Amendment No. 24

On page 6, line 6, strike out "604,450", and insert "656,250".

Amendment No. 25

On page 6, line 7, strike out "44,000", and insert "54,000".

Amendment No. 26

On page 6, between lines 7 and 8, insert

"(d) Celebration of 150th anniversary of City of Sonoma ---------- 25,000".

Amendment No. 27

On page 6, line 8, strike out "(d)", and insert "(e)".

Amendment No. 28

On page 6, between lines 8 and 9, insert

"provided, that the funds appropriated in subitem (d) shall be available to the Office for Promotion of Economic Development for expenditure in cooperation with the City of Sonoma "

Item No. 38

Amendment No. 29

On page 6, line 12, strike out "25,592,657", and insert "25,607,657".

Amendment No. 30

On page 6, line 14, strike out "24,120,105", and insert "23,470,994".

Amendment No. 31

On page 6, line 16, strike out "10,863,658", and insert "8,280,798".

Amendment No. 32

On page 6, line 17, strike out "3,922,910", and insert "3,803,702".

Amendment No. 33

On page 6, between lines 27 and 28, insert

"(h) Consolidated data center 3,127,763

Provided, that the funds appropriated in subitem (h) may be allocated by the Director of the Department of Justice to subitems (a), (b), and (c) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Law Enforcement Consolidated Data Center and authorizing transfers of electronic data processing funtions thereto, may transfer the unencumbered balance of subitem (h) to Item 39.1."

Amendment No. 34

On page 6, line 33, after "system", insert

"; provided further, that on or before May 1, 1973, the Central Registry of the Department of Justice shall be transferred in its entirety to a more efficient location".

Item No. 38.1

Amendment No. 35

On page 6, between lines 33 and 34, insert

"38.1—For support of the Department of Justice, in augmentation of Item 38, for litigation and other related expenses connected with litigation regarding title to certain portions of San Francisco Bay ..... 134,000".

Item No. 39.1

Amendment No. 36

On page 6, between lines 38 and 39, insert

"39.1—For support of the Law Enforcement Consolidated Data Center, Department of Justice 0

Schedule:

(a) Support 3,246,971
(b) Transfers from other items ..... −3,127,763
(c) Reimbursements ..... −119,208

Provided that no funds appropriated in this item or obtained from any other source may be expended by the Consolidated Data Center or any state agency for whom services are to be performed by the Consolidated Data Center, pursuant to a contract for expansion, improvement, or addition to electronic data-processing activities, personnel, equipment, facilities or supplies as defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, during fiscal year 1972–73 or any expenditures budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or

rental of equipment, personal services, or supplies, as these terms are defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, is competitively bid; provided further, that any expenditures under this item shall comply completely with the provisions of Section 4 of this act; provided further, that any expenditure under this item shall comply with provisions of the Supplemental Report of the Committee on Conference on the Budget Act of 1972; provided further, that no expenditures may be made under this item unless legislation expressly authorizing the Law Enforcement Consolidated Data Center is enacted at the 1972 Regular Session "

Item No. 42

Amendment No. 37

On page 7, line 8, strike out "112,131", and insert "132,414".

Amendment No. 38

On page 7, line 28, after "standards", insert
" ; provided further, that if any of the foregoing conditions result in the California law being declared out of conformity with federal law by appropriate federal agency, the money appropriated by this item shall be available for expenditure without regard to such condition".

Item No. 43

Amendment No. 39

On page 7, line 43, after "match", insert "and buy-in"

Amendment No. 40

On page 8, strike out lines 9 to 18, inclusive, and insert "tion;".

Amendment No. 41

On page 8, line 21, after "costs", insert
", provided further, that in the event the requirement that state contributions be on a project basis, proportionate to project costs, results in the California law being declared out of conformity with federal law by the appropriate federal agency, the money appropriated by this item shall be available for expenditure without regard to such requirement, provided further, that the money appropriated by this item shall be available for expenditure until June 30, 1975".

Item No. 45.5

Amendment No. 42

On page 8, between lines 26 and 27, insert
"45.5—For payment to counties for the cost of trials of state prisoners pursuant to Section 4700.2 of the Penal Code, Department of Finance---------- 500,000".

Item No. 46.5

Amendment No. 43

On page 9, between lines 14 and 15, insert

"46.5—For tort liability claims that may arise from damages caused by structural deficiency of the State Capitol Building, State Board of Control.....5,000,000".

Item No. 47

Amendment No. 44

On page 9, line 24, strike out "800,000", and insert "850,000".

Amendment No. 45

On page 9, line 25, strike out "100,000", and insert "50,000".

Item No. 48

Amendment No. 46

On page 9, line 30, strike out "7,583,461", and insert "7,006,382".

Amendment No. 47

On page 9, line 32, strike out "7,186,809", and insert "6,489,514".

Amendment No. 48

On page 9, line 34, strike out "2,574,758", and insert "2,448,451".

Amendment No. 49

On page 9, line 35, strike out "840,589", and insert "731,297".

Amendment No. 50

On page 10, between lines 6 and 7, insert

"(h) Consolidated data center..... 137,231".

Amendment No. 51

On page 10, between lines 13 and 14, insert

"Provided, that the funds appropriated in subitem (h) may be allocated by the Controller to subitems (a), (b), and (c) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (h) to Item 26.1"

Item No. 53

Amendment No. 52

On page 10, line 25, strike out "26,486,349", and insert "26,088,-116".

Amendment No. 53

On page 10, line 27, strike out "29,117,983", and insert "28,349,-549".

Amendment No. 54

On page 10, line 29, strike out "6,956,455", and insert "6,362,688".

Amendment No. 55

On page 10, line 30, strike out "7,070,150", and insert "6,690,528".

Amendment No. 56

On page 10, between lines 37 and 38, insert

"(f) Consolidated data center_____ 584,346

Provided, that the funds appropriated in subitem (f) may be allocated by the board to subitems (a), (b), and (c) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 24.1."

Item No. 56

Amendment No. 57

On page 10, strike out lines 44 to 48, inclusive; and on page 11, strike out lines 1 to 3, inclusive, and insert

"56—For support of Secretary of State_____ 2,359,468

Schedule

(a) Personal services _____	1,419,826
(b) Operating expenses and equipment___	699,610
(c) Minor capital outlay_____	25,000
(d) Reimbursements _____	-29,100
(e) Consolidated data center_____	244,132

Provided, that the Department of Finance shall monitor the progress of the consolidation effort including an evaluation of the cost of EDP services provided by the Department of General Services to the Secretary of State and in the event this monitoring activity discloses that actual EDP expenses to the Secretary of State are in excess of current estimates and where the increase is due to the cost of receiving EDP services from the Department of General Services, that the Department of Finance take steps to effect a proper adjustment to the budget of the Secretary of State, provided further, that on and after January 1, 1973, the Los Angeles office of the Secretary of State shall be in one of the state buildings in Los Angeles only; provided further, that the funds appropriated in subitem (c) may be allocated by the Secretary of State to subitems (a), (b), and (d) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services

Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26.1".

Item No. 60

Amendment No. 58

On page 11, line 16, strike out "502,035", and insert "402,465".

Amendment No. 59

On page 11, between lines 17 and 18, insert

(d) Consolidated data center 99,570

Provided, that the funds appropriated in subitem (d) may be allocated by the State Treasurer to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 26 1."

Item No. 61

Amendment No. 60

On page 11, strike out lines 18 to 23, inclusive, and insert

"61—For support of Department of Finance 4,648,873

Schedule:

(a) Personal services 3,845,882
(b) Operating expenses and equipment 721,651
(c) Reimbursements ..... –150,450
(d) Consolidated data center 231,790

Provided, that the funds appropriated in subitem (d) may be allocated by the director to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 26.1."

Items Nos. 61.1, 61.2, and 61.3

Amendment No. 61

On page 11, between lines 23 and 24, insert

"61.1—For transfer to and in augmentation of the items of appropriation for support and preparation of premises for the Business and Services Consolidated Data Center, Business and Transportation Agency (Item 26 1) and the Revenue Consolidated Data Center, Agriculture and Services Agency (Item 24.1), upon order of the Department of Finance 400,000

Provided, that no funds appropriated in this item or obtained from any other source may be expended by the Consolidated Data Center or any state agency for whom services are to be performed by the Consolidated Data Center, pursuant to a contract for expansion, improvement, or addition to electronic data processing activities, personnel, equipment, facilities or supplies as defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, during fiscal year 1972–73 or any expenditures budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or rental of equipment, personal services, or supplies, as these terms are defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, is competitively bid; provided further, that any expenditures under this item shall comply completely with the provisions of Section 4 of this act; provided further, that no expenditures may be made under this item unless legislation expressly authorizing the Business and Services Consolidated Data Center is enacted at the 1972 Regular Session "

61.2—For transfer to and in augmentation of the support appropriation for the Human Relations Consolidated Data Center, Human Relations Agency (Item 27.1), upon order of the Department of Finance for expenses related to establishing a data center ---------- 1,000,000

Prior to transfer of these augmentation funds, a plan shall be developed by the Human Relations Agency and submitted to the State Data Processing Officer no later than December 1, 1972, which shall provide for: (a) the conversion of work now in process on computers in the Departments of Public Health and Mental Hygiene, (b) the work in the Department of Social Welfare associated with the IBM 360/30 and the central issuance of ID cards processing, and (c) the orderly establishment of a consolidated data center in the agency which serves all member departments; provided further, this plan shall also be submitted to the Joint Legislative Budget Committee and the chairman of the committee in each house which considers appropriations no later than December 1, 1972.

Provided further, that no funds appropriated in this item or obtained from any other source may be expended by the Consolidated Data Center or any state agency for whom services are to be performed by the Consolidated Data Center, pursuant to a contract for expansion, improvement, or addition to electronic data processing activities, personnel, equipment, facilities or supplies as defined in the Supplemental Report of the Committee on Conference on

the Budget Act of 1972, during fiscal year 1972–73 or any expenditures budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or rental of equipment, personal services, or supplies, as these terms are defined in the Supplemental Report of the Committee on Conference on the Budget Act of 1972, is competitively bid; provided further, that any expenditures under this item shall comply completely with the provisions of Section 4 of this act, provided further, that no expenditures may be made under this item unless legislation expressly authorizing the Human Relations Consolidated Data Center is enacted at the 1972 Regular Session.

61.3—For shipping and installation costs related to the rental of a computer, Department of Public Works, exempt from Section 4 of this act 100,000
Schedule:
(a) Operating expenses and equipment..... 192,000
(b) Reimbursements ..... −92,000".

Item No. 62

Amendment No. 62

On page 11, line 25, strike out "156,366", and insert "54,692".

Amendment No. 63

On page 11, between lines 25 and 26, insert
"provided, the executive secretary of the commission shall report any borrowing, or use, of personnel from any other state agency to the chairman of the Joint Legislative Budget Committee or his designee and the chairman of the committee in each House which considers appropriations on November 1, 1972."

Item No. 67

Amendment No. 64

On page 12, strike out lines 7 to 14, inclusive, and insert
"67—For support of Public Utilities Commission 7,333,388
Schedule:
(a) Personal services 11,109,835
(b) Operating expenses and equipment.. 2,293,635
(c) Reimbursements ..... −160,000
(d) Amount payable from the Transportation Rate Fund (Item 68) ..... −6,044,224
(e) Consolidated data center 134,142
Provided, that the funds appropriated in subitem (e) may be allocated by the commission to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating

the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26.1."

Item No. 69.1
Amendment No. 65

On page 12, strike out line 23, and insert

"Electronic data processing ---------- 30,250
Provided, that in addition to the basic responsibilities assigned the board by law, the funds available to the board shall be used to the fullest extent possible to develop the best possible communications between state and local governmental units in the development and implementation of coordinated data processing systems to achieve the maximum amount of interchangeability between the various levels of government."

Items Nos. 80, 80.1, 80.5, 81, 81.1, 82, and 82.1
Amendment No. 66

On page 14, strike out lines 26 to 48, inclusive; strike out page 15; and on page 16, strike out lines 1 to 12, inclusive, and insert

"80—For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service exclusive of personnel in the University of California and in the California State Colleges, whose compensation, or portion thereof, is chargeable to the General Fund, the increase in compensation provided for in any increased salary range or rate including staff benefits established on or after July 1, 1972 by the State Personnel Board or other salary-fixing authority; provided, that the salary increases authorized by this item shall be distributed by salary-setting authorities on an across-the-board basis of a 7½ percent increase except where (1) due to statutory salary limitations employees would receive compensation in excess of their superiors, or (2) specific agreements that involve "red circle" rates or salary withholding actions are in effect and therefore preclude such increases---------- 46,688,000
For state officers and employees whose compensation, including staff benefits, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide increases in compensation, including staff

benefits, for each such officer or employee, in accordance with this item; provided, that such salary increases authorized by this item shall be distributed by salary-setting authorities on an across-the-board basis of 7½ percent increase except where (1) due to statutory salary limitations employees would receive compensation in excess of their superiors, or (2) specific agreements that involve "red circle" rates or salary withholding actions are in effect and therefore preclude such increases, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes.

Before any increased salary range or rate established for any position for the 1972–73 fiscal year shall become effective, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or may be made available from the appropriation in this item, to meet the cost of such increases

80.1—For inequity salary increases, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available for inequity salary increases established by the State Personnel Board or other salary-fixing agency to be paid each state officer or employee in the state service exclusive of personnel in the University of California and in the California State Colleges, whose compensation, or portion thereof, is chargeable to the General Fund ---------- 22,000,000

For state officers and employees whose compensation, including staff benefits, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide inequity salary increases including staff benefits, for each such officer or employee, in accordance with this item, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes

80.5—For salary increase fund ---------- 177,000

to be allocated by the Department of Finance pursuant to Section 11569 of the Government Code to the several state offices, departments, boards, bureaus, commissions, and other state agencies in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money

available to be paid each state officer whose salary is specified by statute and whose salary is paid from the General Fund, an increase in compensation of 7½ percent for the fiscal year 1972–73, payable in an amount per month determined by the Department of Finance that will ensure that such state officers receive a 7½ percent increase in total compensation for the entire fiscal year and each such salary is so increased. For those state officers whose salaries are set by statute and whose compensation, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers are paid an amount sufficient to provide increases in compensation of 7½ percent for each such officer for the fiscal year 1972–73 payable in an amount per month determined by the Department of Finance that will ensure that such state officers receive a 7½ percent increase in total compensation for the entire fiscal year and each such salary is so increased, which amount is to be made available by executive order of the Director of Finance in augmentation of their respective appropriations for support or for other purposes. This item shall not apply to those state officers whose offices are established by Article IV, V or IX of the California Constitution and filled by a vote of the electors or officers subject to the provisions of Section 68203 of the Government Code. This item shall also apply to the salaries of the secretaries and other personnel of the Governor who are appointed pursuant to Section 12001 of the Government Code and shall thus be construed as authorizing the Governor to fix each such salary in an amount 7½ percent in excess of such statutory maximum during the period when funds are made available by this item.

81—For university salary increases, to be allocated by the Department of Finance to the regents of the university, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including staff benefits, of increases in compensation provided for in any increased salary range or rate established on or after July 1, 1972, for the 1972–73 fiscal year by the regents of the university ... 33,274,000

Schedule:

(a) For increases in compensation for faculty and faculty-related positions 22,188,000

(b) For increases in compensation for nonfaculty positions 11,086,000

provided, that the salary increases authorized by this item shall be distributed by salary-setting authorities on an across-the-board basis of 12½ percent for faculty and faculty-related positions under (a) of this item and 7½ percent for nonfaculty positions under (b) of this item, except where specific prior agreements exist for withholding personnel from salary range in-

creases, provided, that increase in compensation provided by increased salary ranges for positions established for the 1972–73 fiscal year shall not result in total annual salary increases, including staff benefits, of more than $33,274,000.

Before the Regents of the University of California establish any increased salary range or rate for the 1972–73 fiscal year, a certification shall be obtained from the Department of Finance that sufficient money either is available in funds authorized for the University of California or may be made available from the appropriation in this item to meet the cost of such increases.

81.1—For university inequity salary increases, to be allocated by the Department of Finance to the regents of the university, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including staff benefits, of inequity increases in compensation provided for in any increased salary range or rate established on or after July 1, 1972, for the 1972–73 fiscal year by the regents of the university 8,133,000

Schedule:

(a) Faculty and faculty-related positions 4,438,000

(b) Nonfaculty positions 3,695,000

82—For California State Colleges salary increases, to be allocated by the Department of Finance to the Trustees of the California State Colleges, in augmentation of appropriations for support or for other purposes, in such amounts as will defray the cost, including staff benefits, of increases in compensation provided for in any increased salary range or rate established on or after July 1, 1972, for the 1972–73 fiscal year by the Trustees of the California State Colleges..... 35,445,000

Schedule:

(a) For increases in compensation for instructional and instructional-related positions 26,918,000

(b) For increases in compensation for noninstructional positions 8,527,000

provided, that the salary increases authorized by this item shall be distributed by salary-setting authorities on an across-the-board basis of 12½ percent for instructional and instructional-related positions under (a) of this item, and 7½ percent for noninstructional positions under (b) of this item, except where specific prior agreements exist for withholding personnel from salary range increases, provided, that increases in compensation provided by this item for increased salary ranges for positions established for the 1972–73 fiscal year shall not result in total annual salary increases, including staff benefits, of more than $35,445,000.

Before the Trustees of the California State Colleges establish any increased salary range or rate for the 1972–73 fiscal year, a certification shall be obtained from the Department of Finance that sufficient money either is available in funds authorized for the California State Colleges or may be made available from the appropriation in this item, to meet the cost of such increases.

82.1—For California State Colleges inequity salary increases, to be allocated by the Department of Finance to the Trustees of the California State Colleges, in augmentation of appropriations for support or for other purposes, in such amounts as will defray the cost, including staff benefits, of inequity increases in compensation provided for in any increased salary range or rate established on or after July 1, 1972, for the 1972–73 fiscal year by the Trustees of the California State Colleges 8,226,000

Schedule

(a) Instructional and instructional-related positions 5,384,000

(b) Noninstructional positions ..... 2,842,000".

Item No. 84.1

Amendment No. 67

On page 17, between lines 7 and 8, insert

"84.1—For allocation by executive order of the Department of Finance to the several state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available from the General Fund for the payment of workmen's compensation benefits in accordance with Sections 4453, 4455, 4460, 4650, 4658, and 4702 of the Labor Code, which is not chargeable to any other appropriation 1,000,000

For state officers and employees whose workmen's compensation benefits are, or would be, payable from special funds, there is hereby appropriated from each special fund from which such officers and employees' workmen's compensation benefits are, or would be, paid, an amount sufficient to provide payment of increased workmen's compensation benefits in accordance with Sections 4453, 4455, 4460, 4650, 4658, and 4702 of the Labor Code, which amount is to be made available by executive order of the Department of Finance to the several state agencies in augmentation of their respective appropriations for support or other purposes."

Item No. 86

Amendment No. 68

On page 18, strike out lines 6 to 28, inclusive, and insert

"86—For claim of the Secretary of the State Board of Control, to be paid from the several funds, in accordance with the following schedule 156,695

Schedule:

(a) General Fund	115,937
(b) Fish and Game Preservation Fund	335
(c) State Highway Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971	7,141
(d) Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971	1,597
(e) Motor Vehicle Fuel Account in the Transportation Tax Fund	2,113
(f) Motor Vehicle License Fee Account in the Transportation Tax Fund	144
(g) State Fair Fund	351
(gx) Peace Officers' Training Fund	40
(h) Manpower Development Fund	182
(i) Unemployment Administration Fund	1,723
(j) Unemployment Compensation Disability Fund	411
(k) Water Resources Revolving Fund	6,857
(*l*) Health Care Deposit Fund	19,864

provided, that the funds appropriated from the Health Care Deposit Fund shall be payable only subject to the following conditions (1) The claim of the Ross Plaza Pharmacy, as submitted to the State Board of Control on November 16, 1971, shall be subject to audit; (2) The claim of the Ross Plaza Pharmacy is restricted to billings handled under subcontract with Welscript of California; (3) The claims handled by Welscript of California, constituting the Ross Plaza Pharmacy claims against the state, shall be limited to those handled during the period of November 1, 1970, to February 28, 1971, inclusive; (4) The audit discloses that the Ross Plaza Pharmacy took all necessary steps in a timely fashion to submit billings upon becoming aware of the Welscript of California firm dissolution of business in November 1970; and (5) The amount determined by audit shall not exceed the sum of $18,000"

Item No. 87

Amendment No. 69

On page 18, line 36, strike out "6,572,804", and insert "6,435,091".

Amendment No. 70

On page 18, after line 48, insert

"(h) Consolidated data center ---------- 137,713

Provided, that the funds appropriated in subitem (h) may be allocated by the Director of Agriculture to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (h) to Item 24.1."

Item No. 95

Amendment No. 71

On page 20, between lines 5 and 6, insert

"Schedule

(a) Support ---------- 134,447

(b) Consolidated data center---------- 12,513

Provided, that the funds appropriated in subitem (b) may be allocated by the board to subitem (a) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (b) to Item 24 1."

Item No. 103

Amendment No. 72

On page 20, line 37, strike out "1,057,241", and insert "1,028,057".

Amendment No. 73

On page 20, between lines 37 and 38, insert

"(c) Consolidated data center---------- 29,184

Provided, that the funds appropriated in subitem (c) may be allocated by the board to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (c) to Item 24 1."

Item No. 104

Amendment No. 74

On page 20, line 44, strike out "628,519", and insert "615,813".

Amendment No. 75

On page 20, between lines 44 and 45, insert

"(c) Consolidated data center_____ 12,706

Provided, that the funds appropriated in subitem (c) may be allocated by the board to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (c) to Item 24 1 "

Item No. 105

Amendment No. 76

On page 20, line 46, strike out "339,446", and insert "382,947".

Amendment No. 77

On page 21, line 22, strike out "488,212", and insert "548,854".

Amendment No. 78

On page 21, line 32, strike out "1,302,846", and insert "1,693,465".

Amendment No. 79

On page 21, line 36, strike out "995,626", and insert "1,386,245".

Amendment No. 80

On page 22, line 8, strike out "471,099", and insert "454,321".

Amendment No. 81

On page 22, between lines 8 and 9, insert

"(c) Consolidated data center_____ 16,778

Provided, that the funds appropriated in subitem (c) may be allocated by the board to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (c) to Item 24 1 "

Item No. 125

Amendment No. 82

On page 22, line 41, strike out "344,770", and insert "323,202".

Amendment No. 83

On page 22, between lines 41 and 42, insert

"(c) Consolidated data center ---------- 21,568

Provided, that the funds appropriated in subitem (c) may be allocated by the board to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (c) to Item 24 1."

Item No. 135

Amendment No. 84

On page 24, line 13, strike out "32,346,176", and insert "32,324,456".

Amendment No. 85

On page 24, line 15, strike out "20,567,207", and insert "20,068,738".

Amendment No. 86

On page 24, line 17, strike out "11,865,207", and insert "10,207,911".

Amendment No. 87

On page 24, between lines 18 and 19, insert

"(d) Consolidated data center ---------- 2,134,045

Provided, that the funds appropriated in subitem (d) may be allocated by the board to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 24 1"

Amendment No. 88

On page 24, strike out lines 19 to 26, inclusive, and insert

"136—For support of Department of General Services for transfer to the Service Revolving Fund, to be transferred by the State Controller in such amounts as the Department of Finance may authorize, provided, that the money so transferred shall not be available for expenditure after June 30, 1973, and any unencumbered balances shall be returned to the General Fund as of June 30, 1973; provided further, that the 50 additional officers of the California State Police shall, except on a temporary basis to meet emergency situations, be assigned as follows. 5,608,757

(a) Twenty to the Sacramento area (14.4 man years to patrol state buildings, primarily the Capitol)
(b) Seven to protect constitutional officers and Members of the Legislature
(c) Two for bomb disposal teams
(d) One to the Redding area
(e) Ten to the San Francisco area
(f) Ten to the Los Angeles area".

Item No. 138

Amendment No. 89

On page 24, strike out lines 30 to 45, inclusive, and insert

"138—For augmentation of the Service Revolving Fund, to be transferred by the State Controller in such amounts and at such times as funds are made available. Upon approval of the State Board of Control, the State Controller shall transfer to this item from any appropriation made from the General Fund, or any special fund, by the provisions of this act that part of such appropriation which is intended to be used and is available, for the purchase or replacement of automobiles and reproduction equipment and provided any funds in the Service Revolving Fund may be used to purchase equipment from the General Fund or special funds of the state at the depreciated value at the time of purchase, payable at the option of the Service Revolving Fund over the remaining depreciation period "

Item No. 139

Amendment No. 90

On page 25, line 5, strike out "12,855,141", and insert "12,555,792".

Amendment No. 91

On page 25, between lines 5 and 6, insert

"(c) Consolidated data center ---------- 299,349

Provided, that the funds appropriated in subitem (c) may be allocated by the Department of General Services to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (c) to Item 26.1 "

Item No. 140

Amendment No. 92

On page 25, strike out lines 11 to 29, inclusive, and insert

"140—For support of Department of General Services for activities financed from the Service Revolving Fund, other than the Office of State Printing---------- 67,991,238

Schedule:

(a) Personal services	29,634,137
(b) Operating expenses and equipment	42,878,352
(c) Minor capital outlay	100,000
(d) Amount payable from the General Fund (Item 136)	-5,608,757
(e) Amount payable from the State School Building Aid Fund (Item 137)	-1,000,530
(f) Consolidated data center	1,988,036

provided, that any balances in the Service Revolving Fund are subject to Sections 16420, 16421 and 16422 of the Government Code, and are available for augmentation of this appropriation by executive order of the Department of Finance.

Provided further, that the funds appropriated in subitem (f) may be allocated by the Director of General Services to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 26 1."

Item No. 141

Amendment No. 93

On page 25, strike out lines 40 to 48, inclusive, and on page 26, strike out lines 1 to 5, inclusive, and insert

"provided, that any balances in the Architecture Revolving Fund continue to be appropriated by and subject to Section 14957 of the Government Code, and are available for construction and for augmentation of this appropriation; provided further, that during 1972-73 fiscal year, the Office of Architecture and Construction, Department of General Services, shall gradually reduce expenditures for staff to a level commensurate with the funds necessary to maintain a staff sufficient to perform a basic architectural and engineering services workload volume of $25 million as projected to June 30, 1973."

Item No. 143

Amendment No. 94

On page 26, line 14, strike out "23,236,143", and insert "23,153,-389".

Amendment No. 95

On page 26, line 16, strike out "19,934,984", and insert "19,884,-505"

Amendment No. 96

On page 26, line 18, strike out "4,037,231", and insert "3,869,477".

Amendment No. 97

On page 26, between lines 20 and 21, insert

"(e) Consolidated data center ---------- 135,479

Provided, that the funds appropriated in subitem (e) may be allocated by the Department of Industrial Relations to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26.1."

Item No. 145

Amendment No. 98

On page 26, strike out lines 25 to 36, inclusive, and insert

"145—For support of State Personnel Board---------- 9,023,636

Schedule:

(a) Personal services ----------	5,404,404
(b) Operating expenses and equipment---	1,630,712
(c) For implementation of Division 4 (commencing with Section 12000) of the Unemployment Insurance Code, pursuant to subdivision (d), Section 39 7, Chapter 578, Statutes of 1971---	3,757,000
(d) Reimbursements ----------	-1,857,148
(e) Consolidated data center ----------	88,668

Provided, that the funds appropriated in subitem (e) may be allocated by the State Personnel Board to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26.1."

Item No. 147

Amendment No. 99

On page 26, line 47, strike out "3,874,841", and insert "3,552,527".

Amendment No. 100

On page 27, line 3, strike out "1,946,450", and insert "1,536,241".

Amendment No. 101

On page 27, line 4, strike out "643,154", and insert "415,086".

Amendment No. 102

On page 27, between lines 9 and 10, insert

"(f) Consolidated data center _____ 504,455

Provided, that the funds appropriated in subitem (f) may be allocated by the board to subitems (a), (b), and (c) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 26 1."

Item No. 149

Amendment No. 103

On page 27, line 18, strike out "2,641,695", and insert "2,593,768".

Amendment No. 104

On page 27, line 20, strike out "1,183,118", and insert "999,463".

Amendment No. 105

On page 27, between lines 21 and 22, insert

"(d) Consolidated data center _____ 231,582

Provided, that the funds appropriated in subitem (d) may be allocated by the system to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 26 1."

Item No. 150

Amendment No. 106

On page 27, line 26, strike out "163,274", and insert "93,493".

Amendment No. 107

On page 27, between lines 29 and 30, insert

"(d) Consolidated data center _____ 69,781

Provided, that the funds appropriated in subitem (d) may be allocated by the Department of Veterans Affairs to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that

the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 26.1."

Item No. 155

Amendment No. 108

On page 28, line 21, strike out "1,215,211", and insert "1,202,291".

Amendment No. 109

On page 28, between lines 22 and 23, insert

"(d) Consolidated data center ---------- 12,920

Provided, that the funds appropriated in subitem (d) may be allocated by the Department of Alcoholic Beverage Control to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 24 1."

Item No. 160

Amendment No. 110

On page 29, line 6, strike out "692,937", and insert "667,937".

Amendment No. 111

On page 29, between lines 7 and 8, insert

"(d) Consolidated data center ---------- 25,000

Provided, that the funds appropriated in subitem (d) may be allocated by the Director of Corporations to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 26.1."

Item No. 161

Amendment No. 112

On page 29, line 13, strike out "617,611", and insert "612,511".

Amendment No. 113

On page 29, between lines 15 and 16, insert

"(e) Consolidated data center ---------- 5,100

Provided, that the funds appropriated in subitem (e) may be allocated by the Department of Housing and

Community Development to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 24 1."

Item No. 163

Amendment No. 114

On page 29, strike out lines 22 to 25, inclusive, and insert "163—To the Department of Insurance for reimbursement of the Crime Insurance Pool pursuant to Chapter 10 (commencing with Section 10101) of Part 1 of Division 2 of the Insurance Code ---------- 50,000".

Item No. 165

Amendment No. 115

On page 29, line 34, strike out "1,403,436", and insert "1,342,436".

Amendment No. 116

On page 29, between lines 43 and 44, insert

"(f) Consolidated data center ---------- 61,000

Provided, that the funds appropriated in subitem (f) may be allocated by the Department of Real Estate to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 26 1 "

Item No. 168

Amendment No. 117

On page 30, line 24, strike out "559,666", and insert "534,666".

Amendment No. 118

On page 30, between lines 24 and 25, insert

"(e) Consolidated data center ---------- 25,000

Provided, that the funds appropriated in subitem (e) may be allocated by the Department of Savings and Loan to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26 1 "

Item No. 173

Amendment No. 119

On page 31, between lines 28 and 29, insert

"provided, that the department limit its expenditures relative to providing input into the National Transportation Needs Study to an amount not to exceed $43,113 for the 1972–73 fiscal year regardless of source of funding If any portion of the $43,113 or any lesser amount consists of federal funding, the Aeronautics Account shall be reimbursed in an amount equal to the federal funding and the reimbursement shall be reflected as a savings to the Aeronautics Account and shall not be expended by the department for any other support purpose during the 1972–73 fiscal year."

Item No. 174

Amendment No. 120

On page 31, strike out lines 29 to 38, inclusive, and insert

"174—For support of Department of the California Highway Patrol, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 132,255,814

Schedule

(a) Personal services 108,537,592
(b) Operating expenses and equipment .. 24,935,908
(c) Minor capital outlay 90,895
(d) Reimbursements ..... –1,606,200
(e) Consolidated data center 297,619

Provided, that the funds appropriated in subitem (e) may be allocated by the Department of the California Highway Patrol to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26 1 "

Item No. 177

Amendment No. 121

On page 32, line 10, strike out "61,404,027", and insert "59,760,897"

Amendment No. 122

On page 32, line 12, strike out "20,075,322", and insert "16,962,073"

Amendment No. 123

On page 32, between lines 29 and 30, insert

"(1) Consolidated data center ..... 4,756,379".

Amendment No. 124

On page 32, between lines 42 and 43, insert

"Provided further, that the funds appropriated in subitem (i) may be allocated by the Department of Motor Vehicles to subitems (a) and (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (i) to Item 26 1 "

Item No. 184

Amendment No. 125

On page 34, line 14, strike out "1,144,690", and insert "1,144,770".

Amendment No. 126

On page 34, strike out line 16, and insert

"(a) Purchase of ecological reserves ----		594,770
(1) Owens Pupfish Ecological Reserve ------	33,600	
(2) Elliott Station, long-toed salamander -----	80,000	
(3) Valencia Lagoon, long-toed salamander -----	27,000	
(4) Hidden Palms, desert slender salamander --	32,000	
(5) Piute Cypress Area --	20,880	
(6) Case Mountain ------	4,000	
(7) Orestimba Creek ----	100,000	
(8) Prince Island ------	2,000	
(9) Castle Island ------	2,000	
(10) West Marin Island -	9,500	
(11) Buena Vista Lagoon	10,000	
(12) Mad River Slough Salt Island --------	3,840	
(13) Elkhorn Slough ----	37,000	
(14) Pescadero Marsh ---	32,750	
(15) Saline Valley ------	25,200	
(16) Grass Lake --------	60,000	
(17) Badger Creek ------	42,400	
(18) Old River Oxbow ---	22,600	
(19) Battle Creek ------	50,000".	

Amendment No. 127

On page 34, strike out line 22

Amendment No. 128

On page 34, line 23, strike out "(c)", and insert "(d)".

Item No. 185

Amendment No. 129

On page 34, strike out lines 29 to 32, inclusive, and insert

"(a) Personal services 3,345,999
(b) Operating expenses and equipment... 2,095,591
(c) Reimbursements ..... -880,000
(d) Amount payable from General Fund (Item 185.1) ..... -700,000".

Item No. 185.1

Amendment No. 130

On page 34, line 33, after "For", insert "support of".

Item No. 185.2

Amendment No. 131

On page 34, strike out lines 35 to 39, inclusive.

Item No. 189

Amendment No. 132

On page 35, line 11, strike out "12,373,231", and insert "12,240,-366".

Amendment No. 133

On page 35, between lines 29 and 30, insert

"(m) Consolidated data center ..... 132,865".

Amendment No. 134

On page 35, between lines 36 and 37, insert

"Provided further, that the funds appropriated in subitem (m) may be allocated by the Department of Conservation to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (m) to Item 26.1"

Item No. 194

Amendment No. 135

On page 36, line 9, strike out "2,272,205", and insert "2,265,205".

Amendment No. 136

On page 36, line 11, strike out "544,436", and insert "504,436".

Amendment No. 137

On page 36, between lines 15 and 16, insert

"(e) Consolidated data center 47,000
Provided, that the funds appropriated in subitem (e) may be allocated by the commission to subitems (a) and (b) above and expended therefrom for electronic

data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26 1 "

Item No. 195

Amendment No. 138

On page 36, line 28, strike out "7,164,800", and insert "7,136,600".

Amendment No. 139

On page 36, between lines 31 and 32, insert

"(f) Consolidated data center ---------- 28,200

Provided, that the funds appropriated in subitem (f) may be allocated by the Department of Fish and Game to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 26 1 "

Item No. 196

Amendment No. 140

On page 36, strike out lines 32 to 48, inclusive; and on page 37, strike out lines 1 to 10, inclusive, and insert

"196—To pay for the purchase of land for game production, improvement of waterfowl areas and research in game management under the provisions of the Pittman-Robertson Act, fish restoration and management projects under the provisions of the Dingell-Johnson Act, and commercial fisheries research and development projects under the provisions of the Commercial Fisheries Research and Development Act (Bartlett Act), Department of Fish and Game, payable from moneys in the Fish and Game Preservation Fund, including revenue subject to the provisions of Section 13005 of the Fish and Game Code, which revenues are hereby appropriated to the extent required to meet the appropriation made by this item---------- 4,274,800

Schedule:

(a) Pittman-Robertson program --------	2,966,600
(b) Dingell-Johnson program ----------	810,800
(c) Commercial fish research and development ----------	334,000
(d) Anadromous Fish Act ----------	140,700
(e) Consolidated data center ----------	22,700

provided, that any moneys received in reimbursement of expenditures from this item shall be credited to this appropriation and reverted to the unappropriated balance of the Fish and Game Preservation Fund.

Provided further, that none of the funds, state or federal, appropriated in this item shall be used for the purpose of constructing or operating any target ranges for sidearms.

Provided, further that the funds appropriated in subitem (e) may be allocated by the Department of Fish and Game to subitems (b) and (d) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 26 1."

Item No. 200

Amendment No. 141

On page 37, line 37, strike out "9,725", and insert "4,725".

Item No. 202

Amendment No. 142

On page 37, lines 40 and 41, strike out "California Comprehensive Ocean Area Plan and".

Item No. 203

Amendment No. 143

On page 37, line 48, strike out "1,286,331", and insert "1,159,331".

Amendment No. 144

On page 38, line 5, strike out "460,525", and insert "456,525".

Amendment No. 145

On page 38, line 10, strike out "155,000", and insert "28,000".

Amendment No. 146

On page 38, between lines 13 and 14, insert

"(g) Consolidated data center ---------- 4,000

Provided, that the funds appropriated in subitem (g) may be allocated by the Department of Navigation and Ocean Development to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (g) to Item 26.1 "

Item No. 205.5

Amendment No. 147

On page 38, between lines 31 and 32, insert

"205.5—To pay the state's share of the cost of local participation in connection with small beach erosion projects, as provided by Section 67 1 of the Harbors and Navigation Code, City of San Diego, Sunset Cliffs (Segment B), Department of Navigation and Ocean Development ..... 12,500".

Item No. 206

Amendment No. 148

On page 38, strike out lines 32 to 46, inclusive, and insert

"206—For loans to cities, counties, or districts pursuant to Sections 70 2 and 71.4 of the Harbors and Navigation Code, Department of Navigation and Ocean Development, payable from the Harbors and Watercraft Revolving Fund 2,905,000

Schedule:

(a) Berkeley Marina—City of Berkeley	250,000
(b) San Leandro Marina	100,000
(c) Crescent City Harbor—Del Norte County	750,000
(d) Cabrillo Marina—Los Angeles Harbor	200,000
(e) Oceanside Harbor—San Diego County	250,000
(f) Santa Cruz Harbor	535,000
(g) Pillar Point Harbor—Half Moon Bay	700,000
(h) Planning loans	100,000".

Item No. 206.1

Amendment No. 149

On page 38, between lines 46 and 47, insert

"206.1—For a loan to the City of Avalon, pursuant to Section 71 4 of the Harbors and Navigation Code for repairs of pleasure pier within the harbor, Department of Navigation and Water Development, payable from the Harbors and Watercraft Revolving Fund ..... 350,000".

Item No. 209

Amendment No. 150

On page 39, strike out lines 19 to 35, inclusive, and insert

"209—For repairs of damage at small craft harbor facilities constructed pursuant to Sections 70 2, 71 4, and 83 of the Harbors and Navigation Code, caused by emergency conditions, including but not limited to tidal waves or severe storms, and for payment of deficiencies in appropriations for the Department of Navigation and Ocean Development which may be authorized by the Director of Finance, with the consent of the

Governor, pursuant to Section 11006 of the Government Code, the sum of $100,000 or so much thereof as may be necessary, payable from the Harbors and Watercraft Revolving Fund"

Items Nos. 211 and 211.1
Amendment No. 151

On page 39, strike out lines 36 to 48, inclusive; and on page 40, strike out lines 1 to 5, inclusive, and insert

"211—For support of Department of Parks and Recreation 20,597,566
Schedule:

(a) Personal services	17,464,832
(b) Operating expenses and equipment	6,699,824
(c) Reimbursements	−2,115,380
(d) Amount payable from Item 212	−1,454,000
(e) Amount payable from Item 213	−178,592
(f) Amount payable from Off-Highway Vehicle Fund (Item 211.1)	−79,118
(g) Consolidated data center	260,000

Provided, that the funds appropriated in subitem (g) may be allocated by the Department of Parks and Recreation to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (g) to Item 26.1

211.1—For support of the Department of Parks and Recreation, payable from the Off-Highway Vehicle Fund, to be transferred to and in augmentation of Item 211 of this act by the State Controller 79,118".

Item No. 216
Amendment No. 152

On page 41, between lines 9 and 10, insert

"(h) Unallocated program reduction for EDP	−362,903
(i) Consolidated data center	362,903

Provided, that the funds appropriated in subitem (i) may be allocated by the Department of Water Resources to the remainder of the schedule above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act, provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (i) to Item 26.1"

Item No. 218

Amendment No. 153

On page 41, line 48, strike out "6,229,696", and insert "6,209,696".

Amendment No. 154

On page 42, between lines 5 and 6, insert

"(f) Consolidated data center---------- 20,000

Provided, that the funds appropriated in subitem (f) may be allocated by the board to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 26 1."

Item No. 219

Amendment No. 155

On page 42, line 10, after "Board", insert ", including transfer to the Loan Guarantee Fund, in accordance with Section 14023 of the Corporations Code".

Item No. 220

Amendment No. 156

On page 42, strike out lines 11 to 23, inclusive, and insert

"220—For support of Department of Corrections---------112,503,781

Schedule:

(a) I. Reception and diagnosis---------- 1,310,295
(b) II. Institutional program---------- 91,229,830
(c) III. Releasing authorities---------- 1,076,410
(d) IV Community correctional program 15,563,540
(e) VI. Administration ---------- 3,323,706

provided, that upon executive order of the Department of Finance, any portion of this item which reflects savings due to reduction of population may be transferred to and in augmentation of Item 231, Budget Act of 1972. Provided further, that in the event legislation is enacted during the 1972 session which would exempt the Department of Corrections from the requirements of Section 1241 of the Business and Professions Code that medical laboratories be staffed with licensed laboratory technologists, then and in that event the 23 new laboratory technicians approved in this budget item shall be deleted and this item reduced in the amount of $119,370 Provided further, that of the amount appropriated in this item $100,000 shall be used for the sole purpose of converting 300 positions from the classification correctional officer to the classification correctional program supervisor and that $50,000 of this appropriation shall be used for the sole purpose of the development of a centralized recruiting program to

aid in locating and employing better qualified personnel and that $450,000 of this appropriation shall be used for the sole purpose of developing a centralized training program in conjunction with the new Regional Criminal Justice Training Centers with meaningful institutional training programs for department personnel."

Item No. 220.1

Amendment No. 157

On page 42, strike out lines 24 to 26, inclusive.

Item No. 224

Amendment No. 158

On page 43, strike out lines 25 to 37, inclusive, and insert

"224—For support of Department of the Youth Authority 52,633,215
Schedule:

(a) I Community services	1,241,336
(b) II. Rehabilitation services	50,004,679
(c) III. Research	553,722
(d) IV. Youth Authority Board	450,761
(e) V. Administration undistributed	228,072
(f) Consolidated data center	154,645

provided, that upon executive order of the Department of Finance, any portion of this item which reflects savings due to reduction of population may be transferred to and in augmentation of Item 231, Budget Act of 1972. Provided, that $30,000 of the amount appropriated by this item shall be used for the sole purpose of development of a centralized recruiting program to aid in locating and employing better qualified personnel and that $225,000 of this appropriation shall be used for the sole purpose of developing a centralized training program in conjunction with the new regional criminal justice training centers with meaningful institutional training programs for department personnel.

Provided further, that the funds appropriated in subitem (f) may be allocated by the Department of the Youth Authority to subitem (e) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Human Relations Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (f) to Item 27 1 "

Item No. 232

Amendment No. 159

On page 45, line 7, strike out "22,364,614", and insert "22,339,614".

Item No. 233
Amendment No. 160

On page 45, strike out lines 24 to 48, inclusive, and insert

"233—For transfer to the Health Care Deposit Fund to provide for Medical Assistance Program expenditures ---------- 664,517,365

provided, that the amount authorized to be expended by this item shall fully cover the state's share of payments for services for the 1972–73 fiscal year as defined in the Welfare and Institutions Code; provided further, that such additional amounts as may be determined by the Director of Finance as necessary to extend and administer Medical Assistance Program benefits to eligible mentally retarded persons under the care of the Department of Mental Hygiene are hereby appropriated in augmentation of this item and shall be transferred to the Health Care Deposit Fund from the General Fund upon the certification of the Director of Finance; provided further, that upon recommendation of the Director of Health Care Services the Director of Finance may authorize the transfer of funds to Item 257(b) for residential care rate allowances.

Provided further, that the appropriation in this item for Medi-Cal Management System shall be expended only for costs associated with the Medi-Cal Management System prototype operation in the two counties now in operation. Provided further, that none of the funds appropriated in this item shall be used for the purpose of beginning or implementing a statewide Medi-Cal Management System.

Provided, further, that of the amounts appropriated by this item, $25,580,702 shall be expended, for the 1972–73 fiscal year only, in addition to all other amounts required by law, pursuant to the following schedule for relief of the counties for costs incurred in the implementation of Chapter 577 of the Statutes of 1971.

Schedule:

Alameda	1,254,192
Alpine	530
Amador	16,536
Butte	118,720
Calaveras	22,790
Colusa	15,052
Contra Costa	637,908
Del Norte	13,038
El Dorado	38,900
Fresno	728,538

Glenn	19,822
Humboldt	127,200
Imperial	45,580
Inyo	25,546
Kern	554,698
Kings	78,440
Lake	13,992
Lassen	13,144
Los Angeles	10,597,350
Madera	70,066
Marin	118,720
Mariposa	3,498
Mendocino	58,300
Merced	163,770
Modoc	12,720
Mono	3,286
Monterey	275,070
Napa	58,300
Nevada	45,050
Orange	1,101,970
Placer	96,778
Plumas	23,320
Riverside	546,960
Sacramento	914,462
San Benito	19,186
San Bernardino	684,972
San Diego	853,300
San Francisco	1,618,408
San Joaquin	783,340
San Luis Obispo	159,958
San Mateo	593,600
Santa Barbara	261,820
Santa Clara	996,400
Santa Cruz	141,510
Shasta	69,960
Sierra	1,378
Siskiyou	41,340
Solano	84,376
Sonoma	238,500
Stanislaus	278,780
Sutter	81,620
Tehama	30,740
Trinity	11,342
Tulare	301,570
Tuolumne	30,104
Ventura	294,256
Yolo	111,300
Yuba	79,500".

Item No. 233.1

Amendment No. 161

On page 45, after line 48, insert

"233.1—For allocation by the Department of Finance to the County of Sacramento to offset operating deficit at the Sacramento Medical Center during the 1972–1973 fiscal year ---------- 2,000,000

provided amounts appropriated in this item shall be reduced by the amount received by Sacramento County pursuant to the schedule of Item 233."

Item No. 236.1

Amendment No. 162

On page 46, between lines 43 and 44, insert

"236.1—For support of the Commission on Aging, in augmentation of Item 236(c), in accordance with the following schedule ---------- 167,300

Schedule:

(a) Nutrition Program for the Elderly -- 147,000

(b) Retired Senior Volunteers Programs-- 20,300".

Item No. 241

Amendment No. 163

On page 48, line 4, strike out "7,007,034", and insert "6,910,096".

Amendment No. 164

On page 48, line 6, strike out "7,633,715", and insert "7,395,761".

Amendment No. 165

On page 48, line 8, strike out "2,224,106", and insert "1,715,701".

Amendment No. 166

On page 48, line 9, strike out "2,850,787", and insert "2,700,787".

Amendment No. 167

On page 48, between lines 9 and 10, insert

"(d) Consolidated data center ---------- 499,421".

Amendment No. 168

On page 48, line 10, strike out "25,000", and insert "32,000".

Amendment No. 169

On page 48, strike out lines 12 and 13, and insert

"solely for the purpose of providing independent staffing and expenses related thereof

Provided, that the funds appropriated in subitem (d) may be allocated by the Director of Mental Hygiene to subitems (a), (b), and (c) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Human Relations Consolidated

Data Center and authorizing transfers of electronic data processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 27.1."

Item No. 241.1

Amendment No. 170

On page 48, between lines 13 and 14, insert

"241.1—For maintenance of Mendocino State Hospital pending final disposition thereof, Department of Mental Hygiene ---------- 409,000".

Item No. 242

Amendment No. 171

On page 48, strike out lines 14 to 29, inclusive, and insert

"242—For research and training programs, Department of Mental Hygiene ---------- 1,661,347

Schedule:

(a) Research ---------- 809,342

(b) Training ---------- 852,005

Any amounts received for research and training programs, from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item. Provided, that research projects shall not duplicate research projects funded from this item nor from any other state or federal funding source."

Item No. 242.5

Amendment No. 172

On page 48, between lines 33 and 34, insert

"Schedule:

(a) Personal services ---------- 11,914,085

(b) Operating expenses and equipment-- 2,847,740".

Item No. 244

Amendment No. 173

On page 49, line 32, strike out "110,606,955", and insert "111,740,467".

Amendment No. 174

On page 49, line 34, strike out "89,569,302", and insert "90,702,814".

Amendment No. 175

On page 49, line 37, strike out "90,392,578", and insert "91,526,090".

Amendment No. 176

On page 50, between lines 13 and 14, insert

"Provided further, that upon order of the Director of Finance the State Controller shall transfer funds from subitem (a) to subitem (b) of this item only after the Director of Finance has given 30 days' prior notice of such proposed transfer, in writing, to the Chairman of the Joint Legislative Budget Committee

and the chairmen of the fiscal committee of each house, outlining the following:

1 The total amount to be transferred

2 The source and amount of funds to be transferred identified by state hospital

3 The amount, classification and number of civil service positions to be abolished, identified by state hospital.

4 The amount, classification and number of civil service positions to be transferred and identification of where such positions are to be transferred.

5. The number of patients to be transferred to other state facilities and identification of such facilities by name

6. The number of long-term care patients to be released from state hospitals to be placed in local program facilities on a 24-hour full-time basis and identification of the facility in which such patients will be placed

7. The number of patients to be released from state hospitals who will not be immediately placed in local program facilities on a 24-hour full-time basis."

Item No. 245

Amendment No. 177

On page 50, line 29, strike out "201,437,283", and insert "201,412,283".

Amendment No. 178

On page 50, line 32, strike out "78,126,686", and insert "78,101,686".

Amendment No. 179

On page 50, between lines 38 and 39, insert

"Provided further, that upon order of the Director of Finance the State Controller shall transfer funds from subitem (b) to subitem (a) of this item only after the Director of Finance has given 30 days' prior notice of such proposed transfer, in writing, to the Chairman of the Joint Legislative Budget Committee and the chairman of the fiscal committee of each house, outlining the following:

1. The total amount to be transferred.

2 The source and amount of funds to be transferred identified by state hospital

3 The amount, classification and number of civil service positions to be abolished, identified by state hospital

4 The amount, classification and number of civil service positions to be transferred and identification of where such positions are to be transferred

5 The number of patients to be transferred to other state facilities and identification of such facilities by name.

6. The number of long-term care patients to be released from state hospitals to be placed in local program facilities on a 24-hour full-time basis and identification of the facility in which such patients will be placed.

7. The number of patients to be released from state hospitals who will not be immediately placed in local program facilities on a 24-hour full-time basis "

Item No. 246

Amendment No. 180

On page 51, line 22, strike out "11,722,502", and insert "12,197,502".

Amendment No. 181

On page 51, line 24, strike out "16,962,585", and insert "16,754,004".

Amendment No. 182

On page 51, line 26, strike out "6,412,605", and insert "6,647,845".

Amendment No. 183

On page 51, line 27, strike out "6,815,182", and insert "6,663,182".

Amendment No. 184

On page 51, between lines 34 and 35, insert

"(g) Consolidated data center ---------- 296,341

Provided, that the funds appropriated in subitem (g) may be allocated by the Director of Public Health to subitems (a), (b), and (c) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Human Relations Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (g) to Item 27 1."

Item No. 246.1

Amendment No. 185

On page 51, between lines 34 and 35, insert

"246 1—For assistance to counties to provide family planning services in accordance with Sections 10053 2 and 10053 3 of the Welfare and Institutions Code, Department of Public Health ---------- 300,000".

Item No. 252.1

Amendment No. 186

On page 52, between lines 38 and 39, insert

"252.1—For support of California Hospital Commission, payable from the California Hospital Commission Fund, in accordance with the provisions of Chapter 1242, Statutes of 1971 ---------- 611,000".

Item No. 253

Amendment No. 187

On page 52, between lines 38 and 39, insert

"253—For planning for Department of Health, Human Relations Agency, in addition to and in augmentation of Item 27 ---------- 100,000".

Item No. 255

Amendment No. 188

On page 53, strike out lines 19 to 29, inclusive, and insert

"255—For support of Department of Social Welfare. Such appropriation, together with any grants made available by the federal government for support of the Department of Social Welfare during the 1972–73 fiscal year ---------- 8,922,264

Schedule:

(a) Personal services ---------- 11,756,764
(b) Operating expenses and equipment-- 4,886,618
(c) Reimbursements ---------- –1,486,720
(d) Federal grants ---------- –7,493,653
(e) Consolidated data center ---------- 1,259,255

Provided, that any rule or regulation adopted by the Director of the State Department of Social Welfare during the 1972–73 fiscal year which adds to the cost of any public assistance program shall only be effective from and after the date upon which it is approved as to availability of funds by the Department of Finance.

Provided further, that in the event that the Department of Social Welfare does not enter into a contract with the Department of Education pursuant to Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code, on or before August 1, 1972, four million dollars ($4,000,000) of the amount appropriated by this item shall be transferred to Item 273 for the provision of services.

Provided further, that the funds appropriated in subitem (e) may be allocated by the Department of Social Welfare to subitems (a) and (b) above and expended therefrom for electronic data-processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Human Relations Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (e) to Item 27.1."

Items Nos. 255.1, 255.2, 255.3, and 255.4

Amendment No. 189

On page 53, strike out lines 30 to 48, inclusive, and insert

"255.2—For support of Department of Social Welfare, for contracting with the Attorney General's office for legal services 67,022

255.3—For support of Department of Social Welfare, for contracting with the State Controller's office for field audit functions 244,850

255.4—For contracting for consulting services for an initial feasibility study and conceptual systems design for improvement to existing automated welfare information system only, Department of Social Welfare..... 100,000

Schedule:

(a) Operating expenses 181,818

(b) Federal grants ..... -81,818

Provided, that these funds may be expended only upon approval of the Department of Finance pursuant to Section 4 of the Budget Act of 1972."

Amendment No. 190

On page 54, line 10, strike out "for costs of the"; strike out lines 11 to 13, inclusive; and in line 14, strike out "tutions Code;".

Amendment No. 191

On page 54, line 18, strike out "87,293,100", and insert "83,228,700".

Amendment No. 192

On page 54, line 21, strike out "20,910,900", and insert "21,853,700".

Amendment No. 193

On page 54, line 22, strike out "26,579,700", and insert "26,528,600".

Amendment No. 194

On page 54, strike out line 23.

Amendment No. 195

On page 54, line 24, strike out "27,306,200", and insert "34,846,400".

Amendment No. 196

On page 54, strike out lines 25 to 29, inclusive.

Item No. 259

Amendment No. 197

On page 55, between lines 41 and 42, insert

"Provided further, that no funds appropriated by this item shall be used to pay for additional county salary costs for persons employed as social workers who are performing eligibility technician functions"

Item No. 261

Amendment No. 198

On page 56, line 6, strike out "6,007,638", and insert "6,172,638".

Amendment No. 199

On page 56, line 8, strike out "15,078,826", and insert "15,156,501".

Amendment No. 200

On page 56, line 10, strike out "9,669,990", and insert "8,711,545".

Amendment No. 201

On page 56, between lines 16 and 17, insert

"(g) Consolidated data center ---------- 1,045,770

Provided, that the appropriation herein shall be reduced by the amount of any federal funds that may become available for the teacher evaluation project and any such reduction shall not exceed one hundred thousand dollars ($100,000); provided further, that the appropriation herein shall be reduced by the amount of any federal funds that may become available for the venereal disease education program and any such reduction shall not exceed three hundred thousand dollars ($300,000).

Provided further, that the funds appropriated in subitem (g) may be allocated by the Department of Education to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Business and Services Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (g) to Item 26.1."

Item No. 264

Amendment No. 202

On page 56, line 24, strike out "8,813,325", and insert "9,963,325".

Amendment No. 203

On page 56, line 40, strike out "3,314,270", and insert "3,764,270".

Amendment No. 204

On page 56, between lines 40 and 41, insert

"(f) For multihandicapped deaf school (north) ---------- 700,000".

Amendment No. 205

On page 56, line 43, after "Finance", insert

"; provided further, that $450,000 of the amount appropriated in subitem (e) shall be used only to expand the multihandicapped unit at the California School for the Deaf, Riverside, to accommodate in temporary

quarters an additional enrollment of 50 severely multihandicapped deaf students for the 1972–1973 fiscal year; provided further, that funds appropriated in subitem (f) shall be used for the purpose of establishing a multihandicapped deaf school at Mendocino State Hospital".

Item No. 266

Amendment No. 206

On page 57, line 6, strike out "1,915,687", and insert "1,952,687".

Amendment No. 207

On page 57, line 10, strike out "6,626,215", and insert "6,663,215".

Item No. 267.1

Amendment No. 208

On page 57, between lines 12 and 13, insert

"267.1—For transfer by the State Controller to the State School Fund, in amounts necessary to fund Chapter 1619 and Chapter 1668, Statutes of 1971---------- 1,806,000".

Items Nos. 268, 268.1, and 269

Amendment No. 209

On page 57, strike out lines 13 to 48, inclusive; strike out page 58; and on page 59, strike out lines 1 to 16, inclusive, and insert

"268—For transfer by the State Controller from the General Fund to the State School Fund for cost increases due to inflation ----------166,000,000 this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications.

(1) Compute the 1972–73 foundation program support apportionments without regard to the appropriation in this item

(2) Compute the 1972–73 foundation program support apportionments which would be made after increasing all foundation program factors by twenty dollars ($20 00) per unit of average daily attendance (making appropriate increases in the foundation programs prescribed for small schools and school districts to maintain the relationships prescribed by Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of the Education Code), and allow the amounts computed to each school district.

(3) Determine the difference in the amounts computed under (1) and (2) above, and subtract such difference from the amount appropriated in this item. This remainder shall be apportioned as additional equalization aid for cost increases due to inflation as specified in (4) to (6) below.

(4) Determine the number of average daily attendance in all districts for which equalization aid was computed in (2) above.

(5) Divide the number of average daily attendance in all districts for which equalization aid was computed into the remainder computed in (3) above.

(6) Multiply the amount per average daily attendance computed in (5) above by the average daily attendance in each district for which equalization aid was computed in (2) above and apportion this amount to the district.

(7) The amount apportioned under (6) above shall be shown separately and shall be labeled as "Additional Equalization Aid for Cost Increases Due to Inflation"

268.1—For transfer by the State Controller from the General Fund to the State School Fund for increases due to inflation 32,000,000

this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications:

(a) The Superintendent of Public Instruction shall compute the 1972–73 apportionment for supplemental support to elementary school districts and high school districts (Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code) without regard to the appropriation in this item.

(b) He shall compute another apportionment for supplemental support to elementary and high school districts using the factors in Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code except as follows:

(1) For each elementary school district the Superintendent of Public Instruction shall determine that portion of the general fund tax rate of the district converted to the nearest cent which is in excess of one dollar ($1), exclusive of rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801, and 22101 of the Education Code, and not to exceed two dollars and twelve cents ($2.12).

(2) For each high school district, the Superintendent of Public Instruction shall determine that portion of the general fund tax rate of the district converted to the nearest cent which is in excess of eighty cents ($0.80), exclusive of rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801, and 22101 of the Education Code, and not to exceed sixty-five cents ($0.65).

(3) For elementary school districts: If the applicable tax rate of the district pursuant to Section 17921 of the Education Code equals or exceeds sixty cents ($0.60), he shall determine, for each unit of average daily attendance eligible for supplemental support, an amount equal to one dollar and twenty-five cents ($1.25) for each cent of such applicable rate. For such purposes, the applicable rate determined pursuant to Section 17921 shall be deemed to be no less than two dollars and twelve cents ($2.12); provided that, in no case shall the amount determined pursuant to this section shall be in excess of two hundred sixty-five dollars ($265) per pupil in average daily attendance.

(4) For high school districts: If the applicable tax rate of the district pursuant to Section 17922 of the Education Code equals or exceeds twenty cents ($0 20), he shall determine, for each unit of average daily attendance eligible for supplemental support, an amount equal to two dollars and forty cents ($2.40) for each cent of such applicable rate For such purposes, the applicable rate determined pursuant to Section 17922 shall be deemed to be no less than sixty-five cents ($0 65); provided that, in no case shall the amount determined pursuant to this section be in excess of one hundred fifty-six dollars ($156) per pupil in average daily attendance.

(c) He shall determine for each district the difference between the apportionments computed in subdivisions (a) and (b).

(d) He shall determine the total sum of the amounts computed for each district in subdivision (c). If such total sum is more or less than the amount appropriated by this item, the amount computed for each district shall be reduced or increased proportionately.

(e) He shall apportion the amounts computed in subdivision (c) to each district, as modified by the proportionate reduction or increase computed pursuant to subdivision (d). The amounts shall be shown separately and shall be labeled as "Additional Supplemental Support."

269—For public school support, Department of Education, to be expended as hereinafter provided..... 65,000,000

The funds appropriated by this item shall be apportioned and disbursed by the Superintendent of Public Instruction to eligible school districts to fund the operation of projects similar to those funded under Title I of the Elementary and Secondary Education Act of 1965, in order that comprehensive services of the type afforded under that federal statute will be available to additional pupils in need thereof.

Of the amount appropriated by this item an amount not to exceed one-fourth of one percent (.0025%) thereof shall be allocated to the Department of Education for administrative purposes, and apportionments to school districts shall be made from the remainder thereof.

Entitlements shall be computed, and allocations and apportionments shall be made by the Superintendent of Public Instruction on the basis of projects for which applications shall be submitted by school districts, which projects shall have been approved by the Superintendent of Public Instruction on the basis of the adequacy of purposes and goals and compliance with other requirements which may be prescribed by the Superintendent of Public Instruction.

Upon approval of a project the amount of the entitlement of the district will be determined by the Superintendent of Public Instruction and certified to the State Controller for disbursement to the district.

The entitlement of each district shall be determined by the Superintendent of Public Instruction by application of the following factors and computations:

I. (a) An index of "potential impact of bilingual-bicultural pupils" determined by dividing the percent of pupils in the district with Spanish and oriental surnames, as determined by the annual ethnic survey conducted by the Department of Education, by the statewide average percentage of such pupils for unified, elementary, or secondary districts, as appropriate.

(b) A ratio of the district's "index of family poverty," defined as the district's Elementary and Secondary Education Act, Title I entitlement, divided by its average daily attendance in grades 1 through 12, or any thereof maintained, divided in turn by the state average index of family poverty for unified, elementary, or secondary districts, as appropriate.

(c) A ratio of the district's "index of pupil transiency," as computed from the relationship between the district's average daily attendance and its total annual enrollment, divided by the state average index of pupil transiency for unified, elementary, or secondary districts, as appropriate.

II. The district's total maximum apportionment under this chapter shall be determined by:

(a) Computing the product of (1) one-third the sum of the three factors specified in subdivision I (except that if the resulting figure is higher than 2, the resulting figure shall be deemed to be 2) and (2) the number of pupils receiving aid for dependent children support.

(b) Taking the sum of all of the computations made for all eligible school districts under subsection (a) of this subdivision and dividing the same into the amount appropriated by this item which is available for apportionment and allocation

(c) Multiplying the amount computed pursuant to subsection (b) of this subdivision by the amount computed for each district under subsection (a) of this subdivision.

III. If the entitlement computed for any district under subdivision II is less than $1,000, no apportionment shall be made to the district.

IV. Funds appropriated by this item and not required for purposes of the entitlements computed under subdivisions I, II, and III, shall be allocated by the Superintendent of Public Instruction to districts for which such entitlements and apportionments were made as supplementary additional allowances to insure that compensatory education programs are afforded to as many eligible pupils as possible and to stimulate the development, implementation, and evaluation of innovative programs."

Amendment No. 210

On page 59, line 26, after "Code", insert

"; provided further, that $60,000 of the appropriation made by this item shall be expended solely for support of the Research and Teacher Education Program at the University of California, Santa Cruz, that $100,000 of the appropriation made by this item shall be expended solely for support of the Research and Teacher Education Program at the University of California, Los Angeles, and that $108,000 of the appropriation made by this item shall be expended solely for support of the Research and Teacher Education Program of the Pasadena Unified School District".

Item No. 272

Amendment No. 211

On page 59, between lines 30 and 31, insert

"provided, that none of the funds appropriated in this item shall be available for augmentation of Item 280."

Item No. 272.1

Amendment No. 212

On page 59, between lines 30 and 31, insert

"272.1—For support of "The Abstract Conceptually-Oriented Mathematics Program Act," Department of Education, provided that this appropriation is contingent upon enactment of AB 1644 during the 1972 Session of the Legislature ---------- 1,000,000".

Item No. 275
Amendment No. 213

On page 60, strike out lines 28 to 48; strike out page 61; and on page 62, strike out lines 1 to 34, inclusive, and insert

"275—For publishing, purchasing and shipping free textbooks, Department of Education 13,009,422
Schedule:
(a) Personal services 191,600
(b) Operating expenses and equipment.... 12,967,822
(c) Reimbursements ..... -150,000
provided, that no money appropriated by this item shall be expended for the publishing, purchasing, and shipping of any textbook which is not included in the budget request submitted to the Governor for the 1972–73 fiscal year for the textbook phase of Department of Education operations, without prior approval of the Department of Finance; provided further, that none of the moneys appropriated by this item may be expended for publishing, purchasing or shipping any textbook, which has been conditionally approved or adopted by the State Board of Education subject to the condition that revisions will be made in such textbook by the publisher, unless and until such revisions have been made to the complete satisfaction of said board.

Provided, that none of this appropriation shall be available to finance contracts in respect to basic textbooks adopted by the State Board of Education during the 1971–72 or 1972–73 fiscal years in which the total price, including sales and use tax, for any textbook submitted on a finished-book basis exceeds by more than 13 percent the average of the three highest total prices for a competitive textbook submitted on the basis of leasing plates to the state or in which said total price for any such textbook exceeds by more than 13 percent the sum of the manufacturing cost of such textbook as estimated by the State Department of General Services, and the average royalty cost of the three highest priced competitive textbooks, except that upon a finding by the State Board of Education that the book submitted on a finished-book basis is clearly superior in quality and utility to others submitted on a leased-plate basis, this appropriation shall be available to finance contracts at a cost to be agreed upon by the State Board of Education if such cost does not exceed by more than 13 percent the sum of the manufacturing cost of such textbook as estimated by the State Department of General Services and the average royalty cost of the three highest priced competitive textbooks.

Provided further, that none of this appropriation shall be available to finance contracts for textbooks adopted as supplemental textbooks by the State Board of Education during the 1971–72 or 1972–73 fiscal years in which the unit price, including sales and use tax, for any textbook submitted on a finished-book basis exceeds the unit manufacturing cost of such textbook as estimated by the State Department of General Services, multiplied by the average of the ratios of the total computed unit cost of each other supplementary textbook submitted to the state on a leased-plate basis for the same grade level to the unit manufacturing cost of each such other textbook, plus 13 percent of the unit manufacturing cost of the textbook which is offered on a finished-book basis.

For the purposes of this item, three means all if fewer than three competitive textbooks are submitted on a leased-plate basis and textbooks includes teachers' manuals or editions.

However, this appropriation shall be available, without regard to the foregoing conditions, to finance contracts for textbooks adopted as supplementary textbooks by the State Board of Education during the 1971–72 or 1972–73 fiscal year for which offers were received on both a leased-plate and finished-book basis if the State Board of Education accepts the lesser of the two offers

The Department of Finance shall maintain a procedure which will indicate any cases in which the numbers and estimated costs of textbooks represented in printing or purchase orders placed during the budget year vary from the amounts contained in the budget schedule submitted by the Department of Education upon which this item of appropriation is based. All changes shall be contained in a report by the Department of Education to the Joint Legislative Budget Committee prior to August 1, 1973

Provided further, that no funds shall be available to finance contracts for basic textbooks, supplementary textbooks, or separate teachers' manuals adopted by the State Board of Education during the 1972–73 fiscal year in which the royalty for any such textbook exceeds by more than 10 percent an amount equal to the net price of that book multiplied by the average of the ratios of royalty to net price of all competitive books of its respective type, basic, supplementary, or separate teachers' manuals Provided further, that the State Board of Education shall complete an adoption no later than November 1 of the fiscal year prior to that for which the board requests funds from the Legislature for that adoption; provided further, that the Department of Education will report to the Legisla-

ture by January 1, 1973, the number of textbooks which are made available for the use of nonpublic elementary school students under the provisions of Section 9760 of the Education Code. Provided further, that of the amount appropriated by this item, (a) $31,900 is appropriated only for Spanish language mathematics textbooks and (b) $425,000 is appropriated only for foreign language basic textbooks for grades 7 and 8; for the purpose of these foreign language adoptions Section 9312 of the Education Code shall not apply to orders over 2,000 copies of any given textbook together with teacher manuals and/or teacher editions."

Item No. 277.1

Amendment No. 214

On page 62, between lines 47 and 48, insert

"277.1—For vocational education, Summer Work Program, Department of Education ---------- 100,000".

Item No. 279.1

Amendment No. 215

On page 63, strike out lines 11 to 15, inclusive.

Item No. 283

Amendment No. 216

On page 63, line 34, strike out "360,857,214", and insert "357,636,442".

Items Nos. 283.1, 283.2, and 283.3

Amendment No. 217

On page 63, between lines 34 and 35, insert

"283.1—In augmentation of Item 283, University of California, exempt from Section 31 of this act---------- 5,958,000
provided, the funds appropriated by this item shall be available for expenditure only if the Regents of the University of California abolish educational fees at the university, and do not create or impose any new fee in lieu of an educational fee, or raise existing fees, except for student services and student financial assistance in amounts made necessary by an increase in the cost of living

283.2—For support of a Department of Demography, University of California, Berkeley campus---------- 75,000

283.3—For support of the Institute of Traffic and Transportation Engineering, University of California------ 551,362
Schedule
(a) Berkeley ---------- 460,871
(b) Los Angeles ---------- 90,491".

Items Nos. 288 and 288.1

Amendment No. 218

On page 64, line 13, strike out "300,000", and insert "100,000".

Amendment No. 219

On page 64, between lines 16 and 17, insert

"(c) Transfer from Item 288.1---------- -200,000

288.1—For research for mosquito control, University of California, exempt from Section 31 of this act, for transfer to and in augmentation of Item 288---------- 200,000".

Item No. 290

Amendment No. 220

On page 64, line 17, strike out "1,598,426", and insert "1,586,826".

Amendment No. 221

On page 64, line 21, strike out "781,971", and insert "770,371".

Item No. 290.2

Amendment No. 222

On page 64, between lines 30 and 31, insert

"290.2—In augmentation of Item 290, University of California ---------- 378,000

provided, the funds appropriated by this item shall be available for expenditure only if the Regents of the University of California abolish educational fees at the university and the Board of Directors of Hastings College of Law abolish educational fees at the college and do not create or impose any new fee in lieu of an educational fee, or raise existing fees, except for student services and student financial assistance in amounts made necessary by an increase in the cost of living."

Item No. 291

Amendment No. 223

On page 64, line 32, strike out "345,681,181", and insert "343,442,373".

Amendment No. 224

On page 64, line 34, strike out "353,268,223", and insert "350,659,350".

Amendment No. 225

On page 64, line 36, strike out "80,157,539", and insert "80,352,604".

Amendment No. 226

On page 64, line 37, strike out "87,744,581", and insert "87,569,581".

Amendment No. 227

On page 64, strike out lines 43 to 48, inclusive; and on page 65, strike out lines 2 to 6, inclusive, and insert

"Provided further, that funds may not be expended from this appropriation to accept new enrollments into any joint doctoral program for the 1973–1974 fiscal year; provided further, that of the amount

appropriated by this item, $313,849, is hereby appropriated for the sole purpose of funding the educational television station at San Diego State College; provided further, that no funds budgeted in Program V; Subprogram C of the Governor's Budget for counseling and career guidance services shall be used for psychological or psychiatric treatment services."

Item No. 291.1

Amendment No. 228

On page 65, between lines 10 and 11, insert

"291.1—For support of the Center for Advanced Medical Technology at San Francisco State College, Trustees of the California State Colleges, in augmentation of Item 291 ---------- 27,000".

Item No. 292

Amendment No. 229

On page 65, line 12, strike out "5,963,602", and insert "5,909,602".

Amendment No. 230

On page 65, strike out lines 18 to 20, inclusive; and in line 21, strike out "(d)", and insert "(c)".

Amendment No. 231

On page 65, strike out lines 45 to 47, inclusive.

Amendment No. 232

On page 65, line 48, strike out "further".

Amendment No. 233

On page 66, line 2, strike out "expended", and insert "allocated".

Item No. 293

Amendment No. 234

On page 66, strike out lines 5 to 9, inclusive, and insert

"Colleges and the California State Colleges---------- 167,779
Schedule:
(a) Personal services ---------- 23,335
(b) Operating expenses and equipment -- 144,444".

Item No. 296

Amendment No. 235

On page 66, between lines 36 and 37, insert

"provided, that the board of governors shall allocate funds on a priority basis and only to local programs which demonstrate their effectiveness and which have the most pressing need for financial aid for students."

Item No. 297

Amendment No. 236

On page 66, line 42, strike out "347,044", and insert "330,214".

Amendment No. 237

On page 66, between lines 45 and 46, insert

"(d) Consolidated data center ---------- 16,830

Provided, that the funds appropriated in subitem (d) may be allocated by the commission to subitem (b) above and expended therefrom for electronic data processing, subject to the provisions of Section 4 of this act; provided further, that the Director of Finance, upon the enactment of legislation creating the Revenue Consolidated Data Center and authorizing transfers of electronic data-processing functions thereto, may transfer the unencumbered balance of subitem (d) to Item 24.1."

Item No. 297.1

Amendment No. 238

On page 66, between lines 45 and 46, insert

"297.1—For grants under the Program of Supervised Clinical Special Internship in General Practice Medicine authorized by Chapter 85, Statutes of 1972, State Scholarship and Loan Commission ---------- 500,000

provided, that no grant shall be made to a program for conducting a special internship in any area except general practice or family practice medicine"

Item No. 300.2

Amendment No. 239

On page 67, strike out lines 45 to 48, inclusive; and on page 68, strike out lines 1 to 3, inclusive.

Items Nos. 300.4, 300.5, and 300.6

Amendment No. 240

On page 68, between lines 7 and 8, insert

"300.4—For working drawings, State Office Building, San Jose, Department of General Services ---------- 300,000

300.5—For installation of air conditioning, Library-Courts Building, Sacramento, Department of General Services ---------- 870,000

300.6—For land acquisition, Sandy Point Fire Station, San Mateo County, Division of Forestry, Department of Conservation ---------- 10,000".

Item No. 301

Amendment No. 241

On page 68, strike out lines 21 to 23, inclusive, and insert

"(c) Land acquisition and working drawings—Fairfield ---------- 119,500".

Item No. 302

Amendment No. 242

On page 68, strike out lines 37 to 47, inclusive; and on page 69, strike out lines 1 to 23, inclusive, and insert

"302—For capital outlay, Department of Motor Vehicles, payable from the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971 ---------- 3,783,800

Schedule:

(a) Land acquisition for office building and parking facilities—Costa Mesa	375,000
(c) Land acquisition for office building and parking facilities—Merced	325,000
(d) Working drawings and construct (partial) alterations for EDP site—Sacramento	254,300
(e) Land acquisition for office building and parking facilities—Santa Clara	448,500
(f) Working drawings and construct office building and parking facilities—Bell	621,200
(g) Working drawings for office building and parking facilities—Modesto	36,500
(h) Working drawings and construct office building and parking facilities—Redwood City	495,400
(i) Working drawings and construct office building and parking facilities—Santa Cruz	482,900
(j) Working drawings and construct office building and parking facilities—Santa Rosa	555,000
(k) Preliminary planning	20,000
(*l*) Land acquisition—San Mateo	170,000".

Item No. 303

Amendment No. 243

On page 69, between lines 37 and 38, insert

"Provided, that the Department of Corrections shall submit to the Chairman of the Joint Legislative Budget Committee and the chairmen of each of the committees considering the budget, a monthly report detailing the programs, construction, design, and cost of new or modified facilities planned as a replacement for existing correctional institutions."

Items Nos. 305 and 305.5

Amendment No. 244

On page 69, strike out lines 44 to 46, inclusive, and on page 70, strike out lines 1 to 9, inclusive, and insert

"305—For capital outlay, Department of Mental Hygiene 1,492,200

Schedule.

(a) Improvements to meet hospital accreditation standards, statewide 1,189,000
(b) Structural surveys for earthquake resistance, statewide 100,000
(c) Minor construction 203,200

305 5—For capital outlay, Department of Mental Hygiene, subject to the approval of the State Public Works Board, payable from the Bagley Conservation Fund, notwithstanding the provisions of Section 316, Chapter 1, Statutes of 1971, First Extraordinary Session.. 1,000,000
Schedule·

(a) Improvements for correction of hospital, fire, and safety hazards, statewide 1,000,000"

Item No. 307

Amendment No. 245

On page 70, line 18, after "Board", insert
", payable from the Capital Outlay Fund for Public Higher Education".

Item No. 308

Amendment No. 246

On page 70, strike out lines 25 to 33, inclusive, and insert
"308—For capital outlay, the Regents of the University of California, subject to the approval of the State Public Works Board, and excepting such funding assistance as may be secured from other sources, shall allocate the cash income received from the educational fee and designated by the regents for capital outlay purposes for expenditure as set forth in the following schedule ..... 35,570,000".

Amendment No. 247

On page 73, line 22, after "university", insert "hospital".

Amendment No. 248

On page 73, lines 26 and 27, strike out "Roadhouse Hall, alteration", and insert "academic office building"

Amendment No. 249

On page 74, line 7, after "purpose", insert
"; provided further, that none of the funds appropriated in this item shall be expended to acquire land for expansion of facilities at the University of California, San Francisco Medical Center".

Item No. 308.1

Amendment No. 250

On page 74, between lines 7 and 8, insert
"308 1—In augmentation of Item 308, University of California 20,640,670

provided, the funds appropriated by this item shall be available for expenditure only if the Regents of the University of California abolish educational fees at the university and do not create or impose any new fee in lieu of an educational fee or raise existing fees except for student services or student financial assistance in amounts made necessary by an increase in the cost of living."

Item No. 308.5

Amendment No. 251

On page 74, line 15, strike out "11,526,000", and insert "5,226,000".

Amendment No. 252

On page 74, strike out lines 19 and 20.

Item No. 308.6

Amendment No. 253

On page 74, between lines 20 and 21, insert

"308.6—For capital outlay, University of California, subject to the approval of the State Public Works Board, provided that withdrawals shall be as required to meet current obligations as certified by the University of California ---------- 8,500,000

Schedule:

(a) Acquisition of Sacramento Medical Center properties, inclusive of the shop building, welfare building, Camellia Cottage interns' quarters, and motor pool building and repair shops, the sites therefore, the vacant State Fairgrounds parcel, and the unattached furnishings, equipment, and apparatus within the medical center complex ---8,500,000".

Item No. 309

Amendment No. 254

On page 74, strike out lines 21 to 48, inclusive; strike out pages 75 to 78, inclusive; and on page 79, strike out lines 1 to 37, inclusive, and insert

"309—For capital outlay, Trustees of the California State Colleges, subject to the approval of the State Public Works Board, payable from the Capital Outlay Fund for Public Higher Education; provided, that withdrawals shall be as required to meet current obligations as certified by the Trustees of the California State Colleges ---------- 34,288,000

Schedule:

Statewide:

Trustees of the California State Colleges	
(a) Project planning for the 1973–74 fiscal year ----------	50,000
(b) Campus master planning ----------	205,000
(c) General studies ----------	100,000
(d) Special land acquisition ----------	250,000

	San Diego State College:	
(e)	Working drawings for arts and sciences rehabilitation	51,000
	San Francisco State College:	
(f)	Construct completion of music speech building	406,000
	State College, Bakersfield:	
(g)	Equip science building I	404,000
(h)	Equip central plant II	15,000
	Chico State College:	
(i)	Equip classroom and office building	400,000
	State College, Dominquez Hills:	
(j)	Equip natural resources building	500,000
	Humboldt State College:	
(k)	Equip natural resources building	425,000
	California State Polytechnic College, Kellogg-Voorhis Campus:	
(l)	Equip science building	150,000
	Los Angeles State College:	
(m)	Equip physical science building	500,000
	State College, San Bernardino:	
(n)	Equip cafeteria	129,000
	San Fernando Valley State College:	
(o)	Equip library building	400,000
	San Jose State College:	
(p)	Equip science building 2, II	500,000
	Stanislaus State College:	
(q)	Equip science building	268,000
(r)	Equip classroom building conversion	12,000
	Chico State College:	
(s)	Equip applied arts building	300,000
(t)	Equip life science building	300,000
	State College, Dominguez Hills:	
(u)	Equip library classroom administration building	500,000
(v)	Equip social science building	255,000
	State College, Fullerton:	
(w)	Equip engineering building	200,000

State College, Hayward:	
(x) Equip library building	500,000
(y) Equip speech drama building	110,000
California State Polytechnic College, Kellogg-Voorhis Campus:	
(z) Equip convert library	150,000
Los Angeles State College:	
(aa) Equip library addition	100,000
State College, Long Beach	
(bb) Equip drama building	331,000
(cc) Equip library building II	339,000
(dd) Equip engineering building II	375,000
(ee) Equip psychology building	100,000
State College, San Bernardino:	
(ff) Equip biological science building	170,000
(gg) Equip physical science building	150,000
San Francisco State College:	
(hh) Equip life science building	500,000
(ii) Equip physical science building	500,000
(jj) Equip library addition	225,000
San Jose State College:	
(kk) Equip business classroom building	160,000
Sacramento State College:	
(*ll*) Working drawings for utilities 1972	45,000
Fresno State College:	
(mm) Working drawings for central plant addition	150,000
(nn) Working drawings for utilities 1973	40,000
Sacramento State College:	
(oo) Working drawings and construction, physical education building	70,000
State College, Hayward:	
(pp) Working drawings and construction for conversion of science and fine arts	250,000
California State Polytechnic College, San Luis Obispo Campus:	
(qq) Construct conversion of science I	171,000
Chico State College:	
(rr) Working drawing and construction for conversion of life sciences	232,000

State College, Bakersfield:	
(ss) Working drawings and construction for conversion of the initial buildings	176,000
State College, San Bernardino:	
(tt) Working drawings and construction for conversion of initial buildings	170,000
State College, Dominguez Hills:	
(uu) Working drawings and construction for conversion of initial buildings	344,000
Fresno State College:	
(vv) Working drawings and construction for conversion of laboratory school	175,000
California State Polytechnic College, San Luis Obispo Campus:	
(ww) Working drawings for conversion of science II	18,000
Humboldt State College:	
(xx) Working drawings for conversion of laboratory school	42,000
California State Polytechnic College, Kellogg-Voorhis Campus:	
(yy) Working drawing and construction of utilities 1972 (electric)	800,000
State College, Long Beach:	
(zz) Working drawing and construction for utilities 1972 (sewage and water)	76,000
Sacramento State College:	
(aaa) Construct site development 1972 (roads)	512,000
California State Polytechnic College, San Luis Obispo Campus:	
(bbb) Construct access road	804,000
Fresno State College:	
(ccc) Working drawings and construction of utilities 1972 (drainage)	400,000
San Diego State College:	
(ddd) Working drawing and construction of utilities 1972 (electrical)	325,000
Sacramento State College:	
(eee) Construct library	8,100,000

State College, Bakersfield:	
(fff) Working drawings for initial library addition	70,000
Sonoma State College:	
(ggg) Working drawings for library administration building	307,000
Humboldt State College:	
(hhh) Working drawings for library addition	215,000
State College, Long Beach:	
(iii) Working drawings for administration III	267,000
Los Angeles State College:	
(jjj) Land acquisition	1,347,000
State College, Bakersfield:	
(kkk) Working drawings and construction for outdoor P.E. facilities I	427,000
(lll) Working drawings for initial P.E. facility	58,000
Stanislaus State College:	
(mmm) Working drawings for cafeteria	86,000
State College Bakersfield:	
(nnn) Working drawings and construction for initial corporation yard	334,000
(ooo) Working drawings and construction for utilities 1972	292,000
Sonoma State College:	
(ppp) Working drawings and construction for corporation yard	150,000
State College, Bakersfield:	
(qqq) Construct classroom office building I	2,311,000
Sonoma State College:	
(rrr) Construct classroom office building 2	2,245,000
San Jose State College:	
(ttt) Construct, remodel Centennial Hall	134,000
State College, Bakersfield:	
(uuu) Working drawings for science building II	188,000

State College, San Fernando Valley:
(vvv) Working drawings for business and economics building ---------- 282,000

State College, San Bernardino:
(www) Working drawings for classroom building ---------- 160,000

California State Polytechnic College, San Luis Obispo Campus:
(xxx) Construct architecture classroom building ---------- 930,000

State College, Long Beach:
(yyy) Construct general classroom and faculty office building ---------- 1,405,000

State College, Dominguez Hills:
(zzz) Working drawings for a general classroom and faculty office building 150,000

Notwithstanding the provisions of Section 2.2 of this act, the equipment items in this item shall be available for expenditure only during the 1972–73 and 1973–74 fiscal years"

Item No. 311

Amendment No. 255

On page 79, strike out lines 42 to 48, inclusive; and on page 80, strike out lines 1 to 26, inclusive, and insert

"311—For capital outlay, Trustees of the California State Colleges, to be allocated to the state colleges; provided, that grants of money from the federal government become available under the terms of the granting agency and the provisions of Section 17, of this act, thereby releasing an equal amount of state-appropriated funds which are hereby reappropriated, payable from the Capital Outlay Fund for Public Higher Education ---------- 0

Schedule:

State College, Hayward:
(a) Working drawings for classroom building 2 ---------- 94,000

Humboldt State College:
(b) Working drawings for marine laboratory addition ---------- 18,000

San Diego State College:
(c) Working drawings for humanities classroom building ---------- 130,000

California State Polytechnic College, San Luis Obispo Campus:
(d) Working drawings for faculty office building ---------- 90,000

California State Polytechnic College, San Luis Obispo Campus:
(e) Construct architecture classroom building ---------- 2,539,000
(f) Federal reimbursements ---------- -2,871,000".

Item No. 314

Amendment No. 256

On page 81, strike out line 15, and insert
"(g) Working drawings, Region II, headquarters and field station ---------- 50,000".

Item No. 318

Amendment No. 257

On page 82, between lines 35 and 36, insert
"(i) Bothe-Napa Valley State Park, land acquisition ---------- 350,000".

Amendment No. 258

On page 82, line 36, strike out "(i)", and insert "(j)".

Amendment No. 259

On page 82, line 38, strike out "4,873,000", and insert "5,223,000".

Items Nos. 318.2, 318.3, 318.4, and 318.5

Amendment No. 260

On page 82, strike out lines 47 and 48, strike out page 83, and insert "318.2—For capital outlay, Department of Parks and Recreation, subject to the approval of the State Public Works Board, payable from the Bagley Conservation Fund, notwithstanding the provision of Section 316, Chapter 1, Statutes of 1971, First Extraordinary Session ---------- 9,153,900

Schedule:
(a) Acquisition
(1) In-holding purchases ---------- 250,000
(2) Morro Bay State Park ---------- 350,000
(3) Opportunity purchases ---------- 250,000
(4) Sonoma Coast State Beach ---------- 350,000
(5) Mount Diablo State Park ---------- 125,000
(6) Little River State Reserve ---------- 75,000
(7) Rincon Point ---------- 65,000
(8) Refugio State Beach ---------- 1,900,000
(9) Acquisition costs ---------- 75,000
(10) Mendocino Headlands, MacKerricher Beach State Park ---------- 200,000
(11) Allensworth State Park---------- 200,000

(b) Development

(1) San Diego Museum	200,000
(2) Seacliff State Beach	979,200
(3) Silver Strand State Beach	215,780
(4) Sonoma Coast State Beach	200,000
(5) Refugio State Beach	150,000
(6) Pismo State Beach	150,000
(7) Russian Gulch State Park	250,000
(8) Carpinteria State Beach	400,000
(9) MacKerricher State Park	133,000
(10) Clear Lake State Park	341,000
(11) Folsom Lake State Recreation Area	138,500
(12) Minor program	709,232
(13) Point Mugu State Park	924,100
(14) Angel Island State Park	275,000
(15) Fort Ross State Historical Park	12,000
(c) Design and development	236,088

318 3—For working drawings, Department of Parks and Recreation, for a railroad exhibit to be located behind the Big Four Building in Old Sacramento, from the Bagley Conservation Fund, notwithstanding the provisions of Section 316, Chapter 1, Statutes of 1971, First Extraordinary Session 280,000
Provided, that this project shall only include (1) a facility for exhibiting appropriate railroad stock received from the Railway and Locomotive Historical Society and in addition, any directly associated interpretive devices and (2) rolling stock storage space with display maintenance capability, and provided further, that preliminary plans and cost estimates shall be submitted to the Joint Legislative Budget Committee and the Public Works Board for approval before working drawings are commenced, and provided further, that the funds appropriated by this item shall be expended by the Office of Architecture and Construction.

318 4—For capital outlay, Department of Parks and Recreation, subject to the approval of the State Public Works Board, for a feasibility study of the relocation of railroad tracks at San Onofre, San Clemente, and Doheny State Beaches and their environs, payable from the Bagley Conservation Fund, notwithstanding the provisions of Section 316, Chapter 1, Statutes of 1971, First Extraordinary Session 100,000

318 5—To the Advisory Committee on Salmon and Steelhead Trout of the Department of Fish and Game from funds allocated pursuant to the provisions of subdivision (b) of Section 316 of Chapter 1 of the Statutes of 1971, First Extraordinary Session, for services necessary to ensure integration of salmon and steelhead

trout conservation activities with the plans and projects contemplated therein, provided, that a full and accurate accounting of such expenditure shall be provided by the Department of Fish and Game, payable from the Bagley Conservation Fund, notwithstanding the provisions of Section 316 of Chapter 1 of the Statutes of 1971, First Extraordinary Session_____ 10,000".

Sec. 2.4

Item No. 320

Amendment No. 261

On page 84, strike out lines 44 to 48, inclusive; strike out pages 85 to 99, inclusive; and on page 100, strike out lines 1 to 14, inclusive, and insert

"SEC 2.4. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years for expenditure only for the programs which have been approved pursuant to the provisions of Chapter 1550, Statutes of 1967 (Community College Construction Act of 1967), and contemplated by the Community College Construction Program Bond Act of 1972, and only if the bond act is approved by the people All such appropriations shall be paid out of the State Construction Program Fund.

320—For capital outlay, Board of Governors of the California Community Colleges, to be allocated, subject to the prior approval of the State Public Works Board, by the Board of Governors of the California Community Colleges to the community college districts for expenditure by said community college districts, as set forth in the schedule below, payable from the State Construction Program Fund _____ 44,037,401
Schedule.

	Santa Clarita Community College District, College of the Canyons:	
(a)	Equip humanities and library-audio-visual building _____	189,185
	West Valley Community College District, Mission Campus	
(b)	Working drawings for site development—utilities, Phase I _____	26,569
	Santa Clarita Community College District, College of the Canyons:	
(c)	Initial complement of library books __	98,313
	State Center Community College District, Reedley College:	
(d)	Working drawings and construct air conditioning in existing buildings ____	171,002

Hartnell Community College District, Hartnell College:	
(e) Equip physical education complex facilities	26,757
Los Rios Community College District, American River College:	
(f) Equip men's physical education addition	21,936
Peralta Community College District, Merritt College:	
(g) Equip gymnasium and outdoor physical education facility	18,014
North Orange County Community College District, Cypress College:	
(h) Equip men's physical education building	14,597
San Luis Obispo County Community College District, Cuesta College:	
(i) Equip physical education building, Phase I B	15,768
Santa Barbara Community College District, Santa Barbara City College:	
(j) Equip physical education complex	2,728
State Center Community College District, Reedley College:	
(k) Equip physical education combative and gymnastics addition	10,339
West Valley Joint Community College District, Saratoga College:	
(l) Equip physical education building	97,667
Butte Community College District, Butte College:	
(m) Construct gymnasium	1,113,827
(n) Construct physical education building	606,931
(o) Construct outdoor physical education facilities	311,031
Fremont-Newark Community College District, Ohlone College:	
(p) Construct indoor physical education facilities	1,061,705

Kern Community College District, Bakersfield College:	
(q) Working drawings and construct physical education addition	157,261
Porterville College:	
(r) Working drawings and construct physical education addition	230,578
Mt. San Antonio Community College District, Mt San Antonio College:	
(s) Working drawings and construct and equip physical education facilities addition	164,134
Napa Community College District, Napa College	
(t) Working drawings for gymnasium complex	78,016
Peralta Community College District, College of Alameda:	
(u) Working drawings for gymnasium facilities	51,911
San Bernardino Community College District, Crafton Hills College:	
(v) Construct indoor physical education facilities	387,692
(w) Construct outdoor physical education facilities	47,412
Santa Monica Community College District, Santa Monica City College.	
(x) Working drawings, construct, and equip alterations to gymnasium	125,677
Hartnell Community College District, Hartnell College:	
(y) Equip drama-music building	92,304
Solano County Community College District, Solano College:	
(z) Working drawings and construct music and drama building	764,522
State Center Community College District, Fresno City College	
(aa) Working drawings and construct art classroom and laboratory building, Phase I, Unit B	1,109,588

Peralta Community College District, Laney College:	
(bb) Construct drama facilities	915,692
Santa Barbara Community College District, Santa Barbara City College:	
(cc) Working drawings for drama and music facilities	57,679
Fremont-Newark Community College District, Ohlone College:	
(dd) Construct multidiscipline classroom building	595,372
Merced Community College District, Merced College:	
(ee) Working drawings, construct and equip administration building addition	179,322
Coast Community College District, Orange Coast College:	
(ff) Working drawings for administration building	19,290
State Center Community College District, Reedley College:	
(gg) Working drawings and construct maintenance building	45,168
West Valley Joint Community College District, Saratoga College	
(hh) Construct warehouse-maintenance building	234,390
Kern Community College District, Cerro Coso College:	
(ii) Working drawings and construct Phase I utilities (offsite)	194,581
San Jose Community College District, Evergreen Valley College	
(jj) Construct utilities and site development, Phase I A	185,132
(kk) Working drawings for central utilities building	18,089
Marin Community College District, College of Marin	
(*ll*) Working drawings and construct site development (1972)	121,253

Indian Valley Colleges·	
(mm) Construct site development (1969)	501,493
(nn) Working drawings for powerplant and corporation yard	4,453
Ventura County Community College District, Oxnard College·	
(oo) Working drawings and construct site development, Phase I	484,002
(pp) Working drawings and construct off-site development	33,017
(qq) Working drawings for site development, Phase II	26,004
Los Angeles Community College District, West Los Angeles College:	
(rr) Working drawings for utilities and site development	10,554
San Luis Obispo County Community College District, Cuesta College·	
(ss) Equip science building	149,797
West Valley Joint Community College District, Saratoga College:	
(tt) Equip business and administration building	102,900
Mt San Jacinto Junior College District, Mt. San Jacinto College:	
(uu) Equip science building	12,754
Marin Community College District, College of Marin·	
(vv) Equip library building	141,527
State Center Community College District, Fresno City College·	
(ww) Equip mathematics, science and health building	82,926
(xx) Equip art building, Phase I, unit A	37,811
San Mateo Junior College District, Skyline College:	
(yy) Equip multidiscipline classroom and laboratory building "C"	69,953
Contra Costa Community College District, Los Medanos College·	
(zz) Equip multidiscipline classroom and laboratory building	370,872
(aaa) Equip initial complement of library books	48,090

Fremont-Newark Community College District, Ohlone College.

(bbb) Equip classroom, laboratory and library building 225,600

(ccc) Equip northeast multidiscipline classroom and laboratory building 100,392

(ddd) Equip southeast multidiscipline classroom and laboratory building .. 70,500

(eee) Equip northwest multidiscipline classroom and laboratory building ... 96,574

(fff) Equip southwest multidiscipline classroom and laboratory building .. 91,744

(ggg) Equip north lecture hall 8,597

(hhh) Equip south lecture hall 8,597

Kern Community College District, Cerro Coso College:

(iii) Equip new campus, Phase I 127,385

Butte Community College District, Butte College.

(jjj) Equip life science and agriculture buildings 83,782

(kkk) Equip physical science building .. 36,240

(lll) Equip engineering and technology buildings 50,400

(mmm) Equip library and audiovisual building 196,419

San Joaquin Delta Community College District, San Joaquin Delta College:

(nnn) Equip arts and sciences facility .. 403,779

San Diego Community College District, San Diego City College.

(ooo) Equip remodel administrative office building and laboratory building ... 50,982

Solano County Junior College District, Solano College:

(ppp) Equip vocational arts building No 2 139,344

Saddleback Community College District, Saddleback College:

(qqq) Equip science-mathematics building 221,603

Merced Community College District, Merced College:	
(rrr) Working drawings and construct elevators for vocational and science buildings	60,653
Pasadena Area Community College District, Pasadena City College:	
(sss) Working drawings and construct elevators for four-story classroom and laboratory building	91,434
Santa Clarita Community College District, College of the Canyons:	
(ttt) Construct classroom and office building	776,438
Contra Costa Community College District, Diablo Valley College:	
(uuu) Construct art building	655,676
Santa Clarita Community College District, College of the Canyons:	
(vvv) Construct multidiscipline laboratory building	1,604,158
Coast Community College District, Golden West College.	
(www) Construct humanities, arts and science building	1,359,829
West Valley Joint Community College District, Saratoga College.	
(xxx) Construct and equip police science building	116,795
North Orange County Community College District, Cypress College.	
(yyy) Construct humanities building	2,400,331
San Jose Community College District, Evergreen Valley College:	
(zzz) Construct administrative and multidiscipline classroom laboratory building	1,513,532
Marin Community College District, College of Marin:	
(aaaa) Construct and equip art building remodel	222,197

Rancho Santiago Community College District, Santa Ana College:	
(bbbb) Construct social science-language arts building, Phase I and II	1,179,054
San Jose Community College District, Evergreen Valley College:	
(cccc) Construct science and humanities building	916,829
North Orange County Community College District, Cypress College:	
(dddd) Construct drama building	835,568
Santa Barbara Community College District, Santa Barbara City College:	
(eeee) Construct humanities building	1,073,687
San Luis Obispo County Community College District, Cuesta College:	
(ffff) Construct library and administration building	1,132,560
Los Rios Community College District, American River College:	
(gggg) Working drawings for electronics, auto mechanics, and welding additions	54,968
Yuba Community College District, Yuba College:	
(hhhh) Working drawings, construct and equip conversion of agriculture and welding laboratories	86,986
Long Beach Community College District, Long Beach City College	
(iiii) Working drawings, construct and equip life science remodel	126,559
Los Rios Community College District, Cosumnes River College:	
(jjjj) Working drawings for classroom buildings	54,600
Redwoods Joint Community College District, College of the Redwoods:	
(kkkk) Construct music-art building	1,022,840
Ventura County Community College District, Ventura College	
(llll) Working drawings for classroom building	14,996

Marin Community College District, Indian Valley Colleges:	
(mmmm) Working drawings for inner college "A"	14,920
Butte Community College District, Butte College:	
(nnnn) Working drawings for business, police science, and home economics building	25,745
San Francisco Community College District, City College of San Francisco:	
(oooo) Working drawings for social sciences classroom and laboratory building	71,762
Coast Community College District, Golden West College:	
(pppp) Working drawings for mathematics and science addition No. 2	31,576
Marin Community College District, Indian Valley Colleges:	
(qqqq) Working drawings for multidiscipline classroom laboratory building	17,733
Ventura County Community College District, Moorpark College:	
(rrrr) Construct social science and humanities building	991,181
State Center Community College District, Fresno City College:	
(tttt) Working drawings for language arts building	18,660
(uuuu) Working drawings for art and social science building, Phase II	27,922
Reedley College:	
(vvvv) Working drawings, construct and equip lecture and laboratory building	301,548
Saddleback Community College District, Saddleback College:	
(wwww) Working drawings for music-arts building	84,942
State Center Community College District, Reedley College:	
(xxxx) Working drawings and construct engineering and electronics building	420,206

Coast Community College District, Orange Coast College:	
(yyyy) Working drawings for lecture hall and art building addition	27,025
North Orange County Community College District, Cypress College:	
(zzzz) Working drawings for vocational-technical building No 2	89,701
Los Rios Community College District, American River College:	
(aaaaa) Working drawings and construct horticulture addition	171,092
Sacramento City College:	
(bbbbb) Working drawings and construct aeronautics addition	476,350
San Joaquin Delta Community College District, San Joaquin Delta College:	
(ccccc) Working drawings and construct administrative and multidiscipline classroom and laboratory building	3,186,419
San Diego Community College District, San Diego City College:	
(ddddd) Working drawings for mathematics-science building	61,323
San Joaquin Delta Community College District, San Joaquin Delta College:	
(eeeee) Working drawings for humanities, social science and physical education classroom and laboratory building	179,307
Los Rios Community College District, Sacramento City College:	
(fffff) Working drawings for classroom-administration building, (for earthquake replacement), Phases I and II	164,724
Los Angeles Community College District, Los Angeles Trade-Technical College.	
(ggggg) Construct business science building, Phase I	517,278
Kern Community College District, Bakersfield College:	
(hhhhh) Working drawings and construct business education addition	177,287

Shasta-Tehama-Trinity Joint Community College District, Shasta College:	
(iiiii) Working drawings, construct and equip nursing addition	77,686
Kern Community College District, Porterville College:	
(jjjjj) Working drawings and construct trade-technical facility	154,205
Cerritos Community College District, Cerritos College:	
(kkkkk) Working drawings for health sciences paramedical building	62,320
Glendale Community College District, Glendale College:	
(*lllll*) Working drawings for technical education building	39,678
Santa Barbara Community College District, Santa Barbara City College:	
(mmmmm) Working drawings for vocational-technology building	15,915
Oceanside-Carlsbad Community College District, Mira Costa College:	
(nnnnn) Working drawings and construct machine shop	149,095
San Luis Obispo County Community College District, Cuesta College:	
(ooooo) Working drawings for business education, engineering, mathematics and technical building	34,312
Los Angeles Community College District, East Los Angeles College:	
(ppppp) Working drawings for library and audiovisual building addition	7,707
Sweetwater Community College District, Southwestern College:	
(qqqqq) Construct and equip library and audiovisual building	920,354
Peralta Community College District, Merritt College:	
(rrrrr) Working drawings for library building	42,313

Coast Community College District, Golden West College:	
(sssss) Working drawings for library and audiovisual addition No. 3	39,548
Yuba Community College District, Yuba College:	
(uuuuu) Working drawings for library building	28,821
Coast Community College District, Golden West College:	
(vvvvv) Working drawings for music addition No. 1	16,599
San Diego Community College District, San Diego City College:	
(wwwww) Land acquisition No. 3	622,920
Los Angeles Community College District, Los Angeles Trade-Technical College:	
(xxxxx) Land acquisition, main campus	112,948
San Francisco Community College District, City College of San Francisco:	
(yyyyy) Reconstruct and equip science building, remodel	391,567
Grossmont Community College District, Grossmont College:	
(zzzzz) Working drawings, construct and equip bookstore conversion to faculty and administration offices	78,612
Contra Costa Community College District, Los Medanos College:	
(aaaaaa) Construct physical education facilities	673,207
Santa Clarita Community College District, College of the Canyons:	
(bbbbbb) Working drawings and construct physical education unit	1,060,218
Fremont-Newark Community College District, Ohlone College:	
(ccccc) Construct outdoor physical education unit	202,929

North Orange County Community College District, Cypress College:
(dddddd) Working drawings for men's gymnasium ---------- 53,591

Marin Community College District, College of Marin.
(eeeeee) Working drawings and construct outdoor physical education facilities... 91,281

Contra Costa Community College District, Los Medanos College:
(ffffff) Working drawings, construct and equip outdoor physical education facilities ---------- 409,161

Allen Hancock Community College District, Allen Hancock College:
(gggggg) Working drawings and construct outdoor physical education facilities ---------- 58,273

Marin Community College District, Indian Valley Colleges:
(iiiiii) Working drawings for outdoor physical education facilities---------- 4,748

Fremont-Newark Community College District, Ohlone College.
(jjjjjj) Construct outdoor physical education facilities ---------- 152,202

Merced Community College District, Merced College:
(kkkkkk) Equip art-drama building----- 51,461

Santa Clarita Community College District, College of the Canyons:
(*llllll*) Construct site development, Phase III ---------- 168,860

Fremont-Newark Community College District, Ohlone College:
(mmmmmm) Construct site development, Phase II ---------- 274,443

San Jose Community College District, Evergreen Valley College:
(nnnnnn) Working drawings for utilities and site development I B---------- 5,957

Contra Costa Community College District, Los Medanos College:	
(oooooo) Working drawings and construct site development, Phase III	216,878
State Center Community College District, Reedley College.	
(pppppp) Working drawings, construct and equip administration building alterations	133,010
Coast Community College District, Golden West College:	
(qqqqqq) Working drawings, construct and equip administration addition	44,884
Lassen Community College District, Lassen College:	
(rrrrrr) Working drawings and construct dining facility	521,198
Santa Clarita Community College District, College of the Canyons:	
(ssssss) Construct humanities building	1,043,841
San Luis Obispo County Community College District, Cuesta College:	
(tttttt) Working drawings for cafeteria-bookstore	34,212
Butte Community College District, Butte College:	
(uuuuuu) Working drawings for administration building	25,936
(vvvvvv) Working drawings for office building and dining facilities	52,926
Marin Community College District, Indian Valley Colleges.	
(wwwwww) Working drawings for administration building	2,352
Kern Community College District, Porterville College:	
(xxxxxx) Working drawings, construct and equip maintenance-transportation building	55,319".

Items Nos. 321.1, 322, and 323
Amendment No. 262

On page 100, strike out lines 34 to 48, inclusive; and on page 101, strike out lines 1 to 17, inclusive, and insert

"321.1—On the effective date of this act, the following appropriations and amounts:

Item 341(ff), Budget Act of 1967	$150,000
Item 341(xx), Budget Act of 1967	86,000
Item 418(e), Budget Act of 1969	28,000
Item 349.1(t), Budget Act of 1970	39,200
Item 349.1(yy), Budget Act of 1970	82,000
Item 311(jj), Budget Act of 1971	30,100

are hereby reappropriated for the purposes specified below:

A. County of Kings, Corcoran City Park, acquisition and development, $67,200

B. County of San Bernardino, Copper Mountain Regional Park, acquisition and development, $180,100

C. County of Solano, City of Vacaville, Lagoon Valley Regional Park, acquisition and development, $82,000

D. County of Tulare, Elk Bayou Regional Park, acquisition and development, $86,500.

CAPITAL OUTLAY

322—For capital outlay, Department of Parks and Recreation, for purposes set forth in Section 5096.15(a) of the Public Resources Code for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years, payable from the State Beach, Park, Recreational, and Historical Facilities Fund 1,401,500

Schedule

(a) Land acquisition, Manchester Beach	288,000
(b) Land acquisition, Topanga Canyon	459,000
(c) Land acquisition, Torrey Pines State Reserve	367,200
(e) Land acquisition, Cardiff State Beach	1,606,500
(f) Anticipated federal reimbursements	–1,319,200

provided, that it is the intention of the Legislature in approving the acquisition at Topanga Canyon Beach in 322(b), that the restaurant now located on the property shall be retained on the land no longer than present contractual commitments require.

323—For capital outlay, Department of Parks and Recreation, for purposes set forth in Section 5096.15(b) of the Public Resources Code for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years, payable from the State Beach, Park, Recreational and Historical Facilities Fund 252,000

Schedule:
(a) For development, Pendleton Beach___ 150,000
(b) For development, Annadel Farms____ 102,000"

Item No. 325

Amendment No. 263

On page 102, line 9, after "1966", insert ", for development of water supply system only."

Items Nos. 325.1 and 325.2

Amendment No. 264

On page 102, between lines 12 and 13, insert

"325.1—On the effective date of this act, the unexpended balance of the appropriation made by Item 355, Budget Act of 1970, is hereby reappropriated for the purpose provided and shall be available for expenditure until June 30, 1973. In addition, any federal grants received as matching funds for land acquisition for Torrey Pines are hereby appropriated for that purpose.

325.2—As of June 30, 1972, the unexpended balances of the appropriations provided in the following citations shall revert to the unappropriated balance of the State Beach, Park, Recreational and Historical Facilities Fund:

Item 341(ff) Budget Act of 1967
Item 341(xx) Budget Act of 1967
Item 418(e) Budget Act of 1969
Item 349 1(t) Budget Act of 1970
Item 349 1(yy) Budget Act of 1970
Item 311(jj) Budget Act of 1971
Item 313(a) Budget Act of 1971
Item 314(ax) Budget Act of 1971"

Item No. 327

Amendment No. 265

On page 103, line 23, after the period, insert

"Provided further, that the $75,000 for augmentation of the administrative and fire station facility which is contained in the appropriation for Sawpit Canyon at Silverwood Reservoir (subitem (g) above) shall be available for expenditure only if the United States Forest Service signs an agreement with the Department of Parks and Recreation committing itself to use every effort to finance and construct the entire facility substantially as shown on the Forest Service preliminary drawing dated February 25, 1972."

Item No. 333

Amendment No. 266

On page 104, strike out line 30, and in line 31, strike out "ority listing,".

Amendment No. 267

On page 105, after line 48, insert

"provided, that none of the funds appropriated in this item shall be expended to acquire land for expansion of the facilities of the University of California, San Francisco Medical Center"

Sec. 4

Amendment No. 268

On page 106, strike out lines 14 to 27, inclusive, and insert

"SEC 4 Notwithstanding any other provisions of this act, no appropriations made herein, or funds obtained from any other source, over $10,000 may be expended by any state entity for any single expansion, improvement or addition to electronic data-processing activities, personnel, equipment, facilities or supplies during fiscal year 1972–73, or any expenditure budgeted for fiscal year 1973–74 for electronic data-processing activities, personnel, equipment, facilities or supplies unless the department director certifies (or in the case of a consolidated data center, the center director), and the Director of Finance determines and states in writing that the criteria and procedures set forth in the Supplementary Report of the Committee on Conference on the Budget Act of 1972 have been met and followed.

Notwithstanding any other provisions of this act, no appropriations made herein, or funds obtained from any other source, may be expended by any state entity pursuant to a contract for expansion, improvement or addition to electronic data-processing activities personnel, equipment, facilities or supplies as defined in the Supplementary Report of the Committee on Conference on the Budget Act of 1972, during fiscal year 1972–73 or any expenditure budgeted for fiscal year 1973–74 for such activities in excess of $10,000, unless the contract for the acquisition or rental of equipment, personal services, or supplies as these terms are defined in the Supplementary Report of the Committee on Conference on the Budget Act of 1972 is competitively bid

No expenditure of funds for data-processing activities shall be authorized until the director of the department requesting the expenditure and the Director of Finance certify that adequate safeguards have been developed following the criteria contained in the Supplementary Report of the Committee on Conference on the Budget Act of 1972 to insure the confidentiality of data

The provisions of this section shall not apply to the University of California, the State Compensation Insurance Fund, or agencies provided for by Article VI of the Constitution or the Legislature

Contracts awarded or entered into pursuant to this section shall be in the form of the model contract for lease and/or purchase of electronic data-processing systems and computers as outlined in Section 4960 1 of the State Administrative Manual revised new January, 1967, and no portion of such contract shall be excluded or stricken."

Secs. 9 and 10
Amendment No. 269

On page 108, strike out lines 15 to 48, inclusive; strike out page 109; and on page 110, strike out lines 1 to 35, inclusive, and insert

"SEC 9. Notwithstanding any other provision of law, the portion of each sum of money heretofore appropriated or allocated, hereby appropriated or hereafter allocated to the Regents of the University of California for capital outlay which remains after the purpose for which each said sum was appropriated or allocated has been accomplished, and which have been or hereafter are withdrawn from the State Treasury by the Regents of the University of California pursuant to the provisions of Section 23201 of the Education Code, together with increments, by way of interest or otherwise, on any such appropriation or allocations, shall be used and expended by the Regents of the University of California in executing and furthering the building and improvement program of the University of California; provided, that no such sums shall be allocated by the Regents of the University of California to projects for the purpose of augmenting those projects without prior approval of the State Public Works Board of the requested augmentation. Such sums shall be available for expenditure in payment of any encumbrances heretofore or hereafter incurred without regard to fiscal years; provided, however, that any unencumbered balances existing as of the date on which each such appropriation or allocation otherwise would lapse, shall then revert

SEC. 10. Notwithstanding any other provisions of law, the undisbursed balances, on the effective date of this act, of the appropriations provided in the following citations, are reappropriated for the purposes provided for in said appropriations, and shall be available for expenditure until June 30, 1973:

Department of Conservation:
- Item 344(b), Budget Act of 1968
- Item 344(c), Budget Act of 1968
- Item 344(d), Budget Act of 1968
- Item 344(j), Budget Act of 1968
- Item 396(a), Budget Act of 1969
- Item 396(b), Budget Act of 1969
- Item 396(d), Budget Act of 1969
- Item 396(e), Budget Act of 1969
- Item 396(f), Budget Act of 1969
- Item 396(g), Budget Act of 1969

Department of Navigation and Ocean Development:
- Item 357(a), Budget Act of 1968 and as amended by Section 10.6, Budget Act of 1971
- Item 350(b), Budget Act of 1969
- Chapter 71, Statutes of 1970
- Item 203(a), Budget Act of 1971

Department of Parks and Recreation:
- Item 358(d), Budget Act of 1968, provided that no funds may be spent until one or more lease agreements for the concession at Pueblo de Los Angeles State Monument is approved and signed by the Director of the State Department of Parks and Recrea-

tion; provided further, that any such lease agreement shall contain a formula for sharing the cost of capital improvements and equipment at the Pueblo de Los Angeles State Monument between the state and the concessionaire; provided further, that any such lease entered into shall be reviewed by the Attorney General and Legislative Analyst, in addition to any other reviews required by law; provided further, that funds subject to this provision shall be available to match federal funds granted to the state for the restoration of Pueblo de Los Angeles.

Item 410(e), Budget Act of 1969
Item 410(f), Budget Act of 1969

University of California:
Item 377(a), Budget Act of 1969
Item 377(b), Budget Act of 1969, as amended by Section 11.1 of the Budget Act of 1971
Item 377(c), Budget Act of 1969
Item 377(d), Budget Act of 1969
Item 377(f), Budget Act of 1969
Item 377(l), Budget Act of 1969
Item 377(q), Budget Act of 1969
Item 377(r), Budget Act of 1969
Item 377(s), Budget Act of 1969

State Colleges:
Trustees of the California State Colleges:
Item 330(b), Budget Act of 1968
Item 408.5, Budget Act of 1966, provided that any property acquired from the funds reappropriated hereby shall only be used for educational purposes.

Chico State College:
Item 339 (a), Budget Act of 1967
Item 339(b), Budget Act of 1967
Item 339(g), Budget Act of 1967
Item 329(a), Budget Act of 1968
Item 329(b), Budget Act of 1968

State College, Dominguez Hills:
Item 333(u), Budget Act of 1968
Item 383(b), Budget Act of 1969

State College, Fullerton:
Item 329(i), Budget Act of 1968
Item 329(j), Budget Act of 1968

State College, Hayward·
Item 339(x), Budget Act of 1967
Item 329(m), Budget Act of 1968
Item 329(n), Budget Act of 1968

Humboldt State College.
Item 329(o), Budget Act of 1968

State College, Long Beach:
Item 339(jj), Budget Act of 1967
Item 329(t), Budget Act of 1968
State College, Los Angeles:
Item 339(qq), Budget Act of 1967
Item 339(ss), Budget Act of 1967
Item 383(g), Budget Act of 1969
Sacramento State College:
Item 329(w), Budget Act of 1968
State College, San Bernardino:
Item 339(bbb), Budget Act of 1967
Item 333(z), Budget Act of 1968
San Diego State College:
Item 408(bbb), Budget Act of 1966
San Francisco State College:
Item 352(wwx), Budget Act of 1965
Item 408(ggg), Budget Act of 1966
Item 333(m), Budget of 1968
San Jose State College:
Item 353(c), Budget Act of 1965
Item 408(nnn), Budget Act of 1966
Item 339(ppp), Budget Act of 1967
Item 347.12(s), Budget Act of 1970
Stanislaus State College:
Item 339(vvv), Budget Act of 1967
State Polytechnic College, Kellogg-Voorhis Campus:
Item 383(n), Budget Act of 1969
Community Colleges:
Item 417 (n), Budget Act of 1969".

Secs. 10.3, 10.4, and 10.5
Amendment No. 270

On page 111, strike out lines 4 to 8, inclusive, and insert

"SEC 10 3. On July 1, 1973, $3,000,000 of the unexpended balance of the appropriation made by Item 291, Budget Act of 1972 is reappropriated until June 30, 1974; provided, that $1,000,000 of this amount shall be used solely for the purpose of replacement of instructional equipment; and further provided, that the remaining $2,000,000 may be used for the purchase of library books, book processing and purchase of replacement instructional equipment

SEC. 10.4. Notwithstanding any other provisions of law, Item 274(a) and Item 259(b), Budget Act of 1971 are reappropriated for the same purposes to the Department of Education and Department of Social Welfare, respectively; and shall be available until June 30, 1973.

SEC. 10 5. Notwithstanding any other provisions of law the unexpended balance of the appropriation made by Chapter 1242, Statutes of 1971, is hereby reappropriated to the California Hospital Commission for the purposes specified in such chapter and shall be available for expenditure until June 30, 1973."

Sec. 10.8

Amendment No. 271

On page 111, line 20, strike out "Item 274,".

Amendment No. 272

On page 111, line 22, after "Education," insert "not to exceed $150,000, and any project exceeding $25,000 shall be subject to approval of the State Public Works Board,".

Sec. 10.9

Amendment No. 273

On page 111, between lines 23 and 24, insert

"SEC. 10 9. On the effective date of this act, $1,500,000 of the unexpended balance of the appropriation made by Item 282 1, Budget Act of 1971, is reappropriated to the University of California, exempt from Section 31 of this act, for the payment of unemployment insurance claims during the 1972–73 fiscal year "

Sec. 10.12

Amendment No. 274

On page 111, between lines 23 and 24, insert

"SEC. 10 12. On July 1, 1972, $1,300,000 of the unexpended balance of the appropriation made by Item 254, Budget Act of 1971, is reappropriated until June 30, 1973, for augmentation of Item 255, Budget Act of 1972, Department of Social Welfare; provided, that no augmentation of Item 255 shall be made until the initial feasibility study and conceptual systems design for improvement to existing automated welfare information system required by Item 255.4, Budget Act of 1972, has been reported to the Chairman of the Joint Legislative Budget Committee and the chairman of the committee in each house which considers appropriations and the California Information Systems Implementation Committee; provided further, that no augmentation to Item 255 for funding expansion of the automated welfare information system beyond the pilot seven counties shall be made until the results are reported to the Chairman of the Joint Legislative Budget Committee and the chairman of the committee in each house which considers appropriations, and the California Information Systems Implementation Committee; provided further, the funds appropriated in this section shall be subject to the provisions of Section 4 of this act."

Sec. 11.2

Amendment No. 275

On page 111, between lines 33 and 34, insert

"SEC 11 2 As of June 30, 1972, the unencumbered balances of the appropriations provided in the following citations shall revert to the unappropriated balance of the California Environmental Protection Program Fund:

Resources Agency:

Chapter 522, Statutes of 1971

State Air Resources Board:

Section 3(b), Chapter 715, Statutes of 1970".

Secs. 11.7 and 11.8
Amendment No. 276

On page 112, strike out lines 18 to 30, inclusive, and insert

"SEC 11 7. As of June 30, 1972, the unencumbered balance of the appropriations provided in the following citations shall revert to the unappropriated balance of the State Construction Program Fund:

Board of Governors of the California

Community Colleges·

Item 309(oxll), Budget Act of 1971

SEC. 11 8. As of June 30, 1972, the unencumbered balance of the appropriation made by Item 296(f), Budget Act of 1971, shall revert to the unappropriated balance of the Motor Vehicle Account in the State Transportation Fund created by Chapter 1243, Statutes of 1971."

Secs. 11.11, 11.12, and 12
Amendment No. 277

On page 112, between lines 36 and 37, insert

"SEC. 11 11. As of June 30, 1972, the unexpended balance of the appropriation made by Item 252, Budget Act of 1971, shall revert to the unappropriated balance of the General Fund. As of July 1, 1972, the amount reverted as of June 30, 1972, from Item 252, Budget Act of 1971, up to a maximum of $300,000, is reappropriated to, and in augmentation of, Item 244(b)(1) Budget Act of 1972, for establishment of genetic counseling services

SEC 11 12 As of June 30, 1972, the unencumbered balance of the appropriations made by Item 301.5(kk), Budget Act of 1971, shall revert to the unappropriated balance of the Capital Outlay Fund for Public Higher Education

SEC. 12 All appropriations made by this Budget Act to state agencies are hereby appropriated to such state agencies, provided that such state agencies report the completion or cancellation of their federal grants to the state clearinghouse."

Sec. 19.3
Amendment No. 278

On page 113, strike out lines 35 to 38, inclusive.

Sec. 20
Amendment No. 279

On page 114, line 35, after the second "those", insert "instructional and instructional-related".

Sec. 20.1
Amendment No. 280

On page 115, line 1, after "Code", insert ", subdivision (a) of Section 713 of Title 2 of the California Administrative Code".

Sec. 21.6

Amendment No. 281

On page 115, between lines 27 and 28, insert

"SEC. 21 6 Any appropriation contained in this act for salary increases or for increased salary ranges or rates includes money for catch-up in salaries as defined in the President's Phase II economic guidelines pertaining to pay increases and may be expended therefor "

Sec. 27

Amendment No. 282

On page 118, line 45, after "schedule", insert "for personal services or operating expenses and equipment".

Amendment No. 283

On page 119, line 5, after "schedule", insert "for personal services or operating expenses and equipment".

Sec. 28

Amendment No. 284

On page 119, strike out lines 9 to 34, inclusive, and insert

"SEC. 28 The Director of Finance may authorize the augmentation of the amount available for expenditure for any category in the schedule set forth for any appropriation in this act or any additional category in the amount of any funds which he estimates will be received by an officer, department, division, bureau, or other agency during the 1972–73 fiscal year from any other state agency, from any agency of local government or the federal government, from any appropriation made by the Legislature or from any other source which he determines has not been taken into consideration in said schedule, or is in excess of the amount so taken into consideration, except that the director may authorize expenditures for a new program not identified in the budget as such or for purposes which in his judgment constitute an increase in the level of services above that authorized by the Budget Act or other existing law not sooner than 30 days after notification in writing of the necessity therefor to the chairman of the committee in each house which considers appropriations and the Chairman of the Joint Legislative Budget Committee, or not sooner than such lesser time as the chairman of said committee, or his designee, may in each instance determine

The Director of Finance may also reduce any category whenever he determines that funds to be received will be less than the amount taken into consideration in the schedule "

Sec. 28.6

Amendment No. 285

On page 120, between lines 44 and 45, insert

"SEC 28 6. The Director of Parks and Recreation may not advertise to award any concession contract or agreement which involves a total investment for any private party in excess of $200,000 unless not less than 30 days prior to such advertising date, the Director of Finance notifies the Chairman of the Joint Legislative Budget Committee or his designee in writing of his intention to initiate advertising for such concession contract or agreement, or not sooner than

such lesser time as the chairman of said committee or his designee, may in each instance determine; provided, that the notification shall include a finding by the Director of Parks and Recreation and the Director of Finance that the concession contract or agreement cannot reasonably be presented to the Legislature through the annual budgeting process."

Sec. 28.7

Amendment No. 286

On page 120, line 48; and on page 121, line 1, strike out "exceptions", and insert "exception".

Amendment No. 287

On page 121, strike out lines 2 to 29, inclusive; and in line 30, strike out "(e)", and insert "(a)"

Sec. 31

Amendment No. 288

On page 122, line 13, after "appropriations", insert "; provided, for the purposes of this section, a reclassification of a position shall not be deemed a new position, except where it is a reclassification of a vacant position"

The undersigned consent to the report

RANDOLPH COLLIER	WILLIE L BROWN, JR
STEPHEN P. TEALE	FRANK LANTERMAN
FRED W MARLER, JR	CARLEY V PORTER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—Burke, Cory, Ryan, and Stull—4

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Cline was granted unanimous consent that the following explanation of vote be printed in the Journal.

Explanation of Vote—Senate Bill No. 50

June 15, 1972

Mr James Driscoll
Chief Clerk of the Assembly
Assembly Chamber
State Capitol, Sacramento, California

Dear Mr Driscoll Although I cast an aye vote for the budget, I do not believe this budget carries sufficient guarantee that the Los Angeles City Schools will have the funds which they need

However, the bill does guarantee $33 million which the Los Angeles City Schools did not previously have

Sincerely,

ROBERT C CLINE
San Fernando Valley

RECESS

At 3 42 p m , Acting Speaker Fenton declared the Assembly recessed until 3 46 p m , for the purpose of permitting Mr Priolo to introduce Miss Judy Johnson of Pacific Palisades, "Junior Miss of California for 1972", and her mother, Mrs Johnson, and to permit Mr Priolo to present a resolution to Miss Johnson.

REASSEMBLED

At 3 46 p m , the Assembly reconvened

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN MacDONALD

Mr Bagley announced that today is the birthday of Assemblyman Ken MacDonald, of the 37th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr MacDonald.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3 48 p m , Mr Leroy F Greene was granted unanimous consent to hold a special meeting of the Committee on Education in the rear of the Assembly Chamber, at this time, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2335 for hearing in the Committee on Education today

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2119 for hearing in the Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 81

In compliance with a motion given on a previous day, Mr Knox moved that the vote whereby Assembly Constitutional Amendment No 81 was refused adoption be reconsidered

Assembly Constitutional Amendment No 81 reconsidered by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Chacon, Chappie Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor,

Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—None.

Assembly Constitutional Amendment No. 81 Passed and Retained

By unanimous consent, Assembly Constitutional Amendment No 81 was passed on file, to retain its place on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 71—An act to add Sections 8506 1 and 8507 to the Education Code, relating to venereal disease instruction, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 71?

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly March 9, 1972, strike out lines 1 to 4, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Brown, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None

Above bill ordered enrolled

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 13, 1972

Mr. Speaker Your Committee on Rules, pursuant to Joint Rule No 8.3, recommends that introduction of the following proposed bill by Assemblyman Chappie be permitted

An act to amend Section 7901 of the Public Utilities Code, relating to public utilities.

BURTON, Chairman

Assembly Chamber, June 15, 1972

Mr Speaker· Your Committee on Rules recommends·

That the request by Mr Moorhead for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2367 be granted

BURTON, Chairman

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Rules recommends·

That the request by Mr Z'berg for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2376 be granted.

BURTON, Chairman

Committee on Transportation

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Transportation reports

SB No 414

With the recommendation· Do pass.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker· Your Committee on Ways and Means reports

ACR No 93

With the recommendation· Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calandar

BROWN, Chairman

Above resolution ordered on file.

Committee on Water

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Water reports:

AB No 742
AB No 1693
AB No 1325

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

PORTER, Chairman

Above bills ordered to second reading

Committee on Employment and Public Employees

Assembly Chamber, June 15, 1972

Mr Speaker· Your Committee on Employment and Public Employees reports

AB No 1871

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means

HAYES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Transportation

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 2213
AB No 2364

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with a recommendation · To Consent.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No. 94

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, June 15, 1972

Mr Speaker · Your Committee on Transportation reports:

AB No. 1307
AB No 1880

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Transportation reports

SB No 1149

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No 1224

With amendments with the recommendation · Amend, and re-refer to the Committee on Criminal Justice.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No. 97

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Transportation

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Transportation reports·

SJR No 4

With the recommendation. Be adopted, and be re-referred to the Committee on Rules

DEDDEH, Chairman

Above resolution re-referred to the Committee on Rules

Committee on Constitutional Amendments

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports·

ACA No. 62

With amendments with the recommendation· Amend, be adopted as amended, and be re-referred to the Committee on Ways and Means

GARCIA, Chairman

Above resolution ordered on file

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports.

ACA No 77

ACA No. 54

With the recommendation Be adopted.

GARCIA, Chairman

Above resolutions ordered on file.

Assembly Chamber, June 15, 1972

Mr. Speaker· Your Committee on Constitutional Amendments reports.

AB No 165

AB No 1421

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

GARCIA, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 2157

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Committee on Governmental Organization

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

AB No 1583
AB No 2033

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

AB No 1227
AB No 2035

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

RALPH, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

ACA No 27

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments

RALPH, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

AB No 1843

With the recommendation: Do pass

RALPH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No 1594

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

RALPH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 2375

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RALPH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 2315

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, June 15, 1972

Mr. Speaker Your Committee on Local Government reports:

ACA No 55

With the recommendation That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

KNOX, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

Assembly Chamber, June 15, 1972

Mr. Speaker. Your Committee on Local Government reports:

AB No 650
AB No 792
AB No 1624
AB No 1817
AB No 2309

With the recommendation That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

KNOX, Chairman

Subject matter of the above bills referred to the Committee on Rules

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No. 461

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr. Speaker · Your Committee on Local Government reports:

AB No 2338

AB No 2374

With the recommendation · Do pass.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 15, 1972

Mr Speaker. Your Committee on Local Government reports:

AB No 857	AB No 1103
AB No 858	AB No 1327
AB No 1102	AB No 1399

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading

Committee on Labor Relations

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Labor Relations reports.

AB No 874

AB No. 1157

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

McCARTHY, Chairman

Above bills ordered to second reading

RESOLUTIONS

The following resolution was offered:

By Assemblyman Moorhead.

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2367 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3 53 p m, Mr Warren was granted unanimous consent to hold a special meeting of the Committee on Judiciary in the rear of the Assembly Chamber, at this time

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Moorhead was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2367 for hearing in the Committee on Judiciary today.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Z'berg:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2376 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Biddle, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2376 for hearing in the Committee on Natural Resources and Conservation on Friday, June 16.

INTRODUCTION OF GUESTS

Mr Monagan, of the 12th District, introduced the Honorable William H Lancaster, Assemblyman-elect of the 49th District, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber.

VOTE CHANGES

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on the Conference Committee Report on Senate Bill No. 50.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill 712—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 712?

Amendment No. 1

On page 2, after line 26, of the printed bill, insert

"SEC. 2. Section 21113 of the Vehicle Code is amended to read:

21113. (a) No person shall drive any vehicle or animal, nor shall any person stop, park, or leave standing any vehicle or animal, whether attended or unattended, upon the driveways, paths, *parking facilities,* or the grounds of any public school, state university, state college, *unit of the state park system, county park, municipal airport, or rapid transit district or any* state, county, *or* hospital district ~~, or municipal airport,~~ institution or building, ~~or unit of the state park system~~ or any educational institution exempted in whole or in part from taxation, except with the permission of, and upon and subject to such conditions and regulations as may be imposed by, the governing board or officer of the public school, state university, state college, *county park, municipal airport, rapid transit district, or* state, county, *or* hospital district ~~, or municipal airport,~~ institution or building, or educational institution, or the Director of Parks and Recreation regarding units of the state park system

(b) Every governing board or officer shall erect or place appropriate signs giving notice of any special conditions or regulations that are imposed under this section and every board or officer shall also prepare and keep available at the principal administrative office of the board or officer, for examination by all interested persons, a written statement of all such special conditions and regulations adopted under this section.

(c) When any governing board or officer permits public traffic upon the driveways, paths, *parking facilities,* or grounds under their control then, except for those conditions imposed or regulations enacted by the governing board or officer applicable to the traffic, all the provisions of this code relating to traffic upon the highways shall be applicable to the traffic upon the driveways, paths, *parking facilities,* or grounds.

SEC. 3. It is the intent of the Legislature, if this bill and Senate Bill No. 504 are both chaptered and amend Section 21113 of the Vehicle Code, and this bill is chaptered after Senate Bill No. 504, that the amendments to Section 21113 proposed by both bills be given effect and incorporated in Section 21113 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No. 504 are both chaptered, both amend Section 21113, and Senate Bill No. 504 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 787—An act to amend Section 10172 of the Insurance Code, relating to insurance.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Bill No 787?

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1 Section 10172 of the Insurance Code is amended to read

10172 Notwithstanding the provisions of Sections ~~161a~~ *5105* and ~~172~~ *5125* of the Civil Code, when the proceeds of, or payments under, a life insurance policy become payable and the insurer makes payment thereof in accordance with the terms of the policy, or in accordance with the terms of any written assignment thereof if the policy has been assigned, such payment shall fully discharge the insurer from all claims under such policy unless, before such payment is made, the insurer has received, at its home office, written notice by or on behalf of some other person that such other person claims to be entitled to such payment or some interest in the policy."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—63.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 825—An act to add Section 15802.2 to the Education Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 825?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "duties"; and strike out line 6, and insert "powers prescribed in Section 15802.1, through a joint".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 863—An act to amend Section 677 of the Insurance Code, relating to insurance.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 863?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly April 18, 1972, after "policy," insert "or to his last known address,".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER SENATE JOINT RESOLUTION NO. 10 WAIVED

Mr. Priolo waived his motion to reconsider the vote whereby Senate Joint Resolution No. 10 was adopted.

Senate Joint Resolution No 10 ordered transmitted to the Senate.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1420

In compliance with a motion given on a previous day, Mr. Stull moved that the vote whereby Assembly Bill No. 1420 was passed be reconsidered.

Assembly Bill No. 1420 refused reconsideration by the following vote:

AYES—Arnett, Barnes, Belotti, Burke, Chappie, Cline, Collier, Conrad, Dent, Ketchum, MacGillivray, Monagan, Murphy, Stacey, Stull, and Wood—16.

NOES—Bee, Burton, Cory, Deddeh, Dunlap, Fenton, Fong, Bill Greene, Leroy F Greene, Harvey Johnson, Keysor, LaCoste, MacDonald, McAlister, Meade, Mobley, Pierson, Priolo, Quimby, Ralph, Sieroty, Vasconcellos, Warren, Wilson, Z'berg, and Mr. Speaker—26.

Bill ordered transmitted to the Senate

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1159, on request of Mr. Karabian.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1264—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 366—An act to add Chapter 3 5 (commencing with Section 536) to Title 7 of Part 2 of the Code of Civil Procedure, relating to civil proceedings.

Bill read third time, and passed by the following vote

AYES—Arnett, Bee, Beverly, Brown, Burton, Campbell, Chacon, Cline, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Karabian, Keysor, MacDonald, McAlister, Meade, Miller, Moorhead, Pierson, Porter, Priolo, Quimby, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—42.

NOES—Badham, Barnes, Burke, Chappie, Collier, Conrad, Dent, Duffy, Foran, Harvey Johnson, Ray E Johnson, Ketchum, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Murphy, Powers, Russell, Seeley, Stacey, and Stull—25

Bill ordered transmitted to the Senate.

Assembly Bill No. 806—An act to add Chapter 11 (commencing with Section 872) to Title 10 of Part 2 of the Code of Civil Procedure, relating to environmental defense actions.

Bill read third time, and passed by the following vote.

AYES—Arnett, Bee, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Karabian, Keysor, Knox, MacDonald, McAlister, Meade, Miller, Pierson, Porter, Priolo, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—43.

NOES—Badham, Barnes, Burke, Chappie, Collier, Conrad, Dent, Duffy, Foran, Harvey Johnson, Ray E Johnson, Ketchum, LaCoste, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Russell, Stacey, and Stull—23.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1733—An act to amend Sections 401 3 and 1815.9 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Bee, Belotti, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1192—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1647—An act to add Section 10610 to the Education Code, relating to the public school system.

Bill read third time, and passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy,

Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—Miller—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1966—An act to add Section 227 3 to the Labor Code, relating to labor.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bills Nos. 206 and 264—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1036—An act to add Sections 31760 2, 31765 2, 31781 4, and 31785.1 to the Government Code, relating to county employees' retirement

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1958—An act to amend, repeal, and add Section 5328 of, and add Section 5328 9 to, the Welfare and Institutions Code, relating to mental health

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey John-

son, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1394—An act to amend Section 690 2 of the Code of Civil Procedure, relating to execution of judgment.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 13—An act to add Section 12461 1 to the Government Code, relating to reports of the Controller.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 850—Passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1004

Mr Waxman was granted unanimous consent to take up Assembly Bill No. 1004, out of order, for purpose of amendment

Consideration of Assembly Bill No. 1004

Assembly Bill No. 1004—An act to add Sections 3405 and 4027 to the Penal Code, and to add Sections 519 and 1773 to the Welfare and Institutions Code, relating to abortions

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Waxman was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No 1004 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr Waxman moved the adoption of the following amendments:

Amendment No. 1

On page 2, between lines 3 and 4 of the printed bill, as amended in Assembly May 15, 1972, insert

"The rights provided for females by this section shall be posted in a conspicuous place to which all females have access."

Amendment No. 2

On page 2, between lines 19 and 20, insert

"The rights provided for females by this section shall be posted in a conspicuous place to which all females have access"

Amendment No. 3

On page 2, between lines 34 and 35, insert

"The rights provided for females by this section shall be posted in a conspicuous place to which all females have access."

Amendment No. 4

On page 3, after line 5, insert

"The rights provided for females by this section shall be posted in a conspicuous place to which all females have access."

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1615—An act to add Section 14013 to the Agricultural Code, relating to pesticide.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2032—An act to amend Sections 35700, 35711, 35720, 35730.5, 35740, and 35742 of, and to add Section 35747 to, the Health and Safety Code, relating to fair housing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seely, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 960—An act to add Sections 14092, 14092.5, 14093, 14093 5, 14094, 14094.5, 14095, 14095 5, 14096, 14096.5, and 14097 to, and to add Article 31 (commencing with Section 14451) to Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—Ryan—1

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—Ryan—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 37—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 38—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend,

Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 550—An act to amend Section 1 of Chapter 137 of the Statutes of 1966, First Extraordinary Session, Section 3 of Chapter 1679 of the Statutes of 1967, Sections 2 and 3 of Chapter 1356 of the Statutes of 1969, and Section 2 of Chapter 920 of the Statutes of 1970, relating to water pollution.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 54—An act to add Section 69894 to the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ryan, Seeley, Stacey, Stull, Townsend, Waxman, Wilson, Z'berg, and Mr. Speaker—55.

NOES—Warren—1.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:49 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

BILLS REMOVED FROM CONSENT CALENDAR

On request of Mr. Stull, Assembly Bills Nos. 1250, 1371, and 1414 were removed from the Consent Calendar.

On request of Mr. Miller, Senate Bill No. 967 was removed from the Consent Calendar.

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1910—An act to amend Sections 21252.45 and 21252.6 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1450—An act to amend Sections 73107, 73110, 73113, 73663, 73665, 73666, and 73667 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1936—An act to amend and renumber Section 54797.3 of, and to add Section 54797.3 to, and to add Chapter 4 (commencing with Section 58950) to Division 2, Title 6 of, the Government Code, and to amend Section 13917.5 of the Health and Safety Code, relating to Local Government

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fen-

ton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 594—An act to amend Section 65854 of, and to add Section 65905.5 to, the Government Code, relating to zoning.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1075—An act to add Sections 26468, 26569.1, 26569.2 and 26569.3 to the Health and Safety Code, relating to food.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1198—An act to add Section 26468 to, and to add Article 1.5 (commencing with Section 26505) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1074—An act to amend Section 26559 of the Health and Safety Code, relating to bread loaves.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2145—An act to amend Section 739 of the Welfare and Institutions Code, relating to minors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1852—An act to add Section 5704 4 to the Welfare and Institutions Code, relating to mental health services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 72—Relative to awards to state employees.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1032—An act to amend Sections 31652 and 31672 of, and to repeal Section 31652.2 of, the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1267—An act to amend Section 338 of the Code of Civil Procedure, relating to advertising

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 300—An act to amend Sections 821, 885 5, 6153, 6750, 6751, 6751 1, 6752, 6752 2, 6753, 6754, 6755, 6755 1, 6755 2, 6755 3, 6756, 6757, 6758, 6759, 6760, 6761, 6770, 6771, 6772 6790, 6801, 6802, 6802 1, 6802 15, 6803, 6803 1, 6804, 6805, 6806, 6806 1, 6808, 6809, 6812, 6812 1, 6812.5, 6813, 6814, 6815, 6816, 6817, 6818, 6820, 6820 1, 6820 2, 6851, 6852, 6853, 6870, 6873, 6901, 6902, 6902 05, 6902 07, 6902 08, 6902 085, 6902 09, 6902 095, 6902 10, 6902 1, 6902 2, 6902 4, 6902 5, 6903, 6903 1, 6903 3, 6904, 6904 1, 6904 3, 6904 5, 6905, 6906 5, 6907, 6910, 6911, 6912, 6912 5, 6913, 6913 1, 6914, 6915, 6916, 6931, 6932, 6941, 6947, 6951, 11054, 11226, 11227, 11228, 11229, 11555, 11556, 16645 2, 17305 7, 18101, 18102 18102 2, 18102 4, 18102 6, 18102 9, 18102 10, 18355, 18358, 19682, 19683, 19683 5, 20807, 25601, and 26501 of, and to amend the heading of Chapter 7 1 (commencing with Section 6750) of Division 6 of, and to amend the heading of Article 2 (commencing with Section 6770) of Chapter 7.1 of Division 6 of, and to amend the heading of Chapter 7.2 (commencing with Section 6790) of Division 6 of, and to amend the heading of Article 7 (commencing with Section 11226) of Chapter 2 of Division 9 of, and to amend the heading of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of, the Education Code, relating to special education

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1528—An act to amend Section 16200 5 of the Welfare and Institutions Code, relating to licensing and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1008—An act to amend Section 11501 of the Agricultural Code, relating to pesticides

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas,

Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2122—An act to amend Sections 24224, 24260, 24354 2, 24355 2, 39382, and 39402 of the Health and Safety Code, relating to air pollution.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 441—An act to amend Section 11713 of the Vehicle Code, relating to vehicle dealers, manufacturers, and transporters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 585—An act to amend Sections 74691, 74692, 74693, and 74693 1 of the Government Code, relating to courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 735—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1812—An act to amend Sections 851.5, 852, 853 and 1240 of the Probate Code, relating to title disputes.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1048—An act to amend Sections 680, 682 and 684 of the Probate Code, relating to family allowance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1820—An act to amend Section 3262 of the Civil Code, relating to works of improvement.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An act to repeal Chapter 3.5 (commencing with Section 21500) of Part 1 of Division 9 of the Public Utilities Code, relating to aviation.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2048—An act to amend Section 33356 of the Health and Safety Code, relating to redevelopment

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 82—An act to add Section 30101 6 to the Streets and Highways Code, relating to toll bridges

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 512—An act to add Section 6404 to the Agricultural Code, relating to plants.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey, Stull Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 743—An act to amend Section 8411 of, and to add Sections 8412, 8413 8414, and 8414 2 to, the Water Code, relating to flood plain regulations

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley Barnes, Bee Belotti Beverly, Briggs Brown Burke, Burton, Chacon Chappie, Cline, Collier, Conrad Cory, Crown, Cullen, Davis Deddeh Dent, Duffy, Dunlap Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden Hayes, Harvey Johnson, Ray E Johnson Karabian, Ketchum Keysor, Knox, LaCoste, Lanterman Lewis, MacDonald, MacGillivray Maddy, McAlister, McCarthy, Meade Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey, Stull Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 862—An act to amend Section 410 of the Unemployment Insurance Code, relating to unemployment insurance

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1093—An act to add and repeal Section 4181.3 of the Fish and Game Code, relating to mammals

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1152—An act to amend Sections 6484 and 6497 of the Fish and Game Code, relating to mariculture

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1469—An act to amend Section 17601 1 of the Education Code, relating to attendance

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1520—An act to amend Sections 14581, 14585, and 14686 of, and to add Section 14622 to, the Agricultural Code, relating to fertilizing materials

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1792—An act to amend Section 36637 of the Agricultural Code, relating to definitions, standards, and permits

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1072—An act to amend Section 35783 of the Agricultural Code, relating to milk.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1165—An act to amend Section 25505 8 of, and to add Chapter 1 6 (commencing with Section 22515) to Division 16 5 of, the Education Code, relating to community colleges

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1246—An act to amend Section 1 of Chapter 1619 of the Statutes of 1971, relating to handicapped students at community colleges

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1931—An act to amend Sections 17769 and 17775 of, and to add Sections 17769 1, 17769.2, 17775 1, and 17775 2 to, the Business and Professions Code, and to amend Sections 12214, 12215, 12401.1, 17207, 17211, 17212, 17608 1, 22202, 22208, 22615 5, 24202, 24208, and 24609 1 of the Financial Code, relating to persons licensed by the Commissioner of Corporations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate

House Resolution No. 55—Relative to University of California parking fees

---

NOTE: The full text of House Resolution No 55, as amended, appears at pages 4659–4660 of the Assembly Daily Journal for June 13, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Assembly Concurrent Resolution No. 59—Relative to mental health.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene,

Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 61—Relative to fringe parking facilities for the San Francisco Bay Area Rapid Transit system.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1217—An act to amend Section 873 of, and to add Section 673 to, the Education Code, and to amend Sections 31595, 31601, 31603, 31604, 31606 and 31607 of the Government Code, relating to county boards of education, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1280—An act to amend Sections 213 and 4651 of the Labor Code, relating to compensation and disability payments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 906—An act relating to duplication of property taxes to finance fire protection, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 504—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 888—An act to amend Sections 11106, 11507, 11719, and 11802 of the Vehicle Code, relating to occupational licensing.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1300—An act to amend Section 42721 of, and to repeal Article 2 5 (commencing with Section 42685) of Chapter 2 of Division 17 of, the Agricultural Code, relating to containers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1428—An act to amend Sections 1, 32, 35, and 101 of, and to add Section 50 to, the Agricultural Code, relating to agriculture

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas,

Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 299—An act to amend Sections 69895 and 69900 of the Government Code, relating to court attachés

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 300—An act to amend Sections 74502, 74503, 74504, and 74507 of the Government Code, relating to municipal courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1045—An act to amend Section 112 of the Code of Civil Procedure, relating to justice courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas,

Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 706—An act to amend Sections 5, 15, and 30 of, the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to the Humboldt Bay Harbor, Recreation, and Conservation District, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 459—An act to amend Sections 74002, 74003, 74004, and 74005 of the Government Code, relating to courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr MacGillivray was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1781 for hearing in the Committee on Natural Resources and Conservation, on Friday, June 16

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 956 for hearing in the Committee on Education

RESOLUTIONS

The following resolution was offered:

By Assemblyman Chappie:

Resolution Permitting Introduction of Bill

Resolved, That permission to introduce the following bill be granted:

An act to amend Section 7901 of the Public Utilities Code, relating to public utilities

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2377: By Assemblyman Chappie—An act to amend Section 7901 of the Public Utilities Code, relating to public utilities

Held at Desk by order of the Acting Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 15, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2377—An act to amend Section 7901 of the Public Utilities Code, relating to public utilities.

EUGENE A. CHAPPIE

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 96 FROM COMMITTEE

Mr Briggs was granted unanimous consent that Assembly Concurrent Resolution No 96 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 96

Assembly Concurrent Resolution No. 96—Approving amendments to the Charter of the City of Placentia, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

June 1, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr Driscoll: Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Placentia

Very truly yours,

JOHN V BRIGGS
Assemblyman

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 96)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 101: By Assemblyman Chappie —Relative to the effect of highway surfaces on motorcycles

Held at Desk by order of the Acting Speaker

Assembly Concurrent Resolution No. 102: By Assemblymen Chacon, Dent, Garcia, MacDonald, Arnett, Brown, Burton, Deddeh, Ketchum, Quimby, and Z'berg—Relative to state civil service

Held at Desk by Order of the Acting Speaker

Assembly Joint Resolution No. 36: By Assemblyman Lewis—Relative to camping facilities in the San Bernardino Mountains

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 2051
AB No 2316

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

POWERS, Chairman

Above bills ordered to second reading

Committee on Constitutional Amendments

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports·

ACA No. 20

With the recommendation· Be adopted

GARCIA, Chairman

Above resolution ordered on file.

Committee on Judiciary

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 2367

With the recommendation. Do pass

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Judiciary reports.

AB No 1542

With amendments with the recommendation Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Health reports:

AB No 1506

With the recommendation· Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

TOWNSEND, Vice Chairman

Above bill ordered to second reading

Committee on Welfare

Assembly Chamber, June 15, 1972

Mr Speaker. Your Committee on Welfare reports:

ACR No 52

With the recommendation Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

RAGLEY, Chairman

Above resolution ordered on file.

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Welfare reports:

AB No 778

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Welfare reports:

AB No 1203

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Welfare reports:

AB No 2114

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent

BAGLEY, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Welfare reports:

AB No 1885

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Welfare reports:

AB No 1204

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Welfare reports:

AB No 1202

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, June 15, 1972

Mr. Speaker· Your Committee on Rules reports:

AB No 2119

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr. Speaker Your Committee on Ways and Means reports:

AB No. 1404

With the recommendation· Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Constitutional Amendments

Assembly Chamber, June 15, 1972

Mr Speaker. Your Committee on Constitutional Amendments reports:

AB No 160

With the recommendation. Do pass.

GARCIA, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 1685
AB No 1864
AB No 1087

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bills ordered to second reading

Committee on Judiciary

Assembly Chamber, June 15, 1972

Mr Speaker The Chairman of your Committee on Judiciary reports:

SB No 912

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 912—An act to amend Sections 17535 and 17536 of the Business and Professions Code, relating to advertising.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 4, 1972, after line 19, insert

"SEC 3 Section 17535 of the Business and Professions Code is amended to read:

17535. Any person, corporation, firm, partnership, joint stock company, or any other association or organization which violates or proposes to violate this chapter may be enjoined by any court of competent jurisdiction *The court may make such orders or judgments, including the appointment of a receiver, as may be necessary to prevent the use or employment by any person, corporation, firm, partnership, joint stock company, or any other association or organization of any practices which violate this chapter, or which may be necessary to restore to any person in interest any money or property, real or personal, which may have been acquired by means of any practice in this chapter declared to be unlawful.*

Actions for injunction under this section may be prosecuted by the Attorney General or any district attorney, *county counsel, city attorney, or city prosecutor* in this state in the name of the people of the State of California upon their own complaint or upon the complaint of any board, officer, person, corporation or association or by any person acting for the interests of itself, its members or the general public

SEC. 4. It is the intent of the Legislature, if this bill and Assembly Bill No 1763 are both chaptered and amend Section 17535 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1763, that the amendments to Section 17535 proposed by both bills be given effect and incorporated in Section 17535 in the form set forth in Section 3 of this act. Therefore, Section 3 of this act shall become operative only if this bill and Assembly Bill No 1763 are both chaptered, both amend Section 17535, and Assembly Bill No 1763 is chaptered before this bill, in which case Section 1 of this act shall not become operative"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 15, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports.

AJR No 21

ACR No 50

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Joint Resolution No. 21—Relative to embargoes on agricultural products.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed measure, strike out "agricultural".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules

Assembly Concurrent Resolution No. 50—Relative to dangerous drugs

Resolution read

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, lines 17 and 18, of the printed measure, strike out "natural or processed agricultural commodities, or both," and insert "products".

Amendment No. 2

On page 2, line 22, strike out "agricultural commodities", and insert "products".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 15, 1972

Mr Speaker The Chairman of your Committee on Rules reports: AB No 1759

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1759—An act to add Chapter 10 7 (commencing with Section 25930) to Division 20 of the Health and Safety Code, relating to imported products

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly April 27, 1972, strike out "Assemblyman Briggs", and insert "Assemblymen Briggs and Ryan"

Amendment No. 1.5

On page 2, line 3, strike out "act", and insert "chapter".

Amendment No. 2

On page 2, strike out lines 5 to 14, inclusive, and insert

"25931 No person shall sell at retail in this state any product which is produced or processed in, or imported from, a foreign country determined by the Department of Justice pursuant to this chapter to be a country which produces, processes, or supplies heroin for unlawful use in this state which is not labeled in accordance with the provisions of this chapter

25932 (a) Products subject to this chapter shall contain a label stating substantially as follows: "This product was produced or processed in, or imported from _____ which has been determined by the Department of Justice of this state to be a country which supplies or produces heroin for illegal use in this state "

(name of country)

(b) Notwithstanding subdivision (a), the Department of Justice by regulation shall authorize and draft a standard notice to retail purchasers of products subject to this chapter, in a form which it deems equivalent to the notice provided for in subdivision (a) with such notice or notices to be posted in appropriate locations as determined by the Department of Justice, in those cases where a product is sold at retail in bulk or is otherwise in such a form that it is impractical to affix a label to the product

25933 The Department of Justice, by regulation, shall designate each foreign country which it determines to be a country which supplies, produces, or processes heroin for unlawful use in this state

25934 (a) The Department of Justice shall compile a list of persons who import products from countries designated pursuant to Section 25933 for sale in this state

(b) All persons in this state that purchase products from countries designated pursuant to Section 25933 shall be notified on a yearly basis of the requirements of this chapter

(c) The Department of Justice shall, on a quarterly basis, update their list of persons importing products from countries designated pursuant to Section 25933

25935 Any person who violates Section 25931 is guilty of a misdemeanor which shall be punished by a fine of ten thousand dollars ($10,000) "

Bill ordered reprinted, and to be re-referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 15, 1972

Mr. Speaker: The Chairman of your Committee on Education reports·

AB No 956

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 956—An act to amend Sections 17301 and 17303 5 of the Education Code, relating to financial support for the public schools.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Leroy F. Greene", and insert "Moretti".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 15, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports,

SB No. 742

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 742—An act to add Section 647 to the Evidence Code, relating to presumptions.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, of the printed bill, after line 3, insert

"SEC. 2. This act shall not apply to any action pending on its effective date in which the state, a city, a county, or a city and county, is a party on such effective date "

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 15, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No 117
AB No. 1533

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 117—An act to amend Sections 11710 and 11710.1 of, and to add Article 1.5 (commencing with Section 11750) to Chapter 4 of Division 5 of, the Vehicle Code, relating to vehicle dealers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "and 11710 1", and insert ", 11710 1, and 11711".

Amendment No. 2

On page 2, lines 8 and 9, strike out "twenty thousand dollars ($20,000)", and insert "five thousand dollars ($5,000) with respect to an applicant who deals, or will deal, exclusively in motorcycles or snowmobiles, or both, and twenty thousand dollars ($20,000) with respect to all other applicants,".

Amendment No. 3

On page 2, line 13, after "not", insert "fail to give title to a buyer,".

Amendment No. 3.5

On page 2, line 13, after the comma, insert "or".

Amendment No. 4

On page 2, line 16, after the period, insert "A successful claimant shall be awarded his costs, including reasonable attorneys' fees."

Amendment No. 5

On page 2, line 18, strike out "twenty thousand dollars ($20,000)", and insert "five thousand dollars ($5,000) with respect to an applicant who deals, or will deal, exclusively in motorcycles or snowmobiles, or both, and twenty thousand dollars ($20,000) with respect to all other applicants,".

Amendment No. 6

On page 4, strike out line 14, and insert "five thousand dollars ($5,000) with respect to an applicant who deals, or will deal, exclusively in motorcycles or snowmobiles, or both, and twenty thousand dollars ($20,000) with respect to all other applicants".

Amendment No. 7

On page 4, lines 19 and 20, strike out "twenty thousand dollars ($20,000)", and insert "five thousand dollars ($5,000) with respect to an applicant who deals, or will deal, exclusively in motorcycles or snowmobiles, or both, and twenty thousand dollars ($20,000) with respect to all other applicants,".

Amendment No. 8

On page 4, line 23, after "SEC. 3.", insert Section 11711 of the Vehicle Code is amended to read:

11711. (a) If any person shall suffer any loss or damage by reason of *not receiving title, or* any fraud practiced on him or fraudulent representation made to him by a licensed dealer or one of such dealer's salesmen acting for the dealer, in his behalf, or within the scope of the employment of such salesman ~~, provided, such person has possession of a written instrument furnished by the licensee, containing stipulated provisions and guarantees which the person believes have been violated by the licensee~~, or shall suffer any loss or damage by reason of the violation by such dealer or salesman of any of the provisions of Division 3 *(commencing with Section 4000)* of this code, or if any person, other than a licensee, is not paid for a vehicle sold to and purchased by a licensee, such person shall have a right of action against such dealer, his ~~said~~ salesman, and the surety upon the dealer's bond, ~~in an amount not to exceed the value of the vehicle purchased from or sold to the dealer~~ *but such right of action, to be against the surety on the dealer's bond, shall be limited to causes of action specified in Section 11710*.

(b) If the state or any political subdivision thereof shall suffer any loss or damage by reason of any fraud practiced on the state or fraudulent representation made to the state by a licensed dealer, or one of such dealer's representatives acting for the dealer, in his behalf, or within the scope of employment of such representatives, or shall suffer any loss or damage by reason of the violation of such dealer or representative of any of the provisions of Division 3 *(commencing with Section 4000)* of this code, or ~~Division~~ 2, Part 5 ~~,~~ *(commencing with Section 10701) of Division 2* of the Revenue and Taxation Code, the state or any political subdivision thereof, through the department, shall have a right of action against such dealer, his representative, and the surety upon the dealer's bond in an amount not to exceed the value of the vehicles involved.

(c) The failure of a dealer upon demand to pay the fees and penalties determined to be due as provided in Section 4456 hereof is declared to be a violation of Division 3 (commencing with Section 4000) of this code, and Part 5 (commencing with Section 10701), Division 2 of the Revenue and Taxation Code and to constitute loss or damage to the state in the amounts of said fees and penalties determined to be due and not paid

(d) The claims of the state under subdivision (b) ~~of this section~~ shall be satisfied first and entitled to preference over all claims under subdivision (a) ~~hereof~~.

SEC. 4 "

Amendment No. 9

On page 4, strike out lines 29 to 40, inclusive; and on page 5, strike out line 1, and insert

"11750 It shall be the purpose of this article to provide for the establishment of a Vehicle Consumers Indemnity Fund to serve as an alternative to the requirements of Sections 11710, 11710.1, and 11711 for dealers who are members of an association which has established such a fund pursuant to this article

11751. (a) On or after July 1, 1973, any organization of dealers which can, to the satisfaction of the department, show the ability to set up an indemnity fund of at least five hundred thousand dollars ($500,000) to satisfy any liability of such dealers under Section 11710 or 11711, up to the amounts specified in Section 11710, may, upon receiving the approval of the department, establish a Vehicle Consumers Indemnity Fund.

(b) Any organization seeking to establish such a fund shall apply to the department for approval and shall submit such information as the department reasonably determines is necessary for the department to determine whether such organization meets the requirements of subdivision (a).

(c) The department may approve, or for reasonable cause shown disapprove, any application submitted pursuant to subdivision (b).

(d) As used in this article, "approved organization" means an organization which has been approved by the department pursuant to this article "

Amendment No. 10

On page 5, line 6, strike out "in the amount of twenty thousand dollars ($20,000)".

Amendment No. 11

On page 5, lines 8 and 9, strike out "in the sum of twenty thousand dollars ($20,000)".

Amendment No. 12

On page 5, line 11, strike out "the", and insert "a".

Amendment No. 13

On page 5, line 12, strike out "This subdivision shall"; and strike out lines 13 and 14

Amendment No. 14

On page 5, line 20, strike out "The", and insert "Any such".

Amendment No. 15

On page 5, line 22, strike out "or associate members of the"; and strike out lines 23 to 27, inclusive, and insert "of an organization described in subdivision (a) of Section 11751 shall be assessed an entrance fee of one hundred dollars ($100), and may be assessed an annual levy or assessment of up to six hundred dollars ($600) in order to maintain the fund of the organization at five hundred thousand dollars ($500,000)."

Amendment No. 16

On page 5, line 28, strike out the second "the", and insert "any such".

Amendment No. 17

On page 5, lines 29 and 30, strike out "one million dollars ($1,000,000)", and insert "five hundred thousand dollars ($500,000)".

Amendment No. 18

On page 5, line 31, strike out the first "fund", and insert "approved organization".

Amendment No. 18.5

On page 5, line 31, strike out the second "fund", and insert "approved organization".

Amendment No. 18.6

On page 5, line 36, strike out "fund", and insert "approved organization".

Amendment No. 19

On page 6, line 1, strike out "fund", and insert "approved organization".

Amendment No. 20

On page 6, line 4, strike out "fund", and insert "approved organization".

Amendment No. 21

On page 6, line 6, strike out "to the fund", and insert "into the fund of the approved organization".

Amendment No. 22

On page 6, line 11, strike out "fund", and insert "approved organization".

Amendment No. 23

On page 6, line 13, strike out "fund", and insert "approved organization".

Amendment No. 24

On page 6, line 15, strike out "fund", and insert "approved organization".

Amendment No. 25

On page 6, line 16, strike out "fund", and insert "approved organization".

Amendment No. 26

On page 6, line 17, strike out "and evidence of membership in the"; strike out line 18, and in line 19, strike out "California".

Amendment No. 27

On page 6, line 22, strike out "fund", and insert "approved organization".

Amendment No. 28

On page 6, line 23, strike out "fund", and insert "approved organization".

Amendment No. 29

On page 6, line 24, strike out "fund", and insert "approved organization"

Amendment No. 30

On page 6, line 26, strike out "fund", and insert "approved organization".

Amendment No. 31

On page 6, line 31, strike out "fund", and insert "approved organization".

Amendment No. 32

On page 6, line 34, strike out "shall", and insert "may"

Amendment No. 33

On page 6, line 37, strike out "fund", and insert "approved organization"

Amendment No. 34

On page 7, line 2, strike out "fund", and insert "approved organization".

Amendment No. 35

On page 7, line 4, strike out "fund", and insert "approved organization".

Amendment No. 36

On page 7, line 6, strike out "fund", and insert "approved organization"

Amendment No. 37

On page 7, line 21, strike out "fund", and insert "approved organization".

Amendment No. 38

On page 7, line 23, strike out "fund, the fund", and insert "approved organization, the approved organization"

Amendment No. 39

On page 7, line 26, strike out "fund", and insert "approved organization".

Amendment No. 40

On page 7, line 33, strike out "fund", and insert "approved organization".

Amendment No. 41

On page 7, line 35, strike out "fund", and insert "approved organization"

Amendment No. 42

On page 7, line 40, strike out "fund", and insert "approved organization".

Amendment No. 43

On page 8, line 6, strike out "fund", and insert "approved organization"

Amendment No. 44

On page 8, line 10, strike out "fund", and insert "approved organization"

Amendment No. 45

On page 8, line 17, strike out "fund", and insert "approved organization".

Amendment No. 46

On page 8, line 21, strike out "fund", and insert "approved organization".

Amendment No. 47

On page 8, line 24, strike out "fund", and insert "approved organization".

Amendment No. 48

On page 8, line 31, strike out "fund", and insert "approved organization".

Amendment No. 49

On page 8, line 33, strike out "fund", and insert "approved organization".

Amendment No. 50

On page 8, line 36, strike out "fund", and insert "approved organization".

Amendment No. 51

On page 9, line 3, strike out "fund", and insert "approved organization".

Amendment No. 52

On page 9, line 6, strike out "fund", and insert "approved organization".

Amendment No. 53

On page 9, line 8, strike out "fund", and insert "approved organization".

Amendment No. 54

On page 9, line 17, strike out "fund", and insert "approved organization".

Amendment No. 55

On page 9, line 18, after "may", insert ", on the agreement of both parties,"

Amendment No. 56

On page 9, line 19, strike out the comma, and insert "or".

Amendment No. 57

On page 9, line 19, strike out "or to"; and in line 20, strike out "court, at the option of either party".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Assembly Bill No. 1533—An act to add Section 27150.9 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "Article 2.5 (commencing with Section 9300) to Chapter 6 of Division 3 of, and to add".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Article 2 5 (commencing with Section 9300) is added to Chapter 6 of Division 3 of the Vehicle Code, to read:

Article 2 5. Annual Noise Emission Fee

9300 Commencing with 1974 model year motor vehicles, every motor vehicle manufacturer shall annually provide the department with motor vehicle noise emission information for at least four motor vehicles representing each model and engine-power train combination produced by such manufacturer in each such year, which is sold in this state, based upon noise emission test procedures established by the Department of the California Highway Patrol

The provisions of this section shall be operative only until such time as a mandatory annual motor vehicle inspection program is implemented in this state.

9301 Any mandatory annual motor vehicle inspection program which is implemented in this state shall, with respect to 1974 and later year model motor vehicles, include the testing of noise emission levels of motor vehicles by model and engine-power train combination, based upon test procedures established by the Department of the California Highway Patrol The results of such testing shall be transmitted to the department for use pursuant to Section 9302

9302 The department, using motor vehicle noise emission information obtained pursuant to either Section 9300 or 9301, shall establish motor vehicle noise emission classifications based upon noise levels Such classifications shall be arrived at by annually ranking the noise levels of motor vehicles into 10 percentile classifications, from the highest noise levels to the lowest, as follows:

Classification No	*Percentile*
10	90 and above
9	80–89
8	70–79
7	60–69
6	50–59
5	40–49
4	30–39
3	20–29
2	10–19
1	0–9

9303 In addition to the registration fees specified in Sections 9250 and 9253 and any weight fee, there shall be paid an annual noise emission fee for the registration of every motor vehicle of a 1975 or later model year according to its current noise emission classification number, as determined annually by the department pursuant to Section 9302, as follows:

Classification No.	*Amount*
1	$2
2	4
3	6
4	8
5	10
6	12
7	14
8	16
9	18
10	20

All fees received by the department pursuant to this section shall be deposited in the State Highway Account in the State Transportation Fund to provide financing for noise abatement programs pursuant to Section 216 of the Streets and Highways Code.

SEC. 2 Section 27150.9 is added to the Vehicle".

Amendment No. 4

On page 1, line 5, strike out "not less than"; strike out line 6; and in line 7, strike out "vehicle".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
169	Local Government
251	Planning and Land Use
255	Judiciary
484	Planning and Land Use
857	Natural Resources and Conservation
915	Criminal Justice
916	Natural Resources and Conservation
1014	Transportation

Senate Concurrent Resolution No.	*Committee*
23	Natural Resources and Conservation
24	Planning and Land Use

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2285, on request of Mr. Chacon.

VOTE CHANGES

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 1316 and 1763

Mr. Vasconcellos was granted unanimous consent that he be recorded as voting "Aye" on the Conference Committee Report on Senate Bill No 50.

Mr Cline was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the Conference Committee Report on Senate Bill No 50.

Messrs Mobley and MacDonald were granted unanimous consent that they be recorded as voting "No" on the motion to reconsider the vote on Assembly Bill No 1420

Mr Harvey Johnson was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 366.

Messrs Harvey Johnson and Barnes were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 806

Mr Moorhead was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 366

Mr Stacey was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1615.

Mr. Warren was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 54

ADJOURNMENT

At 4:57 p m, Acting Speaker Fenton declared the Assembly adjourned until 9:30 a m, Friday, June 16, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-first Legislative Day

One Hundred Sixty-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, June 16, 1972

The Assembly met at 9:30 a.m.

Hon. Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Warren moved a quorum call of the Assembly.

Motion carried. Time, 9.31 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9·43 a m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull. Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—71.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We pray for the success of programs which are designed to help our brothers in need—the poor, the aged, the ill. Keep us mindful that they are created in Your image and thus possess a dignity unsurpassed in Your creation. Help us to respect that dignity and freedom with the utmost delicacy Justice must precede our charity and not be confused with it Save us in this endeavor from seeking personal advantage or dominion over those who are helped in their need

Help us to plan in such a way that those in need will eventually be freed from their dependence on others and become self-sufficient — AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Brown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Brown, seconded by Mr. Cullen.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Badham, on request of Acting Speaker Fenton.
Mr Wakefield, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Bagley, on request of Acting Speaker Fenton
Mr Moretti, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs Brathwaite, on request of Acting Speaker Fenton.
Mr. Campbell, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 16, 1972

Hon Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused from session on Friday, June 16, 1972 I will be in Washington, D.C. on Legislative Business Thank you

Sincerely yours,

WILLIAM T BAGLEY, Assemblyman
Seventh District

June 15, 1972

Honorable Carlos Bee
Speaker pro Tempore of the Assembly
Room 3152, State Capitol, Sacramento, California

Dear Mr. Bee: This letter is to request absence from Session on Friday, June 16, 1972 on legislative business.

I will be attending the Regents meeting in Los Angeles on this day.

Sincerely,

BOB MORETTI
Speaker of the Assembly

COMMUNICATIONS

Assembly Chamber, June 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 78

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 1920

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, June 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1040	AB No 2037
AB No. 1582	AB No 2083
AB No. 1882	AB No. 2337

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 355	AB No 956
AB No. 887	AB No. 1451

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 72
AB No. 659
AB No 1658
AB No 1858
AB No. 2134

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1004

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, June 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 97

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

MESSAGES FROM THE SENATE

Senate Chamber, June 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 50

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, June 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 126
SB No 208

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 38	SB No 746	SB No. 1201
SB No 381	SB No 896	SB No 1277
SB No 428	SB No. 911	SB No 1285
SB No. 450	SB No 928	SB No 1324
SB No 506	SB No 1121	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 15, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted

SCR No 9	SCR No 29	SCR No 36
SCR No 19	SCR No 31	SCR No. 45
SCR No 20	SCR No 34	

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted·

SCA No 70

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 38—An act to amend Sections 1241 7 and 1241 9 of, and to add Section 1241 8 to, the Code of Civil Procedure, relating to eminent domain.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 381—An act to amend Section 6319 of, and to add Section 6321 to, the Labor Code, relating to workmen's safety

Held at Desk by order of the Acting Speaker.

Senate Bill No. 428—An act to amend Sections 5076 1 and 6041 of the Penal Code, and Sections 1711 5 and 3150 of the Welfare and Institutions Code, relating to corrections.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 450—An act to amend Section 41008 of the Agricultural Code, relating to tomatoes.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 506—An act to amend Sections 74901, 74905, 74906, 74907, 74908, and 74912 of the Government Code, relating to courts

Held at Desk by order of the Acting Speaker

Senate Bill No. 746—An act to amend Sections 5801, 5802, and 5981 of the Agricultural Code, relating to pest control.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 896—An act to add Section 8589 5 to the Government Code, relating to seismic safety

Held at Desk by order of the Acting Speaker

Senate Bill No. 911—An act to amend Section 27571 of the Agricultural Code, relating to eggs

Held at Desk by order of the Acting Speaker.

Senate Bill No. 928—An act to amend Section 69595 of the Government Code, relating to courts

Held at Desk by order of the Acting Speaker

Senate Bill No. 1121—An act to amend Section 54902 5 of the Government Code, relating to district boundaries

Held at Desk by order of the Acting Speaker

Senate Bill No. 1201—An act to amend Section 74661 of the Government Code, relating to courts

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1277—An act to amend Section 2741 of the Business and Professions Code, relating to nurses

Held at Desk by order of the Acting Speaker

Senate Bill No. 1285—An act to amend Section 200 of the Code of Civil Procedure, relating to jury duty

Held at Desk by order of the Acting Speaker

Senate Bill No. 1324—An act to amend Section 34217 of, and to add Sections 34211 1 and 65302 2 to, the Government Code, relating to planning

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 9—Relative to the recycling of waste

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 19—Relative to the interchange between State Highway Routes 5 and 7

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 20—Relative to resource recovery.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 29—Relative to the state park system.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 31—Relative to the Samoa Bridge.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 34—Relative to the improvement of a portion of State Highway Route 12.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 36—Relative to state parks.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 45—Relative to passenger carriers

Held at Desk by order of the Acting Speaker.

Senate Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1¼c to Article XIII thereof, relating to taxation.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 956 for hearing in the Committee on Education.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 84, on request of Mr. Cory.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 2134, 659, and **1326**, ordered to third reading.

Assembly Bills Nos. 30, 1351, 941, 1858, 1154, 1920, 1666, 72, 1658, and **1473**, ordered to the Consent Calendar

---

NOTE Later this day Assembly Bills Nos. 30 and 1666 were re-referred to the Committee on Ways and Means

---

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1330—An act to add Sections 10124, 10351, and 11512 15 to the Insurance Code, relating to insurance

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2031—An act to add Sections 1801.3 and 5121.1 to the Civil Code, relating to women.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 599—An act to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to third reading

Assembly Bill No. 926—An act to amend Sections 13010, 13469.1, and 13651 2 of the Education Code, relating to school employees.

Bill read second time, and ordered to third reading

Assembly Bill No. 1279—An act to amend Sections 3208 1, 5411, 5412, and 5500 5 of the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to third reading.

Assembly Bill No. 1342—An act to add Section 3600 3 to the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to third reading.

Assembly Bill No. 1713—An act to amend Section 112 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading

Assembly Bill No. 2098—An act to add Sections 4601, 4602, and 4603 to, and to repeal Sections 4056, 4601, 4602, 4603, 4605, and 5304 of, the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to third reading

Assembly Bill No. 2112—An act to amend Sections 621, 982, 1256.1, 1263, 1277, 1277 5, 1528 5, and 2629 of, and to add Sections 803 1, 803 2, and 1260 1 to, the Unemployment Insurance Code, relating to unemployment insurance

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 8, line 20, of the printed bill, as amended in Assembly May 24, 1972, after "of", insert "the".

Amendment No. 2

On page 9, line 10, after "cure", insert ", during the".

Amendment No. 3

On page 11, line 32, after "SEC 12 ", insert "Section 2629 of the Unemployment Insurance Code is amended to read:

2629 *(a)* Except as provided in this section, an individual is not

eligible for disability benefits *under this part* for any day of unemployment and disability for which he has received, or is entitled to receive "*other* benefits," in the form of cash payments ~~for~~.

(b) "Other benefits" as used in this section means:

(1) ~~temporary~~ *Temporary* disability indemnity, under a workmen's compensation law, ~~or~~ *of this state or of any other state or of the federal government.*

(2) Temporary disability benefits under any employer's liability law of this state, or of any other state, or of the federal government.

(3) Temporary disability benefits for work-connected injuries or illness under the maritime doctrine of maintenance and cure.

(c) ~~If such cash payments are less than the amount he would otherwise receive as disability benefits under this part, he shall be entitled to receive, for such day, if otherwise eligible, disability benefits, reduced by the amount of such cash payments.~~ If, after receipt of, or determination of entitlement to receive, ~~temporary disability~~ *such other* benefits ~~under a workmen's compensation law~~, a claim for ~~unemployment compensation~~ disability benefits *under this part* is filed during the same continuous period of disability, because of a disability for which ~~the workmen's compensation~~ *a* claim *for such other benefits* was made, the maximum amount of *disability* benefits payable ~~hereunder~~ *under this part* during the disability benefit period thereby established shall be reduced by the amount of ~~temporary disability~~ *such "other* benefits" which the claimant *has* received or has been determined to be entitled to receive ~~under the Workmen's Compensation Law~~.

SEC. 13 It is the intent of the Legislature that if this bill and Assembly Bill No. 715 both amend Section 2629 of the Unemployment Insurance Code and are both chaptered, and this bill is chaptered last, that the amendments proposed by both bills to Section 2629 shall be given effect and incorporated in the form set forth in Section 12 of this act, and that Section 11 of this act shall not become operative. If Assembly Bill No 715 is not chaptered, Section 12 of this act shall not become operative, and Section 11 of this act shall be operative.

SEC 14."

Amendment No. 4

On page 11, line 39, strike out "SEC. 13", and insert "SEC 15".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1989—An act to amend Sections 6759, 6762, 6763, and 6799 of the Business and Professions Code, relating to professional engineers

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2044—An act to amend Sections 1662, 1665, 1751, and 1760.5 of the Insurance Code, relating to insurance

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2198—An act to add Section 10501 to the Unemployment Insurance Code, relating to job training

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2230—An act to amend Section 37517 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 350—An act to amend Section 6304 1 of the Harbors and Navigation Code, relating to harbors and navigation

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 428—An act to add Sections 5350 3 and 5350.5 to the Vehicle Code, relating to vehicles

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 523—An act to add Sections 6503 5 and 6503 7 to the Government Code, relating to joint exercise of powers

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1189—An act to add Article 17 (commencing with Section 429 60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1334—An act to amend Sections 253 1, 253 3, 253 5, 253 6, 253 7, 253 8, 263 1, 263 3, 263 5, 263 7, 308, 330, 332, 333, 378, 398, 411, 422, 425, 442, 457, 462, 474, 493, 495, 501, 563, 575, and 582 of, to add Sections 417, 477, 486, 488, 545, and 630 to, and to repeal Sections 369, 406, 409, 507, 531, 541, and 561 of, the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1457—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1522—An act to amend Sections 101, as amended by Section 1 of Chapter 1578 of the 1971 Statutes, 205, 19000, 19004, 19030, 19035, 19161 and 19174, and the heading of Chapter 3 (commencing with Section 19000) of Division 8, and to add and repeal Section 101, of the Business and Professions Code, and to amend Section 11501 of the Government Code, and Section 6 of Chapter 881 of the 1971 Statutes, relating to furniture and bedding

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1557—An act to amend Section 11513 of the Government Code, relating to examination of witnesses

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1655—An act to add Section 19956.5 to the Health and Safety Code, relating to curbs and sidewalks.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1861—An act to amend Section 38105 of, and to amend, repeal, and add Sections 38121 and 38150 of, the Health and Safety Code, relating to regional centers for the mentally retarded.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1906—An act to amend Section 4215 of the Government Code, relating to protection of public utilities in public contracts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1987—An act to amend Sections 5551 and 5552 of, to add Section 5550 to, and to repeal Section 5550 of, the Business and Professions Code, relating to architecture.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 378—An act to amend Section 69594 of the Government Code, relating to superior court judges

Bill read second time, and ordered to third reading.

Assembly Bill No. 527—An act to amend Section 14134 of the Welfare and Institutions Code, relating to health care services

Bill read second time, and ordered to third reading

Assembly Bill No. 775—An act to add Section 18861 to the Government Code, relating to peace officers' incentive compensation

Bill read second time, and ordered to third reading

Assembly Bill No. 1117—An act to amend Section 14118 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to third reading.

Assembly Bill No. 1260—An act to add Section 25251 1 to the Vehicle Code, relating to vehicles

Bill read second time, and ordered to third reading.

Assembly Bill No. 1384—An act to add Section 12538.7 to the Government Code, relating to health plans

Bill read second time, and ordered to third reading

Assembly Bill No. 1550—An act to add Chapter 11 5 (commencing with Section 25956) to Division 20 of the Health and Safety Code, relating to abortions

Bill read second time, and ordered to third reading.

Assembly Bill No. 1592—An act to amend Sections 31204 and 31214 of the Education Code, relating to state competitive scholarships.

Bill read second time, and ordered to third reading

Assembly Bill No. 1832—An act to add Sections 22508 5 and 22508 6 to the Education Code, relating to public higher education

Bill read second time, and ordered to third reading

Assembly Bill No. 1924—An act to amend Sections 21264, 21364, 21365 5, and 21382 of the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading.

Assembly Bill No. 2140—An act to amend Sections 6950, 6952, and 6953 of, and to add Section 6953 1 to, the Government Code, and to add Section 1238 8 to the Code of Civil Procedure, relating to the acquisition of interests in open-space areas

Bill read second time, and ordered to third reading

Assembly Bill No. 317—An act to add Section 25505 10 to the Education Code, relating to community colleges

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "25505.10 to", and insert "11487 to, and to add Article 8 7 (commencing with Section 17980) to Chapter 3 of Division 14 of,".

Amendment No. 2

On page 2, strike out line 5, and insert

"SECTION 1 Section 11487 is added to the Education Code, to read:

11487. The attendance of a community college student shall be recorded and reported separately if both that portion of the district of which he is a resident and that portion of the district in which he attends a community college are part of a single vocational area formed pursuant to the provisions of Article 10 4 (commencing with Section 6268) of Chapter 6 of Division 6, if both such districts have approved a master plan for that vocational area, and if the following conditions are satisfied:

(a) The student is enrolled in a vocational program in the community college which he attends which is not offered by a community college maintained by the community college district of which he is a resident, and all the community college districts which are a part of the applicable vocational area have agreed that the provisions of this section shall be applicable in that vocational area, or

(b) The student is enrolled in a vocational program in the community college which he attends, which program is offered, but is not available to him, in a community college maintained by the community college district of which he is a resident; and the district of which he

is a resident and the district in which he is attending a community college have agreed that the provisions of this section shall be applicable.

SEC 2 Article 8.7 (commencing with Section 17980) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 8 7. Computation of Allowances for Community College Students Participating in Certain Vocational Education Programs

17980. Notwithstanding any other provision of law, the Superintendent of Public Instruction shall allow for each unit of average daily attendance reported pursuant to Section 11487, the sum equal to the average amount apportioned as basic state aid and state equalization aid for each unit of average daily attendance in grades 13 and 14 in all of the districts participating in the vocational program in which the students whose attendance is so reported are enrolled.

No other amount shall be apportioned for such units of average daily attendance "

Amendment No. 3

On page 2, strike out lines 6 to 27, inclusive; and on page 3, strike out lines 1 to 8, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 588—An act relating to sales and use taxes, to take effect immediately, tax levy

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly May 3, 1972, strike out "and".

Amendment No. 2

In line 2 of the heading, after "Stull", insert ", and Wilson".

Amendment No. 3

On page 2, line 10, strike out "government agency or".

Amendment No. 4

On page 2, line 18, strike out "not"

Amendment No. 5

On page 2, line 18, strike out "for"; and strike out lines 19 to 22, inclusive, and insert "if the party cannot terminate the contract or has a limited right to terminate, such as a 30-day termination clause

This section shall be inoperative after June 30, 1973, and shall have no further force or effect after such date "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1076—An act to add Section 1657.5 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly June 1, 1972, after "solicitor", insert "or application for change of employer".

Amendment No. 2

On page 2, line 2, after "every", insert "other".

Amendment No. 3

On page 2, strike out line 3, and insert "broker".

Amendment No. 4

On page 2, line 5, strike out "each"; and strike out line 6, and insert "the agent or broker named in the statement required by Section 1657 appearing in the new application."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1735—An act to add Section 6010 4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly June 1, 1972, after "production", insert "and distribution".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1633—An act to amend Sections 6268 2, 6268 6, 6268.7, 6268.8, 6268 10, 6268 12, 6268 14, 6268 15, 6268 16, 6268 20, and 6268 22 of, and to add Sections 6268.9, 6268 24, 6268 26, and 6268 28 to, the Education Code, relating to vocational education.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3, line 6, of the printed bill, as amended in Assembly May 18, 1972, strike out "19", and insert "20".

Amendment No. 2

On page 3, between lines 34 and 35, insert

"(h) One member representing a regional occupational center or program within the area If a regional occupation center or program does not exist in the area, the member shall be a person who is knowledgeable about such programs."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1011—An act to add Article 5 (commencing with Section 330) to Chapter 2 of Division 2 of the Education Code, relating to the public schools, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3, line 14, of the printed bill, as amended in Assembly June 7, 1972, strike out "and".

Amendment No. 2

On page 3, line 15, after "organization", insert ", and (j) a bilingual education specialist".

Amendment No. 3

On page 5, strike out lines 15 to 18, inclusive.

Amendment No. 4

On page 5, line 19, strike out "337", and insert "336".

Amendment No. 5

On page 5, between lines 29 and 30, insert

"337. The Early Childhood Educational Assessment Committee shall terminate upon the final adjournment of the 1977 Regular Session of the Legislature unless the Legislature enacts legislation to apply the early assessment program to all school districts in California."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 742—An act to amend Sections 13164 and 13303 of, to add Section 13171 to, and to repeal Section 14027 and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, to add Section 54740 to the Government Code, and to repeal Sections 4766 5 and 6523 01 of the Health and Safety Code, relating to water quality.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 3, line 33, of the printed bill, as amended in Assembly May 18, 1972, strike out "13418", and insert "13417".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1693—An act to amend Section 30507 of the Water Code, relating to county water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "two", and insert "four".

Amendment No. 2

On page 1, line 6, strike out "in the"; strike out lines 7 to 10, inclusive; and on page 2, strike out lines 1 and 2, and insert a period

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1325—An act to amend Section 5100 of, and to add Section 5109 to, the Water Code, relating to water.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 5109 to,".

Amendment No. 2

On page 2, strike out lines 16 to 24, inclusive; and in line 25, strike out "SEC. 3", and insert

"SEC 2".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2213—An act to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the registration and licensing of bicycles, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "Section 11111 to the Penal Code, and to add".

Amendment No. 2

In line 2 of the title, strike out "registration and".

Amendment No. 3

In lines 3 and 4 of the title, strike out "declaring the urgency thereof, to take effect immediately", and insert "making an appropriation therefor".

Amendment No. 4

On page 2, strike out line 4, and insert

"DIVISION 16 7. LICENSING OF BICYCLES

39000. (a) If a city or county has or adopts a bicycle licensing ordinance or resolution, no resident shall operate a bicycle on any street, road, highway, or other public property within the jurisdiction unless such bicycle is licensed in accordance with this division

(b) Licenses and registration forms shall be approved by the Department of Justice

39001 Each local authority which licenses bicycles shall provide for the licensing pursuant to this division and any rules and regulations adopted thereunder

39002 If a city or county has or adopts a bicycle licensing ordinance or resolution, licenses shall be issued by the city or county in which the applicant resides Cities and counties by ordinance or resolution may set license fees, and shall adopt regulations necessary to enforce this division

Each licensing agency shall maintain records which shall include license number; name of licensee, address of licensee; serial number of bicycle; make of bicycle, type of bicycle; model of bicycle.

After December 31, 1973, no license may be issued for any bicycle not in conformance with Section 39005.

39003. Funds derived from bicycle license fees shall be retained by the licensing city or county and used to implement and improve bicycle registration and safety programs in its jurisdiction, except that revenues which, prior to the effective date of this division, were used for other purposes may continue to be used for the same purposes.

39004. Each bicycle retailer shall supply to each purchaser a record of the following information name of retailer, address of retailer, year and make of bicycle, serial number of bicycle, general description of bicycle, name of purchaser, address of purchaser.

If a city or county has adopted a bicycle licensing ordinance or resolution, a copy of the record shall be forwarded to the appropriate licensing agency.

39005 After December 31, 1973, no bicycle retailer shall sell any new bicycle in this state unless such bicycle has permanently stamped or cast on its frame a serial number unique to the particular bicycle of each brand pursuant to the regulations adopted under this division.

39006. Bicycles with wheels which are at least 20 inches in diameter and with a frame size of at least 14 inches shall be subject to this division.

39007 The Department of Justice shall adopt regulations for the administration and implementation of this division Such regulations shall be adopted after consultation with local authorities, bicycle manufacturers and retailers, and bicyclists' organizations.

39008 Any violation of this division shall be deemed an infraction

SEC. 2 Section 11111 is added to the Penal Code, to read.

11111. The Department of Justice shall maintain records relative to stolen and lost bicycles in the Criminal Justice Information System Such records shall be accessible to authorized law enforcement agencies through the California Law Enforcement Telecommunications System.

SEC 3. The Department of Justice shall conduct a comparative study to evaluate the following

(a) The records of stolen and lost bicycles specified in Section 11111 of the Penal Code

(b) The need to establish mandatory statewide registration and licensing with the related activities performed by. (1) the state; (2) local governments, (3) dealers, or (4) others.

(c) The need for a statewide automated registration file or alternatives thereto

In carrying out the study, the Department of Justice shall seek the advice and assistance of local authorities, bicycle manufacturers and retailers, and bicyclists' organizations.

A progress study report shall be submitted to the Legislature by February 1, 1974

SEC. 4. There is hereby appropriated from the General Fund to the Department of Justice the sum of one hundred fifty thousand dollars ($150,000), or so much thereof as may be necessary, to be expended for the purposes of this act "

Amendment No. 5

On page 2, strike out lines 5 to 36, inclusive, and strike out all of pages 3, 4, and 5.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2364—An act to amend Section 39090 of the Health and Safety Code, relating to air pollution

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 39090 of", and insert "add Section 39153.5 to, and to repeal Sections 39083 and 39090 of,".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 39083 of the Health and Safety Code is repealed.

~~39083. The provisions of this chapter shall not apply to any limited production motor vehicle, as defined in Section 39090.~~

SEC 2. Section 39090 of the Health and Safety Code is repealed "

Amendment No. 3

On page 1, strike out lines 3 to 7, inclusive, and on page 2, strike out lines 1 to 9, inclusive, and insert

"SEC 3 Section 39153 5 is added to the Health and Safety Code, to read

39153 5 The provisions of subdivision (m) of Section 39052 and of Section 39152 shall not apply to motor vehicles under 6,001 pounds, manufacturer's maximum gross vehicle weight, if the manufacturer thereof advises the board in writing that the manufacturer does not intend to sell more than 1,000 motor vehicles in California in a given model year, and the manufacturer does not sell more than 1,000 motor vehicles of its make in such a year Nothing herein shall be construed to prohibit the board from requiring testing by the applicable approval test procedure of up to 2 percent of the motor vehicles of such a manufacturer sold in California This section shall not apply to 1976 and later model year motor vehicles "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1224—An act to amend Section 2805 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "amend Section 2805 of", and insert "add Section 2805 5 to"

Amendment No. 2

On page 1, line 1, strike out "2805 of", and insert "2805 5 is added to".

Amendment No. 3

On page 1, lines 1 and 2, strike out "is amended", and insert a comma

Amendment No. 4

On page 1, line 3, strike out "2805", and insert "2805.5".

Amendment No. 5

On page 2, lines 1 and 2, strike out ", and any member of the California Highway Patrol,".

Amendment No. 6

On page 2, line 3, after "code", insert "which is not being operated".

Amendment No. 7

On page 2, line 4, strike out "or", and insert "and is".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 5 of Article IX thereof, relating to public education.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

On page 2 of the printed measure, in lines 1 and 2, strike out ", wherever and however printed and published,".

Amendment No. 2

On page 2, in lines 3 and 4, strike out "throughout the State".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2157—An act to add Section 2251 to the Fish and Game Code, relating to the importation of mammals, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 17, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 2, strike out lines 26 to 28, inclusive

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1843—An act to add Section 424.5 to the Government Code, relating to state emblems.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2375—An act making an appropriation to the Department of General Services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "Services", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, after line 6, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to insure delivery of operating equipment for the monorail at Cal Expo in time for the 1972 State Fair it is necessary for this act to take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2315—An act making an appropriation for the operation of the 39th District Agricultural Association, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 7, 1972, strike out "and Barnes", and insert "Barnes, and LaCoste".

Amendment No. 2

Below line 1 of the heading, insert

"(Coauthor: Senator Teale)".

Amendment No. 3

On page 3, line 4, strike out "exposition", and insert "fair".

Amendment No. 4

On page 3, line 4, after "remedied", insert a comma.

Amendment No. 5

On page 3, line 5, strike out "financial stability", and insert "existence".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2338—An act to amend Section 40128 of, and to add Section 40182 to, the Public Utilities Code, relating to the Orange County Transit District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2374—An act to repeal Chapter 354, Statutes of 1869–70, relating to the Town of Hornitos.

Bill read second time, and ordered to third reading.

Assembly Bill No. 857—An act to amend Section 61765 of the Government Code, relating to districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 858—An act to amend Section 16002 5 of the Business and Professions Code, relating to vending machines.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1102—An act to amend Sections 73674 and 73677 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1103—An act to amend Sections 74843 and 74847 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1327—An act to amend Section 56133 of the Government Code, relating to local agency formation commissions.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1399—An act to amend Section 6103 8 of, and to repeal Section 6103.9 of, the Government Code, relating to fees.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 874—An act to amend Section 6319 of the Labor Code, relating to safety.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly May 17, 1972, strike out the second "a", and insert "the".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1157—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 17, 1972, after "Russell)", insert ", Assemblymen Moretti, Pierson, Vasconcellos, Karabian, Chacon, Quimby, LaCoste, Fong, Townsend, Harvey Johnson, McAlister, Porter, Meade, and Wilson (Coauthors Senators Petris, Zenovich, Carrell, Alquist, and Nejedly)".

Amendment No. 2

On page 2, lines 14 and 15, strike out "demolishing, or operation", and insert "or demolishing".

Amendment No. 3

On page 3, strike out line 17; and in line 18, strike out "on a tunnel or mine, a", and insert

"7955 The division shall be notified before any actual mining operation or construction may be started at any mines or tunnels A".

Amendment No. 4

On page 3, line 19, after "division", insert "for all underground operations".

Amendment No. 5

On page 3, line 20, after "or", insert "underground".

Amendment No. 6

On page 3, line 23, after "or", insert "underground".

Amendment No. 7

On page 3, line 24, after "tunnel", insert "or operation of an underground mine".

Amendment No. 8

On page 3, line 25, after "constructed", insert "or mines operated".

Amendment No. 9

On page 3, line 31, after "(b)", insert "Potentially gassy, which classification shall be applied to tunnels or underground mines where there exists a possibility gas will be encountered.

(c)".

Amendment No. 10

On page 3, line 32, strike out "mines where there is a possibility", and insert "underground mines where it is likely".

Amendment No. 11

On page 3, line 40, strike out "(c)", and insert "(d)".

Amendment No. 12

On page 4, line 1, after the first "or", insert "underground".

Amendment No. 13

On page 4, line 7, after "tunnels", insert "or operation in extrahazardous underground mines".

Amendment No. 14

On page 4, line 13, after "or", insert "underground".

Amendment No. 15

On page 4, line 18, after "or", insert "underground".

Amendment No. 16

On page 4, line 20, after "or", insert "underground".

Amendment No. 17

On page 4, line 21, after "or", insert "underground".

Amendment No. 18

On page 4, strike out lines 25 to 29, inclusive, and insert "be provided at underground mines with more than 25 men or tunnels with 10 or more men underground at any one time Smaller mines shall have one man for each 10 men underground who receives annual training in the use of breathing apparatus. Two trained crews shall be provided at mines with more than 50 men underground and at tunnels with more than 25 men underground "

Amendment No. 19

On page 4, line 38, strike out "mine site if the total"; and strike out line 39, and insert "underground mine site classified as gassy or extrahazardous."

Amendment No. 20

On page 4, line 40, after "mine", insert "classified as potentially gassy".

Amendment No. 21

On page 5, lines 3 and 4, strike out "and if the tunnel or mine is classified nongassy,".

Amendment No. 22

On page 5, line 9, strike out "classified as nongassy".

Amendment No. 23

On page 5, line 15, after "or", insert "underground".

Amendment No. 24

On page 6, lines 5 and 6, strike out "or operation".

Amendment No. 25

On page 6, line 6, strike out "or mine".

Amendment No. 26

On page 6, line 13, strike out "or mine".

Amendment No. 27

On page 8, line 7, strike out "20", and insert "19".

Amendment No. 28

On page 9, line 2, after "approved", insert "or acceptable to other authorities recognized by the division".

Amendment No. 29

On page 9, line 16, strike out "7790", and insert "7990".

Amendment No. 30

On page 9, line 18, after the period, insert "The division shall offer such examination in Spanish when requested by the applicant"

Amendment No. 31

On page 10, line 10, strike out "and shall be certified", and insert "or acceptable to other authorities recognized by the division, and".

Amendment No. 32

On page 10, line 13, strike out "annually", and insert "at least every two years".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2051—An act relating to public contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted·

Amendment No. 1

In line 1 of the title, after "act", insert "to add Chapter 8 (commencing with Section 4500) to Division 5 of Title 1 of the Government Code,"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 8 (commencing with Section 4500) is added to Division 5 of Title 1 of the Government Code, to read

CHAPTER 8. CONTRACTS WITH PRIVATE ARCHITECTS AND ENGINEERING FIRMS.

4500 Notwithstanding any other provision of law, it shall be considered to be the public policy of the State of California and any political subdivisions thereof that contracting for professional services of private architect or engineering firms shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required rather than

upon competitive bidding procedures Public agencies contracting for private architectural and professional engineering services shall adopt procedures which assure that such services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices ''

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 2316—An act to amend Section 7071 11 of the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out ''the surety or''.

Amendment No. 2

On page 3, in lines 16 and 17, strike out '', except where there is a willful failure to pay the claim''.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2367—An act to amend Section 451 of the Evidence Code, relating to judicial notice

Bill read second time, and ordered to third reading.

Assembly Bill No. 1542—An act to add Section 2600 5 to the Penal Code, to amend Section 5325 of, to add Sections 5325 and 5325.5 to, and to repeal Section 5325.5 of, the Welfare and Institutions Code, relating to lobotomy and shock treatment.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ''and 5325 5'', and insert '', 5325.1, 5325 2, 5325 4, 5325 5, 5325 6, 5325 7, 5325 8, 5326.1, 5326 2, 5326 3, 5326.4, 5326 5, 5326 6 and 5326 7''.

Amendment No. 2

In line 3 of the title, strike out ''Section'', and insert ''Sections 5325 and''.

Amendment No. 3

On page 3, between lines 14 and 15, insert

"SEC. 4. Section 5325.1 is added to the Welfare and Institutions Code, to read:

5325.1 (a) No person confined or detained under Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code, Title 1 (commencing with Section 1999) and Title 2 (commencing with Section 3200) of Part 3 of the Penal Code, and Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code, shall be administered or subjected to any organic modality of therapy or treatment as defined in subdivision (d), or organic behavior modification program as defined in subdivision (e), without his informed consent; provided that no psychosurgery may be administered unless there has been compliance with Sections 5326.1 to 5326.8. If the inmate lacks the capacity to give or refuse his informed consent, then the attending physician shall secure an order from the superior court to authorize the administration of such therapy in accordance with Sections 5326 1 to 5326.8.

(b) An inmate does not waive his right to refuse to have administered or be subjected to any organic therapy by having previously given his informed consent to the administration of such therapies, and he may withdraw his consent at any time.

If required by sound medical-psychiatric practice, the attending physician may, after the inmate withdraws his previously given informed consent, gradually phase the inmate out of the therapy if sudden cessation would create a serious risk of mental or physical harm to the inmate.

(c) Nothing in this act shall be construed to prevent the attending physician from administering psychotherapy, psychoanalysis, group therapy, milieu therapy, or similar therapies or programs involving communication or interaction among physicians, patients, and others.

(d) The term "organic modality of therapy or treatment" consists of the following procedures, or any combination of them:

(1) Psychosurgery, including lobotomy in any form and stereotactic surgery;

(2) Shock treatments, including electroconvulsive and insulin shock treatments;

(3) Electrical stimulation of the brain

(e) The term "organic behavior modification program" consists of any program of aversion therapy or operant conditioning involving the use of any drugs, electric shocks, or electronic stimulation of the brain. Such conditioning specifically includes any programs involving hypnosis or autosuggestion facilitated by drugs, electrical shocks, and electronic stimulation of the brain

(f) The term "organic therapy" as used in this act refers to any organic modality of treatment or organic behavior modification program, or any combination of such treatments or programs

(g) An inmate may confidentially communicate in writing or by visiting with his parents, guardian, conservator, and attorney regarding any proposed administration of any organic therapy. Such communication may not be censored.

(h) All inmates shall be advised and informed by the attending physician or other personnel of the facility in which he is confined of the rights secured to him by this act. A copy of this act shall be given to all inmates upon their admission to the facility in which they are to be confined.

(i) All provisions of this act shall apply to persons confined under the provisions of this part in public or private hospitals, sanitariums, and similar facilities, and to the personnel of such facilities

SEC. 5. Section 5325.2 is added to the Welfare and Institutions Code, to read:

5325.2. Notwithstanding Section 5325.1, if a confined person has attempted or inflicted physical harm upon the person of another or himself, and who presents, as a result of mental disorder, an imminent threat of substantial harm to others or himself, the attending physician may in such emergency employ or authorize for no longer than seven days the immediate use of drugs or shock treatments in order to alleviate such danger.

SEC. 6. Section 5325.4 is added to the Welfare and Institutions Code, to read:

5325.4 If a confined person with capacity to give or refuse his informed consent, clearly and explicitly, and without duress or coercion, waives the requirement of Section 5325.6 that he be given the information specified therein, the attending physician need not communicate all such information; provided, however, that the attending physician shall in all cases communicate all serious physical and mental hazards of the proposed organic therapies."

Amendment No. 4

On page 3, line 15, strike out "SEC. 4", and insert "SEC. 7".

Amendment No. 5

On page 3, line 23, strike out "SEC. 5", and insert "SEC. 8".

Amendment No. 6

On page 3, between lines 29 and 30, insert

"SEC. 9. Section 5325.6 is added to the Welfare and Institutions Code, to read:

5325.6. For purposes of this act, "informed consent" requires that the attending physician directly communicates with the inmate and clearly and explicitly provides the information specified in the following subdivisions:

(a) The nature and seriousness of the person's illness, disorder, or defect;

(b) The likelihood of improvement or deterioration, temporary or permanent, without the administration of the proposed organic therapies;

(c) The likelihood and degree of improvement, remission, control or cure resulting from the administration of such organic therapy, and the likelihood, nature and extent of changes in the inmate's personality and patterns of behavior and thought or mentation and the degree to

which these changes may be irreversible This information shall indicate the probable duration and intensity of such therapy and whether such therapy may have to be continued indefinitely for optimum therapeutic benefit;

(d) The likelihood, nature, extent and duration of side effects of the proposed organic therapy, and how the and to what extent they may be controlled, if at all;

(e) The uncertainty of the benefits and hazards of the proposed organic therapy because of the nonexistence of sufficient data available to the medical profession.

(f) The reasonable alternative organic therapies, or psychotherapeutic modalities of therapy, or nonorganic behavior modification programs, and why the organic therapy recommended is the therapy of choice These alternatives shall be described and explained to the inmate in the manner specified in this section

For purposes of this act, "informed consent" requires that the inmate knowingly and intelligently, without duress or coercion, and clearly and explicitly manifests his assent to the proposed organic therapy to the attending physician An inmate incapable for any reason of manifesting such assent shall be deemed to lack the capacity for informed consent No organic therapy shall be administered if its main purpose is to secure an inmate's informed consent to further organic therapy;

SEC 10. Section 5325 7 is added to the Welfare and Institutions Code, to read·

5325 7. The verbal communication of the information specified in Section 5325 6 shall be tape recorded. All verbal manifestations of assent, as defined in Section 5325.6, shall be tape recorded All written communications of the information specified in Section 5325 6 and all written manifestations of assent as described in Section 5325 6 shall be preserved and available to the inmate, his attorney, guardian or conservator.

SEC 11. Section 5325 8 is added to the Welfare and Institutions Code, to read·

5325 8 Determination of lack of capacity to give informed consent:

(a) A person confined shall not be deemed incapable of informed consent solely by virtue of being diagnosed as a mentally ill, disordered, abnormal or defective person

(b) A person confined shall be deemed incapable of informed consent only if the attending physician determines that such person cannot understand, or knowingly and intelligently act upon, the information specified in Section 5325 6

SEC. 12. Section 5326 1 is added to the Welfare and Institutions Code, to read:

5326 1. It is hereby recognized and declared that all persons, including all persons involuntarily confined, have a fundamental right against enforced interference with their thought processes, states of mind and patterns of mentation through the use of organic therapies, and that in order to justify any limitations on this fundamental right,

the state shall establish that the benefits of such enforced therapy to the state and the inmate substantially outweigh the burden thereby imposed on said inmate in limiting such fundamental right.

SEC. 13. Section 5326 2 is added to the Welfare and Institutions Code, to read:

5326 2. If the attending physician determines, pursuant to Section 5325 6, that an inmate lacks the capacity for informed consent to organic therapy, then organic therapy may be authorized only pursuant to the following sections.

SEC 14 Section 5326.3 is added to the Welfare and Institutions Code, to read:

5326.3. Any inmate, or his guardian or conservator, may petition the superior court of the county in which he is confined for an order to prohibit the enforced administration upon said inmate of any organic therapy. The clerk shall serve or cause to be served a copy of this petition upon the state on the same day it is filed with the superior court

The state shall file in the superior court the response to said petition within two judicial days of the filing of the petition, and serve on the inmate, or his attorney, guardian or conservator a copy of said response on the same day it is filed. The response shall summarize the facts which the attending physician must communicate to the inmate pursuant to Section 5325.4 and summarize the facts which support the contention that the inmate falls within the standards specified in subdivision (b) of Section 5326 8 The response shall be supported by affidavits or declarations describing in detail the behavior which indicates that the person falls within the standards specified in subdivision (b) of Section 5325.8.

SEC. 15. Section 5326.4 is added to the Welfare and Institutions Code, to read:

5326.4. If any inmate is determined by the attending physician to lack the capacity for informed consent to the administration of any organic therapy, the attending physician must petition the superior court in the county in which the inmate is confined for an order to authorize the administration of any organic therapy. The petition shall summarize the facts which the attending physician must communicate to the inmate pursuant to Section 5325 4 and summarize the facts which support the contention that the inmate falls within the standard specified in subdivision (b) of Section 5325 8 The petition shall be supported by affidavits describing in detail the behavior which indicates that the person falls within the standard specified in subdivision (b) of Section 5325 8. Copies of the petition and affidavits or declarations in support thereof shall be served upon the inmate or his attorney, guardian or conservator on the same day as they are filed with the clerk of the superior court.

SEC. 16 Section 5326 5 is added to the Welfare and Institutions Code, to read:

5326 5. At the time of filing of a petition pursuant to Section 5326 3 by the inmate, or pursuant to Section 5326 4 by the attending physician, the court shall appoint the public defender or other attorney to

represent the inmate if the inmate is financially unable to provide his own attorney The attorney shall advise the inmate of his rights in relation to the proceeding in question and shall represent him before the court.

SEC 17. Section 5326 6 is added to the Welfare and Institutions Code, to read·

5326.6 The court shall conduct the proceedings within four judicial days of the filing of the petition described in Section 5326 3 or 5326 4, whichever is earlier, and in accordance with constitutional guarantees of due process of law and the procedures under Section 13 of Article I of the California Constitution If at the time of the hearing, the inmate requests a jury trial, such trial shall commence within 10 judicial days of the filing of either the petition specified in Section 5325 2 or 5326 3, whichever is earlier, unless the inmate's attorney requests a continuance, which may be for a maximum of 10 additional judicial days The decision of the jury must be unanimous in order to support the finding of facts required by subdivision (b) of Section 5326.7.

SEC. 18. Section 5326 7 is added to the Welfare and Institutions Code, to read

5326 7 (a) Burden of proof:

(1) The court or jury must determine whether the state has proven, by a preponderance of the evidence, that the confined person has the capacity for informed consent.

(2) If an inmate is already being administered organic therapies for general therapeutic purposes and not specifically to secure his informed consent to future, or ratification of prior, organic therapies, then the court or jury must determine whether the state has proven, by a preponderance of the evidence, that the confined person, although under the influence of such therapies, has the capacity for informed consent

(b) If the court or jury determines that the confined person does not have the capacity for informed consent and that the state has established by clear and convincing evidence that the benefits to be derived for the inmate from administration of the organic therapies in question substantially outweigh the hazards and burdens of said therapies to the inmate, the court must authorize the administration of the organic therapies for a period not to exceed six months After the expiration of such period the inmate, or his attorney, guardian or conservator, or the attending physician, may file new petitions pursuant to Sections 5326 3 and 5326 4

(c) Nothing in this act shall prohibit the attending physician from terminating organic therapy prior to the period authorized for such therapy under the provisions of subdivision (b) ''

Amendment No. 7

On page 3, line 30, strike out ''SEC 6'', and insert ''SEC 19''

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1506—An act to amend Section 3057 of the Business and Professions Code, relating to optometry

Bill read second time, and ordered to the Consent Calendar.

Assembly Concurrent Resolution No. 52—Relative to the proposed federal program of assistance for the aged.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Welfare, was read, and adopted:

Amendment No. 1

On page 2 of the printed measure, strike out line 12

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 778—An act to add Section 12159.5 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 12159.5 to", and insert "amend Section 13933 of, and to add Section 11006.8 to,".

Amendment No. 2

On page 1, line 1, strike out "12159.5", and insert "11006 8".

Amendment No. 3

On page 1, strike out lines 3 to 5, inclusive, and insert

"11006:8 Within the scope of the allowance paid to each recipient of aid under Chapters 3 (commencing with Section 12000), 4 (commencing with Section 12500), 5 (commencing with Section 13000) and 6 (commencing with Section 13500)".

Amendment No. 4

On page 2, line 2, strike out "for needs not provided by the facility", and insert "there shall be paid".

Amendment No. 5

On page 2, line 4, after "1972", insert ", for needs not provided by the facility".

Amendment No. 6

On page 2, strike out lines 11 to 18, inclusive, and insert

"SEC. 2 Section 13933 of the Welfare and Institutions Code is amended to read:

13933. ~~Recipients of public assistance as described by Section 13900 of this code who require care in a nonmedical protective living arrange-~~

~~ment shall be granted aid in accordance with regulations, and rate schedules established by the State Department of Social Welfare as an integral part of their regulations issued for use by county welfare departments in the administration of public assistance programs.~~

~~Payments to recipients to cover cost of care as set forth in rate schedules made pursuant to this section shall not be considered expenditures under Chapters 3, 4, 5 and 6 of this part and shall be limited to the amounts and controls set forth in the Budget Act.~~

The department shall establish maximum amounts for board, room and care, personal and incidental needs, and clothing, drycleaning, extra laundry, shoe repair, and other similar needs not normally provided by the facility to recipients described by Section 13900 who are living in a nonmedical board and care facility in an amount not less than the amount established by regulations of the department in effect on July 1, 1972. The amount so established shall be subject to increases in accordance with the cost-of-living increase formula set forth in each assistance category.

Payments made to recipients pursuant to this section for the board, room and care component shall not be considered expenditures under Chapters 3, 4, 5 and 6 of this part.''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2114—An act relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly May 22, 1972, after the second comma, insert ''and to the maximum extent possible, pursuant to the Federal Elderly Americans Nutrition Act,''.

Amendment No. 2

On page 2, line 19, after the period, insert ''Such transportation needs shall include, but not be limited to, transporting persons over age 65 in connection with implementation of the Federal Elderly Americans Nutrition Act.''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1885—An act to add Article 4 (commencing with Section 17111) to Chapter 2 of Division 13 of the Education Code, relating to school cafeterias, and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly May 10, 1972, strike out "Any", and insert "Notwithstanding the provisions of Section 17003 any".

Amendment No. 2

On page 2, lines 7 and 8, strike out "having cafeteria facilities may".

Amendment No. 3

On page 2, line 10, after the comma, insert "may".

Amendment No. 4

On page 2, line 12, strike out "which may either", and insert ". Such meals may".

Amendment No. 5

On page 2, line 13, strike out "or" and insert a comma.

Amendment No. 6

On page 2, line 15, after "activities", insert ", suitable school buildings or grounds as authorized by Section 16556, or any other suitable public or private buildings or grounds".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1204—An act to amend Section 12050 of, and to add Section 12050.1 to, the Welfare and Institutions Code, relating to old age security.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 12050 of, and to add Section 12050.1 to," and insert "add Section 11008 8 to".

Amendment No. 2

In lines 2 and 3 of the title, strike out "old age security", and insert "public social services".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 11008 8 is added to the Welfare and Institutions Code, to read:

11008 8. It is the intent of the Legislature that any reduction in the state and county costs of public assistance payments to recipients of aid under Chapters 3 (commencing with Section 12000), 4 (commenc-

ing with Section 12500), 5 (commencing with Section 13000) and 6 (commencing with Section 13500), which result from increased social security benefits voted by Congress shall be applied to increasing the monthly grants to all recipients of aid under these chapters.

The State Department of Finance shall estimate the extent to which the State General Fund costs and the costs of county government are reduced as a consequence of any increased retirement benefits payable pursuant to Title II of the Social Security Act. The estimated savings shall be utilized in increasing monthly grants of aid under those chapters. The regular monthly grants shall be increased coincidentally with the increased social security benefits in order that recipients of public assistance will not suffer full loss of increased social security benefits. The monthly grant increase shall be paid to the full dollar amount and any fractional dollar amounts shall be set aside in a special fund to be used as special allowances for recipients with unmet shelter needs."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1202—An act to declare legislative intent regarding the Nutrition Program for the Elderly, relating to senior citizens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "declare legislative intent regarding the Nutrition Program for the Elderly", and insert "add Chapter 5 5 (commencing with Section 18325) to Part 6 of Division 9 of the Welfare and Institutions Code"

Amendment No. 2

In line 2 of the title after "citizens", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 5 5 (commencing with Section 18325) is added to Part 6 of Division 9 of the Welfare and Institutions Code, to read

CHAPTER 5 5 NUTRITION PROGRAM FOR THE ELDERLY

18325 It is the intention of the Legislature that the State of California through state, local governmental, and private agencies shall make a maximum contribution of their in-kind resources and facilities

in order to implement the provisions of Public Law 92-258, the Nutrition Program for the Elderly. Public Law 92-258 has designated eight million five hundred fourteen thousand seventy-eight dollars ($8,514,078) in federal funds as being available to California for the 1972-73 fiscal year and twelve million seven hundred seventy-one thousand one hundred seventeen dollars ($12,771,117) for the 1973-74 fiscal year for the purposes specified in the law. Public Law 92-258 states that the federal government will provide 90 percent of the cost of approved nutrition programs and that the local or state 10 percent may be "in-kind" contributions.

18326. The California Commission on Aging, with the approval of the Secretary of the Human Relations Agency, shall develop and submit to the federal government a state plan for implementation of Public Law 92-258 pursuant to this chapter. Such plan shall be submitted by November 1, 1972. While such state plan is in preparation, any private agency or public agency, with the consent of the jurisdiction involved, may submit to the California Commission on Aging for review and consideration its proposal for funding and assistance pursuant to Public Law 92-258. The commission shall do everything feasible to assist such private and state or local agencies in the preparation of their proposals.

18327. The state plan referred to in Section 18326 shall include, but not be limited to the following:

(1) Establishment of projects which, five or more days per week, provide at least one hot meal per day and any additional meals which the contracting agency or organization may elect to provide, each of which assures recommended dietary allowances;

(2) Provision of such nutrition projects for individuals aged 60 or over who are eligible;

(3) Furnishing of sites for such nutrition projects in close proximity to concentrations of eligible individuals' residences, such as schools, churches, senior centers and facilities serving the aging;

(4) Utilization of administrative methods to assure maximum participation of eligible individuals;

(5) Provision of special menus, where feasible, to meet particular dietary needs arising from health or religious requirements or ethnic backgrounds;

(6) Provision of settings conducive to including, as a part of such projects, recreational activities, information, health and welfare counseling, and referral services;

(7) Provision of appropriate modes of transportation essential to maximum participation of eligible individuals;

(8) Establishment and administration of such projects with the advice of persons competent in the field and of older Californians who will themselves participate in the program.

18328. The California Commission on Aging, with the concurrence of the Secretary of the Human Relations Agency, shall submit to the Legislature by January 30 of each year a report on the state's implementation of this chapter. The initial report due January 30, 1973, shall include, but not be limited to, the following:

(1) The estimated current and potential in-kind contributions available by local private nonprofit, state, and local governmental agencies.

(2) A summary of all submitted local plans

(3) The estimated current and potential in-kind contributions available within the state which are in addition to those included within plans submitted by private agencies, state, and local governments.

(4) The extent to which the staff of the California Commission on Aging is giving assistance to local agencies in the development of their plans

18329 There is hereby appropriated four hundred thousand dollars ($400,000) from the General Fund for the purposes of this chapter to be transferred by the Director of Finance upon certification of the California Commission on Aging that the "in-kind" contribution of a private, state or local governmental agency is not sufficient to secure adequate federal funds for the purpose of implementing Public Law 92-258 Where local nutritional projects may be eligible for funding under federal programs for serving older citizens, and where such projects are to be operated by and serve the needs of minority, Indian, and limited-English-speaking eligible individuals; and where needed local matching funds are unavailable, state funds shall be made available to local governmental jurisdictions or voluntary organizations up to and not to exceed 10 percent of total project costs, or a maximum of fifty thousand dollars ($50,000) whichever is the lesser sum, for each local project approved."

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive.

~~Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.~~

NOTE Later this day, the action was rescinded whereby Assembly Bill No. 1202 was ordered reprinted, and to be re-referred to the Committee on Ways and Means See page 5000

Assembly Bill No. 2119—An act to amend Sections 9900, 9901, 9902, 9903, 9905, 9906, and 9908 of the Government Code, relating to legislative advocates

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 8 of the printed bill, strike out lines 29 to 33, inclusive, and insert

"(e) All information required to be furnished to the committee shall be public records

(f) Within 120 days after the commencement of each regular session the committee shall publish a directory of registered advocates and shall publish, from time to time, such supplements thereto as may be necessary."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1404—An act to amend Sections 4908 and 4920 of, and to add Sections 4922 5 and 4925 to, the Public Utilities Code, relating to travel promoters.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3, line 6, of the printed bill, as amended in Assembly June 8, 1972, strike out "of twenty-five dollars ($25)", and insert "in an amount fixed by the Department of Consumer Affairs sufficient to cover the costs of administration of this section".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 160—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1685—An act to add Article 2 5 (commencing with Section 11075) to Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to criminal information, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "Offender Record Information", and insert "Record Dissemination".

Amendment No. 2

On page 2, strike out lines 7 to 10, inclusive; and in line 11, strike out "(b)", and insert

"11075 (a) As used in this article, "criminal offender record information" means records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of main-

taining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release.

(b) Such information shall be restricted to that which is recorded as the result of an arrest, detention, or other initiation of criminal proceedings or of any consequent proceedings related thereto

11076. Criminal offender record information shall be disseminated, whether directly or through any intermediary, only to such agencies as are, or may subsequently be, authorized access to such records by statute

11077. The Attorney General shall:

(a)".

Amendment No. 3

On page 2, between lines 13 and 14, insert

"(b) Establish regulations to assure that such information shall be disseminated only in situations in which it is demonstrably required by the individual or agency for purposes of its statutory responsibilities."

Amendment No. 4

On page 2, between lines 16 and 17, insert

"(d) Cause to be initiated for employees of all agencies that maintain, receive, or are eligible to maintain or receive, criminal offender record information a continuing educational program in the proper use and control of criminal offender record information"

Amendment No. 5

On page 2, line 17, strike out "(d)", and insert

"(e)"

Amendment No. 6

On page 2, between lines 18 and 19, insert

"11078. Each agency holding or receiving criminal offender record information shall maintain, for such period as is found by the Attorney General to be appropriate, a listing of the agencies to which it has released or communicated such information."

Amendment No. 7

On page 2, line 19, strike out "11076", and insert

"11079"

Amendment No. 8

On page 2, line 26, strike out "recording, reporting, storage," and insert "storage".

Amendment No. 9

On page 2, strike out lines 30 to 38, inclusive; strike out page 3; and on page 4, strike out lines 1 to 9, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1864—An act to add Section 1714 8 to the Civil Code, to add Section 25602 5 to the Business and Professions Code, to amend Sections 13201, 13352, 13353, 13358, 13550, 13800, 23102, and 23105 of, to add Sections 1803 5, 13352 5, 13800 5, and 23102 5 to, and to repeal Section 13210 of, the Vehicle Code, relating to persons under the influence of alcohol or drugs.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 1714 8 to the Civil Code, to add Section 25602 5 to the Business and Professions Code, to".

Amendment No. 1.3

In line 3 of the title, strike out "13201, 13352, 13353,".

Amendment No. 1.5

In line 4 of the title, after the first comma, insert "and"

Amendment No. 1.7

In line 4 of the title, strike out "Sections 1803 5, 13352 5, 13800 5, and ", and insert "Section".

Amendment No. 2

In line 5 of the title, strike out "and to repeal Section 13210 of,"

Amendment No. 3

On page 2, strike out lines 1 to 7, inclusive; and strike out pages 3, 4, 5, 6, 7, 8, 9; and on page 10, strike out lines 1 to 31, inclusive; and in line 32, strike out "SEC 9", and insert
"SECTION 1".

Amendment No. 4

On page 11, line 12, strike out "SEC. 10", and insert
"SEC 2".

Amendment No. 5

On page 11, line 29, strike out "SEC 11", and insert
"SEC 3".

Amendment No. 6

On page 11, lines 35 and 36, strike out "Section 13800 5, or".

Amendment No. 7

On page 11, line 36, strike out "other".

Amendment No. 8

On page 12, strike out lines 17 to 27, inclusive.

Amendment No. 9

On page 12, line 28, strike out "SEC. 13", and insert "SEC. 4".

Amendment No. 9.5

On page 13, line 11, strike out "six months", and insert "five days".

Amendment No. 10

On page 13, line 29, strike out "six months", and insert "five days".

Amendment No. 11

On page 13, line 36, after "least", insert "six months but not more than".

Amendment No. 12

On page 14, line 13, strike out "SEC. 15", and insert "SEC. 5".

Amendment No. 12.5

On page 15, line 1, strike out "six months", and insert "five days".

Amendment No. 13

On page 15, line 23, strike out "six months", and insert "five days".

Amendment No. 14

On page 15, line 30, after "least", insert "six months but not more than".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1087—An act to add Section 11018 to, and to repeal Section 26207 of, the Government Code, relating to the payment of rewards.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "reward", insert "not to exceed fifty dollars ($50)".

Amendment No. 2

On page 1, line 5, strike out "willfully", and insert "maliciously".

Amendment No. 3

On page 1, lines 7 and 8, strike out "willfully damaged or destroyed such property", and insert "been convicted of maliciously damaging or destroying property of a state agency".

Amendment No. 4

On page 1, line 8, after "liable", insert "to that agency".

Amendment No. 5

On page 1, line 9, strike out "pursuant to this section", and insert "for information leading to his apprehension and conviction".

Amendment No. 6

On page 1, line 10, strike out "also".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1355—An act to amend Section 31261 of the Education Code, relating to college opportunity grant program

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "Section 31263", and insert "Sections 31263 and 31265, with not to exceed 49 percent of the total budgeted in any year for initial grants to be granted to students attending four-year institutions".

Bill ordered reprinted, to be re-referred to the Committee on Education, and the subject matter to be referred to the Committee on Rules for assignment to the proper committee for study

Assembly Bill No. 1371—An act to amend Section 14120 of the Welfare and Institutions Code, relating to medical assistance

Bill read second time, and ordered to third reading.

Assembly Bill No. 1414—An act to amend Section 14124 3 of, and to add Section 14119 5 to, the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1250—An act to amend Section 16609 of, and to add Section 16603 5 to, the Education Code, relating to children's centers

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 137 and **539**, ordered to third reading

SECOND READING OF SENATE BILLS

Senate Bill No. 904—An act to amend Section 2924 5 of the Civil Code, relating to mortgages and deeds of trust, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1076—An act to authorize the transfer of lands, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 414—An act to amend Section 146 of, and to add Section 146 1 to, the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 1149—An act to add Article 11 (commencing with Section 28070) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1, strike out lines 9 and 10, of the printed bill, as amended in Senate May 9, 1972, and insert

"28070 As used in this article, "passenger vehicle" means "passenger vehicle" as defined in Section 34710.

28071 Every passenger vehicle registered in this state shall be equipped with a".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 461—An act to amend Section 69899 5 of the Government Code, relating to courts

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Senate May 24, 1972, strike out "$2,170", and insert "76"

Amendment No. 2

On page 2, line 23, strike out the comma and insert a period

Amendment No. 3

On page 2, strike out line 24

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 967—An act to amend Sections 4080 and 4085 of, and to repeal Section 4081 of, the Elections Code, and to amend Sections 34452, 34460 and 34462 of the Government Code, relating to city charters

Bill read second time, and ordered to third reading

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1759, Assembly Concurrent Resolution No 50, and Assembly Joint Resolution No 21 for hearing in the Committee on Rules, on Tuesday June 20.

COMMUNICATIONS

Assembly Chamber, June 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 378	AB No 2098
AB No 1117	AB No 2367
AB No 1843	AB No 2374

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 16, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1334	AB No. 1989
AB No 1506	AB No 2031

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bills Nos. 30 and 1666

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 850—An act to add Section 14026 to the Welfare and Institutions Code, relating to improper use of a Medi-Cal card or labels

Bill read third time.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr MacGillivray moved a call of the Assembly

Motion carried Time, 10 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

MOTION FOR TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown moved that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Motion for temporary suspension of the Rules lost.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 850

At 10 03 a m , on motion of Mr. MacGillivray, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 850 passed by the following vote·

AYES—Arnett, Barnes, Belotti, Beverly, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, and Z'berg—51.

NOES—Burton, Miller, and Waxman—3.

~~Bill ordered transmitted to the Senate.~~

NOTE· Later this day a motion to reconsider the vote whereby Assembly Bill No 850 was passed was offered by Mr. Waxman See page 5001

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 638—An act to add Article 3 5 (commencing with Section 27400) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles

Bill read third time.

Motion to Amend

Mr Dunlap moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 5, of the printed bill, after "which", insert ", in both ears,".

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

BILLS PASSED ON FILE

Assembly Bill No. 95—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1162—An act to amend Section 75033 of, and to add Section 75033 5 to, the Government Code, relating to the Judges' Retirement Law.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Monagan, Murphy, Porter, Powers, Quimby, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Z'berg—46

NOES—Cline, Hayes, Moorhead, Priolo, and Vasconcellos—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1896—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants-in-aid to recipients of public assistance

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Brown, Chacon, Chappie, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—47.

NOES—Barnes, Burke, Cline, Collier, Conrad, Duffy, Lanterman, Monagan, Moorhead, and Stull—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2130—An act to add Section 14670 2 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—63

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh,

Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890 53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384.1 and 4212 of, and to repeal Section 42 5 of, the Civil Code, and to amend Section 416 70 of the Code of Civil Procedure, and to amend Sections 895 3, 5995 45, 8702, 23755 5 and 31231 of, the Education Code, and to amend Sections 385, 8672, and 8827 5 of, and to repeal Section 3512.1 of, the Elections Code, and to amend Sections 8201, 8203 1, and 8203 7 of the Government Code, and to amend Sections 1402, 1451, and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698 4, 1698 5, 1700 33, 1700 34, and 4455 of, and to repeal Section 3080 5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203 45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 4200 of the Streets and Highways Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Sections 12509 and 23105 of the Vehicle Code, and to amend Sections 504, 509, 529, 631, 631 1, 781, 11263, 14005 4, 14005 6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, relating to age of majority.

Bill read third time, and passed by the following vote.

AYES—Arnett, Barnes, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Ken Cory Presiding

At 10.21 a m, Hon Ken Cory, 69th District, presiding,

Assembly Bill No. 860—An act to amend Section 1081.5 of, and to add Section 16524 to, the Education Code, relating to school field trips and excursions

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2167—An act to amend Sections 625 and 627 5 of, and to add Section 626 1 to, the Welfare and Institutions Code, relating to juvenile courts

Bill read third time, and passed by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Priolo, Quimby, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—55.

NOES—Cline, Moorhead, Russell, and Stull—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 615—An act to add Section 129 5 to the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—66

NOES—None

Bill ordered transmitted to the Senate

Majority Floor Leader Presiding

At 10:28 a m , Hon Jack R. Fenton, 51st District, presiding

Assembly Bill No. 1670—An act to amend Section 26559 of the Health and Safety Code, relating to foods

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 637—An act to add Section 20868 to the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—56

NOES—Cullen—1

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bill No. 1098—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 266—An act to add Sections 12748, 12748.1, and 12748.2 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan,

Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—62

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—62

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 316—An act to amend Section 12657 of, and to add Section 12666 to, the Water Code, relating to flood control.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, and Wood—60

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 339—An act to amend Section 17146 of, and to add Sections 17146 7 and 17146.8 to,, the Revenue and Taxation Code, relating to exclusions from gross income under the Personal Income Tax Law, to take effect immediately, tax levy

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, and Z'berg—60

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 598—An act to add Chapter 6 5 (commencing with Section 25100) to Division 20 of the Health and Safety Code, relating to waste materials.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 772—An act to amend Section 12657 of, and to add Section 12667 to, the Water Code, relating to flood control.

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, and Z'berg—58

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 818—An act to add Section 21157 to the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—64

NOES—Murphy—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 833—An act to amend Sections 13246, 13246 5, 13247, 13247 9 and 13248 of, to amend the heading of Article 2 6

(commencing with Section 13245) of Chapter 2 of Division 10 of, and to add Sections 13246 7 and 13246 9 to, the Education Code, relating to master teachers

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—Russell—1

Bill ordered transmitted to the Senate

Assembly Bill No. 908—An act to amend Section 3020 of the Penal Code, relating to parole

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, Meade, Miller, Murphy, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—45.

NOES—Briggs, Burke, Cline, Collier, Conrad, Dent, Hayden, Hayes, Lanterman, MacGillivray, Moorhead, Russell, and Stull—13

Bill ordered transmitted to the Senate

Assembly Bill No. 1288—An act to add Chapter 1 5 (commencing with Section 1870) to Part 7 of Division 2 of the Labor Code, relating to labor

Bill read third time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Burton moved a call of the Assembly

Motion carried Time, 10:55 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1911—An act to repeal and add Sections 21293 6 and 21364 8 of, and to repeal Sections 21293 7, 21293 8, 21364 75, and 21364 9 of, of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2133—An act to add Section 18406 to the Health and Safety Code, relating to mobilehome parks.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2348—An act to amend Section 4200 of the Welfare and Institutions Code, relating to state institutions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1596—An act to amend Section 13715 of the Education Code, relating to school classified employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—67

NOES—None

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bills Nos. 2293, 1090, and **285**—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 209—An act to amend Sections 26001 and 26151 of, and to add Sections 23601 6, 26064, 26065, 26066, and 26158 to, the Education Code, relating to the California Maritime Academy

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—66

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1150—An act to amend Section 5750 9 of the Education Code, relating to special schools and classes

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—65

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1034—An act to add Section 7029 6 to the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—65.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1587—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 684—An act to add Title 6.5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—60.

NOES—Murphy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1682—An act to amend Section 1182 of the Penal Code, relating to new trials in criminal cases.

Bill read third time, and refused passage by the following vote:

AYES—Burton, Chacon, Crown, Cullen, Davis, Deddeh, Dunlap, Fong, Bill Greene, Leroy F Greene, Harvey Johnson, Keysor, Knox, McCarthy, Meade, Miller, Porter, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, and Wilson—26

NOES—Arnett, Barnes, Belotti, Beverly, Brophy, Burke, Chappie, Cline, Collier, Conrad, Cory, Dent, Duffy, Fenton, Foran, Hayden, Hayes, Ray E. Johnson, Ketchum, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stull, and Wood—35.

Motion to Reconsider Assembly Bill No. 1682 on Next Legislative Day

Mr Crown moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1682 was this day refused passage.

Assembly Bill No 1682 ordered to the unfinished business file.

Assembly Bill No. 2261—An act to amend Section 1208 of the Penal Code, relating to work furlough

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 529—An act to amend Section 25505 8 of the Education Code, and to amend Section 22840 of the Education Code, as proposed by Assembly Bill No 666, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—67.

NOES—Ketchum—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2332—An act to amend Sections 13210, 13352, and 13550 of the Vehicle Code, relating to drivers' licenses

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Meade, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Thomas, Townsend, Vasconcellos, Waxman, Wilson, and Wood—58.

NOES—Burke, McAlister, Moorhead, Russell, Sieroty, and Stull—6

Bill ordered transmitted to the Senate

Assembly Bill No. 2361—An act to amend Section 1031 of the Government Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1994—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 183—An act to amend Section 13087.1 of the Education Code, relating to public school employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 707—An act to amend Section 13710 of, and to add Section 13678 to, the Education Code, relating to school district employees.

Bill read third time, and refused passage by the following vote:

AYES—Fong, Bill Greene, Ketchum, Keysor, McAlister, McCarthy, Powers, Quimby, Sieroty, and Z'berg—10

NOES—Arnett, Bee, Belotti, Briggs, Brophy, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stull, Townsend, Wilson, and Wood—38.

Assembly Bill No. 2182—An act to amend Sections 6422, 6432, 6755, 6902 05, and 6908 of, and to add Section 6908 5 to, the Education Code, relating to school psychologists.

Bill read third time, and refused passage by the following vote:

AYES—Arnett, Cline, Dent, Hayes, Ketchum, Keysor, McAlister, Porter, Priolo, Quimby, Sieroty, and Thomas—12.

NOES—Barnes, Bee, Belotti, Briggs, Brophy, Burton, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Karabian, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Meade, Monagan, Moorhead, Murphy, Powers, Russell, Seeley, Stull, Townsend, Vasconcellos, Wilson, and Wood—41.

Assembly Concurrent Resolution No. 78—Relative to directional signs to Occidental College.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Constitutional Amendment No. 20—Passed on file

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 812—An act to amend Section 3505 of the Agricultural Code, relating to fairs.

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No 812?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "at its regular February 1 meeting,".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Bee, Brown, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy,

McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—50.

NOES—Barnes, Belotti, Beverly, Brophy, Burke, Collier, Conrad, Dent, Hayes, Lanterman, Lewis, Monagan, Moorhead, Priolo, and Stull—15

Above bill ordered enrolled.

BILLS PASSED ON FILE

Assembly Bill No. 514—Passed on file.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Constitutional Amendment No. 45—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1019—An act to repeal Article 3 (commencing with Section 2630) of Chapter 4 of Part 9 of Division 2 of, and to add Article 3 (commencing with Section 2630) to Chapter 4 of Part 9 of Division 2 of, the Labor Code, relating to employee housing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 617—An act to add Section 129 to the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1470—An act to amend Section 25951 of the Health and Safety Code, relating to counseling sessions

Bill read third time.

Motion to Amend

Mrs Fong moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 12, 1972, strike out lines 17 to 23, inclusive

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

RESOLUTION REMOVED FROM CONSENT CALENDAR

On request of Mr Lanterman, Assembly Concurrent Resolution No 93 was removed from the Consent Calendar and, by unanimous consent, placed on the third reading file

BILLS REMOVED FROM CONSENT CALENDAR

On request of Mr Cory, Senate Bill No 635 was removed from the Consent Calendar

On request of Mr Murphy, Assembly Bill No 1042 was removed from the Consent Calendar.

On request of Mr Cullen, Senate Bill No 176 was removed from the Consent Calendar

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No 22 2

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 701—An act to amend Section 431 40 of the Code of Civil Procedure, relating to procedure

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 927—An act to amend Section 4507 of the Civil Code, relating to dissolution of marriage

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1562—An act to add Section 602.5 to the Code of Civil Procedure, relating to selecting jurors

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1914—An act to amend Section 2924 of, and to add Sections 2924f, 2924g, and 2924h to, and to repeal Section 2924d of, the Civil Code, and to amend Sections 692 and 694 of the Code of Civil Procedure, relating to mortgages and deeds of trust

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1915—An act to amend Section 235 of the Civil Code, relating to emancipation of minors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1919—An act to amend Sections 825, 825 2 and 825 6 of the Government Code, relating to indemnification of public employees

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1922—An act to amend Section 1013a of the Code of Civil Procedure, relating to service by mail

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2349—An act to amend Section 69503 1 of, and to add Sections 69503 2 and 69503 3 to, the Government Code, relating to records

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 722—An act to amend Sections 17054, 17064, 17202, 17203, 17771, 17778, 17854, 18414 5, 18645, 18683, 24343, and 25933 of, to add Sections 18643, 18644, 25563 3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 740—An act to add Chapter 3 5 (commencing with Section 13180) to Division 7 of the Water Code, relating to water quality

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Mur-

phy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1101—An act to add Sections 161, 906.5, and 1805 5 to the Streets and Highways Code, relating to highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1171—An act to amend Sections 14202, 14254, 14903, 14910, 15101, 15150, 15201, 15704, 15752, 15753, and 15757 of, and to add Section 15102 2 to, the Financial Code, relating to credit unions

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1887—An act to add Section 19060 to the Government Code, relating to the state civil service.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Mur-

phy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2097—An act to amend Section 23270 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 981—An act to amend Section 13590.1 of the Education Code, relating to school classified employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Mur-

phy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 293—An act to amend Section 61600 of the Government Code, relating to community services districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 625—An act to amend Section 13085 of the Education Code, relating to public school employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 43—Relative to the Metropolitan Water District of Southern California.

Resolution read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Mur-

phy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Resolution ordered transmitted to the Senate

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:35 a m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1288

At 11 36 a m., on motion of Mr Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1288 passed by the following vote:

AYES—Barnes, Bee, Belotti, Brophy, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Maddy, McAlister, McCarthy, Meade, Miller, Powers, Priolo, Quimby, Ralph, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—41.

NOES—Beverly, Briggs, Burke, Cline, Collier, Dent, Duffy, Hayden, Ketchum, Lanterman, MacDonald, MacGillivray, Monagan, Moorhead, Murphy, Russell, Stull, and Wood—18.

Bill ordered transmitted to the Senate

COMMUNICATIONS

Assembly Chamber, June 16, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 137—An act to amend Section 11136 of the Insurance Code, relating to fraternal benefit societies,

Assembly Bill No. 1316—An act to add Section 12739 to the Business and Professions Code, relating to weights and measures, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m , June 16, 1972

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Transportation reports:

SB No. 9

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No 406

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 934
AB No. 969
AB No 1213
AB No 1883

With amendments with the recommendation: Amend, and do pass, as amended

BEVERLY, Chairman

Above bills ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 1963

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 178
AB No 1030
AB No 2120
AB No 2240
AB No 2267

With the recommendation: Do pass

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

AB No 652
AB No 912
AB No 1586
AB No 1721
AB No 1947
AB No 2372

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Criminal Justice reports.

AB No. 1948

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means with the recommendation · To Consent.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports·

AB No 73

AB No 2054

With amendments with the recommendation· Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Committee on Commerce and Public Utilities

Assembly Chamber, June 14, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports

AB No. 904

With amendments with the recommendation Amend, and do pass, as amended.

POWERS, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, June 16, 1972

Mr Speaker· Your Committee on Local Government reports

AB No 2358

With amendments with the recommendation. Amend, and do pass, as amended

KNOX, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, June 16, 1972

Mr Speaker· Your Committee on Planning and Land Use reports

AB No 1454

With the recommendation · Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PRIOLO, Chairman

Above bill ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Planning and Land Use reports:

AB No 1435

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

PRIOLO, Chairman

Above bill ordered to second reading

Committee on Urban Development and Housing

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

AB No 1518

AB No 2040

With amendments with the recommendation: Amend, and do pass, as amended.

BRAITHWAITE, Chairman

Above bills ordered to second reading

Committee on Rules

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Rules reports:

ACR No 95

With the recommendation: Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BURTON, Chairman

Above resolution ordered on file

Committee on Health

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Health reports:

AB No 1576

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Labor Relations

Assembly Chamber, June 16, 1972

Mr. Speaker. Your Committee on Labor Relations reports.

AB No 2027
AB No 2028

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 16, 1972

Mr. Speaker· Your Committee on Labor Relations reports

AB No 2079

With the recommendation. That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McCARTHY, Chairman

Subject matter of the above bill referred to the Committee on Rules

Assembly Chamber, June 16, 1972

Mr. Speaker: Your Committee on Labor Relations reports.

AB No 2204
AB No 1642

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means (recommendation of Consent).

McCARTHY, Chairman

Above bills ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, June 15, 1972

Mr Speaker· Your Committee on Natural Resources and Conservation reports·

AB No 273
AB No 1388
AB No 1539
AB No 1787

With the recommendation Do pass

Z'BERG, Chairman

Above bills ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Natural Resources and Conservation reports

AJR No 34

With the recommendation Be adopted, and be re-referred to the Committee on Rules and recommend Consent Calendar

Z'BERG, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

AB No 562
AB No 2234
AB No 2350

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No 266
SB No 1356

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

Z'BERG, Chairman

Above bills ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

AB No 668
AB No 2064

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

Z'BERG, Chairman

Above bills ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 132	AB No 427	AB No 748
AB No 169	AB No 665	AB No 754
AB No 342	AB No 694	AB No 970
AB No. 357	AB No 728	AB No. 1147

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 16, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1276	AB No. 1794
AB No 1519	AB No 1986
AB No. 1788	AB No. 2034

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 16, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 80	AB No 240	AB No. 387
AB No 96	AB No. 248	AB No 408
AB No 151	AB No. 252	AB No 452
AB No. 163	AB No 262	AB No 484
AB No. 176	AB No. 347	AB No. 491
AB No. 208	AB No. 383	AB No. 633
AB No. 239		

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 16, 1972

Mr Speaker:-Your Committee on Ways and Means reports:

AB No 636	AB No. 1215	AB No 1614
AB No 719	AB No 1366	AB No 1644
AB No 817	AB No. 1407	AB No. 1801
AB No. 834	AB No. 1485	AB No 1875
AB No 835	AB No. 1499	AB No. 1918
AB No 1140	AB No 1602	AB No. 1945
AB No 1143		

With the recommendation. Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 16, 1972

Mr. Speaker Your Committee on Ways and Means reports:

AB No. 2089
AB No. 2368

With the recommendation Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 200	AB No 407	AB No 1445
AB No. 221	AB No. 531	AB No 1505
AB No 227	AB No 558	AB No. 1704
AB No 327	AB No. 635	AB No. 1714
AB No 380	AB No 696	AB No 1724

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 1925

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 1837	AB No 2341
AB No 1973	AB No 2371
AB No 2284	

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 281	AB No 1292
AB No 592	AB No 1603
AB No 1263	

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 1938

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, June 15, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports.

AB No 1739

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Revenue and Taxation reports:

AB No 985

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

AB No 945

With the recommendation· Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, June 16, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports·

AB No. 567

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Planning and Land Use

Assembly Chamber, June 16, 1972

Mr Speaker· Your Committee on Planning and Land Use reports

AB No 1315

With amendments with the recommendation Do pass, as amended, and be re-referred to the Committee on Ways and Means

PRIOLO, Chairman

Above bill ordered to second reading

Committee on Finance and Insurance

Assembly Chamber, June 14, 1972

Mr. Speaker Your Committee on Finance and Insurance reports·

AB No. 1369

With amendments with the recommendation. Amend, and do pass, as amended

PIERSON, Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Judiciary reports.

AB No 1547

With amendments with the recommendation Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP BILLS

Mr. Deddeh was granted unanimous consent to take up Senate Bill No 9 and Assembly Bill No 406, without reference to file, for the purpose of reading the bills a second time and adopting the committee amendments at this time, that a rush order be placed upon the printing of the bills, and that Assembly Bill No 406 be considered engrossed

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Senate Bill No. 9—An act to amend Sections 29530, 29532, and 29533 of the Government Code, to amend Sections 99209, 99240, 99241, 99260, 99267, 99305, 99401, 99403, 99405, and 99407 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of, and to add Sections 6357 1, 6357 2, 7204 6, and 7264.1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 13, 1972, after "amend", insert "Sections 20820 and 20826 of the Business and Professions Code, to amend".

Amendment No. 2

In line 3 of the title, after "99209," insert "99213,".

Amendment No. 3

In line 3 of the title, after "99267," insert "99282,".

Amendment No. 4

In line 7 of the title, after "6357 2," insert "7204 4,".

Amendment No. 5

On page 3, strike out line 1, and insert

"SECTION 1 Section 20820 of the Business and Professions Code is amended to read

20820 (a) No person shall sell, offer for sale, or advertise for sale, at retail to the general public, any gasoline or other motor vehicle fuel from any place of business in this state by use of or through or from any dispensing apparatus, unless there is displayed on such dispensing apparatus in a conspicuous place at least one sign showing the actual total price per gallon of, all gasoline or other motor vehicle fuel sold, offered for sale, or advertised for sale therefrom The actual total price per gallon shall include fuel taxes and ~~where~~ sales tax ~~is to be added the sign shall so state and show the rate and tax base~~

(b) No person shall sell, offer for sale, or advertise for sale, at retail to the general public, any gasoline from any place of business in this state by use of or through or from any dispensing apparatus, unless there is displayed on such dispensing apparatus in a conspicuous place at least one sign showing the actual total price per gallon of, and the minimum octane number of, all gasoline sold, offered for sale, or advertised for sale therefrom The actual total price per gallon shall include fuel taxes and ~~where~~ sales tax ~~is to be added the sign shall so state and show the rate and tax base~~ .

For purposes of this subdivision "gasoline" does not include gasoline sold for aviation purposes.

As used in this subdivision "octane number" means the octane number of the gasoline adopted by the Federal Trade Commission, and if the Federal Trade Commission does not adopt an octane number, then the American Society for Testing Material research octane number of the gasoline as defined by Section 20710

SEC 1 2 Section 20826 of the Business and Professions Code is amended to read·

20826 A price indicator used in connection with a computing meter pump or a pump designed to compute price fulfills the requirements of this article, provided, all letters, figures or numerals used to designate the total ~~fuel tax included~~ *fuel and sales-tax-included* price per gallon are clear and distinct and so located as to be plainly discernible to the purchaser ~~and, provided further, that where sales tax is to be added a sign so stating and designating the rate and tax base shall be conspicuously displayed on the dispensing apparatus~~ .

SEC 1 5 Sec 29530 of the Government Code is".

Amendment No. 6

On page 5, between lines 33 and 34, insert

"SEC 4.5. Section 99213 of the Public Utilities Code is amended to read:

99213 *(a)* "Transit district" means a public district organized pursuant to state law and designated in the enabling legislation as a transit district or a rapid transit district.

(b) "Adjoining transit district" means a transit district, as defined in subdivision (a), which meets, at some point or line, another such district, but whose area does not overlap the area of such other district "

Amendment No. 7

On page 9, between lines 36 and 37, insert

"SEC. 10 5 Section 99282 of the Public Utilities Code is amended to read:

99282 All transit districts and all municipal applicants shall be encouraged to establish maximum coordination of public transportation services, fares, transfer privileges, and all other related matters for the overall improvement of public transportation service to the general public requiring such services within the affected areas.

However, notwithstanding any other provision of law, a transit district shall not establish a public transportation system by adding new routes or by extending existing routes, by acquisition or otherwise, into an adjoining transit district, unless such addition or extension is specifically approved by the governing body of the adjoining transit district "

Amendment No. 8

On page 10, line 29, after "county", insert a comma.

Amendment No. 9

On page 11, line 20, after "agency", insert a comma.

Amendment No. 10

On page 15, between lines 26 and 27, insert

"SEC 20 5 Section 7204 4 is added to the Revenue and Taxation Code, to read:

7204 4 The Secretary of the Business and Transportation Agency shall charge, as the cost of his services in administering the responsibilities assigned to him in Chapter 4 (commencing with Section 99200), Part 11, Division 10 of the Public Utilities Code, one hundred five thousand dollars ($105,000) for the 1972–1973 fiscal year Amounts to be charged in subsequent fiscal years shall be specified in the Budget Act. Such amounts shall be deducted from the taxes collected by the board for the counties and the cities and counties, and shall be transmitted to the secretary."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 406—An act to add Division 12 5 (commencing with Section 28700) to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly April 20, 1972, strike out "Assemblyman Deddeh", and insert "Assemblymen Deddeh and Foran
(Coauthor Senator Biddle)".

Amendment No. 2

On page 3, line 18, after the comma, insert "reduce vehicular noise emission levels,".

Amendment No. 3

On page 4, line 14, after "c", insert "Reduction of vehicular noise emission levels.
(d)".

Amendment No. 4

On page 4, lines 30 and 31, strike out "President pro Tempore of the Senate", and insert "Senate Rules Committee".

Amendment No. 5

On page 5, line 22, after "Basin", insert ", as defined by the State Air Resources Board".

Amendment No. 6

On page 5, line 29, after "976", insert "and Title 3 of H R. 11627".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file·

Assembly Bill No. 217, on request of Mr. Harvey Johnson.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 23 for hearing in the Committee on Rules

Mr Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 20, 110, 269, 402, 507, 522, 773, 854, 160, 549 and Senate Constitutional Amendment No 10 for hearing in the Committee on Crimmal Justice on June 20, 1972.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1202

Mr. McCarthy was granted unanimous consent to rescind the action whereby, earlier this day, Assembly Bill No 1202 was ordered reprinted, and to be re-referred to the Committee on Ways and Means

Mr McCarthy was further granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer additional amendments to Assembly Bill No 1202 prior to its reprinting, and to take the bill up at this time, without reference to file, for purpose of amendment.

Further Consideration of Assembly Bill No. 1202

Assembly Bill No. 1202—An act to declare legislative intent regarding the Nutrition Program for the Elderly, relating to senior citizens.

Bill read second time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendments:

Amendment No. 1

In line 4, page 1, of the heading of the printed bill, strike out "and Z'berg", and insert "Z'berg, LaCoste, Wilson, Maddy, and Arnett".

Amendment No. 2

In line 5, page 1, strike out "Coauthor: Senator Kennick", and insert "Coauthors: Senators Kennick and Behr".

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Hayes was granted unanimous consent that the following communication be printed in the Journal:

June 14, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Re: Assembly Bill 1549, 1971 Regular Session, Chapter 1699

Dear Mr Speaker: Several questions have arisen from lawyers and others concerning the intended application of AB 1549, 1971 Regular Session (Chapter 1699) of which I was the author This bill amended Section 5118 of the Civil Code, a portion of the Family Law Act, of which I was one of the principal authors in the 1969 Regular Session of the Legislature

The Family Law Act became effective on January 1, 1970, and was applicable to all cases thereafter filed and to all pending cases in which an interlocutory or other judgment had not yet been rendered.

It was my intention as the author of AB 1549, and the argument I used in obtaining passage of the measure by the Assembly and Senate of the California Legislature, that this amendment to Section 5118 of the Civil Code (Family Law Act) would govern the determination of the property rights of the parties under the same rules applied by the California Supreme Court Case of Addison v. Addison, 62 Cal 2nd 558, 43 Cal Rptr 97 (1965). In other words, the courts, on or after the effective date of AB 1549 (March 4, 1972), must construe the status and the division of the property of the parties by the law then in effect, without regard to whether the status of the property of the parties or the division of such property might have been differently determined or divided had a judgment been made on March 3, 1972, or at any time prior thereto The intention was to supersede the prior law and to have the new law retroactively apply to all cases decided on and after March 4, 1972.

Respectfully,

JAMES A. HAYES
Assemblyman, 39th District

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Desk be held open for the purpose of receiving the Report of the Committee on Education relative to Assembly Bill No. 1283, and that the bill be taken up, without reference to file, for purpose of adopting committee amendments, that the bill be considered engrossed, and the Rules temporarily suspended for the purpose of setting Assembly Bill No. 1283 for hearing in the Committee on Ways and Means.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1541, on request of Mr. Sieroty.

Assembly Bill No. 807, on request of Mr Sieroty

Assembly Bill No. 1848, on request of Mr. Maddy.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 850 ON NEXT LEGISLATIVE DAY

Mr Waxman moved to reconsider on the next legislative day the vote whereby Assembly Bill No 850 was this day passed.

Assembly Bill No 850 ordered to the unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, June 16, 1972

Mr. Speaker: The Chairman of your Committee on Labor Relations reports:

AB No. 676

With author's amendments with the recommendation: Amend, and refer to the Committee on Labor Relations.

McCARTHY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 676—An act to add Section 1420 3 to the Labor Code, relating to unfair employment practices.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "and significantly"

Amendment No. 2

On page 1, line 9, after the period, insert "Nothing in this section shall be interpreted to limit the authority of the State Personnel Board regarding the state merit selection and examining program under Article XXIV of the State Constitution, or under Division 5 (commencing with Section 18000) of Title 2 of the Government Code"

Bill ordered reprinted, and to be re-referred to the Committee on Labor Relations.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 16, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 898

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 898—An act to amend Sections 3517 and 3575 of, and to add Section 3521 to and Article 3 5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, strike out the first "and", and insert a comma.

Amendment No. 2

In line 1 of the title, after "3575", insert ", and 5004".

Amendment No. 3

On page 2, line 20, after the second "carrier", insert a comma.

Amendment No. 4

On page 5, line 25, after "that", insert "the".

Amendment No. 5

On page 6, after line 17, insert

"SEC. 5. Section 5004 of the Public Utilities Code is amended to read:

5004. The following fees shall be paid to the commission, pursuant to permits issued under the Highway Carriers' Act, Chapter 1 (commencing with Section 3501) of Division 2 of this code

Five hundred dollars ($500) for filing each application for a permit, except applications for a seasonal permit

One hundred fifty dollars ($150) for filing each application to sell, mortgage, lease, assign, transfer, or otherwise encumber any permit, except that for the transfer of each permit subsequent to the death of a permittee, and after court approval of the distribution of the estate or when it is not necessary to probate the will or distribute the estate through court, the fee is twenty-five dollars ($25)

Twenty-five dollars ($25) for filing each application for issuance or renewal of a permit to operate as a highway contract carrier *or livestock carrier* on a seasonal basis. Such seasonal permit shall authorize only the transportation of agricultural commodities including livestock; shall not be issued for a period exceeding three calendar months; and shall not be renewed more than twice in any calendar year."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 16, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports.

AB No 1210

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1210—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 2, between lines 23 and 24, of the printed bill, as amended in Assembly May 10, 1972, insert

"30303 The minimum rate charged for such instruction in cosmetology as defined by Section 7321 of the Business and Professions Code, shall be twenty-five cents ($0 25) per hour of instruction per student"

Amendment No. 2

On page 2, line 28, strike out "30303", and insert "30304".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REMARKS ON CONDITION OF THE FILE

Mr. Sieroty arose to speak on the condition of the file

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.	*Committee*
2377	Commerce and Public Utilities

Assembly Concurrent

Resolution No.	*Committee*
101	Transportation
102	Employment and Public Employees

Assembly Joint

Resolution No.	*Committee*
36	Natural Resources and Conservation

Senate

Bill No	*Committee*
38	Judiciary
381	Labor Relations
428	Criminal Justice
450	Agriculture
506	Judiciary
746	Agriculture
896	Government Administration
911	Agriculture
928	Judiciary
1121	Local Government
1201	Judiciary
1277	Health
1285	Judiciary
1324	Planning and Land Use

Senate Constitutional Amendment No.	*Committee*
70	Revenue and Taxation

Senate Concurrent Resolution No.	*Committee*
9	Environmental Quality
19	Transportation
20	Environmental Quality
29	Natural Resources and Conservation
31	Transportation
34	Transportation
36	Natural Resources and Conservation
45	Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, June 16, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

SB No. 911

With author's amendments with the recommendation: Amend, and refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 911—An act to amend Section 27571 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 8, 1972, strike out "amend Section 27571 of", and insert "repeal and add Section 27551 to".

Amendment No. 2

In line 2 of the title, after "eggs", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 9, and insert

"SECTION 1. Section 27551 of the Agricultural Code is repealed ~~27551. Every person who sells or distributes any container for use in the sale or distribution of shell eggs in this state shall pay to the director a maximum fee of one mill ($0.001) for each such container designed to hold one dozen shell eggs. Each egg dealer shall pay to~~

~~the director a maximum fee of one mill ($0.001) per dozen of eggs in containers designed to hold other than one dozen shell eggs and one dozen containers on which no California fee has been paid.~~

SEC. 2. Section 27551 is added to the Agricultural Code, to read:

27551. Each egg dealer shall pay to the director a maximum fee of one mill ($0 001) for each dozen of eggs sold to retailers or consumers, including any eggs sold to the state, city, county, or any agency thereof, and for any eggs sold to the federal government or its agencies which are not accompanied by a federal certificate of grade.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to equitably distribute the inspection program burdens before the operative date of July 1, 1972, of the existing assessment fees provisions, it is necessary that this act go into immediate effect."

Amendment No. 4

On page 1, strike out lines 10 to 13, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 103: By Assemblyman Duffy—Relative to nursing

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Burton, Brown, Crown, Meade, and Miller:

House Resolution No. 65

Relative to nonacademic labor negotiation at the University of California

WHEREAS, An apparent lack of communication between the governing authorities of the University of California and the numerous categories of nonacademic employees concerning terms and conditions of employment has created a situation of unrest in relationships, and

WHEREAS, The difficulties in the relationships between the University and its nonacademic employees could be greatly ameliorated by the establishment, under the direction of the Regents and the President of the University, of an agency authorized to meet and negotiate with the regularly authorized representatives of the nonacademic employees, now, therefore, be it

Resolved by the Assembly of the State of California, That the Regents and the President of the University of California appoint a representative or body, having full authorization to act, or to personally negotiate with nonacademic employees at the University of California relating to terms and conditions of employment; and be it further

Resolved, That the President of the University of California report the findings, agreements and recommendations which transpire at negotiations with the nonacademic employees of the University of California to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Messrs. Leroy F. Greene, Harvey Johnson, and Keysor were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 850.

Mr Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 850.

Messrs. Hayes and Priolo were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1162.

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1162.

Messrs. Cline and Moorhead were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1162.

Mr. Warren was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1670.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 598.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 772.

Mr Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 833.

Mr. Cline was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 908.

Mr. Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 686, 2167, 615, 1670, 637, and 598.

Messrs. Cory, MacDonald, Fenton, and Foran were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1682.

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bill No. 1034.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2261.

Messrs. Priolo and Hayes were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No. 2261.

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bill No 1150.

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bills Nos. 209, 2348, and 2133.

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 529.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2332.

Mr Russell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 2332.

Mr. Sieroty was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2332.

Messrs. Stull and Moorhead were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 2332.

Messrs. Hayden and Leroy F. Greene were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 707.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 707.

Mr. Harvey Johnson was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 707.

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2182.

Mr. Leroy F. Greene was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 2182.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 812.

Mr. Hayes was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 812.

Messrs. Cline, Vasconcellos, and Keysor were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1019.

Messrs. Hayden and Wood were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1288.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 2332.

Mrs. Fong was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bills Nos. 1911, 637, 615, 1670, 2167, 860, and 686; and on the urgency clause to Assembly Bill No. 2130, and on the passage of the bill.

Mr. McAlister was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 927.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 16, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1283

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

CONSIDERATION OF ASSEMBLY BILL NO. 1283 BY UNANIMOUS CONSENT

Pursuant to unanimous consent granted earlier this day, Assembly Bill No. 1283 was taken up without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 1283 by Unanimous Consent

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303.5, 17414, 17417, 17503, 17603.5, 17651, 17653, 17654 5, 17655 5, 17664, 17665, 18102.8, 18102 9, 18102 10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3, 17301, 17301 1, 17301 2, 17662, 17662.3, 17662.5, 18102, and 20751 to, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1.7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913 1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665 5, 18102, 18102 2, 18102 4, 18102 6, 20751, 20800, 20801.5, 20802.8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2 1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 24, 1972, strike out "17653,".

Amendment No. 2

In line 6 of the title, after "17301 2," insert "17301.3, 17653,".

Amendment No. 3

On page 17, between lines 26 and 27, insert

"For the purpose of this subdivision, the school district tax shall not include any tax levied and collected pursuant to Sections 15517, 15518, 16633, 16635, 16645.9, 19443, 19572, 19619, 19687, 19695, or 22101."

Amendment No. 4

On page 23, line 19, after "1973", insert "and 1973–1974",

Amendment No. 5

On page 23, line 20, strike out "year", and insert "years".

Amendment No. 6

On page 23, line 20, strike out "and for the"; and strike out line 21.

Amendment No. 7

On page 23, line 23, strike out "60", and insert "50".

Amendment No. 8

On page 23, strike out line 38, and insert "ninety-eight dollars and thirty-eight cents ($298.38)".

Amendment No. 9

On page 24, between lines 15 and 16, insert

"SEC. 17.5. Section 17301.3 is added to the Education Code, to read.

17301 3. The State Controller shall also transfer an amount from the General Fund to the State School Fund equal to thirty-eight dollars ($38) multiplied by the average daily attendance credited to all kindergarten, elementary, high school, community college, and adult schools and to county school tuition funds during the preceding fiscal year."

Amendment No. 10

On page 24, line 19, strike out "Section 17301", and insert "Sections 17301 and 17301.3".

Amendment No. 11

On page 24, line 21, after "(a)", insert "Twenty-one dollars and fifty cents ($21.50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0 70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, community college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352.

(b) Four dollars and forty cents ($4 40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, community college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division

(c)".

Amendment No. 12

On page 25, between lines 11 and 12, insert

"(d) Three dollars and six cents ($3 06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high

school, community college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352."

Amendment No. 13

On page 25, line 19, strike out "(b)", and insert "(e)".

Amendment No. 14

On page 25, line 35, strike out "(c)", and insert "(f)".

Amendment No. 15

On page 27, strike out lines 38 to 40, inclusive, and insert

"(c) For the purposes of Sections 17301, 17654.5, 17655.5, 17662, 17664, 17665, and Article 3 (commencing with Section 17701) of this chapter, the current expense of education shall include only state funds apportioned as basic aid, equalization aid, supplemental support and additional equalization aid; local funds derived pursuant to subdivision (a) of Section 17274; miscellaneous funds, as defined in Section 17606; and any federal funds allocated as general aid, such as funds allocated pursuant to Public Law 81-874.

For 1973–1974 and each fiscal year thereafter, state basic aid, equalization aid, supplemental support, and additional equalization aid shall mean state funds allocated pursuant to Sections 17654.5, 17655.5, 17662, 17664, and 17665.

The statewide average current expense of education per unit of average daily attendance shall mean the sum of the funds specified by this subdivision received by all districts in the state of the particular type (elementary, high school, or unified) divided by the foundation program average daily attendance reported by those same districts."

Amendment No. 16

On page 30, strike out lines 26 to 39, inclusive, and insert

"SEC. 25. Section 17653 is added to the Education Code, to read:

17653 No aid in excess of one hundred twenty dollars ($120) per unit of average daily attendance shall be allowed unless there shall have been levied pursuant to this code, for a district during the fiscal year, a tax, exclusive of taxes levied under Sections 1822.2, 1825, 16633, 16635, 16645 9, 19443, 19619, 20801, and 22101, of not less than one dollar ($1) if an elementary district, eighty cents ($0.80) if a high school district, and twenty-five cents ($0.25) if a community college district"

Amendment No. 17

On page 31, line 15, strike out "appropriate", and insert "relative support".

Amendment No. 18

On page 31, line 15, strike out "17662", and insert "17662 5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 19

On page 31, line 25, strike out "appropriate", and insert "relative support".

Amendment No. 20

On page 31, line 26, strike out "17662", and insert "17662 5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 21

On page 31, line 35, strike out "appropriate", and insert "relative support".

Amendment No. 22

On page 31, line 37, strike out "17662", and insert "17662 5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 23

On page 33, line 40, strike out "Section 17664. If the"; on page 34, strike out lines 1 to 6, inclusive, and insert "Sections 17654.5 and 17655 5."

Amendment No. 24

On page 35, strike out lines 34 and 35, and insert "in subdivision (c) of Section 17503 and the relative support factor of the district, as determined pursuant to Section 17662.5."

Amendment No. 25

On page 36, strike out lines 9, 10, and 11, and insert

"(a) For districts with a relative wealth index of 0.5 or less, the relative support factor is 0 991 plus one-half multiplied by the quantity 1 5 minus twice the relative wealth index.

(b) For districts with a relative wealth index greater than 0.5 but equal to or less than 1.5, the relative support factor is 0.991 plus one-half multiplied by the quantity one minus the relative wealth index."

Amendment No. 26

On page 36, line 12, strike out "(b)", and insert "(c)".

Amendment No. 27

On page 36, line 14, strike out "multiplied", and insert "divided".

Amendment No. 28

On page 36, strike out lines 26 to 40, inclusive; on page 37, strike out lines 1 to 12, inclusive, and insert

"attendance	employees	allowed
1– 20	3	$8,500
21– 40	4	16,980
41– 60	5	25,470
61– 75	6	31,830

76– 90	7	38,190
91–105	8	44,560
106–120	9	50,920
121–135	10	52,280
136–150	11	63,650
151–180	12	76,370
181–220	13	93,340
221–260	14	110,310
261–300	15	127,300".

Amendment No. 29

On page 37, lines 16, 17, and 18, strike out "compute _____ ($_____)", and insert "allow four thousand dollars ($4,000)".

Amendment No. 30

On page 37, line 40, strike out "foundation program", and insert "allowance".

Amendment No. 31

On page 38, line 13, strike out "If the", and strike out lines 14 to 19, inclusive

Amendment No. 32

On page 39, line 8, strike out "services less rent index", and insert "adjustment index developed pursuant to Section 17301".

Amendment No. 33

On page 39, between lines 8 and 9, insert

"For the purposes of this article, reference to expenditures per unit of average daily attendance shall have the same meaning as "current expense of education" as used in subdivision (b) of Section 17503."

Amendment No. 34

On page 39, line 26, strike out "services less rent index", and insert "adjustment index developed pursuant to Section 17301".

Amendment No. 35

On page 39, line 30, strike out "services less rent index", and insert "adjustment index developed pursuant to Section 17301".

Amendment No. 36

On page 39, strike out lines 31 and 32, and insert "multiplied by the quantity three minus twice the relative expenditure index."

Amendment No. 37

On page 39, line 36, strike out the second "the", and in line 37, strike out "consumer price index", and insert "a salary index developed by the Superintendent of Public Instruction, the Legislative Analyst, and the Department of Finance".

Amendment No. 38

On page 40, strike out lines 3 and 4, and insert "index developed by the Superintendent of Public Instruction, the Legislative Analyst, and the Department of Finance multiplied by the quantity three minus twice the relative salary index"

Amendment No. 39

On page 40, line 13, after "factor", insert "unless such expenditures have been approved by the electorate pursuant to Section 20803. In the event a district exceeds such expenditure guidelines the Superintendent of Public Instruction shall disregard such excess expenditures when computing the average current expense of education pursuant to subdivision (c) of Section 17503".

Amendment No. 40

On page 40, line 16, strike out "expenditure increases and".

Amendment No. 41

On page 40, line 21, strike out "or"; strike out all of line 22, and insert a period.

Amendment No. 42

On page 47, line 40, after "support", insert "determined pursuant to Section 17662".

Amendment No. 43

On page 49, line 2, strike out "17651", and insert "17662".

Amendment No. 44

On page 49, line 18, strike out "17651", and insert "17662".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

ADJOURNMENT

At 12:05 p m., Acting Speaker Fenton declared the Assembly adjourned until 9:30 a m , Monday, June 19, 1972

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-second Legislative Day

One Hundred Sixty-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 19, 1972

The Assembly met at 9 30 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr. Dent seconded the motion.
Motion carried. Time, 9·31 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9:57 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister.

Father, May this present age be the last and final act in the drama of man's tragedy.

Help him to emerge from this turmoil with a new purpose and the will to accomplish it.

May the only wars of his future be waged against disunity, alienation, poverty, and disease. May Your grace be in us, Your will guide us, and Your love unite us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Russell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Barnes, seconded by Mr. Moretti.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Knox, on request of Acting Speaker Fenton.
Mr. MacDonald, on request of Acting Speaker Fenton.
Mr. Vasconcellos, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Murphy, on request of Speaker pro Tempore Bee.
Mr. Pierson, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Brophy, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived:

Mr. Campbell.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 16, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from Session on June 17 through June 20, 1972, on legislative business.

I will be attending the first annual conference of the Securities Industry Association in Santa Barbara.

Very truly yours,

JOHN T. KNOX, Assemblyman
Eleventh District

May 22, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: On Monday, June 19, I plan to be in Ventura to participate in a special meeting with various school administrators concerning the revision of the Education Code Since the meeting is scheduled to last the entire morning, it is unlikely I would arrive in Sacramento in time to attend Session.

Therefore, I respectfully request permission to be excused from Session June 19 on legislative business

Sincerely,

J. K. MACDONALD, Assemblyman
Thirty-seventh District

June 16, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob, I am writing to request being excused from session on Monday, June 19, on legislative business.

I will be at San Diego State University on that day, speaking to the participants of a college chaplains training program on the subject of education today.

Best regards,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

COMMUNICATIONS

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 638
AB No. 1470

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 941
AB No. 1473

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 1154
AB No 1351

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar

Assembly Chamber, June 19, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1666

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 19, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No. 30

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 19, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No 1326

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

Assembly Chamber, June 19, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 52

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1325	AB No. 2051
AB No. 1542	AB No 2316
AB No 1693	

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 317	AB No 1076	AB No. 2112
AB No 588	AB No. 1404	AB No 2157
AB No. 742	AB No 1735	

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 19, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 50	AJR No 21
ACR No 79	ACA No. 62

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolutions re-referred to committee

Assembly Chamber, June 19, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 117	AB No 1210	AB No 1768
AB No 874	AB No 1224	AB No 1885
AB No 888	AB No 1496	AB No 2114
AB No 898	AB No 1598	AB No 2156
AB No 1011	AB No 1633	AB No 2315
AB No 1157	AB No 1759	AB No. 2347

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 19, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 676	AB No 1464	AB No 2029
AB No 778	AB No 1533	AB No 2119
AB No 832	AB No 1538	AB No 2213
AB No 1087	AB No 1685	AB No 2278
AB No 1202	AB No 1798	AB No 2364
AB No 1204	AB No 1864	AB No. 2375
AB No 1355	AB No 1979	

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

AB No 2376

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Planning and Land Use

Assembly Chamber, June 16, 1972

Mr Speaker: Your Committee on Planning and Land Use reports:

SB No 591

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

~~Assembly Chamber, June 15, 1972~~

~~Mr Speaker Your Committee on Elections and Reapportionment reports~~

~~AB No 1313~~
~~AB No 2238~~

~~With the recommendation Do pass~~

~~WAXMAN, Chairman~~

~~Above bills ordered to second reading~~

NOTE On June 21, 1972, the action was rescinded whereby the above report of the Committee on Elections and Reapportionment relative to ABs Nos 1313 and 2238 was received and read, and whereby the bills were ordered to second reading. See page 5236.

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Elections and Reapportionment reports

AB No. 1025
AB No 1565
AB No. 1991

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

WAXMAN, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 15, 1972

Mr Speaker · Your Committee on Elections and Reapportionment reports.

AB No 1571

With amendments with the recommendation. Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Elections and Reapportionment reports ·

AB No 1984

With the recommendation That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

WAXMAN, Chairman

Subject matter of the above bill referred to the Committee on Rules

Committee on Education

Assembly Chamber, June 16, 1972

Mr Speaker Your Committee on Education reports

AB No 1599
AB No 1745
AB No 1846
AB No 1618

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bills ordered to second reading.

Committee on Judiciary

Assembly Chamber, June 19, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No 841

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 19, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No 930

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

WARREN, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 19, 1972

Mr Speaker: The Chairman of your Committee on Education reports:

SB No 670

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 670—An act to add Sections 6803 3 and 6902 055 to the Education Code, relating to special education.

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate May 24, 1972, strike out "for multihandicapped pupils", and insert "conducted pursuant to this chapter"

Bill ordered reprinted, and to be re-referred to the Committee on Education

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 19, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1410

With author's amendments with the recommendation: Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1410—An act to add Part 5 (commencing with Section 8570) to Division 6 of the Public Resources Code, relating to public use of private lands.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "PUBLIC EASEMENTS", and insert "IMPLIED DEDICATION".

Amendment No. 2

On page 1, line 13, after the period, insert "In addition, "local governmental entity" means, after intervention, a district which has intervened in an action described in Section 8571 or 8572."

Amendment No. 3

On page 2, line 11, strike out ", and no", and insert " No use of such land between publication of the notice referred to in subdivision (b) and such final judgment shall constitute evidence in such action of any public right in the land if such action is commenced within two years of the service of such notice and prosecuted to judgment within five years after it is commenced No".

Amendment No. 4

On page 2, line 13, strike out "or be admissible as evidence".

Amendment No. 5

On page 2, line 18, strike out "one year", and insert "six months".

Amendment No. 6

On page 2, line 20, after "Code", insert ", post,".

Amendment No. 7

On page 2, line 23, after "shall", insert "be verified by such owner and shall".

Amendment No. 8

On page 2, line 26, strike out the comma.

Amendment No. 9

On page 2, line 30, strike out "the purpose only"; strike out lines 31 to 36, inclusive; and in line 37, strike out "service", and insert "purposes of the subdivision, posting shall be sufficient if such notice is posted at each point where the public could reasonably have access to the property but such need not be more frequent than at 300-foot intervals along the boundary of the property".

Amendment No. 10

On page 3, line 4, after "(d)", insert "The State of California, acting by and through the Attorney General and the local governmental entity shall be named as defendants in such action."

Amendment No. 11

On page 3, line 7, after the period, insert "Any person may intervene in such action, as provided in Section 387 of the Code of Civil Procedure. A notice of appeal of such action filed by any defendant other than a governmental entity shall be accompanied by a written undertaking, with at least two sufficient sureties, in the sum of two thousand five hundred dollars ($2,500) as security for the costs of the plaintiff on appeal, including attorneys' fees, which may be awarded against such appellant on appeal."

Amendment No. 12

On page 3, strike out lines 8 to 34, inclusive, and insert

"(e) A party in any such action shall be entitled to reasonable attorneys' fees, not to exceed one thousand dollars ($1,000), against any opposing party upon a finding by the court that the prosecution of the action or defense thereof by such opposing party was unnecessarily undertaken.

8572. In any action brought against the owner of real property to establish an implied dedication, notice of such action must be served by registered mail on the Attorney General and the local governmental entity (excepting either of them who is then a party to such action) within 10 days after commencement of such action, and the State of California, acting by and through the Attorney General or the local governmental entity, or both, may intervene in any such action.

8573. In any action or proceeding in which an implied dedication is in issue, the Attorney General and any local governmental entity may file at any time before final judgment with permission of the court, a disclaimer refusing to accept any responsibility for any implied dedication which may be found therein, and such disclaimer shall thereafter relieve such party of all further participation in such action

8574. (a) The judgment in any action or proceeding which finds that any portion of the land in question is subject to an implied dedication shall designate the dedicatee of such implied dedication for the public only from among the public entities party to such action or proceeding who have not filed a disclaimer pursuant to Section 8573 In making such designation, the court may consider any evidence rele-

vant to the question of which entity is best equipped or otherwise is appropriate to accept such responsibility If the state is designated as such dedicatee, the Governor shall determine the appropriate state agency which shall act in such capacity Upon such judgment becoming final, the".

Amendment No. 13

On page 3, line 38, after "use", insert "of the type and extent which gave rise to such implied dedication".

Amendment No. 14

On page 3, line 38, strike out "the", and insert "such".

Amendment No. 15

On page 3, strike out lines 39 to 40, inclusive; and on page 4, strike out lines 1 to 14, inclusive, and insert ". If no dedicatee is designated in such judgment pursuant to this section, the dedication shall thereupon be conclusively deemed abandoned, and such judgment shall establish that title to such land is free of such dedication.

(b) If a final judgment establishing an implied dedication has been entered prior to the effective date of this part, the owner of the property subject to such dedication may serve, by"

Amendment No. 16

On page 4, line 19, after "acceptance", insert "as dedicatee".

Amendment No. 17

On page 4, line 19, after "filed", insert "for record with the county recorder".

Amendment No. 18

On page 4, line 20, strike out "section", and insert "subdivision".

Amendment No. 19

On page 4, line 20, strike out "one year", and insert "two years".

Amendment No. 20

On page 4, line 21, after the period, insert "Upon the first such recording, the rights and obligations of the owner and the accepting dedicatee shall be the same as stated in subdivision (a) following a court designation of the dedicatee If no such certificate is recorded within such two years the dedication shall thereupon be conclusively deemed abandoned, and title to the land judicially declared to be subject to such public rights shall be free of such rights "

Amendment No. 21

On page 4, strike out lines 22 to 36, inclusive, and insert

"(c) Nothing in this section shall be construed to affect or diminish any immunity from tort liability which the accepting public entity would otherwise have with respect to lands of like character

(d) The owner of such land shall have standing to bring an action, after exhausting his administrative remedies, to require the designated or accepting public entity to maintain the land subject to such implied dedication in a reasonably safe, clean, and healthful condition.

8575 (a) The public entity which has become dedicatee of an implied dedication pursuant to this part shall be the".

Amendment No. 22

On page 5, strike out lines 5 to 8, inclusive; and in line 9, strike out "over which public rights exist "

Amendment No. 23

On page 5, strike out lines 16 and 17; and in line 18, strike out "agreements", and insert

"(b) An agreement"

Amendment No. 24

On page 5, line 26, strike out "is", and insert "may be made between the owner of such land and"

Amendment No. 25

On page 5, line 28, strike out "Any such agreement, when recorded, shall be"; strike out lines 29 to 40, inclusive; and on page 6, strike out lines 1 to 6, inclusive, and insert

"(c) Any agreement entered into pursuant to this section shall not become effective until 45 days following the posting on the property, in a manner conspicuous to users thereof, if any, of a notice in common language stating generally the provisions of the agreement, where a copy of such agreement may be inspected, when it will become effective, and to what governmental entity comments or objections should be addressed The agreement is revocable by any of the parties thereto until the expiration of such 45-day period, shall not be recorded until then, and, if revoked, shall not prejudice in any way whatever the rights of either the owner of such property or the public A certificate executed by all the parties to any such agreement following the recordation of the agreement which states that none of them have revoked the agreement during such period shall be conclusive evidence of its contents in favor of any third party acting in good faith and in reliance thereon An affidavit of posting pursuant to this subdivision shall be attached to the agreement when it is recorded, and such recorded affidavit establishes, in favor of persons relying thereon in good faith, a conclusive presumption of the truth of the information contained therein Any such agreement, when recorded, shall be binding not only upon the parties thereto but also upon all members of the public, and shall conclusively establish the existence or nonexistence of such rights, or the boundaries or uses, as the case may be, of the area over which public rights exist

8576 (a) A local governmental entity which is dedicatee of an implied dedication"

Amendment No. 26

On page 6, line 22, strike out "15", and insert "one year"

Amendment No. 27

On page 6, between lines 23 and 24, insert

"Within 10 days after the passage of such ordinance or resolution, the clerk of the legislative body shall send a copy thereof to the Attorney General and to any other person or entity who appeared in the action or actions which established the implied dedication or dedications."

Amendment No. 28

On page 6, line 29, after "vacated", insert "for a period of one year following the passage of the ordinance or resolution".

Amendment No. 29

On page 7, line 1, after "easement", insert "by a vote of two-thirds of its membership".

Amendment No. 30

On page 7, line 11, strike out "8575", and insert

"(h) Where the dedicatee of an implied dedication is an agency of the state, vacation of all or part of the easement created by such implied dedication may be effected in the manner prescribed by law for the vacating by such agency of other easements.

8577".

Amendment No. 31

On page 7, strike out lines 17 to 19, inclusive, and insert "date of this part,".

Amendment No. 32

On page 7, line 22, after the period, insert "This section shall not affect the rights of parties in any litigation pending on the effective date of this part"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

Senate Chamber, June 16, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed.

AB No 344	AB No 538	AB No 2070
AB No 417	AB No 916	AB No 2147
AB No 440	AB No 1121	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 16, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 504	SB No 906
SB No 888	SB No. 1280

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 16, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 495

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, June 16, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed

SB No 690	SB No. 805	SB No. 1136
SB No 735	SB No 947	SB No. 1327
SB No 783	SB No 1020	SB No 1392

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 690—An act to add Section 25274 to the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 735—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to the San Diego County Flood Control District

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 783—An act to amend Section 4440 of the Agricultural Code, relating to fairs

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 805—An act to amend Sections 885 5 and 895 11 of the Education Code, relating to county school service funds

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 947—An act to add Section 904 6 to the Penal Code, relating to grand juries

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1020—An act to amend Section 72400 of the Government Code, relating to municipal courts

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1136—An act to add Section 17538 1 to the Business and Professions Code, relating to contests and prizes

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1327—An act to amend Section 6502 of the Public Resources Code, relating to public lands.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1392—An act to amend Section 17668 of the Education Code, relating to financial support of the public schools.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 18 for hearing in the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that photographers be permitted on the floor of the Assembly.

CERTIFICATE OF ELECTION—ASSEMBLYMAN-ELECT WILLIAM LANCASTER

The following Certificate of Election of Assemblyman-elect William H. Lancaster was presented, read, and ordered printed in the Journal:

Certificate of Election

I, EDMUND G BROWN JR, Secretary of State of the State of California, hereby certify:

That according to the official returns of the Special Election held on the 6th day of June, 1972, in the 49th Assembly District, and the statement of the result thereof on file in my office,

WILLIAM H. "BILL" LANCASTER

was elected to the office of

MEMBER OF THE ASSEMBLY, 49TH ASSEMBLY DISTRICT

for the unexpired term ending on the 8th day of January, 1973.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, at Sacramento, this 16th day of June, 1972

EDMUND G BROWN JR.
Secretary of State

(SEAL)

By: Edward Arnold Jr.
Elections Assistant

APPOINTMENT OF COMMITTEE ON ESCORT

Speaker pro Tempore Bee appointed Messrs Conrad, Stull, Townsend, Beverly, and Harvey Johnson as a Select Committee to escort Assemblyman-elect William H Lancaster to the rostrum.

OATH OF OFFICE ADMINISTERED

Assemblyman-elect William H Lancaster appeared at the bar of the Assembly, and took and subscribed to the following oath, administered by Hon Frank K Richardson, Presiding Justice, Court of Appeal, Third Appellate District:

Oath

For the Office of Member of the Assembly, 49th Assembly District

I, William H. Lancaster, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

WILLIAM H. LANCASTER

Subscribed and sworn to before me, this 19th day of June, A D. 1972.

FRANK K RICHARDSON
Presiding Justice, Court of Appeal
Third Appellate District

REMARKS BY ASSEMBLYMAN WILLIAM H. LANCASTER

Assemblyman Lancaster then addressed the Members of the Assembly.

INTRODUCTION OF GUESTS

Mr. Lancaster, of the 49th District, introduced his mother, Mrs Maybelle Vahey of Truckee, whereupon the Members of the Assembly joined in welcoming her on her visit to the Assembly Chamber

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Cullen, Senate Bill No 1199 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22.2

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 317, 588, 1076, 1735, 2157, and **1542,** ordered to third reading

Assembly Bills Nos. 2112, 742, 1693, 1325, 2051, 2316, and **1404,** ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No. 2051 was re-referred to the Committee on Ways and Means

---

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 934—An act to amend Section 6254 7 of the Government Code, relating to public records

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6254 7 of the Government Code", and insert "add Section 1417.5 to the Penal Code".

Amendment No. 2

On page 1, strike out lines 1 to 14, inclusive; and on page 2, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 1417 5 is added to the Penal Code, to read:

1417 5. Exhibits in any criminal action or proceeding are public records, subject to the following provisions.".

Amendment No. 3

On page 2, line 16, strike out "(1)", and insert

"(a)"

Amendment No. 4

On page 2, line 17, strike out "judicial proceedings", and insert "any criminal action or proceeding".

Amendment No. 5

On page 2, line 20, strike out "(2)", and insert

"(b)".

Amendment No. 6

On page 2, line 20, strike out "a judicial proceeding", and insert "any criminal action or proceeding".

Amendment No. 7

On page 2, line 25, strike out "(3)", and insert

"(c)".

Amendment No. 8

On page 2, line 27, strike out ", subject to Sections 6256 and 6257".

Amendment No. 9

On page 2, line 28, strike out "(4)", and insert

"(d)".

Amendment No. 10

On page 2, line 28, strike out "in a criminal case,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 969—An act to amend Sections 12007, 12082, 12101, and 12105 1 of, and to add Section 12101.5 to, the Health and Safety Code, relating to the control of explosives.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, strike out "12101, and 12105.1", and insert "and 12101".

Amendment No. 2

On page 2, line 4, after "mean", insert "either".

Amendment No. 3

On page 2, line 8, after "that", insert ", in the event the designated issuing authority is the chief of a fire department or fire protection agency,".

Amendment No. 4

On page 2, line 11, after "designate", insert "one of the above as".

Amendment No. 5

On page 2, line 17, strike out "21", and insert "18".

Amendment No. 6

On page 5, strike out lines 20 to 35, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1213—An act to add Section 5009 to the Penal Code, relating to religious practices in state prisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5009", and insert "Sections 4027, 5009, and 6006".

Amendment No. 2

In line 2 of the title, strike out "in state prisons".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 4027 is added to the Penal Code, to read:

4027. It is the intention of the Legislature that the right of prisoners confined in local detention facilities to observe religious practices shall be guaranteed to them and shall not be curtailed except as it may become reasonably necessary in order to enforce reasonable, proper, and lawful security measures.

As used in this section "local detention facility" means any city, county, or regional facility used for the confinement of prisoners for more than 24 hours.

SEC. 2. Section 5009 is added to the Penal Code,".

Amendment No. 4

On page 1, line 5, strike out the period, and insert "and shall not be curtailed except as it may become reasonably necessary in order to enforce reasonable, proper, and lawful security measures.

SEC. 3. Section 6006 is added to the Penal Code, to read:

6006. It is the intention of the Legislature that the right of persons in the custody of an institution under the supervision of the Youth Authority to observe religious practices shall be guaranteed to them and shall not be curtailed except as it may become reasonably necessary to enforce reasonable, proper, and lawful security measures."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1883—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 2, line 39, of the printed bill, after "attorney", insert ", except that any information contained in the records may be withheld from the complainant and his attorney if the information does not have a direct bearing on the subject of the complaint and is of a personal nature including, but not limited to, such things as the officer's address, the names and addresses of members of his family, or test scores and fitness reports gathered by his employing agency for reasons unrelated to the complaint".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1963—An act to add Sections 11115.5, 11116.7, 11116.8, and 11116.9 to the Penal Code, relating to certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Sections 849 and 851.6 of, and".

Amendment No. 2

Strike out line 2 of the title, and insert "to, the Penal Code, relating to arrests."

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 849 of the Penal Code is amended to read:

849. (a) When an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released, shall, without unnecessary delay, be taken before the nearest or most

accessible magistrate in the county in which the offense is triable, and a complaint stating the charge against the arrested person shall be laid before such magistrate.

(b) Any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:

(1) He is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.

(2) The person arrested was arrested for intoxication only, and no further proceedings are desirable.

(3) The person was arrested only for being under the influence of a narcotic, drug, or restricted dangerous drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.

(c) Any record of arrest of a person released pursuant to ~~paragraphs (1) and (3) of~~ subdivision (b) shall include a record of release. Thereafter, such arrest shall not be deemed an arrest, but a detention only.

SEC. 2. Section 851.6 of the Penal Code is amended to read:

851.6. ~~(a)~~ In any case in which a person is arrested and released pursuant to paragraph (1) or (3) of subdivision (b) of Section 849, the person shall be issued a certificate, signed by the releasing officer or his superior officer, describing the action as a detention. The Attorney General shall prescribe the form and content of such certificate.

~~(b) Any reference to the action as an arrest shall be deleted from the arrest records of the arresting agency and of the Bureau of Criminal Identification and Investigation of the Department of Justice. Thereafter, any such record of the action shall refer to it as a detention.~~

SEC. 3. Section 11115.5 is added to the Penal".

Amendment No. 4

On page 1, line 3, after "11115.5.", insert "(a)".

Amendment No. 5

On page 2, between lines 8 and 9, insert

"(b) Any reference to the action as an arrest shall be deleted from the arrest records of the arresting agency and of the Bureau of Criminal Identification and Investigation of the Department of Justice. Thereafter, any such record of the action shall refer to it as a detention."

Amendment No. 6

On page 2, line 9, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 7

On page 2, line 27, strike out "SEC. 3", and insert "SEC. 5".

Amendment No. 8

On page 2, line 36, strike out "SEC. 4", and insert "SEC. 6".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 178—An act to amend Section 830.4 of the Penal Code, relating to peace officers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1030—An act to add Sections 1200.5 and 4021.5 to the Penal Code, relating to pregnant prisoners

Bill read second time, and ordered to third reading.

Assembly Bill No. 2120—An act to add Section 466.3 to the Penal Code, relating to vending machine theft.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2240—An act to amend Section 1300 of the Penal Code, relating to bail.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2267—An act to amend Section 14050 of the Penal Code, relating to building security standards, and making appropriation therefor.

Bill read second time, and ordered to third reading.

NOTE. Later this day Assembly Bill No. 2267 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 73—An act to amend Section 990 of, and to add Section 990.1 to, the Government Code, relating to insuring public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 22, 1972, in line 26, strike out "shall", and insert "may".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2054—An act to add Section 161 to the Streets and Highways Code, relating to highway rain grooves.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly June 1, 1972, after "signs", insert "that are visible under dark and rainy conditions".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 904—An act to add Part 4 (commencing with Section 24101) to Division 9 of the Public Utilities Code, relating to airports and aviation.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted:

Amendment No. 1

On page 3, after line 37, of the printed bill, insert

"24111. The provisions of this part shall not apply to the proprietor of any airport which on and after the effective date of this section serves in each month of operation less than 70,000 commercial airline passengers per month. If in any month such airport serves 70,000 or more commercial airline passengers this part shall thereafter apply to the proprietor of such airport In computing the number of passengers served by an airport under this section, the arrival and departure of a passenger shall be counted separately."

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2358—An act to add Article 3 (commencing with Section 51350) to Chapter 1, Part 2, Division 1, Title 5 of the Government Code, relating to counties and cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted·

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly May 26, 1972, after the period, insert "General overhead costs, for the purposes of this section, are those costs which a county would incur regardless of whether or not it provided a service under contract to a city."

Amendment No. 2

On page 2, line 36, strike out "General"; and strike out lines 37 and 38; and strike out page 3.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1454—An act to amend Sections 11526, 11549 5, 11549 6 and 11551.6 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Set No. 1

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "amend Sections 11526, 11549 5, 11549 6 and 11551 6 of", and insert "amend Section 11552 of, and to add Sections 11526.2, 11549 7, 11549 8 and 11551.7 to".

Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 11526 2 is added to the Business and Professions Code, to read

11526 2. (a) In cities having a population of more than 2,800,000, the design, improvement and survey data".

Amendment No. 3

On page 2, line 6, strike out "of a city or county".

Amendment No. 4

On page 2, line 10, strike out "of the city or county".

Amendment No. 5

On page 2, strike out lines 11 to 14, inclusive, and insert

"SEC. 2 Section 11549.7 is added to the Business and Professions Code, to read:

11549 7 In cities having a population of more than 2,800,000, the advisory agency, appeal board or".

Amendment No. 6

On page 2, line 15, strike out "of a city or county".

Amendment No. 7

On page 3, strike out lines 8 to 11, inclusive, and insert

"SEC. 3 Section 11549 8 is added to the Business and Professions Code, to read·

11549 8. In cities having a population of more than 2,800,000, a governing body shall not deny approval of".

Amendment No. 8

On page 3, strike out lines 18 to 20, inclusive, and insert

"SEC 4 Section 11551 7 is added to the Business and Professions Code, to read·

11551 7 In cities having a population of more than 2,800,000, the advisory agency, appeal board or".

Amendment No. 9

On page 3, line 21, strike out "of any city or county".

Set No. 2

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 11, 1972, after line 32, insert

"SEC. 5. Section 11552 of the Business and Professions Code is amended to read:

11552. (a) If there is no advisory agency, the clerk of the governing body shall submit the tentative map to the governing body at its next regular meeting, which shall act thereon within 40 days thereafter

If there is an advisory agency, it shall report, in writing, on the map or maps of any subdivision submitted to it within 50 days after the tentative map has been filed and the report shall approve, conditionally approve or disapprove the map or maps of the subdivision.

The governing body may authorize the advisory agency to report its action direct to the subdivider. If the governing body does not so authorize the advisory agency, the advisory agency shall make its report to the governing body, which body shall act upon the report within 10 days or at its next succeeding regular meeting after receipt of the report *If the governing body does so authorize the advisory agency, the advisory agency shall, prior to making its report to the subdivider upon a subdivision as defined in this chapter, give notice of hearing in such manner as may be prescribed by local ordinance to the subdivider and to all property owners within 300 feet of the proposed subdivision and pursuant thereto shall conduct a public hearing at which time all persons interested in or affected by such proposed subdivision shall be heard*

Any reports or recommendations on the map or maps of any subdivision submitted to the advisory agency or governing body shall be submitted in writing to the subdivider prior to final action on the map or maps by the advisory agency or governing body. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail directed to the subdivider at his designated address and bearing the proper postage.

(b) If the subdivider *or any person affected by the proposed subdivision* is dissatisfied with any action of the advisory agency with respect to the tentative map, or the kinds, nature and extent of the improvements recommended by the advisory agency to be required, he may, within 15 days after such action, appeal to the governing body, unless an appeal board has been designated in which event such appeal must be to the appeal board, for a public hearing thereon. The governing body or appeal board as the case may be shall hear the appeal, upon notice to the subdivider *, to any other person taking such appeal* and the advisory agency, unless the subdivider consents to a continuance, within 15 days or at its next succeeding regular meeting. At the time fixed for the hearing the governing body or appeal board

shall proceed to hear the testimony of the subdivider ~~or~~ *and* any witnesses in his behalf, *the testimony of any other person taking such appeal and any witnesses in his behalf* and the testimony of the representatives of the advisory agency ~~or~~ *and* any witnesses in its behalf It may also hear the testimony of other competent persons respecting the character of the neighborhood in which the subdivision is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted and any other phase of the matter with respect to which it may desire to inquire into.

Upon conclusion of the hearing the governing body or appeal board shall within seven days declare its findings based upon the testimony and documents produced before it. It may sustain, modify, reject or overrule any recommendations or rulings of the advisory agency and may make such findings as are not inconsistent with the provisions of this chapter or local ordinance adopted pursuant to this chapter.

If the subdivider *or any person affected by the proposed subdivision* or advisory agency is dissatisfied with any action of the appeal board with respect to the tentative map, or the kinds, nature and extent of the improvements required by the appeal board, either may, within 15 days after such action, appeal to the governing body. The governing body shall hear the appeal within 15 days or at its next succeeding regular meeting, unless the subdivider consents to a continuance, and shall give notice of such hearing to the subdivider, *to any other person taking such appeal,* the appeal board and the advisory agency. The governing body shall hear the argument of the subdivider, *the person taking such appeal,* the appeal board and the advisory agency or of their representatives based upon the testimony and the documents before the appeal board, and may receive documents from or hear the testimony of any competent person respecting the character of the neighborhood in which the subdivision is to be located, the kinds, nature and extent of improvements, the quality of kinds of development to which the area is best adapted and any other phase of the matter with respect to which it may desire to inquire into Upon conclusion of the hearing the governing body shall, within seven days, declare its findings based upon the testimony and documents produced before it or before the appeal board It may sustain, modify, reject or overrule any recommendations or rulings of the appeal board and may make such findings as are not inconsistent with the provisions of this chapter or local ordinance adopted pursuant to this chapter

The failure to give or receive any notice required by this section shall not be a ground for invalidating the approval or disapproval of a tentative map by an advisory agency, appeal board or governing body. "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1435—An act to amend Section 11546 of the Business and Professions Code, relating to division of lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 1, 1972, after line 34, insert

"In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency.

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section."

Set No. 2

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in Assembly May 1, 1972, strike out "shall", and insert "may".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1518—An act to amend Section 34274 of the Health and Safety Code, relating to housing authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "authority", and insert "authorities".

Amendment No. 2

On page 2, line 5, strike out ", or in the alternative, one hundred"; and strike out line 6; and in line 7, strike out "meetings attended in any calendar month".

Amendment No. 3

On page 2, strike out lines 10 and 11

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2040—An act to amend Section 33114.5 of the Health and Safety Code, relating to community redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly April 27, 1972, strike out ", or in the alternative,"; strike out line 12; and in line 13, strike out "number of meetings attended in any calendar month".

Amendment No. 2

On page 2, strike out lines 24 and 25.

Bill ordered reprinted, and returned to the second reading file.

Assembly Concurrent Resolution No. 95—Relative to the Joint Committee on Textbooks and Curriculum.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 1, lines 3 and 4, strike out "until July", and insert "through January".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 1576—An act to amend Sections 3041, 3059, and 3075 of the Business and Professions Code, relating to optometry.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 10, 1972, strike out "3041, 3059," and insert "3059".

Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive; and on page 2, strike out lines 1 to 25, inclusive.

Amendment No. 3

On page 2, line 26, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 4

On page 3, line 1, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 5

On page 3, line 13, strike out the first "or", and insert "of".

Amendment No. 6

On page 3, line 22, strike out "optomtry", and insert "optometry".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2204—An act to amend Section 3075 of, and to add Sections 3093 5 and 3098 to, the Labor Code, and to add Section 6258 to the Education Code, relating to vocational education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "Section", and insert "Sections 1777.5 and".

Amendment No. 2

In the title, strike out line 3.

Amendment No. 3

In line 4 of the title, strike out "vocational education", and insert "apprenticeship".

Amendment No. 4

On page 2, between lines 1 and 2, insert

"SECTION 1. Section 1777 5 of the Labor Code is amended to read:

1777 5. Nothing in this chapter shall prevent the employment of properly indentured apprentices upon public works.

Every such apprentice shall be paid the standard wage paid to apprentices under the regulations of the craft or trade at which he is employed, and shall be employed only at the work of the craft or trade to which he is indentured.

Only apprentices, as defined in Section 3077, who are in training under apprenticeship standards and written apprentice agreements under Chapter 4 (commencing at Section 3070), Division 3, of the Labor Code, are eligible to be employed on public works The employment and training of each apprentice shall be in accordance with the provisions of the apprenticeship standards and apprentice agreements under which he is training.

When the contractor to whom the contract is awarded by the state or any political subdivision, or any subcontractor under him, in performing any of the work under the contract or subcontract, employs workmen in any apprenticeable craft or trade, the contractor and subcontractor shall apply in each such case to the joint apprenticeship committee administering the apprenticeship standards of the craft or trade in the area of the site of the public work for a certificate approving the contractor or subcontractor under the apprenticeship standards for the employment and training of apprentices in the area of the site of the public work The committee shall issue a certificate fixing the number of apprentices or the ratio of apprentices to journeymen who shall be employed in the craft or trade on the public work. The ratio shall

not exceed that stipulated in the apprenticeship standards under which the joint apprenticeship committee operates, but in no case shall the ratio be less than one apprentice for each five journeymen, except as otherwise provided in this section

The contractor or subcontractor, if he is covered by this section, shall, upon the issuance of the approval certificate in each such craft or trade, employ the number of apprentices or the ratio of apprentices to journeymen fixed in the certificate issued by the joint apprenticeship committee. Upon proper showing by the contractor that he employs apprentices in such craft or trade in the state on all of his contracts on an annual average of not less than one apprentice to each eight journeymen, the Division of Apprenticeship Standards shall grant a certificate exempting the contractor from the 1-to-5 ratio as set forth in this section.

"Apprenticeable craft or trade," as used in this section, shall mean a craft or trade determined as an apprenticeable occupation in accordance with rules and regulations prescribed by the Apprenticeship Council. The joint apprenticeship committee shall have the discretion to grant a certificate exempting a contractor from the 1-to-5 ratio set forth in this section when it finds that any one of the following conditions is met:

(a) In the event unemployment for the previous three-month period in such area exceeds an average of 15 percent, or

(b) In the event the number of apprentices in training in such area exceeds a ratio of 1 to 5, or

(c) If there is a showing that the apprenticeable craft or trade is replacing at least one-thirtieth of its journeymen annually through apprenticeship training, either (1) on a statewide basis, or (2) on a local basis.

(d) If assignment of an apprentice to any work performed under a public works contract would create a condition which would jeopardize his life or the life, safety, or property of fellow employees or the public at large or if the specific task to which the apprentice is to be assigned is of such a nature that training cannot be provided by a journeyman

When such exemptions are granted to an organization which represents contractors in a specific trade from the 1-to-5 ratio on a local or statewide basis the member contractors will not be required to submit individual applications for approval to local joint apprenticeship committees, provided they are already covered by the local apprenticeship standards.

A contractor to whom the contract is awarded, or any subcontractor under him, who, in performing any of the work under the contract, employs journeymen or apprentices in any apprenticeable craft or trade and who is not contributing to a fund or funds to administer and conduct the apprenticeship program in any such craft or trade in the area of the site of the public work, to which fund or funds other contractors in the area of the site of the public work are contributing, shall contribute to the fund or funds in each craft or trade in which he employs journeymen or apprentices on the public work in the same

amount or upon the same basis and in the same manner as the other contractors do, *but where the trust fund administrators are unable to accept such funds, contractors not signatory to the trust agreement shall return a like amount to the California Conference on Apprenticeship* The contractor or subcontractor may add the amount of such contributions in computing his bid for the contract. The Division of Labor Law Enforcement is authorized to enforce the payment of such contributions to the fund or funds as set forth in Section 227

The body awarding the contract shall cause to be inserted in the contract stipulations to effectuate this section *Such stipulations shall fix the responsibility of compliance with this section for all apprenticeable occupations with the prime contractor.*

In the event a contractor willfully fails to comply with this section, such contractor shall be denied the right to bid on a public works contract for a period of six months from the date the determination is made

The interpretation and enforcement of this section shall be in accordance with the rules and procedures prescribed by the Apprenticeship Council

All decisions of the joint apprenticeship committee under this section are subject to the provisions of Section 3081."

Amendment No. 5

On page 2, line 2, strike out "SECTION 1.", and insert "SEC. 2"

Amendment No. 6

On page 2, line 17, strike out "SEC. 2.", and insert "SEC 3."

Amendment No. 7

On page 2, strike out lines 21 to 23, inclusive, and insert "compliance."

Amendment No. 8

On page 2, line 24, strike out "SEC. 3", and insert "SEC 4."

Amendment No. 9

On page 2, strike out lines 26 to 35, inclusive; and on page 3, strike out lines 1 to 24, inclusive, and insert

"3098 An awarding agency whose public works contract falls within the jurisdiction of Section 1777 5 shall, within five days of the award, send a copy of the award to the Division of Apprenticeship Standards The division shall notify the local joint apprenticeship committee regarding such award. Within five days of a finding of any discrepancy regarding the ratio of apprentices to journeymen, pursuant to the certificated fixed number of apprentices to journeymen, the awarding agency shall notify the Division of Apprenticeship Standards The awarding agency shall review on at least a monthly basis the payroll records regarding the ratio of apprentices to journeymen"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1642—An act to amend Section 3093 of, and to add Sections 3093.15, 3093.20, and 3093 25 to, the Labor Code, and to amend Section 12002 of, and to add Sections 12005, 12005.1, 12005.2, 12005 3, 12005 4, 12005 5, 12005 6, 12005 7, 12005.8, 12005.25, and 12005.55 to, to the Unemployment Insurance Code, relating to the career opportunities development program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 15, 1972, strike out "3093 15, 3093.20, and 3093 25", and insert "3094, 3094 2, and 3094 4".

Amendment No. 2

In line 4 of the title, strike out "12005 1, 12005 2, 12005 3", and strike out line 5; and in line 6, strike out "12005 55", and insert "12006, 12007, 12008, 12009, 12010, 12011, 12012, 12013, 12014, and 12015".

Amendment No. 3

On page 4, line 36, strike out "3093 15", and insert "3094".

Amendment No. 4

On page 4, line 38, strike out "3093 15", and insert "3094".

Amendment No. 5

On page 5, line 1, after "3093", insert ", except for those persons specified in clauses (2) to (6), inclusive, of subdivision (j) of Section 3093".

Amendment No. 6

On page 5, line 2, strike out "3093.20", and insert "3094 2".

Amendment No. 7

On page 5, line 4, strike out "3093 20", and insert "3094.2".

Amendment No. 8

On page 5, lines 5 and 6, strike out "Unemployment Insurance Code Section 12005 2", and insert "Section 12006 of the Unemployment Insurance Code".

Amendment No. 9

On page 5, line 11, strike out "3093.25", and insert "3094.4".

Amendment No. 10

On page 5, line 13, strike out "3093.25", and insert "3094 4".

Amendment No. 11

On page 5, lines 14 and 15, strike out "Unemployment Insurance Code Section 12005.2", and insert "Section 12006 of the Unemployment Insurance Code".

Amendment No. 12

On page 5, line 19, after the period, insert "Also for such purposes, a trainee is a person enrolled in a program pursuant to Section 3093 of the Labor Code."

Amendment No. 13

On page 6, line 12, strike out "12005.1", and insert "12005".

Amendment No. 14

On page 6, strike out lines 13 to 17, inclusive; and in line 18, strike out "SEC. 7. Section 12005.1", and insert

"SEC. 6. Section 12005".

Amendment No. 15

On page 6, line 20, strike out "12005.1", and insert

"12005".

Amendment No. 16

On page 6, lines 22 and 23, strike out "Labor Code Section 3093", and insert "Section 3093 of the Labor Code".

Amendment No. 17

On page 6, line 29, strike out "SEC. 8. Section 12005 2", and insert "SEC. 7. Section 12006".

Amendment No. 18

On page 6, line 31, strike out "12005 2", and insert

"12006".

Amendment No. 19

On page 6, line 31, strike out "pilot state agencies", and insert "part of the pilot state agency effort".

Amendment No. 20

On page 6, line 35, strike out "Labor Code Section 3090", and insert "Section 3090 of the Labor Code".

Amendment No. 21

On page 6, line 39, after "Code", insert ", as designated by the Division of Apprenticeship Standards of the Department of Industrial Relations".

Amendment No. 22

On page 7, between lines 3 and 4, insert

"SEC. 8. Section 12007 is added to the Unemployment Insurance Code, to read:

12007 Any California institution of higher learning is eligible to submit an application for evaluation and approval of the offering of licensure preparation programs for all vocational education and vocational-technical credentials applicable, directly or indirectly, to the

programs established pursuant to Section 12005 Within 180 days of the effective date of this section, the State Board of Education, the Board of Governors of the California Community Colleges, and the Commission for Teacher Preparation and Licensing, shall establish criteria, as necessary, for implementing this section and for assisting those teacher training institutions expressing an interest in the programs established pursuant to Section 12005 ''

Amendment No. 23

On page 7, line 4, strike out ''12005 3'', and insert ''12008''.

Amendment No. 24

On page 7, line 6, strike out ''12005 3'', and insert ''12008''.

Amendment No. 25

On page 7, strike out lines 7 and 8, and insert ''section, all state agencies within the designated area shall provide appropriate''.

Amendment No. 26

On page 7, strike out lines 10 to 13, inclusive, and insert ''pursuant to Section 12006 ''

Amendment No. 27

On page 7, line 14, strike out ''12005 4'', and insert ''12009''.

Amendment No. 28

On page 7, line 16, strike out ''12005 4'', and insert ''12009''

Amendment No. 29

On page 7, line 23, strike out ''12005 5'', and insert ''12010''.

Amendment No. 30

On page 7, line 25, strike out ''12005 5'', and insert ''12010''.

Amendment No. 31

On page 7, line 29, after ''(6)'', insert '', inclusive,''.

Amendment No. 32

On page 7, line 35, strike out ''12005 6'', and insert ''12011''.

Amendment No. 33

On page 7, line 37, strike out ''12005 6'', and insert ''12011''.

Amendment No. 34

On page 8, line 4, after ''R-30-71'', insert a comma.

Amendment No. 35

On page 8, line 9, strike out ''12005 2'', and insert ''12006''.

Amendment No. 36

On page 8, line 12, strike out ''[of'', and insert ''of''.

Amendment No. 37

On page 8, line 13, strike out "costs]", and insert "costs".

Amendment No. 38

On page 8, line 14, strike out "Labor Code Section 3090", and insert "Section 3090 of the Labor Code".

Amendment No. 39

On page 8, line 17, strike out "12005 7", and insert "12012".

Amendment No. 40

On page 8, strike out lines 19 to 21, inclusive, and insert
"12012. The program created pursuant to Section 12005 shall utilize the resources and".

Amendment No. 41

On page 8, line 26, strike out "12005 8", and insert "12013".

Amendment No. 42

On page 8, line 28, strike out "12005.8", and insert
"12013".

Amendment No. 43

On page 8, line 31, strike out "the Center for Health Careers of".

Amendment No. 44

On page 8, line 34, strike out "12005 1", and insert "12005".

Amendment No. 45

On page 8, line 36, after "R-30-71", insert a comma

Amendment No. 46

On page 8, line 37, strike out "the State Personnel Board, (d)"

Amendment No. 47

On page 8, line 39, strike out "(e)", and insert "who shall serve as committee vice chairman and vice coordinator of the pilot program, (d)".

Amendment No. 48

On page 8, line 40, strike out "(f)", and insert "(e)".

Amendment No. 49

On page 9, line 1, after "California", insert ", (f) a statewide association of work experience educators designated by the committee chairman, (g) the office of the Chancellor of the California Community Colleges, (h) the Department of Education".

Amendment No. 50

On page 9, line 23, strike out "12005.25", and insert "12014".

Amendment No. 51

On page 9, strike out line 25, and insert
"12014. Pursuant to Section 7451 of the Education Code,".

Amendment No. 52

On page 9, line 28, strike out "12005 2", and insert "12006".

Amendment No. 53

On page 9, line 38, strike out "12005 55", and insert "12015".

Amendment No. 54

On page 9, line 40, strike out "12005 55", and insert "12015".

Amendment No. 55

On page 10, line 2, strike out "12005.2", and insert "12006".

Amendment No. 56

On page 10, lines 17 and 18, strike out "ninety thousand dollars ($90,000)", and insert "eighty thousand dollars ($80,000)".

Amendment No. 57

On page 10, strike out lines 21 and 22; and in line 23, strike out "(3)", and insert "(2)".

Amendment No. 58

On page 10, line 25, strike out "(4)", and insert "(3)".

Amendment No. 59

On page 10, line 27, strike out "(5)", and insert "(4)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 273—An act to add Section 402e to the Penal Code, relating to ski areas

Bill read second time, and ordered to third reading

Assembly Bill No. 1388—An act to amend Section 1 of Chapter 1718 of the Statutes of 1967, relating to Davis-Grunsky grants to the County of San Bernardino in connection with the Prado Regional Park Project.

Bill read second time, and ordered to third reading

Assembly Bill No. 1539—An act to amend Section 5784.7 of the Public Resources Code, relating to recreation and park districts

Bill read second time, and ordered to third reading

Assembly Bill No. 1787—An act to amend Sections 8304 and 8307 of the Fish and Game Code, relating to abalone.

Bill read second time, and ordered to third reading.

Assembly Bill No. 668—An act to amend, add, and repeal Section 8693 of the Fish and Game Code, relating to gill nets.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2064—An act to amend Sections 667 and 2205 of, and to add Chapter 7 5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining.

Bill read second time, and ordered to the Consent Calendar.

NOTE: Later this day Assembly Bill No 2064 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 132—An act to amend Sections 23320, 23321 7, and 23954.7 of the Business and Professions Code, relating to alcoholic beverages

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 169—An act to amend Sections 20605 and 21252 6 of, and to add Sections 20750 426 and 22013 3 to, the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 342—An act to add Article 1 (commencing with Section 24725) to Chapter 13 of Division 18 of the Education Code, relating to Fresno State College

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 357—An act to amend Section 33113 of, to repeal and add Sections 33112, 33114, and 33115 to, and to repeal Sections 33116 and 33117 of, the Agricultural Code, relating to milk inspection

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 427—An act to amend Sections 1001, 1002, 1003, 1006, 2000, 2001, 2002, 2003, 2013, 2014, 2272, and 2353 of, and to amend the heading of Chapter 3 (commencing with Section 2225), Article 3 (commencing with Section 2270) of Chapter 3, Chapter 4 (commencing with Section 2345), and Article 1 (commencing with Section 2345) of Chapter 4 of Division 3 of, the Fish and Game Code, relating to reptiles

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 665—An act to amend Sections 5779, 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827, 12842, and 12848 of, to add Sections 5779 2, 5779 3, 5780 1, 5780 2, 12821, 12831, 12832, 12833, and 12848 5 to, and to repeal Sections 5779 1 and 12821 of, the Education Code, relating to testing programs

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No 694—An act to amend Section 21681 of the Public Utilities Code, relating to aviation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 728—An act to amend Sections 38225 and 38300 of the Vehicle Code, relating to off-highway vehicles.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 748—An act to amend Section 16027 of the Vehicle Code, relating to financial responsibility.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 754—An act to amend Sections 20780, 20884, 21805, 21820, 21821, 21830, 21831, 21910, 21911, 21922 of, and to add Sections 21832 and 21833 to the Business and Professions Code, relating to petroleum products

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 970—An act to add Article 5 (commencing with Section 8040) to Chapter 13 of Division 3 of the Business and Professions Code, relating to shorthand reporters

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1147—An act to amend Sections 19060 6 and 19170 of, to add Sections 19035 35 and 19050 to, and to repeal Sections 19171, 19171.5 and 19171 6 of, the Business and Professions Code, relating to furniture and bedding

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1276—An act to add Section 62322 5 to the Agricultural Code, relating to milk

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1519—An act to amend Sections 100, 102, 350, 641, 644, 753, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1208, 1220, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1231, 1232, 1234, 1250, 1251, 1252, 1253, 1254, 1257, 1335, 1336, 1337, 1355 1, 1356, 1357, 1359, 1360, 1360 1, 1361, 1362, 1363, 1363 1, 1364, 1365, 1366, 1370, 1371, 1372, 1500, 1542, 1560, and 1562 of, to add Sections 104, 1221, 1230, 1235, 1500 1, 1501.1 to, to repeal Sections 103, 104, 105, 108, 109, 1207, 1209, 1221, 1222, 1230, 1233, 1256, 1350, 1351, 1367, 1368, and 2097 of, to amend the heading of Article 3 (commencing with Section 1250) of Chapter 10 of Division 1 of, to amend and renumber the headings of Chapter 10 (commencing with Section 1200), Article 4 (commencing with Section 1335) of Chapter 10a of, and Chapter 12 (commencing with Section 1500) of Division 1 of, to add Article 4 (commencing with Section 1270) and Article 6 (commencing with Section 1380) to Chapter 10 of Division 1 of, to repeal the headings of Chapter 10a (commencing with Section 1300) of, and Chapter 11 (commencing with Section 1350) and Article 1 (commencing with Section 1350) of Chapter 11 of, Division 1 of, and to repeal Article 4.5 (commencing with Section 670) of Chapter 5 of, Chapter 9 (commencing with Section 1100) of, Article 1 (commencing with Section 1300), Article 2 (commencing with Section 1310), Article 3 (commencing with Section 1330), and Article 5 (commencing with Section

1340), of Chapter 10a of, and Article 2 (commencing with Section 1380), Article 3 (commencing with Section 1400), and Article 4 (commencing with Section 1430) of Chapter 11 of, and Article 2 (commencing with Section 1520) of Chapter 12 of, Division 1 of, the Financial Code, relating to banks

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1788—An act to amend Section 8045 6 of the Fish and Game Code, relating to abalone.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1986—An act to amend Sections 2914, 3056, 3057, 4089, 4511, 4514, 6060, 6062, 6885, 6886, 7526, 8020, 8023 5, 9022, 9042, 9700 5, and 17862 of the Business and Professions Code, Section 13575 5 of the Education Code, Section 12331 of the Financial Code, and Section 1101 of the Harbors and Navigation Code, and to repeal Sections 8740 5, 8793, 10150 5, and 10515 5 of the Business and Professions Code, and Section 1643 of the Insurance Code, relating to qualifications

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2034—An act to amend Sections 14666 and 14670 of the Government Code, relating to state property

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 80—An act appropriating money to the Commission on Peace Officer Standards and Training

Bill read second time, and ordered to third reading

Assembly Bill No. 96—An act to amend Sections 7026, 7027, 7045, and 7046 of the Business and Professions Code, relating to contracting

Bill read second time, and ordered to third reading

Assembly Bill No. 151—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation

Bill read second time, and ordered to third reading.

Assembly Bill No. 163—An act to add Chapter 2 5 (commencing with Section 11150) to Division 10 of the Health and Safety Code, relating to drugs, including narcotics and restricted dangerous drugs, and making an appropriation therefor

Bill read second time, and ordered to third reading

Assembly Bill No. 176—An act to add Chapter 10 (commencing with Section 33750) to Division 22 of the Education Code, relating to community schools, and making an appropriation therefor.

Bill read second time, and ordered to third reading

Assembly Bill No. 208—An act to amend Section 9609 of the Business and Professions Code, and to amend Sections 8250 and 8739.1 of the Health and Safety Code, relating to cemeteries.

Bill read second time, and ordered to third reading.

Assembly Bill No. 239—An act to amend Sections 8740, 8741, 8742, 8743, 8744, 8747, 8761, 8780, and 8805 of, to amend and renumber Section 8745 5 of, and to repeal Sections 8740 5 and 8793 of, the Business and Professions Code, relating to surveyors

Bill read second time, and ordered to third reading.

Assembly Bill No. 240—An act to amend Section 8804 of the Business and Professions Code, relating to professional engineers

Bill read second time, and ordered to third reading

Assembly Bill No. 248—An act to amend Sections 985, 986 3, 986 5, 987, 987 1, 987.15, and 987 17, and to repeal Section 987 16a, of the Military and Veterans Code, relating to farm and home purchases.

Bill read second time, and ordered to third reading.

Assembly Bill No. 252—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 262—An act to add Sections 11655 10 and 11655 11 to the Health and Safety Code, relating to narcotics, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020, and 4452.5 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 383—An act to amend Sections 20013, 20014, 20017 5, 20017 6, 20017.7, 20017 75, 20017.76, 20017 77, 20017 8, 20017.9, 20602.92, 20605, 20612, 20750 3, 20803 7, 20950, 20980 5, 21022, 21252.1, 21252 6, 21263 1, 21290 5, 21292 5, 21293, 21295, and 21363 of, to add Sections 20604, 21252 7, 21252 8, 21252 9, 21252 95 and 21363 5 to, and to repeal Sections 20013 5, 20014 4, 20014 5, 20014 6, 20014 7, 20014 9, 20604, 20750 36, 20750.37, 20750 4, 20750 41, 20750 42, 20750.425,

20750 435, 20803 5, 20803 6, 20980 6, 20980 7, 21020 5, 21020 6, 21020 75, 21022 1, 21208, 21209, 21252 10, 21252 2, 21252 3, 21252 4, 21252 9, 21290 6, 21290 75, 21292 75, 21293 6, 21293 7, 21293 8, 21363 4, 21363 5, 21363 75, 21364 75, 21364 8, and 21364 9 of, the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading

Assembly Bill No. 387—An act to amend Section 20814 5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 408—An act relating to the establishment of a branch office of the Department of Motor Vehicles in the area of the City of Simi Valley, and making an appropriation therefor

Bill read second time, and ordered to third reading

Assembly Bill No. 452—An act to amend Sections 20603 01, 20980, 21252 01, and 21300 of, to add Section 21252.02 to, and to repeal Section 21252 03 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Assembly Bill No. 484—An act to amend Section 128 of, and to add Section 8030 5 to, the Business and Professions Code, relating to shorthand reporters, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 491—An act to amend Section 210 of the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading

Assembly Bill No. 633—An act to add Section 15154 5 to the Welfare and Institutions Code, relating to public assistance

Bill read second time, and ordered to third reading

Assembly Bill No. 636—An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497 5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor.

Bill read second time, and ordered to third reading

Assembly Bill No. 719—An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the headings of

Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508 5, 32509 5, 61809 1, 61809 3, 61809 7, 62050 1, 62301 5, 62707 6, 62707.7, 62707 8, 62707 9, 62714 1, and 62717 1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2 5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk

Bill read second time, and ordered to third reading

Assembly Bill No. 817—An act to amend Sections 2 and 6 of, and to add Section 3 5 to, Chapter 1425 of the Statutes of 1967, relating to the American Revolution Bicentennial Commission of California, and making an appropriation therefor

Bill read second time, and ordered to third reading

Assembly Bill No. 834—An act to amend Sections 17301, 17303 5, 17666 2, and 17951 of the Education Code, relating to the financial support of public education, and making an appropriation therefor.

Bill read second time, and ordered to third reading

Assembly Bill No. 835—An act to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38115, 38225, and 38280 of, and to repeal Sections 4020 and 4452 5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1140—An act to amend Section 1473 of, to amend and renumber Section 1475 of, to add Section 1475 to, and to repeal Section 1475 of, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1143—An act to amend Sections 9801, 9802, 9803, 9805, 9820, 9823, 9825, 9831, 9841, and 9844 of, and to add Sections 9834, 9835, 9836, and 9837 to, the Business and Professions Code, relating to repair services

Bill read second time, and ordered to third reading

Assembly Bill No. 1215—An act to add Section 11705 5 to the Vehicle Code, relating to dealers' licenses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1366—An act to repeal and to add Article 8 6 (commencing with Section 893 20) to Chapter 4 of Division 3 of the Education Code, relating to instructional television, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Assembly Bill No. 1407—An act to amend Section 146 5 of the Streets and Highways Code, relating to fringe parking facilities, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 1485—An act to add and repeal Article 8 (commencing with Section 15625) to Chapter 2 of Division 11 of the Education Code, relating to high school dormitories, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Assembly Bill No. 1499—An act making an appropriation to the Board of Governors of the California Community Colleges to establish, administer and operate training programs for psychiatric technicians

Bill read second time, and ordered to third reading

Assembly Bill No. 1602—An act to amend Section 3915 5, as added by Section 5 of Chapter 1137 of the Statutes of 1970, Sections 3920, and 3940 of, and to repeal Section 3922 of, the Business and Professions Code, relating to nursing home administrations

Bill read second time, and ordered to third reading

Assembly Bill No. 1614—An act to amend Section 19630 of the Business and Professions Code, relating to fairs.

Bill read second time, and ordered to third reading

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and making an appropriation therefor

Bill read second time, and ordered to third reading

Assembly Bill No. 1801—An act to add Article 6 (commencing with Section 17875) to Chapter 4 of Part 3 of Division 7 of the Business and Professions Code, relating to marriage, family or child counseling corporations

Bill read second time, and ordered to third reading

Assembly Bill No. 1875—An act relating to bilingual education, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Assembly Bill No. 1918—An act making an appropriation for judges' salaries in augmentation of Items 18 and 21 of the Budget Act of 1971, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 1945—An act to add Section 39052 3 to the Health and Safety Code, relating to petroleum advertising

Bill read second time, and ordered to third reading

Assembly Bill No. 2089—An act to amend Section 11450 of the Welfare and Institutions Code, relating to foster home care.

Bill read second time, and ordered to third reading

Assembly Bill No. 2368—An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees

Bill read second time, and ordered to third reading

Assembly Bill No. 200—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528 2 of the Business and Professions Code, relating to the California coastal zone, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 8, line 35, of the printed bill, as amended in Assembly April 24, 1972, strike out "two-thirds", and insert "a majority"

Amendment No. 2

On page 8, line 37, strike out "paragraphs (1) and (3)", and insert "paragraph (1)".

Amendment No. 3

On page 9, line 19, strike out "two-thirds", and insert "a majority"

Amendment No. 4

On page 9, line 22, strike out "(3), and (5)", and insert "and (3)"

Amendment No. 5

On page 10, line 2, strike out "two-thirds", and insert "a majority".

Amendment No. 6

On page 10, line 5, strike out "(3), and (5)", and insert "and (3)".

Amendment No. 7

On page 10, line 21, strike out "two-thirds", and insert "a majority"

Amendment No. 8

On page 10, line 23, strike out "paragraphs (1) and (3)", and insert "paragraph (1)".

Amendment No. 9

On page 11, line 8, strike out "two-thirds", and insert "a majority".

Amendment No. 10

On page 11, line 11, strike out "(5), and (7)", and insert "and (5)".

Amendment No. 11

On page 11, line 33, strike out "two-thirds", and insert "a majority"

Amendment No. 12

On page 11, line 36, strike out "(3), and (5)", and insert "and (3)"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 221—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to unemployment benefits, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in Assembly April 3, 1972, strike out "chapter.", and insert "chapter:"

Amendment No. 2

On page 3, line 2, strike out "State", and insert "California State University and".

Amendment No. 3

On page 3, line 3, after the first "a", insert "written".

Amendment No. 4

On page 3, line 3, after the second "a", insert "written".

Amendment No. 5

On page 3, line 7, strike out "being notified in writing by", and insert "receiving a written notice from"

Amendment No. 6

On page 3, line 24, strike out "an"

Amendment No. 7

On page 4, line 31, after "the", insert "State".

Amendment No. 8

On page 4, line 33, after "The", insert "State"

Amendment No. 9

On page 5, line 7, after the period, insert "Each employing unit subject to this chapter shall promptly supply the director, upon his request, with a copy of the written notice specified by subdivision (a) of Section 1473."

Amendment No. 10

On page 6, line 7, strike out "State", and insert "California State University and"

Amendment No. 11

On page 6, between lines 20 and 21, insert

"SEC. 9. It is the intent of the Legislature that this act shall take immediate effect regardless of whether Chapter 1815 of the Statutes of 1971 becomes effective pursuant to Section 5 of such Chapter 1815

SEC 10 It is the intent of the Legislature that this bill shall be given effect and shall be operative except as provided by this section. It is the intent of the Legislature that if both this bill and Assembly Bill No 1140 are chaptered, and this bill and Assembly Bill No 1140 amend Section 1473 of the Unemployment Insurance Code, and this bill amends and renumbers Section 1475 of the Unemployment Insurance Code and Assembly Bill No 1140 repeals and adds Section 1475 of the Unemployment Insurance Code, that the provisions of both bills be given effect as follows·

(a) If this bill is chaptered after Assembly Bill No 1140 is chaptered, the changes in Sections 1473 and 1475 of the Unemployment Insurance Code made by both bills shall be given effect and incorporated in Sections 1473 and 1476 of such code in the form set forth in Sections 3 and 5, respectively, of this bill

(b) If this bill is chaptered before Assembly Bill No 1140 is chaptered, the changes made in Sections 1473 and 1475 of the Unemployment Insurance Code by Sections 3 and 5, respectively, of this bill shall become inoperative upon the effective date of Assembly Bill No 1140."

Amendment No. 12

On page 6, line 23, strike out "SEC 9", and insert "SEC 11".

Amendment No. 13

On page 6, line 27, strike out "SEC. 10", and insert "SEC 12"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 227—An act to add Section 11056 1 to the Welfare and Institutions Code, relating to public assistance

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 2, line 19, of the printed bill, as amended in Assembly April 24, 1972, strike out "and the county shall be"; strike out lines 20 and 21, and in line 22, strike out "from such date".

Amendment No. 2

On page 2, line 25, after the period, insert "Reimbursement for general assistance paid pursuant to this section shall be as follows

(a) If the application for aid to the needy disabled is denied because of an error by the county, the county shall absorb the entire cost of general assistance paid to the applicant.

(b) If the application for aid to the needy disabled is denied because of an adverse decision by the state on medical disability, or where the state does not act upon the application within 60 days from the date of the initial application the state shall absorb the entire cost of general assistance paid to the applicant."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 327—An act making an appropriation to pay the claim of Ross Plaza Pharmacy against the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "General Fund", and insert "Health Care Deposit Fund".

Amendment No. 2

On page 1, line 5, after the period, insert "Payment shall be made upon audit of the supporting documents submitted by Ross Plaza Pharmacy and verified by the State Board of Control"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 380—An act appropriating funds for increases in compensation for state officers and employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "ninety-nine million five hundred thousand dollars ($99,500,000)", and insert "one hundred million three hundred thirty-two thousand dollars ($100,332,000)".

Amendment No. 2

On page 2, line 23, strike out "$72,000,000", and insert "$72,832,-000".

Amendment No. 3

On page 2, line 33, strike out "$99,500,000", and insert "$100,-332,000".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 407—An act to amend Sections 65302, 65553, 65800, and 65860 of, and to add Article 10.7 (commencing with Section 65580) to Chapter 3 of, and Article 4.2 (commencing with Section 65930) to Chapter 4 of, Title 7, of the Government Code, to add Chapter 9 (commencing with Section 2750) to Division 2 of the Public Resources Code, and to amend Section 3 of Chapter 1657 of the Statutes of 1967, relating to land, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 6, line 8, of the printed bill, as amended in Assembly May 16, 1972, after "area", insert "by June 30, 1974".

Amendment No. 2

On page 6, line 26, strike out "the", and insert "any applicable".

Amendment No. 2.3

On page 7, line 12, strike out "January 1, 1973", and insert "June 30, 1974".

Amendment No. 2.5

On page 7, line 21, strike out "January 1, 1973", and insert "June 30, 1974".

Amendment No. 3

On page 9, line 11, strike out "plane".

Amendment No. 4

On page 9, lines 12 and 13, strike out "one another", and insert "each other".

Amendment No. 5

On page 9, line 18, strike out "linear", and insert "elongate".

Amendment No. 6

On page 9, line 19, after "faults", insert "and encompassing one or more active fault traces".

Amendment No. 7

On page 9, line 22, strike out "encompassing one or more active fault traces".

Amendment No. 8

On page 9, line 26, strike out "and fault zones".

Amendment No. 9

On page 9, line 28, strike out "Newport-Inglewood", and insert "Imperial".

Amendment No. 10

On page 9, line 29, strike out "and Fault Zones".

Amendment No. 11

On page 9, between lines 29 and 30, insert

"(d) "Known active fault zones" shall include, but not be limited to, the San Andreas, San Jacinto, Hayward, and Calaveras Fault Zones."

Amendment No. 12

On page 9, line 30, strike out "division", and insert "State Geologist".

Amendment No. 13

On page 9, line 33, strike out "Such maps"; strike out lines 34 and 35; and in line 36, strike out "the zone."

Amendment No. 14

On page 10, line 1, after "chapter", insert ", based on the criteria approved by the State Mining and Geology Board,".

Amendment No. 15

On page 10, line 7, strike out "based on criteria", and insert "as".

Amendment No. 16

On page 10, line 8, after "Board", insert a comma.

Amendment No. 17

On page 10, line 9, strike out "division", and insert "State Geologist".

Amendment No. 18

On page 10, line 13, strike out "division", and insert "State Geologist".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 8, line 11, of the printed bill, as amended in Assembly May 24, 1972, strike out "textbooks", and insert "instructional materials".

Amendment No. 2

On page 11, line 10, strike out "instructional materials, (2)", and insert "basic instructional materials, (2) supplementary".

Amendment No. 3

On page 11, line 11, after "of", insert "basic".

Amendment No. 4

On page 11, line 12, after "and", insert "supplementary".

Amendment No. 5

On page 11, line 13, strike out "instructional materials", and insert "basic instructional materials systems and supplemental instructional materials".

Amendment No. 6

On page 11, line 19, strike out "and instructional materials".

Amendment No. 7

On page 11, line 23, strike out "do", and insert "does".

Amendment No. 8

On page 11, line 25, strike out "subject"; and strike out line 26, and insert "for use by that district board."

Amendment No. 9

On page 11, line 33, after the period, insert "The state board may establish a cycle for adoptions by designating subjects to be adopted in even-numbered years and subjects to be adopted in odd-numbered years."

Amendment No. 10

On page 11, strike out lines 34 to 36, inclusive, and insert

"(e) The state board shall, at the time of the adoption, determine the date upon which state-adopted instructional materials shall be available for use by district boards."

Amendment No. 11

On page 12, line 26, strike out "such materials", and insert "any textbooks proposed for adoption".

Amendment No. 12

On page 12, strike out line 27, and insert "at display centers designated by county superintendents of schools There shall be at least five display centers in Los Angeles County, three each in Orange County and San Diego County, and two each in Alameda County and Santa Clara County."

Amendment No. 13

On page 13, lines 6 and 7, strike out "for a given subject at a given grade level".

Amendment No. 14

On page 13, line 12, strike out "not exceed 50 members and shall".

Amendment No. 15

On page 13, line 13, strike out "as a"; and strike out line 14; and in line 15, strike out "or committee shall include", and insert "and".

Amendment No. 16

On page 13, line 16, strike out the comma; and strike out lines 17 to 20, inclusive; and in line 21, strike out "per pupil".

Amendment No. 17

On page 13, line 39, strike out "specification", and insert "specifications".

Amendment No. 18

On page 14, line 39, after the period, insert "If the publisher or manufacturer or other qualified person or organization does not provide the in-service training at no cost to the district board, and the district board does not agree to pay for the in-service training, no penalties shall be imposed upon the publisher or manufacturer or other qualified person or organization."

Amendment No. 19

On page 15, line 36, strike out "State Department of Education", and insert "state board".

Amendment No. 20

On page 15, line 38, strike out "of all"; and strike out line 39, and insert "for obtaining state-adopted instructional materials The state board may encumber part of the fund for the purpose of obtaining basic instructional materials systems in subsequent fiscal years The state board may expend an amount not to exceed 10 percent of the cost of each textbook printed by the Department of General Services, for the purpose of warehousing and shipping such textbooks All remaining unencumbered moneys in the fund shall be apportioned to each elementary school district on the basis of a monetary allotment per pupil."

Amendment No. 21

On page 17, line 9, strike out "provided", and insert "designated".

Amendment No. 22

On page 17, line 23, strike out "to", and insert "as directed by".

Amendment No. 23

On page 17, line 25, after "materials", insert "in the most economical and timely manner".

Amendment No. 24

On page 17, line 32, strike out "to", and insert "as directed by".

Amendment No. 25

On page 17, line 36, after "California", insert "or at any independently owned and operated depository in the State of California".

Amendment No. 26

On page 18, line 20, after "them", insert "directly from the publisher or manufacturer at any of its offices in the State of California or from any independently owned and operated depository in the State of California".

Amendment No. 27

On page 20, line 40, after the period, insert "All other state-adopted instructional materials shall be warehoused and shipped pursuant to subdivision (f) of Section 9261."

Amendment No. 28

On page 23, line 17, after "chapter", insert ", except that all instructional materials shall be purchased directly from the publisher or manufacturer at any of its offices in the State of California or from any independently owned and operated depository in the State of California".

Amendment No. 29

On page 26, line 24, insert

"9823. The state board shall pay the publisher or manufacturer the royalties agreed to pursuant to subdivision (e) of Section 9481 for any instructional material that the state board designates as obsolete, but which it provides to district boards that have previously ordered that instructional material."

Amendment No. 30

On page 27, line 13, after the period, insert "Nonpublic schools shall forward any money received from the sale of obsolete instructional materials to the Superintendent of Public Instruction for deposit in the State Instructional Materials Fund"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 558—An act to add Article 7 (commencing with Section 350) to Chapter 4 of Division 1 of the Business and Professions Code, relating to assistance to local consumer affairs programs, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly May 2, 1972, strike out "1972–1973", and insert "1973–1974".

Amendment No. 2

On page 2, line 11, after the second "the", insert "continuation,".

Amendment No. 3

On page 2, line 31, strike out "Legislature", and insert "local officials".

Amendment No. 4

On page 3, line 29, strike out "establishing a"; and strike out lines 30 and 31, and insert "coordinating the consumer protection activities of the consumer fraud division within the district attorney's office and the consumer affairs bureau of the county for the purpose of reducing duplication of effort."

Amendment No. 5

On page 4, line 9, strike out "and any other"; and strike out lines 10 to 12, inclusive, and insert ", or other law enforcement agencies any appropriate information concerning violations of consumer protection or unfair trade practices laws"

Amendment No. 6

On page 4, line 37, strike out "Governor or the Legislature", and insert "legislative body of the local agency".

Amendment No. 7

On page 5, line 35, strike out "Fifty", and insert "Forty".

Amendment No. 8

On page 5, line 40, strike out "agency grant per local agency per fiscal", and insert "bureau grant per local agency during the 1973–1974 pilot project".

Amendment No. 9

On page 6, line 38, strike out "1972–1973", and insert "1973–1974".

Amendment No. 9.5

On page 7, line 1, strike out "1973–1974", and insert "1974–1975".

Amendment No. 10

On page 7, line 10, strike out "forty-five thousand dollars ($745,000)", and insert "ninety-five thousand dollars ($795,000)".

Amendment No. 11

On page 7, after line 22, insert

"(d) Fifty thousand dollars ($50,000) to the Attorney General for the training assistance, and coordination of district attorneys in establishing and operating consumer fraud divisions.

SEC. 3. The provisions of this act shall have no force or effect after June 30, 1974, and any funds allocated by subdivisions (a) and (d) of Section 2 of this act which are not used by June 30, 1974, and any funds allocated by subdivisions (b) and (c) of Section 2 of this act which are not used for grants by June 30, 1974, shall revert to the General Fund on July 1, 1974."

Set No. 2

Amendment No. 1

On page 7 of the printed bill, as amended in Assembly May 2, 1972, after line 22, insert

"SEC. 4. Notwithstanding any other provision of this act to the contrary, each local agency receiving one or two grants pursuant to this act shall, as soon as possible after June 30, 1974, return to the Department of Consumer Affairs that amount up to the amount of such grants by which revenue derived from fines, penalties, and other sources by a consumer fraud division or consumer affairs bureau, or both, within the 1973–1974 fiscal year and actually received during such year, exceeds the amount of the grant or grants plus the local agency matching funds."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 635—An act appropriating funds for increases in compensation for members of the California Highway Patrol.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly April 11, 1972, strike out "Assemblyman Foran", and insert "Assemblymen Foran and Barnes".

Amendment No. 2

On page 1, lines 4 and 5, strike out "twelve million six hundred fifty-nine thousand seven hundred twenty-three dollars ($12,659,723)", and insert "thirteen million six hundred seventy-three thousand dollars ($13,673,000)".

Amendment No. 3

On page 2, line 4, strike out "in addition to any amounts", and insert "reduced by an amount equal to any sum which is".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 696—An act to establish a multipurpose counseling and social services pilot project in the County of Ventura, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and".

Amendment No. 2

On page 3, line 4, strike out ". Yet", and insert "yet".

Amendment No. 3

On page 3, line 23, strike out "State".

Amendment No. 4

On page 3, lines 23 and 24, strike out "one hundred thousand dollars ($100,000)", and insert "fifty thousand dollars ($50,000)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1445—An act to amend Section 14232 of, to add Chapter 6 (commencing with Section 14901) to Division 7 of, and to repeal Chapter 6 (commencing with Section 14901) of Division 7 of, the Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "amend Section 14232 of, to add Chapter 6"; and strike out line 2.

Amendment No. 2

In line 3 of the title, after "repeal", insert "and add".

Amendment No. 3

In line 3 of the title, strike out "of", and insert "to".

Amendment No. 4

In line 4 of the title, strike out the first comma.

Amendment No. 5

On page 2, strike out lines 1 to 15, inclusive; and in line 16, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 6

On page 2, line 18, strike out "SEC. 3", and insert

"SEC. 2".

Amendment No. 7

On page 3, strike out lines 37 to 39, inclusive.

Amendment No. 8

On page 4, line 25, strike out "printed", and insert ", printed,".

Amendment No. 9

On page 5, line 8, strike out "Tons", and insert "Ton".

Amendment No. 10

On page 5, strike out lines 11 and 12, and insert

"Article 3. Funds".

Amendment No. 11

On page 5, strike out line 14; and in line 15, strike out "all", and insert

"14961. All".

Amendment No. 12

On page 5, lines 16 and 17, strike out "Commercial Feed and Livestock Remedies Account of the".

Amendment No. 13

On page 5, strike out lines 20 to 40, inclusive; and on page 6, strike out lines 1 to 3, inclusive.

Amendment No. 14

On page 6, line 4, strike out "14964", and insert

"14962".

Amendment No. 15

On page 6, strike out lines 11 to 25, inclusive; and in line 26, strike out "14966", and insert
"14963".

Amendment No. 16

On page 9, line 10, after "drugs", insert ", tolerances for agricultural chemicals,".

Amendment No. 17

On page 12, line 24, after the closing parenthesis, insert "of".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1505—An act relating to disposition and leasing of property by the Director of General Services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, of the printed bill, strike out lines 2 to 4, inclusive; and in line 5, strike out "Parcel 3", and insert
"Parcel 2".

Amendment No. 2

On page 2, strike out line 9, and insert
"Parcel 3. Approximately 143 acres of land located".

Amendment No. 3

On page 2, line 12, strike out "Parcel 5", and insert
"Parcel 4".

Amendment No. 4

On page 2, line 14, strike out "T23N, R17W, MDBM", and insert "T 23 N, R 17 W, M D B M."

Amendment No. 5

On page 2, line 26, strike out "4", and insert "3".

Amendment No. 6

On page 2, line 27, strike out "5", and insert "4".

Amendment No. 7

On page 3, after line 2, insert

"SEC 6 The Director of General Services, with the approval of the Director of Parks and Recreation and the State Public Works Board, is hereby authorized to exchange, in the best interests of the state, approximately 18 acres of land at Santa Monica Mountains State Park in Los Angeles County for lands of equal value for the purposes of realigning boundaries

SEC. 7 Notwithstanding the foregoing provisions of this act, before any property is sold under authority of this act, it shall first be

offered to, and refused, or refused, by each city, county, or park district within which the property is located, at the fair market value of the property."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1704—An act to add Section 104 16 to the Streets and Highways Code, relating to state highways

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, lines 5 and 6, of the printed bill, as amended in Assembly May 24, 1972, strike out "an urban area, as defined in Section 2305, held by it", and insert "any city with a population of 100,000 or more held by the department".

Amendment No. 2

On page 2, strike out lines 19 and 20; and in line 21, strike out "thereof,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1714—An act to add Section 31263 5 to the Education Code, relating to Indian education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "to add Section 31263.5 to the Education Code,".

Amendment No. 2

On page 3, line 8, after "district", insert "which receives equalization aid".

Amendment No. 3

On page 3, line 8, after "a", insert "school in which there is a".

Amendment No. 4

On page 3, line 9, strike out "that", and insert "and which".

Amendment No. 5

On page 4, strike out lines 1 to 32, inclusive, and insert

"SEC. 8. It is the intent of the Legislature that scholarships be made available for the education of Indian students at institutions of higher education.

To assist in the attainment of this goal, the State".

Amendment No. 6

On page 4, line 33, strike out "shall", and insert "may".

Amendment No. 7

On page 4, strike out lines 37 to 40, inclusive; on page 5, line 1 strike out "SEC. 10", and insert

"SEC. 9".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1724—An act to repeal Chapter 2.5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2.5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to tax credits and payments under the Personal Income Tax Law, and making an appropriation therefor, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 4, line 27, of the printed bill, as amended in Assembly June 1, 1972, strike out "115", and insert "100".

Amendment No. 2

On page 4, line 28, strike out "16001 to 20,000", and insert "over 16,000".

Amendment No. 3

On page 4, line 28, strike out "105", and insert "75".

Amendment No. 4

On page 4, strike out lines 29 and 30.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1925—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 13, 1972, strike out "Assemblyman Knox", and insert "Assemblymen Knox, Barnes, Porter, Stull, Hayes, Chappie, and Lanterman".

Amendment No. 2

On page 9, line 30, strike out "in each calendar year", and insert ", except as provided in this article".

Amendment No. 3

On page 9, between lines 33 and 34, insert

"39620.5. (a) At such times as the authority desires to issue bonds, as defined in Section 39621, in excess of the amount provided in Section 39620, it shall adopt a resolution specifying the total amount of such bonds proposed to be issued. The amount specified in any such resolution shall not exceed two hundred million dollars ($200,000,000) of new debt.

Upon adoption of the resolution, the authority shall immediately cause copies thereof to be transmitted to the Senate Rules Committee and to the Speaker of the Assembly.

(b) Upon receipt of such a resolution, the Senate Rules Committee and the Speaker of the Assembly shall refer the resolution to a standing committee of their respective houses for study and a report Such a report shall be made no later than the 50th calendar day of continuous session of the Legislature after the date on which the resolution was transmitted to each house of the Legislature.

(c) A resolution of either house of the Legislature, disapproving of the issuance of the bonds as proposed in the resolution of the authority may be made by floor motion within 10 calendar days following the submission of the report provided for in subdivision (b). Such a resolution shall be voted on without referral to committee.

If either house shall adopt such a resolution of disapproval, the authority shall not issue the bonds as proposed in its resolution. If neither house has adopted a resolution of disapproval within 10 calendar days as provided in this subdivision, the authority shall be authorized to issue the bonds as specified in its resolution

(d) If the authority, pursuant to this section, submits to the Legislature a resolution proposing the issuance of bonds and the Legislature adjourns sine die before 60 continuous calendar days have elapsed, the authority shall not issue the proposed bonds The authority may submit the same resolution, or a new resolution, proposing the issuance of bonds to the Legislature when it next convenes."

Amendment No. 4

On page 10, line 31, strike out "The", and insert "Subject to the limitations in Sections 39620 and 39620.5, the".

Amendment No. 5

On page 12, line 5, strike out the first "of", and insert "or".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1837—An act to add Article 4 (commencing with Section 655) to Chapter 2 of Division 1 of the Streets and Highways Code, relating to state highways

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "and to repeal".

Amendment No. 2

On page 2, line 10, after "655.2.", insert "(a)".

Amendment No. 3

On page 2, between lines 17 and 18, insert

"(b) The city council of any other city which may be affected by the freeway or expressway construction on that portion of Route 1 between the Santa Ana River and the Orange-Los Angeles county line may appoint a member to the board, if the city contributes the sum of two thousand five hundred dollars ($2,500) to aid in financing the activities of the board."

Amendment No. 4

On page 3, line 13, after "SEC 2.", insert "Article 4 (commencing with Section 655) of Chapter 2 of Division 1 of the Streets and Highways Code, as added by Section 1 of this act, shall remain in effect only until January 11, 1975, and as of that date is repealed.

SEC. 3.".

Amendment No. 5

On page 3, after line 19, insert

"The sum appropriated pursuant to this section shall not be available for expenditure until such time that the Orange County Board of Supervisors, the Orange County Transit District, and the city council of each city in which Route 1 between the Santa Ana River and the Orange-Los Angeles county line is located each contributes the sum of two thousand five hundred dollars ($2,500) to aid in financing the activities of the board."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1973—An act to amend Sections 5096.26 and 5099.4 of, and to add Chapter 1.8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Assembly May 11, 1972, after "account", insert ", except that federal reimbursements resulting from General Fund expenditures may be deposited in the account only with the prior approval of the Director of Finance",

Amendment No. 2

On page 3, line 18, strike out "are continuously appropriated", and insert "shall be available to reimburse the departmental support appropriation items of the Governor's Budget".

Set No. 2

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 11, 1972, strike out "Assemblyman Priolo", and insert "Assemblymen Priolo and Davis".

Amendment No. 2

On page 2, line 3, after "devises", insert a comma.

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2284—An act to add Chapter 5.7 (commencing with Section 5761) to Division 6 of the Education Code, relating to bilingual-bicultural education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 6 of the heading of the printed bill, as amended in Assembly May 26, 1972, strike out "Waxman," and insert "Vasconcellos, Waxman, Wood,".

Amendment No. 2

On page 3, line 3, after "teachers", insert "to".

Amendment No. 3

On page 3, lines 5 and 6, strike out "provide the establishment of", and insert "establish".

Amendment No. 4

On page 3, line 7, strike out ", and to", and strike out lines 8 to 10, inclusive, and insert " The primary goals of such programs shall be to develop full fluency in two languages for all participating pupils, to provide positive reinforcement of the self-image of participating children, and to develop intergroup and intercultural awareness among pupils, parents and the staff in participating school districts It is the intent of the Legislature to provide supplemental financial assistance to help school districts to meet most of the special costs of bilingual-bicultural education programs "

Amendment No. 5

On page 4, line 3, after the second "the", insert "limited-English-speaking".

Amendment No. 6

On page 4, line 15, after the first "of", insert "the teaching".

Amendment No. 7

On page 4, line 37, strike out "The"; and strike out lines 38 to 40, inclusive; and on page 5, strike out lines 1 to 7, inclusive.

Amendment No. 8

On page 5, line 13, strike out ". These"; strike out lines 14 to 16, inclusive; and in line 17, strike out "termination of the program", and insert "(the objectives to be stated in measurable terms)".

Amendment No. 9

On page 5, line 32, strike out "to"; and strike out lines 33 to 40, inclusive; and on page 6, strike out lines 1 to 3, inclusive, and insert a period.

Amendment No. 10

On page 6, line 21, strike out "once during each"; and strike out lines 22 to 29, inclusive, and insert "annually there shall be submitted to the Department of Education an evaluation of the children's progress, including, but not limited to, reading comprehension and speaking skills, in English and the second language of instruction. Such evaluation shall be prepared in the form and manner prescribed by the Department of Education. Tests of scholastic aptitude shall not be used in evaluating children in the bilingual-bicultural program."

Amendment No. 11

On page 7, strike out lines 4 to 6, inclusive.

Amendment No. 12

On page 7, between lines 13 and 14, insert

"The governing boards of two or more school districts may jointly apply for a project in bilingual-bicultural education."

Amendment No. 13

On page 7, line 18, strike out "At the beginning"; and strike out lines 19 to 40, inclusive; and on page 8, strike out lines 1 to 14, inclusive, and insert "The makeup of the advisory groups shall reflect the linguistic makeup of the bilingual-bicultural classes The Department of Education shall develop guidelines with regard to the selection of advisory group members."

Amendment No. 14

On page 8, line 17, strike out "bilingual", and insert "bilingual-bicultural teachers as defined in subdivision (e) of Section 5761.2".

Amendment No. 15

On page 8, line 23, after "may," insert "after diligent search and recruitment in California, and".

Amendment No. 16

On page 9, line 33, strike out "duty.", and insert "following:".

Amendment No. 17

On page 10, line 18, after "Education", insert ", for programs established pursuant to the Bilingual-Bicultural Education Act of 1972 (Chapter 5.7 of Division 6 of the Education Code)".

Amendment No. 18

On page 10, strike out lines 39 to 40; and strike out page 11.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2341—An act to add Article 3.5 (commencing with Section 8574.1) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to the state oil spill contingency plan, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly May 23, 1972, after the period, insert "Any payments for workmen's compensation under this section shall be made from the account specified in Section 8574.4."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2371—An act relating to Medi-Cal.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "twenty-two thousand twenty-one dollars ($22,021)", and insert "eleven thousand dollars ($11,000)".

Amendment No. 2

On page 1, line 3, strike out "General Fund", and insert "Health Care Deposit Fund".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 281—An act to amend Section 16103 of the Government Code and to amend Sections 2615 6 and 255.4 of the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly March 16, 1972, strike out "2615.6 and 255.4", and insert "255.4 and 2615.6".

Amendment No. 2

On page 2, line 20, strike out the second "on", and insert "by".

Amendment No. 3

On page 2, line 21, strike out "on or before", and insert "by".

Amendment No. 4

On page 3, line 11, strike out the comma.

Amendment No. 5

On page 3, line 12, strike out ", or", and insert "or,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 592—An act making an appropriation for overtime for state employees

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "three", and insert "seven".

Amendment No. 2

On page 1, line 2, after "hundred", insert "fifty".

Amendment No. 3

On page 1, line 3, strike out "$300,000", and insert "$750,000".

Amendment No. 4

On page 1, line 5, strike out "February 1, 1967", and insert "July 1, 1969".

Amendment No. 5

On page 1, line 13, strike out "February 1, 1967", and insert "July 1, 1969".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1263—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9817, 9819, 9820, 9823, 9825, and 9830, of the Business and Professions Code, relating to repair dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly on May 18, 1972, strike out "and".

Amendment No. 2

In line 2 of the title, after "9830", insert ", and 9873".

Amendment No. 3

On page 6, after line 37, insert

"SEC. 12. Section 9873 of the Business and Professions Code is amended to read:

9873. The fees prescribed by this chapter shall be set by the director according to the following schedule:

(a) The service dealer registration fee *for a service dealer who for compensation engages in the business of repairing, servicing, or maintaining either (1) television, radio, or audio or video recorders or playback equipment normally used or sold for use in the home or in private motor vehicles, or (2) appliances, but not both,* is not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each place of business in this state. *The service dealer registration fee for a service dealer who for compensation engages in the business of repairing or maintaining both (1) television, radio, or audio or video recorders or playback equipment normally used or sold for use in the home or in private motor vehicles, and (2) appliances, is one hundred dollars ($100).*

(b) The annual renewal fee for a service dealer registration *for a service dealer who for compensation engages in the business of repairing, servicing, or maintaining either (1) television, radio, or audio or video recorders or playback equipment normally used or sold for use in the home or in private motor vehicles, or (2) appliances, but not both,* is not less than twenty-five dollars ($25) nor more than fifty dollars ($50) for each place of business in this state, if renewed prior to its expiration date. *The annual renewal fee for a service dealer who for compensation engages in the business of repairing or maintaining both (1) television, radio, or audio or video recorders or playback equipment normally used or sold for use in the home or in private motor vehicles and (2) appliances, is seventy-five dollars ($75).*

(c) The delinquency fee is an amount equal to 50 percent of the renewal fee in effect on the last preceding regular renewal date.

SEC 13. This act shall become operative on June 30, 1973."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1292—An act to add Section 23428.20 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, after line 10, of the printed bill, as amended in Assembly May 18, 1972, insert

"No license shall be issued pursuant to this section to any club which withholds membership or denies facilities or services to any person on account of race, color, creed, religion, national origin, or sex"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1603—An act relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Set No. 1

Amendment No. 1

On page 2, between lines 18 and 19, of the printed bill, as amended in Assembly May 25, 1972, insert

"Projects under this act shall be established only in school districts in counties which have a county commission on aging The superintendent of the particular district involved and the county commission on aging shall have joint discretion to approve applications for use of buses pursuant to this act"

Set No. 2

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in Assembly May 25, 1972, strike out "$_____", and insert "one thousand dollars ($1,000), or so much thereof as may be necessary,".

Amendment No. 2

On page 2, line 31, after "of", insert "Section 1 of".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, 21294, and 21298 of, and to add Section 21300 5 to, the Government Code, relating to retirement

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, after "21291," insert "and".

Amendment No. 2

In line 1 of the title, strike out ", and 21298".

Amendment No. 3

On page 3, strike out lines 4 to 40, inclusive; and on page 4, strike out lines 1 to 12, inclusive.

Amendment No. 4

On page 4, line 18, strike out "SEC. 5." and insert "SEC 4."

Amendment No. 5

On page 4, line 24, strike out "SEC 6 ", and insert "SEC 5 "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1739—An act to amend Sections 405 5 and 751 of, and to add Section 1815 2 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 945—An act to amend Sections 17262, 27155, and 27156 of the Education Code, to amend Sections 401, 423, and 2131 of the Revenue and Taxation Code, and to amend Sections 2106 and 5829 of the Streets and Highways Code, relating to property taxation

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted·

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 11, 1972, after the third comma, insert "to amend and renumber Section 273 of the Revenue and Taxation Code, as added by Chapter 1583 of the Statutes of the 1971 Regular Session of the Legislature,"

Amendment No. 2

On page 3, strike out line 6, and insert

"SEC 4. Section 273 of the Revenue and Taxation Code, as added by Chapter 1583 of the Statutes of the 1971 Regular Session of the Legislature, is amended and renumbered to read.

~~273~~ *275* If a claimant for the homeowners' property tax exemption fails to file the required affidavit within the time specified in Section 255, but files such claim on or before the 15th day of June of such year, 80 percent of the homeowner's exemption may be granted by the board of supervisors if proof satisfactory to the board of supervisors establishes that the failure to timely file the required affidavit was due to reasonable cause and not due to willful neglect.

SEC. 5 Section 401 of the Revenue and Taxation".

Amendment No. 3

On page 3, line 26, strike out "SEC. 4", and insert "SEC. 6".

Amendment No. 4

On page 6, line 16, strike out "SEC. 5", and insert "SEC 7".

Amendment No. 5

On page 8, line 3, strike out "SEC 6", and insert "SEC 8"

Amendment No. 6

On page 9, line 24, strike out "SEC. 7", and insert "SEC 9".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 567—An act to amend Section 218 of the Revenue and Taxation Code, relating to property taxation

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted·

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman", and insert "Assemblymen".

Amendment No. 2

In line 1 of the heading, after "Townsend", insert ", Cline, Deddeh, Gonsalves, and Quimby".

Amendment No. 3

In line 1 of the title, strike out "to amend Section 218 of the Revenue and Taxation"; and in line 2, strike out "Code,".

Amendment No. 4

In line 2 of the title, after "taxation", insert ", to take effect immediately, urgency statute".

Amendment No. 5

On page 1, strike out line 1, and insert

"SECTION 1 Notwithstanding the provisions of Sections 255 and 273 of the Revenue and Taxation Code, affidavits required for the homeowner's property tax exemption for the 1972–1973 tax year may be filed no later than 5 o'clock p m on August 15, 1972, if the exemption which is being claimed is to be applied to trailer coaches as defined in Section 635 of the Vehicle Code and which is being assessed for the first time for the 1972–1973 tax year.

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: That in order to provide taxpayers with the extended period within which to file for the homeowner's property tax exemption for the 1972–1973 tax year, the provisions of this act must go into effect immediately."

Amendment No. 6

On page 1, strike out lines 2 to 12, inclusive; and on page 2, strike out lines 1 to 40, inclusive; and on page 3, strike out lines 1 to 9, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1315—An act to amend Section 11010 of, and to add Sections 11010 01, 11011.9, and 11011 95 to, the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted.

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Assembly May 11, 1972, strike out "by", and insert "or ratified by the governing board or boards of".

Amendment No. 2

On page 3, line 18, after "and", insert a comma.

Amendment No. 3

On page 3, line 18, after "so", insert a comma

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1369—An act to amend Sections 10094 and 10095 of, and to add Section 10094 4 to, the Insurance Code, relating to insurance

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committeee on Finance and Insurance, was read, and adopted·

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in Assembly May 16, 1972, after "maintain", insert "at least"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1547—An act to add Section 55 to the Civil Code, relating to disabled persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted

Amendment No. 1

On page 1, line 4, of the printed bill, after "give", insert "written".

Amendment No. 2

On page 2, line 4, strike out "Such", and insert "If the court finds the evidence of nonconformity clear and convincing, such".

Amendment No. 3

On page 2, line 9, strike out "irregardless", and insert "regardless".

Amendment No. 4

On page 2, after line 10, insert

"(c) This section shall apply only to future construction or alteration of facilities."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1042—An act to amend Section 13468.1 of, and to add Section 13468.3 to, the Education Code, relating to school certificated employees.

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 1149 and **461**, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 266—An act to amend, repeal, and add Section 10666 of the Fish and Game Code, relating to refuges

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1356—An act to amend Section 5010.1 of the Public Resources Code, relating to the state park system.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 635—An act to amend Sections 7332, 7342, 7351 and 7420 of, and to add Section 7402 to, the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered to third reading.

Senate Bill No. 176—An act to add Section 21702.2 to the Education Code, relating to school district bonds.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 2051, 2267, 2064, and ~~1470~~.

NOTE: Later this day, the action was rescinded whereby Assembly Bill No 1470 was re-referred to the Committee on Ways and Means. See page 5098

COMMUNICATIONS

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 132	AB No. 728	AB No. 1739
AB No. 357	AB No 1276	AB No 1788
AB No 427	AB No. 1519	AB No 2034
AB No 668		

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 163	AB No 491	AB No 1602
AB No 208	AB No 834	AB No 1614
AB No 240	AB No. 835	AB No. 1918
AB No 252	AB No 1030	AB No. 2120
AB No 383	AB No 1366	AB No 2240
AB No 408	AB No 1407	AB No 2368

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 514—An act to add Section 25536.2 to the Government Code, relating to county property

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 514?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly, April 19, 1972, strike out "1925", and insert "1942".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lewis, Maddy, McAlister, Meade, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Z'berg—47.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1468—An act to add Article 10 (commencing with Section 10921) to Chapter 1 of Division 9 of the Education Code, relating to pupils

Bill read third time, and passed by the following vote

AYES—Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Powers, Priolo, Quimby, Ryan, Seeley, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg —51

NOES—Duffy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1937—An act to amend Section 3369 of, and to add Section 3370 1 to, the Civil Code, relating to the specific or preventive relief

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—56.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2214—An act to amend Section 1241 of, and to add Section 1242.5 to, the Business and Professions Code, relating to clinical laboratory technology

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—53

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 486

Mr. Lewis was granted unanimous consent that Senate Bill No. 486 be removed from the Consent Calendar, and to take up the bill without reference to file, for purpose of amendment

Consideration of Senate Bill No. 486

Senate Bill No. 486—An act to amend the heading of Chapter 3 (commencing with Section 71820) of Part 6 of Division 20 and Sections 71820, 71821, 71822, and 71823 of the Water Code, relating to municipal water districts

Bill read second time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Lewis was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No. 486 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr. Lewis moved the adoption of the following amendments

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate May 8, 1972, after "districts", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 22, insert

"SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act would authorize municipal water districts to use the Municipal Improvement Act of 1913 and the Improvement Bond Act of 1915, for the construction of district facilities. Such facilities are urgently needed for the protection of the health and safety of residents of

certain municipal water districts In order, therefore, to permit such facilities to be constructed at the earliest possible time, it is necessary that this act go into immediate effect ''

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the second reading file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1467—An act to amend Section 13590 2 of, and to add Sections 13590 5 and 13590.6 to, the Education Code, relating to school classified employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1090—An act to amend Section 26680 of the Health and Safety Code, relating to drugs and devices.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, and Wood—57.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 10 27 a.m , Hon Jack R Fenton, 51st District, presiding

Assembly Bill No. 1757—An act to add Section 633.6 to the Penal Code, relating to recordation of witnesses' statements.

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Harvey Johnson moved a call of the Assembly.

Motion carried. Time, 10 30 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1994—An act to amend Sections 7 1 and 13 of, and to add Section 13 5 to, the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Z'berg—55.

NOES—Burton—1.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, and Z'berg—55

NOES—Burton—1

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Constitutional Amendment No. 54—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2285—An act to add Article 2 5 (commencing with Section 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts

Bill read third time.

Motion to Amend

Mr Chacon moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly, May 18, 1972, after line 18, insert

"12977. This article shall not be construed as requiring school districts to replace existing personnel or to employ additional personnel prior to September 1, 1974 However, in any case in which additional positions are added to the administrative staff of a school, or in which a vacancy in the administrative staff of a school is to be filled, the provisions of Section 12975 shall be adhered to in filling such position "

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Assembly Bill No. 2134—An act to add Section 11610 8 to the Business and Professions Code, relating to real property

Bill read third time, and passed by the following vote·

AYES—Arnett, Bee, Belotti, Beverly, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Ketchum, Keysor, LaCoste, Lancaster, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—48

NOES—Duffy, Ray E Johnson, and Mobley—3

Bill ordered transmitted to the Senate

Assembly Bill No. 659—An act to add Chapter 2 (commencing with Section 1796) to Title 1.7 of Part 4 of Division 3 of the Civil Code, relating to warranties

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—58

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 599—An act to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to workmen's compensation

Bill read third time, and passed by the following vote

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy,

Meade, Mobley, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—55.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1279—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1342—An act to add Section 3600.3 to the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 378—An act to amend Section 69594 of the Government Code, relating to superior court judges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—Burton—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1843—An act to add Section 424.5 to the Government Code, relating to state emblems.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51

NOES—Burton, Cline, McCarthy, Meade, Ryan, Sieroty, and Warren—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2367—An act to amend Section 451 of the Evidence Code, relating to judicial notice.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 93—Relative to State Highway Routes 7 and 11.

Resolution read, ~~and adopted~~.
~~Resolution ordered transmitted to the Senate.~~

NOTE: Later this day, the action was rescinded whereby Assembly Concurrent Resolution No. 93 was adopted, and ordered transmitted to the Senate See page 5093

Assembly Bill No. 217—An act to add Section 4333 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

Motion to Amend

Mr Harvey Johnson moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly May 8, 1972, strike out "shall", and insert "may".

Amendment No. 2

On page 2, strike out lines 22 to 24, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

BILLS PASSED ON FILE

Assembly Bills Nos. 1541, 807 and **1848**, and **Senate Bill No. 98**—Passed on file

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 645—An act to amend Section 15 of the Crestline-Lake Arrowhead Water Agency Act (Chapter 40 of the Statutes of 1962, First Extraordinary Session), relating to the Crestline-Lake Arrowhead Water Agency

Bill read third time, and presented by Mr Lewis

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh,

Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lancaster, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1243—An act to add Sections 41, 42, and 43 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency.

Bill read third time, and presented by Mr. Lewis.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 183—An act to repeal and add Section 4580.5 to the Public Resources Code, relating to forest practices, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mrs. Davis.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, Maddy, McAlister, Mc-

Carthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Senate Bill No. 439, Senate Constitutional Amendment No. 72 and **Senate Bill No. 1452**—Passed on file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 64—An act to add Article 2 (commencing with Section 10401) to Chapter 5 of Division 8 of the Education Code, relating to treatment of animals.

Bill read third time, and presented by Mr. Stull.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly

Motion carried Time, 11:09 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Leroy F. Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY CONCURRENT RESOLUTION NO. 93

Mr. Collier was granted unanimous consent to rescind the action whereby the Assembly, earlier this day, adopted Assembly Concurrent Resolution No. 93, and whereby the resolution was ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 93 Passed and Retained

By unanimous consent, Assembly Concurrent Resolution No. 93 was passed on file, to retain its place on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 546—An act to amend Sections 21554 and 26078 of, and to add Section 21555.5 to, the Water Code, relating to irrigation districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Mobley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 850

In compliance with a motion given on a previous day, Mr. Waxman moved that the vote whereby Assembly Bill No 850 was passed be reconsidered.

Assembly Bill No 850 refused reconsideration by the following vote.

AYES—Bee, Burton, Chacon, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Harvey Johnson, McAlister, McCarthy, Meade, Miller, Quimby, Ryan, Sieroty, Warren, Waxman, Z'berg, and Mr Speaker—24

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Chappie, Cline, Collier, Conrad, Cory, Davis, Dent, Gonsalves, Hayden, Hayes, Ray E Johnson, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Mobley, Monagan, Moorhead, Powers, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Wilson, and Wood—34.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1192—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 638—An act to add Article 3.5 (commencing with Section 27400) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Priolo, Beverly, Cline, Wood, and Moorhead demanded the previous question Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Barnes, Bee, Brown, Conrad, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Hayden, Harvey Johnson, Keysor, LaCoste, Lancaster, McAlister, McCarthy, Moorhead, Russell, Sieroty, Thomas, Wilson, Wood, Z'berg, and Mr. Speaker—25.

NOES—Arnett, Badham, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Duffy, Garcia. Leroy F. Greene, Hayes, Ray E. Johnson, Ketchum, Lewis, Maddy, Miller, Mobley, Powers, Priolo, Quimby, Seeley, Stacey, Townsend, Warren, and Waxman—31.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1098—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cline was granted unanimous consent that a photographer be permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2063—An act to amend Section 4451 of, and to add Section 4457 to, the Government Code, relating to public buildings.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Seeley, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr Speaker—55.

NOES—Miller—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 2293—An act to add Article 2 5 (commencing with Section 25427 8) to Chapter 1 of Division 18 5 of the Education Code, relating to community college student organization fees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Hon. Joe A. Gonsalves Presiding

At 11·40 a m., Hon. Joe A. Gonsalves, 66th District, presiding.

Demand for Previous Question

Messrs Beverly, Mobley, Ray E. Johnson, Meade, and Wood demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 2293.

Urgency clause refused adoption by the following vote:

AYES—Arnett, Bagley, Barnes, Beverly, Brown, Chacon, Chappie, Deddeh, Hayden, Harvey Johnson, Keysor, Lewis, Maddy, McAlister, Miller, Monagan, Moorhead, and Russell—18.

NOES—Badham, Belotti, Burke, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayes, Ray E. Johnson, Ketchum, LaCoste, Lancaster, Lanterman, MacGillivray, Meade, Mobley, Powers, Priolo, Quimby, Seeley, Stacey, Stull, Thomas, Warren, Waxman, and Wood—36.

Majority Floor Leader Presiding

At 11·55 a m., Hon Jack R Fenton, 51st District, presiding

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 285—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 2260, on request of Mr Miller

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1326—An act to add Section 13557 5 to the Education Code, relating to school officers and employees

Bill read third time

Assembly Bill No. 1326 Passed and Retained

By unanimous consent, Assembly Bill No 1326 was passed on file, to retain its place on file.

Assembly Bill No. 758—An act to amend Section 14132 of, and to add Article 4 3 (commencing with Section 14136) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong,

Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lanterman, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 291—An act to amend Sections 143.1 and 183 of, and to repeal Sections 186, 186.1, and 188.3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 12:12 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1757

At 12:13 p.m., on motion of Mr. Harvey Johnson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1757 passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Burton, Cline, Collier, Conrad, Cory, Crown, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Lanterman, MacGillivray, Maddy, McCarthy, Miller, Monagan, Moorhead, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Warren, Waxman, and Wilson—43

NOES—Badham, Burke, Chacon, Chappie, Cullen, Davis, Deddeh, Dent, Hayden, Ketchum, LaCoste, Lancaster, Lewis, McAlister, Meade, Mobley, Priolo, Sieroty, Townsend, Wood, and Z'berg—21

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Bill Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1212 for hearing in the Committee on Health.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Sieroty Assembly Bill No. 2010 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22.2.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1778, on request of Mr. Sieroty.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1470

Mrs. Fong was granted unanimous consent to rescind the action whereby earlier this day Assembly Bill No. 1470 was re-referred to the Committee on Ways and Means.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONCURRENT RESOLUTION NO. 100

Acting Speaker Fenton was granted unanimous consent that Assembly Concurrent Resolution No. 100 be withdrawn from the Committee on Labor Relations, and re-referred to the Committee on Urban Development and Housing.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Maddy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No. 100 and Senate Bill No 1173 for hearing in the Committee on Urban Development and Housing, on Wednesday, June 21.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1978—An act to amend Sections 2355 and 2356 of the Civil Code, and to amend Sections 1751 and 1754 of, to add Sections 1751.5, 1754 5, and 1755 5 to, and to add Chapter 2 5 (commencing with Section 1776) to Division 5 of, the Probate Code, relating to present and former United States government personnel, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1841—An act to add Section 33397 to the Health and Safety Code, relating to community redevelopment agencies

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1638—An act to amend Section 53703 of the Government Code, relating to federal aid

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2226—An act to amend Sections 5072 and 7156 of the Financial Code, relating to factory-built housing loans.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1692—An act to amend Section 71255 of the Water Code, relating to municipal water districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2333—An act to amend Sections 2, 13.1, and 26 of, to add Sections 1.1, 4.1, 4.45, 4.6, 4 7, 14 15, 16.1, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 4.2, 4 6, and 4 7 of, the Sutter County Water Agency Act (Chapter 2088 of the Statutes of 1959), relating to the Sutter County Water Agency.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1033—An act to amend Sections 1063, 3604, 3623, and 5135 of the Public Utilities Code, relating to transportation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1856—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1857—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, relating to Short-Doyle Act

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Har-

vey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1805—An act to add Section 20024.2 to the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1912—An act to amend Section 17204 of the Education Code, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2362—An act to add Sections 25428.1 and 25428 2 to the Education Code, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Mc-

Carthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1458—An act to amend Sections 6721, 6727, 6728, 6731, 6735, 6738, 6739, and 6740 of, and to repeal Sections 6722, 6723, and 6724 of, the Education Code, relating to technical, agricultural, and natural resource conservation schools

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 97—Relative to the Joint Committee on Aging

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None

Resolution ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 256—An act to amend Sections 5535, 5538, 5549, 5553, 5556, and 5559 of, to add Section 5542.5 to, and to repeal Section 5550 of, the Public Resources Code, relating to regional park districts

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 606—An act to repeal Section 21605 of the Public Utilities Code, relating to aviation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 810—An act to amend Section 10177 1 of the Business and Professions Code, relating to real estate licenses

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 958—An act to amend Sections 71254 and 71540 of the Water Code, relating to municipal water districts.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Har-

vey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 96—An act to amend Section 17503 of the Education Code, relating to public schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 478—An act relating to the establishment of a school of veterinary medicine at a campus of the University of California in southern California.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 349

Acting Speaker Fenton was granted unanimous consent that Assembly Bill No. 349 be withdrawn from the Committee on Retirement, and re-referred to the Committee on Employment and Public Employees.

COMMUNICATIONS

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 71—An act to add Sections 8506.1 and 8507 to the Education Code, relating to venereal disease instruction, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 263—An act to add Sections 13841.7, 13841 8, 13841.9, 13841 10, 13841 11, and 13841.12 to the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 539—An act to amend Section 6487 of the Health and Safety Code, relating to sanitary districts;

Assembly Bill No. 712—An act to amend Section 21113 of the Vehicle Code, relating to traffic regulations;

Assembly Bill No. 753—An act to add Section 1111.9 to the Education Code, relating to school district elections;

Assembly Bill No. 787—An act to amend Section 10172 of the Insurance Code, relating to insurance;

Assembly Bill No. 825—An act to add Section 15802 2 to the Education Code, relating to insurance;

Assembly Bill No. 863—An act to amend Section 677 of the Insurance Code, relating to insurance;

Assembly Bill No. 1763—An act to amend Section 17535 of the Business and Professions Code, relating to advertising remedies,

And reports the same correctly enrolled, and presented to the Governor at 12 m, June 19, 1972.

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, June 19, 1972

Mr. Speaker. Your Committee on Criminal Justice reports:

AB No. 1237

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading

Assembly Chamber, June 19, 1972

Mr Speaker. Your Committee on Criminal Justice reports·

AB No 2239

With amendments with the recommendation· Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Retirement reports:

SB No 370

With amendments with the recommendation: Amend, and do pass, as amended.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 885

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 13, 1972

Mr Speaker. Your Committee on Retirement reports:

AB No. 1492

With amendments with the recommendation: Amend, and do pass, as amended.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, June 19, 1972

Mr. Speaker. Your Committee on Health reports:

AB No. 2026

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr. Speaker· Your Committee on Retirement reports·

AB No 1379

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 2268

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 19, 1972

Mr Speaker· Your Committee on Education reports:

AB No. 2014

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 19, 1972

Mr Speaker· Your Committee on Education reports:

SB No 689

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, June 15, 1972

Mr. Speaker. Your Committee on Revenue and Taxation reports·

ACA No 78

With amendments with the recommendation· Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments

GONSALVES, Chairman

Above resolution ordered on file

Assembly Chamber, June 15, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports:

AB No 1744

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Constitutional Amendments

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, June 15, 1972

Mr. Speaker· Your Committee on Revenue and Taxation reports:
AB No 2335

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 19, 1972

Mr. Speaker. Your Committee on Ways and Means reports
AB No. 1085
AB No 1549

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:
AJR No 6

With amendments with the recommendation. Amend, be adopted, as amended, and be re-referred to the Committee on Rules

Z'BERG, Chairman

Above resolution ordered on file

Assembly Chamber, June 15, 1972

Mr Speaker· Your Committee on Natural Resources and Conservation reports:
AB No 1901
AB No 2211
AB No 1786

With amendments with the recommendation Amend, and do pass, as amended.

Z'BERG, Chairman

Above bills ordered to second reading

Committee on Criminal Justice

Assembly Chamber, June 19, 1972

Mr Speaker· Your Committee on Criminal Justice reports
AB No 348

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 19, 1972

Mr. Speaker. Your Committee on Urban Development and Housing reports·

AB No. 2024

With amendments with the recommendation. Amend, and do pass, as amended, and re-refer to Committee on Ways and Means, with recommendation· To Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No 1687

With amendments with the recommendation. Amend, and do pass, as amended.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 19, 1972

Mr Speaker. Your Committee on Education reports:

AB No 1657

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation bill be placed on the Consent Calendar.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Finance and Insurance

Assembly Chamber, June 14, 1972

Mr. Speaker. Your Committee on Finance and Insurance reports:

AB No 2355

With the recommendation. Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 1431

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, June 19, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

AB No 220

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 220—An act to amend Section 65061 of, to amend and renumber Sections 65065 2, 65065.3, and 65065 4 of, to add Sections 65060 1, 65060.2, 65060.7, 65065.1, 65065 2, 65065 3, 65065.4, 65065 5, 65065 6 to, and to repeal Sections 65060 1, 65060 2, 65060.7, and 65065.1 of, the Government Code, relating to regional planning districts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 65061", and insert "Sections 65061, 65062 2, and 65065".

Amendment No. 2

In line 3 of the title, strike out "65060 1, 65060 2, 65060 7, 65065.1,".

Amendment No. 3

In line 4 of the title, after the first comma, insert "and".

Amendment No. 4

In line 4 of the title, strike out "and", and insert "to add Article 7.5 (commencing with Section 65068) to Chapter 2 of Title 7 of,".

Amendment No. 5

In lines 4 and 5 of the title, strike out "Sections 65060 1, 65060.2, 65060.7, and 65065 1", and insert "Section 65060 8".

Amendment No. 6

In line 5 of the title, after the second comma, insert "to repeal and add Sections 65060.1, 65060.2, 65060 7, 65061.4, and 65065.1 of, and to repeal and add Article 6 (commencing with Section 65066) and Article 7 (commencing with Section 65067) of Chapter 2 of Title 7 of,".

Amendment No. 7

On page 2, line 1, after the period, insert "The Legislature finds and declares that (1) the Association of Bay Area Governments was organized in 1960 as a voluntary association of cities and counties within the San Francisco Bay region; (2) that since its inception the association has worked to develop a general plan to guide growth and development within that region; (3) that the association has now formally adopted a general plan for the region; (4) that the effectiveness of such a plan is restricted by the fact that the association, as presently constituted, lacks authority to prevent actions which would be adverse to its plans; (5) that the association, representing the consensus of local governments within the San Francisco Bay area, has requested such authority from the Legislature on several occasions

It is the intent of the Legislature to respond to such request by adding Section 65061 4 to the Government Code to reconstitute the general-purpose regional planning responsibilities of the Association of Bay Area Governments in a regional planning district with authority to prevent actions which would be adverse to its general plan. It is the further intent of the Legislature to enable existing local governmental agencies to utilize existing statutory procedures to resolve regional problems, and that representatives of the general public from each of the bay area counties be involved in the regional planning and decisionmaking process as provided by the Regional Planning Law.

SEC. 1 5."

Amendment No. 8

On page 4, between lines 17 and 18, insert

"SEC. 6 5. Section 65060 8 of the Government Code is repealed.

~~65060.8. A regional plan shall be advisory only and shall not have any binding effect on the counties and cities located within the boundaries of the regional planning district for which the regional plan is adopted.~~"

Amendment No. 9

On page 4, between lines 27 and 28, insert

"SEC 7.1 Section 65061.4 of the Government Code is repealed.

~~65061 4 A district shall not transact any business or exercise any of its powers under this chapter if two-thirds of the cities and counties within the district are participating in regional planning pursuant to a joint powers agreement under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code.~~

SEC 7.2. Section 65061 4 is added to the Government Code, to read:

65061.4 Notwithstanding the provisions of Section 65061 3 a regional planning district is hereby established and created within the San Francisco Bay area as designated pursuant to Section 65061 The

district shall become operative on the effective date of this section and shall begin to function and to exercise its powers as soon as possible thereafter.

Any governmental agency within this regional area formed pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 which is presently engaged in general-purpose planning for the region shall transfer to the district as soon as reasonably possible all relevant regional planning data, information, and materials Thereafter, the district shall be the sole and exclusive general-purpose planning agency for the region and no other public agency, whether organized pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1, or organized pursuant to the provisions of any other statute, shall engage in, or expend money for, general-purpose regional planning

SEC. 7.3 Section 65062.2 of the Government Code is amended to read:

65062.2. The city selection committee of each county shall meet within 60 days after the date the district first becomes operative for the purpose of making the first appointment to the district board ~~as prescribed in Section 65063.3~~. The *city selection* committee of each county shall thereafter meet ~~on the second Monday in May of each year that it is~~ *at the call of the chairman of the district board as it becomes* necessary to make succeeding appointments to the district board.

SEC. 7.4 Section 65065 of the Government Code is amended to read.

65065 The district shall have power to establish and maintain such offices as are judged best to facilitate the accomplishment of the purposes of the district, and to take by grant, purchase, devise, or gift, or to lease or rent, and to hold, use, and enjoy any property necessary or convenient to the establishment, maintenance, or operation of such offices, and to *purchase,* exchange or dispose of such property *as is necessary or convenient for this purpose*; ~~except that the district shall not purchase real property~~."

Amendment No. 10

On page 5, line 27, strike out "65060", and insert "65060.7".

Amendment No. 11

On page 6, between lines 10 and 11, insert

"The initial regional plan, containing all the elements specified in this section, shall be adopted not later than three years from the date of the first meeting of the first regional planning district board "

Amendment No. 13

On page 9, line 8, after the comma, insert "state legislation,".

Amendment No. 14

On page 9, line 15, after "types", insert a comma

Amendment No. 15

On page 9, line 37, after "the", insert "environmental,".

Amendment No. 16

On page 10, after line 8, insert

"SEC 18 Article 6 (commencing with Section 65066) of Chapter 2 of Title 7 of the Government Code is repealed.

SEC. 19 Article 6 (commencing with Section 65066) is added to Chapter 2 of Title 7 of the Government Code, to read.

Article 6. Effectuation of the Regional Plan

65066 This article shall apply only to the elements of the regional plan designated in subdivisions (a) to (e), inclusive, of Section 65065.1. For the purpose of effectuating the objectives and policies set forth in the plan for such elements, the board, by one or more ordinances, may prescribe rules and regulations, which must be complied with by affected private persons, and all plans, ordinances, and regulations of a local governmental agency relating to planning or to the regulation and control of development shall conform to such rules and regulations

65066.1. The rules and regulations adopted pursuant to Section 65066 shall be limited to those specific matters which have a direct and substantial effect upon the accomplishment of the objectives and policies set forth in the regional plan or individual elements thereof, and shall be no broader nor more stringent than is reasonably necessary for the accomplishment of such regional objectives and policies. The board may not exercise any powers vested by law in local agencies pertaining to plans for development or pertaining to ordinances regulating and controlling development or preexisting uses and structures, but any local agency exercising such powers shall comply with the rules and regulations prescribed by the board

65066 2. The plans of all local governmental agencies shall be consistent with any regional rules or regulations prescribed pursuant to Sections 65066 and 65066.1. The ordinances or regulations of all local governmental agencies regulating and controlling development shall be consistent with the regional rules and regulations of the board prescribed pursuant to Sections 65066 and 65066 1

65066 3. If the regional planning director concludes that there is any inconsistency between the regional plan or individual elements thereof and the existing or proposed plans of a local governmental agency or between the rules and regulations prescribed by the district board and the provisions of any existing or proposed ordinance or regulation of a local governmental agency, the director shall mail a written notice of nonconformity to the local governmental agency The director shall notify any affected private persons of any inconsistency in the same manner The notice of nonconformity shall identify the inconsistency and contain a statement of facts and reasons supporting the regional planning director's conclusion of inconsistency

65066.4 Within 90 days after the mailing of the notice of nonconformity pursuant to Section 65066 3 or within such additional time as the regional planning director may authorize, the local governmental agency or affected private person shall either (1) take such steps as may be necessary to eliminate the inconsistency, or (2) file an application with the director requesting a hearing and determination by the

board on the question of inconsistency Any such application shall contain a statement of facts and reasons supporting the conclusion that there is no inconsistency

65066 5. Upon the filing with the regional planning director of an application requesting a hearing and determination by the district board on the question of inconsistency, the director shall fix a time and place of hearing on the question and mail written notice thereof to the local agency or affected private person The date of the hearing shall be at least 15 days after the date of mailing of the notice.

65066 6 At the hearing the board shall consider the regional planning director's written notice of nonconformity and the application for a hearing. The board shall receive evidence from the director, authorized representatives of the local governmental agency, and any other interested public agency or private person At the conclusion of the hearing, if the board is of the opinion that an inconsistency exists, the board may adopt an order directing the local governmental agency to cease and desist from enforcing any inconsistent provisions of any existing plan ordinance or regulation of such agency or from adopting any proposed plan, ordinance, regulation, or any amendment thereof, containing inconsistent provisions In the case of a private person, the order shall direct the private person to cease and desist from the specific action found to be inconsistent with the regional plan. Any violation of a cease and desist order may be enjoined by the superior court in any county on application of the district Injunctive proceedings shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, except that no undertaking shall be required in any action commenced by the district.

65066 7 The provisions of this chapter shall not apply to any city, county, or city and county within the region with respect to state highway location therein

65066 8. Except as otherwise provided in this article, the legislative body of any local governmental agency may adopt plans and ordinances and regulations relating to planning or to the regulation and control of development The adoption by the board of any plan or ordinance authorized by this article or Article 5 (commencing with Section 65065) of this chapter shall not preclude the adoption by a local governmental agency of any plan or any ordinances or regulations affecting any of the mandatory elements of the regional plan specified in Section 65065 1 Each such local plan, ordinance, or regulation, however, shall be subject to the provisions of this article

65066 9 The board may authorize the regional planning director, by rule, to specify data, including projections of population growth and economic activity, which must be employed by local governmental agencies in the preparation of local plans and ordinances or regulations relating to planning or relating to the regulation and control of development or of preexisting uses or structures If the legislative body of any such agency determines that such data is inaccurate, it may employ data which in its opinion is accurate, in which case, it shall furnish the director with a statement of the reasons why it has rejected the director's data.

65066.10. Upon written request by the regional planning director, the officers of each local governmental agency shall furnish lists of or make available to the director full and complete information concerning the nature and extent of all existing local plans and ordinances and regulations relating to planning or to the regulation and control of development which may have a direct or substantial effect upon any of the matters covered by the mandatory elements of the regional plan specified in Section 65065 1

65066 11. The board may adopt an ordinance designating, or authorizing the regional planning director to designate, those existing plans, ordinances, and regulations of each local governmental agency, certified copies of which are required to be filed with the regional planning director pursuant to Section 65066 10 The regional planning director shall mail written notice to each such local governmental agency designating the instruments, certified copies of which are required to be filed with the director Such certified copies shall be filed with the director no later than 30 days after the mailing of such notice or on or before any later date the director may authorize.

65066.12. Any local governmental agency proposing to adopt or amend any local plan or any ordinance or regulation pertaining to planning or pertaining to the regulation and control of development in such a manner as to have a direct or substantial effect on any of the matters covered by the mandatory elements of the regional plan specified in Section 65065 1, shall mail written notice thereof to the regional planning director at least 30 days prior to the date of adoption or amendment thereof Upon request by the local governmental agency, the director may waive the requirement of such notice as to the proposed adoption of an urgency ordinance

65066 13 To facilitate further the effective and harmonious planning of the district, the board may request from the federal or state government, or agencies and instrumentalities thereof, and from private organizations, agencies, or individuals, copies of plans, maps, reports and other documents which are related to regional planning

65066 14 In addition to any other report, study, or document provided in this chapter, the board shall submit to the legislative bodies and to the planning agencies of all of the counties, cities, and to other governmental agencies and instrumentalities, official representatives, other agencies, organizations and individuals, public or private, in the district which are designated by the board, an annual report on or before the first day of March The annual report shall contain a report on the status of the regional plan, and descriptions of those sections of the regional plan which have been amended, revised, added, or deleted during the preceding year, and a brief report of other major activities.

SEC. 20 Article 7 (commencing with Section 65067) of Chapter 2 of Title 7 of the Government Code is repealed

SEC 21. Article 7 (commencing with Section 65067) is added to Chapter 2 of Title 7 of the Government Code, to read

Article 7. Regional Planning Director

65067. The board shall appoint a regional planning director.

65067.1. The regional planning director shall be the chief administrative and planning officer and technical adviser of the board. The director shall, subject to the supervision of the board·

(a) Direct and administer the preparation, maintenance, regular review and revision of the regional plan, and administer and execute all of the other functions and duties of the district set forth in this chapter.

(b) Appoint and remove personnel of the district

(c) Serve, or designate personnel to serve, as executive secretary to the board

(d) Perform such other duties and exercise such other powers as the board may delegate to him

SEC. 22. Article 7 5 (commencing with Section 65068) is added to Chapter 2 of Title 7 of the Government Code, to read:

Article 7.5 Review of Applications for Financial Assistance

65068 As used in this article, "financial assistance" means financial assistance extended to any local governmental agency by the state or federal governments or any other public agency, including grants and contractual arrangements, such as loans, loan guarantees, insurance and any other form of financial assistance, but shall not include financial assistance extended by one local governmental agency to another local governmental agency.

65068.1 If any application by a local governmental agency for financial assistance relates to or substantially affects any matter within the scope of any of the mandatory elements of the regional plan, such application must be submitted to the board for comment and recommendation prior to being submitted to the agency from whom financial assistance is proposed to be requested In making comments and recommendations upon any such application the board shall take the following factors into account:

(a) Whether the project or purpose for which financial assistance is requested is in conformity with the regional plan;

(b) The relative priority of such project or purpose with respect to other projects or purposes for which financial assistance is being or may be sought by other public agencies;

(c) Any other factors deemed to be relevant.

65068 2. A copy of every application by a local governmental agency for financial assistance shall be submitted to the board not later than the date of its submission to the agency from whom financial assistance is requested

The board may submit comments and recommendations concerning the application to the applicant and to the agency from whom financial assistance is requested Such comments and recommendations may include any of the factors specified in Section 65068 1.

Each board is designated as the agency authorized to comment upon and make recommendations with respect to any applications for finan-

cial assistance from the state or federal governments which are required to be reviewed by an areawide agency designated to perform metropolitan or regional planning

65068 3 Each board shall adopt a resolution prescribing a procedure and providing standards and criteria to be followed by the board in reviewing applications for financial assistance and the making of comments and recommendations thereon The resolution may exempt from review certain classes of applications described by amount, project, purpose of assistance sought, or other relevant criteria ''

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 19, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports.

AB No. 1360

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1360—An act to add Sections 6444, 6445, 6446, and 6447 to, and to repeal Section 18270 of, to repeal and add Section 6443 of, the Education Code, and to repeal Sec 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, after "Sections", insert "6443 5"

Amendment No. 2

In lines 2 and 3 of the title, strike out "and add Section 6443 of, and to repeal Section", and insert "Sections 6443 and"

Amendment No. 3

On page 3, line 25, strike out "6443", and insert "6443 5"

Amendment No. 4

On page 3, line 27, strike out "6443", and insert "6443.5".

Amendment No. 5

On page 3, strike out lines 35 to 38, inclusive, and insert "(a) Providing for the transmission of an equitable".

Amendment No. 6

On page 3, lines 39 and 40, strike out "of an approximately equal number of hours".

Amendment No. 7

On page 4, line 1, after "possible", insert a period.

Amendment No. 8

On page 4, strike out lines 6 to 10, inclusive; and in line 11, strike out "(c)", and insert "(b)".

Amendment No. 9

On page 4, line 15, after "developing", insert "and implementing".

Amendment No. 10

On page 4, line 26, after "resource", insert "for enhancing student achievement".

Amendment No. 11

On page 4, line 27, after "Developing", insert "and implementing".

Amendment No. 12

On page 4, line 27, strike out "and"; and strike out lines 28 to 30, inclusive, and insert ", production, and acquisition of programs."

Amendment No. 13

On page 4, line 33, strike out "(d)", and insert "(c)".

Amendment No. 14

On page 4, line 40, after "utilization", insert "in the educational areas of highest priority of need, as defined by the superintendent, with the advice of the State Instructional Television Advisory Committee".

Amendment No. 15

On page 5, line 1, strike out "(e)", and insert "(d)".

Amendment No. 16

On page 5, line 5, after "superintendent", insert ", with the advice of the State Instructional Television Advisory Committee".

Amendment No. 17

On page 5, line 30, strike out "a defined geographical"; and strike out line 31, and insert "the area served by the regional organization. The policies of the regional organization shall be adopted by a process which includes students and their parents, teachers, and administrators. The governing body of the regional organization shall include representation from any delivery system being utilized."

Amendment No. 18

On page 5, line 35, strike out "at least".

Amendment No. 19

On page 5, strike out lines 36 to 39, inclusive, and insert "of regional organizations, with a maximum of one from each region, six public school administrators or classroom teachers or students or parents or any combination thereof, and four professionals in the media field with expertise in television programming "

Amendment No. 20

On page 6, strike out lines 2 to 9, inclusive, and insert

"6445. The Superintendent of Public Instruction shall provide for instructional television services on an equitable basis to as many public school students as possible in accordance with the rules and regulations adopted pursuant to Section 6443.

The superintendent shall contract annually with regional organizations in accordance with the rules and regulations adopted pursuant to subdivision (c) of Section 6443 The amount expended by the superintendent for contracts with a regional organization in a geographical area shall bear the same ratio to the total funding spent on all such contracts as the ratio of public school population in grades kindergarten and grades 1 through 12, inclusive, in that geographical area bears to the total state public school population in like grades

In geographical areas where this funding distribution formula does not produce sufficient funds to provide instructional television services on an equitable basis to as many schoolchildren as possible, in accordance with the intent and provisions of this article, the superintendent shall expend such additional funds as are necessary to provide such services."

Amendment No. 21

On page 6, line 26, strike out "2 5", and insert "4".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

RUSH ORDER PLACED UPON PRINTING OF BILLS

Mr Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos 567, 1360, and 1642, and that the bills be considered engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1379

Mr Brown was granted unanimous consent to take up Assembly Bill No 1379, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, that a rush order be placed upon the bill, and that the bill be considered engrossed.

Second Reading of Assembly Bill No. 1379 by Unanimous Consent

Assembly Bill No. 1379—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 1, 1972, in line 7, strike out "1944", and insert "1945".

Amendment No. 2

On page 2, line 9, strike out "30", and insert "25".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 567 and 1379 for hearing in the Committee on Ways and Means.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 64

At 12 20 p m, on motion of Mr Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 64 refused passage by the following vote

AYES—Arnett, Barnes, Brown, Burton, Chacon, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Leroy F Greene, Hayden, Hayes, Karabian, LaCoste, McAlister, McCarthy, Meade, Miller, Moorhead, Priolo, Russell, Sieroty, Stull, Thomas, Warren, Waxman, Wilson, Wood, and Z'berg—34

NOES—Badham, Bagley, Bee, Belotti, Burke, Cline, Dent, Duffy, Foran, Ketchum, Lanterman, Lewis, Monagan, Ralph, Seeley, Stacey, and Townsend—17

ANNOUNCEMENTS

Acting Speaker Fenton announced that all committees scheduled to meet at 1 45 p m., would meet instead at 2 p m

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 291

At 12 25 p m, on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 291 refused passage by the following vote

AYES—Bee, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene,

Hayes, Karabian, Lanterman, McCarthy, Meade, Miller, Priolo, Quimby, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—32.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Chappie, Conrad, Davis, Dent, Duffy, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Russell, Ryan, Seeley, Stacey, Stull, and Wood—33.

Motion to Reconsider Assembly Bill No. 291 on Next Legislative Day

Mr. Brown moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 291 was this day refused passage.

Assembly Bill No. 291 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:26 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
103	Health

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2378: By Assemblymen Cory and Burke—An act to add Section 25431.6 to the Education Code, relating to community college districts.

Referred by the Acting Speaker to the Committee on Education.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read·

Assembly Chamber, June 19, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2378—An act to add Section 25431 6 to the Education Code, relating to community college districts.

KENNETH CORY

Above request ordered transmitted to the Committee on Rules.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1682 was continued until the next legislative day.

VOTE CHANGES

Mr. Duffy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1468.

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1937.

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2214.

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1090.

Mr. Duffy was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1090.

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 1994, and on the passage of the bill

Messrs Ray E. Johnson and Mobley were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 2134.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1843

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2367.

Messrs Wilson, Cory, and Gonsalves were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on the motion to reconsider the vote on Assembly Bill No. 850.

Messrs. Chappie, Harvey Johnson, and Keysor were granted unanimous consent that they be recorded as "Not voting," instead of voting "No," on Senate Bill No. 64.

Mr. Fenton was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 64.

Mr Waxman was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 638.

Mr. Ketchum was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 638.

Mr Fenton was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 2293.

Mr Moorhead was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2063

Mr. Conrad was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 758.

Messrs. Chappie, Lewis, and Hayden were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1757.

Mr. Leroy F. Greene was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1757.

ADJOURNMENT

At 12:28 p.m., Acting Speaker Fenton declared the Assembly adjourned until 9:30 a.m., Tuesday, June 20, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-third Legislative Day

One Hundred Seventieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, June 20, 1972

The Assembly met at 9:30 a.m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Chappie moved a quorum call of the Assembly.

Motion carried. Time, 9:32 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9:53 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead,

Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, a photographer was permitted on the floor of the Assembly.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Thank You, Lord, For the grace of being alive in this great age. We have reached deep into the heart of the earth and solved many of its problems.

We are thrusting our creativity right into the mysteries of outer space The world which You loved enough to die for is moving ahead, with wonder, sensitivity, beauty, and power

Thank You, for making man such a marvel. Teach us to put our power and skill at the service of man everywhere.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Lancaster then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Foran, seconded by Mr. Harvey Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Miller, on request of Acting Speaker Fenton.
Mr. Porter, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Crown, on request of Acting Speaker Fenton.
Mr. Knox, on request of Acting Speaker Fenton.
Mr. Priolo, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Acting Speaker Fenton.
Mr. Cory, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Brophy, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 19, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: I request to be excused from Session on legislative business on Tuesday, June 20, 1972 to attend the special subcommittee meeting to investigate the San Francisco primary vote in San Francisco.

Sincerely,

ROBERT W. CROWN, Assemblyman
Fourteenth District

June 19, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker: I respectfully request that I be excused from session on Tuesday, June 20, 1972, due to legislative business.

I will be in San Francisco chairing the special subcommittee to investigate the San Francisco primary vote.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixtieth District

NOTE: For letter explaining the absence of Mr. Knox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for June 19, 1972, page 5017.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
690	Transportation
735	Water
783	Governmental Organization
805	Education
947	Criminal Justice
1020	Judiciary
1136	Governmental Organization
1327	Planning and Land Use
1392	Education

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered·

Assembly Concurrent Resolution No. 104: By Assemblyman MacDonald—Relative to alien nonimmigrant pupils in California.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, June 19, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 812—An act to amend Section 3505 of the Agricultural Code, relating to fairs;

And reports the same correctly enrolled, and presented to the Governor at 4·30 p.m , June 19, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 20, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 73	AB No. 945
AB No 227	AB No 2341
AB No. 635	AB No 2358

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 20, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No 327	AB No 1883
AB No. 592	AB No. 2371
AB No. 696	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 20, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 217
AB No 2285

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 95

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

ACR No. 23

With amendments with the recommendation · Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above resolution ordered on file

Committee on Judiciary

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Judiciary reports:

AB No 1663

With the recommendation · Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 886

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 19, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No 1282

With amendments with the recommendation · Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 155
SB No. 168
SB No. 244
SB No. 630

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 2118

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 569

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 67
SB No. 284
SB No. 1276

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bills ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No. 1144

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 1183

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 1697

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RALPH, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, June 19, 1972

Mr Speaker: The Chairman of your Committee on Planning and Land Use reports:

SB No 484

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 484—An act requiring the State Lands Commission to negotiate for the acquisition of certain federal lands by purchase or exchange.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate April 26, 1972, strike out "purchase", and insert "indemnity selection".

Amendment No. 2

On page 1, line 7, strike out "purchase", and insert "indemnity selection".

Amendment No. 3

On page 1, after line 10, insert

"SEC. 2. In the event that the lands described in Section 1 of this act are acquired by the state, the State Lands Commission shall take all necessary steps to permit other state agencies or political subdivisions to construct buildings and other facilities essential to the preservation and protection of the archaeological site located on such lands."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, June 19, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

AB No. 349

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees.

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 349—An act to amend Section 21025 2 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "MacDonald", and insert "Burton".

Amendment No. 2

In line 1 of the title, strike out "21025 2", and insert "22852".

Amendment No. 3

In line 2 of the title, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, line 1, strike out "21025.2", and insert "22852".

Amendment No. 5

On page 1, strike out line 3, and insert

"22852. A contracting agency which has elected to be subject to this part shall not maintain any other plan or program offering prepaid hospital and medical care for its employees. An election of a contracting agency shall not be effective prior to the termination of any such plan in effect for such employees, and establishment of any such plan thereafter shall terminate participation of the agency and all of its employees under this part as of the end of the contract year. *This section shall not apply to any contracting agency which is a city and county.*

SEC 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Generally local agencies contracting with the States Public Employees' Retirement System may elect to continue local health insurance plans or to take Meyers-Geddes coverage. While the election to take Meyers-Geddes coverage may be terminated during that coverage no other local health insurance plan can be maintained. The City and County of San Francisco, however, is required by law to continue Meyers-Geddes coverage of employees of the San Francisco Port Authority which thus precludes other local agencies from electing to continue their local health insurance plans when contracting into the Public Employees' Retirement System Other local agencies of San Francisco will be entering into such a contract in the near future and in order that they be allowed an election to continue their local health insurance plans as provided in this act it is necessary that this act take immediate effect "

Amendment No. 6

On page 1, strike out lines 4 to 13, inclusive; and strike out all of page 2

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

MESSAGES FROM THE SENATE

Senate Chamber, June 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 459
SB No. 1217

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 1119
AB No. 2039

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, June 19, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 189
AB No 1047
AB No. 1604
AB No 1816
AB No. 1863

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No. 31
AJR No. 33

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, June 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 167	SB No. 647	SB No 1091
SB No. 205	SB No. 732	SB No 1186
SB No. 236	SB No. 777	SB No. 1233
SB No. 517	SB No. 840	SB No 1352
SB No. 641	SB No. 1085	SB No 1409

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 25

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 167—An act to add Division 25 (commencing with Section 40000) to the Education Code, relating to school site acquisition.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 205—An act to amend Sections 18208, 18210, 18301, and 18502 of, and to add Sections 18203 2, 18203.5, and 18606 to, the Health and Safety Code, relating to mobilehomes and mobilehome parks

Held at Desk by order of the Acting Speaker.

Senate Bill No. 236—An act to amend Section 668 of, and to add Section 663 6 to, the Harbors and Navigation Code, relating to vessels.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 517—An act to amend Sections 13407 and 13485 of the Education Code, relating to school employees

Held at Desk by order of the Acting Speaker

Senate Bill No. 641—An act to add Section 25984 4 to the Health and Safety Code, relating to dogs

Held at Desk by order of the Acting Speaker.

Senate Bill No. 647—An act to amend Section 27706 of, and to add Section 27712 to, the Government Code, relating to public defender.

Held at Desk by order of the Acting Speaker

Senate Bill No. 732—An act to amend Section 1203.9 of the Penal Code, relating to probation.

Held at Desk by order of the Acting Speaker

Senate Bill No. 777—An act to add Section 9201 2 to the Corporations Code, relating to prepaid legal services, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456.6, 459, 14660, 14662, 14665, 14666, 14467, and 14801 of, and to add Sections 282 5 and 10012 4 to, the Elections Code, relating to elections.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1085—An act to amend Sections 53854, 53856, and 53858 of, and to add Article 7.7 (commencing with Section 53859) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to borrowing and indebtedness.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1091—An act to amend Section 25427.5 of the Education Code, relating to community college fees.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1186—An act to amend Section 65853 of the Government Code, relating to zoning

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1233—An act to add Chapter 11 (commencing with Section 190) to Division 1 of the Probate Code, and to repeal Sections 13409 and 15209 of, and add Sections 13409 and 15209 to, the Revenue and Taxation Code, relating to disclaimers.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1352—An act to amend Sections 554 and 602 of the Penal Code, relating to trespass and loitering.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1409—An act to amend Section 61800 of the Government Code, the heading of Article 1 (commencing with Section 17301) of Chapter 8 of Division 7 and Section 17301 of, the Public Utilities Code, relating to annexations to districts.

Held at Desk by order of the Acting Speaker.

Senate Joint Resolution No. 25—Relative to adequate educational benefits for Vietnam veterans

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal.

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We transmit herewith a performance audit report by the Office of the Auditor General on the contracting procedures followed by the Department of Human Resources Development in providing educational and vocational training to recipients of Aid to Families with Dependent Children (AFDC) under the Work Incentive Program (WIN) Objectives of this review were to determine the procedures followed by the department in contracting for these services, the efficiency of these procedures, and the effect of these procedures on the AFDC recipients receiving training and upon the overall program operations

Since the start of the WIN program in September 1968, in excess of $40 million has been made available to the Department of Human Resources Development to provide education and training to AFDC recipients so that they may compete more successfully in the labor market. These funds have been provided 80 percent from federal sources and 20 percent from state funds.

Personnel negotiating the contracts have not had sufficient information readily available to choose the most effective and economical training available. Each WIN office should have an inventory of all educational and vocational training programs available in its service area The cost, length of training, effectiveness, and other information should be known before contracts are signed.

The planning and coordination of education and training components has not been adequate In certain cases WIN enrollees are placed in training programs in order to fill contracted training slots rather than to improve the enrollees' employability. Only about 20 percent of persons enrolled in WIN educational or vocational training programs successfully complete the courses. Thousands of dollars have been wasted on inappropriate and ineffective training while other enrollees have been held in nonproductive holding components because appropriate training has not been provided.

Contracts have been negotiated on a "fixed fee" basis which, in the opinion of the legal personnel at the Department of Human Resources Development, has obligated the state for full contract amounts but has not required the contractors to provide specific training to a specified number of enrollees Fixed fee contracts have been extended for the full amount even though the number of students has decreased.

The state controls over the contract-related transactions are so weak as to invite fraud, misuse of funds, and poor utilization of available resources. Contractors are paid even though they lack competent instructors and equipment WIN enrollees are receiving training at a facility that has been investigated for fraud and convicted in connection with irregularities under a Manpower Development Training Act Contract.

No audit positions have been provided in the past to detect inconsistencies in procedures. The department has recently been authorized by the Department of Labor to establish investigative and audit positions, but it is doubtful that the positions approved will be adequate.

The report contains 16 recommendations to provide data essential to the procurement of the most effective and economical training, to establish fiscal and operating controls over the contracting and disbursing procedures, and to provide coordination of training on a current basis

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2186 for hearing in the Committee on Ways and Means, on Wednesday, June 21.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

F J. Hortig, Executive Officer, State Lands Division, Sacramento, dated June 15, 1972, relative to the City of Albany—land grants (Chapter 1763, Statutes of 1961). Referred by the Acting Speaker to the Committee on Planning and Land Use.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP BILLS

Mr. Brown was granted unanimous consent to take up Assembly Bills Nos. 1697 and 2118, without reference to file, for the purpose of reading the bills a second time and adopting the committee amendments at this time, that a rush order be placed upon the bills, and that the bills be considered engrossed.

Second Reading of Bills by Unanimous Consent

Assembly Bill No. 1697—An act to add Chapter 8 (commencing with Section 11800) to Part I of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5 5 of Division 3 of Title 2 of, the Government Code, relating to the Television Advisory Committee.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Assembly May 3, 1972, after the period, insert "Such facilities shall be only those to be used for noncommercial educational broadcasting purposes."

Amendment No. 2

On page 3, line 12, after the period, insert "The authority shall regularly report to the Department of General Services."

Amendment No. 3

On page 3, strike out lines 14 to 27, inclusive, and insert "following membership·

(a) The Superintendent of Public Instruction.
(b) The President of the University of California.
(c) The Chancellor of the California State University and Colleges.
(d) The Chancellor of the California Community Colleges.
(e) The Director of General Services.
(f) The Secretary of Human Relations

(g) Two persons appointed by the Senate Rules Committee. Such persons shall not be members of the same political party.

(h) Two persons appointed by the Speaker of the Assembly. Such persons shall not be members of the same political party.

(i) Five persons appointed by the Governor. Two of the five persons shall represent public television Not more than three of the five persons shall be members of the same political party."

Amendment No. 4

On page 4, strike out line 15, and insert

"(c) Conduct such studies as may be necessary to determine the feasibility of:

(1) Developing a statewide policy to".

Amendment No. 5

On page 4, line 21, strike out "(d) Assist", and insert

"(2) Assisting".

Amendment No. 6

On page 4, line 24, strike out "(e) Establish and develop", and insert

"(3) Establishing".

Amendment No. 7

On page 4, line 27, strike out "(1)", and insert

"(i)".

Amendment No. 8

On page 4, line 32, strike out "(2)", and insert

"(ii)".

Amendment No. 9

On page 4, line 34, strike out "(3)", and insert

"(iii)".

Amendment No. 10

On page 4, strike out lines 39 and 40; on page 5, strike out line 1; and on page 5, line 2, strike out "(g)", and insert

"(d)".

Amendment No. 11

On page 5, line 8, strike out "(h)", and insert

"(e)".

Amendment No. 12

On page 5, strike out lines 12 to 17, inclusive; and in line 18, strike out "(1)", and insert

"(f)".

Amendment No. 13

On page 5, strike out lines 22 to 28, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2118—An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18 5 of the Education Code, relating to community colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 3, line 29, of the printed bill, as amended in Assembly May 10, 1972, after "Code.", insert "A minimum of 50 percent of said appropriation shall be expended for purposes of planning."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 1697, 2118, 355, 508, 2119, and 2249 for hearing in the Committee on Ways and Means, on Wednesday, June 21, 1972.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 934, 969, 1213, 1883, 73, 2054, 904, 2358, 1518, 2040, 200, 221, 227, 327, 380, 407, 531, 558, 635, 696, 1445, 1505, 1704, 1714, 1724, 1925, 1837, 1973, 2284, 2341, 2371, 1938, 1369, and **1547,** ordered to third reading.

Assembly Bills Nos. 1454, 1435, 281, 592, 1263, 1292, 1603, and **945,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

~~Assembly Bill No. 1313—An act to add Chapter 4 (commencing with Section 3800) to Division 4.5 of Title 1 of the Government Code, relating to campaign contributions.~~

~~Bill read second time, and ordered to third reading.~~

~~Assembly Bill No. 2238—An act to amend Sections 6430 and 6831 of the Elections Code, relating to nomination of candidates, and declaring the urgency thereof, to take effect immediately.~~

~~Bill read second time, and ordered to third reading.~~

Note: On June 21, 1972, the action was rescinded whereby Assembly Bills Nos 1313 and 2238 were read a second time, and ordered to third reading See page 5236.

Assembly Bill No. 1571—An act to amend Section 9169 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to place specified constitutional amendments on the ballot, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. (a) There shall be submitted to the people at the general election, to be held on the seventh day of November, 1972, each constitutional amendment proposed at the 1972 Regular Session, adopted by the Legislature on or before August 1, 1972, and not placed on the 1972 direct primary ballot Except as otherwise provided in this section, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measures submitted pursuant to this section

(b) Within five days after the effective date of this section or within five days after the adoption by the Legislature of a constitutional amendment at the 1972 Regular Session on or before August 1, 1972, whichever occurs later, the author and first coauthor of the constitutional amendment and one member of the opposite house who voted with the majority on the amendment, shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure If the constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure No argument shall exceed 500 words. All such arguments shall be filed with the Secretary of State within two days after the date of appointment.

(c) Upon the effective date of this section or upon the date of the adoption by the Legislature of a constitutional amendment at the 1972 Regular Session on or before August 1, 1972, whichever occurs later, the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this section and shall also request the Legislative Counsel to prepare an analysis of said measure in accordance with Section 3566 of the Elections Code Said title and said analysis shall be filed with the Secretary of State within two days after the effective date of this section or within two days after the adoption by the Legislature of such constitutional amendment, whichever occurs later Each measure submitted pursuant to this section shall be designated on the ballots at the election by its ballot title.

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In order to place the specified constitutional amendments on the ballot, it is necessary that this act go into immediate effect "

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and on page 2, strike out line 1.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1599—An act to add Chapter 11 (commencing with Section 33800) to Division 22 of the Education Code, relating to universities and colleges, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Assembly June 7, 1972, after "Colleges.", insert "At least one such representative shall be knowledgeable about student financial aid programs for disadvantaged students."

Amendment No. 2

On page 4, strike out line 25, and insert "the total of the full-time equivalent students at the University of California and the California State University and Colleges plus the total of the average daily attendance in the California Community Colleges,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1745—An act to add Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 31, 1972, after "add", insert "and repeal".

Amendment No. 2

On page 2, line 14, strike out "group intelligence and", and insert "individual intelligence and group".

Amendment No. 3

On page 3, line 15, after "attendance", insert "and shall be paid for the 1972–73 school year only".

Amendment No. 4

On page 3, between lines 28 and 29, insert

"6606. This article shall remain in effect only until January 1, 1974, and as of that date is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1846—An act to add Article 2.5 (commencing with Section 15371) to Chapter 2 of Division 11 of the Education Code, relating to factory-built schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly May 30, 1972, strike out lines 8 and 9, and insert

"15371. It is the intent of this article to provide an alternative procedure to Article 4 (commencing with Section 15451) for the construction and installation of factory-built school buildings not over 1,000 square feet in area designed or intended for use as school buildings. As used in this article,".

Amendment No. 2

On page 2, line 10, after the second "building", insert "designed or intended".

Amendment No. 3

On page 2, strike out lines 16 and 17, and insert "purchased or leased by a school district shall be deemed to".

Amendment No. 4

On page 2, line 24, strike out "used", and insert "designed or intended for use".

Amendment No. 5

On page 2, line 27, after "for", insert "the submission of".

Amendment No. 6

On page 2, line 32, after "15373.", insert "Such standards shall comply with but not be limited by the provisions of Article 3 (commencing with Section 15401) and Article 4 (commencing with Section 15451) of this chapter."

Amendment No. 7

On page 2, line 33, after "buildings", insert "designed or intended".

Amendment No. 8

On page 2, line 34, strike out "may", and insert "shall".

Amendment No. 9

On page 3, line 2, strike out "filing fee in"; and strike out lines 3 to 7, inclusive, and insert "deposit to be applied towards the actual expenses in an amount as determined by the Department of General Services based on the estimated cost of such factory-built buildings, but not exceeding 0 5 percent of such estimated cost. The minimum deposit in any case shall be fifty dollars ($50). The manufacturer shall reimburse the Department of General Services for the actual expenses incurred by the department in the review of such plans and specifications.

15373.5. All plans, specifications and estimates shall be prepared by a certified architect holding a valid license under Chapter 3 of Division 3 of the Business and Professions Code or by a structural engineer holding a valid certificate to use the title structural engineer under Chapter 7 of Division 3 of the Business and Professions Code, and the supervision of the work of construction in the factory shall be under the responsible charge of such an architect or structural engineer"

Amendment No. 10

On page 3, line 16, strike out "inspect", and insert "establish procedure for inspection of".

Amendment No. 11

On page 3, between lines 25 and 26, insert

"15374.5 The Department of General Services shall provide for competent, adequate, and continuous inspection during construction in the factory to insure that all work has been performed and materials used and installed, in every particular, in accordance with the approved plans and specifications. The manufacturer shall reimburse the department for the costs incurred for such inspection as determined by the department.

15374.6. From time to time, as the work of construction in the factory progresses and whenever the Department of General Services requires, the certified architect or structural engineer in responsible charge of the supervision of the work of construction in the factory, the inspector on the work, and the manufacturer shall each make to the Department of General Services a report, duly verified by him, upon a form prescribed by the Department of General Services, showing, of his own personal knowledge, that the work during the period covered by the report has been performed, and materials used and installed, in every particular, in accordance with the approved plans and specification, setting forth such detailed statements of fact as are required by the Department of General Services."

Amendment No. 12

On page 3, line 37, after "building ", insert "The plans and specifications for the factory-built building to be utilized shall be submitted with the application and notification for identification purposes."

Amendment No. 13

On page 4, line 8, after "15457.", insert "If the submitted plans and specifications have not been previously approved the application shall be rejected. In such case a new application together with required documents shall be filed for approval of plans and specifications by either the manufacturer pursuant to the provisions of Section 15373 or by the school district pursuant to the provisions of Article 4 (commencing with Section 15451) of this chapter "

Amendment No. 14

On page 4, strike out lines 10 to 23, inclusive, and insert "the purchase or lease of a factory-built school building and where such building is to be supported by foundations, underpinning, pedestals, or similar type elements which extend more than 18" above natural grade at any point, or on temporary blocks or jacks of any height, all the provisions of Article 4 (commencing with Section 15451) of this chapter shall apply to the design and construction of onsite work except that, for fee purposes, only the estimated cost of onsite work need be considered. The minimum amount in any case shall be fifty dollars ($50)."

Amendment No. 15

On page 4, line 27, strike out "buildings used as".

Amendment No. 16

On page 4, between lines 28 and 29, insert

"15378 The provisions of Sections 15455, 15459, 15460, 15461, and 15463 shall not apply with respect to the design and construction of onsite work except where required by the provisions of Section 15376 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1618—An act to add Sections 8577 and 8578 to the Education Code, relating to educational programs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Section 8577 and 8578 to the Education Code,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 It is the intent of the Legislature in enacting this act to establish a pilot program whereby a dropout prevention program based upon a furlough plan may be tested.

SEC 2 The State Board of Education shall designate one school district in which the plan authorized by this act may be established.

SEC. 3. The governing board of the school district designated by the State Board of Education shall establish an experimental dropout prevention program for students in grades 10, 11, and 12, in which pupils who, because of a lack of motivation or economic necessity have sporadic attendance, low academic achievement, or unacceptable school adjustment habits, may be placed on a guidance-oriented planned furlough program from regular full-time school attendance in order to maintain a pupil-school relationship and the potential for graduation from high school.

SEC. 4 Such a program of community volunteer service or industrial skill and technical training may be provided in whole or in part at business and industrial locations within or outside of the school district.

SEC 5 The full-time or part-time educational furlough may not exceed a period of one year at which time upon return to school the pupil's voluntary or paid experience shall be evaluated by a committee of the school district and credit toward graduation requirements shall be authorized for those experiences which are directly aligned with the school district curriculum. The General Educational Development Test may be used for this purpose.

SEC. 6 For those pupils who require only part-time attendance to complete graduation requirements, a part-time educational furlough not to exceed one year may be authorized by the school district for voluntary community service, paid business or industrial experience, directed independent research, travel, or study and may be evaluated by a committee of the school district for credit toward graduation from high school

SEC. 7. A district average of not more than 20 pupils per high school may be on educational furloughs during any school year.

SEC 8 The Superintendent of Public Instruction shall allow to the school district the sum of one hundred dollars ($100) per year for each pupil participating on a full-time educational furlough pursuant to this act.

SEC. 9 The experimental program conducted pursuant to this act shall be of three years' duration The program shall not begin until the governing board of the school district submits a detailed program to the Superintendent of Public Instruction and the program is approved by him

SEC. 10. The district participating in the experimental program conducted pursuant to this act shall submit a report on such program including an evaluation thereof, annually to the Superintendent of Public Instruction.

The Superintendent of Public Instruction shall provide a report evaluating the operation and results of the program to the Legislature upon the completion of the program ''

Amendment No. 3

On page 1, strike out lines 2 to 9, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 841—An act to amend Section 72300 of, and to add Sections 72306 and 72307 to, the Government Code, relating to courts, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after the second comma, insert "and to amend Section 42006 of the Vehicle Code,".

Amendment No. 2

On page 3, line 39, strike out "department", and insert "or more departments".

Amendment No. 3

On page 4, line 12, after "judge", insert ", upon stipulation by the defendant".

Amendment No. 4

On page 4, line 24, strike out "1976", and insert "1975".

Amendment No. 5

On page 4, between lines 25 and 26, insert

"SEC. 4. Section 42006 of the Vehicle Code is amended to read:

42006. On and after September 17, 1965, there shall be levied a special assessment in an amount equal to fifty cents ($0.50) for every twenty dollars ($20), or fraction thereof, of every fine, penalty, and forfeiture, imposed and collected by a municipal court conducting a night session of the court pursuant to Section 72300, *72306, or 72307* of the Government Code, on all offenses involving a violation of a section of this code or of a city or county ordinance relating to vehicles or their operators or owners, except offenses relating to parking or registration or offenses by pedestrians When a fine is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

When a person makes a deposit of bail for an offense to which this section applies, in a case in which he is required to appear in a court conducting a night session pursuant to Section 72300, *72306, or 72307* of the Government Code, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed in this section for forfeited bail If bail is forfeited, the amount of such assessment shall be transmitted by the clerk of the court to the county treasury for disposition as prescribed by this section

After a determination by the court of the amount of the assessment due, the clerk of the court shall collect the amount and transmit it to the county treasury to be deposited in the municipal court night session fund, which fund may be expended by the county for maintaining municipal courts in the county which have night sessions for traffic offenses pursuant to Section 72300, *72306, or 72307* of the Government Code.

In any case where a person convicted of any offense to which this section applies is imprisoned until the fine is satisfied, the judge may waive all or any part of the penalty assessment, the payment of which would work a hardship on the person convicted or his immediate family."

Amendment No. 6

On page 4, line 26, strike out "SEC 4", and insert "SEC 5".

Amendment No. 7

On page 4, line 27, strike out "1976", and insert "1975".

Amendment No. 8

On page 4, line 29, strike out "SEC 5", and insert "SEC. 6".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 930—An act to add Section 404 to the Code of Civil Procedure, relating to civil actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 404 to", and insert "a chapter heading to Title 4 (commencing with Section 392) of, and to add Chapter 2 (commencing with Section 404) to Title 4 of, Part 2 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 A chapter heading is added to Title 4 (commencing with Section 392) of Part 2 of the Code of Civil Procedure, immediately preceding Section 392, to read:

CHAPTER 1. GENERALLY

SEC 2. Chapter 2 (commencing with Section 404) is added to Title 4 of Part 2 of the Code of Civil Procedure, to read:

CHAPTER 2 COORDINATION

404. When two or more civil actions with common and predominating questions of fact and law are commenced in different courts, any party may move the presiding judge of any such court to, or the presiding judge on his own motion may, petition the Chairman of the Judicial Council to appoint a judge to determine if coordination of the cases is appropriate

404.1 Coordination shall be appropriate if administration of all the actions collectively by one judge for all purposes in a selected site or sites will promote the convenience of parties, witnesses and counsel,

and will promote better attainment of the ends of justice, taking into account efficient utilization of judicial facilities and manpower, the calendar of the courts, and the disadvantages of duplicative and inconsistent rulings, orders or judgments

404 2. Upon receipt of a petition to coordinate cases, the Chairman of the Judicial Council shall appoint a judge to determine if coordination is appropriate.

404 3 Pending the determination of the appropriateness of coordination, the Chairman of the Judicial Council or the judge assigned by him may stay any action being considered for, or affecting an action being considered for, coordination. The determination of such judge on the appropriateness of coordination is not appealable.

404.4 Upon determining that such actions should be coordinated, the judge shall request the Chairman of the Judicial Council to assign a judge to hear all phases of the cases in the courts found appropriate and designate the court of appeal having jurisdiction as provided in Section 404 5

404.5. The Chairman of the Judicial Council shall select the appropriate appellate district if two or more coordinated cases fall in different district courts of appeal. In making such selection the chairman shall take into account the efficient utilization of judicial facilities and manpower, the calendar of the courts, and the better attainment of the ends of justice.

404.6. The assigned judge, any party, or the presiding judge of any court having jurisdiction of any case having common and predominating questions of fact and law with coordinated actions may at any time move the Chairman of the Judicial Council to include such cases in the existing coordination process Inclusion of such cases shall be determined by the appropriateness of coordination, taking into account the relative development of the cases, convenience of interested persons, the work product of counsel, and the better attainment of the ends of justice. An order for or against inclusion in the coordination is not appealable.

404 7. Notwithstanding any other provision of law, the Judicial Council shall establish a procedure for coordination of such cases in convenient courts for pretrial, trial and appeal purposes

SEC 3. This act shall become operative July 1, 1973, and shall apply only to actions filed after such date."

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive; and strike out page 2.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1237—An act to add Chapter 11 (commencing with Section 6400) to Title 7, Part 3 of the Penal Code, relating to penology

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly April 17, 1972, strike out lines 32 to 40, inclusive; and on page 3, strike out lines 1 to 7, inclusive, and insert

"6402 (a) The board shall review all procedures of the Department of Corrections and the Youth Authority involving psychological research, experimentation, treatment or therapy, including, but not limited to, drug therapy, electric shock treatment, psychological conditioning, aversion therapy or neurological surgery, and shall determine which of those procedures constitute research or experimentation.

(b) No person under the jurisdiction of, or in the custody of, the Department of Corrections or the Youth Authority shall be allowed to be the subject of psychological research or experimentation without his own written, informed consent and the approval of the board.

(c) The board shall approve or deny requests of the Department of Corrections and the Youth Authority to perform psychological research or experimentation with prisoners This subdivision shall not be construed as requiring board approval with regard to the treatment of individuals Only programs and types of experimentation and research shall be approved or rejected by the board."

Amendment No. 2

On page 3, line 9, after "Corrections", insert "or the Youth Authority".

Amendment No. 3

On page 3, line 14, after "Corrections", insert "or the Youth Authority".

Amendment No. 4

On page 3, line 20, strike out "to ascertain", and insert "for the purpose of ascertaining".

Amendment No. 5

On page 4, line 3, after "Corrections", insert "or the Youth Authority".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2239—An act to amend Section 1305 of the Penal Code, relating to bail

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "Except upon the court's own"; and strike out lines 29 and 30.

Amendment No. 2

On page 3, line 19, strike out "No", and insert
"Unless waived by the district attorney or other representative of the people, no"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 885—An act to add Section 21294.1 to the Government Code, relating to disability retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly June 7, 1972, strike out "up to".

Amendment No. 2

On page 2, line 9, strike out "The board shall establish the", strike out lines 10 and 11, and insert "A local safety member may appeal the determination of the board in accordance with the Administrative Procedure Act."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1492—An act to amend Sections 20100, 20101 and 20104 of the Government Code, relating to Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 26, 1972, strike out line 10.

Amendment No. 2

On page 2, line 14, strike out "(c)", and insert
"(b)".

Amendment No. 3

On page 2, line 18, strike out "(d)", and insert
"(c)"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2026—An act to amend Section 14105 of, to add Section 14105 to, and to repeal Section 14105 of, the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly June 7, 1972, strike out "twenty-four (24)", and insert "eighteen (18)"

Amendment No. 2

On page 3, line 34, strike out "twenty-four (24)", and insert "eighteen (18)"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly June 7, 1972, strike out lines 9 to 14, inclusive, and insert

"13125 All basic information stored in state or local criminal offender record information systems shall be recorded, when applicable and available, in the form of standard data elements Such standard data elements shall include, but not be limited to."

Amendment No. 2

On page 7, between lines 29 and 30, insert

"13126 The Department of Justice shall, when necessary, modify the list of data elements enumerated in Section 13125 in accord with changes in criminal procedures or the organization of criminal justice agencies"

Amendment No. 3

On page 8, line 2, after the comma, insert "and fingerprints,"

Amendment No. 4

On page 8, strike out lines 27 to 38, inclusive

Amendment No. 5

On page 9, line 7, after "shall", insert ", upon request,".

Amendment No. 6

On page 9, line 16, after "shall", insert ", upon request,".

Amendment No. 7

On page 10, line 11, after "officer", insert "employed by a public agency".

Amendment No. 8

On page 10, strike out lines 14 and 15, and insert "required for the purpose of the agency employing him."

Amendment No. 9

On page 10, strike out lines 29 to 40, inclusive; and on page 11, strike out lines 1 to 13, inclusive.

Amendment No. 10

On page 12, after line 8, insert

"SEC 2. Articles 1 (commencing with Section 13100) to 5 (commencing with Section 13200), inclusive, of Chapter 2 of Title 3 of Part 4 of the Penal Code, added by Section 1 of this act, shall become operative July 1, 1978.

SEC 3 Article 6 (commencing with Section 13225) of Chapter 2 of Title 3 of Part 4 of the Penal Code, added by Section 1 of this act, shall become operative July 1, 1973."

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2014—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly June 1, 1972, strike out "provide", and insert "give this and future generations of youth the fullest opportunity to learn and develop their intellectual and mental capacities by providing".

Amendment No. 2

On page 2, line 35, strike out "or notes", and insert ", notes, debentures, or other securities that are negotiable instruments pursuant to Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code".

Amendment No. 3

On page 3, line 1, after "chapter", insert "that the State Treasurer is authorized to sell at such time or times and in such amounts as may be fixed by the State Treasurer, provided that he shall first offer to sell such instruments at a public sale, and if no bids or in his determination not sufficient bids are received, he then may offer to sell the instruments privately".

Amendment No. 4

On page 3, line 7, strike out "athletic facility,".

Amendment No. 5

On page 3, line 23, after "worship", insert "or any facility used or to be used primarily in connection with any part of the program of a school or department of divinity".

Amendment No. 6

On page 3, line 24, after the second "college", insert "which neither restricts entry on racial or religious grounds nor requires all students gaining admission to receive instruction in the tenets of a particular faith, and".

Amendment No. 7

On page 7, line 40, strike out "maintain,"; on page 8, strike out line 1, and insert "repair, lease, as lessee or lessor, the".

Amendment No. 8

On page 8, strike out line 3; and in line 4, strike out "operation of a project,".

Amendment No. 9

On page 9, between lines 6 and 7, insert

"30311.5. The authority shall establish financial eligibility standards by studying the creditworthiness and earning capacity of each project together with the amount of pledged revenues, debt service coverage, and basic security, in addition to establishing machinery to monitor the ongoing compliance of each project with state authority and bond indenture requirements."

Amendment No. 10

On page 18, between lines 4 and 5, insert

"30321.5. The total amount of bonds authorized to be issued and sold under this chapter shall be two hundred fifty million dollars ($250,000,000)."

Amendment No. 11

On page 20, line 8, strike out "To operate and manage any project provided,"; strike out line 9; in line 10, strike out "such project", and insert "To lease any project provided pursuant to this section".

Amendment No. 12

On page 20, lines 18 and 19, strike out "being operated, or to which such project is then".

Amendment No. 13

On page 22, line 19, strike out "(a) Whenever the authority under"; strike out lines 20 to 30, inclusive; in line 31, strike out "(b)", and insert

"(a)".

Amendment No. 14

On page 23, line 1, strike out "(c)", and insert "(b)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 2 5 to Article XIII thereof, relating to property taxation.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed measure, strike out "owned by or".

Amendment No. 2

On page 1, line 11, after "incomes", insert "by nonprofit or limited dividend corporations which are federally assisted, insured or otherwise subsidized".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

Assembly Bill No. 1744—An act to amend Section 402 1 of, and to add Section 405 2 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly June 8, 1972, strike out "elderly or handicapped persons or"

Amendment No. 2

On page 5, between lines 9 and 10, insert

"For the purpose of this section, low or moderate incomes are those which are within the limits required of applicants for tenancy on land owned by a nonprofit or limited dividend corporation which is federally assisted, insured, or otherwise subsidized."

Amendment No. 3

On page 5, strike out lines 17 to 21, inclusive, and insert "assessment"

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

Assembly Bill No. 2335—An act to add Section 6374 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert "and food products for human consumption furnished or served to low-income elderly persons at or below cost by a nonprofit organization or governmental agency under a program funded by this state or the United States for such purposes."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1085—An act to add Section 14052 to the Penal Code, relating to the protection of property, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 2, strike out lines 21 to 27, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1549—An act to require the Board of Medical Examiners of the State of California to conduct a study and make a report relating to abortions, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, lines 2 and 3, of the printed bill, as amended in Assembly June 12, 1972, strike out "Board of Medical Examiners of the State of California", and insert "State Department of Public Health".

Amendment No. 2

On page 2, line 7, strike out "board", and insert "department".

Amendment No. 3

On page 2, line 11, strike out "board", and insert "department".

Amendment No. 4

On page 2, line 27, strike out "board", and insert "department".

Amendment No. 5

On page 3, line 1, strike out "_____ dollars ($_____)", and insert "twenty-five thousand dollars ($25,000)".

Amendment No. 6

On page 3, lines 5 and 6, strike out "Board of Medical Examiners of the State for California", and insert "State Department of Public Health".

Bill ordered reprinted, and returned to the second reading file.

Assembly Joint Resolution No. 6—Relative to oil drilling.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 2, line 19, of the printed measure, as amended in Assembly May 4, 1972, strike out "future".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

Assembly Bill No. 1901—An act to amend Section 7350 of the Labor Code, relating to aerial passenger tramways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "greater", and insert "lesser".

Amendment No. 2

On page 2, line 4, strike out "greater", and insert "lesser".

Amendment No. 3

On page 2, line 9, strike out the first "twenty-five dollars ($25)", and insert "one hundred fifty dollars ($150)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2211—An act to add Section 5006.4 to the Public Resources Code, relating to the state park system.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5006.4 to the Public Resources", and insert "1585 to, to amend Section 10664 of, and to repeal Section 10904 of, the Fish and Game".

Amendment No. 2

In line 2 of the title, strike out "the state park system", and insert "Laguna Beach".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 1585 is added to the Fish and Game Code, to read:

1585. The following constitutes an ecological reserve and shall be designated as the Laguna Beach Ecological Reserve·

That portion of District 19 consisting of that certain parcel of land bounded by a line commencing at the mean high tide of the Pacific Ocean lying on the boundary of the City of Laguna Beach and running for a distance of 600 feet into the Pacific Ocean along such boundary, and thence generally eastward for a distance of 5,725 feet, and thence generally northward for a distance of 700 feet, and thence generally westward along the line of mean high tide to the point of beginning.

The Laguna Beach Ecological Reserve shall be preserved in a natural condition for the benefit of the general public to observe native flora and fauna and subject to the following provisions:

(a) No person shall disturb geological formations or archeological artifacts, or take or disturb any plant, bird, mammal, fish, mollusk, crustacean, reptile, or any other form of plant or marine life except as provided in subdivisions (b) and (c).

(b) Fishing for sport, commercial, or for any other purpose shall be prohibited except by permit from the commission.

(c) No person shall take any plant, marine life, geological specimen, or archeological artifact except by permit from the commission Any person applying for a permit shall have a valid scientific collecting permit issued pursuant to Section 1002

(d) Swimming and boating and other aquatic sports are permitted if such activities do not involve the taking of marine plants, marine life, geological formations, or archeological artifacts Boats may be launched or retrieved only at designated areas and may be anchored within the reserve only during daylight hours

(e) No person, excluding authorized personnel, shall use, fire, or discharge any explosive firearm, speargun, bow and arrow, air or gas gun, or any other weapon of any kind within or into the reserve.

(f) Employees of the department, or any other person authorized to enforce the provisions of this section, may eject any person from the reserve for violation of any of these provisions or for disorderly conduct, intoxication, or for any reason when it appears that marine life or persons within the reserve are endangered The decision, in such respect, of the enforcing party shall be final

(g) Public entry for any or all purposes may be restricted on any or all of the area at the discretion of the department to protect the marine life or habitat of the area.

SEC. 2. Section 10664 of the Fish and Game Code is amended to read:

10664. In the ~~Laguna Beach,~~ Newport Beach, Point Fermin, South Laguna Beach, Dana Point, Niguel, Irvine Coast, and Doheny Beach Marine Life Refuges, the following fish, mollusks and crustaceans may be taken under the authority of a sport fishing license as authorized by this code: abalone, lobster, bonita, rockfish (Sebastodes), mackerel, perch, Kelp bass, sand bass, spotted bass, corbina, croaker and halibut. All other fish and forms of aquatic life are protected and may not be taken without a written permit from the department.

SEC. 3. Section 10904 of the Fish and Game Code is repealed.

~~10904. The following constitutes a marine life refuge and shall be designated as the Laguna Beach Marine Life Refuge.~~

~~That portion of District 19 consisting of that certain parcel of land bounded by a line commencing at the mean high tide of the Pacific Ocean lying on the boundary of the City of Laguna Beach and running for a distance of 600 feet into the Pacific Ocean along such boundary, and thence generally eastward for a distance of 5,725 feet, and thence generally northward for a distance of 700 feet, and thence generally westward along the line of Mean High Tide to the point of beginning.~~"

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1786—An act to amend Sections 8486 and 8843 of the Fish and Game Code, relating to fishing.

Bill read second time.

Consideration of Committee Amendments.

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 17, 1972, strike out "8486", and insert "8496".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 348—An act to add Section 2713.1 of the Penal Code, relating to payments to prisoners upon discharge.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Brown", and insert "Assemblymen Brown and Miller".

Amendment No. 2

In line 1 of the title, strike out "of the Penal Code," and insert "to the Penal Code, and to add Section 3155 to the Welfare and Institutions Code,".

Amendment No. 3

In line 2 of the title strike out "prisoners upon discharge", and insert "prisoners and others upon release from prison or detention facilities".

Amendment No. 4

On page 1, strike out line 6, and insert "the General Fund as additional".

Amendment No. 5

On page 1, after line 8, insert

"The department may prescribe rules and regulations to limit or eliminate any payments provided for in this section to prisoners who have not served at least six consecutive months imprisonment prior to their release.

SEC. 2. Section 3155 is added to the Welfare and Institutions Code, to read:

3155. In addition to any other payment to which he is entitled by law, each person who has been committed to the custody of the Director of Corrections pursuant to this chapter shall, upon his release, be paid the sum of three hundred fifty dollars ($350) out of the General Fund as additional compensation for labor performed by him during his confinement.

The director may prescribe rules and regulations to limit or eliminate any payments provided for in this section to persons who have not been confined at least six consecutive months prior to their release."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2024—An act to repeal Section 7268 of the Government Code, and to add Section 690 8 to the Code of Civil Procedure, relating to relocation assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Assembly June 8, 1972, strike out "one year", and insert "six months".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1687—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 15, 1972, strike out lines 6 and 7, and insert "and tenant, except that a city, county, or city and county may adopt health".

Amendment No. 2

On page 2, strike out lines 10 to 17, inclusive, and insert

"In the event of any conflict between the provisions of this section and the provisions of the State Housing Law, Part 1 5 (commencing with Section 17910) of Division 13 of the Health and Safety Code, the provisions of the State Housing Law shall control."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1657—An act to amend Section 17507 7 of the Education Code, relating to experimental kindergarten programs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 17507 7", and insert "Sections 17507 7 and 36800".

Amendment No. 2

In line 2 of the title, strike out "kindergarten".

Amendment No. 3

On page 2, after line 18, insert

"SEC 2 Section 36800 of the Education Code is amended to read:

36800 Provisions of this division shall be operative from September 1, 1971, or as soon as possible thereafter, to August 31, ~~1974~~ *1975*, and shall have no force or effect thereafter "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2355—An act to add Section 4606 to the Labor Code, relating to workmen's compensation

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, after "compensation", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 10, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Persons who have workmen's compensation awards dated prior to 1917 are being denied medical benefits under Workmen's Compensation Act. This act is necessary to ensure that they will immediately be able to receive such medical benefits."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1431—An act providing for the conveyance of Old Bale Mill Park by the County of Napa to the State of California for inclusion in the state park system.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in Assembly June 8, 1972, strike out "shall", and insert "may, upon request by the state,".

Amendment No. 2

On page 2, line 2, strike out "The"; strike out line 3; and in line 4, strike out "subject lands, subject only", and insert "Acceptance of the conveyance of such lands shall be subject".

Amendment No. 3

On page 2, lines 5 and 6, strike out "The conveyance shall not be made prior to July 1, 1973."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2010—An act to add Article 1.3 (commencing with Section 17510) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to charitable solicitations.

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 486, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 591—An act to amend Section 65302 of, and to add Section 65302 3 to, the Government Code, relating to planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 65302.3 to,".

Amendment No. 2

On page 3, between lines 2 and 3, insert

"(f) A seismic safety element consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking, to ground failures, or to effects of seismically induced waves such as tsunamis and seiches.

The seismic safety element shall also include an appraisal of mudslides, landslides, and slope stability as necessary geologic hazards that must be considered simultaneously with other hazards such as possible surface ruptures from faulting, ground shaking, ground failure and seismically induced waves"

Amendment No. 3

On page 3, line 8, strike out "(f)", and insert "(g)".

Amendment No. 4

On page 3, line 39, strike out "(g)", and insert "(h)".

Amendment No. 5

On page 4, strike out lines 6 to 20, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 370—An act to add Section 21230 to the Government Code, relating to Public Employees' Retirement System.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Retirement, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 23, 1972, between lines 9 and 10, insert

"This section shall not apply to any contracting agency, unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts or, in the case of contracts made after the date this section is operative, by express provision in such contract making the contracting agency subject to the provisions of this section."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 689—An act to amend Section 15002.1 of the Education Code, relating to school sites.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 22, 1972, strike out lines 39 and 40, and insert "study."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1199—An act to amend Section 13143.6 of the Health and Safety Code, relating to fire safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 19 for hearing in the Committee on Transportation, on Thursday, June 22.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 495—An act to amend Section 21712 of the Vehicle Code, relating to vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 495?

Amendment No. 1

On page 1, lines 1 and 2 of the printed bill, as amended in Assembly April 3, 1972, strike out ", as amended by Chapter 1536 of the Statutes of 1971,".

Amendment No. 2

On page 2, after line 7, insert

"SEC. 2. Section 21712 of the Vehicle Code is amended to read:

21712. (a) No person ~~shall ride, and no person~~ driving a motor vehicle shall knowingly permit any person to ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers.

~~This subdivision does~~

(b) No person shall ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers.

(c) Subdivisions (a) and (b) shall not apply to an employee engaged in the necessary discharge of his duty or ~~to~~ *in the case of* persons riding completely within or upon vehicle bodies in space intended for any load on the vehicle.

~~(b)~~

(d) No person shall drive a motor vehicle ~~upon a highway~~ which is towing a trailer coach or camp trailer containing any passenger.

(e) No person shall knowingly drive a motor vehicle which is towing any person riding upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle.

SEC. 3 It is the intent of the Legislature, if this bill and Assembly Bill No 1970 are both chaptered and amend Section 21712 of the Vehicle Code, and this bill is chaptered after Assembly Bill No. 1970, that the amendments to Section 21712 proposed by both bills be given effect and incorporated in Section 21712 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 1970 are both chaptered, both amend Section 21712, and Assembly Bill No. 1970 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, La-Coste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—47

NOES—None

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 1682 was continued until the next legislative day

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 616—An act to add Section 7030 to the Business and Professions Code, relating to contractors

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burton, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Keysor, LaCoste, Lancaster, Lewis, MacDonald, McAlister, Meade, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—46.

NOES—MacGillivray—1.

Bill ordered transmitted to the Senate.

Hon. Joe A. Gonsalves Presiding

At 10:08 a.m., Hon Joe A. Gonsalves, 66th District, presiding.

Assembly Bill No. 1706—An act to add Section 924.4 to the Penal Code, relating to grand juries.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 10.10 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1470—An act to amend Section 25951 of the Health and Safety Code, relating to counseling sessions.

Bill read third time.

The roll was called.

Majority Floor Leader Presiding

At 10:17 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Call of the Assembly

Pending the announcement of the vote, Mrs. Fong moved a call of the Assembly.

Motion carried Time, 10:18 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1357—An act to add Section 13085.5 to the Education Code, relating to school employer-employee relations.

Bill read third time

Motion to Amend

Mr Dent moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly June 7, 1972, strike out "and classified".

Amendment No. 2

On page 2, line 14, after "a", insert "certificated".

Amendment No. 3

On page 2, lines 20 and 21, strike out "or classified employees or both", and insert "employees".

Amendment No. 4

On page 2, line 22, after "a", insert "certificated".

Amendment No. 5

On page 2, line 23, strike out "or classified".

Amendment No. 6

On page 2, line 31, strike out "or classified"

Amendment No. 7

On page 3, line 1, strike out "13090", and insert "13085.5".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Assembly Bill No. 1951—An act to amend Section 900 of the Welfare and Institutions Code, relating to support.

Bill read third time, presented by Mr Murphy, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Quimby, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1326—An act to add Section 13557.5 to the Education Code, relating to school officers and employees

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—52

NOES—Wilson—1

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1279—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1713—An act to amend Section 112 of the Labor Code, relating to workmen's compensation

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Quimby, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—52

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1550—An act to add Chapter 11 5 (commencing with Section 25956) to Division 20 of the Health and Safety Code, relating to abortions.

Bill read third time, and passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Russell, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—43.

NOES—Bagley, Brown, Burton, Cullen, Garcia, Meade, Quimby, Sieroty, Stacey, Warren, Waxman, and Z'berg—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 775—An act to add Section 18861 to the Government Code, relating to peace officers' incentive compensation.

Bill read third time, presented by Mr. Murphy, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:47 a m., Mr. Hayes was granted unanimous consent to hold a special meeting of the Committee on Employment and Public Employees in the rear of the Assembly Chamber, at this time, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1448 for hearing in the Committee on Employment and Public Employees today.

BILLS PASSED ON FILE

Assembly Bill No. 2140—Passed on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burke was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to repeal Chapter 354, Statutes of 1869–70, relating to the Town of Hornitos.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Con-

rad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 217—An act to add Section 4333 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

Demand for Previous Question

Messrs. Beverly, Briggs, MacDonald, Wilson, and Ray E. Johnson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bagley, Bee, Brown, Chacon, Dunlap, Fenton, Foran, Garcia, Hayes, Harvey Johnson, McAlister, Sieroty, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—17.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Gonsalves, Hayden, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Mobley, Monagan, Moorhead, Murphy, Quimby, Russell, Stacey, Stull, Thomas, Townsend, and Wood—39.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1541—Passed on file, and placed upon the inactice file pursuant to the Assembly Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 807—An act to add Section 4000.5 to the Penal Code, relating to prisoners' rights.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Conrad, Cullen, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Karabian, Keysor, LaCoste, MacDonald, McAlister, McCarthy, Meade, Murphy, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—42.

NOES—Badham, Briggs, Burke, Chappie, Cline, Collier, Duffy, Hayden, Ray E. Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Mobley, Monagan, Moorhead, Russell, Stacey, Stull, and Wood—21.

Bill ordered transmitted to the Senate.

Assembly Bill No. 317—An act to add Section 11487 to, and to add Article 8.7 (commencing with Section 17980) to Chapter 3 of Division 14 of, the Education Code, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1076—An act to add Section 1657.5 to the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1735—An act to add Section 6010.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 178—An act to amend Section 830.4 of the Penal Code, relating to peace officers.

Bill read third time.

Motion to Amend

Mr. Garcia moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 17, 1972, between lines 11 and 12, insert

"(16) Security officers, station officers, traffic control officers, parking control checkers, animal control officers, animal license inspectors, and park rangers of the City of Los Angeles, while engaged in their regular duties as such."

Amendment No. 2

On page 3, strike out lines 17 to 21, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to returned to the third reading file.

Assembly Bill No. 2120—An act to add Section 466.3 to the Penal Code, relating to vending-machine theft.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—54.

NOES—Beverly, Foran, and Warren—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 273—An act to add Section 402e to the Penal Code, relating to ski areas.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Keysor moved a call of the Assembly.

Motion carried. Time, 11:15 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Hayes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 23 to Article VI thereof, relating to courts

Resolution read.

Demand for Previous Question

Messrs Chappie, Badham, Leroy F. Greene, Brown, and Quimby demanded the previous question. Demand sustained

The question being on the passage of the resolution.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hayes moved a call of the Assembly.

Motion carried Time, 11 44 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1470

At 11 45 a m , on motion of Mrs Fong, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 1470 passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Keysor, La-Coste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—Beverly, Cline, Collier, Conrad, Hayes, Lancaster, MacGillvray, Monagan, Moorhead, Murphy, and Warren—11.

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1706

At 11:47 a.m., on motion of Mr. Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1706 passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Campbell, Chacon, Collier, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayes, Harvey Johnson, Karabian, Keysor, Lanterman, Maddy, McCarthy, Meade, Monagan, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—42.

NOES—Badham, Chappie, Cline, Conrad, Davis, Ray E. Johnson, Ketchum, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Russell, Stacey, Stull, and Wood—20.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTION TO RECONSIDER ASSEMBLY BILL NO. 291

In compliance with a motion given on a previous day, Mr. Brown moved that the vote whereby Assembly Bill No 291 was refused passage be reconsidered.

Assembly Bill No. 291 reconsidered by the following vote:

AYES—Bagley, Bee, Beverly, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 291 Passed and Retained

By unanimous consent, Assembly Bill No 291 was passed on file, to retain its place on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Chappie for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2377 be granted.

BURTON, Chairman

Assembly Chamber, June 20, 1972

Mr Speaker Your Committee on Rules recommends

That the request by Mr Cory for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2378 be granted

BURTON, Chairman

Committee on Criminal Justice

Assembly Chamber, June 19, 1972

Mr Speaker Your Committee on Criminal Justice reports

AB No 1239

AB No 1790

With amendments with the recommendation · Amend, and do pass, as amended

BEVERLY, Chairman

Above bills ordered to second reading

Committee on Judiciary

Assembly Chamber, June 20, 1972

Mr Speaker Your Committee on Judiciary reports

AB No 1408

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

WARREN, Chairman

Above bill ordered to second reading

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr Speaker Your Committee on Retirement reports

AB No 2186

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation To Consent Calendar

BARNES, Chairman

Above bill ordered to second reading

Committee on Rules

Assembly Chamber, June 20, 1972

Mr Speaker Your Committee on Rules reports

AB No 1759

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 20, 1972

Mr Speaker. Your Committee on Rules reports:

SJR No 19

With the recommendation. Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BURTON, Chairman

Above resolution ordered on file

Assembly Chamber, June 20, 1972

Mr. Speaker· Your Committee on Rules reports:

AJR No. 18

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 20, 1972

Mr. Speaker. Your Committee on Rules reports:

ACR No. 50

With the recommendation. Be adopted

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 20, 1972

Mr Speaker· Your Committee on Rules reports.

AJR No. 21

AJR No. 23

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar

BURTON, Chairman

Above resolutions ordered on file.

Assembly Chamber, June 20, 1972

Mr Speaker. Your Committee on Rules reports·

HR No. 51

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Employment and Public Employees

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No 1448

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

HAYES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No. 674

With amendments with the recommendation· Amend, and do pass, as amended.

HAYES, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Transportation reports.

AB No. 1320

With amendments with the recommendation Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 20, 1972

Mr Speaker: Your Committee on Transportation reports:

AB No. 2096

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 2199

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, June 15, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports.

ACR No. 57

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Aboye resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, June 20, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 2376

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2376—An act to add Section 407.5 to the Agricultural Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 11017, 11553, 11554, 12805, 14808 1, and 65040 of, to add Part 2 8 (commencing with Section 12900) to Division 3 of Title 2 of, to add Title 7 3 (commencing with Section 66700) to, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, and Title 7 3 (commencing with Section 66700) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 24263 8, 24303, 24350 3, 24354 14, 39001, 39054 1, 39059, 39066, 39068 2, 39100 3, 39195, 39201, 39261, 39262, 39314, 39392, 39461, 39482, and 39540 of, to amend the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600 7, 25611, 25650 5, 25655, 25735 5, 25804, 26203 1, and 39065 to, to add Chapter 5 (commencing with Section 4500) to Part 2 of Division 5 of, Chapter 2 (commencing with Section 39020) to Part 1 of Division 26 of, and Division 28 (commencing with Section 39800) to, and to repeal Sections 39013, 39063, 39064, and 39065 of, and to repeal Chapter 5 (commencing with Section 4500) of Part 2 of Division 5 and Chapter 2 (commencing with Section 39020) of Part 1 of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312 5 to, the Labor Code, to amend Sections 3742 and 21103 of the Public Resources Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 4000 1, 4602, 24007, 27156, 27157, 27157 5, and 40001 of the Vehicle Code, and to amend Sections 25, 230, 1003 5, 1060 2862 2863, 2866, 10500, 10504, 10504 1, 10504 5, 10505 5, 12232, 12233, 12617 1, 12923 1, 13050, 13147, 13203, 13220, 13625, 13973, and 13974 of, to amend and renumber the heading of Article 3 (commencing with Section 13140) and Article 4

(commencing with Section 13160) of Chapter 3 of Division 7 of, to add Article 3 (commencing with Section 174) and Article 3 5 (commencing with Section 180) to Chapter 2 of Division 1 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, and Article 1 (commencing with Section 13100) and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, relating to environmental protection, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 8, of the printed bill, strike out "8", and insert "7".

Amendment No. 2

On page 9, line 5, strike out "12916", and insert "12922".

Amendment No. 3

On page 10, line 24, after "Appoint", insert "all".

Amendment No. 4

On page 10, line 32, strike out "and prosecute actions", and insert ", enforce orders, and prosecute violations"

Amendment No. 5

On page 10, line 35, strike out "and prosecute".

Amendment No. 6

On page 10, line 36, after "board", insert "and take any necessary action requested by the board concerning such matters".

Amendment No. 7

On page 12, between lines 24 and 25, insert

"Notwithstanding the provisions of this section, the executive director of the board is exclusively vested with all of the powers and duties specified in subdivision (b) of Section 12929."

Amendment No. 8

On page 13, line 6, strike out "in Section 21102 and 21150", and insert "by Division 13 (commencing with Section 21000)".

Amendment No. 9

On page 15, line 6, strike out "16048, 16049,".

Amendment No. 10

On page 15, lines 6 and 7, strike out "of the Government Code".

Amendment No. 11

On page 20, line 26, strike out "4 (e)", and insert "4".

Amendment No. 12

On page 35, line 14, strike out "wth", and insert "with"

Amendment No. 13

On page 39, line 30, after "previously", insert a comma.

Amendment No. 14

On page 57, line 33, strike out "in Section 21102 and 21150", and insert "by this division".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1448

Mr Mobley was granted unanimous consent to take up Assembly Bill No 1448, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, that a rush order be placed upon the printing of the bill, and that the bill be considered engrossed

Second Reading of Assembly Bill No. 1448 by Unanimous Consent

Assembly Bill No. 1448—An act to add Sections 19262 and 19263 to the Government Code, relating to uniforms of state employees.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Sections 19262 and 19263 to the Government Code,"

Amendment No. 2

In line 2 of the title, strike out "uniforms of state employees", and insert "salary increases, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Notwithstanding any other provision of law to the contrary, funds included in Item 80 of the Budget Act of 1972 for salary increases may be expended to pay increases established pursuant to the Military and Veterans Code for members of the military department, on or after January 1, 1971 Such funds include money for catch-up in salaries as defined in the President's Phase II economic guidelines pertaining to pay increases and may be expended therefor

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

This act provides that money for salary increases for salaries set after July 1, 1972, contained in the Budget Act of 1972, may be expended for certain salary ranges in the Military Department established prior to that date pursuant to federal law. In order for this act to take effect at the same time as the Budget Act of 1972 it is necessary for this act to take effect immediately."

Amendment No. 4

On page 1, strike out lines 2 to 12, inclusive; and on page 2, strike out line 1.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Mobley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1448 for hearing in the Committee on Ways and Means, on Wednesday, June 21.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2240—An act to amend Section 1300 of the Penal Code, relating to bail.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 93—Relative to State Highway Routes 7 and 11

Resolution read.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Lanterman was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Concurrent Resolution No 93 which add a total of more than 25 words to the resolution, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr Lanterman moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed measure, as amended in Assembly June 13, 1972, strike out "Routes 7 and 11", and insert "Route 11".

Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive; and on page 2, strike out lines 1 to 27, inclusive, and insert

"WHEREAS, Pasadena Freeway, originally known as the Arroyo Seco Parkway, was the first experimental limited access highway in California; and

WHEREAS, Increasing traffic volume has made the freeway substandard in terms of dangerously narrow lane widths, radius of curves, and limited access to off and on ramps, and

WHEREAS, An accurate cost analysis study of urgently needed upgrading of the Pasadena Freeway to more efficiently accommodate current and projected traffic loads has not been undertaken; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Public Works is hereby requested to conduct a study on the nature and extent of improvements to the Pasadena Freeway (Route 11) between Route 5 and Pasadena to accommodate traffic volumes projected to the year 1990 which study shall include the estimated cost of such improvements necessary to meet present state standards, and be it further

Resolved, That the department report the results of its study to the Legislature on or before April 15, 1973; and be it further

Resolved, That nothing in this resolution shall be directly or indirectly construed to deter the earliest possible completion of that portion of Route 7 within the city limits of Pasadena from Interchange 134, 210 to the most southerly boundary of Pasadena; and be it further".

Amendments read, and adopted

Request for Unanimous Consent

Mr Collier was granted unanimous consent to take up Assembly Concurrent Resolution No 93, as amended, without reference to print or file, and that the same be considered re-engrossed.

Consideration of Assembly Concurrent Resolution No. 93, as Amended

Assembly Concurrent Resolution No. 93—Relative to State Highway Route 11.

Resolution read, as amended, and adopted

Resolution ordered printed, and transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 273

At 12 m, on motion of Mr Keysor, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Assembly Bill No 273 refused passage by the following vote

AYES—Bee, Briggs, Brown, Chacon, Davis, Fenton, Fong, Gonsalves, Hayden, Harvey Johnson, Karabian, Keysor, LaCoste, MacDonald,

McAlister, McCarthy, Russell, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—26.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Leroy F. Greene, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Meade, Mobley, Monagan, Moorhead, Stacey, Stull, and Vasconcellos—31.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1388—An act to amend Section 1 of Chapter 1718 of the Statutes of 1967, relating to Davis-Grunsky grants to the County of San Bernardino in connection with the Prado Regional Park Project.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—Lewis—1.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1539—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1787—An act to amend Sections 8304 and 8307 of the Fish and Game Code, relating to abalone

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1042—An act to amend Section 13468.1 of, and to add Section 13468 3 to, the Education Code, relating to school certificated employees.

Bill read third time, and refused passage by the following vote:

AYES—Bagley, Bee, Brown, Campbell, Chacon, Chappie, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Quimby, Ralph, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—39.

NOES—Badham, Briggs, Burke, Cline, Collier, Cullen, Dent, Ketchum, Lancaster, MacGillivray, Moorhead, Russell, Ryan, Seeley, Stull, and Vasconcellos—16.

Motion to Reconsider Assembly Bill No. 1042 on Next Legislative Day

Mr. Bee moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1042 was this day refused passage.

Assembly Bill No. 1042 ordered to the unfinished business file

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 20

At 12:12 p m., on motion of Mr Hayes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Constitutional Amendment No 20 refused adoption by the following vote·

AYES—Bee, Beverly, Briggs, Brown, Burke, Burton, Cline, Cullen, Fenton, Foran, Gonsalves, Hayes, Harvey Johnson, Karabian, McAlister, McCarthy, Meade, Murphy, Quimby, Ralph, Ryan, Thomas, Warren, Waxman, and Mr Speaker—25

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Chacon, Chappie, Collier, Conrad, Davis, Deddeh, Duffy, Dunlap, Garcia, Hayden, Ray E. Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Powers, Russell, Seeley, Stacey, Stull, Wilson, Wood, and Z'berg—34.

Motion to Reconsider Assembly Constitutional Amendment No. 20 on Next Legislative Day

Mr Hayes moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 20 was this day refused adoption.

Assembly Constitutional Amendment No. 20 ordered to the unfinished business file.

CAUCUS ANNOUNCEMENTS

Acting Speaker Fenton announced that there would be a Democratic Caucus immediately upon adjournment today, in the Assembly Lounge

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:13 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1351—An act to amend Section 3771 of the Public Utilities Code, relating to carriers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 941—An act to amend Section 39297.3 of the Health and Safety Code, relating to burning

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1858—An act to add Section 13143.7 to the Health and Safety Code, relating to fire protection

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy,

Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1154—An act to amend Section 583 of the Code of Civil Procedure, relating to dismissal of actions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1920—An act to amend Sections 242 and 4702 of the Civil Code, relating to family law.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 72—An act relating to school district property and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy,

Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No 1658—An act to amend Section 19700 66 of the Education Code, relating to financial support of the public schools, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, Meade Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray Maddy, McAlister, Meade Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1473—An act to amend Sections 73076, 73084, 73084 1, 73084 2, 73084 3, 73084 4, 73084 5, 73084.6, 73085, 73085 1, 73085 2 73085 3, 73085 4, 73085 5, 73085 6, 73085.8, 73085 9, 73086, 73088, 73089, 73090, 73090 1, 73090 2, and 73096 of, and to add Section 73085 10 to, of the Government Code, relating to courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1330—An act to add Sections 10124, 10351, and 11512 15 to the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2031—An act to add Sections 1801 3 and 5121.1 to the Civil Code, relating to women

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton Campbell Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1989—An act to amend Sections 6759, 6762, 6763, and 6799 of the Business and Professions Code, relating to professional engineers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2044—An act to amend Sections 1662, 1665, 1751, and 1760.5 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2198—An act to add Section 10501 to the Unemployment Insurance Code, relating to job training

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2230—An act to amend Section 37517 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Karabian, Ketchum Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 350—An act to amend Section 6304 1 of the Harbors and Navigation Code, relating to harbors and navigation

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes Bee Belotti, Beverly Briggs, Brown, Burke, Burton, Campbell, Chacon Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, Meade Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 428—An act to add Sections 5350.3 and 5350.5 to the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 523—An act to add Sections 6503.5 and 6503.7 to the Government Code, relating to joint exercise of powers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1189—An act to add Article 17 (commencing with Section 429.60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1334—An act to amend Sections 253 1, 253 3, 253 5, 253 6, 253 7, 253 8, 263.1, 263 3, 263 5, 263.7, 308, 330, 332, 333, 378, 398, 411, 422, 425, 442, 457, 462, 474, 493, 495, 501, 563, 575, and 582 of, to add Sections 417, 477, 486, 488, 545, and 630 to, and to

repeal Sections 369, 406, 409, 507, 531, 541, and 561 of, the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1457—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1522—An act to amend Sections 101, as amended by Section 1 of Chapter 1578 of the 1971 Statutes, 205, 19000, 19004, 19030, 19035, 19161, and 19174, and the heading of Chapter 3 (commencing with Section 19000) of Division 8, and to add and repeal Section 101, of the Business and Professions Code, and to amend Section 11501 of the Government Code, and Section 6 of Chapter 881 of the 1971 Statutes, relating to furniture and bedding.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1557—An act to amend Section 11513 of the Government Code, relating to examination of witnesses.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1655—An act to add Section 19956 5 to the Health and Safety Code, relating to curbs and sidewalks.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1861—An act to amend Section 38105 of, and to amend, repeal, and add Sections 38121 and 38150 of, the Health and Safety Code, relating to regional centers for the mentally retarded.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1906—An act to amend Section 4215 of the Government Code, relating to protection of public utilities in public contracts

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1987—An act to amend Sections 5551 and 5552 of, to add Section 5550 to, and to repeal Section 5550 of, the Business and Professions Code, relating to architecture.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 857—An act to amend Section 61765 of the Government Code, relating to districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 858—An act to amend Section 16002 5 of the Business and Professions Code, relating to vending machines

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Col-

lier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1102—An act to amend Sections 73674 and 73677 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68,

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1103—An act to amend Sections 74843 and 74847 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Colher, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68,

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1327—An act to amend Section 56133 of the Government Code, relating to local agency formation commissions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum,

Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1399—An act to amend Section 6103 8 of, and to repeal Section 6103 9 of, the Government Code, relating to fees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1506—An act to amend Section 3057 of the Business and Professions Code, relating to optometry.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 52—Relative to the proposed federal program of assistance for the aged.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy,

Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 904—An act to amend Section 2924 5 of the Civil Code, relating to mortgages and deeds of trust, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong. Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers. Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong. Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1076—An act to authorize the transfer of lands, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGilli-

vray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1918, on request of Mr. Warren.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No 962

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 20, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

Assembly Bill No. 956

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 956—An act to amend Sections 17301 and 17303.5 of the Education Code, relating to financial support for the public schools.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 15, 1972, strike out "to amend Sections 17301 and 17303.5 of the Education Code,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. There is hereby appropriated from the General Fund in the State Treasury the sum of _____ ($_____), to be expended for the support of public education in accordance with the following schedule:

(a) For transfer by the State Controller to the State School Fund, in amounts necessary to fund Chapter 1619 and Chapter 1668, Statutes of 1971 _____

(b) For transfer by the State Controller from the General Fund to the State School Fund for cost increases due to inflation _____

this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications:

(1) Compute the 1972–73 foundation program support apportionments without regard to the appropriation in this subdivision

(2) Compute the 1972–73 foundation program support apportionments which would be made after increasing all foundation program factors by twenty dollars ($20) per unit of average daily attendance (making appropriate increases in the foundation programs prescribed for small schools and school districts to maintain the relationships prescribed by Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of the Education Code), and allow the amounts computed to each school district

(3) Determine the difference in the amounts computed under (1) and (2) above, and subtract such difference from the amount appropriated in this item. This remainder shall be apportioned as additional equalization aid for cost increases due to inflation as specified in (4) to (6) below.

(4) Determine the number of average daily attendance in all districts for which equalization aid was computed in (2) above.

(5) Divide the number of average daily attendance in all districts for which equalization aid was computed into the remainder computed in (3) above.

(6) Multiply the amount per average daily attendance computed in (5) above by the average daily attendance in each district for which equalization aid was computed in (2) above and apportion this amount to the district.

(7) The amount apportioned under (6) above shall be shown separately and shall be labeled as "Additional Equalization Aid for Cost Increases Due to Inflation"

(8) For purposes of determining eligibility for apportionments of funds appropriated in this subdivision, and more particularly, in determining the average daily attendance in school districts for which equalization aid was computed, the Superintendent of Public Instruc-

tion shall compute the same by considering solely individual school district wealth, disregarding the effects of the areawide school support mechanism, and as though no areawide school support programs were in operation anywhere in the state.

(c) For transfer by the State Controller from the General Fund to the State School Fund for increases due to inflation ----------

this amount to be expended pursuant to Section 17668 of the Education Code and in accordance with the following specifications:

(1) The Superintendent of Public Instruction shall compute the 1972–73 apportionment for supplemental support to elementary school districts and high school districts (Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code) without regard to the appropriation in this subdivision.

(2) He shall compute another apportionment for supplemental support to elementary and high school districts using the factors in Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code except as follows:

(A) For each elementary school district the Superintendent of Public Instruction shall determine that portion of the general fund tax rate of the district converted to the nearest cent which is in excess of one dollar ($1), exclusive of rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801, and 22101 of the Education Code, and not to exceed two dollars and twelve cents ($2.12).

(B) For each high school district, the Superintendent of Public Instruction shall determine that portion of the general fund tax rate of the district converted to the nearest cent which is in excess of eighty cents ($0.80), exclusive of rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801, and 22101 of the Education Code, and not to exceed sixty-five cents ($0 65).

(C) For elementary school districts: If the applicable tax rate of the district pursuant to Section 17921 of the Education Code equals or exceeds sixty cents ($0.60), he shall determine, for each unit of average daily attendance eligible for supplemental support, an amount equal to one dollar and twenty-five cents ($1.25) for each cent of such applicable rate. For such purposes, the applicable rate determined pursuant to Section 17921 shall be deemed to be no less than two dollars and twelve cents ($2.12); provided that, in no case shall the amount determined pursuant to this section shall be in excess of two hundred sixty-five dollars ($265) per pupil in average daily attendance.

(D) For high school districts: If the applicable tax rate of the district pursuant to Section 17922 of the Education Code equals or exceeds twenty cents ($0.20), he shall determine, for each unit of average daily attendance eligible for supplemental support, an amount equal to two dollars and forty cents ($2.40) for each cent of such applicable rate. For such purposes, the applicable rate determined pursuant to Section 17922 shall be deemed to be no less than sixty-five cents ($0.65); provided that, in no case shall the amount determined pursuant to this section be in excess of one hundred fifty-six dollars ($156) per pupil in average daily attendance.

(3) He shall determine for each district the difference between the apportionments computed in paragraphs (1) and (2) of this subdivision.

(4) He shall determine the total sum of the amounts computed for each district in paragraph (3). If such total sum is more or less than the amount appropriated by this subdivision, the amount computed for each district shall be reduced or increased proportionately.

(5) He shall apportion the amounts computed in paragraph (3) to each district, as modified by the proportionate reduction or increase computed pursuant to paragraph (4). The amounts shall be shown separately and shall be labeled as "Additional Supplemental Support."

(d) For public school support, Department of Education, to be expended as hereinafter provided ----------

The funds appropriated by this subdivision shall be apportioned and disbursed by the Superintendent of Public Instruction to eligble school districts to fund to operation of projects similar to those funded under Title I of the Elementary and Secondary Education Act of 1965, in order that comprehensive services of the type afforded under that federal statute will be available to additional pupils in need thereof

Of the amount appropriated by this subdivision an amount not to exceed one-fourth of one percent (.0025%) thereof shall be allocated to the Department of Education for administrative purposes, and apportionments to school districts shall be made from the remainder thereof.

Entitlements shall be computed, and allocations and apportionments shall be made by the Superintendent of Public Instruction on the basis of projects for which applications shall be submitted by school districts, which projects shall have been approved by the Superintendent of Public Instruction on the basis of the adequacy of purposes and goals and compliance with other requirements which may be prescribed by the Superintendent of Public Instruction.

Upon approval of a project the amount of the entitlement of the district will be determined by the Superintendent of Public Instruction and certified to the State Controller for disbursement to the district.

The entitlement of each district shall be determined by the Superintendent of Public Instruction by application of the following factors and computations:

(1) (A) An index of "potential impact of bilingual-bicultural pupils" determined by dividing the percent of pupils in the district with Spanish and Oriental surnames, as determined by the annual ethnic survey conducted by the Department of Education, by the statewide average percentage of such pupils for unified, elementary, or secondary districts, as appropriate.

(B) A ratio of the district's "index of family poverty," defined as the district's Elementary and Secondary Education Act, Title I entitlement, divided by its average daily attendance in grades 1 through 12, or any thereof maintained, divided in turn by the state average index of family poverty for unified, elementary, or secondary districts, as appropriate.

(C) A ratio of the district's "index of pupil transiency," as computed from the relationship between the district's average daily attendance and its total annual enrollment, divided by the state average index of pupil transiency for unified, elementary, or secondary districts, as appropriate

(2) The district's total maximum apportionment under this subdivision shall be determined by:

(A) Computing the product of (1) one-third the sum of the three factors specified in paragraph (1) (except that if the resulting figure is higher than two, the resulting figure shall be deemed to be two) and (2) the number of pupils receiving aid for dependent children support.

(B) Taking the sum of the computations made for all eligible school districts under subparagraph (A) of this pragraph and dividing the same into the amount appropriated by this subdivision which is available for apportionment and allocation

(C) Multiplying the amount computed pursuant to subparagraph (B) of this subdivision by the amount computed for each district under subparagraph (A) of this subdivision.

(3) If the entitlement computed for any district under paragraph (2) is less than one thousand dollars ($1,000), no apportionment shall be made to the district.

(4) Funds appropriated by this subdivision and not required for purposes of the entitlements computed under paragraphs (1), (2), and (3) shall be allocated by the Superintendent of Public Instruction to districts for which such entitlements and apportionments were made as supplementary additional allowances to insure that compensatory education programs are afforded to as many eligible pupils as possible and to stimulate the development, implementation, and evaluation of innovative programs.

SEC. 2 The provisions of this act shall supersede Items 267.1, 268, 268.1, and 269 of the Budget Act of 1972."

Amendment No. 3

On page 1, strike out lines 2, 3, and 4; and strike out all of pages 2 to 5, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
167	Education
205	Urban Development and Housing
236	Criminal Justice
517	Education
641	Criminal Justice
647	Criminal Justice
732	Criminal Justice
777	Judiciary
840	Elections and Reapportionment
1085	Local Government
1091	Education
1186	Planning and Land Use
1233	Judiciary
1352	Criminal Justice
1409	Local Government

Senate Joint Resolution No.	*Committee*
25	Education

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 105: By Assemblymen Quimby, Townsend, Mobley, Burke, Gonsalves, and LaCoste—Relative to American Flag emblems.

Held at Desk by order of the Acting Speaker.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1192

Acting Speaker Fenton was granted unanimous consent that Senate Bill No. 1192 be withdrawn from the Committee on Local Government, and re-referred to the Committee on Transportation.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Briggs was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 450, 746 and 911 for hearing in the Committee on Agriculture, on Wednesday, June 21.

VOTE CHANGES

Messrs. Maddy, LaCoste, Hayden, Conrad, Duffy, and Stull were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 495.

Mr. Wilson was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1326.

Messrs LaCoste, Hayden, and Duffy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 616.

Messrs. Hayden and Russell were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1951.

Messrs. Hayden and Duffy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1713.

Messrs. Harvey Johnson, Duffy, and Maddy were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 775.

Mr Foran was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2120.

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2120.

Mr. McCarthy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 217

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 807.

Mr. Ralph was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 807.

Mr. Wood was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 807.

Mr. Lancaster was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 807.

Mr. Bill Greene was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 807.

Mr. MacGillivray was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1706.

Messrs Stull, Russell, Murphy, Mobley, McAlister, and MacDonald were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1706

Messrs Briggs and Russell were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1470.

Mr. Cline was granted unanimous consent that he be recorded as voting "Aye" on the motion to reconsider the vote on Assembly Bill No. 291.

Mr. Lancaster was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the motion to reconsider the vote on Assembly Bill No 291.

Mr. Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1388

Mr Chappie was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1042.

Messrs. Mobley and Wood were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1042.

ADJOURNMENT

At 12:20 p m., Acting Speaker Fenton declared the Assembly adjourned until 11:30 a m, Wednesday, June 21, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-fourth Legislative Day

One Hundred Seventy-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 21, 1972

The Assembly met at 11 30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAlister

Father, We are the beneficiaries of Your generosity in so many ways Our land is rich Our resources are bountiful. Our people are varied in origin, culture, and talents

Despite mistakes we are a people dedicated to preserving and fostering Your justice and charity

Save us, Father, from smugness Make us a more effective leaven in our daily world Help us to generously share with others what You have provided for us —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Lancaster then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Cullen, seconded by Mr Seeley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Porter, on request of Speaker pro Tempore Bee.
Mr Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere·

Mr. Brown, on request of Speaker pro Tempore Bee.
Mr. Cline, on request of Speaker pro Tempore Bee
Mr. Maddy, on request of Speaker pro Tempore Bee.
Mr. Ryan, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Pierson, on request of Speaker pro Tempore Bee

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal.

June 20, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: I would like to be excused from the session on Wednesday, June 21

I have been invited to address the American Banker's Association Committee on Urban and Community Affairs at their convention at the Lake of the Ozarks

Sincerely,

WILLIE L. BROWN, JR, Assemblyman
Eighteenth District

June 20, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· I respectfully request that I be excused on legislative business from the session on Wednesday, June 21

Representatives of the Department of Parks and Recreation are coming to my district for the initial study for the Santa Susana Mountain Park authorized by my legislation, ACR 83, of the 1971 legislative session. I must accompany them on this matter

Sincerely,

ROBERT C CLINE, Assemblyman
Sixty-Fourth District

June 20, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from the Session on Wednesday, June 21, 1972, on legislative business.

I will be meeting with the Fresno and Madera Counties Committee on Political Education in Fresno

Very truly yours,

KEN MADDY, Assemblyman
Thirty-Second District

June 21, 1972

Hon. Bob Moretti
Speaker of the Assembly
Sacramento, California

Dear Bob: Please excuse me from my legislative duties on the floor of the Assembly on Wednesday, June 21, 1972

I will be meeting with Cable TV officials about pending legislation I will also be meeting with the Police Officers Research Association of California regarding pending legislation

Sincerely,

LEO J RYAN, Assemblyman
Twenty-Seventh District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolutions were referred to committee.

Assembly Concurrent Resolution No	*Committee*
104	Education
105	Employment and Public Employees

COMMUNICATIONS

Assembly Chamber, June 20, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 344—An act to amend Section 1142 of the Education Code, relating to school elections;

Assembly Bill No. 417—An act to amend Sections 17200 and 17202 of the Elections Code, relating to elections;

Assembly Bill No. 440—An act to amend Section 11104 of the Vehicle Code, relating to driving instructors,

Assembly Bill No. 538—An act to amend Section 8836 5 of the Fish and Game Code relating to fishing,

Assembly Bill No. 916—An act to amend Section 1132 of the Education Code, relating to school elections;

Assembly Bill No. 1121—An act to amend Sections 38 and 38.1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District;

Assembly Bill No. 2070—An act to amend Section 8305.5 of the Fish and Game Code, relating to abalone;

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., June 20, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 349

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1085
AB No. 1571
AB No. 2239

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 21, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1492
AB No 1687
AB No 1786
AB No 2026

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 78

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 281	AB No. 1435
AB No. 1263	AB No. 1454
AB No. 1292	AB No. 1603

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 18

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 200	AB No 1445	AB No. 1973
AB No. 221	AB No. 1704	AB No. 2040
AB No. 407	AB No 1714	AB No. 2054
AB No 531	AB No 1724	AB No. 2284
AB No. 558	AB No. 1925	AB No. 969
AB No. 1369	AB No. 1938	

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 380	AB No 1213	AB No. 1547
AB No. 904	AB No. 1505	AB No. 1837
AB No. 934	AB No 1518	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 178
AB No. 1357

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, June 15, 1972

Mr. Speaker. Your Committee on Natural Resources and Conservation reports·

AB No. 1783
AB No. 2237

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bills ordered to second reading

Assembly Chamber, June 15, 1972

Mr Speaker. Your Committee on Natural Resources and Conservation reports:

ACR No. 74

With amendments with the recommendation· Amend, and be adopted, as amended.

Z'BERG, Chairman

Above resolution ordered on file

Committee on Employment and Public Employees

Assembly Chamber, June 20, 1972

Mr. Speaker. Your Committee on Employment and Public Employees reports

AB No. 1850

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

HAYES, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, June 20, 1972

Mr Speaker: Your Committee on Welfare reports

AB No 1897

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill ordered to second reading

Committee on Labor Relations

Assembly Chamber, June 20, 1972

Mr. Speaker: Your Committee on Labor Relations reports·

AB No 1782

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

McCARTHY, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1717

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, June 20, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports:

HR No. 8

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

House Resolution No. 8—Relative to a study of water district organization.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

In line 2 of the second *Resolved* clause of the printed measure, as printed on page 182 of the Assembly Journal for January 19, 1972, strike out "June 1, 1972", and insert "30 days after commencement of the 1973 Regular Session of the Legislature".

House Resolution No. 8, as Amended

By Assemblymen Chappie and Leroy F. Greene:

House Resolution No. 8

Relative to a study of water district organization

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the relationship between the San Juan Suburban Water District, the Citrus Heights Irrigation District, and the Fair Oaks Irrigation District, including the extent of overlap and duplication of services and possible actions with respect to the consolidation of such districts; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly not later than 30 days after commencement of the 1973 Regular Session of the Legislature.

Resolution, as amended, re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 21, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 400

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 400—An act to amend Sections 11333, 11391, 11393, 11395 and 11655 6, and Section 11655 8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, Section 11655 7 as added by Chapter 1422 of the Statutes of 1970, Section 11655 7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655 9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618 as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as amended by Chapter 1593 of the Statutes of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 4, line 28, of the printed bill, as amended in Assembly June 1, 1972, strike out "4056", and insert "4054".

Amendment No. 2

On page 7, between lines 29 and 30, insert

"4054. The director, after consultation with the Drug Advisory Board, shall establish the criteria for the eligibility of patients to be included in the programs, program operation guidelines, such as dosage levels, recordkeeping and reporting, urine or other body fluid analysis requirements, take-home dosage of methadone, security against redistribution of the drug and any other regulations which the director, in his discretion, finds necessary to protect the safety and well-being of the patient and the public and to carry out the provisions of this article

It is the intent of the Legislature in enacting this section, in order to protect the general public, that self-administered dosage shall only be provided when the patient is clearly adhering to the requirements of his program, and where daily attendance at a clinic would be incompatible with gainful employment, education, and responsible home-

making The director shall define "satisfactory adherence" and shall ensure that patients not satisfactorily adhering to their program shall not be provided take-home dosage."

Amendment No. 3

On page 7, strike out lines 30 to 40, inclusive; strike out page 8; and on page 9, strike out lines 1 to 30, inclusive; and in line 31, strike out "4057", and insert
"4055".

Amendment No. 4

On page 10, line 2, strike out "4058", and insert "4056".

Amendment No. 5

On page 10, line 14, strike out "4059", and insert "4057".

Amendment No. 6

On page 10, line 27, strike out "4060", and insert "4058".

Amendment No. 7

On page 11, strike out lines 4 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 21, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports.

SB No. 1048

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1048—An act to amend Sections 537 5 and 539 of, and to add Sections 537, 537 1, 537 2, 537 3, 538, 538 1, 538 2, 538.3, 538 4, 538 5, 541, 542 1, 542 2, 542 3, 542 4, 542b, and 542c to, and to repeal Sections 537, 538, 541, and 542b of, the Code of Civil Procedure, and to add Sections 126 1, 15006 1, and 15501 1 to the Corporations Code, and to amend Section 7203 of the Government Code, relating to attachment in commercial actions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Senate May 24, 1972, after the first "Act", insert "(Chapter 1 (commencing with Section 15001) of Title 2 of the Corporations Code)".

Amendment No. 2

On page 3, line 5, after the second "Act", insert "(Chapter 2 (commencing with Section 15501) of Title 2 of the Corporations Code)".

Amendment No. 3

On page 3, line 12, strike out "6400) of Part 2", and insert "6403) of Part 11".

Amendment No. 4

On page 8, line 34, after "if", insert "any one or more of the following conditions exist".

Amendment No. 5

On page 9, line 6, after "limited to", insert "the attaching creditor's pro rata share of".

Amendment No. 6

On page 10, line 30, strike out ", whether direct or consequential".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 21, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 541

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 541—An act to amend Section 117 of, to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure and to amend Section 9503 of the Commercial Code, relating to repossession.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 6 of the printed bill, as amended in Assembly May 15, 1972, strike out lines 3 to 5, inclusive; and in line 6, strike out "(b)", and insert

"511.2. (a)".

Amendment No. 2

On page 6, line 17, strike out the first "The", and insert

"If the default consists of a failure to make payments to the creditor under the security agreement, the".

Amendment No. 2.5

On page 6, line 20, strike out "Small Claims", and insert "--------".

Amendment No. 3

On page 7, strike out lines 4 to 8, inclusive.

Amendment No. 4

On page 7, strike out lines 39 and 40; and on page 8, strike out lines 1 to 3, inclusive; and in line 4, strike out "(d)", and insert

"If the default consists of an act or failure to act by the defendant, other than a failure to make payments to the creditor under the security agreement, the notice of suit for repossession shall be in the following form:

NOTICE OF SUIT FOR REPOSSESSION AND OPPORTUNITY FOR COURT HEARING	In the _____ Court of _____ Judicial District _____ County of _____ State of California	Case Number

_____ vs. _____
Plaintiff(s) Defendant(s)

A lawsuit has been filed against you, indicating that you are in default on your _____
(Describe contract/obligation)
because _____
(State reason)

If you dispute any part of this claim, or if any of the above amounts are incorrect, you have a legal right to a hearing in court. You may obtain a court hearing by filling out the bottom portion of this notice and returning it to the clerk of the above-entitled court in the enclosed envelope on or before _____
(15th day from date of service)

If you do not desire a court hearing, and wish to avoid repossession, you may do so by _____
_____
(State what is required to cure default)
before _____
(15th day from date of service)

If you do not cure the default or return the attached form as set forth above, the plaintiff may repossess _____
(Describe secured goods)
without further notice of hearing.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that you may act before the deadline.

REQUEST FOR HEARING NO. _____	RECEIPT FOR REQUEST FOR HEARING
_____ vs _____ (Plaintiff) (Defendant)	
I desire a court hearing in this matter	_____ Name of plaintiff
_____ (Name of defendant)	_____ Date of mailing
_____ (Address of defendant)	
_____ (Signature of defendant)	_____ Place of mailing

(b)".

Amendment No. 5

On page 8, line 7, strike out "or request for transfer".

Amendment No. 6

On page 8, strike out lines 13 to 16, inclusive.

Amendment No. 7

On page 8, line 23, strike out "(e)", and insert "(c)".

Amendment No. 8

On page 8, line 24, strike out "request for transfer or".

Amendment No. 9

On page 9, line 3, strike out "(f)", and insert "(d)".

Amendment No. 10

On page 9, line 7, strike out "10", and insert "15".

Amendment No. 11

On page 9, strike out lines 12 to 16, inclusive, and insert "defendant."

Amendment No. 12

On page 9, line 17, strike out "(g)", and insert "(e)"

Amendment No. 13

On page 9, strike out lines 20 to 23, inclusive, and insert

"511.25 Notwithstanding any other provision of law, the only fees for filing the first paper for parties in an action brought under this chapter in the municipal court are the fees prescribed in Sections 72055, 72056, and 72056.1 of the Government Code."

Amendment No. 14

On page 9, line 34, after "shall", insert ", if the consumer goods are not located within a building or enclosure, make an order authorizing the plaintiff to take possession, and if the consumer goods are located within a building or enclosure,".

Amendment No. 15

On page 10, strike out lines 6 to 12, inclusive.

Amendment No. 16

On page 10, line 35, after "which", insert "authorizes the plaintiff to take possession if the consumer goods are not located within a building or enclosure or which, if the consumer goods are located within a building or enclosure".

Amendment No. 17

On page 10, lines 38 and 39, strike out "paragraph (1), (2), (3), or (4) of".

Amendment No. 18

On page 11, line 8, after "shall", insert "authorize the plaintiff or".

Amendment No. 19

On page 11, line 27, after "512.1," insert "the plaintiff may take possession of the consumer goods if they are not located within a building or enclosure, and if located within a building or enclosure,".

Amendment No. 20

On page 11, line 37, after the second "the", insert "plaintiff or".

Amendment No. 21

On page 12, line 8, after "The", insert "plaintiff or".

Amendment No. 22

On page 12, line 15, after "the", insert "plaintiff,".

Amendment No. 23

On page 12, line 21, after the second "the", insert "plaintiff or"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

Senate Chamber, June 20, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 183
SB No. 256

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 20, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed.

AB No. 460	AB No 822	AB No 2004
AB No 777	AB No 1358	AB No 2184
AB No 803	AB No 1902	AB No 2270

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, June 20, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

SB No 505	SB No 839
SB No 567	SB No 913
SB No 621	SB No 1358

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 20, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 18

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 505—An act to amend Sections 2923, 2924, 2925, and 2926 of the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 567—An act to repeal Sections 4306 and 4323 of, and to add Section 4323 to, the Business and Professions Code, relating to prophylactics.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 621—An act to amend Section 1241 of the Business and Professions Code, relating to clinical laboratory technology

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 839—An act to amend Section 27501 of the Elections Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 913—An act to add Section 21251 135 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1358—An act to add Sections 1225, 1416, 1459, and 32128.10 to the Health and Safety Code, relating to sterilization operations.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 18—Relative to proposed Baldwin Hills State Park.

Held at Desk by order of the Speaker pro Tempore

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1850

Mr Cullen was granted unanimous consent to take up Assembly Bill No 1850, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time

Second Reading of Assembly Bill No. 1850 by Unanimous Consent

Assembly Bill No. 1850—An act to amend Sections 3501, 3504, 3505, 3505 2, 3507, 3507.3, 3507 5, 3508, and 3526 of, to add Sections 3505 01, 3506, 3511, and 3512 to, and to repeal Sections 3506 and 3507 1 of, the Government Code, relating to public employer-employee relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 12, 1972, strike out "Assemblyman Cullen", and insert "Assemblymen Cullen, Ralph, and Townsend".

Amendment No. 2

In line 3 of the title, strike out "and 3512", and insert ", 3512, 11551 1, and 11551 2".

Amendment No. 3

On page 5, line 26, strike out "of the"; strike out lines 27 to 30, inclusive; and in line 31, strike out "chairman", and insert "and members of the commission shall receive the salary provided for in Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2".

Amendment No. 4

On page 14, after line 28, insert

"SEC. 16 Section 11551 1 is added to the Government Code, to read

11551 1. An annual salary of thirty-one thousand five hundred dollars ($31,500) shall be paid to each of the following·

(a) Chairman, California Public Employment Relations Commission.

SEC 17. Section 11551 2 is added to the Government Code, to read.

11551 2 An annual salary of twenty-eight thousand three hundred fifty dollars ($28,350) shall be paid to each of the following·

(a) Member, California Public Employment Relations Commission."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1831

Mr Cory was granted unanimous consent to take up Assembly Bill No 1831, out of order, for purpose of amendment

Consideration of Assembly Bill No. 1831

Assembly Bill No. 1831—An act to repeal Sections 20808, 20808 5, and 20810 of the Education Code, relating to school district taxes

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Cory was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No 1831 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr. Cory moved the adoption of the following amendments.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 24, 1972, strike out "repeal Sections 20808, 20808.5, and 20810 of", and insert "add Section 20810 5 to".

Amendment No. 2

On page 1, strike out lines 2 and 3, and insert

"SECTION 1 Section 20810 5 is added to the Education Code, to read.

20810 5. (a) Whenever the maximum school district tax rate is increased pursuant to Section 20808, 20808 5 or 20810, and with respect to each school year during which any such increase will be in effect, the computations prescribed by those sections shall be made by an employee of the school district holding an administrative credential who has been designated by the school district governing board to compute such tax rate increases.

(b) The designated employee shall submit the computed tax rate increase to the governing board together with his written declaration, subscribed to under oath, that such tax rate increase was computed in accordance with Section 20808, 20808 5 or 20810, as the case may be, and applicable regulations, if any, of the Superintendent of Public Instruction, and that the supporting data used in making such computations was correct and accurate "Supporting data," as used in this section, includes estimates of cost and average daily attendance and the amount of any unencumbered balances derived from the revenue of any such tax increase levied during the preceding fiscal year.

(c) The school district governing board shall have the accuracy of the computed tax rate increase verified by an independent auditor The auditor's report shall be presented to the governing board at a public meeting If the auditor's report indicates that a computed tax rate increase is excessive due to incorrect computation or the use of incorrect or inaccurate supporting data, the governing board shall notify the Commission on Teacher Preparation and Licensing of such fact

(d) The commission shall determine whether the computation of the excessive tax rate increase was made in willful violation of the declaration provided for in subdivision (b) by the person subscribing thereto, and shall report its findings to the school district governing board and to the State Board of Education

(e) If the commission finds that the computation of the excessive tax rate increase was made in willful violation of the declaration provided for in subdivision (b) by the person subscribing thereto:

(1) The commission shall immediately suspend such person's administrative credential for a period of two years, and

(2) The employing school district shall immediately terminate all administrative responsibilities of such person for a period of two years from the date of the commission's finding, and

(3) No school district in the state shall employ such person in any administrative position or any position requiring certification qualifications for a period of two years from the date of the commission's finding

(f) The provisions of this section shall be applicable with respect to tax rate increases proposed to go into effect or to be continued in effect during the 1974–1975 school year or subsequent school years."

Amendment No. 3

On page 3, strike out lines 1 and 2.

Amendment No. 4

On page 3, strike out lines 39 and 40.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 349

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 349 be withdrawn from the Committee on Employment and Public Employees, and re-referred to the Committee on Health.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker pro Tempore Bee was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 349 for hearing in the Committee on Health.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2379: By Assemblymen Miller and Ralph—An act to amend Sections 23037 and 24200 of, and to add Sections 23434, 23952.5, and 24048.5 to, the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file.

Assembly Bills Nos. 1571, 2239, 1492, 2268, 1085, 1549, 1901, 2211, 1786, and **1687,** ordered to third reading

---

NOTE Later this day Assembly Bills Nos 2268, 1901, and 2211 were re-referred to the Committee on Ways and Means

Assembly Bills Nos. 930, 2026, 2355, and **1431,** ordered to the Consent Calendar.

NOTE. Later this day Assembly Bill No. 930 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 23—Relative to the Division of Highways San Diego Maintenance Station.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 2, line 29, of the printed measure, after "available", insert "through purchase by the Department of Parks and Recreation"

Amendment No. 2

On page 2, line 33, strike out "a copy", and insert "copies".

Amendment No. 3

On page 2, line 34, after "Commission", insert "and the Director of Parks and Recreation".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1663—An act to amend Sections 1410, 1501, and 1510 of, and to add Section 1521 to, the Code of Civil Procedure, and to amend Section 231 of the Probate Code, relating to escheat.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 36, of the printed bill, strike out "post office", and insert "post-office".

Amendment No. 2

On page 7, after line 35, insert

"SEC. 6. This act shall not become operative until January 1, 1973."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 569—An act to repeal and add Section 21023.5 of the Government Code, relating to disability retirement

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly June 8, 1972, strike out "repeal and add Section 21023 5 of", and insert "add Section 21023.6 to".

Amendment No. 2

On page 2, strike out lines 1 and 2.

Amendment No. 3

On page 2, line 3, strike out "SEC. 2. Section 21023.5", and insert "SECTION 1. Section 21023.6".

Amendment No. 4

On page 2, line 5, strike out "21023.5. If", and insert "21023.6. Notwithstanding Section 21023 5, as to local safety members, if".

Amendment No. 5

On page 2, line 10, strike out "state or".

Amendment No. 6

On page 2, lines 12 and 13, strike out ", state agency, or employing local public agency".

Amendment No. 7

On page 2, lines 14 and 15, strike out ", law enforcement member, or prison member having custodial duties".

Amendment No. 8

On page 2, lines 16 and 17, strike out ", state agency or employing local public agency".

Bill ordered reprinted, and returned to second reading file.

Assembly Bill No. 1144—An act to amend Section 1111.6 of, and to add Section 1309 to, the Education Code, relating to school district elections

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 1309 to,".

Amendment No. 2

On page 2, strike out line 40, and strike out all of page 3.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1239—An act to add Section 3408 to the Penal Code and Section 521 to the Welfare and Institutions Code, relating to female prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3408", and insert "Sections 3409 and 4023.5".

Amendment No. 2

In line 1 of the title, strike out "Section 521", and insert "Sections 520 and 1753.7".

Amendment No. 3

On page 1, line 1, strike out "3408", and insert "3409".

Amendment No. 4

On page 1, line 3, strike out "3408", and insert "3409".

Amendment No. 5

On page 1, line 3, strike out "female prisoner in any local detention"; strike out line 4, and insert "woman inmate shall upon her request be allowed to continue to use materials necessary for (a)".

Amendment No. 6

On page 1, line 6, after "system", insert "and (b) birth control measures as prescribed by her physician".

Amendment No. 7

On page 1, strike out lines 7 to 11, inclusive, and insert

"SEC. 2. Section 4023.5 is added to the Penal Code, to read:

4023.5. Any female confined in any local detention facility shall upon her request be allowed to continue to use materials necessary for (a) personal hygiene with regard to her menstrual cycle and reproductive system and (b) birth control measures, as prescribed by her physician.

For the purposes of this section, "local detention facility" means any city, county, or regional facility used for the confinement of any female prisoner for more than 24 hours

SEC 3. Section 520 is added to the Welfare and".

Amendment No. 8

On page 2, line 2, strike out "521", and insert "520".

Amendment No. 9

On page 2, line 2, strike out "in the custody of a", and insert "confined in a state or".

Amendment No. 10

On page 2, line 3, strike out "be provided with", and insert "upon her request be allowed to continue to use".

Amendment No. 11

On page 2, line 3, after "for", insert "(a)".

Amendment No. 12

On page 2, line 5, after "system", insert "and (b) birth control measures as prescribed by her physician".

Amendment No. 13

On page 2, after line 8, insert

"SEC. 4. Section 1753.7 is added to the Welfare and Institutions Code, to read:

1753.7. Any female confined in a Youth Authority facility shall, upon her request, be allowed to continue to use materials necessary for (a) personal hygiene with regard to her menstrual cycle and reproductive system and (b) birth control measures as prescribed by her physician"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1790—An act to add Sections 653i and 653j to the Penal Code, relating to bribery involving business.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 653i and 653j to the Penal Code", and insert "Article 4.8 (commencing with Section 1128) to Chapter 1 of Division 4 of Title 1 of the Government Code"

Amendment No. 2

In line 2 of the title strike out "involving business".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Article 4.8 (commencing with Section 1128) is added to Chapter 1 of Division 4 of Title 1 of the Government Code, to read:

Article 4.8. Bribery Involving Public Entities

1128. After the entry of judgment or an order granting probation in a case involving a conviction of anyone for giving or receiving a bribe or soliciting the offering or receipt of a bribe to an executive or ministerial officer, employee or appointee of the state, a county, city, district or any other public entity in the state, the governmental body

whose official action was the subject of the bribe shall reopen consideration, within 30 days, of the original action which the bribe was intended to influence.

Using the same method of making its decision as was employed in taking the original official action, the governmental body shall consider whether it wishes to reaffirm its original action or seek a declaration that it is void.

1128.1. If the governmental body seeks to have its earlier action declared void, it may request the Attorney General to act under the authority provided by this article.

1128.2. If the governmental body fails to reaffirm its original action within 90 days of the entry of judgment or the granting of probation, or if that body requests the Attorney General to act, the Attorney General may bring a civil proceeding to void any action taken or contract entered into by the state or any county, city, district or any other public entity in the state on the grounds that the action was taken or the contract entered into in connection with the giving or offering of a bribe.

1128.3. In any civil proceeding pursuant to this article, if the Attorney General establishes that a bribe was offered or given, or the receipt of a bribe was solicited or a bribe was accepted in connection with an action or contract, such action or contract shall be void

In such a civil proceeding, the court, in addition to declaring the action or contract void, may award damages to the state, county, city, district or public entity for any loss suffered as a result of the invalidation of the action or contract."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive; and strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1408—An act to add Chapter 3 (commencing with Section 295) to Division 2a of the Probate Code, relating to administration of estates, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 7, 1972, strike out line 4, and insert

"295. As used in this chapter:

(1) "Absentee" means either (a) a member of a uniform service covered by United States Code, Title 37, Chapter 10, who is determined thereunder by the secretary concerned or his delegate to be in missing

status, as missing status is defined therein; or (b) an employee of the United States government or an agency thereof covered by United States Code, Title 5, Chapter 55, Subchapter VII, who is determined thereunder by the head of the department or agency concerned or his delegate to be in missing status as missing status is defined therein

(2) "Certificate" means the official written report complying with Section 1283 of the Evidence Code, showing the determination of the secretary of the military department or the head of the department or agency concerned or his delegate, as the case may be, that the absentee is in missing status.

(3) "Eligible spouse" means the spouse of an absentee, which spouse has not commenced any action or proceeding for judicial or legal separation, divorce, annulment, adjudication of nullity, or dissolution of the marriage of such spouse and the absentee

(4) "Family of an absentee" means an eligible spouse, if any, or if no eligible spouse, the child or children of an absentee, equally, or if no child or children, the parent or parents of an absentee, equally, provided such persons are dependents of the absentee as defined in Section 401 of Title 37 of the United States Code, and the conservator or guardian of the estate of any person bearing such relationship to the absentee

(5) "Secretary concerned" has the same meaning as defined in Section 101 of Title 37 of the United States Code

295.1 If an absentee owns no real property situated in California, and the aggregate value of all of the personal property of the absentee situated in California is five thousand dollars ($5,000) or less, excluding therefrom any moneys owed the absentee by the United States, the family of the absentee may collect, receive, dispose of or engage in any transaction relating to such personal property, if necessary to provide for shelter, food, health care, education, transportation, or the maintenance of a reasonable and adequate standard of living for the family of the absentee, without any judicial proceeding

In such case the family of the absentee shall have any evidences of interest, indebtedness or right attributable to such items of personal property transferred to them, upon furnishing the person (including any governmental body) having custody of such property or the person (including any governmental body) to whom the property is to be sold or transferred by the family of the absentee, with a certificate as defined in Section 295, together with an affidavit stating under oath that the provisions of this section are applicable and that the aggregate value of all property received pursuant to this affidavit, together with all other property previously received under this section, does not exceed five thousand dollars ($5,000) "

Amendment No. 2

On page 2, strike out lines 8 to 40, inclusive, and on page 3, strike out lines 1 to 6, inclusive

Amendment No. 3

On page 3, line 7, strike out "report", and insert "certificate"

Amendment No. 4

On page 3, line 7, strike out "or"; and in line 8, strike out "affidavits".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 2186—An act to amend Sections 16431, 20022, and 53609 of, and to add Section 13927 to, to add Chapter 8 (commencing with Section 18310) to Part 1 of Division 5 of Title 2 of, and to add Article 1.1 (commencing with Section 53212) to Chapter 2 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to deferred compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 18, 1972, after "amend", insert "Section 13832 of, and to add Section 13972 to, the Education Code, to amend".

Amendment No. 2

In line 1 of the title, after "20022," insert "20332, 20809, 31460,".

Amendment No. 3

In line 2 of the title, strike out "Section 13927", and insert "Sections 13927 and 31482".

Amendment No. 4

On page 2, line 1, after the period, insert

"Section 13832 of the Education Code, as amended by Chapter 931 of the Statutes of 1971, is amended to read:

13832 "Compensation" and "salary" mean remuneration in cash payable by the employer to the member, plus any payments in cash by the employer to one other than the member for the purpose of purchasing an annuity contract for the member under an annuity plan which meets the requirements of Section 403(b) of the Internal Revenue Code of the United States, *plus any amount deducted from a member's wages for participation in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 of the Government Code or pursuant to Article 1.1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code*

"Compensation" and "salary" do not mean and shall not include:

(a) Job-related expenses

(b) Money paid to the employee for overtime service

(c) Compensatory damages and money paid to the member in excess of regular salary as a compromise settlement of a dispute arising from termination of a member's employment contract

(d) Lump sum payments for accumulated sick leave or accumulated vacation leave.

(e) Money paid for summer school employment

(f) Money paid as a bonus.

Any such moneys paid under subdivisions (a) through (f) shall not be included as a part of the member's monthly payroll warrant or check

SEC 2. Section 13972 is added to the Education Code, to read:

13972 Notwithstanding any other provision of this chapter, a participant in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 of the Government Code or pursuant to Article 1 1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, may also participate in the retirement system.

SEC 3 "

Amendment No. 5

On page 2, line 9, strike out "SEC. 2", and insert "SEC 4"

Amendment No. 6

On page 3, line 2, strike out "SEC. 3", and insert "SEC 5".

Amendment No. 7

On page 3, line 20, strike out "SEC 4", and insert "SEC 6"

Amendment No. 8

On page 3, line 35, strike out "or for the purpose of"; strike out lines 36 to 38, inclusive, and in line 39, strike out "States", and insert ", plus any amount deducted from a member's wages for participation in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 or pursuant to Article 1 1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5".

Amendment No. 9

On page 4, line 7, strike out "SEC 5 ", and insert

"SEC 7 Section 20332 of the Government Code is amended to read

20332 Persons who are members of any other retirement or pension system supported wholly or in part by funds of the United States government, any state government or political subdivision thereof and who are receiving credit in such other system for service are, as to such service, excluded from this system.

For the purpose of this section, persons who merely are receiving pensions or retirement allowances, or other payments, from any source whatever, on account of service rendered to an employer other than the state and while they were not in state service, are not, because of such receipt, members of any other retirement or pension system

For the purposes of this section only, persons who merely participate in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 or established pursuant to Article 1.1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5, are not, because of such participation, members of any other retirement or pension system.

SEC. 8. Section 20809 of the Government Code is amended to read:

20809. A person shall not receive credit for the same service in two retirement systems supported wholly or in part by public funds under any circumstance *Nothing in this section shall preclude concurrent participation and credit for service in a public retirement system and in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 or pursuant to Article 1.1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5*

SEC. 9. Section 31482 is added to the Government Code, to read:

31482. Notwithstanding any other provision of law, a participant in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 or pursuant to Article 1.1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5, may also participate in a retirement system of a public agency established pursuant to this chapter

SEC. 10. Section 31460 of the Government Code is amended to read:

31460. "Compensation" means the remuneration paid in cash out of county or district funds ~~and shall~~ *, plus any amount deducted from a member's wages for participation in a deferred compensation plan established pursuant to Chapter 8 (commencing with Section 18310) of Part 1 of Division 5 of Title 2 or pursuant to Article 1.1 (commencing with Section 53212) of Chapter 2 of Part 1 of Division 2 of Title 5, but does* not include the monetary value of board, lodging, fuel, laundry, or other advantages furnished to a member.

SEC 11."

Amendment No. 10

On page 4, line 29, strike out "SEC 6", and insert

"53214. Notwithstanding any other provision of law, a participant in a deferred compensation plan may also participate in a public retirement system, and, in ascertaining the amount of compensation of such participant for purposes of computing the amount of his contributions or benefits under a public retirement system, any amount deducted from his wages pursuant to this article shall be included.

SEC. 12".

Amendment No. 11

On page 4, line 39, strike out "Section", and insert "Sections".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 674—An act to add Sections 19702.1, 19702.2, 50084 and 50085 to the Government Code, relating to public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Employment and Public Employees, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 4, 1972, between lines 6 and 7, insert

"Nothing in this section shall be interpreted to limit the authority of the State Personnel Board regarding the state merit selection and examining program under Article XXIV of the California Constitution and this division."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1320—An act to amend Section 11711 of the Vehicle Code, relating to vehicle dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 2, after line 40, of the printed bill, as amended in Assembly May 16, 1972, insert

"(e) The claims of any person under subdivision (a) who is not a licensee shall be satisfied first and entitled to preference over all other claims under subdivision (a)."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2096—An act to amend Sections 21100 and 22500 of, and to add Section 21114.5 to, the Vehicle Code, relating to sidewalks

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly June 7, 1972, strike out "62", and insert "50".

Amendment No. 2

On page 2, line 24, strike out "62", and insert "50".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2199—An act to add Section 2059.5 to the Penal Code, relating to corrections, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2059 5 to the Penal", and insert "18860.5 to the Government".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 18860.5 is added to the Government Code, to read:

18860.5. (a) It is the intent of the Legislature in enacting this section to improve the qualifications and job performance of nonsupervisory correctional custody employees in the Department of Corrections.

(b) The Department of Corrections and the State Personnel Board shall jointly develop a salary incentive plan whereby nonsupervisory correctional custody employees may receive additional compensation based upon specified criteria.

(c) Such criteria may include, but are not limited to, job performance, personal qualifications, and completion of collegiate level or equivalent in-service training job related courses.

(d) The department and the board shall report to the Legislature as to the progress and evaluation of the salary incentive plan within three years of the effective date of this section."

Amendment No. 3

On page 2, strike out lines 2 to 16, inclusive.

Amendment No. 4

On page 2, strike out lines 20 to 22, inclusive, and insert "of Item 220 of the Budget Act of 1972 for salary increases for all classes in the corrections occupational group at or below the salary range of Correctional Captain."

Bill ordered reprinted, and returned to the second reading file.

Assembly Concurrent Resolution No. 57—Relative to State of California general obligation bonds.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "sydicates", and insert "syndicates".

Amendment No. 2

On page 2, line 2, strike out "the next", and insert "within one year of the effective date of this resolution an".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 962—An act to amend Sections 13813, 13828.4, 13840, 13846.5, 13885, 13886, 13891, 13940, 13994, 13996, 13999, 14000, 14020, 14022, 14023, 14028, 14030, 14036, 14040, 14060, 14061, 14073, 14080 2, 14083, 14154, 14182, 14189, 14190, 14211, 14217, 14218, 14223 5, 14227, 14398, and 16626 of, to amend the heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of, to amend and renumber Section 13835 of, to add Sections 13835, 13835 1, 13862, 13863, 13864, 14030 5, 14116, 14210 1, 14220.1, 14223, 14241 1, 14243.5, 14281.1, 14394.1, and 14405 to, to repeal and add Article 24 (commencing with Section 14300) to Chapter 4 of Division 10 of, to repeal Sections 14112.1, 14122, 14188, 14216, 14223, 14264, 14399, 14400, and 14401 of, the Education Code, and to amend Section 11126 of the Government Code, relating to the State Teachers' Retirement System

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

In line 18 of the title of the printed bill, as amended in Assembly June 7, 1972, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 12, line 26, after the first "the", insert "accumulated".

Amendment No. 3

On page 12, line 26, after "contributions", insert "plus contributions".

Amendment No. 4

On page 12, line 27, after "Fund", insert "prior to July 1, 1944, and".

Amendment No. 5

On page 12, line 27, after "1935", insert ", without interest except for such interest as was paid in by the member".

Amendment No. 6

On page 19, line 14, strike out "which began to accrue after June 30, 1972".

Amendment No. 7

On page 19, lines 22 and 23, strike out "that began to accrue after June 30, 1972".

Amendment No. 8

On page 28, after line 29, insert

"SEC 64 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Chapter 1305 of the Statutes of 1971 made numerous changes in the operation of the State Teachers' Retirement System, and will become operative on July 1, 1972 In order for the changes made by this act to be properly coordinated with the changes made by Chapter 1305, it is necessary that this act become operative on July 1, 1972

SEC 65. This act shall become operative July 1, 1972 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file

Senate Bill No. 370, ordered to third reading.

Senate Bills Nos. 591 and **689**, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 886—An act to add Section 403 to, and to repeal Section 403 of, the Probate Code, relating to executors of estates.

Bill read second time, and ordered to third reading.

Senate Bill No. 1282—An act relating to the maintenance of the various codes as follows·

Education Code· by amending Sections 10301, 22522, 22523, 22524, 22601, 22603, 22604, 22605, 22606, 22607, 22635, 22700, 22703, 23602, 23620, 23701, 23752 23752 4, 23753 3, 23754 23754 2, 24000 1, 24002, 24053.1, 24054, 24054 5, 24054.7, 24055, 24101, 24202, 24206.5, 24303, 24352, 24353, 24502, 25201, 25506, 31226, 31226 2, 31751, and 31752

Government Code by amending Sections 11126, 15854 1, 15854 5, 18007, 18022, 50330, and 50330 4

Penal Code by amending Sections 602 10 and 626

Vehicle Code by amending Section 165

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 17, line 33, of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

On page 21, line 18, after "state", insert "university or".

Amendment No. 3

On page 27, line 17, strike out "means", and insert "mean".

Amendment No. 4

On page 29, line 11, strike out "Government", and insert "Education".

Amendment No. 5

On page 34, lines 32 and 33, strike out "Part 1, Division 3, Title 2 of the Government Code", and insert "this part".

Amendment No. 6

On page 35, lines 15 and 16, strike out "of the Government Code".

Amendment No. 7

On page 38, line 36, after "state", insert "university or".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 155—An act to amend Section 68097 of the Government Code, relating to witness fees.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 168—An act to add Section 72602.15 to the Government Code, relating to Los Angeles County Municipal Courts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 244—An act to amend Section 69605 of the Government Code, relating to judges.

Bill read second time, and ordered to the Consent Calendar.

NOTE. Later this day Senate Bill No. 244 was re-referred to the Committee on Ways and Means

---

Senate Bill No. 630—An act to amend Section 329 of the Probate Code, relating to wills.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 67—An act to amend Section 28686 of the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 284—An act to add Section 464 to the Health and Safety Code, relating to hospitals.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1276—An act to amend Section 2760 of the Business and Professions Code, relating to nurses

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1183—An act to amend Section 2736 of the Business Professions Code, relating to nurses

Bill read second time, and ordered to the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 930, 2268, 1901 and **2211.**

Senate Bill No. 244.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILLS NOS. 1313 AND 2238

Mr Waxman was granted unanimous consent to rescind the action whereby, on June 19, 1972 (Assembly Journal, page 5021), the report of the Committee on Elections and Reapportionment relative to Assembly Bills Nos 1313 and 2238 was received and read in the Assembly, and the bills ordered to second reading, and whereby, on June 20, 1972, (Assembly Journal, page 5140), Assembly Bills Nos. 1313 and 2238 were read a second time, and ordered to third reading.

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No 1682, Assembly Constitutional Amendment No 20, and Assembly Bill No 1042 were continued until the next legislative day

Hon. Larry Townsend Presiding

At 11 47 a m , Hon Larry Townsend, 67th District, presiding

CHANGES IN COMMITTEE MEMBERSHIPS

Speaker Moretti was granted unanimous consent that the number of members on the Assembly Standing Committee on Local Government be increased from 10 to 11 members, and announced that he had appointed Assemblyman Lancaster as a member of the following Assembly Standing Committees Employment and Public Employees, Labor Relations; Local Government; and Welfare

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 1279, on request of Mr LaCoste

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time·

Assembly Bill No. 2380: By Assemblyman LaCoste—An act to add Section 7615 to the Public Utilities Code, relating to safety glass

Held at Desk by order of the Acting Speaker.

REQUEST TO RECONSIDER AND ACT UPON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 21, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Assembly Bill No. 2380—An act to add Section 7615 to the Public Utilities Code, relating to safety glass.

ERNEST LACOSTE

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, June 21, 1972

Mr Speaker Your Committee on Constitutional Amendments reports

ACA No 93

With amendments with the recommendation Amend, and be adopted, as amended

GARCIA, Chairman

Above resolution ordered on file

Committee on Elections and Reapportionment

Assembly Chamber, June 21, 1972

Mr Speaker. Your Committee on Elections and Reapportionment reports

ACA No 88

With amendments with the recommendation Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments

WAXMAN, Chairman

Above resolution ordered on file

Committee on Education

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 1119

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 499

With amendments with the recommendation· Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Education reports:

AB No 1627

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation to be placed on Consent Calendar.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Education reports·

AB No. 1314

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 21, 1972

Mr Speaker· Your Committee on Education reports·

SB No. 225

With the recommendation· Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 21, 1972

Mr. Speaker Your Committee on Education reports·

SB No. 198

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 21, 1972

Mr Speaker. Your Committee on Education reports

SB No 1488

With the recommendation Do pass.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal

Changes in Membership of Assembly Standing Committees

June 21, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir I have appointed Assemblyman Bill Lancaster to the Assembly Labor Relations Committee to replace former Assemblyman Craig Biddle

Sincerely,

BOB MORETTI
Speaker of the Assembly

June 21, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir I have been granted unanimous consent to increase the membership of the Assembly Local Government Committee from 10 members to 11 members and have appointed Assemblyman Bill Lancaster as a member

Sincerely,

BOB MORETTI
Speaker of the Assembly

June 21, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: I have appointed Assemblyman Bill Lancaster to the Assembly Welfare Committee to replace former Assemblyman Craig Biddle.

Sincerely,

BOB MORETTI
Speaker of the Assembly

June 21, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: I have appointed Assemblyman Bill Lancaster to the Assembly Employment and Public Employees Committee to replace former Assemblyman Craig Biddle.

Sincerely,

BOB MORETTI
Speaker of the Assembly

ADJOURNMENT

At 12:08 p.m., Acting Speaker Townsend declared the Assembly adjourned until 1:30 p.m., Thursday, June 22, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-fifth Legislative Day

One Hundred Seventy-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 22, 1972

The Assembly met at 1:30 p m
Hon. Bob Moretti, Speaker of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Lancaster moved a quorum call of the Assembly.
Motion carried Time, 1:32 p.m.
The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Majority Floor Leader Presiding

At 1:45 p.m., Hon. Jack R. Fenton, 51st District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 1:50 p.m, Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—71

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by the Honorable Ken MacDonald, Member of the Assembly, 37th District:

Heavenly Father, As elected representatives of the people we humbly ask You, make us an instrument of Your peace Where there is hatred, help us sow love; where there is despair, hope; where there is darkness, light

Grant us, Lord, the ability, courage, and wisdom to attain all these objectives for the people of this great state —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mrs Brathwaite then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Ryan, seconded by Mr. LaCoste.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Porter, on request of Acting Speaker Fenton.
Mr Wakefield, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Brown, on request of Acting Speaker Fenton
Mr Cullen, on request of Acting Speaker Fenton
Mr Priolo, on request of Acting Speaker Fenton
Mr Z'berg, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem·

Mr Pierson, on request of Acting Speaker Fenton

The following Member was granted leave of absence for the day, because of a death in his family

Mr. Monagan, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal

June 22, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker I would like to be excused from the session on Thursday, June 22, 1972, on legislative business

I have been invited to address the American Banker's Association Committee on Urban and Community Affairs at their convention at the Lake of the Ozarks.

Sincerely,

WILLIE L. BROWN, JR., Assemblyman
Eighteenth District

June 19, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker Please excuse me from session on June 22, 1972, on legislative business.

I plan to attend the Second Western Regional Legislative Leaders Seminar in Phoenix, Arizona.

Cordially,

MIKE CULLEN, Assemblyman
Forty-fourth District

June 21, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr. Speaker· I respectfully request that I be excused from session on Thursday, June 22, 1972, due to legislative business.

I will be attending the Western Legislative Leaders Seminar in Phoenix, Arizona.

Sincerely,

PAUL PRIOLO, Assemblyman
Sixtieth District

June 21, 1972

Hon Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· This is to advise you that I will be absent from session Thursday, June 22nd on legislative business.

I will be attending the Western States Legislators Seminar in Phoenix, Arizona

Very truly yours,

EDWIN L. Z'BERG, Assemblyman
Ninth District

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

William S. Weber, Chief, Office of Transportation Planning and Research, Business and Transportation Agency, Sacramento, dated June 15, 1972, relative to the report requested by House Resolution No 106 regarding a statutory transportation organization for the Los Angeles Basin Referred by the Acting Speaker to the Committee on Transportation.

REPORTS

The following reports were presented by the Chief Clerk.

Final Report to the California Legislature in Response to Assembly Concurrent Resolution No. 157 Relative to State Employment. June 1, 1972.

Above transmitted report, together with letter of transmittal from Richard L Camilli, Executive Officer, California State Personnel Board, Sacramento, dated June 8, 1972, referred by the Acting Speaker to the Committee on Employment and Public Employees

Bulletin No. 117-13. Pyramid Lake Recreation Development Plan—Initial Facilities. May 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated June 20, 1972, referred by the Acting Speaker to the Committee on Water.

Report on Beach Dedication to Public Use at Lake Tahoe, Volumes I, II, and III. (Pursuant to Chapter 1397, Statutes of 1968, as amended by Chapter 1222, Statutes of 1969.) February 1972.

Above transmitted report, together with letter of transmittal from F. J Hortig, Executive Officer, State Lands Division, Sacramento, dated June 20, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
505	Revenue and Taxation
567	Health
621	Health
839	Elections and Reapportionment
913	Retirement
1358	Health

Senate Concurrent Resolution No.	*Committee*
18	Natural Resources and Conservation

RESOLUTIONS

The following resolutions were offered

By Assemblyman Karabian·

House Resolution No. 66

Relative to community colleges

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of Assembly Bill 1891 of the 1972 Regular Session, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Briggs:

House Resolution No. 67

Relative to unloading of agricultural products

WHEREAS, There exists a question of the legislative intent of Sections 56891 through 56959 of the Agricultural Code, and

WHEREAS, Many of the shippers and carriers of agricultural products do not agree with the interpretations and actions of the Director of Industrial Relations, and the results thereof, with respect to such provisions, and

WHEREAS, Such differences have resulted in confusion, violations of law, and possibly exorbitant costs for the unloading of agricultural commodities in the produce markets, and

WHEREAS, Numerous attempts have been made through correspondence with the Director of Industrial Relations to obtain public hearings to determine whether or not the charges being assessed for unloading in the market areas are just and reasonable, and

WHEREAS, The Director of Industrial Relations has refused all requests for public and open hearings where evidence could be presented by interested parties; and

WHEREAS, It is necessary to have a complete and thorough investigation concerning current practices involving the unloading of agricultural products to determine the relevancy of current statutory provisions and the actions of state agencies thereunder, with a particular reference to Sections 56891 through 56959 of the Agricultural Code; and

WHEREAS, Such investigation should be conducted under the direction of the Director of Industrial Relations; and

WHEREAS, His report on the results of such investigation and his recommendations for any necessary improvements and changes in the law and procedures should be available for interim committee hearings, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign the subject matter of this resolution to the Assembly Committee on Agriculture for study; and be it further

Resolved, That the Director of Industrial Relations is hereby requested to conduct the required investigation, and to submit a written report, relating to the subject matter of this resolution, to the Assembly Committee on Agriculture, which shall conduct interim hearings to receive the report and testimony of the director and all other interested parties; and be it further

Resolved, That the Assembly Committee on Agriculture report its findings and recommendations to the Legislature during the 1973 Regular Session of the Legislature, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Industrial Relations.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Bill Greene·

House Resolution No. 68

Relating to victimless crimes

WHEREAS, The President's Crime Commission has reported that almost half of all arrests are on charges involving so-called "victimless" crimes, and

WHEREAS, The Task Force Report on Law and Law Enforcement to the National Commission on the Causes and Prevention of Violence has cited example after example of state legislatures, reacting to political or social pressures, enacting laws to subject yet another form of human behavior to criminal sanctions or to increase penalties for conduct already under sanction, without regard to the impact of that legislation on the workload of already overloaded criminal justice agencies, and

WHEREAS, There are various alternatives to dealing with the problems of victimless crimes, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to the Committee on Criminal Justice for study the modernization of California law with respect to victimless crimes; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly no later than the fifth calendar day of the 1973 Regular Session.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, June 21, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

Assembly Joint Resolution No. 33—Relative to federal lands adjacent to Point Mugu State Park,

And reports the same correctly enrolled, and presented to the Secretary of State on the 21st day of June, 1972, at 2 30 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 21, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined,

Assembly Bill No. 189—An act to amend Section 3251 of the Civil Code, relating to payment bonds for public works;

Assembly Bill No. 1604—An act to add Article 4 (commencing with Section 9430) to Chapter 4 of Division 9 of the Public Resources Code, relating to resource conservation districts,

Assembly Bill No. 2147—An act to amend Section 8693 of the Fish and Game Code, relating to gill nets;

And reports the same correctly enrolled, and presented to the Governor at 2.30 p.m., June 21, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 21, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 514—An act to add Section 25536.2 to the Government Code, relating to county property;

Assembly Bill No. 1816—An act to amend Section 13364 of the Education Code, relating to teachers;

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., June 21, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

Assembly Bill No. 1047—An act to amend Section 29321 of the Government Code, relating to county funds;

Assembly Bill No. 1863—An act to amend Section 50050 of, and to add Section 50055 to, the Government Code, relating to escheat of money in treasuries of local agencies;

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., June 21, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 22, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

AB No 569	AB No 1408
AB No 674	AB No 2096
AB No 1320	

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 1144	AB No 1790
AB No 1239	AB No 2199
AB No 1663	

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 22, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

AB No 348
AB No 1410

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 885	AB No 1576	AB No. 1846
AB No 956	AB No. 1599	AB No 2204
AB No 1237	AB No 1744	AB No. 2014
AB No 1315	AB No 1745	

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 22, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 220	AB No 1657
AB No 841	AB No 1963

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 23
ACR No 57

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AJR No 6

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1549
AB No. 1831

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, June 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2355

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1431

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, June 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 2268

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1901
AB No 2211

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to Committee on Ways and Means.

Assembly Chamber, June 22, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

AB No 930

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2024

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1618

AB No. 2335

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Health reports·

AB No. 1411

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 21, 1972

Mr. Speaker· Your Committee on Criminal Justice reports:

SB No. 549

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 160

With the recommendation: Do pass.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 21, 1972

Mr Speaker· Your Committee on Criminal Justice reports·

SB No. 522

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, June 21, 1972

Mr. Speaker Your Committee on Revenue and Taxation reports

SB No 127

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, June 21, 1972

Mr. Speaker Your Committee on Revenue and Taxation reports

SB No 576

SB No 1126

SB No 1408

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

GONSALVES, Chairman

Above bills ordered to second reading

Assembly Chamber, June 21, 1972

Mr Speaker Your Committee on Revenue and Taxation reports·

SB No 389

SB No 390

SB No 407

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

GONSALVES, Chairman

Above bills ordered to second reading

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports·

AB No 2345

With the recommendation: Do pass

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, June 21, 1972

Mr. Speaker· Your Committee on Revenue and Taxation reports.

AB No 1200
AB No 1201
AB No 1736

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Retirement

Assembly Chamber, June 13, 1972

Mr Speaker: Your Committee on Retirement reports·

AB No 2189

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation: To Consent Calendar

BARNES, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, June 15, 1972

Mr Speaker Your Committee on Natural Resources and Conservation reports·

AB No 669

With the recommendation. Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

Z'BERG, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 21, 1972

Mr Speaker Your Committee on Ways and Means reports:

AB No 11	AB No 1417	AB No 1988
AB No 567	AB No 1491	AB No 2118
AB No 898	AB No 1697	AB No 2249
AB No 1307	AB No 1808	

With the recommendation · Do pass

LANTERMAN, Vice Chairman

Above bills ordered to second reading.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 355	AB No. 1403	AB No. 2074
AB No. 1379	AB No 1489	AB No 2119
AB No. 1385	AB No 2012	AB No 2123

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Assembly Chamber, June 21, 1972

Mr Speaker: Your Committee on Ways and Means reports:

ACR No. 58

With the recommendation: Be adopted.

LANTERMAN, Vice Chairman

Above resolution ordered on file.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No 53

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

LANTERMAN, Vice Chairman

Above resolution ordered on file.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1217

AB No 1416

With amendments with the recommendation: Amend, and do pass, as amended.

LANTERMAN, Vice Chairman

Above bills ordered to second reading.

Assembly Chamber, June 21, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 1791

AB No 1961

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LANTERMAN, Vice Chairman

Above bills ordered to second reading

Assembly Chamber, June 21, 1972

Mr Speaker. Your Committee on Ways and Means reports:

SB No. 5

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, June 22, 1972

Mr. Speaker · Your Committee on Health reports:

AB No 482

With amendments with the recommendation Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr Speaker · Your Committee on Ways and Means reports:

AB No 1360

With amendments with the recommendation. Amend, and do pass, as amended

LANTERMAN, Vice Chairman

Above bill ordered to second reading

Assembly Chamber, June 22, 1972

Mr Speaker Your Committee on Ways and Means reports

ACR No 94

With amendments with the recommendation · Amend, and be adopted, as amended.

LANTERMAN, Vice Chairman

Above resolution ordered on file.

Committee on Agriculture

Assembly Chamber, June 22, 1972

Mr. Speaker Your Committee on Agriculture reports

SB No 450
SB No 746
SB No. 911

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means with recommendation · To Consent

BRIGGS, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Agriculture reports:

SB No. 525

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRIGGS, Chairman

Above bill ordered to second reading

Committee on Welfare

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Welfare reports:

SB No. 311

With amendments with the recommendation: Amend, and do pass, as amended.

BAGLEY, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No. 2196

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, June 22, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SCA No. 23

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above resolution ordered on file.

Assembly Chamber, June 22, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports:

SB No. 446

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 15, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No. 1110

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 773

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Education reports.

SB No. 1083

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 214

AB No. 2018

With author's amendments with the recommendation: Amend, and refer to the Committee on Ways and Means

LANTERMAN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 214—An act to add Sections 18107 and 20108 to the Government Code, and Sections 5664, 5755 5 and 5755 6 to the Welfare and Institutions Code, relating to mental health, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 18, 1972, strike out "Assemblyman McAlister", and insert "Assemblymen McAlister and Lewis".

Amendment No. 2

In line 3 of the title, after "Sections", insert "5119,".

Amendment No. 3

On page 3, between lines 24 and 25, insert

"SEC 2.5. Section 5119 is added to the Welfare and Institutions Code, to read:

5119 When a person who is an employee of the Department of Mental Hygiene at the time of employment by a county in a county mental health program or when a person who has been an employee of the Department of Mental Hygiene within the 12-month period prior to his employment by a county in a county mental health program, the board of supervisors may, to the extent feasible, allow such person to retain as a county employee, those employee benefits to which he was entitled or had accumulated as an employee of the Department of Mental Hygiene or provide such employee with comparable benefits provided for other county employees whose service as county employees is equal to the state service of the former employee of the Department of Mental Hygiene Such benefits include, but are not limited to, retirement benefits, seniority rights under civil service, accumulated vacation and sick leave "

Amendment No. 4

On page 4, line 14, after "mental", insert "health".

Amendment No. 5

On page 4, line 36, strike out "two hundred thousand dollars ($200,000)", and insert "five hundred thousand dollars ($500,000)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2018—An act to repeal Section 9902.6 of the Business and Professions Code, relating to employment agencies

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "repeal", and insert "amend".

Amendment No. 2

On page 2, strike out lines 25 and 26.

Amendment No. 3

On page 2, after line 26, insert

"SECTION 1. Section 9902.6 of the Business and Professions Code is amended to read:

9902 6. The provisions of this chapter shall not apply to any person engaged in the business of management consulting and who in the course of said business acts solely on behalf of, and is compensated solely by, an employer to identify, appraise or recommend an individual or individuals for consideration for ~~an executive or professional~~ *a management* position, provided that:

(a) The ~~compensation~~ *minimum first year starting salary* for each such position is at the rate of not less than ~~fifteen~~ *twenty-five* thousand dollars ~~($15,000)~~ *($25,000)* per year.

(b) In no instance is the individual who is identified, appraised, or recommended for consideration for such position charged a deposit, retainer, or fee directly or indirectly in connection with such identification, appraisal, or recommendation, or for registration or for preparation of any resumé, or on account of any other personal service performed by the person engaged in the business of management consulting and who in the course of said business is retained by the employer to identify, appraise, or recommend individuals for ~~executive or professional positions~~ *a management position*.

(c) In no instance does the person engaged in management consulting advertise positions for which the ~~compensation~~ *minimum first year starting salary* is at the rate of less than ~~fifteen~~ *twenty-five* thousand dollars ~~($15,000)~~ *($25,000)* per year, or that any of the fees mentioned in subdivision (b) are charged by such person."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, June 22, 1972

Mr. Speaker The Chairman of your Committee on Revenue and Taxation reports

SB No 1007

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1007—An act to amend Sections 5523, 5563, 5564, 5566, 5567, 5568, 5762, 5763, 5765, 5766, 5767, and 5768 of, and to repeal Section 5570 of, the Revenue and Taxation Code, relating to in-lieu taxes on domestic animals, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 25, 1972, strike out "5765, 5766, 5767, and 5768", and insert "5703, 5705, 5710, 5711, 5712, 5713, 5714, 5715, 5716, 5717, 5718, 5720 5, 5721, 5722, 5741, 5761, 5764, 5765, 5766, 5767, 5768, 5782, and 5801".

Amendment No. 2

In line 2 of the title, after "of," insert "to add Sections 5706, 5707, 5716.5, and 5720 6 to,".

Amendment No. 3

In line 3 of the title, strike out "Section 5570", and insert "Sections 5570, 5706, 5707, 5708, 5709, 5723, 5742, and 5743".

Amendment No. 4

On page 3, between lines 20 and 21, insert

"SEC 8. Section 5703 of the Revenue and Taxation Code is amended to read:

5703. "Racehorse" means each live horse, including a stallion, mare, gelding, ridgeling, colt, ~~or~~ filly, *or foal*, that is *or will be* eligible to participate in or produce foals which ~~are~~ *will be* eligible to participate in a horseracing contest in California wherein parimutuel racing is permitted under rules and regulations prescribed by the California Horse Racing Board *"Racehorse" does not mean or include any horse over three years old that has not participated in a horserace contest on which parimutuel wagering is permitted or has not been used for breeding purposes in order to produce racehorses during the two previous calendar years*

SEC 9 Section 5705 of the Revenue and Taxation Code is amended to read·

5705 "Annual ~~fee~~ *tax*" means a ~~fee~~ *tax* that ~~shall be paid by~~ *is imposed on* the owner for any racehorse domiciled in the State of California.

SEC 10. Section 5706 of the Revenue and Taxation Code is repealed

~~5706. "Tax year" means the period beginning with the first day of July of one calendar year and ending on the last day of June of the calendar year next following.~~

SEC. 11 Section 5706 is added to the Revenue and Taxation Code, to read

5706 "Current calendar year" means the yearly period from the first day of January to the last day of December, inclusive for which the tax is imposed

SEC 12. Section 5707 of the Revenue and Taxation Code is repealed

~~5707. "Previous tax year" means the tax year immediately preceding the tax year for which the annual fee is imposed.~~

SEC. 13. Section 5707 is added to the Revenue and Taxation Code, to read:

5707 "Previous calendar year" means the calendar year immediately preceding the calendar year for which the annual tax is imposed.

SEC 14. Section 5708 of the Revenue and Taxation Code is repealed.

~~5708. "Tax Quarter" means each consecutive period of three calendar months following the beginning of the tax year.~~

SEC. 15. Section 5709 of the Revenue and Taxation Code is repealed.

~~5709. "Acquired" means a transfer of legal or equitable title. "Acquired" shall not include a transfer of an interest as security for a loan.~~

SEC 16. Section 5710 of the Revenue and Taxation Code is amended to read:

5710 "Stallion" means any racehorse which, *during the two previous calendar years,* has ~~at any time~~ serviced three or more different broodmares for the purpose of producing a racehorse

SEC. 17. Section 5711 of the Revenue and Taxation Code is amended to read.

5711. "Producing broodmare" means a racehorse which, during the previous ~~tax~~ *calendar* year, has produced a live foal.

SEC. 18. Section 5712 of the Revenue and Taxation Code is amended to read:

5712 "Nonproducing broodmare" means a racehorse mare which has not produced a live foal during the previous ~~tax~~ *calendar* year.

SEC. 19. Section 5713 of the Revenue and Taxation Code is amended to read.

5713. "Stakes-winning broodmare" ~~is one~~ *means a broodmare* which has won *at any time during her life* a race with a purse to which owners of participating horses have contributed nomination, ~~or~~ entry, *or starting* fees, *or a recognized stakes race in which all entrants raced by invitation.*

SEC. 20 Section 5714 of the Revenue and Taxation Code is amended to read:

5714 "Stakes-producing broodmare" ~~is one~~ *means a broodmare* which has *produced at any time during her life a racehorse which has* won a race with a purse to which owners of participating horses have contributed nomination, ~~or~~ entry, *or* starting fees *or a recognized stakes race in which all entrants raced by invitation.*

SEC. 21. Section 5715 of the Revenue and Taxation Code is amended to read:

5715. "Stakes yearling", *"stakes two-year-old", or "stakes three-year-old"* means a racehorse *of the designated age* which was foaled ~~prior to January 1 of the previous tax year~~ by a stakes-winning or stakes-producing broodmare.

SEC 22. Section 5716 of the Revenue and Taxation Code is amended to read:

5716. "Yearling" means a racehorse which was foaled ~~prior to January 1 of~~ *during* the previous ~~tax~~ *calendar* year.

SEC. 23. Section 5716 5 is added to the Revenue and Taxation Code, to read.

5716 5. "Foal" means a racehorse which is foaled during the current calendar year

SEC 24. Section 5717 of the Revenue and Taxation Code is amended to read.

5717. "Active racehorse" means a racehorse which has participated in a horseracing contest on which parimutuel wagering was permitted during the previous ~~tax~~ *calendar* year.

SEC 25 Section 5718 of the Revenue and Taxation Code is amended to read.

5718 "Nonactive racehorse" means any racehorse which has not participated in any horseracing contest on which parimutuel wagering was permitted during the previous ~~tax~~ *calendar* year ~~.~~ *, except a racehorse three years of age or younger*

SEC 26. Section 5720 5 of the Revenue and Taxation Code is amended to read

5720 5 "Stud fee classification" will be determined by the highest stud fee charged for the mating of a mare to a stallion during the ~~prior tax~~ *previous calendar* year

SEC 27 Section 5720 6 is added to the Revenue and Taxation Code, to read

5720 6 "Domicile" means·

(a) The home ranch on January 1 of the current calendar year of the owner of a racehorse or other place where the horse is quartered when not racing or in training to race

(b) The residence on January 1 of the current calendar year of the owner of any racehorse that is not quartered at a home ranch or other location when not racing or in training to race

SEC 28 Section 5721 of the Revenue and Taxation Code is amended to read·

5721 For the ~~1972-73 tax~~ *1973 calendar* year and each ~~tax~~ *calendar* year thereafter, on the privilege of breeding, training, caring for or racing a racehorse in this state, there is hereby imposed an annual ~~fee on such horses to be paid by racehorse owners~~ *tax on owners of racehorses* for such racehorses domiciled in this state, which shall be in lieu of any property tax on racehorses subject to taxation pursuant to this part

SEC 29 Section 5722 of the Revenue and Taxation Code is amended to read·

5722 The annual ~~fee~~ *tax* is imposed on and shall be paid by the owner on the following basis

~~Stallions~~ STALLIONS Stud fee classification	~~Up to Age 12~~ *Age 12 and Younger*	Age 13 ~~and up~~ *and Older*
$10,000 and up	$1,000	$650
7 500 and up	750	500
5,000 and up	500	330
3,000 and up	300	200
1,500 and up	150	100
1,000 and up	100	65
Less than 1,000	75	50

~~Broodmares~~
BROODMARES

Stakes-winning producing broodmares	75	50
Stakes ~~producer~~ producing broodmares	75	50
~~Producing~~ *Other producing* broodmares	40	28
Stakes-winning nonproducing broodmares	35	25
~~Nonproducing~~ *Other nonproducing* broodmares	20	12
~~Stakes yearlings~~	~~35~~	
~~Yearlings~~	~~20~~	

ACTIVE RACEHORSES

~~Active racehorses~~ *Racehorses* which *in the previous calendar year* earned: ~~more than~~ $100,000 *or more* ~~in prior tax year~~	150
Between 50,000 and 99,999	100
Between 25,000 and 49,999	60
Less than 25,000	40
~~Nonactive racehorses~~	~~20~~

OTHER RACEHORSES

Stakes yearlings, stakes two-year-olds, stakes three-year-olds	*35*
Other yearlings, two-year-olds, three-years-olds, and nonactive racehorses	*20*

SEC. 30. Section 5723 of the Revenue and Taxation Code is repealed.

~~5723. With respect to racehorses within this state, the taxable situs of a racehorse shall be the place where the racehorse is quartered or domiciled when not racing or in training at a racetrack.~~

SEC. 31. Section 5741 of the Revenue and Taxation Code is amended to read:

5741. Foals born to a racehorse mare during ~~any tax quarter~~ *the current calendar* year shall be exempt from ~~taxes~~ *the tax* imposed by this part or by any other part of this code ~~for such tax quarter~~.

SEC. 32. Section 5742 of the Revenue and Taxation Code is repealed.

~~5742. A racehorse that does not participate in a horserace contest on which parimutuel wagering is permitted within two consecutive previous tax years and is not used for breeding purposes in order to produce racehorses shall not be considered a racehorse under the provisions of this part.~~

SEC. 33. Section 5743 of the Revenue and Taxation Code is repealed.

~~5743. The exemptions provided for foals or racehorses pursuant to this chapter shall in no way be construed as subjecting foals or racehorses otherwise subject to this part to the property tax.~~

SEC. 34. Section 5761 of the Revenue and Taxation Code is amended to read:

5761. The ~~taxes~~ *tax* imposed pursuant to this part shall *be determined as of* ~~become due and shall be payable to the tax collector of the county in which the racehorse had its taxable situs as defined in Section 5723 at~~ 12 01 a m January 1 of the ~~tax~~ *calendar* year for which ~~they are~~ *it is* imposed - *and shall be immediately due and payable to the tax collector of the county in which the racehorse is domiciled.*"

Amendment No. 5

On page 3, line 21, strike out "8", and insert "35".

Amendment No. 6

On page 3, line 26, strike out "tax", and insert "calendar".

Amendment No. 7

On page 3, line 27, strike out "9", and insert "36"

Amendment No. 8

On page 3, between lines 37 and 38, insert

"SEC 37 Section 5764 of the Revenue and Taxation Code is amended to read

5764 If, in the opinion of the tax collector, the amount of tax required to be paid to the county pursuant to this part, or any portion thereof, will be jeopardized by delay, the ~~assessor~~ *tax collector* shall thereupon make a determination of the tax or the amount of tax to be collected The amount so determined shall be immediately due and payable Such jeopardy determinations and the amount of tax found to be due thereunder may be collected by the tax collector by any legal means, including, but not limited to, the procedures established pursuant to Chapter 3 3 (commencing with Section 2851), Chapter 4 (commencing with Section 2901), Chapter 5 (commencing with Section 3002), and Chapter 6 (commencing with Section 3101) of Part 5 of this division "

Amendment No. 9

On page 3, line 38, strike out "10", and insert "38".

Amendment No. 10

On page 4, line 13, strike out "11", and insert "39".

Amendment No. 11

On page 4, line 20, strike out "12", and insert "40".

Amendment No. 12

On page 4, line 34, strike out "13", and insert "41"

Amendment No. 13

On page 5, line 3, after "number", insert "and type"

Amendment No. 14

On page 5, between lines 8 and 9, insert

"SEC 42 Section 5782 of the Revenue and Taxation Code is amended to read

5782. On forms provided through the office of the assessor, the owner of a racehorse either in person, through his representative or by mail, shall report the tax due The reports required by this section may be filed with the ~~assessor~~ *tax collector* of the county in which the racehorse had its ~~taxable situs as defined in Section 5723~~ *domicile*. The reports shall be filed on or before 5 p m. on the day the tax due becomes delinquent

SEC. 43. Section 5801 of the Revenue and Taxation Code is amended to read.

5801 All proceeds derived from the tax, *interest, and penalties* imposed by this part shall be allocated by the auditor as promptly as is feasible in the following manner

(a) If the ~~taxable situs~~ *domicile* of the racehorse ~~as defined in Section 5723~~ was located within a city and any school district, the proceeds from such racehorse shall be distributed one-third to the city, one-third to the school district, and one-third to the county

(b) If the ~~taxable situs~~ *domicile* of the racehorse ~~as defined as in Section 5723~~ was located outside of any city but was located within one or more school districts, the proceeds from such racehorse shall be distributed one-half to the school district or districts and one-half to the county

(c) If the ~~taxable situs~~ *domicile* of the racehorse ~~as defined as in Section 5723~~ was located in both an elementary school district and a high school district, the proceeds allocable to school districts shall be divided equally between the elementary and high school districts to the exclusion of all other school districts

The details of the method of allocation shall be supplied by the county auditor, shall be approved by the board of supervisors and shall fairly carry out the purposes of this section "

Amendment No. 15

On page 5, strike out lines 9 through 13, inclusive

Amendment No. 16

On page 5, between lines 13 and 14, insert

"SEC. 44. It is the intent of the Legislature that in changing the tax imposed by Part 12 of Division 1 of the Revenue and Taxation Code from a fiscal to a calendar year reporting period that such tax will continue to be in lieu of all taxes according to value beginning with the fiscal year 1972–73."

Amendment No. 17

On page 5, line 14, strike out "15", and insert "45".

Amendment No. 18

On page 5, line 29, after "of", strike out "each tax ", and insert "both tax laws It also changes the taxable period of the racehorse tax from a fiscal to a calendar year in order to simplify reporting procedures for owners of racehorses "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 22, 1972

Mr. Speaker: The Chairman of your Committee on Governmental Organization reports:

SB No. 819

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 819—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, before "Before", insert "24074."

Amendment No. 2

On page 3, after line 27, insert

"SEC 2. Section 24074 of the Business and Professions Code is amended to read:

24074 Before the filing of such a transfer application with the department, if the intended transfer of the business or license involves a purchase price or consideration, the licensee and the intended transferee shall establish an escrow with some person, corporation, or association not a party to the transfer acting as escrow holder, and the intended transferee shall deposit with the escrow holder the full amount of the purchase price or consideration The transfer application shall be accompanied by a description of the entire consideration Such description shall include a designation of cash, checks, promissory notes, and tangible and intangible property, and the amount of each thereof. The licensee and intended transferee shall also enter into an agreement, which agreement shall be deposited with the escrow holder, directing the escrow holder, after the requirements for transfer as provided in Section 24049 are satisfied, to pay out of the purchase price or consideration, the claims of the bona fide creditors of the licensee who file their claims with the escrow holder before the escrow holder is notified by the department of its approval of the transfer of the license or if the purchase price or consideration is not sufficient to pay the claims in full, to distribute the consideration as follows:

First, To the payment of claims for wages, salaries, or fringe benefits of employees of the seller or transferor earned or accruing ~~within ninety (90) days~~ prior to the sale, transfer, or opening of an escrow for the sale thereof;

Second, To the payment of claims of secured creditors to the extent of the proceeds which arise from the sale of the security;

Third, To the United States for claims based on income or withholding taxes; and thereafter for claims based on any tax other than taxes specified in Section 24049;

Fourth, To the payment of claims on mechanics' liens;

Fifth, To the payment of escrow fees and the payment of claims for prevailing brokerage fees for services rendered and claims for reasonable attorney's fees for services rendered;

Sixth, To the payment of claims for goods sold and delivered to the transferor for resale at his licensed premises and the payment of claims for services rendered, performed, or supplied in connection with the operation of the licensed business

Seventh, To the payment of all other claims The payment of these claims if sufficient assets are not available for the payment of the claim in full shall be paid pro rata.

~~If the transferor licensee disputes any claim, the escrow holder shall notify the claimant, and the amount or pro rata amount thereof shall be retained by the escrow holder for a period of 25 days, and if not attached shall be paid to the transferor licensee. The agreement shall also provide that the escrow holder shall make the payment or distribution within a reasonable time after the completion of the transfer of the license.~~

If the transferor licensee disputes any claim he shall present to the escrow holder a statement under oath giving the reason for the dispute The escrow holder shall promptly mail a copy of the statement of dispute to the claimant, and shall retain the claimant's share of the escrow fund for a period of 30 days from the date of mailing of said statement of dispute If the claimant, within said period, shall file suit on his claim against the transferor licensee, verifying the complaint, and either cause a writ of attachment to be levied on the escrow holder or furnish the latter with a certified copy of the complaint, then the escrow holder shall retain the claimant's share of the escrow fund until the dispute is adjudicated or settled If claimant fails to take such action, then his share of the escrow fund shall be distributed to other claimants in accordance with this section, or if they are fully satisfied, to the transferor licensee

The escrow agreement shall also provide that the escrow holder shall make the payment or distribution within a reasonable time after the completion of the transfer of the license

SEC 3 It is the intent of the Legislature, if this bill and Senate Bill No 1470 are both chaptered and amend Section 24074 of the Business and Professions Code, and this bill is chaptered after Senate Bill No 1470, that the amendments to Section 24074 proposed by both bills be given effect and incorporated in Section 24074 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 1470 are both chaptered, both amend Section 24074, and Senate Bill No 1470 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 268

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

LANTERMAN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 268—An act to add Part 5 (commencing with Section 14500) to Division 3 of Title 1 of the Corporations Code, relating to community development corporations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5", and insert "6".

Amendment No. 2

On page 2, line 1, strike out "5", and insert "6".

Amendment No. 3

On page 2, line 5, strike out "5", and insert "6".

Amendment No. 4

On page 2, line 35, insert

"14502. This part shall be known and may be cited as the Community Development Corporation Law."

Amendment No. 5

On page 10, line 34, after "meetings", insert "or by proxy".

Amendment No. 6

On page 10, line 35, strike out "one-twentieth", and insert "one-tenth".

Amendment No. 7

On page 13, line 30, after "members", insert "and shall include individuals with professional or business experience who are capable of giving organizational and operational advice to the board of directors".

Amendment No. 8

On page 18, lines 6 and 7, strike out ", with par value of five dollars ($5),".

Amendment No. 9

On page 18, line 8, strike out "16 years of age or older".

Amendment No. 10

On page 18, strike out lines 21 to 40, inclusive; and on page 19, strike out lines 1 to 5, inclusive, and insert

"14631. Nothing contained in this article shall be construed to exempt any security to be offered or sold by a community development corporation from the provisions of the Corporate Securities Law of 1968."

Amendment No. 11

On page 19, line 6, strike out "14633", and insert "14632".

Amendment No. 12

On page 19, line 8, strike out "A corporation may, at the request of a"; and strike out lines 9 and 10.

Amendment No. 13

On page 26, strike out line 16, and insert

"(d) That this corporation is organized pursuant to the Community Development Corporation Law;".

Amendment No. 14

On page 26, strike out lines 26 to 28, inclusive, and insert

"(h) The county in this state where the principal office for the transaction of the business of the corporation is located "

Amendment No. 15

On page 26, strike out lines 35 to 37, inclusive, and insert

"14680 Each person named in the articles as an incorporator shall personally sign the articles All signatures thereto shall be personally acknowledged before an officer authorized by the laws of this state or of the place where the acknowledgment is made to take acknowledgments."

Amendment No. 16

On page 30, line 31, after the semicolon, insert "or".

Amendment No. 17

On page 30, line 33, strike out "; or", and insert a period

Amendment No. 18

On page 30, strike out lines 34 and 35

Amendment No. 19

On page 32, after line 4, insert

"Article 2. Filing and Existence

14700 Upon the issuance of a final certificate, the board shall promptly transmit to the Secretary of State the articles of incorporation with the board's approval endorsed thereon The Secretary of

State shall file the articles in his office and shall endorse the date of filing thereon The corporate existence begins upon the filing of the articles and continues perpetually, unless otherwise provided by law or until dissolved according to law

14701 Upon amendment of the articles of incorporation, the board shall promptly transmit to the Secretary of State the certificate of amendment with the board's approval endorsed thereon The Secretary of State shall file the certificate of amendment and put an endorsement of filing thereon

14702 Upon the voluntary or involuntary dissolution of the corporation, the board shall promptly transmit to the Secretary of State its certificate to such effect or the certificate of winding up and dissolution with the board's approval endorsed thereon The Secretary of State shall file the certificate in his office, and thereupon corporate existence shall cease

14703 As to any matter not provided for in this part, the provisions of the General Corporation Law apply to corporations organized pursuant to this part Without limiting the generality thereof, the following sections specifically apply 310, 311, 312, 313, 821, 833, 2240, 3300, 3301, 3301 1, 3301 2, 3301 3, 3301 7, 3301 8, 3302, 3303, 3305, 3305 1, 3305 2, 3306, 3673, 3674, 4690, 4691, 4692, 4693, 5201, 5205 and 5206

14704 Upon issuance of a conditional certificate the board shall notify the Secretary of State of the proposed corporate name and the Secretary of State shall, subject to Section 310, thereupon reserve the proposed corporate name until the filing of the articles of incorporation or notification by the board that the final certificate has been denied or of an abandonment of the proposed corporation or of the proposed corporate name ''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, June 22, 1972

Mr Speaker The Chairman of your Committee on Governmental Organization reports

SB No 1470

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Governmental Organization

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1470—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, as amended in Senate June 5, 1972, after line 22, insert

"SEC 2. Section 24074 of the Business and Professions Code is amended to read:

24074. Before the filing of such a transfer application with the department, if the intended transfer of the business or license involves a purchase price or consideration, the licensee and the intended transferee shall establish an escrow with some person, corporation, or association not a party to the transfer acting as escrow holder, and the intended transferee shall deposit with the escrow holder the full amount of the purchase price or consideration The transfer application shall be accompanied by a description of the entire consideration. Such description shall include a designation of cash, checks, promissory notes, and tangible and intangible property, and the amount of each thereof. The licensee and intended transferee shall also enter into an agreement, which agreement shall be deposited with the escrow holder, directing the escrow holder, after the requirements for transfer as provided in Section 24049 are satisfied, to pay out of the purchase price or consideration, the claims of the bona fide creditors of the licensee who file their claims with the escrow holder before the escrow holder is notified by the department of its approval of the transfer of the license or if the purchase price or consideration is not sufficient to pay the claims in full, to distribute the consideration as follows:

First, To the payment of claims for wages, salaries, or fringe benefits of employees of the seller or transferor earned or accruing ~~within ninety (90) days~~ prior to the sale, transfer, or opening of an escrow for the sale thereof;

Second, To the payment of claims of secured creditors to the extent of the proceeds which arise from the sale of the security,

Third, To the United States for claims based on income or withholding taxes; and thereafter for claims based on any tax other than taxes specified in Section 24049;

Fourth, To the payment of claims on mechanics' liens,

Fifth, To the payment of escrow fees and the payment of claims for prevailing brokerage fees for services rendered and claims for reasonable attorney's fees for services rendered;

Sixth, To the payment of claims for goods sold and delivered to the transferor for resale at his licensed premises and the payment of claims for services rendered, performed, or supplied in connection with the operation of the licensed business

Seventh, To the payment of all other claims The payment of these claims if sufficient assets are not available for the payment of the claim in full shall be paid pro rata

~~If the transferor licensee disputes any claim, the escrow holder shall notify the claimant, and the amount or pro rata amount thereof shall be retained by the escrow holder for a period of 25 days, and if not~~

~~attached shall be paid to the transferor licensee. The agreement shall also provide that the escrow holder shall make the payment or distribution within a reasonable time after the completion of the transfer of the license.~~

If the transferor licensee disputes any claim he shall present to the escrow holder a statement under oath giving the reason for the dispute The escrow holder shall promptly mail a copy of the statement of dispute to the claimant, and shall retain the claimant's share of the escrow fund for a period of 30 days from the date of mailing of said statement of dispute If the claimant, within said period, shall file suit on his claim against the transferor licensee, verifying the complaint, and either cause a writ of attachment to be levied on the escrow holder or furnish the latter with a certified copy of the complaint, then the escrow holder shall retain the claimant's share of the escrow fund until the dispute is adjudicated or settled If claimant fails to take such action, then his share of the escrow fund shall be distributed to other claimants in accordance with this section, or if they are fully satisfied, to the transferor licensee

The escrow agreement shall also provide that the escrow holder shall make the payment or distribution within a reasonable time after the completion of the transfer of the license

SEC 3 It is the intent of the Legislature, if this bill and Senate Bill No 819 are both chaptered and amend Section 24074 of the Business and Professions Code, and this bill is chaptered after Senate Bill No 819, that the amendments to Section 24070 proposed by both bills be given effect and incorporated in Section 24074 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 819 are both chaptered, both amend Section 24074, and Senate Bill No 819 is chaptered before this bill, in which case Section 1 of this act shall not become operative ''

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

MESSAGES FROM THE SENATE

Senate Chamber, June 21, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed

AB No 799
AB No. 826

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, June 21, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 293

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 457	SB No. 734	SB No. 980
SB No. 679	SB No. 780	SB No. 1353
SB No. 681	SB No 833	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 32

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 57
SCR No. 58

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 22

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 457—An act to amend Section 6322.1 of the Business and Professions Code, relating to law libraries.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 679—An act to add Section 75110 to the Government Code, relating to retirement of judges.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 681—An act to add Section 9358 5 to the Government Code, relating to retirement of legislators.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 734—An act to amend Section 31725 5 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 780—An act to add Section 774 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 833—An act to add Section 31580.1 to the Government Code, relating to the County Employees' Retirement Law of 1937.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 980—An act to add Sections 31621.11 and 31639.26 to the Government Code, relating to the County Employees Retirement Law of 1937.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1353—An act to amend Section 5177 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing Article II thereof, and adding Article II thereto, relating to elections.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 57—Relative to Professional Fire Fighters' Week.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 58—Relative to the report of the Committee on Conference on the Budget Bill.

Held at Desk by order of the Acting Speaker.

Senate Joint Resolution No. 22—Relative to health care services.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 1:52 p.m., Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Health to consider Assembly Bill No. 349.

RUSH ORDER PLACED UPON PRINTING OF BILLS

Acting Speaker Fenton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 214, 612 and 2018, and that the bills be considered engrossed.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 569, 1239, 1790, 674, 1320, and 2199, ordered to third reading.

NOTE: Later this day Assembly Bill No. 1790 was re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1663, 1144, 1408, and **2096,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1783—An act to add Article 14 (commencing with Section 8500) to Chapter 2 of Part 3 of Division 6 of the Fish and Game Code, relating to invertebrates.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Assembly May 18, 1972, strike out "division", and insert "chapter".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2237—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "licenses", insert ", and making an appropriation therefor".

Amendment No. 2

On page 3, after line 33, insert

"SEC. 2. There is hereby appropriated a sum of forty-five thousand dollars ($45,000) from the General Fund to the Department of Fish and Game to carry out the provisions of this act."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Concurrent Resolution No. 74—Relative to Bidwell Park and Bidwell River Park.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed measure, strike out "Assemblyman Ray E. Johnson", and insert "Assemblymen Ray E. Johnson and Dunlap".

Amendment No. 2

In line 2 of the title, strike out "Bidwell Park and Bidwell River Park", and insert "parks".

Amendment No. 3

On page 2, line 1, after "recommendations", insert "with respect to Bidwell Park and Bidwell River Park"

Amendment No. 4

On page 2, between lines 3 and 4, insert

"*Resolved,* That the Department of Parks and Recreation is also directed to conduct a study of the feasibility of acquiring and developing lands adjacent to the Napa State Hospital for inclusion, together with state-owned lands in the vicinity, in the state park system and to undertake such preliminary studies and surveys as are needed in order to make its determination; and be it further

Resolved, That the Department of Parks and Recreation shall submit its findings and recommendations with respect to the feasibility of acquiring and developing lands adjacent to Napa State Hospital for inclusion, together with state-owned lands in the vicinity, in the state park system to the Legislature not later than the fifth calendar day of the 1973 Regular Session of the Legislature, and be it further".

Resolution ordered reprinted, and on file.

Assembly Bill No. 1897—An act to add Section 12152.6 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly May 24, 1972, after "allowance", insert "not exceeding nine hundred dollars ($900)".

Amendment No. 2

On page 2, line 9, after the period, insert "A recipient who moves from a dwelling for which he was granted such allowance shall not be entitled to any allowance for such other dwelling."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1782—An act to amend Section 6424 of, and to add Section 6423 to, the Labor Code, relating to trenches and excavations

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly June 12, 1972, strike out "for", and strike out line 10, and insert ", or equivalent method, for the protection of life or limb, which shall conform to applicable safety orders Nothing in this section shall be construed to impose tort liability on the body awarding the contract or any of its employees."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1717—An act to amend Sections 100.21 and 135 of, to add Sections 103 7, 103 8, 103.9, and 256 2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 30, 1972, strike out lines 34 to 38, inclusive; and in line 39, strike out "(d)", and insert

"(c)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 9 of Article IX thereof, relating to the University of California

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 9, 1972, strike out "Assemblyman Miller", and insert "Assemblymen Miller and Burton"

Resolution ordered reprinted, and on file

Assembly Constitutional Amendment No. 88—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 6 of Article IV thereof, relating to reapportionment

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "Section 6", and insert "Sections 6 and 27".

Amendment No. 2

On page 1, line 7, strike out "by amending"; strike out line 8, and insert ", as follows:

First—That Section 6 of Article IV be amended to read ".

Amendment No. 3

On page 2, line 7, strike out "In the", and insert "The census taken under the direction of the Congress of the United States every 10 years shall be the basis of fixing and adjusting legislative districts, and the Reapportionment Commission shall, in the next succeeding year following the adoption of this section, and thereafter in the next succeeding year following each decennial federal census, reapportion the Assembly and the Senatorial, and congressional districts in accordance with the provisions of this section and Section 27 of this article

The commission shall consist of 6 members selected as follows:

(a) The caucus of each of the two major political parties in the Assembly shall each choose one member.

(b) The caucus of each of the two major political parties in the Senate shall each choose one member.

(c) The caucus of each of the two major political parties in the California congressional delegation shall each choose one member.

Members of the commission shall be selected by January 31 of the year following each decennial census

The chairman of the commission shall be selected by a two-thirds vote of the members of the commission.

The commission shall have all powers necessary to carry out its responsibility, including the power to conduct hearings and to subpoena witnesses In order to assist the commission in the development and formulation of a reapportionment plan, the commission may appoint such clerical and technical advisory staff as it deems necessary

The necessary expenses of the commission members and the expenses of the commission shall be paid out of the General Fund

The reapportionment plans for Assembly, Senatorial, and congressional districts shall be approved by September 30 of the year following the decennial census by a two-thirds vote of the members of the commission If a reapportionment plan is not adopted by September 30, then the Supreme Court shall assume immediate jurisdiction and shall adopt a reapportionment plan by December 31 of the year following the decennial census "

Amendment No. 4

On page 2, strike out lines 8 to 40, inclusive, and on page 3, strike out lines 1 to 3, inclusive.

Amendment No. 5

On page 3, after line 13, insert

"Second—That Section 27 of Article IV be amended to read:

SEC. 27 When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen; but the ~~Legislature~~ *Reapportionment Commission* may divide any county, or city and county, into as many congressional districts as it may be entitled to by law Any county, or city and county, containing a population greater than the number required for one congressional district shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

Assembly Bill No. 1627—An act to amend Section 1 of Chapter 966 of the Statutes of 1970, relating to the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted.

Amendment No. 1

On page 1, of the printed bill, strike out line 8, and on page 2, strike out lines 1 to 4, inclusive, and insert "the Education Code, as follows

(a) Five school districts shall be afforded the exemption, in each instance, for not more than four elementary schools and one junior high school maintained by the district

(b) A sixth district shall be afforded the exemption for one elementary school maintained by the district "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1314—An act to amend Sections 8551 and 8571 of the Education Code, relating to consumer education, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 16, 1972, strike out ", and making an"; and strike out line 4, and insert a period.

Amendment No. 2

On page 2, line 15, after the second "the", insert "consumer, with emphasis upon his rights and responsibilities, and the role of the".

Amendment No. 3

On page 2, strike out lines 32 to 36, inclusive.

Amendment No. 4

On page 2, line 37, strike out "(i)", and insert "(h)".

Amendment No. 5

On page 3, line 14, after the second "the", insert "consumer, with emphasis upon his rights and responsibilities, and the role of the".

Amendment No. 6

On page 4, strike out lines 15 to 19, inclusive.

Amendment No. 7

On page 4, line 20, strike out "(*l*)", and insert "(k)".

Amendment No. 8

On page 4, strike out lines 22 to 25, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 1282, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 1119—An act to amend Section 10095 of the Education Code, relating to school transportation

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 499—An act to add Section 24317 to the Education Code, relating to state college employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "(1)".

Amendment No. 2

On page 1, line 9, strike out ", or (2) were"; and on page 2, strike out lines 1 and 2, and insert a period.

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 225—An act to add Section 811.5 to the Education Code, relating to county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate April 26, 1972, strike out line 6, and insert "education or the governing board of any nonpublic school to provide for the use by the institution or school of".

Amendment No. 2

On page 1, line 7, strike out "except", and insert "including".

Amendment No. 3

On page 1, line 9, after "schools", insert ", in the same manner as public schools pursuant to Section 811 except as otherwise provided in this section".

Amendment No. 4

On page 1, line 10, after "shall", insert ", among other matters,".

Amendment No. 5

On page 2, line 2, after "education", insert "or the nonpublic school".

Amendment No. 6

On page 2, line 3, after "schools", insert "and the time the payments shall be made".

Amendment No. 7

On page 2, line 4, strike out "payment", and insert "payments made by the nonpublic institution of higher education or nonpublic school that has entered into an agreement with the county superintendent of schools under this section".

Amendment No. 8

On page 2, strike out line 7, and insert "damage to the audiovisual curriculum materials, including equipment and apparatus, by the".

Amendment No. 9

On page 2, line 8, after "education", insert "or the nonpublic school".

Amendment No. 10

On page 2, between lines 8 and 9, insert

"The governing board of any nonpublic school may withdraw from an agreement by giving notice six months prior to the beginning of the

next fiscal year, and the agreement shall terminate on the last day of the then current fiscal year The terms of an agreement may be changed by mutual consent at any time.

All funds received for the purposes of this section shall be deposited in the special equipment and apparatus fund of the county superintendent of schools authorized by Section 811, and all expenditures made for the purposes of this section shall be made from that fund "

Amendment No. 11

On page 2, line 9, after "materials", insert ", including equipment and apparatus,".

Amendment No. 12

On page 2, line 10, after "education", insert "or the nonpublic school pursuant to this section".

Amendment No. 13

On page 2, line 11, after "materials", insert ", including equipment and apparatus,".

Amendment No. 14

On page 2, after line 12, insert

"As used in this section, "nonpublic school" means a school that satisfies the requirements of Section 12154 and is exempt from taxation under Section 214 of the Revenue and Taxation Code."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 198—An act to add Article 8.5 (commencing with Section 1075) to Chapter 3 of Division 4 of the Education Code, relating to scholarship and loan funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

Below line 1 of the heading of the printed bill, insert

"(Coauthor. Assemblyman Badham)".

Amendment No. 2

On page 3, line 2, strike out "banks", and insert "or other institution".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 1488—An act relating to the Oroville Union High School District, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1790 and **1831.**

RECESS

At 1:57 p m, Acting Speaker Fenton declared the Assembly recessed until 2:03 p m. for the purpose of permitting a presentation to Assemblyman Brathwaite, upon her marriage to William Burke, and appointed Mr. Ryan, Mrs. Fong, Messrs Miller, Stull, Keysor, and Burke, as a Select Committee to make the presentation. The Members of the Assembly joined in extending congratulations and best wishes to her.

REASSEMBLED

At 2 03 p.m., the Assembly reconvened.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

REQUEST FOR UNANIMOUS CONSENT

Mr. Mobley was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1119—An act to amend Sections 20042, 20043, 20047, and 37203 of, and to add Sections 36438, 36439, 36440, 36441, 36442, 36443, 36444, 36445, and 36446 to, the Water Code, relating to districts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1119?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "Section", and insert "Sections 20042, 20043, 20047, and".

Amendment No. 2

In line 3 of the title, strike out "water".

Amendment No. 3

On page 2, line 1, after "SECTION 1 ", insert "Section 20042 of the Water Code is amended to read

20042 If no bonds of the district have theretofore been approved for certification by the State Treasurer or any statutory predecessor of the State Treasurer, the report shall be made upon each detail that may in the opinion of the State Treasurer have any bearing upon the feasibility and economic soundness of the project, *or if part of a*

regional plan, the necessity for the accomplishment of the project as part of a regional plan and the ability of the district to generate funds to pay the principal and interest on bonds proposed to be issued for the project.

SEC. 12. Section 20043 of the Water Code is amended to read:

20043. If bonds of the district have theretofore been approved for certification, the report shall be upon the feasibility of the specific project for which the bonds under consideration are desired or have been issued, *or if part of a regional plan, the necessity for the accomplishment of the project as part of a regional plan and the ability of the district to generate funds to pay principal and interest on bonds proposed to be issued for the project.*

SEC. 1.4. Section 20047 of the Water Code is amended to read:

20047. If the State Treasurer finds as set out in the report that the project of a district is economically sound and feasible *or finds that there is a necessity for the accomplishment of the project as part of a regional plan and is of the opinion that adequate funds will be available to pay all bond principal and interest when due*, the bonds of the district enumerated in the report filed with the State Controller are entitled to certification by the State Controller as provided in this chapter.

SEC. 16".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Powers, Quimby, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—58

NOES—None

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1042

In compliance with a motion given on a previous day, Mr. Bee moved that the vote whereby Assembly Bill No. 1042 was refused passage be reconsidered.

Assembly Bill No. 1042 reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—57

NOES—None

Assembly Bill No. 1042 Passed and Retained

By unanimous consent, Assembly Bill No 1042 was passed on file, to retain its place on file

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 95—An act to add Sections 789.8, 789 9, and 2983 8 to the Civil Code, relating to mobilehomes.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Powers, Quimby, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson Wood, and Mr Speaker—54.

NOES—MacGillivray and Stull—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 675—An act to add Section 1264 2 to the Unemployment Insurance Code, relating to unemployment compensation benefits.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 984—An act to amend Section 17045 of, and to add Section 17046 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Meade, Miller, Mobley, Murphy, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1004—An act to add Sections 3405 and 4027 to the Penal Code, and to add Sections 519 and 1773 to the Welfare and Institutions Code, relating to abortions

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Powers, Quimby Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—56.

NOES—Lewis, Moorhead, and Wilson—3.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 528—An act to amend Section 7273 of the Government Code, relating to relocation assistance, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 528?

Amendment No. 1

Below line 1 of the heading of the printed bill, insert

"(Coauthors. Senators Alquist and Wedworth)".

Amendment No. 2

On page 1, line 5, strike out "a", and insert "any".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—61.

NOES—Moorhead—1.

Above bill ordered enrolled

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1357—An act to add Section 13085 5 to the Education Code, relating to school employer-employee relations

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Dent, Fenton, Fong, Gonsalves, Bill Greene, Leroy F.

Greene, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr Speaker—46.

NOES—Cory, Davis, Deddeh, Dunlap, Hayden, Harvey Johnson, LaCoste, Lewis, Meade, Murphy, Vasconcellos, and Warren—12.

Bill ordered transmitted to the Senate

Assembly Bill No. 2087—An act to add Division 2 7 (commencing with Section 2500) to the Welfare and Institutions Code, relating to health care for prisoners

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brophy, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2082—An act to amend Section 1413 of the Labor Code, relating to domestic workers

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Belotti, Brathwaite, Burton, Campbell, Chacon, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Quimby, Ryan, Seeley, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—44

NOES—Badham, Barnes, Burke, Cline, Conrad, Hayden, Lancaster, Lewis, MacGillivray, Moorhead, Russell, and Stull—12

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXXV thereto, relating to housing

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs Brathwaite moved a call of the Assembly

Motion carried Time, 2 24 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Constitutional Amendment No. 54, on request of Mr. Dunlap.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2285—An act to add Article 2.5 (commencing with Section 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts.

Bill read third time.

Speaker Presiding

At 2 30 p m., Hon Bob Moretti, 42nd District, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Chacon moved a call of the Assembly.

Motion carried. Time, 2.45 p m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CAUCUS ANNOUNCEMENTS

At 2.45 p m., Speaker Moretti was granted unanimous consent that the Democratic Caucus be permitted to meet at this time in the Assembly Lounge, and that the Republican Caucus be permitted to meet at this time in the Sergeant at Arms office.

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 527—An act to amend Section 14134 of the Welfare and Institutions Code, relating to health care services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chappie, Conrad, Cory, Crown,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2098—An act to add Sections 4601, 4602, and 4603 to, and to repeal Sections 4056, 4601, 4602, 4603, 4605, and 5304 of, the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1117—An act to amend Section 14118 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Quimby, Russell, Ryan, Seeley, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—58.

NOES—Ketchum, Miller, and Stacey—3

Bill ordered transmitted to the Senate

Assembly Bill No. 1260—An act to add Section 25251.1 to the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E.

Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—61.

NOES—Foran—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1384—An act to add Section 12538.7 to the Government Code, relating to health plans

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chappie, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—55

NOES—Barnes, Campbell, Hayes, Karabian, Lanterman, MacGillivray, Miller, Murphy, and Russell—9.

~~Bill ordered transmitted to the Senate.~~

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No. 1384 was passed was offered by Mr Campbell. See page 5292.

Assembly Bill 1592—An act to amend Sections 31204 and 31214 of the Education Code, relating to state competitive scholarships.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate

INTRODUCTION OF GUESTS

Acting Speaker Fenton introduced Dr. Helmut Gockel, Commercial German Consulate General of Los Angeles, Mrs. Gockel, and their children, the guests of Speaker Moretti The Members of the Assembly joined in welcoming the above guests on their visit to the Assembly Chamber

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1832—An act to add Sections 22508 5 and 22508.6 to the Education Code, relating to public higher education.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—61.

NOES—Bill Greene and Miller—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1924—An act to amend Sections 21264, 21364, 21365 5, and 21382 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 2140, on request of Mr. Dunlap.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2338—An act to amend Section 40128 of, and to add Section 40182 to, the Public Utilities Code, relating to the Orange County Transit District.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead,

Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 160, on request of Mr. Hayes.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 20

In compliance with a motion given on a previous day, Mr. Hayes moved that the vote whereby Assembly Constitutional Amendment No. 20 was refused adoption be reconsidered.

Assembly Constitutional Amendment No. 20 reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr Speaker—63.

NOES—None

Assembly Constitutional Amendment No. 20 Placed on the Inactive File

On request of Mr Hayes, Assembly Constitutional Amendment No. 20 was placed upon the inactive file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2285

At 3 47 p m., on motion of Mr. Chacon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 2285 refused passage by the following vote·

AYES—Arnett, Bagley, Bee, Brathwaite, Brophy, Burton, Campbell, Chacon, Cline, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Powers, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—40

NOES—Badham, Barnes, Belotti, Beverly, Burke, Chappie, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Mobley, Moorhead, Russell, Seeley, Stacey, and Stull—24

Motion to Reconsider Assembly Bill No. 2285 on Next Legislative Day

Mr. Chacon moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2285 was this day refused passage.

Rules Temporarily Suspended to Take up Motion to Reconsider Assembly Bill No. 2285

Mr. Chacon was granted unanimous consent that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider the vote on Assembly Bill No. 2285 on this day.

Assembly Bill No. 2285 Reconsidered

In compliance with a motion given, Mr Chacon was granted unanimous consent that the vote whereby Assembly Bill No. 2285 was this day refused passage be reconsidered.

Assembly Bill No. 2285 Passed and Retained

By unanimous consent, Assembly Bill No. 2285 was passed on file, to retain its place on file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1384 ON NEXT LEGISLATIVE DAY

Mr. Campbell moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1384 was this day passed.

Assembly Bill No. 1384 ordered to the unfinished business file.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 791, on request of Mr. Ralph

Assembly Constitutional Amendment No. 45, on request of Mr. Ralph

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2112—An act to amend Sections 621, 982, 1256.1, 1263, 1277, 1277.5, 1528 5, and 2629 of, and to add Sections 803.1, 803.2, and 1260.1 to, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 742—An act to amend Sections 13164 and 13303 of, to add Section 13171 to, and to repeal Section 14027 and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, to add Section 54740 to the Government Code, and to repeal Sections 4766.5 and 6523 01 of the Health and Safety Code, relating to water quality.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1693—An act to amend Section 30507 of the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1325—An act to amend Section 5100 of the Water Code, relating to water.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2316—An act to amend Section 7071.11 of the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1404—An act to amend Sections 4908 and 4920 of, and to add Sections 4922.5 and 4925 to, the Public Utilities Code, relating to travel promoters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis. MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 95—Relative to the Joint Committee on Textbooks and Curriculum.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 668—An act to amend, add, and repeal Section 8693 of the Fish and Game Code, relating to gill nets.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1739—An act to amend Sections 405 5 and 751 of, and to add Section 1815 2 to, the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1454—An act to amend Section 11552 of, and to add Sections 11526.2, 11549.7, 11549 8 and 11551 7 to, the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1435—An act to amend Section 11546 of the Business and Professions Code, relating to division of lands.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 945—An act to amend Sections 17262, 27155, and 27156 of the Education Code, to amend Sections 401, 423, and 2131 of the Revenue and Taxation Code, to amend and renumber Section 273 of the Revenue and Taxation Code, as added by Chapter 1583 of the Statutes of the 1971 Regular Session of the Legislature, and to amend Sections 2106 and 5829 of the Streets and Highways Code, relating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 18—Relative to excess lands on federal reclamation projects.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 50—Relative to dangerous drugs.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 21—Relative to embargoes on agricultural products.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 23—Relative to the San Felipe Water Project.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

House Resolution No. 51—Relative to creating the Assembly Advisory Council on Public Employee Relations.

NOTE: The full text of House Resolution No 51, as amended, appears at pages 4389-4390 of the Assembly Daily Journal for June 7, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1149—An act to add Article 11 (commencing with Section 28070) to Chapter 5 of Division 12 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 461—An act to amend Section 69899 5 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 266—An act to amend, repeal, and add Section 10666 of the Fish and Game Code, relating to refuges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1356—An act to amend Section 5010 1 of the Public Resources Code, relating to the state park system

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 19—Relative to the San Felipe Division of the Central Valley Project.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1183

Mr. Stacey was granted unanimous consent that Senate Bill No. 1183 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of amendment, and that the bill be returned to the third reading file, subsequent to its reprinting.

Consideration of Senate Bill No. 1183

Senate Bill No. 1183—An act to amend Section 2736 of the Business and Professions Code, relating to nurses.

Bill read second time.

Motion to Amend

Mr Stacey moved the adoption of the following amendments·

Amendment No. 1

On page 2, line 2, of the printed bill, after "States", insert ", or in Canada,".

Amendment No. 2

On page 2, line 27, after "States", insert ", other than Canada,"

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file

RUSH ORDER PLACED UPON PRINTING OF BILLS

Acting Speaker Fenton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos 1087, 1448, 1544, 2186 and 2376, and that the bills be considered engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1541

Mr Sieroty was granted unanimous consent that Assembly Bill No 1541 be withdrawn from the inactive file, and to take the bill up, at this time, without reference to file, for purpose of amendment

Consideration of Assembly Bill No. 1541

Assembly Bill No. 1541—An act to amend Section 8 of the Health and Safety Code, relating to writings

Bill read third time

Motion to Amend

Mr. Sieroty moved the adoption of the following amendments

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 23, 1972, strike out line 7, and in line 8, strike out "language", and insert "does not read English"

Amendment No. 2

On page 2, line 11, after "language", insert "or languages which such significant number of the population reads"

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3.58 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 77

At 3 59 p m., on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No 77 refused adoption by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brophy, Burton, Campbell, Chacon, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—50.

NOES—Badham, Barnes, Belotti, Burke, Cline, Conrad, Dent, Hayden, Ketchum, Lewis, MacGillivray, Moorhead, Russell, Seeley, Stacey, and Stull—16.

Motion to Reconsider Assembly Constitutional Amendment No. 77 on Next Legislative Day

Mrs Brathwaite moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 77 was this day refused adoption

Assembly Constitutional Amendment No 77 ordered to the unfinished business file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 1682 was continued until the next legislative day.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee

Senate Bill No	*Committee*
457	Judiciary
679	Retirement
681	Retirement
734	Retirement
780	Commerce and Public Utilities
833	Retirement
980	Retirement
1353	Criminal Justice

Senate Constitutional Amendment No.	*Committee*
32	Elections and Reapportionment

Senate Concurrent Resolution No.	*Committee*
57	Rules
58	Ways and Means

Senate Joint Resolution No	*Committee*
22	Health

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 106: By Assemblyman Cory—Relative to the Joint Committee on Public Domain.

Held at Desk by order of the Acting Speaker

Assembly Concurrent Resolution No. 107: By Assemblyman Quimby—Relative to the creation of the Joint Committee on Telecommunications Systems

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 37: By Assemblyman Lewis—Relative to the Pacific Southwest Forest and Range Experiment Station.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Hayden:

House Resolution No. 69

Relative to the civil liability of certain professionals

WHEREAS, The scope of civil liability of architects, professional engineers, and registered geologists arising out of the practice of their professions presents many complex legal and policy questions; and

WHEREAS, It is desirable that the extent of such liability be clearly defined so the public and the members of such professions are aware of their respective rights and duties, and

WHEREAS, Assembly Bill No 2022 of the 1972 Regular Session of the Legislature is addressed to this matter, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the civil liability of architects, professional engineers, and registered geologists, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Commerce and Public Utilities

Assembly Chamber, June 22, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

SB No 1329

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 169
SB No. 453
SB No. 885
SB No. 920
SB No 1188

With the recommendation. Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 22, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No. 1121
SB No. 1385
SB No. 339

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 60

With the recommendation That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

BURTON, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

Committee on Health

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 349

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Water

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 1190

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

QUIMBY, Vice Chairman

Above bill ordered to second reading.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Water reports:

AJR No. 35

With the recommendation: Be adopted, and be re-referred to the Committee on Rules.

QUIMBY, Vice Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Transportation

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Transportation reports:

SCR No. 19

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with a recommendation: To Consent.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, June 22, 1972

~~Mr. Speaker: Your Committee on Transportation reports:~~

~~SB No. 1014~~

~~With the recommendation: Do pass.~~

~~Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.~~

~~DEDDEH, Chairman~~

~~Above bill ordered to second reading.~~

NOTE: On June 26, 1972, the action was rescinded whereby the above report of the Committee on Transportation relative to Senate Bill No 1014 was received and read in the Assembly on this day, and whereby the bill was ordered to second reading See page 5394.

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 425

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading

Assembly Chamber, June 22, 1972

Mr. Speaker · Your Committee on Transportation reports:

AB No. 629

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr. Speaker · Your Committee on Ways and Means reports:

AB No. 1306

With the recommendation: Do pass.

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 22, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1998

With amendments with the recommendation: Amend, and do pass, as amended

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SB No 9

With amendments with the recommendation: Amend, and do pass, as amended.

LANTERMAN, Vice Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, June 21, 1972

Mr. Speaker · The Chairman of your Committee on Judiciary reports:

AB No 2194

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2194—An act to amend Section 75033.1 of the Government Code, relating to Judges' Retirement Law.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 1, 1972, strike out "amend Section 75033 1 of", and insert "add Section 75033 3 to".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive; in line 4, strike out "75033 1 ", and insert

"SECTION 1. Section 75033 3 is added to the Government Code, to read:

75033 3 "

Amendment No. 3

On page 2, strike out line 5, and insert

"This section shall".

Amendment No. 4

On page 2, line 7, strike out "or after the effective date"; strike out line 8, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 22, 1972

Mr. Speaker· The Chairman of your Committee on Rules reports· AB No 2155

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2155—An act to add Article 4 (commencing with Section 8960) to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, relating to legislative reorganization

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Article 4 (commencing with Section 8960) to Chapter 1, Part 1, Division 2, Title 2", and insert "amend Sections 9020, 9141, 9222, 9223, 9351, 9600, and 10235".

Amendment No. 2

In line 3 of the title, after "reorganization", insert ", calling an election, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 9020 of the Government Code is amended to read

9020 The Legislature shall assemble ~~annually~~ at the City of Sacramento at 12 o'clock m, on the first Monday ~~after the first day of January~~ *in December of each even-numbered year and each house shall immediately organize*

SEC 2 Section 9141 of the Government Code is amended to read:

9141 The committee shall consist of seven Members of the Senate and seven Members of the Assembly who shall be selected in the manner provided for in the Joint Rules of the Senate and Assembly The committee shall elect its own chairman Vacancies occurring in the membership of the committee ~~between general sessions of the Legislature~~ shall be filled in the manner provided for in the Joint Rules of the Senate and Assembly A vacancy shall be deemed to exist as to any member of the committee whose term is expiring whenever such member is not reelected at the general election.

SEC 3 Section 9222 of the Government Code is amended to read.

9222 Neither the Speaker nor any Member of the Assembly who assists him shall receive any additional salary for services rendered pursuant to this article, but they shall be allowed the same mileage and actual and necessary expenses for living accommodations and meals as is provided by the Joint Rules for members of ~~interim~~ investigating committees Officers and employees who perform services pursuant to this article shall be compensated at the same rate paid for their services during the session The allowances and compensation provided for in this section shall be paid only out of any money appropriated for the payment of legislative help Claims for such allowances and compensation shall be paid by warrants drawn by the State Controller upon the State Treasurer, after certification by the Speaker

SEC. 4 Section 9223 of the Government Code is amended to read:

9223 Whenever the Speaker incurs expenses in connection with the work of an Assembly ~~interim~~ committee of which he is a member, whether an ex officio or otherwise, the Controller shall draw his warrant in payment of the claim for such expenses when it is certified either by the chairman or the committee or by the Speaker The amount so paid shall be charged against the money allocated to the committee from ~~the Contingent Fund of~~ the Assembly *Contingent Fund*.

SEC. 5. Section 9351 of the Government Code is amended to read·

9351 "Service" means the period of time, computed in years and fractions thereof, a member has held office as a Member of the Senate or of the Assembly or as an elective officer of the state in any office provided for by the Constitution, except that of judge "Service," with respect to a legislative statutory officer, shall be construed to refer to "state service," as defined in Section 9350 56.

In computing years of service under this act, each full term served as a Member of the Senate shall be deemed to constitute four (4) calendar years, each full term served as a Member of the Assembly shall be deemed to constitute two (2) calendar years, and each period of service from the commencement of one general session of the Legislature to the commencement of the next, prior to the term commencing in 1967, shall be deemed to constitute two (2) calendar years Commencing in 1967, each period of service from the commencement of one regular session of the Legislature to the commencement of the next shall be deemed to constitute one (1) calendar year. *Commencing in 1972, each period of service from the commencement of one regular session of the Legislature to the commencement of the next shall be deemed to constitute two (2) calendar years.* Each full term served as an elective officer of the state whose office is provided for by the Constitution shall be deemed to constitute four (4) calendar years.

SEC 6 Section 9600 of the Government Code is amended to read·

9600. ~~Every statute passed at a regular session of the Legislature, unless a different time is prescribed therein, takes effect on the 61st day after the final adjournment of the session of the Legislature which passed such statute. Every statute passed at a special session of the Legislature, unless a different time is prescribed therein, takes effect on the 91st day after the final adjournment of the special session of the Legislature which passed such statute.~~ *(a) Except as provided in subdivision (b), a statute enacted at a regular session shall go into effect on January 1 next following a 90-day period from the date of enactment of the statute and a statute enacted at a special session shall go into effect on the 91st day after adjournment of the special session at which the bill was passed*

(b) Statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the state, and urgency statutes shall go into effect immediately upon their enactment.

SEC 7 Section 10235 of the Government Code is amended to read·

10235 ~~After final adjournment the~~ *The* Legislative Counsel shall give such consideration to and service concerning any bill in the Governor's hands for rejection, approval, or other action, as the circumstances will permit and the Governor requests

SEC 8 There shall be submitted to the people at the election to be held on the seventh day of November, 1972, Assembly Constitutional Amendment No 95, proposed by the Legislature at the 1972 Regular Session Except as otherwise provided in this act, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measure submitted pursuant to this act

SEC 9 Within five days after either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No 95, whichever occurs later, the author of such amendment and one member of the opposite house who voted with the majority on the amendment shall be appointed by the presiding officers of the respective houses to draft the argument for adoption of the measure If such constitutional amendment was not adopted unanimously by the house

in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure No argument shall exceed 500 words. All such arguments shall be filed with the Secretary of State within 10 days after either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No. 95, whichever occurs later

SEC. 10. Upon either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No 95, whichever occurs later, the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this act and shall also request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code The title and the analysis shall be filed with the Secretary of State within 10 days after either the effective date of this act or the adoption by the Legislature of Assembly Constitutional Amendment No. 95, whichever occurs later The measure submitted pursuant to this act shall be designated on the ballot at the election by its ballot title.

SEC. 11 If Assembly Constitutional Amendment No 95 is not adopted by the Legislature, this act shall have no force or effect.

SEC 12. Sections 1 to 7, inclusive, of this act and this section shall become operative only if Assembly Constitutional Amendment No. 95 of the 1972 Regular Session of the Legislature is approved by the people.

SEC 13 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order to place the necessary constitutional provision on the ballot at the earliest possible time, it is necessary that this act go into immediate effect ''

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports

AB No. 612	AB No. 1448
AB No 1087	AB No. 1544

With author's amendments with the recommendation: Amend, and refer to the Committee on Ways and Means.

LANTERMAN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 612—An act to amend and repeal Section 5774.7 of the Education Code and to amend and repeal Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 9, 1972, strike out "Assemblyman Vasconcellos", and insert "Assemblymen Vasconcellos, Lanterman, Moretti, Brown, Monagan, Stull, Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Burton, Campbell, Chacon, Chappie, Cory, Crown, Cullen, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lewis, MacDonald, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Waxman, Wilson, Wood, and Z'berg (Coauthors Senators Alquist, Behr, Burgener, Carrell, Collier, Dymally, Lagomarsino, Marks, Marler, Mills, Moscone, Petris, Roberti, Short, Song, Stiern, and Zenovich)".

Set No. 2

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "to amend and repeal Section 5774.7 of the Education Code and".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. For the 1972–1973 fiscal year and the 1973–1974 fiscal year the Superintendent of Public Instruction shall not make any allowance pursuant to Section 5788, 5793, or 5798 of the Education Code.

SEC. 2. Any funds appropriated for expenditure pursuant to Section 5788, 5793, or 5798 of the Education Code for those fiscal years are hereby reappropriated for expenditure in accordance with the following schedule:

(a) An amount necessary to provide a total state appropriation of five hundred thousand dollars ($500,000) per fiscal year for the purpose of carrying out the provisions of Chapter 1199 of the Statutes of 1970.

(b) The remainder shall be allocated by the Superintendent of Public Instruction to carry out the purposes of Chapter 5.8 (commencing with Section 5770) of Division 6 of the Education Code, as follows:

(1) For in-service training for reading specialists and administrators working in programs conducted pursuant to the chapter on the effective date of this act.

(2) For research and evaluation of programs being conducted pursuant to the chapter on the effective date of this act Such research and evaluation shall compare the academic progress of pupils served by such programs with that of similar pupils not being so served.

(3) For the employment of special reading aides in schools in which programs conducted pursuant to the chapter are in operation in which 15 percent or more of the pupils live in homes in which a language other than English is the primary language and in schools in which not less than 30 percent of the pupils score in the lowest quartile in the first grade state reading test.

(4) For consultant services to assist with program supervision, research, evaluation, reporting, in-service training, and development of training programs for special reading aides.

(5) For the expansion and improvement of programs conducted pursuant to the chapter.

The Superintendent of Public Instruction shall prescribe objective criteria for the allocation of funds pursuant to this section."

Amendment No. 3

On page 2, strike out lines 2 to 31, inclusive; and on page 3, strike out lines 1 to 28, inclusive.

Amendment No. 4

On page 4, line 33, after "year," insert "or as soon thereafter as possible,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1087—An act to add Section 11018 to, and to repeal Section 26207 of, the Government Code, relating to the payment of rewards.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly June 16, 1972, strike out "fifty dollars ($50)", and insert "one hundred dollars ($100)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1448—An act relating to salary increases, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly June 20, 1972, strike out "salary increases", and insert "the Budget Act of 1972".

Amendment No. 2

On page 2, between lines 10 and 11, insert

"SEC. 1.5. Notwithstanding the provisions of Section 31 of the Budget Act of 1972 to the contrary, for the purposes of Section 31 of the Budget Act of 1972, a reclassification of a position is not a new position unless it is a reclassification to a position in a class which did not exist within the department or agency in which the reclassification occurs on June 30, 1972, or is a reclassification to a positon which had a monthly maximum salary in excess of one thousand dollars ($1,000) on June 30, 1972."

Amendment No. 3

On page 2, line 20, after the period, insert "This act also provides that certain reporting requirements on personnel transactions contained in the Budget Act will only apply to specified transactions."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1544—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly June 7, 1972, after "hospital", insert "located in the United States".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 21, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

AB No 2067

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2067—An act to add Chapter 6 (commencing with Section 12100) to Division 5 of the Vehicle Code, relating to motor vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, strike out line 6, of the printed bill, and insert

"12100. (a) Any person who sells, distributes, consigns or otherwise entrusts a motor vehicle to a dealer for the purpose of resale by the dealer pursuant to a plan whereby such person retains a right of ownership, title or other security interest in such motor vehicle, and the dealer thereafter sells such motor vehicle to a buyer who, pursuant to Section 9307 of the Commercial Code, takes title to such motor vehicle free of any security interest created by the dealer, shall warrant the title to such buyer, and shall deliver to such buyer, upon his demand, either a properly endorsed certificate of ownership or other evidence of ownership by which the Department of Motor Vehicles is authorized to transfer title to such buyer

(b) Any person who sells, distributes, consigns or otherwise entrusts a motor vehicle to a dealer pursuant to a plan specified in subdivision (a) shall, in the event a buyer does not receive physical possession of such motor vehicle and either a properly endorsed certificate of ownership for such vehicle or other evidence of ownership by which the Department of Motor Vehicles is authorized to transfer title to such buyer, within 30 days after receiving notice of the sale, be subject to all of the following:

(1) After notice and opportunity to be heard, have any license issued under Chapter 4 (commencing with Section 11700) of Division 5 subject to suspension or revocation by the department

(2) Pay the cost of any lawsuit, including attorney fees and court costs, and any other costs incurred by such buyer in connection with such lawsuit

(3) Be liable to such buyer for damages incurred by reason of the failure to deliver physical possession and evidence of ownership of such vehicle

12101 Any dealer to whom is sold, distributed, consigned, or otherwise entrusted, a motor vehicle, by any person for the purpose of resale by such dealer whereby such person retained a right of ownership, title, or other security interest in such motor vehicle, if such dealer subsequently sells such motor vehicle to any person and thereafter does not pay, within 30 days, the person who sold, distributed, consigned, or otherwise entrusted such motor vehicle to him, shall be subject, after notice and opportunity to be heard, to suspension or revocation by the department of any license issued under Chapter 4 (commencing with Section 11700) of Division 5 "

Amendment No. 2

On page 2, strike out lines 7 to 29, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 22, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No. 1634

AB No. 1795

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Education.

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1634—An act to add Section 7451 8 to the Education Code, relating to regional occupational center.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Assembly Bill No. 1795—An act to add Sections 5004, 5005, and 5006 to the Education Code, relating to intradistrict equalization of teaching resources.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 3, line 13, of the printed bill, strike out "teacher resources", and insert "their certificated and classified staffs".

Amendment No. 2

On page 3, line 16, strike out "for all teachers' salaries and benefits", and insert "from all sources".

Amendment No. 3

On page 3, line 24, strike out "teachers at any individual school", and insert "the certificated staff and the classified staff of each school district"

Amendment No. 4

On page 3, line 25, after "school", insert "district".

Amendment No. 5

On page 3, line 26, strike out "teachers", and insert "certificated staff and the classified staff".

Amendment No. 6

On page 3, line 31, strike out "teacher", and insert "certificated staff and classified staff".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

VOTE CHANGES

Messrs Stull and MacGillivray were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 95.

Messrs Waxman and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 95

Mr Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 675

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 984.

Messrs Maddy and Duffy were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 528.

Mr. Moorhead was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 528.

Messrs LaCoste and Dunlap were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1357

Mr Stacey was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1357

Mr. Vasconcellos was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 527

Messrs Stacey and Moorhead were granted unanimous consent that they be recorded as voting "Aye" on the motion to reconsider the vote on Assembly Bill No 1042

Mr Bill Greene was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1832

Messrs Miller, Russell, Lanterman, Murphy, and MacGillivray were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 1384.

Mr. Barnes was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1384.

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1592.

Mr. Moorhead was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1004.

Mr. Garcia was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1117.

Hon. Dixon Arnett Presiding

At 5 09 p m , Hon Dixon Arnett, 26th District, presiding

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 22, 1972

Mr Speaker. The Chairman of your Committee on Ways and Means reports

AB No 1283

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

LANTERMAN, Vice Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303.5, 17414, 17417, 17503, 17603 5, 17651, 17654.5, 17655.5, 17664, 17665, 18102.8, 18102 9, 18102.10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3 17301, 17301.1, 17301.2, 17301.3, 17653, 17662, 17662 3, 17662 5, 18102, and 20751 to, to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1 7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913 1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665 5, 18102, 18102 2, 18102 4, 18102 6, 20751, 20800, 20801 5, 20802.8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2.1 (commencing with Section 17671), Article 2.5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7 1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Assembly June 16, 1972, strike out "55", and insert "50".

Amendment No. 2

On page 3, line 24, strike out "A system for the ", and insert "The".

Amendment No. 3

On page 7, line 16, after "in", insert "subdivision (b) of".

Amendment No. 4

On page 10, line 10, strike out "subdivision", and insert "chapter".

Amendment No. 5

On page 13, line 36, strike out "(b)", and insert "(c)".

Amendment No. 6

On page 14, line 6, strike out "The", and insert "In the 1972–1973 fiscal year and each fiscal year thereafter, the".

Amendment No. 7

On page 14, line 29, strike out "authorized or".

Amendment No. 8

On page 14, line 30, strike out "authorized or".

Amendment No. 9

On page 15, line 6, after "year", insert "for expenditure pursuant to Section 17303.5".

Amendment No. 10

On page 18, line 40, and on page 19, line 1, strike out "foundation program".

Amendment No. 11

On page 20, between lines 26 and 27, insert

"Any reference in this code to "current expense of education as defined in Section 17503" enacted prior to the enactment of Chapter 1.7 (commencing with Section 17270) of this division shall mean current expense of education as defined in subdivision (b) of Section 17503"

Amendment No. 12

On page 20, line 30, strike out "school", and insert "community college".

Amendment No. 13

On page 20, strike out lines 34 to 40, inclusive; and on page 21, strike out line 1, and insert "for the fiscal year."

Amendment No. 14

On page 21, line 3, strike out "school", and insert "community college".

Amendment No. 15

On page 22, line 9, after the comma, insert "one dollar and eighty cents ($1.80) if a unified school district,".

Amendment No. 16

On page 23, line 23, strike out "appropriate", and insert "relative support".

Amendment No. 17

On page 23, line 24, strike out "17662", and insert "17662.5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 18

On page 23, line 39, strike out "appropriate", and insert "relative support".

Amendment No. 19

On page 23, line 40, strike out "17662", and insert "17662.5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 20

On page 24, line 9, strike out "appropriate", and insert "relative support".

Amendment No. 21

On page 24, line 10, strike out "17662", and insert "17662.5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 22

On page 24, line 19, strike out "appropriate", and insert "relative support".

Amendment No. 23

On page 24, line 20, strike out "17662", and insert "17662 5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 24

On page 24, line 29, strike out "appropriate", and insert "relative support".

Amendment No. 25

On page 24, line 30, strike out "17662", and insert "17662 5 multiplied by the statewide average current expense of education for elementary districts as determined pursuant to subdivision (c) of Section 17503".

Amendment No. 26

On page 25, line 22, strike out "equals", and insert "shall be".

Amendment No. 27

On page 25, line 23, after the first "of", insert "(1)".

Amendment No. 28

On page 25, line 24, strike out "and", and insert ", (2)".

Amendment No. 29

On page 25, line 25, strike out "and", and insert ", (3)".

Amendment No. 30

On page 25, line 30, after "and", insert "(4)".

Amendment No. 31

On page 28, line 30, strike out "In", and insert "Adjustments to expenditures pursuant to this article shall commence in the 1972–1973 fiscal year as adjustments to the 1971–1972 current expense of education as defined in subdivision (c) of Section 17503. In the 1973–1974 fiscal year, and each fiscal year thereafter, similar adjustments to expenditures shall be made annually.

In".

Amendment No. 32

On page 28, line 40, strike out "(b)", and insert "(c)".

Amendment No. 33

On page 30, line 27, after "education", insert "pursuant to subdivision (c) of Section 17503".

Amendment No. 34

On page 33, lines 11 and 12, strike out "two thousand four hundred eighty dollars ($2,480)", and insert "one thousand eight hundred eighty dollars ($1,880)".

Amendment No. 35

On page 33, lines 17 and 18, strike out "nine hundred fifty dollars ($950)", and insert "seven hundred seventy-five dollars ($775)".

Amendment No. 36

On page 33, strike out line 21, and insert "two thousand dollars ($2,000)."

Amendment No. 37

On page 34, lines 4 and 5, strike out "one thousand one hundred dollars ($1,100)", and insert "one thousand eighteen dollars ($1,018)".

Amendment No. 38

On page 37, strike out lines 25 to 39, inclusive; and on page 38, strike out lines 1 to 21, inclusive, and insert "expenditure controls applied pursuant to Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 replace statutory school district tax rate limitations for elementary, high school, and unified districts.

No district may exceed the authorized expenditure level determined pursuant to Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 unless such excess expenditures have been approved by the electorate pursuant to Section 20803.

For community college districts the maximum tax rate shall be thirty-five cents ($0.35) for community college purposes, and ten cents ($0.10) for adult education purposes, on each one hundred dollars ($100) of assessed valuation."

Amendment No. 39

On page 39, strike out lines 34 to 40, inclusive; and strike out page 40.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

ADJOURNMENT

At 5:10 p.m., Acting Speaker Arnett declared the Assembly adjourned until 9:30 a.m., Monday, June 26, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-sixth Legislative Day

One Hundred Seventy-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 26, 1972

The Assembly met at 9 30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Collier moved a quorum call of the Assembly
Mr Garcia seconded the motion.
Motion carried Time, 9 33 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9 53 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, Man's mores always seem to be on the precipice of disaster and at the same time knocking on the door of achievement. When we forget what is due to ourselves and to others, when the feeling for human quality and the power to exercise reserve cease to exist, chaos is at the door. Help us to bring about a new sense of nobility to bind together men from all former social classes and social divisions, a nobility which arises from and exists by sacrifice, courage, and a clear sense of duty to oneself and to society.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Russell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Knox, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Bill Greene, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Karabian, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of illness in their families:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Acting Speaker Fenton.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2379	Governmental Organization

Assembly Concurrent Resolution No.	*Committee*
106	Rules
107	Rules

Assembly Joint Resolution No.	*Committee*
37	Natural Resources and Conservation

COMMUNICATIONS

Assembly Chamber, June 23, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

Assembly Bill No. 1902—An act to amend Section 4 of Chapter 63 of the Statutes of 1880, relating to protection districts, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 9.30 a m., June 23, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 23, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined

Assembly Joint Resolution No. 31—Relative to construction and operation of a federal job corps center for the rural counties of northern California;

And reports the same correctly enrolled, and presented to the Secretary of State on the 23rd day of June, 1972, at 9·30 a m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

ACR No. 74

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 26, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

ACR No 58

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file

Assembly Chamber, June 26, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

ACA No 93

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 53

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1541

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 88

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1627
AB No. 1634
AB No. 1795
AB No. 2155
AB No. 2237

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 541
AB No. 962
AB No. 1314
AB No 1717
AB No 1783
AB No. 1850
AB No. 1897
AB No. 2194

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, June 23, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 91

With the recommendation: That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

GARCIA, Chairman

Subject matter of the above resolution referred to the Committee on Rules.

Assembly Chamber, June 23, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

AB No 1742

With the recommendation That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

GARCIA, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Transportation

Assembly Chamber, June 26, 1972

Mr Speaker. Your Committee on Transportation reports:

AB No. 1785

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with a recommendation to Consent

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 23, 1972

Mr Speaker. Your Committee on Urban Development and Housing reports

SB No 1173

With amendments with the recommendation Amend, and do pass, as amended

BRATHWAITE, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, June 23, 1972

Mr Speaker. Your Committee on Health reports

SB No 557

With amendments with the recommendation: Amend, and do pass, as amended

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Criminal Justice

Assembly Chamber, June 26, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

AB No. 1006

With author's amendments with the recommendation: Amend, and refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1006—An act to add Section 4023 5 to, and amend Section 2600 of, the Penal Code, and to add Sections 862 and 882 5 to the Welfare and Institutions Code, relating to prisoners

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in Assembly May 24, 1972, after the period, insert "If the prison authorities have reasonable cause to believe that a person claiming to be a clergyman under this section is not in fact a clergyman, they shall designate and confer with an advisory group of clergymen representing generally recognized religious groups, denominations, or organizations for assistance in determining whether such person is in fact a clergyman. After conferring with the group the prison authorities shall make the determination."

Amendment No. 2

On page 3, line 13, after the period, insert "If the jail authorities have reasonable cause to believe that a person claiming to be a clergyman under this section is not in fact a clergyman, they shall designate and confer with an advisory group of clergymen representing generally recognized religious groups, denominations, or organizations for assistance in determining whether such person is in fact a clergyman After conferring with the group the jail authorities shall make the determination."

Amendment No. 3

On page 3, line 22, after the period, insert "If the juvenile hall authorities have reasonable cause to believe that a person claiming to be a clergyman under this section is not in fact a clergyman, they shall designate and confer with an advisory group of clergymen representing generally recognized religious groups, denominations, or organizations for assistance in determining whether such person is in fact a clergyman. After conferring with the group the juvenile hall authorities shall make the determination."

Amendment No. 4

On page 3, line 31, after the period, insert "If the appropriate authorities have reasonable cause to believe that a person claiming to be a clergyman under this section is not in fact a clergyman, they shall designate and confer with an advisory group of clergymen representing generally recognized religious groups, denominations, or organizations for assistance in determining whether such person is in fact a clergyman. After conferring with the group the appropriate authorities shall make the determination."

Set No. 2

Amendment No. 1

On page 3, line 28, of the printed bill, as amended in Assembly May 24, 1972, strike out "or", and insert "as".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were received, and by unanimous consent, ordered printed in the Journal:

Message on Item Vetoes—Senate Bill No. 50

Governor's Office, Sacramento
June 22, 1972

I object to the following appropriations in **Senate Bill No. 50**:

Item 37—For support of Department of Commerce. I reduce this item from $1,752,188 to $1,692,188 by reducing paragraph (b) operating expenses and equipment from $656,250 to $621,250 and by eliminating paragraph (d) celebration of 150th anniversary of City of Sonoma

I am eliminating funds added for repair of a band shell and the addition of a new exhibit These projects should be funded from other than state sources

I am eliminating funds added for celebration of 150th anniversary of the City of Sonoma While it is important to acknowledge and celebrate our heritage, expenditure of state tax funds should be limited to events that are clearly of statewide significance.

Item 43—For support of the State's cash match for Federal grants made by the Law Enforcement Assistance Administration. I reduce this item from $5,750,000 to $4,500,000.

The estimated amount of Federal grants available has been reduced from $60,000,000 to $46,500,000, thereby reducing the amount required for state cash match.

Item 45—For support of contribution to counties for providing legal assistance to indigents I reduce this item from $1,429,500 to $775,000

The remaining amount reflects the traditional contribution to counties for legal assistance to indigents

Item 46.5—For tort liability claims that may arise from damage caused by structural deficiency of the State Capitol Building. I eliminate this item.

No liability or injury is anticipated in the State Capitol Building because of structural deficiencies.

Item 67—For support of Public Utilities Commission. I reduce this item from $7,333,388 to $6,913,273 by reducing paragraph (a) Personal Services from $11,109,835 to $10,781,960 and paragraph (b) Operating Expenses and Equipment from $2,293,635 to $2,201,395.

I am reducing this item to a level of expenditure which provides for an augmentation to the Commission's original budget in the amount of $97,310 for additional auditors The amount appropriated will enable the Commission to meet its responsibilities.

Item 80—For support of Augmentations for Salary Increase—Civil Service and Related. I reduce this item from $46,688,000 to $31,125,000 and reduce the proposed across-the-board salary increases specified therein for State officers and employees, exclusive of personnel in the University of California and of the California State Colleges whose compensation or portion thereof is charged to the General Fund, from 7½% to 5% and for State officers and employees whose compensation, including staff benefits, or a portion thereof is payable from special funds, from 7½% to 5%.

This action reduces the appropriation to a salary increase of 5%. Together with the salary inequity funds I am approving in this bill, salary increases will amount to an average of 8.4%. Such increases will cover a substantial portion of existing salary inequities Additional efforts to correct remaining inequities are planned for 1973–74.

Item 80.5—For support of Augmentations for Salary Increase—Increase in Statutory Salaries. I reduce this item from $177,000 to $118,000 and reduce the proposed salary increase specified therein for state officers whose salaries are specified by statute and whose compensation is paid from either the General Fund or special funds, from 7½% to 5%.

This item is reduced to reflect the level of general salary increase granted to civil service and related positions.

Item 81—For support of Augmentation for Salary Increase—University of California. I reduce this item from $33,274,000 to $20,705,000 by reducing paragraph (a) For increases in compensation for faculty and faculty-related positions from $22,188,000 to $13,314,000, and I reduce the proposed across-the-board salary increase specified therein for these positions from 12½% to 7½%; and paragraph (b) For increases in compensation for nonfaculty positions from $11,086,000 to $7,391,000, and I reduce the proposed across-the-board salary increase specified therein for these positions from 7½% to 5%.

This action provides the increases for University employees as I originally proposed. Both the academic and non-academic increase funds in this item, together with the inequity funds which I am approving in this budget, will cover a substantial portion of salary inequities

Additional efforts to correct remaining salary inequities are planned for 1973–74.

Item 81.1—For support of Augmentation for Salary Increase —University of California—Inequity Funds I reduce this item from $8,133,000 to $6,100,000, by reducing paragraph (a) Faculty and faculty-related positions from $4,438,000 to $2,600,000 and paragraph (b) Nonfaculty positions from $3,695,000 to $3,500,000

I am reducing this item to the amount I recommended in May. Together with other salary increase funds, the amounts made available will cover over half of existing salary inequities. Plans to meet remaining inequities are scheduled next year (1973–74).

I am approving this item as reduced, with the understanding that increase in compensation provided by increased salary ranges for positions established for the 1972–73 fiscal year shall not result in total annual salary increases, including staff benefits, of more than $6,100,000.

Item 82—For support of Augmentation for Salary Increase—California State Universities and Colleges I reduce this item from $35,445,000 to $21,836,000 by reducing paragraph (a) For increases in compensation for instructional and instructional-related positions from $26,918,000 to $16,151,000, and I reduce the proposed across-the-board salary increase specified therein for these employees from 12½% to 7½% and paragraph (b) For increases in compensation for non-instructional positions from $8.527,000 to $5,685,000, and I reduce the proposed across-the-board salary increase specified therein for these positions from 7½% to 5%.

This action provides the increases for State University and College employees as originally requested. The academic and non-academic increase funds in this item, together with the inequity funds which I recommended, will cover a substantial portion of salary inequities. Additional efforts to correct remaining salary inequities are planned for 1973–74.

Item 82.1—For support of Augmentation for Salary Increase —California State Universities & Colleges—Inequity Funds I reduce this item from $8,226,000 to $5,600,000 by reducing paragraph (a) Instructional and instructional-related positions from $5,384,000 to $3,100,000 and paragraph (b) Non-instructional positions from $2,842,000 to $2,500,000

I am reducing this item to the amount I recommended in May. Together with other salary increase funds the amounts being provided will cover over half of existing salary inequities

We plan to continue our efforts to correct remaining salary inequities next year (1973–74).

I am approving this item, as reduced, with the understanding that increase in compensation provided by increased salary ranges for positions established for the 1972–73 fiscal year shall not result in total annual salary increases, including staff benefits, of more than $5,600,000

Item 86—For claim of the Secretary of the State Board of Control. I reduce this item from $156,695 to $134,031 by reducing paragraph (k) Water Resources Revolving Fund from $6,857 to $2,193 and paragraph (*l*) Health Care Deposit Fund from $19,864 to $1,864.

The two claims involved in category (k) and the single claim under category (*l*) received a full hearing by the State Board of Control as provided for in their procedures After its review, the Board declined to recommend approval No new information has been presented that would suggest reversal of the Board's decision and therefore by this action, their decision is sustained

Item 145—For support of State Personnel Board I reduce this item from $9,023,636 to $8,123,636 by reducing paragraph (c) For implementation of Division 4 of the Unemployment Insurance Code from $3,757,000 to $2,857,000.

The needs of this program can be adequately maintained at this funding level with utilization of Federal funding

Item 194—For support of State Lands Division. I reduce this item from $1,674,000 to $1,568,000 by reducing paragraph (a) Personal Services from $2,265,205 to $2,186 058 and paragraph (b) Operating Expenses and Equipment from $504,436 to $477,583

I am approving this item at the level originally proposed in the budget which provides sufficient resources for the Division to meet its responsibilities

Item 206.1—For loan to the City of Avalon, Department of Navigation and Ocean Development I eliminate this item.

This item is eliminated on the basis that the Department of Navigation and Ocean Development should retain the responsibility for approving loans based on economic and engineering feasibility.

Item 217—For expenditures by the Department of Water Resources for the State's share of flood control projects I reduce this item from $7,500,000 to $4,000,000

The legislative augmentation of $3,500,000 should be provided by SB 993 (Lagomarsino) which contains a comprehensive proposal for state and local cost sharing for flood control

Item 220—For support of Department of Corrections I reduce this item from $112,503,781 to $112.003,781 by reducing paragraph (b) II Institutional Program $91,229,830 to $90,729,830

I am also deleting the following language from Item 220 relating to the reductions made in the appropriation itself

"Provided further, that of the amount appropriated in this item $100,000 shall be used for the sole purpose of converting 300 positions from the classification correctional officer to the classification correctional program supervisor and that $50,000 of this appropriation, shall be used for the sole purpose of the development of a centralized recruiting program to aid in locating and employing better qualified personnel."

I am also reducing the $450,000 for a centralized training program to $100,000.

I am reducing the augmentation for training ($350,000) pending funding of the Department under a grant by the California Council on Criminal Justice for a centralized training program in conjunction with the Youth Authority.

I am eliminating the augmentation for correctional program supervisor reclassifications ($100,000) because it has not been demonstrated that expansion of the existing program will enhance existing rehabilitative efforts.

I am eliminating the augmentation for centralized recruiting ($50,000) because the Personnel Board has funds in its existing program to meet the recruiting needs of the Department.

Item 220.2—For support of Department of Corrections, Inmate Welfare Fund. I eliminate this item.

I am eliminating this item because the method of providing recreational equipment and supplies is both adequate and satisfactory.

Item 220.5—For support of the Department of Corrections. I eliminate this item.

I am eliminating this item because the existing inmate self help program is being accomplished through voluntary efforts at the present time and can be continued on this basis.

Item 224—For support of Department of the Youth Authority. I reduce this item from $52,633,215 to $52,428,215 by reducing paragraph (b) II. Rehabilitative Services from $50,004,679 to $49,799,679.

I am also deleting the following language from Item 224 relating to the reductions made in the appropriation itself:

"Provided, that $30,000 of the amount appropriated by this item shall be used for the sole purpose of development of a centralized recruiting program to aid in locating and employing better qualified personnel."

I am also reducing the $225,000 for a centralized training program to $50,000.

I am eliminating the augmentation for centralized recruiting ($30,000) because the State Personnel Board has funds in its existing program to meet the recruiting needs of the Department.

I am reducing the augmentation for training ($175,000) pending funding of the Department under a grant by the California Council on Criminal Justice for a centralized training program in conjunction with the Department of Corrections.

Item 233—For transfer to the Health Care Deposit Fund to provide for Medical Assistance Program expenditures. I reduce this item from $664,517,365 to $606,317,587 and eliminate the following language and schedule:

"Provided, further, that of the amounts appropriated by this item, $25,580,702 shall be expended, for the 1972–73 fiscal year only, in addition to all other amounts required by law, pursuant to the following schedule for relief of the counties for costs incurred in the implementation of Chapter 577 of the Statutes of 1971.

Schedule:

Alameda	1,254,192
Alpine	530
Amador	16,536
Butte	118,720
Calaveras	22,790
Colusa	15,052
Contra Costa	637,908
Del Norte	13,038
El Dorado	38,900
Fresno	728,538
Glenn	19,822
Humboldt	127,200
Imperial	45,580
Inyo	25,546
Kern	554,698
Kings	78,440
Lake	13,992
Lassen	13,144
Los Angeles	10,597,350
Madera	70,066
Marin	118,720
Mariposa	3,498
Mendocino	58,300
Merced	163,770
Modoc	12,720
Mono	3,286
Monterey	275,070
Napa	58,300
Nevada	45,050
Orange	1,101,970
Placer	96,778
Plumas	23,320
Riverside	546,960
Sacramento	914,462
San Benito	19,186
San Bernardino	684,972
San Diego	853,300
San Francisco	1,618,408
San Joaquin	783,340

San Luis Obispo	159,958
San Mateo	593,600
Santa Barbara	261,820
Santa Clara	996,400
Santa Cruz	141,510
Shasta	69,960
Sierra	1,378
Siskiyou	41,340
Solano	84,376
Sonoma	238,500
Stanislaus	278,780
Sutter	81,620
Tehama	30,740
Trinity	11,342
Tulare	301,570
Tuolumne	30,104
Ventura	294,256
Yolo	111,300
Yuba	79,500"

I have eliminated $25 580,702 and related language and schedule which were added to reduce the counties' share of costs under the Medi-Cal program The present cost sharing as set forth in the statutes is equitable

I am recommending the passage of AB 1282, by Assemblyman Arnett, which will provide some administrative relief to the counties through simplified billing procedures for reimbursement for Medi-Cal services rendered through county hospitals

In addition I have reduced the funds for caseload expenditures in recognition of revised estimates by $32,619,076

Item 234—For support of Department of Human Resources Development I reduce this item from $9,424,374 to $8,163,874 A modification in Federal law has changed the state matching requirements The original appropriation will be enough to match Federal money to properly fund the work incentive program under the new (9–1) sharing ratio

Item 241—For support of Department of Mental Hygiene I reduce this item from $6,910,096 to $6,878,096 by reducing paragraph (b) Operating Expenses and Equipment from $1,715,701 to $1,683,701

I have also deleted the following language from Item 241 which provides funds specifically for staff and related expenses of the Citizens' Advisory Council

> "Provided that, of this amount, $32,000 shall be made available to the Citizens' Advisory Council solely for the purpose of providing independent staffing and expenses related thereof "

The Citizens' Advisory Council provides advice and assistance to the Director of Mental Hygiene The Department can provide staff as needed to support the work of the Council

Item 241.1—For support of Department of Mental Hygiene. I eliminate this item.

I have eliminated this item because the 1972–73 budget, as originally submitted contains sufficient funds to maintain Mendocino State Hospital pending final disposition

Item 246—For support of Department of Public Health I reduce this item from $12,197,502 to $11,697,502 by reducing paragraph (b) Operating Expenses and Equipment from $6,647,845 to $6,147,845

I have eliminated additional funds for comprehensive health planning pending evaluation of efforts made to date by regional and local area comprehensive health planning agencies.

Item 246.1—For support of Department of Public Health I eliminate this item.

I am eliminating this augmentation of $300,000 on the basis that $600,000 remains available in 1972–73 for family planning from prior appropriations which will permit the orderly growth of this program while it is further evaluated.

Item 257.1—For Local Assistance, Department of Social Welfare—Unmet Shelter Needs I reduce this item from $3,000,000 to $1,500,000

The 1971 Welfare Reform Act achieved a balance of various public assistance programs funded by the State and county governments As a part of that balance it was agreed that the State would assume certain costs previously borne by counties, such as the costs of the Old Age Security and Aid to the Blind programs It was also agreed that counties would assume full responsibility for some functions. Specifically, the Welfare Reform Act provided that counties provide special needs to AFDC welfare recipients in accordance with priorities determined at the county level The reduction of Item 257.1 represents that portion which relates to the AFDC program The remaining $1,500,000 shall be allocated to the adult aid programs, which remain the fiscal responsibility of the State

Item 261—For support of Department of Education I reduce this item from $6,172,638 to $5,980,938 by reducing paragraph (a) Personal Services from $15,156,501 to $15,121,701 and paragraph (b) Operating Expenses and Equipment from $8,711,545 to $8,679,645, and eliminating paragraph (f)

I have reduced this item by eliminating the legislative augmentations in the amount of $66,700 which were provided for additional staffing and related expenses Consideration of proposed increases should be deferred until after the Superintendent of Public Instruction has completed the presently planned reorganization of the department. I have eliminated the $125,000 legislative augmentation for the new careers program because there is insufficient information available to justify the proposed expansion of this relatively new program

Item 264—For support of Special Schools, Department of Education I reduce this item from $9,963,325 to $9,263,325 by eliminating paragraph (f)

I have reduced this item by eliminating the additional funds for a new school at Mendocino State Hospital because a study currently is being made of the existing facilities at Berkeley The transfer from Berkeley to new facilities should consider all aspects of the program on a long range basis and should be based upon a plan recommended by the Superintendent of Public Instruction. The results of the study now being conducted may reveal other existing facilities or possible arrangements that would prove superior from a program viewpoint. I believe the matter must be thoroughly examined and alternatives considered in view of the significance of establishing new facilities.

Item 268.1—For support of transfer by the State Controller from the General Fund to the State Schools Fund for additional supplemental support. I reduce this item by $8,000,000

I am reducing this item by $8 million The remaining $24 million augmentation for supplemental support which I am approving is sufficient to fully fund the apportionment formulas in the item

Item 269—For Public School Support, Department of Education I eliminate this item.

I have eliminated this item because I am approving in Items 268 and 268 1 the expenditure of $190 million appropriated by the Legislature for enhancement of education at the local level. The remaining $73 million ($65 million in Item 269 and $8 million of Item 268 1) appropriated to local schools in this Act is not primarily directed toward the relief of low wealth school districts in accordance with the guidelines of the Serrano decision There is ample time for the Legislature to enact a combination tax reform and school finance bill at this session and I have proposed one such solution The $73 million will remain in surplus available to local schools at such time as the Legislature places on my desk a bill conforming to the general principles of the Serrano case Should the Legislature adjourn this session without enacting such legislation, I am ordering that the Department of Finance clearly set forth in the budget documents an earmarked surplus of $73 million as part of the money to be available for low wealth school districts whenever the Legislature completes work on comprehensive school tax financing reform.

Item 271—For support of Compensatory Education Program, Department of Education I reduce this item from $11,000,000 to $10,518,000

I have reduced this item by eliminating the unallocated funds for expansion of the Professional Development Centers I have approved augmentations in the amount of $60,000 for the project related to the University of California at Santa Cruz and $100,000 for project LINKAGE related to the University of California at Los Angeles and $108,000 for the project related to the Pasadena Unified School District, thereby funding all projects specified by the Legislature. The

Professional Development Centers program has not had sufficient proven results to warrant expansion beyond that being authorized.

Item 272.1—For support of the Abstract Conceptually-Oriented Mathematics Program Act, Department of Education. I reduce this item from $1,000,000 to $500,000.

I have reduced this item because the funds remaining are sufficient to support demonstration programs which will permit a proper evaluation of this instructional method. AB 1644 (Russell) now being considered by the Legislature will provide for a complete evaluation of this program.

Item 273—For support of Children's Centers, Department of Education. I reduce this item from $21,892,700 to $21,742,700 by reducing paragraph (a) Children's centers from $28,522,988 to $28,372,988.

I have reduced this item by eliminating funds for administrative costs related to establishment of centers at or near campuses of institutions of higher learning The Department assured me at the time legislative authorization for such centers was enacted that there would be no additional state costs.

Item 273.1—For support of Department of Education. I eliminate this item.

Item 273.1 appropriations $3,000,000 to the Department of Education for county child care and child care training programs. These funds were originally budgeted to the Department of Social Welfare. Item 273 1 is eliminated in the belief that the Department of Social Welfare is the appropriate agency to administer this program, particularly since the Department has long standing channels of communication and supervision established with county welfare departments. It would be necessary for Education to establish a parallel administrative structure if this program were transferred. In order to restore these funds to the child care program, I am requesting legislation to add the necessary appropriation.

Item 276—For support of Assistance to Public Libraries, Division of Libraries, Department of Education. I reduce this item from $1,346,000 to $800,000.

I have reduced this item to the current level of funding.

Item 277.1—For vocational education, Summer Work Program, Department of Education I eliminate this item.

I have eliminated this program because it is essentially an employment program that can more properly and effectively be satisfied through existing manpower programs.

Item 280—For support of Project SHARE, Department of Education I eliminate this item.

I have eliminated this item since it previously has been funded from the Miller-Unruh appropriation and it should continue to be financed from that resource. AB 612 (Vasconcellos) now before the Legislature can be used to direct Miller-Unruh funds for SHARE.

Item 283—For support of University of California. I reduce this item from $357,636,442 to $354,289,029.

The Regents of the University of California have provided for an appropriate and vigorous educational opportunity program from total funds available to the Regents; therefore, it is not necessary to augment this program from the General Fund at this time

Despite the fact enrollments are failing to come up to budget levels, I nevertheless have not only maintained the same support for the University I proposed in January—which was predicated on higher projected enrollments—but I have retained legislative augmentations in the amount of $1.7 million for research in mosquito control and university unemployment benefits The funds provided by the State to the University in 1972–73 are being increased by $18 2 million over the current year's support level, plus $27 million for salary increases

The Administration has allocated sufficient funds for the operation of the University The Legislature addressed the budget item by item. The Regents have authority to redirect funds to specific needs and economies of operations together with prospective enrollment reductions which appear to be sufficient to meet specific needs

Item 283.1—For support of University of California I eliminate this item.

I am opposed to the elimination of tuition It is a necessity for financing of higher education. The Regents of the University of California have themselves implemented a tuition program. It exists and it is increasing in importance at every major university in the United States

Item 283.2—For support of a Department of Demography, University of California, Berkeley campus I eliminate this item

This item is being eliminated at the request of the University.

Item 283.3—For support of the Institute of Traffic and Transportation Engineering, University of California I reduce this item from $551,362 to $460,871 by reducing paragraph (b) from $90,491 to $0

The program at the UCLA Campus is being reduced at the request of the University.

Item 290—For support of Hastings College of Law. I reduce this item from $1,586,826 to $1,554,426 by reducing paragraph (b) Operating Expenses and Equipment from $770,371 to $737,971.

An augmentation I am approving will provide state and federal funds for the National Defense Student Loan Program and thereby assist the financial aids effort.

Item 290.1—For support of Hastings College of Law I eliminate this item.

The Coordinating Council for Higher Education has advised me that there is insufficient evidence to support the need for an additional law school in the State of California Therefore, I am eliminating this item for this year.

Item 290.2—For support of Hastings College of Law. I eliminate this item.

I am opposed to the elimination of tuition. It exists and it is increasing in importance at every major university in the United States.

Item 291—For support of Trustees of the California State Colleges and the California State Colleges I reduce this item from $343,442,373 to $342,870,597 by reducing paragraph (a) Personal Services from $350,659,350 to $350,192,340 and paragraph (b) Operating Expenses and Equipment from $80,352,604 to $80,347,838, and paragraph (c) Reimbursements from —$87,569,581 to —$87,669,581. I am also reducing the $313,849 for the educational television station at San Diego to $213,849

I reduce this item for the following reasons.

San Diego Educational Television	$100,000
The $213,849 which already has been budgeted for the station is adequate to reimburse its operations for instructional programs on the campus	
Planning funds for Year-round Operation	50,000
Substantial amounts of funds have been spent in previous years at San Francisco State and the current budget already contains some funds for this purpose	
State Health Benefits increase from $12 to $14	421,776
Funds for this purpose are to be provided from existing resources	

Item 292—For support of Trustees of the California State Colleges and the California State Colleges I reduce this item from $5,909,602 to $4,733,922 by reducing paragraph (a) from $3,331,680 to $2,156,000

This action retains an augmentation of $2,156,000 for Educational Opportunity Program grants, including 3,500 first year students at $440 each and 2,800 second year students at $220 per student.

The state-supported program for educationally disadvantaged students in the California State Colleges is thereby increased over 100% with the grant portion reflecting a five-fold increase by this action.

Item 296—For support of community college extended opportunity programs, Board of Governors of the California Community Colleges I reduce this item from $6,600,000 to $4,850,000

This action will provide an increase of nearly 50% in this program over the current year

The emphasis of the Educational Opportunity Program at the Community Colleges is consistent with the Master Plan for Higher Education and will provide eligible students with the greatest opportunity for academic success.

Item 298—For support of scholarship awards, State Scholarship and Loan Commission I reduce this item from $30,422,705 to $29,447,194 by reducing paragraph (a) Competitive Scholarship Program from $24,401,816 to $23,426,305.

The legislative augmentation is being reduced by $975,511 because we have been informed by the State Scholarship and Loan Commission that actual scholarship need is now projected at $962 per award winner

Item 300.4—For capital outlay, Department of General Services, for working drawings for a state office building in San Jose I eliminate this item.

Information provided by the Department of General Services shows that a state constructed building in San Jose cannot be economically justified at this time

Item 308.1—For capital outlay, University of California. I eliminate this item

I am opposed to the elimination of tuition. It is a necessity for financing higher education The Regents of the University of California have themselves implemented a tuition program. The importance of tuition is increasing for every major university in the United States.

Item 308.6—For capital outlay, University of California I reduce this item from $8,500,000 to $7,900,000 by reducing paragraph (a) from $8,500,000 to $7,900,000

The current appraisal by the Department of General Services indicates that the funds retained in this item will provide Sacramento County fair market value for the land, improvements, equipment and supplies to be transferred to the University of California.

Item 318.2—For capital outlay, Department of Parks and Recreation I reduce this item from $9,153,900 to $7,053,900 by eliminating paragraphs (a-8) Refugio State Beach acquisition—$1,900,000, and (b-1) San Diego Museum development—$200,000.

The Refugio acquisition is not included in departmental priority lists Consequently there is no present program to justify the purchase of this property The San Diego Museum funding is contained in legislation I recently signed and is therefore not required in this act

Item 318.5—For capital outlay, Department of Fish and Game Salmon and Steelhead study I eliminate this item.

This study is not appropriately a capital outlay item and if needed, should be accomplished within the Department of Fish and Game support budget.

Section 10.4—For reappropriation of funds for Children's Center's and family and child development I eliminate this section and delete the following language.

"Notwithstanding any other provisions of law, Item 274(a) and Item 259(b), Budget Act of 1971 are reappropriated for the same purposes to the Department of Education and Department of Social Welfare, respectively, and shall be available until June 30, 1973"

I have eliminated this reappropriation of funds because the 1972–73 budget provides adequate funds for the program and it is more effective management to maintain the program on an annual funding basis

Section 10.7—For support of Department of Social Welfare. I eliminate this section and delete the following language:

"The unexpended balance of funds appropriated to the Department of Social Welfare by Chapter 578, Statutes of 1971, Section 39 7(b), is hereby reappropriated to the Department of Education for the cost of child care services and child care training programs pursuant to the provisions of Sections 10811 and 10811 5, Welfare and Institutions Code, provided, that the Department of Finance may, by executive order, transfer funds in augmentation of the amount scheduled in subdivision (h) of Item 258 for purposes of meeting the state matching fund requirements for child care services provided for under Public Law 90-248."

Action on this section is taken in conjunction with my reduction to Item 273 1. County child care programs should continue to be under the jurisdiction of the Department of Social Welfare since that Department is presently equipped to maintain the day-to-day county supervision that is necessary Section 10 7 would have transferred the funds to the Department of Education Elimination of Sec 10 7 will ensure that unexpended child care funds will continue to be available in 1972–73 to Social Welfare for child care programs.

Section 19.6—For early announcement of awards and grants by the Scholarship and Loan Commission I reduce the amounts reflected in this section by a total of $1,750,899 by reducing the amount for scholarship awards, paragraph (a), from $29,000,000 to $27,850,862 and the amount for graduate fellowship awards, paragraph (b), from $1,560,000 to $958,239

I have reduced amounts in this section in conformity with action taken on Item 298 and also to maintain the graduate fellowship program funding at approximately $1,000,000

With the above deletions and reductions, I hereby approve Senate Bill No 50

RONALD REAGAN, Governor

Veto Message—Assembly Bill No. 557

Governor's Office, Sacramento
June 23, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 557 entitled, "An act to amend Section 71145 of, add Section 71180 to, and repeal Sections 71141 and 71180 of, the Government Code, relating to judges "

This bill attempts to conform municipal court election procedures to those used in superior court elections As such, the relatively simple procedures used for the election of municipal court judges would result in unnecessary complications and inequity.

This bill would contribute to the log jam in our courts because of the time delay in filling vacancies which might occur during election years. Moreover, some judges would be required to face election only a few months after they have been appointed to the bench Finally, no transition period has been included in this bill, and, as a result many judges would now face the uncertainty of not knowing when their term in office ends.

I can see no reason for adding confusion to our judicial election procedures. While this bill may be a well-intentioned attempt to simplify these procedures, in reality it can only complicate them.

For these reasons, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

Governor's Office, Sacramento
June 26, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: This is to advise that I returned Assembly Bill No. 557 unsigned, together with a statement of my reasons therefor, on Friday, June 23, 1972.

Delivery was made to R. Brian Kidney, Assistant Chief Clerk, at 5.00 p m.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 23rd day of June, 1972, at 5:00 p m. of Assembly Bill No. 557, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

R. BRIAN KIDNEY
Assistant Chief Clerk

Above bill ordered to the unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, June 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 42

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, June 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 226	AB No. 497	AB No 1308
AB No 241	AB No. 540	AB No. 1447
AB No. 296	AB No. 553	AB No. 1645
AB No. 362	AB No. 727	AB No. 1996
AB No. 444	AB No 853	AB No. 2002
AB No 471	AB No. 920	AB No. 2323
AB No. 485	AB No. 1141	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, June 23, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 8	ACR No. 65
ACR No 22	ACR No. 80

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, June 23, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 461

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 23, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 250	AB No. 1426	AB No. 1677
AB No 530	AB No. 1597	AB No. 2300
AB No 556		

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 22, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed·

SB No 99	SB No 696	SB No 1270
SB No 154	SB No 743	SB No 1319
SB No 199	SB No 876	SB No. 1343
SB No 534	SB No 935	SB No 1430
SB No. 638	SB No 1056	SB No 1498

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 49

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 23, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed·

SB No. 231	SB No. 578	SB No. 1022
SB No. 234	SB No 613	SB No. 1130
SB No 380	SB No. 682	SB No. 1148
SB No. 487	SB No. 786	SB No. 1348
SB No. 535	SB No. 813	SB No. 1376
SB No. 574	SB No 865	SB No. 1455

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 99—An act to add Section 458 5 to the Health and Safety Code, relating to pesticides.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 154—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664.5 to, the Public Utilities Code, relating to airports

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 199—An act to amend Section 22836 of, and to add Section 22843 to, the Elections Code, relating to municipal elections.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 534—An act to add Section 3251.5 to, and to repeal Section 3251.5 of, the Civil Code, relating to municipal water districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 638—An act to amend Section 31641 4 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 696—An act to add Section 13990 10 to the Government Code, and to add Sections 7531 5 and 7532.5 to the Public Utilities Code, relating to railroad rights-of-way

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 743—An act to amend Section 11802 of the Vehicle Code, relating to vehicle salesmen.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 876—An act to amend Section 11478 of the Welfare and Institutions Code, relating to dependent children.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 935—An act to amend Section 1589 of the Unemployment Insurance Code, relating to unemployment compensation insurance

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1056—An act to place specified amendments to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1270—An act to amend Sections 14901 and 14902 of the Government Code, relating to distribution of state publications.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1319—An act to amend Sections 630, 645 and 646 of the Probate Code, relating to probate.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1343—An act to add Title 5 5 (commencing with Section 13650) to Part 4 of the Penal Code, relating to correctional personnel.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1430—An act to amend Section 621 of the Revenue and Taxation Code, relating to taxation

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1498—An act relating to statewide initiative measures, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 49—Relative to the creation of the Joint Committee on Legislative Building Space Needs

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 231—An act to amend Section 350 of the Streets and Highways Code, relating to state highways

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 234—An act to add Section 36004 to the Agricultural Code, relating to milk and milk products

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 380—An act to amend Sections 35750, 35751, and 35754 of the Vehicle Code, relating to bridges

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 487—An act to amend Section 5901 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 535—An act to add Section 6073 to the Revenue and Taxation Code, relating to sales and use taxes.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 574—An act to amend Section 26860 of the Government Code, and to add Article 8 (commencing with Section 10470) to Chapter 8 of the Division 9 of, and to add Section 10617 to, the Health and Safety Code, relating to vital statistics.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 578—An act to amend Sections 10441 and 10450, to amend the heading of Article 6 (commencing with Section 10450) of Chapter 8 of Division 9 of, to add Sections 10400 5 and 10616 to, and to add Article 6 5 (commencing with Section 10455) to Chapter 8 of Division 9 of, the Health and Safety Code, relating to vital statistics records

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 613—An act to add Section 1753 1 to the Welfare and Institutions Code, relating to the Youth Authority, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 682—An act to repeal Article 3 6 (commencing with Section 5050) of Chapter 1 of Division 5 of the Public Resources Code, relating to the state park system

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 786—An act to add Chapter 7 5 (commencing with Section 4040) to Part 1 of Division 5 of the Health and Safety Code, relating to bottled water

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 813—An act to amend Section 12552 of the Government Code, to amend and renumber the heading of Chapter 2 (commencing with Section 948) of Title 5 of Part 2 of, to add Title 4 (commencing with Section 887) to Part 2 of, to repeal Title 4 (commencing with Section 888) of Part 2 of, and to repeal Chapter 1 (commencing with Section 940) of Title 5 of Part 2 of, the Penal Code, relating to grand juries

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 865—An act to amend Section 8388 of, and to add Sections 8388 3, 8388 5, and 8388 7 to, the Fish and Game Code, relating to fishing

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1022—An act to amend Sections 3008, 3012, 3013, 3101, 3103, 3104, 3106, 3203, 3204, 3205, 3207, 3208, 3215, 3218, 3226, 3227, 3237, and 3356 of, and to add Section 3205 5 to, the Public Resources Code, relating to oil and gas.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1130—An act to amend, repeal, and add Section 2701, and to amend Sections 2702 and 2703 of, the Business and Professions Code, relating to nurses

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1148—An act to amend Section 1754 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer credit.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1348—An act to amend Sections 13500 and 13501 of the Penal Code, relating to peace officers.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1376—An act to amend Section 2690 of the Penal Code, relating to prisoners.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1455—An act to amend Sections 226.9, 227a, 233 and 233 5 of the Civil Code, relating to personal relations

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
99	Environmental Quality
154	Planning and Land Use
199	Elections and Reapportionment
534	Water
638	Retirement
696	Commerce and Public Utilities
743	Transportation
876	Welfare
935	Finance and Insurance
1056	Elections and Reapportionment
1270	Government Administration
1319	Judiciary
1343	Criminal Justice
1430	Revenue and Taxation
1498	Elections and Reapportionment

Senate Concurrent Resolution No.	*Committee*
49	Rules

REQUEST FOR UNANIMOUS CONSENT

Mr Deddeh was granted unanimous consent that Senate Bill No 9, Item 69 on this day's second reading file, be returned to the third reading file for the next legislative day, instead of the second reading file

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr MacDonald was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No 34 for hearing in the Committee on Rules on Tuesday, June 27, 1972

REQUEST FOR UNANIMOUS CONSENT

Mr MacDonald was granted unanimous consent that Senate Bill No. 169, Item 57 on this day's second reading file, be returned to the third reading file for the next legislative day, instead of the Consent Calendar

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1411—An act to amend Section 14131 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted·

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 and 10, on page 2, line 1, strike out "schedule of benefits", and insert "for physician visits allowed under the supplemental schedule of benefits, or extended treatment plans allowed pursuant to Section 14133 1"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2345—An act to authorize the assessment or reassessment of property in disaster areas, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 2189—An act to amend Sections 13844 2, 13992, 14023, 14025, 14041, 14185, 14186, 14213, 14214, 14214 5, 14215, 14220 5, 14220 7, 14224, 14240, 14243, 14260, 14284, 14334 6, 14334 8, and 14392 of, to add Section 14390 to, and to repeal Sections 14042, and 14390 of, the Education Code, relating to the State Teachers' Retirement System and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted

Set No. 1

Amendment No. 1

On page 15, lines 21, 22, and 23, of the printed bill, strike out "Persons receiving disability benefits or family benefits from this system are excluded under this section and Section 14392.5."

Set No. 2

Amendment No. 1

On page 14, between lines 7 and 8, of the printed bill, insert

"SEC. 19.5. Section 14284 of the Education Code, as added by Chapter 1305 of the Statutes of 1971, is amended to read:

14284. Any member who has qualified for service retirement under Section 14211 may elect, as provided in Section 14280, and without right of revocation or change after approval of the election by the retirement board, to receive the actuarial equivalent as of the date of his retirement, of the retirement allowance payable to him when and if he retires for service in a reduced retirement allowance according to the provisions of either option 2 or option 3 as stated in Section 14280. If such a member at the time of making the election has a living spouse who would qualify for an allowance under Section 14186, the election under this section shall be invalid and of no effect unless and until the consent of such spouse to it is filed with the system in Sacramento. If the death of such member occurs ~~within 30 days~~ after the date upon which the election ~~is received by the system in Sacramento~~ *has been signed and notarized*, then the election shall be ~~void and of no effect and he shall be considered as an active member at the time of death~~ *in full force and effect The election shall be forwarded to the office of the system within 30 days after signature and notarization.*

Upon such member's death ~~at least 30 days after the date upon which the election is received by the system in Sacramento, and~~, prior to the effective date of his retirement, the person who was nominated by him under the option he elected and who survives him, shall receive an allowance calculated under such option, upon the assumption that such member retired for service on the date of his death and died immediately thereafter The payment of such allowance to such person shall be in lieu of both the death benefit provided by subdivisions (a) and (b) of Section 14070 or paragraphs (1) and (2) of subdivision (b) of Section 14180, *except that if the beneficiary dies before all contributions are paid such difference shall be paid to the estate of the person last receiving or entitled to receive the allowance,* and the family benefit provided by Section 14186, and no death or family benefit shall be paid on account of such death to any person or beneficiary, regardless of whether the person nominated under the option elected, survives the member except for the accumulated annuity deposit contributions and accumulated tax-sheltered contributions, and the amount provided by paragraph (5) of subdivision (b) of Section 14180, which amounts shall be paid the designated beneficiary.

If such member subsequently retires, he shall receive, regardless of whether the person nominated by him under the option elected is then living, a reduced allowance according to the provisions of Section 14280 and the option elected ~~, and he shall be subject to Section 14281~~.

The amount of the allowance prior to optional modification shall be calculated on the basis of the member's age at death before retirement, or at retirement, as the case may be, but the reduction of such allowance under the option elected shall be based on the ages of such member and the person nominated by him under such option, at the effective date of such election."

Amendment No. 2

On page 15, after line 38, insert

"SEC. 27 It is the intent of the Legislature, if this bill and Assembly Bill No. 460 are both chaptered and amend Section 14284 of the Education Code, and this bill is chaptered after Assembly Bill No. 460, that the amendments to Section 14284 proposed by both bills be given effect and incorporated in Section 14284 in the form set forth in Section 19.5 of this act. Therefore, if Assembly Bill No. 460 is chaptered before this bill and amends Section 14284, Section 19 of this act shall not become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 669—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 3, line 4, of the printed bill, as amended in Assembly June 7, 1972, after the period, insert "Such displays shall be considered as advertising displays for all purposes of this chapter. In addition to complying with all other permit requirements of this chapter, no person shall place such a message center display until after a finding and certification by the director that such display does not appear to constitute a hazard to traffic."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 11—An act to amend Section 6903 of the Education Code, relating to public schools.

Bill read second time, and ordered to third reading.

Assembly Bill No. 567—An act relating to property taxation, to take effect immediately, urgency statute.

Bill read second time, and ordered to third reading.

Assembly Bill No. 898—An act to amend Sections 3517, 3575, and 5004 of, and to add Section 3521 to and Article 3.5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers.

Bill read second time, and ordered to third reading

Assembly Bill No. 1307—An act to amend Section 30792.2 of the Streets and Highways Code, relating to toll bridges.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1417—An act to add Article 7.9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1491—An act to amend Section 20321 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1697—An act to add Chapter 8 (commencing with Section 11800) to Part I of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5.5 of Division 3 of Title 2 of, the Government Code, relating to the Television Advisory Committee.

Bill read second time, and ordered to third reading

Assembly Bill No. 1808—An act to add Article 2 1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1988—An act to amend Sections 74191, 74192, 74193, 74194, and 74195 of the Government Code, relating to courts

Bill read second time, and ordered to third reading.

Assembly Bill No. 2118—An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18 5 of the Education Code, relating to community colleges.

Bill read second time, and ordered to third reading

Assembly Bill No. 2249—An act to amend Sections 985, 986 3, 986 5, 987, 987 6 and 987.17 of, and to add Sections 986 31 and 987 17a to, the Military and Veterans Code, relating to veterans

Bill read second time, and ordered to third reading.

Assembly Bill No. 355—An act to amend Section 73121 of the Government Code, relating to courts

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1379—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1385—An act to amend Sections 7000.5, 7002, 7003, and 7007 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1403—An act to add Section 6815.2 to the Public Resources Code, relating to state lands.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1489—An act to amend Section 20206 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2012—An act to amend Sections 17921, 17922, 17925, 17930, 17952, 17958, and 17958.7, and to repeal Section 17922.5 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2074—An act to amend Sections 18203, 18405.2, 18406, 18406.2, 18601, 18615, 18661, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406.3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203.5, 18205, 18205.5, 18668, and 18668.1 of, the Financial Code, relating to industrial loan companies.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2119—An act to amend Sections 9900, 9901, 9902, 9903, 9005, 9906, and 9908 of the Government Code, relating to legislative advocates.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2123—An act to amend Section 6871.5 of the Education Code, relating to exceptional children.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1217—An act to add Section 6804.5 to the Education Code, relating to high school attendance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly June 7, 1972, strike out "shall", and insert "may".

Amendment No. 2

On page 2, line 11, strike out "shall", and insert "may".

Amendment No. 3

On page 2, line 24, after the period, insert "School districts may also use other funds available to the district for this purpose."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1416—An act to amend Sections 417 and 417 3 of the Health and Safety Code, relating to kidney diseases, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Assembly May 30, 1972, strike out "subdivision (a)", and insert "Section 417 6".

Amendment No. 2

On page 2, line 38, strike out "dialysis center", and insert "Pediatric Renal Failure Center".

Amendment No. 3

On page 3, lines 2 and 3, strike out "where a person eligible for such funds receives such services", and insert "which is authorized to perform these services by the state department".

Amendment No. 4

On page 3, line 10, strike out "nine", and insert "seven".

Amendment No. 5

On page 3, strike out lines 11 to 13, inclusive; and in line 14, strike out "Disease Foundation in California,".

Amendment No. 6

On page 3, line 17, strike out "one", and insert "at least two"

Amendment No. 7

On page 3, line 17, strike out "a physician", and insert "physicians".

Amendment No. 8

On page 3, line 23, after "dialysis", insert "and transplantation".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1791—An act to amend Sections 38731, 38732, 38733, 38734, 38735, 38741, and 38742 of, to amend the heading of Article 27 (commencing with Section 38731) of Chapter 5 of Part 3 of Division 15 of, to add Article 7 (commencing with Section 36991) to Chapter 2 of Part 3 of Division 15 of, and to add Article 32 (commencing with Section 38801), Article 33 (commencing with Section 38811), Article 34 (commencing with Section 38821), and Article 35 (commencing with Section 38861) to Chapter 5 of Part 3 of Division 15 of, the Agricultural Code, relating to standards for milk products.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 4, lines 2 and 3, of the printed bill, as amended in Assembly June 12, 1972, strike out "panel of the carton or", and insert "principal panel of the".

Amendment No. 2

On page 4, strike out line 22, and insert "shall be made from market milk and may be labeled grade A."

Amendment No. 3

On page 5, line 30, after "a", insert "pasteurized".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1961—An act to amend the heading of Chapter 12.5 (commencing with Section 7800) of Division 3, and Sections 101, 7800, 7801, 7804, 7805, 7806, 7810, 7811, 7813, 7814, 7817, 7820, 7823, 7824, 7825, 7832, 7833, 7834, 7835, 7837, 7839, 7840, 7841, 7842, 7843, 7845, 7847, 7851, 7860, 7872, 7880, 7881, 7884, 7885, 7886 and 7887 of, and to add Sections 7802.1, 7803.1, 7804.1, 7807.1, 7830.1, 7835.1, 7839.1, 7841.1, 7842.1, 7843.1, 7845.1, 7847.6, 7848.1, 7850.1, 7850.6, and 7852.1 to, and to add and repeal Section 101 of, the Business and Professions Code, relating to geologists and geophysicists, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 8 of the title of the printed bill, as amended in Assembly June 12, 1972, after the second "to", insert "amend,".

Amendment No. 2

On page 3, line 18, after "(ad)", insert "The Bureau of Automotive Repair.
(ae)".

Amendment No. 3

On page 3, line 20, strike out "(ae)", and insert
"(af)".

Amendment No. 4

On page 3, line 32, strike out "Civil and".

Amendment No. 5

On page 4, line 4, strike out "Private Investigators and Adjusters", and insert "Collection and Investigative Services".

Amendment No. 6

On page 4, strike out line 8, and insert
"(q) The Bureau of Automotive Repair."

Amendment No. 7

On page 4, line 9, strike out "Electronic".

Amendment No. 8

On page 4, lines 9 and 10, strike out "Dealer Registration", and insert "Services".

Amendment No. 9

On page 4, line 12, after "(t)", insert "The Division of Investigation.
(u)".

Amendment No. 10

On page 4, line 14, strike out "(u)", and insert
"(v)".

Amendment No. 11

On page 22, after line 36, insert
"SEC. 54. It is the intent of the Legislature that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 101 of the Business and Professions Code, as amended by Section 2 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative, and on that date Section 101 of the Business and Professions Code, as added by Section 3 of this act which includes changes made by both Reorganization Plan No. 1 of 1970 and Section 2 of this act, shall become operative."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 482—An act to amend Section 4227 of the Business and Professions Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4227 of", and insert "add Section 4227.3 to".

Amendment No. 2

On page 1, strike out line 1, and insert
"SECTION 1. Section 4227.3 is added to the Business and Professions Code, to read:
4227.3. No manufacturer's sales representative shall distribute any dangerous drug as a complimentary sample without the written request of a physician, dentist, podiatrist or veterinarian. Such requests shall contain the names and addresses of the supplier and the requester, the

name and quantity of the specific dangerous drug desired, and shall be preserved by the supplier with the records required by Section 4227

SEC 2 The provisions of this act shall become operative on July 1, 1973."

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive; and strike out page 2.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1360—An act to add Sections 6443 5, 6444, 6445, 6446, and 6447 to, and to repeal Section 18270 of, to repeal Sections 6443 and 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 7 of the printed bill, as amended in Assembly June 19, 1972, strike out lines 2 to 8, inclusive

Bill ordered reprinted, and returned to the second reading file

Assembly Concurrent Resolution No. 94—Relating to driver's license requirements

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, line 4, of the printed measure, strike out "Motor Vehicles", and insert "the California Highway Patrol"

Amendment No. 2

On page 2, lines 11 and 12, strike out "Director of Motor Vehicles", and insert "Commissioner of the California Highway Patrol"

Resolution ordered reprinted, and on file

Assembly Bill No. 2196—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in Assembly June 13, 1972, after "313 ", insert "(a)"

Amendment No. 2

On page 2, strike out line 40, and insert "and no fee change promulgated by any of the boards,".

Amendment No. 3

On page 3, line 8, after "public", insert "health, safety, or".

Amendment No. 4

On page 3, after line 8, insert

"(b) The disapproval by the director of any such rule, regulation, or fee change may be reversed by a unanimous vote of the board, commission, or committee proposing the rule, regulation, or fee change."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1110—An act to add Section 107.5 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 107.5 to", and insert "amend Section 107 of".

Amendment No. 2

On page 1, strike out lines 1 to 7, inclusive; and strike out all of page 2, and insert

"SECTION 1. Section 107 of the Revenue and Taxation Code is amended to read:

107. "Possessory interests" means the following:

(a) Possession of, claim to, or right to the possession of land or improvements, except when coupled with ownership of the land or improvements in the same person.

(b) Taxable improvements on tax-exempt land

~~Except as provided in this section, possessory interests shall not be considered as sufficient security for the payment of any taxes. Leasehold estates for the production of gas, petroleum and other hydrocarbon substances from beneath the surface of the earth, and other rights relating to such substances which constitute incorporeal hereditaments or profits a prendre, are sufficient security for the payment of taxes levied thereon. Such estates and rights shall not be classified as possessory interests, but shall be placed on the secured roll.~~

~~In the event of delinquency in the payment of any installment of taxes on such leasehold estates or rights, they shall be subject to seizure and sale in the same manner as provided for the seizure and sale of possessory interests in Sections 2914 to 2919, inclusive, at any time within three years after the delinquency. Suit may be brought against an assessee of such taxes in the event of delinquency in the payment thereof.~~

Possessory interests may, in the discretion of the county board of supervisors, be considered as sufficient security for the payment of any taxes levied thereon and may be placed on the secured roll.

Leasehold estates for the production of gas, petroleum and other hydrocarbon substances from beneath the surface of the earth, and other rights relating to such substances which constitute incorporeal hereditaments or profits a prendre, are sufficient security for the payment of taxes levied thereon Such estates and rights shall not be classified as possessory interests, but shall be placed on the secured roll.

If the tax on any possessory interest or leasehold estate for the production of gas, petroleum and other hydrocarbon substances is unpaid when the last installment of secured taxes become delinquent, the tax collector shall use those collection procedures which are available for the collection of assessments on the unsecured roll.

If the tax on any possessor interest or leasehold estate for the production of gas, petroleum and other hydrocarbon substances remains unpaid at the time set for the sale to the state for taxes carried on the secured roll, such possessory interest tax together with such penalty and costs which may be accrued thereon while on the secured roll shall be transferred to the unsecured roll"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 629—An act to add Part 15 (commencing with Section 103000) to Division 10 of the Public Utilities Code, relating to transit districts

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 1, after line 11, of the printed bill, insert

"103001 The Legislature hereby finds and declares:

(a) It is necessary that a transit district be established to operate a single unified public transportation system in Monterey County in order to meet the present and future public transportation, and mass and rapid transit, needs of that county At the present time, there does not exist within the county a publicly owned public transportation system.

(b) It is, therefore, necessary to provide an authority, to wit: a transit district, and to establish such a transit district appointed by, and responsive to, the cities in Monterey County and the County of Monterey so that there will be sufficient governmental authority to solve the existing and future transportation problems of the region and provide the needed comprehensive public transportation system.

(c) Because there is no general law under which such a district could be formed, the adoption of a special act and the creation of a special district is required

103002. It is the intent of the Legislature that the creation of this district shall further the concept of regional rapid transit and transit districts, with the eventual goal of the creation of a network of rapid transit systems throughout the state which would be operated as a single coordinated statewide system to facilitate the expeditious movement of people between the major metropolitan centers of the state.

CHAPTER 2. DEFINITIONS

103010. Unless the context otherwise requires, the provisions of this chapter govern the construction of this part.

103011. "District" means the Monterey County Transit District.

103012 "Transit" means the transportation of passengers and their incidental baggage by any means

103013. "Transit works" or "transit facilities" means any or all real and personal property, equipment, rights, or interests owned, or to be acquired, by the district for transit services or purposes.

103014. "Board of directors", "board", and "directors" means the board of directors of the district.

103015. "City" means, individually, the cities of Carmel, Del Rey Oaks, Gonzales, Greenfield, King City, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and Soledad, and any other city which is annexed to the district as provided in this part.

103016. "County" means, individually, the County of Monterey, and any other county which is annexed, in whole or in part, to the district as provided in this part

103017. "Public agency" includes the State of California, and any county, city, district, or other political subdivision or public entity of, or organized under the laws of, this state, or any department, instrumentality, or agency thereof.

103018. "System" means all transit facilities owned or held, or to be owned or held, by the district for transit purposes.

103019. "Revenues" means all rates, fares, tolls, rentals, or other income and revenue actually received or receivable by, or for the account of, the district from the operation of the system, including, without limiting the generality of the foregoing, interest allowed on moneys or securities, and any consideration in any way derived from any properties owned, operated, or at any time maintained by the district

103020. "Person" includes any individual, firm, partnership, association, corporation, trust, or business trust, or the receiver, trustee, or conservator for any thereof.

103021. "Establish" includes establish, construct, complete, or acquire.

103022. "Monterey County Transportation Planning Agency" means the Monterey County Local Transportation Commission as authorized by Section 29535 of the Government Code.

CHAPTER 3. CREATION OF DISTRICT, ANNEXATION, AND SERVICE

Article 1. Creation of District and Annexation

103050 There is hereby created the Monterey County Transit District. The district is a public corporation created for the purposes of this part.

103051. The district shall comprise the cities of Carmel, Del Rey Oaks, Gonzales, Greenfield, King City, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and Soledad and the unincorporated territories of the County of Monterey.

103052. The district shall not be activated until the adoption of a resolution by the Monterey County Board of Supervisors, and the city councils of a majority of the cities within the county having an incorporated population of greater than 50 percent of the total incorporated population within the County of Monterey, declaring that there is a need for the district to function

103053. Any city or county may annex to, and become a part of, the district upon approval of the board following written request by the city or county to the district for such annexation and approval of such annexation by the local agency formation commission of the county in which the city or county is located. Approval of annexation by the board shall be made by adoption of a resolution to that effect.

Article 2. Zones

103060 The board, by resolutions, may establish zones within the district without reference to the boundaries of other zones, setting forth in such resolutions the descriptions of zones by metes and bounds, entitling each of the zones by a zone number, and institute or alter facilities for public transportation systems for the specific benefit of those zones Facilities for public transportation may be instituted or altered wholly within one or more zones

Proceedings for the establishment of zones may be conducted concurrently with, and as a part of, proceedings for instituting or altering facilities for public transportation relating to such zones, which proceedings shall be conducted in the manner prescribed in Article 3 (commencing with Section 103070) of this chapter.

103061 The district may operate and exercise the powers under this part within any zone wholly or in part contained within any city or cities, providing the district shall have no power to levy an ad valorem property tax within the boundaries of the zone, as provided in Article 8 (commencing with Section 103330) of Chapter 5, unless the city council of the city or cities adopts a resolution declaring there is a need for the district to operate and levy a tax within the boundaries of the zone.

103062 The district may operate and exercise the power of this part within any zone wholly or in part contained in the unincorporated area of a county However, the district shall have no power to levy an ad valorem tax within the zone as provided in Article 8 (commencing with Section 103330) of Chapter 5, unless the board of supervisors having jurisdiction over the zone adopts a resolution declaring there is a need for the district to operate and levy a tax within the boundaries of the zone

Article 3 Public Transportation Systems

103070 The board may form and operate a public transportation system in one or more zones For the purpose of acquiring the authority to proceed with the formation and operation of a public trans-

portation system, the board shall adopt a resolution specifying its intention to create and operate a public transportation system. The resolution shall include an estimate of the cost to be borne by the participating zones, shall fix a time and place for public hearings of the resolution, shall refer to a map defining the area to be served, and shall specify the routes, fares, and schedules and other such information as may described or define the level of public transportation to be provided.

103071. Notice of the hearing shall be given by publication once a week for two consecutive weeks prior to the hearing, the last publication of the notice shall be at least seven days before the hearing. in a newspaper of general circulation designated by the board that is circulated in each of the participating zones. If there is no such newspaper, notice shall be given by posting for two consecutive weeks prior to the hearing in five public places designated by the board in each of the participating zones.

The notice shall designate a public place in each of the participating zones where a copy of the map, together with the proposed routes, fares, and schedules and other such information as may describe or define the level of public transportation proposed, may be seen by any interested person. The above information specified in this section shall be posted in each of the public places so designated in the notice at least two weeks prior to the hearing.

103072 At the time and place fixed for the hearing, or at any time to which the hearing is continued, the board shall consider all written and oral objections to the proposed public transportation system Upon conclusion of the hearing, the board may abandon or proceed with the proposed public transportation system, unless, prior to the conclusion of the hearing, written protests against the proposed public transportation system signed by a majority of the registered voters residing within the participating zones are filed with the board In such a case, further proceedings relating to such public transportation system shall be suspended for not less than six months following the date of the conclusion of the hearing or the proceeding may be abandoned.

CHAPTER 4. GOVERNMENT OF DISTRICT

Article 1. Board of Directors

103100. Upon activation of the district as provided in Section 103052, the government of the district shall be vested in a board of directors.

The first board shall be the Monterey County Board of Supervisors.

The number of directors on the board, by resolution of the board, may be increased or decreased to meet the needs of governing the district. In any event, the board shall include the entire Monterey County Board of Supervisors.

103101. A member of a city council may serve as a member of the board.

103102. Within 10 days after adoption of resolutions activating the board, the clerk of the Monterey County Board of Supervisors shall

give a notice calling for the first meeting of the board at an appropriate time within 20 days after giving such notice, and at a place in the County of Monterey, designated by the notice.

103103. The board at its first meeting, and thereafter annually at the first meeting in January, shall elect a chairman who shall preside at all meetings In the event of his absence or inability to act, the members present, by an order entered into the minutes, shall select one of their members to act as chairman pro tem, who, while so acting, shall have all of the authority of the chairman.

103104 The board shall establish rules for its proceedings. A majority of the members of the board shall constitute a quorum for the transaction of business, and all official acts of the board shall require the affirmative vote of a majority of all of the members of the board. The acts of the board shall be expressed by motion, resolution, or ordinance All meetings of the board shall be conducted in a manner prescribed by the Ralph M Brown Act (Chapter 9 (commencing with Section 54950), Part 1, Division 2, Title 5 of the Government Code).

103105. The board shall consider at its first meeting an administrative budget which may be required in order for the board to function efficiently and to avoid any unwarranted personal expenses to the board members Such items as, but not limited to, a per diem allowance and mileage allowance to attend board meetings may properly be considered as budget items.

Article 2 Powers and Duties of the Board of Directors

103120. The board is the legislative body of the district and shall determine all questions of district policy.

103121. It shall be the duty of the board and it shall have the power to:

(a) Determine the transit facilities to be acquired and constructed by the district, the manner of operation, and the means to finance them.

(b) Adopt an annual budget for the district and fix the compensation of its officers and employees The board may provide in the budget for a reasonable replacement reserve.

(c) Fix rates, rentals, charges, and classifications of transit service operated by the district.

(d) Adopt an administrative code which shall prescribe the powers and duties of district officers, the method of appointment of district employees, and methods, procedures, and systems of operation and management of the district

(e) Adopt rules and regulations governing the use of transit facilities owned or operated by the district.

(f) Cause a postaudit of financial transactions and records of the district to be made at least annually by a certified public accountant.

(g) Do any and all things necessary to carry out the purposes of this part.

Article 3. Advisory Commission

103140. The board may establish an advisory commission to the board pursuant to this article.

103141. The commission shall be composed of two members appointed by each of the city councils in cities which are receiving service from the district and are rendering tax or financial support to the district. At least one of the two members appointed by each city shall be a member of the appointing body. Commission members shall serve at the pleasure of their appointing bodies.

103142. The commission shall meet as often as the board deems necessary, but at least twice annually, and shall advise the board on matters of district policy, including the administrative, fiscal, and operational policies of the district and their relation to the administrative, fiscal, and operational policies of the cities and counties in which the district is operating, levels of service and allocation of the district's financial resources The commission shall have other advisory duties as may be provided by the board pursuant to this part

Article 4. Officers

103160. The officers of the district shall consist of the members of the board and the chairman, chairman pro tem, and secretary, who shall be selected from members of the board. The board may also hire or appoint an executive secretary, a general manager, a legal counsel, a controller, a treasurer, and such other officers, assistants, and deputies as the board may deem necessary.

103161. Until such time as the district begins actual operations, any city, county, or other public agency may render such assistance to the district as it may require, including the performance by officers of the city, county, or public agency as ex officio officers of the district, of the functions of executive secretary, general manager, legal counsel, controller, and treasurer. At any time any city, county, or other public agency may contract with the district for the performance of services on behalf of the district by legal counsel, controller or fiscal officer, or treasurer of the city, county or public agency.

103162. Article 4 (commencing with Section 1090) and Article 4.6 (commencing with Section 1120), Chapter 1, Division 4, Title 1 of the Government Code shall apply to all officers, employees, and contracts of the district.

Article 5. General Manager

103180 The power and duties of the general manager are:

(a) To head the administrative branch of the district and to be responsible to the board for proper administration of all affairs of the district

(b) To appoint, supervise, suspend, or remove district employees other than members of the board and officers appointed by the board.

(c) To supervise and direct the preparation of the annual budget for the board and be responsible for its administration after its adoption

(d) To formulate and present to the board plans for transit facilities within the district and the means to finance them.

(e) To supervise the planning, acquisition, construction, maintenance, and operation of the transit facilities of the district.

(f) To attend all meetings of the board.

(g) To prepare and submit to the board, as soon as practicable at the end of each fiscal year, a complete report of the finances and administrative activities of the district for the preceding year.

(h) To perform such other and additional duties as the board may require.

CHAPTER 5. POWERS AND FUNCTIONS OF DISTRICT

Article 1. Corporate Power

103200 The district has perpetual succession and may adopt a seal and alter it at its pleasure.

103201 The district may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

103202. All claims for money or damages against the district are governed by Division 3 6 (commencing with Section 810) of Title 1 of the Government Code except as provided therein, or by other statutes or regulations expressly applicable thereto.

103203 Subject to the provisions of Article 8 (commencing with Section 103330) of this chapter, the district may levy and collect, or cause to be collected, taxes for any lawful purpose, as provided by law.

Article 2. Contracts

103220 The district may make contracts and enter into stipulations of any nature whatsoever, either in connection with eminent domain proceedings or otherwise, including, without limiting the generality of the foregoing, contracts and stipulations to indemnify and save harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers granted in this part

103221. The district may contract with any department or agency of the United States of America, with any public agency, or with any person upon such terms and conditions as the board finds is for the best interest of the district.

103222. Contracts for the purchase of supplies, equipment, and materials in excess of five thousand dollars ($5,000) shall be awarded to the lowest responsible bidder after competitive bidding, except in emergency declared by four-fifths vote of the board.

103223. Contracts for the construction of transit works or transit facilities in excess of five thousand dollars ($5,000) shall be awarded to the lowest responsible bidder after competitive bidding, except in emergency declared by four-fifths vote of the board.

103224. The district may insure against any accident or destruction of the system or any part thereof. The district may insure against loss of revenues from any cause whatsoever. It may provide, in the proceedings authorizing the issuance of any bonds, for the carrying of insurance in such amount and of such character as may be specified, and for the payment of the premiums thereon. The district may also provide insurance as provided in Part 6 (commencing with Section 989), Division 3 6, Title 1 of the Government Code.

103225. The district may contract for the services of independent contractors.

Article 3. Property

103240. The district may take by grant, purchase, devise, or lease, or condemn in proceedings under eminent domain, or otherwise acquire, and hold and enjoy, real and personal property of every kind within or without the district necessary to the full or convenient exercise of its powers. The board may lease, mortgage, sell, or otherwise dispose of any real or personal property within or without the district necessary to the full or convenient exercise of its powers.

103241. Whenever a portion of a parcel of real property is to be taken for district purposes and the remainder is to be left in such state or condition as to be of little value to its owner, or to give rise to claims or litigation concerning severance or other damage, the district may acquire the whole parcel and may sell the excess portion or exchange it for other property suitable for district purposes.

103242. The district shall have or exercise the right of eminent domain the manner provided by law for the condemnation of private property for public use. The district may take any property necessary or convenient to the exercise of the powers granted in this part, whether the property is already devoted to the same use or otherwise. In the proceedings, venue, and trial relative to the exercise of the right, the district has all the rights, powers, and privileges of an incorporated city and all rights, powers, and privileges conferred in this part. The district shall proceed in the name of the district in condemnation proceedings The district, in exercising such power, shall in addition to the damages for the taking, injury, or destruction of property, also pay the cost, exclusive of betterment and with credit for salvage value, of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, or poles of any public utility which is required to be moved to a new location Notwithstanding any other provision of this part or any other law, except as provided in Section 103243, no property in public use shall be taken by the district, except upon a finding by a court of competent jurisdiction that the taking is for a more necessary public use than that to which it has already been appropriated.

103243. The Public Utilities Commission of the state shall have and exercise power and jurisdiction to fix just compensation to be paid for the taking of any property of a public utility in eminent domain proceedings brought by the district. No taking or acquisition by the district which would involve the abandonment, removal, relocation, or use of the property of a railroad corporation, as defined in Section 230, shall be permitted, unless the Public Utilities Commission, after a hearing, shall find and determine that the public interest and necessity require the abandonment, removal, relocation, or use of such property and that such taking or acquisition will not unreasonably impair the ability of the railroad corporation involved to provide safe, adequate, economical, and efficient service The district, at its option, may commence and maintain such eminent domain proceedings in the Public Utilities Commission or the superior court

103244. The district is entitled to the benefit of any reservation or grant, in all cases, where any right has been reserved or granted to any public agency to construct or maintain roads, highways, or other crossings over the public or private lands

Article 4. Transit Planning

103260 The district shall adopt and maintain a general transit plan for the district.

103261. The general transit plan, or any element or amendment thereof, shall be adopted in the manner provided in this article.

103262 Before adopting the plan, or an element or amendment thereof, the board shall refer the plan, or element or amendment thereof, to the advisory commission, if the commission has been established under Article 3 (commencing with Section 103140) of Chapter 4 of this part. Failure of the advisory commission to consider such matters within a reasonable time, as established by the board shall not prevent the board from acting under this article.

103263. Before adopting the plan, or an element or amendment thereof, the board shall hold a public hearing. Notice of the time and place of the hearing shall be given at least 30 days before the hearing The notice shall be published pursuant to Section 6061 of the Government Code and written notice shall also be mailed to each city council and board of supervisors in the district The hearing may be continued from time to time.

103264. The adoption of the general plan, or an element or amendment thereof, shall be by resolution of the board

103265 The Monterey County Transportation Planning Agency shall be the long-range planning agency advising the district.

Article 5 Transit Facilities and Service

103280 The district may provide transit service for the transportation of passengers and their incidental baggage by any means, both within and outside the district.

103281 (a) The district may engage in the business of providing charter bus service, sightseeing service, special school service, and other service

(b) No bus equipment which is designed solely for charter service shall be purchased Nothing in this section shall limit the features and equipment on, or the use of, transit and suburban model buses

(c) The district shall not actively solicit or advertise for charter bus service

(d) The board shall hold a public hearing prior to adopting a charter rate schedule or any amendment thereof Notice of the hearing shall be mailed at least 30 days in advance to each charter party carrier maintaining an office or equipment point within the district, and to each charter party carrier or representative thereof who has requested, in writing, to be notified of such hearings A notice shall include the proposed charter rate schedule At the close of the public hearing, the board may adopt charter rate schedules which shall not be less than the lowest of the two largest private charter party carriers operating similar service in the district For purposes of this section, the designation "two largest private charter party carriers" refers to the two carriers operating in Monterey County on the effective date of this section

(e) A charter trip shall have its origin within the district, and the return trip shall have its destination within the district, unless the district is requested by a private charter party carrier to provide a trip not having origin and return destination within the district.

103282. The board may contract with any public agency or person to provide transit facilities and services for the district.

103283. The district may construct and operate or acquire and operate transit works and facilities in, under, upon, over, across, or along any state or public highway or any stream, bay, or watercourse, or over any of the lands which are the property of the state, to the same extent that such rights and privileges appertaining thereto are granted to municipalities within the state

103284. The district may enter into agreements for the joint use of any property and rights by the district and any public agency or public utility operating transit facilities; may enter into agreements with any public agency or public utility operating any transit facilities, and wholly or partially within or without the district, for the joint use of any property of the district or of such public agency or public utility, or the establishment of through routes, joint fares, transfer of passengers, or pooling arrangements.

103285. The rates and charges, if any, for transit service furnished pursuant to this part shall be fixed by the board and shall be reasonable.

103286. The district shall be subject to the provisions of Division 14 8 (commencing with Section 34500) of the Vehicle Code with respect to operation of buses and to the rules and regulations enforceable by the Department of the California Highway Patrol pursuant to that division regulating the safe operation of buses

103287. The district and any one or more school districts may enter into agreements pursuant to which school transportation equipment may be used by the district.

103288. The district may acquire, construct, own, operate, control, or use rights-of-way, rail lines, buslines, stations, platforms, switches, yards, terminals, parking lots and any and all facilities necessary or convenient for transit service within or partly without the district, underground, upon, or above the ground and under, upon, or over public streets or other public ways or waterways, together with all physical structures necessary or convenient for the access of persons or vehicles thereto, and may acquire any interest in or rights to use or joint use of any or all of the foregoing; provided, that the installations in state freeways shall be subject to the approval of the State Department of Public Works, and installations in other state highways shall be subject to Article 2 (commencing with Section 670), Chapter 3, Division 1 of the Streets and Highways Code Installations in county highways and city streets shall be subject to similar encroachment permits

103289 The district may lease or contract for the use of its transit facilities, or any portion thereof, to any operator, and may provide for subleases by such operator upon such terms and conditions as it deems in the public interest. The word "operator," as used in this section, means any public agency or any person.

Article 6. Existing Systems

103300 Notwithstanding any other provision of this part, before the district may establish any transit service or system which may at any time substantially divert, lessen, or compete for the patronage or revenues of any privately owned transit or intercity route existing prior to June 1, 1972, the district shall give a written notice to the public utility which is operating the existing route The written notice shall describe the transit service or system which the district proposes to establish such service or system.

103301. The district shall not establish the proposed service or system, or maintain and operate the service or system, until it has completed the purchase of the existing system or any part thereof

103302 The purchase price to be paid for the existing system, or any portion thereof to be purchased, shall be the reproduction cost new, including going concern value, at the date upon which the district commences negotiations for the purchase of the existing system, or the portion of the existing system, less depreciation, including wear, tear and obsolescence, if any.

103303 The district and the public utility operating the existing system may agree upon the purchase price, or they may agree that the purchase price is to be established by arbitration and upon the method of naming arbitrators and the method of conducting such arbitration.

103304 Section 851 shall not apply to any contract for sale or sale of an existing system, or any portion thereof, pursuant to this chapter, and the Public Utilities Commission shall have no jurisdiction with respect thereto.

Article 7 Public Grants, Loans, and Contributions

103310 The district may accept, without limitation by any other provisions of this part requiring approval of indebtedness, contributions, grants, or loans from any public agency or the United States or any department, instrumentality, or agency thereof, for the purpose of financing the acquisition, construction, maintenance, or operation of transit facilities, and may enter into contracts and cooperate with, and accept cooperation from, any public agency or the United States, or agency thereof, in the acquisition, construction, maintenance, or operation, and in financing the acquisition, construction, maintenance, or operation of any such transit facilities in accordance with any legislation which Congress or the Legislature of the State of California may have heretofore adopted or may hereafter adopt, under which aid, assistance, and cooperation may be furnished by the United States or any public agency in the acquisition, construction, maintenance, and operation of any such transit facilities The district may do any and all things necessary in order to avail itself of such aid, assistance, and cooperation under any federal or state legislation now or hereafter enacted Any evidence of indebtedness issued under this section shall constitute a negotiable instrument

103311 The district shall have the power to obtain temporary transfers of funds in accordance with the last paragraph of Section 25 of Article XIII of the California Constitution

Article 8 Property Taxation

103330 The district may levy and collect, or cause to be collected, property taxes for any lawful purpose.

103331. In addition to revenues and receipts from other sources, the board may levy and collect a property tax. The board may impose different rates of taxation in zones within the district based upon and relating to the net cost of providing service to such zones as reasonably determined by the board.

103332 The district shall not levy or collect a property tax within any zone until:

(a) The legislative body of the city or county which comprise the zone adopts a resolution declaring there is a need for the district to operate and levy a tax within the city or unincorporated area, or part thereof, comprising the zone

(b) A majority of the voters of the city or such unincorporated area, or part thereof, following the adoption of the resolutions under subdivision (a), voting on the question of an election called for such purposes, approves the operation of the district, and the levy of a property tax by the district within the city or within the unincorporated area, or part thereof, of the county

103333 The district may conduct a single election in a zone comprising the area of a city or cities and the unincorporated area of the county or more than one unincorporated area of a county or any combination of such areas, with the approval of the cities and county concerned, in which event a majority of the voters voting at such election shall be sufficient to approve the proposition submitted for the entire area included in such election. When more than one election will be held, the approval of the voters in one election pertaining to an area may be conditioned upon the approval of voters in one or more other elections pertaining to other areas

103334. Each election shall be called and conducted by the district in the same manner as provided by law for the conduct of special elections by a county. The board may contract with the county, or delegate to the appropriate county officials the authority, to conduct the election within the county on behalf of the district. The costs of any such election may be advanced to the district by any city or county prior to the time that the district has revenues of its own, to be repaid from subsequent district revenues

103335 The ballot for the election shall contain such instructions as are required by law to be printed thereon and in addition thereto, the following:

Shall the Monterey County Transit District be authorized to operate and levy a property tax at an annual rate which shall not exceed ____ cents _____ YES ☐
($0.____) on each one hundred dollars ($100) of assessed valuation within (describe city or unincorporated area)? NO ☐

103336 In addition to the general tax levy as set forth in Section 103331, if from any cause the revenues of the district are, or are expected to be, inadequate in any year to pay the principal of, interest on, or sinking fund payments for bonds of the district as they become due, or to establish or maintain any reserve fund therefor, the board

shall levy for district purposes and collect upon all property in the district taxable for district purposes as provided in this article, a tax sufficient, together with revenues already collected and available therefor, to pay the interest on the bonds that will become due and such part of the principal thereof, including any sinking fund installments required by any of the district's agreements with its bondholders, that will become due before the proceeds of a tax levied at the next general tax levy will be available for such purposes, and sufficient to provide or to restore such reserve fund to the amount required by any of the district's agreements with its bondholders.

103337. The board shall avail itself of the assessments made by the assessor of any county in which it operates and of the assessments made by the State Board of Equalization for the county and shall take such assessments as the basis for district property taxation and have its property taxes collected by the tax collector of the county.

103338. The county auditor shall, on or before the third Monday in August of each year, transmit to the board a statement in writing showing the total value of all property within the county lying within an authorized taxing area of the district, ascertained from the assessments referred to in Section 103337.

103339 The board shall, on or before the first day of September, fix the rate or rates of taxes, designating the number of cents upon each one hundred dollars ($100), and use as a basis the value of property transmitted to the board by the county auditor, which rate of taxation shall be sufficient to raise the amount previously fixed by the board.

103341 The district's taxes so levied shall be collected at the same time and in the same manner as county taxes When collected, the net amount, ascertained as provided in this article, shall be paid to the treasurer of the district under the general requirements and penalties provided by law for the settlement of other taxes

103342. Whenever any real property has been sold for taxes and has been redeemed, the money paid for redemption shall be apportioned and paid to the district by the county treasurer in the proportion which the tax due to the district bears to the total tax for which the property was sold

103343. All taxes levied under this part are a lien on the property on which they are levied. The enforcement of the collection of such taxes shall be in the same manner and by the same means provided by law for the enforcement of liens for county taxes, all the provisions of law relating to the enforcement of the latter being made a part of this part so far as applicable.

103344 The county shall be compensated for services under this article at the rate of 1 percent for collecting the first twenty-five thousand dollars ($25,000), and one-fourth of 1 percent for all sums over that amount.

103345 In lieu of, or in addition to, any taxes which may be levied by the district pursuant to this article, the legislative body of any city or county may enter into agreement with the district to make annual contributions to the district from its general funds or from any other source of funds legally available to it for such purpose.

CHAPTER 6. PERSONNEL

Article 1. Employee Relations

103400. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

103401. Notwithstanding any other provision of this part, whenever a majority of the employees employed by the district in a unit appropriate for collective bargaining indicate a desire to be represented by a labor organization, the district, upon determining, as provided in Section 103403, that such labor organization represents the employees in the appropriate unit, shall enter into a written contract with the accredited representative of such employees governing wages, salaries, hours, pensions, and working conditions If, after a reasonable period of time, representatives of the district and the accredited representatives of the employees fail to reach agreement either on the terms of a written contract governing wages, hours, pensions, and working conditions or the interpretation or application of the terms of an existing contract, upon the agreement of both the district and the representatives of the employees, the dispute may be submitted to an arbitration board and the decision of the majority of the arbitration board shall be final and binding.

The arbitration board shall be composed of two representatives of the district, and two representatives of the labor organization, and they shall endeavor to agree upon the selection of the fifth member If they are unable to agree, the names of five persons experienced in labor arbitration shall be obtained from the Supervisor of Conciliation of the Division of Conciliation, Department of Industrial Relations. The labor organization and the district shall, alternately, strike a name from the list so supplied, and the name remaining after the labor organization and the district have stricken four names, shall be designated as the arbitrator The labor organization and the district shall determine by lot who shall first strike from the list The decision of a majority of the arbitration board shall be final and binding upon the parties thereto. The expenses of arbitration shall be borne equally by the parties Each party shall bear his own costs

103402 No contract or agreement shall be made with any labor organization, association, or group, or be assumed under the provisions of this article, where such organization, association, or group, denies membership to, or in any manner discriminates against, any employee on the grounds of race, creed, color, or sex, provided, that such organization may preclude from membership any individual who advocates the overthrow of the government by force or violence The district shall not discriminate in regard to employment against any person because of his race, creed, color, or sex

103403 If there is a question whether a labor organization represents a majority of employees or whether the proposed unit is or is not appropriate, such matters shall be submitted to the State Conciliа-

tion Service for disposition The State Conciliation Service shall promptly hold a public hearing after due notice to all interested parties and shall thereupon determine the unit appropriate for the purposes of collective bargaining In making such determination and in establishing rules and regulations governing petitions and the conduct of hearings and elections, the State Conciliation Service shall be guided by relevant federal law and administrative practice, developed under the Labor-Management Relations Act, 1947, as presently amended It is declared to be in the public interest that the district shall not express any preference for one union over another

The State Conciliation Service shall provide for an election to determine the question of representation and shall certify the results to the parties Any certification of a labor organization to represent or act for the employees in any collective bargaining unit shall not be subject to challenge on the grounds that a new substantial question of representation within such collective bargaining unit exists until the lapse of one year from the date of certification or the expiration of any collective bargaining agreement, whichever is later; provided, that no collective bargaining agreement shall be construed to be a bar to representation proceedings for a period of more than two years.

103404 Whenever the district acquires existing facilities from a publicly or privately owned public utility, either in proceedings by eminent domain or otherwise, the district shall assume and observe all existing pension and labor contracts To the extent necessary for operation of facilities, all of the employees of such acquired public utility whose duties pertain to the facilities acquired shall be appointed to comparable positions in the district without examination, subject to all the rights and benefits of this part, and these employees shall be given sick leave seniority, vacation, and pension credits in accordance with the records and labor agreements of the acquired public utility Members and beneficiaries of any pension or retirement system or other benefits established by that public utility shall continue to have the rights, privileges, benefits, obligations, and status with respect to such established system No employee of any acquired public utility shall suffer any worsening of his wages, seniority, pension, vacation, or other benefits by reason of the acquisition

The district may extend the benefits of this section to officers or supervisory employees of the acquired public utility

103405 The district shall not contract with any company, person, or public agency for such company, person, or public agency to provide transit facilities or services or acquire any existing system, or part thereof, whether by purchase, lease, condemnation, or otherwise, nor shall the district dispose of or lease any transit system, or of its system, or part thereof, nor merge, consolidate, or coordinate any transit system or part thereof, unless it shall first have made adequate provision for any employees who are, or may be, displaced The terms and conditions of such provision shall be a proper subject of collective bargaining

103406 Notwithstanding the provisions of the Government Code, employees of this district may authorize and, upon such authorization,

the district shall make deductions from wages and salaries of such employees pursuant to a collective bargaining agreement with a duly designated or certified labor organization

(a) For the payment of union dues, fees, or assessments

(b) For the payment of contributions pursuant to any health and welfare plan or pension or retirement plan

(c) For any purpose for which deductions may be authorized by employees of any private employer.

103407. The obligation of the district to bargain in good faith with a duly designated or certified labor organization and to execute a written collective bargaining agreement with such labor organization covering the wages, hours, and working conditions of the employees represented by such labor organization in an appropriate unit, and to comply with the terms thereof, shall not be limited or restricted by any provision of law The obligation of the district to bargain collectively shall extend to all subjects of collective bargaining which are or may be proper subjects of collective bargaining with a private employer, including retroactive provisions The duly designated or certified labor organization shall also have the obligation to bargain in good faith.

103408 The district shall take such steps as may be necessary to obtain coverage for the district and its employees under Subchapter II of the Federal Social Security Act, as amended, and the related provisions of the Federal Insurance Contributions Act, as amended

103409 The district shall take such steps as may be necessary to obtain coverage for the district and its employees under the workmen's compensation, unemployment compensation disability, and unemployment insurance laws of the State of California

103410 In the event an exclusive collective bargaining representative is selected pursuant to Section 103403, the provisions of Chapter 10 (commencing with Section 3500), Division 4, Title 1 of the Government Code are not applicable to the district

Article 2 Retirement System

103430 The district may provide for a retirement system, provided, that the adoption, terms and conditions of any retirement system covering employees of the district represented by a labor organization in accordance with this section shall be pursuant to a collective bargaining agreement between such labor organization and the district

103431 The board may contract with the board of administration of the Public Employees' Retirement System and enter all or any portion of its employees under such system, provided, that no employees of the district in a bargaining unit which is represented by a labor organization shall be included in such contract except as authorized by a collective bargaining agreement

103432 Whenever the district acquires existing facilities from a publicly or privately owned public utility, either in proceedings in eminent domain or otherwise, that has a pension plan in operation, members and beneficiaries of such pension plan shall continue to have the rights, privileges, benefits, obligations, and status with respect to such established system

Whenever any such facilities are acquired by the district, the board shall consider and take into account the outstanding obligations and liabilities of the publicly or privately owned public utility by reason of such pension plan, and shall negotiate an allowance in the purchase price of such utility for the assumption of such obligations and liabilities when acquiring the facilities.

CHAPTER 7. BONDS AND OTHER EVIDENCE OF INDEBTEDNESS

Article 1. Authorization and Issuance of General Obligation Bonds

103500. The district may exercise its powers under this article only with respect to territory in cities and counties in which the voters have authorized the district to operate and levy a tax, the term "district" as used in this article, shall be limited to such territory for purposes of the election and the incurring of indebtedness, and for the purposes of Section 103336.

103501 Whenever the board deems it necessary for the district to incur a bonded indebtedness for the acquisition, construction, or repair of any or all improvements, works, property or facilities, authorized by this part or necessary or convenient for the carrying out of the powers of the district, or for any other purpose authorized by this part, it shall, by ordinance, adopted by a vote of two-thirds of all members of the board, so declare and and call an election to be held in the district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district; provided the total amount of bonds issued and outstanding pursuant to this article shall not exceed 15 percent of the assessed value of the taxable property of the district as shown by the last equalized assessment rolls of the counties included within the district. The ordinance shall state·

(a) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to or connected with the accomplishment of such purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant and other fees, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance, and sale of the bonds.

(b) The estimated cost of accomplishing such purposes.

(c) The amount of the principal of the indebtedness.

(d) The maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 50 years from the date thereof or the date of each series thereof

(e) The maximum rate of interest to be paid, which shall not exceed 7 percent per annum

(f) The proposition to be submitted to the voters, which may include one or more purposes.

(g) The date of the election

(h) The manner of holding the election and the procedure for voting for or against the measure

(i) The ordinance may also contain any other matters authorized by this part or any other law.

103502. Notice of the holding of such election shall be given by publishing, pursuant to Section 6066 of the Government Code, the ordinance calling the election in at least one newspaper published in such district. No other notice of such election need be given. Except as otherwise provided in the ordinance, the election shall be conducted as other district elections

103503 If any proposition is defeated by the electors, the board shall not call another election on a substantially similar proposition to be held within six months after the prior election If a petition requesting submission of such a proposition, signed by 15 percent of the district electors, as shown by the votes cast for all candidates for governor within the district at the last gubernatorial election, is filed with the board, it may call an election before the expiration of six months

103504 If a majority of the electors voting on the proposition vote for it, then the board may, by resolution, at such time or times as it deems proper, issue bonds of the district for the whole or any part of the amount of the indebtedness so authorized and may from time to time, by resolution, provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of such bonds authorized shall have been issued The full amount of bonds may be divided into two or more series and different dates and different dates of payment fixed for the bonds of each series A bond need not mature on an anniversary of its date The maximum term the bonds of any series shall run before maturity shall not exceed 50 years from the date of each series respectively In such resolution or resolutions, the board shall prescribe the form of the bonds (including, without limitation, registered bonds and coupon bonds) and the form of any coupons to be attached thereto, the registration, conversion and exchange privileges, if any, pertaining thereto, and fix the time when the whole or any part of the principal shall become due and payable

103505 The bonds shall bear interest at a rate or rates not exceeding 7 percent per annum, payable semiannually, except that the first interest payable on the bonds or any series thereof may be for any period not exceeding one year as determined by the board In the resolution or resolutions providing for the issuance of such bonds, the board may also provide for call and redemption of such bonds prior to maturity at such times and prices and upon such other terms as it may specify, provided that no bond shall be subject to call and redemption of such bonds prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon The denomination or denominations of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one thousand dollars ($1,000) The principal of and interest on such bonds shall be payable in lawful money of the United States at the office of the treasurer of the district or at such other place or places as may be designated, or at either place or places at the option of the holders of the bonds The bonds, or such series thereof, shall be dated and numbered consecutively and shall be signed by the chairman of the board and the treasurer, countersigned by the secretary and the official seal

of the district attached The interest coupons of such bonds shall be signed by the treasurer. All such signatures, countersignatures and seal may be printed, lithographed or mechanically reproduced, except that one of such signatures or countersignatures on the bonds shall be manually affixed. If any officer whose signature or countersignature appears on bonds or coupons ceases to be such officer before the delivery of the bonds, his signature is as effective as if he had remained in office

103506. The bonds may be sold as the board determines by resolution, but for not less than par. Before selling the bonds, or any part thereof, the board shall give notice inviting sealed bids in such manner as it may prescribe If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

103507. Delivery of any bonds may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

103508 All accrued interest and premiums received on the sale of bonds shall be placed in the fund to be used for the payment of principal of and interest on the bonds and the remainder of the proceeds of the bonds shall be placed in the treasury to the credit of the proper improvement fund and applied exclusively to the purposes for which the debt was incurred (which purposes shall be in conformity with an approved general transit plan or element thereof then in effect); provided, however, that when such purposes have been accomplished, any moneys remaining in such improvement fund (a) shall be transferred to the fund to be used for the payment of principal of and interest on the bonds, or (b) shall be placed in a fund to be used for the purchase of outstanding bonds of the district from time to time in the open market at such prices and in such manner, either at public or private sale or otherwise, as the board may determine. Bonds so purchased shall be canceled immediately

103509. After the expiration of three years after a bond election, the board may determine, by ordinance adopted by a vote of three-fifths of all the members of the board, that any or all of the bonds authorized at the election remaining unsold shall not be issued or sold. When the ordinance takes effect, the authorization to issue those bonds shall become void.

103510 Whenever the board deems that the expenditure of money for the purposes for which the bonds were authorized by the voters is impractical or unwise, it may, by ordinance adopted by a vote of three-fifths of all members of the board, so declare and call an election to be held in the district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of such bonds for some other purpose or, in the case where bonds have been sold, the proposition to use the proceeds, for some other purposes The procedure, so far as applicable, shall be the same as when a bond proposition is originally submitted.

103511 The board may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any bonds issued by the district upon the terms, at the times and in the manner which it determines. Refunding bonds may be issued in a principal amount sufficient to pay all, or any part, of the principal of such outstanding bonds, the interest thereon and the premiums, if any, due upon call and redemption thereof prior to maturity, and all expenses of such refunding. The provisions of this article for issuance and sale of bonds apply to the issuance and sale of such refunding bonds; except that (a) no election need be called or held for the purpose of authorizing the issuance of refunding bonds, and (b) when refunding bonds are to be exchanged for outstanding bonds the method of exchange shall be as determined by the board.

103512. The provisions of Article 4 (commencing with Section 53500), Chapter 3, Part 1, Division 2, Title 5 of the Government Code are applicable to the district.

103513. Any bonds which shall be issued under the provisions of this article shall be legal investment for all trust funds; for the funds of insurance companies, banks—both commercial and savings—and trust companies, and for state school funds; and whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts, or other districts within the State of California, such money or funds may be invested in the bonds issued under this part, and whenever bonds of cities, cities and counties, counties, school districts, or other districts within this state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public moneys, the bonds issued under this part may be so used The provisions of this article shall be in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect thereto.

Article 2 Revenue Bonds

103530. The district may issue bonds, payable from revenue of any facility or enterprise to be acquired or constructed by the district, in the manner provided by the Revenue Bond Law of 1941, Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5 of the Government Code, all of the provisions of which are applicable to the district.

103531. The district is a local agency within the meaning of the Revenue Bond Law of 1941, Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5 of the Government Code The term "enterprise" as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include the system or any or all transit facilities, and all additions, extensions, and improvements thereto, authorized to be acquired, constructed, or completed by the district

The district may issue revenue bonds under the Revenue Bond Law of 1941 for any one or more transit facilities authorized to be acquired, constructed, or completed by the district or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941 for the

acquisition, construction, and completion of any one of such transit facilities Nothing in this article shall prevent the district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or character for any of the transit facilities authorized hereunder, and all proceedings may be carried on simultaneously or, in the alternative, as the board may determine

Article 3. Equipment Trust Certificates

103550 The district shall have power to purchase transit equipment such as cars, trolley buses and motorbuses, or rolling equipment, and may execute agreements, leases, and equipment trust certificates in the forms customarily used by private corporations engaged in the transit business appropriate to effect such purchase and leasing of transit equipment, and may dispose of such equipment trust certificates upon such terms and conditions as the board may deem appropriate. Payment for such equipment, or rentals therefor, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates payable from any source or sources of funds specified in such certificates that are or will be legally available to the district; and title to such equipment shall not rest in the district until the equipment trust certificates are paid

103551 The agreement to purchase or lease may direct the vendor or lessor to sell and assign or lease the rolling equipment to a bank or trust company duly authorized to transact business in the State of California as trustee, for the benefit and security of the equipment trust certificates and may direct such trustee to deliver the rolling equipment to one or more designated officers of the district and may authorize the district to simultaneously therewith execute and deliver an installment purchase agreement or a lease of the equipment to the district

103552 The agreements and leases shall be duly acknowledged before a person authorized by law to take acknowledgments of deeds and in the form required for acknowledgment of deeds, and such agreements, leases, and equipment trust certificates shall be authorized by resolution of the district and shall contain such covenants, conditions, and provisions which may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from legally available sources or sources of funds specified in such certificates

103553 The covenants, conditions, and provisions of the agreements, leases, and equipment trust certificates shall not conflict with any of the provisions of any trust agreement securing the payment of bonds, notes, or certificates of the district

103554 An executed copy of each such agreement and lease shall be filed in the office of the Secretary of State, who shall be entitled to receive one dollar ($1) for each such copy filed with him and which filing shall constitute notice to any subsequent judgment creditor or any subsequent purchaser Each vehicle so purchased or leased shall have the name of the owner or lessor plainly marked on both sides thereof followed by the appropriate words "Owner and Lessor" or "Owner and Vendor," as the case may be

Article 4. Improvement Acts and Special Benefit Districts

103570. The Improvement Act of 1911, the Municipal Improvement Act of 1913, and the Improvement Bond Act of 1915 are applicable to the district.

103571. The provisions of Chapter 1 (commencing with Section 99000) of Part 11 and Division 10 of the Public Utilities Code are applicable to the district.

Article 5. Temporary Borrowing

103580. The district may borrow money for the purpose of defraying general administrative and preliminary expenses of the district, lawfully incurred, prior to the time moneys to be raised by the first tax levy for the district or other revenues are available, a sum which shall not exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation of taxable property in the district at the time the moneys are borrowed, and to evidence such borrowing by notes bearing interest at a rate not to exceed 7 percent per annum The notes shall be payable from the first tax levy made by the district, and the tax levy shall contain a sum sufficient to provide the payment of the notes and the interest thereon. The form of the notes, their issuance and sale, will be governed by the applicable provisions referred to in Sections 103504 and 103505.

103581. At any time prior to the first receipt by the district of revenues from taxation or other sources, any city or county may lend any available money to the district for the purposes of organization and operation. Such expenditures shall constitute a proper expenditure of city and county funds

103582. The district may borrow money in accordance with the provisions of Article 7 (commencing with Section 53820), or of Article 7 6 (commencing with Section 53850), Chapter 4, Part 1, Division 2, Title 5 of the Government Code.

103583. The district may borrow money in anticipation of the sale of bonds which have been authorized to be issued pursuant to Article 1 (commencing with Section 103500) of this chapter, but which have not been sold and delivered, and may issue negotiable bond anticipation notes therefor and may renew the same from time to time, but the maximum maturity of any such notes, including the renewals thereof, shall not exceed five years from the date of delivery of such original notes. Such notes may be paid from any moneys of the district available therefor and not otherwise pledged. If not previously otherwise paid, the notes shall be paid from the proceeds of the next sale of the bonds of the district in anticipation of which they were issued and if not so paid, taxes may be levied for their payment in the same manner as taxes are levied for the payment of general obligation bonds pursuant to Section 103336 until such bonds are issued Such notes shall not be issued in any amount in excess of the aggregate amount of bonds which the district has been authorized to issue, less the amount of any bonds of such authorized issue previously sold, and also less the amount of

other bond anticipation notes therefor issued and then outstanding The notes shall be issued and sold in the same manner as the bonds Such notes and the resolution or resolutions authorizing the same may contain any provisions, conditions, or limitations which a resolution of the district authorizing the issuance of bonds may contain.

Article 6 Miscellaneous

103600. The district may bring an action to determine the validity of any of its bonds, equipment trust certificates, warrants, notes or other evidences of indebtedness pursuant to Chapter 9 (commencing with Section 860), Title 10, Part 2 of the Code of Civil Procedure

103601 All bonds and other evidences of indebtedness issued by the district under the provisions of this part, and the interest thereon are free and exempt from all taxation within the State of California, except for transfer, franchise, inheritance, and estate taxes.

103602 Notwithstanding any other provisions of this part or any other law, the provisions of all ordinances, resolutions, and other proceedings in the issuance by the district of any bonds, bonds with a pledge of revenues, bond for improvement districts, revenue bonds, equipment trust certificates, notes, or any and all evidences of indebtedness or liability shall constitute a contract between the district and the holders of such bonds, equipment trust certificates, notes or evidences of indebtedness or liability, and the provisions thereof shall enforceable against the district, any of all of its successors or assigns, the state, any department of the state, or any officer thereof, by mandamus or any other appropriate suit, action, or proceeding in law, or in equity, in any court of competent jurisdiction Nothing contained in this part, or in any other law, shall be held to relieve the district, or the territory included within it, from any bonded or other debt or liability contracted by the district Upon dissolution of the district or upon withdrawal of territory therefrom, the property formerly included within the district, or withdrawn therefrom, shall continue to be liable for the payment of all bonded and other indebtedness or liabilities outstanding at the time of such dissolution or withdrawal the same as if the district had not been so dissolved, or the territory withdrawn therefrom, and it shall be the duty of the state or other successors or assigns to provide for the payment of such bonded and other indebtedness and liabilities Except as may be otherwise provided in the proceedings for the authorization, issuance and sale of any revenue bonds, bonds secured by a pledge of revenues, or bonds for improvement districts secured by a pledge of revenues, revenues of any kind or nature derived from any revenue-producing improvements, works, facilities, or property owned, operated, or controlled by the district shall be pledged, charged, assigned and have a lien thereon for the payment of such bonds as long as the same are outstanding, regardless of any change in ownership operation, or control of such revenue-producing improvements, works, facilities, or property and it shall, in such later event or events, be the duty of the state or other successors or assigns to continue to maintain and operate such revenue-producing improvements, works, facilities or property as long as bonds are outstanding

103603. The district shall not incur a total indebtedness under the provisions of this chapter which exceeds 15 percent of the assessed value of all taxable property within the district.

CHAPTER 8 DISSOLUTION

103700. The district may be dissolved pursuant to the provisions of the District Reorganization of 1965 (Division 1 (commencing with Section 56000), Title 6 of the Government Code)."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1306—An act to amend Sections 263.3, 263 8, and 415 of, and to add Section 486 to, the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading

Assembly Bill No. 1998—An act to amend Section 13590 2 of, and to repeal Section 13590 3 of, the Education Code, relating to classified public school employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, between lines 37 and 38 of the printed bill, as amended in Assembly May 16, 1972, insert

"SEC 2 Section 13590 2 of the Education Code is amended to read·

13590.2 The governing board of each district shall provide the extent to which, and establish the method by which, ordered overtime or overtime in time of critical emergency is compensated. The board shall provide for such compensation ~~or compensatory time off~~ at a rate at least equal to time and one-half the regular rate of pay of the employee designated and authorized to perform the overtime ~~Notwithstanding the foregoing provisions the board may declare overtime to have been necessary as a critical emergency and provide for cash compensation or compensatory time off at a rate less than the overtime rate.~~

Overtime is defined to include any time required to be worked in excess of eight hours in any one day and in excess of 40 hours in any calendar week If a governing board establishes a workday of less than eight hours but ~~more than~~ seven hours *or more* and a workweek of less than 40 hours but ~~more than~~ 35 hours *or more* for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday and workweek shall be deemed to be overtime The foregoing provisions ~~are not intended to apply to properly designated part-time positions with an assigned workday of less than eight hours and a workweek of less than 40 hours even though all such positions constitute all of the positions within a class~~ *do not apply to classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established, nor to positions for which a workday of eight hours and a workweek of 40*

hours has been established, but in which positions employees are temporarily assigned to work fewer than eight hours per day or 40 hours per week when such reduction in hours is necessary to avoid layoffs for lack of work or lack of funds and the consent of the majority of affected employees to such reduction in hours has been first obtained.

~~Critical emergency as used in this section means a civil disaster or other such major occurrence that requires the use of school employees to the detriment of the financial ability of the district to meet the requirements of this section.~~

For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensating time off, or other paid leave of absence shall be considered as time worked by the employee.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing with Section 13701) of this chapter."

Amendment No. 2

On page 2, line 38, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 3

On page 2, after line 39, insert

"SEC. 4. It is the intent of the Legislature, if this bill and Assembly Bill No 1467 are both chaptered and amend Section 13590.2 of the Education Code, and this bill is chaptered after Assembly Bill No. 1467, that the amendments to Section 13590 2 proposed by both bills be given effect and incorporated in Section 13590.2 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No. 1467 are both chaptered, both amend Section 13590.2, and Assembly Bill No. 1467 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 499, ordered to third reading.

Senate Bills Nos. 225 and **198**, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 160—An act to amend Sections 888 and 1825 of, and to add Section 888.5 to, of the Welfare and Institutions Code, relating to the Department of Youth Authority.

Bill read second time, and ordered to third reading.

Senate Bill No. 522—An act to amend Sections 175 and to repeal Sections 174 and 266c of the Penal Code, relating to oriental exclusion laws

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 127—An act to establish procedures for the assessment of open-space lands, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted.

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in Senate May 1, 1972, strike out "May 15", and insert "May 25".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 576—An act to amend Section 11003.4 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1126—An act to add Section 222 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1408—An act to repeal Sections 54931.13, 54931.14, 54931.15, 54931.16, 54931.17, 54932, 54933 4, 54933 5, 54938, 54938.5, 54940, and 54941 of the Government Code, and to repeal Section 1 of Chapter 1485 of the Statutes of the 1971 Regular Session of the Legislature, relating to the late filing of documents and exemptions for purposes of property taxation.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 389—An act to amend Section 2821 of the Revenue and Taxation Code, relating to taxation

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 390—An act to amend Section 4217 of the Revenue and Taxation Code, relating to delinquent taxes

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 407—An act to amend Section 25643 of, and to add Section 25210 58 to, the Government Code, relating to property taxes imposed to finance fire protection, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 5—An act to add Title 7 3 (commencing with Section 66700) to the Government Code, to repeal and add Sections 66713, 66740, and 66750 of the Government Code, as proposed by this act and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 525—An act to amend Section 62186 of the Agricultural Code, relating to milk.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 311—An act to amend Sections 11006.2, 12158 and 12660 of, and to add Section 11006 3 to, the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Welfare, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate May 22, 1972, strike out "bimonthly", and insert "semimonthly".

Bill ordered reprinted, and returned to the second reading file.

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1¼b of Article XIII thereof, relating to taxation.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2 of the printed measure, as amended in Senate May 30, 1972, strike out lines 27 and 28.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

Senate Bill No. 446—An act to amend Section 205 7 of the Revenue and Taxation Code, relating to taxation.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 30, 1972, strike out lines 30 to 38, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

Senate Bill No. 773—An act to amend Sections 1326 and 1327 of the Penal Code, relating to process.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "or his"; and in line 6, strike out "licensed investigator".

Amendment No. 2

On page 2, line 23, strike out "or "F G., Defense Counsel Investigator," ".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1083—An act to amend Section 25541 7 of the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate May 1, 1972, strike out "The increases in the maximum rate of"; strike out lines 4 to 10, inclusive, on page 2, strike out lines 1 to 6, inclusive; and in line 7, strike out "(e)".

Amendment No. 2

On page 2, line 16, strike out "(d)", and insert
"(b)".

Amendment No. 3

On page 2, between lines 22 and 23, insert
"(c) The increase in the maximum rate of tax authorized by Section 25541 5 shall remain in effect until the end of the seventh consecutive fiscal year following the date of the first election at which a bond issue for a community college was passed in any community college district in which such seventh consecutive fiscal year ends on June 30, 1978."

Amendment No. 4

On page 2, line 23, strike out "(e)", and insert
"(d)".

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1329—An act to amend Sections 10152, 10460, 10462 and 10463 of the Business and Professions Code, relating to real estate licenses

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 169—An act to amend Section 29 of Chapter 549, Statutes of 1955, relating to the Montalvo Municipal Improvement District.

Bill read second time, and ordered to third reading.

NOTE: Senate Bill No 169 ordered returned to the third reading file, instead of the Consent Calendar, in conformance with unanimous consent granted to Mr MacDonald earlier this day.

Senate Bill No. 453—An act to amend Sections 72608, 72640, 72645, and 72649 of, to repeal Sections 72646 and 72647 of, and to add Section 72646 to, the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 885—An act to amend Section 69894 1 of the Government Code, relating to superior courts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 920—An act to amend Sections 70059 7 and 74647 of the Government Code, relating to official reporters

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1188—An act to amend Section 1325 of, to add Section 1325 5 to, and to repeal Sections 1325 5 and 1330 of, the Streets and Highways Code, relating to county bridges.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1121—An act to amend Section 54902 5 of the Government Code, relating to district boundaries.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

Below the heading of the printed bill, insert

"(Coauthors: Assemblymen Maddy and Mobley)".

Amendment No. 2

On page 1, line 12, after "the", insert "tax or assessment".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1385—An act to amend Sections 73562, 73563, 73563 2, 74222, 74223, and 74223 2 of the Government Code, relating to courts

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Senate May 30, 1972, strike out "33A", and insert "32A".

Amendment No. 2

On page 5, between lines 34 and 35, insert

"Senior typist clerk _____Senior typist clerk".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 339—An act to amend Sections 54784 and 66180 of, and to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of, the Government Code, and to amend Section 24351 of the Health and Safety Code, relating to city selection committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 4, 1972, strike out "and 66180", and insert ", 65062 and 66180".

Amendment No. 2

In line 4 of the title, strike out the first "and".

Amendment No. 3

In line 4 of the title, after the comma, insert "and to amend Section 28700 of the Public Utilities Code,".

Amendment No. 4

On page 2, line 7, strike out "This", and insert "Notwithstanding any other provision of law, the provisions of this".

Amendment No. 5

On page 2, line 10, after "law", insert "; to the extent of any inconsistencies between the provisions of this article and the provisions of any law establishing a regional agency, the provisions of law establishing the regional agency shall control".

Amendment No. 6

On page 3, line 20, strike out "county clerk of the county in which the"; and in line 21, strike out "commission is situated", and insert "executive officer of the commission".

Amendment No. 7

On page 3, between lines 27 and 28, insert

"SEC 2.5. Section 54784 of the Government Code is amended to read:

54784. In each county containing two or more cities, there shall be a city selection committee consisting of the mayor of each city within such county, or, where there is no mayor, the chairman or president of the city legislative body A majority of the members of each city

selection committee ~~shall constitute a quorum~~, *representing a majority of the incorporated cities entitled to representation on the committee and also representing a majority of the aggregate population of the incorporated cities entitled to representation on the committee shall constitute a quorum. A quorum being present, a vote of a majority of the members present representing a majority of the incorporated cities which are represented by those members present and also representing a majority of the aggregate population of the incorporated cities which are represented by those members present, shall be necessary to take action Notwithstanding any other provision of this section, in a county having a population of over 6,000,000, a majority of the members of the city selection committee shall be sufficient to constitute a quorum, and, a quorum being present, a vote of a majority of the members present shall be sufficient to take action.*

At any meeting of a city selection committee, the executive officer of the commission shall determine whether a quorum of the selection committee is present and whether the vote requirements of this section have been complied with on any action taken by the committee For purposes of this section, determinations regarding a quorum and the sufficiency of a vote shall be made on the basis of populations or estimated populations contained in the most recent of any of the following: the last decennial federal census; any census of a city, taken as provided in Chapter 17 (commencing with Section 40200), Part 2, Division 3, Title 4; any census or population estimate of a city taken or made as provided in Sections 2107 1 and 2107 2, Streets and Highways Code; or population estimates contained in any official document prepared by the Department of Finance and issued to the public.

The city selection committee shall meet at the call of the local agency formation commission chairman, or at the request of 60 percent of the members of the city selection committee to fill vacancies in the commission

The city selection committee shall appoint one alternate member to the commission in the same manner as it appoints a regular member. If one of the regular city members is absent from a commission meeting, or disqualifies himself from participating in a meeting, or is automatically disqualified from participating therein pursuant to this section, the alternate member is authorized to serve and vote in his place for that meeting When the commission is considering a proposal for the annexation of territory to a city of which one of the members of the commission is an officer, the member is disqualified from participating in the proceedings of the commission with respect to the proposal and the alternate member shall serve and vote in his place for such purpose *All votes taken by the city selection committee for the purpose of filling vacancies on, or selecting alternates to, the commission shall be recorded by the executive officer of the commission.*

When the mayor or the chairman or president of the city council is unable to attend a meeting of the city selection committee, he may designate a member of the city's elected governing body to serve in his place

SEC. 2.6. Section 65062 of the Government Code is amended to read:

65062. There shall be a separate and distinct city selection committee for each county in the district. The membership of such committees shall consist of the mayor of each city within such county within the district, or, where there is no mayor, the chairman or president of the city council. *When the mayor or the chairman or president of the city council is unable to attend a meeting of the city selection committee, he may designate a member of the city's elected governing body to serve in his place.*"

Amendment No. 8

On page 4, after line 11, insert

"SEC. 5. Section 28700 of the Public Utilities Code is amended to read:

28700. There shall be a separate and distinct city selection committee for each county within the district. The membership of each such committee shall consist of the mayor of each incorporated city or town within such county, or, where there is no mayor, the chairman or president of the city council of each such city.

When the mayor or the chairman or president of the city council is unable to attend a meeting of the city selection committee, he may designate a member of the city's elected governing body to serve in his place.

SEC. 6. It is the intent of the Legislature, if this bill and Senate Bill No. 340 are both chaptered and amend Section 54784 of the Government Code, and this bill is chaptered after Senate Bill No 340, that the amendments to Section 54784 proposed by both bills be given effect and incorporated in Section 54784 in the form set forth in Section 2.5 of this act. Therefore, Section 2.5 of this act shall become operative only if this bill and Senate Bill No. 340 are both chaptered, both amend Section 54784, and Senate Bill No. 340 is chaptered before this bill, in which case Section 2 of this act shall not become operative."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1190—An act to add Sections 6520.7 and 6520.9 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered to the Consent Calendar.

~~Senate Bill No. 1014—An act to amend Section 30792.2 of the Streets and Highways Code, relating to toll bridges.~~

~~Bill read second time, and ordered to the Consent Calendar.~~

NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1014 was read a second time on this day, and ordered to the Consent Calendar See page 5394.

Senate Bill No. 425—An act to amend Section 253.2 of the Streets and Highways Code, relating to state highways

Bill read second time.

Consideration of Committee Amendments

Request for Unanimous Consent to Withdraw Committee Amendments

Mr Deddeh was granted unanimous consent that the amendments of the Committee on Ways and Means to Senate Bill No. 425, be withdrawn, and that he be permitted to offer substitute amendments in place thereof.

Motion to Amend

Mr Deddeh moved the adoption of the following substitute amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 25, 1972, strike out "amend Section 253.2 of", and insert "add Section 302.1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 302.1 is added to the Streets and Highways Code, to read·

302.1. (a) Notwithstanding Section 253.2, commencing on January 15, 1974, the California freeway and expressway system shall not include that portion of Route 2 from Route 405 to Glendale Boulevard in Los Angeles County.

(b) No real property shall be acquired, including any hardship or protective cases, at any time after the effective date of this section for that portion of Route 2 deleted from the California freeway and expressway system by subdivision (a).

(c) It is the intention of the Legislature that, in planning for the transportation needs of the area served by that portion of Route 2 deleted from the California freeway and expressway system by subdivision (a), the department and other public entities consider the feasibility of modifying existing surface arterials and county secondary highways into limited access parkways to relieve traffic congestion."

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 9—An act to amend Sections 20820 and 20826 of the Business and Professions Code, to amend Sections 29530, 29532, and 29533 of the Government Code, to amend Sections 99209, 99213, 99240, 99241, 99260, 99267, 99282, 99305, 99401, 99403, 99405, and 99407 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of, and to add Sections 6357 1, 6357 2, 7204 4, 7204.6, and 7264 1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 16, 1972, strike out "Sections 20820 and 20826 of the"; and strike out line 2 of the title.

Amendment No. 2

On page 4, strike out lines 2 to 34, inclusive; and on page 5, strike out lines 1 to 12, inclusive; and in line 13, strike out "SEC. 1.5", and insert

"SECTION 1".

Amendment No. 3

On page 7, line 40, strike out the comma, and insert "and".

Amendment No. 4

On page 8, line 1, strike out ", and, until June 30,"; strike out line 2; and in line 3, strike out "member thereof on July 1, 1972,".

Amendment No. 5

On page 9, line 22, after "agency", insert a comma.

Amendment No. 6

On page 11, line 12, strike out "the effective date of this section", and insert "March 4, 1972".

Amendment No. 7

On page 16, line 26, strike out "6052.5", and insert "6052".

Amendment No. 8

On page 16, line 36, strike out "6052,5", and insert "6052".

Amendment No. 9

On page 17, line 16, after "Equalization", insert ", with the concurrence of the Department of Finance,".

Bill ordered reprinted, and returned to the third reading file.

NOTE: Senate Bill No. 9 ordered returned to the third reading file, instead of the second reading file, in conformance with unanimous consent granted to Mr. Deddeh earlier this day.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Concurrent Resolution No. 74.

~~Senate Bill No. 1014.~~

NOTE · Later this day, the action was rescinded whereby Senate Bill No 1014 was re-referred to the Committee on Ways and Means See page 5394

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN RUSSELL

Mr. Hayden announced that Sunday, June 25, was the birthday of Assemblyman Russell, of the 62nd District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Russell.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BADHAM

Speaker pro Tempore Bee announced that June 9 was the birthday of Assemblyman Robert E. Badham, of the 71st District, whereupon the Members of the Assembly joined in extending best wishes and belated birthday greetings to Mr. Badham.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 206—An act to amend Section 3501 of, and to add Chapter 10.1 (commencing with Section 3515) to Division 4 of Title 1 of, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employees

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried Time, 10 25 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1516—An act to add Section 2954.4 to the Civil Code, relating to real property

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline,

Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Cullen and MacGillivray—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1587—An act to add Chapter 2.5 (commencing with Section 16150) to Part 1 of Division 7 of the Business and Professions Code, relating to licensing.

Bill read third time.

Motion to Amend

Mr. Townsend moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Chapter 2.5 (commencing with Section 16150) to Part 1 of Division 7", and insert "amend Section 7523".

Amendment No. 2

In line 3 of the title, strike out "licensing", and insert "street patrol special officers".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 7523 of the Business and Professions Code is amended to read:

7523 The provisions of this chapter shall not prevent the local authorities of any city, county, or city and county, by ordinance and within the exercise of the police power of such city, county, or city and county from imposing local regulations upon any ~~private patrol operator, as defined in this chapter, or his employees,~~ *street patrol special officer or upon any person who furnishes street patrol service or street patrol special officers* requiring registration with an agency to be designated by the city, county, or city and county, including in such registration full information as to the identification and employment and subject to the right of the city, county, or city and county to allocate certain portions of the territory in such city, county, or city and county within which the activities of any such *street patrol service or* person shall be confined Any city, county, or city and county may refuse such registration to any person of bad moral character and may impose such reasonable additional requirements as are necessary to meet local needs and are not inconsistent with the provisions of this chapter."

Amendment No. 4

On page 1, strike out lines 2 to 12, inclusive, and strike out page 2.

Amendments read, and adopted.

Re-reference of Assembly Bill No. 1587 to Committee

Mr. Townsend was granted unanimous consent that Assembly Bill No. 1587 be re-referred to the Committee on Commerce and Public Utilities.

Rush Order Placed Upon Printing of Assembly Bill No. 1587

Mr. Townsend was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1587, that the bill be considered engrossed, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1587 for hearing in the Committee on Commerce and Public Utilities.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 926—An act to amend Sections 13010, 13469.1, and 13651 2 of the Education Code, relating to school employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, McDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 84—An act to repeal Section 25520 of the Education Code, relating to physical education.

Bill read third time.

Demand for Previous Question

Messrs. Leroy F Greene, Dent, Stacey, Wood, and Harvey Johnson, demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cory moved a call of the Assembly.

Mr Fenton seconded the motion.

Motion carried Time, 10.47 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1014

Mr. Deddeh was granted unanimous consent to rescind the action whereby, on June 22, 1972 (Assembly Journal, page 5304), the report of the Committee on Transportation relative to Senate Bill No. 1014 was received and read in the Assembly and ordered to second reading; and whereby the bill was read a second time earlier this day, and ordered re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, June 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 460—An act to amend Sections 14283 and 14284 of, and to repeal Section 14281 of, the Education Code, relating to the State Teachers' Retirement System;

Assembly Bill No. 495—An act to amend Section 21712 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 777—An act to amend Section 10434 of the Insurance Code, relating to insurance;

Assembly Bill No. 799—An act to add Section 18716 to the Business and Professions Code, relating to professional boxing;

Assembly Bill No. 803—An act to add Section 31835 01 to the Government Code, relating to the County Employees' Retirement Law of 1937;

Assembly Bill No. 822—An act to amend Sections 20017 76, 20393.1, 20750.2, 20750 3, 20750.4, 20750.42, 21258 1 and 21300 of, to add Sections 20840 and 21252 to, and to repeal Sections 20750 26, 20750 36, 20750.37, 20750 41, 20750.425, 20839, 20840, 21250.1, 21251.1, 21251 14, 21251 141, 21251 143, 21251 145, 21251 2, 21251 3, 21251.75, 21252, 21252 001, 21253, 21258, 21261 5 and 21337 of, the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 826—An act to add Sections 18745 5 and 18745 6 to the Business and Professions Code, relating to professional boxing;

Assembly Bill No. 1358—An act to amend Section 31641 01 of the Government Code, relating to the County Employees Retirement Law of 1937;

Assembly Bill No. 2004—An act to amend Sections 1684, 1695, 1696.5, 1698 1, and 1698 4 of the Labor Code, relating to farm labor contractors;

Assembly Bill No. 2184—An act to amend Section 20009 1 of the Government Code, relating to the Public Employees' Retirement System;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., June 26, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 26, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined·

AB No 1283

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 26, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 438

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 26, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 1014

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, June 19, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

SB No 61

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

FONG, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, June 26, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1212

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, June 26, 1972

Mr. Speaker: The Chairman of your Committee on Government Administration reports:

AB No. 2055

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Government Administration

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2055—An act to add Part 1 5 (commencing with Section 13075) to Division 12 of the Health and Safety Code, relating to fires and fire protection.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Chappie", and insert "Bagley".

Amendment No. 2

In line 1 of the title, after "act", insert "to amend Section 11552 of the Government Code, to amend Section 13100 of, and".

Amendment No. 3

In line 2 of the title, after "of", insert a comma.

Amendment No. 4

In line 2 of the title, after "Code," insert "and to add Section 648 to the Public Resources Code,".

Amendment No. 5

In line 3 of the title, after "protection", insert ", and making an appropriation therefor".

Amendment No. 6

On page 1, strike out line 1, and insert

"SECTION 1 Section 11552 of the Government Code is amended to read:

11552. An annual salary of thirty thousand dollars ($30,000) shall be paid to each of the following:

(a) Superintendent of Banks
(b) Commissioner of Corporations
(c) Director of Employment
(d) Insurance Commissioner
(e) Director of Public Works
(f) Real Estate Commissioner
(g) Savings and Loan Commissioner
(h) Director of Social Welfare
(i) Director of Water Resources
(j) Director of Agriculture
(k) Director of Corrections
(l) Director of General Services
(m) Director of Industrial Relations
(n) Director of Motor Vehicles
(o) Director of Youth Authority
(p) Director of Health Care Services
(q) Commissioner, California Highway Patrol
(r) Members of the Public Utilities Commission
(s) Director of Human Resources Development
(t) Director of Alcoholic Beverage Control
(u) Director of Fire Services

SEC 2. Part 1 5 (commencing with Section".

Amendment No. 7

On page 1, strike out line 5, and insert

"PART 1 5 DEPARTMENT OF FIRE SERVICES

CHAPTER 1 GENERAL PROVISIONS AND DEFINITIONS

13075 There is in the state government, in the Agriculture and Services Agency, a Department of Fire Services

13076 The Department of Fire Services is under the control of an executive officer known as the Director of Fire Services

13077 The Director of Fire Services is appointed by and holds office at the pleasure of the Governor The appointment of the director is subject to confirmation by the Senate In order to be eligible for appointment as director, a person shall have not less than five years experience as fire chief or administrative officer in a regularly organized fire service agency in this state The annual salary of the director is provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code

13078 As used in this part

(a) "Board" means the State Board of Fire Services
(b) "Department" means the Department of Fire Services
(c) "Director" means the Director of Fire Services

13079. It is the purpose of this part to create a central authority to which the local fire service, the public, governmental agencies, the Legislature, and Governor of this state can turn to for information and counsel regarding fire services and related problems. Nothing contained in this part shall be deemed to supersede the provisions of existing state law and the charters, ordinances, and rules and regulations of local public agencies or state agencies This part is intended, instead, to strengthen through the establishment of uniform and orderly methods of communication, a coordination of all activities of the fire services in this state.

13079.5 Except as expressly provided in this part, nothing contained in this part shall be deemed to limit the powers, rights, duties, and responsibilities of city or county governments.

CHAPTER 2. POWERS AND DUTIES

13080 The Department of Fire Services succeeds to, and is vested with, all of the duties, powers, purposes, responsibilities, and jurisdiction vested in the State Fire Marshal, Division of Forestry of the Department of Conservation, the Department of Education related to fire services training, and the Commission of Housing and Community Development, the Director of Housing and Community Development, or the Department of Housing and Community Development relative to the adoption, amendment, repeal, and enforcement of fire, explosion, and panic safety rules, regulations, and standards Any reference in any law or regulation to such agencies with respect to such functions shall be deemed a reference to the department

13081. (a) All public property, real or personal, of the State Fire Marshal, the Division of Forestry of the Department of Conservation, the Department of Education, or the Commission of Housing and Community Development or the Department of Housing and Community Development used principally or primarily in carrying out of any function, or acquired in connection with the exercise of any function, which function is transferred to the Department of Fire Services, is transferred to the Department of Fire Services

(b) The rules, regulations, and standards previously adopted by any of the agencies mentioned in subdivision (a) in effect upon the effective date of this section shall remain in force until repealed by the department

(c) The director shall appoint, in accordance with civil service and other provisions of law, a staff composed of such officers and employees as may be necessary to carry out the intent and purpose of this part Insofar as possible, such staff shall initially be those officers and employees presently employed by the agencies whose functions are transferred to the department pursuant to Section 13080.

13082 The department shall have authority to do all of the following:

(a) Advise all state offices relative to fires and life safety

(b) Provide advice and assistance to all local jurisdictions in fire protection matters

(e) Provide liaison to all major fire service membership organizations

(d) Identify research needs and direct research in the field of fire protection and to accept gifts and grants for such purposes

(e) Act as central information collection agency for fire related matters

(f) Publish newsletters or other such publications as it deems necessary for the dissemination of information to all segments of the fire service

(g) Contract with other agencies, public and private, or persons as it deems necessary for the rendition and affording of such services, facilities, studies and reports as it may require to cooperate with city, state, and federal agencies in fire related matters

(h) Make reasonable rules and regulations to carry out the powers and duties of the department

CHAPTER 3 STATE BOARD OF FIRE SERVICES

13090 There is hereby created in the department a State Board of Fire Services which shall consist of 11 members, who shall act in an advisory capacity to the director

13091 The board shall be composed of six fire chiefs or administrative officers employed in a regularly organized fire service agency in this state, one educator, one city manager, one representative of county management, one labor representative, and one insurance industry representative Each member shall be a resident of this state Each member of the board shall be appointed by the Governor Such appointive members, except five of those first appointed shall be appointed for a term of four years Five of the members first appointed shall be appointed for a term of two years Any member chosen by the Governor to fill a vacancy created otherwise than by expiration of term shall be appointed for the unexpired term of the member he is chosen to succeed

13092 A quorum of the board shall consist of six members.

13093 The director shall act as chairman of the board

13094 The board shall meet at the call of the director and shall receive no salary but shall be paid actual and necessary traveling expenses related to activities of the board

13095 The board under the direction of the director, shall have authority to make full and complete studies, recommendations, and reports to the Governor and the Legislature for the purpose of establishing all of the following

(a) Minimum standards and education of fire protection personnel appointed to positions in duly organized fire departments, who are to be engaged in fire protection including, but not limited to, fire suppression, fire prevention arson investigation and other allied fields

(b) Minimum standards for equipment, hose, tools, and related items

(c) Basic minimum courses of training for fire protection personnel

(d) Procedures for the certification of fire protection personnel and the certification of fire protection instructors

13096 The board shall have the authority to establish all of the following:

(a) Suggested minimum standards for the education and training of fire service personnel.

(b) Suggested minimum operational standards of firefighting techniques

(c) Suggested minimum standards for fire apparatus and equipment

(d) Recommended curricula for courses and seminars in fire science training in colleges and institutions of higher education

(e) A certification program for fire protection personnel and fire protection instructors

SEC 3 Section 13100 of the Health and Safety Code is amended to read:

13100 There is in the ~~state government,~~ ~~in the Agriculture and Services Agency~~ *Department of Fire Services*, the ~~office~~ *Division of the Office* of the State Fire Marshal.

SEC 4 Section 648 is added to the Public Resources Code to read:

648 Notwithstanding any other provision of law, the Division of Forestry is in the Department of Fire Services and is under the control of a chief, the State Forester, appointed by the Director of Fire Services

SEC 5 The sum of fifty thousand dollars ($50,000) is hereby appropriated from the General Fund to the Department of Fire Services for the support of the department "

Amendment No. 8

On page 1, strike out lines 7 to 11, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1014

Mr Deddeh was granted unanimous consent to take up Senate Bill No 1014, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Senate Bill No. 1014 by Unanimous Consent

Senate Bill No. 1014—An act to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 11, 1972, after "to", insert "amend Section 66514 of the Government Code, and to".

Amendment No. 2

On page 3, strike out line 1, and insert

"SECTION 1. Section 66514 of the Government Code is amended to read.

66514. The construction of any transbay bridge in the region shall not be commenced without the approval of the commission. This section shall not apply to ~~(a)~~ modifications of existing bridges, except modifications which provide for the construction of additional lanes of traffic on existing bridges or for the construction of rapid transit facilities on existing bridges; ~~or (b) new bridges where, after 1965 but prior to the effective date of this section, the Legislature has provided funds for preliminary work leading to the issuance of revenue bonds under the provisions of the California Toll Bridge Authority Act for the construction thereof~~.

In the case of a new Dumbarton Bridge, if the commission has not, by January 1, 1974, disapproved the construction thereof, the construction may commence without the approval of the commission.

SEC. 2. Section 30792 2 of the Streets and".

Amendment No. 3

On page 3, line 11, strike out "Such issue of revenue bonds may, to the"; strike out lines 12 to 17, inclusive; and in line 18, strike out "protection of the bridge structures."

Amendment No. 4

On page 3, line 23, strike out "Notwithstanding"; and strike out lines 24 to 26, inclusive.

Amendment No. 5

On page 4, line 4, after "Supervisors", insert "of".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1850 for hearing in the Committee on Ways and Means on Wednesday, June 28, 1972.

Speaker pro Tempore Bee was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2155 for hearing in the Committee on Rules on Thursday, June 29, 1972, and Assembly Bill No 956 for hearing in the Committee on Education on Tuesday, June 27, 1972

Mr. Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 714 for hearing in the Committee on Ways and Means on Wednesday, June 28, 1972.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 588—An act relating to sales and use taxes, to take effect immediately, tax levy

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Davis, Deddeh, Dent, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Cullen, Hayes, Priolo, and Vasconcellos—4.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 10.55 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Assembly Bill No. 2157—An act to add Section 2251 to the Fish and Game Code, relating to the importation of mammals.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, LaCoste, MacDonald, McAlister, McCarthy, Meade, Moorhead, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—Badham, Chappie, Duffy, Ray E Johnson, Ketchum, Lewis, Maddy, Mobley, Murphy, Seeley, and Stacey—11

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 178, on request of Mr Garcia.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1030—An act to add Sections 1200 5 and 4021 5 to the Penal Code, relating to pregnant prisoners

Bill read third time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Ralph moved a call of the Assembly

Motion carried Time, 11 02 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1539—An act to amend Section 5784 7 of the Public Resources Code, relating to recreation and park districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 96—An act to amend Sections 7026, 7027, 7045, and 7046 of the Business and Professions Code, relating to contracting.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg and Mr Speaker—62.

NOES—Burke and Cullen—2.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.05 a m, Mr. Pierson was granted unanimous consent to hold a special meeting of the Committee on Finance and Insurance in the Assembly Lounge, at this time, to consider Senate Bill No. 935, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 935 for hearing in the Committee on Finance and Insurance today.

BILLS PASSED ON FILE

Assembly Bill No. 151—Passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No 6 for hearing in the Committee on Rules on Tuesday, June 27, 1972

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 163—An act to add Chapter 2 5 (commencing with Section 11150) to Division 10 of the Health and Safety Code, relating to drugs, including narcotics and restricted dangerous drugs, and making an appropriation therefor.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2285—An act to add Article 2 5 (commencing with Section 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts.

Bill read third time

Demand for Previous Question

Messrs. Russell, Ralph, MacDonald, Bee, and McAlister demanded the previous question Demand sustained

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Bagley, Bee, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy Meade, Miller, Murphy, Pierson, Powers, Priolo, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—43

NOES—Badham, Barnes, Belotti, Beverly, Burke, Chappie, Collier, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Monagan, Moorhead, Russell, Seeley, and Stull—24

Bill ordered transmitted to the Senate

NOTE For explanation of vote by Mr Karabian relative to Assembly No 2285, see Assembly Journal for July 17, 1972, page 6048

Assembly Bill No. 176—An act to add Chapter 10 (commencing with Section 33750) to Division 22 of the Education Code, relating to community schools, and making an appropriation therefor.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bee, Belotti, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, Meade, Miller, Pierson, Powers, Priolo, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—41

NOES—Badham, Barnes, Beverly, Burke, Chappie, Cline, Collier, Conrad, Dent, Duffy, Ray E Johnson, Ketchum, Lancaster, Lanterman, Maddy, Mobley, Moorhead, Murphy, Russell, Stacey, Stull, and Wood—22.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 484

Mr Bee was granted unanimous consent to take up Assembly Bill No 484, out of order, for purpose of consideration at this time

Consideration of Assembly Bill No. 484

Assembly Bill No. 484—An act to amend Section 128 of, and to add Section 8030 5 to, the Business and Professions Code, relating to shorthand reporters, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65

NOES—None

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy,

Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bills Nos. 208, 239, and **240**—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 248—An act to amend Sections 985, 986.3, 986 5, 987, 987 1, 987 15, and 987 17, and to repeal Section 987 16a, of the Military and Veterans Code, relating to farm and home purchases.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bill No. 252—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 262—An act to add Sections 11655 10 and 11655.11 to the Health and Safety Code, relating to narcotics, and making an appropriation therefor

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph Russell, Ryan Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Burke—1

Bill ordered transmitted to the Senate

Assembly Bill No. 383—An act to amend Sections 20013, 20014, 20017 5, 20017 6, 20017 7, 20017 75, 20017 76, 20017 77, 20017 8, 20017 9, 20602 92, 20605, 20612, 20750 3, 20803 7, 20950, 20980 5 21022, 21252 1, 21252 6, 21263 1, 21290 5, 21292 5, 21293, 21295, and 21363 of, to add Sections 20604, 21252 7, 21252 8, 21252 9, 21252 95 and 21363 5 to, and to repeal Sections 20013 5, 20014 4, 20014 5, 20014 6, 20014 7, 20014 9,

20604, 20750 36, 20750 37, 20750 4, 20750 41, 20750 42, 20750 425, 20750 435, 20803 5, 20803 6, 20980 6, 20980 7, 21020 5, 21020.6, 21020 75, 21022 1, 21208, 21209, 21252 10, 21252 2, 21252 3, 21252 4, 21252 9, 21290 6, 21290 75, 21292 75, 21293.6, 21293 7, 21293 8, 21363 4, 21363 5, 21363 75, 21364 75, 21364 8, and 21364 9 of, the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bill No. 347—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 387—An act to amend Section 20814.5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None.

The question being on the passage of the bill,

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chap-

pie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 408—An act relating to the establishment of a branch office of the Department of Motor Vehicles in the area of the City of Simi Valley, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE

Assembly Bill No. 452—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 491—An act to amend Section 210 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 633—An act to add Section 15154 5 to the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—Briggs—1.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 206

At 11 35 a.m., on motion of Mr Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 206 refused passage by the following vote·

AYES—Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Powers, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—40

NOES—Arnett, Badham, Barnes, Belotti, Briggs, Burke, Chappie, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Monagan, Moorhead, Murphy, Russell, Seeley, Stull, and Wood—26

Motion to Reconsider Assembly Bill No. 206 on Next Legislative Day

Mr. Burton moved to reconsider on the next legislative day the vote whereby Assembly Bill No 206 was this day refused passage.

Assembly Bill No. 206 ordered to the unfinished business file.

NOTE For explanation of vote by Mr Karabian relative to Assembly Bill No 206, see Assembly Journal for July 6, 1972, page 5966

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 636—An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497 5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—Stull—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 719—An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831, 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the headings of Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508.5, 32509 5, 61809.1, 61809.3, 61809 7, 62050.1, 62301.5, 62707 6, 62707.7, 62707.8, 62707.9, 62714 1, and 62717.1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2.5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Priolo, Ralph, Stacey, Stull, Thomas, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—Belotti, Campbell, Davis, Ketchum, Meade, Powers, Russell, Ryan, Seeley, Townsend, Vasconcellos, and Warren—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 817—An act to amend Sections 2 and 6 of, and to add Section 3 5 to, Chapter 1425 of the Statutes of 1967, relating to the American Revolution Bicentennial Commission of California, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald. MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Hayes, Meade, Priolo, Ralph, and Vasconcellos—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 834—An act to amend Sections 17301, 17303 5, 17666 2, and 17951 of the Education Code, relating to the financial support of public education, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 835—An act to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38115, 38225, and 38280 of, and to repeal Sections 4020 and 4452 5 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 1384

In compliance with a motion given on a previous day, Mr Campbell was granted unanimous consent that the vote whereby Assembly Bill No 1384 was passed be reconsidered.

Re-reference of Assembly Bill No. 1384

Mr Campbell was granted unanimous consent that Assembly Bill No. 1384 be re-referred to the Committee on Health.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1384 for hearing in the Committee on Health

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1030

At 11 55 a m , on motion of Mr Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1030 passed by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Harvey Johnson, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—42.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Davis, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, Mobley, Moorhead, Murphy, Priolo, Russell, Stacey, and Wood—27.

Bill ordered transmitted to the Senate.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Warren, Assembly Bill No 1276 was removed from the Consent Calendar

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22 2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 132—An act to amend Sections 23320, 23321 7, and 23954 7 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chap-

pie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 169—An act to amend Sections 20605 and 21252.6 of, and to add Sections 20750.426 and 22013.3 to, the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 342—An act to add Article 1 (commencing with Section 24725) to Chapter 13 of Division 18 of the Education Code, relating to Fresno State College.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 357—An act to amend Section 33113 of, to repeal and add Sections 33112, 33114, and 33115 to, and to repeal Sections 33116 and 33117 of, the Agricultural Code, relating to milk inspection.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chap-

pie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 427—An act to amend Sections 1001, 1002, 1003, 1006, 2000, 2001, 2002, 2003, 2013, 2014, 2272, and 2353 of, and to amend the heading of Chapter 3 (commencing with Section 2225), Article 3 (commencing with Section 2270) of Chapter 3, Chapter 4 (commencing with Section 2345), and Article 1 (commencing with Section 2345) of Chapter 4 of Division 3 of, the Fish and Game Code, relating to reptiles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 665—An act to amend Sections 5779, 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827, 12842, and 12848 of, to add Sections 5779.2, 5779.3, 5780.1, 5780.2, 12821, 12831, 12832, 12833, and 12848.5 to, and to repeal Sections 5779.1 and 12821 of, the Education Code, relating to testing programs

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 694—An act to amend Section 21681 of the Public Utilities Code, relating to aviation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 728—An act to amend Sections 38225 and 38300 of the Vehicle Code, relating to off-highway vehicles

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 748—An act to amend Section 16027 of the Vehicle Code, relating to financial responsibility.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 754—An act to amend Sections 20780, 20884, 21805, 21820, 21821, 21830, 21831, 21910, 21911, 21922 of, and to add Sections 21832 and 21833 to the Business and Professions Code, relating to petroleum products

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 970—An act to add Article 5 (commencing with Section 8040) to Chapter 13 of Division 3 of the Business and Professions Code, relating to shorthand reporters

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1147—An act to amend Sections 19060 6 and 19170 of, to add Sections 19035 35 and 19050 to, and to repeal Sections 19171, 19171.5 and 19171 6 of, the Business and Professions Code, relating to furniture and bedding.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1519—An act to amend Sections 100, 102, 350, 641, 644, 753, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1208, 1220, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1231, 1232, 1234, 1250, 1251, 1252, 1253, 1254, 1257, 1335, 1336, 1337, 1355 1, 1356, 1357, 1359, 1360, 1360 1, 1361, 1362, 1363, 1363.1, 1364, 1365, 1366, 1370, 1371, 1372, 1500, 1542, 1560, and 1562 of, to add Sections 104, 1221, 1230, 1235, 1500 1, 1501 1 to, to repeal Sections 103, 104, 105, 108, 109, 1207, 1209, 1221, 1222, 1230, 1233, 1256, 1350, 1351, 1367, 1368, and 2097 of, to amend the heading of Article 3 (commencing with Section 1250) of Chapter 10 of Division 1 of, to amend and renumber the headings of Chapter 10 (commencing with Section 1200), Article 4 (commencing with Section 1335) of Chapter 10a of, and Chapter 12 (commencing with Section 1500) of Division 1 of, to add Article 4 (commencing with Section 1270) and Article 6 (commencing with Section 1380) to Chapter 10 of Division 1 of, to repeal the headings of Chapter 10a (commencing with Section 1300) of, and Chapter 11 (commencing with Section 1350) and Article 1 (commencing with Section 1350) of Chapter 11 of, Division 1 of, and to repeal Article 4 5 (commencing with Section 670) of Chapter 5 of, Chapter 9 (commencing with Section 1100) of, Article 1 (commencing with Section 1300), Article 2 (commencing with Section 1310), Article 3 (commencing with Section 1330), and Article 5 (commencing with Section 1340), of Chapter 10a of, and Article 2 (commencing with Section 1380), Article 3 (commencing with Section 1400), and Article 4 (commencing with Section 1430) of Chapter 11 of, and Article 2 (commencing with Section 1520) of Chapter 12 of, Division 1 of, the Financial Code, relating to banks.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1788—An act to amend Section 8045 6 of the Fish and Game Code, relating to abalone

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1986—An act to amend Sections 2914, 3056, 3057, 4089, 4511, 4514, 6060, 6062, 6885, 6886, 7526, 8020, 8023.5, 9022, 9042, 9700 5, and 17862 of the Business and Professions Code, Section 13575.5 of the Education Code, Section 12331 of the Financial Code, and Section 1101 of the Harbors and Navigation Code, and to repeal Sections 8740.5, 8793, 10150 5, and 10515.5 of the Business and Professions Code, and Section 1643 of the Insurance Code, relating to qualifications

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2034—An act to amend Sections 14666 and 14670 of the Government Code, relating to state property

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 281—An act to amend Section 16103 of the Government Code and to amend Sections 255.4 and 2615.6 of the Revenue and Taxation Code, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 592—An act making an appropriation for overtime for state employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1263—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9817, 9819, 9820, 9823, 9825, 9830, and 9873 of the Business and Professions Code, relating to repair dealers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1292—An act to add Section 23428 20 to the Business and Professions Code, relating to alcoholic beverages

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1603—An act relating to senior citizens, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F.

Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2026—An act to amend Section 14105 of, to add Section 14105 to, and to repeal Section 14105 of, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2355—An act to add Section 4606 to the Labor Code, relating to workmen's compensation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1431—An act providing for the conveyance of Old Bale Mill Park by the County of Napa to the State of California for inclusion in the state park system.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 591—An act to amend Section 65302 of the Government Code, relating to planning.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 689—An act to amend Section 15002 1 of the Education Code, relating to school sites.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F.

Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 155—An act to amend Section 68097 of the Government Code, relating to witness fees

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 168—An act to add Section 72602.15 to the Government Code, relating to Los Angeles County Municipal Courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 630—An act to amend Section 329 of the Probate Code, relating to wills

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald,

MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 67—An act to amend Section 28686 of the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An act to add Section 464 to the Health and Safety Code, relating to hospitals.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1276—An act to amend Section 2760 of the Business and Professions Code, relating to nurses.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald,

MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 84

At 12 m., on motion of Mr. Cory, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No 84 refused passage by the following vote:

AYES—Arnett, Badham, Bagley, Brown, Burton, Campbell, Cory, Cullen, Fong, Leroy F Greene, Harvey Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, McAlister, Pierson, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wood, and Z'berg—26.

NOES—Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Fenton, Gonsalves, Hayden, Hayes, Ray E. Johnson, Lanterman, Lewis, MacGillivray, Meade, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Stacey, Stull, Thomas, Townsend, and Wilson—35.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 935 for hearing in the Committee on Ways and Means today.

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO. 1565

Mr Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1565, and that the bill be considered engrossed.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Hayes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolutions Nos 102 and 105 for hearing in the Committee on Employment and Public Employees on Wednesday, June 28, 1972.

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 268, 714, 1230 and 1205, and Senate Bill No. 911 for hearing in the Committee on Ways and Means, on Wednesday, June 28, 1972

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1192, on request of Mr. Lewis.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1687

Mr. Miller was granted unanimous consent to take up Assembly Bill No. 1687, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 1687

Assembly Bill No. 1687—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing.

Bill read third time.

Motion to Amend

Mr Miller moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 20, 1972, strike out lines 3 to 7, inclusive, and insert

"1953. A city, county, or city and county".

Amendment No. 2

On page 2, strike out lines 19 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Murphy was granted unanimous consent that the following proposed amendment to Assembly Bill No 200 be printed in the Journal·

Proposed Amendment to Assembly Bill No. 200

Amendment No. 1

On page 34, after line 31, of the printed bill, as amended in Assembly June 19, 1972, insert

"SEC. 7 Each year until the final adjournment of the 1976 Regular Session of the Legislature, each county auditor and city auditor shall compute the loss of revenue due to the reductions in assessed value of property assessed under Section 423 or 423 5 of the Revenue and Taxation Code for the county and for each city and each school district and special district wholly or partially within the county due to the operation of Division 18 (commencing with Section 27000) of the Public Resources Code, and shall make a claim to the Controller for the loss of such revenue, as prescribed by the Controller Out of the amount appropriated by Section 8 of this act, the Controller shall pay on or before December 30th of each year to the county auditor or city auditor an amount equal to such a loss of revenue

SEC. 8. There is hereby continuously appropriated until the final adjournment of the 1976 Regular Session of the Legislature from the State General Fund to the Controller to pay to each county auditor and city auditor an amount sufficient to pay the subventions required by Section 7 of this act."

COMMUNICATIONS

Assembly Chamber, June 26, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined·

AB No. 2067

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 26, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1782

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, June 26, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 3

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Rules.

GARCIA, Chairman

Above resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, June 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 816
AB No 1179
AB No. 1665

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Welfare

Assembly Chamber, June 26, 1972

Mr. Speaker: Your Committee on Welfare reports:

SB No. 1246

With amendments with the recommendation: Amend, and do pass, as amended

BAGLEY, Chairman

Above bill ordered to second reading

Committee on Employment and Public Employees

Assembly Chamber, June 26, 1972

Mr Speaker: Your Committee on Employment and Public Employees reports:

AB No 2252

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

HAYES, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 26, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No 1565

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1565—An act to add Chapter 6 (commencing with Section 13000) to Division 8 of the Elections Code, relating to reimbursement of campaign expenses.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 3 of the title of the printed bill, after "expenses", insert ", and making an appropriation therefor"

Amendment No. 2

On page 2, line 8, after "elections", insert "and special elections".

Amendment No. 3

On page 2, line 20, after "election", insert "or special election".

Amendment No. 4

On page 2, between lines 32 and 33, insert

"(7) Advertising sold by common carriers"

Amendment No. 5

On page 3, line 17, after "Senator", insert "shall receive".

Amendment No. 6

On page 3, strike out line 32, and insert "Treasurer, Secretary of State, Controller, and Attorney General shall receive.".

Amendment No. 7

On page 4, line 6, after "Senator", insert "shall receive".

Amendment No. 8

On page 4, line 22, after "Assemblyman", insert "shall receive".

Amendment No. 9

On page 4, lines 24 and 25, strike out "registered statewide", and insert "in the Assembly district in which he is seeking election registered".

Amendment No. 10

On page 4, lines 28 and 29, strike out "registered statewide", and insert "in the Assembly district in which he is seeking election registered".

Amendment No. 11

On page 5, line 8, strike out "Controller", and insert "Auditor General".

Amendment No. 12

On page 5, line 9, after "election", insert "or special election".

Amendment No. 13

On page 5, line 10, strike out "Controller", and insert "Auditor General".

Amendment No. 14

On page 6, line 27, strike out "shall be", and insert "is hereby".

Amendment No. 15

On page 6, line 36, strike out "Controller", and insert "Auditor General".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, June 26, 1972

Mr Speaker: The Chairman of your Committee on Local Government reports:

SB No 420

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 420—An act to amend Section 54309.1 of the Government Code, relating to revenue bonds.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 6, 1972, strike out "Section 54309.1 of", and insert "Sections 6577, 53550, 53552, 53553 and 53555 of, to renumber Section 53557 of, to add Sections 53556, 53557, 53558, 53560, 53561 and 53562 to, to repeal Sections 53556 and 53558 of, and to add Article 10 (commencing with Section 53570) to Chapter 3, Part 1, Division 2, Title 5 to,".

Amendment No. 2

In line 2 of the title, strike out "revenue".

Amendment No. 3

In line 2 of the title, after "bonds", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 2, and insert

"SECTION 1. Section 6577 of the Government Code is amended to read:

6577. Funding or refunding bonds may be issued in a principal amount sufficient to provide funds for the payment ~~(including premium) of all bonds to be funded or refunded thereby, and interest thereon, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such funding or refunding bonds~~ *of all of the following:*

(a) All bonds to be funded or refunded by them

(b) All expenses incident to the calling, retiring, or paying of the outstanding bonds and the issuance of the funding or refunding bonds, including the costs of issuing the refunding bonds (as defined in Section 53550).

(c) Interest upon the funding or refunding bonds from the date of sale to the date of payment of the bonds to be funded or refunded out of the proceeds of the sale or the date upon which the bonds to be funded or refunded will be paid pursuant to the call or agreement with the holders of such bonds.

(d) Any premium necessary in the calling or retiring of the outstanding bonds and the interest accruing on them to the date of the call or retirement

SEC. 2. Section 53550 of the Government Code is amended to read:

53550. The following terms shall have the following meanings.

(a) The term "local agency" means public district, public corporation, authority, agency, board, commission, county, city and county, city, school district, or other public entity.

(b) The term "bonds" means bonds, warrants, notes or other evidence of indebtedness of a local agency *or any improvement district or zone thereof* payable, both principal and interest, from the proceeds of ad valorem taxes or ad valorem assessments which may be levied without limitation as to rate or amount upon property in the local agency *or any improvement district or zone thereof* subject to taxation or assessment.

(c) The term "legislative body" means the board of directors or other governing body of the local agency, unless the context otherwise requires

(d) The term "principal act" means the law under which bonds to be refunded were issued

(e) The term "costs of issuing the refunding bonds" means those of the following costs and expenses designated by the legislative body in the resolution providing for the issuance of such bonds:

(i) All expenses incident to the calling, retiring or paying of the bonds to be refunded and to the issuance of refunding bonds, including the charges of any escrow agent or trustee in connection with the issuance of the refunding bonds or in connection with the redemption or retirement of the bonds to be refunded

(ii) Either (a) interest upon the refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded out of the proceeds of the sale of the refunding bonds, or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holders of such bonds or (b) interest upon the bonds to be refunded from the date of sale of the refunding bonds to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to call or agreement with the holders of such bonds.

(iii) Any premium necessary in the calling or retiring of the bonds to be refunded

(f) The term "designated costs of issuing the refunding bonds" means whichever of the items specified in the preceding subparagraphs (i), (ii) and (iii) are designated by the legislative body in the resolution providing for the issuance of refunding bonds

(g) The term "federal securities" means those securities described in Sections 1360 and 1360.1 of the Financial Code.

SEC. 3. Section 53552 of the Government Code is amended to read

53552. Whenever the legislative body of a local agency shall determine that prudent management of the fiscal affairs of the local agency requires that it issue refunding bonds under the provisions of this article, it may do so without submitting the question of the issuance of such refunding bonds to a vote of the qualified electors of such local agency, *unless the legislative body determines to submit such question to a vote, in which case such election shall be held in accordance with the principal act pursuant to which the bonds to be refunded were*

issued. Refunding bonds shall not be issued if the total net interest cost to maturity on the refunding bonds *plus the principal amount of the refunding bonds* exceeds the total net interest cost to maturity on the bonds to be refunded.

Refunding bonds shall not be issued under terms by which the total payments of principal and interest in any one year on such refunding bonds exceed the total amounts payable as principal and interest on the bonds to be refunded unless the legislative body had the power at the time of issuance and sale of the bonds to be refunded to fix the rate or rates of interest to be borne by such bonds and the time or times at which such bonds were to mature *plus the principal amount of the bonds to be refunded Subject to such limitation, the principal amount of the refunding bonds may be more than, less than or the same as the principal amount of the bonds to be refunded*.

SEC 4. Section 53553 of the Government Code is amended to read:

53553 When the legislative body determines to issue refunding bonds pursuant to this article, it shall adopt a resolution providing for the issuance of such bonds Such resolution shall.

(a) Describe the bonds being refunded; and the date on which it is anticipated that the exchange, purchase or call and redemption necessary to effect the refunding shall occur;

(b) Fix the date of such refunding bonds;

(c) Designate the denomination or denominations thereof;

(d) Fix the rate or rates of interest to be borne by such refunding bonds, which rate or rates shall not exceed 7 percent per annum, payable semiannually, except that interest for the first year from date of issuance may be payable at the end of said year,

(e) Fix the maturity dates of such refunding bonds, which shall not exceed 40 years from the date of such refunding bonds, or the latest maturity date of the bonds being refunded, whichever occurs earlier;

(f) Designate the place or places of payment of both principal and interest; ~~and~~

(g) Prescribe the form of such refunding bonds *; and*

(h) State the designated costs of issuing the refunding bonds.

SEC 5 Section 53555 of the Government Code is amended to read:

53555 Refunding bonds issued pursuant to this article may be exchanged for the bonds to be refunded on such basis as the legislative body determines is for the benefit of the local agency but ~~except where the bonds being refunded are being redeemed in advance of maturity as provided in Section 53556.~~ in no case on the basis that the principal amount of refunding bonds exceeds the principal amount of the bonds to be refunded plus the costs of issuing the refunding bonds As an alternative to exchanging the refunding bonds for the bonds to be refunded, the legislative body may sell the refunding bonds at public or private sale for not less than their par value The proceeds of any sale of refunding bonds for cash shall be placed in the treasury of the local agency to the credit of a fund to be established for the purpose of refunding the bonds to be refunded, which fund shall be designated the "funding fund," and such proceeds shall be applied only ~~to re-~~

~~fund the bonds for which the refunding bonds are issued after payment of the costs of calling and redeeming the bonds being refunded and of issuing the refunding bonds. Any proceeds of the refunding bonds remaining after the exchange, purchase or call and redemption of the bonds to be redeemed has been accomplished shall be deposited in the fund established for the payment of the principal and interest of the refunding bonds and used only for the purpose of paying such principal and interest as it matures~~ *as permitted by this article.*

SEC 6. Section 53556 of the Government Code is repealed.

~~53556. If the refunding bonds are issued in whole or in part to refund before maturity bonds which according to their terms are subject to call and redemption before maturity at a price in excess of par, the par value of the refunding bonds shall be equal to the sum of the par value of the bonds to be refunded and the applicable premium payable at the date on which call and redemption shall take place, subject to adjustment of accrued interest to the date of exchange.~~

SEC 7. Section 53556 is added to the Government Code, to read.

53556. The designated costs of issuing the refunding bonds may be paid by the purchaser of the refunding bonds or may be paid from any other legally available source, including the general fund of the local agency, other available revenues of the local agency under the control of the legislative body, the proceeds of sale of the refunding bonds, the interest or other gain derived from the investment of any of the proceeds of sale of the refunding bonds, any other moneys in escrow or in trust or any combination thereof as the legislative body may determine; provided, however, that any amounts paid by the local agency other than from the proceeds of sale of the refunding bonds or from interest or other gains derived from the investment of such proceeds shall be added to the total net interest cost to maturity on the refunding bonds in determining whether the test of the second sentence of Section 53552 has been met

SEC. 8. Section 53557 of the Government Code is amended and renumbered to read:

~~53557~~ *53559*. Following the issuance of any refunding bonds pursuant to this article, the legislative body of the local agency shall provide for the payment of principal and interest thereon in the same manner and at the same times as it provides for payment of principal and interest on bonds issued pursuant to its principal act and which constitute general obligations of such local agency The legislative body may provide in the resolution of issuance of such refunding bonds for the pledge of revenues of any revenue-producing facility of the local agency as additional security for the refunding bonds to the same extent that such revenues were pledged as additional security for the bonds to be refunded

SEC 9. Section 53557 is added to the Government Code, to read

53557 Any proceeds of sale of any refunding bonds may be deposited in escrow or trust with any bank or trust company within or without the state, or both within and without the state, and shall be secured in accordance with the laws applicable to funds of the local

agency and may (along with any other moneys available for that purpose similarly deposited) be invested or reinvested in federal securities

SEC 10. Section 53558 of the Government Code is repealed.

~~53558. Upon the issuance, sale and delivery or exchange of refunding bonds pursuant to this article, such refunding bonds shall constitute indebtedness of the local agency issuing such bonds and shall be included in any computation of general obligation indebtedness of such local agency for purposes of any debt limitation applicable to bonds of such local agency under the principal act or for any other lawful purpose; provided, however, that at such time as the proceeds of such refunding bonds have been placed into the funding fund established pursuant to Section 53555, the bonds to be refunded as designated in the resolution of issuance of such refunding bonds shall no longer be considered outstanding in any computation of the general obligation indebtedness of such local agency.~~

SEC 11 Section 53558 is added to the Government Code, to read:

53558 Such proceeds and investments in escrow or trust shall be in an amount at the time of issuance of such refunding bonds which is certified by a certified public accountant licensed to practice in this state to be sufficient to meet the requirements of subdivision (a) or paragraph (b) of this section.

(a) Such proceeds and investments, together with any interest or other gain to be derived from any such investment, shall be in an amount at least sufficient to pay (i) the principal of and interest and redemption premiums, if any, on the refunded bonds as they become due or at designated dates prior to maturity (in connection with which the legislative body has exercised or has obligated itself to exercise a redemption privilege on behalf of the local agency) and (ii) the designated costs of issuance of the refunding bonds, or

(b) Such proceeds and investments, together with any interest or other gain to be derived from any such investment, shall be in an amount at least sufficient to pay (i) the principal of and interest and redemption premiums, if any, on the refunding bonds prior to the maturity of the bonds to be refunded or prior to a designated date or dates before the maturity of the bonds to be refunded (in connection with which the legislative body has exercised or has obligated itself to exercise a redemption privilege on behalf of the local agency), (ii) the principal of and any redemption premiums due on such refunded bonds at maturity or at said designated date or dates and (iii) the designated costs of issuance of the refunding bonds

SEC. 12 Section 53560 is added to the Government Code, to read.

53560 Upon the issuance, sale and delivery or exchange of refunding bonds pursuant to this article·

(a) If only the refunding bonds remain outstanding, such refunding bonds shall constitute indebtedness of the local agency issuing such bonds and shall be included in any computation of general obligation indebtedness of such local agency for purposes of any debt limitation applicable to bonds of such local agency under the principal act or for any other lawful purpose;

(b) If both the refunding bonds and the bonds to be refunded remain outstanding for any period of time following the date of the issuance, sale and delivery of the refunding bonds, then until the date on which the bonds to be refunded are no longer outstanding,

(1) If the local agency has met the test of subdivision (a) of Section 53558 the refunding bonds shall constitute indebtedness of the local agency issuing such bonds and shall be included in any computation of general obligation indebtedness of such local agency for purposes of any debt limitation applicable to bonds of such local agency under the principal act or for any other lawful purpose, but the bonds to be refunded shall no longer be considered outstanding in any computation of the general obligation indebtedness of such local agency,

(11) If the local agency has met the test of subdivision (b) Section 53558 then such refunding bonds shall, until the date on which the refunding bonds are no longer outstanding, constitute a special obligation of the local agency issuing such bonds and shall not be included in any computation of general obligation indebtedness of such local agency for any purpose, and the bonds to be refunded shall be considered outstanding in any computation of the general obligation bonded indebtedness of such local agency, but from and after the date on which the refunded bonds are no longer outstanding the refunding bonds shall constitute indebtedness of the local agency issuing such bonds and shall be included in any computation of general obligation indebtedness.

SEC 13 Section 53561 is added to the Government Code, to read

53561. It is hereby declared that it is a public purpose for a local agency to issue refunding bonds for the purposes set forth in this article and to invest and reinvest the proceeds thereof, and any other funds legally available therefor, for the purposes set forth herein, provided, however, that it is the intent of this article, and this article shall be so construed, that in no single fiscal year shall a tax be levied or shall funds of a local agency other than those expressly permitted herein be used to pay the principal of and interest and redemption premium, if any, on both the refunding bonds and on the bonds to be refunded

SEC 14 Section 53562 is added to the Government Code, to read.

53562 The powers conferred by this article are in addition and supplemental to, and not in substitution for, and the limitations imposed by this article shall not affect the powers conferred by, any other law

SEC 15 Article 10 (commencing with Section 53570), is added to Chapter 3, Part 1, Division 2, Title 5, of the Government Code, to read·

Article 10 Refunding of Revenue Bonds of Local Agencies

53570 The following terms shall have the following meanings·

(a) The term "local agency" means public district, public corporation, authority, agency, board, commission, county, city and county, city, school district, or other public entity or any improvement district or zone thereof

(b) The term "revenue bonds" means bonds, warrants, notes or other evidence of indebtedness of a local agency denominated revenue

bonds under any law of this state and payable from funds other than the proceeds of ad valorem taxes or the proceeds of assessments levied upon property in the local agency.

53571 It is hereby declared that it is a public purpose for a local agency to issue bonds for the purpose of refunding any revenue bonds of the local agency, whether due or not due, or which have or which may hereinafter become payable at the option of such local agency, or by consent of the bondholders, or by any lawful means whether the indebtedness evidenced by such revenue bonds be now existing or may hereafter be created

Any such refunding bonds may be outstanding at the same time as the revenue bonds to refund which such refunding bonds are issued (subject to any contractual limitations created in the proceedings for the issuance of such revenue bonds) and may be on a parity with or subordinate to such revenue bonds

Such refunding bonds may be issued under any applicable revenue bond law, including but not limited to, the Revenue Bond Law of 1941 (Chapter 6 of this part), the Parking Law of 1949 (Part 2 of Division 18 of the Streets and Highways Code), the Parking District Law of 1951 (Part 4 of Division 18 of the Streets and Highways Code), and the Joint Exercise of Powers Act (Articles 1 and 2, Chapter 5, Division 7, Title 1), and shall be deemed issued for a valid public purpose and a proper bond purpose under such applicable revenue bond law

53572 In connection with the issuance of bonds under any law permitting the issuance of refunding bonds, a local agency may declare the proceeds of such refunding bonds to be a revenue producing public facility, including an enterprise under the Revenue Bond Law of 1941, or may declare such proceeds to be part of such revenue producing public facility or enterprise or may otherwise declare such proceeds to be held, in whole or in part, and for such time as the local agency may deem advisable, in trust for the protection of holders of the bonds or of the refunding bonds

53573 Before selling any bonds, any issuer shall advertise such bonds for sale at public sale and shall invite sealed bids therefor by publication of a notice once at least 10 days before the date of such public sale in a newspaper of general circulation circulated within the boundaries of each public body to be aided by the public project to be financed by the issuance of such bonds If one or more satisfactory bids are received pursuant to such notice, such bonds shall be awarded to the highest responsible bidder If no bids are received or if the issuer determines that the bids received are not satisfactory as to price or responsibility of the bidders, the issuer may reject all bids received, if any, and either readvertise or sell such bonds at private sale

SEC 16 It is hereby declared it is the intent of the Legislature in enacting this act that all public bodies in the State of California be authorized to the fullest extent possible to issue refunding bonds whenever such issuance would result in a savings to the public body or the taxpayers thereof, and that to the extent permitted by the Constitution

of the State of California, public bodies, including cities, counties and school districts, may issue refunding bonds in a principal amount in excess of the principal amount authorized at an election, so long as, in accordance with the provisions of this act, the total net interest cost to maturity on the refunding bonds plus the principal amount of the refunding bonds does not exceed the total net interest cost to maturity on the bonds to be refunded plus the principal amount of the bonds to be refunded

SEC 17. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Many local agencies throughout the state have outstanding bonds for which payment of principal and interest during the fiscal year 1972–73 and thereafter will be required to be made It will be necessary for these local agencies to budget for the collection of taxes and revenues in fiscal year 1972–1973 of amounts sufficient to pay such principal and interest In many cases, it would be possible to refund some or all of such outstanding bonds so as to effect substantial savings in the amounts needed to pay such principal and interest Such savings would permit the lowering of property tax rates and charges for revenue-producing facilities within such local agencies However, unless this act is passed as an urgency statute it will not be possible for such local agencies to refund such bonds and effect such savings prior to the time when budgets must be prepared and tax rates and charges fixed for fiscal year 1972–1973. For this reason, it is necessary that this act take effect immediately."

Amendment No. 5

On page 1, strike out lines 3 to 17, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Assembly Committee on Efficiency and Cost Control

Sacramento, June 26, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr Speaker. Your Committee on Efficiency and Cost Control hereby transmits its hearing record supporting the findings and recommendations concerning the California Ecology Corps report which we submitted to you on June 7th.

Respectfully,

MIKE CULLEN, Chairman

Above report referred to the Committee on Natural Resources and Conservation.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No 1682 and Assembly Constitutional Amendment No 77 were continued until the next legislative day.

VOTE CHANGES

Messrs Wood, Cline, Conrad, Lewis, and Chappie were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1516.

Messrs Barnes and Foran were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 588.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2157.

Mr Moorhead was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 2157.

Messrs Dunlap and Foran were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 2157.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1539.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2285.

Mr. Mobley was granted unanimous consent that he be recorded as "Not Voting," instead of voting "No," on Assembly Bill No 2285.

Messrs Wood, Mobley, and Lanterman were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 176.

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 926.

Messrs. Lewis and Chappie were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 206

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 206

Messrs Maddy and Stull were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 633.

Messrs. Hayden and Ray E Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 636

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 636

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 262

Messrs MacDonald and Waxman were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 817.

Mr Powers was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1030.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1030.

Mr. Russell was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 719.

ADJOURNMENT

At 12:03 p.m., Acting Speaker Fenton declared the Assembly adjourned until 9:30 a.m., Tuesday, June 27, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-seventh Legislative Day

One Hundred Seventy-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, June 27, 1972

The Assembly met at 9 30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.
Mr MacDonald seconded the motion
Motion carried Time, 9 35 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9 52 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Pray to You, Father, For a week of work well done, satisfying, supporting We pray for all who work in our city, our nation, our world; for those in factories and laboratories, in schools, and hospitals, for those in legislatures, offices, and homes; and for those who lie in our gutters

Make us creative workers Teach us to share all we earn and all we become through our work —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Priolo then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Lancaster, seconded by Mr Wood.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Meade, on request of Speaker pro Tempore Bee.
Mr Porter, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Acting Speaker Cullen.
Mr. Karabian, on request of Speaker pro Tempore Bee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
231	Transportation
234	Agriculture
380	Transportation
487	Transportation
535	Revenue and Taxation
574	Health
578	Health
613	Criminal Justice
682	Natural Resources and Conservation
786	Health
813	Criminal Justice
865	Natural Resources and Conservation
1022	Planning and Land Use
1130	Health
1148	Finance and Insurance

Senate Bill No.	*Committee*
1348	Criminal Justice
1376	Criminal Justice
1455	Judiciary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time.

Assembly Bill No. 2381: By Assemblyman LaCoste—An act to amend Section 69598 of the Government Code, relating to courts.

Held at Desk by order of the Speaker pro Tempore.

Assembly Concurrent Resolution No. 108: By the Joint Committee on Fairs Allocation and Classification (Assemblymen Davis, Belotti, Barnes, Ketchum, Chappie, Cory, and Harvey Johnson, Senators Behr, Collier, Dills, Marler, Nejedly, Stiern, and Walsh, coauthors)—Relative to fairs

Held at Desk by order of the Speaker pro Tempore

COMMUNICATIONS

Assembly Chamber, June 26, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined.

Assembly Bill No. 1119—An act to amend Sections 20042, 20043, 20047, and 37203 of, and to add Sections 36438, 36439, 36440, 36441, 36442, 36443, 36444, 36445, and 36446 to, the Water Code, relating to districts, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2270—An act to amend Section 20205 of the Government Code, relating to the Public Employees' Retirement System,

And reports the same correctly enrolled, and presented to the Governor at 2 p m , June 26, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 26, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 528—An act to amend Section 7273 of the Government Code, relating to relocation assistance, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 3 p m , June 26, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 27, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 1687

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

Assembly Chamber, June 27, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined.

ACR No. 94

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 27, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 268

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, June 26, 1972

Mr. Speaker. Your Committee on Finance and Insurance reports:

SB No 935

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

PIERSON, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 27, 1972

Mr Speaker: Your Committee on Education reports:

SB No 441

With the recommendation· Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, June 27, 1972

Mr. Speaker. Your Committee on Education reports:

With amendments with the recommendation Amend, and do pass, as

AB No 2091

amended.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, June 26, 1972

Mr Speaker· The Chairman of your Committee on Revenue and Taxation reports.

AB No. 2178

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2178—An act to amend Sections 218, 6051, 6052 5, 6201, 17041, 17045, 23151, 23184, 23186, 23333, 23501, 30101, 30121, 30122, 30123, 30124, 30125, 30166, 30462, and 32201 of, to repeal Section 30463 of, to add Sections 401 4, 17053 5, 17053 6, and 30463 to, and to repeal Article 3 (commencing with Section 30131) of Chapter 2 of Part 13 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 11, 1972, strike out "17041, 17045,"

Amendment No. 2

On page 6, strike out lines 31 to 39, inclusive, strike out all of pages 7 and 8; and on page 9, strike out lines 1 to 12, inclusive

Amendment No. 3

On page 11, strike out lines 7 to 14, inclusive, and insert "(5) An individual who is not obligated for rent with".

Amendment No. 4

On page 12, line 25, strike out "following"; and strike out line 26, and insert "taxpayer shall be entitled to a credit under Section 17053 5 to the extent of his tax liability plus a refund in excess of that amount up to the lesser of eighty dollars ($80) combined credit and refund or the amount indicated on the following table·

If adjusted gross income is:	The maximum refund is:
$3,500 or less	$35
$3,501–4,000	$37
$4,001–4,500	$38
$4,501–5,000	$39
$5,001–5,500	$40
$5,501–6,000	$48
$6,001–6,500	$56
$6,501–7,000	$64
$7,001–7,500	$72
$7,501 and up	$80

(b) The refund allowed by this section is in lieu of the credit allowed by Section 17053.5."

Amendment No. 5

On page 24, line 34, after "SEC 29 ", insert "It is the intent of the Legislature that the four hundred fifty-eight million dollar ($458,000,000) budget surplus on June 30, 1973, as estimated by the Department of Finance, be reserved and spent to balance the revenue loss resulting from the approval by the voters of Assembly Constitutional Amendment No 30 of the 1972 Regular Session.

SEC 30."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, June 27, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

SB No 437

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 437—An act to add Section 21101 5 to the Vehicle Code, relating to vehicles

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate May 18, 1972, strike out lines 3 to 5, inclusive, and insert

"21101.5. Any rule, regulation, or ordinance adopted by local authorities with respect to the regulation of the parking of vehicles on private property,"

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 27, 1972

Mr. Speaker: The Chairman of your Committee on Health reports:

AB No 1500

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1500—An act to amend Section 2514 of the Business and Professions Code, relating to physicians' assistants.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 11, 1972, strike out "Assemblyman Duffy", and insert "Assemblymen Duffy, Moretti, and Monagan".

Amendment No. 2

In line 1 of the title, strike out "amend Section 2514 of", and insert "add Section 2145.1 to".

Amendment No. 3

In line 2 of the title, strike out "physicians' assistants", and insert "acupuncture, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 2145.1 is added to the Business and Professions Code, to read:

2145.1. The performance of acupuncture by an unlicensed person, alone or in conjunction with other forms of traditional Chinese medicine, when carried on in an approved medical school for the primary purpose of scientific investigation of acupuncture, shall not be in violation of this chapter, but such procedures shall be carried on only under the supervision of a licensed physician and surgeon. Nothing in this section shall permit an unlicensed person to open an office or appoint a place to meet patients or receive calls within the limits of this state.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The recent rising interest in acupuncture and other forms of traditional Chinese medicine has stimulated a desire on the part of practitioners of modern western medicine to explore these forms of medicine in order to determine whether such forms of medicine may be of benefit to the people of this state. In view of the promising possibilities of acupuncture and other forms of traditional Chinese medicine, it is necessary that this act take effect immediately so that the investigation and selection process with respect to these forms of medicine may proceed as soon as possible."

Bill ordered reprinted, and to be re-referred to the Committee on *Health*.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and by unanimous consent, ordered printed in the Journal

Veto Message—Assembly Bill No. 574

Governor's Office, Sacramento
June 26, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 574 entitled, "An act to add Section 390.1 to the Streets and Highways Code, relating to state highways."

This bill would delete a portion of Route 90 in and about the City of Los Angeles from the California Freeway and Expressway System.

I am taking this action because, for more than a year, the Department of Public Works has been cooperating with local governments and meeting with local citizens groups along the Route 90 corridor to study a transportation plan through this heavily developed industrial and residential area. The study involves a consultant (the Massachusetts Institute of Technology) and staffs of the City and County of Los Angeles, and is multimodal in scope The purpose of the study, in addition to identifying which mode or combination of modes can provide the greatest service, is to develop a systematic means of citizen participation in the planning and decision-making processes

The Southern California Association of Governments is also completing a comprehensive regional transportation study scheduled for adoption in 1973.

Because of the obvious impact on other elements of the transportation system, I believe no action should be taken now which would impose constraints on the conduct of these studies.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

Governor's Office, Sacramento
June 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings- This is to advise that I returned Assembly Bill No 574 unsigned, together with a statement of my reasons therefor, on Monday, June 26, 1972

Delivery was made to R. Brian Kidney, Assistant Chief Clerk, at 6:05 P.M.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 26th day of June, 1972, at 6·05 P M of Assembly Bill No 574, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E. Fort.

R. BRIAN KIDNEY
Assistant Chief Clerk

Above bill ordered to the unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, June 26, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No. 745
AB No 954
AB No. 966
AB No 982
AB No 1282

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, June 26, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended·

ACA No. 51

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file

Senate Chamber, June 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed·

AB No. 961

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, June 27, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 1149

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 26, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 225	AB No 1185	AB No 2001
AB No. 274	AB No. 1839	AB No. 2013
AB No. 275	AB No 1842	AB No 2146
AB No. 583	AB No. 1999	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 26, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 181	SB No. 832	SB No. 1128
SB No. 329	SB No 978	SB No. 1178
SB No. 348	SB No 979	SB No. 1225
SB No. 404	SB No 984	SB No. 1318
SB No. 491	SB No 1033	SB No 1395
SB No 652	SB No. 1051	SB No 1410
SB No. 755	SB No 1065	SB No. 1429
SB No. 782	SB No 1127	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 181—An act to amend Section 66622 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 329—An act to amend Section 26708 of, and to add Section 26708 5 to, the Vehicle Code, relating to vehicles.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 348—An act to amend Sections 34270, 34271, 34272, 34274, 34290, 34331, 34332, and 34513 of, and to add Sections 17914, 34213.5, 34219, 34286, 34315.3, 34333, 34334, 35495, and 36072 to, the Health and Safety Code, relating to housing authorities.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 404—An act to add Section 226 to the Revenue and Taxation Code, relating to property tax exemption.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 491—An act to add Section 1463 5 to the Penal Code, relating to fines and forfeitures.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 652—An act to add Section 1010 85 to the Education Code, relating to public schools

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 755—An act to repeal Section 4156 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 782—An act to add Section 25514 1 to the Education Code, relating to regional occupational centers.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 832—An act to amend Section 21960 of the Vehicle Code, relating to highways.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 978—An act to amend Sections 26, 361, and 362 of the Probate Code, relating to the probate of estates.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 979—An act to repeal Section 952 of, and to add Section 952 to, the Financial Code, relating to bank accounts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 984—An act to amend Section 654 of the Welfare and Institutions Code, relating to juveniles

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1033—An act to add Section 15835 to the Education Code, relating to security patrols.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1051—An act to amend Section 76009 of the Government Code, relating to compensation of jurors.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1065—An act to amend and renumber the heading of Part 1 (commencing with Section 21000), Part 2 (commencing with Section 22000), and Part 3 (commencing with Section 23000), of Title 3 of, to add Part 1 (commencing with Section 20000) to Title 3 of, to add Chapter 3 (commencing with Section 21200) to Part 1 of Title 3 of, and to repeal Chapter 3 (commencing with Section 21200) of Part 1 of Title 3 of, the Corporations Code, relating to unincorporated associations

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1127—An act to amend Section 7626 of the Business and Professions Code, relating to funeral directors

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1128—An act to amend Sections 986 3 and 986 5 of the Military and Veterans Code, relating to veterans

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1178—An act to amend Sections 70141.10, 73772, and 73773 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1225—An act to add Section 13582.2 to the Education Code, relating to classified employees.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1318—An act to amend Section 2066 of the Code of Civil Procedure, relating to jury trials.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1395—An act to add Section 4 to Chapter 562 of the Statutes of 1971, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1410—An act to add Sections 82, 83, and 84 to the Education Code, relating to the enforcement of the Education Code.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1429—An act to amend Section 717 of the Code of Civil Procedure, relating to court processes.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1411, 1217, 1416, 482, 1360, 629, and **1998,** ordered to third reading.

NOTE: Later this day Assembly Bill No. 629 was re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 669, 1791, 1961, and **1110,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1785—An act to amend Sections 24242, 39077.1, and 39441 of the Health and Safety Code, and to amend Section 27153.5 of the Vehicle Code, relating to air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 24, 1972, strike out "and to amend Section 27153.5 of the Vehicle Code,".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Section 24242 of the Health and Safety Code is amended to read·

24242. A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is·

(a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (a) of this section.

This section shall not apply to any motor vehicle subject to Section 27153.5 of the Vehicle Code

SEC. 2. Section 39077.1 of the Health and Safety Code is amended to read·

39077.1 No person shall discharge into the atmosphere from any single ~~nonvehicular~~ source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is

(a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a)

This section shall not apply to any motor vehicle subject to Section 27153.5 of the Vehicle Code.

SEC. 3. Section 39441 of the Health and Safety Code is amended to read·

39441 A person shall not discharge into the atmosphere from any single ~~nonvehicular~~ source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is.

(a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a)

This section shall not apply to any motor vehicle subject to Section 27153.5 of the Vehicle Code "

Amendment No. 3

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1212—An act to add Section 11823 1 to the Education Code, relating to health examinations and treatment.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 4, 1972, strike out lines 11 to 24, inclusive, and insert

"11823 1. A physician, optometrist, podiatrist or dentist, who holds a valid, unrevoked certificate to practice his profession in this state, may with the approval of the governing board of the school district perform health examinations of schoolchildren upon school premises with the consent of a parent or guardian, and report findings and recommendations of health needs to school health officer and parent or guardian.

Such persons conducting health examinations need not be employees of the district and shall be exempt from credential requirements as specified in Section 11753 of the Education Code."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Sections 2 and 6 of Article IV, and Section 9 of Article V, thereof, relating to the Legislature.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed measure, as amended in Assembly June 7, 1972, strike out "Sections", and insert "subdivision (a) of Section".

Amendment No. 2

In line 4 of the title, after the first "and", insert "Section".

Amendment No. 3

In line 4 of the title, after "6 of", insert ", and adding Section 6 5 to,".

Amendment No. 4

In line 4 of the title, strike out the second "and", and insert "amending".

Amendment No. 5

In line 4 of the title after "V," insert "and adding Section 26 to Article XX".

Amendment No. 6

On page 2, line 8, after "That", insert "subdivision (a) of".

Amendment No. 7

On page 3, line 13, strike out " ; provided, however, that", and insert a period.

Amendment No. 8

On page 3, line 14, strike out "should", and insert
"Third—That Section 6 5 be added to Article IV, to read:
SEC. 6.5. Should".

Amendment No. 9

On page 3, line 22, strike out "this section", and insert "Section 6 of this article".

Amendment No. 10

On page 3, line 28, strike out "these provisions", and insert "the provisions of Section 6 and this section".

Amendment No. 11

On page 3, line 37, strike out "In", and insert
"Fourth—That Section 26 be added to Article XX, to read:
SEC. 26. In".

Amendment No. 12

On page 4, line 3, strike out "Third", and insert
"Fifth".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

Assembly Bill No. 816—An act to add and repeal Chapter 5 6 (commencing with Section 5765) to Division 6 of the Education Code, relating to the Elementary School Reading Achievement Program, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 18, 1972, strike out "Assemblyman Brown", and insert "Assemblymen Brown and Miller".

Amendment No. 2

On page 3, line 3, after "Program ", insert "However, the Superintendent of Public Instruction shall select no more than 20 eligible applicant schools to participate in the program "

Amendment No. 3

On page 4, line 16, strike out "total", and insert "per pupil".

Amendment No. 4

On page 4, line 36, strike out "five hundred"; and strike out line 37, and insert "one hundred thousand dollars ($100,000) "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1179—An act to add Sections 17299 and 24436.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly June 8, 1972, strike out "earned", and insert "received".

Amendment No. 2

On page 2, line 4, after "month", insert "following six months, or whatever longer period an inspecting agency may allow in which to commence repairs,".

Amendment No. 3

On page 2, between lines 14 and 15, insert

"(c) The Franchise Tax Board shall prepare and distribute to those government agencies performing building inspection the forms which will be used as notices to the Franchise Tax Board of classification of dwelling units as substandard and as releases from that classification.

(d) Government agencies performing such building inspections shall transmit such notice to the Franchise Tax Board if the owner, after receipt of notice of dwellings classified as substandard fails to comply with applicable building standards in the time allowed by such government agencies.

(e) The provisions of this section do not apply to deductions from income derived from property rendered substandard by natural disaster, including earthquake and flood."

Amendment No. 4

On page 2, line 20, strike out "earned", and insert "received".

Amendment No. 5

On page 2, line 21, after "month", insert "following six months or whatever longer period an inspecting agency may allow in which to commence repairs,".

Amendment No. 6

On page 2, line 29, strike out "from", and in line 30, strike out "such classification,".

Amendment No. 7

On page 2, between lines 32 and 33, insert

"(c) The Franchise Tax Board shall prepare and distribute to those government agencies performing building inspection the forms to be used as notices to the Franchise Tax Board of classification of dwelling units as substandard and as releases from that classification.

(d) Government agencies performing such building inspections shall transmit such notice to the Franchise Tax Board if the owner, after receipt of notice of dwellings classified as substandard fails to comply with applicable building standards in the time allowed by such government agencies.

(e) The provisions of this section do not apply to deductions from income derived from property rendered substandard by natural disaster, including earthquake and flood."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1665—An act to add and repeal Section 20990 of the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly June 1, 1972, after "member", insert "who is a fruit acreage supervisor in the Department of Agriculture and".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2252—An act to repeal Article 5 (commencing with Section 13080) of Chapter 1 of Division 10 of Part 2 of the Education Code, Chapter 10 (commencing with Section 3500) and Chapter 10 5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code, and Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, and to add Chapter 10 (commencing with Section 3500) to Division 4 of Title 1 of Government Code, relating to public employees.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 17, 1972, strike out "Assemblyman Z'berg", and insert "Assemblymen Z'berg and Ralph".

Amendment No. 1.5

In the title, strike out lines 1 to 7, inclusive, and insert "An act to repeal and add Chapter 10 5 (commencing with Section 3525) of".

Amendment No. 2

In line 8 of the title, after the second "of", and insert "the".

Amendment No. 3

On page 2, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC 3", and insert
"SECTION 1".

Amendment No. 4

On page 3, strike out line 2, and insert
"SEC. 2. Chapter 10.5 (commencing with Section 3525)".

Amendment No. 5

On page 3, line 6, strike out "CHAPTER 10", and insert
"CHAPTER 10.5".

Amendment No. 6

On page 3, strike out line 7, and insert "the State and Its Employees".

Amendment No. 7

On page 3, line 9, strike out "3500", and insert
"3525".

Amendment No. 8

On page 3, line 10, strike out "public employers", and insert "the state".

Amendment No. 9

On page 3, line 11, strike out "their", and insert "its".

Amendment No. 10

On page 3, line 15, strike out "Public employers and their", and insert
"The state and its".

Amendment No. 10.3

On page 3, line 23, strike out "public employers and their", and insert "the state and its".

Amendment No. 10.5

On page 3, line 32, strike out "public employers", and insert "the state".

Amendment No. 11

On page 3, line 39, strike out "public employers", and insert "the state".

Amendment No. 12

On page 4, line 1, strike out "public employers", and insert "the state".

Amendment No. 13

On page 4, line 2, strike out ", to engage"; strike out lines 3 to 6, inclusive, and insert "and to".

Amendment No. 14

On page 4, line 9, strike out "3501", and insert
"3526".

Amendment No. 15

On page 4, line 14, strike out the second "or"; and strike out lines 15 to 24, inclusive, and insert "thereof."

Amendment No. 16

On page 5, line 14, strike out "3502", and insert "3527".

Amendment No. 17

On page 7, line 8, strike out "3503", and insert "3528".

Amendment No. 18

On page 7, line 11, strike out "and to engage in"; strike out lines 12 to 15, inclusive, and insert a period.

Amendment No. 19

On page 7, line 25, strike out "3504", and insert "3529".

Amendment No. 20

On page 7, line 29, strike out "3504", and insert "3529".

Amendment No. 21

On page 11, line 17, strike out "3505", and insert "3530".

Amendment No. 22

On page 11, line 18, strike out "3504", and insert "3529".

Amendment No. 23

On page 13, line 17, strike out "3506", and insert "3531".

Amendment No. 24

On page 13, line 18, strike out "3504", and insert "3529".

Amendment No. 25

On page 14, line 8, strike out "3507", and insert "3532".

Amendment No. 26

On page 14, line 17, strike out "3504", and insert "3529".

Amendment No. 27

On page 14, line 33, strike out "3504", and insert "3529".

Amendment No. 28

On page 14, line 35, strike out "3508", and insert "3533".

Amendment No. 29

On page 15, line 1 ,strike out "3504", and insert "3529".

Amendment No. 30

On page 15, line 5, after "status", insert "; provided further, that no provision of this section or of this chapter shall be construed as authorizing a shop service fee".

Amendment No. 31

On page 15, line 6, strike out "3509", and insert "3534".

Amendment No. 32

On page 15, line 7, strike out "3504", and insert "3529".

Amendment No. 33

On page 15, strike out lines 11 to 40, inclusive, and on page 16, strike out lines 1 to 27, inclusive.

Amendment No. 34

On page 16, line 28, strike out "3512", and insert "3535".

Amendment No. 35

On page 17, line 5, strike out "3513", and insert "3536".

Amendment No. 36

On page 17, line 6, strike out "Public", and insert "State".

Amendment No. 37

On page 17, strike out lines 8 and 9.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1276—An act to add Section 62322.5 to the Agricultural Code, relating to milk.

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file

Senate Bills Nos. 311, 773, 1083, and **425,** ordered to third reading.

Senate Bills Nos. 1121, 1385, and **339,** ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 1173—An act to amend Sections 33324, 33330, 33363, 33385, and 33411 of, and to add Sections 33333.5 and 33347.5 to, the Health and Safety Code, relating to redevelopment

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Senate April 18, 1972, strike out lines 21 to 38, inclusive, and insert

"SEC. 6 Section 33385 of the Health and Safety Code is amended to read:

33385 The legislative body of a city or county ~~may~~ *shall* call upon the residents and existing community organizations in a redevelopment project area, within which low- and moderate-income families are to be displaced by the redevelopment project, to form a project area committee The project area committee shall include, when applicable, residential owner occupants, residential tenants, businessmen, and members of existing organizations within the project area The members of the committee shall serve without compensation

~~In the event such committee is formed, the~~ *The* legislative body shall approve ~~such~~ a representative project area committee in each ~~such~~ project area within 60 days after the project area is selected ~~For project areas selected prior to the effective date of the amendments to this section enacted at the 1971 Regular Session of the Legislature, such approval shall be given by January 1, 1972~~

Nothing contained in this section shall prevent an agency, or the legislative body of any city or county, from creating any other committee for a project area "

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 557—An act to add Section 31945 to the Health and Safety Code, relating to blood tests

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate May 8, 1972, after "add", insert "and repeal"

Amendment No. 2

On page 2, between lines 11 and 12, insert

"This section shall remain in effect only until the 61st day after the final adjournment of the 1975 Regular Session of the Legislature, and as of that date is repealed "

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 438—An act to amend Section 5902 of the Vehicle Code, relating to vehicles

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 61—An act to amend Section 24297 of the Health and Safety Code, relating to air pollution

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 15, 1972, strike out "Section 24297", and insert "Sections 24297, 24365 6, and 39476"

Amendment No. 2

On page 2, after line 31, insert

"SEC 2 Section 24365 6 of the Health and Safety Code is amended to read

24365 6 In determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the district and to any lawful business, occupation or activity involved, resulting from requiring compliance with said requirements or resulting from granting a variance.

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC 3 Section 39476 of the Health and Safety Code is amended to read:

39476 In determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the regional district and to any lawful business, occupation or activity involved, resulting from requiring compliance with said requirements or resulting from granting a variance

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance.

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 1246—An act to amend Section 1 of Chapter 1084 of the Statutes of 1970 and Section 599 of Chapter 1593 of the Statutes of 1971, relating to homemaker services

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted·

Amendment No. 1

On page 1 of the printed bill, as amended in Senate April 20, 1972, between lines 2 and 3, insert

"Sec 1 Counties shall have begun to comply with the provisions of Article 5 (commencing with Section 11170) of Chapter 1 of Part 3 of Division 9 of the Welfare and Institutions Code by January 1, 1973, and shall be in full compliance with such provisions by April 1, 1974 The department shall establish periodic interim calendar dates by which time the counties shall have demonstrated reasonable progress, as determined by reasonable criteria set forth in advance by the department Such criteria shall recognize differing circumstances among the counties, and shall provide appropriate flexibility for permitting each county to meet its obligations in consideration of its special or unique problems

The department shall establish funding sanctions to operate in the event of the failure of a county to meet any or all of the interim progress dates subsequent to July 1, 1973 Such sanctions shall reduce the state sharing in nonfederal administrative costs of administering the payment of aid grants pursuant to Section 42 5 of Chapter 578 of the Statutes of 1971, provided, however, that the cumulative total of any such sanctions imposed on a county for failure to meet interim progress requirements prior to April 1, 1974, shall not exceed 10 percent of the state's share of the county's administrative costs which would otherwise be reimbursable by the state "

Amendment No. 2

On page 1, strike out lines 3 to 11, inclusive; and on page 2, strike out line 1

Amendment No. 3

On page 2, strike out lines 5 to 13, inclusive, and insert "of the Statutes of 1970, as amended, counties shall have begun to comply with the provisions of Article 5 (commencing with Section 11170) of Chap-

ter 1 of Part 3 of Division 9 of the Welfare and Institutions Code by January 1, 1973, and shall be in full compliance with such provisions by April 1, 1974 The department shall establish periodic interim calendar dates by which time the counties shall have demonstrated reasonable progress, as determined by reasonable criteria set forth in advance by the department Such criteria shall recognize differing circumstances among the counties, and shall provide appropriate flexibility for permitting each county to meet its obligations in consideration of its special or unique problems.

The department shall establish funding sanctions to operate in the event of the failure of a county to meet any or all of the interim progress dates subsequent to July 1, 1973 Such sanctions shall reduce the state sharing in nonfederal administrative costs of administering the payment of aid grants pursuant to Section 42 5 of Chapter 578 of the Statutes of 1971, provided, however, that the cumulative total of any such sanctions imposed on a county for failure to meet interim progress requirements prior to April 1, 1974, shall not exceed 10 percent of the state's share of the county's administrative costs which would otherwise be reimbursable by the state "

Bill ordered reprinted, and returned to the second reading file

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means·

Assembly Bill No. 629.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 9

Mr Deddeh was granted unanimous consent to take up Senate Bill No 9, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 9

Senate Bill No. 9—An act to amend Sections 29530, 29532, and 29533 of the Government Code, to amend Sections 99209, 99213, 99240, 99241, 99260, 99267, 99282, 99305, 99401, 99403, 99405, and 99407 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101.5 of, and to add Sections 6357 1, 6357 2, 7204 4, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Deddeh

Urgency Clause

Urgency clause read

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 9:

Governor's Office, Sacramento
April 25, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 9, "An act to amend Sections 29530 and 29532 of the Government Code, to amend Sections 99240, 99267, and 99305 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, and 7264 of, and to add Sections 6357 1, 6357 2, 7204 6, and 7264.1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No 9, as amended, as an emergency measure

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Senate Bill No. 9.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Deddeh moved a call of the Assembly.

Mr. Stull seconded the motion.

Motion carried. Time, 10·12 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2039—An act to amend Sections 72702, 72702 5, 72703, 72704, 72704 5, 72712, 72750 5, 72751, 72751 1, 72751 5, 72752, 72753, and 72754 of the Government Code, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2039?

Amendment No. 1

On page 5, line 10, of the printed bill, as amended in Assembly May 1, 1972, strike out "each of whom", and insert "who".

Amendment No. 2

On page 5, line 13, strike out "clerk", and insert "clerks".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Briggs, Burke, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Waxman, Wilson, Wood, and Mr. Speaker—53.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 250—An act to add Section 5253 to the Education Code, relating to kindergarten and preschool programs

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 250?

Amendment No. 1

On page 1, line 8, of the printed bill, after "schools", insert ", in any situation in which Section 5257 is applicable with respect to the duty to establish a kindergarten"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Briggs, Burke, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Seeley, Sieroty, Stull, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—50.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 556—An act to add Article 9 (commencing with Section 54240) to Chapter 5, Part 1, Division 2, Title 5 of the Government Code, relating to public leasebacks

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 556?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly April 18, 1972, strike out "or".

Amendment No. 2

On page 2, line 9, after "agency", insert "or any school district in the state".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Badham, Bagley, Barnes, Bee, Belotti, Briggs, Campbell, Chappie, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—50.

NOES—Cline—1.

Above bill ordered enrolled.

Assembly Bill No. 1426—An act to add Section 13969 1 to the Education Code and Section 20365 to the Government Code, relating to retirement

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1426?

Amendment No. 1

On page 1, line 4, of the printed bill, after "employment", insert "continuously from 1949 to 1961 as a business manager".

Amendment No. 2

On page 2, line 7, after "employment", insert "since 1961 as a business manager"

Amendment No. 3

On page 2, after line 31, insert

"This section shall become inoperative 120 days after the effective date of this section "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Briggs, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1597—An act to amend Section 6401 of the Elections Code, relating to candidates

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1597?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in Assembly May 8, 1972, after "to", insert "register to".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Briggs, Burke, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Stull, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1677—An act to amend Sections 26880, 26881, 26882, 26883, 26884, 26885, and 26886 of the Government Code, relating to county controllers

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1677?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "22885", and insert "26885".

Amendment No. 2

On page 2, line 26, strike out "auditor-controller", and insert "auditor-controller's".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Briggs, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2300—An act to add Sections 20980.6, 22235, 31011, and 35411 to the Water Code, relating to water districts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2300?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 22235", and insert "Sections 20980 6, 22235, 31011, and 35411".

Amendment No. 2

In line 2 of the title, strike out "irrigation", and insert "water".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 20980.6 is added to the Water Code, to read:

20980.6. The Helix Irrigation District may change its name pursuant to this chapter to the Helix Water District.

SEC. 2. Section 22235 is added to the Water Code,".

Amendment No. 4

On page 1, after line 5, insert

"SEC. 3. Section 31011 is added to the Water Code, to read:

31011. A district may disseminate information to the public concerning the rights, properties, and activities of the district.

SEC. 4. Section 35411 is added to the Water Code, to read:

35411. A district may disseminate information to the public concerning the rights, properties, and activities of the district

SEC 5 The enactment of Sections 22235, 31011, and 35411 of the Water Code by the 1972 Regular Session of the Legislature does not constitute a change in, but is declaratory of, the preexisting law.

SEC 6 The Legislature finds and declares that the term "irrigation district" is no longer descriptive of the actual functions performed by the Helix Irrigation District and the proper functioning of the district may require that the name of the district be changed to the Helix Water District The problem is not common to other districts governed under the Irrigation District Law. It is necessary, therefore, that the provisions of this act be made applicable only to the Helix Irrigation District."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 77 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 77 was continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 557 (consideration of Governor's veto), on request of Mr Z'berg.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities

Resolution read

Request for Unanimous Consent

Mr Knox was granted unanimous consent that Mr Tom Willoughby, Consultant to the Committee on Local Government, be permitted to sit at his desk during consideration of Assembly Constitutional Amendment No 81 and Assembly Bill No 1925

Majority Floor Leader Presiding

At 10.23 a m , Hon Jack R Fenton, 51st District, presiding

Hon. Mike Cullen Presiding

At 10 25 a m , Hon. Mike Cullen, 44th District, presiding.

The question being on the adoption of Assembly Constitutional Amendment No 81

Demand for Previous Question

Messrs Bee, Deddeh, Belotti, Russell, and Wood demanded the previous question Demand sustained

The question being on the adoption of Assembly Constitutional Amendment No 81

Resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr Speaker—58

NOES—Burton, Cory, Dunlap, Ryan, Sieroty, Vasconcellos, Warren, and Waxman—8

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1925

Mr Knox was granted unanimous consent to take up Assembly Bill No 1925, out of order, for purpose of consideration at this time

Consideration of Assembly Bill No. 1925

Assembly Bill No. 1925—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control.

Bill read third time.

Request for Unanimous Consent for Additional Time for Debate

Mr. McCarthy was granted unanimous consent that Mr Sieroty be granted three minutes additional time for debate

The question being on the passage of Assembly Bill No. 1925.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Burton, Cory, Dunlap, Ryan, Sieroty, Vasconcellos, Warren, and Waxman—8.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 9

At 11.08 a m, on motion of Mr Deddeh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No 9 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—Davis, Ketchum, McCarthy, Ryan, and Stacey—5

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moor-

head, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—Davis, Ketchum, McCarthy, Ryan, and Stacey—5

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.13 a m , Mr Campbell was granted unanimous consent to hold a special meeting of the Committee on Health in Room 3188, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 35, 214, 831, 1167, 1170, 1274, 1412, 1421, 1451, 1459, 1674, 1767, 1821, 1825, 1871, 1908, 2060, 2065, 2165, 2185, 2186, 2265, and 2324, Assembly Constitutional Amendment No 62 and Assembly Concurrent Resolution No 45 for hearing in the Committee on Ways and Means at 8 a.m , on Wednesday, June 28.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1182—An act to add Article 3 (commencing with Section 24321) to Chapter 9 of Division 18 of the Education Code, relating to the California State Universities and Colleges.

Bill read third time, and passed by the following vote.

AYES—Bagley, Bee, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, Pierson, Powers, Priolo, Ralph, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41

NOES—Arnett, Badham, Cline, Collier, Conrad, Dent, Ray E Johnson, Lanterman, MacGillivray, Mobley, Moorhead, Murphy, Russell, and Stacey—14.

Bill ordered transmitted to the Senate

Assembly Bill No. 264—An act to add Section 8577 to, and to amend Section 8571 of, the Education Code, relating to courses of study

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly

Motion carried Time, 11.25 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1042—An act to amend Section 13468 1 of, and to add Section 13468.3 to, the Education Code, relating to school certificated employees.

Bill read third time.

Demand for Previous Question

Messrs Chappie, Z'berg, Mobley, Dent, and Wood demanded the previous question. Demand sustained.

The question being on the passage of the bill

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Bee moved a call of the Assembly

Motion carried Time, 11 38 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Lancaster was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 935

Mr Campbell was granted unanimous consent to take up Senate Bill No 935, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time

Second Reading of Senate Bill No. 935 by Unanimous Consent

Senate Bill No. 935—An act to amend Section 1589 of the Unemployment Insurance Code, relating to unemployment compensation insurance

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 17, 1972, after "to", insert "amend Sections 11550, 12800, 12803, 12803 7, 12804, 12806, 12808, 12809, 12810, and 12855 of, to add Section 12803 to, and to repeal Section 12803 of, the Government Code and to"

Amendment No. 2

In lines 2 and 3 of the title strike out "unemployment compensation insurance", and insert "programs of the Human Relations Agency, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 11550 of the Government Code is amended to read.

11550. An annual salary of thirty-five thousand dollars ($35,000) shall be paid to each of the following·

(a) Director of Finance

(b) Secretary of Business and Transportation Agency

(c) Secretary of Resources Agency

(d) Secretary of ~~Human Relations~~ *Health and Welfare* Agency

(e) Secretary of Agriculture and Services Agency

SEC. 2. Section 12800 of the Government Code is amended to read:

12800. There are in the state government the following agencies· Agriculture and Services, Business and Transportation, ~~Human Relations~~ *Health and Welfare* ; and Resources.

SEC. 3 Section 12803 of the Government Code is amended to read:

12803 ~~The Health and Welfare Agency is hereby renamed the Human Relations Agency.~~ *The Human Relations Agency is hereby renamed the Health and Welfare Agency* The ~~Human Relations~~ *Health and Welfare* Agency consists of the following departments· Social Welfare; Mental Hygiene; Rehabilitation, Public Health, Human Resources Development, the Youth Authority; Corrections, Health Care Services; and Industrial Relations

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed

SEC. 4. Section 12803 is added to the Government Code, to read:

12803 The Human Relations Agency is hereby renamed the Health and Welfare Agency. The Health and Welfare Agency consists of the following departments Social Welfare; Rehabilitation; Health, Human Resources Development; the Youth Authority; Corrections; and Industrial Relations

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC. 5. Section 12803.7 of the Government Code is amended to read:

12803.7. The ~~Human Relations~~ *Health and Welfare* Agency shall be the single state agency authorized to receive any federal funds payable directly to the state to implement programs for the prevention, treatment and rehabilitation of chronic alcoholics The designation of the ~~Human Relations~~ *Health and Welfare* Agency as the single state agency shall not be construed as an impediment to local governments receiving federal funds directly in those instances where such funds are directly payable to local government

SEC. 6. Section 12804 of the Government Code is amended to read:

12804 The Youth and Adult Corrections Agency is hereby renamed the Agriculture and Services Agency.

The Agriculture and Services Agency consists of the following the Department of Agriculture; the Department of Commerce; the Department of General Services; the Department of Veterans Affairs; the Department of Consumer Affairs; *the Department of Professional and Vocational Standards;* the Franchise Tax Board; the Public Employees' Retirement System, the Office of Consumer Counsel; the State Fire Marshal; and the State Teachers' Retirement System

The Department of Corrections and the Department of the Youth Authority are hereby transferred from the Youth and Adult Corrections Agency to the ~~Human Relations~~ *Health and Welfare* Agency

SEC 7. Section 12806 of the Government Code is amended to read·

12806. (a) The ~~Human Relations~~ *Health and Welfare* Agency succeeds to and is vested with all the duties, powers, purposes, responsibilities, and jurisdiction vested in the ~~Health and Welfare~~ *Human Relations* Agency in respect to the various agencies in the ~~Health and Welfare~~ *Human Relations* Agency listed in Section 12803 on the effective date of *the 1972 amendment of* this section, with the exception of the Office of Atomic Energy Development and Radiation Protection, which, by Section 12803, is renamed the Office of Nuclear Energy and transferred to the Resources Agency and the California Commission on Aging (formerly the Citizens' Advisory Commission on Aging).

The Secretary of the ~~Human Relations~~ *Health and Welfare* Agency succeeds to and is vested with all of the duties, powers, purposes, responsibilities, and jurisdiction vested in the Administrator of the ~~Health and Welfare~~ *Human Relations* Agency in respect to the various agencies in the ~~Health and Welfare~~ *Human Relations* Agency listed in Section 12803 on the effective date of *the 1972 amendment of* this section, with the exceptions of the Office of Atomic Energy Development and Radiation Protection and the California Commission on Aging

(b) The ~~Human Relations~~ *Health and Welfare* Agency succeeds to and is vested with all the duties, powers, purposes, responsibilities, and jurisdiction vested in the Youth and Adult Corrections Agency in respect to the various agencies in the Youth and Adult Corrections Agency listed in Section 12804 on the effective date of *the 1972 amendment of* this section, with the exception of the Board of Corrections

The Secretary of the ~~Human Relations~~ *Health and Welfare* Agency succeeds to and is vested with all the duties, powers, purposes, responsibilities, and jurisdiction vested in the Administrator of the Youth and Adult Corrections Agency in respect to the various agencies in the Youth and Adult Corrections Agency listed in Section 12804 on the effective date of *the 1972 amendment of* this section, with the exception of the Board of Corrections.

(c) Any reference in any law to the ~~Health and Welfare~~ *Human Relations* Agency or to the administrator of that agency with repect to any agency listed in Section 12803 on the effective date of *the 1972 amendment of* this section, except the Office of Atomic Energy Development and Radiation Protection or the California Commission on Aging, shall be considered a reference to the ~~Human Relations~~ *Health and Welfare* Agency or to the Secretary of the ~~Human Relations~~ *Health and Welfare* Agency, as the case may be, unless the context otherwise requires.

Any reference in any law to the Youth and Adult Corrections Agency or to the administrator of that agency with respect to any agency listed in Section 12804 on the effective date of *the 1972 amendment of* this section, except the Board of Corrections, shall be considered a reference to the ~~Human Relations~~ *Health and Welfare* Agency or to the Secretary of the ~~Human Relations~~ *Health and Welfare* Agency, as the case may be, unless the context otherwise requires

SEC. 8 Section 12808 of the Government Code is amended to read:

12808 The ~~Human Relations~~ *Health and Welfare* Agency and the Resources Agency may use the unexpended balances of funds available for use by the ~~Health and Welfare~~ *Human Relations* Agency or the Youth and Adult Corrections Agency in connection with the functions of the ~~Health and Welfare~~ *Human Relations* Agency and the Youth and Adult Corrections Agency that are transferred to or vested in the ~~Human Relations~~ *Health and Welfare* Agency or the Resources Agency by Section 12803, 12804, 12806, or 12807, as the case may be. Such funds shall be used by the ~~Human Relations~~ *Health and Welfare* Agency and the Resources Agency only for the purposes for which they were originally appropriated or otherwise made available to the ~~Health and Welfare~~ *Human Relations* Agency or the Youth and Adult Corrections Agency.

SEC. 9. Section 12809 of the Government Code is amended to read:

12809. All officers and employees of the ~~Health and Welfare~~ *Human Relations* Agency and the Youth and Adult Corrections Agency who, on the effective date of *the 1972 amendment of* this section, are serving in the state civil service, other than as temporary employees, and engaged in the performance of a function transferred to or vested in the ~~Human Relations~~ *Health and Welfare* Agency or the Resources Agency by Section 12803, 12804, 12806, or 12807 shall be transferred to the ~~Human Relations~~ *Health and Welfare* Agency or the Resources Agency, as the case may be. The status, positions, and rights of such persons shall not be affected by the transfer, and shall be retained by them as officers and employees of the ~~Human Relations~~ *Health and*

Welfare Agency or the Resources Agency pursuant to the State Civil Service Act, except as to positions exempt from civil service in the ~~Health and Welfare~~ *Human Relations* Agency or the Youth and Adult Corrections Agency

SEC. 10 Section 12810 of the Government Code is amended to read:

12810. The ~~Human Relations~~ *Health and Welfare* Agency and the Resources Agency shall have the possession and control of all records, papers, offices, equipment, supplies, moneys, funds, appropriations, land and other property, real or personal, held for the benefit or use of the ~~Health and Welfare~~ *Human Relations* Agency or the Youth and Adult Corrections Agency in the performance of the duties, powers, purposes, responsibilities, and jurisdiction of the ~~Health and Welfare~~ *Human Relations* Agency or the Youth and Adult Corrections Agency that are transferred to or vested in the ~~Human Relations~~ *Health and Welfare* Agency or the Resources Agency by Section 12803, 12804, 12806, or 12807.

SEC. 11 Section 12855, of the Government Code is amended to read:

12855 For the purpose of this chapter, "agency" means the Agriculture and Services Agency, the ~~Human Relations~~ *Health and Welfare* Agency, or the Resources Agency, and "secretary" means the secretary of any such agency. The general powers of the Business and Transportation Agency and its secretary are those specified in Part 4 5 (commencing with Section 13975) of Division 3 of Title 2 of this code.

SEC. 12 Section 1589 of the Unemployment".

Amendment No. 4

On page 2, after line 1, insert

"SEC. 13 Notwithstanding the language of Item 234 of the Budget Act of 1972, the amount appropriated therein shall be for the support of the Department of Human Resources Development; for transfer by the State Controller to the Manpower Development Fund for expenditure for the work incentive program as specified in Section 5400 of the Unemployment Insurance Code (Chapter 1369, Statutes of 1968) provided, that the State Controller shall transfer these funds only at such time as federal funds from the United States Department of Labor (Title IV of the Social Security Act of 1935, as amended) are deposited in the Manpower Development Fund and no transfer so made shall exceed twenty-five (25) percent of the amount of federal funds so deposited, provided further, the amount available for transfer to the Manpower Development Fund shall be reduced by the amounts in cash or in kind available from other sources as the state's share of the work incentive program as determined by the State Department of Human Resources Development and certified to the State Controller

SEC 14 This act is an urgency statute necessary for the immediate preservation of the public peace, health or property within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are .

Item 234 of the Budget Act of 1972 provided an appropriation for the usual current expenses of the work incentive program beginning July 1, 1972. The control language adopted in that item failed to make the appropriation available for the administration of such program as amended by federal legislation which will become effective July 1, 1972. In order for the appropriation in the Budget Act of 1972 to be available for the current expenses of the work incentive program as amended it is necessary that this act go into immediate effect

SEC 15. Whenever the term "Human Relations Agency" is used in any other law it shall be deemed to mean and refer to the Health and Welfare Agency.

SEC. 16. It is the intent of the Legislature that, if Reorganization Plan No. 1 of 1970 becomes operative, Section 12803 of the Government Code, as amended by Section 3 of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Section 12803 of the Government Code, as added by Section 4 of this act, shall become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Rush Order Placed Upon Printing of Senate Bill No. 935

Mr Campbell was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No 935

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 935 for hearing in the Committee on Ways and Means, on Wednesday, June 28

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 966

Mr Dunlap was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No 966, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 966

Assembly Bill No. 966—An act to repeal Section 65560 of, to add Section 65560 to, and to amend Sections 65563, 65700 and 65910 of, the Government Code, relating to open-space plans, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 966?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 65563 and 65910 of", and insert "repeal Section 65560 of, to add Section 65560 to, and to amend Sections 65563, 65700 and 65910 of,".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 65560 of the Government Code is repealed.

~~65560. As used in this article and Article 4 (commencing with Section 65910) of Chapter 1, Title 7, unless otherwise apparent from the context, the following definitions shall apply:~~

~~(a) "Agricultural land" means land actively used for the purpose of producing an agricultural commodity for commercial purposes. Land may be considered to be "actively used" notwithstanding the fact that in the course of good agricultural practice it is permitted to lie idle for a period up to one year.~~

~~(b) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council.~~

~~(c) "Natural resource land" is land deemed by the legislative body to possess or encompass natural resources, the use or recovery of which can best be realized by restricting the use of the land as provided by this chapter.~~

~~(d) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open space use as herein defined, and which is designated on a local, regional or state open-space plan as any of the following:~~

~~(1) Natural resource land, as defined herein~~

~~(2) Agricultural land, as defined herein~~

~~(3) Recreation land, as defined herein~~

~~(4) Scenic land, as defined herein~~

~~(5) Watershed or ground water recharge land, as defined herein~~

~~(6) Wildlife habitat, as defined herein.~~

~~(e) "Open-space use" means the use of land for (1) public recreation, (2) enjoyment of scenic beauty, (3) conservation or use of natural resources, or (4) production of food or fiber.~~

~~(f) "Recreation land" is any area of land or water designated on the state, or any regional or local open-space plan as open-space land and which is actively used for recreation purposes and open to the public for such purposes with or without charge.~~

~~(g) Scenic land is land designated on the local open-space plan, as open-space land which possesses outstanding scenic qualities worthy of preservation.~~

~~(h) "Watershed or ground water recharge land" is land designated on the state or any regional or local open-space plan as open-space land which is important to the state in order to maintain the quantity and quality of water necessary to the people of the state or any part thereof.~~

~~(i) "Wildlife habitat" is any land or water area designated on the state or any regional or local open-space plan as open-space land which is unusually valuable or necessary to the preservation or enhancement of the wildlife resources of the state.~~

SEC. 2. Section 65560 is added to the Government Code, to read:

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins, bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams, and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

SEC. 3 "

Amendment No. 3

On page 2, line 4, strike out "June 30", and insert "August 31".

Amendment No. 4

On page 2, line 5, after "prepare", insert ", adopt".

Amendment No. 5

On page 2, line 6, after "plan", insert ", which shall be in effect until June 30, 1973,".

Amendment No. 6

On page 2, line 8, strike out "(1)", and insert "(a)".

Amendment No. 7

On page 2, line 11, strike out "(2)", and insert "(b)".

Amendment No. 8

On page 2, between lines 15 and 16, insert

"SEC. 4. Section 65700 of the Government Code is amended to read:

65700 The provisions of this chapter shall not apply to a charter city, except to the extent that the same may be adopted by charter or ordinance of the city; except that charter cities shall adopt general plans in any case, and such plans shall be adopted by resolution of the legislative body of the city, or the planning commission if the charter so provides, and such plans shall contain the elements specified in Section 65302 *Notwithstanding any date otherwise required by law for the adoption of the conservation element of the general plan, it may be adopted not later than June 30, 1973* "

Amendment No. 9

On page 2, line 16, strike out "SEC 2", and insert "SEC 5".

Amendment No. 10

On page 2, line 23, strike out "SEC 3", and insert "SEC 6".

Amendment No. 11

On page 2, line 27, strike out "Postponement of", and insert "Postponement of".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote.

AYES—Fong, Lewis, McCarthy, and Ryan—4.

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 966

The Acting Speaker appointed Messrs Dunlap, Priolo, and McCarthy as a Committee on Conference concerning Assembly Bill No. 966

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1250—An act to amend Section 16609 of, and to add Section 16603.5 to, the Education Code, relating to children's centers

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Campbell, Chacon, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey

Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Briggs and Murphy—2.

Bill ordered transmitted to the Senate.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2155 for hearing in the Committee on Rules, on Thursday, June 29

Mr. Waxman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 32 for hearing in the Committee on Rules, on Thursday, June 29.

Mr. Waxman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Constitutional Amendment No 32 for hearing in the Committee on Elections and Reapportionment, on Wednesday, June 28

BILLS PASSED ON FILE

Assembly Bill No. 1542—Passed on file

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 151—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 208—An act to amend Section 9609 of the Business and Professions Code, and to amend Sections 8250 and 8739 1 of the Health and Safety Code, relating to cemeteries

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory,

Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 239—An act to amend Sections 8740, 8741, 8742, 8743, 8744, 8747, 8761, 8780, and 8805 of, to amend and renumber Section 8745 5 of, and to repeal Sections 8740.5 and 8793 of, the Business and Professions Code, relating to surveyors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 240—An act to amend Section 8804 of the Business and Professions Code, relating to professional engineers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—68.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1663—An act to amend Sections 1410, 1501, and 1510 of, and to add Section 1521 to, the Code of Civil Procedure, and to amend Section 231 of the Probate Code, relating to escheat.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1144—An act to amend Section 1111.6 of the Education Code, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1408—An act to add Chapter 3 (commencing with Section 295) to Division 2a of the Probate Code, relating to administration of estates, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead,

Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2096—An act to amend Sections 21100 and 22500 of, and to add Section 21114 5 to, the Vehicle Code, relating to sidewalks

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 53—Relative to information concerning student financial aid.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Resolution ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1119—An act to amend Section 10095 of the Education Code, relating to school transportation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1644

Mr Russell was granted unanimous consent to take up Assembly Bill No. 1644, out of order, for purpose of amendment

Consideration of Assembly Bill No. 1644

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and making an appropriation therefor.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Russell was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No. 1644 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr Russell moved the adoption of the following amendments:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in Assembly May 15, 1972, strike out "making an appropriation therefor", and insert "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, line 32, strike out ", 7497.7, and 7497.8", and insert "and 7497.7".

Amendment No. 3

On page 4, strike out lines 4 to 25, inclusive, and insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act authorizes the establishment of abstract, conceptually oriented mathematics programs in not more than four school districts. In order that such programs may be put into operation at the commencement of the coming school year, it is necessary that this act go into immediate effect "

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Rush Order Placed Upon Printing of Assembly Bill No. 1644

Mr. Russell was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1644.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 252—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Barnes moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "twenty-one million six hundred seven thousand three hundred twenty dollars ($21,607,320) for salary increases of 5½ percent for".

Amendment No. 2

On page 2, line 5, strike out the second comma.

Amendment No. 3

On page 2, strike out line 6, and insert "of increases in compensation only, exclusive of staff benefits or other purposes,".

Amendment No. 4

On page 2, line 19, strike out "$33,319,500", and insert "$9,763,600".

Amendment No. 5

On page 2, line 23, strike out "45,500,000", and insert "11,843,720".

Amendment No. 6

On page 2, line 25, strike out "$78,819,500", and insert "$21,607,320".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Cullen was granted unanimous consent that the Desk be held open today to receive the Report of the Committee on Education relative to Assembly Bill No. 956, that the bill be taken up at that time, without reference to file, for purpose of reading the bill a second time, and adopting committee amendments, that a rush order be placed upon the bill, and that it be considered engrossed Acting Speaker Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 956 for hearing in the Committee on Ways and Means

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1042

At 12:01 p m, on motion of Mr Bee, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1042 passed by the following vote:

AYES—Badham, Bee, Belotti, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Mobley, Powers, Quimby, Ralph, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—44.

NOES—Arnett, Burke, Cline, Collier, Conrad, Cullen, Dent, Hayden, Hayes, Ketchum, Lancaster, Lanterman, MacGillivray, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stull, and Vasconcellos—21

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 2140, on request of Mr Dunlap.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 264

At 12·05 p m, on motion of Mr. Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 264 refused passage by the following vote·

AYES—Bagley, Brown, Burton, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Gonsalves, Leroy F Greene, Harvey Johnson, Keysor, Knox, Miller, Pierson, Priolo, Ralph, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—25

NOES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Dent, Duffy, Foran, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Russell, Ryan, Seeley, Stacey, Stull, Wilson, and Wood—42.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 285

Mr. Sieroty was granted unanimous consent that Assembly Bill No. 285 be removed from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendment.

Consideration of Assembly Bill No. 285

Assembly Bill No. 285—An act to add Section 1606.5 to the Health and Safety Code, relating to blood transfusions.

Bill read third time.

Motion to Amend

Mr. Sieroty moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 26, of the printed bill, as amended in Assembly June 7, 1972, strike out "July 1, 1974", and insert "December 31, 1975".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 06 p m., Acting Speaker Cullen declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 2376, 348, 486, 814, 846, 1251, 1277, 1283, 1314, 1544, 1594, 1618, 1627, 1717, 1730, 1782, 1783, 1790, 1831, 1850, 1897, 2024, 2126, 2237, 2292, 2335, and 2346, Assembly Concurrent Resolutions Nos 38 and 74, Senate Bills Nos. 450, 746, and 1014, and Senate Concurrent Resolution No 19 for hearing in the Committee on Ways and Means, on Thursday, June 29.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Assembly Committee on Efficiency and Cost Control

Sacramento, June 27, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr Speaker Your Committee on Efficiency and Cost Control hereby transmits its hearing record on the subject of on-line issuance policies in the Department of Motor Vehicles.

Respectfully,

MIKE CULLEN, Chairman

Above report referred to the Committee on Transportation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 109: By Assemblyman Townsend—Relative to the disposal of hazardous wastes.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Waxman

House Resolution No. 70

Relative to the Winton Act

WHEREAS, It has come to the attention of the Members of the Assembly that the Winton Act, Article 5 (commencing with Section 13080) of Chapter 1 of Division 5 of the Education Code, is unclear as to its applicability in school districts where classified employees are under a merit system of employment; and

WHEREAS, It is desirable that there be a clarification as to the intent of the legislation and the role of the personnel commission in employer-employee relations in merit system districts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the Winton Act and its applicability in school districts where classified employees are under a merit system of employment; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Z'berg:

House Resolution No. 71

Relative to declaring the City of Isleton a disaster area

WHEREAS, A disastrous break in the levees on Andrus and Brannan Islands in the Sacramento-San Joaquin Delta has resulted in the flooding of the rich agricultural lands on these islands and the inundation of the City of Isleton; and

WHEREAS, Between 20 and 40 million dollars of damage has been caused by this catastrophe and it is essential that all possible federal aid be made available at the earliest possible time, now, therefore, be it

Resolved by the Assembly of the State of California, That the President of the United States is requested to declare the flooded areas of Andrus and Brannan Islands, including the City of Isleton, a federal disaster area; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the President of the United States.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 49 for hearing in the Committee on Rules, on Thursday, June 29.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
181	Planning and Land Use
329	Transportation
348	Urban Development and Housing
404	Revenue and Taxation
491	Criminal Justice
652	Education
755	Finance and Insurance
782	Education
832	Transportation
978	Judiciary
979	Judiciary
984	Criminal Justice
1033	Education
1051	Local Government
1065	Judiciary
1127	Commerce and Public Utilities
1128	Government Administration
1178	Judiciary
1225	Education
1318	Judiciary
1395	Finance and Insurance
1410	Judiciary
1429	Judiciary

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, June 27, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2381—An act to amend Section 69598 of the Government Code, relating to courts.

ERNEST LACOSTE

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, June 27, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 26

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

RAY E. JOHNSON, Vice Chairman

Above resolution ordered on file.

Assembly Chamber, June 27, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 34

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

RAY E. JOHNSON, Vice Chairman

Above resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, June 27, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 780	AB No 1488
AB No. 884	AB No. 1882

With the recommendation: Do pass.

Pursuant to the provision of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 27, 1972

Mr Speaker. Your Committee on Ways and Means reports·

ACR No 76

With the recommendation· Be adopted

Pursuant to the provision of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, June 27, 1972

Mr Speaker Your Committee on Ways and Means reports:

AB No 555

AB No 986

With the recommendation· Do pass

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 27, 1972

Mr Speaker Your Committee on Ways and Means reports:

ACR No 90

With the recommendation· Be adopted

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, June 27, 1972

Mr Speaker Your Committee on Ways and Means reports

AB No 887

AB No 1642

With the recommendation· Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 27, 1972

Mr Speaker Your Committee on Ways and Means reports·

AB No 165
AB No 1040
AB No 1202
AB No 1266
AB No 1741

With amendments with the recommendation· Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 206 WAIVED

Mr Burton waived his motion to reconsider the vote whereby Assembly Bill No 206 was refused passage

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1682 was continued until the next legislative day.

VOTE CHANGES

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 2039, 250, 1426, and 1597.

Mr Pierson was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Constitutional Amendment No 81.

Mr. Priolo was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Constitutional Amendment No. 81.

Mr Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Constitutional Amendment No. 81

Mr. Vasconcellos was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 81.

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1925

Mr. Waxman was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1925

Mr. Stacey was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Senate Bill No 9, and on the passage of the bill.

Mr. Chacon was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 9, and on the passage of the bill.

Mr Badham was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1182

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 1182.

Messrs Stacey and Moorhead were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1182.

Mr. Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1250.

Messrs Foran and Wilson were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No 264

Mr. Stacey was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 264

Mr Chacon was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 264.

Mr Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 264

Mr McCarthy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 264

Mr Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1042

BILLS PASSED ON FILE

Assembly Concurrent Resolution No. 42, Assembly Bills Nos. 530, 291, 1707, 2263, 1371, 1414, and **80**—Passed on file

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1848—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

Speaker pro Tempore Presiding

At 2 50 p m , Hon Carlos Bee, 13th District, presiding

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 27, 1972

Mr Speaker · Your Committee on Education reports

AB No 956

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 956

Pursuant to unanimous consent granted earlier this day, Assembly Bill No 956 was taken up, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time

Second Reading of Assembly Bill No. 956 by Unanimous Consent

Assembly Bill No. 956—An act relating to financial support for the public schools

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 20, 1972, strike out "Assemblyman Moretti", and insert "Assemblymen Moretti, Gonsalves, and Priolo".

Amendment No. 2

On page 2, line 3, strike out "$_____", and insert "seventy-three million dollars ($73,000,000)".

Amendment No. 3

On page 2, strike out lines 7 to 38, inclusive; and on page 3, strike out lines 1 to 23, inclusive; and in line 24, strike out "(c)", and insert "(a)".

Amendment No. 4

On page 3, line 27, strike out "_____", and insert "$8,000,000".

Amendment No. 5

On page 3, line 30, strike out "in accordance with the following", and insert "shall be apportioned by the Superintendent of Public Instruction to school districts eligible to receive apportionments pursuant to Item 268 1 of Budget Act of 1972, in amounts bearing the same ratio to the amount transferred pursuant to this subdivision, as the amount apportioned to the eligible district pursuant to Item 268 1 bears to the total amount apportioned to all eligible districts pursuant to Item 268.1 "

Amendment No. 6

On page 3, strike out lines 31 to 40, inclusive; strike out page 4; and on page 5, strike out lines 1 to 18, inclusive; and in line 19, strike out "(d)", and insert

"(b)".

Amendment No. 7

On page 5, line 21, strike out "_____", and insert "$65,000,000".

Amendment No. 8

On page 7, strike out lines 22 and 23.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Rush Order Placed Upon Printing of Assembly Bill No. 956

By unanimous consent, a rush order was placed upon the printing of Assembly Bill No 956, that the bill be considered engrossed, and the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 956 for hearing in the Committee on Ways and Means, on Wednesday, June 28

ADJOURNMENT

At 2·52 p m, Speaker pro Tempore Bee declared the Assembly adjourned until 11 30 a m Wednesday, June 28, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-eighth Legislative Day

One Hundred Seventy-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 28, 1972

The Assembly met at 11:30 a.m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We become aware of God's glory and man's dignity in Psalm 8.

"Lord, our Lord,
Your greatness is seen in all the world
Your praise reaches up to the heavens; it is sung by children and babies
You have built a fortress against Your foes to stop Your enemies and adversaries
When I look at the sky, which You have made, at the moon and the stars which You set in their places—
What is man that You think of him; mere man that You care for him?

Yet You made him inferior only to Yourself; You crowned him with glory and honor. You made him ruler over all You have made; You placed him over all things· sheep and cattle and wild animals too; the birds and the fish and all the creatures in the seas.

Lord, our Lord, Your greatness is seen in all the world."—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Hayden then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr McCarthy, seconded by Mr. Wood.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Meade, on request of Speaker pro Tempore Bee
Mr. Porter, on request of Speaker pro Tempore Bee.
Mr. Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere·

Mr Chacon, on request of Speaker pro Tempore Bee
Mr. Chappie, on request of Speaker pro Tempore Bee
Mr. Mobley, on request of Speaker Moretti.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr Ralph, on request of Speaker pro Tempore Bee

The following Member was excused for the day, and his per diem was waived:

Mr. Brophy.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

June 26, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on Wednesday, June 28, 1972, on legislative business

I will be addressing a Seminar on police-community relations on law enforcement and the Chicano in San Diego.

Sincerely,

PETER R CHACON, Assemblyman
Seventy-ninth District

June 27, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob It is respectfully requested that I be excused on legislative business on Wednesday, June 28

I have been requested by the Governor to join him on an inspection tour of the Minaret Summit area which is in my district

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

June 27, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker I respectfully request to be excused from session on Wednesday, June 28, on legislative business

I was requested by the Governor to make an on-site inspection of the Minaret Summit area, where a highway is proposed, which would go through my district into this wilderness area.

Sincerely yours,

ERNEST N MOBLEY, Assemblyman
Thirty-third District

REPORTS

The following reports were presented by the Chief Clerk:

Bulletin No. 174–6, Nutrients from Tile Drainage Systems. May 1971.

Above transmitted report, together with letter of transmittal from W R. Gianelli, Director, Department of Water Resources, Sacramento, dated June 22, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Report by the Pilotage Rate Committee for San Francisco, San Pablo, and Suisun Bays, in accordance with Sections 1208 and 1210, Harbors and Navigation Code.

Above report, transmitted by the Pilotage Rate Committee, San Francisco, dated June 26, 1972, referred by the Speaker pro Tempore to the Committee on Commerce and Public Utilities

REQUEST FOR UNANIMOUS CONSENT

Mr McCarthy was granted unanimous consent that Assembly Bill No 1202, Item 16 on this day's second reading file, be returned to the third reading file for the next legislative day, instead of the second reading file.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolutions were referred to committee

Assembly Concurrent Resolution No	*Committee*
108	Governmental Organization
109	Water

COMMUNICATIONS

Assembly Chamber, June 28, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No 816
AB No. 1179
AB No 1212
AB No 1665

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 28, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No 252
AB No 285
AB No 1644

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 28, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 482
AB No 1411

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 28, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 1217
AB No 1360
AB No. 1416
AB No 1998

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 28, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

ACR No 90

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, June 28, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 1110

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Assembly Chamber, June 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 669
AB No. 1791
AB No. 1961

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, June 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 34
ACR No. 76

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, June 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1006
AB No 2196

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 28, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2055
AB No. 2189

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Health

~~Assembly Chamber, June 27, 1972~~

~~Mr. Speaker: Your Committee on Health reports:~~

~~SB No. 599~~

~~With amendments with the recommendation: Amend, and do pass, as amended.~~

~~CAMPBELL, Chairman~~

~~Above bill ordered to second reading.~~

NOTE On June 29, 1972, the action was rescinded whereby the above report of the Committee on Health relative to SB No. 599 was received and read in the Assembly, and whereby the bill was ordered to the second reading file. See page 5555.

Assembly Chamber, June 27, 1972

Mr. Speaker. Your Committee on Health reports:

SB No. 1002

SB No. 1143

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 27, 1972

Mr Speaker. Your Committee on Health reports:

SB No. 730

SB No 1361

With the recommendation · Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading

Assembly Chamber, June 27, 1972

Mr. Speaker. Your Committee on Health reports:

ACR No 103

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means with recommendation: To Consent.

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, June 27, 1972

Mr Speaker Your Committee on Health reports:

AB No 1384

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Planning and Land Use

Assembly Chamber, June 27, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

SCR No 24

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means with Consent recommendation

PRIOLO, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, June 27, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

SB No. 251

SB No. 484

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means with Consent recommendation

PRIOLO, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, June 27, 1972

Mr. Speaker · Your Committee on Planning and Land Use reports:

SB No 34

SB No. 1186

SB No. 1327

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PRIOLO, Chairman

Above bills ordered to second reading.

Committee on Water

Assembly Chamber, June 21, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 955

With amendments with the recommendation · Amend, and do pass, as amended.

QUIMBY, Vice Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 28, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

ACR No. 100

With amendments with the recommendation · Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

BRATHWAITE, Chairman

Above resolution ordered on file.

Committee on Governmental Organization

Assembly Chamber, June 28, 1972

Mr Speaker. Your Committee on Governmental Organization reports·

AB No. 2195

With amendments with the recommendation Amend, and do pass, as amended

RALPH, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, June 28, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No 1048

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 28, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No 2104

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 28, 1972

Mr Speaker · Your Committee on Judiciary reports

AB No 541

AB No. 1623

With amendments with the recommendation: Amend, and do pass, as amended

WARREN, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, June 27, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No 6

With the recommendation · Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1. 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

RAY E JOHNSON, Vice Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, June 28, 1972

Mr. Speaker. Your Committee on Education reports:

SB No 805

SB No. 1392

With the recommendation: Do pass

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 28, 1972

Mr Speaker: Your Committee on Education reports·

SB No. 423

SB No. 670

With the recommendation· Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 28, 1972

Mr Speaker: Your Committee on Education reports:

AB No. 1779

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 28, 1972

Mr Speaker Your Committee on Education reports:

SJR No 25

With the recommendation. Be adopted, and be re-referred to the Committee on Rules.

LEROY F GREENE, Chairman

Above resolution re-referred to the Committee on Rules

Committee on Constitutional Amendments

Assembly Chamber, June 27, 1972

Mr Speaker The Chairman of your Committee on Constitutional Amendments reports:

AB No 1744

With author's amendments with the recommendation Amend, and re-refer to the Committee on Constitutional Amendments

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1744—An act to amend Section 402 1 of, and to add Section 405 2 to, the Revenue and Taxation Code, relating to property taxation

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended in Assembly June 20, 1972, and insert "An act to add Section 402 4 to".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Section 402.4 is added to the Revenue and Taxation Code, to read:

402 4 (a) The provisions of this section shall apply only to rental property which is owned by a nonprofit corporation or by a corporation, partnership (including a limited partnership), or other entity which is subject to enforceable limitations on profit when such rental property is federally assisted and insured or otherwise subsidized to provide housing for persons with low or moderate incomes

(b) For purposes of this section, "low or moderate incomes" are those incomes which are within the income limits required for applicants for assisted occupancy in the housing described in subdivision (a).

(c) All assessments of properties described in subdivision (a) shall be based solely on the income approach to value pursuant to rules prescribed by the board. In determining income, effect shall be given to recorded contractual provisions giving any governmental agency control over the rents which may be charged There shall be excluded from the income to be capitalized the amount of any subsidy payments made to the lender with respect to the property The capitalization rate shall be determined by relating prices to net incomes for comparable nonsubsidized multifamily residential properties Income and expenses shall be measured by the performance of the property, with adjustments of gross income to reflect authorized rent increases and with adjustments of expenses to reflect reasonable amounts annually reserved for payment of expenses of a periodic nature, such as exterior painting When there is no prior experience, income and expenses shall be determined by reference to the latest estimates of the Department of Housing and Urban Development While the improvements are under construction, the property shall be assessed at a proportion of its estimated value upon completion equal to the proportion of the total cost that has been incurred as of the lien date

(d) It is hereby declared that the purpose and intent of the Legislature in enacting this section is to clarify the meaning of the term "full cash value" as used in Section 37 of Article XIII of the California Constitution as applied to the valuation for assessment purposes of subsidized housing for persons with low and moderate incomes, in order to ensure uniform and equal property tax treatment of such housing throughout the state, and to prevent the denial of decent housing to persons with low and moderate incomes because of disproportionate and unequal assessments

SEC 2 The provisions of this act shall become operative on the lien date in 1973."

Amendment No. 3

On page 2, strike out lines 2 to 34, inclusive; and strike out all of pages 3 to 5, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, June 27, 1972

Mr Speaker. The Chairman of your Committee on Judiciary reports·

SB No. 781

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 781—An act to amend Sections 74702, 74703, and 74705 of, to add Sections 74702.5 and 74708 to, and to repeal 74708 and 74709 of, the Government Code, relating to courts

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 22, 1972, after "Sections", insert "73663, 73665, 73666, 73667,".

Amendment No. 2

On page 1, line 8, after "SECTION 1.", insert "Section 73663 of the Government Code is amended to read

73663 The clerk may appoint, with the approval of the judge, one chief deputy clerk, ~~two~~ *three* deputy clerks III, one deputy clerk II, and ~~five~~ *four* deputy clerks I.

SEC 2 Section 73665 of the Government Code is amended to read.

73665. The marshal may appoint, with the approval of the judge *and the concurrence of the board of supervisors*, ~~two~~ *three* deputy marshals ~~and~~, one senior clerk-typist-matron *and one intermediate clerk typist*.

SEC 3 Section 73666 of the Government Code is amended to read·

73666 The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the following salary schedule·

Salary Schedule

	~~Step A~~	~~Step B~~	~~Step C~~	~~Step D~~	~~Step E~~
~~Clerk~~	~~$556~~	~~$584~~	~~$613~~	~~$644~~	~~$676~~
~~Chief deputy clerk~~	~~405~~	~~425~~	~~447~~	~~469~~	~~493~~
~~Deputy clerk III~~	~~395~~	~~415~~	~~436~~	~~458~~	~~481~~
~~Deputy clerk II~~	~~367~~	~~385~~	~~405~~	~~425~~	~~447~~
~~Deputy clerk I~~	~~341~~	~~358~~	~~376~~	~~395~~	~~415~~
~~Marshal~~	~~581~~	~~613~~	~~644~~	~~676~~	~~710~~
~~Deputy marshal~~	~~517~~	~~543~~	~~570~~	~~598~~	~~628~~
~~Senior clerk-typist-matron~~	~~395~~	~~415~~	~~436~~	~~458~~	~~481~~

	Step A	Step B	Step C	Step D	Step E
Clerk	$716 56	$752 94	$790 40	$829 01	$870 89
Chief deputy clerk	522 54	549.01	576 53	601 19	633.86
Deputy clerk III	510 40	534.67	562 21	589 77	619 54
Deputy clerk II	474 00	497 16	522 54	549 01	576 53
Deputy clerk I	438 75	461.89	485 05	510.40	534 67
Marshal	1,138 00				
Deputy marshal	716 56	752 94	790 40	829 01	870.89
Senior clerk typist-matron	534 67	562 21	589 77	619 54	650 41
Intermediate clerk-typist	438 75	461 89	485 05	510.40	534 67

SEC. 4 Section 73667 of the Government Code is amended to read:

73667. The positions enumerated in Section 73666 are deemed to be equivalent in job and salary level to certain positions in the classified service of the civil service system of the County of Humboldt, or in some instances, to such positions with ~~an upward~~ range adjustment on the salary range schedule of the County of Humboldt. The following table sets forth the court classifications with the equivalent county classifications and appropriate range adjustment, if any, shown opposite thereto:

Court Classification	County Classification
Clerk	Senior clerk plus 14 ranges
Chief deputy clerk	Senior clerk plus 1 range
Deputy clerk III	Senior clerk
Deputy clerk II	Account clerk
Deputy clerk I	Intermediate clerk
~~Marshal~~	~~Deputy sheriff I plus 5 ranges~~
Deputy marshal	Deputy sheriff I
Marshal	*Sheriff's lieutenant minus 2 ranges*
Senior clerk ≠ typist-matron	Senior clerk ≠ typist *plus 2 ranges*
Intermediate clerk typist	*Intermediate clerk typist*

In the event that the salary for any county classification which is shown above is increased, then the salary for the equivalent court classification shall be automatically increased to the same amount, with an additional upward range adjustment on the salary range schedule of the County of Humboldt when such range adjustment is indicated in the above table. If the salary for any county classification which is shown above is increased prior to the effective date of this section, the resulting salary increase for the appropriate court classification shall become applicable on the effective date of this section. Any salary increase for a court classification which results from this section shall be effective only until 60 days after the adjournment of the Legislature at its next regular session.

SEC. 5."

Amendment No. 3

On page 2, line 8, strike out "SEC 2", and insert "SEC. 6".

Amendment No. 4

On page 2, line 21, strike out "SEC. 3", and insert "SEC. 7".

Amendment No. 5

On page 3, line 33, strike out "SEC. 4", and insert "SEC. 8".

Amendment No. 6

On page 4, line 28, strike out "SEC. 5", and insert "SEC. 9".

Amendment No. 7

On page 5, line 3, strike out "SEC. 6", and insert "SEC. 10".

Amendment No. 8

On page 5, line 19, strike out "SEC. 7", and insert "SEC 11".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 27, 1972

Mr Speaker. The Chairman of your Committee on Health reports:

AB No. 1127

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1127—An act to amend Section 437.9 of the Health and Safety Code, relating to health planning.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "437.9 of the Health and Safety Code", and insert "15 of Chapter 1451 of the Statutes of 1969".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 15 of Chapter 1451 of the Statutes of 1969 is amended to read:

Sec 15. Within 90 days of the effective date of this act, the Health Planning Council shall adopt guidelines pursuant to Section 437.7 of the Health and Safety Code. By July 1, 1970, all voluntary area health planning agencies shall adopt guidelines pursuant to Section 437 7 of such code This act shall not apply to applicants who have filed applications for licenses, prior to January 1, 1970, which meet all require-

ments and regulations of the appropriate state agency existing at the time of application, including at least preliminary submission of plans, but only if such applicants commence construction of their facilities prior to July 1, 1971, and ~~have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that 50 percent completion of the approved project was attained by January 1, 1973, and~~ have on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1974, as the completion date The exception provided for in the preceding sentence shall not apply to transferees of the applications of such applicants.

Voluntary area health planning agencies may extend, until July 1, 1972, the date upon which applicants, qualifying under the exception in this section, shall commence construction, if the voluntary area health planning agencies declare that good cause has been shown why such extension should be granted, provided that an applicant applying for such extension had, prior to January 1, 1970, received approval of a health planning association in the county wherein the applicant is located. Applicants receiving extensions of the construction commencement date shall have on file ~~with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that 50 percent completion of the approved project was attained by January 1, 1971, and on file~~ with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1975, as the completion date.

~~For the purposes of this section, the term "50 percent completion" is defined as completion of the foundations and footings; the structural frame; the mechanical, electrical and plumbing rough in; the rough flooring; the exterior walls and windows; and the finished roof.~~

For the purposes of this section, the term "commence construction" is defined as having completed not less than all of the following:

(a) Submission to the appropriate state agency of a written agreement executed between the applicant and a licensed general contractor to construct and complete the facility within a designated time schedule in accordance with final architectural plans and specifications approved by such agency

(b) Obtaining such initial permits or approval for commencing work on the project as is customarily issued for projects of the scope of applicant by the governmental agency having jurisdiction over the construction

(c) Completion of construction work on the project to such a degree as to justify and require a progress payment by the applicant to the general contractor under terms of the construction agreement

SEC 2 It is the intent of the Legislature by this act to clarify the meaning of the term "commence construction," as used in Section 15 of Chapter 1451 of the Statutes of 1969

Any applicant who, on July 1, 1971, had commenced construction of his facilities, as that term is defined in Section 15 of Chapter 1451 of

the Statutes of 1969, as amended by this act, and who meets all other requirements for the exception from approval of such facilities by any health planning agency provided for in Section 15 may, where necessary, reapply to the State Department of Public Health for exception pursuant to Section 15 ''

Amendment No. 3

On page 1, strike out lines 2 to 14, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

INTRODUCTION OF GUESTS

Mr. Seeley, of the 75th District, introduced his grandson, Matthew Edward Seeley, of Riverside, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber.

MESSAGES FROM THE SENATE

Senate Chamber, June 27, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Marks, Behr, and Bradley as a Committee on Conference concerning

Assembly Bill No. 966.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, June 27, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 9.

And appointed Senators Mills, Marks and Alquist, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, June 27, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 689

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 27, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed:

AB No 991 AB No 1269
AB No 992 AB No 1507

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 27, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 257	SB No. 983	SB No. 1308
SB No. 301	SB No. 1010	SB No 1309
SB No. 316	SB No. 1011	SB No 1371
SB No 356	SB No 1137	SB No. 1412
SB No. 514	SB No 1164	SB No 1420
SB No. 754	SB No 1169	SB No. 1421
SB No. 784	SB No. 1175	SB No. 1484
SB No. 910	SB No. 1229	SB No. 1487
SB No. 964		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 257—An act to amend Sections 1952, 1952 2, 1952 4 of, and to amend and renumber Section 1951 of, and to add Sections 1951 1, 1953, 1953 1, 1953 3 and 1953.4 to, the Civil Code, relating to landlord and tenant

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 301—An act to amend Sections 12022 and 12022 5 of the Penal Code, relating to punishment for crime.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 316—An act to amend Sections 19574, 19574 5, 19575, and 19583 of, to add Section 19574.2 to, and to repeal Section 19584 of, the Government Code, relating to state civil service.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 356—An act to add Sections 10554.2 and 10554 5 to the Welfare and Institutions Code, relating to public social services

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 514—An act to amend Section 21298, to add Section 21298 5 to, and to repeal Section 21298 5 of, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 754—An act to amend Section 23625 of the Elections Code, relating to district elections.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 784—An act to amend Section 31649 5 of the Government Code, relating to County Employees Retirement Law of 1937.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 910—An act to amend Section 827 of, and to add Section 828 to, the Welfare and Institutions Code, relating to juvenile court.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 964—An act to add Section 4453.5 to the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 983—An act to add Section 656.5 to the Welfare and Institutions Code, relating to juvenile courts

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1010—An act to amend Section 11525 of the Business and Professions Code, relating to subdivisions.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1011—An act to add Chapter 15 (commencing with Section 25999) to Division 20 of the Health and Safety Code, relating to children's clothing.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1137—An act to amend Section 3500 of the Government Code, relating to public employer-employee relations.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1164—An act to add Section 14103.8 to the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1169—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1175—An act to amend Sections 5361 and 5364 of, and to add Sections 5359 1, 5363 1, and 5368.5 to, the Public Resources Code, relating to municipal park improvement districts.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1229—An act to add Section 23102.3 to the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1308—An act relating to the maintenance of the various codes, as follows·

Business and Professions Code:

by amending Section 10238 1

by amending Sections 11025, 11028, and 11029, as added by Chapter 1399 of the Statutes of 1971

Code of Civil Procedure:

by amending Section 1241.7 as amended by Chapter 1524 of the Statutes of 1971

Education Code:
by amending Sections 6482, 22601, and 27133
by amending Section 13583.1 as added by Chapter 317 of the Statutes of 1971
by adding a heading immediately preceding Section 24754 in Chapter 13 of Division 18
by amending and renumbering Section 25428 as added by Chapter 1509 of the Statutes of 1971
by amending and renumbering the heading of Article 3 (commencing with Section 25428) of Chapter 1 of Division 18.5 as added by Chapter 902 of the Statutes of 1971
by repealing Article 3 (commencing with Section 25429) of Chapter 1 of Division 18.5 as added by Chapter 468 of the Statutes of 1970
by repealing Sections 27131.5 and 27133.5
Financial Code:
by amending Section 8805 as amended by Chapter 258 of the Statutes of 1971
by amending Section 11706 as added by Chapter 914 of the Statutes of 1971
Fish and Game Code:
by amending Section 222
Government Code:
by amending the heading of Chapter 8 (commencing with Section 3100) of Division 4 of Title 1
by amending Sections 11552, 11556, 16391.1, 16395, 20100.1, 20102.1, and 31882
by amending and renumbering Section 21264.1 as added by Chapter 719 of the Statutes of 1970
by amending the heading of Article 1.1 (commencing with Section 26620) of Chapter 2 of Part 3 of Division 2 of Title 3
Insurance Code:
by amending Sections 800 and 10270.2
by amending and renumbering Section 10122 as added by Chapter 419 of the Statutes of 1971
Labor Code:
by amending the heading of Part 6 (commencing with Section 1682) of Division 2
Vehicle Code:
by amending and renumbering Section 1104 as amended by Chapter 1748 of the Statutes of 1971
Water Code:
by amending Section 20981
Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1309—An act relating to the maintenance of various codes, as follows:
Agricultural Code:
by amending Section 43251
Business and Professions Code:
by amending Section 11003.1
by repealing Section 2100.5

Civil Code:
by amending and renumbering Section 1951, as added by Chapter 1317 of the Statutes of 1970
Code of Civil Procedure:
by amending the heading of Title 10a (commencing with Section 1650) of Part 3
Corporations Code:
by amending Section 28002
Education Code:
by amending Sections 937 1, 1122, 2705, 3100 7, 3204, 3208, 3209, 3210, 3212, 3213, 3253, 3254, 3257 6, 3257 7, 3301.5, 3306, 3384, 3385, 5202, 11301, 17208, 17305, 17308, 25413 1, 25413 5, 25445, 25450 3, 25476.5, 25477, 25477 5, 25482, 25502 5, 25505.15, 27113, and 27126
by amending and renumbering Sections 817 and 1828.5
by amending and renumbering Sections 13345, 13346, 13347, 13348, and 13349, as amended and renumbered by Chapter 438 of the Statutes of 1971
by repealing Sections 3205, 3206, 3207, 8124, 8125, 8126, 11003, and 13722 2
by repealing Article 6 (commencing with Section 25546 13) of Chapter 7 of Division 18.5
by repealing the heading of Article 7 (commencing with Section 31900) of Chapter 5 of Division 22
Elections Code:
by amending Sections 61, 62, 4011, and 14971
Financial Code:
by amending Section 18984
Government Code:
by amending Sections 9107, 9107 5, 9108, 9109, 9111, 9112, 9127, 9708, 10204, 10246, 14983, 24000, 24008, 35124 1, 68541, and 71140
by amending the heading of Article 1.1 (commencing with Section 26620) of Chapter 2 of Part 3 of Division 2 of Title 3
by adding a chapter heading to Part 5 7 (commencing with Section 14980) of Division 3 of Title 2
by adding Chapter 2 (commencing with Section 14990) to Part 5 7 of Division 3 of Title 2
by repealing Sections 11559 and 14609
by repealing the headings of Chapter 6 (commencing with Section 1950) of, and Article 3 (commencing with Section 2000) of Chapter 6 of, Division 4 of Title 1, and Article 4 (commencing with Section 12040) of Chapter 1 of Part 2 of Division 3 of Title 2
by repealing Chapter 5 5 (commencing with Section 13480) of Part 3 of Division 3 of Title 2
Health and Safety Code
by amending Sections 1685, 1686, 26052, and 39052
by amending the heading of Article 2 (commencing with Section 26510) of Chapter 5 of Division 21
by amending and renumbering Section 11919, as added by Chapter 1486 of the Statutes of 1970

by repealing Sections 12007, 12102 1, 12105.1, and 12105.2, as added by Chapter 1421 of the Statutes of 1970
by repealing Sections 39069, 39070, 39071, 39072, 39073, and 39074, as added by Chapter 778 of the Statutes of 1970

Insurance Code:
by amending Sections 1802.6, 6010, and 6011 5

Labor Code:
by amending Sections 1432, 3212 5, 5407, 5407 5

Penal Code:
by amending Sections 241, 243, 245, 308, 830.10, 830.3, 830.35, and 13806
by amending and renumbering Section 1203(b)
by repealing Section 5056
by repealing Article 4 (commencing with Section 13030) of Chapter 1 of Title 3 of Part 4

Public Resources Code:
by amending Sections 4021 and 5097.94

Public Utilities Code:
by amending Sections 3511, 5133, and 5135
by repealing Sections 3576, 5133.5, and 21669.1

Revenue and Taxation Code:
by repealing Section 402.7

Streets and Highways Code:
by amending Section 27189

Unemployment Insurance Code:
by amending Section 303
by repealing Article 5 (commencing with Section 802) of Chapter 3 of Part 1 of Division 1, as added by Chapter 1622 of the Statutes of 1971

Vehicle Code:
by amending Sections 545, 8800, 9105, 9854, 14601, 15002, 16105, 17460, 22512, 25800, 25801, 27304, 27903, and 36500
by amending Section 14601.1, as added by Section 8 of Chapter 1195 of the Statutes of 1968
by adding Section 40000.8
by repealing Article 8.5 (commencing with Section 5100) of Chapter 1 of Division 3, as added by Chapter 778 of the Statutes of 1970
by repealing Section 14601.1, as added by Chapter 963 of the Statutes of 1968

Water Code:
by amending Sections 26625, 42226, 42227, and 71814
by repealing the headings of Article 4 (commencing with Section 34755) of Chapter 1 of Part 3 of Division 13, Chapter 4 (commencing with Section 71390) of Part 3 of Division 20, and Chapter 4 (commencing with Section 74270) of Part 3 of Division 21

Welfare and Institutions Code:
by amending Sections 5751 and 19003
by amending and renumbering Section 11008.7, as added by Chapter 578 of the Statutes of 1971

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1371—An act to amend Section 254 of the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1412—An act to amend Section 5126 of the Civil Code, relating to separate property.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1420—An act to amend Sections 554, 630, 658 and 660 of the Welfare and Institutions Code, relating to juveniles.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1421—An act to amend Sections 634, 679, and 700 of the Welfare and Institutions Code, relating to counsel.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1484—An act to amend Section 13737 of the Education Code, relating to classified employees.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1487—An act to add Sections 4704 and 4814 of the Civil Code, relating to support.

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
257	Judiciary
301	Criminal Justice
316	Employment and Public Employees
356	Welfare
514	Retirement
754	Elections and Reapportionment
784	Retirement
910	Criminal Justice
964	Finance and Insurance
983	Criminal Justice
1010	Planning and Land Use
1011	Health
1137	Employment and Public Employees
1164	Health
1169	Health
1175	Local Government
1229	Criminal Justice
1308	Judiciary
1309	Judiciary
1371	Revenue and Taxation
1412	Judiciary
1420	Criminal Justice
1421	Criminal Justice
1484	Education
1487	Judiciary

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 1701, 1708, 2189, 2196 and 2252, Senate Bill No. 127 and Senate Concurrent Resolution No. 58 for hearing in the Committee on Ways and Means, at 8 a m., on Thursday, June 29.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 816, 1179, and **1665,** ordered to third reading.

Assembly Bill No. 1212, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2091—An act to add Section 13707.5 to the Education Code, relating to school classified employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly June 8, 1972, strike out "the", and insert "either".

Amendment No. 2

On page 2, line 16, strike out the first "the", and insert "either".

Amendment No. 3

On page 2, line 20, after "the", insert "appropriate".

Amendment No. 4

On page 2, line 33, after "election", insert "pertains to the "rule of three" and".

Amendment No. 5

On page 2, line 35, strike out "The personnel"; and strike out line 36, and insert "If the election pertains to the appointment of personnel commissioners and is won, the personnel commission shall immediately determine, by lot, which".

Amendment No. 6

On page 3, strike out lines 3 to 14, inclusive, and insert

"(d) If the election pertains to the rule of three, the ballots shall read as follows:

"Shall the _____ School District adopt the rule of three in its appointment of classified employees?

☐ YES

☐ NO

(Mark either the yes or no box)"

(e) If the election pertains to the appointment of personnel commissioners, the ballot shall read:

"Shall the _____ School District adopt the method of appointment of personnel commissioners whereby one is appointed by the school board, one by the Executive Officer, State Personnel Board, and one by classified personnel?

☐ YES
☐ NO
(Mark either the yes or no box.)" ".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 780—An act to amend Section 7314 of the Labor Code, relating to the inspection of elevators, and making an appropriation therefor.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 884—An act to add Section 13146.1 to the Education Code, relating to certificated employees.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1488—An act to amend Sections 18633, 18801, and 18802 of, and to add Section 18806 to, the Business and Professions Code, relating to professional boxing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1882—An act to add Section 269 to the Education Code, and to amend Section 7185 of the Financial Code, relating to loans for vocational education.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 555—An act to amend Section 17045 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 986—An act to add Chapter 4 (commencing with Section 16160) to Part 1 of Division 4 of Title 2 of the Government Code, relating to subventions to local government, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Assembly Bill No. 887—An act to amend Sections 11803, 11831, 11832, 11833, and 11834 of the Elections Code, relating to ballot measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in Assembly June 15, 1972, after "twenty-five", insert "dollars".

Amendment No. 2

On page 2, line 38, strike out "dollars".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1642—An act to amend Section 3093 of, and to add Sections 3094, 3094.2, and 3094.4 to, the Labor Code, and to amend Section 12002 of, and to add Sections 12005, 12006, 12007, 12008, 12009, 12010, 12011, 12012, 12013, 12014, and 12015 to, to the Unemployment Insurance Code, relating to the career opportunities development program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "and to amend Section 12002 of,".

Amendment No. 2

In line 6 of the title strike out the second "to".

Amendment No. 2.2

In line 8 of the title after "program," insert "and".

Amendment No. 2.4

Strike out lines 9 and 10 of the title, and insert "appropriation therefor."

Amendment No. 3

On page 5, line 21, strike out "the", and insert "state-supported agencies shall strive to attain a".

Amendment No. 4

On page 5, strike out line 22, and insert "journeymen not less".

Amendment No. 5

On page 5, line 25, after "1777.5", insert "A state-supported agency, as used in this section, is any public agency supported in whole or in part by state appropriations."

Amendment No. 6

On page 5, strike out lines 38 to 40, inclusive; and on page 6, strike out lines 1 to 30, inclusive.

Amendment No. 7

On page 6, line 37, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 8

On page 7, line 6, strike out "statutorily required of", and insert "on parallel with".

Amendment No. 9

On page 7, between lines 8 and 9, insert

"It is the intent of the Legislature that present state agency missions and responsibilities in the "job development" field remain unchanged."

Amendment No. 10

On page 7, line 10, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 11

On page 7, line 28, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 12

On page 8, line 4, strike out "SEC 9", and insert "SEC 8".

Amendment No. 13

On page 8, line 15, after "12006", insert "All state-supported agencies shall report and explain, within the time period set forth in Section 12006, its conditions which facilitate or deter implementation of the ratio of trainees to journeymen, pursuant to Section 3094.2 of the Labor Code"

Amendment No. 14

On page 8, line 16, strike out "SEC. 10", and insert "SEC. 9".

Amendment No. 15

On page 8, line 25, strike out "SEC. 11", and insert "SEC. 10".

Amendment No. 16

On page 8, line 37, strike out "SEC. 12", and insert "SEC 11".

Amendment No. 17

On page 9, lines 14 and 15, strike out "of certificated institutional training versus the costs".

Amendment No. 18

On page 9, line 19, strike out "SEC 13", and insert "SEC 12".

Amendment No. 19

On page 9, line 29, strike out "SEC 14", and insert "SEC. 13".

Amendment No. 20

On page 10, line 9, after "Education", insert ", (i) the office of the Director of the Department of Human Resources Development".

Amendment No. 21

On page 10, line 17, after "committee", insert "chairman".

Amendment No. 22

On page 10, line 20, after "the", insert "evaluation, operational success, and".

Amendment No. 23

On page 10, line 22, after "guidance", insert "and evaluation".

Amendment No. 24

On page 10, line 31, strike out "SEC. 15", and insert "SEC. 14".

Amendment No. 25

On page 11, line 7, strike out "SEC. 16", and insert "SEC 15".

Amendment No. 26

On page 11, line 25, strike out "SEC. 17", and insert "SEC. 16".

Amendment No. 27

On page 11, line 26, after "1972", insert a comma.

Amendment No. 28

On page 11, strike out lines 38 and 39, and insert

"(4) Ten thousand dollars ($10,000) to the State Board of Education for allocation to the county superintendents as state financial assistance in the execution of Sections 15 and 16 of this act It is the intent of the Legislature that this amount be matched by an equal amount from federal funds available to the Department of Education "

Amendment No. 29

On page 11, strike out line 40; and strike out page 12.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 165—An act to amend Sections 34802, 34804, 34805, 34807, 343808, 34809, 34832, 34833, 34860, 34861, 34862, 34863, 34864, 34865, 34866, 34867, 34868, 34869, 34871, 34872, 34873, 34874, 34875, 34876, 34877, 34878, 34900, 34901, 34902, 34903, 34904, 34905, 34906, 34907, 34908, 34909, 34910, 34911, 34912, 34913, 34914, 34915, 34916, 34917, 34918, 34919, 34941, 34942, 34944, 34945, 34946, and 34947 of, to amend the heading of Article 4 (commencing with Section 34900) of Chapter 1 of Part 3 of Division 24 of, to add Part 10 (commencing with Section 37600) to Division 24 of the Health and Safety Code, relating to housing, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 44, of the printed bill as amended in Assembly June 8, 1972, strike out lines 34 to 40, inclusive, strike out page 45; and on page 46, strike out lines 1 to 27, inclusive

Set No. 2

Amendment No. 1

On page 7, line 14, of the printed bill, as amended in Assembly June 8, 1972, strike out ", agency", and insert "agency,".

Amendment No. 2

On page 13, line 23, strike out the first "a", and insert "an".

Amendment No. 3

On page 43, line 21, after "those", insert "families and".

Amendment No. 4

On page 43, line 29, strike out "families and".

Amendment No. 5

On page 43, line 36, strike out "The agency is"; and strike out lines 37 to 40, inclusive; and on page 44, strike out line 1.

Amendment No. 6

On page 44, line 26, after "for", insert "housing developments for the elderly and".

Amendment No. 7

On page 44, between lines 32 and 33, insert

"37736 The agency shall require, subject to the availability of federal, state, and local subsidy funds, that not less than 25 percent of the total number of dwelling units financed under this part be made available to low-income persons In order to maximize the utilization of such federal, state, and local subsidy funds, the agency shall make every effort to locate sources of such funds "

Amendment No. 8

On page 47, line 28, strike out "or", and insert "of"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1040—An act to amend Sections 7267 8 and 7268 of the Government Code, and to add Sections 37042 and 37109 5 to the Health and Safety Code, relating to relocation assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 21, of the printed bill, as amended in Assembly June 14, 1972, after "shall", insert ", to the fullest extent possible,".

Amendment No. 2

On page 4, line 23, after the period, insert "The department may require public entities to reimburse the department for such assistance as the department provides "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1202—An act to add Chapter 5.5 (commencing with Section 18325) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 28, of the printed bill, as amended in Assembly June 16, 1972, strike out "a", and insert "the".

Amendment No. 2

On page 2, line 30, strike out "November 1, 1972", and insert "October 1, 1972, and by May 1st of each succeeding year".

Amendment No. 3

On page 3, line 8, after "to", insert a comma

Amendment No. 4

On page 3, line 19, strike out the period and insert a semicolon.

Amendment No. 5

On page 3, line 30, after "individuals", insert "confined to their homes".

Amendment No. 6

On page 3, line 39, strike out "January 30, 1973", and insert "May 1, 1973".

Amendment No. 7

On page 4, strike out lines 1 to 3, inclusive, and in line 4, strike out "(2)", and insert
"(1)".

Amendment No. 8

On page 4, line 4, after "plans", insert ", including a description of any state and federal action taken thereon".

Amendment No. 9

On page 4, line 5, strike out "(3)", and insert
"(2)".

Amendment No. 10

On page 4, line 9, strike out "(4)", and insert
"(3)".

Bill ordered reprinted, and returned to the third reading file

---

NOTE: Assembly Bill No. 1202 ordered returned to the third reading file, instead of the second reading file, in conformance with unanimous consent granted to Mr. McCarthy earlier this day.

Assembly Bill No. 1266—An act to add Section 11003 5 to the Revenue and Taxation Code, relating to the taxation of trailer coaches, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly May 26, 1972, after "1", insert "(commencing with Section 101)".

Amendment No. 2

On page 2, line 11, after "contain", insert a colon.

Amendment No. 3

On page 2, between lines 28 and 29, insert

"SEC 2. It is the purpose of this act to avoid possible double taxation of mobilehomes for 1972. The assessor of at least one county has assessed mobilehomes as real property for purposes of property taxation for the 1972–1973 fiscal year, and such taxes in most cases will become delinquent on August 31, 1972, if not previously paid The owners of such mobilehomes have already paid vehicle license fees for these vehicles for the 1972 calendar year under Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code The question of whether or not mobilehomes should be subject to property taxation is now in litigation

By means of this enactment, it is the intent of the Legislature to provide a temporary solution to the problem of double taxation in the event that the courts do not decide the question prior to August 31, 1972, or in the event that the courts decide mobilehomes shall be subject to property taxation.

This act shall not be construed as legislative approval of attempts to subject mobilehomes to property taxation, nor shall it be construed as indicating the intent of the Legislature to place mobilehomes on the assessment rolls and to remove them from the vehicle in-lieu tax "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1741—An act to add Part 2 5 (commencing with Section 34700) to Division 24 of the Health and Safety Code, relating to housing

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "or".

Amendment No. 2

On page 2, line 12, after "Rehabilitation", insert ", or the Department of the Youth Authority".

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 1173, 557, and **1246,** ordered to third reading.

NOTE: Later this day Senate Bill No. 1246 was re-referred to the Committee on Ways and Means.

Senate Bill No. 61, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 441—An act to add Section 15356 to the Education Code, relating to school buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Senate April 6, 1972, strike out the period, and insert ", and".

Amendment No. 2

On page 2, after line 8, insert

"(d) There is posted near the entrance to such building a conspicuous notice stating that such building was not constructed in accordance with legally prescribed earthquake safety standards for school buildings

This section shall not be construed to relieve a school district governing board, or the members thereof, from any liability which might otherwise be imposed upon such board or members arising out of the use of any building which this section excludes from prescribed earthquake safety standards."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Senate Bill No. 1246.

COMMUNICATIONS

Assembly Chamber, June 28, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

AB No 555

AB No. 986

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, June 28, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 780

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No 1682 and Assembly Constitutional Amendment No 77 were continued until the next legislative day

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker pro Tempore Bee was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 348 for hearing in the Committee on Urban Development and Housing today.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered·

Assembly Concurrent Resolution No. 110: By Assemblyman Townsend (Senator Kennick, coauthor)—Relative to alcoholic beverage licenses

Referred by the Speaker pro Tempore to the Committee on Governmental Organization.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 110 for hearing in the Committee on Governmental Organization.

Speaker Presiding

At 12 45 p m , Hon Bob Moretti, 42nd District, presiding

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 9

The Speaker appointed Messrs. Deddeh, Lanterman, and McCarthy as a Committee on Conference concerning Senate Bill No. 9.

ADJOURNMENT

At 12 50 p m , Speaker Moretti declared the Assembly adjourned until 1 30 p m , Thursday, June 29, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Ninety-ninth Legislative Day

One Hundred Seventy-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 29, 1972

The Assembly met at 1 30 p m

Hon. Wadie P. Deddeh, Member of the Assembly, 77th District, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Fenton moved a quorum call of the Assembly.

Mr Russell seconded the motion.

Motion carried. Time, 1·35 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Majority Floor Leader Presiding

At 1.36 p m , Hon. Jack R Fenton, 51st District, presiding.

Speaker pro Tempore Presiding

At 1 44 p m., Hon. Carlos Bee, 13th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 1·51 p m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap,

Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Help us to see You always as the Principle of life and order. Help us to see ourselves as the architects under You, committed to the task of shaping a world that will maintain and enrich life, rather than destroy and impoverish it.

Help us to see ourselves as part of a unique and harmonious community working together to promote all that is good, to create all that is beautiful, so that man may reach his full stature in Your image, Lord.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Moretti then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr. Stull.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Meade, on request of Speaker pro Tempore Bee
Mr. Pierson, on request of Speaker pro Tempore Bee.
Mr. Porter, on request of Speaker pro Tempore Bee
Mr Wakefield, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Speaker pro Tempore Bee
Mr Karabian, on request of Speaker pro Tempore Bee.
Mr Ketchum, on request of Speaker pro Tempore Bee.

REPORTS

The following report was presented by the Chief Clerk:

1972 Survey of California Wastewater Treatment and Disposal Facility Needs. (Pursuant to Section 13601 of the Water Code.) April 1972.

Above transmitted report, together with letter of transmittal from Ford B. Ford, Assistant Secretary, Resources Agency, Sacramento, dated June 27, 1972, referred by the Speaker pro Tempore to the Committee on Water.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Lewis.

House Resolution No. 72

Relative to motor vehicles

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject matter of the equipping of all 1966 or earlier model year passenger vehicles or motor trucks with at least one fuel system, approved by the State Air Resources Board, which permits such vehicles or trucks to be powered by propane, butane, or natural gas, and a means of providing financing therefor; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 111: By Assemblyman Deddeh —Approving certain amendments to the charter of the City of Chula Vista, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the general municipal election.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 111

Mr Deddeh was granted unanimous consent to take up Assembly Concurrent Resolution No 111 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 111

Assembly Concurrent Resolution No. 111—Approving certain amendments to the charter of the City of Chula Vista, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the general municipal election

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Briggs, Brown, Burke, Burton, Cline, Conrad, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Gonsalves, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Lancaster, Lewis, MacDonald, Maddy, McAlister, Mobley, Monagan, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—47

NOES—None

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

June 29, 1972

Mr. James D. Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr. Driscoll: Pursuant to the requirement of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Chula Vista.

Sincerely,

WADIE P. DEDDEH

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 111).

MESSAGES FROM THE SENATE

Senate Chamber, June 28, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 64

DARRYL R. WHITE, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

Senate Concurrent Resolution No. 64—Approving amendments to the Charter of the City and County of San Francisco, State of California, ratified by the qualified electors of the city and county at a direct primary election held therein on the 6th day of June 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 64

Mr. Burton was granted unanimous consent to take up Senate Concurrent Resolution No 64 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 64

Senate Concurrent Resolution No. 64—Approving amendments to the Charter of the City and County of San Francisco, State of California, ratified by the qualified electors of the city and county at a direct primary election held therein on the 6th day of June 1972.

Resolution read, presented by Mr. Burton, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chine, Colher, Conrad, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Keysor, Lancaster, Lewis, MacDonald, Maddy, McAlister, Mobley, Monagan, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Barnes:

House Resolution No. 73

Relative to the retirement of Assemblyman Frank P Belotti

WHEREAS, It has come to the attention of the Members of the Assembly that their distinguished colleague, Frank P Belotti, will retire this year after 22 years of dedicated service to the people of California as a legislator of consumate skill; and

WHEREAS, Frank attended public schools and business college in Massachusetts, graduated from Dodges Institute of Railway Accounting and Telegraphy in Valparaiso, Indiana, and from the University of Valparaiso, receiving a degree in business administration; and

WHEREAS, He came to California from Massachusetts in 1924, and shortly thereafter settled at Spruce Point near Eureka, where he became well known as a pioneer of the fur farming business in northwestern California, raising silver foxes and mink; and

WHEREAS, In 1934, Frank married Delphine Moranda, a former school teacher and descendant of one of Humboldt County's pioneer families; and

WHEREAS, Frank was first elected to the Assembly in 1950 and represented the 1st Assembly District, which included Humboldt, Mendocino, Del Norte, and Lake Counties, until 1966, and, after the 1966 reapportionment, he represented the 2nd District, which includes Humboldt County south of the Mad River, all of Mendocino County, and the northern portion of Sonoma County, including the City of Santa Rosa, and

WHEREAS, Frank has been reelected every two years for the past 22 years, running unopposed in 1952, 1954, and 1962, and

WHEREAS, Ably representing the diversified economic interests of his district, he was the sponsor of far-ranging legislative programs concerned with better highways, education, flood control and water conservation, district and county fairs, the logging and lumbering industry, fish and game, beaches and parks, and agriculture, particularly the dairy industry, and

WHEREAS, Frank has always given top priority to helping the people of his district with their problems, regardless of party affiliation, his office doors have always been open to all who wished to see him, he has listened with attention and courtesy, has always been on the job early, and often stayed late to give each matter and piece of mail his personal attention, and

WHEREAS, Well-known for his humanitarianism, Frank has championed and promoted many causes for the conservation of our natural resources and wildlife, and one of his pet projects throughout his years as a legislator has been the feeding and propagation of the Capitol Park squirrels, authoring several resolutions directing ways and means to be found by state agencies to feed the furry little fellows and protect them from domestic predators, and

WHEREAS, Frank consistently worked for improvement of the Redwood Highway, always keeping in mind the goal of a minimum of destruction of the inspiring giant redwood trees and he points with

justifiable pride to the famous "Avenue of the Giants," established by legislation introduced by him, and

WHEREAS, Frank has promoted numerous projects for the benefit of both the commercial fisherman and the sportsman, sponsoring, in 1951, legislation to encourage the establishment of fish hatcheries and, as senior member of the Wildlife Conservation Board, successfully spearheading the construction of a large and highly efficient fish hatchery on the Mad River in Humboldt County, replacing one in Mendocino County which had been washed away by the 1965–66 winter floods; and

WHEREAS, During his term of office, he has served as Chairman of the Assembly Standing Committees on Constitutional Amendments, Fish and Game, and Livestock and Dairies, has been Chairman of the Joint Committee on Fairs Allocation and Classification since 1965, and has consistently worked with 4-H and FFA groups to benefit California agriculture through the media of fairs; and

WHEREAS, Frank is known to the chairmen of the various committees on which he has served as a faithful attendance member and, until the tragic automobile accident in the fall of 1971, Frank had never missed a single day of session on account of illness; and

WHEREAS, Frank has achieved the enviable love and respect of everyone throughout his district, among his colleagues in the Legislature, their staffs, and all those in state government with whom he has had contact, and he has always found time outside his legislative activities to attend meetings and other functions in his district, many times at a sacrifice to his own time and personal affairs; and

WHEREAS, With his lifetime companion, supporter, campaigner, and devoted wife, Delphine, there will always be a warm place in the hearts of all who have been privileged to know them; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend their beloved colleague, Frank P. Belotti, on the occasion of his forthcoming retirement for his many years of devoted and truly outstanding public service, express their warm personal regards for a great and good friend, and wish him every success and happiness in all his future endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Frank P. Belotti.

Request for Unanimous Consent

Mr. Barnes was granted unanimous consent to take up House Resolution No. 73 without reference to committee or file.

Resolution read.

Remarks by Father Leo McAllister

By unanimous consent, Father Leo McAllister, Chaplain of the Assembly, addressed the Assembly relative to the retirement of Assemblyman Frank P. Belotti.

Remarks by Assemblyman and Mrs. Frank P. Belotti

Speaker pro Tempore Bee appointed Mrs. Davis and Messrs. Lanterman and Thomas as a Select Committee to Escort Assemblyman Belotti, and his wife, Delphine, to the rostrum. By unanimous consent, Assemblyman and Mrs. Belotti addressed the Assembly.

Members Made Coauthors of House Resolution No. 73

Mr Barnes was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 73 as coauthors

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

Speaker Presiding

At 2 40 p m., Hon Bob Moretti, 42nd District, presiding

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BAGLEY

Mr Monagan announced that today is the birthday of Assemblyman William T Bagley, of the 7th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr Bagley.

CAUCUS ANNOUNCEMENTS

At 2 41 p m, Speaker Moretti announced that there would be a caucus of the entire membership of the Assembly at this time in the Assembly Lounge.

RECESS

At 2 42 p m, Speaker Moretti declared the Assembly recessed until 3 10 p m

REASSEMBLED

At 3 10 p m, the Assembly reconvened.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

COMMUNICATIONS

Assembly Chamber, June 28, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 226—An act to amend Sections 1005 1 and 1005 2 of the Water Code, relating to water,

Assembly Bill No. 241—An act to add Sections 8715, 8715 1, 8715 2, 8715 3 and 8715 4 to the Business and Professions Code, relating to land surveyors;

Assembly Bill No. 296—An act to amend Sections 3277 and 3282 of the Fish and Game Code, relating to pheasants;

Assembly Bill No. 362—An act to amend Section 71341 of the Government Code, relating to justice courts,

Assembly Bill No. 471—An act to add Section 1718 to the Civil Code, relating to repair of farm equipment;

Assembly Bill No. 485—An act to amend Section 2809 of the Vehicle Code, relating to vehicle weight limitations;

Assembly Bill No. 497—An act to amend Section 19512 of the Business and Professions Code relating to horseracing;

Assembly Bill No. 540—An act to amend Section 12731 of the Business and Professions Code, relating to public weighmasters;

Assembly Bill No. 553—An act relating to Yosemite Junior College District,

Assembly Bill No. 727—An act to amend Sections 21682 and 21683 of the Public Utilities Code, relating to aviation;

Assembly Bill No. 853—An act to amend Section 27459 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 920—An act to amend Sections 19101 and 19252 of, to add Section 19083 to, and to repeal Section 19254 of, the Government Code, relating to the state civil service,

Assembly Bill No. 961—An act to amend Section 13961 of, to add Section 13991 5 to, to add Article 15 (commencing with Section 14116) to Chapter 4 of Division 10 of, to repeal Section 13853 of, and to repeal Article 29 (commencing with Section 14440) of Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1141—An act to add Section 760 1 to the Financial Code, relating to banking;

Assembly Bill No. 1308—An act to amend Section 24007 of the Vehicle Code, relating to vehicles,

Assembly Bill No. 1447—An act relating to air transportation;

Assembly Bill No. 1645—An act to amend Sections 855, 1206, and 1383 of the Financial Code, relating to banking;

Assembly Bill No. 1996—An act to amend Section 2151 of the Streets and Highways Code, relating to street or road expenditures;

Assembly Bill No. 2002—An act to amend Sections 3, 5, 5 5, 6 1, 6 2, 7, 11, 13, 14, 18, 18 5, 22, 27, and 31 of, to add Sections 3 2, 3.3, 5.6, 5 7, 12 1, 12 2, 12.3, 12 4, 12 5, 12 6, 12 7, 19, 19 1, 19 2, 19 3, and 19 4 to, and to repeal Sections 3 2, 19, 19 1, and 27 7 of, the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951), relating to the Contra Costa County Flood Control and Water Conservation District;

Assembly Bill No. 2323—An act to repeal Sections 35271.7 and 54797 2 of the Government Code, relating to alteration of boundaries;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p m., June 28, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 28, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 22—Relating to the William Martin Sell, Jr., Memorial Bridge,

Assembly Concurrent Resolution No. 65—Relative to state-guaranteed loans to small businesses,

Assembly Concurrent Resolution No. 80—Relative to foreign medical graduates,

And reports the same correctly enrolled, and presented to the Secretary of State on the 28th day of June, 1972, at 2 30 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 29, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 225—An act to add Section 6934 to the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 274—An act to amend Section 4894 of the Health and Safety Code, relating to sewer maintenance districts,

Assembly Bill No. 583—An act to amend Section 18655 1 of the Financial Code, relating to industrial loan companies;

Assembly Bill No. 1185—An act to add Section 71975 to the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1839—An act to amend Section 33401 of the Health and Safety Code, relating to redevelopment;

Assembly Bill No. 1842—An act to amend Section 33352 of the Health and Safety Code, relating to redevelopment,

Assembly Bill No. 1999—An act to amend Section 25100 5 of the Government Code, relating to county officers;

Assembly Bill No. 2013—An act to amend Section 9024 of the Public Resources Code, relating to resource conservation,

And reports the same correctly enrolled, and presented to the Governor at 10·30 a m , June 29, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 29, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

Assembly Concurrent Resolution No. 8—Relative to the W R Holman Highway,

And reports the same correctly enrolled, and presented to the Secretary of State on the 29th day of June, 1972, at 10 .30 a m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 29, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 250—An act to add Section 5253 to the Education Code, relating to kindergarten and preschool programs;

Assembly Bill No. 275—An act to amend Section 19310 of, and to add Section 19310 5 to, the Streets and Highways Code, relating to highway lighting districts;

Assembly Bill No. 444—An act to amend Section 14038 of, and to add Section 14038 1 to the Education Code, relating to the State Teachers' Retirement System;

Assembly Bill No. 556—An act to add Article 9 (commencing with Section 54240) to Chapter 5, Part 1, Division 2, Title 5 of the Government Code, relating to public leasebacks;

Assembly Bill No. 991—An act to repeal Section 18 5 of Chapter 548 of the Statutes of 1968, relating to underwritten title companies;

Assembly Bill No. 992—An act to add Section 1656.1 to the Insurance Code, relating to insurance;

Assembly Bill No. 1269—An act to amend Section 11656 6 of the Insurance Code, relating to group workmen's compensation policies;

Assembly Bill No. 1426—An act to add Section 13969 1 to the Education Code and Section 20365 to the Government Code, relating to retirement;

Assembly Bill No. 1507—An act to amend Section 6571 of, and to add Chapter 10 (commencing with Section 5800) to Division 6, Title 1 of the Government Code, and to amend Section 33138 of the Streets and Highways Code, relating to sales of public securities;

Assembly Bill No. 1597—An act to amend Section 6401 of the Elections Code, relating to candidates;

Assembly Bill No. 1677—An act to amend Sections 26880, 26881, 26882, 26883, 26884, 26885, and 26886 of the Government Code, relating to county controllers;

Assembly Bill No. 2001—An act to add Article 7 5 (commencing with Section 13631) to Chapter 8 of Division 6 of the Public Utilities Code, relating to municipal utility districts;

Assembly Bill No. 2039—An act to amend Sections 72702, 72702 5, 72703, 72704, 72704 5, 72712, 72750 5, 72751, 72751 1, 72751 5, 72752, 72753, and 72754 of the Government Code, relating to municipal courts;

Assembly Bill No. 2146—An act to add Section 4733 5 to the Health and Safety Code, relating to county sanitation districts;

Assembly Bill No. 2300—An act to add Sections 20980 6, 22235, 31011, and 35411 to the Water Code, relating to water districts;

And reports the same correctly enrolled, and presented to the Governor at 2 p m , June 29, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 29, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined·

AB No 165
AB No 1040
AB No 1642

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 29, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 887
AB No 1266
AB No 2091

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 29, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1741

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, June 29, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No. 1202

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading

Assembly Chamber, June 29, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 629

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, June 29, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

AB No 1127

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 29, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined

AB No 1500
AB No 1744
AB No. 1785
AB No 2252
AB No. 2178

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee

Assembly Chamber, June 29, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

ACA No 3

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, June 28, 1972

Mr. Speaker Your Committee on Finance and Insurance reports·

SB No 1205
SB No 1401
SB No. 1402
SB No 1403
SB No 1404
SB No 156

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, June 27, 1972

Mr. Speaker Your Committee on Revenue and Taxation reports

AB No 606

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, June 29, 1972

Mr Speaker. Your Committee on Ways and Means reports·

SB No. 244
SB No. 549

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No 1864	AB No. 2213	AB No 2278
AB No 1876	AB No 2265	AB No 2315
AB No 1885	AB No 2267	AB No 2337
AB No 1908	AB No 2268.	AB No. 2375
AB No. 1963		

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr Speaker Your Committee on Ways and Means reports·

AB No 279	AB No 1170	AB No 1565
AB No. 349	AB No 1204	AB No 1586
AB No 562	AB No 1412	AB No 1705
AB No 831	AB No 1538	AB No. 1709
AB No 1157	AB No 1564	AB No 1798

With the recommendation Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SB No. 911

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, June 29, 1972

Mr Speaker Your Committee on Ways and Means reports.

ACR No 23	ACR No 57
ACR No. 45	ACR No 79

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

BROWN, Chairman

Above resolutions ordered on file

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 30	AB No. 1576	AB No. 1901
AB No. 652	AB No. 1633	AB No 1947
AB No 930	AB No. 1657	AB No 1948
AB No. 1201	AB No. 1674	AB No. 2029

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 2035	AB No 2185
AB No. 2064	AB No 2347
AB No. 2165	AB No 2364

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports·

AB No. 406	AB No. 1496	AB No 1666
AB No 714	AB No. 1566	AB No. 1703
AB No. 1459		

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 874	AB No. 1448
AB No. 962	AB No. 1768

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Government Administration

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Government Administration reports:

SB No. 896

With amendments with the recommendation: Amend, and do pass, as amended.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, June 16, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 919

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Transportation reports:

SCR No 31

SCR No 34

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

DEDDEH, Chairman

Above resolutions ordered on file.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Transportation reports:

ACR No 101

With the recommendation. Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

DEDDEH, Chairman

Above resolution ordered on file.

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Transportation reports.

SB No 690

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 29, 1972

Mr Speaker. Your Committee on Education reports:

SB No. 927

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 1204

With amendments with the recommendation · Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, June 29, 1972

Mr. Speaker Your Committee on Employment and Public Employees reports:

SB No. 315

With the recommendation: Do pass.

HAYES, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

SB No. 205

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent Calendar.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Rules

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 32

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Rules reports:

SCR No. 49

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Rules reports:

AB No. 2155

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

SB No. 783

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

ACR No. 110

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

RALPH, Chairman

Above resolution ordered on file

Committee on Elections and Reapportionment

Assembly Chamber, June 28, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports·

AB No 2247

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2247—An act to amend and renumber the heading of Chapter 1 (commencing with Section 11500) of, to amend Sections 11501, 11502, 11503, 11560, 11563, and 12053 of, and to add Sections 11503.5, 11505, and 11506 to, and Chapter 1 (commencing with Section 10500) to Division 8 of, the Elections Code, and to repeal Division 4.5 (commencing with Section 3600) of Title 1 of the Government Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out the heading of the printed bill, as amended in Assembly May 11, 1972, and insert

"Introduced by Assemblymen Priolo, Arnett, Barnes, Belotti, Chappie, Cline, Duffy, Hayden, Hayes, Ketchum, MacGillivray, Mobley, Moorhead, Stull, Campbell, Conrad, Deddeh, Keysor, LaCoste, Monagan, Pierson, Porter, Russell, Seeley, Sieroty, Vasconcellos, Wilson, and Wood".

Amendment No. 2

In line 3 of the title, after the closing parenthesis, insert "and Chapter 1 5 (commencing with Section 11700) of Division 8".

Amendment No. 3

On page 4, line 27, after "for", insert "the".

Amendment No. 4

On page 5, line 31, strike out "1972", and insert "1971".

Amendment No. 5

On page 10, line 4, strike out "fundraising", and insert "fund raising".

Amendment No. 6

On page 10, line 25, strike out "fundraising", and insert "fund raising".

Amendment No. 7

On page 11, line 16, strike out "their", and insert "its".

Amendment No. 8

On page 11, line 22, strike out "10661", and insert "10656".

Amendment No. 9

On page 11, line 36, strike out "10661", and insert "10654".

Amendment No. 10

On page 12, line 29, after "For", insert "the".

Amendment No. 11

On page 12, line 29, after "maintaining", insert "of".

Amendment No. 12

On page 15, line 32, strike out "in respect of", and insert "with respect to".

Amendment No. 13

On page 21, between lines 25 and 26, insert

"SEC. 11.5. The heading of Chapter 1.5 (commencing with Section 11700) of Division 8 of the Elections Code is amended and renumbered to read:

CHAPTER ~~1.5~~ *3.5*. ENDORSEMENT OF CANDIDATES FOR PARTISAN OFFICES".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, June 29, 1972

Mr. Speaker. The Chairman of your Committee on Education reports

AB No. 1807

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F. GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1807—An act to add Section 13087.2 to the Education Code, relating to public school employees

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Hayes", and insert "Russell"

Amendment No. 2

In line 1 of the title, strike out "Section 13087.2 to", and insert "Article 5.5 (commencing with Section 13760) to Chapter 3 of Division 10 of"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Article 5.5 (commencing with Section 13760) is added to Chapter 3 of Division 10 of the Education Code, to read:

Article 5 5 Employer-Employee Relations

13760. The Legislature has recognized the need for an effective personnel management program within public school systems in the State of California by providing for a merit system of employment in accordance with Article 5 (commencing with Section 13701) of this chapter It is the purpose of this article to enhance communications in a merit system school district by recognizing the right of public school employees to join organizations of their own choice and be represented by such organizations before a personnel commission Nothing contained herein shall be deemed to supersede other provisions of this code

13761 As used in this article·

(a) "Employee organization" means any organization which includes employees, employed in classified positions, of a public school employer and which has as one of its primary purposes representing such employees in their relations with a public school employer and a personnel commission

(b) "Public school employer" means the governing board of a school district, a school district or a county superintendent of schools

(c) "Personnel commission" means a commission established pursuant to Article 5 (commencing with Section 13701) of this chapter

(d) "Public school employee" means any person employed in a classified position by any public school employer or a personnel commission excepting those persons elected by popular vote or appointed by the Governor.

(e) "Meet and confer" means that a representative of a personnel commission and representatives of employee organization shall have the mutual obligation to exchange freely information, opinions, and proposals, and to make and consider recommendations under orderly procedures in a conscientious effort to reach agreement to recommend to the commission a written policy, commission rule, or recommendation to the public school employer to effectuate such agreement

(f) "Impasse" means the inability of the parties to meeting and conferring required by this article to reach an agreement within a reasonable period of time which shall be not less than 30 days after the exchange of proposals, except by mutual consent

13762 Except as otherwise provided by law.

(a) Public school employees have the right to form join and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations Public school employees also have the right to refuse to join or participate in the activities of employee organizations and have the right to represent themselves individually in their relations with a public school employer and a personnel commission Public school employers, personnel commissions and employee organizations shall not interfere with, intimidate restrain, coerce or otherwise discriminate against public school employees because of their exercise of their rights under this article

(b) Employee organizations have the right to represent their members in their relations with a public school employer and a personnel commission. Employee organizations may establish reasonable restrictions regarding who may join and may make reasonable provisions for the dismissal of individuals from membership Nothing in this section shall prohibit any employee from appearing in his own behalf in his relations with a public school employer and a personnel commission.

13763 The scope of representation shall be limited to matters within the jurisdiction of a personnel commission relating to:

(a) The development and amendment of rules as they relate to the procedures to be followed by the governing board on subjects encompassed within Section 13714.

(b) The salary allocation of classes established by the personnel commission.

(c) Salary recommendations to be made by the commission in accordance with Section 13719.

No matter prescribed in Article 5 (commencing with Section 13701) in which the commission acts in a quasijudicial capacity shall be subject to meeting and conferring.

13764 Any employee organization shall have standing to sue in any action or proceeding heretofore or hereafter instituted by it as representative and on behalf of one or more of its members with respect to any matter within the scope of its representation. The provisions of this section are expressly intended to apply to actions or proceedings commenced prior to, but concluded or pending as of, as well as on and after, the effective date of this section.

13765 A representative of a personnel commission, upon request, shall meet and confer with representatives of employee organizations and the governing board with regard to all matters within the scope of representation.

A personnel commission shall adopt rules for the procedures to be followed in meeting and conferring under this article. Such rules may provide for:

(a) Verifying the official status of employee organization officials and representatives.

(b) Verifying the number and classification of employees who are members in good standing of an employee organization

(c) Establishing time limitations on receipt of requests to meet and confer relative to the commission's normal schedule for the disposition of its business.

(d) Establishing reasonable time limitations by which requests to meet and confer may not be made on a subject which has previously been subject to meeting and conferring

(e) Joint meetings involving more than one employee organization, where more than one employee organization has made a request to meet and confer on the same subject

(f) Joint meetings with a representative of the governing board and an employee organization or organizations where the matter subject to meeting and conferring is within the jurisdiction of both the commission and the governing board

13766. Nothing in this article shall be construed to prevent or inhibit the exchange of ideas, information, and views among the commission, its staff, and employee organizations. Informal discussions may be initiated and maintained separate from the requirements of law. The commission or its staff may hold such meetings as it may deem appropriate to consider the concerns of classified employees regarding matters before the commission or under study.

13767 In the event of an impasse, as defined in Section 13761, the commission shall act as a factfinding committee to resolve the impasse The commission may hold public meetings and request written reports and hear oral presentations from its staff, employee organizations, and other interested parties to the dispute The commission may contract for the services of a recognized expert in the field of employee relations to assist the commission in its role as a factfinding committee, or to hear the dispute and make recommendations to the commission for resolution of the impasse The findings and decision of the commission shall be filed as a public document. This document shall contain a statement of the issue or issues causing the impasse; the factual information obtained as a result of the commission's hearings; the conclusions reached by the commission, and the laws, rules, policies, or procedures upon which the commission has based its decision. The decision of the commission shall be subject to appeal under the provisions of Section 1094 5 of the Code of Civil Procedures solely upon the grounds that there is no substantial evidence to support the facts found or that the decision is contrary to existing law.

13768. Nothing in this article shall prevent a commission from making a decision on any matter within its jurisdiction in a timely manner, provided that a commission may affirm, amend, or reverse a decision at the conclusion of the meet and confer procedures required by this article.

13769 This article shall not be construed as making the provisions of Section 923 of the Labor Code applicable to public school employees and shall not be construed as prohibiting a personnel commission from making the final decision with regard to all matters specified under Section 13763."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

Senate Chamber, June 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 966

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, June 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 93	AB No 921	AB No. 1377
AB No. 191	AB No. 1054	AB No. 2269
AB No. 755	AB No. 1331	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 65	AB No. 426	AB No. 716
AB No. 94	AB No. 641	AB No. 747
AB No. 108	AB No. 687	AB No. 1840
AB No. 181	AB No. 688	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No 4

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, June 28, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 17
ACR No. 96

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, June 28, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 200	SB No. 616	SB No. 981
SB No. 558	SB No. 905	SB No. 1275
SB No. 602	SB No. 924	SB No. 1349

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, June 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 30
SCR No. 62

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 200—An act to amend Section 24453 of the Education Code, relating to state colleges.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 558—An act to add Section 16702 to the Education Code, relating to school property.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 602—An act to add Section 537d to the Penal Code, relating to manufacturers' identification marks.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 616—An act to amend Sections 7615 and 7616 of the Business and Professions Code, relating to funeral directors.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 905—An act to amend Section 601 of the Welfare and Institutions Code, relating to juvenile court.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 924—An act to amend Sections 196, 200, 202, 205 and 233 of, and to add Sections 197 and 239 to, the Code of Civil Procedure, and to amend Section 1143 of, and to add Section 1046 5 to, the Penal Code, relating to juries.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 981—An act to amend Section 65860 of, and to add Section 65302.5 to, the Government Code, and to amend, repeal and add Section 39052 of, and to add Section 39280 to, the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1275—An act to amend Section 2732 1 of the Business and Professions Code, relating to nurses.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1349—An act to add Division 1.5 (commencing with Section 475) to the Business and Professions Code, relating to licenses.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 30—Relative to mentally retarded persons

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 62—Approving amendments to the Charter of the County of Santa Clara, State of California, ratified by the qualified electors of the county at a primary election held therein on the 6th day of June 1972.

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
200	Education
558	Criminal Justice
602	Criminal Justice
616	Commerce and Public Utilities
905	Criminal Justice
924	Judiciary
981	Transportation
1275	Health
1349	Commerce and Public Utilities

Senate Concurrent Resolution No.	*Committee*
30	Health
62	Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1644

Mr Russell was granted unanimous consent to take up Assembly Bill No. 1644, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 1644

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Motion to Amend

Mr Russell moved the adoption of the following amendments·

Amendment No. 1

On page 3, lines 34 and 35, of the printed bill, as amended in Assembly June 27, 1972, strike out "and 7497 7", and insert ", 7497.7, 7497.8, and 7497.9".

Amendment No. 2

On page 3, strike out lines 39 and 40; on page 4, strike out lines 1 to 5, inclusive, and insert

"7497.7 The Superintendent of Public Instruction shall provide for an evaluation of the program prescribed by this chapter which shall include, but not be limited to, an assessment of its impact on the mathematics achievement of target pupils, and an analysis of changes in motivation, interest, and self-image among the same pupils. The Superintendent of Public Instruction shall contract with an independent, nonprofit agency to conduct all of the evaluation

The contractual agreement between the Superintendent of Public Instruction, the independent, nonprofit agency, and the nonprofit corporation prescribed in Section 7497 6 shall specify the nature and frequency of the fiscal auditing of participating school districts All costs for personnel, in-service education, and internal management shall be determined and included in the fiscal audit report.

The Superintendent of Public Instruction shall report at least annually the findings of such evaluations to the State Board of Education and to the Legislature.

7497.8. The program prescribed by this chapter shall be monitored by the Superintendent of Public Instruction to ensure that classes are staffed and conducted according to the contract prescribed in Section 7497.6 The Superintendent of Public Instruction shall withhold funding for classes that do not satisfy the contractual agreements for staffing, instruction, in-service training, data collection, accounting, and other program commitments.

The Superintendent of Public Instruction shall publish guidelines and directions for participating school districts which shall contain specific instructions for the systematic collection of necessary information

7497.9 Funds appropriated to the Superintendent of Public Instruction for the purposes of this chapter shall, unless otherwise specified in such appropriation, be expended in accordance with the following schedule·

(a) An amount not to exceed 12 percent of the appropriation shall be used for the costs incurred by the Superintendent of Public Instruction in the administration of the programs prescribed by this chapter and for the costs of the evaluation of the program pursuant to Section 7497 7.

(b) The balance of the appropriation shall be available for the contracts prescribed in Section 7497 6, provided that not more than four thousand five hundred dollars ($4.500) shall be allowed per class; however, the Superintendent of Public Instruction may increase this maxi-

mum amount for each fiscal year commencing with fiscal year 1973–1974 and thereafter by an amount determined by the application of the Consumer Price Index, all items, of the Bureau of Labor Statistics of the United States Department of Labor, measured by the calendar year next preceding the fiscal year to which it applies, to this maximum amount. The classes shall consist of not more than 35 students."

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 599

Mr. Campbell was granted unanimous consent to rescind the action whereby on June 28, 1972 (Assembly Journal, page 5502), the report of the Committee on Health relative to Senate Bill No. 599 was received and read in the Assembly, and whereby the bill was ordered to the second reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 160

Mr. Murphy was granted unanimous consent to take up Senate Bill No. 160, out of order, for purpose of amendment.

Consideration of Senate Bill No. 160

Senate Bill No. 160—An act to amend Sections 888 and 1825 of, and to add Section 888.5 to, the Welfare and Institutions Code, relating to the Department of Youth Authority.

Bill read third time.

Motion to Amend

Mr. Murphy moved the adoption of the following amendment:

Amendment No. 1

On page 6 of the printed bill, as amended in Assembly June 8, 1972, after line 12, insert

"SEC. 4 Section 1825 of the Welfare and Institutions Code is amended to read:

1825. (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963. The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825.7* is lower than 40 commitments per 100,000 population, the rate shall be estab-

lished at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments. The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203.03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c)

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number" The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1). The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2 080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2.240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate. Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned.

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties.*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer. In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

SEC 5 Section 1825 of the Welfare and Institutions Code is amended to read:

1825 (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963 The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments. The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203 03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number." The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1). The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision.

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2 640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4.000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate. Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties.*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–73 fiscal year to be distributed pursuant to the table below To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual commitment rate per 100,000 pop.	*Amount per commitment*
0 5– 5.4	*$481*
5.5–10.4	*454*
10 5–15.4	*426*
15 5–20.4	*399*
20.5–25.4	*373*
25 5–30 4	*345*
30.5–35 4	*318*
35 5–40 4	*290*
40 5–45.4	*263*
45.5–50.4	*237*
50.5–55 4	*209*
55.5–60.4	*182*
60 5–65.4	*154*
65 5–70.4	*127*
70.5–75.4	*101*
75 5–80.4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data. Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above

The provisions of this subdivision shall be terminated on June 30, 1974.

SEC. 6. Section 1825 of the Welfare and Institutions Code is amended to read·

1825. (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section.

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963 The average of these rates for a county for the five-year period or the average of the last two years

of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825 7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year. Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203 03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number" The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1) The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision.

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned.

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties.*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–73 fiscal year to be distributed pursuant to the table below To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual commitment rate per 100,000 pop	*Amount per commitment*
0.5– 5 4	*$481*
5 5–10 4	*454*
10 5–15 4	*426*
15 5–20 4	*399*
20 5–25 4	*373*
25 5–30 4	*345*
30 5–35.4	*318*
35 5–40 4	*290*
40 5–45 4	*263*
45 5–50 4	*237*
50 5–55 4	*209*
55 5–60.4	*182*
60 5–65 4	*154*
65 5–70.4	*127*
70 5–75 4	*101*
75 5–80.4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors.

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth

Authority and the Director of Finance Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data Such agreement shall aso specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above

The provisions of this subdivision shall be terminated on June 30, 1974.

SEC 7 It is the intent of the Legislature that if this bill and Senate Bill No 549 or Assembly Bill No 368, or both, are chaptered and amend Section 1825 of the Welfare and Institutions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows:

(a) If this bill and Senate Bill No 549 are both chaptered and amend Section 1825 of the Welfare and Institutions Code, but Assembly Bill No 368 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 549, the amendments proposed by both bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 4 of this act Therefore, if Senate Bill No 549 is chaptered before this bill and both bills amend Section 1825, and Assembly Bill No 368 is not chaptered or as chaptered does not amend that section, Section 4 of this act shall be operative and Sections 3, 5, and 6 of this act shall not become operative

(b) If this bill and Assembly Bill No 368 are both chaptered and amend Section 1825 of the Welfare and Institutions Code, but Senate Bill No 549 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 368, the amendments proposed by both bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 5 of this act. Therefore, if Assembly Bill No 368 is chaptered before this bill and both bills amend Section 1825, and Senate Bill No 549 is not chaptered or as chaptered does not amend that section, Section 5 shall be operative and Sections 3, 4, and 6 of this act shall not become operative

(c) If this bill and Senate Bill No 549 and Assembly Bill No. 368 are all chaptered, and all three bills amend Section 1825 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No 549 and Assembly Bill No 368, the amendments proposed by all three bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 6 of this act Therefore, if Senate Bill No 549 and Assembly Bill No 368 are both chaptered before this bill and all three bills amend Section 1825 of the Welfare and Institutions Code, Section 6 of this act shall be operative and Sections 3, 4 and 5 of this act shall not become operative ''

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REQUEST FOR UNANIMOUS CONSENT

Mrs. Brathwaite was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1264, on request of Mr Wilson.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2346 for hearing in the Committee on Natural Resources and Conservation on Monday, July 3, 1972.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered·

Assembly Concurrent Resolution No. 112: By Assemblyman Ryan—Relative to approving amendments to the Charter of the County of San Mateo, State of California, ratified by the qualified electors at an election held therein on the 6th day of June 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 112

Mr Ryan was granted unanimous consent to take up Assembly Concurrent Resolution No 112 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 112

Assembly Concurrent Resolution No. 112—Relative to approving amendments to the Charter of the County of San Mateo, State of California, ratified by the qualified electors at an election held therein on the 6th day of June 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered printed, and transmitted to the Senate

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

June 28, 1972

Mr. James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr. Driscoll. Pursuant to the requirements of Section 61 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the County of San Mateo.

Sincerely yours,

LEO J RYAN

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No. 112).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1998

Mr. Dent was granted unanimous consent to take up Assembly Bill No 1998, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 1998

Assembly Bill No. 1998—An act to amend Section 13590 2 of, and to repeal Section 13590.3 of, the Education Code, relating to classified public school employees.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Dent was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No. 1998 which add a total of more than 25 words to the bill, without having copies of the amendments placed on the Members' desks.

Motion to Amend

Mr. Dent moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly June 26, 1972, after the period, insert "Notwithstanding the foregoing provision, the board may, in lieu of providing compensation at one and one-half times the regular rate of pay for overtime, grant compensatory time off equal to the overtime worked, provided such compensatory time off is granted during the same pay period in which the overtime occurred."

Amendment No. 2

On page 3, between lines 4 and 5, insert "Notwithstanding the foregoing provision, the board may, in lieu of providing compensation at one and one-half times the regular rate of pay for overtime, grant

compensatory time off equal to the overtime worked, provided such compensatory time off is granted during the same pay period in which the overtime occurred."

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1488

Mr Ray E Johnson was granted unanimous consent to take up Senate Bill No 1488, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 1488

Senate Bill No. 1488—An act relating to the Oroville Union High School District, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Ray E. Johnson.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced the Honorable Byron Rumford, former Member of the Assembly from Alameda County, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 877, on request of Mr Cory

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Quimby was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 107 for hearing in the Committee on Rules on Tuesday, July 4, 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1690

Mr Quimby was granted unanimous consent that Assembly Bill No 1690 be removed from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendment

Consideration of Assembly Bill No. 1690

Assembly Bill No. 1690—An act to add Section 11421 to the Water Code, relating to the Central Valley Project, and declaring the urgency thereof, to take effect immediately

Bill read third time

Motion to Amend

Mr Quimby moved the adoption of the following amendments:

Set No. 1

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Porter,".

Set No. 2

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1, strike out line 3, and insert

"11421 All employees in the Hydroelectric Plant Operations and Maintenance Unit and the Civil Maintenance Unit of the Operations and Maintenance Division of the Department of Water Resources engaged in the operation and maintenance of the project shall be paid the prevailing rates for comparable service in other public employment and in private business within the State of California as determined by the State Personnel Board Salary adjustments shall be determined and become effective each July 1st, and shall be based on salary survey data compiled by the State Personnel Board during the spring of each year"

Amendment No. 3

On page 1, strike out lines 4 and 5, and strike out page 2

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read

Assembly Chamber, June 27, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 966—As amended in Senate June 22, 1972—An act to repeal Section 65560 of, to add Section 65560 to, and to amend Sections 65563, 65700 and 65910 of, the Government Code, relating to open-space plans, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate June 22, 1972, after "Sections", insert "65302".

Amendment No. 2

In line 4 of the title, strike out "open-space".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 Section 65302 of the Government Code is amended to read:

65302 The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals The plan shall include the following elements.

(a) A land-use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land-use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan The land-use element shall also identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to such areas

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land-use element of the plan

(c) A housing element, to be developed pursuant to regulations established under Section 37041 of the Health and Safety Code, consisting of standards and plans for the improvement of housing and for provision of adequate sites for housing This element of the plan shall make adequate provision for the housing needs of all economic segments of the community

(d) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared The conservation element may also cover:

(1) The reclamation of land and waters.

(2) Flood control

(3) Prevention and control of the pollution of streams and other waters

(4) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan

(5) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(6) Protection of watersheds.

(7) The location, quantity and quality of the rock, sand and gravel resources

The conservation element shall be prepared and adopted no later than June 30, 1973

(e) An open-space element as provided in Article 10 5 (commencing with Section 65560) of this chapter.

(f) A seismic safety element consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking, to ground failures, or to effects of seismically induced waves such as tsunamis and seiches

(g) A noise element in quantitative, numerical terms, showing contours of present and projected noise levels associated with all existing and proposed major transportation elements. These include but are not limited to the following

(1) Highways and freeways,

(2) Ground rapid transit systems,

(3) Ground facilities associated with all airports operating under a permit from the State Department of Aeronautics

These noise contours may be expressed in any standard acoustical scale which includes both the magnitude of noise and frequency of its occurrence The recommended scale is sound level A, as measured with A-weighting network of a standard sound level meter, with corrections added for the time duration per event and the total number of events per 24-hour period

Noise contours shall be shown in minimum increments of five decibels and shall be continued down to 65 db(A) For regions involving hospitals, rest homes, long-term medical or mental care, or outdoor recreational areas, the contours shall to be continued down to 45 db(A)

Conclusions regarding appropriate site or route selection alternatives or noise impact upon compatible land uses shall be included in the general plan

The state, local, or private agency responsible for the construction or maintenance of such transportation facilities shall provide to the local agency producing the general plan, a statement of the present and projected noise levels of the facility, and any information which was used in the development of such levels

(h) A scenic highway element for the development, establishment, and protection of scenic highways pursuant to the provisions of Article 2 5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code

The requirements of this section shall apply to charter cities.

SEC. 1 5. Section 65560 of the Government Code is".

Amendment No. 4

On page 5, strike out lines 14 to 17, inclusive, and insert "mandatory elements required by Article 5 (commencing with Section 65300) of Chapter 3 of this title "

Amendment No. 5

On page 5, line 32, after "open-space", insert "and conservation".

The undersigned consent to the report.

MILTON MARKS	JOHN F DUNLAP
PETER H BEHR	PAUL PRIOLO
CLARK BRADLEY	LEO T McCARTHY
Senate Committee on Conference	Assembly Committee on Conference

Report read. and adopted by the following vote·

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Murphy, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—57.

NOES—Barnes—1.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 106 for hearing in the Committee on Rules on Tuesday, July 4, 1972

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 2091, 165, 1040, 1266, and **1741,** ordered to third reading.

Assembly Bills Nos. 887 and **1642,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 100—Relative to the Department of Human Resources Development.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted:

Amendment No. 1

On page 2 of the printed measure, strike out lines 26 to 30, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2195—An act to amend Sections 450 5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 5514, 5515, 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 13, 1972, strike out lines 12 to 20, inclusive, and insert

"(b) A public member or lay member shall, before his appointment, have demonstrated through public, civic or other activities a particular interest in consumer affairs To assist the Governor in selecting consumer-oriented public members, the Director of Consumer Affairs shall compile, maintain, and make public, a list of not less than 100 persons who the director determines have demonstrated a particular interest in consumer affairs The Governor after the effective date of the amendment of this section at the 1972 Regular Session of the Legislature shall only appoint public members from this list"

Amendment No. 2

On page 2, line 27, strike out "five practicing dentists and three", and insert "seven practicing dentists and four".

Amendment No. 3

On page 2, line 37, strike out "five practicing dentists and three", and insert "seven practicing dentists and four".

Amendment No. 4

On page 4, line 7, strike out "second and third", and insert "three additional"

Amendment No. 5

On page 4, line 10, strike out "to the first vacancies occurring in the offices"; and strike out lines 11 and 12, and insert "on or before January 1, 1973 The terms of such additional public members shall expire as follows: one on January 15, 1974, one on January 15, 1975; and one on January 15, 1976 "

Amendment No. 6

On page 4, line 18, strike out "11", and insert "15".

Amendment No. 7

On page 4, line 19, strike out "four", and insert "five".

Amendment No. 8

On page 4, line 27, strike out "11", and insert "15"

Amendment No. 9

On page 4, line 28, strike out "four", and insert "five"

Amendment No. 10

On page 5, line 31, strike out "three", and insert 'four"

Amendment No. 11

On page 5, line 33, strike out "to fill the", and strike out lines 34 to 36, inclusive, and insert "on or before January 1, 1973 The terms of such public members shall expire as follows one on January 15, 1974; one on January 15, 1975, and two on January 15, 1976 "

Amendment No. 12

On page 6, line 2, strike out "six", and insert "eight"

Amendment No. 13

On page 6, line 3, strike out "two", and insert "three".

Amendment No. 14

On page 6, line 13, strike out "six", and insert "eight".

Amendment No. 15

On page 6, line 14, strike out "two", and insert "three".

Amendment No. 16

On page 7, line 18, strike out "the second public member", and insert "the two additional public members"

Amendment No. 17

On page 7, line 20, strike out "to fill the first vacancy", and strike out lines 21 and 22, and insert "on or before January 1, 1973. The terms of such additional public members shall expire as follows one on January 15, 1975, and one on January 15, 1976 "

Amendment No. 18

On page 7, line 25, strike out "five", and insert "seven".

Amendment No. 19

On page 7, line 28, strike out "three", and insert "four".

Amendment No. 20

On page 8, line 11, strike out "second and third", and insert "three additional".

Amendment No. 21

On page 8, line 14, strike out "to fill the first vacancies occurring in the"; and strike out lines 15 and 16, and insert "on or before January 1, 1973. The terms of such additional public members shall expire as follows: one on January 15, 1974, one on January 15, 1975; and one on January 15, 1976"

Amendment No. 22

On page 8, line 23, strike out "five members appointed by the Governor, two", and insert "eight members appointed by the Governor, three".

Amendment No. 23

On page 8, line 33, strike out "five members appointed by the Governor, two", and insert "eight members appointed by the Governor, three".

Amendment No. 24

On page 10, line 14, strike out "second public member", and insert "two additional public members"

Amendment No. 25

On page 10, line 16, strike out "to fill the first vacancy"; and strike out lines 17 and 18, and insert "on or before January 1, 1973 The terms of such public members shall expire as follows one on January 15, 1975, and one on January 15, 1976"

Amendment No. 26

On page 11, line 15, strike out "nine members, five", and insert "11 members, six"

Amendment No. 27

On page 11, line 17, strike out "three", and insert "four".

Amendment No. 28

On page 11, line 18, strike out "five", and insert "six".

Amendment No. 29

On page 13, line 10, strike out "third public member", and insert "two additional public members"

Amendment No. 30

On page 13, line 12, strike out "to fill the first vacancy"; and strike out lines 13 and 14, and insert "on or before January 1, 1973 The terms of such public members shall expire as follows. one on January 15, 1975, and one on January 15, 1976."

Amendment No. 31

On page 15, line 30, strike out "three", and insert "four".

Amendment No. 32

On page 19, line 12, strike out "to fill the first", and strike out lines 13 and 14, and insert "on or before January 1, 1973 The term of such additional public member shall expire on January 15, 1976 "

Amendment No. 33

On page 19, line 18, strike out "seven", and insert "eight".

Amendment No. 34

On page 20, line 19, strike out "to fill the first vacancy"; and strike out lines 20 and 21, and insert "on or before January 1, 1973 The term of such public member shall expire on January 15, 1976 "

Amendment No. 35

On page 20, line 25, strike out "seven", and insert "eight".

Amendment No. 36

On page 20, line 27, strike out "seven", and insert "eight".

Amendment No. 37

On page 20, line 28, strike out "four", and insert "five".

Amendment No. 38

On page 22, line 2, strike out "to fill the first vacancy", and strike out lines 3 and 4, and insert "on or before June 1, 1973 The term of such public member shall expire on June 1, 1976 "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2104—An act to add Section 74343 4 to the Government Code, relating to courts.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "(a)".

Amendment No. 2

On page 1, line 8, strike out "75", and insert "65".

Amendment No. 3

On page 1, strike out lines 10 to 14, inclusive; and strike out all of page 2.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 541—An act to amend Section 117 of, to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure and to amend Section 9503 of the Commercial Code, relating to repossession.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 21, 1972, strike out "amend Section 117 of, to".

Amendment No. 2

On page 2, strike out lines 1 to 38, inclusive; and on page 3, strike out lines 1 to 7, inclusive.

Amendment No. 3

On page 3, line 8, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 3, line 11, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 5

On page 3, line 37, strike out "or intangible".

Amendment No. 6

On page 13, line 8, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 7

On page 13, strike out lines 24 and 25, and insert "SEC 4 This act shall be operative only until December 31, 1975, and on and after that date shall have no force or effect."

Request for Unanimous Consent

Mr Waxman was granted unanimous consent that he be permitted to offer additional amendments to Assembly Bill No. 541, prior to its reprinting

Motion to Amend

Mr. Waxman moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 21, 1972, strike out line 38, and insert "consumer goods, including tangible consumer goods"

Amendment No. 2

On page 3, line 39, strike out "has", and insert "have".

Amendment No. 3

On page 4, line 2, strike out "property", and insert "goods".

Amendments read, and adopted

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1623—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure, relating to claim and delivery, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 8, line 16, of the printed bill, as amended in Assembly May 4, 1972, strike out "(a)".

Amendment No. 2

On page 8, line 17, strike out "January 1", and insert "December 31".

Bill ordered reprinted, and returned to the second reading file.

Assembly Joint Resolution No. 6—Relative to oil drilling.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 2, line 20, of the printed measure, as amended in Assembly June 20, 1972, after the first "any", insert "future".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Assembly Bill No. 1779—An act to amend Sections 13337.5 and 13503 1 of the Education Code, relating to school certificated employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 13337 5 and", and insert "Section".

Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive; on page 2, strike out lines 1 to 23, inclusive; in line 24, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 3

On page 2, line 36, after the period, insert "This section shall not apply to any person classified as a temporary employee under Section 13337, or any person employed as a part-time employee above and beyond his employment as a full-time employee in the same school district."

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 441, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 1002—An act to amend Section 4300 of the Civil Code, relating to blood tests.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4300", and insert "Sections 4300 and 4302".

Amendment No. 2

On page 1, line 12, strike out the second "is", and insert "if".

Amendment No. 3

On page 1, line 16, strike out the first "to", and insert "of".

Amendment No. 4

On page 2, line 4, after "sterilization", insert "or (3) presents laboratory evidence of a prior test declaring her immunity to rubella."

Amendment No. 5

On page 2, after line 10, insert

"SEC. 2 Section 4302 of the Civil Code is amended to read:

4302 Except as hereinafter provided, the certificate of a physician and the statement from a person in charge of a laboratory or from a person authorized to make reports for the laboratory shall be on a form to be provided and distributed by the State Department of Public Health to laboratories in the state approved by the State Department of Public Health. This form is hereinafter referred to in this article as "the certificate form"

Such form or an attachment thereto shall contain a statement to the effect that blood tests may identify carriers of genetic diseases, including, but not limited to, sickle cell anemia and Tay-Sachs disease, and that such tests may be performed at the same time as those tests required by Section 4300. "

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1143—An act to amend Section 4036 of the Business and Professions Code and to amend Sections 11007, 11166, and 11166.02 of the Health and Safety Code, relating to prescriptions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Senate May 16, 1972, after "shall", insert "bear".

Amendment No. 2

On page 2, line 28, strike out "state license number and", and insert "license".

Amendment No. 3

On page 2, line 39, after "typeset", insert "at the time the prescription is written".

Amendment No. 4

On page 2, line 40, strike out "state license"; and on page 3, line 1, strike out "number and", and insert "license".

Amendment No. 5

On page 3, line 13, after "typeset", insert "at the time the prescription is written".

Amendment No. 6

On page 3, line 15, strike out "state license number and", and insert "license".

Amendment No. 7

On page 3, after line 16, insert

"SEC. 5. This act shall become operative on July 1, 1973."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 730—An act to amend Sections 7002, 7052.5, 7054, 10375, and 10376 of, and to add Sections 7054.1, 7054.6 and 10376.5 to, the Health and Safety Code, relating to dead bodies.

Bill read second time, and ordered to third reading.

Senate Bill No. 1361—An act to add Section 7633 to the Business and Professions Code, and to amend Sections 10382 and 10610 of, and to add Sections 10603, 10608, 10610.1, and 10610.2 to, the Health and Safety Code, relating to vital statistics

Bill read second time, and ordered to third reading.

Senate Bill No. 34—An act to amend Sections 66611 and 66652 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1186—An act to amend Section 65853 of the Government Code, relating to zoning

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1327—An act to amend Section 6502 of the Public Resources Code, relating to public lands

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 955—An act to add Section 7 10 to, and to repeal Section 7 8 of, the Ventura County Flood Control Act (Chapter 44 of the Statutes of 1944, Second Extraordinary Session), relating to the Ventura County Flood Control District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, as amended in Senate April 26, 1972, between lines 10 and 11, insert

"(e) As used in this section, "recreation" means recreational activities associated with the out-of-doors, such as camping, picnicking, fishing, boating, sightseeing, hiking, and water contact sports and the associated facilities of campgrounds, riding and hiking trails, picnic areas, parking areas, boat launching ramps, view points, water supply and sanitary facilities, and such other facilities as may be necessary to make project land and water areas available for use by the public."

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1048—An act to amend Sections 537 5 and 539 of, and to add Sections 537, 537 1, 537 2, 537 3, 538, 538.1, 538.2, 538 3, 538 4, 538 5, 541, 542 1, 542 2, 542 3, 542 4, 542b, and 542c to, and to repeal Sections 537, 538, 541, and 542b of, the Code of Civil Procedure, and to add Sections 126 1, 15006.1, and 15501 1 to the Corporations Code, and to amend Section 7203 of the Government Code, relating to attachment in commercial actions.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted·

Amendment No. 1

On page 6, line 24, of the printed bill, as amended in Assembly June 21, 1972, after "defendant", insert "or upon the first regular date law and motion matters are heard thereafter, whichever occurs later".

Amendment No. 2

On page 9, line 16, after "transfer," insert "other than in the ordinary course of business,".

Amendment No. 3

On page 10, line 9, after "539.", insert "(a)"

Amendment No. 4

On page 11, between lines 16 and 17, insert

"(b) The liability of any surety furnishing a bond pursuant to this section, if any, may be enforced on motion in the trial court without the necessity of an independent action Notice of the motion shall be served on the persons whose liability is sought to be enforced at least 30 days prior to the time set for hearing of the motion The notice shall state the amount of the claim and shall be supported by an affidavit or affidavits setting forth the facts on which the claim is based. Such notice and affidavit may be served in accordance with any procedure authorized by Chapter 5 (commencing with Section 1010), Title 14, Part 2. Judgment may be entered in accordance with the notice against the person or persons served therewith, unless such person or persons shall serve and file an affidavit or affidavits in opposition to the motion showing such facts as may be deemed by the judge hearing the motion sufficient to present a triable issue of fact If such showing is made, the issues to be tried shall be specified by the court and trial thereof shall be set for the earliest date convenient to the court, allowing sufficient time for discovery The surety shall not obtain a stay of the proceedings pending the determination of any third-party claims. Affidavits filed pursuant to this section shall conform to the requirements prescribed for affidavits filed pursuant to Section 437c."

Amendment No. 5

On page 15, line 40, strike out "as to".

Amendment No. 6

On page 16, line 7, strike out "as to".

Amendment No. 7

On page 16, after line 8, insert

"SEC. 27 This act shall be operative until December 31, 1975, and after that date shall have no force or effect "

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 805—An act to amend Sections 885 5 and 895 11 of the Education Code, relating to county school service funds.

Bill read second time, and ordered to third reading

Senate Bill No. 1392—An act to amend Section 17668 of the Education Code, relating to financial support of the public schools

Bill read second time, and ordered to third reading.

Senate Bill No. 423—An act to amend Sections 945 and 1016 of, and to add Section 1016 6 to the Education Code, relating to legal counsel for school districts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 670—An act to add Sections 6803.3 and 6902 055 to the Education Code, relating to special education.

Bill read second time, and ordered to the Consent Calendar.

Hon. Joe A. Gonsalves Presiding

At 3 26 p m , Hon. Joe A Gonsalves, 66th District, presiding

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 530—An act to amend Section 36516 of, and to add Section 36516.2 to, the Government Code, relating to local government.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 530?

Senate Amendments of June 8, 1972

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly April 18, 1972, strike out line 7; and on page 2, strike out lines 1 and 2, and insert

"(a) In cities up to and including 35,000 in".

Amendment No. 2

On page 2, line 4, strike out "(c)", and insert "(b)"

Amendment No. 3

On page 2, line 6, strike out "(d)", and insert "(c)".

Amendment No. 4

On page 2, line 8, strike out "(e)", and insert "(d)".

Amendment No. 5

On page 2, line 10, strike out "(f)", and insert "(e)".

Amendment No. 6

On page 2, line 13, strike out "(g)", and insert "(f)".

Senate Amendments of June 14, 1972

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate June 8, 1972, after the second comma, insert "up to and including".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan Sieroty, Stull, Thomas, Warren, Waxman, Wilson, Wood, and Mr. Speaker—62.

NOES—None.

~~Above bill ordered enrolled.~~

NOTE: Later this day a motion to reconsider the vote whereby Senate amendments to Assembly Bill No 530 were concurred in was offered by Mr. Lanterman. See page 5612.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, June 28, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 9 (as amended in Assembly June 26, 1972) relating to sales and use taxes to finance public transportation systems—An act to amend Sections 29530 29532, and 29533 of the Government Code, to amend Sections 99209, 99213 99240, 99241 99260, 99267, 99282, 99305, 99401, 99403, 99405, and 99407 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of and to add Sections 6357.1, 6357 2, 7204.4, 7204 6, and 7264.1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof to take effect immediately; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 26, 1972, after "act", insert "to add Section 20880 1 to the Business and Professions Code,".

Amendment No. 2

On page 4, line 37, after "SECTION 1.", insert "Section 20880.1 is added to the Business and Professions Code, to read

20880 1 On and after September 1, 1972, if the price indicated on a dispensing apparatus, or on a price indicator used in connection with a computing meter pump or a pump designed to compute price, does not include the sales tax, the sign or advertising medium shall indicate "plus sales tax" in letters at least one-quarter the size of the numerals indicating the price

SEC. 1 5 "

The undersigned consent to the report:

JAMES R MILLS	WADIE P DEDDEH
MILTON MARKS	LEO McCARTHY
ALFRED E ALQUIST	FRANK LANTERMAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and refused adoption by the following vote:

AYES—Brathwaite, Burton, Chacon, Crown, Deddeh, Foran, Lanterman, McCarthy, and Seeley—9

NOES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Stacey, Stull, Thomas, Townsend, Waxman, Wilson, Wood, and Z'berg—53

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1202

Mr McCarthy was granted unanimous consent to take up Assembly Bill No 1202, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 1202

Assembly Bill No. 1202—An act to add Chapter 5 5 (commencing with Section 18325) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens, and making an appropriation therefor

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 745—An act to add Section 54931 19 to the Government Code, relating to districts, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 745 (presented by Mr. Murphy)?

Amendment No. 1

On page 1, line 4, of the printed bill as amended in Assembly April 19. 1972, strike out "of this code".

Amendment No. 2

On page 2, line 3, after "and", insert "the"

Amendment No. 3

On page 2, line 5. strike out "measure", and insert "statute"

The roll was called and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite Briggs, Brown Burke Campbell, Chacon, Chappie, Cline, Collier, Conrad Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes Harvey Johnson Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell Ryan, Seeley Sieroty Stacey, Townsend. Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1282—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1282?

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in Assembly April 24, 1972 after "hospitals", insert "and teaching hospitals operated by the Regents of the University of California"

The roll was called and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Barnes Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia Bill Greene, Leroy F Greene, Hayden, Hayes Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead,

Murphy, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Above bill ordered enrolled

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to aviation

Bill read third time, and refused passage by the following vote:

AYES—Badham, Bee, Beverly, Burke, Chacon, Collier, Cory, Fenton, Foran, Gonsalves, Hayden, Harvey Johnson, Keysor, Lanterman, McAlister, McCarthy, Miller, Murphy, Priolo, Russell, Sieroty, Vasconcellos, Warren, Wood, and Z'berg—25

NOES—Barnes, Belotti, Chappie, Cullen, Deddeh, Dent, Duffy, Leroy F Greene, Hayes, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, Mobley, Moorhead, Powers, Quimby, Ralph, Seeley, Thomas, Townsend, and Wilson—23

Motion to Reconsider Assembly Bill No. 1122 on Next Legislative Day

Mr Badham moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1122 was this day refused passage

Assembly Bill No 1122 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy was granted unanimous consent that Assembly Bill No 1202 be transmitted to the Senate at this time.

Hon. Kenneth Cory Presiding

At 4 24 p m , Hon Kenneth Cory, 69th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2263—An act to amend Section 1370 of the Penal Code, relating to criminal procedure

Bill read third time, and passed by the following vote·

AYES—Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Powers, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48

NOES—Collier, Dent, Hayden, Lancaster, MacGillivray, Moorhead, Priolo, and Russell—9

Bill ordered transmitted to the Senate.

Assembly Bill No. 1371—An act to amend Section 14120 of the Welfare and Institutions Code, relating to medical assistance

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Murphy, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—50

NOES—Arnett, Dent, Hayes, Lancaster, Lanterman, and Russell—6

Bill ordered transmitted to the Senate.

Assembly Bill No. 1414—An act to amend Section 14124 3 of, and to add Section 14119 5 to, the Welfare and Institutions Code, relating to public social services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Brathwaite, Briggs, Burton, Chacon, Chappie, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—45.

NOES—Badham, Cline, Collier, Conrad, Hayes, Lancaster, Lanterman, Moorhead, Murphy, and Russell—10

Bill ordered transmitted to the Senate

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1542—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 80—An act appropriating money to the commission on peace officer standards and training.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020 and 4452 5 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Chappie moved a call of the Assembly.

Motion carried. Time, 4:35 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 452, on request of Mr Z'berg.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1140—An act to amend Section 1473 of, to amend and renumber Section 1475 of, to add Section 1475 to and to repeal Section 1475 of, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lancaster, Lan-

177—416

terman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1143—An act to amend Sections 9801, 9802, 9803, 9805, 9820, 9823, 9825, 9831, 9841, and 9844 of, and to add sections 9834, 9835, 9836, and 9837 to, the Business and Professions Code, relating to repair services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent Duffy, Dunlap, Fenton Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, Lancaster. Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1215—An act to add Section 11705 5 to the Vehicle Code, relating to dealers' licenses.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Russell Ryan, Seeley, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1366—An act to repeal and to add Article 8.6 (commencing with Section 893 20) to Chapter 4 of Division 3 of the Education Code, relating to instructional television, and making an appropriation therefor

Bill read third time, and passed by the following vote·

AYES—Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley. Moorhead, Powers, Priolo, Quimby. Ralph, Ryan, Seeley, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—52

NOES—Arnett, Hayden, and Murphy—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1407—An act to amend Section 146 5 of the Streets and Highways Code, relating to fringe parking facilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Miller, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Burke, Hayes, and Priolo—3.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Miller, Moorhead, Murphy, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Burke, Hayes, and Priolo—3

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 348, 956, 1251, 1283, 1384, 1701, 1708, 1850, 1897, 1956, 2196,

2234, 2237, 2376, 1621, and 1822, Assembly Concurrent Resolution No. 103, Senate Bills Nos 251, 484, and 1246, and Senate Concurrent Resolution No 24 for hearing in the Committee on Ways and Means, on Monday, July 3, 1972.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 347

At 4·45 p.m., on motion of Mr Chappie, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The urgency clause to Assembly Bill No. 347 refused adoption by the following vote

AYES—Arnett, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Priolo, Ralph, Russell, Seeley, Thomas, Vasconcellos, Wilson, and Wood—42

NOES—Brathwaite, McCarthy, Murphy, Powers, and Ryan—5

Motion to Reconsider Urgency Clause to Assembly Bill No. 347 on Next Legislative Day

Mr. Chappie moved to reconsider on the next legislative day the vote whereby Assembly Bill No 347 was this day refused adoption

Assembly Bill No 347 ordered to the unfinished business file

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1801—An act to add Article 6 (commencing with Section 17875) to Chapter 4 of Part 3 of Division 7 of the Business and Professions Code, relating to marriage, family or child counseling corporations

Bill read third time, and passed by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Powers, Quimby, Russell, Ryan, Seeley, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Burton, Cline, Hayes, Murphy, and Priolo—5

Bill ordered transmitted to the Senate

Assembly Bill No. 1875—An act relating to bilingual education, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Maddy, McAlister, McCarthy, Miller, Murphy, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Russell—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1945—An act to add Section 39052 3 to the Health and Safety Code, relating to petroleum advertising

Bill read third time, presented by Mr Murphy, and passed by the following vote

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—62

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 311

Mr Burton was granted unanimous consent to take up Senate Bill No. 311, out of order, for purpose of amendment.

Consideration of Senate Bill No. 311

Senate Bill No. 311—An act to amend Sections 11006 2, 12158 and 12660 of, and to add Section 11006 3 to, the Welfare and Institutions Code, relating to public assistance

Bill read third time.

Motion to Amend

Mr Burton moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Assembly June 26, 1972, after "month", insert a comma

Amendment No. 2

On page 3, line 1, strike out "this", and insert "his".

Amendment No. 3

On page 3, between lines 8 and 9, insert

"SEC 4 Section 12158 of the Welfare and Institutions Code is amended to read.

12158. ~~If the application for aid is granted, the clerk of the board of supervisors shall report the fact to the auditor of the county.~~ All payments of aid under this chapter shall be ~~made monthly in advance by the treasurer of the county and shall be paid as of the first day of each month.~~

~~The warrant shall be placed in the mail in time for delivery on the first postal delivery day of each month.~~

~~Such payment shall be~~ paid by warrant and shall be delivered to the recipient at his residence if he so requests

If a recipient of aid dies before any warrant or warrants to which he is found to be entitled can be issued to him as payee, such warrant or warrants may designate the legal representative of the decedent's estate as payee, or, if there be no authorized legal representative, the heir of the decedent who can demonstrate his legal right thereto may be designated as payee ''

Amendment No. 4

On page 3, line 9, strike out ''4'', and insert ''5''

Amendment No. 5

On page 3, after line 19, insert

''SEC. 6. Section 12660 of the Welfare and Institutions Code is amended to read:

12660 Payment of aid under this chapter or Chapter 5 of this part shall be made promptly and shall be commenced as of the first day of the month in which the application is granted, unless otherwise directed ~~by the department~~ in cases in which an appeal is taken; aid shall not commence prior to the date of application, unless otherwise directed ~~by the department~~ in cases in which an appeal has been taken on the ground that the ~~county~~ *department* has refused to accept a signed application for aid.

~~All payments of aid under this chapter or Chapter 5 of this part shall be made monthly in advance and shall be paid as of the first day of each month. The warrant shall be placed in the mail in time for delivery on the first postal delivery day of each month.~~

SEC 7 It is the intent of the Legislature, if this bill and Senate Bill No. 540 are both chaptered and amend Sections 12158 and 12660 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No. 540, that Sections 12158 and 12660 of the Welfare and Institutions Code, as amended by Sections 3 and 5 of this act shall remain operative only until the operative date of Senate Bill No 540, and that on the operative date of Senate Bill No 540 Sections 12158 and 12660 of the Welfare and Institutions Code as amended by Sections 3 and 5 of this act be further amended in the form set forth in Sections 4 and 6 of this act to incorporate the changes in Sections 12158 and 12660 proposed by Senate Bill No 540 Therefore, Sections 4 and 6 of this act shall become operative only if Senate Bill No 540 is chaptered before this bill and amends Sections 12158 and 12660, and in such case Sections 4 and 6 of this act shall become operative on the operative date of Senate Bill No 540 ''

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4 53 p m , Acting Speaker Cory declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 355—An act to amend Section 73121 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1379—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1385—An act to amend Sections 7000 5, 7002, 7003, and 7007 of the Business and Professions Code, relating to contractors

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap,

Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1403—An act to add Section 6815 2 to the Public Resources Code, relating to state lands

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1489—An act to amend Section 20206 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad Cory Crown, Cullen Dent, Duffy Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Miller, Mobley, Monagan Moorhead, Murphy Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2012—An act to amend Sections 17921, 17922, 17925, 17930, 17952, 17958, and 17958 7, and to repeal Section 17922 5 of the Health and Safety Code, relating to housing

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap,

Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2074—An act to amend Sections 18203, 18405 2, 18406, 18406 2, 18601, 18615, 18661, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406 3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203 5, 18205, 18205 5, 18668, and 18668.1 of, the Financial Code, relating to industrial loan companies.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2119—An act to amend Sections 9900, 9901, 9902, 9903, 9905, 9906, and 9908 of the Government Code, relating to legislative advocates.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2123—An act to amend Section 6871 5 of the Education Code, relating to exceptional children.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 669—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1791—An act to amend Sections 38731, 38732, 38733, 38734, 38735, 38741, and 38742 of, to amend the heading of Article 27 (commencing with Section 38731) of Chapter 5 of Part 3 of Division 15 of, to add Article 7 (commencing with Section 36991) to Chapter 2 of Part 3 of Division 15 of, and to add Article 32 (commencing with Section 38801), Article 33 (commencing with Section 38811), Article 34 (commencing with Section 38821), and Article 35 (commencing with Section 38861) to Chapter 5 of Part 3 of Division 15 of, the Agricultural Code, relating to standards for milk products

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1961—An act to amend the heading of Chapter 12 5 (commencing with Section 7800) of Division 3, and Sections 101, 7800, 7801, 7804, 7805, 7806, 7810, 7811, 7813, 7814, 7817, 7820, 7823, 7824, 7825, 7832, 7833, 7834, 7835, 7837, 7839, 7840, 7841, 7842, 7843, 7845, 7847, 7851, 7860, 7872, 7880, 7881, 7884, 7885, 7886 and 7887 of, and to add Sections 7802 1, 7803.1, 7804 1, 7807 1, 7830 1, 7835.1, 7839 1, 7841 1, 7842 1, 7843 1, 7845 1, 7847 6, 7848 1, 7850 1, 7850 6, and 7852 1 to, and to amend, add and repeal Section 101 of, the Business and Professions Code, relating to geologists and geophysicists, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1110—An act to amend Section 107 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

House Resolution No. 26—Relative to urging the United States Food and Drug Administration to investigate mercury contamination in fish

---

NOTE The full text of House Resolution No 26 appears at pages 714–715 of the Assembly Daily Journal for March 8, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Assembly Joint Resolution No. 34—Relative to strip mining in the Los Padres National Forest

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 76—Relative to day care centers for children of high school girls

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Resolution ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 225—An act to add Section 811 5 to the Education Code, relating to county superintendents of schools

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen Dent, Duffy, Dunlap,

Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 198—An act to add Article 8 5 (commencing with Section 1075) to Chapter 3 of Division 4 of the Education Code, relating to scholarship and loan funds.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 522—An act to amend Section 175 and to repeal Sections 174 and 266c of the Penal Code, relating to oriental exclusion laws

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 576—An act to amend Section 11003 4 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1126—An act to add Section 222 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1408—An act to repeal Sections 54931 13, 54931 14, 54931 15, 54931 16, 54931 17, 54932, 54933 4, 54933 5, 54938, 54938 5, 54940, and 54941 of the Government Code, and to repeal Section 1 of Chapter 1485 of the Statutes of the 1971 Regular Session of the Legislature, relating to the late filing of documents and exemptions for purposes of property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 389—An act to amend Section 2821 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 390—An act to amend Section 4217 of the Revenue and Taxation Code, relating to delinquent taxes

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 407—An act to amend Section 25643 of, and to add Section 25210 58 to. the Government Code, relating to property taxes imposed to finance fire protection, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pow-

ers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 5—An act to add Title 7 3 (commencing with Section 66700) to the Government Code, to repeal and add Sections 66713, 66740, and 66750 of the Government Code, as proposed by this act, and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman MacDonald MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 525—An act to amend Section 62186 of the Agricultural Code, relating to milk

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1329—An act to amend Sections 10152, 10460, 10462 and 10463 of the Business and Professions Code, relating to real estate licenses.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 453—An act to amend Sections 72608, 72640, 72645 and 72649 of, to repeal Sections 72646 and 72647 of, and to add Section 72646 to, the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 885—An act to amend Section 69894 1 of the Government Code, relating to superior courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-

Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 920—An act to amend Sections 70059.7 and 74647 of the Government Code, relating to official reporters.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1188—An act to amend Section 1325 of, to add Section 1325.5 to, and to repeal Sections 1325 5 and 1330 of, the Streets and Highways Code, relating to county bridges.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1190—An act to add Sections 6520 7 and 6520 9 to the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene,

Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1121—An act to amend Section 54902 5 of the Government Code, relating to district boundaries

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1385—An act to amend Sections 73562, 73563, 73563 2, 74222, 74223, and 74223 2 of the Government Code, relating to courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mc-Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 339—An act to amend Sections 54784, 65062 and 66180 of, and to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of, the Government Code, to amend Section 24351 of the Health and Safety Code, and to amend Section 28700 of the Public Utilities Code, relating to city selection committees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 438—An act to amend Section 5902 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

COMMUNICATIONS

Assembly Chamber, June 29, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

Assembly Bill No. 1282—An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4:30 p.m., June 29, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, June 29, 1972

Mr Speaker Your Committee on Health reports:

SB No. 599

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, June 29, 1972

Mr Speaker. Your Committee on Local Government reports.

SB No 1409

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

KNOX, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 29, 1972

Mr Speaker. Your Committee on Local Government reports·

SB No 1046

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

KNOX, Chairman

Above bill ordered to second reading

Committee on Planning and Land Use

Assembly Chamber, June 27, 1972

Mr Speaker Your Committee on Planning and Land Use reports.

SB No 1324

With the recommendation Dos pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

PRIOLO, Chairman

Above bill ordered to second reading

Committee on Education

Assembly Chamber, June 29, 1972

Mr Speaker Your Committee on Education reports

ACR No 98

With amendments with the recommendation Amend, and be adopted, as amended

LEROY F GREENE, Chairman

Above resolution ordered on file

Committee on Ways and Means

Assembly Chamber, June 29, 1972

Mr Speaker· Your Committee on Ways and Means reports·

SB No 935

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Committee on Constitutional Amendments

Assembly Chamber, June 29, 1972

Mr. Speaker: The Chairman of your Committee on Constitutional Amendmen's reports:

ACA No 78

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Constitutional Amendments.

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 2 5 to Article XIII thereof, relating to property taxation.

Resolution read.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed measure, as amended in Assembly June 20, 1972, strike out "the"; and strike out lines 7 and 8, and insert "low or moderate incomes are those which are within the limits required of applicants for tenancy on land owned by a nonprofit or limited dividend corporation which is federally assisted, insured, or otherwise subsidized"

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1201

Mr McCarthy was granted unanimous consent to take up Assembly Bill No 1201, without reference to file, for the purpose of reading the bill a second time at this time, and that the bill be returned to the third reading file for the next legislative day, instead of the Consent Calendar.

Second Reading of Assembly Bill No. 1201 by Unanimous Consent

Assembly Bill No. 1201—An act to amend Section 19523 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1724

Mr McCarthy was granted unanimous consent to take up Assembly Bill No. 1724, out of order, for purpose of amendment

Consideration of Assembly Bill No. 1724

Assembly Bill No. 1724—An act to repeal Chapter 2 5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter

2 5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to tax credits and payments under the Personal Income Tax Law, to take effect immediately, tax levy.

Bill read third time

Motion to Amend

Mr McCarthy moved the adoption of the following amendments:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "and making an appropriation therefor,"

Amendment No. 2

On page 4, strike out line 15, and insert "be refunded When funds therefor are specifically appropriated by the Legislature, there shall be expended"

Amendment No. 3

On page 4, strike out line 30, and insert

"16,001 to 20,000 ---------- 75
over 20,000 ---------- 0".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file

Assembly Bill No. 414, on request of Mr Sieroty

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1360

Mr Quimby was granted unanimous consent to take up Assembly Bill No 1360, out of order, for purpose of amendment

Consideration of Assembly Bill No. 1360

Assembly Bill No. 1360—An act to add Sections 6443 5, 6444, 6445, 6446, and 6447 to, to repeal Sections 6443 and 18270 of, the Education Code, and to repeal Section 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor

Bill read third time

Motion to Amend

Mr Quimby moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 8, of the printed bill, as amended in Assembly June 26, 1972, strike out "6443", and insert "6443 5"

Amendment No. 2

On page 5, line 12, strike out "6443", and insert "6443 5"

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 530 ON NEXT LEGISLATIVE DAY

Mr Lanterman moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No 530 were this day concurred in by the Assembly

Assembly Bill No 530 ordered to the unfinished business file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 935

Mr. Campbell was granted unanimous consent to take up Senate Bill No 935, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file for the next legislative day, instead of the second reading file.

Second Reading of Senate Bill No. 935 by Unanimous Consent

Senate Bill No. 935—An act to amend Sections 11550, 12800, 12803, 12803 7, 12804, 12806, 12808, 12809, 12810, and 12855 of, to add Section 12803 to, and to repeal Section 12803 of the Government Code and to amend Section 1589 of the Unemployment Insurance Code, relating to programs of the Human Relations Agency, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 8, after line 27, of the printed bill, as amended in Assembly June 27, 1972, insert

"SEC. 17 This act shall become effective only if Assembly Bill No. 99 of the 1972 Regular Session is enacted and shall become operative upon the enactment of Assembly Bill No 99 and upon its deposit with the Secretary of State "

Bill ordered reprinted, and to be returned to the third reading file.

MESSAGES FROM THE SENATE

Senate Chamber, June 29, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No. 1373

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No 1682 and Assembly Constitutional Amendment No. 77 were continued until the next legislative day.

VOTE CHANGES

Mr. Seeley was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the Conference Report on Assembly Bill No. 966

Mr Barnes, was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the Conference Report on Assembly Bill No 966.

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on the Conference Report on Assembly Bill No. 966

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 530

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Concurrent Resolution No 64.

Mr. Cline was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1371

Mr Russell was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1371.

Mr Cline was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1414.

Messrs Lanterman and Russell were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 80

Mr Briggs was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1875

Mr Russell was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1875.

Mr Russell was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No 1366.

ADJOURNMENT

At 5 03 p m , Acting Speaker Cory declared the Assembly adjourned until 9 30 a m , Friday, June 30, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundredth Legislative Day

One Hundred Eightieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, June 30, 1972

The Assembly met at 9 30 a m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly. Time, 9 31 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10 02 a m, Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo,

Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, There is much suffering in our world. Help us to share the pain with each of our brothers For unless we share the pain we will never be moved to strive harder to eliminate it.

We often blame You, Father, for the world's disorder and we say "it is God's will" or "why does God allow it"

But, Father, we know that each of us has at times been the cause of another's pain.

We look with hope to Your help and man's effort for a future without tears, a future in which You will be truly present —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Russell then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Wilson, seconded by Mr. Campbell.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Conrad, on request of Acting Speaker Fenton.
Mr. Garcia, on request of Acting Speaker Fenton.
Mr. Meade, on request of Acting Speaker Fenton.
Mr. Pierson, on request of Acting Speaker Fenton.
Mr. Porter, on request of Acting Speaker Fenton
Mr. Quimby, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton
Mr. Karabian, on request of Acting Speaker Fenton.
Mr. Ketchum, on request of Acting Speaker Fenton.
Mr. Ryan, on request of Acting Speaker Fenton

The following Member was granted leave of absence for the day, and his per diem was waived.

Mr. MacDonald, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal·

June 27, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob· Please excuse me from the session on Friday, June 30, to attend a meeting in Ventura

This meeting is scheduled with representatives of Division 7 of the State Division of Highways to review problems concerning State Routes 33 and 150 in Ventura County

Thank you for your consideration of this request.

Sincerely,

J. K MacDONALD, Assemblyman
Thirty-seventh District

REPORTS

The following report was presented by the Chief Clerk

Bulletin No. 16-71. Weather Modification Operations in California. October 1, 1970–September 30, 1971. June 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated June 28, 1972, referred by the Acting Speaker to the Committee on Water.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered·

Assembly Concurrent Resolution No. 113: By Assemblyman Stacey —Relative to the availability of water for freeway firefighting purposes

Held at Desk by order of the Acting Speaker

RESOLUTIONS

The following resolution was offered:

By Assemblyman Campbell·

House Resolution No. 74

Relative to podiatrist's assistants

WHEREAS, There continues to be a need to respond to the growing shortage and geographic maldistribution of health care manpower in California, and

WHEREAS, This fact was recognized by the Legislature in 1970 with the enactment of Chapter 1327 relating to the utilization of physicians' assistants by physicians; and

WHEREAS, Other disciplines within the health care delivery system should be encouraged to develop further implementation of the concept of delegating health care tasks to qualified assistive personnel; now, therefore, be it

Resolved by the Assembly of the State of California, That the Podiatry Examining Committee is hereby directed to develop, using available funds, recommendations for the implementation of a new category of health manpower, the podiatrist's assistant, and be it further

Resolved, That such recommendations include guidelines for training programs, proposed regulations for implementation of the podiatrist's assistant program, and criteria for training program approval and applicant certification; and be it further

Resolved, That in formulating its recommendations the Podiatry Examining Committee seek the advice and assistance of professional associations and individuals knowledgeable in the field; and be it further

Resolved, That the Podiatry Examining Committee report its recommendations to the Assembly by February 1, 1973, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Podiatry Examining Committee.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

COMMUNICATIONS

Assembly Chamber, June 30, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No 2195

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

Assembly Chamber, June 30, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1779

AB No. 2104

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1623

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1360	AB No 1724
AB No 1644	AB No. 1998
AB No. 1690	

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1201

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, June 30, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 6

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, June 30, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

ACR No 45	ACR No. 110
ACR No 101	AJR No 32

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 29, 1972

Mr Speaker· Your Committee on Ways and Means reports·

AB No 400	AB No 1745	AB No 2169
AB No 814	AB No 1871	AB No 2033
AB No 1013	AB No 2018	AB No 2350
AB No 1315	AB No 2126	

With amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports

AB No 2346

With the recommendation: That the bill be re-referred to the Committee on Natural Resources and Conservation.

BROWN, Chairman

Above bill re-referred to the Committee on Natural Resources and Conservation

Assembly Chamber, June 29, 1972

Mr. Speaker. Your Committee on Ways and Means reports

AB No. 2027
AB No 2028
AB No. 2037

With the recommendation · That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BROWN, Chairman

Subject matter of the above bills referred to the Committee on Rules

Assembly Chamber, June 29, 1972

Mr. Speaker Your Committee on Ways and Means reports

AB No 1277
AB No 2060
AB No. 2114
AB No. 2186

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Ways and Means reports

AB No 486	AB No 1782	AB No 2024
AB No. 1544	AB No 1783	AB No 2051
AB No 1627	AB No 1790	AB No 2065
AB No 1730	AB No 1831	AB No 2189

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports·

AB No. 2324

AB No 2335

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports·

ACR No 38

ACR No 74

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file

Assembly Chamber, June 29, 1972

Mr Speaker: Your Committee on Ways and Means reports·

SB No 450

SB No. 746

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

AB No. 1283 AB No 1822

AB No 1621 AB No 1956

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303 5, 17414, 17417, 17503, 17603 5, 17651, 17654 5, 17655 5, 17664, 17665, 18102 8, 18102.9, 18102.10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3, 17301, 17301 1, 17301 2, 17301 3, 17653, 17662, 17662 3, 17662 5, 18102, and 20751 to, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, to add

Chapter 1.7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913.1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665.5, 18102, 18102 2, 18102 4, 18102.6, 20751, 20800, 20801.5, 20802 8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2 1 (commencing with Section 17671), Article 2.5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly June 22, 1972, after "17301.3," insert "17303.6,".

Amendment No. 2

On page 6, strike out lines 37 to 40, inclusive; and on page 7, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 14, line 17, after "consideration", insert "provided, that in no case shall the adjustment index be less than the National Consumer Price Index, all items, for the immediately preceding fiscal year nor more than the services-less-rent component of the National Consumer Price Index for the immediately preceding fiscal year The adjustment index so developed for a fiscal year shall be announced not later than June 30th of the immediately preceding fiscal year".

Amendment No. 4

On page 15, strike out line 4, and insert "equal to fifty-nine dollars and fifty cents ($59.50) for the fiscal year 1972–1973, eighty-one dollars ($81) for the fiscal year 1973–1974, and ninety-one dollars and seventy-five cents ($91.75) for the fiscal year 1974–1975 and fiscal years thereafter multiplied by the".

Amendment No. 5

On page 16, between lines 26 and 27, insert

"(g) Twenty-one dollars and fifty cents ($21 50) for the fiscal year 1972–1973, forty-three dollars ($43) for the fiscal year 1973–1974, and fifty-three dollars and seventy-five cents ($53 75) for the fiscal year 1974–1975 and fiscal years thereafter multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, community college and adult schools

in the state and to county school tuition funds for allowances to school districts for the purposes of Chapter 6.10 (commencing with Section 6499 230) of Division 6.

SEC 18.5. Section 17303.6 is added to the Education Code, to read:

17303.6 Notwithstanding any other provision of law, if the total amount transferred to the State School Fund pursuant to Section 17301.3 is inadequate to finance all the expenditures prescribed in Section 17303.5, the Superintendent of Public Instruction shall reallocate a sufficient amount of the funds transferred to the State School Fund for the specified percentage of the current expense of education pursuant to Section 17301 to insure that the full per unit of average daily attendance amount prescribed in subdivision (g) of Section 17303.5 is fully funded."

Set No. 2

Amendment No. 1

On page 5, line 10, of the printed bill, as amended in Assembly June 22, 1972, after the comma, insert "except that if the resulting figure is higher than 2, the resulting figure shall be deemed to be 2, and if the resulting figure is lower than one-half, no entitlement shall be computed for such a district,".

Amendment No. 2

On page 5, line 23, strike out "90", and insert "80".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1621—An act making an appropriation for a new salary structure for the California State University and Colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Warren", and insert "Barnes"

Amendment No. 2

In line 1 of the title strike out "a new salary structure"; and strike out line 2 of the title, and insert "support associated with the development of a second campus of Hastings College of the Law"

Amendment No. 3

On page 1, line 2, strike out "the sum of four", and insert "to the Regents of the University of California, the sum of two hundred seventy-eight thousand dollars ($278,000) for the costs of personal services, operating expenses and equipment associated with the development of a second campus, in San Diego, of Hastings College of the Law"

Amendment No. 4

On page 1, strike out lines 3 to 10, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1822—An act to add Section 24215 to the Education Code, relating to the state university and colleges.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 1, 1972, strike out "McAlister", and insert "Barnes"

Amendment No. 2

In lines 1 and 2 of the title, strike out "to add Section 24215 to the Education Code, relating to the", and insert "making an appropriation to the Trustees of the California".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. There is hereby appropriated from the General Fund in the State Treasury to the Trustees of the California State University and Colleges the sum of one hundred thousand dollars ($100,000) for San Diego instructional television."

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1956—An act to add Section 10053 7 to the Welfare and Institutions Code, relating to mentally retarded persons

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly April 26, 1972, strike out line 3, and insert

"10053.7. The Department of Mental Hygiene shall establish within its certified family care program respite care services for the mentally retarded. Such respite care services shall be available to both certified family home caretakers and to persons referred by the regional mental retardation centers For purposes of this section, respite care means temporary and intermittent care provided for short periods of time.

The rate of reimbursement for such respite care service shall be established by the Department of Mental Hygiene and shall reflect the added costs inherent in the provision of an intermittent and irregular service

By March 1, 1973, the Department of Mental Hygiene shall report to the Legislature the number of certified family care beds designated for respite care, their location, and the rate of reimbursement established."

Amendment No. 2

On page 1, strike out lines 4 and 5, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, June 29, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 591

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 29, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 706

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, June 29, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed.

SB No. 321	SB No 918	SB No. 1158
SB No. 669	SB No. 1013	SB No. 1461
SB No. 736		

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 321—An act to add Section 25425.3 to the Education Code, relating to community colleges.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 669—An act to amend Section 2274 of the Civil Code and Section 1122 of the Probate Code, relating to trustee's compensation.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 736—An act to amend Section 1526 of the Penal Code, relating to criminal procedure.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 918—An act to amend Section 170 6 of the Code of Civil Procedure, relating to courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1013—An act to amend Section 1863 of the Civil Code, relating to hostelries.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1158—An act to add Section 386.1 to the Code of Civil Procedure, relating to interpleader funds.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1461—An act to amend Section 27491 of the Government Code, relating to coroners.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
321	Education
669	Judiciary
736	Criminal Justice
918	Judiciary
1013	Commerce and Public Utilities
1158	Judiciary
1461	Criminal Justice

RUSH ORDER PLACED UPON PRINTING OF BILLS

Mr. Brown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos 1283, 1621, 1822, and 1956, and Assembly Concurrent Resolutions 100 and 103, and that the bills be considered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 629 and 1767, and Assembly Concurrent Resolution No. 100 for hearing in the Committee on Ways and Means at 2 p m., on Monday, July 3, 1972.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 2195, 541, 1623, and **1779,** ordered to third reading.

NOTE Later this day Assembly Bill No 2195 was re-referred to the Committee on Ways and Means.

Assembly Bill No. 2104, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 606—An act to amend Sections 17215 and 17216 of, and to add Section 17216.3 to, the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 17215 and 17216", and insert "Section 17215".

Amendment No. 2

On page 1, strike out line 3, and insert

"17215 *(a)* Deductions for contributions or gifts shall be allowed to an amount which in all cases listed in Section 17214 combined does not exceed 20 percent of the taxpayer's adjusted gross income ~~The contributions or gifts shall be allowed as deductions only if verified under rules and regulations prescribed by the Franchise Tax Board.~~

(b) Deductions for contributions or gifts to organizations described in paragraphs 1 through 6 of subdivision (c) of Section 17216.3, shall be allowed to an amount, which, when combined with the total aggregate amount of contributions or gifts authorized in subdivision (a), does not exceed 30 percent of the taxpayer's adjusted gross income.

(c) The contributions or gifts authorized in subdivisions (a) and (b) shall be allowed as deductions only if verified under rules and regulations prescribed by the Franchise Tax Board."

Amendment No. 3

On page 1, strike out lines 4 to 6, inclusive; and strike out pages 2 to 5, inclusive; and on page 6, strike out lines 1 to 11, inclusive; and in line 12, strike out "SEC. 3", and insert

"SEC. 2".

Amendment No. 4

On page 6, line 15, strike out "Section 17215", and insert "subdivision (c),".

Amendment No. 5

On page 6, line 18, after the parenthesis, insert a comma.

Amendment No. 6

On page 6, line 18, strike out "50", and insert "30".

Amendment No. 7

On page 6, line 19, strike out "contribution base", and insert "adjusted gross income".

Amendment No. 8

On page 6, line 20, strike out "Section"; and in line 21, strike out "17215", and insert "subdivision (c)".

Amendment No. 9

On page 6, line 25, strike out "50", and insert "30".

Amendment No. 10

On page 6, line 26, strike out "contribution base", and insert "adjusted gross income".

Amendment No. 11

On page 6, line 28, after "17215", insert a comma.

Amendment No. 12

On page 6, line 30, after the second parenthesis, insert a comma.

Amendment No. 13

On page 6, line 31, strike out "Section 17215", and insert "subdivision (c),".

Amendment No. 14

On page 6, line 33, after "year", insert a comma.

Amendment No. 15

On page 6, line 40, strike out "Section 17215", and insert "subdivision (c),".

Amendment No. 16

On page 7, between lines 2 and 3, insert

"(c) The carryover of excess contributions provided by this section shall apply only to contributions to the following:

(1) A church or a convention or association of churches,

(2) An educational organization which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on,

(3) An organization, the principal purpose or functions of which are the providing of medical or hospital care or medical education or medical research, if the organization is a hospital, or if the organization is a medical research organization directly engaged in the continuous active conduct of medical research in conjunction with a hospital, and during the calendar year in which the contribution is made such organization is committed to spend such contributions for such research before January 1 of the fifth calendar year which begins after the date such contribution is made,

(4) An organization which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under Section 501(a) of the Internal Revenue Code) from the United States or any state or political subdivision thereof or from direct or indirect contributions from the general public, and which is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of a college or university which is an organization referred to in subdivision (2) of this section and which

is an agency or instrumentality of a state or political subdivision thereof, or which is owned or operated by a state or political subdivision thereof or by an agency or instrumentality of one or more states or political subdivisions,

(5) A governmental unit referred to in subdivision (a) of Section 17214,

(6) An organization referred to in subdivision (b) of Section 17214 which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under Section 17631) from a governmental unit referred to in subdivision (a) of Section 17214 or from direct or indirect contributions from the general public,

(7) A private foundation as defined in Section 4942(j)(3) of the Internal Revenue Code, or

(A) Any other private foundation (as defined in Section 509(a) of the Internal Revenue Code) which, not later than the 15th day of the third month after the close of the foundation's taxable year in which contributions are received, makes qualifying distributions (as defined in Section 4942(g) of the Internal Revenue Code, without regard to paragraph (3) thereof) which are treated, after the application of Section 4942(g)(3) of the Internal Revenue Code, as distributions out of corpus (in accordance with Section 4942(h) of the Internal Revenue Code) in an amount equal to 100 percent of such contributions, and with respect to which the taxpayer obtains adequate records or other sufficient evidence from the foundation showing that the foundation made such qualifying distributions, and

(B) A private foundation, all of the contributions to which are pooled in a common fund and which would be described in Section 509(a)(3) of the Internal Revenue Code but for the right of any substantial contributor (hereafter in this subdivision called "donor") or his spouse to designate annually the recipients, from among organizations described in paragraph (1) of Section 509(a) of the Internal Revenue Code of the income attributable to the donor's contribution to the fund and to direct (by deed or by will) the payment, to an organization described in such paragraph (1), of the corpus in the common fund attributable to the donor's contribution; but this clause shall apply only if all of the income of the common fund is required to be (and is) distributed to one or more organizations described in such paragraph (1) not later than the 15th day of the third month after the close of the taxable year in which the income is realized by the fund and only if all of the corpus attributable to any donor's contribution to the fund is required to be (and is) distributed to one or more of such organizations not later than one year after his death or after the death of his surviving spouse if she has the right to designate the recipients of such corpus,

(8) An organization described in Section 509(a)(2) or (3) of the Internal Revenue Code."

Amendment No. 17

On page 7, line 3, strike out "SEC 4", and insert "SEC. 3".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1864—An act to amend Sections 13358, 13550, 13800, 23102, and 23105 of, and to add Section 23102 5 to, the Vehicle Code, relating to persons under the influence of alcohol or drugs

Bill read second time, and ordered to third reading.

Assembly Bill No. 1876—An act to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of the Education Code, relating to compensatory education, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1885—An act to add Article 4 (commencing with Section 17111) to Chapter 2 of Division 13 of the Education Code, relating to school cafeterias, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1908—An act to amend Section 21252.6 of, and to add Section 20017.78 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading.

Assembly Bill No. 1963—An act to amend Sections 849 and 851.6 of, and to add Sections 11115.5, 11116 7, 11116 8, and 11116 9 to, the Penal Code, relating to arrests

Bill read second time, and ordered to third reading.

Assembly Bill No. 2213—An act to add Section 11111 to the Penal Code, and to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the licensing of bicycles, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2265—An act to amend Section 29018.5 of the Education Code, relating to private schools.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2267—An act to amend Section 14050 of the Penal Code, relating to building security standards, and making appropriation therefor.

Bill read second time, and ordered to third reading

Assembly Bill No. 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2278—An act to add and repeal Section 14265 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2315—An act making an appropriation for the operation of the 39th District Agricultural Association, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2337—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2375—An act making an appropriation to the Department of General Services, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 279—An act to amend Sections 3857 and 3899 of, and to add Section 3903 to, the Agricultural Code, relating to fairs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 349—An act to amend Section 22852 of the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 562—An act requiring the acquisition of lands for inclusion in the state park system and the development of such lands.

Bill read second time, and ordered to third reading.

Assembly Bill No. 831—An act to amend Sections 2080 and 4700 of, to amend and renumber Sections 2650, 2651, 2652, 2653, 2654, and 2655 of, and to add Chapter 3.5 (commencing with Section 2630) to Title 1 of Part 3 of, the Penal Code, relating to prisons and prisoners.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1157—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1170—An act relating to a pilot program in the structure of intellect factored test of intellectual abilities in children, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1204—An act to add Section 11008 8 to the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1412—An act relating to the San Francisco Unified School District.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1538—An act to add Section 17508 to the Business and Professions Code, relating to advertising.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1564—An act to amend Section 17055 of, to add Section 17060.5 to, and to repeal Section 17234 of, the Revenue and Taxation Code, relative to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1565—An act to add Chapter 6 (commencing with Section 13000) to Division 8 of the Elections Code, relating to reimbursement of campaign expenses, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1586—An act to amend Section 3020 of the Penal Code, relating to term of imprisonment.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1705—An act to amend Section 5710 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1709—An act to add Section 4089.5 to the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1798—An act to establish a correctional training academy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 30—An act to add Sections 18802.5 and 18753 to the Business and Professions Code, relating to boxing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 652—An act to add Section 2061 to the Penal Code and Section 1727 to the Welfare and Institutions Code, relating to contracts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 930—An act to add a chapter heading to Title 4 (commencing with Section 392) of, and to add Chapter 2 (commencing with Section 404) to Title 4 of, Part 2 of the Code of Civil Procedure, relating to civil actions.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1576—An act to amend Sections 3059 and 3075 of the Business and Professions Code, relating to optometry.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1633—An act to amend Sections 6268 2, 6268 6, 6268 7, 6268 8, 6268.10, 6268.12, 6268 14, 6268 15, 6268 16, 6268 20, and 6268 22 of, and to add Sections 6268 9, 6268 24, 6268 26, and 6268 28 to, the Education Code, relating to vocational education

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1657—An act to amend Sections 17507 7 and 36800 of the Education Code, relating to experimental programs.

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1674—An act to amend Sections 21330 and 21364.7 of, to add Sections 21263 and 21264 to, and to repeal Sections 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264.5 of, the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1901—An act to amend Section 7350 of the Labor Code, relating to aerial passenger tramways

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1947—An act to add Section 6256 to the Penal Code, relating to the state correctional system

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 1948—An act to amend Section 5 of Chapter 1384 of the Statutes of 1970, relating to employment problems of parolees

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2029—An act to add Sections 34211 1, 65302 2, and 65307 to, and to amend Section 34217 of, the Government Code, relating to local plans

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2035—An act to amend Section 316 of, and to add Sections 313 and 313 5 to, the Business and Professions Code, relating to consumer protection

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2064—An act to amend Sections 667 and 2205 of, and to add Chapter 7 5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining

Bill read second time, and ordered to the Consent Calendar

Assembly Bill No. 2165—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2185—An act to amend Section 20393.1 of the Government Code, relating to retirement.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2347—An act to amend Sections 8507, 8515, 8569, 8570, 8571, 8624, 8636, 8652 and 8697.3 of, and to repeal Section 8654 of, the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2364—An act to add Section 39153 5 to, and to repeal Sections 39083 and 39090 of, the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 406—An act to add Division 12 5 (commencing with Section 28700) to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 4, line 13, of the printed bill, as amended in Assembly June 16, 1972, after "experimental", insert "annual".

Amendment No. 2

On page 5, line 26, after "state-operated", insert "annual".

Amendment No. 3

On page 6, line 3, after "state-operated", insert "annual".

Amendment No. 4

On page 6, line 12, strike out "may", and insert "shall".

Amendment No. 5

On page 6, line 14, after "division", insert ", including, but not limited to, standards for testing the emission of pollutants which are consistent with the procedures and standards for the assembly line testing of emission of pollutants".

Amendment No. 6

On page 6, line 15, strike out "may exempt from inspection"; and strike out lines 16 to 19, inclusive, and insert "shall initially exempt from inspection, any commercial fleet of vehicles if the owner of such fleet operates a shop for the inspection and repair of his own vehicles. The commission may, on the basis of random spot checking which indicates that vehicles of any such fleet are not in compliance with equipment and safety requirements and allowable levels of emissions of pollutants, revoke such exemption until such time as the commission is satisfied that vehicles of such fleet are in compliance."

Amendment No. 7

On page 7, line 18, after the period, insert "Such registration system shall not, however, apply to any vehicles exempted pursuant to Section 28718 during the time of such exemption."

Amendment No. 8

On page 7, between lines 25 and 26, insert

"28732. In addition to any other requirements with respect to the registration of motor vehicles, the Department of Motor Vehicles shall also require, on and after the implementation of the inspection program under this division, upon renewal of registration of any motor vehicle required to be inspected pursuant to this division, proof of inspection and compliance with equipment and safety requirements and allowable levels of emissions of pollutants, in a manner prescribed by the commission

28733. On and after the implementation of the inspection program under this division, no person shall sell a used motor vehicle required to be inspected pursuant to this division, unless such motor vehicle either:

(1) Is in compliance with Section 24007; or

(2) Has been inspected, pursuant to this division, within the past 12 months immediately preceding the sale and found to be in compliance with equipment and safety requirements and allowable levels of emissions of pollutants.

This section shall not apply to any used motor vehicle that is sold to another dealer, or is sold for the purpose of being wrecked or dismantled, or is sold exclusively for off-highway use"

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 714—An act to amend Section 20750 85, 21250 1, 21330, and 21364 7 of, to add Sections 21263, 21263 1, 21263.2, and 21263 3 to, and to repeal Sections 21263, 21263 1, 21264, 21264.1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Set No. 1

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Barnes", and insert

"Assemblymen Barnes, Moretti, Arnett, Bee, Belotti, Burton, Davis, Dunlap, Harvey Johnson, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Powers, Quimby, Townsend, Wilson, and Z'berg
(Coauthors: Senators Alquist, Grunsky, Moscone, Roberti, and Rodda)".

Set No. 2

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "Section", and insert "Sections 21263, 21263.3, and".

Amendment No. 2

On page 2, line 9, strike out "--------", and insert "1.65".

Amendment No. 3

On page 7, line 17, after the period, insert "Payment to such beneficiary of such increase shall be subject to the provisions of Section 21263 with respect to termination."

Amendment No. 4

On page 8, line 38, after "21264.1", insert "of the Government Code".

Amendment No. 5

On page 9, line 18, after "21264 1", insert "of the Government Code,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1459—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, lines 1 and 2, of the printed bill, as amended in Assembly June 8, 1972, strike out "including Agnews State Hospital", and insert "except programs for the mentally ill at Agnews State Hospital and Mendocino State Hospital".

Amendment No. 2

On page 2, between lines 13 and 14, insert

"(b) The Department of Mental Hygiene shall require for all counties in which a state hospital closure has been completed or announced prior to June 1, 1972, but within fiscal year 1971–1972, compliance with subsections (1) through (3) of subdivision (a) of this section, within four months of the effective date of this legislation

(c) Those counties which come within the provisions of subdivision (b) of this section shall report to the Legislature within four months of the effective date of this act on the nature of program, treatment plan, and funding provided for in subsections (1) through (3) of subdivision (a) of this section for all persons described in subsection (1) of subdivision (c) of this section."

Amendment No. 3

On page 2, line 14, strike out "(b)", and insert "(d)".

Amendment No. 4

On page 2, line 22, after "county", insert "or state".

Amendment No. 5

On page 3, line 9, strike out "(c)", and insert "(e)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1496—An act to amend Sections 14000, 14105 and 14106 of, to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of, to repeal Sections 14058, 14104, 14106.5 and 14114 of, and to repeal Article 4.4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to medical assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 7, line 9, of the printed bill, as amended in Assembly June 15, 1972, strike out "equal to", and insert "which does not exceed".

Amendment No. 2

On page 7, line 17, strike out the second "of".

Amendment No. 3

On page 8, line 11, strike out "and", and insert "or".

Amendment No. 4

On page 12, line 11, after "Consumer", insert "Advisory".

Amendment No. 5

On page 12, line 28, after "Consumer", insert "Advisory".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1566—An act to add Chapter 6 (commencing with Section 12350) to Division 8 of the Elections Code, relating to the California Fair Campaign Practices Commission, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly May 2, 1972, strike out "to".

Amendment No. 2

On page 2, line 25, strike out "25", and insert "20".

Amendment No. 3

On page 2, line 29, after the comma, insert "and".

Amendment No. 4

On page 2, line 30, strike out ", and"; strike out line 31, and insert ". The".

Amendment No. 5

On page 4, line 3, strike out the first "three", and insert "four".

Amendment No. 6

On page 4, line 3, strike out the second "three", and insert "four".

Amendment No. 7

On page 4, line 5, strike out "three", and insert "and four".

Amendment No. 8

On page 4, strike out lines 6 and 7, and insert "Speaker of the Assembly. The four".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1666—An act to amend Sections 20017 7, 20017.75, 20803.7, and 22013 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly June 15, 1972, after "officers", insert "and performing investigative and enforcement duties, but excluding those whose principal duties are clerical or otherwise and which do not clearly fall within the scope of active law enforcement service, even though such a person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement."

Amendent No. 2

On page 3, line 10, after "officers", insert "and performing investigative and enforcement duties".

Amendment No. 3

On page 3, line 30, strike out "also includes", and insert "does not include".

Amendment No. 4

On page 4, lines 6 and 7, strike out "persons within the Department of Justice designated as peace officers", and insert "law enforcement members of the Public Employees' Retirement System employed by the Department of Justice".

~~Bill ordered reprinted, and returned to the second reading file.~~

NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 1666 was ordered reprinted, and to be returned to the second reading file See page 5690.

Assembly Bill No. 1703—An act to add Chapter 3.7 (commencing with Section 23490) to Division 17 of, and to add Sections 25528.8 and 31226.8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 30, of the printed bill, after "attendance", insert ", exclusive of the average daily attendance of adults, as adults are defined by Section 5756,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 874—An act to amend Section 6319 of the Labor Code, relating to safety

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 16, 1972, strike out lines 6 to 8, inclusive, and insert "employees shall transmit in letter form to the complaining party, or his representative, and the employer, advice as to the time the onsite inspection was made, a clear description of the unsafe conditions found, the nature of the requirements imposed to render the employment condition safe, and the time given to comply therewith, excepting therefrom confidential information".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 962—An act to amend Sections 13813, 13828.4, 13840, 13846 5, 13885, 13886, 13891, 13940, 13994, 13996, 13999, 14000, 14020, 14022, 14023, 14028, 14030, 14036, 14040, 14060, 14061, 14073, 14080.2, 14083, 14154, 14182, 14189, 14190, 14211, 14217, 14218, 14223.5, 14227, 14398, and 16626 of, to amend the heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of, to amend and renumber Section 13835 of, to add Sections 13835, 13835.1, 13862, 13863, 13864, 14030 5, 14116, 14210 1, 14220.1, 14223, 14241.1, 14243.5, 14281.1, 14394.1, and 14405 to, to repeal and add Article 24 (commencing with Section 14300) to Chapter 4 of Division 10 of, to repeal Sections 14112.1, 14122, 14188, 14216, 14223, 14264, 14399, 14400, and 14401 of, the Education Code, and to amend Section 11126 of the Government Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 21, 1972, after the first comma, insert "13824 5,".

Amendment No. 2

In line 5 of the title, after "to", insert "amend Section 14261, as added by Chapter 1305 of the Statutes of 1971, of, to".

Amendment No. 3

On page 2, between lines 7 and 8, insert

"SEC. 1.5. Section 13824 5 of the Education Code, as added by Chapter 1305 of the Statutes of 1971, is amended to read:

13824.5. "Annual salary" means salaries earned during a school year excluding salaries for overtime service. *For purposes of determining the amount of survivor benefits under Section 14186 and disability benefits under Section 14260, salary shall include any disability or survivor benefits that are part of a grant established and paid to the teacher or his dependents prior to the teacher's death or disability.* "

Amendment No. 4

On page 18, between lines 13 and 14, insert

"SEC 52 5. Section 14261 of the Education Code, as added by Chapter 1305 of the Statutes of 1971, is amended to read:

14261. Allowances payable under Section 14260(a) shall be reduced by an amount equal to the unmodified benefits paid or payable under other public systems, *excluding any payments that are part of a grant established and paid prior to the teacher's death or disability* "

Amendment No. 5

On page 25, line 23, after "that", insert "many of the provisions of".

Amendment No. 6

On page 25, line 24, after "1972", insert ", and that the remainder of the act become operative on August 1, 1972".

Amendment No. 7

On page 25, line 25, strike out "This", and insert "Except for Section 55, the provisions of this".

Amendment No. 8

On page 25, line 25, after the period, insert "Section 55 of this act shall become operative August 1, 1972."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 1448—An act relating to the Budget Act of 1972, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 22, 1972, between lines 19 and 20, insert

"SEC 1 6 Notwithstanding any other provision of law, the funds appropriated by Item 253 of the Budget Act of 1972 may be used to plan and provide for the orderly assumption of the functions transferred to the Department of Health in accordance with the Governor's Reorganization Plan No 1 of 1970, dated February 26, 1970, together with such additional changes as were effected by the Legislature at its 1970 and subsequent sessions, including the exercise of such functions and powers and making such appointments as are set forth in the general provisions of such Plan No. 1, and to pay the salary of the director appointed pursuant to such general provisions in an amount not to exceed that specified in Section 11550 5 of the Government Code and the salaries of such assistants as are appointed pursuant to such general provisions

The Director of the Department of Health appointed prior to the operative date of such Plan No. 1 shall make periodic reports to the Chairman of the Joint Legislative Budget Committee, and the chairman of the committee in each house which considers appropriations setting forth his decisions concerning the organization of such Department of Health and transfer of functions to such department and shall give notification in writing thereof to such committee at least 30 days prior to implementing such organization or transfers.

Notwithstanding the foregoing provisions of this section, no portion of the funds appropriated in Item 253 shall be used in planning or implementing the transfer of the healing arts boards to the Department of Health."

Amendment No. 2

On page 2, strike out lines 25 to 31, inclusive; and in line 32, strike out "transactions.", and insert

"The provisions of this act make technical changes necessary to effectuate the purpose of the Budget Act of 1972."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1768—An act to amend Sections 1175, 1176, 1177, 1180, 1181, and 1182 of the Health and Safety Code, relating to health care services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 15, 1972, strike out "1181, and 1182 of", and insert "and 1181 of, and to repeal Section 1182 of,".

Amendment No. 2

On page 2, lines 9 and 10, strike out "and technical".

Amendment No. 3

On page 2, line 10, after "loans", insert ", with appropriate technical assistance with respect to such loans,".

Amendment No. 4

On page 2, lines 11 and 12, strike out "for the efficient delivery and provision of health care", and insert "in order to stimulate and enable such organizations to plan, develop, and implement the continuous delivery of efficient and comprehensive health care".

Amendment No. 5

On page 3, line 7, strike out "nonprofit".

Amendment No. 6

On page 3, line 20, strike out "plan and develop", and insert "assist".

Amendment No. 7

On page 3, strike out line 21, and insert "accordance with the purposes of this part.

The director may specify the terms of such loans but the principal plus interest shall be repaid within 10 years after the date of execution of the loan agreement.

The interest on such loans shall be 3 percent per annum and shall begin to accrue five years after the execution of the loan agreement.

The director may, after a hearing, terminate the loan on not less than six months' notice.

Health maintenance organizations shall cease to be eligible for loans after three years of operation.

The director shall adopt".

Amendment No. 8

On page 3, lines 30 and 31, strike out "The director may make a loan to a nondenominational", and insert "To the maximum extent feasible,".

Amendment No. 9

On page 3, line 31, strike out "organization", and insert "organizations receiving loans pursuant to Section 1177 shall be".

Amendment No. 10

On page 3, line 34, strike out "This", and insert "To the maximum extent feasible,".

Amendment No. 11

On page 3, line 34, strike out "organization", and insert "organizations".

Amendment No. 12

On page 4, line 15, strike out "1180", and insert "1177".

Amendment No. 13

On page 4, line 16, after "shall", insert ", to the maximum extent feasible,".

Amendment No. 14

On page 4, line 17, after "with", insert a comma.

Amendment No. 15

On page 4, line 17, strike out the closing quotation marks and insert an apostrophe.

Amendment No. 16

On page 4, line 22, strike out "amended to read:", and insert "repealed."

Amendment No. 17

On page 4, strike out lines 23 to 32, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 919—An act to amend Sections 26304, 35553, and 35784 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out ", 35553, and 35784", and insert "and 35553".

Amendment No. 2

On page 7, strike out lines 15 to 31, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2155—An act to amend Sections 9020, 9141, 9222, 9223, 9351, 9600, and 10235, of the Government Code, relating to legislative reorganization, calling an election, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Concurrent Resolution No. 98—Relative to program planning and budgeting system for the California schools.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, strike out "and Vasconcellos", and insert ", Vasconcellos, Burke, Cline, and Russell".

Amendment No. 2

On page 1, line 5, strike out "It is the intention of the", and insert "The".

Amendment No. 3

On page 1, line 6, strike out "to initiate", and insert "has initiated".

Amendment No. 4

On page 1, line 13, strike out "further action on the"; and strike out line 14; and on page 2, strike out lines 1 to 3, inclusive, and insert "adoption of the proposed accounting manual under consideration until after March 1, 1973 for implementation not before the fiscal year beginning July 1, 1974, during which time said proposed accounting manual may undergo further legislative investigation, and be it further".

Amendment No. 5

On page 2, between lines 3 and 4, insert

"*Resolved*, That the Legislature calls upon the State Board of Education to take no action which would encourage or establish the statewide implementation of an Educational Planning and Evaluation Guide for California School Districts or any other form of a program planning and budgeting system whatsoever until such time as the Legislature has concluded hearings on the matter and taken any legislative action it deems appropriate, provided however that nothing in this resolution shall restrain local governing boards from their efforts to refine methods of accounting and budget reporting, and be it further".

Resolution ordered reprinted, and on file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 1002, 1143, 955, and **1048,** ordered to third reading.

NOTE: Later this day Senate Bill No. 1002 was re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 1205—An act to amend Sections 1734 and 1735 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1401—An act to amend Section 10970 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1402—An act to add Chapter 9.5 (commencing with Section 655) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1403—An act to amend Section 11512 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1404—An act to add Chapter 5 2 (commencing with Section 500) to Part 1 of Division 1 of the Insurance Code, relating to insurance

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 156—An act to amend Section 16522 of the Government Code, relating to deposits of state money.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 244—An act to amend Section 69605 of the Government Code, relating to judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 549—An act to amend Section 1825 of, and to add Section 1825.7 to, the Welfare and Institutions Code, relating to probation services

Bill read second time, and ordered to third reading.

Senate Bill No. 911—An act to repeal and add Section 27551 to the Agricultural Code, relating to eggs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 896—An act to add Section 8589.5 to the Government Code, relating to seismic safety.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 9, 1972, after "Alquist", insert

"(Coauthor: Assemblyman LaCoste)".

Amendment No. 2

In line 2 of the title, strike out "seismic", and insert "dam".

Amendment No. 3

On page 1, line 2, strike out "encourage", and insert "establish".

Amendment No. 4

On page 2, strike out lines 4 to 12, inclusive.

Amendment No. 5

On page 2, strike out line 30; and in line 31, strike out "submission of inundation", and insert

"8589.5. (a) Inundation".

Amendment No. 6

On page 2, line 33, strike out "a", and insert "any".

Amendment No. 7

On page 2, line 33, strike out "by the owner of any dam,".

Amendment No. 8

On page 2, lines 36 and 37, strike out ", injury, or property damage", and insert "or personal injury, shall be prepared and submitted as provided in this subdivision within six months after the effective date of this section, unless the time for submission of such maps is extended for reasonable cause by the Office of Emergency Services".

Amendment No. 9

On page 2, line 37, after "The", insert "local governmental organization, utility, or other".

Amendment No. 10

On page 2, line 38, strike out "may", and insert "shall".

Amendment No. 11

On page 3, line 4, after "and", insert "shall return those maps which do not meet the requirements of this subdivision, together with recommendations relative to conforming to such provisions Maps rejected by the Office of Emergency Services shall be revised to conform to such recommendations and resubmitted. The Office of Emergency Services".

Amendment No. 12

On page 3, line 7, strike out "If the", and insert "The".

Amendment No. 13

On page 3, line 8, strike out "submits", and insert "submitting".

Amendment No. 14

On page 3, line 9, strike out ", he".

Amendment No. 15

On page 3, strike out lines 13 to 19, inclusive; and in line 20, strike out "plans should include, at least", and insert

"(b) Based upon a review of inundation maps submitted pursuant to subdivision (a), the Office of Emergency Services shall designate areas within which death or personal injury would, in its determination, result from the partial or total failure of a dam. The appropriate public safety agencies of any city, county, or city and county, the territory of which includes such an area, shall adopt emergency procedures satisfactory to the Office of Emergency Services for the evacuation and control of populated areas below such dams The Office of Emergency Services shall review such procedures to determine whether adequate public safety measures exist for the evacuation and control of populated areas below the dams In conducting such review the Office of Emergency Services may consult with appropriate state and local agencies.

Evaluation plans specified in this subdivision shall conform to local needs, and may be required to include any of the following elements or any other appropriate element, in the discretion of the Office of Emergency Services".

Amendment No. 16

On page 3, line 39, strike out the first "a", and insert "an evacuation".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 690—An act to add Section 25274 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 927—An act to amend Section 16402 of the Education Code, relating to school district property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "16402.", insert "(a)".

Amendment No. 2

On page 1, lines 5 and 6, strike out "two hundred dollars ($200)", and insert "five hundred dollars ($500)".

Amendment No. 3

On page 1, strike out lines 9 to 15, inclusive; on page 2, strike out lines 1 to 4, inclusive, and insert

"(b) If the board, by a unanimous vote of those members present, finds".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1204—An act to add Section 13723.27 to the Education Code, relating to classified employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, after "a", insert "probationary or permanent".

Amendment No. 2

On page 2, line 3, after "location", insert "during periods when such employee is not normally required to work, such as Christmas, Easter, summer recesses, and other paid or unpaid leaves of absences, including vacations,".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 315—An act to amend Section 3528 of the Government Code, relating to state employee relations.

Bill read second time, and ordered to third reading.

Senate Bill No. 599—An act to amend Section 2620 of the Business and Professions Code, relating to physical therapy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in Assembly June 14, 1972, after "massage," insert "and".

Amendment No. 2

On page 1, in lines 8 and 9, strike out ", and other accepted physical therapy techniques".

Amendment No. 3

On page 1, line 10, after "planning", insert ", instruction".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1409—An act to amend Section 61800 of the Government Code, the heading of Article 1 (commencing with Section 17301) of Chapter 8 of Division 7 and Section 17301 of, the Public Utilities Code, relating to annexations to districts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1046—An act to amend Sections 69994 2, 69995, 70046, 70048, 70057, 70059.7, 70130, 73649, 73959, 74351, 74352, and 74674 of, and to repeal Section 70063 of, the Government Code, relating to court reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 8, 1972, strike out the fourth comma.

Amendment No. 2

On page 4, strike out lines 8 to 12, inclusive, and insert

"Such changes in compensation made pursuant to this section shall be on an interim basis and shall expire 90 days after the adjournment of the next regular session of the Legislature unless ratified by a statute enacted at such session."

Amendment No. 3

On page 4, line 18, strike out "fourteen dollars and fifty cents ($14 50)", and insert "fifteen dollars and fifty cents ($15.50)".

Amendment No. 4

On page 8, line 9, after "($1,575)", insert ", until July 1, 1973, and thereafter shall be paid a monthly salary of one thousand six hundred fifty-four dollars ($1,654)".

Amendment No. 5

On page 8, line 29, after the comma, insert "until July 1, 1973, and thereafter shall be compensated at the rate of sixty-six dollars ($66) a day, or any fractional part thereof,".

Amendment No. 6

On page 9, strike out lines 6 to 10, inclusive.

Amendment No. 7

On page 9, line 11, strike out "74532", and insert "74352".

Amendment No. 8

On page 9, line 21, strike out the second "of", and insert "or".

Amendment No. 9

On page 10, line 30, after "Government", insert "Code".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1324—An act to amend Section 34217 of, and to add Sections 34211.1 and 65302.2 to, the Government Code, relating to planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted.

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Senate June 9, 1972, insert

"(Coauthor. Assemblyman McCarthy)".

Amendment No. 2

In line 2 of the title, strike out "and 65302.2", and insert ", 65302.2, and 65307".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 34211.1 is added to the Government Code, to read:

34211.1. In connection with its responsibilities under Section 34211, the council shall develop and adopt guidelines for the preparation and content of the mandatory elements required in city and county general plans by Article 5 (commencing with Section 65300) of Chapter 3 of Title 7. Such guidelines shall take into account different geographic, demographic and other relevant characteristics among the various cities and counties. The guidelines shall be adopted as soon as possible, and, in any event shall be adopted within six months of the effective date of this section. For purposes of this section the guidelines prepared pursuant to Section 37041 of the Health and Safety Code shall be the guidelines for the housing element required by Section 65302 In the event that additional elements are hereafter required in city and county general plans by Article 5 (commencing with Section 65300) of Chapter 3 of Title 7, the council shall adopt guidelines with respect to such elements within six months of the effective date of legislation requiring such additional elements.

The council may request from each state department and agency, as it deems appropriate, and such department or agency shall provide, technical assistance in preparing the guidelines

Upon adopting the guidelines, the council shall transmit copies thereof to every city and county Such guidelines shall be advisory to each city and county in order to provide assistance in preparing and maintaining their respective general plans

The council shall provide for regular review and revision of the guidelines established pursuant to this section

SEC 2 Section 34217 of the Government Code is amended to read.

34217 *(a)* Every city, county, or regional planning ~~commission~~ *agency* established pursuant to law shall file on October 1st of each year with the council a complete report of its transactions and recom-

mendations during the previous fiscal year with recommendations for needed legislation respecting planning. In lieu of the report required by this section a city, county, or regional planning ~~commission~~ *agency* may file with the council the annual or official report which it files with the legislative body or bodies of the city, county, or region in which it is located.

(b) Beginning October 1, 1974, the annual report of every city or county planning agency filed pursuant to this section shall indicate the degree to which its approved general plan complies with the guidelines for such plans adopted by the council pursuant to Section 34211.1.

SEC. 3. Section 65302.2 is added to the Government Code, to read:

65302.2. Notwithstanding any other provision of law, every city and county shall prepare and adopt the ~~conservation element, the open space element, the~~ seismic safety element, the noise element, the safety element, *the scenic highway element*, and any other element hereafter required to be included in its general plan no later than one year following the adoption of guidelines for the preparation of such elements pursuant to Section 34211.1.

Upon application by a city or a county, the Council on Intergovernmental Relations may, in cases of extreme hardship, extend the date for adopting such elements for a reasonable period of time.

SEC. 4. Section 65307 is added to the Government Code, to read:

65307 On or before October 1 of each year, the planning agency of each city or county shall comply with the provisions of Section 34217."

Amendment No. 4

On page 1, strike out lines 2 to 13, inclusive; and strike out page 2.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Assembly Bill No. 2195 and **Assembly Concurrent Resolution No. 101.**

Senate Bill No. 1002 and **Senate Concurrent Resolutions Nos. 31** and **34.**

COMMUNICATIONS

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 562	AB No. 1586	AB No. 1876
AB No 831	AB No 1705	AB No. 1908
AB No. 1170	AB No. 1709	

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1674 AB No. 1948
AB No. 1947 AB No. 2185

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article I thereof, relating to state government.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 51?

Amendment No. 1

On page 1, line 10, of the printed measure, as amended in Assembly May 1, 1972, strike out "Article 1", and insert "Article I".

Amendment No. 2

On page 1, line 11, strike out "persons", and insert "people".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cory moved a call of the Assembly.

Motion carried. Time, 10:10 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Foran was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 93—An act to add Section 39297.5 to the Health and Safety Code, relating to air pollution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 93?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly May 17, 1972, strike out "On", and insert "Notwithstanding Section 39295.7, on".

Amendment No. 2

On page 2, line 3, strike out "20", and insert "15".

Amendment No. 3

On page 2, line 14, strike out "Chapter 10,"; and strike out line 15, and insert "this chapter."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bee, Belotti, Brown, Burke, Burton, Cline, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wood, and Mr. Speaker—44.

NOES—Sieroty—1.

Above bill ordered enrolled.

Assembly Concurrent Resolution No. 42—Relative to ski lift safety standards

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No 42?

Amendment No. 1

On page 2, line 1, of the printed measure, strike out "adopt the national ski lift safety", and insert "incorporate into the Aerial Passenger Tramway Safety Orders the construction"

The Assembly concurred in the above Senate amendment.

Above resolution ordered enrolled.

Assembly Bill No. 755—An act to amend Section 34272 of the Health and Safety Code, relating to housing

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 755?

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly May 8, 1972, below line 22, insert

"SEC. 2. Section 34272 of the Health and Safety Code is amended to read:

34272 ~~Three~~ *In the case of a commission of five persons, three* of the commissioners first appointed shall be designated to serve for terms of one, two, and three years, respectively, from the date of their appointment, and two shall be designated to serve for terms of four years from the date of their appointments *In the case of a commission of seven persons, four of the commissioners first appointed shall be designated to serve for terms of one, two, three, and four years, re-*

spectively, and three shall be designated to serve for terms of four years from the date of their appointments. If two commissioners are added to increase the number of commissioners of an authority which is in existence and transacting business and exercising its powers on the effective date of the amendments to this section enacted at the 1972 Regular Session of the Legislature, such commissioners shall serve for terms of four years from the date of their appointments. Their successors shall be appointed for a term of four years except that all vacancies shall be filled for the unexpired term *If a tenant commissioner ceases to be a tenant of the authority, he shall be disqualified as commissioner and another tenant shall be appointed to fill the unexpired term* ~~No commissioner of any authority may be an officer or employee of the county or city for which the authority is created, but notwithstanding~~ *Notwithstanding* any other law, *and subject to the conditions in this section,* ~~he~~ *a commissioner* may *be an officer or employee of the county or city for which the authority is created, or he may* be a member, commissioner, or employee of any other agency or authority of, or created for, the community *An officer or employee of a city or county in which an authority is established may serve as a commissioner only if such officer or employee does not exercise powers or duties in his office or employment that may conflict with the exercise of the independent judgment required to carry out the purposes of an authority.* Any appointment of a successor to a commissioner of a city housing authority shall be made by the mayor if his office is one filled by election by the people, subject to the confirmation of a majority of the members of the governing body. If the office of mayor is not elective the governing body of the city shall make the appointment. All appointments of commissioners of a county housing authority shall be made by the governing body of the county.

SEC. 3 It is the intent of the Legislature, if this bill and Assembly Bill No. 419 are both chaptered and amend Section 34272 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No. 419, that the amendments to Section 34272 proposed by both bills be given effect and incorporated in Section 34272 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No. 419 are both chaptered, both amend Section 34272, and Assembly Bill No 419 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—52.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1054—An act to amend Section 6254.7 of the Government Code, relating to public records

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1054?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly April 27, 1972, after "records", insert "of notices and orders directed to the owner of any building".

Amendment No. 2

On page 2, line 7, after "regulations", insert "which constitute violations of standards provided in Section 1941.1 of the Civil Code, and records of subsequent action with respect to such notices and orders,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bee, Belotti, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—49

NOES—Murphy—1.

Above bill ordered enrolled.

Assembly Bill No. 1377—An act to amend Sections 56003.1, 56003.2, 56025, 56080, 56275, 56440, 56441, 56442, and 56443 of, and to add Section 56006.1 to, and to repeal Section 56072.1 of, the Government Code, relating to districts.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1377?

Senate Amendments of May 31, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 24, 1972, after the second comma, insert "56025,".

Amendment No. 2

On page 3, between lines 38 and 39, insert

"SEC. 2.5. Section 56025 of the Government Code is amended to read:

56025. "Benefit district" means a district containing lands which are, or will be, benefited by their inclusion within such district, the owners of such lands being entitled, under the laws or Constitutions of the state or the United States, to notice *by mail or personal service* and hearing prior to the inclusion of such lands within the district."

Senate Amendments of June 20, 1972

Amendment No. 1

On page 4 of the printed bill, as amended in Senate May 31, 1972, strike out lines 23 to 27, inclusive, and insert "executive officer."

Amendment No. 2

On page 6, line 2, after "districts", insert a period.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bee, Belotti, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—48.

NOES—None.

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 574 (Consideration of Governor's Veto), on request of Mrs. Brathwaite.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1499—An act making an appropriation to the Board of Governors of the California Community Colleges to establish, administer and operate training programs for psychiatric technicians.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Briggs, Brown, Burke, Burton, Chacon, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1602—An act to amend Section 3915.5, as added by Section 5 of Chapter 1137 of the Statutes of 1970, Sections 3920, and 3940 of, and to repeal Section 3922 of, the Business and Professions Code, relating to nursing home administrations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 935

Mr. Campbell was granted unanimous consent to take up Senate Bill No. 935, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 935

Senate Bill No. 935—An act to amend Sections 11550, 12800, 12803, 12803.7, 12804, 12806, 12808, 12809, 12810, and 12855 of, to add Section 12803 to, and to repeal Section 12803 of, the Government Code and to amend Section 1589 of the Unemployment Insurance Code, relating to programs of the Human Relations Agency, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Campbell.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, Lacoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, Lacoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1373

Mr. Arnett was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1373, out of order, for purpose of consideration at this time.

Consideration of Senate Amendments to Assembly Bill No. 1373

Assembly Bill No. 1373—An act to amend Sections 880 and 20806 of, and to add Sections 13658.5, 20110, 20806.5, and 20806.6 to, the Education Code, and to amend Sections 802 and 803 of, to add Article 6 (commencing with Section 821) to Chapter 3 of Part 1 of

Division 1 of, and to repeal Section 803 5 of, the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1373?

Senate Amendments of June 12, 1972

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly June 1, 1972, after the second comma, insert "making an appropriation therefor,".

Amendment No. 2

On page 2, strike out lines 27 to 38, inclusive, and insert

"The State Superintendent of Public Instruction, hereinafter called administrator, shall have authority as an interested party, including representation on behalf of school employers at hearings held under Part 1 of Division 1 of the Unemployment Insurance Code, and prime responsibility for the overall administration of a program to implement Section 13658 and Part 1 of Division 1 of the Unemployment Insurance Code.

Each county superintendent of schools, unless noticed by the administrator to the contrary, shall perform such duties and render such services as required to implement said program Any combination of counties, or combination of counties and school districts, may be established by the administrator whereby one agency may administer the program for the purpose of consolidation for economy and employment of specialists This consolidation may include the services of a regional data center operated by a county superintendent of schools or the data-processing services of a school district.

Each school employer shall perform pursuant to Article 6 (commencing with Section 821) of Chapter 3 of Part 1 of Division 1 of the Unemployment Insurance Code and shall respond to the administrator and the county superintendent of schools or designated agency as soon as".

Amendment No. 3

On page 3, line 2, after "superintendent", insert "or the administrator".

Amendment No. 4

On page 3, line 7, after "the", insert "administrator,".

Amendment No. 5

On page 3, line 16, after "If", insert ", except as stated in Section 828 of the Unemployment Insurance Code with reference to Section 826 thereof,".

Amendment No. 6

On page 3, line 19, strike out "may", and insert "shall"

Amendment No. 7

On page 3, line 20, strike out "a county superintendent of schools.", and insert "the administrator. The administrator may for good cause waive all or a portion of interest and penalty."

Amendment No. 8

On page 3, line 25, after "moneys", insert "or moneys".

Amendment No. 9

On page 7, line 21, strike out "by certified mail", and insert ", pursuant to Section 1140,".

Amendment No. 10

On page 9, line 18, after "712", insert "or used by a public entity pursuant to subdivision (e)".

Amendment No. 11

On page 10, strike out lines 26 to 40, inclusive, and insert "give notice of the determination to the Superintendent of Public Instruction, hereinafter called administrator, and by mail to the employing unit.

The director may cancel any contributions or portion thereof which he finds have been erroneously determined. The contributions due from the employing units shall be paid, transferred or credited from the Classified School Employees Fund established in the State Treasury by Section 822 to the".

Amendment No. 12

On page 11, line 5, after "the", insert "administrator and".

Amendment No. 13

On page 11, strike out lines 6 and 7; and in line 8, strike out "unemployment program". and insert

"Each employing unit shall send a copy of any and all notices, billings or correspondence not normally routed to the administrator regarding unemployment insurance for the classified school employees to the administrator and county superintendent of schools, or agent thereof".

Amendment No. 14

On page 11, line 9, strike out "The director for good cause"; and strike out lines 10 to 32, inclusive; and on line 33, strike out "this section."

Amendment No. 15

On page 12, strike out line 13, and insert "the purposes of this article, for making refunds, and for".

Amendment No. 16

On page 12, strike out lines 15 to 30, inclusive, and insert "Fund, with any interest or earnings credited to the Classified School Employees Fund. The Superintendent of Public Instruction shall adminis-

ter the program, including representation as an interested party on behalf of school employers at hearings held under this part. The administrator is hereby authorized to obtain pertinent personnel records and".

Amendment No. 17

On page 12, line 37, strike out "Section 13658", and insert "Sections 13658 and 20806.6".

Amendment No. 18

On page 13, line 5, after "remitted", insert "by the school district or on the school district's behalf".

Amendment No. 19

On page 13, strike out lines 9 to 15, inclusive, and insert

"For 1972–1973 and 1973–1974 fiscal years each school employer employing classified school employees shall budget and remit with quarterly reports (Contribution Return and Report of Wages) to the Classified School Employees Fund in the State Treasury one-half percent (0.5%) of total wages reported for calendar years 1972 and 1973 except that payments due for the first three quarters of 1972 shall not be owing until after December 15, 1972, however, shall be paid within 30 days of receipt of tax moneys levied for this purpose.

For the 1974–1975 fiscal year, and for".

Amendment No. 20

On page 13, line 18, after the period, insert "The provisions of this section shall be operative until the 91st day after the final adjournment of the 1974 Regular Session of the Legislature, and shall thereafter have no force or effect."

Amendment No. 21

On page 14, line 13, strike out "Department of Education", and insert "administrator".

Amendment No. 22

On page 14, line 22, strike out ", pursuant to Section 823,".

Amendment No. 23

On page 14, line 25, strike out "Department of Education", and insert "administrator".

Amendment No. 24

On page 14, line 28, after the period, insert "Except that such levies shall be modified by a factor provided pursuant to Section 17261 of the Education Code and Section 1819 of the Revenue and Taxation Code"

Amendment No. 25

On page 15, line 21, after "budget", insert "in addition to the provisions of Section 823".

Amendment No. 26

On page 16, line 8, strike out "appropriate official", and insert "administrator".

Amendment No. 27

On page 16, line 17, strike out "appropriate official", and insert "administrator".

Amendment No. 28

On page 16, line 31, strike out "Department of Education", and insert "administrator".

Amendment No. 29

On page 16, line 33, strike out "by county superintendents of schools".

Amendment No. 30

On page 17, line 24, after the second "the", insert "school employer,".

Amendment No. 31

On page 18, strike out line 14, and insert "administrator. Each school employer which hereafter inaugurates a specially funded project will remit, as above, a surcharge of one percent (1%) of such employees' total wages for the first 24 months of the project, and thereafter shall be experience rated as provided herein.

832 The administrator shall at least".

Amendment No. 32

On page 18, strike out line 17, and insert "specially funded employees Such calculations shall include individual tabulations on the experience of each school employer in relation to expenditures made on behalf of specially funded project employees and the income to the Classified School Employees Fund from the wages paid such employees by such employer and all school employers' participation with special funds shall be listed and ranked by ratio of use and reported annually to the affected school employer and governing board thereof prior to the 15th day of October of each year.

The administrator shall develop experience relationships on all benefits paid to employees via the Classified School Employees Fund and on school employers' experience related to use and exposure Data shall relate to numbers of employees and types of programs A report by the administrator on the above shall be made each year to the Legislature prior to the 15th of February containing comments and recommendations on improvement to administration, enforcement and financing of the provisions relative thereto."

Amendment No. 33

On page 18, line 18, after "SEC. 9.", insert "There is hereby appropriated from the Classified School Employees Fund in the State Treasury to the Department of Education the sum of seventy-five thousand dollars ($75,000), or so much thereof as is necessary, for fiscal year 1972–1973, without regard to the budget, to reimburse expenditures and overhead incurred in the implementation of the unemployment insurance program covering classified school employees and

the administration thereof by the Department of Education under this act. The Department of Education shall include the costs of administration in its budget commencing with fiscal year 1973–1974.

SEC. 10."

Senate Amendments of June 21, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 12, 1972, strike out "Section 880", and insert "Sections 880, 13658.5, and 20806".

Amendment No. 2

In line 5 of the title, strike out the second "of".

Amendment No. 3

On page 2, between lines 16 and 17, insert

"SEC. 1.5. Section 13658.5 is added to the Education Code, to read:

13658.5. The Superintendent of Public Instruction is the administrator of the system of unemployment insurance, as provided in Section 821 of the Unemployment Insurance Code."

Amendment No. 4

On page 2, line 22, strike out "controls and".

Amendment No. 5

On page 3, line 4, strike out "State".

Amendment No. 6

On page 3, line 12, strike out "noticed", and insert "notified".

Amendment No. 7

On page 3, line 15, strike out "said", and insert "such".

Amendment No. 8

On page 3, line 31, after "of", insert "eligibility, notice of claim or appeal under".

Amendment No. 9

On page 3, line 33, strike out "therefore", and insert "thereof".

Amendment No. 10

On page 3, line 40, after "Code", insert a comma.

Amendment No. 11

On page 4, lines 4 and 5, strike out "½ percent", and insert "one-half percent (0.5%)".

Amendment No. 12

On page 4, between lines 13 and 14, insert

"SEC 2.5. Section 20806 of the Education Code is amended to read:

20806. For the purpose of providing funds for the payment by the district of all or part of the premiums, dues, or other charges for health and welfare benefits on active officers and employees and retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, or on the spouses and dependent

children of such active and retired officers and employees, or on both such active and retired officers and employees and their spouses and dependent children, which the governing board of a district may have authorized in accordance with the provisions of Article 1 (commencing with Section 53200) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code and for the expenses incurred by the district in administration of a program involving the payment of such health and welfare benefits, district taxes may be levied and collected annually by the respective district at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes. ~~Moneys collected pursuant to this section may also be expended for the requirements of Section 13658.~~

The provisions of this section authorizing the payment of all or part of the premiums, dues, or other charges for health and welfare benefits for the retired officers and employees who at the time of retirement were enrolled in a health and welfare benefit plan, shall be limited in applicability to any school district, or of two or more school districts governed by governing boards of identical personnel, having an average daily attendance of 400,000 or more as shown by the annual report of the county superintendent of schools for the preceding year."

Amendment No. 13

On page 4, line 20, strike out "suitable", and insert "administrative cost".

Amendment No. 14

On page 4, line 28, strike out "budgetary controls or".

Amendment No. 15

On page 4, line 33, strike out "Sections 823 and", and insert "Section".

Amendment No. 16

On page 5, line 14, after "instrumentality", insert a comma.

Amendment No. 17

On page 10, line 23, after "Unemployment", insert "Insurance".

Amendment No. 18

On page 11, lines 36 and 37, strike out "Superintendent of Public Instruction, hereinafter called administrator", and insert "administrator, who, for the purposes of this article and related provisions, is the Superintendent of Public Instruction".

Amendment No. 19

On page 12, line 17, after the period, insert "The provisions of Article 8 (commencing with Section 1126) of Chapter 4 of this part with respect to the assessment of contributions, and the provisions of Chapter 7 (commencing with Section 1701) of this part with respect to the collection of contributions, shall apply to the assessments provided by this article."

Amendment No. 20

On page 13, between lines 9 and 10, insert

"821.5. The provisions of Article 3 (commencing with Section 1326) of Chapter 5 of this part relating to filing, determination, and payments of unemployment compensation benefit claims, and all other provisions of this part not inconsistent with this article, shall apply to all claims and matters arising under this article."

Amendment No. 21

On page 13, line 16, strike out "State Department of Education", and insert "administrator".

Amendment No. 22

On page 13, line 18, after "article," insert "for administrative costs,".

Amendment No. 23

On page 13, lines 37 and 38, strike out "The Superintendent of Public Instruction shall", and insert "Funds to be used for administrative costs shall be budgeted and expended in accordance with existing state law. The administrator shall take all action necessary to".

Amendment No. 24

On page 14, line 19, strike out "Treasury", and insert "Treasurer".

Amendment No. 25

On page 14, strike out lines 31 and 32, and insert "budget on or before the last day of the calendar month following the close of each calendar quarter to the State Treasurer for deposit in the Classified School".

Amendment No. 26

On page 14, line 34, after "wages", insert ", including taxable wages as well as wages which would be taxable except for the limitation on taxable wages provided under Section 930,".

Amendment No. 27

On page 14, line 35, after "1973", insert a comma.

Amendment No. 28

On page 14, line 37, strike out "however," and insert "but".

Amendment No. 29

On page 15, line 3, strike out "91st", and insert "61st".

Amendment No. 30

On page 15, line 6, after "1974", insert a comma.

Amendment No. 31

On page 15, line 23, strike out "rate. Except", and insert "rate; except".

Amendment No. 32

On page 15, line 24, strike out "levies", and insert "tax rate".

Amendment No. 33

On page 15, line 28, strike out "Treasury", and insert "Treasurer".

Amendment No. 34

On page 16, line 17, strike out "will", and insert "shall".

Amendment No. 35

On page 16, line 22, strike out "all", and insert "the total".

Amendment No. 36

On page 16, line 22, after "wages", insert ", including taxable wages as well as wages which would be taxable except for the limitation on taxable wages provided under Section 930,".

Amendment No. 37

On page 17, line 10, strike out "will", and insert "shall".

Amendment No. 38

On page 17, line 21, strike out "(.005%)", and insert "(0 5%)".

Amendment No. 39

On page 17, line 24, strike out "interest or".

Amendment No. 40

On page 17, line 24, strike out "may", and insert "shall".

Amendment No. 41

On page 17, line 29, strike out "under that jurisdiction".

Amendment No. 42

On page 18, line 16, strike out "(c)", and insert "(d)".

Amendment No. 43

On page 18, line 32, strike out "forward with each quarterly remittance to", and insert "remit on or before the last day of the calendar month following the close of each calendar quarter to the State Treasurer for deposit in".

Amendment No. 44

On page 18, line 33, strike out "Employee", and insert "Employees".

Amendment No. 45

On page 19, line 1, strike out "with quarterly reports to", and insert "on or before the last day of the calendar month following the close of each calendar quarter to the State Treasurer for deposit in".

Amendment No. 46

On page 19, line 3, strike out "1972–1973 and", and insert "the 1972–1973 fiscal year and each fiscal year thereafter."

Amendment No. 47

On page 19, strike out lines 4 to 13, inclusive.

Amendment No. 48

On page 19, strike out lines 39 and 40; on page 20, strike out lines 1 to 10, inclusive, and insert

"SEC. 9. The amendment to Section 20806 of the Education Code enacted by Section 2.5 of this act shall become operative on the 61st day after the final adjournment of the 1974 Regular Session of the Legislature. Any funds derived pursuant to the authority of that section shall, after that date, be deemed to have been derived pursuant to Section 825 of the Unemployment Insurance Code."

Senate Amendments of June 28, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 21, 1972, strike out ", 13658.5,".

Amendment No. 2

In line 2 of the title, after "Sections", insert "13658.5,".

Amendment No. 3

On page 2, line 19, strike out "Superintendent of Public Instruction", and insert "Director of the Department of Human Resources Development".

Amendment No. 4

On page 2, line 21, strike out "Section 821", and insert "Article 6 (commencing with Section 821) of Chapter 3 of Part 1 of Division 1".

Amendment No. 5

On page 3, line 1, strike out the comma; and strike out lines 2 and 3, and insert "shall have authority to represent, or arrange with a county superintendent of schools or make designation thereof consistent with this section for the representation of".

Amendment No. 6

On page 3, line 4, after "Part 1", insert "(commencing with Section 100)".

Amendment No. 7

On page 3, line 5, strike out ", and"; and strike out lines 6 to 8, inclusive, and insert ". The cost of services provided by the Superintendent of Public Instruction under this section and under Section 822 of the Unemployment Insurance Code shall be paid from the Classified School Employees Fund."

Amendment No. 8

On page 3, line 12, after "Any", insert "district, combination of districts, county,".

Amendment No. 9

On page 12, line 15, strike out "give", and insert "mail".

Amendment No. 10

On page 12, strike out lines 17 and 18; and in line 19, strike out "Instruction, and by mail to the".

Amendment No. 11

On page 12, line 30, strike out "administrator and".

Amendment No. 12

On page 13, between lines 10 and 11, insert

"(e) The administrator shall adopt rules and regulations for the administration of this article in accordance with Chapter 4 5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code.

821.3. As used in this article, "administrator" means the Director of the Department of Human Resources Development."

Amendment No. 13

On page 13, line 32, strike out the comma and insert a period.

Amendment No. 14

On page 13, strike out lines 33 and 34; and in line 35, strike out "administrator", and insert "The Superintendent of Public Instruction".

Amendment No. 15

On page 14, line 19, after "budget", insert "and remit".

Amendment No. 16

On page 14, line 38, strike out "April", and insert "July".

Amendment No. 17

On page 15, line 2, strike out "March", and insert "May".

Amendment No. 18

On page 18, line 40, strike out "by using Section 825".

Amendment No. 19

On page 20, line 17, strike out "section", and insert "portion of that section deleted by the amendment made by this act"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 567

Mr Townsend was granted unanimous consent to take up Assembly Bill No 567, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 567

Assembly Bill No. 567—An act relating to property taxation, to take effect immediately, urgency statute.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Townsend moved a call of the Assembly.

Motion carried Time, 10·23 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Hon. Joe A. Gonsalves Presiding

At 10:28 a m., Hon. Joe A. Gonsalves, 66th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1614—An act to amend Section 19630 of the Business and Professions Code, relating to fairs

Bill read third time.

Majority Floor Leader Presiding

At 10:43 a m , Hon. Jack R Fenton, 51st District, presiding.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Belotti moved a call of the Assembly.

Motion carried. Time, 10.46 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 567

At 10.47 a.m., on motion of Mr. Townsend, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 567 was adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke. Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—MacGillivray—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Ded-

deh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—MacGillivray—1.

Request for Unanimous Consent

Mr. Russell was granted unanimous consent that Assembly Bill No. 1644 be transmitted to the Senate at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1331—An act to add Section 465 to the Public Utilities Code, relating to public utilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1331?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Whenever", and insert

"(a) Except as provided in subdivision (b), whenever".

Amendment No. 2

On page 1, after line 7, insert

"(b) Nothing in this section shall prevent a public utility from employing a custodial or janitorial service for a period of 90 days or less without a contract meeting the requirements of subdivision (a) of this section."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bee, Belotti, Brathwaite, Brown, Burke, Chacon, Cline, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2089—An act to amend Section 11450 of the Welfare and Institutions Code, relating to foster home care.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster,

Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2368—An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 934—An act to add Section 1417.5 to the Penal Code, relating to public records.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 969—An act to amend Sections 12007, 12082, and 12101 of, and to add Section 12101.5 to, the Health and Safety Code, relating to the control of explosives.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—Powers—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1213—An act to add Sections 4027, 5009, and 6006 to the Penal Code, relating to religious practices.

Bill read third time, and passed by the following vote:

AYES—Bee, Briggs, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Keysor, Knox, LaCoste, Lanterman, McAlister, McCarthy, Miller, Moorhead, Murphy, Powers, Ralph, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—41.

NOES—Ray E. Johnson, Mobley, and Stull—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1883—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bill Greene moved a call of the Assembly.

Motion carried. Time, 10:58 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mrs Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Brathwaite asked for unanimous consent that a photographer be permitted on the floor of the Assembly.

RE-REFERENCE OF SENATE BILL NO. 1173

Mrs. Brathwaite was granted unanimous consent that Senate Bill No. 1173 be re-referred from the Daily File to the Committee on Urban Development and Housing.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 51

At 10:59 a.m., on motion of Mr. Cory, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Constitutional Amendment No. 51 by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene,

Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Above resolution ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2358—An act to add Article 3 (commencing with Section 51350) to Chapter 1, Part 2, Division 1, Title 5 of the Government Code, relating to counties and cities.

Bill read third time, and passed by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Lanterman, Lewis, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—Lancaster and MacGillivray—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 221—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to unemployment benefits, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy,

McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1307

Mr. Bee was granted unanimous consent to take up Assembly Bill No. 1307, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 1307

Assembly Bill No. 1307—An act to amend Section 30792.2 of the Streets and Highways Code, relating to toll bridges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Campbell, Chacon, Collier, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Russell, Seeley, Stacey, Stull, Townsend, Wilson, Wood, and Mr. Speaker—44.

NOES—Brown, Burton, Hayden, Miller, Monagan, Vasconcellos, and Waxman—7.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 227—An act to add Section 11056 1 to the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Powers, Priolo, Ralph, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 327—An act making an appropriation to pay the claim of Ross Plaza Pharmacy against the State of California.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray,

McAlister, McCarthy, Mobley, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2269—An act to amend Section 26636 of the Health and Safety Code, relating to drugs, declaring the urgency thereof, to take effect immediately

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2269?

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "July", and insert "April".

Amendment No. 2

On page 2, line 29, strike out "for an additional year".

Amendment No. 3

On page 2, line 35, strike out "one-year".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 49

Mr. Burton was granted unanimous consent that Senate Concurrent Resolution No. 49 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of consideration at this time.

Consideration of Senate Concurrent Resolution No. 49

Senate Concurrent Resolution No. 49—Relative to the creation of the Joint Committee on Legislative Building Space Needs

Resolution read, presented by Mr. Burton, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory,

Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate

CAUCUS ANNOUNCEMENTS

Acting Speaker Fenton announced that there would be a Republican Caucus immediately upon adjournment today, in the Assembly Lounge.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 407—An act to amend Sections 65302, 65553, 65800, and 65860 of, and to add Article 10.7 (commencing with Section 65580) to Chapter 3 of, and Article 4.2 (commencing with Section 65930) to Chapter 4 of, Title 7, of the Government Code, to add Chapter 9 (commencing with Section 2750) to Division 2 of the Public Resources Code, and to amend Section 3 of Chapter 1657 of the Statutes of 1967, relating to land, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1445—An act to repeal and add Chapter 6 (commencing with Section 14901) to Division 7 of the Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead,

Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1724—An act to repeal Chapter 2.5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2.5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to tax credits and payments under the Personal Income Tax Law, to take effect immediately, tax levy.

Bill read third time.

Hon. Joe A. Gonsalves Presiding

At 11:40 a.m., Hon. Joe A. Gonsalves, 66th District, presiding.

Majority Floor Leader Presiding

At 11.42 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Demand for Previous Question

Messrs. Hayes, Russell, Beverly, Bill Greene, and Townsend demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chacon, Chappie, Cline, Cory, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E. Johnson, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Murphy, Priolo, Russell, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—43.

NOES—Collier, Crown, Cullen, Dent, Leroy F. Greene, Hayes, Keysor, LaCoste, Lanterman, Miller, Monagan, Sieroty, Stacey, Warren, and Waxman—15.

Bill ordered transmitted to the Senate.

NOTE: For explanation of vote by Mr. Knox relative to Assembly Bill No. 1724, see Assembly Journal for July 17, 1972, page 6048; for explanation of vote by Mr. Karabian, see Assembly Journal for July 6, 1972, page 5965.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 114: By Assemblyman Moretti—Relative to a recess of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 114

Mr. Cory was granted unanimous consent to take up Assembly Concurrent Resolution No. 114 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 114

Assembly Concurrent Resolution No. 114—Relative to a recess of the Assembly.

Resolution read, and adopted.

Resolution ordered printed, and transmitted to the Senate.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BEVERLY

Mr. Foran announced that tomorrow, July 1, is the birthday of Assemblyman Robert G. Beverly, of the 46th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Beverly.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1883

At 11:52 a.m., on motion of Mr. Bill Greene, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1883 refused passage by the following vote:

AYES—Brathwaite, Brown, Burke, Burton, Chacon, Cullen, Deddeh, Dent, Dunlap, Fong, Gonsalves, Bill Greene, Leroy F. Greene, Keysor, Knox, McCarthy, Ralph, Sieroty, Townsend, Vasconcellos, Warren, Waxman, and Wilson—23.

NOES—Arnett, Badham, Bee, Briggs, Campbell, Cline, Collier, Duffy, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, Murphy, Priolo, Russell, Seeley, Stacey, Stull, and Wood—25.

Motion to Reconsider Assembly Bill No. 1883 on Next Legislative Day

Mr. Bill Greene moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1883 was this day refused passage.

Rules Temporarily Suspended to Take up Motion to Reconsider Assembly Bill No. 1883

Mr. Bill Greene was granted unanimous consent that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider the vote on Assembly Bill No. 1883 on this day.

Assembly Bill No. 1883 Reconsidered

In compliance with a motion given, Mr. Bill Greene was granted unanimous consent that the vote whereby Assembly Bill No. 1883 was this day refused passage be reconsidered.

Assembly Bill No. 1883 Passed and Retained

By unanimous consent, Assembly Bill 1883 was passed on file, to retain its place on file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:53 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1614

At 11:53 a.m., on motion of Mr. Belotti, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1614 passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Collier, Cory, Crown, Cullen, Hayes, Harvey Johnson, Knox, Priolo, Sieroty, Vasconcellos, Warren, and Waxman—12.

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1212—An act to add Section 11823.1 to the Education Code, relating to health examinations and treatment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 780—An act to amend Section 7314 of the Labor Code, relating to the inspection of elevators, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor,

Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 884—An act to add Section 13146 1 to the Education Code, relating to certificated employees.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull. Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1488—An act to amend Sections 18633, 18801, and 18802 of, and to add Section 18806 to, the Business and Professions Code, relating to professional boxing

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1882—An act to add Section 269 to the Education Code, and to amend Section 7185 of the Financial Code, relating to loans for vocational education

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy,

Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 61—An act to amend Sections 24297, 24365.6, and 39476 of the Health and Safety Code, relating to air pollution.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 1682, Assembly Constitutional Amendment No. 77, Assembly Bills Nos. 1122, 347, and 530 were continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 62 FROM COMMITTEE

Mr McAlister was granted unanimous consent that Senate Concurrent Resolution No 62 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 62

Senate Concurrent Resolution No. 62—Approving amendments to the Charter of the County of Santa Clara, State of California, ratified by the qualified electors of the county at a primary election held therein on the sixth day of June 1972.

Resolution read, presented by Mr. McAlister, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F.

Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Moretti:

House Resolution No. 75

Relative to environmental goals and policy report

WHEREAS, Assembly Bill 2070 of the 1970 Regular Session (Ch. 1534, Stats 1970), directed the preparation and transmittal to the Legislature by the Governor of a comprehensive Environmental Goals and Policy Report; and

WHEREAS, On April 26, 1972, Governor Reagan formally transmitted the Environmental Goals and Policy Report to the Speaker of the Assembly; and

WHEREAS, Assembly Speaker Bob Moretti appointed a Select Committee on the Governor's Environmental Goals and Policy Report to review and evaluate the report and recommend an appropriate Assembly position thereon; and

WHEREAS, The Select Committee has completed its charge and has proposed recommendations to strengthen the state's role in the preservation of environmental quality, now, therefore, be it

Resolved by the Assembly of the State of California, That the report of the Select Committee be transmitted to the Governor with a request that he carefully consider the recommended policies and proposals of the Select Committee prior to his formal approval of the Environmental Goals and Policy Report.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cory was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal.

Opinion of Legislative Counsel

Sacramento, June 30, 1972

Honorable Kenneth Cory
Assembly Chamber

Right of Privacy—Public Records
(A C A. 51)—#13370

Dear Mr. Cory. You have asked us two questions with regard to automobile registration records of the Department of Motor Vehicles, which we have separately stated and considered below

Question No. 1

Are records of the Department of Motor Vehicles relating to automobile registration public records?

Opinion No. 1

It is our opinion that the records of the Department of Motor Vehicles relating to automobile registration are public records.

Analysis No. 1

The provisions of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code*) relate generally to the public's right of access to information concerning the people's business.

Sections 6252, 6253, 6254, 6255, 6256, and 6257 of the act provide, in pertinent part, as follows:

"6252. As used in this chapter:

"(a) *'State agency' means every state* office, officer, *department*, division, bureau, board, and commission or other state agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

* * *

"(e) 'Person' includes any natural person, corporation, partnership, firm, or association

"(d) *'Public records' includes all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."* (Emphasis added)

"6253. *Public records are open to inspection at all times during the office hours of the state or local agency and every citizen has a right to inspect any public record, except as hereafter provided* Every agency may adopt regulations stating the procedures to be followed when making its records available in accordance with this section." (Emphasis added)

"6254. Nothing in this chapter shall be construed to require disclosure of records that are.

"(a) Preliminary drafts, notes, or interagency or intra-agency memoranda which are not retained by the public agency in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest in disclosure;

"(b) Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3 6 (commencing with Section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled:

* All section references are to the Government Code, unless otherwise indicated

"(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy;

"(d) Trade secrets;

"(e) Geological and geophysical data, plant production data and similar information relating to utility systems development, or market or crop reports, which are obtained in confidence from any person;

"(f) Records of complaints to or investigations conducted by or records of intelligence information or security procedures of the office of the Attorney General and Department of Justice, and any state or local police agency, or any such investigatory or security files compiled by any other state or local agency for correctional, law enforcement or licensing purposes,

"(g) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination;

* * *

"(k) *Records the disclosure of which is exempted or prohibited pursuant to provisions of* federal or *state law,* including, but not limited to, provisions of the Evidence Code relating to privilege.

* * *

"Nothing in this section is to be construed as preventing any agency from opening its records concerning the administration of the agency to public inspection, unless disclosure is otherwise prohibited by law." (Emphasis added.)

"6255. The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

"6256 *Any person may receive a copy of any identifiable public record or shall be provided with a copy of all information contained therein* Computer data shall be provided in a form determined by the agency " (Emphasis added)

"6257 A request for a copy of an identifiable public record or information produced therefrom, or a certified copy of such record, shall be accompanied by payment of a reasonable fee or deposit established by the state or local agency, or the prescribed statutory fee, where applicable "

We think that it is clear that the above provisions of the California Public Records Act are applicable to the records of the Department of Motor Vehicles, relating to automobile registration and that such records come within the definition of the term "public records" as contained in Section 6252

Question No 2

Would Assembly Constitutional Amendment No. 51, as amended in Assembly June 8, 1972, if adopted by the people, affect the "public records" status of records relating to automobile registration?

Opinion and Analysis No. 2

A.C A. 51 as amended in Senate June 8, 1972, would, if adopted, amend Section 1 of Article I of the California Constitution to provide as follows:

"Section 1. All ~~men~~ *people* are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing, and protecting property; and pursuing and obtaining safety, ~~and~~ happiness, *and privacy*."

Thus, the proposal would include pursuing and obtaining privacy among the inalienable rights guaranteed by the California Constitution

Initially, we point out that the rights presently guaranteed by Section 1 of Article 1 have been defined and restricted by the Legislature (see for example Sec. 1000 et seq, Civ C; Sec 447 et seq, Pen C). In this connection inasmuch as courts will give great weight to legislative interpretation of constitutional provisions (*Woodcock* v *Dick*, 36 Cal 2d 146, 148) we think that the effect of the proposal in question would be substantially influenced by any such legislative action.

The right of privacy is recognized under present California case law, and has been defined as the right to live one's life in seclusion, without being subjected to unwarranted and undesired publicity (*Gill* v *Curtis Publishing Co.*, 38 Cal 2d 273, 276) In short it is the right to be let alone (*Kerby* v. *Roach Studios, Inc*, 53 Cal App 2d 207) It has also been held, however, that such right is not absolute (see *Metter* v. *Los Angeles Examiner*, 35 Cal App. 2d 304, 312; *Voneye* v *Turner*, 240 S W 2d 588, 590)

The court in the case of *Melvin* v *Reid*, 112 Cal App. 285, at page 290 summarized the law in this regard, as follows·

"A few general principles, founded on authority or reason, seem to run through most of the better considered decisions from the jurisdictions which recognize the doctrine as well as those which do not. We may summarize them as follows:

"1. The right of privacy was unknown to the ancient common law.

"2 It is an incident of the person and not of property—a tort for which a right of recovery is given in some jurisdictions

"3. It is a purely personal action and does not survive, but dies with the person

"4 It does not exist where the person has published the matter complained of, or consented thereto

"5 It does not exist where a person has become so prominent that by his very prominence he has dedicated his life to the public and thereby waives his right to privacy. There can be no privacy in that which is already public

"6 It does not exist in the dissemination of news and news events, nor in the discussion of events of the life of a person in whom the public has a rightful interest, nor where the information would be of public benefit as in the case of a candidate for public office.

"7. The right of privacy can only be violated by printings, writings, pictures or other permanent publications or reproductions, and not by word of mouth.

"8. The right of action accrues when the publication is made for gain or profit. (This however is questioned in some cases)"

While we do not think it possible to predict with absolute certainty the effect with regard to any given situation of the amendment of Section 1 of Article I of the California Constitution to expressly state that the pursuit and obtainance of privacy is among the inalienable rights guaranteed thereby, we think the existing case law on the subject is persuasive.

In this connection, with respect to the right of privacy recognized under existing law, that in order for there to be a violation of the right of privacy the thing into which there is prying or intrusion must be entitled to be private (see *People* v. *Blair,* 2 Cal. App. 3d 249; *Vollker* v. *Tyndall,* 75 N.E. 2d 548).

Accordingly, in light of this principle, we do not think that A.C.A. 51, if adopted by the people, would be held to circumscribe the disclosure of material, such as information relating to automobile registration that by law becomes a part of public records where such disclosure is regulated by statute.

Very truly yours,

GEORGE H. MURPHY
Legislative Counsel
By Marguerite Roth
Deputy Legislative Counsel

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 846	AB No 1598	AB No. 1736
AB No. 1314	AB No 1717	AB No. 2372
AB No. 1594		

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 1014
SB No. 127

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No. 19

SCR No. 58

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1979

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1011

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 2252

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BROWN, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Health

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 998

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 1277

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 987

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Water

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 468

With amendments with the recommendation: Amend, and do pass, as amended.

STACEY, Acting Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 832	AB No. 1227	AB No. 1490
AB No. 841	AB No. 1274	AB No. 1685
AB No. 885		

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1582
AB No. 1825
AB No. 2211

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, June 30, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No. 507

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 507—An act to add Section 1001.5 to the Welfare and Institutions Code, relating to institutions for delinquents.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1001.5", and insert "repeal Sections 171, 171a and 171b of the Penal Code, and to add Sections 1001.5, 1001.6 and 1001.7".

Amendment No. 2

On page 1, line 1, after the period, insert "Section 171 of the Penal Code is repealed.

~~171. Every person, not authorized by law, who, without the permission of the officer in charge of any reformatory in this State, communicates with any person detained therein, or brings therein or takes therefrom any letter, writing, literature, or reading matter to or from any person confined therein, is guilty of a misdemeanor.~~

SEC. 2. Section 171a of the Penal Code is repealed.

~~171a. Any person, not authorized by law, who brings into any reformatory in this State or within the grounds belonging or adjacent to any such institution, any opium, morphine, cocaine, or other narcotic, or any intoxicating liquor of any kind whatever, or any firearms, weapons, or explosives of any kind, is guilty of a felony.~~

SEC 3. Section 171b of the Penal Code is repealed.

~~171b. Every person who, having been previously convicted of a felony and confined in any State prison in this State, without the consent of the officer in charge of any reformatory in this State, comes upon the grounds of any such institution, or lands belonging or adjacent thereto, in the nighttime, is guilty of a felony.~~

SEC. 4."

Amendment No. 3

On page 2, line 1, strike out "drugs", and insert "drug".

Amendment No. 4

On page 2, line 3, strike out "beverages", and insert "beverage".

Amendment No. 5

On page 2, line 4, strike out "firearms, weapons or explosives", and insert "firearm, weapon or explosive".

Amendment No. 6

On page 2, lines 4 and 5, strike out ", is guilty of a crime and".

Amendment No. 7

On page 2, line 6, strike out "not less than six months nor", and insert "for not".

Amendment No. 8

On page 2, lines 7 and 8, strike out "not less than one year nor", and insert "for not".

Amendment No. 9

On page 2, after line 8, insert

"SEC. 5. Section 1001.6 is added to the Welfare and Institutions Code, to read:

1001.6. Every person, not authorized by law, who, without the permission of the officer in charge of any California Youth Authority institution communicates with any person detained therein, or brings therein or takes therefrom any letter, writing, literature or reading matter to or from any person confined therein, is guilty of a misdemeanor.

SEC. 6. Section 1001.7 is added to the Welfare and Institutions Code, to read:

1001.7. Every person who, having been previously convicted of a felony and confined in any state prison in this state, without the consent of the officer in charge of any California Youth Authority institution comes upon the grounds of any such institution, or lands belonging or adjacent thereto, in the nighttime, is guilty of a misdemeanor."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1666

Mr. Brown was granted unanimous consent to rescind the action whereby, earlier this day (Assembly Journal, page 5639), Assembly Bill No. 1666 was ordered reprinted, and to be returned to the second reading file; and that the Rules be temporarily suspended for the purpose of permitting him to offer additional amendments to the bill at this time, prior to the reprinting of the bill Mr Brown was granted unanimous consent to take up Assembly Bill No. 1666, without reference to file, for purpose of amendment.

Consideration of Assembly Bill No. 1666

Assembly Bill No. 1666—An act to amend Sections 20017 7, 20017.75, 20803 7, and 22013 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Brown was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No. 1666 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 4, between lines 16 and 17, of the printed bill, as amended in Assembly June 15, 1972, insert

"SEC. 5. This act shall become operative only if Senate Bill No. 919 of the 1972 Regular Session is enacted and shall become operative at the same time as Senate Bill No 919."

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the second reading file.

VOTE CHANGES

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 2089 and 2368.

Mr. Seeley was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1213.

Mr. Mobley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1213.

Mr. Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No 1213.

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1213.

Mr. Murphy was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on concurrence in Senate amendments to Assembly Constitutional Amendment No. 51.

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 755.

Mr Murphy was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 1054.

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1499

Mrs Davis was granted unanimous consent that she be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Constitutional Amendment No. 51, and Assembly Bills Nos. 93 and 1054.

Mrs. Davis was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bill No 567.

Mr Vasconcellos was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1307.

Mr. Lewis was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 93, 755, 1054, 1377, and 1373

Mr. Lewis was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 1499 and 1602.

Mr Monagan was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 1499, 1602, 2089, 969, 2358, 1445, and 567, and on the urgency clauses to Assembly Bills Nos. 1644 and 221 and Senate Bill No. 935, and on the passage of the bills.

Mr. Monagan was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1307.

Mr. Powers was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No. 1724.

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1724.

Mrs. Fong was granted unanimous consent that she be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1724.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1883

Mr. Wood was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1883.

Mr. Campbell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1883.

Messrs. McAlister, Maddy, and Harvey Johnson were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1883.

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1307.

Mr. Miller was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1213.

Mr Campbell was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 1213

Mr. Miller was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1307.

ADJOURNMENT

At 12.03 p m., Acting Speaker Fenton declared the Assembly adjourned until 9.30 a.m , Monday, July 3, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred First Legislative Day

One Hundred Eighty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, July 3, 1972

The Assembly met at 9 30 a m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Knox moved a quorum call of the Assembly.
Mr Dent seconded the motion.
Motion carried Time, 9 :32 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9 :55 a m., Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

God, Our Father, We thank you for the land we live in, not because it is perfect, but because it is ours, ours to make of it what we will. Here we have our homes; here we share life with those we love There can be no more compelling reason on earth for offering thanks to You. And there is no better way of showing our thanks than by sharing this gift of freedom with our fellow man. Help us, Father, to live out this belief. —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Sieroty then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. Barnes.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Garcia, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton.
Mrs Fong, on request of Speaker pro Tempore Bee.
Mr. Thomas, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Mobley, on request of Speaker pro Tempore Bee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
113	Transportation

COMMUNICATIONS

Assembly Chamber, June 30, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 966—An act to repeal Section 65560 of, to add Section 65560 to, and to amend Sections 65302, 65563, 65700 and 65910

of, the Government Code, relating to plans, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., June 30, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1373—An act to amend Sections 880 and 20806 of, and to add Sections 13658 5, 20110, 20806 5, and 20806 6 to, the Education Code, and to amend Sections 802 and 803 of, to add Article 6 (commencing with Section 821) to Chapter 3 of Part 1 of Division 1 of, and to repeal Section 803 5 of, the Unemployment Insurance Code, relating to unemployment insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., June 30, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 30, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

Assembly Joint Resolution No. 4—Relative to requiring North Vietnam to account for each American missing in action or listed as a prisoner of war as a result of the conflict in Vietnam;

Assembly Concurrent Resolution No. 17—Relative to study of the foster care program,

And reports the same correctly enrolled, and presented to the Secretary of State on the 30th day of June, 1972, at 4 30 p.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, June 30. 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 94—An act making an appropriation to be used for venereal disease education and control, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 716—An act to amend Section 13041 of the Public Resources Code, relating to resort improvement districts;

Assembly Bill No. 747—An act to amend Section 25503 of the Government Code, relating to county property;

Assembly Bill No. 1840—An act to amend Section 33601 of the Health and Safety Code, relating to redevelopment agencies;

And reports the same correctly enrolled, and presented to the Governor at 4 30 p m., June 30, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, June 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2269—An act to amend Section 26636 of the Health and Safety Code, relating to drugs, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., June 30, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 406	AB No 1448	AB No. 1566
AB No. 874	AB No 1459	AB No. 1666
AB No 919	AB No. 1496	AB No. 1768

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 714
AB No. 1703

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 962

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, July 3, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 541

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2247

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 606
AB No. 1807

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

ACR No. 98

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 78

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Intergovernmental Relations

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Intergovernmental Relations reports:

SJR No. 14

With the recommendation: Be adopted, and be re-referred to the Committee on Rules.

HARVEY JOHNSON, Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Urban Development and Housing

Assembly Chamber, June 30, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 2208

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRATHWAITE, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Veto Message—Assembly Bill No. 812

Governor's Office, Sacramento
June 30, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 812 entitled, "An act to amend Section 3505 of the Agricultural Code, relating to fairs."

This measure provides that the Chairman of the California State Exposition and Fair Executive Committee will be elected annually from the membership of the Committee, rather than appointed by the Governor.

The present method of selecting the Chairman has worked effectively for many years and there does not appear to be a compelling reason to change the system at this time.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

Governor's Office, Sacramento
June 30, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: This is to advise that today, June 30, 1972, I returned Assembly Bill No. 812 unsigned, together with a statement of my reasons therefor.

Delivery was made to R. Brian Kidney, Assistant Chief Clerk, at 3:30 P.M.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 30th day of June, 1972, at 3:30 p.m. of Assembly Bill No. 812, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

R. BRIAN KIDNEY
Assistant Chief Clerk

Above bill ordered to the unfinished business file.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Brown, Assembly Bill No 2029 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 1200 and 2195 and Assembly Concurrent Resolution No. 101 for hearing in the Committee on Ways and Means today.

MESSAGES FROM THE SENATE

Senate Chamber, June 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 238	AB No 1344
AB No 519	AB No 1923

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 935

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, June 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 196	SB No 793	SB No 1154
SB No 242	SB No. 926	SB No 1365
SB No. 503	SB No 1142	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, June 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 24

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 196—An act to add Section 10501 to the Unemployment Insurance Code, relating to human resources development.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 242—An act to add Section 40534 to the Agricultural Code, relating to agricultural products

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 503—An act to add Section 4007.5 to the Penal Code, relating to correctional facilities.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 793—An act to amend Section 66610 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 926—An act to add Section 13702 to the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1142—An act to amend Section 985 of, to add Section 987.16 to, and to repeal Sections 984, 987 16, and 987.16a of, the Military and Veterans Code, relating to veterans benefits.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1154—An act to amend Sections 17764, 17764 4, 17765 8, 17769, 17773, and 17775 of, and to add Sections 17764 1, 17764 2, 17764 5, 17764 6, 17764 7, 17766 5, 17769 1, 17769.2, 17773 1, 17775.1, and 17775 2 to, the Business and Professions Code, relating to trading stamp companies.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1365—An act relating to housing and community development.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 24—Relating to the Antioch Bridge.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1048

Mr. Knox was granted unanimous consent to take up Senate Bill No. 1048, out of order, for purpose of amendment.

Consideration of Senate Bill No. 1048

Senate Bill No. 1048—An act to amend Sections 537 5 and 539 of, and to add Sections 537, 537.1, 537 2, 537 3, 538, 538.1, 538.2, 538.3, 538 4, 538.5, 541, 542.1, 542 2, 542 3, 542.4, 542b, and 542c to, and to repeal Sections 537, 538, 541, and 542b of, the Code of Civil Procedure, and to add Sections 126.1, 15006 1, and 15501.1 to the Corporations Code, and to amend Section 7203 of the Government Code, relating to attachment in commercial actions.

Bill read third time.

Motion to Amend

Mr. Knox moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly June 29, 1972, after "Law", insert "or under Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code,".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1527 for hearing in the Committee on Health today.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 406, 714, 1459, 1496, 1566, 1666, and **1703,** ordered to third reading.

Assembly Bills Nos. 874, 962, 1448, 1768, and **919,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 400—An act to amend Sections 11333, 11391, 11393, 11395 and 11655 6, and Section 11655.8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, Section 11655.7 as added by Chapter 1422 of the Statutes of 1970, Section 11655.7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655 9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618

as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as amended by Chapter 1593 of the Statutes of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 4, of the printed bill, as amended in Assembly June 21, 1972, strike out "Health", and insert "Mental Hygiene".

Amendment No. 2

On page 3, line 10, strike out "Health", and insert "Mental Hygiene".

Amendment No. 3

On page 3, line 26, strike out "Health", and insert "Mental Hygiene".

Amendment No. 4

On page 3, line 33, strike out "Health", and insert "Mental Hygiene".

Amendment No. 5

On page 4, line 19, strike out "residential".

Amendment No. 6

On page 4, line 21, strike out "Health", and insert "Mental Hygiene".

Amendment No. 7

On page 4, line 22, strike out "Health", and insert "Mental Hygiene".

Amendment No. 8

On page 4, line 23, strike out "Health", and insert "Mental Hygiene".

Amendment No. 9

On page 10, strike out lines 10 to 20, inclusive; and in line 21, strike out "4056", and insert
"4055".

Amendment No. 10

On page 10, line 33, strike out "4057", and insert
"4056".

Amendment No. 11

On page 10, line 36, strike out "thumbprint", and insert "unique identifier".

Amendment No. 12

On page 11, line 6, strike out "4058", and insert "4057".

Amendment No. 13

On page 13, line 9, after "the", insert "Campbell-Moretti-Deukmejian".

Amendment No. 14

On page 13, line 39, strike out "Health", and insert "Mental Hygiene".

Amendment No. 15

On page 14, line 4, strike out "Health", and insert "Mental Hygiene".

Amendment No. 16

On page 15, line 29, strike out "Health", and insert "Mental Hygiene".

Amendment No. 17

On page 15, line 37, strike out the first "Health", and insert "Mental Hygiene".

Amendment No. 18

On page 16, line 19, strike out "Health", and insert "Mental Hygiene".

Amendment No. 19

On page 17, after line 8, insert

"SEC. 19. This act shall be known and may be cited as the Campbell-Moretti-Deukmejian Drug Abuse Treatment Act."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 814—An act to add Division 4 (commencing with Section 12500) to the Unemployment Insurance Code, relating to manpower development effectivness programs, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "4 (commencing with Section 12500) to the Unemployment Insurance", and insert "25 (commencing with Section 37000) to the Education".

Amendments Nos. 2 and 3

On page 3, strike out lines 1 and 2, and insert

"SECTION 1. Division 25 (commencing with Section 37000) is added to the Education Code, to".

Amendment No. 4

On page 3, line 5, strike out "4", and insert "25".

Amendment No. 5

On page 3, line 12, strike out "12500", and insert "37000".

Amendment No. 6

On page 3, line 26, strike out "12512", and insert "37022".

Amendment No. 7

On page 4, line 7, strike out "12501", and insert "37010".

Amendment No. 8

On page 4, line 8, strike out "12502", and insert "37011".

Amendment No. 9

On page 4, line 10, strike out "12503", and insert "37012".

Amendment No. 10

On page 4, line 12, strike out "12504", and insert "37013".

Amendment No. 11

On page 4, line 18, strike out "12510", and insert "37020".

Amendment No. 12

On page 4, line 21, strike out "12511", and insert "37021".

Amendment No. 13

On page 4, line 23, strike out "12514", and insert "37024".

Amendment No. 14

On page 4, line 24, strike out "12512", and insert "37022".

Amendment No. 15

On page 4, line 33, strike out "12513", and insert "37023".

Amendment No. 16

On page 4, line 37, strike out "12514", and insert "37024".

Amendment No. 17

On page 5, line 6, strike out "12515", and insert "37025".

Amendment No. 18

On page 5, line 10, strike out "12516", and insert "37026".

Amendment No. 19

On page 5, line 23, strike out "12517", and insert "37027".

Amendment No. 20

On page 5, line 24, strike out "12514", and insert "37024".

Amendment No. 21

On page 6, strike out lines 28 and 29, and insert

"Nothing in this chapter shall require any agency specified in this section to provide services other than those actually provided on the effective date of this section, and nothing in this chapter shall prohibit the provision by such agencies of additional services."

Amendment No. 22

On page 6, line 36, strike out "12518", and insert "37028".

Amendment No. 23

On page 7, line 9, strike out "12520", and insert "37040".

Amendment No. 24

On page 7, line 15, strike out "12521", and insert "37041".

Amendment No. 25

On page 8, line 16, strike out "12522", and insert "37042".

Amendment No. 26

On page 8, line 20, strike out "12521", and insert "37041".

Amendment No. 27

On page 8, line 24, strike out "12530", and insert "37050".

Amendment No. 28

On page 8, line 28, strike out "12531", and insert "37051".

Amendment No. 29

On page 8, line 32, strike out "12517 and 12521", and insert "37027 and 37041".

Amendment No. 30

On page 8, line 39, after "of", insert ", and research and development by,".

Amendment No. 31

On page 9, strike out line 1, and insert "37024 and 37025 of the Education Code The amount appropriated hereby may be used by the Superintendent of Public Instruction only for a period of two years after the effective date of this act."

Amendment No. 32

On page 9, strike out lines 4 to 7, inclusive, and insert "to the Department of Education, except that nothing shall prohibit such department from contracting or accepting alternative federal funds from those agencies represented in the Career Guidance Advisory Committee, established pursuant to Section 37022 of the Education Code."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1013—An act to amend Sections 926, 984, and 1085 of, to repeal Section 927 of, and to add Sections 927, 976.2, 986.5, 987.5, and 1088.5 to, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 30, of the printed bill, strike out "said", and insert "such".

Amendment No. 2

On page 5, line 39, strike out "1176", and insert "1176.5".

Amendment No. 3

On page 6, between lines 9 and 10, insert

"(5) The current extended duration period.

(6) The current extended benefit period.

(7) Any extended duration period or extended benefit period which begins during the three-year period next succeeding the service of notice of the assessment."

Amendment No. 4

On page 6, after line 36, insert

"SEC. 10. The provisions of this act shall be operative with respect to cash tips and cash gratuities received by a worker on and after January 1, 1973."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1315—An act to amend Section 11010 of, and to add Sections 11010.01, 11011.9, and 11011.95 to, the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "11011.9, and 11011.95", and insert "and 11011.9".

Amendment No. 2

On page 3, line 30, strike out "Section 11010(*l*)", and insert subdivision (*l*) of Section 11010".

Amendment No. 3

On page 4, strike out lines 24 to 38, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1745—An act to add and repeal Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 20, 1972, strike out lines 16 to 19, inclusive.

Amendment No. 2

On page 3, line 33, after "6606.", insert "The Superintendent of Public Instruction shall compute an allowance for learning assisted pupils of the same amount and in the same manner as prescribed in Section 18102.6 for educationally handicapped minors.

6607. For the purposes of this article, educationally handicapped minors as defined by Section 6750 shall include learning assisted pupils.

6608 Pupils enrolled in the pilot learning assisted program shall be included in the enrollements for which limitations are prescribed by Sections 6752 and 6752 1.

6609."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1871—An act to add Sections 18107 and 20108 to the Government Code, and to add Sections 5119, 5664, 5755.5 and 5755 6 to the Welfare and Institutions Code, relating to the mental health system, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 22, 1972, strike out "Assemblyman Lanterman", and insert "Assemblymen Lanterman and McAlister".

Amendment No. 2

On page 2, lines 7 and 8, of the printed bill, strike out "to retain sick leave accumulated", and insert "while employed in a county or local mental health program, to use for a period of five years following transfer any unused sick leave balance the employee had accumulated while in state employment and had remaining to his credit".

Amendment No. 3

On page 2, line 15, after the period, insert "The state reserve account for sick leave shall be administered according to the sick leave

provisions of Division 5 (commencing with Section 18000) of Title 2 and corresponding State Personnel Board rules. Upon reemployment with the state, a transferred employee's sick leave credits will be reduced by the number of hours used from the state reserve during his employment in the county or local mental health program."

Amendment No. 4

On page 4, line 6, strike out "six", and insert "nine".

Amendment No. 5

On page 4, line 24, strike out "five hundred thousand dollars ($500,000)", and insert "two hundred thousand dollars ($200,000)".

Amendment No. 6

On page 4, line 25, after "necessary", insert a comma.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2018—An act to amend Section 9902.6 of the Business and Professions Code, relating to employment agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly June 22, 1972, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 2

On page 2, in lines 32 and 33, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty thousand dollars ($20,000)".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2126—An act to add Division 12 7 (commencing with Section 15500), relating to hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 14, after the last period, insert "The Department of General Services shall adopt a schedule of fees to be paid by applicants for the services performed by the department under this division The schedule of fees shall be equivalent to the department's fee schedule for the inspection of plans for public schools required by the "Field Act."""

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, after "15500)", insert "to the Health and Safety Code".

Amendment No. 2

On page 2, line 9, strike out "regulation", and insert "regulations".

Amendment No. 3

On page 2, lines 35 and 36, strike out "provisions of", and insert "rules and regulations adopted pursuant to".

Amendment No. 4

On page 2, line 36, strike out "part", and insert "division".

Amendment No. 5

On page 2, line 37, strike out "this part", and insert "such rules and regulations".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2169—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 3, strike out lines 21 to 23, inclusive.

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2033—An act to amend Section 23320 of, and to add Section 23399.3 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly June 13, 1972, strike out "12 00", and insert "56.00".

Amendment No. 2

On page 5, line 4, after the period, insert "Such a license shall not be transferable from person to person and no off-sale privileges shall be exercised under such a license."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2350—An act to add Section 5077.2 to the Public Resources Code, relating to recreational trails.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, after "entity", insert ", and may, pursuant to Section 5006, acquire property or interests in property through the exercise of eminent domain for trails established pursuant to this article in hardship cases as determined by the department".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1277—An act to amend Section 20017.77 of the Government Code, and to amend Section 1752 of the Welfare and Institutions Code, relating to correctional counselors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

Strike out line 2 of the title of the printed bill; and in line 3 of the title, strike out "Code,".

Amendment No. 2

On page 2, strike out lines 36 to 40, inclusive; and strike out page 3.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2060—An act to add Chapter 11 (commencing with Section 9960) to Division 9 of the Public Resources Code, relating to resource conservation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 8, of the printed bill, as amended in Assembly June 8, 1972, after "enactment", insert "of the California Legislature".

Amendment No. 2

On page 3, line 13, after "Any", insert "territory within an".

Amendment No. 3

On page 3, line 14, strike out "lands", and insert "area".

Amendment No. 4

On page 3, line 15, strike out "dissolved", and insert "detached from such district and transferred to the Tahoe Resource Conservation District".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2114—An act relating to senior citizens, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly June 16, 1972, strike out "65", and insert "60".

Amendment No. 2

On page 2, strike out lines 16 and 17, and insert "to the Federal".

Amendment No. 3

On page 2, line 21, strike out "65", and insert "60".

Amendment No. 4

On page 2, line 21, strike out "Such"; and strike out lines 22 to 25, inclusive.

Amendment No. 5

On page 2, line 31, strike out "thirty thousand dollars ($30,000)", and insert "five thousand dollars ($5,000)".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2186—An act to amend Section 13832 of, and to add Section 13972 to, the Education Code, to amend Sections 16431, 20022, 20332, 20809, 31460, and 53609 of, and to add Sections 13927 and 31482 to, to add Chapter 8 (commencing with Section 18310) to Part 1 of Division 5 of Title 2 of, and to add Article 1.1 (commencing with Section 53212) to Chapter 2 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to deferred compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 24, of the printed bill, as amended in Assembly June 21, 1972, strike out "or 53213".

Amendment No. 2

On page 3, line 25, strike out "The board shall approve plans".

Amendment No. 3

On page 3, strike out lines 26 and 27.

Amendment No. 4

On page 4, lines 16, 17, and 18, strike out "which meets the requirements of Section ____ of the Internal Revenue Code of the United States".

Amendment No. 5

On page 7, lines 6 and 7, strike out ", with the approval of the State Board of Control,".

Amendment No. 6

On page 7, lines 8, 9, and 10, strike out "which meets the requirements of Section ____ of the Internal Revenue Code of the United States".

Amendment No. 7

On page 7, lines 35 and 36, strike out "and approved by the State Board of Control".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 486—An act to amend Sections 62707, 62707.5, and 62714 of the Agricultural Code, relating to milk.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1544—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1627—An act to amend Section 1 of Chapter 966 of the Statutes of 1970, relating to the public schools.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1730—An act to amend Section 217 of the Health and Safety Code, relating to medical aid.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1782—An act to amend Section 6424 of, and to add Section 6423 to, the Labor Code, relating to trenches and excavations.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1783—An act to add Article 14 (commencing with Section 8500) to Chapter 2 of Part 3 of Division 6 of the Fish and Game Code, relating to invertebrates.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1790—An act to add Article 4.8 (commencing with Section 1128) to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to bribery.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1831—An act to add Section 20810.5 to Education Code, relating to school district taxes.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2024—An act to repeal Section 7268 of the Government Code, and to add Section 690.8 to the Code of Civil Procedure, relating to relocation assistance.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2051—An act to add Chapter 8 (commencing with Section 4500) to Division 5 of Title 1 of the Government Code, relating to public contracts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2065—An act to repeal Section 13107 of, and to add Section 13107 to, the Health and Safety Code, relating to fires.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2189—An act to amend Sections 13844.2, 13992, 14023, 14025, 14041, 14185, 14186, 14213, 14214, 14214.5, 14215, 14220.5, 14220.7, 14224, 14240, 14243, 14260, 14284, 14334.6, 14334.8, and 14392 of, to add Section 14390 to, and to repeal Sections 14042, and 14390 of, the Education Code, relating to the State Teachers' Retirement System and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2324—An act to amend Section 3 of, and to add Sections 3.5 and 3.7 to, Chapter 491 of the Statutes of 1971, relating to the transfer of the real property of the DeWitt State Hospital facility.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2335—An act to add Section 6374 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 846—An act to amend Section 18056 of the Health and Safety Code, relating to mobilehomes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1314—An act to amend Sections 8551 and 8571 of the Education Code, relating to consumer education.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1594—An act to amend Section 1563 of the Code of Civil Procedure, relating to unclaimed property.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1598—An act to amend Section 10132 of, and to add Section 10131.6 to, the Business and Professions Code, relating to real estate brokers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1717—An act to amend Sections 100.21 and 135 of, to add Sections 103.7, 103.8, 103 9, and 256.2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1736—An act to amend Section 17206 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2372—An act to amend Section 13510 of the Penal Code, relating to peace officers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1979—An act to authorize participation by the Department of the Youth Authority and the Department of Corrections in a cooperative experimental correctional program.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 15, 1972, strike out "Assemblyman Biddle", and insert "Assemblymen Biddle, Brown, Burton, Lanterman, MacDonald, and Miller".

Amendment No. 2

On page 3, line 20, after "program", insert a comma.

Amendment No. 3

On page 3, line 29, after "parties", insert a comma.

Amendment No. 4

On page 3, line 30, after "jointly", insert a comma.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1011—An act to add Article 5 (commencing with Section 330) to Chapter 2 of Division 2 of the Education Code, relating to the public schools, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly June 16, 1972, strike out "Committee", and insert "Program".

Amendment No. 2

On page 2, strike out lines 27 to 30, inclusive; on page 3, strike out lines 1 to 11, inclusive, and insert

"331. The".

Amendment No. 3

On page 3, line 12, after "Instruction", insert "shall develop".

Amendment No. 4

On page 3, line 15, strike out "333", and insert "332".

Amendment No. 5

On page 3, lines 15, 16, and 17, strike out ", with the advice of the Early Childhood Assessment Committee,".

Amendment No. 6

On page 4, strike out lines 4 and 5; and in line 6, strike out "(a)", and insert "(c)".

Amendment No. 7

On page 4, line 8, strike out "(b)", and insert "(d)".

Amendment No. 8

On page 4, line 11, strike out "(c)", and insert "(e)".

Amendment No. 9

On page 4, line 14, strike out "(d)", and insert "(f)".

Amendment No. 10

On page 4, line 18, strike out "(e)", and insert "(g)".

Amendment No. 11

On page 4, line 21, strike out "(f)", and insert "(h)".

Amendment No. 12

On page 4, line 26, strike out "(g)", and insert "(i)".

Amendment No. 13

On page 4, line 30, strike out "334", and insert "333".

Amendment No. 14

On page 4, lines 31 and 32, strike out "and the Early Childhood Educational Assessment Committee".

Amendment No. 15

On page 4, line 38, strike out "335", and insert "334".

Amendment No. 16

On page 5, lines 1 and 2, strike out ", on the advice of the Early Childhood Educational Assessment Committee,".

Amendment No. 17

On page 5, line 8, strike out "committee", and insert "Superintendent of Public Instruction".

Amendment No. 18

On page 5, strike out lines 13 and 14, and insert "335. The".

Amendment No. 19

On page 5, line 15, strike out "who".

Amendment No. 20

On page 5, line 26, strike out "Committee", and insert "Program".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 832—An act to add Section 18860.1 to the Government Code, relating to salaries of correctional officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, lines 17 and 18, of the printed bill, as amended in Assembly June 15, 1972, strike out "each classification of".

Amendment No. 2

On page 2, line 19, strike out "equivalent to".

Amendment No. 3

On page 2, lines 19 and 20, strike out "the nearest equivalent classification of".

Amendment No. 4

On page 2, line 21, strike out "member", and insert "members".

Amendment No. 5

On page 2, lines 21 and 22, strike out "each classification of".

Amendment No. 6

On page 2, line 22, strike out "counselor", and insert "counselors".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 841—An act to amend Section 72300 of, and to add Sections 72306 and 72307 to, the Government Code, and to amend Section 42006 of the Vehicle Code, relating to courts, and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 3, lines 13 and 14, of the printed bill, as amended in Assembly June 20, 1972, strike out "or more departments", and insert "department".

Amendment No. 2

On page 3, line 16, strike out "three nights", and insert "one night"

Amendment No. 3

On page 3, line 24, strike out "The court, by rule, may"; and strike out lines 25 to 27, inclusive.

Amendment No. 4

On page 5, line 3, strike out "_____ dollars ($_____)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 5

On page 5, after line 5, insert

"However, if federal funds are available for purposes of this act, such funds shall be expended prior to the expenditure of the funds appropriated by this section unless it is necessary to expend the funds appropriated by this section in another manner in order to make the federal funds available "

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 885—An act to add Section 21294.1 to the Government Code, relating to disability retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Assembly June 20, 1972, strike out "and", and insert a comma.

Amendment No. 2

On page 2, line 3, after "manner", insert ", and the member is not working anywhere".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1227—An act to add and repeal Chapter 12 (commencing with Section 8875) to Division 1, Title 2 of the Government Code, relating to a population commission

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly May 22, 1972, line 37, after the period, insert "The funds appropriated by this act shall be reduced by the amount of any federal funds available for the same purpose, which, in the event such funds are available, shall be expended first."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1274—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 14, of the printed bill, after "conflict", insert "at not less than the federal minimum wage at that time".

Amendment No. 2

On page 2, line 17, strike out the comma; and strike out lines 18 and 19, and insert ". The maximum".

Amendment No. 3

On page 2, strike out lines 23 to 26, inclusive, and insert

"7280 4. Such payments for reimbursement pursuant to Section 7280.2 shall be made to an".

Amendment No. 4

On page 3, strike out line 38; and in line 39, strike out "or", and insert

"(2) A surplus".

Amendment No. 5

On page 4, line 15, strike out "a", and insert "a person who the employer had previously employed, or a"

Amendment No. 6

On page 4, line 27, strike out "this chapter", and insert "Chapter 17 (commencing with Section 7280) of Division 7 of the Government Code".

Amendment No. 7

On page 4, line 29, after the period, insert "The department may utilize up to 25 percent of such sum to administer the employer reimbursement program created thereunder."

Set No. 2

Amendment No. 1

On page 2 of the printed bill, between lines 12 and 13, insert

"7280 1. For the purposes of this chapter "veteran" means a person who was, at the time of his entry into active duty, a native of or a bona fide resident of this state, or who, if a minor at such time, entered active duty while in the State of California and had lived in this state for six months immediately preceding his entry into active duty."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1490—An act to add Section 13891 5 to the Education Code, and to add Section 20233 to, the Government Code, relating to the retirement systems.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, strike out lines 13 to 18, inclusive, of the printed bill, as amended in Assembly June 7, 1972, and insert

"Such audits shall not be duplicated by the Department of Finance or the Auditor General The system shall be exempt from a pro rata general administrative charge for auditing."

Amendment No. 2

On page 2, strike out lines 32 to 35, inclusive; and on page 3, strike out lines 1 and 2, and insert

"Such audits shall not be duplicated by the Department of Finance or the Auditor General The system shall be exempt from a pro rata general administrative charge for auditing "

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1685—An act to add Article 2 5 (commencing with Section 11075) to Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to criminal information, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 5, after line 12, of the printed bill, as amended in Assembly June 16, 1972, insert

"However, if federal funds are available for purposes of this act, such funds shall be expended prior to the expenditure of the funds appropriated by this section, unless it is necessary to expend the funds appropriated by this section in another manner in order to make the federal funds available."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1582—An act to add Chapter 8 (commencing with Section 39280) to Part 1 of Division 26 the Health and Safety Code, relating to air pollution, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Assembly June 15, 1972, strike out the comma.

Amendment No. 2

On page 3, line 24, strike out "less than 98,000 population", and insert "a population of less than 98,000".

Amendment No. 3

On page 3, line 27, strike out the second comma.

Amendment No. 4

On page 4, line 4, strike out "Section", and insert "Sections".

Amendment No. 5

On page 4, line 36, after "review", insert a comma.

Amendment No. 6

On page 4, line 36, after "necessary", insert a comma.

Amendment No. 7

On page 5, line 2, after "such", insert "funds".

Amendment No. 8

On page 5, line 6, after "district", insert a comma.

Amendment No. 9

On page 5, line 7, after "district", insert a comma.

Amendment No. 10

On page 5, strike out lines 11 and 12, and insert

"39288 5. The board may allocate to itself sufficient moneys to administer the subvention program under this chapter and to conduct reviews authorized by Section 39288."

Amendment No. 11

On page 5, line 17, after "of", insert "air".

Amendment No. 12

On page 5, line 21, after "subventions", insert a comma.

Set No. 2

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly June 15, 1972, strike out "and Quimby", and insert "Quimby, Barnes, MacDonald, and Miller".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 1825—An act to add Sections 3212 8, 4816, 4816 1, 4816.2, 4816 3, and 4816.4 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly April 24, 1972, strike out ", hernia,".

Amendment No. 2

On page 2, line 14, strike out ", hernia,".

Amendment No. 3

On page 2, line 18, strike out ", hernia,".

Amendment No. 4

On page 2, line 20, after the period, insert "The member of the police department of a California State University and College shall have served five years or more in such capacity before the presumption shall arise as to the compensability of heart trouble so developing or manifesting itself."

Amendment No. 5

On page 2, line 24, strike out ", hernia,".

Amendment No. 6

On page 2, strike out lines 28 to 33, inclusive, and insert

"As used in this section the term "member" shall be limited to those employees of a police department of a California State University

and College who are defined as peace officers in Section 830 2 of the Penal Code. "Member" shall not include those persons employed under the class titles of "parking officer" and "campus guard ""

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Assembly Bill No. 2211—An act to add Section 1585 to, to amend Section 10664 of, and to repeal Section 10904 of, the Fish and Game Code, relating to Laguna Beach.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 3, line 4, of the printed bill, as amended in Assembly June 20, 1972, strike out "Public", and insert "Except as provided in subdivision (h), public"

Amendment No. 2

On page 3, between lines 7 and 8, insert

"(h) Nothing in this section shall interfere with the public's access to the beach."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file·

Senate Bills Nos. 896 and **1204**, ordered to third reading

NOTE Later this day Senate Bill No 896 was re-referred to the Committee on Ways and Means

---

Senate Bills Nos. 927, 599, 1046, and **1324**, ordered to the Consent Calendar

---

NOTE Later this day Senate Bill No 1324 was re-referred to the Committee on Ways and Means

---

SECOND READING OF SENATE BILLS

Senate Bill No. 450—An act to amend Section 41008 of the Agricultural Code, relating to tomatoes

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 746—An act to amend Sections 5801, 5802, and 5981 of the Agricultural Code, relating to pest control

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1014—An act to amend Section 66514 of the Government Code, and to amend Section 30792.2 of the Streets and Highways Code, relating to toll bridges.

Bill read second time, and ordered to third reading.

Senate Bill No. 127—An act to establish procedures for the assessment of open-space lands, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 998—An act to amend Sections 32121 and 32129.5 of, to add Sections 32126.5 and 32129 to, and to repeal Section 32129 of, the Health and Safety Code, relating to hospital districts

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 3, lines 21 and 22, of the printed bill, as amended in Senate May 30, 1972, strike out "health maintenance organizations,".

Amendment No. 2

On page 3, line 33, after "into", insert "contracts".

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1277—An act to amend Section 2741 of the Business and Professions Code, relating to nurses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Senate May 18, 1972, strike out "Upon"; strike out lines 7 to 9, inclusive; and in line 10, strike out "failed to pass on the examination."

Amendment No. 2

On page 1, line 11, strike out "present to the"; strike out line 12; and in line 13, strike out "additional courses of study and shall".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 987—An act to add Section 12825 5 to the Education Code, relating to public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate May 23, 1972, after "No", insert "group"

Amendment No. 2

On page 1, line 4, after "pupil", insert ", except intelligence tests administered on an individual basis for the purposes of placement in special education programs,".

Amendment No. 3

On page 1, line 6, after "country", insert "in which English is not the primary language".

Amendment No. 4

On page 1, after line 8, insert

"SEC 2 This act shall not become operative if Assembly Bill No. 483 of the 1972 Regular Session is enacted into law, in which event Section 1 of this act is repealed."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 468—An act to amend Section 12 of, and to add Sections 17 1, 17 2, and 17 3 to, the San Diego County Flood Control District Act (Chapter 55 of the Statutes of 1966, First Extraordinary Session), relating to the San Diego County Flood Control District.

Bill read second time .

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted

Set No. 1

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly May 24, 1972, strike out "soil", and insert "resource"

Amendment No. 2

On page 2, line 21, strike out "soil", and insert "resource"

Amendment No. 3

On page 3, line 21, strike out "soil", and insert "resource".

Amendment No. 4

On page 4, line 14, strike out "soil", and insert "resource"

Amendment No. 5

On page 4, line 22, after "valuation", insert "of the taxable property in such zone. Where the corporate area of more than one city is included in the zone and the proportionate representation between the unincorporated territory and the corporate area is such that each city will not have the right to representation by at least one representative, the representation of the corporate area shall be by representatives nominated jointly by the councils of such cities".

Set No. 2

Amendment No. 1

On page 8, line 25, of the printed bill, as amended in Assembly May 24, 1972, after "the", insert "area of the".

Bill ordered reprinted, and returned to the second reading file

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means

Senate Bills Nos. 896, 1324 and **425.**

COMMUNICATIONS

Assembly Chamber, July 3, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No 846	AB No 1736
AB No 1594	AB No. 2372

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 954—An act to amend Section 2 of Chapter 1423 of the Statutes of 1971, relating to financial support for the public schools, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 954?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 18, 1972, between lines 17 and 18, insert

"In the event that this act does not become effective in the 1971–72 fiscal year, the districts affected shall nevertheless be apportioned in the subsequent fiscal year the amount they should have received in the 1971–72 fiscal year under the provisions of this act The Superintendent of Public Instruction shall compute the amount the affected districts should have received had they been included in sharing the

funds from Item 270 of the Budget Act of 1971, as modified by this act, and the districts shall be apportioned that amount from the appropriation for the same purpose in the Budget Act of 1972; and in the event there is no similar appropriation in the Budget Act of 1972, the districts shall be apportioned that amount as a correction pursuant to Section 17414 of the Education Code."

Amendment No. 2

On page 2, line 18, after "SEC 2.", insert "For purposes of determining eligibility for apportionments of funds appropriated in Item 268 of the Budget Act of 1972, and more particularly, in determining the average daily attendance in school districts for which equalization aid was computed, the Superintendent of Public Instruction shall compute the same by considering solely individual school district wealth, disregarding the effects of the areawide school support mechanism, and as though no areawide school support programs were in operation anywhere in the state.

SEC. 3".

Amendment No. 3

On page 2, between lines 32 and 33, insert

"Further, in order to equitably apportion additional equalization aid for cost increases due to inflation, appropriated by Item 268 of the Budget Act of 1972, it is necessary that this act take effect immediately"

The roll was called

Call of The Assembly

Pending the announcement of the vote, Mr MacDonald moved a call of the Assembly

Motion carried. Time, 10 03 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 982—An act to amend Sections 7150, 7153, 7153 2, 7153 3, 7171, and 7187 of, to add Sections 7153 7 and 7153 8 to, and to repeal Section 7153 4 of, the Financial Code, relating to savings and loan associations.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 982?

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "residential", and insert "improved real".

Amendment No. 2

On page 3, line 3, strike out "; provided, that the"; strike out lines 4 to 6, inclusive, and insert a period.

Amendment No. 3

On page 3, line 39, strike out "thirty-six thousand dollars ($36,000)", and insert "forty-five thousand dollars ($45,000)".

Amendment No. 4

On page 7, strike out line 8, and insert

"(1) Thirty-six thousand dollars ($36,000)."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, and Wood—45

NOES—None

Above bill ordered enrolled

Assembly Bill No. 191—An act to add Sections 31621 2, 31671 02, 31676 12, 31727 1, 31808 7, and 31812 1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 191?

Amendment No. 1

In line 1 of the title of the printed bill, after "31676 12," insert "31727.1,"

Amendment No. 2

On page 4, between lines 21 and 22, insert

"SEC 3 5. Section 31727 1 is added to the Government Code, to read·

31727 1 In counties adopting Section 31676 12, the nonservice-connected disability retirement pension shall be such an amount as with that portion of a member's annuity provided by his accumulated normal contributions will make his disability retirement allowance, exclusive of the annuity provided by his accumulated additional contributions, equal

(a) Ninety percent of one-fiftieth of his final compensation multiplied by the number of years of service credited to him, if (1) the member must rely upon service in another retirement system in order to be eligible to retire or (2) such disability retirement allowance exceeds one-third of his final compensation

(b) If the member is eligible to retire without relying upon service in another retirement system and the disability retirement allowance computed under subdivision (a) does not exceed one-third of his final compensation, 90 percent of one-fiftieth of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue until attainment by him of age 62, but in such case the retirement allowance shall not exceed one-third of his final compensation."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Burke, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran Leroy F Greene, Hayden, Hayes Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, Pierson, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wood, and Z'berg—48.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 921—An act to amend Section 19330.5 of the Government Code, relating to the state civil service

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 921?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "a permanent or probationary", and insert "an"

Amendment No. 2

On page 1, line 5, after "jurisdiction", insert 'who has permanent civil service status or a probationer who immediately preceding his appointment to his position held permanent civil service status in the same or some other class"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Burke, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Waxman, Wood, and Z'berg—48

NOES—None.

Above bill ordered enrolled.

Majority Floor Leader Presiding

At 10 09 a m , Hon. Jack R Fenton, 51st District, presiding

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1122

In compliance with a motion given on a previous day, Mr. Badham moved that the vote whereby Assembly Bill No. 1122 was refused passage be reconsidered

Assembly Bill No. 1122 reconsidered by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Campbell, Chappie, Cline, Colher, Cory, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, McAlister, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—45.

NOES—Cullen—1.

Assembly Bill No. 1122 Passed and Retained

By unanimous consent, Assembly Bill No. 1122 was passed on file, to retain its place on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER URGENCY CLAUSE TO ASSEMBLY BILL NO. 347

In compliance with a motion given on a previous day, Mr. Chappie moved that the vote whereby the urgency clause to Assembly Bill No. 347 was refused adoption be reconsidered.

The roll was called.

Call of The Assembly

Pending the announcement of the vote, Mr. Chappie moved a call of the Assembly.

Motion carried. Time, 10:11 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Dunlap was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1485—An act to add and repeal Article 8 (commencing with Section 15625) to Chapter 2 of Division 11 of the Education Code, relating to high school dormitories, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chappie, Cline, Cullen, Davis, Ded-

deh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, Murphy, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—50.

NOES—Cory, Russell, and Wakefield—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2054—An act to add Section 161 to the Streets and Highways Code, relating to highway rain grooves.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite Briggs, Burke, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood and Z'berg—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 200—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528.2 of the Business and Professions Code, relating to the California coastal zone, and making appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Murphy moved the adoption of the following amendment.

Amendment No. 1

On page 34, after line 31, of the printed bill, as amended in Assembly June 19, 1972, insert

"SEC. 7. Each year until the final adjournment of the 1976 Regular Session of the Legislature, each county auditor and city auditor shall compute the loss of revenue due to the reductions in assessed value of property assessed under Section 423 or 423.5 of the Revenue and Taxation Code for the county and for each city and each school district and special district wholly or partially within the county due to the operation of Division 18 (commencing with Section 27000) of the Public Resources Code, and shall make a claim to the Controller for the loss of such revenue, as prescribed by the Controller. Out of the amount appropriated by Section 8 of this act, the Controller shall pay on or before December 30th of each year to the county auditor or city auditor an amount equal to such a loss of revenue.

SEC. 8. There is hereby continuously appropriated until the final adjournment of the 1976 Regular Session of the Legislature from the

State General Fund to the Controller to pay to each county auditor and city auditor an amount sufficient to pay the subventions required by Section 7 of this act."

Amendment read.

The roll was called.

Call of The Assembly

Pending the announcement of the vote, Mr. Sieroty moved a call of the Assembly.

Motion carried. Time, 10:33 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Murphy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials.

Bill read third time, presented by Mr. Ryan, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 635—An act appropriating funds for increases in compensation for members of the California Highway Patrol.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Briggs, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Stacey, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—Stull and Wakefield—2.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER URGENCY CLAUSE TO ASSEMBLY BILL NO. 347

At 10:38 a.m., on motion of Mr Chappie, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby the urgency clause to Assembly Bill No. 347 was refused adoption reconsidered by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, and Mr. Speaker—57.

NOES—Ryan—1.

Assembly Bill No. 347 Passed and Retained

By unanimous consent, Assembly Bill No. 347 was passed on file, to retain its place on file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 696—An act to establish a multipurpose counseling and social services pilot project in the County of Ventura, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Ketchum and Wakefield—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chappie, Cline, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, Mc-

Alister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—Ketchum and Wakefield—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1837—An act to add and to repeal Article 4 (commencing with Section 655) to Chapter 2 of Division 1 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Brathwaite, Briggs, Burke, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, and 21294 of, and to add Section 21300.5 to, the Government Code, relating to retirement.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Campbell, Chappie, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Stull—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1369—An act to amend Sections 10094 and 10095 of, and to add Section 10094.4 to, the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1547—An act to add Section 55 to the Civil Code, relating to disabled persons.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lançaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2010—An act to add Article 1.3 (commencing with Section 17510) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to charitable solicitations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1571—An act to place specified constitutional amendments on the ballot, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, McCarthy, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves,

Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, McCarthy, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2239—An act to amend Section 1305 of the Penal Code, relating to bail.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1085—An act to add Section 14052 to the Penal Code, relating to the protection of property.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1549—An act to require the Board of Medical Examiners of the State of California to conduct a study and make a report relating to abortions, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chappie, Cline, Collier, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy,

McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—Cullen and Sieroty—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1786—An act to amend Sections 8496 and 8843 of the Fish and Game Code, relating to fishing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1279, on request of Mr LaCoste

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 569—An act to add Section 21023.6 to the Government Code, relating to disability retirement.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 674—An act to add Sections 19702.1, 19702.2, 50084, and 50085 to the Government Code, relating to public employees.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F.

Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act to amend Sections 20100, 20101 and 20104 of the Government Code, relating to Public Employees' Retirement System.

Bill read third time, presented by Mr. Cullen, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1479

Mr Bagley was granted unanimous consent that Assembly Bill No. 1479 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Ways and Means, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1479 for hearing in the Committee on Ways and Means today.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1320—An act to amend Section 11711 of the Vehicle Code, relating to vehicle dealers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 791—An act to amend Sections 1421 and 1422 of, and to add Section 1422.3 to, the Labor Code, relating to fair employment practices.

Bill read third time.

The roll was called.

Call of The Assembly

Pending the announcement of the vote, Mr. Ralph moved a call of the Assembly.

Mr. Deddeh seconded the motion.

Motion carried. Time, 11:09 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1541—An act to amend Section 8 of the Health and Safety Code, relating to writings

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Brathwaite, Brown, Burton, Campbell, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—42

NOES—Arnett, Badham, Briggs, Burke, Cline, Collier, Hayes, Ray E. Johnson, Ketchum, Lancaster, Lanterman, MacGillivray, Moorhead, Murphy, Priolo, Russell, Stull, and Wakefield—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 252—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, Mac-

Donald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Badham, Burke, Lancaster, Lanterman, Moorhead, Russell, Seeley, Stull, and Wakefield—9.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Badham, Burke, Lancaster, Lanterman, Moorhead, Russell, Seeley, Stull, and Wakefield—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2341—An act to add Article 3.5 (commencing with Section 8574.1) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to the state oil spill contingency plan, and making an appropriation therefor

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Constitutional Amendment No. 45—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 11—An act to amend Section 6903 of the Education Code, relating to public schools

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E

Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Burke, Collier, Russell, Stull, and Wakefield—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 898—An act to amend Sections 3517, 3575, and 5004 of, and to add Section 3521 to and Article 3 5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2378 for hearing in the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1417—An act to add Article 7 9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Vasconcellos, Wakefield Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1491—An act to amend Section 20231 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1697—An act to add Chapter 8 (commencing with Section 11800) to Part I of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5 5 of Division 3 of Title 2 of, the Government Code, relating to the television advisory committee.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Russell and Stull—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1808—An act to add Article 2.1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor.

Bill read third time.

Demand for Previous Question

Messrs. Townsend, Chacon, Badham, Hayden, and Campbell demanded the previous question Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox,

LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Russell, Stull, and Wakefield—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1201

Mr. McCarthy was granted unanimous consent to take up Assembly Bill No. 1201, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 1201

Assembly Bill No. 1201—An act to amend Section 19523 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Request for Unanimous Consent

Mr. McCarthy was granted unanimous consent that Assembly Bill No. 1201 be transmitted to the Senate at this time.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1988—An act to amend Sections 74191, 74192, 74193, 74194, and 74195 of the Government Code, relating to courts

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2118—An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18 5 of the Education Code, relating to community colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2249—An act to amend Sections 985, 986 3, 986.5, 987, 987 6 and 987 17 of, and to add Sections 986 31 and 987.17a to, the Military and Veterans Code, relating to veterans.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 94—Relating to driver's license requirements.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1306—An act to amend Sections 263.3, 263 8, and 415 of, and to add Section 486 to, the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister,

McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1192—An act to amend Sections 13408, 13485, and 13487 of the Education Code, relating to certificated employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1411—An act to amend Section 14131 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—Badham, Briggs, Burke, Campbell, Hayden, Lancaster, Lanterman, and Russell—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1217—An act to add Section 6804.5 to the Education Code, relating to high school attendance.

Bill read third time.

The roll was called.

Call of The Assembly

Pending the announcement of the vote, Mr. Vasconcellos moved a call of the Assembly.

Motion carried. Time, 12:05 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Ralph was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1416—An act to amend Sections 417 and 417.3 of the Health and Safety Code, relating to kidney diseases, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis. MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 954

At 12:07 p m, on motion of Mr. MacDonald, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 954 by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—65.

NOES—Cory—1.

Above bill ordered enrolled.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 887—An act to amend Sections 11803, 11831, 11832, 11833, and 11834 of the Elections Code, relating to ballot measures.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1642—An act to amend Section 3093 of, and to add Sections 3094, 3094.2, and 3094.4 to, the Labor Code, and to add Sections 12005, 12006, 12007, 12008, 12009, 12010, 12011, 12012, 12013, 12014, and 12015 to, the Unemployment Insurance Code, relating to the career opportunities development program, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 6—Relative to oil drilling

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 23—Relative to the Division of Highways San Diego Maintenance Station.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 45—Relative to educational program in penal science.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 57—Relative to State of California general obligation bonds.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 79—Relative to street and road financing

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 32—Relative to Genocide Convention of the United Nations.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

NOTE: For explanations of votes by Messrs Stull, Badham, Burke, Barnes, Collier, Lanterman, MacGillivray, and Moorhead relative to Assembly Joint Resolution No 32, see Assembly Journal for July 27, 1972, pages 6514–6515

Assembly Concurrent Resolution No. 110—Relative to alcoholic beverage licenses.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 441—An act to add Section 15356 to the Education Code, relating to school buildings.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 34—An act to amend Sections 66611 and 66652 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1186—An act to amend Section 65853 of the Government Code, relating to zoning

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1327—An act to amend Section 6502 of the Public Resources Code, relating to public lands

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 423—An act to amend Sections 945 and 1016 of, and to add Section 1016 6 to, the Education Code, relating to legal counsel for school districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 670—An act to add Sections 6803.3 and 6902.055 to the Education Code, relating to special education

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 876

Acting Speaker Fenton was granted unanimous consent that Senate Bill No 876 be withdrawn from the Committee on Welfare, and re-referred to the Committee on Criminal Justice.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 115: By Assemblyman Z'berg —Approving amendments to the Charter of the City of Sacramento, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the 6th day of June 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 115

Mr. Z'berg was granted unanimous consent to take up Assembly Concurrent Resolution No 115 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 115

Assembly Concurrent Resolution No. 115—Approving amendments to the Charter of the City of Sacramento, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the 6th day of June 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Sacramento, California

Mr. James D. Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr Driscoll: Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Sacramento.

Very truly yours,

EDWIN L Z'BERG

Accompanying documents ordered filed with the Secretary of State (A.C.R. No. 115).

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 452, on request of Mr. Z'berg

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1505

Mr. Lanterman was granted unanimous consent to take up Assembly Bill No. 1505, temporarily passed on file, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 1505

Assembly Bill No. 1505—An act relating to disposition and leasing of property by the Director of General Services.

Bill read third time.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 19, 1972, between lines 19 and 20, insert

"Parcel 4. Approximately 10 99 acres of land located in Section 19, T. 7 S., R. 8 E., M D.B.M. in the County of Stanislaus being a portion of property acquired for the Orestimba Wayside Park.

Parcel 5. Approximately 1 65 acres of land located at 542 West Stockton Road in Sonora being the former Forestry headquarters.

Parcel 6. Approximately 40 acres of land located in the NE¼ of the NE¼ of Section 10, T. 11 N., R. 16 W, S.B M. in the County of Kern being a portion of land used by the California Institution of Women at Tehachapi."

Amendment No. 2

On page 2, line 21, strike out "4", and insert "7".

Amendment No. 3

On page 2, between lines 24 and 25, insert

"Parcel 8. Approximately 10 acres of land located in Section 9, T. 1 S., R. 5 E., S B.M. near Yucca Valley in the County of San Bernardino which was a bequest to Humboldt State College."

Amendment No. 4

On page 2, strike out lines 34 to 40, inclusive, and insert

"SEC. 3. The following funds are appropriated for the purposes of this act:

(a) Any money received from the disposition of Parcels 1 to 6, inclusive, shall be paid into the General Fund.

(b) Any money received from the disposition of Parcel 7 shall be paid into the Wildlife Restoration Fund

(c) Any money received from the disposition of Parcel 8 shall be paid into the Scholarship Fund of Humboldt State College.

(d) Any cost or expense incurred in the disposition of any parcel shall be reimbursed from the proceeds of such disposition.

(e) Funds appropriated in Item 301 of the Budget Act of 1972 shall be available for acquisition of property under Section 10 of this act."

Amendment No. 5

On page 3, strike out lines 19 through 24.

Amendment No. 6

On page 3, after line 24, insert

"SEC. 7. The Director of General Services is hereby authorized to enter into a lease for a term not to exceed 35 years for a state office building in the Santa Rosa Urban Renewal Area, with title to the leased premises to pass to the state at the end of the lease term without further payment.

SEC. 8. The Director of General Services is hereby authorized to lease for a term not to exceed 35 years state-owned property located on Hedding Street in the northern portion of the San Jose Civic Center, provided that the lessee is required to construct an office building on the property for use of the state during the term thereof, with facilities vesting in the state at the expiration of the above term or earlier, without further payment.

SEC. 9. The Director of General Services, with the approval of the State Public Works Board, is authorized to exchange state-owned property at the southeast corner of Broadway and Chestnut Avenue in Long Beach for property owned by the City of Long Beach upon such terms and conditions, as in his opinion, may be for the best interest of the state. The Director of General Services is hereby authorized to enter into a lease for a term not to exceed 35 years for a state office building in Long Beach on the property to be acquired from the City of Long Beach as authorized herein with title to the leased premises to pass to the state at the end of the lease term without further payment

SEC. 10. The Department of General Services with the approval of the Department of the California Highway Patrol and the State Public Works Board is authorized to acquire surplus lands from the Department of Public Works, Division of Highways which in turn may be exchanged for lease rights the City of Los Angeles may have on property under jurisdiction of the United States Army Corps of Engineers

SEC 11 The Director of General Services with the approval of the Director of Parks and Recreation and the State Public Works Board is authorized to exchange state-owned property in the Anza-Borrego Desert State Park for property owned by the Orange Empire Council, Boy Scouts of America, upon such terms and conditions, as in his opinion, may be for the best interest of the state."

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file·

Assembly Bill No. 1848, on request of Mr Maddy.

RE-REFERENCE OF ASSEMBLY BILL NO. 1703

Mr. Brown was granted unanimous consent that Assembly Bill No 1703 be re-referred to the Committee on Ways and Means, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1703 for hearing in the Committee on Ways and Means.

RE-REFERENCE OF SENATE BILL NO. 549

Mr. Brown was granted unanimous consent that Senate Bill No 549 be re-referred from the third reading file to the Committee on Ways and Means, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 549 for hearing in the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos. 606 and 313 for hearing in the Committee on Ways and Means

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file

Assembly Bills Nos. 673 and **751,** on request of Mr. Sieroty.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12·15 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. MURPHY TO ASSEMBLY BILL NO. 200

At 12.16 p m , on motion of Mr Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Murphy to Assembly Bill No. 200 adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Davis, Deddeh, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Moorhead, Murphy, Porter, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, Wilson, and Wood—36

NOES—Bagley, Brathwaite, Brown. Burton, Cory, Crown, Cullen, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Karabian, Keysor, Knox, LaCoste, McAlister, McCarthy, Miller, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—33

Bill ordered reprinted, and to be returned to the third reading file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 791

At 12·19 p.m., on motion of Mr Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 791 passed by the following vote:

AYES—Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—41.

NOES—Arnett, Badham, Barnes, Briggs, Burke, Chappie, Cline, Collier, Cullen, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Moorhead, Murphy, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—27.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1217

At 12·21 p m, on motion of Mr. Vasconcellos, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1217 refused passage by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Cory, Crown, Deddeh, Dunlap, Fenton, Bill Greene, Harvey Johnson, Karabian, Keysor, Knox, MacDonald, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Sieroty, Vasconcellos, Waxman, Wilson, Z'berg, and Mr. Speaker—31.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Cullen, Davis, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, and Wood—34.

NOTE· Later this day a motion to reconsider the vote whereby Assembly Bill No 1217 was refused passage was offered by Mr. Vasconcellos. See page 5762.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 778 for hearing in the Committee on Ways and Means today.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Local Government reports·

SB No. 420

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

ACR No. 102

With amendments with the recommendation· Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means with recommendation it be referred to Consent Calendar.

HAYES, Chairman

Above resolution ordered on file.

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

ACR No. 105

With amendments with the recommendation· Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

HAYES, Chairman

Above resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 912	AB No 1618
AB No. 1236	AB No 2014
AB No. 1319	AB No. 2156

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, July 3, 1972

Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:

SB No 696

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 696—An act to add Section 13990 10 to the Government Code, and to add Sections 7531 5 and 7532.5 to the Public Utilities Code, relating to railroad rights-of-way.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate April 19, 1972, strike out "Sections 7531 5 and 7532 5", and insert "Section 7531.5".

Amendment No. 2

In line 3 of the title, strike out "railroad rights-of-way", and insert "lines of railroads".

Amendment No. 3

On page 2, line 5, strike out "railroad right-of-way", and insert "line of railroad".

Amendment No. 4

On page 2, line 11, strike out "railroad right-of-way", and insert "line of railroad".

Amendment No. 5

On page 2, line 16, strike out "right-of-way", and insert "line".

Amendment No. 6

On page 2, strike out lines 17 to 19, inclusive, and insert
"(c) The board shall".

Amendment No. 7

On page 2, lines 20 and 21, strike out "approval of the request", and insert "receipt of a copy of an application forwarded to it pursuant to Section 7531 5 of the Public Utilities Code".

Amendment No. 8

On page 2, line 23, strike out "right-of-way", and insert "line".

Amendment No. 9

On page 2, strike out line 27, and insert
"7531 5 Upon receipt by it of an application, filed with either the Interstate Commerce Commission or the Public Utilities Commission, to abandon a line of railroad, the Public Utilities Commission shall forward a copy of the application to the State Transportation Board within 10 days."

Amendment No. 10

On page 2, strike out lines 28 to 38, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, July 3, 1972

Mr. Speaker: The Chairman of your Committee on Rules reports:

AJR No. 13

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BURTON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Joint Resolution No. 13—Relative to the crisis in Northern Ireland.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "ultimate".

Amendment No. 2

On page 2, line 16, strike out "an", and insert "a complete".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
196	Welfare
242	Agriculture
503	Criminal Justice
793	Planning and Land Use
926	Welfare
1142	Government Administration
1365	Urban Development and Housing
1154	Finance and Insurance

Senate Joint Resolution No.	*Committee*
24	Transportation

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 116: By Assemblyman Hayden (Senator Gregorio, coauthor)—Relative to a new Dumbarton Bridge.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Hayden:

House Resolution No. 76

Relative to a new Dumbarton Bridge

Resolved by the Assembly of the State of California, That the Metropolitan Transportation Commission is hereby requested to submit to the Assembly, not later than February 1, 1973, its findings and recommendations with respect to the design and location of, and the approach connections to, a new Dumbarton Bridge; and be it further

Resolved, That the Division of Bay Toll Crossings consider such findings and recommendations in the design and construction of a new Dumbarton Bridge; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Metropolitan Transportation Commission and to the Chief Engineer of the Division of Bay Toll Crossings

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Dent:

House Resolution No. 77

Relative to community colleges

WHEREAS, The California Community Colleges are responsible for making educational programs and services available to every person who is 18 years of age or older in this state and to many high school students, and

WHEREAS, They provide "open door" opportunities for transfer, occupational, general education, continuing education, and community services, as well as counseling and student personnel services to persons from all economic and social levels of each of the communities in which they are located; and

WHEREAS, Numerous students with substantial potential for success in college and for future leadership in the community are unable to pursue a higher education and attain their full educational potential because of financial and home and community environmental conditions, and

WHEREAS, A financial assistance program known as the "College Opportunity Grant Program" has been created by the State of California to provide assistance for undergraduate study to disadvantaged students who are not necessarily able to avail themselves of present state competitive scholarships by the use of conventional selection methods, and

WHEREAS, The Legislature has recognized that the role of the community colleges, as the least expensive level of California higher education, is a crucial role in increasing the higher education opportunities for disadvantaged students; and

WHEREAS, In keeping with such recognition it is the stated intent of the Legislature that the additional opportunities for higher education provided in the College Opportunity Grant Program be initiated primarily at the community college level; and

WHEREAS, Enactment of the College Opportunity Grant Program resulted in community college student participation in initial grants of 94 percent in 1969–1970; and

WHEREAS, Legislative amendments in 1970, not intended to affect the legislative intent of the College Opportunity Grant, has resulted in a significant percentage decrease in community college participation from 94 percent in 1969–1970 to 53 percent in 1971–1972; and

WHEREAS, Such reduction in community college percentage participation in receipt of grants is not in keeping with the stated intent of the College Opportunity Grant Program; and

WHEREAS, The possibility exists that further percentage decrease of community college student participation may occur; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members request the Assembly Rules Committee to assign to the appropriate committee for study the matter of current funding needs and practices of the College Opportunity Grants Program and further, to suggest guidelines and procedures to meet the individual needs of students within higher education as intended in legislation creating said program, and be it further

Resolved, That such committee report its findings and recommendations to the Legislature on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No 1682, Assembly Constitutional Amendment No 77, and Assembly Bill No 530 were continued until Wednesday, July 5, 1972

VOTE CHANGES

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 982, 191, and 921.

Mr. Pierson was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 191 and 921.

Messrs. Maddy and Pierson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 531

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 531

Messrs Stull and Meade were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 531.

Mr. Lancaster was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 635.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 635.

Mr. Meade was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 635

Mr. Sieroty was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1549

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1549.

Messrs. MacGillivray and Pierson were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 252, and on the passage of the bill

Mr Stull was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 252, and on the passage of the bill.

Mr. Meade was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 252, and on the passage of the bill

Mr Moorhead was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 11

Mr Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 11.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1988.

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1988

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 2118.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1485.

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1485.

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1938.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 674.

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 2054, 1837, 2341, 1547, 2010, 1492, 1085, 1786, 569, 898, and 1417, and on the urgency clause to Assembly Bill No 696, and on the passage of the bill.

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bills Nos 635 and 1697.

Mr Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1938.

Messrs. Russell and Hayden were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1411.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1201.

Mr. Maddy was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No. 791.

Messrs. Brown and Bagley were granted unanimous consent that they be recorded as voting "No" on Mr. Murphy's amendments to Assembly Bill No. 200.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1217 ON NEXT LEGISLATIVE DAY

Mr. Vasconcellos moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1217 was this day refused passage.

Assembly Bill No. 1217 ordered to the unfinished business file.

COMMUNICATIONS

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 65—An act to amend Section 7076.5 of the Business and Professions Code, relating to Contractor's State License Board;

Assembly Bill No. 93—An act to add Section 39297.5 to the Health and Safety Code, relating to air pollution;

Assembly Bill No. 108—An act to amend Section 1243 of the Water Code, relating to water;

Assembly Bill No. 181—An act to add Section 6401.5 to the Labor Code, relating to employment safety;

Assembly Bill No. 426—An act to amend Section 5000 of, and to add Sections 5001 and 5002 to, the Fish and Game Code, relating to reptiles;

Assembly Bill No. 641—An act to amend Section 8140 of the Government Code, relating to California-Nevada Interstate Compact Commission;

Assembly Bill No. 687—An act to amend Section 11525.2 of the Business and Professions Code, relating to subdivisions;

Assembly Bill No. 688—An act to add Section 25274 to the Vehicle Code, relating to flashing and colored lights;

Assembly Bill No. 706—An act to add Section 41803.7 to the Government Code, relating to city attorneys;

Assembly Bill No. 745—An act to add Section 54931.19 to the Government Code, relating to districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 755—An act to amend Section 34272 of the Health and Safety Code, relating to housing,

Assembly Bill No. 1331—An act to add Section 465 to the Public Utilities Code, relating to public utilities;

Assembly Bill No. 1377—An act to amend Sections 56003 1, 56003 2, 56025, 56080, 56275, 56440, 56441, 56442, and 56443 of, and to add Section 56006.1 to, and to repeal Section 56072.1 of, the Government Code, relating to districts;

And reports the same correctly enrolled, and presented to the Governor at 1 p m , July 3, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 42—Relative to ski lift safety standards,

Assembly Concurrent Resolution No. 96—Approving amendments to the Charter of the City of Placentia, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 3rd day of July, 1972, at 1 p.m.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 612

With amendments with the recommendation Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, July 3, 1972

Mr Speaker The Chairman of your Committee on Elections and Reapportionment reports:

SB No. 84

SB No 840

With author's amendments with the recommendation - Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 84—An act to amend Section 10012 5 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Strike out the heading of the printed bill, as amended in Senate April 5, 1972, and insert

"Introduced by Senators Nejedly and Alquist".

Amendment No. 2

Strike out line 1 of the title, and insert

"An act to repeal Section 10012 5 of, and to add Chapter 3 (commencing with Section 10400) to Division 7 of, the Elections Code,".

Amendment No. 3

On page 1, line 1, strike out ", as", and insert "is repealed

SEC. 2. Chapter 3 (commencing with Section 10400) is added to Division 7 of the Elections Code, to read:

CHAPTER 3 CANDIDATES' STATEMENT OF QUALIFICATIONS

Article 1. Nonpartisan Offices

10400. Any candidate for nonpartisan elective public office in the state may prepare a statement of qualifications on an appropriate form provided by the clerk Such statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself Such statement shall not include the party affiliation of the candidate or membership or activity in partisan political organizations, if the candidate is seeking election to a nonpartisan office

Such statement shall be filed in the office of the clerk when his nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary Such statement shall be filed in the office of the clerk no later than the 59th day before the election, if it is for an election for which nomination papers are not required to be filed. It may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p m of the next working day after the close of the nomination period A statement of qualifications submitted pursuant to this article shall be signed by the candidate under penalty of perjury

10401 The clerk shall forward to all other clerks copies of statements of qualifications for candidates to be voted upon in their jurisdictions.

10402 Each clerk shall send to each voter together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate's qualifications that is prepared pursuant to this article. The statement of each candidate shall be printed in eight-point type of uniform darkness, and with uniform spacing. The clerk shall provide a Spanish translation to those candidates who wish to have one, and shall select a person to provide such translation from the list of approved Spanish language translators and interpreters of the superior court of the county or from an institution accredited by the Western Association of Schools and Colleges.

10403. The local agency may bill each candidate availing himself of this service a sum not greater than the actual prorated costs of printing and handling incurred by the agency as a result of providing this service Only these charges may be levied and each candidate using this service shall be charged the same.

10404. The clerk shall reject any statement, which contains any obscene, vulgar, profane, scandalous, libelous or defamatory matter, or any language which in any way incites, counsels, promotes or advocates hatred, abuse, violence or hostility toward, or which tends to cast ridicule or shame upon any person or group of persons by reason of race, color, religion or manner of worship, or any language or matter the circulation of which through the mails is prohibited by Congress.

10405. Nothing in this article shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet.

Article 2 Partisan Offices

10410 Not later than 88 days before a general election, and not later than 44 days before a special election, any candidate for election to any federal or state office, including the State Legislature, who is entitled to have his name printed on the election ballot, may file with the Secretary of State, or with the county clerk of a county in the district in which he is seeking election, a typewritten statement of 250 words, expressed by the candidate himself, of the candidates qualifications including his occupation and education.

Such statement shall be submitted on a form provided by the Secretary of State, which form shall be supplied by the county election official charged with providing nomination papers

10411. The Secretary of State or the county clerk shall reject any statement offered for filing and printing in the pamphlet under Section 10410 which contains any obscene or profane material, or defames another individual with respect to his private life and activities, or which incites, counsels, or advocates hatred, violence or hostility toward, or which tends to cast ridicule or shame upon, any person or group of persons by reason of race, color, religion or manner of worship, or any language or matter the circulation of which through the mails is prohibited by Congress Such statements shall not be printed or included in a pamphlet.

Nothing in this article shall be deemed to make persons drafting or filing a statement free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous material offered for printing or contained in a pamphlet

10412. At the time the candidate files his statement, he shall inform the Secretary of State or the clerk of those counties within the election district in which he is seeking election within which he wishes to have his material distributed to the voters.

A candidate's statement shall not be reproduced or distributed unless, at the time they are filed, the candidate pays to the Secretary of State or clerk, an amount equal to two dollars and fifty cents ($2 50) for each thousand persons registered to vote on January 1 of the year in which the election is held who would have been eligible to vote for the candidate if the election were held on that date in those counties in which he has directed that his statement shall be distributed

The county clerk shall immediately forward any material or moneys received pursuant to this chapter to the Secretary of State The Secretary of State shall transfer the amounts received under this chapter to the General Fund in the State Treasury

10413 The Secretary of State shall have the State Printer prepare a reproductive proof of each candidate's statement for each county in which the candidate has directed that his statement shall be distributed These reproductive proofs will be sent by the Secretary of State to each county by the 59th day prior to the election The office each candidate is seeking shall be clearly indicated on the proof

The statement of each candidate shall be printed in eight-point type of uniform darkness and with uniform spacing.

10414. The Secretary of State shall provide an additional reproductive proof in Spanish for those candidates who wish to have one and shall select a person to provide such translation from an institution accredited by the Western Association of Schools and Colleges.

10415. The county clerks shall have a pamphlet printed from the reproductive proofs furnished by the Secretary of State and shall mail one copy of the pamphlet with the sample ballot to each registered voter who is qualified to vote for the candidate The clerks shall commence to mail the pamphlets within the times prescribed in Sections 10009 and 10012.

The clerks may prepare as many different formats for pamphlets containing candidate statements as they shall deem expedient They may bind and mail together statements submitted under this chapter, material pertaining to ballot measures under Sections 3555 and 3574, inclusive, and statements for candidates for nonpartisan offices under Section 10400 In that event, the material printed under this chapter shall be placed first in the pamphlet

10416 Where more than one candidate for the same office is entitled to have a statement distributed, the clerk shall present the candidates' respective statement in the different pamphlets according to an order drawn by lot.

10417. Three copies of each candidate's statement shall be available at every polling place so that they may be freely consulted by voters.

10418. Counties shall be reimbursed from the State General Fund for the additional expense in printing, handling and mailing statements required by this chapter.

10419. A statement of qualifications submitted pursuant to this chapter shall be signed by the candidate under penalty of perjury.

10420. The publication and distribution of the pamphlet shall not be enjoined or restrained by any state court.

10421. Any person who violates any provision of this chapter shall be guilty of a misdemeanor.

SEC. 3. This act shall become operative on January 1, 1973."

Amendment No. 4

On page 1, strike out lines 2 to 7, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456 6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282.5 and 10012 4 to, the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Senate June 14, 1972, after "elections", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 5, line 17, after the period, insert "Each such voter shall receive a notice in bold print that states· "Because you are a late registrant, you are not receiving a sample ballot or candidates' statements of qualifications." "

Amendment No. 3

On page 8, after line 18, insert

"SEC. 15. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are.

In order that the provisions of this act shall be operative for the November 7, 1972, general election, it is necessary that this act shall take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

ADJOURNMENT

At 4:05 p.m., the Acting Speaker Fenton declared the Assembly adjourned until 8:30 a.m., Tuesday, July 4, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Second Legislative Day

One Hundred Eighty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, July 4, 1972

The Assembly met at 8·30 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Porter moved a quorum call of the Assembly.
Mr. Chappie seconded the motion.
Motion carried. Time, 8·30 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11·22 a.m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Conrad, on request of Speaker pro Tempore Bee.
Mr. Karabian, on request of Speaker Moretti.
Mr. Keysor, on request of Speaker pro Tempore Bee.
Mr. LaCoste, on request of Speaker pro Tempore Bee.
Mr. Russell, on request of Speaker pro Tempore Bee.
Mr. Stull, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs. Brathwaite, on request of Speaker pro Tempore Bee.
Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Burke, on request of Speaker pro Tempore Bee.
Mr. Ray E. Johnson, on request of Speaker Moretti.
Mr. Pierson, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

July 3, 1972

Hon. Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker: This is to request that I be excused from session on legislative business on Tuesday, July 4, 1972.

I will be in Santa Barbara making a presentation at the request of the National American Revolution Bicentennial Commission.

Very truly yours,

CHARLES J. CONRAD, Assemblyman
Fifty-seventh District

July 4, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker: I wish to be excused from the 4th of July session on legislative business.

Since the announcement was made that there would be no legislative business during the July 4th session, I scheduled a rather lengthy day of 4th of July patriotic festivities, including picnics, parades and other public events.

Sincerely,

WALTER KARABIAN, Assemblyman
Forty-fifth District

June 30, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob. I respectfully request to be excused from session on Tuesday, July 4, 1972, on legislative business.

I am on the program at the Granada Hills Chamber of Commerce and the program at the Pacoima Chamber of Commerce.

Sincerely,

JIM KEYSOR, Assemblyman
Forty-first District

July 3, 1972

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker. I wish to be excused for session on July 4, 1972, on legislative business in my district for the purpose of attending the dedication of a city Museum in Modesto, and to participate in the Fourth of July parade as its elected representative. Thank you.

Sincerely,

ERNEST LACOSTE, Assemblyman
Thirtieth District

June 30, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol Building, Sacramento, California

Dear Mr Speaker. This is to respectfully request that I be excused from the legislative session on Tuesday, July 4, 1972.

It will be necessary for me to be in my district for speeches, personal appearances and other activities in conjunction with the Annual Fourth of July celebration in Newhall-Saugus, Burbank, Sunland-Tujunga, Palmdale and Lancaster.

Sincerely,

NEWTON R. RUSSELL, Assemblyman
Sixty-second District

June 29, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr Speaker· I respectfully request to be excused on July 4 to keep commitments I have made in my district to ride in an Independence Day Parade and participate in dedication ceremonies sponsored by the City of Vista

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated June 21, 1972, relative to pilot programs for mentally gifted children, pursuant to Education Code Section 6499.26. Referred by the Speaker pro Tempore to the Committee on Education.

REPORTS

The following reports were presented by the Chief Clerk:

Bulletin No. 149-71. Flood Control Project Maintenance and Repair—1971 Inspection Report. June 1972.

Above transmitted report, together with letter of transmittal from W. R Gianelli, Director, Department of Water Resources, Sacramento, dated June 29, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Progress Report on Structurally Unsafe School Buildings. (Pursuant to Education Code Section 15513.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated June 30, 1972, referred by the Speaker pro Tempore to the Committee on Education.

Report of the Feasibility of Permitting the Movement of 14-Foot-Wide Trailer Coaches Over State Highways. May 1972.

Above transmitted report, together with letter of transmittal from James A. Moe, Director, Department of Public Works, and H W Sullivan, Commissioner, California Highway Patrol, Sacramento, dated June 16, 1972, referred by the Speaker pro Tempore to the Committee on Transportation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
116	Transportation

COMMUNICATIONS

Assembly Chamber, July 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1274
AB No. 1277
AB No. 2350

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 4, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 400	AB No 1490	AB No 1979
AB No. 885	AB No 1582	AB No. 2033
AB No 1227	AB No. 1825	AB No 2114
AB No 1315	AB No. 1871	AB No. 2169

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 4, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AJR No. 13

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, July 4, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No 200
AB No 1505

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 4, 1972

Mr Speaker: Your Committee on Ways and Means reports·

AB No. 348	AB No 1210	AB No 1621
AB No 956	AB No. 1283	AB No 1767
AB No 1200	AB No 1384	AB No. 1822

With the recommendation: Do pass

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 4, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 606	AB No 1956
AB No 629	AB No 2195
AB No. 1708	AB No. 2196

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No. 100
ACR No. 101
ACR No. 103

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1251

With the recommendation: That the bill be re-referred to the Committee on Judiciary.

BROWN, Chairman

Above bill re-referred to the Committee on Judiciary.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 778

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 313
AB No. 1479
AB No. 1703
AB No. 2376

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Environmental Quality

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

SCR No. 9
SCR No. 20

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above resolutions re-referred to the Committee on Ways and Means.

Committee on Health

Assembly Chamber, July 4, 1972

Mr Speaker: Your Committee on Health reports:

SB No 621

SB No. 1358

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 4, 1972

Mr Speaker· Your Committee on Health reports:

SB No. 574

SB No 578

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 3, 1972

Mr. Speaker: Your Committee on Health reports:

AB No. 1500

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Health reports:

SJR No 22

With the recommendation: Be adopted, and be re-referred to the Committee on Rules, with recommendation: To Consent

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Natural Resources and Conservation

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No 1325

With the recommendation· Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 857

With the recommendation: Do pass.

Z'BERG, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 865

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with the recommendation it goes to Consent Calendar.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SCR No. 18

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 682

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Revenue and Taxation

Assembly Chamber, July 3, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

SB No. 404

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 404—An act to add Section 226 to the Revenue and Taxation Code, relating to property tax exemption.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, between lines 12 and 13, of the printed bill, as amended in Senate June 5, 1972, insert

"(c) For purposes of this section, "vessel" includes all equipment, including mode of power, and furnishings that are normally required aboard the vessel during the accomplishment of the functions for which the vessel is being utilized."

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 5, 1972, strike out "226", and insert "228".

Amendment No. 2

On page 1, line 1, strike out "226", and insert "228".

Amendment No. 3

On page 1, line 3, strike out "226", and insert "228".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 3, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports.

SB No. 535

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 535—An act to add Section 6073 to the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, as amended in Senate June 6, 1972, strike out "any item that is taxable", and insert "more than two items of tangible personal property of a kind the gross receipts from the retail sale of which are subject to tax".

Amendment No. 2

On page 1, after line 14, insert "in which new or used items of tangible personal property are offered for sale or exchange by two or more persons from tables, stalls, or other space within the same premises, or within the same general area, furnished to, or utilized by, such persons on an intermittent, sporadic, or short one-time basis."

Amendment No. 3

On page 2, strike out lines 1 and 2.

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

MESSAGES FROM THE SENATE

Senate Chamber, July 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 5

And appointed Senators Nejedly, Burgener, and Dills, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 198	SB No 525
SB No. 225	SB No. 1385
SB No. 339	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 199	AB No. 729	AB No 925
AB No. 605	AB No 922	AB No. 973
AB No. 670		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 324	AB No. 690
AB No. 578	AB No. 836

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 36	SB No. 400	SB No 821
SB No. 147	SB No 401	SB No. 841
SB No. 185	SB No. 519	SB No. 1118
SB No. 277	SB No. 612	SB No. 1144
SB No. 334	SB No 627	SB No. 1157
SB No. 366	SB No. 643	SB No. 1446
SB No. 382		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 20

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 36—An act to amend Sections 2106 and 2106.5 of, to add Sections 100 13 and 149 2 to, and to add Chapter 8 (commencing with Section 2370) to Division 3 of, the Streets and Highways Code, relating to transportation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 147—An act to add Section 11111 to the Penal Code, and to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the licensing of bicycles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 185—An act to add Section 23428 18 to the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 277—An act to add Chapter 11 (commencing with Section 19870) to Part 3 of Division 13 of the Health and Safety Code, relating to energy insulation, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 334—An act to amend Section 23428 10 of the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 366—An act to amend Section 10470.1 of the Business and Professions Code, relating to real estate.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 382—An act to add Sections 39158 and 39159 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 400—An act to add Sections 597u, 597v, 597w, 597x, 597y, and 597z to the Penal Code, relating to animals.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 401—An act to amend Sections 4700 and 4706 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 519—An act to add Division 12 5 (commencing with Section 15000) to the Health and Safety Code, relating to hospitals, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 612—An act to permit late applications for replacement funds for revenues formerly derived from the taxation of motion pictures, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 627—An act to amend Section 5313 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 643—An act to amend Sections 23151 1, 23181, 23183, and 23332 of the Revenue and Taxation Code, relating to taxation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 821—An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, relating to corrections.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 841—An act to amend Section 13413 of the Education Code, relating to certificated employees

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1118—An act to amend the heading to Title 7 (commencing with Section 65000) of, to add a division heading immediately below the heading of Title 7 (commencing with Section 65000) of, and to add Division 2 (commencing with Section 66410) to Title 7 of, the Government Code, and to repeal Chapter 2 (commencing with Section 11500) of Part 2 of Division 4 of, the Business and Professions Code, relating to subdivisions

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1144—An act to add Section 51 to the Education Code, relating to the public schools

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1157—An act to amend Section 5814 of, to add Section 132a to, and to repeal Section 132a of, the Labor Code, relating to labor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1446—An act to add Section 24315 to the Education Code, relating to the state university and colleges

Held at Desk by order of the Speaker pro Tempore

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 21 of Article XX thereof, relating to workmen's compensation

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
36	Transportation
147	Transportation
185	Governmental Organization
277	Urban Development and Housing
334	Governmental Organization
366	Commerce and Public Utilities
382	Transportation
400	Agriculture
401	Finance and Insurance
519	Health
612	Revenue and Taxation
627	Finance and Insurance
643	Revenue and Taxation
821	Criminal Justice
841	Education
1118	Planning and Land Use
1144	Education
1157	Finance and Insurance
1446	Education

Senate Constitutional Amendment No.	*Committee*
20	Finance and Insurance

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1636

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No. 1636 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 4, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

AB No. 1636

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1636—An act to amend Section 224n of the Civil Code, relating to adoptions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "224n", and insert "197.5".

Amendment No. 2

In line 2 of the title, strike out "adoptions", and insert "children".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 197.5 of the Civil Code is amended to read:

197 5 (a) If either the father or mother of an unmarried minor child is deceased, the parents of such deceased person may be granted reasonable visitation rights to the minor child during its minority by the superior court upon a finding that such visitation rights would be in the best interests of the minor child.

(b) Subdivision (a) of this section shall not apply if the child has been adopted by a person other than a stepparent *or grandparent*. Any visitation rights granted pursuant to this section prior to the adoption of the child shall be automatically terminated upon such adoption."

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 400, 814, 1013, 1315, 1745, 1871, 2018, 2126, 2169, 2033, 2350, 1011, 832, 841, 885, 1227, 1274, 1490, and **1685,** ordered to third reading.

Assembly Bills Nos. 1277, 2060, 2114, 2186, 1979, 1582, 1825, and **2211,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2208—An act to add Chapter 2.7 (commencing with Section 9930) to Part 1 of Division 3 of the Unemployment Insurance Code, relating to senior citizens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, after "Aging", strike out the comma, and insert "and".

Amendment No. 2

On page 2, line 11, strike out "of Senior Citizens and the Long Beach", and insert "on Senior Citizens."

Amendment No. 3

On page 2, strike out line 12, and in line 13, strike out "agreements", and insert "The National Council on Aging and the National Council on Senior Citizens shall contract with the department. The National Council on Aging and the National Council on Senior Citizens shall apply to the department for funds The National Council on Aging and the National Council on Senior Citizens shall act as subagents for the department and shall administer and provide funds to local nonprofit organizations in this state which qualify under the provisions of this chapter. The administrative responsibility of the department shall include a review of all projects to insure that no provisions of this chapter are violated The responsibility of the National Council on Aging and the National Council on Senior Citizens".

Amendment No. 3.5

On page 2, line 13, strike out "provisions for".

Amendment No. 4

On page 2, line 28, after "employ", insert "on a part-time basis".

Amendment No. 4.5

On page 2, line 29, strike out "shall", and insert "may".

Amendment No. 5

On page 3, between lines 11 and 12, insert

"(e) Housing aides. The responsibility of the housing aides shall be to identify the housing problems of the elderly and to assist in locating adequate housing for the elderly

(f) Legal aides. The responsibility of the legal aides shall be to identify legal problems of the elderly and provide legal assistance and counsel.

9933 5. As used in this chapter, "part-time employment" means work for no more than 20 hours a week The pay shall be no less than the state minimum wage and the total salary per year shall be limited to one thousand six hundred dollars ($1,600) per year."

Amendment No. 6

On page 3, line 16, after the period, insert "Short-term training shall not exceed three months' training."

Amendment No. 6.5

On page 3, line 19, strike out the comma, and insert "and".

Amendment No. 7

On page 3, line 20, strike out "of Senior Citizens and the Long", and insert "on Senior Citizens."

Amendment No. 7.5

On page 3, strike out line 21.

Amendment No. 8

On page 3, line 28, after the period, insert "Neither the National Council on Aging nor the National Council on Senior Citizens shall receive more than 60 percent of the state funds appropriated for the purposes of this chapter."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Concurrent Resolution No. 102—Relative to state civil service.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed measure, strike out "August", and insert "November".

Amendment No. 2

On page 2, strike out lines 1 and 2, and insert

"(3) Whether additional compensation should be granted to persons required to".

Amendment No. 3

On page 2, after line 9, insert

"(4) A recommendation on appropriate policy for application throughout state service."

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Concurrent Resolution No. 105—Relative to American Flag emblems.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted:

Amendment No. 1

On page 1, lines 11 and 12, of the printed measure, strike out "Highway Patrol and the".

Amendment No. 2

On page 1, line 13, strike out "their", and insert "its".

Amendment No. 3

On page 2, lines 3 and 4, strike out "Highway Patrol and the".

Amendment No. 4

On page 2, line 5, strike out "their", and insert "its".

Amendment No. 5

On page 2, strike out line 9, and insert "to".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 912—An act to add Article 1.5 (commencing with Section 2660) to Chapter 4 of Title 1 of Part 3 of the Penal Code, relating to special visitation rights for state prisoners

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in Assembly May 4, 1972, after "facilities", insert ", to the extent they are available,"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1236—An act to amend Section 16601.5 of, to add Sections 16602.5 and 16602.6 to, to add Chapter 6.1 (commencing with Section 6445) to Division 6 of, and to add Article 1.5 (commencing with Section 16320) to Chapter 1 of Division 13 of, the Education Code, and to amend the heading of Chapter 2.5 (commencing with Section

16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly June 8, 1972, strike out "and Vasconcellos", and insert "Dunlap, Fong, Lewis, MacDonald, and Vasconcellos".

Amendment No. 2

On page 4, between lines 34 and 35, insert

"6445 01. As used in this chapter, "parent participation" means the parents taking an active part in the initial planning of programs, and the implementation, evaluation, and modification of the programs. Parent participation shall be included in a manner which

(a) Involves parents in the formal education of their children directly in the classroom and through the decisionmaking process at every level of the California public school system.

(b) Maximizes the opportunity in a continuous permanent process for teachers and parents to cooperatively develop the learning process and its subject matter.

(c) Recognizes the essentialness of continuity between early childhood education programs and the home "

Amendment No. 3

On page 5, line 1, strike out "that the State Board of Education develop a"; and strike out line 2, and insert "each school district, not otherwise provided for in Section 6445 3, maintaining kindergarten and grades 1 to 3, inclusive, or any one or more such class or grade, to develop a master plan with the assistance of the State Board of Education for children ages 3 years and 9".

Amendment No. 4

On page 5, between lines 16 and 17, insert

"The Legislature further finds that the transportation of pupils in such classes to and from school is an essential aspect of such a program and a necessary part of any educational program designed for such children."

Amendment No. 5

On page 5, line 26, after the period, insert "In developing master plans the governing board shall seek direct community, parent, and teacher involvement in all phases of the planning, development, and approval."

Amendment No. 6

On page 5, line 35, after "education", insert "on a school-by-school basis".

Amendment No. 7

On page 5, line 37, after "districts", insert ", provided that no plan shall be approved by the board unless it was developed with the active cooperation of parents, the community, and teachers, in all stages of planning, approval, and implementation of the plan".

Amendment No. 8

On page 6, line 19, strike out "Parental and community involvement", and insert "Direct parental involvement in the classroom program and program evaluation".

Amendment No. 9

On page 6, line 23, strike out "Evaluation of the program", and insert "Joint evaluation of the program by each participating school districts' governing board and those early primary teachers and parents involved".

Amendment No. 10

On page 8, line 20, after "implementation", insert ", including progress in providing direct parent and community involvement".

Amendment No. 11

On page 11, line 3, strike out ", including but not necessarily limited to,"; strike out line 4; and in line 5, strike out "provisions of this chapter".

Amendment No. 12

On page 11, line 33, after "6446.1.", insert "(a)".

Amendment No. 13

On page 11, line 36, strike out "For good cause the", and insert "The".

Amendment No. 14

On page 12, line 10, strike out "As", and insert "(b) As".

Amendment No. 15

On page 12, between lines 13 and 14, insert

"The State Board of Education shall adopt rules for the approval of state aid based upon late enrollment in any school term For purposes of this section, late enrollment shall be considered to be any enrollment after the first school month of any school term."

Amendment No. 16

On page 13, line 10, after "provided", insert a period.

Amendment No. 17

On page 14, line 18, strike out "The Legislature hereby declares that a"; strike out lines 19 to 29, inclusive; and in line 30, strike out "16821."

Amendment No. 18

On page 14, line 32, after "from", insert "public".

Amendment No. 19

On page 15, strike out lines 11 to 38, inclusive; in line 39, strike out "SEC 7", and insert
"SEC 6".

Amendment No. 20

On page 16, line 7, strike out "SEC. 8", and insert
"SEC. 7".

Amendment No. 21

On page 16, line 36, strike out "SEC 9", and insert
"SEC. 8".

Amendment No. 22

On page 17, line 11, strike out "SEC 10", and insert
"SEC. 9".

Amendment No. 23

On page 17, line 29, strike out "SEC. 11", and insert
"SEC. 10".

Amendment No. 24

On page 17, line 30, strike out "Department of Education", and insert "State School Fund".

Amendment No. 25

On page 19, between lines 5 and 6, insert

"(d) For allowances for the transportation of pupils pursuant to Section 16821 of the Education Code and amounts for transfer to augment subdivision (b) of Section 17303 5 of the Education Code and which shall be made available for expenditure as follows:

(1) For the fiscal year 1973–74, eight hundred sixty-nine thousand eight hundred fifty dollars ($869,850)

(2) For the fiscal year 1974–75, two million twenty-nine thousand six hundred fifty dollars ($2,029,650).

(3) For the fiscal year 1975–76, three million one hundred eighty-nine thousand four hundred fifty dollars ($3,189,450).

(4) For the fiscal year 1976–77, four million three hundred forty-nine thousand two hundred fifty dollars ($4,349,250).

(5) For the fiscal year 1977–78, five million seven hundred ninety-nine thousand dollars ($5,799,000)."

Amendment No. 26

On page 19, line 6, strike out "(d) The", and insert
"(e) For the fiscal years 1972–73, 1973–74, 1974–75, 1975–76, and 1976–77 the".

Amendment No. 27

On page 19, lines 7 and 8, strike out "the administration by the State Department of Education of".

Amendment No. 28

On page 19, line 17, strike out "SEC. 12", and insert "SEC. 11".

Amendment No. 29

On page 19, line 28, strike out "SEC. 13", and insert "SEC. 12".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1319—An act to amend Sections 23550, 23553, 24675, 24678, 25546 50, and 25546 53 of, to add Division 30 (commencing with Section 50000) to, and to repeal Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of, the Education Code, to amend Sections 17225 5 and 24371 5 of the Revenue and Taxation Code, and to amend Section 11451 5 of, and to repeal Sections 10811 and 10811 5 of, and to repeal Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 of Division 9 of, and repeal Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of, the Welfare and Institutions Code, relating to child care and preschool developmental services, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Set No. 1

Amendment No. 1

On page 4, lines 16, 17, and 18, of the printed bill, as amended in Assembly June 8, 1972, strike out "provide every child the opportunity to realize his full potential by establishing", and insert "establish".

Amendment No. 2

On page 4, line 23, strike out "which will"; and strike out line 24, and insert "needed to realize their full potential "

Amendment No. 3

On page 5, lines 26 and 27, strike out "on a temporary basis", and insert "enrolled in child care programs pursuant to this division on a regular basis".

Amendment No. 4

On page 6, strike out lines 15 to 18, inclusive.

Amendment No. 5

On page 6, line 21, strike out "planning, coordinating and administering", and insert "providing local planning for"

Amendment No. 6

On page 6, line 27, after "communities", insert "of interest".

Amendment No. 7

On page 6, line 28, after the period, insert "In the event an area includes two or more counties, the area boundaries shall not divide a county."

Amendment No. 8

On page 6, lines 32 and 33, strike out ", coordinating, and administrative".

Amendment No. 9

On page 7, line 4, after "children", insert "served, or eligible".

Amendment No. 10

On page 7, line 4, after "served", insert a comma.

Amendment No. 11

On page 7, line 15, after the period, insert "No more than one nomination may be submitted by a parent advisory body for the initial appointment of parent members to an area council, or for any subsequent appointments of a parent member or members to the area council. In the event there are not sufficient nominees to allow the governing body of a county to make a parent member appointment to the area council, the governing body of a county may appoint a parent who is not a member of a parent advisory body Such parent must have children who are eligible to receive services pursuant to this division."

Amendment No. 12

On page 7, line 19, strike out the first "five", and insert "one-third".

Amendment No. 13

On page 7, line 19, strike out the second "five", and insert "one-third".

Amendment No. 14

On page 7, line 27, strike out "at least monthly, and".

Amendment No. 15

On page 7, line 33, after "chairman", insert "and vice chairman".

Amendment No. 16

On page 7, line 38, strike out "may", and insert "shall".

Amendment No. 17

On page 8, strike out lines 11 to 29, inclusive.

Amendment No. 18

On page 9, strike out lines 24 to 40, inclusive, strike out page 10; and on page 11, strike out line 1.

Amendment No. 19

On page 11, line 6, strike out "Department shall have overall", and insert "department shall have".

Amendment No. 20

On page 11, line 7, after "state level", insert "and local levels".

Amendment No. 21

On page 11, line 9, after the period, insert

"For the purposes of administration, the Superintendent of Public Instruction shall establish regional offices throughout the state for the administration of this division."

Amendment No. 22

On page 11, line 15, strike out ", implement, and administer".

Amendment No. 23

On page 11, between lines 17 and 18, insert

"50303. The department shall, within the limitation of funds allocated for such purpose, contract with appropriate operating agencies for the establishment, operation, and maintenance of child care and preschool developmental services within areas established pursuant to Section 50201. Before a contract is approved, the area council must certify that it is in conformity with the area plan approved pursuant to Section 50604

50304 The department shall make application forms available for use by any operating agency desiring to provide services pursuant to this division.

50305. Admission of eligible families and children to services pursuant to this division shall be the responsibility of the department and shall not be delegated to an operating agency

50306 The department shall provide information, counseling and referral services to families about child care and preschool developmental services pursuant to this division which are available within an area and all other day care and day nursery services licensed pursuant to Section 16000 of the Welfare and Institutions Code available within an area.

Such information, counseling, and referral services shall be given on request and without cost.

The location of the department office or offices within an area providing information, counseling, referral, and admission to services shall be easily accessible to families and widely publicized as to the services provided therein.

50307 All information provided pursuant to Section 50306 shall be factual and impartial with respect to agencies or individuals providing child care and preschool developmental services"

Amendment No. 24

On page 11, line 18, strike out "50303", and insert "50308".

Amendment No. 25

On page 11, line 22, strike out "50304", and insert "50309".

Amendment No. 26

On page 11, line 29, after "programs", insert ", one".

Amendment No. 27

On page 11, line 30, strike out "and southern parts", and insert "part and one to be located in the southern part".

Amendment No. 28

On page 12, line 6, strike out "50305", and insert "50310".

Amendment No. 29

On page 12, line 10, strike out "50306", and insert "50311".

Amendment No. 30

On page 12, line 14, strike out "50307", and insert "50312".

Amendment No. 31

On page 12, lines 14 and 15, strike out "State Child Care and Preschool Development Council", and insert "state council".

Amendment No. 32

On page 12, line 33, strike out "50308", and insert "50313".

Amendment No. 33

On page 12, line 40, strike out "50309", and insert "50314".

Amendment No. 34

On page 13, line 6, strike out "50310", and insert "50315".

Amendment No. 35

On page 13, line 10, strike out "50311", and insert "50316".

Amendment No. 36

On page 13, line 11, after "chairman", insert "and vice chairman from among its appointed members".

Amendment No. 37

On page 13, strike out lines 15 to 35, inclusive; and in line 36, strike out "50313", and insert "50317".

Amendment No. 38

On page 13, line 40, after the period, insert "The council shall make recommendations on, but not limited to, the following

(a) Program objectives and goals for child care and preschool developmental services.

(b) Maximum utilization of federal, state, and local resources

(c) Procedures to insure maximum coordination between public school programs and child care and preschool developmental programs

(d) In-service training and career development programs.

(e) Research and evaluation of program."

Amendment No. 39

On page 14, line 23, strike out "An area council", and insert "The department".

Amendment No. 40

On page 17, lines 24 and 25, strike out "Section 13525, Section 13525.1, or Section 13526 of the Education Code", and insert "Sections 13525 and 13526".

Amendment No. 41

On page 21, line 11, strike out "Service", and insert "Program".

Amendment No. 42

On page 21, between lines 11 and 12, insert

"Article 1. Supervision and Education Standards".

Amendment No. 43

On page 21, line 19, strike out "Section 107 (the Federal"; strike out lines 20 and 21, and insert "all applicable federal laws and regulations."

Amendment No. 44

On page 22, between lines 25 and 26, insert

"50507. All programs providing services pursuant to this division shall have a parent advisory body All parents receiving services from a program shall be considered members of the parent advisory body of such program

A parent advisory body may perform, but is not limited to, the following functions.

(a) Advise and confer with representatives of the program's operating agency and the department on all matters concerning the operation of the program

(b) Make recommendations to the operating agency and the department on improving program quality

(c) Make complaints to the operating agency and the department on the operation of a program

Article 2 Health and Nutrition Standards".

Amendment No. 45

On page 22, strike out lines 26 to 30, inclusive.

Amendment No. 46

On page 22, line 33, strike out "by area councils and by operating agencies".

Amendment No. 47

On page 23, lines 7 and 8, strike out "by the area council operating agencies".

Amendment No. 48

On page 23, line 20, after "or", insert "the department".

Amendment No. 49

On page 23, line 23, after "agency", insert ", the department".

Amendment No. 50

On page 23, lines 26 and 27, strike out ", prior to recommending nonapproval to the Department of Education".

Amendment No. 51

On page 24, between lines 16 and 17, insert

"(e) The provisions of this section shall not apply to any child whose parent or guardian files with the operating agency a statement in writing that he adheres to the faith or teachings of any well-recognized religious sect, denomination or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of his religion. However, wherever there is a good reason to believe that the child is suffering from a recognized contagious or infectious desease, he shall be sent home and shall not be permitted to return until the operating agency is satisfied that any contagious or infectious disease does not exist."

Amendment No. 52

On page 24, line 28, after the period, insert "The provisions of this section shall not apply if a parent or guardian of an enrolled child objects in writing to such screening, testing, or examination on the grounds that they conflict with his religious beliefs or practices."

Amendment No. 53

On page 24, line 29, strike out "Each area council", and insert "The Department of Education".

Amendment No. 54

On page 24, line 35, strike out "area council", and insert "Department of Education".

Amendment No. 55

On page 25, line 2, strike out "Each area council which receives services"; strike out line 3; and in line 4, strike out "Section 50518", and insert "the Department of Education".

Amendment No. 56

On page 25, line 5, strike out "such services", and insert "services received pursuant to Section 50518".

Amendment No. 57

On page 26, line 25, after the period, insert "A child whose parent or guardian has filed a statement in writing as set forth in subdivision (e) of Section 50514 may be provided emergency or first aid treatment only, without the consent of such parent or guardian."

Amendment No. 58

On page 27, between lines 22 and 23, insert

"Article 3 Admission Standards

50550 The admission of a child and parent to child care services provided pursuant to this division shall be determined in the following priority order.

(a) Those children who are referred for services by a child protective services program pursuant to Section 16501 of the Welfare and Institutions Code.

(b) There is but one parent in the home and such parent supports or cares, or both, for the child, or the parent is physically or mentally unable either to support the family or care for the child, or there is but one parent in the home and this parent requires education or training to qualify for entrance upon employment that will make the family economically self-sufficient

(1) The parent having care of the child is attending school or receiving instruction under the state vocational rehabilitation program or under the Manpower Development and Training Act or under other programs authorized for a parent or parents in families qualifying for aid to families with dependent children, other than a program described in paragraph (2) of this subdivision, as evidenced by a statement from any one of such agencies, or that one parent in a two-parent family is attending school or receiving instruction under any one of such programs, and the other parent is employed or mentally or physically incapacitated, or the parent or parents could enter into a program such as is described in this section if child care services were available to the family

(2) The parent or parents having care of the child are participating under a work-incentive program established pursuant to Section 432 of the Social Security Act, as evidenced by a statement from the Secretary of Labor or his representative, or that one parent in a two-parent family is so participating and the other parent is either employed or mentally or physically incapacitated to the extent that he is unable to care for the child, or the parent or parents could participate in such a program if child care services were available to the family A person continuously employed or engaged in on-the-job training for one year under a program described in Section 432(b)(1) of that act shall, for the purposes of this section, be deemed to be participating under a work-incentive program during the year unless federal law or regulations shall prescribe a different period

(c) There are two parents in the home, each of whom is either working or is physically or mentally unable to either support the family or care for the child

(d) Either parent is attending school or receiving instruction, and the other parent, if any, is gainfully employed

50551 Admission of a child and parent to preschool developmental services provided pursuant to this division shall be determined in the following priority order

(a) Those children and parents who qualify as actual, former or potential recipients of public assistance.

(b) Those children who are referred for services by a child protective services program pursuant to Section 16501 of the Welfare and Institutions Code.

(c) Those children whose future development and school achievement is apt to be impaired without preschool developmental services.

Special priority shall be given to those children in families included in subdivision (a) and (c) where English is not the language primarily used in the home

50552. Child care and preschool developmental services shall be limited to those families and children enumerated in Sections 50550 and 50551. Families and children with the lowest total monthly income as determined by Section 50652 shall be given priority admission to services."

Amendment No. 59

On page 27, lines 38 and 39, strike out "be funded by the state on an area basis using", and insert "utilize".

Amendment No. 60

On page 27, line 40, strike out ", and all funds shall be"; on page 28, strike out line 1; and in line 2, strike out "council".

Amendment No. 61

On page 28, line 6, strike out ", and, within the limitation of funds available, shall"; strike out line 7; and in line 8, strike out "services to the area councils".

Amendment No. 62

On page 28, lines 23 and 24, strike out "require state departments to contract with it for services", and insert "contract with other state departments".

Amendment No. 63

On page 29, line 38, strike out "area councils", and insert "areas".

Amendment No. 64

On page 29, line 39, strike out "council".

Amendment No. 65

On page 30, strike out lines 23 to 30, inclusive.

Amendment No. 66

On page 30, line 40, after the period, insert "Such reimbursements shall be for one month periods Claims for reimbursement shall be presented within 60 days after the close of the period for which reimbursement is sought."

Amendment No. 67

On page 31, strike out lines 9 to 12, inclusive.

Amendment No. 68

On page 31, lines 13 and 14, strike out "The Superintendent of Public Instruction may advance to an area council an", and insert "An".

Amendment No. 69

On page 31, line 15, strike out "amount", and insert "state funds".

Amendment No. 70

On page 31, line 15, strike out "council", and insert "may be used".

Amendment No. 71

On page 31, strike out lines 19 to 27, inclusive.

Amendment No. 72

On page 31, line 35, strike out "an area council", and insert "the Department of Education, with area council approval,".

Amendment No. 73

On page 31, line 40, strike out "area council", and insert "Department of Education, with area council approval,".

Amendment No. 74

On page 32, line 6, strike out "Area councils", and insert "The Department of Education".

Amendment No. 75

On page 32, line 9, after "division", insert "for federally eligible families and children".

Amendment No. 76

On page 32, line 11, strike out "less", and insert "more".

Amendment No. 77

On page 32, line 16, strike out "25", and insert "50".

Amendment No. 78

On page 32, line 16, strike out "of the cost".

Amendment No. 79

On page 32, line 19, after "establish", insert "maximum".

Amendment No. 80

On page 32, lines 19, 20, and 21, strike out "by area councils for child care and preschool developmental services", and insert "pursuant to this division".

Amendment No. 81

On page 32, strike out lines 28 to 34, inclusive.

Amendment No. 82

On page 33, line 7, strike out "all".

Amendment No. 83

On page 34, line 5, after the comma, insert "United States".

Amendment No. 84

On page 34, line 11, strike out "an area council", and insert "the Department of Education".

Amendment No. 85

On page 34, line 36, strike out "to area councils".

Amendment No. 86

On page 35, strike out lines 27 to 40, inclusive; strike out page 36; and on page 37, strike out lines 1 to 16, inclusive.

Amendment No. 87

On page 38, line 19, after the period, insert "For the purpose of determining the amount of federal and state personal income tax to be excluded from monthly income, the maximum allowable number of deductions for dependents shall be used."

Amendment No. 88

On page 39, line 14, strike out "child care and".

Amendment No. 89

On page 39, line 31, strike out "any".

Amendment No. 90

On page 39, line 32, strike out "shall", and insert "may".

Amendment No. 91

On page 40, line 15, strike out the second comma.

Amendment No. 92

On page 44, lines 6 and 7, strike out "purchased through area councils administering child care services", and insert "provided".

Amendment No. 93

On page 44, line 13, strike out "provide or".

Amendment No. 94

On page 44, line 34, strike out "There is hereby appropriated from"; strike out lines 35 to 39, inclusive, and insert "There is hereby appropriated from the General Fund a sum not to exceed in the aggregate the total of the following schedule:

(a) The sum of twenty-four million seven hundred fifty thousand dollars ($24,750,000) to be made available, without regard to fiscal years, to the Department of Education for the purposes of new and expanded child care and preschool developmental services as specified in Division 30 (commencing with Section 50000) of the Education Code.

(b) The sum of two hundred fifty thousand dollars ($250,000) to be made available for the 1972–73 fiscal year to the Department of Education for administrative costs necessary for the implementation of the provisions of Division 30 (commencing with Section 50000) of the Education Code."

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 8, 1972, after the second comma, insert "Brown,".

Amendment No. 2

In line 2 of the heading, after the seventh comma, insert "Hayes,".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1618—An act relating to educational programs.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 20, 1972, between lines 13 and 14, insert

"The attendance of a pupil participating in an educational furlough shall not result in any additional allowance or apportionment to the district."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2014—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly June 20, 1972, strike out line 38; and in line 39, strike out "organization meetings;", and insert

"30304."

Amendment No. 2

On page 5, line 6, strike out "seven", and insert "five".

Amendment No. 3

On page 5, line 8, strike out "four", and insert "two".

Amendment No. 4

On page 5, line 9, strike out "five", and insert "four",

Amendment No. 5

On page 5, line 11, strike out "one of",

Amendment No. 6

On page 5, strike out line 12; and in line 13, strike out "appointments", and insert "30 in different years One of the members appointed by the Governor shall be affiliated with a public institution of higher education as a governing board member or in an administrative capacity and the other member shall be affiliated with a private institution of higher education as a governing board member or in an administrative capacity".

Amendment No. 7

On page 5, line 36, strike out "30505", and insert "30305".

Amendment No. 8

On page 18, line 24, strike out "two hundred"; and strike out line 25, and insert "one hundred fifty million dollars ($150,000,000), provided that not more than fifty million dollars ($50,000,000) of such bonds shall be issued and sold within two years of the effective date of this chapter."

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2156—An act to add Chapter 7 (commencing with Section 19301) to Division 14 of the Education Code, relating to child care and preschool facility construction, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 14, 1972, after "act", insert "to amend Section 15452 of, and".

Amendment No. 2

In line 2 of the title, after "of", insert a comma

Amendment No. 3

On page 2, line 1, after "SECTION 1", insert "Section 15452 of the Education Code is amended to read

15452 "School building" as used in this article (commencing at Section 15451) means and includes any building used, or designed to be used, for elementary or secondary schools or community college purposes *or child care and preschool facilities pursuant to Chapter 7 (commencing with Section 19301) of Division 14* and constructed, reconstructed, altered, or added to, by the state or by any city or city and county, or by any political subdivision, or by any school district of any kind within the state, or by the United States government, or any agency thereof.

SEC. 2."

Amendment No. 4

On page 3, between lines 3 and 4, insert
"(b) "Department" means the Department of Education."

Amendment No. 5

On page 3, line 4, strike out "(b)", and insert
"(c)".

Amendment No. 6

On page 3, line 6, strike out "board", and insert "department".

Amendment No. 7

On page 3, line 19, strike out "(c)", and insert
"(d)".

Amendment No. 8

On page 3, line 27, strike out "(d)", and insert
"(e)".

Amendment No. 9

On page 3, line 33, strike out "(e)", and insert
"(f)".

Amendment No. 10

On page 4, line 4, strike out "(f)", and insert
"(g)".

Amendment No. 11

On page 4, line 10, strike out "(g)", and insert
"(h)".

Amendment No. 12

On page 4, line 15, strike out "(h)", and insert
"(i)".

Amendment No. 13

On page 4, line 21, strike out "(i)", and insert
"(j)".

Amendment No. 14

On page 5, strike out lines 15 to 23, inclusive.

Amendment No. 15

On page 5, line 24, strike out "(b)", and insert
"(a)".

Amendment No. 16

On page 5, line 37, strike out "(c)", and insert
"(b)".

Amendment No. 17

On page 6, line 5, strike out "(d)", and insert
"(c)".

Amendment No. 18

On page 6, line 9, strike out "(e)", and insert
"(d)".

Amendment No. 19

On page 6, between lines 14 and 15, insert

"19321.5. The department, with the approval of the board, may acquire, own, construct, and operate any projects, including the power to acquire real or personal property under the Property Acquisition Law (Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code), and to fix or modify as necessary pursuant to any contract or agreement with holders of any bonds of the board, rates, rents, or other charges for the use of any project. Project construction shall be accomplished pursuant to Section 19368."

Amendment No. 20

On page 17, line 17, strike out "board", and insert "department".

Amendment No. 21

On page 17, line 19, strike out "them", and insert "it".

Amendment No. 22

On page 17, line 20, strike out "board", and insert "department".

Amendment No. 23

On page 17, between lines 24 and 25, insert

"19368.1. The department shall establish standards for all facilities acquired or constructed pursuant to this chapter."

Amendment No. 24

On page 17, line 25, strike out "board", and insert "department".

Amendment No. 25

On page 17, line 30, strike out "board", and insert "department".

Amendment No. 26

On page 17, line 31, strike out "board", and insert "department".

Amendment No. 27

On page 17, line 35, strike out "board", and insert "department".

Amendment No. 28

On page 18, line 1, strike out "board", and insert "department".

Amendment No. 29

On page 18, line 7, strike out "board", and insert "department".

Amendment No. 30

On page 18, line 20, strike out "board", and insert "department".

Amendment No. 31

On page 18, line 23, strike out "board", and insert "department".

Amendment No. 32

On page 18, line 25, strike out "board", and insert "department".

Amendment No. 33

On page 18, line 26, strike out "board", and insert "department".

Amendment No. 34

On page 18, line 35, strike out "board", and insert "department".

Amendment No. 35

On page 19, line 8, strike out "board", and insert "department".

Amendment No. 36

On page 19, line 14, strike out "board", and insert "department".

Amendment No. 37

On page 19, line 25, strike out "board", and insert "department".

Amendment No. 38

On page 20, line 29, strike out "board", and insert "department".

Amendment No. 39

On page 20, line 40, strike out "board", and insert "department".

Amendment No. 40

On page 21, line 7, strike out "board", and insert "department".

Amendment No. 41

On page 21, line 9, strike out "board", and insert "department".

Amendment No. 42

On page 22, line 17, strike out "board", and insert "department".

Amendment No. 43

On page 22, line 21, strike out "board", and insert "department".

Amendment No. 44

On page 23, line 13, strike out "SEC. 2", and insert "SEC. 3".

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 14, 1972, strike out "Assemblyman Moretti", and insert "Assemblymen Moretti, Brown, and Hayes".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 612—An act to amend and repeal Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly June 22, 1972, strike out "5793", and insert "5794".

Amendment No. 2

On page 2, line 7, strike out "5793", and insert "5794".

Amendment No. 3

On page 3, line 7, after "training", insert "by the Department of Education".

Amendment No. 4

On page 3, line 10, after "evaluation", insert "by the Department of Education".

Amendment No. 5

On page 3, line 22, after "services", insert "to the Department of Education".

Bill ordered reprinted.

Request for Unanimous Consent

Mr. Vasconcellos was granted unanimous consent that Assembly Bill No. 612 be returned to the third reading file for the next legislative day, instead of the second reading file.

Assembly Bill No. 2029—An act to add Sections 34211 1, 65302 2, and 65307 to, and to amend Section 34217 of, the Government Code, relating to local plans.

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 998, 987, and **468,** ordered to third reading.

Senate Bill No. 1277, ordered to the Consent Calendar.

NOTE: Later this day Senate Bill No. 1277 was re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 420—An act to amend Sections 6577, 53550, 53552, 53553 and 53555 of, to renumber Section 53557 of, to add Sections 53556, 53557, 53558, 53560, 53561 and 53562 to, to repeal Sections 53556 and 53558 of, and to add Article 10 (commencing with Section

53570) to Chapter 3, Part 1, Division 2, Title 5 to, the Government Code, relating to bonds, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 26, 1972, strike out "and 53555", and insert ", 53555, and 54309.1".

Amendment No. 2

In line 4 of the title, strike out "and 53562", and insert ", 53562 and 53569".

Amendment No. 3

On page 4, line 8, after "refunded", insert "plus the principal amount of the bonds to be refunded Subject to such limitation, the principal amount of the refunding bonds may be more than, less than or the same as the principal amount of the bonds to be refunded".

Amendment No. 4

On page 4, strike out lines 9 to 21, inclusive.

Amendment No. 5

On page 10, between lines 3 and 4, insert

"SEC. 14.5. Section 53569 is added to the Government Code, to read·

53569. Before selling any bonds, any issuer shall advertise such bonds for sale at public sale and shall invite sealed bids therefor by publication of a notice once at least 10 days before the date of such public sale in a newspaper of general circulation circulated within the boundaries of each public body to be aided by the public project to be financed by the issuance of such bonds, provided that, if an issue of bonds is less than five hundred thousand dollars ($500,000), an issuer is not required to advertise such bonds for public sale or to accept bids thereon pursuant to this section If one or more satisfactory bids are received pursuant to such notice, such bonds shall be awarded to the highest responsible bidder If no bids are received or if the issuer determines that the bids received are not satisfactory as to price or responsibility of the bidders, the issuer may reject all bids received, if any, and either readvertise or sell such bonds at private sale."

Amendment No. 6

On page 11, line 26, after "bond", insert "; provided that, if an issue of bonds is less than five hundred thousand dollars ($500,000), an issuer is not required to advertise such bonds for public sale or accept bids thereon pursuant to this section".

Amendment No. 7

On page 11, between lines 33 and 34, insert

"SEC. 15.5. Section 54309.1 of the Government Code is amended to read:

54309.1. "Enterprise" includes, but is not limited to, all parts of the enterprise, all appurtenances to it, and:

(a) Lands, easements, rights in land, water rights, contract rights and franchises;

(b) Approaches, dams, reservoirs, trunk, connecting and other water mains, filtration works, pumping stations, water supply, storage and distribution facilities and equipment;

(c) Garbage trucks, equipment, dumps, garbage disposal plants and incinerators or other disposal facilities, including facilities to sort and prepare components of solid waste for sale;

(d) Sewage treatment plants, sewage disposal plants, intercepting and collecting sewers, outfall sewers, trunk, connecting and other sewer mains;

(e) The franchises or licenses to operate a ferry or ferry system, all boats and vessels, all land and interest in land, all slips, wharves, piers, landing places, approaches and all facilities and equipment used in the maintenance and operation of a ferry or ferry system, or harbor including small boat harbors, marinas, aquatic playgrounds and similar recreational facilities;

(f) Ambulances, both inpatient and outpatient facilities, laboratories, pharmacies, surgical instruments and equipment of such nature as may be reasonably necessary for the treatment of patients; and

(g) All buildings, structures, improvements, equipment, ditches, canals, and facilities whatsoever appurtenant or relating to the enterprise."

Amendment No. 8

On page 12, between lines 9 and 10, insert

"SEC. 16.5. The Legislature finds and declares that the recycling of solid wastes is of singular statewide importance to the health and welfare of the people of California. It is therefor imperative that the local agencies of this state, in conjunction with private enterprise if necessary, be given the authority to acquire, develop, and operate solid waste recycling plants to prepare components of solid waste for sale through the use of revenue bonds as provided by Section 15 5 of this act."

Bill ordered reprinted, and returned to the second reading file.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Senate Bill No. 1277.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 5

The Speaker pro Tempore appointed Messrs. Z'berg, Dent, and Chappie as a Committee on Conference concerning Senate Bill No. 5.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1217 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1217 was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1479

Mr. Bagley was granted unanimous consent to take up Assembly Bill No. 1479, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file for the next legislative day, instead of the second reading file.

Second Reading of Assembly Bill No. 1479 by Unanimous Consent

Assembly Bill No. 1479—An act to amend Section 2 of Chapter 1742 of the Statutes of 1971, relating to tide and submerged lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 2 of Chapter 1742 of the Statutes of 1971", and insert "appropriating money to the State Lands Commission in augmentation of the Budget Act of 1972".

Amendment No. 2

In line 2 of the title, after "lands", insert ", to take effect immediately, usual current expenses".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. The sum of one hundred sixty-six thousand dollars ($166,000) is hereby appropriated from the General Fund to the State Lands Division, State Lands Commission, Department of Conservation, in augmentation of Item 194 of the Budget Act of 1972 for preparation of material relating to lawsuits in South San Francisco Bay, in accordance with the following schedule:

(a) Personal services $136,000

(b) Operating expenses and equipment $30,000

SEC 2. This act makes an appropriation for the usual current expenses of the state within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and to be returned to the third reading file.

Speaker Presiding

At 4:20 p.m., Hon. Bob Moretti, 42nd District, presiding.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:21 p.m., Speaker Moretti declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Badham was granted unanimous consent that the following proposed amendments to Assembly Bill No. 200 be printed in the Journal:

Proposed Amendments to Assembly Bill No. 200

Amendment No. 1

On page 7, between lines 27 and 28, of the printed bill, as amended in Assembly July 3, 1972, insert

"(f) Any land in which, as of January 1, 1972, an electric public utility has acquired an interest or has the contractual right to acquire an interest as a site for any electric generating plant and related facilities or for any transmission line is excluded."

Amendment No. 2

On page 7, line 28, strike out "(f)", and insert "(g)".

Amendment No. 3

On page 21, strike out lines 19 to 31, inclusive, and insert "Recognition shall be given to the policy of the state to encourage the construction of some powerplants on the coast in order to conserve the state's limited fresh water resources The plan shall include the powerplant siting plan to be submitted by the Resources Agency pursuant to the Powerplant Siting Coordination Act, Chapter 5 (commencing with Section 2851) of Part 2 of Division 1 of the Public Utilities Code."

Amendment No. 4

On page 28, between lines 23 and 24, insert

"(g) The construction, operation, maintenance, repair, or replacement of any transmission or generating facility if, on the effective date of this division, such facility is in existence or under construction or has been planned and construction is scheduled to be commenced within 24 months thereafter.

(h) The construction, operation, maintenance, repair, or replacement of any distribution or related facility used, or is useful, for the purpose of supplying electric, gas, water, sewer, or communication service to any person lawfully entitled thereto.

27407 Notwithstanding any other provision to the contrary, any person planning a development consisting of an electric generating plant and associated switchyard and transmission facilities shall only obtain a permit from the commission and shall not be required to obtain a permit from a regional commission or any other local or regional body which might otherwise have some land use planning or zoning jurisdiction over the siting of such plants and facilities."

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

Assembly Chamber, July 4, 1972

Mr Speaker· Your Committee on Constitutional Amendments reports:

ACA No. 88

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports.

SCA No. 23

With the recommendation· Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, July 4, 1972

Mr. Speaker· Your Committee on Constitutional Amendments reports:

SB No. 446

With the recommendation: Do pass.

GARCIA, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 4, 1972

Mr. Speaker· Your Committee on Ways and Means reports:

AB No. 1451

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Constitutional Amendments

Assembly Chamber, July 4, 1972

Mr. Speaker: The Chairman of your Committee on Constitutional Amendments reports:

ACA No. 78

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 2.5 to Article XIII thereof, relating to property taxation.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed measure, as amended in Assembly June 29, 1972, strike out "housing provided", and insert "rental property which is federally assisted and insured, or otherwise subsidized, to provide housing".

Amendment No. 2

On page 2, strike out lines 5 and 6; and in line 7, strike out "otherwise subsidized", and insert "moderate incomes, and which is owned by a nonprofit corporation or by a corporation, partnership (including a limited partnership) or other entity which is subject to enforceable limitations on profit".

Amendment No. 3

On page 2, lines 13 and 14, strike out "a nonprofit or limited dividend corporation", and insert "an entity described above"

Amendment No. 4

On page 2, line 14, strike out the first comma, and insert "and".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

ADJOURNMENT

At 4:22 p.m., Speaker Moretti declared the Assembly adjourned until 9.30 a.m., Wednesday, July 5, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Third Legislative Day

One Hundred Eighty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 5, 1972

The Assembly met at 9:30 a.m.

Hon. Carley V. Porter, Member of the Assembly, 38th District, presiding.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Majority Floor Leader Presiding

At 9:31 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly. Time, 9:31 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 9:51 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

God, Our Father, We are all of us, men and women of sincere promise, yet modest achievement. But even this human weakness is beautiful. It reminds us of how much we need each other and You. Come to us today for we realize in a special way the frailty of human purpose, and the power of human love. Together we have shared and lived life; together we have grown and loved And now we go forth to bring this gift to all we meet. We pray that we may always walk in the friendship of Christ, Your Son, and be guided by Your Holy Spirit.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Barnes then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Porter, seconded by Mr. Collier.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Bee, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton.

Mr. Monagan, on request of Acting Speaker Fenton.

COMMUNICATIONS

Assembly Chamber, July 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 912

AB No. 1618,

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 5, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2060

AB No. 2186

AB No. 2211

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, July 5, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 612	AB No. 841	AB No 1745
AB No 814	AB No 1011	AB No. 2018
AB No 832	AB No 1685	

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, July 5, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 103

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, July 5, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

AB No 1013
AB No. 1479
AB No. 2126

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 1246

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 5, 1972

Mr. Speaker Your Committee on Ways and Means reports.

AB No. 1701
AB No. 2292

With amendments with the recommendation Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, July 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 670
SB No. 1121

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 653	AB No. 915	AB No 1802
AB No. 873	AB No. 1049	AB No 1845

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 37	AB No. 693	AB No 1133
AB No. 38	AB No. 942	AB No. 1208
AB No. 677	AB No. 957	AB No. 1652

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 66	SB No. 716	SB No 1068
SB No. 510	SB No. 728	SB No. 1080
SB No. 541	SB No. 895	SB No. 1380
SB No. 594		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 66—An act to amend Section 11580 2 of the Insurance Code, relating to uninsured motorist insurance.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 510—An act to add Section 37042 to the Health and Safety Code, relating to building material

Held at Desk by order of the Acting Speaker

Senate Bill No. 541—An act to add Sections 17202 5 and 24343.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 594—An act to add Section 99262.5 to the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 716—An act to add Sections 5136.5 and 5136.6 to the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 728—An act to add Section 1903 1 to the Education Code, relating to the State School Building Aid Law of 1952, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 895—An act to amend Section 2705 of the Public Resources Code, relating to earthquake safety, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1068—An act to amend Section 496 of the Penal Code, relating to stolen property.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1080—An act to amend Section 1703 of the Education Code, relating to school districts.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1380—An act to amend Section 22505 of the Vehicle Code, relating to vehicles.

Held at Desk by order of the Acting Speaker.

BILL REMOVED FROM CONSENT CALENDAR

On request of Acting Speaker Fenton, Assembly Bill No. 2051 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22 2

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file

Assembly Bills Nos. 912, 1236, 1319, 1618, 2014, and **2156,** ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 348—An act to add Section 2713 1 to the Penal Code, and to add Section 3155 to the Welfare and Institutions Code, relating to payments to prisoners and others upon release from prison or detention facilities.

Bill read second time, and ordered to third reading.

Assembly Bill No. 956—An act relating to financial support for the public schools.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1200—An act to amend Sections 19501 5, 19504, 19505, and 19522 of, and to add Section 19523 5 to, the Revenue and Taxation Code, relating to property tax and rent assistance for senior citizens.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1210—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303.5, 17414, 17417, 17503, 17603 5, 17651, 17654.5, 17655.5, 17664, 17665, 18102.8, 18102.9, 18102.10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3, 17301, 17301 1, 17301 2, 17301 3, 17303.6, 17653, 17662, 17662.3, 17662 5, 18102, and 20751 to, to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1.7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913.1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665.5, 18102, 18102 2, 18102 4, 18102.6, 20751, 20800, 20801 5, 20802 8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2 1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1384—An act to add Section 12538.7 to the Government Code, relating to health plans.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1621—An act making an appropriation for support associated with the development of a second campus of Hastings College of Law

Bill read second time, and ordered to third reading.

Assembly Bill No. 1767—An act to add Section 25429 5 to the Education Code, relating to community colleges.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1822—An act making an appropriation to the Trustees of the California State University and Colleges.

Bill read second time, and ordered to third reading.

Assembly Bill No. 606—An act to amend Section 17215 of, and to add Section 17216 3 to, the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 629—An act to add Part 15 (commencing with Section 103000) to Division 10 of the Public Utilities Code, relating to transit districts.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1708—An act to amend Section 1207 of, and add Section 1161 to, the Harbors and Navigation Code, relating to pilots.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 1956—An act to add Section 10053 7 to the Welfare and Institutions Code, relating to mentally retarded persons.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2195—An act to amend Sections 450 5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 5514, 5515, 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2196—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 778—An act to amend Section 13933 of, and to add Section 11006 8 to, the Welfare and Institutions Code, relating to public social services.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 16, 1972, strike out "amend Section 13933 of, and to add Section 11006.8 to," and insert "add Sections 11006.8 and 11006 9 to".

Amendment No. 2

On page 2, line 15, strike out "needs", and insert "unspecified expenditures".

Amendment No. 3

On page 2, between lines 29 and 30, insert

"SEC. 2 Section 11006 9 is added to the Welfare and Institutions Code, to read:

11006.9 Any operator of a medical or intermediate care facility or a nonmedical board and care facility who obtains as an additional cost of care any aid allocated to a recipient for unspecified expenditures not provided by the facility, is guilty of a misdemeanor."

Amendment No. 4

On page 2, strike out lines 30 to 38, inclusive; and strike out page 3.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 313—An act to amend Section 19699.30 of the Education Code, relating to the construction of children's centers, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly April 4, 1972, strike out "amend Section 19699 30", and insert "add Article 7.7 (commencing with Section 19699 50) to Chapter 10 of Division 14".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive and insert

"SECTION 1. Article 7.7 (commencing with Section 19699.50) is added to Chapter 10 of Division 14 of the Education Code, to read:

Article 7.7. Children's Center Loan Construction Act of 1972

19699 50. This article shall be known as the Children's Center Loan Construction Act of 1972

19699.51. The Legislature hereby declares that it is in the interest of the state and of the people thereof for the state to provide assistance to county boards of supervisors for the construction of children's center facilities. Children's centers are of general concern and interest to all the people of the state, and the education and care of children of working parents are a joint obligation of both the state and local agencies operating children's centers.

It is the intent of the Legislature to provide a system of low interest loans to county boards of supervisors for the purpose of providing funds for the construction of children's center facilities. Such loans are to be repaid over a period of time to be established by the State Allocation Board, and the repayment proceeds and accrued interest are to be placed into a revolving account which shall provide a continuing source of revenue for the construction of children's center facilities.

In enacting this article, the Legislature considers that the greatest need is to provide children's center facilities for the education and care of children in accordance with Section 16604 during the time the sole parent is at work making the family economically self-sufficient, or is in school or in training to gain economic self-responsibility. The Legislature recognizes the need to encourage the provision of additional children's center facilities to permit more families to become economically self-sufficient.

19699 52. The following terms, whether used or referred to in this article, have the following meanings, unless a different meaning clearly appears from the context:

(a) "Local agency" means a duly elected county board of supervisors.

(b) "Board" means the State Allocation Board

(c) "Project" means the purposes for which a local agency has applied for assistance. A project may include, but is not limited to the acquisition and improvement of sites, the planning and construction of permanent facilities, which may include portable buildings, and the acquisition of equipment for children's centers.

19699 53. This article shall be administered by the board The board shall adopt such rules and regulations as it deems necessary to carry out the purposes of this article The rules and regulations of the board shall establish a system of priorities to determine the relative necessity to establish children's center facilities by a local agency, which shall contain, among other factors, the needs for facilities evidenced by existing waiting lists for service, the availability to the local agency of adequate alternate facilities in the area to be served, the extent of local participation in providing children's center facilities, and the number of current, former, and potential recipients of public assistance who live within the area to be served by the proposed children's center In establishing priorities with regard to the outlay of capital funds for the construction of new children's centers, or with regard to the rental or leasing of facilities for new centers, the board shall give special consideration to proposed children centers located in school districts as described under subdivision (a) of Section 6461 which are also certified by the Department of Social Welfare as containing substantial numbers of families who are recipients of aid to families with dependent children or who are former or potential recipients of such aid and who might reasonably be expected to improve their ability to be self-supporting if child care services are made available.

19699.54. The board shall make every reasonable effort to distribute the funds available under this article among geographic areas of the state based upon the need for children's centers throughout the state, however, no county shall receive in excess of 200 percent of its proportional per capita entitlement as determined by the population of such county compared to the entire population of the state.

19699 55. Any local agency may apply for assistance in the form of a loan under the provisions of this article to undertake one or more projects.

Any amounts allocated and disbursed to the local agency pursuant to this article shall be a loan by the state to the local agency and the loan amount shall be fully repaid on a schedule of time from the date of disbursement of funds to be established by the board A standard per annum simple interest rate shall be charged for each loan Any such loan shall be repaid by the local agency from proceeds of rent paid by the lessees of the children's centers which are established pursuant to the provisions of Section 16601

Default by the local agency in repayment of the loan shall be defined in criteria to be provided to loan applicants by the board Title to all property purchased or otherwise acquired with moneys provided to local agencies by provisions of this article shall be with the local agency but shall revert to the state in the event that the local agency fails to repay the loan in accordance with reimbursement procedures established and published by the board Upon full repayment of the principal and interest amounts of the loan, ownership of the children's center facility constructed under provisions of this article shall be vested in the local agency

19699 56 Applications for assistance under this article shall be made on forms prescribed and furnished by the board Such applications shall include, but not be limited to, the following data and information:

(a) An outline and general description of the project to be undertaken;

(b) An estimate of the cost of the project to be undertaken and the anticipated source of funds to complete the project;

(c) The estimated number of children to be served by the project,

(d) The waiting list of the local agency for children's centers; and

(e) The amount expended by the local agency or other local governmental agencies from local sources during the past five years for the provision of children's center facilities.

19699 60. The board shall establish a revolving account and place in deposit an initial amount of five million dollars ($5,000,000), which shall become available for loans to local agencies for the construction of children's center facilities Proceeds, including interest, from the repayment of loans shall be placed in the revolving account and shall likewise be made available as loans to local agencies The total amount in the revolving fund shall be available for allocation during 1972–1973 fiscal year and in succeeding years

19699 65. In administering this article, the board shall''.

Amendment No. 3

On page 2, line 10, strike out "7.5", and insert "7.7".

Amendment No. 4

On page 2, line 11, strike out "19699 20", and insert "19699 50".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1703—An act to add Chapter 3.7 (commencing with Section 23490) to Division 17 of, and to add Sections 25528.8 and 31226 8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 30, 1972, strike out "Chapter 3.7 (commencing with Section 23490) to Division 17 of, and to add".

Amendment No. 2

In line 2 of the title, strike out the second comma.

Amendment No. 3

On page 1, strike out lines 1 to 3, inclusive; on page 2, strike out lines 1 to 22, inclusive, and in line 23, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 4

On page 2, line 39, strike out "SEC. 3", and insert

"SEC 2".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2376—An act to add Section 407 5 to the Agricultural Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 11017, 11553, 11554, 12805, 14808 1, and 65040 of, to add Part 2 8 (commencing with Section 12900) to Division 3 of Title 2 of, to add Title 7 3 (commencing with Section 66700) to, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, and Title 7 3 (commencing with Section 66700) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 24263 8, 24303, 24350 3, 24354 14, 39001, 39054 1, 39059, 39066, 39068.2, 39100 3, 39195, 39201, 39261, 39262, 39314, 39392, 39461, 39482, and 39540 of, to amend the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600 7, 25611, 25650 5, 25655, 25735 5, 25804, 26203 1, and 39065 to, to add Chapter 5 (commencing with Section 4500) to Part 2 of Division 5 of, Chapter 2 (commencing with Section 39020) to Part 1 of Division 26 of, and Division 28 (commencing with Section 39800) to, and to repeal Sections 39013, 39063, 39064, and 39065 of, and to

repeal Chapter 5 (commencing with Section 4500) of Part 2 of Division 5 and Chapter 2 (commencing with Section 39020) of Part 1 of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312.5 to, the Labor Code, to amend Sections 3742 and 21103 of the Public Resources Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 4000.1, 4602, 24007, 27156, 27157, 27157.5, and 40001 of the Vehicle Code, and to amend Sections 25, 230, 1003.5, 1060, 2862, 2863, 2866, 10500, 10504, 10504.1, 10504.5, 10505.5, 12232, 12233, 12617.1, 12923.1, 13050, 13147, 13203, 13220, 13625, 13973, and 13974 of, to amend and renumber the heading of Article 3 (commencing with Section 13140) and Article 4 (commencing with Section 13160) of Chapter 3 of Division 7 of, to add Article 3 (commencing with Section 174), and Article 3.5 (commencing with Section 180) to Chapter 2 of Division 1 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, and Article 1 (commencing with Section 13100) and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, relating to environmental protection, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 8 of the printed bill, as amended in Assembly June 20, 1972, after line 40, insert

"In making appointments to the board, the Governor shall give consideration to appointing members of the State Water Resources Control Board and the State Air Resources Board."

Set No. 2

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly June 20, 1972, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 2

On page 3, line 23, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 3

On page 5, strike out lines 37 and 38, and insert "Board"

Amendment No. 4

On page 8, line 22, strike out "six", and insert "eight".

Amendment No. 5

On page 8, strike out lines 24 to 29, inclusive, and in line 30, strike out "Resources Agency, he", and insert "chairman shall serve at the pleasure of the Governor and".

Amendment No. 6

On page 8, line 33, strike out "six public".

Amendment No. 7

On page 8, line 33, strike out the period, and insert "; provided, however, that at least two members shall have expertise in the area of air quality and at least two members shall have expertise in the area of water quality;".

Amendment No. 8

On page 9, line 4, strike out "1975", and insert "1974".

Amendment No. 9

On page 9, line 5, strike out "two", and insert "three".

Amendment No. 10

On page 9, line 5, strike out "1976", and insert "1975".

Amendment No. 11

On page 9, line 6, strike out "one member", and insert "two members".

Amendment No. 12

On page 9, line 6, strike out "1977", and insert "1976".

Amendment No. 13

On page 9, line 9, strike out "so".

Amendment No. 14

On page 21, lines 20 and 21, strike out "and in such case shall become operative on July 1, 1973".

Amendment No. 15

On page 41, line 19, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 16

On page 41, line 31, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 17

On page 42, line 8, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 18

On page 42, line 21, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 19

On page 42, line 36, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 20

On page 43, lines 10 and 11, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 21

On page 43, line 23, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 22

On page 43, line 35, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 23

On page 44, line 7, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 24

On page 44, line 19, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 25

On page 47, line 19, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 26

On page 55, line 3, strike out "July 1, 1973", and insert "the effective date of this section".

Amendment No. 27

On page 55, line 13, strike out "July 1, 1973," and insert "the effective date of this section".

Amendment No. 28

On page 78, strike out lines 8 to 13, inclusive, and insert "SEC 103. If the".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 1500—An act to add Section 2145 1 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1451—An act to repeal Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) of Chapter 5 5, Division 1, Title 2 of, and to add Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) to Chapter 5.5, Division 1, Title 2 of, the Government Code, relating to world trade, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 6 and 7 of the title of the printed bill, as amended in Assembly June 14, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 2, strike out lines 39 and 40; and strike out page 3.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 420, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 621—An act to amend Section 1241 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read second time, and ordered to third reading.

Senate Bill No. 1358—An act to add Sections 1225, 1416, 1459, and 32128.10 to the Health and Safety Code, relating to sterilization operations

Bill read second time, and ordered to third reading

Senate Bill No. 1325—An act to amend Sections 5784 23 and 5784.24 of the Public Resources Code, relating to recreation and park districts

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 857—An act to add Section 5782.25 to, the Public Resources Code, relating to recreation and park districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 446—An act to amend Section 205.7 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following resolution was ordered re-referred to the Committee on Ways and Means:

Assembly Constitutional Amendment No. 88.

COMMUNICATIONS

Assembly Chamber, July 5, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined.

AB No. 1200
AB No 1767

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 238—An act to add Section 34302.3 to the Government Code, relating to incorporation of cities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 238?

Amendment No. 1

On page 2, line 34, of the printed bill, after "located", insert "if the incorporation does not occur, and otherwise by the newly incorporated city".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—47.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1923—An act to amend Sections 907 and 951 of the Streets and Highways Code, relating to county highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1923?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 951, and to repeal Section 907," and insert "Sections 907 and 951".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 907 of the Streets and Highways Code is amended to read:

907. Any owner or occupant of land may construct a sidewalk on the county highway along the line of his land, subject to the authority conferred by law on the board of supervisors ~~Any person using such sidewalk, other than as a pedestrian, without permission of the owner or occupant, is liable to such owner or occupant in the sum of five dollars ($5) for each trespass, and for all damages caused by such usage.~~

SEC. 2. Section 951 of the Streets and Highways".

Amendment No. 3

On page 2, strike out lines 9 and 10

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum,

Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—47.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 324—An act to amend Section 690.3 of the Code of Civil Procedure, relating to attachment and execution.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 324?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly March 20, 1972, after "trailer", insert "or mobilehome".

Amendment No. 2

On page 1, line 8, after "trailer", insert "or mobilehome".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—47.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 291—An act to amend Sections 143 1 and 183 of, and to repeal Sections 186, 186 1, and 188 3 of, the Streets and Highways Code, relating to the expenditures of funds available for state highways.

Bill read third time.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 10 20 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Foran was granted unanimous consent that the Asssembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1778—An act to amend Section 11530 of the Health and Safety Code, relating to marijuana.

Bill read third time.

Hon. Leroy F. Greene Presiding

At 10:28 a.m., Hon. Leroy F. Greene, 3rd District, presiding.

Majority Floor Leader Presiding

At 10:40 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Request for Unanimous Consent

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

The question being on the passage of Assembly Bill No. 1778.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sieroty moved a call of the Assembly.

Motion carried. Time, 11:21 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 612

Mr. Vasconcellos was granted unanimous consent to take up Assembly Bill No. 612, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 612

Assembly Bill No. 612—An act to amend and repeal Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Request for Unanimous Consent

Mr. Vasconcellos was granted unanimous consent that Assembly Bill No. 612 be transmitted to the Senate at this time.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 72

Mr. Leroy F. Greene was granted unanimous consent to take up Senate Constitutional Amendment No 72, out of order, for purpose of consideration at this time.

Consideration of Senate Constitutional Amendment No. 72

Senate Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 40 of Article XIII thereof, relating to indebtedness of public entities.

Resolution read, and presented by Mr. Leroy F. Greene.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Leroy F. Greene moved a call of the Assembly.

Motion carried Time, 11:30 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1479

Mr. Bagley was granted unanimous consent to take up Assembly Bill No. 1479, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 1479

Assembly Bill No. 1479—An act appropriating money to the State Lands Commission in augmentation of the Budget Act of 1972, relating to tide and submerged lands, to take effect immediately, usual current expenses.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cory:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2378 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:35 a.m., Mr. Cory was granted unanimous consent to hold a special meeting of the Committee on Education in the Assembly Lounge, at this time, to consider Assembly Bill No. 2378, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2378 for hearing in the Committee on Education.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 291

At 11:36 a.m., on motion of Mr. Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 291 passed by the following vote:

AYES—Bagley, Barnes, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Karabian, Knox, Lanterman, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—41.

NOES—Arnett, Badham, Belotti, Beverly, Burke, Campbell, Chappie, Conrad, Davis, Dent, Duffy, Foran, Hayden, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Russell, Ryan, Seeley, Stacey, Stull, and Wood—30.

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1778

At 11:37 a m , on motion of Mr Sieroty, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1778 passed by the following vote:

AYES—Bagley, Beverly, Brathwaite, Brown, Burton, Chacon, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Z'berg and Mr. Speaker—41

NOES—Arnett, Badham, Barnes, Belotti, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Davis, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Porter, Russell, Stacey, Stull, Thomas, Wakefield, Wilson, and Wood—35.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 72

At 11:40 a.m., on motion of Mr. Leroy F Greene, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No 72 adopted by the following vote:

AYES—Arnett, Bagley, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Deddeh, Dent. Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—57.

NOES—Badham, Barnes, Belotti, Beverly, Burke, Collier, Cory, Cullen, Davis, Lancaster, Lanterman, Moorhead, Russell, Stull, Wakefield, and Wilson—16.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1452

Mr Leroy F Greene was granted unanimous consent to take up Senate Bill No. 1452, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 1452

Senate Bill No. 1452—An act to amend Section 21754 of the Education Code, relating to school district bonds, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Leroy F Greene.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—56

NOES—Badham, Barnes, Belotti, Burke, Collier, Conrad, Cory, Cullen, Davis, Lancaster, Lanterman, Moorhead, Russell, Stull, Wakefield, and Wilson—16.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden,

Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—56.

NOES—Badham, Barnes Belotti, Burke, Collier, Conrad, Cory, Cullen, Davis, Lancaster, Lanterman, Moorhead, Russell, Stull, Wakefield, and Wilson—16.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 519—An act to amend Section 200 of the Code of Civil Procedure, relating to jurors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 519?

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in Assembly April 17, 1972, strike out "or,".

Amendment No. 2

On page 3, line 10, strike out the period and insert a semicolon.

Amendment No. 3

On page 3, line 13, strike out the period, and insert "; or,".

Amendment No. 4

On page 3, after line 16, insert

"SEC. 2 Section 200 of the Code of Civil Procedure is amended to read:

200. A person is exempt from liability to act as a juror if he be:

1. A Member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2. A person holding a county, city and county, city, town or township office of profit;

3 An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4 A minister of the gospel, or a priest of any denomination following his profession;

5. A teacher in a university, college, academy, or school,

6 A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or druggist actually engaged in the business of dispensing medicines,

7 An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9. Employed on board of a vessel navigating the waters of this state;

10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or toll-gate;

11. An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830.1 and subdivision (a) of Section 830 2 of the Penal Code;

12. A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; *or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption as provided in Section 202;* provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply;

14. A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination; ~~or,~~

15. A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence ~~.~~ *;*

16. Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee ~~.~~ *;*

or,

17. A city mayor, member of a city council, or person holding a position equivalent to a president or member of a legislative body of a city.

SEC. 3. It is the intent of the Legislature, if this bill and Senate Bill No. 924 are both chaptered and amend Section 200 of the Code of Civil Procedure, and this bill is chaptered after Senate Bill No 924, that the amendments to Section 200 proposed by both bills be given effect and incorporated in Section 200 in the form set forth in Section 2 of this act. Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No. 924 are both chaptered, both amend Section 200, and Senate Bill No. 924 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1344—An act to amend Section 22358.3 of the Vehicle Code, relating to vehicles

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1344?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 26, 1972, strike out "add Section 22358 1 to", and insert "amend Section 22358 3 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 22358.3 of the Vehicle Code is amended to read:

22358 3 Whenever the legislative body of any city determines upon the basis of an engineering and traffic survey that the prima facie speed limit of 25 miles per hour in a business or residence district *or in a public park* on any street having a roadway not exceeding 25 feet in width, other than a state highway, is more than is reasonable or safe, such legislative body may by ordinance determine and declare a prima facie speed limit of 20 or 15 miles per hour, whichever is found most appropriate and is reasonable and safe The declared prima facie limit shall be effective when appropriate signs giving notice thereof are erected upon the street."

Amendment No. 3

On page 1, strike out lines 2 to 8, inclusive; and strike out page 2.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 578—An act to amend Section 5652 of the Fish and Game Code, relating to pollution.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 578?

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "prima facie presumption", and insert "rebuttable presumption affecting the burden of producing evidence".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 836—An act to amend Section 11161 5 of the Penal Code, relating to minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 836?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 1, 1972, strike out "Assemblyman Ryan", and insert "Assemblyman Ryan and Keysor

(Coauthor: Senator Gregorio)".

Amendment No. 2

On page 2, line 8, after "worker," insert "by an administrator of a public or private summer day camp or child care center,".

Amendment No. 3

On page 2, line 14, after "worker," insert "by an administrator of a public or private summer day camp or child care center".

Amendment No. 4

On page 2, line 19, strike out "72", and insert "36".

Amendment No. 5

On page 2, line 29, strike out "72", and insert "36".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier,

Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1682 was continued until the next legislative day.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 77

In compliance with a motion given on a previous day, Mrs. Brathwaite moved that the vote whereby Assembly Constitutional Amendment No. 77 was refused adoption be reconsidered

Assembly Constitutional Amendment No. 77 reconsidered by the following vote:

AYES—Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Badham, Chappie, Cline, Conrad, MacGillivray, Moorhead, Stull, and Wakefield—8

Further consideration of Assembly Constitutional Amendment No 77 passed temporarily on file

MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 530

In compliance with a motion given on a previous day by Mr. Lanterman, the vote whereby Senate amendments to Assembly Bill No 530 were concurred in by the Assembly was reconsidered by unanimous consent.

Further Consideration of Senate Amendments to Assembly Bill No. 530

Assembly Bill No. 530—An act to amend Section 36516 of, and to add Section 36516 2 to, the Government Code, relating to local government

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 530?

Senate Amendments of June 8, 1972

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly April 18, 1972, strike out line 7; and on page 2, strike out lines 1 and 2, and insert

"(a) In cities up to and including 35,000 in".

Amendment No. 2

On page 2, line 4, strike out "(c)", and insert "(b)".

Amendment No. 3

On page 2, line 6, strike out "(d)", and insert "(c)".

Amendment No. 4

On page 2, line 8, strike out "(e)", and insert "(d)".

Amendment No. 5

On page 2, line 10, strike out "(f)", and insert "(e)".

Amendment No. 6

On page 2, line 13, strike out "(g)", and insert "(f)".

Senate Amendments of June 14, 1972

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate June 8, 1972, after the second comma, insert "up to and including".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Lanterman, Lewis, Mobley, and Ryan—4

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

Appointment of Committee on Conference Concerning Assembly Bill No. 530

The Acting Speaker appointed Messrs Ryan, Lanterman, and Knox as a Committee on Conference concerning Assembly Bill No. 530.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1217 WAIVED

Mr. Vasconcellos waived his motion to reconsider the vote whereby Assembly Bill No. 1217 was refused passage.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 812 (Consideration of Governor's Veto), on request of Mr Ralph.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664.5 to, the Public Utilities Code, relating to aviation.

Bill read third time.

Demand for Previous Question

Messrs Quimby, Murphy, Burton, Chappie, and Stacey demanded the previous question Demand sustained

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Badham moved a call of the Assembly.

Motion carried Time, 12·05 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PASSED ON FILE

Assembly Bill No. 1883—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020 and 4452 5 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Chappie moved a call of the Assembly.

Motion carried. Time, 12:14 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Ryan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 73—An act to amend Section 990 of, and to add Section 990.1 to, the Government Code, relating to insuring public employees.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Seeley, Stacey, Thomas, Townsend, Warren, Waxman, and Wilson—54.

NOES—Cullen, Dunlap, Fenton, Gonsalves, Leroy F. Greene, Ketchum, Meade, Sieroty, Stull, Vasconcellos, Wakefield, Wood, and Z'berg—13.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1518, on request of Mr. Pierson

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2040—An act to amend Section 33114.5 of the Health and Safety Code, relating to community redevelopment

Bill read third time, and passed by the following vote

AYES—Badham, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Quimby,

Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Arnett, Cline, Duffy, Hayes, Moorhead, Priolo, Russell, and Wakefield—8.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 380—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 558—An act to add Article 7 (commencing with Section 350) to Chapter 4 of Division 1 of the Business and Professions Code, relating to assistance to local consumer affairs programs, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—Stull—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1505—An act relating to disposition and leasing of property by the Director of General Services.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 349

Mr Burton was granted unanimous consent to take up Assembly Bill No 349, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 349

Assembly Bill No. 349—An act to amend Section 22852 of the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 955

Mr. MacDonald was granted unanimous consent to take up Senate Bill No. 955, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 955

Senate Bill No. 955—An act to add Section 7 10 to, and to repeal Section 7.8 of, the Ventura County Flood Control Act (Chapter 44 of the Statutes of 1944, Second Extraordinary Session), relating to the Ventura County Flood Control District, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr MacDonald.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Con-

rad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 714

Mr Barnes was granted unanimous consent to take up Assembly Bill No. 714, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 714

Assembly Bill No. 714—An act to amend Section 20750.85, 21250.1, 21330, and 21364.7 of, to add Sections 21263, 21263.1, 21263.2, and 21263.3 to, and to repeal Sections 21263, 21263.1, 21264, 21264.1 as added by Chapter 150 of the Statutes of 1970, 21264.1 as added by Chapter 719 of the Statutes of 1970, and 21264.5 of, the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2139, on request of Mr. Dunlap

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1122

At 12:35 p m , on motion of Mr Badham, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1122 passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Crown, Deddeh, Duffy, Foran, Garcia, Hayden, Ray E Johnson, Karabian, Keysor, Knox, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Townsend, Vasconcellos, Wilson, and Wood—45.

NOES—Brathwaite, Collier, Conrad, Cullen, Davis, Dent, Dunlap, Leroy F. Greene, Hayes, Harvey Johnson, Ketchum, LaCoste Lancaster, MacGillivray, Mobley, Moorhead, Porter, Powers, Seeley, Stacey, Thomas, Wakefield, Warren, Waxman, and Z'berg—25.

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 347

At 12 38 p m , on motion of Mr Chappie, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No 347 adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fenton Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster. Lanterman. Lewis, MacGillivray, Maddy, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Wilson, and Mr Speaker—54

NOES—Brathwaite, Cory, Crown, Dunlap, Fong, Knox, MacDonald, McAlister, Murphy, Quimby, Ryan, Sieroty, Townsend, Warren, Waxman, Wood, and Z'berg—17.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fenton Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum,

Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Wilson, and Mr Speaker—54.

NOES—Brathwaite, Cory, Crown, Dunlap, Fong, Knox, MacDonald, McAlister, Murphy, Quimby, Ryan, Sieroty, Townsend, Warren, Waxman, Wood, and Z'berg—17.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 41 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

ANNOUNCEMENTS

Acting Speaker Fenton announced that all committees scheduled to meet at 1 45 p m today would meet instead at 2 p m

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2104—An act to add Section 74343 4 to the Government Code, relating to courts.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 30—An act to add Sections 18802 5 and 18753 to the Business and Professions Code, relating to boxing

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade,

Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 652—An act to add Section 2061 to the Penal Code and Section 1727 to the Welfare and Institutions Code, relating to contracts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 930—An act to add a chapter heading to Title 4 (commencing with Section 392) of, and to add Chapter 2 (commencing with Section 404) to Title 4 of, Part 2 of the Code of Civil Procedure, relating to civil actions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1576—An act to amend Sections 3059 and 3075 of the Business and Professions Code, relating to optometry.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1633—An act to amend Sections 6268 2, 6268 6, 6268.7, 6268 8, 6268.10, 6268 12, 6268 14, 6268.15, 6268 16, 6268.20, and 6268 22 of, and to add Sections 6268 9, 6268 24, 6268 26, and 6268.28 to, the Education Code, relating to vocational education

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1657—An act to amend Sections 17507 7 and 36800 of the Education Code, relating to experimental programs.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1674—An act to amend Sections 21330 and 21364 7 of, to add Sections 21263 and 21264 to, and to repeal Sections 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of

1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1901—An act to amend Section 7350 of the Labor Code, relating to aerial passenger tramways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1947—An act to add Section 6256 to the Penal Code, relating to the state correctional system.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1948—An act to amend Section 5 of Chapter 1384 of the Statutes of 1970, relating to employment problems of parolees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2035—An act to amend Section 316 of, and to add Sections 313 and 313.5 to, the Business and Professions Code, relating to consumer protection.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2064—An act to amend Sections 667 and 2205 of, and to add Chapter 7.5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2165—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2185—An act to amend Section 20393.1 of the Government Code, relating to retirement

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2347—An act to amend Sections 8507, 8515, 8569, 8570, 8571, 8624, 8636, 8652 and 8697 3 of, and to repeal Section 8654 of, the Business and Professions Code, relating to structural pest control

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2364—An act to add Section 39153 5 to, and to repeal Sections 39083 and 39090 of, the Health and Safety Code, relating to air pollution

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2155—An act to amend Sections 9020, 9141, 9222, 9223, 9351, 9600, and 10235 of the Government Code, relating to legislative reorganization, calling an election, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 38—Relating to the cotton pink bollworm control program

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 74—Relative to parks

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None

Resolution ordered transmitted to the Senate

Assembly Bill No. 874—An act to amend Section 6319 of the Labor Code, relating to safety

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 962—An act to amend Sections 13813, 13824 5, 13828 4, 13840, 13846 5, 13885, 13886, 13891, 13940, 13994, 13996, 13999, 14000, 14020, 14022, 14023, 14028, 14030, 14036, 14040, 14060, 14061, 14073, 14080 2, 14083, 14154, 14182, 14189, 14190, 14211, 14217, 14218, 14223 5, 14227, 14398, and 16626 of, to amend Section 14261, as added by Chapter 1305 of the Statutes of 1971, of, to amend the heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of, to amend and renumber Section 13835 of, to add Sections 13835, 13835 1, 13862, 13863, 13864, 14030 5, 14116, 14210 1, 14220 1, 14223, 14241 1, 14243 5, 14281 1, 14394 1, and 14405 to, to repeal and add Article 24 (commencing with Section 14300) to Chapter 4 of Division 10 of, to repeal Sections 14112 1, 14122, 14188, 14216, 14223, 14264, 14399, 14400, and 14401 of, the Education Code, and to amend Section 11126 of the Government Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman,

Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1448—An act relating to the Budget Act of 1972, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1768—An act to amend Sections 1175, 1176, 1177, 1180, and 1181 of, and to repeal Section 1182 of, the Health and Safety Code, relating to health care services

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 919—An act to amend Sections 26304 and 35553 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 486—An act to amend Sections 62707, 62707 5, and 62714 of the Agricultural Code, relating to milk

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1544—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1627—An act to amend Section 1 of Chapter 966 of the Statutes of 1970, relating to the public schools.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1730—An act to amend Section 217 of the Health and Safety Code, relating to medical aid

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1782—An act to amend Section 6424 of, and to add Section 6423 to, the Labor Code, relating to trenches and excavations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1783—An act to add Article 14 (commencing with Section 8500) to Chapter 2 of Part 3 of Division 6 of the Fish and Game Code, relating to invertebrates.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1790—An act to add Article 4 8 (commencing with Section 1128) to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to bribery.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1831—An act to add Section 20810 5 to the Education Code, relating to school district taxes

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2024—An act to repeal Section 7268 of the Government Code and to add Section 690 8 to the Code of Civil Procedure, relating to relocation assistance.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2065—An act to repeal Section 13107 of, and to add Section 13107 to, the Health and Safety Code, relating to fires.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2189—An act to amend Sections 13844 2, 13992, 14023, 14025, 14041, 14185, 14186, 14213, 14214, 14214 5, 14215, 14220.5, 14220.7, 14224, 14240, 14243, 14260, 14284, 14334.6, 14334.8,

and 14392 of, to add Section 14390 to, and to repeal Sections 14042, and 14390 of, the Education Code, relating to the State Teachers' Retirement System and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2324—An act to amend Section 3 of, and to add Sections 3 5 and 3 7 to, Chapter 491 of the Statutes of 1971, relating to the transfer of the real property of the DeWitt State Hospital facility.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2335—An act to add Section 6374 to the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1205—An act to amend Sections 1734 and 1735 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1401—An act to amend Section 10970 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson,

Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1402—An act to add Chapter 9 5 (commencing with Section 655) to Part 1 of Division 1 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1403—An act to amend Section 11512 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1404—An act to add Chapter 5 2 (commencing with Section 500) to Part 1 of Division 1 of the Insurance Code, relating to insurance

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 156—An act to amend Section 16522 of the Government Code, relating to deposits of state money.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 911—An act to repeal and add Section 27551 to the Agricultural Code, relating to eggs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 690—An act to add Section 25274 to the Vehicle Code, relating to vehicles

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1409—An act to amend Section 61800 of the Government Code, the heading of Article 1 (commencing with Section 17301) of Chapter 8 of Division 7 and Section 17301 of, the Public Utilities Code, relating to annexations to districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Senate Concurrent Resolution No. 19—Relative to the interchange between State Highway Routes 5 and 7

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 58—Relative to the Report of the Committee on Conference on the Budget Bill

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Bill No. 927—An act to amend Section 16402 of the Education Code, relating to school district property

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 599—An act to amend Sections 2620 of the Business and Professions Code, relating to physical therapy

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1046—An act to amend Sections 69994 2, 69995, 70046, 70048, 70057, 70059 7, 70130, 73649, 73959, 74351, 74352, 74647, and 74674 of, the Government Code, relating to court reporters.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 450—An act to amend Section 41008 of the Agricultural Code, relating to tomatoes

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 746—An act to amend Sections 5801, 5802, and 5981 of the Agricultural Code, relating to pest control.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie,

Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

SENATE BILL NO. 150 RE-REFERRED TO COMMITTEE

Mrs Fong was granted unanimous consent that Senate Bill No. 150 be withdrawn from the inactive file, and re-referred to the Committee on Elections and Reapportionment

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
66	Finance and Insurance
510	Urban Development and Housing
541	Revenue and Taxation
594	Transportation
716	Revenue and Taxation
728	Education
895	Planning and Land Use
1068	Criminal Justice
1080	Education
1380	Transportation

RESOLUTIONS

The following resolution was offered.

By Assemblyman Duffy:

House Resolution No. 78

Relative to health instruction in public schools

WHEREAS, There is evidence that much of our growing demand for health services is generated by ignorance of good health practices and the deleterious effects of drugs, tobacco, alcohol, poor diets, and the like; and

WHEREAS, There is an epidemic of veneral disease and an increasing number of pregnancies in school age youth, and

WHEREAS, The State Plan for Health has emphasized the need for public education beginning in the primary grades in matters affecting health, in order for people to preserve their own health, and to allow consumers of health services to participate in planning and evaluating health services, and

WHEREAS, In recognition of these facts, the State Board of Education has approved a *Framework for Health Instruction* which has the support of almost every professional health and education group; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Education is hereby requested to conduct an inquiry into the extent to which health education is included in current curricula and to conduct a study on the subject of implementation of *Framework for Health Instruction* in the public school system; and be it further

Resolved, That the Department of Education report to the Legislature by the 30th day of the 1973 Regular Session of the Legislature the extent to which the *Framework for Health Instruction* has been adopted and implemented by the local school districts, the barriers or problems encountered in implementation of *Framework for Health Instruction,* and the efforts made by the Department of Education to promote and assist local school districts in this area, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Education.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 5, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1 of Article I thereof, relating to state government,

And reports the same correctly enrolled, and presented to the Secretary of State on the fifth day of July, 1972, at 10 30 a m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 5, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 1054—An act to amend Section 6254 7 of the Government Code, relating to public records;

And reports the same correctly enrolled, and presented to the Governor at 12 m , July 5, 1972

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, July 5, 1972

Mr Speaker Your Committee on Government Administration reports·

SB No 1128

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means with a Consent recommendation.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Water

Assembly Chamber, June 14, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 603

With amendments with the recommendation· Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No 615

SB No. 685

With the recommendation. Do pass.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 506

SB No. 928

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation. To Consent

WARREN, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, July 5, 1972

Mr. Speaker. Your Committee on Judiciary reports:

SB No 593

SB No. 1285

SB No 1379

With the recommendation· Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 5, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No. 941

With amendments with the recommendation· Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, July 5, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No 236

With the recommendation. Do pass

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 5, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No 349

With amendments with the recommendation Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Government Administration

Assembly Chamber, July 5, 1972

Mr Speaker. Your Committee on Government Administration reports:

SB No 1270

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means with a Consent recommendation.

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Labor Relations

Assembly Chamber, July 5, 1972

Mr Speaker· Your Committee on Labor Relations reports:

SB No 381

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means (Consent recommendation).

McCARTHY, Chairman

Above bill ordered to second reading

Assembly Chamber, July 5, 1972

Mr Speaker· Your Committee on Labor Relations reports:

SJR No 18

With the recommendation Be adopted, and be re-referred to the Committee on Rules.

McCARTHY, Chairman

Above resolution re-referred to the Committee on Rules.

Committee on Constitutional Amendments

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports·

ACA No. 27

With amendments with the recommendation. Amend, and be adopted, as amended.

GARCIA, Chairman

Above resolution ordered on file.

Committee on Ways and Means

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 889

With amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading

Committee on Commerce and Public Utilities

Assembly Chamber, July 5, 1972

Mr. Speaker The Chairman of your Committee on Commerce and Public Utilities reports:

SB No 1349

With author's amendments with the recommendation Amend, and refer to the Committee on Commerce and Public Utilities

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1349—An act to add Division 1 5 (commencing with Section 475) to the Business and Professions Code, relating to licenses.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Senate June 1, 1972, after "Beilenson," insert "Dymally,"

Amendment No. 2

In line 2 of the heading, after "Schrade," insert "Short,".

Amendment No. 3

On page 2, lines 7 and 8, strike out ", to the extent herein applicable,".

Amendment No. 4

On page 2, lines 8 and 9, strike out ", suspension, and revocation".

Amendment No. 5

On page 2, line 11, after "code", insert ", on the grounds of a lack of good moral character and the ground of knowingly making a false statement of fact required to be revealed in an application for such licenses, certificates, or registrations, and shall govern the suspension or revocation of such licenses, certificates, or registrations on the grounds of conviction of a crime".

Amendment No. 6

On page 2, between lines 15 and 16, insert

"477 As used in this division, "board" includes "bureau," "commission," "department," "division," and "agency." "

Amendment No. 7

On page 2, line 27, strike out "suspension or revocation", and insert "denial".

Amendment No. 8

On page 2, line 31, strike out "acts", and insert "act".

Amendment No. 9

On page 2, strike out lines 32 to 37, inclusive, and insert "dishonesty, fraud, or deceit with the intent to substantially benefit himself or another, or substantially injure another

482 Each board, when considering the denial of a license under Section 481, shall take into account all competent evidence of rehabilitation of the applicant

483 A person may be denied a license under this division on the grounds that he has knowingly made any false statement of fact which is required to be revealed in his application for license."

Amendment No. 10

On page 2, line 38, strike out "482", and insert "484".

Amendment No. 11

On page 2, line 40, after the period, insert "This section shall not apply to any person who has been denied a license by any board on the basis that he does not possess good moral character, and who has reapplied for the license that he was previously denied "

Amendment No. 12

On page 3, strike out lines 6 to 24, inclusive, and insert

"485 Upon denial of an application for a license, under this chapter the board shall

(a) File and serve a statement of issues in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, or, in the alternative,

(b) Notify the applicant that the application is denied, stating (1) the reason for the denial, and (2) that the applicant has the right to a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code if written request

for hearing is made within 60 days after service of the notice of denial. Unless written request for hearing is made within the 60-day period, the applicant's right to a hearing is deemed waived

Service of the notice of denial may be made in the manner authorized for service of summons in civil actions, or by registered mail addressed to the applicant at the latest address filed by the applicant in writing with the board in his application or otherwise. Service by mail is complete on the date of mailing

486 Where the board has denied an application for a license under this chapter it shall, in its decision, or in its notice under subdivision (b) of Section 485, inform the applicant of the following:

(a) The earliest date on which the applicant may reapply for a license.

(b) That all competent evidence of rehabilitation presented will be considered upon a reapplication Along with the decision, or the notice under subdivision (b) of Section 485, the board shall serve a copy of the criteria formulated under Section 488."

Amendment No. 13

On page 3, line 25, strike out "484", and insert "487".

Amendment No. 14

On page 3, line 28, strike out "485", and insert "488".

Amendment No. 15

On page 4, line 5, strike out "suspension or".

Amendment No. 16

On page 4, line 7, strike out ", within 30 days thereafter," and insert ", in its decision,".

Amendment No. 17

On page 4, strike out lines 9 to 18, inclusive, and insert

"(a) A copy of the provisions of Section 11522 of the Government Code.

(b) A copy of the criteria formulated under Section 492 "

Amendment No. 18

On page 4, strike out lines 24 to 33, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber July 4, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No 813

With author's amendments with the recommendation Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 813—An act to amend Section 12552 of the Government Code, to amend and renumber the heading of Chapter 2 (commencing with Section 948) of Title 5 of Part 2 of, to add Title 4 (commencing with Section 887) to Part 2 of, to repeal Title 4 (commencing with Section 888) of Part 2 of, and to repeal Chapter 1 (commencing with Section 940) of Title 5 of Part 2 of, the Penal Code, relating to grand juries.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 4, line 9, of the printed bill, as amended in Senate June 21, 1972, strike out "State", and insert "States".

Amendment No. 2

On page 7, line 5, strike out "888 5 and 888 6", and insert "889 and 889.1".

Amendment No. 3

On page 16, line 11, strike out "Unless", and insert "Except as provided in Section 914.4, unless".

Amendment No. 4

On page 16, line 13, strike out "as to civil matters".

Amendment No. 5

On page 20, line 20, after "jurors", insert "in group one counties, and at least 12 grand jurors in other counties".

Amendment No. 6

On page 20, strike out lines 30 to 33, inclusive, and insert "accompanied by a certificate stating the number of grand jurors who participated in the proceedings, and the number of grand jurors who voted in favor of the indictment The certificate shall be signed by the foreman of the grand jury, and shall be filed with the clerk of the court."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1446

Acting Speaker Fenton was granted unanimous consent that Senate Bill No 1446 be withdrawn from the Committee on Education, and re-referred to the Committee on Labor Relations.

APPROVAL OF JOURNALS

On motion of Mr Russell, the Assembly Daily Journals for June 1, 7, 8, 12, 13, 14, 15, 16, 19, 20, 21, 22, 26, 27, 28, 29, and 30, 1972, were approved as corrected by the Minute Clerk.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1542, on request of Mr. Sieroty.

VOTE CHANGES

Messrs. McAlister and Stacey were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 238, 1923, and 324

Messrs. Cory and Campbell were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1778.

Mr. Beverly was granted unanimous consent that he be recorded as voting "No" on Senate Constitutional Amendment No 72.

Mr. Conrad was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Constitutional Amendment No. 72.

Mr. Stacey was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 291.

Mr. Campbell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 291.

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 2040

Mr. Moorhead was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 2040.

Mr. Powers was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 73

Mr Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1122.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 347, and on the passage of the bill.

ADJOURNMENT

At 12:50 p m, Acting Speaker Fenton declared the Assembly adjourned until 1:30 p m., Thursday, July 6, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Fourth Legislative Day

One Hundred Eighty-sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 6, 1972

The Assembly met at 1·30 p m.
Hon Jack R Fenton, Majority Floor Leader, 51st District, presiding.
Chief Clerk James D. Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.
Time, 1·30 p m.
The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister;

Father, We are truly blessed that You are a God of mercy and love. You do not turn away from us even though we at times turn from You. You call to us even though we do not listen.

We turn to You now, Father, and ask You to heal in us the wounds which our sins have caused, to take the scales from our eyes that we may see Your glory in the world which You have made Touch us and guide us so that through us the radiance of Your light may shine on all men —AMEN.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 1·50 p m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Monagan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr Mobley.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton.
Mr Burton, on request of Acting Speaker Fenton.
Mr Cory, on request of Acting Speaker Fenton.
Mr. Ralph, on request of Acting Speaker Fenton

RESOLUTIONS

The following resolution was offered

By Assemblyman MacDonald:

House Resolution No. 79

Relative to State Highway Route 150

WHEREAS, The design and location of State Highway Route 150 as a freeway or expressway in Ventura County is of concern to the Assembly; and

WHEREAS, It is anticipated that funds for the improvement of Route 150 to freeway or expressway standards will not be available within the foreseeable future, and

WHEREAS, The Assembly desires to be advised whenever the Department of Public Works commences studies or design for the improvement of Route 150 to freeway or expressway standards, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby requests the Department of Public Works to advise the Assembly, prior to commencing studies or design for the improvement of State Highway Route 150 to freeway or expressway standards, of the department's intent to commence such studies or design; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 5, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 729—An act to amend Section 21407.5 of the Public Utilities Code, relating to aviation;

Assembly Bill No. 922—An act to amend Sections 18730 and 18731 of the Government Code, relating to state civil service, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 954—An act to amend Section 2 of Chapter 1423 of the Statutes of 1971, relating to financial support for the public schools, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 5 p m., July 5, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 313	AB No. 1451	AB No. 2376
AB No 778	AB No. 1703	

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file

Assembly Chamber, July 6, 1972

Mr. Speaker · Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 78

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, July 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 102
ACR No. 105

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, July 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1636
AB No. 2208

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, July 6, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1236	AB No. 2014
AB No. 1319	AB No. 2156

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Transportation reports.

AB No 117	AB No 1533	AB No 1659
AB No 140	AB No. 1534	AB No. 2067
AB No 1531	AB No. 1577	AB No. 2095
AB No. 1532		

With the recommendation· That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

DEDDEH, Chairman

Subject matter of the above bills referred to the Committee on Rules.

Committee on Health

Assembly Chamber, July 5, 1972

Mr Speaker Your Committee on Health reports:

AB No. 1127
AB No. 1527

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bills ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Ways and Means reports.

AB No. 1599

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, July 6, 1972

Mr Speaker · Your Committee on Ways and Means reports:

AB No 1846

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Welfare

Assembly Chamber, July 5, 1972

Mr Speaker · Your Committee on Welfare reports:

SB No. 356

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Urban Development and Housing

Assembly Chamber, July 5, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

SB No 1173

With amendments with the recommendation · Amend, and do pass, as amended.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Transportation reports:

SB No 487

With the recommendation . Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 6, 1972

Mr Speaker · Your Committee on Transportation reports:

SB No. 329

SB No 832

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DEDDEH, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 231
SB No. 380
SB No. 743

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with a recommendation to Consent Calendar.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No 1192

With amendments with the recommendation: Amend, and do pass, as amended.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 567

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 2378

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 232
SB No. 1196

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WAXMAN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SCA No. 32

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

WAXMAN, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 109
SB No. 162
SB No 201

With the recommendation: Do pass.

WAXMAN, Chairman

Above bills ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No 1395

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No. 755
SB No. 964

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 5, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

SB No. 1034

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 6, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 549

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 549—An act to amend Section 1825 of, and to add Section 1825 7 to, the Welfare and Institutions Code, relating to probation services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly June 14, 1972, between lines 18 and 19, insert

"SEC. 2. Section 1825 of the Welfare and Institutions Code is amended to read:

1825. (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963. The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825.7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year. Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203.03 of the Penal Code

or Section 704 or 1752.1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number." The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1). The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision.

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate. Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code.

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–73 fiscal year to be distributed pursuant to the table below. To determine a county's share, refer to Table 1 of the Fifth Annual

Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual commitment rate per 100,000 pop.	*Amount per commitment*
0.5– 5.4	*$481*
5.5–10 4	*454*
10 5–15.4	*426*
15 5–20 4	*399*
20 5–25 4	*373*
25 5–30 4	*345*
30.5–35.4	*318*
35.5–40.4	*290*
40 5–45.4	*263*
45 5–50 4	*237*
50.5–55 4	*209*
55.5–60.4	*182*
60 5–65 4	*154*
65 5–70.4	*127*
70 5–75.4	*101*
75.5–80.4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors.

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance. Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above

The provisions of this subdivision shall be terminated on June 30, 1974.

SEC 3. Section 1825 of the Welfare and Institutions Code is amended to read:

1825. (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section.

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar

years 1959 through 1963 The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825.7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203 03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number." The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1) The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties.*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer. In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

SEC. 4. Section 1825 of the Welfare and Institutions Code is amended to read:

1825 (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section.

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963. The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825.7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100. The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments. The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year. Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203.03 of the Penal Code or Section 704 or 1752.1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number." The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1). The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision.

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4 000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate. Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned.

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties.*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–73 fiscal year to be distributed pursuant to the table below. To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual commitment rate per 100,000 pop.	*Amount per commitment*
0.5– 5 4	*$481*
5.5–10.4	*454*
10 5–15 4	*426*
15.5–20 4	*399*
20 5–25 4	*373*
25 5–30.4	*345*
30 5–35 4	*318*
35 5–40 4	*290*
40 5–45 4	*263*
45 5–50.4	*237*
50 5–55 4	*209*
55 5–60 4	*182*
60 5–65.4	*154*
65.5–70 4	*127*
70 5–75.4	*101*
75.5–80.4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance. Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data. Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above.

The provisions of this subdivision shall be terminated on June 30, 1974.''

Amendment No. 2

On page 5, line 19, strike out "2", and insert "5".

Amendment No. 3

On page 5, after line 34, insert

"SEC 6 It is the intent of the Legislature that if this bill and Assembly Bill No. 368 or Senate Bill No. 160, or both, are chaptered and amend Section 1825 of the Welfare and Institutions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Assembly Bill No. 368 are both chaptered and amend Section 1825 of the Welfare and Institutions Code, but Senate Bill No. 160 is not chaptered or as chaptered does not amend that

section, and this bill is chaptered after Assembly Bill No. 368, the amendments proposed by both bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 2 of this act. Therefore, if Assembly Bill No. 368 is chaptered before this bill and both bills amend Section 1825, and Senate Bill No. 160 is not chaptered or as chaptered does not amend that section, Section 2 of this act shall be operative and Sections 1, 3 and 4 of this act shall not become operative.

(b) If this bill and Senate Bill No 160 are both chaptered and amend Section 1825 of the Welfare and Institutions Code, but Assembly Bill No. 368 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No. 160, the amendments proposed by both bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 3 of this act Therefore, if Senate Bill No. 160 is chaptered before this bill and both bills amend Section 1825, and Assembly Bill No 368 is not chaptered or as chaptered does not amend that section, Section 3 shall be operative and Sections 1, 2 and 4 of this act shall not become operative.

(c) If this bill and Assembly Bill No. 368 and Senate Bill No 160 are all chaptered, and all three bills amend Section 1825 of the Welfare and Institutions Code, and this bill is chaptered after Assembly Bill No. 368 and Senate Bill No. 160, the amendments proposed by all three bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 4 of this act Therefore, if Assembly Bill No. 368 and Senate Bill No. 160 are both chaptered before this bill and all three bills amend Section 1825 of the Welfare and Institutions Code, Section 4 of this act shall be operative and Sections 1, 2 and 3 of this act shall not become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 5

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 9

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Gregorio, Marks and Nejedly as a Committee on Conference concerning:

Assembly Bill No. 530

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 394

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 123
AB No. 242
AB No. 439

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 61
SB No. 441

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 12
ACR No. 21
ACR No. 114

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, July 5, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 174	SB No. 830	SB No. 1159
SB No. 226	SB No 1018	SB No 1224
SB No. 379	SB No. 1027	SB No. 1244
SB No. 432	SB No. 1047	SB No. 1336
SB No. 460	SB No 1049	SB No 1347
SB No. 687	SB No. 1069	SB No. 1350

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 174—An act to add Section 21702 2 to, and to amend Section 21702.5 of, the Education Code, relating to the bonding limitation of school districts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 226—An act to amend and renumber Sections 16645.1, 16645.2, 16645.3, 16645 4, 16645.5, 16645 6, 16645 7, 16645 8, 16645 9, 16645 10, 16645 11, 16645 11a, 16645 12, 16645 13, 16645 14, 16645.15, 16645 16, 16645 17, 16645 18, 16645 19, 16645 20, 16645 21, 16645.22, 16645 23, 16645.24, and 16645 25 of, to add Chapter 8 7 (commencing with Section 6880) to Division 6 of, and to repeal the heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of, the Education Code, relating to development centers for handicapped pupils.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 379—An act to establish the location of a certain portion of the Colorado River for certain purposes.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 432—An act to amend Sections 7015, 7065 1, 7067, 7137, 7141, 7143, 7143 5, and 7150 of, to amend and renumber Sections 7026 2, 7026 8, 7026.9, 7028.1, 7028.2, and 7116 2 of, to add Sections 7141.5, 7152, 7153, 7153.1, 7153 2, 7153 3, 7154, 7155, and 7155.5 to, and to repeal Sections 7142, 7152, 7153, 7154, 7155, 7156, 7157, and 7158 of, the Business and Professions Code, relating to contractors.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 460—An act to add Section 17206.5 to the Education Code, relating to special school audits, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 687—An act to add Section 16702 to the Education Code, relating to schools.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 830—An act to amend Section 597 of the Penal Code, relating to crimes against animals.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1018—An act to amend Sections 1602, 1603, 2101, 2102, 3011, 3013, 4001, and 4002 of, and to amend, repeal and add Sections 160, 2100, and 3010 of, the Business and Professions Code, relating to healing arts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1027—An act to add Section 26617 to the Government Code, relating to sheriffs, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1047—An act to amend Section 16750 of the Business and Professions Code, and to add Section 12526 to the Government Code, relating to restraints on competition and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1049—An act to add Section 9058 to, and to add Article 5 (commencing with Section 9070) to Chapter 17 of Division 3 of, the Business and Professions Code, and to amend Section 1014 of the Evidence Code, relating to licensed clinical social workers corporations

Held at Desk by order of the Acting Speaker

Senate Bill No. 1069—An act to amend Sections 6203 and 6204 of, and to add Section 6208 to, the Labor Code, relating to labor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1159—An act to amend Section 10815 of the Education Code, relating to field trips and excursions

Held at Desk by order of the Acting Speaker

Senate Bill No. 1224—An act to add Section 823 to the Education Code, relating to certificated personnel

Held at Desk by order of the Acting Speaker

Senate Bill No. 1244—An act to add Section 602.4 to the Penal Code, relating to airports.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1336—An act to amend Sections 9884.8, 9887.2, 9887.3, and 9889.19 of the Business and Professions Code, relating to automotive repair.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1347—An act to add Section 23428.19 to the Business and Professions Code, relating to alcoholic beverages.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1350—An act making an appropriation in augmentation of Item 219 of the Budget Act of 1972, relating to job development corporations.

Held at Desk by order of the Acting Speaker.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 313, 1703, and **2376,** ordered to third reading.

Assembly Bills Nos. 778 and **1451,** ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1701—An act to add Chapter 5 (commencing with Section 310) to Division 2 of the Harbors and Navigation Code, relating to navigation, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 6, line 32, of the printed bill, strike out "felony", and insert "misdemeanor".

Amendment No. 2

On page 6, lines 33 and 34, strike out "or a prison sentence of not less than one year".

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2292—An act to amend Section 37111 of, and to add Section 37108.5 to, the Health and Safety Code, relating to housing information systems, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in Assembly June 12, 1972, strike out "for expenditure".

Amendment No. 2

On page 3, line 16, after "year", insert "to be expended as necessary to augment federal funding".

Bill ordered reprinted, and returned to the second reading file.

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 2 of Article IV thereof, relating to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In the heading of the printed measure, strike out "Assemblyman Harvey Johnson", and insert "Assemblymen Harvey Johnson and Wakefield".

Amendment No. 2

On page 2, line 15, after "unless", insert "either".

Amendment No. 3

On page 2, line 16, strike out "the Senator's or"; strike out lines 17 and 18; and in line 19, strike out "case, is permissible if".

Amendment No. 4

On page 2, lines 19 and 20, strike out "to run for the other".

Amendment No. 5

On page 2, line 20, after the period, insert "A legislator who so resigns and files shall not lose retirement benefits that would accrue but for such resignation. The Legislature shall provide by statute for filing after resignation if resignation occurs after the close of the period for filing for office."

Resolution ordered reprinted, and on file.

Assembly Bill No. 889—An act to amend Sections 21100, 21102, 21103, 21104, 21105, 21107, 21150, and 21151 of, to add Sections 21002, 21103.5, 21108, 21152, 21153, and 21154 to, and to add Chapter 2.5 (commencing with Section 21060), Chapter 5 (commencing with Section 21160), and Chapter 6 (commencing with Section 21165) to Division 13 of, the Public Resources Code, relating to environmental quality.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 9 of the printed bill, as amended in Assembly June 12, 1972, between lines 7 and 8, insert

"21162 Whenever a public agency has determined, pursuant to Section 21108 or Section 21152, that a proposed project will not have a significant effect on the environment, it shall cause a notice of this

determination to be filed with the Secretary of the Resources Agency. The notice shall briefly describe the proposed project and shall indicate that a determination has been made pursuant to Section 21108 or Section 21152 that the project will not have a significant effect on the environment."

Bill ordered reprinted, and returned to the second reading file.

Assembly Bill No. 2051—An act to add Chapter 8 (commencing with Section 4500) to Division 5 of Title 1 of the Government Code, relating to public contracts.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 1246—An act to amend Section 1 of Chapter 1084 of the Statutes of 1970 and Section 599 of Chapter 1593 of the Statutes of 1971, relating to homemaker services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly June 27, 1972, strike out "January", and insert "July".

Amendment No. 2

On page 3, line 16, strike out "January", and insert "July".

Set No. 2

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 27, 1972, after "services", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 37, insert

"SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the counties have sufficient time to undertake the extensive and costly planning to begin implementation of acts necessary to comply with state requirements relating to homemaker services by July 1, 1973, it is necessary that this act go into immediate effect."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 603—An act to amend Section 8411 of the Water Code, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "where"; and strike out lines 6 to 13, inclusive, and insert "the appropriate public agency shall establish the necessary flood plain regulations within one year following notification by the department or board The state shall not pay any of the cost of lands, easements, and rights-of-way associated with the flood control project as set forth in the project report of the federal agency unless flood plain regulations for the designated floodway are adopted in accordance with the requirements of this chapter."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 615—An act to amend Section 69950 of the Government Code, relating to fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 685—An act to amend Section 1793 1 of the Civil Code, relating to warranties.

Bill read second time, and ordered to third reading.

Senate Bill No. 593—An act to amend Section 227c of, and to amend, repeal, and add Section 227b to, the Civil Code, relating to adoption.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1285—An act to amend Section 200 of the Code of Civil Procedure, relating to jury duty.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1379—An act to add Section 10251 to the Corporations Code, relating to nonprofit corporations.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 941—An act to amend Section 1029 6 of the Code of Civil Procedure, relating to medical malpractice actions.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 4, line 7, of the printed bill, as amended in Senate May 24, 1972, strike out "entered", and insert "served".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 236—An act to amend Section 668 of, and to add Section 663 6 to, the Harbors and Navigation Code, relating to vessels.

Bill read second time, and ordered to third reading.

Senate Bill No. 349—An act to add Section 346 to the Penal Code, relating to admission tickets.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate April 20, 1972, after "Wedworth", insert

"(Coauthor: Assemblyman Pierson)".

Amendment No. 2

On page 1, lines 7 and 8, strike out "any entertainment event", and insert "the entertainment event, which was obtained for the purpose of resale,".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 381—An act to amend Section 6319 of, and to add Section 6321 to, the Labor Code, relating to workmen's safety.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 3, insert

"SEC. 3. Section 6319 of the Labor Code is amended to read:

6319. ~~No~~ *Except as provided in Section 6321, no* officer or employee of the division shall divulge to any person not connected with the administration of this part any information that is confidential pursuant to the provisions of Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code concerning the failure to keep any place of employment safe or concerning the violation of any order, rule, or regulation issued by the board or division *However, the division or its officers or employees shall transmit in letter form to the complaining party, or his representative, and the employer, advice as to the time the onsite inspection was made, a clear description of the unsafe conditions found, the nature of the requirements imposed to render the employment condition safe, and the time given to comply therewith, excepting therefrom confidential information and trade secrets.* Violation of this section is a misdemeanor.

SEC. 4. It is the intent of the Legislature, if this bill and Assembly Bill No. 874 are both chaptered and amend Section 6319 of the Labor Code, and this bill is chaptered after Assembly Bill No. 874, that the amendments to Section 6319 proposed by both bills be given effect and incorporated in Section 6319 of the Labor Code in the form set forth in Section 3 of this act. Therefore, Section 3 of this act shall become operative only if this bill and Assembly Bill No. 874 are both chaptered,

both amend Section 6319 of the Labor Code, and Assembly Bill No. 874 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 690—An act to amend Section 29009 5 of, repeal Sections 268 and 6064 of, and to repeal Article 5 6 (commencing with Section 5995) of Chapter 6 and Article 7 (commencing with Section 6499.21) of Chapter 6.5 of Division 6 of, the Education Code, relating to education.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 690?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 6, 1972, after "to", insert "amend Section 29009.5 of,".

Amendment No. 2

On page 2, after line 10, insert

"SEC. 5. Section 29009.5 of the Education Code is amended to read:

29009.5. Every person, firm, association, partnership, or corporation offering or conducting private school instruction on the elementary or high school level shall between the 1st and 15th day of October of each year, commencing on October 1, 1967, file with the Superintendent of Public Instruction an affidavit or statement, under penalty of perjury, by the owner or other head setting forth the following information ~~covering the preceding fiscal year~~ *for the current year* :

(a) All names, whether real or fictitious, of the person, firm, association, partnership, or corporation under which it has done and is doing business.

(b) The address, including city and street, of every place of doing business of the person, firm, association, partnership, or corporation within the State of California.

(c) The address, including city and street, of the location of the records of the person, firm, association, partnership, or corporation, and the name and address, including city and street, of the custodian of such records.

(d) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership, or corporation.

(e) The school enrollment by grades, number of teachers, coeducational or enrollment limited to boys or girls and boarding facilities.

(f) That the following records are maintained at the address stated, and are true and accurate:

(1) The records required to be kept by Section 12154.

(2) The courses of study offered by the institution.

(3) The names and addresses, including city and street, of its faculty, together with a record of the educational qualifications of each.

Whenever two or more private schools are under the effective control or supervision of a single administrative unit, such administrative unit may comply with the provisions of this section on behalf of each of the schools under its control or supervision by submitting one report

Filing pursuant to this section shall not be interpreted to mean, and it shall be unlawful for any school to expressly or impliedly represent by any means whatsoever, that the State of California, the Superintendent of Public Instruction, the State Board of Education, the California State Department of Education, or any division or bureau thereof, or any accrediting agency has made any evaluation, recognition, approval, or endorsement of the school or course unless this is an actual fact.

The Superintendent of Public Instruction shall prepare and publish a list of private elementary and high schools to include the name and address of the school and the name of the school owner or administrator."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Pierson, Porter, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Waxman, Wilson, and Wood—48.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1707—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile court law, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 1:58 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Badham was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1802—An act to amend Section 770.3 of the Insurance Code, relating to tax-sheltered annuities

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1802?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 26, 1972, strike out lines 24 to 31, inclusive, and insert

"Notwithstanding anything in this section to the contrary, in any case in which a tax-sheltered annuity under an annuity plan which meets the requirements of Section 403(b) of the Internal Revenue Code of 1954 is to be placed or purchased for an employee, the employee shall have the right to designate the licensed agent, broker, or company through whom the employee's employer shall arrange for the placement or purchase of the tax-sheltered annuity In any case in which the employee has designated such an agent, broker, or company, the employer shall comply with such designation."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—51.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly during the following recess.

RECESS

At 2 p.m., Acting Speaker Fenton declared the Assembly recessed until 2 05 p m, to permit Mr MacDonald to introduce Commander Wayne G Newton, of Ventura County, California Commander of the Disabled American Veterans, and appointed Messrs MacDonald and Mobley as a Select Committee on Escort for Commander Newton.

REASSEMBLED

At 2·05 p m, the Assembly reconvened.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN MONAGAN

Mr. Stull announced that yesterday was the birthday of Assemblyman Bob Monagan, Minority Floor Leader of the Assembly, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Monagan.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1973—An act to amend Sections 5096.26 and 5099.4 of, and to add Chapter 1.8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2371—An act relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1687—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Brathwaite, Brown, Chacon, Chappie, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, La-

Coste, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Pierson, Porter, Quimby, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—43.

NOES—Barnes, Briggs, Burke, Cline, Collier, Conrad, Lancaster, Lanterman, MacGillivary, Moorhead, Russell, Stull, and Wakefield—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1239—An act to add Sections 3409 and 4023.5 to the Penal Code and Sections 520 and 1753.7 to the Welfare and Institutions Code, relating to female prisoners.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Constitutional Amendment No. 93—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 58—Relative to low income students.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 653—An act to add Article 11 (commencing with Section 28060) to Chapter 5 of Division 12 of the Vehicle Code, relating to equipment of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 653 (Presented by Mr. Deddeh)?

Amendment No. 1

On page 2, line 12, of the printed bill, after "(b)", insert "The operator of a recreational vehicle, or a vehicle to which a camper is attached, which recreational vehicle or camper is equipped with a fire extinguisher as required by subdivision (a), shall carry such fire extinguisher in such recreational vehicle or camper and shall maintain the fire extinguisher in an efficient operating condition.

(c)".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves,

Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 873?

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Assembly May 10, 1972, strike out "eight", and insert "six".

Amendment No. 2

On page 3, line 5, strike out "12", and insert "13".

Amendment No. 3

On page 3, line 11, strike out "and the"; strike out line 12, and in line 13, strike out "part-time deputy clerk, grade I,"

Amendment No. 4

On page 5, between lines 34 and 35, insert

"73527. In the event the existing judicial districts in San Mateo County are consolidated into one judicial district, the number of municipal court judges and attachés shall be the total of those provided for the existing three judicial districts.

73528. In the event of such consolidation, one of the three municipal court clerks in the consolidated district shall be designated chief municipal court clerk by a majority vote of the municipal court judges, and shall receive a 5 percent salary increase in addition to all other compensation while serving in that capacity. No other changes in salaries shall result from consolidation of the existing judicial districts as herein provided "

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:~~

~~AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—63~~

~~NOES—None.~~

~~Above bill ordered enrolled.~~

NOTE: On July 17, 1972, the action was rescinded whereby the Assembly concurred in the above Senate amendments to Assembly Bill No 873, and whereby the bill was ordered enrolled See page 6108.

Assembly Bill No. 1845—An act to amend Section 73694 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1845?

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, strike out "This section shall remain in effect", and insert "Any pay increase authorized by this section shall only be effective".

Amendment No. 2

On page 2, line 9, strike out "1973 Regular Session", and insert "next succeeding regular session"

Amendment No. 3

On page 2, line 9, strike out "California Legislature", and insert "Legislature following the effective date of such pay increase"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Above bill ordered enrolled.

BILLS PASSED ON FILE

Senate Bill No. 352 (Conference Report Pending)—Passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, July 4, 1972

Mr. Speaker: The Committee on Conference concerning.

Senate Bill No. 5—As amended in Assembly June 8, 1972—An act to add Title 7.3 (commencing with Section 66700) to the Government Code, to repeal and add Sections 66713, 66740, and 66750 of the Government Code, as proposed by this act, and to add Chapter 5 (commencing with Section 4500) to Part 2, Division 5 of the Health and Safety Code, relating to waste;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 7 of the title of the printed bill, as amended in Assembly June 8, 1972, after "waste", insert ", and making an appropriation therefor".

Amendment No. 2

On page 7, lines 19 and 20, strike out "be a registered civil engineer under the laws of this state and".

Amendment No. 3

On page 7, line 25, strike out "and have", and strike out lines 26 and 27, and insert a period.

Amendment No. 4

On page 18, line 30, strike out "sold", and insert "solid".

Amendment No. 5

On page 20, after line 34, insert

"SEC 7. The sum of two hundred twenty-eight thousand dollars ($228,000) is hereby appropriated from the General Fund in the State Treasury to the State Solid Waste Management Board for expenditure for the purposes of this act."

The undersigned consent to the report:

JOHN NEJEDLY	JAMES W. DENT
RALPH C. DILLS	EUGENE A. CHAPPIE
	EDWIN L Z'BERG
Senate Committee on Conference	Assembly Committee on Conference

Report read, presented by Mr Chappie, and adopted by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2345—An act to authorize the assessment or reassessment of property in disaster areas, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis,

MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 482—An act to add Section 4227 3 to the Business and Professions Code, relating to dangerous drugs

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1360—An act to add Sections 6443 5, 6444, 6445, 6446, and 6447 to, to repeal Sections 6443 and 18270 of, the Education Code, and to repeal Section 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo,

Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Barnes, Burke, Conrad, Hayden, Ketchum, Lancaster, Monagan, Moorhead, Murphy, Russell, Stull, and Wakefield—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1998—An act to amend Section 13590 2 of, and to repeal Section 13590.3 of, the Education Code, relating to classified public school employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1276—An act to add Section 62322 5 to the Agricultural Code, relating to milk.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Powers, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wilson, Wood, and Mr. Speaker—51.

NOES—Dunlap, Miller, Murphy, Sieroty, Vasconcellos, Warren, and Waxman—7.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 90—Relative to drinking water supplies.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

RECESS

At 2:40 p m, Acting Speaker Fenton declared the Assembly recessed until 2 44 p m, to permit Mr Karabian to introduce Miss Darlene Poole, "Miss California-World—1971–72", from San Gabriel, and Miss Miki Garcia, "Miss Sacramento-World—1972", from Sacramento, and appointed Messrs Karabian, Leroy F Greene, Meade, and Maddy as a Select Committee to escort Misses Poole and Garcia to the rostrum.

REASSEMBLED

At 2:44 p.m., the Assembly reconvened.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2140—An act to amend Sections 6950, 6952, and 6953 of, and to add Section 6953.1 to, the Government Code, and to add Section 1238.8 to the Code of Civil Procedure, relating to the acquisition of interests in open-space areas.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Chacon, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Keysor, Knox, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Pierson, Priolo, Quimby, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—45

NOES—Badham, Belotti, Briggs, Burke, Chappie, Cline, Collier, Conrad, Davis, Duffy, Ketchum, LaCoste, Lanterman, Lewis, MacGillivray, Mobley, Monagan, Murphy, Seeley, Stacey, Stull, Townsend, and Wakefield—23

Bill ordered transmitted to the Senate.

Assembly Bill No. 285—An act to add Section 1606.5 to the Health and Safety Code, relating to blood transfusions.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sieroty moved a call of the Assembly.

Motion carried. Time, 3:11 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2284—An act to add Chapter 5 7 (commencing with Section 5761) to Division 6 of the Education Code, relating to bilingual-bicultural education, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ryan, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Badham, Beverly, Burke, Chappie, Collier, Conrad, Davis, Hayes, Ray E. Johnson, Lancaster, Lewis, Monagan, Russell, Seeley, Stull, and Wakefield—16.

Bill ordered transmitted to the Senate.

Assembly Bill No. 816—An act to add and repeal Chapter 5.6 (commencing with Section 5765) to Division 6 of the Education Code, relating to the Elementary School Reading Achievement Program, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1179—An act to add Sections 17299 and 24436.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Brown moved a call of the Assembly.

Motion carried Time, 3:20 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1665—An act to add and repeal Section 20990 of the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 555—An act to amend Section 17045 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia,

Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—61.

NOES—Bagley, Burke, Dent, Gonsalves, Lancaster, McAlister, and Seeley—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 986—An act to add Chapter 4 (commencing with Section 16160) to Part 1 of Division 4 of Title 2 of the Government Code, relating to subventions to local government, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—Briggs and Stacey—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 2091—An act to add Section 13707 5 to the Education Code, relating to school classified employees

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Badham, Beverly, Ray E Johnson, Keysor, Lanterman, Monagan, Moorhead, Priolo, Russell, Stacey, Stull, and Wakefield—12.

Bill ordered transmitted to the Senate

Assembly Bill No. 165—An act to amend Sections 34802, 34804, 34805, 34807, 34808, 34809, 34832, 34833, 34860, 34861, 34862, 34863, 34864, 34865, 34866, 34867, 34868, 34869, 34871, 34872, 34873, 34874, 34875, 34876, 34877, 34878, 34900, 34901, 34902, 34903, 34904, 34905, 34906, 34907, 34908, 34909, 34910, 34911, 34912, 34913, 34914, 34915, 34916, 34917, 34918, 34919, 34941, 34942, 34944, 34945, 34946, and 34947 of, to amend the heading of Article 4 (commencing with Sec-

tion 34900) of Chapter 1 of Part 3 of Division 24 of, to add Part 10 (commencing with Section 37600) to Division 24 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Brathwaite moved a call of the Assembly.

Motion carried Time, 3·40 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr MacDonald was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1040—An act to amend Sections 7267 8 and 7268 of the Government Code, and to add Sections 37042 and 37109 5 to the Health and Safety Code, relating to relocation assistance.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanceaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—Stacey and Wakefield—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1266—An act to add Section 11003 5 to the Revenue and Taxation Code, relating to the taxation of trailer coaches, and making an appropriation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hay-

den, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Hon. Willie L. Brown, Jr., Presiding

At 3:50 p m., Hon. Willie L. Brown, Jr., 18th District, presiding

Assembly Bill No. 1741—An act to add Part 2 5 (commencing with Section 34700) to Division 24 of the Health and Safety Code, relating to housing

Bill read third time, and passed by the following vote:

AYES—Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Murphy, Pierson, Porter, Quimby, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—49

NOES—Badham, Cline, Collier, Conrad, Hayes, MacGillivray, Monagan, Moorhead, Priolo, Russell, Stacey, Stull, and Wakefield—13.

Bill ordered transmitted to the Senate

Assembly Bill No. 1264—An act to amend Section 17536 of the Business and Professions Code, relating to civil penalties.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 877—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1690—An act to add Section 11421 to the Water Code, relating to the Central Valley Project.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 414—An act to amend Section 11850 of the Health and Safety Code, relating to registration of narcotics offenders

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Brathwaite, Brown, Campbell, Chacon, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Pierson, Porter, Quimby, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—Briggs, Burke, Chappie, Cline, Collier, Conrad, Davis, Duffy, Hayden, Hayes, Ketchum, LaCoste, Lanterman, Lewis, Monagan, Moorhead, Murphy, Priolo, Russell, Stacey, and Stull—21.

Bill ordered transmitted to the Senate.

Assembly Bill No. 541—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure and to amend Section 9503 of the Commercial Code, relating to repossession.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—Lewis and Murphy—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1623—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure, relating to claim and delivery, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1779—An act to amend Section 13503 1 of the Education Code, relating to school certificated employees.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chappie, Collier, Conrad, Crown, Davis, Deddeh, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—Bee—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1864—An act to amend Sections 13358, 13550, 13800, 23102, and 23105 of, and to add Section 23102.5 to, the Vehicle Code, relating to persons under the influence of alcohol or drugs.

Bill read third time, and passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Dunlap, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—51.

NOES—Bagley, Beverly, Brown, Crown, Cullen, Foran, Gonsalves, Knox, Lancaster, Pierson, Ryan, and Waxman—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1885—An act to add Article 4 (commencing with Section 17111) to Chapter 2 of Division 13 of the Education Code, relating to school cafeterias, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—Burke and Wakefield—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Seeley was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

Majority Floor Leader Presiding

At 4:14 p m , Hon Jack R Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1908—An act to amend Section 21252 6 of, and to add Section 20017 78 to the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lan-

caster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Monagan, Murphy, Porter, Quimby, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—51.

NOES—Hayes, Lanterman, Meade, Moorhead, Priolo, Russell, and Warren—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1963—An act to amend Sections 849 and 851.6 of, and to add Sections 11115.5, 11116 7, 11116.8, and 11116.9 to, the Penal Code, relating to arrests.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—Murphy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2213—An act to add Section 11111 to the Penal Code, and to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the licensing of bicycles, and making an appropriation therefor.

Bill read third time, presented by Mr. Deddeh, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Chappie, Duffy, Russell, and Wakefield—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2265—An act to amend Section 29018 5 of the Education Code, relating to private schools.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cline moved a call of the Assembly.

Motion carried Time, 4.24 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2267—An act to amend Section 14050 of the Penal Code, relating to building security standards, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2278—An act to add and repeal Section 14265 of the Education Code, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—Murphy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2315—An act making an appropriation for the operation of the 39th District Agricultural Association, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—Priolo and Vasconcellos—2.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—Priolo and Vasconcellos—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2337—An act to amend Section 72602 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 279—An act to amend Sections 3857 and 3899 of, and to add Section 3903 to, the Agricultural Code, relating to fairs

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 562—An act requiring the acquisition of lands for inclusion in the state park system and the development of such lands.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 831—An act to amend Sections 2080 and 4700 of, to amend and renumber Sections 2650, 2651, 2652, 2653, 2654, and 2655 of, and to add Chapter 3.5 (commencing with Section 2630) to Title 1 of Part 3 of, the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Dunlap moved a call of the Assembly.

Motion carried. Time, 4:33 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2375—An act making an appropriation to the Department of General Services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Briggs, Meade, and Vasconcellos—3.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Briggs, Meade, and Vasconcellos—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1157—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety.

Bill read third time, presented by Mr. Keysor, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Chappie, Ketchum, and MacGillivray—3.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 165

At 4:40 p.m., on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 165 passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Barnes, Briggs, Burke, Cline, Collier, Conrad, Dent, Hayden, Ketchum, Lancaster, Lanterman, MacGillivray, Monagan, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—19.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 77

Mrs Brathwaite was granted unanimous consent to take up Assembly Constitutional Amendment No 77, temporarily passed on file, out of order, for purpose of consideration at this time.

Consideration of Assembly Constitutional Amendment No. 77

Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article XXXV thereto, relating to housing

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Crown, Cullen, Davis, Deddeh, Duffy,

Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Barnes, Briggs, Burke, Cline, Collier, Conrad, Dent, Hayden, Ketchum, Lancaster, Lanterman, MacGillivray, Monagan, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—19.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 200

Mr. Sieroty was granted unanimous consent to take up Assembly Bill No. 200, temporarily passed on file, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 200

Assembly Bill No. 200—An act to add and repeal Division 18 (commencing with Section 27000) of the Public Resources Code, and to add and repeal Section 11528 2 of the Business and Professions Code, relating to the California coastal zone, and making appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Bagley, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Arnett, Barnes, Belotti, Burke, Collier, Ketchum, Lancaster, MacGillivray, Monagan, Stacey, and Stull—11.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1170—An act relating to a pilot program in the structure of intellect factored test of intellectual abilities in children, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Mona-

gan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Duffy, Leroy F. Greene, Russell, Stacey, Vasconcellos, and Wakefield—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1204—An act to add Section 11008 8 to the Welfare and Institutions Code, relating to public social services

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1412—An act relating to the San Francisco Unified School District.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1538—An act to add Section 17508 to the Business and Professions Code, relating to advertising

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Beverly, Lancaster, and MacGillivray—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1564—An act to amend Section 17055 of, to add Section 17060.5 to, and to repeal Section 17234 of, the Revenue and Taxation Code, relative to taxation, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Campbell, Chacon, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Quimby, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41.

NOES—Burke, Cline, Collier, Duffy, Ketchum, Lewis, MacGillivray, Moorhead, Murphy, Seeley, Stacey, and Wakefield—12

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1565—Passed on file.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1586, on request of Mr. Murphy.

Hon. Joe A. Gonsalves Presiding

At 4:54 p.m., Hon. Joe A. Gonsalves, 66th District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1705—An act to amend Section 5710 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Ketchum, MacGillivray, Stacey, and Wakefield—4.

Bill ordered transmitted to the Senate

Majority Floor Leader Presiding

At 4:56 p.m , Hon. Jack R. Fenton, 51st District, presiding.

Assembly Bill No. 1709—An act to add Section 4089.5 to the Business and Professions Code, relating to pharmacy

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fo-

ran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1798—An act to establish a correctional training academy

Bill read third time, presented by Mr Russell, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 98—Relative to program planning and budgeting system for the California schools.

Resolution read, and adopted by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 406—An act to add Division 12 5 (commencing with Section 28700) to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong,

Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63

NOES—Burke, Dent, Ketchum, Lancaster, Stull, and Wakefield—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1496—An act to amend Sections 14000, 14105 and and 14106 of, to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of, to repeal Sections 14058, 14104, 14106 5 and 14114 of, and to repeal Article 4 4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to medical assistance.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1566—An act to add Chapter 6 (commencing with Section 12350) to Division 8 of the Elections Code, relating to the California Fair Campaign Practices Commission, and making an appropriation therefor.

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—Stull—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1459—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—Cullen—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1666—An act to amend Sections 20017 7, 20017 75, 20803 7, and 22013 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and refused passage by the following vote:

AYES—Barnes, Belotti, Davis, Dent, Harvey Johnson, Karabian, Keysor, LaCoste, McAlister, McCarthy, Porter, Powers, Thomas, Townsend, and Wood—15

NOES—Briggs, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Duffy, Dunlap, Fenton, Gonsalves, Hayes, Ketchum, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Miller, Moorhead, Murphy, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, and Z'berg—33

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No. 1666 was refused passage was offered by Mr. Barnes. See page 5954.

Assembly Bill No. 846—An act to amend Section 18056 of the Health and Safety Code, relating to mobilehomes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—Hayes, Harvey Johnson, and Quimby—3.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file

Assembly Bill No. 1314, on request of Mr Wilson

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1594—An act to amend Section 1563 of the Code of Civil Procedure, relating to unclaimed property.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lacoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1598—An act to amend Section 10132 of, and to add Section 10131 6 to, the Business and Professions Code, relating to real estate brokers.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Mobley, Moorhead, Mur-

phy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—Cline, Foran, and Stull—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1717—An act to amend Sections 100.21 and 135 of, to add Sections 103 7, 103 8, 103 9, and 256 2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways.

Bill read third time.

Motion to Re-refer Assembly Bill No. 1717 to Committee

Mr. Foran moved that Assembly Bill No. 1717 be re-referred to the Committee on Ways and Means

Mr Quimby seconded the motion.

Motion lost by the following vote:

AYES—Bagley, Bee, Brown, Crown, Davis, Fenton, Foran, Gonsalves, Harvey Johnson, Knox, McAlister, McCarthy, Porter, Quimby, Sieroty, Thomas, Z'berg, and Mr. Speaker—18

NOES—Arnett, Barnes, Belotti, Briggs, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cullen, Dent, Duffy, Dunlap, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Seeley, Stacey, Stull, Vasconcellos, Wakefield, Wilson, and Wood—42.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Barnes, Belotti, Briggs, Campbell, Cline, Collier, Conrad, Duffy, Hayden, Ray E Johnson, MacGillivray, Maddy, Miller, Mobley, Monagan, Moorhead, Murphy, Seeley, Stull, and Wakefield—20.

NOES—Arnett, Bagley, Bee, Beverly, Brathwaite, Chacon, Chappie, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, McCarthy, Meade, Pierson, Powers, Priolo, Quimby, Russell, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker —43.

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No. 1717 was refused passage was offered by Mr. Wakefield. See page 5955.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1736, on request of Mr. Gonsalves.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2372—An act to amend Section 13510 of the Penal Code, relating to peace officers

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Collier, Conrad, Crown, Cullen, Deddeh, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, Maddy, McCarthy, Meade, Miller, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ryan, Sieroty, Stull, Thomas, Vasconcellos, Wilson, Z'berg, and Mr. Speaker—50.

NOES—Chappie, Cline, Hayden, LaCoste, MacDonald, McAlister, Russell, Stacey, Warren, and Wood—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 452—An act to amend Sections 20603 01, 20980, 21252 01, and 21300 of, to add Section 21252 02 to, and to repeal Section 21252 03 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Arnett, Burke, Dent, Ketchum, Lancaster, Lanterman, MacGillivray, Moorhead, Russell, Seeley, and Stull—11.

Bill ordered transmitted to the Senate.

NOTE: For explanation of vote by Mr Wood relative to Assembly Bill No. 452, see Assembly Journal for July 21, 1972, page 6339

Assembly Bill No. 1848—An act to add Section 1009 1 to the Penal Code, relating to accusatory pleadings.

Bill read third time, and passed by the following vote:

AYES—Bagley, Barnes, Belotti, Brathwaite, Brown, Campbell, Chacon, Cline, Collier, Conrad, Crown, Cullen, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, Lanterman, MacGillivray, Maddy, McCarthy, Meade, Miller, Pierson, Porter, Priolo, Quimby, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—42

NOES—Bee, Beverly, Briggs, Burke, Chappie, Davis, Deddeh, Dent, Fenton, Hayden, Ketchum, LaCoste, Lewis, MacDonald, McAlister, Mobley, Moorhead, Murphy, Powers, Russell, Seeley, Stacey, Stull, Townsend, and Wood—25.

Bill ordered transmitted to the Senate.

Assembly Bill No. 673—An act to amend Sections 13403 and 13557 of, repeal Section 10854 of, and to add Sections 10854 and 10855 to, the Education Code, relating to pupils.

Bill read third time.

Motion to Re-refer Assembly Bill No. 673 to Committee

Mr Lewis moved that Assembly Bill No. 673 be re-referred to the Committee on Education.

Motion lost by the following vote·

AYES—Arnett, Belotti, Campbell, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Priolo, Russell, Seeley, Townsend, Wakefield, and Wood—31.

NOES—Bagley, Bee, Brathwaite, Briggs, Brown, Burke, Crown, Fenton, Garcia, Gonsalves, Bill Greene, Keysor, McCarthy, Meade, Miller, Monagan, Quimby, Ryan, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—26.

Demand for Previous Question

Messrs Chappie, Stull, Dent, MacDonald, and Lancaster demanded the previous question Demand sustained

The question being on the passage of the bill

Bill refused passage by the following vote·

AYES—Brathwaite, Brown, Crown, Dunlap, Fenton, Karabian, Keysor, Meade, Miller, Priolo, Quimby, Ryan, Sieroty, Vasconcellos, Warren, Waxman, and Mr Speaker—17

NOES—Arnett, Bagley, Barnes, Belotti, Beverly, Briggs, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wilson, and Wood—51.

BILLS PASSED ON FILE

Assembly Bill No. 751—Passed on file.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 400—An act to amend Sections 11333, 11391, 11393, 11395 and 11655 6, and Section 11655 8 as added by Chapter 1405 of the Statutes of 1970 of, and to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, Section 11655 7 as added by Chapter 1422 of the Statutes of 1970, Section 11655 7 as added by Chapter 1405 of the Statutes of 1970, and Section 11655 9 of, the Health and Safety Code, and to amend Section 3154, and Section 5618 as amended by Chapter 1593 of the Statutes of 1971, to add Article 1 (commencing with Section 4050) to Chapter 1 of Part 1 of Division 4 of, Section 5621, and Article 1 (commencing with Section 5675) to Chapter 2 of Part 2 of Division 5 of, and to repeal Section 5617 as

amended by Chapter 1593 of the Statutes of 1971 and Section 5620 as added by Chapter 1162 of the Statutes of 1971 of, the Welfare and Institutions Code, relating to drug abuse treatment, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 814—An act to add Division 25 (commencing with Section 37000) to the Education Code, relating to manpower development effectiveness programs, and making an appropriation therefor.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1013—An act to amend Sections 926, 984, and 1085 of, to repeal Section 927 of, and to add Sections 927, 976 2, 986 5, 987.5, and 1088 5 to, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and presented by Mr Pierson.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Pierson moved a call of the Assembly.

Motion carried Time, 5 55 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1315—An act to amend Section 11010 of, and to add Sections 11010 01, and 11011 9 to, the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—Porter—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1745—An act to add and repeal Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray

E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to add Sections 18107 and 20108 to the Government Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to the Welfare and Institutions Code, relating to the mental health system, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2018—An act to amend Section 9902 6 of the Business and Professions Code, relating to employment agencies

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—Porter—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2126—An act to add Division 12 7 (commencing with Section 15500) to the Health and Safety Code, relating to hospitals.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Burke, Chacon, Chappie, Cline, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Mon-

agan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Barnes, Davis, Foran, Ketchum, and Wakefield—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2169—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses

Bill read third time, presented by Mr. Mobley, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2033—An act to amend Section 23320 of, and to add Section 23399.3 to, of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2350—An act to add Section 5077 2 to the Public Resources Code, relating to recreational trails.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—Davis and Stacey—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1011—An act to add Article 5 (commencing with Section 330) to Chapter 2 of Division 2 of the Education Code, relating to the public schools, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs Fong moved a call of the Assembly.

Motion carried. Time, 6.08 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PASSED ON FILE

Assembly Bill No. 832—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 841—An act to amend Section 72300 of, and to add Sections 72306 and 72307 to, the Government Code, and to amend Section 42006 of the Vehicle Code, relating to courts, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Keysor moved a call of the Assembly.

Motion carried Time, 6·10 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Miller was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 885—An act to add Section 21294 1 to the Government Code, relating to disability retirement.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1227—An act to add and repeal Chapter 12 (commencing with Section 8875) to Division 1, Title 2 of the Government Code, relating to a population commission.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Meade moved a call of the Assembly

Motion carried Time, 6·12 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1274—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor.

Bill read third time, presented by Mr. Mobley, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves,

Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1490—An act to add Section 13891 5 to the Education Code, and to add Section 20233 to, the Government Code, relating to the retirement systems

Bill read third time, presented by Mr. Thomas, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—Mobley—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 1685—An act to add Article 2 5 (commencing with Section 11075) to Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to criminal information, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crown moved a call of the Assembly.

Motion carried Time, 6 20 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2029—An act to add Sections 34211 1, 65302 2, and 65307 to, and to amend Section 34217 of, the Government Code, relating to local plans.

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 912—Passed on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1319—An act to amend Sections 23550, 23553, 24675, 24678, 25546 50, and 25546 53 of, to add Division 30 (commencing with Section 50000) to, and to repeal Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of, the Education Code, to amend Sections 17225 5 and 24371.5 of the Revenue and Taxation Code, and to amend Section 11451 5 of, and to repeal Sections 10811 and 10811 5 of, and to repeal Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 of Division 9 of, and repeal Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9, of the Welfare and Institutions Code, relating to child care and preschool developmental services, and making an appropriation therefor.

Bill read third time and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Briggs, Burke, Chappie, Cline, Collier, Conrad, Ketchum, MacGillivray, Moorhead, Russell, Stull, and Wakefield—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2156—An act to amend Section 15452 of, and to add Chapter 7 (commencing with Section 19301) to Division 14 of, the Education Code, relating to child care and preschool facility construction, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Briggs, Burke, Chappie, Cline, Collier, Conrad Ketchum, MacGillivray, Moorhead, Russell, Stull, and Wakefield—12.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 1707

At 6·29 p m, on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Urgency clause to Assembly Bill No 1707 refused adoption by the following vote:

AYES—Bee, Beverly, Brathwaite, Briggs, Brown, Chacon, Crown, Cullen, Deddeh, Fenton, Fong, Gonsalves, Harvey Johnson, Keysor, Knox, Meade, Pierson, Priolo, Quimby, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, and Wilson—27

NOES—Badham, Burke, Collier, Conrad, Hayden, Ray E Johnson, Ketchum, Lancaster, MacGillivray, McAlister, Mobley, Monagan, Russell, Seeley, Stull, Wakefield, and Wood—17.

Further Consideration of Assembly Bill No. 1707

Assembly Bill No. 1707—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile court law, and declaring the urgency thereof, to take effect immediately

Motion to Amend

Mr. Brown moved the adoption of the following amendments

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, strike out lines 22 through 40, inclusive, and strike out page 3.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 285

At 6 30 p m , on motion of Mr Sieroty, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 285 refused passage by the following vote:

AYES—Brathwaite, Briggs, Brown, Cline, Crown, Cullen, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Karabian, Keysor, McAlister, Meade, Miller, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Sieroty, Townsend, Wakefield, Warren, Waxman, and Z'berg—30

NOES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Campbell, Chappie, Collier, Conrad, Deddeh, Dent, Duffy, Dunlap, Foran, Leroy F. Greene, Hayden, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Powers, Seeley, Stacey, Stull, Vasconcellos, Wilson, and Wood—40.

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No 285 was refused passage was offered by Mr Sieroty. See page 5957.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1621—An act making an appropriation for support associated with the development of a second campus of Hastings College of the Law

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Barnes moved a call of the Assembly

Motion carried Time, 6 ·35 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1179

At 6:36 p.m., on motion of Mr. Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1179 passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54

NOES—Badham, Briggs, Burke, Cline, Collier, Conrad, Davis, Dent, Hayes, Ketchum, MacGillivray, Monagan, Moorhead, Priolo, Seeley, Stacey, Stull, Townsend, and Wakefield—19.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2265

At 6 36 p m , on motion of Mr Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 2265 passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cullen, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Ray E Johnson, Karabian, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Quimby, Ryan, Seeley, Stull, Thomas, Vasconcellos, Waxman, Wood, and Mr Speaker—42

NOES—Barnes, Briggs, Cline, Crown, Davis, Deddeh, Duffy, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, McAlister, Moorhead, Murphy, Priolo, Russell, Sieroty, Stacey, Wakefield, Warren, Wilson, and Z'berg—24.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 831

At 6:38 p.m , on motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 831 refused passage by the following vote:

AYES—Barnes, Bee, Brathwaite, Brown, Chacon, Crown, Cullen, Deddeh, Dunlap, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, McAlister, McCar-

thy, Meade, Miller, Pierson, Porter, Quimby, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—34.

NOES—Arnett, Badham, Bagley, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Fenton, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Wakefield, and Wood—39.

NOTE: Later this day a motion to reconsider the vote whereby Assembly Bill No 831 was refused passage was offered by Mr. Dunlap. See page 5955.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1013

At 6:40 p.m., on motion of Mr Pierson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of absentees were called, and Assembly Bill No. 1013 passed by the following vote:

AYES—Bagley, Bee, Brathwaite, Brown, Campbell, Chacon, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, McAlister, McCarthy, Meade, Miller, Pierson, Quimby, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41.

NOES—Arnett, Barnes, Belotti, Beverly, Briggs, Burke, Chappie, Cline, Conrad, Dent, Duffy, Hayes, Ray E Johnson, Ketchum, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Murphy, Porter, Priolo, Russell, Seeley, Stacey, Stull, and Wakefield—29.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1011

At 6 41 p m , on motion of Mrs Fong, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 1011 passed by the following vote.

AYES—Arnett, Bee, Brathwaite, Brown, Chacon, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Murphy, Pierson, Porter, Powers, Quimby, Ryan, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—46

NOES—Barnes, Belotti, Campbell, Chappie, Cline, Collier, Conrad, Hayes, Ketchum, Lanterman, MacGillivray, Mobley, Moorhead, Russell, Stacey, Stull, and Wakefield—17.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 841

At 6:42 p m , on motion of Mr Keysor, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 841 passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, LaCoste, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Powers, Quimby, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Barnes, Chappie, Davis, Hayes, Ray E Johnson, Ketchum, Knox, Lanterman, Lewis, MacGillivray, Moorhead, Pierson, Priolo, Seeley, Stacey, and Wakefield—16

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1227

At 6:44 p m , on motion of Mr Meade, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Assembly Bill No 1227 refused passage by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Crown, Cullen, Dunlap, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Priolo, Quimby, Ryan, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—36

NOES—Barnes, Beverly, Briggs, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Duffy, Fenton, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Russell, Seeley, Stull, Townsend, Wakefield, and Wood—32

Motion to Reconsider Assembly Bill No. 1227 on Next Legislative Day

Mr Meade moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1227 was this day refused passage

Assembly Bill No 1227 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1685

At 6:45 p m , on motion of Mr. Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1685 passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Campbell, Chacon, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Burke, Chappie, Cline, Collier, Conrad, Ray E Johnson, Ketchum, Lanterman, Lewis, Moorhead, Murphy, Russell, Stacey, and Wakefield—14

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1621

At 6·46 p.m., on motion of Mr. Barnes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 1621 passed by the following vote·

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Collier, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Arnett, Burke, Chappie, Cline, Conrad, Hayden, Ray E. Johnson, Ketchum, Lewis, MacGillivray, Mobley, Moorhead, Murphy, Russell, Seeley, Stacey, Stull, and Wakefield—18.

Bill ordered transmitted to the Senate.

BILLS REMOVED FROM CONSENT CALENDAR

On request of Mr Ray E Johnson, Assembly Bill No 2195 was removed from the Consent Calendar.

On request of Mr Fenton, Assembly Bill No 1277 was removed from the Consent Calendar.

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No 22 2

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6 50 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2060—An act to add Chapter 11 (commencing with Section 9960) to Division 9 of the Public Resources Code, relating to resource conservation

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2114—An act relating to senior citizens, and making an appropriation therefor

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2186—An act to amend Section 13832 of, and to add Section 13972 to, the Education Code, to amend Sections 16431, 20022, 20332, 20809, 31460, and 53609 of, and to add Sections 13927 and 31482 to, to add Chapter 8 (commencing with Section 18310) to Part 1 of Division 5 of Title 2 of, and to add Article 11 (commencing with Section 53212) to Chapter 2 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to deferred compensation.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moor-

head, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1979—An act to authorize participation by the Department of the Youth Authority and the Department of Corrections in a cooperative experimental correctional program.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1582—An act to add Chapter 8 (commencing with Section 39280) to Part 1 of Division 26 the Health and Safety Code, relating to air pollution, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1825—An act to add Sections 3212 8, 4816, 4816.1, 4816.2, 4816.3, and 4816.4 to the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2211—An act to add Section 1585 to, to amend Section 10664 of, and to repeal Section 10904 of, the Fish and Game Code, relating to Laguna Beach.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 100—Relative to the Department of Human Resources Development.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 101—Relative to the effect of highway surfaces on motorcycles.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 103—Relative to nursing

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 380

Mr Moretti was granted unanimous consent to take up Assembly Bill No. 380, temporarily passed on file, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 380

Assembly Bill No. 380—An act appropriating funds for increases in compensation for state officers and employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Moretti was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No. 380 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Moretti moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly June 19, 1972, strike out lines 3 and 4; and in line 5, strike out "($100,332,000)", and insert "twenty-two million six hundred thirty-seven thousand dollars ($22,637,000)".

Amendment No. 2

On page 2, line 23, strike out "For increase", and insert "In augmentation of Item 80 of the Budget Act of 1972, for increases".

Amendment No. 3

On page 2, line 29, strike out "$72,832,000", and insert "$15,563,000".

Amendment No. 4

On page 2, line 30, strike out "For", and insert "In augmentation of Item 81 of the Budget Act of 1972, for".

Amendment No. 5

On page 2, line 33, strike out "15,400,000", and insert "3,890,000".

Amendment No. 6

On page 2, line 34, strike out "For", and insert "In augmentation of Item 82 of the Budget Act of 1972, for".

Amendment No. 7

On page 2, line 37, strike out "12,100,000", and insert "3,184,000".

Amendment No. 8

On page 2, line 40, strike out "$100,332,000", and insert "$22,637,000".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1666 ON NEXT LEGISLATIVE DAY

Mr. Barnes moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1666 was this day refused passage.

Assembly Bill No. 1666 ordered to the unfinished business file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 831 ON NEXT LEGISLATIVE DAY

Mr Dunlap moved to reconsider on the next legislative day the vote whereby Assembly Bill No 831 was this day refused passage.

Assembly Bill No 831 ordered to the unfinished business file.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file·

Assembly Bills Nos. 2135 and **1098** and **Assembly Constitutional Amendment No. 54**, on request of Mr. Dunlap.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1717 ON NEXT LEGISLATIVE DAY

Mr. Wakefield moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1717 was this day refused passage.

Assembly Bill No 1717 ordered to the unfinished business file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP BILLS

Mr Campbell was granted unanimous consent to take up Assembly Bills Nos. 1127 and 1527, without reference to file, for the purpose of reading the bills a second time and adopting the committee amendments at this time, and that the bills be returned to the head of the third reading file for the next legislative day.

Second Reading of Bills by Unanimous Consent

Assembly Bill No. 1127—An act to amend Section 15 of Chapter 1451 of the Statutes of 1969, relating to health planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 28, 1972, line 15, after "and", insert "have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that substantial progress on the approved project was attained by January 1, 1973, and".

Amendment No. 2

On page 2, line 36, after "file", insert "with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that substantial progress on the approved project was attained by January 1, 1974, and have on file".

Amendment No. 3

On page 3, between lines 7 and 8, insert

"For the purposes of this section, "substantial progress" is defined and evidenced as follows:

(a) For structures of three or fewer stories, completion of the foundations and footings; the structural frame; the mechanical, electrical, and plumbing rough-in; the rough flooring; the exterior walls and windows; and the finished roof

(b) For structures of more than three stories, a contractor's schedule of work shall be filed with the State Department of Public Health by January 1, 1973 Every three months thereafter, until completion, evidence shall be submitted to the department that construction is progressing on that schedule "

Bill ordered reprinted, and returned to the third reading file

Assembly Bill No. 1527—An act to amend Section 2117 of the Business and Professions Code, relating to the Board of Medical Examiners of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 1, 1972, strike out "Stacey", and insert "Campbell".

Amendment No. 2

In line 1 of the title, strike out "amend Section 2117", and insert "add and repeal Section 2310 5"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 2310.5 is added to the Business and Professions Code, to read:

2310 5 Notwithstanding any other provision of this chapter, a graduate of a foreign medical school, upon successful completion of a physician's and surgeon's oral examination, shall be granted a reciprocity certificate to practice medicine in this state if he meets all of the following requirements:

(a) Is a citizen of the United States

(b) Holds a valid physician's and surgeon's license issued in the United States

(c) Has served internship and residency in the United States

(d) Has more than 10 years' experience as a physician and surgeon in the United States, and is in practice on the effective date of this section

(e) Is on the faculty of a medical school located in the United States

(f) Has been declared a diplomate of the American Board of Anesthesiology or Ophthalmology

This section shall remain operative only until the 61st day after final adjournment of the 1974 Regular Session of the Legislature and, as of such date, is repealed."

Amendment No. 4

On page 1, strike out lines 2 to 7, inclusive; and strike out page 2.

Bill ordered reprinted, and to be returned to the third reading file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 285 ON NEXT LEGISLATIVE DAY

Mr Sieroty moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 285 was this day refused passage.

Assembly Bill No. 285 ordered to the unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, July 6, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 68

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 68—Approving amendments to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the 6th day of June 1972

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 68

Mr Warren was granted unanimous consent to take up Senate Concurrent Resolution No 68 without reference to committee, or file.

Consideration of Senate Concurrent Resolution No. 68

Senate Concurrent Resolution No. 68—Approving amendments to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the 6th day of June 1972

Resolution read, presented by Mr. Warren, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan,

Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No 507

With amendments with the recommendation: Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Local Government

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No 1051

SB No 1175

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No. 1085

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Health reports:

SB No 1130

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with recommendation to Consent.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

SB No 901

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent Calendar.

POWERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 6, 1972

Mr. Speaker· Your Committee on Commerce and Public Utilities reports:

SB No 696
SB No 1127
SB No. 1349

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Criminal Justice

Assembly Chamber, July 6, 1972

Mr Speaker· Your Committee on Criminal Justice reports:

SB No 55

With amendments with the recommendation Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Urban Development and Housing

Assembly Chamber, July 5, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

ACR No 55

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means

BRATHWAITE, Chairman

Above resolution ordered on file

Committee on Criminal Justice

Assembly Chamber, July 6, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

SB No 732

With amendments with the recommendation Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 6, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 1353

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 6, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No. 649

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 649—An act to amend Sections 1238, 1538.5, and 1539 of, to add Section 1028 to, and repeal Section 999a and Chapter 2 (commencing with Section 1510) of Title 2 of Part 2 of, the Penal Code, relating to criminal hearings.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate April 13, 1972, strike out lines 3 to 7, inclusive; strike out pages 2 to 5, inclusive, and on page 6, strike out lines 1 to 33, inclusive, and insert

"SEC. 2 Section 1028 is added to the Penal Code, to read.

1028. (a) (1) Prior to the trial of any action in the municipal or superior court, the court shall conduct a pretrial hearing to consider and determine all motions, issues and other matters which may be disposed of prior to the trial of the case, including, but not limited to, those matters set forth in Section 1028. This hearing shall be known as an "omnibus pretrial hearing"

(2) In addition to the remedies available at a preliminary hearing, the provisions of this section, and Sections 1238 and 1466 shall constitute the sole and exclusive remedies prior to conviction for litigating any issues which were or could have been litigated at the omnibus pretrial hearing Such issues may not be raised during the trial of the case or at any other time in the trial court unless the court finds that the moving party has made a showing by clear and convincing evidence that the issues were not, and in the exercise of due diligence, could not have been known to him at the time of the omnibus pretrial hearing

or unless the court finds by clear and convincing evidence that the evidence in support of the motion was not known and, in the exercise of due diligence, could not have been known to the moving party at the time of the omnibus pretrial hearing.

(3) A defendant shall not have the right of appellate review from the findings and orders of the omnibus pretrial hearing court except by means of an appeal from a conviction or by the means set forth in this section The term conviction shall include a plea of guilty or nolo contendere The defendant, however, shall have no right to appeal a conviction if the grounds stated were not originally raised at an omnibus pretrial hearing or permitted to be litigated during the trial of the case or at any other time in the trial court

(b) Not less than five days prior to the omnibus pretrial hearing the people and each defendant shall by written notice, on a form prescribed by the Judicial Council, which shall include a requirement that it be accompanied by statements of the points relied upon and citations of authorities, advise the court and all other parties of the motions, issues and other matters to be considered and determined at the omnibus pretrial hearing, including, but not limited to, the following:

(1) Motions for the return of property or the suppression of evidence, pursuant to Section 1538 5;

(2) Motions to set aside the indictment or information, pursuant to Section 995;

(3) Motions to determine the admissibility of admissions or confessions, pursuant to Section 402 of the Evidence Code,

(4) Motions to determine the admissibility of evidence of a pretrial identification of the defendant,

(5) Motions for discovery by the defendant of matters in the possession of the people;

(6) Motions for discovery by the people of matters in the possession of the defendant;

(7) Motions for separate trials of the defendants if there be more than one;

(8) Motions for separate trials of the charges set forth in the accusatory pleading;

(9) Motions to remove the action from the court in which it is pending, pursuant to Sections 1033 and 1034;

(10) Motions to consolidate;

(11) All issues relating to preliminary facts, as defined in Section 400 of the Evidence Code;

(12) Such other motions as the court by rule may require to be made and determined at the pretrial hearing

(c) Only one omnibus pretrial hearing shall be had in any action, and all motions, issues and other matters which may properly be determined prior to trial shall be heard and determined at the hearing If during the course of the pretrial hearing additional investigation, discovery, preparation or presentation of evidence appears necessary to the proper determination of any issue, the hearing may be continued from time to time as the interest of justice may require.

(d) If there is more than one defendant in the criminal case, one hearing shall be held as to all defendants and, if 10 days notice of an omnibus pretrial hearing, pursuant to paragraph (1) of subdivision (f), or five days notice of a hearing, pursuant to paragraph (2) of subdivision (f), is given to a defendant, his failure to participate therein shall be deemed a waiver of a right to have an omnibus pretrial hearing, unless for good cause shown the court grants an extension of time.

(e) By stipulation of all the parties and with the consent of the court, any issue which could be raised at the omnibus pretrial hearing may be reserved and litigated during trial

(f) (1) If the information or indictment alleges a felony or a felony and misdemeanor, the omnibus pretrial hearing shall be held within 10 to 20 days after the arraignment of the defendant on the indictment or information, unless the court determines that the motions, issues and other matters cannot be resolved at that time, in which case the court may set the hearing for a later date, not more than 30 days from the time of the arraignment, except that, upon stipulation of the parties and with the consent of the court, a later date may be set For the purpose of the omnibus pretrial hearing, a misdemeanor count joined with a felony count shall be treated procedurally as a felony. However, no motion to sever the misdemeanor count from the felony count shall be granted until all other pretrial issues have been resolved

If a motion to remove the action from the court in which it is pending is made pursuant to Sections 1033 or 1034, the omnibus pretrial hearing shall not be held until after such motion has been determined

(2) If the complaint alleges a misdemeanor only, including those considered misdemeanors pursuant to paragraphs (4) and (5) of subdivision (6) of Section 17, then the omnibus pretrial hearing shall be held within five to 10 days after the arraignment of the defendant on the complaint, except that upon stipulation of the parties and with the consent of the court a later date may be set

(g) (1) Within 10 days after notice of the determination of the motions and issues at the pretrial hearing, the people, if the case is not dismissed pursuant to subdivision (g)(5) of this section, or any defendant may file with the clerk of the court in which the hearing was held a notice of intention to petition for a writ of prohibition or a writ of mandate to review any one or more of the orders, rulings and determinations made at the pretrial hearing, together with a request for preparation of the transcript of the proceedings at the pretrial hearing The reporter shall within 15 days thereof prepare and deliver the transcript to the clerk, and the clerk shall file and distribute the transcript, in the manner provided by Section 869

Within 30 days of receipt of the transcript of the pretrial hearing the people or any defendant may petition for a writ of prohibition or or a writ of mandate to review any one or more of the orders, rulings and determinations made at the pretrial hearing

In a case in which the complaint charges only misdemeanor offenses, the people or any defendant shall have the right to appeal a decision of that court relating to the omnibus pretrial motion to the superior

court of the county in which such inferior court is located, in accordance with the California Rules of Court provisions governing appeals from municipal and justice courts in criminal cases

(2) In a misdemeanor case, if a determination is made at the omnibus pretrial hearing which is adverse to the people, and the people seek review pursuant to paragraph (1) of subdivision (g), the defendant shall be released pursuant to Section 1318 if he is in custody and not returned to custody unless the proceedings are resumed in the trial court and he is lawfully ordered by the court to be returned to custody.

(3) In a felony case, if a determination is made at the omnibus pretrial hearing which is adverse to the people and the case is not dismissed, and the people seek review pursuant to paragraph (1) of subdivision (g), the defendant shall be released pursuant to Section 1318 unless (i) he is charged with a capital offense in a case where the proof is evident and the presumption great, or (ii) he is charged with a noncapital offense defined in Chapter 1 (commencing with Section 187) of Title 8 of Part 1, and the court orders that the defendant be discharged from actual custody upon bail

(4) If an order, ruling or determination is made at the pretrial hearing which is adverse to the people and the case is not dismissed, the trial of a criminal case shall be stayed to a specified date pending the termination in the appellate courts of this state of the proceedings provided for in this section, Section 1238, or Section 1466, and, except upon stipulation of the parties, pending the time for the initiation of such proceedings Upon the termination of such proceedings, the defendant shall be brought to trial as provided by Section 1382, and, subject to the provisions of Section 1382, whenever the people have sought and have been denied appellate review pursuant to paragraph (1) of subdivision (g), the defendant shall be entitled to have the action dismissed if he is not brought to trial within 30 days of the date of the order which is the last denial of the petition.

(5) Nothing contained in this section shall prohibit a court, at the same time as it rules upon any motion or issue litigated at the omnibus pretrial hearing, from dismissing a case pursuant to Section 1385 when such dismissal is upon the court's own motion and is based upon a ruling or order made at the omnibus pretrial hearing, or from dismissing a case pursuant to Section 1382 when such dismissal is based upon a ruling or order made at the omnibus pretrial hearing, or from setting aside an indictment or information when such setting aside is based upon a ruling or order made at the omnibus pretrial hearing.

(6) In addition to the right to appeal pursuant to Section 1238 from the dismissal of a case or the setting aside of an indictment, information, or complaint, the people, if they have not prosecuted an appeal to decision, shall have the right to refile a case in which a felony was charged and which was dismissed if it was dismissed, pursuant to Section 1382, or if it was dismissed for failure to disclose the identity of an informant, or to refile when the indictment or information was

set aside. If the people prosecute review by appeal or writ to decision, or any review thereof, in a felony or misdemeanor case, it shall be binding upon them.

(h) If a motion by a defendant to return property or suppress evidence on the basis that such property or evidence was obtained in violation of federal or state constitutional standards is granted at the omnibus pretrial hearing, the property or evidence shall be returned upon the order of the court only if, after the conclusion of any proceeding authorized by this section or Sections 1466 and 1238, the property is not subject to lawful detention or if the time for initiating such proceedings has expired, whichever occurs last If the people petition for a writ of mandate or prohibition, or file notice of intention to file a petition, the court upon receipt of such notice shall keep all such property or evidence within its custody and control until final determination is made by the appellate court whether to grant or deny relief

(i) The Judicial Council may adopt rules of practice and procedure for the pretrial hearings described in this chapter."

Amendment No. 2

On page 9, line 10, after "1028", insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
174	Education
226	Education
379	Judiciary
432	Commerce and Public Utilities
460	Education
687	Criminal Justice
830	Criminal Justice
1018	Health
1027	Criminal Justice
1047	Judiciary
1049	Commerce and Public Utilities
1069	Finance and Insurance
1159	Education
1224	Education
1244	Commerce and Public Utilities
1336	Governmental Organization
1347	Governmental Organization
1350	Ways and Means

RESOLUTIONS

The following resolution was offered:

By Assemblyman Chappie:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2377 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Chappie was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2377 for hearing in the Committee on Commerce and Public Utilities.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Karabian was granted unanimous consent that the following communications be printed in the Journal:

Explanation of Vote—Assembly Bill No. 1724

July 6, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol

Dear Jim: I respectfully request a letter printed in the Assembly Journal stating that I would have voted "aye" on AB 1724 when it passed the Assembly on June 30, 1972, if I had been present I have always supported the position of non-public schools in our State To provide tax credits for parents of non-public school children is long overdue.

Sincerely,

WALTER KARABIAN
Assemblyman

Explanation of Vote—Assembly Bill No. 206

July 6, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol, Sacramento, California

Dear Jim: I respectfully request a letter printed in the Assembly Journal stating that I would have voted "aye" on AB 206, when it was voted on by the Assembly on June 26, 1972, if I had been present. It is my belief that policemen and firemen ought to have the opportunity to be represented in equitable labor and management negotiations to achieve greater benefits in their employment.

Sincerely,

WALTER KARABIAN
Assemblyman

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1682 was continued until the next legislative day.

VOTE CHANGES

Messrs. Maddy and Stacey were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 690 and 1802.

Mr. Briggs was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1687.

Messrs Lancaster and Conrad were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1687.

Messrs. Lanterman and Russell were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 1687.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2140.

Mr. Moorhead was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 2140.

Mr Hayden was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 2140.

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2140.

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on the Conference Report on Senate Bill No. 5; on Assembly Bills Nos 1973, 2371, 1360, 1998, and 1276; and on the urgency clause to Assembly Bill No. 2345, and on the passage of the bill.

Mr Russell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 2091.

Mr. Gonsalves was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 555.

Messrs Russell and Maddy were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No 555.

Mr Crown was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 555.

Mr Lanterman was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 555.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1741.

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 414.

Messrs. Collier and Keysor were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No. 1864

Mr. Hayden was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1885.

Messrs Vasconcellos and Ray E. Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1908.

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 653.

Mr. Powers was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the urgency clause to Assembly Bill No 2375, and on the passage of the bill.

Mr MacDonald and Mrs Fong were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1157.

Messrs Chappie and Cline were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 200.

Messrs Wakefield and Lanterman were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Assembly Bill No 200

Mr. Russell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1170

Mrs Brathwaite and Mr Brown were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 562.

Mr Stull was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 406

Mr. Cline was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 98

Mr Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1566

Mr Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1864

Mr Dunlap was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1717.

Mr. Hayden was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 2372.

Messrs Wood, Russell, and McAlister were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No 2372.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 2372.

Mr Ray E. Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 452.

Mr. Beverly was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No 452.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 452

Mr. Briggs was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1848.

Mr. Burke was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1848

Messrs. Wood, Moorhead, Beverly, Deddeh, Stull, and MacDonald were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1848.

Mr. Lewis was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1848.

Mr. Maddy was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the motion to re-refer Assembly Bill No. 673 to the Committee on Education.

Mr McCarthy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 673

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1871.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1412.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 406

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2126

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 885.

Messrs Stacey and Vasconcellos were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1274

Mr. Russell was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 1274.

Mr Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1490

Messrs MacDonald, Harvey Johnson, and Vasconcellos were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2029.

Mr. Badham was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 831.

Mr Wood was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No 1707.

Mr Powers was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 285.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 285.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "Aye" on the Conference Report on Senate Bill No 5.

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bill No. 2265.

Messrs. MacDonald, Powers, Thomas, and Fenton were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 831.

Mr Ketchum was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1013.

Mr. Burke was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Bill No. 1011.

Mr Arnett was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1011.

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1011.

Messrs. Briggs and McAlister were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1227.

ADJOURNMENT

At 7:02 p.m., Acting Speaker Fenton declared the Assembly adjourned until 9:30 a.m., Friday, July 7, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Fifth Legislative Day

One Hundred Eighty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, July 7, 1972

The Assembly met at 9·30 a m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Fenton moved a quorum call of the Assembly.
Mr. Dent seconded the motion.
Motion carried. Time, 9·31 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9:55 a m, Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, You speak to men in human words and human deeds. You have given us the power to show each other what You are really like.

We must take the time and the chance to be ourselves, not making false excuses for what we are, nor hiding behind a veil of what we are not. You have not been afraid to show us what You are, or what You would have us become.

We give You thanks for all that You have made us and all that You have called us to be.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Conrad then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. McAlister, seconded by Mr. Ray E. Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Porter, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, because of legislative business elsewhere.

Mr. Barnes, on request of Acting Speaker Fenton
Mr. Chacon, on request of Acting Speaker Fenton.
Mr Deddeh, on request of Acting Speaker Fenton.
Mr Stull, on request of Acting Speaker Fenton
Mr Wilson, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Badham, on request of Acting Speaker Fenton
Mrs Brathwaite, on request of Acting Speaker Fenton.
Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Brown, on request of Acting Speaker Fenton
Mr. Burton, on request of Acting Speaker Fenton.
Mr Cory, on request of Acting Speaker Fenton.
Mr. Karabian, on request of Acting Speaker Fenton.
Mr. Ralph, on request of Acting Speaker Fenton

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal·

July 5, 1972

The Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: I respectfully request to be excused from the Session of the Assembly on July 7, 1972.

I will be attending a very important meeting of the San Diego Delegation in my District, regarding regional planning and decision making.

Sincerely,

E. RICHARD BARNES, Assemblyman
Seventy-eighth District

July 3, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Speaker Moretti: I respectfully request to be excused from session on Friday, July 7, 1972, on legislative business.

The San Diego County Delegation is holding an important public hearing in San Diego on that date, relative to county-wide governmental cooperation.

Sincerely,

PETER R. CHACON, Assemblyman
Seventy-ninth District

July 4, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker: I respectfully request to be excused for legislative business on Friday, July 7, 1972.

The San Diego legislative delegation, both in the Senate and the Assembly, are holding a public hearing in San Diego relative to the establishment of a council of government for our region This is of great importance to the San Diego delegation both in the district and in the Legislature.

Sincerely,

WADIE P. DEDDEH, Assemblyman
Seventy-seventh District

July 3, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr Speaker: On July 7, the San Diego delegation will attend a public hearing in San Diego to discuss Assemblyman Deddeh's bill, AB 113. Because this bill is of great importance to San Diego County, I respectfully request to be excused on legislative business.

Sincerely,

JOHN STULL, Assemblyman
Eightieth District

July 5, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. I respectfully request to be excused from session on Friday, July 7, 1972.

I have been requested by Senator Clair Burgener, Chairman of the San Diego County Delegation, to participate in a public hearing in San Diego on the subject of county-wide governmental cooperation.

Sincerely,

BOB WILSON, Assemblyman
Seventy-sixth District

COMMUNICATIONS

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 191—An act to add Sections 31621 2, 31671 02, 31676.12, 31727.1, 31808.7, and 31812 1 to, the Government Code, relating to the County Employees Retirement Law of 1937;

Assembly Bill No. 199—An act to amend Section 16554 of the Education Code, relating to school property;

Assembly Bill No. 605—An act to amend Section 2845 of the Civil Code and to add Section 1058a to the Code of Civil Procedure, relating to undertakings and bonds;

Assembly Bill No. 670—An act to amend Sections 6738 and 6738 1 of the Business and Professions Code, relating to professional engineering;

Assembly Bill No. 677—An act to amend Section 21671.5 of the Public Utilities Code, relating to airports;

Assembly Bill No. 693—An act to amend Section 10270 55 of the Insurance Code, relating to insurance;

Assembly Bill No. 921—An act to amend Section 19330 5 of the Government Code, relating to the state civil service;

Assembly Bill No. 925—An act to amend Section 1330 of, and to add Section 1331 5 to, the Penal Code, relating to criminal procedure;

Assembly Bill No. 942—An act to amend Section 6107 of the Commercial Code, relating to bulk transfers;

Assembly Bill No. 957—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation;

Assembly Bill No. 973—An act to add Section 17410 to the Welfare and Institutions Code, relating to county general assistance;

Assembly Bill No. 982—An act to amend Sections 7150, 7153, 7153 2, 7153 3, 7171, and 7187 of, to add Sections 7153 7 and 7153 8 to, and to repeal Section 7153 4 of, the Financial Code, relating to savings and loan associations;

Assembly Bill No. 1133—An act to add Section 202 7 to the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 1208—An act to amend Section 10110 of, and to add Section 10110.1 to, the Streets and Highways Code, relating to the Municipal Improvement Act of 1913;

And reports the same correctly enrolled, and presented to the Governor at 9 a.m., July 7, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1701

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, July 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No 889
AB No 2292

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACA No. 27

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, July 7, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No 380 AB No 1527
AB No. 1127 AB No. 1707

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 5, 1972

Mr. Speaker· The Chairman of your Committee on Judiciary reports:

AB No. 1251

With author's amendments with the recommendation Amend, and refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1251—An act to add Chapter 8 (commencing with Section 11775) to Part 1 of Division 3 of Title 2 of the Government Code, relating to data processing, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 18, 1972, in line 9, after "Justice", insert a comma.

Amendment No. 2

On page 2, line 10, strike out "The center shall"; and strike out lines 11 to 18, inclusive.

Amendment No. 3

On page 2, line 21, strike out "The center shall be in charge"; and strike out lines 22 to 29, inclusive.

Amendment No. 4

On page 2, strike out lines 32 to 35; and on page 3, strike out lines 1 to 4, inclusive, and insert "Data Center."

Amendment No. 5

On page 3, strike out line 7, and insert "Data Center."

Amendment No. 6

On page 3, strike out lines 8 to 40, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, July 7, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

SB No 784

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 784—An act to amend Section 31649.5 of the Government Code, relating to County Employees Retirement Law of 1937.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Senate June 23, 1972, after "to", insert "twice".

Amendment No. 2

On page 2, line 22, strike out "and his employer".

Amendment No. 3

On page 2, lines 24 and 25, strike out "of the election to receive such credit together with the regular interest thereon", and insert "he commenced employment in the county service"

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

MESSAGES FROM THE SENATE

July 6, 1972

Hon James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Sir· The Governor today returned Senate Bill 256 to the Senate The Senate then rescinded the action whereby Assembly amendments were concurred in on June 20th and refused to concur in Assembly amendments, and appointed Senators Petris, Behr and Gregorio as a Committee on Conference concerning said bill

Very truly yours,

DARRYL R. WHITE
Secretary of the Senate

Senate Chamber, July 6, 1972

Mr Speaker I am directed to inform your honorable body that the Senate appointed Senators Moscone, Behr and Collier as a second Committee on Conference concerning.

Senate Bill No. 9.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 6, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted as amended

ACA No 95

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file

Senate Chamber, July 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SB No. 599	SB No 927	SB No. 1046
SB No. 911	SB No. 955	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed·

SB No. 212	SB No. 1249	SB No. 1466
SB No. 887	SB No 1440	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 212—An act to add Section 17462 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 887—An act to amend Sections 23802 and 23805 of the Education Code, relating to state universities and colleges

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1249—An act to amend Section 17920 of, and to add Sections 17922.6, 17922 7, and 17926 to, the Health and Safety Code, relating to noise insulation, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employer-employee relations.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1466—An act to amend Sections 5070 5 and 5070 6 of, and to add Article 1 5 (commencing with Section 5026) to Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Held at Desk by order of the Speaker pro Tempore.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly Bills were this day on the second reading file:

Assembly Bills Nos. 1701, 2292, and **889,** ordered to third reading

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1599—An act to add Chapter 11 (commencing with Section 33800) to Division 22 of the Education Code, relating to universities and colleges, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly June 20, 1972, after "California", insert "public".

Amendment No. 2

On page 2, line 23, strike out "____ of this chapter", and insert "33804".

Amendment No. 3

On page 3, strike out lines 39 and 40; and on page 4, strike out line 1.

Amendment No. 4

On page 4, lines 21 and 22, strike out "for the purposes of this act".

Amendment No. 5

On page 4, line 23, strike out "five million dollars ($5,000,000)", and insert "one million two hundred thousand dollars ($1,200,000)".

Amendment No. 6

On page 4, line 24, after "year", insert "for programs pursuant to Chapter 11 (commencing with Section 33800) of Division 22 of the Education Code".

Amendment No. 7

On page 4, strike out lines 25 to 32, inclusive.

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 1846—An act to add Article 2.5 (commencing with Section 15371) to Chapter 2 of Division 11 of the Education Code, relating to factory-built schools

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

On page 3, line 10, of the printed bill, as amended in Assembly June 20, 1972, after "Services", insert "and the Department of Education".

Amendment No. 2

On page 3, line 25, after "Services", insert "and the Department of Education".

Amendment No. 3

On page 3, line 26, strike out "the department", and insert "those departments".

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 20, 1972, after the second "of", insert ", and to amend Section 15458 of,".

Amendment No. 2

On page 2, lines 33 and 34, strike out "the submission of".

Amendment No. 3

On page 3, line 19, strike out "appllied towards", and insert "applied toward".

Amendment No. 4

On page 3, between lines 27 and 28, insert

"All fees received by the Department of General Services pursuant to this article are subject to the provisions of Section 15458 "

Amendment No. 5

On page 4, line 6, strike out "procedure for", and insert "procedures for the".

Amendment No. 6

On page 5, line 15, strike out "ensure", and insert "insure".

Amendment No. 7

On page 6, line 19, strike out "15458,".

Amendment No. 8

On page 6, after line 26, insert

"SEC 2. Section 15458 of the Education Code is amended to read:

15458. All fees shall be paid into the State Treasury and credited to the Division of Architecture Public Building Fund, which fund is continued in existence and is retitled the Architecture Public Building Fund, and are available without regard to fiscal years for the use of the Department of General Services, subject to approval of the Department of Finance, in carrying out the provisions of this article (commencing at Section 15451) *and Article 2.5 (commencing with Section 15371)*.

Adjustments in the amounts of the fees, as determined by the Department of General Services and approved by the Department of Finance, will be made within the limits set in ~~Section 15457 of this article~~ *Sections 15373 and 15457* in order to maintain a reasonable working balance in the fund."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2378—An act to add Section 25431.6 to the Education Code, relating to community college districts.

Bill read second time, and ordered to third reading.

Assembly Concurrent Resolution No. 55—Relative to state agency manpower education and training programs.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Urban Development and Housing, was read, and adopted:

Amendment No. 1

On page 1 of the printed measure, strike out lines 4 to 12, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert "fifth calendar day of each January on the current and proposed efforts of state manpower agencies and federal programs in California to develop and maintain occupational preparation programs that consist of occupational analyses, work station experiences, and testable occupational competencies, both written and nonwritten; and be it further

Resolved, That the report of the Legislative Analyst shall include current and proposed federal programs in California and state and state-controlled expenditures, by vocational planning area, on the portion of local occupationally related education and training programs, based upon the following classifications:

(a) Occupational and job analysis;

(b) Work station experience, including internships and apprenticeships;

(c) Occupational training and occupational advisory committees, which form the mechanisms and linkages for relating educational and training programs to occupational competencies;

(d) Occupational guidance and evaluation services, including but not limited to aptitude, literary and proficiency testing for occupational experiences and competencies; and

(e) Job and training placement services for students and trainees; and be it further".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2195—An act to amend Sections 450 5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 5514, 5515. 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1277—An act to amend Section 20017.77 of the Government Code, relating to correctional counselors

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file·

Senate Bills Nos. 1246, 603, 941, and **349,** ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 1173—An act to amend Sections 33324, 33330, 33363, 33385, and 33411 of, and to add Sections 33333.5 and 33347.5 to, the Health and Safety Code, relating to redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted.

Amendment No. 1

On page 3, line 1, of the printed bill, as amended in Assembly June 27, 1972, after the third comma, insert "availability of community facilities and services, effect on school population and quality of education, property assessments and taxes,".

Amendment No. 2

On page 4, line 5, after "which", insert "a substantial number of".

Amendment No. 3

On page 4, between lines 20 and 21, insert

"For project areas selected prior to the effective date of the amendments to this section enacted at the 1972 Regular Session of the Legislature, the legislative body may, but shall not be required to, call upon the residents and existing community organizations to form a project area committee.

If the project will not displace a substantial number of low- and moderate-income families the agency shall either call upon the residents and existing community organizations to form a project area committee or the agency shall consult with, and obtain the advice of, residents and community organizations as provided for project area committees in Section 33386 and provide such persons and organizations with the redevelopment plan prior to submitting it to the legislative body."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 487—An act to amend Section 5901 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Senate June 21, 1972, strike out "mailing", and insert "sale".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 329—An act to amend Section 26708 of, and to add Section 26708.5 to, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 832—An act to amend Section 21960 of the Vehicle Code, relating to highways.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1192—An act to amend Sections 21207, 22358 3, and 22503 5 of, and to add Section 32 to, the Vehicle Code, relating to local authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, after "Vehicle", insert "Code".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 567—An act to repeal Sections 4306 and 4323 of, and to add Section 4323 to, the Business and Professions Code, relating to prophylactics.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 8, 1972, strike out "repeal Sections 4306 and 4323 of, and", and insert "amend Section 4305 of,".

Amendment No. 2

In line 2 of the title, after the first comma, insert "and to repeal Sections 4306 and 4323 of,".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 Section 4305 of the Business and Professions Code is amended to read:

4305. The board shall issue wholesale and retail licenses to persons qualifying under this article. The fee for a wholesale license shall be fifty dollars ($50) and the fee for a retail license shall be ~~two dollars ($2)~~ *five dollars ($5)*. Licenses issued under this article may be transferred with the written consent of the board A separate license shall be obtained by the licensee for each separate location where prophylactics are sold by him

SEC. 2. Section 4306 of the Business and".

Amendment No. 4

On page 2, line 3, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 2, line 5, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 232—An act to amend Sections 1113, 1129, and 1344 of the Education Code, relating to school district elections.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1196—An act to amend Section 40501 of the Elections Code, relating to elections.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 109—An act to amend Section 1773 of the Government Code, relating to vacancies in the Legislature.

Bill read second time, and ordered to third reading.

Senate Bill No. 162—An act to amend Sections 1162, 1163, 1164, and 1165 of, and to add Section 1162 5 to, the Education Code, to amend Sections 10202 5, 10210, and 10219 2 of, and to add Section 10202.4 to, the Elections Code, and to amend Sections 36512 5 and 36512 6 of, and to add Section 36512.5 to, the Government Code, relating to special elections.

Bill read second time, and ordered to third reading.

Senate Bill No. 201—An act to amend Section 23512 of the Elections Code, relating to nomination petitions

Bill read second time, and ordered to third reading.

Senate Bill No. 1395—An act to add Section 4 to Chapter 562 of the Statutes of 1971, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 755—An act to repeal Section 4156 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 964—An act to add Section 4453.5 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1034—An act to amend Section 16056 of the Vehicle Code, relating to financial responsibility.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "up to the same amounts as", and insert "in amounts at least equal to the amounts".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 507—An act to repeal Sections 171, 171a, and 171b of the Penal Code, and to add Sections 1001.5, 1001 6 and 1001.7 to the Welfare and Institutions Code, relating to institutions for delinquents.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 30, 1972, strike out "171,".

Amendment No. 2

In line 3 of the title, strike out ", 1001 6".

Amendment No. 3

On page 1, strike out line 1.

Amendment No. 4

On page 2, line 6, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 5

On page 2, line 13, strike out "3", and insert "2".

Amendment No. 6

On page 2, line 20, strike out "4", and insert "3".

Amendment No. 7

On page 3, strike out lines 3 to 11, inclusive

Amendment No. 8

On page 3, line 12, strike out "6", and insert "4".

Amendment No. 9

On page 3, line 19, after the second comma, insert "and who refuses or fails to leave upon being requested to do so by an employee of the institution,".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1051—An act to amend Section 76009 of the Government Code, relating to compensation of jurors.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1175—An act to amend Sections 5361 and 5364 of, and to add Sections 5359.1, 5363.1, and 5368.5 to, the Public Resources Code, relating to municipal park improvement districts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1085—An act to amend Sections 53854, 53856, and 53858 of, and to add Article 7.7 (commencing with Section 53859) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to borrowing and indebtedness.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate June 6, 1972, strike out "Senator Carpenter", and insert "Senators Carpenter and Collier

(Coauthor: Assemblyman Ray E Johnson)".

Amendment No. 2

In line 1 of the title, strike out "53854,".

Amendment No. 3

In line 4 of the title, after "indebtedness", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out lines 1 to 10, inclusive; and in line 11, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 5

On page 2, line 13, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 6

On page 2, line 27, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 7

On page 3, line 34, strike out "Such", and insert "Except as limited by the Constitution of the State of California, such".

Amendment No. 8

On page 3, line 35, strike out "15", and insert "36".

Amendment No. 9

On page 3, line 37, strike out "53859 08", and insert "53859 07".

Amendment No. 10

On page 3, line 40, strike out "15-month", and insert "36-month".

Amendment No. 11

On page 4, between lines 4 and 5, insert

"In those instances where the Constitution of the State of California limits a local agency from incurring an indebtedness or liability in any year which is in excess of income and revenue for that year, a note or notes issued pursuant to this article may be made payable during the fiscal year next succeeding the fiscal year in which they have been issued, but in no event later than 15 months after the date of issue; provided that such note or notes shall be payable only from income and revenue received or accrued during the fiscal year in which the note or notes were issued."

Amendment No. 12

On page 5, line 1, strike out "15-month", and insert "36-month".

Amendment No. 13

On page 5, after line 2, insert

"SEC 4 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

In order for local agencies to proceed with much needed projects affecting the environment and to provide a means of funding the federal or state portions of the costs pending the payment or repayment thereof, it is essential that this act take effect immediately "

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1130—An act to amend, repeal, and add Section 2701, and to amend Sections 2702 and 2703 of, the Business and Professions Code, relating to nurses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 39, of the printed bill, strike out "The terms of the"; and strike out line 40.

Amendment No. 2

On page 3, strike out lines 1 and 2; and in line 3, strike out "15, 1944 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 55—An act to amend Section 537e of the Penal Code, relating to unmarked property.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 537e", and insert "Sections 537e and 1411".

Amendment No. 2

On page 2, line 5, after "chapter", insert ", and prior to being disposed of, shall have an identification mark imbedded or engraved in, or permanently affixed to it".

Amendment No. 3

On page 2, after line 13, insert

"SEC. 2. Section 1411 of the Penal Code is amended to read:

1411. Except as provided in Section 516 of the Welfare and Institutions Code, if the property stolen or embezzled is not claimed by the owner before the expiration of six months, *or in the case of a bicycle before the expiration of three months,* from the conviction of a person for ~~stealing or embezzling it, or in the case of a bicycle before the expiration of three months from such conviction,~~ *an offense involving the theft, embezzlement or possession of such property, or if a conviction was not obtained, then from the time the property came into the possession of the peace officer or the case involving the person from whom it was obtained is disposed of, whichever is later,* the magistrate or other officer having it in custody must, on the payment of the necessary expenses incurred in its preservation, deliver it to the county treasurer or other proper county officer, by whom it must be sold and the proceeds paid into the county treasury If such property is transferred to the county purchasing agent it may be sold in the manner provided by Article 7 (commencing with Section 25500) of Chapter 5 of Part 2 of Division 2 of Title 3 of the Government Code for the sale of surplus personal property. If the county officer determines that any such property transferred to him for sale is needed for a public use, such property may be retained by the county and need not be sold "

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 732—An act to amend Section 1203 9 of the Penal Code, relating to probation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate June 15, 1972, strike out line 4, and insert

"1203.9. (a) Whenever any person is released upon probation, the case may be transferred to any court of the same rank in any other county in which the person resides or to which the person moves, provided that the court of the receiving county shall first be given an opportunity to investigate and determine whether the person does reside

in or has moved to that county If the court finds that the person does not reside in or has not moved to that county it may refuse to accept the transfer. The court of the receiving county shall give the matter of investigating such transfers precedence over all actions or proceedings therein, except actions or proceedings to which special precedence is given by law, to the end that all such transfers shall be quickly completed.

(b) The order of transfer shall contain an order committing the probationer to the care and custody of the probation officer of the receiving county. A copy of the order shall be transmitted to the probation officer of that county, and thereafter the receiving court shall have entire jurisdiction over the case, with like power to again request transfer of the case whenever it seems proper."

Amendment No. 2

On page 1, strike out lines 5 to 8, inclusive; and strike out page 2

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1353—An act to amend Section 5177 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 31, 1972, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, line 2, strike out "amended to read.", and insert "repealed."

Amendment No. 3

On page 1, strike out lines 3 to 11, inclusive.

Amendment No. 4

On page 2, line 11, strike out "makes"; strike out line 12, and insert "repeals the reporting requirement, take".

Bill ordered reprinted, and returned to the second reading file

COMMUNICATIONS

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2378

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 915—An act to add Article 1 5 (commencing with Section 14411) to Chapter 3 of Division 6 of the Business and Professions Code, relating to trade names.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 915?

Amendment No. 1

On page 2, line 8, of the printed bill, after "county", insert ", and is actually engaged in a trade or business utilizing such fictitious business name or a confusingly similar name in that county".

Amendment No. 2

On page 2, line 32, after "require", insert "or prohibit".

Amendment No. 3

On page 2, line 33, after "required", insert "or prohibited"

Amendment No. 4

On page 3, line 5, after "name", insert ", and is actually engaged in a trade or business utilizing such corporate name or a confusingly similar name".

Amendment No. 5

On page 3, line 20, strike out "established the presumption first in time", and insert "filed the fictitious business name statement, filed the articles of incorporation, or obtained the certificate of qualification first in time, and is actually engaged in a trade or business utilizing such fictitious business name, such corporate name, or a confusingly similar name,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Burke, Campbell, Cline, Collier, Conrad, Davis, Dent, Duffy, Fenton, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Seeley, Stacey, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—43.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1049—An act to amend Section 1563 of the Evidence Code, relating to evidence.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1049?

Amendment No. 1

On page 2, line 3, of the printed bill, strike "the fee for" and insert "and the personal attendance of the custodian of such records or other qualified witness is not required, the sole fee for".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Bee, Belotti, Beverly, Burke, Campbell, Cline, Collier, Conrad, Davis, Dent, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Seeley, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—44

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 123—An act to amend Sections 13801, 13813, 14100, 14111 and 17668 5 of, and to add Article 13 5 (commencing with Section 14084) and Article 17 (commencing with Section 14130) to Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 123?

Amendment No. 1

On page 3, line 34, of the printed bill, as amended in Assembly June 1, 1972, after "transferred", insert "to the State Teachers' Retirement System to enable that system to discharge the obligations for member contribution reserves plus reserves for retirement annuities, death annuities and survivor benefits being assumed by that system for the Los Angeles Unified School District Retirement System in Section 14134 1".

Amendment No. 2

On page 3, line 37, after the period, insert "To ensure uniform calculation of the reserves for retirement annuities, death annuities and survivor benefits, the reserves for both systems shall be calculated by applying the appropriate State Teachers' Retirement System's 1943 and 1962 State Teachers' Mortality Tables, 4 percent interest attained age annuity factors to the benefits payable as of June 30, 1972."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dent moved a call of the Assembly.

Mr Burke seconded the motion

Motion carried Time, 10 02 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 242—An act to amend Section 3355 of the Business and Professions Code, relating to hearing aid dispensers, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 242?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 15, 1972, strike out "6751", and insert "3355".

Amendment No. 2

In line 2 of the title, strike out "professional engineering", and insert "hearing aid dispensers, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 1, strike out "6751", and insert "3355".

Amendment No. 4

On page 1, strike out lines 3 to 9, inclusive; and strike out page 2, and insert

"3355 An applicant who has fulfilled the requirements of Section 3352 and has made application therefor on or before July 15, 1972, and who proves to the satisfaction of the board that on *July 15, 1972,* ~~the effective date of this chapter~~ he was engaged in the fitting and selling of hearing aids at an established place of business in this state, or who was regularly serving residents of this state from a permanent place of business located within 100 miles of the borders of this state, either as a dispenser or as an employee of such dispenser, may have a temporary license issued to him which shall entitle him to continue to engage in the fitting and selling of hearing aids for a period ending 30 days after the conclusion of a qualifying examination given not earlier than 90 days after the date of issue of such temporary license However, a person who has engaged in the fitting and selling of hearing aids at an established place of business in this state for a period of 10 years on the effective date of this act or a person who has regularly served residents of this state from a permanent place of business located within 100 miles of the borders of this state, for the 10 years previous to the effective date of this act, shall be exempt from the provisions of paragraphs (1), (2), and (3) of subdivision (a) of Section 3353.

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

There has been an unavoidable delay in the establishment of qualifying examinations for the licensing of hearing aid dispensers, causing some hearing aid dispensers to be ineligible for even a temporary license In order to avoid hardship and inequitable treatment for such hearing aid dispensers, it is necessary that this act take effect immediately "

Urgency Clause

Urgency clause read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Powers moved a call of the Assembly.

Motion carried. Time, 10:05 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, July 4, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 530—as amended in Senate June 14, 1972—An act to amend Section 36516 of, and to add Section 36516.2 to, the Government Code, relating to local government

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 3 of the printed bill, as amended in Senate June 14, 1972, strike out lines 1 to 7, inclusive, and insert "councilmen's salaries, the compensation of councilmen may be increased beyond the amount provided in Section 36516 by an ordinance or amendment thereto enacted by the city council but the amount of such increase may not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance is enacted; provided that no salary ordinance shall be enacted which provides for automatic future increases in salary of 5 percent or less,

but each increase in salary shall be provided for by a separate ordinance or amendment thereto."

The undersigned consent to the report:

ARLEN GREGORIO	LEO RYAN
MILTON MARKS	JOHN T. KNOX
JOHN NEJEDLY	FRANK LANTERMAN
Senate Committee on Conference	Assembly Committee on Conference

Report read; ~~and adopted by the following vote.~~

~~AYES—Arnett, Bee, Belotti, Beverly, Burke, Campbell, Cline, Collier, Conrad, Dent, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Wood, and Z'berg—45.~~

~~NOES—Duffy—1.~~

NOTE: Later this day, the action was rescinded whereby the Assembly adopted the above report of the Committee on Conference relative to Assembly Bill No. 530. See page 6022.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1717

In compliance with a motion given on a previous day, Mr. Wakefield moved that the vote whereby Assembly Bill No. 1717 was refused passage be reconsidered.

Assembly Bill No. 1717 reconsidered by the following vote.

AYES—Arnett, Bee, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Dent, Duffy, Fong, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Wakefield, Wood, and Mr. Speaker—43.

NOES—Fenton—1.

Further Consideration of Assembly Bill No. 1717

Assembly Bill No. 1717—An act to amend Sections 100 21 and 135 of, to add Sections 103.7, 103.8, 103 9, and 256 2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways.

Bill read third time.

Motion to Amend

Mr. Wakefield moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 22, 1972, strike out lines 39 and 40.

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1127—An act to amend Section 15 of Chapter 1451 of the Statutes of 1969, relating to health planning.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Cline, Collier, Conrad, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Wakefield, Warren, Wood, and Z'berg—53.

NOES—Townsend—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1527—An act to add and repeal Section 2310.5 of the Business and Professions Code, relating to the Board of Medical Examiners of the State of California.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Collier, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1707—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile court law.

Bill read third time, and presented by Mr. Beverly.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beverly moved a call of the Assembly

Motion carried Time, 10 .20 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1714—An act relating to Indian education, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 332—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1618—An act relating to educational programs

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:30 a m, Mr. Powers was granted unanimous consent to hold a special meeting of the Committee on Commerce and Public Utilities in the Assembly Lounge, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2014—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Campbell, Cline, Collier, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves,

Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—53.

NOES—Duffy and Wakefield—2.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 956, on request of Mr Moretti.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1200—An act to amend Sections 19501 5, 19504, 19505, and 19522 of, and to add Section 19523.5 to, the Revenue and Taxation Code, relating to property tax and rent assistance for senior citizens

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Beverly, Briggs, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1384—An act to add Section 12538 7 to the Government Code, relating to health plans.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Davis, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 1767—Passed on file

Majority Floor Leader Presiding

At 10.40 a m , Hon. Jack R. Fenton, 51st District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1822—An act making an appropriation to the Trustees of the California State University and Colleges

Bill read third time, and presented by Mr. Quimby

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Quimby moved a call of the Assembly.

Motion carried Time, 10·44 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1500—An act to add Section 2145 1 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs. Burke, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—57

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs Burke, Campbell, Chappie, Cline, Collier, Conrad. Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister. McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 2139, on request of Mr Dunlap.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1542—An act to add Section 2600.5 to the Penal Code, to amend Section 5325 of, to add Sections 5325, 5325 1, 5325 2, 5325 4, 5325 5, 5325 6, 5325 7, 5325 8, 5326 1, 5326 2, 5326 3, 5326 4, 5326.5, 5326 6 and 5326 7 to, and to repeal Sections 5325 and 5325.5 of, the Welfare and Institutions Code, relating to lobotomy and shock treatment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Campbell, Cline, Conrad, Cullen, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—52

NOES—Dent, Monagan, and Stacey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 313—An act to add Article 7 7 (commencing with Section 19699 50) to Chapter 10 of Division 14 of the Education Code, relating to the construction of children's centers, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Campbell, Chappie, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—53.

NOES—Cline and Wakefield—2

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IV thereof, relating to the Legislature

Resolution read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Harvey Johnson moved a call of the Assembly.

Motion carried. Time, 11:02 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 2051, on request of Mr Chappie.

Assembly Constitutional Amendment No. 54 and **Assembly Bills Nos. 2135** and **1098,** on request of Mr. Dunlap.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1822

At 11:03 a.m., on motion of Mr Quimby, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 1822 passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Campbell, Cline, Crown, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Powers, Quimby, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—43

NOES—Burke, Chappie, Collier, Conrad, Dent, Duffy, Hayden, Ketchum, Lancaster, Lanterman, MacDonald, Monagan, Moorhead, Murphy, Priolo, Seeley, Stacey, and Wakefield—18.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 904—Passed on file.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1565—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 751—An act to add Section 25 9 to the Civil Code, relating to minors.

Bill read third time, and refused passage by the following vote:

AYES—Fong, Knox, Meade, Pierson, Quimby, Sieroty, Vasconcellos, and Waxman—8.

NOES—Arnett, Bagley, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Foran, Gonsalves, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Thomas, and Wood—39.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1883, on request of Mr. Bill Greene.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1210—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Constitutional Amendment No. 93—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303 5, 17414, 17417, 17503, 17603 5, 17651, 17654 5, 17655 5, 17664, 17665, 18102 8, 18102 9, 18102 10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3, 17301, 17301.1, 17301 2, 17301.3, 17303 6, 17653, 17662, 17662 3, 17662 5, 18102, and 20751 to, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1 7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913 1, 13704, 14657, 14758,

17301, 17656, 17660, 17662, 17665 5, 18102, 18102 2, 18102.4, 18102.6, 20751, 20800, 20801.5, 20802 8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2 1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, making an appropriation therefor.

Bill read third time

Motion to Amend

Mr. Arnett moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the heading of the printed bill, as amended in Assembly June 30, 1972, after the second "and", insert "Moretti and".

Amendment No. 2

On page 4, line 32, after "surnames," insert "and Indian pupils,".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

BILLS PASSED ON FILE

Assembly Bill No. 2376—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 285

In compliance with a motion given on a previous day, Mr Sieroty moved that the vote whereby Assembly Bill No 285 was refused passage be reconsidered.

Assembly Bill No. 285 reconsidered by the following vote:

AYES—Arnett, Beverly, Briggs, Campbell, Cline, Crown, Cullen, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Keysor, Knox, LaCoste, Lancaster, MacDonald, McAlister, McCarthy, Meade, Miller, Moorhead, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Z'berg, and Mr Speaker—42

NOES—Chappie, Collier, Conrad, Dent, Ray E. Johnson, Ketchum, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Seeley, Stacey, and Wood—15.

Assembly Bill No. 285 Placed Upon the Inactive File

On request of Mr Sieroty, Assembly Bill No 285 was placed upon the inactive file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682

In compliance with a motion given on a previous day, Mr. Crown moved that the vote whereby Assembly Bill No 1682 was refused passage be reconsidered.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Crown moved a call of the Assembly.

Motion carried Time, 11 27 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTION TO RECONSIDER ASSEMBLY BILL NO. 1227

In compliance with a motion given on a previous day, Mr Meade moved that the vote whereby Assembly Bill No 1227 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Meade moved a call of the Assembly.

Motion carried Time, 11:28 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1666 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 1666 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 831

In compliance with a motion given on a previous day, Mr. Dunlap moved that the vote whereby Assembly Bill No 831 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly.

Motion carried Time, 11·29 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 123

At 11:29 a.m., on motion of Mr Dent, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No 123 by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 242

At 11:31 a.m., on motion of Mr. Powers, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 242 adopted by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAllister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 242?

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAllister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—61

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 439—An act relating to the establishment of a regional criminal justice center by the Yosemite Junior College District.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 439?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "99", and insert "66".

Amendment No. 2

On page 2, line 4, after "Center", insert ", provided that all terms and conditions are in the best interests of the state".

Amendment No. 3

On page 2, line 13, after the period, insert "All terms and conditions of the lease shall be reviewed every five years and adjusted as may be appropriate to the best interests of the state."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—62

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1707

At 11.33 a.m., on motion of Mr Beverly, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1707 refused passage by the following vote:

AYES—Beverly, Campbell, Cullen, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Knox, Murphy, Powers, Quimby, Sieroty, Warren, and Mr. Speaker—15.

NOES—Arnett, Bee, Belotti, Burke, Chappie, Cline, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Priolo, Russell, Seeley, Stacey, Wakefield, and Wood—32

Motion to Reconsider Assembly Bill No. 1707 on Next Legislative Day

Mr. Beverly moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1707 was this day refused passage.

Assembly Bill No. 1707 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 35 FROM COMMITTEE

Mr MacGillivray was granted unanimous consent that Assembly Joint Resolution No 35 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 35

Assembly Joint Resolution No. 35—Relative to the Santa Ynez River Flood Protection Project—San Miguelito Watershed.

Resolution read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—61.

NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 7, 1972

Mr Speaker Your Committee on Ways and Means reports·

AB No 508

With amendments with the recommendation: Amend, and do pass, as amended

LANTERMAN, Vice Chairman

Above bill ordered to second reading

Committee on Commerce and Public Utilities

Assembly Chamber, July 6, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports·

AB No 2377

With the recommendation: Do pass

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 7, 1972

Mr Speaker. Your Committee on Commerce and Public Utilities reports:

SCR No 45

With amendments with the recommendation Amend be adopted. as amended, and be re-referred to the Committee on Ways and Means

POWERS, Chairman

Above resolution ordered on file

Committee on Ways and Means

Assembly Chamber, July 7, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1884

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LANTERMAN, Vice Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, July 7, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

AB No. 1587

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

POWERS, Chairman

Above bill ordered to second reading.

Committee on Constitutional Amendments

Assembly Chamber, July 7, 1972

Mr. Speaker: The Chairman of your Committee on Constitutional Amendments reports:

AB No 1742

With author's amendments with the recommendation: Amend, and refer to the Committee on Constitutional Amendments

GARCIA, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1742—An act to add Section 33666 to, and to add Article 7 (commencing with Section 33680) to Chapter 6 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 4 to 7, inclusive.

Amendment No. 2

On page 3, line 17, strike out "or other"

Amendment No. 3

On page 3, strike out lines 19 to 22, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 7, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No. 558

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 558—An act to add Section 16702 to the Education Code, relating to school property.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 24, of the printed bill, after "Colleges", insert "; or a private postsecondary vocational, technical, or professional educational institution approved pursuant to the provisions of Chapter 1 (commencing with Section 29001) of Division 21".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

~~REPORTS OF STANDING COMMITTEES~~

~~Committee on Commerce and Public Utilities~~

~~Assembly Chamber, July 7, 1972~~

~~Mr. Speaker: The Chairman of your Committee on Commerce and Public Utilities reports:~~

~~SB No. 616~~

~~With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.~~

~~POWERS, Chairman~~

~~SECOND READING OF BILLS—AUTHOR'S AMENDMENTS~~

~~Senate Bill No. 616—An act to amend Sections 7615 and 7616 of the Business and Professions Code, relating to funeral directors.~~

~~Bill read second time.~~

~~Consideration of Author's Amendments~~

~~The following amendments, pursuant to the Assembly Rules, were read, and adopted:~~

~~Amendment No. 1~~

~~In line 1 of the title of the printed bill, as amended in Senate May 25, 1972, strike out "Sections 7615 and 7616", and insert "Section 7615".~~

~~Amendment No. 2~~

~~On page 2, strike out lines 17 to 40, inclusive, and strike out page 3. Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.~~

NOTE: On November 27, 1972, the action was rescinded whereby the above report of the Committee on Commerce and Public Utilities relative to Senate Bill No 616 was received and read in the Assembly, whereby the bill was read a second time, author's amendments to the bill read and adopted, and the bill ordered reprinted and to be re-referred to the Committee on Commerce and Public Utilities See page 7860.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1884

Mr. Bill Greene was granted unanimous consent to take up Assembly Bill No. 1884, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the First Day Consent Calendar for the next legislative day.

Second Reading of Assembly Bill No. 1884 by Unanimous Consent

Assembly Bill No. 1884—An act relating to area vocational committees, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 1, of the printed bill, after "SECTION 1", insert "The Superintendent of Public Instruction shall allocate federal funds received pursuant to the Federal Vocational Education Act, as amended, (Public Law 88-210 and Public Law 90-576) to insure that seven area vocational committees established pursuant to Article 10 4 (commencing with Section 6268) of Chapter 6 of Division 6 of the Education Code are funded, if such allocation conforms with federal law and the availability of federal funds.

SEC. 2."

Amendment No. 2

On page 1, line 3, strike out "one hundred eighty thousand"; strike out lines 4 to 7, inclusive, and insert "thirty thousand dollars ($30,000), or so much thereof as may be necessary, to match available federal funds in order to insure the funding of seven area vocational committees."

Bill ordered reprinted, and to be returned to the First Day Consent Calendar for the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 486

Mr. Lewis was granted unanimous consent to take up Senate Bill No. 486, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 486

Senate Bill No. 486—An act to amend the heading of Chapter 3 (commencing with Section 71820) of Part 6 of Division 20 and Sections 71820, 71821, 71822, and 71823 of the Water Code, relating to municipal water districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Lewis.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sierotv, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 98—An act to amend Sections 19682, 19683, and 19683 5 of, and to add Sections 19682 5, 19682 7, and 19682 9 to, the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Lewis.

Urgency Clause

Urgency clause read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion carried. Time, 11:41 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 1227

At 11:44 a.m., on motion of Mr. Meade, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the vote whereby Assembly Bill No. 1227 was refused passage refused reconsideration by the following vote.

AYES—Arnett, Bagley, Bee, Campbell, Crown, Cullen, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr Speaker—41

NOES—Beverly, Briggs, Chappie, Cline, Collier, Conrad, Dent, Foran, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Moorhead, Russell, Seeley, and Wood—19.

CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 831

At 11:45 a.m., on motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby Assembly Bill No. 831 was refused passage refused reconsideration by the following vote:

AYES—Bee, Campbell, Crown, Cullen, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Keysor, Knox, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Quimby, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—29.

NOES—Arnett, Beverly, Briggs, Chappie, Cline, Collier, Conrad, Davis, Dent, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Powers, Priolo, Russell, Seeley, Stacey, Wakefield, and Wood—29.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 153—An act to amend Section 34898 of the Government Code, relating to cities.

Bill read third time, and presented by Mr. Miller.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Chappie, Collier, Crown, Cullen, Dent, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 539—An act to add Section 13583.7 to the Education Code, relating to school classified employees

Bill read third time, and presented by Mr McAlister.

Bill passed by the following vote:

AYES—Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 137—An act to add Section 23621 to the Education Code, relating to the California State Colleges

Bill read third time, and presented by Mr Bill Greene

Bill passed by the following vote:

AYES—Bee, Beverly, Briggs, Campbell, Chappie, Cline, Collier, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—54

NOES—Arnett, Conrad, Lancaster, and Wakefield—4

Bill ordered transmitted to the Senate.

Senate Bill No. 967—An act to amend Sections 4080 and 4085 of, and to repeal Section 4081 of, the Elections Code, and to amend Sections 34452, 34460 and 34462 of the Government Code, relating to city charters.

Bill read third time, and presented by Mr. Hayden.

Bill passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 635—An act to amend Sections 7332, 7342, 7351 and 7420 of, and to add Section 7402 to, the Business and Professions Code, relating to cosmetology.

Bill read third time, and presented by Mr Townsend

Bill passed by the following vote:

AYES—Arnett, Bee, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1199—An act to amend Section 13143 6 of the Health and Safety Code, relating to fire safety, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Hayden.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas,

Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 886—An act to add Section 403 to, and to repeal Section 403 of, the Probate Code, relating to executors of estates.

Bill read third time, and presented by Mr Murphy.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1282—An act relating to the maintenance of the various codes, as follows:

Education Code:

By amending Sections 10301, 22522, 22523, 22524, 22601, 22603, 22604, 22605, 22606, 22607, 22635, 22700, 22703, 23602, 23620, 23701, 23752, 23752.4, 23753.3, 23754, 23754.2, 24000.1, 24002, 24053.1, 24054, 24054.5, 24054.7, 24055, 24101, 24202, 24206.5, 24303, 24352, 24353, 24502, 25201, 25506, 31226, 31226.2, 31751, and 31752

Government Code:

By amending Sections 11126, 15854.1, 15854.5, 18007, 18022, 50330, and 50330.4

Penal Code:

By amending Sections 602.10 and 626

Vehicle Code:

By amending Section 165

Bill read third time, and presented by Mr Leroy F Greene.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1183—An act to amend Section 2736 of the Business and Professions Code, relating to nurses

Bill read third time, and presented by Mr Stacey.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 499—An act to add Section 24317 to the Education Code, relating to state college employees

Bill read third time, and presented by Mr Vasconcellos.

Bill passed by the following vote·

AYES—Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—56.

NOES—Cline, Mobley, and Wakefield—3

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 160, on request of Mr Murphy

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 878—An act to add Article 6 (commencing with Section 12095) to Chapter 5 of Division 9 of the Education Code, relating to industrial education work stations and safety

Bill read third time, and presented by Mr. Gonsalves

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—60

NOES—Cullen—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all items on this day's First Day Consent Calendar be placed upon the Second Day Consent Calendar, for consideration today.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 778—An act to add Sections 11006.8 and 11006.9 to the Welfare and Institutions Code, relating to public social services

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1451—An act to repeal Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) of Chapter 5.5, Division 1, Title 2 of, and to add Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350 to

Chapter 5.5, Division 1, Title 2 of, the Government Code, relating to world trade.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—64.

NOES—Cullen—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 606—An act to amend Section 17215 of, and to add Section 17216.3 to, the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 629—An act to add Part 15 (commencing with Section 103000) to Division 10 of the Public Utilities Code, relating to transit districts.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1708—An act to amend Section 1207 of, and add Section 1161 to, the Harbors and Navigation Code, relating to pilots.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1956—An act to add Section 10053 7 to the Welfare and Institutions Code, relating to mentally retarded persons

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2196—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield Warren, Waxman, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 593—An act to amend Section 227c of, and to amend, repeal, and add Section 227b to, the Civil Code, relating to adoption.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy,

Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1285—An act to amend Section 200 of the Code of Civil Procedure, relating to jury duty.

Bill read third time; and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

NOTE: On July 17, 1972, the action was rescinded whereby Senate Bill No. 1285 was passed in the Assembly and ordered transmitted to the Senate. See page 6084.

Senate Bill No. 1379—An act to add Section 10251 to the Corporations Code, relating to nonprofit corporations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1325—An act to amend Sections 5784.23 and 5784.24 of the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell,

Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 27

At 12 m, on motion of Mr Harvey Johnson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Constitutional Amendment No 27 refused adoption by the following vote·

AYES—Bee, Campbell, Chappie, Cline, Crown, Cullen, Davis, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr Speaker—45.

NOES—Arnett, Belotti, Beverly, Burke, Collier, Conrad, Dent, Duffy, Dunlap, Ketchum, Lanterman, Moorhead, Murphy, Russell, Vasconcellos, and Wakefield—16

Motion to Reconsider Assembly Constitutional Amendment No. 27 on Next Legislative Day

Mr. Harvey Johnson moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No 27 was this day refused adoption

Assembly Constitutional Amendment No 27 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 1682

At 12 03 p m., on motion of Mr Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the vote whereby Assembly Bill No 1682 was refused passage reconsidered by the following vote·

AYES—Bagley, Bee, Campbell, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Ray E Johnson, Keysor, Knox, Lanterman, MacDonald, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Quimby, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—41

NOES—Beverly, Briggs, Chappie, Cline, Collier, Conrad, Hayden, Hayes, Ketchum, LaCoste, Lancaster, Lewis, MacGillivray, Mobley, Priolo, Seeley, and Stacey—17

Re-reference of Assembly Bill No. 1682

Mr. Crown was granted unanimous consent that Assembly Bill No. 1682 be re-referred to the Committee on Criminal Justice

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF CONFERENCE REPORT ON ASSEMBLY BILL NO. 530

Mr. Knox was granted unanimous consent to rescind the action whereby the Assembly, on this day (Assembly Journal pages 5993–5994), adopted the Report of the Conference Committee relative to Assembly Bill No. 530, and that Assembly Bill No 530 be passed on file, to retain its place on file.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 98

At 12:04 p.m., on motion of Mr. Lewis, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 98 adopted by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Campbell, Chappie, Cline, Crown, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—57

NOES—Burke, Collier, Cullen, Dent, and Leroy F. Greene—5

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Campbell, Chappie, Cline, Crown, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste Lancaster, Lanterman Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Meade Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—57

NOES—Burke, Collier, Cullen, Dent, and Leroy F Greene—5

Bill ordered transmitted to the Senate

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 98, on request of Mr McCarthy

REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT OF SUBCOMMITTEE ON ADVOCATE REGISTRATION

Mr. Quimby was granted unanimous consent that the Supplemental Report of the Subcommittee on Advocate Registration be printed as an appendix to this day's Journal, and that 1,500 additional copies of the appendix be printed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2377

Mr Chappie was granted unanimous consent to take up Assembly Bill No. 2377, without reference to file, for the purpose of reading the bill a second time at this time.

Second Reading of Assembly Bill No. 2377 by Unanimous Consent

Assembly Bill No. 2377—An act to amend Section 7901 of the Public Utilities Code, relating to public utilities

Bill read second time, and ordered to third reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 508

Mr. Quimby was granted unanimous consent to take up Assembly Bill No 508, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be returned to the third reading file, instead of the second reading file.

Second Reading of Assembly Bill No. 508 by Unanimous Consent

Assembly Bill No. 508—An act to add Section 3212 3, 4815.1, 4815.2, 4815 3, 4815 4, and 4815.5 to the Labor Code, relating to the California State Police.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", 4815.1, 4815 2, 4815 3, 4815.4, and 4815 5"

Amendment No. 2

On page 2, strike out lines 28 to 40, inclusive; and strike out pages 3 and 4.

Bill ordered reprinted, and to be returned to the third reading file

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 117: By Assemblyman Hayden —Approving amendments to the Charter of the City of Palo Alto, County of Santa Clara, State of California, ratified by the electors of said city at an election consolidated with the 1972 Direct Primary Election held in said city on the sixth day of June 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 117

Mr. Hayden was granted unanimous consent to take up Assembly Concurrent Resolution No 117 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 117

Assembly Concurrent Resolution No. 117—Approving amendments to the Charter of the City of Palo Alto, County of Santa Clara, State of California, ratified by the electors of said city at an election consolidated with the 1972 Direct Primary Election held in said city on the sixth day of June 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Campbell, Chappie, Cline, Crown, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—57

NOES—Burke, Collier, Cullen, Dent, and Leroy F Greene—5.

Resolution ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 118: By Assemblymen Z'berg, Powers, and Leroy F. Greene (Senator Rodda, coauthor)—Relative to Stone Lakes Basin.

Held at Desk by order of the Speaker pro Tempore.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Russell:

House Resolution No. 80

Relative to a study of the taxation of mobilehomes

WHEREAS, The number of persons who live in mobilehomes in California has increased significantly in recent years; and

WHEREAS, California laws presently require owners of mobilehomes to pay a tax to the State Department of Motor Vehicles, which is in lieu of paying a property tax to local government, and

WHEREAS, Recently, some county assessors have been attempting to subject mobilehomes to property taxation, even though an in-lieu tax has already been paid on these vehicles, and

WHEREAS, Many taxpayers argue that mobilehome owners do not pay an equivalent share of taxes for services rendered by city and county governments, and school districts, and other local governmental entities; and

WHEREAS, The distribution of in-lieu taxes on mobilehomes by the Department of Motor Vehicles to local governmental bodies frequently is not the same as the distribution of locally collected property taxes; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members consider the taxation of mobilehomes to be a matter of statewide

concern and of sufficient importance to warrant an investigation and examination to determine how an equitable property tax structure may be developed and applied to the taxation of mobilehomes; and be it further

Resolved, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the taxation of mobilehomes; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 256

The Acting Speaker appointed Messrs Hayden, LaCoste, and Lewis as a Committee on Conference concerning Senate Bill No 256

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Cullen was granted unanimous consent that the following letter of transmittal be printed in the Journal

Assembly Committee on Efficiency and Cost Control

State Capitol, Sacramento, California
June 7, 1972

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: Your Committee on Efficiency and Cost Control hereby transmits its hearing record regarding the Medi-Cal fiscal intermediaries and procedures, specifically pricing of hospital outpatient claims

Respectfully,

MIKE CULLEN, Chairman

Above report referred to the Committee on Health

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No	*Committee*
212	Education
887	Education
1249	Environmental Quality
1440	Employment and Public Employees
1466	Commerce and Public Utilities

VOTE CHANGES

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 915

Messrs. Murphy and Maddy were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1049.

Mr. Duffy was granted unanimous consent that he be recorded as voting "No" on the conference report on Assembly Bill No 530.

Messrs. Maddy and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on the conference report on Assembly No. 530.

Messrs. Briggs and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1127

Mr. Townsend was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1127

Mr. Wakefield was granted unanimous consent that he be recorded as voting "Aye"on Assembly Bill No 1200

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 1527, 1714, and 1618

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1384.

Mr. Warren was granted unanimous consent that he be recorded as voting "Aye,' instead of "No," on the urgency clause to Assembly Bill No. 1500, and on the passage of the bill

Mr. Ray E Johnson was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1822.

Mr. Crown was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1822.

Mr Keysor was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 751

Mr. Maddy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 751.

Messrs. Thomas and McCarthy were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Bill No. 751.

Mr. MacDonald was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No 1210

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 123.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1707

Mr. McCarthy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1707

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Assembly Joint Resolution No 35

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 153

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 137

Mr Conrad was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 137.

Mr LaCoste was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 831.

Mr Bill Greene was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Constitutional Amendment No 27.

Mr. Cullen was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1451.

Mr Foran was granted unanimous consent that he be recorded as voting "No" on the motion to reconsider the vote on Assembly Bill No 1227.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee.

Assembly Concurrent Resolution No.	*Committee*
118	Natural Resources and Conservation

COMMUNICATIONS

Assembly Chamber, July 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 37—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 238—An act to add Section 34302.3 to the Government Code, relating to incorporation of cities;

Assembly Bill No. 324—An act to amend Section 690.3 of the Code of Civil Procedure, relating to attachment and execution,

Assembly Bill No. 394—An act to amend Section 6353 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy;

Assembly Bill No. 519—An act to amend Section 200 of the Code of Civil Procedure, relating to jurors;

Assembly Bill No. 578—An act to amend Section 5652 of the Fish and Game Code, relating to pollution;

Assembly Bill No. 836—An act to amend Section 11161.5 of the Penal Code, relating to minors;

Assembly Bill No. 1344—An act to amend Section 22358 3 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 1652—An act to amend Section 986 of the Military and Veterans Code, relating to veterans;

Assembly Bill No. 1923—An act to amend Sections 907 and 951 of the Streets and Highways Code, relating to county highways;

And reports the same correctly enrolled, and presented to the Governor at 2:30 p m., July 7, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 21—Relative to excess highway property in the City of West Covina;

Assembly Concurrent Resolution No. 114—Relative to a recess of the Assembly;

And reports the same correctly enrolled, and presented to the Secretary of State on the seventh day of July, 1972, at 2 30 p m

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 38—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith;

And reports the same correctly enrolled, and presented to the Governor at 3:30 p m., July 7, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 12—Relating to the Advisory Committee on Salmon and Steelhead Trout,

And reports the same correctly enrolled, and presented to the Secretary of State on the seventh day of July, 1972, at 3:30 p m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, July 4, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

AB No. 2346

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, July 7, 1972

Mr Speaker. Your Committee on Judiciary reports:

SB No 573
SB No 957
SB No 1383

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 7, 1972

Mr. Speaker: Your Committee on Ways and Means reports

AB No. 2204

With the recommendation. Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LANTERMAN, Vice Chairman

Above bill ordered to second reading

Committee on Judiciary

Assembly Chamber, July 7, 1972

Mr Speaker. The Chairman of your Committee on Judiciary reports

SB No 255
SB No 1455

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 255—An act to amend Section 71180 of the Government Code, relating to courts

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, as amended in Senate June 12, 1972, strike out ", provided, however, that", and insert ". However,",

Amendment No. 2

On page 2, line 9, after the second "the", insert "occurrence of the vacancy or the".

Amendment No. 3

On page 2, strike out lines 10 to 13, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Senate Bill No. 1455—An act to amend Sections 226 9, 227a, 233 and 233 5 of the Civil Code, relating to personal relations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Senate May 31, 1972, after "program", insert "or the county department of adoptions".

Amendment No. 2

On page 3, line 3, after "program", insert "or the county department of adoptions".

Amendment No. 3

On page 3, line 20, after "program", insert "or the county department of adoptions".

Amendment No. 4

On page 3, line 26, after "program", insert "or the county department of adoptions".

Amendment No. 5

On page 3, line 38, after "program", insert "or the county department of adoptions".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

ADJOURNMENT

At 3:55 p m., pursuant to the provisions of Assembly Concurrent Resolution No. 114, the Assembly adjourned until 9.30 a.m., Monday, July 17, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

APPENDIX TO ASSEMBLY DAILY JOURNAL FOR JULY 7, 1972

JOINT SUBCOMMITTEE ON LEGISLATIVE ADVOCATE REGISTRATION

Assembly Chamber, July 6, 1972

Mr. Speaker: The Subcommittee on Advocate Registration submits a supplemental list of approved legislative advocates for publication in the Assembly Journal

This list is a complete supplement to the printed registry for 1972 and will be revised as additional registrations make it necessary.

Please destroy the previous supplement which appears in the Appendix to the May 3, 1972 Assembly Journal.

JOHN P QUIMBY, Chairman

Index	*Page*
Corrections and/or Additions to 1972 Directory	6031
Termination of Accounts—Advocates Listed in 1972 Directory	6032
Deceased Advocates (Listed in 1972 Directory)	6033
New Registrations Since Printing of Legislative Advocates and Organizations—1972 Directory	6033
New Accounts—Advocates Listed in 1972 Directory	6036
1972 Organizations (Additions)	6038

Corrections and/or Additions to 1972 Directory

BRADY, BERNARD R
Bernard R Brady and Associates
California League of Senior Citizens
(This advocate should not have been listed in the 1972 Directory)

	Phone Number
CRISCIONE, JOE V, 1400 Q Street, Apt 15, Sacramento 95814	(916) 444-3124

(New address)

FULLER, DONALD PAUL
International Organization of Masters, Mates & Pilots, West Coast and Pacific Region of the Inland Division, Branch No 40
(Change in name of organization)

	Phone Number
HOUSTON, GEORGE W., 320 Juniper, Brea 92621 (New address)	(714) 529-1014
KAVANAGH, DENNIS B., 465 California Street, Room 415, San Francisco 94104 (New address)	(415) 362-0684
LOKEY, ROY EUGENE, 14271 Mulberry Drive, Suite A, Los Gatos 95030 (Additional address)	(408) 374-0308
MARSH, WILLIAM F, 2802 Francis Lane, Costa Mesa 92626 (New address)	(714) 545-7337
SENGER, ALAN F, 1225 - 8th Street, Suite 300, Sacramento 95814 (New address)	(916) 444-3767
VICENCIA, FRANK D, 9706 E Compton Blvd, Suite 7, Bellflower 90706 (New address)	(213) 920-1746

Terminations of Accounts—Advocates Listed in 1972 Directory

ADAMS, SARA LEE "CHRIS"
California Congress of Parents and Teachers, Inc.
(Complete termination)

FLEISHER, STEVEN M.
California Indian Legal Services
(Complete termination)

GARLAND, GORDON H.
California Chiropractic Association
(Termination of one account)

HOAGLAND, CHARLES E.
Automobile Manufacturers Association, Inc.
(Complete termination)

MARSON, CHARLES C.
American Civil Liberties Union of Northern California
(Complete termination)

NEILSON, ROYAL A.
Plumbing-Heating-Cooling Contractors of California
(Complete termination)

SANDERS, LESTER L.
California Chamber of Commerce
(Complete termination)

SANFORD RUSSELL E.
California Motorcycle Industry Council, Inc.
(Termination of one account)

WILLIAMS, DAVID J.
California Taxpayers' Association
(Complete termination)

Deceased Advocates (Listed in 1972 Directory)

THIGPEN, W. R.
READ, BEN H
ROBINSON, GEORGE B.

New Registrations Since Printing of Legislative Advocates and Organizations—1972 Directory

Phone Number

BIRDSALL, VIRGINIA M (Mrs), 2830 Reed Avenue, Livermore 94550 (415) 447-0451
California Congress of Parents and Teachers, Inc.

BLOCK, RICHARD L., 4050 Wilshire Blvd , Los Angeles 90010 (213) 381-2577
INA Corporation and wholly owned subsidiaries

BOHN, JOHN A , 93 Seaview Avenue, Piedmont 94611 (415) 547-5100
California Republican Assembly

DE NIO, PAUL HICKS, 412 West 6th Street, Los Angeles 90014 (213) 623-5371
California Beer Wholesalers Association, Inc.

DeWITT, DENNIS L , 1127-11th Street, Room 540, Sacramento 95814 (916) 444-2147
California Dental Association
Southern California Dental Association

DeWITT, JAMES, Capitol Park Hotel, Sacramento 95814 (916) 441-5361
728 Elm Avenue, Long Beach 90813 (213) 435-2360
Protective Council of California Senior Citizens, Inc

DREDGE, ARMIGER F., JR , 726 L Street Sacramento 95814 (916) 444-3455
Budget Rent a Car System—Far Western Region

DUGALLY, RICHARD L , 1127 - 11th Street, Suite 518, Sacramento 95814 (916) 442-0111
Ford Motor Company

DYER, MARTIN B , 923-12th Street, Sacramento 95814 (916) 443-8107
California Manufacturers Association

EDWARDS, DENNIS L , 1108 O Street, Sacramento 95814 (916) 446-6641
1425 South San Pedro Street, Los Angeles 90011
Classified Employee Relations Council

GREEN, DONALD C , 717 K Street, Suite 308, Sacramento 95814 (916) 446-5266
California Applicants' Attorneys Association
Common Cause

GREERTY, CLAUDE P , Woodlake Inn, 500 Leisure Lane, Sacramento 95815 (916) 922-6251
3755 Alhambra Avenue, Martinez 94553 (415) 228-1188
American Institute of Merchant Shipping

	Phone Number
HASS, E EWING, 1331 Ridgeway Drive, Sacramento 95822	(916) 443-5660
3M Company	
HILGENFELD, MELVIN D., 1920 Marengo Street, Los Angeles 90033	(213) 221-2144
California College of Mortuary Science	
HORNADAY, QUINN, 1007 Fifth Avenue, Suite 806, San Diego 92101	(714) 239-0171
San Diego Daily Transcript	
HOUK, DARLYNE, 1129 - 10th Street, Sacramento 95814	(916) 444-2045
California Real Estate Association	
HOUSEBERG, E JAMES, 1225 - 8th Street, Suite 300, Sacramento 95814	(916) 444-3767
Automobile Manufacturers Association, Inc.	
JOHNSTON, CLAY M., 3558 W 8th Street, Los Angeles 90005	(213) 383-1281
California Lathing & Plastering Contractors Association, Inc	
Western Awning Association	
JONES, F. CLINTON, 1401 - 21st Street, Sacramento 95814	(916) 444-7600
California Association of Nursing Homes	
Private Nursery School Association of California, Inc.	
Statewide Conference of Private Mental Health Facilities	
Statewide Conference of Residential Care Homes	
JONES, KERMIT C , 926 J Street, Suite 1014, Sacramento 95814	(916) 446-2186
445 S Figueroa, Suite 1500, Los Angeles 90017	(213) 482-3620
Air Transport Association of America	
United Air Lines	
JONES, WILLIAM R , 1108 O Street, Sacramento 95814	(916) 446-6641
1425 South San Pedro, Los Angeles 90011	(213) 687-3201
Classified Employee Relations Council	
KANE, GARY PAUL, 1006-4th Street, Sacramento 95814	(916) 447-2871
Redevelopment Agency of the City of Sacramento	
KELLY, WILLIAM H , JR , 5960-19th Avenue, Sacramento 95820	(916) 455-2285
Camellia City Bingo Association	
KENNEDY, V. DENNIS, 1127-11th Street, Room 702, Sacramento 95814	(916) 444-6352
California Mortgage Bankers Association	
Pest Control Operators of California	

	Phone Number
LENZI, DONNA M (Mrs), 622 N Street, Sacramento 95814 California Congress of Parents and Teachers, Inc.	(916) 442-5667
LONG, STANLEY E , 1052 West 6th Street, Suite 626, Los Angeles 90017 Los Angeles Parking Association	(213) 481-2118
MULLIGAN, KERRY W , 1431 - 3rd Street, Suite 11, Sacramento 95814 Kerry W Mulligan & Assoc.	(916) 442-1156
NALL, CARL E , 5420 West Jefferson Boulevard, Los Angeles 90016 Pacific Egg and Poultry Association	(213) 938-2675
PEDERSEN, GLENN C , 1108 O Street, Sacramento 95814	(916) 446-6641
4525 Irvine Street, North Hollywood 91602 Classified Employees Relations Council	(213) 762-0691
PORTER, CHARLES E , P O Box 256, San Diego 92112 City of Newport Beach	(714) 291-7973
RANSOM, LAWRENCE E , City Hall, 100 North Garfield, Room 301, Pasadena 91109 P E.R S Retirement Betterment Committee, Inc	(213) 577-4442
RAU, KATHERINE A , 4218 San Juan Avenue, Fair Oaks 95628 Animal Wards	(916) 489-7812
REMCHO, JOSEPH, 1220 H Street, Suite 103, Sacramento 95814	(916) 442-1036
593 Market Street, San Francisco 94105 American Civil Liberties Union of Northern California	(415) 433-2750
RIEPMA, SIERT F , Suite 1202, 1725 K Street, N W , Washington, D C 20006 National Association of Margarine Manufacturers	(202) 785-3232
ROBYN, RICHARD A , 7 North Main Street, San Andreas 95249 R A Robyn & Associates	(209) 754-4062
SENGER, ALAN F , 927 - 10th Street, Suite 302, Sacramento 95814 Automobile Manufacturers Association, Inc	(916) 444-3767
SHERMAN, FREDERICK B , 1109 - 9th Street, Sacramento 95814 Western Union Telegraph Company	(916) 444-7441
SMITH, STEVEN E , 13563 Ventura Blvd., Sherman Oaks 91403 California League For X-Ray Safety	(213) 783-3080
STAHL, WILLIAM E , 5104 Ortega Street, Sacramento 95820 Warner-Chilcott Laboratories	(916) 455-1843

	Phone Number
WAKEFIELD, GEORGE W., 649 South Olive Street, Suite 1000, Los Angeles 90014	(213) 485-0101
Southern California Symphony-Hollywood Bowl Association	
WARNE, WILLIAM E , 2090 - 8th Avenue, Sacramento 95818	(916) 442-4338
Orange County Water District	
WEITZMAN, HYMAN, Cosmopolitan Motor Hotel, Sacramento 95814	(916) 444-8400
4134 N. Sierra Way, San Bernardino 92407	(714) 885-8900
California Ambulance Association	
California Refuse Removal Council	
WENDIN, DANIEL G., 961 Regent Drive Los Altos 94022	(408) 255-1200
Boole & Babbage, Inc	
WHITE, RALPH I , 351 California Street, Suite 1008, San Francisco 94104	(415) 434-3906
National Retail Pet Supply Association, Inc	
Western Wholesale Pet Supply Association, Inc	
WRIGHT, RICHARD, 5276 L Street, Sacramento 95819	(916) 457-1382
California Loan and Finance Association	
YELVINGTON, ALVAR, 1501 - 5th Street, Sacramento 95814	(916) 447-2211
California Association for Private Education	
California Land Surveyors Association	

New Accounts—Advocates Listed in 1972 Directory

ANDERSEN, RALPH E.
American Institute of Professional Geologists—California Section

BEAUCHAMP, ROBERT, D D S
Garland, Gordon H.

BECKUS, ROBERT J
Adamson Companies
Association of Bay Area Governments
Association of Northern California Defense Counsels
Association of Southern California Defense Counsels
California Association for Health, Physical Education and Recreation
California Automobile Dealers Association
California Chiropractic Association
California Dry Cleaners Association
California Laundry and Linen Supply Association
California Special Districts Association
California Thoroughbred Breeders Association
Conference of Personal Managers
Horsemen's Benevolent and Protective Association

Knudsen Corporation (Todd Foods, a subsidiary thereof)
Otay Municipal Water District
Rohr Industries, Inc.
Southern California Association of Governments

BURKE, WILLIAM R.
Interment Association of California

BURNS, DONALD CARLTON
California Association of Marriage and Family Counselors

CAMPBELL, F E, D D S
Garland, Gordon H.

CROSE, JACK C
Century City, Inc
Route 2 Association of Beverly Hills

DAVIS, ALAN E
California Forest Protective Association

DESMOND, GERALD J
California Safety Center
Physicians Health Congress

FARBER, JOSEPH M.
Allied Insurance Company
Insurance Company of North America

GARLAND, GORDON H
Robert Beauchamp, D D S.
F E. Campbell, D D S.

HEWITT, PATRICIA S
California Association of School Psychologists & Psychometrists
California Association of School Social Workers
California Council of Pupil Service Organizations
California Personnel and Guidance Association

KELLY, JOHN D
Joseph F Mahoney and Associates, Inc

KENNEDY, V DENNIS
California Forest Protective Association

LANDON, JAMES L.
Marine Cooks & Stewards Union
Stewards Security, Inc.

LeFEVRE, ALLAN D
Judson Steel Corporation
Professional Engineers of the California Public Utilities Commission

MANLEY, MICHAEL A.
Gordon H Winton
Robert G Carter

MARSH, HAROLD, JR
Board of Trade of San Francisco
Wholesalers Credit Association

MARSH, WILLIAM F
John Voevodsky

NAGLESTAD, FREDERIC A.
California Automotive Wholesalers' Association
California Automotive Wholesalers' Association Trust for Automotive Political Education
REED, JAMES S.
Common Cause
ROPE, ROBERT S
Los Angeles County Lifeguard Association
ROSS, KENNETH A , JR.
Heidrick and Struggles
SULLIVAN, EUGENE J.
Western Association of Insurance Brokers
VEGLIA, ALBERT J
Driving School Association of California, Inc.
National Auto Auction Association
R L Polk & Co.
WAGNER, SHELLY
Metropolitan News
Spencer-Roberts, Woodward and McDowell
WALDIE, GEORGE W.
Architects and Engineers Advisory Group
WALTERS, ROBERT G
Avco Community Developers, Inc
WENDT, JOHN R
Foster and Kleiser

1972 ORGANIZATIONS

ADAMSON COMPANIES
Beckus, Robert J
AIR TRANSPORT ASSOCIATION OF AMERICA
Jones, Kermit C ; Nielson, Edwin J.*
ALLIED INSURANCE COMPANY
Farber, Joseph M.
AMERICAN CIVIL LIBERTIES UNION OF NORTHERN CALIFORNIA
Remcho, Joseph
AMERICAN INSTITUTE OF MERCHANT SHIPPING
Greerty, Claude P.
AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS—CALIFORNIA SECTION
Andersen, Ralph E.
ANIMAL WARDS
Rau, Katherine A.
ARCHITECTS AND ENGINEERS ADVISORY GROUP
Waldie, George W.

* Previously listed in 1972 Directory

ASSOCIATION OF BAY AREA GOVERNMENTS
Beckus, Robert J
ASSOCIATION OF NORTHERN CALIFORNIA DEFENSE COUNSELS
Beckus, Robert J
ASSOCIATION OF SOUTHERN CALIFORNIA DEFENSE COUNSELS
Beckus, Robert J.
AUTOMOBILE MANUFACTURERS ASSOCIATION, INC
Houseberg, E James, Senger, Alan F. (Charles E Hoagland terminated)
AVCO COMMUNITY DEVELOPERS, INC.
Walters, Robert G
BOARD OF TRADE OF SAN FRANCISCO
Marsh, Harold, Jr
BOOLE & BABBAGE, INC
Wendin, Daniel G
BUDGET RENT A CAR SYSTEM—FAR WESTERN REGION
Dredge, Armiger F, Jr
CALIFORNIA APPLICANTS' ATTORNEYS ASSOCIATION
Green, Donald C
CALIFORNIA AMBULANCE ASSOCIATION
Weitzman, Hyman
CALIFORNIA ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION AND RECREATION
Beckus, Robert J
CALIFORNIA ASSOCIATION FOR PRIVATE EDUCATION
Yelvington, Alvar
CALIFORNIA ASSOCIATION OF MARRIAGE AND FAMILY COUNSELORS
Burns, Donald Carlton
CALIFORNIA ASSOCIATION OF NURSING HOMES
Jones, F Clinton, Olsen, Charles H *
CALIFORNIA ASSOCIATION OF SCHOOL PSYCHOLOGISTS & PSYCHOMETRISTS
Hewitt, Patricia S
CALIFORNIA ASSOCIATION OF SCHOOL SOCIAL WORKERS
Hewitt, Patricia S
CALIFORNIA AUTOMOBILE DEALERS ASSOCIATION
Beckus, Robert J
CALIFORNIA AUTOMOTIVE WHOLESALERS' ASSOCIATION
Naglestad, Frederic A
CALIFORNIA AUTOMOTIVE WHOLESALERS' ASSOCIATION TRUST FOR AUTOMOTIVE POLITICAL EDUCATION
Naglestad, Frederic A
CALIFORNIA BEER WHOLESALERS ASSOCIATION, INC.
De Nio, Paul Hicks

* Previously listed in 1972 Directory

CALIFORNIA CHIROPRACTIC ASSOCIATION
Beckus, Robert J.

CALIFORNIA COLLEGE OF MORTUARY SCIENCE
Hilgenfeld, Melvin D.

CALIFORNIA CONGRESS OF PARENTS AND TEACHERS, INC.
Birdsall, Virginia M (Mrs), Lenzi, Donna M (Mrs)

CALIFORNIA COUNCIL OF PUPIL SERVICE ORGANIZATIONS
Hewitt, Patricia S.

CALIFORNIA DENTAL ASSOCIATION
DeWitt, Dennis L , Muir, J E "Skip"*

CALIFORNIA DRY CLEANERS ASSOCIATION
Beckus, Robert J

CALIFORNIA FOREST PROTECTIVE ASSOCIATION
Davis, Alan E.; Calaghan, John*; Kelly, R K*; Kennedy, V. Dennis; Landenberger, Fred*

CALIFORNIA LAND SURVEYORS ASSOCIATION
Yelvington, Alvar

CALIFORNIA LATHING & PLASTERING CONTRACTORS ASSOCIATION, INC.
Johnston, Clay M.

CALIFORNIA LAUNDRY AND LINEN SUPPLY ASSOCIATION
Beckus, Robert J

CALIFORNIA LEAGUE FOR X-RAY SAFETY
Smith, Steven E

CALIFORNIA LOAN AND FINANCE ASSOCIATION
Chandler, Laurence*; Wright, Richard

CALIFORNIA MANUFACTURERS ASSOCIATION
Dyer, Martin B , Knight, Thomas F*, Libra, A L*; McClung, Emmons*

CALIFORNIA MORTGAGE BANKERS ASSOCIATION
Kennedy, V Dennis

CALIFORNIA PERSONNEL AND GUIDANCE ASSOCIATION
Hewitt, Patricia S.

CALIFORNIA REAL ESTATE ASSOCIATION
Gillies, Dugald*; Houk, Darlyne, Yule, Donald A.*

CALIFORNIA REFUSE REMOVAL COUNCIL
Weitzman, Hyman

CALIFORNIA REPUBLICAN ASSEMBLY
Bohn, John A

CALIFORNIA SAFETY CENTER
Desmond, Gerald J.

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
Beckus, Robert J.

CALIFORNIA THOROUGHBRED BREEDERS ASSOCIATION
Beckus, Robert J.

* Previously listed in 1972 Directory

CAMELLIA CITY BINGO ASSOCIATION
Esposito, Ray R.*; Kelly, William H., Jr.; Parino, Salvador*
CENTURY CITY, INC.
Crose, Jack C.; Steel, Joseph W.*
CLASSIFIED EMPLOYEE RELATIONS COUNCIL
Edwards, Dennis L ; Jones, William R., Pedersen, Glenn C.
COMMON CAUSE
Green, Donald C.; Reed, James S *
CONFERENCE OF PERSONAL MANAGERS
Beckus, Robert J.
DRIVING SCHOOL ASSOCIATION OF CALIFORNIA, INC.
Veglia, Albert J.
FORD MOTOR COMPANY
Dugally, Richard L ; Hillings, Patrick J.*
FOSTER AND KLEISER
Reid, Albert J.*, Wendt, John R.
GORDON H WINTON
Manley, Michael A.
HEIDRICK AND STRUGGLES
Ross, Kenneth A., Jr.
HORSEMEN'S BENEVOLENT AND PROTECTIVE ASSOCIATION
Beckus, Robert J.
INA CORPORATION (and wholly owned subsidiaries)
Block, Richard L
INSURANCE COMPANY OF NORTH AMERICA
Farber, Joseph M.
INTERMENT ASSOCIATION OF CALIFORNIA
Burke, William R.
JOHN VOEVODSKY
Marsh, William F.
JOSEPH F. MAHONEY AND ASSOCIATES, INC.
Kelly, John D ; Mahoney, Joseph F.*
JUDSON STEEL CORPORATION
LeFevre, Allan D.
KERRY W MULLIGAN & ASSOC.
Mulligan, Kerry W.
KNUDSEN CORPORATION (TODD FOODS, a subsidiary thereof)
Beckus, Robert J.
LOS ANGELES COUNTY LIFEGUARD ASSOCIATION
Rope, Robert S
LOS ANGELES PARKING ASSOCIATION
Long, Stanley E
MARINE COOKS & STEWARDS UNION
Landon, James L

* Previously listed in 1972 Directory

METROPOLITAN NEWS
Wagner, Shelly
NATIONAL ASSOCIATION OF MARGARINE MANUFACTURERS
Riepma, Siert F.
NATIONAL AUTO AUCTION ASSOCIATION
Veglia, Albert J
NATIONAL RETAIL PET SUPPLY ASSOCIATION, INC.
White, Ralph I.
NEWPORT BEACH, CITY OF
Porter, Charles E.
ORANGE COUNTY WATER DISTRICT
Warne, William E
OTAY MUNICIPAL WATER DISTRICT
Beckus, Robert J.
PACIFIC EGG AND POULTRY ASSOCIATION
Nall, Carl E.
P.E R S RETIREMENT BETTERMENT COMMITTEE, INC.
Houston, George W.*; Jones, Howard L*; Ransom, Lawrence E.; Weber, Arnold *
PEST CONTROL OPERATORS OF CALIFORNIA
Kennedy, V. Dennis
PHYSICIANS HEALTH CONGRESS
Desmond, Gerald J.
PRIVATE NURSERY SCHOOL ASSOCIATION OF CALIFORNIA, INC.
Jones, F. Clinton
PROFESSIONAL ENGINEERS OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION
LeFevre, Allan D.
PROTECTIVE COUNCIL OF CALIFORNIA SENIOR CITIZENS, INC.
DeWitt, James
R. A ROBYN & ASSOCIATES
Robyn, Richard A.
R L. POLK & CO.
Veglia, Albert J.
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
Kane, Gary Paul
ROBERT G. CARTER
Manley, Michael A.
ROHR INDUSTRIES, INC.
Beckus, Robert J.
ROUTE 2 ASSOCIATION OF BEVERLY HILLS
Crose, Jack C.

* Previously listed in 1972 Directory

SAN DIEGO DAILY TRANSCRIPT
Hornaday, Quinn
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
Beckus, Robert J
SOUTHERN CALIFORNIA DENTAL ASSOCIATION
DeWitt, Dennis L , Muir, J E "Skip" *
SOUTHERN CALIFORNIA SYMPHONY–HOLLYWOOD BOWL ASSOCIATION
Wakefield, George W.
SPENCER–ROBERTS, WOODWARD AND McDOWELL
Wagner, Shelly
STATEWIDE CONFERENCE OF PRIVATE MENTAL HEALTH FACILITIES
Jones, F Clinton
STATEWIDE CONFERENCE OF RESIDENTIAL CARE HOMES
Jones, F Clinton
STEWARDS SECURITY, INC.
Landon, James L.
THREE–M COMPANY
Hass, E Ewing; Veglia, A. J.*
UNITED AIR LINES
Jones, Kermit C ; Nielson, Edwin J *
WARNER–CHILCOTT LABORATORIES
Stahl, William E.
WESTERN ASSOCIATION OF INSURANCE BROKERS
Sullivan, Eugene J
WESTERN AWNING ASSOCIATION
Johnston, Clay M.
WESTERN UNION TELEGRAPH COMPANY
Sherman, Frederick B
WESTERN WHOLESALE PET SUPPLY ASSOCIATION, INC.
White, Ralph I
WHOLESALERS CREDIT ASSOCIATION
Marsh, Harold, Jr.

* Previously listed in 1972 Directory

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Sixth Legislative Day

One Hundred Ninety-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, July 17, 1972

Pursuant to the provisions of Assembly Concurrent Resolution No 114, the Assembly met at 9 30 a m

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Knox moved a quorum call of the Assembly.

Mr Seeley seconded the motion.

Motion carried. Time, 9 .32 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10 02 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller,

Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—67.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, You have entrusted this world and all that is in it to the minds and hands of men. Such is the meaning of Your creation That men need each other very much is obvious to all today For we now have the power to destroy the human community or to build it into something great. No man works or lives alone; even to fashion simple gifts, even to worship our God, we need each other very much —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mrs Davis then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Knox, seconded by Mr. MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness.

Mr. Campbell, on request of Speaker pro Tempore Bee.
Mr Quimby, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr Maddy, on request of Speaker pro Tempore Bee.
Mr. Mobley, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Cory.
Mr. Chappie, on request of Speaker pro Tempore Bee.
Mr Dunlap, on request of Acting Speaker Cory.
Mr. Karabian, on request of Speaker pro Tempore Bee.
Mr Meade, on request of Acting Speaker Fenton
Mr Monagan, on request of Speaker pro Tempore Bee.
Mr. Moretti, on request of Speaker pro Tempore Bee.

The following Member was excused for the day, and his per diem was waived:

Mr. Bill Greene.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal.

June 29, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker. I respectfully request that I be excused from the session on legislative business July 17 through July 21, 1972. I will be attending the Eagleton Institute of Politics in Florida.

Very truly yours,

KEN MADDY, Assemblyman
Thirty-second District

July 17, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: I am appointing Assemblyman Ernest Mobley to represent the Assembly at the funeral of former Assemblyman Bill Hansen in Fresno on July 17, 1972

Sincerely,

BOB MORETTI
Speaker of the Assembly

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Press Credentials

July 7, 1972

Squire Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of the following to be accredited press representatives in the Legislature

Robert Forsyth, Sacramento Union
Philip Ronney, KNXT News
E Christopher Drake, Copley News Service

Sincerely,

JOHN L. BURTON, Chairman
Joint Committee on Rules

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

July 10, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr. Driscoll: Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot

arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Palo Alto

Sincerely,

RICHARD D. HAYDEN

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No. 117).

Explanation of Vote—Assembly Bill No. 1724

July 11, 1972

Mr. James Driscoll, Chief Clerk
Room 3194, State Capitol
Sacramento, California

Dear Mr Driscoll: On June 30 when AB 1724 was voted on I was unavoidably off the floor on legislative business. Had I been present, I would have voted aye.

Very truly yours,

JOHN T. KNOX

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

By unanimous consent, the following explanation of vote was printed in the Journal:

Explanation of Vote—Assembly Bill No. 2285

July 6, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol

Dear Jim I respectfully request a letter printed in the Assembly Journal stating that I would have voted "aye" on AB 2285 when it passed the Assembly on June 26, 1972, if I had been present I would have voted for AB 2285 which would provide for bilingual administrators in schools with 30 percent or more Chicano population I believe that it is the responsibility of the school administration to respond to the unique needs of its student population and this bill makes great strides toward that end

Sincerely,

WALTER KARABIAN
Assemblyman

RESOLUTIONS

The following resolution was offered.

By Assemblyman Burton:

House Resolution No. 81

Relative to welfare reform

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject matter of the following welfare reform proposals:

(1) Revising requirements for appointment of the Director of Social Welfare by requiring at least three years experience in welfare administration, and the advice of the Senate Rules and Health and Welfare Committees and authorizing the Senate to subsequently withdraw its consent upon two-thirds vote;

(2) Requiring the Department of Social Welfare to eliminate all disparities in the determination and payment of special needs and rental allowances for recipients under the adult categorical aid programs and suspending for one year the aid to the needy disabled average monthly grant limitation;

(3) Requiring the Department of Social Welfare, rather than the county, to supervise the administration of county general aid pursuant to departmental rules and regulations, establishing standards of eligibility and a maximum aid table for county general aid and appropriating from the state's General Fund 50 percent of such aid, and

(4) Requiring county work relief projects for indigents to be in accordance with community work experience programs, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Duffy:

House Resolution No. 82

Relative to restoration of the Hanford Taoist Temple

Resolved by the Assembly of the State of California, That the Members hereby request the Department of Parks and Recreation to conduct a study of the cost of restoration of the Taoist Temple in the City of Hanford in Kings County and to report its findings to the Assembly not later than the fifth calendar day of the 1973 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Parks and Recreation.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

COMMUNICATIONS

Assembly Chamber, July 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

Assembly Bill No. 242—An act to amend Section 3355 of the Business and Professions Code, relating to hearing aid dispensers, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 653—An act to add Article 11 (commencing with Section 28060) to Chapter 5 of Division 12 of the Vehicle Code, relating to equipment of vehicles,

Assembly Bill No. 690—An act to amend Section 29009 5 of, repeal Sections 268 and 6064 of, and to repeal Article 5 6 (commencing with Section 5995) of Chapter 6 and Article 7 (commencing with Section

6499.21) of Chapter 6.5 of Division 6 of, the Education Code, relating to education;

~~Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 71300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts,~~

Assembly Bill No. 1802—An act to amend Section 770.3 of the Insurance Code, relating to tax-sheltered annuities,

Assembly Bill No. 1845—An act to amend Section 73694 of the Government Code, relating to municipal courts;

And reports the same correctly enrolled, and presented to the Governor at 12 00 m , July 11, 1972.

JAMES D. DRISCOLL, Chief Clerk

NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 873 was reported correctly enrolled, and presented to the Governor See page 6108

Assembly Chamber, July 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 123—An act to amend Sections 13801, 13813, 14100, 14111 and 17668 5 of, and to add Article 13 5 (commencing with Section 14084) and Article 17 (commencing with Section 14130) to Chapter 4 of Division 10 of, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 439—An act relating to the establishment of a Regional Criminal Justice Center by the Yosemite Junior College District;

Assembly Bill No. 915—An act to add Article 1 5 (commencing with Section 14411) to Chapter 3 of Division 6 of the Business and Professions Code, relating to trade names;

Assembly Bill No. 1049—An act to amend Section 1563 of the Evidence Code, relating to evidence,

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., July 11, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1599
AB No. 1846

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, July 17, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AB No 1283
AB No 1717

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, July 17, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

AB No 508
AB No 2377

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading

Assembly Chamber, July 17, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 1251

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee

Assembly Chamber, July 17, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 1742

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, July 17, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined.

ACR No 55

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

Assembly Chamber, July 17, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

AB No 1884

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, July 10, 1972

Mr. Speaker: Your Committee on Education reports·

SB No. 517

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, July 4, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 916

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bill ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, July 12, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 199

With amendments with the recommendation Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 12, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 754

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WAXMAN, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, July 5, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

SB No 348

With amendments with the recommendation: Amend, and do pass, as amended.

BRATHWAITE, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, July 17, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 262

With amendments with the recommendation. Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, July 17, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

SB No 437

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 437—An act to add Section 21101.5 to the Vehicle Code, relating to vehicles

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly June 27, 1972, after "purposes", insert ", and nothing in this section shall invalidate any local zoning, building, or health ordinances that prohibit or restrict the use of vehicles as residences".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, July 17, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports:

SB No. 1108

With author's amendments with the recommendation: Amend, and refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1108—An act to add Article 4 5 (commencing with Section 53070) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to counties.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 8, 1972, strike out "add Article 4 5 (commencing with Section 53070) to"; and strike out lines 2 and 3 of the title, and insert "place a constitutional amendment on the ballot, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. (a) There shall be submitted to the people at the general election, to be held on the seventh day of November, 1972, Assembly Constitutional Amendment No. 81 of the 1972 Regular Session. Except as otherwise provided in this section, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to Assembly Constitutional Amendment No 81.

(b) Within five days after the effective date of this section or within five days after the adoption by the Legislature of Assembly Constitutional Amendment No. 81, whichever occurs later, the author and one member of the opposite house who voted with the majority on the amendment, shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure If the constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, or if an argument against the measure has not been timely filed by the member appointed to prepare the argument, the presiding officer of that house shall notify the news media of that fact and shall request that interested persons file such an argument within 10 days after such notice.

From among the arguments submitted, the presiding officer shall select the argument to be filed with the Secretary of State No argument shall exceed 500 words All such arguments shall be filed with the Secretary of State within two days after the date of selection. Rebuttal arguments shall be submitted pursuant to Section 3565 5 of the Elections Code, except that rebuttal arguments shall be filed within five days after the date on which arguments are to be filed with the Secretary of State.

(c) Upon the effective date of this section or upon the date of the adoption by the Legislature of Assembly Constitutional Amendment No 81, whichever occurs later, the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this section, shall request the Legislative Counsel to prepare an analysis of said measure in accordance with Section 3566 of the Elections Code, and shall also request the Legislative Analyst to prepare a cost analysis of the measure in accordance with Section 3566 3 of the Elections Code Said title and said analysis of the Legislative Counsel, and said analysis of the Legislative Analyst shall be filed with the Secretary of State within two days after the effective date of this section or within two days after the adoption by the Legislature of such constitutional amendment, whichever occurs later.

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

In order to place the specified constitutional amendment on the ballot, it is necessary that this act go into immediate effect."

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, July 10, 1972

Mr. Speaker. The Chairman of your Committee on Elections and Reapportionment reports·

SB No. 839

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 839—An act to amend Section 27501 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate June 16, 1972, after the second "the", insert "municipal".

Amendment No. 2

On page 1, line 10, after "registration", insert "submitted".

Amendment No. 3

On page 1, line 11, after "State", insert "as required by Section 6460".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, July 13, 1972

Mr. Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

SB No. 189

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 189—An act to amend Sections 27516, 27517, 27517.5, and 27518 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate May 1, 1972, strike out "27517.5, and 27518 of", and insert "27518, and 27519 of, and to repeal Section 27517.5 of,".

Amendment No. 2

On page 1, strike out lines 7 and 8; and on page 2, strike out lines 1 to 11, inclusive, and insert

"27516. There shall also be printed on the recall ballot the following question:

"If the recall prevails shall the (name of legislative body) fill the vacancy or vacancies by appointment or call a special election for that purpose?"

Following the question shall be the words "By appointment" and "By special election" on separate lines, with a blank space at the right of each in which the voter shall indicate by stamping a cross (+) his vote for appointment or election."

Amendment No. 3

On page 2, line 21, strike out "unless the"; strike out lines 22 to 26, inclusive, and insert ", and the office shall be deemed vacant."

Amendment No. 4

On page 2, strike out lines 28 to 40, inclusive; and on page 3, strike out lines 1 to 7, inclusive, and insert "repealed."

Amendment No. 5

On page 3, strike out lines 10 to 18, inclusive, and insert

"27518 If the recall prevails and a majority of those voting on the question of filling the vacancy favor a special election for that purpose, the legislative body shall at its next regular meeting call an election to be held to fill the vacancy not less than 74 nor more than 89 days after the date of the order If a regular municipal election is to occur not more than 104 nor less than 74 days from the date of canvassing the vote the legislative body may provide for filling the vacancy at such regular municipal election instead of at a special election If a special election is not favored by a majority of the voters, the legislative body shall at once fill the vacancy by appointment In either case the person elected or appointed shall hold office for the unexpired term of the former incumbent

SEC 5 Section 27519 of the Elections Code is amended to read

27519 ~~If the officer sought to be recalled dies more than 54 days prior to the election, the period for filing nomination papers to succeed the officer shall be extended to the 30th day prior to the election.~~

~~If the officer sought to be recalled resigns prior to the election, and at the close of the period for filing nomination papers only one person has been nominated for the office or no person has been nominated for the office, an election shall not be held. In such case the governing body of the city shall appoint to the office the person nominated, or, if no person has been nominated, shall appoint any qualified person.~~ *If a majority of the legislative body is recalled at the same election, the members recalled shall retain their offices until their successors are elected and qualified Immediately after the canvass of votes, the clerk shall call a special election to fill the vacancies arising as a result of the recall election, which special election shall be held within 89 days after the canvass of votes of the election at which they were recalled The duties of the governing body of the city with respect to the holding of such special election shall be performed by the clerk The vote of the special election shall be canvassed by the clerk, who shall declare the result If the clerk has also been recalled, then the board of supervisors shall perform his duties* "

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment

MESSAGES FROM THE GOVERNOR

The following Message from the Governor was received, and by unanimous consent, ordered printed in the Journal:

Veto Message—Assembly Bill No. 688

Governor's Office, Sacramento
July 11, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 688 entitled, "An act to add Section 25274 to the Vehicle Code, relating to flashing and colored lights"

This measure would authorize the display of flashing amber warning lights to the rear by any publicly owned vehicle operated by a marshal or deputy marshal of a municipal court while stopped upon a roadway

The present practice of restricting the use of amber warning lights to those types of vehicles, which by their construction or necessary operation would, themselves, constitute a traffic hazard, has maintained the integrity of this type of warning device In light of recent studies which have shown that indiscriminate use of flashing lights adds to congestion and confusion, and in consideration of the duties performed by municipal court marshals, the need for such devices does not appear justified

Accordingly, I am returning the bill unsigned

Respectfully,

ED REINECKE
Acting Governor

Governor's Office, Sacramento
July 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: This is to advise that on July 11, 1972, I returned, unsigned, Assembly Bill No. 688, together with a statement of my objections thereto.

Delivery was made to R Brian Kidney, Assistant Chief Clerk, at 9.15 A M.

Respectfully,

ED REINECKE
Acting Governor

RECEIPT

I acknowledge receipt this 11th day of July, 1972, at 9 15 A M of Assembly Bill No. 688, without the signature of the Acting Governor, together with a statement of his objections thereto, signed by the Acting Governor, delivered to me personally by Marian E Fort

R BRIAN KIDNEY
Assistant Chief Clerk

Above bill ordered to the unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, July 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 27
ACR No 31
ACR No. 39

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, July 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 782	AB No. 943	AB No 1826
AB No. 784	AB No. 1137	AB No. 1905
AB No. 785	AB No. 1380	AB No. 2016
AB No. 786	AB No. 1502	AB No. 2099

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 7, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 1378
AB No. 2036

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 429	AB No. 913
AB No. 602	AB No. 1339

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 137	SB No 499	SB No. 1282
SB No. 486	SB No. 539	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 1374
AB No. 1787

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 92
AB No. 1330

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 895	AB No 1351	AB No. 1960
AB No. 1033	AB No. 1843	AB No 2355
AB No. 1074	AB No. 1910	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 115
ACR No. 117

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, July 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 256

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 12, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended

AJR No 22

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, July 12, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted.

ACR No. 71

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, July 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 692

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, July 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 616
AB No. 718
AB No. 1928

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 13, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 1183

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 901

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, July 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 112

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, July 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No. 561
AB No 1228

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate, California Legislature, July 12, 1972

Hon James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr. Driscoll: The Senate on July 12 withdrew Senate Bill No 1285 from enrollment and is hereby returning it to the Assembly for further action.

Very truly yours,

DARRYL R WHITE
Secretary of the Senate

Above bill ordered held at the Desk

Senate Chamber, July 7, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 93	SB No 416	SB No. 1302
SB No. 148	SB No 691	SB No 1394
SB No. 265	SB No 939	SB No. 1478
SB No 403	SB No 1123	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 6, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 241

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 206	SB No. 796	SB No 1377
SB No 286	SB No 845	SB No. 1413
SB No 367	SB No. 1200	SB No 1475
SB No. 553	SB No. 1226	SB No 1489
SB No. 723		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 11, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed.

SB No 25	SB No. 440	SB No 1362
SB No. 74	SB No 544	SB No. 1390
SB No 135	SB No 598	SB No 1416
SB No 361	SB No. 1112	SB No 1419
SB No 417	SB No 1326	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 12, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted.

SCR No. 53

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 12, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

SB No 15	SB No 263	SB No 1036
SB No 33	SB No 318	SB No 1133
SB No 53	SB No 342	SB No 1167
SB No 94	SB No 363	SB No 1219
SB No 104	SB No 375	SB No 1258
SB No 125	SB No 806	SB No 1391
SB No 138	SB No 823	SB No 1407
SB No 141	SB No. 938	SB No. 1449
SB No. 171	SB No 969	SB No 1468
SB No 190	SB No 992	SB No 1477
SB No 227		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 12, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 8

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 31	SB No 447	SB No. 714
SB No. 56	SB No. 508	SB No 1193
SB No. 268	SB No. 571	SB No 1355
SB No. 357	SB No. 605	SB No 1471

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 76

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 93—An act to add Chapter 8 (commencing with Section 33500) to Division 22 of the Education Code, relating to bilingual and bicultural education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 148—An act to amend Section 23752 of the Education Code, to amend Section 71006 of the Government Code, and to add Sections 1463.5 and 1463.6 to the Penal Code, relating to disposition of parking fees and fines.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 265—An act to amend Sections 6751, 6752, 6752.1, 6754, and 6871 of the Education Code, relating to education of handicapped pupils.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 403—An act to amend Section 17804 of the Business and Professions Code, relating to marriage, family and child counselors.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 416—An act to amend Section 18361 of the Education Code, relating to school funds.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 691—An act to amend Sections 682, 685, 687, 688, 689, 692, 693, and 695 of the Streets and Highways Code, relating to franchises on state highways.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 939—An act to add Section 3551 to the Public Utilities Code, relating to carriers.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1123—An act to amend Sections 55721, 56275, 56301, 56331, and 56381 of, and to add Sections 55863, 55863.5, and 56574.5 to, the Agricultural Code, relating to agricultural marketing.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1302—An act to amend Section 16601.5 of, to add Sections 16602.5 and 16602.6 to, to add Chapter 6.1 (commencing with Section 6445) to Division 6 of, and to add Article 1.5 (commencing with Section 16820) to Chapter 1 of Division 13, the Education Code, and to amend the heading of Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151.5 and 16153.5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1394—An act to provide for the physical, social, and economic development of the Alviso area of the City of San Jose by creating the Alviso Development Corporation, and prescribing the boundaries, organization, purposes, powers, operation, management, and financing of the corporation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1478—An act to amend Section 26401 of the Education Code, relating to schools for the neurologically handicapped, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 241—An act relating to the State College Educational Opportunity Program, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 206—An act to amend Section 25902 of the Education Code, relating to visiting teachers, making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 286—An act to amend Sections 5779, 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827, 12842, and 12848 of, to add Sections 5779 2, 5779 3, 5780 1, 5780 2, 12821, 12831, 12832, 12833, and 12848 5 to, and to repeal Sections 5779 1 and 12821 of, of the Education Code, relating to school testing, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 367—An act to add Chapter 17 5 (commencing with Section 9100) to Division 3 of the Business and Professions Code, and to add Section 15459 1 to the Education Code, relating to construction inspectors, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 553—An act to add Section 3351 1 to the Labor Code, relating to workmen's compensation for jurors

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 723—An act to amend Sections 15409 and 15452 of the Education Code, relating to school buildings

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 796—An act to add Chapter 5 3 (commencing with Section 2530) to Division 2 of the Business and Professions Code, relating to speech pathologists and audiologists

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 845—An act to amend Section 788 of the Evidence Code, relating to impeachment of witnesses

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1200—An act to amend Section 3100 of the Education Code, relating to school district organization

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1226—An act to amend Sections 23102 and 23105 of the Vehicle Code, relating to vehicles

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1377—An act to amend Section 17667, 17951, and 17970 of the Education Code, relating to the education of inmates.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1413—An act to amend Section 11563 of the Elections Code, and Sections 3751 and 3752 of the Government Code, relating to campaign disclosure.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1475—An act to amend the heading of Part 10.5 (commencing with Section 19501) of Division 2 of, and to amend Sections 19505 and 19531 of, the Revenue and Taxation Code, relating to property tax assistance

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1489—An act to add Article 4 (commencing with Section 12580) to Chapter 6 of Title 2 of Part 4 of the Penal Code, relating to blowguns, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 25—An act to add Article 4 5 (commencing with Section 30760) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the Antioch Bridge, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 74—An act to add Section 2954 6 to the Civil Code, relating to real property.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 135—An act to add Sections 20750 144, 20750 28, 20750 38, 20750 415, 20750 434, and 21222 1 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 361—An act to repeal Article 2 (commencing with Section 630) of Chapter 2 of Division 1 of, to add Article 2 (commencing with Section 630) to Chapter 2 of Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of Division 4 of, and to add Chapter 8 (commencing with Section 4511) to Part 2 of Division 4 of, the Public Resources Code, relating to forestry

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 417—An act to amend Sections 11003 1, 11003 2, and 11003 3 of the Revenue and Taxation Code, relating to taxation

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 440—An act to amend Section 1717 of the Civil Code, relating to attorney's fees

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 544—An act to amend Sections 190 and 190 01 of the Streets and Highways Code, relating to grade separations

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 588—An act to amend Section 2630 of the Business and Professions Code, relating to physical therapy.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1112—An act to amend Sections 12551 and 12553 of, to amend and renumber Section 12551.5 of, to add Sections 12601, 12602, 12603, 12604, and 12605 to, and to repeal Section 12601 of, the Education Code, relating to pupils.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1326—An act to repeal and add Chapter 8 (commencing with Section 4521) of Part 2 of Division 4 of the Public Resources Code, relating to forest practices.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1362—An act to amend Section 442 6 of the Health and Safety Code, relating to hospitals

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1390—An act to add Section 14196 1 to the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1416—An act to amend Section 15517 of the Education Code, relating to school district taxation

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1419—An act to amend Section 2600 of the Penal Code, relating to civil rights of prisoners

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 15—An act to amend Section 10652 of the Education Code and to amend Sections 890 and 891 of, to add Sections 896 3 and 896 4 to, and to repeal Section 896 1 of, the Military and Veterans Code, relating to tuition

Held at Desk by order of the Speaker pro Tempore

Senate Bill No 33—An act to amend Section 21252 6 of, and add Sections 20017 78, 21020 9 and 21292 9 to, the Government Code, and to add Section 4805 to the Labor Code, relating to state employee benefits

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 53—An act to add Section 118 6 to the Streets and Highways Code, relating to excess highway property

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 94—An act to add Division 29 (commencing with Section 45000) to the Education Code, relating to adult education

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 104—An act to add Section 18861 to the Government Code, relating to state employees

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 125—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 138—An act to add Article 6.6 (commencing with Section 4820) to Chapter 2 of Part 2 of Division 4 of the Labor Code, relating to Department of Motor Vehicles personnel.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 141—An act to amend Sections 20013, 20016, 21022, 21293, 21295, and 21363 of, and to add Sections 20038 6, 20750 43, 21290.1, 21292 9 to, the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 171—An act to amend Section 18102.11 of, as added by Chapter 1562 of the Statutes of 1970, to amend Section 18102 12 of, and to repeal Section 18102 11 of, as added by Chapter 1543 of the Statutes of 1970, the Education Code, relating to mentally retarded minors.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 190—An act to amend Sections 30102 and 30356 of, to add Section 30100 1 to, and to repeal Section 30001 of, the Streets and Highways Code, relating to toll bridges and ferries, and making an appropriation therefor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 227—An act to add Article 4 (commencing with Section 12040) to Chapter 1 of Part 2 of Division 3 of Title 2 of, and to repeal Section 12015 of, the Government Code, relating to the Governor.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 263—An act to amend Section 4850 of the Vehicle Code, relating to motor vehicles.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 318—An act to amend Section 19502 of the Government Code, relating to state civil service.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 342—An act to add Section 6032 to the Business and Professions Code, and to add Sections 686.4 and 686.6 to the Penal Code, relating to criminal procedure.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 363—An act to add Section 513 to the Public Resources Code, relating to the state park system.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 375—An act to amend Section 6498 of the Education Code, relating to special educational programs.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 806—An act to amend Sections 31468 and 31840 1 of, and to add Section 31557.1 to, the Government Code, and to amend Section 14000.2 of the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 823—An act to amend Section 9360 7 of, and to add Article 8 (commencing with Section 9371) to Chapter 3 5 of Part I of Division 2 of Title 2 of, the Government Code, relating to the Legislators' Retirement System.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 938—An act to amend Section 40802 of the Vehicle Code, relating to highways.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 969—An act to amend Sections 17924, 17925, 17925 5, and 17928 of the Education Code, relating to the financial support of public education, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 992—An act to add Chapter 4 (commencing with Section 1961) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to identification of property owners.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1036—An act to amend Sections 36, 700 01 and 985 of the Insurance Code, relating to insurance.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1133—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1167—An act to add Section 14103 5 to the Welfare and Institutions Code, relating to Medi-Cal.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1219—An act to amend Section 767 of the Education Code, relating to county superintendents of schools.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1258—An act relating to Indian education, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1391—An act to amend Sections 17666 2 and 17666 3 of the Education Code, relating to financial support for the public schools.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1407—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1449—An act to amend Sections 12002 1 and 12314 of, to add Sections 12314 1, 12315 1, and 12331 to, and to repeal Section 12331 of, the Financial Code, relating to proraters.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1468—An act to add and repeal Section 2808 1 of the Streets and Highways Code, relating to special assessment proceedings

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1477—An act to amend Section 1720 of the Labor Code, relating to public works.

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 53—Relative to correctional personnel.

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 8—Relative to parental responsibility in the federal Food Stamp Program.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 31—An act to add Section 418 3 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 56—An act to add and repeal Sections 39067.5 and 39067 6 of the Health and Safety Code, to add and repeal Sections 6360, 8101 2, 8658, and 10784 of the Revenue and Taxation Code, to add and repeal Section 30103.5 of the Streets and Highways Code, to amend, repeal, and add Sections 4750 5 of, and to add and repeal Section 9108 of, the Vehicle Code, relating to emission-free motor vehicles

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 268—An act to amend Section 216 of the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 357—An act to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, to repeal the heading of Article 3 (commencing with Section 5036 5) of Chapter 1 of Division 5 of, to amend and renumber Section 5036 5 of, and to add Article 3 (commencing with Section 5031) to Chapter 1 of Division 5 of, the Public Resources Code, and to add Article 7 (commencing with Section 1161) to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the taxation of property of historical significance.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 447—An act to add Chapter 25.5 (commencing with Section 48561) to Division 17 of the Agricultural Code, relating to marketing of vegetables, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 508—An act to add Article 2 5 (commencing with Section 6331) to Chapter 4, Part 1, Division 6 of the Public Resources Code, relating to tide and submerged lands, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 571—An act to add Section 7263.5 to the Government Code, relating to relocation assistance.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 605—An act to amend, repeal, and add Section 12803 and amend Section 12804 of the Government Code, and to amend Section 50 of the Labor Code, relating to Department of Industrial Relations

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 714—An act to add and repeal Section 13131 of, and to add Section 13132 5 to, the Education Code, to amend, repeal, and add Sections 11333, 11391, 11655, 11655 5, and 11655 6 of, to add Division 10 8 (commencing with Section 11940) to, to repeal Sections 210, and 11655 9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, and Division 10 8 (commencing with Section 11940) of, the Health and Safety Code, to amend Section 11655 8 of, and to repeal Section 11655 7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2 5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154, 5619, and 5654 of, to amend, repeal, and add Section 5651 of, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add Sections 4330 and 5801 of the Welfare and Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1193—An act to amend Section 7 of Chapter 1357 of the Statutes of 1970, relating to gravel beds

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1355—An act to amend Sections 9501, 9507, 9511, 9540 2, 9575, 9575 6, 9594, and 9597 of, to repeal Sections 9555 and 9580 1 of, and to add Article 9 (commencing with Section 9599) to Chapter 18 of Division 3 of, the Business and Professions Code, and to add Chapter 2 (commencing with Section 13201) to, and to repeal Chapter 2 (commencing with Section 13201) and Chapter 3 (commencing with Section 13501) of, Part 2 of Division 12 of the Health and Safety Code, relating to cleaning, dyeing, and pressing.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1471—An act to amend Sections 7231 and 8371 of the Fish and Game Code, relating to striped bass

Held at Desk by order of the Speaker pro Tempore

Senate Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 21 of Article IV thereof, relating to disaster powers of the Legislature.

Held at Desk by order of the Speaker pro Tempore

COMMUNICATIONS

Assembly Chamber, July 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 429—An act to add Section 23129 to the Vehicle Code, relating to vehicles;

Assembly Bill No. 602—An act to amend Section 35406 of the Vehicle Code, relating to motor vehicles;

Assembly Bill No. 782—An act to add Section 7356 to the Labor Code, relating to aerial tramways,

Assembly Bill No. 784—An act to amend Sections 7344 and 7350 of the Labor Code, relating to aerial tramways;

Assembly Bill No. 785—An act to amend Sections 7340, 7341, 7343 and 7348 of the Labor Code, relating to aerial tramways;

Assembly Bill No. 786—An act to add Section 7357 to the Labor Code, relating to aerial tramways;

Assembly Bill No. 913—An act to amend Section 23330 of the Vehicle Code, relating to vehicular crossings;

Assembly Bill No. 943—An act to amend Sections 12070, 12071, and 12073 of the Penal Code, relating to firearms;

Assembly Bill No. 1137—An act to amend Section 296.41 of the Probate Code, relating to simultaneous death;

Assembly Bill No. 1339—An act to amend Section 25413 7 of, and to add Section 25413 8 to, the Education Code, relating to community college governing boards, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1380—An act to amend Section 11000 1 of the Business and Professions Code, relating to subdivision of lands;

Assembly Bill No. 1502—An act to amend Section 13114 of the Health and Safety Code, relating to the State Fire Marshal;

Assembly Bill No. 1826—An act to amend Section 562 of the Welfare and Institutions Code, relating to juvenile court;

Assembly Bill No. 1905—An act to amend and renumber Section 480 of the Penal Code, as added by Chapter 1256 of the Statutes of 1963, relating to forgery of letters;

Assembly Bill No. 1910—An act to amend Sections 21252 45 and 21252 6 of the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 1960—An act to amend Section 31724 of the Government Code, relating to the County Employees' Retirement Law of 1937;

Assembly Bill No. 2016—An act to amend Section 19955 of the Health and Safety Code, relating to public accommodations,

Assembly Bill No. 2099—An act to amend Section 1181 of the Penal Code, relating to criminal procedure;

And reports the same correctly enrolled, and presented to the Governor at 10 a m., July 17, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 27—Relative to State Highway Route 101;

Assembly Concurrent Resolution No. 31—Relative to State Highway Route 101 in Camarillo;

Assembly Concurrent Resolution No. 39—Relative to State Highway Route 101;

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of July, 1972, at 10 a.m.

JAMES D DRISCOLL, Chief Clerk

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker pro Tempore Bee was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Constitutional Amendment No. 20, and Senate Bills Nos 401, 627, 1157, and 1069 for hearing in the Finance and Insurance Subcommittee on Workmen's Compensation today.

Mr. Leroy F. Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 15, 93, 94, 171, 174, 206, 212, 226, 241, 265, 286, 375, 416, 460, 723, 887, 969, 1091, 1112, 1159, 1200, 1219, 1224, 1302, 1377, 1391, 1416, and 1478 for hearing in the Committee on Education on Tuesday, July 18, 1972.

REQUEST FOR UNANIMOUS CONSENT

Mr Conrad informed the Members that the Honorable Bill Hansen, former Member of the Assembly from Fresno, had passed away, and was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect of the late Hon Bill Hansen.

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 519 for hearing in the Committeee on Health today.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee·

Senate Bill No.	*Committee*
15	Education
31	Transportation
33	Retirement
53	Transportation
56	Transportation
94	Education
104	Employment and Public Employees
125	Revenue and Taxation
138	Finance and Insurance
141	Retirement
171	Education
190	Transportation
227	Governmental Organization
263	Transportation
268	Transportation
318	Employment and Public Employees
342	Criminal Justice
357	Revenue and Taxation
363	Natural Resources and Conservation
375	Education
447	Agriculture
508	Planning and Land Use
571	Judiciary
605	Governmental Organization
714	Health
806	Health
823	Retirement
938	Transportation
969	Education
992	Judiciary
1036	Finance and Insurance
1133	Finance and Insurance
1167	Health
1193	Natural Resources and Conservation
1219	Education
1258	Ways and Means

Senate Bill No.	*Committee*
1355	Commerce and Public Utilities
1391	Education
1407	Revenue and Taxation
1449	Finance and Insurance
1468	Local Government
1471	Natural Resources and Conservation
1477	Government Administration

Senate Concurrent Resolution No.	*Committee*
53	Criminal Justice

Senate Joint Resolution No	*Committee*
8	Welfare

Senate Constitutional Amendment No	*Committee*
76	Rules

Senate Bill No.	*Committee*
25	Transportation
74	Finance and Insurance
93	Education
135	Retirement
148	Criminal Justice
206	Education
241	Education
265	Education
286	Education
361	Natural Resources and Conservation
367	Commerce and Public Utilities
403	Health
416	Education
417	Revenue and Taxation
440	Judiciary
544	Transportation
553	Finance and Insurance
598	Health
691	Commerce and Public Utilities
723	Education
796	Health
845	Criminal Justice
939	Commerce and Public Utilities
1112	Education
1123	Agriculture
1200	Education
1226	Criminal Justice

Senate Bill No.	*Committee*
1302	Education
1362	Health
1377	Education
1390	Retirement
1394	Local Government
1413	Elections and Reapportionment
1416	Education
1419	Criminal Justice
1475	Revenue and Taxation
1478	Education
1489	Criminal Justice

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 1599, ordered to third reading.

Assembly Bill No. 1846, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1587—An act to amend Section 7523 of the Business and Professions Code, relating to street patrol special officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 26, 1972, strike out "Section 7523", and insert "Sections 7514 and 7523".

Amendment No. 2

In line 4 of the title, strike out "street patrol special officers", and insert "the Private Investigator and Adjustor Act".

Amendment No. 3

On page 1, strike out line 2, and insert

"SECTION 1 Section 7514 of the Business and Professions Code is amended to read:

7514 The director may adopt and enforce reasonable rules:

(a) Classifying licensees according to the type of business regulated by this chapter in which they are engaged, including but not limited to private investigators, private patrol operators, insurance adjusters, and repossessors, and limiting the field and scope of the operations of a licensee to those in which he is classified and qualified to engage.

(b) Fixing the qualifications of licensees and managers, in addition to those prescribed in this chapter, necessary to promote and protect the public welfare.

(c) Carrying out generally the provisions of this chapter, including regulation of the conduct of licensees

(d) For a change in the classification of a licensee, or in the type of business organization upon application therefor by a licensee, and to prescribe the fee, if any, to be paid

(e) Establishing the qualifications which a uniformed employee of a licensee who operates a private patrol must meet as a condition of becoming eligible to carry firearms pursuant to Section 12031 5 of the Penal Code

(f) Requiring the uniformed employees of a private patrol operator, as defined in this chapter, to register with the bureau, including in such registration full information as to the identification and employment of such employees The director may refuse such registration to any person of bad moral character, and may impose such reasonable, additional requirements as are necessary to meet local needs and are not inconsistent with the provisions of this chapter.

(g) Requiring private patrol operators to make detailed records identifying all firearms in their possession or under their control, and the employees or persons authorized to carry or have access to such firearms.

SEC. 2 Section 7523 of the Business and".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Assembly Bill No. 2346—An act to repeal Article 2 (commencing with Section 630) of Chapter 2 of, and to add Article 2 (commencing with Section 630) to Chapter 2 of, Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of, and to add Chapter 8 (commencing with Section 4521) to Part 2 of, DIVISION 4 of, and to add Article 2 5 (commencing with Section 650) to Chapter 2 of DIVISION 1 of, the Public Resources Code, relating to forestry.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Assembly June 8, 1972, strike out "At least one member", and insert "Three members".

Amendment No. 2

On page 19, line 15, strike out "These", and insert "Except as provided in Section 4542, these".

Amendment No. 3

On page 20, line 15, after "4542 ", insert "Notwithstanding the provisions of Section 4540, the board may, upon a finding that the resource conservation standards defining minimum acceptable stocking should not be applied to a particular cutting plan or to any portion of the land described therein, establish alternate standards which will, in any case, insure full utilization of the available growing space after logging by appropriate species of trees Such alternate standards shall become the criteria to which plans prepared under Article 4 (commencing with Section 4550) and Article 5 (commencing with Section 4560) shall conform
4543."

Amendment No. 4

On page 20, line 34, strike out "4543", and insert "4544".

Amendment No. 5

On page 21, line 17, strike out "4544", and insert "4545".

Amendment No. 6

On page 21, line 21, strike out "on", and insert "in"

Amendment No. 7

On page 24, lines 32 and 33, strike out "a written evaluation by a licensed landscape architect", and insert "an evaluation".

Amendment No. 8

On page 24, line 40, strike out "a written evaluation by a licensed"; and on page 25, line 1, strike out "landscape architect", and insert "an evaluation".

Amendment No. 9

On page 25, lines 7 and 8, strike out "certified forest planner's".

Amendment No. 10

On page 26, line 14, strike out "make a progress report"; strike out lines 15 to 21, inclusive, and in line 22, strike out "its delegate receives no progress report or if it", and insert "periodically inspect the work described in the plan, and shall make a report to the board if there are deviations of any sort from the plan which in his judgment threaten the attainment of the resource conservation standards or other regulations promulgated pursuant to this chapter If the board or its delegate".

Amendment No. 11

On page 29, between lines 5 and 6, insert
"4557 Notwithstanding the provisions of Sections 4550 1, 4551, and 4551 1 regarding the preparation of an operating plan by a certified forest planner, an operating plan may be prepared by the owner or his expressly authorized agent, with the assistance of the division, if the area for which the owner is seeking a forest management permit is 500 acres or less."

Amendment No. 12

On page 29, line 9, strike out "form", and insert "firm".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2204—An act to amend Sections 1777 5 and 3075 of, and to add Sections 3093 5 and 3098 to, the Labor Code, relating to apprenticeship, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "Sections 3093 5 and", and insert "Section".

Amendment No. 2

In lines 4 and 5 of the title, strike out ", and making an appropriation therefor".

Amendment No. 3

On page 5, strike out lines 25 to 31, inclusive, and in line 32, strike out "SEC 4", and insert
"SEC. 3".

Amendment No. 4

On page 6, line 38, strike out "The awarding agency shall"; and strike out lines 39 and 40; and strike out page 7

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file.

Senate Bills Nos. 1173, 1192, 507, 1085, 55, 732, and **1353,** ordered to third reading.

Senate Bills Nos. 487 and **1034,** ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 45—Relative to passenger carriers. Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Commerce and Public Utilities, was read, and adopted

Amendment No. 1

On page 2, line 12, of the printed measure, strike out "1973", and insert "1974".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 573—An act to amend Sections 410 30, 415 50, and 1013a of the Code of Civil Procedure, relating to civil process.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 5 of the printed bill, as amended in Senate May 8, 1972, between lines 8 and 9, insert

"SEC 3 5. Section 1013a of the Code of Civil Procedure is amended to read:

1013a. Proof of service by mail may be made by one of the following methods:

(1) An affidavit affixed to the original, or to a true copy, of the document served and filed in the cause, showing the name and residence or business address of the person making the service, showing that he is a ~~citizen of the United States and~~ resident *of* or employed in the county where the mailing occurs, that he is over the age of 18 years and not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid

(2) A certificate affixed to the original, or to a true copy, of the document served and filed in the cause, showing the name and business address of the person making the service, showing that he is an active member of the State Bar of California and is not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid

(3) In case of service by the clerk of a court of record, a certificate by said clerk affixed to the original, or to a true copy of the document served and filed in the cause, showing the name of the clerk and the name of the court of which he is the clerk, and that he is not a party to the cause, and showing the date and place of deposit in the mail, the name and address of the person served as shown on the envelope, and also showing that the envelope was sealed and deposited in the mail with the postage thereon fully prepaid.

(4) Every served copy shall bear a notation of the date and place of its mailing or be accompanied by an unsigned copy of the affidavit or certificate of mailing."

Amendment No. 2

On page 5, line 13, strike out "operative", and insert "effective".

Amendment No. 3

On page 5, after line 13, insert

"SEC 5 It is the intent of the Legislature, if this bill and Assembly Bill No. 1922 are both chaptered and amend Section 1013a of the

Code of Civil Procedure, and this bill is chaptered after Assembly Bill No. 1922, that Section 1013a of the Code of Civil Procedure, as amended by Section 1 of Assembly Bill No 1922 be further amended on the operative date of this act in the form set forth in Section 3.5 of this act to incorporate the changes in Section 1013a proposed by this bill. Therefore, Section 3.5 of this act shall become operative only if Assembly Bill No. 1922 is chaptered before this bill and amends Section 1013a, and in such case Section 3 5 of this act shall become operative on the operative date of this act and Section 3 of this act shall not become operative."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 957—An act to add Section 3111.5 to the Civil Code, relating to mechanic's liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "five", insert "working".

Amendment No. 2

On page 2, line 1, after "demand", insert ", commencing with the last month of record in possession of the trust fund,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1383—An act to amend Section 73561 of the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73561", and insert "Sections 73561 and 74001".

Amendment No. 2

On page 1, after line 3, insert

"SEC. 2. Section 74001 of the Government Code is amended to read:

74001. There shall be the following number of judges in the North Orange County Municipal Court, eight, in the Central Orange County Municipal Court, ~~nine~~ *eleven* ; in the West Orange County Municipal Court, eight; in the Orange County Harbor Municipal Court, four; and in the South Orange County Municipal Court, three "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read·

Assembly Chamber, July 7, 1972

Mr. Speaker The Committee on Conference concerning:

Senate Bill No. 256—As amended in Assembly June 14, 1972—An act to amend Sections 5535, 5538, 5549, 5553, 5556, and 5559 of, to add Section 5542 5 to, and to repeal Section 5550 of, the Public Resources Code, relating to regional park districts;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 3, line 28, of the printed bill, as amended in Assembly June 14, 1972, after the period, insert "When a declaratory relief action with respect to such property being sought for city or county road, street, or highway purposes may not be brought pursuant to this section, the provisions of subdivision (a) shall not apply."

The undersigned consent to the report

NICHOLAS C. PETRIS	JERRY LEWIS
ARLEN GREGORIO	RICHARD D HAYDEN
PETER BEHR	
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Badham, Bee, Belotti, Beverly, Briggs, Burke, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, and Wood—45

NOES—None

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BURKE

Mr Dent announced that Sunday, July 16, was the birthday of Assemblyman Robert H Burke, of the 70th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr Burke.

REQUEST FOR UNANIMOUS CONSENT

Mr Arnett was granted unanimous consent that the Chief Clerk be directed to request that the Governor return Assembly Bill No 873 to the Assembly for further action

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1285

Mr. Sieroty was granted unanimous consent to rescind the action whereby the Assembly, on July 7, 1972 (Assembly Journal, page 6020), passed Senate Bill No. 1285 and whereby the bill was ordered transmitted to the Senate.

Further Consideration of Senate Bill No. 1285

Senate Bill No. 1285—An act to amend Section 200 of the Code of Civil Procedure, relating to jury duty.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Sieroty was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 1285 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks, and that the bill be returned to the third reading file for the next legislative day

Motion to Amend

Mr. Sieroty moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in Senate June 13, 1972, after line 7, insert

"SEC. 2 Section 200 of the Code of Civil Procedure is amended to read:

200. A person is exempt from liability to act as a juror if he be

1. A Member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2. A person holding a county, city and county, city, town or township office of profit;

3. An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4. A minister of the gospel, or a priest of any denomination following his profession;

5. A teacher in a university, college, academy, or school;

6. A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or ~~druggist actually engaged in the business of dispensing medicines~~ *practicing registered pharmacist* ;

7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9 Employed on board of a vessel navigating the waters of this state;

10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

11 An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830 1 and subdivision (a) of Section 830.2 of the Penal Code;

12 A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply;

14 A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination; ~~or,~~

15 A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence - ;

16. Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee ~~.~~ ; *or,*

17. A city mayor, member of a city council, or person holding a position equivalent to a president or member of a legislative body of a city.

SEC. 3. Section 200 of the Code of Civil Procedure is amended to read:

200. A person is exempt from liability to act as a juror if he be·

1 A Member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2 A person holding a county, city and county, city, town or township office of profit;

3 An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4 A minister of the gospel, or a priest of any denomination following his profession;

5 A teacher in a university, college, academy, or school;

6 A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or ~~druggist actually engaged in the business of dispensing medicines~~ *practicing registered pharmacist* ;

7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9. Employed on board of a vessel navigating the waters of this state;

10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

11 An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830.1 and subdivision (a) of Section 830 2 of the Penal Code;

12. A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; *or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption as provided in Section 202;* provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply;

14. A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination; ~~or;~~

15 A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence ~~.~~ *; or,*

16. Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee.

SEC. 4. Section 200 of the Code of Civil Procedure is amended to read:

200 A person is exempt from liability to act as a juror if he be:

1. A Member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2. A person holding a county, city and county, city, town or township office of profit;

3. An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4. A minister of the gospel, or a priest of any denomination following his profession;

5. A teacher in a university, college, academy, or school;

6 A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or ~~druggist actually engaged in the business of dispensing medicines~~ *practicing registered pharmacist*;

7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9 Employed on board of a vessel navigating the waters of this state;

10 An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

11 An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830 1 and subdivision (a) of Section 830 2 of the Penal Code;

12 A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; *or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption as provided in Section 202;* provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply;

14 A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination, ~~or,~~

15. A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence - ;

16. Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee - ; *or,*

17. A city mayor, member of a city council, or person holding a position equivalent to a president or member of a legislative body of a city

SEC 5 It is the intent of the Legislature that if this bill and Assembly Bill No 519 or Senate Bill No 924, or both, are chaptered and amend Section 200 of the Code of Civil Procedure, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Assembly Bill No 519 are both chaptered and amend Section 200 of the Code of Civil Procedure, but Senate Bill No.

924 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No. 519, the amendments proposed by both bills shall be given effect and incorporated in Section 200 in the form set forth in Section 2 of this act Therefore, if Assembly Bill No. 519 is chaptered before this bill and both bills amend Section 200, and Senate Bill No 924 is not chaptered or as chaptered does not amend that section, Section 2 of this act shall be operative and Sections 1, 3 and 4 of this act shall not become operative.

(b) If this bill and Senate Bill No 924 are both chaptered and amend Section 200 of the Code of Civil Procedure, but Assembly Bill No 519 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No. 924, the amendments proposed by both bills shall be given effect and incorporated in Section 200 in the form set forth in Section 3 of this act—Therefore, if Senate Bill No. 924 is chaptered before this bill and both bills amend Section 200, and Assembly Bill No. 519 is not chaptered or as chaptered does not amend that section, Section 3 shall be operative and Sections 1, 2 and 4 of this act shall not become operative.

(c) If this bill and Assembly Bill No 519 and Senate Bill No. 924 are all chaptered, and all three bills amend Section 200 of the Code of Civil Procedure, and this bill is chaptered after Assembly Bill No 519 and Senate Bill No. 924, the amendments proposed by all three bills shall be given effect and incorporated in Section 200 in the form set forth in Section 4 of this act Therefore, if Assembly Bill No 519 and Senate Bill No 924 are both chaptered before this bill and all three bills amend Section 200 of the Code of Civil Procedure, Section 4 of this act shall be operative and Sections 1, 2 and 3 of this act shall not become operative."

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. McCarthy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1446 for hearing in the Committee on Labor Relations on Wednesday, July 19, 1972.

Mr. Hayes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2025 and Senate Bills Nos 104 and 318 for hearing in the Committee on Employment and Public Employees on Wednesday, July 19, 1972

Mr. Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Constitutional Amendment No. 32 for hearing in the Committee on Constitutional Amendments today.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 27 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No 27 was continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 904, on request of Mr Powers.

Majority Floor Leader Presiding

At 10 25 a m , Hon Jack R. Fenton, 51st District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1717—An act to amend Sections 100 21 and 135 of, to add Sections 103 7, 103 8, 103 9, and 256 2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways.

Bill read third time

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Wakefield moved a call of the Assembly.

Motion carried. Time, 10 31 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1767—An act to add Section 25429.5 to the Education Code, relating to community colleges

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, Moorhead, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2292—An act to amend Section 37111 of, and to add Section 37108 5 to, the Health and Safety Code, relating to housing information systems, and making an appropriation therefor

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chacon moved a call of the Assembly.

Motion carried. Time, 10:43 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mrs. Fong was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2378—An act to add Section 25431 6 to the Education Code, relating to community college districts

Bill read third time, and passed by the following vote:

AYES—Badham, Bee, Beverly, Brathwaite, Burke, Chacon, Cline, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—49.

NOES—Arnett, Collier, Duffy, Russell, and Wakefield—5.

Bill ordered transmitted to the Senate

Hon. Kenneth Cory Presiding

At 10:46 a.m., Hon. Kenneth Cory, 69th District, presiding

THIRD READING OF SENATE BILLS

Senate Bill No. 369—An act to add Section 20025 5 to the Government Code, relating to retirement

Bill read third time, and presented by Mr. Pierson.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Pierson moved a call of the Assembly.

Motion carried. Time, 10:48 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT

Mr LaCoste was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 414—An act to amend Section 146 of, and to add Section 146 1 to, the Streets and Highways Code, relating to state highways.

Bill read third time, and presented by Mr. Sieroty.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—50.

NOES—Davis, Foran, Ketchum, MacDonald, and Stacey—5.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 10:58 a.m., Hon. Jack R. Fenton, 51st District, presiding.

Senate Bill No. 176—An act to add Section 21702.2 to the Education Code, relating to school district bonds

Bill read third time, and presented by Mr. Badham.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Briggs, Burton, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—57

NOES—Duffy—1.

Bill ordered transmitted to the Senate

Senate Bill No. 370—An act to add Section 21230 to the Government Code, relating to Public Employees' Retirement System.

Bill read third time, and presented by Mr. Pierson.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 169—An act to amend Section 29 of Chapter 549, Statutes of 1955, relating to the Montalvo Municipal Improvement District.

Bill read third time, and presented by Mr. MacDonald.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 311—An act to amend Sections 11006.2, 12158 and 12660 of, and to add Section 11006.3 to, the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and presented by Mr. Burton.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 773—An act to amend Sections 1326 and 1327 of the Penal Code, relating to process

Bill read third time, and presented by Mr Moorhead

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy,. Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1083—An act to amend Section 25541 7 of the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr. Burke.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—Cory—1.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—Cory—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 805—An act to amend Sections 885 5 and 895.11 of the Education Code, relating to county school service funds.

Bill read third time, and presented by Mr. Leroy F. Greene.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 557—An act to add and repeal Section 3194 5 to the Health and Safety Code, relating to blood tests.

Bill read third time, and presented by Mr. Bagley.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1048—An act to amend Sections 537 5 and 539 of, and to add Sections 537, 537.1, 537 2, 537 3, 538, 538 1, 538 2, 538 3, 538.4, 538.5, 541, 542.1, 542 2, 542 3, 542 4, 542b, and 542c to, and to repeal Sections 537, 538, 541, and 542b of, the Code of Civil Procedure, and to add Sections 126 1, 15006.1, and 15501 1 to the Corporations Code, and to amend Section 7203 of the Government Code, relating to attachment in commercial actions.

Bill read third time, and presented by Mr Knox

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wood, and Z'berg—59.

NOES—Cullen, Vasconcellos, and Wilson—3

Bill ordered transmitted to the Senate.

Senate Bill No. 315—An act to amend Section 3528 of the Government Code, relating to state employee relations

Bill read third time, and presented by Mr Moorhead.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1204—An act to add Section 13723 27 to the Education Code, relating to classified employees.

Bill read third time, and presented by Mr. Hayden.

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, and Z'berg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1014—An act to amend Section 66514 of the Government Code, and to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges

Bill read third time, and presented by Mr. McCarthy.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 1014.

Governor's Office, Sacramento
June 5, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 1014, "An act to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the

State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1014, as amended, as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—60.

NOES—Bee and Sieroty—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 998—An act to amend Sections 32121 and 32129.5 of, to add Sections 32126.5 and 32129 to, and to repeal Section 32129 of, the Health and Safety Code, relating to hospital districts.

Bill read third time, and presented by Mr. Wood.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—59

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 369

At 11:12 a.m., on motion of Mr. Pierson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 369 passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Murphy, Pierson, Porter, Powers, Priolo,

Ralph, Seeley, Stacey, Thomas, Vasconcellos, Warren, Wilson, Wood, and Z'berg—44.

NOES—Badham, Burke, Cline, Collier, Conrad, Dent, Lancaster, Lanterman, Moorhead, Russell, Stull, and Wakefield—12

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 468—An act to amend Section 12 of, and to add Sections 17 1, 17 2, and 17 3 to, the San Diego County Flood Control District Act (Chapter 55 of the Statutes of 1966, First Extraordinary Session), relating to the San Diego County Flood Control District

Bill read third time, and presented by Mr Stull

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 987—An act to add Section 12825.5 to the Education Code, relating to public schools

Bill read third time, and presented by Mr. Leroy F Greene.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—60

NOES—None.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1½b of Article XIII thereof, relating to taxation.

Bill read third time, and presented by Mr Stull.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad,

Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 446

Mr. Stull was granted unanimous consent to take up Senate Bill No. 446, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 446

Senate Bill No. 446—An act to amend Section 205 7 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and presented by Mr Stull.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—62

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 244—An act to amend Section 69605 of the Government Code, relating to judges.

Bill read third time, and presented by Mr. Duffy.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Moorhead, Murphy, Pierson Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—60

NOES—Vasconcellos—1.

Bill ordered transmitted to the Senate

Senate Bill No. 420—An act to amend Sections 6577, 53550, 53552, 53553, 53555, and 54309.1 of, to renumber Section 53557 of, to add Sections 53556, 53557, 53558, 53560, 53561, 53562 and 53569 to, to repeal Sections 53556 and 53558 of, and to add Article 10 (commencing with Section 53570) to Chapter 3, Part 1, Division 2, Title 5, to, the Government Code, relating to bonds, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Knox

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—58

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 857—An act to add Section 5782.25 to, the Public Resources Code, relating to recreation and park districts

Bill read third time, and presented by Mr Lewis

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—65.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 236—An act to amend Section 668 of, and to add Section 663 6 to, the Harbors and Navigation Code, relating to vessels

Bill read third time, and presented by Mr Badham.

Bill passed by the following vote.

AYES—Arnett, Badham, Bee, Belotti Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—59

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 349—An act to add Section 346 to the Penal Code, relating to admission tickets.

Bill read third time, and presented by Mr. Pierson.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wood, and Z'berg—59

NOES—Vasconcellos and Wilson—2

Bill ordered transmitted to the Senate

Senate Bill No. 162—An act to amend Sections 1162, 1163, 1164, and 1165 of, and to add Section 1162 5 to, the Education Code, to amend Sections 10202 5, 10210, and 10219 2 of, and to add Section 10202 4 to, the Elections Code, and to amend Section 36512 of, and to add Sections 36512 5 and 36512 6 to, the Government Code, relating to special elections.

Bill read third time, and presented by Mr Arnett

Demand for Previous Question

Messrs Duffy, Chacon and Bagley, Mrs Fong, and Mr Ray E Johnson demanded the previous question Demand sustained

The question being on the passage of the bill

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Arnett moved a call of the Assembly.

Motion carried Time, 11 34 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 201—An act to amend Section 23512 of the Elections Code, relating to nomination petitions

Bill read third time, and presented by Mr Lewis

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—60

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Lanterman was granted unanimous consent that a television photographer be permitted on the floor of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered.

Assembly Concurrent Resolution No. 119: By Assemblyman Lanterman—Approving amendments to the Charter of the City of Pasadena, State of California, ratified by the qualified electors of the city special municipal election held therein on the sixth day of June 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 119

Mr Lanterman was granted unanimous consent to take up Assembly Concurrent Resolution No 119 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 119

Assembly Concurrent Resolution No. 119—Approving amendments to the Charter of the City of Pasadena, State of California, ratified

by the qualified electors of the city special municipal election held therein on the sixth day of June 1972

Resolution read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—60

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Sacramento, California

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr Driscoll Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Pasadena.

Very truly yours,

FRANK LANTERMAN

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 119)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1395—An act to add Section 4 to Chapter 562 of the Statutes of 1971, relating to workmen's compensation

Bill read third time, and presented by Mr McAlister.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—54

NOES—Duffy—1.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read

Assembly Chamber, July 17, 1972

Mr Speaker · The Committee on Conference concerning

Assembly Bill No. 530—As amended in Senate June 14, 1972—An act to amend Section 36516 of, and to add Section 36516 2 to, the Government Code, relating to local government,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows·

Amendment No. 1

On page 3 of the printed bill, as amended in Senate June 14, 1972, strike out lines 1 to 7, inclusive, and insert "councilmen's salaries, the compensation of councilmen may be increased beyond the amount provided in Section 36516 by an ordinance or amendment thereto enacted by the city council but the amount of such increase may not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment thereto is enacted, provided that no salary ordinance shall be enacted which provides for automatic future increases in salary "

The undersigned consent to the report ·

ARLEN GREGORIO	LEO J RYAN
MILTON MARKS	JOHN T KNOX
JOHN NEJEDLY	FRANK LANTERMAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, presented by Mr Knox, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Z'berg—59.

NOES—None.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos 1666 and 1707 were continued until the next legislative day.

BILLS PASSED ON FILE

Assembly Bills Nos. 1704 and **2199**—Passed on file.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1236, on request of Mr Cory

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 127—An act to establish procedures for the assessment of open-space lands, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Belotti.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 127:

Governor's Office, Sacramento
April 19, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 127, "An act to establish procedures for the assessment of open-space lands, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No. 127, as amended, as an emergency measure

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Senate Bill No. 127.

Urgency clause adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—61.

NOES—Cullen—1.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown,

Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—61

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 108—An act to amend the heading of Chapter 9 (commencing with Section 29500) of, and to add Article 7 (commencing with Section 29590) to Chapter 9 of, Part 2 of Division 10 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District

Bill read third time, and presented by Mr Crown.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Ryan moved a call of the Assembly

Motion carried Time, 11 59 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Crown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 178, on request of Mr Garcia

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2292

At 12 m., on motion of Mr Chacon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 2292 refused passage by the following vote

AYES—Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Miller, Murphy,

Pierson, Porter, Powers, Ralph, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—41

NOES—Arnett, Badham, Briggs, Burke, Cline, Collier, Conrad, Cullen, Davis, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, and Wakefield—23.

NOTE Later this day a motion to reconsider the vote whereby Assembly Bill No 2292 was refused passage was offered by Mr Chacon. See page 6107

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1717

At 12 05 p m, on motion of Mr Wakefield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 1717 refused passage by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Briggs, Burke, Cline, Collier, Conrad, Deddeh, Duffy, Hayden, Ray E Johnson, MacGillivray, Miller, Moorhead, Murphy, Porter, Priolo, Russell, Stull, Thomas, Wakefield, and Wood—24.

NOES—Bee, Beverly, Chacon, Cory, Cullen, Davis, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, McAlister, McCarthy, Powers, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—34.

Parliamentary Inquiry

Mr Ketchum arose to the following parliamentary inquiry:

Is a motion to reconsider Assembly Bill No 1717 in order, since the bill has been amended subsequent to the reconsideration of the vote whereby it was previously refused passage?

Reply by Acting Speaker

The Acting Speaker replied in the affirmative

Motion to Reconsider Assembly Bill No. 1717 on Next Legislative Day

Mr. Wakefield moved to reconsider on the next legislative day the vote whereby Assembly Bill No 1717 was this day refused passage

Assembly No 1717 ordered to the unfinished business file

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 162

At 12 06 p m., on motion of Mr. Arnett, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No 162 passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Briggs, Burton, Chacon, Conrad, Davis, Dent, Duffy, Fenton,

Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Murphy, Pierson, Porter, Priolo, Ryan, Sieroty, Thomas, Wakefield, Warren, and Waxman—42

NOES—Bee, Burke, Cline, Collier, Cory, Cullen, Deddeh, Gonsalves, Ray E Johnson, Ketchum, Moorhead, Powers, Russell, Stacey, Stull, Vasconcellos, Wilson, and Z'berg—18.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 108

At 12 09 p m , on motion of Mr Ryan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 108 passed by the following vote

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, McCarthy, Miller, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Thomas, Warren, Waxman, Wilson, and Z'berg—44

NOES—Arnett, Badham, Burke, Cline, Davis, Duffy, Hayes, MacGillivray, Moorhead, Murphy, Priolo, Ryan, Vasconcellos, Wakefield, and Wood—15

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2292 ON NEXT LEGISLATIVE DAY

Mr Chacon moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2292 was this day refused passage

Assembly Bill No 2292 ordered to the unfinished business file

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 11 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file.

Assembly Constitutional Amendment No. 93, on request of Mr. Miller

Assembly Bill No. 1565, on request of Mr Waxman

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 1293, 196, and 926 for hearing in the Committee on Welfare, on Wednesday, July 19, 1972

Mr MacDonald was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Joint Resolution No 16 for hearing in the Committee on Rules.

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolutions Nos. 99 and 118, Assembly Joint Resolutions Nos 36 and 37, and Senate Concurrent Resolutions Nos 29 and 36 for hearing in the Committee on Natural Resources and Conservation

ANNOUNCEMENTS

Mr. Russell announced that the meeting of the committee on Government Administration scheduled for today had been canceled

REQUEST FOR UNANIMOUS CONSENT

Mr Z'berg was granted unanimous consent that Assembly Bill No 2346 be considered engrossed, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2346 for hearing in the Committee on Ways and Means

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolutions Nos 102 and 105 and Senate Bills Nos 231, 356, 380, 381, 696, 743, 901, 1127, 1349, 1350, and Senate Concurrent Resolution No. 34 for hearing in the Committee on Ways and Means on Wednesday, July 19, 1972

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolutions Nos 106 and 107 for hearing in the Committee on Rules.

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No 13 for hearing in the Committee on Rules on Tuesday, July 18, 1972

Mr Briggs was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 234, 242, 400, 447 and 1123 for hearing in the Committee on Agriculture on Wednesday, July 19, 1972

Mr. Ralph was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 1136, 1470, 819, 334, 185, 1347, 1336, 227 and 605, and Assembly Concurrent Resolution No. 108 for hearing in the Committee on Governmental Organization, on Wednesday, July 19, 1972

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 873

Mr. Arnett was granted unanimous consent to rescind the action whereby on July 11, 1972, Assembly Bill No 873 was reported correctly enrolled, and presented to the Governor, and whereby the Assembly, on July 6, 1972 (Assembly Journal, page 5906), concurred in the Senate amendments to the bill, and ordered the bill enrolled

Further Consideration of Senate Amendments to Assembly Bill No. 873

Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 873?

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Assembly May 10, 1972, strike out "eight", and insert "six".

Amendment No. 2

On page 3, line 5, strike out "12", and insert "13".

Amendment No. 3

On page 3, line 11, strike out "and the"; strike out line 12, and in line 13, strike out "part-time deputy clerk, grade I,"

Amendment No. 4

On page 5, between lines 34 and 35, insert

"73527. In the event the existing judicial districts in San Mateo County are consolidated into one judicial district, the number of municipal court judges and attachés shall be the total of those provided for the existing three judicial districts

73528 In the event of such consolidation, one of the three municipal court clerks in the consolidated district shall be designated chief municipal court clerk by a majority vote of the municipal court judges, and shall receive a 5-percent salary increase in addition to all other compensation while serving in that capacity. No other changes in salaries shall result from consolidation of the existing judicial districts as herein provided."

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Cline—1

NOES—Arnett, Crown, Cullen, Fenton, Leroy F. Greene, Knox, LaCoste, Porter, Stull, and Thomas—10

Appointment of Committee on Conference Concerning Assembly Bill No. 873

The Acting Speaker appointed Messrs Arnett, Cline, and Fenton as a Committee on Conference concerning Assembly Bill No 873.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 17, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No 896

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 896—An act to add Section 8589.5 to the Government Code, relating to dam safety.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 4, line 2, of the printed bill, as amended in Assembly June 30, 1972, strike out "may", and insert "shall".

Set No. 2

Amendment No. 1

On page 4, line 4, of the printed bill, as amended in Assembly June 30, 1972, strike out "Evaluation plans", and insert "Emergency procedures".

Amendment No. 2

On page 4, line 25, strike out "an evacuation plan", and insert "emergency procedures".

Amendment No. 3

On page 4, line 26, strike out "its", and insert "their".

Set No. 3

Amendment No. 1

On page 3, lines 35 and 36, of the printed bill, as amended in Assembly June 30, 1972, strike out "satisfactory to the Office of Emergency Services".

Amendment No. 2

On page 4, line 1, after "dams", insert ", and shall make recommendations with regard to the adequacy of such procedures to the concerned public safety agency".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, July 17, 1972

Mr Speaker The Chairman of your Committee on Employment and Public Employees reports

SB No 1440

With author's amendments with the recommendation Amend, and re-refer to the Committee on Employment and Public Employees

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employer-employee relations

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 3, 1972, after "3500)", insert "of, and to repeal Chapter 10 5 (commencing with Section 3525) and Chapter 11 (commencing with Section 3550) of, and to add Chapter 10 5 (commencing with Section 3550) and Chapter 11 (commencing with Section 3575) to,"

Amendment No. 2

On page 4, lines 1 and 2, strike out "disputes and work stoppages", and insert "labor disputes"

Amendment No. 3

On page 4, between lines 2 and 3, insert

"The Legislature finds and declares that fundamental distinctions exist between public and private employment and that private employment and private sector precedent shall not be binding "

Amendment No. 4

On page 4, line 25, strike out "proving", and insert "providing".

Amendment No. 5

On page 6, lines 12 and 13, strike out "or execution of an agreement"

Amendment No. 6

On page 6, line 17, after "employment," insert "which may include"

Amendment No. 7

On page 7, line 3, strike out "includes all matters"; strike out lines 4 and 5, and in line 6, strike out "to," and insert "shall include"

Amendment No. 8

On page 8, line 11, after the period, insert "Public employees shall also have the right to refuse to join, participate in, or assist any employee organization except as herein otherwise expressly provided."

Amendment No. 9

On page 8, between lines 36 and 37, insert

"3507 2. Section 3529 shall be inapplicable to any public agency which on the effective date of this chapter, acting through its governing body, has created by local law, ordinance or resolution, its own board or commission and has adopted its own provisions and procedures which have been submitted to the commission within 60 days of its appointment by such public agency and as to which there has been a determination by the commission that such board or commission, and such provisions and procedures, and the continuing implementation thereof, are substantially equivalent to the provisions and procedures set forth in Section 3529."

Amendment No. 10

On page 8, line 37, strike out "3507 2", and insert "3507 3".

Amendment No. 11

On page 9, line 4, after "days", insert "of such recognition".

Amendment No. 12

On page 9, lines 14 and 15, strike out "and the administration of grievances thereunder".

Amendment No. 13

On page 9, line 25, strike out "all".

Amendment No. 14

On page 9, strike out lines 30 and 31, and insert "provided, however, that:

(a) All employee organizations may have the right to have membership dues deducted.

(b) The form, content, letterhead, logotype, or other pertinent information on the dues deduction authorization cards to be submitted for employee signatures shall, prior to being given an employee, be mutually agreed upon by both the employer and the recognized employee organization which represents the employee

(c) The rights conferred by this section may be withheld by an employer when the board finds that an employee has engaged in a prohibited practice as specified in Section 3521 "

Amendment No. 15

On page 9, line 39, after "given", insert "reasonable".

Amendment No. 16

On page 10, strike out lines 18 to 28, inclusive.

Amendment No. 17

On page 11, line 20, strike out "approved", and insert "rejected".

Amendment No. 18

On page 11, strike out lines 27 to 29, inclusive, and insert "the agreement If rejected, either party may reopen all or part of the".

Amendment No. 19

On page 12, line 31, after "negotiate", insert "in good faith"

Amendment No. 20

On page 13, line 4, strike out "and other applicable law".

Amendment No. 21

On page 13, line 13, after "negotiate", insert "in good faith".

Amendment No. 22

On page 13, line 21, strike out "and other applicable law".

Amendment No. 23

On page 15, line 38, strike out "(c)", and insert "(d)".

Amendment No. 24

On page 16, line 10, strike out "(d)", and insert "(e)".

Amendment No. 25

On page 16, line 13, strike out "(e)", and insert "(f)".

Amendment No. 26

On page 16, line 17, strike out "(f)", and insert "(g)".

Amendment No. 27

On page 16, line 31, strike out "(g)", and insert "(h)".

Amendment No. 28

On page 16, line 39, strike out "(h)", and insert "(i)"

Amendment No. 29

On page 17, line 4, strike out "(i)", and insert "(j)".

Amendment No. 30

On page 17, line 7, strike out "(j)", and insert "(k)"

Amendment No. 31

On page 17, line 16, strike out "(k)", and insert "(*l*)"

Amendment No. 32

On page 18, line 4, strike out "geographical location," and insert "location, supervisory responsibility,"

Amendment No. 33

On page 19, line 1, strike out "(a)".

Amendment No. 34

On page 19, strike out lines 13 to 16, inclusive, and insert

"The following constitute the jurisdictional and procedural requirements for factfinding·

(a) Factfinding is authorized in connection with all disputed issues that are within the scope of representation The recommendations of the factfinder or factfinders shall be limited to the issues originally referred for dispute settlement.

(b) The factfinder or factfinders shall, to the extent they are applicable, consider and apply the following standards to the disputed issues in making recommendations.".

Amendment No. 35

On page 19, line 21, strike out "in" and insert "and".

Amendment No. 36

On page 19, line 38, strike out "jobs of", and insert "job"

Amendment No. 37

On page 20, between lines 10 and 11, insert

"(e) The factfinder or factfinders shall make written findings of fact and recommendations for the resolution of issues in dispute, which shall be presented in terms of the standards and criteria specified in subparagraph (b) above "

Amendment No. 38

On page 20, lines 12 and 13, strike out "end of the fiscal year of the public employer", and insert "adoption by the public agency of its final budget for the ensuing year"

Amendment No. 39

On page 20, strike out line 29, and in line 30, strike out "board", and insert "power to make confidential recommendations to the parties at impasse".

Amendment No. 40

On page 21, line 3, strike out "and arbitration".

Amendment No. 41

On page 29, between lines 20 and 21, insert

"SEC 2 1 Chapter 10 5 (commencing with Section 3525) of Division 4 of Title 1 of the Government Code is repealed

SEC 2 2 Chapter 11 (commencing with Section 3550) of Division 4 of Title 1 of the Government Code is repealed

SEC 2 3 Chapter 10 5 (commencing with Section 3550) is added to Division 4 of Title 1 of the Government Code, to read

CHAPTER 10 5. STATE EMPLOYEE ORGANIZATIONS

3550 It is the purpose of this chapter to promote the improvement of personnel management and employer-employee relations between the State of California and its employees by providing a uniform basis for recognizing the right of public employees to join organizations of their own choice and be represented by such organizations in their employment relationships with the state Nothing contained herein shall be

deemed to supersede the provisions of existing state law which establish and regulate a merit or civil service system or which provide for other methods of administering employer-employee relations This chapter is intended, instead, to strengthen merit, civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communication between employees and the state.

3551 As used in this chapter·

(a) "Employee organization" means any organization which includes employees of the state and which has as one of its primary purposes representing its members in employer-employee relations

(b) The provisions of this chapter apply only to the State of California The "State of California" as used in this chapter means such state agencies, boards, commissions, administrative officers, or other representatives as may be designated by law

(c) "Public employee" means any person employed by the state, including employees of fire departments or fire services of the state, excepting those persons elected by popular vote or appointed to office by the Governor of this state

3552 Except as otherwise provided by the Legislature, state employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations State employees also shall have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the state.

3553. Employee organizations shall have the right to represent their members in their employment relations with the state Employee organizations may establish reasonable restrictions regarding who may join and may make reasonable provisions for the dismissal of individuals from membership Nothing in this section shall prohibit any employee from appearing in his own behalf in his employment relations with the state

3554 The scope of representation shall include all matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment

3555 The state by means of such boards, commissions, administrative officers or other representatives as may be properly designated by law, shall meet and confer with representatives of employee organizations upon request, and shall consider as fully as such representatives deem reasonable such presentations as are made by the employee organization on behalf of its members prior to arriving at a determination of policy or course of action

3556 The state and employee organizations shall not interfere with, intimidate, restrain, coerce, or discriminate against state employees because of their exercise of their rights under Section 3552

3557 The state may adopt reasonable rules and regulations for the administration of employer-employee relations under this chapter.

Such rules and regulations may include provisions for (a) verifying that an organization does in fact represent employees of the state (b) verifying the official status of employee organization officers and representatives (c) access of employee organization officers and representatives to work locations (d) use of official bulletin boards and other means of communication by employee organizations (e) furnishing nonconfidential information pertaining to employment relations to employee organizations (f) such other matters as are necessary to carry out the purposes of this chapter

For employees in the state civil service, rules and regulations in accordance with this section may be adopted by the State Personnel Board.

3558. Professional employees shall not be denied the right to be represented separately from nonprofessional employees by a professional employee organization consisting of such professional employees.

"Professional employees," for the purposes of this section, means employees engaged in work requiring specialized knowledge and skills attained through completion of a recognized course of instruction, including, but not limited to, attorneys, physicians, registered nurses, engineers, architects, teachers, and the various types of physical, chemical, and biological scientists.

3559. In addition to those rules and regulations the state may adopt pursuant to and in the same manner as in Section 3557, the state may adopt reasonable rules and regulations providing for designation of the management and confidential employees of the state and restricting such employees from representing any employee organization, which represents other employees of the state, on matters within the scope of representation Except as specifically provided otherwise in this chapter, this section does not otherwise limit the right of employees to be members of and to hold office in an employee organization

3560 The state may, in accordance with reasonable standards, designate positions or classes of positions which have duties consisting primarily of the enforcement of state laws, and may by resolution adopted after a public hearing, limit or prohibit the right of employees in such positions or classes of positions to form, join or participate in employee organizations where it is in the public interest to do so; however, the state may not prohibit the right of its employees who are full-time "peace officers," as that term is defined in Chapter 4 5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, to join or participate in employee organizations which are composed solely of such peace officers, which concern themselves solely and exclusively with the wages, hours, working conditions, welfare programs, and advancement of the academic and vocational training in furtherance of the police profession, and which are not subordinate to any other organization

The right of employees to form, join and participate in the activities of employee organizations shall not be restricted by the state on any grounds other than those set forth in this section.

3561. The enactment of this chapter shall not be construed as making the provisions of Section 923 of the Labor Code applicable to public employees.

SEC 2 4 Chapter 11 (commencing with Section 3575) is added to Division 4 of Title 1 of the Government Code, to read.

CHAPTER 11 HIRING OF BLIND AND OTHER PHYSICALLY DISABLED PERSONS

3575 The Legislature hereby declares that:

(a) It is the policy of this state to encourage and enable blind persons, visually handicapped persons, and other physically disabled persons to participate fully in the social and economic life of the state and to engage in remunerative employment.

(b) It is the policy of this state that blind persons, visually handicapped persons, and other physically disabled persons shall be employed in the state service, the service of the political subdivisions of the state, in public schools, and in all other employment supported in whole or in part by public funds on the same terms and conditions as the able-bodied, unless it is shown that the particular disability prevents the performance of the work involved ''

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, July 17, 1972

Mr. Speaker The Chairman of your Committee on Local Government reports

SB No. 1394

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1394—An act to provide for the physical, social, and economic development of the Alviso area of the City of San Jose by creating the Alviso Development Corporation, and prescribing the boundaries, organization, purposes, powers, operation, management, and financing of the corporation

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 7, lines 38 and 39, of the printed bill, as amended in Senate July 3, 1972, strike out '', the area is shown on the attached Exhibit A'

Amendment No. 2

On page 8, line 3, after ''Refuge'', insert ''or any lands owned or under the jurisdiction of the state by virtue of its sovereignty''

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, July 17, 1972

Mr Speaker: The Chairman of your Committee on Elections and Reapportionment reports:

SB No 84

With author's amendments with the recommendation: Amend, and refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 84—An act to repeal Section 10012 5 of, and to add Chapter 3 (commencing with Section 10400) to Division 7 of, the Elections Code, relating to elections

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly July 3, 1972, strike out lines 34 to 36, inclusive.

Amendment No. 2

On page 2, line 37, strike out "10402", and insert "10401".

Amendment No. 3

On page 3, line 11, strike out "10403", and insert "10402".

Amendment No. 4

On page 3, line 17, strike out "10404", and insert "10403".

Amendment No. 5

On page 3, line 17, strike out the comma.

Amendment No. 6

On page 3, line 26, strike out "10405", and insert "10404".

Amendment No. 7

On page 3, line 32, after the period, insert "Statewide and".

Amendment No. 8

On page 3, line 34, strike out "88", and insert "98".

Amendment No. 9

On page 3, line 35, after "special", insert "primary".

Amendment No. 10

On page 4, line 2, strike out "candidates", and insert "candidate's".

Amendment No. 11

On page 5, line 1, strike out "Secretry", and insert "Secretary"

Amendment No. 12

On page 5, line 9, after the second "the", insert "general election or, in the case of a special election, by the 34th day prior to the special primary"

Amendment No. 13

On page 6, line 12, after "court", insert "except within the 88 days preceding a general election or, in the case of a special election, within 39 days preceding the special primary election "

Amendment No. 14

On page 6, line 16, after "1973", insert "and shall become inoperative on December 31, 1975, and on that date shall be repealed".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment

VOTE CHANGES

Messrs McAlister, Murphy, and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on the Conference Report on Senate Bill No 256

Messrs Beverly and Russell were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 414

Mr Ray E Johnson was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 369

Mr Gonsalves was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 349

Mr Ketchum was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1395

Mr LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos. 1767 and 2378

Mr Bee was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 1014

Mr Briggs was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 2292

Mr Lewis was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1717

Mr Hayden was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 108

ADJOURNMENT

At 12 20 p m , Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m , Tuesday, July 18, 1972, out of respect to the memory of the late Honorable Bill Hansen, former Member of the Assembly from Fresno.

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Seventh Legislative Day

One Hundred Ninety-eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, July 18, 1972

The Assembly met at 9:30 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Seeley moved a quorum call of the Assembly

Mr. Fenton seconded the motion.

Motion carried. Time, 9:31 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Majority Floor Leader Presiding

At 9:53 a.m., Hon. Jack R. Fenton, 51st District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9:54 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Mac-

Gillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, In our groping and probing for meaning in life, especially on our own, save us from discouragement and confusion. We are aware of Your presence, of Your constant care, and Your saving grace

Let the pattern of our lives always demonstrate our faith in You, and bring others to belief Let us never be the reason for the existence of a single atheist.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Thomas then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Porter, seconded by Mr Collier.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Briggs, on request of Acting Speaker Fenton
Mr. Pierson, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Maddy, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Karabian, on request of Acting Speaker Fenton.
Mr. Meade, on request of Acting Speaker Fenton.
Mr. Moretti, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day:

Mr. Townsend, on request of Acting Speaker Fenton.

The following Members were granted leave of absence for the day, because of illness in their families·

Mr Miller, on request of Acting Speaker Fenton.
Mr. Monagan, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mr. Maddy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 17, 1972, page 6047.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Porter was granted unanimous consent that the following communication be printed in the Journal.

Communication Relative to Assembly Bill No. 718

July 18, 1972

James Driscoll, Chief Clerk of the Assembly
Assembly Chamber
State Capitol, Sacramento, California

Dear Jim: Pursuant to the provisions of Section 8920 (b) (5) of the Government Code, I declare that I have a personal interest in Assembly Bill No 718 My interest consists of minor stockholdings in savings and loan institutions none of which are in the Downey Savings and Loan Association for whom I am carrying the bill. However, notwithstanding such interest I believe that I can cast a fair and objective vote on A B 718 and do so, pursuant to the provisions of Section 8920 (b) (5) of the Government Code.

Sincerely yours,

CARLEY V. PORTER

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered

Assembly Joint Resolution No. 38: By Assemblyman Chappie—Relative to through traffic at Yosemite National Park

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Duffy:

House Resolution No. 83

Relative to adoption of emergency regulations by the State Department of Social Welfare

WHEREAS, It has come to the attention of the Members of the Assembly that the State Department of Social Welfare has during the past two years increasingly pursued the policy of adopting administrative regulations under a finding of emergency; and

WHEREAS, The counties, which are mandated by law to carry out the regulations of the State Department of Social Welfare, are continually faced with the critical problem of implementing regulations which have been adopted on an emergency basis and therefore are not subject to public hearings on appropriateness and clarity, and which do not afford adequate lead time for error-free implementation; and

WHEREAS, The appropriateness of the almost routine use of emergency procedures for the adoption of administrative regulations by the State Department of Social Welfare is questionable in light of statutes governing administrative rule-making powers which specify limited circumstances for the adoption of emergency regulations, now, therefore, be it

Resolved by the Assembly of the State of California, That the Joint Legislative Budget Committee, in cooperation with the Assembly Wel-

fare Committee and the Legislative Counsel, is hereby requested to study the subject of the adoption, amendment or repeal of the Department of Social Welfare's regulations concerning welfare as emergency regulations during the past two years in light of the use and purpose for which the adoption of emergency regulations was intended by the Legislature, and to report its findings and recommendations to the Legislature by the fifth calendar day of the 1973 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of the State Department of Social Welfare, the Chairmen of the Joint Budget Committee, the Assembly Welfare Committee, and the Legislative Counsel.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Chappie:

House Resolution No. 84

Relative to the Emigrant Trail

WHEREAS, The westward migration over the Emigrant Trail in the 19th century was the greatest single factor in the settlement of California; and

WHEREAS, The ill-fated Donner party and their bitter suffering and losses during their journey over the Emigrant Trail is famous in the annals of California history; and

WHEREAS, The California Department of Parks and Recreation is authorized to identify, designate, and mark significant historic sites in this state; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Historical Landmarks Advisory Committee of the Department of Parks and Recreation cooperate with historical advisory committees in the Counties of Nevada, Placer, and Yuba to identify and suitably designate those portions of the Emigrant Trail associated with the Donner Party, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Parks and Recreation and to the Chairmen of the Boards of Supervisors of the Counties of Nevada, Placer, and Yuba.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 692—An act to amend Sections 11713 and 11806 of the Vehicle Code, relating to occupational licenses;

Assembly Bill No. 895—An act to amend Section 31592.2 of the Government Code, relating to the County Employees Retirement Act of 1937;

Assembly Bill No. 901—An act to amend Sections 2306, 2307, 2313, and 2315 of, and to repeal Section 2304 of, the Public Resources Code, relating to mining,

Assembly Bill No. 1033—An act to amend Sections 1063, 3604, 3623, and 5135 of the Public Utilities Code, relating to transportation,

Assembly Bill No. 1074—An act to amend Section 26559 of the Health and Safety Code, relating to bread loaves;

Assembly Bill No. 1351—An act to amend Section 3771 of the Public Utilities Code, relating to carriers,

Assembly Bill No. 2355—An act to add Section 4606 to the Labor Code, relating to workmen's compensation, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2 p m., July 17, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

Assembly Concurrent Resolution No. 71—Relative to the Feather River;

Assembly Concurrent Resolution No. 112—Relative to approving amendments to the Charter of the County of San Mateo, State of California, ratified by the qualified electors at an election held therein on the sixth day of June 1972,

Assembly Concurrent Resolution No. 115—Approving amendments to the Charter of the City of Sacramento, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June 1972;

Assembly Concurrent Resolution No. 117—Approving amendments to the Charter of the City of Palo Alto, County of Santa Clara, State of California, ratified by the electors of said city at an election consolidated with the 1972 Direct Primary Election held in said city on the sixth day of June, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of July, 1972, at 2 p m.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 18, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined·

AB No 2204

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 17, 1972

Mr Speaker· Your Committee on Judiciary reports:

SB No 224

With amendments with the recommendation · Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 17, 1972

Mr. Speaker: Your Committee on Judiciary reports ·

SB No 85

~~SB No. 184~~

With amendments with the recommendation · Amend, and do pass, as amended

WARREN, Chairman

Above bills ordered to second reading

NOTE On July 19, 1972, the action was rescinded whereby the report of the Committee on Judiciary relative to Senate Bill No 184 was received and read in the Assembly, and whereby the bill was ordered to second reading See page 6204

Assembly Chamber, July 17, 1972

Mr Speaker: Your Committee on Judiciary reports.

SB No. 1178

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, July 17, 1972

Mr Speaker. Your Committee on Judiciary reports:

SB No 267

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 17, 1972

Mr Speaker · Your Committee on Judiciary reports

SB No 119	SB No 979	SB No 1309
SB No 781	SB No 1020	SB No 1318
SB No 908	SB No 1158	SB No 1319
SB No 912	SB No 1308	

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

WARREN, Chairman

Above bills ordered to second reading.

Committee on Retirement

Assembly Chamber, July 17, 1972

Mr. Speaker: Your Committee on Retirement reports:

SCA No 65

With the recommendation: Be adopted, and be re-referred to the Committee on Constitutional Amendments.

BARNES, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, July 17, 1972

Mr. Speaker· Your Committee on Retirement reports:

SB No. 275
SB No 514
SB No. 638

With the recommendation: Do pass.

BARNES, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 17, 1972

Mr Speaker· Your Committee on Retirement reports:

SB No 679 SB No. 734 SB No 913
SB No. 681 SB No 833

With the recommendation· Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BARNES, Chairman

Above bills ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, July 18, 1972

Mr. Speaker· The Chairman of your Committee on Commerce and Public Utilities reports:

SB No. 636
SB No. 780

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Commerce and Public Utilities.

POWERS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 636—An act to amend Section 7393 3 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 1, 1972, strike out "Section", and insert "Sections 7332.5 and".

Amendment No. 2

On page 2, strike out line 31, and insert

"SECTION 1. Section 7332 5 of the Business and Professions Code is amended to read:

7332.5. The board shall admit to examination for a certificate of registration and license as a cosmetology instructor any person who has made application to the board in proper form, has paid the fee required by this chapter, and is qualified as follows

(a) Has had at least 600 hours of teacher training in an approved school in this state or equivalent training in another state, and one years practical experience within the past three years in all branches of cosmetology, except the branch of electrology, in a licensed cosmetological establishment in this state or equivalent experience in another state.

(b) Is of good moral character and temperate habits

(c) Holds a valid California license as a cosmetologist.

An applicant shall submit an affidavit signed by his employers attesting to his experience.

The board shall admit to the examination any applicant who has applied in proper form, has paid the required fee, is qualified pursuant to subdivisions (b) and (c) of this section, and prior to the effective date of the amendments made to this section by the 1971 Regular Session of the Legislature had at least 600 hours of teacher training in an approved school in this state or equivalent training in another state, or one year of practical experience in all branches of cosmetology, except the branch of electrology, in a licensed cosmetological establishment in this state or equivalent experience in another state

SEC. 2. Section 7393 3 of the Business and".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

Senate Bill No. 780—An act to add Section 774 to the Public Utilities Code, relating to public utilities.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in Senate June 5, 1972, after "service", insert ", provided, that such immunity from liability shall not exceed that of a public agency or any of its employees, as the case may be, under similar circumstances".

Bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, July 17, 1972

Mr. Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

SB No 361

With author's amendments with the recommendation: Amend, and refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 361—An act to repeal Article 2 (commencing with Section 630) of Chapter 2 of Division 1 of, to add Article 2 (commencing with Section 630) to Chapter 2 of Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of Division 4 of, and to add Chapter 8 (commencing with Section 4511) to Part 2 of Division 4 of, the Public Resources Code, relating to forestry.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in Senate June 20, 1972, strike out "land use," and insert "or land use",

Amendment No. 2

On page 2, line 23, strike out "or".

Amendment No. 3

On page 2, line 24, strike out "At least three", and insert "Five members shall be selected from the general public, three".

Amendment No. 4

On page 2, line 25, after "industry", insert ", and one member shall be selected from the range livestock industry".

Amendment No. 5

On page 2, line 26, strike out "pecuniary interest in"; and on page 3, line 1, strike out "the utilization of resources on", and insert "direct personal financial interest, within the meaning of Section 1120 of the Government Code, in".

Amendment No. 6

On page 3, lines 5 and 6, strike out "and qualified".

Amendment No. 7

On page 3, line 22, after "made", insert "; however, each member shall have, and be able to exercise, all the powers, duties, and responsibilities as are prescribed by this code prior to his confirmation Such confirmation shall be made not earlier than 30 days and not later than 90 days after such appointment".

Amendment No. 8

On page 4, between lines 5 and 6, insert

"636 5. (a) No member of the board shall participate in any board action pursuant to Article 8 (commencing with Section 4601) or Article 9 (commencing with Section 4621) of Chapter 8 of Division 4 which involves himself or any person with which he is connected as a director, officer, or employee, or in which he has a direct personal financial interest within the meaning of Section 1120 of the Government Code.

(b) Upon request of any person or on his own initiative the Attorney General may file a complaint in the superior court for the county in which the board has its principal office alleging that a board member has knowingly violated this section and the facts upon which the allegation is based and asking that the member be removed from office. Further proceedings shall be in accordance as near as may be with rules governing civil actions If after trial the court finds that the board member has knowingly violated this section it shall pronounce judgment that the member be removed from office."

Amendment No. 9

On page 5, line 26, strike out "technically trained", and insert "registered professional".

Amendment No. 10

On page 5, line 30, strike out "If the law provides for the", and strike out lines 31 and 32.

Amendment No. 11

On page 6, line 5, strike out "harvesting".

Amendment No. 12

On page 7, line 7, strike out "The", and insert "Where feasible, the".

Amendment No. 13

On page 8, strike out lines 23 to 34, inclusive.

Amendment No. 14

On page 10, line 7, strike out "logging or other forest", and insert "timber".

Amendment No. 15

On page 10, between lines 16 and 17, insert

"4529 5 Service of documents where required under this chapter may be made by registered or certified mail addressed to the respondent's latest address registered on file with the State Forester Where other forms of service are prescribed, personal service is not precluded."

Amendment No. 16

On page 10, strike out lines 37 to 40, inclusive; and on page 11, strike out lines 1 to 11, inclusive, and insert

"4533. All members shall be appointed on the basis of their educational and professional qualifications and their general knowledge of, and interest and experience in, ecology, soil science, watershed hydrol-

ogy, range management, silviculture and forestry, forest recreation, forest landscape architecture, forest products manufacture, forest industry economics, or fish and wildlife habitat

4534. Four members of the committee shall be selected from the general public, three members shall be selected from the forest products industry, and one member shall be selected from the range livestock industry At no time shall a majority of the members be persons with a direct personal financial interest, within the meaning of Section 1120 of the Government Code, in timberlands."

Amendment No. 17

On page 11, line 12, strike out "4537", and insert "4535".

Amendment No. 18

On page 11, line 19, strike out "4538", and insert "4536".

Amendment No. 19

On page 11, line 26, strike out "4539", and insert "4537".

Amendment No. 20

On page 11, line 28, strike out "4539.5", and insert "4538".

Amendment No. 21

On page 11, line 33, strike out "4540", and insert "4539".

Amendment No. 22

On page 11, line 37, strike out "4541", and insert "4540".

Amendment No. 23

On page 12, line 22, after the first "shall", insert "apply to the conduct of timber operations and shall".

Amendment No. 24

On page 13, line 5, after "of," insert "the district technical advisory committees,".

Amendment No. 25

On page 13, line 27, after "the", insert "suitable and".

Amendment No. 26

On page 14, line 5, strike out "4562."

Amendment No. 27

On page 14, line 5, after "developing", insert "such".

Amendment No. 28

On page 14, line 10, strike out "4564", and insert "4562".

Amendment No. 29

On page 14, line 13, after "roads," insert "and in such other areas as the board deems necessary,".

Amendment No. 30

On page 14, line 15, strike out "4565", and insert "4563".

Amendment No. 31

On page 14, line 24, after "earth," insert "resulting from timber operations,".

Amendment No. 32

On page 14, line 25, strike out "in appreciable amounts".

Amendment No. 33

On page 14, strike out lines 27 to 31, inclusive.

Amendment No. 34

On page 14, line 32, strike out "4567", and insert "4564".

Amendment No. 35

On page 14, line 36, strike out "adequately".

Amendment No. 36

On page 14, line 38, after "board", insert ", in cooperation with the Department of Fish and Game, State Water Resources Control Board, and the California regional water quality control boards,".

Amendment No. 37

On page 14, line 40, strike out "soil standards", and insert "rules".

Amendment No. 38

On page 16, line 3, strike out "or"; and strike out lines 4 and 5, and insert "unless a timber harvesting plan has been submitted for such operations to the".

Amendment No. 39

On page 16, between lines 29 and 30, insert

"(g) The expected dates of commencement and completion of timber operations."

Amendment No. 40

On page 16, line 30, strike out "(g)", and insert "(h)".

Amendment No. 41

On page 16, line 39, after "a", insert "registered".

Amendment No. 42

On page 17, line 9, after the period, insert "Board action shall occur within 30 days of the filing of the appeal"

Amendment No. 43

On page 17, line 11, after "a", insert "registered".

Amendment No. 44

On page 17, line 23, after "board", insert ", and timber operations shall await board action Board action shall occur within 30 days of the filing of the appeal".

Amendment No. 45

On page 17, line 36, after "appropriate", insert "in accordance with the provisions of Article 8 (commencing with Section 4601) of this chapter".

Amendment No. 46

On page 18, line 9, after "appropriate", insert "in accordance with the provisions of Article 8 (commencing with Section 4601) of this chapter".

Amendment No. 47

On page 18, line 39, strike out "immediately".

Amendment No. 48

On page 22, line 19, strike out "form", and insert "procedures for, form,".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 17, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports.

AB No 1530

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1530—An act to add Sections 16028 and 16029 to the Vehicle Code, relating to accident reports.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly May 2, 1972, strike out "and", and insert "or".

Amendment No. 2

On page 2, between lines 22 and 23, insert "establishes to the satisfaction of the department that the person who made the allegation did so with knowledge that any information contained in the report was false, or that such person made the allegation without making a proper investigation as specified in Section 16028, and that the person who denied involvement was not involved in such accident, the department shall administratively correct the report, and shall not establish a security requirement as defined in Section 16020 for the benefit of the person filing a false report."

Amendment No. 3

On page 2, strike out lines 23 to 34, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, July 17, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

SB No. 147

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 147—An act to add Section 11111 to the Penal Code, and to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the licensing of bicycles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 22, of the printed bill, as amended in Senate May 30, 1972, after the third semicolon, insert "and"

Amendment No. 2

On page 4, line 1, after the comma, insert "and".

Amendment No. 3

On page 4, between lines 35 and 36, insert

"The department shall impose annual fees on cities and counties which have adopted bicycle licensing ordinances or resolutions in such amount as are necessary to finance the operation and maintenance of that portion of the Criminal Justice Information System devoted to the records relative to stolen and lost bicycles."

Amendment No. 4

On page 5, between lines 21 and 22, insert

"SEC. 3 5. The Department of Justice is directed to make all necessary efforts to obtain federal and private funds for the purposes of carrying out its responsibilities under this act and is authorized, with the approval of the Department of Finance, to receive any grants or gifts for such purposes."

Amendment No. 5

On page 5, between lines 27 and 28, insert

"Any amounts expended under this appropriation shall be reimbursed to the extent that federal and private grants are, or may become, available for carrying out the purposes of this act"

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, July 17, 1972

Mr Speaker. The Chairman of your Committee on Employment and Public Employees reports·

SB No 104

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Employment and Public Employees

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 104—An act to add Section 18861 to the Government Code, relating to state employees

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 23, 1972, strike out "to add Section 18861 to the Government Code," and insert "making an appropriation for correctional employees' salary increases,".

Amendment No. 2

Strike out line 2 of the title, and insert "to take effect immediately, usual current expenses."

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 There is hereby appropriated from the General Fund the sum of five million dollars ($5,000,000), for salary increases for all classes in the adult and juvenile correctional custody occupational group and closely related classes at or below the salary range of program administrator, correctional institution, to be allocated by the Department of Finance to the Department of Corrections and Department of the Youth Authority in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each such officer or employee, the increase in compensation provided for in any increased salary range or rate including staff benefits established on or after July 1, 1972, by the State Personnel Board for such positions.

SEC. 2. Before any increased salary range or rate established for any position for the period July 1, 1972, to June 30, 1973, shall become effective, a certification shall be obtained from the Director of Finance that sufficient money is available to meet the cost of such increases.

SEC. 3 This act makes an appropriation for the usual current expenses of the state within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendment No. 4

On page 1, strike out lines 2 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees.

MESSAGES FROM THE SENATE

Senate Chamber, July 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 802
AB No 2043

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 17, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 642	AB No. 1088	AB No 2096
AB No. 1023	AB No. 1409	AB No 2097
AB No 1026		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 17, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 95	SB No 1263	SB No. 1450
SB No. 191	SB No 1322	SB No 1492
SB No 229	SB No. 1400	SB No 1493
SB No. 516	SB No 1422	SB No 1494
SB No. 758		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 95—An act to amend Sections 5756, 5757, 11475, 11476, 11477, 11478, 11479, 17666 2, 17666 3, 17667, 17671, 17672, 17676, 17702, 17801, 17851, 17906 2, 17920, 17925, 17925 5, 17970, and 25505 8 of, to amend and renumber Section 17952 of, to repeal Sections 17411 1 and 17951 of, and to amend the heading of Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, the Education Code, relating to education of adults.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 191—An act to add Section 314.5 to the Public Utilities Code, relating to public utilities.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 229—An act relating to state lands at San Quentin.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 516—An act to add Section 597*l* to the Penal Code, relating to pet shops

Held at Desk by order of the Acting Speaker.

Senate Bill No. 758—An act to amend Sections 1158a and 1213 5 of, and to add Section 969d to, the Penal Code, relating to sentencing.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1263—An act to amend Section 5766 4 of the Education Code, relating to bilingual instruction for non-English-speaking students, and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1322—An act to add Section 5004 5 to the Vehicle Code, relating to motorcycles

Held at Desk by order of the Acting Speaker

Senate Bill No. 1400—An act to amend Sections 1229, 1504, 1505, 1616, 1676, 1677, 1729, and 1730 of, to add Chapter 2 (commencing with Section 1250) to Division 2 of, and to repeal Chapter 2 (commencing with Section 1400) of Division 2 of, the Health and Safety Code, and to amend Sections 10554 1, 16100, 16300, and 16312 of and to repeal Chapter 1 (commencing with Section 7000) of Division 7 of, and Chapter 1 (commencing with Section 16000) of and Chapter 3 (commencing with Section 16200) of, Part 4 of Division 9 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 1626 of the Statutes of 1971, relating to licensed facilities

Held at Desk by order of the Acting Speaker

Senate Bill No. 1422—An act to add Section 846 5 to the Government Code, relating to confiscation of property

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1450—An act to amend Section 846 of the Civil Code, and to amend Section 831.4 of the Government Code, relating to liability of landowners.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1492—An act to amend Section 7738 of the Business and Professions Code, relating to funerals.

Held at desk by order of the Acting Speaker.

Senate Bill No. 1493—An act to amend Section 21957 of the Vehicle Code, relating to solicitation of rides

Held at desk by order of the Acting Speaker.

Senate Bill No. 1494—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal

Held at desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
95	Education
191	Commerce and Public Utilities
229	Government Administration
516	Commerce and Public Utilities
758	Criminal Justice
1263	Education
1322	Transportation
1400	Health
1422	Criminal Justice
1450	Judiciary
1492	Commerce and Public Utilities
1493	Transportation
1494	Health

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 366, 367, 432, 616, 636, 691, 780, 939, 1013, 1244, 1355 and 1466 for hearing in the Committee on Commerce and Public Utilities, on Thursday, July 20.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file.

Assembly Bills Nos. 1587 and **2204**, ordered to the Consent Calendar.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file·

Senate Bills Nos. 573, 957, and **1383,** ordered to the Consent Calendar.

NOTE. Later this day Senate Bill No. 1383 was re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 517—An act to amend Sections 13407 and 13485 of the Education Code, relating to school employees

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 916—An act to add Section 513 to the Public Resources Code, relating to the state park system.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed bill, insert "(Coauthors. Assemblymen Sieroty, Chacon, and Wood)".

Amendment No. 2

In line 1 of the title, strike out "513", and insert "513 1".

Amendment No. 3

On page 1, line 1, strike out "513", and insert "513 1".

Amendment No. 4

On page 1, line 3, strike out "513", and insert "513 1".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 199—An act to amend Section 22836 of, and to add Section 22843 to, the Elections Code, relating to municipal elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 16, 1972, strike out lines 24 to 32, inclusive, and insert "proportionate to the costs of processing a candidate's nomination papers as determined by

the city council and set by ordinance, but not exceeding twenty-five dollars ($25), may be imposed, to be paid upon the filing of such nomination papers."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 754—An act to amend Section 23625 of the Elections Code, relating to district elections

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 23625", and insert "Sections 23625 and 23627".

Amendment No. 2

On page 1, line 12, strike out "60", and insert "50".

Amendment No. 3

On page 1, after line 14, insert

"SEC 2. Section 23627 of the Elections Code is amended to read:

23627. The election shall be held not less than 80 nor more than 125 days after the making of the order *unless within five days of the order, a notice of intention to circulate a petition to cancel the recall election as provided in Section 23625 is filed with the governing body ordering the election In that case, the order shall be revised to provide that the election shall be held in not less than 100 days nor more than 125 days after the making of the order*."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 348—An act to amend Sections 34270, 34271, 34272, 34274, 34290, 34331, 34332, and 34513 of, and to add Sections 17914, 34213.5, 34219, 34286, 34315.3, 34333, 34334, 35495, and 36072 to, the Health and Safety Code, relating to housing authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 15, 1972, strike out "34274,".

Amendment No. 2

On page 6, between lines 17 and 18, insert

"SEC 6.5. Section 34272 of the Health and Safety Code is amended to read:

34272. *(a)* ~~Three~~ *In the case of a commission of five persons, three* of the commissioners first appointed shall be designated *by the ap-*

pointing authority to serve for terms of one, two, and three years, respectively, from the date of their appointment, and two shall be designated to serve for terms of four years from the date of their appointments *If two tenant commissioners are added to increase the number of commissioners of an authority, such commissioners shall serve for terms of four years from the date of their appointments, and their successors shall be tenants* ~~Their successors~~ *Successors of commissioners* shall be appointed for a term of four years, except that all vacancies shall be filled for the unexpired term *A tenant commissioner shall have all the powers, duties, privileges, and immunities of any other commissioner. If a tenant commissioner ceases to be a tenant of the authority, he shall be disqualified as commissioner and another tenant shall be appointed to fill the unexpired term.*

(b) ~~No~~ *Notwithstanding any other law, and subject to the conditions in this section, a* commissioner ~~of an authority~~ may be an officer or employee of the county or city for which the authority is created, ~~but notwithstanding any other law,~~ *or* he may be a member, commissioner, or employee of any other agency or authority of, or created for, the community.

(c) An officer or employee of a city or county in which an authority is established may serve as a commissioner only if such officer or employee does not exercise powers or duties in his office or employment that may conflict with the exercise of the independent judgment required to carry out the purposes of an authority.

(d) Any appointment of a successor to a commissioner of a city housing authority shall be made by the mayor if his office is one filled by election by the people, subject to the confirmation of a majority of the members of the governing body If the office of mayor is not elective the governing body of the city shall make the appointment All appointments of commissioners of a county housing authority shall be made by the governing body of the county."

Amendment No. 3

On page 11, line 8, strike out "the".

Amendment No. 4

On page 11, line 8, after "projects", insert "of 10 or more units on one lot or parcel of land,".

Amendment No. 5

On page 11, line 20, strike out "an", and insert "a summary".

Amendment No. 6

On page 11, line 21, strike out "housing".

Amendment No. 7

On page 11, line 22, after "units", insert "on one lot or parcel of land,".

Amendment No. 8

On page 11, line 30, strike out "documents", and insert "notices and agenda".

Amendment No. 9

On page 11, line 32, after the period, insert "A written translation of the lease form shall be delivered to a prospective tenant speaking such language prior to his signing the lease or taking occupancy."

Amendment No. 10

On page 11, lines 33 and 34, strike out "and the lease form shall also", and insert "shall".

Amendment No. 11

On page 11, line 34, after "translated", insert "either orally or in writing, at the option of the authority,".

Amendment No. 12

On page 11, line 35, strike out "provided", and insert "given".

Amendment No. 13

On page 11, lines 36 and 37, strike out ", and oral", and insert ". Oral".

Amendment No. 14

On page 12, line 9, after the second comma, insert "unsupported by the evidence,".

Amendment No. 15

On page 12, line 11, after "authority", insert "and the tenant".

Amendment No. 16

On page 12, line 11, strike out "The procedure may permit the"; strike out lines 12 to 15, inclusive; and in line 16, strike out "account ", and insert "In any dispute over rent, the authority may require the tenant to deposit the amount in dispute in an escrow account "

Amendment No. 17

On page 13, after line 33, insert

"SEC 18. It is the intent of the Legislature, if this bill and Assembly Bill No 755 are both chaptered and amend Section 34272 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No. 755, that the amendments to Section 34272 proposed by both bills be given effect and incorporated in Section 34272 in the form set forth in Section 6.5 of this act Therefore, Section 6 5 of this act shall become operative only if this bill and Assembly Bill No 755 are both chaptered, both amend Section 34272, and Assembly Bill No. 755 is chaptered before this bill, in which case Section 6 of this act shall not become operative."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 262—An act to amend Sections 23301, 23302, 23303, 23306, 23321, 23322, 23324, 23325, 23344, 23346, 23398, 23402, 23420, 23422, 23447 and 23452 of, and to add Sections 23300 5, 23446.5, and 23493 to, and to repeal Section 23343 of, the Government Code, relating to creation of new counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 20, 1972, strike out "amend Sections 23301, 23302, 23303, 23306, 23321,"; and strike out lines 2, 3, and 4 of the title; and in line 5 of the title, strike out "Section 23343 of," and insert "add Chapter 3.5 (commencing with Section 23500) to Division 1 of Title 3 of".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Chapter 3.5 (commencing with Section 23500) is added to Division 1 of Title 3 of the Government Code, to read:

CHAPTER 3 5. ALTERNATE PROCEDURE FOR COUNTY FORMATION

Article 1 General Provisions

23500 Notwithstanding any other provision of this division, any portion of a county with a population of 6,000,000 or more, as shown in the 1970 federal decennial census, may be formed into and established as a new county pursuant to this chapter.

23501 The provisions of this chapter are intended to provide an alternate procedure for the formation of new counties and are in addition to other provisions of this division To the extent that the provisions of this chapter are inconsistent with any other provision of this division, the provisions of this chapter are controlling.

23502 As used in this chapter, "county" means the county from which territory is proposed to be detached to form a new county.

23503. As used in this chapter, "proposed county" means a new county proposed to be established, or established, out of territory detached from the "county."

23504. A new county shall not be established pursuant to this chapter if the population of any county shall be reduced to less than 750,000 The most recent federal decennial census shall be used for purposes of determining population

23505. A new county shall not be established pursuant to this chapter containing a population of less than 750,000 The most recent federal decennial census shall be used for purposes of determining population

23506. A new county shall not be established if the area of any existing county from which territory is detached to form the new county will be reduced to less than 1,200 square miles

23507. No boundary line of a proposed county shall pass within five miles of the principal administrative office of a county, nor shall the boundary line of a proposed county pass through or divide the territory of any incorporated city or judicial district

23508. Proceedings under this chapter shall not be subject to the provisions of Chapter 6 6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5, relating to local agency formation commissions.

Article 2. Initiation of Proceedings

23510. Proceedings for the formation of a proposed county taken pursuant to this chapter shall be initiated by petition. Any such petition shall contain the following:

(a) An accurate description of the boundaries of the proposed county and a statement that such boundaries do not pass within five miles of the principal administrative office of the county; and, do not pass through or divide the territory of any incorporated city or judicial district.

(b) A statement of the population of the proposed county, as near as may be determined.

(c) A statement of the population which will remain in the county if the territory of the proposed county is detached therefrom, as near as may be determined.

(d) A statement of the area in square miles which will remain in the county if the territory of the proposed county is detached therefrom.

(e) The name of the proposed county.

(f) The name of the county from which territory is proposed to be detached to establish the proposed county.

(g) A request that proceedings for establishment of the proposed county be taken pursuant to this chapter

23511. A petition initiating proceedings pursuant to this chapter shall be signed by qualified electors residing within the territory of the proposed county as described in the petition equaling in number not less than 10 percent of the total number of votes cast within such territory for Governor at the last gubernatorial election

Each elector signing a petition shall add to his signature his place of residence, giving street and number or a designation sufficient to enable the place of residence to be readily ascertained, and the date upon which he signed the petition.

23512 A petition shall be filed with the board of supervisors of the county.

Any petition filed pursuant to this section may:

(a) Designate not to exceed three persons as chief petitioners, setting forth their names and mailing addresses; and

(b) Consist of a single document, or several counterparts filed at the same time.

No petition shall be accepted for filing unless the signatures thereon shall have been secured within one year of the date upon which the first signature on the petition was affixed and such petition is submitted to the board of supervisors for filing within 30 days after the last signature is affixed.

23513 There shall be attached to and filed with the petition the affidavit of three qualified signers, such signers being the chief petitioners, if any, stating substantially that:

(a) They have read the petition and examined the signatures affixed thereto.

(b) They believe the statements in the petition to be true

(c) The petition is signed by qualified electors residing within the territory of the proposed county and equaling in number not less than 10 percent of the total number of votes cast within such territory for Governor at the last gubernatorial election.

(d) The signatures affixed to the petition are genuine and that each person signing the petition was, at the time of signing, a qualified elector of the county.

Article 3 Proceedings Before the Board of Supervisors

23514 The board shall cause the registrar of voters to ascertain whether the petition is signed by the requisite number of qualified electors who reside within the territory of the proposed county. The registrar of voters shall report to the board within 30 days

If the report of the registrar of voters shows that the petition is not signed by the requisite number of qualified signers, the board is without jurisdiction to proceed further and no further action may be taken under the proposal for establishment of the proposed county, and no new petition for establishment of a proposed county from any of the same territory may be circulated or filed pursuant to this chapter for a period of one year from the date of the filing of the petition with the board pursuant to Section 23512

23515 If the report of the registrar of voters shows that the petition is signed by the requisite number of qualified signers, the board of supervisors shall fix a date and time for hearing on establishment of the proposed county. The hearing shall be held not less than 30, nor more than 60 days after the date upon which the petition is filed with the board

Notice of the hearing shall be given at the times and in the manner prescribed in Sections 23341 and 23342 In addition, the board shall cause mailed notice of the hearing to be given to the chief petitioners, if any, at least two weeks prior to the date of hearing

23516 On the date and at the time fixed for hearing, the board shall hear any and all protests and objections to establishment of the proposed county. The hearing may be continued from time to time but in no event for more than 14 days At the hearing, the board shall hear all written and oral objections and at the conclusion of the hearing the board shall, by resolution:

(a) Establish the boundaries of the proposed county The boundaries established by the board shall be those described in the petition except as to territory which may be excluded pursuant to Section 23517.

(b) State the population of the proposed county, such population to be at least 750,000

(c) State what the population of the county would be if the territory of the proposed county is detached therefrom, such population to be at least 750,000

(d) State the area of the county should the territory of the proposed county be detached.

(e) Divide the territory of the proposed new county into five supervisorial districts and number them The boundaries of such districts shall be defined so that they are as equal in population as possible

(f) Divide the territory into the convenient and necessary number of judicial, road and school districts and define the territory thereof. To the extent possible, existing judicial, road and school districts located within the territory of the proposed county shall be maintained

23517. Not less than 50 percent of the qualified electors of any territory lying entirely within the county and within the proposed county and contiguous to the boundary line thereof may petition the board asking that the territory described in the petition be not included within the proposed county. If such petition is filed, the board shall on final hearing make such changes in the proposed boundaries as will exclude such territory from the proposed county, and shall establish and define the boundaries as required in Section 23516 Any changes made by the board shall not reduce the population of the proposed county to less than 750,000 nor divide the territory of any incorporated city or judicial district. Petitions for exclusion shall be disposed of in the order in which they are filed with the clerk of the board of supervisors On final determination of boundaries no changes in the boundaries originally proposed shall be made except as prayed for in such petitions or to correct clerical errors or uncertainties

23518. Upon adoption of a resolution pursuant to Section 23516, the board shall forthwith cause a certified copy of such resolution to be transmitted to the Governor.

Article 4. Distribution of Indebtedness

23520. Upon receipt of notice pursuant to Section 23518, the Governor shall appoint a commission consisting of three persons, to determine an equitable distribution of indebtedness between the county and the proposed county Of the three persons appointed to the commission, one shall reside within the territory of the proposed county; one shall reside within the territory remaining in the county should the proposed county be established; and one shall not be a resident of either the county or the proposed new county

Within 10 days after notice of their appointment, the commission shall meet at the principal administrative office of the county and organize by electing from their number a chairman They shall also appoint a secretary who shall not be a member of the commission Thereafter the commission may meet at such times and places as it may select

A majority of the commissioners shall constitute a quorum for purposes of transacting business and making the determinations required pursuant to this article.

23521. The commission shall ascertain and determine a fair, just and equitable distribution, as between the territory to remain in the county and the territory proposed to be established as a new county, of the indebtedness of the county

For purposes of conducting their business, the commission shall conduct public hearings Notice of such hearings shall be published pursuant to Section 6061 in a newspaper of general circulation published in the county

The commission shall report their determinations to the board of supervisors of the county within 180 days of the date upon which the commission was appointed.

23522. Except as otherwise provided in this article, the commission may, in determining a fair, just and equitable distribution of the indebtedness of the county between such county and the proposed county, provide for one or more of the following.

(a) The payment of a fixed or determinable amount of money by the new county either as a lump sum or in installments, for the acquisition, transfer, use or right of use of any part of the property, real or personal, owned by the county at the time a petition was filed pursuant to Section 23512

(b) The levying or fixing and the collection in the new county of (i) special, extraordinary or additional taxes or assessments, or (ii) special, extraordinary or additional service charges, rentals or rates, or (iii) both, or the issuance and sale of bonds for purposes of providing for any payment required pursuant to subdivision (a) of this section.

(c) The imposition, exemption, transfer, division or apportionment, as between the county and the proposed county, of liability for payment of all or any part of principal, interest or any other amounts which shall become due on account of all or any part of any bonds, including revenue bonds, of the county which are outstanding or authorized, at the time a petition is filed pursuant to Section 23512, or, other contracts or obligations of the county; and the levying or fixing and the collection in the new county of any (i) taxes or assessments, or (ii) service charges, rentals or rates, or, (iii) both, as may be necessary to provide for such payment

23523 In making their determinations, the commission shall ascertain the current indebtedness of the county It shall also ascertain (1) the total assesed value of all property located in the county; and, (2) the assessed value of the territory of the proposed county The assessed values used by the commission shall be those shown on the last equalized assessment roll of the county

23524. The commission shall also identify and determine the location and value of all real and personal property owned by the county and located within the boundaries of the proposed county Any real and personal property identified by the commission pursuant to this section shall become property of the proposed county, should it be established as provided in this chapter, upon settlement of the indebtedness in the manner specified by the commission

23525 Except as provided by the commission, upon establishment of the proposed county the territory located within the proposed county shall be relieved of annual tax liability for outstanding indebtedness of the county in the year next succeeding the election on formation of the proposed county when assessments or taxes are to be levied for payment of such indebtedness

Territory remaining in the county upon establishment of the proposed county shall be relieved of annual tax liability for any outstanding indebtedness of the county which the commission determines is to be assumed by the proposed county Such relief shall become effective in the year next succeeding the year in which the election on formation of the proposed county is held when assessments or taxes are to be levied for payment of such indebtedness

Nothing in this section shall be construed as in any way limiting the power of a bondholder to enforce his contractual rights, and nothing in this section shall affect the ultimate liability of territory of the county or proposed county for bonded indebtedness of the county in case of default.

23526. By citation or subpoena signed by its chairman and secretary, the commission may compel the attendance of such persons and the production of such books, papers and other documents before it as it deems necessary for the performance of its duties.

23527. All officers and employees of the county shall cooperate with, perform any functions required by, and produce any books, records or other documents of the county requested by the commission and necessary for the performance of the commission's functions.

23528. The findings and determinations of the commission shall be made in writing to the board of supervisors of the county and shall be signed and attested to by all three members of the commission

The distribution and allocation of indebtedness determined by the commission shall be final and binding on the county and the proposed county should the proposed county be legally established as provided in this chapter.

23529. As used in this article, the term "indebtedness" means the net obligations of the county arising from contract or through the operation of law, other than short-term operational expenses, but including and not limited to obligations arising under general obligation bonds, leases, joint powers agreements, and similar obligations or contracts entered into by the county prior to the date on which a petition is filed Net obligation shall be deemed to mean the gross obligation outstanding after deduction of offsetting revenues, other than tax revenues

23530. Members of the commission shall receive as compensation not to exceed fifty dollars ($50) a day for every day they are actually employed together with their actual expenses incurred in the performance of their duties. All expenses of the commission, together with the reasonable costs of stationery, postage, and incidental expenses shall be borne by the county, if the proposed county is not established; or the proposed county if such county is established.

Article 5. Election on Establishment of the Proposed County

23531. Upon receipt of the commission's report, the board of supervisors of the county shall, by resolution, call an election in the territory of the county and in the territory of the proposed county, on the question of establishment of the proposed county The election shall be held not less than 90 nor more than 120 days after adoption of such resolution.

23532. Except as provided in this article, the election shall be held, conducted and the ballots canvassed and the results certified in the same manner, and the ballots shall be in the same form, as prescribed in Article 5 (commencing with Section 23380) of Chapter 3 of this division.

23533 An election shall also be called and conducted in the territory of the proposed county for purposes of:

(a) Electing officers of the proposed county Those officers to be elected shall be determined by the board of supervisors of the county in accordance with the general laws of the state; and

(b) Determining the location of the county seat of the proposed county.

The election required by this section shall be called and conducted in the same manner, and consolidated with the election on establishment of the proposed county.

23534 Candidates for elective offices of the proposed county shall file nomination papers at the same time and in the same manner as candidates for the governing body of general law counties.

23535. The board of supervisors of the county, or any member or members of that board authorized by the board, or any city council of a city within the county, or any member or members of such a council authorized by the council, or any individual voter or bona fide association of citizens, or any combination of such voters and associations, may file a written argument for, or a written argument against, formation of the proposed county.

Arguments shall not exceed 300 words in length and shall be filed with the registrar of voters not less than 54 days prior to the date of the election.

23536. Not less than 70 days prior to the date of the election, as specified in the resolution calling the election adopted pursuant to Section 23531, the registrar of voters of the county shall cause to be published an announcement requesting the submission of arguments for and arguments against the proposed county formation The announcement shall be published in accordance with Section 6061 in a newspaper of general circulation which is circulated in the territory of the county and the proposed county.

The announcement shall contain the following:

(a) A statement of the proposition to be voted on and a description of the boundaries of the proposed county;

(b) An invitation to any registered voter entitled to vote on the proposition, or any bona fide association of citizens to submit and file with the registrar of voters for printing and distribution in the ballot pamphlet, within 54 days of the election, an argument for or an argument against formation of the proposed county;

(c) The date of the election;

(d) A statement that only one argument for and one argument against shall be selected and printed in the ballot pamphlet; and

(e) A statement that arguments shall not exceed 300 words in length and shall be accompanied by not more than three signatures

23537 If more than one argument for or more than one argument against formation of the proposed county is filed with registrar of voters within the time prescribed in Section 23535, the registrar of voters shall select one of the arguments for printing and distribution to the voters

In selecting arguments, the registrar shall give preference and priority in the order named to arguments submitted by the following:

(a) The board of supervisors of the county, or any member or members of such board authorized by it.

(b) The city council of any city located within the county, or any member or members of such council authorized by it

(c) Individual voters or bona fide association of citizens, or combination of voters and associations.

23538. The registrar of voters shall cause a ballot pamphlet concerning formation of the proposed county to be printed and mailed to each voter of the county and the proposed county entitled to vote on formation of the proposed county.

The ballot pamphlet shall contain the following in the order prescribed:

(a) The complete text of the commission's report on allocation of indebtedness.

(b) The argument for establishment of the proposed county.

(c) The argument against establishment of the proposed county

The registrar of voters shall mail a ballot pamphlet to each voter entitled to vote on the question of establishment of the proposed county at least 10 days prior to the date of the election Such ballot pamphlet is "official matter" within the meaning of Section 10012 of the Elections Code.

23539. The registrar shall also prepare and mail to the voters of the county and the proposed county, a sample ballot The sample ballot shall be mailed with and at the same time as the ballot pamphlet

23540. If upon canvass of all votes cast at the election, it appears that more than 50 percent of the total number of all votes cast within the county and 65 percent of all votes cast within the proposed county, are in favor of formation of the proposed county, the board of supervisors, by resolution, shall:

(a) Declare the results of the election and that the proposed county shall be deemed established pursuant to the general laws of this state as a county under the name of _____ (naming it), upon the 91st day after adjournment of the Legislature at its regular session held in the year next succeeding the year in which the election on establishment of the proposed county was held.

(b) State that the place (naming it) receiving the highest number of votes cast at the election shall be the county seat of the new county until removed in the manner provided by law

(c) Declare the persons receiving respectively the highest number of votes cast for the several offices to be filled at the election, are duly elected to such offices and shall take office upon the date which the proposed county shall be deemed legally established as provided in subdivision (a), and prescribe the amount in which such elected officers shall execute official bonds upon taking office.

(d) State the effective date or dates upon which the various service responsibilities and functions for the territory of the new county shall be transferred from the county to the new county. Such date or dates shall be established in such a manner as to provide for the orderly and expeditious transition of responsibilities and functions but shall in no event exceed two fiscal years from the date on which the proposed county shall be deemed legally established as provided in subdivision (a).

23541. The board of supervisors of the county shall cause a copy of the resolution adopted pursuant to Section 23540 to be filed with the State Board of Equalization and the Secretary of State Upon the 91st day after final adjournment of the Legislature at its regular session held in the year next succeeding the year in which the election on

formation of the proposed county is held, the county is deemed established for all purposes and shall be responsible and execute all the duties, powers and functions of a county as required by law, except as provided in this chapter.

23542 If upon canvass of the votes cast at the election, it appears that the votes cast for establishment of the new county are below the percentages specified in Section 23540, the board of supervisors of the county shall, by resolution, declare establishment of the proposed county defeated and no further proceedings for establishment of a county out of any portion of the territory of the proposed county shall be taken or initiated for a period of one year after the date of the election

23543 All costs of an election shall be paid by (i) the county, if the establishment of the proposed county is defeated; or (ii) by the new county if it is established pursuant to this chapter.

Article 6 Transfers

23545 Upon establishment of the new county as provided in this chapter, the transfers of moneys, records, and other documents from the county to the new county shall be carried out as provided in Article 8 (commencing with Section 23470) of Chapter 3 of this division.

23546 The county shall continue to provide necessary services from the date of formation of the new county until service responsibilities and functions are transferred to the new county according to the provisions of the resolution of the board of supervisors of the county adopted pursuant to Section 23540 The new county shall contract with the old county for such purposes from the date of formation until actual transfer or the effective date or dates for transfer as provided in such resolution The contract shall specify the amount or amounts to be paid by the new county to the county for the performance of such services and functions The new county may continue to contract with the county for any services and functions subsequent to the date or dates specified in any resolution adopted pursuant to Section 23540.

Article 7. Districts

23548. Notwithstanding any other provision of law, no special district, which is organized within the county and governed by the board of supervisors thereof, shall have its territory divided or in any other way have its organization changed as the result of the establishment of the new county except as to proceedings taken pursuant to law subsequent to the establishment of the new county.

Article 8. Courts

23550 In a proposed county there is one judge of the superior court who shall be selected as provided by law

23551. The presiding or sole judge of the superior court in a proposed county may appoint officers, attachés, and other employees as are necessary to assist the court in the performance of its duties Preference in appointment shall be given to those persons serving a session of the superior court located within the boundaries of the proposed county immediately prior to its formation.

23552. On and after the date of formation of the proposed county, the superior court in the county shall retain jurisdiction in all cases pending in a session of such court which is located within the boundaries of the proposed county immediately prior to its formation.

23553. Those municipal and justice court districts in the county which are located within the boundaries of the proposed county immediately prior to its formation shall continue in existence for all purposes in the proposed county with the same name, judges, officers, attachés, and other employees

SEC. 2. The provisions of Section 1 of this act shall not become operative until the 61st day after final adjournment of the Legislature at its 1973 Regular Session."

Amendment No. 3

On page 2, strike out lines 2 to 35, inclusive; and strike out pages 3 to 8, inclusive.

Bill ordered reprinted, and returned to the second reading file

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Senate Bill No. 1383.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2036—An act to amend Section 6007 of the Business and Professions Code, relating to attorneys.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2036 (presented by Mr MacGillivray)?

Amendment No. 1

On page 3, line 3, of the printed bill, after "is", insert "(1)".

Amendment No. 2

On page 3, line 5, strike out "and that he is", and insert "or is (2)".

Amendment No. 3

On page 3, line 9, after "investigation," insert "or during the course of a disciplinary proceeding,"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Fenton, Foran, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, and Wood—43.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1374—An act to amend Sections 39130 and 39184 of the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1374?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly May 15, 1972, after "shall", insert "install,".

Amendment No. 2

On page 2, line 17, after "shall", insert "install,".

Amendment No. 3

On page 3, line 10, after "shall", insert "install,".

Amendment No. 4

On page 3, lines 10 and 11, strike out "advertise, or represent", and insert "or advertise".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Waxman, and Wood—48.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1330—An act to add Sections 10124, 10351, and 11512 16 to the Insurance Code, and to add Section 12532.6 to the Government Code, relating to insurance.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1330?

Senate Amendments of June 27, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 8, 1972, strike out "11512.15", and insert "11512.16".

Amendment No. 2

In line 3 of the title, after "Code," insert "and to add Section 12532 6 to the Government Code,".

Amendment No. 3

On page 2, strike out lines 1 to 8, inclusive, and insert "shall provide, where feasible, that benefits for confinement in an extended care facility, as defined in subsection (j) of Section 1395x of Title 42 of the United States Code, may be provided under such terms and con-

ditions as may be agreed upon between the employee and the employer or employee organization.

Nothing in this section shall preclude a self-insured employee benefit plan from providing benefits for confinement in institutions other than extended care facilities as defined in this section."

Amendment No. 4

On page 2, strike out lines 16 to 24, inclusive, and insert "shall provide, where feasible, that benefits for confinement in an extended care facility, as defined in subsection (j) of Section 1395x of Title 42 of the United States Code, may be provided under such terms and conditions as may be agreed upon between the insured, or group policyholder, and the insurer.

Nothing in this section shall preclude a disability insurance policy from providing benefits for confinement in institutions other than extended care facilities as defined in this section."

Amendment No. 5

On page 2, line 25, strike out "11512 15", and insert "11512 16".

Amendment No. 6

On page 2, line 27, strike out "11512.15", and insert "11512.16".

Amendment No. 7

On page 2, strike out lines 29 to 35, inclusive, and insert "shall provide, where feasible, that benefits for confinement in an extended care facility, as defined in subsection (j) of Section 1395x of Title 42 of the United States Code, may be provided under such terms and conditions as may be agreed upon between the member and the corporation.

Nothing in this section shall preclude such a plan from providing benefits for confinement in institutions other than extended care facilities as defined in this section.

SEC. 4. Section 12532.6 is added to the Government Code, to read:

12532.6. Each health care service plan entered into or renewed on or after the effective date of this section shall provide, where feasible, that benefits for confinement in an extended care facility, as defined in subsection (j) of Section 1395x of Title 42 of the United States Code, may be provided under such terms and conditions as may be agreed upon between the covered person and the plan.

Nothing in this section shall preclude such a plan from providing benefits for confinement in institutions other than extended care facilities as defined in this section."

Senate Amendments of July 7, 1972

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Senate June 27, 1972, strike out "employee and the employer", and insert "employer and the employee".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cul-

len, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, and Wood—49.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 718—An act to amend Section 7152 of the Financial Code, relating to savings and loan associations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 718?

Senate Amendments of June 5, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 17, 1972, after "associations", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 16, insert

"SEC 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Legislature finds that this act will help to stimulate business activity in this state. Therefore, it is necessary that this act take effect immediately so that the benefits derived by the people of this state from increased business activity may be realized at the earliest possible time."

Senate Amendments of June 12, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate June 5, 1972, strike out ", and declaring the", and strike out lines 3 and 4, and insert a period.

Amendment No. 2

On page 2, strike out lines 19 to 29, inclusive.

Senate Amendments of July 10, 1972

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Senate June 12, 1972, strike out "95", and insert "90".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, and Wood—50.

NOES—None

Above bill ordered enrolled

Assembly Joint Resolution No. 22—Relative to noise pollution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No 22?

Amendment No. 1

On page 2 of the printed measure, as amended in Assembly April 13, 1972, strike out lines 15 to 25, inclusive

Amendment No. 2

On page 3, line 9, strike out "amend"; strike out line 10; and in line 11, strike out "permit California", and insert "support California's efforts".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, and Warren—49.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 561—An act to amend Section 253 4 of the Streets and Highways Code, relating to state highways

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 561 (presented by Mr Deddeh)?

Amendment No. 1

On page 2 of the printed bill, strike out lines 16 and 17, and in line 18, strike out "(b)", and insert "Route 77 from".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brophy, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—46.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1717

In compliance with a motion given on a previous day, Mr Wakefield moved that the vote whereby Assembly Bill No. 1717 was refused passage be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Wakefield moved a call of the Assembly.

Motion carried Time, 10.09 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Foran was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 616—An act to add Section 7030 to the Business and Professions Code, relating to contractors

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 616?

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly April 17, 1972, strike out "estimates, bids, contracts,"; and strike out line 19, and insert "contracts with respect to which such person is a prime contractor:".

Amendment No. 2

On page 2, line 22, strike out "the responsibilities of".

Amendment No. 3

On page 2, line 31, strike out "estimate, bid, contract,"; and strike out line 32, and insert "contract "

Amendment No. 4

On page 2, after line 32, insert

"SEC. 2 This act shall become operative on July 1, 1973 "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—55

NOES—None:

Above bill ordered enrolled.

Assembly Bill No. 1378—An act to amend Sections 73341, 73350, 73351, 73351 1, 73352, 73353, 73355, 73356, 73357, 73358, 73359, and 73360 1 of the Government Code, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1378?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73351", and insert "Sections 73341, 73350, 73351, 73351 1, 73352, 73353, 73355, 73356, 73357, 73358, 73359, and 73360 1".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 73341 of the Government Code is amended to read:

73341. Except as otherwise provided in this article, each municipal court district established in Contra Costa County shall have the number of judges set forth opposite the name of the judicial district over which such court has jurisdiction.

Mt Diablo Judicial District	~~2~~ *3*
Richmond Judicial District	3
River Judicial District	1
~~San Pablo Judicial District~~	~~1~~
Walnut Creek-Danville Judicial District	2
West Judicial District	*2*
Any other court established or declared to exist	1

~~Upon the consolidation or annexation of all or part of any other judicial district with the San Pablo Judicial District, the number of judges in such consolidated or annexed district shall be two.~~

~~If any territory of another judicial district is annexed to the Mt. Diablo Judicial District, pursuant to Section 71083, the number of judges authorized in the Mt. Diablo Judicial District shall be three.~~

SEC 2 Section 73350 of the Government Code is amended to read:

73350 There are the following classes of positions into which each of the positions of the municipal courts and marshals' offices shall be assigned as prescribed in the section pertaining to each court or marshal's office.

(a) Deputy clerk I, which shall include all municipal courts and marshals' offices employments assigned routine clerical tasks under continuous immediate supervision.

(b) Deputy clerk II, which shall include all municipal courts and marshals' offices employments assigned clerical tasks requiring exercise of discretion as to methods and priorities and which supervision is available on a periodic basis only

(c) Deputy clerk III, which shall include all municipal courts and marshals' offices employments assigned clerical duties of a complex and varied nature requiring exercise of initiative and discretion in work organization, methods and priorities and in which supervision is available only on policy matters Positions of this class may assign and review the work of several deputy clerks I or deputy clerks II

(d) Deputy clerk IV, which shall include clerical duties of a complex and varied nature in which the incumbent works independently, such as an employment having as a primary assignment the discharge of a court's orders and the maintenance of court minutes

(e) Chief deputy clerk, which shall include assisting in supervision and direction of court affairs, filling in for courtroom clerks and other employees during absences, and being responsible for court operations in the absence of the clerk-administrator.

~~(e)~~ *(f)* Clerk-*administrator* of the court I, which shall include all municipal court positions in single-judge courts charged with the overall responsibility for managing and supervising the court clerical operations including courtroom clerical duties.

~~(f)~~ *(g)* Clerk-*administrator* of the court II, which shall include any municipal court position in a multijudge court charged with the overall responsibility for managing and supervising court clerical operations including courtroom duties.

~~(g)~~ *(h)* Deputy marshal I, which shall include all marshals' offices employments assigned to discharge the peace officer responsibilities of the marshal including establishment and maintenance of law ~~and order in the judicial district, service of various court orders~~ and acting as bailiff when the municipal court is in session.

~~(h)~~ *(i)* Deputy marshal II, which shall include any position in a marshal's office responsible for assigning and reviewing the work of several deputy marshals I in serving court processes and other peace officer activities.

~~(i)~~ *(j)* Marshal I, which shall include any nonelective position responsible for the management and supervision of the duties of the office of marshal in any single-judge judicial district

~~(j)~~ *(k)* Marshal II, which shall include any nonelective position responsible for the management and supervision of the duties of the office of marshal in any multijudge judicial district

SEC. 3. Section 73351 of the Government Code is".

Amendment No. 3

On page 2, line 1, strike out "580", and insert "480".

Amendment No. 4

On page 3, after line 24, insert

"SEC. 4 Section 73351.1 of the Government Code is amended to read:

73351.1. Classes of positions provided in Section 73351 are allocated to the salary schedule as follows.

(a) Deputy clerk I ..... Range ~~25~~ *25*

(b) Deputy clerk II ..... Range ~~29~~ *30*

(c) Deputy clerk III ..... Range 37

(d) Deputy clerk IV ..... Range 47

(e) Chief deputy clerk ..... Range 55

~~(e)~~ *(f)* Clerk-*administrator* of the court I ..... Range 56

~~(f)~~ *(g)* Clerk-*administrator* of the court II ..... Range ~~61~~ *64*

~~(g)~~ *(h)* Deputy marshal I ..... Range 51
~~(h)~~ *(i)* Deputy marshal II ..... Range ~~55~~ *57*
~~(i)~~ *(j)* Marshal I ..... Range 65
~~(j)~~ *(k)* Marshal II ..... Range 69

SEC. 5. Section 73352 of the Government Code is amended to read:

73352. Certain classifications in the municipal courts and marshals' offices are deemed to be equivalent in job and salary level to certain classifications in the service of Contra Costa County and whenever the salary of a classification in the service of Contra Costa County is adjusted by the board of supervisors, the salary of the comparable classification in the municipal courts or marshals' offices shall be adjusted a commensurate number of ranges on the salary schedule. Such adjustments shall be effective on the same date as the effective date of the action by the board of supervisors as it applies to the county classifications, but such adjustments shall be effective only until 90 days after the adjournment of the next regular session of the Legislature.

(a) The class of deputy clerk I is equivalent in job and salary level to the class of typist-clerk I in the service of Contra Costa County. The class of deputy clerk II is equivalent to typist-clerk II

(b) Whenever the salary of the class of deputy clerk II is adjusted as described above, the class of deputy clerk III shall be adjusted an equivalent number of ranges on the salary schedule.

(c) The class of deputy marshal I is equivalent in job and salary level to the class of deputy sheriff in the service of Contra Costa County. *The class of deputy marshal II shall be allocated to a salary range which is 15 percent above that of deputy marshal I The class of marshal I shall be allocated to a salary range which is 15 percent above the deputy marshal II, and the class of marshal II shall be allocated to a salary range which is 10 percent above that of marshal I. If on the effective date of this amendment the actual salary rate for marshal I or a marshal II exceeds the salary rate applicable as a result of the percentage differentials cited above, the existing salary rate shall continue in effect until exceeded by the applicable percentage differentials.*

(d) The position of municipal court reporter is equivalent in job responsibility to positions described and functioning as superior court reporters in Contra Costa County Whenever the superior court reporters are authorized a basic salary adjustment, the salary of municipal court reporters shall be adjusted Such adjustment shall be effective on the same date as the superior court reporter salaries are adjusted.

(e) The class of deputy clerk IV is allocated two (2) ranges on the basic salary schedule established by Section 73351 below the county class of superior court clerk. Whenever the salary of the class of superior court clerk is adjusted by the board of supervisors the classes of deputy clerk IV, ~~clerk of the court I and clerk of the court II~~ shall be adjusted an equivalent number of ranges on the salary schedule

(f) The class of chief deputy clerk shall be allocated to a salary range which is 20 percent above that of deputy clerk IV.

(g) The class of clerk-administrator of the court I shall be allocated to a salary schedule which is 2½ percent above that of chief deputy clerk, and the range of clerk-administrator of the court II to a salary range which is 20 percent above that of clerk-administrator of the court I

SEC 6. Section 73353 of the Government Code is amended to read:

73353 ~~The judge of the court, the presiding judge in a two-judge district, or a majority of the judges in a multijudge district shall appoint the clerk of the court. The clerk of the court of the particular municipal court shall appoint all other employments in the municipal court office subject to the approval of the judge in a single-judge district, the presiding judge in a two-judge district, or a majority of the judges in a multijudge district.~~

There shall be one clerk-administrator of the court for each court who shall be appointed by the judge in a single-judge district, the presiding judge in a two-judge district, or a majority of the judges in districts having more than two judges, provided that as of the effective date of this amendment, the clerk of each municipal court shall become the clerk-administrator.

The clerk-administrator of the particular municipal court shall appoint all other employments in the municipal court offices subject to the approval of the judge in a single-judge district, the presiding judge in a two-judge district, or a majority of judges in districts having more than two judges

SEC 7 Section 73355 of the Government Code is amended to read

73355 In a municipal court district having three judges, the following positions are authorized:

(a) One (1) ~~clerk~~ *clerk-administrator* of the court II.

(b) One (1) chief deputy clerk.

~~(b) Five (5)~~ *(c) Six (6)* deputy clerks IV.

~~(c)~~ *(d)* Six (6) deputy clerks III

~~(d)~~ *(e)* Twelve (12) deputy clerks II or deputy clerks I, not to exceed a combined total of 12 positions at any one time

SEC. 8 Section 73356 of the Government Code is amended to read:

73356 In a municipal court district having three judges, the following positions are authorized:

(a) One (1) marshal II.

(b) One (1) deputy marshal II.

(c) ~~Eight (8)~~ *Nine (9)* deputy marshals I.

(d) One (1) deputy clerk III.

(e) Four (4) deputy clerks II or deputy clerks I, not to exceed a combined total of four positions at any one time

(f) Ten (10) deputies, who shall be custodians at the fee allowed by law for keeping property They shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered Deputies serving under the provisions of this subdivision are not salaried employees of the judicial district for purposes of obtaining civil service status or any other benefits of this article

SEC 9. Section 73357 of the Government Code is amended to read:

73357 In a municipal court district having two judges, the following positions are authorized:

(a) One (1) ~~clerk~~ *clerk-administrator* of the court II.

(b) One (1) chief deputy clerk

~~(b) Five (5)~~ *(c) Four (4)* deputy clerks IV.

~~(c)~~ *(d)* Five (5) deputy clerks III.

~~(d)~~ *(e)* Eleven (11) deputy clerks II or deputy clerks I, not to exceed a combined total of 11 positions at any one time

SEC. 10. Section 73358 of the Government Code is amended to read:

73358. In a municipal court district having two judges, the following positions are authorized:

(a) One (1) marshal II.

(b) One (1) deputy marshal II

~~(b)~~ *(c)* Five (5) deputy marshals I.

~~(c)~~ *(d)* One (1) deputy clerk III

~~(d)~~ *(e)* Three (3) deputy clerks II or deputy clerks I, not to exceed a combined total of three positions at any one time

~~(e)~~ *(f)* Ten (10) deputies, who serve as custodians at the fee allowed by law for keeping property They shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered Deputies serving under the provisions of this subdivision are not salaried employees of the judicial district for purposes of obtaining civil service status or any other benefits of this article.

SEC 11. Section 73359 of the Government Code is amended to read:

73359. In a municipal court district having one judge, the following positions are authorized:

(a) One (1) ~~clerk~~ *clerk-administrator* of the court I

(b) Two (2) deputy clerks IV

(c) Two (2) deputy clerks III

(d) Seven (7) deputy clerks II or deputy clerks I, not to exceed a combined total of seven positions at any one time

SEC 12 Section 73360 1 of the Government Code is amended to read:

73360 1 Approval of the board of supervisors shall be obtained prior to filling any ~~said~~ *such* positions in Sections 73355, 73356, 73357, or 73358 ~~which have never been filled~~."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—55.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1787—An act to amend Sections 8304 and 8307 of the Fish and Game Code, relating to abalone and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1787?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 24, 1972, after "abalone", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 8, strike out the second comma and insert a semicolon.

Amendment No. 3

On page 2, after line 23, insert

"SEC. 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to assure a proper yield of black abalones and to provide immediate protection of this resource, it is necessary that the provisions of this act go into immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—55.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1787?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—55.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1928—An act to amend Sections 300, 301, 501, 800, 816, and 819 of, and to add Section 809 5 to, the Corporations Code, relating to directors of corporations.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1928?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "Section 300, 301, 501, 800 and 816", and insert "Sections 300, 301, 501, 800, 816, and 819".

Amendment No. 2

On page 5, after line 11, insert

"SEC. 7. Section 819 of the Corporations Code is amended to read:

819. (a) If a corporation has an even number of directors who are equally divided and cannot agree as to the management of its affairs, so that its business cannot longer be conducted to advantage or so that there is danger that its property and business will be impaired and lost, the superior court of the county where the principal office of the corporation is located may, notwithstanding any provisions of the articles or bylaws of the corporation and whether or not an action is pending for an involuntary winding up or dissolution of the corporation, appoint a provisional director pursuant to this section.

Action for such appointment may be filed by ~~one-half of the directors~~ *any director* or by the holders of not less than 33⅓ percent of the outstanding shares.

(b) The provisional director shall be an impartial person, who is neither a shareholder nor a creditor of the corporation, nor related by consanguinity or affinity within the third degree to any of the other directors of the corporation, or to any judge of the court by which he is appointed The provisional director shall have all the rights and powers of a director, and shall be entitled to notice of the meetings of the board of directors and to vote at such meetings, until the deadlock in the board of directors is broken or until he is removed by order of the court or by vote or written consent of the holders of a majority of the voting shares. He shall be entitled to receive such compensation as may be agreed upon between him and the corporation, and in the absence of such agreement he shall be entitled to such compensation as shall be fixed by the court.

This section does not apply to corporations subject to the Banking Law, the Public Utilities Act, or the Savings and Loan Association Law."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—56.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cline was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1228—An act to add Sections 534 5 and 4837 5 to the Revenue and Taxation Code, relating to property taxation.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1228 (presented by Mr. Knox)?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 2, 1972, strike out "Section 534 5", and insert "Sections 534 5 and 4837 5".

Amendment No. 2

On page 2, line 3, after the period, insert "Any such ordinance shall contain a provision requiring that a separate public record shall be maintained in the office of the tax collector listing the current status of all installment accounts authorized under such ordinance."

Amendment No. 3

On page 2, between lines 9 and 10, insert

"SEC 2 Section 4837 5 is added to the Revenue and Taxation Code, to read:

4837 5. Notwithstanding any other provisions of law, the board of supervisors shall have the authority, by ordinance, to provide for the spreading of payments for taxes when such taxes have been increased by the discovery of an error under the provisions of this article The conditions, recordkeeping, and nature of this authority shall be the same as those provided in Section 534 5."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—57.

NOES—None

Above bill ordered enrolled

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file

Senate Bill No. 352 (Conference report pending), on request of Mr. Ray E Johnson.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 1666

In compliance with a motion given on a previous day, Mr. Barnes moved that the vote whereby Assembly Bill No. 1666 was refused passage be reconsidered.

Assembly Bill No 1666 reconsidered by the following vote:

AYES—Badham, Barnes, Bee, Belotti, Beverly, Brophy, Brown, Burke, Campbell, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—51.

NOES—None.

Further Consideration of Assembly Bill No. 1666

Assembly Bill No. 1666—An act to amend Sections 20017 7, 20017 75, 20803.7, and 22013 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Barnes moved a call of the Assembly.

Motion carried Time, 10:30 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Priolo was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 27

In compliance with a motion given on a previous day, Mr Harvey Johnson moved that the vote whereby Assembly Constitutional Amendment No 27 was refused adoption be reconsidered.

Assembly Constitutional Amendment No. 27 reconsidered by the following vote:

AYES—Badham, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister,

McCarthy, Mobley, Moorhead, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Wilson, Wood, and Z'berg—55.

NOES—Collier—1.

Assembly Constitutional Amendment No. 27 Passed and Retained

By unanimous consent, Assembly Constitutional Amendment No. 27 was passed on file, to retain its place on file

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 688 (Governor's veto pending), on request of Mr. Deddeh.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2376—An act to add Section 407 5 to the Agricultural Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 11017, 11553, 11554, 12805, 14808.1, and 65040 of, to add Part 2 8 (commencing with Section 12900) to Division 3 of Title 2 of, to add Title 7 3 (commencing with Section 66700) to, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, and Title 7 3 (commencing with Section 66700) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 24263 8, 24303, 24350 3, 24354.14, 39001, 39054.1, 39059, 39066, 39068 2, 39100 3, 39195, 39201, 39261, 39262, 39314, 39392, 39461, 39482, and 39540 of, to amend the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600 7, 25611, 25650 5, 25655, 25735 5, 25804, 26203 1, and 39065 to, to add Chapter 5 (commencing with Section 4500) to Part 2 of Division 5 of, Chapter 2 (commencing with Section 39020) to Part 1 of Division 26 of, and Division 28 (commencing with Section 39800) to, and to repeal Sections 39013, 39063, 39064, and 39065 of, and to repeal Chapter 5 (commencing with Section 4500) of Part 2 of Division 5 and Chapter 2 (commencing with Section 39020) of Part 1 of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312 5 to, the Labor Code, to amend Sections 3742 and 21103 of the Public Resources Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 4000 1, 4602, 24007, 27156, 27157, 27157 5, and 40001 of the Vehicle Code, and to amend Sections 25, 230, 1003 5, 1060, 2862, 2863, 2866, 10500, 10504, 10504 1, 10504 5, 10505 5, 12232, 12233, 12617 1, 12923 1, 13050, 13147, 13203, 13220, 13625, 13973, and 13974 of, to amend and renumber the heading of Article 3 (commencing with Section 13140) and Article 4 (commencing with Section 13160) of Chapter 3 of Division 7 of, to add Article 3 (commencing with Section 174) and Article 3 5 (commencing with Section 180) to Chapter 2 of Division 1 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, and Article 1 (commencing with Section 13100) and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, relating to environmental protection, and making an appropriation therefor.

Bill read third time

Motion to Amend

Mr. Z'berg moved the adoption of the following amendments:

Amendment No. 1

In lines 42 and 43 of the title of the printed bill, as amended in Assembly July 5, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 78, strike out lines 21 to 25, inclusive.

Amendments read.

Roll Call Demanded

Messrs Foran, Stacey, and Cline demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Z'berg moved a call of the Assembly.

Motion carried. Time, 10:36 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Foran was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 508—An act to add Section 3212.3 to the Labor Code, relating to the California State Police.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Z'berg—58.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 2377, on request of Mr. Chappie.

THIRD READING OF SENATE BILLS

Senate Bill No. 439—An act to amend Section 26614.5 of the Government Code, relating to county searches.

Bill read third time, and presented by Mr Belotti

Bill passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Brathwaite, Brophy, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—55.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs Brathwaite was granted unanimous consent that a photographer be permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1392—An act to amend Section 17668 of the Education Code, relating to financial support of the public schools.

Bill read third time, and presented by Mr Chappie.

Bill passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Qumby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1143—An act to amend Section 4036 of the Business and Professions Code and to amend Sections 11007, 11166, and 11166 02 of the Health and Safety Code, relating to prescriptions.

Bill read third time, and presented by Mr. Stacey.

Bill passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Qumby, Russell, Ryan, Seeley, Sieroty, Stacey,

Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1192—An act to amend Sections 21207, 22358 3, and 22503 5 of, and to add Section 32 to, the Vehicle Code, relating to local authorities.

Bill read third time, and presented by Mr. Dent

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Wilson, Wood, and Z'berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 507—An act to repeal Sections 171a and 171b of the Penal Code, and to add Sections 1001.5 and 1001 7 to the Welfare and Institutions Code, relating to institutions for delinquents.

Bill read third time, and presented by Mr Beverly.

Bill passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Wilson, Wood, and Z'berg—55.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 55—An act to amend Sections 537e and 1411 of the Penal Code, relating to unmarked property.

Bill read third time, and presented by Mr. Dent.

Bill passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—58.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1353—An act to repeal Section 5177 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Beverly.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—62

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Z'berg—62

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 92—An act to add Sections 19700 745 and 19700 746 to the Education Code, and to amend Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session), relating to the public educational system, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 92?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 3, 1972, after "Code", insert ", and to amend Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session),".

Amendment No. 2

In line 4 of the title after "system", insert ", making an appropriation therefor".

Amendment No. 3

On page 3, between lines 17 and 18, insert

"SEC. 3. Section 316 of Chapter 1 of the Statutes of 1971 (First Extraordinary Session) is amended to read.

Sec 316 *Notwithstanding* any other provision of law to the contrary, except for the special tax credit provided for in Section 17 of this act, the one-time nonrecurring revenue in the amount of one hundred fifty million dollars ($150,000,000) produced by the enactment of withholding and quarterly estimates of state personal income taxes shall be used for the following purposes and shall be allocated in the following manner:

(a) Eighty million dollars ($80,000,000) shall be allocated to the Capital Outlay Fund for Public Higher Education for the capital construction programs of the University of California, the California State Colleges, and the community colleges.

(b) Forty million dollars ($40,000,000) shall be allocated to the Bagley Conservation Fund, which is hereby created, for beach, park, and land acquisition programs, including wildlife areas, and coastline planning and development of recreational facilities which do not require continuous funding and are of a one-time nonrecurring nature, including within this figure five million dollars ($5,000,000) for miscellaneous capital outlay construction

(c) Thirty million dollars ($30,000,000) shall be allocated to the School Building Safety Fund, which is hereby created, for replacement and repair of local school district buildings for compliance with Field Act requirements Moneys in this fund may be used for the purposes of Article 9 (commencing with Section 19700 51) of Chapter 10 of Division 14 of the Education Code

It is the intent of the Legislature that the amounts specified in the above subdivisions shall be subject to continuous expenditure without regard to fiscal years on the basis of need when appropriated by the Legislature, but that no more than $33\frac{1}{3}$ percent of the total amount of one hundred fifty million dollars ($150,000,000) be allocated in any one budget year

The Department of Finance shall in the annual budget submitted to the Legislature recommend capital outlay program expenditures pursuant to the above subdivisions Any funds appropriated by the Budget Act of 1971 contained in Chapter 266 of the Statutes of the 1971 Regular Session of the Legislature, such as Item 304.1, shall be allocated prior to the end of the 1971–1972 fiscal year

SEC 4. There is hereby appropriated from the School Building Safety Fund, the sum of thirty million dollars ($30,000,000), for allocation by the State Allocation Board, subject to the approval of the State Public Works Board, for purposes of Article 9 (commencing with Section 19700 51) of Chapter 10 of Division 14 of the Education Code."

Amendment No. 4

On page 4, line 39, strike out "SEC. 3", and insert "SEC 4".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Z'berg—61.

NOES—None.

Above bill ordered enrolled

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1707

In compliance with a motion given on a previous day, Mr Brown moved that the vote whereby Assembly Bill No 1707 was refused passage be reconsidered

Assembly Bill No 1707 reconsidered by the following vote

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, and Wood—56

NOES—Lewis and MacGillivray—2

Assembly Bill No. 1707 Passed and Retained

By unanimous consent, Assembly Bill No 1707 was passed on file, to retain its place on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1704—An act to add Section 104 16 to the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2199—An act to add Section 18860.5 to the Government Code, relating to corrections, and making an appropriation therefor.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burton, Campbell, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Haves, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ryan, Stacey, Thomas, Vasconcellos, Waxman, Wilson, Wood, and Z'berg—54

NOES—Lewis, Seeley, and Stull—3

Bill ordered transmitted to the Senate

Assembly Bill No. 1876—An act to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of the Education Code, relating to compensatory education, and making appropriation therefor

Bill read third time, and passed by the following vote

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—48

NOES—Badham, Belotti, Collier, Conrad, Dent, Lanterman, MacGillivray, Moorhead, Seeley, Stull, and Wakefield—11

Bill ordered transmitted to the Senate

Assembly Bill No. 348—An act to add Section 2713 1 to the Penal Code, and to add Section 3155 to the Welfare and Institutions Code, relating to payments to prisoners and others upon release from prison or detention facilities.

Bill read third time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Brown moved a call of the Assembly.

Motion carried Time, 11 ·07 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1703—An act to add Sections 25528 8 and 31226 8 to the Education Code, relating to higher education opportunity programs, and making an appropriation therefor

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Bee, Belotti, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—55

NOES—Badham, Beverly, Collier, Dent, Duffy, Lanterman, Moorhead, and Stull—8.

Bill ordered transmitted to the Senate

Assembly Bill No. 2195—An act to amend Sections 450 5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 5514, 5515, 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Ray E Johnson was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No 2195 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr. Ray E. Johnson moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 29, 1972, strike out "5514, 5515," and insert "5000, 5514, 5515, 6011, 6013, 6014, 6015, 6016, 6017,".

Amendment No. 2

On page 10, between lines 33 and 34, insert

"SEC 19 5 Section 5000 of the Business and Professions Code is amended to read

5000 There is in the Department of Consumer Affairs a State Board of Accountancy, which consists of eight members appointed by the Governor, four of whom shall be certified public accountants, ~~two~~ *one* of whom shall be *a* public ~~accountants~~ *accountant*, and ~~two~~ *three* of whom shall be public members who shall not be licentiates of the board or registered by the board. The board has the powers and duties conferred by this chapter.

The appointment of the two public accountants to membership on the board, authorized by the amendment made to this section at the 1959 Regular Session of the Legislature, shall be made as the terms of the members of the board in office at the effective date of the amendment to this section expire

The Governor shall, on or before January 1, 1962, appoint the first public member of the board, and his term shall expire on November 26, 1962.

The Governor shall appoint the ~~additional~~ *second* public member provided for by the Governor's Reorganization Plan No. 2 submitted to the Legislature at the 1970 Regular Session to fill any vacancy occurring in the office of a certified public accountant member whose term expires November 26, 1972. If a vacancy occurs in more than one of such offices simultaneously, the Governor shall determine which of those offices shall be filled by appointment of the additional public member.

The Governor shall appoint the third public member authorized by the amendment made to this section at the 1972 Regular Session of the Legislature to fill the first vacancy occurring in the office of a public accountant member after the effective date of such amendment. "

Amendment 3

On page 12, after line 40, insert

"SEC. 21 1 Section 6011 of the Business and Professions Code is amended to read.

6011. The board consists of ~~fifteen~~ *15* members, *10 of whom shall be attorney members elected in accordance with the provisions of this chapter and five of whom shall be public members appointed by the Governor*.

SEC. 21 2 Section 6013 of the Business and Professions Code is amended to read:

6013. The membership of the board is composed of:

(a) One *attorney* member from ~~each of~~ State Bar Districts 1, 2, *and* 5, ~~6, 8 and 9~~ *on a rotating basis*.

(b) One attorney member from State Bar Districts 6 and 8 on a rotating basis.

~~(b) Two members~~ *(c) One attorney member* from each of State Bar Districts 3 ~~and~~, 4, *and 9 with two additional attorney members representing two of such districts on a rotating basis*

~~(c) Five~~ *(d) Three attorney* members from State Bar District 7.

(e) Five public members at large

SEC 21 3. Section 6014 of the Business and Professions Code is amended to read

6014 Five members of the board are elected *or appointed* each year for terms of three years each

No person shall be nominated for, or eligible to, membership on the board who has served as a member for three years next preceding the expiration of his current term, or would have so served if his current term were completed

Within the meaning of this section, the time intervening between any two successive annual meetings is deemed to be one year.

SEC 21.4 Section 6015 of the Business and Professions Code is amended to read:

6015 ~~No person is eligible for membership on~~ *Every attorney member of* the board ~~unless he is~~ *shall be* an active member of the State Bar and ~~unless he maintains~~ *shall maintain* his principal office for the practice of law within the State Bar district from which he is elected.

One *attorney* member of the board from State Bar District 7 elected in 1939, and any successor to this member, at the time of his election shall, and any *attorney* member from the district may, maintain his principal office for the practice of law outside of the City of Los Angeles.

One *attorney* member of the board from State Bar District 3 elected in 1941, and any successor to this member, at the time of his election shall, and any *attorney* member from the district may, maintain his principal office for the practice of law outside of the City of Oakland.

Public members of the board shall not be active or inactive members of the State Bar.

SEC 21.5 Section 6016 of the Business and Professions Code is amended to read:

6016 The term of office of each member of the board shall commence at the conclusion of the annual meeting next succeeding his election *or appointment* and he shall hold office until his successor is elected *or appointed* and qualified.

Vacancies in *the offices of attorney members of* the board of governors shall be filled by the board by special election or by appointment for the unexpired term.

The board of governors may provide by rule for an interim board to act in the place and stead of the board when because of vacancies during terms of office there is less than a quorum of the board.

SEC 21.6 Section 6017 of the Business and Professions Code is amended to read:

6017 *(a)* Members of the board shall be elected *or appointed* for terms of three years ~~as follows~~ *:*

~~(a) In 1939, one member each shall be elected from State Bar Districts 4, 6 and 8 and two members from State Bar District 7.~~

~~(b) In 1940, one member each shall be elected from State Bar Districts 1, 3, 5, 7 and 9.~~

~~(c) In 1941, one member each shall be elected from State Bar Districts 2, 3 and 4 and two members shall be elected from State Bar District 7.~~

~~Thereafter, five members of the board shall be elected each year, each for three year terms, from the State Bar Districts in which vacancies will occur in that year by reason of the expiration of the term of office of a member theretofore elected thereto.~~

(b) On and after the effective date of the amendment of this section at the 1972 Regular Session of the Legislature, the Governor shall, as the terms of attorney members of the board expire, appoint public members to the board as follows:

(1) Two public members shall be appointed from the first two vacancies occurring in State Bar Districts 1, 2, or 5.

(2) One public member shall be appointed from the first vacancy occurring in State Bar Districts 6 and 8

(3) Two public members shall be appointed from the first two vacancies occurring in State Bar District 7.

(c) After the public members have been appointed pursuant to paragraph (1) of subdivision (b), the first vacancy occurring in the office of the remaining attorney member for State Bar Districts 1, 2, and 5 shall be filled by an attorney from the first district of the lowest number to yield to a public member

After one public member has been appointed pursuant to paragraph (2), subdivision (b), the first vacancy occurring in the remaining attorney office shall be filled by an attorney from the district which yielded the public member "

Amendments read

Roll Call Demanded

Messrs Ray E Johnson, Conrad, and Badham demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Garcia, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Porter, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, and Wood—47.

NOES—Beverly, Brown, Crown, Deddeh, Fenton, Fong, Foran, Gonsalves, Hayes, Harvey Johnson, Knox, Moorhead, Powers, Quimby, Warren, Waxman, Wilson, and Z'berg—18

Bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 732—An act to amend Section 1203 9 of the Penal Code, relating to probation

Bill read third time, and presented by Mr Arnett

Bill passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—56.

NOES—Cullen—1.

Bill ordered transmitted to the Senate

Senate Bill No. 1085—An act to amend Sections 53856, and 53858 of, and to add Article 7 7 (commencing with Section 53859) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to borrowing and indebtedness and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Knox.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—65.

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1884—An act relating to area vocational committees, and making an appropriation therefor

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 329—An act to amend Section 26708 of, and to add Section 26708.5 to, the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

~~Bill ordered transmitted to the Senate~~

NOTE: Later this day a motion to reconsider the vote whereby Senate Bill No. 329 was passed was offered by Mr Cullen See page 6184.

Senate Bill No. 832—An act to amend Section 21960 of the Vehicle Code, relating to highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 232—An act to amend Sections 1113, 1129, and 1344 of the Education Code, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley,

Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1196—An act to amend Section 4051 of the Elections Code, relating to elections.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 755—An act to repeal Section 4156 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 964—An act to add Section 4453 5 to the Labor Code, relating to workmen's compensation

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1051—An act to amend Section 76009 of the Government Code, relating to compensation of jurors

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1175—An act to amend Sections 5361 and 5364 of, and to add Sections 5359.1, 5363 1, and 5368 5 to, the Public Resources Code, relating to municipal park improvement districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 1717

At 11·32 a.m., on motion of Mr. Wakefield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby Assembly Bill No. 1717 was refused passage reconsidered by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brophy, Burke, Chacon, Chappie, Cline, Collier, Conrad, Dent, Duffy, Garcia, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, and Wood—41.

NOES—Bee, Brown, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Knox, McAlister, Quimby, and Wilson—14.

Assembly Bill No. 1717 Passed and Retained

By unanimous consent, Assembly Bill No 1717 was passed on file, to retain its place on file.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1666

At 11 35 a m , on motion of Mr Barnes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No 1666 passed by the following vote

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, MacDonald, MacGillivray, McAlister, McCarthy, Murphy, Porter, Powers, Priolo, Quimby, Russell, Stull, Thomas, Waxman, Wilson, Wood, and Z'berg—45.

NOES—Badham, Burke, Cline, Collier, Duffy, Ketchum, Lancaster, Lanterman, Mobley, Moorhead, Seeley, Stacey, Wakefield, and Warren—14

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. Z'BERG TO ASSEMBLY BILL NO. 2376

At 11 36 a m , on motion of Mr Z'berg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the amendments offered by Mr. Z'berg to Assembly Bill No. 2376 adopted by the following vote:

AYES—Arnett, Barnes, Belotti, Campbell, Chacon, Cline, Conrad, Crown, Deddeh, Dent, Dunlap, Garcia, Hayden, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Murphy, Priolo, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—34.

NOES—Badham, Brown, Burke, Burton, Chappie, Collier, Cory, Cullen, Davis, Duffy, Fenton, Fong, Foran, Leroy F Greene, Harvey Johnson, Ketchum, Lanterman, Lewis, Moorhead, Porter, Powers, Quimby, Stacey, Stull, Thomas, and Wakefield—26

Bill ordered reprinted, and to be returned to the third reading file

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 348

At 11 39 a m , on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 348 refused passage by the following vote:

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Harvey Johnson,

Keysor, Knox, MacDonald, McAlister, McCarthy, Murphy, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—40.

NOES—Arnett, Badham, Burke, Cline, Collier, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Mobley, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, and Wakefield—25.

Motion to Reconsider Assembly Bill No. 348 on Next Legislative Day

Mr. Brown moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 348 was this day refused passage.

Assembly Bill No. 348 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11.40 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1049

Acting Speaker Fenton was granted unanimous consent that Senate Bill No. 1049 be withdrawn from the Committee on Commerce and Public Utilities, and re-referred to the Committee on Judiciary.

MOTION TO RECONSIDER SENATE BILL NO. 329 ON NEXT LEGISLATIVE DAY

Mr. Cullen moved to reconsider on the next legislative day the vote whereby Senate Bill No 329 was this day passed.

Senate Bill No 329 ordered to the unfinished business file

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 268 for hearing in the Committee on Transportation, on Thursday, July 20.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Rules reports.

SJR No. 16

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Health

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Health reports:

SCR No. 30

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

CAMPBELL, Chairman

Above resolution ordered on file.

Assembly Chamber, July 17, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 1169

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 1275

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with recommendation. To Consent.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 18, 1972

Mr Speaker: Your Committee on Health reports:

SB No 786

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 519

With amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 255
SB No. 457

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 1455

With the recommendation: Do pass.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, July 18, 1972

Mr Speaker: Your Committee on Elections and Reapportionment reports:

SB No. 1056

With amendments with the recommendation: Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 519

Mr. Campbell was granted unanimous consent to take up Senate Bill No 519, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Senate Bill No. 519 by Unanimous Consent

Senate Bill No. 519—An act to add Division 12 5 (commencing with Section 15000) to the Health and Safety Code, relating to hospitals, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 4, line 33, of the printed bill, as amended in Senate May 9, 1972, strike out "inspect", and insert "observe".

Amendment No. 2

On page 7, line 20, strike out "by an architect", and insert "under the responsible charge of an architect or a structural engineer, or both".

Amendment No. 3

On page 7, line 21, strike out "for such", and insert "and shall sign".

Amendment No. 4

On page 7, line 21, after "specifications", insert "related thereto".

Amendment No. 5

On page 8, line 29, strike out ", structural engineer", and insert "or structural engineer, or both".

Amendment No. 6

On page 8, line 31, strike out "and structural engineer", and insert "or structural engineer, or both".

Amendment No. 7

On page 9, lines 4 and 5, strike out "and structural engineer", and insert "or structural engineer, or both,".

Amendment No. 8

On page 9, line 18, strike out "and registered engineer", and insert "or registered engineer, or both".

Amendment No. 9

On page 11, strike out lines 29 to 38, inclusive; and in line 39, strike out "15024", and insert

"15023".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2292 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 2292 was continued until the next legislative day.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 1108 and 1394 for hearing in the Committee on Local Government, on Thursday, July 20.

Mr Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Constitutional Amendment No. 78, Assembly Bill No 1744 and Senate Constitutional Amendment No 32 for hearing in the Committee on Constitutional Amendments.

Mr. Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 363, 1193 and 1471 for hearing in the Committee on Natural Resources and Conservation.

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bills Nos 2232, 2234 and 2237, Assembly Concurrent Resolution No 55, Senate Bills Nos. 567, 1130 and 1258 for hearing in the Committee on Ways and Means, on Wednesday, July 19.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1883, on request of Mr. Bill Greene.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Vasconcellos:

House Resolution No. 85

Relative to the Medi-Cal Management System

WHEREAS, The Department of Health Care Services is establishing a management claims processing control system involving eligibility verification, claims processing, and management information, known as the Medi-Cal Management System, which is scheduled to begin prototype operation in Santa Clara and San Diego Counties on August 1, 1972; and

WHEREAS, The various providers of health care services in these counties have not received adequate information from the Department of Health Care Services or the appropriate system contractor regarding the revised claim forms and data requirements of this new system, making it exceedingly difficult for provider personnel and ancillary administrative organizations to conform to the implementation date, especially where computer-tied provider operations must be revised to be properly integrated into the new claims procedures; now, therefore, be it

Resolved by the Assembly of the State of California, That the Medi-Cal Management System prototype operation implementation date be delayed 60 days, to become operational on October 1, 1972, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of the State Department of Health Care Services.

Resolution read, and referred by the Acting Speaker to the Committee on Health.

ANNOUNCEMENTS

Acting Speaker Fenton announced that the Committee on Health would hold a special meeting on Thursday, July 20, to consider House Resolution No. 85.

MESSAGES FROM THE SENATE

Senate Chamber, July 17, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted.

SCR No. 75

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read

Senate Concurrent Resolution No. 75—Relative to a recess of the Legislature.

Held at Desk by order of the Acting Speaker.

REMARKS ON CONDITION OF THE FILE

Mr. Priolo arose to speak on the condition of the file.

VOTE CHANGES

Messrs Ketchum, Wood, and LaCoste were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 718

Mr Wood was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 2036, 1374, and 1330.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the motion to reconsider the vote on Assembly Constitutional Amendment No 27.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1876

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1876.

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No 1876.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1876.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 1378, 2036, 1374, 1330, 616, and 561, and Assembly Joint Resolution No 22

Messrs MacGillivray, Waxman, and Hayden were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1703

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 1704, 2199, and 508, Senate Bills Nos 1392 and 1143; on concurrence in Senate amendments to Assembly Bills Nos. 1374, 92, 616, and 1228.

Mr Russell was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No 2199.

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on the amendments offered by Mr. Ray E. Johnson to Assembly Bill No 2195.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 732

Mr. Ralph was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1666

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bills Nos. 439 and 1192, on the motion to reconsider the vote on Assembly Bill No. 1707; and on the amendments offered by Mr. Ray E. Johnson to Assembly Bill No. 2195.

ADJOURNMENT

At 11:53 a.m., Acting Speaker Fenton declared the Assembly adjourned until 11.30 a.m., Wednesday, July 19, 1972

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Eighth Legislative Day

One Hundred Ninety-ninth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 19, 1972

The Assembly met at 11.30 a m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Speaker pro Tempore Presiding

At 11.31 a m., Hon. Carlos Bee, 13th District, presiding.

Quorum Call of the Assembly

Mr. Wood moved a quorum call of the Assembly.

Mr Dent seconded the motion.

Motion carried Time, 11:32 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11:40 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy

F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable Larry E. Townsend, Member of the Assembly, 67th District:

Our Heavenly Father, Who has brought us together here to serve You by serving Your children; keep us strong, away from fear; keep us upright, worthy of heaven; remind us always that as we sit in this room we set before You. Lend us Your light and wisdom in the passage of justice and mercy, on this Your sacred earth.

For Your help we urgently pray, dear Lord —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. MacDonald then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Z'berg, seconded by Mr. Moorhead.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Maddy, on request of Speaker pro Tempore Bee.

The following Member was granted leave of absence for the day, because of legislative business elsewhere, and his per diem was waived.

Mr. Ketchum, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Badham, on request of Speaker pro Tempore Bee.

Mr. Karabian, on request of Speaker pro Tempore Bee.

Mr. Warren, on request of Speaker pro Tempore Bee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

July 18, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from the session on legislative business on Wednesday, July 19, 1972.

I will be speaking to the San Luis Obispo County Retired Public Employees Association in San Luis Obispo at noon.

Sincerely,

WILLIAM M KETCHUM, Assemblyman
Twenty-ninth District

NOTE: For letter explaining the absence of Mr Maddy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 17, 1972, page 6047.

REPORTS

The following report was presented by the Speaker:

Twenty-third Annual Report of the Pacific Marine Fisheries Commission, for the Year 1970. May 1972.

Above transmitted report, together with letter of transmittal from G Ray Arnett, Commissioner, Pacific Marine Fisheries Commission, Portland, Oregon, dated July 7, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation.

The following reports were presented by the Chief Clerk:

Bulletin No. 174-9. Removal of Nitrogen From Tile Drainage—A Summary Report. May 1971.

Above transmitted report, together with letter of transmittal from Robert B Jansen, Deputy Director, Department of Water Resources, Sacramento, dated July 13, 1972, referred by the Speaker pro Tempore to the Committee on Water.

California State Testing Program, 1969–70. (Pursuant to Education Code Section 12848.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated July 10, 1972, referred by the Speaker pro Tempore to the Committee on Education.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Joint Resolution No.	*Committee*
38	Natural Resources and Conservation

Senate Bill No.	*Committee*
1326	Natural Resources and Conservation

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bee:

House Resolution No. 86

Relative to Council of State Governments

Resolved by the Assembly of the State of California, That the Members extend an invitation to the National Legislative Conference of the Council of State Governments to hold its 1974 convention in San Francisco; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Council of State Governments and to the City of San Francisco.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No 2195
AB No. 2376

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, July 19, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1587

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No. 747

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No 748

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 18, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No 612

SB No. 643

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, July 18, 1972

Mr. Speaker Your Committee on Revenue and Taxation reports:

SB No 716

With the recommendation Do pass.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 1201

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means (recommended Consent).

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 19, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No 978

With the recommendation · Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, July 18, 1972

Mr Speaker: Your Committee on Rules reports.

AJR No 13

With the recommendation Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Natural Resources and Conservation

Assembly Chamber, July 19, 1972

Mr. Speaker. Your Committee on Natural Resources and Conservation reports:

SCR No 23

With amendments with the recommendation· Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above resolution ordered on file

Committee on Judiciary

Assembly Chamber, July 19, 1972

Mr. Speaker· The Chairman of your Committee on Judiciary reports:

SB No 1049

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Judiciary

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1049—An act to add Section 9058 to, and to add Article 5 (commencing with Section 9070) to Chapter 17 of Division 3 of, the Business and Professions Code, and to amend Section 1014 of the Evidence Code, relating to licensed clinical social workers corporations.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 25, 1972, after "act", insert "to amend Sections 9042, 9047, and 9056 of,"

Amendment No. 2

In line 4 of the title, strike out "licensed".

Amendment No. 3

In line 5 of the title, strike out "corporations".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 9042 of the Business and Professions Code is amended to read.

9042 Each applicant shall furnish evidence satisfactory to the board that he complies with all the following requirements:

(a) Is at least 21 years of age.

(b) Is of good moral character

~~(c) Is a citizen of the United States, or has declared his intention to become a citizen. A statement by the applicant, under oath, that he is a citizen or that he intends to apply for citizenship when he becomes eligible, shall be sufficient proof of compliance with his subdivision.~~

~~(d)~~ *(c)* Has received a master's degree from an accredited school of social work.

~~(e)~~ *(d)* Has had two years of full-time post-masters experience, acceptable to the board, in the use of psychosocial and psychotherapeutic methods and measures in a hospital, clinic, or agency One year of such experience shall have been in a hospital, clinic, or agency in which the applicant, under professional supervision, has employed such methods or measures *The board may establish standards for equivalent means of meeting the requirements of this subdivision. Such standards shall insure that the performance of services authorized by Section 9047 by persons complying with such standards shall be done in a manner which protects the health and welfare of the persons receiving such services.*

~~(f)~~ *(e)* Has not committed any of the offenses set forth in Section 9028.

SEC 2 Section 9047 of the Business and Professions Code is amended to read:

9047 The board shall issue a license to each applicant meeting the requirements of this article, which license, so long as the annual renewal fees thereof have been paid, licenses the holder thereof to engage in the practice of clinical social work as defined in Section 9049, ~~and~~ entitles the holder thereof to use the title of licensed clinical social worker, *and authorizes the holder to hold himself out as qualified to perform any of the functions delineated by this chapter* The form and contents of the license shall be determined by the director in accordance with Section 164

SEC 3 Section 9056 of the Business and Professions Code is amended to read:

9056 A person other than a licensed clinical social worker may be employed *as an apprentice clinical social worker* by a licensed clinical social worker, a licensed psychologist, or a *psychiatrist who is a* licensed physician and surgeon, ~~who is certified by the board in psychiatry and neurology of the American Medical Association, to perform limited social work functions~~ provided that:

(a) Such person ~~is a registered social worker in the State of California, or~~ has a master's degree from an accredited school or department of social work

(b) Such person is at all times under the supervision of a licensed clinical social worker, a licensed psychologist, or a board certified

psychiatrist who shall be responsible for insuring that the extent, kind, and quality of the *clinical* social work services he performs are consistent with ~~his training and experience~~ *competent practice* and be responsible for his compliance with the provisions of this chapter, and the regulations adopted pursuant to this chapter and including those provisions set forth in Section 9051

~~(c) Such social worker is not called a clinical social worker, and such social work functions are not in the area of psychotherapy as defined in Section 9018.~~

(c) Such person does not provide clinical social work services to the public for a fee, monetary or otherwise, except as an employee of the professional person qualified under this section

(d) The employing licensed clinical social worker, licensed psychologist, or psychiatrist has submitted to the board the name and professional qualifications of such apprentice clinical social worker No licensed clinical social worker may employ more than three such apprentice clinical social workers at any given time unless specifically authorized to do so by the board No licensed clinical psychologist nor psychiatrist shall employ more than one such apprentice clinical social worker at any given time

(e) Such person complies with such regulations as the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education

SEC 4. Section 9058 is added to the Business and".

Amendment No. 5

On page 2, line 6, strike out "SEC 2", and insert "SEC. 5".

Amendment No. 6

On page 5, line 5, strike out "SEC. 4", and insert "SEC 6".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 18, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

SB No 404
SB No. 1007

With author's amendments with the recommendation Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 404—An act to add Section 228 to the Revenue and Taxation Code, relating to property tax exemption.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly July 4, 1972, strike out "an assessed", and insert "a market".

Amendment No. 2

On page 1, line 3, strike out "one", and insert "four".

Amendment No. 3

On page 1, line 4, strike out "($100)", and insert "($400)".

Amendment No. 4

On page 1, line 4, strike out "exempt", and insert "free".

Amendment No. 5

On page 1, strike out line 5, and insert "taxation This section shall".

Amendment No. 6

On page 1, line 8, strike out "an"; and in line 9, strike out "assessed", and insert "a market".

Amendment No. 7

On page 1, line 9, strike out "one", and insert "four"

Amendment No. 8

On page 1, line 9, strike out "($100)", and insert "($400)".

Amendment No. 9

On page 1, strike out line 10, and insert "This section shall not apply".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

Senate Bill No. 1007—An act to amend Sections 5523, 5563, 5564, 5566, 5567, 5568, 5762, 5763, 5703, 5705, 5710, 5711, 5712, 5713, 5714, 5715, 5716, 5717, 5718, 5720.5, 5721, 5722, 5741, 5761, 5764, 5765, 5766, 5767, 5768, 5782, and 5801 of, to add Sections 5706, 5707, 5716.5, and 5720.6 to, and to repeal Sections 5570, 5706, 5707, 5708, 5709, 5723, 5742, and 5743 of, the Revenue and Taxation Code, relating to in lieu taxes on domestic animals, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly June 22, 1972, strike out lines 5 to 9, inclusive, and insert

"SEC 17. Section 5711 of the Revenue and Taxation Code is amended to read:

5711. "Producing broodmare" means a racehorse mare which, during the previous ~~tax~~ *calendar* year, has produced a live foal."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

MESSAGES FROM THE SENATE

Senate Chamber, July 18, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 127	SB No 414	SB No 998
SB No 311	SB No 468	SB No 1048
SB No 349	SB No 557	SB No 1083
SB No 370	SB No 773	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted

ACR No 41
ACR No 119

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled

Senate Chamber, July 18, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed.

AB No 312	AB No 623	AB No 1898
AB No 442	AB No 983	AB No 2048
AB No 513	AB No 1415	AB No 2180
AB No 520	AB No 1589	AB No 2320
AB No. 600	AB No 1766	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, July 18, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 589
AB No. 614

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 18, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate appointed Senators Marks, Alquist and Petris as a Committee on Conference concerning·

Assembly Bill No. 873.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 17, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted·

SCR No 72
SCR No. 74

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 18, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed:

SB No 21	SB No 820	SB No. 1084
SB No 175	SB No 873	SB No. 1174
SB No 178	SB No 914	SB No 1467
SB No. 371	SB No 989	SB No 1473

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, July 18, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted.

SCR No 41
SCR No. 42
SCR No. 51

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 18, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted.

SJR No 23

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Concurrent Resolution No. 72—Approving amendments to the Charter of the City of San Jose, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June 1972

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 74—Approving an amendment to the Charter of the City of Stockton, State of California, ratified by the qualified electors of the city at a special municipal charter amendment election consolidated with the direct primary election held therein on the sixth day of June 1972

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 21—An act to add Chapter 3 (commencing with Section 24375) to Division 20 of the Health and Safety Code, relating to the use of economic poisons.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 175—An act to amend Section 402.1 of the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 178—An act appropriating funds for increases in compensation for nonacademic, and noninstructional and noninstructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 371—An act to add Section 11713 2 to, and to add Chapter 2 (commencing with Section 9975) to Division 3 6 of, the Vehicle Code, relating to motor vehicles

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 820—An act making an appropriation for workshop services for aid to needy disabled recipients

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 873—An act to amend Section 11478 5 of the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 914—An act to amend Section 5097 96 of the Public Resources Code, relating to archaeological, paleontological, and historical resources.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 989—An act to add Section 11701 5 to the Education Code, relating to school health programs

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1084—An act to add Section 8306 7 to the Fish and Game Code, relating to abalones

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1174—An act to amend Sections 7354 and 10053 5 of, and to amend and renumber Section 16200 5 of, the Welfare and Institutions Code, relating to mentally retarded persons.

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1467—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to search and rescue, and making an appropriation therefor

Held at Desk by order of the Speaker pro Tempore.

Senate Bill No. 1473—An act to amend Sections 311 and 313 of the Penal Code, relating to crimes

Held at Desk by order of the Speaker pro Tempore.

Senate Concurrent Resolution No. 41—Relative to the Frank P. Belotti Bridge.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 42—Relative to the Jack Schrade Bridge.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 51—Relative to personal income tax

Held at Desk by order of the Speaker pro Tempore

Senate Joint Resolution No. 23—Relative to emergency food for farm workers

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
21	Environmental Quality
175	Revenue and Taxation
178	Ways and Means
371	Judiciary
820	Welfare
873	Criminal Justice
914	Planning and Land Use
989	Education
1084	Natural Resources and Conservation
1174	Health
1467	Government Administration
1473	Criminal Justice

Senate Joint Resolution No	*Committee*
23	Rules

Senate Concurrent Resolution No.	*Committee*
41	Rules
42	Rules
51	Revenue and Taxation

APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 9

The Speaker pro Tempore appointed Messrs. Warren, Chacon, and Ryan as a Second Committee on Conference concerning Senate Bill No 9.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 191, 516 and 1492 for hearing in the Committee on Commerce and Public Utilities on Thursday, July 20, 1972

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Joint Resolution No 8 for hearing in the Committee on Welfare today

Mr Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 25 and Senate Joint Resolution No 24 for hearing in the Committee on Transportation on Thursday, July 20, 1972

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 184

Speaker pro Tempore Bee was granted unanimous consent to rescind the action whereby, on July 18, 1972 (Assembly Journal, page 6126), the report of the Committee on Judiciary relative to Senate Bill No. 184 was received and read in the Assembly, and whereby the bill was ordered to the second reading file

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letters of transmittal be printed in the Journal

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly—
The Honorable Members of the Assembly of the Legislature of California

Sirs We herewith transmit a report on the audit of the consulting contract to design and implement a Hospital Cost Reporting System for the Department of Mental Hygiene The audit was performed by the Office of the Auditor General The objective of this audit was to review and evaluate the work performed under the contract including end results

The consultant performing the work under this contract was paid $390,000, including supplements and amendments None of the supplements and amendments were subject to the competitive bidding procedure The amount paid was more than 300 percent greater than the successful bid of $127,000 and $14,600 more than the highest bid of $375,400. The primary reason for the large increase in price was due to the supplements and amendments for programming the system Programming costs were greatly underestimated in the original contract.

The completion date for the project in the original contract was near the end of 1967 or early 1968 The consultant did not withdraw from the project until May 1970, over two years after the scheduled completion date

Some of the deliverable items, as specified in the contract, were not provided Also, the system had many operational problems as implemented by the consultant. As a result the department has had to expend considerable effort and money to complete the development and implementation of the system since departure of the consultant The additional expenditure is estimated to be in excess of $100,000 annually

The Department of Mental Hygiene was responsible for the administration of this contract The department permitted the large increase in time and cost and paid the consultant for an incomplete system with many operational problems The report points out that the department did not provide adequate supervision or protect the state's interest

The control agency, the Office of Management Services, that had authority to review the contract and exercise control over the EDP budget of the department merely voiced concern that the contract was becoming expensive. The audit indicates that a stronger position should have been taken by the control agency concerning the performance of the consultant

This audit is one of several being performed on specific consulting contracts At the time these audits are completed, it is expected that recommendations will be made for the improvement of existing procedures and practices for entering into and controlling the execution of consulting contracts.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Efficiency and Cost Control.

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs We herewith transmit a report by the Auditor General on his review of departmental operations of the Department of Industrial Relations This is one of several reports to be issued by the Auditor General on the performance audit of this department

The Department of Industrial Relations is a conglomerate of eight semi-independent divisions that have as a common goal the promotion and development of the welfare of California workers

By statute the department is under the control of a director, however, the authority of the director is severely limited by various conflicting sections of the Labor Code which reserve many of the powers and jurisdictions to the various divisions, boards, and commissions

Each division maintains an air of almost complete autonomy from the other divisions and from the department as a whole This autonomy

is exemplified by the number of Governor's appointees that share in the policymaking and management of the department In all, there are 51 Governor's appointees, including the director, seven division chiefs, and 43 members of boards and commissions other than the director.

The report discusses the extensive costs associated with the current organizational structure Departmental guidance for the planning and directing of programs is lacking because the director does not have the jurisdictional power or the available staff for this function As a consequence, there are many inefficiencies and duplications These problems were reported in 1967 in a report on the Governor's Survey on Efficiency and Cost Control

The department needs to develop better lines of communication between the divisions; and the department clerical staffs, at least in the field offices, need to be consolidated A consolidation of field office clerical staffs would more evenly distribute the workload and could result in immediate salary savings estimated at $70,000 a year. These savings could be used to finance other needed positions to improve service to the public

The director needs to increase his staff of management analysts, also internal auditors and legal advisors need to be employed The report also stresses the need for the department to develop units of measurement to provide the means to determine the accomplishments of the respective divisions.

In all, the report makes 14 recommendations which need to be implemented by the department to improve its operations Three of these recommendations require legislation. They are as follows·

1 Allow the director and the department to assume complete jurisdictional control over the operations of the various divisions with the exception of the State Compensation Insurance Fund
2. Eliminate the appointing power of the Governor to name the division chiefs, and assign the responsibility of making these appointments to the director
3 Eliminate the Division of Labor Statistics and Research and assign the duties of this division to other divisions in the department

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Select Committee on Industrial Safety.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file

Senate Bills Nos. 199, 348, and **262,** ordered to third reading

Senate Bill No. 754, ordered to the Consent Calendar

SECOND READING OF SENATE BILLS

Senate Bill No. 224—An act to amend Section 461 of, and to add Section 460 5 to, the Code of Civil Procedure, relating to defamation

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted·

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate May 9, 1972, strike out "in which", and insert ", for good cause shown upon ex parte written application, the court may order that the time to respond to the complaint is 20 days after the service of summons on the defendant The application shall be supported by an affidavit stating facts showing, among other things, that the alleged defamatory matter has been continuously published and that there is a reasonable likelihood that the publication will continue The order shall direct the clerk to endorse the summons to show that the time to respond has been shortened pursuant to this section A copy of the application, affidavit, and order shall be served with the summons."

Amendment No. 2

On page 1, strike out lines 4 to 11, inclusive, and on page 2, strike out lines 1 and 2

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 85—An act to amend Section 395 of the Code of Civil Procedure, relating to civil actions

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, strike out "resides is the", and insert "or the defendant resides at the commencement of the action is a".

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1178—An act to amend Sections 70141 10, 73772, and 73773 of the Government Code, relating to courts

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Senate June 5, 1972, after "70141 10 ", insert "(a)"

Amendment No. 2

On page 3, line 7, strike out "A", and insert "Such"

Amendment No. 3

On page 3, between lines 9 and 10, insert

"(b) The superior court may, in addition to the commissioner authorized in subdivision (a), also appoint a commissioner-referee who

shall be authorized to perform all of the duties set forth in subdivision (a) and, in addition, the duties of a juvenile court referee appointed pursuant to Section 553 of the Welfare and Institutions Code Such commissioner-referee shall have been admitted to practice law in California for not less than five years and shall receive a salary recommended by the superior court and approved by the board of supervisors ''

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 267—An act to amend Section 117 of the Code of Civil Procedure, as amended by Chapter 572 of the Statutes of 1971, relating to small claims courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 23, 1972, strike out "Section 117", and insert "Sections 117 and 395".

Amendment No. 2

Strike out lines 2 and 3 of the title, and insert "relating to venue ''

Amendment No. 3

On page 2, strike out lines 17 to 40, inclusive, strike out page 3, and insert

"Venue in such actions shall be the same as for civil actions filed in justice or municipal court

SEC 2. Section 395 of the Code of Civil Procedure is amended to read

395. (a) Except as otherwise provided by law and subject to the power of the court to transfer actions or proceedings as provided in this title, the county in which the defendants or some of them reside at the commencement of the action is the proper county for the trial of the action If the action is for injury to person or personal property or for death from wrongful act or negligence, either the county where the injury occurs or the injury causing death occurs or the county in which the defendants, or some of them reside at the commencement of the action, shall be a proper county for the trial of the action In a proceeding for dissolution of marriage, the county in which the petitioner has been a resident for three months next preceding the commencement of the proceeding is the proper county for the trial of the proceeding Subject to the provisions of subdivision (b), when a defendant has contracted to perform an obligation in a particular county, either the county where such obligation is to be performed or in which the contract in fact was entered into or the county in which the defendant or any such defendant resides at the commencement of the action shall be a proper county for the trial of an action founded on such obligation, and the county in which such obligation is incurred shall be deemed to be the county in which it is to be performed unless

there is a special contract in writing to the contrary If none of the defendants reside in the state or if residing in the state and the county in which they reside is unknown to the plaintiff, the action may be tried in any county which the plaintiff may designate in his complaint, and, if the defendant is about to depart from the state, such action may be tried in any county where either of the parties reside or service is made If any person is improperly joined as a defendant or has been made a defendant solely for the purpose of having the action tried in the county or judicial district where he resides, his residence shall not be considered in determining the proper place for the trial of the action.

(b) Subject to the power of the court to transfer actions or proceedings as provided in this title, in an action founded upon an obligation of the defendant for goods, services, loans or extensions of credit intended primarily for personal, family or household use, other than an obligation described in Section 1812 10 or Section 2984 4 of the Civil Code, the county in which the defendant in fact signed the contract, the county in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or the county in which the defendant resides at the commencement of the action is the proper county for the trial thereof

(c) If within any such county there is a municipal or justice court having jurisdiction of the subject matter established in the judicial district in which the defendant or any defendant resides, in which the injury to person or personal property or the injury causing death occurs, or, in the cases mentioned in subdivision (a), in which the obligation was contracted to be performed or, in cases mentioned in subdivision (b), in which the defendant in fact signed the contract, in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or in which the defendant resides at the commencement of the action, then such court is the proper court for the trial of such action Otherwise, any municipal or justice court in such county having jurisdiction of the subject matter is a proper court for the trial thereof.

(d) Any provision of an obligation described in subdivision (b) or (c) waiving the provisions of those subdivisions is void and unenforceable "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 119—An act to amend Sections 117c and 117j of the Code of Civil Procedure, relating to small claims court

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 781—An act to amend Sections 73663, 73665, 73666, 73667, 74702, 74703, and 74705 of, to add Sections 74702 5 and 74708 to, and to repeal 74708 and 74709 of, the Government Code, relating to courts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 908—An act to amend Sections 917 1, 917 2, 917 5 and 917 9 of the Code of Civil Procedure, relating to appeals

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 912—An act to amend Sections 17535 and 17536 of the Business and Professions Code, relating to advertising

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 979—An act to repeal Section 952 of, and to add Section 952 to, the Financial Code, relating to bank accounts.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1020—An act to amend Section 72400 of the Government Code, relating to municipal courts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1158—An act to add Section 386 1 to the Code of Civil Procedure, relating to interpleader funds.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1308—An act relating to the maintenance of the various codes, as follows

Business and Professions Code:
- by amending Section 10238 1
- by amending Sections 11025, 11028, and 11029, as added by Chapter 1399 of the Statutes of 1971

Code of Civil Procedure:
- by amending Section 1241.7 as amended by Chapter 1524 of the Statutes of 1971

Education Code:
- by amending Sections 6482, 22601, and 27133
- by amending Section 13583.1 as added by Chapter 317 of the Statutes of 1971
- by adding a heading immediately preceding Section 24754 in Chapter 13 of Division 18
- by amending and renumbering Section 25428 as added by Chapter 1509 of the Statutes of 1971
- by amending and renumbering the heading of Article 3 (commencing with Section 25428) of Chapter 1 of Division 18 5 as added by Chapter 902 of the Statutes of 1971
- by repealing Article 3 (commencing with Section 25429) of Chapter 1 of Division 18 5 as added by Chapter 468 of the Statutes of 1970
- by repealing Sections 27131 5 and 27133 5

Financial Code·
- by amending Section 8805 as amended by Chapter 258 of the Statutes of 1971
- by amending Section 11706 as added by Chapter 914 of the Statutes of 1971

Fish and Game Code:
- by amending Section 222

Government Code:
- by amending the heading of Chapter 8 (commencing with Section 3100) of Division 4 of Title 1
- by amending Sections 11552, 11556, 16391 1, 16395, 20100 1, 20102 1, and 31882

by amending and renumbering Section 21264 1 as added by Chapter 719 of the Statutes of 1970
by amending the heading of Article 1 1 (commencing with Section 26620) of Chapter 2 of Part 3 of Division 2 of Title 3

Insurance Code·
by amending Sections 800 and 10270 2
by amending and renumbering Section 10122 as added by Chapter 419 of the Statutes of 1971

Labor Code:
by amending the heading of Part 6 (commencing with Section 1682) of Division 2

Vehicle Code
by amending and renumbering Section 1104 as amended by Chapter 1748 of the Statutes of 1971

Water Code·
by amending Section 20981

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1309—An act relating to the maintenance of various codes, as follows:

Agricultural Code·
by amending Section 43251

Business and Professions Code:
by amending Section 11003 1
by repealing Section 2100 5

Civil Code:
by amending and renumbering Section 1951, as added by Chapter 1317 of the Statutes of 1970

Code of Civil Procedure:
by amending the heading of Title 10a (commencing with Section 1650) of Part 3

Corporations Code:
by amending Section 28002

Education Code:
by amending Sections 937 1, 1122, 2705, 3100 7, 3204, 3208, 3209, 3210, 3212, 3213, 3253, 3254, 3257 6, 3257 7, 3301 5, 3306, 3384, 3385, 5202, 11301, 17208, 17305, 17308, 25413 1, 25413 5, 25445, 25450 3, 25476 5, 25477, 25477 5, 25482, 25502 5, 25505 15, 27113, and 27126
by amending and renumbering Sections 817 and 1828 5
by amending and renumbering Sections 13345, 13346, 13347, 13348, and 13349, as amended and renumbered by Chapter 438 of the Statutes of 1971
by repealing Sections 3205, 3206, 3207, 8124, 8125, 8126, 11003, and 13722 2
by repealing Article 6 (commencing with Section 25546 13) of Chapter 7 of Division 18 5
by repealing the heading of Article 7 (commencing with Section 31900) of Chapter 5 of Division 22

Elections Code·
by amending Sections 61, 62, 4011, and 14971

Financial Code:
by amending Section 18984

Government Code:
by amending Sections 9107, 9107.5, 9108, 9109, 9111, 9112, 9127, 9708, 10204, 10246, 14983, 24000, 24008, 35124.1, 68541, and 71140
by amending the heading of Article 1.1 (commencing with Section 26620) of Chapter 2 of Part 3 of Division 2 of Title 3
by adding a chapter heading to Part 5.7 (commencing with Section 14980) of Division 3 of Title 2
by adding Chapter 2 (commencing with Section 14990) to Part 5.7 of Division 3 of Title 2
by repealing Sections 11559 and 14609
by repealing the headings of Chapter 6 (commencing with Section 1950) of, and Article 3 (commencing with Section 2000) of Chapter 6 of, Division 4 of Title 1, and Article 4 (commencing with Section 12040) of Chapter 1 of Part 2 of Division 3 of Title 2
by repealing Chapter 5.5 (commencing with Section 13480) of Part 3 of Division 3 of Title 2

Health and Safety Code:
by amending Sections 1685, 1686, 26052, and 39052
by amending the heading of Article 2 (commencing with Section 26510) of Chapter 5 of Division 21
by amending and renumbering Section 11919, as added by Chapter 1486 of the Statutes of 1970
by repealing Sections 12007, 12102.1, 12105.1, and 12105.2, as added by Chapter 1421 of the Statutes of 1970
by repealing Sections 39069, 39070, 39071, 39072, 39073, and 39074, as added by Chapter 778 of the Statutes of 1970

Insurance Code:
by amending Sections 1802.6, 6010, and 6011.5

Labor Code:
by amending Sections 1432, 3212.5, 5407, 5407.5

Penal Code:
by amending Sections 241, 243, 245, 308, 830.10, 830.3, 830.35, and 13806
by amending and renumbering Section 1203(b)
by repealing Section 5056
by repealing Article 4 (commencing with Section 13030) of Chapter 1 of Title 3 of Part 4

Public Resources Code:
by amending Sections 4021 and 5097.94

Public Utilities Code:
by amending Sections 3511, 5133, and 5135
by repealing Sections 3576, 5133.5, and 21669.1

Revenue and Taxation Code:
by repealing Section 402.7

Streets and Highways Code:
by amending Section 27189

Unemployment Insurance Code:
by amending Section 303
by repealing Article 5 (commencing with Section 802) of Chapter 3 of Part 1 of Division 1, as added by Chapter 1622 of the Statutes of 1971

Vehicle Code.
by amending Sections 545, 8800, 9105, 9854, 14601, 15002, 16105, 17460, 22512, 25800, 25801, 27304, 27903, and 36500
by amending Section 14601 1, as added by Section 8 of Chapter 1195 of the Statutes of 1968
by adding Section 40000 8
by repealing Article 8 5 (commencing with Section 5100) of Chapter 1 of Division 3, as added by Chapter 778 of the Statutes of 1970
by repealing Section 14601.1, as added by Chapter 963 of the Statutes of 1968

Water Code:
by amending Sections 26625, 42226, 42227, and 71814
by repealing the headings of Article 4 (commencing with Section 34755) of Chapter 1 of Part 3 of Division 13, Chapter 4 (commencing with Section 71390) of Part 3 of Division 20, and Chapter 4 (commencing with Section 74270) of Part 3 of Division 21

Welfare and Institutions Code
by amending Sections 5751 and 19003
by amending and renumbering Section 11008 7, as added by Chapter 578 of the Statutes of 1971

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1318—An act to amend Section 2066 of the Code of Civil Procedure, relating to jury trials

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1319—An act to amend Sections 630, 645 and 646 of the Probate Code, relating to probate

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 275—An act to amend Section 75033 of the Government Code, relating to judges' retirement.

Bill read second time, and ordered to third reading.

Senate Bill No. 514—An act to amend Section 21298, to add Section 21298 5 to, and to repeal Section 21298 5 of, the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading

Senate Bill No. 638—An act to amend Section 31641 4 of the Government Code, relating to the County Employees' Retirement Law of 1937

Bill read second time, and ordered to third reading

Senate Bill No. 679—An act to add Section 75110 to the Government Code, relating to retirement of judges

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 681—An act to add Section 9358 5 to the Government Code, relating to retirement of legislators.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 734—An act to amend Section 31725 5 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 833—An act to add Section 31580 1 to the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 913—An act to add Section 21251 135 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1169—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, strike out "anesthesiologist's", and insert "anesthesiology".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 255—An act to amend Section 71180 of the Government Code, relating to courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly July 7, 1972, strike out "10", and insert "six".

Amendment No. 2

On page 2, line 13, after "office", insert ", nor shall such vacancy be filled by appointment after an election has been held to fill the vacancy".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 457—An act to amend Section 6322 1 of the Business and Professions Code, relating to law libraries

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted.

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate June 19, 1972, strike out "The board of law library trustees", and insert "(a) Except in counties containing a population of 4,000,000 and over, the board of supervisors"

Amendment No. 2

On page 1, line 6, strike out "they", and insert "it"

Amendment No. 3

On page 1, after line 8, insert

"(b) In counties containing a population of 4,000,000 and over, the board of law library trustees may increase the costs provided in Section 6321 and 6322 to not more than five dollars ($5) for each event therein described whenever it shall determine that the increase is necessary to defray the expenses of the law library."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 1455—An act to amend Sections 226.9, 227a, 233 and 233 5 of the Civil Code, relating to personal relations

Bill read second time, and ordered to third reading.

Senate Bill No. 1056—An act to place specified amendments to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Senate June 21, 1972, strike out "15", and insert "28".

Amendment No. 2

On page 2, line 7, strike out "15", and insert "28".

Amendment No. 3

On page 2, strike out lines 22 to 26, inclusive, and insert "Secretary of State not later than August 7, 1972.

Rebuttal arguments for these measures shall be prepared pursuant to Section 3565.5 of the Elections Code, except that they shall be filed with the Secretary of State not later than August 12, 1972."

Amendment No. 4

On page 2, line 32, strike out "15", and insert "28"

Bill ordered reprinted, and returned to the second reading file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11 48 a m, Speaker pro Tempore Bee declared the quorum call of the Assembly dispensed with

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 2292 and 348, and Senate Bill No 329 were continued until the next legislative day

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 120: By Assemblyman Brown (Senator Collier, coauthor)—Relative to the creation of the Joint Committee on Siting of Teaching Hospitals

Held at Desk by order of the Speaker pro Tempore

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bill Greene

House Resolution No. 87

Relative to educational loan practices

WHEREAS, The facts show that many students are overindebted in relation to their ability to repay student educational loans and that California colleges and universities are not equipping students with sufficient internships and occupational guidance in order to upgrade the students' earning power, and

WHEREAS, The Committee on Appropriations of the United States House of Representatives reports that federal default payments for the Student Loan Insurance Fund in fiscal year 1972 are approximately $34,000,000; and

WHEREAS, The Legislative Analyst reports that the State Student Loan Program defaults totaled $788,421 for California in fiscal year 1972; and

WHEREAS, A government insured student loan is essentially an unsecured obligation, based upon anticipated earnings from expected marketable occupational skills, and does not protect the student from poor credit ratings and unreasonable debt levels in relation to his earning capability and his educational undertakings, and

WHEREAS, California's educational institutions have the primary responsibility in providing conventional loan information to students, who face important financial decisions involving years of loan repayment and credit rating hardships, now, therefore, be it

Resolved by the Assembly of the State of California, That the Coordinating Council for Higher Education, in consultation with the Superintendent of Banks, private lending agencies involved in the

student loan field, and the State Scholarship and Loan Commission, report its findings and recommendations to the Legislature on or before the 180th day following the adoption of this resolution, regarding conventional loan information that educational institutions should make available to students, on a confidential basis, to help them in their assessment of earning capability and educational program in relation to debt level to be undertaken, and be it further

Resolved, That the report include, but not be limited to, the following

(a) Estimation of earning power and job availability in those occupations and occupational fields which the student anticipates entering during the loan repayment period,

(b) Estimation of occupational competencies needed, including availability of internships and occupational guidance and evaluation services, to assure job and earning stability,

(c) Estimation of the practical impact of one's credit ratings in the event that the student is financially unable to fulfill his loan obligations,

(d) Development of procedures, techniques, and formats for (a), (b), and (c) above, which are reliable, validated, and acceptable to financial institutions presently engaged in conventional lending; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Coordinating Council for Higher Education, the Superintendent of Banks, and the State Scholarship and Loan Commission

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

Hon. Robert W. Crown Presiding

At 12:04 p m., Hon Robert W. Crown, 14th District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 19, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No 428
SB No 491
SB No 812

With the recommendation Do pass.

BEVERLY, Chairman

Above bills ordered to second reading

Assembly Chamber, July 19, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No. 1343

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 821

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

ADJOURNMENT

At 12:05 p m., Acting Speaker Crown declared the Assembly adjourned until 1:30 p.m., Thursday, July 20, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Ninth Legislative Day

Two Hundredth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 20, 1972

The Assembly met at 1 30 p m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Collier moved a quorum call of the Assembly.

Mr Thomas seconded the motion.

Motion carried. Time, 1 31 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 1 50 p m, Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moor-

head, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, For this new day with its promise and potential, we thank You May our part in this day be full of meaning and hope for others May our efforts and our words be characterized by kindness and give expression to the good will and truth that is within us May they also be the key which unlocks the good and truth in others.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Conrad then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Conrad, seconded by Mr Stull

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness.

Mr. Porter, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr Maddy, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton.
Mr Karabian, on request of Acting Speaker Fenton.
Mr. Warren, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mr Maddy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 17, 1972, page 6047.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
120	Rules

RESOLUTIONS

The following resolution was offered.

By Assemblyman Davis:

House Resolution No. 88

Relative to pay periods of state employees

Resolved by the Assembly of the State of California, That state employees should be paid on the 1st and 15th day of each month, and be it further

Resolved, That the Board of Control and the Department of General Services are hereby requested to take the necessary and appropriate measures to convert the salary of state employees from monthly to semimonthly, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Board of Control, the State Personnel Board and the Department of General Services

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 19, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 642—An act to repeal Chapter 3 5 (commencing with Section 21500) of Part 1 of Division 9 of the Public Utilities Code, relating to aviation;

Assembly Bill No. 1023—An act to add Chapter 11 (commencing with Section 186) to Division 1 of the Probate Code, relating to bequests to minors;

Assembly Bill No. 1026—An act to add Section 1162 5 to the Civil Code, relating to gifts to minors,

Assembly Bill No. 2096—An act to amend Sections 21100 and 22500 of, and to add Section 21114 5 to, the Vehicle Code, relating to sidewalks,

And reports the same correctly enrolled, and presented to the Governor at 4 30 p m , July 19, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 20, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 1088—An act to amend Section 1714 1 of the Civil Code, relating to willful misconduct;

Assembly Bill No. 1409—An act to amend Section 8353 of the Revenue and Taxation Code, and to amend Section 2103 of the Streets and Highways Code, relating to highway funds,

Assembly Bill No. 1843—An act to add Section 424 5 to the Government Code, relating to state emblems;

And reports the same correctly enrolled, and presented to the Governor at 11 30 a m , July 20, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1530

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Welfare

Assembly Chamber, July 19, 1972

Mr. Speaker · Your Committee on Welfare reports:

SB No. 1293

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BAGLEY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 12, 1972

Mr Speaker: Your Committee on Welfare reports:

SB No 926

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation · To Consent Calendar.

BAGLEY, Chairman

Above bill re-referred to Committee on Ways and Means.

Committee on Finance and Insurance

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No. 66

SB No. 627

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 19, 1972

Mr. Speaker · Your Committee on Finance and Insurance reports.

SB No 401

SB No. 1154

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bills ordered to second reading

Assembly Chamber, July 19, 1972

Mr Speaker · Your Committee on Finance and Insurance reports · SB No. 1157

With the recommendation · Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 19, 1972

Mr Speaker. Your Committee on Finance and Insurance reports SCA No 20

With the recommendation · Be adopted, and be re-referred to the Committee on Constitutional Amendments.

PIERSON, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments

Assembly Chamber, July 19, 1972

Mr Speaker Your Committee on Finance and Insurance reports. SB No 1069

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means, with recommendation To Consent Calendar.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Ways and Means

Assembly Chamber, July 19, 1972

Mr. Speaker Your Committee on Ways and Means reports AB No 2234

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, July 19, 1972

Mr Speaker Your Committee on Ways and Means reports: SB No 356

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, July 19, 1972

Mr Speaker · Your Committee on Ways and Means reports:

SB No. 901
SB No 1349

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 19, 1972

Mr. Speaker. Your Committee on Ways and Means reports

SCR No 20	SCR No 31
SCR No 24	SCR No 34

With the recommendation · Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 380	SB No 574	SB No 1270
SB No. 381	SB No 865	SB No 1324
SB No 484	SB No 1130	

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, July 19, 1972

Mr Speaker Your Committee on Ways and Means reports:

ACR No 55
ACR No 102

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 2232

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 205	SB No. 506	SB No. 896
SB No 231	SB No 682	SB No. 928
SB No. 251	SB No. 743	SB No. 1002
SB No. 425	SB No. 783	SB No. 1350

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, July 19, 1972

Mr Speaker: Your Committee on Education reports:

SB No 15	SB No. 416
SB No 94	SB No. 723

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, recommendation to be placed on Consent Calendar.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 212

SB No 969

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 19, 1972

Mr Speaker: Your Committee on Education reports:

SB No 375

SB No 1224

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 171	SB No 265	SB No. 1377
SB No. 206	SB No 286	SB No. 1478
SB No. 241	SB No 1219	

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 1225

With the recommendation: Do pass.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 728

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Education reports:

ACR No. 104

With the recommendation: Be adopted.

LEROY F. GREENE, Chairman

Above resolution ordered on file.

Committee on Labor Relations

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

SB No. 1446

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Revenue and Taxation

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No. 535

With amendments with the recommendation: Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, July 18, 1972

Mr. Speaker · Your Committee on Planning and Land Use reports ·

SB No 1010

With amendments with the recommendation Do pass, as amended.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Urban Development and Housing

Assembly Chamber, July 19, 1972

Mr Speaker Your Committee on Urban Development and Housing reports

SB No 277

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation to Consent Calendar.

BRATHWAITE, Chairman

Above bill ordered to second reading

Assembly Chamber, July 19, 1972

Mr Speaker Your Committee on Urban Development and Housing reports

SB No 510

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means, with recommendation to Consent Calendar.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Planning and Land Use

Assembly Chamber, July 18, 1972

Mr Speaker Your Committee on Planning and Land Use reports ·

SB No 154

SB No 1022

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means with Consent recommendation

PRIOLO, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 18, 1972

Mr Speaker · Your Committee on Planning and Land Use reports:

SB No 895

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

PRIOLO, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, July 18, 1972

Mr. Speaker · Your Committee on Planning and Land Use reports:

SB No 181
SB No 793

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

PRIOLO, Chairman

Above bills ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

ACR No 99
ACR No 118

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means and recommend Consent Calendar.

Z'BERG, Chairman

Above resolutions re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr Speaker. Your Committee on Natural Resources and Conservation reports·

SCR No 29
SCR No. 36

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means and recommend Consent Calendar.

Z'BERG, Chairman

Above resolutions re-referred to the Committee on Ways and Means

Assembly Chamber, July 20, 1972

Mr. Speaker. Your Committee on Natural Resources and Conservation reports:

AJR No 36
AJR No. 37

With the recommendation · Be adopted, and be re-referred to the Committee on Rules and recommend Consent Calendar

Z'BERG, Chairman

Above resolutions re-referred to the Committee on Rules

Assembly Chamber, July 20, 1972

Mr Speaker Your Committee on Natural Resources and Conservation reports:

SB No 1193
SB No. 1471

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means and recommend Consent Calendar

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No. 363

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

Z'BERG, Chairman

Above bill ordered to second reading.

Committee on Elections and Reapportionment

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Elections and Reapportionment reports·

SB No. 189

SB No 840

With the recommendation: Do pass.

WAXMAN, Chairman

Above bills ordered to second reading.

Committee on Water

Assembly Chamber, July 19, 1972

Mr. Speaker: Your Committee on Water reports:

ACR No. 109

With amendments with the recommendation · Amend. be adopted as amended, and be re-referred to the Committee on Ways and Means with recommendation to Consent.

PORTER, Chairman

Above resolution ordered on file.

Assembly Chamber, July 19, 1972

Mr Speaker: Your Committee on Water reports

SB No. 534

SB No 735

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading

Committee on Welfare

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Welfare reports·

SJR No 8

With amendments with the recommendation · Amend, be adopted, as amended, and be re-referred to the Committee on Rules

BAGLEY, Chairman

Above resolution ordered on file.

Assembly Chamber, July 19, 1972

Mr Speaker · Your Committee on Welfare reports

SB No. 196

With amendments with the recommendation Amend, do pass as amended, and be re-referred to the Committee on Ways and Means with recommendation to Consent

BAGLEY, Chairman

Above bill ordered to second reading

Committee on Transportation

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Transportation reports·

SB No 594

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DEDDEH, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr Speaker. Your Committee on Transportation reports.

SB No 25

SB No 268

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with a recommendation to Consent.

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr. Speaker · Your Committee on Transportation reports:

SJR No 24

With the recommendation: Be adopted, and be re-referred to the Committee on Rules.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Rules

Assembly Chamber, July 20, 1972

Mr Speaker · Your Committee on Transportation reports:

ACR No 116

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr. Speaker. Your Committee on Transportation reports:

ACR No. 113

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means with a recommendation to Consent.

DEDDEH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr Speaker. Your Committee on Transportation reports:

SB No 36
SB No. 147
SB No. 1380

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

DEDDEH. Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Agriculture

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Agriculture reports:

SB No. 234
SB No. 242
SB No 447
SB No. 1123

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent.

BRIGGS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, July 19, 1972

Mr Speaker. The Chairman of your Committee on Education reports:

SB No. 1484

With author's amendments with the recommendation Amend, and re-refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1484—An act to amend Section 13737 of the Education Code, relating to classified employees.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add and repeal Section 13727.2 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 13727 2 is added to the Education Code, to read:

13727.2. In a unified school district with an average daily attendance in excess of 400,000, provisional appointments may be made in excess of the limits prescribed in Section 13727, under the conditions set forth below:

(a) When the duties and responsibilities of not more than five existing positions are changed in connection with an experimental change in the organization of business management of individual schools, and

(b) When the personnel commission finds that the new duties and responsibilities are properly allocated to a higher classification, and

(c) When there is no eligibility list for the higher classification, and

(d) When the present incumbents continue in the same positions with the additional duties and responsibilities.

Such provisional appointments may continue for the duration of the experimental change in organization, but for not more than one year, except that they may be extended for not more than six months, with the approval of the personnel commission, when necessary to complete evaluation of the experiment or transition to a permanent organization.

This section shall be operative until the 91st day after final adjournment of the 1973 Regular Session of the Legislature, and shall thereupon be repealed.

SEC 2 Section 13737 of the Education Code is".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, July 20, 1972

Mr Speaker. The Chairman of your Committee on Health reports:

SB No. 1011

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1011—An act to add Chapter 15 (commencing with Section 25999) to Division 20 of the Health and Safety Code, relating to children's clothing

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate June 26, 1972, strike out "Chapter 15 (commencing with Section

25999) to Division 20 of the Health and Safety Code", and insert "Chapter 18 (commencing with Section 7400) to Division 7 of Title 1 of the Government Code".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Chapter 18 (commencing with Section 7400) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 18. CHILDREN'S CLOTHING

7400 (a) After July 1, 1974, no person shall sell, or offer for sale, children's sleepwear to and including size 14 which does not meet federal flammability standards for children's sleepwear to and including size 6X, and such other standards as may from time to time be adopted by the federal government

The requirements prescribed by this chapter shall be in addition to those prescribed by Chapter 8 (commencing with Section 19810) of Part 3 of Division 13 of the Health and Safety Code

(b) Violation of subdivision (a) is a misdemeanor.

(c) No later than July 1, 1974, the office of the State Fire Marshal shall promulgate, in accordance with the provisions of the Administrative Procedure Act, flammability regulations covering such other articles of children's clothing to and including size 14 as it shall determine to be in the public interest Such regulations shall become effective no later than July 1, 1975

(d) Violation of the rules and regulations promulgated pursuant to subdivision (c) is a misdemeanor."

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, July 20, 1972

Mr Speaker The Chairman of your Committee on Transportation reports

SB No 981

With author's amendments with the recommendation Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 981—An act to amend Section 65860 of, and to add Section 65302.5 to, the Government Code, and to amend, repeal and add Section 39052 of, and to add Section 39280 to, the Health and Safety Code, relating to air pollution, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate June 14, 1972, strike out "amend, repeal and".

Amendment No. 2

In line 3 of the title, strike out "Section 39052 of, and to add Section 39280 to," and insert "Sections 39052 9 and 39277 to".

Amendment No. 3

On page 2, lines 10 and 11, strike out "subdivision (r) of Section 39052", and insert "Section 39052 9".

Amendment No. 4

On page 2, between lines 26 and 27, insert

"The requirements of this section shall apply to charter cities"

Amendment No. 5

On page 3, strike out lines 15 to 40, inclusive; and strike out pages 4 to 9, inclusive; and on page 10, strike out lines 1 to 29, inclusive.

Amendment No. 6

On page 10, between lines 29 and 30, insert

"SEC 3 Section 39052 9 is added to the Health and Safety Code, to read:

39052 9. The board shall, in consultation with the Office of Planning and Research and the Office of Intergovernmental Management, prepare and adopt, on or before July 1, 1973, guidelines for the preparation of the air pollution control element in general plans, as required by Section 65302 5 of the Government Code The guidelines shall focus local planning on abatement of air pollution through wise planning taking into consideration at least the following (1) federal and state ambient air quality standards and whether they are being or are likely to be exceeded within the county or city, (2) ambient air quality in other portions of the air basin in which the county or city lies and in adjacent air basins which are or may be affected by pollutants emitted within the county or city, (3) the primary and secondary effects on ambient air quality of major commercial and residential developments, particularly of developments in areas currently held substantially as open space, (4) the secondary effects of proposed freeways and mass rapid transit corridors, and (5) the effects on ambient air quality of other elements in the general plan not specifically included in the foregoing."

Amendment No. 7

On page 10, line 30, strike out "SEC 5 Section 39280", and insert "SEC 4 Section 39277".

Amendment No. 8

On page 10, line 32, strike out "39280", and insert "39277".

Amendment No. 9

On page 11, strike out lines 8 to 17, inclusive.

Amendment No. 10

On page 11, between lines 17 and 18, insert

"SEC 5 Section 65302 2 is added to the Government Code, to read:

65302 2 Notwithstanding any other provision of law, except Section 65302 5, every city and county shall prepare and adopt the seismic safety element, the noise element, the safety element, the scenic highway element, and any other element hereafter required to be included in its general plan no later than one year following the adoption of guidelines for the preparation of such elements pursuant to Section 34211 1.

Upon application by a city or county, the Council on Intergovernmental Relations may, in cases of extreme hardship, extend the date for adopting such elements for a reasonable period of time.

SEC. 6 The provisions of Section 5 shall become operative only if this bill and Senate Bill No 1324 or Assembly Bill No 2029, or both, are chaptered, and this bill is chaptered later than either Senate Bill No. 1324 or Assembly Bill No 2029 "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, July 20, 1972

Mr. Speaker The Chairman of your Committee on Elections and Reapportionment reports:

SB No 150

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Elections and Reapportionment.

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 150—An act to amend Sections 310, 321, and 450 of the Elections Code, relating to registration of voters

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly April 11, 1972, strike out lines 16 to 40, inclusive, strike out page 4, on page 5, strike out lines 1 to 16, inclusive.

Amendment No. 2

On page 8, strike out lines 3 to 15, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

MESSAGES FROM THE SENATE

Senate Chamber, July 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 987

And appointed Senators Roberti, Moscone and Rodda, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 19, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 686
AB No. 1872

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 55	SB No. 507	SB No. 1204
SB No. 232	SB No. 1085	SB No 1353
SB No 420	SB No. 1192	SCA No. 23
SB No. 446		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 314	SB No 431	SB No. 1310
SB No 336	SB No. 946	SB No. 1312
SB No. 364	SB No 1195	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 19, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 44

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 18, 1972

Mr. Speaker, I am directed to inform your honorable body that the Senate on this day adopted

SCR No. 76

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 314—An act to add Section 20862 5 to the Government Code, relating to Public Employees' Retirement System.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 336—An act to add Section 19544 5 to the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 364—An act to amend Section 6426 of the Education Code, relating to mentally gifted minors

Held at Desk by order of the Acting Speaker.

Senate Bill No. 431—An act to add Section 5060 5 to the Penal Code and to add Section 1766 5 to the Welfare and Institutions Code, relating to parole.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 946—An act to add Sections 14116 45 and 14116 13 to the Education Code, relating to the State Teachers' Retirement System.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1195—An act to amend the heading of Division 7 (commencing with Section 8600) of, to add a chapter heading immediately preceding Section 8600 of, and to add Chapter 2 (commencing with Section 8700) to Division 7 of, the Public Resources Code, relating to siting of electric powerplants, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1310—An act to add Division 4 5 (commencing with Section 9001) to the Public Utilities Code, relating to electrical power.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1312—An act relating to the San Francisco Bay Area Rapid Transit District, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 44—Relative to drinking drivers

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 76—Approving an amendment to the Charter of the City of San Luis Obispo, County of San Luis Obispo, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the 20th day of June 1972.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
314	Retirement
336	Governmental Organization
364	Education
431	Criminal Justice
946	Retirement
1195	Planning and Land Use
1310	Planning and Land Use
1312	Transportation

Senate Concurrent Resolution No.	*Committee*
44	Criminal Justice

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Constitutional Amendment No 73 for hearing in the Committee on Revenue and Taxation on Monday, July 24, 1972

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Joint Resolution No 12 for hearing in the Committee on Rules today

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Fenton Assembly Bill No. 1587 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22 2.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Constitutional Amendment No. 91, Assembly Bill No 1742 and Senate Constitutional Amendment No 65 for hearing in the Committee on Constitutional Amendments today.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 13—Relative to the crisis in Northern Ireland.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed measure, as amended in Assembly July 3, 1972, strike out "Assemblyman McCarthy", and insert "Assemblymen McCarthy, Burton, and Brown".

Amendment No. 2

On page 2, line 2, strike out "concerns", and insert "concern".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 224, 85, and **1056,** ordered to third reading.

Senate Bills Nos. 1178, 267, 255, and **457,** ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 747—An act to amend Sections 109 6 and 3702 of, and to add Section 4985 1 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in Senate June 1, 1972, after "In", insert "charter".

Amendment No. 2

On page 2, line 27, strike out "4,000,000", and insert "1,300,000,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 748—An act to amend Sections 3101, 3107, and 4112 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 716—An act to add Sections 5136.5 and 5136 6 to the Revenue and Taxation Code, relating to property taxation

Bill read second time, and ordered to third reading.

Senate Bill No. 1201—An act to amend Section 74661 of the Government Code, relating to courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 8, 1972, after "74661", insert "and Section 74661.5, as added by Chapter 131 of the Statutes of 1972,".

Amendment No. 2

On page 1, after line 15, insert

"SEC. 2. Section 74661.5 of the Government Code, as added by Chapter 131 of the Statutes of 1972, is amended to read:

74661.5. The judges of the San Jose-Milpitas Judicial District may appoint ~~two commissioners~~ *one commissioner* ~~Each~~ *The* commissioner shall possess the same qualifications as the law requires of a judge of the court. ~~Each commissioner~~ *He* shall hold office at the pleasure of the judges and shall receive a salary equal to eighty-one and one-half percent (81.5%) of the salary of a judge of the municipal court ~~Each~~ *The* commissioner shall be ex officio deputy clerk of the court and shall be a member of any retirement system which includes attachés of the court and shall receive the same fringe benefits as granted to such attachés.

~~One~~ *The* commissioner shall not be appointed before July 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 978—An act to amend Sections 26, 361, and 362 of the Probate Code, relating to the probate of estates.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Senate June 23, 1972, strike out "or country".

Amendment No. 2

On page 1, line 7, strike out "or country".

Amendment No. 3

On page 1, line 9, strike out "or country".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Concurrent Resolution No. 23—Relative to the utilization of public lands for outdoor recreation.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources and Conservation, was read, and adopted:

Amendment No. 1

On page 2, of the printed measure, as amended in Senate May 11, 1972, strike out lines 35 to 40, inclusive.

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 428—An act to amend Sections 5076.1 and 6041 of the Penal Code, and Sections 1711.5 and 3150 of the Welfare and Institutions Code, relating to corrections

Bill read second time, and ordered to third reading.

Senate Bill No. 491—An act to add Section 1463.5 to the Penal Code, relating to fines and forfeitures.

Bill read second time, and ordered to third reading.

Senate Bill No. 812—An act to amend Section 869 of the Penal Code, relating to transcripts of preliminary hearings.

Bill read second time, and ordered to third reading.

Senate Bill No. 1343—An act to add Title 5.5 (commencing with Section 13650) to Part 4 of the Penal Code, relating to correctional personnel

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 6, 1972, strike out "Title 5.5 (commencing with Section 13650)", and insert "Title 5 (commencing with Section 13600)".

Amendment No. 2

In line 2 of the title, after the comma, insert "and to add Chapter 2 (commencing with Section 13650) to Title 5 of Part 4 of the Penal Code, as proposed by Senate Bill No. 821,".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Title 5 (commencing with Section 13600) is added to Part 4 of the Penal Code, to read.

TITLE 5. TRAINING OF CORRECTIONAL PERSONNEL

13600. The Department of Corrections and the Department of the Youth Authority, jointly, shall establish a program for the training of their employees.

13601. Where feasible, the training program established pursuant to this title shall utilize the facilities, services, and other resources of regional criminal justice training centers, other programs operated by colleges and universities, or both. Where such resources are not appropriate and available the Department of Corrections and the Department of the Youth Authority may utilize their own resources, or may contract with any public or private agency or person for the use of facilities, services, or other resources for the training of state correctional personnel.

13602 Any public or private agency may contract with the Department of Corrections and the Department of the Youth Authority for the use of the program for the training of personnel employed by the agency whose duties are designed to further the custody, treatment, or rehabilitation of persons accused of, or judged responsible for, criminal or delinquent conduct.

13603. The program shall be designed to prepare correctional personnel for the performance of their duties, including, as appropriate, courses designed to develop an appreciation of correctional theory and practice; the proper roles and responsibilities of correctional personnel; the personal and cultural characteristics, and the civil and other legal rights of persons in confinement; the principles of behavior modification, counseling and interpersonal relations; the principles of safety, security, self-defense, disturbance control and emergency first aid; the principles of administration, management and supervision, and such other subjects as are deemed essential to the development of informed, effective and competent correctional personnel.

13604 All persons who are employed as correctional officers, correctional program supervisors, correctional counselors, youth group supervisors, youth counselors, or as adult or youth parole agents, and whose employment, whether by promotion or otherwise, commences on or after July 1, 1973, shall receive a minimum of six weeks of training in the program, either during the six months immediately preceding such employment, or during the first six months of such employment, or during a combination of such periods; and during every two-year period succeeding the completion of such initial period of training shall receive a minimum of two weeks of additional training in the program. All persons who are employed in managerial, administrative, or supervisory capacities involving the care or custody of inmates or wards, and whose employment, whether by promotion or otherwise, commences on or after July 1, 1973, shall receive a minimum of three weeks training in the program either during the first three months immediately preceding such employment, or during the first three months of such employment or a combination of both such periods; and during every succeeding two-year period shall receive a minimum of two weeks of additional training in the program All persons employed in any of the above capacities prior to July 1, 1973, shall receive a minimum of two weeks of such training no later than June 30, 1976, and during every succeeding two-year period.

SEC 2. Chapter 2 (commencing with Section 13650) is added to Title 5 of Part 4 of the Penal Code, as proposed by Senate Bill No 821, to read·

CHAPTER 2 TRAINING

13650 The Department of Corrections and the Department of the Youth Authority, jointly, shall establish a program for the training of their employees.

13651 Where feasible, the training program established pursuant to this chapter shall utilize the facilities, services, and other resources of regional criminal justice training centers, other programs operated by colleges and universities, or both Where such resources are not appropriate and available, the Department of Corrections and the Department of the Youth Authority may utilize their own resources or may contract with any public or private agency or person for the use of facilities services, or other resources for the training of state correctional personnel.

13652 Any public or private agency may contract with the Department of Corrections and the Department of the Youth Authority for the use of the program for the training of the agency's correctional personnel, as defined in this title.

13653 Notwithstanding any other provision of law, the training program established pursuant to this chapter shall conform to all applicable standards established by the Commission on Correctional Manpower Development.

SEC 3 It is the intent of the Legislature by this act to enact Recommendations Numbers 14–16 of the Senate Select Committee on Penal Institutions' report on Upgrading Correctional Manpower, A Report to the California Legislature, Part I, pages 43–51 (April 1972).

SEC 4 It is the intent of the Legislature, that Section 1 of this act shall only become operative if Senate Bill No 821 is not chaptered. If Senate Bill No 821 is chaptered, Section 2 of this act shall become operative on the same date as Senate Bill No 821 becomes operative, and, in such case, Section 1 of this act shall not become operative."

Amendment No. 4

On page 1, strike out lines 3 to 14, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 614—An act to amend Sections 1602, 1724, 1725, and 1748 of, and to add Section 1601 5 to, the Business and Professions Code, relating to dentists

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 614?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 20 1972, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "1602", insert ", 1724, 1725, and 1748".

Amendment No. 3

On page 2, line 9, strike out "two members", and insert "one member".

Amendment No. 4

On page 2, lines 10 and 11, strike out ", including the public member,".

Amendment No. 5

On page 2, line 13, strike out ", and no more than one"; strike out line 14; and in line 15, strike out "shall serve on the board at the same time".

Amendment No. 6

On page 2, after line 17, insert

"SEC 3. Section 1724 of the Business and Professions Code is amended to read:

1724. The amount of charges and fees for dentists prescribed by this chapter is that fixed by the following schedule

(a) The fee for applicants for examination and for reexamination shall be that fixed by the board in an amount not more than fifty dollars ($50) Applicants who are found to be ineligible to take the examination shall be entitled to a refund in an amount fixed by the board

(b) The renewal fee shall be fixed by the board at not more than twenty-four dollars ($24) nor less than six dollars ($6).

(c) The delinquency fee is ten dollars ($10).

(d) The restoration fee for a license forfeited for nonregistration is twenty-five dollars ($25)

(e) The penalty for late registration of change of place of practice is ten dollars ($10).

~~(f) The initial license fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the license is issued except that, if the license will expire less than one year after its issuance, then the initial license fee is 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the license is issued. The board may, by appropriate regulation provide for the waiver or refund of the initial license fee where the license is issued less than 45 days before the date on which it will expire.~~

SEC 4. Section 1725 of the Business and Professions Code is amended to read:

1725. The amount of charges and fees for dental hygienists is that fixed by the following schedule:

(a) The fee for applicants for examination for a license is twenty-five dollars ($25).

(b) The renewal fee shall be fixed by the board at not more than six dollars ($6) nor less than four dollars ($4).

(c) The delinquency fee is five dollars ($5).

(d) The restoration fee for a license forfeited for nonregistration is five dollars ($5).

~~(e) The initial license fee is an amount equal to the renewal fee, except that, if the license will expire less than one year after its issuance,~~

~~then the initial license fee is fifty percent (50%) of the renewal fee. The board may, by appropriate regulation, provide for the waiver or refund of the initial license fee where the license is issued less than 45 days before the date on which it will expire.~~

SEC 5 Section 1748 of the Business and Professions Code is amended to read.

1748 Every person licensed to practice as a dental hygienist in this state shall ~~comply with all of the provisions of this chapter providing for the registration of practicing dentists, except that a~~ *register with the board his current mailing address to which all communications of the board may be sent A* separate book shall be kept by the secretary of the ~~Board of Dental Examiners~~ *board* for the registration of dental hygienists ~~and except that the fee for the restoration of a license shall be the sum provided by Section 1725~~

Any dental hygienist who changes his mailing address shall register with the board such change of address within one month after such change In the event any licensed dental hygienist fails to notify the board of any change of address within the time prescribed by this section, the board shall not renew such person's license until a penalty of ten dollars ($10) is paid

An applicant for renewal of a license to practice dental hygiene shall specify in his application whether he has changed his mailing address, and if so, the date of such change, and the board may accept such statement as evidence of that fact.''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Badham, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Chappie, Cline, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Miller, Mobley, Monagan, Moorhead, Pierson, Priolo, Quimby, Russell, Sieroty, Stull, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 1 58 p m , Mr Garcia was granted unanimous consent to hold a special meeting of the Committee on Constitutional Amendments at the rear of the Assembly Chamber, at this time.

MOTION TO RECONSIDER SENATE BILL NO. 329 WAIVED

Mr Cullen waived his motion to reconsider the vote whereby Senate Bill No 329 was passed.

Senate Bill No 329 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mrs Davis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 108 for hearing in the Committee on Governmental Organization

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 74

Mr. Monagan was granted unanimous consent to take up Senate Concurrent Resolution No 74 without reference to committee or file

Consideration of Senate Concurrent Resolution No. 74

Senate Concurrent Resolution No. 74—Approving an amendment to the Charter of the City of Stockton, State of California, ratified by the qualified electors of the city at a special municipal charter amendment election consolidated with the direct primary election held therein on the sixth day of June 1972

Resolution read, presented by Mr. Monagan, and adopted by the following vote·

AYES—Badham, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Chappie, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayes, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Miller, Monagan, Moorhead, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Sieroty, Stull, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—46.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2 p m, Mr Ralph was granted unanimous consent to hold a special meeting of the Committee on Governmental Organization in the Assembly Lounge, at this time

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 889—An act to amend Sections 21100, 21102, 21103, 21104, 21105, 21107, 21150, and 21151 of, to add Sections 21002, 21103 5, 21108, 21152, 21153, and 21154 to, and to add Chapter 2 5 (commencing with Section 21060), Chapter 5 (commencing with Section 21160), and Chapter 6 (commencing with Section 21165) to Division 13 of, the Public Resources Code, relating to environmental quality.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, McAlister, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Quimby, Russell, Sieroty, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1277—An act to amend Section 20017.77 of the Government Code, relating to correctional counselors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Chappie, Cline, Collier, Conrad, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Sieroty, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1717—An act to amend Sections 100.21 and 135 of, to add Sections 103 7, 103.8, 103 9, and 256.2 to, and to add Article 6 (commencing with Section 834.1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways.

Bill read third time

Motion to Amend

Mr Wakefield moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 7, 1972, strike out "Sections 100.21 and", and insert "Section".

Amendment No. 2

On page 2, strike out lines 1 to 6, inclusive; and on page 3, strike out lines 1 to 18, inclusive; and in line 19, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 3

On page 3, line 30, strike out "Procedure", and insert "Hearings".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 76

Mr. Ketchum was granted unanimous consent to take up Senate Concurrent Resolution No. 76 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 76

Senate Concurrent Resolution No. 76—Approving an amendment to the Charter of the City of San Luis Obispo, County of San Luis Obispo, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the 20th day of June 1972

Resolution read, presented by Mr Ketchum, and adopted by the following vote:

AYES—Badham, Barnes, Belotti, Brathwaite, Brown, Burke, Chappie, Collier, Conrad, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Ketchum,

Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Sieroty, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—47.

NOES—Bee—1.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 178—An act to amend Section 830.4 of the Penal Code, relating to peace officers.

Bill read third time.

Hon. Joe A. Gonsalves Presiding

At 2:11 p.m., Hon. Joe A. Gonsalves, 66th District, presiding.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Garcia moved a call of the Assembly.

Motion carried. Time, 2:19 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Majority Floor Leader Presiding

At 2:20 p.m., Hon. Jack R. Fenton, 51st District, presiding.

BILLS PASSED ON FILE

Assembly Bill No. 1565—Passed on file

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 730—An act to amend Sections 7002, 7052.5, 7054, 10375, and 10376 of, and to add Sections 7054.1, 7054.6 and 10376.5 to, the Health and Safety Code, relating to dead bodies

Bill read third time, and presented by Mr. Sieroty.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Mc-

Alister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2382: By Assemblyman Fenton—An act to amend Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, and declaring the urgency thereof, to take effect immediately, relating to school district unification

Referred by the Acting Speaker to the Committee on Education.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, July 20, 1972

Mr Speaker: Pursuant to Joint Rule No. 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2382—An act to amend Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, and declaring the urgency thereof, to take effect immediately, relating to school district unification.

JACK R. FENTON

Above request ordered transmitted to the Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1361—An act to add Section 7633 to the Business and Professions Code, and to amend Sections 10382 and 10610 of, and to add Sections 10603, 10608, 10610.1, and 10610 2 to, the Health and Safety Code, relating to vital statistics.

Bill read third time, and presented by Mr Sieroty.

Bill passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 615—An act to amend Section 69950 of the Government Code, relating to fees.

Bill read third time, and presented by Mr. Monagan.

Bill passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Wakefield, Waxman, Wilson, Wood, and Mr. Speaker—58.

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1246—An act to amend Section 1 of Chapter 1084 of the Statutes of 1970 and Section 599 of Chapter 1593 of the Statutes of 1971, relating to homemaker services and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Miller.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 941—An act to amend Section 1029 6 of the Code of Civil Procedure, relating to medical malpractice actions.

Bill read third time, and presented by Mr Murphy.

Demand for Previous Question

Messrs. Cline, Ketchum, Russell, Keysor, and Dent demanded the previous question Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Burke, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Fong, Foran, Gonsalves, Hayes, Ray E. Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, McCarthy, Mobley, Monagan, Moorhead, Murphy, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, Wood, and Mr. Speaker—44.

NOES—Brathwaite, Burton, Cullen, Dunlap, Leroy F Greene, Hayden, Knox, McAlister, Meade, Miller, Ralph, Ryan, Sieroty, Waxman, Wilson, and Z'berg—16.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Fenton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2382 be granted.

BURTON, Chairman

Committee on Constitutional Amendments

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports.

ACA No. 78

With the recommendation. Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports.

AB No. 1744

With the recommendation. Do pass.

GARCIA, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr Speaker Your Committee on Constitutional Amendments reports·

SCA No 32

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 91

With the recommendation: Be adopted.

GARCIA, Chairman

Above resolution ordered on file.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

AB No. 1742

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GARCIA, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

SCA No. 65

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

GARCIA, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Employment and Public Employees

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

SB No. 104

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

HAYES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Governmental Organization

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

ACR No. 108

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Local Government

Assembly Chamber, July 20, 1972

Mr. Speaker · Your Committee on Local Government reports:

SB No 1108

With the recommendation: Do pass.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Rules reports:

SJR No. 12

With the recommendation. Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, Jul · 20, 1972

Mr. Speaker · Your Committee on Criminal Justice reports:

SB No 648

SB No 1352

With amendments with the recommendation · Amend, and do pass, as amended.

BEVERLY, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No. 613

With amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr Speaker · The Chairman of your Committee on Criminal Justice reports:

SB No 301

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 301—An act to amend Sections 12022 and 12022.5 of the Penal Code, relating to punishment for crime.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in Senate June 21, 1972, strike out ", notwithstanding", and insert "in addition to".

Amendment No. 2

On page 2, line 23, strike out "from 10"; strike out line 24, and insert "for a period not less than 10 years Such additional period of imprisonment shall commence upon expiration or other termination of the sentence imposed for the crime of which he is convicted and shall not run concurrently with such sentence."

Amendment No. 3

On page 2, line 26, after "the", insert "additional".

Amendment No. 4

On page 2, line 26, strike out "from"; strike out line 27, and insert "for a period of not less than 20 years, such terms of additional imprisonment to run consecutively."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Fenton:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2382 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2382 for hearing in the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1285—An act to amend Section 200 of the Code of Civil Procedure, relating to jury duty.

Bill read third time, and presented by Mr. Sieroty.

Bill passed by the following vote·

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—Miller—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2 44 p m., Mr Waxman was granted unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the rear of the Assembly Chamber, at this time.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 987

The Acting Speaker appointed Messrs Leroy F Greene, Keysor, and Dent as a Committee on Conference concerning Senate Bill No 987

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read.

Assembly Chamber, July 17, 1972

Mr Speaker The Committee on Conference concerning

Assembly Bill No. 873—As amended in Senate June 22, 1972—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 5 of the printed bill, as amended in Senate June 22, 1972, strike out lines 29 to 40, inclusive, and on page 6, strike out line 1.

The undersigned consent to the report:

MILTON MARKS	DIXON ARNETT
ALFRED E ALQUIST	ROBERT C. CLINE
NICHOLAS C. PETRIS	JACK R FENTON
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Ralph, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2292

In compliance with a motion given on a previous day, Mr. Chacon moved that the vote whereby Assembly Bill No 2292 was refused passage be reconsidered.

Assembly Bill No 2292 reconsidered by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Cline, Hayes, Mobley, Priolo, and Stacey—5.

Further Consideration of Assembly Bill No. 2292

Assembly Bill No. 2292—An act to amend Section 37111 of, and to add Section 37108 5 to, the Health and Safety Code, relating to housing information systems, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chacon moved a call of the Assembly.

Motion carried Time, 2 52 p.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Badham was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XI thereof, and by repealing Article XXXIV thereof, relating to public housing.

Resolution read.

The roll was called.

CALL OF THE ASSEMBLY

Pending the announcement of the vote, Mr Ralph moved a call of the Assembly.

Motion carried Time, 2 55 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Badham was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 877—An act to amend Section 1672 of the Military and Veterans Code, and Sections 37, 128, 190, 190 1, 209, 219, 4500, and 12310 of the Penal Code, relating to punishment for crimes.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Briggs, Wood, Burton, and Gonsalves demanded the previous question Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Cory moved a call of the Assembly

Motion carried Time, 3 07 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assemb y to conduct further business while under a call of the House

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 178

At 3·12 p m , on motion of Mr Garcia, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 178 passed by the following vote:

AYES—Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Conrad, Cory, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Stacey, Townsend, Wakefield, Waxman, Wood, and Mr Speaker—44.

NOES—Badham, Burke, Cline, Collier, Cullen, Davis, Dent, Hayden, Ray E. Johnson, Knox, Lancaster, MacGillivray, Mobley, Moorhead, Russell, Ryan, Sieroty, Stull, Vasconcellos, and Z'berg—20.

Bill ordered transmitted to the Senate

CAUCUS ANNOUNCEMENTS

At 3:17 p.m , Acting Speaker Fenton announced that there would be a caucus of the entire membership of the Assembly at this time, in the Assembly Lounge.

SENATE CONCURRENT RESOLUTION NO. 75 REFERRED TO COMMITTEE

The Speaker referred Senate Concurrent Resolution No 75 to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 75 for hearing in the Committee on Rules today

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1883—An act to amend Section 6254 of the Government Code, relating to public records.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bill Greene moved a call of the Assembly

Motion carried Time, 4.05 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 199—An act to amend Section 22836 of, and to add Section 22843 to, the Elections Code, relating to municipal elections.

Bill read third time, and presented by Mr. Badham.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 514—An act to amend Section 21298, to add Section 21298 5 to, and to repeal Section 21298 5 of, the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and presented by Mr Townsend

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 802—An act to amend Section 11476 of, and to add Section 10851.5 to, the Welfare and Institutions Code, relating to public assistance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 802 (presented by Mr. Pierson)?

Amendment No. 1

On page 4, after line 33, of the printed bill, as amended in Assembly April 25, 1972, insert

"SEC 3 Section 11476 of the Welfare and Institutions Code as amended by Chapter 578 of the Statutes of 1971, is amended to read:

11476 In all cases in which the whereabouts of the parent is unknown, the county department shall refer the applicant to the district attorney at the time the application for assistance is signed

In all cases in which the whereabouts of the absent parent is known, the county department, immediately upon receipt of the application for assistance, shall notify the absent parent of the filing of the application and of his responsibility to complete and return the written statement required by Section 11353. Such notification shall be by ~~registered~~ *certified* mail, return receipt requested, and an appropriate form and a stamped envelope shall be provided for its return If the notice is not delivered within seven days, the county department shall cause prompt personal service to be made. If the written statement is not completed and returned within 15 days after service, the county department shall refer the matter to the district attorney for prosecution for violation of Section 11353.

When the county department has obtained sufficient information concerning the absent parent it shall immediately determine his ability to support his children, make contractual arrangements for his complying with his obligation to support, discuss his parental responsibilities, and explore the possibility of a reconciliation and the resumption of a parental relationship with his children If the county department has not obtained a satisfactory support agreement with the absent parent within 30 days after the application for assistance is signed, the county department shall refer the case to the district attorney unless it has definitely determined that the parent is financially incapable of supporting the child. The department shall develop and furnish to the counties guidelines and forms for support agreements, such agreements shall provide every safeguard available under the law for effective enforcement of support and collection through enforcement of a legal judgment, including the imposition of liens upon real and personal property where appropriate If the absent parent is residing out of the county and his whereabouts is known, the county department may arrange for the personal contacts and interviews with the absent parent to be conducted by the county department of the county where the parent is located The department shall provide by regulation for a plan of cooperation between the respective counties, and it shall be the duty of each county upon receiving a request from another

county to cooperate and assist promptly in contacting, interviewing, and obtaining support agreements where appropriate from absent parents located within its boundaries.

Anything in this section to the contrary notwithstanding, it shall be the duty of the county department to refer to the district attorney immediately any case in which one or more of the following factors appear:

1. The absent parent refuses to be interviewed, to provide necessary information, or to discuss his parental responsibilities.

2 The absent parent refuses to make a contribution in accordance with his financial ability.

3. There is reason to believe that the parent may flee or hide if contacted by the county department

4. The absent parent's previous history indicates that although he is capable of a support contribution, efforts by the county department to obtain support would be fruitless.

5 Legal action is necessary to establish paternity.

6. The absent parent has entered into an agreement with the county department to support his child and has defaulted upon that agreement without showing good cause for such default.

7. The district attorney has requested that all cases involving parents absent from the home be referred to him immediately upon receipt of the application for assistance.

The county department shall cooperate with the district attorney and shall report to him all information contained in the case record which concerns the question of nonsupport and the suitability of prosecution as a method of obtaining support for the child in each case

Upon referral, the district attorney shall immediately investigate the question of nonsupport and shall take all steps necessary to obtain support for the needy child However, upon the advice of the county department that a child is being considered for adoption, the district attorney shall delay his investigation and other actions with respect to the case until advised that the adoption is no longer under consideration.

The granting of aid to the applicant shall not be delayed or contingent upon investigation by the district attorney

Where a court order has been obtained in the case by the district attorney, any contractual agreement for support between the county welfare department and the absent parent shall be deemed null and void to the extent that it is not consistent with the court order.

In every case which has not been referred to the district attorney, it shall be the duty of the county department to contact the absent parent and to carry out the provisions of this section at the earliest possible date, and to refer the case to the district attorney at once in the event of a refusal to cooperate or an unexplained default as provided above Upon referral, it shall be the duty of the district attorney to take all appropriate action, civil and criminal, to promptly and effectively enforce the obligation of parents to support their children

SEC 4 It is the intent of the Legislature, if this bill and Senate Bill No 184 are both chaptered and amend Section 11476 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No 184, that the amendments to Section 11476 proposed by both bills

be given effect and incorporated in Section 11476 in the form set forth in Section 3 of this act. Therefore, Section 3 of this act shall become operative only if this bill and Senate Bill No. 184 are both chaptered, both amend Section 11476, and Senate Bill No 184 is chaptered before this bill, in which case Section 2 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61

NOES—Cline, Collier, Conrad, and Wakefield—4.

Above bill ordered enrolled.

Assembly Bill No. 2043—An act to amend Section 27321 5 of the Government Code, relating to county recorders.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2043?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly May 16, 1972, after "note", insert ", or any error in noting,".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 589—An act to amend Sections 4, 8, and 17 of Chapter 665 of the Statutes of 1971, relating to the Health Science Facilities Construction Program Bond Act of 1971, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 589?

Amendment No. 1

Below line 1 of the heading of the printed bill, insert

"(Coauthor. Senator Teale)".

Amendment No. 2

In line 1 of the title, strike out "add Section 1151 5 to the Government Code,"; strike out line 2, and insert "amend Sections 4, 8, and 17 of Chapter 665 of the Statutes of 1971, relating to the Health Science Facilities Construction Program Bond Act of 1971, and declaring the urgency thereof, to take effect immediately "

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 4 of Chapter 665 of the Statutes of 1971 is amended to read:

SEC 4 Bonds in the total amount of ~~two hundred ninety-four million dollars ($294,000,000)~~ *one hundred fifty-five million nine hundred thousand dollars ($155,900,000)*, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in Section 3 of this act, and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Government Code Section 16724 5 Said bonds shall be known and designated as *1971* Health Science Facilities Construction Program Bonds and, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest on said bonds as said principal and interest become due and payable.

SEC 2. Section 8 of Chapter 665 of the Statutes of 1971 is amended to read:

SEC 8. A section shall be included in the Budget Bill for each fiscal year bearing the caption " *1971* Health Science Facilities Construction Bond Act Program " Said section shall contain proposed appropriations only for the program contemplated by this act, and no funds derived from the bonds authorized by this act may be expended pursuant to an appropriation not contained in said section of the Budget Act The Department of Finance, which is hereby designated as the board for the purposes of this act, shall annually total the Budget Act appropriations referred to in this section and, pursuant to Section 16730 of the Government Code, request the Health Science Facilities Construction Program Committee to cause bonds to be issued and sold in quantities sufficient to carry out the projects for which such appropriations were made.

SEC 3 Section 17 of Chapter 665 of the Statutes of 1971 is amended to read

Sec 17 All ballots at said election shall have printed thereon in boldface type and in a square thereof, the words "For bonds to provide health science facilities " In the square immediately below the square containing such words there shall be printed on said ballot in boldface type the words "Against bonds to provide health science facilities " In each square containing the language specified above, immediately below that language and enclosed in parenthesis, there shall be printed, in eight-point type, the words "This act provides for a bond issue of ~~two hundred ninety-four million dollars ($294,000,000)~~ *one hundred fifty-five million nine hundred thousand dollars ($155,900,000)* " Opposite the words: "For bonds to provide health science facilities," and

the language immediately following such statement, and "Against bonds to provide health science facilities," and the language immediately following such statement, there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act Those voting for said bonds shall do so by placing a cross opposite the words "For bonds to provide health science facilities," and those voting against said bonds shall do so by placing a cross opposite the words · "Against bonds to provide health science facilities"; provided that where the voting of said election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, the use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The measures shall appear on the ballot and in the ballot pamphlets in substantially the following form ·

FOR BONDS TO PROVIDE HEALTH SCIENCE FACILITIES (This act provides for a bond issue of ~~two hundred ninety-four million dollars ($294,000,000)~~ *one hundred fifty-five million nine hundred thousand dollars ($155,900,000)*)	
AGAINST BONDS TO PROVIDE HEALTH SCIENCE FACILITIES. (This act provides for a bond issue of ~~two hundred ninety-four million dollars ($294,000,000)~~ *one hundred fifty-five million nine hundred thousand dollars ($155,900,000)*)	

The Governor of this state shall include the submission of the measure to the people, as aforesaid, in his proclamation calling for said election.

SEC. 4. The amendments effected by Sections 1, 2, and 3 of this act shall be incorporated in Chapter 665 of the Statutes of 1971 when that measure is submitted to the voters on November 7, 1972. Within five days after the effective date of this act, the authors of ballot arguments on Chapter 665 of the Statutes of 1971 shall, if necessary, revise such arguments to reflect the provisions of Sections 1, 2, and 3 of this act. The Legislative Counsel, the Legislative Analyst, and the Attorney General, within such five-day period, shall revise their ballot pamphlet analyses and ballot title, respectively, to reflect the provisions of Sections 1, 2, and 3 of this act

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are ·

In order to assure that this amendment to the Health Science Facilities Construction Program Bond Act of 1971 will become effective prior to the special election to be held on November 7, 1972, at which election said bond act will be submitted to the people for approval, it is necessary that this act go into immediate effect."

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 589?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 348 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No 348 was continued until the next legislative day

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IV thereof, relating to the Legislature

Resolution read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Harvey Johnson moved a call of the Assembly

Motion carried Time, 4 20 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file.

Assembly Bill No. 98, on request of Mr. McCarthy.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Stull, Senate Bill No 1020 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22 2

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 1846—An act to add Article 2 5 (commencing with Section 15371) to Chapter 2 of Division 11 of, and to amend Section 15458 of, the Education Code, relating to factory-built schools.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2204—An act to amend Sections 1777 5 and 3075 of, and to add Section 3098 to, the Labor Code, relating to apprenticeship

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley,

Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No 487—An act to amend Section 5901 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1034—An act to amend Section 16056 of the Vehicle Code, relating to financial responsibility

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 573—An act to amend Sections 410 30, 415 50, and 1013a of the Code of Civil Procedure, relating to civil process.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell,

Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 957—An act to add Section 3111 5 to the Civil Code, relating to mechanic's liens.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 517—An act to amend Sections 13407 and 13485 of the Education Code, relating to school employees

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 16—Relative to television blackouts of sports events.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 30—Relative to mentally retarded persons

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2292

At 4:22 p m, on motion of Mr Chacon, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 2292 passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Badham, Burke, Cline, Collier, Conrad, Davis, Hayes, Ray E. Johnson, Ketchum, Lanterman, MacGillivray, Mobley, Moorhead, Priolo, Russell, Seeley, Stacey, and Stull—18.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 72

Mr. Hayden was granted unanimous consent to take up Senate Concurrent Resolution No. 72 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 72

Senate Concurrent Resolution No. 72—Approving amendments to the Charter of the City of San Jose, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June 1972

Resolution read, presented by Mr. Hayden, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 45

At 4:27 p m, on motion of Mr. Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 45 refused adoption by the following vote:

AYES—Bagley, Belotti, Brathwaite, Brown, Burton, Chacon, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Keysor, Knox, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Z'berg, and Mr. Speaker—36.

NOES—Arnett, Badham, Barnes, Bee, Beverly, Briggs, Burke, Campbell, Cline, Collier, Conrad, Cory, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Ketchum, LaCoste, Lancaster, Lanterman, McDonald, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—33.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1883

At 4:30 p m, on motion of Mr Bill Greene, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1883 refused passage by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Keysor, Meade, Miller, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Waxman, and Mr Speaker—26.

NOES—Badham, Barnes, Beverly, Burke, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Ketchum, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—32.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 877

At 4:31 p m, on motion of Mr Cory, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 877 refused passage by the following vote.

AYES—Arnett, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Dent, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene,

Leroy F. Greene, Knox, MacDonald, McCarthy, Meade, Miller, Pierson, Priolo, Quimby, Ralph, Vasconcellos, Waxman, Wilson, and Mr Speaker—29

NOES—Badham, Barnes, Belotti, Beverly, Briggs, Burke, Campbell, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Wood, and Z'berg—39

Motion to Reconsider Assembly Bill No. 877 on Next Legislative Day

Mr Cory moved to reconsider on the next legislative day the vote whereby Assembly Bill No 877 was this day refused passage.

Assembly Bill No 877 ordered to the unfinished business file

ASSEMBLY BILL NO. 1159 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file

Assembly Bill No. 1159, on request of Mr Sieroty

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Sieroty asked for unanimous consent to take up Assembly Bill No 1159, at this time, without reference to file, for purpose of amendment

Mr Cullen withheld unanimous consent

Motion to Temporarily Suspend the Rules

Mr Sieroty moved that the Rules be temporarily suspended for the purpose of permitting him to take up Assembly Bill No 1159, at this time, without reference to file, for purpose of amendment

Rules temporarily suspended by the following vote.

AYES—Bagley, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cory, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Keysor, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Priolo, Quimby, Ralph, Sieroty, Stacey, Thomas Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—42

NOES—Badham, Barnes, Burke, Cline, Cullen, Duffy, Ray E Johnson, Ketchum, Knox, Lancaster, Mobley, Moorhead, Murphy, and Stull—14

Consideration of Assembly Bill No. 1159

Assembly Bill No. 1159—An act to add Sections 1014 1 and 1017 1 to the Education Code, relating to school district employees.

Bill read third time.

Motion to Amend

Mr Sieroty moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1014 1 and 1017 1", and insert "Section 1014 1".

Amendment No. 2

On page 1, strike out line 3, and insert

"1014.1. Notwithstanding Section 3294 of the Civil Code, a certificated employee of a school district shall not be held liable for punitive or exemplary damages where a claim or action has been brought against him for an injury arising out of an act or omission occurring within his employment as an employee of the school district unless such damages are granted for actual fraud or a corruption."

Amendment No. 3

On page 1, strike out lines 4 to 8, inclusive; and strike out page 2

Further Consideration of Assembly Bill No. 1159 Ordered Passed on File

By unanimous consent, further consideration of Assembly Bill No 1159, together with the amendments offered by Mr Sieroty to the bill, was passed on file the bill to retain its place on file

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 27

At 4·40 p m , on motion of Mr Harvey Johnson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No 27 refused adoption by the following vote

AYES—Bagley, Bee, Brathwaite, Briggs, Brown, Burton, Campbell, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Waxman, Wood, Z'berg, and Mr Speaker—42

NOES—Arnett, Badham, Belotti, Beverly, Burke, Cline, Collier, Conrad, Cory, Dent, Duffy, Leroy F Greene, Hayden, Ketchum, Lancaster, Lanterman, Lewis, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Ralph, Russell, Stull, Vasconcellos, Wakefield, and Wilson—29.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4·44 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 2139 and **2135,** on request of Mr Dunlap.

COMMUNICATIONS

Assembly Chamber, July 20, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 92—An act to add Sections 19700 745 and 19700 746 to the Education Code, and to amend Section 316 of Chapter

1 of the Statutes of 1971 (First Extraordinary Session), relating to the public educational system, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 312—An act to amend Sections 30800 and 30801 of, and to add Section 24005 5 to, the Vehicle Code, relating to vehicles;

Assembly Bill No. 442—An act to amend Section 1197 of the Military and Veterans Code, relating to memorial districts;

Assembly Bill No. 513—An act to add Article 4 (commencing with Section 6750) to Chapter 6 of Part 1 of Division 6 of the Fish and Game Code, relating to aquatic plants,

Assembly Bill No. 520—An act to add Section 21306 to the Education Code, relating to public schools;

Assembly Bill No. 561—An act to amend Section 253 4 of the Streets and Highways Code, relating to state highways;

Assembly Bill No. 600—An act to amend Sections 923 5, 932 1, 937 1, 1102, 1104 3, 1111 2, 1130, 1225 5, 1606, 2032, 2309, and 5029 of, and to repeal Section 1013 5 and Article 3 5 (commencing with Section 25450) of Chapter 2 of Division 18 5 of, the Education Code, relating to education,

Assembly Bill No. 616—An act to add Section 7030 to the Business and Professions Code, relating to contractors;

Assembly Bill No. 623—An act to amend Sections 74134, 74135, 74136, 74137, 74138, and 74139 of the Government Code, relating to municipal courts,

Assembly Bill No. 718—An act to amend Section 7152 of the Financial Code, relating to savings and loan associations;

Assembly Bill No. 983—An act to add Section 11052 5 to the Education Code, relating to school attendance;

Assembly Bill No. 1228—An act to add Sections 534 5 and 4837.5 to the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 1330—An act to add Sections 10124, 10351, and 11512.16 to the Insurance Code, and to add Section 12532 6 to the Government Code, relating to insurance,

Assembly Bill No. 1374—An act to amend Sections 39130 and 39184 of the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution,

Assembly Bill No. 1378—An act to amend Sections 73341, 73350, 73351, 73351 1, 73352, 73353, 73355, 73356, 73357, 73358, 73359, and 73360 1 of the Government Code, relating to municipal courts;

Assembly Bill No. 1415—An act to add Section 34271 5 to the Health and Safety Code, relating to housing authorities;

Assembly Bill No. 1589—An act to amend Section 31214 of the Education Code, relating to state competitive scholarships;

Assembly Bill No. 1766—An act to amend Section 13121 of the Education Code, relating to certificated employees,

Assembly Bill No. 1787—An act to amend Sections 8304 and 8307 of the Fish and Game Code, relating to abalone and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1898—An act to amend Section 19594 of the Education Code, relating to state school building aid;

Assembly Bill No. 1928—An act to amend Sections 300, 301, 501, 800, 816, and 819 of, and to add Section 809 5 to, the Corporations Code, relating to directors of corporations;

Assembly Bill No. 2036—An act to amend Section 6007 of the Business and Professions Code, relating to attorneys;

Assembly Bill No. 2048—An act to amend Section 33356 of the Health and Safety Code, relating to redevelopment;

Assembly Bill No. 2097—An act to amend Section 23270 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 2320—An act to amend Sections 33450, 33452, and 33457 of the Health and Safety Code, relating to redevelopment;

And reports the same correctly enrolled, and presented to the Governor at 5 p m., July 20, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 22—Relative to noise pollution;

Assembly Concurrent Resolution No. 41—Relative to the Artesia Freeway;

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of July 1972, at 5 p m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 20, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

SB No 641

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, July 20, 1972

Mr Speaker: Your Committee on Elections and Reapportionment reports:

SB No 84

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WAXMAN, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, July 20, 1972

Mr Speaker. Your Committee on Ways and Means reports·

SB No 578

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr Speaker Your Committee on Ways and Means reports:

SCR No 9

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Committee on Commerce and Public Utilities

Assembly Chamber, July 20, 1972

Mr. Speaker· Your Committee on Commerce and Public Utilities reports·

SB No 366
SB No 780
SB No 1492

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

POWERS, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Rules reports:

SCR No 75

With the recommendation Be adopted.

BURTON, Chairman

Above resolution ordered on file.

Committee on Criminal Justice

Assembly Chamber, July 20, 1972

Mr Speaker Your Committee on Criminal Justice reports:

SB No 647

With amendments with the recommendation· Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 947

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Commerce and Public Utilities

~~Assembly Chamber, July 20, 1972~~

~~Mr. Speaker: Your Committee on Commerce and Public Utilities reports:~~

~~SB No. 616~~

~~With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.~~

~~POWERS, Chairman~~

~~Above bill re-referred to the Committee on Ways and Means.~~

NOTE: On November 27, 1972, the action was rescinded whereby the above report of the Committee on Commerce and Public Utilities relative to Senate Bill No 616 was received and read in the Assembly, and whereby the bill was ordered re-referred to the Committee on Ways and Means. See page 7860.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No. 1244

With the recommendation: Do pass.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No. 367

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No. 191	SB No 939	SB No. 1466
SB No. 691	SB No. 1355	

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent Calendar.

POWERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 20, 1972

Mr Speaker Your Committee on Commerce and Public Utilities reports

SB No 432

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

POWERS, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, July 20, 1972

Mr Speaker The Chairman of your Committee on Planning and Land Use reports:

SB No. 1118

With author's amendments with the recommendation Amend, and refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1118—An act to amend the heading to Title 7 (commencing with Section 65000) of, to add a division heading immediately below the heading of Title 7 (commencing with Section 65000) of, and to add Division 2 (commencing with Section 66410) to Title 7 of, the Government Code, and to repeal Chapter 2 (commencing with Section 11500) of Part 2 of Division 4 of, the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 27, 1972, strike out "Coauthor. Assemblyman Knox", and insert "Coauthors · Assemblymen Knox and MacDonald".

Amendment No. 2

On page 2, line 34, after "subdivisions", insert ", including, but not limited to, the design and improvement thereof,".

Amendment No. 3

On page 2, line 40, after "division", insert "and provided further that such regulations shall not be applied to short-term leases (terminable by either party on not more than 30 days notice in writing) of a portion of the operating right-of-way of a railroad corporation defined as such by Section 230 of the Public Utilities Code unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates the application of such regulations to such short-term leases in such individual cases".

Amendment No. 4

On page 3, line 32, strike out "this code", and insert "law".

Amendment No. 5

On page 4, strike out line 19, and insert "the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of this title, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of this title."

Amendment No. 6

On page 4, line 28, strike out "applicable"; and strike out line 29, and insert "the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of this title, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of this title."

Amendment No. 7

On page 6, line 3, strike out "land", and insert "real property".

Amendment No. 8

On page 11, strike out lines 34 to 36, inclusive, and insert

"(f) A certificate, signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the parcel map is required

(g) It shall also satisfy any additional map requirements of local ordinances consistent with this division."

Amendment No. 9

On page 14, line 8, after the period, insert "Any interested person may appear at such a hearing and shall be heard "

Amendment No. 10

On page 16, line 18, after the period, insert "The decision shall comply with the provisions of Sections 66473, 66473 5 and 66474 and shall include any findings required by such sections."

Amendment No. 11

On page 19, line 13, strike out "of the Government Code".

Amendment No. 12

On page 25, strike out lines 2 to 6, inclusive, and insert "recorder shall index the names of the fee owners and the appropriate tract designation shown on the amending map or certificate of correction in both the general index and map index Thereupon,".

Amendment No. 13

On page 25, strike out line 16, and insert

"66473. A local agency shall disapprove a map for failure to".

Amendment No. 14

On page 25, strike out lines 20 and 21, and insert

"66473 5 No local agency shall approve a map unless the governing body shall find that the proposed subdivision, together with the

provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of this title, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of this title.

A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in such a plan.

66474 The governing body of a city or a county shall deny approval of a map if it makes any of the following findings:".

Amendment No. 15

On page 25, line 22, strike out "The", and insert "That the".

Amendment No. 16

On page 25, line 23, strike out "shall be", and insert "are not".

Amendment No. 17

On page 25, line 25, strike out "The", and insert "That the".

Amendment No. 18

On page 25, line 26, strike out "shall be", and insert "are not".

Amendment No. 19

On page 25, strike out line 27; and on line 28, strike out "local agency that", and insert

"(c) That".

Amendment No. 20

On page 25, line 29, strike out "not".

Amendment No. 21

On page 25, strike out lines 32 to 36, inclusive.

Amendment No. 22

On page 25, line 37, strike out "(e) The", and insert

"(d) That the".

Amendment No. 23

On page 25, line 37, strike out "shall be", and insert "is not".

Amendment No. 24

On page 25, line 38, strike out "and", and insert "or".

Amendment No. 25

On page 25, line 40, strike out "(f) The", and insert

"(e) That the".

Amendment No. 26

On page 26, line 1, strike out "shall not".

Amendment No. 27

On page 26, line 2, strike out "and shall not be", and insert "or are".

Amendment No. 28

On page 26, line 4, strike out "of", and insert "or".

Amendment No. 29

On page 26, strike out line 5, and insert

"(f) That the proposed subdivision, including the design and improvements thereof, conflicts with".

Amendment No. 30

On page 26, line 23, after "adopted", insert "pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of this title".

Set No. 2

Amendment No. 1

On page 17 of the printed bill, as amended in Senate June 27, 1972, between lines 3 and 4, insert

"It is the intent of the Legislature that the provisions of this section be liberally construed so that any person in any way adversely affected or aggrieved will have the right to appeal the decision of the advisory agency or the appeals board."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 20, 1972

Mr. Speaker: The Chairman of your Committee on Judiciary reports:

SB No. 1233

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary.

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1233—An act to add Chapter 11 (commencing with Section 190) to Division 1 of the Probate Code, and to repeal Sections 13409 and 15209 of, and add Sections 13409 and 15209 to, the Revenue and Taxation Code, relating to disclaimers.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, after "disclaimers", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 23, after "(i)", insert "identify the decedent or donor, (ii)".

Amendment No. 3

On page 2, line 24, strike out "(ii)", and insert "(iii)".

Amendment No. 4

On page 2, line 25, strike out "(iii)", and insert "(iv)".

Amendment No. 5

On page 2, line 36, strike out "A", and insert "Except as otherwise provided in subsection (c), a".

Amendment No. 6

On page 3, between lines 21 and 22, insert

"(c) A disclaimer shall be conclusively presumed not to have been filed within a reasonable time after the person able to disclaim acquired knowledge of the interest if:

(1) An interest in the property which is in whole or in part sought to be disclaimed has been acquired by a purchaser or encumbrancer for value subsequent to or concurrently with the creation of the interest sought to be disclaimed and prior to such disclaimer, and

(2) One year has elapsed from the death of the person dying intestate or creating by will the interest sought to be disclaimed, or from the date of the transfer by inter vivos gift, whether outright or in trust."

Amendment No. 7

On page 3, between lines 31 and 32, insert

"Disclaimers made pursuant to this chapter which affect real property or obligations secured by real property shall be acknowledged and proved, and may be certified and recorded, in like manner and with like effect as grants of real property, and all statutory provisions relating to the recordation or nonrecordation of conveyances of real property and to the effect thereof shall apply to such disclaimers with like effect, without regard to the date when the disclaimer was filed, if at all, pursuant to subdivisions (a) through (c) of this section. Failure to so file a disclaimer which is recorded pursuant to this section shall not affect the validity of any transaction with respect to such real property or obligation secured thereby, and the general laws of this state on recording and its effect shall govern any such transaction."

Amendment No. 8

On page 4, line 18, strike out "shall be deemed to"; and in line 19, strike out "have", and insert "has"

Amendment No. 9

On page 6, after line 6, insert

"SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There is a question in the application of state law in the area of disclaimers, which is not in conformity with federal law in relation to the taxation of disclaimers. The immediate effectiveness of this act will establish conformity, and will allow estate planning to proceed without confusion and possible litigation. In order to avoid this confusion and possible litigation and to reestablish certainty in the law, it is necessary that this act go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 20, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports:

SB No. 541

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 541—An act to add Sections 17202 5 and 24343 8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Senate June 5, 1972, after "purchased", insert "and utilized".

Amendment No. 2

On page 2, line 32, strike out "10", and insert "20".

Amendment No. 3

On page 3, line 11, after "purchased", insert "and utilized".

Amendment No. 4

On page 3, line 12, strike out "10", and insert "20".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Knox:

House Resolution No. 89

Relative to the study of income tax return preparation

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study, the subject of income tax return preparation including, but not limited to, the provisions of Assembly Bill No. 1382 of the 1972 Regular Session; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Briggs:

House Resolution No. 90

Relative to insurer insolvency

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of insolvencies of property and casualty insurers, and the appropriateness of the custodial account solution, as proposed by Assembly Bill 203, thereto; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Campbell:

House Resolution No. 91

Relative to drugless practitioners

WHEREAS, Drugless practitioners are a licensed category of health manpower in California; and

WHEREAS, A number of drugless practitioners completed further medical training at Western Medical College with the intention of becoming licensed physicians and surgeons under licensing provisions enacted by the Legislature in 1949, and

WHEREAS, The drugless practitioners who graduated from Western Medical College were subsequently denied the opportunity to take the physician's and surgeon's licensing examination, although they have continued to practice as drugless practitioners; and

WHEREAS, The Legislature in 1969 established physician's assistant as a legal classification of health manpower in California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Board of Medical Examiners of the State of California is requested to review the qualifications of those drugless practitioners who graduated from Western Medical College for becoming physicians' assistants, and report to the Assembly no later than January 30, 1973, concerning both of the following:

(a) The current qualifications of those drugless practitioners who graduated from Western Medical College with respect to becoming physicians' assistants under current regulations defining physicians' assistants; and

(b) The feasibility of establishing new categories of physicians' assistants for which there is a demonstrated public need, such as "geriatrics" physician's assistant, and which drugless practitioners may be ideally qualified to become; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Board of Medical Examiners of the State of California

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Russell:

House Resolution No. 92

Relative to the consent calendar

Resolved by the Assembly of the State of California, That Rule 62 of the Temporary Standing Rules of the Assembly for the 1972 Regular Session be amended to read:

Committee on Ways and Means

62. Bills shall be re-referred to the Committee on Ways and Means when they would do any of the following:

(1) Appropriate money.

(2) Result in substantial expenditure of state money by (a) imposing new responsibilities on the state or (b) new or additional duties on a state agency or (c) liberalization of any state program, function, or responsibility.

(3) Result in a substantial loss of revenue to the state

Concurrent and joint resolutions shall be referred to the Committee on Ways and Means when they contemplate any action which would involve any of the following:

(1) Any substantial expenditure of state money.

(2) A substantial loss of revenue to the state

The above requirements do not apply to bills or concurrent resolutions which contemplate the expenditure or allocation of contingent funds.

The Committee on Ways and Means shall not recommend any bill referred to it pursuant to this rule be placed on the consent calendar if the committee from which the bill was re-referred considered the bill and failed to recommend consent.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent that Senate Concurrent Resolution No. 75 be placed on the second reading file for the next legislative day.

Senate Concurrent Resolution No 75 ordered to second reading

VOTE CHANGES

Mr. Ketchum was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1361

Mrs. Davis was granted unanimous consent that she be recorded as voting "No," instead of "Aye," on Assembly Bill No 178.

Mr. Hayden was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 178

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bills Nos 889 and 1277, and on concurrence in Senate amendments to Assembly Bill No 614

Mr. Briggs was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 941.

Mr. Hayden was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 941.

Messrs. Deddeh and McCarthy were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 941.

Mr. Hayden was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 614; on Assembly Bills Nos. 889 and 1277; on Senate Bills Nos. 730, 615, and 1285, and on the urgency clause to Senate Bill No. 1246, and on the passage of the bill.

Mr Lewis was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 877.

Mr. Keysor was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No 877.

Mr. Knox was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Bill No. 1883.

Mr. Murphy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1883.

Mr Cory was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 45.

Mr MacDonald was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 45.

Mr Campbell was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 45.

Mr Duffy was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No 45.

Messrs Powers and Mobley were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Assembly Constitutional Amendment No. 27.

ADJOURNMENT

At 4:55 p.m., Acting Speaker Fenton declared the Assembly adjourned until 9 30 a.m., Friday, July 21, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Tenth Legislative Day

Two Hundred First Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, July 21, 1972

The Assembly met at 9 ·30 a m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Collier moved a quorum call of the Assembly.

Mr Dent seconded the motion.

Motion carried Time, 9 31 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9 ·50 a m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Help Us to Remember, Lord, That the dawning of man's day heralded the beginning of one human society, not several, that the rights of coexistence in society and of participation in the benefits which society is destined to create and to utilize for the common good are among the inalienable rights with which every human being is born into the world You, God, have bestowed them You demand that they be protected, implemented, and respected —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Monagan then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Brown, seconded by Mr Porter.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of legislative business elsewhere.

Mr Maddy, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mrs Brathwaite, on request of Acting Speaker Fenton
Mr Brophy, on request of Acting Speaker Fenton
Mr. LaCoste, on request of Acting Speaker Fenton.

NOTE For letter explaining the absence of Mr Maddy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 17, 1972, page 6047

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Priolo was granted unanimous consent that the following communication be printed in the Journal:

Report of Subcommittee on San Francisco Primary Vote

July 19, 1972

The Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Speaker Moretti: Pursuant to your request, I convened the Subcommittee on the San Francisco Primary Vote at the Board of Education Hearing Room in San Francisco on June 20, 1972

Assemblyman Robert Crown and I heard testimony from the following witnesses:

Mr. Emmery Mihaly
Registrar of Voters, San Francisco

Mr Virgil Elliott
Director of Finance and Records, San Francisco
Mr Frederick Furth
Attorney for Plaintiffs, San Francisco
Mr Agar Jaicks
Chairman, County Democratic Central Committee of San Francisco
Mrs Mary Louise Lovett
Plaintiff in law suit which kept the polls open until 11:00 p.m
Mr. Albert Hooy
Inspector, Precincts 255 and 256
Mr. Ed Charbonneau
Marketing Manager—Western Area
Computer Elections System
Mr James Whitworth
The Ballotmaster Company
Mr Gordon Soltau
Diamond International Corporation
Evylin Evelyn

From their testimony, the subcommittee makes the following findings:

1. The San Francisco vote mix-up could have been avoided at any one of several stages and can be attributed to poor planning and failure to adapt to the circumstances.

Comment: The special election to create the two new school boards should not have been consolidated with the primary election This election should have been held separately or consolidated with the general election where there would have been adequate room on the machines.

2 San Francisco's machines are the oldest in the state. They are out-dated and are not suited to today's lengthy ballot.

3 It was known in late April that the machines were not equipped to handle the primary election.

4 Several voting machine companies offered to furnish machines if the city would pay the cost of transportation.

5 The Registrar of Voters turned down the request because he felt he could not afford the transportation costs, had no place to store the machines, could not train his personnel, and did not want to confuse the voters

Comment: The committee strongly rejects Mr Mihaly's reasons for turning down the use of the offered voting machines. The cost of these machines was negligible compared to the cost to the rest of the state and the inconvenience to San Francisco's voters caused by the Election Day mess

6 The Registrar of Voters considered using paper ballots but decided against their use because the voters would be confused and because he did not have adequate curtains or booths.

Comment: The confusion on Election Day because paper ballots were not used was far greater than the possible confusion that could have been created by paper ballots Paper ballots would have enabled San Francisco to use existing precincts The committee believes that, under the circumstances, San Francisco should have used paper ballots.

7. The Registrar of Voters reduced precincts from over 1100 to less than 800. In a substantial number of precincts, the number of voters totaled over 600, which is the maximum allowed by the Elections Code

Comment: There was inadequate notice given to the voters that there would be delays Absentee ballot applications were sent out so late that many voters were denied the right to vote absentee.

8. There were long lines at all times on Election Day.

Comment: Given the circumstances, the U S Federal Court decision to hold the polls open three extra hours to 11:00 p m. was correct

9. Although some San Francisco precincts did not hear the court order to stay open until 11:00 p m , most complied with the order The Registrar of Voters permitted voters to vote at his office until 11:00 p m if their precincts had already closed

Comment: The turnout for the election was 63%, 7% less than the state average and well below the usual San Francisco turnout The committee believes that had the Registrar of Voters accepted the proffered voting machines or used paper ballots or prepared the voters for the delay the turnout could have been substantially higher.

10. Since the election there has been much discussion about replacing the machines, but San Francisco has taken no official action as of this date.

RECOMMENDATIONS:

1. The Legislature should request the State Commission on Voting Machines to review San Francisco's voting machines and consider withdrawing approval of those machines.

2. San Francisco should be urged to replace their machines with other voting devices as soon as possible.

3. The state, through its Commission on Voting Machines, should continually review all voting systems, disapproving those which become obsolete and encouraging the production of new systems

Sincerely,

PAUL PRIOLO
ROBERT W CROWN

COMMUNICATIONS

Assembly Chamber, July 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1717

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, July 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 104
ACA No. 91

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, July 21, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AJR No 13

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, July 17, 1972

Mr. Speaker · Your Committee on Retirement reports:

SB No. 784

With amendments with the recommendation: Amend, and do pass, as amended.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Health

Assembly Chamber, July 21, 1972

Mr. Speaker · The Chairman of your Committee on Health reports:

SB No 1400

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1400—An act to amend Sections 1229, 1504, 1505, 1616, 1676, 1677, 1729, and 1730 of, to add Chapter 2 (commencing with Section 1250) to Division 2 of, and to repeal Chapter 2 (commencing with Section 1400) of Division 2 of, the Health and Safety Code, and to amend Sections 10554.1, 16100, 16300, and 16312 of and to repeal Chapter 1 (commencing with Section 7000) of Division 7 of, and Chapter 1 (commencing with Section 16000) of and Chapter 3 (commencing with Section 16200) of, Part 4 of Division 9 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 1626 of the Statutes of 1971, relating to licensed facilities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 4, 1972, strike out lines 27 to 29, inclusive, and insert "hospitals."

Amendment No. 2

On page 6, strike out lines 15 to 20, inclusive.

Amendment No. 3

On page 8, strike out lines 36 to 40, inclusive; on page 9, strike out lines 1 to 3, inclusive; and in line 4, strike out "(f)", and insert "(e)".

Amendment No. 4

On page 9, line 7, strike out "(g)", and insert "(f)".

Amendment No. 5

On page 9, line 11, strike out "(h)", and insert "(g)".

Amendment No. 6

On page 9, between lines 36 and 37, insert

"The provisions of this section shall not apply to general acute hospitals"

Amendment No. 7

On page 11, line 25, strike out "Advisory Health", and insert "Health Planning".

Amendment No. 8

On page 12, strike out lines 11 to 16, inclusive, and insert

"1334 Each application for a license under this chapter shall be accompanied by a fee determined annually by the director by regulation and in an amount sufficient to cover the cost to the State General Fund of administering this chapter Separate fees shall be established for categories or classifications of facilities in an amount commensurate with their respective share of the cost of administering this chapter. The annual fee for any category or classification of facilities shall not be increased by more than 10 percent over the annual amount of fee charged for the prior fiscal year."

Amendment No. 9

On page 22, line 10, after "report", insert "following the effective date of this section".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

MESSAGES FROM THE SENATE

Senate Chamber, July 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1014.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 1144

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, July 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1473

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 18	SB No. 678	SB No. 1075
SB No 105	SB No 680	SB No 1168
SB No. 387	SB No. 726	SB No 1184
SB No. 430	SB No. 729	SB No 1235
SB No. 451	SB No. 919	SB No. 1238
SB No. 493	SB No 922	SB No. 1278
SB No. 520	SB No 949	SB No 1291
SB No 601	SB No 1009	SB No. 1503
SB No. 628		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 18—An act to add Section 10851 to the Education Code, to amend Section 42052 of, and to add Section 42052 5 to, the Vehicle Code, and to amend Section 564 of the Welfare and Institutions Code, relating to driver training and assessments therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 105—An act making an appropriation for capital outlay at Hearst San Simeon State Historical Monument.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 387—An act to amend Sections 21295 and 21296 of, and to add Sections 20750 01, 20750 11, 20750 21, 20750 31, 20750.415, 20750 43, and 21296 1 to, and to repeal Sections 21297.5, 21298, and 21298 5 of, the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Acting Speaker.

Senate Bill No. 430—An act to add Section 3057 to the Penal Code, relating to parole.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 451—An act to add Article 2 (commencing with Section 44971) to Chapter 9 of Division 17 of the Agricultural Code, relating to agricultural products.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 493—An act to amend Section 69591 of the Government Code, relating to courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 520—An act to amend Sections 660, 661, and 662 of, and to add Chapter 7.5 (commencing with Section 2621) to Division 2 of, the Public Resources Code, relating to earthquake protection, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 601—An act to amend Section 21367 51 of the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 628—An act relating to the Workmen's Compensation Appeals Board, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 678—An act to add Section 75109 5 to the Government Code, relating to the Judges' Retirement Law.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 680—An act to add Section 9354.5 to the Government Code, relating to the Legislators' Retirement System.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 726—An act to amend Sections 24224, 24355.2, 39052, 39084, and 39402 of, and to add Sections 39151 5 and 39176.5 to, the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 729—An act relating to the state park system, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 919—An act to amend Sections 6876.1, 21625, 21632, 21633, 21634, and 21635 of the Business and Professions Code, to amend Section 607F of the Civil Code to amend Sections 10401 and 10402 of the Corporations Code, to amend Sections 13128, 13588, and 13589 of the Education Code, to amend Section 21208 of the Financial Code, to amend Sections 1030, 14710, 15001, 15100, 15103, 15104, 20017 75, 20803.7, and 22013 of, and to repeal Sections 20017.7 of, the Government Code, to amend Sections 11002 1, 11102, 11103, 11104, 11105, 11106, 11166 05, 11166 08, 11166 10, 11166.11, 11177, 11226, 11228, 11250, 11331 5, 11332, 11333, 11395, 11425, 11426, 11573, 11574, 11576, 11652, 11654, 11655, 11655 6, 11656, 11657, 11680, 11722, 11851, 11852, 11853, 11903, 11925.1, 11925 2, 11925 3, and 11925.4 of, to repeal Sections 11004, 11005, 11100, and 11101 of, to amend, repeal, and add Sections 11655 5 and 11722 of, and to amend the heading of Chapter 2 (commencing with Section 11100) of Division 10 of, the Health and Safety Code, to amend Sections 3212.7, 4800, 4802, and 4803 of

the Labor Code, to amend Sections 290, 830 3, 2082, 4852 12, 4852 14, 4852 17, 11006, 11050, 11050 5, 11051, 11102, 11105, 11107, 11110, 11113, 11115, 11116, 11117, 11120, 11122, 11123, 11124, 11125, 11126, 11127, 11150, 11152, 11161 5, 12030, 12052, 12053, 12054, 12075, 12076, 12077, 12078, 12079, 12090, 12092, 12094, 12230, 12231, 12250, 12251, 12305, 12306, 12307, 12403, 12423, 12424, 12435, 12450, 12452, 12454, 12455, 12456, 12457, 12458, 13010, 13011, 13012, 13020, 13021, and 13022 of, to repeal Sections 11000, 11005, and 11007 of, to amend the heading of Chapter 1 (commencing with Section 11000) of Title 1 of Part 4 of, and to repeal Article 1 (commencing with Section 13000) of Chapter 1 of Title 3 of Part 4 of, the Penal Code, and to amend Sections 504 and 5328 2 of, and to amend, add, and repeal Sections 8104 and 16018 of, the Welfare and Institutions Code, relating to the Department of Justice.

Held at Desk by order of the Acting Speaker

Senate Bill No. 922—An act relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5A, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 949—An act making an appropriation to the Superintendent of Public Instruction for purposes of pupil nutrition

Held at Desk by order of the Acting Speaker

Senate Bill No. 1009—An act relating to law enforcement, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker

Senate Bill No. 1075—An act to add Section 8254.7 to the Fish and Game Code, relating to lobsters

Held at Desk by order of the Acting Speaker

Senate Bill No. 1168—An act to add Section 14019 1 and 14132 1 to the Welfare and Institutions Code, relating to Medi-Cal

Held at Desk by order of the Acting Speaker

Senate Bill No. 1184—An act to amend Section 1547 of the Penal Code, relating to rewards, and making an appropriation therefor

Held at Desk by order of the Acting Speaker

Senate Bill No. 1235—An act to amend Sections 1 and 2 of Chapter 1672 of the Statutes of 1967, relating to recreation and fish and wildlife enhancement associated with state water projects

Held at Desk by order of the Acting Speaker

Senate Bill No. 1238—An act to amend Section 6224 of the Public Resources Code, relating to state lands

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1278—An act to amend Section 11450 of the Welfare and Institutions Code, relating to public social services

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1291—An act to amend Section 13723.06 of the Education Code, relating to classified employees

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1503—An act to add Chapter 8 (commencing with Section 11775) to Part 1 of Division 3 of Title 2 of the Government Code, relating to data processing, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2234—An act to add Section 5011 to the Public Resources Code, relating to the state park system

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 8, inclusive; and strike out page 2, and insert

"5011 Any person receiving aid to the aged under the provisions of the State Old Age Security Law, upon presentation at the entrance to any state park system unit of a Medi-Cal card which identifies him as being entitled to such aid, shall be permitted to enter and use an overnight campsite, if available, and day-use areas and related facilities within the unit free of charge"

Bill ordered reprinted, and returned to the second reading file

Assembly Bill No. 2232—An act to amend Sections 19985, 19990, 19992, and 19993 of, and to repeal Section 19994 of, the Health and Safety Code, relating to factory-built housing.

Bill read second time, and ordered to the Consent Calendar.

Assembly Concurrent Resolution No. 109—Relative to the disposal of hazardous wastes.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 2 of the printed measure, strike out lines 25 to 29, inclusive.

Amendment No. 2

On page 2, lines 32 and 33, strike out "the Public Utilities Commission,".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1744—An act to add Section 402 4 to the Revenue and Taxation Code, relating to property taxation

Bill read second time, and ordered to third reading

Assembly Bill No. 1587—An act to amend Sections 7514 and 7523 of the Business and Professions Code, relating to the Private Investigator and Adjuster Act

Bill read second time, and ordered to third reading

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate Bills were this day on the second reading file

Senate Bills Nos. 747 and **978,** ordered to the Consent Calendar

SECOND READING OF SENATE BILLS

Senate Bill No. 1293—An act to amend Section 10850 of, and to repeal Section 10850 2 of, the Welfare and Institutions Code, relating to public social services.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Welfare, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 1, 1972, strike out "10850 of, and to repeal Section".

Amendment No. 2

In line 2 of the title, strike out the first comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 10850 2 of the Welfare and Institutions Code is amended to read

10850 2 Notwithstanding the provisions of Section 10850, factual information relating to eligibility provided solely by the public assistance recipient contained in applications and records made or kept by any public officer or agency in connection with the administration of any public assistance program shall be open for inspection by the recipient to which the information relates and by any other person authorized in writing by such recipient The written authorization shall be dated and signed by such recipient and shall expire one year from the date of execution In the event of any hearing under the provisions of this division, the attorney or authorized representative of

the applicant or recipient shall be entitled to inspect the case record relating to the applicant or recipient prior to, as well as during, the hearing.

Notwithstanding the provisions of Section 10850 or any other provision of this section, the attorney of an applicant or recipient shall be entitled to examine and copy the records of the applicant or recipient at reasonably convenient times and places.

No list or names obtained through such access to such records or applications as provided in this section shall be used for any commercial or political purposes."

Amendment No. 4

On page 1, strike out lines 2 to 15, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 66—An act to amend Section 11580 2 of the Insurance Code, relating to uninsured motorist insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted·

Set No. 1

Amendment No. 1

On page 3, line 1, of the printed bill, as amended in Senate June 1, 1972, strike out "Section 11580 2 of the", and insert "The California".

Amendment No. 2

On page 3, line 8, after "name", insert "when operating a motor vehicle".

Amendment No. 3

On page 3, strike out lines 15 to 20, inclusive, and insert "operated by the insured."

Amendment No. 4

On page 7, line 14, after "declaration", insert ", under penalty of perjury,".

Amendment No. 5

On page 7, line 18, strike out "facts"; and strike out line 19; and in line 20, strike out "to so proceed", and insert "reasons amounting to good cause are grounds for the arbitration to proceed immediately".

Amendment No. 6

On page 10, lines 16 and 17, strike out "July 1, 1973", and insert "January 1, 1973, or the effective date of statutes enacted at the 1973 Regular Session, whichever is later

SEC 3. The amendments to subdivision (a) of Section 11580 2 of the Insurance Code enacted at the 1972 Regular Session shall not affect the validity or binding force of any agreement executed pursuant to such section prior to the effective date of such amendments".

Set No. 2

Amendment No. 1

On page 6, line 6, of the printed bill, as amended in Senate June 1, 1972, after "law", insert ", or to the United States, or any state or any political subdivision thereof".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 627—An act to amend Section 5313 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Senate June 30, 1972, strike out "is not required to", and insert "shall not".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 401—An act to amend Sections 4700 and 4706 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 22, 1972, after "of", insert ", and to add Section 4706.5 to,".

Amendment No. 2

On page 2, strike out lines 13 to 17, inclusive, and insert "administration."

Amendment No. 3

On page 2, strike out lines 30 to 33, inclusive, and on page 3, strike out lines 1 and 2, and in line 3, strike out "(c)", and insert "(b)".

Amendment No. 4

On page 3, line 7, strike out "Any amount remaining"; and strike out lines 8 to 10, inclusive.

Amendment No. 5

On page 3, line 11, after "SEC. 3.", insert "Section 4706.5 is added to the Labor Code, to read

4706.5. (a) Whenever any fatal injury is suffered by an employee under such circumstances as to entitle him to compensation benefits, but for his death, and such employee does not leave surviving him any person entitled to a dependency death benefit, the employer shall pay a sum to the State Treasurer equal to the total dependency death benefit that would be payable pursuant to Section 4702 to a surviving spouse with no dependent minor children.

(b) Where the deceased employee leaves no surviving dependent, personal representative, heir, or other person entitled to the accrued and unpaid compensation referred to in Section 4700, such accrued and unpaid compensation shall be paid by the employer to the State Treasurer.

(c) Where a dependent beneficiary of any deceased employee dies and there are no persons as designated in subdivision (a) of Section 4706 to receive it, the accrued and unpaid death benefit shall be paid by the employer to the State Treasurer.

(d) Where the actual burial expense is less than the amount specified in Section 4701, the employer shall pay the difference to the State Treasurer.

(e) The payments to be made to the State Treasurer, as required by subdivisions (a), (b), (c), and (d), shall be placed in the fund for the payment of subsequent injuries specified in Article 5 (commencing with Section 4750) of this chapter The payments so received are hereby appropriated for such purpose.

SEC 4."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1154—An act to amend Sections 17764, 17764 4, 17765.8, 17769, 17773, and 17775 of, and to add Sections 17764 1, 17764.2, 17764 5, 17764.6, 17764.7, 17766 5, 17769 1, 17769 2, 17773.1, 17775.1, and 17775 2 to, the Business and Professions Code, relating to trading stamp companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 6, line 11, of the printed bill, as amended in Senate June 6, 1972, strike out "of", and insert "or".

Amendment No. 2

On page 9, line 1, strike out "7", and insert "6".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1157—An act to amend Section 5814 of, to add Section 132a to, and to repeal Section 132a of, the Labor Code, relating to labor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 19, 1972, strike out "to amend Section 5814 of,".

Amendment No. 2

On page 2, lines 17 and 18, strike out "Sections 4553 and 5814", and insert "Section 4553".

Amendment No. 3

On page 2, line 29, strike out "Sections 4553 and 5814", and insert "Section 4553".

Amendment No. 4

On page 2, line 31, strike out "Sections 4553 and 5814", and insert "Section 4553".

Amendment No. 5

On page 3, strike out lines 2 to 16, inclusive.

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 356—An act to add Sections 10554 2 and 10554 5 to the Welfare and Institutions Code, relating to public social services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate April 13, 1972, after "State", insert a comma

Amendment No. 2

On page 2, line 28, strike out "or", and insert "of".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 901—An act to amend Section 128 of the Business and Professions Code and to repeal Section 3 of Chapter 1363 of the Statutes of 1971, relating to businesses and professions, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Committee Amendments Withdrawn

Mr. Monagan was granted unanimous consent to withdraw the amendments of the Committee on Ways and Means to Senate Bill No. 901 and to offer substitute amendments in place thereof.

Motion to Amend

Mr Monagan moved the adoption of the following substitute amendments.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 128 of", and insert "add Section 128 to, and to repeal Section 128, as added by Chapter 1363 of the Statutes of 1971, of,".

Amendment No. 2

Strike out line 2 of the title, and in line 3 of the title, strike out "of 1971", and insert "Code".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 128 of the Business and Professions Code, as added by Chapter 1363 of the Statutes of 1971, is repealed

~~128. Notwithstanding any other provision of law, if at the end of any fiscal year an agency within the Department of Consumer Affairs has unencumbered funds in an amount which equals or is more than the agency's operating budget for the next two fiscal years, such agency shall reduce pro rata all the license or other fees payable by persons regulated by such agency, whether such license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount which will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.~~

SEC 2. Section 128 is added to the Business and Professions Code, to read:

128 (a) Notwithstanding any other provision of law, if at the end of the 1971–1972 fiscal year, or any fiscal year thereafter, an agency within the Department of Consumer Affairs, except the agencies referred to in subdivision (b), has unencumbered funds in an amount which equals or is more than the agency's operating budget for the next two fiscal years, such agency shall reduce license or other fees, whether such license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount which will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years

(b) Notwithstanding any other provision of law, if at the end of the 1973–1974 fiscal year, or any fiscal year thereafter, the California State Board of Architectural Examiners, the Board of Behavioral Science Examiners, the Board of Examiners in Veterinary Medicine, the Certified Shorthand Reporters Board, the Board of Medical Examiners of the State of California, the Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California, the Bureau of Collection and Investigative Services, or the State Board of Dry Cleaners; has unencumbered funds in an amount which equals or is more than the agency's operating budget for the next two fiscal years, such agency shall reduce license or other fees, whether such license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount which will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years "

Amendment No. 4

On page 1, strike out lines 2 to 12, inclusive; and on page 2, strike out lines 1 to 13, inclusive.

Amendment No. 5

On page 2, line 22, after "fees", insert "of agencies within the Department of Consumer Affairs with prescribed unencumbered funds".

Amendment No. 6

On page 2, line 23, strike out ", if reductions"; and in line 24, strike out "are commenced on the date presently required,".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the second reading file.

Senate Bill No. 1349—An act to add Division 1 5 (commencing with Section 475) to the Business and Professions Code, relating to licenses

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 3, line 16, of the printed bill, as amended in Assembly July 5, 1972, strike out the second "of", and insert "furnished by".

Amendment No. 2

On page 4, strike out line 32, and insert "presented will be considered upon a reapplication.

Along".

Amendment No. 3

On page 4, line 34, after "criteria", insert "relating to rehabilitation".

Amendment No. 4

On page 5, line 26, after "criteria", insert "relating to rehabilitation".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 380—An act to amend Sections 35750, 35751, and 35754 of the Vehicle Code, relating to bridges

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 381—An act to amend Section 6319 of, and to add Section 6321 to, the Labor Code, relating to workmen's safety.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 484—An act requiring the State Lands Commission to negotiate for the acquisition of certain federal lands by indemnity selection or exchange

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 574—An act to amend Section 26860 of the Government Code, and to add Article 8 (commencing with Section 10470) to Chapter 8 of the Division 9 of, and to add Section 10617 to, the Health and Safety Code, relating to vital statistics.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 865—An act to amend Section 8388 of, and to add Sections 8388 3, 8388 5, and 8388 7 to, the Fish and Game Code, relating to fishing

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1130—An act to amend, repeal, and add Section 2701, and to amend Sections 2702 and 2703 of, the Business and Professions Code, relating to nurses.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1270—An act to amend Sections 14901 and 14902 of the Government Code, relating to distribution of state publications

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1324—An act to amend Section 34217 of, and to add Sections 34211.1, 65302.2, and 65307 to, the Government Code, relating to planning.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 205—An act to amend Sections 18208, 18210, 18301, and 18502 of, and to add Sections 18203.2, 18203.5, and 18606 to, the Health and Safety Code, relating to mobilehomes and mobilehome parks.

Bill read second time, and ordered to third reading

Senate Bill No. 231—An act to amend Section 350 of the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading.

Senate Bill No. 251—An act to amend Section 72.5 of the Harbors and Navigation Code, relating to harbors and navigation

Bill read second time, and ordered to third reading.

Senate Bill No. 425—An act to add Section 302.1 to the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading

Senate Bill No. 506—An act to amend Sections 74901, 74905, 74906, 74907, 74908, and 74912 of the Government Code, relating to courts.

Bill read second time, and ordered to third reading

Senate Bill No. 682—An act to repeal Article 3.6 (commencing with Section 5050) of Chapter 1 of Division 5 of the Public Resources Code, relating to the state park system

Bill read second time, and ordered to third reading

Senate Bill No. 743—An act to amend Section 11802 of the Vehicle Code, relating to vehicle salesmen.

Bill read second time, and ordered to third reading.

Senate Bill No. 783—An act to amend Section 4440 of the Agricultural Code, relating to fairs

Bill read second time, and ordered to third reading

Senate Bill No. 896—An act to add Section 8589.5 to the Government Code, relating to dam safety.

Bill read second time, and ordered to third reading.

Senate Bill No. 928—An act to amend Section 69595 of the Government Code, relating to courts

Bill read second time, and ordered to third reading.

Senate Bill No. 1002—An act to amend Sections 4300 and 4302 of the Civil Code, relating to blood tests

Bill read second time, and ordered to third reading.

Senate Bill No. 1350—An act making an appropriation in augmentation of Item 219 of the Budget Act of 1972, relating to job development corporations.

Bill read second time, and ordered to third reading

Senate Bill No. 212—An act to add Section 17462 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Senate June 14, 1972, after "plans", insert "and working drawings".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 969—An act to amend Sections 17924, 17925, 17925.5, and 17928 of the Education Code, relating to the financial support of public education, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 26, 1972, strike out ", 17925," and insert "and".

Amendment No. 2

In line 1 of the title, strike out ", and 17928".

Amendment No. 3

On page 2, line 31, strike out "has not", strike out lines 32 to 37, inclusive, and insert "is not eligible for the increase in foundation programs prescribed by Section 17676 only if the district levies, for the fiscal year, the lesser of

(a) A general fund tax rate".

Amendment No. 4

On page 3, strike out line 5, and insert "attendance in the district; or

(b) A general fund tax rate of at least forty cents ($0.40) on each one hundred dollars ($100) of assessed valuation in excess of a rate of one dollar and sixty cents ($1.60) on each one hundred dollars ($100) of assessed valuation."

Amendment No. 5

On page 3, strike out lines 6 to 40, inclusive; on page 4, strike out lines 1 to 21, inclusive, in line 22, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 6

On page 4, strike out lines 27 to 32, inclusive, and insert "high school district which is not eligible for the increase in foundation program prescribed by Section 17676, and".

Amendment No. 7

On page 5, strike out lines 3 to 5, inclusive, and in line 6, strike out "valuation", and insert "which will not exceed a rate sufficient to qualify the district for supplemental support under the final paragraph of Section 17924".

Amendment No. 8

On page 5, strike out lines 13 to 40, inclusive; on page 6, strike out lines 1 to 5, inclusive; in line 6, strike out "SEC. 5", and insert "SEC. 3".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 375—An act to amend Section 6498 of the Education Code, relating to special educational programs

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1224—An act to add Section 823 to the Education Code, relating to certificated personnel

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1225—An act to add Section 13582.2 to the Education Code, relating to classified employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 728—An act to add Section 1903.1 to the Education Code, relating to the State School Building Aid Law of 1952, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 16, 1972, strike out "Section 1903.1", and insert "Sections 1903.1 and 19662.1".

Amendment No. 2

On page 1, line 6, after "1952", insert "(Chapter 10 (commencing with Section 19551) of Division 14)".

Amendment No. 3

On page 2, between lines 2 and 3, insert

"SEC 2. Section 19662 1 is added to the Education Code, to read:

19662 1. Notwithstanding the provisions of Sections 19662 and 19663, in situations where an applicant district at the elementary grade level under this chapter is divided into three parts, each of which is included in a newly formed unified school district, each such part shall be excluded in determining the state loan repayment liability for any apportionment made to the original district subsequent to the date the unification is effective for purposes of Section 1703, provided:

(a) The assessed valuation of such part is less than 4 percent of the original district in the fiscal year immediately preceding the fiscal year the change is made effective for all purposes.

(b) The average daily attendance in such part is excluded in determining projected enrollment of the original district for additional state aid during the period after the change is effective for purposes of Section 1703 and prior to the effective date for all purposes

(c) Such part contains no sites, plans, or school facilities, which were acquired under this chapter or under Chapter 8 (commencing with Section 19401) of Division 14."

Amendment No. 4

On page 2, line 3, strike out "SEC. 2", and insert

"SEC 3".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 535—An act to add Section 6073 to the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in Assembly July 4, 1972, strike out "is not offering for sale", and insert "has not sold items at more than one swap meet or flea market during the year."

Amendment No. 2

On page 1, strike out line 13; and on page 2, strike out lines 1 and 2, and insert

" "Swap meet,".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1010—An act to amend Section 11525 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate June 22, 1972, after "Code", insert "and to add Section 66412.5 to the Government Code,".

Amendment No. 2

On page 1, after line 10, insert

"SEC. 2. Section 66412.5 is added to the Government Code, to read:

66412.5. Every county or city adopting an ordinance to regulate and control subdivisions shall specifically provide for proper grading and erosion control, including the prevention of sedimentation or damage to offsite property.

SEC. 3. It is the intent of the Legislature, if this bill and Senate Bill No. 1118 are both chaptered, that Section 1 of this act shall not become operative, and if Senate Bill No. 1118 is not chaptered that Section 2 of this act shall not become operative."

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 277—An act to add Chapter 11 (commencing with Section 19870) to Part 3 of Division 13 of the Health and Safety Code, relating to energy insulation, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Senate June 20, 1972, strike out "The", and insert "By January 1, 1974, the".

Amendment No. 2

On page 3, line 18, after the first comma, insert "two representatives from the California Chapter of the International Conference of Building Officials,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 181—An act to amend Section 66622 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 793—An act to amend Section 66610 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 363—An act to add Section 513 to the Public Resources Code, relating to the state park system.

Bill read second time, and ordered to the Consent Calendar.

NOTE Later this day Senate Bill No. 363 was re-referred to the Committee on Ways and Means.

Senate Bill No. 189—An act to amend Sections 27516, 27517, 27518, and 27519 of, and to repeal Section 27517.5 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

Senate Bill No. 840—An act to amend Sections 203, 455, 456.5, 456.6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282.5 and 10012.4 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 534—An act to add Section 3251.5 to, and to repeal Section 3251.5 of, the Civil Code, relating to municipal water districts

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 735—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to the San Diego County Flood Control District.

Bill read second time, and ordered to the Consent Calendar.

Senate Joint Resolution No. 8—Relative to parental responsibility in the Federal Food Stamp Program.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Welfare, was read, and adopted.

Amendment No. 1

On page 1, line 6, of the printed measure, after "household", insert ", although the parent may be claiming a dependency tax exemption for the minor".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules

Senate Bill No. 196—An act to add Section 10501 to the Unemployment Insurance Code, relating to human resources development.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Welfare, was read, and adopted.

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "development programs", and insert "programs, including but not limited to, retraining

programs, work incentive programs, job training and placement programs, career opportunity development programs, and vocational educational programs,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 594—An act to add Section 99262.5 to the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1108—An act to place a constitutional amendment on the ballot, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 648—An act to add Section 904.7 to the Penal Code, relating to grand juries.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 10, 1972, after "add", insert "and repeal".

Amendment No. 2

In line 1 of the title, strike out the second "to", and insert "of".

Amendment No. 3

On page 2, after line 21, insert

"The provisions of this section shall remain in effect only until January 1, 1976, at which time this section is repealed."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1352—An act to amend Sections 554 and 602 of the Penal Code, relating to trespass and loitering.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Senate June 9, 1972, strike out "used for the primary", and insert "where explosives are stored and used for the".

Amendment No. 2

On page 5, line 26, strike out "Refusing", and insert "Having no lawful business therein, and refusing".

Amendment No. 3

On page 5, line 31, strike out "of", and insert ", duly authorized by".

Amendment No. 4

On page 5, strike out lines 32 to 34, inclusive, and insert "building or property."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 613—An act to add Section 1753.1 to the Welfare and Institutions Code, relating to the Youth Authority, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate June 8, 1972, strike out lines 2 and 3 of the title, and insert "Code, relating to the Youth Authority."

Amendment No. 2

On page 1, line 4, strike out "or county".

Amendment No. 3

On page 1, line 10, strike out "or county".

Amendment No. 4

On page 2, line 3, strike out "or county".

Amendment No. 5

On page 2, line 7, strike out "(1) any"; strike out lines 8 to 14, inclusive, and insert "any person under the age".

Amendment No. 6

On page 2, strike out lines 17 to 26, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 641—An act to add Section 25984.4 to the Health and Safety Code, relating to dogs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate June 13, 1972, strike out "or any", and strike out lines 4 and 5, and insert ", unless any such dog is accompanied or kept by a dog handler."

Amendment No 2

On page 2, between lines 5 and 6, insert

"(b) No person shall keep any sentry dog or tracker or attack dog in any business establishment or any other place open to the general public at any time unless there is posted at every entrance of such business establishment or place a sign of sufficient size and design to warn persons that such a dog is used at such business establishment or place "

Amendment No. 3

On page 2, line 14, strike out "(b)", and insert

"(c)".

Amendment No 4

On page 2, line 14, after "used", insert "and accompanied".

Amendment No. 5

On page 2, after line 20, insert

"(d) This section does not apply to any dog handler or his dog while training the dog or another dog handler "

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 578—An act to amend Sections 10441 and 10450, to amend the heading of Article 6 (commencing with Section 10450) of Chapter 8 of Division 9 of, to add Sections 10400 5 and 10616 to, and to add Article 6 5 (commencing with Section 10455) to Chapter 8 of Division 9 of, the Health and Safety Code, relating to vital statistics records

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Senate April 27, 1972, strike out "10400 5", and insert "10009, 10400 5,".

Amendment No. 2

On page 3, line 2, after "SECTION 1", insert "Section 10009 is added to the Health and Safety Code, to read:

10009 "Absence of conflicting information relative to parentage" as used in Chapter 8 (commencing with Section 10400) of this division includes entries such as "unknown," "not given," "refused to state," or "obviously fictitious names "

SEC 2 "

Amendment No. 3

On page 3, line 17, strike out "SEC 3", and insert

"SEC 4".

Amendment No. 4

On page 3, line 25, strike out "SEC 4", and insert

"SEC 5"

Amendment No. 5

On page 3, line 37, strike out "SEC 5", and insert "SEC 6".

Amendment No. 6

On page 6, line 17, strike out "SEC. 6", and insert "SEC. 7".

Amendment No. 7

On page 6, line 25, strike out "SEC 7", and insert "SEC 8".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Concurrent Resolution No. 9—Relative to the recycling of waste

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 2, line 18, of the printed measure, as amended in Senate May 8, 1972, strike out "1973", and insert "1974".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 366—An act to amend Section 10470 1 of the Business and Professions Code, relating to real estate.

Bill read second time, and ordered to the Consent Calendar.

NOTE Later this day Senate Bill No. 366 was re-referred to the Committee on Ways and Means.

Senate Bill No. 780—An act to add Section 774 to the Public Utilities Code, relating to public utilities

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1492—An act to amend Section 7738 of the Business and Professions Code, relating to funerals

Bill read second time, and ordered to the Consent Calendar

Senate Concurrent Resolution No. 75—Relative to a recess of the Legislature

Resolution read, and ordered to third reading.

Senate Bill No. 647—An act to amend Section 27706 of, and to add Section 27712 to, the Government Code, relating to public defender.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 3, line 38, of the printed bill, as amended in Senate June 16, 1972, strike out "defendant", and insert "party".

Amendment No. 2

On page 4, line 2, strike out "defendant", and insert "party".

Amendment No. 3

On page 4, line 4, strike out "defendant", and insert "party".

Amendment No. 4

On page 4, after line 10, insert

"The court shall adjudge a standard by which to measure the cost of counsel, which standard shall reflect the cost of services of counsel. Appointed counsel shall provide evidence of the services performed pursuant to such standard."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 947—An act to add Section 904.6 to the Penal Code, relating to grand juries.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate June 13, 1972, after "904.6.", insert "(a)".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1244—An act to add Section 602.4 to the Penal Code, relating to airports.

Bill read second time, and ordered to third reading.

Senate Bill No. 367—An act to add Chapter 17.5 (commencing with Section 9100) to Division 3 of the Business and Professions Code, and to add Section 15459.1 to the Education Code, relating to construction inspectors, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 4, line 16, of the printed bill, as amended in Senate May 23, 1972, strike out the second "director", and insert "board".

Amendment No. 2

On page 4, line 17, strike out "board", and insert "director".

Amendment No. 3

On page 5, line 20, strike out "including, but not limited to:"; and strike out lines 21 to 24, inclusive, and insert "taking into consideration existing specialties and categories used by political subdivisions throughout the state."

Amendment No. 4

On page 7, line 13, strike out "construction inspection".

Amendment No. 5

On page 7, line 14, after "duties", insert "within the provisions of the same law".

Amendment No. 6

On page 10, line 15, strike out "incompetency", and insert "negligence".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 432—An act to amend Sections 7015, 7065 1, 7067, 7137, 7141, 7143, 7143 5, and 7150 of, to amend and renumber Sections 7026 2, 7026 8, 7026 9, 7028 1, 7028 2, and 7116 2 of, to add Sections 7141 5, 7152, 7153, 7153 1, 7153 2, 7153 3, 7154, 7155, and 7155 5 to, and to repeal Sections 7142, 7152, 7153, 7154, 7155, 7156, 7157, and 7158 of, the Business and Professions Code, relating to contractors

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 20, 1972, after "7067," insert "7090,".

Amendment No. 2

On page 4, line 10, strike out "not to exceed", and insert "of not less than five hundred dollars ($500) nor more than".

Amendment No. 3

On page 4, line 12, strike out "not to exceed", and insert "of not less than one month nor more than".

Amendment No. 4

On page 5, strike out line 7, and insert

"SEC 3 5 Section 7090 of the Business and Professions Code is amended to read

7090 The registrar may upon his own motion and shall upon the verified complaint in writing of any person, investigate the actions of any contractor *or home improvement salesman* within the ~~State~~ *state*

and may temporarily suspend or permanently revoke any license *or registration* if the holder, while a licensee *or registrant* or applicant hereunder, is guilty of or commits any one or more of the acts or omissions constituting causes for disciplinary action

The registrar may proceed to take disciplinary action as in this article provided against a person licensed *or registered* under the provisions of this chapter even though the grounds or cause for such disciplinary action arose upon projects or while the licensee *or registrant* was acting in a capacity or under circumstances or facts which, under the provisions of Sections 7044, 7045, 7046, and 7048 ~~of this article~~, would otherwise exempt him or his operations from the provisions of this chapter.

SEC. 4. Section 7116 2 of the Business and".

Amendment No. 5

On page 6, line 8, strike out "SEC 3 2", and insert "SEC. 4.5".

Amendment No. 6

On page 7, line 19, strike out "SEC. 4", and insert "SEC. 4.7".

Amendment No. 7

On page 9, between lines 37 and 38, insert

"The registrar may refuse to register the applicant if he finds that he is not of good moral character."

Amendment No. 8

On page 10, line 25, strike out "article", and insert "chapter".

Amendment No. 9

On page 10, line 35, strike out "article", and insert "chapter".

Amendment No. 10

On page 10, line 39, strike out "article", and insert "chapter".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1020—An act to amend Section 72400 of the Government Code, relating to municipal courts

Bill read second time, and ordered to third reading.

Hon. Mike Cullen Presiding

At 9:55 a.m., Hon. Mike Cullen, 44th District, presiding.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means.

Senate Bills Nos. 363 and 366.

COMMUNICATIONS

Assembly Chamber, July 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

AB No. 2232

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar.

Majority Floor Leader Presiding

At 9:56 a.m., Hon. Jack R. Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890 53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384 1 and 4212 of, and to repeal Part 1.5 (commencing with Section 42.1) of Division 1 of, the Civil Code, and to amend Sections 416 60 and 416 70 of the Code of Civil Procedure, and to amend Sections 895 3, 8702, 23755 5 and 31231 of, the Education Code, and to amend Sections 385, 8672, and 8827 5 of, and to repeal Section 3512 1 of, the Elections Code, and to amend Sections 8201, 8203 1, and 8203 7 of the Government Code, and to amend Sections 1402, 1451. and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698.4, 1698 5, 1700 33, 1700 34, and 4455 of, and to repeal Section 3080 5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203.45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 4200 of the Streets and Highways Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Sections 12509 and 23105 of the Vehicle Code, and to amend Sections 504, 509, 529, 631, 631.1, 781, 11263, 14005 4, 14005 6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, and to repeal Section 1 of Chapter 1748 of the Statutes of 1971, relating to age of majority.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 686?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly June 14, 1972, strike out "Section 42.5", and insert "Part 1.5 (commencing with Section 42.1) of Division 1".

Amendment No. 2

In line 5 of the title, strike out "Section", and insert "Sections 416.60 and".

Amendment No. 3

In line 6 of the title, strike out "5995.45,".

Amendment No. 4

On page 2, line 8, of the title, after "Code", insert ", and to repeal Section 1 of Chapter 1748 of the Statutes of 1971".

Amendment No. 5

On page 8, strike out line 3, and insert

"SEC 9. Part 1.5 (commencing with Section 42.1) of Division 1 of the Civil Code is repealed."

Amendment No. 6

On page 17, strike out lines 18 to 21, inclusive, and insert "of appointment."

Amendment No. 7

On page 17, between lines 27 and 28, insert

"SEC. 14.5. Section 416.60 of the Code of Civil Procedure is amended to read:

416.60. A summons may be served on a minor ~~under 18 years of age~~ by delivering a copy of the summons and of the complaint to his parent, guardian, conservator, or similar fiduciary, or, if no such person can be found with reasonable diligence, to any person having the care or control of such minor or with whom he resides or by whom he is employed, and to the minor if he is at least 12 years of age."

Amendment No. 8

On page 18, strike out lines 33 to 40, inclusive; and on page 19, strike out lines 1 to 10, inclusive.

Amendment No. 9

On page 40, lines 38 and 39, strike out "including Section 25 of the Civil Code,".

Amendment No. 10

On page 59, after line 15, insert

"SEC. 62. Section 1 of Chapter 1748 of the Statutes of 1971 is repealed.

~~Section 1. Except for the provisions relating to the minimum voting age, the provisions relating to minimum age for the sale, purchase or consumption of alcoholic beverages, the provisions relating to the sentencing and commitment of persons to the Department of the Youth Authority, or the provisions relating to veterans' benefits, whenever, in any provision of law, the term "21 years of age" or any similar phrase regarding such age appears, it shall be deemed to mean "18 years of age."~~

SEC 63. The amendments to Civil Code made by Sections 11, 12, and 12.5 of this act changing the definition of "minor," for purposes of the California Uniform Gifts to Minors Act, from one who has not attained the age of 21 years to one who has not attained the age of 18 years, shall apply prospectively only. This means that any custodial property held by a custodian prior to the effective date of the amendment referred to above shall be administered as if the definition of

"minor" referred to the age of 21 years Any property transferred to a custodian to be held as custodial property on or after the effective date of the amendments referred to above shall be administered utilizing the new definition of "minor" as a person who has not attained the age of 18 years.

SEC 64 In the event any other act or acts of the 1972 Regular Session of the Legislature has any effect on any section of any code affected by this act, the provisions of such act or acts, whether chaptered prior or subsequent to this act, shall prevail over the conflicting provisions of this act "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Beverly, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Keysor, Lancaster, Lewis, McAlister, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1717—An act to amend Section 135 of, to add Sections 103 7, 103 8, 103 9, and 256 2 to, and to add Article 6 (commencing with Section 834 1) to Chapter 4 of Division 1 of, the Streets and Highways Code, relating to state highways

Bill read third time, and passed by the following vote:

AYES—Badham, Bagley, Bee, Beverly, Briggs, Burke, Burton, Chappie, Cline, Collier, Conrad, Deddeh, Dent, Fong, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Lancaster, Lewis, MacDonald, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, and Wood—42

NOES—Cory, Davis, Fenton, Foran, Meade, Stacey, and Z'berg—7.

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 104—Relative to alien nonimmigrant pupils in California.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 348 WAIVED

Mr Brown waived his motion to reconsider the vote whereby Assembly Bill No 348 was refused passage

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1707—An act to amend Section 625 of the Welfare and Institutions Code, relating to juvenile court law.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried Time, 10 06 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2195—An act to amend Sections 450 5, 1602, 1603, 2101, 2102, 3011, 3013, 4001, 4002, 4801, 4802, 5000, 5514, 5515, 6011, 6013, 6014, 6015, 6016, 6017, 7002, 7003, 7301, 7303, 9530, and 9531 of, and to amend, repeal, and add Sections 1601, 2100, 3010, and 4800 of the Business and Professions Code, relating to representation of the public on licensing boards.

Bill read third time, and passed by the following vote:

AYES—Bagley, Belotti, Beverly, Brown, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—51.

NOES—Bee and Stacey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1599—An act to add Chapter 11 (commencing with Section 33800) to Division 22 of the Education Code, relating to universities and colleges, and making an appropriation therefor.

Bill read third time, presented by Mr Brown, and passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 1173—An act to amend Sections 33324, 33330, 33363, 33385, and 33411 of, and to add Sections 33333 5 and 33347 5 to, the Health and Safety Code, relating to redevelopment.

Bill read third time, and presented by Mr. Brown.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Willie L. Brown, Jr., Presiding

At 10 15 a m , Hon Willie L Brown, Jr , 18th District, presiding

Senate Bill No. 1455—An act to amend Sections 226 9, 227a, 233 and 233 5 of the Civil Code, relating to personal relations.

Bill read third time, and presented by Mr. Warren.

Bill passed by the following vote

AYES—Bagley, Bee, Beverly, Brown, Burke, Burton, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—49.

NOES—Murphy—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 224—An act to amend Section 461 of, and to add Section 460 5 to, the Code of Civil Procedure, relating to defamation.

Bill read third time, and presented by Mr Fenton.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1056—An act to place specified amendments to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Knox.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—Townsend—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55.

NOES—Townsend—1.

Bill ordered transmited to the Senate.

Senate Bill No. 812—An act to amend Section 869 of the Penal Code, relating to transcripts of preliminary hearings

Bill read third time, and presented by Mr. Murphy.

Bill passed by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 10.21 a.m., Hon. Jack R. Fenton, 51st District, presiding.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1872—An act to amend Sections 5350, 5352.1, 5353, and 5365, and to add Sections, 5352.4, 5358.1, 5358.5 and 6300.2 the Welfare and Institutions Code, relating to mental health.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1872 (presented by Mr. Stacey)?

Senate Amendments of July 5, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 17, 1972, after "act", insert "to amend Sections 5350, 5352.1, 5353, and 5365, and".

Amendment No. 2

In lines 1 and 2 of the title, strike out "5358.1 and 5358.5 to", and insert ", 5352.4, 5358.1, 5358.5 and 6300.2".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 5350 of the Welfare and Institutions Code is amended to read:

5350. A conservator of the person, of the estate, or of the person and the estate may be appointed for any person who is gravely disabled as a result of mental disorder or impairment by chronic alcoholism.

The procedure for establishing, administering and terminating conservatorship under this chapter shall be the same as that provided in Division 5 (commencing with Section 1701) of the Probate Code, except as follows:

(a) A conservator may be appointed for a gravely disabled minor.

(b) Appointment of a conservator under this part shall be subject to the list of priorities in Section 1753 of the Probate Code unless the officer providing conservatorship investigation recommends otherwise to the superior court.

(c) When a gravely disabled person already has a guardian or conservator, the superior court may appoint him or another person as conservator under the provisions of this chapter.

(d) The person for whom conservatorship is sought shall have the right to demand a court or jury trial on the issue whether he is gravely disabled. Demand for court or jury trial shall be made within ~~10~~ *five* days ~~of~~ *following* the hearing on the conservatorship petition. *If the proposed conservatee demands a court or jury trial before the date of the hearing as provided for in Section 5365, such demand shall constitute a waiver of the hearing.*

Court or jury trial shall commence within 10 days of the date of the demand, except that the court shall continue the trial date for a period not to exceed ~~30~~ *15* days upon the request of counsel for the proposed conservatee.

This right shall also apply in subsequent proceedings to reestablish conservatorship.

(e) As otherwise provided in this chapter.

SEC. 2 Section 5352.1 of the Welfare and Institutions Code is amended to read:

5352.1. The court may establish a temporary conservatorship for a period not to exceed 30 days and appoint a temporary conservator on the basis of the comprehensive report of the officer providing conservatorship investigation filed pursuant to Section 5354, or on the basis of an affidavit of the professional person who recommended conservatorship stating the reasons for his recommendation, if the court is satisfied that such comprehensive report or affidavit show the necessity for a temporary conservatorship.

All temporary conservatorships shall expire automatically at the conclusion of 30 days, unless prior to that date the court shall conduct a hearing on the issue of whether or not the proposed conservatee is greatly disabled as defined in subdivision (h) of Section 5008

If the proposed conservatee demands a court or jury trial on the issue whether he is gravely disabled, the court may extend the temporary conservatorship until the date of the disposition of the issue by the court or jury trial.

SEC 3. Section 5353 of the Welfare and Institutions Code is amended to read:

5353 A temporary conservator under this chapter shall determine what arrangements are necessary to provide the person with food, shelter, and care pending the determination of conservatorship He shall give preference to arrangements which allow the person to return to his home, family or friends If necessary, the temporary conservator may require the person to be detained in a facility providing intensive treatment or in a facility specified in Section 5358 pending the determination of conservatorship Any person so detained shall have the same right to judicial review set forth in Article 5 (commencing with Section 5275) of Chapter 2 of this part.

~~Temporary conservatorship shall continue pending a hearing to consider the appointment of a conservator, the trial, but in no event longer than six months.~~ The powers of the temporary conservator shall be those granted in the decree, but in no event may they be broader than the powers which may be granted a conservator.

SEC 4 Section 5352 4 is added to the Welfare and Institutions Code, to read:

5352 4 If a conservatee appeals the court's decision to establish conservatorship, the conservatorship shall continue unless execution of judgment is stayed by the appellate court.

SEC. 5. Section 5358.1 is added to the Welfare".

Amendment No. 4

On page 2, line 6, strike out "2", and insert "6".

Amendment No. 5

On page 2, between lines 19 and 20, insert

"SEC. 7 Section 5365 of the Welfare and Institutions Code is amended to read:

5365. ~~All petitions under this chapter shall be heard within 30 days and the public defender or other attorney shall be appointed by the court for the conservatee or proposed conservatee.~~ *A hearing shall be held on all petitions under this chapter within 30 days of the date of the petition. The court shall appoint the public defender or other attorney for the conservatee or proposed conservatee within five days after the date of the petition.*

SEC. 8. Section 6300.2 is added to the Welfare and Institutions Code, to read

6300.2. Any person admitted to a state hospital as a mentally disordered sex offender shall have the full patient rights specified in Article 7 (commencing with Section 5325) of Chapter 2 of Part 1 of Division 5."

Senate Amendments of July 17, 1972

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in Senate July 5, 1972, strike out "All", and insert

"Except as provided in this section, all".

Amendment No. 2

On page 3, line 22, strike out "greatly", and insert "gravely".

Amendment No. 3

On page 3, line 27, after "trial", insert ", provided that such extension shall in no event exceed a period of six months".

Amendment No. 4

On page 4, line 17, strike out "A conservator", and insert "Neither a conservator, temporary conservator,".

Amendment No. 5

On page 4, line 18, after "chapter", insert ", nor a peace officer acting pursuant to Section 5358.5,".

Amendment No. 5.5

On page 4, line 18, strike out "not".

Amendment No. 6

On page 4, line 19, strike out "his", and insert "a"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mrs Davis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 108 for hearing in the Committee on Ways and Means today.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10·23 a m , Mr Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in the Sergeant at Arms office, at this time, to consider Assembly Concurrent Resolution No. 108.

Hon. Willie L. Brown, Jr., Presiding

At 10.27 a m., Hon. Willie L. Brown, Jr , 18th District, presiding.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1014

The Acting Speaker appointed Messrs Bee, Deddeh, and Collier as a Committee on Conference concerning Senate Bill No 1014

BILLS PASSED ON FILE

Assembly Constitutional Amendments Nos. 78 and 91—Passed on file.

Majority Floor Leader Presiding

At 10 35 a m , Hon Jack R Fenton, 51st District, presiding.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1707

At 10:36 a m , on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1707 passed by the following vote.

AYES—Bee, Belotti, Beverly, Brown, Burton, Campbell, Chacon, Cory, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayes, Harvey Johnson, Keysor, Knox, Lanterman, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—42

NOES—Badham, Briggs, Burke, Chappie, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lewis, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Russell, Seeley, Stacey, Stull, and Wood—24.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2139—An act to amend Section 51238 of, and to add Section 51238 5 to, the Government Code, relating to the California Land Conservation Act of 1965

Bill read third time, and passed by the following vote:

AYES—Arnett, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —61.

NOES—Badham, Briggs, MacGillivray, Murphy, Porter, and Seeley—6

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 2135—Passed on file

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 428—An act to amend Sections 5076 1 and 6041 of the Penal Code, and Sections 1711 5 and 3150 of the Welfare and Institutions Code, relating to corrections

Bill read third time, and presented by Mr. Lanterman.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 754—An act to amend Sections 23625 and 23627 of the Elections Code, relating to district elections.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 119—An act to amend Sections 117a, 117b, 117c, 117d, 117h, and 117p of the Code of Civil Procedure, relating to small claims court.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 781—An act to amend Sections 73663, 73665, 73666, 73667, 74702, 74703, and 74705 of, to add Sections 74702 5 and 74708 to, and to repeal 74708 and 74709 of, the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 908—An act to amend Sections 917 1, 917 2, 917.5 and 917.9 of the Code of Civil Procedure, relating to appeals.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes,

Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 912—An act to amend Sections 17535 and 17536 of the Business and Professions Code, relating to advertising.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 979—An act to repeal Section 952 of, and to add Section 952 to, the Financial Code, relating to bank accounts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1158—An act to add Section 386.1 to the Code of Civil Procedure, relating to interpleader funds

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey,

Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1308—An act relating to the maintenance of the various codes, as follows:

Business and Professions Code:

By amending Section 10238.1

By amending Sections 11025, 11028, and 11029, as added by Chapter 1399 of the Statutes of 1971

Code of Civil Procedure:

By amending Section 1241.7 as amended by Chapter 1524 of the Statutes of 1971

Education Code:

By amending Sections 6482, 22601, and 27133

By amending Section 13583.1 as added by Chapter 317 of the Statutes of 1971

By adding a heading immediately preceding Section 24754 in Chapter 13 of Division 18

By amending and renumbering Section 25428 as added by Chapter 1509 of the Statutes of 1971

By amending and renumbering the heading of Article 3 (commencing with Section 25428) of Chapter 1 of Division 18.5 as added by Chapter 902 of the Statutes of 1971

By repealing Article 3 (commencing with Section 25429) of Chapter 1 of Division 18.5 as added by Chapter 468 of the Statutes of 1970

By repealing Sections 27131.5 and 27133.5

Financial Code:

By amending Section 8805 as amended by Chapter 258 of the Statutes of 1971

By amending Section 11706 as added by Chapter 914 of the Statutes of 1971

Fish and Game Code:

By amending Section 222

Government Code:

By amending the heading of Chapter 8 (commencing with Section 3100) of Division 4 of Title 1

By amending Sections 11552, 11556, 16391.1, 16395, 20100.1, 20102.1, and 31882

By amending and renumbering Section 21264.1 as added by Chapter 719 of the Statutes of 1970

By amending the heading of Article 1.1 (commencing with Section 26620) of Chapter 2 of Part 3 of Division 2 of Title 3

Insurance Code:

By amending Sections 800 and 10270.2

By amending and renumbering Section 10122 as added by Chapter 419 of the Statutes of 1971

Labor Code:

By amending the heading of Part 6 (commencing with Section 1682) of Division 2

Vehicle Code:

By amending and renumbering Section 1104 as amended by Chapter 1748 of the Statutes of 1971

Water Code

By amending Section 20981

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1309—An act relating to the maintenance of various codes, as follows

Agricultural Code

By amending Section 43251

Business and Professions Code:

By amending Section 11003 1

By repealing Section 2100 5

Civil Code

By amending and renumbering Section 1951, as added by Chapter 1317 of the Statutes of 1970

Code of Civil Procedure

By amending the heading of Title 10a (commencing with Section 1650) of Part 3

Corporations Code

By amending Section 28002

Education Code:

By amending Sections 937 1, 1122, 2705, 3100 7, 3204, 3208, 3209, 3210, 3212, 3213, 3253, 3254, 3257 6, 3257 7, 3301 5, 3306, 3384, 3385, 5202, 11301, 17208, 17305, 17308, 25413 1, 25413 5, 25445, 25450 3, 25476 5, 25477, 25477 5, 25482, 25502 5, 25505 15, 27113, and 27126

By amending and renumbering Sections 817 and 1828 5

By amending and renumbering Sections 13345, 13346, 13347, 13348, and 13349, as amended and renumbered by Chapter 438 of the Statutes of 1971

By repealing Sections 3205, 3206, 3207, 8124, 8125, 8126, 11003, and 13722 2

By repealing Article 6 (commencing with Section 25546 13) of Chapter 7 of Division 18 5

By repealing the heading of Article 7 (commencing with Section 31900) of Chapter 5 of Division 22

Elections Code:

By amending Sections 61, 62, 4011, and 14971

Financial Code:

By amending Section 18984

Government Code:

By amending Sections 9107, 9107 5, 9108, 9109, 9111, 9112, 9127, 9708, 10204, 10246, 14983, 24000, 24008, 35124 1, 68541, and 71140

By amending the heading of Article 1 1 (commencing with Section 26620) of Chapter 2 of Part 3 of Division 2 of Title 3

By adding a chapter heading to Part 5 7 (commencing with Section 14980) of Division 3 of Title 2

By adding Chapter 2 (commencing with Section 14990) to Part 5 7 of Division 3 of Title 2

By repealing Sections 11559 and 14609

By repealing the headings of Chapter 6 (commencing with Section 1950) of, and Article 3 (commencing with Section 2000) of Chapter 6 of, Division 4 of Title 1, and Article 4 (commencing with Section 12040) of Chapter 1 of Part 2 of Division 3 of Title 2

By repealing Chapter 5 5 (commencing with Section 13480) of Part 3 of Division 3 of Title 2

Health and Safety Code:

By amending Sections 1685, 1686, 26052, and 39052

By amending the heading of Article 2 (commencing with Section 26510) of Chapter 5 of Division 21

By amending and renumbering Section 11919, as added by Chapter 1486 of the Statutes of 1970

By repealing Sections 12007, 12102 1, 12105 1, and 12105 2, as added by Chapter 1421 of the Statutes of 1970

By repealing Sections 39069, 39070, 39071, 39072, 39073, and 39074, as added by Chapter 778 of the Statutes of 1970

Insurance Code:

By amending Sections 1802.6, 6010, and 6011.5

Labor Code:

By amending Sections 1432, 3212 5, 5407, 5407 5

Penal Code:

By amending Sections 241, 243, 245, 308, 830 10, 830 3, 830 35, and 13806

By amending and renumbering Section 1203(b)

By repealing Section 5056

By repealing Article 4 (commencing with Section 13030) of Chapter 1 of Title 3 of Part 4

Public Resources Code.

By amending Sections 4021 and 5097.94

Public Utilities Code:

By amending Section 3511, 5133, and 5135

By repealing Sections 3576, 5133 5, and 21669.1

Revenue and Taxation Code
By repealing Section 402 7
Streets and Highways Code:
By amending Section 27189
Unemployment Insurance Code:
By amending Section 303
By repealing Article 5 (commencing with Section 802) of Chapter 3 of Part 1 of Division 1, as added by Chapter 1622 of the Statutes of 1971
Vehicle Code:
By amending Sections 545, 8800, 9105, 9854, 14601, 15002, 16105, 17460, 22512, 25800, 25801, 27304, 27903, and 36500
By amending Section 14601 1, as added by Section 8 of Chapter 1195 of the Statutes of 1968
By adding Section 40000 8
By repealing Article 8 5 (commencing with Section 5100) of Chapter 1 of Division 3, as added by Chapter 778 of the Statutes of 1970
By repealing Section 14601 1, as added by Chapter 963 of the Statutes of 1968
Water Code:
By amending Sections 26625, 42226, 42227, and 71814
By repealing the headings of Article 4 (commencing with Section 34755) of Chapter 1 of Part 3 of Division 13, Chapter 4 (commencing with Section 71390) of Part 3 of Division 20, and Chapter 4 (commencing with Section 74270) of Part 3 of Division 21
Welfare and Institutions Code:
By amending Sections 5751 and 19003
By amending and renumbering Section 11008 7, as added by Chapter 578 of the Statutes of 1971

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1318—An act to amend Section 206b of the Code of Civil Procedure, relating to jury trials

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes,

Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1319—An act to amend Sections 630, 645 and 646 of the Probate Code, relating to probate

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 679—An act to add Section 75110 to the Government Code, relating to retirement of judges

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 681—An act to add Section 9358 5 to the Government Code, relating to retirement of legislators

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter,

Powers Priolo, Quimby, Ralph, Russell, Ryan, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 734—An act to amend Section 31725 5 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 833—An act to add Section 31580 1 to the Government Code, relating to the County Employees' Retirement Law of 1937

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 913—An act to add Section 21251 135 to the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Monagan Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey,

Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:47 a m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 425

Mr Waxman was granted unanimous consent to take up Senate Bill No 425, without reference to file, for purpose of amendment

Consideration of Senate Bill No. 425

Senate Bill No 425—An act to add Section 302 1 to the Streets and Highways Code, relating to state highways

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Waxman was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 425 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr Waxman moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly June 26, 1972, after the period, insert "The department, however, is not precluded from acquiring real property necessary to increase the traffic capacity of existing Route 2 as a conventional highway or as a limited access parkway "

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 231

Mr Chappie was granted unanimous consent to take up Senate Bill No 231, without reference to file, for purpose of amendment

Consideration of Senate Bill No. 231

Senate Bill No. 231—An act to amend Section 350 of the Streets and Highways Code, relating to state highways

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Chappie was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 231 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr. Chappie moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in Senate April 25, 1972, strike out "Highway", and insert "State Highway Route".

Amendment No. 2

On page 2, strike out line 16, and insert ", prior to the 90th calendar day of the 1973 Regular Session of the Legislature,".

Amendment No. 3

On page 2, line 19, after "Meyers", insert ", if such a study is requested by a unanimous vote of the El Dorado County Board of Supervisors".

Amendment No. 4

On page 2, line 21, after "Service", insert a comma

Amendment No. 5

On page 2, line 23, strike out "herein", and insert "in Section 1".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Belotti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 387 for hearing in the Committee on Retirement, on Monday, July 24.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 877 CONTINUED

Mr. Cory was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 877 be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 148 for hearing in the Committee on Criminal Justice, on Tuesday, July 25.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Warren:

House Resolution No. 93

Relative to governmental liability

WHEREAS, The California Tort Claims Act of 1963 purports to limit governmental liability "except as otherwise provided by statute"; and

WHEREAS, The act does not specifically provide that governmental entities are liable for nuisance, and

WHEREAS, California Civil Code Section 3479 defines conduct constituting a nuisance and has been applied against governmental entities since 1884; and

WHEREAS, The *Nestle* v *Santa Monica* decision of a divided California Supreme Court clearly continues the liability of governmental entities for nuisance; and

WHEREAS, The majority opinion of the court in *Nestle* relies heavily on legislative intent in finding continued governmental entity liability for nuisance despite enactment of the Tort Claims Act; and

WHEREAS, The California Law Revision Commission which originally drafted the Tort Claims Act has unsuccessfully proposed legislation eliminating liability of governmental entities for nuisance; and

WHEREAS, The Law Revision Commission and special consultants to it have argued that it was originally intended and more consistent that the Tort Claims Act eliminate liability of governmental entities for nuisance; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of this resolution; and be it further

Resolved, That in determining whether governmental entities should continue to be liable for nuisance, such committee balance the needs, impact, and range of governmental activities against the right of the people to be secure from unlawful invasion of their personal liberty and property rights; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 121: By Assemblyman Bagley —Relative to the creation of the Joint Committee on Off-Track Betting.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
18	Education
105	Ways and Means
387	Retirement
430	Criminal Justice
451	Agriculture
493	Judiciary
520	Planning and Land Use
601	Retirement
628	Ways and Means

Senate Bill No.	*Committee*
678	Retirement
680	Retirement
726	Transportation
729	Ways and Means
919	Criminal Justice
922	Ways and Means
949	Education
1009	Ways and Means
1075	Natural Resources and Conservation
1168	Health
1184	Criminal Justice
1238	Planning and Land Use
1235	Water
1278	Welfare
1291	Education
1503	Judiciary

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Assembly Bill No. 452

July 21, 1972

Mr. James Driscoll, Chief Clerk
Room 3194, State Capitol, Sacramento, California

Dear Mr. Driscoll Through a misunderstanding I was inadvertently recorded as an aye vote on AB 452 and it had been my intention to vote no

Respectfully,

BOB WOOD, Assemblyman
Thirty-fourth District

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 283, and Senate Bills Nos 714 and 1400 for hearing in the Committee on Health, on Monday, July 24.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 21, 1972

Mr Speaker. Your Committee on Ways and Means reports:

ACR No 108

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Committee on Commerce and Public Utilities

Assembly Chamber, July 21, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

SB No 516
SB No 636

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

POWERS, Chairman

Above bills ordered to second reading

VOTE CHANGES

Mr Wood was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1455.

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No 1056, and on the passage of the bill

Mr Bee was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1717

Messrs Waxman and Quimby were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 2195

Mr Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1599

Mr Duffy was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1707.

Mr Lanterman was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Bill No 1707.

Mr. Wood was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No. 1707.

Mr. Ralph was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1707.

Messrs Stacey, Wakefield, and Waxman were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2139.

Mr Quimby was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 686.

Mr. Lanterman was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1872.

Speaker Presiding

At 12.23 p m., Hon. Bob Moretti, 42nd District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, July 21, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports

SB No. 412

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use.

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 412—An act to amend Section 11535 of the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Senate April 4, 1972, insert

"(Coauthor: Assemblyman McCarthy)".

Amendment No. 2

In line 1 of the title, strike out "Section 11535 of", and insert "Sections 11535, 11540 and 11540.1 of, and to add Sections 11538.1, 11538.2 and 11538.3 to,".

Amendment No. 3

On page 4, strike out line 15, and insert

"SEC. 2. Section 11538.1 is added to the Business and Professions Code, to read:

11538.1. No city or county shall issue any permit or grant any approval necessary to develop any real property which has been divided, or which has resulteed from a division, in violation of the provisions of this chapter or of the provisions of local ordinances enacted pursuant to this chapter if it finds that development of such real property is contrary to the public health or the public safety. The authority to deny such a permit or such approval shall apply whether the applicant therefor was the owner of the real property at the time of such violation or whether the applicant therefor is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of the acquisition of his interest in such real property.

If a city or a county issues a permit or grants approval for the development of any such real property, it may impose such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property.

SEC 3 Section 11538 2 is added to the Business and Professions Code, to read:

11538 2 Whenever a city or a county has knowledge that real property has been divided in violation of the provisions of this chapter or of local ordinances enacted pursuant to this chapter it shall cause to be filed for record with the recorder of the county in which the real property is located, a notice of violation, describing the real property in detail, naming the owners thereof, and describing the violation Such notice, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property

SEC 4 Section 11538 3 is added to the Business and Professions Code, to read:

11538 3 (a) Any person owning real property may request, and a city or a county shall determine, whether such real property complies with the provisions of this chapter and of local ordinances enacted pursuant thereto Upon making such a determination the city or the county shall cause a certificate of compliance to be filed for record with the recorder of the county in which the real property is located The certificate of compliance shall identify the real property and shall state that the division thereof complies with applicable provisions of this chapter and of local ordinances enacted pursuant thereto The city or the county may impose a reasonable fee to cover the cost of issuing and recording the certificate of compliance

(b) If a city or county determines that such real property does not comply with the provisions of the chapter or of local ordinances enacted pursuant thereto, it may, as a condition of granting a certificate of compliance, impose any of the conditions permitted under Section 11538 1 Such conditions may be fulfilled and implemented by the property owner who has applied for a certificate of compliance pursuant to this section or by a grantee of such property owner If such conditions are not fulfilled or implemented by the applicant property owner or the grantee, the certificate of compliance shall have no force or effect upon any subsequent transfer of the property and any subsequent transferee or assignee shall make a new application for a certificate of compliance pursuant to this section, and the city or county may impose such conditions as would have been applicable at the time such assignee or transferee acquired the property

(c) A certificate of compliance shall be issued for any real property which has been approved for development pursuant to Section 11538 1

(d) A recorded final subdivision map or parcel map shall constitute a certificate of compliance with respect to the parcels of real property described therein

SEC 5 Section 11540 of the Business and Professions Code is amended to read:

11540 *(a)* Any deed of conveyance, sale or contract to sell ~~made contrary to~~ *real property which has been divided, or which has resulted from a division, in violation of* the provisions of this chapter *, or of the provisions of local ordinances enacted pursuant to this chapter,* is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative, or trustee in insolvency or bankruptcy within one year after the date of ~~execution of the deed of conveyance, sale or contract to sell~~ *discovery of the violation of this chapter or of local ordinances enacted pursuant to the provisions of this*

chapter, but the deed of conveyance, sale or contract to sell is binding upon any ~~assignee or transferee~~ *successor in interest* of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or his assignee, heir or devisee.

(b) Any grantee, or his successor in interest, of real property which has been divided, or which has resulted from a division, in violation of the provisions of this chapter or of local ordinances enacted pursuant thereto, may, within one year of the date of discovery of such violation, bring an action in the superior court to recover any damages he has suffered by reason of such division of property The action may be brought against the person who divided the property in violation of the provisions of this chapter or of local ordinances enacted pursuant thereto and against any successors in interest who have actual or constructive knowledge of such division of property.

The provisions of this section shall not apply to the conveyance of any parcel of real property identified in a certificate of compliance filed pursuant to Section 11538 3 or identified in a recorded final subdivision map or parcel map actual or constructive knowledge of such division of property

The provisions of this section shall not limit or affect in any way the rights of a grantee or his successor in interest under any other provision of law

The provisions of this section shall not apply to any deed of conveyance, sale or contract to sell made with respect to real property identified in a certificate of compliance which has been filed for record pursuant to Section 11538 3, from and after the date of recording

SEC 6 Section 11540 1 of the Business and Professions Code is amended to read

11540 1 Nothing in this chapter prevents the governing body of any municipality or county from regulating the division of land which is not a subdivision, provided that such regulations are not more restrictive than the requirements for a subdivision Whenever a local ordinance requires improvements for a division of land which is not a subdivision of five or more lots, such regulations shall be limited to the dedication of right-of-way, easements, and the construction of reasonable offsite and onsite improvements for the parcels being created The validity of any conveyance, as defined in Section 1215 of the Civil Code, made ~~contrary to the provisions of any ordinance prescribing the area or dimensions of lots or parcels, or prohibiting the reduction in area or the separation in ownership of land, or requiring the filing of a map of any land to be divided, shall not be affected, except that any such ordinance may provide that any deed of conveyance, sale or contract to sell made contrary to the provisions of such ordinance is voidable~~ *with respect to any such land which has been divided, or which has resulted from a division, in violation of the provisions of this chapter or local ordinances enacted pursuant thereto shall not be affected except that any deed of conveyance, sale or contract to sell such land is voidable, and damages may be sought,* to the extent and in the same manner provided in Section 11540

SEC 7 This act is an urgency statute necessary for".

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 21, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No 1376

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1376—An act to amend Section 2690 of the Penal Code, relating to prisoners.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2690", and insert "Sections 2690, 5081, 6038, and 6050 of, to add Sections 5002 1, 5002 2, 5002 3, 5002 4, 5002 5, and 5002 6 to, to add Chapter 5 (commencing with Section 6024) to Title 7 of Part 3 of, and to repeal Chapter 5 (commencing with Section 6024) of Title 7 of Part 3".

Amendment No. 2

In line 2 of the title, strike out "prisoners", and insert "the state correctional system".

Amendment No. 3

On page 1, after line 16, insert

"SEC 2 Section 5002 1 is added to the Penal Code, to read:

5002 1 (a) The plans and specifications of every jail, prison, or other place of detention of persons charged with or convicted of crime or of persons detained pursuant to the Juvenile Court Law or the Youth Authority Act, if such plans and specifications involve construction, reconstruction, remodeling, or repairs of an aggregate cost in excess of one thousand five hundred dollars ($1,500), shall be submitted to the department for its recommendations Upon request of any city, city and county, or county, the department shall consider the entire program or group of detention facilities currently planned or under consideration by the city, city and county, or county, and make a study of the entire needs of the city, city and county, or county therefor, and make recommendations thereon No state department or agency other than the department shall have authority to make recommendations in respect to plans and specifications for the construction of county jails or other county detention facilities or for alterations thereto, except such recommendations as the department may request from any such state department or agency

(b) The department shall establish minimum standards for local detention facilities by July 1, 1972 The department shall review such standards biennially and make any appropriate revisions.

The standards shall include, but not be limited to, the following: health and sanitary conditions, fire and life safety, security, rehabilitation programs, recreation, treatment of persons confined in local detention facilities, and personnel training.

In establishing minimum standards, the department shall seek the advice of the following

(1) For health and sanitary conditions:

The State Department of Public Health or, on and after the operative date of Governor's Reorganization Plan No 1 of 1970, the State Department of Health, physicians, psychiatrists, local public health officials, and other interested persons

(2) For fire and life safety·

The State Fire Marshal, local fire officials, and other interested persons.

(3) For security, rehabilitation programs, recreation, and treatment of persons confined in local detention facilities:

The Corrections Advisory Council, the Department of the Youth Authority, local juvenile justice commissions, local correction officials, experts in criminology and penology, and other interested persons.

(4) For personnel training·

The Commission on Peace Officer Standards and Training, psychiatrists, experts in criminology and penology, the Corrections Advisory Council, the Department of the Youth Authority, local correctional officials, and other interested persons

SEC 3 Section 5002 2 is added to the Penal Code, to read·

5002 2 The department shall inspect each local detention facility in the state by January 1, 1974, and shall inspect each such facility biennially thereafter

SEC 4 Section 5002 3 is added to the Penal Code, to read:

5002 3. Inspections of local detention facilities shall be made biennially Inspections shall include, but not be limited to, the following·

(a) Health and safety inspections conducted pursuant to Section 459 of the Health and Safety Code

(b) Fire and life safety inspections pursuant to Sections 13145 and 13146 of the Health and Safety Code

(c) Fire suppression preplanning inspections by the local fire department

(d) Security, rehabilitation programs, recreation, treatment of persons confined in local detention facilities, and personnel training by the staff of the Board of Corrections

Reports of each facility's biennial inspection shall be furnished to the official in charge of the local detention facility, the local governing body, the grand jury, and the presiding or sole judge of the superior court in the county where the detention facility is located Such reports shall set forth the areas wherein the local detention facility has complied and has failed to comply with the minimum standards established pursuant to Section 5002 1

SEC 5. Section 5002 4 is added to the Penal Code, to read·

5002 4 The department shall file with the Legislature by March 31, 1974, and on March 31, in each even-numbered year thereafter, reports of the inspection of those local detention facilities that have not complied with the minimum standards established pursuant to Section

5002 1 The reports shall specify those areas in which the facility has failed to comply and the estimated cost to the facility necessary to accomplish compliance with the minimum standards

SEC 6 Section 5002 5 is added to the Penal Code, to read:

5002 5 The department is authorized to apply for any funds that may be available from the federal government to further the purposes of Sections 5002 1 to 5002 4, inclusive.

SEC 7 Section 5002 6 is added to the Penal Code, to read:

5002 6 For the purpose of this title, "local detention facility" means any city, county, city and county, or regional facility used for the confinement for more than 24 hours of adults or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors

SEC 8 Section 5081 of the Penal Code is amended to read:

5081 The Governor may remove any member of the Adult Authority for misconduct, incompetency, or neglect of duty ~~after a full hearing by the Board of Corrections~~.

SEC 9 Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of the Penal Code is repealed

SEC 10 Chapter 5 (commencing with Section 6024) is added to Title 7 of Part 3 of the Penal Code, to read:

CHAPTER 5 CORRECTIONS ADVISORY COUNCIL

6024. There is hereby established the Corrections Advisory Council, hereinafter referred to as the council, for the purpose of advising the Secretary of the Human Relations Agency as to matters pertaining to correctional program and policy

6025 The council shall be composed of nine members appointed by the Governor, who shall possess mature judgment and a keen interest in corrections, the administration of criminal justice and law enforcement

6026 The council may appoint one deputy or employee, exempt from civil service, under subdivision (e) of Section 4 of Article XXIV of the Constitution It may also employ such other personnel, acquire such facilities, and purchase such equipment and supplies, as are necessary to carry out its duties

6027. The council shall advise the Secretary of the Human Relations Agency with respect to all aspects of the correctional system and its interrelationship with law enforcement and the administration of criminal justice The council shall prepare periodic reports for the Secretary or the Governor as they may require

6028 The Human Relations Agency shall be the means whereby the Department of Corrections and the Department of the Youth Authority may correlate their individual programs for the adults and youths under the jurisdiction of each

6029 The Governor, from time to time, may create, by executive order, one or more special commissions to study the entire subject of crime, with particular reference to conditions in the State of California, including causes of crime, possible methods of prevention of crime, methods of detection of crime and apprehension of criminals, methods of prosecution of persons accused of crime, the entire subject

of penology, and to report its findings, its conclusions and recommendations to the Governor at such times as he may require

The members of such commissions shall serve without compensation, except that they shall receive their actual and necessary expenses incurred in the discharge of their duties

6030 Each such special commission may investigate any and all matters relating to the subjects specified in the order creating it. In the exercise of its powers the commission shall be subject to the following conditions and limitations.

(a) A witness at any hearing shall have the right to have present at such hearing counsel of his own choice, for the purpose of advising him concerning his constitutional rights

(b) No hearing shall be televised or broadcast by radio, nor shall any mechanical, photographic or electronic record of the proceedings at any hearing be televised or broadcast by radio

(c) Notwithstanding any other provision of law, a hearing may be closed to the public in the discretion of the special commission.

6031 Any department of the state is authorized to make its facilities, personnel, and resources available to a special commission.

SEC. 10 Section 6038 of the Penal Code is amended to read:

6038 The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty ~~after a full hearing by the Board of Corrections~~.

SEC 11 Section 6050 of the Penal Code is amended to read:

6050 The Governor, upon recommendation of the director, and with the advice and consent of the Senate, shall appoint the wardens of the various state prisons and the Superintendent of the California Institution for Women The superintendent and each warden shall be subject to removal by the director ~~; but before a warden or a superintendent may be removed by the director, charges against him, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the director. The director may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the warden or superintendent. If the director removes the warden or superintendent his action shall be final. The superintendent and wardens shall continue to be exempt from civil service~~.

The Personnel Board shall fix the compensation of the wardens of the state prisons and of the Superintendent of the California Institution for Women ''

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, July 21, 1972

Mr Speaker The Chairman of your Committee on Health reports:

AB No 283

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 283—An act to amend Section 651 3 of the Business and Professions Code, relating to advertisements

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Bagley", and insert "Campbell".

Amendment No. 2

In line 1 of the title, strike out "651 3", and insert "651".

Amendment No. 3

In line 2 of the title, strike out "advertisements", and insert "healing arts".

Amendment No. 4

On page 1, line 1, strike out "651 3", and insert "651".

Amendment No. 5

On page 1, strike out line 3, and insert

"651 It is unlawful for any person licensed under this division, *except a person licensed under Chapter 7 5 (commencing with Section 3300)*, or under any initiative act referred to in this division to offer for sale or to sell any commodity or to offer to render or to render any service under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a discount, or under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a percentage or otherwise less than the average fee or price then regularly charged under like conditions by the person so licensed or by other persons for such commodity or service or commodity and service The provisions of this section shall not be construed to modify or establish prices or fees or to modify or affect in any manner any other provision of this division "

Amendment No. 6

On page 1, strike out lines 4 to 10, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Health

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2382, and Senate Bills Nos 18, 364, 949, 989, 932 and 1291 for hearing in the Committee on Education, on Tuesday, July 25.

ADJOURNMENT

At 12 25 p.m , Speaker Moretti declared the Assembly adjourned until 9.30 a.m , Monday, July 24, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Eleventh Legislative Day

Two Hundred Fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, July 24, 1972

The Assembly met at 9 30 a m

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Motion carried Time, 9 31 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Hon. John Francis Foran Presiding

At 9 40 a m , Hon John Francis Foran, 23rd District, presiding.

Majority Floor Leader Presiding

At 9 55 a m , Hon Jack R Fenton, 51st District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9·58 a m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, Impress on our hearts that brotherhood is no longer a religious ideal but a challenging material fact There is no peace but universal peace, no enduring prosperity that does not encompass all mankind Let us not sit around waiting for some genius or giant to achieve this. It must be achieved by the accumulation of efforts, small and great, of all of us, brothers —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Hayden then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Russell, seconded by Mr MacDonald.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr Campbell, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton

Mr Thomas, on request of Acting Speaker Fenton.

REPORTS

The following reports were presented by the Chief Clerk:

Reference Supplement to Commercial Vehicle Taxation in California. (Pursuant to Senate Concurrent Resolution No. 86, 1969.) February 1972.

Above transmitted report, together with letter of transmittal from James W Chapman, Jr, Deputy Director, Department of Motor Vehicles, Sacramento, dated July 17, 1972, referred by the Acting Speaker to the Committee on Transportation

COMMUNICATIONS

Assembly Chamber, July 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2180—An act to amend Section 25445 5 of the Education Code, relating to community colleges;

And reports the same correctly enrolled, and presented to the Governor at 1:30 p m, July 21, 1972.

Assembly Chamber, July 21, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 119—Approving amendments to the Charter of the City of Pasadena, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 21st day of July, 1972, at 1.30 p m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, July 21, 1972

Mr Speaker· Your Committee on Elections and Reapportionment reports:

SB No. 464

With amendments with the recommendation Amend, and do pass, as amended.

WAXMAN, Chairman

Above bill ordered to second reading

Committee on Criminal Justice

Assembly Chamber, July 21, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

SB No 503

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill ordered to second reading

COMMUNICATIONS

Assembly Chamber, July 24, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

AB No 2234

And reports the same correctly engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, July 24, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

ACR No 108

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, July 24, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 283

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee.

MESSAGES FROM THE SENATE

Senate Chamber, July 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Holmdahl, Alquist and Bradley as a Committee on Conference concerning:

Senate Bill No. 1014

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 21, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Senate Bill No. 9

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 21, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 701
AB No 1048
AB No 1915

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 21, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 164	SB No 656	SB No 1185
SB No 210	SB No 659	SB No 1218
SB No 279	SB No 763	SB No 1344
SB No 285	SB No 931	SB No 1345
SB No 306	SB No 1061	SB No 1360
SB No 436	SB No 1162	SB No 1462
SB No 545	SB No 1165	SB No 1496
SB No. 560	SB No 1170	SB No 1504

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, July 21, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 54 SCR No 60
SCR No. 59 SCR No. 61

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCA No. 59

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 164—An act to amend Section 1 of Chapter 847 of the Statutes of 1967, relating to a grant pursuant to the Davis-Grunsky Act to the San Bernardino Valley Municipal Water District in connection with the Yucaipa Project

Held at Desk by order of the Acting Speaker.

Senate Bill No. 210—An act to add Chapter 3 5 (commencing with Section 1050) to Division 2 of the Streets and Highways Code, relating to private by-roads.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 279—An act to amend Sections 14005 4, 14005 6 and 14005 7 of, and to add Article 4 5 (commencing with Section 14146) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services.

Held at Desk by order of the Acting Speaker

Senate Bill No. 285—An act relating to the California State University and Colleges, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker

Senate Bill No. 306—An act to add Section 21258 4 to the Government Code, relating to the Public Employees' Retirement System.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 436—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials

Held at Desk by order of the Acting Speaker.

Senate Bill No. 545—An act to amend Sections 21001, 21100, 21101, 21102, 21103, 21104, 21105, 21107, 21150, and 21151 of, to amend and renumber the headings of Chapter 3 (commencing with Section 21100) and Chapter 4 (commencing with Section 21150) of Division 13 of, to add Sections 21002, 21103 5, 21108, and 21152 to, and to add Chap-

ter 3 (commencing with Section 21060) and Chapter 6 (commencing with Section 21200) to Division 13 of, the Public Resources Code, relating to environmental quality

Held at Desk by order of the Acting Speaker

Senate Bill No. 560—An act to amend Section 1117 of the Education Code, relating to school district elections

Held at Desk by order of the Acting Speaker.

Senate Bill No. 656—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 11478, 16645 2, 25502 5, 25505, 25514 5, 25601, and 26501 of, and to add Sections 6931 5 and 17255 to, and to repeal Section 25505 of, the Education Code, and to amend Section 22815 of the Education Code as proposed by Assembly Bill No 666, relating to public education

Held at Desk by order of the Acting Speaker.

Senate Bill No. 659—An act to add Section 39252 5 to the Health and Safety Code, and to add Sections 4000 4, and 4602 3 to the Vehicle Code, relating to air pollution

Held at Desk by order of the Acting Speaker.

Senate Bill No. 763—An act to amend Section 25100 5 of the Government Code, relating to county officers.

Held at Desk by order of the Acting Speaker

Senate Bill No. 931—An act to add Section 35002 to the Education Code and to repeal Section 2 of Chapter 815 of the Statutes of 1970, relating to the Public Service Internship Program.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1061—An act to amend Section 18412 of the Financial Code, relating to industrial loan companies

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1162—An act to repeal Section 5701 of, to add Section 5701 to, and to amend Sections 5720 5, 5722, and 5743 of, the Revenue and Taxation Code, and to amend Section 10 of Chapter 1759 of the Statutes of the 1971 Regular Session of the Legislature, relating to the taxation of racehorses, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1165—An act to add Section 14019 2 to the Welfare and Institutions Code, relating to Medi-Cal

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1170—An act to amend Sections 14103 6 and 14120 of, and to add Section 14103 7 to, the Welfare and Institutions Code, relating to Medi-Cal

Held at Desk by order of the Acting Speaker

Senate Bill No. 1185—An act to amend Sections 205 5 of the Revenue and Taxation Code, relating to property taxation

Held at Desk by order of the Acting Speaker

Senate Bill No. 1218—An act to add Sections 6903 5 and 18105 to the Education Code, relating to special education programs

Held at Desk by order of the Acting Speaker

Senate Bill No. 1344—An act making an appropriation to the Department of Corrections, relating to correctional officers

Held at Desk by order of the Acting Speaker

Senate Bill No. 1345—An act making an appropriation to the Department of the Youth Authority, relating to state employees.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1360—An act to amend Section 463 of, and to add Article 2 9 (commencing with Section 295) to Chapter 2 of Part 1 of Division 1 of, the Health and Safety Code, relating to determination of pregnancy

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1462—An act relating to the state park system and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1496—An act making an appropriation for aquaculture.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1504—An act to amend Sections 10218, 10312, 15025, 15402, and 15711 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 54—Relative to emergency breathing apparatus

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 59—Relative to public higher education

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 60—Relative to Los Angeles International Airport

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 61—Relative to housing

Held at Desk by order of the Acting Speaker

Senate Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1¼a of Article XIII thereof, relating to property taxation

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Porter was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1235 for hearing in the Committee on Water on Tuesday, July 25, 1972.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 2234, ordered to third reading

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 66, 627, 356, 901, 728, 535, 1010, 648, 1352, 641, 647, and **947**, ordered to third reading

---

NOTE: Later this day Senate Bill No 535 was re-referred to the Committee on Ways and Means

---

Senate Bills Nos 1293, 1157, 1349, 578, and **432**, ordered to the Consent Calendar

---

NOTE: Later this day Senate Bill No 432 was re-referred to the Committee on Ways and Means

---

SECOND READING OF SENATE BILLS

Senate Bill No. 784—An act to amend Section 31649 5 of the Government Code, relating to County Employees Retirement Law of 1937.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly July 7, 1972, strike out "all or any part of".

Amendment No 2

On page 2, line 17, after the period, insert "The amount of such service credit shall not exceed four years or one involuntary tour of duty, whichever is less"

Amendment No. 3

On page 2, line 20, strike out "all or any part of".

Amendment No. 4

On page 2, line 31, after the period, insert "The amount of such service credit shall not exceed four years or one involuntary tour of duty, whichever is less."

Set No. 2

Amendment No. 1

On page 2, after line 31, of the printed bill, as amended in Assembly July 7, 1972, insert

"This subdivision shall not be operative in any county until such time as the board of supervisors shall, by resolution adopted by majority vote, make the provisions of this subdivision applicable to such county"

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 516—An act to add Section 597*l* to the Penal Code, relating to pet shops.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate July 6, 1972, strike out line 4, and insert

"597*l*. It shall be unlawful for any person who operates a pet shop to fail to".

Amendment No. 2

On page 2, strike out lines 5 and 6.

Amendment No. 3

On page 2, line 7, strike out "(5)", and insert "(4)".

Amendment No. 4

On page 2, lines 8 and 9, strike out ", injuries, or abnormalities", and insert "or injuries".

Amendment No. 5

On page 2, line 10, strike out "(6)", and insert "(5)".

Amendment No. 6

On page 2, line 13, strike out "skunks,".

Amendment No. 7

On page 2, line 23, strike out "chapter", and insert "section".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 636—An act to amend Sections 7332.5 and 7393.3 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly July 18, 1972, after "cosmetology", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 30, after "7393 3 ", insert "(a)".

Amendment No. 3

On page 2, between lines 35 and 36, insert

"(b) For purposes of this section, a person enrolled as a bona fide, full-time student is a person who has been entered on the roll of a proposed school of cosmetology which has met the requirements prescribed by the board, and who verifies that he will become a bona fide student by having committed himself by contract to attend a full course in cosmetology

(c) No contract referred to in subdivision (b) shall bind the prospective student if the proposed school of cosmetology does not begin instruction within 90 days after the contract is entered into "

Amendment No. 4

On page 2, line 36, before "Such", insert "(d)".

Amendment No. 5

On page 2, line 39, before "This", insert "(e)".

Amendment No. 6

On page 3, after line 2, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Immediate protection proposed by this act is required for prospective students of proposed schools of cosmetology to insure the completion of the student's education Further, persons eligible to take the examination as a cosmetology instructor pursuant to Section 7332 5 of the Business and Professions Code prior to the effective date of amendments to that section made by Chapter 490 of the Statutes of 1971 were rendered ineligible thereby, working a hardship on such persons For such reasons, this act should take effect immediately "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means:

Senate Bills Nos. 535 and 432.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read

Assembly Chamber, July 21, 1972

Mr Speaker The Committee on Conference concerning.

Senate Bill No. 1014—As amended in Assembly June 26, 1972—An act to amend Section 66514 of the Government Code, and to amend Section 30792 2 of the Streets and Highways Code, relating to toll bridges,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Assembly June 26, 1972, after "to", insert "(a)".

Amendment No. 2

On page 3, line 6, after "bridges", insert ", or (b) new bridges where, after 1965 but prior to November 23, 1970, the Legislature has provided funds for preliminary work leading to the issuance of revenue bonds under the provisions of the California Toll Bridge Authority Act for the construction thereof".

Amendment No. 3

On page 3, line 12, strike out "a new Dumbarton Bridge", and insert "the widening of the San Mateo-Hayward Bridge trestle".

Amendment No. 4

On page 3, line 26, after the period, insert "Such issue of revenue bonds may, to the extent that the authority determines feasible, include funds in an amount sufficient to widen the San Mateo-Hayward Bridge trestle"

Amendment No. 5

On page 3, line 38, after the period, insert "Notwithstanding any other provision of law, revenue bonds sold for any purposes authorized by this section may be sold at an interest rate not exceeding 7 percent per annum"

The undersigned consent to the report:

JOHN HOLMDAHL	WADIE P DEDDEH
CLARK BRADLEY	CARLOS BEE
	JOHN L E COLLIER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Leroy F Greene, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Stacey, Stull, Warren, Wilson, and Wood—44.

NOES—Hayden—1.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:04 a m, Mr Leroy F Greene was granted unanimous consent to hold a special meeting of the Committee on Education in the Sergeant at Arms office at this time

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 2135—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

Senate Bill No. 716—An act to add Sections 5136 5 and 5136 6 to the Revenue and Taxation Code, relating to property taxation

Bill read third time, and presented by Mr Bagley.

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Fenton, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, MacDonald, Maddy, McAlister, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—42

NOES—Lewis—1

Bill ordered transmitted to the Senate

Senate Bill No. 506—An act to amend Sections 74901, 74905, 74906, 74907, 74908, and 74912 of the Government Code, relating to courts.

Bill read third time, and presented by Mr MacDonald

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Stacey, Stull, Wakefield, Warren, Wilson, and Wood—47.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 682—An act to repeal Article 3 6 (commencing with Section 5050) of Chapter 1 of Division 5 of the Public Resources Code, relating to the state park system

Bill read third time, and presented by Mr Bagley.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Bagley moved a call of the Assembly

Motion carried Time, 10:10 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 743—An act to amend Section 11802 of the Vehicle Code, relating to vehicle salesmen.

Bill read third time, and presented by Mr Maddy.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—51

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 251—An act to amend Section 72 5 of the Harbors and Navigation Code, relating to harbors and navigation

Bill read third time, and presented by Mr Ray E Johnson

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—48

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 275—An act to amend Section 75033 of the Government Code, relating to judges' retirement

Bill read third time, and presented by Mr Warren

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—52

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 205—An act to amend Sections 18208, 18210, 18301, and 18502 of, and to add Sections 18203 2, 18203 5, and 18606 to, the Health and Safety Code, relating to mobilehomes and mobilehome parks

Bill read third time, and presented by Mr Murphy

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McAlister, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—51

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No 928—An act to amend Section 69595 of the Government Code, relating to courts

Bill read third time, and presented by Mr Stull

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—51

NOES—None

Bill ordered transmitted to the Senate

Hon. Ken Cory Presiding

At 10:18 a m, Hon Ken Cory, 69th District, presiding

Senate Bill No. 1225—An act to add Section 13582 2 to the Education Code, relating to classified employees

Bill read third time, and presented by Mr Keysor

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—48

NOES—Duffy—1

Bill ordered transmitted to the Senate

Senate Bill No. 189—An act to amend Sections 27516, 27517, 27518, and 27519 of, and to repeal Section 27517 5 of, the Elections Code, relating to elections

Bill read third time, and presented by Mr Fenton

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Stacey, Stull, Wakefield, Warren, Wilson, and Wood—51

NOES—None.

Bill ordered transmitted to the Senate

Majority Floor Leader Presiding

At 10 20 a m , Hon Jack R Fenton, 51st District, presiding

Senate Bill No. 1108—An act to place a constitutional amendment on the ballot, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Knox

Urgency Clause

Urgency clause read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Knox moved a call of the Assembly

Motion carried Time, 10 21 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1020—An act to amend Section 72400 of the Government Code, relating to municipal courts

Bill read third time, and presented by Mr Deddeh

~~Bill passed by the following vote~~

~~AYES—Arnett Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier Conrad, Cory Cullen, Deddeh, Dent Duffy Dunlap Fenton, Fong, Foran Garcia, Leroy F Greene, Hayden, Hayes Harvey Johnson Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, Mc-~~

~~Alister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, and Wood—51.~~

~~NOES—None.~~

~~Bill ordered transmitted to the Senate.~~

NOTE Later this day, the action was rescinded whereby Senate Bill No 1020 was passed and ordered transmitted to the Senate See page 6378

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 436 and 656 for hearing in the Committee on Education on Tuesday, July 25, 1972

MEASURES REMOVED FROM CONSENT CALENDAR

On request of Mr Cullen, Assembly Joint Resolution No 13 was removed from the Consent Calendar and, by unanimous consent, placed on the third reading file

On request of Mr Cullen, Senate Bills Nos 255 and 457 were removed from the Consent Calendar

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No 22 2.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1473—An act to amend Sections 73076, 73084, 73084 1, 73084 2, 73084 3, 73084 4, 73084 5, 73084 6, 73085, 73085 1, 73085 2, 73085 3, 73085 4, 73085 5, 73085 6, 73085 8, 73085 9, 73086, 73088, 73089, 73090, 73090 1, 73090 2, and 73096 of, and to add Section 73085 10 to, of the Government Code, relating to courts

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1473?

Amendment No. 1

On page 9, line 10, of the printed bill, as amended in Assembly June 15, 1972, strike out "two", and insert "three"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Hayes Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Wilson, and Wood—55.

NOES—None.

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file

Assembly Bill No. 1587, on request of Mr Townsend.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No 621—An act to amend Section 1241 of the Business and Professions Code, relating to clinical laboratory technology

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Sieroty was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 621 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr. Sieroty moved the adoption of the following amendments:

Set No. 1

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 1, 1972, after line 20, insert

"SEC 2 Section 1241 of the Business and Professions Code is amended to read

1241 This chapter applies to all clinical laboratories in California except those owned and operated by:

(a) The United States of America, or any department, agency, or official thereof acting in his official capacity.

(b) An individual licensed physician and surgeon for laboratory work performed on his own patients If direct or indirect referred work is received from any source, all provisions of this chapter shall apply

(c) An academic institution accredited by an accrediting agency approved by the department when clinical laboratory procedures are performed for teaching or research purposes only, if the results of any examinations performed in such laboratories are not used in the diagnosis or treatment of disease

(d) The Department of Corrections ~~The provisions of this subdivision shall be operative until January 1, 1973, and shall have no force or effect after that date~~

(e) The California Youth Authority

(f) A nonprofit corporation or association, which contracts with or employs individual licensed physicians and surgeons to render medical care and the operations of which are directly funded at least 80 percent by the United States government, for laboratory work performed on the patients of such physicians and surgeons and under the supervision of such physicians and surgeons If direct or indirect referred work is received from any source, all provisions of this chapter shall apply

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 2214 are both chaptered and amend Section 1241 of the Business and Professions Code, and this bill is chaptered after Assembly

Bill No 2214, that the amendments to Section 1241 proposed by both bills be given effect and incorporated in Section 1241 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 2214 are both chaptered, both amend Section 1241, and Assembly Bill No 2214 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

Set No 2

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Senate May 1, 1972, after "are", insert "directly".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Senate Bill No. 638—An act to amend Section 31641 4 of the Government Code, relating to the County Employees' Retirement Law of 1937

Bill read third time, and presented by Mr Townsend

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Townsend moved a call of the Assembly

Motion carried Time, 10:28 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to premit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 783—An act to amend Section 4440 of the Agricultural Code, relating to fairs

Bill read third time, and presented by Mr Belotti

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Burke, Burton, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, and Wood—54

NOES—None

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 10 33 a m , Acting Speaker Fenton declared the Assembly recessed until 10 45 a m

REASSEMBLED

At 10·45 a m , the Assembly reconvened.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1108

At 11 a.m , on motion of Mr Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 1108

Mr Knox was granted unanimous consent to expunge the record, and rescind the action whereby a roll call vote was taken in the Assembly, on this day, on the urgency clause to Senate Bill No 1108

Senate Bill No. 1108 Passed and Retained

By unanimous consent, Senate Bill No 1108 was passed on file, to retain its place on file

BILLS PASSED ON FILE

Assembly Bill No. 380—Passed on file

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 1565—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

BILLS PASSED ON FILE

Assembly Bills Nos. 2376 and **1701**—Passed on file

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 638

At 11 03 a m , on motion of Mr Townsend, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No 638 passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Chacon, Chappie, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, Monagan, Porter, Powers, Seeley, Stacey, Townsend, Vasconcellos, Wilson, and Z'berg—41

NOES—Briggs, Cline, Conrad, Ketchum, Lancaster, Lanterman, Moorhead, Murphy, Priolo, Sieroty, Stull, Wakefield, and Warren—13.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 491—An act to add Section 1463 5 to the Penal Code, relating to fines and forfeitures

Bill read third time, and presented by Mr Barnes

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, subdivision (d) of Section 7, subdivision (c) of Section 8, Section 10, Section 11, subdivisions (a) and (c) of Section 12, and subdivision (b) of Section 23 of Article IV, amending Sections 3 and 8 of Article V, amending Section 20 of Article XX, and adding Section 25 to Article XX thereof, relating to the Legislature.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No 95?

Senate Amendments of June 9, 1972

Amendment No. 1

On page 4, between lines 17 and 18 of the printed measure, as amended in Assembly May 15, 1972, insert

"(d) Neither house without the consent of the other may recess for more than 10 days or to any other place"

Amendment No 2

On page 5, line 1, after "statute" insert "; provided, that any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned by the Governor on or before September 30 of that year becomes a statute".

Amendment No. 3

On page 5, lines 9 and 10, strike out "in the second", and insert "of January of the second calendar".

Amendment No. 4

On page 5, line 12, strike out "between", and insert "on or after".

Amendment No. 5

On page 5, lines 12 and 13, strike out "and adjournment sine die".

Senate Amendments of June 15, 1972

Amendment No. 1

In line 4 of the title of the printed measure, as amended in Senate June 9, 1972, after "4," insert "subdivision (d) of".

Amendment No. 2

On page 4, line 5, after "That", insert "subdivision (d) of".

Amendment No. 3

On page 4, strike out lines 7 to 18, inclusive.

Amendment No. 4

On page 5, line 10, strike out "If the Governor is unable to return a"; strike out lines 11 to 14, inclusive, and insert "The Legislature may not present to the Governor any bill after November 15 of the second calendar year of the biennium of the legislative session."

Senate Amendments of June 28, 1972

Set No. 1

Amendment No. 1

In line 9 of the title of the printed measure, as amended in Senate June 15, 1972, strike out "9", and insert "25".

Amendment No. 2

In line 9 of the title, strike out "XXII", and insert "XX".

Amendment No. 3

On page 7, line 27, strike out "9", and insert "25".

Amendment No. 4

On page 7, line 27, strike out "XXII", and insert "XX".

Amendment No. 5

On page 7, line 29, strike out "9", and insert "25".

Set No. 2

Amendment No. 1

On page 3, line 2, of the printed measure, as amended in Senate June 15, 1972, strike out "The", and insert "Except as provided in subdivision (c), the".

Amendment No. 2

On page 3, between lines 13 and 14, insert

"(c) The Legislature shall convene the regular session following the addition of this subdivision at noon on January 8, 1973 The term of office of the legislators elected at the general election in 1972 shall commence at noon on January 8, 1973 "

Senate Amendments of June 30, 1972

Amendment No. 1

On page 5, line 16, of the printed measure, as amended in Senate June 28, 1972, after the period, insert "If the Legislature by adjourn-

ment of a special session prevents the return of a bill with the veto message, the bill becomes a statute unless the Governor vetoes the bill within 12 days by depositing it and the veto message in the office of the Secretary of State."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ryan, Seeley, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Barnes, Burke, Collier, Ketchum, MacDonald, Murphy, Russell, Stull, and Wakefield—9

Above resolution ordered enrolled.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 912—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 425—An act to add Section 302 1 to the Streets and Highways Code, relating to state highways

Bill read third time, and presented by Mr. Waxman.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Powers, Priolo, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—Bee—1

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 682

At 11:20 a m, on motion of Mr. Bagley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 682 passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Chacon, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves,

Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Burke, Chappie, Davis, Ketchum, Lewis, MacGillivray, and Stacey—7.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 2 5 to Article XIII thereof, relating to property taxation.

Resolution read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs Brathwaite moved a call of the Assembly

Motion carried Time, 11 37 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Murphy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 19 5 to Article XIII thereof, relating to community redevelopment.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs Brathwaite moved a call of the Assembly.

Motion carried Time, 11 40 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stacey was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PASSED ON FILE

Assembly Bill No. 1744—Passed on file.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Ketchum, Senate Bill No. 978 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Concurrent Resolution No. 55—Relative to state agency manpower education and training programs.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 102—Relative to state civil service.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers,

Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1178—An act to amend Sections 70141 10, 73772, and 73773 of the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 267—An act to amend Sections 117 and 395 of the Code of Civil Procedure, relating to venue.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 748—An act to amend Sections 3101, 3107, and 4112 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mil-

ler, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 20—Relative to resource recovery.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 24—Relative to the preservation and protection of an archaeological site.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 31—Relative to the Samoa Bridge.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers,

Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 34—Relative to the improvement of a portion of State Highway Route 12.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—76

NOES—None.

Resolution ordered transmitted to the Senate

Senate Joint Resolution No. 12—Relative to the preservation and protection of an archaeological site

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg and Mr Speaker—76.

NOES—None

Resolution ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1169

Mr Brown was granted unanimous consent that Senate Bill No 1169 be withdrawn from the Committee on Ways and Means, and re-referred to the Committee on Health, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1169 for hearing in the Committee on Health today.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1503

Acting Speaker Fenton was granted unanimous consent that Senate Bill No 1503 be withdrawn from the Committee on Judiciary, and re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Desk be held open to receive the report of the Committee on Education relative to Assembly Bill No. 2382, that the bill be taken up, without reference to file, for purpose of adopting committee amendments, and that the bill be considered engrossed, and returned to the third reading file for the next legislative day.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1098, on request of Mr Dunlap

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1020

Mr Deddeh was granted unanimous consent to rescind the action whereby the Assembly, on this day, passed Senate Bill No 1020, and whereby the bill was ordered transmitted to the Senate

Senate Bill No. 1020 Passed and Retained

By unanimous consent, Senate Bill No 1020 was passed on file, to retain its place on file.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 41, Senate Joint Resolutions Nos. 18, 23, and 25, Assembly Concurrent Resolution No 120, and Senate Constitutional Amendment No 76 for hearing in the Committee on Rules on Tuesday, July 25, 1972

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 387 and 946 for hearing in the Committee on Retirement.

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 714 for hearing in the Committee on Health

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 931, 1218, 1496, and Senate Concurrent Resolution No 59 for hearing in the Committee on Education on Tuesday, July 25, 1972

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1503 for hearing in the Committee on Ways and Means

Mr. Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 210 and 763 for hearing in the Committee on Local Government

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 110 and Senate Constitutional Amendment No 10 for hearing in the Committee on Criminal Justice on Tuesday, July 25, 1972.

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 121 for hearing in the Committee on Rules on Tuesday, July 25, 1972.

Mrs. Fong was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 545 and Senate Concurrent Resolution No. 60 for hearing in the Committee on Environmental Quality.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 348

Mrs. Brathwaite was granted unanimous consent to take up Senate Bill No. 348, temporarily passed on file, out of order, for purpose of amendment.

Consideration of Senate Bill No. 348

Senate Bill No. 348—An act to amend Sections 34270, 34271, 34272, 34290, 34331, 34332, and 34513 of, and to add Sections 17914, 34213.5, 34219, 34286, 34315.3, 34333, 34334, 35495, and 36072 to, the Health and Safety Code, relating to housing authorities.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mrs. Brathwaite was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting her to offer amendments to Senate Bill No. 348 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mrs. Brathwaite moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly July 18, 1972, strike out "17914,".

Amendment No. 1.5

On page 3, strike out lines 1 to 23, inclusive, and in line 24, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 2

On page 3, line 29, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 3

On page 3, line 36, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 4

On page 4, line 18, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 5

On page 4, line 32, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 6

On page 5, line 26, strike out "SEC. 6 5", and insert "SEC 6".

Amendment No. 7

On page 8, line 40, after "by", insert "an intentional or negligent act of".

Amendment No. 8

On page 9, lines 13 and 14, strike out "or for which the authority has adopted", and insert "and not affected by".

Amendment No. 9

On page 9, line 14, after "resolution", insert "adopted".

Amendment No. 10

On page 9, lines 16 and 17, strike out ", except as a waiver may be obtained pursuant to Section 17914".

Amendment No. 11

On page 9, strike out line 20, and insert "repairs,".

Amendment No. 12

On page 12, line 4, after the period, insert "A housing authority need not comply with subdivision (a) of Section 34332 as to units required by law to be demolished at a specified future date."

Amendment No. 13

On page 12, line 9, after the period, insert "The covenant required by subdivision (a) of Section 34332 shall incorporate the regulations adopted pursuant to Section 36071, rather than the State Housing Law, Part 1 5 (commencing with Section 17910) of Division 13, and the rules and regulations promulgated pursuant thereto, if the lease is made subsequent to the effective date of the regulations adopted pursuant to Section 36071."

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Agriculture reports:

SB No 400

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRIGGS, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 20, 1972

Mr Speaker · Your Committee on Ways and Means reports:

SB No 1127

SB No. 1128

With amendments with the recommendation · Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Employment and Public Employees

Assembly Chamber, July 24, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

SB No. 1440

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

HAYES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Employment and Public Employees reports:

SB No. 1137

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

HAYES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 24, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

AB No 2025

With amendments with the recommendation · Amend, and do pass, as amended.

HAYES, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Assembly Chamber, July 24, 1972

Mr Speaker The Chairman of your Committee on Governmental Organization reports.

SB No 605

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 605—An act to amend, repeal, and add Section 12803 and amend Section 12804 of the Government Code, and to amend Section 50 of the Labor Code, relating to Department of Industrial Relations

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate July 11, 1972, strike out ", repeal, and add Section 12803 and amend Section", and insert "Sections 12803 and".

Amendment No. 2

On page 1, strike out line 13; and on page 2, strike out lines 1 to 21, inclusive, and insert

"SEC 2 Section 12803 of the Government Code, as amended by Chapter 333 of the Statutes of 1972, is amended to read:

12803 The Human Relations Agency is hereby renamed the Health and Welfare Agency The Health and Welfare Agency consists of the following departments: Social Welfare; Mental Hygiene; Rehabilitation; Public Health; Human Resources Development; the Youth Authority; Corrections; and Health Care Services ~~; and Industrial Relations~~.

The Department of Industrial Relations is hereby transferred from the Health and Welfare Agency to the Agriculture and Services Agency

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed."

Amendment No. 3

On page 3, between lines 1 and 2, insert

"SEC 3 5 Section 12804 of the Government Code, as amended by Chapter 333 of the Statutes of 1972, is amended to read:

12804 The Youth and Adult Corrections Agency is hereby renamed the Agriculture and Services Agency.

The Agriculture and Services Agency consists of the following: the Department of Agriculture; the Department of Commerce; the Department of General Services; the Department of Veterans Affairs; the Department of Consumer Affairs; the Department of Professional and Vocational Standards; the Franchise Tax Board; the Public Employees' Retirement System; the Office of Consumer Counsel; the State Fire Marshal; *the Department of Industrial Relations;* and the State Teachers' Retirement System

The Department of Corrections and the Department of the Youth Authority are hereby transferred from the Youth and Adult Corrections Agency to the Health and Welfare Agency"

Amendment No. 4

On page 3, strike out lines 7 to 16, inclusive, and insert

"SEC 5 It is the intent of the Legislature, if this bill and Chapter 333 of the Statutes of 1972 become operative and amend Section 12803

of the Government Code, that Section 12803 of the Government Code, as amended by Section 3 of Chapter 333, be further amended on the effective date of this act in the form set forth in Section 2 of this act to incorporate the changes in Section 12803 proposed by this bill Therefore, if Chapter 333 becomes operative before this bill and amends Section 12803, Section 2 of this act shall become operative on the effective date of this act and Section 1 of this act shall not become operative

SEC. 6 It is the intent of the Legislature, if this bill and Chapter 333 of the Statutes of 1972 become operative and amend Section 12804 of the Government Code, that Section 12804 of the Government Code, as amended by Section 6 of Chapter 333, be further amended on the effective date of this act in the form set forth in Section 3 5 of this act to incorporate the changes in Section 12804 proposed by this bill Therefore, if Chapter 333 becomes operative before this bill and amends Section 12804, Section 3 5 of this act shall become operative on the effective date of this act and Section 3 of this act shall not become operative "

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 24, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports

SB No 1380

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1380—An act to amend Section 22505 of the Vehicle Code, relating to vehicles

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted ·

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Senate June 28, 1972, strike out "(b)", and insert

"(b) The Department of Public Works may exercise its authority pursuant to paragraphs (2) and (3) of subdivision (a) only in counties with a population of 100,000 or more, as specified in Section 28020 of the Government Code

(c)".

Amendment No. 2

On page 2, strike out line 28, and insert

"(d) Subdivision (a) shall not apply to:

(1) Public".

Amendment No. 3

On page 2, strike out line 35; and on page 3, strike out lines 1 to 3, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
164	Water
210	Local Government
279	Health
285	Ways and Means
306	Retirement
436	Education
545	Environmental Quality
560	Elections and Reapportionment
656	Education
659	Transportation
763	Local Government
931	Education
1061	Finance and Insurance
1162	Revenue and Taxation
1165	Health
1170	Health
1185	Revenue and Taxation
1218	Education
1344	Ways and Means
1345	Ways and Means
1360	Health
1462	Natural Resources and Conservation
1496	Education
1504	Elections and Reapportionment

Senate Constitutional Amendment No.	*Committee*
59	Revenue and Taxation

Senate Concurrent Resolution No.	*Committee*
54	Labor Relations
59	Education
60	Environmental Quality
61	Urban Development and Housing

Assembly Concurrent Resolution No	*Committee*
121	Rules

RESOLUTIONS

The following resolution was offered:

By Assemblymen Mobley and Maddy:

House Resolution No. 94

Relative to memorializing former Assemblyman William W. Hansen

WHEREAS, It was with the most sincere and profound sorrow that the Members of the Assembly learned of the death of their long-time friend and former colleague, William W Hansen; and

WHEREAS, Born in Fresno on March 25, 1897, Mr Hansen graduated from Fresno High School and attended the University of California at Davis prior to joining the United States Navy during World War I; and

WHEREAS, Following his Navy tour of duty, he returned to the Easton area where he owned and operated a dairy until his election to the Assembly; and

WHEREAS, In 1950 Mr Hansen was elected to the State Legislature from what was then Fresno County's 35th Assembly District and was subsequently re-elected from the rural county district on four occasions; and

WHEREAS, During his tenure in the Assembly, he concerned himself principally with agricultural and water legislation and served as chairman of the Livestock and Dairy Committee and the Agriculture Committee, and

WHEREAS, Among Mr Hansen's accomplishments in the Assembly were his involvement in preliminary work on plans for the State Water Project and authorship of the bill creating the Kings River Water Conservation District, and

WHEREAS, He also served as president of the Fresno Irrigation District, the Fresno County Farm Bureau, and the Eastern Farm Bureau Center, was a long-time director of the Danish Creamery Association, and was an active member of the Grange and the California Guernsey Cattle Association, and

WHEREAS, In addition, he was a member of the Easton Lions Club, the Danish Brotherhood Lodge, the Masons, the American Legion, and the Elks Lodge, and

WHEREAS, Mr Hansen is survived by his widow, Josephine, and by six brothers, Chris, Kirby, Fred, Milton, and Ernest Hansen, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their deep regret at the passing of William W Hansen and extend their most sincere condolences to his family and many friends, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mrs Josephine Hansen

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 78

At 11:47 a m, on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Assembly Constitutional Amendment No 78 refused adoption by the following vote:

AYES—Bee, Brathwaite, Brown, Chacon, Cory, Crown, Cullen, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F Greene, Knox, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Mr Speaker—28

NOES—Badham, Barnes, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, and Wood—34

Motion to Reconsider Assembly Constitutional Amendment No. 78 on Next Legislative Day

Mrs Brathwaite moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No 78 was this day refused adoption

Assembly Constitutional Amendment No 78 ordered to the unfinished business file

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 91

At 11:48 a m, on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Assembly Constitutional Amendment No 91 refused adoption by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F Greene, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, and Mr Speaker—37.

NOES—Badham, Belotti, Briggs, Burke, Chappie, Cline, Collier, Conrad, Cullen, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, Mobley, Monagan, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—28

Motion to Reconsider Assembly Constitutional Amendment No. 91 on Next Legislative Day

Mrs Brathwaite moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 91 was this day refused adoption

Assembly Constitutional Amendment No. 91 ordered to the unfinished business file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 877 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 877 was continued until the next legislative day.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11 48 a m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1159, on request of Mr Karabian.

VOTE CHANGES

Mr. MacGillivray was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No. 275.

Messrs Maddy and McAlister were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 189.

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on the Conference Report on Senate Bill No 1014

Mr. Hayden was granted unanimous consent that he be recorded as voting "No" on the Conference Report on Senate Bill No. 1014.

Messrs LaCoste and Quimby were granted unanimous consent that they be recorded as voting "Aye" on the Conference Report on Senate Bill No 1014.

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 783

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 928

Mr Cline was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 638.

Mr Wood was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Senate Bill No. 638.

Messrs Collier and Russell were granted unanimous consent that they be recorded as voting "No" on concurrence in Senate amendments to Assembly Constitutional Amendment No 95.

Mr Badham was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Constitutional Amendment No 95

Mr LaCoste was granted unanimous consent that he be recorded as voting "Aye" on Senate Bills Nos 275, 716, 205, 251, 743, 783, 1225, and 189

Mr Hayes was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 682

Mr. Maddy was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 682

Mr Brown was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 682.

Messrs Porter and Quimby were granted unanimous consent that they be recorded as voting "Aye" on all items on the Consent Calendar.

Mr Warren was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 425

Mr Quimby was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Constitutional Amendment No 95 and Assembly Bill No 1473.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Education reports:

SB No 1302

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Education reports:

AB No 2382

With amendments with the recommendation: Amend, and do pass, as amended

LEROY F GREENE, Chairman

Consideration of Assembly Bill No. 2382

Pursuant to unanimous consent granted earlier this day, Assembly Bill No 2382 was taken up, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time

Second Reading of Assembly Bill No. 2382 by Unanimous Consent

Assembly Bill No. 2382—An act to amend Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, and declaring the urgency thereof, to take effect immediately, relating to school district unification.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert ", repeal, and add".

Amendment No. 2

On page 2, between lines 27 and 28, insert

"This section shall remain in effect only until July 1, 1973, and as of that date is repealed

SEC 1 5 Section 3106 of the Education Code is amended to read:

3106 An elementary school which has been included in a unified district because of a reorganization of districts under provisions of this chapter shall be maintained as an elementary school by the unified district unless discontinued as provided in this section The governing

board of the unified district may adopt a resolution or order to discontinue the elementary school at any regular or special meeting of the board and the order or resolution shall be in effect after 30 days unless within this period of time a petition is filed with the governing board requesting the continuance of the school signed by the parents or guardians of at least 10 or one-third, whichever number is the greater, of children of elementary school age, who are eligible to attend such school at the time of the petition. The signature of one parent is sufficient to represent all of the children of such parent The parents or guardians eligible to sign such petitions shall be residents within the boundaries of the component elementary school district which maintained the school prior to the establishment of the unified school district, and shall be qualified electors within such district at the time the petition is filed, and shall have children of elementary school age who attend or are eligible to attend such school. If a school is discontinued as herein provided, the governing board of the unified school district may maintain the building for community and civic center and other lawful purposes.

This section does not apply to any unified school district which has an average daily attendance of 15,000 or more or which was unified on or before July 1, 1963, or to a school which is five miles or less from another elementary school

This section shall become operative on July 1, 1973 "

Bill ordered reprinted, and to be returned to the third reading file.

Committee on Employment and Public Employees

Assembly Chamber, July 24, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

SB No 317

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Employment and Public Employees

HAYES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 317—An act to amend Section 19253 5 of the Government Code, relating to state civil service

Bill read second time

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, between lines 7 and 8, insert

"At any time after an employee is notified of termination under this section, the appointing authority may order such employee on leave of absence Such leave of absence shall be with pay and shall continue until such time as it is canceled by the appointing authority, the termination action becomes effective, or the effective date of the board's decision of an appeal from the termination.

Under this section, an appeal from termination shall be heard by the board hearing officer within 45 calendar days following the filing of such appeal; except that the board hearing officer may grant a continuance for good cause at the request of the employee or of the appointing power

If such request for continuance is from an employee on paid leave of absence, granting of such request will extend the leave without pay."

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, July 24, 1972

Mr Speaker: The Chairman of your Committee on Transportation reports:

SB No 659

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 659—An act to add Section 39252 5 to the Health and Safety Code, and to add Sections 4000 4, and 4602 3 to the Vehicle Code, relating to air pollution

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 29, 1972, after "act", insert "to amend Section 39177 1 of, and".

Amendment No. 2

In line 1 of the title, strike out "39252 5 to", and insert "39116 to,".

Amendment No. 3

In line 1 of the title, after "Code," insert "to amend Section 4602 of,".

Amendment No. 4

In line 3 of the title, after the first "to", insert a comma

Amendment No. 4.5

In line 3 of the title, after "pollution", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 2, line 1, strike out "39252 5", and insert "39116".

Amendment No. 6

On page 2, line 3, strike out "39252 5", and insert "39116".

Amendment No. 7

On page 2, line 3, strike out "(d)", and insert "(e)".

Amendment No. 8

On page 2, line 6, strike out "the south coast air basin, as defined"; strike out lines 7 to 9, inclusive, and in line 10, strike out "garaged in such basin," and insert "this state"

Amendment No. 9

On page 2, line 25, after "board", insert ", no later than December 31, 1972,".

Amendment No. 10

On page 2, line 31, after "(d)", insert "Notwithstanding any other provision of law, any motor vehicle which is in compliance with paragraph (1) or (2) of subdivision (a) shall not be required to comply with Section 39176 or 39177.1.

(e)"

Amendment No. 11

On page 3, strike out lines 4 and 5, and in line 6, strike out "(4)", and insert

"(3)"

Amendment No. 12

On page 3, line 7, strike out "not operate satisfactorily", and insert "experience operating difficulties or problems".

Amendment No. 13

On page 3, between lines 10 and 11, insert

"(f) The board shall, no later than December 31, 1972, notify the owners of motor vehicles described in subdivision (a) which are subject to Section 39176 or 39177.1 that if such motor vehicle complies with paragraph (1) or (2) of subdivision (a) it shall not be required to comply with Section 39176 or 39177.1.

(g) The board shall conduct a study to determine if there is a particular class or model of motor vehicle described in subdivision (a) which would experience operating difficulties or problems if required to comply with paragraph (1) or (2) of subdivision (a) The board shall complete the study and notify the owners of such vehicles of such difficulties or problems, if any, no later than December 31, 1972, and shall exempt such vehicles from compliance with paragraphs (1) and (2) of subdivision (a)

SEC. 2. Section 39177.1 of the Health and Safety Code is amended to read

39177.1. (a) Whenever an exhaust emission control device meeting the standards established by the board under Section 39107.6 is accredited pursuant to the provisions of this article and is available for installation as determined by the board, every 1966 through 1970 model year motor vehicle having a manufacturer's gross vehicle weight rating of under 6,001 pounds, which is subject to registration in this state, shall be equipped with such accredited exhaust emission control device in accordance with a schedule of installation to be determined by regulation adopted by the board, in consultation with the Department of the California Highway Patrol and the Department of Motor Vehicles

(b) Enforcement of the provisions of subdivision (a) shall be as follows:

(1) Vehicle inspections shall be conducted pursuant to Section 2814 of the Vehicle Code

(2) Certificates of compliance shall be required upon initial registration, and upon transfer of ownership and registration pursuant to Section 4000 1 of the Vehicle Code.

(3) Certificates of compliance shall be required upon renewal of registration for the year ~~1973~~ *1975*, pursuant to Section 4602 of the Vehicle Code.

(4) By such other authorized means as the board, the Department of Motor Vehicles, and the Department of the California Highway Patrol find practicable

(c) After one or more devices are initially accredited, no device shall be accredited which is less effective than the one or ones initially accredited. Any subsequent accreditation of a more effective device shall not affect the accreditation of a previously accredited device "

Amendment No. 14

On page 3, strike out lines 11 to 19, inclusive, and in line 20, strike out "SEC 2", and insert

"SEC. 3".

Amendment No. 15

On page 3, line 24, strike out "39252 5", and insert "39116".

Amendment No. 16

On page 3, line 27, strike out "39252 5", and insert "39116".

Amendment No. 17

On page 3, line 31, strike out "39252 5", and insert "39116".

Amendment No. 18

On page 3, line 32, strike out "SEC 3", and insert

"SEC 4 Section 4602 of the Vehicle Code is amended to read

4602 (a) Application for renewal of a vehicle registration expiring on the 31st day of December shall be made by the owner not later than midnight of the first Friday in February succeeding the expiration date and shall be made by presentation of the registration card last issued for the vehicle or by presentation of a potential registration card issued by the department for use at the time of renewal and by payment of the full annual fee for the vehicle as provided in this code.

(b) The department shall require, upon ~~1973~~ *1975* renewal of registration of any motor vehicle subject to Section 39177 1 of the Health and Safety Code, a valid certificate of compliance from a licensed motor vehicle pollution control device installation and inspection station indicating that such vehicle is properly equipped with a motor vehicle pollution control device which is in proper operating condition and which is of a type that has been accredited by the State Air Resources Board pursuant to Section 39177 1 of the Health and Safety Code For extraordinary and compelling reasons only, the State Air Resources Board may, by regulation, after a public hearing, defer or

delete the requirement of certificates of compliance required pursuant to this subdivision In such event, the board may adjust the schedule of installation adopted pursuant to subdivision (a) of Section 39177 1 of the Health and Safety Code and shall immediately report to the Governor and the Legislature the actions taken and the reasons therefor

SEC 5".

Amendment No. 19

On page 3, line 36, strike out "39252 5", and insert "39116".

Amendment No. 20

On page 3, line 39, strike out "39252 5", and insert "39116".

Amendment No. 21

On page 4, line 2, strike out "39252 5", and insert "39116".

Amendment No. 22

On page 4, between lines 3 and 4, insert

"SEC. 6 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In order for this act to accomplish its intended result, it is necessary that the State Air Resources Board perform certain studies and other acts by December 31, 1972 In order to provide sufficient time for the board to so perform, it is necessary that this act go into immediate effect "

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

ADJOURNMENT

At 4 05 p m., Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m., Tuesday, July 25, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twelfth Legislative Day

Two Hundred Fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, July 25, 1972

The Assembly met at 9 30 a m

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 9 31 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 9 52 a m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Heavenly Father, Make it easy for us to find You in all men Make us ever aware of the fact that "There are a variety of gifts but the same spirit, a variety of service but the same Lord, a variety of working, but it is the same God who inspires them all in everyone "—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Cory then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Russell, seconded by Mr Cline.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton.

Mr. Dent, on request of Acting Speaker Fenton

Mr. Quimby, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family.

Mr. Miller, on request of Acting Speaker Fenton

RESOLUTIONS

The following resolutions were offered·

By Assemblyman Cory:

House Resolution No. 95

Relative to a noise barrier on State Highway Route 91

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested to construct a suitable noise barrier on the Artesia Freeway, State Highway Route 91, in the vicinity of Buena Park, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Townsend:

House Resolution No. 96

Relative to electrical transmission wires and towers

WHEREAS, Southern California Edison Company has erected many 100-foot steel transmission towers along certain narrow residential streets in the City of Torrance, and

WHEREAS, These towers and wires are high, massive, and unsightly, and as such are aesthetically incompatible with their surroundings in a quiet residential neighborhood, and

WHEREAS, These towers have been constructed in violation of the company's franchise without any compensation to the affected homeowners, and

WHEREAS, The Superior Court of the County of Los Angeles has previously issued a temporary restraining order and preliminary injunction barring the company from further construction of such towers and wires in the City of Torrance, and

WHEREAS, Despite this order of the court, the state Public Utilities Commission has found that residential areas are appropriate locations for such massive and unsightly facilities, and

WHEREAS, The commission's finding is contrary to the recommendations of its own staff and to the opinion of environmental experts who have testified before the commission on this matter, and

WHEREAS, If the Public Utilities Commission decision is allowed to stand, there will be nothing to prevent any public utility from erecting similar towers upon any residential street in any other city in the State of California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the construction practices of public utilities in this state with respect to their erection of massive transmission towers in residential neighborhoods without compensation to the affected homeowners, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

MESSAGES FROM THE SENATE

Senate Chamber, July 24, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

Senate Bill No. 1143

And appointed Senators Marler, Beilenson and Teale, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 24, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Senate Bill No. 1014

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 24, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 530

DARRYL R WHITE Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, July 24, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 873

DARRYL R WHITE Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, July 24, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended ·

AB No 742	AB No 1454	AB No 1812
AB No 1268	AB No 1625	AB No 2333

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, July 24, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted .

AJR No 23

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, July 24, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed

AB No 739	AB No 1041	AB No 1936
AB No 741	AB No 1692	AB No 2122
AB No. 907	AB No 1693	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 24, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SB No 199	SB No. 781	SB No 1056
SB No 224	SB No 912	SB No. 1173
SB No 487	SB No 941	SB No 1285
SB No 732	SB No. 957	SB No. 1455
SB No 754	SB No 1034	

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, July 24, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed.

SB No. 665	SB No 1090	SB No 1330
SB No 772	SB No 1115	SB No. 1482
SB No 1086		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 665—An act to add Article 1 (commencing with Section 23401) to Chapter 3 of Division 17 of the Education Code, relating to the University of California, and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

Senate Bill No. 772—An act relating to community colleges, and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1086—An act relating to health science facilities, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972 (Chapter 156, Statutes of 1972)) by adding thereto Section 2 7A, and declaring the urgency thereof to take effect immediately

Held at Desk by order of the Acting Speaker

Senate Bill No. 1090—An act to add Article 14 3 (commencing with Section 18260) to Chapter 3, Division 14 of the Education Code, relating to driver training.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1115—An act making an appropriation to the University of California

Held at Desk by order of the Acting Speaker

Senate Bill No. 1330—An act to amend Section 1 of Chapter 1273 of the Statutes of 1969, relating to the conveyance of land adjacent to the Puddingstone State Recreation Area

Held at Desk by order of the Acting Speaker

Senate Bill No. 1482—An act to add Section 6360 to the Revenue and Taxation Code, relating to sales and use tax, to take effect immediately, tax levy.

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SCR No. 51

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above resolution re-referred to the Committee on Ways and Means

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SB No. 1407

With the recommendation: Do pass, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, July 25, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports:

SB No. 765

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, with the recommendation to Consent Calendar.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, July 25, 1972

Mr Speaker Your Committee on Revenue and Taxation reports.

SB No 541

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, July 25, 1972

Mr Speaker Your Committee on Revenue and Taxation reports:

SB No 505

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports.

SB No 404
SB No 1007

With the recommendation · Do pass.

GONSALVES, Chairman

Above bills ordered to second reading

Committee on Government Administration

Assembly Chamber, July 25, 1972

Mr Speaker. Your Committee on Government Administration reports:

SB No. 1477

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

RUSSELL, Chairman

Above bill ordered to second reading.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee

Senate Bill No.	*Committee*
665	Education
772	Education
1086	Ways and Means
1090	Education
1115	Education
1330	Natural Resources and Conservation
1482	Revenue and Taxation

REQUEST FOR UNANIMOUS CONSENT

Mr Knox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late John M Sellers, Pinole police officer.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2025—An act to add Section 18854.1 to the Government Code, relating to state civil service

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted·

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"18854 1 In addition to the merit increases provided for in Section 18854, the State Personnel Board may authorize, and provide the

amount and frequency of additional performance salary increases for professional, scientific, administrative, and executive employees on a pilot basis in not more than four departments for a period not to exceed three years from the effective date of this section Performance salary adjustments under this section shall be based on individual performance recognizing differences in employee productivity and achievement and need not be the same for all classes or all employees in a class The board shall study the effects of performance salary increases on employee performance and submit a report of its study to the Governor and the Legislature not later than January 1, 1976."

Amendment No. 2

On page 1, strike out lines 4 to 10, inclusive; and strike out page 2.

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 784, ordered to third reading.

Senate Bills Nos. 516 and 636, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 464—An act to amend Section 25001 3 of the Government Code, relating to supervisorial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Set No. 1

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 1, 1972, strike out line 1; and in line 2, strike out "thereof", and insert "Alameda County prior to December 1, 1976,".

Amendment No. 2

On page 2, strike out line 4, and in line 5, strike out "establishment thereof", and insert ", prior to December 31, 1976".

Amendment No. 3

On page 2, line 9, after "County", insert "in the decade 1970–1980".

Set No. 2

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Senate June 1, 1972, after "legislation", insert "applicable to Alameda County only".

Amendment No. 2

On page 2, line 12, strike out "applicable to Alameda County only", and insert "in such decade".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 503—An act to add Section 4007.5 to the Penal Code, relating to correctional facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

On page 1, lines 6 and 7 of the printed bill, as amended in Senate June 20, 1972, strike out "Department of Corrections, the".

Amendment No. 2

On page 1, line 10, strike out "Director of Corrections,".

Amendment No. 3

On page 2, line 1, after "state", insert "having a population of 370,000 and under 400,000".

Amendment No. 4

On page 2, after line 13, insert

"(c) When state facilities are used pursuant to a contract authorized by subdivision (b), persons who have been committed to a county jail shall be kept separate from, and not allowed to associate with, persons who have been committed to the Department of Youth Authority or the Department of Mental Hygiene

SEC. 2. This act shall be operative until July 1, 1977, and after that date shall have no force or effect."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 400—An act to add Sections 597u, 597v, 597w, 597x, 597y, and 597z to the Penal Code, relating to animals.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Senate June 12, 1972, strike out "which allows", and insert "providing".

Amendment No. 2

On page 3, between lines 6 and 7, insert

"(6) The noise level from the engine shall not exceed 70 dBA when measured within the chamber.

(7) A flexible tubing or pipe at least 24 inches in length shall be placed between the chamber and the engine to minimize vibrations."

Amendment No. 3

On page 3, between lines 11 and 12, insert

"(f) The carbon monoxide gas chamber and its compartments shall be cleaned thoroughly after every cycle of operation "

Amendment No. 4

On page 3, lines 30 and 31, strike out "which allows", and insert "providing".

Amendment No. 5

On page 4, line 4, strike out "use", and insert "cycle of operation".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 1127—An act to amend Section 7626 of the Business and Professions Code, relating to funeral directors

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate May 17, 1972, strike out "(a)".

Amendment No. 2

On page 1, strike out lines 8 and 9, and strike out page 2

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1128—An act to amend Sections 986 3 and 986 5 of the Military and Veterans Code, relating to veterans

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 25, 1972, strike out lines 3 to 7, inclusive.

Amendment No. 2

On page 3, strike out lines 8 to 10, inclusive; and in line 11, strike out "shall not exceed the sum of".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of, and to repeal Chapter 10 5 (commencing with Section 3525) and Chapter 11 (commencing with Section 3550) of, and to add Chapter 10.5 (commencing with Section 3550) and Chapter 11 (commencing with Section 3575) to, of Division 4 of Title 1 of the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employer-employee relations

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted.

Amendment No. 1

Immediately below line 2 of the heading of the printed bill, as amended in Assembly July 17, 1972, insert

"(Coauthors. Assemblymen Bagley, Meade, Porter, Wood, and Z'berg)".

Amendment No. 1.5

In line 7 of the title, after "1 of", insert ", and to add Sections 11551.1 and 11553.1 to,".

Amendment No. 2

On page 6, line 14, strike out "employee", and insert "employer"

Amendment No. 3

On page 6, line 32, after the period, insert "Agreements may be for a period of one or more years"

Amendment No. 4

On page 9, strike out lines 2 to 9, inclusive, and insert

"3507.1 Articles 4, 5, 6, 7, 8 and 9 and Section 3548.2 of Article 10 of this chapter shall be inapplicable to any public agency which on the effective date of this chapter, acting through its governing body, has created by local law, ordinance or resolution, its own board or commission and has adopted its own provisions and procedures which have been submitted to the commission within 60 days of its appointment by such public agency and to which there has been a determination by the commission that such board or commission, and such provisions and procedures, and the continuing implementation thereof, are substantially equivalent to the provisions and procedures set forth in this chapter"

Amendment No. 5

On page 10, line 29, strike out "employee", and insert "employee organization, or an employee, at the direction of such organization,".

Amendment No. 6

On page 11, lines 15 and 16, strike out "such as a personnel board or civil service commission,"

Amendment No. 7

On page 12, line 4, after "chapter", insert "and approved by the governing body of the public agency"

Amendment No. 8

On page 12, strike out lines 6 to 30, inclusive, and insert

"3514 Agreements shall be submitted to the governing body for approval on or before a date certain as agreed by the parties, or within 14 days of the date on which such agreement is executed by the parties, whichever occurs later. Failure by the representative of the public employer to submit the agreement to the governing body within the ap-

propriate time limit shall constitute a refusal to negotiate in good faith

The agreement shall be deemed rejected if the governing body fails to vote to approve the agreement on or before a date certain as agreed by the parties or within 30 days of the submission of the agreement to the governing body, whichever occurs later If the governing body votes to reject the agreement, the parties may agree to implement those provisions of the agreement not requiring approval by the governing body, to be effective and operative in accordance with the terms of the agreement If the governing body rejects part or all of the agreement, the portions rejected may be reopened for negotiation at the request of either party."

Amendment No. 9

On page 13, line 40, after "organization", insert "and"

Amendment No. 10

On page 15, line 17, strike out "shall be paid a"; strike out lines 18 to 20, inclusive, and in line 21, strike out "salary", and insert "and members shall be paid the salary provided for in Article 1 (commencing with Section 11550) of Chapter 6 of Part 1 of Division 3 of Title 2".

Amendment No. 11

On page 15, line 34, after "arbitrators," insert "examiners,"

Amendment No. 12

On page 16, line 36, strike out "government", and insert "public agency".

Amendment No. 13

On page 17, line 13, strike out "government", and insert "public agency"

Amendment No. 14

On page 17, line 32, strike out "governments", and insert "public agencies"

Amendment No. 15

On page 17, line 33, strike out "governments", and insert "public agencies".

Amendment No. 16

On page 19, line 3, strike out "and extent".

Amendment No. 17

On page 19, lines 33 and 34, strike out "the conditions of employment", and insert "issues within the scope of representation"

Amendment No. 18

On page 22, strike out lines 12 to 16, inclusive

Amendment No. 19

On page 23, line 19, after "person", insert "or organization".

Amendment No. 20

On page 24, strike out lines 18 to 20, inclusive, and insert "the charge. No".

Amendment No. 21

On page 25, strike out lines 38 to 40, inclusive, and on page 26, strike out lines 1 to 11, inclusive

Amendment No. 22

On page 29, line 5, strike out "Upon", and strike out lines 6 to 16, inclusive.

Amendment No. 23

On page 30, after line 40, insert

"3548 3. Nothing in this chapter shall be deemed to supersede any provisions in the Public Utilities Code relating to employees of transit or rapid transit districts "

Amendment No. 24

On page 35, between lines 8 and 9, insert

"SEC. 2 5 Section 11551.1 is added to the Government Code, to read

11551 1. An annual salary of thirty-one thousand five hundred dollars ($31,500) shall be paid to each of the following

(a) Chairman, California Public Employee Relations Board

SEC 2 6 Section 11553 1 is added to the Government Code, to read·

11553 1 An annual salary of twenty-eight thousand three hundred fifty dollars ($28,350) shall be paid to each of the following:

(a) Members of the California Public Employee Relations Board".

Amendment No. 25

On page 35, after line 10, insert

"SEC 4 This act shall become operative on July 1, 1973 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1137—An act to amend Section 3500 of the Government Code, relating to public employer-employee relations

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Employment and Public Employees, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 23, 1972, in line 15, strike out "foregoing provisions of this section", and insert "provisions of this chapter"

Amendment No. 2

On page 2, after line 21, insert

"SEC 2 The provisions of this act shall not become operative if Senate Bill No 1440 of the 1972 Regular Session of the Legislature is enacted and becomes effective "

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

Senate Bill No. 1302—An act to amend Section 16601 5 of, to add Sections 16602 5 and 16602 6 to, to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, and to add Article 1 5 (commencing with Section 16820) to Chapter 1 of Division 13, the Education Code, and to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151.5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 4, line 2, of the printed bill, as amended in Senate July 3, 1972, strike out "8 years", and insert "the completion of grade three or its equivalent,".

Amendment No. 2

On page 4, line 10, strike out "opportunities are", and insert "programs that are or may be".

Amendment No. 3

On page 4, line 11, after "age", insert "be coordinated with the restructuring of primary education in California in order"

Amendment No. 4

On page 4, line 22, strike out "Maximize the use", and insert "Maximum use is made".

Amendment No. 5

On page 4, line 23, after "of", insert "coordinated".

Amendment No. 6

On page 5, line 8, strike out ", to 8 years", and insert "to the completion of grade three, or its equivalent".

Amendment No. 7

On page 5, line 16, strike out "a".

Amendment No. 8

On page 5, line 17, strike out "plan", and insert "plans".

Amendment No. 9

On page 5, line 18, after "education", insert "developed and submitted by local school districts".

Amendment No. 10

On page 5, strike out lines 27 to 29, inclusive, and in line 30, strike out "year."

Amendment No. 11

On page 5, line 33, strike out ", development, and", and insert "and development of the plan prior to".

Amendment No. 12

On page 6, line 4, after "education", insert "on a school-by-school basis"

Amendment No. 13

On page 6, lines 4 and 5, strike out "on a school-by-school basis".

Amendment No. 13.5

On page 6, between lines 21 and 22, insert
"(g) Program of evaluation of pupils' health needs."

Amendment No. 13.7

On page 6, line 22, strike out "(g)", and insert
"(h)"

Amendment No. 13.8

On page 6, line 25, strike out "(h)", and insert
"(i)"

Amendment No. 14

On page 6, between lines 26 and 27, insert
"(j) Programs for comprehensive parent education"

Amendment No. 15

On page 6, line 27, strike out "(i)", and insert
"(k)".

Amendment No. 16

On page 6, line 28, strike out "(j)", and insert
"(l)".

Amendment No. 17

On page 6, line 31, strike out "(k) Joint evaluation", and insert "(m) Evaluation"

Amendment No. 18

On page 6, line 32, strike out the first comma, and insert "of"

Amendment No. 19

On page 6, lines 32 and 33, strike out ", the administration, and early primary teachers", and insert "with the assistance of the administrators, teachers,"

Amendment No. 20

On page 7, between lines 3 and 4, insert
"No district shall initiate classes for pupils of age three years and nine months or over under a master plan for early childhood education until that district has demonstrated to the satisfaction of the State Board of Education that its program for restructuring kindergarten through grade 3, or its equivalent is completed and successful and no child shall be admitted to such class until it is established that that child will benefit from such instruction In no event shall such classes be initiated prior to the 1975–1976 fiscal year"

Amendment No. 21

On page 7, line 21, after "on", insert "low levels of pupil achievement and"

Amendment No. 22

On page 7, lines 21 and 22, strike out "a low level of pupil achievement and a low level", and insert "low levels".

Amendment No. 23

On page 8, lines 8 and 9, strike out "with an approved master plan", and insert "receiving allowances pursuant to Section 6445 12 or Section 6445.13, or both, or implementing a master plan for early childhood education approved by the State Board of Education pursuant to Section 6445 4,".

Amendment No. 24

On page 11, line 6, after "include", insert "how"

Amendment No. 25

On page 11, line 6, strike out "services as provded" , and insert "services, as provided".

Amendment No. 26

On page 11, line 7, after "16603", insert ", are to be coordinated with the program".

Amendment No. 27

On page 11, line 18, after "6446.1", insert
"(a)".

Amendment No. 28

On page 11, line 19, strike out "in any term".

Amendment No. 29

On page 11, line 23, strike out "term ", strike out line 24, and insert "year
The".

Amendment No. 30

On page 11, line 26, strike out "If there", and strike out lines 27 to 37, inclusive, and insert

"(b) As an alternative to admitting all children three years and nine months of age on or before September 1 at the beginning of each school year pursuant to subdivision (a), school districts may, as a part of their respective master plans approved under Section 6445 4, authorize the admission of all children on an individual basis at the time that each respective child reaches four years of age

(c) The State Board of Education shall adopt rules for the approval of state aid based upon late enrollment in any school year For the purpose of this section, late enrollment shall be considered any enrollment after the first month of the school year "

Amendment No. 31

On page 12, line 11, strike out "6445 12", and insert "6445 13"

Amendment No. 31.5

On page 12, line 13, strike out "support", and insert "provide public services for".

Amendment No. 31.7

On page 12, strike out line 14, and insert "eligible to receive such".

Amendment No. 32

On page 12, between lines 25 and 26, insert

"6446 6. Nothing in this chapter shall be construed to sanction, perpetuate, or promote the racial and ethnic segregation of pupils in public schools."

Amendment No. 33

On page 13, line 4, strike out "Any moneys"; and strike out lines 5 to 9, inclusive.

Amendment No. 34

On page 13, line 22, strike out "primary," and insert "childhood education programs".

Amendment No. 35

On page 13, strike out lines 33 to 40, inclusive; on page 14, strike out lines 1 to 4, inclusive; in line 5, strike out "16821", and insert "16820".

Amendment No. 36

On page 14, line 6, after "provide", insert ", beginning in the 1975–1976 fiscal year,".

Amendment No. 37

On page 14, line 7, after "from", insert "public",

Amendment No. 38

On page 14, strike out lines 17 to 21, inclusive.

Amendment No. 39

On page 14, strike out lines 26 to 40, inclusive; on page 15, strike out lines 1 to 13, inclusive; in line 14, strike out "SEC. 7", and insert "SEC 6".

Amendment No. 40

On page 15, line 22, strike out "SEC. 8", and insert "SEC 7".

Amendment No. 41

On page 16, line 11, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 42

On page 16, line 26, strike out "SEC. 10", and insert "SEC 9".

Amendment No. 43

On page 17, line 4, strike out "SEC 11", and insert "SEC 10".

Amendment No. 44

On page 17, line 9, after "6445 12", insert "and Section 16445 13".

Amendment No. 44.7

On page 17, line 11, strike out "forty-four million"; strike out line 12, and insert "twenty-five million dollars ($25,000,000)."

Amendment No. 45

On page 17, line 13, strike out "one hundred three"; strike out lines 14 to 40, inclusive; on page 18, strike out lines 1 to 19, inclusive; in line 20, strike out "(d)", and insert "forty million dollars ($40,000,000).

(b)".

Amendment No. 46

On page 18, lines 20 and 21, strike out "five hundred thousand dollars ($500,000)", and insert "two hundred fifty thousand dollars ($250,000)".

Amendment No. 47

On page 18, line 31, strike out "SEC 12", and insert "SEC. 11".

Amendment No. 48

On page 18, line 38, after "if", insert "Assembly Bill No 1000 of the 1972 Regular Session takes effect or if"

Amendment No. 49

On page 19, after line 1, insert

"SEC 12 (a) The Department of Education shall report to the Legislature on or before the fifth day of the 1975 legislative session on:

(1) Degree of program implementation.

(2) Successes of districts participating in the program

(3) Evidence supported by research and documentation that classes proposed to be provided for children three years and nine months of age will be of educational benefit to children of such age

(4) Districts approved by the State Board of Education, in accordance with criteria it shall establish, to initiate classes for pupils three years and nine months of age, under their master plans for early childhood education, during the 1976–1977 school year

(b) Upon receipt of such report, the Senate Rules Committee and the Speaker of the Assembly shall refer the report to the Committee on Education of their respective houses for study and report Such committee report shall be made no later than the 50th calendar day of continuous session of the Legislature after the date on which the department's report was transmitted to each house of the Legislature

(c) A resolution of either house of the Legislature delaying initiation for a specified time of classes for pupils three years and nine months, as proposed in the department's report, may be made by floor motion within 40 calendar days following the submission of the committee reports provided for in subdivision (b) Such a resolution shall be voted on without referral to a committee

If either house adopts such a resolution of delay, the State Board of Education shall delay the initiation of early childhood education classes for pupils three years and nine months of age as proposed in the department's report until the time specified If either house does not adopt a resolution of disapproval within 40 calendar days as provided in this subdivision, the State Department of Education shall be authorized to allow the initiation of such classes as specified in its report

SEC 13 Sections 7, 8 and 9 of this act shall become operative only if Assembly Bill No 99 of the 1972 Regular Session of the Legislature is not enacted.

SEC 14 It is the intent of the Legislature, if this bill and Assembly Bill No 1000 of the 1972 Regular Session of the Legislature are both chaptered, appropriating funds as proposed by subdivision (a) of Section 10 of this bill and subdivisions (b), (c), and (d) of Section 16140 of the Government Code as proposed by Assembly Bill No 1000 of the 1972 Regular Session of the Legislature, Section 11(a) of this bill shall have no force or effect ''

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 255—An act to amend Section 71180 of the Government Code, relating to courts

Bill read second time, and ordered to third reading.

Senate Bill No. 457—An act to amend Section 6322 1 of the Business and Professions Code, relating to law libraries

Bill read second time, and ordered to third reading.

Senate Bill No. 978—An act to amend Sections 26, 361, and 362 of the Probate Code, relating to the probate of estates

Bill read second time, and ordered to third reading.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 877 WAIVED

Mr Cory waived his motion to reconsider the vote whereby Assembly Bill No 877 was refused passage

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1302 for hearing in the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Rules reports

HR No 78	HR No 82	HR No 84
HR No 79	HR No 86	

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BURTON, Chairman

Above resolutions ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 86

Mr Bee was granted unanimous consent to take up House Resolution No 86 without reference to file.

Consideration of House Resolution No. 86

House Resolution No. 86—Relative to Council of State Governments.

NOTE: The full text of House Resolution No. 86 appears at page 6194 of the Assembly Daily Journal for July 19, 1972

Resolution read, presented by Mr Bee, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 901—An act to add Section 128 to, and to repeal Section 128, as added by Chapter 1363 of the Statutes of 1971, of, the Business and Professions Code, relating to businesses and professions, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Monagan

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 12(c), of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 901:

Governor's Office, Sacramento
May 30, 1972

To the Honorable Members of the Senate and Assembly:

Senate Bill No. 901, "An act to amend Section 128 of the Business and Professions Code and to repeal Section 3 of Chapter 1363 of the Statutes of 1971, relating to businesses and professions, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No 901, as an emergency measure.

Respectfully,

RONALD REAGAN, Governor

The question being on the adoption of the urgency clause to Senate Bill No 901

Urgency clause adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers,

Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 728—An act to add Sections 1903.1 and 19662.1 to the Education Code, relating to the State School Building Aid Law of 1952, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Badham.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1010—An act to amend Section 11525 of the Business and Professions Code and to add Section 66412.5 to the Government Code, relating to subdivisions

Bill read third time, and presented by Mr. Priolo

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis,

Deddeh, Duffy, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Foran was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 648—An act to add and repeal Section 904 7 of the Penal Code, relating to grand juries

Bill read third time, and presented by Mr MacDonald.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1352—An act to amend Sections 554 and 602 of the Penal Code, relating to trespass and loitering

Bill read third time, and presented by Mr Beverly.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Thomas, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Porter was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 164 for hearing in the Committee on Water.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered.

Assembly Joint Resolution No. 39: By Assemblyman Moretti—Relative to gun control

Referred by the Acting Speaker to the Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 641—An act to add Section 25984.4 to the Health and Safety Code, relating to dogs

Bill read third time, and presented by Mr Beverly

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy Dunlap, Fenton, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr Speaker—54.

NOES—None

Bill ordered transmitted to the Senate,

Senate Bill No. 647—An act to amend Section 27706 of, and to add Section 27712 to, the Government Code, relating to public defender.

Bill read third time, and presented by Mr MacDonald

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 947—An act to add Section 904 6 to the Penal Code, relating to grand juries

Bill read third time, and presented by Mr Z'berg.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Z'berg moved a call of the Assembly.

Motion carried. Time, 10·27 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2376—An act to add Section 407 5 to the Agricultural Code, to amend Section 570 of the Education Code, to amend Sections 5651 and 5803 of the Fish and Game Code, to amend Sections 11017, 11553, 11554, 12805, 14808 1, and 65040 of, to add Part 2 8 (commencing with Section 12900) to Division 3 of Title 2 of, to add Title 7.3 (commencing with Section 66700) to, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, and Title 7.3 (commencing with Section 66700) of, the Government Code, to amend Section 152 of the Harbors and Navigation Code, to amend Sections 425, 5410, 24157, 24159, 24263 8, 24303, 24350 3, 24354 14, 39001, 39054 1, 39059, 39066, 39068 2, 39100 3, 39195, 39201, 39261, 39262, 39314, 39392, 39461, 39482, and 39540 of, to amend the heading of Part 1 (commencing with Section 39000) of Division 26 of, to add Sections 25600.7, 25611, 25650 5, 25655, 25735 5, 25804, 26203 1, and 39065 to, to add Chapter 5 (commencing with Section 4500) to Part 2 of Division 5 of, Chapter 2 (commencing with Section 39020) to Part 1 of Division 26 of, and Division 28 (commencing with Section 39800) to, and to repeal Sections 39013, 39063, 39064, and 39065 of, and to repeal Chapter 5 (commencing with Section 4500) of Part 2 of Division 5 and Chapter 2 (commencing with Section 39020) of Part 1 of Division 26 of, the Health and Safety Code, to amend Section 6419 of, and to add Section 6312 5 to, the Labor Code, to amend Sections 3742 and 21103 of the Public Resources Code, to amend Sections 8657 and 10753 of the Revenue and Taxation Code, to amend Sections 4000.1, 4602, 24007, 27156, 27157, 27157 5, and 40001 of the Vehicle Code, and to amend Sections 25, 230, 1003 5, 1060, 2862, 2863, 2866, 10500, 10504, 10504 1, 10504.5, 10505 5, 12232, 12233, 12617 1, 12923 1, 13050, 13147, 13203, 13220, 13625, 13973, and 13974 of, to amend and renumber the heading of Article 3 (commencing with Section 13140) and Article 4 (commencing with Section 13160) of Chapter 3 of Division 7 of, to add Article 3 (commencing with Section 174) and Article 3 5 (commencing with Section 180) to Chapter 2 of Division 1 of, and to repeal Article 3 (commencing with Section 174) of Chapter 2 of Division 1 of, and Article 1 (commencing with Section 13100) and Article 2

(commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, relating to environmental protection.

Bill read third time.

Request for Unanimous Consent

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

The question being on the passage of Assembly Bill No. 2376.

Hon. Ken Cory Presiding

At 11 a m , Hon Ken Cory, 69th District, presiding.

Majority Floor Leader Presiding

At 11 .12 a m., Hon. Jack R Fenton, 51st District, presiding.

Demand for Previous Question

Messrs. Leroy F. Greene, McAlister, Priolo, Beverly, and Belotti demanded the previous question Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Z'berg moved a call of the Assembly.

Motion carried Time, 11·24 a.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Foran was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1115

Acting Speaker Fenton was granted unanimous consent that Senate Bill No 1115 be withdrawn from the Committee on Education, and re-referred to the Committee on Ways and Means.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1143

The Acting Speaker appointed Mr Stacey, Mrs Davis, and Mr. Duffy as a Committee on Conference concerning Senate Bill No 1143

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 387 for hearing in the Committee on Ways and Means on Wednesday, July 26, 1972.

Mrs Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 61 for hearing in the Committee on Urban Development and Housing today.

Speaker Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No 39 and Senate Bill No. 1440 for hearing in the Committee on Rules.

Mr. Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Constitutional Amendments Nos. 70, 20, and 76 for hearing in the Committee on Constitutional Amendments.

Mr Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 47, 1162 and 1185 and Senate Constitutional Amendment No 59 for hearing in the Committee on Revenue and Taxation today, at a special meeting today, at 5 p m

Mr Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 402 for hearing in the Committee on Criminal Justice today.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11·25 a m , Mr Waxman was granted unanimous consent to hold a special meeting of the Committee on Election and Reapportionment in the Assembly Lounge, at this time

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly during the following recess

RECESS

At 11·26 a m , Acting Speaker Fenton declared the Assembly recessed until 11·28 a m , to permit Mr Ryan to introduce Miss Lillian Dianne Wagner, of Daly City, "Miss California for 1972", and to present a resolution to Miss Wagner

REASSEMBLED

At 11 28 a m , the Assembly reconvened
Hon. Ken Cory, Member of the Assembly, 69th District, presiding
Chief Clerk James D Driscoll at the Desk

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2382—An act to amend, repeal, and add Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, and declaring the urgency thereof, to take effect immediately, relating to school district unification

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McCarthy, Meade, Mobley, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—60

NOES—Campbell and Wakefield—2

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McCarthy, Meade, Mobley, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—60

NOES—Campbell and Wakefield—2

Request for Unanimous Consent

Mr. Fenton was granted unanimous consent that Assembly Bill No. 2382 be transmitted to the Senate at this time

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1020—An act to amend Section 72400 of the Government Code, relating to municipal courts.

Bill read third time, and presented by Mr. Deddeh

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—64.

NOES—Karabian—1

Bill ordered transmitted to the Senate.

Senate Bill No. 262—An act to add Chapter 3 5 (commencing with Section 23500) to Division 1 of Title 3 of the Government Code, relating to creation of new counties

Bill read third time, and presented by Mr Campbell.

Motion to Re-refer Senate Bill No. 262 to Committee

Mr Knox moved that Senate Bill No 262 be re-referred to the Committee on Rules for assignment of the subject matter to the proper committee for study

Mr Barnes seconded the motion

Majority Floor Leader Presiding

At 12:02 p m , Hon Jack R Fenton, 51st District, presiding.

Point of Order

Mr Campbell arose to the following point of order: That Mr Knox is speaking on the merits of the bill, and not on the propriety of the motion to re-refer the bill to committee

Ruling by Acting Speaker

The Acting Speaker ruled the point of order well taken

The question being on the motion to re-refer Senate Bill No 262 to the Committee on Rules for assignment of the subject matter to the proper committee for study

Motion carried by the following vote:

AYES—Badham, Barnes, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayes, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Pierson, Porter, Ralph, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41

NOES—Arnett, Belotti, Beverly, Briggs, Burke, Campbell, Cline, Collier, Conrad, Davis, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Lancaster, MacDonald, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Ryan, Stull, Thomas, Wakefield, and Wood—29

Senate Bill No 262 re-referred to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 25, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No 109

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Retirement reports:

SB No 387	SB No 946
SB No 823	SB No 1390

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BARNES, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Government Administration

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Government Administration reports·

SB No 229

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means with a Consent recommendation.

RUSSELL, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, July 25, 1972

Mr. Speaker· Your Committee on Rules reports:

SCR No 41

With the recommendation Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Rules reports:

SCA No 76

With the recommendation· That the resolution be re-referred to the Committee on Constitutional Amendments.

BURTON, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Rules reports:

SJR No 18

SJR No 25

With the recommendation. Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BURTON, Chairman

Above resolutions ordered on file.

Assembly Chamber, July 25, 1972

Mr Speaker· Your Committee on Rules reports.

ACR No. 120

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Transportation

Assembly Chamber, July 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 382

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 806

With amendments with the recommendation. Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 403

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 519

SB No. 1018

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, July 25, 1972

Mr. Speaker · Your Committee on Health reports:

SB No. 1169

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Elections and Reapportionment

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports.

SB No. 839

With the recommendation: Do pass.

WAXMAN, Chairman

Above bill ordered to second reading

Committee on Rules

Assembly Chamber, July 25, 1972

Mr Speaker. Your Committee on Rules reports.

HR No 83

With the recommendation Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 41

Mr Barnes was granted unanimous consent to take up Senate Concurrent Resolution No 41, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Senate Concurrent Resolution No. 41 by Unanimous Consent

Senate Concurrent Resolution No. 41—Relating to the Frank P. Belotti Bridge

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed measure, after "Bridge", insert "and the Jack Schrade Bridge"

Amendment No. 2

On page 1, between lines 5 and 6, insert

"*Resolved*, That the bridge numbered 57-720 R & L, also known as the Mission Valley Viaduct, located on Interstate Route 805 at the Interstate 8/805 Interchange, is hereby officially designated the Jack Schrade Bridge, and be it further"

Amendment No. 3

On page 1, line 9, strike out "showing this official designation", and insert "or for the National System of Interstate and Defense Highways, as the case may be, showing these official designations"

Request for Unanimous Consent

Mr Barnes was granted unanimous consent to take up Senate Concurrent Resolution No. 41, as amended, without reference to print or file

Consideration of Senate Concurrent Resolution No. 41, as Amended

Senate Concurrent Resolution No. 41—Relating to the Frank P. Belotti Bridge and the Jack Schrade Bridge

Resolution read, as amended, presented by Mr Barnes and adopted

Resolution ordered printed, and transmitted to the Senate

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Leroy F. Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 665, 772 and 1090 for hearing in the Committee on Education today.

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 1344, 1345, 285, 1011, and 1440 for hearing in the Committee on Ways and Means, on Wednesday, July 26, 1972

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 12 06 p m , Mrs. Brathwaite was granted unanimous consent to hold a special meeting of the Committee on Urban Development and Housing in the Assembly Lounge, at this time

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 160

Mr Murphy was granted unanimous consent that Senate Bill No 160 be withdrawn from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendment

Consideration of Senate Bill No. 160

Senate Bill No. 160—An act to amend Sections 888 and 1825 of, and to add Section 888 5 to, of the Welfare and Institutions Code, relating to the Department of Youth Authority.

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Murphy was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 160 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Murphy moved the adoption of the following amendments.

Amendment No. 1

On page 11, line 25, of the printed bill, as amended in Assembly June 29, 1972, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 2

On page 11, line 25, strike out "cost to"; and strike out lines 26 to 30, inclusive, and insert "the Consumer Price Index established by the U S. Department of Labor and given a weighted average for California by the California Department of Industrial Relations The first adjustments shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions."

Amendment No. 3

On page 14, strike out lines 9 to 39, inclusive; and on page 15, strike out lines 1 to 20, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority.

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority. Each county participating in these studies shall be required to enter into a contractual agreement with the state. Such agreement shall specify the maximum amount each county shall be reimbursed.

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority.

The provisions of this subdivision shall be terminated on June 30, 1974.

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 regular legislative session."

Amendment No. 4

On page 16, line 37, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 5

On page 16, line 37, strike out "cost to", strike out lines 38 to 40, inclusive; and on page 17, strike out lines 1 and 2, and insert "the Consumer Price Index established by the U S Department of Labor and given a weighted average for California by the California Department of Industrial Relations. The first adjustment shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions."

Amendment No. 6

On page 19, strike out lines 12 to 40, inclusive, and on page 20, strike out lines 1 to 23, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year This sum shall be distributed by the Director of the Youth Authority through the allocation to

each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority.

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority Each county participating in these studies shall be required to enter into a contractual agreement with the state. Such agreement shall specify the maximum amount each county shall be reimbursed

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority.

The provisions of this subdivision shall be terminated on June 30, 1974.

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 regular legislative session."

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 896—An act to add Section 8589 5 to the Government Code, relating to dam safety.

Bill read third time.

Motion to Amend

Mr. Hayden moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly July 17, 1972, between lines 7 and 8, insert

"(e) "Dam," as used in this section, has the same meaning as specified in Sections 6002, 6003, and 6004 of the Water Code "

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Senate Bill No. 621—An act to amend Section 1241 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read third time, and presented by Mr. Sieroty.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy,

McAlister, McCarthy, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1002—An act to amend Sections 4300 and 4302 of the Civil Code, relating to blood tests

Bill read third time, and presented by Mr Sieroty

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Acting Speaker Fenton announced that the Assembly would meet in session at 11 30 a m tomorrow, and that committees would meet at 2 p m

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 1565, on request of Mr Waxman.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Priolo was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 560 for hearing in the Committee on Elections and Reapportionment

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 947

At 12 12 p m., on motion of Mr Z'berg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 947 passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cory, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Mur-

phy, Porter, Powers, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—Barnes, Belotti, Campbell, Cline, Collier, Conrad, Davis, Hayden, Ketchum, Lancaster, Lanterman, MacGillivray, Monagan, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, and Wakefield—20

Bill ordered transmitted to the Senate

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 14 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2376

At 12 15 p m, on motion of Mr Z'berg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 2376 refused passage by the following vote:

AYES—Arnett, Brathwaite, Chacon, Cline, Conrad, Crown, Deddeh, Dunlap, Fong, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Karabian, Keysor, LaCoste, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Murphy, Priolo, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—34

NOES—Badham, Barnes, Bee, Belotti, Beverly, Briggs, Brown, Burke, Chappie, Collier, Cullen, Davis, Duffy, Fenton, Foran, Gonsalves, Harvey Johnson, Ray E Johnson, Ketchum, Knox, Lancaster, Lanterman, Maddy, Mobley, Moorhead, Porter, Powers, Russell, Seeley, Stacey, Stull, Thomas, and Wakefield—33

Motion to Reconsider Assembly Bill No. 2376 on Next Legislative Day

Mr Z'berg moved to reconsider on the next legislative day the vote whereby Assembly Bill No 2376 was this day refused passage

Assembly Bill No 2376 ordered to the unfinished business file.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2232—An act to amend Sections 19985, 19990, 19992, and 19993 of, and to repeal Section 19994 of, the Health and Safety Code, relating to factory-built housing

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, See-

ley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 108—Relative to fairs.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 747—An act to amend Sections 109 6 and 3702 of, and to add Section 4985 1 to, the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell; Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 380—An act to amend Sections 35750, 35751, and 35754 of the Vehicle Code, relating to bridges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No 381—An act to amend Section 6319 of, and to add Section 6321 to, the Labor Code, relating to workmen's safety

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 484—An act requiring the State Lands Commission to negotiate for the acquisition of certain federal lands by indemnity selection or exchange

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 574—An act to amend Section 26860 of the Government Code, and to add Article 8 (commencing with Section 10470) to Chapter 8 of Division 9 of, and to add Section 10617 to, the Health and Safety Code, relating to vital statistics.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 865—An act to amend Section 8388 of, and to add Sections 8388 3, 8388 5, and 8388 7 to, the Fish and Game Code, relating to fishing.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1130—An act to amend, repeal, and add Section 2701, and to amend Sections 2702 and 2703 of, the Business and Professions Code, relating to nurses

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1270—An act to amend Sections 14901 and 14902 of the Government Code, relating to distribution of state publications.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1324—An act to amend Section 34217 of, and to add Sections 34211.1, 65302.2, and 65307 to, the Government Code, relating to planning.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 375—An act to amend Section 6498 of the Education Code, relating to special educational programs.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1224—An act to add Section 823 to the Education Code, relating to certificated personnel

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 181—An act to amend Section 66622 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 793—An act to amend Section 66610 of the Government Code, relating to the San Francisco Bay Conservation and Development Commission.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 534—An act to add Section 3251 5 to, and to repeal Section 3251 5 of, the Civil Code, relating to municipal water districts

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 735—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 594—An act to add Section 99262 5 to the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 9—Relative to the recycling of waste

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 780—An act to add Section 774 to the Public Utilities Code, relating to public utilities

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1492—An act to amend Section 7738 of the Business and Professions Code, relating to funerals

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Quality

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Environmental Quality reports:

SB No 99

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

FONG, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, July 24, 1972

Mr Speaker: Your Committee on Environmental Quality reports:

SCR No 60

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

FONG, Chairman

Above resolution ordered on file

Committee on Retirement

Assembly Chamber, July 17, 1972

Mr Speaker: Your Committee on Retirement reports:

SB No 980

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BARNES, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SCA No 70

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments

GONSALVES, Chairman

Above resolution ordered on file

Committee on Urban Development and Housing

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Urban Development and Housing reports:

SCR No 61

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with recommendation to Consent Calendar.

BRATHWAITE, Chairman

Above resolution re-referred to the Committee on Ways and Means

Committee on Rules

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Rules reports:

ACR No 121

With amendments with the recommendation: Amend, and be adopted, as amended.

BURTON, Chairman

Above resolution ordered on file.

MOTIONS TO RECONSIDER RESOLUTIONS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendments Nos 78 and 91 were continued until the next legislative day.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Beverly, Thomas, and Townsend:

House Resolution No. 97

Relative to State Highway Route 107

WHEREAS, The Legislature has considered the deletion of State Highway Route 107 and portions of Route 1 from the California freeway and expressway system; and

WHEREAS, Such deletions should not result in the cessation of all efforts to seek a solution to the motor vehicle traffic problems that exist along the corridor served by Route 107 and the portion of Route 1 westerly of Route 11, the Harbor Freeway; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested, in cooperation with the local agencies involved, to continue transportation corridor studies in the area served by State Highway Route 107 and the portion of Route 1 westerly of Route 11, the Harbor Freeway, which studies should include full consideration of facilities other than full freeways as a possible solution to the problem, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works

Resolution read, and referred by the Acting Speaker to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 121

Mr Bagley was granted unanimous consent to take up Assembly Concurrent Resolution No 121, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Assembly Concurrent Resolution No. 121 by Unanimous Consent

Assembly Concurrent Resolution No. 121—Relative to the creation of the Joint Committee on Off-Track Betting.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 2, line 6, of the printed measure, strike out "three", and insert "four".

Amendment No. 2

On page 2, line 9, strike out "one member", and insert "two members".

Amendment No. 3

On page 2, line 10, strike out "three", and insert "four".

Amendment No. 4

On page 2, line 14, strike out "one member", and insert "two members".

Resolution ordered reprinted, and on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 70

Mr. Gonsalves was granted unanimous consent to take up Senate Constitutional Amendment No. 70, without reference to file, for the purpose of reading the resolution and adopting the committee amendments at this time.

Consideration of Senate Constitutional Amendment No. 70 by Unanimous Consent

Senate Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1¼c to Article XIII thereof, relating to taxation.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2 of the printed measure, as amended in Senate May 30, 1972, after line 17, insert "The Legislature shall provide by general laws for subventions to counties, cities and counties, cities, and districts in this state an amount equal to the amount of revenue lost by each such county, city and county, city, and district by reason of any act adopted pursuant to this section Any act adopted pursuant to this section shall contain an estimate of subvention required for the initial fiscal year in which such act is operative."

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mrs Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Constitutional Amendment No. 61 for hearing in the Committee on Ways and Means.

VOTE CHANGES

Messrs Lewis and Stacey were granted unanimous consent that they be recorded as voting "Aye" on the urgency clauses to Senate Bills Nos 901 and 728, and on the passage of the bills.

Mr MacGillivray was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 1352.

Mr Stacey was granted unanimous consent that he be recorded as voting "Aye" on Senate Bills Nos 1010, 648, 1352, 641, and 647

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 648.

Messrs. Wakefield and Seeley were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 1352

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 621

Messrs Briggs and Wood were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 947.

Mr. Lewis was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 2376.

ADJOURNMENT

At 12 22 p m , Acting Speaker Fenton declared the Assembly adjourned until 11 30 a m , Wednesday, July 26, 1972, out of respect to the memory of the late John M Sellers, Pinole police officer.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirteenth Legislative Day

Two Hundred Sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 26, 1972

The Assembly met at 11 :30 a m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

Quorum present.

Majority Floor Leader Presiding

At 11 .36 a.m , Hon Jack R. Fenton, 51st District, presiding.

REGULAR BUSINESS DISPENSED WITH

Mr. Townsend was granted unanimous consent that the regular order of business of the Assembly be dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Briggs, on request of Speaker pro Tempore Bee.
Mr. Knox, on request of Speaker pro Tempore Bee.
Mr. Quimby, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Maurice K Hamilton, City Attorney of San Mateo, dated June 30, 1972, relative to report required by Public Resources Code Section 6374. Referred by the Acting Speaker to the Committee on Planning and Land Use

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1278 for hearing in the Committee on Welfare today

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 613 for hearing in the Committee on Ways and Means

Mr Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 282, 1013, and 1058 for hearing in the Committee on Commerce and Public Utilities, on Thursday, July 27, 1972

Mr. Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 110 and 1185, and Senate Constitutional Amendments Nos 10, 59, and 73 for hearing in the Committee on Constitutional Amendments, on Thursday, July 27, 1972

Mr. Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 361, 712, 1075, 1084, 1326, 1330, and 1462 for hearing in the Committee on Natural Resources and Conservation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 122: By Assemblyman Ray E. Johnson—Approving an amendment to the Charter of the City of Chico, State of California, ratified by the qualified electors of the city at a special municipal election consolidated with the state primary election held therein on the sixth day of June, 1972

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Deddeh:

House Resolution No. 98

Relative to a report to be submitted to the Legislature by the State Transportation Board

WHEREAS, Under Section 13991 of the Government Code, as proposed by Assembly Bill No. 69, as amended July 24, 1972, the State Transportation Board, in cooperation with the Business and Transportation Agency, is required to prepare and submit a report to the Legislature by January 15, 1973, which report is to include, among other things, provisions with respect to the planning, construction, operation, and control of resources allocations for transportation; and

WHEREAS, Under that section, the Department of Public Works may not undertake development of the California Transportation Plan until authorized by the Legislature subsequent to the submission of the report; and

WHEREAS, It is desirable that preparation of the report be commenced as soon as possible so that it will be both comprehensive and meaningful when submitted to the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Transportation Board, in cooperation with the Business and Transportation Agency, is hereby requested to immediately commence preparation of the report required under Section 13991 of the Government Code, as proposed by Assembly Bill No 69, as amended July 24, 1972, and to submit the report to the Legislature by January 15, 1973; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Executive Secretary of the State Transportation Board and to the Secretary of the Business and Transportation Agency.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, July 26, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 589—An act to amend Sections 4, 8, and 17 of Chapter 665 of the Statutes of 1971, relating to the Health Science Facilities Construction Program Bond Act of 1971, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 614—An act to amend Sections 1602, 1724, 1725, and 1748 of, and to add Section 1601.5 to, the Business and Professions Code, relating to dentists;

Assembly Bill No. 802—An act to amend Section 11476 of, and to add Section 10851.5 to, the Welfare and Institutions Code, relating to public assistance;

Assembly Bill No. 1144—An act to amend Section 1111.6 of the Education Code, relating to school district elections;

Assembly Bill No. 1872—An act to amend Sections 5350, 5352.1, 5353, and 5365, and to add Sections 5352.4, 5358.1, 5358.5 and 6300.2 the Welfare and Institutions Code, relating to mental health;

Assembly Bill No. 2043—An act to amend Section 27321.5 of the Government Code, relating to county recorders;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., July 26, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2025

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, July 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 120

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, July 26, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 121

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution ordered on file.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, July 26, 1972

Mr. Speaker: The Chairman of your Committee on Government Administration reports:

SB No. 1467

With author's amendments with the recommendation: Amend, and refer to the Committee on Government Administration.

RUSSELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1467—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to search and rescue, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 24, 1972, strike out "17", and insert "18".

Amendment No. 2

In line 1 of the title, strike out "7280", and insert "7350".

Amendment No. 3

In line 2 of the title, after "of", insert ", and to repeal Sections 26614 and 26614.5 of,".

Amendment No. 4

On page 1, line 1, strike out "17", and insert "18".

Amendment No. 5

On page 1, line 2, strike out "7280", and insert "7350".

Amendment No. 6

On page 2, line 1, strike out "17", and insert "18".

Amendment No. 7

On page 2, line 3, strike out "7280", and insert "7350".

Amendment No. 8

On page 2, line 18, strike out "7281", and insert "7351".

Amendment No. 9

On page 2, line 28, strike out "7282", and insert "7352".

Amendment No. 10

On page 2, line 28, strike out "7281", and insert "7351".

Amendment No. 11

On page 2, line 32, strike out "7283", and insert "7353".

Amendment No. 12

On page 3, line 2, strike out "7284", and insert "7354".

Amendment No. 13

On page 3, line 8, after "SEC 2.", insert "Section 26614 of the Government Code is repealed

~~26611. The board of supervisors of a county may authorize the sheriff to search for and rescue persons who are lost or are in danger of their lives within or in the immediate vicinity of the county. The expense incurred by the sheriff in the performance of such duties shall be a proper county charge.~~

SEC. 3. Section 26614.5 of the Government Code is repealed.

~~26614.5. The county or city and county of residence of a person searched for by the sheriff under the authority of Section 26614 shall pay to the county or city and county conducting such search, in any~~

~~case where the expenses thereof exceed five hundred dollars ($500), two thirds of the reasonable expenses in excess of five hundred dollars ($500) of such search within 30 days after the submission of a claim therefor by the county or city and county conducting the search and the county or city and county conducting the search shall bear the remaining expense.~~

SEC. 4."

Amendment No. 14

On page 3, line 10, after "act", insert ", including reasonable costs of administration thereof,".

Bill ordered reprinted, and to be re-referred to the Committee on Government Administration.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 26, 1972

Mr. Speaker: The Chairman of your Committee on Revenue and Taxation reports.

SB No 47

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 47—An act to add Section 7265 to the Revenue and Taxation Code, relating to the San Francisco Bay Area Rapid Transit District, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 7265 to", and insert "amend Sections 6011 and 6012 of".

Amendment No. 2

Strike out lines 2 to 4, inclusive, of the title, and insert "relating to sales and use taxes, to take effect immediately, tax levy."

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 6011 of the Revenue and Taxation Code is amended to read:

6011. (a) "Sales price" means the total amount for which tangible personal property is sold or leased or rented, as the case may be, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:

(1) The cost of the property sold

(2) The cost of materials used, labor or service cost, interest charged, losses, or any other expenses.

(3) The cost of transportation of the property, except as excluded by other provisions of this section

(b) The total amount for which the property is sold or leased or rented includes all of the following:

(1) Any services that are a part of the sale.

(2) Any amount for which credit is given to the purchaser by the seller

~~(3) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division~~

(c) "Sales price" does not include any of the following:

(1) Cash discounts allowed and taken on sales.

(2) The amount charged for property returned by customers when that entire amount is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer

(3) The amount charged for labor or services rendered in installing or applying the property sold

(4) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer

(5) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California upon or with respect to retail sales of tangible personal property, measured by a stated percentage of sales price or gross receipts, whether imposed upon the retailer or the consumer.

(6) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California with respect to the storage, use or other consumption in such city, county, city and county, or rapid transit district of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer.

(7) Separately stated charges for transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, but the exclusion shall not exceed a reasonable charge for transportation by facilities of the retailer or the cost to the retailer of transportation by other than facilities of the retailer; provided, that if the transportation is by facilities of the retailer, or the property is sold for a delivered price, this exclusion shall be applicable solely with respect to transportation which occurs after the purchase of the property is made

(8) The amount of any motor vehicle fee or tax imposed by and paid the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle.

(9) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division.

SEC. 2. Section 6012 of the Revenue and Taxation Code is amended to read:

6012 (a) "Gross receipts" mean the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or otherwise, without any deduction on account of any of the following:

(1) The cost of the property sold However, in accordance with such rules and regulations as the board may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the state or has paid the use tax with respect to the property, and has resold the property prior to making any use of the property other than retention, demonstration, or display while holding it for sale in the regular course of business If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property.

(2) The cost of the materials used, labor or service cost, interest paid, losses, or any other expense.

(3) The cost of transportation of the property, except as excluded by other provisions of this section.

~~(4) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division.~~

(b) The total amount of the sale or lease or rental price includes all of the following:

(1) Any services that are a part of the sale.

(2) All receipts, cash, credits and property of any kind.

(3) Any amount for which credit is allowed by the seller to the purchaser.

(c) "Gross receipts" do not include any of the following:

(1) Cash discounts allowed and taken on sales

(2) Sale price of property returned by customers when the full sale price is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

(3) The price received for labor or services used in installing or applying the property sold.

(4) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(5) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California upon or

with respect to retail sales of tangible personal property measured by a stated percentage of sales price or gross receipts whether imposed upon the retailer or the consumer

(6) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California with respect to the storage, use or other consumption in such city, county, city and county, or rapid transit district of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer

(7) Separately stated charges for transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, but the exclusion shall not exceed a reasonable charge for transportation by facilities of the retailer or the cost to the retailer of transportation by other than facilities of the retailer; provided, that if the transportation is by facilities of the retailer, or the property is sold for a delivered price, this exclusion shall be applicable solely with respect to transportation which occurs after the sale of the property is made to the purchaser.

(8) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division

~~(8)~~ *(9)* The amount of any motor vehicle fee or tax imposed by and paid to the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle

For purposes of the sales tax, if the retailers establish to the satisfaction of the board that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed

SEC 3 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect However, the provisions of this act shall become operative on October 1, 1972 "

Amendment No. 4

On page 1, strike out lines 2 to 14, inclusive; and on page 2, strike out lines 1 to 11, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

MESSAGES FROM THE SENATE

Senate Chamber, July 25, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No 88

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file

Senate Chamber, July 25, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACA No. 81

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file

Senate Chamber, July 25, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 2113

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 25, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 99	AB No 1396	AB No. 1725
AB No 259	AB No. 1628	AB No 1994
AB No. 612	AB No. 1650	AB No. 2334
AB No 1372	AB No. 1708	AB No. 2353

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 25, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 189	SB No 573
SB No 267	SB No 1178

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 25, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 111

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, July 25, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed·

AB No 284	AB No 821	AB No 1953
AB No 379	AB No 851	AB No 2164
AB No 596	AB No 1644	AB No 2222
AB No 705	AB No 1735	AB No 2354

DARRYL R WHITE. Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate Chamber, July 25, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

SB No 282	SB No. 1026	SB No 1261
SB No 712	SB No 1058	SB No 1399
SB No 848	SB No 1105	SB No 1501
SB No 921	SB No 1132	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 282—An act to add Sections 18609 and 18753 to the Business and Professions Code, relating to boxing

Held at Desk by order of the Acting Speaker

Senate Bill No. 712—An act relating to acquisition of lands for the state park system, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker

Senate Bill No. 848—An act to amend Section 10489 2 of, and to add Section 10489 7 to, the Insurance Code, relating to life insurance

Held at Desk by order of the Acting Speaker

Senate Bill No. 921—An act relating to local government

Held at Desk by order of the Acting Speaker

Senate Bill No. 1026—An act to amend Section 18201 of, to add Sections 18003 2, 18203 7, and 18669 2 to, and to add Chapter 10 (commencing with Section 19100) to Division 7 of, the Financial Code, relating to mortgage bankers

Held at Desk by order of the Acting Speaker

Senate Bill No. 1058—An act to amend Section 1071 of, and to add Sections 1071 1, 1071 2, and 1071 3 to, the Public Utilities Code, relating to public utilities

Held at Desk by order of the Acting Speaker

Senate Bill No. 1105—An act to amend Section 988 2 of the Military and Veterans Code, relating to veterans

Held at Desk by order of the Acting Speaker

Senate Bill No 1132—An act to add Section 464 to the Education Code, relating to earthquake safety

Held at Desk by order of the Acting Speaker

Senate Bill No. 1261—An act to amend Sections 27111, 27111 5, 27113, and 27145 5 of, and to add Sections 27115 and 27147 to, of the Education Code, relating to public library systems

Held at Desk by order of the Acting Speaker

Senate Bill No. 1399—An act making an appropriation to the Board of Governors of the California Community Colleges, in augmentation of Item 296, Budget Act of 1972, relating to extended opportunity programs

Held at Desk by order of the Acting Speaker

Senate Bill No. 1501—An act to amend Section 986 01 of the Military and Veterans Code, relating to veterans' benefits, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No	*Committee*
282	Commerce and Public Utilties
712	Natural Resources and Conservation
848	Finance and Insurance
921	Local Government
1026	Finance and Insurance
1058	Commerce and Public Utilities
1105	Government Administration
1132	Education
1261	Education
1399	Ways and Means
1501	Government Administration

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted Acting Speaker Fenton was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the First Day Consent Calendar for the next legislative day, and that any amended Assembly bills be considered engrossed

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file

Assembly Bill No. 2025, ordered to third reading.

NOTE Later this day Assembly Bill No 2025 was re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

House Resolution No. 83—Relative to adoption of emergency regulations by the State Department of Social Welfare

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted.

Amendment No. 1

In lines 1 and 2 of the first *Resolved* clause of the printed measure, as printed on pages 6123 and 6124 of the Assembly Journal for July 18, 1972, strike out "Joint Legislative Budget Committee", and insert "Legislative Analyst",

Amendment No. 2

In line 3 of the second *Resolved* clause, strike out "Chairman of the Joint Budget Committee", and insert "Legislative Analyst".

House Resolution No. 83, as Amended

By Assemblyman Duffy.

House Resolution No. 83

Relative to adoption of emergency regulations by the State Department of Social Welfare

WHEREAS, It has come to the attention of the Members of the Assembly that the State Department of Social Welfare has during the past two years increasingly pursued the policy of adopting administrative regulations under a finding of emergency, and

WHEREAS, The counties, which are mandated by law to carry out the regulations of the State Department of Social Welfare, are continually faced with the critical problem of implementing regulations which have been adopted on an emergency basis and therefore are not subject to public hearings on appropriateness and clarity, and which do not afford adequate lead time for error-free implementation; and

WHEREAS, The appropriateness of the almost routine use of emergency procedures for the adoption of administrative regulations by the State Department of Social Welfare is questionable in light of statutes governing administrative rule-making powers which specify

limited circumstances for the adoption of emergency regulations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Analyst, in cooperation with the Assembly Welfare Committee and the Legislative Counsel, is hereby requested to study the subject of the adoption, amendment or repeal of the Department of Social Welfare's regulations concerning welfare as emergency regulations during the past two years in light of the use and purpose for which the adoption of emergency regulations was intended by the Legislature, and to report its findings and recommendations to the Legislature by the fifth calendar day of the 1973 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of the State Department of Social Welfare, the Legislative Analyst, the Assembly Welfare Committee, and the Legislative Counsel

Resolution, as amended, ordered to the Consent Calendar

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 464, 1127, and **1128,** ordered to third reading

Senate Bills Nos. 400 and **1137,** ordered to the Consent Calendar

SECOND READING OF SENATE BILLS

Senate Bill No. 505—An act to amend Sections 2923, 2924, 2925, and 2926 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 404—An act to add Section 228 to the Revenue and Taxation Code, relating to property tax exemption

Bill read second time, and ordered to third reading

Senate Bill No. 1007—An act to amend Sections 5523, 5563, 5564, 5566, 5567, 5568, 5762, 5763, 5703, 5705, 5710, 5711, 5712, 5713, 5714, 5715, 5716, 5717, 5718, 5720 5, 5721, 5722, 5741, 5761, 5764, 5765, 5766, 5767, 5768, 5782, and 5801 of, to add Sections 5706, 5707, 5716 5, and 5720 6 to, and to repeal Sections 5570, 5706, 5707, 5708, 5709, 5723, 5742, and 5743 of, the Revenue and Taxation Code, relating to in-lieu taxes on domestic animals, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Senate Bill No 1477—An act to amend Section 1720 of the Labor Code, relating to public works

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 229—An act relating to state lands at San Quentin

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted.

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended in Senate June 28, 1972, strike out "the fifth day of the 1974 Regular Session of the Legislature", and insert "June 30, 1974".

Amendment No. 2

On page 2, line 4, after the first comma, insert "the State Office of Planning,"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 382—An act to add Sections 39158 and 39159 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted·

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate May 25, 1972, strike out "January", and insert "April"

Amendment No. 2

On page 2, line 28, strike out "shall", and insert "may".

Amendment No. 3

On page 3, line 1, after "thereof", insert "willfully".

Amendment No. 4

On page 3, line 4, strike out "shall", and insert "may".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 806—An act to amend Sections 31468 and 31840.1 of, and to add Section 31557.1 to, the Government Code, and to amend Section 14000.2 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted·

Amendment No. 1

On page 4, line 15, of the printed bill, as amended in Senate July 10, 1972, after "agency", insert "or community nonprofit corporation"

Amendment No. 2

On page 4, line 15, strike out "public".

Amendment No. 3

On page 4, line 19, strike out "The", and insert "If such transfer be made to the University of California or to any other public agency empowered to operate a hospital facility the".

Amendment No. 4

On page 4, line 22, strike out " , provided that", and insert ", but if the transfer be to a community nonprofit corporation, the board of supervisors shall comply with all other provisions of law relating to the sale, lease, or transfer of public property by a county; and provided that in any event".

Amendment No. 5

On page 5, line 18, after "agency", insert "or community nonprofit corporation".

Amendment No. 6

On page 5, line 18, strike out "public"

Amendment No. 7

On page 5, line 22, strike out "The", and insert "If such transfer be made to the University of California or to any other public agency empowered to operate a hospital facility the".

Amendment No. 8

On page 5, line 25, strike out " ; provided that", and insert ", but if the transfer be to a community nonprofit corporation, the board of supervisors shall comply with all other provisions of law relating to the sale, lease, or transfer of public property by a county; and provided that in any event".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 403—An act to amend Section 17804 of the Business and Professions Code, relating to marriage, family and child counselors

Bill read second time, and ordered to third reading.

Senate Bill No. 1169—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to third reading

Senate Bill No. 839—An act to amend Section 27501 of the Elections Code, relating to elections

Bill read second time, and ordered to third reading

Senate Bill No. 980—An act to add Sections 31621.11 and 31639.26 to the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted·

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or 31621 1", and insert ", 31621 1, or 31621 2".

Amendment No. 2

On page 1, line 8, strike out "or 31621 1", and insert ", 31621 1, or 31621 2"

Bill ordered reprinted, and to be placed on the Consent Calendar

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means

Assembly Bill No. 2025.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of permitting all bills which are referred to the Committee on Ways and Means to be set for hearing in the Committee on Ways and Means.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendments Nos 78 and 91, and Assembly Bill No 2376, were continued until the next legislative day

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Burke·

House Resolution No. 99

Relative to noise barriers on the San Diego Freeway

WHEREAS, Noise pollution is an increasingly serious problem for the citizens of this state; and

WHEREAS, Along portions of the San Diego Freeway, State Highway Route 405, in the City of Seal Beach, the sustained noise levels are as serious as any in the state, and

WHEREAS, This portion of the San Diego Freeway has been recently widened and the noise levels have increased substantially, and

WHEREAS, The Department of Public Works has conducted tests to determine the effectiveness of noise barriers only on new freeway construction; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested to construct noise barriers on the portion of the San Diego Freeway, State Highway Route 405, in the City of Seal Beach to determine their effectiveness in reducing noise generated from traffic on an existing freeway within a community; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Burke:

House Resolution No. 100

Relative to advertising displays on state property

WHEREAS, The Department of Public Works has acquired property along the Pacific Coast Highway in the City of Huntington Beach, and

WHEREAS, The department has permitted the erection of advertising displays on this property; and

WHEREAS, Concerned parties have expressed an interest in seeing areas adjacent to the coast line, including state property, cleared of such advertising displays; and

WHEREAS, The Department of Public Works, as an expression of its interest, has indicated that action will be taken with regard to such advertising displays; and

WHEREAS, Local agencies involved have submitted requests for removal of such advertising displays; and

WHEREAS, The Department of Public Works has not yet taken action on this matter; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members urge the Department of Public Works to take appropriate steps immediately for the removal of such advertising displays on state property and take any other actions necessary to implement such a policy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Department of Public Works

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Burke:

House Resolution No. 101

Relative to parking at state-owned beaches

WHEREAS, Parking facilities at state-owned beaches in the Huntington Beach Area are inadequate; and

WHEREAS, Available parking lots at these state-owned beaches are so heavily used that visitors are compelled to park on the Pacific Coast Highway, thereby causing great traffic congestion and a dangerous condition for drivers and pedestrians; and

WHEREAS, There are presently pedestrian accesses and traffic signals along the Pacific Coast Highway; and

WHEREAS, The state has purchased right-of-way along the Pacific Coast Highway for future freeway construction and this property is currently not in use; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members declare that such Pacific Coast Highway right-of-way property should be used to relieve the acute parking problem at state-owned beaches and hereby request the Department of Public Works to take

immediate steps to develop this property for use as a parking area until such time as it is needed for freeway construction; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Cullen

House Resolution No. 102

Relative to employment and unemployment statistics

WHEREAS, The State of California estimates employment and unemployment in accordance with guidelines established by the Manpower Administration, U S Department of Labor, and the U S Bureau of Labor Statistics uses sampling data from the Current Population Survey conducted by the Bureau of the Census to estimate employment and unemployment for California; and

WHEREAS, The number of unemployed persons and the rate of unemployment as reported by the Bureau of Labor Statistics has been significantly higher than the estimates by the Department of Human Resources Development for each of the last five years; and

WHEREAS, It is necessary to have accurate employment and unemployment data for purposes of economic forecasting and budgetary planning for the State of California, and

WHEREAS, There are current federal programs of assistance to states and payments of benefits to individuals which are contingent on the level of unemployment within the state, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is requested to assign to an appropriate committee for study of the differences in the methods of estimation and the effect of these differences on the reporting of employment and unemployment in California; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution, including in its report a determination of whether there has been any loss to the state and its citizens of benefits from any program of federal assistance due to the methods used by the state in estimating rates of unemployment.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Z'berg:

House Resolution No. 103

Relative to Stone Lakes Basin

WHEREAS, The Stone Lakes Basin in Sacramento County is one of the last remaining natural freshwater lake habitats in the California Central Valley, with its complexly interrelated water, marsh, and grassland ecosystem providing food and cover for one of the most unique and diverse populations of birds, fish, and animal life in the state, and

WHEREAS, The basin contains the largest collection of bird species in the Central Valley, with some 100 different types identified, includ-

ing such rare nongame birds as great blue herons, white-tailed kites, coots, and egrets; and

WHEREAS, The basin serves as a major component of the international Pacific flyway by providing a seasonal home for many species of migratory waterfowl, including sandhill cranes, teal, widgeon, woodducks, mallards, pintails, and snow, Canada, and white-fronted geese, and

WHEREAS, The basin is home to a wide variety of fish and furbearing animals, including rare river otters and mink, wildlife which were once prevalent in the Central Valley but have largely disappeared as the result of urban and industrial development, and

WHEREAS, Because of the demands of growth, unique riparian habitats such as that of the Stone Lakes Basin are rapidly disappearing throughout California, in recent years approaching the alarming annual rate of 15 percent of the remaining acreage; and

WHEREAS, The Stone Lakes Basin has only recently been granted a reprieve from massive urban development, which if allowed to proceed would ultimately destroy the fragile, complex ecosystem of the area; and

WHEREAS, The Sacramento Regional General Plan estimates a 50 percent increase in the regional population by 1990, and the State Department of Parks and Recreation reports that the demand for recreation in the Sacramento metropolitan area is increasing at a rate 1.26 times faster than population, and that consequently by 1980 several thousand additional acres of recreation land will be required within the region, and

WHEREAS, The U.S. Army Corps of Engineers, in its November 1971 Environmental Working Paper on the Morrison Creek Stream Group, recommended that the Stone Lakes Basin be acquired as a permanent flood retardation basin, a greenbelt and open-space area, a fish and wildlife preserve, and a public recreation area; and

WHEREAS, The riparian habitat of the Stone Lakes Basin would not be significantly harmed by appropriate recreational uses, and if preserved and made available to the public, would provide an extraordinary range of recreational and educational experiences to the large adjacent metropolitan population, including observation and study of the unique and varied flora and fauna of the area, and enjoyment of riding, hiking, and bicycling trails and picnic areas, thereby making a major contribution to future Sacramento regional recreation needs; now, therefore, be it

Resolved by the Assembly of the State of California, That the Secretary of the Resources Agency is requested to undertake a comprehensive study of the Stone Lakes Basin, and report to the Assembly on the following:

(1) A comprehensive definition of the existing and potential public interest in the Stone Lakes Basin, including but not limited to the significance of the basin ecosystem to the state, regional, and local fish and wildlife populations, and to state, regional, and local recreation and open-space needs, and

(2) Specific recommendations for, and costs of, the preservation and public use of the Stone Lakes Basin, including, but not limited to, the feasibility and cost of adding the basin to the state park system, per-

haps as an extension to the adjacent, already-approved Snodgrass Slough State Park, and an analysis of all possible sources of federal, state, local and private funds which could be used to preserve the basin, including park, recreation, open space, fish and wildlife preservation, and flood control financing programs, and be it further

Resolved, That the Secretary of the Resources Agency is requested to submit his comprehensive report on the Stone Lakes Basin to the Legislature no later than October 1, 1972, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Secretary of the Resources Agency

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Duffy·

House Resolution No. 104

Relative to the packaging of drugs and other hazardous substances

WHEREAS, The use of safety-lid caps and other safety features on containers of prescription drugs and other hazardous substances would eliminate the occurrence of numerous serious injuries and deaths, especially with respect to children, annually, and

WHEREAS, Congress enacted the Poison Prevention Packaging Act of 1970, which establishes packaging requirements for drugs and other hazardous substances marketed in interstate commerce, and

WHEREAS, California has no legal standards for packaging hazardous substances comparable to the Poison Prevention Packaging Act of 1970 for goods marketed in intrastate commerce, now, therefore, be it

Resolved by the Assembly of the State of California, That the State Department of Public Health investigate the packaging practices of firms marketing drugs and other hazardous substances in intrastate commerce, and report to the Legislature no later than January 30, 1973, with recommendations concerning standards that should be established to insure the safe packaging of such products, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Health

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 25, 1972

Mr Speaker· Your Committee on Judiciary reports

SB No 1049
SB No 1233
SB No 1429

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WARREN, Chairman

Above bills ordered to second reading

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No 1047

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means (recommended to Consent).

WARREN, Chairman

Above bill ordered to second reading

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No 669

SB No 1412

With the recommendation: Do pass

WARREN, Chairman

Above bills ordered to second reading

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No 571

SB No 1450

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means (recommended to Consent)

WARREN, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No 992

SB No 1065

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

WARREN, Chairman

Above bills ordered to second reading

Committee on Rules

Assembly Chamber, July 25, 1972

Mr Speaker: Your Committee on Rules reports:

SJR No 23

With the recommendation: Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BURTON, Chairman

Above resolution ordered on file.

Committee on Retirement

Assembly Chamber, July 24, 1972

Mr Speaker. Your Committee on Retirement reports:

SB No 33

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BARNES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 24, 1972

Mr Speaker. Your Committee on Retirement reports:

SB No 135

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BARNES, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Assembly Chamber, July 26, 1972

Mr. Speaker· Your Committee on Revenue and Taxation reports:

SB No 1475

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SB No 125

With the recommendation: Do pass.

GONSALVES, Chairman

Above bill ordered to second reading

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SB No 357

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports·

SB No 1185

With the recommendation· Do pass, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above bill re-referred to the Committee on Constitutional Amendments.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SCA No 59
SCA No. 73

With the recommendation · Be adopted, and be re-referred to the Committee on Constitutional Amendments.

GONSALVES, Chairman

Above resolutions re-referred to the Committee on Constitutional Amendments

Committee on Education

Assembly Chamber, July 26, 1972

Mr Speaker · Your Committee on Education reports:

SB No. 1496

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Health

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 796
SB No. 1011

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 1362
SB No. 1400

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, with recommendation to Consent

CAMPBELL, Chairman

Above bills ordered to second reading.

Committee on Water

Assembly Chamber, July 26, 1972

Mr Speaker. Your Committee on Water reports:

SB No 164
SB No. 1235

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent

PORTER, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Environmental Quality

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Environmental Quality reports:

SB No 1249

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

FONG, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, July 25, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

SB No. 508

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PRIOLO, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Education reports:

SB No 93	SB No 436	SB No. 949
SB No. 200	SB No 665	SB No 1112
SB No. 364	SB No. 772	SB No. 1263

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Education reports:

SB No. 226

SB No 931

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Education reports:

SB No 470	SB No 932	SB No. 1080
SB No 782	SB No. 1019	SB No. 1484
SB No. 887		

With the recommendation: Do pass

LEROY F. GREENE, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Education reports:

SCR No. 59

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means.

LEROY F .GREENE, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Judiciary

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No. 83

With amendments with the recommendation · Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Judiciary reports:

SB No 371

With amendments with the recommendation: Amend, and do pass, as amended.

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Judiciary reports:

SB No. 924

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WARREN, Chairman

Above bill ordered to second reading.

Committee on Planning and Land Use

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Planning and Land Use reports:

SB No. 412

With amendments with the recommendation: Amend, and do pass, as amended.

PRIOLO, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, July 26, 1972

Mr Speaker · Your Committee on Criminal Justice reports:

SB No 736 SB No 983 SB No. 1461
SB No. 830 SB No 984

With the recommendation: Do pass.

BEVERLY, Chairman

Above bills ordered to second reading

Assembly Chamber, July 26, 1972

Mr Speaker · Your Committee on Criminal Justice reports:

SB No 1027

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BEVERLY, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SCR No 53

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Assembly Chamber, July 26, 1972

Mr. Speaker · Your Committee on Criminal Justice reports:

SB No 148

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, July 26, 1972

Mr. Speaker. Your Committee on Criminal Justice reports:

SB No 1229
SB No 1421

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bills ordered to second reading.

Committee on Education

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Education reports:

SB No. 652

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 147	SB No 1343	SB No 1345
SB No. 549	SB No. 1344	SB No 1440
SB No. 1302		

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SCR No. 61

With amendments with the recommendation: Amend, and be adopted, as amended.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, July 26, 1972

Mr. Speaker. Your Committee on Ways and Means reports:

SB No. 15	SB No 1022
SB No. 926	SB No. 1355

With the recommendation · Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 1850

With amendments with the recommendation · Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker · Your Committee on Ways and Means reports:

SB No 104	SB No 286	SB No 628
SB No 206	SB No 363	SB No 821
SB No 241	SB No 387	SB No 916
SB No 268	SB No 447	SB No 1009
SB No 285	SB No 612	SB No 1201

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Ways and Means reports·

SB No 36	SB No 234	SB No 510
SB No 94	SB No 242	SB No 643
SB No 105	SB No 366	SB No 691
SB No 171	SB No 416	SB No. 696

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 27, 1972

Mr Speaker. Your Committee on Ways and Means reports:

SB No 723	SB No 939	SB No 1377
SB No 729	SB No 1069	SB No. 1466
SB No 786	SB No 1123	SB No 1471
SB No 895	SB No 1275	

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker · Your Committee on Ways and Means reports:

ACR No 99	ACR No 116
ACR No. 113	ACR No. 118

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, July 27, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No 29
SCR No 36
SCR No. 45

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 1380

With the recommendation · That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BROWN, Chairman

Subject matter of the above bill referred to the Committee on Rules

Assembly Chamber, July 26, 1972

Mr. Speaker. Your Committee on Ways and Means reports:

SB No 1258
SB No. 1277
SB No 1383
SB No. 1478

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Committee on Welfare

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Welfare reports:

SB No. 820
SB No 1278

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Finance and Insurance

Assembly Chamber, July 26, 1972

Mr Speaker · Your Committee on Finance and Insurance reports.

SB No 1449

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 26, 1972

Mr Speaker Your Committee on Finance and Insurance reports:

SB No 1133

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Constitutional Amendments

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports

SCA No 76

With the recommendation. That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

GARCIA, Chairman

Subject matter of the above resolution referred to the Committee on Rules

Assembly Chamber, July 26, 1972

Mr Speaker Your Committee on Constitutional Amendments reports·

SCA No 20

SCA No 70

With the recommendation: Be adopted

GARCIA, Chairman

Above resolutions ordered on file.

Committee on Ways and Means

Assembly Chamber, July 26, 1972

Mr Speaker Your Committee on Ways and Means reports:

SB No 154

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, July 26, 1972

Mr Speaker· Your Committee on Ways and Means reports·

SB No 613

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BROWN, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No. 110

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Constitutional Amendments.

BEVERLY, Chairman

Above bill ordered to second reading

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SCA No 10

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

BEVERLY, Chairman

Above resolution ordered on file.

Committee on Employment and Public Employees

Assembly Chamber, July 26, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports.

SB No. 318

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means with the recommendation that it be placed on the Consent Calendar.

HAYES, Chairman

Above bill re-referred to the Committee on Ways and Means

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1850—An act to amend Sections 3501, 3504, 3505, 3505.2, 3507, 3507 3, 3507 5, 3508, and 3526 of, to add Sections 3505 01, 3506, 3511, 3512, 11551 1, and 11551 2 to, and to repeal Sections 3506 and 3507.1 of, the Government Code, relating to public employer-employee relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 21, 1972, strike out "3508, and 3526", and insert "and 3508".

Amendment No. 2

In line 3 of the title, strike out the first comma.

Amendment No. 3

On page 2, strike out lines 17 and 18; and in line 19, strike out "Section 3525)," and insert " "public agency" means".

Amendment No. 4

On page 3, line 40, strike out "Provided, however, that", and insert "However,".

Amendment No. 5

On page 13, strike out lines 25 to 37, inclusive.

Amendment No. 6

On page 13, line 38, strike out "16", and insert "15".

Amendment No. 7

On page 14, line 1, strike out "each of the"; strike out line 2; and in line 3, strike out "(a) Chairman," and insert "the chairman of the".

Amendment No. 8

On page 14, line 5, strike out "17", and insert "16".

Amendment No. 9

On page 14, strike out line 9; and in line 10, strike out "(a) Member," and insert "member of the".

Bill ordered reprinted, and returned to the third reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 1049—An act to amend Sections 9042, 9047, and 9056 of, to add Section 9058 to, and to add Article 5 (commencing with Section 9070) to Chapter 17 of Division 3 of, the Business and Professions Code, and to amend Section 1014 of the Evidence Code, relating to clinical social workers.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1233—An act to add Chapter 11 (commencing with Section 190) to Division 1 of the Probate Code, and to repeal Sections 13409 and 15209 of, and add Sections 13409 and 15209 to, the Revenue and Taxation Code, relating to disclaimers, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1429—An act to amend Section 717 of the Code of Civil Procedure, relating to court processes

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1047—An act to amend Section 16750 of the Business and Professions Code, and to add Section 12526 to the Government Code, relating to restraints on competition and making an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 8, 1972, in lines 25 and 26, strike out "Antitrust Fund of the State Treasury", and insert "antitrust account within the General Fund".

Amendment No. 2

On page 2, lines 37 and 38, strike out "Antitrust Fund of the State Treasury", and insert "antitrust account within the General Fund".

Amendment No. 3

On page 3, line 34, strike out "Antitrust Fund", and insert "antitrust account within the General Fund".

Amendment No. 4

On page 4, line 4, strike out "Antitrust Fund", and insert "antitrust account".

Amendment No. 5

On page 4, line 5, strike out "State Treasury", and insert "General Fund".

Amendment No. 6

On page 4, strike out lines 6 and 7, and insert "account is available to the Department of Justice for".

Amendment No. 7

On page 4, line 10, strike out "fund ", and insert "account Money in the account shall be available for expenditure only upon appropriation by the Legislature in the annual Budget Bill Such appropriation may be augmented by executive order issued by the Director of Finance, provided that within 30 days after such augmentation the Director of Finance shall notify the Chairman of the Joint Legislative Budget Committee and the chairman of the committee in each house which consider appropriations of any additional allocations It is the intent of the Legislature that any augmentation shall be limited to the amount required to meet specific unbudgeted workload needs Any continuing increase in the level of antitrust activity shall be subject to legislative review through the appropriation process "

Amendment No. 8

On page 4, line 12, strike out "Antitrust Fund", and insert "antitrust account within the General Fund".

Amendment No. 9

On page 4, line 15, strike out "Antitrust Fund", and insert "antitrust account within the General Fund".

Amendment No. 10

On page 4, line 19, strike out "fund to", and insert "account to the unallocated funds within".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 669—An act to amend Section 2274 of the Civil Code and Section 1122 of the Probate Code, relating to trustee's compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1412—An act to amend Section 5126 of the Civil Code, relating to separate property.

Bill read second time, and ordered to third reading.

Senate Bill No. 992—An act to add Chapter 4 (commencing with Section 1961) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to identification of property owners.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 10, 1972, after line 28, insert

"SEC. 2. This act shall become operative on July 1, 1973."

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 1065—An act to amend and renumber the heading of Part 1 (commencing with Section 21000), Part 2 (commencing with Section 22000), and Part 3 (commencing with Section 23000), of Title 3 of, to add Part 1 (commencing with Section 20000) to Title 3 of, to add Chapter 3 (commencing with Section 21200) to Part 1 of Title 3 of, and to repeal Chapter 3 (commencing with Section 21200) of Part 1 of Title 3 of, the Corporations Code, relating to unincorporated associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and".

Amendment No. 2

In line 4 of the title, after "23000)," insert "and Part 4 (commencing with Section 24000),".

Amendment No. 3

On page 1, line 3, after "amended", insert "and renumbered".

Amendment No. 4

On page 4, line 21, after "amended", insert "and renumbered".

Amendment No. 5

On page 4, line 27, after "amended", insert "and renumbered".

Amendment No. 6

On page 4, after line 29, insert

"SEC. 7. The heading of Part 4 (commencing with Section 24000) of Title 3 of the Corporations Code is amended and renumbered to read:

PART ~~4~~ 5. LIABILITY; LEVIES AGAINST PROPERTY; DESIGNATION OF AGENT FOR SERVICE AND OF PRINCIPAL OFFICE".

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Joint Resolution No. 23—Relative to emergency food for farmworkers.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed measure, as amended in Senate July 10, 1972, insert

"(Coauthors: Assemblymen Maddy and Mobley)".

Amendment No. 2

On page 1, line 1, after "farmworkers", insert "and other allied agricultural workers".

Amendment No. 3

On page 1, line 5, after "farmworkers", insert "and other allied agricultural workers".

Amendment No. 4

On page 2, line 4, after "farmworker", insert "and other allied agricultural worker".

Amendment No. 5

On page 2, line 16, after "farmworkers", insert "and other allied agricultural workers".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 33—An act to amend Section 21252 6 of, and add Sections 20017.78, 21020 9 and 21292 9 to, the Government Code, and to add Section 4805 to the Labor Code, relating to state employee benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Senate May 10, 1972, strike out "except", and insert "who meet the minimum

standards of competence established by the Commission on Peace Officer Standards and Training, pursuant to Chapter 1 (commencing with Section 13500) of Title 4 of Part 4 of the Penal Code, except those members employed under class titles of parking officer and campus guard."

Amendment No. 2

On page 2, strike out lines 11 to 19, inclusive.

Amendment No. 3

On page 2, lines 24 and 25, strike out "appointed pursuant to Section 24651 of the Education Code", and insert "described in Section 20017.78 of this code".

Amendment No. 4

On page 4, lines 35 and 36, strike out "appointed pursuant to Section 24651 of the Education Code", and insert "described in Section 20017.78 of this code".

Amendment No. 5

On page 5, strike out lines 8 to 10, inclusive, and insert "departments described in Section 20017 78 of the Government Code "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 135—An act to add Sections 20750 144, 20750 28, 20750 38, 20750 415, 20750 434, and 21222 1 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Retirement, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate July 5, 1972, strike out "0 11", and insert "0.275".

Amendment No. 2

On page 2, line 10, strike out "0 28", and insert "0 700".

Amendment No. 3

On page 2, line 17, strike out "0 30", and insert "0.750".

Amendment No. 4

On page 2, line 24, strike out "0 31", and insert "0 775".

Amendment No. 5

On page 2, line 31, strike out "0 01", and insert "0.025".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 125—An act to amend Sections 8101 and 8352 of, and to add Sections 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 357—An act to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, to repeal the heading of Article 3 (commencing with Section 5036 5) of Chapter 1 of Division 5 of, to amend and renumber Section 5036 5 of, and to add Article 3 (commencing with Section 5031) to Chapter 1 of Division 5 of, the Public Resources Code, and to add Article 7 (commencing with Section 1161) to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the taxation of property of historical significance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 6, line 13, of the printed bill, as amended in Senate July 10, 1972, strike out "A registered", and insert "All landmark registrations up to and including Register No 769, which were approved without the benefit of criteria, shall be approved only if the landmark site conforms to the existing criteria as determined by the California Historical Landmarks Advisory Committee Any other registered".

Amendment No. 2

On page 6, line 30, after "5032.", insert "(a)".

Amendment No. 3

On page 6, line 32, strike out "(a)", and insert "(1)".

Amendment No. 4

On page 6, line 33, strike out "(b)", and insert "(2)".

Amendment No. 5

On page 6, line 34, strike out "(c)", and insert "(3)".

Amendment No. 6

On page 6, line 35, before "'Qualified", insert "(b)".

Amendment No. 7

On page 6, between lines 36 and 37, insert

"(c) Commercial operation in itself does not necessarily disqualify a landmark's registration However, should a commercial enterprise by its physical development plans, or its proximity, impact, excessive use, or management philosophy so dilute or erode the significance of or quality of the landmark's integrity, then an adverse effect shall have occurred and its registration may be withdrawn"

Amendment No. 8

On page 6, strike out lines 38 to 40, inclusive; and on page 7, line 1, strike out "Government Code", and insert "regulations relating to standards for qualifying as a historical property".

Amendment No. 9

On page 7, after line 30, insert

"1162 The board shall adopt rules and regulations to carry out the provisions of this article"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 796—An act to add Chapter 5.3 (commencing with Section 2530) to Division 2 of the Business and Professions Code, relating to speech pathologists and audiologists.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 23, 1972, after "to", insert "amend Section 651 of, and".

Amendment No. 2

In line 2 of the title, after "of", insert a comma.

Amendment No. 3

In line 3 of the title, strike out "speech pathologists and audiologists", and insert "healing arts".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 Section 651 of the Business and Professions Code is amended to read:

651 It is unlawful for any person licensed under this division, *except a person licensed under Chapter 7 5 (commencing with Section 3300)*, or under any initiative act referred to in this division to offer for sale or to sell any commodity or to offer to render or to render any service under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a discount, or under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a percentage or otherwise less than the average fee or price then regularly charged under like conditions by the person so licensed or by other persons for such commodity or service or commodity and service The provisions of this section shall not be construed to modify or establish prices or fees or to modify or affect in any manner any other provision of this division.

SEC 2 Chapter 5 3 (commencing with Section".

Amendment No. 5

On page 2, line 21, after "managing," insert "habilitating or rehabilitating,".

Amendment No. 6

On page 2, line 39, after "evaluation", insert "procedures such as, but not limited to, specifying amplification requirements and evaluation of the results thereof,".

Amendment No. 7

On page 5, line 28, strike out "year of".

Amendment No. 8

On page 5, line 35, after the period, insert "The supervising speech pathologist shall register with the committee the name of each speech pathologist working under his supervision, and shall submit to the committee a description of the proposed professional responsibilities of the speech pathologists working under his supervision."

Amendment No. 9

On page 5, line 38, strike out "year of paid", and insert "required".

Amendment No. 10

On page 5, line 40, after "audiologist", insert "or an audiologist having qualifications deemed equivalent by the committee".

Amendment No. 11

On page 6, line 1, after "audiologist", insert "or an audiologist having qualifications deemed equivalent by the committee".

Amendment No. 12

On page 6, line 8, strike out "Licensed speech", and insert "Speech".

Amendment No. 13

On page 6, line 23, strike out "eight", and insert "nine".

Amendment No. 14

On page 6, between lines 25 and 26, insert

"2531 05. The Hearing Aid Dispensers Committee shall appoint one of its members to serve as liaison to the Speech Pathology and Audiology Committee for the purpose of coordinating the policies of the committees regarding the fitting or dispensing of hearing aids The Speech Pathology and Audiology Committee shall notify the Hearing Aid Dispensers Committee in advance of all committee business concerning the fitting or dispensing of hearing aids to facilitate the participation of the liaison member."

Amendment No. 15

On page 6, line 34, strike out "two", and insert "three".

Amendment No. 16

On page 6, line 35, strike out "two", and insert "three".

Amendment No. 17

On page 6, line 38, strike out "two", and insert "three".

Amendment No. 18

On page 9, line 39, after "experience", insert "or 18 months of part-time experience".

Amendment No. 19

On page 10, line 1, after "audiologist", insert "or a speech pathologist or audiologist having qualifications deemed equivalent by the committee".

Amendment No. 20

On page 10, line 4, after the period, insert "Part-time is defined as a minimum of 18 months and a minimum of 15 hours per week."

Amendment No. 21

On page 10, line 15, after "educational", insert "and experiential".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1011—An act to add Chapter 18 (commencing with Section 7400) to Division 7 of Title 1 of the Government Code, relating to children's clothing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly July 20, 1972, strike out "then July 1, 1974, the office of", and insert "than the fifth calendar day of the 1974 Regular Session,".

Amendment No. 2

On page 2, line 15, strike out "promulgate, in accordance with the"; strike out line 16, and insert "report to the Legislature regarding the desirability of".

Amendment No. 3

On page 2, line 19, strike out "Such regulations", and strike out lines 20 to 22, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1362—An act to amend Section 442.6 of the Health and Safety Code, relating to hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 16, 1972, strike out "Section", and insert "Sections 441.8 and",

Amendment No. 2

In line 2 of the title, strike out ", relating to hospitals", and insert "and to amend Section 2507 of the Business and Professions Code, relating to health care, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 441.8 of the Health and Safety Code is amended to read:

441 8. The commission shall appoint an executive secretary who ~~shall hold office during its pleasure,~~ shall perform the duties delegated to him by the commission, and shall be responsible to it for the accomplishment of such duties. The executive secretary shall, in accordance with such rules or regulations as the commission may adopt, organize, coordinate, supervise, and direct the operations and affairs of the commission in such a manner as to prevent delay and promote the expeditious and efficient disposition of all matters within the commission's jurisdiction. He shall submit a detailed report of his activities to the commission at each of the regularly scheduled commission meetings provided for pursuant to Section 441.13, and shall prepare such other supplemental and special reports as the commission may from time to time request or which he may deem necessary to adequately inform the members of the commission concerning his activities and experience in the implementation of this part.

The executive secretary shall have had at least ~~five~~ *two* years' experience as the chief administrative officer of a hospital, group of hospitals, or association of hospitals whose members are subject to the provisions of this part. The executive secretary shall receive, in addition to his salary, actual and necessary travel expenses incurred in the discharge of his duties.

SEC. 2. Section 442 6 of the Health and Safety".

Amendment No. 4

On page 2, after line 34, insert

"SEC. 3. Section 2507 of the Business and Professions Code is amended to read:

2507. A medical corporation shall not do or fail to do any act the doing of which or the failure to do which would constitute unprofessional conduct under any statute, rule or regulation now or hereafter in effect In the conduct of its practice, it shall observe and be bound by such statutes, rules and regulations to the same extent as a person holding a certificate under Section 2135 or 2491 of this code The board shall have the same powers of suspension, revocation and discipline against a medical corporation as are now or hereafter authorized by Section 2360 of this code, or by any other similar statute against individual licensees, provided, however, that proceedings against a medical corporation shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

~~The offering and operation by a medical corporation of a health care service plan, registered pursuant to the provisions of Section 12537 of the Government Code, shall be the practice of medicine by such corporation, and is hereby authorized.~~

Notwithstanding any other provision of law, the offering and operation by a medical corporation of a health care service plan registered pursuant to the provisions of Section 12537 of the Government Code is hereby authorized For such purpose a medical corporation may employ, or enter into contracts or other arrangements with, any person or persons authorized to practice any system of the healing arts as defined in Section 12530 of the Government Code, but no such employment, contract, or arrangement shall provide for the rendering, supervision, or control of professional services other than as authorized by law

SEC 4 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In order to carry out the policy and purposes of the California Hospital Disclosure Act within the time intended by the Legislature and in order to secure maximum implementation of needed health care service plans, it is necessary that the changes made by this act take effect immediately "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1400—An act to amend Sections 1229, 1504, 1505, 1616, 1676, 1677, 1729 and 1730 of, to add Chapter 2 (commencing with Section 1250) to Division 2 of, and to repeal Chapter 2 (commencing with Section 1400) of Division 2 of, the Health and Safety Code and to amend Sections 10554 1, 16100, 16300, and 16312 of and to repeal Chapter 1 (commencing with Section 7000) of Division 7 of and Chapter 1 (commencing with Section 16000) of and Chapter 3 (commencing with Section 16200) of, Part 4 of Division 9 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 1626 of the Statutes of 1971, relating to licensed facilities

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted·

Amendment No. 1

On page 13 of the printed bill, as amended in Assembly July 21, 1972, strike out lines 13 to 24, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1249—An act to amend Section 17920 of, and to add Sections 17922 6, 17922 7, and 17926 to, the Health and Safety Code, relating to noise insulation, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Environmental Quality, were read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 27, 1972, between lines 34 and 35, insert

"(e) The provisions of this section and the rules and regulations adopted pursuant to this section shall not apply to single family dwellings constructed by a person for his own residence"

Amendment No. 2

On page 2, line 35, strike out "(e)", and insert "(f)".

Amendment No. 3

On page 3, line 5, strike out "(f)", and insert "(g)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 226—An act to amend and renumber Sections 16645 1, 16645 2, 16645 3, 16645 4, 16645 5, 16645 6, 16645 7, 16645 8, 16645 9, 16645 10, 16645 11, 16645 11a, 16645 12, 16645 13, 16645 14, 16645 15, 16645 16, 16645 17, 16645 18, 16645 19, 16645 20, 16645 21, 16645 22, 16645 23, 16645 24, and 16645 25 of, to add Chapter 8 7 (commencing with Section 6880) to Division 6 of, and to repeal the heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of, the Education Code, relating to development centers for handicapped pupils

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "Handicapped Pupils", and insert

"THE HANDICAPPED".

Amendment No. 2

On page 2, line 32, strike out "677", and insert "834".

Amendment No. 3

On page 2, strike out line 34, and insert

"~~16645.2~~ *6880.2* The governing body of any school district or a county superintendent of schools with the approval of the county board of education is authorized to establish and maintain, upon the approval of the Superintendent of Public Instruction, one or more development centers for physically handicapped and mentally retarded ~~minors~~ *pupils* between three years and 21 years of age residing in, and in the custody of persons residing in, the district or county. The governing body or county superintendent shall determine the hours, days, and months during which the development center is to be maintained

The establishment and maintenance of any development center for physically handicapped and mentally retarded minors by the county superintendent of schools shall be undertaken subject to the prior approval of the county board of education, upon the application of one or more school districts under his jurisdiction, and such establishment and maintenance shall be upon such terms and conditions as may be provided for in a written contract between the county superintendent of schools and the governing body of any school district

~~Minors~~ *Pupils* who are otherwise eligible for development center placement as determined by the Superintendent of Public Instruction, and who are between 18 months and three years of age, may be enrolled in experimental programs conducted by a school district or county superintendent of schools maintaining a development center Experimental programs for such ~~minors~~ *pupils* shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him."

Amendment No. 4

On page 2, strike out lines 35 to 38, inclusive; and on page 3, strike out lines 1 to 16, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 931—An act to add Section 35002 to the Education Code and to repeal Section 2 of Chapter 815 of the Statutes of 1970, relating to the Public Service Internship Program.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 19, 1972, after the first "to", insert "amend Sections 35050, 35051, 35052, 35053, 35054, 35055, 35152, 35252, 35254, and 35255 of, and to".

Amendment No. 2

In line 1 of the title, after the second "to", insert a comma.

Amendment No. 3

In line 1 of the title, after "Code", insert a comma.

Amendment No. 3.5

In line 3 of the title, after "Program", insert ", and making an appropriation therefor".

Amendment No. 4

On page 1, between lines 5 and 6, insert

"SEC 2 Section 35050 of the Education Code is amended to read:

35050 The Public Service Internship Program shall be administered by the ~~State Scholarship and Loan Commission~~ *Advisory Coordinating Council on Public Personnel Management*.

SEC 3 Section 35051 of the Education Code is amended to read:

35051. The ~~commission~~ *council* shall, within the provisions of this division establish the policies and standards for administration of the internship program

SEC 4 Section 35052 of the Education Code is amended to read:

35052. The ~~commission~~ *council* shall appoint such staff as may be necessary to carry out the program.

SEC 5. Section 35053 of the Education Code is amended to read:

35053. The ~~commission~~ *council* shall maintain a systematic and continuous inventory and evaluation of all internships, of the type described by this division, and related preservice training opportunities within the state The inventory shall be published and made available to educational program counselors, public agency training personnel and others who would directly benefit in their occupational capacities.

SEC. 6 Section 35054 of the Education Code is amended to read:

35054 The ~~commission~~ *council* shall encourage and support academic institutions in collaboration with governmental agencies in developing interinstitutional and regional cooperative programs in geographical areas where collaboration will improve the overall governmental-academic institution effort.

SEC 7. Section 35055 of the Education Code is amended to read:

35055 The ~~commission~~ *council* shall be the designated state agency for accepting federal grants as well as contributions from private foundations and other sources for the state and local internships and related public service training activities Nothing in this division shall preclude any state or local agency from soliciting or receiving public or private grants or contributions to finance internship programs

SEC 8 Section 35152 of the Education Code is amended to read:

35152. Internship programs shall be established and approved under standards set forth by the ~~State Scholarship and Loan Commission~~ *Advisory Coordinating Council on Public Personnel Management* as provided in Chapter 2 (commencing with Section 35050) of this division

SEC. 9. Section 35252 of the Education Code is amended to read:

35252 In jurisdictions which do not now employ interns, the ~~commission~~ *council*, for the purposes of initiating a program, may, to the extent federal funds are available therefor, pay the stipends of interns for an initial period not to exceed three years, the number of interns to be so financed to be determined by the ~~commission~~ *council*

SEC 10. Section 35254 of the Education Code is amended to read:

35254 Educational institutions may apply to the ~~commission~~ *council* for state funds, if such funds are appropriated by the Legislature, to finance experimental, or innovative, programs including those which involve interinstitutional cooperation Educational institutions may also apply for federal funds, to the extent they are available, for such purpose

SEC. 11 Section 35255 of the Education Code is amended to read:

35255. The ~~commission~~ *council* may establish the salary limits for each category of intern stipends to be financed by grants administered by the ~~commission~~ *council*."

Amendment No. 5

On page 1, line 6, strike out "SEC 2", and insert "SEC 12".

Amendment No. 6

On page 1, after line 7, insert

"SEC 13 There is hereby appropriated from the General Fund in the State Treasury the sum of thirty thousand dollars ($30,000) to the Advisory Coordinating Council on Public Personnel Management for the administration of the Public Service Internship Program prescribed by Division 23 (commencing with Section 35000) of the Education Code "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 470—An act to amend Sections 13274 and 13732 of the Education Code, relating to public schools

Bill read second time, and ordered to third reading.

Senate Bill No. 782—An act to add Section 25514 1 to the Education Code, relating to regional occupational centers.

Bill read second time, and ordered to third reading.

Senate Bill No. 887—An act to amend Sections 23802 and 23805 of the Education Code, relating to state universities and colleges

Bill read second time, and ordered to third reading.

Senate Bill No. 932—An act to amend Sections 15961 and 15962 of, and to add Section 15962 5 to, the Education Code, relating to school district contracts

Bill read second time, and ordered to third reading.

Senate Bill No. 1019—An act to amend Section 13085 1 of the Education Code, relating to public school employees

Bill read second time, and ordered to third reading

Senate Bill No. 1080—An act to amend Section 1703 of the Education Code, relating to school districts

Bill read second time, and ordered to third reading

Senate Bill No. 1484—An act to amend Section 13737 of, and to add and repeal Section 13727 2 of the Education Code, relating to classified employees

Bill read second time, and ordered to third reading

Senate Bill No. 83—An act to repeal Section 8211 of, and to add Sections 8211, 8211 5 and 8211 8 to, the Government Code, relating to notaries public

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 3, lines 3 and 4, of the printed bill, strike out "(two) signatures(s)", and insert "two signatures".

Amendment No. 2

On page 3, line 4, strike out "(each)", and insert "each".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 371—An act to add Section 11713.2 to, and to add Chapter 2 (commencing with Section 9975) to Division 3.6 of, the Vehicle Code, relating to motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 19, 1972, strike out "to add Section 11713.2 to, and".

Amendment No. 2

In line 2 of the title, strike out the comma.

Amendment No. 3

On page 2, strike out line 9, and insert

"9975. Every manufacturer of a motor vehicle sold in this state on or after January 1, 1973, who is required by federal or state law to furnish notification to the purchaser of the motor vehicle of any defect in the motor vehicle or motor vehicle equipment which relates to motor vehicle safety, shall, notwithstanding any limitation in any warranty relating to the motor vehicle, correct such defect without charge to the owner of the vehicle or reimburse the owner for the cost of making such correction.

If the defect cannot be corrected within one day, the manufacturer shall provide the owner of the vehicle the use, or reimburse him for the cost of the use, of another motor vehicle until the correction has been made.

The manufacturer of such motor vehicle shall not be liable for the cost of such correction if the owner of the motor vehicle does not seek to have the correction made within 45 days after receipt of the notification."

Amendment No. 4

On page 2, strike out lines 10 to 38, inclusive; and strike out page 3

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 924—An act to amend Sections 196, 200, 202, 205 and 233 of, and to add Sections 197 and 239 to, the Code of Civil Procedure, and to amend Section 1143 of, and to add Section 1046.5 to, the Penal Code, relating to juries.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 27, 1972, strike out "196, 200, 202, 205, and 233", and insert "200, 202, and 205".

Amendment No. 2

In line 2 of the title, strike out "Sections 197 and", and insert "Section".

Amendment No. 3

In line 3 of the title, strike out "amend Section 1143 of, and to".

Amendment No. 4

In line 3 of the title, strike out the second comma.

Amendment No. 5

On page 2, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 200 of the Code of Civil Procedure is".

Amendment No. 6

On page 4, line 21, strike out "SEC 3 5", and insert "SEC. 1 5".

Amendment No. 7

On page 6, line 10, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 8

On page 6, line 27, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 9

On page 6, strike out lines 36 to 40, inclusive; and on page 7, strike out lines 1 to 14, inclusive, and insert

"SEC 4 Section 239 is added to the Code of Civil Procedure, to read:

239 Except in a county having a population of more than 6,000,000, any juror summoned shall be entitled to".

Amendment No. 10

On page 7, line 23, strike out "Section 197 or".

Amendment No. 11

On page 7, strike out lines 25 to 40, inclusive; and on page 8, strike out lines 1 to 12, inclusive, and insert

"SEC 5. It is the intent of the Legislature, if this bill".

Amendment No. 12

On page 8, line 18, strike out "3 5 of this act Therefore, Section 3.5", and insert "1.5 of this act. Therefore, Section 1.5".

Amendment No. 13

On page 8, line 22, strike out "3", and insert "1".

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 412—An act to amend Sections 11535, 11540 and 11540.1 of, and to add Sections 11538.1, 11538.2 and 11538.3 to, the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 21, 1972, after "Sections", insert "11526.1,".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 11526.1 of the Business and Professions Code is amended to read:

11526.1. No city or county shall approve a final subdivision map for any land project, as defined in Section 11000.5, unless:

(a) The city or county has adopted a specific plan covering the area proposed to be included within the land project.

(b) The city or county finds that the proposed land project, together with the provisions for its design and improvement, is consistent with the specific plan for the area.

This section shall apply to land projects for which tentative maps were approved on or after the effective date of Chapter 763, Statutes of the 1969 Regular Session.

SEC. 2. Section 11535 of the Business and".

Amendment No. 3

On page 7, lines 28 and 29, strike out ". actual or constructive knowledge of such division of property", and insert ", from and after the date of recording".

Amendment No. 4

On page 7, strike out lines 33 to 37, inclusive.

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 736—An act to amend Section 1526 of the Penal Code, relating to criminal procedure.

Bill read second time, and ordered to third reading

Senate Bill No. 830—An act to amend Section 597 of the Penal Code, relating to crimes against animals

Bill read second time, and ordered to third reading.

Senate Bill No. 983—An act to add Section 656.5 to the Welfare and Institutions Code, relating to juvenile courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 984—An act to amend Section 654 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time, and ordered to third reading

Senate Bill No. 1461—An act to amend Section 27491 of the Government Code, relating to coroners.

Bill read second time, and ordered to third reading.

Senate Bill No. 1027—An act to add Section 26617 to the Government Code, relating to sheriffs, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1229—An act to add Section 23102 3 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Any", and insert "In the case of a first conviction of driving a motor vehicle upon a highway while under the influence of intoxicating liquor, any".

Amendment No. 2

On page 1, line 5, strike out "driving a motor vehicle upon a"; and strike out line 6, and insert "such offense".

Amendment No. 3

On page 1, line 8, strike out "In the case of a first such", strike out lines 9 to 11, inclusive, and on page 2, strike out line 1; and in line 2, strike out "treatment", and insert

"In the case of a second or subsequent such conviction, the court shall order such a presentence investigation

In either case, the court may order suitable treatment for the person"

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1421—An act to amend Sections 634, 679, and 700 of the Welfare and Institutions Code, relating to counsel

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 20, 1972, strike out "Senator Roberti", and insert "Senators Roberti and Dymally

(Coauthors Assemblymen Brathwaite, Chacon, Cullen, Porter, and Vasconcellos)".

Amendment No. 2

On page 3, line 12, strike out "may", and insert "shall".

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 652—An act to add Section 1010.85 to the Education Code, relating to public schools

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Senate June 12, 1972, strike out "major".

Amendment No. 2

On page 1, line 9, after the second comma, insert "and".

Amendment No. 3

On page 1, line 10, strike out ", and the price, if any, received therefor, on"; and in line 11, strike out "disposal".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 147—An act to add Section 11111 to the Penal Code, and to add Division 16.7 (commencing with Section 39000) to the Vehicle Code, relating to the licensing of bicycles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in Assembly July 18, 1972, after the period, insert "The annual fee imposed by the department on a city or a county shall be paid by the city or county from the fees collected under its adopted bicycle licensing ordinance or resolution, and shall not exceed twenty cents ($0.20) per bicycle licensed under the ordinance or resolution."

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 549—An act to amend Section 1825 of, and to add Section 1825.7 to, the Welfare and Institutions Code, relating to probation services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 6, line 38, of the printed bill, as amended in Assembly July 6, 1972, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 2

On page 6, line 38, strike out "cost to"; strike out lines 39 and 40; and on page 7, strike out lines 1 to 3, inclusive, and insert "the Consumer Price Index established by the U S Department of Labor and given a weighted average for California by the California Department of Industrial Relations The first adjustment shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions "

Amendment No. 3

On page 9, strike out lines 9 to 39, inclusive, and on page 10, strike out lines 1 to 20, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority Each county participating in these studies shall be required to enter into a contractual agreement with the state Such agreement shall specify the maximum amount each county shall be reimbursed

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority

The provisions of this subdivision shall be terminated on June 30, 1974

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 Regular Legislative Session "

Amendment No. 4

On page 15, line 28, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 5

On page 15, line 28, strike out "cost to", and strike out lines 29 to 33, inclusive, and insert "the Consumer Price Index established by the U S Department of Labor and given a weighted average for California by the California Department of Industrial Relations The first adjustment shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions "

Amendment No. 6

On page 18, strike out lines 9 to 39, inclusive; and on page 19, strike out lines 1 to 20, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972-1973 fiscal year This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority. Each county participating in these studies shall be required to enter into a contractual agreement with the state. Such agreement shall specify the maximum amount each county shall be reimbursed

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority.

The provisions of this subdivision shall be terminated on June 30, 1974.

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 Regular Legislative Session "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1302—An act to amend Section 16601.5 of, to add Sections 16602 5 and 16602 6 to, to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, and to add Article 1 5 (commencing with Section 16820) to Chapter 1 of Division 13, the Education Code, and to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly July 25, 1972, strike out "and 16602 6", and insert ", 16602.6, and 16711".

Amendment No. 2

In line 9 of the title, strike out the second "and", and insert "an".

Amendment No. 3

On page 13, line 39, strike out "under the Social Security Act".

Amendment No. 4

On page 15, line 3, after "of", insert "Title 20 of".

Amendment No. 5

On page 15, between lines 9 and 10, insert

"SEC 4 5. Section 16711 is added to the Education Code, to read:

16711. The term "elementary school" contained in Section 425 of Title 20 of the United States Code (the National Defense Education Act of 1958, P L 85-864, as amended) shall include early childhood education programs and preschool classes, including preschool classes in children's centers, for the purpose of the cancellation provisions of the Loans to Students in Institutions of Higher Learning"

Amendment No. 6

On page 18, line 6, strike out "Social"; and strike out lines 7 to 10, inclusive.

Amendment No. 7

On page 20, strike out lines 19 to 30, inclusive.

Amendment No. 8

On page 20, line 31, strike out "SEC. 12", and insert

"SEC 11".

Amendment No. 9

On page 21, strike out line 29, and insert

"SEC. 12 Sections 2, 3, 4, 7, 8, and 9 of this act shall become".

Amendment No. 10

On page 21, between lines 31 and 32, insert

"SEC 13 Section 4 5 of this act shall become operative only if Assembly Bill No 99 of the 1972 Regular Session of the Legislature is enacted."

Amendment No. 11

On page 21, line 39, strike out "11(a)", and insert "10(a)".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1343—An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, and to add Chapter 2 (commencing with Section 13650) to Title 5 of Part 4 of the Penal Code, as proposed by Senate Bill No 821, relating to correctional personnel

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 40, of the printed bill, as amended in Assembly July 20, 1972, after "agents," insert "or as trainees for such classifications,".

Amendment No. 2

On page 3, line 2, after "minimum", insert "total".

Amendment No. 3

On page 3, strike out lines 3 to 6, inclusive, and insert "training in the program during the first year of such employment; and during every two-year".

Amendment No. 4

On page 3, line 9, after the period, insert "Any person who has fulfilled the above minimum training requirements for purposes of a previous appointment to one of the above classifications, may be deemed to have completed three weeks of training for purposes of the new appointment."

Amendment No. 5

On page 3, line 14, strike out "of three weeks", and insert "total of three weeks of".

Amendment No. 6

On page 3, strike out lines 15 to 18, inclusive, and insert "program during the first six months of such employment, and during every succeeding".

Amendment No. 7

On page 4, strike out lines 15 to 19, inclusive, and in line 20 strike out "SEC 4", and insert

"SEC. 3".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1344—An act making an appropriation to the Department of Corrections, relating to correctional officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in Senate July 19, 1972, after the semicolon, insert "provided, however, that the State Personnel Board shall provide that the correctional program supervisors shall be selected through open, nonpromotional examinations, with career credits provided for correctional experience"

Amendment No. 2

On page 3, strike out lines 7 to 12, inclusive.

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1345—An act making an appropriation to the Department of the Youth Authority, relating to state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 19, 1972, strike out lines 33 to 38, inclusive.

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of, and to repeal Chapter 10 5 (commencing with Section 3525) and Chapter 11 (commencing with Section 3550) of, and to add Chapter 10 5 (commencing with Section 3550) and Chapter 11 (commencing with Section 3575) to, of Division 4 of Title 1 of, and to add Section 11551 1 and 11553 1 to, the Government Code, and to repeal Chapter 4 (commencing with Section 1960) of Part 7 of Division 2 of the Labor Code, relating to public employer-employee relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

Strike out lines 3 and 4 of the heading of the printed bill, as amended in Assembly July 25, 1972, and insert

"(Coauthors Assemblymen Badham, Bagley, Belotti, Chappie, Knox, Lanterman, MacDonald, Meade, Moretti, Porter, Ralph, Townsend, Wood, Vasconcellos, and Z'berg)".

Amendment No. 1.5

Strike out lines 8 and 9 of the title, and insert "Code, relating to".

Amendment No. 2

On page 10, line 31, before the period, insert ", until such time as the recognized employee organization has been designated and at such time only such recognized employee organization shall have the right to have membership dues deducted".

Amendment No. 3

On page 31, between lines 18 and 19, insert

"3548 5 This chapter shall be known and may be cited as the "Dills Public Employer-Employee Relations Act." "

Amendment No. 4

On page 36, strike out lines 1 and 2.

Bill ordered reprinted, and returned to the third reading file.

Senate Concurrent Resolution No. 61—Relative to housing.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, line 5, of the printed measure, as amended in Senate July 10, 1972, strike out "arbitrary interpretation of building", and insert "various interpretations by building and housing".

Amendment No. 2

On page 2, line 12, strike out "retroactive".

Amendment No. 3

On page 2, line 13, after "are", insert "sometimes".

Amendment No. 4

On page 2, line 14, after "rehabilitation", insert "so as to require different methods and materials of construction for alterations, sometimes necessitating additional work to bring plumbing or electrical systems into conformity with current standards for new construction when lesser standards of the Uniform Housing Code or codes in effect at the time of original construction would adequately protect occupants' health and safety".

Amendment No. 5

On page 2, line 23, strike out "adoption", and insert "review".

Amendment No. 6

On page 2, line 24, after "Session", insert "and inclusion in the State Housing Law".

Resolution ordered reprinted, and on file.

Senate Bill No. 15—An act to amend Section 10652 of the Education Code and to amend Sections 890 and 891 of, to add Sections 896.3 and 896.4 to, and to repeal Section 896.1 of, the Military and Veterans Code, relating to tuition.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 7, 1972, after "Assemblymen", insert "Chacon, Deddeh, Lewis,".

Amendment No. 2

In line 2 of the title, strike out "and 891", and insert ", 891, and 896.1".

Amendment No. 3

In lines 3 and 4 of the title, strike out "and to repeal Section 896.1 of,".

Amendment No. 4

On page 4, line 14, strike out "repealed ", and insert "amended to read:

896 1. No dependent of a veteran, *as defined in paragraph (1), (2) or (3) of subdivision (a) of Section 890,* shall be eligible to receive the benefits of this article during the time that he is entitled to receive federal educational benefits under Chapter 35, Title 38, United States Code, as amended, or duplicate assistance from any other government source."

Amendment No. 5

On page 4, line 35, strike out "receiving", and insert "therefor entitled to receive".

Amendment No. 6

On page 4, line 36, after "amended", insert ", or duplicate assistance from any other government source".

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 926—An act to add Section 13702 to the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, after "The", insert "county".

Amendment No. 2

On page 1, line 12, strike out "and".

Amendment No. 3

On page 1, line 13, after "The", insert "county".

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 1022—An act to amend Sections 3008, 3012, 3013, 3101, 3103, 3104, 3106, 3203, 3204, 3205, 3207, 3208, 3215, 3218, 3226, 3227, 3237, and 3356 of, and to add Section 3205.5 to, the Public Resources Code, relating to oil and gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in Senate May 23, 1972, strike out "chapter", and insert "division,".

Amendment No. 2

On page 8, line 15, strike out "chapter", and insert "division".

Amendment No. 3

On page 12, line 24, strike out "pima", and insert "prima".

Amendment No. 4

On page 12, lines 27 and 28, strike out "after April 1, 1973".

Amendment No. 5

On page 12, line 30, after "years", insert "after April 1, 1973".

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 1355—An act to amend Sections 9501, 9507, 9511, 9540.2, 9575, 9575.6, 9594, and 9597 of, to repeal Sections 9555 and 9580.1 of, and to add Article 9 (commencing with Section 9599) to Chapter 18 of Division 3 of, the Business and Professions Code, and to add Chapter 2 (commencing with Section 13201) to, and to repeal Chapter 2 (commencing with Section 13201) and Chapter 3 (commencing with Section 13501) of, Part 2 of Division 12 of the Health and Safety Code, relating to cleaning, dyeing, and pressing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 9 of the title of the printed bill, as amended in Senate July 5, 1972, after "pressing", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 7, line 34, strike out "an", and insert "a".

Amendment No. 3

On page 9, strike out lines 14 and 15, and insert

"SEC. 16. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

This act would transfer various functions of the State Fire Marshal with respect to clothes cleaning establishments to the State Board of Dry Cleaners which will increase the efficiency of state government and improve the regulation of the drycleaning industry

This act will also make funds available for the purpose of conducting consumer education and information programs and industry continuing education and research programs. In order to insure the safety and protection of the public and the industry from fire hazards and other dangerous conditions and practices, and to provide education, information, and research programs which are vitally necessary to the public and the industry, it is imperative that this act take effect immediately."

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 104—An act making an appropriation for correctional employees' salary increases, to take effect immediately, usual current expenses

Bill read second time, and ordered to third reading.

Senate Bill No. 206—An act to amend Section 25902 of the Education Code, relating to visiting teachers, making an appropriation therefor

Bill read second time, and ordered to third reading.

Senate Bill No. 241—An act relating to the State College Educational Opportunity Program, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 268—An act to amend Section 216 of the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 285—An act relating to the California State University and Colleges, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 286—An act to amend Sections 5779, 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827, 12842, and 12848 of, to add Sections 5779 2, 5779.3, 5780 1, 5780 2, 12821, 12831, 12832, 12833, and 12848 5 to, and to repeal Sections 5779 1 and 12821 of, of the Education Code, relating to school testing, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 363—An act to add Section 513 to the Public Resources Code, relating to the state park system

Bill read second time, and ordered to third reading

Senate Bill No. 387—An act to amend Sections 21295 and 21296 of, and to add Sections 20750 01, 20750 11, 20750 21, 20750 31, 20750.415, 20750.43, and 21296 1 to, and to repeal Sections 21297 5, 21298, and 21298 5 of, the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading

Senate Bill No. 447—An act to add Chapter 25 5 (commencing with Section 48561) to Division 17 of the Agricultural Code, relating to marketing of vegetables, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 612—An act to permit late applications for replacement funds for revenues formerly derived from the taxation of motion pictures, and making an appropriation therefor.

Bill read second time, and ordered to third reading

Senate Bill No. 628—An act relating to the Workmen's Compensation Appeals Board, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 821—An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, relating to corrections.

Bill read second time, and ordered to third reading.

Senate Bill No. 916—An act to add Section 513 1 to the Public Resources Code, relating to the state park system.

Bill read second time, and ordered to third reading.

Senate Bill No. 1009—An act relating to law enforcement, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 1201—An act to amend Section 74661 and Section 74661 5, as added by Chapter 131 of the Statutes of 1972, of the Government Code, relating to courts.

Bill read second time, and ordered to third reading

Senate Bill No. 36—An act to amend Sections 2106 and 2106 5 of, to add Sections 100.13 and 149 2 to, and to add Chapter 8 (commencing with Section 2370) to Division 3 of, the Streets and Highways Code, relating to transportation.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 94—An act to add Division 29 (commencing with Section 45000) to the Education Code, relating to adult education

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 105—An act making an appropriation for capital outlay at Hearst San Simeon State Historical Monument

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 171—An act to amend Section 18102 11 of, as added by Chapter 1562 of the Statutes of 1970, to amend Section 18102 12 of, and to repeal Section 18102 11 of, as added by Chapter 1543 of the Statutes of 1970, the Education Code, relating to mentally retarded minors

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 234—An act to add Section 36004 to the Agricultural Code, relating to milk and milk products

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 242—An act to add Section 40534 to the Agricultural Code, relating to agricultural products

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 366—An act to amend Section 10470 1 of the Business and Professions Code, relating to real estate

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 416—An act to amend Section 18361 of the Education Code, relating to school funds.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 510—An act to add Section 37042 to the Health and Safety Code, relating to building material.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 643—An act to amend Sections 23151 1, 23181, 23183, and 23332 of the Revenue and Taxation Code, relating to taxation

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 691—An act to amend Sections 682, 685, 687, 688, 689, 692, 693, and 695 of the Streets and Highways Code, relating to franchises on state highways

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 696—An act to add Section 13990 10 to the Government Code, and to add Section 7531.5 to the Public Utilities Code, relating to lines of railroads

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 723—An act to amend Sections 15409 and 15452 of the Education Code, relating to school buildings

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 729—An act relating to the state park system, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 786—An act to add Chapter 7 5 (commencing with Section 4040) to Part 1 of Division 5 of the Health and Safety Code, relating to bottled water.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 895—An act to amend Section 2705 of the Public Resources Code, relating to earthquake safety, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 939—An act to add Section 3551 to the Public Utilities Code, relating to carriers.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1069—An act to amend Sections 6203 and 6204 of, and to add Section 6208 to, the Labor Code, relating to labor

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1123—An act to amend Sections 55721, 56275, 56301, 56331, and 56381 of, and to add Sections 55863, 55863 5, and 56574 5 to, the Agricultural Code, relating to agricultural marketing

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1275—An act to amend Section 2732.1 of the Business and Professions Code, relating to nurses.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1377—An act to amend Section 17667, 17951, and 17970 of the Education Code, relating to the education of inmates.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1466—An act to amend Sections 5070 5 and 5070.6 of, and to add Article 1.5 (commencing with Section 5026) to Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1471—An act to amend Sections 7231 and 8371 of the Fish and Game Code, relating to striped bass.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1258—An act relating to Indian education, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1277—An act to amend Section 2741 of the Business and Professions Code, relating to nurses.

Bill read second time, and ordered to third reading.

Senate Bill No. 1383—An act to amend Sections 73561 and 74001 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1478—An act to amend Section 26401 of the Education Code, relating to schools for the neurologically handicapped, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1449—An act to amend Sections 12002 1 and 12314 of, to add Sections 12314 1, 12315 1, and 12331 to, and to repeal Section 12331 of, the Financial Code, relating to proraters.

Bill read second time, and ordered to third reading.

Senate Bill No. 154—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to airports.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate May 10, 1972, between lines 22 and 23, insert

"This section shall not apply to any expansion of an existing airport if the expansion commenced on or prior to the effective date of this

section and the expansion met the approval on or prior to such effective date of each governmental agency which by law required such approval."

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 613—An act to add Section 1753 1 to the Welfare and Institutions Code, relating to the Youth Authority, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly July 21, 1972, after "Authority", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 28, insert

"SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are.

At the present time federal detention facilities for the involuntary confinement, care, and treatment of persons are dangerously overcrowded As a result of this overcrowding, prisoners are being transported out of the state for detention The risks to the public security engendered by this transporting and overcrowding are immediate. This act is necessary to relieve such conditions by enabling federal correctional agencies to use available facilities of the Youth Authority."

Bill ordered reprinted, and to be placed on the Consent Calendar.

Senate Bill No. 110—An act to amend Section 194 of the Code of Civil Procedure, and to add Section 1045 to the Penal Code, relating to juries

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate March 24, 1972, strike out "amend Section 194 of the Code of Civil Procedure, and to"

Amendment No. 2

In line 2 of the title, after "1045 to", insert ", and repeal Section 1045 of,"

Amendment No. 3

On page 2, strike out lines 1 to 5, inclusive

Amendment No. 4

On page 2, line 6, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 5

On page 2, between lines 14 and 15, insert

"This section shall remain in effect only until the 61st day following the final adjournment of the 1975 Regular Session of the Legislature, and as of that date is repealed "

Amendment No. 6

On page 2, line 15, strike out "SEC 3", and insert "SEC. 2".

Amendment No. 7

On page 2, between lines 22 and 23, insert

"This section shall become operative on the 61st day following final adjournment of the 1975 Regular Session of the Legislature "

Amendment No. 8

On page 2, line 23, strike out "SEC 4", and insert "SEC. 3".

Amendment No. 9

On page 2, strike out lines 28 to 35, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 7 of Article I thereof, relating to juries.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed measure, as amended in Senate March 13, 1972, after "amending", insert ", repealing, and adding".

Amendment No. 2

On page 2, line 7, strike out "by amending"; strike out line 8, and insert "be amended as follows:

First—That Section 7 of Article I is amended to read ".

Amendment No. 3

On page 2, strike out lines 17 to 23, inclusive

Amendment No. 4

On page 2, line 24, strike out "capital offense", and insert "felony".

Amendment No. 5

On page 2, lines 25 and 26, strike out "all other criminal actions", and insert "criminal actions in which a misdemeanor is charged".

Amendment No. 6

On page 2, line 27, strike out "six", and insert "eight".

Amendment No. 7

On page 2, after line 36, insert

"This section shall remain in effect only until the 61st day following the final adjournment of the 1975 Regular Session, and as of that date is repealed.

Second—That Section 7 is added to Article I, to read:

SEC 7 The right of trial by jury shall be secured to all, and remain inviolate, but in civil actions three-fourths of the jury may render a verdict A trial by jury may be waived in all criminal cases, by the consent of both parties, expressed in open court by the defendant and his counsel, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law In civil actions and cases of misdemeanor, the jury may consist of twelve, or of any number less than twelve upon which the parties may agree in open court.

This section shall become operative on the 61st day following the final adjournment of the 1975 Regular Session "

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

COMMUNICATIONS

Assembly Chamber, July 26, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 686—An act to amend Sections 3056, 3920, 7522, 9042, 9890 53, 9943, 17804, and 17862 of the Business and Professions Code, and to amend Sections 232, 1155, 1158, 1161, 1384 1 and 4212 of, and to repeal Part 1 5 (commencing with Section 42 1) of Division 1 of, the Civil Code, and to amend Sections 416 60 and 416 70 of the Code of Civil Procedure, and to amend Sections 895 3, 8702, 23755 5, and 31231 of, the Education Code, and to amend Sections 385, 8672, and 8827 5 of, and to repeal Section 3512 1 of, the Elections Code, and to amend Sections 8201, 8203 1, and 8203 7 of the Government Code, and to amend Sections 1402, 1451, and 1503 of the Health and Safety Code, and to amend Sections 1299, 1391, 1393, 1698 4, 1698 5, 1700 33, 1700 34, and 4455 of, and to repeal Section 3080 5 of, the Labor Code, and to amend Sections 272, 273f, 310, 336, 1203 45, 12031, 12551, and 12552 of the Penal Code, and to amend Section 1510 of the Probate Code, and to amend Section 5194 of the Public Resources Code, and to amend Sections 13310, 15113, 15402, and 17785 of the Revenue and Taxation Code, and to amend Section 4200 of the Streets and Highways Code, and to amend Section 631 of the Unemployment Insurance Code, and to amend Sections 12509 and 23105 of the Vehicle Code, and to amend Sections 504, 509, 529 631 631 1, 781, 11263, 14005 4, 14005 6, 14008, 14053, 14054, and 19629 of the Welfare and Institutions Code, and to repeal Section 1 of Chapter 1748 of the Statutes of 1971, relating to age of majority,

Assembly Bill No. 701—An act to amend Section 431 40 of the Code of Civil Procedure, relating to procedure,

Assembly Bill No. 739—An act to amend Section 190 of the Water Code, relating to regional water resources, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 741—An act to amend Section 175 of the Water Code, relating to water;

Assembly Bill No. 907—An act to amend Section 167 10 of the Estero Municipal Improvement District Act (Chapter 82 of the Statutes of 1960, First Extraordinary Session), relating to the Estero Municipal Improvement District, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1041—An act to add Section 33320 2 to the Health and Safety Code, relating to redevelopment;

Assembly Bill No. 1048—An act to amend Sections 680, 682 and 684 of the Probate Code relating to family allowance;

Assembly Bill No. 1473—An act to amend Sections 73076, 73084, 73084 1, 73084 2, 73084 3, 73084 4, 73084 5, 73084 6, 73085, 73085 1, 73085 2, 73085 3, 73085 4, 73085 5, 73085 6, 73085 8, 73085 9, 73086, 73088, 73089, 73090, 73090 1, 73090 2, and 73096 of, and to add Section 73085 10 to of the Government Code, relating to courts;

And reports the same correctly enrolled, and presented to the Governor at 3 p m , July 26, 1972.

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, July 26, 1972

Mr Speaker The Chairman of your Committee on Criminal Justice reports·

SB No 602

With author's amendments with the recommendation Amend, and refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 602—An act to add Section 537d to the Penal Code, relating to manufacturers' identification marks

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate June 27, 1972, strike out "automobiles, trailers,", strike out lines 4 and 5, and on line 6, strike out "heaters,"

Amendment No. 2

On page 2, line 7, after the first "equipment," insert "or".

Amendment No. 3

On page 2, line 9, strike out "and water heaters,".

Amendment No. 4

On page 2, line 10, after "article", insert ", for a purchase price of fifty dollars ($50) or more,".

Amendment No. 5

On page 2, line 11, after "manufacturer's", insert "or retailer's".

Amendment No. 6

On page 2, strike out line 13, and insert "article is guilty of an infraction, and shall be punished by a fine not to exceed five hundred dollars ($500)."

Amendment No. 7

On page 2, line 15, strike out "manufactured", and insert "sold".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice

MESSAGES FROM THE SENATE

Senate Chamber, July 25, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted.

SCR No 78

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 78—Approving an amendment to the Charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held on June 6, 1972

Held at Desk by order of the Acting Speaker.

Hon. James W. Dent Presiding

At 5 05 p m , Hon James W Dent, 10th District, presiding.

ADJOURNMENT

At 5 06 p m , Acting Speaker Dent declared the Assembly adjourned until 1 30 p m , Thursday, July 27, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Fourteenth Legislative Day

Two Hundred Seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 27, 1972

The Assembly met at 1 30 p.m.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly. Time, 1·31 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 1 50 p m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—77

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Blessed Are You, God Our Father, That You give
us reason to hope in the future of man.
We live in a world where we have every reason to fear,
where nation rises up against nation, and where
brother stands against brother.
It is difficult for us at times
even to trust those whom we love
Yet You give us promise that this world is good,
that before us lies a future where men will live in peace.
May we now place all our trust
in the word You have spoken to us,
and may we never be afraid
for You, our God, are always with us —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Badham, seconded by Mr. Hayden.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness

Mr. Briggs, on request of Acting Speaker Fenton

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Brophy, on request of Acting Speaker Fenton.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Explanations of Vote—Assembly Joint Resolution No. 32

July 26, 1972

The Honorable Robert Moretti
Speaker of the Assembly

Dear Mr Speaker. We request that this letter of less than fifty words be printed in the Assembly Journal

On July 3, AJR 32 passed the Assembly on the Consent Calendar Although we are recorded as voting yes, had the measure not been on Consent, we would have opposed it, as we do not feel this country

should subject itself to the political whim and caprice of the International Court.

Sincerely,

JOHN STULL
ROBERT E BADHAM
ROBERT H BURKE
E RICHARD BARNES
JOHN L E COLLIER
FRANK LANTERMAN
DON MacGILLIVRAY
CARLOS J. MOORHEAD

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered·

Assembly Concurrent Resolution No. 123: By Assemblyman Moretti—Relative to the constitutional recess of the Legislature.

Held at Desk by order of the Acting Speaker.

COMMUNICATIONS

Assembly Chamber, July 27, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 530—An act to amend Section 36516 of, and to add Section 36516 2 to, the Government Code, relating to local government;

Assembly Bill No. 1915—An act to amend Section 235 of the Civil Code, relating to emancipation of minors;

Assembly Bill No. 1936—An act to amend and renumber Section 54797 3 of, and to add Section 54797 3 to, and to add Chapter 4 (commencing with Section 58950) to Division 2, Title 6 of, the Government Code, and to amend Section 13917 5 of the Health and Safety Code, relating to local government;

Assembly Bill No. 2122—An act to amend Sections 24224, 24260, 24354 2, 24355 2, 39382, and 39402 of the Health and Safety Code, relating to air pollution;

And reports the same correctly enrolled, and presented to the Governor at 10 30 a m , July 27, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 27, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined·

Assembly Constitutional Amendment No. 95—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending subdivision (a) of Section 2, Section 3, Section 4, subdivision (d) of Section 7, subdivision (c) of Section 8, Section 10, Section 11, subdivisions (a) and (c) of Section 12, and subdivision (b) of Section 23 of Article IV, amending Sec-

tions 3 and 8 of Article V, amending Section 20 of Article XX, and adding Section 25 to Article XX thereof, relating to the Legislature; And reports the same correctly enrolled, and presented to the Secretary of State on the 27th day of July, 1972, at 10:30 a.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 27, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

ACR No. 99	ACR No. 116
ACR No. 113	ACR No. 118

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolutions ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, July 27, 1972

Mr. Speaker: The Chairman of your Committee on Transportation reports:

SB No. 726
SB No. 1072

With author's amendments with the recommendation: Amend, and refer to the Committee on Transportation.

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 726—An act to amend Sections 24224, 24355.2, 39052, 39084, and 39402 of, and to add Sections 39151.5 and 39176.5 to, the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate June 16, 1972, strike out "Sections 24224, 24355.2, 39052, 39084, and 39402", and insert "Section 39057".

Amendment No. 2

In line 2 of the title, strike out "39151.5 and 39176.5", and insert "24224.2, 24355.6, 39052.9, 39151.5, 39176.5, and 39402.5".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 24224.2 is added to the Health and Safety Code, to read:

24224.2. The air pollution control officer shall observe and enforce standards relating to new and used mobile and portable construction

equipment established by the State Air Resources Board pursuant to Section 39052 9

SEC 2 Section 24355 6 is added to the Health and Safety Code, to read·

24355 6 The control officer shall observe and enforce standards relating to new and used mobile and portable construction equipment established by the State Air Resources Board pursuant to Section 39052 9

SEC 3 Section 39052 9 is added to the Health and Safety Code, to read

39052 9 (a) The board shall adopt, at such time as such standards are determined by the board to be technologically feasible, emission standards including opacity standards, for internal combustion engines which constitute any part of new or used mobile and portable construction equipment

(b) Subdivision (m) of Section 39052 and Section 39152 shall not be applicable to engines for which standards are adopted pursuant to this section

(c) No local or regional authority may establish or enforce emission standards different from those established by the board pursuant to this section for internal combustion engines which constitute any part of mobile and portable construction equipment Notwithstanding the foregoing, until the board, pursuant to this section, establishes an opacity standard more stringent than the standard set forth in Sections 24242, 39077 1, and 39441, local and regional authorities shall enforce such sections or equivalent standards

(d) "Mobile and portable construction equipment," as used in this division and in Chapters 2 (commencing with Section 24198) and 2 5 (commencing with Section 24345) of Division 20, means any equipment that is used for construction purposes and which will not, at the completion of the construction project, be a part thereof "Mobile and portable construction equipment" includes "special construction equipment" and "special mobile equipment " as defined in Sections 565 and 575 of the Vehicle Code, but does not include vehicles owned, operated, controlled, or used by a public utility, whether publicly or privately owned, in connection with the construction, installation, operation, maintenance, or repair of transmission lines for communications, electrical power, gas, or water

SEC 4 Section 39057 of the Health and Safety Code is amended to read

39057 Notwithstanding the provisions of this division, any local or regional authority may establish additional, stricter standards than those set for by law or by the state board for all nonvehicular sources, *except for internal combustion engines which constitute any part of mobile and portable construction equipment*, but no local or regional authority may completely ban all agricultural burning, as defined in Section 39295 6

SEC 5 Section 39151 5 is added to the Health and Safety Code, to read

39151 5 No new mobile and portable construction equipment shall be sold or thereafter operated in this state unless it meets applicable emission standards established by the board pursuant to Section 39052 9

or unless it is equipped with each air pollution control device required by the board, or both as determined by the board

SEC 6 Section 39176 5 is added to the Health and Safety Code, to read

39176 5 Any used mobile and portable construction equipment which is operated in this state shall meet applicable emission standards established by the board pursuant to Section 39052 9 or shall be equipped with each air pollution control device required by the board, or both, as determined by the board This section shall not be applicable to used mobile and portable construction equipment which is moved into this state, until 30 days have elapsed after such equipment is first moved into this state for operation in the state

SEC. 7 Section 39402 2 is added to the Health and Safety Code, to read.

39402 2 The control officer shall observe and enforce standards relating to new and used mobile and portable construction equipment established by the State Air Resources Board pursuant to Section 39052 9

SEC. 8 Section 27156 of the Vehicle Code is amended to read·

27156 No person shall operate or leave standing upon any highway any motor vehicle which is required to be equipped with a motor vehicle pollution control device under Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code or any other certified motor vehicle pollution control device required by any other state law or any rule or regulation adopted pursuant to such law, or required to be equipped with a motor vehicle pollution control device pursuant to the National Emissions Standards Act (42 U S C , Secs 1857f-1 to 1857f-7, inclusive) and the standards and regulations promulgated thereunder, unless the motor vehicle is equipped with the required motor vehicle pollution control device which is correctly installed and in operating condition No person shall disconnect, modify, or alter any such required device

No person shall operate or leave standing upon any highway any mobile or portable construction equipment, as defined in subdivision (d) of Section 39052 9 of the Health and Safety Code which cannot be operated in compliance with applicable emission standards established by the State Air Resources Board pursuant to subdivision (a) of Section 39052 9 of the Health and Safety Code or not equipped with each air pollution control device required by the board, or both, as determined by the board No person shall disconnect, modify, or alter any such required device.

No person shall sell, offer for sale or advertise any device, apparatus, or mechanism intended for use with, or as a part of, any required ~~motor vehicle~~ *air* pollution control device or system which alters or modifies the original design or performance of any such ~~motor vehicle~~ *air* pollution control device or system

When the court finds that a person has willfully violated this section he shall be fined the maximum amount that may be imposed in the case, and no part of the fine may be suspended

"Willfully," as used in this section, has the same meaning as the meaning of that word prescribed in Section 7 of the Penal Code

No person shall operate a vehicle after notice by a traffic officer that such vehicle is not equipped with the required certified motor vehicle pollution control device correctly installed in operating condition, except as may be necessary to return the vehicle to the residence or place of business of the owner or driver or to a garage, until the vehicle has been properly equipped with such a device

The notice to appear issued, or complaint filed, for a violation of this section shall require that the person to whom the notice to appear is issued, or against whom the complaint is filed, produce proof of correction pursuant to Section 40150

This section shall not apply to an alteration, modification, or modifying device, apparatus, or mechanism found by resolution of the State Air Resources Board either:

(1) To not reduce the effectiveness of any required ~~motor vehicle~~ *air* pollution control device, or

(2) To result in emissions from any such modified or altered vehicle which are at levels which comply with existing state or federal standards for that model year of the vehicle being modified or converted.

The provisions of this section apply to motor vehicles of the United States or its agencies, to the extent authorized by federal law."

Amendment No. 4

On page 2, strike out lines 2 to 34, inclusive, and strike out pages 3 to 9, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Transportation

Senate Bill No. 1072—An act to amend Sections 1 5, 2 1, 2 5, 3 1, 3 5, 3 16, 3 25, 3 27, 6 55, and 7 11 of, and to add Section 1 9 to, the Fresno Metropolitan Transit District Act of 1961 (Chapter 1932 of the Statutes of 1961), relating to transit districts, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Senate June 1, 1972, strike out "Two of the members", and strike out lines 14 to 21, inclusive.

Amendment No. 2

On page 3, line 24, strike out "Two of the members of the district"; and strike out lines 25 to 40, inclusive

Amendment No. 3

On page 4, line 4, strike out "serve at the", and insert "be elected-at-large and shall serve pursuant to the Uniform District Election Law (Part 3 (commencing with Section 23500) of Division 12 of the Elections Code)

The members of the first board shall be elected-at-large pursuant to the Uniform District Election Law at the formation election of the district For purposes of electing the members of the board at the formation election of the district, the term "general district election," as used in the Uniform Election District Law, shall be deemed to mean the formation election of the district "

Amendment No. 4

On page 4, strike out lines 5 to 17, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, July 27, 1972

Mr. Speaker: The Chairman of your Committee on Local Government reports·

SB No 340

With author's amendments with the recommendation Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 340—An act to amend Sections 54784 and 66181 of the Government Code, and to amend Section 24351 1 of the Health and Safety Code, relating to city selection committees

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 22, 1972, strike out "66181", and insert "66503".

Amendment No. 2

In line 1 of the title, after "of", insert "to add Sections 65062 and 66180 to, to repeal Sections 65062, 65062 1, 65062 2, 66180, 66181, 66182, 66183, 66184, and 66185 of, to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of,"

Amendment No. 3

In line 2 of the title, strike out "amend Section 24351 1", and insert "add Sections 24351 and 24351 1 to, and to repeal Sections 24351, 24351 1, 24351 2, 24351 3, 24351 4, and 24351 5 of,".

Amendment No. 4

In line 3 of the title, after the comma, insert "and to add Article 1 (commencing with Section 28700) to Chapter 3 of Part 2 of Division 10 of, and to repeal Article 1 (commencing with Section 28700) of Chapter 3 of Part 2 of Division 10 of, the Public Utilities Code,".

Amendment No. 5

On page 2, strike out line 1, and insert

"SECTION 1. Article 11 (commencing with Section 50270) is added to Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, to read.

Article 11. City Selection Committees

50270 In any county in which two or more cities are incorporated there is hereby created a city selection committee the purpose of which shall be to appoint city representatives to boards, commissions, and agencies as required by law. The membership of each such city selection committee shall consist of the mayor of each city within the county

50271 When the mayor is unable to attend a meeting of a city selection committee, he shall designate another member of the city's legislative body to attend and vote at the meeting in his place and as his representative

50272 Representatives of a majority of the number of cities within a county entitled to representation on the city selection committee shall constitute a quorum of the committee In order for a city selection committee to make appointments or in any other manner conduct business of the committee, a quorum of members present shall be necessary. Whenever a quorum is not present at a meeting of any city selection committee, the meeting shall be postponed or adjourned to a subsequent time and place, as determined by the chairman

50273 In order to provide for initial organization of a city selection committee pursuant to this article, an organizational meeting of each committee shall be held within 60 days after the effective date of this article The county clerk of each county shall act as temporary chairman of the city selection committee

As temporary chairman of the city selection committee, the county clerk shall fix a time and place for the organizational meeting of the committee and shall give mailed notice of such date and time to the chairman of the legislative body of each city incorporated within the county.

Each selection committee shall meet on the date and at the time designated by the county clerk After the organizational meeting, a selection committee shall meet on such dates and at such times as it may determine or as are required by law

50274 At the first organizational meeting of a city selection committee held pursuant to Section 50273, it shall select from among its members a permanent chairman and vice chairman, and such other officers as it deems necessary The term of office of the chairman and vice chairman shall be two years At least 60 days prior to the expiration of the term of office of the chairman and vice chairman, the city selection committee shall meet and select a successor to the chairman and to the vice chairman.

50275 In order to carry out the provisions and purposes of this article, a city selection committee shall formulate and adopt rules and regulations to govern the conduct of their meetings and the selection of city representatives Such rules and regulations shall include, but not be limited to, the time and place of the committee's regular meetings, a procedure for nominating and selecting city representatives,

and the manner in which voting by the city selection committee shall be conducted.

50276. The county clerk of each county shall act as the permanent secretary and recording officer of the city selection committee organized within such county. All meetings of a city selection committee shall be conducted in the presence of the county clerk of the county in which the committee is organized or his deputy. All votes and action taken by a city selection committee shall be recorded in writing by the secretary of the committee The written record of any vote or action taken by the selection committee shall include the name of each member voting and how he voted Written records and minutes of a selection committee's secretary are public records

50277 A city selection committee shall conduct regular meetings at the times specified by it in its rules and regulations, and shall also meet upon the call of its chairman The chairman of a selection committee may call a special meeting of the committee at any time, and the chairman shall call a special meeting of the selection committee upon the written request of 50 percent of the members of the city selection committee When a chairman is required to call a special meeting of a city selection committee pursuant to this section, such a meeting shall be called and held within 60 days after receipt of such written request. Within three weeks prior to the date fixed for a special meeting of the committee, the chairman of the committee shall notify the committee secretary of the date, time, and place of the special meeting.

50278 At least two weeks prior to the date of any meeting of a city selection committee, the secretary of the committee shall give notice of the meeting to each member of the committee The secretary shall also give reasonable notice to each member of a selection committee of the time, date, and place to which a meeting of the committee is continued

50279. Members of a city selection committee shall serve without compensation.

SEC 2. Section 54784 of the Government Code is amended to read:

54784 In each county containing two or more cities, ~~there shall be a city selection committee consisting of the mayor of each city within such county, or, where there is no mayor, the chairman or president of the city legislative body. A majority of the members of each city selection committee shall constitute a quorum.~~

~~The city selection committee shall meet at the call of the local agency formation commission chairman, or at the request of 60 percent of the members of the city selection committee to fill vacancies in the commission~~ *regular and alternate city members to the commission shall be appointed by the city selection committee organized in the county pursuant to and in the manner provided in Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 Regular members of the commission shall be appointed by such city selection committee pursuant to Section 54780*

The city selection committee shall appoint one alternate member to the commission in the same manner as it appoints a regular member If one of the regular city members is absent from a commission meet-

ing, or disqualifies himself from participating in a meeting, or is automatically disqualified from participating therein pursuant to this section, the alternate member is authorized to serve and vote in his place for that meeting. When the commission is considering a proposal for the annexation of territory to a city of which one of the members of the commission is an officer, the member is disqualified from participating in the proceedings of the commission with respect to the proposal and the alternate member shall serve and vote in his place for such purpose

SEC 3 Section 65062 of the Government Code is repealed

~~65062 There shall be a separate and distinct city selection committee for each county in the district The membership of such committees shall consist of the mayor of each city within such county within the district, or, where there is no mayor, the chairman or president of the city council~~

SEC 4 Section 65062 is added to the Government Code, to read

65062 The city selection committee organized in each county within a district pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 shall meet within 60 days after the date upon which the district becomes operative for the purpose of making the first appointments to the district board as prescribed in Sections 65063 1 and 65063 3 Succeeding appointments to the board shall be made by such city selection committees as required by this chapter.

SEC 5 Section 65062 1 of the Government Code is repealed.

~~65062 1. A majority of the members of each city selection committee shall constitute a quorum~~

SEC. 6. Section 65062 2 of the Government Code is repealed

~~65062 2 The city selection committee of each county shall meet within 60 days after the date the district first becomes operative for the purpose of making the first appointment to the district board as prescribed in Section 65063 3. The committee of each county shall thereafter meet on the second Monday in May of each year that it is necessary to make succeeding appointments to the district board~~

SEC 7 Section 66180 of the Government Code is repealed.

~~66180 There shall be a separate and distinct city selection committee for each county in the State The membership of such committees shall consist of the mayor of each city within such county or, where there is no mayor, the chairman or president of the city council~~

SEC 8 Section 66180 is added to the Government Code, to read

66180 The city selection committee organized in each county within a planning district pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5, shall meet within 60 days after the date upon which the district becomes operative for purposes of making the first appointments to the board as prescribed in Sections 66201 and 66202 Succeeding appointments to the planning district board shall be made by such city selection committee as specified in this chapter

SEC 9 Section 66181 of the Government Code is repealed.

~~66181 A majority of the members of each city selection committee shall constitute a quorum~~

SEC 10. Section 66182 of the Government Code is repealed

~~66182. The City and County of San Francisco is both a city and a county for the purpose of this article.~~

SEC 11 Section 66183 of the Government Code is repealed

~~66183. The city selection committee of each county may meet, on the call of any mayor or where there is no mayor the chairman or president of the city council, in the chambers of the board of supervisors of such county for the purpose of making the first appointment to the district board as prescribed in Section 66201. The committee of each county shall, so long as the county remains a part of a planning district, thereafter meet at 10 o'clock a.m. in the chambers of the board of supervisors of such county on the second Monday in May of each year that it is necessary to make succeeding appointments to the district board. At least two weeks prior to the date of each meeting the county clerk of each county shall give notice of such meeting to each member of the city selection committee of such county. The meeting of the city selection committee of each county shall be conducted in the presence of the county clerk of such county who shall act as the recording officer for the meeting. It shall be the duty of the county clerk to give an appropriate notice signed by the chairman of the committee to the Secretary of State and to the secretary of the district board of each appointment made by the city selection committee.~~

SEC 12. Section 66184 of the Government Code is repealed

~~66184. Each committee shall appoint a chairman from among its members and such other officers as may be necessary.~~

SEC 13. Section 66185 of the Government Code is repealed

~~66185. Members of the committees shall serve without compensation, but may be allowed actual expenses incurred in the discharge of their duties as may be authorized by the board of directors.~~

SEC 14. Section 66503 of the Government Code is amended to read.

66503 The commission shall consist of 19 members as follows

(a) Two members each from the City and County of San Francisco and the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara With respect to the members from San Francisco, the mayor shall appoint one member and the board of supervisors shall appoint one member With respect to the members from Alameda, Contra Costa, San Mateo, and Santa Clara Counties, the ~~mayors'~~ *city* selection committee ~~of~~ *organized in* each county *pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5*, shall appoint one member and the board of supervisors shall appoint one member

(b) One member each from Marin, Napa, Solano, and Sonoma Counties The mayors' selection committee of these counties shall furnish to the board of supervisors the names of three nominees and the board of supervisors shall appoint one of the nominees to represent the county.

(c) One representative each appointed by the Association of Bay Area Governments and the San Francisco Bay Conservation and Development Commission.

(d) One representative, who shall be a nonvoting member, appointed by the Secretary for Business and Transportation

(e) One representative each appointed by the United States Department of Transportation and Department of Housing and Urban Development, provided such representatives shall serve only if the agencies they represent are amenable to such appointments These representatives shall be nonvoting members

Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office

SEC. 15 Section 24351 of the Health and Safety Code is repealed

~~24351 There shall be a separate and distinct city selection committee for each county in which the district may transact business and exercise its powers The membership of such committees shall consist of the mayor of each city within such county, or, where there is no mayor, the chairman or the president of the city council~~

SEC 16 Section 24351 is added to the Health and Safety Code, to read:

24351 The city selection committee organized in each county within the district pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code shall make the appointments to the district board when vacancies occur as prescribed in Section 24352 1.

SEC 17. Section 24351 1 of the Health and Safety Code is repealed

~~24351 1. A majority of the members of each city selection committee shall constitute a quorum~~

SEC 18. Section 24351 1 is added to the Health and Safety Code, to read:

24351 1 With regard to the City and County of San Francisco, the mayor shall make appointments to the board Any person so appointed shall be an elected official of the City and County of San Francisco

SEC 19 Section 24351 2 of the Health and Safety Code is repealed

~~24351 2 The City and County of San Francisco is a city for purposes of this article~~

SEC 20. Section 24351 3 of the Health and Safety Code is repealed

~~24351 3 The city selection committee of each county shall meet on October 28, 1955, at 10 a m in the chambers of the board of supervisors of such county for the purpose of making the first appointment to the district board as prescribed in Section 24352 The committee of each county shall thereafter meet on the second Monday in May of each even-numbered year, at 10 a m in the chambers of the board of supervisors of such county, for the purpose of making succeeding appointments to the district board as prescribed in Section 24352 1 At least two weeks prior to the date of each meeting the clerk of the board of supervisors of each county shall give notice of such meeting to each member of the city selection committee of such county The meeting of the city selection committee of each county shall be conducted in the presence of the clerk of the board of supervisors of such county who shall act as the recording officer for the meeting It shall be the duty of the clerk of the board of supervisors to notify in writing the board of supervisors of such county and also the clerk of the district board of the~~

~~appointment made by the city selection committee within 10 days after such appointment has been made.~~

SEC 21 Section 24351 4 of the Health and Safety Code is repealed.

~~24351.4 Each committee shall appoint a chairman from among its members and such other officers as may be necessary.~~

SEC 22 Section 24351.5 of the Health and Safety Code is repealed

~~24351.5 Members of the committees shall serve without compensation, but may be allowed actual expenses incurred in the discharge of their duties.~~

SEC. 23 Article 1 (commencing with Section 28700) of Chapter 3 of Part 2 of Division 10 of the Public Utilities Code is repealed.

SEC 24. Article 1 (commencing with Section 28700) is added to Chapter 3 of Part 2 of Division 10 of the Public Utilities Code, to read:

Article 1 City Selection Committees

28700. The city selection committee organized within each county of the district pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, shall make appointments to the board of directors when vacancies occur as prescribed in Article 2.

28701. With regard to the City and County of San Francisco, the mayor shall make appointments to the board of directors Any person appointed pursuant to this section shall be an elected official of the City and County of San Francisco."

Amendment No. 6

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 and 4.

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

REPORTS OF STANDING COMMITTEES

Committee on Urban Development and Housing

Assembly Chamber, July 27, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

SB No. 1365

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent Calendar.

BRATHWAITE, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Local Government

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Local Government reports·

SB No 763

SB No 1468

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

KNOX, Chairman

Above bills ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, July 27, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports:

SB No 175

With amendments with the recommendation· Amend, and do pass, as amended.

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Governmental Organization

Assembly Chamber, July 27, 1972

Mr. Speaker. Your Committee on Governmental Organization reports·

SB No. 1136

With the recommendation That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study

RALPH, Chairman

Subject matter of the above bill referred to the Committee on Rules

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Governmental Organization reports·

SB No 605

SB No 1470

With the recommendation Do pass

RALPH, Chairman

Above bills ordered to second reading

Committee on Transportation

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Transportation reports·

SB No 1312

SB No 938

With the recommendation· Do pass

DEDDEH, Chairman

Above bills ordered to second reading

Assembly Chamber, July 27, 1972

Mr Speaker· Your Committee on Transportation reports:

SB No 53

SB No. 190

SB No 544

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Transportation reports:

SB No 263

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading

Committee on Constitutional Amendments

Assembly Chamber, July 27, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports·

SB No 1407

With the recommendation Do pass.

GARCIA, Chairman

Above bill ordered to second reading

Assembly Chamber, July 27, 1972

Mr. Speaker· Your Committee on Constitutional Amendments reports:

SCA No 10

SCA No 59

With the recommendation Be adopted

GARCIA, Chairman

Above resolutions ordered on file

Committee on Judiciary

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Judiciary reports·

SB No 184

SB No. 777

With amendments with the recommendation Amend, and do pass, as amended.

WARREN, Chairman

Above bills ordered to second reading

MESSAGES FROM THE SENATE

Senate Chamber, July 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No 610
AB No 723
AB No. 735
AB No 1105
AB No 2112

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 26, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 243	AB No 1469
AB No 317	AB No 1832
AB No 643	AB No 1931
AB No 661	AB No 1989
AB No. 958	AB No 2130

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

Senate, California Legislature
July 26, 1972

Mr James D. Driscoll
Chief Clerk of the Assembly
Assembly Chamber

Dear Mr. Driscoll, The Senate on this date withdrew Senate Bill 1455 from enrollment and rescinded the action whereby the Senate concurred in Assembly amendments to the bill on July 24, 1972.

The Senate then refused to concur in Assembly amendments and appointed Senators Petris, Behr, and Nejedly as a Committee on Conference to meet a like committee of the Assembly

Very truly yours,

DARRYL R WHITE
Secretary of the Senate

Senate Chamber, July 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

SB No. 424
SB No 860

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, July 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed.

SB No 1505

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 26, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 70

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 25, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 79

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 424—An act to amend Section 218 of the Revenue and Taxation Code, relating to property taxation.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 860—An act to amend Sections 51201 and 65302 of the Government Code, and to amend Section 6301 of, to amend Sections 421, 422, and 426 of the Revenue and Taxation Code, and to add Section 21108 and Division 15 (commencing with Section 24001) to, the Public Resources Code, relating to coastal resources

Held at Desk by order of the Acting Speaker

Senate Bill No. 1505—An act to amend Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, relating to school district unification and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 70—Relative to dental health programs

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 79—Relative to the revision of the Penal Code.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
424	Revenue and Taxation
860	Planning and Land Use
1505	Education

Senate Concurrent Resolution No.	*Committee*
70	Health

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted, that all amended bills be returned to third reading or Second Day Consent Calendar, and that any Consent Calendar bills be placed on Second Day Consent Calendar for the next legislative day

RESOLUTION REMOVED FROM CONSENT CALENDAR

On request of Mr Bee, Assembly Concurrent Resolution No. 116 was removed from the Consent Calendar and, by unanimous consent, placed on the third reading file

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 314, 601, 678, 680, and 306 for hearing in the Committee on Retirement on Monday, July 31, 1972

Mr McCarthy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 54 for hearing in the Committee on Labor Relations on Friday, July 28, 1972

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bills were ordered re-referred to the Committee on Ways and Means.

Senate Bills Nos. 125 and **1049.**

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1080

Mr Badham was granted unanimous consent to take up Senate Bill No 1080, out of order, for purpose of amendment.

Consideration of Senate Bill No. 1080

Senate Bill No. 1080—An act to amend Section 1703 of the Education Code, relating to school districts.

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Badham was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 1080 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr Badham moved the adoption of the following amendments·

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate June 27, 1972, after "districts", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, between lines 19 and 20, insert

"SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order to permit school districts which conducted successful unification elections in June 1972, and for which bonds have been authorized, to begin the sale of such bonds and so facilitate the orderly financing of such districts at the earliest possible time, it is necessary that this act take effect immediately "

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 763—An act to amend Section 25100 5 of the Government Code, relating to county officers

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1468—An act to add and repeal Section 2808 1 of the Streets and Highways Code, relating to special assessment proceedings.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 175—An act to amend Section 402 1 of the Revenue and Taxation Code, relating to property taxation

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 7, 1972, strike out "Section 402 1 of", and insert "Sections 421, 422, and 423 of, and to add Section 423.7 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 421 of the Revenue and Taxation Code is amended to read:

421. For the purposes of this article·

(a) "Agricultural preserve" means an agricultural preserve created pursuant to the California Land Conservation Act of 1965 (Williamson Act) (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5 of the Government Code)

(b) "Contract" means a contract executed pursuant to the California Land Conservation Act.

(c) "Agreement" means an agreement executed pursuant to the California Land Conservation Act prior to the 61st day following the final adjournment of the 1969 Regular Session of the Legislature and which, taken as a whole, provides restrictions, terms, and conditions which are substantially similar or more restrictive than those required by statute for a contract

(d) "Scenic restriction" means any interest or right in real property acquired by a city or county pursuant to Chapter 12 (commencing with Section 6950) of Division 7 of Title 1 of the Government Code, where the deed or other instrument granting such right or interest imposes restrictions which, through limitation of their future use, will effectively preserve for public use and enjoyment, the character of open spaces and areas as defined in Section 6954 of the Government Code.

A scenic restriction shall be for an initial term of 10 years or more, and shall either

(1) Provide a method whereby the term may be extended by mutual agreement of the parties, or

(2) Provide that the initial term shall be subject to annual automatic one-year extensions as provided for contracts in Sections 51244, 51244.5, and 51246 of the Government Code, unless notice of nonrenewal is given as provided in Section 51245 of the Government Code

A scenic restriction may not be terminated prior to the expiration of the initial term, and any extension thereof, except as provided for cancellation of contracts in Sections 51281, 51282, 51283 and 51283.3 of the Government Code, and subject to the provisions therein for payment of the cancellation fee

(e) "Open-space easement" means an open-space easement granted to a county or city pursuant to Chapter 6.5 (commencing with Section 51050) of Part 1 of Division 1 of Title 5 of the Government Code

(f) "Wildlife habitat contract" means any contract or covenant involving 150 acres or more of land entered into by a landowner with any federal or state agency limiting the use of lands for a period of 10 or more years by the landowner to habitat for native or migratory wildlife and lifestock pasture

~~(f)~~ *(g)* "Open-space land" means any of the following:

(1) Land within an agricultural preserve and subject to a contract or an agreement

(2) Land subject to a scenic restriction

(3) Land subject to an open-space easement.

~~(g)~~ *(h)* "Typical rotation period" means a period of years during which different crops are grown as part of a plant cultural program Typical rotation period does not mean the rotation period of timber

(i) "Wildlife" means waterfowl of every kind and any other undomesticated mammal, fish, or bird

SEC 2 Section 422 of the Revenue and Taxation Code is amended to read

422 For the purposes of this article and within the meaning of Article XXVIII of the State Constitution, "enforceable restriction" is any of the following:

(a) A contract,

(b) An agreement;

(c) A scenic restriction; ~~or~~

(d) An open-space easement - *; or*

(e) A wildlife habitat contract

For the purposes of this article no restriction upon the use of land other than those enumerated in this section shall be considered to be an enforceable restriction

SEC 3 Section 423 of the Revenue and Taxation Code is amended to read

423 ~~When~~ *Except as provided in Section 423.7, when* valuing open-space land subject to an enforceable restriction, other than land used for the production of timber for commercial purposes, the board for purposes of surveys required by Section 1815 of this code and the county assessor shall not consider sales data on lands, whether or not subject to an enforceable restriction, but shall value such lands by the capitalization of income method in the following manner

(a) The annual income to be capitalized shall be determined as follows:

(1) Where sufficient rental information is available the income shall be the fair rent which can be imputed to the land being valued based upon rent actually received for the land by the owner and upon typical rentals received in the area for similar land in similar use, where the owner pays the property tax When the land being valued is actually encumbered by a lease, any cash rent or its equivalent considered in determining the fair rent of the land shall be the amount for which the land would be expected to rent were the rental payment to be renegotiated in the light of current conditions including applicable enforceable restrictions

(2) Where sufficient rental information is not available, the income shall be that which the land being valued reasonably can be expected to yield under prudent management and subject to applicable enforceable restrictions There shall be a rebuttable presumption that "prudent management" does not include use of the land for a recreational use, as defined in subdivision (n) of Section 51201 of the Government Code, unless the land is actually devoted to such use

For the purposes of this section income shall be determined in accordance with rules and regulations issued by the board and with this section and shall be the difference between revenue and expenditures Revenue shall be the amount of money or money's worth, including any cash rent or its equivalent, which the land can be expected to yield to an owner-operator annually on the average from any use of the land permitted under the terms of the enforceable restriction including, but not limited to, that from the production of salt and from typical crops grown in the area during a typical rotation period, not to exceed six years including the tax year and the next succeeding

five years When the land is planted to fruit-bearing or nut-bearing trees, vines, bushes or perennial plants, the revenue shall not be less than the land would be expected to yield to an owner-operator from other typical crops grown in the area during a typical rotation period, not to exceed six years including the tax year and the next succeeding five years Proceeds from the sale of the land being valued shall not be included in the revenue from the land

Expenditures shall be any outlay or average annual allocation of money or money's worth that can be fairly charged against the revenue expected to be received during the period used in computing such revenue Those expenditures to be charged against revenue shall be only those which are ordinary and necessary in the production and maintenance of the revenue for that period Expenditures shall not include depletion charges, debt retirement, interest on funds invested in the land, interest on funds invested in trees and vines valued as land as provided by Section 429, property taxes, corporation income taxes, or corporation franchise taxes based on income When the income used is from operating the land being valued or from operating comparable land, amounts shall be excluded from the income to provide a fair return on capital investment in operating assets other than the land, to amortize depreciable property, and to fairly compensate the owner-operator for his operating and managing services

Where the land being valued is not capable of producing income or is not used to produce income or where sufficient information is not available by which income can be determined as provided in this subdivision, the board and the assessor shall impute to the land a reasonable amount to be capitalized as income

(b) The capitalization rate to be used in valuing land pursuant to this article shall not be derived from sales data and shall be the sum of the following components

(1) An interest component to be determined by the board and announced no later than September 1 of the year preceding the assessment year and which was the yield rate for long-term United States government bonds, as most recently published by the Federal Reserve Board, rounded to the nearest one-quarter (¼) percent

(2) A risk component which shall be a percentage determined on the basis of the location and characteristics of the land, the crops to be grown thereon and the provisions of any lease or rental agreement to which the land is subject, and

(3) A component for property taxes which shall be a percentage equal to the estimated total tax rate applicable to the land for the assessment year times the assessment ratio

(4) A component for amortization of any investment in perennials over their estimated economic life when the total income from land and perennials exceeds the yield from other typical crops grown in the area

(c) The value of the land shall be the quotient of the income determined as provided in subdivision (a) divided by the capitalization rate determined as provided in subdivision (b)

(d) The ratio prescribed in Section 401 shall be applied to the value of the land determined in subdivision (c) to obtain its assessed value.

SEC 4 Section 423 7 is added to the Revenue and Taxation Code, to read

423 7. (a) When valuing open-space land of not less than 150-acre parcels subject to a wildlife habitat contract and used exclusively for habitat by native or migratory wildlife, recreation, and livestock pasture, the board, for purposes of surveys required by Section 1815, and all assessors shall value such land under paragraph (1) or (2) of this subdivision

(1) Unless paragraph (2) applies, the value shall be the full cash value determined for the lien date immediately preceding the signing of the wildlife habitat contract or the full cash value as determined for the current lien date, whichever is less

(2) In the event that full cash value of the land as determined for the current lien date exceeds the full cash value determined for the lien date immediately preceding the signing of the wildlife habitat contract, the full cash value of the land shall not be increased by more than 2 percent for each assessment year following the assessment year in which such contract was signed over the amount determined for the lien date immediately preceding such signing

(b) The full cash value determined under subdivision (a) shall be adjusted by the factor described in Section 401

(c) The provisions of Section 426 shall not apply to any lands valued for assessment purposes pursuant to the provisions of this section."

Amendment No. 3

On page 1, strike out lines 2 and 3, and strike out pages 2 and 3

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 605—An act to amend Sections 12803 and 12804 of the Government Code, and to amend Section 50 of the Labor Code, relating to Department of Industrial Relations

Bill read second time, and ordered to third reading

Senate Bill No. 1470—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages

Bill read second time, and ordered to third reading

Senate Bill No. 1312—An act relating to the San Francisco Bay Area Rapid Transit District, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No 938—An act to amend Section 40802 of the Vehicle Code, relating to highways

Bill read second time, and ordered to third reading

Senate Bill No. 263—An act to amend Section 4850 of the Vehicle Code, relating to motor vehicles

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate June 27, 1972, strike out "The", and insert

"(a) The".

Amendment No. 2

On page 2, line 5, after "practicable", insert ", but in no event shall such plates be issued for any calendar year prior to the 1974 calendar year".

Amendment No. 3

On page 2, after line 5, insert

"(b) Notwithstanding any other provision of law, no contract shall be let to any non-governmental entity for the manufacturing of such reflectorized safety license plates, or for the purchase or securing of reflectorized material for such plates, unless bids are received from at least two independent, responsible bidders, neither of which is a licensee of the other."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1407—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 184—An act to amend Section 4700 of the Civil Code, to amend Sections 395, 397 5, 1681, and 1769 of the Code of Civil Procedure, and to amend Section 11476 of the Welfare and Institutions Code, relating to family law

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Set No. 1

Amendment No. 1

On page 9, after line 28 of the printed bill, as amended in Senate May 8, 1972, insert

"SEC 8 Section 11476 of the Welfare and Institutions Code, as amended by Chapter 578 of the Statutes of 1971, is amended to read.

11476 In all cases in which the whereabouts of the parent is unknown, the ~~county~~ department shall refer the applicant to the district attorney at the time the application for assistance is signed

In all cases in which the whereabouts of the absent parent is known, the ~~county~~ department, immediately upon receipt of the application for assistance, shall notify the absent parent of the filing of the application and of his responsibility to complete and return the written

statement required by Section 11353 Such notification shall be by registered mail, return receipt requested, and an appropriate form and a stamped envelope shall be provided for its return If the notice is not delivered within seven days, the ~~county~~ department shall cause prompt personal service to be made If the written statement is not completed and returned within 15 days after service, the ~~county~~ department shall refer the matter to the district attorney for prosecution for violation of Section 11353.

When the ~~county~~ department has obtained sufficient information concerning the absent parent it shall immediately determine his ability to support his children, make contractual arrangements for his complying with his obligation to support, discuss his parental responsibilities, and explore the possibility of a reconciliation and the resumption of a parental relationship with his children If the ~~county~~ department has not obtained a satisfactory support agreement with the absent parent within 30 days after the application for assistance is signed, the county department shall refer the case to the district attorney unless it has definitely determined that the parent is financially incapable of supporting the child The department shall develop ~~and furnish to the counties~~ guidelines and forms for support agreements; such agreements shall provide every safeguard available under the law for effective enforcement of support and collection through enforcement of a legal judgment, including the imposition of liens upon real and personal property where appropriate ~~If the absent parent is residing out of the county and his whereabouts is known, the county department may arrange for the personal contacts and interviews with the absent parent to be conducted by the county department of the county where the parent is located. The department shall provide by regulation for a plan of cooperation between the respective counties, and it shall be the duty of each county upon receiving a request from another county to cooperate and assist promptly in contacting, interviewing, and obtaining support agreements where appropriate from absent parents located within its boundaries.~~

Anything in this section to the contrary notwithstanding, it shall be the duty of the ~~county~~ department to refer to the district attorney immediately any case in which one or more of the following factors appear:

1 The absent parent refuses to be interviewed, to provide necessary information, or to discuss his parental responsibilities.

2 The absent parent refuses to make a contribution in accordance with his financial ability.

3. There is reason to believe that the parent may flee or hide if contacted by the ~~county~~ department

4. The absent parent's previous history indicates that although he is capable of a support contribution, efforts by the ~~county~~ department to obtain support would be fruitless

5 Legal action is necessary to establish paternity.

6 The absent parent has entered into an agreement with the ~~county~~ department to support his child and has defaulted upon that agreement without showing good cause for such default

7 The district attorney has requested that all cases involving parents absent from the home be referred to him immediately upon receipt of the application for assistance

The ~~county~~ department shall cooperate with the district attorney and shall report to him all information contained in the case record which concerns the question of nonsupport and the suitability of prosecution as a method of obtaining support for the child in each case

Upon referral, the district attorney shall immediately investigate the question of nonsupport and shall take all steps necessary to obtain support for the needy child However, upon the advice of the ~~county~~ department that a child is being considered for adoption, the district attorney shall delay his investigation and other actions with respect to the case until advised that the adoption is no longer under consideration

The granting of aid to the applicant shall not be delayed or contingent upon investigation by the district attorney

Where a court order has been obtained in the case by the district attorney, any contractual agreement for support between the department and the absent parent shall be deemed null and void to the extent that it is not consistent with the court order.

In every case which has not been referred to the district attorney, it shall be the duty of the ~~county~~ department to contact the absent parent and to carry out the provisions of this section at the earliest possible date, and to refer the case to the district attorney at once in the event of a refusal to cooperate or an unexplained default as provided above Upon referral, it shall be the duty of the district attorney to take all appropriate action, civil and criminal, to promptly and effectively enforce the obligation of parents to support their children.

SEC 9 Section 11476 of the Welfare and Institutions Code, as amended by Chapter 578 of the Statutes of 1971, is amended to read

11476. In all cases in which the whereabouts of the parent is unknown, the county department shall refer the applicant to the district attorney at the time the application for assistance is signed.

In all cases in which the whereabouts of the absent parent is known, the county department, immediately upon receipt of the application for assistance, shall notify the absent parent of the filing of the application and of his responsibility to complete and return the written statement required by Section 11353 Such notification shall be by ~~registered~~ *certified* mail, return receipt requested, and an appropriate form and a stamped envelope shall be provided for its return If the notice is not delivered within seven days, the county department shall cause prompt personal service to be made If the written statement is not completed and returned within 15 days after service, the county department shall refer the matter to the district attorney for prosecution for violation of Section 11353

When the county department has obtained sufficient information concerning the absent parent it shall immediately determine his ability to support his children, make contractual arrangements for his complying with his obligation to support, discuss his parental responsibilities, and explore the possibility of a reconciliation and the resumption of a parental relationship with his children. If the county department has not

obtained a satisfactory support agreement with the absent parent within 30 days after the application for assistance is signed, the county department shall refer the case to the district attorney unless it has definitely determined that the parent is financially incapable of supporting the child. The department shall develop and furnish to the counties guidelines and forms for support agreements, such agreements shall provide every safeguard available under the law for effective enforcement of support and collection through enforcement of a legal judgment, including the imposition of liens upon real and personal property where appropriate If the absent parent is residing out of the county and his whereabouts is known, the county department may arrange for the personal contacts and interviews with the absent parent to be conducted by the county department of the county where the parent is located. The department shall provide by regulation for a plan of cooperation between the respective counties, and it shall be the duty of each county upon receiving a request from another county to cooperate and assist promptly in contacting, interviewing, and obtaining support agreements where appropriate from absent parents located within its boundaries.

Anything in this section to the contrary notwithstanding, it shall be the duty of the county department to refer to the district attorney immediately any case in which one or more of the following factors appear·

1. The absent parent refuses to be interviewed, to provide necessary information, or to discuss his parental responsibilities

2 The absent parent refuses to make a contribution in accordance with his financial ability

3 There is reason to believe that the parent may flee or hide if contacted by the county department

4 The absent parent's previous history indicates that although he is capable of a support contribution, efforts by the county department to obtain support would be fruitless.

5 Legal action is necessary to establish paternity

6 The absent parent has entered into an agreement with the county department to support his child and has defaulted upon that agreement without showing good cause for such default.

7 The district attorney has requested that all cases involving parents absent from the home be referred to him immediately upon receipt of the application for assistance.

The county department shall cooperate with the district attorney and shall report to him all information contained in the case record which concerns the question of nonsupport and the suitability of prosecution as a method of obtaining support for the child in each case

Upon referral, the district attorney shall immediately investigate the question of nonsupport and shall take all steps necessary to obtain support for the needy child However, upon the advice of the county department that a child is being considered for adoption, the district attorney shall delay his investigation and other actions with respect to the case until advised that the adoption is no longer under consideration.

The granting of aid to the applicant shall not be delayed or contingent upon investigation by the district attorney.

Where a court order has been obtained in the case by the district attorney, any contractual agreement for support between the county welfare department and the absent parent shall be deemed null and void to the extent that it is not consistent with the court order.

In every case which has not been referred to the district attorney, it shall be the duty of the county department to contact the absent parent and to carry out the provisions of this section at the earliest possible date, and to refer the case to the district attorney at once in the event of a refusal to cooperate or an unexplained default as provided above Upon referral, it shall be the duty of the district attorney to take all appropriate action, civil and criminal, to promptly and effectively enforce the obligation of parents to support their children.

SEC 10 Section 11476 of the Welfare and Institutions Code, as amended by Chapter 578 of the Statutes of 1971, is amended to read:

11476 In all cases in which the whereabouts of the parent is unknown, the ~~county~~ department shall refer the applicant to the district attorney at the time the application for assistance is signed.

In all cases in which the whereabouts of the absent parent is known, the ~~county~~ department, immediately upon receipt of the application for assistance, shall notify the absent parent of the filing of the application and of his responsibility to complete and return the written statement required by Section 11353. Such notification shall be by ~~registered~~ *certified* mail, return receipt requested, and an appropriate form and a stamped envelope shall be provided for its return If the notice is not delivered within seven days, the ~~county~~ department shall cause prompt personal service to be made If the written statement is not completed and returned within 15 days after service, the ~~county~~ department shall refer the matter to the district attorney for prosecution for violation of Section 11353

When the ~~county~~ department has obtained sufficient information concerning the absent parent it shall immediately determine his ability to support his children, make contractual arrangements for his complying with his obligation to support, discuss his parental responsibilities, and explore the possibility of a reconciliation and the resumption of a parental relationship with his children If the ~~county~~ department has not obtained a satisfactory support agreement with the absent parent within 30 days after the application for assistance is signed, the county department shall refer the case to the district attorney unless it has definitely determined that the parent is financially incapable of supporting the child The department shall develop ~~and furnish to the counties~~ guidelines and forms for support agreements; such agreements shall provide every safeguard available under the law for effective enforcement of support and collection through enforcement of a legal judgment, including the imposition of liens upon real and personal property where appropriate ~~If the absent parent is residing out of the county and his whereabouts is known, the county department may arrange for the personal contacts and interviews with the absent parent to be conducted by the county department of the county where the parent is located. The department shall provide by regulation~~

~~for a plan of cooperation between the respective counties, and it shall be the duty of each county upon receiving a request from another county to cooperate and assist promptly in contacting, interviewing, and obtaining support agreements where appropriate from absent parents located within its boundaries.~~

Anything in this section to the contrary notwithstanding, it shall be the duty of the ~~county~~ department to refer to the district attorney immediately any case in which one or more of the following factors appear:

1. The absent parent refuses to be interviewed, to provide necessary information, or to discuss his parental responsibilities.

2 The absent parent refuses to make a contribution in accordance with his financial ability.

3. There is reason to believe that the parent may flee or hide if contacted by the ~~county~~ department.

4 The absent parent's previous history indicates that although he is capable of a support contribution, efforts by the ~~county~~ department to obtain support would be fruitless.

5. Legal action is necessary to establish paternity

6. The absent parent has entered into an agreement with the ~~county~~ department to support his child and has defaulted upon that agreement without showing good cause for such default.

7. The district attorney has requested that all cases involving parents absent from the home be referred to him immediately upon receipt of the application for assistance.

The ~~county~~ department shall cooperate with the district attorney and shall report to him all information contained in the case record which concerns the question of nonsupport and the suitability of prosecution as a method of obtaining support for the child in each case

Upon referral, the district attorney shall immediately investigate the question of nonsupport and shall take all steps necessary to obtain support for the needy child However, upon the advice of the ~~county~~ department that a child is being considered for adoption, the district attorney shall delay his investigation and other actions with respect to the case until advised that the adoption is no longer under consideration.

The granting of aid to the applicant shall not be delayed or contingent upon investigation by the district attorney.

Where a court order has been obtained in the case by the district attorney, any contractual agreement for support between the department and the absent parent shall be deemed null and void to the extent that it is not consistent with the court order

In every case which has not been referred to the district attorney, it shall be the duty of the ~~county~~ department to contact the absent parent and to carry out the provisions of this section at the earliest possible date, and to refer the case to the district attorney at once in the event of a refusal to cooperate or an unexplained default as provided above Upon referral, it shall be the duty of the district attorney to take all appropriate action, civil and criminal, to promptly and effectively enforce the obligation of parents to support their children

SEC. 11 It is the intent of the Legislature that if this bill and Senate Bill No. 540 or Assembly Bill No 802, or both, are chaptered

and amend Section 11476 of the Welfare and Institutions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows:

(a) If this bill and Senate Bill No. 540 are both chaptered and amend Section 11476 of the Welfare and Institutions Code, but Assembly Bill No. 802 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No. 540, that Section 11476 of the Welfare and Institutions Code as amended by Section 7 of this act shall become operative until the operative date of Senate Bill No 540 and, on such date, Section 11476 of the Welfare and Institutions Code, as amended by Section 7 of this act, be further amended in the form set forth in Section 8 of this act to incorporate changes in Section 11476 proposed by Senate Bill No 540. Therefore, if Senate Bill No 540 is chaptered before this bill and amends Section 11476 and Assembly Bill No. 802 is not chaptered or as chaptered does not amend that section, Section 8 of this act shall become operative on the operative date of Senate Bill No. 540 and Sections 9 and 10 of this act shall not become operative.

(b) If this bill and Assembly Bill No 802 are both chaptered and amend Section 11476 of the Welfare and Institutions Code, but Senate Bill No. 540 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No. 802, the amendments proposed by both bills shall be given effect and incorporated in Section 11476 in the form set forth in Section 9 of this act. Therefore, if Assembly Bill No 802 is chaptered before this bill and both bills amend Section 11476, and Senate Bill No 540 is not chaptered or as chaptered does not amend that section, Section 9 shall be operative and Sections 7, 8, and 10 of this act shall not become operative.

(c) If this bill and Senate Bill No 540 and Assembly Bill No. 802 are all chaptered, and all three bills amend Section 11476 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No. 540 and Assembly Bill No 802, that Section 11476 of the Welfare and Institutions Code, as amended by Section 9 of this act, shall become operative until the operative date of Senate Bill No 540 and on such date Section 11476 of the Welfare and Institutions Code, as amended by Section 9 of this act, shall be further amended in the form set forth in Section 10 of this act to incorporate changes in Section 11476 proposed by all three bills Therefore, if Senate Bill No 540 and Assembly Bill No 802 are both chaptered before this bill and all three bills amend Section 11476 of the Welfare and Institutions Code, Section 10 of this act shall become operative on the operative date of Senate Bill No. 540 and Sections 7 and 8 of this act shall not become operative."

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate May 8, 1972, strike out "397.5,".

Amendment No. 2

On page 4, strike out lines 34 to 40, inclusive; and on page 5, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 5, line 6, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 4

On page 6, line 9, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 5

On page 6, line 39, strike out "SEC. 7", and insert "SEC. 6".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 777—An act to add Section 9201.2 to the Corporations Code, relating to prepaid legal services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate May 18, 1972, strike out "A nonprofit corporation", and insert "Nonprofit corporations".

Amendment No. 2

On page 2, line 6, after "system", insert "or systems".

Amendment No. 3

On page 2, line 8, strike out "it", and insert "any such corporation".

Amendment No. 4

On page 2, strike out lines 11 to 13, inclusive, and insert

"(a) The attorneys furnishing professional services pursuant to such system or systems are acting in compliance with the Rules of Professional Conduct of the State Bar of California concerning such system or systems."

Amendment No. 5

On page 2, between lines 25 and 26, insert

"SEC. 1.5. It is the intent of the Legislature that nothing in this act shall be construed to prohibit the formation and conduct of any group, prepaid, or other legal service arrangement organized as an unincorporated association or pursuant to the General Nonprofit Corporation Law which arrangements need not comply with Section 1 of this act provided, however, that attorneys furnishing legal services thereunder are acting in compliance with the Rules of Professional Conduct of the State Bar of California concerning such arrangements."

Bill ordered reprinted, and returned to the third reading file.

RESOLUTION REMOVED FROM CONSENT CALENDAR

On request of Mr. Beverly, Senate Concurrent Resolution No. 60 was removed from the Consent Calendar and, by unanimous consent, placed on the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 830

Mr. Conrad was granted unanimous consent to take up Senate Bill No. 830, out of order, for purpose of amendment.

Consideration of Senate Bill No. 830

Senate Bill No. 830—An act to amend Section 597 of the Penal Code, relating to crimes against animals.

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Senate June 28, 1972, strike out "Every", and insert "Except as otherwise provided in subdivision (a), every".

Amendment No. 2

On page 1, line 12, after the second comma, insert "tortures,".

Amendment No. 3

On page 2, line 1, after "beats", insert ", mutilates, or cruelly kills".

Amendment No. 4

On page 2, line 4, after the first comma, insert "tortured,".

Amendment No. 5

On page 2, line 5, after "beaten", insert ", mutilated, or cruelly killed".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 231, on request of Mr Chappie

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 742—An act to amend Sections 13164 and 13303 of, to add Section 13171 to, and to repeal Section 14027 and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, to add Section 54740 to the Government Code, and to repeal Sections 4766 5 and 6523 01 of the Health and Safety Code, relating to water quality

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 742?

Amendment No. 1

On page 3, line 34, of the printed bill, as amended in Assembly June 16, 1972, after "District", insert ", the Squaw Valley County Water District, or the Alpine Springs County Water District".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Hayden, Ketchum, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stull, Thomas, Vasconcellos, Wakefield, Wilson, Wood, and Mr Speaker—45.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1268—An act to amend the heading of Division 15 (commencing with Section 22000) of, and to add Part 2 (commencing with Section 22500) to Division 15 of, the Streets and Highways Code, relating to the installation and maintenance of landscaping and lighting on public streets and property and providing for the formation of special assessment districts and the levy and collection of special assessments to pay the costs and expenses thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1268?

Senate Amendments of July 6, 1972

Amendment No. 1

On page 10, between lines 17 and 18, of the printed bill, as amended in Assembly May 31, 1972, insert

"The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000))."

Senate Amendments of July 20, 1972

Amendment No. 1

On page 4, line 38, of the printed bill, as amended in Senate July 6, 1972, strike out the second comma.

Amendment No. 2

On page 11, line 11, strike out "and any proposed zones therein".

Amendment No. 3

On page 12, strike out lines 22 to 25, inclusive; and in line 26, strike out "legislative body", and insert "but".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Hayden, Ketchum, Keysor, Lancaster, MacDonald, MacGillivray, McAlister, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stull, Thomas, Vasconcellos, Wakefield, Wilson, Wood, and Mr. Speaker—41.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1454—An act to amend Section 11552 of, and to add Sections 11526 2, 11549 7, 11549 8 and 11551 7 to, the Business and Professions Code, relating to subdivisions

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1454?

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in Assembly June 19, 1972, strike out "11549 5", and insert "11549.7".

The roll was called, and the Assembly refused to concur in the above Senate amendment by the following vote:

AYES—Brown, Priolo, and Wilson—3

NOES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Hayden, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Seeley, Stull, Thomas, Vasconcellos, Wakefield, Wood, and Mr Speaker—43.

Appointment of Committee on Conference Concerning Assembly Bill No. 1454

The Acting Speaker appointed Messrs Beverly, Priolo, and Powers as a Committee of Conference concerning Assembly Bill No 1454.

Assembly Bill No. 1812—An act to amend Sections 851.5, 852, 853 and 1240 of the Probate Code, relating to title disputes

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1812?

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "10", and insert "30".

Amendment No. 2

On page 2, line 27, after the period, insert "Notice of pendency of such proceeding may be filed pursuant to Section 409 of the Code of Civil Procedure."

Amendment No. 3

On page 2, line 28, strike out "real", and insert "the".

Amendment No. 4

On page 3, line 7, strike out "or administrator", and insert ", administrator, or other claimant".

Amendment No. 5

On page 3, line 12, after "relief", insert ", except that the court shall not grant a petition under Section 851 5 if it determines that the matter should be determined by civil action".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis,

Deddeh, Dent, Duffy, Fenton, Fong, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Stull, Thomas, Vasconcellos, Wakefield, Wilson, Wood, and Mr. Speaker—50.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1372—An act to repeal Section 1 5 of the Vehicle Code, relating to the operative date of acts affecting the Vehicle Code, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1372?

Amendment No. 1

On page 2 of the printed bill, strike out lines 6 to 11, inclusive; and in line 12, strike out "SEC. 3", and insert

"SEC 2".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1396—An act to amend Sections 61842, 61843, and 61845 of the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1396?

Senate Amendments of June 23, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 15, 1972, strike out lines 18 to 22, inclusive; and in line 23, strike out "half", and insert

"(2) Any market cream or market half-and-half which is packaged in presterilized containers under aseptic conditions to meet the marketing requirements for such products".

Amendment No. 2

On page 2, line 25, after "any", insert "milk".

Amendment No. 3

On page 2, line 26, strike out "which does not meet", and insert "unless such product meets".

Senate Amendments of July 20, 1972

Amendment No. 1

On page 3, line 17, of the printed bill, as amended in Senate June 23, 1972, strike out "68142", and insert "61842".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1628—An act to add Section 17677 to the Education Code, relating to financial support of the public schools, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1628?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 4, 1972, strike out "relating to providing property tax remedies and", and strike out line 2, and in line 3, strike out "apportionment therefor", and insert "to add Section 17677 to the Education Code, relating to financial support of the public schools".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 17677 is added to the Education Code, to read:

17677. Notwithstanding any other provision in this code, any school district which was allowed an increase in the foundation program pursuant to Section 17676 during the 1971–1972 fiscal year shall be allowed the same increase in the foundation program during the 1972–1973 fiscal year regardless of the outcome of an election held in June of 1972, as required by Section 31007

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order to permit school districts which are allowed an increase in their foundation program pursuant to specified authority to continue to receive such increase for the entire 1972–1973 fiscal year, and to permit them to plan their budgets for that year upon such an expectation, it is necessary that this act take effect immediately."

Amendment No. 3

On page 2, strike out lines 2 to 31, inclusive; and strike out page 3.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—Wakefield—1.

Above bill ordered enrolled.

Assembly Bill No. 1650—An act making an appropriation for the operation and maintenance of state park system facilities at Silverwood Lake, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1650?

Senate Amendments of May 24, 1972

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Assembly May 9, 1972, insert

"(Coauthor. Senator Coombs)".

Amendment No. 2

On page 1, line 4, strike out "eight", and insert "three hundred five".

Amendment No. 3

On page 1, line 5, strike out "($8,000)", and insert "($305,000)".

Senate Amendments of June 21, 1972

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in Senate May 24, 1972, strike out "three hundred five thousand dollars ($305,000)", and insert "eight thousand dollars ($8,000)".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1708—An act to amend Sections 1167 and 1170 of the Harbors and Navigation Code, relating to pilots, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1708?

Senate Amendments of July 13, 1972

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 8, 1972, strike out "Section 1207 of, and add Section 1161 to," and insert "Sections 1167 and 1170 of".

Amendment No. 2

On page 2, strike out line 2, and insert

"SECTION 1. Section 1167 of the Harbors and Navigation Code is amended to read:

1167 Every pilot licensed pursuant to the terms of this chapter shall take an oath of office in the manner prescribed by law and shall, once in each month, upon blanks to be furnished by the board, render a verified account to the board of all moneys received by him, or by any other person for him, or on his account, and he shall pay to the board, *exclusive of the amount received which is attributable to the increase in pilotage rates effected by the amendment of Section 1170 enacted during the 1972 Regular Session of the Legislature*, 5 percent of all bar pilotage fees, or such lesser percentage as is established by the board with the approval of the Director of General Services, in full compensation of the board for its official services, for the services of its secretary and treasurer, and all its incidental expenses

SEC 2. Section 1170 of the Harbors and Navigation Code is amended to read:

1170 Every vessel spoken inward or outward bound, shall pay the following rate of bar pilotage through the Golden Gate and into or out of the Bays of San Francisco, San Pablo, and Suisun:

Seven dollars and fifty cents ($7 50) per draft foot of the vessel's deepest draft and fractions of a foot pro rata, and an additional charge of ~~five mils ($0 005)~~ *seven and seven-tenths mills ($0 0077)* per high gross registered ton A minimum charge for such bar pilotage shall be two hundred dollars ($200) for each vessel piloted The vessel's deepest draft shall be the maximum draft attained, on a stillwater basis, at any part of the vessel during the course of such transit inward or outward

SEC 3. It is the intent of the Legislature that the bar pilots for San Francisco, San Pablo, and Suisun Bays shall establish a boat building and equipment replacement trust fund and, from the moneys received pursuant to the increase in pilotage rates provided by this act, deposit monthly in such fund an amount sufficient to provide eighty-six thousand dollars ($86,000) each year for boat building and equipment replacement purposes, such moneys to be used only for such purposes It is further the intent of the Legislature that an accounting of such fund moneys shall be made by the pilots, at no cost to the state and as a charge against the fund, to the board, the committee, or any interested party upon proper request."

Amendment No. 3

On page 2, strike out lines 3 to 28, inclusive.

Senate Amendments of July 18, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Senate July 13, 1972, strike out "Assemblyman Brown", and insert "Assemblymen Brown, Arnett, Bagley, Burton, Crown, Fong, Foran, Knox, McAlister, McCarthy, Meade, Miller, Ryan, and Vasconcellos

(Coauthors: Senators Alquist, Behr, Gregorio, Marks, Moscone, and Petris)".

Amendment No. 2

On page 2, line 11, strike out "effected", and insert "made".

Amendment No. 3

On page 2, line 12, strike out "during", and insert "at".

Amendment No. 4

On page 3, line 8, strike out "provided", and insert "made".

Senate Amendments of July 24, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 18, 1972, after "pilots", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 8, insert

"SEC. 4. This act shall become operative on January 1, 1973.

SEC. 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to implement the findings and recommendations of the San Francisco Pilotage Rate Committee of June 26, 1972, and to increase bar pilotage rates for the Bays of San Francisco, San Pablo, and Suisun and to have rates commensurate with current expenses for such services, and, at the same time, insure future replacement of present equipment, it is essential that this act take effect immediately."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Stull—1

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 1708?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Stull—1.

Above bill ordered enrolled

Assembly Bill No. 2333—An act to amend Sections 2, 13 1, and 26 of, to add Sections 1 1, 4 1, 4 45, 4 6, 4 7, 14 15, 16 1, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 4 2, 4 6, and 4 7 of, the Sutter County Water Agency Act (Chapter 2088 of the Statutes of 1959), relating to the Sutter County Water Agency, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2333?

Amendment No. 1

In line 5 of the title of the printed bill, after "Agency", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 20, after line 38, insert

"SEC 37 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

The provisions of this act authorize the Sutter County Water Agency to control drainage water within the agency Such waters constitute a danger to the health and safety of the residents of the agency, and such control is needed at the earliest possible time It is necessary, therefore, that this act go into immediate effect"

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES — Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2333?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES — Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 99—An act to amend the heading of Chapter 5 (commencing with Section 16601) of Division 12 of, to amend and renumber Section 16701, and to amend Sections 23550, 23553, 24675, 24678, 25546 50 and 25546 53 of, and to add Division 12 5 (commencing with Section 16700) to, and to repeal Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of, and the heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of and to add and repeal Sections 16728 and 16735 of, the Education Code, to amend Sections 17225 5 and 24371 5 of the Revenue and Taxation Code, to amend Sections 11451 5 and 11451 6 of, to add and repeal Chapter 2 7 (commencing with Section 16165) to Part 4 of Division 9 of, and to repeal Sections 10811 and 10811 5 and Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 and Chapter 2 5 (commencing with Section 16150) of Part 4 of, Division 9 of, the Welfare and Institutions Code, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 99?

Senate Amendments of June 19, 1972

Amendment No. 1

On page 5, line 1, of the printed bill, strike out "161505 5", and insert "16150 5".

Amendment No. 2

On page 5, line 16, strike out "Metropolitian", and insert "Metropolitan".

Amendment No. 3

On page 11, line 22, strike out "met", and insert "meet".

Amendment No. 4

On page 12, line 31, strike out "health", and insert "Health".

Amendment No. 5

On page 17, strike out lines 9 to 40, inclusive; strike out pages 18 and 19, and insert

"16603. The need of a parent and child for service in a children's center shall be determined in the following priority order:

(a) Families falling within the categories established by subdivisions (d) to (i), inclusive, of this section who are receiving their support in whole or in part from payments made under Division 9 (commencing with Section 10000) of the Welfare and Institutions Code or whose gross income is below the minimum basic standards of adequate care as defined in Section 11452 of the Welfare and Institutions Code and who also meet the property limitations contained in Part 3 (commencing with Section 11000) of Division 9 of the Welfare and Institutions Code.

(b) Families falling within the categories established by subdivisions (b) through (g) of this section who are certified as "former or potential" recipients of public assistance as provided by Section 16615.2.

(c) Other families not falling within subdivisions (d) through (i).

(d) There is but one parent in the home and such parent supports or cares, or both, for the child, or the parent is physically or mentally unable either to support the family or care for the child, or there is but one parent in the home and this parent requires education or training to qualify for entrance upon employment that will make the family economically self-sufficient

(1) The parent or parents having care of the child are attending school or receiving instruction under the state vocational rehabilitation program or under other programs authorized for a parent or parents in families qualifying for aid to families with dependent children, other than a program described in paragraph (2) of this subdivision, as evidenced by a statement from any one of such agencies, or that one parent in a two-parent family is attending school or receiving instruction under any one of such programs, and the other parent is employed or mentally or physically incapacitated, or the parent or parents could enter into a program such as is described in this section if children's center or group child care services were available to the family.

(2) The parent or parents having care of the child are participating under a work-incentive program established pursuant to Section 432 of the Social Security Act, as evidenced by a statement from the Secretary of Labor or his representative, or that one parent in a two-parent family is so participating and the other parent is either employed or mentally or physically incapacitated to the extent that he is unable to care for the child, or the parent or parents could participate in such a program if children's center or group child care services were available to the family A person continuously employed or engaged in on-the-job training for one year under a program described in Section 432(b)(1) of that act shall, for the purposes of this section, be deemed to be participating under a work-incentive program during that year, unless federal law or regulations shall prescribe a different period

(e) There are two parents in the home, each of whom is either working or is physically or mentally unable to either support the family or care for the child.

(f) The services of the parent having care of the child are necessary to meet an emergency arising from the necessity of harvesting or processing crops, or as an agricultural worker.

(g) Either parent is attending school or receiving instruction, and the other parent, if any, is gainfully employed

(h) The services of the parent having care of the child are necessary as a registered nurse, or licensed vocational nurse, as evidenced by a statement from the responsible employer to the governing body of the agency.

(i) The services of the parent having care of the child are necessary as a qualified and acceptable teacher in a public school or as a qualified and acceptable supervisor to serve in the supervision and instruction of children in a children's center or a supervisor of a children's center or group child care program, or as a qualified and acceptable aide in such program, as shall be evidenced by a statement from the employing authority of the public school to the governing body of the agency."

Amendment No. 6

On page 26, strike out lines 29 to 40, inclusive; on page 27, strike out line 1, and insert

"16615.2. For purposes of this chapter, "former or potential recipients of public assistance" are those families or children who have been or are likely to be recipients of financial assistance under Part 3 (commencing with Section 11000) of Division 9 of the Welfare and Institutions Code and who are eligible for public social services under that division (including services rendered under this chapter) for which federal financial participation is available

The State Department of Social Welfare shall adopt regulations pursuant to this section. It shall administer such regulations so as to maximize federal financial participation available for services rendered under this chapter to such eligible families or children

Children currently certified as potential recipients and enrolled in a children's center as of the effective date of this section shall remain eligible as potential recipients as long as they meet the state means test in the currently effective contract"

Amendment No. 7

On page 34, line 32, strike out "compliment", and insert "complement".

Senate Amendments of July 6, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate June 19, 1972, strike out "Assemblyman Lewis", and insert "Assemblymen Lewis, Moretti, and Brown

(Coauthor: Senator Rodda)".

Amendment No. 2

In line 1 of the title, strike out ", repeal, and add Sections 16150, 16151, 16152,"; strike out lines 2 to 9, inclusive; in line 10, strike out "of, the Education Code," and insert "the heading of Chapter 5 (commencing with Section 16601) of Division 12 of, to amend and renumber Section 16701, and to amend Sections 23550, 23553, 24675, 24678, 25546.50 and 25546.53 of, and to add Division 12.5 (commencing with Section 16700) to, and to repeal Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of, and the heading of

Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of, the Education Code, to amend Sections 17225 5 and 24371 5 of the Revenue and Taxation Code, to amend Sections 11451 5 and 11451 6 of, to add and repeal Chapter 2 7 (commencing with Section 16165) to Part 4 of Division 9 of, and to repeal Sections 10811 and 10811 5 and Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 and Chapter 2 5 (commencing with Section 16150) of Part 4 of, Division 9 of, the Welfare and Institutions Code,".

Amendment No. 3

In line 10 of the title, after "programs," insert "making an appropriation therefor,".

Amendment No. 4

On page 3, strike out line 1, and insert

"SECTION 1. The heading of Chapter 5 (commencing with Section 16601) of Division 12 of Part 3 of the Education Code is amended to read:

CHAPTER 5. ~~Children's Centers~~ *DEVELOPMENT CENTERS FOR HANDICAPPED MINORS*

SEC. 2. Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of Part 3 of the Education Code is repealed.

SEC. 3 The heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of Part 3 of the Education Code is repealed.

~~Article 2 Development Centers for Handicapped Minors~~

SEC. 4. Section 16701 of the Education Code is amended and renumbered to read·

~~16701~~

16675. Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than two hundred fifty dollars ($250).

SEC. 5 Division 12 5 (commencing with Section 16700) is added to Part 3 of the Education Code, to read:

DIVISION 12.5. CHILD DEVELOPMENT ACT

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

16700 This division shall be known and may be cited as the Moretti-Lewis-Brown-Rodda Child Development Act.

16701. The purpose of this division is as follows·

(a) To provide as a concomitant part of the educational system an integrated plan for the care and development of children in the absence of their parents which places primary emphasis upon: 1) the preparation of preschool children for effective matriculation in the educational programs of their community when they reach school age, 2) the improved educational performance of children of school age with particular emphasis upon those children who require special assistance to attain their full potential.

(b) To provide parents with an opportunity to: 1) attain the capacity to provide support for their family through employment, 2) undertake educational activities which will assist them in providing

an improved level of parental care and supervision of their children, 3) participate with the school system in assisting in provision of the full range of child development services contemplated by this act.

16702. It is the intent of the Legislature that in providing child development programs the Superintendent of Public Instruction will give priority to children of families who qualify under federal regulations as former, current, or potential recipients of public assistance and other low-income and disadvantaged families.

16703 The Department of Education is hereby designated as the single state agency responsible for the promotion, development and provision of care of children in the absence of their parents during the workday or while engaged in other activities which require assistance of a third party or parties.

16704. The Superintendent of Public Instruction shall, pursuant to Section 204 of the Intergovernmental Cooperation Act of 1968, request such waivers of single state agency requirements as are necessary in order to utilize available federal funds for the purposes of this division.

16705. Until such waiver is granted by the federal government, the single state agency authorized by federal law to provide any child care service provided for in this division shall have only such functions, duties and responsibilities conferred by this division upon the Department of Education and the Superintendent of Public Instruction with respect to such child development services as are required by federal law and regulation. In such event, such single state agency shall provide child development services under a purchase of service agreement with the Superintendent of Public Instruction from funds appropriated to the Department of Education The Superintendent of Public Instruction shall provide the necessary documents required by the federal government pursuant to this section to support the state's claim for federal reimbursement and shall certify that the school district, or other organization providing the care, has available the accounting records and other supporting documents to justify the claim for reimbursement and that such records are available for audit by the State Controller and by any authorized federal agency.

16706. As used in this division, "parent" includes any person having legal custody of a child.

16707. The term "workday" is defined as that time the parent requires temporary care for a child for any of the following reasons·

(a) To undertake training in preparation for a job.

(b) To undertake or retain a job.

(c) To undertake other activities which are essential to maintaining or improving the social and economic function of the family, are beneficial to the community, or are required because of health problems in the family.

16708 For the purposes of this chapter, "cost" shall mean all program costs that are related to the operation of child development programs "Cost" shall include the state contribution and the school district's portion of retirement costs, a pro rata share of the school district's overhead, and any other program-related cost.

16709 Child development facility means any facility providing child care services pursuant to this division and includes preschool and children center facilities and other types of facilities providing for the care of children for less than 24 hours a day

16710 Child development services means child care services provided for any part of a workday provided by public or private agencies and includes, but is not limited to, the following:

(a) A preschool program for those children who can benefit from such service in preparing for matriculation in school

(b) Day care for children of migrant families

(c) A children's center program

(d) A neighborhood family day care system operated by the school district or other authorized agency separately or in conjunction with the children's center program

(e) Homemaker services to meet emergency conditions and to provide an additional parent educational resource

(f) Social services as necessary to insure parent-child adjustments to out-of-home child care and to assist in promotion and development of the neighborhood family day care system

(g) Experimental projects in providing child care and adjunctive services

(h) Health screening and health treatment.

CHAPTER 2 ADMINISTRATION

16720 The Department of Education shall develop and promote a full range of services as are essential to the creation of a child development program which will meet a wide variety of child needs The range of services shall include as a minimum, all of the services listed in Section 16710

Priority shall be given by the Department of Education to the employment of persons in child development programs with ethnic backgrounds which are similar to those of the child for whom child care services are provided

16721 The Department of Education shall assist the State Department of Human Resources Development and the State Department of Social Welfare by offering training and job opportunities in local child development programs for recipients of public assistance and to those persons who qualify under federal regulations as former, current or potential recipients of public assistance.

16722. The Superintendent of Public Instruction shall be responsible for the formulation and promotion of a child development program in all communities of this state where the need therefor exists. Such program shall provide child development services at the minimum cost possible consistent with required quality of service and the specific needs of the particular child

16724 The Superintendent of Public Instruction shall enter into contracts with the local school district or the county superintendent of schools to provide programs under this division or enter into contracts with voluntary, public or private agencies to provide for such programs The Superintendent of Public Instruction may also contract

with any public or private agency for the furnishing of property, facilities, personnel, supplies, equipment, and other necessary items

16725. The Superintendent of Public Instruction shall adopt rules and regulations that provide for procedures and standards for the accreditation of neighborhood family day care homes Neighborhood family day care homes may be accredited by the school district in which the home is located in accordance with the rules and regulations of the Superintendent of Public Instruction Any neighborhood family day care home accredited by a school district shall be exempt from licensure required by the provisions of Chapter 1, (commencing with Section 16000) of Part 4 of Division 9 of the Welfare and Institutions Code

16726. The Superintendent of Public Instruction shall be responsible for the formulation and conducting of public hearings essential to the establishment and promotion of all aspects of this division and shall be responsible for preparing any state plan required by federal law in order that this state may qualify for any federal funds available for the care of children

16727. The Superintendent of Public Instruction shall provide the Director of Finance and the State Controller with a basic plan for the filing of claims and for reimbursement for the distribution of any federal funds which are received by this state for child development services The Director of Finance and the State Controller shall establish the necessary plans to advance funds received from the federal government in order that the various school districts, county superintendents of schools or other authorized organizations will be able to provide the child development services described by this division

16728 The Superintendent of Public Instruction shall adopt rules and regulations which shall include standards for determining eligibility and priority of service Children who qualify for services pursuant to programs which are in whole or in part federally funded shall have first priority Former, current or potential recipients shall be defined as those persons for whom federal reimbursement for care of children is allowed by any federal law or regulation relative to services to children or for child care or child development The information necessary to establish eligibility of a child for federal reimbursement shall be completed as a part of intake procedures used in accepting a child for care or service

In the event the superintendent is forced to curtail services, because of a lack of or limitation placed upon the availability of federal funds to carry out the purposes of this division, he shall reduce the scope of the program by giving priority for services to those persons who are engaged in a federal or state mandated education or training program.

The regulations formulated and promulgated pursuant to this section shall include the recommendations of the State Department of Public Health and the State Department of Health Care Services relative to health care screening and the provision of health care services The Superintendent of Public Instruction shall seek the advice and assistance of these health authorities in situations where service under this chapter includes or requires care of ill or handicapped children

16729 The Superintendent of Public Instruction shall establish a fee schedule for those families utilizing the services who do not qualify as recipients of public assistance as defined by federal law and regulations or who meet the same income standards as such a recipient The fee schedule so established shall be a rational extension in relation to the family income of those persons receiving free child care service and shall be in keeping with the principle of providing an incentive to the family to improve its capacity to provide for present and future family needs

16730 The Department of Education may accept funds from the Regents of the University of California, the Trustees of the California State Colleges, the governing boards of community college districts and any private funds or resources authorized by a public or private profit or nonprofit agency as matching funding to maximize federal reimbursements.

16732 The Superintendent of Public Instruction shall establish reasonable and uniform standards not in conflict with the provisions of this division for child development programs established and maintained under the provisions of this division and no program shall be so established and maintained which does not comply with such standards

The Superintendent of Public Instruction may establish such regulations as he deems advisable concerning conditions of service and hours of enrollment for children in the programs In fixing the hours of child development services under this chapter, the superintendent shall assure that needed services will be provided for night shift or late-hour workers whenever the demand for such service exists

16733 No standard, rule or regulation shall require medical examination or immunization for admission to a children's center of a child whose parent or guardian files a letter with the governing board of the school district stating that such medical examination or immunization is contrary to his or her religious beliefs, or provide for the exclusion of a child from the center because of parent or guardian having filed such a letter, provided, however, that whenever there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child may be temporarily excluded from the center until the governing board of the school district is satisfied that any contagious or infectious disease does not exist.

16734 The State Board of Education shall prescribe minimum educational standards for child development programs under this division and it shall be the responsibility of the Department of Education to see that such standards are complied with in all programs established.

16735. The Governor shall appoint an advisory committee composed of one representative from the State Board of Public Health, one representative from the Department of Human Resources Development, one representative from the State Board of Education, one representative from the State Social Welfare Board, one representative of the Director of Education, one representative of the Director of Social Welfare, one representative of the Director of Public Health, and one representative of private education, one representative of child welfare, one representative of private health care, one representative of a

proprietary child care agency, one representative of a community action agency qualified under Title II of the Economic Opportunity Act of 1969, and five parents of children participating in the program appointed from names selected by a democratic process to assure representation of the parents of the children being served, and three persons representing professional or civic groups or public or nonprofit private agencies, organizations or groups concerned with child development programs.

The advisory committee shall assist the Department of Education in developing a state plan for child development programs pursuant to this division.

The advisory committee shall continually evaluate the effectiveness of such programs and shall report thereon at each regular session of the Legislature.

A "proprietary child care agency" is an organization or facility providing child care, which is operated for profit.

16736 The Superintendent of Public Instruction shall arrange for the employment of the community social service personnel deemed necessary to provide the home care recruitment activities, child placement services, and the parent counseling services for those parent-child adjustment problems which arise. Such personnel shall be assigned in relation to the need therefor.

CHAPTER 3 LOCAL PROGRAMS

16740. The governing board of any school district or a county superintendent of schools with the approval of the county board of education is authorized to establish and maintain child development programs upon the approval of, and subject to the regulations of the Superintendent of Public Instruction

16741 The governing board of any school district or the county superintendent of schools may accommodate in a child development facility maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts.

16743. The governing board of any school district or the county superintendent of schools may permit the use of and furnish maintenance for buildings, grounds, and equipment, and the use of existing administrative personnel for the purposes of this division

16744 The employees of school districts or county superintendents of schools in preschool and other types of child development services under this division shall have the same rights and privileges as are granted to employees of the same agencies in children's centers

16745 The governing board of any school district may adopt such reasonable rules and regulations governing the child development services or facilities maintained by it as are not in conflict with law or the standards and regulations established for child development services by the Superintendent of Public Instruction.

16746 Notwithstanding any other provisions of this division, a public or private agency or a school district or a county superintendent of schools operating child development facilities may enter into an agreement with the State Department of Human Resources Development

which will provide an opportunity to participants in work incentive programs under Division 2 (commencing with Section 5000) of the Unemployment Insurance Code for training in child development facilities. Training pursuant to such agreement shall have the objective of preparation for a career in the field of child care.

16749. The governing board of any school district shall establish in the county treasury a fund to be known as the "child development fund" into which shall be paid all funds received by the district for, or from the operation of, child development services under this division The costs incurred in the maintenance and operation of child development services shall be paid from the fund, with accounting to reflect specific funding sources, except any contributions authorized or required to be paid by the district on account of services of employees providing child development services to a retirement system shall be paid from the general fund of the district or from funds of the district derived from a special tax levied pursuant to Sections 14657 or 14758 of the Education Code or Section 20532 of the Government Code.

No other funds of a district derived from the receipt of district taxes or derived from moneys apportioned to the district for the support of schools thereof, except state moneys appropriated for the support of child development services, fees, and federal funds, may be expended for, or in connection with child development services.

16750. The governing board of any school district maintaining a children's center program may include in its budget the amount necessary to carry out its program pursuant to this chapter and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied.

CHAPTER 4 CHILDREN'S CENTERS QUALIFICATIONS

16760 The governing board of a school district shall employ in a children's center only such persons who hold permits issued by the Commission for Teacher Preparation and Licensing Any person holding a teaching credential issued by the State Board of Education or commission is deemed to hold a regular children's center permit that will authorize supervision and instruction of children or supervision of a children's program The filing with the county superintendent of schools of a regulation of a governing board or a public health agency requiring a physical examination of persons employed in centers shall be deemed to be the issuance of a valid permit except for persons employed in positions pertaining to the supervision and instruction of children or supervision of a program Each person employed by the governing board of a school district for a position requiring a permit shall, not later than 95 days after the date fixed by the governing board of the district for the commencement of his service, file with the county superintendent of schools a valid permit issued on or before such date, authorizing him to serve in the position for which he was employed, and must, not later than 95 days after the renewal thereof, file the renewed permit in the same manner.

16761. Notwithstanding any other provision of law, a high school student or any other adult shall be selected by the governing board of a school district or a county superintendent of schools to serve as nonteaching personnel as provided in Section 16721 to perform noninstructional work A career ladder shall be utilized in the employment and promotion of such noninstructional personnel Each such person shall have had a health examination made within the 12-month period preceding the date of employment Each person shall also submit duplicate personal identification cards upon which shall appear legible fingerprints and a personal description of the applicant.

16762 The same fee as that prescribed for a credential provided in Section 13182 shall be charged for either the issuance or renewal of each children's center permit authorizing service in the supervision and instruction of children in the children's centers or authorizing service as a supervisor in a program

16763 Children's center permits issued to persons employed in positions pertaining to the supervision and instruction of children or supervision of a children's center program may consist of two types, regular and provisional Requirements for each type of permit shall be prescribed by the Commission for Teacher Preparation and Licensing

16764 Service under a provisional permit shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a permanent employee of a children's center Such persons employed on the effective date of Chapter 1717 of the Statutes of 1965 and who have been employed for three consecutive years prior to the effective date of this legislation shall be deemed to have met the requirements for a regular permit and shall not be subject to the requirements of a provisional permit

16765 Each county or city and county board of education may issue temporary certificates for the purpose of authorizing salary payments to children's center employees whose children's center permit applications are being processed The applicant for such a temporary certificate shall make a statement under oath that he has duly filed his application for a permit together with the required fee and that to the best of his knowledge no reason exists why he should not be issued a permit Such certificate shall be valid for not more than 90 schooldays and only until the permit originally requested is either issued or denied by the State Superintendent of Public Instruction.

16766 Each person employed by a school district in a position requiring a children's center permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of the children's center program, shall be deemed to be employed in a position requiring certification qualifications

Each other person employed by a district in a children's center under the provisions of this division shall be deemed for all purposes, including retirement, to be a person employed by the school district in a position not requiring certification qualifications

The provisions of Section 13525 or Section 13526 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, shall not apply to employees in children's centers.

A district may lay off an employee required to have such a permit at any time during the school year for lack of work or lack of funds or may provide for his employment for not to exceed 90 days in any one school year on an intermittent basis which shall not be deemed probationary service. The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first, except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff.

Service performed prior to the effective date of Chapter 2 of the Statutes of 1959 shall not be included in computing the service required as a prerequisite for attainment of, or eligibility to, classification as a permanent children's center employee.

A person who is employed by a district as a probationary employee in a position requiring a children's center permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of the children's program and who has served in such a position for three complete consecutive school years as defined in Sections 13328 and 13464 of the Education Code, immediately prior to the effective date of Chapter 2 of the Statutes of 1959 may be dismissed only in accordance with the provisions of Section 13444

Other persons who are employed as probationary employees in positions requiring such permits on or after the effective date of Chapter 2 of the Statutes of 1959 may be dismissed in accordance with the provisions of Section 13443

16767. Any city, county, or city and county charter provision to the contrary notwithstanding, each person employed by a school district on July 1, 1955, and each person employed by a school district on September 11, 1957, who was theretofore excluded, solely by reason of the provisions of the predecessor of Section 16626 in effect prior to July 1, 1955, or who was theretofore excluded solely by reason of the provisions of the predecessor of this section prior to September 11, 1957, from membership in any retirement system in which the district participates or to which it contributes for the purpose of providing retirement rights and benefits for employees of the district not employed in a status requisite for membership in the State Teachers' Retirement System, shall become a member of the retirement system from which he was excluded, on July 1, 1955, or on September 11, 1957, if theretofore excluded solely by reason of the provisions of the predecessor of this section in effect prior to that date Every such member shall be entitled to credit for service in children's centers rendered prior to July 1, 1955, or prior to September 11, 1957, if therefore excluded, and before he became a member of the system, in the same manner as if he had not theretofore been excluded from membership in the retirement system, except that he shall not be required to make any contributions to the retirement system in respect to such service rendered prior to his membership, and all contributions necessary to provide benefits on account of such service shall be paid to the retirement system by the school district by which the member is employed For the purpose of computing benefits for services rendered prior to July 1, 1955, as pro-

vided in this section, the average monthly salary earned by such employee in the fiscal year 1954–55 shall be used and for the purpose of computing benefits for service rendered between July 1, 1955, and September 11, 1957, for members receiving credit for service between those dates under the provisions of the predecessor of this section as amended by Chapter 1238 of the Statutes of 1957, the average monthly salary earned by such employees in the fiscal year 1956–57 shall be used.

Notwithstanding any other provisions of this section, for the purpose of computing benefits for any person retired on and after January 1, 1958, for services rendered prior to July 1, 1955, as provided in this section, and for the purpose of computing benefits for service rendered between July 1, 1955, and September 11, 1957, for members receiving credit for service between those dates under the provisions of this section, the "final compensation" of such person shall be computed in the same manner as for other employees who are included in the same retirement system and in the same class of retirement system members and who are not affected by this section The amendment to this section enacted at the 1963 session shall be applied to increase the allowances, payable subsequent to October 1, 1963, in respect to those members who retired on or after July 1, 1955.

Notwithstanding any other provision of this section no increased allowance shall be paid, as authorized by this section, to any person who has retired between July 1, 1955, and October 1, 1963, unless the person to whom the increase would otherwise be payable mails written application for the increase to the appropriate retirement system prior to April 1, 1964.

16768. Any person who is employed in a child care center on October 1, 1965, and who was brought into membership in a retirement system on October 1, 1963, notwithstanding his prior election pursuant to Section 16767 or the predecessor of such Section 16767 as it read prior to October 1, 1963, not to be a member of such system, shall have the same rights under such system with respect to his service in child care centers as he would have had under Section 16767 or the predecessor of such section had he elected thereunder to be a member of such system.

16769. Every employee of a children's center who before his employment in such center was employed by the district maintaining such center in a position entitling him to membership in, and who was a member of, the retirement system maintained by such district, and if such employee's contributions to such retirement system were returned to him when he was employed in the children's center, such employee shall have the right to elect, by written document filed with the Board of Administration, State Employees' Retirement System, at any time within 90 days after the date upon which the notice of the right to make such election is mailed by such system, either to the member's latest address on file in the office of such system, or to the office of the governing board of such district or districts, and prior to the date of retirement, to contribute to such system, subject to minimum payments fixed by the Board of Administration, and in one or more sums, or in not to exceed 60 monthly payments, an amount which, when added to

his accumulated contributions, including interest, transferred as required in paragraph (1) of subdivision (b) of Section 14696, will make a total amount equal to the accumulated contributions, including interest, which would have been credited to him in such plan, if he had never had his contributions returned to him Such employee shall pay to the State Employees' Retirement System interest on the unpaid balance of the amount payable to such system, beginning with the date of transfer, at the rate of interest currently used from time to time under the system. If such employee elects to make, and makes, such contributions and pays such interest, but not otherwise, he shall receive credit under such employees' system, as state service, for all prior service rendered while he was not a member of such plan.

16770 The Commission for Teacher Preparation and Licensing shall establish standards for the issuance of the permits herein provided for Such standards may be changed from time to time, but changes therein shall not affect then valid permits issued to persons.

CHAPTER 5 STATE SUPPORT

16780. The statewide average support from state funds per hour per child for the children's center program shall be fifty-two cents ($0 52)

(a) For purposes of this article, the Superintendent of Public Instruction shall apportion state funds to the districts using fifty-two cents ($0 52) per hour per child If the fees collected by any district shall for any month be less or more than twenty cents ($0 20) per hour per child, for those children for whom fees are collected, the amount of the apportionment shall be increased or decreased in an amount equal to the amount by which the fees collected are less or more, respectively, than sixteen cents ($0 16) per hour per child

(b) For development centers for handicapped minors, the Superintendent of Public Instruction shall apportion state funds as provided in Section 16645 11.

(c) The amount apportioned to each school district shall be the district's cost, as defined in Section 16615 1, or the state-supported rate, whichever provides the lesser amount.

16781 The State Department of Education is hereby authorized to accept funds from the government of the United States and to apportion them to the governing board of such school districts or county superintendent of schools or other public or private agencies as conduct child development programs which are hereby authorized to accept such funds or funds from any other source for any of the purposes of this division and all such funds may be accepted subject to such conditions as will further the purposes of this division

16782 Any money appropriated to be apportioned by the Department of Education, for the purposes of this division, to school districts or county superintendent of schools or other public or private agencies maintaining child development programs pursuant to this division and to the governing authorities of state institutions maintaining child development programs, shall be apportioned to such school districts, county and governing authorities solely in accordance with the provisions of this division

State allocations or apportionments shall be paid to school districts or county superintendent of schools or other public or private agencies on a monthly basis by the Superintendent of Public Instruction.

16783 Children regularly enrolled in a children's center who are absent on account of illness or quarantine shall be considered to be in regular attendance for the number of hours per day for which they are enrolled for the purpose of reporting attendance for state apportionments, whenever the school district certifies that such absence was on account of illness or quarantine and is verified by the district in such manner as the Superintendent of Public Instruction shall require. All attendance shall be recorded and reported in accordance with the requirements of the Superintendent of Public Instruction

SEC. 6. Section 23550 of the Education Code is amended to read:

23550. The Regents of the University of California may establish and maintain a children's center on or near each campus of the university pursuant to the provisions of ~~Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)*.

SEC. 7. Section 23553 of the Education Code is amended to read:

23553. Children of students of that particular campus shall have first priority for attendance at a children's center established pursuant to this chapter in the order described in Section ~~16603.1~~ *16728*.

SEC. 8 Section 24675 of the Education Code is amended to read:

24675. The Trustees of the California State Colleges may establish and maintain a children's center on or near each state college campus pursuant to the provisions of ~~Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)*.

SEC 9. Section 24678 of the Education Code is amended to read.

24678 Children of students of that particular campus shall have first priority for attendance at a children's center established pursuant to this chapter in the order described in Section ~~16603.1~~ *16728*.

SEC. 10. Section 25546.50 of the Education Code is amended to read:

25546.50. The governing board of any school district maintaining a community college may establish and maintain a children's center on or near each community college campus pursuant to the provisions of ~~Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)*.

SEC. 11. Section 25546.53 of the Education Code is amended to read:

25546.53 Children of students of that particular campus shall have first priority for attendance at a children's center established pursuant to this chapter in the order described in Section ~~16603.1~~ *16728*

SEC 12. Section 17225.5 of the Revenue and Taxation Code is amended to read:

17225.5 It is the intent of the Legislature that ~~public children's centers, day care, and preschool programs~~ *child development services* be established in locations which make it convenient for eligible families who are employed, to be employed, or who are enrolled in employment training programs.

Owners of places of employment who establish facilities pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)* of the Education Code and who allow for programs to be established pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)* of the Education Code may elect, in accordance with regulations prescribed by the Franchise Tax Board, to compute the depreciation deduction provided by subdivision (a) of Section 17208 attributable to such facilities under the straight line method using a useful life of 60 months and no salvage value. Such method shall be in lieu of any other method of computing the depreciation deduction under subdivision (a) of Section 17208 and shall be allowed only for such part of facilities which are certified by the State Department of Education as being used for ~~public children's centers, day care, or preschool programs pursuant to Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *child development services pursuant to Division 12.5 (commencing with Section 16700)* of the Education Code

SEC 13 Section 24371.5 of the Revenue and Taxation Code is amended to read:

24371.5 It is the intent of the Legislature that ~~public children's centers, day care, and preschool programs~~ *child development services* be established in locations which make it convenient for eligible families who are employed, to be employed or who are enrolled in employment training programs.

Owners of places of employment who establish facilities pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)* of the Education Code and who allow for programs to be established pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)* of the Education Code may elect, in accordance with regulations prescribed by the Franchise Tax Board, to compute the depreciation deduction provided by subdivision (a) of Section 24349 attributable to such facilities under the straight line method using a useful life of 60 months and no salvage value. Such method shall be in lieu of any other method of computing the depreciation deduction under subdivision (a) of Section 24349 and shall be allowed only for such part of facilities which are certified by the State Department of Education as being used for ~~public children's centers, day care, or preschool programs~~ *child development services* pursuant to ~~Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code or Chapter 5 (commencing with Section 16601) of Division 12~~ *Division 12.5 (commencing with Section 16700)* of the Education Code.

SEC. 14. Section 10811 of the Welfare and Institutions Code as amended by Chapter 1726 of the Statutes of 1971, is repealed

~~10811. Each county shall provide child care services for former, current, and potential recipients of public assistance who certify that if provided such services they will accept or maintain employment or training and who further certify that without such services they would be unable to accept or maintain employment or training. The county is authorized to charge a fee for child care services pursuant to a schedule established by the department based on the ability of the person to pay using a sliding scale, ranging from a lesser amount for parents with low-income levels to a higher amount for parents with higher income levels. In no event shall the fee exceed the fee in comparable arrangements established pursuant to Section 16611 of the Education Code. The county may contract with other public or private entities to provide child care services.~~

~~The state shall pay as its share from the funds appropriated therefor the percentage provided in subdivision (a) of Section 15200 of the nonfederal costs of the services provided pursuant to this section.~~

~~The county expenditure for services under this section shall be in addition to the amount spent during the 1970-1971 fiscal year for child care services.~~

~~This section may be cited as the Miller Child Care Services Act of 1971.~~

SEC. 15. Section 10811.5 of the Welfare and Institutions Code is repealed.

~~10811.5. Each county in cooperation with the department, the Department of Human Resources Development, and the Department of Education shall, provided state funds are available, establish a child care training program which gives priority to the training and employment of public assistance recipients in child care services.~~

~~The state shall pay as its share from the funds appropriated therefor 67½ percent of the nonfederal costs of the program established pursuant to this section, and the county shall pay 32½ percent of such costs.~~

SEC. 16. Section 11451.5 of the Welfare and Institutions Code is amended to read:

11451.5. The purpose of this section is to provide the department with the necessary support and authority to implement provisions of the Work Incentive Program as established pursuant to Division 2 (commencing with Section 5000) of the Unemployment Insurance Code. The cost of work or training-related expenses shall be paid from special funds appropriated by the Legislature for the purpose. The state shall pay 67½ percent and the county shall pay 32½ percent of the additional aid furnished for such work or training-connected expenses after a deduction therefrom of any funds received from the United States government.

~~The county welfare department in each county of this state shall establish a program of day care services in order to permit mothers of children, qualified for aid under this chapter, to exercise their right to participate in the Work Incentive Program authorized by Division~~

~~2 (commencing with Section 5000) of the Unemployment Insurance Code.~~

It is the intent of this section to make maximum use of federal funds that are available to provide training or work-related expenses ~~and home care services~~. Accordingly, each county shall be required ~~to provide or purchase day care services and~~ to pay for training or work-related expenses under that plan which provides the greatest financial participation by the United States government. ~~No allowance for day care of children shall be included in the grant authorized by Section 11450 of this code.~~

~~The state shall pay 67½ percent and the county shall pay 32½ percent of the cost of day care services after deducting therefrom the amount of funds received from the United States government.~~

Day care services shall be provided pursuant to Division 12.5 (commencing with Section 16700) of Part 3 of the Education Code in order to permit persons qualified for aid under this chapter to participate in the Work Incentive Program authorized by Division 2 (commencing with Section 5000) of the Unemployment Insurance Code. No allowance for day care of children shall be included in the grant authorized by Section 11450.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC. 17. Section 11451.5 of the Welfare and Institutions Code as amended by Chapter 1593 of the 1971 Statutes, is amended to read:

11451.5. The purpose of this section is to provide the department with the necessary support and authority to implement provisions of the Work Incentive Program as established pursuant to Division 2 (commencing with Section 5000) of the Unemployment Insurance Code. The cost of work or training-related expenses shall be paid from special funds appropriated by the Legislature for the purpose. The state shall pay 67½ percent and the county shall pay 32½ percent of the additional aid furnished for such work or training-connected expenses after a deduction therefrom of any funds received from the United States government.

The county welfare department in each county of this state shall establish a program of day care services, subject to regulations of the State Department of Health, in order to permit mothers of children, qualified for aid under this chapter, to exercise their right to participate in the Work Incentive Program authorized by Division 2 (commencing with Section 5000) of the Unemployment Insurance Code.

It is the intent of this section to make maximum use of federal funds that are available to provide training or work-related expenses and home care services. Accordingly, each county shall be required to provide or purchase day care services and to pay for training or work-related expenses under that plan which provides the greatest financial participation by the United States government. No allowance for day care of children shall be included in the grant authorized by Section 11450 of this code.

The state shall pay 67½ percent and the county shall pay 32½ percent of the cost of day care services after deducting therefrom the amount of funds received from the United States government.

Day care services shall be provided pursuant to Division 12.5 (commencing with Section 16700) of Part 3 of the Education Code in order to permit persons qualified for aid under this chapter to participate in the Work Incentive Program authorized by Division 2 (commencing with Section 5000) of the Unemployment Insurance Code. No allowance for day care of children shall be included in the grant authorized by Section 11450.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC. 18. Section 11451.6 of the Welfare and Institutions Code is amended to read:

11451.6. Notwithstanding Section 11008, any exemptions from earned income for work-related expenses authorized under other provisions of this chapter shall be limited to a standard allowance of fifty dollars ($50) per month ~~plus reasonable and necessary costs of child care. For purposes of this section, reasonable costs of child care are defined as actual costs, not to exceed the costs of securing child care available in the community which meets the minimum standards of the Federal Inter-agency Day Care Agreement of Section 107 of Public Law 90-222 (Economic Opportunity Act amendments of 1967)~~.

Child care shall be provided as a service cost pursuant to Division 12.5 (commencing with Section 16700) of Part 3 of the Education Code.

SEC. 19. Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code is repealed.

SEC. 20. Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of the Welfare and Institutions Code is repealed.

SEC. 21. Chapter 2.7 (commencing with Section 16165) is added to Part 4 of Division 9 of the Welfare and Institutions Code, to read:

CHAPTER 2.7. OFFICE OF EDUCATIONAL LIAISON

16165. There is, in the Health and Welfare Agency, an Office of Educational Liaison.

16166. The director of the office shall be appointed by the Governor. The director shall report to the Secretary of the Health and Welfare Agency.

16167. The director may employ such staff and clerical assistance as is necessary to carry out the duties of the office.

16168. The office shall be responsible for planning, development, and coordination with departments of state government concerned with child development and other educational activities, as appropriate.

16169. The office shall be responsive to the needs and requirements of such departments by coordinating with such departments as needed and shall not direct the departments.

16170. Any contracts required between the various agencies shall be approved by the director of each such agency.

16171. The departments of state government shall cooperate with and furnish such information as necessary to perform the functions of the office, pursuant to this chapter.

16172 The office shall submit to the Legislature on or before February 1, 1973, a report on the development of a comprehensive statewide child development plan

16173. This chapter shall cease to be operative on the 61st day after the final adjournment of the 1975 Regular Session of the Legislature and is on that date repealed.

SEC. 22. There is hereby appropriated for the purposes of this act, as follows:

(a) The sum of three million dollars ($3,000,000) to the Health and Welfare Agency to be expended through a contract with or transfer to the Department of Education for the purposes of Division 12.5 (commencing with Section 16700) of the Education Code.

(b) The sum of one hundred thousand dollars ($100,000) to the Director of the Office of Educational Liaison, Health and Welfare Agency, for the purposes of Chapter 2 7 (commencing with Section 16165) of Part 4 of Division 9 of the Welfare and Institutions Code.

(c) The amount appropriated pursuant to subdivision (b) of Item 259 and subdivision (a) of Item 274 of the Budget Act of 1971 which reverted to the General Fund on June 30, 1972, to the Department of Social Welfare and the Department of Education, respectively for the purpose specified in such items."

Amendment No. 5

On page 3, strike out lines 2 to 20, inclusive; strike out pages 4 to 33, inclusive; on page 34, strike out lines 1 to 7, inclusive; in line 8, strike out "SEC 42", and insert

"SEC 23".

Amendment No. 6

On page 34, strike out lines 13 to 20, inclusive, and insert

"In order to permit the programs authorized by this act to begin operation as early in the 1972–1973 fiscal year as possible, and so facilitate the orderly administration of such programs, it is necessary that this act take effect immediately."

Senate Amendments of July 13, 1972

Amendment No. 1

On page 6, line 2, of the printed bill, as amended in Senate July 6, 1972, strike out "act ", and insert "division It is the intent of the Legislature that any parent who enrolls his child in any day care program authorized by this division shall be afforded the right to work with the agency providing services and that each agency providing such services shall make every attempt to involve parents of enrolled children in the care for their children in such programs."

Amendment No. 2

On page 21, line 4, strike out "sixteen cents ($0.16)", and insert "twenty cents ($0.20)".

Senate Amendments of July 21, 1972

Amendment No. 1

In line 8 of the title of the printed bill, as amended in Senate July 13, 1972, after the third "of", insert "and to add and repeal Sections 16728 and 16735 of".

Amendment No. 2

On page 4, line 7, strike out "right to work", and insert "fullest opportunity to participate".

Amendment No. 3

On page 4, line 17, after the period, insert "Federal reimbursement shall be claimed for any child receiving services under this division for whom federal funds are available."

Amendment No. 4

On page 5, lines 1 and 2, strike out "to the Department of Education", and insert "for such services".

Amendment No. 5

On page 6, line 4, strike out "authorize", and insert "authorized".

Amendment No. 6

On page 6, line 16, after "treatment", insert "to the extent provided by the Medi-Cal Act (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code)".

Amendment No. 7

On page 7, line 13, after the period, insert "Fiscal responsibility of the state shall be limited to funds specifically appropriated by the Legislature."

Amendment No. 8

On page 7, line 38, strike out "Director of Finance", and insert "Superintendent of Public Instruction".

Amendment No. 9

On page 8, between lines 33 and 34, insert

"This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed."

Amendment No. 10–11

On page 8, strike out line 38, and insert "who meet the maximum income permitted for an employed recipient"

Amendment No. 12

On page 10, between lines 35 and 36, insert

"This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed"

Amendment No. 13

On page 11, between lines 2 and 3, insert

"The Superintendent of Public Instruction shall charge each public or private agency operating child care services under this division an

amount not to exceed two cents ($0 02) per child care hours for costs incurred by the Department of Education, including the promotion and administration of child development services, the provision of social services personnel necessary, the functioning of neighborhood family day care, the preparation of accounts, records and reports required by the federal government, and other services which are of specific assistance to the operation of local child development services The charge made pursuant to this section shall be considered a cost as defined by Section 16708. The hours of attendance of children enrolled in the preschool program shall be excluded."

Amendment No. 14

On page 23, line 4, strike out "or", and insert a comma.

Amendment No. 15

On page 23, line 5, after "expenses", insert ", and allowances for child care services".

Amendment No. 16

On page 23, strike out line 6, and insert "required to pay such expenses".

Amendment No. 17

On page 23, line 17, after "11450", insert "; except that during such times that the Superintendent of Public Instruction advises the welfare director of the county that he is unable to provide child care for each child eligible for services under Division 12 5 (commencing with Section 16700) of the Education Code, allowances for such care shall be provided either from income or grant allowances or from the Work Incentive Program, whichever is applicable".

Amendment No. 18

On page 23, strike out lines 18 to 40, inclusive; on page 24, strike out lines 1 to 28, inclusive.

Amendment No. 19

On page 24, line 35, after "month", insert "plus reasonable and necessary costs for child care for children during such times that the Superintendent of Public Instruction advises the welfare director of the county that he is unable to provide child care for each child eligible for services under Division 12 5 (commencing with Section 16700) of the Education Code For purposes of this section, reasonable and necessary costs of child care are defined as actual costs, not to exceed the costs of securing child care available in the community which meets the minimum standards of the Federal Interagency Day Care Agreement of Section 107 of Public Law 90-222 (Economic Opportunity Amendments of 1967)".

Amendment No. 19.5

On page 24, line 36, strike out "Child", and insert "To the maximum extent possible, child"

Amendment No. 20

On page 25, line 22, strike out "other".

Amendment No. 21

On page 25, line 36, after "plan", insert "and the educational activities of the office carried out pursuant to this chapter".

Amendment No. 22

On page 26, line 2, after "($3,000,000)", insert "from the General Fund".

Amendment No. 23

On page 26, line 4, strike out "or transfer to".

Amendment No. 24

On page 26, strike out lines 15 to 17, inclusive, and insert "on June 30, 1972, to be expended in accordance with subdivision (a).

SEC 23 Section 16728 is added to the Education Code, to read:

16728. The Superintendent of Public Instruction shall adopt rules and regulations which shall include standards for determining eligibility and priority of service Children who qualify for services pursuant to programs which are in whole or in part federally funded shall have first priority. Former, current or potential recipients shall be defined as those persons for whom federal reimbursement for care of children is allowed by any federal law or regulation relative to services to children or for child care or child development The information necessary to establish eligibility of a child for federal reimbursement shall be completed as a part of intake procedures used in accepting a child for care or service.

In the event the superintendent is forced to curtail services, because of a lack of or limitation placed upon the availability of federal funds to carry out the purposes of this division, he shall reduce the scope of the program by giving priority for services to those persons who are engaged in a federal or state mandated education or training program

The regulations formulated and promulgated pursuant to this section shall include the recommendations of the Department of Health relative to health care screening and the provision of health care services The Superintendent of Public Instruction shall seek the advice and assistance of these health authorities in situations where service under this chapter includes or requires care of ill or handicapped children

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative

SEC 24 Section 16735 is added to the Education Code, to read:

16735 The Governor shall appoint an advisory committee composed of one representative from the State Board of Public Health, one representative from the Department of Human Resources Development, one representative from the State Board of Education, one representative from the State Social Welfare Board, one representative of the Director of Education, one representative of the Director of Social Welfare, one representative of the Director of the Department of Health, and one representative of private education, one representative of child welfare, one representative of private health care, one representative of a proprietary child care agency, one representative of a community action agency qualified under Title II of the Economic Opportunity Act of 1969, and five parents of children participating in the

program appointed from names selected by a democratic process to assure representation of the parents of the children being served, and three persons representing professional or civic groups or public or nonprofit private agencies, organizations or groups concerned with child development programs

The advisory committee shall assist the Department of Education in developing a state plan for child development programs pursuant to this division

The advisory committee shall continually evaluate the effectiveness of such programs and shall report thereon at each regular session of the Legislature.

A "proprietary child care agency" is an organization or facility providing child care, which is operated for profit.

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative

SEC 25 It is the intent of the Legislature that, if Reorganization Plan No 1 of 1970 becomes operative, Sections 16728 and 16735 of the Education Code, as proposed by Section 5 of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Sections 16728 and 16735 of the Education Code, as proposed by Sections 23 and 24, respectively, of this act, which include the changes made by Reorganization Plan No 1 and the additions made to the Education Code by Section 5 of this act, shall become operative "

Amendment No. 25

On page 26, line 18, strike out "SEC 23 ", and insert

"SEC 26. Chapter 2 7 (commencing with Section 16165) of Part 4 of DIVISION 9 of the Welfare and Institutions Code, as added by Section 21 of this act shall not become operative until the sixty-first day after the final adjournment of the 1972 Regular Session of the Legislature

SEC 27."

Senate Amendments of July 24, 1972

Amendment No. 1

On page 27, line 6, of the printed bill, as amended in Senate July 21, 1972, strike out "February", and insert "June".

Amendment No. 2

On page 27, strike out lines 22 and 23, and insert "($100,000) to the Health and Welfare Agency to plan, develop, and coordinate with departments of state government concerned with child development and educational activities as appropriate until the Office of Educational Liaison becomes operational, and at that time to transfer the unexpended balance to that office for the purposes of".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—Badham, Burke, Collier, Moorhead, Stull, and Wakefield—6.

Above bill ordered enrolled.

Assembly Bill No. 1625—An act to amend Section 175 of, and to repeal Sections 174 and 266c of, the Penal Code, relating to importation of Chinese or Japanese.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1625?

Amendment No. 1

In the heading of the printed bill, after "Fong", insert "(Coauthor. Senator Song)".

Amendment No. 2

In line 1 of the title, after "to", insert "amend Section 175 of, and to".

Amendment No. 3

In line 1 of the title, after "of", insert a comma.

Amendment No. 4

On page 2, line 1, after "SEC 2 ", insert "Section 175 of the Penal Code is amended to read:

175. Every individual person of the classes referred to in ~~the two preceding sections~~ *Section 173*, brought to or landed within this state contrary to the provisions of such ~~sections~~ *section*, renders the person bringing or landing liable to a separate prosecution and penalty.

SEC. 3."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—Campbell—1.

Above bill ordered enrolled

Assembly Bill No. 259—An act to amend Sections 13246, 13247, 13247.9, 13248, and 13314.5 of, and to add Sections 13246.7, 13246.9, and 13314.3 to, the Education Code, relating to the public schools,

making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 259?

Senate Amendments of April 12, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly February 24, 1972, after "Sections", insert "13246,".

Amendment No. 2

In line 1 of the title, strike out the first "and", and insert a comma.

Amendment No. 3

In line 1 of the title, after "13247 9", insert "and 13248".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1 Section 13246 of the Education Code is amended to read

13246 The Superintendent of Public Instruction shall establish a three-year master teacher selection pilot program in two school districts designated by a committee consisting of the superintendent, the Director of Finance, a Senator appointed by the Senate Rules Committee, and an Assemblyman appointed by the Speaker of the Assembly No application to participate in the program shall be submitted by the governing board of the school district to this committee until an election has been held by all certificated employees of the school district and conducted by the district superintendent A 60-percent majority of those voting shall be necessary to indicate support of the program The pilot program shall commence on September 1, 1971, and shall terminate on August 31, 1974, and shall be implemented in accordance with the following schedule:

(a) 1971–1972, organization of the program, selection of master teachers, *and* payment of the extra stipend to selected master teachers; ~~and selection of additional teachers~~

(b) 1972–1973, payment of the extra stipend to all teachers certified as master teachers, *selection of additional teachers* and evaluation of the program

The designated school districts shall be school districts which have certificated teaching staffs of not less than 100 nor more than 650, excluding those involved in adult education, who spend 80 percent of their teaching time in the classroom, and which have an average daily attendance of not less than 2,500 nor more than 10,000

SEC 2 Section 13246 7 is added to the Education Code,",

Amendment No. 5

On page 2, line 6, strike out "SEC. 2", and insert "SEC 3".

Amendment No. 6

On page 2, line 12, strike out "SEC 3", and insert "SEC 4".

Amendment No. 7

On page 2, line 31, strike out "SEC 4", and insert "SEC. 5".

Amendment No. 8

On page 2, lines 34 and 35, strike out "not less than two, nor more than three," and insert ", at least one, but not more than two".

Amendment No. 9

On page 3, line 2, after the period, insert "A third certificated employee may be appointed when a distinct difference of opinion exists between the evaluation of the two certificated employees The appointed certificated employees may, if they are qualified, examine more than one applicant "

Amendment No. 10

On page 3, lines 13 and 14, strike out "the county superintendent of schools and".

Amendment No. 11

On page 3, line 30, strike out "travel", and insert "necessary travel expenses incurred".

Amendment No. 12

On page 3, lines 31 and 32, strike out "at a rate to be determined by the county superintendent of schools".

Amendment No. 13

On page 3, line 34, strike out "three", and insert "two".

Amendment No. 14

On page 3, line 35, after "year", insert "for each applicant they examine".

Amendment No. 15

On page 3, lines 36 and 37, strike out "of the county of the master teacher selection panel".

Amendment No. 16

On page 3, line 39, after "teachers", insert "from funds appropriated therefor by the Legislature".

Amendment No. 17

On page 4, line 1, after "fees", insert "and funds appropriated by the Legislature for administrative expenses".

Amendment No. 18

On page 4, line 2, strike out "Deficits in such", and strike out lines 3 to 5, inclusive

Amendment No. 19

On page 4, between lines 5 and 6, insert

"SEC. 6. Section 13248 of the Education Code is amended to read

13248 Any school district which employs a certified master teacher shall pay the teacher an additional stipend of four thousand dollars ($4,000) per school year over and above the regular salary which would otherwise be paid to the teacher *Payment of the additional stipend*

shall be made on a monthly basis to the teacher on a ten month school year schedule

From moneys appropriated therefor, the Superintendent of Public Instruction shall order reimbursements to be made from state school apportionment funds each fiscal year to each school district the total of additional stipends paid to certified master teachers in such fiscal year by the district; provided, that for the 1972–1973 fiscal year, the sum of ~~one hundred fifty thousand dollars ($150,000)~~ *two hundred thousand dollars ($200,000)* is appropriated for such reimbursements from the amount transferred to the State School Fund for expenditure pursuant to subdivision (f) of Section 17303 5 Any teacher who qualifies at any time during the school year shall be presumed to have been a master teacher for the entire year and shall be entitled to payment in the full stipend amount of four thousand dollars ($4,000). ~~The manner of payment shall be determined by the county superintendent of schools~~

Amendment No. 20

On page 4, line 6, strike out "SEC. 5", and insert "SEC 7".

Amendment No. 21

On page 4, line 8, after "Finance", insert "for each of the fiscal years 1971–1972 and 1972–1973".

Amendment No. 22

On page 4, line 8, strike out "five thousand dollars ($5,000)", and insert "eight thousand four hundred dollars ($8,400)".

Amendment No. 23

On page 4, line 15, strike out "SEC 6", and insert "SEC. 8".

Senate Amendments of May 31, 1972

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 12, 1972, strike out "and", and insert a comma.

Amendment No. 2

In line 2 of the title, after "13248", insert ", and 13314.5".

Amendment No. 3

In line 2 of the title, strike out the second "and", and insert a comma.

Amendment No. 4

In line 2 of the title, after "13246 9", insert ", and 13314.3".

Amendment No. 5

On page 3, line 2, after "1973", insert a comma.

Amendment No. 6

On page 6, between lines 8 and 9, insert

"SEC 7. Section 13314 3 is added to the Education Code, to read:

13314 3. (a) A permanent employee not qualified to render service as a classroom teacher, when advanced to an administrative or super-

visory position, or assigned any special or other type of work, or given special classification or designation requiring certification qualifications, shall retain his permanent classification for the performance of the type of service for which he was qualified prior to such advancement, assignment, or special classification or designation.

(b) If an employee is authorized to render service in more than one type of position for which certification qualifications are required, either by virtue of his possession of one certification document authorizing service in two or more of such positions, or by virtue of his possession of separate certification documents authorizing service in two or more such positions, or any combination thereof, he shall, upon satisfying all other requirements prescribed by law, acquire permanent status as follows:

(1) If he is authorized to render service as a classroom teacher, he shall acquire permanent status as a classroom teacher.

(2) If he is not authorized to render service as a classroom teacher, he shall acquire permanent status below the administrative or supervisory level as a staff employee with multiple qualifications. His right to serve in one or more of the positions for which he is qualified to serve shall be subject to the power of assignment of the school district governing board.

SEC. 8. Section 13314.5 of the Education Code is amended to read:

13314.5. A permanent employee ~~in a position which requires certification qualifications but which is not a classroom teaching position shall retain his permanent classification in that position~~, *as specified in Section 13314.3,* when ~~he is~~ advanced to an administrative or supervisory position requiring certification qualifications, ~~he is~~ *or* assigned any special or other type of work requiring certification qualifications, or ~~he is~~ given special classification or designation requiring certification qualifications, *shall retain his permanent classification as specified in Section 13314.3.*

If such a person is advanced to an administrative or supervisory position not requiring certification qualifications, is assigned any special or other type of work not requiring certification qualifications, or is given special classification or designation not requiring certification qualifications, his right to retain permanent classification ~~in his former position~~ shall be governed by the provisions of Article 4 (commencing with Section 13050) of Chapter 1 of this division."

Amendment No. 7

On page 6, line 9, strike out "SEC. 7", and insert "SEC 9".

Amendment No. 8

On page 6, line 19, strike out "SEC. 8", and insert "SEC 10".

Amendment No. 9

On page 6, after line 32, insert

"Further, in order to clarify the rights of permanent certificated employees at the earliest possible time in the 1972–1973 school year, it is necessary that this act take effect immediately."

Set No. 2

Amendment No. 1

On page 5 of the printed bill, strike out line 22, and insert

"SEC 6 Section 13248 of the Education Code is amended to read:

13248 Any school district which employs a certified master teacher shall pay the teacher an additional stipend of four thousand dollars ($4,000) per school year over and above the regular salary which would otherwise be paid to the teacher *Payment of the additional stipend shall be made on a monthly basis to the teacher on a 10-month school year schedule.*

From moneys appropriated therefor, the Superintendent of Public Instruction shall order reimbursements to be made from state school apportionment funds each fiscal year to each school district the total of additional stipends paid to certified master teachers in such fiscal year by the district; provided, that for the ~~1971–1972~~ *1972–1973* fiscal year, the sum of ~~one hundred fifty thousand dollars ($150,000)~~ *two hundred thousand dollars ($200,000)* is appropriated for such reimbursements from the amount transferred to the State School Fund for expenditure pursuant to subdivision (f) of Section 17303 5 Any teacher who qualifies at any time during the school year shall be presumed to have been a master teacher for the entire year and shall be entitled to payment in the full stipend amount of four thousand dollars ($4,000). ~~The manner of payment shall be determined by the county superintendent of schools.~~"

Amendment No. 2

On page 5, strike out lines 23 to 40, inclusive; and on page 6, strike out lines 1 to 6, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—Wakefield—1.

Above bill ordered enrolled.

Assembly Bill No. 1725—An act to amend Sections 65855 and 65860 of the Government Code, and to add Section 11554 5 to the Business and Professions Code, relating to zoning and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1725?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 25, 1972, after "Code", insert ", and to add Section 11554 5 to the Business and Professions Code,".

Amendment No. 2

On page 1, line 1, after "1 ", insert "Section 11554 5 is added to the Business and Professions Code, to read

11554 5. If an extension of time for preparing the final map has been granted pursuant to Section 11554, the governing body may grant a subsequent extension, not to exceed one year, provided that such extension may be granted only if the governing body finds that there is no general plan for the area and that therefore it is unable to make the finding required by Section 11526. This section shall apply only to tentative maps which have secured the extension provided in Section 11554 prior to March 4, 1972.

SEC. 1.5."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2353—An act to amend Section 5558 of, and to add Sections 5506 5, 5538.5, and 5545 6 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2353?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out "and 5538 5", and insert ", 5538.5, and 5545.6".

Amendment No. 2

On page 2, line 23, after "SEC. 3.", insert "Section 5545 6 is added to the Public Resources Code, to read·

5545 6 Any tax imposed under Section 5545 by a district formed pursuant to Section 5506.5 shall be used exclusively for the acquisition of open space, park, or recreation lands or for the development, operation, or maintenance of open space, park, or recreation lands so acquired

SEC. 4."

Amendment No. 3

On page 3, line 17, strike out "of this article".

Amendment No. 4

On page 3, line 21, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 3, line 31, strike out "SEC 5", and insert "SEC 6".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lacoste, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker —67

NOES—None

Above bill ordered enrolled

Assembly Bill No. 2113—An act to amend Sections 20110 and 20806 5 of the Education Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 821 and 822 of the Unemployment Insurance Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 1027 and 1265 5 of the Unemployment Insurance Code, relating to unemployment insurance, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2113?

Senate Amendments of July 7, 1972

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1027", and insert "Sections 1027 and 1265 5".

Amendment No. 2

On page 2, after line 17, insert

"SEC. 2 Section 1265 5 of the Unemployment Insurance Code is amended to read

1265 5 Notwithstanding any other provision of this division, payments to an individual for vacation pay, *sick pay, or holiday pay* which was earned but not paid for services performed prior to termination of employment, or commencement of unemployment caused by disability, as the case may be, shall not be construed to be wages or compensation for personal services under this division and benefits payable under this division shall not be denied or reduced because of the receipt of such payment."

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate July 7, 1972, strike out "Assemblyman Moorhead", and insert "Assemblymen Moorhead and Hayden".

Amendment No. 2

In line 1 of the title, after "to", insert "amend Sections 20110 and 20806.5 of the Education Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 821 and 822 of the Unemployment Insurance Code, as added by Chapter 319 of the Statutes of 1972, and to".

Amendment No. 3

In line 3 of the title, after "insurance", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 Section 20110 of the Education Code, as added by Chapter 319 of the Statutes of 1972, is amended to read:

20110. ~~There is hereby established in the county schools service fund of each county the "classified service unemployment account." This account shall be excluded from limitations placed on budgetary reserves and shall function for the purpose of implementation of Section 13658 and Article 6 (commencing with Section 821) of Chapter 3 of Part 1 of Division 1 of the Unemployment Insurance Code.~~

The Superintendent of Public Instruction shall ~~have authority to~~ represent, *and exercise all rights of appeal under this part on behalf of school employers* or arrange with a county superintendent of schools or make designation thereof consistent with this section for the *filing of appeals for school employers and for the* representation of school employers at hearings held under Part 1 (commencing with Section 100) of Division 1 of the Unemployment Insurance Code. The cost of services provided by the Superintendent of Public Instruction under this section and under *Article 6 (commencing with Section 821) of Chapter 3 of Part 1 of Division 1* of the Unemployment Insurance Code shall be paid from the Classified School Employees Fund. *The Superintendent of Public Instruction is hereby authorized to obtain pertinent personnel records and data from any school employer and to act as an agent individually or collectively for school employers in matters pertaining to unemployment insurance*

Each county superintendent of schools, unless notified by the administrator *or the Superintendent of Public Instruction* to the contrary, shall perform such duties and render such services as required to implement such program Any district, combination of districts, county, combination of counties, or combination of counties and school districts, may be ~~established~~ *designated* by the ~~administrator~~ *Superintendent of Public Instruction* whereby one agency may administer the program for the purpose of consolidation for economy and employment of specialists. This consolidation may include the services of a regional data center operated by a county superintendent of schools or the data processing services of a school district.

Each school employer shall perform pursuant to Article 6 (commencing with Section 821) of Chapter 3 of Part 1 of Division 1 of the Unemployment Insurance Code and shall respond to the ~~administrator~~ *Superintendent of Public Instruction* and the county superintendent of schools or designated agency as soon as possible, in no case later than 48 hours, to inquiries made on behalf of such county superintendent or the ~~administrator~~ *Superintendent of Public Instruction* in reference to any aspect of eligibility, notice of claim or appeal under the unemployment insurance program Each county superintendent or agent thereof who is responsible for administering the unemployment insurance program shall be responsible for timely responses to any inquiry by the administrator, *Superintendent of Public Instruction,* State Treasurer, State Controller, or other officer or person responsible for disbursements on behalf of the joint account, the Classified School Employees Fund in the State Treasury as established by Section 822 of the Unemployment Insurance Code, and the Unemployment Fund in the State Treasury Any school employer which fails to pay the contributions, interest, charges or levies within the time required shall be liable for interest on moneys due at the rate of one-half percent (0 5%) per month If, except as stated in Section 828 of the Unemployment Insurance Code with reference to Section 826 thereof, the school employer fails, without good and substantial cause, to pay any sums required within the time required a penalty of 10 percent of the amount noticed, billed or required shall be made by the administrator. The administrator may for good cause waive all or a portion of interest and penalty

SEC 2 Section 20806 5 of the Education Code, as added by Chapter 319 of the Statutes of 1972, is amended to read

20806 5 For the purpose of implementing Section 13658, a school employer while utilizing general fund moneys or moneys derived pursuant to Section ~~20806~~ *822 of the Unemployment Insurance Code*, may budget for such disbursements for prior, current, and future years, as the need may indicate, for administrative cost reimbursements, payments and reserves for individual employer's obligations pursuant to Section 821 of the Unemployment Insurance Code Such moneys shall be held in a revolving account by a district, or county superintendent of schools or in such fund or account as may be designated by law or contract When any such moneys are held by a county, they shall be excluded from limits placed on reserves

SEC 3 Section 821 of the Unemployment Insurance Code, as added by Chapter 319 of the Statutes of 1972, is amended to read·

821 (a) Effective January 1, 1972, each employing unit defined by Section 135 3 shall, in lieu of the contributions required of employers, pay into the Unemployment Fund the cost of benefits, including extended duration benefits and federal-state extended benefits, paid based on base period wages with respect to employment for such employing unit and charged to its account in the manner provided by Section 1026, pursuant to authorized regulations which shall prescribe the rate or amount, time, manner, and method of payment or advance payment or providing a good and sufficient bond to guarantee payment of contributions.

(b) Sections 1030, 1030 5, 1031, 1032, and 1032 5, and any provision of this division for the noncharging of benefits to the account of an employer, shall not apply to an employing unit under subdivision (a) of this section.

(c) In making the payments prescribed by subdivision (a), there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from each employing unit for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund Such estimates may be made upon the basis of such statistical sampling, or other method as may be determined by the director

Upon making such determination, the director shall mail notice of the determination to the employing unit

The director may cancel any contributions or portion thereof which he finds have been erroneously determined The contributions due from the employing units shall be paid, transferred or credited from the Classified School Employees Fund established in the State Treasury by Section 822 to the Unemployment Fund by the State Treasurer, State Controller, or other officer or person responsible for disbursements on behalf of the employing unit within 30 days of the date of mailing of the director's notice of determination to the employing unit

Each employing unit shall send a copy of any and all notices, billings or correspondence not normally routed to the administrator *and the Superintendent of Public Instruction* regarding unemployment insurance for the classified school employees to the administrator *, the Superintendent of Public Instruction*, and county superintendent of schools, or agent thereof with timely documentation of charges or determination The provisions of Article 8 (commencing with Section 1126) of Chapter 4 of this part with respect to the assessment of contributions, and the provisions of Chapter 7 (commencing with Section 1701) of this part with respect to the collection of contributions, shall apply to the assessments provided by this article The provisions of Sections 1177 to 1184, inclusive, relating to refunds and overpayments, shall apply to amounts paid to the Unemployment Fund pursuant to this section

(d) Notwithstanding any other provision of this section, no employing unit shall be liable for that portion of any extended duration benefits or federal-state extended benefits which is reimbursed or reimbursable by the federal government to the State of California

(e) The administrator *and the Superintendent of Public Instruction* shall adopt rules and regulations for the administration of *their respective functions under* this article in accordance with Chapter 4 5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code *Regulations of the administrator shall be subject to the provisions of Article 1 (commencing with Section 301) of Chapter 2 of Part 1 of Division 1 Rules and regulations of the Superintendent of Public Instruction shall not be subject to the provisions of Article 1 (commencing with Section 301) of Chapter 2 of Part 1 of Division 1*

SEC 4 Section 822 of the Unemployment Insurance Code, as added by Chapter 319 of the Statutes of 1972, is amended to read·

822 There is hereby established in the State Treasury the "Classified School Employees Fund". Moneys received from tax levies pursuant to Section 825, together with any charges, notices, fees, interest, penalties, assessments, or other revenue, shall be deposited in this fund All money in the fund is hereby appropriated to the administrator without regard to fiscal year for carrying out the purposes of this article, for administrative costs, for making refunds, and for investment through the Surplus Money Investment Fund, with any interest or earnings credited to the Classified School Employees Fund Funds to be used for administrative costs shall be budgeted and expended in accordance with existing state law ~~The administrator shall take all action necessary to administer the program. The Superintendent of Public Instruction is hereby authorized to obtain pertinent personnel records and data from any school employer and to act as an agent individually or collectively for school employers in matters pertaining to unemployment insurance.~~

SEC 5 Section 1027 of the Unemployment".

Amendment No. 5

On page 2, line 1, strike out "Section 803", and insert "Sections 803, 821, 1456, 1466, and 1476".

Amendment No. 6

On page 2, line 8, strike out "Section 803", and insert "Sections 803, 821, 1456, 1466, and 1476".

Amendment No. 7

On page 2, line 27, strike out "SEC 2", and insert "SEC 6".

Amendment No. 8

On page 2, strike out line 33, and in line 34, strike out "disability, as the case may be,".

Amendment No. 9

On page 2, after line 38, insert

"SEC 7 The provisions of Section 1265 5 of the Unemployment Insurance Code as amended by this act shall have no force or effect with respect to payments of sick pay and holiday pay made on or after January 1, 1973 The provisions of Section 1265 5 of the Unemployment Insurance Code as in effect prior to the amendments made by this act shall remain applicable to payments of vacation pay made prior to January 1, 1973.

SEC 8 The provisions of Section 20806 5 of the Education Code as amended by this act shall be operative with respect to the tax levied and collected pursuant to Section 825 of the Unemployment Insurance Code

SEC 9 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is essential that the powers and duties of the administrator of the Classified School Employees Fund, the Superintendent of Public Instruction, and school employers under Chapter 319 of the Statutes of 1972 be clarified in order that the administration of the program may proceed in an orderly and efficient manner for the protection of the unemployment insurance rights of classified service school employees and that school employers may have knowledge of the statutory authority to levy such tax rates as are necessary and other statutory powers and duties under such Chapter 319 For these reasons it is essential that this act take effect immediately."

The roll was called, and the Assembly refused to concur in the above Senate amendments, which add an urgency clause to Assembly Bill No. 2113, by the following vote:

AYES — Burton, Hayden, Hayes, Ray E Johnson, Knox, Mobley, Porter, Priolo, Ryan, and Vasconcellos—10.

NOES— Arnett, Bee, Beverly, Brathwaite, Brown, Burke, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Ketchum, Keysor, LaCoste, Lancaster, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Quimby, Ralph, Russell, Stull, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—47.

Appointment of Committee on Conference Concerning Assembly Bill No. 2113

The Acting Speaker appointed Messrs Moorhead, Hayden, and Pierson as a Committee on Conference concerning Assembly Bill No 2113.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 81?

Amendment No. 1

On page 2, line 28, of the printed measure, as amended in Assembly May 31, 1972, after "state", insert ", and provided, further, that the Legislature may, by resolution adopted by either house, prohibit or limit any proposed issuance of such revenue bonds"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Badham, Bee, Brathwaite, Burke, Campbell, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend,

Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Above resolution ordered enrolled.

Assembly Bill No. 2334—An act to add Section 19653 to the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2334?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly May 23, 1972, strike out "union"

Amendment No. 2

On page 2, line 4, strike out "unionization", and insert "reorganization".

Amendment No. 3

On page 2, line 11, strike out "unionization", and insert "reorganization".

Amendment No. 4

On page 2, line 12, strike out "union".

Amendment No. 5

On page 2, line 17, strike out "union".

Amendment No. 6

On page 2, line 19, strike out "unionization", and insert "reorganization".

Amendment No. 7

On page 2, line 20, strike out "union".

Amendment No. 8

On page 2, lines 21 and 22, strike out "the State School Building Aid Law", and insert "this chapter".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT

Mr Duffy was granted unanimous consent that a photographer be permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 88 — Relative to joint committees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 88?

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, as amended in Assembly June 7, 1972, strike out "the Joint Committee on Educational Goals and Evaluation", and insert "joint committees".

Amendment No. 2

On page 1, strike out line 3, and insert

"(A) The Joint Committee on Educational Problems is hereby created and shall continue in existence until July 31, 1973.

The committee shall succeed to the authority and responsibilities of the Joint Committee on Educational Goals and Evaluation, the Joint Committee on Master Plan for Higher Education, and the Joint Committee on Textbooks and Curriculum and is authorized to conduct studies for the following purposes:

(1) Identifying and recommending to the Legislature and the State Board of Education the goals of public elementary and secondary education as developed by local educational agencies, the objectives of programs relating to such goals, the priorities for action, and an evaluation program designed to measure the degree to which the goals and objectives of the state educational system are being met The evaluation program to be recommended to the Legislature shall include the following factors:

(a) Measurement of progress toward those state objectives identified in the goal-setting process;

(b) The collection of appropriate educational data on children who are entering the California public elementary and secondary schools for the first time,

(c) The collection of data on the educational environment within a school, including the conditions of the physical plant, instructional methods, equipment and materials, curriculum, and the views of students, teachers, and administrators of the school's educational offerings;

(d) The collection of data on the environment within a school attendance area, including socioeducational data, size of school, fiscal and material resources, and the students', parents' and other residents' views of the relationship between the school and the community;

(e) The measurement of special education programs, including programs for the physically handicapped, educationally handicapped, and mentally exceptional children,

(f) An assessment of the success of high school graduates and dropouts at integrating into the society as self-fulfilled, contributing citizens;

(g) The measurement of cost effectiveness; and

(h) Any other evaluation measures appropriate to educational programs within the state

(2) Ascertaining and analyzing all facts relating to the development of a new master plan for higher education in California, including the following:

(a) The purposes, functions, and responsibilities of higher education institutions in the future;

(b) Questions concerning those governance mechanisms which will best assure that the purposes, functions, and responsibilities of higher education are fulfilled, including (i) state government, (ii) governing boards, (iii) the coordinating agency, (iv) WICHE, and (v) such other mechanisms as the committee may wish to consider;

(c) Questions as to the best system for assuring accountability for the organization and management structure for higher education;

(d) The relative emphasis now accorded undergraduate and graduate training in view of the current and projected manpower needs of society of college and university faculties;

(e) Questions regarding qualifications for admission to institutions of higher education, including (i) rising expectations of low-income students and (ii) review of the concept that all qualified students are able to attend higher education institutions and that all students have equal access to such institutions;

(f) The ability of the state to provide adequate resources for higher education, including the distribution of resources among the institutions of higher education in California, both public and private; and

(g) The relative emphasis now accorded undergraduate and graduate training in view of the current and projected manpower needs of society

(3) Ascertaining and analyzing all facts relating to the statewide adoption and distribution of textbooks and other curriculum materials, the impact and effectiveness of existing statutory requirements affecting curriculum in the public elementary and secondary schools of California, and all other material which the committee considers is germane

The committee shall report to the Legislature on the studies hereinabove assigned to it, including in the report its recommendations for appropriate legislation The committee shall familiarize itself with similar and related investigations currently under way in the several states, by the federal government, and foundations and universities

The committee shall consist of five Members of the Senate, appointed by the Committee on Rules thereof, and five Members of the Assembly, appointed by the Speaker thereof Vacancies occurring in the membership of the committee shall be filled by the appointing power

The committee may establish a technical advisory council composed of qualified persons chosen by the committee, as the committee deems necessary to secure technical advice

(B) The Joint Committee on the State's Economy is hereby continued in existence until January 31, 1973, unless otherwise extended

The committee shall consist of four Members of the Senate, appointed

by the Committee on Rules thereof, and four Members of the Assembly, appointed by the Speaker thereof Vacancies occurring in the membership of the committee shall be filled by the appointing power.

It shall be the function of the Joint Committee on the State's Economy to:

(1) With respect to the Governor's annual economic report and any supplement thereto, make a continuing study of the matters contained therein.

(2) With respect to legislative initiative, achieve the policy for promoting employment growth and make a continuing study of:

(a) The rates and levels of employment, production, income, and purchasing power in the state and those needed to carry out the policy declared in the policy for promoting employment growth;

(b) Current and foreseeable trends in the levels of employment, production, income, and purchasing power;

(c) The economic program of the state and of economic conditions affecting employment in the state or any considerable portion thereof during the preceding year and of their effect upon employment, production, income, and purchasing power;

(d) The competitive economic position of goods and merchandise produced or manufactured in the state and marketed in other states or in foreign nations, as affected by (i) the level of and trends in state and local governmental taxation, (ii) the level of and trends in wages, salaries, and prices in California, and (iii) the level of and trends in the cost of raw materials and products used in further processing and manufacturing and of the cost of utilities, including water, natural gas, and electricity;

(e) The competitive economic effect of the marketing in the state of goods and merchandise produced or manufactured in other states or in foreign nations;

(f) The general economic effect of the level of and trends in state and local government of: (i) taxation, including consideration of present, and possible future modification of, subjects of taxation, (ii) borrowing, including consideration of various types of borrowing, the cost of borrowing, and economics limit on borrowing capacity, and (iii) spending, including outlays for capital improvements; and

(g) The ways and means by which the state may coordinate and correlate its planning and activities, including those of taxation and borrowing, with the planning and activities of private enterprise.

(3) Report thereon to the Legislature with its findings and recommendations with respect to each of the main recommendations of the Governor and with respect to its own continuing study, to the end that the objectives set forth in the policy for promoting employment growth are effectuated.

(C) The committees created or continued in existence by this resolution shall have the following additional powers and duties:

(1) All of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended

from time to time, which provisions are incorporated herein and made applicable to each committee and its members.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee

(3) To report findings and recommendations to the Legislature and to the people from time to time and at any time

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(5) The Joint Rules Committee may make funds available from the Contingent Funds of the Assembly and Senate for the expenses of each committee and its members and for any charges, expenses, or claims it may incur under this resolution; provided that, in accordance with Joint Rule 36 8, any expenditure of funds shall be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee."

Amendment No. 3

On page 1, strike out lines 4 to 9, inclusive; and strike out all of pages 2 and 3.

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Badham, Burton, Harvey Johnson, Ray E Johnson, Monagan, and Stull—6

NOES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59.

Appointment of Committee on Conference Concerning Assembly Concurrent Resolution No. 88

The Acting Speaker appointed Messrs Vasconcellos, Mobley, and Badham as a Committee on Conference concerning Assembly Concurrent Resolution No 88

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1312

Mr Deddeh was granted unanimous consent to take up Senate Bill No 1312, without reference to file, for purpose of consideration at this time

Resolution to Dispense With Constitutional Provision

The following resolution was offered.

By Assemblyman Deddeh

Resolved, That Senate Bill No 1312 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and

the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES — Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with

CONSIDERATION OF SENATE BILL NO. 1312

Senate Bill No. 1312—An act relating to the San Francisco Bay Area Rapid Transit District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—55

NOES—Campbell, Cullen, Dent, Duffy, Hayes, Knox, Maddy, McCarthy, Mobley, Priolo, and Wakefield—11

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Keysor, LaCoste Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—55

NOES—Campbell, Cullen, Dent, Duffy, Hayes, Knox, Maddy, McCarthy, Mobley, Priolo, and Wakefield—11

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 612—An act to amend and repeal Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 612?

Amendment No. 1

In line 7 of the heading of the printed bill, as amended in Assembly July 4, 1972, after "Miller", insert ", Mobley".

Amendment No. 2

On page 2, line 12, strike out "per", and insert "for the 1972–1973".

Amendment No. 3

On page 2, between lines 13 and 14, insert

"(b) An amount necessary to provide a total state appropriation of five hundred thousand dollars ($500,000) for the 1973–1974 fiscal year for the purpose of carrying out the provisions of Chapter 1199 of the Statutes of 1970."

Amendment No. 4

On page 2, line 14, strike out "(b)", and insert "(c)".

Amendment No. 5

On page 2, line 14, after "remainder", insert "each year".

Amendment No. 6

On page 3, line 18, strike out "quartile", and insert "quarter".

Amendment No. 7

On page 4, line 25, after the period, insert "It is the intention of the Legislature that subsequent to expiration of this pilot project, local school agencies will assume funding."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Above bill ordered enrolled.

RECESS

At 2·38 p m , Acting Speaker Fenton declared the Assembly recessed until 2·41 p m. for the purpose of permitting Mr Priolo to introduce Miss Kathy St. Johns, of Malibu, "International Teen Princess," and to present a resolution to her, and appointing Messrs Priolo, Beverly and Deddeh as a Select Committee to escort Miss St Johns to the rostrum.

REASSEMBLED

At 2·41 p m , the Assembly reconvened.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 78

In compliance with a motion given on a previous day, Mrs. Brathwaite moved that the vote whereby Assembly Constitutional Amendment No 78 was refused adoption be reconsidered.

Assembly Constitutional Amendment No. 78 reconsidered by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker —60.

NOES—Badham, Cline, Ketchum, Monagan, Murphy, and Wakefield—6.

Assembly Constitutional Amendment No. 78 Placed on the Inactive File

On request of Mrs. Brathwaite, Assembly Constitutional Amendment No 78 was placed upon the inactive file.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 91

In compliance with a motion given on a previous day, Mrs. Brathwaite moved that the vote whereby Assembly Constitutional Amendment No. 91 was refused adoption be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs Brathwaite moved a call of the Assembly.

Motion carried Time, 2 45 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 2376

In compliance with a motion given on a previous day, Mr Z'berg moved that the vote whereby Assembly Bill No 2376 was refused passage be reconsidered

Assembly Bill No 2376 reconsidered by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Brathwaite, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—50

NOES—Badham, Brown, Collier, Davis, Foran, Ketchum, Lancaster, Lanterman, MacGillivray, Monagan, Moorhead, Porter, Quimby, Seeley, Stacey, Stull, Thomas, and Wakefield—18

Assembly Bill No. 2376 Passed on File

Assembly Bill No 2376 was passed on file.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1994—An act to amend Sections 7.1, 7 3, 7 4, and 13 of, and to add Section 13 5 to, the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1994?

Senate Amendments of July 7, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 1, 1972, after "7 1", insert ", 7 3, 7 4,".

Amendment No. 2

On page 3, line 21, after "SEC 2 ", insert "Section 7 3 of the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961) is amended to read·

Sec 7 3 Unless previously approved by the board of supervisors, no tax or assessment shall be levied hereunder, no zone of benefit shall be created pursuant to Section 14 2 hereof, ~~no proceedings in eminent domain shall be commenced, no contract with the State or the United~~

~~States or a member unit shall be submitted to the voters or executed,~~ *and* no expenditure of funds unless previously approved in the form of a budget by the board of supervisors shall be made ~~; and no proposal to authorize the issuance of bonds shall be submitted to the electorate~~. The board of supervisors may, in connection with any of the foregoing, conduct public hearings. Such hearings shall be declared by a resolution specifying the purpose and the day, hour, and place where all interested persons may appear and be heard This resolution shall be published in the agency pursuant to Section 6063 of the Government Code in a newspaper of general circulation in the agency The hearing may be adjourned from time to time at the discretion of the board of supervisors and at its conclusion the board of supervisors shall declare its decision

SEC 3 Section 7 4 of the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961) is amended to read.

Sec 7 4. Each member of the board of directors, and each member of the board of supervisors when acting pursuant to Section 7.3, shall be entitled to receive from the agency the sum of ~~twenty-five dollars ($25)~~ *fifty dollars ($50)* for each meeting attended, *not exceeding four meetings per month,* plus actual, necessary, and reasonable traveling expenses.

SEC. 4."

Amendment No. 3

On page 3, strike out lines 34 to 40, inclusive, and on page 4, strike out lines 1 to 11, inclusive; and in line 12, strike out "SEC. 4", and insert

"SEC 5 Section 13 5 is added to the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), to read

Sec 13 5 The agency may issue negotiable promissory notes to pay the cost of any work or improvement for the benefit of any member unit, as determined in any agreement between the agency and the member unit, or for the benefit of any improvement district or to refund any such notes Such notes shall bear interest at a rate not exceeding 7 percent per annum, their maturity shall not be later than five years from the date thereof, and the total aggregate amount of such notes issued for each member unit or improvement district outstanding at any one time shall not exceed the lesser of either three million dollars ($3,000,000) or 2 percent of the assessed valuation of the taxable property in the member unit or improvement district All such notes shall be issued pursuant to a resolution of the board of directors of the agency which resolution shall, subject to the provisions hereof, prescribe the terms and conditions of such notes. Such notes and the interest thereon shall be payable from taxes or assessments levied on all taxable property within each improvement district or member unit for which such notes were issued or from revenues received from the member unit pursuant to any contract providing for the issuance of the notes The board of directors is hereby authorized and directed to levy and collect taxes upon all property within the improvement district or member unit on whose behalf such notes are issued without limitation of rate or amount for the payment of the principal of and interest on such notes Such taxes shall be in addition to any other taxes levied for all other agency purposes and shall be levied in the same manner

and at the same time as all other agency taxes are levied and shall be used for no purpose other than payment of such principal and interest No member unit or improvement district nor the property therein nor other lands within the agency shall be liable for the notes issued for the benefit of any other member unit or improvement district, nor shall any moneys derived from taxation or assessments in any of the several member units or improvement districts be used to pay the principal or interest of notes issued for any other member unit or improvement district

SEC 6"

Senate Amendments of July 20, 1972

Amendment No. 1

On page 4, line 25, of the printed bill, as amended in Senate July 7, 1972, strike out ", and", strike out line 26, and in line 27, strike out "pursuant to Section 7 3,".

Amendment No. 2

On page 4, line 31, after the period, insert "Each member of the board of supervisors, when acting pursuant to Section 7 3, shall be entitled to receive from the agency the sum of twenty-five dollars ($25) for each meeting attended, plus actual, necessary, and reasonable traveling expenses "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES — Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown Burke, Burton Chacon, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—Chappie—1.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, a photographer was permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303 5, 17414, 17417, 17503, 17603 5, 17651, 17654 5, 17655 5, 17664, 17665, 18102 8, 18102 9, 18102 10, 18355, 18358, 18401, 20404, and 20806 of, to add Sections 13520 3, 17301, 17301 1, 17301 2, 17301 3, 17303 6, 17653, 17662, 17662 3, 17662 5, 18102, and 20751 to, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1 7 (commencing with Section 17270) to, and Article 3 (commencing with Section 17701) to Chapter 3 of, Division 14 of, to repeal Sections 1835, 5661, 6854, 6855, 6913 1, 13704, 14657, 14758, 17301, 17656, 17660, 17662, 17665 5, 18102, 18102 2, 18102 4, 18102 6, 20751, 20800,

20801 5, 20802 8, 20807, 20808, 20808 5, and 20816 of, to repeal Article 2 1 (commencing with Section 17671), Article 2 5 (commencing with Section 17680), Article 3 (commencing with Section 17701), Article 4 (commencing with Section 17751), Article 5 (commencing with Section 17801), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), and Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, to amend the heading of Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, making an appropriation therefor.

Bill read third time, and presented by Mr Arnett

Request for Unanimous Consent

Mr Arnett was granted unanimous consent that Mr Paul Holmes, of the Assembly Education Committee staff, be permitted to sit at his desk during consideration of Assembly Bill No 1283

Hon. Willie L. Brown, Jr., Presiding

At 3 04 p.m , Hon Willie L. Brown, Jr , 18th District, presiding

Demand for Previous Question

Messrs. Duffy, Lanterman, Chappie, Lancaster, and Campbell demanded the previous question Demand sustained

The question being on the passage of Assembly Bill No 1283.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian Ketchum, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—Badham, Burke, Collier, Foran, McCarthy, Ryan, Stull, and Wakefield—8

Bill ordered transmitted to the Senate

ANNOUNCEMENTS

At 3 30 p m , Acting Speaker Brown announced that there would be a caucus of the entire Membership of the Assembly at this time, in the Assembly Lounge.

RECESS

At 3 30 p m , Acting Speaker Brown declared the Assembly recessed until 4 02 p.m.

REASSEMBLED

At 4 02 p m , the Assembly reconvened

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, July 27, 1972

Mr Speaker The Chairman of your Committee on Finance and Insurance reports.

SB No 848

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 848—An act to amend Section 10489.2 of, and to add Section 10489 7 to, the Insurance Code, relating to life insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 7, 1972, after "insurance", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 4, strike out lines 38 to 40, inclusive; and on page 5, strike out lines 1 and 2, and insert "December 31, 1985:".

Amendment No. 3

On page 5, after line 19, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

The existing 5 percent assumption rate applicable to single premium annuities and group annuities covered by this act is substantially less than the returns on new-money investments realized by insurers, and as a consequence such assumption rate places a substantial strain on the surplus available for allocation of reserves by smaller life insurers, resulting in a practical requirement that such smaller life insurers raise premiums If this act takes effect immediately, such premium increases will be avoided, and smaller companies will be permitted to compete with larger insurers."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Governmental Organization reports:

SB No. 185
SB No. 334
SB No. 1336

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RALPH, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Criminal Justice

Assembly Chamber, July 27, 1972

Mr Speaker· Your Committee on Criminal Justice reports:

SB No. 1068
SB No 1420
SB No 1489

With amendments with the recommendation· Amend, and do pass, as amended.

BEVERLY, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Rules reports:

AJR No 39

With the recommendation: Be adopted.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Rules reports.

HR No 75	HR No. 99	HR No 101
HR No 95	HR No 88	HR No 103
HR No 97	HR No. 100	HR No 104
HR No. 98		

With the recommendation: Be adopted.

BURTON, Chairman

Above resolutions ordered on file

Committee on Criminal Justice

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No. 1376

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Education reports:

SB No 656

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, July 27, 1972

Mr Speaker· Your Committee on Ways and Means reports:

SB No 25
SB No 212
SB No 1193

With the recommendation· Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, July 27, 1972

Mr Speaker. Your Committee on Ways and Means reports:

SB No 178 SB No 1219
SB No 265 SB No. 1446

With amendments with the recommendation· Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading.

~~Assembly Chamber, July 27, 1972~~

~~Mr Speaker. Your Committee on Ways and Means reports:~~
~~SB No 616~~

~~With the recommendation. Do pass.~~

~~BROWN, Chairman~~

~~Above bill ordered to second reading.~~

NOTE. On November 27, 1972, the action was rescinded whereby the above report of the Committee on Ways and Means relative to Senate Bill No 616 was received and read in the Assembly, and whereby the bill was ordered to second reading See page 7860

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Ways and Means reports:

AB No 1742

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Committee on Criminal Justice

Assembly Chamber, July 27, 1972

Mr Speaker. Your Committee on Criminal Justice reports:

SB No 1419

With amendments with the recommendation· Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, July 26, 1972

Mr Speaker· Your Committee on Transportation reports:

SB No. 31

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means with a recommendation to Consent Calendar.

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Criminal Justice

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Criminal Justice reports·

SB No 402

With amendments with the recommendation Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, July 27, 1972

Mr Speaker. Your Committee on Health reports·

SB No 714

With amendments with the recommendation Amend, and re-refer to the Committee on Health.

CAMPBELL, Chairman

Above bill ordered to second reading

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1742—An act to add Section 33666 to, and to add Article 7 (commencing with Section 33680) to Chapter 6 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly July 7, 1972, between lines 25 and 26, insert

"Any payments of state funds under this section shall constitute a loan A redevelopment agency shall repay such loan from proceeds of the project after required payments upon the bonds have been made"

Bill ordered reprinted, and returned to the third reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 1068—An act to amend Section 496 of the Penal Code, relating to stolen property.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted.

Amendment No. 1

On page 3, line 37, of the printed bill, as amended in Senate June 26, 1972, strike out "the"; strike out lines 38 to 40, inclusive; on page 4, line 1, strike out "(b) Three", and insert "three".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1420—An act to amend Sections 554, 630, 658 and 660 of the Welfare and Institutions Code, relating to juveniles

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted

Amendment No. 1

On page 1, line 11, of the printed bill, after "for", insert "the".

Amendment No. 2

On page 3, line 6, after "600", insert a comma

Amendment No. 3

On page 3, after line 40, insert

"(c) For purposes of this section, except in a case in which a minor is alleged to be a person described in Section 600, service on the minor's attorney shall constitute service on the minor's parent or guardian"

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1489—An act to add Article 4 (commencing with Section 12580) to Chapter 6 of Title 2 of Part 4 of the Penal Code,

relating to blowguns, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted.

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate June 26, 1972, after "who", insert "knowingly"

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1376—An act to amend Sections 2690, 5081, 6038, and 6050 of, to add Sections 5002 1, 5002 2, 5002 3, 5002 4, 5002 5, and 5002 6 to, to add Chapter 5 (commencing with Section 6024) to Title 7 of Part 3 of, and to repeal Chapter 5 (commencing with Section 6024) of Title 7 of Part 3 of the Penal Code, relating to the state correctional system

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 21, 1972, strike out "Sections 2690, 5081, 6038,", strike out lines 2 to 6, inclusive, of the title; and in line 7 of the title, strike out "Part 3", and insert "Section 2690".

Amendment No. 2

On page 2, strike out lines 9 to 11, inclusive, and insert "than three days The director may require the"

Amendment No. 3

On page 2, strike out lines 15 to 40, inclusive; and strike out pages 3 to 7, inclusive

Bill ordered reprinted, and to be placed on the second day Consent Calendar.

Senate Bill No. 656—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 11478, 16645 2, 25502 5, 25505, 25514 5, 25601, and 26501 of, and to add Sections 6931 5 and 17255 to, and to repeal Section 25505 of, the Education Code, and to amend Section 22815 of the Education Code as proposed by Assembly Bill No. 666, relating to public education

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 12 of the printed bill, as amended in Senate July 13, 1972, between lines 16 and 17, insert

"SEC 18 In the event both this bill and Assembly Bill No 300 are enacted at the 1972 Regular Session of the Legislature, the amendments to Sections 6750, 6801, 6901, and 6902 of the Education Code made by this bill shall not become operative and shall have no force or effect."

Amendment No. 2

On page 12, line 17, strike out "SEC 18 This", and insert

"SEC 19 Except as otherwise provided in Section 18, this".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 25—An act to add Article 4 5 (commencing with Section 30760) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the Antioch Bridge, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3, line 12, of the printed bill, after the period, insert "If the department secures federal funds for the construction of the new bridge, the department, to the extent possible, shall use federal funds, prior to using state funds or revenue bond funds, to finance such construction"

Bill ordered reprinted, and to be placed on the second day Consent Calendar.

Senate Bill No. 212—An act to add Section 17462 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Assembly July 21 1972, strike out "and working drawings"

Bill ordered reprinted, and to be placed on the second day Consent Calendar

Senate Bill No. 1193—An act to amend Section 7 of Chapter 1357 of the Statutes of 1970, relating to gravel beds

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 17, 1972, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, strike out lines 3 to 8, inclusive, and insert

"SECTION 1 Section 7 of Chapter 1357 of the Statutes of 1970 is repealed

~~Sec. 7. The provisions of this act shall remain in effect until the 61st day after the final adjournment of the 1972 Regular Session of the Legislature, and shall have no force and effect after that date.~~ "

Bill ordered reprinted, and to be placed on the second day Consent Calendar

Senate Bill No. 178—An act appropriating funds for increases in compensation for nonacademic, and noninstructional and noninstructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

On page 1 of the printed bill, as amended in Senate July 5, 1972, strike out lines 4 and 5, and insert "of two million five hundred thirty thousand dollars ($2,530,000) for salary".

Amendment No. 2

On page 2, line 23, strike out "$4,481,000", and insert "$1,330,000".

Amendment No. 3

On page 2, line 29, strike out "4,994,600", and insert "1,200,000"

Amendment No. 4

On page 2, line 32, strike out "$9,475,600", and insert "$2 530,000".

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 265—An act to amend Sections 6751, 6752, 6752 1, 6754, and 6871 of the Education Code, relating to education of handicapped pupils

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 28, 1972, after "6752 1," insert "and".

Amendment No. 2

In line 1 of the title, strike out ", and 6871".

Amendment No. 3

On page 5, strike out lines 33 to 40, inclusive, strike out pages 6 and 7; and on page 8, strike out lines 1 to 22, inclusive; in line 23, strike out "SEC 6", and insert

"SEC. 5".

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1219—An act to amend Section 767 of the Education Code, relating to county superintendents of schools.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 1, line 7, of the printed bill, after "manner", insert ", provided that in no event shall the salary of any county superintendent of schools exceed the salary of the Superintendent of Public Instruction as provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1446—An act to add Section 24315 to the Education Code, relating to the state university and colleges

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Senate June 27, 1972, after "committee", insert "composed of full-time faculty members"

Amendment No. 2

On page 2, line 2, strike out the second comma

Amendment No. 3

On page 2, between lines 15 and 16, insert

"(e) The arbitrator may assess the costs incurred in arbitration to either or both parties in amounts determined reasonable by the arbitrator"

Amendment No. 4

On page 2, line 16, strike out "If", and insert

"(f) If"

Bill ordered reprinted, and returned to the third reading file

~~Senate Bill No. 616—An act to amend Section 7615 of the Business and Professions Code, relating to funeral directors.~~

~~Bill read second time, and ordered to third reading.~~

NOTE: On November 27, 1972, the action was rescinded whereby Senate Bill No. 616 was read a second time on this day, and ordered to third reading. See page 7860.

Senate Bill No. 1419—An act to amend Section 2600 of the Penal Code, relating to civil rights of prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Senate June 27, 1972, strike out ", and"; strike out lines 23 to 25, inclusive, and insert ". The prison"

Amendment No. 2

On page 2, line 28, after the second "crime", insert ", or the violation of prison rules"

Amendment No. 3

On page 2, line 30, after "crime", insert ", or the violation of prison rules, and may inform the sender of such deletion,"

Amendment No. 4

On page 3, lines 2 and 3, strike out ", or disobedience of prison rules"

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 402—An act to amend Section 1010 of the Evidence Code, relating to privileges

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate April 12, 1972, strike out lines 8 to 11, inclusive, and insert "Code"

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 714—An act to add and repeal Section 13131 of, and to add Section 13132.5 to, the Education Code, to amend, repeal, and add Sections 11333, 11391, 11655, 11655.5, and 11655.6 of, to add Division 10.8 (commencing with Section 11940) to, to repeal Sections 210, and 11655.9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 9 of, and Division 10.8 (commencing with

Section 11940) of, the Health and Safety Code, to amend Section 11655 8 of, and to repeal Section 11655 7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2 5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154, 5619, and 5654 of, to amend, repeal, and add Section 5651 of, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add Sections 4330 and 5801 of the Welfare and Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted

Amendment No. 1

In line 4 of the heading of the printed bill, as amended in Senate July 7, 1972, after "Assemblymen", insert "Campbell, Moretti,"

Amendment No. 2

In line 3 of the title, strike out "Sections 11333, 11391, 11655, 11655 5, and 11655 6", and insert "Section 11391".

Amendment No. 3

In line 6 of the title, strike out "9", and insert "1"

Amendment No. 3.3

In line 25 of the title, strike out "and".

Amendment No. 3.6

In line 26 of the title, after "therefor", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 4, line 5, strike out the second "of"

Amendment No. 5

On page 4, line 8, strike out "9", and insert "1"

Amendment No. 6

On page 4, strike out lines 10 to 40, inclusive, and on page 5, strike out lines 1 to 13, inclusive

Amendment No. 7

On page 7, strike out lines 31 to 40, inclusive, strike out pages 8 to 10, inclusive, and on page 11, strike out lines 1 to 22, inclusive

Amendment No. 8

On page 12, line 19, strike out "delivery system", and insert "statewide program"

Amendment No. 9

On page 14, line 33, after "of", insert "Part 2 of".

Amendment No. 9.3

On page 15, line 17, after "1000 1", insert "(a)"

Amendment No. 9.6

On page 15, between lines 34 and 35, insert

"(b) No statement, or any information procured therefrom, made by the defendant to any probation officer which relates to the specific offense of which the defendant is charged, which is made during the course of any investigation conducted pursuant to subdivision (a), and prior to the reporting of the probation department's findings and recommendations to the court, shall be admissible in any action or proceeding brought subsequent to the investigation, with respect to the specific offense of which the defendant is charged"

Amendment No. 10

On page 16, lines 39 and 40, strike out "of the Welfare and Institutions Code".

Amendment No. 11

On page 17, line 13, after "the", insert "State"

Amendment No. 12

On page 19, between lines 20 and 21, insert

"Article 3 The State Drug Advisory Board"

Amendment No. 13

On page 19, line 21, after "a", insert "State"

Amendment No. 14

On page 19, line 22, strike out "provision", and insert "provisions".

Amendment No. 15

On page 19, line 23, strike out "Drug Advisory Board", and insert "board".

Amendment No. 16

On page 19, line 24, strike out "11 members who shall be appointed by, and", strike out lines 25 to 40, inclusive, on page 20, strike out lines 1 to 3, inclusive, and insert "16 members The membership of the board shall include all of the following

(a) The Attorney General or his authorized representative

(b) The Superintendent of Public Instruction or his authorized representative

(c) One member appointed by the Speaker of the Assembly who shall hold office for two years

(d) One member appointed by the Senate Rules Committee who shall hold office for two years

(e) One member appointed by the Regents of the University of California, experienced in drug abuse treatment programs or services, who shall hold office for two years

(f) Eleven public members who shall be appointed by the Governor, as follows

(1) Two public members shall be persons who have been nominated by the California Conference of Local Mental Health Directors and who shall hold office for two years

(2) One public member shall be a county drug abuse program coordinator who shall hold office for two years

(3) Two public members shall be representatives of public drug abuse programs and two public members shall be representatives of private drug programs, including methadone and nonmethadone treatment programs, who shall hold office for two years

(4) Two public members shall be former drug abusers who have completed a rehabilitation program and who are skilled in drug treatment services, who shall hold office for one year

(5) Two public members shall be local law enforcement officers experienced in drug abuse, who shall hold office for two years

4339 The members of the board shall serve without compensation but shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties under this chapter

The board shall meet at least quarterly, and on call of the board chairman as often as necessary to fulfill its duties All meetings and records of the board shall be open to the public

The board shall, by majority vote of the voting members, elect its own chairman from among the members, and shall establish such committees as it deems necessary or desirable The board chairman shall appoint all members of committees of the board

4340 The board shall have the powers and authority necessary to carry out the duties imposed upon it by this article, including, but not limited to, the following:

(a) To advise the director on the development of the state five-year plan for drug abuse treatment programs and the system of priorities contained in that plan

(b) To periodically review drug abuse treatment services in this state, and prepare such reports as necessary for the Governor, the Legislature, the director, and the State Health Planning Council

(c) To suggest rules, regulations, and standards for the administration of this chapter

(d) To accept any federal fund granted, by act of Congress or by executive order, for purposes within the purview of the board, subject to the approval of the Department of Finance

(e) To accept any gift, donation, bequest, or grants of funds from private and public agencies for all or any of the purposes within the purview of the board, subject to the approval of the Department of Finance

(f) The board may utilize such staff of the central and regional offices of the department and the University of California as are available, and such staff of all other public or private agencies which have an interest in the drug treatment programs and which are able and willing to provide such services

4341 The department shall consult with, and seek the advice of, the board prior to adopting any rules or regulations pursuant to this chapter ''

Amendment No. 16.5

On page 20, line 5, strike out ''3'', and insert ''4''

Amendment No. 17

On page 21, between lines 3 and 4, insert

''(f) It is the intent of the Legislature in enacting this section in order to protect the general public, that self-administered dosage shall only be provided when the patient is clearly adhering to the requirements of his program, and where daily attendance at a clinic would be incompatible with gainful employment, education, and responsible homemaking The director shall define ''satisfactory adherence'' and shall ensure that patients not satisfactorily adhering to their programs shall not be provided take-home dosage ''

Amendment No. 18

On page 21, line 16, strike out ''crriteria'', and insert ''criteria''.

Amendment No. 19

On page 22, line 26, strike out ''4'', and insert ''5''

Amendment No 20

On page 23, line 6, after the first ''county'', insert a comma

Amendment No. 21

On page 23, line 7, after ''agency'', insert '', or a clinical laboratory licensed pursuant to subdivision (f) of Section 1300 of the Business and Professions Code''

Amendment No. 22

On page 25, line 9, strike out ''5'', and insert ''6''

Amendment No. 23

On page 25, line 13, strike out '', without first having'', and insert ''be eligible to receive state funds by way of appropriation in support of any drug abuse program, or in support of any drug abuse component of any Short-Doyle plan established pursuant to Part 2 (commencing with Section 5600) of Division 5, unless such person has first''

Amendment No 24

On page 25, line 15, after ''conduct'', insert ''a drug abuse program in''

Amendment No. 25

On page 25, line 17, after the first ''or'', insert ''which provides''.

Amendment No. 26

On page 26, between lines 3 and 4, insert

''(d) Nothing in this article shall prohibit any person, association, or corporation described in Section 4390 which is not receiving funds under a Short-Doyle plan from voluntarily seeking a license pursuant to Section 4390 ''

Amendment No. 27

On page 27, between lines 38 and 39, insert

"4399 Upon adoption of final regulations, or amendments thereto, the department shall transmit copies thereof to the Legislature within the first 60 calendar days of a regular session of the Legislature The final regulations, or amendments thereto, shall take effect on the 91st day after receipt of such regulations, or amendments thereto, by the Legislature "

Amendment No. 28

On page 28, line 2, after "the", insert "State".

Amendment No. 29

On page 28, line 15, after "juveniles", insert a period.

Amendment No. 30

On page 33, strike out lines 26 and 27, and insert

"(1) Four members representing private treatment programs, two of whom shall represent youth-oriented programs "

Amendment No. 31

On page 33, strike out lines 30 and 31.

Amendment No. 32

On page 33, line 32, strike out "(5)", and insert "(4)".

Amendment No. 33

On page 33, line 34, strike out "(6)", and insert "(5)".

Amendment No. 34

On page 33, line 38, strike out "(7)", and insert "(6)"

Amendment No. 35

On page 33, line 39, strike out "(8)", and insert "(7)".

Amendment No. 35.5

On page 34, between lines 1 and 2, insert

"(g) Nothing in this article shall prohibit a county drug advisory board from containing members in addition to those listed in this section, except that state funds may not be used for reimbursement of any expenses incurred by the additional members "

Amendment No. 36

On page 36, line 4, after "prevention," insert "detoxification treatment and other"

Amendment No. 37

On page 37, line 36, strike out "2", and insert "1"

Amendment No. 38

On page 41, line 15, after "program", insert "and the types of patients served".

Amendment No. 39

On page 41, line 22, strike out "5", and insert "6"

Amendment No. 39.5

On page 42, strike out lines 6 to 9, inclusive, and insert "shall maintain its adopted 1972–73 Short-Doyle Program efforts; provided, however, that the local matching funds included in such 1972–73 program shall be recognized by the director in determining the required local matching funds "

Amendment No. 40

On page 42, between lines 9 and 10, insert

"SEC 28 5 This act shall be known and may be cited as the Campbell-Moretti-Deukmejian Drug Abuse Treatment Act "

Amendment No. 41

On page 42, line 23, strike out "Sections 11333, 11391, 11655, 11655 5, and 11655 6", and insert "Section 11391".

Amendment No. 42

On page 42, lines 25 and 26, strike out "5, 6, 8, 9, 10," and insert "6".

Amendment No. 43

On page 42, lines 28 and 29, strike out "Sections 11333, 11391, 11655, 11655 5 and 11655 6", and insert "Section 11391"

Amendment No. 44

On page 42, line 31, strike out "5 5, 7, 8 5, 9 5, 10 5," and insert "7"

Amendment No. 45

On page 42, line 34, strike out "5, 6, 8, 9, 10," and insert "6".

Amendment No. 46

On page 43, after line 1, insert

"SEC 32 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

There is a severe lack of coordination in existing drug abuse programs and in the provision of treatment facilities for drug abusers In order that this situation may be alleviated at the earliest possible time, it is necessary for this act to take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Health.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered

Assembly Concurrent Resolution No. 124: By Assemblyman Moorhead—Approving amendments to the Charter of the City of Glendale, County of Los Angeles, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June, 1972.

Assembly Concurrent Resolution No. 125: By Assemblymen Miller and Meade—Approving amendments to the Charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California direct primary election held therein on the sixth day of June, 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 124

Mr Moorhead was granted unanimous consent to take up Assembly Concurrent Resolution No 124 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 124

Assembly Concurrent Resolution No. 124—Approving amendments to the Charter of the City of Glendale, County of Los Angeles, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June, 1972.

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—None

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

July 27, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Glendale

Sincerely,

CARLOS J. MOORHEAD

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 124).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 125

Mr. Miller was granted unanimous consent to take up Assembly Concurrent Resolution No 125 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 125

Assembly Concurrent Resolution No. 125—Approving amendments to the Charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California direct primary election held therein on the sixth day of June, 1972

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

July 27, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim. Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Berkeley.

Very truly yours,

JOHN J MILLER

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 125).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 122

Mr. Ray E Johnson was granted unanimous consent to take up Assembly Concurrent Resolution No 122 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 122

Assembly Concurrent Resolution No. 122—Approving an amendment to the Charter of the City of Chico, State of California, ratified by the qualified electors of the city at a special municipal election consolidated with the state primary election held therein on the sixth day of June, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier,

Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

July 26, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim Pursuant to the requirements of Section 62 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Chico

Very truly yours,

RAY E JOHNSON

Accompanying documents ordered filed with the Secretary of State (Assembly Concurrent Resolution No 122)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 93—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 9 of Article IX thereof, relating to the University of California

Resolution read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Miller moved a call of the Assembly

Motion carried Time, 4 05 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1744—An act to add Section 402 4 to the Revenue and Taxation Code, relating to property taxation

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—43

NOES—Badham, Chappie, Cline, Collier, Conrad, Cullen, Davis, Hayden, Hayes, Ketchum, Lancaster, Lanterman, Lewis, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood —22

Bill ordered transmitted to the Senate

Assembly Joint Resolution No. 13—Relative to the crisis in Northern Ireland

Resolution read

Demand for Previous Question

Messrs Ray E Johnson, Stacey, Wakefield, Bill Greene, and Sieroty demanded the previous question Demand sustained

The question being on the adoption of the resolution

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr McCarthy moved a call of the Assembly

Motion carried Time, 4 20 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1098—An act to amend Section 50262 of, to add Sections 50264, 50264 1, 50265, 50266, 50267, 50268, 50269, 50270, 50271, 50272, 50273, 50274, and 50275 to, and to repeal Sections 50264 and 50265 of, the Government Code, to amend Section 35743 of the Health

and Safety Code, and to amend Sections 1420 5 and 1432 of the Labor Code, relating to human relations commissions

Bill read third time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly.

Motion carried Time, 4 22 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 121—Relative to the creation of the Joint Committee on Off-Track Betting

Resolution read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Bagley moved a call of the Assembly

Motion carried. Time, 4·25 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Murphy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1565—An act to add Chapter 6 (commencing with Section 13000) to Division 8 of the Elections Code, relating to reimbursement of campaign expenses, and making an appropriation therefor

Bill read third time, and refused passage by the following vote

AYES—Bee, Brathwaite, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Fong, Bill Greene, Karabian, Knox, McAlister, Meade, Miller,

Pierson, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Mr Speaker—25

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Burke, Chappie, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Duffy, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, and Wood—42.

BILLS PASSED ON FILE

Assembly Bill No. 1850—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 348—An act to amend Sections 34270, 34271, 34272, 34290, 34331, 34332, and 34513 of, and to add Sections 34213 5, 34219, 34286, 34315 3, 34333, 34334, 35495, and 36072 to, the Health and Safety Code, relating to housing authorities

Bill read third time.

Motion to Amend

Mrs. Brathwaite moved the adoption of the following amendments:

Amendment No. 1

On page 12, line 24, of the printed bill, as amended in Assembly July 24, 1972, strike out "6 5", and insert "6".

Amendment No. 2

On page 12, line 25, strike out "6 5", and insert "6".

Amendment No. 3

On page 12, line 28, strike out "6", and insert "5".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 109, on request of Mr Karabian.

CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 91

At 4 37 p m., on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby Assembly Constitutional Amendment No. 91 was refused adoption reconsidered by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Karabian, Keysor, Knox, LaCoste,

Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Badham, Cline, Collier, Ketchum, Lancaster, Monagan, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—12

Assembly Constitutional Amendment No. 91 Passed on File

Assembly Constitutional Amendment No 91 was passed on file

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 85—An act to amend Section 395 of the Code of Civil Procedure, relating to civil actions

Bill read third time, and presented by Mr Crown

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by repealing Article II thereof, and adding Article II thereto, relating to elections

Resolution read third time, and presented by Mr Knox

Resolution passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chappie, Cline, Conrad, Cory, Crown Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton Fong Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos Warren, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—Burke, Stull, and Wakefield—3

Resolution ordered transmitted to the Senate

Senate Bill No. 896—An act to add Section 8589 5 to the Government Code, relating to dam safety

Bill read third time, and presented by Mr Hayes

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—Stull—1

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 104

Mr Ketchum was granted unanimous consent to take up Senate Bill No 104, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 104

Senate Bill No. 104—An act making an appropriation for correctional employees' salary increases, to take effect immediately, usual current expenses

Bill read third time and presented by Mr Ketchum

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent Duffy, Dunlap, Fenton, Fong, Foran, Garcia Gonsalves Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood Z'berg, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93

At 4 46 p m, on motion of Mr Miller, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Constitutional Amendment No 93 refused adoption by the following vote

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter,

Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—42.

NOES—Arnett, Badham, Bagley, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Moorhead, Priolo, Russell, Seeley, Stull, Wakefield, and Wood—31.

Motion to Reconsider Assembly Constitutional Amendment No. 93 on Next Legislative Day

Mr Miller moved to reconsider on the next legislative day the vote whereby Assembly Constitutional Amendment No. 93 was this day refused adoption.

Assembly Constitutional Amendment No. 93 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1350—An act making an appropriation in augmentation of Item 219 of the Budget Act of 1972, relating to job development corporations.

Bill read third time, and presented by Mr. Campbell

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Campbell moved a call of the Assembly

Motion carried Time, 4:50 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Miller was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

ANNOUNCEMENTS

At 4 55 p m Acting Speaker Fenton announced that there would be a caucus of the entire membership of the Assembly at this time, in the Assembly Lounge

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1455

The Acting Speaker appointed Messrs Warren, Murphy, and McAlister as a Committee on Conference concerning Senate Bill No 1455

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 493 for hearing in the Committee on Judiciary on Monday, July 31, 1972.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1350

At 5·21 p m., on motion of Mr. Campbell, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1350 passed by the following vote:

AYES—Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Badham, Barnes, Burke, Dent, Lanterman, and Wakefield —6.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1098

At 5·25 p.m., on motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No 1098 passed by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41

NOES—Badham, Barnes, Belotti, Beverly, Burke, Campbell, Cline, Collier, Conrad, Dent, Gonsalves, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, McAlister, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—29.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 75—Relative to a recess of the Legislature.

Resolution read.

Motion to Amend

Mr Moretti moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "July 28", and insert "August 4".

Amendment read, and adopted

Request for Unanimous Consent

Mr Moretti was granted unanimous consent to take up Senate Concurrent Resolution No 75, as amended, without reference to print or file

Consideration of Senate Concurrent Resolution No. 75, as Amended

Senate Concurrent Resolution No. 75—Relative to a recess of the Legislature.

Resolution read, as amended, presented by Mr Moretti, and adopted by the following vote:

AYES—Bee, Brathwaite, Brown Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41

NOES—Arnett, Badham, Bagley, Belotti, Beverly Burke, Campbell, Chappie, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, Maddy Mobley, Monagan, Moorhead Murphy, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—30

Resolution ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONCURRENT RESOLUTION NO. 121

At 5 29 p m, on motion of Mr Bagley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Concurrent Resolution No 121 adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burton Campbell, Chacon, Cory, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Knox, Lanterman, Lewis, Maddy, Meade, Miller, Mobley, Porter, Powers Quimby, Ralph, Ryan, Seeley Thomas, Townsend, Vasconcellos, Waxman, Wilson Wood, and Mr Speaker—42

NOES—Barnes, Cline, Collier, Conrad, Crown, Cullen, Dent, Hayes, Karabian, Ketchum, Lancaster, MacDonald, McAlister, Murphy, Russell, Sieroty, Stacey, Stull, Wakefield, Warren, and Z'berg—21

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Senate Bill No. 1108—An act to place a Constitutional Amendment on the ballot, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Knox

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, and Mr Speaker—71

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

Hon. Ken Cory Presiding

At 5·37 p m., Hon. Ken Cory, 69th District, presiding

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY JOINT RESOLUTION NO. 13

At 5.37 p m., on motion of Mr McCarthy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Joint Resolution No 13 adopted by the following vote

AYES—Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Karabian, Knox, LaCoste, Lancaster, Lewis, MacDonald, Maddy, McCarthy, Meade, Miller, Murphy, Porter,

Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker —44

NOES—Arnett, Badham, Burke, Campbell, Cline, Collier, Cullen, Dent, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Lanterman, McAlister, Mobley, Moorhead, Priolo, Russell Seeley, Stacey, Stull, and Wakefield—24

Motion to Reconsider Assembly Joint Resolution No. 13 on Next Legislative Day

Mr Ketchum moved to reconsider on the next legislative day the vote whereby Assembly Joint Resolution No 13 was this day adopted

Assembly Joint Resolution No 13 ordered to the unfinished business file

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1244—An act to add Section 602 4 to the Penal Code, relating to airports

Bill read third time

Motion to Amend

Mr Ryan moved the adoption of the following amendments·

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate June 29, 1972, after "602 4", insert ". (a)"

Amendment No. 2

On page 2, line 4, after "Commission", insert "and except as provided in subdivision (b)"

Amendment No. 3

On page 2, line 9, strike out "section", and insert "subdivision".

Amendment No. 4

On page 2, after line 12, insert

"(b) An airport owned by a city and county which is located in another county may not prohibit taxicabs licensed by cities within that county from offering transportation services to destinations within that county to persons on the airport property owned by a city and county "

Amendments read, and refused adoption by the following vote

AYES—Arnett, Badham, Bagley, Bee, Brathwaite, Burke, Cline, Collier, Conrad, Cullen, Dent, Bill Greene, Hayden, Ray E Johnson, Lancaster, MacDonald, McAlister Miller, Mobley, Russell, Ryan, Seeley, Stull, Vasconcellos, and Z'berg—25

NOES—Barnes, Beverly Brown, Burton, Campbell, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Lanterman, McCarthy, Meade, Moorhead, Murphy, Powers, Quimby, Sieroty, Stacey, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—33

Senate Bill No 1244 presented by Mr Burton

The question being on the passage of the bill

Bill passed by the following vote

AYES—Bagley, Barnes, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Townsend, Waxman, Wilson, Wood, and Mr Speaker—49

NOES—Arnett, Badham, Bee, Burke, Cline, Dunlap, Meade, Miller, Ryan, Sieroty, Stull, Vasconcellos, Wakefield, and Warren—14

Bill ordered transmitted to the Senate

Senate Bill No. 627—An act to amend Section 5313 of the Labor Code, relating to workmen's compensation

Bill read third time, and presented by Mr Fenton

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Z'berg, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 5.55 p m , Hon Jack R Fenton, 51st District, presiding

Senate Bill No. 356—An act to add Sections 10554 2 and 10554 5 to the Welfare and Institutions Code, relating to public social services

Bill read third time, and presented by Mr McCarthy.

Bill passed by the following vote·

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—Cline, Hayes, Lancaster, Priolo, and Wakefield—5.

Bill ordered transmitted to the Senate

Senate Bill No. 255—An act to amend Section 71180 of the Government Code, relating to courts.

Bill read third time, presented by Mr Lewis, and passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor Knox, LaCoste, Lancaster, Lanterman, Lewis MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wood, Z'berg, and Mr Speaker—65

NOES—Cullen and Wilson—2

Bill ordered transmitted to the Senate

Senate Bill No. 978—An act to amend Sections 26, 361, and 362 of the Probate Code, relating to the probate of estates

Bill read third time, and presented by Mr Karabian

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 160—An act to amend Sections 888 and 1825 of, and to add Section 888 5 to, the Welfare and Institutions Code, relating to the Department of Youth Authority

Bill read third time, and presented by Mr Murphy

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 6 p m, Mr Garcia was granted unanimous consent to hold a special meeting of the Committee on Constitutional Amendments in the Assembly Lounge, at this time

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No 1127—An act to amend Section 7626 of the Business and Professions Code, relating to funeral directors

Bill read third time, and presented by Mr Badham

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr Speaker—54

NOES—Brown, Dunlap, Bill Greene, Meade, Miller, Ralph, Sieroty, Vasconcellos, Warren, and Waxman—10

Bill ordered transmitted to the Senate

Senate Bill No. 1128—An act to amend Sections 986 3 and 986 5 of the Military and Veterans Code, relating to veterans.

Bill read third time, and presented by Mr Barnes

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 404—An act to add Section 228 to the Revenue and Taxation Code, relating to property tax exemption

Bill read third time, and presented by Mr Meade

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—Miller and Stacey—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1007—An act to amend Sections 5523, 5563, 5564, 5566, 5567, 5568, 5762, 5763, 5703, 5705, 5710, 5711, 5712, 5713, 5714, 5715, 5716, 5717, 5718, 5720 5, 5721, 5722, 5741, 5761, 5764, 5765, 5766, 5767, 5768, 5782, and 5801 of, to add Sections 5706, 5707, 5716 5, and 5720 6 to, and to repeal Sections 5570, 5706, 5707, 5708, 5709, 5723, 5742, and 5743 of, the Revenue and Taxation Code, relating to in-lieu taxes on domestic animals, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Mobley

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —66

NOES—Miller—1

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Stacey Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —66

NOES—Miller—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 403—An act to amend Section 17804 of the Business and Professions Code, relating to marriage, family and child counselors

Bill read third time, and presented by Mr Campbell

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Deddeh, Dent Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pier-

son, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr Speaker—57.

NOES—Badham, Cory, Cullen, Bill Greene, Hayes, McAlister, Miller, Priolo, Ralph, Stull, Vasconcellos, and Wakefield—12

~~Bill ordered transmitted to the Senate~~

NOTE · Later this day a motion to reconsider the vote whereby Senate Bill No 403 was passed was offered by Mr Vasconcellos See page 6674

Senate Bill No. 1169—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read third time, and presented by Mr Brown

Bill passed by the following vote ·

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—Stacey—1

Bill ordered transmitted to the Senate

Senate Bill No. 839—An act to amend Section 27501 of the Elections Code, relating to elections

Bill read third time, and presented by Mr Bill Greene

Bill passed by the following vote ·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 806—An act to amend Sections 31468 and 31840 1 of, and to add Section 31557 1 to, the Government Code, and to amend Section 14000 2 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read third time, and presented by Mr Z'berg.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—Stull—1

Bill ordered transmitted to the Senate.

Senate Bill No. 782—An act to add Section 25514 1 to the Education Code, relating to regional occupational centers.

Bill read third time, and presented by Mr Seeley.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 887—An act to amend Sections 23802 and 23805 of the Education Code, relating to state universities and colleges

Bill read third time, and presented by Mr Ray E Johnson.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1019—An act to amend Section 13085.1 of the Education Code, relating to public school employees

Bill read third time, and presented by Mr Chacon.

Bill passed by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1484—An act to amend Section 13737 of, and to add and repeal Section 13727.2 of the Education Code, relating to classified employees.

Bill read third time, and presented by Mr Bill Greene.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 83—An act to repeal Section 8211 of, and to add Sections 8211, 8211.5 and 8211.8 to, the Government Code, relating to notaries public.

Bill read third time, and presented by Mr. Dent

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Bill Greene, Lewis, Miller, Ralph, and Vasconcellos—5

Bill ordered transmitted to the Senate.

Senate Bill No. 371—An act to add Chapter 2 (commencing with Section 9975) to Division 3.6 of the Vehicle Code, relating to motor vehicles

Bill read third time

Motion to Amend

Mr Murphy moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly July 26, 1972, strike out "sold in", and in line 10, strike out "this state on or after January 1, 1973,".

Amendment No. 2

On page 2, line 11, strike out "or state".

Amendment No. 3

On page 2, lines 17 and 18, strike out "or reimburse the owner for the cost of making such correction".

Amendment No. 4

On page 2, strike out lines 19–21, inclusive; and on page 3, strike out line 1.

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

Senate Bill No. 412—An act to amend Sections 11526 1, 11535, 11540 and 11540 1 of, and to add Sections 11538 1, 11538 2 and 11538 3 to, the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. McCarthy.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lan-

caster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 736—An act to amend Section 1526 of the Penal Code, relating to criminal procedure.

Bill read third time, and presented by Mr MacDonald

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1461—An act to amend Section 27491 of the Government Code, relating to coroners

Bill read third time, and presented by Mrs Brathwaite

Bill passed by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Wakefield, Waxman, Wilson, Wood, and Mr Speaker—58

NOES—Arnett, Badham, Cline, Cory, Hayes, McAlister, Priolo, Stull, and Vasconcellos—9

Bill ordered transmitted to the Senate.

Senate Bill No. 147—An act to add Section 11111 to the Penal Code, and to add Division 16 7 (commencing with Section 39000) to the Vehicle Code, relating to the licensing of bicycles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Badham

Urgency Clause

Urgency clause read

Demand for Previous Question

Messrs. Leroy F. Greene, Maddy, Ketchum, Stacey, and Hayden demanded the previous question Demand sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 147.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Badham moved a call of the Assembly.

Motion carried. Time, 6 27 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Bagley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1421—An act to amend Sections 634, 679, and 700 of the Welfare and Institutions Code, relating to counsel.

Bill read third time, and presented by Mrs Brathwaite

Bill passed by the following vote.

AYES—Bagley, Bee, Belotti, Brathwaite, Brown, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—45

NOES—Barnes, Chappie, Cline, Conrad, Hayden, Hayes, Ray E. Johnson, Ketchum, Lancaster, Lewis, Mobley, Moorhead, Murphy, Priolo, Stacey, Stull, and Wakefield—17.

Bill ordered transmitted to the Senate

Senate Bill No. 1302—An act to amend Section 16601 5 of, to add Sections 16602 5, 16602 6, and 16711 to, to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, and to add Article 1 5 (commencing with Section 16820) to Chapter 1 of Division 13 of, the Education Code, and to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr Cory moved the adoption of the following amendments:

Amendment No. 1

On page 9, line 28, of the printed bill, as amended in Assembly July 26, 1972, strike out "to the Department of Education".

Amendment No. 2

On page 16, strike out lines 32 to 40, inclusive; on page 17, strike out lines 1 to 8, inclusive, and insert

"SEC 10 There is hereby appropriated from the General Fund in the State Treasury for the purposes of Chapter 6 1 (commencing with Section 6445) of Division 6 of the Education Code, the amounts specified in the following schedule, to be allocated as herein prescribed:

(a) To the State School Fund, for allowances under Section 6445 12 of the Education Code and Section 6445 13 of the Education Code, amounts which shall be made available for expenditure as follows:

(1) For the 1973–1974 fiscal year, twenty-five million dollars ($25,000,000)

(2) For the 1974–1975 fiscal year, forty million dollars ($40,000,000)

(b) To the Department of Education, the sum of two hundred fifty thousand dollars ($250,000) for the administration by the department of the provisions of Chapter 6 1 (commencing with Section 6445) of Division 6 of the Education Code "

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Senate Concurrent Resolution No. 61—Relative to housing.

Resolution read, presented by Mrs Brathwaite, and adopted.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 36

Mr Deddeh was granted unanimous consent to take up Senate Bill No 36, out of order, for purpose of amendment, and that the bill be returned to the third reading file.

Consideration of Senate Bill No. 36

Senate Bill No. 36—An act to amend Sections 2106 and 2106 5 of, to add Sections 100 13 and 149 2 to, and to add Chapter 8 (commencing with Section 2370) to Division 3 of, the Streets and Highways Code, relating to transportation.

Bill read third time

Motion to Amend

Mr Deddeh moved the adoption of the following amendment:

Amendment No. 1

On page 7, after line 38, of the printed bill, as amended in Senate May 2, 1972, insert

"SEC 6. Section 2106 of the Streets and Highways Code is amended to read:

2106. A sum equal to the net revenue derived from one and four one-hundredths cent ($0 0104) per gallon tax under the Motor Vehicle Fuel License Tax Law shall be apportioned monthly from the Highway Users Tax Fund among counties and cities for use exclusively for county road and city street purposes, as provided in this section

The amounts available under this section shall be apportioned, as follows:

(a) Four hundred dollars ($400) per month shall be apportioned to each city and city and county and eight hundred dollars ($800) per month shall be apportioned to each county and city and county

(b) Thirty thousand dollars ($30,000) per month shall be transferred to the Bicycle Lane Account in the State Transportation Fund

(c) ~~(b)~~ The balance shall be apportioned, as follows:

(1) A base sum shall be computed for each county by using the same proportions of fee-paid and exempt vehicles as are established for purposes of apportionment of funds under subdivision (d) of Section 2104

(2) For each county the percentage of the total assessed valuation of tangible property subject to local tax levies within the county which is represented by the assessed valuation of tangible property outside the incorporated cities of the county shall be applied to its base sum, and the resulting amount shall be apportioned to the county The assessed valuation of taxable tangible property for purposes of this computation shall be that most recently used for countywide tax levies as reported to the State Controller by the State Board of Equalization In the event an incorporation or annexation is legally completed following the base sum computation, the new city's assessed valuation shall be deducted from the county's assessed valuation, the estimate of which ~~shall~~ *may* be provided by the State Board of Equalization

(3) The difference between the base sum for each county and the amount apportioned to the county shall be apportioned to the cities of that county in the proportion that the population of each city bears to the total population of all cities in the county Populations used for determining expenditure of moneys under Section 2107 are to be used for purposes of this section

No apportionment shall be made to any city or county which does not have a select system established in accordance with the provisions of Section 186 3 If all or a portion of the select system of a city or county shall by a change in the physical limits of such city or county be included within the boundaries of another city or county, such portion shall be considered to be a part of the select system of such other city or county Any amounts which would otherwise have been apportioned to a city which does not so qualify for an apportionment shall be reapportioned to the remaining cities in the county in which such city is located or, if there are no eligible cities in the county, to the county Any amounts which would otherwise have been apportioned to a county which does not so qualify for an apportionment shall be reapportioned to the eligible cities in such county or, if there are no eligible cities in the county, to other counties and cities pursuant to this section

SEC 7 It is the intent of the Legislature, if this bill and Assembly Bill No 945 are both chaptered and amend Section 2106 of the Streets

and Highways Code, and this bill is chaptered after Assembly Bill No. 945, that the amendments to Section 2106 proposed by both bills be given effect and incorporated in Section 2106 in the form set forth in Section 6 of this act. Therefore, Section 6 of this act shall become operative only if this bill and Assembly Bill No 945 are both chaptered, both amend Section 2106, and Assembly Bill No 945 is chaptered before this bill, in which case Section 3 of this act shall not become operative "

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all items on this day's first day Consent Calendar be placed upon the second day Consent Calendar, for consideration at this time

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY MEASURES

House Resolution No 78—Relative to health instruction in public schools

---

NOTE: The full text of House Resolution No 78 appears at pages 5866–5867 of the Assembly Daily Journal for July 5, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75

NOES—None

House Resolution No. 79—Relative to State Highway Route 150

NOTE: The full text of House Resolution No 79 appears at pages 5876–5877 of the Assembly Daily Journal for July 6, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

House Resolution No. 82—Relative to restoration of the Hanford Taoist Temple

---

NOTE The full text of House Resolution No 82 appears at page 6049 of the Assembly Daily Journal for July 17, 1972

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

House Resolution No. 84—Relative to the Emigrant Trail.

NOTE The full text of House Resolution No 84 appears at page 6124 of the Assembly Daily Journal for July 18, 1972

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg and Mr. Speaker—75.

NOES—None

Assembly Concurrent Resolution No. 120—Relative to the creation of the Joint Committee on Siting of Teaching Hospitals

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate

House Resolution No. 83—Relative to adoption of emergency regulations by the State Department of Social Welfare

---

NOTE: The full text of House Resolution No 83, as amended, appears at pages 6455–6456 of the Assembly Daily Journal for July 26, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75

NOES—None

Assembly Concurrent Resolution No. 99—Relative to Manzanar Internment Camp

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 113—Relative to the availability of water for freeway firefighting purposes.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 118—Relative to Stone Lakes Basin.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1293—An act to amend Section 10850.2 of the Welfare and Institutions Code, relating to public social services

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1157—An act to add Section 132a to, and to repeal Section 132a of, the Labor Code, relating to labor

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1349—An act to add Division 1.5 (commencing with Section 475) to the Business and Professions Code, relating to licenses

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 578—An act to amend Sections 10441 and 10450, to amend the heading of Article 6 (commencing with Section 10450) of Chapter 8 of Division 9 of, to add Sections 10009, 10400.5, and 10616 to, and to add Article 6.5 (commencing with Section 10455) to Chapter 8 of Division 9 of, the Health and Safety Code, relating to vital statistics records.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 516—An act to add Section 597*l* to the Penal Code, relating to pet shops

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 636—An act to amend Sections 7332.5 and 7393 3 of the Business and Professions Code, relating to cosmetology and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 18—Relative to mine safety.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate

Senate Joint Resolution No. 25—Relative to adequate educational benefits for Vietnam veterans.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate

Senate Bill No. 400—An act to add Sections 597u, 597v, 597w, 597x, 597y, and 597z to the Penal Code, relating to animals

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley,

Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1137—An act to amend Section 3500 of the Government Code, relating to public employer-employee relations.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 505—An act to amend Sections 2923, 2924, 2925, and 2926 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1477—An act to amend Section 1720 of the Labor Code, relating to public works

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 980—An act to add Sections 31621 11 and 31639 26 to the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1233—An act to add Chapter 11 (commencing with Section 190) to Division 1 of the Probate Code, and to repeal Sections 13409 and 15209 of, and add Sections 13409 and 15209 to, the Revenue and Taxation Code, relating to disclaimers, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1429—An act to amend Section 717 of the Code of Civil Procedure, relating to court processes.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 992—An act to add Chapter 4 (commencing with Section 1961) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to identification of property owners

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1065—An act to amend and renumber the heading of Part 1 (commencing with Section 21000), Part 2 (commencing with Section 22000), Part 3 (commencing with Section 23000), and Part 4 (commencing with Section 24000), of Title 3 of, to add Part 1 (commencing with Section 20000) to Title 3 of, to add Chapter 3 (commencing with Section 21200) to Part 1 of Title 3 of, and to repeal

Chapter 3 (commencing with Section 21200) of Part 1 of Title 3 of, the Corporations Code, relating to unincorporated associations.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 23—Relative to emergency food for farm workers.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 924—An act to amend Sections 200, 202, and 205 of, and to add Section 239 to, the Code of Civil Procedure, and to add Section 1046.5 to the Penal Code, relating to juries.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1027—An act to add Section 26617 to the Government Code, relating to sheriffs, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 15—An act to amend Section 10652 of the Education Code and to amend Sections 890, 891, and 896 1 of, to add Sections 896 3 and 896 4 to, the Military and Veterans Code, relating to tuition

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 926—An act to add Section 13702 to the Welfare and Institutions Code, relating to public assistance

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1022—An act to amend Sections 3008, 3012, 3013, 3101, 3103, 3104, 3106, 3203, 3204, 3205, 3207, 3208, 3215, 3218, 3226, 3227, 3237, and 3356 of, and to add Section 3205.5 to, the Public Resources Code, relating to oil and gas.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1355—An act to amend Sections 9501, 9507, 9511, 9540.2, 9575, 9575.6, 9594, and 9597 of, to repeal Sections 9555 and 9580.1 of, and to add Article 9 (commencing with Section 9599) to Chapter 18 of Division 3 of, the Business and Professions Code, and to add Chapter 2 (commencing with Section 13201) to, and to repeal Chapter 2 (commencing with Section 13201) and Chapter 3 (commencing with Section 13501) of, Part 2 of Division 12 of the Health and Safety Code, relating to cleaning, dyeing, and pressing, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 94—An act to add Division 29 (commencing with Section 45000) to the Education Code, relating to adult education.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 105—An act making an appropriation for capital outlay at Hearst San Simeon State Historical Monument

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Garcia, Gonsalves Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald,

MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 171—An act to amend Section 18102 11 of, as added by Chapter 1562 of the Statutes of 1970, to amend Section 18102 12 of, and to repeal Section 18102 11 of, as added by Chapter 1543 of the Statutes of 1970, the Education Code, relating to mentally retarded minors

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham Bagley Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 234—An act to add Section 36004 to the Agricultural Code, relating to milk and milk products.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 242—An act to add Section 40534 to the Agricultural Code, relating to agricultural products

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hay-

den, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 366—An act to amend Section 10470.1 of the Business and Professions Code, relating to real estate.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 416—An act to amend Section 18361 of the Education Code, relating to school funds.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 510—An act to add Section 37042 to the Health and Safety Code, relating to building material

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 643—An act to amend Sections 23151.1, 23181, 23183, and 23332 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 691—An act to amend Sections 682, 685, 687, 688, 689, 692, 693, and 695 of the Streets and Highways Code, relating to franchises on state highways.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 696—An act to add Section 13990 10 to the Government Code, and to add Section 7531 5 to the Public Utilities Code, relating to lines of railroads.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 723—An act to amend Sections 15409 and 15452 of the Education Code, relating to school buildings

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 729—An act relating to the state park system, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton,

Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 786—An act to add Chapter 7 5 (commencing with Section 4040) to Part 1 of Division 5 of the Health and Safety Code, relating to bottled water.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 895—An act to amend Section 2705 of the Public Resources Code, relating to earthquake safety, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline,

Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 939—An act to add Section 3551 to the Public Utilities Code, relating to carriers.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1069—An act to amend Sections 6203 and 6204 of, and to add Section 6208 to, the Labor Code, relating to labor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1123—An act to amend Sections 55721, 56275, 56301, 56331, and 56381 of, and to add Sections 55863, 55863 5, and 56574 5 to, the Agricultural Code, relating to agricultural marketing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline,

Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1275—An act to amend Section 2732 1 of the Business and Professions Code, relating to nurses.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1377—An act to amend Section 17667, 17951, and 17970 of the Education Code, relating to the education of inmates.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1466—An act to amend Sections 5070 5 and 5070 6 of, and to add Article 1 5 (commencing with Section 5026) to Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline,

Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1471—An act to amend Sections 7231 and 8371 of the Fish and Game Code, relating to striped bass.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Concurrent Resolution No. 29—Relative to the state park system.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 36—Relative to state parks.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hay-

den, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 45—Relative to passenger carriers.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 613—An act to add Section 1753 1 to the Welfare and Institutions Code, relating to the Youth Authority and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum,

Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6 33 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, July 26, 1972

Mr Speaker: The Committee on Conference concerning:

Senate Bill No. 1455—As amended in Assembly July 7, 1972—An act to amend Sections 226 9, 227a, 233 and 233 5 of the Civil Code, relating to personal relations;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly July 7, 1972, strike out lines 1 to 3, inclusive, and on page 2, strike out lines 1 to 32, inclusive, and insert

"SECTION 1 Section 226 9 of the Civil Code is amended to read:

226.9 Notwithstanding any other provisions of this chapter, in case of an adoption of a child by a stepparent where one natural or adoptive parent retains his or her custody and control of said child, the consent of either or both parents ~~must~~ *shall* be signed in the presence of a county clerk or ~~probation officer of any county of this State~~ *agent of the county department designated by the board of supervisors to administer the public social services program* on a form prescribed by the State Department of Social Welfare and the county clerk or ~~probation officer~~ *agent of the county department designated by the board of supervisors to administer the public social services program* before whom such consent is signed shall immediately file ~~said~~ *such* consent with the clerk of the superior court of the county where the petition is filed and ~~said~~ *the* clerk shall immediately file a certified copy of such consent to adoption with the State Department of Social Welfare

If the father or mother of a child to be adopted is outside the State of California at the time of signing consent, his or her consent may be signed before a notary or other person authorized to perform notarial acts

Such consent, when reciting that the person giving it is entitled to sole custody of the minor child, shall, when duly acknowledged before the county clerk or *agent of the county department designated by the*

board of supervisors to administer the public social services program ~~probation officer~~, be prima facie evidence of the right of the person making it to the sole custody of the child and such person's sole right to consent

A parent who is a minor shall have the right to sign a consent for the adoption of his or her child and such consent shall not be subject to revocation by reason of such minority."

The undersigned consent to the report:

NICHOLAS C PETRIS	CHARLES WARREN
JOHN NEJEDLY	FRANK MURPHY
PETER BEHR	ALISTER McALISTER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

NOES—None.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 147

At 6 35 p m., on motion of Mr Badham, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No 147 adopted by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Burke, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr Speaker—55.

NOES—Barnes, Campbell, Cline, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Meade, Powers, Priolo, Stull, Vasconcellos, Wakefield, and Z'berg—14.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Burke, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Miller, Mobley,

Monagan, Moorhead, Murphy, Porter, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr Speaker—55.

NOES—Barnes, Campbell, Cline, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Meade, Powers, Priolo, Stull, Vasconcellos, Wakefield, and Z'berg—14.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 78

Mr Stull was granted unanimous consent to take up Senate Concurrent Resolution No 78 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 78

Senate Concurrent Resolution No. 78—Approving an amendment to the Charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held on June 6, 1972.

Resolution read, presented by Mr. Stull, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

Noes—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Ralph was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Irv Mazzie, former President of the Los Angeles County Federation of Labor

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 79

Mr. Sieroty was granted unanimous consent to take up Senate Concurrent Resolution No. 79 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 79

Senate Concurrent Resolution No. 79—Relative to the revision of the Penal Code.

Resolution read, presented by Mr. Sieroty, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline,

Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

Noes—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 126: By Assemblyman Monagan—Relative to the constitutional recess of the Legislature

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Ryan:

House Resolution No. 105

Relative to marriage counselors

WHEREAS, The Board of Behavioral Science Examiners reviews all applications for state licenses for marriage counselors, and

WHEREAS, The board has continuously increased the official requirements for a marriage counselor's license; and

WHEREAS, The board has raised its unofficial standards for screening applications so that only a fraction of those seeking admission to the written examination for the license are ever admitted to the examination; and

WHEREAS, This policy apparently does not serve the needs of the people of California or the applicants for the marriage counselor's license, rather, it appears to promote a closed shop, private club situation within the marriage counseling profession, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of standards and practices used by the Board of Behavioral Science Examiners in reviewing the applications of persons seeking state licenses to practice as marriage counselors, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblymen Miller and Meade:

House Resolution No. 106

Relative to nonresident tuition waivers at the University of California

WHEREAS, Californians derive important benefits from the presence of students from other nations and states at California public institutions of higher learning, and

WHEREAS, Among such benefits are cultural enrichment of the educational experience of California resident students, ability of California institutions to attract the best graduate student-scholars from around the world, many of whom further undergraduate education by serving as teaching assistants, enhancement of cordial relations between the United States and other nations, since foreign students retain residual ties with our nation when they return to leadership positions in their homeland; economical enrichment of California's economy since many highly skilled graduate students remain in California even though the major portion of their education has been provided by other states; and preservation of maximum educational opportunity for California residents in other states and nations, which might retaliate in kind if nonresident enrollments were unreasonably restricted in this state; and

WHEREAS, Because many highly qualified nonresident students could not afford to attend the University of California if required to pay the annual nonresident and educational fee of $2,100, one of the highest in the nation, the Legislature has until this year provided the university with funds to waive nonresident tuition for 15 percent of nonresident students; and

WHEREAS, The Legislature has substantially reduced nonresident tuition waivers for 1972–73; now, therefore, be it

Resolved by the Assembly of the State of California, That in recognition of the adverse educational consequences which will therefor occur, the Legislature will give special consideration to the restoration of the provision for nonresident tuition waivers at the University of California in 1973–74, and urgently requests the Regents of the University of California to continue to provide the normal percentage of nonresident waivers in 1973–74 and thereafter.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Quimby:

House Resolution No. 107

Relative to solid waste

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of solid waste collection, transportation, transfer, or processing, including, but not limited to, the subject matter of Senate Bill No. 1237 of the 1972 Regular Session; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Assembly Committee on Rules upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Local Government.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
123	Rules

VOTE CHANGES

Mr. Stull and Mrs. Fong were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 742.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 1628

Mr. Moorhead was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 99

Messrs Conrad and Lancaster were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on the resolution to dispense with Article IV, Sec 8(b), of the Constitution, relative to Senate Bill No. 1312.

Mr Lanterman was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 1312, and on the passage of the bill

Mr Maddy was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Senate Bill No. 1312, and on the passage of the bill

Messrs. Russell, Fenton, Lewis, and Harvey Johnson were granted unanimous consent that they be recorded as voting "Aye" on the motion to reconsider the vote on Assembly Bill No 2376

Messrs. Ketchum and Lanterman, Mrs Brathwaite, and Mr Karabian were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1283

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1744

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 104

Mr Burke was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Constitutional Amendment No. 32

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on Senate Constitutional Amendment No. 32.

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 2334.

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Assembly Constitutional Amendment No. 93

Mr Gonsalves was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Bill No 1098.

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No. 1350.

Messrs Lancaster and Dunlap were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 1350.

Mr. Cline was granted unanimous consent that he be recorded as voting "No" on Senate Concurrent Resolution No. 75.

Mr. Collier was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Concurrent Resolution No. 75.

Mr Stacey was granted unanimous consent that he be recorded as voting "No" on Senate Concurrent Resolution No. 75.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Assembly Concurrent Resolution No 121.

Mr. Keysor was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Assembly Concurrent Resolution No 121.

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 121

Mr. Conrad was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Joint Resolution No. 13.

Mr McAlister was granted unanimous consent that he be recorded as voting "No" on Assembly Joint Resolution No. 13

Mr McAlister was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1098.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 259

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 356.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 356

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 255.

Mr Powers was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1244.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 627.

Mr. Harvey Johnson was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 978.

Mr. Waxman was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 1127.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 1127.

Mr. Leroy F. Greene was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1127.

Mr. Brown was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 1127.

Mrs. Fong was granted unanimous consent that she be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 1127.

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1127.

Mr. Vasconcellos was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 403.

Messrs. Cory and Badham were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Senate Bill No 403.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 403.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 83.

Mr. Bill Greene was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 83.

Mr. Dunlap was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 412, and on the passage of the bill.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1461.

Mr. Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 1461.

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1421.

Mr. MacGillivray was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Constitutional Amendment No. 81.

Messrs. Dunlap and Ralph were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No 1565.

MOTION TO RECONSIDER SENATE BILL NO. 403 ON NEXT LEGISLATIVE DAY

Mr. Vasconcellos moved to reconsider on the next legislative day the vote whereby Senate Bill No 403 was this day passed.

Senate Bill No. 403 ordered to the unfinished business file.

ADJOURNMENT

At 6:43 p m., Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m , Friday, July 28, 1972, out of respect to the memory of Irv Mazzie, former President of the Los Angeles County Federation of Labor.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Fifteenth Legislative Day

Two Hundred Eighth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, July 28, 1972

The Assembly met at 9 30 a m

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 9 30 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9 52 a m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister

Father, We stand now in time, in this world which is yet unfinished, far from realizing the dream You have for man We hope and trust in You, that Your kingdom, Your city of promise is even now becoming real on this earth. Let us not be discouraged by man's failures for there are also many successes. Give each of us the courage and the enthusiasm to use each talent and explore every path in the building of this kingdom —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Conrad then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr Briggs, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere, and his per diem was waived:

Mr Chappie, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem·

Mr. Brophy, on request of Acting Speaker Fenton
Mr Cline, on request of Acting Speaker Fenton
Mr. Priolo, on request of Acting Speaker Fenton.
Mr. Warren, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Miller, on request of Acting Speaker Brown.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

July 26, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob· It is respectfully requested that I be excused on legislative business on Friday, July 28.

I will be meeting with the Georgetown Divide Association on district problems.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent Resolution No.	*Committee*
126	Rules

COMMUNICATIONS

Assembly Chamber, July 28, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 284—An act to amend Section 5120 of the Welfare and Institutions Code, relating to facilities for the mentally and physically handicapped, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 379—An act making an appropriation for the Colton Joint Unified School District, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 596—An act to amend Sections 20020 and 20021.5 of the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 705—An act to repeal Part 4 (commencing with Section 9601) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy;

Assembly Bill No. 821—An act to amend Section 20360 of, and to add Section 20983.2 to, the Government Code relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1644—An act to add Chapter 17 (commencing with Section 7497) to Division 6 of the Education Code, relating to abstract conceptually oriented mathematics, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 1692—An act to amend Section 71255 of the Water Code, relating to municipal water districts,

Assembly Bill No. 1693—An act to amend Section 30507 of the Water Code, relating to county water districts;

Assembly Bill No. 1735—An act to add Section 6010.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy,

Assembly Bill No. 1953—An act to add Article 9 (commencing with Section 1820) to Chapter 4 of Division 2 of the Business and Professions Code, relating to dentistry, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2164—An act to amend Section 14005.6 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2222—An act to add Section 12408.1 to the Insurance Code, relating to title insurance;

And reports the same correctly enrolled, and presented to the Governor at 9 a.m., July 28, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Joint Resolution No. 23—Relative to the San Felipe Water Project;

And reports the same correctly enrolled, and presented to the Secretary of State on the 28th day of July, 1972, at 9 a m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, July 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined

AJR No. 39

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered on file.

MESSAGES FROM THE SENATE

Senate Chamber, July 27, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to·

Senate Bill No. 839

And appointed Senators Dymally, Song and Roberti as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 27, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate appointed Senators Carpenter, Lagomarsino and Teale as a Committee on Conference concerning·

Assembly Concurrent Resolution No. 88

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 27, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate appointed Senators Biddle, Harmer and Zenovich as a Committee on Conference concerning:

Assembly Bill No. 2113

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 27, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate appointed Senators Marks, Dills and Stevens as a Committee on Conference concerning·

Assembly Bill No. 1454

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 27, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 2382

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By Fred D Maxwell, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 27, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted·

ACR No 124
ACR No. 125

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolutions ordered enrolled

Senate Chamber, July 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 104

DARRYL R WHITE Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber July 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 1108

DARRYL R WHITE Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No 1118

DARRYL R WHITE Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, July 27, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed·

SB No 90
SB No 161
SB No 1454

DARRYL R WHITE Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 26, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted·

SCR No 81

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 90—An act to amend Sections 5792, 6426, 6499 207, 11301, 17301, 17303 5, 17702, 17751, 17801 and 17851 of, to add Sections 11476, 17300 8, 17300 9, 17701 5, and 20751 to, to add Article 2 (commencing with Section 17631), Article 7 (commencing with Section 17901), Article 7 5 (commencing with Section 17940), Article 11 (commencing with Section 18101), and Article 18 (commencing with Section 18451) to Chapter 3 of Division 14 of, and to repeal Sections 6913 1, 11476, 17702 2, 17702 3, 17706, 20751, 20752, 20802 8, 20807, 20808, 20808 5, and 20810 of, and Article 2 (commencing with Section 17651), Article 7 (commencing with Section 17901), Article 7 1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), Article 11 (commencing with Section 18101), and Article 18 (commencing with Section 18451) of Chapter 3 of Division 14 of, the Education Code, and to amend Sections 6051, 6052 5, 6201, and 7102 of the Revenue and Taxation Code, relating to increases in sales and use taxes to provide financial support for the public schools, and making an appropriation therefor.

Held at Desk by order of the Acting Speaker

Senate Bill No. 161—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1454—An act to amend Section 11550 of, to repeal Section 11556, as amended by Chapter 1428 of the Statutes of 1970, and Section 11556, as amended by Chapter 1454 of the Statutes of 1970, of, and to add Section 11556 to the Government Code, and to repeal and add Part 8 (commencing with Section 37000) of Division 24 of the Health and Safety Code, relating to housing.

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 81—Approving amendments to the Charter of the City of Inglewood, County of Los Angeles, State of California, ratified by the qualified electors of the city at a consolidated primary election held therein on the sixth day of June, 1972.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
90	Revenue and Taxation
161	Ways and Means
1454	Urban Development and Housing

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted. Acting Speaker Fenton was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the Second Day Consent Calendar for the next legislative day.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 279, 598, 714, 1164, 1165, 1167, 1168, 1170, 1174, and 1360 and Senate Concurrent Resolution No. 70 for hearing in the Committee on Health on Monday, July 31.

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 1105, 1467, and 1501 for hearing in the Committee on Government Administration on Monday, July 31.

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 90 for hearing in the Committee on Revenue and Taxation on Monday, July 31.

Mrs Brathwaite was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1454 for hearing in the Committee on Urban Development and Housing.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

House Resolution No. 97—Relative to State Highway Route 107.

NOTE: The full text of House Resolution No 97 appears at page 6439 of the Assembly Daily Journal for July 25, 1972.

Resolution read, presented by Mr. Beverly, and adopted.

House Resolution No. 98—Relative to a report to be submitted to the Legislature by the State Transportation Board.

NOTE: The full text of House Resolution No 98 appears at page 6445 of the Assembly Daily Journal for July 26, 1972.

Resolution read, presented by Mr. Deddeh, and adopted.

House Resolution No. 99—Relative to noise barriers on the San Diego Freeway.

NOTE: The full text of House Resolution No 99 appears at pages 6459–6460 of the Assembly Daily Journal for July 26, 1972.

Resolution read, presented by Mr. Burke, and adopted.

House Resolution No. 88—Relative to pay periods of state employees.

NOTE: The full text of House Resolution No. 88 appears at page 6221 of the Assembly Daily Journal for July 20, 1972.

Resolution read, presented by Mrs. Davis, and adopted.

House Resolution No. 100—Relative to advertising displays on state property.

NOTE: The full text of House Resolution No 100 appears at page 6460 of the Assembly Daily Journal for July 26, 1972.

Resolution read, presented by Mr. Burke, and adopted.

House Resolution No. 101—Relative to parking at state-owned beaches.

NOTE: The full text of House Resolution No 101 appears at pages 6460–6461 of the Assembly Daily Journal for July 26, 1972.

Resolution read, presented by Mr. Burke, and adopted.

House Resolution No. 103—Relative to Stone Lakes Basin.

NOTE: The full text of House Resolution No 103 appears at pages 6461–6463 of the Assembly Daily Journal for July 26, 1972.

Resolution read, presented by Mr. Z'berg, and adopted.

House Resolution No. 104—Relative to the packaging of drugs and other hazardous substances

NOTE The full text of House Resolution No 104 appears at page 6463 of the Assembly Daily Journal for July 26, 1972.

Resolution read, presented by Mr Duffy, and adopted

BILLS PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file.

Assembly Concurrent Resolution No. 116, on request of Mr Hayden.

THIRD READING OF SENATE BILLS

Senate Bill No. 457—An act to amend Section 6322 1 of the Business and Professions Code, relating to law libraries.

Bill read third time, and presented by Mr MacGillivray.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Moorhead, Pierson, Russell, Seeley, Stacey, Wakefield, Wilson, Wood, and Mr Speaker—45.

NOES—Campbell, Cullen, Murphy, Vasconcellos, and Z'berg—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 932—An act to amend Sections 15961 and 15962 of, and to add Section 15962 5 to, the Education Code, relating to school district contracts

Bill read third time, and presented by Mr Chacon

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Stacey, Stull, Townsend, Wilson, Wood, and Mr Speaker—53

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1080—An act to amend Section 1703 of the Education Code, relating to school districts

Bill read third time, and presented by Mr. Badham

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cullen, Davis,

Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Hayes was granted unanimous consent that a photographer be permitted on the floor of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 830—An act to amend Section 597 of the Penal Code, relating to crimes against animals.

Bill read third time, and presented by Mr. Conrad

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Porter, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wood, and Mr. Speaker—51

NOES—Vasconcellos and Wilson—2

Bill ordered transmitted to the Senate.

Senate Bill No. 1229—An act to add Section 23102.3 to the Vehicle Code, relating to vehicles.

Bill read third time, and presented by Mr Sieroty.

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty,

Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 371—An act to add Chapter 2 (commencing with Section 9975) to Division 3.6 of the Vehicle Code, relating to motor vehicles.

Bill read third time, and presented by Mr Murphy.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—Badham, Burke, Collier, Davis, Lewis, Porter, and Wakefield—7

Bill ordered transmitted to the Senate.

Senate Bill No. 549—An act to amend Section 1825 of, and to add Section 1825 7 to, the Welfare and Institutions Code, relating to probation services

Bill read third time, and presented by Mr. Brown.

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Chacon, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—49

NOES—Badham, Burke, Campbell, Lanterman, Murphy, Stull, and Wakefield—7.

Bill ordered transmitted to the Senate

Senate Bill No. 241—An act relating to the State College Educational Opportunity Program, and making an appropriation therefor

Bill read third time, and presented by Mr Brown

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burton, Chacon, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Seeley, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—46

NOES—Badham, Burke, Campbell, Collier, Conrad, Ketchum, Lancaster, Lanterman, MacGillivray, Moorhead, Russell, Stacey, Stull, and Wakefield—14

Bill ordered transmitted to the Senate

Senate Bill No. 285—An act relating to the California State University and Colleges, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Brown.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—Burke and Wakefield—2

The question being in the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—58

NOES—Burke and Wakefield—2

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, July 27, 1972

Mr Speaker: The Committee on Conference concerning

Assembly Bill No. 1454, as amended in Senate July 6, 1972—An act to amend Section 11552 of, and to add Sections 11526.2, 11549.7, 11549.8 and 11551.7 to, the Business and Professions Code, relating to subdivisions;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 6, 1972, strike out "amend Section 11552 of, and to".

Amendment No. 2

In line 2 of the title, strike out "and 11551.7", and insert ", 11551.7, 11552.1 and 11552.2".

Amendment No. 3

On page 3, strike out lines 39 and 40, and strike out pages 4 to 6, inclusive, and insert

"SEC 5 Section 11552 1 is added to the Business and Professions Code, to read.

11552 1 In cities having a population of more than 2,800,000, if the governing body, pursuant to subdivision (a) of Section 11552 of this chapter, authorizes the advisory body to report its action direct to the subdivider, the advisory agency shall, prior to making its report to the subdivider upon a subdivision as defined in this chapter, give notice of hearing in such manner as may be prescribed by local ordinance to the subdivider and to all property owners within 300 feet of the proposed subdivision and pursuant thereto shall conduct a public hearing at which time all persons interested in or affected by such proposed subdivision shall be heard

SEC 6 Section 11552 2 is added to the Business and Professions Code, to read·

11552 2 Notwithstanding the provisions of Section 11552 of this chapter, in cities having a population of more than 2,800,000, any person affected by a proposed subdivision, rather than only the subdivider, may appeal the decision of the advisory agency or the appeal board with respect to the tentative map of such proposed subdivision Such appellant shall be entitled to the same notice and rights of testimony as are accorded the subdivider under Section 11552 The failure to give or receive any notice required by that section shall not be a ground for invalidating the approval or disapproval of a tentative map by an advisory agency, appeal board or governing body "

Amendment No. 4

In line 3 of the title of the printed bill, as amended in Senate July 6, 1972, after "subdivisions", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 6, after line 24, insert

"SEC 6 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Recent changes in the law have vastly increased the workload of planning commissions and city council in cities over 2,800,000 in population In order that the work of these bodies proceed expeditiously for the public good it is necessary that this act take immediate effect."

The undersigned consent to the report:

MILTON MARKS	ROBERT G BEVERLY
ROBERT S STEVENS	WALTER POWERS
RALPH C DILLS	PAUL PRIOLO
Senate Committee on Conference	Assembly Committee on Conference

Report read

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None

The question being on the adoption of the Conference Committee Report on Assembly Bill No 1454

Report adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 363—An act to add Section 513 to the Public Resources Code, relating to the state park system

Bill read third time, and presented by Mr Stull.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 387—An act to amend Sections 21295 and 21296 of, and to add Sections 20750 01, 20750 11, 20750 21, 20750 31, 20750 415, 20750 43, and 21296 1 to, and to repeal Sections 21297 5, 21298, and 21298 5 of, the Government Code, relating to the Public Employees' Retirement System

Bill read third time, and presented by Mr Barnes

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis,

Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 447—An act to add Chapter 25 5 (commencing with Section 48561) to Division 17 of the Agricultural Code, relating to marketing of vegetables, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Wood.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 612—An act to permit late applications for replacement funds for revenues formerly derived from the taxation of motion pictures, and making an appropriation therefor.

Bill read third time, and presented by Mr Foran.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wilson, Wood, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 628—An act relating to the Workmen's Compensation Appeals Board, and making an appropriation therefor

Bill read third time, and presented by Mr Brown.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 821—An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, relating to corrections.

Bill read third time.

Motion to Amend

Mr. Murphy moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 29, 1972, strike out lines 9 and 10, and insert

"13600. For purposes of this title, the term "correctional personnel" includes, but is not limited to, any person working for the".

Amendment No. 2

On page 2, strike out lines 37 and 38, and on page 3, strike out lines 1 to 6, inclusive; and in line 7, strike out "(5)", and insert

"(2) A sheriff or other administrator of a local detention facility.

(3) A chief probation officer or other administrator of a local community-based correctional program.

(4) A nominee of a statewide association of correctional personnel, who shall have substantial experience in institutional correctional programs.

(5) A nominee of a statewide association of correctional personnel, who shall have substantial experience in community-based correctional programs.

(6)".

Amendment No. 3

On page 3, line 9, strike out "(6)", and insert

"(7)".

Amendment No. 4

On page 3, line 11, strike out "(7)", and insert "(8)".

Amendment No. 5

On page 3, line 33, strike out "recruitment,"; and strike out lines 34 to 38, inclusive, and insert "development of competent correctional personnel, including, but not limited to, recommended salary structures and both minimum and recommended standards for the recruitment, selection, and training of correctional personnel. All such".

Amendment No. 6

On page 4, line 2, after "following", insert "additional".

Amendment No. 7

On page 5, line 29, strike out "July", and insert "January".

Amendment No. 8

On page 6, strike out line 9, and insert "Development, and in enabling the commission to employ staff and to develop an".

Amendment No. 9

On page 6, line 13, strike out "The"; and strike out lines 14 to 21, inclusive, and insert "The Secretary of the Human Relations Agency shall, so far as is compatible with other demands upon Human Relations Agency facilities and personnel, make available such facilities and the services of such personnel to assist in organizing the commission."

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Senate Bill No. 916—An act to add Section 513.1 to the Public Resources Code, relating to the state park system.

Bill read third time, and presented by Mr. Sieroty.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1009—An act relating to law enforcement, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr. MacGillivray.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burke was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1201—An act to amend Section 74661 and Section 74661 5, as added by Chapter 131 of the Statutes of 1972, of the Government Code, relating to courts

Bill read third time, and presented by Mr. Hayden.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1277—An act to amend Section 2741 of the Business and Professions Code, relating to nurses

Bill read third time, and presented by Mr Monagan.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1383—An act to amend Sections 73561 and 74001 of the Government Code, relating to municipal courts.

Bill read third time, and presented by Mr Wood

Bill passed by the following vote·

AYES—Badham, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Campbell—1

Bill ordered transmitted to the Senate

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 21 of Article XX thereof, relating to workmen's compensation.

Resolution read, and presented by Mr Murphy

Resolution adopted by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None

Resolution ordered transmitted to the Senate

Hon. Willie L. Brown, Jr., Presiding

At 10 47 a m , Hon. Willie L. Brown, Jr , 18th District, presiding

Senate Bill No. 605—An act to amend Sections 12803 and 12804 of the Government Code, and to amend Section 50 of the Labor Code, relating to Department of Industrial Relations

Bill read third time, and presented by Mr. Stull.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 938—An act to amend Section 40802 of the Vehicle Code, relating to highways

Bill read third time, and presented by Mr. Fenton

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Z'berg—61

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2382

Mr Fenton was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No 2382, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 2382

Assembly Bill No. 2382—An act to amend Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, and declaring the urgency thereof, to take effect immediately, relating to school district unification

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2382?

Set No. 1

Amendment No. 1

In the heading of the printed bill, as amended in Assembly July 24, 1972, after "Fenton", insert

"(Coauthor Senator Walsh)"

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 24, 1972, strike out ", repeal, and add".

Amendment No. 2

On page 1, line 4, after the period, insert "(a)".

Amendment No. 3

On page 2, strike out lines 27 to 40, inclusive; and on page 3, strike out lines 1 to 23, inclusive, and insert

"(b) Subdivision (a) of this section does not apply to any unified school district which has an average daily attendance of 15,000 or more or which was unified on or before July 1, 1963, or to a school which is five miles or less from another elementary school

(c) Subdivision (b) shall not become applicable until July 1, 1973, with respect to any school district which was a party in an action or proceeding which was pending or in progress in a court of record in this state on June 12, 1972, and which placed in issue the powers and duties of the governing board of the school district under this section as this section read as amended by Chapter 1074 of the Statutes of 1963

SEC. 1.2. The amendments to Section 3106 of the Education Code effected by this act shall be deemed to have been in effect and operative on and after June 12, 1972, as though Chapter 132 of the Statutes of 1972 had not taken effect, for purposes of any action or proceeding which was pending or in progress in a court of record in this state on that date and which placed in issue the powers and duties of the governing board of a school district under Section 3106 of the Education Code as that section read as amended by Chapter 1074 of the Statutes of 1963."

The roll was called and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Conrad, Cory, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—Campbell, Davis, Dent, Ketchum, Lancaster, Lewis, and Maddy—7

Above bill ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 184—An act to amend Section 4700 of the Civil Code, to amend Sections 395, 1681, and 1769 of the Code of Civil Procedure, and to amend Section 11476 of the Welfare and Institutions Code, relating to family law.

Bill read third time, and presented by Mr Murphy

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Z'berg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 1¼a of Article XIII thereof, relating to property taxation.

Resolution read, and presented by Mrs Fong

Resolution adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood Z'berg, and Mr Speaker—61

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1489—An act to add Article 4 (commencing with Section 12580) to Chapter 6 of Title 2 of Part 4 of the Penal Code, relating to blowguns, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Burton

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley,

Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Z'berg—62

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Z'berg—62

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1219—An act to amend Section 767 of the Education Code, relating to county superintendents of schools

Bill read third time, and presented by Mr Stull

Bill passed by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brown, Burke, Burton, Chacon, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wilson, Wood, and Mr Speaker—47

NOES—Campbell, Cory, Knox, Lancaster, Lanterman, Townsend, and Wakefield—7

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 11 04 a.m , Hon Jack R Fenton, 51st District, presiding.

Senate Bill No. 1446—An act to add Section 24315 to the Education Code, relating to the state university and colleges

Bill read third time, and presented by Mr Bagley.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Bagley moved a call of the Assembly

Motion carried Time, 11 07 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Bagley was granted unanimous consent that the following communication relative to Senate Bill No 1446 be printed in the Journal:

Communication Relative to Senate Bill No. 1446

July 28, 1972

The Honorable Robert Moretti, Speaker
California State Assembly, Sacramento

Dear Mr Speaker. Senate Bill 1446, relating to State University and Colleges, is presently before the Assembly for consideration

It has been suggested that publication in the Assembly Journal of a statement of legislative intent concerning the word "grievances," as used in S B. 1446 would be desirable The term "grievances" refers to unfair treatment by supervisors and/or colleagues, and does not include matters such as the salary structure which require legislative action.

Yours very truly,

GEORGE R. MOSCONE

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 402—An act to amend Section 1010 of the Evidence Code, relating to privileges

Bill read third time, and presented by Mr Sieroty

Bill passed by the following vote

AYES—Bagley, Bee, Beverly, Brown, Chacon, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Wilson, Z'berg, and Mr Speaker—45

NOES—Badham, Burke, Campbell, Hayes, Moorhead, Murphy, Stull, and Wakefield—8

Bill ordered transmitted to the Senate.

Senate Bill No. 36—An act to amend Sections 2106 and 2106 5 of, to add Sections 100 13 and 149 2 to, and to add Chapter 8 (commencing with Section 2370) to Division 3 of, the Streets and Highways Code, relating to transportation

Bill read third time, and presented by Mr Deddeh

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dun-

lap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—Davis—1

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 610—An act to amend Sections 302, 9890 9, 9890 11, 9890 30, 9890 50, 9890 51, 9890 52, 9890 53, 9890 54, 9890 55, 9890 56, 9890 57, 9890 58, 9890 60, 9890 62, 9890 63, 9890 65, 9890 80, 9890 82, 9890 90, 9890 92, 9890 93, 9890 100, 9890 104, 9890 110, 9890 111, 9890 112, 9890 113, 9890 120, 9890 121, 9902, and 9915 of, and to add Section 303 to, the Business and Professions Code, relating to the Department of Consumer Affairs

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 610?

Amendment No. 1

On page 4 of the printed bill, between lines 35 and 36, insert

"SEC 9 5 Section 9890 53 of the Business and Professions Code is amended to read.

9890 53 To be eligible for application for a license, the applicant shall show financial responsibility and the applicant or one partner of a partnership, or one officer of a corporation shall have all of the following

(a) Be of good moral character

(b) Be at least ~~21~~ *18* years of age.

(c) Be a person whose license in any field of endeavor has not been revoked within five years from the date of application

(d) Be a person with a minimum of two years' experience in personnel work or equivalent experience as determined by the ~~division~~ *bureau*.

(e) Be a person who has completed the 12th grade, except that the ~~division~~ *bureau* may establish proof satisfactory to them that the applicant is possessed of a 12th grade education in point of intellectual competency and achievement"

Amendment No. 2

On page 13, after line 18, insert

"SEC 35 It is the intent of the Legislature, if this bill and Assembly Bill No 686 are both chaptered and amend Section 9890 53 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 686, that the amendments to Section 9890 53 proposed by both bills be given effect and incorporated in Section 9890 53 in the form set forth in Section 9 5 of this act Therefore, Section 9 5 of this act shall become operative only if this bill and Assembly Bill No 686 are both chaptered, both amend Section 9890 53, and Assembly Bill

No 686 is chaptered before this bill, in which case Section 9 of this act shall not become operative ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty Stacey Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 735—An act to amend Section 72602 of the Government Code, relating to municipal courts

The question being · Shall the Assembly concur in the following Senate amendment to Assembly Bill No 735?

Amendment No. 1

On page 2 of the printed bill, after line 18, insert

"SEC 2 Section 72602 of the Government Code is amended to read

72602 Each of the Los Angeles County municipal courts established in judicial districts shall have the number of judges set out below opposite the name of the judicial district over which such court has jurisdiction ·

Whittier Municipal Court District	3
San Antonio Municipal Court District	3
East Los Angeles Municipal Court District	3
Inglewood Municipal Court District	2 3
South Bay Municipal Court District	3
Compton Municipal Court District	3
Downey Municipal Court District	2
Los Angeles Municipal Court District	64
Santa Anita Municipal Court District	1
Alhambra Municipal Court District	3
Los Cerritos Municipal Court District	2
Long Beach Municipal Court District	5
Beverly Hills Municipal Court District	3
Santa Monica Municipal Court District	3
Burbank Municipal Court District	2
Glendale Municipal Court District	2
Pasadena Municipal Court District	4
El Monte Municipal Court District	3 4
Pomona Municipal Court District	3
South Gate Municipal Court District	1
Citrus Judicial District	4
Antelope Municipal Court District	1
Culver Municipal Court District	1
Newhall Municipal Court District	2

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 2337 are both chaptered and amend Section 72602 of the Government Code, and this bill is chaptered after Assembly Bill No 2337, that the amendments to Section 72602 proposed by both bills be given effect and incorporated in Section 72602 in the form set forth in Section 2 of this act. Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 2337 are both chaptered, both amend Section 72602, and Assembly Bill No 2337 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 2112—An act to amend Sections 621, 982, 1256.1, 1263, 1277, 1277 5, 1528 5, and 2629 of, and to add Sections 803 1, 803 2, and 1260 1 to, the Unemployment Insurance Code, relating to unemployment insurance

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2112?

Amendment No. 1

On page 3, line 40, of the printed bill, as amended in Assembly June 16, 1972, after "acquired", insert ", except that this provision shall not apply to the acquisition of, or succession to, less than a total entity if the remainder of the entity partially acquired or succeeded to remains in existence".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes to take effect immediately, tax levy.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1105?

Senate Amendments of July 7, 1972

Amendment No. 1

In the third line of the title of the printed bill, as amended in Assembly May 11, 1972, after "taxes", insert "to take effect immediately, tax levy".

Amendment No. 2

On page 2, after line 40, insert

"SEC. 5. For the year 1972 only, the times specified for actions to be taken under Sections 11336, 11338, 11402 and 11404 of DIVISION 2 of the Revenue and Taxation Code are modified and extended as follows:

(1) The time for completion of assessment under Section 11336 is extended to September 11, 1972.

(2) The time for assessments to be open for inspection under Section 11337 shall be between September 11 and October 1, 1972.

(3) The time for hearing upon a petition for reassessment under Section 11338 shall be at any time prior to October 26, 1972.

(4) The time for completion of the levy under Section 11402 is extended to November 1, 1972.

(5) The time for mailing of notice under Section 11404 is extended to November 1, 1972.

SEC. 6. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Senate Amendments of July 13, 1972

Amendment No. 1

On page 3, line 8, of the printed bill, as amended in Senate July 7, 1972, after "11336," insert "11337,"

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:~~

~~AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—62.~~

~~NOES—None.~~

~~Above bill ordered enrolled.~~

NOTE: On August 2, 1972, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1105, and whereby the bill was ordered enrolled. See page 7100

REPORT OF COMMITTEE ON CONFERENCE

The following report of the Committee on Conference was received, and read:

Assembly Chamber, July 27, 1972

Mr Speaker: The Committee on Conference concerning:

Senate Bill No. 987—As amended in Assembly July 3, 1972—An act to add Section 12825 5 to the Education Code, relating to public schools;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in.

The undersigned consent to the report:

DAVID A ROBERTI	LEROY F. GREENE
GEORGE MOSCONE	JAMES W DENT
ALBERT RODDA	JAMES KEYSOR
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—63

NOES—None.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1446

At 11 15 a m., on motion of Mr. Bagley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No 1446 passed by the following vote:

AYES—Bagley, Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Wilson, Z'berg, and Mr Speaker—42.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Collier, Conrad, Cory, Davis, Dent, Hayden, Hayes, Lancaster, Lanterman, MacGillivray Monagan, Moorhead, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—24.

Bill ordered transmitted to the Senate

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read.

Assembly Chamber, July 27, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 2113—As amended in Senate July 24, 1972—An act to amend Sections 20110 and 20806 5 of the Education Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 821 and 822 of the Unemployment Insurance Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 1027 and 1265 5 of the Unemployment Insurance Code, relating to unemployment insurance, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 8, of the printed bill, as amended in Senate July 24, 1972, strike out line 21, and insert "shall be operative only with respect to payments of vacation pay,".

The undersigned consent to the report:

W CRAIG BIDDLE	RICHARD D HAYDEN
JOHN L HARMER	CARLOS J MOORHEAD
GEORGE ZENOVICH	DAVID C PIERSON
Senate Committee on Conference	Assembly Committee on Conference

Report read.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

The question being on the adoption of the Conference Committee Report on Assembly Bill No 2113

Report adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY JOINT RESOLUTION NO. 13

In compliance with a motion given on a previous day, Mr. Ketchum moved that the vote whereby Assembly Joint Resolution No. 13 was adopted be reconsidered

Assembly Joint Resolution No 13 refused reconsideration by the following vote·

AYES—Badham, Burke, Collier, Conrad, Cullen, Dent, Leroy F Greene, Hayden, Ketchum, Keysor, Lancaster, MacGillivray, McAlister, Monagan, Moorhead, Powers, Russell, Ryan, Seeley, Stacey, Stull, Wakefield, and Wood—23

NOES—Bee, Brathwaite, Brown, Burton, Cory, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Harvey Johnson, LaCoste, McCarthy, Pierson, Porter, Ralph, Thomas, Townsend, Vasconcellos, Wilson, Z'berg, and Mr Speaker—24

Resolution ordered transmitted to the Senate

MOTION TO RECONSIDER SENATE BILL NO. 403

In compliance with a motion given on a previous day, Mr Vasconcellos moved that the vote whereby Senate Bill No 403 was passed be reconsidered

Senate Bill No 403 reconsidered by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Campbell—1

Senate Bill No. 403 Passed and Retained

By unanimous consent, Senate Bill No 403 was passed on file, to retain its place on file

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 380—An act appropriating funds for increases in compensation for state officers and employees, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Monagan moved a call of the Assembly

Motion carried Time, 11 38 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 268—An act to amend Section 216 of the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Brown

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Badham, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—61

NOES—Stull—1.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Badham, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—61

NOES—Stull—1

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS (RESUMED)

House Resolution No. 95—Relative to a noise barrier on State Highway Route 91.

NOTE: The full text of House Resolution No 95 appears at page 6396 of the Assembly Daily Journal for July 25, 1972

Resolution read, presented by Mr Cory, and adopted

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 839

The Acting Speaker appointed Messrs Bill Greene, Bagley, and Pierson as a Committee on Conference concerning Senate Bill No. 839.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 175—An act to amend Sections 421, 422, and 423 of, and to add Section 423 7 to, the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

Motion to Amend

Mr Gonsalves moved the adoption of the following amendments.

Amendment No. 1

On page 6, line 39, of the printed bill, as amended in Assembly July 27, 1972, after "the", insert "1970 lien date or the".

Amendment No. 2

On page 6, line 40, after "contract", insert ", whichever occurs later,".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Senate Bill No. 1068—An act to amend Section 496 of the Penal Code, relating to stolen property

Bill read third time, and presented by Mr Mobley.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr Barnes, Senate Bill No. 1468 was removed from the Consent Calendar, and, by unanimous consent, returned to the third reading file.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 763—An act to amend Section 25100.5 of the Government Code, relating to county officers.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1376—An act to amend Section 2690 of the Penal Code, relating to the state correctional system.

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 25—An act to add Article 4.5 (commencing with Section 30760) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the Antioch Bridge, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey,

Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 212—An act to add Section 17462 to the Education Code, relating to community colleges, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1193—An act to repeal Section 7 of Chapter 1357 of the Statutes of 1970, relating to gravel beds

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1440

Mr Moretti was granted unanimous consent to take up Senate Bill No. 1440, temporarily passed on file, out of order, for purpose of amendment, and that the bill be returned to the inactive file

Consideration of Senate Bill No. 1440

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of, and to repeal Chapter 10 5 (commencing with Section 3525) and Chapter 11 (commencing with Section 3550) of, and to add Chapter 10.5 (commencing with Section 3550) and Chapter 11 (commencing with Section 3575) to, of Division 4 of Title 1 of, and to add Sections 11551 1 and 11553 1 to, the Government Code, relating to public employer-employee relations.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Moretti was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 1440 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr Moretti moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 31, of the printed bill, as amended in Assembly July 26, 1972, strike out "representative", and insert "representatives".

Amendment No. 2

On page 6, line 32, strike out "their", and insert "its".

Amendment No. 3

On page 8, line 26, strike out "and to engage in other"; strike out lines 27 and 28; and in line 29, strike out "restraint or coercion".

Amendment No. 4

On page 14, strike out lines 19 to 25, inclusive.

Amendment No. 5

On page 18, line 32, strike out "at the", and insert "upon the proper filing of such representation petition, investigate such representation claim and shall conduct such hearings and elections as are necessary to determine the appropriateness of the unit involved and whether the majority of workers in such unit desire to be represented by any petitioning employee organization Such investigations and hearing shall be conducted pursuant to rules and regulations which shall be adopted by the board

3530 1 The board shall determine in each case the appropriate unit for representation by a self-determination election, whether the unit sought be a single employer unit or a multiple employer unit or a subdivision thereof, or whether it be a plant unit, a department unit, or a craft unit, or any or all combinations thereof

3530 2 The board shall promulgate rules for the conduct of elections which shall, in all cases, be by secret ballot and shall be conducted under the supervision of the board not later than 45 days after the filing of the petition The board shall, in each case, determine the persons eligible to participate in such election

3530 3 After conducting such investigation and election the board shall, in each case, certify the appropriate employee organization which receives a majority of the votes cast as the exclusive representative of the workers in the designated unit The board shall not again consider a second representation petition or conduct any election in the designated unit within a period of one year after the date of such certification covering the unit so certified or until the expiration date of the negotiated agreement between the recognized employee organization and the employer

3530 4 The provisions of this chapter shall be exclusive with respect to the establishment and determination of all rights, duties, and remedies concerning representation and nothing in this chapter shall be deemed to authorize any action in any court or administrative agency of this state, other than as provided in this chapter, provided, no person or organization shall be precluded from maintaining an action in the proper court for violation of a negotiated agreement or for failure to comply with the final decision or order of the board pursuant to the provisions of this chapter

3530 5 Any question of representation subject to the provisions of the Federal Labor-Management Relations Act or Federal Railway Labor Act shall not be subject to the provisions of this chapter."

Amendment No. 6

On page 18, strike out lines 33 to 40, inclusive; and on page 19, strike out lines 1 to 21, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the inactive file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

House Resolution No. 75—Relative to environmental goals and policy report.

NOTE: The full text of House Resolution No 75 appears at page 5682 of the Assembly Daily Journal for June 30, 1972.

Resolution read, presented by Mr Moretti, and adopted.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending, repealing, and adding Section 7 of Article I thereof, relating to juries.

Resolution read, and presented by Mr. Murphy.

Demand for Previous Question

Messrs. Leroy F. Greene, Lancaster, Russell, Conrad, and Campbell demanded the previous question. Demand sustained

The question being on the adoption of Senate Constitutional Amendment No 10

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Murphy moved a call of the Assembly.

Motion carried Time, 11:58 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 380

At 11:59 a m , by unanimous consent, further proceedings under the call of the Assembly were dispensed with

The urgency clause to Assembly Bill No. 380 adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Pierson, Porter, Powers, Quimby,

Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Burke, Collier, Conrad, Dent, Lanterman, Seeley, Stull, and Wakefield—8

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Burke, Collier, Conrad, Dent, Lanterman, Seeley, Stull, and Wakefield—8.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

Assembly Chamber, July 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 243—An act to add Article 2 3 (commencing with Section 6728) to Chapter 7, Division 3 of the Business and Professions Code, relating to professional engineering;

Assembly Bill No. 317—An act to add Section 11487 to, and to add Article 8 7 (commencing with Section 17980) to Chapter 3 of Division 14 of, the Education Code, relating to community colleges;

Assembly Bill No. 643—An act to amend Section 4150.2 of the Vehicle Code, relating to motor vehicles;

Assembly Bill No. 661—An act to add Sections 12101 2 and 12101.3 to the Welfare and Institutions Code, relating to old age security;

Assembly Bill No. 851—An act to add Sections 12748 5, 12748 6, and 12748 7 to the Water Code, relating to flood control, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 873—An act to add Article 6 (commencing with Section 73520) to Chapter 10 of Title 8 of, and to repeal Article 6 (commencing with Section 73520), Article 8 (commencing with Section 73600), and Article 24 (commencing with Section 74300), of Chapter 10 of Title 8 of, the Government Code, relating to municipal courts;

Assembly Bill No. 958—An act to amend Section 92 6 of the Streets and Highways Code, relating to state freeways;

Assembly Bill No. 1469—An act to amend Section 17601 1 of the Education Code, relating to attendance;

Assembly Bill No. 1832—An act to add Sections 22508 5 and 22508 6 to the Education Code, relating to public higher education;

Assembly Bill No. 1989—An act to amend Sections 6759, 6762, 6763, and 6799 of the Business and Professions Code, relating to professional engineers;

Assembly Bill No. 2354—An act to amend Sections 682 3 and 690.50 of the Code of Civil Procedure, relating to judgment debtors, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 11 a.m , July 28, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 28, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Concurrent Resolution No. 111—Approving certain amendments to the Charter of the City of Chula Vista, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the general municipal election;

And reports the same correctly enrolled, and presented to the Secretary of State on the 28th day of July, 1972, at 11 a m

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, July 28, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

SB No 1164	SB No 1167
SB No 1165	SB No 1170

With author's amendments with the recommendation: Amend, and refer to the Committee on Health.

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1164—An act to add Section 14103 8 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "physician", and insert "provider".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 14103.5 and".

Amendment No. 2

On page 1, line 1, after the first period, insert "Section 14103 5 is added to the Welfare and Institutions Code, to read:

14103 5 Whenever prior authorization is required for a service, the director or the consultant shall process the request as soon as possible, but not later than seven calendar days of the date of receipt by the department

A request shall not be deemed processed under this section until the response of the director or consultant has been communicated to the provider Communication shall not be deemed complete until the response has been posted in the regular course of the mail, properly addressed, or until the director or consultant communicates the response to the provider by telephone or in person

The provisions of this section shall not apply to dental care when clinical examination is necessary for authorization, optometric services, skilled nursing home care, and intermediate care facility services.

SEC 2."

Amendment No. 3

On page 1, line 6, after "stating", insert "either that the service is not covered under the Medi-Cal program (citing the specific limitation) or by stating".

Amendment No. 4

On page 1, line 7, strike out "therefor", and insert "for the denial or reduction".

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Senate Bill No. 1165—An act to add Section 14019 2 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate July 6, 1972, strike out "physician or pharmacist", and insert "provider".

Amendment No. 2

On page 1, line 5, strike out "physician or pharmacist", and insert "provider".

Amendment No. 3

On page 1, line 11, strike out "physician's or pharmacist's", and insert "provider's"

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Senate Bill No. 1167—An act to add Section 14103 5 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 6, 1972, strike out "add Section 14103 5 to", and insert "amend Section 14120 of".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 14120 of the Welfare and Institutions Code is amended to read

14120 (a) At the beginning of each fiscal year, for the current fiscal year, the director shall establish a monthly schedule of anticipated total payments and anticipated payments for categories of services, according to the categories established in the Governor's Budget. The schedule will be revised quarterly

(b) The director shall report actual total payments and payments for categories of services, as set forth in subdivision (a), monthly to the Director of Finance and to the Joint Legislative Budget Committee.

(c) At any time during the fiscal year, if the director has reason to believe that the total cost of the program will exceed available funds, he may, first, modify the method or amount of payment for services, provided that no amount shall be reduced more than 10 percent and no modification will conflict with federal law If such modification ~~is~~ *will* not *be* sufficient to bring the program within available funds, the director may *, with the approval of the Health Care Commission,* postpone elective services ~~in the basic schedule of benefits~~ *The director shall make public notification to the Health Care Commission of his intention to seek its approval of this action and shall call it into session for this purpose in a public hearing not less than two weeks following such notification.*

At the time of notification, the director shall present the commission with information which indicates the program will exceed available funds as well as his recommendations for action Such information shall include but not be limited to statistics relating to the volume of payments, the volume of claims, the average cost per claim, the average cost per case, and the caseload which provide a basis for his judgment that the total cost of the program will exceed available funds for that fiscal year The director shall also certify to the commission that the shortage of available funds could not have been foreseen three months prior to the date of the commission hearing

The commission may approve or deny the director's recommendations for action but if the commission fails to take any action within seven days of the hearing at which the director advises it of the reasons for his belief that the total cost of the program will exceed available funds, the director may institute the action permitted under this subdivision Such postponement of elective services shall be accomplished by changing the standards for approval of requests for prior authorizations Such changes shall be designed to insure that those recipients most in need of elective services receive them first within the funds available, but that no particular service is completely eliminated.

(d) At any time during the fiscal year, if the total amounts paid since the beginning of the fiscal year exceed by 10 percent the amounts scheduled, the director shall immediately institute the action set forth in ~~subsection~~ *subdivision* (c) above.

(e) At any time during the fiscal year, if the total amounts paid for any category of service exceeds by 10 percent the amounts scheduled (other than services for which the method or amount of payment is prescribed by the Secretary of Health, Education, and Welfare pursuant to Title XIX of the Federal Social Security Act), the director shall modify the method or amount of payment for such category of service to assure that the total amount paid for such category of service in the fiscal year shall be less than 10 percent in excess of the total amount scheduled provided the total cost of the program to the State General Fund will not exceed appropriated state general funds

(f) Before any of the above actions are taken by the director, he shall consult with representatives of concerned provider groups.

The provisions of this section shall not be operative until July 1, 1972 "

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Senate Bill No. 1170—An act to amend Sections 14103 6 and 14120 of, and to add Section 14103 7 to, the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 13, 1972, strike out "Sections 14103 6 and 14120", and insert "Section 14103 6".

Amendment No. 2

On page 3, strike out lines 7 to 40, inclusive; and strike out pages 4 and 5

Bill ordered reprinted, and to be re-referred to the Committee on Health

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, July 28, 1972

Mr Speaker · Your Committee on Transportation reports

SB No 1493

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Local Government

Assembly Chamber, July 28, 1972

Mr. Speaker: Your Committee on Local Government reports·

SB No 1394

With amendments with the recommendation· Amend, and do pass, as amended.

KNOX, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, July 28, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports.

SB No. 712
SB No. 1330
SB No 1462

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, July 28, 1972

Mr Speaker· Your Committee on Education reports:

SB No 1391

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading

Committee on Finance and Insurance

Assembly Chamber, July 26, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

SB No 553

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading

Committee on Transportation

Assembly Chamber, July 28, 1972

Mr Speaker· Your Committee on Transportation reports.

SB No. 1322

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Constitutional Amendments

Assembly Chamber, July 27, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports·

SB No 110

With amendments with the recommendation Amend, and do pass, as amended.

GARCIA, Chairman

Above bill ordered to second reading.

Assembly Chamber, July 27, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports:

SB No 1185

With amendments with the recommendation· Amend, and do pass, as amended.

GARCIA, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, July 28, 1972

Mr Speaker· Your Committee on Natural Resources and Conservation reports·

AJR No 38

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Rules.

Z'BERG, Chairman

Above resolution ordered on file

Committee on Education

Assembly Chamber, July 28, 1972

Mr Speaker: Your Committee on Education reports:

SB No 95

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Labor Relations

Assembly Chamber, July 28, 1972

Mr Speaker. Your Committee on Labor Relations reports:

SCR No 54

With the recommendation· Be adopted, and be re-referred to the Committee on Ways and Means, Consent Calendar recommendation

McCARTHY, Chairman

Above resolution re-referred to the Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 38—Relative to through traffic at Yosemite National Park.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted

Amendment No. 1

On page 1, line 5, of the printed measure, strike out "permit vehicles which are passing", and insert "develop a system whereby residents of the area adjacent to Yosemite National Park who, for business purposes, need to pass".

Amendment No. 2

On page 1, line 6, after "Park", insert "over the extension of State Highway 120".

Amendment No. 3

On page 1, line 7, after the first "park", insert "may be permitted".

Resolution ordered reprinted, and to be re-referred to the Committee on Rules.

SECOND READING OF SENATE BILLS

Senate Bill No. 1493—An act to amend Section 21957 of the Vehicle Code, relating to solicitation of rides.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 21957 of", and insert "add Section 22505.5 to".

Amendment No. 2

In line 2 of the title, strike out "solicitation of rides", and insert "vehicles".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 22505 5 is added to the Vehicle Code, to read

22505 5 (a) The Department of Public Works, with respect to freeways under its jurisdiction, shall, upon finding that a demonstrated hazard exists as a result of vehicles stopping upon or adjacent to an on or off ramp of a freeway, as determined by the number of accidents occurring thereon, place signs or markings prohibiting or restricting the stopping of vehicles on or adjacent to such an on or off ramp for any purpose, including, but not limited to, the offering of a ride to any persons soliciting a ride No person shall stop any vehicle in violation of the prohibition or restriction stated on such signs or marking For the purpose of this section, "on or off ramp" means that portion of any highway designed and used exclusively by vehicular traffic for entering or exiting a freeway

(b) Subdivision (a) shall not apply to the driver of any vehicle which is so disabled that it is impossible to avoid temporarily stopping the disabled vehicle on or adjacent to such on or off ramp."

Amendment No. 4

On page 1, strike out lines 2 to 7, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1394—An act to provide for the physical, social, and economic development of the Alviso area of the City of San Jose by creating the Alviso Development Corporation, and prescribing the boundaries, organization, purposes, powers, operation, management, and financing of the corporation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly July 17, 1972, after "Alviso", insert "Nuevo".

Amendment No. 2

On page 2, line 19, after "Alviso", insert "Nuevo".

Amendment No. 3

On page 4, line 40, after "Alviso", insert "Nuevo".

Amendment No. 4

On page 5, line 28, after "Alviso", insert "Nuevo".

Amendment No. 5

On page 6, line 30, after "Alviso", insert "Nuevo".

Amendment No. 6

On page 6, line 40, after "Alviso", insert "Nuevo".

Amendment No. 7

On page 7, line 3, after "sovereignty", insert ", including, but not limited to, any interests in lands owned by the State of California which are under the jurisdiction of the State Lands Commission, and any lands presently covered by navigable waters; provided, however, that the State Lands Commission may enter into agreements with the Alviso Nuevo Development Corporation for the inclusion within the boundaries of the community such lands under the jurisdiction of the State Lands Commission which are filled and reclaimed".

Amendment No. 8

On page 7, line 4, after "Alviso", insert "Nuevo".

Amendment No. 9

On page 7, line 16, after "Alviso", insert "Nuevo".

Amendment No. 10

On page 7, line 34, after "Alviso", insert "Nuevo".

Amendment No. 11

On page 8, line 10, strike out "New", and insert "Nuevo".

Amendment No. 12

On page 12, line 1, strike out "New", and insert "Nuevo".

Amendment No. 13

On page 12, line 3, strike out "New", and insert "Nuevo".

Amendment No. 14

On page 13, line 9, after the period, insert "Such members shall be appointed by the board of directors."

Amendment No. 15

On page 24, strike out lines 7 to 12, inclusive, and insert

"SEC. 80. The community board shall prepare, or cause to be prepared, a plan or plans for all or any part or parts of the community. The community board shall consult with the board of directors and with the city planning commission in preparing any such plan The community board shall approve any plan by resolution."

Amendment No. 16

On page 24, strike out lines 35 to 40, inclusive; and on page 25, strike out lines 1 to 17, inclusive, and insert

"SEC. 85 Upon approval of a plan or plans, the community board shall submit the plan or plans to the board of directors Upon receipt of a plan adopted by the community board, the board or directors shall immediately".

Amendment No. 17

On page 25, line 18, strike out the first "the", and insert "such".

Amendment No. 18

On page 26, line 30, after the period, insert "The plan adopted by the board of directors shall be the plan prepared and submitted by the community board; provided, however, that the board of directors may make changes in or amend the plan submitted by the community board by resolution adopted by two-thirds of its members "

Amendment No. 19

On page 26, line 31, strike out "may", and insert "shall".

Amendment No. 20

On page 26, line 39, after "Code", insert "; provided, however, that any changes in the plan made by the board of directors shall be made by resolution adopted by two-thirds of its members".

Amendment No. 21

On page 28, strike out line 18, and insert "the board of directors shall not undertake any of the following, unless and until the community board has been informed of the proposed undertaking and has submitted its recommendations to the board of directors as provided in this section:".

Amendment No. 22

On page 28, strike out lines 28 to 40, inclusive, and insert "100). If the board of directors proposes to undertake any of the actions mentioned in this section in subdivisions (a) to (f), inclusive, the board of directors shall, prior to taking any such action, submit to the community board a description of the proposed action The community board shall have 30 days after receipt of notice of the proposed action within which to review and submit its recommendations to the board of directors. If the community board fails to submit its recommendations with the board of directors within the 30 days, the community board shall have been deemed to have waived its right to make recommendations on the proposed action.

The board of directors may overrule any recommendations made by the community board pursuant to this section by two-thirds vote of its members."

Amendment No. 23

On page 29, strike out lines 1 to 15, inclusive.

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1391—An act to amend Sections 17666 2 and 17666 3 of the Education Code, relating to financial support for the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted.

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "11475", and insert "11451, 11475".

Amendment No. 2

On page 1, lines 9 and 10, strike out "six hundred forty-three dollars ($643)", and insert "six hundred fifty-nine dollars ($659)".

Amendment No. 3

On page 2, strike out lines 14 to 38, inclusive, and insert:

"1– 150	12	$175,300
151– 200	15	229,044
201– 300	18	282,788
301– 400	21	336,532
401– 500	24	390,276
501– 600	27	444,020
601– 700	30	497,760
701– 800	33	551,504
801– 900	36	605,248
901–1,000	39	659,000".

Amendment No. 4

On page 3, lines 20 and 21, strike out "of adults, as adults are defined in Section 5756, and".

Amendment No. 5

On page 3, line 33, after "SEC 2.", insert "Section 17666.2 of the Education Code is amended to read:

17666 2. (a) Except for a community college district which qualifies under subdivision (b), for each community college district, he shall multiply the number of units of average daily attendance, during the fiscal year, in grades 13 and 14 computed for the district under Sections 11451, *11475,* and 11501, subject to the provisions of Section 17611, by six hundred ~~forty-three~~ ~~dollars~~ ~~($643)~~ *seventy-nine dollars ($679)*.

(b) For each community college district which has an average daily attendance of less than 1,001 during the fiscal year 1965–1966 and during the fiscal year 1966–1967, and for each community college district which has an average daily attendance of less than 1,001 during the fiscal year and qualifies as a necessary small community college district as defined in Section 17666 3 for the fiscal year 1969–1970 and fiscal years thereafter, the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount.

Average daily attendance	Minimum number of full-time certificated employees	Amount to be computed
1– 150	12	~~$172,900~~
		$183,260
151– 200	15	~~225,133~~
		235,754
201– 300	18	~~277,366~~
		348,099
301– 400	21	~~329,599~~
		440,756
401– 500	24	~~381,832~~
		531,725
501– 600	27	~~431,065~~
		615,006
601– 700	30	~~486,298~~
		690,599
701– 800	33	~~538 531~~
		758,504
801– 900	36	~~590,764~~
		818,721
901–1,000	39	~~643,000~~
		871,250
1,000–1,100	—	*916.091*
1,101–1,200	—	*953,244*
1,201–1,300	—	*983,709*
1,301–1,400	—	*1,004,486*
1,401–1,500	—	*1,018,500*

(c) A community college district shall not be eligible for the foundation program computed under subdivision (b), unless it levies during

the fiscal year a tax, exclusive of taxes levied under Sections 1822 2, 1825, 16633, 16635, 16645 9, 19443, 19619, 20801 and 22101, of not less than thirty-five cents ($0 35).

For purposes of this section and Section 17851, the average daily attendance of a community college district shall, subject to the provisions of Section 17611, be computed in the manner prescribed by Sections 11451 and 11501 except that there shall be excluded from the computation the attendance of all students deemed "nonresident" as defined in Sections 25505 and 25505 1 Notwithstanding the above provisions of this section, the attendance of students deemed nonresidents as provided in Sections 25505 and 25505 1 shall be included in the average daily attendance of a community college for the purposes of Section 17851.

The Superintendent of Public Instruction shall exclude from the computation provided by this section the average daily attendance during the fiscal year ~~of adults, as adults are defined in Section 5756, and~~ of inmates of any state institution for adults or of any city, county, or city and county jail, road camp, or farm for adults.

(d) In the event a community college district to which the provisions of subdivision (b) of this section applies is included by any reorganization authorized by law in a community college district which has an average daily attendance of 1,001 or more, the Superintendent of Public Instruction shall continue to compute the foundation program for the community college district included by such reorganization in accordance with the provisions of subdivision (b) of this section.

SEC. 3."

Amendment No. 6

On page 4, after line 20, insert

"SEC 4 Sections 17666 2 and 17666 3 of the Education Code, as amended by Sections 2 and 3 of this act, respectively, shall become operative on July 1, 1973, at which time Section 17666 2 of the Education Code, as amended by Section 1 of this act, shall be superseded and become inoperative.

SEC 5 This act shall not become operative unless Senate Bill No. 95 is enacted at the 1972 Regular Session of the Legislature "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 553—An act to add Section 3351 1 to the Labor Code, relating to workmen's compensation for jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Senate April 20, 1972, strike out "upon public property, or elsewhere," and insert "in attendance in court".

Amendment No. 2

On page 2, after line 12, insert

"(e) The persons specified in subdivisions (a) and (b) shall be considered employees only while physically in attendance in court, or at sessions of the grand jury, as the case may be Such persons shall not be considered employees while engaged in any travel unless the jury or grand jury, as the case may be, is traveling in pursuit of its lawful duties."

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1322—An act to add Section 5004 5 to the Vehicle Code, relating to motorcycles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Senate June 9, 1972, strike out "the", and insert "this".

Amendment No. 2

On page 1, line 9, strike out ", commencing with"; strike out line 10; and in line 11, strike out "distinguishing color".

Amendment No. 3

On page 2, after line 17, insert

"SEC. 2. This act shall become operative on January 1, 1974."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 110—An act to add Section 1045 to, and repeal Section 1045 of, the Penal Code, relating to juries.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly July 26, 1972, after the second comma, insert "to call an election to be conducted in November, 1972, and to provide for the submission to the electors of the state at such election of a certain constitutional amendment proposed by the Legislature at the 1972 Regular Session,".

Amendment No. 2

In line 3 of the title, after "juries", insert ", to take effect immediately, act calling election".

Amendment No. 3

On page 2, line 29, strike out "This", and insert "Sections 1 and 2 of this".

Amendment No. 4

On page 2, line 32, strike out "it", and insert "Sections 1 and 2".

Amendment No. 5

On page 2, after line 33, insert

"SEC. 4 An election is hereby called to be held throughout the state on the seventh day of November, 1972, and shall be consolidated with the statewide general election held on that day Such consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot and ballot pamphlet shall be used At such consolidated election there shall be submitted to the electors, in addition to such other measures as may be submitted in accordance with law, Senate Constitutional Amendment No 10 proposed and adopted by the Legislature at the 1972 Regular Session Except as otherwise provided in this act, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measure submitted pursuant to this act

SEC 5 Within five days after either the effective date of this act or the adoption by the Legislature of Senate Constitutional Amendment No. 10, whichever occurs later, the author of such amendment and one member of the opposite house who voted with the majority on the amendment shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure If such constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure No argument shall exceed 500 words All such arguments shall be filed with the Secretary of State within 10 days after either the effective date of this act or the adoption by the Legislature of Senate Constitutional Amendment No 10, whichever occurs later Rebuttal arguments for such measure shall be prepared pursuant to Section 3565 5 of the Elections Code, except that they shall be filed with the Secretary of State not later than five days after filing of the original arguments

SEC 6 On the effective date of this act or the adoption by the Legislature of Senate Constitutional Amendment No 10, whichever occurs later, the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this act and shall also request the Legislative Counsel to prepare an analysis of the measure in accordance with Section 3566 of the Elections Code The title and the analysis shall be filed with the Secretary of State within 10 days after either the effective date of this act or the adoption by the Legislature of Senate Constitutional Amendment No. 10, whichever occurs later The measure submitted pursuant to this act shall be designated on the ballot at the election by its ballot title

SEC 7 Sections 4 to 6, inclusive, of this act call an election within the meaning of Article IV of the Constitution, and shall go into immediate effect "

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1185—An act to amend Sections 205 5 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 13, 1972, strike out "Sections", and insert "Section".

Amendment No. 2

In line 2 of the title, after "Code," insert "and to place a constitutional amendment on the ballot,".

Amendment No. 3

In line 2 of the title, after "taxation", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 3, after line 32, insert

"SEC. 3. (a) There shall be submitted to the people at the general election, to be held on the seventh day of November, 1972, the constitutional amendment proposed by Senate Constitutional Amendment No. 59 of the 1972 Regular Session of the Legislature Except as otherwise provided in this section, all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measure submitted pursuant to this section

(b) Within five days after the effective date of this section or within five days after the adoption by the Legislature of Senate Constitutional Amendment No. 59, whichever occurs later, the author and first coauthor of the constitutional amendment and one member of the opposite house who voted with the majority on the amendment, shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure If the constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure. No argument shall exceed 500 words All such arguments shall be filed with the Secretary of State within two days after the date of appointment.

(c) Upon the effective date of this section or upon the date of the adoption by the Legislature of Senate Constitutional Amendment No 59, whichever occurs later, the Secretary of State shall request the Attorney General to prepare a ballot title for the measure submitted pursuant to this section and shall also request the Legislative Counsel

and the Legislative Analyst to prepare analyses of said measure in accordance with Sections 3566 and 3566 3 of the Elections Code, respectively Said title and said analyses shall be filed with the Secretary of State within two days after the effective date of this section or within two days after the adoption by the Legislature of Senate Constitutional Amendment No 59, whichever occurs later The measure submitted pursuant to this section shall be designated on the ballots at the election by its ballot title

SEC. 4 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order to place Senate Constitutional Amendment No. 59 on the ballot, it is necessary that this act go into immediate effect."

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 95—An act to amend Sections 5756, 5757, 11475, 11476, 11477, 11478, 11479, 17666 2, 17666 3, 17667, 17671, 17672, 17676, 17702, 17801, 17851, 17906 2, 17920, 17925, 17925 5, 17970, and 25505.8 of, to amend and renumber Section 17952 of, to repeal Sections 17411.1 and 17951 of, and to amend the heading of Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, the Education Code, relating to education of adults.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 7, line 9, of the printed bill, as amended in Senate July 10, 1972, strike out "six hundred fifty-nine dollars ($659)", and insert "six hundred eighty-six dollars ($686)".

Amendment No. 2

On page 7, strike out lines 27 to 36, inclusive, and insert

"1– 150	12	$184,482
151– 200	15	240,216
201– 300	18	295,947
301– 400	21	351,680
401– 500	24	407,415
501– 600	27	463,146
601– 700	30	518,882
701– 800	33	574,608
801– 900	36	630,342
901–1,000	39	686,000"

Amendment No. 3

On page 8, strike out line 39, and insert "seven hundred six dollars ($706)."

Amendment No. 4

On page 9, strike out lines 17 to 36, inclusive, and insert

"1–	150	12	$189,843
151–	200	15	247,194
201–	300	18	304,548
301–	400	21	361,896
401–	500	24	419,250
501–	600	27	476,604
601–	700	30	533,953
701–	800	33	591,304
801–	900	36	648,657
901–1,000		39	706,000".

Amendment No. 5

On page 14, strike out lines 27 to 34, inclusive, and insert

"(c) Thirty-two cents ($0 32) in a community college district, except that if such rate would change the status of the district from that of an equalization aid district to that of a basic aid district, the rate shall be the higher of either thirty-one cents ($0 31) or thirty cents ($0 30), whichever rate is necessary to permit the district to continue to qualify for equalization aid."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 27	AB No. 580	AB No 1150
AB No 41	AB No 655	AB No 1153
AB No. 42	AB No 656	AB No. 1172
AB No. 76	AB No 738	AB No. 1184
AB No. 101	AB No 746	AB No 1267
AB No 213	AB No 858	AB No 1300
AB No. 231	AB No 960	AB No 1394
AB No 254	AB No 965	AB No 1450
AB No. 276	AB No 974	AB No 1467
AB No 484	AB No 987	AB No 1506
AB No 493	AB No 1072	AB No 1522
AB No. 494	AB No 1102	AB No 1663
AB No. 517	AB No 1103	AB No 1779
AB No. 533		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1833	AB No 1870	AB No 1903
AB No. 1858	AB No. 1887	AB No. 1933

AB No. 1970	AB No 2045	AB No. 2134
AB No 1975	AB No 2046	AB No. 2214
AB No. 2026	AB No. 2132	AB No. 2329
AB No. 2040	AB No 2133	AB No 2364

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 28, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No 64
ACR No. 75

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered to unfinished business file.

Senate Chamber, July 28, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACA No 42

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, July 28, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 13	AB No 579	AB No 1034
AB No 175	AB No. 593	AB No 1089
AB No. 202	AB No 689	AB No 1152
AB No 369	AB No. 842	AB No. 1165
AB No. 414	AB No 876	AB No. 1175
AB No. 423	AB No 887	AB No. 1207
AB No. 428	AB No. 906	AB No 1281
AB No 441	AB No 918	AB No 1285
AB No 500	AB No 919	AB No 1306
AB No 501	AB No. 946	AB No 1388
AB No 512	AB No 977	AB No. 1399
AB No 534	AB No. 1008	AB No. 1408
AB No. 572	AB No 1027	AB No. 1455

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 28, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed:

AB No. 1457	AB No 1715	AB No. 1943
AB No. 1483	AB No 1805	AB No. 1962
AB No 1504	AB No 1809	AB No 2021
AB No 1520	AB No. 1815	AB No 2066
AB No. 1626	AB No 1852	AB No. 2143
AB No. 1698	AB No 1857	AB No 2374

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 28, 1972

Mr. Speaker· I am directed to inform your honorable body that the the Senate on this day adopted:

ACR No 97
ACR No. 98

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, July 28, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

AJR No. 15

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 467
SB No. 1499

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 467—An act to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5A relating to an appropriation to develop coastal resources, and declaring the urgency thereof to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1499—An act to amend Section 12791 of the Education Code, relating to employment of minors

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
467	Natural Resources and Conservation
1499	Labor Relations

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Leroy F Greene:

House Resolution No. 108

Relative to early childhood education

Resolved by the Assembly of the State of California, That the Assembly Rules Committee is hereby requested to assign to the Assembly Committee on Education for study the subject of early childhood education; and be it further

Resolved, That the Assembly Committee on Education establish an Advisory Committee on Early Childhood Education, to be comprised of experts in the fields of preschool education and elementary education, selected from the State Department of Education, universities and colleges, and school districts, to review the existing literature and information regarding the educational advantages or disadvantages of permitting children under the age of four years and nine months to enter the public schools; and be it further

Resolved, That such advisory committee review the provisions of Assembly Bill 1236 and Senate Bill 1302 of the 1972 Regular Session of the Legislature, giving particular attention to the objectives of restructuring the primary grade instructional program, the relationship of such restructuring to lowering the minimum age of admission to the public schools, and the educational modification which should be made to existing instructional programs in the primary grades to improve educational programs for young children; and be it further

Resolved, That such advisory committee submit a report containing its conclusions and recommendations, including legislation necessary to implement such recommendations, to the Assembly Committee on Education on the date specified by the Rules Committee upon assignment of the resolution; and be it further

Resolved, That the Assembly Committee on Rules make sufficient funds available to pay the actual and necessary costs, including transportation expenses, of the members participating on the advisory committee

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Russell:

House Resolution No. 109

Relative to the lease of state-owned property

WHEREAS, The State of California is a large property holder; and

WHEREAS, Much of this state-owned property is not presently under use, but nonetheless it has been found necessary to retain such property, and

WHEREAS, Although a considerable portion of this surplus state property has in the past been leased, much of the property not presently leased is available for lease; and

WHEREAS, The present manner in which surplus real property is leased by the state, and the methods employed to lease state property in the future, are of considerable importance to the equitable and proficient management of such property, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the lease of state-owned property; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Russell:

House Resolution No. 110

Relative to the disposition of surplus state property at less than fair market value

WHEREAS, Until recently all surplus state property has been disposed of at fair market value; and

WHEREAS, In recent years a small number of surplus state properties and facilities have been sold for a token payment; and

WHEREAS, Justification for such transactions has not been clearly defined; and

WHEREAS, This lack of precise criteria by which to determine the appropriateness of such proposed transfers at little or no cost has resulted in considerable confusion regarding such transfers, and

WHEREAS, This matter is of substantial significance and worthy of legislative inquiry; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of the disposition of surplus state property at less than fair market value; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblymen Burke and Badham.

House Resolution No. 111

Relative to the Corona del Mar Freeway

WHEREAS, The need to construct State Highway Route 73, the Corona del Mar Freeway, to freeway standards has already been established; and

WHEREAS, It was originally planned that construction of Route 73 as a freeway would commence during the 1973–1974 fiscal year; and

WHEREAS, There is unanimous support for the freeway from all affected public and private entities; and

WHEREAS, The California Highway Commission has deferred commencement of this much needed freeway construction to the 1974–1975 fiscal year, and

WHEREAS, This delay will make worse the already heavy traffic congestion on Route 73, and will affect many plans for community development, now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission is hereby urged to restore the 1973–1974 fiscal year as the date for the commencement of construction of State Highway Route 73, the Corona del Mar Freeway, as a freeway; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the California Highway Commission.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

By Assemblyman Leroy F. Greene:

House Resolution No. 112

Relative to title insurance

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of title insurance, including, but not limited to, the premium rate structure, benefits paid, the adequacy of its regulation, and the needed revision of any and all laws relating to this subject; and be it further

Resolved, That such committee report its findings and recommendation to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

Hon. Willie L. Brown, Jr., Presiding

At 12 m, Hon Willie L Brown, Jr, 18th District, presiding.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No 93 was continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1850, on request of Mr Cullen.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 10

At 12 02 p m, on motion of Mr Murphy, and in the asbence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 10 refused adoption by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Conrad, Cullen, Davis, Duffy, Fenton, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Russell, Seeley, Stacey, Stull, Thomas, Wakefield, Wood, and Mr Speaker—39.

NOES—Brathwaite, Brown, Cory, Deddeh, Dent, Dunlap, Bill Greene, Leroy F. Greene, Hayes, Karabian, Maddy, Meade, Pierson, Ralph, Ryan, Sieroty, Vasconcellos, Waxman, Wilson, and Z'berg—20.

Motion to Reconsider Senate Constitutional Amendment No. 10 on Next Legislative Day

Mr. Murphy moved to reconsider on the next legislative day the vote whereby Senate Constitutional Amendment No 10 was this day refused adoption.

Senate Constitutional Amendment No. 10 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12.08 p.m., Acting Speaker Brown declared the quorum call of the Assembly dispensed with.

VOTE CHANGES

Mr. Beverly was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 371.

Messrs Wakefield and Burke were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on the urgency clause to Senate Bill No. 285, and on the passage of the bill.

Mr. Keysor was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 2113, and on the adoption of the conference report

Mr. Ray E. Johnson was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1446.

Mr. Beverly was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 1446

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1446

Mr. Hayden was granted unanimous consent that he be recorded as voting "Aye" on Senate Bills Nos 1219 and 402, on the urgency clause to Senate Bill No 1489, and on the passage of the bill

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No 1489, and on the passage of the bill.

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bills Nos. 457, 932, 830, 1229, 371, and 549; on the urgency clause to Senate Bill No 1080, and on the passage of the bill; and on the motion to reconsider the vote on Assembly Joint Resolution No. 13.

Mrs Fong was granted unanimous consent that she be recorded as voting "No," instead of "Aye," on the motion to reconsider the vote on Assembly Joint Resolution No. 13.

Mr Hayden was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 241.

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 268, and on the passage of the bill.

Mr Stull was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Senate Bill No. 268, and on the passage of the bill.

Mr Stull was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 402.

Messrs Duffy, Arnett, and Russell were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No 380, and on the passage of the bill.

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the urgency clause to Assembly Bill No 380, and on the passage of the bill.

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1219.

Mr Burke was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 549.

Mr. Crown was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

BILLS PASSED ON FILE

Assembly Joint Resolution No. 39 and **Assembly Bill No. 1742**—Passed on file

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bills Nos. 2376 and **1701**, and **Assembly Constitutional Amendment No. 91**—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

MOTION TO ADJOURN

Mr Fenton moved that the Assembly adjourn on this day, following receipt of Messages from the Senate, until 9 30 a m , Monday, July 31, 1972

Motion carried.

MESSAGES FROM THE SENATE

Senate Chamber, July 28, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to .

Senate Bill No. 371

And appointed Senators Moscone, Dymally and Deukmejian, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 4	AB No 1202	AB No. 1859
AB No. 50	AB No. 1699	AB No. 1952
AB No. 531		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2113

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 381	SB No. 728	SB No. 1010
SB No. 484	SB No 747	SB No. 1130
SB No. 621	SB No. 901	SB No 1324
SB No. 641	SB No. 947	SCR No. 9
SB No. 648	SB No 1002	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

MESSAGES FROM THE SENATE

Senate Chamber, July 27, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 425

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Assistant Secretary

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACA No. 26

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, July 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 540

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, July 28, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed:

SB No 4	SB No 235	SB No 1255
SB No 48	SB No 575	SB No 1281
SB No 107	SB No 934	SB No 1447
SB No 130	SB No 944	SB No. 1490
SB No 158	SB No. 1187	

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 540—An act to amend Section 206 7 of the Civil Code, to add Sections 25846 and 25847 to the Government Code, to amend Section 270d of the Penal Code, to amend Sections 5302, 5305, 5307 and 5403 of the Unemployment Insurance Code, to amend Sections 10001, 10002, 10051, 10053, 10053 2, 10053 3, 10053 5, 10560, 10600, 10603, 10603 1, 10606, 10606 1, 10607, 10607 1, 10608, 10653, 10655, 10850, 10850 1, 10900, 10907, 10950, 10957, 10959, 10960, 10961, 10962, 10964, 11004, 11006 5, 11013, 11028, 11029, 11030, 11050, 11052 5, 11054, 11055, 11056, 11058, 11059, 11061, 11100, 11104, 11156, 11170, 11171, 11171 5, 11172, 11181, 11182, 11206, 11207, 11209, 11209 1, 11211, 11253, 11265, 11266, 11300, 11301, 11305, 11306, 11308, 11308 5, 11308 7, 11308 8, 11350, 11352, 11353, 11403, 11405, 11450, 11450.6, 11451 5, 11452, 11453 1, 11453 2, 11454, 11457, 11458, 11476, 11478, 11479, 11485, 11487, 11488, 11500, 11502, 11507, 12001, 12004, 12007, 12008, 12009, 12010, 12013, 12055, 12056, 12058, 12100, 12101 1, 12104, 12106, 12158, 12200, 12201, 12202, 12203, 12204, 12205, 12207, 12252, 12504, 12508, 12509, 12510, 12513, 12554, 12557, 12559, 12560, 12600, 12660, 12700, 12701, 12702, 12750, 13003, 13050, 13056, 13057, 13504, 13508, 13551, 13555, 13600, 13650, 13750, 13900, 13902, 13912, 13930, 13933, 14016, 15000, 15001, 15100, 15200, 15201, 15202, 15203, 15204, 15205, 15512, 15513, 15514, 15520, 16500, 16502, 16506, 18003, 18200, 18201, 18202, 18203, 18204, 18210, 18211, 18400, 18470, 18472, 18491, 18494, 18500, 18501, 18510, 18511, 18520, 18522, 18902, 18904, 18905, and 18908 of, to add Sections 10657, 10658, 10659, 10660, 10661, 10662, 10663, 10664, 10665, 10666 to, Chapter 6 1 (commencing with Section 13850) to Part 3 of Division 9 of, and Sections 15204 5 and 15206 to, and to repeal Sections 10058, 10059, 10604, 10604 1, 10605, 10605 1, 10615, and 10616 of, Chapter 4 (commencing with Section 10800) of Part 2 of Division 9 of, Sections 10851, 10963, 11053, 11102, 11402,

11459, 12012, 12015, 12505, 12506, 13002, 13556, 14100, and 14116 of, Article 4 (commencing with Section 15150) of Chapter 9 of Part 3 of Division 9 of, Sections 15200.1 and 15511 of, Part 5 (commencing with Section 17000) of Division 9 of, and Sections 18452, 18455, 18457, 18459, 18460, 18476, 18477, 18478, 18490, 18492, 18493, 18521, 18523, 18524, and 18906 of, the Welfare and Institutions Code, to amend Section 3 of Chapter 1313 of the Statutes of 1968, to amend Section 1 of Chapter 1084 of the Statutes of 1970 and to repeal Section 42 5 of Chapter 578 of the Statutes of 1971, relating to public social services

Held at Desk by order of the Acting Speaker.

Senate Bill No. 4—An act to add Chapter 1 4 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to waterways.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 48—An act making an appropriation for the repair of levees.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 107—An act to add Chapter 1.4 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to wild and scenic rivers.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 130—An act to add Article 3 5 (commencing with Section 6320) to Chapter 1.5 of Division 5 of, Section 6389 to, to amend Sections 6386 and 6387 of, and to add Article 2 5 (commencing with Section 10266) of Chapter 2 of Division 7 of the Elections Code, relating to the presidential primary.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 158—An act to amend Sections 6422, 6432, 6755, 6902 05 and 6908 of, and to add Section 11753.2 to, the Education Code, relating to special education.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 235—An act making an appropriation for the development of Bolsa Chica State Beach.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 575—An act to amend Section 71085 of the Government Code, relating to courts.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 934—An act to amend Sections 17301 and 17303 5 of the Education Code, relating to development centers for handicapped persons.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 944—An act to add Chapter 5 7 (commencing with Section 5761) to Division 6 of the Education Code, relating to education programs.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1187—An act relating to acquisition of lands for the state park system and making an appropriation therefor.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1255—An act to add Section 450 3 to the Business and Professions Code, relating to public members.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1281—An act to add Section 5756.5 to the Education Code, relating to public schools.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1447—An act to amend Sections 7451 and 7451 1 of the Education Code, relating to regional occupational centers and programs.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1490—An act to add Section 14150.9 to the Welfare and Institutions Code, relating to Medi-Cal

Held at Desk by order of the Acting Speaker.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 371

The Acting Speaker appointed Messrs Murphy, Beverly, and Lewis as a Committee on Conference concerning Senate Bill No. 371.

COMMUNICATIONS

Assembly Chamber, July 28, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1931—An act to amend Sections 17769 and 17775 of, and to add Sections 17769 1, 17769 2, 17775 1, and 17775 2 to, the Business and Professions Code, and to amend Sections 12214, 12215, 12401 1, 17207, 17211, 17212, 17608 1, 22202, 22208, 22615 5, 24202, 24208, and 24609 1 of the Financial Code, relating to persons licensed by the Commissioner of Corporations;

Assembly Bill No. 2130—An act to add Section 14670 2 to the Government Code, relating to the letting of state property, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4 p m , July 28, 1972.

JAMES D. DRISCOLL, Chief Clerk

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

By unanimous consent, the following letter of transmittal was ordered printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs. We herewith transmit a report which evaluates the statistical sample methods used by the Department of Health Care Services for

reviewing the effectiveness of the fiscal intermediaries Medi-Cal payment procedures.

The department's stated purpose for the use of statistical sampling in reviewing paid claims at each fiscal intermediary is "to apprise management of DHCS and the fiscal intermediaries of the effectiveness of the claims processing systems; correct those claims found to be in error; and make improvements to such systems which will result in the elimination of future errors."

The fiscal intermediaries, Blue Shield, Blue Cross-North and Blue Cross-South, under contract with the Department of Health Care Services, process and pay Medi-Cal claims Doctors, dentists, pharmacists, hospitals, nursing homes, home health agencies, and other Medi-Cal providers, submit the claims. During the fiscal year 1970–71 over 33 million claims amounting to over $960 million were processed and paid.

Rigorous surveillance over the payment process by the Department of Health Care Services is extremely important to adequately safeguard state funds by the immediate discovery of errors and the elimination of any conditions creating such errors.

The report states that this important control function of monitoring paid claims has been neglected by the department. A November 1970 test by the Department of Health Care Services which reported a projected $3 million error rate in claims paid had not been reported to or discussed with Blue Shield operating personnel.

It is reported that the department has never tried to make any significant analysis of the sampling results. There are conclusions that can be drawn. For example, the nursing home error rate is consistently higher than the community hospital error rate. This would indicate that the nursing home claims unit needs special attention to determine and correct what is happening. The 9 15 percent nursing home error rate for July 1970 should have prompted a department survey of the nursing home payment system. Even though the errors were found in 1970, no final action has been taken to correct the errors or the causes for the errors

The report concludes that the department is not maintaining adequate control of the payment process and presents seven recommendations for improving the department's method of reviewing the intermediaries claim payment procedures.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

ADJOURNMENT

At 4:50 p m , pursuant to a motion made earlier this day, the Assembly adjourned until 9 .30 a m , Monday, July 31, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Sixteenth Legislative Day

Two Hundred Eleventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, July 31, 1972

The Assembly met at 9·30 a m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 9 30 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10 a m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Rev. Dr Wilbur C. Christians, Chaplain of the State Senate:

Almighty God, We pray for Thy blessing upon the members of this legislative body, that, in these hurried days of concluding work, they may feel the over-arching influence of Thy calming presence. Grant us enough imagination and information to enable us to know the way that is best, and enough inspiration and dedication to dare to step out in that direction. And may every citizen of our state be blessed in a measure by what we accomplish here today.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mrs Davis then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Foran, seconded by Mr. Collier.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Briggs, on request of Acting Speaker Fenton
Mr Campbell, on request of Acting Speaker Fenton.
Mr Garcia, on request of Acting Speaker Fenton.
Mr. Quimby, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Conrad, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Brophy, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

July 28, 1972

Hon Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr. Speaker This is to request to be excused from the session on legislative business on Monday, July 31; Tuesday, August 1; and Wednesday, August 2, 1972.

I will be attending the National Legislative Conference in New Orleans.

Very truly yours,

CHARLES J. CONRAD, Assemblyman
Fifty-seventh District

COMMUNICATIONS

Assembly Chamber, July 31, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

AJR No 38

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above resolution re-referred to committee.

RÉQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted Acting Speaker Fenton was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the second day Consent Calendar for the next legislative day.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Assembly Rules, the following bill was ordered re-referred to the Committee on Ways and Means:

Senate Bill No. 553.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1494 for hearing in the Committee on Health today

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 33 FROM COMMITTEE

Mr Burton was granted unanimous consent that Assembly Concurrent Resolution No. 33 be withdrawn from the Committee on Rules for purpose of amendment, without reference to file.

Consideration of Assembly Concurrent Resolution No. 33

Assembly Concurrent Resolution No. 33—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization and the State Personnel Board, and Members of the Senate and Assembly.

Resolution read.

Motion to Amend

Mr Burton moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 8, of the printed measure, after "Beilenson," insert "W. Craig Biddle,".

Amendment No. 2

On page 2, lines 9 and 10, strike out "Gordon Cologne,".

Amendment No. 2.5

On page 2, lines 22 and 23, strike out "W. Craig Biddle,".

Amendment No. 3

On page 2, line 34, after "LaCoste," insert "Bill Lancaster,".

Amendment No. 4

On page 3, line 1, strike out "Peter F. Schabarum,".

Amendment No. 5

On page 3, line 4, after "Waxman," insert "Bob Wilson,".

Amendments read, and adopted.

Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up Assembly Concurrent Resolution No. 33, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 33, as Amended

Assembly Concurrent Resolution No. 33—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization and the State Personnel Board, and Members of the Senate and Assembly.

Resolution read, as amended, and adopted

Resolution ordered printed, and transmitted to the Senate.

BILLS PASSED ON FILE

Senate Bill No. 603—Passed on file.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 784—An act to amend Section 31649.5 of the Government Code, relating to County Employees Retirement Law of 1937.

Bill read third time.

Motion to Amend

Mr. Townsend moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly July 24, 1972, after the period, insert "The amount of such service credit shall not exceed four years or one involuntary tour of duty, whichever is less."

Amendment No. 2

On page 2, line 38, strike out "subdivision", and insert "section".

Amendment No. 3

On page 3, line 1, strike out "subdivision", and insert "section".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 493—An act to amend Section 21202 of the Vehicle Code, relating to bicycles.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 493?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Every", and insert "(a) Except as provided in subdivision (b), every".

Amendment No. 2

On page 1, after line 7, insert

"(b) Any person operating a bicycle upon a roadway of a highway, which highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the left-hand curb or edge of such roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Russell, Seeley Sieroty, Thomas, Vasconcellos, Warren, Wilson, and Wood—44

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 494—An act to amend Section 21201 of the Vehicle Code, relating to bicycles.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 494?

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Assembly April 17, 1972, strike out "July 1, 1973", and insert "January 1, 1974"

Amendment No. 2

On page 2, line 33, strike out "an", and insert "either.

(1) An".

Amendment No. 3

On page 2, line 36, strike out ". Such", and insert "; or

(2) An amber reflector mounted on the outside end on each pedal of such bicycle

Such".

Amendment No. 4

On page 3, line 2, strike out "an", and insert "either·

(1) An".

Amendment No. 5

On page 3, line 4, strike out ". Such", and insert "; or

(2) An amber reflector mounted on the outside end on each pedal of such bicycle.

Such".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 517—An act to add Section 23356 1 to the Business and Professions Code, relating to alcoholic beverages

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 517?

Amendment No. 1

On page 2, lines 1 and 2 of the printed bill, as amended in Assembly May 3, 1972, strike out ", in accordance with such rules as shall be adopted by the department".

Amendment No. 2

On page 2, after line 13, insert

"(c) The department may adopt such rules as it determines to be necessary for the administration of this section "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 533—An act to amend Sections 5721 and 5985 of the Education Code, relating to school insurance.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 533?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 6, 1972, strike out "Section 5721", and insert "Sections 5721 and 5985".

Amendment No. 2

On page 2, after line 7, insert

"SEC 2 Section 5985 of the Education Code is amended to read:

5985 The governing board of any district maintaining a high school or community college may·

(a) Provide for the instruction of pupils in the skills, attitudes, and understandings necessary to success in employment by means of courses of work experience education as provided in this article.

(b) Provide for guidance and supervision procedures designed to insure maximum educational benefit to students from placement in suitable work experience education courses.

(c) Provide for arranging, approving, coordinating, and awarding credit for work experience education courses, and for those purposes employ instructors, coordinators, and other necessary personnel

(d) Provide for the district to purchase liability insurance for students enrolled in programs of study involving work experience or vocational education at locations off school grounds approved by the governing board, or require students to purchase insurance and to pass on all or a portion of the costs, at the discretion of the governing board, to the district "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 656—An act to amend Sections 25101, 25110, 25111, 25120, 25212, 25232, 25300, 25503, 25608, and 29551 of the Corporations Code, relating to investments

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 656?

Senate Amendments of June 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25111," and insert "25110, 25111, 25120,".

Amendment No. 2

In line 2 of the title, after "of", insert ", and to add Section 25543 to,".

Amendment No. 3

On page 2, between lines 15 and 16, insert

"SEC. 1.5. Section 25110 of the Corporations Code is amended to read:

25110 It is unlawful for any ~~issuer~~ *person* to offer or sell in this state any security ~~issued by it~~ *in an issuer transaction* (other than in a transaction subject to Section 25120), whether or not by or through underwriters, unless such sale has been qualified under Section 25111, 25112 or 25113 (and no order under Section 25140 or subdivision (a) of Section 25143 is in effect with respect to such qualification) or unless such security or transaction is exempted under Chapter 1 (commencing with Section 25100) of this part "

Amendment No. 4

On page 4, between lines 19 and 20, insert

"SEC. 2.5. Section 25120 of the Corporations Code is amended to read

25120 It is unlawful for any ~~issuer~~ *person* to offer or sell in this state any security ~~issued by it~~ *in an issuer transaction* in connection with any change in the rights, preferences, privileges, or restrictions of or on outstanding securities or in any exchange of securities by the issuer with its existing security holders exclusively or in any exchange in connection with any merger or consolidation or purchase of corporate assets in consideration wholly or in part of the issuance of securities, unless the security is qualified for sale under this chapter (and no order under Section 25140 or subdivision (a) of Section 25143 is in effect with respect to such qualification) or unless such security or transaction is exempted under Chapter 1 (commencing with Section 25100) of this part."

Amendment No. 5

On page 10, between lines 20 and 21, insert

"SEC. 6 5 Section 25543 is added to the Corporations Code, to read·

25543. Any person who willfully aids, abets or directs any act punishable under Sections 25540 and 25541 shall upon conviction be fined not more than ten thousand dollars ($10,000) or imprisoned in the state prison for not more than 10 years or in a county jail for not more than one year, or be punished by both such fine and imprisonment; but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order."

Amendment No. 6

On page 13, in lines 9 and 10, strike out "a certificate as", and insert "filing an application for".

Amendment No. 7

On page 13, line 14, after "certificate", insert ", if granted,".

Amendment No. 8

On page 13, line 16, strike out "Such fee shall be"; and strike out line 17; and in line 18, strike out "refundable in any event."

Amendment No. 9

On page 13, line 23, strike out "an annual", and insert "a".

Amendment No. 10

On page 14, line 11, strike out "a certificate as", and insert "filing an application for".

Amendment No. 11

On page 14, line 15, after "certificate", insert ", if granted,".

Amendment No. 12

On page 14, line 21, strike out "Such fees shall be paid at the"; and strike out line 22; and in line 23, strike out "refundable in any event "

Amendment No. 13

On page 14, in lines 32 and 33, strike out "a certificate to act as", and insert "filing an application for".

Amendment No. 14

On page 14, line 35, after "certificate", insert ", if granted,".

Amendment No. 15

On page 14, strike out lines 38 and 39.

Amendment No. 16

On page 15, in lines 26 and 27, strike out "a certificate to act as", and insert "filing an application for".

Amendment No. 17

On page 15, line 29, after "certificate", insert ", if granted,".

Amendment No. 18

On page 15, strike out lines 32 and 33

Amendment No. 19

On page 16, after line 5, insert

"SEC 10 Sections 1 5, 2.5, and 6 5 of this act do not constitute changes in but are declaratory of existing law."

Senate Amendments of July 12, 1972

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Senate June 26, 1972, strike out ", and to add Section 25543 to,".

Amendment No. 2

On page 11, strike out lines 21 to 31, inclusive.

Amendment No. 3

On page 16, line 22, strike out ", 2 5, and 6.5", and insert "and 2 5".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 738—An act to amend Sections 4010 5, 4011.5, and 4011 6 of the Health and Safety Code, relating to water systems.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 738?

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "are consonant with", and insert "take cognizance of".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 746—An act to add Section 451b to the Penal Code, relating to arson

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 746?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly June 7, 1972, after "one", insert "willfully"

Amendment No. 2

On page 2, lines 7 and 8, strike out "and started with an evil design or bad motive".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Bellotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 965—An act to amend Sections 73710, 74803, 74804, 74805, and 74807 of, and to add Section 74807.5 to, the Government Code, relating to courts.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 965?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 26, 1972, strike out "Section 74803", and insert "Sections 73710, 74803, 74804, 74805, and 74807".

Amendment No. 2

In line 3 of the title, strike out "the municipal court", and insert "courts"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 73710 of the Government Code is amended to read.

73710 The marshal of the eastern division may appoint:

(a) ~~One~~ *Two* deputy ~~marshal~~ *marshals*.

(b) One clerk-typist II

SEC. 2. Section 74803 of the Government Code is".

Amendment No. 4

On page 2, between lines 2 and 3, insert

"SEC. 3. Section 74804 of the Government Code is amended to read:

74804 There shall be one marshal who shall receive the biweekly salary specified in range ~~40~~ *46*, step ~~C~~ *A*, as set forth in the biweekly salary schedule contained in Section 74806

Whenever the salary of the class of lieutenant in the service of San Joaquin County is adjusted, the salary of the marshal shall be adjusted by an amount equivalent to that of the such class of lieutenant

SEC. 4. Section 74805 of the Government Code is amended to read:

74805 The marshal may appoint:
(a) One assistant marshal.
(b) Five deputy marshals.
(c) One clerk IV.
(d) ~~One~~ cle~~rk-typist II~~ *Two clerk-typists II*.
(e) Twenty deputies who shall be custodians at the fee allowed by law for the keeping of property

SEC. 5. Section 74807 of the Government Code is amended to read:

74807. Persons employed in any of the positions authorized by this article shall be paid the salary assigned to the following ranges as set forth in the biweekly salary schedule contained in Section 74806, except that if the range shown opposite the title of the position includes a fraction then the person employed in such position shall be paid a salary equal to that shown opposite said fractional range in the Salary Ordinance of the County of San Joaquin, as amended by Ordinance No. 1686, passed and adopted May 28, 1970:

(a) Deputy clerk I	Range 23.25
(b) Deputy clerk II	Range 25 25
(c) Deputy clerk III	Range 27.25
(d) Deputy clerk III (stenographer)	Range 27 75
(e) Deputy clerk IV	Range 30 5
(f) Chief deputy clerk	Range 35 5
(g) Clerk	Range 42 5
(h) Clerk-typist II	Range 23 25
(i) Clerk IV	Range 27 75
(j) Deputy marshal	Range 32
(k) Assistant marshal	Range 34

Subject to the provisions of the San Joaquin County Salary Ordinance, each person employed in the clerk's office or marshal's office; ~~including the clerk but not including the marshal,~~ may receive an annual increase in salary of one step on his assigned range until the employee reaches the maximum step on the range assigned for his position. Thereafter no additional step increase shall be granted"

Amendment No. 5

On page 2, line 3, strike out "SEC. 2", and insert "SEC. 6".

Amendment No. 6

On page 2, after line 18, insert
"SEC. 7. Section 3 of this act shall become operative on April 2, 1973"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph,

Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 960—An act to add Sections 14092, 14093, 14094, 14094 1, 14094 2, 14095, 14096, and 14097 to, and to add Article 31 (commencing with Section 14451) to Chapter 4 of Division 10 of, and to repeal Section 14120 of, the Education Code, relating to the State Teachers' Retirement Fund, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 960?

Senate Amendments of July 11, 1972

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 13, 1972, strike out "14092 5, 14093, 14093 5, 14094, 14094 5, 14095, 14095 5, 14096, 14096.5," and insert "14093, 14094, 14094.1, 14094 2, 14095, 14096,".

Amendment No. 2

In line 4 of the title, after the first comma, insert "and to repeal Section 14120 of,".

Amendment No. 3

On page 2, strike out line 3, and insert

"14092 Sections 14092 through 14099 apply to the transfer of assets as of June 30, 1972, as they relate to the Los Angeles Community College District Retirement System.

SEC. 2 Section 14093 is added to the Education Code, to read:

14093. The total market value of the State Teachers' Retirement Funds' securities shall be established as of the close of business on June 30, 1972 The accrued income on the securities at June 30, 1972, cash on hand, the investment principal in course of collection and the members contributions receivable shall be added to the total market value of securities and, after deducting interest and principal collected in advance and retirement claims payable and filed, this amount shall be divided by the total of member contribution reserves plus reserves for retirement annuities, death annuities, and survivor benefits. The quotient thus obtained, computed to eight places past the decimal, shall be divided into the total of the cash, market values of the securities in kind which are to be transferred to the State Teachers' Retirement System to enable that system to discharge the obligations for member contribution reserves plus reserves for retirement annuities, death annuities and survivor benefits being assumed by that system for the Los Angeles Community College District Retirement System in Section 14455 1, established as of the close of business on June 30, 1972, and any accrued income thereon, to provide the values of the Los Angeles Community College District's assets for transfer To ensure uniform calculation of the reserves for retirement annuities, death annuities and survivor benefits, the reserves for both systems shall be cal-

culated by applying the appropriate State Teachers' Retirement System's 1943 and 1962 State Teachers' Morality Tables, 4 percent interest attained age annuity factors to the benefits payable as of June 30, 1972.

Accrued income properly computed shall include any delinquent interest at the face rate on any item which, while in default, is guaranteed or insured by an agency of the United States government.

Values established in accordance with the above procedures shall be obtained and approved by each board, who may obtain the assistance of other parties and may, if they so desire, agree to binding valuations by a mutually agreed-upon independent party.

Either the Los Angeles Community College District or the Teachers' Retirement Board may reject specified securities for transfer and recommend alternative selections.

Selection of securities to be transferred in kind shall not be made in a manner adverse to the Teachers' Retirement Fund. While a proportionate division of each holding shall not be required, the State Teachers' Retirement System shall be entitled to a division of the city local system's securities distributed between nonconvertible fixed income investments, equities, and securities convertible into equities in proportion to the book value of these security groupings to the total value of the city local system's portfolio as of June 30, 1972 However, the Teachers' Retirement Board may reject any securities which do not qualify under its investment resolution as amended December 18, 1970.

Should the respective parties be unable to reach agreement on market value of assets by October 15, 1972, the matter shall be submitted to arbitration by an independent party who, in making his determination shall be guided by the State Constitution, existing law, the formal investment resolution of the Teachers' Retirement Board as amended December 18, 1970, and the provisions of this article, and his decision shall be binding upon both parties to the extent that it is legal under state law The arbitrator shall be mutually agreed upon by the respective boards. If agreement cannot be reached, the market value shall be established by a panel of three arbitrators, one appointed by the Los Angeles Community College District, one by the Teachers' Retirement Board and the third selected by mutual agreement of the first two. Decisions of the arbitration panel shall be binding upon the Los Angeles Community College District and the State Teachers' Retirement System to the extent that it is legal under state law.

SEC. 3. Section 14094 is added to the Education Code, to read:

14094 To mitigate the possibility of conflicts arising because of changing market valuations over time, the transfer shall be effected as soon as possible To this end, a partial transfer consisting of cash and securities in kind valued at market plus accrued income equivalent to 99 percent of the estimated value of the annuity savings (active member accumulated contributions) shown on the city system's records shall be made as soon after June 30, 1972, as possible with a subsequent adjustment in its valuation amount effected as soon as the aforementioned valuation quotient is computed A decision as to which stocks shall be eligible for transfer must be agreed upon by both parties prior to the valuation date to avoid any possible inequity. For the total of

the common and preferred stocks to be transferred, any change in the market value between the valuation date and the actual date of transfer shall bear a close relationship to the change in the Standard and Poor's Composite Stock Index of 500 companies between the same dates.

SEC. 4 Section 14094.1 is added to the Education Code, to read:

14094 1. If the Los Angeles Community College District Retirement System incurs a net realized loss from the transfer of assets at less than their book values, that loss shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

SEC 5. Section 14094 2 is added to the Education Code, to read:

14094 2 The transfer of cash and securities in kind from the Los Angeles Community College District to the State Teachers' Retirement System shall be accomplished by that district delivering the cash and securities in kind at the office of the State Treasurer in Sacramento properly registered in the name of the State Teachers' Retirement System in accordance with the registration requirements of the State Teachers' Retirement System This transfer shall be completed by June 30, 1973 Interest on the actual amount of any cash transfer shall be at the rate of 6 percent per annum from July 1, 1972, to date of the transfer Any cash income payments or payments on securities received in the form of securities by the Los Angeles Community College District after June 30, 1972, which are properly allocable to the Teachers' Retirement Fund shall be paid to the Teachers' Retirement Fund.

SEC 6 Section 14095 is added to the Education Code, to read:

14095. If the Los Angeles Community College District's assets contributed are recorded in the State Teachers' Retirement System's accounts at a total amount different than the total member annuity savings (active member accumulated contributions) and the present value of retired roll being financed from local system reserves transferred to the State Teachers' Retirement System, the difference shall be recorded in the State Teachers' Retirement System's account as a deferred item which is to be amortized over a 25-year period.

SEC 7 Section 14096 is added to the Education Code, to read:

14096 All costs of the asset transfer, asset valuation, security registration, and the administrative costs in the implementation of Chapter 1305, Statutes 1971, as they relate to the local system, shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District.

SEC. 8. Section 14097 is added to the Education Code, to read:

14097. The balance of assets remaining on deposit with the Los Angeles Community College District after the transfers, deposits and payments required by this article or after establishment of reserves from which such deposits and payments shall be made, shall be held intact by the districts until the Legislature either prior thereto or thereafter expressly authorizes the expenditure or other disposition thereof.

SEC 9. Section 14120 of the Education Code is repealed.

~~14120. At the beginning of each fiscal year the system shall pay to each local district maintaining a local system the amounts specified in this article.~~

SEC. 10. Article 31 (commencing with Section 14451) is added to Chapter 4 of Division 10 of the Education Code, to read:

Article 31. Los Angeles Community College District Retirement System

14451. Chapter 1305, Statutes 1971, modified the State Teachers' Retirement System for improving benefits for, and providing a source of financing from, teachers and school districts which did not maintain a local retirement system. These changes made it impossible to continue the prior relationship of the Los Angeles Community College District Retirement System to the State Teachers' Retirement System. To enable this local system to separately determine its future course of action, Chapter 1305, Statutes 1971, made no change in the local system other than to terminate additional subventions after June 30, 1972.

The Los Angeles Community College District may expend moneys out of the local system fund, to consummate the merger, and to create and maintain reasonable contingency reserves to insure an orderly and adequate transition fully protecting the interests of the Los Angeles Community College teachers.

14452 Notwithstanding any other provision in this code, the provisions of this article shall govern the matter contained therein.

14453. The modifications to the State Teachers' Retirement System retirement, disability and family allowances formulae contained in Chapter 1305 of the Statutes of 1971 shall not apply to the Los Angeles Community College District Retirement System, hereinafter referred to as the Community College System.

14454. The members of the Los Angeles Community College District Retirement System in an election held prior to July 1, 1972, chose to be covered only by the State Teachers' Retirement System as of July 1, 1972.

Sections 14455 1 through 14661 shall apply to the merger of the Los Angeles Community College District Retirement System with the State Teachers' Retirement System.

14455.1. The subvention to the Community College System shall be canceled and the retired rolls transferred to the State Teachers' Retirement System as of July 1, 1972, together with the present value of the annuity and other benefits being paid from the employer and employees' reserves in the Community College System less the present value of the benefit being provided out of subventions.

14455.2. There shall be no reduction of any benefit being paid to an individual as a result of Section 14455.1.

14455.3. All service credited to the individual accounts in the Community College System shall be transferred to the State Teachers' Retirement System on the same basis as credentialed service is credited in the State Teachers' Retirement System.

14455.4. The Los Angeles Community College District shall transfer to the Teachers' Retirement Fund as of July 1, 1972, the total contributions on deposit in the individual accounts of members of the Community College System, and the amount so transferred shall not be less than:

(a) An amount equal to the contributions that would have been required had all service prior to July 1, 1972, been performed as a full-time member of the State Teachers' Retirement System plus credited interest through June 30, 1972, plus 6 percent interest from July 1, 1972, to the actual date of transfer; plus

(b) An amount equal to 8 percent of the employee compensation as provided in Section 13832 for service performed from the date due in the system's office plus 6 percent interest

14455 5 The Los Angeles Community College District shall also deposit in the Teachers' Retirement Fund an amount equal to 3 2 percent of employee compensation as provided in Section 13832 as the employer's contribution for service performed from the date due in the system's office, plus 6 percent interest

14455 6 If the accumulated contributions in the person's account at the time of transfer to the State Teachers' Retirement System are not equal to those required in Section 14455 4, the difference between the amount in the account and the required amount is an unfunded liability and is the responsibility of the employer The Los Angeles Community College District shall, at the time of the transfer of assets, provide the additional amount of accumulated contributions required to put each individual account in balance if the shortage is due to the rate of contributions which had been required by the Community College System Such amount shall be a charge against the residual funds remaining on deposit with the Los Angeles Community College District Clerical errors in assignment of rates or errors in rates due to incorrectly reported birth dates are the responsibility of the member

14455 7 Any funds transferred by the Board of Trustees of the Los Angeles Community College District in accordance with Section 14455 4 in addition to the accumulated contributions already in the member's account shall be deposited as employer contributions in the Teachers' Retirement Fund, and shall not be credited to the member's account and shall not be refundable

14455 8 Persons who elected to retain the 1/70th formula when the 1/60th formula was adopted by the Los Angeles Unified School District Retirement System or the Community College System are liable for the portion of contributions related to that election plus credited interest through June 30, 1972, and regular interest thereafter.

14455 9 Adjustments to accounts caused by late discovery shall be made in accordance with Sections 14455 4, 14455 5, 14455 6 and 14455 8.

14455 10 Those persons who took a refund of their contributions and interest from the Los Angeles Unified School District Retirement System or the Community College System prior to July 1, 1972, and who have Permanent Fund contributions on deposit in the State Teachers' Retirement System for such service shall have the accumulated Permanent Fund contributions on deposit in the State Teachers' Retirement System as of July 1, 1972, treated in the same manner as the Permanent Fund contributions of all nonlocal members. Upon discovery and notification to such persons, they shall·

(a) Redeposit the contributions required with regular interest; or

(b) Leave the Permanent Fund accumulated contributions on deposit and receive an actuarially reduced retirement allowance

14456. The Los Angeles Community College District shall begin monthly reporting of member contributions and service with fiscal year 1972–73 for all certificated members working in the Los Angeles Community College District The 8 percent employee and 3 2 percent employer contributions for these members shall be remitted monthly.

14457. The Community College System shall submit a list of all members of that system as of June 30, 1972, who have credentialed service which would qualify for membership in the State Teachers' Retirement System. The list shall be submitted to the State Teachers' Retirement System no later than August 31, 1972 ''

Amendment No. 4

On page 2, strike out lines 4 to 38, inclusive; and strike out pages 3 to 11, inclusive.

Amendment No. 5

On page 12, strike out lines 1 to 35, inclusive.

Amendment No. 6

On page 12, line 36, strike out ''14458'', and insert
''SEC. 11''.

Amendment No. 7

On page 13, strike out line 2, and insert
''SEC. 12. It is the intention of the Legislature that this act shall be applied retroactively to the 1972–1973 fiscal year and to this end, this act shall be operative on July 1, 1972.''

Amendment No. 8

On page 13, line 3, strike out ''3'', and insert ''13''.

Senate Amendments of July 17, 1972

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Senate July 11, 1972, strike out ''Funds' '', and insert ''Fund's''.

Amendment No. 2

On page 3, line 3, strike out ''Morality'', and insert ''Mortality''.

Amendment No. 3

On page 3, line 35, after ''determination'', insert a comma.

Amendment No. 4

On page 4, line 17, strike out ''99'', and insert ''90''.

Amendment No. 5

On page 7, line 34, strike out '', the total contributions on deposit in the''; strike out lines 35 and 36; and in line 37, strike out ''less than''.

Amendment No. 6

On page 8, lines 2 and 3, strike out '', plus 6 percent interest from July 1, 1972, to the actual date of transfer''.

Amendment No. 7

On page 8, lines 6 and 7, strike out ''from the date due in the system's office plus 6 percent interest'', and insert ''on and after July 1, 1972''.

Amendment No. 8

On page 8, lines 12 and 13, strike out ''from the date due in the system's office, plus 6 percent interest'', and insert ''July 1, 1972, through June 30, 1973''.

Amendment No. 9

On page 20, line 27, strike out "article", and insert "act".

Amendment No. 10

On page 20, line 30, strike out "the article", and insert "this act".

Amendment No. 11

On page 20, line 32, strike out "article", and insert "act".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 484—An act to amend Section 128 of, and to add and repeal Section 8030 5 of, the Business and Professions Code, relating to shorthand reporters, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 484?

Senate Amendments of July 11, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 10, 1972, strike out "Section 8030.5 to", and insert "and repeal Section 8030 5 of".

Amendment No. 2

On page 2, between lines 26 and 27, insert

"This section shall remain in effect until July 1, 1975, and as of such date is repealed."

Senate Amendments of July 26, 1972

Amendment No. 1

On page 2, between lines 29 and 30 of the printed bill, as amended in Senate July 11, 1972, insert

"SEC 2.5 It is the intent of the Legislature, if this bill and Senate Bill No 901 are both chaptered and this bill amends and Senate Bill No 901 repeals Section 128 of the Business and Professions Code, as added by Chapter 1363 of the Statutes of 1971, and this bill is chap-

tered after Senate Bill No. 901, that Section 1 of this bill shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 974—An act to amend Sections 25210.11, 25210.13, and 25210 14 of the Government Code, relating to county service areas.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 974?

Amendment No. 1

On page 2, after line 35, of the printed bill, as amended in Assembly May 17, 1972, insert

"SEC. 4. This act shall become operative on July 1, 1973 "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Cline—1.

Above bill ordered enrolled.

Assembly Bill No. 987—An act to add Section 690 8 to the Code of Civil Procedure, relating to execution and attachments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 987?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly May 26, 1972, strike out "proceeds", and insert "compensation".

Amendment No. 2

On page 1, line 5, after "entity", insert "which acquires for a public use a dwelling actually owned and occupied by the debtor; and the proceeds received from a public entity".

Amendment No. 3

On page 2, line 1, after the period, insert "Such compensation and proceeds shall be exempt in the amount, over and above all liens and encumbrances, provided by Section 1260 of the Civil Code."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 254—An act to amend Sections 4143 and 4211 of, and to add Section 4148 to, the Business and Professions Code, and to amend Section 7054.4 of the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 254?

Senate Amendments of April 12, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 23, 1972, after "of", insert ", and to add Section 4148 to,".

Amendment No. 2

On page 2, between lines 18 and 19, insert

"SEC. 2 Section 4148 is added to the Business and Professions Code, to read:

4148. The provisions of Sections 4140, 4141, and 4147 shall not apply to the furnishing or obtaining of hypodermic syringes or hypodermic needles for uses which the board determines are industrial. Notwithstanding any other provision of law, a person may obtain hypodermic syringes or needles, without prescription or permit, for such industrial uses."

Amendment No. 3

On page 2, line 19, strike out "SEC. 1.5", and insert "SEC. 3".

Amendment No. 4

On page 2, line 30, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 5

On page 3, after line 12, insert

"The application of the provisions of Sections 4140, 4141, and 4147 of the Business and Professions Code has created an undue and un-

necessary hardship on persons using hypodermic syringes for industrial purposes. This act would eliminate this hardship by allowing the furnishing and obtaining of hypodermic syringes and needles, for uses which the State Board of Pharmacy determines are industrial, without requirement of a permit from the board, recordation of such furnishing, or other restrictions on furnishing and obtaining of hypodermic syringes or needles.

In order to solve these questions and eliminate these hardships without delay it is imperative that this act take effect immediately."

Senate Amendments of May 24, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 12, 1972, strike out "Section 4143", and insert "Sections 4143 and 4211".

Amendment No. 2

On page 2, between lines 27 and 28, insert

"SEC 3. Section 4211 of the Business and Professions Code is amended to read:

4211. "Dangerous drug" means any drug unsafe for self-medication, except preparations of drugs defined in subdivisions (e), (f), (h), and (i) hereof, designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled, and includes the following:

(a) Any hypnotic drug. "Hypnotic drug" includes acetylurea derivatives, barbituric acid derivatives, chloral, paraldehyde, sulfomethan derivatives, or any compounds or mixtures or preparations that may be used for producing hypnotic effects.

(b) Aminopyrine, or compounds or mixtures thereof.

(c) Amphetamine, desoxyephedrine, or compounds or mixtures thereof except preparations for use in the nose and unfit for internal use.

(d) Cinchophen, neocinchophen, or compounds or mixtures thereof.

(e) Diethyl-stilbestrol, or compounds or mixtures thereof.

(f) Ergot, cotton root, or their contained or derived active compounds or mixtures thereof.

(g) Oils of croton, rue, savin or tansy or their contained or derived compounds or mixtures thereof.

(h) Sulfanilamide or substituted sulfanilamides, or compounds or mixtures thereof, except preparations for topical application only containing not more than five percent (5%) strength.

(i) Thyroid and its contained or derived active compounds or mixtures thereof.

(j) Phenylhydantoin derivatives.

(k) Any drug or device which bears the legend: "Caution: federal law prohibits dispensing without prescription."

(l) Hypnotic drugs when combined and compounded with nonhypnotic drugs

(m) Narcotic antagonist drugs."

Amendment No. 3

On page 2, line 28, strike out "SEC. 3", and insert

"SEC. 4".

Amendment No. 4

On page 3, line 10, strike out "SEC 4", and insert "SEC 5"

Amendment No. 5

On page 4, after line 4, insert

"There is some question as to the status of narcotic antagonist drugs which requires immediate clarification. Such drugs are used in testing to determine if a person has been using certain narcotics and should be available by prescription so that qualified persons may administer such tests."

Senate Amendments of June 23, 1972

Amendment No. 1

On page 4, line 6, of the printed bill, as amended in Senate May 24, 1972, after "by", insert "interment, incineration, or".

Amendment No. 2

On page 4, line 6, after "any", insert "other".

Senate Amendments of July 6, 1972

Amendment No. 1

On page 4, line 34, of the printed bill, as amended in Senate June 23, 1972, strike out "4140, 4141," and insert "4141".

Senate Amendments of July 19, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Senate July 6, 1972, strike out "Assemblyman Townsend", and insert "Assemblymen Townsend, Campbell, and Duffy".

Amendment No. 2

On page 3, line 1, strike out "4140, 4141," and insert "4141".

Amendment No. 3

On page 4, strike out line 4, and insert

"(m) Any narcotic antagonist drug which has been found by the federal government to have currently accepted medical use in treatment in the United States and to have no potential for abuse or abuse liability"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1072—An act to amend Section 35783 of the Agricultural Code, relating to milk.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1072?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly June 12, 1972, strike out "shall", and insert "may".

Amendment No. 2

On page 2, line 15, after "circumstances", insert "; provided, however, that the quality and safety of the product are not adversely affected".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1102—An act to amend Sections 73674 and 73677 of the Government Code, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1102?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly June 7, 1972, strike out "26½", and insert "25½".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1103—An act to amend Sections 74843 and 74847 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1103?

Amendment No. 1

On page 3, lines 2 and 3, of the printed bill, as amended in Assembly June 7, 1972, strike out "office supervisors", and insert "Office Supervisor".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1150—An act to amend Sections 5750 9 and 5750 10 of the Education Code, relating to special schools and classes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1150?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 14, 1972, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "5750 9", insert "and 5750.10".

Amendment No. 3

On page 1, after line 5, insert

"SEC 2. Section 5750 10 of the Education Code is amended to read:

5750 10. The provisions of this article shall remain in effect until December 31, ~~1974~~ *1975*, and shall have no force or effect after that date"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos,

Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1153—An act to amend Section 13413 of the Education Code, as added by Chapter 361 of the Statutes of 1971, and to add Section 13413.5 to the Education Code, relating to certificated employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1153?

Senate Amendments of July 7, 1972

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "as added by Chapter 361 of the Statutes of 1971, and to add Section 13414.5 to the Education Code,".

Amendment No. 2

On page 1, line 1, after "Code", insert ", as added by Chapter 361 of the Statutes of 1971,".

Amendment No. 3

On page 2, strike out lines 2 and 3, and insert "be as prescribed in Section 13413.5."

Amendment No. 4

On page 3, after line 31, insert

"SEC. 2. Section 13413.5 is added to the Education Code, to read:

13413.5. The right of discovery of the parties for the hearings provided for in this chapter involving permanent or regular employees shall include the rights and duties of discovery of any party in a civil action brought in a superior court. In all other hearings provided for in this chapter, the right of discovery of the parties shall not be limited to those matters set forth in Section 11507.6 of the Government Code but the scope of discovery shall be limited to matter which is admissible as evidence. In all cases, all discovery must be completed prior to one week before the hearing is held."

Senate Amendments of July 24, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate July 7, 1972, strike out "13414.5", and insert "13413.5".

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:~~

~~AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keyser, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos,

~~Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.~~

~~NOES—None.~~

~~Above bill ordered enrolled.~~

NOTE On August 1, 1972, the action was rescinded whereby the Assembly concurred in the above amendments to Assembly Bill No 1153, and whereby the bill was ordered enrolled See page 6939.

Assembly Bill No. 1300—An act to amend Sections 28802 5 and 28840 of the Health and Safety Code, relating to retail food production and marketing establishments, and declaring the urgency thereof, to take effect immediately

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1300?

Senate Amendments of June 23, 1972

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in Assembly May 18, 1972, strike out "drive-in", and insert "retail".

Amendment No. 2

On page 3, line 5, strike out the second comma

Amendment No. 3

On page 3, line 18, strike out "drive-in", and insert "retail".

Amendment No. 4

On page 3, line 18, after "means", insert "the following:".

Amendment No. 5

On page 3, strike out lines 19 and 20, and insert

"(a) Establishments which produce, process, and sell milk to the consumer on the same premises

(b) Establishments which process and sell milk to the consumer on the same premises

(c) Establishments where the principal business is the sale of milk and dairy products to consumers"

Senate Amendments of July 5, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 23, 1972, strike out "Assemblyman Townsend", and insert "Assemblymen Townsend, Cory, Gonsalves, and MacDonald".

Amendment No. 2

In line 1 of the title, strike out "28802, 28802 5," and insert "28802 5".

Amendment No. 3

On page 2, strike out lines 1 to 29, inclusive.

Amendment No. 4

On page 2, line 30, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 5

On page 3, line 24, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 6

On page 4, line 4, strike out "SEC 4", and insert "SEC. 3".

Senate Amendments of July 26, 1972

Amendment No. 1

On page 3, line 29, of the printed bill, as amended in Senate July 5, 1972, after "Each", insert "such".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1184—An act to amend Sections 23014, 25210.9c, and 25210.77a of the Government Code, relating to counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1184?

Amendment No. 1

On page 5, line 23, of the printed bill, as amended in Assembly May 1, 1972, strike out "role", and insert "roll".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1394—An act to amend Section 690 2 of the Code of Civil Procedure, relating to execution of judgment

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1394?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Assembly June 8, 1972, strike out "determined by low blue book value", and insert "set forth in established used car price guides customarily used by California automobile dealers".

Amendment No. 2

On page 1, line 7, strike out "the", and on page 2, line 1, strike out "blue book", and insert "such guides".

Amendment No. 3

On page 2, line 5, strike out "to", strike out line 6; and in line 7, strike out "motor vehicle", and insert "to the seller or the mortgagee pursuant to subdivision (1) of Section 689e".

Amendment No. 4

On page 2, lines 8 and 9, strike out "third, to the satisfaction of the execution, and fourth," and insert "and third".

Amendment No. 5

On page 2, line 10, strike out "to the exemption claimant", and insert "in accord with subdivision (2) of Section 689e".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1522—An act to amend Sections 101, as amended by Section 1 of Chapter 1578 of the 1971 Statutes, 205, 19000, 19004, 19030, 19035, 19161, and 19174, and the heading of Chapter 3 (commencing with Section 19000) of Division 8, and to add and repeal Section 101, of the Business and Professions Code, and to amend Section 11501 of the Government Code, and Section 6 of Chapter 881 of the 1971 Statutes, relating to furniture and bedding

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1522?

Amendment No. 1

On page 6 of the printed bill, as amended in Assembly May 30, 1972, strike out lines 10 to 21, inclusive, and insert "June 7, 1973, all mattresses manufactured for sale in this state, including any mattress

manufactured for sale for use in a hotel, motel or other place of public accommodation in this state, shall be fire retardant One".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1663—An act to amend Sections 1410, 1501, and 1510 of, and to add Section 1521 to, the Code of Civil Procedure, and to amend Section 231 of the Probate Code, relating to escheat

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1663?

Amendment No. 1

On page 6, line 28, of the printed bill, as amended in Assembly June 21, 1972, after "forfeiture", insert "or expressly authorizes the trustee to declare a forfeiture".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1833—An act to amend Section 11475 of, and to repeal Sections 11478 and 11479 of, the Education Code, relating to average daily attendance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1833?

Senate Amendments of July 11, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 18, 1972, strike out "Sections 11475 and 11479", and in line 2,

strike out "of", and insert "Section 11475 of, and to repeal Sections 11478 and 11479 of,"

Amendment No. 2

On page 2, line 3, after "attendance", insert "for apportionment purposes".

Amendment No. 3

On page 2, line 12, after "hours", insert "of enrollment".

Amendment No. 4

On page 2, line 12, after "the", insert "census day of the"

Amendment No. 5

On page 2, line 15, strike out "Department of Finance in cooperation with the".

Amendment No. 6

On page 2, line 17, after "Colleges", insert ", subject to review by the Department of Finance".

Amendment No. 7

On page 2, line 24, after "week", insert "of regularly scheduled classes in the semester or quarter".

Amendment No. 8

On page 2, line 26, strike out "Department of Finance in cooperation with the".

Amendment No. 9

On page 2, line 28, after "Colleges", insert ", subject to review by the Department of Finance".

Amendment No. 10

On page 3, line 1, after "sessions", insert ", as distinct from summer quarters,".

Amendment No. 11

On page 3, line 3, after "attendance", insert "for apportionment purposes".

Amendment No. 12

On page 3, line 5, after "hours", insert "of enrollment".

Amendment No. 13

On page 3, strike out line 6; in line 7, strike out "class", and insert "census week of the summer session by the number of scheduled weeks for each class, multiply the product so derived by the statewide factors established by the Board of Governors of the California Community Colleges, subject to review by the Department of Finance,".

Amendment No. 14

On page 3, line 8, strike out "third", and insert "second".

Amendment No. 15

On page 3, line 8, after the period, insert "For classes of less than four weeks, the units of average daily attendance shall be computed by dividing the total actual class hours of attendance by 525".

Amendment No. 16

On page 3, strike out lines 9 to 17, inclusive, and insert

"SEC 2. Section 11478 of the Education Code is repealed.

~~11478. Each community college district shall report to the Superintendent of Public Instruction on forms prepared by the Department of Education, in addition to all other attendance data as required, and cumulative enrollment, the active enrollment and the contact hours of all students enrolled in 13th and 14th grade courses of summer school and show the relationship of attendance to contact hours for the second week of the summer session. The total number of whole and partial class hours of attendance and related contact hours of students enrolled in such 13th and 14 grade courses of less than the full summer session shall be reported separately for the week.~~

~~The Superintendent of Public Instruction shall adopt rules and regulations defining the terms "active enrollment," "contact hours," and "cumulative enrollment," for the purposes of this section.~~

~~For the purposes of this section and of Sections 11102, 11475, 11476, and 11477, the term "13th and 14th grade courses" has the same meaning as that presented in the "Criteria and Standards for Graded Community College Courses in Grades 13 and 14" in Section 131.5 of Title 5 of the California Administrative Code.~~

SEC 3. Section 11479 of the Education Code is repealed

~~11479. The units of average daily attendance of pupils, including adults as defined in Section 5756, enrolled in summer schools shall be computed by dividing the total class hours of attendance by 525.~~

~~The Department of Finance, in cooperation with the Board of Governors of the California Community Colleges, shall determine the census day or days and establish the factor or factors representing the relationship between class or contact hours and average daily attendance of students, including adults, enrolled in summer schools. The factor or factors shall be used in computing average daily attendance for apportionment of state funds commencing with summer school attendance for the next fiscal year after the establishment and approval of a factor or factors by the Department of Finance. The average daily attendance shall be computed by multiplying the applicable factor or factors by the sum of the class or contact hours per week, multiplying the product so derived by the number of weeks, and dividing the resulting product by 525.~~

~~Any factor or factors established for such purposes shall be reviewed from time to time by the Department of Finance in cooperation with the Board of Governors of the California Community Colleges.~~ "

Senate Amendments of July 21, 1972

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Senate July 11, 1972, after "week", insert "of each class".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1903—An act to amend Sections 53649, 53651, 53660, 53663, 53665, and 53668 of, and to repeal Sections 53651 and 53662 of, the Government Code, relating to local government.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1903?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 3, 1972, strike out "Section", and insert "Sections 53651 and".

Amendment No. 2

On page 1, line 6, after "depository", insert a comma.

Amendment No. 3

On page 2, line 1, after "depository", insert "to the extent the agent of depository has been notified of deposits and the amount thereof,".

Amendment No. 4

On page 4, between lines 28 and 29, insert

"This section shall become inoperative and is repealed on the operative date of Section 53651 of the Government Code as amended by Section 2.5 of the chapter amending this section at the 1972 Regular Session

SEC. 2.5 Section 53651 of the Government Code, as amended by Chapter 434 of the Statutes of 1971, is amended to read:

53651 Eligible securities are any of the following:

(a) United States Treasury notes, bonds, bills or certificates of indebtedness, or obligations for which the faith and credit of the United States are pledged for the payment of principal and interest

(b) Notes or bonds or any obligations of a local public agency (as defined in the United States Housing Act of 1949) or any obligations of a public housing agency (as defined in the United States Housing Act of 1937) for which the faith and credit of the United States are pledged for the payment of principal and interest

(c) Bonds of this state or of any local agency or district of the State of California having the power, without limit as to rate or amount, to levy taxes to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such local agency or district, and in addition, sales tax revenue bonds, and revenue bonds *and other obligations* payable solely out of the revenues from a revenue-producing property owned, controlled or operated by

such state, local agency or district or by a department, board, agency or authority thereof.

(d) Bonds of any public housing agency (as defined in the United States Housing Act of 1937, as amended) as are secured by a pledge of annual contributions under an annual contribution contract between such public housing agency and the Public Housing Administration if such contract shall contain the covenant by the Public Housing Administration which is authorized by subsection (b) of Section 22 of the United States Housing Act of 1937, as amended, and if the maximum sum and the maximum period specified in such contract pursuant to said subsection 22(b) shall not be less than the annual amount and the period for payment which are requisite to provide for the payment when due of all installments of principal and interest on such obligations.

(e) Registered warrants of this state.

(f) Bonds, consolidated bonds, collateral trust debentures, consolidated debentures, or other obligations issued by federal land banks or federal intermediate credit banks established under the Federal Farm Loan Act, as amended, debentures and consolidated debentures issued by the Central Bank for Cooperatives and banks for cooperatives established under the Farm Credit Act of 1933, as amended, bonds, or debentures of the Federal Home Loan Bank Board established under the Federal Home Loan Bank Act, bonds, debentures and other obligations of the Federal National Mortgage Association or of the Government National Mortgage Association established under the National Housing Act, as amended, ~~and~~ bonds of any federal home loan bank established under said act, *and obligations of the Tennessee Valley Authority*.

(g) Notes, tax anticipation warrants or other evidence of indebtedness issued pursuant to Article 7 (commencing with Section 53820), Article 7 5 (commencing with Section 53840) or Article 7 6 (commencing with Section 53850) of this Chapter 4.

(h) State of California notes.

(i) Obligations issued or guaranteed by the International Bank for Reconstruction and Development, Inter-American Development Bank, and the Government Development Bank of Puerto Rico.

(j) Participation certificates of the Export-Import Bank of the United States."

Amendment No. 5

On page 6, after line 15, insert

"SEC. 7. Section 53651 as set forth in Section 2 5 of this act shall become operative on January 1, 1976"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph,

Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1933—An act to amend Section 3507.3 of the Government Code, and to amend Section 3505 1 as proposed to be added to the Government Code by Senate Bill No 1440 of the 1972 Regular Session, relating to public employee organizations

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1933?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 31, 1972, after "Code," insert "and to amend Section 3505 1 as proposed to be added to the Government Code by Senate Bill No. 1440 of the 1972 Regular Session,"

Amendment No. 2

On page 1, line 6, strike out "or by separate"; strike out lines 7 and 8, and on page 2, strike out lines 1 to 4, inclusive, and insert ". In the event of a dispute on the appropriateness of a unit of representation for professional employees, upon request of any of the parties, the dispute shall be submitted to the Division of Conciliation of the Department of Industrial Relations for mediation or for recommendation for resolving the dispute."

Amendment No. 3

On page 2, after line 12, insert

"SEC 2 Section 3505 1 as proposed to be added to the Government Code by Senate Bill No. 1440 of the 1972 Regular Session is amended to read:

3505 1. Professional employees shall not be denied the right to be represented separately from nonprofessional employees by a professional employee organization consisting of such professional employees. *In the event of a dispute on the appropriateness of a unit of representation for professional employees, upon request of any of the parties, the dispute shall be submitted to the board for mediation or for recommendation for resolving the dispute*

SEC 3. Section 2 of this act shall be operative only if Senate Bill No 1440 of the 1972 Regular Session is enacted into law, in which case Section 1 of this act shall not be operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph,

Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2214—An act to amend Section 1241 of, and to add Section 1242.5 to, the Business and Professions Code, relating to clinical laboratory technology.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2214?

Senate Amendments of July 18, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 8, 1972, between lines 18 and 19, insert

"SEC. 1.5. Section 1241 of the Business and Professions Code is amended to read:

1241. This chapter applies to all clinical laboratories in California except those owned and operated by:

(a) The United States of America, or any department, agency, or official thereof acting in his official capacity

(b) An individual licensed physician and surgeon for laboratory work performed on his own patients. If direct or indirect referred work is received from any source, all provisions of this chapter shall apply.

(c) An academic institution accredited by an accrediting agency approved by the department when clinical laboratory procedures are performed for teaching or research purposes only, if the results of any examinations performed in such laboratories are not used in the diagnosis or treatment of disease

(d) The Department of Corrections ~~The provisions of this subdivision shall be operative until January 1, 1973, and shall have no force or effect after that date.~~

(e) The California Youth Authority.

(f) A nonprofit corporation or association, which contracts with or employs individual licensed physicians and surgeons to render medical care and the operations of which are funded at least 80 percent by the United States government, for laboratory work performed on the patients of such physicians and surgeons and under the supervision of such physicians and surgeons. If direct or indirect referred work is received from any source, all provisions of this chapter shall apply "

Amendment No. 2

On page 3, after line 10, insert

"SEC. 3. It is the intent of the Legislature, if this bill and Senate Bill No. 621 are both chaptered and amend Section 1241 of the Business and Professions Code, and this bill is chaptered after Senate Bill No. 621, that the amendments to Section 1241 proposed by both bills be given effect and incorporated in Section 1241 in the form set forth in Section 1.5 of this act. Therefore, Section 1.5 of this act shall become operative only if this bill and Senate Bill No. 621 are both chap-

tered, both amend Section 1241, and Senate Bill No 621 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Senate Amendments of July 26, 1972

Amendment No. 1

On page 3, line 6, of the printed bill, as amended in Senate July 18, 1972, after "are", insert "directly".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2329—An act to add Chapter 3 6 (commencing with Section 751.50) to Title 10 of Part 2 of the Code of Civil Procedure, relating to earth movements disasters

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2329 ?

Amendment No. 1

On page 3, line 1, of the printed bill, as amended in Assembly May 24, 1972, strike out "Earth Movements Disasters Act", and insert "Cullen Earthquake Act"

Amendment No. 2

On page 7, lines 19 and 20, strike out "Earth Movements Disaster Act", and insert "Cullen Earthquake Act".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2364—An act to add Section 39153 5 to, and to repeal Sections 39083 and 39090 of, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2364?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 16, 1972, after "pollution", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 11, insert

"SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are.

This act will apply to 1973 year model motor vehicles, for which production soon will begin. Therefore, it is necessary that this act take effect at the earliest possible time"

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier. Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 2364?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article III, Section 44 to Article XIII, and Section 5 to Article XX thereof, and by repealing Section 3 of Article I, Articles III, X, and Sections 1, 6, and 16 of Article XX, and Article XXI thereof, relating to constitutional revision.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 42?

Amendment No. 1

In line 4 of the title of the printed measure, as amended in Assembly June 1, 1972, after "III", insert ", Section 44 to Article XIII,".

Amendment No. 2

On page 3, between lines 13 and 14, insert

"Fifth—That Section 44 is added to Article XIII, to read:

SEC 44 The Legislature, in connection with any change, alteration or redefinition of state boundaries may provide for and deal with all matters involving the taxation or the exemption from taxation of any real or personal property involved in, or affected by, such change, alteration or redefinition of state boundaries."

Amendment No. 3

On page 3, line 14, strike out "Fifth", and insert "Sixth".

Amendment No. 4

On page 3, line 15, strike out "Sixth", and insert "Seventh".

Amendment No. 5

On page 3, line 20, strike out "Seventh", and insert "Eighth".

Amendment No. 6

On page 3, line 23, strike out "Eighth", and insert "Ninth".

Amendment No. 7

On page 3, line 25, strike out "Ninth", and insert "Tenth".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Stull—1.

Above resolution ordered enrolled.

Assembly Concurrent Resolution No. 64—Relative to increased retirement benefits for members of the Public Employees' Retirement System.

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No 64?

Amendment No. 1

On page 2, line 33, of the printed measure, after the first "the", insert "Chief".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above resolution ordered enrolled.

Assembly Concurrent Resolution No. 75—Relative to awarding Fred Clawson.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 75?

Amendment No. 1

On page 1, line 12, of the printed measure, strike out "eight-six"; strike out line 13; and in line 14, strike out "10", and insert "thirty-two thousand five hundred ninety dollars ($32,590) which is 3.75".

Amendment No. 2

On page 2, strike out line 4, and insert "thirty-two thousand four hundred forty dollars ($32,440)".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Stull moved a call of the Assembly.

Motion carried. Time, 10·34 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1859—An act to amend Sections 1, 2 and 5 of Chapter 1524 of the Statutes of 1970, relating to mentally disordered minors, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1859?

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in Assembly May 15, 1972, after "SEC 4 ", insert "Of the funds reappropriated by Section 11 10 of the Budget Act of 1972, one hundred thirty-five thousand dollars ($135,000) shall be made available to the Superintendent of Public Instruction to carry out the provisions of Chapter 1524 of the Statutes of 1970

SEC 5."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Colher, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1952—An act to amend, add and repeal Sections 2178 and 2193 7 of, amend the heading of Article 4 6 (commencing with Section 2185) of Chapter 5 of Division 2 of, and to amend Sections 2185, 2185 5, 2186, 2186 5, 2187, 2187 5, 2188, 2519 and 2519 5 of, to add Section 2520 to, to add and repeal Sections 2147, 2177 5 and 2193 75 of, to repeal Article 4 6 (commencing with Section 2185) of Chapter 5 of Division 2 of, and Section 2520 of, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1952?

Senate Amendments of May 30, 1972
Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 24, 1972, strike out "Sections", and insert "the heading of Article 4 6 (commencing with Section 2185) of Chapter 5 of Division 2 of, and to amend Sections 2178, 2185, 2185 5, 2186, 2186 5, 2187, 2187.5, 2188, 2193.7,".

Amendment No. 2

In line 2 of the title, strike out "Section", and insert "Sections 2193 75 and".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 2178 of the Business and Professions Code is amended to read.

2178 No person shall be awarded a loan under this chapter unless he complies with all of the following conditions:

(a) He is a resident of California

(b) He is enrolled in at least the third year of an approved doctor of medicine program in California, or is enrolled in a ~~program~~ *special internship* approved pursuant to Article 4 6 (commencing with Section 2185) of this chapter ~~for graduate clinical training in general practice medicine~~.

(c) He has complied with all the rules and regulations adopted pursuant to this article.

(d) He has agreed with the board to continue his education and training with the intention of practicing medicine in an area deficient in physician services

SEC 1.2 The heading of Article 4 6 (commencing with Section 2185) of Chapter 5 of Division 2 of the Business and Professions Code is amended to read:

Article 4.6 Programs of Supervised Clinical ~~Training~~ *Special Internship* in General Practice Medicine

SEC 1 3. Section 2185 of the Business and Professions Code is amended to read·

2185 As used in this article, ~~"graduate program"~~ *"special internship"* means a one-year ~~graduate~~ program *of supervised clinical special internship*, ~~approved by the Board of Medical Examiners of the State of California, in supervised clinical training~~ in the field of general practice medicine, affiliated with, and under the supervision of, medical schools approved by the board, for applicants for a physician's and surgeon's certificate pursuant to Section 2193 7

SEC. 1 4. Section 2185.5 of the Business and Professions Code is amended to read:

2185 5. The board shall approve one-year ~~graduate~~ programs of supervised clinical ~~training~~ *special internship* in the field of general practice medicine, affiliated with, and under the supervision of medical schools approved by the board, for applicants for a physician's and surgeon's certificate pursuant to Section 2193 7

SEC. 1.5. Section 2186 of the Business and Professions Code is amended to read:

2186 A medical school conducting such a ~~graduate program~~ *special internship* shall review the academic record of applicants for such a program, and may establish such requirements as it deems necessary to determine that applicants are properly qualified for such program.

SEC 1.6. Section 2186.5 of the Business and Professions Code is amended to read·

2186 5 If a medical school conducting such a ~~graduate program~~ *special internship* determines that a person has satisfactorily com-

pleted the ~~graduate program~~ *special internship*, he shall be eligible for admission to any other kind of graduate training program authorized under this chapter without completion of service obligations required by the Republic of Mexico and without further examination.

If a medical school conducting a special internship determines that a person has not satisfactorily completed the special internship, such medical school shall exercise one of the following alternatives:

(a) Require such person to repeat the special internship

(b) Prescribe additional studies which, if completed satisfactorily, will enable such person to satisfactorily complete the special internship.

(c) Report to the board that such person has not satisfactorily completed the special internship and should not be continued in the special internship.

SEC 1 7. Section 2187 of the Business and Professions Code is amended to read:

2187 The University of California may establish such a ~~graduate program~~ *special internship*. In accepting persons into such program, preference shall be given to persons who are legal residents of the State of California

SEC. 1 8. Section 2187 5 of the Business and Professions Code is amended to read:

2187.5 Schools of medicine which conduct such a ~~graduate program~~ *special internship* shall provide an annual written report to the Legislature no later than December 1 of each year, which shall include at least the following topics:

(1) Numbers of participating candidates.

(2) Screening methods used to determine entrance qualifications of applicants participating in the program, with results.

(3) An evaluation of the professional capabilities of persons licensed as physicians and surgeons under Section 2193 7.

(4) Practice location and professional activities of program graduates

(5) Program costs

(6) Future recommendations relative to this program.

SEC. 1.9 Section 2188 of the Business and Professions Code is amended to read

2188 The State Scholarship and Loan Commission may, from funds appropriated by the Legislature for such purpose, allocate the sum of no more than ten thousand dollars ($10,000) per student to any medical school conducting a ~~graduate program~~ *special internship* for the purpose of supporting such program, provided that no such allocation shall be made in support of any such program which has an enrollment of less than ~~10~~ *six* students

SEC 1 10. Section 2193 7 of the Business and Professions Code is amended to read:

2193 7 Notwithstanding any other provision of law, a person who at the time of his enrollment in a medical school in the Republic of Mexico is a citizen of the United States, and who possesses a diploma issued to him after successful completion of a four-year program in such medical school located in the Republic of Mexico, which school is approved by the Republic of Mexico, shall be issued a physician's and surgeon's certificate if he meets all of the following requirements:

(a) He has successfully completed ~~one year~~ *a one-year program* of supervised clinical ~~training~~ *special internship* in the field of general practice medicine in a program approved by the board pursuant to Article 4 6 (commencing with Section 2185) of this chapter This program of supervised clinical ~~training~~ *special internship* must be affiliated with an approved medical school and be under the direction of such medical school.

(b) He has successfully completed the same written examination prescribed by the board for graduates of California medical schools before or during his year of supervised clinical ~~training~~ *special internship*.

(c) He has successfully completed the premedical education requirements set forth in Section 2191 in a school of higher education satisfactory to the board located in the United States.

SEC. 1.11. Section 2193.75 is added to the Business and Professions Code, to read:

2193 75. If a person fails in his attempt to meet the requirement of subdivision (b) of Section 2193 7 of this chapter, the board shall prescribe whatever additional training is necessary, if any, before allowing such person to attempt to meet that requirement again.

SEC. 1.12. Section 2519 of the Business and".

Amendment No. 4

On page 4, line 5, after "order to", insert "make necessary changes in a program which has already taken effect and to".

Senate Amendments of June 15, 1972

Set No. 1

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in Senate May 30, 1972, after "internship", insert "approved by the Board of Medical Examiners of the State of California".

Set No. 2

Amendment No. 1

On page 6 of the printed bill, as amended in Senate May 30, 1972, strike out lines 29 to 34, inclusive, and insert

"2520. The committee shall report to the Board of Medical Examiners, the Board of Nursing Education and Nurse Registration, the Board of Vocational Nurse and Psychiatric Technician Examiners, and the Legislature, no later than January 1, 1973,".

Senate Amendments of July 7, 1972

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in Senate June 15, 1972, strike out "six", and insert "three".

Senate Amendments of July 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 7, 1972, after "to", insert "amend, add and repeal Sections 2178 and 2193.7 of,".

Amendment No. 2

In line 3 of the title, strike out "2178,".

Amendment No. 3

In line 4 of the title, strike out "2193.7,".

Amendment No. 3.5

In line 4 of the title, strike out "Sections 2193 75 and", and insert "Section".

Amendment No. 4

In line 5 of the title, strike out "and to repeal", and insert "to add and repeal Sections 2147, 2177 5 and 2193 75 of, to repeal Article 4 6 (commencing with Section 2185) of Chapter 5 of DIVISION 2 of, and".

Amendment No. 5

On page 2, strike out line 1, and insert

"SECTION 1. Section 2147 of the Business and Professions Code is repealed.

~~2147. Nothing in this chapter shall be construed to prevent a student regularly matriculated in any legally chartered school approved by the board or a person enrolled in a program of supervised clinical training pursuant to Article 4 6 (commencing with Section 2185) of this chapter from treating the sick or afflicted whenever and wherever prescribed as a part of his course of study.~~

SEC 1 5 Section 2147 is added to the Business and Professions Code, to read:

2147. Nothing in this chapter shall be construed to prevent a student regularly matriculated in any legally chartered school approved by the board from treating the sick or afflicted whenever and wherever prescribed as a part of his course of study

SEC. 2. Section 2177.5 of the Business and Professions Code is repealed

~~2177 5. There shall be at least 35 loans available each year. Only students enrolled in the doctor of medicine program of a medical school approved by the board and located in California, or students enrolled in a program approved by the board pursuant to Article 4 6 (commencing with Section 2185) of this chapter for graduate clinical training in general practice medicine, are eligible for participation in the loan program.~~

SEC 2 5. Section 2177 5 is added to the Business and Professions Code, to read·

2177 5 There shall be at least 35 loans available each year Only students enrolled in the doctor of medicine program of a medical school approved by the board and located in California, are eligible for participation in the loan program

SEC 3. Section 2178 of the Business and".

Amendment No. 6

On page 2, between lines 16 and 17, insert

"This section shall remain in effect until December 31, 1974, and as of that date is repealed.

SEC 3 5. Section 2178 is added to the Business and Professions Code, to read:

2178. No person shall be awarded a loan under this chapter unless he complies with all of the following conditions:

(a) He is a resident of California.

(b) He is enrolled in at least the third year of an approved doctor of medicine program in California

(c) He has complied with all the rules and regulations adopted pursuant to this article.

(d) He has agreed with the board to continue his education and training with the intention of practicing medicine in an area deficient in physician services

SEC. 4. Article 4.6 (commencing with Section 2185) of Chapter 5 of Division 2 of the Business and Professions Code is repealed."

Amendment No. 7

On page 2, line 17, strike out "SEC. 1.2", and insert "SEC. 5".

Amendment No. 8

On page 3, line 4, strike out "SEC 1 3", and insert "SEC. 6".

Amendment No. 9

On page 3, line 14, strike out "SEC 1 4", and insert "SEC. 7".

Amendment No. 10

On page 3, line 22, strike out "SEC. 1.5", and insert "SEC 8".

Amendment No. 11

On page 3, line 29, strike out "SEC. 1.6", and insert "SEC. 9".

Amendment No. 12

On page 4, line 10, strike out "SEC 1 7", and insert "SEC. 10".

Amendment No. 13

On page 4, line 16, strike out "SEC 1.8", and insert "SEC 11".

Amendment No. 14

On page 4, line 33, strike out "SEC 1.9", and insert "SEC. 12".

Amendment No. 15

On page 5, line 1, after "allocation", insert "from moneys which may be appropriated therefor by the Legislature".

Amendment No. 16

On page 5, line 2, after "students", insert "for the 1972–1973 fiscal year, and which has an enrollment of less than 10 students for subsequent fiscal years".

Amendment No. 17

On page 5, line 3, strike out "SEC. 1 10", and insert "SEC. 13".

Amendment No. 18

On page 5, between lines 29 and 30, insert

"This section shall remain in effect until December 31, 1974, and as of that date is repealed

SEC. 13 5. Section 2193 7 is added to the Business and Professions Code, to read:

2193 7 Notwithstanding any other provision of law, a person who at the time of his enrollment in a medical school in the Republic of Mexico is a citizen of the United States, and who possesses a diploma issued to him after successful completion of a four-year program in such medical school located in the Republic of Mexico, which school is approved by the Republic of Mexico, shall take the same written examination prescribed by the Board of Medical Examiners for graduates of California medical schools

Upon successful completion of such examination, such person shall be eligible to serve his postgraduate studies, which shall be in the field of family practice, in a hospital approved by the board for the period required in Section 2193 5, and upon successful completion of such postgraduate studies in the field of family practice and successful completion of the clinical and oral examinations given by the board, he shall be issued a certificate as a physician and surgeon.

No hospital in this state licensed pursuant to Chapter 2 (commencing with Section 1400) of Division 2 of the Health and Safety Code, or operated by the state government, a county, or by the Regents of the University of California, shall require a person qualified for postgraduate training pursuant to this section to take an examination other than the written examination administered by the board as a condition of obtaining postgraduate training in such hospital. This section shall not be construed to prohibit a hospital from administering a test to applicants for postgraduate training for the purpose of selecting persons from a number of applicants for a lesser number of postgraduate positions."

Amendment No. 19

On page 5, line 30, strike out "SEC. 1 11", and insert "SEC. 14".

Amendment No. 20

On page 5, between lines 36 and 37, insert

"This section shall remain in effect until December 31, 1974, and as of that date is repealed."

Amendment No. 21

On page 5, line 37, strike out "SEC. 1 12", and insert "SEC 15".

Amendment No. 22

On page 6, line 11, strike out "SEC 2", and insert "SEC 16".

Amendment No. 23

On page 6, line 24, strike out "SEC 3", and insert "SEC 17".

Amendment No. 24

On page 6, line 26, strike out "SEC. 4", and insert "SEC. 18".

Amendment No. 25

On page 7, between lines 14 and 15, insert

"SEC. 19. Section 1, 1.5, 2, 2.5, 3.5, 4, and 13.5 of this act shall become operative December 31, 1974."

Amendment No. 26

On page 7, line 15, strike out "SEC. 5", and insert "SEC. 20".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 213—An act to amend Section 6505 of the Labor Code, relating to industrial safety.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 213?

Senate Amendments of May 30, 1972

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Assembly March 20, 1972, after "employee", insert ", or in any other manner discriminate against an employee in the term and conditions of such employment".

Amendment No. 2

On page 3, after line 1, insert

"The name of any person who submits to the division a complaint regarding the unsafeness of an employment or place of employment shall be kept confidential by the division upon the request of that person"

Senate Amendments of July 13, 1972

Amendment No. 1

On page 2 of the printed bill, as amended May 30, 1972, strike out lines 25 to 28, inclusive, and insert

"Any employee who is discharged, threatened with discharge, demoted, suspended or in any other manner discriminated against in the terms and conditions of such employment by his employer because".

Amendment No. 2

On page 3, lines 3 and 4, strike out " Further, such employee"

Amendment No. 3

On page 3, line 6, after the period, insert "Any employer who willfully refuses to rehire, promote, or otherwise restore an employee or former employee who has been determined to be eligible for such rehiring or promotion by a grievance procedure, arbitration, or hearing authorized by law, is guilty of a misdemeanor "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 231—An act to amend Section 5321 of the Streets and Highways Code, relating to the Improvement Act of 1911.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 231?

Amendment No. 1

On page 2, line 8, of the printed bill, after the period, insert "The local agency shall notify the Department of Public Works of any proceedings or hearings to be held relative to the establishment of a map of the assessment district pursuant to Section 3111."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap. Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 276—An act to amend Sections 5832 5, 5834, 5835 5, and 5855 of and to add Section 5832 7 to, the Streets and Highways Code, relating to maintenance districts

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 276?

Senate Amendments of June 14, 1972

Amendment No. 1

In line 1 of the title of the printed bill, after "5832 5," insert "5834,".

Amendment No. 2

On page 2, line 19, after "SEC 3", insert "Section 5834 of the Streets and Highways Code is amended to read·

5834 All contracts shall be let to the lowest responsible bidder The board shall advertise for two or more days in a newspaper of general circulation published in the county, inviting bids for furnishing labor, material or supplies before any contract is made therefor The board may require such bonds as it may deem adequate from the successful bidder to secure the faithful performance of the contract and the payment of all claims for labor and materials, and may reject any and all bids *Emergency work found by the board to be necessary to protect life or property may be done by negotiated contract without advertising for bids therefor.*

SEC. 4"

Amendment No. 3

On page 3, line 11, strike out "SEC 4", and insert "SEC. 5".

Senate Amendments of July 5, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate June 14, 1972, strike out lines 28 and 29, and insert

"In case of emergency the board may also borrow funds from another maintenance district and the board may lend available district funds to another maintenance district"

Senate Amendments of July 7, 1972

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Senate July 5, 1972, strike out "Emergency work found by", and insert "In an emergency, work found by a four-fifths vote of".

Amendment No. 2

On page 3, line 3, after "property", insert "from impending flood damage".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 580—An act to add Sections 39079, 39079 5, and 39276 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 580?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly April 19, 1972, after the second "may", insert "adopt rules and regulations to".

Amendment No. 2

On page 2, lines 8 and 9, strike out "the control of, and for".

Amendment No. 3

On page 2, line 9, strike out the second comma.

Amendment No. 4

On page 3, line 23, strike out "necessary are:"; and strike out lines 24 to 28, inclusive, and insert "necessity are·

In order that the State Air Resources Board and the air pollution control districts may exercise the additional authority that would be conferred on them by this act at the earliest possible time for the control of air pollution within the".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1172—An act to amend Sections 1510 and 1513 of the Probate Code, relating to guardians and wards.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1172?

Amendment No. 1

On page 4, lines 10 and 11, of the printed bill, as amended in Assembly April 20, 1972, strike out "union," as used in this section," and insert "union" ".

Amendment No. 2

On page 4, lines 13 and 14, strike out "or by a fund approved by the state".

Amendment No. 3

On page 4, line 31, after the comma, insert "or the California Credit Union Law".

Amendment No. 4

On page 4, line 32, strike out "term", and insert "terms".

Amendment No. 5

On page 4, strike out lines 34 to 36, inclusive, and insert "loan associations" and "shares of an insured credit union," as used in this section, have the same meaning as the corresponding terms in Section 1510 "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1267—An act to amend Section 338 of the Code of Civil Procedure, relating to advertising.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1267?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 8, 1972, strike out line 24; and in line 25, strike out "the Business and Professions Code".

Amendment No. 2

On page 2, lines 27 and 28, strike out "the Attorney General, or the district attorney".

Amendment No. 3

On page 3, after line 8, insert

"8. An action commenced under Section 17536 of the Business and Professions Code The cause of action in such case shall not be deemed to have accrued until the discovery by the aggrieved party, the Attorney General, or the district attorney of the facts constituting grounds for commencing such an action

SEC. 2. Section 338 of the Code of Civil Procedure is amended to read·

338 Within three years:

1. An action upon a liability created by statute, other than a penalty or forfeiture

2. An action for trespass upon or injury to real property.

3. An action for taking, detaining, or injuring any goods, or chattels, including actions for the specific recovery of personal property

4 An action for relief on the ground of fraud or mistake The cause of action in such case not to be deemed to have accrued until the discovery, by the aggrieved party, of the facts constituting the fraud or mistake.

5. An action upon a bond of a public official except any cause of action based on fraud or embezzlement is not to be deemed to have accrued until the discovery, by the aggrieved party or his agent, of the facts constituting said cause of action upon the bond.

6. An action against a notary public on his bond or in his official capacity except that any cause of action based on malfeasance or misfeasance is not deemed to have accrued until discovery, by the aggrieved party or his agent, of the facts constituting said cause of action; provided, that any action based on malfeasance or misfeasance shall be commenced within one year from discovery, by the aggrieved party or his agent, of the facts constituting said cause of action or within three years from the performance of the notarial act giving rise to said action, whichever is later; and provided further, that any action against a notary public on his bond or in his official capacity must be commenced within six years.

7. An action for slander of title to real property.

8 An action commenced under Section 17536 of the Business and Professions Code The cause of action in such case shall not be deemed to have accrued until the discovery by the aggrieved party, the Attorney General, the district attorney, the county counsel, the city prosecutor, or the city attorney of the facts constituting grounds for commencing such an action.

SEC 3. It is the intent of the Legislature, if this bill and Senate Bill No 912 are both chaptered and Senate Bill No 912 amends Sections 17535 and 17536 of the Business and Professions Code, that the amendments to Section 338 of the Code of Civil Procedure proposed by this bill be given effect in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 912 are both chaptered, and Senate Bill No 912 amends Sections 17535 and 17536 of the Business and Professions Code, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1467—An act to amend Section 13590 2 of, and to add Sections 13590 5 and 13590 6 to, the Education Code, relating to school classified employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1467?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 8, 1972, strike out lines 5 and 6, and insert "which ordered overtime is compensated. The board shall provide for".

Amendment No. 2

On page 2, line 10, strike out "Notwithstanding the foregoing provisions the"; and strike out lines 11 to 14, inclusive.

Amendment No. 3

On page 3, strike out lines 5 to 9, inclusive.

Amendment No. 4

On page 4, strike out lines 11 to 15, inclusive, and insert "workweek for all, or certain classes of its employees, or for employees within a class when, by reason of the work location and duties actually performed by such employees, their services are not required for a workweek of five consecutive days, provided the establishment of such a workweek has the concurrence of the concerned employee, class of employees, or classes of employees as ascertained through the employee organization representing a majority of the concerned employees or class, or classes, of employees,".

Amendment No. 5

On page 4, strike out lines 20 to 24, inclusive, and insert

"Where a board has previously established the workweek of not less than 35 hours, it may require the established workweek to be performed in four consecutive days by any class or classes of employees or by employees within a class, when by reason of the work location and duties actually performed by such employees their services are not required for a workweek of five consecutive days, with the concurrence of employee personnel as provided herein."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Colher, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1506—An act to repeal Section 3057 of the Business and Professions Code, relating to optometry.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1506?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, strike out lines 2 and 3, and in line 4, strike out "3057.", and insert "Professions Code is repealed

~~3057. Notwithstanding any other provision of this chapter, the board shall permit a person who meets all of the following requirements to take the examination for a certificate of registration as an optometrist:~~

~~(a) Is over the age of 18 years.~~

~~(b) Is of good moral character.~~

~~(c) Is a citizen of the United States.~~

~~(d) Has a degree as a doctor of optometry issued by a school located in another state that was not accredited by the board at the time of the issuance of the degree and that was subsequently merged into a school that is so accredited at the time of application.~~

~~(e) Has been licensed to practice optometry in the state in which the school from which he graduated is located.~~

~~(f) Pays the fee specified in subdivision (b) of Section 3152.~~

~~(g) Has been a resident of California for five years at the time of the application.~~

~~The provisions of this section shall be operative until December 31, 1972, and thereafter shall have no force or effect.~~

SEC 2."

Amendment No. 3

On page 1, lines 4 and 5, strike out "this chapter, the board", and insert "law, the State Board of Optometry".

Amendment No. 4

On page 2, line 8, after "3152", insert "of the Business and Professions Code".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1858—An act to add Section 13143 7 to the Health and Safety Code, relating to fire protection

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1858?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly June 15, 1972, after the third "or", insert "local".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1870—An act to amend Sections 5714 and 14021 of the Welfare and Institutions Code, relating to mental health.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1870?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5714", and insert "Sections 5714 and 14021".

Amendment No. 2

On page 2, after line 18, insert

"SEC 2. Section 14021 of the Welfare and Institutions Code is amended to read:

14021 Notwithstanding any other provision of this chapter health care shall include the following mental health services:

(a) Mental health services provided by a county;

(b) Mental health services provided in a Short-Doyle community mental health service or in a community mental health center organized under the Federal Community Mental Health Centers Act of 1963 No amount shall be paid for that portion of the total costs of care and services in a federally funded community mental health center which may be compensated by the United States government under the Community Mental Health Centers Act of 1963 No amount shall be paid to a Short-Doyle community mental health service or a federally funded community mental health center unless the Short-Doyle community mental health service or the federally funded community mental health center participates in a county mental health plan;

(c) Inpatient hospital services in an institution for mental diseases to persons of all ages, provided that the institution for mental diseases is certified as a psychiatric hospital under Title XVIII of the Federal Social Security Act and regulations issued thereunder

Notwithstanding Section 14157, no money in the State Health Care Deposit Fund shall be expended for the purposes of this section unless the Legislature specifically appropriates money ~~therefrom~~ for the purposes of this section.

The amendment of this subdivision enacted at the 1972 Regular Session of the Legislature does not constitute a change in, but is declaratory of, the preexisting law."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1887—An act to add Section 19060 to the Government Code, relating to the state civil service.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1887?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "regardless of", and insert "on the basis of the total responsibilities and productivity requirements of the job, without placing primary emphasis on".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2040—An act to amend Section 33114.5 of the Health and Safety Code, relating to community redevelopment.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2040?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 19, 1972, strike out lines 8 to 11, inclusive, and insert "33114 shall not exceed twenty-five dollars ($25) per member for each meeting of the agency attended by the member No member shall receive compensation for

attending more than four meetings of the agency during any calendar month".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burton, Chacon, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Sieroty, Stacey, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—46.

NOES—Burke, Cline, Collier, Hayes, Lancaster, Priolo, Russell, and Stull—8.

Above bill ordered enrolled.

Assembly Bill No. 2045—An act to add Section 2949 to the Civil Code, relating to real property.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2045?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2549", and insert "2949".

Amendment No. 2

On page 1, line 1, strike out "2549", and insert "2949".

Amendment No. 3

On page 1, line 3, strike out "2549.", and insert "2949. (a)".

Amendment No. 4

On page 2, line 3, strike out "real real", and insert "real".

Amendment No. 5

On page 2, between lines 5 and 6, insert

"(b) As used in this section, "single-family, owner-occupied dwelling" means a dwelling which will be owned and occupied by a signatory to the mortgage or deed of trust secured by such dwelling within 90 days of the execution of such mortgage or deed of trust."

Amendment No. 6

On page 2, after line 9, insert

"SEC 3. This act shall not be deemed to limit or restrict the scope of *LaSala* v. *American Savings & Loan Assoc.* (1971), 5 Cal 3d 864"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley,

Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2046—An act to amend Sections 2711, 2801, 2801.1, 2803, and 2804 of, and to add Section 2805 to, the Unemployment Insurance Code, relating to unemployment disability insurance

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2046?

Senate Amendments of June 26, 1972

Amendment No. 1

On page 2, line 25, of the printed bill, after the period, insert "'Nursing home" shall also mean any nursing home conducted by and for the adherents of any well-recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who depend upon prayer or spiritual means for healing in the practice of the religion of such church or denomination."

Senate Amendments of July 21, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 26, 1972, strike out lines 26 and 27, and insert "mean an extended care facility, as defined in subsection (j) of Section 1395x of Title 42 of the United States Code. "Nursing home" shall also".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1202—An act to add Chapter 6 (commencing with Section 8250) to Division 8 and Chapter 5.5 (commencing with Section 18325) to Part 6 of, Division 9 of the Welfare and Institutions Code, relating to special services, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1202?

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 28, 1972, after "add", insert "Chapter 6 (commencing with Section 8250) to Division 8 and".

Amendment No. 2

In line 2 of the title, after the first "of", insert a comma.

Amendment No. 3

In line 3 of the title, strike out "senior citizens", and insert "special services".

Amendment No. 4

In line 4 of the title, after "therefor", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 2, strike out line 1, and insert

"SECTION 1 Chapter 6 (commencing with Section 8250) is added to Division 8 of the Welfare and Institutions Code, to read:

CHAPTER 6. OFFICE OF SPECIAL SERVICES, HUMAN RELATIONS AGENCY

8250 There is hereby created in the Human Relations Agency an Office of Special Services under the control of an executive officer appointed by and holding office at the pleasure of the Governor. The duties and functions of this office shall be to:

(a) Coordinate, oversee, direct and harmonize the work of the several offices, councils, commissions and boards in the Human Relations Agency.

(b) Assist such offices, councils, commissions and boards in meeting the goals and priorities each such unit has established

(c) Assure that there is no duplication of work, effort or programs among or between the several offices, councils, commissions and boards.

(d) Render such services as may be needed by any such office, council, commission or board.

(e) Perform such special studies or services as may be requested by the Secretary of the Human Relations Agency, or by any department within the Human Relations Agency with the express approval of the Secretary

8251. The Office of Special Services may enter into agreements and contracts with any person, agency, corporation or other legal entity and take such other action as is necessary to carry out the purposes of this chapter The office may require state departments to contract with it for services to carry out the provisions of this chapter

8252 The Office of Special Services may accept and expend grants, gifts and legacies of money, and with the consent of the Department of Finance, may accept, manage, and expend grants, gifts, and legacies of other properties in furtherance of the purposes of this chapter.

SEC. 2. Chapter 5.5 (commencing with Section".

Amendment No. 6

On page 2, between lines 7 and 8, insert

"18325 This chapter shall be known and may be cited as the McCarthy-Kennick Nutrition Program for the Elderly Act of 1972."

Amendment No. 7

On page 2, line 8, strike out "18325", and insert "18325 5".

Amendment No. 8

On page 4, strike out lines 7 to 10, inclusive, and insert

"SEC 3. There is hereby appropriated to the Human Relations Agency the sum of four hundred fifty thousand dollars ($450,000) from the General Fund for the 1972–1973 fiscal year, to be expended as follows·

(a) Fifty thousand dollars ($50,000) for the purpose of carrying out the duties and functions specified in paragraphs (a) through (e) of Section 8250 of the Welfare and Institutions Code until the Office of Special Services becomes operational, at which time the unexpended balance shall be transferred to said office for the purposes of Chapter 6 (commencing with Section 8250) of Division 8 of the Welfare and Institutions Code

(b) Two hundred fifty-three thousand dollars ($253,000) to be transferred by the Director of Finance upon certification of the Human Relations Agency and the California".

Amendment No. 9

On page 4, after line 24, insert

"(c) One hundred forty-seven thousand dollars ($147,000) of the amount appropriated pursuant to Item 236 1 of the Budget Act of 1972 to be expended in accordance with subdivision (b) of this section.

SEC. 3.5 The provisions of Section 1 of this act creating the Office of Special Services shall become operative the 61st day after final adjournment of the 1972 Regular Session of the Legislature Until such time the provisions of Section 1 shall be administered by the Human Relations Agency

SEC 4 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

In order to develop and submit the state plan to the federal government to implement the Nutrition Program for the Elderly, its is essential that this act go into effect immediately "

Set No. 2

Amendment No. 1

In line 5 of the heading of the printed bill, as amended in Assembly June 28, 1972, strike out "and Arnett", and insert "Arnett, Ryan, and Lewis".

Amendment No. 2

In line 6 of the heading, strike out "and Behr", and insert ", Behr, Beilenson, Moscone, Nejedly, Petris, Walsh, Wedworth, and Zenovich".

Amendment No. 3

On page 2, line 11, after "and", insert "in-kind".

Amendment No. 4

On page 3, between lines 27 and 28, insert
"(9) Nutrition education".

Amendment No. 5

On page 3, line 30, strike out "January 30", and insert "May 1".

Amendment No. 6

On page 3, lines 32 and 33, strike out "initial report due May 1, 1973," and insert "report".

Amendment No. 7

On page 4, line 4, strike out "of", and insert "within the Human Relations Agency, including".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 1202?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 10 CONTINUED

Mr Murphy was granted unanimous consent that his motion to reconsider the vote on Senate Constitutional Amendment No 10 be continued until the next legislative day

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Joint Resolution No. 39—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1742—An act to add Section 33666 to, and to add Article 7 (commencing with Section 33680) to Chapter 6 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, Maddy, McAlister, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—45.

NOES—Badham, Burke, Cline, Collier, Hayes, Lanterman, Moorhead, Priolo, and Stacey—9

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 348—An act to amend Sections 34270, 34271, 34272, 34290, 34331, 34332, and 34513 of, and to add Sections 34213 5, 34219, 34286, 34315 3, 34333, 34334, 35495, and 36072 to, the Health and Safety Code, relating to housing authorities

Bill read third time, and presented by Mrs Brathwaite.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs Brathwaite moved a call of the Assembly

Motion carried Time, 10 55 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 66—An act to amend Section 11580 2 of the Insurance Code, relating to uninsured motorist insurance

Bill read third time

Motion to Amend

Mr. Pierson moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 11, of the printed bill, as amended in Assembly July 21, 1972, strike out "to", and insert "directly to the benefit of".

Amendment No. 2

On page 10, line 26, strike out "1973", and insert "1972".

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Senate Bill No. 669—An act to amend Section 2274 of the Civil Code and Section 1122 of the Probate Code, relating to trustee's compensation.

Bill read third time, and presented by Mr. Warren.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Collier, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Cullen and Davis—2

Bill ordered transmitted to the Senate.

Hon. Willie L. Brown, Jr., Presiding

At 10 58 a.m, Hon. Willie L Brown, 18th District, presiding.

Senate Bill No. 983—An act to add Section 656 5 to the Welfare and Institutions Code, relating to juvenile courts.

Bill read third time, and presented by Mr. Waxman.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

Today—At 1:45 p.m.—Revenue and Taxation (Gonsalves, Chairman), in Room 4203, to consider Senate Bill No. 90.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 984—An act to amend Section 654 of the Welfare and Institutions Code, relating to juveniles

Bill read third time, and presented by Mr. Waxman.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1302—An act to amend Section 16601 5 of, to add Sections 16602 5, 16602 6, and 16711 to, to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, and to add Article 1.5 (commencing with Section 16820) to Chapter 1 of Division 13 of, the Education Code, and to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Cory moved the adoption of the following amendment:

Amendment No. 1

On page 17 of the printed bill, as amended in Assembly July 27, 1972, strike out lines 28 to 40, inclusive; on page 18, strike out lines 1 to 25, inclusive, and insert

"SEC 11 (a) The Department of Education shall report to the Legislature, on or before the fifth calendar day of the 1975 Regular Session of the Legislature, the following information with regards to the provisions of Chapter 6 1 (commencing with Section 6445) of Division 6 of the Education Code·

(1) The degree of program implementation.

(2) The successes of districts participating in the program

(3) Evidence supported by research and documentation that classes proposed to be provided for children three years and nine months of age will be of educational benefit to children of such age

(4) The number of school districts approved by the State Board of Education, in accordance with criteria it has established, to initiate classes for children three years and nine months of age, under the particular school district's master plan for early childhood education, during the 1975–1976 fiscal year.

(b) The State Board of Education shall not authorize any school district to implement an approved program of classes for pupils three years, nine months of age beginning in the 1975–1976 fiscal year or in any year thereafter unless funds are appropriated to specifically support such programs."

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

Senate Bill No. 1343—An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, and to add Chapter 2 (commencing with Section 13650) to Title 5 of Part 4 of the Penal Code, as proposed by Senate Bill No. 821, relating to correctional personnel.

Bill read third time, and presented by Mr Murphy.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1344—An act making an appropriation to the Department of Corrections, relating to correctional officers.

Bill read third time, and presented by Mr. Murphy.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 11 02 a m , Hon. Jack R. Fenton, 51st District, presiding

Senate Bill No. 1345—An act making an appropriation to the Department of the Youth Authority, relating to state employees.

Bill read third time, and presented by Mr. Murphy.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen,

Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 821—An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, relating to corrections.

Bill read third time, and presented by Mr Murphy.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1478—An act to amend Section 26401 of the Education Code, relating to schools for the neurologically handicapped, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Maddy.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGilli-

vray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1449—An act to amend Sections 12002 1 and 12314 of, to add Sections 12314 1, 12315.1, and 12331 to, and to repeal Section 12331 of, the Financial Code, relating to proraters.

Bill read third time, and presented by Mr. Powers.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate

Senate Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1¼c to Article XIII thereof, relating to taxation.

Resolution read, and presented by Mr. Knox.

Demand for Previous Question

Messrs. Maddy, Deddeh, Lancaster, Chacon, and Collier demanded the previous question Demand sustained

The question being on the adoption of the resolution.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Knox moved a call of the Assembly.

Motion carried Time, 11 30 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 777—An act to add Section 9201 2 to the Corporations Code, relating to prepaid legal services, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Warren.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Warren moved a call of the Assembly.

Motion carried Time, 11:46 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 348

At 11:47 a m., on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No 348 passed by the following vote:

AYES—Bagley, Bee, Belotti, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—42.

NOES—Burke, Cline, Collier, Dent, Hayes, Ketchum, Lancaster, Lanterman, Monagan, Moorhead, Murphy, Priolo, Russell, Stacey, Stull, Wakefield, and Wood—17.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1420—An act to amend Sections 554, 630, 658 and 660 of the Welfare and Institutions Code, relating to juveniles.

Bill read third time, and presented by Mr. Waxman.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier,

Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

~~Senate Bill No. 616—An act to amend Section 7615 of the Business and Professions Code, relating to funeral directors.~~

~~Bill read third time, and presented by Mr. Badham.~~

~~The roll was called.~~

~~Call of the Assembly~~

~~Pending the announcement of the vote, Mr. Badham moved a call of the Assembly.~~

~~Motion carried. Time, 12-02 p.m.~~

~~The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.~~

~~PROCEEDINGS UNDER CALL OF THE ASSEMBLY~~

~~BY UNANIMOUS CONSENT~~

~~TEMPORARY SUSPENSION OF ASSEMBLY RULES~~

~~Mr. Sieroty was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.~~

NOTE On November 27, 1972, the action was rescinded whereby Senate Bill No 616 was read a third time in the Assembly on this day. See page 7860.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1419—An act to amend Section 2600 of the Penal Code, relating to civil rights of prisoners.

Bill read third time, and presented by Mr. Beverly.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1468—An act to add and repeal Section 2808.1 of the Streets and Highways Code, relating to special assessment proceedings

Bill read third time, and presented by Mr. Lancaster.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—Cullen and Lewis—2.

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2026—An act to amend Section 14105 of, to add Section 14105 to, and to repeal Section 14105 of, the Welfare and Institutions Code, relating to Medi-Cal.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2026?

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 20, 1972, strike out lines 15 to 40, inclusive; and on page 4, strike out lines 1 to 29, inclusive, and insert

"14105 The director shall prescribe the policies to be followed in the administration of this chapter, may limit the rates of payment for health care services, and shall adopt such rules and regulations as are necessary for carrying out, not inconsistent with, the provisions thereof.

Such policies and regulations shall include rates for payment for services not rendered under a contract pursuant to Section 14104. Standards for costs shall be based on payments of the reasonable cost for such services *Amounts paid for services provided to Medi-Cal beneficiaries shall be audited by the department in the manner and form prescribed by the department The department shall maintain adequate controls to insure responsibility and accountability for the expenditure of federal and state funds* Cost reports and other data submitted by providers to a state agency for the purpose of determining reasonable costs for services or establishing rates of payment shall be considered true and correct unless audited *or reviewed* within eighteen (18) months after July 1, 1969, the close of the period covered by the report, or after the date of submission of the original or amended report by the provider, whichever is later.

Nothing in this section shall be construed to limit the correction of cost reports or rates of payment when inaccuracies are determined to be the result of intent to defraud, or when a delay in the completion of

an audit *or review* is the result of willful acts by the provider or inability to reach agreement on the terms of final settlement

Insofar as practical, consistent with the efficient and economical administration of this part, the department shall afford recipients of public assistance free choice of arrangements under which they shall receive health care benefits

If, in the judgment of the director, the actions taken by the director under Section 14120(c) will not be sufficient to operate the Medi-Cal program within the limits of appropriated funds, he may limit the scope and kinds of health care services, except for minimum coverage as defined in Section 14056, available to persons who are not eligible under Sections 14005 1, 14005 2 and 14005 3 When and if necessary, such action shall be taken by the director with the advice of the ~~Health Care Commission~~ *Advisory Health Council* and in ways consistent with the requirements of the Federal Social Security Act. This paragraph shall not be operative until July 1, 1972 ''

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis. MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey. Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1779—An act to repeal and add Section 13346 40 of the Education Code, relating to school certificated employees and declaring the urgency thereof, to take effect immediately

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1779?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 29, 1972, strike out ''amend Section 13503 1'', and insert ''repeal and add Section 13346 40''.

Amendment No. 2

In line 2 of the title, after ''employees'', insert ''and declaring the urgency thereof, to take effect immediately''.

Amendment No. 3

On page 2, strike out line 22, and insert

''SECTION 1. Section 13346 40 of the Education Code is repealed. ~~13346 40. A temporary employee is a certificated employee who is employed from day to day or week to week by the governing board of the district. A substitute employee is a temporary employee. If a temporary employee has been employed during an academic year for 75 percent or more of the days on which classes were maintained by the~~

~~district during that academic year, the governing board of the district shall deem the employee a contract employee serving under his first contract for that academic year and may employ him as a contract employee serving under his second contract for the following academic year.~~

SEC 2 Section 13346 40 is added to the Education Code, to read·

13346 40 (a) The governing board of a school district may employ temporary employees pursuant to Section 13329 and 13337.5 Substitute employees may be employed pursuant to Section 13336

(b) For the purposes of the sections specified in subdivision (a), a "probationary employee" is a "contract employee," and a "permanent employee" is a regular employee

(c) This section shall cease to be operative on September 1, 1974, and as of that date is repealed.

SEC 3. Sections 1 and 2 of this act shall become operative on September 1, 1972

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to permit this act to become operative on the operative date of certain provisions relating to the employment of certificated personnel by community colleges, September 1, 1972, and so effectuate the intent of the Legislature regarding the operation of certain of such provisions, it is necessary that this act take effect immediately."

Amendment No. 4

On page 2, strike out lines 23 to 38, inclusive.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 1779?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey,

Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1412—An act to amend Section 5126 of the Civil Code, relating to separate property.

Bill read third time, and presented by Mr Miller

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64

NOES—Murphy—1.

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 655—An act to amend Section 10805 of the Education Code, relating to interdistrict attendance of pupils.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 655?

Amendment No. 1

After line 1 of the heading of the printed bill, as amended in Assembly April 13, 1972, insert

"(Coauthor: Senator Gregorio)".

Amendment No. 2

On page 2, line 4, after "be", insert "the lesser of subdivisions (a) or (b), as follows, or subdivision (c)".

Amendment No. 3

On page 2, between lines 9 and 10, insert

"(b) The actual cost to the district of attendance of educating pupils in schools of the same grade level, less all state and federal funds apportioned to the district on account of the pupil, or".

Amendment No. 4

On page 2, line 10, strike out "(b)", and insert

"(c)".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gon-

salves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 531?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 19, 1972, after "materials", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 17, between lines 3 and 4, insert

"9446. This article shall become operative on July 1, 1973 This article shall remain in effect only until June 30, 1977, and as of that date is repealed."

Amendment No. 3

On page 17, line 26, strike out "designated", and insert "prescribed".

Amendment No. 4

On page 18, lines 14 and 15, strike out "independently owned and operated", and insert "publishers' or manufacturers' ".

Amendment No. 5

On page 19, line 1, strike out "independently owned and operated", and insert "publishers' or manufacturers' ".

Amendment No. 6

On page 23, line 1, strike out "make available", and insert "loan".

Amendment No. 7

On page 23, line 6, strike out "state board shall make available", and insert "Superintendent of Public Instruction shall lend".

Amendment No. 8

On page 23, line 10, after the first "the", insert "state".

Amendment No. 9

On page 23, line 13, strike out "made available", and insert "loaned".

Amendment No. 10

On page 23, line 18, strike out "made available", and insert "loaned".

Amendment No. 11

On page 24, line 4, strike out "independently owned and operated", and insert "publishers' or manufacturers' ".

Amendment No. 12

On page 26, line 10, after "materials", insert "adopted by them and either loaned by them or".

Amendment No. 13

On page 28, line 6, strike out "Nonpublic"; and strike out lines 7 to 10, inclusive.

Amendment No. 14

On page 28, after line 33, insert

"SEC 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect

The Curriculum Commission is required to recommend textbooks to the State Board of Education for adoption The commission must recommend textbooks in the areas of science, music, and health in October. In order that the provisions of this act relating to the adoption and selection of other instructional materials may be utilized in connection with these subject areas at the earliest possible time, it is necessary that this act take effect immediately."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 531?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, Mac-

Donald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 777

At 12 15 p m , on motion of Mr Warren, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Senate Bill No 777 adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—54.

NOES—Burke, Collier, Davis, Dent, MacGillivray, Mobley, Monagan, Seeley, Stacey, and Stull—10.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Sierotv, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—54

NOES—Burke, Collier, Davis, Dent, MacGillivray, Mobley, Monagan, Seeley, Stacey, and Stull—10

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 75

At 12 20 p m , on motion of Mr. Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 75 by the following vote

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster,

Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Stull, Thomas, Wakefield, Wilson, Wood, and Mr Speaker—50.

NOES—Davis, Harvey Johnson, Ketchum, Powers, Ryan, Stacey, Vasconcellos, Warren, and Z'berg—9.

Above resolution ordered enrolled

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 70

At 12:22 p.m., on motion of Mr Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No 70 refused adoption by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Belotti, Beverly, Burke, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Moorhead, Murphy, Pierson Porter, Powers, Russell, Seeley, Stull, Thomas, Townsend, Wakefield, and Wood—37.

NOES—Barnes, Brown, Burton, Chacon, Davis, Duffy, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Hayes, Harvey Johnson, Karabian, Maddy, Meade, Priolo, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—23

Motion to Reconsider Senate Constitutional Amendment No. 70 on Next Legislative Day

Mr Knox moved to reconsider on the next legislative day the vote whereby Senate Constitutional Amendment No 70 was this day refused adoption

Senate Constitutional Amendment No 70 ordered to the unfinished business file

~~CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 616~~

~~At 12:25 p.m., on motion of Mr Badham, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.~~

~~The names of the absentees were called, and Senate Bill No. 616 passed by the following vote:~~

~~AYES—Badham, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Crown, Cullen, Davis, Deddeh, Duffy, Foran, Gonsalves, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, and Wood—41.~~

~~NOES—Arnett, Brathwaite, Brown, Burton, Collier, Dent, Dunlap, Fenton, Fong, Bill Greene, Karabian, Keysor, Knox, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Ralph, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—28.~~

~~Bill ordered transmitted to the Senate~~

~~NOTE. Later this day a motion to reconsider the vote whereby Senate Bill No. 616 was passed was offered by Mr. Sieroty. See p. 6832.~~

NOTE On November 27, 1972, the action was rescinded whereby Senate Bill No 616 was passed, ordered transmitted to the Senate, and whereby a motion to reconsider the vote on the bill on the next legislative day was made See page 7860.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 158, 934, 1281 and 1447 for hearing in the Committee on Education on Tuesday, August 1, 1972.

BILLS WITHDRAWN FROM INACTIVE FILE

The following resolution was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 91, on request of Mrs. Brathwaite

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No 93 was continued until the next legislative day

RESOLUTIONS

The following resolution was offered:

By Assemblymen Beverly and Priolo:

House Resolution No. 113

Relative to commending Assemblyman James A. Hayes

WHEREAS, Assemblyman James A Hayes, who has distinguished himself as a leader and a statesman, is retiring from the Assembly to seek office as a Supervisor of Los Angeles County, and

WHEREAS, Assemblyman Hayes, a native Californian, graduated from the University of California, received his Juris Doctor degree from Hastings College of Law, and has been admitted to law practice before the highest court of this state and the United States; and

WHEREAS, He has successfully practiced law in Long Beach, has served with his usual dedication as that city's vice mayor from 1963 to 1966, and has received numerous honors for his outstanding contributions to the community, both as a member of the city council and as an Assemblyman, and

WHEREAS, Assemblyman Hayes was first elected in 1966 to represent the 39th Assembly District, and

WHEREAS, He brought to the Assembly his wealth of experience as a writer, radio commentator and practicing attorney, and

WHEREAS, During his terms in the Assembly he has been instrumental both as an author and coauthor in the passage of major legisla-

tion, including the "Family Law Act," the "Consumers Legal Remedies Act," and environmental legislation; and

WHEREAS, His worth has been recognized by his selection as Chairman of the Committee on Employment and Public Employees, as a member of the Judiciary Committee and the Ways and Means Committee, as Chairman of the Special Subcommittee to Investigate the San Fernando Earthquake, as a member of the Select Committee on Administration of Justice, the Select Committee on Prison Reform and Rehabilitation, the Joint Legislative Committee on Public Domain, and the Joint Legislative Committee on Seismic Safety, and as a member of the Consumer Advisory Council; and

WHEREAS, As an Assemblyman he has also been honored by various civic, cultural, educational, and other groups, and as a result has become known as "leading legislator in the field of environmental law," "leading family law legislator," "most effective Assemblyman," "best all-around Assemblyman," and "Assemblyman of the year", and

WHEREAS, Assemblyman Hayes has published many scholarly articles on various subjects, including divorce reform and consumer protection; and

WHEREAS, An active leader in professional and community organizations, Assemblyman Hayes is a member of the American Bar Association, the American Judicature Society and the Long Beach Bar Association, has served on the Board of Directors of the Long Beach Heart Guild, and is a member of the Long Beach Consistory and El Bekal Shrine and the Town Hall of California; and

WHEREAS, His analytical mind, his sharp insight, his ability to crystallize issues, and his warmth and humor will be missed in the Assembly chamber and committee rooms; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend their esteemed colleague, Assemblyman James A Hayes, for his many outstanding years of dedicated public service, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman James A Hayes.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 31, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SCR No. 53

With author's amendments with the recommendation: Amend, and refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Concurrent Resolution No. 53—Relative to correctional personnel.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed measure, as amended in Senate June 28, 1972, strike out "and casework", and on page 2, line 1, strike out "responsibilities for", and insert ", counseling, and evaluation of".

Amendment No. 2

On page 2, lines 3 and 4, strike out "similarly combine custody and casework", and insert "combine similar".

Amendment No. 3

On page 2, line 11, after "relationships," insert "predicting conduct and misconduct, improving security,".

Amendment No. 4

On page 2, line 13, strike out ", while maintaining", strike out line 14, and insert "; and".

Amendment No. 5

On page 2, line 29, after "of", insert "motivation,".

Amendment No. 6

On page 2, strike out lines 36 to 38, inclusive, and insert "deemed an appropriate qualification for the work of correctional program supervisors;".

Amendment No. 7

On page 3, line 34, strike out "personnel", and insert "officers, women correctional supervisors, and youth group supervisors, generally,".

Amendment No. 8

On page 3, line 38, after "departments", insert ", in that the job requirements of such correctional personnel are, in general, at least as difficult, dangerous, varied, and important, and they therefore should be paid salaries at least as high as those paid to such other personnel".

Amendment No. 9

On page 5, line 36, after "of", insert "motivation,".

Amendment No. 10

On page 5, line 37, strike out "and"; strike out lines 38 to 40, inclusive; and on page 6, strike out line 1.

Amendment No. 11

On page 6, line 5, after "of", insert "motivation,".

Amendment No. 12

On page 6, line 7, strike out "and evaluate the"; and strike out lines 8 to 11, inclusive.

Amendment No. 13

On page 6, line 37, after "on", insert "at least".

Amendment No. 14

On page 7, line 39, after "personnel", insert ", as appropriate,".

Amendment No. 15

On page 8, line 4, after "rights", insert "and responsibilities".

Amendment No. 16

On page 8, line 5, after "self-defense", insert ", emergency first aid,".

Amendment No. 17

On page 8, line 18, strike out "three", and insert "six".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, July 31, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 357	SB No 1018	SB No. 1365
SB No. 922	SB No. 1336	

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 357—An act to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, to repeal the heading of Article 3 (commencing with Section 5036.5) of Chapter 1 of Division 5 of, to amend and renumber Section 5036 5 of, and to add Article 3 (commencing with Section 5031) to Chapter 1 of Division 5 of, the Public Resources Code, and to add Article 7 (commencing with Section 1161) to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the taxation of property of historical significance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 26, 1972, strike out "11", and insert "12".

Amendment No. 2

In line 1 of the title, strike out "50270", and insert "50280".

Amendment No. 3

On page 2, line 1, strike out "11", and insert "12".

Amendment No. 4

On page 2, line 2, strike out "50270", and insert "50280".

Amendment No. 5

On page 2, line 5, strike out "11", and insert "12".

Amendment No. 6

On page 2, line 7, strike out "50270", and insert "50280".

Amendment No. 7

On page 2, line 18, strike out "50271", and insert "50281".

Amendment No. 8

On page 3, line 22, strike out "50272", and insert "50282".

Amendment No. 9

On page 4, line 19, strike out "50272 5", and insert "50283".

Amendment No. 10

On page 4, line 25, strike out "50272", and insert "50282".

Amendment No. 11

On page 4, line 26, strike out "50273", and insert "50284".

Amendment No. 12

On page 4, line 37, strike out "50274", and insert "50285".

Amendment No. 13

On page 4, line 38, strike out "50273", and insert "50284".

Amendment No. 14

On page 5, line 3, strike out "50275", and insert "50286".

Amendment No. 15

On page 5, line 3, strike out "50273", and insert "50284".

Amendment No. 16

On page 5, line 12, strike out "50275 5", and insert "50287".

Amendment No. 17

On page 5, line 18, strike out "50276", and insert "50288".

Amendment No. 18

On page 5, line 25, strike out "50275", and insert "50286".

Amendment No. 19

On page 5, line 28, strike out "50277", and insert "50289".

Amendment No. 20

On page 7, line 25, strike out "11", and insert "12".

Amendment No. 21

On page 7, line 26, strike out "50270", and insert "50280".

Amendment No. 22

On page 7, line 39, strike out "50272", and insert "50282".

Amendment No. 23

On page 8, lines 1 and 2, strike out "Government Code Section 50272(b)", and insert "subdivision (b) of Section 50282 of the Government Code".

Amendment No. 24

On page 8, line 3, after "remain", insert "prior".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 922—An act relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2.5A, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 22, 1972, strike out line 13.

Amendment No. 2

On page 2, strike out lines 15 to 26, inclusive, and insert

"322A—For capital outlay, Department of Parks and Recreation, for purposes set forth in Section 5096.15(a) of the Public Resources Code for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years, payable from the State Beach, Park, Recreational, and Historical Facilities Fund 33,000

Schedule:

(a) Land acquisition, El Presidio de Santa Barbara State Historic Park ..... 33,000".

Amendment No. 3

On page 2, line 37, strike out "reappropriation", and insert "appropriation".

Amendment No. 4

On page 3, line 4, strike out "reappropriation", and insert "appropriation".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1018—An act to amend Sections 1602, 1603, 2101, 2102, 3011, 3013, 4001, and 4002 of, and to amend, repeal and add Sections 160, 2100, and 3010 of, the Business and Professions Code, relating to healing arts.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 29, 1972, strike out line 20; and in line 21, strike out "members," and insert "3600 No more than one member of the board".

Amendment No. 2

On page 2, line 23, strike out ", or", and insert ". None of the members, including the public members,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1336—An act to amend Sections 9884 8, 9887.2, 9887 3, and 9889 19 of the Business and Professions Code, relating to automotive repair

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate May 18, 1972, after "repair", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 4, after line 10, insert

"SEC 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

The changes to the Automotive Repair Act incorporated in this act are necessary for the purpose of better protecting the public and for the more efficient administration of the law In order to secure maximum implementation thereof, it is necessary that this act become effective at the earliest possible time."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1365—An act relating to housing and community development

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted·

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in Senate June 12, 1972, strike out "no", and insert "not".

Amendment No. 2

On page 1, line 11, strike out "fifth", and insert "90th".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, July 31, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

SB No. 451

With author's amendments with the recommendation: Amend, and refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 451—An act to add Article 2 (commencing with Section 44971) to Chapter 9 of Division 17 of the Agricultural Code, relating to agricultural products.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 5, 1972, strike out lines 3 to 5, inclusive, and insert

"44971. Avocados produced in this state which are being prepared for market for fresh consumption shall be inspected for compliance with the".

Amendment No. 2

On page 2, line 10, strike out "shipment to".

Amendment No. 3

On page 2, strike out lines 32 to 35, inclusive, and insert

"44975 The moneys which are received by the director pursuant to this chapter shall be deposited in the Department of Agriculture Fund and shall be used only for the administration and enforcement of this chapter, including, but not limited to, payments to the commissioners."

Amendment No. 4

On page 2, line 38, after the period, insert "Such regulations may authorize the commissioners, under the supervision of the director, to determine a date when avocados of designated varieties in any area, county, or district within a county, are sufficiently mature to not require a maturity test of all lots; provided, however, that the regulations shall specify that any lot is subject to examination for maturity requirements at any time."

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, July 31, 1972

Mr. Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Senate Bill No. 1503—An act to add Chapter 8 (commencing with Section 11775) to Part 1 of Division 3 of Title 2 of the Government Code, relating to data processing, and declaring the urgency thereof, to take effect immediately.

MIKE CULLEN

Above request ordered transmitted to the Committee on Rules.

MESSAGES FROM THE SENATE

Senate Chamber, July 28, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed.

SB No 1151

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1151—An act to amend Section 17072 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
48	Water
107	Natural Resources and Conservation
130	Elections and Reapportionment
158	Education
235	Natural Resources and Conservation
540	Welfare
575	Judiciary
934	Education
944	Education
1151	Revenue and Taxation
1187	Natural Resources and Conservation
1255	Commerce and Public Utilities
1281	Education
1447	Education
1490	Health

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No.

107 for hearing in the Committee on Natural Resources and Conservation.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:25 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

~~MOTION TO RECONSIDER SENATE BILL NO. 616 ON NEXT LEGISLATIVE DAY~~

~~Mr. Sieroty moved to reconsider on the next legislative day the vote whereby Senate Bill No. 616 was this day passed.~~

~~Senate Bill No. 616 ordered to the unfinished business file.~~

NOTE On November 27, 1972, the action was rescinded whereby the above motion was made to reconsider on the next legislative day the vote whereby Senate Bill No 616 was passed, and whereby the bill was ordered to the unfinished business file See page 7860.

VOTE CHANGES

Mr. Cline was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 974.

Mr Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Constitutional Amendment No. 42

Messrs Collier and Stull were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 2040

Mr Burke was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 2040.

Mr. Stacey was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 1742.

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 1742.

Messrs Waxman, Karabian, and Wakefield were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 494

Mr. Cline was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on the urgency clause to Assembly Bill No. 1202, and on concurrence in Senate amendments to the bill.

Mr Karabian was granted unanimous consent that he be recorded as voting "Aye" on Senate Bills Nos 1343, 1344, 1345, and 821

Messrs Murphy and Wakefield were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 1779, and on concurrence in Senate amendments to the bill.

Mr. Ryan was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Concurrent Resolution No. 75

Mr Ray E. Johnson was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Concurrent Resolution No. 75.

Mr. Cory was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Constitutional Amendment No 70

Mr Karabian was granted unanimous consent that he be recorded as voting "No" on Senate Constitutional Amendment No. 70.

Messrs Brown and Karabian, and Mrs. Fong were granted unanimous consent that they be recorded as voting "No" on Senate Bill No 616.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 2026.

COMMUNICATIONS

Assembly Chamber, July 31, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 99—An act to amend the heading of Chapter 5 (commencing with Section 16601) of Division 12 of, to amend and renumber Section 16701, and to amend Sections 23550, 23553, 24675, 24678, 25546 50 and 25546 53 of, and to add Division 12 5 (commencing with Section 16700) to, and to repeal Article 1 (commencing with Section 16601) of Chapter 5 of Division 12 of, and the heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of and to add and repeal Sections 16728 and 16735 of, the Education Code, to amend Sections 17225 5 and 24371 5 of the Revenue and Taxation Code, to amend Sections 11451 5 and 11451 6 of, to add and repeal Chapter 2 7 (commencing with Section 16165) to Part 4 of Division 9 of, and to repeal Sections 10811 and 10811 5 and Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 and Chapter 2 5 (commencing with Section 16150) of Part 4 of, Division 9 of, the Welfare and Institutions Code, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 175—An act to amend Sections 32111, 32112, and 32114 of the Education Code, relating to continuous school programs;

Assembly Bill No. 202—An act to amend Sections 417 10 and 417 20 of, and to add Section 415 45 to, the Code of Civil Procedure, relating to unlawful detainer;

Assembly Bill No. 259—An act to amend Sections 13246, 13247, 13247 9, 13248, and 13314 5 of, and to add Sections 13246 7, 13246 9, and 13314 3 to, the Education Code, relating to the public schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 534—An act to amend Section 31245 of the Education Code, relating to graduate fellowships;

Assembly Bill No. 572—An act to amend Section 10752 of the Revenue and Taxation Code, and to repeal Section 9269 of the Vehicle Code, relating to taxation of motor vehicles, declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 579—An act to amend Section 39052 of, and to repeal and add Section 39054 of, the Health and Safety Code, relating to air pollution;

Assembly Bill No. 593—An act to amend Section 18300 of the Government Code, relating to firefighters;

Assembly Bill No. 689—An act to repeal Article 3 (commencing with Section 5401) and Article 5 (commencing with Section 5501) of Chapter 4 of Division 6 of the Education Code, relating to courses of study;

Assembly Bill No. 842—An act to amend Sections 34046 and 34047 of the Vehicle Code, relating to cargo tanks;

Assembly Bill No. 876—An act to amend Section 3364 55 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 887—An act to amend Sections 11803, 11831, 11832, 11833, and 11834 of the Elections Code, relating to ballot measures;

Assembly Bill No. 919—An act to amend Sections 26304 and 35553 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 946—An act to add Section 1178 5 to the Labor Code, relating to labor,

Assembly Bill No. 977—An act to amend Section 21953 of the Vehicle Code, relating to pedestrians;

Assembly Bill No. 1008—An act to amend Section 11501 of the Agricultural Code, relating to pesticides,

Assembly Bill No. 1027—An act to add Section 33125 5 to the Health and Safety Code, relating to redevelopment,

Assembly Bill No. 1034—An act to add Section 7029.6 to the Business and Professions Code, relating to contractors,

Assembly Bill No. 1089—An act to add Section 422 5 to the Government Code, relating to the state reptile,

Assembly Bill No. 1372—An act to repeal Section 1 5 of the Vehicle Code, relating to the operative date of acts affecting the Vehicle Code, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 1396—An act to amend Sections 61842, 61843, and 61845 of the Agricultural Code, relating to milk, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 1628—An act to add Section 17677 to the Education Code, relating to financial support of the public schools, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 1650—An act making an appropriation for the operation and maintenance of state park system facilities at Silverwood Lake, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1715—An act to add Section 938 1 to the Education Code, relating to public schools,

Assembly Bill No. 1725—An act to amend Sections 65855 and 65860 of the Government Code, and to add Section 11554 5 to the Business and Professions Code, relating to zoning and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1805—An act to add Section 20024 2 to the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 1815—An act to amend Section 5236 of the Streets and Highways Code, relating to the Improvement Act of 1911,

Assembly Bill No. 1852—An act to add Section 5704 4 to the Welfare and Institutions Code, relating to mental health services;

Assembly Bill No. 1857—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, relating to Short-Doyle Act,

Assembly Bill No. 1943—An act to amend Section 10608 of the Education Code, relating to pupils;

Assembly Bill No. 1994—An act to amend Sections 7 1, 7 3, 7 4, and 13 of, and to add Section 13 5 to, the Kern County Water Agency Act (Chapter 1003 of the Statutes of 1961), relating to the Kern County Water Agency, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2021—An act to amend Section 21155 of the Government Code, relating to retirement;

Assembly Bill No. 2066—An act to add Section 13110 5 to the Health and Safety Code, relating to fires;

Assembly Bill No. 2334—An act to add Section 19653 to the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 612—An act to amend and repeal Section 4 of Chapter 1199 of the Statutes of 1970, relating to educational programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 742—An act to amend Sections 13164 and 13303 of, to add Section 13171 to, and to repeal Section 14027 and Article 2 (commencing with Section 13120) of Chapter 3 of Division 7 of, the Water Code, to add Section 54740 to the Government Code, and to repeal Sections 4766 5 and 6523 01 of the Health and Safety Code, relating to water quality;

Assembly Bill No. 918—An act to amend Sections 54 1 and 54.2 of the Civil Code, relating to guide dogs for the blind,

Assembly Bill No. 1152—An act to amend Sections 6484 and 6497 of the Fish and Game Code, relating to mariculture;

Assembly Bill No. 1165—An act to amend Section 25505 8 of, and to add Chapter 1 6 (commencing with Section 22515) to Division 16 5 of, the Education Code, relating to community colleges;

Assembly Bill No. 1175—An act to amend Section 4357 of the Civil Code, relating to child support;

Assembly Bill No. 1281—An act to amend Sections 33126 and 34278 of the Health and Safety Code, relating to public agency personnel;

Assembly Bill No. 1285—An act to amend Section 1208 of the Penal Code, relating to work furloughs;

Assembly Bill No. 1306—An act to amend Sections 263 3, 263 8, and 415 of, and to add Section 486 to, the Streets and Highways Code, relating to state highways;

Assembly Bill No. 1388—An act to amend Section 1 of Chapter 1718 of the Statutes of 1967, relating to Davis-Grunsky grants to the County of San Bernardino in connection with the Prado Regional Park Project;

Assembly Bill No. 1809—An act to amend Sections 69903, 69903 1, and 69903.2 of the Government Code, relating to courts;

Assembly Bill No. 1962—An act to amend Sections 18008, 18010 5, 18055, and 18056 of, and to repeal Sections 18003, 18009, and 18013 of the Health and Safety Code, relating to vehicles;

Assembly Bill No. 2333—An act to amend Sections 2, 13 1, and 26 of, to add Sections 1 1, 4.1, 4 45, 4 6, 4 7, 14 15, 16 1, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 4 2, 4 6, and 4 7 of, the Sutter County Water Agency Act (Chapter 2088 of the Statutes of 1959), relating to the Sutter County Water Agency, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2353—An act to amend Section 5558 of, and to add Sections 5506 5, 5538 5, and 5545 6 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2374—An act to repeal Chapter 354, Statutes of 1869–70, relating to the Town of Hornitos;

And reports the same correctly enrolled, and presented to the Governor at 4:00 p m., July 31, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, July 31, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 15—Relative to immigrant children;

Assembly Concurrent Resolution No. 97—Relative to the Joint Committee on Aging;

And reports the same correctly enrolled, and presented to the Secretary of State on the 31st day of July, 1972, at 4 00 p m.

JAMES D DRISCOLL, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 58	AB No. 1206	AB No 2229
AB No 781	AB No. 1611	AB No. 783
AB No. 1084		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate

Above bills ordered to unfinished business file.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Acting Speaker Fenton was granted unanimous consent that Senate Bills Nos 235, 467, and 1187 be withdrawn from the Committee on Natural Resources and Conservation, and re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, July 31, 1972

Mr Speaker· Your Committee on Judiciary reports:

SB No 493

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means (recommended to Consent)

WARREN, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, July 31, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 321

With amendments with the recommendation: Amend, and do pass, as amended

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, July 31, 1972

Mr Speaker. Your Committee on Retirement reports:

SB No 601

SB No. 678

SB No. 680

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill re-referred to the Committee on Ways and Means.

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bill was taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 321—An act to add Section 25425 3 to the Education Code, relating to community colleges

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate June 21, 1972, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 5, strike out "community college", and insert "district".

Amendment No. 3

On page 1, line 6, strike out "each", and insert "an".

Amendment No. 4

On page 1, line 7, strike out "submitted to", and insert "to any one or all of".

Amendment No. 5

On page 1, line 8, strike out "college", and insert "colleges maintained by the district".

Amendment No. 6

On page 2, line 2, after "25513", insert "and in case of application for enrollment and financial aid pursuant to Article 6 (commencing with Section 25524) of Chapter 3 of Division 18 5. The governing board of each school district maintaining a community college and charging an application fee pursuant to this section may waive such fee for students who are determined by the governing board not to have the economic resources to pay such a fee".

Amendment No. 7

On page 2, line 4, strike out "the", and insert "any".

Amendment No. 8

On page 2, line 4, after "college", insert "within the district".

Bill ordered reprinted, and returned to the third reading file.

MOTION TO ADJOURN

Mr. Fenton moved that the Assembly adjourn on this day, following receipt of Messages from the Senate and committee reports, until 9 30 a.m , Tuesday, August 1, 1972.

Motion carried.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Senate Bill No.	*Committee*
4	Natural Resources and Conservation

MESSAGES FROM THE SENATE

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 305	AB No 674	AB No 1544
AB No 529	AB No. 1448	AB No 2019
AB No. 669		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 246	AB No 665	AB No. 1158
AB No 569	AB No. 722	

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended.

ACR No. 110

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 483	AB No 1028	AB No 1719
AB No 595	AB No. 1571	AB No. 1851
AB No. 699		

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

AJR No 21	AJR No. 34

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered to unfinished business file

Senate Chamber, July 31, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 190	AB No 549	AB No 1369
AB No. 459	AB No. 666	AB No. 1419
AB No. 511	AB No 860	AB No. 1501

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 68

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 147	SB No 636	SB No 1352
SB No 356	SB No 992	SJR No. 23
SB No. 404	SB No 1127	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 15	SB No 613	SB No. 980
SB No 83	SB No 627	SB No 1007
SB No 160	SB No 696	SB No 1022
SB No. 255	SB No. 806	SB No 1065
SB No. 400	SB No 896	SB No 1128
SB No. 412	SB No. 926	SCR No 45
SB No 516	SB No 978	SCR No. 61
SB No. 578		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 1137	SB No. 1293	SB No 1355
SB No 1157	SB No. 1349	SB No 1484
SB No 1233		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 25	SB No 605	SB No 1219
SB No 36	SB No 830	SB No 1229
SB No 212	SB No 916	SB No. 1277
SB No 402	SB No 1068	SB No 1383
SB No 457	SB No 1080	SB No 1489
SB No. 549	SB No. 1201	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, July 31, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 237	AB No 819	AB No 2349
AB No. 590	AB No 1433	AB No 2367
AB No 615	AB No 2024	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 647
SB No 780

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Assistant Secretary

Senate Chamber, July 27, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SCR No 41

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Assistant Secretary

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 32 ACR No 62
ACR No 47 ACR No 72

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

NOTE On August 4, 1972, the action was rescinded whereby Assembly Concurrent Resolution No 72 was ordered enrolled See page 7321.

Senate Chamber, July 31, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 987

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 85

And appointed Senators Holmdahl, Kennick and Stiern, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 31, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 184

And appointed Senators Way, Burgener and Nejedly, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, July 31, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 924

And appointed Senators Lagomarsino, Moscone and Marler, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate, California Legislature
July 31, 1972

Mr James D. Driscoll
Chief Clerk of the Assembly
Assembly Chamber

Dear Mr. Driscoll The Senate on this day withdrew Senate Bill 267 from the Governor and enrollment and rescinded the action whereby the Senate concurred in Assembly amendments to the bill on July 25

The Senate has appointed Senators Gregorio, Song and Grunsky as a conference committee

Very truly yours,

DARRYL R. WHITE
Secretary of the Senate

Senate, California Legislature
July 31, 1972

Mr. James D. Driscoll
Chief Clerk of the Assembly
Assembly Chamber

Dear Mr Driscoll The Senate on this day withdrew Senate Bill 1192 from the Governor and enrollment and rescinded the action whereby the Senate concurred in Assembly amendments to the bill on July 25

The Senate has appointed Senators Nejedly, Burgener, and Marks as a conference committee

Very truly yours,

DARRYL R WHITE
Secretary of the Senate

Senate Chamber, July 31, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 371

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 31, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed:

AB No 683 AB No 1819
AB No 1541 AB No 1841

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 31, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No 586
AB No 1431

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 424	AB No. 581	AB No 1681
AB No. 437	AB No. 626	AB No 2317
AB No. 505	AB No 1411	AB No 2328

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 325
SB No. 1453

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 325—An act to amend Section 3046 of the Penal Code, relating to criminal punishment.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1453—An act to add Section 1256 2 to the Unemployment Insurance Code, relating to unemployment compensation.

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, July 31, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SB No 90

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above bill ordered to second reading.

FURTHER SECOND READING OF BILLS— BY UNANIMOUS CONSENT

The following bill was taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 90—An act to amend Sections 5792, 6426, 6499 207, 11301, 17301, 17303 5, 17702, 17751, 17801 and 17851 of, to add Sections 11476, 17300 8, 17300.9, 17701 5, and 20751 to, to add Article 2 (commencing with Section 17631), Article 7 (commencing with Section 17901), Article 7 5 (commencing with Section 17940), Article 11 (commencing with Section 18101), and Article 18 (commencing with

Section 18451) to Chapter 3 of Division 14 of, and to repeal Sections 6913 1, 11476, 17702 2, 17702 3, 17706, 20751, 20752, 20802 8, 20807, 20808, 20808.5, and 20810 of, and Article 2 (commencing with Section 17651), Article 7 (commencing with Section 17901), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), Article 11 (commencing with Section 18101), and Article 18 (commencing with Section 18451) of Chapter 3 of Division 14 of, the Education Code, and to amend Sections 6051, 6052 5, 6201, and 7102 of the Revenue and Taxation Code, relating to increases in sales and use taxes to provide financial support for the public schools, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 26, 1972, strike out "5792, 6426, 6499 207, 11301, 17301," and insert "17301, 17303, 17303 5, 17402, 17407, 17411, 17507, 17655 5, 17656, 17660, 17664, 17665, 17665.5, 17675, 17702, 702 2, 17706, 17910, 18102, 18102 2, 18102 4, 18102 6, 18451, 18452, and 18455 of, to add Chapter 6 10 (commencing with Section 6499.230) to Division 6 of, Section 18105 to, and Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, to repeal Sections 17674 and 20814 5 of, and Article 7 1 (commencing with Section 17920) of Chapter 3 of Division 14 of, and to repeal Chapter 3 5 (commencing with Section 20910) of Division 16 of the Education Code, to repeal Sections 16120, 51250, 51254, and 65570 of, and to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Sections 15616 5, 16120, and 65570 to, and to add Chapter 1 (commencing with Section 16100), Chapter 1.5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), Chapter 4 (commencing with Section 16140), Chapter 5 (commencing with Section 16150), Chapter 6 (commencing with Section 16160), and Chapter 7 (commencing with Section 16170) to Part 1 of Division 4 of Title 2 of, the Government Code, to repeal Sections 218, 219, 2611 5, 6051, 6052 5, 6201, 6376, 7102, 7202, 7203, 10752, 11005, 17041, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 of, to add Chapter 1 5 (commencing with Section 2161) to Part 4 of Division 1 of, and to add Sections 218, 219, 401 4, 2611 5, 2611 6, 2615 4, 6051, 6052 5, 6201, 7102, 7202, 7203, 10752, 11005, 17041, 17053 5, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 to, the Revenue and Taxation Code, and to repeal Section 11450 of, and to add Sections 11006 1, 11450, and 15204 1 to, the Welfare and Institutions Code, relating to the imposition of state taxes to provide subventions to local government to compensate for property tax limitations, making an appropriation therfore, and declaring the urgency thereof, to take effect immediately

Amendment No. 2

Strike out lines 2 to 22, inclusive, of the title.

Amendment No. 3

On page 3, strike out line 1, and insert

"SECTION 1 This act is known and may be cited as the "Property Tax Relief Act of 1972 "

SEC 1 5 Chapter 6.10 (commencing with Section 6499.230) is added to Division 6 of the Education Code, to read.

CHAPTER 6 10. EDUCATIONALLY DISADVANTAGED YOUTH PROGRAMS

6499.230 It is the intent of the Legislature to provide quality educational opportunities for all children in the California public schools. The Legislature recognizes that because of differences in family income, differing language barriers, and pupil transiency, differing levels of financial aid are necessary to provide quality education for all students.

6499.231. From the funds appropriated by the Legislature for the purposes of this chapter, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall administer this chapter and make apportionments to school districts to meet the total approved expense of the school districts incurred in establishing education programs for pupils who qualify economically and educationally in preschool, kindergarten, or any of grades 1 through 12, inclusive. Nothing in this chapter shall in any way preclude the use of federal funds for educationally disadvantaged youth Districts which receive funds pursuant to this chapter shall not reduce existing district resources which have been utilized for programs to meet the needs of low income students

6499 232 Maximum apportionments allowable to school districts shall be determined by the following factors·

(a) An index of "potential impact of bilingual-bicultural pupils" determined by dividing the percent of pupils in the district with Spanish and Oriental surnames, *and Indian pupils,* as determined by the annual ethnic survey conducted by the Department of Education, by the statewide average percentage of such pupils for unified, elementary, or secondary districts, as appropriate

(b) A ratio of the district's "index of family poverty," defined as the district's Elementary and Secondary Education Act, Title I entitlement, divided by its average daily attendance in grades 1 through 12, or any thereof maintained, divided in turn by the state average index of family poverty for unified, elementary, or secondary districts, as appropriate

(c) A ratio of the district's "index of pupil transiency," as computed from the relationship between the district's average daily attendance and its total annual enrollment, divided by the state average index of pupil transiency for unified, elementary, or secondary districts, as appropriate.

The district's total maximum apportionment under this chapter shall be determined by computing the product of (1) one-third the sum of the above three factors, except that if the resulting figure is higher than 2, the resulting figure shall be deemed to be 2, and if the resulting figure is lower than (1) no entitlement shall be computed for such a district, (2) the number of pupils receiving aid for dependent children support, and (3) a constant amount of three hundred dollars

($300), or such amount as the Superintendent of Public Instruction may determine so that the sum of all allocations will not exceed the funds appropriated by the Legislature for the purposes of this chapter

6499 234 In approving programs under this chapter, the State Board of Education shall give due consideration to the effectiveness of the program and shall not continue in operation any program that, upon evaluation, has been shown to be of low effectiveness and which has only limited possibility of improved effectiveness

For the fiscal year 1973–1974 and for each year thereafter, districts which demonstrate a high degree of program effectiveness shall receive amounts up to their entitlement limits. Districts which demonstrate low levels of program effectiveness shall continue to receive their initial apportionments but the Superintendent of Public Instruction may reduce the additional computed apportionments due such districts, if he determines that such programs have limited possibilities of improved achievement.

6499 235 The Superintendent of Public Instruction shall apportion the funds available for programs in accord with procedures specified in this chapter and policies which may be adopted by the State Board of Education Funds shall be allocated to each district within its entitlement based upon a plan submitted by the district to the Superintendent of Public Instruction, and approved by the State Board of Education The plan shall include (1) an explicit statement of what the district seeks to accomplish, (2) a description of the program and activities designed to achieve these purposes, and (3) a planned program of annual evaluation, including a statement of the criteria to be used to measure the effectiveness of the program

6499 236 The State Board of Education shall adopt regulations setting forth the standards and criteria to be used in the administration, monitoring, evaluation, and dissemination of programs submitted for consideration an amount not to exceed 1 percent of the total appropriation for the purposes of this chapter shall be retained by the Department of Education for these purposes. Funds appropriated for the purposes of this chapter not allocated as previously specified shall be allocated by the State Board of Education to promote the intent of this chapter to provide education programs to as many eligible pupils as possible and to stimulate the development, implementation, and evaluation of innovative programs

6499 237 The Superintendent of Public Instruction shall submit annually to the Governor and to each house of the Legislature a report evaluating the programs established pursuant to this chapter, together with his recommendations concerning whether the same should be continued in operation

SEC 2 Section 17301 of the Education Code is amended to read:

17301. (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult

schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, one hundred eighty dollars ($180).

(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State School Fund as are certified from time to time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes set forth in Section 17303 5; provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, ~~ninety-eight dollars and ninety-two cents ($98 92)~~ *one hundred ninety dollars and seventy-two cents ($190 72)* for the fiscal year ~~1970–1971~~ *1973–1974* and fiscal years thereafter, per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, less the amount, of any, by which seventy cents ($0 70) multiplied by the number of units of average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds exceeds twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance

~~For purposes of this subdivision, amounts transferable to the State School Fund for the purposes of subdivision (b) and subdivision (c) of Section 17303 5, commencing with the amounts transferrable for the 1969–1970 fiscal year, shall be considered separately, and amounts otherwise transferrable but not required for the respective purposes of those subdivisions in any fiscal year shall be retained in the General Fund to be devoted to the respective purposes in the next succeeding fiscal year.~~

(c) In addition to the amounts authorized to be transferred to the State School Fund from the General Fund under subdivisions (a) and (b) of this section, the Controller shall transfer from the General Fund to the State School Fund during the fiscal year, upon certification of the Superintendent of Public Instruction, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in Sections 17303 and 17303 5, an amount not to exceed the lesser of: (1) 1 percent of the total apportionment from the State School Fund in the preceding fiscal year for the purposes set forth in ~~Section~~ *Sections* 17303 ~~or~~ *and* 17303 5, or (2) the net amount, if any, by which the total amounts authorized to be transferred from the General Fund to the State School Fund under subdivisions (a) and (b) of this section in prior fiscal years have exceeded the total amounts actually apportioned in prior fiscal years for the purposes set forth in Sections 17303 and 17303 5.

(d) He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Sections 17303 and 17303 5 and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive) of this chapter and in Sections 11256 and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive

(e) Commencing with the 1974–75 fiscal year, the unit amounts under subdivisions (a) and (b) of this section shall be considered to be increased or decreased, as the case may be, by an amount equal to the percentage increase or decrease of the statewide ratio of assessed valuation per unit of kindergarten through grade 12 statewide average daily attendance

The Superintendent of Public Instruction shall adjust the foundation program levels prescribed for elementary and high school districts by the percentage increase or decrease in the statewide ratio of assessed valuation per unit of statewide elementary and high school average daily attendance

(f) The amounts transferred pursuant to this section shall include the amounts required to be transferred by Section 16140 of the Government Code, exclusive of the amounts required to be transferred pursuant to Section 16140 of the Government Code for the educational need factor and the Early Childhood Educational Program.

SEC 2 04 Section 17303 of the Education Code is amended to read:

17303 The amount transferred pursuant to subdivision (a) of Section 17301 shall be expended for basic aid, equalization aid, allowances for adults, ~~supplemental support,~~ and allowances to the county school tuition funds to be apportioned on account of average daily attendance.

SEC 2 06. Section 17303 5 of the Education Code is amended to read·

17303 5. The amount transferred pursuant to subdivision (b) of Section 17301 shall be expended in accordance with the following schedule

(a) Twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0 70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352

(b) Four dollars and forty cents ($4 40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to

county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.

(c) Nineteen dollars and fifty-two cents ($19 52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Section 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division.

(d) Three dollars and six cents ($3 06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352.

(e) One dollar and sixty-seven cents ($1.67) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426

(f) ~~Sixty dollars and ninety-two cents ($60 92)~~ *One hundred fifty-two dollars and seventy-two cents ($152 72)* multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalizaion aid, ~~supplemental support,~~ allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance. *The amount expended pursuant to this subdivision shall be annually revised to reflect the adjustment prescribed by subdivision (e) of Section 17301.*

(g) Eight dollars and sixty-five cents ($8 65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7 1 (commencing with Section 6750) of Division 6.

SEC 2 08 Section 17402 of the Education Code is amended to read:

17402. The Superintendent of Public Instruction shall on or before February 20th of each year apportion to each elementary school district, high school district, community college district, county school service fund, and county school tuition fund the total amounts allowed to them under Sections 6426, 17751, 17801, 17851, 17901, 17902, 17904, ~~17926,~~ 17951, 17952, 18060, 18062, 18102, *18102 2, 18102 4, 18102 6, 18102 9,* 18352, 18355, 18358, 18401, and Sections 18451 to 18456, inclusive, whichever are in effect This apportionment shall be called the first principal apportionment

SEC. 2 10 Section 17407 of the Education Code is amended to read:

17407 The Superintendent of Public Instruction shall on or before June 25th of each year apportion to each elementary school district, high school district, community college district, county school service fund, and county school tuition fund the total amounts allowed to them under Sections 6426, 17751, 17801, 17851, 17901, 17902, 17904,

~~17926.~~ 17951, 17952, 18060, 18062, 18102, *18102 2, 18102 4, 18102 6, 18102 9,* 18352, 18355, 18358, 18401, and Sections 18451 to 18456, inclusive, whichever are in effect This apportionment shall be called the second principal apportionment

SEC 2 12. Section 17411 of the Education Code is amended to read

17411. The Superintendent of Public Instruction shall withhold from the apportionment to an elementary school district, as a part of the first principal apportionment and second principal apportionment, the amount allowed the elementary school district for the average daily attendance in grades 7 and 8 in a junior high school by reason of the operation of subdivisions (a) and (b) of Section 17601 ~~and subdivisions (a) and (b) of Section 20910~~ The amount withheld shall be determined by multiplying the total amount of ~~(a)~~ basic state aid ; ~~(b)~~ *and* state equalization aid ~~reduced by the increase in foundation program pursuant to Section 17674 or the amount of state equalization aid, whichever is lesser, and (c) supplemental support~~ computed for the district by the foundation program for units of average daily attendance in grades 7 and 8 and dividing the product by the total foundation program of the district ; ~~exclusive of the increase in foundation program pursuant to Section 17674~~ .

The Superintendent of Public Instruction shall add the amount withheld to the apportionment required to be made to the high school district maintaining the junior high school

SEC 2 14 Section 17507 of the Education Code is amended to read:

17507. Minimum class size standards, Apportionments; Reports; Rules and regulations. The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district·

(a) For grades 1 to 3, inclusive, he shall determine the number of classes the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class

For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30 0 or less, there shall be no excess declared For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30

(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher He shall also determine the excess if any, of pupils enrolled in such grades in the following manner·

(1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public

Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board.

(2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year

(3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above.

(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year

(d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 17601.1 by ~~twice~~ the product determined under subdivision (c) of this section

(e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance He shall decrease the average daily attendance reported under the provisions of Section 17601.1 by ~~twice~~ the resulting product

(f) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall add to ~~twice~~ the product determined under subdivision (c) of this section, the product determined under subdivision (e) of this section and decrease the average daily attendance reported under the provisions of Section 17601.1 by this total amount

(g) If the school district reports, that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a)

of this section, there is an excess number of pupils computed pursuant to subdivision (b) of this section, and the average number of pupils in grades 1 to 3, inclusive, per each full-time equivalent classroom teacher is less than thirty (30), he shall decrease the average daily attendance reported under the provisions of Section 17601 by one-half of the decrease otherwise computed for the district pursuant to subdivision (f) of this section

The governing board of each school district maintaining elementary schools shall report for the fiscal year 1964–65 and each year thereafter the information required for the determination to be made by the Superintendent of Public Instruction under the provisions of this section in accordance with instructions provided on forms furnished and prescribed by the Superintendent of Public Instruction Such information shall be reported by the school district together with, and at the same time as, the reports required to be filed for the second principal apportionment of the State School Fund The forms on which the data and information is reported shall include a certification by each school district superintendent or chief administrative officer that the data is correct and accurate for the period covered, according to his best information and belief

For purposes of this section, a "full-time equivalent classroom teacher" means an employee of an elementary, high school, or unified school district, employed in a position requiring certification qualifications and whose duties require him to teach pupils in the elementary schools of that district in regular day classes for the full time for which he is employed during the regular schoolday In reporting the total number of full-time equivalent classroom teachers, there shall be included, in addition to those employees defined above, the full-time equivalent of all fractional time for which employees in positions requiring certification qualifications are required to devote to teaching pupils in the elementary schools of the district in regular day classes during the regular schoolday.

For purposes of this section, the number of pupils enrolled in each class means the average of the active enrollment in that class on the last teaching day of each school month which ends prior to April 15th of each school year.

The provisions of this section are not applicable to school districts with less than 101 units of average daily attendance for the current fiscal year

Although no decreases in average daily attendance shall be made for the fiscal year 1964–65, reports are required to be filed under the provisions of this section, and the Superintendent of Public Instruction shall notify each school district the amount of the decrease in state allowances which would have been effected had such decrease in average daily attendance been applied.

The Superintendent of Public Instruction shall adopt rules and regulations which he may deem necessary for the effective administration of this section Such rules and regulations may specify that no decrease in average daily attendance reported under the provisions of Section 17601 1 shall be made for a school district on account of large classes due to instructional television or team teaching, which may

necessarily involve class sizes at periods during the day larger than the standard set forth in this section.

SEC. 2.18. Section 17655.5 of the Education Code is amended to read:

17655.5. (a) For each district on account of each necessary small school (giving regard to the number of teachers actually employed or average daily attendance), he shall make one of the following computations, whichever provides the lesser amount:

(1) For each necessary small school which has an average daily attendance during the fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the district ~~eight thousand six hundred twenty-five dollars ($8,625)~~ *eighteen thousand eight hundred seventy-five dollars ($18,875)*.

(2) For each necessary small school which has an average daily attendance during the fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~seventeen thousand two hundred fifty dollars ($17,250)~~ *thirty-seven thousand seven hundred fifty dollars ($37,750)*.

(3) For each necessary small school which has an average daily attendance during the fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~twenty-five thousand eight hundred seventy-five dollars ($25,875)~~ *fifty-six thousand six hundred twenty-five dollars ($56,625)*.

(4) For each necessary small school which has an average daily attendance during the fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ~~thirty-four thousand five hundred dollars ($34,500)~~ *seventy-five thousand five hundred dollars ($75,500)*.

(b) For each district on account of each small school not determined to be a necessary small school under Section 17655 he shall make one of the following computations, whichever applies:

(1) If the total of the units of average daily attendance of the district during the fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school, is less than 901, he shall multiply the units of average daily attendance in the school by ~~three hundred forty-five dollars ($315)~~ *seven hundred fifty-five dollars ($755)*.

(2) If the total of the units of average daily attendance in the district during the fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school, is 901 or more, he shall multiply the units of average daily attendance by ~~three hundred fifty-five dollars ($355)~~ *seven hundred sixty-five dollars ($765)*.

SEC. 2.20. Section 17656 of the Education Code is amended to read:

17656. For each elementary school district which, exclusive of pupils attending the seventh and eighth grades of a junior high school,

has an average daily attendance of 101 or more but less than 901 during the fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school and pupils for whom a foundation program is computed under Section 17655 5, by ~~three hundred forty-five dollars ($345)~~ *seven hundred fifty-five dollars ($755)*.

For each elementary school district which, exclusive of pupils attending the seventh and eighth grades of a junior high school, has an average daily attendance of 901 or more during the fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, and pupils for whom a foundation program is computed under Section 17655 5, by ~~three hundred fifty-five dollars ($355)~~ *seven hundred sixty-five dollars ($765)*.

SEC 2.22 Section 17660 of the Education Code is amended to read:

17660. For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of less than 901 during the fiscal year, on account of the attendance during the fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by ~~three hundred forty-five dollars ($345)~~ *seven hundred fifty-five dollars ($755)*.

For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of 901 or more during the fiscal year, on account of the attendance during the fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by ~~three hundred fifty-five dollars ($355)~~ *seven hundred sixty-five dollars ($765)*

SEC 2.24. Section 17664 of the Education Code is amended to read:

17664. (a) For each district on account of each necessary small high school the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

Average daily attendance	Minimum number of certificated employees	Amount to be computed
1– 20 ---------- *less than*	3	~~$12,600~~
		$16,519 per teacher
1– 20 ----------	*3*	*83,772*
21– 40 ----------	4	~~51,000~~
		100,291
41– 60 ----------	5	~~59,400~~
		116,810
61– 75 ----------	6	~~67,800~~
		133,329

Average daily attendance	Minimum number of certificated employees	Amount to be computed
76– 90	7	~~76,200~~ *149,848*
91–105	8	~~84,600~~ *166,367*
106–120	9	~~93,000~~ *182,886*
121–135	10	~~101,400~~ *199,405*
136–150	11	~~109,800~~ *205,924*
151–180	12	~~118,200~~ *232,443*
181–220	13	~~126,600~~ *248,962*
221–260	14	~~135,000~~ *265,481*
261–300	15	~~143,400~~ *282,000*

~~For each district which has an average daily attendance of less than 21 and for which fewer than three certificated employees were employed, he shall compute eight thousand four hundred dollars ($8,400) for each of the teachers employed in the school.~~

(b) For each district on account of each small high school not determined to be a necessary small high school under Sections 17663, 17663.5, and 17663.7, he shall make one of the following computations, whichever applies:

(1) If the total of the units of average daily attendance in the district during the fiscal year is less than 301, he shall multiply the units of average daily attendance during the fiscal year in the school by ~~four hundred seventy-eight dollars ($478)~~ *nine hundred forty dollars ($940)*.

(2) If the total of the units of average daily attendance in the district during the fiscal year is more than 300, he shall multiply the units of average daily attendance during the fiscal year in the school by ~~four hundred eighty-eight dollars ($488)~~ *nine hundred fifty dollars ($950)*.

For the purposes of this section a "certificated employee" is an equivalent full-time position of an individual holding a credential authorizing service, and performing service in grades 9 through 12 in any secondary school. Any fraction of an equivalent full-time position shall be deemed to be a full-time position.

The foundation program established by this section for high schools with an average daily attendance of less than 301 shall not apply to any high school established after July 1, 1961 unless the establishment of such schools has been approved by the Superintendent of Public Instruction

SEC. 2.26. Section 17665 of the Education Code is amended to read:

17665. For each high school district which has an average daily attendance of 301 or more during the fiscal year, he shall multiply the average daily attendance by ~~four hundred eighty-eight dollars ($488)~~ *nine hundred fifty dollars ($950)*.

SEC. 2 28. Section 17665 5 of the Education Code is amended to read:

17665 5. For a high school district which has an attendance credited pursuant to Section 10815, he shall multiply the average daily attendance by ~~four hundred eighty-eight dollars ($488)~~ *nine hundred fifty dollars ($950)*.

SEC 2 30. Section 17674 of the Education Code is repealed.

~~17671. The foundation program computed for the fiscal year for each elementary school district pursuant to Section 17656, as increased, where necessary, pursuant to the other provisions of this article, shall be increased further by thirty dollars ($30) for each unit of average daily attendance in regular day classes during the fiscal year in grades 1 through 3, inclusive, reported under the provisions of Section 17601 1, as adjusted, if necessary, under the provisions of Section 17507.~~

~~The Legislature intends that the increase in the foundation program made available by this section be utilized by local school districts, for the achievement of reduced class sizes in grades 1 through 3, inclusive, so that the sizes of such classes will not exceed the minimum standards prescribed by Section 17507.~~

SEC 2 32 Section 17675 of the Education Code is amended to read:

17675 The increases in foundation programs prescribed by ~~Sections~~ *Section* 17671 ~~and 17674~~ shall in no event be provided for any school district for any elementary school with an average daily attendance of less than 101 which does not qualify as a "necessary small school" under Section 17655, or any high school with an average daily attendance of less than 301 which does not qualify as a "necessary small high school" under Section 17663.

SEC 2 36 Section 17702 of the Education Code is amended to read:

17702 The Superintendent of Public Instruction shall compute for each district described herein ~~, which does not come within the provisions of Section 17702 2,~~ the amount, to be known as district aid, which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the current year would produce if levied, if such tax was·

(a) ~~One dollar ($1)~~ *Two dollars and twenty-three cents ($2 23)* in an elementary school district

(b) ~~Eighty cents ($0 80)~~ *One dollar and sixty-four cents ($1 64)* in a high school district.

(c) Twenty-five cents ($0 25) in a ~~junior~~ *community* college district

SEC 2 38 Section 17702 2 of the Education Code is amended to read·

17702 2. The Superintendent of Public Instruction shall compute the areawide aid to be utilized in determining state apportionments to be made for the support of elementary school districts and high school districts with respect to which an areawide foundation program is computed under Article 2 5 (commencing with Section 17680) of this chapter Areawide aid shall be the amount which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation for the current fiscal year, modified where necessary pursuant to Section 17262, of the area comprising all of such elementary school districts and all of such high school districts would produce, if levied, if such

tax were: (a) in the case of the elementary school district area, ~~the~~ *one dollar ($1.00)* ~~rate prescribed for elementary school districts by Section 17702~~; and (b) in the case of the high school district area, ~~the rate prescribed for high school districts by Section 17702.~~ *eighty cents ($0.80).*

If the Superintendent of Public Instruction finds that the difference obtained by subtracting the areawide aid as computed under the above provisions of this section from the areawide foundation program is less than the product obtained by multiplying the average daily attendance used for foundation program purposes by one hundred twenty-five dollars ($125), he shall reduce the areawide aid to an amount which, when added to such product, will equal the amount of the areawide foundation program.

SEC. 2.46. Section 17706 of the Education Code is amended to read:

17706. The Superintendent of Public Instruction shall determine the individual areawide aid for each elementary district included within territory for which an areawide foundation program was computed pursuant to Article 2.5 (commencing with Section 17680) of this chapter, by: (1) dividing the total areawide aid derived by the elementary school districts in the territory under Section 17702.2, by (2) the areawide foundation program derived for the territory under Section 17680, and (3) multiplying the quotient by the foundation program computed for each district under Article 2 (commencing with Section 17651) and Article 2.1 (commencing with Section 17671) of this chapter.

He shall determine the individual areawide aid for each high school district included within territory for which an areawide foundation program was computed pursuant to Article 2.5 (commencing with Section 17680) of this chapter, by: (1) dividing the total areawide aid derived for the high school districts in the territory under Section 17702.2, by (2) the areawide foundation program derived for the territory under Section 17680, and (3) multiplying the quotient by the foundation program computed for each district under Article 2 (commencing with Section 17651) and Article 2.1 (commencing with Section 17671) of this chapter.

The district aid for an elementary school district within an area shall be the sum of the prorated areawide aid received by the district and the yield of one dollar and twenty-three cents ($1.23) levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district. The district aid for a high school district within an area shall be the sum of the prorated areawide aid received by the district and the yield of eighty-four cents ($0.84) levied on each one hundred dollars ($100) of assessed valuation in such district

SEC. 2.52. Section 17910 of the Education Code is amended to read:

17910. The Superintendent of Public Instruction shall compute the state equalization aid pursuant to this article upon the basis that the district's assessed value has not been reduced by the ~~exemption of 15 percent of the assessed value of business inventories in the district or reduced by the homeowner's property tax exemption.~~ *partial exemption for business inventories in the district or reduced by the homeowner's property tax exemption or reduced by the assessing of property under Sections 423 and 423.5 of the Revenue and Taxation Code*

SEC 2 54. Article 7 1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code is repealed

SEC 2 56 Section 18102 of the Education Code is amended to read

18102. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of physically handicapped minors during the current fiscal year an amount computed as follows.

(a) Dividing the average daily attendance of physically handicapped minors by the maximum class size established by law for special day classes for physically handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~seventeen thousand two hundred sixty dollars ($17,260)~~ *twenty-one thousand seven hundred sixty dollars ($21,760)*.

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:

(1) The product of the average daily attendance of physically handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660.

(2) The product of the average daily attendance of physically handicapped minors in grades 9 to 12, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for ~~junior~~ *community* college districts with an average daily attendance in excess of 1,000 by Section 17666 2

SEC 2 58 Section 18102 2 of the Education Code is amended to read:

18102 2 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of mentally retarded minors during the current fiscal year an amount computed as follows·

(a) Dividing the average daily attendance of mentally retarded minors by the maximum class size established by law for special day classes for mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~thirteen thousand eight hundred ninety dollars ($13,890)~~ *twenty thousand four hundred dollars ($20,400)*, and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts·

(1) The product of the average daily attendance of mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.

(3) The product of the average daily attendance of ~~physically handicapped~~ *mentally retarded* minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2.

SEC. 2.60. Section 18102.4 of the Education Code is amended to read:

18102.4 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of severely mentally retarded minors during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of severely mentally retarded minors by the maximum class size established by law for special day classes for severely mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~fifteen thousand two hundred sixty dollars ($15,260)~~ *nineteen thousand eight hundred dollars ($19,800)*, and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts

(1) The product of the average daily attendance of severely mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of severely mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of ~~physically handicapped~~ *severely mentally retarded* minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2

SEC. 2.62. Section 18102.6 of the Education Code is amended to read:

18102.6. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of educationally handicapped minors during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of educationaly handicapped minors, less the enrollment in excess of the maximum class size authorized pursuant to Section 6751.1, by the maximum class size established by law for special day classes for educationally handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~sixteen thousand two hundred sixty dollars ($16,260)~~ *twenty thousand seven hundred forty dollars ($20,740)*, and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:

(1) The product of the average daily attendance of educationally handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of educationally handicapped minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of ~~physically~~ *educationally* handicapped minors in grades 13 and 14, and the foundation program per pupil established for ~~junior~~ *community* college districts with an average daily attendance in excess of 1,000 by Section 17666 2.

SEC 2 63 Section 18105 is added to the Education Code, to read:

18105. The Superintendent of Public Instruction shall annually adjust each total support guarantee amount specified in this article by an inflation index determined jointly by the Department of Education and the Department of Finance.

SEC 2 64 Section 18451 of the Education Code is amended to read:

18451 (a) The total amount allowed from the State School Fund as basic and equalization aid, and allowances in lieu of basic and equalization aid allowed pursuant to Sections 18355, 18358, and 18401, to be apportioned on account of average daily attendance during the fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and county school tuition funds on account of elementary, high school, and ~~junior~~ *community* college school pupils shall not exceed the amount provided by law therefor

(b) The total amount allowed from the State School Fund pursuant to Sections 18060, 18062, ~~and~~ 18102, *18102.2, 18102.4, 18102.6, and 18102.9* shall not exceed the amount provided by law therefor.

SEC 2 66 Section 18452 of the Education Code is amended to read:

18452 If the total amount allowed from the State School Fund to all school districts, county school service funds, and county school tuition funds under Sections 6426, 6762, 17751, 17801, 17851, 17901, 17902, 17904, ~~17905, 17906, 17926,~~ 17951, 17952, 17970, 18355, 18358, and 18401 on account of average daily attendance during the fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and county school tuition funds is less than the amount provided by law for such purposes, the balance shall be allowed pursuant to Section 18460

SEC 2 68. Section 18455 of the Education Code is amended to read:

18455 If the total amount allowed from the State School Fund to all school districts, county school service funds, and county tuition funds under Sections 17751, 17801, 17851, ~~17926,~~ 17951, 17952, 17901, 17902, ~~17903,~~ 17904, 17970, 18355, 18358, and 18401, on account of average daily attendance during the fiscal year credited to all kinder-

garten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and county school tuition funds is more than the total amount provided by law for such purposes, the amount allowed each such district as *state* equalization aid from the State School Fund shall be reduced proportionately.

SEC. 2.70. Section 20814.5 of the Education Code, as added by Chapter 1 of the Statutes of 1971 First Extraordinary Session of the Legislature, is repealed

SEC. 2.72. Article 6 (commencing with Section 20902) is added to Chapter 3 of Division 16 of the Education Code, to read.

Article 6 Property Tax Revenue Control for School Districts

20902. Notwithstanding any other provisions of law, for the 1973–74 fiscal year, and fiscal years thereafter, the maximum tax rate for school districts other than community college districts shall be as provided in this article. A community college district may utilize any increase in the otherwise applicable maximum school district tax rate authorized by any law applicable to community college districts.

20903. Commencing on July 1, 1973, the maximum school district tax rate of any school district maintaining kindergarten and any of grades 1 to 12 inclusive, shall be the rate computed pursuant to this article. In addition, each such district may levy a tax as authorized in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, 20911, 20930, or 22101. Any other provision of law fixing the maximum school district tax rate for any such district or authorizing the levy and collection of taxes for any other purpose is hereby superseded and declared inoperative as to such districts.

20904. (a) For the 1973–74 fiscal year only, the county superintendent of public schools shall compute for each school district in the county an amount equal to the sum of (1) the district's 1972–73 fiscal year tax rate plus the unlevied portion of any voted override but exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, 20911, 20930, or 22101, multiplied by the assessed valuation of the district for the 1972–73 fiscal year, (2) the amount of areawide aid received by the district for the 1972–73 fiscal year, (3) 50 percent of the residual retirement reserve transferred under SB 1053 of the 1972 legislative session, and (4) the total amount of basic state aid, equalization aid, supplemental support, and inflation cost adjustment which the districts received pursuant to the provisions of this code and the Budget Act of 1972 as computed by the Superintendent of Public Instruction.

(b) The amount computed in subdivision (a) shall be divided by the foundation program average daily attendance in the second principal apportionment and shall be the 1972–73 base revenue per unit of average daily attendance.

(c) The base revenue per unit of average daily attendance for each district shall be divided into the following amounts per unit of average daily attendance: for elementary districts, nine hundred dollars ($900); for high school districts, one thousand one hundred sixty-five dollars ($1,165); for unified districts, nine hundred eighty dollars ($980). If the result is greater than one it shall be deemed to be one

(d) The quotient determined pursuant to subdivision (c) shall be multiplied by sixty-five dollars ($65) per unit of average daily attendance

(e) The product determined pursuant to subdivision (d) shall be added to the base revenue per unit of average daily attendance determined pursuant to subdivision (b) and multiplied by the estimated foundation program unit of average daily attendance of the districts for the 1973–74 fiscal year

(f) The amount computed pursuant to subdivision (e) shall be compared with the total amount computed for the district pursuant to Article 2 (commencing with Section 17651) and Article 2.1 (commencing with Section 17671) of Chapter 3 of Division 14 of the Education Code. The larger of the two amounts shall be the revenue limit of the district for the 1973–74 fiscal year but in no case shall exceed one hundred fifteen percent (115%) of the 1972–73 base revenue per unit of average daily attendance multiplied by the 1973–74 estimated foundation program average daily attendance. This revenue limit is exclusive of federal funds and state funds except those specified in subdivision (a).

(g) From the revenue limit ascertained from the comparison made pursuant to subdivision (f), there shall be subtracted the total amount of basic state aid and state equalization aid to be received by the district during the 1973–74 fiscal year.

(h) The amount determined pursuant to subdivision (g) shall be adjusted sufficiently to allow for the mandated increases for district contributions for the State Teachers' Retirement System as required by Section 14100 of the Education Code. Such adjustment, together with any rate levied in 1972–73 pursuant to Section 14111 of the Education Code, shall not exceed the revenue derived by the tax rate provided in Section 14111 of the Education Code.

(i) The amount computed pursuant to subdivision (h) shall be the local revenue limit of the district for the 1973–74 fiscal year. From the local revenue limit, there shall be subtracted fifty percent (50%) of the residual retirement reserve transferred under SB 1053 of the 1972 legislative session

(j) From the amount computed in subdivision (h), there shall be subtracted the amount of money collected or to be collected as taxes on property on the unsecured roll of the 1973–74 fiscal year, excluding the amounts collected through the levy of taxes provided in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, 20911, 20930, or 22101

(k) The amount determined pursuant to subdivision (j) shall be divided by the amount of actual assessed valuation of the district on the secured roll. The quotient shall be the tax rate on each one hundred dollars ($100) of such assessed valuation and shall be the maximum general purpose rate which may be levied in the district during the 1973–74 fiscal year, exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, 20911, 20930, or 22101

20905 (a) For the 1974–75 fiscal years and thereafter, the maximum tax rate shall be the rate computed pursuant to this section exclusive of taxes provided in Section 15517, 15518, 16633, 16645.9, 19443, 19619, 20911, 20930, or 22101.

(b) The revenue limit per foundation program unit of average daily attendance for the district for the prior fiscal year shall be computed by the Superintendent of Public Instruction and divided into the appropriate foundation program amount per unit of average daily attendance If the quotient is greater than one, it shall be deemed to be one.

(c) The foundation program amount per unit of average daily attendance used as the dividend in subdivision (b) shall be determined by the Superintendent of Public Instruction pursuant to this subdivision For elementary school districts, it shall be the foundation program for districts which have an average daily attendance of 901 or more as determined pursuant to Section 17656 For high school districts it shall be the foundation program determined pursuant to Section 17665 For unified districts, it shall be the sum of (1) the foundation program for districts which have an average daily attendance of 901 or more pursuant to Section 17656 multiplied by the elementary foundation program per unit of average daily attendance of unified districts in the second principal apportionment plus (2) the foundation program pursuant to Section 17665 multiplied by the high school foundation program per unit of average daily attendance of unified districts in the second principal apportionment divided by the sum of the elementary and high school average daily attendance of unified districts in the school principal apportionment

(d) The inflation adjustment jointly determined by the Department of Education and the Department of Finance, shall be multiplied by the appropriate foundation program amount

(e) The product determined pursuant to subdivision (d) shall be multiplied by the quotient determined pursuant to subdivision (b). The resultant amount shall constitute the revenue limit inflation adjustment of the district.

(f) The revenue limit inflation adjustment shall be added to the prior year revenue limit per foundation program unit of average daily attendance of the district and the sum multiplied by the estimated foundation program average daily attendance of the budget year The product shall be the revenue limit of the district for the budget year

(g) Any district which had a 1972–73 fiscal year tax rate exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16645 9, 19443, 19619, 20911, 20930, or 22101 which was greater than or equal to the appropriate rate prescribed under Section 17702, and which has a revenue limit computed pursuant to subdivision (f) which is less than the foundation program computed for the district pursuant to Article 2 and 2 1 of Chapter 3 of Division 14 of the Education Code may increase its revenue limit computed pursuant to subdivision (f) to the lessor of the foundation program level of the district or the prior year revenue limit increased by fifteen percent (15%)

(h) From the amount computed pursuant to subdivision (f) or (g), there shall be subtracted the basic and equalization aid estimated for the budget year.

(i) The amount determined pursuant to subdivision (h) shall be adjusted sufficiently to allow for the mandated increases for district contributions for the State Teachers' Retirement System as required by Section 14100 of the Education Code Such adjustment, together with

any rate levied in any prior year pursuant to Section 1411 of the Education Code, shall not exceed the revenue derived by the tax rate provided in Section 1411 of the Education Code The adjusted amount shall be the local revenue limit of the district for the budget year.

(j) For the 1974–75 fiscal year, there shall be subtracted fifty percent (50%) of the residual retirement reserve transferred under SB 1053 of the 1972 legislative session

(k) From the amount computed pursuant to subdivision (i) or (j), there shall be subtracted the amount of money collected or to be collected as taxes on property on the unsecured roll of the budget year, excluding the amounts collected through the levy of taxes provided in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, 20911, 20930, or 22101.

(*l*) The amount determined pursuant to subdivision (j) shall be divided by the amount of actual assessed valuation of the district on the secured roll. The quotient shall be the tax rate on each one hundred dollars ($100) of such assessed valuation and shall be the maximum general purpose rate which may be levied in the district during the budget year, exclusive of taxes provided in Section 15517, 15518, 16633, 16645 9, 19443, 19619, 20911, 20930, or 22101.

20906. Commencing with the 1973–74 fiscal year, the maximum tax rate prescribed by Sections 20904 and 20905 may be exceeded upon approval of a majority of the electors of the district pursuant to Section 20803. Such approval may be granted for any period of time, and shall be in addition to the revenue limit computed pursuant to this article.

20907. Whenever the computations required by Section 20904 or 20905 results, because of estimating error, in a total income limit in an amount more or less than actual data would have produced, the revenue limit for the succeeding fiscal year shall be reduced a like amount if the total produced was more, and may be increased by such amount if the total produced was less.

20908 Any bill which amends, repeals, or supersedes any provision of, or adds any provision to, this article shall, if it receives a "do pass" recommendation from the policy committee, be referred from the policy committee to the Committee on Revenue and Taxation of the same house of the Legislature.

20909 If the electors of a district approve an increase in the maximum tax rate during the 1972–73 fiscal year, the revenue from that increase shall be deemed to have been a part of the district's revenue for that fiscal year even if the tax rate does not become operative until the 1973–74 fiscal year.

20910 If the term of a voter approved increase in the maximum tax rate of a district expired and the increase was not available for the 1972–73 fiscal year, the revenues which would have been derived from such an increase shall be excluded from the computation of base revenue for the district during the 1972–73 fiscal year for purposes of Section 20904

20911 The unexpended proceeds of any permissive tax rate, the authorization for the levy and collection of which has been made inoperative by this article, shall be transferred to the general fund of the district on July 1, 1973.

20912. It is the intent of the Legislature that an interim study be conducted on wealth-equalizing among school districts; including but not limited to such means of wealth-equalizing as variable foundation programs, power or wealth equalizing and wealth pulling.

SEC. 2 74 Chapter 3.5 (commencing with Section 20910) of Division 16 of the Education Code is repealed.

SEC. 3.5. Section 15616.5 is added to the Government Code, to read:

15616.5. On or before July 1, 1976, and on or before the first day of July of each third year thereafter, the State Board of Equalization shall certify to the Department of Motor Vehicles the tax rate determined for the preceding fiscal year pursuant to Section 11403 of the Revenue and Taxation Code.

SEC. 4. Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of the Government Code is repealed.

SEC. 5. Chapter 1 (commencing with Section 16100) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 1. APPROPRIATION

16100. There is hereby continuously appropriated from the State General Fund to the Controller an amount sufficient to pay the subventions required by this part.

16101 It is the purpose of this part to provide property tax relief to the citizens of this state, as undue reliance on the property tax to finance various functions of government has resulted in serious detriment to one segment of the taxpaying public The subventions from the State General Fund required under this part will serve to partially equalize tax burdens among all citizens, and the state as a whole will benefit.

SEC. 6. Chapter 1.5 (commencing with Section 16110) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 1.5. PERSONAL PROPERTY SUBVENTIONS

16110. It is the purpose of this chapter to provide replacement revenues to local government by reason of the repeal or reduction of the property tax on the following classes of property affected by the following provisions of the Revenue and Taxation Code: (1) business inventories under Section 219; (2) motion pictures under Section 988; (3) livestock under Section 5523; and (4) wine and brandy under Section 992.

16111. (a) Out of the amount appropriated to the Controller from the State General Fund by Section 16100 so much as may be necessary shall be allocated in accordance with the terms and conditions set forth in this section to local taxing authorities which have lost revenue by reason of the operation of Section 988 of the Revenue and Taxation Code.

(b) Upon, and only upon, application by a local taxing authority, the Controller shall determine the loss occasioned by the operation of Section 988 of the Revenue and Taxation Code by multiplying the current tax rate of the local entity times each one hundred dollars ($100) of assessed valuation attributable to motion pictures, including the negatives and prints thereof, and taxable by such local entity and shall pay to the claimant the amount so computed, provided the as-

sessed valuation upon which the loss is determined is in excess of five thousand dollars ($5,000) and the amount of tax loss is one hundred dollars ($100) or more

(c) For the purposes of the computation under subdivision (b) of this section, the assessed valuation of motion pictures, including the negatives and prints thereof, taxable by any claimant local entity shall be the average assessed value of such property which was taxable by such local entity during the four-year period including and ending with the 1968–1969 fiscal year

(d) Application for the replacement revenues shall be made on or before September 15th with respect to losses to be occasioned in the fiscal year and payments shall be made on or before November 1st of the same calendar year

16112 (a) Out of the amount appropriated to the Controller from the General Fund by Section 16100, he shall pay so much as may be necessary to make allocations pursuant to Section 17254 of the Education Code according to the terms and conditions herein set forth to school districts which have lost revenue by reason of the operation of Section 992 of the Revenue and Taxation Code

(b) Upon, and only upon, application by an eligible school district, determined pursuant to Section 17254 of the Education Code, the Controller shall determine replacement revenue for the loss occasioned by the operation of Section 992 of the Revenue and Taxation Code by multiplying the current tax rate of the school district times each one hundred dollars ($100) of the loss in assessed valuation attributable to wine, winery products, or brandy, and shall pay to the school district the amount so computed

(c) For the purposes of the computation under subdivision (b) of this section, the loss in assessed valuation of wine, winery products, and brandy shall be the average assessed value of such property which would not have been taxable by the school district if Section 992 of the Revenue and Taxation Code had been in effect during the four-year period including and ending with the 1969–1970 fiscal year The county auditor shall compute the loss and certify the amount of the loss to the Controller.

(d) Application for the replacement revenue shall be made on or before September 15th with respect to losses to be occasioned in the fiscal year and payments shall be made on or before November 1st of the same calendar year

16113 (a) Each county auditor shall file a claim with the Controller on or before the last day of August of each year for reimbursement to local governmental agencies for the tax loss attributable to property on the unsecured roll by reason of a partial exemption for business inventories provided for in Section 219 of the Revenue and Taxation Code

(b) Each county auditor shall file a claim with the Controller on or before October 31st of each fiscal year for reimbursement to local governmental agencies for the tax loss attributable to property on the secured roll by reason of the partial exemption for business inventories provided for in Section 219 of the Revenue and Taxation Code

(c) Each county auditor shall file a claim with the Controller on or before March 31st for tax losses attributable to Sections 219 and 5523

of the Revenue and Taxation Code on taxes delinquent on February 15th, and shall file a claim on or before August 31st for tax losses attributable to such sections on taxes delinquent on August 15th

16114. For the 1971–1972 fiscal year and each fiscal year thereafter, the Controller shall make, or may request the State Board of Equalization to make, such audits of claims submitted pursuant to Section 16113 as he deems appropriate There shall be deducted from the payment to the county provided by Section 16115 for the following fiscal year:

(a) The amount claimed which is attributable to the overassessment of inventories; and

(b) The fund allocated pursuant to Section 16115 for inventories which are subsequently found to be misclassified as inventories by the assessor, the Controller, or by the State Board of Equalization.

16115 (a) Out of the amount appropriated by Section 16100, the Controller shall pay on or before September 15th of each year to each county auditor the amount claimed under subdivision (a) of Section 16113 and the amounts claimed by August 31st under subdivision (c) of Section 16113

(b) Out of the amount appropriated by Section 16100, the Controller shall pay on or before December 30th of each year to the county auditor one-half of the amount claimed under subdivision (b) of Section 16113 and shall pay the other one-half so claimed on or before April 30th. The amount claimed by March 31st under subdivision (c) of Section 16113 shall be paid on or before April 30th.

16116 (a) Out of the amount appropriated by Section 16100, the Controller shall pay during the 1971–72 fiscal year to each county auditor the amount specified for such county in Section 1 of Chapter 520 of the Statutes of the 1971 Regular Session of the Legislature

(b) For the 1971–1972 fiscal year only, each county and city and county shall submit to the Controller on or before April 30, 1972, in such form as the controller shall direct, a statement of loss as is required by subdivisions (a), (b) and (c) of Section 16113 To the extent that the total loss so computed exceeds the amount otherwise paid to such county or city and county by the state during the 1971–1972 fiscal year to compensate for revenues lost by reason of the partial exemption for business inventories, the Controller shall pay to such county or city and county the amount of such excess from the amount appropriated by Section 16100 The Controller shall deduct from payments to the counties pursuant to this chapter for the fiscal year 1971–1972 any excess amount over the actual loss attributable to the partial exemption for business inventories provided in Section 219 of the Revenue and Taxation Code which was paid to the counties in the 1970–1971 fiscal year The counties shall furnish the Controller such information as he may require to determine such overpayment

SEC 6.9 Section 16120 of the Government Code, as added by Chapter 51 of the Statutes of the 1971 Regular Session of the Legislature is repealed

~~16120. On or before December 31, 1971, and the last day of December of each year thereafter, the Controller shall draw from the General Fund when appropriated and pay therefrom to each city and county auditor 35 percent of the amounts claimed on the preceding October 31~~

~~pursuant to Sections 29100 6 and 29100 7 to reimburse local governmental agencies for the tax loss attributable to the homeowners' property tax exemption. On or before the last day of April of the next succeeding calendar year the Controller shall pay the remaining 65 percent of the amounts claimed to the respective auditors. Upon receipt of the payments the respective auditors shall apportion the reimbursement proceeds to the local entities in accordance with the claims previously made.~~

SEC. 7. Section 16120 is added to the Government Code, to read:

16120. On or before November 30, 1972, and the last day of November of each year thereafter, the Controller shall pay from the amount appropriated from the State General Fund to each city and county auditor 15 percent of the amounts claimed on the preceding October 31 pursuant to Sections 29100 6 and 29100 7 to reimburse local governmental agencies for the tax loss attributable to the homeowners' property tax exemption

On or before December 31, 1972, and the last day of December of each year thereafter, the Controller shall pay from the amount appropriated from the State General Fund by Section 16100 to each city and county auditor 35 percent of the amounts claimed on the preceding October 31 pursuant to Sections 29100 6 and 29100 7 to reimburse local governmental agencies for the tax loss attributable to the homeowners' property tax exemption.

On or before April 30, 1973, and on or before the last day of April of each calendar year thereafter, the Controller shall pay 35 percent of the amounts claimed by the respective auditors.

On or before May 31, 1973, and on or before the last day of May of each calendar year thereafter, the Controller shall pay the remaining 15 percent of the amounts claimed to the respective auditors Upon receipt of the payments the respective auditors shall apportion the reimbursement proceeds to the local entities in accordance with the claims previously made.

SEC 8 Chapter 3 (commencing with Section 16130) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 3. OPEN-SPACE SUBVENTIONS

16130 The Secretary of the Resources Agency shall direct the Controller to pay annually out of the funds appropriated by Section 16100, to each eligible county, city, or city and county the following amounts for each acre of land within its regulatory jurisdiction that is assessed pursuant to Section 423 or 423 5 of the Revenue and Taxation Code·

(a) Four dollars ($4) for prime agricultural land as defined in Section 51201 of this code which is:

(1) Within an incorporated city,

(2) Within three miles of the boundaries of an incorporated city with more than 1,500 registered voters, or

(3) Within one mile of the boundaries of an incorporated city with less than 1,500 registered voters.

(b) Two dollars ($2) for all other prime agricultural land,

(c) Fifty cents ($0 50) for all land, other than prime agricultural land, which is devoted to open-space uses of statewide significance defined in Section 16108.

16131. Land shall be deemed to be devoted to open-space uses of statewide significance if it:

(a) Could be developed as prime agricultural land, or

(b) Is open-space land as defined in Section 65560 which constitutes a resource whose preservation is or more than local importance for ecological, economic, educational, or other purposes The Secretary of the Resources Agency shall be the final judge of whether the land is in fact devoted to open-space use of statewide significance.

16132. On or before October 31, 1972, and annually thereafter, the governing body of each county, city, or city and county shall submit a report to the Secretary of the Resources Agency itemizing the number of acres of land under its regulatory jurisdiction which it believes to be qualified for state payments pursuant to the various categories enumerated in Section 16130, together with such supporting documentation as the secretary by regulation may require The secretary, after reviewing the report and determining the eligibility of the local government to receive payment and the actual amount to which it is entitled, shall certify that amount to the Controller for payment, and the Controller shall make such payment by December 31, 1972, and annually thereafter.

The secretary may make such supplemental reports to the Controller as it deems necessary throughout the year to give effect to new or additional information received from local governing bodies, correct errors, and dispose of contested or conditional situations Upon receiving such reports, the Controller shall pay any amount certified therein, and may withhold and deduct any certified overpayment from the amount that would otherwise be paid to the local government in the next succeeding year.

16133. Funds received by local governments pursuant to the open-space provisions of this chapter may be used for county, city, or city and county purposes, as the case may be, or may, but need not necessarily, be used for purposes of general interest and benefit to the state. The use of such funds shall include administration, supervision, and enforcement of any open-sapce program under which a local government receives such funds Such funds may also include an allocation of all or part of them to any special district or school district existing within boundaries of a local government in which land is assessed pursuant to Section 423 or 423 5 of the Revenue and Taxation Code, and which has thereby suffered a reduction in its assessed valuation, when the local governing body determines:

(a) That the loss of assessed value is substantial and will have an adverse effect upon programs of public importance carried on by the district.

(b) The benefits flowing from the restrictions on the use of land within the district do not accrue solely or primarily to landowners or residents within the districts

(c) That the taxes collected by the district are not devoted to expenditures primarily of benefit to land or landowners within the district.

Any special district or school district may make application for an allocation of such funds from the local government in the form and with such supporting evidence as the governing board of the local gov-

ernment may require Such governing board may also adopt such uniform standards as it believes necessary to determine the amount and method of payment of such assistance, and may provide for such payments to be reduced annually, according to a schedule, so as to cease financial assistance over a specified period of years However, nothing herein shall be construed as requiring the governing board of the local government to make any allocation to any special district, or school district, and the governing board of such local government shall be the sole judge of the entitlement of any special district or school district to any allocation, and to the amount of such allocation if granted.

16134 The Secretary of the Resources Agency may determine, after notice and hearing, that a local government is ineligible to receive state payments pursuant to this article by reason of its failure to comply with the provision of Article 10 5 (commencing with Section 65560) of Chapter 3 of Title 7 of this code, or with the provisions of any program which establishes an enforceable restriction upon which the assessment of land within its jurisdiction pursuant to Section 423 or 423 5 of the Revenue and Taxation Code is based This section shall not be construed to require the disqualification of any land from assessment pursuant to Section 423 or 423 5 of the Revenue and Taxation Code as a consequence of any determination of ineligibility by the secretary

16135 The Secretary of the Resources Agency may request the Attorney General to bring any action in court necessary to enforce any enforceable restriction as defined in Section 422 of the Revenue and Taxation Code, upon land for which the secretary has certified payment of state funds to the local governing body during the current or any preceding fiscal year Such action may include, but is not limited to, an action to enforce the contract by specific performance or injunction

16136 The Superintendent of Public Instruction shall determine the amount by which the school district tax rate for general fund purposes for each school district in which land assessed pursuant to Section 423 or 423 5 of the Revenue and Taxation Code is situated exceeds·

(a) Two dollars and twenty-three cents ($2 23) for each elementary district

(b) One dollar and sixty-four cents ($1 64) for each high school district.

(c) Three dollars and eighty-seven cents ($3 87) for each unified district maintaining grades kindergarten through 12

(d) Four dollars and twelve cents ($4 12) for each unified district maintaining grades kindergarten through 14.

(e) Twenty-five cents ($0 25) for each community college district.

The Superintendent of Public Instruction shall then determine the product of such amount multiplied by the open-space adjustment determined pursuant to Section 16137.

16137 On or before October 31, 1972, and on or before the last day on October of each year thereafter, the assessor shall report the open-space adjustment for each school district located in the county to the Controller and to the Superintendent of Public Instruction The open-space adjustment shall be calculated by determining the difference between:

(a) The adjusted assessed value of all land in the district in the base year, excluding the assessed value of the right to extract oil, gas, or other hydrocarbons, which shall be the last assessment year prior to the year in which land that is currently valued pursuant to Section 423 or 423 5 of the Revenue and Taxation Code was first valued under an enforceable restriction, except that in no event shall the base year be prior to 1966, and

(b) The assessed value of all land within the district, excluding the assessed value of the right to extract oil, gas, or other hydrocarbons for the current assessment year.

For the purposes of subdivision (a), "adjusted assessed value" shall be computed by multiplying the actual assessed value of land in the district in the base year, excluding the assessed value of the right to extract oil, gas, or other hydrocarbons by the percentage which the gross assessed value of all land in the state on the local roll outside of municipalities without deductions for any exemptions for the current assessment year is of the gross assessed value of all land on the local roll outside municipalities without deductions for any exemptions in the base year. The Controller shall announce the factors to be used by the assessors on or before October 15th of each year

If the value of land within the district for the current assessment year is greater than the adjusted assessed value of the base year, there shall be no reimbursement.

16138. A basic aid school district shall not receive any assistance under the provisions of this article if its actual assessed value per pupil is greater than the product of the base year (as defined in subdivision (a) of Section 16137) assessed value per pupil times the percentage which the estimated or actual current expense of education per pupil in the state for the current year is of the current expense of education per pupil in the state for the base year

16138 5. The Superintendent of Public Instruction shall apportion and allow to each eligible school district the amount derived pursuant to Section 16136 as part of the second principal apportionment

16138 7. The other provisions of this chapter notwithstanding, no city, county, or city and county shall receive more money by reason of the funds provided for in the open-space provisions of this chapter than such governmental entity might have received had no property in the entity been assessed pursuant to Sections 423 and 423 5 of the Revenue and Taxation Code. This determination shall be made by:

(a) Multiplying the last unrestricted assessed value, excluding the assessed value of the right to extract oil, gas, or other hydrocarbons of each parcel now subject to assessment under Sections 423 or 423 5 of the Revenue and Taxation Code by the percentages which the current gross assessed value of all land on the local roll outside municipalities without deduction for exemption in the state is of the gross assessed value of all land on the local roll outside municipalities without deduction for exemption in the state for the last year in which the parcel was not so restricted;

(b) Subtracting the current assessed value, excluding the assessed value of the right to extract oil, gas, or other hydrocarbons for the parcel from the figure derived pursuant to subdivision (a);

(c) Calculating the total of all differences determined pursuant to subdivision (b) for land under control of, or, in the case of cities, within the boundaries of, the entity in question; and

(d) Multiplying the total derived under subdivision (c) by the tax rate for the current year of the entity in question.

The determinations required by this section shall be made by the Secretary of the Resources Agency.

16139 Notwithstanding any other provision of this chapter, state disbursements under this chapter by reason of property assessed pursuant to Section 423 and 423.5 of the Revenue and Taxation Code shall not exceed thirteen million dollars ($13,000,000) in the 1972–1973 fiscal year, twenty-two million dollars ($22,000,000) in the 1973–1974 fiscal year, and twenty-four million dollars ($24,000,000) in the 1974–1975 fiscal year In the 1975–1976 fiscal year, state disbursements shall not exceed 115 percent of the state disbursements in the 1974–1975 fiscal year. The amounts provided for in this section may be exceeded by any amounts deposited in the State General Fund under Sections 51061 and 51283

If claims by local governmental agencies exceed the limitation of this section, reductions in state disbursements shall be made on a pro rata per acre basis, first on funds allocated on nonprime lands, and second on funds to local governments on prime lands, and third to school district disbursements.

The office shall report to the Legislature on the impact of the expiration of the fiscal limitations in this section A final report shall be submitted to the Legislature by April 1, 1973, in order that the Legislature can evaluate its fiscal commitment to this program for future years

16139 5 In addition to the report required by Section 16132, the Secretary of the Resources Agency shall require from local governmental agencies such other information relative to lands valued pursuant to the provisions of Article XXVIII of the California Constitution as is necessary for the proper administration of the provisions of this chapter and for periodic review of the policies established therein

Information collected pursuant to this section shall be transmitted on request to other state agencies, including but not limited to the State Board of Equalization, the Superintendent of Public Instruction, the Department of Agriculture and the Legislature.

SEC 9 Chapter 4 (commencing with Section 16140) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 4 TRANSFERS TO THE STATE SCHOOL FUND

16140 Out of funds appropriated by Section 16100, the Controller shall transfer the following amounts to the State School Fund·

(a) For the 1972–1973 fiscal year, he shall transfer thirty million dollars ($30,000,000) to be allocated based on the educational need factor formula pursuant to Chapter 6 10 (commencing with Section 6499 230) of Division 6 of the Education Code In approving projects under this educational need factor formula as established under such chapter, the Superintendent of Public Instruction may, upon the request of the applicant district, designate a portion of the district's

entitlement that may be expended for excess noninstructional costs including but not limited to, costs for vandalism, security and insurance.

(b) For the 1973–1974 fiscal year, he shall transfer four hundred eighty-nine million dollars ($489,000,000) to finance the changes in school support formulas contained in the act adding this section to the Government Code at the 1972 Regular Session of the Legislature, plus thirty million dollars ($30,000,000) to be allocated on the basis of the educational need factor formula described in subdivision (a), and plus twenty-five million dollars ($25,000,000) to finance the Early Childhood Education Program, established by Assembly Bill 1286 or Senate Bill 1302 of the 1972 Regular Session of the Legislature

(c) For the 1974–1975 fiscal year, he shall transfer five hundred forty-five million dollars ($545,000,000) to finance the changes in school support formulas contained in the act adding this section to the Government Code at the 1972 Regular Session of the Legislature, plus thirty million dollars ($30,000,000) to be allocated on the basis of the educational need factor formula described in subdivision (a), and plus forty million dollars ($40,000,000) to finance the Early Childhood Education Program, established by Assembly Bill 1286 or Senate Bill 1302 of the 1972 Regular Session of the Legislature.

(d) For the 1975–1976 fiscal year and each fiscal year thereafter, he shall transfer an amount sufficient to maintain the educational need factor formula program and the Early Childhood Education Program at the level of support provided in the 1974–1975 fiscal year, and such additional amounts as are necessary to finance the changes in school support formulas contained in the act adding this section to the Government Code at the 1972 Regular Session of the Legislature.

SEC 9 5. Chapter 5 (commencing with Section 16150) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 5. VEHICLE LICENSE FEE SUBVENTIONS

16150 Out of the amount appropriated to the Controller by Section 16100, an amount equal to all revenues derived from fees imposed under Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code in excess of a 2-percent rate, except an amount equal to revenues derived from fees imposed on trailer coaches of the type allocated under Section 11003 3 of such code, shall be allocated as follows:

(a) One-half of such revenues shall be paid to the cities and cities and counties of this state in the proportion that the population of each city or city and county bears to the total population of all cities and counties in this state, as determined by the Controller

(b) One-half of such revenues shall be paid to the counties and cities and counties of this state in the proportion that the population of each county or city and county bears to the total population of all counties and cities and counties of the state, as determined by the Controller.

16151. Out of the amount appropriated to the Controller by Section 16100, an amount equal to all revenues derived from fees imposed on trailer coaches under Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code in excess of

a 2-percent rate shall be allocated in the manner specified in Section 11003 3 of the Revenue and Taxation Code.

SEC 9.7. Chapter 6 (commencing with Section 16160) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 6 IN-LIEU PROPERTY TAX RELIEF FOR RECIPIENTS OF PUBLIC ASSISTANCE

16160 Out of the amount appropriated to the Controller by Section 16100, he shall expend the sums required by Section 15204.1 of the Welfare and Institutions Code.

SEC 10 Chapter 7 (commencing with Section 16170) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 7. ADDITIONAL TRANSFERS

16170 Out of the amount appropriated to the Controller by Section 16100, he shall pay the following amounts:

(a) Thirty thousand dollars ($30,000) to the Secretary of the Resources Agency for administration of open-space subvention under this part

(b) Twenty-five thousand dollars ($25,000) to the population unit of the Department of Finance for making the population estimates required under this part

(c) Fifty thousand dollars ($50,000) to the Board of Equalization for administration of the sales and use tax provisions in this act.

(d) To each county, an amount claimed by each county for the administration of the homeowners exemption but which shall not exceed the amount required to reimburse each county at a rate of ten cents ($0 10) for each homeowners' exemption which is increased from seven hundred fifty dollars ($750) to one thousand seven hundred fifty dollars ($1,750) and at a rate of one dollar ($1) for each new application for the homeowners' exemption filed pursuant to Section 37 of this act.

SEC. 11.5. Section 51250 of the Government Code is repealed.

~~51250. On or before the first day of September of each year, the county assessor shall report to the Director of Agriculture and to the State Board of Equalization the following information with respect to each school district or portion of a district within the county or city in which there is land under contract pursuant to this chapter.~~

~~(a) The number of acres of land under contract during the preceding fiscal year.~~

~~(b) The number of acres under contract during the current fiscal year for the first time.~~

~~(c) The total acres of land under contract.~~

SEC 11 7 Section 51254 of the Government Code is repealed.

~~51254. On or before the first day of September of each year, the county assessor shall certify to the Director of Agriculture and to the State Board of Equalization the total number of acres of prime agricultural land, as defined in Section 51201, located within each school district or portion of a school district within the county, if such land was subject to a contract or agreement executed pursuant to this chapter on the lien date immediately preceding the date of such certification.~~

SEC. 11.9. Section 65570 of the Government Code, as amended by Chapter 2 of the Statutes of the 1971 First Extraordinary Session of the Legislature is repealed.

~~65570. (a) The State Office of Planning and Research shall prepare an inventory of present and potential prime agricultural land resources in California, together with estimates of the amounts of such land that should be preserved during the following decade in order to carry out the purposes of Section 51220 of this code. Such inventory shall also include, but is not limited to, the various types and uses of prime agricultural land, the identification of critical uses or specific areas of statewide importance and estimates of the amounts of prime or potentially prime land within each city or county that may require preservation.~~

~~(b) The Secretary of the Resources Agency may establish, after notice and hearing, rules and regulations, and require reports from local officials and may employ, borrow, or contract for such staff or other forms of assistance as are reasonably necessary to carry out the provisions of Sections 16107 to 16118, inclusive, of this code. In carrying out his duties under those sections, it is the intention of the Legislature that the secretary shall consult with the Director of the Department of Agriculture and the Director of the State Office of Planning and Research.~~

SEC. 12. Section 65570 is added to the Government Code, to read:

65570 (a) The State Office of Planning and Research shall prepare an inventory of present and potential prime agricultural land resources in California, together with estimates of the amounts of such land that should be preserved during the following decade in order to carry out the purposes of Section 51220 of this code. Such inventory shall also include, but is not limited to, the various types and uses of prime agricultural land, the identification of critical uses or specific areas of statewide importance, and estimates of the amounts of prime or potentially prime land within each city or county that may require preservation

(b) The Secretary of the Resources Agency may establish, after notice and hearing, rules and regulations, and require reports from local officials and may employ, borrow, or contract for such staff or other forms of assistance as are reasonably necessary to carry out the provisions of Chapter 3 (commencing with Section 16130) of Part 1 of Division 4 of Title 2 of this code. In carrying out his duties under such chapter, it is the intention of the Legislature that the secretary shall consult with the Director of the Department of Agriculture and the Director of the State Office of Planning and Research.

SEC. 12.5. Section 218 of the Revenue and Taxation Code, as amended by Chapter 1752 of the Statutes of the 1971 Regular Session of the Legislature is repealed.

~~218. The homeowner's property tax exemption is the amount of the assessed value of the dwelling as specified in Section 1d of Article XIII of the Constitution. The exemption does not extend to property which is rented, vacant, under construction on the lien date, or which is a vacation or secondary home of the owner or owners, nor does it apply to property on which an owner receives the veteran's exemption, or to property for which an owner received an allowance for taxes,~~

~~either in whole or in part, either directly or indirectly, for the property tax year from the state or any political subdivision thereof, except assistance received under the Senior Citizens Property Tax Assistance Law provided for in Part 10.5 (commencing with Section 19501) of Division 2 of this code. "Owner" includes a person purchasing the dwelling under a contract of sale or who holds shares or membership in a cooperative housing corporation, which holding is a requisite to the exclusive right of occupancy of a dwelling. As used in this section, "dwelling" shall include.~~

~~(a) A single family dwelling occupied by an owner thereof as his principal place of residence on the lien date.~~

~~(b) A multiple dwelling unit occupied by an owner thereof on the lien date as his principal place of residence. As used in this subdivision, "multiple dwelling unit" does not include any unit containing more than two separate dwelling units.~~

~~(c) A condominium occupied by an owner thereof as his principal place of residence on the lien date.~~

~~(d) Premises occupied by the owner of shares or a membership interest in a cooperative housing corporation, as defined in Section 17265, as his principal place of residence on the lien date. Each exemption allowed pursuant to this subdivision shall be deducted from the total assessed valuation of the cooperative housing corporation. The exemption shall be taken into account in apportioning property taxes among owners of share or membership interests in the cooperative housing corporations so as to benefit those owners who qualify for the exemption.~~

~~"Dwelling" means a building, structure or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated. For purposes of this section a two-dwelling unit shall be considered as two separate single-family dwellings.~~

~~The exemption provided for in Section 1d of Article XIII of the Constitution shall first be applied to the building, structure or other shelter and the excess, if any, shall be applied to any land on which it may be located.~~

SEC. 13. Section 218 is added to the Revenue and Taxation Code, to read:

218. The homeowners' property tax exemption is in the amount of the assessed value of the dwelling specified in this section, as authorized by Section 1d of Article XIII of the Constitution.

For the 1972–1973 fiscal year, such exemption shall be in the amount of one thousand seven hundred fifty dollars ($1,750) of the assessed value of the dwelling.

For the 1973–1974 fiscal year, such exemption shall be in the amount of one thousand seven hundred seventy-five dollars ($1,775) of the assessed value of the dwelling.

For the 1974–1975 fiscal year and fiscal years thereafter, such exemption shall be in the amount of one thousand eight hundred fifty dollars ($1,850) of the assessed value of the dwelling.

The exemption does not extend to property which is rented, vacant, under construction on the lien date, or which is a vacation or secondary home of the owner or owners, nor does it apply to property on which

an owner receives the veteran's exemption, or to property for which an owner received an allowance for taxes, either in whole or in part, either directly or indirectly, for the property tax year from the state or any political subdivision thereof, except assistance received under Part 10 5 (commencing with Section 19501) of Division 2 of this code. "Owner" includes a person purchasing the dwelling under a contract of sale or who holds shares or membership in a cooperative housing corporation, which holding is a requisite to the exclusive right of occupancy of a dwelling. As used in this section, "dwelling" shall include:

(a) A single-family dwelling occupied by an owner thereof as his principal place of residence on the lien date.

(b) A multiple-dwelling unit occupied by an owner thereof on the lien date as his principal place of residence The value of the owner's share of a multiple residence shall be in the same proportion to the total value as the single dwelling unit is to the total number of dwelling units in the multiple residence.

(c) A condominium occupied by an owner thereof as his principal place of residence on the lien date

(d) Premises occupied by the owner of shares or a membership interest in a cooperative housing corporation, as defined in Section 17265, as his principal place of residence on the lien date Each exemption allowed pursuant to this subdivision shall be deducted from the total assessed valuation of the cooperative housing corporation The exemption shall be taken into account in apportioning property taxes among owners of share or membership interests in the cooperative housing corporations so as to benefit those owners who qualify for the exemption

"Dwelling" means a building, structure or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated For purposes of this section a two-dwelling unit shall be considered as two separate single-family dwellings.

The exemption provided for in Section 1d of Article XIII of the Constitution shall first be applied to the building, structure or other shelter and the excess, if any, shall be applied to any land on which it may be located

SEC 14 Section 219 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature is repealed

~~219 Business inventories shall be assessed for taxation at the same ratio of assessed to full cash value as the ratio specified in Section 401 After such property has been so assessed, 30 percent of the assessed value of such property shall be exempt from taxation for the 1970-1971 and the 1971-1972 fiscal years, and fiscal years thereafter, and such exemption shall be indicated on the assessment roll The county assessor shall notify the auditor of the total assessed value of the exempt property within each city, district and revenue district wholly or partially within the county The exemption provided for in this section shall not apply to business inventories assessed as escaped property under the provisions of Sections 531.3, 531-1 or 531-5 The board shall prescribe~~

~~all procedures and forms required to carry this exemption into effect and to insure accurate data for reimbursement calculations.~~

~~In carrying out the duties imposed by this section, the board shall certify to the auditor of each county in which is located a chartered city which assesses property for city tax purposes, the ratio which the auditor shall use to factor the county roll in order to compute the amount of such city's reimbursement. The ratio certified shall be the same ratio used by the board in connection with public utility property on the board roll.~~

~~Where a city transfers the assessing and tax collecting functions to the county but continues to assess and collect unsecured taxes for one additional year, the county auditor, in computing the city's reimbursement for the business inventory exemption, shall factor the exempt inventory value on the county unsecured roll with tax situs in the city by the ratio used by the board in the prior year in preparing the board roll for the city.~~

SEC 14.5. Section 219 is added to the Revenue and Taxation Code, to read:

219. Business inventories shall be assessed for taxation at the same ratio of assessed to full cash value as the ratio specified in Section 401. After such property has been so assessed, 30 percent of the assessed value of such property shall be exempt from taxation through the 1972–1973 fiscal year, and such exemption shall be indicated on the assessment roll. For the 1973–1974 fiscal year, 45 percent of the assessed value of such property shall be exempt from taxation, and such exemption shall be indicated on the assessment roll. For 1974–1975 fiscal year and fiscal years thereafter, 50 percent of the assessed value of such property shall be exempt from taxation, and such exemption shall be indicated on the assessment roll. The county assessor shall notify the auditor of the total assessed value of the exempt property within each city, district and revenue district wholly or partially within the county. The exemption provided for in this section shall not apply to business inventories assessed as escaped property under the provisions of Sections 531.3, 531.4 or 531.5. The board shall prescribe all procedures and forms required to carry this exemption into effect and to insure accurate data for reimbursement calculations.

In carrying out the duties imposed by this section, the board shall certify to the auditor of each county in which is located a chartered city which assesses property for city tax purposes, the ratio which the auditor shall use to factor the county roll in order to compute the amount of such city's reimbursement. The ratio certified shall be the same ratio used by the board in connection with public utility property on the board roll.

Where a city transfers the assessing and tax-collecting functions to the county but continues to assess and collect unsecured taxes for one additional year, the county auditor, in computing the city's reimbursement for the business inventory exemption, shall factor the exempt inventory value on the county unsecured roll with tax situs in the city by the ratio used by the board in the prior year in preparing the board roll for the city.

SEC. 14 6. Section 401.4 is added to the Revenue and Taxation Code, to read·

401 4. When valuing an owner-occupied single-family dwelling and the land on which it is situated that may be required for the convenient occupation and use of such dwelling, if such dwelling is on land which is zoned exclusively for single-family home use or which is zoned for agricultural use where single-family homes are permitted, the assessor shall not value the land at any value greater than that which would reflect the use of the land as a site for the single-family dwelling

As used in this section, owner-occupied single-family dwelling means any single-family dwelling occupied by an owner thereof as his principal place of residence on the lien date

It is the intent of the Legislature that this section shall be a temporary measure to protect homeowners and shall be for use in 1972–1973 local equalization hearings and in 1973–1974 state and local equalization hearings.

The Legislature intends to enact a more detailed program in 1973, to implement the provisions of Section 2 5 of Article XIII of the State Constitution, as added in June, 1972

SEC 14 7. Chapter 1 5 (commencing with Section 2161) is added to Part 4 of DIVISION 1 of the Revenue and Taxation Code, to read·

CHAPTER 1 5 MAXIMUM PROPERTY TAX RATES FOR UNITS OF LOCAL GOVERNMENT

Article 1. General

2161. The property tax rate limits established in this chapter are established pursuant to authorization granted to the Legislature in Article XIII, Section 1d of the State Constitution

2162. It is the intent in establishing the tax rate limits in this chapter to establish limits that will be flexible enough to allow local governments to continue to provide existing programs, that will be firm enough to insure that the property tax relief provided by the Legislature will be long lasting and that will afford the voters in each local government jurisdiction a more active role in the fiscal affairs of such jurisdictions.

Any bill which seeks to enact an exception to the limits provided in this chapter shall, if receiving a do-pass recommendation from the policy committee, be referred form the policy committee to the Committee on Revenue and Taxation of the same house of the Legislature

2163 The actual loss of revenue to local government caused by any classification or exemption of property for purposes of ad valorem property taxation enacted by the Legislature after the effective date of this chapter shall be reimbursed by the state for the 1973 assessment year and assessment years thereafter.

The actual loss in revenue does not include potential revenue from property of a type which was not being assessed and taxed on the effective date of this act

The reimbursements to local governments shall be made in the same manner and at the same time as the reimbursements for the inventory exemption.

Any bill which results in a loss of property tax revenue shall, if it receives a "do pass" recommendation from the policy committee, be referred from the policy committee to the Committee on Revenue and Taxation of the same house of the Legislature

2163 5 The Department of Finance shall transmit to each county, city and county, city and special district, excluding school districts, after the first day of July of each year, beginning July 1, 1973, an estimate of the percentage change since April 1st of the prior year of the resident population, excluding institutional population, of the appropriate jurisdiction as of the first day of April of the current year. For the purposes of estimating this percentage change of the population of special districts, excluding school districts, the Department of Finance may use the population factors of the appropriate county or counties A special district may request the Department of Finance to prepare a special estimate of the district, not using the aforementioned county factors, as provided in Section 13073 of the Government Code In lieu of the Department of Finance estimate for a special district, the board of supervisors may apply the population changes estimated for each county to the various special districts within the county For special districts located in two or more counties, the boards of supervisors of such counties may allocate the total population change of such counties to the special districts in each of such counties The Department of Finance may request data from any government jurisdiction to be used to prepare the population estimate required by this section.

If any jurisdiction fails to supply the requested data, the Department of Finance is not required to provide an estimate for that jurisdiction, but may do so using the method deemed most appropriate by the Department of Finance

2164 The state shall annually reimburse cities and counties for sales or use tax exemptions enacted into law after the effective date of this act. The reimubursement shall be made, when appropriated by the Legislature as follows:

(a) For each legislative bill which includes a sales or use tax exemption, the Director of Finance shall estimate the yearly net loss of revenue to local government due to the bill

(b) Twenty percent of the local loss shall be distributed to the counties in the same ratio as the total amount of sales and use taxes collected in each county is to the whole This amount of money shall be used for the purposes specified in Chapter 1400 of the Statutes of the 1971 Regular Session.

(c) Eighty percent of the local loss shall be distributed to cities, counties and cities and counties in the same ratio as the distribution of the cigarette tax money as specified in Section 30462 for cities, counties, and cities and counties

(d) The distribution made under this section shall be made at the same time and in the same manner as such cigarette tax distributions.

(e) Any legislation which proposes a sales or use tax exemption but does not contain an appropriation as described in this section shall be null and void

(f) Any bill which results in a loss of sales or use tax revenues shall, if it receives a "do pass" recommendation from the policy committee,

be referred from the policy committee to the Committee on Revenue and Taxation of the same house of the Legislature.

2164.5. Any funds received by a unit of local government pursuant to this chapter may be used for any local purpose of such unit and may, but need not necessarily, be used for purposes of general interest and benefit to the state.

2164.3. (a) The state shall pay to each county, city and county, city and special district an amount to reimburse the county, city and county, city or special district for the full costs, which are mandated by acts enacted after January 1, 1973, of any new state mandated program or any increased level of service of an existing mandated program.

(b) Any new state program or increased level of service of an existing mandated program, which is mandated by legislative action after January 1, 1973, shall include provisions within the bill which provide an amount sufficient to cover the total cost of the mandated program for all affected counties, cities and counties, cities, and special districts, as estimated by the Legislative Analyst. This amount shall be appropriated to the Controller for disbursement.

The Controller shall allocate the funds among counties, cities, cities and counties, and special districts for each mandated program based upon claims submitted by the appropriate local government jurisdictions within 45 days after the operative date of the mandate. Such claims shall be based on the appropriate local governmental jurisdiction's estimate of its cost for the mandated program for the fiscal year. The Controller may review claims and may reduce those which appear to be excessive or unreasonable.

The allocations to the appropriate local jurisdictions shall be made by the Controller within 45 days after the deadline for the submission of the claims by the local governmental jurisdictions.

(c) For subsequent fiscal years, with respect to the costs of any mandated costs as defined in subdivision (a), the Controller shall allocate funds to each appropriate local government jurisdiction to reimburse for such costs. Claims shall be submitted by affected local governmental jurisdictions by October 31 and, after review and adjustments, shall be paid prior to December 10.

The claims shall include the actual costs for the prior fiscal year and the estimated cost for the current fiscal year. The Controller may reduce any claim for the current fiscal year which appear to be excessive or unreasonable. The Controller shall adjust the payment for the current fiscal year to the local government to correct for the underpayment or overpayment of the estimated cost of the mandated cost in the prior fiscal year. The Controller may audit the records of any local government jurisdiction to verify the actual costs of state mandated programs.

(d) The state shall pay to each county, city and county, city and special district, the full costs of a new program or increased level of service of an existing program mandated by any executive regulation issued after January 1, 1973. The costs of any such executive regulation shall be estimated by the Department of Finance. Cities, cities and counties, counties, and special districts shall be reimbursed in the same manner as provided in subdivisions (b) and (c).

(e) "Increased level of service" means any requirement mandated by state law or executive regulation after January 1, 1973, which makes necessary expanded or additional costs to a county, city and county, city, or special district

(f) If a city, city and county, county or special district has been providing a service or program at its option which is subsequently mandated by the state, the state shall pay such local governmental jurisdiction for such mandated service or program, and the local governmental program, and the local governmental jurisdiction shall reduce its property tax rate by the amount that the state payment replaces property tax revenues which were being expended on such service or program

2164.5 Any funds received by a unit of local government pursuant to this chapter may be used for any local purpose of such unit and may, but need not necessarily, be used for purposes of general interest and benefit to the state.

Article 2. Counties

2165 (a) Except as provided in subdivision (b), (c), (d), and (e), the maximum property tax rate which may be levied by any county shall be the property tax rate levied by the county for the 1972–1973 fiscal year, exclusive of the rate for bond interest and redemption charges

(b) The county may levy a property tax rate in excess of the rate provided in subdivision (a) for the payment of validly contracted bonded indebtedness and interest thereon and for the payment of retirement and pension benefits pursuant to laws which have been, or may in the future be, approved by the voters.

(c) The county may levy a rate in excess of the rate provided in subdivision (a) if the percentage increase or decrease in population and the percentage increase or decrease in the cost of living (as determined by the California consumer price index for all items as established by the California Department of Industrial Relations) for the 12 months prior to July 1, when added together, exceeds the percentage increase or is less than the decrease in property tax revenue received by the county.

The additional rate which may be levied shall not exceed a rate which would produce an amount of revenue equal to the difference between:

(1) The revenue which would be received if revenue were to grow or decline by the same percentage as the percentage growth or reduction of population of the county and cost of living; and

(2) The revenue which would be received by levying the maximum rate in subdivision (a)

(d) The maximum tax rate which may be levied by a county may be changed by a majority of those voting in an election called for such purpose

(e) The county may levy an additional rate in excess of the maximum rate provided in section (a) to pay for any costs which are mandated by the federal government or the courts after the effective date of this article and which are not funded by the federal or state government.

The Controller may audit county rate increases under the provisions of this subdivision, and if he does not consider them to be necessary to meet the costs of federally or court mandated programs, may request taxpayer relief by Attorney General action

2166. (a) A county or city and county may, in an emergency situation, increase the maximum tax rate authorized by Section 2165 by 1 percent for one year by a four-fifths vote of the board of supervisors. The board shall state in a formal resolution, the emergency which caused the rate increase.

(b) In addition to the emergency rate increase authorized in (a), a county, or city and county, may petition the Governor to declare that a dire emergency exists. If such a proclamation is issued, the county or city and county may petition the Controller to authorize the local governmental entity to levy a rate in addition to the rate authorized in Section 2165.

(c) The Controller shall find after a public hearing with reasonable notice to interested citizens held in the county or city and county that an emergency exists which is a matter of public concern This finding shall be based on the following:

(1) That there exists a growth in costs of a program which is the responsibility of the county or city and county which is not funded by the existing property tax or other alternative revenue sources; and

(2) That such growth in program costs are not within the immediate control of the county or city and county, but are due to general economic and social conditions, or acts of God; and

(3) That unless funding is provided which is sufficient to meet the increased program costs, irreparable harm will be done to the public and the program.

The petition shall set forth facts sufficient to sustain the finding of an emergency by the Controller.

(d) If the Controller finds that an emergency exists, he shall transmit this finding and the basis for such finding to the Department of Finance, the Legislatve Analyst, and the chairman of the board of supervisors of the county or city and county which initiated the petition. The Controller's finding shall authorize a maximum emergency tax rate which may be levied by the county or city and county for one year. This maximum emergency tax rate may be levied by the county or city and county in excess of the property tax rate authorized by Section 2165.

(e) Upon a four-fifths vote of the board of supervisors of the county or city and county, an emergency tax rate may be levied in excess of that authorized in Section 2165, but shall not exceed the maximum emergency tax rate specified in the finding of the Controller.

Article 3. Cities

2167 (a) Notwithstanding any other provision of law, except as provided in subdivisions (b), (c), (d), and (e), the maximum property tax rate which may be levied by any city shall be the property tax rate levied by the city for the 1972–1973 fiscal year, exclusive of the rate for bond interest and redemption charges For any city formed after the 1972–1973 fiscal year or for any city not levying a property tax rate in 1972–73, the property tax rate limit may be that limit es-

tablished by law for general law cities or may be that limit established by a vote of the people

(b) The city may levy a property tax rate in excess of the rate provided in subdivision (a) for the payment of validly contracted bonded indebtedness and interest thereon and for the payment of retirement and pension benefits pursuant to laws which have been, or may in the future be, approved by the voters

(c) The city may levy a rate in excess of the rate provided in subdivision (a) if the percentage increase or decrease in population and the percentage increase or decrease in the cost of living (as determined by the California consumer price index as established by the California Department of Industrial Relations), for the 12 months prior to July 1, when added together, exceeds the percentage increase or is less than the decrease in property tax revenue received by the city

The additional rate which may be levied shall not exceed a rate which would produce an amount of revenue equal to the difference between:

(1) The revenue which would be received if revenue were to grow or decline by the same percentage as the percentage growth or reduction of the population of the city and cost of living, and

(2) The revenue which would be received by levying the maximum rate in subdivision (a)

(d) The maximum tax rate which may be levied by a city may be changed by a majority of those voting in an election called for such purpose.

(e) The city may levy an additional rate in excess of the maximum rate provided in section (a) to pay for any costs which are mandated by the federal government or the courts after the effective date of this article and which are not funded by the federal or state government

The Controller may audit city rate increases under the provisions of this subdivision, and if he does not consider them to be necessary to meet the costs of federally or court mandated programs, may request taxpayer relief by Attorney General action.

Article 4. Special Districts

2169 (a) Notwithstanding any other provision of law, except as provided in subdivisions (b), (c), (d), (e) and (f), the maximum property tax rate which may be levied by any special district shall be the property tax rate levied by the special district for the 1972–1973 fiscal year, exclusive of the rate for bond interest and redemption charges. For any special district formed after the 1972–1973 fiscal year, the property tax rate limit shall be established by a vote of the people

(b) The special district may levy a property tax rate in excess of the rate provided in subdivision (a) for the payment of validly contracted bonded indebtedness and interest thereon, and for the payment of retirement and pension benefits pursuant to laws which have been, or may in the future be, approved by the voters

(c) The special district may levy a rate in excess of the rate provided in subdivision (a) if the percentage increase or decrease in population and the percentage increase or decrease in the cost of living

(as determined by the California consumer price index as established by the California Department of Industrial Relations) for the 12 months prior to July 1, when added together, exceeds the percentage increase or is less than the decrease in property tax revenue received by the special district.

The additional rate which may be levied shall not exceed a rate which would produce an amount of revenue equal to the difference between:

(1) The revenue which would be received if revenue were to grow or decline by the same percentage as the percentage growth or reduction of population in the special district and cost of living; and

(2) The revenue which would be received by levying the maximum rate in subdivision (a).

(d) If, on the operative date of this section, any special district is a party to any contract or lease, the terms of which in substance provide (1) that the special district shall make payments to the federal government, the State of California, or any local public agency and (2) that its governing body shall, whenever necessary, levy a property tax or assessment sufficient to provide for all payments under the contract or lease in a timely manner, such special district shall be allowed to levy an additional tax rate as required to fulfill such contract or lease.

(e) The maximum tax rate which may be levied by a special district may be changed by a majority of those voting in an election called for such purpose.

(f) The special district may levy an additional rate in excess of the maximum rate provided in section (a) to pay for any costs which are mandated by the federal government or the courts after the effective date of this article and which are not funded by the federal or state government.

Any special district which annexes or has annexed additional territory shall be allowed to levy an additional rate upon the territory subject to the annexation to the extent necessary to collect obligations owing to the annexing special district arising from the terms and condition of the annexation.

The Controller may audit special district rate increases under the provisions of this subdivision, and if he does not consider them to be necessary to meet the costs of federally or court mandated programs, may request taxpayer relief by Attorney General action

SEC 14.9 Section 2611.5 of the Revenue and Taxation Code, as amended by Chapter 2 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed

~~2611.5. (a) The following information shall be included either in each county tax bill or in a separate statement accompanying the tax bill.~~

~~(1) The full cash value and the assessed value of locally assessed property;~~

~~(2) The assessment ratio used to determine the assessed value; and~~

~~(3) The tax rates or the dollar amounts of taxes levied by each revenue district and taxing agency on the property covered by the tax bill.~~

~~(4) In lieu of itemizing the information required by paragraph (3), the tax rates or dollar amounts of taxes levied on the property covered~~

~~by the bill for county and city purposes. The tax rates or dollar amounts of taxes levied on the property for other purposes shall be itemized. This option is available only if the information is included on the tax bill.~~

~~(b) With respect to any property for which the homeowners' property tax exemption is granted, the tax bill or accompanying statement shall include, in addition to the information required by subdivision (a), the following:~~

~~(1) The assessed value of the property;~~

~~(2) The amount of the homeowners' exemption;~~

~~(3) The total tax rate applicable on the property covered by the tax bill;~~

~~(4) The gross taxes prior to the application of the homeowners' exemption;~~

~~(5) The amount of tax reduction attributable to the homeowners' exemption; and~~

~~(6) The total taxes due on the property covered by the tax bill.~~

~~(c) The information required by subdivision (b) for single-family homes shall be in the form of the following example:~~

~~(1) Assessed value of the property~~	~~$5,000~~
~~(2) Homeowners' exemption~~	~~$750~~
~~(3) Total tax rate applicable to the property~~	~~$10~~
~~(4) Gross taxes prior to the application of the homeowners' exemption~~	~~$500~~
~~(5) Tax reduction attributable to the state-financed homeowners' property tax relief program~~	~~$75~~
~~(6) Total taxes due~~	~~$425~~

~~(d) In any year in which all of the assessments on the local secured roll have been raised or lowered as a result of a board order adopted pursuant to Section 9, Article XIII of the California Constitution, the full cash value may be omitted or, if shown, the tax bill shall include an explanation of the inconsistency of that figure with the equalized assessed value and the announced assessment ratio. The explanation required by this subdivision may be printed on an enclosure accompanying such bill.~~

SEC. 15. Section 2611.5 is added to the Revenue and Taxation Code, to read:

2611.5 (a) The following information shall be included either in each county tax bill or in a separate statement accompanying the tax bill:

(1) The full cash value and the assessed value of locally assessed property;

(2) The assessment ratio used to determine the assessed value; and

(3) The tax rates or the dollar amounts of taxes levied by each revenue district and taxing agency on the property covered by the tax bill

(4) In lieu of itemizing the information required by paragraph (3), the tax rates or dollar amounts of taxes levied on the property covered by the bill for county and city purposes The tax rates or dollar amounts of taxes levied on the property for other purposes shall be itemized. This option is available only if the information is included on the tax bill.

(b) With respect to any property for which the homeowners' property tax exemption is granted, the tax bill or accompanying statement shall include, in addition to the information required by subdivision (a), the following:

(1) The assessed value of the property;

(2) The amount of the homeowners' exemption;

(3) The total tax rate applicable on the property covered by the tax bill;

(4) The gross taxes prior to the application of the homeowners' exemption;

(5) The amount of tax reduction attributable to the homeowners' exemption; and

(6) The total taxes due on the property covered by the tax bill.

(c) The information required by subdivision (b) for single-family homes shall be in the form of the following example:

(1) Assessed value of the property	$5,000
(2) Homeowners' exemption	$1,750
(3) Total tax rate applicable to the property	$10
(4) Gross taxes prior to the application of the homeowners' exemption	$500
(5) Tax reduction attributable to the state-financed homeowners' property tax relief program	$175
(6) Total taxes due	$325

(d) In any year in which all of the assessments on the local secured roll have been raised or lowered as a result of a board order adopted pursuant to Section 9, Article XIII of the California Constitution, the full cash value may be omitted or, if shown, the tax bill shall include an explanation of the inconsistency of that figure with the equalized assessed value and the announced assessment ratio. The explanation required by this subdivision may be printed on an enclosure accompanying such bill.

SEC. 15.3. Section 2611.6 is added to the Revenue and Taxation Code, to read:

2611.6. For the 1972–1973 fiscal year only, counties shall mail tax bills on property on the secured roll to assessees or their agents (as described in Section 2615.4) by no later than October 30, 1972.

SEC. 15.5. Section 2615.4 is added to the Revenue and Taxation Code, to read:

2615.4. For the 1972–1973 fiscal year secured roll tax bills, any person who receives a tax bill with respect to property which has been assessed to another and who has the power, pursuant to written or oral authorization, to pay the taxes on behilf of another shall mail to the assessee a special notice as described below no later than November 1, 1972.

The special notice shall be as follows:

"The California State Legislature has enacted a property tax relief program which increases the $750 homeowners' exemption as follows:

1972–1973 homeowners' exemption	$1,750 total
1973–1974 homeowners' exemption	$1,775 total
1974–1975 and following years homeowners' exemption	$1,850 total

"This action by the Legislature has increased your exemption by one thousand dollars ($1,000) in assessed value, to a total of one thousand seven hundred fifty dollars ($1,750), for this year and has accordingly reduced your taxes by a total amount equal to one thousand seven hundred fifty dollars ($1,750) times your tax rate

"In addition, this program includes tax rate limitations on local government and a school finance reform program to insure that the property tax relief provided will not disappear."

SEC 15 9 Section 6051 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is repealed.

~~6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent thereafter.~~

SEC 16 Section 6051 is added to the Revenue and Taxation Code, to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including December 31, 1972, and at the rate of 4¾ percent thereafter.

SEC 16 9. Section 6051 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed

~~6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including December 31, 1974, and at the rate of 4¾ percent thereafter.~~

SEC 17. Section 6051 is added to the Revenue and Taxation Code, to read.

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including December 31, 1972, and at the rate of 4¾ percent on and after January 1, 1973, and to and including December 31, 1974, and at the rate of 4¼ percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of 4½ percent thereafter.

SEC 17.9. Section 6052.5 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of 1971, is repealed

~~6052.5. The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent ($0.01) to and including one hundred dollars ($100) at the 3¾ percent rate, at the 4 percent rate, at the 4¾ percent rate, at the 5 percent rate, at the 5¼ percent rate, at the 5½ percent rate, and at any other combined rates of state, local and transit district taxes administered by the board. The schedules shall be identical with the following tables up to the amounts specified therein:~~

~~3¾ percent~~

~~Price~~	~~Tax~~
~~.01 .12~~	~~.00~~
~~.13 .37~~	~~.01~~
~~.38 .64~~	~~.02~~
~~.65 .93~~	~~.03~~

~~4 percent~~

~~Price~~	~~Tax~~
~~.01 .12~~	~~.00~~
~~.13 .34~~	~~.01~~
~~.35 .59~~	~~.02~~
~~.60 .87~~	~~.03~~

~~4¼ percent~~

~~Price~~	~~Tax~~
~~.01 .11~~	~~.00~~
~~.12 .32~~	~~.01~~
~~.33 .56~~	~~.02~~
~~.57 .82~~	~~.03~~

~~5 percent~~

~~Price~~	~~Tax~~
~~.01 .10~~	~~.00~~
~~.11 .27~~	~~.01~~
~~.28 .47~~	~~.02~~
~~.48 .68~~	~~.03~~
~~.69 .89~~	~~.04~~
~~.90 1.09~~	~~.05~~

~~5¼ percent~~

~~Price~~	~~Tax~~
~~.01 .10~~	~~.00~~
~~.11 .26~~	~~.01~~
~~.27 .45~~	~~.02~~
~~.46 .65~~	~~.03~~
~~.66 .84~~	~~.04~~
~~.85 1.03~~	~~.05~~
~~1.04 1.20~~	~~.06~~

~~5½ percent~~

~~Price~~	~~Tax~~
~~.01 .10~~	~~.00~~
~~.11 .25~~	~~.01~~
~~.26 .45~~	~~.02~~
~~.46 .62~~	~~.03~~
~~.63 .79~~	~~.04~~
~~.80 .97~~	~~.05~~
~~.98 1.15~~	~~.06~~

~~The remainder of the schedules at the 3¾ percent rate, at the 4 percent rate, at the 4¼ percent rate, at the 5 percent rate, at the 5¼~~

~~percent rate, and at the 5½ percent rate shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.~~

~~The "sales tax reimubrsement schedule" shall be available for inspection and duplication or reproduction.~~

~~Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed. When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply only if the purchaser requests at the time of the sale that the computation be made in this way.~~

~~The board shall enforce the provisions of this section.~~

SEC. 18. Section 6052 5 is added to the Revenue and Taxation Code, to read·

6052 5 The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent ($0 01) to and including one hundred dollars ($100) at the 4¾-percent rate, at the 5¾-percent rate, at the 6-percent rate, at the 6½-percent rate, and at any other combined rates of state, local and transit district taxes administered by the board The schedules shall be identical with the following tables up to the amounts specified therein:

4¾ percent

Price	Tax
.01– 10	00
11– 29	.01
30– .50	02
51– 72	03
.73– .94	.04

5¾ percent

Price	Tax
01– .10	.00
.11– 23	.01
.24– 40	.02
.41– 58	.03
59– .76	.04
.77– 95	.05
.96–1.13	.06

6 percent

Price	Tax
.01– 10	.00
.11– 22	.01
.23– 39	.02
40– 56	03
57– 73	.04
74– 90	.05
.91–1 08	.06

6½ percent

Price	Tax
01– 10	.00
.11– .20	01
21– 35	.02
36– 51	.03
.52– .67	.04
.68– 83	.05
84– .99	06
1.00–1.15	.07

The remainder of the schedules at the 4¾-percent rate, at the 5¾-percent rate, and at the 6-percent rate and at the 6½-percent rate shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.

The "sales tax reimbursement schedule" shall be available for inspection and duplication or reproduction.

Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply only if the purchaser requests at the time of the sale that the computation be made in this way

The board shall enforce the provisions of this section

SEC 18 9. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of 1971, is repealed

~~6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1949, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent thereafter.~~

SEC. 19. Section 6201 is added to the Revenue and Taxation Code, to read:

6201 An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including December 31, 1972, and at the rate of 4¼ percent thereafter.

SEC. 19 9. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed

~~6201 An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from~~

~~any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including December 31, 1974, and at the rate of 3¼ percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of 3¾ percent thereafter.~~

SEC. 20. Section 6201 is added to the Revenue and Taxation Code, to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, and to and including December 31, 1974, and at the rate of 4¼ percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of 4¾ percent thereafter.

SEC 21. Section 6376 of the Revenue and Taxation Code is repealed.

~~6376. There are exempted from 25 percent of the taxes imposed by this part the gross receipts from the sale of and the storage, use or other consumption in this state of material and fixtures, if the sale, storage, use or other consumption in this state of the material and fixtures are obligated pursuant to an engineering construction project contract or a building construction contract entered into for a fixed price prior to August 1, 1967.~~

~~For the purposes of this section, tangible personal property shall not be deemed obligated pursuant to a contract for any period of time for which any party to the contract has the right to terminate the contract upon notice, whether or not the right is exercised.~~

SEC. 21.9 Section 7102 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is repealed.

~~7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part or be transferred in the following manner:~~

~~(a) All revenues, less refunds, derived under this part at the 3¾ percent rates, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel, which would not have been received if the sales and use tax rate had remained at 4 percent and Section 6357 had not been amended at the 1971 Regular Session of the Legislature, as estimated by the State~~

~~Board of Equalization, shall be transferred monthly to the State Transportation Fund.~~

~~(b) The balance shall be transferred to the General Fund.~~

SEC. 22. Section 7102 is added to the Revenue and Taxation Code, to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part or be transferred in the following manner:

(a) All revenues, less refunds, derived under this part at the 4¾ percent rates, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel, which would not have been received if the sales and use tax rate had been established at 5 percent and Section 6357 had not been amended at the 1971 Regular Session of the Legislature, shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, for each fiscal year, commencing with the fiscal year 1972–1973. The estimate shall be made as soon as practicable after the close of each fiscal year, and the amount so estimated shall be transferred to the Transportation Planning and Research Account in the State Transportation Fund.

(b) The balance shall be transferred to the General Fund.

SEC 22 05. Section 7102 is added to the Revenue and Taxation Code, to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part or be transferred in the following manner:

(a) All revenues, less refunds, derived under this part at the 4¾ percent rates, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel, which would not have been received if the sales and use tax rate had been established at 5 percent and Section 6357 had not been amended at the 1971 Regular Session of the Legislature, shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, for each fiscal year, commencing with the fiscal year 1972–1973 The estimate shall be made as soon as practicable after the close of each fiscal year, and the amount so estimated shall be transferred to the State Transportation Fund

(b) The balance shall be transferred to the General Fund.

SEC. 22 07. Section 7202 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is repealed.

~~7202. The sales tax portion of any sales and use tax ordinance adopted under this part shall be imposed for the privilege of selling tangible personal property at retail, and shall include provisions in substance as follows:~~

~~(a) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the county at the rate of 1¼ percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the county.~~

~~(b) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales taxes, except that the name of the county as the~~

~~taxing agency shall be substituted for that of the state and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code.~~

~~(c) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to sales tax and not inconsistent with this part, shall automatically become a part of the sales tax ordinance of the county.~~

~~(d) A provision that the county shall contract prior to the effective date of the county sales and use tax ordinances with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the county. Any such contract shall contain a provision that the county agrees to comply with the provisions of Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code.~~

~~(e) A provision that such ordinance may be made inoperative not less than 60 days, but not earlier than the first day of the calendar quarter, following the county's lack of compliance with Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code or following an increase by any city within the county of the rate of its sales or use tax above the rate in effect at the time the county ordinance was enacted.~~

~~(f) A provision that 80 percent of the gross receipts from the sale of property to operators of common carriers and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax.~~

~~(g) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.~~

~~(h) A provision that any person subject to a sales and use tax under the county ordinance shall be entitled to credit against the payment of taxes due under that ordinance the amount of sales and use tax due to any city in the county; provided, that the city sales and use tax is levied under an ordinance including provisions in substance as follows:~~

~~(1) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the city at the rate of 1 percent or less of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the city and a use tax of 1 percent or less of purchase price upon the storage, use or other consumption of tangible personal property purchased from a retailer for storage, use or consumption in the city.~~

~~(2) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales and use taxes, except that the name of the city as the taxing agency shall be substituted for that of the state (but the name of the city shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203) and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code.~~

~~(3) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this~~

~~division relating to sales and use tax and not inconsistent with this part, shall automatically become a part of the sales and use tax ordinance of the city.~~

~~(4) A provision that the city shall contract prior to the effective date of the city sales and use tax ordinances with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the city which shall continue in effect so long as the county within which the city is located has an operative sales and use tax ordinance enacted pursuant to this part.~~

~~(5) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance.~~

~~(6) A provision that purchases of property by operators of common carriers and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax.~~

~~(7) A provision that the storage or use of tangible personal property in the transportation or transmission of persons, property, or communications or in the generation, transmission or distribution of electricity or in the manufacture, transmission or distribution of gas in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall not be subject to a use tax.~~

~~(8) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.~~

SEC 22 1. Section 7202 is added to the Revenue and Taxation Code, to read·

7202 The sales tax portion of any sales and use tax ordinance adopted under this part shall be imposed for the privilege of selling tangible personal property at retail, and shall include provisions in substance as follows:

(a) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the county at the rate of 1¼ percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the county

(b) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales taxes, except that the name of the county as the taxing agency shall be substituted for that of the state and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code

(c) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to sales tax and not inconsistent with this part, shall automatically become a part of the sales tax ordinance of the county.

(d) A provision that the county shall contract prior to the effective date of the county sales and use tax ordinances with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the county

Any such contract shall contain a provision that the county agrees to comply with the provisions of Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code.

(e) A provision that such ordinance may be made inoperative not less than 60 days, but not earlier than the first day of the calendar quarter, following the county's lack of compliance with Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code or following an increase by any city within the county of the rate of its sales or use tax above the rate in effect at the time the county ordinance was enacted

(f) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.

(g) A provision that any person subject to a sales and use tax under the county ordinance shall be entitled to credit against the payment of taxes due under that ordinance the amount of sales and use tax due to any city in the county; provided, that the city sales and use tax is levied under an ordinance including provisions in substance as follows:

(1) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the city at the rate of 1 percent or less of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the city and a use tax of 1 percent or less of purchase price upon the storage, use or other consumption of tangible personal property purchased from a retailer for storage, use or consumption in the city.

(2) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales and use taxes, except that the name of the city as the taxing agency shall be substituted for that of the state (but the name of the city shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203) and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code.

(3) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to sales and use tax and not inconsistent with this part, shall automatically become a part of the sales and use tax ordinance of the city.

(4) A provision that the city shall contract prior to the effective date of the city sales and use tax ordinance with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the city which shall continue in effect so long as the county within which the city is located has an operative sales and use tax ordinance enacted pursuant to this part

(5) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance.

(6) A provision that the amount subject to tax shall not include the

amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.

(7) A provision that purchases of property by operators of waterborne vessels to be used or consumed in the operation of such waterborne vessels, principally outside a city, city and county or county are exempt from tax.

(h) A provision that 80 percent of the gross receipts from the sale of property to operators of waterborne vessels to be used or consumed in the operation of such waterborne vessels, principally outside a city, city and county or county are exempt from the tax.

SEC 22 15. Section 7202 is added to the Revenue and Taxation Code, to read:

7202. The sales tax portion of any sales and use tax ordinance adopted under this part shall be imposed for the privilege of selling tangible personal property at retail, and shall include provisions in substance as follows:

(a) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the county at the rate of 1¼ percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the county.

(b) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales taxes, except that the name of the county as the taxing agency shall be substituted for that of the state and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code

(c) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to the sales tax and not inconsistent with this part, shall automatically become a part of the sales tax ordinance of the county.

(d) A provision that the county shall contract prior to the effective date of the county sales and use tax ordinances with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the county. Any such contract shall contain a provision that the county agrees to comply with the provisions of Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code

(e) A provision that such ordinance may be made inoperative not less than 60 days, but not earlier than the first day of the calendar quarter, following the county's lack of compliance with Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code or following an increase by any city within the county of the rate of its sales or use tax above the rate in effect at the time the county ordinance was enacted.

(f) A provision that 80 percent of the gross receipts from the sale of property to operators of common carriers and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax.

(g) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.

(h) A provision that any person subject to a sales and use tax under the county ordinance shall be entitled to credit against the payment of taxes due under that ordinance the amount of sales and use tax due to any city in the county, provided, that the city sales and use tax is levied under an ordinance including provisions in substance as follows.

(1) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the city at the rate of 1 percent or less of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the city and a use tax of 1 percent or less of purchase price upon the storage, use or other consumption of tangible personal property purchased from a retailer for storage, use or consumption in the city

(2) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales and use taxes, except that the name of the city as the taxing agency shall be substituted for that of the state (but the name of the city shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203) and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code

(3) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to sales and use tax and not inconsistent with this part, shall automatically become a part of the sales and use tax ordinance of the city

(4) A provision that the city shall contract prior to the effective date of the city sales and use tax ordinance with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the city which shall continue in effect so long as the county within which the city is located has an operative sales and use tax ordinance enacted pursuant to this part

(5) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance.

(6) A provision that purchases of property by operators of common carriers and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax

(7) A provision that the storage or use of tangible personal property in the transportation or transmission of persons, property, or communications or in the generation, transmission or distribution of electricity or in the manufacture, transmission or distribution of gas in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall not be subject to a use tax.

(8) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer

SEC. 22.19 Section 7203 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is repealed.

~~7203. The use tax portion of any sales and use tax ordinance adopted under this part shall impose a complementary tax upon the storage, use or other consumption in the county of tangible personal property purchased from any retailer for storage, use or other consumption in the county. Such tax shall be at the rate of 1½ percent of the sales price of the property whose storage, use or other consumption is subject to the tax and shall include:~~

~~(a) Provisions identical to the provisions contained in Part 1 (commencing with Section 6001) of this division, other than Sections 6201 and 6376, insofar as such provisions relate to the use tax except that the name of the county as the taxing agency enacting the ordinance shall be substituted for that of the state (but the name of the county shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203).~~

~~(b) A provision that all amendments subsequent to the date of such ordinance to the provisions of the Revenue and Taxation Code relating to the use tax and not inconsistent with this part shall automatically become a part of the ordinance.~~

~~(c) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance.~~

~~(d) A provision that the storage or use of tangible personal property in the transportation or transmission of persons, property, or communications or in the generation, transmission or distribution of electricity or in the manufacture, transmission or distribution of gas in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall be exempt from 80 percent of the use tax.~~

~~(e) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.~~

SEC 22 2. Section 7203 is added to the Revenue and Taxation Code, to read:

7203. The use tax portion of any sales and use tax ordinance adopted under this part shall impose a complementary tax upon the storage, use or other consumption in the county of tangible personal property purchased from any retailer for storage, use or other consumption in the county Such tax shall be at the rate of 1¼ percent of the sales price of the property whose storage, use or other consumption is subject to the tax and shall include:

(a) Provisions identical to the provisions contained in Part 1 (commencing with Section 6001) of this division, other than Sections 6201

and 6376, insofar as such provisions relate to the use tax except that the name of the county as the taxing agency enacting the ordinance shall be substituted for that of the state (but the name of the county shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203).

(b) A provision that all amendments subsequent to the date of such ordinance to the provisions of the Revenue and Taxation Code relating to the use tax and not inconsistent with this part shall automatically become a part of the ordinance.

(c) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance.

(d) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.

SEC 22.25 Section 7203 is added to the Revenue and Taxation Code, to read:

7203 The use tax portion of any sales and use tax ordinance adopted under this part shall impose a complementary tax upon the storage, use or other consumption in the county of tangible personal property purchased from any retailer for storage, use or other consumption in the county Such tax shall be at the rate of 1¼ percent of the sales price of the property whose storage, use or other consumption is subject to the tax and shall include:

(a) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Sections 6201 and 6376, insofar as such provisions relate to the use tax exempt that the name of the county as the taxing agency enacting the ordinance shall be substituted for that of the state (but the name of the county shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203)

(b) A provision that all amendments subsequent to the date of such ordinance to the provisions of the Revenue and Taxation Code relating to the use tax and not inconsistent with this part shall automatically become a part of the ordinance.

(c) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance

(d) A provision that the storage or use of tangible personal property in the transportation or transmission of persons, property, or communications or in the generation, transmission or distribution of electricity or in the manufacture, transmission or distribution of gas in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall be exempt from 80 percent of the use tax

(c) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.

SEC. 22.27. Section 10752 of the Revenue and Taxation Code, as amended by Chapter 1437 of the Statutes of the 1971 Regular Session of the Legislature, is repealed.

~~10752. (a) Except as provided in subdivision (b), the annual amount of the license fee shall be a sum equal to two (2) percent of the market value of the vehicle as determined by the department.~~

~~(b) The annual amount of the license fee for a horseless carriage, not used in a trade, profession, or business, shall be five dollars ($5).~~

SEC. 22.3. Section 10752 is added to the Revenue and Taxation Code, to read:

10752 (a) Except as provided in subdivision (b) the annual amount of the license fee shall be a sum equal to 2 percent of the market value of the vehicle as determined by the department until January 1, 1974.

(b) On and after January 1, 1974, the annual amount of the license fee shall be a sum equal to 2.85 percent of the market value of the vehicle as determined by the department until January 1, 1977.

(c) On and after January 1, 1977, the annual amount of the license fee shall be a sum equal to 25 percent of the rate computed pursuant to Section 11401 and last certified to the department pursuant to Section 15616.5 of the Government Code times the market value of the vehicle as determined by the department.

SEC. 22.39. Section 11005 of the Revenue and Taxation Code, as amended by Chapter 1243 of the Statutes of the 1971 Regular Session of the Legislature, is repealed

~~11005. After payment of refunds therefrom and after making the deductions authorized by Section 11003 and reserving such amount as is determined by the Pooled Money Investment Board to be necessary to meet the transfers ordered or proposed to be ordered pursuant to Section 16310 of the Government Code, at least 90 percent of the balance of all motor vehicle license fees and any other money appropriated by law for expenditure pursuant to this section and deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund and remaining unexpended therein at the close of business on the last day of the calendar month shall be transferred to the credit of a special account in the General Fund and allocated by the Controller by the 10th day of the following month in the following manner:~~

~~(a) Fifty percent thereof shall be paid to the cities and cities and counties of this state in the proportion that the population of each city or city and county bears to the total population of all cities and cities and counties in this state, as determined by the Controller. For the purpose of this subdivision the population of each city or city and county is that determined by the last federal census. In the case of a city incorporated subsequent to the last census, or in the case of an inhabited unincorporated territory being annexed to a city subsequent to the last census, the Controller shall ascertain the population of the city or the annexed territory by multiplying the number of~~

~~registered electors therein by three. In the case of uninhabited unincorporated territory being annexed to a city subsequent to the last census, the Controller shall ascertain the population of the annexed territory, by the use of any federal decennial or special census or estimate pursuant to Section 2107.2 of the Streets and Highways Code by which the population of the annexed territory was counted, or, if no such other estimate or census was made, by multiplying the number of registered electors therein by three two years after the completion of annexation proceedings or at such earlier time as the legislative body may request. In the case of the consolidation of one city with another subsequent to the last census the population of the consolidated city for the purpose of this subdivision is the aggregate population of the respective cities as determined by the last federal census.~~

~~(b) Fifty percent thereof shall be paid to the counties and cities and counties of the state in the proportion that the population of each county or city and county bears to the total population of all the counties and cities and counties of the state, as determined by the Controller. For the purpose of this subdivision the population of each county or city and county is that determined by the last federal census, or as determined by Section 11005.6.~~

~~(c) Money disbursed by the Controller pursuant to this section may be used for county or city purposes and may, but need not necessarily, be used for purposes of general interest and benefit to the state.~~

~~(d) No money shall be transferred pursuant to this section to any city or county until the director of the department of housing and community development of such city or county has certified to the State Controller that the housing element plan of such city or county is in compliance with state law.~~

SEC 22.4 Section 11005 is added to the Revenue and Taxation Code, to read:

11005. After payment of refunds therefrom and after making the deductions authorized by Section 11003 and reserving such amount as is determined by the Pooled Money Investment Board to be necessary to meet the transfers ordered or proposed to be ordered pursuant to Section 16310 of the Government Code, at least 90 percent of the balance of all motor vehicle license fees and any other money appropriated by law for expenditure pursuant to this section and deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund and remaining unexpended therein at the close of business on the last day of the calendar month shall be transferred to the credit of a special account in the General Fund and allocated by the Controller by the 10th day of the following month in the following manner:

(a) Fifty percent thereof shall be paid to the cities and cities and counties of this state in the proportion that the population of each city or city and county bears to the total population of all cities and cities and counties in this state, as determined by the Controller. For the purpose of this subdivision the population of each city or city and county is that determined by the last federal census. In the case of a city incorporated subsequent to the last census, or in the case of an inhabited unincorporated territory being annexed to a city subsequent to the last census, the Controller shall ascertain the population of the

city or the annexed territory by multiplying the number of registered electors therein by two In the case of uninhabited unincorporated territory being annexed to a city subsequent to the last census, the Controller shall ascertain the population of the annexed territory, by the use of any federal decennial or special census or estimate pursuant to Section 2107 2 of the Streets and Highways Code by which the population of the annexed territory was counted, or, if no such other estimate or census was made, by multiplying the number of registered electors therein by two two years after the completion of annexation proceedings or at such earlier time as the legislative body may request In the case of the consolidation of one city with another subsequent to the last census the population of the consolidated city for the purpose of this subdivision is the aggregate population of the respective cities as determined by the last federal census.

(b) Fifty percent thereof shall be paid to the counties and cities and counties of the state in the proportion that the population of each county or city and county bears to the total population of all the counties and cities and counties of the state, as determined by the Controller For the purpose of this subdivision the population of each county or city and county is that determined by the last federal census, or as determined by Section 11005 6

(c) Money disbursed by the Controller pursuant to this section may be used for county or city purposes and may, but need not necessarily, be used for purposes of general interest and benefit to the state

(d) All subventions required under this part shall be computed as though the fees imposed under this part were imposed at a 2-percent rate. All revenues derived from fees imposed at a rate in excess of 2 percent shall be transferred to the State General Fund

SEC 22 9 Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of 1971 First Extraordinary Session of the Legislature, is repealed.

~~17041. (a) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, except the head of a household as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income.~~

~~If the taxable income is:~~	~~The tax is:~~
~~Not over $2,000~~	~~1% of the taxable income~~
~~Over $2,000 but not over $3,500~~	~~$20 plus 2% of excess over $2,000~~
~~Over $3,500 but not over $5,000~~	~~$50 plus 3% of excess over $3,500~~
~~Over $5,000 but not over $6,500~~	~~$95 plus 4% of excess over $5,000~~
~~Over $6,500 but not over $8,000~~	~~$155 plus 5% of excess over $6,500~~

~~Over $8,000 but not over $9,500 ---------- $230 plus 6% of excess over $8,000~~

~~Over $9,500 but not over $11,000 ---------- $320 plus 7% of excess over $9,500~~

~~Over $11,000 but not over $12,500 ---------- $425 plus 8% of excess over $11,000~~

~~Over $12,500 but not over $14,000 ---------- $545 plus 9% of excess over $12,500~~

~~Over $14,000 but not over $15,500 ---------- $680 plus 10% of excess over $14,000~~

~~Over $15,500 ---------- $830 plus 11% of excess over $15,500~~

~~(b) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, when such resident or nonresident is the head of a household, as defined in Section 17012, taxes in the following amounts and at the following rates upon the amount of taxable income.~~

~~If the taxable income is:~~	~~The tax is:~~
~~Not over $3,000~~	~~1% of the taxable income~~
~~Over $3,000 but not over $4,500~~	~~$30 plus 2% of excess over $3,000~~
~~Over $4,500 but not over $6,000~~	~~$60 plus 3% of excess over $4,500~~
~~Over $6,000 but not over $7,500~~	~~$105 plus 4% of excess over $6,000~~
~~Over $7,500 but not over $9,000~~	~~$165 plus 5% of excess over $7,500~~
~~Over $9,000 but not over $10,500~~	~~$240 plus 6% of excess over $9,000~~
~~Over $10,500 but not over $12,000~~	~~$330 plus 7% of excess over $10,500~~
~~Over $12,000 but not over $13,500~~	~~$435 plus 8% of excess over $12,000~~
~~Over $13,500 but not over $15,000~~	~~$555 plus 9% of excess over $13,500~~

~~Over $15,000 but not over $16,500 ..... $690 plus 10% of excess over $15,000~~
~~Over $16,500 ..... $840 plus 11% of excess over $16,500~~

~~(c) The tax imposed by this part is not a surtax~~

SEC. 23. Section 17041 is added to the Revenue and Taxation Code, to read:

17041 (a) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, except the head of a household as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income.

If the taxable income is:	The tax is:
Not over $2,000	1% of the taxable income
Over $2,000 but not over $3,500	$20 plus 2% of excess over $2,000
Over $3,500 but not over $5,000	$50 plus 3% of excess over $3,500
Over $5,000 but not over $6,500	$95 plus 4% of excess over $5,000
Over $6,500 but not over $8,000	$155 plus 5% of excess over $6,500
Over $8,000 but not over $9,500	$230 plus 6% of excess over $8,000
Over $9,500 but not over $11,000	$320 plus 7% of excess over $9,500
Over $11,000 but not over $12,500	$425 plus 8% of excess over $11,000
Over $12,500 but not over $14,000	$545 plus 9% of excess over $12,500
Over $14,000 but not over $15,500	$680 plus 10% of excess over $14,000
Over $15,500	$830 plus 11% of excess over $15,500

(b) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, when such resident or nonresident is the head of a house-

hold, as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income:

If the taxable income is	The tax is:
Not over $3,000	1% of the taxable income
Over $3,000 but not over $4,500	$30 plus 2% of excess over $3,000
Over $4,500 but not over $6,000	$60 plus 3% of excess over $4,500
Over $6,000 but not over $7,500	$105 plus 4% of excess over $6,000
Over $7,500 but not over $9,000	$165 plus 5% of excess over $7,500
Over $9,000 but not over $10,500	$240 plus 6% of excess over $9,000
Over $10 500 but not over $12,000	$330 plus 7% of excess over $10,500
Over $12,000 but not over $13,500	$435 plus 8% of excess over $12,000
Over $13.500 but not over $15,000	$555 plus 9% of excess over $13,500
Over $15,000 but not over $16,500	$690 plus 10% of excess over $15,000
Over $16,500	$840 plus 11% of excess over $16,500

(c) For taxable years beginning after December 31, 1972, 0 35 percent shall be added to each of the rates prescribed in subdivisions (a) and (b) Taxpayers who elect to compute taxes under this section rather than Section 17048 shall determine their taxes by tax tables prepared by the Franchise Tax Board, which shall adjust the dollar figures in subdivisions (a) and (b) to reflect the appropriate amount of tax due for each income bracket under the new rates

(d) In the event that the funds available in the XYZ Fund for fiscal year 1973–1974, as estimated by the Department of Finance, on January 15, 1973, exceed twenty-five million dollars ($25,000,000), the rate prescribed in subdivision (c) shall be inoperative and then the rates prescribed in subdivisions (a) and (b) shall be modified, depending on the estimated amount of money in the XYZ Fund, as set forth in the following schedule·

Funds available in the XYZ Fund	Rate modification
More than $25 million but less than $55 million	Add 0.30%
$55 million but less than $80 million	Add 0 25%
$80 million but less than $110 million	Add 0 20%
$110 million but less than $140 million	Add 0 15%
$140 million but less than $170 million	Add 0 10%
$170 million but less than $198 million	Add 0 05%
$198 million or more	Add 0 00%

For each subsequent fiscal year, the Director of the Department of Finance shall estimate on January 15th of the calendar year in which the fiscal-year begins the amount of money which will be available in the XYZ Fund for the coming fiscal year If funds in excess of twenty-five million dollars ($25,000,000) are estimated to be available in the XYZ Fund in any such fiscal year, the rate prescribed in subdivision (c) shall be inoperative, and the rates prescribed in subdivisions (a) and (b) shall be modified in such a manner that the rate imposed shall be the rate which produces an amount of revenue equal to the estimated amount of revenue which would have been received had subdivision (c) continued to be operative, less the amount of money estimated to be available in the XYZ Fund. Such rate shall be rounded to the nearest one-hundredth percent. The rates specified in subdivisions (a) and (b) shall in no event be less than the rates imposed had this act not been enacted.

Taxpayers who elect to compute taxes under this section, rather than Section 17048, shall determine their tax by tax tables prepared by the Franchise Tax Board, which shall adjust the dollar figures in subdivisions (a) and (b) to reflect the appropriate amount of tax due for each income bracket under the new rates.

(e) The tax imposed by this part is not a surtax

SEC 23.05. Section 18401 of the Revenue and Taxation Code is repealed.

~~18401. Every individual taxable under this part shall make a return to the Franchise Tax Board, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year—~~

~~(a) An adjusted gross income over three thousand two hundred fifty dollars ($3,250), if single;~~

~~(b) An adjusted gross income of over six thousand five hundred dollars ($6,500), if married; or~~

~~(c) A gross income of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.~~

SEC 23 1. Section 18401 is added to the Revenue and Taxation Code, to read:

18401. Every individual taxable under this part shall make a return to the Franchise Tax Board, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year—

(a) An adjusted gross income over three thousand two hundred fifty dollars ($3,250), if single;

(b) An adjusted gross income of over six thousand five hundred dollars ($6,500), if married; or

(c) A gross income of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.

(d) In the event that the rates prescribed in subdivisions (a) and (b) of Section 17041 are increased by 0.35 percent, 0.30 percent, 0.25 percent, 0.20 percent, 0.15 percent, 0.10 percent or 0.05 percent, respectively, then, the three thousand two hundred fifty dollars ($3,250) amount prescribed in this section shall be two thousand eight hundred fifty dollars ($2,850), two thousand nine hundred dollars ($2,900), three thousand dollars ($3,000), three thousand fifty dollars ($3,050), three thousand one hundred dollars ($3,100), three thousand one hundred fifty dollars ($3,150), or three thousand two hundred dollars ($3,200), respectively. In like manner, the six thousand five hundred dollars ($6,500) amount prescribed in this section shall be five thousand seven hundred dollars ($5,700), five thousand eight hundred dollars ($5,800), six thousand dollars ($6,000), six thousand one hundred dollars ($6,100), six thousand two hundred dollars ($6,200), six thousand three hundred dollars ($6,300), or six thousand four hundred dollars ($6,400), respectively. The seven thousand dollars ($7,000) amount prescribed in subdivision (c) shall continue to be seven thousand dollars ($7,000) in any event.

The Franchise Tax Board by regulation shall prescribe the applicable filing requirement amounts as required by this subdivision.

SEC. 23.15. Section 18402 of the Revenue and Taxation Code is repealed.

~~18402. If a husband and wife have for the taxable year an aggregate adjusted gross income of over six thousand five hundred dollars ($6,500), or an aggregate gross income of over seven thousand dollars ($7,000)~~

~~(a) Each shall make such a return, or~~

~~(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income, as provided in Section 17015. No joint return shall be made if, (1) one spouse was a resident for the entire year and the other spouse was a nonresident for all or any portion of the taxable year (this exception shall not apply if the nonresident or his or her spouse was an active member of the armed forces or any auxiliary branch thereof during the taxable year), or (2) husband and wife have different taxable years, except that if such taxable years begin on the same day and end on different days because of the death of either or of both, then the joint return may be made with respect to the taxable year of each. The above exception shall not apply if the surviving spouse remarries before the close of his taxable year, nor if the taxable year of either spouse is a fractional part of a year under Section 17553.~~

~~(c) In the case of the death of one spouse or both spouses the joint return with respect to the decedent may be made only by his executor or administrator, except that in the case of the death of one spouse the joint return may be made by the surviving spouse with respect to both himself and the decedent if (1) no return for the taxable year has been made by the decedent, (2) no executor or administrator has been appointed, and (3) no executor or administrator is appointed before~~

~~the last day prescribed by law for filing the return of the surviving spouse. If an executor or administrator of the decedent is appointed after the making of the joint return by the surviving spouse, the executor or administrator may disaffirm such joint return by making, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was made, in which case the return made by the survivor shall constitute has separate return.~~

SEC. 23.2. Section 18402 is added to the Revenue and Taxation Code, to read:

18402. If a husband and wife have for the taxable year an aggregate adjusted gross income of over six thousand five hundred dollars ($6,500), or an aggregate gross income of over seven thousand dollars ($7,000)—

(a) Each shall make such a return, or

(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income, as provided in Section 17045. No joint return shall be made if, (1) one spouse was a resident for the entire year and the other spouse was a nonresident for all or any portion of the taxable year (this exception shall not apply if the nonresident or his or her spouse was an active member of the armed forces or any auxiliary branch thereof during the taxable year), or (2) husband and wife have different taxable years; except that if such taxable years begin on the same day and end on different days because of the death of either or of both, then the joint return may be made with respect to the taxable year of each. The above exception shall not apply if the surviving spouse remarries before the close of his taxable year, nor if the taxable year of either spouse is a fractional part of a year under Section 17553.

(c) In the case of the death of one spouse or both spouses the joint return with respect to the decedent may be made only by his executor or administrator; except that in the case of the death of one spouse the joint return may be made by the surviving spouse with respect to both himself and the decedent if (1) no return for the taxable year has been made by the decedent, (2) no executor or administrator has been appointed, and (3) no executor or administrator is appointed before the last day prescribed by law for filing the return of the surviving spouse. If an executor or administrator of the decedent is appointed after the making of the joint return by the surviving spouse, the executor or administrator may disaffirm such joint return by making, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was made, in which case the return made by the survivor shall constitute his separate return.

In the event that the rates prescribed in subdivisions (a) and (b) of Section 17401 are increased by 0.35 percent, 0.30 percent, 0.25 percent, 0.20 percent, 0.15 percent, 0.10 percent or 0.05 percent, respectively, then the six-thousand-five-hundred-dollar ($6,500) amount referred to in this section shall be five thousand seven hundred dollars

$5,790), five thousand eight hundred dollars ($5.800), six thousand dollars ($6,000), six thousand one hundred dollars ($6,100), six thousand two hundred dollars ($6,200), six thousand three hundred dollars ($6,300), or six thousand four hundred dollars ($6.400), respectively. The Franchise Tax Board by regulation shall prescribe the applicable filing requirement amounts as provided by this section

SEC 23 25 Section 18405 of the Revenue and Taxation Code is repealed

~~18405 Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, for any of the following taxpayers for whom he acts, stating specifically the items of gross income of the taxpayer and the deductions and credits allowed under this part:~~

~~(a) Every individual having an adjusted gross income for the taxable year of over three thousand two hundred fifty dollars ($3,250), if single.~~

~~(b) Every individual having an adjusted gross income for the taxable year of over six thousand five hundred dollars ($6,500), if married.~~

~~(c) Every individual having a gross income for the taxable year of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.~~

~~(d) Every estate the net income of which for the taxable year is over one thousand dollars ($1,000).~~

~~(e) Every trust the net income of which for the taxable year is over one hundred dollars ($100).~~

~~(f) Every estate or trust the gross income of which for the taxable year is over seven thousand dollars ($7,000), regardless of the amount of the net income.~~

~~(g) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the Franchise Tax Board may prescribe.~~

SEC 23 3. Section 18405 is added to the Revenue and Taxation Code, to read:

18405 Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, for any of the following taxpayers for whom he acts, stating specifically the items of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having an adjusted gross income for the taxable year of over three thousand two hundred fifty dollars ($3,250), if single

(b) Every individual having an adjusted gross income for the taxable year of over six thousand five hundred dollars ($6,500) if married

(c) Every individual having a gross income for the taxable year of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.

(d) Every estate the net income of which for the taxable year is over one thousand dollars ($1,000).

(e) Every trust the net income of which for the taxable year is over one hundred dollars ($100).

(f) Every estate or trust the gross income of which for the taxable year is over seven thousand dollars ($7,000), regardless of the amount of the net income

(g) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the Franchise Tax Board may prescribe.

In the event that the rates prescribed in subdivision (a) and (b) of Section 17041 are increased by 0 35 percent, 0 30 percent, 0 25 percent, 0 20 percent, 0.15 percent, 0 10 percent or 0 05 percent, respectively, then, the three-thousand-two-hundred-fifty-dollar ($3,250) amount prescribed in this section shall be two thousand eight hundred fifty dollars ($2,850), two thousand nine hundred dollars ($2,900), three thousand dollars ($3,000), three thousand fifty dollars ($3,050), three thousand one hundred dollars ($3,100), three thousand one hundred fifty dollars ($3,150), or three thousand two hundred dollars ($3,200), respectively. In like manner, the six-thousand-five-hundred-dollars ($6,500) amount prescribed in this section shall be five thousand seven hundred dollars ($5,700), five thousand eight hundred dollars ($5,800), six thousand dollars ($6,000), six thousand one hundred dollars ($6,100), six thousand two hundred dollars ($6,200), six thousand three hundred dollars ($6,300), or six thousand four hundred dollars ($6,400), respectively.

The Franchise Tax Board by regulation shall prescribe the applicable filing requirement amounts as required by this section

SEC 23 35. Section 18410 6 of the Revenue and Taxation Code is repealed

~~18110 6. For the purposes of Sections 18586 to 18589, inclusive (relating to period of limitations upon assessment and collection), and for the purposes of Section 18681 (relating to delinquent returns), a joint return made under Section 18410 shall be deemed to have been filed.~~

~~(a) Where both spouses filed separate returns prior to making the joint return, on the date the last separate return was filed (but not earlier than the last date prescribed by this part for filing the return of either spouse).~~

~~(b) Where one spouse filed a separate return prior to the making of the joint return, and the other spouse had three thousand two hundred fifty dollars ($3,250) or less of adjusted gross income and seven thousand dollars ($7,000) or less of gross income for such taxable year, on the date of the filing of such separate return (but not earlier than the last date prescribed by law for the filing of such separate return).~~

~~(c) Where only one spouse filed a separate return prior to the making of a joint return and the other spouse had an adjusted gross income of more than three thousand two hundred fifty dollars ($3,250) or a gross income of more han seven thousand dollars ($7,000) for such taxable year, on the date of the filing of such joint return.~~

SEC. 23.4 Section 18410.6 is added to the Revenue and Taxation Code, to read·

18410 6 For the purposes of Sections 18586 to 18589, inclusive (relating to period of limitations upon assessment and collection), and for the purposes of Section 18681 (relating to delinquent returns), a joint return made under Section 18410 shall be deemed to have been filed·

(a) Where both spouses filed separate returns prior to making the joint return, on the date the last separate return was filed (but not earlier than the last date prescribed by this part for filing the return of either spouse)

(b) Where one spouse filed a separate return prior to the making of the joint return, and the other spouse had three thousand two hundred fifty dollars ($3,250) or less of adjusted gross income and seven thousand dollars ($7,000) or less of gross income for such taxable year, on the date of the filing of such separate return (but not earlier than the last date prescribed by law for the filing of such separate return)

(c) Where only one spouse filed a separate return prior to the making of a joint return and the other spouse had an adjusted gross income of more than three thousand two hundred fifty dollars ($3,250) or a gross income of more than seven thousand dollars ($7,000) for such taxable year, on the date of the filing of such joint return

In the event that the rates prescribed in subdivisions (a) and (b) of Section 17041 are increased by 0 35 percent, 0 30 percent, 0 25 percent, 0 20 percent, 0 15 percent, 0 10 percent or 0 05 percent, respectively, then, the three-thousand-two-hundred-fifty-dollars ($3,250) amount prescribed in this section shall be two thousand eight hundred fifty dollars ($2,850), two thousand nine hundred dollars ($2,900), three thousand dollars ($3,000), three thousand fifty dollars ($3,050), three thousand one hundred dollars ($3,100), three thousand one hundred fifty dollars ($3,150), or three thousand two hundred dollars ($3,200) respectively In like manner, the six-thousand-five-hundred-dollars ($6,500) amount prescribed in this section shall be five thousand seven hundred dollars ($5,700), five thousand eight hundred dollars ($5 800), six thousand dollars ($6,000), six thousand one hundred dollars ($6,100), six thousand two hundred dollars ($6.200), six thousand three hundred dollars ($6,300), or six thousand four hundred dollars ($6,400), respectively.

The Franchise Tax Board by regulation shall prescribe the applicable filing requirement amounts as required by this section

SEC 24 Section 17053 5 is added to the Revenue and Taxation Code to read

17053 5 (a) For taxable years beginning after December 31, 1972, in the case of qualified renters, there shall be allowed credits against the tax computed under Section 17041 or Section 17048, minus all other credits provided for in this part except the credit provided in Section 18551 1 (relating to withholding credit) and the credit provided in Section 17061 (relating to excess tax credit) The amount of such credits shall be·

(1) In the case of a single individual, a credit in the amount indicated on the following table:

If adjusted gross income is	The credit is
Less than $3 499	$25
$3 500– 3,999	$28
$4 000– 4,499	$32
$4,500– 4,999	$35
$5,000– 5,499	$37
$5 500– 5,999	$40
$6,000– 6,499	$44
$6,500– 6,999	$47
$7 000– 7,499	$51
$7,500– 7,999	$55
$8 000– 8,499	$55
$8 500– 8,999	$55
$9,000– 9,499	$55
$9,500– 9,999	$55
$10,000–10,499	$50
$10,500–10 999	$46
$11,000–11,499	$44
$11,500 and over	$40

(2) In the case of a head of household or a married individual, a credit in the amount indicated on the following table:

If adjusted gross income is	The credit is
Less than $4,999	$24
$5,000– 5,499	$25
$5,500– 5,749	$27
$5,750– 5,999	$31
$6,000– 6,149	$36
$6,150– 6,249	$38
$6,250– 6,349	$42
$6,350– 6,499	$45
$6,500– 6,749	$47
$6,750– 6,999	$48
$7,000– 7,499	$52
$7,500– 7,999	$56
$8,000– 8,499	$60
$8 500– 8,999	$65
$9,000– 9,499	$69
$9,500– 9,999	$74
$10,000–10,499	$75
$10,500–10,999	$70
$11,000–11,499	$65
$11,500–11 999	$55
$12,000–12,499	$50
$12,500–12,999	$45
$13,000 and over	$40

Except as provided in paragraph (3) of this section a husband and wife shall receive but one credit under this section If the husband and wife file separate returns, the credit may be taken by either or divided between them, except as follows:

(A) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for all the taxable year, the resident spouse shall be allowed the full credit.

(B) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for part of the taxable year, the resident spouse shall be allowed to claim one-half the credit and the nonresident spouse shall be allowed to claim the other one-half of the credit subject to the proration provided in subdivision (c) of this section

(C) If both spouses were nonresidents for part of the taxable year, the credit shall be divided equally between them subject to the proration provided in subdivision (c) of this section

(3) In the case of a husband and wife, if each spouse maintained a separate place of residence and resided in this state during the entire taxable year, each spouse will be allowed a credit equal to the credit provided in paragraph (1) of this section.

(b) For purposes of this section, a "qualified renter" means an individual who on March 1 of the taxable year—

(1) Was a resident of this state, as defined in Section 17014, and

(2) On such date rented and occupied premises in this state which constitute his principal place of residence.

The term "qualified renter" does not include an individual who on March 1 of the taxable year rented and occupied premises which were exempt from property taxes, except that an individual, otherwise qualified, shall be deemed a qualified renter if he is required to pay property taxes on his possessory interest in a residence that is otherwise tax exempt during the taxable year.

The term "qualified renter" does not include an individual whose principal place of residence is with one or both parents or with one or both parents of his or her spouse if the homeowners' property tax exemption has been granted with respect to such premises

The term "qualified renter" does not include an individual whose principal place of residence is with any other person who claimed such individual as a dependent for income tax purposes.

The term "qualified renter" does not include an individual who has been granted or whose spouse has been granted the homeowner's property tax exemption during the taxable year This paragraph shall not apply in the case of an individual whose spouse has been granted the homeowners' property tax exemption if each spouse maintained a separate residence for the entire taxable year.

The term "qualified renter" does not include an individual who has been granted or whose spouse has been granted the veterans' exemption from property taxation This paragraph shall not apply in the case of an individual whose spouse has been granted the veterans' exemption if each spouse maintained a separate residence for the entire taxable year

The term "qualified renter" does not include an individual or the spouse of an individual who, for the entire taxable year, received

public assistance grants which took into account housing or shelter needs. If such grants were received for a part of the taxable year, the credit provided by this section shall be claimed at the rate of one-twelfth for each full month such grants were not received during the income year.

(c) Any individual who is a nonresident for any portion of the taxable year shall claim the credits set forth in subdivision (a) at the rate of one-twelfth of such credits for each full month such individual resided within this state during the taxable year.

(d) Every person claiming the credit provided in this section shall, as part of such claim, and under penalty of perjury, furnish such information as the Franchise Tax Board prescribes on a form supplied by such board.

(e) The credit provided in this section shall be claimed on returns in such form as the Franchise Tax Board may from time to time prescribe, and shall be filed with the Franchise Tax Board on the date prescribed by Section 18432.

(f) For the purposes of this section, the term "premises" means a house or dwelling unit used to provide living accommodations in a building or structure and the land incidental thereto, but does not include land only, except in the case where the dwelling unit is a mobilehome.

(g) In the case of qualified renters whose credits provided in this section exceed their tax liability computed under Section 17041 or 17048, minus all other credits provided in this part except the credits provided in Section 18551.1 and Section 17061, the qualified renter shall be allowed a credit to the extent of his tax liability plus a refund in excess of that amount up to a combined credit and refund equal to the amount of credit otherwise provided in this section.

SEC. 25. Section 17053.5 is added to the Revenue and Taxation Code, to read:

17053.5. (a) For taxable years beginning after December 31, 1972, in the case of qualified renters, there shall be allowed credits against the tax computed under Section 17041 or Section 17048, minus all other credits provided for in this part except the credit provided in Section 18551.1 (relating to withholding credit) and the credit provided in Section 17061 (relating to withholding credit) and the credit provided in Section 17061 (relating to excess tax credit). The credit shall be in the amount indicated on the following table:

If adjusted gross income is	The credit is
Less than $5,000	$25
$5,000–5,999	$30
$6,000–6,999	$35
$7,000–7,999	$40
$8,000 and up	$45

Except as provided in subdivision (b) of this section a husband and wife shall receive but one credit under this section If the husband and wife file separate returns, the credit may be taken by either or divided between them, except as follows:

(A) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for all the taxable year, the resident spouse shall be allowed the full credit.

(B) If one spouse was a resident for the entire taxable year and the other spouse was a nonresident for part of the taxable year, the resident spouse shall be allowed to claim one-half the credit and the nonresident spouse shall be allowed to claim the other one-half of the credit subject to the proration provided in subdivision (c) of this section.

(C) If both spouses were nonresidents for part of the taxable year, the credit shall be divided equally between them subject to the proration provided in subdivision (c) of this section.

(b) In the case of a husband and wife, if each spouse maintained a separate place of residence and resided in this state during the entire taxable year, each spouse will be allowed the full credit provided in subdivision (a)

(c) For purposes of this section, a "qualified renter" means an individual who on March 1 of the taxable year—

(1) Was a resident of this state, as defined in Section 17014, and

(2) On such date rented and occupied premises in this state which constitute his principal place of residence

The term "qualified renter" does not include an individual who on March 1 of the taxable year rented and occupied premises which were exempt from property taxes, except that an individual, otherwise qualified, shall be deemed a qualified renter if he is required to pay property taxes on his possessory interest in a residence that is otherwise tax exempt during the taxable year.

The term "qualified renter" does not include an individual whose principal place of residence is with one or both parents or with one or both parents of his or her spouse if the homeowners' property tax exemption has been granted with respect to such premises

The term "qualified renter" does not include an individual whose principal place of residence is with any other person who claimed such individual as a dependent for income tax purposes

The term "qualified renter" does not include an individual who has been granted or whose spouse has been granted the homeowners' property tax exemption during the taxable year This paragraph shall not apply in the case of an individual whose spouse has been granted the homeowner's property tax exemption if each spouse maintained a separate residence for the entire taxable year

The term "qualified renter" does not include an individual who has been granted or whose spouse has been granted the veterans' exemption from property taxation. This paragraph shall not apply in the case of an individual whose spouse has been granted the veterans' exemption if each spouse maintained a separate residence for the entire taxable year.

The term "qualified renter" does not include an individual or the spouse of an individual who, for the entire taxable year, received public assistance grants which took into account housing or shelter needs If such grants were received for a part of the taxable year, the credit provided by this section shall be claimed at the rate of one-twelfth for each full month such grants were not received during the income year.

(d) Any individual who is a nonresident for any portion of the taxable year shall claim the credits set forth in subdivision (a) at the rate of one-twelfth of such credits for each full month such individual resided within this state during the taxable year.

(e) Every person claiming the credit provided in this section shall, as part of such claim, and under penalty of perjury, furnish such information as the Franchise Tax Board prescribes on a form supplied by such board.

(f) The credit provided in this section shall be claimed on returns in such form as the Franchise Tax Board may from time to time prescribe, and shall be filed with the Franchise Tax Board on the date prescribed by Section 18432.

(g) For the purposes of this section, the term "premises" means a house or dwelling unit used to provide living accommodations in a building or structure and the land incidental thereto, but does not include land only, except in the case where the dwelling unit is a mobilehome.

(h) In the case of qualified renters whose credits provided in this section exceed their tax liability computed under Section 17041 or 17048, minus all other credits provided for in this part except the credits provided in Section 18551.1 and Section 17061, the qualified renter shall be allowed a credit to the extent of his tax liability plus a refund in excess of that amount up to a combined credit and refund equal to the credit otherwise provided in this section.

SEC. 26. Section 23151 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed.

~~23151. (a) With the exception of financial corporations, every corporation doing business within the limits of the state and not expressly exempted from taxation by the provisions of the Constitution of this state or by this part, shall annually pay to the state, for the privilege of exercising its corporate franchises within this state, a tax according to or measured by its net income, to be computed at the rate of 7 percent upon the basis of its net income for the next preceding income year. In any event, each such corporation shall pay annually to the state, for the said privilege, a minimum tax of one hundred dollars ($100).~~

~~(b) For calendar or fiscal years ending after December 31, 1971, the rate of tax shall be 7.6 percent instead of 7 percent as provided by subdivision (a).~~

~~(c) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in subdivision (a) shall be two hundred dollars ($200) instead of one hundred dollars ($100).~~

SEC. 27. Section 23151 is added to the Revenue and Taxation Code, to read:

23151. (a) With the exception of financial corporations, every corporation doing business within the limits of this state and not expressly exempted from taxation by the provisions of the Constitution of this state or by this part, shall annually pay to the state, for the privilege of exercising its corporate franchises within this state, a tax according to or measured by its net income, to be computed at the rate of 7.6 percent upon the basis of its net income for the next preceding

income year In any event, each such corporation shall pay annually to the state, for the said privilege, a minimum tax of one hundred dollars ($100).

(b) For calendar or fiscal years ending after December 31, 1972, the rate of tax shall be 9 percent instead of 7 6 percent as provided by subdivision (a)

(c) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in subdivision (a) shall be two hundred dollars ($200) instead of one hundred dollars ($100)

SEC 27 5 Section 23184 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed.

~~23184 (a) Financial corporations may offset against the franchise tax the amounts paid during the income year to this state or to any county, city, town, or other political subdivisions of the state as personal property taxes, or as license fees or excise taxes for the following privileges.~~

~~(1) Operating as personal property brokers or brokers as defined in the Personal Property Brokers Law provided for in Division 9 (commencing with Section 22000) of the Financial Code.~~

~~(2) Operating motor vehicles under Part 5 (commencing with Section 10701) of this division or Article 2 (commencing with Section 9250) of Chapter 6 of Division 3 of the Vehicle Code, except for Section 9265.~~

~~(3) Engaging in the business of loaning money, advancing credit, or loaning credit or arranging for the loan of money or advancing of credit or loaning of credit.~~

~~(4) Storing, using or otherwise consuming in this state of tangible personal property by savings and loan associations.~~

~~(b) The offset allowed to any financial corporation for any income year as provided in this section may, at the election of that financial corporation, be offset, in whole or in part, against its franchise tax for that income year or offset in whole or in part against its franchise tax in one or more of the next four succeeding years of its selection, until such time as the total amount of such offset is so utilized; provided, however, that for such purposes, offsets elected to be utilized against the franchise tax of a succeeding year shall be applied in the order of their respective years of origin and prior to the application of the offset which might otherwise be allowable for amounts paid during that income year.~~

~~(c) Notwithstanding anything to the contrary contained in this section, the tax on financial corporations after the allowance of all offsets provided for herein shall not be less than 7 percent of its net income for the preceding income year nor less than the following minimum tax.~~

~~(1) In the case of financial corporations, other than credit unions whose gross income is twenty thousand dollars ($20,000) or less, one hundred dollars ($100).~~

~~(2) In the case of credit unions whose gross income is twenty thousand dollars ($20,000) or less, twenty-five dollars ($25).~~

~~(d) For purposes of this section, with respect to calendar or fiscal years ending after December 31, 1971, the tax on financial corporations after the allowance of all offsets shall not be less than 7 6 percent of~~

~~its net income nor less than the minimum tax as provided by subdivision (c).~~

~~(c) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in paragraph (1) of subdivision (c) shall be two hundred dollars ($200) instead of one hundred dollars ($100).~~

SEC. 28. Section 23184 is added to the Revenue and Taxation Code, to read:

23184. (a) Financial corporations may offset against the franchise tax the amounts paid during the income year to this state or to any county, city, town, or other political subdivisions of the state as personal property taxes, or as license fees or excise taxes for the following privileges:

(1) Operating as personal property brokers or brokers as defined in the Personal Property Brokers Law provided for in Division 9 (commencing with Section 22000) of the Financial Code

(2) Operating motor vehicles under Part 5 (commencing with Section 10701) of this division or Article 2 (commencing with Section 9250) of Chapter 6 of Division 3 of the Vehicle Code, except for Section 9265

(3) Engaging in the business of loaning money, advancing credit, or loaning credit or arranging for the loan of money or advancing of credit or loaning of credit.

(4) Storing, using or otherwise consuming in this state of tangible personal property by savings and loan associations

(b) The offset allowed to any financial corporation for any income year as provided in this section may, at the election of that financial corporation, be offset, in whole or in part, against its franchise tax for that income year or offset in whole or in part against its franchise tax in one or more of the next four succeeding years of its selection, until such time as the total amount of such offset is so utilized, provided, however, that for such purposes, offsets elected to be utilized against the franchise tax of a succeeding year shall be applied in the order of their respective years of origin and prior to the application of the offset which might otherwise be allowable for amounts paid during that income year.

(c) Notwithstanding anything to the contrary contained in this section, the tax on financial corporations after the allowance of all offsets provided for herein shall not be less than 7.6 percent of its net income for the preceding income year nor less than the following minimum tax:

(1) In the case of financial corporations, other than credit unions whose gross income is twenty thousand dollars ($20,000) or less, one hundred dollars ($100)

(2) In the case of credit unions whose gross income is twenty thousand dollars ($20,000) or less, twenty-five dollars ($25).

(d) For purposes of this section, with respect to calendar or fiscal years ending after December 31, 1972, the tax on financial corporations after the allowance of all offsets shall not be less than 9 percent of its net income nor less than the minimum tax as provided by subdivision (c).

(e) For income years beginning after December 31, 1971, the one hundred dollars ($100) specified in paragraph (1) of subdivision (c) shall be two hundred dollars ($200) instead of one hundred dollars ($100).

SEC 28.5 Section 23186 of the Revenue and Taxation Code, as amended by Chapter 2 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed.

~~23186 (a) The rate of tax on banks and financial corporations shall be a percentage equal to the percentage of the total amount of net income, allocable to this state, of every corporation taxable under Section 23151, other than public utilities as defined in the Public Utilities Act, for the next preceding calendar year or fiscal years ended during such calendar year, required to be paid to this state as franchise taxes according to or measured by such net income, and required to be paid to this state or its political subdivisions by such corporations as personal property taxes during the preceding calendar year or fiscal years ended in such calendar year; provided, however, that said rate of tax shall not exceed 11 percent. The percentage of the net income of every corporation taxable under Section 23151, other than public utilities as defined in the Public Utilities Act, required to be paid to this state or its political subdivisions in personal property taxes shall be determined by ascertaining the ratio which the total amount of such personal property taxes, less 7 percent thereof, bears to the total amount of net income of such corporations allocable to California, increased by the amount of such personal property taxes; provided, however, that if any such corporation sustains a net loss allocable to California the personal property taxes required to be paid by such corporation to this state or its political subdivisions during the preceding calendar year or fiscal years ended during such calendar year shall be considered for the purpose of determining such ratio only to the extent which such personal property taxes exceed such net loss allocable to California.~~

~~(b) For calendar or fiscal years ending after December 31, 1971 the 11 percent provided in the first sentence of subdivision (a) shall be 11.6 percent and the 7 percent provided in the second sentence shall be 7.6 percent.~~

SEC 29. Section 23186 is added to the Revenue and Taxation Code, to read:

23186 (a) The rate of tax on banks and financial corporations shall be a percentage equal to the percentage of the total amount of net income, allocable to this state, of every corporation taxable under Section 23151, other than public utilities as defined in the Public Utilities Act, for the next preceding calendar year or fiscal years ended during such calendar year, required to be paid to this state as franchise taxes according to or measured by such net income, and required to be paid to this state or its political subdivisions by such corporation as personal property taxes during the preceding calendar year or fiscal years ended in such calendar year, provided, however, that said rate of tax shall not exceed 11.6 percent. The percentage of the net income of every corporation taxable under Section 23151, other than public utilities as defined in the Public Utilities Act, required to be paid to this state or its political subdivisions in personal property taxes shall be determined

by ascertaining the ratio which the total amount of such personal property taxes, less 7.6 percent thereof, bears to the total amount of net income of such corporations allocable to California, increased by the amount of such personal property taxes; provided, however, that if any such corporation sustains a net loss allocable to California the personal property taxes required to be paid by such corporation to this state or its political subdivisions during the preceding calendar year or fiscal years ended during such calendar year shall be considered for the purpose of determining such ratio only to the extent which such personal property taxes exceed such net loss allocable to California

(b) For calendar or fiscal years ending after December 31, 1972, the 11 6 percent provided in the first sentence of subdivision (a) shall be 13 percent and the 7.6 percent provided in the second sentence shall be 9 percent.

SEC 29 5. Section 23333 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed

~~23333. (a) A taxpayer subject to Section 23186 shall, if it dissolves or withdraws prior to the date the rate is determined under Section 23186, pay a tax under Section 23332 at the maximum rate prescribed by said Section 23186, if the rate is subsequently determined to be less than the maximum prescribed by Section 23186, a refund shall, within thirty (30) days of such determination, be made as prescribed by Article 1 of Chapter 22; that part of the tax thus determined which is in excess of 7 percent shall be collected as a demand for second installment under Article 3 of Chapter 19.~~

~~(b) For calendar or fiscal years ending after December 31, 1971, the rate of tax shall be 7.6 percent instead of 7 percent as provided by subdivision (a).~~

SEC. 30. Section 23333 is added to the Revenue and Taxation Code, to read:

23333. (a) A taxpayer subject to Section 23186 shall, if it dissolves or withdraws prior to the date the rate is determined under Section 23186, pay a tax under Section 23332 at the maximum rate prescribed by said Section 23186, if the rate is subsequently determined to be less than the maximum prescribed by Section 23186, a refund shall, within thirty (30) days of such determination, be made as prescribed by Article 1 of Chapter 22; that part of the tax thus determined which is in excess of 7 6 percent shall be collected as a demand for second installment under Article 3 of Chapter 19

(b) For calendar or fiscal years ending after December 31, 1972, the rate of tax shall be 9 percent instead of 7 6 percent as provided by subdivision (a)

SEC 30 5 Section 23501 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is repealed

~~23501. (a) There shall be imposed upon every corporation for each taxable year, a tax at the rate of 7 percent upon its net income derived from sources within this state on or after January 1, 1937, other than income for any period for which the corporation is subject to taxation under Chapter 2 of this part, according to or measured by its net income.~~

~~(b) For calendar or fiscal years ending after December 31, 1971, the rate of tax shall be 7.6 percent instead of 7 percent as provided by subdivision (a).~~

SEC. 31. Section 23501 is added to the Revenue and Taxation Code, to read:

23501 (a) There shall be imposed upon every corporation for each taxable year, a tax at the rate of 7 6 percent upon its net income derived from sources within this state on or after January 1, 1937, other than income for any period for which the corporation is subject to taxation under Chapter 2 of this part, according to or measured by its net income.

(b) For calendar or fiscal years ending after December 31, 1972, the rate of tax shall be 9 percent instead of 7.6 percent as provided by subdivision (a).

SEC. 31.3 Section 11006.1 is added to the Welfare and Institutions Code, to read·

11006 1. Notwithstanding any other provision of law, each grant of aid under Chapter 3 (commencing with Section 12000), Chapter 4 (commencing with Section 12500), Chapter 5 (commencing with Section 13000) and Chapter 6 (commencing with Section 13500) shall be increased in the amount of two dollars ($2), as a basic need of the recipient Grant increases provided pursuant to this section are specifically intended to assure that the tax shift provisions of the Property Tax Relief Act of 1972 will not work a hardship on welfare recipients. Such grant increases shall not replace, but are in addition to any other grant, including any cost-of-living adjustment or any grant for special needs for which recipients affected by this section are or may become eligible.

SEC. 31 3. Section 11006 1 is added to the Welfare and Institutions Code, to read:

11006 1. Notwithstanding any other provision of law, each grant of aid under Chapter 3 (commencing with Section 12000), Chapter 4 (commencing with Section 12500), Chapter 5 (commencing with Section 13000) and Chapter 6 (commencing with Section 13500) shall be increased in the amount of two dollars ($2), as a basic need of the recipient. Grant increases provided pursuant to this section are specifically intended to assure that the tax shift provisions of the Property Tax Relief Act of 1972 will not work a hardship on welfare recipients. Such grant increases shall not replace, but are in addition to any other grant, including any cost-of-living adjustment or any grant for special needs for which recipients affected by this section are or may become eligible.

SEC. 31 5. Section 11450 of the Welfare and Institutions Code is repealed.

~~11450 (a) For each needy family which includes one or more needy children qualified for aid under this chapter, except as provided in Section 11103, there shall be paid, notwithstanding minimum basic standards of adequate care established by the department under Section 11452, an amount of aid each month which when added to his income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (d) of this section or Section 11453.1, is equal~~

~~to the sums specified in the following table, as adjusted for cost-of-living increases or decreases pursuant to Section 11153:~~

~~Number of eligible needy persons in the same home~~	~~Maximum aid~~
~~1~~	~~$115~~
~~2~~	~~190~~
~~3~~	~~235~~
~~4~~	~~280~~
~~5~~	~~320~~
~~6~~	~~360~~
~~7~~	~~395~~
~~8~~	~~430~~
~~9~~	~~465~~
~~10 or more~~	~~500~~

~~If, when and during such times as the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to such increase or decrease by the United States government, provided that no such increase or decrease shall be subject to subsequent adjustment pursuant to Section 11153.~~

~~(b) For children receiving foster care who are qualified for aid under the provisions of this chapter, except as provided in Section 11403, there shall be paid the sum necessary for the adequate care of each child, but not to exceed in any month the product of eighty dollars ($80) multiplied by the number of children in each county receiving foster care. The state shall pay 67.5 percent and the county shall pay 32.5 percent of the aid furnished for the adequate care of such children.~~

~~The maximum amount of aid payable under the previous paragraph shall be increased up to one hundred dollars ($100) per month in assistance in those cases and during such times as the United States government contributes.~~

~~(c) As used in this chapter, "foster care" means care in a boarding home or institution.~~

~~(d) (1) In addition to the amounts payable under subdivision (a) of this section and Section 11153.1, a family shall be entitled to receive an allowance for recurring special needs not common to a majority of recipients. The county shall pay the full cost of the additional aid furnished needy families pursuant to this subdivision after first deducting therefrom any funds received from the federal government. Such recurring special needs shall include but not be limited to special diets upon the recommendation of a physician, and unusual costs of transportation, laundry, housekeeping service, telephone, and utilities not to exceed the minimum basic standards of adequate care.~~

~~(2) A family shall also be entitled to receive an allowance, at county expense after first deducting therefrom any funds received from the federal government, for nonrecurring special needs caused by sudden~~

~~and unusual circumstances beyond the control of the needy family, provided, however, that such needs shall not be taken into consideration in determining the eligibility of the family for aid.~~

~~(3) The department shall establish rules and regulations assuring the uniform application statewide of the provisions of this subdivision.~~

~~(c) Except for the purposes of Section 15200, the amounts payable to recipients pursuant to Section 11453.1 shall not constitute part of the payment schedule set forth in subdivision (a) of this section.~~

~~The amounts payable to recipients pursuant to Section 11453.1 shall not constitute income to recipients of aid under this section.~~

SEC. 31.7. Section 11450 is added to the Welfare and Institutions Code, to read:

11450. (a) For each needy family which includes one or more needy children qualified for aid under this chapter, except as provided in Section 11403, there shall be paid, notwithstanding minimum basic standards of adequate care established by the department under Section 11452, an amount of aid each month which when added to his income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (d) of this section or Section 11453.1, is equal to the sums specified in the following table, as adjusted for cost-of-living increases or decreases pursuant to Section 11453:

Number of eligible needy persons in the same home	Maximum aid
1	$117
2	192
3	237
4	282
5	322
6	362
7	397
8	432
9	467
10 or more	502

If, when and and during such times as the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to such increase or decrease by the United States government, provided that no such increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(b) For children receiving foster care who are qualified for aid under the provisions of this chapter, except as provided in Section 11403, there shall be paid the sum necessary for the adequate care of each child, but not to exceed in any month the product of eighty dollars ($80) multiplied by the number of children in each county receiving foster care. The state shall pay 67.5 percent and the county shall pay 32.5 percent of the aid furnished for the adequate care of such children.

The maximum amount of aid payable under the previous paragraph shall be increased up to one hundred dollars ($100) per month in

assistance in those cases and during such times as the United States government contributes.

(c) As used in this chapter, "foster care" means care in a boarding home or institution.

(d) (1) In addition to the amounts payable under subdivision (a) of this section and Section 11453 1, a family shall be entitled to receive an allowance for recurring special needs not common to a majority of recipients. The county shall pay the full cost of the additional aid furnished needy families pursuant to this subdivision after first deducting therefrom any funds received from the federal government Such recurring special needs shall include but not be limited to special diets upon the recommendation of a physician, and unusual costs of transportation, laundry, housekeeping service, telephone, and utilities not to exceed the minimum basic standards of adequate care.

(2) A family shall also be entitled to receive an allowance, at county expense after first deducting therefrom any funds received from the federal government, for nonrecurring special needs caused by sudden and unusual circumstances beyond the control of the needy family; provided, however, that such needs shall not be taken into consideration in determining the eligibility of the family for aid.

(3) The department shall establish rules and regulations assuring the uniform application statewide of the provisions of this subdivision.

(e) Except for the purposes of Section 15200, the amounts payable to recipients pursuant to Section 11453 1 shall not constitute part of the payment schedule set forth in subdivision (a) of this section.

The amounts payable to recipients pursuant to Section 11453 1 shall not constitute income to recipients of aid under this section.

SEC. 31.9. Section 15204 1 is added to the Welfare and Institutions Code, to read:

15204 1 Commencing on December 1, 1972, the state shall pay, in addition to its share of costs of public assistance under Sections 15200, 15201, 15202, 15203 and 15204, an amount equal to 100 percent of the nonfederal share of increases in grants made pursuant to Section 11006 1 and pursuant to the amendments to Section 11450 made during the 1952 Regular Session In order to obtain reimbursement under this section counties shall on a quarterly basis report to the Department of Social Welfare the cost of increases made in grants pursuant to Section 11006 1 and pursuant to the 1972 amendments to Section 11450 The state shall reimburse said costs on a quarterly basis in arrears.

SEC 32. The refunds required by Section 17053 5 of the Revenue and Taxation Code, as added either by Section 24 or by Section 25 of this act, shall be paid from the Personal Income Tax Fund when revenues are specifically appropriated therefor by the Legislature

SEC. 33 (a) Sections 6051 and 6201 of the Revenue and Taxation Code, affected by Sections 16.9, 17, and 20 of this act shall only become operative if the Legislature Analyst does not make the certification described in subdivision (c) of Section 316 2 of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature; in which case, such sections shall become operative on January 1, 1975, at which time, Sections 6051 and 6201 of the Revenue and Taxation Code, as affected by Sections 15.9, 16, 18 9 and 19 of this act shall be repealed

(b) Sections 6051 and 6201 of the Revenue and Taxation Code, as affected by Sections 15 9, 16, 18.9, and 19 of this act, shall become operative on January 1, 1973, and shall remain in full force and effect until such time as such sections are repealed pursuant to subdivision (a) of this section.

(c) Sections 17.9, 18 and 21 shall become operative on January 1, 1973.

SEC. 33 5 It is the intent of the Legislature, if this bill and Senate Bill No. 9 are both chaptered and amend Section 7102 of the Revenue and Taxation Code, and this bill is chaptered after Senate Bill No. 9, that Section 7102 of the Revenue and Taxation Code, as amended by Section 20 of Senate Bill No 9 be further amended on January 1, 1973, in the form set forth in Section 22 of this act to incorporate the changes in Section 7102 of the Revenue and Taxation Code proposed by this bill. Therefore, Sections 21.9 and 22 of this act shall become operative only if Senate Bill No 9 is chaptered before this bill and amends Section 7102 of the Revenue and Taxation Code, and in such case Sections 21 9 and 22 of this act shall become operative on January 1, 1973, and Section 22 05 of this act shall not become operative If Senate Bill No 9 is not chaptered, Sections 21.9 and 22 05 of this act shall become operative on January 1, 1973

SEC. 34 Except as provided in Section 33 of this act, the operative effect of the provisions of this act shall be as follows:

(a) Sections 4 to 10, inclusive, and Sections 11 5, 11 7, 11 9, 12, and Section 14 6, shall take effect immediately

(b) Sections 3 5, 22 27, 22 3, 22 39, and 22 4 shall take effect immediately and shall be operative in the manner specified in such sections.

(c) Sections 12.5 and 13 of this act shall become opeartive on the lien date in 1972 Such section is specifically made retroactive to such date

(d) Sections 14, 14 5 and 14 7 shall become operative on the lien date in 1973.

(e) Sections 14 9, 15, 15 3 and 15 5 of this act shall apply to county tax bills for 1972–73 fiscal year and Sections 14 9 and 15 shall also apply to fiscal years thereafter.

(f) Sections 22 9, 23, 23 05, 23 1, 23 15, 23 2, 23 25, 23 3, 23 35, and 23 4 of this act shall become operative on January 1, 1973, and shall be applied in the computation of taxes for taxable years in the manner specified in such sections.

(g) Section 17053 5 of the Revenue and Taxation Code, as added by Section 24 of this act, shall only become operative if a tax increase as specified in subdivisions (c) and (d) of Section 17041 of the Revenue and Taxation Code, as amended by Section 23 of this act, is imposed; in which case, Section 24 of this act shall apply in the computation of taxes for taxable years beginning after December 31, 1972

(h) Section 17053 5 of the Revenue and Taxation Code, as added by Section 25 of this act, shall only become operative if the provisions of this act do not operate to increase the income tax rates; in which case, Section 25 of this act shall apply in the computation of taxes for taxable years beginning on the first day of the calendar year in which such revenue sharing is enacted; at which time, Section 17053 5 of

the Revenue and Taxation Code, as added by Section 24 of this act, shall be repealed. In no case, however, will Section 25 be operative in the computation of taxes for taxable years beginning before January 1, 1973.

(i) The provisions of this act relating to the increase in the rate of tax under the Bank and Corporation Tax Law shall be applied in the computation of taxes on or measured by net income of calendar or fiscal years ending after December 31, 1972 Banks and corporations whose fiscal years begin prior to January 1, 1973, and end on or before November 30, 1973, shall compute their tax by applying the rate in effect as of December 31, 1972, and the rate provided for in this act on and after such date to their net income for the entire year in accordance with the method prescribed in Section 24251 of the Revenue and Taxation Code.

Notwithstanding any other provision in the Bank and Corporation Tax Law, in computing the amount of estimated taxes due and payable on and after April 15, 1973, the rates of tax provided in this act shall apply. With respect thereto, any additional estimated tax shall accrue on the date the estimated tax installment is required to be paid, and if not paid on such date, interest shall be assessed, collected and paid on the unpaid estimated tax at the rate of 6 percent per year from the date prescribed for payment until it is paid.

(j) Sections 31.3, 31.5, and 31.7 of this act shall become operative on December 1, 1972.

(k) If the rate of tax is increased as specified in subdivision (c) or (d) of Section 17041 of the Revenue and Taxation Code, commencing January 1, 1973, then, notwithstanding such fact, withholding pursuant to Section 18806 of the Revenue and Taxation Code shall not reflect the increased rates, except with respect to wage payments made after February 28, 1973.

(*l*) (1) Sections 7202 and 7203 of the Revenue and Taxation Code, as affected by Sections 22.07, 22.1, 22.19 and 22.2 of this act, shall become operative on January 1st of the year following the year in which the State Board of Equalization adopts an assessment ratio for state-assessed property which is identical to the ratio which is required for local assessments by Section 401 of the Revenue and Taxation Code.

(2) In the event that Sections 7202 and 7203 of the Revenue and Taxation Code, as added by Sections 22.1 and 22.9 of this act, become operative and the State Board of Equalization subsequently adopts an assessment ratio for state-assessed property which is higher than the ratio which is required for local assessments by Section 401 of the Revenue and Taxation Code, Sections 7202 and 7203 of the Revenue and Taxation Code, as added by Sections 22.15 and 22.25 of this act, shall become operative on the first day of the month next following the month in which such higher ratio is adopted, at which time, Sections 7202 and 7203 of the Revenue and Taxation Code, as added by Sections 22.1 and 22.2 of this act, shall be inoperative until the board again adopts an assessment ratio for state-assessed property which is identical to the ratio required for local assessments by Section 401 of the Revenue and Taxation Code

(m) Sections 2 through 2.74, inclusive, shall be effective commencing with the 1973–4 fiscal year and fiscal years thereafter.

SEC. 35. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC 36. There is hereby created an XYZ Fund into which all surplus revenues, which are estimated by the Department of Finance to be recurring, in excess of two hundred sixty million dollars ($260,000,000) of the unrestricted surplus which is estimated by the Department of Finance to be a recurring surplus, less the unencumbered balance of continuing appropriations, as reported in the annual report of the State Controller, shall be deposited.

In addition, any unrestricted revenue received by the state, prior to January 1, 1975, from the federal government from a federal revenue sharing bill, which is, or is similar to, Title I of HR 14370 (State and Local Fiscal Assistance Act of 1972) as determined by the Department of Finance, shall be deposited into the XYZ Fund.

Funds shall be allocated from the XYZ Fund each year in the following order of priority

(1) An amount sufficient, as determined by the Department of Finance, shall be used to reduce income taxes as prescribed in Section 17041(d) of the Revenue and Taxation Code.

(2) Thirty-five million dollars ($35,000,000) shall be used to increase the funds pursuant to Section 16140 of the Government Code for the educational need factor for schools to a total of sixty-five million dollars ($65,000,000).

(3) The balance may be used for tax relief to be determined by the Legislature.

SEC. 37. Any person granted the veterans' exemption for the 1972–1973 fiscal year or any owner-occupant of a multiple dwelling who was ineligible for the homeowners' exemption prior to the enactment of this act may file with the assessor no later than August 15, 1972, an application for the homeowners' exemption for the 1972–1973 fiscal year and request that the veterans' exemption granted for the 1972–1973 year be canceled, if applicable.

SEC. 38. If Section 25 of this act is operative in the 1973–1974 fiscal year, the homeowners' exemption for 1973–1974 fiscal year shall be in the amount of one thousand eight hundred twenty-five dollars ($1,825) for 1973–1974 fiscal year rather than one thousand seven hundred seventy-five dollars ($1,775).

SEC 39. Gross receipts from the sale of, and the storage, use, or other consumption in this state of material, fixtures, and supplies, obligated pursuant to engineering construction project contract or a building construction contract entered into far a fixed price prior to the effective date of this act, shall not be subject to the additional sales tax rate imposed by this act but shall be subject to the rate of tax applicable prior to this act.

For the purposes of this section, tangible personal property shall not be deemed obligated pursuant to a contract for any period of time for which any party to the contract has a right to terminate the contract upon notice, whether or not the right is exercised.

SEC. 40. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is the purpose of this act to make substantial shifts in the tax burdens borne by the various segments of the public, in order to equalize such burdens among all taxpayers at the earliest possible time. To carry out this program and to provide long overdue property tax relief commencing with the 1972–1973 fiscal year, it is necessary that this act take effect immediately."

Amendment No. 4

On page 3, strike out lines 2 to 28, inclusive; and strike out all of pages 4 to 32, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

ADJOURNMENT

At 10:50 p m, pursuant to a motion made earlier this day, the Assembly adjourned until 9:30 a.m., Tuesday, August 1, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Seventeenth Legislative Day

Two Hundred Twelfth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, August 1, 1972

The Assembly met at 9:30 a m

Hon Jack R. Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 9:30 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10 a m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Almighty God, For another day we thank You. Oh Lord, teach us to find new attitudes which attract people to the inspired way. Make us kind and considerate in all we attempt so that Your plan may not suffer You have blessed us with so much, and we have not always done our best. Give us now the courage to try once again.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Wood then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Briggs, on request of Acting Speaker Fenton.
Mr. Garcia, on request of Acting Speaker Fenton.
Mr Porter, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bee, on request of Acting Speaker Fenton
Mr. Conrad, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Miller, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

July 31, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker I would appreciate being excused on legislative business on Tuesday, Wednesday and Thursday (August 1–3, 1972).

As you will recall, you previously approved my request to attend the 25th Annual Meeting of the National Legislative Conference in New Orleans, Louisiana, on those dates.

Sincerely yours,

CARLOS BEE
Speaker pro Tempore of the Assembly

NOTE: For letter explaining the absence of Mr Conrad on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 31, 1972, page 6746.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Kenneth L. Keel, City Clerk, City of Hawthorne, dated July 25, 1972, enclosing copy of resolution relative to Assembly Bill No. 1717. Referred by the Acting Speaker to the Committee on Transportation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
325	Criminal Justice
1453	Finance and Insurance

RESOLUTIONS

The following resolution was offered:

By Assemblyman Priolo:

House Resolution No. 114

Relative to commending Assemblyman William Campbell for his contributions to the State of California

WHEREAS, The Members of the Assembly wish to take this opportunity to commend William "Bill" Campbell for his exceptionally outstanding record of service to the Assembly and to the citizens of California; and

WHEREAS, Born in 1935 in Coraopolis, Pennsylvania, Assemblyman Campbell attended Westminster College in Pennsylvania and Columbia University in New York and, in 1966, was elected to the State Legislature to represent the 50th Assembly District, and

WHEREAS, While in the Legislature, he has authored many bills, including legislation for banning loitering on school grounds, creating the California Job Development Corporation, ratifying California's participation in the Western Interstate Nuclear Compact, and permitting the establishment of off-limits command post headquarters in riot or civil disturbance areas; and

WHEREAS, Author of the nationally acclaimed research paper entitled "Teenage Drug Abuse, a Major Social Crisis," Assemblyman Campbell has also authored legislation dealing with illicit narcotic and drug traffic in California and legislation that will dramatically increase the state's role in fostering and encouraging effective drug treatment programs; and

WHEREAS, Also to his credit are the Medi-Cal Reform Law of 1971, a broad program to revise our financially shaky educational system, protection of an individual's right to privacy, environmental protection programs, and legislation to protect unwary consumers from unscrupulous vendors; and

WHEREAS, Assemblyman Campbell has served as Chairman of the Assembly Committee on Health, Chairman of the Joint Committee on Higher Education, and has served on the Commerce and Public Utilities Committee, Finance and Insurance Committee, Governmental Organization Committees, and the Select Committee on Health Manpower; and

WHEREAS, Active in the affairs of his community, he has served as chairman of the Board of Directors of the La Puente-City of Industry United Way; Chairman of the United Way and the American Red Cross Crusade; Vice Chairman of the Lucky Trails District, B S A , and Civil Defense Chairman of the La Puente PTA Council and the 1st District, California Congress of Parents and Teachers; and

WHEREAS, Assemblyman Campbell's exemplary record of community service also includes membership in the La Puente chapter of the American Cancer Society, the Kiwanis Club, the La Puente-Industry Chamber of Commerce, the Southern California chapter of the National School Public Relations Association, and the Church of Jesus Christ of Latter Day Saints; and

WHEREAS, Among his political activities, Assemblyman Campbell was a member of the Executive Committee of both the Republican State Central Committee and the Los Angeles County Republican Central Committee, and has held chairmanships and memberships in numerous other local Republican organizations; and

WHEREAS, He and his charming wife, Margene, are the proud parents of three fine daughters, Kimberly Ann, Michelle Lynn, and Stephanie Jo; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend Assemblyman William "Bill" Campbell for the many valuable contributions he has made to the welfare and betterment of the State of California and extend to him their heartiest best wishes for success and happiness in all his future endeavors, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman William "Bill" Campbell.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr Keysor was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, August 1, 1972

Mr Speaker. Your Committee on Rules recommends:

That the request by Mr Cullen for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No 1503 be granted.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted Acting Speaker Fenton was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the Second Day Consent Calendar for the next legislative day

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, July 27, 1972

Mr Speaker Your Committee on Governmental Organization reports·

SB No. 336

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RALPH, Chairman

Above bill ordered to second reading

Assembly Chamber, July 27, 1972

Mr Speaker· Your Committee on Governmental Organization reports:

SB No 1347

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

RALPH, Chairman

Above bill ordered to second reading

Committee on Rules

Assembly Chamber, August 1, 1972

Mr. Speaker Your Committee on Rules reports:

HR No 111

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BURTON, Chairman

Above resolution ordered on file.

Committee on Government Administration

Assembly Chamber, August 1, 1972

Mr Speaker· Your Committee on Government Administration reports·

SB No 1105

SB No 1467

With amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means

RUSSELL, Chairman

Above bills ordered to second reading.

Committee on Rules

Assembly Chamber, August 1, 1972

Mr. Speaker: Your Committee on Rules reports:

AJR No. 38

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Assembly Chamber, August 1, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 105	HR No 46	HR No 70
HR No. 108	HR No. 49	HR No 72
HR No 109	HR No 52	HR No. 77
HR No 110	HR No 59	HR No. 80
HR No. 112	HR No 61	HR No. 81
HR No. 13	HR No 62	HR No 89
HR No 37	HR No 66	HR No 90
HR No. 38	HR No 68	HR No. 93
HR No 39	HR No 69	

With the recommendation · That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

Assembly Chamber, August 1, 1972

Mr Speaker · Your Committee on Rules reports:

HR No 96

HR No. 102

With the recommendation · That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BURTON, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 336—An act to add Section 19544 5 to the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

After line 1 of the heading of the printed bill, insert

"(Coauthors. Assemblymen Powers, Leroy F Greene, and Z'berg)".

Amendment No. 2

On page 1, line 4, strike out "the California State Fair and Exposition shall"; and strike out lines 5 to 7, inclusive, and in line 8, strike out "meetings conducted by it, and".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1347—An act to add Section 23428 19 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate May 18, 1972, insert

"(Coauthor · Assemblyman Cullen)".

Amendment No. 2

In line 2 of the title, after "beverages", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, after line 6, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

In order that the state, cities and counties may benefit from revenue generated from licensing clubs qualified under this act, it is necessary for this act to take effect immediately"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1105—An act to amend Section 988 2 of the Military and Veterans Code, relating to veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 8, 1972, insert

"(Coauthor: Assemblyman LaCoste)".

Amendment No. 2

On page 3, strike out lines 10 to 16, inclusive, and insert "The department shall in each case require a clause in such deed of trust providing that all sums of principal and interest secured thereby shall become immediately due and payable at the option of the department upon the sale, transfer, or further encumbrance of the property or any part thereof or interest therein."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1467—An act to add Chapter 18 (commencing with Section 7350) to Division 7 of Title 1 of, and to repeal Sections 26614 and 26614.5 of, the Government Code, relating to search and rescue, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Administration, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in Assembly July 26, 1972, strike out ", and to repeal Sections 26614 and 26614.5 of,".

Amendment No. 2

In lines 4 and 5 of the title, strike out ", and making an appropriation therefor".

Amendment No. 3

On page 3, strike out lines 20 to 40, inclusive; and strike out page 4

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1169

And appointed Senators Behr, Beilenson and Alquist, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, July 31, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1193

And appointed Senators Nejedly, Lagomarsino and Gregorio, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 90, 95, and 656 for hearing in the Committee on Ways and Means.

Mr Burton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 38 for hearing in the Committee on Rules today

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1153

Mr Maddy was granted unanimous consent that Assembly Bill No 1153 be withdrawn from enrollment, and to rescind the action whereby the Assembly, on July 31, 1972, concurred in Senate amendments to Assembly Bill No. 1153, and whereby the bill was ordered enrolled

Further Consideration of Senate Amendments to Assembly Bill No. 1153

Assembly Bill No. 1153—An act to amend Section 13413 of the Education Code, as added by Chapter 361 of the Statutes of 1971, and to add Section 13413 5 to the Education Code, relating to certificated employees

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1153?

Senate Amendments of July 7, 1972

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "as added by Chapter 361 of the Statutes of 1971, and to add Section 13414 5 to the Education Code,".

Amendment No. 2

On page 1, line 1, after "Code", insert ", as added by Chapter 361 of the Statutes of 1971,"

Amendment No. 3

On page 2, strike out lines 2 and 3, and insert "be as prescribed in Section 13413 5 "

Amendment No. 4

On page 3, after line 31, insert

"SEC 2 Section 13413 5 is added to the Education Code, to read:

13413 5 The right of discovery of the parties for the hearings provided for in this chapter involving permanent or regular employees shall include the rights and duties of discovery of any party in a civil

action brought in a superior court In all other hearings provided for in this chapter, the right of discovery of the parties shall not be limited to those matters set forth in Section 11507 6 of the Government Code but the scope of discovery shall be limited to matter which is admissible as evidence In all cases, all discovery must be completed prior to one week before the hearing is held ''

Senate Amendments of July 24, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate July 7, 1972, strike out "13414.5", and insert "13413 5".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote.

AYES—Collier, Duffy, Mobley, Powers. and Vasconcellos—5.

NOES—Arnett, Badham, Barnes, Beverly, Cline, Cullen, Dent, Dunlap, Fenton, Fong, Foran, Hayden, Hayes, Ray E Johnson, Keysor, Knox, LaCoste, MacDonald, MacGillivray, Maddy, McAlister, Moorhead, Priolo, Russell, Seeley, Wakefield, Wood, and Mr Speaker—28

Appointment of Committee on Conference Concerning Assembly Bill No. 1153

The Acting Speaker appointed Messrs Maddy, Duffy, and Ray E Johnson as a Committee on Conference concerning Assembly Bill No 1153.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1407

Mr. Knox was granted unanimous consent to take up Senate Bill No 1407, out of order, for purpose of amendment

Consideration of Senate Bill No. 1407

Senate Bill No. 1407—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Knox moved the adoption of the following amendment:

Amendment No 1

On page 2, line 1, of the printed bill, as amended in Senate July 4, 1972, strike out "1", and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 154

Mr. Foran was granted unanimous consent to take up Senate Bill No. 154, out of order, for purpose of amendment.

Consideration of Senate Bill No. 154

Senate Bill No. 154—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to airports.

Bill read third time.

Motion to Amend

Mr Foran moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly July 26, 1972, between lines 26 and 27, insert

"This section shall not apply to the expansion of any airport within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as specified in Section 66610 of the Government Code"

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1255 for hearing in the Committee on Commerce and Public Utilities, on Thursday, August 3

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1192

The Acting Speaker appointed Messrs Dent, Burke, and Hayden as a Committee on Conference concerning Senate Bill No 1192.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 76—An act to amend Sections 24351 and 24352 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 76?

Amendment No. 1

On page 2, after line 36, of the printed bill, insert

"SEC 3. Section 24351 of the Health and Safety Code is amended to read:

24351 There shall be a separate and distinct city selection committee for each county in which the district may transact business and exercise its powers The membership of such committees shall consist of the mayor of each city within such county, or, where there is no mayor, the chairman or the president of the city council.

When the mayor or the chairman or president of the city council is unable to attend a meeting of the city selection committee, he may designate a member of the city's elected governing body to serve in his place.

Where the district may transact business and exercise its powers only in a portion of a county, the membership of the city selection committee of such county, for purposes of this chapter, shall consist only of such representatives from those cities within that portion of the county

SEC. 4. It is the intent of the Legislature, if this bill and Senate Bill No 339 are both chaptered and amend Section 24351 of the Health and Safety Code, and this bill is chaptered after Senate Bill No 339, that the amendments to Section 24351 proposed by both bills be given effect and incorporated in Section 24351 in the form set forth in Section 3 of this act. Therefore, Section 3 of this act shall become operative only if this bill and Senate Bill No 339 are both chaptered, both amend Section 24351, and Senate Bill No 339 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Campbell, Chappie, Cline, Collier, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Wakefield, Wood, Z'berg, and Mr. Speaker—44.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Z'berg was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 4 for hearing in the Committee on Natural Resources and Conservation today, at 10.30 a m , in Room 6028.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2132—An act to amend Section 11610 5 of the Business and Professions Code, relating to subdivisions.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2132?

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly June 7, 1972, in line 10, strike out "and its acceptance of such"; and in line 11, strike out "dedication".

Amendment No. 2

On page 2, strike out line 16; and in line 17, strike out "dedication must occur", and insert

"A governmental entity must accept such dedication".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Campbell, Chappie, Cline, Collier, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Wakefield, Wood, Z'berg, and Mr. Speaker—44.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2133—An act to add Section 18406 to the Health and Safety Code, relating to mobilehome parks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2133?

Set No. 1

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly June 7, 1972, strike out "it determines", and insert "the city, county, or city and county having jurisdiction over the property has determined".

Amendment No. 2

On page 2, line 25, strike out "enforcement agency finds", and insert "city, county, or city and county having jurisdiction has made a finding".

Set No. 2

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Assembly June 7, 1972, after the comma, insert "and".

Amendment No. 2

On page 2, line 18, strike out ", and its acceptance of such dedication".

Amendment No. 3

On page 2, line 18, strike out "The", strike out lines 19 to 21, inclusive, and insert "A governmental entity shall accept such dedication within three years after such recordation or such dedication shall be".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Campbell, Chappie, Cline, Collier, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray,

Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Wakefield, Wood, Z'berg, and Mr. Speaker—44.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2134—An act to add Section 11610 8 to the Business and Professions Code, relating to real property.

The question being · Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2134?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 15, 1972, strike out line 18, and insert "subdivisions (c) and (d) of Section 11610 5 and subdivisions (c) and (d) of".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly.

Motion carried. Time, 10·12 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 781—An act to add Section 13593.5 to the Education Code, relating to classified school employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 781?

Amendment No. 1

In line 2 of the heading of the printed bill, strike out ", Meade".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maddy moved a call of the Assembly.

Motion carried. Time, 10:14 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Ketchum was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1611—An act relating to the transfer of property by the Director of General Services

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1611?

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, as amended in Assembly May 22, 1972, strike out "is hereby authorized to", and insert "may".

Amendment No. 2

On page 2, line 5, after the comma, insert "all or any part of the".

Amendment No. 3

On page 2, strike out line 6, and insert "County. No other sale of the property may be made within 120 days of the operative date of this act"

Amendment No. 4

On page 2, strike out lines 7 to 40, inclusive; strike out pages 3 to 10, inclusive, and on page 11, strike out lines 1 to 6, inclusive.

Amendment No. 5

On page 11, line 7, strike out "shall", and insert "may, with the approval of the Director of Mental Hygiene,".

Amendment No. 6

On page 11, line 9, strike out "described in Section 1", and insert "conveyed".

Amendment No. 7

On page 11, line 15, strike out "described in Section 1 of this act", and insert "conveyed".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chappie, Cline, Collier, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2229—An act to add Section 25254 to the Vehicle Code, relating to lighting equipment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2229 (presented by Mr. Priolo)?

Senate Amendments of July 6, 1972

Amendment No. 1

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 25267 of,".

Amendment No. 2

On page 1, after line 10, insert

"SEC. 2. Section 25267 of the Vehicle Code is amended to read:

25267. Vehicles used by mosquito abatement districts or pest abatement districts when dispersing insecticides may display flashing amber warning lights to the front, *side,* or rear while the vehicles are parked or working on the highway."

Senate Amendments of July 17, 1972

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate July 6, 1972, strike out ", and to amend Section 25267 of,".

Amendment No. 2

On page 2, strike out lines 7 to 13, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Cline, Collier, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Powers, Priolo, Russell, Seeley, Thomas, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—44

NOES—Foran—1.

Above bill ordered enrolled.

Assembly Bill No. 783—An act to add Chapter 8 (commencing with Section 21200) to Division 8 of the Business and Professions Code, relating to skiing safety

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 783?

Amendment No. 1

On page 3, line 6, of the printed bill, strike out "commission", and insert "council".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray

E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 305—An act to amend Section 4709 of, and to add Sections 4836, 4837, 4838, 4839, and 4840 to, the Labor Code, relating to law enforcement personnel.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 305?

Senate Amendments of July 4, 1972

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly April 3, 1972, strike out "Sections 4709, 4800, 4801, 4802, 4803, and 4804 of", and insert "Section 4709 of, and to add Sections 4836, 4837, 4838, 4839, and 4840 to,".

Amendment No. 2

On page 2, strike out lines 37 and 38, and insert

"SEC. 2. Section 4836 is added to the Labor Code, to read:

4836. Whenever any officer and employee of the Department of Corrections or the Department of the Youth Authority described in Section 20017.77 of the Government Code is disabled by injury arising out of and in the course of his duties, he shall become entitled, regardless of his period of service, to a leave of absence while so disabled without loss of salary, in lieu of disability payments under this chapter, for a period of not exceeding one year

SEC 3 Section 4837 is added to the Labor Code, to read:

4837 It shall be the duty of the appeals board to determine, in the case of an officer and employee of the Department of Corrections or the Department of the Youth Authority, upon the request of the respective departments, whether or not the disability referred to in Section 4836 arose out of and in the course of duty The appeals board shall, also in any disputed case, determine when such disability ceases.

SEC 4. Section 4838 is added to the Labor Code, to read·

4838. Any such officer and employee of the Department of Corrections or the Department of the Youth Authority so disabled is entitled from the date of injury, and regardless of retirement under Public Employees' Retirement System, to the medical, surgical, and hospital benefits prescribed by this division as part of the compensation for persons injured in the course of and arising out of their employment, at the expense of the Department of Corrections or the Department of the Youth Authority, as the case may be, and such expense shall be charged upon the fund out of which the compensation of the member is paid.

SEC. 5. Section 4839 is added to the Labor Code, to read:

4839. Whenever such disability of such officer and employee of the Department of Corrections or Department of the Youth Authority continues for a period beyond one year, such member shall thereafter be subject, as to disability indemnity, to the provisions of this division other than Section 4836 which refers to temporary disability only, during the remainder of the disability, except that such compensation shall be paid out of funds available for the support of the Department of Corrections or the Department of the Youth Authority, as the case may be, and the leave of absence shall continue.

SEC. 6. Section 4840 is added to the Labor Code, to read:

4840. No disability indemnity shall be paid to such officer and employee of the Department of Corrections or Department of the Youth Authority as temporary disability concurrently with wages or salary payments."

Amendment No. 3

Strike out pages 3 to 5, inclusive.

Senate Amendments of July 20, 1972

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Senate July 4, 1972, after the comma, insert "or".

Amendment No. 2

On page 2, line 7, strike out ", or officer or employee of the"; and strike out lines 8 and 9; and in line 10, strike out "Government Code,".

Amendment No. 3

On page 2, line 16, strike out "of this code".

Amendment No. 4

On page 2, between lines 27 and 28, insert

"Each dependent of an officer or employee of the Department of Corrections or the Department of Youth Authority described in Section 20017.77 of the Government Code who is killed in the performance of his duty, or who dies or is totally disabled as a result of an accident or an injury incurred in the performance of his duty, when such death, accident, or injury is caused by the direct action of an inmate or an accomplice of an inmate, and is compensable under this division or Division 4 5 (commencing with Section 6100), shall also be entitled to a scholarship specified in this section."

Amendment No. 5

On page 3, line 7, after "duties", insert "which is caused by the direct action of an inmate or an accomplice of an inmate".

Amendment No. 6

On page 3, line 19, after "duty", insert "and was caused by the direct action of an inmate or an accomplice of an inmate".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap,

Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1448—An act relating to the Budget Act of 1972, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1448?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 30, 1972, strike out lines 10 to 19, inclusive.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Mobley moved a call of the Assembly.

Motion carried Time, 10·20 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. MacDonald was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2019—An act to amend Sections 24224 and 39402 of, and to add Section 24355 4 to, the Health and Safety Code, relating to air pollution.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2019?

Senate Amendments of June 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 8, 1972, strike out "24355 2", and insert "24224, 24355 2,".

Amendment No. 2

On page 1, strike out line 5, and insert

"SECTION 1. Section 24224 of the Health and Safety Code is amended to read:

24224. The air pollution control officer shall observe and enforce within his air pollution control district:

(a) The provisions of this chapter and Chapter 3 5 (commencing with Section 39077) of Part 1 of Division 26, and all provisions of *Division 12 (commencing with Section 24000) of* the Vehicle Code relating to the emission or control of air contaminants, *except Sections 27157, 27157 5, 27158, 27158 5*.

(b) All orders, regulations, and rules prescribed by the air pollution control board of the air pollution control district pursuant to this chapter.

(c) All variances and standards which the hearing board has prescribed pursuant to Article 5 (commencing with Section 24291) of this chapter.

SEC. 2. Section 24355.2 of the Health and Safety".

Amendment No. 3

On page 2, line 9, strike out "provision", and insert "provisions of Division 12 (commencing with Section 24000)".

Amendment No. 4

On page 2, line 10, after "contaminants", insert ", except Sections 27157, 27157.5, 27158, and 27158.5".

Amendment No. 5

On page 2, line 11, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 6

On page 2, line 20, after "of", insert "Division 12 (commencing with Section 24000) of".

Amendment No. 7

On page 2, line 21, after "contaminants", insert ", except Section 27157, 27157.5, 27158, and 27158.5".

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 20, 1972, strike out ", 24355 2,".

Amendment No. 2

In line 2 of the title, after "of", insert ", and to add Section 24355 4 to,".

Amendment No. 3

On page 2, strike out lines 16 to 29, inclusive, and insert

"SEC 2. Section 24355.4 is added to the Health and Safety Code, to read

24355 4 The control officer may observe and enforce, and, if funds are subvented to the district pursuant to Chapter 8 (commencing with Section 39280) of Part 1 of Division 26, as proposed by Assembly Bill No 1582 of the 1972 Regular Session of the Legislature, the control officer shall observe and enforce, all provisions of Division 12 (commencing with Section 24000) of the Vehicle Code relating to the emission or control of air contaminants, except Sections 27157, 27157 5, 27158, and 27158 5."

Amendment No. 4

On page 3, after line 2, insert

"SEC. 4. Section 24224 of the Health and Safety Code is amended to read

24224 The air pollution control officer shall observe and enforce, within his air pollution control district.

(a) The provisions of this chapter ~~and Chapter 3 5~~, *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) ~~of Part 1~~ of Division 26 *relating to nonvehicular sources of air contaminants*, and all provisions of *Division 12 (commencing with Section 24000) of* the Vehicle Code relating to the emission or control of air contaminants, *except Sections 27157, 27157 5, 27158, and 27158 5*

(b) All orders, regulations, and rules prescribed by the air pollution control board of the air pollution control district pursuant to this chapter.

(c) All variances and standards which the hearing board has prescribed pursuant to Article 5 (commencing with Section 24291) of this chapter

SEC 5 Section 39402 of the Health and Safety Code is amended to read·

39402 The control officer shall observe and enforce·

(a) The provisions of this chapter and ~~Chapter 3 5~~ *all provisions of Part 1* (commencing with Section ~~39077~~ *39000*) of ~~Part 1~~ *this division relating to nonvehicular sources of air contaminants*.

(b) All orders, regulations, and rules prescribed by the regional board

(c) All variances and standards which the regional hearing board has prescribed

(d) All provisions of Division 12 (commencing with Section 24000) of the Vehicle Code relating to the emission or control of air contaminants, except Sections 27157, 27157 5, 27158, and 27158 5

SEC 6 It is the intent of the Legislature, if this bill and Assembly Bill No 2122 are both chaptered and amend Section 24224 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No 2122, that the amendments to Section 24224 proposed by both bills

be given effect and incorporated in Section 24224 in the form set forth in Section 4 of this act. Therefore, Section 4 of this act shall become operative only if this bill and Assembly Bill No 2122 are both chaptered, both amend Section 24224, and Assembly Bill No. 2122 is chaptered before this bill, in which case Section 1 of this act shall not become operative.

SEC. 7. It is the intent of the Legislature, if this bill and Assembly Bill No. 2122 are both chaptered and amend Section 39402 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No. 2122, that the amendments to Section 39402 proposed by both bills be given effect and incorporated in Section 39402 in the form set forth in Section 5 of this act. Therefore, Section 5 of this act shall become operative only if this bill and Assembly Bill No 2122 are both chaptered, both amend Section 39402, and Assembly Bill No 2122 is chaptered before this bill, in which case Section 3 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 246—An act to add Article 10 5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 246?

Senate Amendments of June 23, 1972

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly April 20, 1972, strike out ", transporting".

Amendment No. 2

On page 3, strike out line 18.

Amendment No. 3

On page 3, line 19, strike out "(f)", and insert "(e)".

Amendment No. 4

On page 3, line 21, strike out "(g)", and insert "(f)".

Senate Amendments of July 5, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate June 23, 1972, strike out lines 21 to 24, inclusive, and insert

"(e) Protective devices, including, but not limited to, respirators and eyeglasses

(f) Posting, in English and Spanish, of fields, areas, adjacent areas or fields, or storage areas

The posters shall include, but are not limited to, all of the following information

(1) This property has been treated with_____ _____ _____ on _____

(Insert name of the economic poison used) (Date)

(2) The kind of human health hazard or hazards involved in the use of, or exposure to, the economic poison used or to be used.

(3) The precautions to be taken to avoid accident, injury, or damage from such economic poison.

(4) The symptoms of poisoning from such economic poison.

(5) The first aid remedies to apply if injury occurs from exposure to such economic poison and an antidote statement, including directions to call a physician immediately.

(6) The name, address, and telephone number of the physician or poison control center to contact if injury occurs

(7) If the economic poison is highly toxic to man, the written notice shall bear the word "Danger", along with the word "Poison", in red on contrasting background, in immediate proximity to a skull and crossbones

(8) The reentry date, as established by the Director of Agriculture, for the economic poison with which the employment area has been treated

(9) Injuries incurred by employees may be compensable under workmen's compensation laws"

Amendment No. 2

On page 3, line 34, after the period, insert "The original written recommendations of the State Department of Public Health, any subsequent revisions of those recommendations, and the supporting evidence and data upon which the recommendations were based shall be made available upon request to any person"

Senate Amendments of July 19, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 5, 1972, strike out lines 33 to 40, inclusive; and on page 4, strike out lines 1 to 20, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Campbell, Chappie, Cline, Collier, Cory, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong,

Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—52.

NOES—Burton and Cullen—2.

Above bill ordered enrolled.

Assembly Bill No. 569—An act to add Section 21023.6 to the Government Code, relating to disability retirement.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 569?

Amendment No. 1

On page 2, strike out line 7 of the printed bill, as amended in Assembly June 21, 1972, and insert

"21023.6. Notwithstanding any other provision of this part, a local safety member otherwise qualified for disability retirement shall be retired only upon his employer's determination that he is incapacitated physically or mentally for the performance of the duties of his position and termination of his employment for that reason Any such member retired for disability under this section shall not be reinstated from retirement except upon that employer's determination that he is no longer incapacitated for the duties of the position held when retired "

Amendment No. 2

On page 2, strike out lines 8 to 26, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Above bill ordered enrolled.

Assembly Concurrent Resolution No. 110—Relative to alcoholic beverage licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 110?

Senate Amendments of July 11, 1972

Amendment No. 1

On page 1, line 1, of the printed measure, strike out "Most beer", and insert "Beer generally".

Amendment No. 2

On page 1, between lines 2 and 3, insert

"WHEREAS, No quantity discounts are allowed in sales of beer by any supplier to any retailer, and".

Amendment No. 3

On page 1, line 4, strike out "brewer", and insert "brewery".

Amendment No. 4

On page 1, line 5, after "transactions", insert a comma.

Amendment No. 5

On page 1, strike out lines 10 to 12, inclusive, and insert

"WHEREAS, Certain retail dealers banded together for the purpose of cooperative buying and have been using this vehicle to mutually share in volume purchases; and".

Amendment No. 6

On page 1, line 14, strike out "some of such"; and on page 2, strike out line 1, and insert "wholesale beer and wine licenses, held by some such retailer-owned purchasing organizations, under provisions".

Amendment No. 7

On page 2, line 4, after the second comma, insert "it is alleged that".

Amendment No. 8

On page 2, line 5, strike out "will gain a competitive advantage", and insert "may gain competitive advantage for".

Amendment No. 9

On page 2, lines 6 and 7, strike out "eliminate by means of appropriate remedial action", and insert "grant legislative relief".

Amendment No. 10

On page 2, line 8, after "wholesale", insert "beer and wine".

Amendment No. 11

On page 2, strike out lines 16 to 19, inclusive, and insert "final decision as to license revocation proceedings affecting such retailer-owned purchasing organizations until the Legislature has had an opportunity to fully investigate the issues involved and to determine whether legislative relief should be granted"

Senate Amendments of July 24, 1972

Amendment No. 1

On page 2, line 34, of the printed measure, as amended in Senate July 11, 1972, after "granted", insert ", but at least until January 1, 1973".

Senate Amendments of July 25, 1972

Amendment No. 1

On page 2, lines 27 and 28, of the printed measure, as amended in Senate July 24, 1972, strike out ", but at least until January 1, 1973.", and insert "; and be it further

Resolved, That this resolution shall have no force or effect after January 31, 1973."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56

NOES—None.

Above resolution ordered enrolled.

Assembly Bill No. 699—An act to add Section 201 5 to the Elections Code, relating to voter registration.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 699?

Set No. 1

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Assemblyman Vasconcellos", and insert "Assemblymen Vasconcellos, Dunlap, and LaCoste".

Set No. 2

Amendment No. 1

On page 1, line 5, of the printed bill, after "campuses", insert "so long as registration does not occur during classroom hours".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Powers, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—46.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1851—An act to amend Section 5352 of the Welfare and Institutions Code, relating to conservatorship.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1851?

Senate Amendments of May 31, 1972

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "his designee", and insert "another professional person designated by him".

Amendment No. 2

On page 2, line 11, strike out "his designee", and insert "another professional person designated by him".

Senate Amendments of June 9, 1972

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Senate May 31, 1972, strike out "a 72-hour"; strike out line 7, and in line 8, strike out "treatment facility", and insert "an agency providing comprehensive evaluation or a facility providing intensive treatment".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—None.

Above bill ordered enrolled

Assembly Joint Resolution No. 21—Relative to embargoes on products

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 21 (presented by Mr. Stull)?

Amendment No. 1

In line 2 of the title of the printed measure, as amended in Assembly June 15, 1972, strike out "agricultural".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Powers, Priolo, Russell, Seeley, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Z'berg, and Mr Speaker—47.

NOES—Foran—1.

Above resolution ordered enrolled.

Assembly Joint Resolution No. 34—Relative to strip and open pit mining in the Los Padres National Forest

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 34?

Amendment No. 1

In line 1 of the title of the printed measure, after "strip", insert "and open pit".

Amendment No. 2

On page 1, line 12, after "strip", insert "or open pit".

Amendment No. 3

On page 2, line 6, after "strip", insert "and open pit".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Powers, Priolo, Russell, Seeley, Sieroty, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—49

NOES—None.

Above resolution ordered enrolled.

Assembly Bill No. 190—An act to amend Section 28772 of, and to add Sections 28742 5, 28762 5, 28776 1, 28776 2, and 28776 3 to, the Health and Safety Code, relating to hazardous substances

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 190?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 4, 1972, strike out "to repeal Section 28758 5 of,".

Amendment No. 2

On page 2, strike out lines 6 and 7.

Amendment No. 3

On page 3, line 6, strike out the second "or", and insert "and".

Amendment No. 4

On page 3, line 26, strike out "If the state department finds that any federal", and strike out lines 27 to 30, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 511—An act to amend Sections 25210 77e and 25830 of the Government Code, relating to waste, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 511?

Senate Amendments of July 21, 1972

Amendment No. 1

Strike out the heading of the printed bill, as amended in Assembly April 26, 1972, and insert "Introduced by Assemblyman Ray E. Johnson".

Amendment No. 2

Strike out the title, and insert "An act to amend Sections 25210.77e and 25830 of the Government Code, relating to waste, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 Section 25210 77e of the Government Code is amended to read.

25210 77e. On or before the first day of July of each calendar year, the board of supervisors of any county may, by resolution or ordinance, establish a schedule of fees to be imposed on land within a county service area, revenue from such fees to be used for the acquisition, operation and maintenance of county waste disposal sites and for financing waste collection, processing, reclamation, and disposal services, where such services are provided In establishing the schedule of fees, the board of supervisors shall classify the land within the county service area based upon the various uses to which the land is put, the volume of waste occurring from the different land uses and any other factors that the board determines would reasonably relate the waste disposal fee to the land upon which it would be imposed.

The board shall set a reasonable fee for each category established and divide the land within the county service areas according to categories and ownership *; provided, however, that the board may establish a category for which no fee is required, and in such event, shall determine on a case-to-case basis, upon application, whether no fee shall be required* The board shall impose the appropriate fee upon each division of land and provide for the billing and collection of such fees The fees may be established, billed and collected on a monthly or yearly basis

SEC. 2. Section 25830 of the Government Code is amended to read:

25830 On or before the first day of July of each calendar year, the board of supervisors of any county may, by resolution or ordinance, establish a schedule of fees to be imposed on land within the unincorporated area of the county, revenue from such fees to be used for the acquisition, operation and maintenance of county waste disposal sites and for financing waste collection, processing, reclamation, and disposal services, where such services are provided In establishing the schedule of fees, the board of supervisors shall classify the land within the unincorporated area of the county based upon the various uses to which the land is put, the volume of waste occurring from the dif-

ferent land uses and any other factors that the board determines would reasonably relate the waste disposal fee to the land upon which it would be imposed.

The board shall set a reasonable fee for each category established and divide the land within the unincorporated territory according to categories and ownership *; provided, however, that the board may establish a category for which no fee is required, and in such event, shall determine on a case-to-case basis, upon application, whether no fee shall be required*. The board shall impose the appropriate fee upon each division of land and provide for the billing and collection of such fees. The fees may be established, billed and collected on a monthly or yearly basis.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Chapter 12 of the Statutes of the 1972 Regular Session was intended, but failed, to provide an exemption to the collection of fees for waste collection for persons who do not require such service. In order to provide this necessary and equitable exemption, it is necessary that this act go into effect immediately."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out all of pages 3 and 4.

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Senate July 21, 1972, strike out "may", and insert "shall".

Amendment No. 2

On page 2, line 22, after "category", insert "of land".

Amendment No. 3

On page 2, line 23, strike out "fee is required, and in such event, shall"; strike out line 24; and in line 25, strike out "whether no fee shall be required", and insert "services are provided and no fee required, and shall determine eligibility for inclusion in such category, upon application, on a case-by-case basis".

Amendment No. 4

On page 3, line 20, strike out "may", and insert "shall".

Amendment No. 5

On page 3, line 21, after "category", insert "of land".

Amendment No. 6

On page 3, line 21, strike out "no fee is required, and in"; strike out line 22; and in line 23, strike out "application, whether no fee shall be required", and insert "services are provided and no fee required, and shall determine eligibility for inclusion in such category, upon application, on a case-by-case basis".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 511?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 549—An act to amend Sections 24297, 24361.4, 24362.1, 24365 6, 39298 8, 39460, and 39476 of, to add Sections 24224 1, 24260 1, 24296, 24296 5, 24354.18, 24355 5, 24365 5, 39382 1, 39402 1, 39475, and 39475 5 to, and to repeal Sections 24296, 24365 5, and 39475 of, the Health and Safety Code, relating to air pollution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 549?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out "24224, 24260,".

Amendment No. 2

In line 3 of the title, strike out "24354 2, 24355 2,".

Amendment No. 3

In line 4 of the title, strike out "39382, 39402,".

Amendment No. 4

In line 5 of the title, strike out "24296, 24296 5, 24365 5", and insert "24224 1, 24260 1, 24296, 24296 5, 24354.18, 24355.5, 24365 5, 39382 1, 39402.1".

Amendment No. 5

On page 2, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 24224.1 is added to the Health and Safety Code, to read:

24224.1. The air pollution control officer shall observe and enforce, within his air pollution control district, the provisions of Chapter 10 (commencing with Section 39295) of Part 1 of Division 26 relating to the emission or control of air contaminants.

SEC 2. Section 24260.1 is added to the Health and Safety Code, to read:

24260.1. The air pollution control board of an air pollution control district may make and enforce all needful orders, rules, and regulations necessary or proper to accomplish the purposes of Chapter 10 (commencing with Section 39295) of Part 1 of Division 26, and may perform all other acts necessary or proper to accomplish the purposes of this chapter."

Amendment No. 6

On page 3, strike out lines 36 to 40, inclusive, and insert

"SEC. 7. Section 24354.18 is added to the Health and Safety Code, to read:

24354.18. The district shall do such acts as may be necessary to carry out the provisions of".

Amendment No. 7

On page 4, strike out lines 3 to 13, inclusive, and insert

"SEC. 8. Section 24355.5 is added to the Health and Safety Code, to read:

24355.5. The control officer shall observe and enforce the provisions of Chapter 10 (commencing with Section 39295) of Part 1 of Division 26."

Amendment No. 8

On page 6, strike out lines 28 to 32, inclusive, and insert

"SEC. 15. Section 39382.1 is added to the Health and Safety Code, to read:

39382.1. The regional district shall do such acts as may be necessary to carry out the provisions of".

Amendment No. 9

On page 6, strike out lines 34 to 40, inclusive; and on page 7, strike out lines 1 to 3, inclusive, and insert

"SEC. 16. Section 39402.1 is added to the Health and Safety Code, to read:

39402.1. The control officer shall observe and enforce the provisions of Chapter 10 (commencing with Section 39325) of Part 1 "

Amendment No. 10

On page 9, after line 9, insert

"SEC 22. Section 24297 of the Health and Safety Code is amended to read

24297. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 24296*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199,* shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district

from the reduction of air contaminants and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

SEC. 23. Section 24297 of the Health and Safety Code is amended to read:

24297 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 24296*, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance. Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance.

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels.

SEC. 24. Section 24297 of the Health and Safety Code is amended to read:

24297 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 24296*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance. Such bond may provide that, if the party granted the vari-

ance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance.

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels.

SEC. 25. Section 24365.6 of the Health and Safety Code is amended to read:

24365.6. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with subdivision (a) of Section 24365.5*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24346 and subdivision (c) of Section 24346.1,* shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

SEC. 26. Section 24365.6 of the Health and Safety Code is amended to read:

24365.6. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with subdivision (a) of Section 24365.5*, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance. Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance.

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels.

SEC. 27. Section 24365 6 of the Health and Safety Code is amended to read:

24365 6. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with subdivision (a) of Section 24365 5*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24346 and subdivision (c) of Section 24346 1*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC 28 Section 39476 of the Health and Safety Code is amended to read

39476 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 39475*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the regional district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

SEC 29. Section 39476 of the Health and Safety Code is amended to read

39476 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 39475*, the hearing board shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the regional district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC 30. Section 39476 of the Health and Safety Code is amended to read.

39476 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 39475*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the regional district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels.

SEC 31 It is the intent of the Legislature that if this bill and Assembly Bill No 1084 or Senate Bill No 61, or both, are chaptered and amend Section 24297 of the Health and Safety Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Assembly Bill No 1084 are both chaptered and amend Section 24297 of the Health and Safety Code, but Senate Bill No 61 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 1084, the amendments

proposed by both bills shall be given effect and incorporated in Section 24297 in the form set forth in Section 22 of this act Therefore, if Assembly Bill No 1084 is chaptered before this bill and both bills amend Section 24297, and Senate Bill No 61 is not chaptered or as chaptered does not amend that section, Section 22 of this act shall be operative and Sections 6, 23, and 24 of this act shall not become operative

(b) If this bill and Senate Bill No 61 are both chaptered and amend Section 24297 of the Health and Safety Code, but Assembly Bill No. 1084 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 61, the amendments proposed by both bills shall be given effect and incorporated in Section 24297 in the form set forth in Section 23 of this act Therefore, if Senate Bill No 61 is chaptered before this bill and both bills amend Section 24297, and Assembly Bill No 1084 is not chaptered or as chaptered does not amend that section, Section 23 shall be operative and Sections 6, 22, and 24 of this act shall not become operative

(c) If this bill and Assembly Bill No 1084 and Senate Bill No 61 are all chaptered, and all three bills amend Section 24297 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No 1084 and Senate Bill No 61, the amendments proposed by all three bills shall be given effect and incorporated in Section 24297 in the form set forth in Section 24 of this act Therefore if Assembly Bill No 1084 and Senate Bill No 61 are both chaptered before this bill and all three bills amend Section 24297 of the Health and Safety Code, Section 24 of this act shall be operative and Sections 6, 22, and 23 of this act shall not become operative

SEC 32 It is the intent of the Legislature that if this bill and Assembly Bill No 1084 or Senate Bill No 61, or both, are chaptered and amend Section 24365 6 of the Health and Safety Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Assembly Bill No 1084 are both chaptered and amend Section 24365 6 of the Health and Safety Code, but Senate Bill No 61 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 1084, the amendments proposed by both bills shall be given effect and incorporated in Section 24365 6 in the form set forth in Section 25 of this act Therefore, if Assembly Bill No 1084 is chaptered before this bill and both bills amend Section 24365 6, and Senate Bill No 61 is not chaptered or as chaptered does not amend that section, Section 25 of this act shall be operative and Sections 13, 26, and 27 of this act shall not become operative

(b) If this bill and Senate Bill No 61 are both chaptered and amend Section 24365 6 of the Health and Safety Code, but Assembly Bill No 1084 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 61, the amendments proposed by both bills shall be given effect and incorporated in Section 24365 6 in the form set forth in Section 26 of this act Therefore, if Senate Bill No 61 is chaptered before this bill and both bills amend Section 24365 6, and Assembly Bill No 1084 is not chaptered or as chaptered does not amend that section, Section 26 shall be operative and Sections 13, 25, and 27 of this act shall not become operative

(c) If this bill and Assembly Bill No 1084 and Senate Bill No 61 are all chaptered, and all three bills amend Section 24365 6 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No 1084 and Senate Bill No 61, the amendments proposed by all three bills shall be given effect and incorporated in Section 24365 6 in the form set forth in Section 27 of this act Therefore, if Assembly Bill No 1084 and Senate Bill No 61 are both chaptered before this bill and all three bills amend Section 24365 6 of the Health and Safety Code, Section 27 of this act shall be operative and Sections 13, 25, and 26 of this act shall not become operative

SEC 33 It is the intent of the Legislature that if this bill and Assembly Bill No 1084 or Senate Bill No 61, or both, are chaptered and amend Section 39476 of the Health and Safety Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Assembly Bill No 1084 are both chaptered and amend Section 39476 of the Health and Safety Code, but Senate Bill No 61 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 1084, the amendments proposed by both bills shall be given effect and incorporated in Section 39476 in the form set forth in Section 28 of this act Therefore, if Assembly Bill No 1084 is chaptered before this bill and both bills amend Section 39476, and Senate Bill No 61 is not chaptered or as chaptered does not amend that section, Section 28 of this act shall be operative and Sections 21, 29, and 30 of this act shall not become operative

(b) If this bill and Senate Bill No 61 are both chaptered and amend Section 39476 of the Health and Safety Code, but Assembly Bill No 1084 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 61, the amendments proposed by both bills shall be given effect and incorporated in Section 39476 in the form set forth in Section 29 of this act Therefore, if Senate Bill No 61 is chaptered before this bill and both bills amend Section 39476, and Assembly Bill No 1084 is not chaptered or as chaptered does not amend that section, Section 29 shall be operative and Sections 21, 28, and 30 of this act shall not become operative

(c) If this bill and Assembly Bill No 1084 and Senate Bill No 61 are all chaptered, and all three bills amend Section 39476 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No 1084 and Senate Bill No 61, the amendments proposed by all three bills shall be given effect and incorporated in Section 39476 in the form set forth in Section 30 of this act Therefore, if Assembly Bill No 1084 and Senate Bill No 61 are both chaptered before this bill and all three bills amend Section 39476 of the Health and Safety Code, Section 30 of this act shall be operative and Sections 21, 28, and 29 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden,

Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10 32 a m , Mr Z'berg was granted unanimous consent to hold a special meeting of the Committee on Natural Resources and Conservation in Room 6028, at this time.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1501—An act to add Article 2 5 (commencing with Section 12020) to Chapter 5 of Division 9 of the Education Code, relating to schools.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1501?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly April 24, 1972, strike out "or private".

Amendment No. 2

On page 2, line 13, strike out "public".

Amendment No. 3

On page 2, lines 14 and 15, strike out ", or a designated employee in the case of a private school,".

Amendment No. 4

On page 2, lines 24 and 25, strike out ", or director or other official in the case of a private school,"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Above bill ordered enrolled.

Assembly Concurrent Resolution No. 68—Relative to the Benbow Dam.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 68?

Amendment No. 1

On page 1 of the printed measure, strike out lines 13 and 14, and insert "Legislature a plan for removal or modification of the Benbow Dam on the Eel River no later than the fifth calendar day of the 1973 Regular Session of the Legislature; and be".

The Assembly concurred in the above Senate amendment.

Above resolution ordered enrolled

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456 6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282 5 and 10012 4 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Motion to Amend

Mr Lewis moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly July 3, 1972, strike out "459, 14660, 14662, 14665, 14666, 14667, and 14801", and insert "and 459".

Amendment No. 2

On page 2, strike out lines 18 and 19, and insert "thereafter, each clerk shall make available, at public facilities which he shall designate, new registration materials to be used until the close of registration The registration conducted at these public facilities shall be supervised by a deputy registrar."

Amendment No. 3

On page 5, line 23, after the period, insert "Sample ballots are available for your use at the county clerk's office "

Amendment No. 4

On page 5, strike out lines 24 to 40, inclusive, strike out pages 6 and 7; and on page 8, strike out lines 1 to 18, inclusive.

Amendment No. 5

On page 8, line 19, strike out "14", and insert "8".

Amendment No. 6

On page 8, line 25, strike out "15", and insert "9".

Amendments read.

Hon. Ken Cory Presiding

At 10 45 a m , Hon Ken Cory, 69th District, presiding.

Majority Floor Leader Presiding

At 11 a m , Hon Jack R. Fenton, 51st District, presiding.

The question being on the adoption of the amendments offered by Mr Lewis to Senate Bill No. 840.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly

Motion carried Time, 11 06 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Crown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 66—An act to amend Section 11580 2 of the Insurance Code, relating to uninsured motorist insurance

Bill read third time, and presented by Mr Pierson.

Bill passed by the following vote.

AYES—Arnett, Badham, Beverly, Brown, Campbell, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Powers, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Wakefield, Wood, and Mr Speaker—48.

NOES—Vasconcellos and Wilson—2

Bill ordered transmitted to the Senate.

Senate Bill No. 784—An act to amend Section 31649 5 of the Government Code, relating to County Employees Retirement Law of 1937.

Bill read third time, and presented by Mr. Townsend

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Townsend moved a call of the Assembly.

Motion carried Time, 11 18 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 464—An act to amend Section 25001.3 of the Government Code, relating to supervisorial districts

Bill read third time, and presented by Mr. Crown.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crown moved a call of the Assembly.

Motion carried Time, 11 .20 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Meade was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 403—An act to amend Section 17804 of the Business and Professions Code, relating to marriage, family and child counselors.

Bill read third time, and presented by Mr Campbell.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Campbell moved a call of the Assembly.

Motion carried Time, 11 28 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Lancaster was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 470—An act to amend Sections 13274 and 13732 of the Education Code, relating to public schools.

Bill read third time, and presented by Mr Vasconcellos

Bill passed by the following vote

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Stull was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 206—An act to amend Section 25902 of the Education Code, relating to visiting teachers, making an appropriation therefor.

Bill read third time, and presented by Mr Chappie.

Bill passed by the following vote:

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 178—An act appropriating funds for increases in compensation for nonacademic, and noninstructional and noninstructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Lanterman.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis,

Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote·

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1394—An act to provide for the physical, social, and economic development of the Alviso area of the City of San Jose by creating the Alviso Development Corporation, and prescribing the boundaries, organization, purposes, powers, operation, management, and financing of the corporation.

Bill read third time, and presented by Mr. Vasconcellos.

Bill passed by the following vote

AYES—Arnett, Badham, Beverly, Brathwaite, Brown Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1185—An act to amend Section 205 5 of the Revenue and Taxation Code, and to place a constitutional amendment on the ballot, relating to property taxation, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mrs Fong.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes,

Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58

NOES—None

Bill ordered transmitted to the Senate

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 1, 1972

Mr Speaker The Committee on Conference concerning.

Assembly Concurrent Resolution No. 88—As amended in Senate July 12, 1972—Relative to joint committees;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following·

That the amendments of the Senate be concurred in, and that the measure be further amended as follows:

Amendment No. 1

On page 2 of the printed measure, as amended in Senate July 12, 1972, strike out line 4, and insert

"(A) The joint committees named below are continued in existence through the date specified after each notwithstanding the provisions of any prior concurrent resolution relating to such committees Each such committee shall continue to have the powers and duties granted and imposed by the resolution creating or continuing it Each such committee may expend any funds heretofore made available and further allocations may be made by the Joint Rules Committee, provided that, in accordance with Joint Rule 36 8, any expenditure of funds shall be made in compliance with policies set forth by the Joint Rules Committee and shall be subject to the approval of the Joint Rules Committee

The named committees are

(1) The Joint Committee on Atomic Development and Space Termination December 31, 1972

(2) The Joint Committee on Educational Goals and Evaluation Termination. January 31, 1973.

(3) The Joint Committee on the Master Plan for Higher Education. Termination: January 31, 1973.

(4) The Joint Committee on the Organization and Financing of Local Government. Termination December 31, 1972

(5) The Joint Committee on Textbooks and Curriculum Termination · December 31, 1972

(6) The Joint Committee on Open Space Lands. Termination: September 15, 1972."

Amendment No. 2

On page 2, strike out lines 5 to 38, inclusive; strike out page 3; and on page 4, strike out lines 1 to 25, inclusive.

Amendment No. 3

On page 6, line 5, strike out "created or".

The undersigned consent to the report:

DENNIS CARPENTER	JOHN VASCONCELLOS
STEPHEN P TEALE, M D.	ROBERT BADHAM
ROBERT J LAGOMARSINO	ERNEST MOBLEY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 27—An act to amend Section 18058 of the Health and Safety Code, relating to mobilehomes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 27?

Senate Amendments of May 16, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 6, 1972, strike out "amend Section 18058 of", and insert "add Section 13147 to".

Amendment No. 2

In line 2 of the title, strike out "mobilehomes", and insert "the State Fire Marshal".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 13147 is added to the Health and Safety Code, to read:

13147 Notwithstanding any other provision of law, any authority and responsibility vested in the Commission of Housing and Community Development, the Director of Housing and Community Development, or the Department of Housing and Community Development, relative to the adoption, amendment, repeal and enforcement of fire, explosion and panic safety rules, regulations and standards, is hereby transferred to and is vested in the State Fire Marshal This section shall include, but shall not necessarily be limited to, those buildings, structures and facilities used as a mobilehome, recreation vehicle, mobilehome park, factory-built housing, labor camp, dwelling, apartment house, hotel or motel

(a) The rules, regulations, and standards previously adopted by the commission, the department, or the Director of Housing and Community Development in effect upon the effective date of this section shall remain in force until amended or repealed by the State Fire Marshal.

(b) The State Fire Marshal shall appoint, in accordance with civil service and other provisions of law, a staff composed of such officers and employees as may be necessary to carry out the intent and purpose of this section Insofar as possible, such staff shall initially be those officers and employees presently employed by the Department of Housing and Community Development

It is the intent of this section that existing personnel shall be transferred to the State Fire Marshal without change in their present civil service status "

Amendment No. 4

On page 1, strike out lines 2 and 3; and strike out page 2.

Senate Amendments of June 7, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 16, 1972, strike out "add Section 13147 to", and strike out lines 2 and 3, and insert "amend Section 18058 of the Health and Safety Code, relating to mobilehomes."

Amendment No. 2

On page 2, strike out line 2, and insert

"SECTION 1 Section 18058 of the Health and Safety Code is amended to read.

18058. *(a)* The commission is authorized to promulgate rules and regulations which it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in mobilehomes, recreational vehicles, and commercial coaches.

(b) The chief fire official of every city, county, city and county, fire protection district, or other local fire protection agency shall file a report of each mobilehome fire occurring within his jurisdiction with the State Fire Marshal Such report shall be made on forms provided by the State Fire Marshal

The State Fire Marshal shall annually compile a statistical report of all mobilehome fires occurring within this state and shall furnish

the commission with a copy of such report The annual report shall include, but need not be limited to, the number of mobilehome fires, the causes of such fires, the monetary loss, and any casualties or fatalities resulting from such fires.''

Amendment No. 3

On page 2, strike out lines 3 to 32, inclusive; and strike out page 3.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 858—An act to amend Section 16002 5 of the Business and Professions Code, relating to vending machines.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 858?

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in Assembly June 7, 1972, after ''machines'', insert '', and a copy of any other tax statement filed with any government entity by him or by any other individual or firm owning, renting, leasing, or operating such machines disclosing the gross receipts received from owning, renting, leasing, or operating such machines''

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1450—An act to amend Sections 73107, 73110, 73113, 73663, 73665, 73666, and 73667 of the Government Code, relating to courts

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1450?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly June 7, 1972, strike out "79", and insert "80".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—62.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1970—An act to amend Sections 21712 and 23123.5 of the Vehicle Code, relating to vehicles

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1970?

Amendment No. 1

On page 2, after line 38, of the printed bill, insert

"SEC 3 Section 21712 of the Vehicle Code is amended to read:

21712 (a) No person ~~shall ride, and no person~~ driving a motor vehicle shall knowingly permit any person to ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers

~~This subdivision does~~ *(b) No person shall ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers.*

(c) Subdivisions (a) and (b) shall not apply to any employee engaged in the necessary discharge of his duty or ~~to~~ *in the case of* persons riding completely within or upon vehicle bodies in space intended for any load on the vehicle.

~~(b)~~ *(d)* No person shall drive a motor vehicle ~~upon a highway~~ which is towing a trailer coach or camp trailer containing any passenger.

(e) No person shall knowingly drive a motor vehicle which is towing any person riding upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle

SEC 4. It is the intent of the Legislature, if this bill and Assembly Bill No 495 are both chaptered and amend Section 21712 of the Vehicle Code, and this bill is chaptered after Assembly Bill No 495, that the amendments to Section 21712 proposed by both bills be given effect and incorporated in Section 21712 in the form set forth in Section 3 of this act Therefore, Section 3 of this act shall become operative only if this bill and Assembly Bill No 495 are both chaptered, both

amend Section 21712, and Assembly Bill No 495 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1975—An act to amend Sections 70142 and 72190 of, and to add Section 72407 to, the Government Code, relating to court officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1975?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 16, 1972, after "of", insert ", and to add Section 72407 to,".

Amendment No. 2

In line 3 of the title strike out "commissioners", and insert "officers".

Amendment No. 3

On page 3, after line 17, insert

"SEC 3 Section 72407 is added to the Government Code, to read:

72407 Notwithstanding any other provision of law, a traffic referee in any county with a population of 3,000,000 or more who has been duly appointed and has thereafter been retired for service, may be assigned by the presiding judge of a court to serve as a traffic referee of the court for such periods as he is needed for the prompt and efficient discharge of the business of that court While so serving, he shall be paid the full compensation of a traffic referee, payable as follows: He shall continue to receive his retirement allowance, and in addition the county shall pay him the amount equal to the difference between such retirement allowance and such full compensation Such employment shall not operate to reinstate him as a member of the county retirement system or to terminate or suspend his retirement rights or allowance, and no deductions shall be made from his compensation as contributions to the retirement system."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox,

LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—Wakefield—1.

Above bill ordered enrolled.

Assembly Bill No. 1084—An act to amend Sections 24225, 24226, 24295, 24297, 24299, 24300, 24301, 24312, 24313, 24314, 24357, 24357.1, 24365 6, 24365 8, 24365 10, 24367 2, 24367 3, 24367 4, 24367 11, 39420, 39421, 39474, 39476, 39478, 39480, 39492, 39493, and 39494 of, and to add Sections 24314 1, 24321.1, 24367 12, 24367 13, 39494 1, and 39500.1 to, the Health and Safety Code, relating to air pollution.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1084 (presented by Mr. Murphy)?

Senate Amendments of July 18, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 18, 1972, strike out "Assemblyman Biddle", and insert "Assemblymen Biddle and Quimby".

Amendment No. 2

On page 2, strike out lines 1 to 7, inclusive; and in line 8, strike out "SEC 2", and insert

"SECTION 1".

Amendment No. 3

On page 3, line 3, strike out "One member shall be"; strike out line 4; and in line 5, strike out "environmental concerns."

Amendment No. 4

On page 3, strike out lines 9 to 11, inclusive, and insert "be a representative from the medical profession whose specialized skills, training, or interests are in the fields of environmental medicine, community medicine, or occupational/toxocologic medicine Two members shall be public members."

Amendment No. 5

On page 4, line 23, after "affected", insert a comma.

Amendment No. 6

On page 5, line 5, after "board", insert a comma.

Amendment No. 7

On page 5, line 6, after "variance", insert a comma.

Amendment No. 8

On page 5, line 13, strike out "four or three", and insert "three or four".

Amendment No. 9

On page 5, line 17, strike out ", four, or five", and insert "or more".

Amendment No. 10

On page 5, line 18, after "hearing", insert a comma.

Amendment No. 11

On page 5, line 19, strike out "to", and insert "for".

Amendment No. 12

On page 5, line 23, after "present", insert a comma.

Amendment No. 13

On page 5, strike out lines 36 to 38, inclusive, and insert "24357. The district board".

Amendment No. 14

On page 6, line 3, strike out "One member", strike out line 4; and in line 5, strike out "devoted to environmental concerns."

Amendment No. 15

On page 6, strike out lines 9 to 11, inclusive, and insert "be a representative from the medical profession whose specialized skills, training, or interests are in the fields of environmental medicine, community medicine, or occupational/toxocologic medicine Two members shall be public members."

Amendment No. 16

On page 6, line 20, after "year", insert a comma.

Amendment No. 17

On page 7, line 2, after "affected", insert a comma.

Amendment No. 18

On page 7, line 14, after "board", insert a comma.

Amendment No. 19

On page 7, line 15, after "variance", insert a comma

Amendment No. 20

On page 7, line 22, strike out "four or three", and insert "three or four".

Amendment No. 21

On page 7, line 26, strike out ", four or five", and insert "or more".

Amendment No. 22

On page 7, line 27, after "hearing", insert a comma

Amendment No. 23

On page 7, line 28, strike out "to", and insert "for".

Amendment No. 24

On page 8, strike out lines 23 and 24.

Amendment No 25

On page 8, strike out lines 29 and 30, and insert "representative from the medical profession whose specialized skills, training, or interests

are in the fields of environmental medicine, community medicine, or occupational/toxocologic medicine Two members shall be public members ''

Amendment No. 26

On page 8, line 33, strike out ''one member'', and insert ''two members''.

Amendment No. 27

On page 8, line 34, strike out the second ''one'', and insert ''two''.

Amendment No. 28

On page 8, line 35, strike out ''One of the''; strike out lines 36 to 39, inclusive, and in line 40, strike out ''term of two years.''

Amendment No. 29

On page 9, line 35, after ''affected'', insert a comma.

Amendment No. 30

On page 10, line 8, after ''board'', insert a comma.

Amendment No. 31

On page 10, line 9, after ''variance'', insert a comma

Amendment No. 32

On page 10, line 16, strike out ''four or three'', and insert ''three or four''.

Amendment No. 33

On page 10, line 20, strike out '', four or five'', and insert ''or more''.

Amendment No. 34

On page 10, line 21, after ''hearing'', insert a comma

Amendment No. 35

On page 10, line 22, strike out ''to'', and insert ''for''.

Senate Amendments of July 27, 1972

Amendment No. 1

On page 11, after line 5, of the printed bill, as amended in Senate July 18, 1972, insert

''SEC 36 Section 24297 of the Health and Safety Code is amended to read

24297 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 24296*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *other wise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

SEC. 37. Section 24297 of the Health and Safety Code is amended to read:

24297. In determining under what conditions and to what extent a variance from ~~said~~ *such* requirements is necessary and will be permitted, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199,* shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the district and to any lawful business, occupation or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements or resulting from granting a variance

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC 38. Section 24297 of the Health and Safety Code is amended to read:

24297 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 24296*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199,* shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels.

SEC 39. Section 24365 6 of the Health and Safety Code is amended to read:

24365 6 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with subdivision (a) of Section 24365 5*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24346 and subdivision (c) of Section 24346 1,* shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

SEC 40. Section 24365.6 of the Health and Safety Code is amended to read:

24365 6 In determining under what conditions and to what extent a variance from ~~said~~ *such* requirements is necessary and will be permitted, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24346 and subdivision (c) of Section 24346 1,* shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the district and to any lawful business, occupation or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements or resulting from granting a variance

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC 41 Section 24365 6 of the Health and Safety Code is amended to read.

24365 6 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with subdivision (a) of Section 24365 5*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24346 and subdivision (c) of Section 24346 1,* shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the district *from the reduction of air contaminants*

and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance. Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels.

SEC. 42. Section 39476 of the Health and Safety Code is amended to read:

39476. In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 39475*, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the regional district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~.

SEC. 43 Section 39476 of the Health and Safety Code is amended to read:

39476 In determining under what conditions and to what extent a variance from ~~said~~ *such* requirements is necessary and will be permitted, the hearing board, *insofar as is consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the regional district and to any lawful business, occupation or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements or resulting from granting a variance.

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an

amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC. 44. Section 39476 of the Health and Safety Code is amended to read:

39476 In ~~determining under what conditions and to what extent a variance from said requirements is necessary and will be permitted~~ *prescribing other and different requirements, in accordance with Section 39475*, the hearing board, *insofar as in consonant with the Legislature's declarations in Section 24198 and subdivision (d) of Section 24199*, shall exercise a wide discretion in weighing the equities involved and the advantages ~~and disadvantages~~ to the residents of the regional district *from the reduction of air contaminants* and *the disadvantages* to any *otherwise* lawful business, occupation, or activity involved, resulting from requiring compliance with ~~said~~ *such* requirements ~~or resulting from granting a variance~~

The hearing board may require as a condition of granting a variance that a cash bond, or a bond executed by two or more good and sufficient sureties or by a corporate surety, be posted by the party to whom the variance was granted to assure performance of any construction, alteration, repair, or other work required by the terms and conditions of the variance. Such bond may provide that, if the party granted the variance fails to perform such work by the agreed date, the cash bond shall be forfeited to the air pollution control district having jurisdiction, or the corporate surety or sureties shall have the option of promptly remedying the variance default or paying to the district an amount, up to the amount specified in the bond, that is necessary to accomplish the work specified as a condition of the variance

The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling emissions from combustion of vessel fuels

SEC. 45. It is the intent of the Legislature that if this bill and Assembly Bill No. 549 or Senate Bill No. 61, or both, are chaptered and amend Section 24297 of the Health and Safety Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows:

(a) If this bill and Assembly Bill No. 549 are both chaptered and amend Section 24297 of the Health and Safety Code, but Senate Bill No. 61 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No. 549, the amendments proposed by both bills shall be given effect and incorporated in Section 24297 in the form set forth in Section 36 of this act. Therefore, if Assembly Bill No. 549 is chaptered before this bill and both bills amend Section 24297, and Senate Bill No. 61 is not chaptered or as chaptered does not amend that section, Section 36 of this act shall be operative and Sections 5, 37, and 38 of this act shall not become operative.

(b) If this bill and Senate Bill No. 61 are both chaptered and amend Section 24297 of the Health and Safety Code, but Assembly Bill No. 549 is not chaptered or as chaptered does not amend that

section, and this bill is chaptered after Senate Bill No 61, the amendments proposed by both bills shall be given effect and incorporated in Section 24297 in the form set forth in Section 37 of this act Therefore, if Senate Bill No. 61 is chaptered before this bill and both bills amend Section 24297, and Assembly Bill No 549 is not chaptered or as chaptered does not amend that section, Section 37 shall be operative and Sections 5, 36, and 38 of this act shall not become operative

(c) If this bill and Assembly Bill No 549 and Senate Bill No 61 are all chaptered, and all three bills amend Section 24297 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No. 549 and Senate Bill No. 61, the amendments proposed by all three bills shall be given effect and incorporated in Section 24297 in the form set forth in Section 38 of this act Therefore, if Assembly Bill No 549 and Senate Bill No 61 are both chaptered before this bill and all three bills amend Section 24297 of the Health and Safety Code, Section 38 of this act shall be operative and Sections 5, 36, and 37 of this act shall not become operative

SEC. 46. It is the intent of the Legislature that if this bill and Assembly Bill No. 549 or Senate Bill No 61, or both, are chaptered and amend Section 24365 6 of the Health and Safety Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows·

(a) If this bill and Assembly Bill No 549 are both chaptered and amend Section 24365.6 of the Health and Safety Code, but Senate Bill No 61 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 549, the amendments proposed by both bills shall be given effect and incorporated in Section 24365.6 in the form set forth in Section 39 of this act Therefore, if Assembly Bill No. 549 is chaptered before this bill and both bills amend Section 24365.6, and Senate Bill No 61 is not chaptered or as chaptered does not amend that section, Section 39 of this act shall be operative and Sections 16, 40, and 41 of this act shall not become operative.

(b) If this bill and Senate Bill No 61 are both chaptered and amend Section 24365 6 of the Health and Safety Code, but Assembly Bill No 549 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 61, the amendments proposed by both bills shall be given effect and incorporated in Section 24365 6 in the form set forth in Section 40 of this act Therefore, if Senate Bill No 61 is chaptered before this bill and both bills amend Section 24365 6, and Assembly Bill No 549 is not chaptered or as chaptered does not amend that section, Section 40 shall be operative and Sections 16, 39, and 41 of this act shall not become operative.

(c) If this bill and Assembly Bill No 549 and Senate Bill No 61 are all chaptered, and all three bills amend Section 24365 6 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No. 549 and Senate Bill No 61, the amendments proposed by all three bills shall be given effect and incorporated in Section 24365 6 in the form set forth in Section 41 of this act Therefore, if Assembly Bill No. 549 and Senate Bill No. 61 are both chaptered before this bill and all three bills amend Section 24365 6 of the Health and Safety Code, Sec-

tion 41 of this act shall be operative and Sections 16, 39, and 40 of this act shall not become operative

SEC. 47 It is the intent of the Legislature that if this bill and Assembly Bill No 549 or Senate Bill No 61, or both, are chaptered and amend Section 39476 of the Health and Safety Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows·

(a) If this bill and Assembly Bill No 549 are both chaptered and amend Section 39476 of the Health and Safety Code, but Senate Bill No 61 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No. 549, the amendments proposed by both bills shall be given effect and incorporated in Section 39476 in the form set forth in Section 42 of this act Therefore, if Assembly Bill No 549 is chaptered before this bill and both bills amend Section 39476, and Senate Bill No 61 is not chaptered or as chaptered does not amend that section, Section 42 of this act shall be operative and Sections 28, 43, and 44 of this act shall not become operative.

(b) If this bill and Senate Bill No 61 are both chaptered and amend Section 39476 of the Health and Safety Code, but Assembly Bill No 549 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No. 61, the amendments proposed by both bills shall be given effect and incorporated in Section 39476 in the form set forth in Section 43 of this act Therefore, if Senate Bill No 61 is chaptered before this bill and both bills amend Section 39476, and Assembly Bill No 549 is not chaptered or as chaptered does not amend that section, Section 43 shall be operative and Sections 28, 42, and 44 of this act shall not become operative

(c) If this bill and Assembly Bill No 549 and Senate Bill No. 61 are all chaptered, and all three bills amend Section 39476 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No 549 and Senate Bill No 61, the amendments proposed by all three bills shall be given effect and incorporated in Section 39476 in the form set forth in Section 44 of this act Therefore, if Assembly Bill No 549 and Senate Bill No 61 are both chaptered before this bill and all three bills amend Section 39476 of the Health and Safety Code, Section 44 of this act shall be operative and Sections 28, 42, and 43 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—62.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1206—An act to add Section 1420 1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment, and making an appropriation therefor.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1206?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly May 15, 1972, after "employment", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, after line 35, insert

"SEC. 3. The Director of Finance shall transfer to the State Fair Employment Practice Commission from the funds appropriated to the Department of Human Resources Development by the Budget Act of 1972 such funds, which were appropriated to the department to perform its functions pursuant to Section 2072 of the Unemployment Insurance Code, as are necessary for the commission to perform the functions vested in it by this act."

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote·

AYES—Foran, Mobley, Monagan, Powers, and Sieroty—5

NOES—Arnett, Badham, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Crown, Cullen, Deddeh, Duffy, Dunlap, Fong, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

Assembly Bill No. 529—An act to amend Section 25505 8 of the Education Code, and to amend Section 22840 of the Education Code, as proposed by Assembly Bill No. 666, relating to community colleges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 529?

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly June 14, 1972, after "Education", insert "Code".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty,

Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—61.

NOES—Ketchum—1.

Above bill ordered enrolled.

Assembly Bill No. 669—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 669?

Amendment No. 1

On page 3, lines 1 and 2, of the printed bill, as amended in Assembly June 26, 1972, strike out "which may be electronically operated".

Amendment No. 2

On page 3, line 5, after the period, insert "As used in this paragraph, message center displays are displays which have a changeable message which may be changed by electronic processes or by remote control."

Amendment No. 3

On page 3, line 9, after "after", insert "a".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 674—An act to add Sections 19702.1, 19702.2, 50084, and 50085 to the Government Code, relating to public employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 674?

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, as amended in Assembly June 21, 1972, strike out "significantly related to successful job performance in the area involved", and insert "job related".

Amendment No. 2

On page 2, line 9, after "part", insert "unless there is no adverse effect".

Amendment No. 3

On page 2, lines 25 and 26, strike out "significantly related to successful job performance in the area involved", and insert "job related unless there is no adverse effect".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—53.

NOES—Chappie, Cline, Moorhead, Stacey, Wakefield, and Wood—6.

Above bill ordered enrolled.

Assembly Bill No. 665—An act to amend Sections 5779, 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827,12842, and 12848 of, to add Sections 5779.2, 5779.3, 5780.1, 5780 2, 12821, 12831, 12832, 12833, and 12848.5 to, and to repeal Sections 5779 1 and 12821 of, the Education Code, relating to testing programs, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 665?

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Assembly April 20, 1972, insert

"(Coauthor: Senator Rodda)".

Amendment No. 2

In line 7 of the title, after "programs", insert ", and making an appropriation therefor".

Amendment No. 3

On page 15, lines 4 and 5, strike out "one hundred seventy thousand dollars ($170,000)", and insert "two hundred thirty-five thousand dollars ($235,000)".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Ryan—1.

Above bill ordered enrolled.

Assembly Bill No. 1158—An act to add Sections 1162.7 and 1302 5 to the Education Code, relating to school district elections

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1158?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 25, 1972, strike out "amend Section 1162 of, and to add Section 1302.5 to," and insert "add Sections 1162.7 and 1302 5 to".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 1162.7 is added to the Education Code, to read:

1162.7. Notwithstanding any other provisions of this article, no special election to fill a vacancy on the governing board of a school district shall be held except in conjunction, or in consolidation, with a school district election, a regular state election, or a regular municipal election.

The provisions of this section are applicable only in school district territory in which a regular state or municipal election is held at least once a year, and which is located in a county of the first class."

Amendment No. 3

On page 2, strike out lines 1 to 15, inclusive.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Meade moved a call of the Assembly.

Motion carried Time, 11 46 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 483—An act to amend Sections 12822, 12823, 12826, and 12848 of, and to add Sections 12821 5 and 12821.7 to, the Education Code, relating to school testing.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 483?

Senate Amendments of July 11, 1972

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly May 10, 1972, strike out ", for the purpose of", strike out lines 14 to 16, inclusive, and insert a period.

Amendment No. 2

On page 4, after line 34, insert

SEC. 7. Section 12822 of the Education Code is amended to read:

12822. As used in this chapter:

(a) "Achievement test" means any standardized test which measures or attempts to measure the level of performance which a pupil has attained in one or more courses of study. It shall include (1) tests in basic skills courses administered annually and (2) tests in content courses administered from time to time as designated by the State Board of Education.

(b) "Physical performance test" means any test which measures or attempts to measure the physical fitness of a pupil.

~~(c) "Scholastic aptitude test" means any standardized test which measures or attempts to measure the scholastic aptitude of a pupil.~~

~~(d)~~ *(c)* "Testing program" means the systematic achievement ~~and scholastic aptitude~~ testing of all pupils in grades 6 and 12, and the physical performance testing of all pupils in any three grades designated by the State Board of Education, required by this chapter in all schools within a *each* school district by means of tests designated by the State Board of Education.

~~(e)~~ *(d)* "Basic skills courses" means those subjects which involve, among other skills, memorization and mastery of specific functions, including but not limited to, reading, spelling, basic mathematics, and ~~grammar~~ *effectiveness of written expression*.

~~(f)~~ *(e)* "Content courses" means those subjects which require the integration of factual matter, logical analysis, the solution by the student of posed problems, and the communication of ideas, including, but not limited to, literature, history, advanced mathematics, and science.

SEC. 8. Section 12826 of the Education Code is amended to read:

12826. The governing board of a school district shall report *on a school-by-school basis* to the Department of Education, pursuant to rules and regulations adopted by the State Board of Education, the ~~scores~~ *results* of the achievement ~~and scholastic aptitude~~ tests administered pursuant to this article

The districtwide results of the testing program, but not the score or relative position of individual pupils, shall be reported to the governing board of the district at least once a year at a regularly scheduled meeting.

SEC 9 It is the intent of the Legislature that if this bill and Assembly Bill No. 665 or Senate Bill No 286, or both, are chaptered and amend Sections 12822 and 12826 of the Education Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect and incorporated in Sections 12822 and 12826 in the forms set forth respectively in Sections 7 and 8 of this act. Therefore, Sections 7 and 8 of this act shall be operative only if this bill is chaptered and Assembly Bill No 665 or Senate Bill No 286, or both, are chaptered before this bill and this bill and Assembly Bill No 665, or Senate Bill No 286, or both, amend Sections 12822 and 12826, in which case, Sections 3 and 5 of this act shall not become operative."

Senate Amendments of July 26, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 11, 1972, between lines 22 and 23, insert

"Nothing in this section shall be construed to prohibit a school district, with the prior approval of the Superintendent of Public Instruction, from administering group scholastic aptitude tests for research purposes, provided, however, that such tests are administered under the direct supervision of a qualified school psychologist or psychometrist. Individual scores from such tests shall not be used by any school district or employee thereof"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—48

NOES—Badham, Burke, Chappie, Cline, Lancaster, Lanterman, Lewis, MacGillivray, Monagan, Moorhead, Ryan, Stull, Wakefield, and Wood—14.

Above bill ordered enrolled.

Assembly Bill No. 595—An act to amend Section 6369 of, and to add Section 6374 to, the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 595?

Senate Amendments of June 9, 1972

Amendment No. 1

After line 2 of the heading of the printed bill, as amended in Assembly May 1, 1972, insert

"(Coauthor · Senator Carrell)".

Amendment No. 2

On page 3, line 27, after the period, insert "However, the provisions of this act shall become operative on the first day of the first calendar quarter occurring more than 25 days after the effective date of this act"

Senate Amendments of June 30, 1972

Amendment No. 1

On page 3, line 9, of the printed bill, as amended in Senate June 9, 1972, after "articles", insert ", other than dentures,".

Amendment No. 2

On page 3, line 12, strike out "orthopedic braces,".

Senate Amendments of July 27, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 30, 1972, after "of", insert ", and to add Section 6374 to,".

Amendment No. 2

On page 3, line 22, after "SEC 2.", insert "Section 6374 is added to the Revenue and Taxation Code, to read:

6374. There are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage use or other consumption in this state, of meals and food products for human consumption furnished or served to low-income elderly persons at or below cost by a nonprofit organization or governmental agency under a program funded by this state or the United States for such purposes.

SEC. 3."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1028—An act to add Section 22810 1 to the Government Code, relating to state employees.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1028?

Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"SEC. 2. Notwithstanding any other provision of law, the funds appropriated in Item 73 of the Budget Act of 1972 may be expended for the employer's contributions under the Meyers-Geddes State Employees' Medical and Hospital Care Act for annuitants who enroll in a health benefits plan pursuant to Section 22810 1 of the Government Code."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham Bagley, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley,

Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 459—An act to amend Section 790 03 of the Insurance Code, relating to insurance.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 459?

Senate Amendments of June 21, 1972

Amendment No. 1

On page 4, line 25, of the printed bill, as amended in Assembly April 17, 1972, after "insureds", insert ", when such insureds have made claims for amounts reasonably similar to the amounts ultimately recovered".

Senate Amendments of July 17, 1972

Amendment No. 1

After line 2 of the heading of the printed bill, as amended in Senate June 21, 1972, insert

"(Coauthor: Senator Carrell)".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Above bill ordered enrolled.

Hon. Willie L. Brown, Jr., Presiding

At 11 54 a m, Hon Willie L Brown, Jr, 18th District, presiding.

Assembly Bill No. 666—An act to amend Sections 20201, 23754, 23754 2, 24754 3, 25505 7, and 25505 8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753 2, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758 1, 23758 3, 23761, 25505, 25505 1, 25505 2, and 25505 9 of, the Education Code, relating to student residency.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 666?

Senate Amendments of July 6, 1972

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly May 22, 1972, strike out line 7, and insert "a California community college."

Amendment No. 2

On page 7, line 12, strike out "has moved from this state to establish", and insert "established".

Amendment No. 3

On page 8, line 11, after "classification", insert "until he has resided in the state the minimum time necessary to establish residence".

Amendment No. 4

On page 15, between lines 14 and 15, insert

"SEC 30. Section 25505.8 of the Education Code is amended to read:

25505 8. A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less ; *or* (b) are both citizens and residents of a foreign country ; ~~or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a) ; ~~or~~ *and* (b) ; ~~or (c) above~~ , and shall not be made on an individual basis.

A district may, without the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee.

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district* , which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California School Accounting Manual for pupils enrolled in grades 13 and 14

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per pupil enrolled in ~~all districts of the state~~ *the district* .

The amount per pupil enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 ~~of all districts maintaining community colleges in the state~~ and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units). The same per-unit

rate shall be charged all nonresident students attending any summer sessions maintained by the community college

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state, except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district

SEC 31 It is the intent of the Legislature, if this bill and Assembly Bill No 529 are both chaptered and amend Section 25505 8 of the Education Code, and this bill is chaptered after Assembly Bill No 529, that the amendments to Section 25505 8 proposed by both bills be given effect and incorporated in Section 25505 8 in the form set forth in Section 30 of this act Therefore, Section 30 of this act shall become operative only if this bill and Assembly Bill No 529 are both chaptered, both amend Section 25505 8, and Assembly Bill No 529 is chaptered before this bill, in which case Section 29 of this act shall not become operative."

Amendment No. 5

On page 15, line 15, strike out "SEC 30", and insert "SEC. 32".

Amendment No. 6

On page 15, between lines 16 and 17, insert

"SEC 33 Section 22815 of the Education Code, as proposed in Section 2 of this bill, is amended to read·

22815 A "nondistrict resident" is a resident who does not have residence within a district in the state, *or a student who, within 39 months period immediately preceding the residence determination date, was graduated from a high school which is situated in territory not within a district*

SEC 34 Section 33 of this bill shall become operative only if Senate Bill No 656 is chaptered before this bill and amends Section 25505 of the Education Code."

Amendment No. 7

On page 15, line 17, strike out "SEC 31", and insert "SEC 35".

Amendment No. 8

On page 15, line 21, strike out "SEC 32", and insert "SEC. 36".

Amendment No. 9

On page 15, line 27, strike out "SEC. 33", and insert "SEC. 37".

Amendment No. 10

On page 15, line 38, strike out "reciprocal".

Amendment No. 11

On page 16, line 3, strike out "SEC. 23", and insert "SEC. 38".

Senate Amendments of July 27, 1972

Amendment No. 1

On page 4, lines 32 and 33 of the printed bill, as amended in Senate July 6, 1972, strike out "school district maintaining or formed to maintain", and insert "community college district maintaining".

Amendment No. 2

On page 7, line 17, after "and", insert "has".

Amendment No. 3

On page 7, line 21, strike out "establish residence", and insert "become a resident".

Amendment No. 4

On page 8, line 1, strike out "establish residence", and insert "become a resident".

Amendment No. 5

On page 8, line 9, strike out "establish residence", and insert "become a resident".

Amendment No. 6

On page 8, line 17, strike out "establish residence", and insert "become a resident".

Amendment No. 7

On page 8, line 27, strike out "has", and insert "have".

Amendment No. 8

On page 8, line 37, strike out "school", and insert "community college".

Amendment No. 9

On page 8, line 38, strike out "school", and insert "college".

Amendment No. 10

On page 9, line 17, strike out "establish residence", and insert "become a resident".

Amendment No. 11

On page 13, line 34, strike out "school", and insert "community college".

Amendment No. 12

On page 14, line 21, strike out "School".

Amendment No. 13

On page 14, line 22, strike out "pupils", and insert "students".

Amendment No. 14

On page 14, line 25, strike out "pupil", and insert "student".

Amendment No. 15

On page 14, line 27, strike out "pupil", and insert "student".

Amendment No. 16

On page 15, line 2, after the period, insert "The rate charged shall be the rate established for the fiscal year in which the summer session ends."

Amendment No. 17

On page 16, line 7, strike out "School".

Amendment No. 18

On page 16, line 7, strike out "pupils", and insert "students".

Amendment No. 19

On page 16, line 11, strike out "pupil", and insert "student".

Amendment No. 20

On page 16, line 13, strike out "pupil", and insert "student".

Amendment No. 21

On page 16, line 29, after the period, insert "The rate charged shall be the rate established for the fiscal year in which the summer session ends."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

~~Above bill ordered enrolled.~~

NOTE: Later this day a motion to reconsider the vote whereby Senate amendments to Assembly Bill No 666 were concurred in was offered by Mr. Leroy F Greene See page 7010.

Assembly Bill No. 860—An act to add Section 16524 to, the Education Code, relating to school field trips and excursions.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 860?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 12, 1972, strike out "to amend Section 1081.5 of, and".

Amendment No. 2

Strike out pages 2 and 3; and on page 4, strike out lines 1 to 7, inclusive; and in line 8, strike out "SEC. 2", and insert

"SECTION 1".

Amendment No. 3

On page 4, line 12, after "been", insert ", during the prior school year,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Burton, Collier, Hayes, and Wakefield—4.

Above bill ordered enrolled.

Majority Floor Leader Presiding

At 11:57 a.m., Hon. Jack R Fenton, 51st District, presiding

Assembly Bill No. 1369—An act to amend Section 10095 of the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1369?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "Sections 10094 and 10095 of, and to add Section 10094.4 to," and insert "Section 10095 of".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive; and on page 2, strike out lines 1 to 39, inclusive, and in line 40, strike out "SEC. 3", and insert

"SECTION 1".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen,

Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1419—An act to amend Section 25502 5 of, and to add Section 25502.6 to, the Education Code, relating to community colleges

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1419?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 11, 1972, after line 37, insert

"SEC 3 In the event both this bill and Senate Bill No 656 are enacted at the 1972 Regular Session of the Legislature, the provisions of this bill shall not become operative and shall have no force or effect "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Bagley, Beverly, Brathwaite, Brown, Burton, Chacon, Cline, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Arnett, Badham, Burke, Chappie, Collier, Lanterman, Stull, and Wakefield—8

Above bill ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 93, Senate Constitutional Amendments Nos 10 and 70, and Senate Bill No. 616 were continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2234—An act to add Section 5011 to the Public Resources Code, relating to the state park system

Bill read third time, presented by Mr Moorhead, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis,

Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1470—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Mr. Ralph.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 101—An act to amend Sections 9263 and 22705, and to repeal Section 22854 5 of the Vehicle Code, relating to vehicles

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 101?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 6, 1972, strike out the first "Section", and insert "Sections 9263 and",

Amendment No. 2

In line 2 of the title, strike out "abandoned and removed".

Amendment No. 3

On page 1, strike out lines 1 to 4, inclusive, and on page 2, strike out line 1, and insert

"SECTION 1. Section 9263 of the Vehicle Code is amended to read:

9263 (a) Any automobile dismantler acquiring a vehicle subject to registration under this code, for the purpose of dismantling the same, who fails to forward to the department notification of acquiring

such vehicle as required in *subdivision (a) of* Section 11520 ~~(a)~~ within ~~24~~ *72* hours after taking possession of the vehicle, *exclusive of Saturdays, Sundays, and holidays set forth in Sections 6700 and 6701 of the Government Code*, and before dismantling such vehicle or who fails to forward to the department the documents and license plate or plates required by *subdivision (b) of* Section 11520 ~~(b)~~, within ~~ninety~~ ~~(90)~~ *90* days after taking possession of the vehicle, shall pay in addition to any other fees due an investigation service fee in the amount of five dollars ($5) If such person who fails to forward the documents and license plate or plates as required by *subdivision (b) of* Section 11520 ~~(b)~~ can furnish written evidence of a diligent effort to secure required documents, the investigation service fee shall not be due or payable.

(b) Any person other than a licensed automobile dismantler who fails to surrender to the department the documents and license plate or plates as required by *subdivision (b) of* Section 11520 ~~(b)~~ before dismantling a vehicle, shall pay in addition to any other fees due an investigation service fee of five dollars ($5)

SEC. 2 Section 22705 of the Vehicle Code is amended to read·".

Amendment No. 4

On page 3, after line 16, insert

"SEC 3. Section 22854 5 of the Vehicle Code is repealed.

SEC 4 Section 22705 of the Vehicle Code is amended to read

22705 If the vehicle is appraised at a value not exceeding two hundred dollars ($200), the public agency which removed the vehicle shall

(a) Within 48 hours after appraisal notify the Department of ~~California Highway Patrol~~ *Justice* in Sacramento of the removal of such vehicle

(b) Prepare a certificate which shall describe the vehicle including the location of any license plates thereon, state the appraised value and that the vehicle will be junked or dismantled, and indicate that,

(1) Notice of intent to junk or dismantle the vehicle has been mailed to the registered and legal owners at the address of record with the department, or

(2) The owner has signed a release under penalty of perjury disclaiming any future interest, which release shall be included with the certificate

In the event the owner has not signed a release and has not, within 15 days after official notification, reclaimed the vehicle such action shall constitute a waiver of interest and the vehicle may be disposed of

(3) The vehicle is in such condition that vehicle identification numbers are not available to determine owners of record with the department, in which event the vehicle may be disposed of

(c) Upon completion of the certificate, execute and deliver a bill of sale free of any lien for fees and penalties due and payable to the department together with a copy of the certificate to either the lienholder who shall endorse the bill of sale to a licensed automobile dismantler, or to the licensed automobile dismantler, or to the public agency for disposal, whichever has the vehicle in possession.

~~Within three days after completion of the certificate, the person or public agency in possession of the vehicle shall remove and forward to the Department of Motor Vehicles any evidence of registration of the vehicle, including, but not limited to, registration certificates, certificates of title, and license plates.~~

(d) Forward the completed certificate to the Department of Motor Vehicles in Sacramento

(e) A vehicle which is the subject of a certificate prepared and forwarded pursuant to this section shall not be reconstructed or made operable

(f) Licensed dismantlers acquiring vehicles which are the subject of certificates prepared and forwarded pursuant to this section shall be excused from ~~the reporting requirements of Section 11520, and~~ any fees and penalties which would otherwise be due to the Department of Motor Vehicles ~~are hereby waived~~, provided that a copy of the certificate forwarded to the Department of Motor Vehicles pursuant to this section is retained in the licensed dismantlers' business record

(g) A local agency may authorize by contract or franchise the removal, disposal, or removal and disposal, of such vehicles by other than a licensed automobile dismantler if it has first requested bids for removal, disposal, or removal and disposal, of such vehicles Such franchise or contract shall be issued to or executed with the lowest responsible bidder The bill of sale shall then be executed and delivered pursuant to subdivision (e) with the franchisee or contractor

SEC 5 It is the intent of the Legislature, if this bill and Senate Bill No 188 are both chaptered and amend Section 22705 of the Vehicle Code, and this bill is chaptered after Senate Bill No 188, that Section 22705 of the Vehicle Code, as amended by Section 6 of Senate Bill No 188 be further amended on the operative date of this act in the form set forth in Section 4 of this act to incorporate the changes in Section 22705 proposed by this bill Therefore, Section 4 of this act shall become operative only if Senate Bill No 188 is chaptered before this bill and amends Section 22705, and in such case Section 4 of this act shall become operative on the operative date of this act and Section 2 of this act shall not become operative ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2134

At 12·04 p m , on motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendment to Assembly Bill No 2134 by the following vote·

AYES—Arnett, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—Badham, Burke, Collier, Moorhead, and Wakefield—5.

Above bill ordered enrolled

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 781

At 12.07 p m , on motion of Mr Maddy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No 781 by the following vote

AYES—Arnett, Bagley, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Collier, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Hayden, Hayes, Ray E Johnson, Keysor, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wood, Z'berg, and Mr Speaker—45

NOES—Badham, Burke, Burton, Cline Cullen, Davis, Deddeh, Dent, Fenton, Leroy F Greene, Ketchum, Knox, Lancaster, Meade, Murphy, Russell, Vasconcellos, Wakefield, and Wilson—19

Above bill ordered enrolled

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 403

At 12 12 p m . on motion of Mr Campbell, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No. 403 passed by the following vote

AYES—Arnett, Bagley, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Dent, Fenton, Fong, Foran, Gonsalves, Hayden, Ray E Johnson, Keysor, Lancaster, Lanter-

man, MacDonald, MacGillivray, Mobley, Monagan, Moorhead, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Wakefield, Wood, and Mr Speaker—42

NOES—Badham, Brathwaite, Burton, Cullen, Deddeh, Duffy, Bill Greene, Harvey Johnson, Karabian, Ketchum, Knox, Lewis, Maddy, McAlister, Murphy, Vasconcellos, and Wilson—17.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1448

At 12:17 p m, on motion of Mr Mobley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1448 by the following vote.

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chappie, Cline, Collier, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. LEWIS TO SENATE BILL NO. 840

At 12:20 p m, on motion of Mr Lewis, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the amendments offered by Mr. Lewis to Senate Bill No 840 refused adoption by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Burke, Campbell, Chappie, Cline, Collier, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—32

NOES—Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—37.

Motion to Reconsider Amendments to Senate Bill No. 840 on Next Legislative Day

Mr. Monagan moved to reconsider on the next legislative day the vote whereby the amendments offered by Mr Lewis to Senate Bill No. 840 were refused adoption on this day

Senate Bill No 840 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 784

At 12 22 p.m , on motion of Mr. Townsend, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 784 refused passage by the following vote:

AYES—Brown, Burton, Cory, Fenton, Foran, Gonsalves, Harvey Johnson, Ketchum, McAlister, Pierson, Powers, Townsend, Wilson, and Mr Speaker—14

NOES—Arnett, Badham, Cline, Collier, Cullen, Deddeh, Duffy, Leroy F. Greene, Lancaster, Lanterman, MacGillivray, Moorhead, Murphy, Priolo, Russell, Stull, Wakefield, and Wood—18

Motion to Reconsider Senate Bill No. 784 on Next Legislative Day

Mr Townsend moved to reconsider on the next legislative day the vote whereby Senate Bill No 784 was this day refused passage

Rules Temporarily Suspended to Take Up Motion to Reconsider Senate Bill No. 784

Mr. Townsend was granted unanimous consent that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider the vote on Senate Bill No 784 on this day.

Senate Bill No. 784 Reconsidered

In compliance with a motion given, Mr Townsend was granted unanimous consent that the vote whereby Senate Bill No 784 was this day refused passage be reconsidered.

Senate Bill No. 784 Placed on Inactive File

On request of Mr Townsend, Senate Bill No 784 was placed upon the inactive file.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 464

At 12 24 p m., on motion of Mr Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No 464 passed by the following vote:

AYES—Beverly, Brathwaite, Brown, Campbell, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Pierson, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—46.

NOES—Arnett, Badham, Chappie, Cline, Collier, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, Mobley, Monagan, Moorhead, Priolo, Russell, Stacey, Stull, and Wakefield—18.

Bill ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:25 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1158

At 12:25 p.m., on motion of Mr Meade, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1158 by the following vote:

AYES—Arnett, Badham, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, MacDonald, Maddy, McCarthy, Meade, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—44.

NOES—Beverly, Chappie, Crown, Davis, Gonsalves, Hayden, Ray E. Johnson, Ketchum, Lancaster, Lanterman, Lewis, McAlister, Mobley, Monagan, Moorhead, Russell, Seeley, Stacey, Wakefield, and Wood—20.

Above bill ordered enrolled.

CAUCUS ANNOUNCEMENTS

Mr. Stull announced that there would be a Republican Caucus at 9:30 a.m., August 2, 1972, in Room 2133

MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 666 ON NEXT LEGISLATIVE DAY

Mr Leroy F Greene moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No 666 were this day concurred in by the Assembly.

Assembly Bill No 666 ordered to the unfinished business file.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cullen:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No 1503 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis,

Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1503 for hearing in the Committee on Ways and Means.

COMMITTEE MEETING ANNOUNCEMENTS

Mr Brown announced that the Committee on Ways and Means would meet today at 2 p m , in Room 5007, to consider Senate Bill No. 90, and that the committee would also meet at 8 a m tomorrow.

Acting Speaker Fenton announced that all committees scheduled to meet today at 1:45 p m. would meet instead at 2 p m.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 1, 1972

Mr Speaker. The Chairman of your Committee on Ways and Means reports:

SB No. 665

With author's amendments with the recommendation: Amend, and refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 665—An act to add Article 1 (commencing with Section 23401) to Chapter 3 of Division 17 of the Education Code, relating to the University of California, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Set No. 1

Amendment No. 1

In the heading of the printed bill, as amended in Senate June 13, 1972, strike out "Senator", and insert "Senators Song and".

Set No. 2

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in Senate June 13, 1972, after the period, insert "The Chairman of each department of family practice shall have specialty certification from the American Board of Family Practice which requires broad clinical experience in the field of family practice."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 2383: By Assemblyman Russell—An act to add Section 7497.10 to the Education Code, relating to mathematics programs

Referred by the Acting Speaker to the Committee on Education.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, August 1, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2383—An act to add Section 7497.10 to the Education Code, relating to mathematics programs.

NEWTON RUSSELL

Above request ordered transmitted to the Committee on Rules.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 467, 714, 1347, and 1493 for hearing in the Committee on Ways and Means

Mr. Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1061 for hearing in the Committee on Finance and Insurance, on Wednesday, August 2, 1972.

Mr. Waxman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 130 for hearing in the Committee on Elections and Reapportionment

Mr. Porter was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 48 for hearing in the Committtee on Water.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1169

The Acting Speaker appointed Messrs Brown, Burton, and Stacey as a Committee on Conference concerning Senate Bill No 1169

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1206

The Acting Speaker appointed Messrs McCarthy, Foran, and Murphy as a Committee on Conference concerning Assembly Bill No. 1206.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 85

The Acting Speaker appointed Messrs Crown, Knox, and Campbell as a Committee on Conference concerning Senate Bill No. 85.

VOTE CHANGES

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 246 and 783

Mr Cline was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 699

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 76, 783, 569, 190, 1611, 246, and 459

Messrs Ryan and McAlister were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 66.

Messrs Russell and Hayden were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 470

Mr. Stacey was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1394, and on concurrence in Senate amendments to Assembly Bills Nos 246 and 569.

Mr Ketchum was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 529

Mr Priolo was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 860

Mr. Chacon was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 2134

Mr Ketchum was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 2134

Messrs Russell and Knox were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 781

Mr Leroy F Greene was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 781.

Mr Keysor was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 403

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 464.

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye," on Senate Bill No 784.

Mr. McCarthy was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on concurrence in Senate amendments to Assembly Bill No 246.

COMMUNICATIONS

Assembly Chamber, August 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 124—Approving amendments to the Charter of the City of Glendale, County of Los Angeles, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the first day of August, 1972, at 2 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 1, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 13—An act to add Section 12461.1 to the Government Code, relating to reports of the Controller;

Assembly Bill No. 1268—An act to amend the heading of Division 15 (commencing with Section 22000) of, and to add Part 2 (commencing with Section 22500) to Division 15 of, the Streets and Highways Code, relating to the installation and maintenance of landscaping and lighting on public streets and property and providing for the formation of special assessment districts and the levy and collection of special assessments to pay the costs and expenses thereof,

Assembly Bill No. 1399—An act to amend Section 6103 8 of, and to repeal Section 6103 9 of, the Government Code, relating to fees,

Assembly Bill No. 1408—An act to add Chapter 3 (commencing with Section 295) to Division 2a of the Probate Code, relating to administration of estates, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1455—An act to add Sections 22013 4 and 22014 1 to the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 1483—An act to add Section 23 5 to the Agricultural Code, relating to catfish farms,

Assembly Bill No. 1504—An act to add Section 569 to the Streets and Highways Code, relating to state highways,

Assembly Bill No. 1520—An act to amend Sections 14581, 14585, and 14686 of, and to add Section 14622 to, the Agricultural Code, relating to fertilizing materials;

Assembly Bill No. 1626—An act to amend Section 1227 of the Financial Code, relating to commercial banks;

Assembly Bill No. 1698—An act to add Section 18300 1 to the Health and Safety Code, relating to mobilehomes;

And reports the same correctly enrolled, and presented to the Governor at 2 p m , August 1, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 369—An act to amend Sections 22511 and 22511.5 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 414—An act to amend Section 11850 of the Health and Safety Code, relating to registration of narcotics offenders;

Assembly Bill No. 423—An act to amend Sections 10559 and 12500 of the Welfare and Institutions Code, relating to public assistance,

Assembly Bill No. 428—An act to add Sections 5350 3 and 5350 5 to the Vehicle Code, relating to vehicles,

Assembly Bill No. 441—An act to amend Section 11713 of the Vehicle Code, relating to vehicle dealers, manufacturers, and transporters;

Assembly Bill No. 500—An act to amend Section 1744 2 of the Code of Civil Procedure, relating to conciliation proceedings;

Assembly Bill No. 501—An act to amend Section 4701 of the Civil Code, relating to child support,

Assembly Bill No. 512—An act to add Section 6404 to the Agricultural Code, relating to plants;

Assembly Bill No. 610—An act to amend Sections 302, 9890 9, 9890 11, 9890 30, 9890 50, 9890 51, 9890 52, 9890 53, 9890 54, 9890 55, 9890 56, 9890 57, 9890 58, 9890 60, 9890 62, 9890 63, 9890 65, 9890.80, 9890.82, 9890 90, 9890 92, 9890 93, 9890 100, 9890 104, 9890 110, 9890 111, 9890 112, 9890 113, 9890 120, 9890 121, 9902, and 9915 of, and to add Section 303 to, the Business and Professions Code, relating to the Department of Consumer Affairs;

Assembly Bill No. 735—An act to amend Section 72602 of the Government Code, relating to municipal courts;

Assembly Bill No. 906—An act to amend Section 13¾ of, and to repeal Sections 13¼ and 13½ of, the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District;

~~Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes to take effect immediately, tax levy;~~

Assembly Bill No. 1118—An act to amend Section 2640 of the Labor Code, relating to employee housing;

Assembly Bill No. 1207—An act to amend Sections 6468, 6468.1, 6468 2, 6468 3, 6468 5 of, and to add Section 6468 8 to, the Streets and Highways Code, relating to improvement bonds;

Assembly Bill No. 1457—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal;

Assembly Bill No. 1625—An act to amend Section 175 of, and to repeal Sections 174 and 266c of, the Penal Code, relating to importation of Chinese or Japanese;

Assembly Bill No. 1708—An act to amend Sections 1167 and 1170 of the Harbors and Navigation Code, relating to pilots, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1812—An act to amend Sections 851.5, 852, 853 and 1240 of the Probate Code, relating to title disputes;

Assembly Bill No. 2112—An act to amend Sections 621, 982, 1256 1, 1263, 1277, 1277.5, 1528.5, and 2629 of, and to add Sections 803.1, 803.2, and 1260.1 to, the Unemployment Insurance Code, relating to unemployment insurance;

Assembly Bill No. 2143—An act to amend Section 4100.5 of the Government Code, relating to subletting and subcontracting,

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., August 1, 1972.

JAMES D. DRISCOLL, Chief Clerk

NOTE: On August 2, 1972, the action was rescinded whereby Assembly Bill No. 1105 was reported correctly enrolled and presented to the Governor. See page 7100.

Assembly Chamber, August 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 14 to Article XVI thereof, relating to pollution control facilities;

Assembly Concurrent Resolution No. 98—Relative to program planning and budgeting system for the California schools;

And reports the same correctly enrolled, and presented to the Secretary of State on the first day of August, 1972, at 4 p m

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, July 31, 1972

Mr. Speaker: Your Committee on Retirement reports:

SB No. 306

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill ordered to second reading.

Committee on Natural Resources and Conservation

Assembly Chamber, August 1, 1972

Mr Speaker. Your Committee on Natural Resources and Conservation reports:

SB No 4
SB No. 107

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Z'BERG, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Education

Assembly Chamber, August 1, 1972

Mr. Speaker· Your Committee on Education reports:

SB No 1132

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill ordered to second reading

Assembly Chamber, August 1, 1972

Mr. Speaker· Your Committee on Education reports:

SB No 1218

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, August 1, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 934
SB No 944
SB No 1261
SB No. 1281

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bills re-referred to the Committee on Ways and Means.

Committee on Urban Development and Housing

Assembly Chamber, August 1, 1972

Mr Speaker· Your Committee on Urban Development and Housing reports·

SB No 1454

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BRATHWAITE, Chairman

Above bill ordered to second reading.

FURTHER SECOND READING OF BILLS— BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 306—An act to add Section 21258.4 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Retirement, was read, and adopted:

Amendment No. 1

On page 2, line 36, of the printed bill, as amended in Senate, July 13, 1972, after the period, insert "A benefit shall be payable pursuant to this section only if an application is received by the board within 60 days after the issuance of the third notice required by this paragraph.

It is the intention of the Legislature that the increases in retirement allowances provided by this section shall not be cumulative with any other increases in such allowances which may be made by the Legislature at its 1972 Regular Session If the retirement allowances to which this section is otherwise applicable, or any of them, are increased pursuant to any other legislation enacted by the Legislature at its 1972 Regular Session, this section shall be applicable only to the extent that the increased amounts payable pursuant to it exceed the increased amounts payable pursuant to such other legislation "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1132—An act to add Section 464 to the Education Code, relating to earthquake safety.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate June 7, 1972, after "safety", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, line 12, strike out "this act", and insert "Section 464 of the Education Code".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1454—An act to amend Section 11550 of, to repeal Section 11556, as amended by Chapter 1428 of the Statutes of 1970, and Section 11556, as amended by Chapter 1454 of the Statutes of 1970, of, and to add Section 11556 to the Government Code, and to repeal and add Part 8 (commencing with Section 37000) of Division 24 of the Health and Safety Code, relating to housing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Urban Development and Housing, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate July 20, 1972, strike out "Senator Moscone", and insert "Senators Moscone and Petris".

Amendment No. 2

In line 2 of the heading, strike out "Coauthor. Assemblyman Bagley", and insert "Coauthors. Assemblymen Bagley, Brathwaite, Chacon, Maddy, and Ralph".

Amendment No. 3

In line 1 of the title, strike out "Section 11550", and insert "Sections 11550, 12800, and 12855".

Amendment No. 4

In line 4 of the title, strike out "Section 11556 to", and insert "Sections 11556, 11556.5 and 11557 to,".

Amendment No. 5

On page 3, line 8, strike out "California Disaster Office", and insert "Office of Emergency Services".

Amendment No. 6

On page 3, line 15, strike out "Employment", and insert "the Department of Human Resources Development".

Amendment No. 7

On page 7, between lines 29 and 30, insert

"37018.5 "HUD" means the Department of Housing and Urban Development of the United States."

Amendment No. 8

On page 8, line 26, after the second "of", insert "Title 1 of".

Amendment No. 9

On page 12, line 5, strike out "The", and insert "Other provisions of law notwithstanding, the".

Amendment No. 10

On page 12, line 34, after "Development", insert ", respectively".

Amendment No. 11

On page 12, line 40, strike out "Director", and insert "Department".

Amendment No. 12

On page 13, line 2, after "mean", insert "a commissioner of, or".

Amendment No. 13

On page 13, line 3, strike out "Agency", and insert "Commission".

Amendment No. 14

On page 13, line 4, strike out "Commission", and insert "Agency or its director".

Amendment No. 15

On page 13, line 15, after "Act", insert ", Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code".

Amendment No. 16

On page 16, line 16, strike out ", including, but not limited"; and strike out lines 17 to 19, inclusive, and insert a period.

Amendment No. 17

On page 16, line 37, strike out "the State of California", and insert "this state".

Amendment No. 17.5

On page 17, line 1, strike out "the State of California", and insert "this state".

Amendment No. 18

On page 17, line 35, strike out ", and", and insert " Subject to the availability of federal, state, and local subsidy funds,"

Amendment No. 19

On page 17, line 36, after "percent", insert "shall be allocated".

Amendment No. 20

On page 17, line 37, after the period, insert "In order to maximize the utilization of such federal, state, and local subsidy funds, the agency shall make every effort to locate sources of such funds

37073 6 In selecting homes and projects to be financed, where the location priorities and allocation criteria of Section 37073 5 are being met, preference shall be given to homes and projects offering a homeownership or cooperative ownership opportunity, rather than to rental housing."

Amendment No. 21

On page 18, line 9, after "37076 ", insert "The agency shall require that occupancy of all housing financed or otherwise assisted under this part shall be open to all persons regardless of race, national origin, religion, creed, source of income and number of children in the family The agency shall further require that an affirmative action program be submitted to and approved by the agency prior to entering into an agreement with any limited-dividend housing corporation or nonprofit corporation. Contractors and subcontractors engaged in the construction or rehabilitation of such housing shall provide equal opportunity for employment without discrimination as to race, national origin, religion, or creed The agency shall require that major contractors

submit and receive approval of an affirmative action program prior to commencement of construction. The agency shall periodically review implementation of the approved affirmative action programs.

37077. The agency may consent, subject to the provisions of any contract with noteholders or bondholders, whenever it determines it is necessary or desirable in the fulfillment of the purposes of this part, to the modification, with respect to rate of interest, time of payment, or any installment of principal or interest, or any other terms, of any mortgage, mortgage loan, mortgage loan commitment, contract or agreement of any kind to which the agency is a party.

37078 The commission shall adopt rules and regulations for the administration of this chapter.

CHAPTER 5 HOMEOWNERSHIP

37079 (a) The agency may make loans to any nonprofit corporation or limited-dividend housing corporation for the construction or rehabilitation of housing units for sale to individual purchasers of low or moderate income as provided by the agency in its rules and to any such individual purchaser for the long-term financing of a housing unit A loan under this section may be in an amount not to exceed 100 percent of the project cost as approved by the agency in the case of nonprofit corporation or individual purchaser and in an amount not to exceed 90 percent of the project cost as approved by the agency in the case of a limited-dividend housing corporation.

(b) While such loan is outstanding, any sale by the nonprofit corporation or limited-dividend housing corporation or any subsequent resale shall be subject to approval by the agency and the agency shall provide in its rules concerning such sales and resales that the price of the housing unit sold, the method of making payments thereafter, the security afforded and the interest rate, fees and charges to be paid shall at all times be sufficient to permit the agency to make the payments on its bonds and notes plus any administrative or other costs of the agency in connection with the transactions Housing units shall be sold under terms that provide for monthly payments including principal, interest, taxes and insurance

(c) While such loan is outstanding, the agency shall, prior to the approval of sale by the nonprofit corporation or limited-dividend housing corporation or any subsequent resale, satisfy itself that such sale or resale is to persons of low or moderate income

(d) Upon the sale by the nonprofit corporation or limited-dividend housing corporation of any housing unit to an individual purchaser of low or moderate income under this section to whom a loan is being made by the agency, such housing unit shall be released from the mortgage running from the nonprofit corporation or limited-dividend housing corporation to the agency and such mortgage shall be replaced as to the housing unit by a mortgage running from the individual purchaser to the agency

(e) The agency shall encourage nonprofit corporations and limited-dividend housing corporations engaged in construction or rehabilitation under this section to utilize the labor of prospective individual purchasers of low or moderate income in the construction or rehabilitation

of the housing units involved. The value of the labor of the prospective purchasers so utilized shall be used to reduce the project costs of the housing units involved.

(f) In the construction of housing units to be sold to individual purchasers of low or moderate income, the individual purchasers may be required to perform, in a manner and under conditions to be specified by the agency in its rules, a minimum number of hours of labor, and the value of such labor shall be credited to the purchase price

37079.1."

Amendment No. 22

On page 19, strike out lines 1 to 4, inclusive, and insert

"37079.2 The agency may make a commitment to finance the purchase by low- and moderate-income families of new housing units to be built for sale in a single project, pursuant to Section 37079 or 37079.1, under the following conditions.

(a) That construction will be undertaken in an economical manner, providing the buyer with an attractive home at a reasonable price with a reasonable expectation of sustained or appreciating value

(b) That if interest subsidy payments can be made available, no less than 40 percent nor more than 60 percent of the units will be offered for sale to persons and families of low or moderate income eligible for such interest subsidy payments

CHAPTER 6 RENTAL AND COOPERATIVE HOUSING".

Amendment No. 23

On page 19, strike out lines 8 and 9, and insert "HUD, to".

Amendment No. 24

On page 19, strike out line 14; and in line 15, strike out "homeownership", and insert "on a rental or cooperative".

Amendment No. 25

On page 19, strike out line 23, and insert "Chapter 7 (commencing with Section 37090). Such loans".

Amendment No. 26

On page 21, line 29, strike out "part", and insert "chapter".

Amendment No. 27

On page 22, line 17, strike out "part", and insert "chapter".

Amendment No. 28

On page 22, line 38, strike out "part", and insert "chapter".

Amendment No. 29

On page 23, strike out lines 14 to 31, inclusive.

Amendment No. 30

On page 23, line 33, strike out "6", and insert "7".

Amendment No. 31

On page 24, line 38, strike out ", but in any case" and insert "; but in any case, they".

Amendment No. 32

On page 31, after line 26, insert

"SEC 7. Section 11550 of the Government Code is amended to read:

11550. An annual salary of thirty-five thousand dollars ($35,000) shall be paid to each of the following:

(a) Director of Finance

(b) Secretary of Business and Transportation Agency

(c) Secretary of Resources Agency

(d) Secretary of ~~Human Relations~~ *Health and Welfare* Agency

(e) Secretary of Agriculture and Services Agency

(f) Director of the California Housing and Community Development Agency.

SEC 8. It is the intent of the Legislature, if Senate Bill No. 935 is chaptered, becomes operative, and amends Section 11550 of the Government Code, and this bill is chaptered after Senate Bill No 935, that Section 11550 of the Government Code, as amended by Section 1 of Senate Bill No 935, be further amended on July 1, 1973, in the form set forth in Section 7 of this act to incorporate the changes in Section 11550 of the Government Code proposed by Section 1 of this bill.

Therefore, Section 7 of this act shall become operative only if Senate Bill No 935 is chaptered before this bill, becomes operative, and amends Section 11550, and in such case Section 7 of this act shall become operative on July 1, 1973, and Section 1 of this act shall not become operative

SEC 9 Section 11556 5 is added to the Government Code, to read:

11556 5 An annual salary of twenty-five thousand dollars ($25,000) shall be paid to each member of the California Criminal Justice Board.

SEC 10 It is the intent of the Legislature, if Assembly Bill No. 375 is chaptered and amends Section 11556 of the Government Code, and this bill is chaptered after Assembly Bill No 375, that the amendments to Section 11556 proposed by Assembly Bill No 375 remain in effect during such time as Assembly Bill No 375 is operative, but not later than July 1, 1973, and that on and after that date they be given effect by incorporation in Section 11556 5 in the form set forth in Section 9 of this act, to be operative only during such time as Assembly Bill No 375 is operative Therefore, Section 9 of this act shall become operative only if this bill and Assembly Bill No. 375 are both chaptered, and Assembly Bill No 375 amends Section 11556 and is chaptered before this bill, in which case Section 9 of this act shall become operative on July 1, 1973, and be operative during such period as Assembly Bill No 375 is operative.

SEC 11 Section 11557 is added to the Government Code, to read·

11557 An annual salary of twenty-five thousand dollars ($25,000) shall be paid to each member of the Industrial Safety Review Commission

SEC 12 It is the intent of the Legislature, if Assembly Bill No 1400 is chaptered and amends Section 11556 of the Government Code, and this bill is chaptered after Assembly Bill No 1400, that the amendments to Section 11556 proposed by Assembly Bill No 1400 be given

effect by incorporation in Section 11557 in the form set forth in Section 11 of this act. Therefore, Section 11 of this act shall become operative only if this bill and Assembly Bill No 1400 are both chaptered, and Assembly Bill No 1400 amends Section 11556 and is chaptered before this bill, in which case Section 11 of this act shall become operative on July 1, 1973.

SEC. 13 Section 12800 of the Government Code is amended to read:

12800. There are in the state government the following agencies: Agriculture and Services; Business and Transportation, *Housing and Community Development;* Human Relations, and Resources.

SEC. 14. Section 12800 of the Government Code is amended to read:

12800 There are in the state government the following agencies: Agriculture and Services; Business and Transportation; ~~Human Relations~~ *Health and Welfare* ; *Housing and Community Development;* and Resources.

SEC. 15. It is the intent of the Legislature, if Senate Bill No. 935 is chaptered, becomes operative, and amends Section 12800 of the Government Code, and this bill also amends Section 12800 of the Government Code and is chaptered after Senate Bill No 935, that the amendments to Section 12800 proposed by both bills be given effect and incorporated in Section 12800 in the form set forth in Section 14 of this act. Therefore, Section 14 of this act shall become operative only if Senate Bill No. 935 is chaptered, becomes operative, and amends Section 12800, and Senate Bill No 935 is chaptered before this bill, in which case the amendments to Section 12800 proposed by Senate Bill No. 935 shall remain in effect only until July 1, 1973, and Section 13 of this act shall not become operative

SEC. 16 Section 12855 of the Government Code is amended to read:

12855. For the purposes of this chapter, "agency" means the Agriculture and Services Agency, *the Housing and Community Development Agency,* the Human Relations Agency, or the Resources Agency, and "secretary" means the secretary of any such agency, *or the Director of the Housing and Community Development Agency* The general powers of the Business and Transportation Agency and its secretary are those specified in Part 4 5 (commencing with Section 13975) of Division 3 of Title 2 of this code

SEC. 17. Section 12855 of the Government Code is amended to read:

12855. For the purposes of this chapter, "agency" means the Agriculture and Services Agency, ~~the Human Relations Agency,~~ *the Health and Welfare Agency, the Housing and Community Development Agency,* or the Resources Agency, and "secretary" means the secretary of any such agency, *or the Director of the Housing and Community Development Agency* The general powers of the Business and Transportation Agency and its secretary are those specified in Part 4 5 (commencing with Section 13975) of Division 3 of Title 2 of this code

SEC 18. It is the intent of the Legislature, if Senate Bill No 935 is chaptered, becomes operative, and amends Section 12855 of the Government Code, and this bill also amends Section 12855 of the Government Code and is chaptered after Senate Bill No 935, that the amendments to Section 12855 proposed by both bills be given effect and incorporated in Section 12855 in the form set forth in Section 17 of this act. Therefore, Section 17 of this act shall become operative only

if Senate Bill No. 935 is chaptered, becomes operative, and amends Section 12855, and Senate Bill No. 935 is chaptered before this bill, in which case the amendments to Section 12855 proposed by Senate Bill No 935 shall remain in effect only until July 1, 1973, and Section 16 of this act shall not become operative.

SEC 19. Sections 1, 2, 3, 4, 5, 6, 13, 14, 16, and 17 of this act shall become operative on July 1, 1973.

SEC. 20. Notwithstanding the order in which they are chaptered, any section of any other act enacted at the 1972 Regular Session which amends a section of the Health and Safety Code repealed by this act, or adds a section to Part 8 (commencing with Section 37000) of Division 24 of the Health and Safety Code, shall prevail over this act; provided, that the provisions of Section 37041 of the Health and Safety Code as added by Section 6 of this act shall prevail over any provision of an act chaptered before this act "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 934, 944, 1132, 1218, 1261, 1281, and 107 for hearing in the Committee on Ways and Means, on Wednesday, August 2, 1972.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 184

The Acting Speaker appointed Messrs Murphy, Foran, and McAlister as a Committee on Conference concerning Senate Bill No. 184.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 267

The Acting Speaker appointed Messrs Warren, Z'berg, and Maddy as a Committee on Conference concerning Senate Bill No. 267.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 924

The Acting Speaker appointed Messrs Moorhead, Warren, and Fenton as a Committee on Conference concerning Senate Bill No. 924.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1193

The Acting Speaker appointed Messrs Dent, McCarthy, and Crown as a Committee on Conference concerning Senate Bill No. 1193.

MESSAGES FROM THE SENATE

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Assembly Concurrent Resolution No. 88

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1454

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1419

And appointed Senators Roberti, Stiern and Nejedly, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Kennick, Zenovich and Richardson as a Committee on Conference concerning:

Assembly Bill No. 1206

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 1794

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 657	SB No 900	SB No 1497
SB No. 864	SB No. 1087	

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 657—An act to add Section 39252 3 to the Health and Safety Code, and to amend Section 4602 of, and to add Sections 4000 3 and 27156 5 to, the Vehicle Code, and to amend Section 9 of Chapter 1509 of the Statutes of 1970, relating to air pollution.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 864—An act to amend Section 39152 of, and to add Sections 39152 5 and 39152 6 to, the Health and Safety Code, relating to air pollution.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 900—An act to add Section 31720 6 to the Government Code, relating to the County Employees' Retirement Law of 1937

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1087—An act to add Section 301 3 to the Streets and Highways Code, relating to state highways.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1497—An act to add Chapter 6 (commencing with Section 2500) to Division 5 of the Education Code, relating to school district organization

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
657	Transportation
864	Transportation
900	Retirement
1087	Transportation
1497	Education

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1419

The Acting Speaker appointed Messrs. Beverly, Waxman, and Sieroty as a Committee on Conference concerning Senate Bill No. 1419

MESSAGES FROM THE SENATE

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Grunsky, Lagomarsino and Marler as a Committee on Conference concerning

Assembly Bill No. 1153

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 278	AB No 866
AB No. 584	AB No 1322

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 469
AB No. 2358

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

MOTION TO ADJOURN

Acting Speaker Fenton moved that the Assembly adjourn on this day, following receipt of Messages from the Senate and reports of committees, until 10.30 a.m., Wednesday, August 2.

Motion carried.

MESSAGES FROM THE SENATE

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 95	AB No 969	AB No 1497
AB No. 336	AB No 1212	AB No 1623
AB No. 432	AB No 1326	AB No 1786
AB No. 474	AB No 1405	AB No 1930
AB No 668	AB No 1435	AB No 1932
AB No 749	AB No 1442	AB No 1978
AB No. 798	AB No 1493	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 52	AB No 209	AB No 368
AB No. 131	AB No 272	AB No 515

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 31, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No. 301

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, August 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 684
AB No 1154
AB No. 1655

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 1, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 662

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file

Senate Chamber, August 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No 82	AB No 817	AB No 1596
AB No 244	AB No 1061	AB No. 1658
AB No. 354	AB No 1246	AB No 1951
AB No 427	AB No. 1260	AB No 2053
AB No 550	AB No 1528	AB No 2331
AB No 694		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

NOTE On August 3, 1972, the action was rescinded whereby Assembly Bill No 1246 was this day ordered enrolled See page 7148.

Senate Chamber, August 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed

AB No 31	AB No 975	AB No 1468
AB No 536	AB No 1032	AB No. 2082
AB No 592		

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 93

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, August 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted:

AJR No 6

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, August 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted·

AJR No. 35

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, August 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed·

AB No. 248	AB No 337
AB No. 257	AB No. 2315

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 821	SB No. 1345	SB No 1421
SB No. 1343	SB No. 1376	SB No 1446
SB No 1344	SB No. 1420	SCR No. 75

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, August 1, 1972

Mr. Speaker. I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1394

And appointed Senators Alquist, Bradley, and Gregorio, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

SB No 433

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 433—An act to add Section 34 8 to the Civil Code, relating to contraceptives for minors

Held at Desk by order of the Acting Speaker

COMMUNICATIONS

Assembly Chamber, August 1, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined.

Assembly Concurrent Resolution No. 88—Relative to joint committees;

And reports the same correctly enrolled, and presented to the Secretary of State on the first day of August, 1972, at 7 45 p m

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 1, 1972

Mr Speaker· Your Committee on Ways and Means reports:

SB No 90

With amendments with the recommendation· Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, August 1, 1972

Mr Speaker Your Committee on Ways and Means reports·

SB No 493

With the recommendation Do pass

BROWN, Chairman

Above bill ordered to second reading

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton

---

Senate Bill No. 90—An act to amend Sections 17301, 17303, 17303 5, 17402, 17407, 17411, 17507, 17655 5, 17656, 17660, 17664, 17665, 17665 5, 17676, 17702, 17702 2, 17706, 17910, 18102, 18102 2, 18102 4,

18102 6, 18451, 18452, and 18455 of, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, Section 18105 to, and Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, to repeal Sections 17674 and 20814 5 of, and Article 7 1 (commencing with Section 17920) of Chapter 3 of Division 14 of, and to repeal Chapter 3 5 (commencing with Section 20910) of Division 16 of the Education Code, to repeal Sections 16120, 51250, 51254, and 65570 of, and to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Sections 15616 5, 16120 and 65570 to, and to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), Chapter 4 (commencing with Section 16140), Chapter 5 (commencing with Section 16150), Chapter 6 (commencing with Section 16160), and Chapter 7 (commencing with Section 16170) to Part 1 of Division 4 of Title 2 of, the Government Code, to repeal Sections 218, 219, 2611 5, 6051, 6052 5, 6201, 6376, 7102, 7202, 7203, 10752, 11005, 17041, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 of, to add Chapter 1 5 (commencing with Section 2161) to Part 4 of Division 1 of, and to add Sections 218, 219, 401 4, 2611 5, 2611 6, 2615 4, 6051, 6052 5, 6201, 7102, 7202, 7203, 10752, 11005, 17041, 17053 5, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 to, the Revenue and Taxation Code, and to repeal Section 11450 of, and to add Sections 11006 1, 11450, and 15204 1 to, the Welfare and Institutions Code, relating to the imposition of state taxes to provide subventions to local government to compensate for property tax limitations, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 10, lines 8 and 9, of the printed bill, as amended in Assembly July 31, 1972, strike out "one hundred ninety dollars and seventy-two cents ($190 72)", and insert "two hundred five dollars and seventy-two cents ($205 72)"

Amendment No. 2

On page 12, line 1, after "attendance", insert "using in such ratios the data for the preceding year compared with the second preceding year".

Amendment No. 3

On page 13, lines 26 to 28, strike out "one hundred fifty-two dollars and seventy-two cents ($152 72)", and insert "one hundred sixty-seven dollars and seventy-two cents ($167 72)"

Amendment No. 4

On page 17, strike out lines 36 to 40, and on page 18, strike out lines 1 to 7.

Amendment No. 5

On page 25, lines 7 and 8, after "herein", insert "which does not come within the provisions of Section 17202.2".

Amendment No. 6

On page 37, line 17, after "quotient", insert "multiplied by 100".

Amendment No. 7

On page 37, line 23, after "22101.", insert "However, in no case for districts receiving equalization aid, shall the limit be reduced below one dollar ($1) on the elementary level or eighty cents ($0.80) on high school level or one dollar and eighty cents ($1.80) for unified."

Amendment No. 8

On page 35, line 3, after "quotient", insert "multiplied by 100".

Amendment No. 9

On page 35, line 9, after "22101.", insert "However, in no case for districts receiving equalization aid, shall the limit be reduced below one dollar ($1) on the elementary level or eighty cents ($0.80) on the high school level or one dollar and eighty cents ($1.80) for unified."

Amendment No. 10

On page 35, lines 34 and 35, strike out "per unit", and insert "units"

Amendment No. 11

On page 35, line 38, strike out "per unit", and insert "units"

Amendment No. 12

On page 36, line 1, after "school", insert "units of".

Amendment No. 13

On page 36, line 40, strike out "1411", and insert "14111"

Amendment No. 14

On page 37, line 1, strike out "1411", and insert "14111"

Amendment No. 15

On page 37, line 30, after "article.", insert "Income from this voted increase is not included in adjusting permitted inflation increments in subsequent years."

Amendment No. 15.5

On page 37, strike out lines 38 through 40, inclusive, and on page 38, strike out lines 1 through 3, inclusive

Amendment No. 16

On page 38 between lines 16 and 17, insert "Section 20910.5. If the electors of a district have approved an increase in the maximum tax rate of the district and if any portion of such voted increase had not been levied in any year since it had been authorized, the district may levy the unused portion of the voted increase in the maximum tax rate in 1973–74 or in any subsequent year. Such levy shall be in addition to all other tax rates authorized by this code."

Amendment No. 17

On page 38, line 21, after "1973 ", insert "The consolidation of all tax rates previously permitted and now included to the extent needed within the total general fund rate does not preclude districts from expending funds for the purposes normally supported by such permissive restricted overrides in prior years."

Amendment No. 18

On page 44, line 40, strike out "16108", and insert "16131"

Amendment No. 18.5

On page 51, strike out lines 7 through 18, inclusive, and in line 19, strike out "(b)", and insert
"(a)".

Amendment No. 19

On page 51, strike out line 20, and insert "hundred fifty-four million dollars ($454,000,000) to"

Amendment No. 20

On page 51, lines 23 and 24, strike out "thirty million dollars ($30,000,000)", and insert "forty million dollars ($40,000,000)"

Amendment No. 21

On page 51 strike out lines 25 and 26, and insert "of the educational need factor formula pursuant to Chapter 6 10 (commencing with Section 6499 230) of Division 6 of the Education Code, and plus twenty-five million dollars".

Amendment No. 22

On page 51, line 30, strike out "(c)", and insert
"(b)".

Amendment No. 23

On page 51, lines 34 and 35, strike out "thirty million dollars ($30,000,000)", and insert "forty million dollars ($40,000,000)"

Amendment No. 24

On page 52, line 1, strike out "(d)", and insert
"(c)"

Amendment No. 25

On page 52, line 9, after "Legislature", insert ", except that for 1976–77 fiscal year and for each fiscal year thereafter the amount to be transferred to fund the educational need factor formula shall be thirty million dollars ($30,000,000)
(d) The funds appropriated in this section for purposes of funding AB 1286 or SB 1302 of the 1972 Regular Session shall be expended on grades K-3 only, unless otherwise authorized by the Legislature "

Amendment No. 26

On page 58, strike out lines 10 through 13, inclusive, and insert "residence."

Amendment No. 27

On page 61, strike out lines 36 through 40, inclusive, and strike out line 1 on page 62

Amendment No. 28

On page 62, strike out lines 14 through 18, inclusive.

Amendment No. 29

On page 63, strike out lines 36 through 40, inclusive; and on page 64, strike out lines 1 through 5

Amendment No. 30

On page 66, line 10, strike out "the 1972–1973 fiscal year," and insert "either the 1971–72 or the 1972–73 fiscal year, at the option of the board of supervisors,"

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 483—An act to amend Section 69591 of the Government Code, relating to courts

Bill read second time, and ordered to third reading

ADJOURNMENT

At 10 40 p m , pursuant to a motion made earlier this day, the Assembly adjourned until 10 30 a m , Wednesday, August 2, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Eighteenth Legislative Day

Two Hundred Thirteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 2, 1972

The Assembly met at 10 30 a m.

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly. Time, 10 30 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10 52 a m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center·

Heavenly Father, More than ever before, the world needs Your peace, Your love and acute awareness of Your presence We must not regard You as one who is far away listening only when called upon, watching only when offended, present only when invited We find You in every happy moment, in every meaningful relationship, in everybody and everything which we call good Give us the ability to recognize You.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Russell then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Leroy F Greene, seconded by Mr. Vasconcellos

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness·

Mr. Briggs, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, because of legislative business elsewhere

Mr Bee, on request of Acting Speaker Fenton
Mr Cullen, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton
Mr Brown, on request of Acting Speaker Fenton
Mr. Miller, on request of Acting Speaker Fenton
Mr. Wakefield, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal·

July 31, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker Please excuse me from session on August 2 and 3, 1972, because of legislative business I will be in New Orleans, Louisiana, to attend the second meeting of the Data Processing Committee of the National Conference of State Legislative Leaders as your appointed representative

Cordially,

MIKE CULLEN, Assemblyman
Forty-fourth District

NOTE For letter explaining the absence of Mr Bee on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 1, 1972, page 6932

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read·

Assembly Chamber, August 2, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Senate Bill No. 1504—An act to amend Sections 10218, 10312, 15025, 15402 and 15711 of the Elections Code relating to elections, and declaring the urgency thereof, to take effect immediately.

JOHN VASCONCELLOS

Above request ordered transmitted to the Committee on Rules

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee

Senate Bill No	*Committee*
433	Health

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 575 for hearing in the Committee on Judiciary

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, August 2, 1972

Mr Speaker· The Chairman of your Committee on Transportation reports

SB No 659

With author's amendments with the recommendation Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 659—An act to amend Section 39177 1 of, and to add Section 39116 to, the Health and Safety Code, to amend Section 4602 of, and to add Sections 4000 4, and 4602 3 to, the Vehicle Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 24, 1972, strike out "Section", and insert "Sections 39176 1 and".

Amendment No. 2

In line 2 of the title, strike out "Section 39116", and insert "Sections 39177 5 and 39177 6".

Amendment No. 3

In line 2 of the title, after the second comma, insert "and".

Amendment No. 4

In lines 3 and 4 of the title, strike out "Section 4602 of, and to add Sections 4000 4 and 4602 3 to", and insert "Sections 4000 1, 4602, 24007, and 27156 of".

Amendment No. 5

In line 4 of the title, after the third comma, insert "making an appropriation therefor,".

Amendment No. 6

On page 2, strike out line 1, and insert

"SECTION 1 Section 39176 1 of the Health and Safety Code is amended to read

39176 1 Whenever the board requires the installation of motor vehicle pollution control devices pursuant to Section 39176, the board shall, after consultation with the Department of the California Highway Patrol and the Department of Motor Vehicles, establish, by regulations adopted at the time the board acts under Section 39176, a schedule for installation, to be not less than one year *and which schedule shall not commence prior to January 1, 1973*, and may designate counties or portions of counties in which resident owners of vehicles shall be exempt from the installation requirement

In establishing installation schedules and areas exempted from installation, the board shall consider all relevant factors, including burden of enforcement on the Department of the California Highway Patrol and the Department of Motor Vehicles, the need for rapid installation of the devices in order to preserve and protect the public health, and the existing ambient air quality in each area"

Amendment No. 7

On page 2, strike out lines 2 to 14, inclusive, strike out page 3, and on page 4, strike out lines 1 to 9, inclusive

Amendment No. 8

On page 4, line 24, after the period, insert "Such schedule shall not, however, commence prior to March 1, 1973"

Amendment No. 9

On page 5, strike out lines 13 to 24, inclusive, and in line 25, strike out "SEC. 4", and insert

"SEC 3. Section 39177.5 is added to the Health and Safety Code, to read:

(a) Notwithstanding any other provision of law, any motor vehicle which has had its vacuum spark advance disconnected, and any necessary engine adjustments made which the board may require under subdivision (b), and which has been issued a certificate of compliance pursuant to Section 40001 of the Vehicle Code, shall not be required to comply with Section 39176 or 39177.1

(b) The board, no later than December 1, 1972, shall, by regulation, specify what engine adjustments, if any, are required for vehicles which have had their vacuum spark advance disconnected, and prescribed standards for such engine adjustments.

(c) The board, no later than December 1, 1972, shall, by regulation, specify what classes or models of motor vehicles subject to Section 39176 or 39177 1 might be expected to experience operating or mechanical problems if their vacuum spark advance is disconnected and necessary engine adjustments made

(d) The Department of Motor Vehicles shall, with the concurrence of the board, provide notice to all owners of motor vehicles subject to Section 39176 or 39177.1, which shall contain, at a minimum, the following information.

(1) An indication that the motor vehicle is subject to the provisions of this article, and that a schedule for compliance has been prescribed by the board Such schedule shall be reproduced in the notice

(2) A description of all alternative means by which the motor vehicle may comply with the requirements of this article, including installation of accredited devices or disconnecting of the vacuum spark advance and making the necessary engine adjustments, and the procedures for obtaining the required certificate of compliance.

(3) A description of any operating or mechanical problems identified by the board pursuant to subdivision (c) and the classes or models of motor vehicles to which they apply

SEC 4 Section 39177 6 is added to the Health and Safety Code, to read

39177 6 This article shall apply to publicly owned motor vehicles to the same extent as privately owned vehicles, except that the board shall, by regulation, establish a schedule for compliance by such publicly owned motor vehicles

SEC 5 Section 40001 of the Vehicle Code is amended to read·

40001 (a) The department shall require, pursuant to law or regulation of the State Air Resources Board adopted pursuant to Section 39176 1 of the Health and Safety Code, upon initial registration, and upon transfer of ownership and registration, of any motor vehicle subject to Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code, a valid certificate of compliance from a licensed motor vehicle pollution control device installation and inspection station indicating that such vehicle *either (1)* is properly equipped with a motor vehicle pollution control device or devices which are in proper operating condition and which are in com-

phance with the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code, *or (2) has had its vacuum spark advance disconnected and any necessary adjustments made pursuant to Section 39177 5 of the Health and Safety Code*.

Effective February 1, 1973, with respect to new vehicles having a gross vehicle weight of 6,001 pounds or less, the department shall accept a statement completed pursuant to subdivision (b) of Section 24007 in lieu of the certificate of compliance

The provisions of this section shall not apply to a transfer of ownership and registration between husband and wife or between companies whose principal business is leasing vehicles, if there is no change in the lessee or operator of the vehicle

(b) The State Air Resources Board established under Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code may exempt designated classifications of motor vehicles from the provisions of subdivision (a) as they deem necessary, and shall notify the department of such action; provided, however, that no exemption shall be granted to those vehicles subject to the provisions of subdivision (g) of Section 39129 of the Health and Safety Code, except as provided therein.

(c) Any motor vehicle issued a certificate pursuant to subdivision (a) shall also be issued a sticker which shall indicate by which of the alternative means authorized by Article 5 (commencing with Section 39175) of Chapter 4 of Part 1 of Division 26 of the Health and Safety Code the motor vehicle has complied, and which shall be placed on the windshield within a seven-inch square as provided in Section 26708.

SEC. 6".

Amendment No. 10

On page 6, line 1, after "vehicle", insert "either (1)".

Amendment No. 11

On page 6, line 6, after "Code", insert ", or (2) has had its vacuum spark advance disconnected and any necessary adjustments made pursuant to Section 39177 5 of the Health and Safety Code".

Amendment No. 12

On page 6, between lines 14 and 15, insert

"Any vehicle issued a certificate pursuant to this subdivision shall also be issued a sticker which shall indicate by which of the alternative means authorized by Article 5 (commencing with Section 39175) of Chapter 4 of Part 1 of Division 26 of the Health and Safety Code the motor vehicle has complied, and which shall be placed on the windshield within a seven-inch square as provided in Section 26708 "

Amendment No. 13

On page 6, strike out lines 15 to 26, inclusive, and in line 27, strike out "SEC 6", and insert

"SEC 7. Section 24007 of the Vehicle Code is amended to read.

24007 (a) No dealer or person holding a retail seller's permit shall sell a new or used motor vehicle which is not in compliance with the provisions of this code and department regulations adopted pur-

suant to this code unless the vehicle is sold to another dealer or for the purpose of being wrecked or dismantled or is sold exclusively for off-highway use

(b) No dealer shall sell a new or used motor vehicle subject to the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code which is not in compliance with the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code and the rules and regulations of the State Air Resources Board, unless the vehicle is sold to another dealer or for the purpose of being wrecked or dismantled The dealer shall, with each application for initial registration of a new motor vehicle or transfer of registration of a motor vehicle subject to Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code, transmit to the Department of Motor Vehicles, a valid certificate of compliance from a licensed motor vehicle pollution control device installation and inspection station indicating that such vehicle *either (1)* is properly equipped with a certified device or devices which are in proper operating condition and which are in compliance with the provisions of Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code *or, (2) has had its vacuum spark advance disconnected and any necessary adjustments made pursuant to Section 39177 5 of the Health and Safety Code*.

Effective February 1, 1973, with respect to new vehicles having a gross vehicle weight of 6,001 pounds or less, the dealer may transmit, in lieu of such certificate of compliance, a statement, in the form approved by the commissioner, signed by the dealer indicating that the dealer has made no carburetor or ignition adjustment or other alteration or modification of the vehicle's exhaust emission control device or system.

SEC 8 Section 27156 of the Vehicle Code is amended to read:

27156 No person shall operate or leave standing upon any highway any motor vehicle which is required to be equipped with a motor vehicle pollution control device under Chapter 4 (commencing with Section 39080) of Part 1 of Division 26 of the Health and Safety Code or any other certified motor vehicle pollution control device required by any other state law or any rule or regulation adopted pursuant to such law, or required to be equipped with a motor vehicle pollution control device pursuant to the National Emissions Standards Act (42 U S C, Secs 1857f-1 to 1857f-7, inclusive) and the standards and regulations promulgated thereunder, unless the motor vehicle *either (1)* is equipped with the required motor vehicle pollution control device which is correctly installed and in operating condition *or (2) has had its vacuum spark advance disconnected and any necessary adjustments made pursuant to Section 39177 5 of the Health and Safety Code* No person shall disconnect, modify, or alter any such required device *and no person shall reconnect the vacuum spark advance of a motor vehicle which has been disconnected pursuant to Section 39177 5 of the Health and Safety Code*.

No person shall sell, offer for sale, or advertise any device, apparatus, or mechanism intended for use with, or as a part of, any required

motor vehicle pollution control device or system which alters or modifies the original design or performance of any such motor vehicle pollution control device or system.

When the court finds that a person has willfully violated this section, he shall be fined the maximum amount that may be imposed in the case, and no part of the fine may be suspended.

"Willfully," as used in this section, has the same meaning as the meaning of that word prescribed in Section 7 of the Penal Code

No person shall operate a vehicle after notice by a traffic officer that such vehicle *either (1)* is not equipped with the required certified motor vehicle pollution control device correctly installed in operating condition *or (2), with respect to a motor vehicle which has had its vacuum spark advance disconnected pursuant to Section 39177.5 of the Health and Safety Code, has had such vacuum spark advance reconnected,* except as may be necessary to return the vehicle to the residence or place of business of the owner or driver or to a garage, until the vehicle has been properly equipped with such a device

The notice to appear issued or complaint filed for a violation of this section shall require that the person to whom the notice to appear is issued or against whom the complaint is filed produce proof of correction pursuant to Section 40150

This section shall not apply to an alteration, modification, or modifying device, apparatus, or mechanism found by resolution of the State Air Resources Board either.

(1) To not reduce the effectiveness of any required motor vehicle pollution control device; or

(2) To result in emissions from any such modified or altered vehicle which are at levels which comply with existing state or federal standards for that model year of the vehicle being modified or converted

The provisions of this section apply to motor vehicles of the United States or its agencies, to the extent authorized by federal law.

SEC 9 The sum of _____ dollars ($_____) is hereby appropriated from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles to carry out the provisions of subdivision (b) of Section 39177.5 of the Health and Safety Code.

SEC 10".

Amendment No. 14

On page 6, line 34, strike out "studies and other acts by December 31", and insert "acts by December 1".

Set No. 2

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly July 24, 1972, strike out "Senator Beilenson", and insert "Senators Beilenson and Biddle".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1394

The Acting Speaker appointed Messrs Vasconcellos, Hayden, and McAlister as a Committee on Conference concerning Senate Bill No 1394.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted Acting Speaker Fenton was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the Second Day Consent Calendar for the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:55 a m , Mr Porter was granted unanimous consent to hold a special meeting of the Committee on Water in the rear of the Assembly Chamber, at this time.

REQUEST FOR UNANIMOUS CONSENT

Mr MacGillivray was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 58—An act to add Section 301 5 to the Streets and Highways Code, relating to state highways

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 58?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 253 2 of", and insert "add Section 301 5 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 301 5 is added to the Streets and Highways Code, to read

301 5 Notwithstanding Section 253 2, the California freeway and expressway system shall not include that portion of Route 1 within the City of Long Beach "

Amendment No. 3

On page 1, strike out lines 2 to 13, inclusive; and strike out page 2.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Burton, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster,

Lanterman, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 749—An act to amend Section 41500 of the Vehicle Code, relating to nonprosecution of nonfelony Vehicle Code violations

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 749?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly May 1, 1972, after the second "a", insert "pending".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Burton, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48

NOES—None

Above bill ordered enrolled

Assembly Bill No. 798—An act to add Article 1 7 (commencing with Section 25544) to Chapter 5 of Division 18 5 of the Education Code, relating to community colleges

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 798?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly April 17, 1972, after the period, insert "Nothing in this article shall be construed as granting to any auxiliary organization any power which exceeds any power of a governing board of a school district maintaining a community college"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Burton, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 969—An act to amend Sections 12007, 12082, 12101, and 12105 1 of, and to add Section 12101 5 to, the Health and Safety Code, relating to the control of explosives.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 969?

Set No. 1

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "and 12101", and insert "12101, and 12105 1".

Amendment No. 2

On page 5, between lines 21 and 22, insert

"SEC 5 Section 12105 1 of the Health and Safety Code is amended to read:

12105 1 Except in a case in which the issuing authority determines that the explosives are necessary because of an emergency involving a danger to persons or property, no permit shall *normally* be issued until one week has elapsed after application is made *If the applicant gives evidence that he has previously been issued an explosives permit pursuant to this part and if the legitimacy of the purpose for which the current application is made is clearly apparent to the issuing authority, the issuing authority may in his discretion issue a permit before one week has elapsed* If no affirmative action is taken on the application within 14 days after the application is made, the issuing authority shall explain the cause for such delay to the applicant"

Set No. 2

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly June 19, 1972, strike out "18", and insert "21".

Amendment No. 2

On page 2, after line 24, insert

"The reference to "under 21 years of age" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Monagan, Moorhead, Porter, Priolo, Russell, Seeley, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—45

NOES—Davis, Ketchum, Lewis, Murphy, and Townsend—5.

Above bill ordered enrolled

Assembly Bill No. 4—An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 4?

Senate Amendments of May 22, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly April 18, 1972, strike out lines 11 to 16, inclusive and insert

"14217. Where there is a substantial number of persons whose native language is other than English, the county clerk shall recruit through notices in the media, including newspapers, radio, television and any other communication media available in such languages, election officials literate in one such language and in English. The clerk shall appoint from those who apply at least one election official for each precinct where there are a substantial number of qualified voters whose native language is other than English. Officials so appointed shall be available to assist voters who are not literate in English."

Senate Amendments of June 1, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate May 22, 1972, between lines 29 and 30, insert

"At least 14 days before an election, the clerk shall prepare and make available to the public a list of officials appointed pursuant to this section, the precincts to which they were appointed, and the language or languages other than English for which they were appointed."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Bagley, Barnes, Belotti, Beverly, Brathwaite, Burton, Chacon, Cory, Davis, Deddeh, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Pierson, Porter, Priolo, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—43.

NOES—Badham, Burke, Collier, Conrad, Dent, Hayes, Ketchum, Lancaster, Moorhead, and Russell—10.

Above bill ordered enrolled.

Assembly Bill No. 1212—An act to add Section 11823.1 to the Education Code, relating to health examinations and treatment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1212?

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly June 27, 1972, strike out ", optometrist, podiatrist".

Amendment No. 2

On page 2, lines 25 and 26, strike out "of the Education Code".

Amendment No. 3

On page 2, after line 26, insert

"This section is applicable only to a school district with an average daily attendance in excess of 400,000."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1326—An act to add Section 13557.5 to the Education Code, relating to school officers and employees.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1326?

Senate Amendments of July 12, 1972

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly June 15, 1972, after "board", insert ", and the entity or person has failed to exercise reasonable care under the circumstances".

Senate Amendments of July 31, 1972

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Senate July 12, 1972, strike out "or".

Amendment No. 2

On page 2, line 14, after "liability", insert "or has failed to exercise reasonable care under the circumstances".

Amendment No. 3

On page 2, line 19, strike out ", and the entity or"; and strike out line 20, and in line 21, strike out "circumstances".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stull, Thomas, Townsend, Vas-

concellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1405—An act to amend Section 673 of the Insurance Code, relating to premium financing

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1405?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 29000 of the Financial Code, and to".

Amendment No. 2

On page 1, strike out lines 1 to 8, inclusive; on page 2, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC. 2", and insert "SECTION 1".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1435—An act to amend Section 11546 of the Business and Professions Code, relating to division of lands

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1435?

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Assembly June 19, 1972, insert

"(Coauthor Senator Lagomarsino)".

Amendment No. 2

On page 3, after line 5, insert

"SEC 2. Section 11546 of the Business and Professions Code is amended to read:

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, *or parcel map for a division of land not defined as a subdivision,* provided that:

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not defined as a subdivision*.

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a subdivision* to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision *or division of land not defined as a subdivision*

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*.

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

The provisions of this section do not apply to industrial subdivisions *or to divisions of land for industrial purposes which divisions are not defined as subdivisions*

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section

SEC 3 Section 11546 of the Business and Professions Code is amended to read

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, provided that:

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision

(b) The ordinance includes definite standards for determining the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less

The provisions of this section do not apply to industrial subdivisions - *; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added*

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein.

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section.

SEC. 4. Section 11546 of the Business and Professions Code is amended to read.

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, *or parcel map for a division of land not defined as a subdivision*, provided that

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not defined as a subdivision*

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a subdivision* to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*.

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

The provisions of this section do not apply to industrial subdivisions *or to divisions of land for industrial purposes which divisions are not defined as subdivisions; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added.*

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section.

SEC. 5 It is the intent of the Legislature that if this bill and Assembly Bill No 376 or Assembly Bill No 1363, or both, are chaptered and amend Section 11546 of the Business and Professions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows·

(a) If this bill and Assembly Bill No 376 are both chaptered and amend Section 11546 of the Business and Professions Code, but Assembly Bill No 1363 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 376, the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 2 of this act Therefore, if Assembly Bill No 376 is chaptered before this bill and both bills amend Section 11546 and Assembly Bill No 1363 is not chaptered or as chaptered does not amend that section, Section 2 of this act shall be operative and Sections 1, 3 and 4 of this act shall not become operative

(b) If this bill and Assembly Bill No 1363 are both chaptered and amend Section 11546 of the Business and Professions Code, but Assembly Bill No 376 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 1363, the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 3 of this act. Therefore, if Assembly Bill No 1363 is chaptered before this bill and

both bills amend Section 11546, and Assembly Bill No 376 is not chaptered or as chaptered does not amend that section, Section 3 shall be operative and Sections 1, 2 and 4 of this act shall not become operative

(c) If this bill and Assembly Bill No 376 and Assembly Bill No 1363 are all chaptered, and all three bills amend Section 11546 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 376 and Assembly Bill No 1363 the amendments proposed by all three bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 4 of this act Therefore, if Assembly Bill No 376 and Assembly Bill No 1363 are both chaptered before this bill and all three bills amend Section 11546 of the Business and Professions Code, Section 4 of this act shall be operative and Sections 1, 2 and 3 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1442—An act to amend Section 190 of, and to add Section 190 5 to, the Streets and Highways Code, relating to grade separation projects.

The question being · Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1442?

Amendment No. 1

On page 5, after line 24, of the printed bill, as amended in Assembly May 9, 1972, insert

"SEC 3 Section 190 of the Streets and Highways Code is amended to read.

190 In each annual budget report prepared by the commission and the department under Section 143 1, commencing with the 1972–1973 fiscal year, the sum of ten million dollars ($10,000,000) shall be set aside for allocations to grade separation projects, including the elimination of existing or proposed grade crossings, the elimination of grade crossings by removal or relocation of streets or railroad tracks, and the alteration or reconstruction of existing grade separations, of separations of grade districts, cities, cities and counties, and counties on county roads or city streets as provided in Sections 189 to 191, inclusive

An allocation shall be made of ~~one-half~~ *two-thirds* of the estimated cost, after deducting therefrom any contribution to be made by the

railroad corporations involved, towards any project which qualifies therefor under the provisions of those sections, except that in no event shall allocations be made to projects for the alteration or reconstruction of grade separations unless the affected railroad or railroads have agreed, or have been required by decision of the Public Utilities Commission, to contribute not less than 10 percent of the cost of such alteration or reconstruction project. In no event shall an allocation for a project effecting the elimination of grade crossings by removal or relocation of streets or railroad tracks be in excess of the estimated allocation that would otherwise be made for the construction of grade separation facilities on the existing alignment of the street and railroad tracks ~~and result in the removal or relocation of more than 6,000 feet of railroad tracks~~

An allocation shall be made only when the affected local agency or agencies furnish evidence to the department that all necessary orders of the Public Utilities Commission have been obtained, that all necessary agreements with affected railroad or railroads have been executed, that sufficient funds from the local agency or agencies are available and that all other matters prerequisite to awarding the construction contract within a period of six months have been or can be taken care of within that time

To the extent funds are available, where the local agency has signed a construction contract for a project for which an allocation has been made, the department shall transfer the allocation to the local agency within 15 days of receiving written notification of such signing

Funds of a local agency shall be deemed available for purposes of this section to the extent of the amount of any general obligation bonds authorized but unsold if all proceedings prior to the issuance and sale of the bonds have been validly taken and if the bonds may be validly issued and sold by the local agency at any time, even though at the time of allocation under this section the bonds have not been issued or sold. Where such bond proceedings have been taken, if the bonds are not issued and sold within six months after the time of such allocation, the commission may order the allocation canceled, and shall thereupon revert the amount thereof to the fund set aside by this section, for reallocation to another eligible project.

In any event, regardless of the method proposed by the local agency for the financing of its share of the project cost, if after an allocation has been made, the construction contract has not been awarded within one year, the commission may order the allocation canceled and the funds allocated shall revert to the fund set aside by this section.

In financing its share of the project cost, the local agency may use any funds available to it. Notwithstanding any other provision of law, when the local agency uses funds derived from the TOPICS Program, pursuant to Chapter 6 (commencing with Section 2300) of Division 3 ~~of the Streets and Highways Code~~ in financing its share of the project cost, the allocation to be made pursuant to this section shall be computed as though such local agency contribution was derived from nonfederal sources and shall be computed as though the railroad had made its contribution pursuant to state law rather than pursuant to federal law.

The department and the commission may make allocations from a succeeding fiscal year's sum set aside for purposes of this section on and after January 1st preceding the beginning of such fiscal year Engineering, right-of-way acquired for the project and utility relocation costs expended by a local agency or agencies prior to an allocation of funds for a project shall be included in the total cost thereof, even though expended prior to an allocation of state funds

The first five million dollars ($5,000,000) of the fund set aside by this section each fiscal year shall be available for allocation and expenditure without regard to fiscal year.

The department and the commission shall revert as of October 1st of each fiscal year any unallocated amount of the balance of the annual sum of ten million dollars ($10,000,000) set aside by this section for that fiscal year Any other funds that may be set aside for the purposes of this section shall be allocated prior to the allocation of the above ten million dollars ($10,000,000) and shall be available for allocation and expenditure without regard to fiscal years.

A local agency that furnishes evidence to the department that it has complied with all requirements for an allocation pursuant to this section may, if it has sufficient funds available for that purpose, proceed with the advertising for bids and the construction without prejudice to its right to receive an allocation if an allocation becomes available for that local agency before the termination of the priority list established for the year during which the construction commenced

Such project may be constructed by the local agency or agencies concerned, or, by agreement between the local agency or agencies and the department, the department may acquire the necessary rights-of-way in the name of the local agency or agencies, execute agreements with railroad corporations, present necessary applications to the Public Utilities Commission and perform all other acts to complete the project Construction work by the department shall be subject to the State Contract Act. Agreements between the department and local agencies are authorized relative to the handling and accounting of funds, including the making of advancements thereof so as to permit prompt payment for the work accomplished, and relative to any other phase of the work

In the event the actual cost is less than that estimated, the allocation shall be reduced accordingly If, after completion of the project, the actual cost exceeds that estimated, the allocation may be increased proportionately by the department and the commission If more projects comply with the requirements hereof than can be financed from the fund set aside by this section, allocations shall be made only to those highest on the priority list submitted by the Public Utilities Commission, except for those allocations made for projects which exceed the estimated costs. Allocations to specific projects by the department shall remain available until expended As used in this section, "local agency" includes a separation of grade district, as well as a city, city and county, or county.

SEC 4 It is the intent of the Legislature, if this bill and Senate Bill No 544 are both chaptered and amend Section 190 of the Streets and Highways Code, and this bill is chaptered after Senate Bill No. 544, that the amendments to Section 190 proposed by both bills be

given effect and incorporated in Section 190 in the form set forth in Section 3 of this act Therefore, Section 3 of this act shall become operative only if this bill and Senate Bill No 544 are both chaptered, both amend Section 190, and Senate Bill No 544 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 864 and 1087 for hearing in the Committee on Transportation, on Thursday, August 3

COMMITTEE MEETINGS CANCELED

Acting Speaker Fenton announced that the meetings of the Committees on Finance and Insurance and Elections and Reapportionment scheduled for today had been canceled

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1493—An act to amend Sections 10500, 10503, 10504, 10521, and 10528 of, and to repeal Section 10520 of, the Government Code, relating to the Joint Legislative Audit Committee

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1493?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 10, 1972, after "Sections", insert "10500,".

Amendment No. 2

On page 1, line 1, after "SECTION 1 ", insert "Section 10500 of the Government Code is amended to read

10500 The Legislature finds that auditing is now conducted by various state agencies and recognizes the needs of the executive branch of the state government for periodic and special audits of the revenues

and expenditures of any state agency, and the accounting and fiscal reporting systems established in state agencies, as a means of insuring the proper and lawful expenditure of state funds The Legislature, also, recognizes the necessity of an independent audit, in addition to the audit conducted within the executive branch of state government, for the use of both the executive and legislative branches of the state government in establishing a sound fiscal and administrative policy for the government of the state

Therefore it is the desire of this Legislature that the internal auditing be coordinated in the executive branch of the government in the interest of economy and efficiency It is also the desire of the Legislature to create the Office of the Auditor General, whose primary duties shall be to examine and report annually upon the financial statements prepared by the executive branch of the state and to perform such other related assignments , *including performance audits*, as may be requested by the Legislature The authority of the office under the direction of the Joint Legislative Audit Committee is confined to examining and reporting and is in no way to interfere with adequate internal audit to be conducted by the executive branch of the government.

SEC 1 5 ''

Amendment No. 3

On page 3, line 24, after ''investigations'', insert '', including performance audits,''.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg and Mr Speaker—59

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1497—An act to amend Sections 901, 903, 2811 and 2892.5 of the Business and Professions Code, relating to health occupations.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1497?

Senate Amendments of June 12, 1972

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly April 27, 1972, strike out ''four'', and insert ''six''

Amendment No. 2

On page 2, strike out lines 13 to 16, inclusive, and insert

"(a) One administrator of a licensed hospital

(b) Two registered nurses

(c) Two licensed vocational nurses.

(d) One public member."

Senate Amendments of June 20, 1972

Amendment No. 1

On page 2, line 28, of the printed bill, as amended in Senate June 12, 1972, strike out "member", and insert "members".

Amendment No. 2

On page 4, strike out lines 9 to 40, inclusive; and strike out page 5; and on page 6, strike out lines 1 and 2, and insert

"SEC 3. Section 2811 of the Business and Professions Code is amended to read:

2811 (a) Each person holding a regular renewable license under this chapter shall apply for a renewal of his license and pay the biennial renewal fee required by this chapter each two years on or before the last day of the month following the month in which his birthday occurs, beginning with the second birthday following the date on which the license was issued, whereupon the board shall renew the license.

Each such license not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the biennial renewal fee and penalty fee required by this chapter and upon submission of such proof of the applicant's qualifications as may be required by the board, except that during such eight-year period no examination shall be required as a condition for the reinstatement of any such expired license which has lapsed solely by reason of nonpayment of the renewal fee After the expiration of such eight-year period the board may require as a condition of reinstatement that the applicant pass such examination as it deems necessary to determine his present fitness to resume the practice of professional nursing.

(b) After January 1, ~~1975~~ *1976*, the board shall require, as a condition to the renewal of such license granted pursuant to the provisions of this chapter, that the holder thereof submit proof satisfactory to the board that, during the preceding two-year period, he has informed himself of developments in the registered nurse field occurring since the issuance of his certificate, or the last renewal thereof, whichever last occurred, either by pursuing an approved course or courses of continuing education in the registered nurse field or by other means deemed equivalent by the board In lieu of submitting such proof, the licenseholder, if he so desires, may take and successfully complete an examination given by the board designed to test his knowledge of developments occurring in the registered nurse field since the issuance of his license, or the last renewal thereof, whichever last occurred

Whenever a license has lapsed because of failure to comply with this subdivision, ~~it~~ *the board shall notify the licensee of all courses,*

examinations, and other equivalent means which in the opinion of the board would bring the licensee into compliance with this subdivision if completed. Such license may be reinstated, without time limit, upon proof satisfactory to the board that the licensee has informed himself of current developments in the registered nurse field since the issuance of his certificate, or the last renewal thereof, whichever last occurred, either by the successful completion of a refresher course or by other means deemed equivalent by the board, *including any means specified in the notice to the licensee,* and by payment of fees as provided in Section 2815

(c) The board shall accept as evidence of current knowledge, meeting the requirements of subdivision (b) of this section, but shall not necessarily be limited thereto, the successful completion of a course or courses of continuing education in the registered nurse field which has been approved for this purpose by the department under standards established by the Council on Continuing Education for the Health Occupations, and as provided for in Chapter 1 5 (commencing with Section 900) of this division.

(d) The board may, by regulation, provide for temporary exemption from the provisions of subdivision (b) of this section in the case of licensees serving in overseas military service, and in other special circumstances wherein compliance would, in the board's opinion, constitute an unreasonable hardship for the licensees.

(e) This section shall not apply to licensees during the first two years immediately following their graduation from nursing school "

Amendment No. 3

On page 6, line 35, after "licensee", insert a comma.

Senate Amendments of June 29, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 20, 1972, strike out lines 21 to 23, inclusive, and insert "two members shall serve for a term ending June 30, 1974, two for a term ending June 30, 1975, and two for a term ending June 30, 1976."

Amendment No. 2

On page 3, line 21, strike out "1974", and insert "1975".

Amendment No. 3

On page 6, line 25, strike out "1976", and insert "1977".

Amendment No. 4

On page 7, line 39, strike out "1976", and insert "1977".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell,

Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1623—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure, relating to claim and delivery, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1623?

Set No. 1

Amendment No. 1

On page 5, line 20, of the printed bill, as amended in Assembly June 29, 1972, after "custody," insert "either by removing the property to a place of safekeeping or, upon good cause shown, by installing a keeper,"

Set No. 2

Amendment No. 1

On page 3, line 23, of the printed bill, as amended in Assembly June 29, 1972, strike out "459", and insert "447".

Amendment No. 2

On page 3, line 38, strike out "said", and insert "such".

Amendment No. 3

On page 5, line 18, strike out "must", and insert "shall".

Amendment No. 4

On page 5, line 28, strike out "must", and insert "shall".

Amendment No. 5

On page 6, line 3, strike out "must", and insert "shall"

Amendment No. 6

On page 7, line 6, strike out "must", and insert "shall".

Amendment No. 7

On page 7, line 17, strike out "must", and insert "shall".

Amendment No. 8

On page 7, line 29, strike out "must", and insert "shall"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell,

Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1786—An act to amend Sections 8496 and 8843, of, and to add and repeal Section 8836 7 of, the Fish and Game Code, relating to fishing.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1786?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 20, 1972, after "of", insert ", and to add and repeal Section 8836 7 of,".

Amendment No. 2

On page 2, between lines 13 and 14, insert

"SEC 2 Section 8836 7 is added to the Fish and Game Code, to read

8836 7. Notwithstanding the provisions of Sections 8833 and 8836, trawl nets with meshes which are not less than 4½ inches in length may be used in those portions of Districts 18, 19, and 118 5 between a line running due west from Point Arguello and a line running due south from Point Mugu in waters of 25 fathoms deep or greater, however in no case in waters less than one nautical mile from the nearest point of land on the mainland shore.

This section shall remain in effect only until the 61st day after the final adjournment of the 1975 Regular Session of the Legislature, and as of that date is repealed "

Amendment No. 3

On page 2, line 14, strike out "SEC 2", and insert

"SEC 3"

Amendment No. 4

On page 2, line 18, strike out ", or within", and strike out lines 19 and 20, and insert "between a line running due west (270°"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1932—An act to amend Section 14104 3 of the Welfare and Institutions Code, relating to health care services.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1932?

Amendment No. 1

On page 2 of the printed bill, strike out lines 23 to 33, inclusive, and insert

"3 Bills for service under this chapter shall be reviewed and payment or rejection made within 30 days from receipt of evidence establishing validity of the bill for payment in the office of the paying agency If it is determined by the paying agency that additional evidence of validity is required, such evidence shall be requested within 30 days from the date the bill is received in the office of the paying agency In any event, notice shall be given in 60 days from the date the bill is received concerning the status of the bill submitted if such bill is held for peer review in the office of the paying agency beyond 30 days "

The roll was called and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1544—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1544?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly June 22, 1972, strike out "the United States", and insert "this state".

Amendment No. 2

On page 2, line 23, after the second "and", insert "comprehensive".

Amendment No. 3

On page 2, line 24, after the period, insert "Prior to commencing an internship as specified in subdivision (c), if required, an applicant shall have first passed the written examination prescribed by such Article 10 "

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote

AYES—Duffy, LaCoste, and Lanterman—3

NOES—Arnett, Badham, Bagley, Beverly, Brathwaite, Burke, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Fong, Gonsalves, Hayden, Hayes, Ketchum, Keysor, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Monagan, Moorhead, Porter, Russell, Sieroty, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—38.

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1794?

Amendment No. 1

In line 4 of the heading of the printed bill, as amended in Assembly May 31, 1972, strike out "and Rodda", and insert "Rodda, and Moscone".

Amendment No. 2

In line 3 of the title, after "program", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, lines 31 and 32, strike out ": a ", and insert "requirements:
(a)".

Amendment No. 4

On page 2, line 34, strike out "b.", and insert
"(b)".

Amendment No. 5

On page 2, line 36, strike out "c ", and insert
"(c)".

Amendment No. 6

On page 3, line 4, strike out "d ", and insert
"(d)".

Amendment No. 7

On page 3, line 13, strike out "e.", and insert
"(e)".

Amendment No. 8

On page 3, line 17, after "Education", insert ", or approved by the Department of Education".

Amendment No. 9

On page 3, line 22, strike out "f ", and insert
"(f)".

Amendment No. 10

On page 3, line 25, strike out "g ", and insert
"(g)".

Amendment No. 11

On page 4, line 6, strike out "(500)", and insert "500".

Amendment No. 12

On page 5, after line 21, insert
"SEC 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

This act establishes an occupational education and training grant pilot program with grants to be available in the 1973–74 fiscal year and for the three fiscal years thereafter. A substantial period of time is required prior to the 1973–74 fiscal year for administrative preparation, for the making of such grants for that fiscal year. The great uncertainty with respect to when ordinary statutes enacted at the 1972 Regular Session of the Legislature will become effective raises the strong possibility that this vital program could be severely jeopardized by insufficient preparation time if it were embodied in an ordinary statute Thus, in order to ensure that sufficient time may be available for the preparation necessary for the proper implementation of the grant program established by this act, it is necessary that this act take effect immediately."

Urgency Clause

Urgency clause read; and adopted by the following vote-

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, La Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63

NOES—None.

The question being- Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1794?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote-

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, La Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63

NOES—None

Above bill ordered enrolled.

NOTE On August 3, 1972, the action was rescinded whereby the Assembly on this day adopted the urgency clause to Assembly Bill No 1794, and concurred in the Senate amendments to the bill, and whereby the bill was ordered enrolled See pages 7146–7148

Assembly Bill No. 278—An act to add Sections 301 1 and 407 1 to the Streets and Highways Code, relating to state highways.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 278?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 1, 1972, strike out "amend Section 253 1 of, and to add Section 301.1 to," and insert "add Sections 301 1 and 407 1 to".

Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive, and on page 2, strike out lines 1 to 9, inclusive; and in line 10, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 3

On page 2, after line 14, insert

"SEC 2. Section 407.1 is added to the Streets and Highways Code, to read:

407 1. Notwithstanding Section 253 1, the California freeway and expressway system shall not include any portion of Route 107 "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 584—An act to add Section 425.1 to the Streets and Highways Code, relating to state highways

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 584?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 253 1 and 253 6 of", and insert "add Section 425.1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 425.1 is added to the Streets and Highways Code, to read.

425 1. Notwithstanding Section 253 1, the California freeway and expressway system shall not include that portion of Route 125 from Route 75 near Brown Field to Route 54."

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Con-

rad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—Stull—1.

Above bill ordered enrolled.

Assembly Bill No. 866—An act to amend Sections 5076, 6518, 6561, and 6905 of the Financial Code, relating to savings and loan associations

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 866?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6518 and 6561", and insert "5076, 6518, 6561, and 6905".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 5076 of the Financial Code is amended to read:

5076 "Statutory net worth" means ~~any one, or~~ the sum of ~~any of~~ the following.

(a) Issued and outstanding guarantee stock

(b) Paid-in surplus

(c) Undivided profits

(d) Pledged shares of a mutual association with the approval of the commissioner.

(e) General reserves and other amounts as the commissioner prescribes

SEC. 2 Section 6518 of the Financial Code is".

Amendment No. 3

On page 2, line 1, strike out "all", and insert "any class of".

Amendment No. 4

On page 2, line 3, strike out "SEC. 2 ", and insert

"SEC 3 "

Amendment No. 5

On page 2, line 11, strike out "all", and insert "any class of".

Amendment No. 6

On page 2, after line 12, insert

"SEC 4 Section 6905 of the Financial Code is amended to read·

6905 Each association's stock, surplus, undivided profits and reserves, for the purpose of this article, shall consist of ~~any one, or~~ the sum of ~~any of~~ the following

(a) Issued and outstanding guarantee stock.

(b) Surplus

(c) Undivided profits

(d) Loan reserve, federal insurance reserve and reserve for bad debts.

(e) Other reserves as the commissioner prescribes ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1322—An act to add Section 301.4 to the Streets and Highways Code, relating to state highways

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1322?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 24, 1972, strike out "amend Section 253 2 of", and insert "add Section 301.4 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 301.4 is added to the Streets and Highways Code, to read:

301.4 Notwithstanding Section 253 2, the California freeway and expressway system shall not include that portion of Route 1 within the City of Newport Beach."

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive; and strike out pages 2 and 3

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Bagley, Beverly, Brathwaite, Burton, Chacon, Chappie, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—Burke—1.

Above bill ordered enrolled.

Assembly Bill No. 301—An act to amend Section 21151 of, and to add Sections 21152 and 21153 to, the Public Resources Code, relating to environmental quality.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 301?

Senate Amendments of June 28, 1972

Set No. 1

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly April 5, 1972, after "all", insert "special".

Amendment No. 2

On page 2, line 15, after the period, insert "Notwithstanding any other provisions of law, "special district," as used in this subdivision, includes, but is not limited to, districts with elected or appointed boards of directors, districts with county boards of supervisors acting ex officio as the district board of directors, county service areas, county improvement districts, and county assessment districts."

Set No. 2

Amendment No. 1

On page 3, line 18, of the printed bill, as amended in Assembly April 5, 1972, after "shall", insert ", if the project involves sewerage, sewer, or waste water facilities,".

Senate Amendments of July 17, 1972

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in Senate June 28, 1972, strike out ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 3, line 19, strike out "At the time of such final determination at the"; strike out lines 20 to 24, inclusive, and in line 25, strike out "Section 5203 5 of the Elections Code "

Amendment No. 3

On page 3, lines 26 and 27, strike out "may include in its determination any area outside its jurisdiction", and insert "shall determine the area".

Amendment No. 4

Strike out page 4

Senate Amendments of July 25, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 17, 1972, between lines 14 and 15, insert

"21153 (a) The legislative body of the local governmental agency, which is required to submit an environmental impact statement under the provisions of subdivision (b) of Section 21151, shall make the determination of the boundaries of the area affected by the project

(b) The legislative body shall give reasonable notice of the hearing at which such determination is to be made "

Amendment No. 2

On page 3, strike out lines 15 to 40, inclusive, and strike out page 4

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burton, Chacon, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Chappie, Ray E Johnson, Lewis, Mobley, and Stull—5

Above bill ordered enrolled.

Assembly Bill No. 52—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 52?

Senate Amendments of July 13, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly April 10, 1972, strike out lines 1 to 4, inclusive, and insert "such duties result in the member being assaulted by a prisoner or his accomplice, he shall become entitled,"

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 13, 1972, strike out lines 6 and 7, and insert "such duties are related to the making of an arrest or the transportation of a prisoner, or when such duties result in the member being assaulted in or about any alcoholic beverage licensed premises, he shall become entitled,"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Deddeh and Foran—2

Above bill ordered enrolled

Assembly Bill No. 131—An act to add Section 32103 of, and to repeal Section 32103 of, the Revenue and Taxation Code, relating to alcoholic beverages

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 131?

Senate Amendments of May 30, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 6, 1972, strike out "Section 32103 of", and insert "Sections 32102 and 32103 of, and to add Section 32103 1 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 32102 of the Revenue and Taxation Code is amended to read

32102 ~~Every~~ *Subject to the provisions of Section 32103 1, every* taxpayer shall file with the board, in such form as the board prescribes, a bond or bonds executed by him as principal and a corporation such as is mentioned in Section 1056 of the Code of Civil Procedure in this state as surety, payable to the people of the State of California, conditioned upon the payment of all taxes, penalties, and other obligations of the taxpayer arising under this part

SEC 2. Section 32103 of the Revenue and"

Amendment No. 3

On page 1, line 3, after "Subject", insert "to the provisions of Section 32103 1 and"

Amendment No. 4

On page 2, line 5, strike out "or fifty thousand dollars"; and in line 6, strike out "($50,000), whichever amount is smaller"

Amendment No. 5

On page 2, after line 22, insert

"SEC 3 Section 32103 1 is added to the Revenue and Taxation Code to read

32103 1 (a) Two or more taxpayers may collectively file with the board, in such form as the board may prescribe, a bond or bonds executed by them as principals and a corporation pursuant to Section 1056 of the Code of Civil Procedure in this state as security, payable to the people of the State of California, conditioned upon the payment of all taxes, penalties, and other obligations of each taxpayer arising under this part

(b) The amount of the collective bond shall be established by the board but in no event shall it be less than one million dollars ($1,000,000) or more than one million five hundred thousand dollars ($1,500,000) "

Senate Amendments of June 23, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 30, 1972, strike out "amend Sections 32102 and"; and strike out line 2, and insert "add Section 32103 of, and to repeal Section 32103 of, the"

Amendment No. 2

On page 1, strike out line 2, and insert

"SECTION 1 Section 32103 of the Revenue and Taxation Code is repealed

~~32102. Subject to the limitations provided in this article, the board shall fix the total amount of the bond or bonds required of any taxpayer and may increase or reduce the amount at any time. In fixing the total amount, the board shall require a bond or bonds equivalent in total amount to twice the taxpayer's estimated monthly tax ascertained in such manner as the board may deem proper. The total amount of the bond or bonds required of any taxpayer shall never be less than five hundred dollars ($500).~~

SEC. 2 Section 32103 is added to the Revenue and Taxation Code, to read:

32103. Subject to the limitations provided in this article, the board shall fix the total amount of the bond or bonds required of any taxpayer and may increase or reduce the amount at any time In fixing the total amount, the board may set an amount which is not less than five hundred dollars ($500) and not more than twice the taxpayer's estimated monthly tax ascertained in such manner as the board may deem proper ''

Amendment No. 3

On page 1, strike out line 3; and strike out page 2

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58

NOES—None

Above bill ordered enrolled

Assembly Bill No. 272—An act to add Section 7503 to the Education Code, relating to educational programs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 272?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "programs, activities, or to otherwise act in any manner", and insert "educational program, as defined in Section 7552,"

Amendment No. 2

On page 1, line 9, strike out "____", and insert "26".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E.

Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Priolo, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Chappie and Stull—2

Above bill ordered enrolled.

Assembly Bill No. 368—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of the Youth Authority, and making an appropriation therefor.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 368?

Senate Amendments of June 28, 1972

Amendment No. 1

On page 3, line 17, of the printed bill, as amended in Assembly April 6, 1972, strike out "and", and insert "with the approval of".

Amendment No. 2

On page 3, line 18, strike out "shall", and insert "may".

Amendment No. 3

On page 3, line 19, strike out "a percentage increase in the per"; strike out lines 20 to 26, inclusive; in line 27, strike out "When", and insert "changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if".

Amendment No. 4

On page 3, line 29, strike out "However, payments made to counties", and strike out lines 30 to 32, inclusive.

Amendment No. 5

On page 5, strike out lines 38 to 40, inclusive, and on page 6, strike out line 1, and insert

"(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–73 fiscal year to be distributed pursuant to the table below To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual Commitment Rate Per 100,000 Pop.	Amount Per Commitment
0 5– 5 4	$481
5 5–10 4	454
10 5–15 4	426
15 5–20.4	399

Actual Commitment Rate Per 100,000 Pop.	Amount Per Commitment
20.5–25.4	373
25 5–30 4	345
30 5–35 4	318
35.5–40 4	290
40 5–45 4	263
45 5–50 4	237
50 5–55.4	209
55 5–60.4	182
60.5–65 4	154
65 5–70.4	127
70 5–75 4	101
75 5–80.4	73

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors.

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data. Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above.

The provisions of this subdivision shall be terminated on June 30, 1974

SEC 2 Section 1825 of the Welfare and Institutions Code is amended to read:

1825. (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963. The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100 The number of commitments shall be the total of the new commitments to the custody of the Director of

the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year. Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203 03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c)

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number" The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1) The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100 000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2.535	2,420	2.350	2.320
5 percent	3,430	2,910	2,665	2.525	2,435	2.400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2 935	2,735	2 610	2.560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3.820	3,335	3,055	2.870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960

Percent of decrease from base rate	40–49	50–59	60–69	70–79	80–89	90–100
	100,000	100,000	100,000	100,000	100,000	100,000
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate. Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alterna-

tive proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972-73 fiscal year to be distributed pursuant to the table below To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 33, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual Commitment Rate Per 100,000 Pop.	*Amount Per Commitment*
0 5- 5 4	*$481*
5 5-10 4	*454*
10 5-15 4	*426*
15 5-20 4	*399*
20 5-25 4	*373*
25 5-30 4	*345*
30 5-35.4	*318*
35 5-40.4	*290*
40 5-45 4	*263*
45 5-50 4	*237*
50 5-55 4	*209*
55.5-60 4	*182*
60 5-65 4	*154*
65 5-70 4	*127*
70 5-75 4	*101*
75 5-80 4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors.

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972-73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above.

The provisions of this subdivision shall be terminated on June 30, 1974.

SEC. 3 Section 1825 of the Welfare and Institutions Code is amended to read:

1825 (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963. The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825 7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100. The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203 03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c)

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number " The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1) The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision.

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3,335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of

the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned.

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code.

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer. In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate.

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972-73 fiscal year to be distributed pursuant to the table below. To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual Commitment Rate Per 100,000 Pop	*Amount Per Commitment*
0.5- 5.4	*$481*
5.5-10.4	*454*
10 5-15.4	*426*
15 5-20 4	*399*
20 5-25.4	*373*
25.5-30.4	*345*
30.5-35.4	*318*
35 5-40.4	*290*
40.5-45 4	*263*
45 5-50.4	*237*
50 5-55.4	*209*
55 5-60 4	*182*
60.5-65.4	*154*
65.5-70.4	*127*
70 5-75.4	*101*
75.5-80.4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance. Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above

The provisions of this subdivision shall be terminated on June 30, 1974

SEC 4. Section 1825 of the Welfare and Institutions Code is amended to read·

1825 (a) No county shall be entitled to receive any state funds provided by this article until its application is approved and unless and until the minimum standards prescribed by the Department of the Youth Authority are complied with and then only on such terms as are set forth hereafter in this section.

(b) A commitment rate for each county and for the state as a whole shall be calculated by the Department of the Youth Authority by computing the ratio of new commitments to state and county population, expressed in a rate per 100,000 population, for each of the calendar years 1959 through 1963 The average of these rates for a county for the five-year period or the average of the last two years of the period, whichever is higher, shall be the base rate for that county, however, if the base rate *for those counties not utilizing Section 1825 7* is lower than 40 commitments per 100,000 population, the rate shall be established at 40, and if the rate is higher than 100, the rate shall be established at 100. The number of commitments shall be the total of the new commitments to the custody of the Director of the Youth Authority and the new criminal commitments to the custody of the Director of Corrections, as certified by the respective departments The county and state population shall be that certified by the Department of Finance to the Controller as of July 1 of each year Persons committed to the Department of Corrections and subsequently discharged under Section 1168 of the Penal Code and persons committed to the Department of Corrections or the Department of the Youth Authority for diagnostic study only pursuant to Section 1203.03 of the Penal Code or Section 704 or 1752 1 of the Welfare and Institutions Code, shall not be counted as having been committed for purposes of determining commitment rates under this subdivision or subdivision (c).

(c) An annual commitment rate shall be calculated at the end of each fiscal year for each participating county and for the state as a whole in a like manner to that described in subdivision (b) using the population figure of the July 1 included in the year.

(d) The maximum amount that may be paid to a county pursuant to this article is determined by obtaining the interpolated dollar amount in the table in this subdivision for such county's base commitment rate and its percentage decrease, interpolated to the nearest one-tenth of 1 percent, in rate of commitment and multiplying the appropriate dollar amount by the "commitment reduction number" The "commitment reduction number" is obtained by subtracting (1) the most recent annual commitment number from (2) the product of the base commitment rate and population of the county for the same year employed in (1) The Director of the Youth Authority, with approval of the Director of Finance may annually adjust the dollar amounts in the ensuing table to reflect changes in cost to the state of maintaining persons committed to the custody of the Director of Corrections and the Director of the Youth Authority, and if such adjustments are made, the adjusted amounts shall be employed in making the computation prescribed by this subdivision.

Per Capita Subsidy in Relation to Percentage Decrease
Base Commitment Rates/100,000
(Adult and Juvenile)

Percent of decrease from base rate	40–49 100,000	50–59 100,000	60–69 100,000	70–79 100,000	80–89 100,000	90–100 100,000
0 percent	--	--	--	--	--	--
1 percent	$2,285	$2,180	$2,135	$2,105	$2,085	$2,080
2 percent	2,570	2,360	2,265	2,210	2,175	2,160
3 percent	2,855	2,545	2,400	2,315	2,260	2,240
4 percent	3,145	2,725	2,535	2,420	2,350	2,320
5 percent	3,430	2,910	2,665	2,525	2,435	2,400
6 percent	3,715	3,090	2,800	2,630	2,520	2,480
7 percent	4,000	3,275	2,935	2,735	2,610	2,560
8 percent	4,000	3,455	3,065	2,840	2,695	2,640
9 percent	4,000	3,635	3,200	2,945	2,785	2,720
10 percent	4,000	3,820	3 335	3,055	2,870	2,800
11 percent	4,000	4,000	3,465	3,160	2,955	2,880
12 percent	4,000	4,000	3,600	3,265	3,045	2,960
13 percent	4,000	4,000	3,735	3,370	3,130	3,040
14 percent	4,000	4,000	3,865	3,475	3,215	3,120
15 percent	4,000	4,000	4,000	3,580	3,305	3,200
16 percent	4,000	4,000	4,000	3,685	3,390	3,280
17 percent	4,000	4,000	4,000	3,790	3,480	3,360
18 percent	4,000	4,000	4,000	3,895	3,565	3,440
19 percent	4,000	4,000	4,000	4,000	3,650	3,520
20 percent	4,000	4,000	4,000	4,000	3,740	3,600
21 percent	4,000	4,000	4,000	4,000	3,825	3,680
22 percent	4,000	4,000	4,000	4,000	3,915	3,760
23 percent	4,000	4,000	4,000	4,000	4,000	3,840
24 percent	4,000	4,000	4,000	4,000	4,000	3,920
25 percent	4,000	4,000	4,000	4,000	4,000	4,000
Over 25 percent	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and verified by the Director of the Youth Authority with the approval of the Director of Finance, the Director of the Youth Authority may pay to the county a sum equal to the prior year's payment, provided, however, that in subsequent years the county will be paid only the amount earned

(h) Funds obtained under this article shall not be used to support existing programs or develop or expand new programs in juvenile homes, ranches, or camps established under Article 15 (commencing with Section 880) of Chapter 2 of Part 1 of Division 2 of this code, *except that funds obtained under this article may be used by a county that has not established a juvenile home, ranch or camp to pay for its juvenile home, ranch or camp placements in other counties*

(i) Counties where the average number of commitments in the base period as established by subdivision (b) is less than 30 may elect either to comply with the procedure set out above or, as an alternative, to receive from the state 90 percent of the salary of one full-time additional probation officer or, in the event there are fewer than 20 persons placed on probation annually otherwise eligible for commitment to state institutions, the county would be entitled to 90 percent of the salary of a half-time officer In the event a county chooses the alternative proposal, it will be eligible for reimbursement only so long as the officer devotes all of his time in the performance of probation services to supervision of persons eligible for state commitment and persons participating in special supervision programs and (1) if its base rate is below the state average, it does not on an annual basis exceed the base state rate, or (2) if its base rate is above the state average, it does not in the year exceed by 5 percent its own base rate

(j) In addition to earnings received by counties from commitment reductions through the payment table in subdivision (d) of this section, a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972-73 fiscal year to be distributed pursuant to the table below To determine a county's share, refer to Table 1 of the Fifth Annual Progress Report of the Probation Subsidy Program (Department of Youth Authority, September 23, 1971) for the county's actual commitment rate and the number of actual commitments.

Actual Commitment Rate Per 100,000 Pop.	*Amount Per Commitment*
0 5– 5.4	*$481*
5.5–10.4	*454*
10 5–15 4	*426*
15 5–20.4	*399*
20.5–25 4	*373*
25 5–30.4	*345*
30 5–35 4	*318*
35.5–40 4	*290*
40 5–45 4	*263*
45.5–50.4	*237*
50 5–55.4	*209*
55.5–60.4	*182*
60.5–65 4	*154*
65.5–70.4	*127*
70.5–75.4	*101*
75 5–80.4	*73*

Each county's share of the additional funds described above may be used for purposes of law enforcement as determined by individual county boards of supervisors

In addition, two hundred fifty thousand dollars ($250,000) is hereby appropriated for the 1972–73 fiscal year to reimburse each participating county for the cost of collection and transmission of data to the state for program evaluation as prescribed by the Director of the Youth Authority and the Director of Finance Each county shall be required to enter into a contractual agreement with the state to provide the prescribed data. Such agreement shall also specify the maximum amount each county shall be reimbursed for the collection and transmission of the required data.

No county shall share in any additional funds appropriated in this subdivision unless it enters into an agreement with the state to provide the data discussed above.

The provisions of this subdivision shall be terminated on June 30, 1974.

SEC. 5. It is the intent of the Legislature that if this bill and Senate Bill No 160 or Senate Bill No. 549, or both, are chaptered and amend Section 1825 of the Welfare and Institutions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Senate Bill No 160 are both chaptered and amend Section 1825 of the Welfare and Institutions Code, but Senate Bill No 549 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 160, the amendments proposed by both bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 2 of this act Therefore, if Senate Bill No. 160 is chaptered before this bill and both bills amend Section 1825, and Senate Bill No 549 is not chaptered or as chaptered

does not amend that section, Section 2 of this act shall be operative and Sections 1, 3 and 4 of this act shall not become operative.

(b) If this bill and Senate Bill No. 549 are both chaptered and amend Section 1825 of the Welfare and Institutions Code, but Senate Bill No 160 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No. 549, the amendments proposed by both bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 3 of this act Therefore, if Senate Bill No 549 is chaptered before this bill and both bills amend Section 1825, and Senate Bill No 160 is not chaptered or as chaptered does not amend that section, Section 3 shall be operative and Sections 1, 2 and 4 of this act shall not become operative.

(c) If this bill and Senate Bill No 160 and Senate Bill No 549 are all chaptered, and all three bills amend Section 1825 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No. 160 and Senate Bill No 549, the amendments proposed by all three bills shall be given effect and incorporated in Section 1825 in the form set forth in Section 4 of this act Therefore, if Senate Bill No 160 and Senate Bill No 549 are both chaptered before this bill and all three bills amend Section 1825 of the Welfare and Institutions Code, Section 4 of this act shall be operative and Sections 1, 2 and 3 of this act shall not become operative."

Senate Amendments of July 7, 1972

Amendment No. 1

On page 3, line 34, of the printed bill, as amended in Senate June 28, 1972, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 2

On page 4, line 2, strike out "cost to the state of"; and strike out lines 3 to 7, inclusive, and insert "the Consumer Price Index established by the U. S. Department of Labor and given a weighted average for California by the California Department of Industrial Relations. The first adjustment shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions "

Amendment No. 3

On page 6, strike out lines 20 to 40, inclusive; and on page 7, strike out lines 1 to 32, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year. This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year. This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority.

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority Each county participating in these studies shall be required to enter into a contractual agreement with the state. Such agreement shall specify the maximum amount each county shall be reimbursed.

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority.

The provisions of this subdivision shall be terminated on June 30, 1974

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 Regular Legislative Session "

Amendment No. 4

On page 9, line 9, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 5

On page 9, line 9, strike out "cost to"; and strike out lines 10 to 14, inclusive, and insert "the Consumer Price Index established by the U S. Department of Labor and given a weighted average for California by the California Department of Industrial Relations The first adjustment shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions."

Amendment No. 6

On page 11, strike out lines 24 to 40, inclusive; and on page 12, strike out lines 1 to 36, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority Each county participating in these studies shall be required to enter into a contractual agreement with the state. Such agreement shall specify the maximum amount each county shall be reimbursed.

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority.

The provisions of this subdivision shall be terminated on June 30, 1974

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 Regular Legislative Session "

Amendment No. 7

On page 14, line 13, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 8

On page 14, line 13, strike out "cost to", and strike out lines 14 to 18, inclusive, and insert "the Consumer Price Index established by the U S. Department of Labor and given a weighted average for California by the California Department of Industrial Relations The first adjustment shall use the December 1971 index as the base Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions "

Amendment No. 9

On page 16, strike out lines 24 to 40, inclusive; and on page 17, strike out lines 1 to 36, inclusive, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority Each county participating in these studies shall be required to enter into a contractual agreement with the state Such agreement shall specify the maximum amount each county shall be reimbursed

No county shall share in any additional funds appropriated by this subdivision unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority

The provisions of this subdivision shall be terminated on June 30, 1974

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 Regular Legislative Session "

Amendment No. 10

On page 19, line 13, after "table", insert ", beginning with the 1973–1974 fiscal year,".

Amendment No. 11

On page 19, line 13, strike out "cost to"; and strike out lines 14 to 18, inclusive, and insert "the Consumer Price Index established by the U.S Department of Labor and given a weighted average for California by the California Department of Industrial Relations The first adjustment shall use the December 1971 index as the base. Payments per uncommitted case shall in any event not exceed the average annual per capita cost of maintaining wards in Youth Authority institutions"

Amendment No. 12

On page 21, strike out lines 28 to 37, inclusive; strike out page 22; and on page 23, strike out lines 1 and 2, and insert

"(j) As a supplement to earnings received by counties pursuant to subdivision (d), a sum of two million dollars ($2,000,000) is hereby appropriated for the 1972–1973 fiscal year. This sum shall be distributed by the Director of the Youth Authority through the allocation to each participating county of an amount not to exceed 10 percent of the counties' earnings generated in the 1971–1972 fiscal year This special allocation may be used, notwithstanding the provisions of Section 1821 or any other section of this article, for the diagnosis, control, or treatment of offenders or alleged offenders by local law enforcement agencies in the county, subject to standards, rules, and regulations established by the Director of the Youth Authority

In addition, one hundred fifty thousand dollars ($150,000) is hereby appropriated for the 1972–1973 fiscal year to reimburse each participating county for carrying out program evaluation studies specified by the Director of the Youth Authority Each county participating in these studies shall be required to enter into a contractual agreement with the state Such agreement shall specify the maximum amount each county shall be reimbursed.

No county shall share in any additional funds appropriated by this subdivis on unless it enters into an agreement with the state to provide such evaluation or is granted an exemption by the Youth Authority

The provisions of this subdivision shall be terminated on June 30, 1974

(k) A review of this article shall be made by the Director of the Youth Authority and a report made to the 1974 Legislature by the fifth day of the 1974 Regular Legislative Session"

Senate Amendments of July 31, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 7, 1972, after "Authority", insert ", and making an appropriation therefor".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory,

Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 515—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems, and making an appropriation therefor.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 515?

Senate Amendments of June 16, 1972

Amendment No. 1

On page 8 of the printed bill, as amended in Assembly May 15, 1972, after line 39, insert

"53120 During the 1975 Regular Session, the Legislature, after reviewing all reports required by this article to be submitted on or before February 16, 1975, will enact legislation providing such subvention as it deems adequate to enable local public agencies to implement systems required by the provisions of this article If the Legislature fails to enact such legislation during the 1975 Regular Session, then the provisions of this article shall become and remain inoperative until such legislation is enacted. The dates specified for the submission of any plan or report, the implementation of a system, or the performance of any other duty, required by the provisions of this article to be performed after 1975 shall be respectively postponed by the number of years elapsing between 1975 and the year in which the Legislature enacts such subvention legislation. It is the intent of the Legislature that, if legislation providing necessary subvention to local public agencies to carry out the requirements of this article is enacted after the 1975 Regular Session of the Legislature, then the time schedules specified in this article shall be advanced by the number of years required for the Legislature to subsequently enact such legislation; the days and months specified for the submission of any plan or report, the implementation of a system, or the performance of any other duty shall, however, remain the same despite the change in year."

Senate Amendments of June 20, 1972

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Senate June 16, 1972, after "systems", insert ", and making an appropriation therefor".

Amendment No. 2

On page 6, strike out line 32; and in line 33, strike out "Association of California,".

Amendment No. 3

On page 9, after line 21, insert

"SEC. 2. There is hereby appropriated to the Department of General Services from the General Fund the sum of thirty-five thousand dollars ($35,000) for the 1972–73 fiscal year to carry out the purposes of this act."

Senate Amendments of July 5, 1972

Amendment No. 1

On page 7, line 2, of the printed bill, as amended in Senate June 20, 1972, after "for", insert "the development of the local agency".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—61.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1154—An act to amend Section 583 of the Code of Civil Procedure, relating to dismissal of actions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1154?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 15, 1972, strike out line 2; and in line 5, strike out "any", and insert

"(b) Any".

Amendment No. 2

On page 2, line 32, strike out "and any"; and strike out line 33, and insert a period.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1655—An act to add Section 19956 5 to the Health and Safety Code, relating to curbs and sidewalks.

The question being · Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1655?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly May 26, 1972, after "sidewalk", insert "intended for public use that is".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—60

NOES—None.

Above bill ordered enrolled.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1544

The Acting Speaker appointed Messrs Sieroty, Warren, and Duffy as a Committee on Conference concerning Assembly Bill No 1544

REQUEST FOR UNANIMOUS CONSENT

Mr McCarthy was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1105 to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 95—An act to add Sections 789 8, 789.9, and 2983 8 to the Civil Code, relating to mobilehomes.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 95?

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Assembly May 24, 1972, after "mobilehome ", insert "The provisions of this section shall not apply in the event there is substantial damage to the mobilehome other than wear and tear from normal usage This section shall apply only to contracts entered into on or after the effective date of this section "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Belotti, Beverly, Brathwaite, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent,

Duffy, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 432—An act to amend Section 656 of the Harbors and Navigation Code, relating to navigation, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 432?

Amendment No. 1

In line 2 of the title of the printed bill, after "navigation", insert ", and making an appropriation therefor".

Amendment No. 2

On page 3, after line 24, insert

"SEC. 2 There is hereby appropriated from the Harbors and Watercraft Revolving Fund to the Department of Navigation and Ocean Development the sum of one hundred twenty-seven thousand dollars ($127,000) for support of the department in augmentation of Item 203 of the Budget Act of 1972 "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 474—An act to amend Section 10751 of, and to add Sections 10760, 10761, 10762, and 10763 to, the Education Code, relating to pupil records

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 474?

Senate Amendments of June 1, 1972

Amendment No. 1

On page 4, line 10, of the printed bill, as amended in Assembly April 24, 1972, after "any", insert "inaccurate or".

Amendment No. 2

On page 4, between lines 11 and 12, insert

"'Nonfactual,' as used in this section, shall refer to that information about pupil conduct that is not based on personal observation, and shall include any conclusions or inferences drawn from personal observation where such conclusions or inferences are outside the observer's area of competence."

Amendment No. 3

On page 5, line 14, strike out ", if any".

Amendment No. 4

On page 5, line 15, strike out "at the conclusion of the", and strike out line 16, and insert "30 days after the conclusion of the hearing, unless there is an appeal to the governing board pursuant to Section 10763"

Amendment No. 5

On page 5, line 24, after "accurate", insert "or factual".

Amendment No. 6

On page 5, line 26, after "accurate", insert "or factual".

Amendment No. 7

On page 5, line 28, after "accurate", insert "or factual".

Amendment No. 8

On page 5, line 32, after "accurate", insert "or factual".

Amendment No. 9

On page 5, line 38, after "accurate", insert "or factual".

Amendment No. 10

On page 5, line 40, after "accurate", insert "or factual".

Amendment No. 11

On page 6, between lines 3 and 4, insert

"The records of the administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the governing board, unless the parent or guardian initiates legal proceedings relative to the disputed information within the prescribed period."

Senate Amendments of July 27, 1972

Amendment No. 1

On page 4 of the printed bill, as amended in Senate June 1, 1972, strike out lines 20 and 21, and insert

"If the superintendent of the district determines that the information in question is inaccurate or nonfactual, he shall order the removal of the information"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Chappie, Cline, Conrad, Cory, Deddeh, Duffy, Fenton, Fong, Foran, Gon-

salves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Thomas, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—49

NOES—Dent, Murphy, and Townsend—3

Above bill ordered enrolled

Assembly Bill No. 336—An act to add Section 1604 2 to the Revenue and Taxation Code, relating to local equalization proceedings

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 336?

Amendment No. 1

On page 1, strike out line 3 of the printed bill, and in line 4, strike out "property", and insert

"1604.2. If real property is acquired".

Amendment No. 2

On page 1, line 5, strike out "such assessee", and insert "the new owner of such real property".

Amendment No. 3

On page 1, line 7, strike out "assessee", and insert "new owner".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly

THIRD READING OF SENATE BILLS

Senate Bill No. 90—An act to amend Sections 17301, 17303, 17303 5, 17402, 17407, 17411, 17507, 17655 5, 17656, 17660, 17664, 17665, 17665 5, 17675, 17702, 17702 2, 17706, 17910, 18102, 18102 2, 18102 4, 18102 6, 18451, 18452, and 18455 of, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, Section 18105 to, and Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, to repeal Sections 17674 and 20814 5 of, and Article 7 1 (commencing with Section 17920) of Chapter 3 of Division 14 of, and to repeal Chapter 3 5 (commencing with Section 20910) of Division 16 of the

Education Code, to repeal Sections 16120, 51250, 51254, and 65570 of, and to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Sections 15616 5, 16120, and 65570 to, and to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), Chapter 4 (commencing with Section 16140), Chapter 5 (commencing with Section 16150), Chapter 6 (commencing with Section 16160), and Chapter 7 (commencing with Section 16170) to Part 1 of Division 4 of Title 2 of, the Government Code, to repeal Sections 218, 219, 2611.5, 6051, 6052 5, 6201, 6376, 7102, 7202, 7203, 10752, 11005, 17041, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 of, to add Chapter 1 5 (commencing with Section 2161) to Part 4 of Division 1 of, and to add Sections 218, 219, 401 4, 2611 5, 2611 6, 2615 4, 6051, 6052 5, 6201, 7102, 7202, 7203, 10752, 11005, 17041, 17053 5, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 to, the Revenue and Taxation Code, and to repeal Section 11450 of, and to add Sections 11006 1, 11450, and 15204 1 to, the Welfare and Institutions Code, relating to the imposition of state taxes to provide subventions to local government to compensate for property tax limitations, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Moretti.

Urgency Clause

Urgency clause read

Request for Unanimous Consent

Mr Moretti was granted unanimous consent that Mr Ken Hall, of the Department of Finance, and Mr David Doerr, of the Assembly Committee on Revenue and Taxation, be permitted to sit at his desk during consideration of Senate Bill No 90.

The question being on the adoption of the urgency clause to Senate Bill No 90

Urgency clause adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—61

NOES—Burton, Collier, Crown, Dunlap, Karabian, Ketchum, McCarthy, Sieroty, Waxman, and Z'berg—10

The question being on the passage of the bill

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor,

Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—61.

NOES—Burton, Collier, Crown, Dunlap, Karabian, Ketchum, McCarthy, Sieroty, Waxman, and Z'berg—10.

Request for Unanimous Consent

Mr Moretti was granted unanimous consent that Senate Bill No. 90 be transmitted to the Senate at this time.

MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 666

In compliance with a motion given on a previous day, Mr. Leroy F. Greene was granted unanimous consent that the vote whereby Senate amendments to Assembly Bill No 666 were concurred in be reconsidered.

Further Consideration of Senate Amendments to Assembly Bill No. 666

Assembly Bill No. 666—An act to amend Sections 20201, 23754, 23754 2, 24754 3, 25505 7, and 25505 8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753 2, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758 1, 23758 3, 23761, 25505, 25505 1, 25505.2, and 25505.9 of, the Education Code, relating to student residency.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 666?

Senate Amendments of July 6, 1972

Amendment No. 1

On page 5 of the printed bill, as amended in Assembly May 22, 1972, strike out line 7, and insert "a California community college."

Amendment No. 2

On page 7, line 12, strike out "has moved from this state to establish", and insert "established".

Amendment No. 3

On page 8, line 11, after "classification", insert "until he has resided in the state the minimum time necessary to establish residence".

Amendment No. 4

On page 15, between lines 14 and 15, insert

"SEC. 30 Section 25505 8 of the Education Code is amended to read·

25505 8 A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less ; *or* (b) are both citizens and residents of a foreign country ; ~~or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a) ; ~~or~~ *and* (b) ; ~~or (c) above~~ , and shall not be made on an individual basis.

A district may, without the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district*, which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California School Accounting Manual for pupils enrolled in grades 13 and 14

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per pupil enrolled in ~~all districts of the state~~ *the district*.

The amount per pupil enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 ~~of all districts maintaining community colleges in the state~~ and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college.

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category.

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state, except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district

SEC 31 It is the intent of the Legislature, if this bill and Assembly Bill No 529 are both chaptered and amend Section 25505 8 of the Education Code, and this bill is chaptered after Assembly Bill No 529, that the amendments to Section 25505 8 proposed by both bills be given effect and incorporated in Section 25505 8 in the form set forth in Section 30 of this act Therefore, Section 30 of this act shall become operative only if this bill and Assembly Bill No 529 are both chaptered, both amend Section 25505 8, and Assembly Bill No 529 is chap-

tered before this bill, in which case Section 29 of this act shall not become operative."

Amendment No. 5

On page 15, line 15, strike out "SEC 30", and insert "SEC. 32".

Amendment No. 6

On page 15, between lines 16 and 17, insert

"SEC. 33. Section 22815 of the Education Code, as proposed in Section 2 of this bill, is amended to read·

22815. A "nondistrict resident" is a resident who does not have residence within a district in the state, *or a student who, within 39 months period immediately preceding the residence determination date, was graduated from a high school which is situated in territory not within a district*.

SEC 34 Section 33 of this bill shall become operative only if Senate Bill No. 656 is chaptered before this bill and amends Section 25505 of the Education Code."

Amendment No. 7

On page 15, line 17, strike out "SEC 31", and insert "SEC. 35".

Amendment No. 8

On page 15, line 21, strike out "SEC. 32", and insert "SEC. 36".

Amendment No. 9

On page 15, line 27, strike out "SEC 33", and insert "SEC. 37".

Amendment No. 10

On page 15, line 38, strike out "reciprocal".

Amendment No. 11

On page 16, line 3, strike out "SEC. 23", and insert "SEC. 38".

Senate Amendments of July 27, 1972

Amendment No. 1

On page 4, lines 32 and 33 of the printed bill, as amended in Senate July 6, 1972, strike out "school district maintaining or formed to maintain", and insert "community college district maintaining".

Amendment No. 2

On page 7, line 17, after "and", insert "has".

Amendment No. 3

On page 7, line 21, strike out "establish residence", and insert "become a resident".

Amendment No. 4

On page 8, line 1, strike out "establish residence", and insert "become a resident".

Amendment No. 5

On page 8, line 9, strike out "establish residence", and insert "become a resident".

Amendment No. 6

On page 8, line 17, strike out "establish residence", and insert "become a resident".

Amendment No. 7

On page 8, line 27, strike out "has", and insert "have".

Amendment No. 8

On page 8, line 37, strike out "school", and insert "community college".

Amendment No. 9

On page 8, line 38. strike out "school", and insert "college".

Amendment No. 10

On page 9, line 17, strike out "establish residence", and insert "become a resident".

Amendment No. 11

On page 13, line 34, strike out "school", and insert "community college".

Amendment No. 12

On page 14, line 21, strike out "School".

Amendment No. 13

On page 14, line 22, strike out "pupils", and insert "students".

Amendment No. 14

On page 14, line 25, strike out "pupil", and insert "student".

Amendment No. 15

On page 14, line 27, strike out "pupil", and insert "student".

Amendment No. 16

On page 15, line 2, after the period, insert "The rate charged shall be the rate established for the fiscal year in which the summer session ends."

Amendment No. 17

On page 16, line 7, strike out "School".

Amendment No. 18

On page 16, line 7, strike out "pupils", and insert "students".

Amendment No. 19

On page 16, line 11, strike out "pupil", and insert "student".

Amendment No. 20

On page 16, line 13, strike out "pupil", and insert "student".

Amendment No. 21

On page 16, line 29, after the period, insert "The rate charged shall be the rate established for the fiscal year in which the summer session ends."

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Chappie, Mobley, and Stacey—3.

NOES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Karabian, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 127: By Assemblymen McCarthy, Moretti, Vasconcellos, and Murphy (Senators Behr, Kennick, and Zenovich, coauthors)—Relative to the elderly population in California.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 127

Mr. McCarthy was granted unanimous consent to take up Assembly Concurrent Resolution No. 127 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 127

Assembly Concurrent Resolution No. 127—Relative to the elderly population in California.

Resolution read, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ACTION RESCINDED ON ASSEMBLY BILL NO. 1105

Mr. McCarthy was granted unanimous consent to rescind the action whereby Assembly Bill No. 1105 was reported correctly enrolled and presented to the Governor on August 1, 1972 (Assembly Journal, page 7015); and whereby the Senate amendments to the bill were concurred in and the bill ordered to enrollment on July 28, 1972 (Assembly Journal, page 6704).

Further Consideration of Senate Amendments to Assembly Bill No. 1105

Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes to take effect immediately, tax levy.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1105?

Senate Amendments of July 7, 1972

Amendment No. 1

In the third line of the title of the printed bill, as amended in Assembly May 11, 1972, after "taxes", insert "to take effect immediately, tax levy".

Amendment No. 2

On page 2, after line 40, insert

"SEC. 5. For the year 1972 only, the times specified for actions to be taken under Sections 11336, 11338, 11402 and 11404 of Division 2 of the Revenue and Taxation Code are modified and extended as follows:

(1) The time for completion of assessment under Section 11336 is extended to September 11, 1972.

(2) The time for assessments to be open for inspection under Section 11337 shall be between September 11 and October 1, 1972.

(3) The time for hearing upon a petition for reassessment under Section 11338 shall be at any time prior to October 26, 1972.

(4) The time for completion of the levy under Section 11402 is extended to November 1, 1972

(5) The time for mailing of notice under Section 11404 is extended to November 1, 1972.

SEC. 6 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Senate Amendments of July 13, 1972

Amendment No. 1

On page 3, line 8, of the printed bill, as amended in Senate July 7, 1972, after "11336," insert "11337,".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Foran and Mobley—2.

NOES—Badham, Barnes, Belotti, Brathwaite, Burke, Burton, Chacon, Chappie, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Bill Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Lancaster, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—46.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1719—An act to amend Sections 280, 282, 310, 321, 322, 323, and 450 of the Elections Code, relating to elections

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1719?

Senate Amendments of June 26, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 8, 1972, strike out lines 36 through 40, inclusive, strike out page 4; and on page 5, strike out lines 1 through 38, inclusive.

Amendment No. 2

On page 5, line 40, strike out "SEC 5", and insert "SEC. 4".

Amendment No. 3

On page 8, line 4, strike out "SEC 6", and insert "SEC. 5"; on line 27, strike out "SEC. 7", and insert "SEC 6".

Amendment No. 4

On page 9, line 10, strike out "SEC 8", and insert "SEC. 7".

Amendment No. 5

On page 9, strike out lines 36 through 40, inclusive.

Amendment No. 6

On page 10, strike out line 1, and insert

"SEC 8 The provisions of this act shall become operative on January 1, 1974."

Senate Amendments of June 29, 1972

Amendment No. 1

On page 9, line 16, of the printed bill, as amended in Assembly June 26, 1972, strike out "is", and insert "it".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Barnes, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—Russell—1.

Above bill ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Murphy.

House Resolution No. 115

Relative to veterans' pensions

WHEREAS, The Hartke-Thurmond amendment to HR 15495, now pending before the Congress of the United States would increase the retirement pay of all pensioned veterans of all branches of service so as to equalize the pensions of older retirees with the pensions of more recent retirees of equivalent rank or grade and length of service, and

WHEREAS, Present inequities in the retirement laws for veterans are unfair in that older retirees do not presently receive such equivalent benefits, now, therefore, be it

Resolved by the Assembly of the State of California, That the President and Congress of the United States are respectfully memorialized to support and enact the Hartke-Thurmond amendment to HR 15495 to equalize the pensions of veterans, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Request for Unanimous Consent

Mr Murphy was granted unanimous consent to take up House Resolution No 115 without reference to committee or file.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, August 2, 1972

Mr. Speaker · Your Committee on Rules recommends ·

That the request by Mr Vasconcellos for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 1504 be granted.

BURTON, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, August 2, 1972

Mr. Speaker · Your Committee on Education reports:

SB No 158

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, August 2, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 873

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means with the recommendation to Consent Calendar.

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, August 2, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SCR No. 44

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means with the recommendation to Consent Calendar.

BEVERLY, Chairman

Above resolution re-referred to the Committee on Ways and Means.

Committee on Labor Relations

Assembly Chamber, August 2, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

SB No. 1499

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means, Consent Calendar recommendation

McCARTHY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Water

Assembly Chamber, August 2, 1972

Mr. Speaker: Your Committee on Water reports:

SB No. 48

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

Committee on Criminal Justice

Assembly Chamber, August 2, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

SB No. 910

With amendments with the recommendation: Amend, and do pass, as amended.

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, August 2, 1972

Mr Speaker: Your Committee on Education reports:

SB No. 1447

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

FURTHER SECOND READING OF BILLS— BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 158—An act to amend Sections 6422, 6432, 6755, 6902 05 and 6908 of, and to add Section 11753 2 to, the Education Code, relating to special education.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 27, 1972, strike out "6422, 6432, 6755, 6902 05", and insert "6755, 6902 05,".

Amendment No. 2

On page 2, strike out lines 1 to 33, inclusive.

Amendment No. 3

On page 2, line 34, strike out "SEC 3", and insert "SECTION 1".

Amendment No. 4

On page 4, line 5, strike out "SEC 4", and insert "SEC. 2".

Amendment No. 5

On page 6, line 1, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 6

On page 6, line 13, strike out "SEC 6", and insert "SEC. 4".

Amendment No. 7

On page 7, line 12, strike out "SEC 7", and insert "SEC. 5".

Amendment No. 8

On page 7, strike out lines 13 and 14, and insert "6755, 6902 05, and 6908 of the Education Code by Sections 1 to 3, inclusive, of this act and the provisions of Section 11753 2 of the Education Code, as added by Section 4 of this act, shall not apply to the Los".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 48—An act making an appropriation for the repair of levees

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 910—An act to amend Section 827 of, and to add Section 828 to, the Welfare and Institutions Code, relating to juvenile court.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Justice, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate June 16, 1972, after "781", insert "of this code or 1203 45 of the Penal Code".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1447—An act to amend Sections 7451 and 7451.1 of the Education Code, relating to regional occupational centers and programs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 3, line 37, of the printed bill, as amended in Senate July 27, 1972, strike out "established".

Amendment No. 2

On page 3, line 37, after "institutions", insert "pursuant to Section 29007.5".

Amendment No. 3

On page 4, line 15, after the period, insert "The attendance of pupils at any approved private educational institution pursuant to such a contract shall be credited to the agency maintaining the regional occupational center or regional occupational program as attendance for purposes of apportionments from the State School Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Vasconcellos:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No 1504 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Badham, Bagley, Barnes, Belotti, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson,

Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 93, Senate Constitutional Amendments Nos 10 and 70, Senate Bill No 616 and amendments to Senate Bill No. 840 were continued until the next legislative day.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

House Resolution 111—Relative to the Corona del Mar Freeway.

NOTE: The full text of House Resolution No. 111 appears at page 6737 of the Assembly Daily Journal for July 28, 1972.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Joint Resolution No. 38—Relative to through traffic at Yosemite National Park

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy,

McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:44 p.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Vasconcellos was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1504 for hearing in the Committee on Elections and Reapportionment.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2376, on request of Mr. Z'berg.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 666

The Acting Speaker appointed Messrs Leroy F Greene, Chappie, and Barnes as a Committee on Conference concerning Assembly Bill No. 666.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1105

The Acting Speaker appointed Messrs McCarthy, Cory, and Mobley as a Committee on Conference concerning Assembly Bill No 1105.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2384—By Assemblyman MacGillivray (Senator Lagomarsino, coauthor)—An act to add Section 318 7 to the Penal Code, relating to indecent exposure, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Chacon was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 944 for hearing in the Committee on Ways and Means.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, August 2, 1972

Mr. Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2384—An act to add Section 318 7 to the Penal Code, relating to indecent exposure, and declaring the urgency thereof, to take effect immediately.

W. DON MACGILLIVRAY

Above request ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Leroy F Greene:

House Resolution No. 116

Relative to a noise barrier on State Highway Route 50

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested to construct a noise barrier on the south side of State Highway Route 50 between Howe Avenue and Folsom Boulevard in Sacramento County to protect housing constructed prior to the completion of this segment of Route 50, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Mr. Townsend was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 969.

Mr. McAlister was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 969.

Messrs Lewis and Murphy were granted unanimous consent that they be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 969

Messrs Z'berg and Keysor were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 4.

Mr. Ketchum was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 4.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No. 1326.

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1326.

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 58, 749, 798, 1212, 1405, 1435, 1442, 1493, and 1322

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 301.

Mr. Stull was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 301.

Mr. Stull was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bills Nos 584 and 272.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No. 368.

Mr. Wood was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on concurrence in Senate amendments to Assembly Bill No 1655.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 90, and on the passage of the bill.

Mr. Z'berg was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Senate Bill No 90, and on the passage of the bill.

Mrs. Brathwaite was granted unanimous consent that she be recorded as voting "Aye" on the urgency clause to Senate Bill No 90, and on the passage of the bill

Mr. Hayden was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1719.

Mr McCarthy was granted unanimous consent that he be recorded as voting "Aye" on all items on the Consent Calendar.

MOTION TO ADJOURN

Acting Speaker Fenton moved that the Assembly adjourn on this day, following receipt of Messages from the Senate and reports of committees, until Thursday, August 3, 1972, at 11 a.m.

Motion carried.

COMMUNICATIONS

Assembly Chamber, August 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 14 of Article IX thereof, relating to the power of school district boards in regard to educational programs;

Assembly Concurrent Resolution No. 125—Approving amendments to the Charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California direct primary election held therein on the sixth day of June, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the second day of August, 1972, at 2 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 2, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 254—An act to amend Sections 4143 and 4211 of, and to add Section 4148 to, the Business and Professions Code, and to amend Section 7054 4 of the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 484—An act to amend Section 128 of, and to add and repeal Section 8030 5 of, the Business and Professions Code, relating to shorthand reporters, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1300—An act to amend Sections 28802 5 and 28840 of the Health and Safety Code, relating to retail food production and marketing establishments, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2382—An act to amend Section 3106 of the Education Code, as amended by Chapter 132 of the Statutes of 1972, and declaring the urgency thereof, to take effect immediately, relating to school district unification;

And reports the same correctly enrolled, and presented to the Governor at 3 p.m , August 2, 1972

JAMES D DRISCOLL, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, August 2, 1972

Mr Speaker I am directed to inform your honorable body that the Senate appointed Senators Stiern, Coombs and Wedworth as a Committee on Conference concerning·

Assembly Bill No. 1105

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Beilenson, Gregorio and Whetmore as a Committee on Conference concerning:

Assembly Bill No. 1544

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Rodda, Alquist and Burgener as a Committee on Conference concerning:

Assembly Bill No. 666

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 26
AB No. 761
AB No. 1194

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 129

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 129—An act to amend and renumber the heading of Chapter 1.5 (commencing with Section 11700) of, to add Chapter 1 (commencing with Section 11500) to, to repeal Chapter 1 (commencing with Section 11500) and Chapter 2 (commencing with Section 11800) of, Division 8 of, and Section 12053 of, the Elections Code, to repeal Chapter 3 (commencing with Section 3750) of Division 4.5 of Title 1 of the Government Code, relating to campaign financing.

Held at Desk by order of the Acting Speaker.

ADJOURNMENT

At 6:55 p.m., pursuant to a motion made earlier this day, the Assembly adjourned until 11 a.m., Thursday, August 3, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Nineteenth Legislative Day

Two Hundred Fourteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, August 3, 1972

The Assembly met at 11 a.m.

Hon Jack R. Fenton, Majority Floor Leader of the Assembly presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 11 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11·10 a m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

PRAYER

Upon invitation of Acting Speaker Fenton, the following prayer was offered by the Honorable Wadie P. Deddeh, Member of the Assembly, 77th District:

Heavenly Father, As we approach the final hours of this session, help us, Lord, recognize our human weaknesses, show us the way to shun partisan differences, give us the wisdom to do what is right, to do what is just and what is good for the people of this great state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Deddeh then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Warren, seconded by Mr. Conrad.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Briggs, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bee, on request of Acting Speaker Fenton.
Mr. Cullen, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Miller, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mr. Bee on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 1, 1972, page 6932.

NOTE: For letter explaining the absence of Mr. Cullen on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 2, 1972, page 7038.

REPORTS

The following reports were presented by the Chief Clerk:

Ratios of California Public School Nonteaching Employees to Classroom Teachers as of November 1, 1969, 1970, and 1971. (Pursuant to Education Code Section 325.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated August 2, 1972, referred by the Acting Speaker to the Committee on Education.

Report on State Personnel Board Activities Under the Welfare Reform Act of 1971, May 1, 1972 to June 30, 1972. (Pursuant to the requirements of the 1971 Welfare Reform Act.) July 10, 1972.

Above transmitted report, together with letter of transmittal from Richard L. Camilli, Executive Officer, California State Personnel Board, Sacramento, dated July 10, 1972, referred by the Acting Speaker to the Committee on Welfare.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Senate Bill No.	*Committee*
129	Elections and Reapportionment

RESOLUTIONS

The following resolution was offered:

By Assemblyman Quimby:

House Resolution No. 117

Relative to the provision of solid waste collection and disposal services

WHEREAS, In many unincorporated areas in the state, solid waste collection and disposal services are provided by private enterprise under franchise; and

WHEREAS, Under existing provisions of the Government Code, when unincorporated territory which is served by a private refuse collection firm is annexed to, or incorporated into, a city the private firm is guaranteed the right to continue to serve such area for a period of three years, and thereafter, the city has the right to arrange for or provide refuse collection service in any manner it sees fit; and

WHEREAS, Refuse collection and disposal service provided by the private sector may be more economical and efficient than public provision of such services; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to the appropriate committee for study the subject of the provision of solid waste collection and disposal services by the private versus the public sector; and, determination as to whether the public interest is being served under the present provisions of law regarding the transfer of service functions from the private sector to the public sector upon city annexation or incorporation, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Assembly Committee on Rules upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, August 3, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 494—An act to amend Section 21201 of the Vehicle Code, relating to bicycles;

Assembly Bill No. 533—An act to amend Sections 5721 and 5985 of the Education Code, relating to school insurance;

Assembly Bill No. 960—An act to add Sections 14092, 14093, 14094, 14094.1, 14094.2, 14095, 14096, and 14097 to, and to add Article 31 (commencing with Section 14451) to Chapter 4 of Division 10 of, and to repeal Section 14120 of, the Education Code, relating to the State Teachers' Retirement Fund, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 965—An act to amend Sections 73710, 74803, 74804, 74805, and 74807 of, and to add Section 74807.5 to, the Government Code, relating to courts;

Assembly Bill No. 974—An act to amend Sections 25210 11, 25210.13, and 25210.14 of the Government Code, relating to county service areas;

Assembly Bill No. 1072—An act to amend Section 35783 of the Agricultural Code, relating to milk;

Assembly Bill No. 1184—An act to amend Sections 23014, 25210.9e, and 25210.77a of the Government Code, relating to counties;

Assembly Bill No. 2113—An act to amend Sections 20110 and 20806.5 of the Education Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 821 and 822 of the Unemployment Insurance Code, as added by Chapter 319 of the Statutes of 1972, and to amend Sections 1027 and 1265 5 of the Unemployment Insurance Code, relating to unemployment insurance, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., August 3, 1972.

JAMES D DRISCOLL, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, August 2, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 148	AB No. 320	AB No. 1562
AB No. 205	AB No 680	AB No. 2261
AB No. 252	AB No. 1556	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 52

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 66	SB No. 348	SB No. 777
SB No. 178	SB No. 464	SB No. 1185

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 198	AB No. 1029	AB No. 1539
AB No. 271	AB No. 1138	AB No. 1592
AB No. 375	AB No. 1262	AB No. 1937
AB No. 383	AB No. 1414	AB No. 2145
AB No. 392	AB No. 1492	AB No. 2239
AB No. 506	AB No. 1500	AB No 2338
AB No. 885	AB No. 1527	AB No. 2362
AB No. 926		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 69

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 69—Relative to the Joint Legislative Committee on Siting of Teaching Hospitals.

Held at Desk by order of the Acting Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, August 3, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Russell for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2383 be granted.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted. Acting Speaker Fenton was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the Second Day Consent Calendar for the next legislative day.

~~CONSIDERATION OF DAILY FILE~~

~~UNFINISHED BUSINESS~~

~~MOTION TO RECONSIDER SENATE BILL NO. 616~~

~~In compliance with a motion given, Mr. Badham was granted unanimous consent that the vote whereby Senate Bill No. 616 was passed be reconsidered.~~

~~Senate Bill No. 616 Placed on Inactive File~~

~~On request of Mr. Badham, Senate Bill No. 616 was placed upon the inactive file.~~

NOTE: On November 27, 1972, the action was rescinded whereby the Assembly on this day reconsidered the vote whereby Senate Bill No. 616 was passed, and whereby the bill was placed upon the inactive file. See pages 7859–7860.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 493

Mr. Badham was granted unanimous consent to take up Senate Bill No. 493, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 493

Senate Bill No. 493—An act to amend Section 69591 of the Government Code, relating to courts

Bill read third time, and presented by Mr. Badham.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Collier, Conrad, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Townsend, Wakefield, Warren, Wilson, Z'berg, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 668 (consideration of Senate amendments), on request of Mr Murphy

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 209—An act to amend Sections 25951, 25953, 26001, 26002, and 26151 of, and to add Sections 23601 6, 23601 9, 26052 5, 26052 6, 26064, 26065, 26066, and 26158 to, and to repeal Sections 26004 and 26006 of, the Education Code, relating to the California Maritime Academy.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 209?

Senate Amendments of June 23, 1972

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly June 14, 1972, after "23601 6," insert "23601 9,".

Amendment No. 2

On page 2, line 4, strike out "cooperate with", and insert "provide the following services to".

Amendment No. 3

On page 2, lines 5 and 6, strike out "in all of the following matters".

Amendment No. 4

On page 2, strike out line 7, and on page 3, strike out lines 1 to 4, inclusive, and insert

"(a) Legal services.

(b) Legislative representation.

(c) Assistance in curriculum development.

SEC 2 Section 23601 9 is added to the Education Code, to read

23601 9 The trustees shall be a board of visitors to the board of governors of the California Maritime Academy and shall meet with the board of governors to discuss policies and concepts common to the two institutions, and to advise the board of governors

However, such status as a board of visitors shall in no way affect the exclusive authority of the board of governors to administer the academy, and the California State University and Colleges or the trustees shall not be legally responsible in any way for the acts or omissions of the California Maritime Academy or the board of governors"

Amendment No. 5

On page 3, line 5, strike out "SEC 2", and insert

"SEC 3".

Amendment No. 6

On page 3, line 16, strike out "seven", and insert "six".

Amendment No. 7

On page 3, line 22, strike out "One appointive"; and strike out lines 23 to 25, inclusive, and insert "The board of governors shall request the Federal Maritime Administration to appoint a representative of the administration to meet with the board. Such a representative shall not have a vote."

Amendment No. 8

On page 3, line 26, strike out "SEC 3", and insert "SEC. 4".

Amendment No. 9

On page 3, strike out lines 28 to 34, inclusive, and insert

"26064. The Legislature hereby finds that attendance at the California Maritime Academy is a full-time occupation which does not allow opportunity for student employment For that reason, it is impossible for students attending the academy to contribute to the cost of their education through employment while attending This limits the opportunity for students who have no financial ability to contribute to the payment of their cost of education.

For these reasons, the board of governors shall develop a positive policy providing opportunities for financial help for students to attend the academy and to actively recruit students from economically disadvantaged backgrounds. In order to implement this policy, the board may make full use of any and all state and federal funds available and may receive private contributions, including those from the maritime industry for this purpose."

Amendment No. 10

On page 3, line 35, strike out "26066", and insert "26065".

Amendment No. 11

On page 3, line 37, strike out "26066", and insert "26065".

Amendment No. 12

On page 3, line 39, after "funds", insert "from all available sources".

Amendment No. 13

On page 3, line 40, after "SEC 6.", insert "Section 26066 is added to the Education Code, to read:

26066. The Legislature recognizes that the California Maritime Academy has unique facilities, such as a deep-water dock, the ship Golden Bear, several smaller vessels, and equipment which provide potential resources to the California State University and Colleges

The Trustees of the California State University and Colleges and the board of governors shall cooperate in programs designed to increase the sharing and lending of facilities and to allow the exchange of students and instructors when such action is not inconsistent with the primary goals of each institution.

SEC. 7."

Amendment No. 14

On page 4, line 9, strike out "2", and insert "4".

Amendment No. 15

On page 4, line 10, strike out "SEC 7", and insert "SEC 8".

Amendment No. 16

On page 4, strike out lines 16 to 20, inclusive.

Senate Amendments of July 11, 1972

Set No. 1

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate June 23, 1972, after "23601 9," insert "26052 5,".

Amendment No. 2

On page 2, line 5, after "Governors", insert "pursuant to contract providing for compensation, either in direct payment or by means of the exchange of services or use of facilities, to the trustees for such services".

Amendment No. 3

On page 2, line 13, after "development", insert "to the extent requested by the board of governors".

Amendment No. 4

On page 2, line 16, after "trustees", insert ", or a designated committee thereof,".

Amendment No. 5

On page 3, between lines 25 and 26, insert

"SEC 3 5 Section 26052 5 is added to the Education Code, to read:

26052 5 The board of governors shall obtain the following services from the Trustees of the California State University and Colleges pursuant to a contract providing for compensation, either in direct payment or by means of the exchange of services or use of facilities, to the trustees for such services:

(a) Legal services

(b) Legislative representation.

(c) Assistance in curriculum development to the extent requested by the board of governors"

Amendment No. 6

On page 4, line 26, strike out "trustees", and insert "Trustees".

Amendment No. 7

On page 4, line 27, strike out "shall", and insert "are encouraged to".

Amendment No. 8

On page 5, line 4, strike out "are eligible for", and strike out lines 5 and 6, and insert "the board of governors is encouraged to present a proposal to the Legislature to provide funds for an educational opportunity program for which students at the school are eligible."

Set No. 2

Amendment No. 1

On page 3, line 10, of the printed bill, as amended in Assembly June 23, 1972, strike out "the"; and strike out line 11, and in line 12, strike out "Education, and six", and insert "seven".

Amendment No. 2

On page 3, line 17, strike out "Two", and insert "Three".

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 11, 1972, strike out "26001", and insert "25951, 25953, 26001, 26002,".

Amendment No. 2

In line 2 of the title, after the third comma, insert "26052 6,".

Amendment No. 3

In line 3 of the title, after the first comma, insert "and to repeal Sections 26004 and 26006 of,".

Amendment No. 4

On page 3, between lines 9 and 10, insert

"SEC. 3 Section 25951 of the Education Code is amended to read:

25951. A state nautical school shall be maintained at the Port of San Francisco ~~, for the purpose of giving~~ *to provide* instruction ~~in the science and practice of navigation, seamanship, steam, diesel, and electrical engineering to male pupils from the several counties of the State, who have the qualifications of good moral character, education, and physical fitness, required by the board of governors of the school~~ *on the nautical sciences, marine engineering, and related fields, including all those necessary to provide the highest quality licensed officers for the American Merchant Marine and California Maritime industries Said instruction shall be based upon the foundation of general studies for the purpose of preparing students for said Merchant Marine and industries and licensing therein.*

SEC 4. Section 25953 of the Education Code is amended to read:

25953 The nautical school may be known as the California State Nautical School, the California ~~State~~ Maritime ~~School~~ *Academy*, or by such other name as the board of governors determines The terms "college" or "university" shall not be used in any such designation."

Amendment No. 5

On page 3, line 10, strike out "SEC. 3", and insert "SEC. 5".

Amendment No. 6

On page 3, line 18, strike out "One", and insert "Two".

Amendment No. 7

On page 3, lines 18 and 19, strike out "an educator", and insert "educators".

Amendment No 8

On page 3, line 22, strike out "Three", and insert "Two".

Amendment No. 9

On page 3, between lines 27 and 28, insert

"SEC 6. Section 26002 of the Education Code is amended to read:

26002. The term of office of the appointive members of the board is four years and they shall hold office until the appointment and qualification of their successors ~~The terms of the appointive members of the board in office when this section takes effect shall expire as follows: one member, January 15, 1960, one member, January 15, 1961, one member, January 15, 1962. one member, January 15, 1963~~ The *Each term shall expire on the 15th of January and* terms shall expire in the same relative order as to each appointive member ~~as the term for which he holds office before this section takes effect~~. Vacancies shall be filled by appointment for the unexpired term.

SEC. 7. Section 26004 of the Education Code is repealed.

~~26004. The board of governors shall elect one of its members as chairman. The chairman has such general supervision and control of the school and of all its property and has such general direction of its work and that of the instructors and others engaged in the school as the board provides or authorizes in its regulations. The chairman shall serve for one year, or until his successor is elected. The successor to the chairman shall be elected by vote of the members of the board at a regular meeting thereof after one month's notice that the chairman is to be elected at the meeting. The chairman of the board, as well as the members of the board, before entering upon their duties as such, respectively, shall take the oath of office prescribed by law for state officers.~~

SEC 8 Section 26006 of the Education Code is repealed.

~~26006. If the Director of Education is unable to attend a meeting of the board of governors, he may designate a member of the staff of the State Department of Education to represent him at the meeting. The representative of the Director of Education shall, as to the meeting, have the status of a member of the board of governors.~~ "

Amendment No. 10

On page 3, line 28, strike out "SEC. 3.5", and insert "SEC. 9".

Amendment No. 11

On page 3, between lines 39 and 40, insert

"SEC 10. Section 26052 6 is added to the Education Code, to read:

26052 6 The California Maritime Academy Board of Governors may contract with the Department of Education or other appropriate state agency or agencies to provide for personnel services."

Amendment No. 12

On page 3, line 40, strike out "SEC. 4", and insert "SEC. 11".

Amendment No. 13

On page 4, line 20, strike out "SEC 5", and insert "SEC. 12".

Amendment No. 14

On page 4, line 26, strike out "SEC. 6", and insert "SEC. 13".

Amendment No. 15

On page 4, line 40, strike out "SEC. 7", and insert "SEC. 14".

Amendment No. 16

On page 5, line 9, strike out "SEC. 8", and insert "SEC. 15".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Collier, Conrad, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Townsend, Wakefield, Warren, Wilson, Z'berg, and Mr. Speaker—46.

NOES—None.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1699 STRICKEN FROM FILE

Mr. Burton was granted unanimous consent that Assembly Bill No. 1699 (consideration of Senate amendments) be stricken from file.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1194—An act to amend Section 27491.45 of the Government Code, relating to coroners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1194?

Amendment No. 1

On page 1 of the printed bill, after line 10, insert

"Nothing in this section shall be construed as limiting any right provided for in Section 7151.7 of the Health and Safety Code."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Dunlap, Fenton, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 26—An act to amend Sections 654 and 668 of, and to add Sections 654.05 and 654.06 to, the Harbors and Navigation Code, relating to vessels.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 26?

Senate Amendments of March 21, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 8, 1972, strike out "Section 654", and insert "Sections 654 and 668".

Amendment No. 2

On page 2, line 4, strike out "by"; and strike out line 5; and in line 6, strike out "maintained", and insert "at all times".

Amendment No. 3

On page 2, line 6, strike out the comma; and strike out lines 7 and 8, and insert a period.

Amendment No. 4

On page 2, line 10, after "entity", insert "or United States Coast Guard".

Amendment No. 5

On page 2, line 11, strike out the first "or", and insert ", in a".

Amendment No. 6

On page 2, line 11, strike out "or to such motorboats".

Amendment No. 7

On page 2, line 12, strike out "to such motorboats while competing in", and insert "while on".

Amendment No. 8

On page 2, line 13, after "records", insert "during the time and in the designated area authorized by the permit. In addition, this section shall not apply to motorboats preparing for a race or regatta if authorized by a permit issued by the local entity having jurisdiction over the area where the preparations will occur".

Amendment No. 9

On page 2, lines 16 and 17, strike out "which is 21 feet in length, or less,".

Amendment No. 10

On page 2, line 21, after "entity", insert "or United States Coast Guard".

Amendment No. 11

On page 2, line 22, strike out the first "or", and insert ", in a".

Amendment No. 12

On page 2, line 22, strike out "or to such motorboats".

Amendment No. 13

On page 2, line 23, strike out "to such motorboats while competing in", and insert "while on".

Amendment No. 14

On page 2, line 24, after "records", insert "during the time and in the designated area authorized by the permit In addition, this section shall not apply to motorboats preparing for a race or regatta if authorized by a permit issued by the local entity having jurisdiction over the area where the preparations will occur".

Amendment No. 15

On page 2, line 27, after "sale", insert "at retail".

Amendment No. 16

On page 2, line 32, after "SEC. 4 ", insert "Section 668 of the Harbors and Navigation Code is amended to read:

668 (a) Any person who violates any provisions of Sections 652, 654, *654 05,* or 659 and any manufacturer or importer who violates Section 653 of this code or any regulations adopted by the department pursuant thereto is guilty of a misdemeanor and shall be subject to a fine of not to exceed fifty dollars ($50) or imprisonment in the county jail for not to exceed five days, or both, for each violation

(b) Any person who violates any provisions of subdivision (a) or (b) of Section 658 of this code is guilty of a misdemeanor and shall be subject to a fine of not to exceed one hundred dollars ($100) for each violation.

(c) Any person who violates any provision of Sections 652 5, 655, 656, or subdivision (d) or (e) of Section 658 of this code or any special rules and regulations adopted by the department pursuant to the provisions of subdivisions (b) or (c) of Section 660 of this code is guilty of a misdemeanor and shall be subject to a fine of not to exceed five hundred dollars ($500) or imprisonment in the county jail for not to exceed six months, or both, for each violation.

SEC. 5."

Amendment No. 17

On page 2, line 33, strike out "1974", and insert "1973".

Senate Amendments of April 13, 1972

Set No. 1

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Senate March 21, 1972, before "Section", insert

"SEC. 4."

Set No. 2

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Senate March 21, 1972, after "motorboat", insert "in or upon the navigable waters of any lake, reservoir, or fresh water impoundment of this state".

Amendment No. 2

On page 2, line 24, strike out "82", and insert "86".

Amendment No. 3

On page 3, line 11, strike out "82", and insert "86".

Amendment No. 4

On page 3, line 16, strike out "Sections", and insert "Section".

Amendment No. 5

On page 3, line 16, after "654 05," insert "654.06,".

Senate Amendments of May 31, 1972

Amendment No. 1

On page 2, lines 19 and 20, of the printed bill, as amended in Senate April 13, 1972, strike out "navigable waters of any lake, reservoir, or fresh water impoundment", and insert "inland waters".

Amendment No. 2

On page 2, strike out lines 21 and 22, and insert "exceed the following noise levels:

(a) For engines manufactured on or after January 1, 1974, and and before January 1, 1976, a noise level of 86 dbA measured at a distance of 50 feet from the motorboat

(b) For engines manufactured on or after January 1, 1976, and before January 1, 1978, a noise level of 84 dbA measured at a distance of 50 feet from the motorboat

(c) For engines manufactured on or after January 1, 1978, a noise level of 82 dbA measured at a distance of 50 feet from the motorboat"

Amendment No. 3

On page 3, lines 8 and 9, strike out "manufactured on or after July 1, 1974,".

Amendment No. 4

On page 3, strike out lines 10 and 11, and insert "operated, exceeds the following noise levels

(a) For engines manufactured on or after January 1, 1974, and before January 1, 1976, a noise level of 86 dbA measured at a distance of 50 feet from the motorboat

(b) For engines manufactured on or after January 1, 1976, and before January 1, 1978, a noise level of 84 dbA measured at a distance of 50 feet from the motorboat

(c) For engines manufactured on or after January 1, 1978, a noise level of 82 dbA measured at a distance of 50 feet from the motorboat"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Dunlap, Fenton, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—51.

NOES—None

Above bill ordered enrolled.

REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received, and read.

Assembly Chamber, July 12, 1972

Mr Speaker: The Second Committee on Conference concerning

Senate Bill No. 9—As amended in Assembly June 26, 1972—An act to amend Sections 29530, 29532, and 29533 of the Government Code,

to amend Sections 99209, 99213, 99240, 99241, 99260, 99267, 99282, 99305, 99401, 99403, 99405, and 99407 of, to repeal Section 99275 of, and to add Section 99275 to, the Public Utilities Code, and to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of, and to add Sections 6357 1, 6357 2, 7204 4, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to sales and use taxes to finance public transportation systems, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Assembly June 26, 1972, after "Sections", insert "6011, 6012,".

Amendment No. 2

On page 13, line 34, strike out the comma, and insert "of".

Amendment No. 3

On page 13, between lines 37 and 38, insert

"SEC 15.3. Section 6011 of the Revenue and Taxation Code is amended to read:

6011. (a) "Sales price" means the total amount for which tangible personal property is sold or leased or rented, as the case may be, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:

(1) The cost of the property sold.

(2) The cost of materials used, labor or service cost, interest charged, losses, or any other expenses.

(3) The cost of transportation of the property, except as excluded by other provisions of this section

(b) The total amount for which the property is sold or leased or rented includes all of the following:

(1) Any services that are a part of the sale.

(2) Any amount for which credit is given to the purchaser by the seller.

~~(3) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division.~~

(c) "Sales price" does not include any of the following

(1) Cash discounts allowed and taken on sales

(2) The amount charged for property returned by customers when that entire amount is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

(3) The amount charged for labor or services rendered in installing or applying the property sold.

(4) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer

(5) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California upon or with respect to retail sales of tangible personal property, measured by a stated percentage of sales price or gross receipts, whether imposed upon the retailer or the consumer.

(6) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California with respect to the storage, use or other consumption in such city, county, city and county, or rapid transit district of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer

(7) Separately stated charges for transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, but the exclusion shall not exceed a reasonable charge for transportation by facilities of the retailer or the cost to the retailer of transportation by other than facilities of the retailer; provided, that if the transportation is by facilities of the retailer, or the property is sold for a delivered price, this exclusion shall be applicable solely with respect to transportation which occurs after the purchase of the property is made

(8) The amount of any motor vehicle fee or tax imposed by and paid the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle

(9) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division

SEC 15 5 Section 6012 of the Revenue and Taxation Code is amended to read·

6012 (a) "Gross receipts" mean the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or otherwise, without any deduction on account of any of the following·

(1) The cost of the property sold However, in accordance with such rules and regulations as the board may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the state or has paid the use tax with respect to the property, and has resold the property prior to making any use of the property other than retention, demonstration, or display while holding it for sale in the regular course of business If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property

(2) The cost of the materials used, labor or service cost, interest paid, losses, or any other expense.

(3) The cost of transportation of the property, except as excluded by other provisions of this section

~~(4) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division.~~

(b) The total amount of the sale or lease or rental price includes all of the following:

(1) Any services that are a part of the sale.

(2) All receipts, cash, credits and property of any kind

(3) Any amount for which credit is allowed by the seller to the purchaser.

(c) "Gross receipts" do not include any of the following:

(1) Cash discounts allowed and taken on sales

(2) Sale price of property returned by customers when the full sale price is refunded either in cash or credit, but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned For the purpose of this section refund or credit of the entire amount shall be deemed to be given when the purchase price less rehandling and restocking costs are refunded or credited to the customer.

(3) The price received for labor or services used in installing or applying the property sold.

(4) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(5) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California upon or with respect to retail sales of tangible personal property measured by a stated percentage of sales price or gross receipts whether imposed upon the retailer or the consumer.

(6) The amount of any tax imposed by any city, county, city and county, or rapid transit district within the State of California with respect to the storage, use or other consumption in such city, county, city and county, or rapid transit district of tangible personal property measured by a stated percentage of sales price or purchase price, whether such tax is imposed upon the retailer or the consumer

(7) Separately stated charges for transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, but the exclusion shall not exceed a reasonable charge for transportation by facilities of the retailer or the cost to the retailer of transportation by other than facilities of the retailer; provided, that if the transportation is by facilities of the retailer, or the property is sold for a delivered price, this exclusion shall be applicable solely with respect to transportation which occurs after the sale of the property is made to the purchaser.

(8) The amount of any tax imposed by the United States upon producers and importers of gasoline and the amount of any tax imposed pursuant to Part 2 (commencing with Section 7301) of this division.

~~(8)~~ *(9)* The amount of any motor vehicle fee or tax imposed by and paid to the State of California that has been added to or is measured by a stated percentage of the sales or purchase price of a motor vehicle.

For purposes of the sales tax, if the retailers establish to the satisfaction of the board that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed."

Amendment No. 4

On page 17, line 10, strike out the comma, and insert "of".

Amendment No. 5

On page 17, line 11, strike out the first comma, and insert "of".

Amendment No. 6

On page 19, strike out line 25, and insert

"SEC 27 Sections 15 3 and 15 5 of this act shall become operative on October 1, 1972 All other provisions of this act shall take effect immediately."

The undersigned consent to the report·

PETER BEHR	LEO J RYAN
GEORGE MOSCONE	PETER CHACON
RANDOLPH COLLIER	
Senate Committee on Conference	Assembly Committee on Conference

Report read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Warren moved a call of the Assembly.

Motion carried Time, 11 20 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 1, 1972

Mr Speaker· The Committee on Conference concerning

Senate Bill No. 184—As amended in Assembly July 27, 1972—An act to amend Section 4700 of the Civil Code, to amend Sections 395,

1681, and 1769 of the Code of Civil Procedure, and to amend Section 11476 of the Welfare and Institutions Code, relating to family law; Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 5, between lines 1 and 2 of the printed bill, as amended in Assembly July 27, 1972, insert

"SEC. 3.5 Section 395 of the Code of Civil Procedure is amended to read:

395. (a) Except as otherwise provided by law and subject to the power of the court to transfer actions or proceedings as provided in this title, the county in which the defendants or some of them reside at the commencement of the action is the proper county for the trial of the action. If the action is for injury to person or personal property or for death from wrongful act or negligence, either the county where the injury occurs or the injury causing death occurs or the county in which the defendants, or some of them reside at the commencement of the action, shall be a proper county for the trial of the action. In a proceeding for dissolution of marriage, the county in which the petitioner has been a resident for three months next preceding the commencement of the proceeding is the proper county for the trial of the proceeding *In a proceeding to determine parental relation under Section 231 of the Civil Code or to enforce an obligation of support under Section 196a of the Civil Code, the county in which the child resides is the proper county for the trial of the action* Subject to the provisions of subdivision (b), when a defendant has contracted to perform an obligation in a particular county, either the county where such obligation is to be performed or in which the contract in fact was entered into or the county in which the defendant or any such defendant resides at the commencement of the action shall be a proper county for the trial of an action founded on such obligation, and the county in which such obligation is incurred shall be deemed to be the county in which it is to be performed unless there is a special contract in writing to the contrary. If none of the defendants reside in the state or if residing in the state and the county in which they reside is unknown to the plaintiff, the action may be tried in any county which the plaintiff may designate in his complaint, and, if the defendant is about to depart from the state, such action may be tried in any county where either of the parties reside or service is made. If any person is improperly joined as a defendant or has been made a defendant solely for the purpose of having the action tried in the county or judicial district where he resides, his residence shall not be considered in determining the proper place for the trial of the action.

(b) Subject to the power of the court to transfer actions or proceedings as provided in this title, in an action founded upon an obligation of the defendant for goods, services, loans or extensions of credit

intended primarily for personal, family or household use, other than an obligation described in Section 1812 10 or Section 2984 4 of the Civil Code, the county in which the defendant in fact signed the contract, the county in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or the county in which the defendant resides at the commencement of the action is the proper county for the trial thereof

(c) If within any such county there is a municipal or justice court having jurisdiction of the subject matter established in the judicial district in which the defendant or any defendant resides, in which the injury to person or personal property or the injury causing death occurs, or, in the cases mentioned in subdivision (a), in which the obligation was contracted to be performed or, in cases mentioned in subdivision (b), in which the defendant in fact signed the contract, in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or in which the defendant resides at the commencement of the action, then such court is the proper court for the trial of such action Otherwise, any municipal or justice court in such county having jurisdiction of the subject matter is a proper court for the trial thereof.

(d) Any provision of an obligation described in subdivision (b) or (c) waiving the provisions of those subdivisions is void and unenforceable."

Amendment No. 2

On page 19, after line 21, insert

"SEC 12 It is the intent of the Legislature, if this bill and Senate Bill No 267 are both chaptered and amend Section 395 of the Code of Civil Procedure, and this bill is chaptered after Senate Bill No 267, that the amendments to Section 395 proposed by both bills be given effect and incorporated in Section 395 in the form set forth in Section 3 5 of this act Therefore, Section 3 5 of this act shall become operative only if this bill and Senate Bill No 267 are both chaptered, both amend Section 395, and Senate Bill No 267 is chaptered before this bill, in which case Section 3 of this act shall not become operative."

The undersigned consent to the report·

HOWARD WAY	FRANK MURPHY
CLAIR BURGENER	JOHN F FORAN
JOHN NEJEDLY	ALISTER McALISTER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote·

AYES—Arnett, Badham, Belotti, Beverly, Burke, Burton, Chappie, Cline, Colher, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—49.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 1, 1972

Mr Speaker: The Committee on Conference concerning

Senate Bill No. 267—As amended in Assembly July 19, 1972—An act to amend Sections 117 and 395 of the Code of Civil Procedure, relating to venue;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 5, after line 16 of the printed bill, as amended in Assembly July 19, 1972, insert

"SEC 3. Section 395 of the Code of Civil Procedure is amended to read:

395. (a) Except as otherwise provided by law and subject to the power of the court to transfer actions or proceedings as provided in this title, the county in which the defendants or some of them reside at the commencement of the action is the proper county of the trial of the action If the action is for injury to person or personal property or for death from wrongful act or negligence, either the county where the injury occurs or the injury causing death occurs or the county in which the defendants, or some of them reside at the commencement of the action, shall be a proper county for the trial of the action In a proceeding for dissolution of marriage, the county in which the petitioner has been a resident for three months next preceding the commencement of the proceeding is the proper county for the trial of the proceeding *In a proceeding to determine parental relation under Section 231 of the Civil Code or to enforce an obligation of support under Section 196a of the Civil Code, the county in which the child resides is the proper county for the trial of the action* Subject to the provisions of subdivision (b), when a defendant has contracted to perform an obligation in a particular county, either the county where such obligation is to be performed or in which the contract in fact was entered into or the county in which the defendant or any such defendant resides at the commencement of the action shall be a proper county for the trial of an action founded on such obligation, and the county in which such obligation is incurred shall be deemed to be the county in which it is to be performed unless there is a special contract in writing to the contrary If none of the defendants reside in the state or if residing in the state and the county in which they reside is unknown to the plaintiff, the action may be tried in any county which the plaintiff may designate in his complaint, and, if the defendant is about to depart from the state, such action may be tried in any county where either of the parties reside or service is made If any person is improperly joined as a defendant or has been made a defendant solely for the purpose of having the action tried in the county or judicial district where he resides, his residence shall not be considered in determining the proper place for the trial of the action.

(b) Subject to the power of the court to transfer actions or proceedings as provided in this title, in an action founded upon an obligation of the defendant for goods, services, loans or extensions of credit intended primarily for personal, family or household use, other than an obligation described in Section 1812 10 or Section 2984 4 of the Civil Code, the county in which the defendant in fact signed the contract, the county in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or the county in which the defendant resides at the commencement of the action is the proper county for the trial thereof

(c) If within any such county there is a municipal or justice court having jurisdiction of the subject matter established in the judicial district in which the defendant or any defendant resides, in which the injury to person or personal property or the injury causing death occurs, or, in the cases mentioned in subdivision (a), in which the obligation was contracted to be performed or, in cases mentioned in subdivision (b), in which the defendant in fact signed the contract, in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or in which the defendant resides at the commencement of the action, then such court is the proper court for the trial of such action Otherwise, any municipal or justice court in such county having jurisdiction of the subject matter is a proper court for the trial thereof.

(d) Any provision of an obligation described in subdivision (b) or (c) waiving the provisions of those subdivisions is void and unenforceable.

SEC 4 It is the intent of the Legislature, if this bill and Senate Bill No 184 are both chaptered and amend Section 395 of the Code of Civil Procedure, and this bill is chaptered after Senate Bill No 184, that the amendments to Section 395 proposed by both bills be given effect and incorporated in Section 395 in the form set forth in Section 3 of this act Therefore, Section 3 of this act shall become operative only if this bill and Senate Bill No 184 are both chaptered, both amend Section 395, and Senate Bill No 184 is chaptered before this bill, in which case Section 2 of this act shall not become operative."

The undersigned consent to the report:

ARLEN GREGORIO	CHARLES WARREN
ALFRED SONG	EDWIN L Z'BERG
DONALD GRUNSKY	KEN MADDY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Belotti, Beverly, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Deddeh, Dent, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—49.

NOES—None.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1930—An act to add Sections 775 and 1586 5 and Division 14 (commencing with Section 30000) to the Financial Code, to add Sections 586.1, 590, 1514 5 and 1520 to the Probate Code, to add Section 2240 to the Civil Code, to add Section 568 1 to the Code of Civil Procedure, to amend Section 8102 of the Commercial Code, and to amend Sections 10250 and Section 27002 of the Corporations Code, relating to securities depositories.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1930?

Senate Amendments of July 3, 1972

Amendment No. 1

On page 2 of the printed bill, strike out lines 32 to 34, inclusive, and insert

"(b) A securities depository which is registered with the Securities and Exchange Commission pursuant to any provision of federal law or which is regulated by the Comptroller of the Currency, the Federal Reserve Board, or the Federal Deposit Insurance Corporation pursuant to any provision of federal law, or which is regulated by the Superintendent of Banks pursuant to the laws of this state."

Amendment No. 2

On page 3, in lines 25 and 26, strike out "a statute of the United States such as".

Amendment No. 3

On page 3, line 39, strike out "one hundred fifty dollars ($150)", and insert "two thousand five hundred dollars ($2,500)".

Amendment No. 4

On page 4, between lines 2 and 3, insert

"(c) For continuing a license as a securities depository in effect, a fee of two thousand five hundred dollars ($2,500) per annum, payable biennially on the 15th day of December of each odd-numbered calendar year. If a license is issued during an even-numbered calendar year, the securities depository shall pay to the commissioner, within 60 days after the issuance of its license, an additional annual fee of two thousand five hundred dollars ($2,500) "

Amendment No. 5

On page 4, line 8, strike out "said application shall be"; and strike out lines 9 to 11, inclusive, and insert "shall set forth in such form as the commissioner may prescribe·".

Amendment No. 6

On page 4, line 20, after "depository", insert "corporation".

Amendment No. 7

On page 4, between lines 21 and 22, insert "The commissioner may require disclosure of such additional information as may be necessary to determine the individuals controlling such corporation.

(d) The addresses at which facilities of the applicant will be located and a description of each such facility and the functions there performed, and a description of any other business or operations which will be conducted on such premises

(e) By way of exhibits, a copy of the articles of incorporation and a copy of the bylaws of the applicant

(f) By way of exhibits, financial statements of the applicant, which shall include at least a balance sheet and profit and loss statement certified by an independent public accountant or certified public accountant, and if such certified statements are prepared as of a date more than 60 days prior to the filing of the application, a balance sheet and profit and loss statement, which need not be certified, prepared as of a date within such 60-day period, together with profit and loss statements covering at least three years of its operations, or such lesser period as the applicant may have operated, to the date of such certified balance sheet

(g) Such additional information as the commissioner may by rule prescribe."

Amendment No. 8

On page 5, between lines 7 and 8, insert

"(d) That the applicant is, or is in danger of becoming, insolvent."

Amendment No. 9

On page 5, strike out lines 8 to 16, inclusive, and insert

"30207. No licensee, or any other person, shall solicit deposits of securities or otherwise conduct the business of a licensee, by means of any statement or representation which is false, misleading, or deceptive, or which omits to state material information, or which infers that such licensee has been sponsored, recommended or approved or that his abilities or qualifications have in any respect been passed upon by the commissioner The commissioner may order a licensee or other person to desist from any conduct which he shall find to be a violation of this section."

Amendment No. 10

On page 6, in line 11, strike out "Every person subject to this division shall, if", and strike out line 12, and insert

"(a) Every person subject to this division shall".

Amendment No. 11

On page 6, strike out lines 26 to 30, inclusive, and in line 31, strike out "the request "

Amendment No. 12

On page 6, line 39, after the period, insert "The commissioner may by rule prescribe the matters to be covered in the report or certification of the auditor.

(b) Within such period as the commissioner shall prescribe, which shall not be less than 10 days, a person subject to this division shall submit to the commissioner, at such person's own expense, a report containing such information regarding its financial condition, operations, or the ownership of its outstanding securities as the commissioner may require "

Amendment No. 13

On page 7, line 4, after the period, insert "The commissioner may, in carrying out his responsibilities under this section, employ an independent public accountant or certified public accountant the cost of whose services shall be borne by such person in accordance with Section 30212."

Amendment No. 14

On page 7, line 16, after "depository", insert ", or otherwise limit the conduct of the business of such depository as may be necessary for the safety of security holders".

Amendment No. 15

On page 7, between lines 28 and 29, insert

"30217. The commissioner may from time to time make, amend, and rescind such rules, forms, and orders as are necessary to carry out the provisions of this law, including rules defining any terms, whether or not used in this law, insofar as the definitions are not inconsistent with the provisions of this law For the purposes of rules and forms, the commissioner may classify persons and matters within his jurisdiction and may prescribe different requirements for different classes The commissioner may in his discretion waive any requirement of any rule or form in situations where in his opinion such requirement is not necessary in the public interest or for the protection of investors All rules of the commissioner other than those relating solely to the internal administration of the Department of Corporations shall be made, amended, or rescinded in accordance with the provisions of Chapter 4 5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code."

Amendment No. 16

On page 7, line 40, strike out "reports", and insert "report".

Amendment No. 17

On page 8, line 2, strike out "reports", and insert "report".

Amendment No. 18

On page 8, line 3, after the comma, insert "or has failed to pay any fee or charge payable under this division within 10 days after notice by the commissioner that such fee is due and unpaid,".

Amendment No. 19

On page 8, line 5, after "depository", insert "or for the issuance of an order by the commissioner under the provisions of Section 30215".

Amendment No. 20

On page 8, strike out lines 37 to 40, inclusive; and on page 9, strike out line 1, and insert

"30606 (a) If a securities depository fails to comply with a final order and has not secured a court order restraining the enforcement of such final order, the commissioner may revoke the license of such securities depository or he may institute proceedings under subdivision (b) to enforce such final order.

(b) Whenever it appears to the commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this law or any rule or order hereunder, he may in his discretion bring an action in the superior court to enjoin the acts or practices or to enforce compliance with this law or any rule or order hereunder Upon a proper showing, a permanent or preliminary injunction, restraining order, or writ of mandate shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets The court shall not require the commissioner to post a bond."

Amendment No. 21

On page 9, line 12, strike out "regulation", and insert "order".

Amendment No. 22

On page 10, line 28, strike out "all the"; and strike out line 29; and in line 30, strike out "requirements of Section 30201", and insert "which is licensed under Section 30200 or exempted from licensing thereunder by Section 30005 or 30006".

Amendment No. 23

On page 10, lines 33 and 34, strike out "meeting the ownership tests of Section 30201", and insert "so licensed or exempted".

Amendment No. 24

On page 11, line 35, strike out "all the capital stock of which is held in"; and strike out line 36, and insert "which is licensed under Section 30200 or exempted from licensing thereunder by Section 30005 or 30006."

Amendment No. 25

On page 12, line 3, strike out "all the capital stock"; and strike out line 4, and in line 5, strike out "Section 30201", and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006".

Amendment No. 26

On page 12, line 11, strike out "all the capital stock of which is held in"; and strike out line 12, and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006 of the"

Amendment No. 27

On page 12, line 22, strike out "all the capital stock"; and strike out line 23; and in line 24, strike out "Section 30201", and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006".

Amendment No. 28

On page 12, line 30, strike out "all the capital stock which is held in"; and strike out line 31, and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006 of the".

Amendment No. 29

On page 13, line 1, strike out "all the"; and strike out line 2; and in line 3, strike out "requirements of Section 30201", and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006".

Amendment No. 30

On page 13, line 12, strike out "all the capital stock of which"; and strike out line 13; and in line 14, strike out "30201", and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006".

Amendment No. 30.5

On page 13, in lines 20 and 21, strike out "or Part 3", and insert "(commencing with Section 10000) or Part 3 (commencing with Section 10200)".

Amendment No. 31

On page 14, line 12, strike out "all the capital stock of which is held"; and strike out line 13, and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006 of".

Amendment No. 32

On page 15, line 6, strike out "all the capital stock of which"; and strike out line 7; and in line 8, strike out "30201", and insert "which is licensed under Section 30200 of the Financial Code or exempted from licensing thereunder by Section 30005 or 30006".

Amendment No. 33

On page 17, line 6, after "DIVISION 1", insert "(commencing with Section 1101)".

Senate Amendments of July 12, 1972

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Senate July 3, 1972, strike out "whereby securities so held may"; and strike out lines 19 to 22, inclusive, and insert "for the central handling of securities whereby all securities of a particular class or series of any issues deposited within the system are treated as fungible and may be transferred or pledged by bookkeeping entries effected by that person without physical delivery of such securities."

Amendment No. 2

On page 2, line 25, after "stock", insert "(other than directors' qualifying shares, if any)".

Amendment No. 3

On page 2, line 29, after "stock", insert "(other than directors' qualifying shares, if any)".

Amendment No. 4

On page 19, line 15, strike out "securities depository".

Amendment No. 5

On page 19, line 16, after "corporation", insert a colon.

Amendment No. 6

On page 19, line 16, strike out "which, acting as the custodian of securities,", and strike out lines 17 to 22, inclusive.

Amendment No. 7

On page 19, in lines 23 and 24, strike out "such corporation", and insert "which".

Amendment No. 8

On page 19, line 26, strike out "Is", and insert "Which is".

Amendment No. 9

On page 19, line 29, strike out "Is", and insert "Which is".

Amendment No. 10

On page 19, line 32, strike out "Is", and insert "Which is".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote·

AYES—Belotti, Dunlap, Lanterman, and Monagan—4

NOES—Arnett, Badham, Beverly, Burke, Chacon, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Hayden, Hayes, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—42

Appointment of Committee on Conference Concerning Assembly Bill No. 1930

The Acting Speaker appointed Messrs Knox, Lanterman, and MacDonald as a Committee on Conference concerning Assembly Bill No. 1930.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, July 31, 1972

Mr Speaker· The Committee on Conference concerning·

Senate Bill No. 85—As amended in Assembly July 19, 1972—An act to amend Section 395 of the Code of Civil Procedure, relating to civil actions;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows·

Amendment No. 1

On page 3, after line 19, of the printed bill, as amended in Assembly July 19, 1972, insert

"SEC 2. Section 395 of the Code of Civil Procedure is amended to read:

395. (a) Except as otherwise provided by law and subject to the power of the court to transfer actions or proceedings as provided in this title, the county in which the defendants or some of them reside at the commencement of the action is the proper county for the trial of the action If the action is for injury to person or personal property or for death from wrongful act or negligence, either the county where the injury occurs or the injury causing death occurs or the county in which the defendants, or some of them reside at the commencement of the action, shall be a proper county for the trial of the action In a proceeding for dissolution of marriage, the county in which the petitioner has been a resident for three months next preceding the commencement of the proceeding is the proper county for the trial of the proceeding Subject to the provisions of subdivision (b), when a defendant has contracted to perform an obligation in a particular county, either the county where such obligation is to be performed or in which the contract in fact was entered into or the county in which the defendant or any such defendant resides at the commencement of the action shall be a proper county for the trial of an action founded on such obligation, and the county in which such obligation is incurred shall be deemed to be the county in which it is to be performed unless there is a special contract in writing to the contrary If none of the defendants reside in the state or if residing in the state and the county in which they reside is unknown to the plaintiff, the action may be tried in any county which the plaintiff may designate in his complaint, and, if the defendant is about to depart from the state, such action may be tried in any county where either of the parties reside or service is made. If any person is improperly joined as a defendant or has been made a defendant solely for the purpose of having the action tried in the county or judicial district where he resides, his residence shall not be considered in determining the proper place for the trial of the action.

In a proceeding to determine a parental relationship pursuant to Section 231 of the Civil Code, or to enforce an obligation of support pursuant to Section 196a of the Civil Code, the county in which the child or the defendant resides at the commencement of the action is a proper county for the trial of the action

(b) Subject to the power of the court to transfer actions or proceedings as provided in this title, in an action founded upon an obligation of the defendant for goods, services, loans or extensions of credit intended primarily for personal, family or household use, other than an obligation described in Section 1812 10 or Section 2984 4 of the Civil Code, the county in which the defendant in fact signed the contract, the county in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or the county in which the defendant resides at the commencement of the action is the proper county for the trial thereof

(c) If within any such county there is a municipal or justice court having jurisdiction of the subject matter established in the judicial district in which the defendant or any defendant resides, in which the injury to person or personal property or the injury causing death occurs, or, in the cases mentioned in subdivision (a), in which the obligation was contracted to be performed or, in cases mentioned in

subdivision (b), in which the defendant in fact signed the contract, in which the defendant resided at the time the contract was ~~signed~~ *entered into*, or in which the defendant resides at the commencement of the action, then such court is the proper court for the trial of such action Otherwise, any municipal or justice court in such county having jurisdiction of the subject matter is a proper court for the trial thereof.

(d) Any provision of an obligation described in subdivision (b) or (c) waiving the provisions of those subdivisions is void an unenforceable.

SEC 3. It is the intent of the Legislature, if this bill and Senate Bill No 267 are both chaptered and amend Section 395 of the Code of Civil Procedure, and this bill is chaptered after Senate Bill No 267, that the amendments to Section 395 proposed by both bills be given effect and incorporated in Section 395 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 267 are both chaptered, both amend Section 395, and Senate Bill No 267 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The undersigned consent to the report:

JOHN HOLMDAHL	ROBERT W CROWN
WALTER W. STIERN	JOHN T KNOX
	WILLIAM CAMPBELL
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 42—An act to add Article 6 (commencing with Section 19460) to Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84 2 to the Budget Act of 1972, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 42?

Senate Amendments of May 26, 1972
Amendment No. 1

On page 3 of the printed bill, as amended in Assembly April 17, 1972, between lines 8 and 9, insert

"(f) "State employees" means employees of the state and its agencies, but does not include employees of the University of California."

Amendment No. 2

On page 5, strike out lines 1 to 3, inclusive, and insert "service, whose".

Amendment No. 3

On page 6, between lines 3 and 4, insert

"SEC. 4. It is the intent of the Legislature to provide state funds for the replacement of uniforms for work clothing and for safety equipment and police protective equipment for employees of the University of California whose compensation is paid from the General Fund. The Regents of the University of California are requested to establish procedures and make determinations as required to provide comparable allowances to those provided to state employees and to report the cost thereof to the Department of Finance and the Joint Legislative Budget Committee."

Amendment No. 4

On page 6, line 4, strike out "4", and insert "5".

Amendment No. 5

On page 6, line 6, strike out "5", and insert "6".

Senate Amendments of June 29, 1972

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Senate May 26, 1972, insert

"(Coauthors: Senators Collier, Alquist, Beilenson, Cusanovich, Grunsky, Holmdahl, Lagomarsino, Marler, Rodda, Short, Stiern, and Way)".

Amendment No. 2

In line 3 of the title, strike out "84.1", and insert "84.2".

Amendment No. 3

On page 4, line 33, strike out "84.1", and insert "84.2".

Amendment No. 4

On page 4, line 35, strike out "84.1", and insert "84.2".

Amendment No. 5

On page 6, line 3, strike out "84 1", and insert "84 2".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 684—An act to add Title 6 5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 684?

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly April 25, 1972, strike out "allocating", and insert "planning for the use of".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—Murphy and Wakefield—2.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON SECOND CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 9

At 11 30 a m , on motion of Mr Warren, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Second Conference Committee Report on Senate Bill No 9 adopted by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1407

Mr. Knox was granted unanimous consent to take up Senate Bill No. 1407, out of order, for purpose of amendment.

Consideration of Senate Bill No. 1407

Senate Bill No. 1407—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Knox moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Assembly August 1, 1972, after the period, insert "Rebuttal arguments shall be submitted pursuant to Section 3565 5 of the Elections Code, except that the rebuttal arguments shall be filed within three days after the date on which arguments are to be filed with the Secretary of State."

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 662—An act to amend Section 4600 of the Civil Code, and to amend Section 1408 of the Probate Code, relating to child custody.

The question being · Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 662?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 11, 1972, after line 28, insert

"SEC. 3. The amendments made by this act shall not be construed to affect any judgment or order made prior to the effective date of this act."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly.

Motion carried. Time, 11:35 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Conrad was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT

Mr. MacGillivray was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1794

Mr. Bill Greene was granted unanimous consent to rescind the action whereby the Assembly, on August 2, 1972 (Assembly Journal, pages

7064–7065), adopted the urgency clause to Assembly Bill No 1794, and concurred in the Senate amendments to the bill, and whereby the bill was ordered enrolled.

Further Consideration of Senate Amendments to Assembly Bill No. 1794

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1794?

Amendment No. 1

In line 4 of the heading of the printed bill, as amended in Assembly May 31, 1972, strike out "and Rodda", and insert "Rodda, and Moscone".

Amendment No. 2

In line 3 of the title, after "program", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, lines 31 and 32, strike out ": a.", and insert "requirements:
(a)".

Amendment No. 4

On page 2, line 34, strike out "b ", and insert "(b)".

Amendment No. 5

On page 2, line 36, strike out "c.", and insert "(c)".

Amendment No. 6

On page 3, line 4, strike out "d.", and insert "(d)".

Amendment No. 7

On page 3, line 13, strike out "e ", and insert "(e)".

Amendment No. 8

On page 3, line 17, after "Education", insert ", or approved by the Department of Education".

Amendment No. 9

On page 3, line 22, strike out "f.", and insert "(f)".

Amendment No. 10

On page 3, line 25, strike out "g ", and insert "(g)".

Amendment No. 11

On page 4, line 6, strike out "(500)", and insert "500".

Amendment No. 12

On page 5, after line 21, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

This act establishes an occupational education and training grant pilot program with grants to be available in the 1973–74 fiscal year and for the three fiscal years thereafter A substantial period of time is required prior to the 1973–74 fiscal year for administrative preparation for the making of such grants for that fiscal year The great uncertainty with respect to when ordinary statutes enacted at the 1972 Regular Session of the Legislature will become effective raises the strong possibility that this vital program could be severely jeopardized by insufficient preparation time if it were embodied in an ordinary statute. Thus, in order to ensure that sufficient time may be available for the preparation necessary for the proper implementation of the grant program established by this act, it is necessary that this act take effect immediately."

Urgency Clause

Urgency clause read.

The roll was called, and the Assembly refused to concur in the above Senate amendments, which add an urgency clause to the bill, by the following vote:

AYES—Cline—1.

NOES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—62.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1794

The Acting Speaker appointed Messrs Bill Greene, Cline, and Leroy F Greene as a Committee on Conference concerning Assembly Bill No. 1794.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1246

Mr Stull was granted unanimous consent to rescind the action whereby, on August 1, 1972 (Assembly Journal, page 7029), Assembly Bill No 1246 was ordered enrolled, and that the bill be returned to the Senate for further action.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Senate Chamber, August 2, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 1192—An act to amend Sections 21207, 22358 3, and 22503.5 of, and to add Section 32 to, the Vehicle Code, relating to local authorities;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly July 7, 1972, after "district", insert "or in a public park".

The undersigned consent to the report:

JOHN NEJEDLY	JAMES W DENT
MILTON MARKS	RICHARD D HAYDEN
CLAIR BURGENER	ROBERT BURKE
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Senate Chamber, August 2, 1972

Mr Speaker: The Committee on Conference concerning:

Senate Bill No. 1193—An act to repeal Section 7 of Chapter 1357 of the Statutes of 1970, relating to gravel beds;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 27, 1972, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1, strike out lines 7 and 8, and insert

"SECTION 1 Section 7 of Chapter 1357 of the Statutes of 1970 is amended to read:

Sec 7 The provisions of this act shall remain in effect until the 61st day after the final adjournment of the ~~1972~~ *1976* Regular Session of the Legislature, and shall have no force and effect after that date"

The undersigned consent to the report·

JOHN NEJEDLY	JAMES W DENT
ROBERT J LAGOMARSINO	LEO McCARTHY
ARLEN GREGORIO	
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 2, 1972

Mr. Speaker· The Committee on Conference concerning.

Assembly Bill No. 1153—As amended in Senate July 24, 1972—An act to amend Section 13413 of the Education Code, as added by Chapter 361 of the Statutes of 1971, and to add Section 13413 5 to the Education Code, relating to certificated employees;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows·

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 24, 1972, strike out "and to add", and strike out line 3, and insert "relating to".

Amendment No. 2

On page 2, line 12, strike out "be as", and strike out line 13, and insert "include the rights and duties of any party in a civil action brought in a superior court In all cases, discovery shall be completed prior to one week before the date set for hearing."

Amendment No. 3

On page 4, strike out lines 2 to 14, inclusive.

The undersigned consent to the report:

DONALD GRUNSKY	KEN MADDY
FRED W MARLER, JR	RAY E JOHNSON
ROBERT J LAGOMARSINO	GORDON DUFFY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote·

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 2, 1972

Mr Speaker: The Committee on Conference concerning:

Senate Bill No. 1394—An act to provide for the physical, social, and economic development of the Alviso area of the City of San Jose by creating the Alviso Development Corporation, and prescribing the boundaries, organization, purposes, powers, operation, management, and financing of the corporation;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly July 28, 1972, after "Alviso", insert "Nuevo".

Amendment No. 2

On page 29, line 40, after "community", insert "board shall have 30 days after receipt of notice of the".

The undersigned consent to the report·

ALFRED E ALQUIST	RICHARD D HAYDEN
ARLEN GREGORIO	JOHN VASCONCELLOS
CLARK BRADLEY	ALISTER McALISTER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote.

AYES—Arnett, Badham, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F.

Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—Wakefield—1.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Senate Chamber, July 31, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 371—An act to add Chapter 2 (commencing with Section 9975) to Division 3.6 of the Vehicle Code, relating to motor vehicles;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly July 27, 1972, strike out line 9; and in line 10, strike out "federal law to furnish", and insert "who furnishes".

Amendment No. 2

On page 2, line 11, strike out "purchaser", and insert "registered owner".

Amendment No. 3

On page 2, line 15, after the first "the", insert "registered".

Amendment No. 4

On page 2, line 16, after "vehicle", insert "or, at the manufacturer's election, reimburse the registered owner for the cost of making such correction".

Amendment No. 5

On page 2, line 23, after the second "the", insert "registered".

Amendment No. 6

On page 2, line 25, after "notification", insert "or within the warranty period of the motor vehicle, whichever is longer".

The undersigned consent to the report.

GEORGE MOSCONE	FRANK MURPHY
MERVYN DYMALLY	ROBERT G BEVERLY
	JERRY LEWIS
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E.

Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1978—An act to amend Sections 2355 and 2356 of the Civil Code, and to amend Sections 1751 and 1754 of, to add Sections 1751 5, 1754 5, and 1755 5 to, and to add Chapter 2 5 (commencing with Section 1776) to Division 5 of, the Probate Code, relating to present and former United States government personnel, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1978?

Senate Amendments of July 18, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 14, 1972, strike out "and", and insert "to add Section 6107 5 to the Government Code,".

Amendment No. 2

In line 5 of the title, after "Code", insert ", and to amend Sections 13681, 13871, 13872, and 17146 5 of, and to add Sections 17839 and 18471 to, the Revenue and Taxation Code".

Amendment No. 3

On page 3, line 17, after "SEC 3 ", insert "Section 6107.5 is added to the Government Code, to read·

6107 5 (a) No fee shall be charged in any proceedings for conservatorship of the estate of an "absentee" or in other proceedings to validate, confirm, or authorize a transaction respecting, or to set aside the property of, such an "absentee "

(b) For purposes of this section, "absentee" means either of the following·

(1) A member of a uniform service covered by Chapter 10 (commencing with Section 551) of Title 37 of the United States Code, who is determined under such chapter by the secretary concerned or his delegate to be in missing status, as "missing status" is defined in such chapter

(2) An employee of the United States government or an agency thereof covered by subchapter VII (commencing with Section 5561) of Chapter 55 of Title 5 of the United States Code, who is determined by the head of the department or agency concerned or his delegate to be in missing status as "missing status" is defined in such subchapter

(c) For purposes of paragraph (1) of subdivision (b), "secretary concerned" has the same meaning as the meaning set forth in Section 101 of Title 37 of the United States Code.

SEC. 4."

Amendment No. 4

On page 3, line 34, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 4, line 10, strike out "SEC 5", and insert "SEC. 6".

Amendment No. 6

On page 4, line 36, after "of", insert "the".

Amendment No. 7

On page 5, line 20, strike out "SEC 6", and insert "SEC. 7".

Amendment No. 8

On page 6, line 4, strike out "SEC 7", and insert "SEC. 8".

Amendment No. 9

On page 6, line 27, strike out "SEC 8", and insert "SEC. 9".

Amendment No. 10

On page 7, line 3, strike out the first "or", and insert "of".

Amendment No. 11

On page 14, line 12, strike out "SEC 9 ", and insert

SEC. 10. Section 13861 of the Revenue and Taxation Code is amended to read:

13861. All proceeds of any federal war risk insurance, *national service life insurance, or servicemen's group life insurance* policy of any veteran of World War I, World War II, *the Korean War, or the Vietnam Conflict (as defined in subdivision (d) of Section 17146.5)* which are or may become payable to the estate of the veteran are exempt from the tax imposed by this part

SEC 11. Section 13871 of the Revenue and Taxation Code is amended to read:

13871. *(a)* Property transferred to a class A, B, or C transferee who is a dependent of the transferor is exempt from the tax imposed by this part if the transferor dies as the result of disease contracted or injury suffered by reason of military service in the line of duty and not due to his own willful misconduct, and while serving in the armed forces of the United States between September 16, 1940, and the termination of all wars in which the United States is now engaged

(b) Property transferred to a class A, B, or C transferee who is a dependent of the transferor is exempt from the tax imposed by this part if the transferor dies as the result of disease contracted or injury suffered by reason of military service in the line of duty and not due to his own willful misconduct and while serving in a combat zone, as determined under Section 17146.5.

SEC 12 Section 13872 of the Revenue and Taxation Code is amended to read:

13872. *(a) Subdivision (a) of* Section 13871 is retroactive with respect to all transfers made by any such transferor dying on or after September 16, 1940.

(b) For purposes of subdivision (b) of Section 13871, if the transferor is a person who was, or is, in missing status as determined under subchapter VII (commencing with Section 5561) of Chapter 55 of Title 5 of the United States Code or under Chapter 10 (commencing with Section 551) of Title 37 of such code, it shall be conclusively presumed:

(1) That such transferor continues to be living until such missing status has been terminated; and

(2) That the date of death of such transferor is not earlier than the date on which the secretary concerned, or his designee, or the head of the agency concerned, or his designee, issues, in writing, a determination or a finding under such provisions by which such missing status is so terminated.

(c) For purposes of paragraph (2) of subdivision (b), "secretary concerned" and "head of the agency" shall have the same meanings as they have in the provisions of the United States Code cited in subdivision (b).

SEC. 13 Section 17146 5 of the Revenue and Taxation Code, as added by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read

17146 5. (a) Gross income does not include compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member—

(1) Served in a combat zone during an induction period, or

(2) Was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone during an induction period; but this paragraph shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under paragraph (3) of subdivision (c) of this section.

(b) Gross income does not include so much of the compensation as does not exceed five hundred dollars ($500) received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer—

(1) Served in a combat zone during an induction period, or

(2) Was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone during an induction period, but this paragraph shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under paragraph (3) of subdivision (c) of this section

(c) For purposes of this section—

(1) The term "commissioned officer" does not include a commissioned warrant officer

(2) The term "combat zone" means any area which the President of the United States by executive order designates, for purposes of Section 112 of the Internal Revenue Code of 1954, as an area in which armed forces of the United States are or have engaged in combat

(3) Service is performed in a combat zone only if performed on or after the date designated by the President by executive order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by executive order as the date of the termination of combatant activities in such zone.

(4) The term "compensation" does not include pensions and retirement pay.

(5) The term "induction period" means any period during which, under laws heretofore or hereafter enacted relating to the induction of individuals for training and service in the armed forces of the United States, individuals (other than individuals liable for induction by reason of a prior deferment) are liable for induction for such training and service.

(d) (1) Gross income does not include compensation received for active service as a member of the armed forces of the United States, for any month during any part of which such member is in a missing status (as defined in Section 551(2) of Title 37 of the United States Code) during the Vietnam Conflict as a result of such conflict, other than a period with respect to which it is officially determined (under Section 552 of such title) that he is officially absent from his post of duty without authority.

(2) Gross income does not include compensation received for active service as an employee for any month during any part of which such employee is in a missing status during the Vietnam Conflict as a result of such conflict For purposes of this paragraph the terms "active service," "employee" and "missing status" have the respective meaning given to such terms by Section 5561 of Title 5 of the United States Code

(3) For purposes of this part, the Vietnam Conflict began February 28, 1961, and ends on the date designated by the President by executive order as the date of the termination of combatant activities in Vietnam. For purposes of this subdivision, an individual is in a missing status as a result of the Vietnam Conflict if immediately before such status began he was performing service in Vietnam or was performing service in southeast Asia in direct support of military operations in Vietnam

(e) The amendments to this section at the 1972 Regular Session of the Legislature are applicable to compensation, received by members of the armed forces of the United States described in subdivision (d) and those employees described in subdivision (d), on which the tax under this part is not due and payable prior to the date of this amendment, by virtue of the operation of Section 18434 or 18470 of this code.

SEC. 14. Section 17839 is added to the Revenue and Taxation Code, to read:

17839 (a) In the case of any individual who dies after February 27, 1961, during an induction period (as defined in Section 17146 5) while in active service as a member of the armed forces of the United States, if such death occurred while serving in a combat zone (as determined in Section 17146 5) or as a result of wounds, disease, or injury incurred while so serving, any tax imposed by this part shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior consecutive taxable year ending on or after the first day he so served in a combat zone.

(b) This section is applicable to taxable years ending prior to the effective date of this section for which the tax under this part is not due and payable by virtue of the operation of Section 18434 or 18470 of this code.

SEC 15 Section 18471 is added to the Revenue and Taxation Code, to read:

18471 (a) If refund or overpayment for any taxable year resulting from the application of subdivision (d) of Section 17146 5 (including interest, additions to the tax, and additional amounts) is prevented at any time before the expiration of the applicable period specified in subdivision (b) of this section by the operation of any law or rule of law, such refund or credit of such overpayment may, nevertheless, be made or allowed if claim therefor is filed before the expiration of such applicable period.

(b) For purposes of this section, the applicable period for any individual with respect to any compensation is the period ending on whichever of the following days is later·

(1) The day which is one year after the effective date of this subdivision or

(2) The day which is two years after the date on which the individual's missing status (within the meaning of Section 17146 5(d)) has terminated for purposes of subdivision (d) of Section 17146 5.

SEC 16 ''

Amendment No. 12

On page 15, line 26, strike out ''SEC 10'', and insert ''SEC 17''

Senate Amendments of July 26, 1972

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in Senate July 18, 1972; and in line 3 of the title, strike out ''Code,'' and insert ''and''.

Amendment No. 2

Strike out lines 6 to 8, inclusive, of the title, and insert ''Probate''.

Amendment No. 3

On page 3, strike out lines 18 to 40, inclusive; on page 4, strike out lines 1 to 3, inclusive, and in line 4, strike out ''SEC 4'', and insert ''SEC 3''.

Amendment No. 4

On page 4, line 21, strike out ''SEC 5'', and insert ''SEC. 4''

Amendment No. 5

On page 4, line 37, strike out ''SEC 6'', and insert ''SEC 5''.

Amendment No. 6

On page 6, line 7, strike out ''SEC 7'', and insert ''SEC 6''

Amendment No. 7

On page 6, line 31, strike out ''SEC 8'', and insert ''SEC. 7''.

Amendment No. 8

On page 7, line 14, strike out ''SEC. 9'', and insert ''SEC 8''

Amendment No. 9

On page 10, strike out lines 28 to 40, inclusive; strike out pages 11 to 14, inclusive; and on page 15, strike out lines 1 to 3, inclusive, and in line 4, strike out "SEC 16", and insert

"SEC. 9".

Amendment No. 10

On page 16, line 4, strike out "SEC 17", and insert

"SEC. 10".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Belotti, Beverly, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11 43 a m, Mr Warren was granted unanimous consent to hold a special meeting of the Committee on Judiciary in the Sergeant at Arms office, at this time

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 10

In compliance with a motion given, Mr Murphy was granted unanimous consent that the vote whereby Senate Constitutional Amendment No 10 was refused adoption be reconsidered.

Further Consideration of Senate Constitutional Amendment No. 10

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending, repealing, and adding Section 7 of Article I thereof, relating to juries

Resolution read.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Murphy was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Constitutional Amendment No. 10 which add a total of more than 25 words to the resolution without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr Murphy moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 12, of the printed measure, as amended in Assembly July 26, 1972, after "inviolate", insert "; but in civil actions three-fourths of the jury may render a verdict A trial by jury may be waived in all criminal cases, by the consent of both parties, expressed in open court by the defendant and his counsel, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law In civil actions, the jury may consist of 12, or of any number less than 12 upon which the parties may agree in open court"

Amendment No. 2

On page 2, line 26, strike out "crimminal", and insert "criminal"

Amendment No. 3

On page 2, strike out lines 29 to 33, inclusive

Amendments read, and adopted

Resolution ordered reprinted, and to be returned to the third reading file.

MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 70

In compliance with a motion given, Mr Knox was granted unanimous consent that the vote whereby Senate Constitutional Amendment No 70 was refused adoption be reconsidered

Further Consideration of Senate Constitutional Amendment No. 70

Senate Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 1¼e to Article XIII thereof, relating to taxation.

Resolution read, and presented by Mr Knox.

Demand for Previous Question

Messrs Townsend, Deddeh, Stacey, Lancaster, and Wood demanded the previous question. Demand sustained.

The question being on the adoption of the resolution

Resolution adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wood, and Mr Speaker—56

NOES—Burton, Dunlap, Karabian, Maddy, Meade, Priolo, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—12

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Wilson was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 198—An act to add Section 6012 7 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 198?

Senate Amendments of April 27, 1972

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly March 9, 1972, strike out "the sales", and insert "40 percent of the sales price of the factory-built housing to the consumer."

Amendment No. 2

On page 2, strike out lines 12 to 21, inclusive

Amendment No. 3

On page 2, line 23, strike out "means a", and insert "includes:
(1) A".

Amendment No. 4

On page 2, between lines 36 and 37, insert

"(2) "Modular housing," which is a three-dimensional box or cube-shaped structure or structures making up one or more rooms of a residential building

(3) "Sectionalized housing," which generally consists of two modules which form a total living unit

(4) "Modular," "utility," or "wet cores," which are three-dimensional habitable rooms or modules and which are generally comprised of a kitchen or a bathroom or bathrooms."

Amendment No. 5

On page 2, line 38, strike out "a", and insert ":
(1) A".

Amendment No. 6

On page 3, between lines 1 and 2, insert

"(2) "Pre-cut housing packages" where more than 50 percent of the package consists of pre-cut lumber only

(3) "Panelized construction," such as walls or components that may become one or more rooms of a building, unless a complete housing package is provided by the builder or manufacturer, such as by providing wall panels, floors, and a roof which will form a complete housing structure

(4) "Porches" or "awnings" which are not purchased as a part of the original housing package"

Senate Amendments of July 7, 1972

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in Senate April 27, 1972, after "SEC. 2.", insert "The Legislative Analyst shall report to the Legislature on or before October 1, 1976, on the net revenue effect of Section 1 of this act, which shall include, but not be limited to, the reduction in sales tax revenue, the increase in economic activity by the factory-built housing, including any multiplier effect, and the increase in tax revenue due to such activity.

SEC. 3."

Amendment No. 2

On page 3, line 22, after "act", insert "to December 31, 1977, inclusive, and after that date shall have no further force or effect".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 271—An act to add Chapter 22 (commencing with Section 9998) to Division 3 of the Business and Professions Code, and to repeal Title 1.5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer reporting agencies

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 271?

Senate Amendments of May 8, 1972

Set No. 1

Amendment No. 1

On page 3, line 11, of the printed bill, strike out "article", and insert "section".

Amendment No. 2

On page 3, line 14, strike out "grovernmental", and insert "governmental".

Amendment No. 3

On page 5, line 15, strike out "subdivision", and insert "paragraph".

Amendment No. 4

On page 7, line 21, strike out "than", and insert "that".

Set No. 2

Amendment No. 1

On page 4, in lines 2 and 3 of the printed bill, strike out "is limited to, and only to," and insert "means".

Set No. 3

Amendment No. 1

On page 7, between lines 16 and 17 of the printed bill, insert

"(3) The employment of any individual at an annual salary which equals, or which may reasonably be expected to equal twenty thousand dollars ($20,000) or more,"

Set No. 4

Amendment No. 1

On page 8 of the printed bill, between lines 30 and 31, insert

"9998.21 (a) Any person transmitting a consumer report, or any portion thereof, to a consumer reporting agency containing credit information adverse to a consumer intended to be included in the file of information on such consumer shall do all of the following:

(1) Send a notice by mail, postage prepaid, to the last known address of the consumer advising him that such adverse credit information is being transmitted to a consumer reporting agency for inclusion in the file of information maintained on him

(2) Include with the adverse credit information transmitted to the credit reporting agency an affidavit showing that the notice required by this section was mailed.

(b) Any person who violates this section shall be subject to the provisions of Sections 9998.50 and 9998.52."

Senate Amendments of June 1, 1972

Amendment No. 1

On page 8 of the printed bill, as amended in Senate May 8, 1972, strike out lines 37 to 40, inclusive; and on page 9, strike out lines 1 through 13, inclusive.

Senate Amendments of June 19, 1972

Amendment No. 1

In line 5 of the heading of the printed bill, as amended in Senate June 1, 1972, after "Kennick," insert "Marks,".

Amendment No. 2

On page 14, line 39, after the first "by", insert "either".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson,

Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 375—An act to add Section 11555 5 to the Government Code, to add Title 6 (commencing with Section 13800) and Title 6 5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of, the Penal Code, relating to criminal justice.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 375?

Senate Amendments of June 22, 1972

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Assembly April 4, 1972, strike out the period

Amendment No. 2

On page 6, line 38, strike out "directly provided", and insert "made available"

Amendment No. 3

On page 7, line 6, after "within", insert "the jurisdiction of the local criminal justice planning board, if any, representing".

Amendment No. 4

On page 7 line 7, after "to", insert "the local criminal justice planning boards, if any, representing"

Senate Amendments of June 30, 1972

Amendment No. 1

On page 6, line 36, of the printed bill, as amended in Senate June 22, 1972, strike out "of the full", and insert "of a majority of the full"

Senate Amendments of August 1, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 30, 1972, strike out "to amend Section 11556 of, and"

Amendment No. 2

In line 2 of the title, strike out the first comma

Amendment No. 3

On page 2, between lines 5 and 6, insert

"An annual salary of twenty-five thousand dollars ($25,000) shall be paid to each member of the California Criminal Justice Board."

Amendment No. 4

On page 2, strike out lines 6 to 21, inclusive

Amendment No. 5

On page 11, line 7, strike out "2,".

Amendment No. 6

On page 11, line 10, strike out "2,".

Amendment No. 7

On page 11, line 15, strike out "2,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—Badham, Conrad, Hayden, Ketchum, Lancaster, Mobley, Moorhead, Russell, Stacey, and Wakefield—10.

Above bill ordered enrolled

Assembly Bill No. 383—An act to amend Sections 20013, 20014, 20017.5 20017.6, 20017.7, 20017 75, 20017 76, 20017 77, 20017 8, 20017 9, 20602 92, 20605, 20612, 20750 3, 20803 7, 20950, 20980 5, 21022, 21252 1, 21252.6, 21263 1, 21290.5, 21292 5, 21293, 21295, and 21363 of, to add Sections 20604, 21252 7, 21252 8, 21252 9, 21252 95 and 21363 5 to, and to repeal Sections 20013 5, 20014 4, 20014 5, 20014 6, 20014 7, 20014 9, 20604, 20750 36, 20750 37, 20750 4, 20750 41, 20750 42, 20750 425, 20750 435, 20803 5, 20803 6, 20980 6, 20980 7, 21020 5, 21020 6, 21020 75, 21022.1, 21208, 21209, 21252 10, 21252 2, 21252 3, 21252 4, 21252.9, 21290.6, 21290 75, 21292 75, 21293 6, 21293 7, 21293 8, 21363 4, 21363 5, 21363 75, 21364 75, 21364 8, and 21364 9 of, the Government Code, relating to the Public Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 383?

Amendment No. 1

On page 6, line 33, of the printed bill, strike out "formerly", and insert "while".

Amendment No. 2

On page 6, line 34, strike out "and who were transferred", and insert "prior to their transfer".

Amendment No. 3

On page 6, line 36, strike out "consist", and insert "consisted".

Amendment No. 4

On page 6, line 36, strike out "are", and insert "were".

Amendment No. 5

On page 6, line 38, strike out "do", and insert "did".

Amendment No. 6

On page 10, line 29, strike out "_____", and insert "15 10".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 885—An act to add Sections 14613 2, 21294 1 and 31721 5 to the Government Code, relating to disability retirement.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 885?

Senate Amendments of July 28, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 3, 1972, strike out "Section 21294 1", and insert "Sections 21294 1 and 31721 5"

Amendment No. 2

On page 2, after line 17, insert

"SEC 2 Section 31721 5 is added to the Government Code, to read·

31721.5 In the case of a safety member who is also a department head, the board itself, upon receipt of competent evidence that the department head has sustained injury resulting in a permanent disability rating in excess of 50 percent determined in accordance with the provisions of the Labor Code, shall cause an application for disability retirement to be filed on behalf of such member "

Senate Amendments of August 1, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 28, 1972, after "Sections", insert "14613 2,"

Amendment No. 2

On page 2, line 1, after "1 ", insert "Section 14613 2 is added to the Government Code, to read·

14613 2 Notwithstanding Section 14613 1, any person with eight or more years of service as a local police officer is eligible for any entrance examination for the position of state policeman of the California State Police until attaining age 47 years

SEC 2 "

Amendment No. 3

On page 2, line 21, strike out "SEC 2", and insert "SEC 3"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—Karabian and Murphy—2

Above bill ordered enrolled

Assembly Bill No. 1138—An act to amend Section 13468 2 of the Education Code, relating to school certificated employees

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1138?

Senate Amendments of May 23, 1972

Amendment No. 1

On page 2, lines 1 and 2 of the printed bill, strike out "or the office of the Chancellor of the California Community Colleges"

Amendment No. 2

On page 2, line 3, after "qualifications", insert "or an employee of the office of the Chancellor of the California Community Colleges"

Senate Amendments of July 3, 1972

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Senate May 23, 1972, strike out the first comma and insert a semicolon

Amendment No. 2

On page 2, line 1, strike out the first comma and insert a semicolon.

Amendment No. 3

On page 2, line 9, after "schools", insert ", or, any certificated employee of the Commission for Teacher Preparation and Licensing who accepts a position requiring certification qualifications in any school district or office of any county superintendent of schools, or, any person employed by a school district or by a county superintendent of schools in a position requiring certification qualifications who accepts a position with the Commission for Teacher Preparation and Licensing".

Senate Amendments of July 20, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 3, 1972, strike out lines 20 to 23, inclusive, and in line 24, strike out "and Licensing," and insert "of schools,"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Steroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1262—An act to amend Section 24073 of, and to add Section 24074 3 to, the Business and Professions Code, relating to alcoholic beverages

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1262?

Senate Amendments of May 30, 1972

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly May 3, 1972, after the comma, insert "on-sale beer license, on-sale beer public premises license,".

Senate Amendments of July 7, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate May 30, 1972, after "of", insert ", and to add Section 24074 3 to,"

Amendment No. 2

On page 2, after line 28, insert

"SEC 2 Section 24074 3 is added to the Business and Professions Code, to read

24074 3 Within 30 days after the filing of an application for transfer of a license referred to in Section 24073, the intended transferee shall file with the department a statement executed under penalty of perjury that the purchase price or consideration as set forth in the escrow agreement required by Section 24074 has been deposited with the escrow holder At the time such statement is filed with the department copies thereof shall be submitted by the intended transferee to the transferor and the escrow holder concerned The 30-day period speci-

fied by this section may be extended by the department for good cause; however, the license shall not be transferred until the statement required by this section is received by the department."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman Wilson, Wood, Z'berg, and Mr. Speaker—69

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1492—An act to amend Sections 20100 and 20104 of the Government Code, relating to Public Employees' Retirement System

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1492 (presented by Mr Thomas) ?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 20, 1972, strike out ", 20101".

Amendment No. 2

On page 2, line 16, strike out "Three", and insert "Four"

Amendment No. 3

On page 2, line 18, after "(1)", insert "A member elected by the members of the system from the membership thereof;
(2)".

Amendment No. 4

On page 2, line 21, strike out "(2)", and insert
"(3)".

Amendment No. 5

On page 2, line 24, strike out "(3)", and insert
"(4)".

Amendment No. 6

On page 2, strike out lines 27 to 34, inclusive; and on page 3, strike out lines 1 to 28, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 12 10 p m , Mr Knox was granted unanimous consent to hold a special meeting of the Committee on Local Government in the rear of the Assembly Chamber, at this time

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 506—An act to add Chapter 7 9 (commencing with Section 25885) to Division 20 of the Health and Safety Code, relating to pottery

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 506?

Senate Amendments of June 8, 1972

Amendment No. 1

On page 3, line 40, of the printed bill, as amended in Assembly April 6, 1972, after "tableware", insert "which contains lead or cadmium"

Amendment No. 2

On page 4, line 21, after "ware", insert "which contains lead or cadmium and is"

Amendment No. 3

On page 4, after line 32, insert

"25889 Any person who violates any provision of this chapter or any rule or regulation promulgated pursuant thereto is guilty of a misdemeanor "

Senate Amendments of July 5, 1972

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Senate June 8, 1972, after "cadmium", insert ", and which glazes can be fired to maturity at 2120 degrees Fahrenheit,"

Amendment No. 2

On page 3, line 4, after "cadmium", insert ", and which glazes can be fired to maturity at 2120 degrees Fahrenheit,"

Amendment No. 3

On page 3, line 5, strike out "be used as", and insert "reasonably be mistaken for"

Amendment No. 4

On page 3, line 6, after the first "or", insert "a utensil"

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Senate July 5, 1972, strike out "ceramic", and insert "glazed ceramic".

Amendment No. 2

On page 2, line 8, strike out "crockery, pottery, or any other ceramic container", and insert "any glazed ceramic article, container,".

Amendment No. 3

On page 2, line 11, after "25886 ", insert "(a)".

Amendment No. 4

On page 2, line 13, strike out "contains lead or cadmium, and"; and strike out lines 14 to 26, inclusive, and insert "releases lead in excess of 7 parts per million or cadmium in excess of 0.5 parts per million when tested according to the test procedures specified by the Food and Drug Administration test procedure LIB-834 A sample of ceramic tableware so tested shall be deemed to be in violation of this section if any sample tested contains more than 7 micrograms of lead per milliliter of leaching solution or 0.5 micrograms of cadmium per milliliter of leaching solution.

(b) The state department shall require that a certificate of acceptability be obtained by a manufacturer or importer of any pattern of glazed ceramic tableware which glaze contains lead or cadmium, and which is manufactured for sale or imported for sale within the state The state department shall issue a certificate of acceptability upon receipt of satisfactory evidence that each manufacturer or importer is not in violation of subdivision (a) if (i) the manufacturer or importer maintains his own testing program for glazed ceramic tableware which is acceptable to the state department and he submits his testing results to the state department, or (ii) the manufacturer or importer submits the results obtained from tests conducted by an independent laboratory which is acceptable to the state department In addition to the foregoing, where deemed necessary by the state department, it may require that the manufacturer or importer submit such finished samples of ceramic tableware and appropriate accompanying data to the state department as it may reasonably require

(c) In order to obtain such certificate a manufacturer or importer shall make application to the state department The application shall be on a form provided by the state department and shall be accompanied by results of any tests required under subdivision (b) "

Amendment No. 5

On page 3, lines 8 and 9, strike out "Notwithstanding the provisions of Section 25886, glazed", and insert "Glazed"

Amendment No. 6

On page 3, line 9, strike out "contains lead or"; strike out line 10; and in line 11, strike out "2120 degrees Fahrenheit", and insert "is in violation of Section 25886".

Amendment No. 7

On page 3, line 17, strike out "baked-in", and insert "fired-in".

Amendment No. 8

On page 3, strike out lines 19 to 22, inclusive, and insert "UNSAFE FOR FOOD".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 926—An act to amend Sections 13010, 13469.1, and 13651 2 of the Education Code, relating to school employees

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 926?

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly May 16, 1972, after "normal", insert "gross".

Amendment No. 2

On page 2, line 17, after "salary", insert "for each pay period".

Amendment No. 3

On page 2, line 19, after "contributions", insert "In those cases where the employee does not endorse the check to the district the amount of the indemnity check shall be deducted from such pay period gross."

Amendment No. 4

On page 4, line 11, after "normal", insert "gross".

Amendment No. 5

On page 4, line 12, after "salary", insert "for each pay period".

Amendment No. 6

On page 4, line 13, after "contributions", insert "In those cases where the employee does not endorse the check to the district the amount of the indemnity check shall be deducted from such pay period gross"

Amendment No. 7

On page 6, line 14, strike out "then".

Amendment No. 8

On page 6, line 14, after "normal", insert "gross".

Amendment No. 9

On page 6, line 15, after "salary", insert "for such pay period".

Amendment No. 10

On page 6, line 16, after "contributions", insert "together with all fringe benefits based on an average gross wage. In those cases where the employee does not endorse the check to the district the amount of the indemnity check shall be deducted from such pay period gross".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 392—An act to add Chapter 1 67 (commencing with Section 5096 71) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and municipal beach, park, recreational, and historical facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of such funds, and providing for the submission of the measure to a vote of the people at a special election to be consolidated with the 1974 direct primary election, and making an appropriation therefor.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 392?

Senate Amendments of June 1, 1972

Amendment No. 1

On page 8, line 27, of the printed bill, as amended in Assembly May 1, 1972, strike out "Counties", and insert

"Each county".

Amendment No. 2

On page 8, line 28, strike out "counties", and insert "county".

Amendment No. 3

On page 8, line 31, strike out "counties allocation", and insert "allocation to that county".

Amendment No. 4

On page 8, lines 33 and 34, strike out "county allocation", and insert "allocation to that county".

Amendment No. 5

On page 10, line 7, after the period, insert "Prior to the approval of any project, the applying jurisdiction's park stewardship history will be reviewed for protecting existing park and recreation and open-space resources and operating and maintaining areas to acceptable standards "

Amendment No. 6

On page 16, lines 3 and 4, strike out "one hundred thousand dollars ($100,000)", and insert "fifty thousand dollars ($50,000)".

Senate Amendments of June 20, 1972

Amendment No. 1

In line 10 of the heading of the printed bill, as amended in Senate June 1, 1972, strike out "and Rodda", and insert "Rodda, Lagomarsino, Dills, and Wedworth"

Amendment No. 2

On page 6, strike out lines 8 to 14, inclusive.

Amendment No. 3

On page 6, strike out lines 29 and 30, and in line 31, strike out "subdivision (a) of Section 5096 15".

Amendment No. 4

On page 7, line 24, after "lands", insert ", development rights,".

Amendment No. 5

On page 8, strike out lines 9 to 36, inclusive, and insert

"Each county shall consult with all cities and districts within the county which are authorized to provide park and recreation services and shall develop and submit to the state a priority plan for expenditure of the county's allocation, including expenditures for city and district projects, by June 30, 1975 The priority plan for expenditure of the total county allocation shall be approved by at least 50 percent of the cities and districts representing 50 percent of the population of the cities and districts within the county, and by the county board of supervisors Failure to submit an approved priority plan by June 30, 1975, shall result in a 10 percent annual reduction in the total county allocation until the priority plan is submitted Any funds not allocated to a county shall remain in the bond fund and shall be expended under the same conditions as set forth in Section 5096 87 in 1980 By June 30, 1977, if agreement on the priority plan for expenditure has not been submitted to the state, the board of supervisors shall petition the Secretary of the Resources Agency to distribute to high priority projects the county's total allocation

Applications for individual projects appearing on the priority plan for expenditure may be submitted directly to the state by the individual jurisdictions Any application for a project not appearing on the approved priority plan for expenditure shall obtain the approval of the county board of supervisors "

Amendment No. 6

On page 9, line 28, strike out "and", and insert ". Local and state projects pursuant to subdivisions (a), (b), (c), and (e) of Section 5096 85 shall be in accord with"

Amendment No. 7

On page 15, line 14, strike out "general".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1500—An act to add Section 2145 1 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1500?

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly June 27, 1972, strike out "and Monagan", and insert "Monagan, and Fong".

Amendment No. 2

On page 3, line 2, strike out "Nothing in this section shall"; and strike out lines 3 to 5, inclusive, and insert

"Any medical school conducting research into acupuncture under the provisions of this section shall report to the Legislature annually on the fifth legislative day of the Regular Session of the Legislature concerning the results of such research, the suitability of acupuncture as a therapeutic technique, and performance standards for persons who perform acupuncture."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sie-

roty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Above bill ordered enrolled

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file.

Assembly Bill No. 1527 (consideration of Senate Amendments), on request of Mr Campbell.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1539—An act to amend Sections 5784 5 and 5784 7 of the Public Resources Code, relating to recreation and park districts

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1539?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, strike out "Section", and insert "Sections 5784 5 and"

Amendment No. 2

On page 1, line 7, after "SECTION 1 ", insert "Section 5784 5 of the Public Resources Code is amended to read:

5784 5. The supervising authority shall, at the time the county taxes are levied, levy a tax upon all the property taxable by the district, to meet the amount set forth in the final budget submitted by the district board. The tax shall not, however, exceed a rate of ~~fifty cents ($0 50)~~ *sixty cents ($0 60)* on each one hundred dollars ($100) of assessed valuation, exclusive of taxes levied or required to be levied under Section 5784 30.

SEC 2 "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1592—An act to amend Sections 31204 and 31214 of the Education Code, relating to state competitive scholarships

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1592?

Set No. 1

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly May 11, 1972, strike out "4 percent", and insert "3 5 percent".

Set No. 2

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Assembly May 11, 1972, strike out "four hundred dollars ($2,400)", and insert "two hundred dollars ($2,200)".

Amendment No. 2

On page 3, line 11, strike out "four hundred dollars ($2,400)", and insert "two hundred dollars ($2,200)".

Amendment No. 3

On page 4, line 13, strike out "four hundred dollars ($2,400)", and insert "two hundred dollars ($2,200)".

Amendment No. 4

On page 4, line 24, strike out "four hundred dollars ($2,400)", and insert "two hundred dollars ($2,200)".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian Ketchum, Kevsor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1937—An act to amend Section 3369 of, and to add Section 3370.1 to, the Civil Code, relating to the specific or preventive relief.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1937?

Amendment No. 1

On page 5, line 17, of the printed bill, as amended in Assembly May 25, 1972, strike out "SEC. 4", and insert

"SEC. 2".

Amendment No. 2

On page 5, after line 29, insert

"SEC. 3. It is the intent of the Legislature that the provisions of Section 3370.1 of the Civil Code shall only be applied to those provi-

sions of law contained in Chapter 1 (commencing with Section 3366) of Title 3 of Part 1 of Division 4 of the Civil Code."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 2145—An act to amend Section 739 of the Welfare and Institutions Code, relating to minors

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2145?

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the third comma.

Amendment No. 2

On page 1, line 9, after the comma, insert "or if there be no attending dentist then on the recommendation of the attending physician,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 2239—An act to amend Section 1305 of the Penal Code, relating to bail

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2239?

Amendment No. 1

On page 3, line 20, of the printed bill, as amended in Assembly June 20, 1972, strike out "representative of the people", and insert "prosecuting attorney".

Amendment No. 2

On page 3, line 25, strike out "representative of the people", and insert "prosecuting attorney".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 2338—An act to amend Section 40128 of, and to add Section 40182 to, the Public Utilities Code, relating to the Orange County Transit District

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2338?

Amendment No. 1

On page 3, line 16, of the printed bill, as amended in Assembly June 12, 1972, strike out "within, or without, the district".

Amendment No. 2

On page 3, line 17, after "facilities", insert "within the district and, with the consent of the county in which such facilities are located, outside of the district,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Brathwaite was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2362—An act to add Sections 25428.1 and 25428.2 to the Education Code, relating to community colleges.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2362?

Amendment No. 1

On page 2, line 16, of the printed bill, after "fee", insert "on a participating student".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER AMENDMENTS TO SENATE BILL NO. 840

In compliance with a motion given on a previous day, Mr Monagan moved that the vote whereby amendments offered by Mr. Lewis to Senate Bill No. 840 were refused adoption be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Monagan moved a call of the Assembly

Motion carried Time, 12 25 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Crown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Section 19 5 to Article XIII thereof, relating to community redevelopment.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Brathwaite moved a call of the Assembly.

Motion carried. Time, 12:28 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PASSED ON FILE

Assembly Bill No. 2376—Passed on file.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bill No. 603, on request of Mr. Porter

Senate Bill No. 286, on request of Mr. Leroy F. Greene.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1258—An act relating to Indian education, and making an appropriation therefor·

Bill read third time, and presented by Mr Moretti.

Bill passed by the folowing vote.

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Clme, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 265—An act to amend Sections 6751, 6752, 6752 1, and 6754 of the Education Code, relating to education of handicapped pupils.

Bill read third time, and presented by Mr. Maddy.

Bill passed by the following vote:

AYES—Bagley, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Ketchum—1.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 60—Relative to Los Angeles International Airport.

Resolution read, and presented by Mr. Z'berg.

Resolution refused adoption by the following vote:

AYES—Burton and Z'berg—2.

NOES—Barnes, Belotti, Beverly, Burke, Campbell, Chacon, Chappie, Collier, Conrad, Davis, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Seeley, Sieroty, Stacey, Townsend, Wakefield, Warren, Waxman, Wilson, and Wood—48.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 848 and 1026 for hearing in the Committee on Finance and Insurance at a special meeting today, at 2:30 p m, in Room 2170.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 662

At 12.42 p m., on motion of Mr. Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 662 by the following vote:

AYES—Arnett, Badham, Brown, Burton, Chappie, Cline, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Pierson, Porter,

Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—50.

NOES—Belotti, Burke, Collier, Conrad, Davis, Hayden, Ketchum, Lancaster, Lanterman, McAlister, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—16.

Above bill ordered enrolled

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER AMENDMENTS OFFERED BY MR. LEWIS TO SENATE BILL NO. 840

At 12 45 p m., on motion of Mr. Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby the amendments offered by Mr. Lewis to Senate Bill No 840 were refused adoption refused reconsideration by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Collier, Conrad, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—35

NOES—Brathwaite, Brown, Burton, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, McAlister, McCarthy, Meade, Pierson, Porter, Powers, Quimby, Ralph, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—34

Senate Bill No. 840 Passed and Retained

By unanimous consent, Senate Bill No 840 was passed on file, to retain its place on file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 321—An act to add Section 25425 3 to the Education Code, relating to community colleges

Bill read third time, and presented by Mr Keysor.

Demand for Previous Question

Messrs Chappie, Stacey, Burton, Bill Greene, and Quimby demanded the previous question Demand sustained

The question being on the pasage of the bill

Bill refused passage by the following vote

AYES—Arnett, Burke, Collier, Dent, Keysor, Lancaster, Moorhead and Murphy—8.

NOES—Barnes, Belotti, Brathwaite, Brown, Burton, Chappie, Conrad, Cory, Davis, Deddeh, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Pierson, Porter, Priolo,

Quimby, Ralph, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—51.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 761—An act to amend Section 24755.1 of the Business and Professions Code, relating to alcoholic beverages.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 761?

Senate Amendments of July 5, 1972

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "one thousand dollars ($1,000)", and insert "five hundred dollars ($500)".

Amendment No. 2

On page 2, lines 8 and 9, strike out "five thousand dollars ($5,000)", and insert "two thousand five hundred dollars ($2,500)".

Amendment No. 3

On page 2, lines 10 and 11, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Senate Amendments of August 1, 1972

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Senate July 5, 1972, strike out "five hundred dollars ($500)", and insert "two hundred fifty dollars ($250)".

Amendment No. 2

On page 2, line 4, strike out "two thousand five hundred dollars ($2,500)", and insert "one thousand dollars ($1,000)".

Amendment No. 3

On page 2, lines 6 and 7, strike out "five thousand dollars ($5,000)", and insert "one thousand dollars ($1,000)"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo Quimby Russell Seeley, Stacey, Stull Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 91

At 1 p.m., on motion of Mrs Brathwaite, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No 91 adopted by the following vote:

AYES—Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—54.

NOES—Burke, Chappie, Cline, Collier, Conrad, Dent, Ketchum, Lewis, MacGillivray, Moorhead, Priolo, Russell, Stacey, Stull, and Wakefield—15.

Resolution ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 2, 1972

Mr Speaker: The Committee on Conference concerning:

Assembly Bill No. 666—As amended in Senate July 27, 1972—An act to amend Sections 20201, 23754, 23754 2, 23754 3, 25505 7, and 25505.8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753 2, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758 1, 23758.3, 23761, 25505, 25505 1, 25505 2, and 25505 9 of, the Education Code, relating to student residency,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows·

Amendment No. 1

On page 17 of the printed bill, as amended in Senate July 27, 1972, between lines 7 and 8, insert

"SEC. 30 1. Section 25505 8 of the Education Code is amended to read:

25505 8. A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less; *or* (b) are both citizens and residents of a foreign country; ~~or (c) are military personnel or the dependents of military personnel~~. Any exemptions shall be made with regards to all nonresidents described in (a); ~~or~~ *and* (b), ~~or (c) above,~~ and shall not be made on an individual basis

A district may, ~~without~~ *with* the approval of the Board of Governors of the California Community Colleges contract with a state, the federal

government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee.

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the Board of Governors of the California Community Colleges not later than January 1st of each year The fee shall represent the amount per student enrolled in community colleges in all the districts of the state, which is expended by all districts for the current costs of education as defined by the California School Accounting Manual for ~~pupils~~ *students* enrolled in grades 13 and 14

The Board of Governors of the California Community Colleges shall compute the amount per pupil enrolled in all districts of the state.

The Board of Governors of the California Community Colleges shall compute the amount per ~~pupil~~ *student* enrolled in all districts of the state

The amount per ~~pupil~~ *student* enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 of all districts maintaining community colleges in the state and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled

The Board of Governors of the California Community Colleges shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college. *The rate charged shall be the rate established for the fiscal year in which the summer session ends*

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state; except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district

SEC 30 2. Section 25505 8 of the Education Code is amended to read

25505 8 A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less ~~;~~ *or* (b) are both citizens and residents of a foreign country ~~; or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a) ~~; or~~ *and* (b), ~~or (c) above,~~ and shall not be made on an individual basis.

A district may, ~~without~~ *with* the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district*, which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California ~~School~~ Accounting Manual for ~~pupils~~ *students* enrolled in grades 13 and 14.

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per ~~pupil~~ *student* enrolled in ~~all districts of the state~~ *the district*.

The amount per ~~pupil~~ *student* enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 ~~of all districts maintaining community colleges in the state~~ and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college *The rate charged shall be the rate established for the fiscal year in which the summer session ends*

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category.

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state; except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district "

Amendment No. 2

On page 17, between lines 19 and 20, insert

"SEC. 31.1. It is the intent of the Legislature, if this bill and Assembly Bill No 1165 are both chaptered and amend Section 25505.8

of the Education Code, and this bill is chaptered after Assembly Bill No. 1165, that the amendments to Section 25505 8 proposed by both bills be given effect and incorporated in Section 25505 8 in the form set forth in Section 30 1 of this act Therefore, Section 30 1 of this act shall become operative only if this bill and Assembly Bill No 1165 are both chaptered, both amend Section 25505 8, and Assembly Bill No. 1165 is chaptered before this bill, in which case Sections 29, 30, and 30 2 of this act shall not become operative.

SEC 31 2. It is the intent of the Legislature, if this bill and Assembly Bills Nos 529 and 1165 are chaptered and amend Section 25505.8 of the Education Code, and this bill is chaptered after Assembly Bills Nos 529 and 1165, that the amendments to Section 25505 8 proposed by the three bills be given effect and incorporated in Section 25505 8 in the form set forth in Section 30 2 of this act Therefore, Section 30 2 of this act shall become operative only if this bill and Assembly Bills Nos. 529 and 1165 are all chaptered, all amend Section 25505 8, and Assembly Bills Nos 529 and 1165 are chaptered before this bill, in which case Sections 29, 30, and 30 1 of this act shall not become operative."

Amendment No. 3

On page 17, between lines 32 and 33, insert

"SEC 34 1 Section 22861 of the Education Code, as proposed in Section 2 of this bill, is amended to read·

22861. The governing boards and district governing boards may enter into agreements with appropriate agencies and institutions of higher education in other states and foreign countries providing for the exchange of students in higher educational institutions in this state and other states or countries pursuant to Sections 23758 2 ~~and 25505 8~~, *25505 8, and Chapter 1 6 (commencing with Section 22515) of Division 16 5*

SEC 34 2 Section 34 1 of this bill shall become operative only if Assembly Bill No 1165 is enacted and adds Chapter 1.6 (commencing with Section 22515) to Division 16 5 of the Education Code "

The undersigned consent to the report:

ALBERT S RODDA	LEROY F. GREENE
CLAIR W BURGENER	EUGENE A CHAPPIE
ALFRED E ALQUIST	

Senate Committee on Conference Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 93 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1414—An act to amend Section 14124 3 of, and to add Section 14119 5 to, the Welfare and Institutions Code, relating to public social services.

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1414 (presented by Mr Brown)?

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "an authorization or", and insert "a".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Cline, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—Campbell and Wakefield—2.

Above bill ordered enrolled.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1 07 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 48—An act making an appropriation for the repair of levees

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead,

Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2025, Assembly Concurrent Resolution No 109, Senate Bills Nos 93, 95, 196, 226, 277, 364, 382, 432, 436, 508, 519, 544, 656, 665, 922, 712, 934, 944, 946, 949, 1011, 467, 1047, 1115, 1133, 1249, 1261, 1263, 1278, 1336, 1347, 1362, 1399, 1400, 1475, 1496, 1503, 279, 598, 1165, 263, 1167, 1168, and 1454 and Senate Concurrent Resolution No 59 for hearing in the Committee on Ways and Means today

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced

Today—At 4 p m —

Ways and Means (Brown, Chairman), in Room 4202.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr McCarthy was granted unanimous consent that the following communication be printed in the Journal

August 3, 1972

Mr Speaker: I ask unanimous consent to insert in the Assembly Journal a response by the San Francisco Registrar of Voters to the Report of the Subcommittee on the San Francisco Primary Vote printed in the Assembly Journal on July 19, 1972.

LEO T. McCARTHY

August 1, 1972

A Rebuttal to the Report of the Subcommittee on San Francisco Primary Vote, said Committee being composed of Assemblymen Paul Priolo and Robert W Crown

The Subcommittee on the San Francisco Primary Vote convened in San Francisco on June 20, 1972 and heard testimony from some ten witnesses From this testimony the said committee drew several erroneous conclusions—or commentaries—with which I am in total disagreement for the reasons outlined herein.

Item No 1 of the subcommittee report declares that the two new school boards (election of) should not have been consolidated with the primary election of June 6, 1972

This is an incredible comment Both legislators should be aware that these two offices were placed on the ballot through the efforts of the San Francisco electorate utilizing the grass roots initiative process 49,700 registered San Francisco voters put this measure on the November, 1969, ballot Appearing as propositions L and S, both carried with substantial margins Proposition S, the measure to elect the school board, contained the following language. ". . . commencing with a spe-

cial municipal election *to be consolidated with the direct primary in 1972, the members shall be elected at large . . .*" Proposition L, the measure to elect the members of the Community College contained a similar directive The decision to place these offices on the primary ballot of June 6, 1972 was made by the people The Registrar of Voters had no choice but to do so. In a democracy the will of the people is, and always should be, of paramount importance.

Items Nos. 3, 4 and 5 of the subcommittee's reports declares that

(a) it was known in late April that the machines could not carry the primary ballot, and

(b) the city was offered voting machines if the city would pay the costs of transportation, and

(c) the Registrar of Voters turned down these offers because he could not afford the cost of transportation, had no warehouse facilities, could not train his personnel and did not want to confuse the voters.

(d) election day was a mess.

Facts: As to (a) knowledge that the voting machines would not be able to carry the long ballot became evident about the 47th day before election day This is less than seven weeks before the day of election and an unreasonable time in which to arrange for the air freighting in of some 350 voting machines from points distant to the city of San Francisco. We could not have simply picked up a telephone and ordered some one to send such a huge shipment to us Arrangements are far more complicated than that

As to (b). The costs of transportation would have been at least $68,000 00 and possibly more. This figure would include the cost of returning the machines but would not have included the cost of renting a suitable warehouse, a further expense Adding to the consumption of time, these machines would have had to be compatible with our present machines, would have had to be tested and would have had to be programmed.

Such a huge sum of money was not available to the Registrar Expenditures of this nature are controlled by laws that established proper channels for appropriations Responsible legislative bodies do not blithely vote such sums without proper inquiry as to necessity and observance of the legal processes involved in such appropriation ordinances Only after we had been assured that the money was available could we have proceeded to indebt the city to that extent

As to (d) · I deny the existence of "an election day mess." The word "mess", to me, indicates chaos There was no chaos Admittedly there were lines but the lines moved in orderly fashion, the voters voted and the machines functioned I think the use of the word "mess" is, at best, an unfortunate choice of word

In view of the above mentioned obstacles, I am compelled to agree with the Registrar of Voter's decision not to import the machines on the basis of insufficiency of time to have them ready by election day

Item No 6 finds fault with the Registrar's decision not to use paper ballots and states such paper ballots should have been used

Fact: Even with the infallibility of hindsight I am glad that we did not attempt this activity. We did explore this means of voting and came

to the conclusion that result only in a total "mess" (as I defined "mess") on election day

Consider the obstacles presented by the use of paper ballots: The problem was enormous Where was the Registrar of Voters to find a thousand ballot boxes, two to three thousand voting booths, a printer who could have printed and delivered the vast amount of ballots, instructions, etc. within a couple of weeks, retrain some 3,000 or more polling personnel in the use of a system alien to them? All this, not to mention a concentrated campaign of educating the general voting public to a new system Worse still was the idea of using the voting machine for one portion of the ballot and paper ballots for the rest

Item No 7 avers that inadequate notice was given to the voters that there would be delays.

Fact: Nothing could be further from the truth than this statement! Our local newspapers, radio stations and television stations gave most generously of their time and space to us At least thirty days prior to election day the press, radio and television media began making known the fact of the long ballot and kept up reference to it until election day. I cannot praise our news media enough They were considerate, cooperative, and generous

Item No 9 comments on San Francisco's voter turn-out of 63%, 7% less than the state average This item alleges that such a turn-out would have been greater had the proferred machines or paper ballots been used

Fact: This is speculation Would it have been? Let us look at the facts of the past and recite the percentages of votes cast in primary elections in San Francisco in the last ten years:

June 6, 1972:	63 75%
June 2, 1970:	63 75%
June 4, 1968	74 06%
June 7, 1966.	63 80%
June 2, 1964:	71 40%
June 5, 1962.	62 93%

In view of the above statistics, it is evident that 63 75% is closer to the San Francisco norm than is the state-wide turn out figure.

It is my strong feeling that the subcommittee did not turn in a fair report on the primary election in San Francisco nor did it have a sound understanding of the situation confronting the Registrar. I feel this lack exemplified by its commentary in Item No. 1 of its report which blames the Registrar of Voters for not having moved the school board elections to another date when this action sprang from the sacred right of initiative which is reserved to the people by constitutional law.

FRANK R QUINN
Assistant Registrar of Voters
San Francisco, Calif

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 69

Mr Bill Greene was granted unanimous consent to take up Senate Concurrent Resolution No 69 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 69

Senate Concurrent Resolution No. 69—Relative to the Joint Legislative Committee on Siting of Teaching Hospitals.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 832, on request of Mr Dunlap.

APPROVAL OF JOURNALS

On motion of Acting Speaker Fenton, the Assembly Daily Journals for July 3, 4, 5, 6, ~~7,~~ 17, 18, 19, ~~20,~~ 21, ~~24~~, 25, 26, ~~27,~~ 28, and ~~31,~~ 1972, were approved as corrected by the Minute Clerk

NOTE On November 27, 1972, the action was rescinded whereby the Assembly Daily Journals for July 7, 20 27 and 31, 1972, were this day approved, as corrected. See page 7859–7860.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Vasconcellos.

House Resolution No. 118

Relative to probate law reform

WHEREAS, The Uniform Probate Code has been adopted by the legislatures of Idaho and Alaska and is being considered by legislatures in several other states, including Arizona, Hawaii, Colorado, Pennsylvania, and Washington; and

WHEREAS, The Uniform Probate Code was drafted by many of the nation's leading probate authorities after eight years of thorough deliberation and drafting; and

WHEREAS, This code simplifies, hastens, and drastically reduces the cost of administration of estates, and makes other reforms to prevent abuses in the probate of estates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of probate law reform, including but not limited to consideration of the Uniform Probate Code; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Chappie:

House Resolution No. 119

Relative to the relocated Auburn-Foresthill Road

WHEREAS, Due to the construction of the Auburn Dam, the Auburn-Foresthill Road was relocated and will be completed this year; and

WHEREAS, The relocated road originates at Interstate 80 and the Auburn Ravine Interchange, goes over a new 2,400 foot bridge designed and constructed by the United States Bureau of Reclamation, and continues through to the proposed recreation and park area on the Foresthill peninsula, and

WHEREAS, The Auburn Dam and the proposed recreation and park area on the Foresthill peninsula will benefit the entire state, and

WHEREAS, The state should share in the maintenance of the relocated Auburn-Foresthill Road, including the new 2,400 foot bridge, in view of the extraordinary maintenance cost thereof, which is beyond the financial capability of the County of Placer, now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works is hereby requested to study the feasibility of including the relocated Auburn-Foresthill Road within the state highway system, and to report its findings and recommendations to the Assembly not later than the 90th calendar day of the 1973 Regular Session of the Legislature, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Davis

House Resolution No. 120

Relative to fish entrails

Resolved by the Assembly of the State of California, That in order to carry out the purpose of House Resolution No 54, the Members request the Department of Public Health, in cooperation with the Department of Fish and Game in conducting the study requested by House Resolution No 54, to study the impact of the dumping of fish entrails into reservoirs used for domestic water supply on the public health of persons using such water, and be it further

Resolved, That the Department of Public Health report its findings and recommendations to the Assembly no later than the fifth calendar day of the 1973 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Health

Resolution read, and referred by the Acting Speaker to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT

Mr Waxman was granted unanimous consent that a photographer be permitted on the floor of the Assembly

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 36 FROM COMMITTEE

Mr Lewis was granted unanimous consent that Assembly Joint Resolution No 36 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 36

Assembly Joint Resolution No. 36—Relative to camping facilities in the San Bernardino Mountains.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 37 FROM COMMITTEE

Mr Lewis was granted unanimous consent that Assembly Joint Resolution No. 37 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 37

Assembly Joint Resolution No. 37—Relative to the Pacific Southwest Forest and Range Experiment Station.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered·

Assembly Joint Resolution No. 40: By Assemblyman Ryan—Relative to airline hijacking.

Held at Desk by order of the Acting Speaker.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Ryan

House Resolution No. 121

Relative to airline hijacking

WHEREAS, Airline hijackings have continued in spite of recent efforts to prevent such hijackings and deter or apprehend hijackers; and

WHEREAS, Two hijackings have recently occurred in California in a two-day period, and this represents a continuing threat to the safety of airline passengers, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of airline hijacking, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Acting Speaker to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, August 3, 1972

Mr Speaker Your Committee on Criminal Justice reports·

SB No 758

With amendments with the recommendation· Amend, and do pass, as amended

BEVERLY, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, August 3, 1972

Mr Speaker Your Committee on Transportation reports·

SB No 864

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means with a recommendation to Consent

DEDDEH, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, August 3, 1972

Mr Speaker· Your Committee on Transportation reports,

SB No 1072

SB No 1087

With the recommendation Do pass.

DEDDEH, Chairman

Above bills ordered to second reading

Committee on Commerce and Public Utilities

Assembly Chamber, August 3, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports·

SB No 282

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, August 3, 1972

Mr. Speaker. Your Committee on Commerce and Public Utilities reports.

SB No 1255

With the recommendation: Do pass

POWERS, Chairman

Above bill ordered to second reading.

Committee on Finance and Insurance

Assembly Chamber, August 3, 1972

Mr Speaker: Your Committee on Finance and Insurance reports.

SB No 848

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

PIERSON, Chairman

Above bill ordered to second reading

Assembly Chamber, August 3, 1972

Mr Speaker Your Committee on Finance and Insurance reports.

SB No 1026

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Health

Assembly Chamber, August 1, 1972

Mr. Speaker Your Committee on Health reports

SB No 279	SB No 1165	SB No 1360
SB No 714	SB No 1167	

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bills re-referred to the Committee on Ways and Means

Assembly Chamber, August 1, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 1170

SB No 1164

With the recommendation: Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, August 1, 1972

Mr Speaker: Your Committee on Health reports:

SCR No 70

With the recommendation be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

CAMPBELL, Chairman

Above resolution ordered on file.

Assembly Chamber, August 1, 1972

Mr Speaker: Your Committee on Health reports:

SB No. 1494

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent.

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, August 1, 1972

Mr Speaker: Your Committee on Health reports:

SB No. 1174

SB No. 598

SB No 1168

With amendments with the recommendation · Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bills ordered to second reading.

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 758—An act to amend Sections 1158a and 1213 5 of, and to add Section 969d to, the Penal Code, relating to sentencing

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted.

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Senate July 13, 1972, strike out "must", and insert "shall".

Amendment No. 1.3

On page 3, line 36, strike out "must", and insert "shall".

Amendment No. 1.5

On page 4, line 39, strike out "must", and insert "shall".

Amendment No. 1.7

On page 5, strike out lines 25 to 28, inclusive.

Amendment No. 2

On page 5, line 29, strike out "(8)", and insert "(7)".

Amendment No. 3

On page 5, line 34, strike out "(9)", and insert "(8)".

Amendment No. 4

On page 5, line 39, strike out "(10)", and insert "(9)".

Amendment No. 5

On page 6, line 1, strike out "(11)", and insert "(10)".

Amendment No. 6

On page 7, strike out lines 19 to 24, inclusive.

Amendment No. 7

On page 9, strike out lines 25 to 27, inclusive.

Amendment No. 8

On page 9, line 28, strike out "(8)", and insert "(7)".

Amendment No. 9

On page 9, line 33, strike out "(9)", and insert "(8)".

Amendment No. 10

On page 9, line 38, strike out "(10)", and insert "(9)"

Amendment No. 11

On page 9, line 40, strike out "(11)", and insert "(10)".

Amendment No. 12

On page 11, strike out lines 19 to 23, inclusive.

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1072—An act to amend Sections 1 5, 2 1, 2.5, 3 1, 3 5, 3 16, 3 25, 3 27, 6 55, and 7 11 of, and to add Section 1 9 to, the Fresno Metropolitan Transit District Act of 1961 (Chapter 1932 of the Statutes of 1961), relating to transit districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 1087—An act to add Section 301 3 to the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading

Senate Bill No. 282—An act to add Sections 18609 and 18753 to the Business and Professions Code, relating to boxing

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Commerce and Public Utilities, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18753", and insert "18752 5".

Amendment No. 2

On page 1, in lines 9 and 10, strike out "either the feet or the hands", and insert "any part of the arm below the shoulder, including the hand, and any part of the leg below the hip, including the foot".

Amendment No. 3

On page 1, line 11, strike out "18753", and insert "18752 5"

Amendment No. 4

On page 1, strike out line 13, and insert

"18752 5 (a) The commission shall by rule and regulation regulate kickboxing matches and contests, which shall be fought on the basis of the best effort of the contestants, and kickboxing exhibitions, which need not be fought on the basis of the best effort of the contestants

(b) Kickboxing exhibitions shall be governed by provisions in Article 7 5 (commencing with Section 18755) of this chapter, relating to wrestling exhibitions, except that in such case regulations therein shall apply to "kickboxing exhibitions" rather than "wrestling exhibitions."

(c) The commission shall by rule and regulation"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1255—An act to add Section 450 3 to the Business and Professions Code, relating to public members

Bill read second time, and ordered to third reading

Senate Bill No. 848—An act to amend Section 10489 2 of, and to add Section 10489 7 to, the Insurance Code relating to life insurance, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 1170—An act to amend Section 14103 6 of, and to add Section 14103 7 to, the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to third reading.

Senate Bill No. 1164—An act to add Sections 14103.5 and 14103.8 to the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to third reading.

Senate Bill No. 1174—An act to amend Sections 7354 and 10053.5 of, and to amend and renumber Section 16200 5 of, the Welfare and Institutions Code, relating to mentally retarded persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Senate June 23, 1972, after "persons", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 6, between lines 21 and 22, insert

"SEC 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act must take effect immediately in order for the benefits thereunder to be available for the present fiscal year."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 598—An act to amend Section 2630 of the Business and Professions Code, relating to physical therapy.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted·

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in Senate April 24, 1972, after "act", insert ", or the activities authorized to be performed pursuant to the provisions in Article 4 5 (commencing with Section 2655) of this chapter or Article 18 (commencing with Section 2510) of Chapter 5 of this division".

Amendment No. 2

On page 1, between lines 12 and 13, insert

"A person licensed pursuant to this chapter may employ an aide to assist the licentiate in his practice of physical therapy Such aide shall at all times be under the orders, direction, and immediate supervision of the licentiate Nothing in this section shall authorize such an aide to independently perform physical therapy or any physical therapy procedure."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1168—An act to add Section 14019.1 and 14132.1 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Senate July 5, 1972, after "and", insert ", for emergency services,"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

VOTE CHANGES

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 209

Mr Burke was granted unanimous consent that he be recorded as voting "Aye" on the Conference Report on Senate Bill No 9.

Mr Badham was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the Conference Report on Senate Bill No 9.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 684

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 493, and on concurrence in Senate amendments to Assembly Bills Nos 26 and 1194

Mr Conrad was granted unanimous consent that he be recorded as voting "Aye" on the Conference Report on Senate Bill No 371.

Mr Maddy was granted unanimous consent that he be recorded as voting "No", instead of "Aye", on Senate Constitutional Amendment No 70

Messrs Stacey and Chappie were granted unanimous consent that they be recorded as voting "Aye" on Senate Constitutional Amendment No 70

Messrs Lanterman and Murphy were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 375

Messrs Murphy and Karabian were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 885.

Mr Badham was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 662

Mr Cline was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 265

Messrs Lancaster and Duffy were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Senate Bill No 265.

Mr. LaCoste was granted unanimous consent that he be recorded as voting "No" on Senate Concurrent Resolution No 60

Mr. Conrad was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 321

Messrs. MacDonald, Barnes, and Mobley were granted unanimous consent that they be recorded as voting "No" on Senate Bill No 321.

Mr. Karabian was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No. 761

Mr. Hayden was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Assembly Constitutional Amendment No. 91.

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on the Conference Report on Assembly Bill No. 666.

MESSAGES FROM THE SENATE

Senate Chamber, August 3, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate appointed Senators Lagomarsino, Zenovich, and Nejedly as a Committee on Conference concerning.

Assembly Bill No. 1930

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 3, 1972

Mr Speaker I am directed to inform your honorable body that the Senate appointed Senators Rodda, Grunsky and Carpenter as a Committee on Conference concerning

Assembly Bill No. 1794

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

COMMUNICATIONS

Assembly Chamber, August 3, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined·

Assembly Concurrent Resolution No. 47—Relative to rural railroad crossings;

Assembly Concurrent Resolution No. 62—Relative to factory-built housing;

Assembly Concurrent Resolution No. 64—Relative to increased retirement benefits for members of the Public Employees' Retirement System;

And reports the same correctly enrolled, and presented to the Secretary of State on the 3rd day of August, 1972, at 4 p m

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 3, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 237—An act to amend Sections 54774, 54790 and 54796 of, and to add Sections 35703 5 and 35803 5 to, the Government Code, relating to local agency formation commissions;

Assembly Bill No. 493—An act to amend Section 21202 of the Vehicle Code, relating to bicycles,

Assembly Bill No. 505—An act to amend Sections 12709, 12747, and 12779 of, and to add Sections 12728 1, 12762 1, and 12799 25 to, the Business and Professions Code, relating to weighmasters;

Assembly Bill No. 517—An act to add Section 23356 1 to the Business and Professions Code, relating to alcoholic beverages,

Assembly Bill No. 531—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 615—An act to add Section 129 5 to the Business and Professions Code, relating to the Department of Consumer Affairs,

Assembly Bill No. 626—An act to amend Section 1425 of the Penal Code relating to jurisdiction of justice courts;

Assembly Bill No. 665—An act to amend Sections 5779, 5780, 5782, 5787, 5792, 8574, 8575, 12822, 12823, 12826, 12827, 12842, and 12848 of, to add Sections 5779 2, 5779 3, 5780 1, 5780 2, 12821, 12831, 12832, 12833, and 12848 5 to, and to repeal Sections 5779 1 and 12821 of, the Education Code, relating to testing programs, and making an appropriation therefor,

Assembly Bill No. 669—An act to amend Section 5405 of the Business and Professions Code, relating to outdoor advertising;

Assembly Bill No. 674—An act to add Sections 19702 1, 19702 2, 50084, and 50085 to the Government Code, relating to public employees;

Assembly Bill No. 738—An act to amend Sections 4010 5, 4011 5, and 4011 6 of the Health and Safety Code, relating to water systems;

Assembly Bill No. 746—An act to add Section 451b to the Penal Code, relating to arson;

Assembly Bill No. 819—An act to amend Sections 77, 77 2, and 77.3 of the Harbors and Navigation Code, relating to yacht and ship brokers;

Assembly Bill No. 858—An act to amend Section 16002 5 of the Business and Professions Code, relating to vending machines;

Assembly Bill No. 987—An act to add Section 690.8 to the Code of Civil Procedure, relating to execution and attachments;

Assembly Bill No. 1102—An act to amend Sections 73674 and 73677 of the Government Code, relating to municipal courts;

Assembly Bill No. 1103—An act to amend Sections 74843 and 74847 of the Government Code, relating to municipal courts;

Assembly Bill No. 1150—An act to amend Sections 5750 9 and 5750 10 of the Education Code, relating to special schools and classes,

Assembly Bill No. 1158—An act to add Sections 1162.7 and 1302.5 to the Education Code, relating to school district elections;

Assembly Bill No. 1202—An act to add Chapter 6 (commencing with Section 8250) to Division 8 and Chapter 5 5 (commencing with Section 18325) to Part 6 of, Division 9 of the Welfare and Institutions Code, relating to special services, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1369—An act to amend Section 10095 of the Insurance Code, relating to insurance;

Assembly Bill No. 1506—An act to repeal Section 3057 of the Business and Professions Code, relating to optometry;

Assembly Bill No. 1658—An act to amend Section 19700 66 of the Education Code, relating to financial support of the public schools, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1779—An act to repeal and add Section 13346.40 of the Education Code, relating to school certificated employees and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1833—An act to amend Section 11475 of, and to repeal Sections 11478 and 11479 of, the Education Code, relating to average daily attendance;

Assembly Bill No. 1841—An act to add Section 33397 to the Health and Safety Code, relating to community redevelopment agencies;

Assembly Bill No. 1858—An act to add Section 13143 7 to the Health and Safety Code, relating to fire protection;

Assembly Bill No. 1859—An act to amend Sections 1, 2 and 5 of Chapter 1524 of the Statutes of 1970, relating to mentally disordered minors, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1870—An act to amend Sections 5714 and 14021 of the Welfare and Institutions Code, relating to mental health;

Assembly Bill No. 1933—An act to amend Section 3507 3 of the Government Code, and to amend Section 3505 1 as proposed to be added to the Government Code by Senate Bill No. 1440 of the 1972 Regular Session, relating to public employee organizations;

Assembly Bill No. 1952—An act to amend, add and repeal Sections 2178 and 2193 7 of, amend the heading of Article 4 6 (commencing with Section 2185) of Chapter 5 of Division 2 of, and to amend Sections 2185, 2185 5, 2186, 2186 5, 2187, 2187 5, 2188, 2519 and 2519 5 of, to add Section 2520 to, to add and repeal Sections 2147, 2177 5 and 2193.75 of, to repeal Article 4 6 (commencing with Section 2185) of Chapter 5 of Division 2 of, and Section 2520 of, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2026—An act to amend Section 14105 of, to add Section 14105 to, and to repeal Section 14105 of, the Welfare and Institutions Code, relating to Medi-Cal;

Assembly Bill No. 2040—An act to amend Section 33114 5 of the Health and Safety Code, relating to community redevelopment,

Assembly Bill No. 2045—An act to add Section 2949 to the Civil Code, relating to real property;

Assembly Bill No. 2046—An act to amend Sections 2711, 2801, 2801 1, 2803, and 2804 of, and to add Section 2805 to, the Unemployment Insurance Code, relating to unemployment disability insurance;

Assembly Bill No. 2214—An act to amend Section 1241 of, and to add Section 1242 5 to, the Business and Professions Code, relating to clinical laboratory technology;

Assembly Bill No. 2315—An act making an appropriation for the operation of the 39th District Agricultural Association, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2328—An act to add Section 66515 5 to the Government Code, relating to public transit;

Assembly Bill No. 2331—An act making an appropriation to pay the claim of Mary Ann Hampson, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2367—An act to amend Section 451 of the Evidence Code, relating to judicial notice;

And reports the same correctly enrolled, and presented to the Governor at 4 p m., August 3, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 3, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 82—An act to add Section 30101 6 to the Streets and Highways Code, relating to toll bridges;

Assembly Bill No. 190—An act to amend Section 28772 of, and to add Sections 28742 5, 28762 5, 28776 1, 28776 2, and 28776 3 to, the Health and Safety Code, relating to hazardous substances;

Assembly Bill No. 244—An act to amend Section 6775 of the Business and Professions Code, relating to professional engineering;

Assembly Bill No. 246—An act to add Article 10.5 (commencing with Section 12980) to Chapter 2 of Division 7 of the Agricultural Code, relating to pesticides;

Assembly Bill No. 511—An act to amend Sections 25210 77e and 25830 of the Government Code, relating to waste, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 569—An act to add Section 21023 6 to the Government Code, relating to disability retirement,

Assembly Bill No. 590—An act to amend Sections 11102, 11103, and 11105 of, and to add Sections 311, 311 5, and 11102 5 to, the Vehicle Code, relating to driving schools,

Assembly Bill No. 595—An act to amend Section 6369 of, and to add Section 6374 to, the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy,

Assembly Bill No. 656—An act to amend Sections 25101, 25110, 25111, 25120, 25212, 25232, 25300, 25503, 25608, and 29551 of the Corporations Code, relating to investments,

Assembly Bill No. 699—An act to add Section 201 5 to the Elections Code, relating to voter registration;

Assembly Bill No. 781—An act to add Section 13593 5 to the Education Code, relating to classified school employees;

Assembly Bill No. 1431—An act providing for the conveyance of Old Bale Mill Park by the County of Napa to the State of California for inclusion in the state park system,

Assembly Bill No. 1433—An act to amend Section 1466 of the Unemployment Insurance Code, as added by Section 5 of Chapter 1793 of the Statutes of 1971, relating to unemployment insurance;

Assembly Bill No. 1448—An act relating to the Budget Act of 1972, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1541—An act to amend Section 8 of the Health and Safety Code, relating to writings;

Assembly Bill No. 1851—An act to amend Section 5352 of the Welfare and Institutions Code, relating to conservatorship;

Assembly Bill No. 1903—An act to amend Sections 53649, 53651, 53660, 53663, 53665, and 53668 of, and to repeal Sections 53651 and 53662 of, the Government Code, relating to local government;

Assembly Bill No. 1970—An act to amend Sections 21712 and 23123 5 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 1975—An act to amend Sections 70142 and 72190 of, and to add Section 72407 to, the Government Code, relating to court officers;

Assembly Bill No. 2134—An act to add Section 11610 8 to the Business and Professions Code, relating to real property;

Assembly Bill No. 2317—An act to amend Section 25007 of, and to add Section 25000 5 to, the Business and Professions Code, relating to alcoholic beverages;

Assembly Bill No. 2329—An act to add Chapter 3 6 (commencing with Section 751 50) to Title 10 of Part 2 of the Code of Civil Procedure, relating to earth movements disasters,

Assembly Bill No. 2349—An act to amend Section 69503 1 of, and to add Sections 69503.2 and 69503 3 to, the Government Code, relating to records;

Assembly Bill No. 655—An act to amend Section 10805 of the Education Code, relating to interdistrict attendance of pupils;

Assembly Bill No. 683—An act to amend Sections 50081 and 50082 of the Government Code, relating to law enforcement,

Assembly Bill No. 783—An act to add Chapter 8 (commencing with Section 21200) to Division 8 of the Business and Professions Code, relating to skiing safety;

Assembly Bill No. 2364—An act to add Section 39153 5 to, and to repeal Sections 39083 and 39090 of, the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 5 p m., August 3, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 3, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

Assembly Joint Resolution No. 35—Relative to the Santa Ynez River Flood Protection Project—San Miguelito Watershed,

And reports the same correctly enrolled, and presented to the Secretary of State on the 3rd day of August, 1972, at 5 p m

JAMES D DRISCOLL, Chief Clerk

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee.

Assembly Joint Resolution No	*Committee*
40	Rules

MOTION TO ADJOURN

Acting Speaker Fenton moved that the Assembly adjourn on this day, following receipt of Messages from the Senate and reports of committees, until 9 a m, Friday, August 4, 1972.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 3, 1972

Mr Speaker Your Committee on Ways and Means reports·

SB No 277	SB No 1347
SB No 364	SB No 1400

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, August 3, 1972

Mr Speaker Your Committee on Ways and Means reports

SB No 95	SB No 934	SB No 1362
SB No 263	SB No 1011	SB No 1503

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, August 3, 1972

Mr Speaker Your Committee on Ways and Means reports·

SCR No 59

With amendments with the recommendation· Amend, and be adopted, as amended

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, August 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 93	SB No 944	SB No. 1263
SB No. 467	SB No. 949	SB No 1278
SB No. 508	SB No 1249	SB No 1454
SB No 665	SB No 1261	

With the recommendation: Do pass

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, August 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACR No 109

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file.

Assembly Chamber, August 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 1475

SB No. 1496

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, August 3, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 196	SB No 519	SB No. 946
SB No 226	SB No 544	SB No. 1047
SB No. 382	SB No. 712	SB No. 1133
SB No 432	SB No 922	SB No. 1336

With the recommendation · Do pass

Pursuant to the provisions of Joint Rules Nos 22 1,-22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

FURTHER SECOND READING OF BILLS— BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules by Acting Speaker Fenton.

Senate Bill No. 277—An act to add Chapter 11 (commencing with Section 19870) to Part 3 of Division 13 of the Health and Safety Code, relating to energy insulation, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Set No. 1

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly July 21, 1972, strike out lines 27 and 28; and on page 3, strike out lines 1 to 3, inclusive

Amendment No. 2

On page 3, line 6, strike out "department", and insert "commission".

Amendment No. 3

On page 3, line 6, strike out "alternative".

Amendment No. 4

On page 3, line 7, strike out "recommendations", and insert "regulations".

Set No. 2

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly July 21, 1972, strike out lines 15 and 16, on line 17, strike out "representative", and insert "Code, three representatives".

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar.

Senate Bill No. 364—An act to amend Section 6426 of the Education Code, relating to mentally gifted minors.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate April 5, 1972, after "minors", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, strike out lines 7 to 11, inclusive, and insert "the following

Fiscal year	Amount per pupil participating in program for one school year
1972–1973	$70
1973–1974	80
1974–1975	90
1975–1976 and fiscal years thereafter	100

The amount per pupil participating for one semester is one-half of the amount prescribed above for one year's participation

The Superintendent of Public Instruction, if he approves, shall also apportion to each applicant school district or county superintendent of schools an amount equal to fifty dollars ($50) for each pupil identified as a mentally gifted minor."

Amendment No. 3

On page 2, after line 24, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

In order to permit the revised allowances prescribed by this act to be operative for the 1972–1973 fiscal year, and so effectuate the intent of the Legislature, it is necessary that this act take effect immediately "

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar.

Senate Bill No. 1347—An act to add Section 23428 19 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted·

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly August 1, 1972, between lines 4 and 5, insert

"It shall be unlawful for any club licensed pursuant to this section to make any discrimination, distinction, or restriction against any person on account of such person's color, race, religion, ancestry, or national origin."

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar.

Senate Bill No. 1400—An act to amend Sections 1229, 1504, 1505, 1616, 1676, 1677, 1729, and 1730 of, to add Chapter 2 (commencing with Section 1250) to Division 2 of, and to repeal Chapter 2 (commencing with Section 1400) of Division 2 of, the Health and Safety Code, and to amend Sections 10554 1, 16100, 16300, and 16312 of and to repeal Chapter 1 (commencing with Section 7000) of Division 7 of, and Chapter 1 (commencing with Section 16000) of and Chapter 3 (commencing with Section 16200) of, Part 4 of Division 9 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 1626 of the Statutes of 1971, relating to licensed facilities

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 11, line 40, of the printed bill, as amended in Assembly July 21, 1972, after "chapter", insert ", except applications by local hospital districts, cities, or counties,".

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar

Senate Bill No. 95—An act to amend Sections 5756, 5757, 11475, 11476, 11477, 11478, 11479, 17666 2, 17666 3, 17667, 17671, 17672, 17676, 17702, 17801, 17851, 17906 2, 17920, 17925, 17925 5, 17970, and 25505 8 of, to amend and renumber Section 17952 of, to repeal Sections 17411 1 and 17951 of, and to amend the heading of Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, the Education Code, relating to education of adults.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Set No. 1

Amendment No. 1

Below the heading of the printed bill, as amended in Assembly July 28, 1972, insert

"(Coauthor Assemblyman Ryan)".

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly July 28, 1972, after "11479," insert "17301, 17303 5,".

Amendment No. 2

In line 5 of the title, strike "Sections 17411 1 and", and insert "Section"

Amendment No. 3

In line 7 of the title, after "Code," insert "and to amend Section 15 of Chapter 18 of the Statutes of 1972,"

Amendment No. 4

On page 6, strike out lines 25 to 40, inclusive, strike out page 7; on page 8, strike out lines 1 to 27, inclusive, and insert

"SEC 8 Section 17301 of the Education Code is amended to read:

17301 (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds as certified by the Superintendent of Public Instruction, one hundred eighty dollars ($180)

(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State School Fund as are certified from time time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes set forth in Section 17303.5, provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, ~~ninety-eight dollars and ninety-two cents ($98.92)~~ *one hundred seven dollars and forty-four cents ($107.44)* for the fiscal year ~~1970–1971~~ *1973–1974* and fiscal years thereafter, per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, less the amount, if any, by which seventy cents ($0.70) multiplied by the number of units of average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds exceeds twenty-one dollars and fifty cents ($21.50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance.

~~For purposes of this subdivision, amounts transferrable to the State School Fund for the purposes of subdivision (b) and subdivision (i) of Section 17303.5, commencing with the amounts transferrable for the 1969–1970 fiscal year, shall be considered separately, and amounts otherwise transferrable but not required for the respective purposes of these subdivisions in any fiscal year shall be retained in the General Fund to be devoted to the respective purposes in the next succeeding fiscal year.~~

(c) In addition to the amounts authorized to be transferred to the State School Fund from the General Fund under subdivisions (a) and (b) of this section, the Controller shall transfer from the General Fund to the State School Fund during the fiscal year, upon certification of the Superintendent of Public Instruction, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in Sections 17303 and 17303.5, an amount not to exceed the lesser of (1) 1 percent of the total apportionment from the State School Fund in the preceding fiscal year for the purposes set forth in ~~Section~~ *Sections* 17303 ~~or~~ *and* 17303.5, or (2) the net amount, if any, by which the total amounts authorized to be transferred from the General Fund to the State School Fund under subdivisions (a) and (b) of this section in prior fiscal years have exceeded the total amounts actually apportioned in prior fiscal years for the purposes set forth in Sections 17303 and 17303.5.

(d) He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in

Sections 17303 and 17303 5 and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive) of this chapter and in Sections 11256 and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive.

(e) Commencing with the 1974–1975 fiscal year, the unit amounts under subdivisions (a) and (b) of this section shall be considered to be increased or decreased, as the case may be, by an amount equal to the percentage increase or decrease of the inflation index determined jointly by the Department of Education, the Chancellor's office of the Board of Governors of the California Community Colleges, the Department of Finance, and the Legislative Analyst.

The Superintendent of Public Instruction shall adjust the foundation program levels prescribed for the various types of school districts in order to reflect the adjustment made pursuant to this subdivision.

SEC 8.5. Section 17303 5 of the Education Code is amended to read:

17303 5. The amount transferred pursuant to subdivision (b) of Section 17301 shall be expended in accordance with the following schedule:

(a) Twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0 70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352.

(b) Four dollars and forty cents ($4.40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.

(c) Nineteen dollars and fifty-two cents ($19.52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division.

(d) Three dollars and six cents ($3 06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352

(e) One dollar and sixty-seven cents ($1 67) multiplied by the average daily attendance during the preceding fiscal year credited to

all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426

(f) ~~Sixty dollars and ninety-two cents ($60.92)~~ *Sixty-nine dollars and thirteen cents ($69.13)* multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.

(g) Eight dollars and sixty-five cents ($8.65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6.

SEC. 8.7. Section 17303.5 of the Education Code is amended to read:

17303.5 The amount transferred pursuant to subdivision (b) of Section 17301 shall be expended in accordance with the following schedule:

(a) Twenty-one dollars and fifty cents ($21.50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0.70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352

(b) Four dollars and forty cents ($4.40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division.

(c) Nineteen dollars and fifty-two cents ($19.52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division

(d) Three dollars and six cents ($3.06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352

(e) One dollar and sixty-seven cents ($1 67) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426.

(f) ~~Sixty dollars and ninety-two cents ($60 92)~~ *Sixty-nine dollars and thirteen cents ($69 13)* multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance

(g) Eight dollars and sixty-five cents ($8 65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7 1 (commencing with Section 6750) of Division 6

(h) Thirty-one cents ($0 31) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, community college, and adult schools in the state and to county school tuition funds for the purposes of Article 12 (commencing with Section 18151) of this chapter. "

Amendment No. 5

On page 8, line 28, strike out "SEC. 9 5", and insert "SEC. 9".

Amendment No. 6

On page 8, strike out line 37, and insert "seven hundred thirty-five dollars ($735)."

Amendment No. 7

On page 9, strike out lines 26 to 35, inclusive, and insert

"1– 150	12	$197,623
151– 200	15	257,326
201– 300	18	317,028
301– 400	21	376,728
401– 500	24	436,430
501– 600	27	496,134
601– 700	30	555,835
701– 800	33	615,536
801– 900	36	675,243
901–1,000	39	735,000".

Amendment No. 8

On page 10, line 6, strike out "11451", and insert "11475".

Amendment No. 8.5

On page 10, strike out lines 10 to 14, inclusive.

Amendment No. 9

On page 14, strike out lines 26 to 32, inclusive, and insert

"(c) Thirty cents ($0 30) in a community college district."

Amendment No. 10

On page 20, between lines 18 and 19, insert

"SEC 25 5. Section 15 of Chapter 18 of the Statutes of 1972 is amended to read·

Sec. 15. Sections 1 to 11, inclusive of this act shall remain in effect until ~~May 1, 1973~~ *June 30, 1973*, and shall have no force or effect after that date.

SEC 25.7. Section 17303 5 of the Education Code as amended by Section 8.7 of this act shall become operative only if Assembly Bill No. 1246 is enacted at the 1972 Regular Session of the Legislature and amends Section 17303.5 of the Education Code, in which case Section 17303 5 of the Education Code as amended by Section 8 5 of this act shall not become operative."

Amendment No. 11

On page 21, strike out lines 3 to 21, inclusive, and insert

"SEC. 28. The Board of Governors of the California Community Colleges shall develop and promulgate guidelines for distinguishing which programs and courses offered by the public community colleges shall be eligible for state apportionments, and which programs and courses may be offered by the colleges without the benefit of state support.

In developing such guidelines, the Board of Governors shall consider limiting state support to: (1) those graded programs and courses leading to degrees or certificates; (2) those programs and courses leading to occupational and vocational goals; (3) those courses acceptable for transfer to other accredited institutions of higher education; and (4) those programs and courses leading to stated adult education objectives

Guidelines established by the Board of Governors shall become effective no later than July 1, 1976.

SEC. 29 This act, excepting Section 25 5, shall become operative on July 1, 1973 Section 25.5 of this act shall become operative on the 61st day after the final adjournment of the 1972 Regular Session of the Legislature. The Board of Governors of the California Community Colleges and the Superintendent of Public Instruction shall, for the purposes of this act, take all necessary steps to insure the smooth and orderly transitions involved, including but not limited to revision of appropriate reporting procedures and forms, and advance notification of school and community college districts of changes in attendance and allowance computations, and apportionments "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 263—An act to amend Section 4850 of the Vehicle Code, relating to motor vehicles.

Bill read third time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 2, after line 24, of the printed bill, as amended in Assembly July 27, 1972, insert

"(e) This section shall be known as the Schrade-Belotti Act."

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 934—An act to amend Sections 17301 and 17303.5 of the Education Code, relating to development centers for handicapped persons

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 5, after line 31, of the printed bill, as amended in Senate June 29, 1972, insert

"SEC. 3. This act shall become operative on July 1, 1973."

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1011—An act to add Chapter 18 (commencing with Section 7400) to Division 7 of Title 1 of the Government Code, relating to children's clothing.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly July 26, 1972, after the comma, insert "new".

Amendment No. 2

On page 2, line 14, strike out "the"; strike out line 15, and insert "July 1, 1974, the State".

Amendment No. 3

On page 2, lines 17 and 18, strike out "report to the Legislature regarding the desirability of", and insert "promulgate, in accordance with the provisions of the Administrative Procedure Act (commencing with Section 11371 of the Government Code),".

Amendment No. 4

On page 2, line 19, after "of", insert "new".

Amendment No. 5

On page 2, line 21, after the period, insert "Such regulations shall become effective not later than July 1, 1975.

(d) Violation of any rule or regulation promulgated pursuant to subdivision (c) is a misdemeanor."

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1362—An act to amend Sections 441 8 and 442 6 of the Health and Safety Code, and to amend Section 2507 of the Business and Professions Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly July 26, 1972, strike out the second "and".

Amendment No. 2

In line 4 of the title, after the first comma, insert "to amend Sections 14057, 14058, and 14105 5 of the Welfare and Institutions Code and to amend Section 15 of Chapter 1451 of the Statutes of 1969,".

Amendment No. 3

On page 4, between lines 38 and 39, insert

"SEC. 4. Section 14057 of the Welfare and Institutions Code is amended to read:

14057. "Carrier" means:

(a) A private insurance company holding a valid outstanding certificate of authority from the Insurance Commissioner of the state;

(b) A medical society or other *profit or nonprofit* medical group;

(c) An association of insurers organized under Article 6 7 (commencing with Section 795) of Chapter 1, Part 2, of Division 1 of the Insurance Code;

(d) A nonprofit hospital service plan qualifying under Chapter 11A (commencing with Section 11491) of Part 2 of Division 2 of the Insurance Code;

(e) A nonprofit membership corporation, or health benefits plan administered by or through such corporation, lawfully operating under Section 9200 or Section 9201 of the Corporations Code, when such corporation is lawfully engaged in providing, arranging, paying for, or reimbursing the cost of personal health services under insurance policies or contracts, medical and hospital service agreements, or membership contracts;

(f) A county hospital system, or

(g) A *profit or nonprofit* person or organization registered under the Knox-Mills Health Plan Act.

SEC. 5 Section 14058 of the Welfare and Institutions Code is amended to read:

14058 "Prepaid health plans" means any form of organization or any arrangement provided by a carrier for the purpose of providing, arranging, paying for, or reimbursing the cost of health care services as set forth in Article 4 4 (commencing with Section 14140) of this chapter.

For the purpose of establishing a prepaid health plan any carrier as defined in Section 14057 shall be deemed capable of providing, ar-

ranging, paying or reimbursing the cost of the health care services as defined in Section 14053

SEC 6 Section 14105 5 of the Welfare and Institutions Code is amended to read.

14105 5 The director or prepaid health plans shall make no payment for services to any hospital facility which secures a license under the provisions of Chapter 2 (commencing with Section 1400) of Division 2 of the Health and Safety Code or Chapter 1 (commencing with Section 7000) of Division 7 of this code after July 1, 1970, covering a new facility or additional bed capacity or the conversion of existing bed capacity to a different license category, unless such licensee received a favorable final decision by the voluntary area health planning agency in the area, the consumer members of a voluntary area health planning agency acting as an appeals body or the Health Planning Council pursuant to Sections 437 7 to 438 5, inclusive, of the Health and Safety Code, or unless the licensee had filed an application for a license prior to January 1, 1970, and the application met all then-existing requirements and regulations of the appropriate state agency at the time of application including, at least, preliminary submission of plans, and if such licensee commences construction of ~~facilities~~ *his project* prior to July 1, 1971, and if such licensee has on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1973, and such licensee has on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1974, as the completion date *; except that the State Department of Public Health shall extend each of the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted* The exception provided for in the preceding sentence with respect to applications filed prior to January 1, 1970, *except for transfers executed before November 30, 1970,* shall not apply to transferees of the applications of the original applicants

Voluntary area health planning agencies may extend, until July 1, 1972, the date upon which applicants, qualifying under the exception in this section, shall commence construction, if the voluntary area health planning agencies declare that good cause has been shown why such extension should be granted, provided that an applicant applying for such extension had, prior to January 1, 1970, received approval of a health planning association in the county wherein the applicant is located Applicants receiving extension of the construction commencement date shall have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1974, and have on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1975, as the completion date *; except that the State Department of Public Health shall extend each of the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted.*

~~For the purposes of this section, the term "50 percent completion" is defined as completion of the foundations and footings, the structural frame, the mechanical, electrical and plumbing rough-in, the rough flooring, the exterior walls and windows, and the finished roof.~~

For the purposes of this section, "substantial progress" is defined and evidenced as follows:

(a) For structures of three or fewer stories, completion of the foundations and footings; the structural frame; the mechanical, electrical, and plumbing rough-in; the rough flooring; the exterior walls and windows; and the finished roof

(b) For structures of more than three stories, a contractor's schedule of work shall be filed with the State Department of Public Health by January 1, 1973. Every three months thereafter, until completion, evidence shall be submitted to the department that construction is progressing on that schedule.

For the purposes of this section, construction of a project is deemed commenced on the date the applicant was so notified by the Department of Public Health, if so notified, or on the date the applicant has completed not less than all of the following:

(a) Submission to the appropriate state agency of a written agreement executed between the applicant and a licensed general contractor to construct and complete the facility within a designated time schedule in accordance with final architectural plans and specifications approved by such agency

(b) Obtaining such initial permits or approval for commencing work on the project as is customarily issued for projects of the scope of applicant by the governmental agency having jurisdiction over the construction.

(c) Completion of construction work on the project to such a degree as to justify and require a progress payment by the applicant to the general contractor under terms of the construction agreement.

SEC 7. Section 15 of Chapter 1451 of the Statutes of 1969 is amended to read:

Sec 15 Within 90 days of the effective date of this act, the Health Planning Council shall adopt guidelines pursuant to Section 437 7 of the Health and Safety Code. By July 1, 1970, all voluntary area health planning agencies shall adopt guidelines pursuant to Section 437 7 of such code This act shall not apply to applicants who have filed applications for licenses, prior to January 1, 1970, which meet all requirements and regulations of the appropriate state agency existing at the time of application, including at least preliminary submission of plans, but only if such applicants commence construction of their ~~facilities~~ *projects* prior to July 1, 1971, and have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1973, and have on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1974, as the completion date *; except that the State Department of Public Health shall extend each of the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted* ~~The~~ *Except for*

those transfers executed before November 30, 1970, the exception provided for in the preceding sentence shall not apply to transferees of the applications of such applicants

Voluntary area health planning agencies may extend, until July 1, 1972, the date upon which applicants, qualifying under the exception in this section, shall commence construction, if the voluntary area health planning agencies declare that good cause has been shown why such extension should be granted, provided that an applicant applying for such extension had, prior to January 1, 1970, received approval of a health planning association in the county wherein the applicant is located Applicants receiving extensions of the construction commencement date shall have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1974, and *have* on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1975, as the completion date *; except that the State Department of Public Health shall extend each of the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted*

For purposes of this section, ~~the term "50 percent completion"~~ *"substantial progress"* is defined ~~as~~ *and evidenced as follows:*

(a) For structures of three or fewer stories, completion of the foundations and footings, the structural frame, the mechanical, electrical, and plumbing rough-in, the rough flooring, the exterior walls and windows, and the finished roof

(b) For structures of more than three stories, a contractor's schedule of work shall be filed with the State Department of Public Health by January 1, 1973 Every three months thereafter, until completion, evidence shall be submitted to the department that construction is progressing on that schedule

For purposes of this section, construction of a project is deemed commenced on the date the applicant was so notified by the Department of Public Health, if so notified, or on the date the applicant has completed not less than all of the following:

(a) Submission to the appropriate state agency of a written agreement executed between the applicant and a licensed general contractor to construct and complete the project within a designated time schedule in accordance with final architectural plans and specifications approved by such agency

(b) Obtaining such initial permits or approval for commencing work on the project as is customarily issued for projects of the scope of applicant by the governmental agency having jurisdiction over the construction

(c) Completion of construction work on the project to such a degree as to justify and require a progress payment by the applicant to the general contractor under terms of the construction agreement

SEC 8 It is the intent of the Legislature by Sections 6 and 7 of this act to clarify the meaning of the term "commence construction," as used in Section 15 of Chapter 1451 of the Statutes of 1969

Any applicant who, on July 1, 1971, had commenced construction of his project, as that term is defined in Section 15 of Chapter 1451 of the Statutes of 1969, as amended by this act, and who meets all other requirements for the exception from approval of such project by any health planning agency provided for in Section 15 may, where necessary, reapply to the State Department of Public Health for exception pursuant to Section 15 "

Amendment No. 4

On page 4, line 39, strike out "SEC 4", and insert "SEC 9".

Amendment No. 5

On page 5, after line 9, insert "Furthermore, the definition of the term "commence construction," as well as appropriate criteria for construction progress, as they apply to certain hospital applicants under Chapter 1451 of the Statutes of 1969, must be properly defined immediately, so that persons and organizations who have received Department of Public Health approval to proceed with their hospital projects can do so without undue hardship to health care consumers or to the applicants themselves "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1503—An act to add Chapter 8 (commencing with Section 11775) to Part 1 of Division 3 of Title 2 of the Government Code, relating to data processing, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 5, line 31, of the printed bill as amended in Senate July 19, 1972, after "documentation," insert "conversion,".

Amendment No. 2

On page 6, line 6, after the period, insert "Full documentation of all programs shall reside both in the data center and the state entity for which the program was written "

Amendment No. 3

On page 6, strike out lines 7 to 22, inclusive, and insert

"11785 Contracts awarded or entered into pursuant to this chapter shall be in the form of the model contract for lease and/or purchase of electronic data processing systems and computers as outlined in Section 4960 1 of the State Administrative Manual revised new January, 1967, and no portion of such contract shall be excluded or stricken "

Amendment No. 4

On page 6, line 25, strike out "subject to competitive", and insert "competitively".

Bill ordered reprinted, and returned to the third reading file

Senate Concurrent Resolution No. 59—Relative to public higher education

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 1, line 5, of the printed measure, strike out the second "and"

Amendment No. 2

On page 1, line 6, after "Colleges," insert "and the staff of each committee of the Legislature which reviews the budget bill"

Amendment No. 3

On page 2, strike out lines 5 and 6, and insert "later than February 5, 1973"

Resolution ordered reprinted, and returned to the third reading file

Senate Bill No. 93—An act to add Chapter 8 (commencing with Section 33500) to Division 22 of the Education Code, relating to bilingual and bicultural education, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 467—An act to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2.5A relating to an appropriation to develop coastal resources, and declaring the urgency thereof to take effect immediately

Bill read second time, and ordered to third reading

Senate Bill No. 508—An act to add Article 2.5 (commencing with Section 6331) to Chapter 4, Part 1, Division 6 of the Public Resources Code, relating to tide and submerged lands, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 665—An act to add Article 1 (commencing with Section 23401) to Chapter 3 of Division 17 of the Education Code, relating to the University of California, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 944—An act to add Chapter 5.7 (commencing with Section 5761) to Division 6 of the Education Code, relating to education programs

Bill read second time, and ordered to third reading

Senate Bill No. 949—An act making an appropriation to the Superintendent of Public Instruction for purposes of pupil nutrition

Bill read second time, and ordered to third reading

Senate Bill No. 1249—An act to amend Section 17920 of, and to add Sections 17922 6, 17922 7, and 17926 to, the Health and Safety Code, relating to noise insulation, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 1261—An act to amend Sections 27111, 27111 5, 27113, and 27145 5 of, and to add Sections 27115 and 27147 to, of the Education Code, relating to public library systems

Bill read second time, and ordered to third reading

Senate Bill No. 1263—An act to amend Section 5766 4 of the Education Code, relating to bilingual instruction for non-English-speaking students, and making an appropriation therefor

Bill read second time, and ordered to third reading

Senate Bill No. 1278—An act to amend Section 11450 of the Welfare and Institutions Code, relating to public social services

Bill read second time, and ordered to third reading

Senate Bill No. 1454—An act to amend Sections 11550, 12800, and 12855 of, to repeal Section 11556, as amended by Chapter 1428 of the Statutes of 1970, and Section 11556, as amended by Chapter 1454 of the Statutes of 1970, of, and to add Sections 11556, 11556 5 and 11557 to, the Government Code, and to repeal and add Part 8 (commencing with Section 37000) of Division 24 of the Health and Safety Code, relating to housing

Bill read second time, and ordered to third reading

Senate Bill No. 1475—An act to amend the heading of Part 10 5 (commencing with Section 19501) of Division 2 of, and to amend Sections 19505 and 19531 of, the Revenue and Taxation Code, relating to property tax assistance

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 1496—An act making an appropriation for aquaculture.

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 196—An act to add Section 10501 to the Unemployment Insurance Code, relating to human resources development

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 226—An act to amend and renumber Sections 16645 1, 16645 2, 16645 3, 16645 4, 16645 5, 16645 6, 16645 7, 16645 8, 16645 9, 16645 10, 16645 11, 16645 11a, 16645 12, 16645 13, 16645 14, 16645 15, 16645 16, 16645 17, 16645.18, 16645 19, 16645 20, 16645 21, 16645 22, 16645 23, 16645 24, and 16645 25 of, to add Chapter 8 7 (commencing with Section 6880) to Division 6 of, and to repeal the heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of, the Education Code, relating to development centers for handicapped pupils

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 382—An act to add Sections 39158 and 39159 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 432—An act to amend Sections 7015, 7065.1, 7067, 7090, 7137, 7141, 7143, 7143 5, and 7150 of, to amend and renumber Sections 7026 2, 7026 8, 7026 9, 7028 1, 7028 2, and 7116 2 of, to add Sections 7152, 7153, 7153 1, 7153 2, 7153 3, 7154, 7155, and 7155 5 to, and to repeal Sections 7142, 7152, 7153, 7154, 7155, 7156, 7157, and 7158 of, the Business and Professions Code, relating to contractors

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 519—An act to add Division 12 5 (commencing with Section 15000) to the Health and Safety Code, relating to hospitals, and making an appropriation therefor

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 544—An act to amend Sections 190 and 190 01 of the Streets and Highways Code, relating to grade separations

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 712—An act relating to acquisition of lands for the state park system, and making an appropriation therefor.

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 922—An act relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5A, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 946—An act to add Sections 14116 45 and 14116 13 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 1047—An act to amend Section 16750 of the Business and Professions Code, and to add Section 12526 to the Government Code, relating to restraints on competition and making an appropriation therefor

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 1133—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 1336—An act to amend Sections 9884 8, 9887.2, 9887 3, and 9889 19 of the Business and Professions Code, relating to automotive repair, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Second Day Consent Calendar

MESSAGES FROM THE SENATE

Senate Chamber, August 3, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1246

And appointed Senators Petris, Beilenson and Bradley, as a Committee on Conference to meet at like committee from the Assembly

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 3, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1153

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 3, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 924

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate, California Legislature
August 3, 1972

Hon James D Driscoll
Chief Clerk of the Assembly
State Capitol

Dear Mr Driscoll. The Senate today withdrew Senate Bill 1352 from enrollment and rescinded the action whereby the Senate concurred in Assembly amendments on July 31st

Senators Deukmejian, Teale and Dills, have been appointed as a Conference Committee.

Very truly yours,

DARRYL R WHITE
Secretary of the Senate

Senate Chamber, August 3, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 90	AB No. 1393	AB No. 1958
AB No 704	AB No. 1957	AB No 2102
AB No 890		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 3, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 945	AB No. 1342
AB No 1192	AB No 2332

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, August 3, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 169	AB No 1362
AB No 601	AB No 1494
AB No. 941	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, August 3, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 349
AB No 1861
AB No 1914

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 617
AB No. 981

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 3, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 1470

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, August 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 245	AB No 1057	AB No 1614
AB No 256	AB No. 1090	AB No 1756
AB No. 850	AB No 1187	AB No. 1760
AB No 857	AB No 1286	AB No 1873
AB No 1036	AB No 1320	AB No 2092

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 3, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 33
ACR No 77
ACR No. 122

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

ADJOURNMENT

At 11·35 p m, pursuant to a motion made earlier this day, the Assembly adjourned until 9 a m, Friday, August 4, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twentieth Legislative Day

Two Hundred Fifteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, August 4, 1972

The Assembly met at 9 a.m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Deddeh moved a quorum call of the Assembly.
Mr Foran seconded the motion.
Motion carried Time, 9 02 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9 28 a m, Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Father Albert O'Connor, Chaplain, Saint Anne's Rectory, Sacramento.

God, Our Heavenly Father, We turn to You this morning and ask Your help.

Teach us to listen to one another, with the kind of attention which is receptive to other points of view, however different, with a healthy skepticism as to our own infallibility.

Teach us to understand one another with the kind of sensitivity which springs from deep-seated sympathy and compassion.

Teach us to trust one another, beyond mere tolerance, with a willingness to take a chance on the perfectibility of our fellow men

Teach us to help one another, beyond charity, in the kind of mutual involvement which is essential if a free society is to work . . .

We ask this in Jesus' name.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Monagan then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness·

Mr. Briggs, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Badham, on request of Speaker pro Tempore Bee.

Mr Brophy, on request of Speaker pro Tempore Bee.

Mr Miller, on request of Speaker pro Tempore Bee.

Mr. Pierson, on request of Speaker pro Tempore Bee.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 126 FROM COMMITTEE

Mr Monagan asked for unanimous consent that Assembly Concurrent Resolution No 126 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Mr. Cory withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Monagan moved that the Rules be temporarily suspended for the purpose of withdrawing Assembly Concurrent Resolution No. 126 from the Committee on Rules, for purpose of consideration at this time, without reference to file

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried Time, 9 32 a m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1352

The Speaker pro Tempore appointed Messrs Beverly, Foran, and Murphy as a Committee on Conference concerning Senate Bill No. 1352

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that all bills reported from committee on this day be taken up, without reference to file, for purpose of second reading, and that any amendments reported with the bills be adopted Speaker pro Tempore Bee was also granted unanimous consent that any bills amended on this day be returned to the third reading file or the Second Day Consent Calendar for the next legislative day

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 119 FROM COMMITTEE

Mr Chappie was granted unanimous consent that House Resolution No 119 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file

Consideration of House Resolution No. 119

House Resolution No. 119—Relative to the relocated Auburn-Foresthill Road.

NOTE The full text of House Resolution No 119 appears at pages 7192-7193 of the Assembly Daily Journal for August 3, 1972.

Resolution read, presented by Mr. Chappie, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 94 FROM COMMITTEE

Mr Mobley was granted unanimous consent that House Resolution No 94 be withdrawn from the Committee on Rules, for purpose of consideration at this time, without reference to file

Consideration of House Resolution No. 94

House Resolution No. 94—Relative to memorializing former Assemblyman William W. Hansen.

NOTE: The full text of House Resolution No. 94 appears at page 6385 of the Assembly Daily Journal for July 24, 1972.

Resolution read, and presented by Mr. Mobley.

Members Made Coauthors of House Resolution No. 94

Mr. Mobley was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No 94 as coauthors, and that when the Assembly adjourns on this day it do so out of respect to the memory of the late Honorable William W Hansen, former Member of the Assembly from Fresno County.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 41—An act to amend Section 22825 of the Government Code, relating to state employees' benefits, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 41?

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in Assembly April 27, 1972, after "provided", insert a comma.

Amendment No. 2

On page 2, lines 22 and 23, strike out ", except that", and insert ". An".

Amendment No. 3

On page 2, line 37, after "take", insert "immediate".

Amendment No. 4

On page 2, line 37, strike out "immediately".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr Speaker—54

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1342—An act to add Section 3600 3 to the Labor Code, relating to workmen's compensation.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1342?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 31, 1972, between lines 10 and 11, insert

"(c) This section shall not apply to any off-duty peace officer while he is engaged, either as an employee or as an independent contractor, in any capacity other than as a peace officer."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—53

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 90—An act relating to the study of amphetamines.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 90?

Amendment No. 1

On page 2, in lines 25 and 26, of the printed bill, as amended in Assembly April 25, 1972, strike out "the fifth calendar day of the 1973 Regular Session", and insert "July 1, 1973".

Amendment No. 2

On page 3, in lines 7 and 8, strike out "the fifth calendar day of the 1973 Regular Session of the Legislature", and insert "July 1, 1973".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—55

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1393—An act to amend Section 18021 7 of the Government Code, relating to fire suppression employees.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1393?

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert "80 hours a week.".

Amendment No. 2

On page 1, strike out line 7, and on page 2, strike out lines 1 to 5, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr Speaker—54.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1957—An act to amend the heading of Chapter 5 (commencing with Section 2200) of Division 3 of, to amend Sections 2200, 2205, 2210, 2212, 2223, 2241, 2289, 2290, 9291, 2300, 2302, 2330 and 2360 of, and to add Section 2207 to, the Health and Safety Code, relating to vector control districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1957?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 9, 1972, strike out "and", and insert a comma.

Amendment No. 2

In line 4 of the title after "of", insert ", and to add Section 2207 to".

Amendment No. 3

On page 2, between lines 11 and 12, insert

"SEC. 3 5. Section 2207 is added to the Health and Safety Code, to read:

2207. No district shall infringe upon the activities and duties of persons licensed as structural pest control operators pursuant to Chapter 14 (commencing with Section 8500) of Division 3 of the Business and Professions Code "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy,

McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wood, Z'berg, and Mr Speaker—57.

NOES—None

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Messrs Lanterman and LaCoste were granted unanimous consent that photographers be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1958—An act to amend, repeal, and add Section 5328 of, and add Section 5328 9 to, the Welfare and Institutions Code, relating to mental health

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1958?

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly June 8, 1972, strike out lines 27 and 28, and insert

"(b) When the patient, with the approval of the physician in charge of the patient, designates persons to whom".

Amendment No. 2

On page 4, strike out lines 39 and 40, and on page 5, strike out line 1, and insert

"(d) If the recipient of services is a minor, ward, or conservatee, and his parent, guardian, or conservator designates, in writing, persons to whom records or information may".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 114 FROM COMMITTEE

Mr. Priolo was granted unanimous consent that House Resolution No 114 be withdrawn from the Committee on Rules, for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 114

House Resolution No. 114—Relative to commending Assemblyman William Campbell for his contributions to the State of California

---

NOTE: The full text of House Resolution No. 114 appears at pages 6933–6934 of the Assembly Daily Journal for August 1, 1972.

Resolution read, and presented by Mr Priolo.

Request for Unanimous Consent

Mr. Priolo was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

Appointment of Escort Committee for Assemblyman Campbell

Messrs Karabian, Stull, Duffy, and Mrs. Davis were appointed as a Select Committee to Escort Assemblyman William Campbell to the Rostrum.

House Resolution No 114 adopted unanimously.

CAUCUS ANNOUNCEMENTS

At 10·30 a m, Mr Stull was granted unanimous consent that the Republican Caucus be permitted to meet at this time in the Assembly Lounge, and Mr. Cory was granted unanimous consent that the Democratic Caucus be permitted to meet in the Sergeant at Arms office.

RECESS

At 10·31 a.m, Speaker pro Tempore Bee declared the Assembly recessed until 10:45 a.m.

REASSEMBLED

At 11 28 a m, the Assembly reconvened.

Hon. Willie L Brown, Jr, Member of the Assembly, 18th District, presiding.

Chief Clerk James D. Driscoll at the Desk.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 4, 1972

Mr. Speaker. The Chairman of your Committee on Ways and Means reports·

SB No. 1112

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1112—An act to amend Sections 12551 and 12553 of, to amend and renumber Section 12551.5 of, to add Sections 12601, 12602, 12603, 12604, and 12605 to, and to repeal Section 12601 of, the Education Code, relating to pupils

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, line 23, of the printed bill, as amended in Senate July 10, 1972, after "attending", insert "graded classes at".

Amendment No. 2

On page 4, line 4, after "in", insert "graded classes at".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, August 4, 1972

Mr. Speaker The Chairman of your Committee on Local Government reports:

SB No 921

With author's amendments with the recommendation · Amend, and re-refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 921—An act relating to local government.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 18, 1972, after "government", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, immediately above line 1, insert

"SECTION 1 The Isla Vista College Community Services District Law is hereby enacted."

Amendment No. 3

On page 1, line 3, strike out "SECTION", and insert

"SEC "

Amendment No. 4

On page 25, after line 23, insert

"SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order to be operative at the earliest possible date so that the district can be formed to collect taxes and prepare a budget for the district's fiscal year which commences March 1st it is necessary that this act take immediate effect "

Set No. 2

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 18, 1972, in line 9, before the period, insert "who shall be the presiding officer thereof".

Amendment No. 2

On page 2, lines 15 and 16, strike out "the owner of a building or his agent.", and insert "any person shown as the owner of real property on the last equalized assessment roll, where such person is no longer the owner, then any person entitled to be shown as the owner of such real property on the next assessment roll, where such real property is subject to a recorded written agreement of sale, any person shown therein as purchaser; and any public agency, including the University of California, owning real property.

SEC 9.1. "Resident" means a person who.

(a) Is at least 18 years of age;

(b) Is gainfully employed or is a bona fide student within Santa Barbara County, or is the spouse or dependent of such a person, and

(c) On October 15 of any year in which taxes are levied by the district, has taken up residence within the boundaries of the district

SEC 9.2. "Residence" means the place in which a person dwells or fixes his habitation within the district, whether permanently or temporarily For purposes of this act, the "residence" of a person is not necessarily his legal residence or domicile "

Amendment No. 3

On page 2, strike out lines 22 through 40; and on page 3, strike out lines 1 through 5, and insert

"SEC 10. The Isla Vista College Community Services District may be formed pursuant to the provisions of this act within the unincorporated area of Santa Barbara County known as Isla Vista.

SEC. 11. Prior to commencing proceedings pursuant to this act for formation of the district, the proponents of formation shall secure the approval of the Santa Barbara County Local Agency Formation Commission pursuant to the provisions of Chapter 6 6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5 of the Government Code

If the Santa Barbara County Local Agency Formation Commission approves an application for formation of the district, it shall include the following determinations in the resolution adopted pursuant to Section 54797 of the Government Code

(a) The boundaries of the proposed district, and

(b) The purposes, among those enumerated in Section 120, for which the district, upon formation, will be authorized to exercise its powers."

Amendment No. 4

On page 3, line 6, strike out "a", and insert "the".

Amendment No. 5

On page 3, line 7, after "filing", insert a comma; and after "provided", insert a comma.

Amendment No. 6

On page 3, line 10, after "instruments", insert a comma

Amendment No. 7

On page 3, line 13, strike out "· (a) set forth"; and strike out lines 14 through 26, and insert "contain substantially the following:

(a) State that the proposal is for formation of the district pursuant to the provisions of this act;

(b) State a description of the exterior boundaries of the proposed district as determined by the Santa Barbara County Local Agency Formation Commission pursuant to Section 11,

(c) State the purposes for which district powers are proposed to be exercised, as determined by the Santa Barbara County Local Agency Formation Commission pursuant to Section 11,

(d) State a description of the boundaries of any zone proposed to be established within the proposed district and state the district powers which are proposed to be exercised for the benefit of the residents of such a zone,

(e) State the number of members proposed for the district board of directors, whether 5, 7, 9, 11 or 13,

(f) State whether the members of the district board will be elected at large or will be elected by individual election districts, and

(g) Request that proceedings be taken for formation of the district pursuant to this act "

Amendment No. 8

On page 3, line 29, after the period, insert "Each signer of the petition shall add to his signature the date of his signing and his place of residence The petition shall be circulated at any time after the Santa Barbara County Local Agency Formation Commission has approved the formation of the district and shall be filed pursuant to Section 15 within 180 days of the adoption of the local agency formation commission resolution approving the formation of the district "

Amendment No. 9

On page 3, line 32, strike out "Said", and insert "Such".

Amendment No. 10

On page 4, line 4, strike out "or describe"; and strike out all of line 5, and insert "and of any zones proposed to be established therein,".

Amendment No. 11

On page 4, line 7, after "formed", insert "and zones, if any, are to be established,"

Amendment No. 12

On page 4, line 9, strike out "said", and insert "such"

Amendment No. 13

On page 4, line 11, strike out "lands", and insert "territory".

Amendment No. 14

On page 4, line 26, after "district", insert "or against the formation of any zone proposed to be established therein".

Amendment No. 15

On page 4, lines 28 and 29, strike out "four weeks in all.", and insert "a total of four weeks."

Amendment No. 16

On page 4, line 38, strike out "Upon", and insert "At the conclusion of".

Amendment No. 17

On page 4, line 40, after the first "district", insert "and of any zone proposed to be established therein".

Amendment No. 18

On page 4, line 40, after the second "district", insert ", or from any zone proposed to be established therein,".

Amendment No. 19

On page 5, line 1, strike out "land", and insert "territory, the residents of".

Amendment No. 20

On page 5, line 2, strike out "project and it", and insert "zone or proposed district. It".

Amendment No. 21

On page 5, line 2, strike out "any land, with", and strike out lines 3 through 6; and on line 7, strike out "district to include the same", and insert ", or in any zone proposed to be established therein, territory, the residents of which it finds will be benefited by inclusion within the proposed district or proposed zone".

Amendment No. 22

On page 5, line 9, after "district", insert a comma.

Amendment No. 23

On page 5, line 10, strike out "is either", and insert ", is"

Amendment No. 24

On page 5, line 11, strike out "or not economically feasible, or both".

Amendment No. 25

On page 5, lines 14 and 15, strike out "and is economically feasible", and insert a comma.

Amendment No. 26

On page 5, line 17, strike out "organized ", and insert "formed If the board makes any changes in the boundaries of the proposed district, such changes shall be approved by the Santa Barbara County Local Agency Formation Commission pursuant to Section 54799 1 of the Government Code before the election is called on the formation of the district."

Amendment No. 27

On page 5, between lines 20 and 21, insert

"SEC. 29. If the formation petition has requested that the district board be elected by election districts, the board of supervisors shall,

by resolution, establish such election districts within 30 days after the final hearing Such election districts shall be as nearly equal in population as possible."

Amendment No. 28

On page 5, line 24, after "formed", insert a comma.

Amendment No. 29

On page 5, line 25, strike out the first "said", and insert "such".

Amendment No. 30

On page 5, line 25, strike out the second "said", and insert "such".

Amendment No. 31

On page 5, line 28, after the period, insert "If the board of supervisors has established election districts for the district board pursuant to Section 29, the election shall be held not less than 75 days nor more than 90 days from the date of the resolution establishing such election districts."

Amendment No. 32

On page 5, line 33, strike out ": (a) the", and strike out all of lines 34 through 39, and insert

"(a) The date of election;

(b) The name of the proposed district;

(c) The purposes for which the district is to be formed and for which any zones are to be established therein;

(d) A statement that the first board of directors will be elected at that election who will take office if the district is formed;

(e) If the members of the board of directors are to be elected by election districts, a description of such election districts; and

(f) A description of the boundaries of the proposed district or of the territory to be included therein "

Amendment No. 33

On page 6, lines 3 and 4, strike out "polling place or places", and insert "election precincts".

Amendment No. 34

On page 6, line 10, after "whole", insert a comma.

Amendment No. 35

On page 6, line 12, strike out "at the election".

Amendment No. 36

On page 6, lines 18 and 19, strike out "at the election".

Amendment No. 37

On page 6, line 20, after the second "district", insert a comma.

Amendment No. 38

On page 6, line 24, after "boundaries", insert "and the boundaries of any zones established therein".

Amendment No. 39

On page 6, line 25, after "shall", insert a comma.

Amendment No. 40

On page 7, line 9, strike out "division", and insert "election district".

Amendment No. 41

On page 7, line 12, after "shall", insert ", pursuant to Section 29,".

Amendment No. 42

On page 7, line 12, strike out "divisions", and insert "election districts".

Amendment No. 43

On page 7, line 13, strike out ", such divisions and the"; and strike out all of lines 14 through 16, and insert ". All".

Amendment No. 44

On page 7, line 17, strike out "division", and insert "election districts".

Amendment No. 45

On page 7, between lines 17 and 18, insert

"SEC 51 1. If election districts have been established pursuant to Section 29, the district board shall, following each decennial census and using the census as a basis, adjust the boundaries of the election districts so that such districts are as nearly equal in population as possible The board shall take such action by resolution.

SEC. 51.2. The boundaries of the election districts shall be adjusted by the board before the first day of June of the year next succeeding the year in which each federal decennial census is taken If the board fails to adjust election district boundaries as required by this section, each director to be elected at subsequent district elections shall be elected at large. Directors shall continue to be so elected until the board adjusts the election district boundaries

SEC. 51.3. At any time between decennial adjustments of election district boundaries, the district board may make an interim readjustment of election district boundaries. Any such interim readjustments shall be made on the basis of the populations or estimated populations contained in the most recent of any of the following. any census of Santa Barbara County, taken as provided in Section 26203 of the Government Code; any census or population estimate, taken or made as provided in Sections 2107.1 and 2107.2 of the Streets and Highways Code; population estimates contained in any official document prepared by the State Department of Finance and issued to the public

SEC. 51 4. The district board shall cause a certified copy of any resolution adjusting election district boundaries to be filed with the county clerk as soon as possible after the adoption of such resolution."

Amendment No. 46

On page 7, strike out lines 31 through 36.

Amendment No. 47

On page 7, line 39, strike out "elected".

Amendment No. 48

On page 8, strike out lines 10 and 11, and insert "receive".

Amendment No. 49

On page 8, line 16, strike out "such duties", and insert "official duties on behalf of the district, other than attendance at board meetings"

Amendment No. 50

On page 8, line 20, after "oaths", insert a comma.

Amendment No. 51

On page 8, line 22, after "directors", insert a comma.

Amendment No. 52

On page 8, line 23, after "election", insert a comma

Amendment No. 53

On page 9, strike out lines 9 and 10, and insert

"SEC 69 The district is a local agency under the Ralph M Brown Act, Chapter 9 (commencing with Section 54950), Part 1, Division 2, Title 5 of the Government Code and shall be subject to the provisions of that act."

Amendment No. 54

On page 9, line 16, strike out the semicolon and insert a period.

Amendment No. 55

On page 9, line 21, after "or", insert a comma.

Amendment No. 56

On page 9, line 34, after "district", insert a comma.

Amendment No. 57

On page 9, line 34, strike out "for", and insert "on".

Amendment No. 58

On page 10, line 10, strike out "part", and insert "party".

Amendment No. 59

On page 10, strike out lines 17 through 36, and insert

"SEC 90 Any election called pursuant to this chapter shall be conducted and the votes canvassed by the County Clerk of Santa Barbara County. Any costs incurred by the county clerk which reasonably relate to an election conducted pursuant to this chapter shall be reimbursed to the county by the district

Upon completion of the canvass of returns of any election held pursuant to this chapter, the county clerk shall forthwith transmit to the district board the results of such canvass Such results shall be certified and declared by the board by resolution thereof.

Article 2 General District Elections

SEC 92 A general district election shall be held each year within the district for purposes of nominating and electing district directors

SEC 93 The first district election shall be held and conducted on the first Tuesday after the first Monday in November of the year next succeeding the year in which the election on the formation of the district was held

Thereafter, a general district election shall be held and conducted within the district on the first Tuesday after the first Monday in November in each year to choose a successor for each director whose term of office will expire on the last Friday in such November

SEC 94. Any general district election called and conducted pursuant to this article may be consolidated with any other election pursuant to the provisions of Chapter 4 (commencing with Section 23300), Part 2, Division 2 of the Elections Code pertaining to the consolidation of elections.

SEC 95 Except as otherwise provided in this article, general district elections shall be called, conducted and canvassed, and directors nominated and elected in accordance with the provisions of the Uniform District Election Law, Part 3 (commencing with Section 23500) of Division 12 of the Elections Code

All documents or instruments required by the Uniform District Election Law to contain any information or give any notice pertaining to district elections or the nomination or election of district elective officers shall contain similar information or notice pertaining to general district elections held pursuant to this article, or to the nomination or election of district directors.

Article 3 Special Elections

SEC 96 Except as provided in this act, all special elections shall be called, conducted and canvassed, and ballot propositions submitted to the voters in accordance with the provisions of Part 2 (commencing with Section 22600) of Division 12 of the Elections Code pertaining to elections in general law cities.

SEC 97. Any special election called and conducted by the district board pursuant to this article may be consolidated with any other election pursuant to the provisions of Chapter 4 (commencing with Section 23300) of Part 2, Division 12 of the Elections Code pertaining to the consolidation of elections, provided, however, that any special election called by the district board within 90 days of a general district election shall be consolidated with and held at the same time as such general district election

SEC. 98 The district board shall adopt a resolution calling a special election at least 90 days prior to the date upon which such election shall be held.

A resolution calling a special election shall:

(a) Call, provide for, and give notice of the special election,

(b) Determine whether the special election is to be held throughout the entire district or within only a portion or zone of the district, in which case such portion or zone shall be described;

(c) Fix the date of the election,

(d) Provide for the measure to be submitted to the voters, including a synopsis of such measure, and state the vote required for approval thereof; and

(e) Contain such other matters as may be required or necessary to provide for and give notice of the special election and to provide for the conduct thereof and the canvass of the returns

Article 4. Initiative, Referendum and Recall

SEC. 100 Initiative ordinances may be enacted by the voters of the district in accordance with the provisions of Article 1 (commencing with Section 3700), Chapter 2, Division 4 of the Elections Code pertaining to enactment of county initiative ordinances.

SEC. 101. All ordinances of the district, other than initiative ordinances and ordinances fixing the amount of money to be raised by taxation or the rate of taxes to be levied, may be repealed in accordance with and pursuant to the provision of Article 2 (commencing with Section 3750), Chapter 2, Division 4 of the Elections Code."

Amendment No. 60

On page 11, line 7, strike out "law", and insert "act".

Amendment No. 61

On page 11, line 13, strike out "Public", and insert "To provide public".

Amendment No. 62

On page 11, line 14, strike out "Street", and insert "To construct and maintain street".

Amendment No. 63

On page 11, line 15, strike out "county", and insert "County of Santa Barbara".

Amendment No. 64

On page 11, strike out line 18, and insert "generally within the territory of the district by Santa Barbara County or by the Regents of the University of California."

Amendment No. 65

On page 11, strike out line 22; and in line 23, strike out "and surfacing", and insert "To open, close, widen, extend, straighten, and surface".

Amendment No. 66

On page 11, line 25, strike out "said", and insert "such".

Amendment No. 67

On page 11, line 27, strike out "The construction and improvement of", and insert "To construct and improve".

Amendment No. 68

On page 11, line 30, strike out "said", and insert "such".

Amendment No. 69

On page 11, line 31, strike out "The conversion of", and insert "To convert".

Amendment No. 70

On page 12, strike out lines 6 through 12.

Amendment No. 71

On page 12, line 13, strike out "(i)", and insert "(h)".

Amendment No. 72

On page 12, line 20, strike out "(j)", and insert "(i)".

Amendment No. 73

On page 12, line 21, strike out "mass", and insert "public".

Amendment No. 74

On page 12, line 22, strike out "(k)", and insert "(j)".

Amendment No. 75

On page 12, line 25, strike out "(l)", and insert "(k)".

Amendment No. 76

On page 12, strike out lines 29 through 32

Amendment No. 77

On page 12, between lines 32 and 33, insert

"SEC. 120.1 The district shall not exercise any of its powers or provide any district service on property owned by the Regents of the University of California without the prior consent of such Regents

SEC. 120 2 The Santa Barbara County Board of Supervisors may designate the district, and the district shall thereby be empowered, to perform the functions of:

(a) An area planning commission pursuant to Article 11 (commencing with Section 65600) of Chapter 3 of Title 7 of the Government Code;

(b) A municipal advisory council pursuant to Section 31010 of the Government Code;

(c) Or both."

Amendment No. 78

On page 12, strike out lines 35 through 40; and on page 13, strike out lines 1 through 3, and insert "Code; may dispose of such property as provided therein; and may use the proceeds therefrom for any authorized district purpose"

Amendment No. 79

On page 13, line 5, strike out ", economically sound,".

Amendment No. 80

On page 13, line 9, strike out "may", and insert "shall".

Amendment No. 81

On page 13, line 10, after "or", insert "shall".

Amendment No. 82

On page 13, line 12, strike out "should adopt such additional", and strike out lines 13 through 40, and insert "shall be authorized to exercise its powers for such additional purpose or purposes. If a majority of the votes cast in the district taken as a whole and a majority of the votes cast by persons residing on property owned by the University of California, if such property is included within the district, are in favor of the exercise of district powers for such additional purposes, the district may exercise its powers for such purposes

SEC. 123. Section 122 shall apply only to powers which the district board proposes to exercise for the benefit of all residents of the district

and shall not apply to any powers proposed to be exercised for the benefit of the residents of any zone established pursuant to the provisions of Article 5 (commencing with Section 230) of Chapter 6."

Amendment No. 83

On page 14, strike out lines 1 through 6, and insert

"SEC 124 The district may cease to exercise its powers for any of the authorized purposes enumerated in Section 120 in the same manner provided in Section 122 for authorizing the exercise of district powers for additional purposes."

Amendment No. 84

On page 14, line 10, strike out "A", and insert "The".

Amendment No. 85

On page 14, line 14, strike out the second comma, and insert a semicolon.

Amendment No. 86

On page 14, line 15, after "provided", insert "that".

Amendment No. 87

On page 14, line 27, after the comma, insert "as hereinafter provided,".

Amendment No. 88

On page 15, line 2, strike out "rates or other".

Amendment No. 89

On page 15, strike out lines 4 through 22.

Amendment No. 90

On page 15, line 27, strike out "Violation of any such"; and strike out all of line 28.

Amendment No. 91

On page 15, line 31, strike out "division", and insert "act".

Amendment No. 92

On page 15, line 33, after "States", insert "or with any public agency or private person,".

Amendment No. 93

On page 15, strike out lines 36 through 38, and insert

"SEC 143 The district, by contract or otherwise, may accept grants, financial assistance or other contributions from any public agency or private person Contributions may be in the form of money, labor, materials, real or personal property, or the construction, maintenance and operation of any facility "

Amendment No. 94

On page 16, line 4, after "corporation", insert a comma.

Amendment No. 95

On page 16, line 6, strike out "is", and insert "shall be".

Amendment No. 96

On page 16, strike out lines 31 through 35.

Amendment No. 97

On page 17, line 6, strike out "on account", and insert "as a result".

Amendment No. 98

On page 17, line 7, after "destruction", insert a comma.

Amendment No. 99

On page 17, line 7, after "defend", insert "the district".

Amendment No. 100

On page 17, line 9, after "Code", insert "in".

Amendment No. 101

On page 17, line 12, strike out "are", and insert "shall be".

Amendment No. 102

On page 17, line 18, after the period, insert "If such depositary is not designated for all of such funds, the board shall designate what funds are to be deposited with such depositary. The county treasurer shall be the depositary for all funds not so designated."

Amendment No. 103

On page 17, line 24, after "amount", insert "of".

Amendment No. 104

On page 17, line 24, strike out "of".

Amendment No. 105

On page 18, line 8, strike out "167 1. The board may", and insert "SEC. 167.1. The board may, by resolution,".

Amendment No. 106

On page 18, line 8, strike out "county treasurer", and insert "Santa Barbara County Treasurer".

Amendment No. 107

On page 18, strike out line 9, and insert "to be the".

Amendment No. 108

On page 18, line 12, strike out "167.2.", and insert "SEC. 167.2."

Amendment No. 109

On page 18, strike out lines 18 through 20, and insert "SEC. 167.3. The county treasurer shall".

Amendment No. 110

On page 18, line 21, strike out "other".

Amendment No. 111

On page 18, line 23, strike out "167 4 ", and insert "SEC. 167.4."

Amendment No. 112

On page 18, line 27, strike out "167.5.", and insert "SEC. 167 5."

Amendment No. 113

On page 18, strike out line 35, and insert "SEC 167.6. The Board of Supervisors of Santa Barbara County shall".

Amendment No. 114

On page 19, line 3, strike out "COLLEGE COMMUNITY SERVICES", and strike out all of line 4, and insert "FINANCE".

Amendment No. 115

On page 19, line 6, strike out "General", and insert "Budget".

Amendment No. 116

On page 19, strike out lines 8 through 29, and insert

"SEC 171. The fiscal year of the district shall begin on March 1 of each year and shall end upon the last day of February of the following year.

SEC 172 At such time as the district board may prescribe, but not later than September 15 of each year, the general manager shall prepare and submit to the board a budget estimate of the expense of operating the district for the ensuing fiscal year The budget estimate shall include the estimated total expenditures and the total anticipated income for the district for the ensuing fiscal year

SEC 173. After submission of the budget estimate, the board shall fix a time and place for a hearing thereon Notice of such hearing shall be published pursuant to Section 6066 of the Government Code.

SEC. 174. The board may increase or decrease any item in the budget estimate and may delete any item therefrom or add any new item thereto.

SEC 175. At the conclusion of the hearing on the budget estimate, but not later than October 14 of each year, the board shall approve the budget estimate as submitted by the general manager or as revised by the board and shall, by resolution, fix the tax rate for the district.

SEC 176 No later than February 1 following the approval of the budget estimate, the general manager shall submit to the board a report of the moneys collected from the district and from other sources, which are currently on deposit in the district treasury and which are available for expenditure during the fiscal year beginning March 1.

SEC. 177. During the month of February of each year, at a time and place to be fixed by the board, it shall hold a final hearing on the budget estimate Notice of such hearing shall be published pursuant to Section 6066 of the Government Code.

SEC 178 At the final hearing the board may increase, decrease, add to, or delete any item in the budget estimate At the conclusion of the hearing, but no later than the last day of February, the board shall, by resolution, adopt the final district budget for the fiscal year beginning March 1; provided that the expenditures of the district as appropriated by the final budget shall not exceed the moneys currently on hand and available for expenditure as reported by the general manager pursuant to Section 176.

SEC. 179. If, at any time during the fiscal year, additional moneys become available to the district, either from the payment of delinquent taxes or from other sources, the board may, by resolution, appropriate such moneys for any authorized purpose of the district ''

Amendment No. 117

On page 19, strike out lines 34 through 39; and on line 40, strike out ''structures'', and insert ''levy a tax, not to exceed ten dollars ($10) per capita on every person who is a resident of the district on October 15 of each year.

SEC. 181. The district shall determine those owners of real property within the district boundaries whose property is being used for residential purposes. As soon as possible after the district tax rate has been fixed pursuant to Section 175, but no later than October 15 of each year, the district shall mail to each such owner''.

Amendment No. 118

On page 20, line 5, strike out ''article'', and insert ''act''.

Amendment No. 119

On page 20, line 7, strike out ''equally from the persons listed''; and strike out all of lines 8 and 9, and insert ''from each resident, residing on his property on October 15;''.

Amendment No. 120

On page 20, line 11, strike out ''adults residing on''; and strike out all of line 12, and insert ''residents on such property on October 15, the names thereof, and the amount of tax collected from each ''

Amendment No. 121

On page 20, between lines 15 and 16, insert

''If an owner has designated, in writing, an agent to receive the notice and to collect the tax, the notice of taxation shall be sent directly to such agent.''

Amendment No. 122

On page 20, line 16, after ''owner'', insert '', or his agent,''.

Amendment No. 123

On page 20, line 17, strike out ''or its authorized agent a'', and insert ''the''.

Amendment No. 124

On page 20, line 19, strike out ''The statement shall contain''; and strike out lines 20 and 21; and on line 22, strike out ''indication of who paid.''

Amendment No. 125

On page 20, line 24, after ''knowledge'', insert a comma.

Amendment No. 126

On page 20, line 25, after ''from'', insert ''the''.

Amendment No. 127

On page 20, line 27, after the comma, insert ''or his agent,''.

Amendment No. 128

On page 20, line 31, strike out "or its agent".

Amendment No. 129

On page 20, line 35, after the comma, insert "but no later than December 15,".

Amendment No. 130

On page 20, line 37, after "paid", insert a comma.

Amendment No. 131

On page 20, line 38, after "reside", insert a comma.

Amendment No. 132

On page 21, line 3, strike out "174", and insert "185".

Amendment No. 133

On page 21, line 4, strike out "30", and insert "45".

Amendment No. 134

On page 21, line 6, strike out "174, 30", and insert "185, 45".

Amendment No. 135

On page 21, between lines 7 and 8, insert

"SEC 185. Nonpayment of delinquent taxes shall constitute an infraction punishable by a fine not to exceed one hundred dollars ($100).

SEC 186 If the district board wishes to levy a tax in excess of the maximum rate specified in Section 180, it shall, by resolution, call an election and submit to the voters of the district the question of such a tax increase The resolution calling the election shall specify the amount of additional tax which is proposed. If a majority of the votes cast within the district taken as a whole and a majority of the votes cast by persons residing on property owned by the University of California, if such property is included within the district, are in favor of the additional tax, such tax may be levied by the district beginning on the October 15 next succeeding the date of the election."

Amendment No. 136

On page 21, line 29, strike out "4 Alternative", and insert "3. Additional".

Amendment No. 137

On page 21, line 31, strike out "a college community services", and insert "the".

Amendment No. 138

On page 21, line 32, strike out "assumes", and insert ", pursuant to Chapter 6 5, becomes responsible for".

Amendment No. 139

On page 21, strike out lines 36 through 40, and insert "at a tax rate not to exceed the tax rate last levied by the agency which was formerly responsible for the function or functions The district shall levy and collect such a tax, as nearly as is practicable, in accordance with the procedures used by community services districts pursuant to Chapter 1 (commencing with Section 61750) of Part 6 of Division 3 of Title 6 of the Government Code."

Amendment No. 140

On page 22, strike out lines 1 through 7, and insert

"Article 4 Temporary Borrowing

SEC. 205. For the purpose of paying the expenses of administering the district during the period between the formation of the district and the adoption of the first district budget, including the costs of preparing a budget estimate and of collecting district taxes, the board may borrow money and issue notes in anticipation of receipt of any taxes imposed pursuant to Article 2 of this chapter Any such notes shall be made payable no later than the end of the first full fiscal year after formation of the district. The final budget for the first fiscal year of the district shall appropriate an amount sufficient to repay such notes.

SEC 206. Any money borrowed pursuant to Section 205 shall be used solely to pay the administrative expenses of the district until the first district budget has been adopted. Such money shall not be used to pay for the exercise of district powers for any of the purposes specified in Section 120, and the district shall not exercise any of its powers for such purposes until the first district budget has been finally adopted."

Amendment No. 141

On page 22, strike out line 9, and insert

"CHAPTER 7 ZONES".

Amendment No. 142

On page 22, line 11, strike out "a", and insert "the".

Amendment No. 143

On page 22, line 13, strike out "rates or charges and".

Amendment No. 144

On page 22, line 15, strike out "such".

Amendment No. 145

On page 22, lines 17 and 18, strike out "rates or charges", and insert "taxes".

Amendment No. 146

On page 22, line 18, after "service", insert "or improvement,".

Amendment No. 147

On page 22, line 19, after "service", insert "or improvement".

Amendment No. 148

On page 22, line 21, strike out "levied".

Amendment No. 149

On page 22, line 24, strike out "where in the"; and strike out all of lines 25 and 26, and insert "pursuant to subdivision (a)."

Amendment No. 150

On page 22, line 29, strike out "a", and insert "the".

Amendment No. 151

On page 22, line 30, strike out the period, and insert a colon.

Amendment No. 152

On page 22, lines 31 and 32, strike out "within the district".

Amendment No. 153

On page 23, line 2, after "improvement", insert "or service".

Amendment No. 153.5

On page 23, line 4, after "presented", insert "or the resolution adopted".

Amendment No. 154

On page 23, line 5, after the first "board", insert a comma.

Amendment No. 154.5

On page 23, line 6, after "petition", insert "or resolution".

Amendment No. 155

On page 23, line 9, strike out "as provided in Section 232".

Amendment No. 156

On page 23, line 10, after "resolution", insert a comma.

Amendment No. 157

On page 23, line 11, strike out the first "and", and insert a comma.

Amendment No. 158

On page 23, line 12, after "resolution", insert a comma.

Amendment No. 159

On page 23, line 13, after "protest", insert a comma.

Amendment No. 160

On page 23, line 14, strike out "clerk", and insert "secretary".

Amendment No. 161

On page 23, line 21, after "petition", insert "or resolution".

Amendment No. 162

On page 23, line 23, strike out "clerk", and insert "secretary".

Amendment No. 163

On page 23, line 24, after "hearing", insert a comma.

Amendment No. 164

On page 23, line 29, strike out "area", and insert "zone".

Amendment No. 165

On page 23, line 29, strike out "abandon the", and strike out all of line 30, and insert "terminate proceedings to establish the zone"

Amendment No. 166

On page 23, line 32, strike out "area", and insert "zone".

Amendment No. 167

On page 23, line 35, strike out "area", and insert "zone".

Amendment No. 168

On page 23, line 37, after "hearings", insert a comma.

Amendment No. 169

On page 23, strike out line 40; and on page 24, strike out lines 1 through 4, and insert

"The board shall exclude from such a zone any territory the residents of which it finds will not be benefited by inclusion therein"

Amendment No. 170

On page 24, line 7, strike out "After", and insert "At the conclusion of".

Amendment No. 171

On page 24, line 8, strike out "proposed establishment of the zone", and insert "establishment of the proposed zone"

Amendment No. 172

On page 24, line 15, strike out "area", and insert "zone".

Amendment No. 173

On page 24, line 16, strike out "area", and insert "zone"

Amendment No. 174

On page 24, line 17, after "hearing", insert a comma

Amendment No. 175

On page 24, line 28, after "zone", insert a comma

Amendment No. 176

On page 24, line 34, strike out "property", and insert "residents"

Amendment No. 177

On page 24, line 35, strike out "property", and insert "residents".

Amendment No. 177.5

On page 24, between lines 35 and 36, insert

"SEC. 241. Taxes for any zone established pursuant to this chapter shall be levied, collected and appropriated for expenditure at the same time and in the same manner as general district taxes"

Amendment No. 178

On page 24, line 37, strike out "6.5", and insert "8".

Amendment No. 179

On page 25, line 4, strike out "7", and insert "9".

Amendment No. 180

On page 25, line 8, after the first "in", insert "the Isla Vista area of".

Amendment No. 181

On page 25, line 8, after "County", insert a comma

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

Request for Unanimous Consent

Mr Knox was granted unanimous consent that 500 additional copies of Senate Bill No 921, as amended on this day, be printed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 175

Mr Gonsalves was granted unanimous consent to take up Senate Bill No 175, out of order, for purpose of amendment

Consideration of Senate Bill No. 175

Senate Bill No. 175—An act to amend Sections 421, 422, and 423 of, and to add Section 423 7 to, the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

Motion to Amend

Mr Gonsalves moved the adoption of the following amendments

Amendment No. 1

On page 6, line 31, of the printed bill, as amended in Assembly July 28, 1972, after "the", insert "1970 lien date or the"

Amendment No. 2

On page 6, line 32, after the comma, insert "whichever occurs later,".

Amendment No. 3

On page 6, line 34, after "following", insert "the 1970–1971 assessment year or"

Amendment No. 4

On page 6, line 37, after "signing", insert ", whichever occurs later"

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No 2102—An act to amend Section 274c of the Code of Civil Procedure, relating to court reporters

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2102?

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly May 31, 1972, strike out line 4, and insert "any one of them,"

Amendment No. 2

On page 2, line 1, strike out "or must,"

Amendment No. 3

On page 2, line 2, strike out "proceeding," and insert "or criminal action or proceeding, shall".

Amendment No. 4

On page 2, line 8, after "judge", insert ", and at the request of the court shall take down in shorthand all arraignments, pleas, and sentences in a criminal action or proceeding"

Amendment No. 5

On page 2, line 9, strike out "reasonble", and insert "reasonable".

Amendment No. 6

On page 2, strike out lines 16 to 20, inclusive, and insert

"(b) The provisions of this section shall not".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 169—An act to amend Sections 20605 and 21252 6 of, and to add Sections 20750 426 and 22013 3 to, the Government Code, relating to the Public Employees' Retirement System

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 169?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Assembly April 3, 1972, strike out "_____", and insert "1 30"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 601—An act relating to the acquisition of beach lands by the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 601?

Set No. 1

Amendment No. 1

Below the heading of the printed bill, insert

"(Coauthor: Senator Carpenter)".

Set No. 2

Amendment No. 1

In the heading of the printed bill, strike out "Bee", and insert "Burke"

Amendment No. 2

In line 1 of the title, strike out "to amend Section 7149 of the Fish and Game Code,".

Amendment No. 3

In line 2 of the title, strike out "fishing licenses", and insert "the acquisition of beach lands by the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately"

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 The sum of ten thousand dollars ($10,000) is hereby appropriated from the Bagley Conservation Fund to the Department of Parks and Recreation for the purpose of conducting an appraisal of the value of the estimated two and one-half mile stretch of ocean frontage which is presently under private ownership within the city limits of Huntington Beach, for acquisition by the state.

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

The public health and welfare require the acquisition by the state for recreational purposes of the privately owned two and one-half mile stretch of Huntington Beach at the earliest possible time This act would provide for the required appraisal of such lands in order to permit their acquisition by the state It is necessary, therefore, that this act go into immediate effect"

Amendment No. 5

On page 1, strike out lines 2 to 7, inclusive, and strike out pages 2 and 3

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillh-

vray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

The question being, Shall the Assembly concur in the Senate amendments to Assembly Bill No. 601?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Above bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 1930

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 666

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, August 4, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 1977

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 83	AB No 347	AB No 1479
AB No 164	AB No. 1204	AB No. 2361
AB No 281		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1239	AB No 1911	AB No 2120
AB No. 1379	AB No. 1922	AB No. 2240
AB No 1788		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No 49

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted·

ACR No 127

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed

AB No 221	AB No 1443	AB No 1739
AB No 696	AB No 1582	AB No 1942
AB No 1140	AB No 1610	AB No 1871
AB No. 1162	AB No 1665	AB No 2189

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 108

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, August 3, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 28

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 28—Relative to renaming the Fresno River the Madera River.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1977

Mr. Karabian was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1977, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 1977

Assembly Bill No. 1977—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, relating to hospitals and other medical facilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1977?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 4, 1972, after "hospitals", insert "and other medical facilities".

Amendment No. 1.5

On page 2, line 5, after "hospital", insert "or other medical facility".

Amendment No. 2

On page 2, line 8, after "hospital", insert "or other medical facility".

Amendment No. 3

On page 2, line 10, after "hospital", insert "or other medical facility".

Amendment No. 4

On page 2, line 19, after "hospitals", insert "or other medical facilities".

Amendment No. 5

On page 2, line 27, after "hospital", insert "or other medical facility".

Amendment No. 6

On page 2, line 29, after "hospital", insert "or other medical facility".

Amendment No. 7

On page 3, line 27, after "hospital", insert "or other medical facility".

Amendment No. 8

On page 3, line 30, after "hospital", insert "or other medical facility".

Amendment No. 9

On page 3, line 32, after "hospital", insert "or other medical facility".

Amendment No. 10

On page 4, line 1, after "hospitals", insert "or other medical facilities".

Amendment No. 11

On page 4, line 9, after "hospital", insert "or other medical facility".

Amendment No. 12

On page 4, line 11, after "hospital", insert "or other medical facility".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Arnett, Campbell, Ray E. Johnson, Karabian, Mobley, Quimby, and Sieroty—7.

NOES—Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

Appointment of Committee on Conference Concerning Assembly Bill No. 1977

The Acting Speaker appointed Messrs Karabian, Brown, and Campbell as a Committee on Conference concerning Assembly Bill No. 1977.

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate appointed Senators Petris, Moscone and Lagomarsino as a Committee on Conference concerning

Assembly Bill No. 1977

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 941—An act to amend Section 39297.3 of the Health and Safety Code, relating to burning

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 941?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly June 15, 1972, strike out "thoroughly", and strike out line 10, and insert "prepared by stacking, drying, or other methods to promote combustion as specified by the air pollution control officer."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1362—An act to amend Section 7114 of, and to add Section 7151 6 to, the Health and Safety Code, relating to human remains.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1362?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly May 11, 1972, after "then", insert ", subject to Section 7151 7,".

Amendment No. 2

On page 2, line 27, after "hospital", insert "which is accredited by the Joint Commission on Accreditation of Hospitals".

Amendment No. 3

On page 2, line 29, after the period, insert "Such search shall include a check of local police missing persons records, examination of personal effects, and the questioning of any persons visiting the decedent, before his death, in a hospital, accompanying the decedent's body, or reporting the death in order to obtain information which might lead to the location of any persons who might be authorized to consent to such donation The search may be initiated in anticipation of death but the determination of nonavailability may not be made until such search has been underway for at least 24 hours Any such determination of nonavailability shall be made only after examination of all

evidence leads to the conclusion that no relatives are available. Any such determination shall be subject to a review by such office as is designated by the board of supervisors of the county in which the death occurs ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Brown was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1494—An act to add Section 18747.3 to the Business and Professions Code, relating to professional boxing.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1494?

Amendment No. 1

On page 1, line 9, of the printed bill, strike out ", if".

Amendment No. 2

On page 2, strike out lines 1 and 2; and in line 3, strike out "the manager".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1861—An act to amend Section 38105 of, and to amend, repeal, and add Sections 38121 and 38150 of, the Health and Safety Code, relating to regional centers for the mentally retarded.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1861?

Amendment No. 1

On page 4, line 39, of the printed bill, as amended in Assembly June 8, 1972, strike out ", except as otherwise provided in this section,".

Amendment No. 2

On page 5, line 1, after "conservator", insert "and in accordance with the provisions of Sections 38103 and 38123".

Amendment No. 3

On page 5, strike out lines 7 and 8, and insert

"Notwithstanding the provisions of Section 38105, any adult mentally retarded person who is competent to do so may apply for and receive any services provided by a regional center."

Amendment No. 4

On page 5, line 26, strike out ", except as otherwise provided in this section,".

Amendment No. 5

On page 5, line 28, after "conservator", insert "in accordance with the provisions of Sections 38103 and 38123".

Amendment No. 6

On page 5, strike out lines 34 and 35, and insert

"Notwithstanding the provisions of Section 38105, any adult mentally retarded person who is competent to do so may apply for and receive any services provided by a regional center."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Burke, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1914—An act to amend Section 2924 of, and to add Sections 2924f, 2924g, and 2924h to, and to repeal Section 2924d of, the Civil Code, and to amend Sections 692 and 694 of the Code of Civil Procedure, relating to mortgages and deeds of trust.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1914?

Senate Amendments of July 20, 1972

Amendment No. 1

On page 3, line 6, of the printed bill, as amended in Assembly May 4, 1972, strike out "Before", and insert "As used in this section and Sections 2924g and 2924h "property" means real property or a leasehold estate therein.

Before".

Amendment No. 2

On page 3, line 27, after the period, insert "In addition to any other description of the property, the notice shall describe the property by giving its street address, if any, or other common designation, if any; but if a legal description of the property is given, the validity of the notice shall not be affected by the fact that the street address or other common designation recited is erroneous or that the street address or other common designation is omitted."

Amendment No. 3

On page 3, lines 38 and 39, strike out "After sufficient property has been sold to satisfy the indebtedness no more can be sold."

Amendment No. 4

On page 4, line 1, strike out "may", and insert "shall".

Amendment No. 5

On page 4, line 10, after the period, insert "After sufficient property has been sold to satisfy the indebtedness no more can be sold."

Amendment No. 6

On page 4, line 29, after "2924h ", insert "(a)".

Amendment No. 7

On page 4, line 37, before "At", insert "(b)".

Amendment No. 8

On page 4, line 37, strike out "public auction", and insert "trustee's".

Amendment No. 9

On page 5, line 2, after "and", insert "to conditionally accept and hold these amounts for the duration of the sale, and".

Amendment No. 10

On page 5, line 2, after "last", insert "and highest".

Amendment No. 11

On page 5, line 3, after "deposit", insert ", if not deposited previously,"

Amendment No. 12

On page 5, line 5, strike out "upon", and insert "prior to".

Amendment No. 13

On page 5, line 5, after "sale", insert ", the completion of the sale being so announced by the fall of the hammer or in other customary manner".

Amendment No. 14

On page 5, between lines 9 and 10, insert

"(c) If the trustee has not required the last and highest bidder to deposit the cash or equivalent in the manner set forth in paragraph two of subdivision (b), the trustee shall complete the sale If the last and highest bidder then fails to deliver to the trustee, when demanded, the amount of his final bid in cash, or the equivalent of cash in a form satisfactory to the trustee, such bidder shall be liable to the trustee for all damages which the trustee may sustain by the refusal to deliver to the trustee the amount of the final bid, including any court costs and reasonable attorneys' fees."

Amendment No. 15

On page 5, line 10, before "Any", insert "(d)".

Amendment No. 16

On page 5, line 12, before "In", insert "(e)"

Senate Amendments of August 1, 1972

Amendment No. 1

On page 5 of the printed bill, as amended in Senate July 20, 1972, between lines 37 and 38, insert

"If the last and highest bidder willfully fails to deliver to the trustee the amount of his final bid in cash, or the equivalent of cash, in a form satisfactory to the trustee, such bidder shall be guilty of a misdemeanor punishable by a fine of not more than two thousand five hundred dollars ($2,500)."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—59.

NOES—None

Above bill ordered enrolled

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 2, 1972

Mr. Speaker. The Committee on Conference concerning:

Senate Bill No. 924—As amended in Assembly July 26, 1972—An act to amend Sections 200, 202, and 205 of, and to add Section 239 to,

the Code of Civil Procedure, and to add Section 1046.5 to the Penal Code, relating to juries;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 4, line 26, of the printed bill, as amended in Assembly July 26, 1972, strike out "SEC. 1.5", and insert

"SEC. 1 3".

Amendment No. 2

On page 5, line 32, strike out "(c)", and insert "(e)".

Amendment No. 3

On page 6, between lines 14 and 15, insert

"SEC. 1 5. Section 200 of the Code of Civil Procedure is amended to read·

200 A person is exempt from liability to act as a juror if he be:

1. A Member of the Legislature of this state; a Member of the Congress of the United States, a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2. A person holding a county, city and county, city, town or township office of profit,

3. An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4. A minister of the gospel, or a priest of any denomination following his profession;

5. A teacher in a university, college, academy, or school;

6. A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or ~~druggist actually engaged in the business of dispensing medicines~~ *practicing registered pharmacist* ;

7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8 Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9. Employed on board of a vessel navigating the waters of this state;

10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

11 An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830 1 and subdivision (a) of Section 830 2 of the Penal Code;

12 A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person

drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; *or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption as provided in Section 202;* provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply;

14. A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination; ~~or,~~

15. A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence ~~.~~ *; or,*

16. Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee.

SEC. 1.7. Section 200 of the Code of Civil Procedure is amended to read:

200. A person is exempt from liability to act as a juror if he be:

1. A Member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2. A person holding a county, city and county, city, town or township office of profit;

3. An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4. A minister of the gospel, or a priest of any denomination following his profession; .

5. A teacher in a university, college, academy, or school;

6. A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or ~~druggest actually engaged in the business of dispensing medicines~~ *practicing registered pharmacist* ;

7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9. Employed on board of a vessel navigating the waters of this state;

10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

11. An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830.1 and subdivision (a) of Section 830 2 of the Penal Code;

12. A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; *or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption as provided in Section 203;* provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply;

14 A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination, ~~or;~~

15 A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence - *;*

16 Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee - *; or,*

17 A city mayor, member of a city council, or person holding a position equivalent to a president or member of a legislative body of a city. "

Amendment No. 4

On page 6, line 34, after "listings", insert "in each county".

Amendment No. 5

On page 6, line 35, after "random", insert "of persons suitable and competent to serve as jurors,"

Amendment No. 6

On page 7, line 27, strike out "SEC 8", and insert "SEC 5".

Amendment No. 7

On page 8, strike out lines 22 to 34, inclusive, and insert

"SEC 6 It is the intent of the Legislature that if this bill and Assembly Bill No 519 or Senate Bill No 1285, or both, are chaptered and amend Section 200 of the Code of Civil Procedure, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows

(a) If this bill and Assembly Bill No 519 are both chaptered and amend Section 200 of the Code of Civil Procedure, but Senate Bill No. 1285 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 519, the amendments proposed by both bills shall be given effect and incorporated in Section 200 in the form set forth in Section 1 3 of this act Therefore, if Assembly Bill No 519 is chaptered before this bill and both bills amend

Section 200, and Senate Bill No 1285 is not chaptered or as chaptered does not amend that section, Section 1 3 of this act shall be operative and Sections 1, 1 5 and 1.7 of this act shall not become operative.

(b) If this bill and Senate Bill No. 1285 are both chaptered and amend Section 200 of the Code of Civil Procedure, but Assembly Bill No. 519 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Senate Bill No 1285, the amendments proposed by both bills shall be given effect and incorporated in Section 200 in the form set forth in Section 1 5 of this act Therefore, if Senate Bill No 1285 is chaptered before this bill and both bills amend Section 200, and Assembly Bill No 519 is not chaptered or as chaptered does not amend that section, Section 1 5 shall be operative and Sections 1, 1 3 and 1 7 of this act shall not become operative

(c) If this bill and Assembly Bill No 519 and Senate Bill No 1285 are all chaptered, and all three bills amend Section 200 of the Code of Civil Procedure, and this bill is chaptered after Assembly Bill No 519 and Senate Bill No. 1285, the amendments proposed by all three bills shall be given effect and incorporated in Section 200 in the form set forth in Section 1 7 of this act. Therefore, if Assembly Bill No 519 and Senate Bill No 1285 are both chaptered before this bill and all three bills amend Section 200 of the Code of Civil Procedure, Section 1.7 of this act shall be operative and Sections 1, 1 3 and 1 5 of this act shall not become operative."

The undersigned consent to the report

ROBERT LAGOMARSINO	CHARLES WARREN
FRED MARLER	JACK R FENTON
GEORGE MOSCONE	CARLOS MOORHEAD
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read

Assembly Chamber, August 3, 1972

Mr Speaker The Committee on Conference concerning·

Assembly Bill No. 1930—As amended in Senate July 12, 1972—An act to add Sections 775 and 1586 5 and Division 14 (commencing with Section 30000) to the Financial Code, to add Sections 586 1, 590, 1514 5 and 1520 to the Probate Code, to add Section 2240 to the Civil Code, to add Section 568 1 to the Code of Civil Procedure, to amend Section 8102 of the Commercial Code, and to amend Sections 10250

and Section 27002 of the Corporations Code, relating to securities depositories;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 18, line 31, of the printed bill, as amended in Senate July 12, 1972, strike out "Which is", and insert "Is".

Amendment No. 2

On page 18, line 34, strike out "Which is", and insert "Is".

Amendment No. 3

On page 18, line 37, strike out "Which is", and insert "Is".

Amendment No. 4

On page 19, line 3, strike out "such corporation", and insert "which".

The undersigned consent to the report

ROBERT LAGOMARSINO	JOHN T KNOX
JOHN NEJEDLY	KEN MacDONALD
GEORGE ZENOVICH	FRANK LANTERMAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 832—An act to add Section 18860 1 to the Government Code, relating to salaries of correctional officers.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Dunlap was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer an amendment to Assembly Bill No 832 which adds a total of more than 25 words to the bill, without having copies of the amendment placed upon the Members' desks.

Motion to Amend

Mr. Dunlap moved the adoption of the following amendment:

Amendment No. 1

On page 2, of the printed bill, as amended in Assembly July 3, 1972, strike out lines 3 to 7, inclusive; and in line 8, strike out "an amount equal to 5 percent.", and insert "all employees in the Department of Corrections and the Department of the Youth Authority whose salaries do not have built-in recognition for the unique correctional working environment in an amount of 5 percent above that normally paid to persons in their classifications

SEC. 2. There is hereby appropriated from the General Fund the sum of two million five hundred thousand dollars ($2,500,000) for salary increases to be allocated by the Department of Finance to the Department of Corrections and Department of the Youth Authority in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid as follows:

(a) One million five hundred thousand dollars ($1,500,000) for salary increases pursuant to subdivision (b) of Section 18860.1 of the Government Code.

(b) One million dollars ($1,000,000) for all classes in the adult and juvenile parole agent classes, correctional counselors and related classes at or below the salary range of program administrator, correctional institution."

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1358—An act to add Sections 1225, 1416, 1459, and 32128.10 to the Health and Safety Code, relating to sterilization operations.

Bill read third time, and presented by Mr. Waxman.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waxman moved a call of the Assembly.

Motion carried Time, 11:50 a.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Lanterman was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456 6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282 5 and 10012.4 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Crown.

Urgency Clause

Urgency clause read.

Hon. Joe A. Gonsalves Presiding

At 11:52 a m., Hon. Joe A. Gonsalves, 66th District, presiding

Hon. Willie L. Brown, Jr., Presiding

At 12 05 p m , Hon Willie L Brown, Jr , 18th District, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crown moved a call of the Assembly.

Motion carried Time, 12 09 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1302—An act to amend Section 16601 5 of, to add Sections 16602 5, 16602 6, and 16711 to, to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, and to add Article 1 5 (commencing with Section 16820) to Chapter 1 of Division 13 of, the Education Code, and to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Russell moved the adoption of the following amendments:

Amendment No. 1

On page 18 of the printed bill, as amended in Assembly July 31, 1972, strike out lines 33 and 34, and insert "authorized by an act,

other than a Budget Act, appropriating funds to support such programs."

Amendment read.

Speaker Presiding

At 12:17 p.m., Hon. Bob Moretti, 42nd District, presiding.

The question being on the adoption of the amendments offered by Mr. Lewis to Senate Bill No. 1302.

Amendments adopted by the following vote:

AYES—Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Collier, Conrad, Davis, Dent, Duffy, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, and Wood—38.

NOES—Arnett, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Garcia, Bill Greene, Harvey Johnson, Karabian, Keysor, Knox, Lewis, McCarthy, Meade, Powers, Quimby, Ralph, Sieroty, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—31.

Bill ordered reprinted, and to be returned to the third reading file.

Senate Bill No. 154—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to airports.

Bill read third time, and presented by Mr. Foran.

Bill passed by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1407—An act to place an amendment to the Constitution on the ballot for the general election to be held on Tuesday, November 7, 1972, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Knox.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh,

Dent, Duffy, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wood, and Mr Speaker—54.

NOES—Burton, Dunlap, Garcia, Karabian, Meade, Priolo, Sieroty, Warren, Waxman, Wilson, and Z'berg—11.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Campbell, Chappie, Cline, Colher, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wood, and Mr Speaker—54.

NOES—Burton, Dunlap, Garcia, Karabian, Meade, Priolo, Sieroty, Warren, Waxman, Wilson, and Z'berg—11.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending, repealing, and adding Section 7 of Article I thereof, relating to juries.

Resolution read, and presented by Mr. Murphy.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Murphy moved a call of the Assembly.

Motion carried Time, 12·13 p m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 106 FROM COMMITTEE

Mr Meade was granted unanimous consent that House Resolution No 106 be withdrawn from the Committee on Rules, for purpose of consideration at this time, without reference to file.

House Resolution No. 106—Relative to nonresident tuition waivers at the University of California

---

NOTE: The full text of House Resolution No 106 appears at page 6671 of the Assembly Daily Journal for July 27, 1972.

Resolution read, presented by Mr Meade, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 116 FROM COMMITTEE

Mr Leroy F. Greene was granted unanimous consent that House Resolution No. 116 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 116

House Resolution No. 116—Relative to a noise barrier on State Highway Route 50.

NOTE: The full text of House Resolution No. 116 appears at page 7109 of the Assembly Daily Journal for August 2, 1972.

Resolution read, presented by Mr. Leroy F. Greene, and adopted.

REQUEST FOR UNANIMOUS CONSENT

By unanimous consent photographers were permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 120 FROM COMMITTEE

Mrs. Davis was granted unanimous consent that House Resolution No. 120 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 120

House Resolution No. 120—Relative to fish entrails.

NOTE: The full text of House Resolution No 120 appears at page 7193 of the Assembly Daily Journal for August 3, 1972.

Resolution read, presented by Mrs Davis, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 91 FROM COMMITTEE

Mr Campbell was granted unanimous consent that House Resolution No. 91 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 91

House Resolution No. 91—Relative to drugless practitioners.

NOTE: The full text of House Resolution No. 91 appears at page 6283 of the Assembly Daily Journal for July 20, 1972.

Resolution read, presented by Mr. Campbell, and adopted.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 3, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Senate July 31, 1972, strike out "and Sieroty", and insert "Sieroty, and Cline".

Amendment No. 2

On page 3, in lines 24 and 25, strike out ", or approved by the Department of Education".

The undersigned consent to the report:

ALBERT S RODDA	BILL GREENE
DONALD GRUNSKY	ROBERT C. CLINE
DENNIS CARPENTER	LEROY F. GREENE
Senate Committee on Conference	Assembly Committee on Conference

Report read.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead,

Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

The question being on the adoption of Conference Committee Report on Senate Bill No. 1794.

Report adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1362

Mr. Campbell was granted unanimous consent to take up Senate Bill No. 1362, out of order, for purpose of consideration at this time.

Consideration of Senate Bill No. 1362

Senate Bill No. 1362—An act to amend Sections 441 8 and 442 6 of the Health and Safety Code to amend Section 2507 of the Business and Professions Code, to amend Sections 14057, 14058, and 14105 5 of the Welfare and Institutions Code and to amend Section 15 of Chapter 1451 of the Statutes of 1969, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Campbell.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray

E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 704—An act to add Section 301.6 to the Streets and Highways Code, relating to state highways

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 704?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 253.2 of", and insert "add Section 301.6 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 301 6 is added to the Streets and Highways Code, to read·

301.6. Notwithstanding Section 253 2, the California freeway and expressway system shall not include that portion of Route 1 from the west city limits of Santa Cruz to the San Mateo-Santa Cruz county line."

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive, and strike out page 2

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1029—An act to amend Section 12101 1 of the Welfare and Institutions Code, relating to old age security

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1029?

Set No. 1

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "amended", and insert "added".

Amendment No. 2

On page 1, line 6, after "granted", insert a semicolon.

Amendment No. 3

On page 1, line 7, after "that", insert "out of such contributions the recipient shall receive from the county an amount equal to".

Amendment No. 4

On page 1, strike out lines 8 to 10, inclusive, and insert "Section 11008.1."

Set No. 2

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "The agency collecting relatives' contributions pursuant to this article shall transmit to the recipient that part of the responsible relative's contribution which is exempt under Section 11008.1."

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote.

AYES—Conrad, LaCoste, Mobley, Monagan, and Stacey—5.

NOES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

Appointment of Committee on Conference Concerning Assembly Bill No. 1029

The Speaker appointed Messrs. Burton, Bagley, and Monagan as a Committee on Conference concerning Assembly Bill No. 1029.

Assembly Bill No. 349—An act to add Section 22850.1 to the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 349?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 20, 1972, strike out "amend Section 22852 of", and insert "add Section 22850.1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 22850.1 is added to the Government Code, to read:

22850 1. Notwithstanding any other provision of this part, a contracting agency which is a city and county shall be subject to this part only with respect to employees who upon entering city and county employment from state employment had an option under state statutes to continue enrollment under this part."

Amendment No. 3

On page 1, strike out lines 2 to 4, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Above bill ordered enrolled.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1246

The Speaker appointed Mr Bagley, Mrs. Brathwaite, and Mr. Meade as a Committee on Conference concerning Senate Bill No. 1246

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 944—An act to add Chapter 5 7 (commencing with Section 5761) to Division 6 of the Education Code, relating to education programs

Bill read third time, and presented by Mr. Chacon.

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burton, Campbell, Chacon, Cline, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Burke, MacGillivray, Moorhead, Stull, and Wakefield—5.

Bill ordered transmitted to the Senate

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Monagan moved that the Rules be temporarily suspended for the purpose of permitting him to introduce a resolution, and to take up the resolution at this time, without reference to committee, print or file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Monagan moved a call of the Assembly.

Motion carried. Time, 1·10 p m

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 95—An act to amend Sections 5756, 5757, 11475, 11476, 11477, 11478, 11479, 17301, 17303 5, 17666.2, 17666 3, 17667, 17671, 17672, 17676, 17702, 17801, 17851, 17906 2, 17920, 17925, 17925 5, 17970, and 25505 8 of, to amend and renumber Section 17952 of, to repeal Section 17951 of, and to amend the heading of Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, the Education Code, and to amend Section 15 of Chapter 18 of the Statutes of 1972, relating to education.

Bill read third time, and presented by Mr Ryan

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read.

Senate Chamber, July 31, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 1143—As amended in Assembly June 29, 1972—An act to amend Section 4036 of the Business and Professions Code and to amend Sections 11007, 11166, and 11166.02 of the Health and Safety Code, relating to prescriptions;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 29, 1972, strike out the first "and", and insert a comma.

Amendment No. 2

In line 2 of the title, after "of", insert ", and to amend Sections 11027, 11158 and 11160, as added by Assembly Bill No. 192 of the 1972 Regular Session of the Legislature, of,".

Amendment No. 3

On page 2, between lines 18 and 19, insert

"SEC. 5. Section 11027 of the Health and Safety Code, as added by Assembly Bill No. 192 of the 1972 Regular Session of the Legislature, is amended to read:

11027. "Prescription" means an oral order for a controlled substance given individually for the person for whom prescribed, directly from the prescriber to the furnisher or indirectly by means of an order *written in ink or indelible pencil in the handwriting of the prescriber,* signed by the prescriber, and shall ~~contain the address of the prescriber, his federal registry number, the name and address of the patient, the name and quantity of the controlled substance prescribed, and directions for use, and shall be dated as of the date on which it is written~~ *bear the name and address of the patient; the name and quantity of the controlled substance prescribed; directions for use; the date of issue; and either rubber stamped, typed by hand or typeset, or printed the name, address, and telephone number of the prescriber, his license classification, and his federal registry number*.

SEC. 6. Section 11158 of the Health and Safety Code, as added by Assembly Bill No. 192 of the 1972 Regular Session of the Legislature, is amended to read.

11158. No person shall write a prescription for a controlled substance classified in Schedule II or III unless it is wholly written in ink or indelible pencil in the handwriting of the prescriber, signed and dated by him as of the date on which it is written, ~~containing the name and address for whom prescribed, the name and the quantity of the controlled substance prescribed, the directions for use, the address of the prescriber, and the federal controlled substance registration of the prescriber~~ *and shall bear the name and address of the patient; the*

name and quantity of the controlled substance prescribed; directions for use; the date of issue; and either rubber stamped, typed, or printed by hand or typeset at the time the prescription is written the name, address, and telephone number of the prescriber, his license classification, and his federal registry number.

SEC. 7. Section 11160 of the Health and Safety Code, as added by Assembly Bill No. 192 of the 1972 Regular Session of the Legislature, is amended to read:

11160. Except as provided in Section 11168, no person shall order or prescribe for a controlled substance classified in Schedule II or fill, compound, or dispense a prescription for such a controlled substance unless it is wholly written in ink or indelible pencil in the handwriting of the prescriber, signed and dated by the prescriber, and ~~containing the name and address of the person for whom prescribed, the name and quantity of the controlled substance prescribed, the directions for use, the address of the prescriber, and the federal controlled substance registration of the prescriber~~ *shall bear the name and address of the patient; the name and quantity of the controlled substance prescribed; directions for use; the date of issue; and either rubber stamped, typed, or printed by hand or typeset at the time the prescription is written the name, address, and telephone number of the prescriber, his license classification, and his federal registry number.*

SEC. 8 It is the intent of the Legislature, if this bill and Assembly Bill No 192 are both chaptered and affect Sections 11007, 11166, and 11166 02 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No 192, that Sections 11027, 11158, and 11160 of the Health and Safety Code, as added by Assembly Bill No. 192, be amended on the operative date of this act in the form set forth in Sections 5, 6, and 7 of this act to incorporate the changes proposed by this bill Therefore, Sections 5, 6, and 7 of this act shall become operative only if Assembly Bill No. 192 is chaptered before this bill and affects Sections 11007, 11166, and 11166 02 of the Health and Safety Code, and in such case Sections 5, 6, and 7 of this act shall become operative on the operative date of this act and Sections 2, 3, and 4 of this act shall not become operative."

Amendment No. 4

On page 3, line 19, strike out "SEC 5", and insert "SEC. 9".

The undersigned consent to the report:

FRED W. MARLER, JR	KENT H STACEY
STEPHEN TEALE	GORDON DUFFY
ANTHONY BEILENSON	PAULINE L DAVIS
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Por-

ter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 263—An act to amend Section 4850 of the Vehicle Code, relating to motor vehicles.

Bill read third time, and presented by Mr Deddeh.

Bill passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Cory, Crown, Davis, Deddeh, Dent, Fenton, Gonsalves, Bill Greene, Hayden, Hayes, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacGillivray, McAlister, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—45

NOES—Brathwaite, Collier, Conrad, Duffy, Dunlap, Foran, Garcia, Leroy F Greene, Harvey Johnson, Lancaster, MacDonald, Maddy, McCarthy, Mobley, Moorhead, Ralph, Ryan, Sieroty, Vasconcellos, Wakefield, Warren, Waxman, and Z'berg—23.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 81

Mrs Brathwaite was granted unanimous consent to take up Senate Concurrent Resolution No. 81 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 81

Senate Concurrent Resolution No. 81—Approving amendments to the Charter of the City of Inglewood, County of Los Angeles, State of California, ratified by the qualified electors of the city at a consolidated primary election held therein on the sixth day of June, 1972

Resolution read, presented by Mrs Brathwaite, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1503—An act to add Chapter 8 (commencing with Section 11775) to Part 1 of Division 3 of Title 2 of the Government Code, relating to data processing, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. MacDonald.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—Monagan and Wakefield—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—Monagan and Wakefield—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 934—An act to amend Sections 17301 and 17303.5 of the Education Code, relating to development centers for handicapped persons

Bill read third time, and presented by Mr. Stull.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas,

Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—Harvey Johnson—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 467—An act to amend and supplement the budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5a, relating to an appropriation to develop coastal resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Stull.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—Wakefield—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1479

Mr Bagley was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No 1479, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 1479

Assembly Bill No. 1479—An act appropriating money to the State Lands Commission in augmentation of the Budget Act of 1972, relating to tide and submerged lands, to take effect immediately, usual current expenses

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1479?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly July 4, 1972, after "SEC 2", insert "The State Lands Commission may contract with any agency, public or private, as may be necessary for the rendition and affording of services and facilities to the commission pursuant to this act and for all other purposes related thereto

SEC 3."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—Hayes, Harvey Johnson, Karabian, Stacey, and Wakefield—5.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 508—An act to add Article 2 5 (commencing with Section 6331) to Chapter 4, Part 1, Division 6 of the Public Resources Code, relating to tide and submerged lands, and making an appropriation therefor

Bill read third time, and presented by Mr Bagley.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Harvey Johnson, Ketchum, and Wakefield—3

Bill ordered transmitted to the Senate

Senate Bill No. 158—An act to amend Sections 6755, 6902 5, and 6908 of, and to add Section 11753 2 to, the Education Code, relating to special education

Bill read third time, and presented by Mr Dent.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Le-

roy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—Duffy—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1072—An act to amend Sections 1 5, 2 1, 2 5, 3 1, 3 5, 3 16, 3 25, 3 27, 6 55, and 7 11 of, and to add Section 1 9 to, the Fresno Metropolitan Transit District Act of 1961 (Chapter 1932 of the Statutes of 1961), relating to transit districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Maddy.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 890—An act to add Sections 3714 5, 3723 5, and 3728 5 to the Public Resources Code, relating to geothermal resources

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 890?

Senate Amendments of June 14, 1972

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Assembly May 4, 1972, after the second comma, insert "and".

Amendment No. 2

On page 2, line 13, strike out "and to prevent damage due to"; strike out lines 14 and 15; and in line 16, strike out "resources fields".

Senate Amendments of June 26, 1972

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in Senate June 14, 1972, after the second comma, insert "shall designate geothermal resources areas and ".

Amendment No. 2

On page 3, line 9, strike out "in", and insert "within such".

Amendment No. 3

On page 3, lines 9 and 10, strike out ", as defined by the supervisor, when he determines that", and insert "when".

Senate Amendments of July 19, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 26, 1972, strike out "to amend Sections 3700 and 3714 of, and".

Amendment No. 2

In line 2 of the title, after "to", strike out the comma

Amendment No. 3

On page 2, strike out lines 1 to 26, inclusive, and on page 3, strike out lines 1 to 3, inclusive; and in line 4, strike out "SEC 3", and insert "SECTION 1".

Amendment No. 4

On page 3, line 12, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 5

On page 3, line 24, strike out "SEC 5", and insert "SEC 3".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—61

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1192—An act to amend Sections 13408, 13485, and 13487 of, and to add Section 13492 to, the Education Code, relating to certificated employees

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1192?

Amendment No. 1

After line 1 of the heading of the printed bill, as amended in Assembly June 7, 1972, insert

"(Coauthor: Senator Dymally)".

Amendment No. 2

In line 2 of the title, after "of", insert ", and to add Section 13492 to,".

Amendment No. 3

On page 2, strike out lines 1 to 5, inclusive.

Amendment No. 4

On page 2, line 6, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 5

On page 3, line 7, strike out "SEC. 3", and insert "SEC 2".

Amendment No. 6

On page 3, line 22, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 7

On page 4, line 2, after "include", insert "publishers' ".

Amendment No. 8

On page 4, after line 4, insert

"SEC 4 Section 13492 is added to the Education Code, to read:

13492 This article and Article 5 (commencing with Section 13401) of this chapter shall be known and may be cited as the Stull-Rodda Professional Competence Act"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Campbell, Chacon, Chappie, Cline, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—None

Above bill ordered enrolled.

CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Concurrent Resolution No. 109—Relative to the disposal of hazardous wastes.

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71

NOES—None.

Resolution ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 848—An act to amend Section 10489 2 of, and to add Section 10489 7 to, the Insurance Code, relating to life insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Concurrent Resolution No. 70—Relative to dental health programs

Resolution read third time, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 277—An act to add Chapter 11 (commencing with Section 19870) to Part 3 of Division 13 of the Health and Safety Code, relating to energy insulation, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 364—An act to amend Section 6426 of the Education Code, relating to mentally gifted minors, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1347—An act to add Section 23428 19 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—McAlister—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—McAlister—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1400—An act to amend Sections 1229, 1504, 1505, 1616, 1676, 1677, 1729, and 1730 of, to add Chapter 2 (commencing with Section 1250) to Division 2 of, and to repeal Chapter 2 (commencing with Section 1400) of Division 2 of, the Health and Safety Code, and to amend Sections 10554 1, 16100, 16300, and 16312 of and

to repeal Chapter 1 (commencing with Section 7000) of Division 7 of, and Chapter 1 (commencing with Section 16000) of and Chapter 3 (commencing with Section 16200) of, Part 4 of Division 9 of the Welfare and Institutions Code, and to amend Section 10 of Chapter 1626 of the Statutes of 1971, relating to licensed facilities

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1475—An act to amend the heading of Part 10 5 (commencing with Section 19501) of Division 2 of, and to amend Sections 19505 and 19531 of, the Revenue and Taxation Code, relating to property tax assistance

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1496—An act making an appropriation for aquaculture

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 196—An act to add Section 10501 to the Unemployment Insurance Code, relating to human resources development.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 226—An act to amend and renumber Sections 16645 1, 16645 2, 16645 3, 16645 4, 16645 5, 16645 6, 16645 7, 16645 8, 16645 9, 16645 10, 16645 11, 16645 11a, 16645 12, 16645 13, 16645 14, 16645 15, 16645 16, 16645 17, 16645 18, 16645 19, 16645 20, 16645.21, 16645 22, 16645 23, 16645 24, and 16645 25 of, to add Chapter 8 7 (commencing with Section 6880) to Division 6 of, and to repeal the heading of Article 2 (commencing with Section 16645 1) of Chapter 5 of Division 12 of, the Education Code, relating to development centers for handicapped pupils

Bill read third time, and passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 382—An act to add Sections 39158 and 39159 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty,

Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 432—An act to amend Sections 7015, 7065 1, 7067, 7090, 7137, 7141, 7143, 7143 5, and 7150 of, to amend and renumber Sections 7026 2, 7026.8, 7026 9, 7028 1, 7028 2, and 7116.2 of, to add Sections 7141 5, 7152, 7153, 7153 1, 7153 2, 7153 3, 7154, 7155, and 7155 5 to, and to repeal Sections 7142, 7152, 7153, 7154, 7155, 7156, 7157, and 7158 of, the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 519—An act to add Division 12 5 (commencing with Section 15000) to the Health and Safety Code, relating to hospitals, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 544—An act to amend Sections 190 and 190 01 of the Streets and Highways Code, relating to grade separations

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 712—An act relating to acquisition of lands for the state park system, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 922—An act relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2.5A, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 946—An act to add Sections 14116 45 and 14116.13 to the Education Code, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1047—An act to amend Section 16750 of the Business and Professions Code, and to add Section 12526 to the Government Code, relating to restraints on competition and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1133—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1336—An act to amend Sections 9884 8, 9887.2, 9887 3, and 9889.19 of the Business and Professions Code, relating to automotive repair, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 1 52 p m , Speaker Moretti declared the Assembly recessed until 2 30 p m.

REASSEMBLED

At 2 30 p m , the Assembly reconvened.

Hon Bob Moretti, Speaker of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate appointed Senators Beilenson, Moscone and Burgener as a Committee on Conference concerning:

Assembly Bill No. 1029

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended;

AB No. 1979
AB No. 2230

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 132

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinshed business file.

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1201

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed:

AB No. 2375

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1169

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1143

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1047

And appointed Senators Lagomarsino, Deukmejian and Collier, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 4, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 125

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 125—An act to amend Sections 8101 and 8352 of, and to add Section 8352.6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

After line 1 of the heading of the printed bill, as amended in Senate July 10, 1972, insert

"(Coauthor: Assemblyman Chappie)".

Amendment No. 2

On page 2, line 1, after "SECTION 1.", insert "This act is known and may be cited as the "Chappie-Gregorio Off-Highway Gas Tax Act of 1972."
SEC. 2."

Amendment No. 3

On page 3, line 3, strike out "SEC. 2.", and insert
"SEC. 3."

Amendment No. 4

On page 3, line 13, strike out "SEC 3.", and insert
"SEC. 4."

Amendment No. 5

On page 3, strike out lines 20 to 34, inclusive, and insert
"(a) Prior to October 1, 1973, the amount of the estimate contained in the report prepared pursuant to this section for the 1972–1973 fiscal year, less the amount of any refunds reimbursed and repaid pursuant to Section 8101, which is attributable to fuel for vehicles identified under Division 16 5 (commencing with Section 38000) of the Vehicle Code
(b) Prior to October 1, 1974, and prior to the first day of October of each year thereafter, an amount equal to the estimate contained in the most recent report prepared pursuant to this section.
(c) The amounts described in subdivisions (a) and (b) represent the portion of receipts in the Motor Vehicle Fuel Account attributable to taxes imposed upon distributions of motor vehicle fuel used in off-highway operation of vehicles identified under Division 16 5 (commencing with Section 38000) of the Vehicle Code for which a refund has not been claimed. Payments made pursuant to this section shall be made prior to payments pursuant to Section 8352 2.
(d) On or before August 15, 1973, and every two years thereafter, the".

Amendment No. 6

On page 3, line 35, strike out "and the Department of"; and in line 36, strike out "Parks and Recreation shall jointly", and insert "shall".

Amendment No. 7

On page 3, line 37, after the comma, insert "in cooperation with the Department of Parks and Recreation,".

Amendment No. 8

On page 3, line 38, strike out "in", and insert "credited to".

Amendment No. 9

On page 3, line 39, strike out "the distribution", and insert "taxes imposed on distributions".

Amendment No. 10

On page 3, line 39, strike out "for"; and strike out line 40, and insert "used in the off-highway operation of vehicles identified under Division 16 5 (commencing with Section 38000) of the Vehicle Code for which a refund has not been claimed, and shall submit a copy of such report to the Legislature.

SEC. 5. In addition to the report required by Section 8352 6 of the Revenue and Taxation Code, the Department of Public Works, on or before July 1, 1973, shall prepare or cause to be prepared, in cooperation with the Department of Parks and Recreation, a report setting forth the estimated amount of motor vehicle fuel revenues attributable to propelling motor vehicles in off-highway recreational use by motor vehicles subject to on-highway registration and license fees The report required by this section is for purposes of information only and shall not be used for purposes of transferring funds from the Motor Vehicle Fuel Account.

The Department of Public Works shall submit a copy of such report to the Legislature.

SEC. 6. (a) Section 2 of this act shall become operative on January 1, 1973.

(b) All other sections of this act shall take effect immediately and shall become operative in the manner specified in such sections.

SEC. 7. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to afford state agencies adequate time to prepare the reports required by this act and in order to make Section 2 of this act take effect at the proper time, it is necessary for this act to take effect immediately."

Amendment No. 11

On page 4, strike out lines 1 to 24, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, August 4, 1972

Mr. Speaker: Your Committee on Local Government reports:

SB No. 210

With amendments with the recommendation: Amend, and do pass, as amended.

KNOX, Chairman

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bill was taken up, without reference to file, pursuant to the previous suspension of the Rules

---

Senate Bill No. 210—An act to add Chapter 3 5 (commencing with Section 1050) to Division 2 of the Streets and Highways Code, relating to private by-roads.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Local Government, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Senate July 13, 1972, strike out "Private", and insert "Except as provided in this chapter, private".

Amendment No. 2

On page 2, line 13, strike out "freeholders", and insert "landowners".

Amendment No. 3

On page 2, strike out lines 14 and 15, and insert "same manner, and using the same procedure, as specified for the opening, laying out, or altering of public roads as provided in Article 3 (commencing with Section 1160) of Chapter 4, Division 2; provided, however, that only one petitioner is necessary."

Amendment No. 4

On page 2, line 17, strike out "freeholder", and insert "landowner".

Amendment No. 5

On page 3, line 10, after "may", insert ", by resolution,".

Amendment No. 6

On page 3, line 11, strike out "secretary", and insert "clerk".

Bill ordered reprinted, and returned to the third reading file

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1255—An act to add Section 450.3 to the Business and Professions Code, relating to public members.

Bill read third time, and presented by Mr. Sieroty.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1979

Mr Murphy was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No 1979, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 1979

Assembly Bill No. 1979—An act to authorize participation by the Department of the Youth Authority and the Department of Corrections in a cooperative experimental correctional program, and making an

appropriation to the Department of Corrections for security equipment in state correctional facilities, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1979?

Senate Amendments of July 20, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly July 3, 1972, after "program", insert ", and making an appropriation to the Department of Corrections for security equipment in state correctional facilities".

Amendment No. 2

On page 3, after line 28, insert

"SEC. 6. The sum of three hundred seventy-four thousand seven hundred seventy-five dollars ($374,775) is hereby appropriated from the General Fund to the Department of Corrections for the purchase and installation of security equipment in state correctional facilities."

Senate Amendments of August 3, 1972

Set No. 1

Amendment No. 1

After line 2 of the heading of the printed bill, as amended in Senate July 20, 1972, insert

"(Coauthor: Senator Lagomarsino)".

Set No. 2

Amendment No. 1

In line 7 of the title of the printed bill, as amended in Senate July 20, 1972, after "facilities", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 4, after line 2, insert

"SEC. 7. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order that the programs authorized by this act be implemented at the earliest possible date, thus alleviating the dangerously overcrowded conditions in many correctional facilities, and in order that the purchase of the security equipment so authorized be made at the earliest possible date, thus alleviating disturbances in correctional institutions, it is necessary that this act go into immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, Mac-

Gillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—64.

NOES—None.

The question being· Shall the Assembly concur in the Senate amendments to Assembly Bill No 1979?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—64.

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1204—An act to add Section 11008.8 to the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1204?

Senate Amendments of July 17, 1972

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly June 16, 1972, after "Services", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 9, after "13500)", insert "of Part 3 of this division".

Amendment No. 3

On page 2, line 18, strike out "The", and insert "Notwithstanding any maximum or average grant limitations, the".

Amendment No. 4

On page 2, between lines 27 and 28, insert

"Each county shall pay to the state an amount equivalent to any reduction in county costs in the aid to the needy disabled program which result from increased social security benefits

There is hereby appropriated from the General Fund to every county an amount sufficient to pay the total nonfederal costs of the increase in aid grants provided in this section.

SEC. 2. This act shall become operative on November 1, 1972, or at such earlier date as the Director of Social Welfare determines is necessary to permit the increase in aid provided in this act to be reflected in the aid warrants for the month of November, 1972.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the social security benefits granted by the federal government in October may result in the increased benefits for the adult categorical aid programs as provided in this act, it is necessary that this act take immediate effect."

Senate Amendments of July 28, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 17, 1972, strike out lines 13 to 32, inclusive, and insert

"Notwithstanding any other provision of law, on and after October 1, 1972, the maximum or average grants contained in Sections 12150, 12151, 12650, 12651, 13100, 13101, and 13700 and the need standard of recipients contained in departmental regulations on July 1, 1972, that were established pursuant to such sections shall be increased in the amount of twelve dollars ($12). Such increases shall be reflected in the grants that are payable on October 1, 1972. Such increases shall not replace, but are in addition to any other grant, including any cost-of-living adjustment or any grant for special needs for which recipients affected by this section are or may become eligible.

Each county shall pay to the state each month beginning October 1, 1972, an amount equivalent to 25 percent of the increases in social security benefits received in October 1972 by all recipients of aid to the needy disabled in the county."

Amendment No. 2

On page 3, strike out lines 5 to 9, inclusive, and insert

"SEC. 2. The county shall estimate the social security increases for the month of October and such estimated increase shall be taken into consideration in determining eligibility for and the amount of the October 1, 1972, grant for recipients of aid under Chapter 3 (commencing with Section 12000), Chapter 4 (commencing with Section 12500), Chapter 5 (commencing with Section 13000) and Chapter 6 (commencing with Section 13500) of Part 3 of Division 9 of the Welfare and Institutions Code."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull,

Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1204?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Above bill ordered enrolled

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 758—An act to amend Sections 1158a and 1213.5 of, and to add Section 969d to, the Penal Code, relating to sentencing.

Bill read third time, and presented by Mr. Beverly.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2361—An act to amend Section 1031 of the Government Code, to amend Section 830.4 of the Penal Code, and to amend Section 3 of Chapter 52 of the Statutes of 1941, relating to law enforcement, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2361?

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "to amend Section 830.4 of the Penal Code, and to amend Section 3 of Chapter 52 of the Statutes of 1941,".

Amendment No. 2

In line 2 of the title, strike out "peace officers", and insert "law enforcement".

Amendment No. 3

On page 2, line 19, after "SEC. 2 ", insert "Section 830 4 of the Penal Code is amended to read:

830.4. (a) The following persons are peace officers while engaged in the performance of the duties of their respective employments:

(1) Security officers of the California State Police Division

(2) The Sergeant at Arms of each house of the Legislature.

(3) Bailiffs of the Supreme Court and of the courts of appeal.

(4) Guards and messengers of the Treasurer's office.

(5) The Director of the Department of Harbors and Watercraft and employees of such department designated by him pursuant to Section 71 2 of the Harbors and Navigation Code.

(6) Members of a state college police department appointed pursuant to Section 24651 of the Education Code.

(7) The hospital administrator of a state hospital under the jurisdiction of the Department of Mental Hygiene and police officers designated by him pursuant to Section 4312 of the Welfare and Institutions Code.

(8) Any railroad or steamboat company policeman commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code.

(9) Persons designated by a cemetery authority pursuant to Section 8325 of the Health and Safety Code.

(10) Harbor policemen regularly employed and paid as such by a county, city, or district, and the port warden and special officers of the Harbor Department of the City of Los Angeles However, notwithstanding the provisions of Section 171c, 171d, or 12027, such persons are not peace officers for purposes of such sections except when designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, as peace officers for such purposes.

(11) Special officers of the Department of Airports of the City of Los Angeles commissioned by the city police commission

(12) The chief of toll services, captains, lieutenants, and sergeants employed by the Department of Public Works on vehicular crossings pursuant to Chapter 13 (commencing with Section 23250) of Division 11 of the Vehicle Code.

(13) Persons employed as members of a security patrol of a school district pursuant to Section 15832 of the Education Code

(14) Duly authorized federal employees, when they are engaged in enforcing applicable state or local laws on property owned or possessed by the United States government and with the written consent of the sheriff or the chief of police, respectively, in whose jurisdiction such property is situated.

(15) Security guards of the County of Los Angeles

(16) Persons regularly employed and designated by the Board of Directors of the Monterey Peninsula Airport District as airport policemen.

(b) The authority of any such peace officer extends to any place in the state as to a public offense committed or which there is probable cause to believe has been committed with respect to persons or property the protection of which is the immediate duty of such officer

SEC 3 Section 3 of Chapter 52 of the Statutes of 1941 is amended to read

SEC 3. Corporate Powers Said Monterey Peninsula Airport District is hereby declared to be, and established as, a body corporate and politic, and, in addition to other powers herein granted, shall have and is hereby granted the following powers, namely.

1 To have perpetual succession

2 To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3 To adopt a seal and alter it at pleasure.

4 To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of, real or personal property of every kind within or without the district necessary to the full exercise of its power

5 To acquire or contract to acquire lands, rights-of-way, easements, privileges and property of every kind, and construct, maintain and operate any and all works or improvements within or without the district necessary or proper to carry out any of the objects or purposes of this act, and to complete, extend, add to, repair, or otherwise improve, any works or improvements acquired by it as herein authorized

6 To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, whether such property be already devoted to the same use by any district, or other public corporation or agency, or otherwise, and to condemn any existing works or improvements in said district now used for airport purposes

7 To incur indebtedness, and to issue bonds in the manner herein provided

7a Borrowing Money From Federal Agencies, Etc In addition to the powers given in the next preceding subsection, to borrow money from the United States of America, or any agency or department thereof, or from any person, or from any corporation organized under the laws of this state, or elsewhere, for the acquisition of lands and improvement thereof for airport district purposes authorized under this act, and to repay the same in annual installments over a period of not to exceed twenty (20) years, with interest at a rate not to exceed five percent (5%) per annum, payable semiannually; and, without the necessity of an election, when authorized so to do by resolution of the board of directors of said district, and as evidences of such indebtedness, said district is hereby authorized to execute and deliver a note, or a series of notes or bonds, or other evidences of indebtedness, signed by the chairman of said board of directors, and the secretary thereof, which notes, bonds or other evidences of indebtedness, shall be negotiable instruments if so declared in said resolution providing for their issuance, and said notes, bonds or other evidences of indebtedness may have interest coupons attached to evidence interest payments, signed by the facsimile signature of the chairman of said board All applications for such loans shall specify the particular airport district work

or project or projects for which the funds will be expended, and when received, the money shall be deposited in a special fund, and expended for those purposes only which are described and referred to in the application, or applications. If a surplus remains after the completion of said work, said surplus shall be applied to the payment of the note, notes, bonds, or other evidences of indebtedness executed, as aforesaid, for the loan, including interest coupons. The board of supervisors, on demand of the board of directors of the district, shall annually levy a tax upon the taxable property therein sufficient to pay the interest and installments of principal, as the same shall become due and payable, under any loan made pursuant to the authority of this section, and to create and maintain a reserve fund to assure the prompt payment thereof, as may be provided by resolution of said board of supervisors, provided, however, that the amount of taxes levied in any fiscal year, pursuant to the provisions of this subsection, shall pro tanto, reduce to the extent of such special taxes the authority of said board of directors to demand, and of the board of supervisors, during any such year, to levy taxes under Sections 19 and 23 of this act, but this proviso shall not be a limitation upon the power and duty to levy and collect taxes under this subsection.

Limitation on Amount Borrowed Notwithstanding anything in this subsection to the contrary, the total amount which said district may borrow under the authority of any and all the provisions of this subsection is limited to and shall not exceed in the aggregate two hundred fifty thousand dollars ($250,000)

7b Such Bonds as Legal Investments Such bonds or notes, when declared negotiable instruments, as in subsection 7a hereinabove provided, shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, trust companies, and for the State Department of Finance, and state school funds, and whenever any money or funds may by law, now in effect or hereafter enacted, be invested in bonds of cities, cities and counties, counties, or school districts, in the State of California, such money or funds may be invested in the said negotiable bonds or notes of said Monterey Peninsula Airport District, provided, however, no bank shall invest or loan more than 5 per centum of its assets on any one such bond or note issue.

8. Taxes. To cause taxes to be levied and collected for the purpose of paying any obligation of the district in the manner herein provided

9 Exercise of Powers—Contracts To make contracts, and to employ persons and labor, and to do all acts necessary for the full exercise of all powers vested in said district, or in any of the officers thereof, by this act

10 Disposal of Property To lease, sell or dispose of any property (or any interest therein) acquired in fee, or otherwise, whenever in the judgment of said board of directors said property, or any interest therein or part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district, and to pay any compensation received therefor into the general fund of said district and use the same for the purposes of this act.

11. Operation and Concession Agreements. To make contracts for the operation, or operation maintenance, of any airport of said district, or for any concession thereupon necessary or convenient thereto.

12 Police Powers of District To *equip and maintain a police department; to* adopt ordinances and resolutions and make regulations for the protection of the public peace, health, or safety, in or upon any airport of the district, or in or upon any approach thereto, owned or controlled by the district and to prescribe penalties for the violation thereof; provided, that the police powers of said district, hereby granted, shall be limited strictly to the provisions of this subsection.

Violation of any such ordinance, resolution or regulation shall constitute a misdemeanor.

13 General Powers To possess and exercise all powers necessary or appropriate to a public airport district which are not prohibited by the Constitution, including all powers granted by, or which may be hereafter granted by, any general law of the state to any public airport district therein, and all powers incidental to, and necessary or convenient in connection with, the exercise of the powers generally or specifically granted to the district by the provisions of this act.

SEC. 4 ''

Amendment No. 4

On page 2, line 31, after "that", insert "Section 1 of".

Amendment No. 5

On page 2, line 31, after the period, insert "In order to make the most effective law enforcement services available as soon as possible at facilities maintained by the Monterey Peninsula Airport District, it is necessary that Sections 2 and 3 of this act go into immediate effect."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Secley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1278—An act to amend Section 11450 of the Welfare and Institutions Code, relating to public social services.

Bill read third time, and presented by Mr. Monagan.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad,

Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 164—An act appropriating funds for the new careers in education act, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 164?

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Seeley", and insert "Monagan".

Amendment No. 2

In line 1 of the title, strike out "making an appropriation for the state share of special"; strike out lines 2 and 3, and insert "appropriating funds for the new careers in education act."

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. There is hereby appropriated to the Department of Education from the General Fund the sum of one hundred twenty-five thousand dollars ($125,000) in augmentation of Item 261 of the Budget Act of 1972 (Statutes of 1972, Chapter 156), for the period July 1, 1972, to June 30, 1973, to recruit and train persons of low income background to teach in low income elementary schools as provided by Article 2 8 (commencing with Section 13250) of Chapter 2 of Division 10 of the Education Code."

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive; and strike out page 2.

Senate Amendments of August 1, 1972

Amendment No. 1

On page 2, between lines 11 and 12, of the printed bill, as amended in Senate July 24, 1972, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to insure proper recruiting and training of qualified persons of low income background who will teach in low income elementary schools during the 1972–73 school year, it is necessary that this act become operative as early in the 1972–73 school year as possible. For this reason it is necessary that this act go into immediate effect ''

Amendment No. 2

In line 5 of the title, after ''act'', insert '', and declaring the urgency thereof, to take effect immediately''.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 164?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 722—An act to amend Sections 16114 and 16117 of, to add Section 16119 to, and to repeal Sections 51250 and 51254 of, the Government Code, and to amend Sections 17054, 17064, 17202, 17203, 17206 5, 17771, 17778, 17854, 18414 5, 18645, 18683, 24343, and 25933 of, to add Sections 17064 6, 18643, 18644, 19409, 25563 3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 722?

Senate Amendments of June 23, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 8, 1972, after "amend", insert "Sections 16114 and 16117 of the Government Code, and to amend"

Amendment No. 2

In line 3 of the title, after "Sections", insert "17064 6,".

Amendment No. 3

In line 3 of the title, after the second comma, insert "19409,".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1 Section 16114 of the Government Code is amended to read

16114 On or before October 31, 1972, and on or before the last day of October of each year thereafter, the assessor shall report the open-space adjustment for each school district located in the county to the Controller and to the Superintendent of Public Instruction The open-space adjustment shall be calculated by determining the difference between

(a) The adjusted assessed value of all land in the district in the base year, *excluding the assessed value of oil, gas or other hydrocarbons,* which shall be the last assessment year prior to the application of Section 423 or 423 5 of the Revenue and Taxation Code to any land within the district, and

(b) The assessed value of all land within the district, *excluding the assessed value of oil, gas or other hydrocarbons,* for the current assessment year

For the purposes of subdivision (a), "adjusted assessed value" shall be computed by multiplying the actual assessed value of land in the district in the base year, *excluding the assessed value of oil, gas or other hydrocarbons,* by the percentage which the gross assessed value of all land in the state on the local roll outside of municipalities without deductions for any exemptions for the current assessment year is of the gross assessed value of all land on the local roll outside municipalities without deductions for any exemptions in the base year The Controller shall announce the factors to be used by the assessors on or before October 15th of each year

If the value of land within the district for the current assessment year is greater than the adjusted assessed value of the base year, there shall be no reimbursement

SEC. 1 2 Section 16117 of the Government Code is amended to read

16117. The other provisions of this chapter notwithstanding, no city, county, or city and county shall receive more money by reason of the funds provided for in the open-space provisions of this chapter than such governmental entity might have received had no property in the entity been assessed pursuant to Sections 423 and 423 5 of the Revenue and Taxation Code This determination shall be made by

(a) Multiplying the last unrestricted assessed value, *excluding the assessed value of oil, gas or other hydrocarbons*, of each parcel now subject to assessment under Section 423 or 423.5 of the Revenue and Taxation Code by the percentages which the current gross assessed value of all land on the local roll outside municipalities without deduction for exemption in the state is of the gross assessed value of all land on the local roll outside municipalities without deduction for exemption in the state for the last year in which the parcel was not so restricted,

(b) Subtracting the current assessed value, *excluding the assessed value of oil, gas or other hydrocarbons*, for the parcel from the figure derived pursuant to subdivision (a),

(c) Calculating the total of all differences determined pursuant to subdivision (b) for land under control of, or, in the case of cities, within the boundaries of, the entity in question, and

(d) Multiplying the total derived under subdivision (c) by the tax rate for the current year of the entity in question

The determinations required by this section shall be made by the Secretary of the Resources Agency

SEC. 1.3. Section 17054 of the Revenue and".

Amendment No. 5

On page 4, between lines 8 and 9, insert

"SEC. 1.5. Section 17064.6 is added to the Revenue and Taxation Code, to read

17064.6. For the purposes of this chapter, the term "net business loss" means adjusted gross income (as defined in Section 17072) less the deductions allowed by Section 17252 (relating to expenses for production of income)."

Amendment No. 6

On page 20, between lines 14 and 15, insert

"SEC. 15.5. Section 19409 is added to the Revenue and Taxation Code, to read

19409. Any person or employer who, with or without intent to evade, fails to withhold pursuant to Sections 18805 or 18806, or pay over any tax withheld, shall be guilty of a misdemeanor, and, upon conviction be fined an amount not to exceed one thousand dollars ($1,000) or imprisoned for not more than one year, or both, at the discretion of the court."

Amendment No. 7

On page 23, line 5, strike out the third comma

Amendment No. 8

On page 23, line 18, after "Board", insert a colon

Amendment No. 9

On page 25, line 16, strike out "1," and insert "1.3,".

Senate Amendments of July 25, 1972

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 23, 1972 after "of", insert ", to add Section 16119 to, and to repeal Sections 51250 and 51254 of,".

Amendment No. 2

On page 2, line 2, after "SECTION 1.", insert "Section 51250 of the Government Code is repealed

~~51250. On or before the first day of September of each year, the county assessor shall report to the Director of Agriculture and to the State Board of Equalization the following information with respect to each school district or portion of a district within the county or city in which there is land under contract pursuant to this chapter.~~

~~(a) The number of acres of land under contract during the preceding fiscal year.~~

~~(b) The number of acres under contract during the current fiscal year for the first time.~~

~~(c) The total acres of land under contract.~~

SEC 1 1 Section 51254 of the Government Code is repealed

~~51254. On or before the first day of September of each year, the county assessor shall certify to the Director of Agriculture and to the State Board of Equalization the total number of acres of prime agricultural land, as defined in Section 51201 located within each school district or portion of a school district within the county, if such land was subject to a contract or agreement executed pursuant to this chapter on the lien date immediately preceding the date of such certification.~~

SEC 1 2 Section 16114 of the Government Code is"

Amendment No. 3

On page 3, line 17, strike out "SEC. 1 2", and insert

"SEC 1 3"

Amendment No. 4

On page 4, strike out line 11, and insert

"SEC 1 4 Section 16119 is added to the Government Code, to read:

16119 In addition to the report required by Section 16109, the Secretary of the Resources Agency shall require from local government agencies such other information relative to lands valued pursuant to the provisions of Article 28 of the California Constitution as is necessary for the proper administration of the provisions of Sections 16107 through 16119 and for periodic review of the policies established therein.

Information collected pursuant to this section shall be transmitted on request to the Legislature and to other state agencies, including, but not limited to, the State Board of Equalization the Superintendent of Public Instruction, and the Department of Agriculture

SEC 1 5 Section 17054 of the Revenue and Taxation".

Amendment No. 5

On page 6, line 5, strike out "1 5", and insert "1 6"

Amendment No. 6

On page 27, line 28, strike out "1 3", and insert "1 5"

Set No. 2

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate June 23, 1972, after the third comma, insert "17206 5,"

Amendment No. 2

On page 15, between lines 29 and 30, insert

"SEC 4 5 Section 17206 5 of the Revenue and Taxation Code is amended to read

17206 5 Notwithstanding the provisions of subdivision (a) of Section 17206, any loss

(a) Attributable to a disaster which occurs during the period ~~following~~ *after* the close of the taxable year and on or before ~~the time prescribed by law for filing the income tax return for the taxable year (determined without regard to any extension of time)~~ *the last day of the sixth calendar month beginning after the close of the taxable year*, and

(b) Occurring in an area subsequently determined by the President of the United States to warrant assistance by the federal government under ~~Section 1855-1855g of Title 42 of the United States Code Annotated~~ *the Disaster Relief Act of 1970*, at the election of the taxpayer, may be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred Such deduction shall not be in excess of so much of the loss as would have been deductible in the taxable year in which the casualty occurred If an election is made under this section, the casualty resulting in the loss will be deemed to have occurred in the taxable year for which the deduction is claimed "

Amendment No. 3

On page 27, between lines 30 and 31, insert

"SEC 23 5 Section 4 5 of this act shall apply to disasters occurring after December 31, 1971, and shall be applied in the computation of taxes for taxable years ending after such date "

Set No. 3

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Senate June 23, 1972, after "of", insert "the right to extract"

Amendment No. 2

On page 2, line 18, after "of", insert "the right to extract"

Amendment No. 3

On page 3, line 4, after "of", insert "the right to extract".

Amendment No. 4

On page 3, line 28, after "of", insert "the right to extract"

Amendment No. 5

On page 3, line 39, after "of", insert "the right to extract"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson,

Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—None.

Above bill ordered enrolled

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read·

Assembly Chamber, August 4, 1972

Mr Speaker The Committee on Conference concerning.

Senate Bill No. 1246—As amended in Assembly July 6, 1972—An act to amend Section 1 of Chapter 1084 of the Statutes of 1970 and Section 599 of Chapter 1593 of the Statutes of 1971, relating to homemaker services and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly July 6, 1972, strike out "July", and insert "April".

Amendment No. 2

On page 2, line 36, strike out "July", and insert "April".

Amendment No. 3

On page 3, line 28, strike out "July", and insert "April".

The undersigned consent to the report.

NICHOLAS C PETRIS	KEN MEADE
CLARK BRADLEY	WILLIAM T BAGLEY
ANTHONY BEILENSON	YVONNE BRATHWAITE
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Colber, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1087—An act to add Section 301 3 to the Streets and Highways Code, relating to state highways

Bill read third time, and presented by Mr Deddeh.

Bill passed by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Burke, Stacey, and Stull—3

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY CONCURRENT RESOLUTION NO. 72

Mr Russell was granted unanimous consent to rescind the action whereby, on July 31, 1972 (Assembly Journal, page 6842), Assembly Concurrent Resolution No 72, was ordered enrolled, and that the resolution be returned to the Senate for further action.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1454—An act to amend Sections 11550, 12800, and 12855 of, to repeal Section 11556, as amended by Chapter 1428 of the Statutes of 1970, and Section 11556, as amended by Chapter 1454 of the Statutes of 1970, of, and to add Sections 11556, 11556 5 and 11557 to, the Government Code, and to repeal and add Part 8 (commencing with Section 37000) of Division 24 of the Health and Safety Code, relating to housing

Bill read third time, and presented by Mr Maddy.

Bill passed by the following vote

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Conrad, Cory, Crown, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—51

NOES—Barnes, Burke, Cline, Hayden, Ketchum, Lancaster, MacGillivray, Moorhead, Priolo, Russell, Seeley, Stacey, Stull, Townsend, and Wakefield—15

Bill ordered transmitted to the Senate

Senate Bill No. 665—An act to add Article 1 (commencing with Section 23401) to Chapter 3 of Division 17 of the Education Code, relating to the University of California, and making an appropriation therefor

Bill read third time, and presented by Mr. Brown.

Bill passed by the following vote.

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Chappie, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Burke, Cline, Conrad, Moorhead, Russell, Stull, and Wakefield—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 210

Mr. Knox was granted unanimous consent to take up Senate Bill No. 210, out of order, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Knox:

Resolved, That Senate Bill No. 210 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

CONSIDERATION OF SENATE BILL NO. 210

Senate Bill No. 210—An act to add Chapter 3 5 (commencing with Section 1050) to Division 2 of the Streets and Highways Code, relating to private byroads

Bill read third time, presented by Mr. Knox, and passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Con-

rad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2 56 p m , Mr Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in Room 3188, at this time, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos 4 and 107 for hearing in the Committee on Ways and Means today

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1794

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No 496	AB No 1588	AB No 2072
AB No 754	AB No 2034	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No 72

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 262 AB No 728
AB No 710 AB No 1488

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, August 4, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day passed:

AB No. 265
AB No 342

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled

COMMUNICATIONS

Assembly Chamber, August 4, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 110—Relative to alcoholic beverage licenses;

Assembly Concurrent Resolution No. 32—Relative to motor vehicle registration;

Assembly Concurrent Resolution No. 68—Relative to the Benbow Dam;

Assembly Concurrent Resolution No. 75—Relative to awarding Fred Clawson

Assembly Concurrent Resolution No. 93—Relative to State Highway Route 11,

And reports the same correctly enrolled, and presented to the Secretary of State on the fourth day of August, 1972, at 4 p m.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 4, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 76—An act to amend Sections 24351 and 24352 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District;

Assembly Bill No. 101—An act to amend Sections 9263 and 22705, and to repeal Section 22854 5 of the Vehicle Code, relating to vehicles;

Assembly Bill No. 213—An act to amend Section 6505 of the Labor Code, relating to industrial safety,

Assembly Bill No. 231—An act to amend Section 5321 of the Streets and Highways Code, relating to the Improvement Act of 1911;

Assembly Bill No. 248—An act to amend Sections 985, 986 3, 986 5, 987, 987 1, 987 15, and 987 17, and to repeal Section 987 16a, of the Military and Veterans Code, relating to farm and home purchases,

Assembly Bill No. 257—An act to amend Sections 13103, 13117 2, 13125 1, 13130, 13141, and 13165 of, and to add Sections 51 and 13113 2 to, the Education Code, relating to teacher preparation and licensing;

Assembly Bill No. 276—An act to amend Sections 5832 5, 5834, 5835 5, and 5855 of and to add Section 5832 7 to, the Streets and Highways Code, relating to maintenance districts;

Assembly Bill No. 337—An act to add Sections 23054 5 and 23756 5 to the Education Code, relating to residence;

Assembly Bill No. 424—An act to add Sections 18685 and 18754 to the Business and Professions Code, relating to professional boxing,

Assembly Bill No. 437—An act to amend Section 6902 085 of the Education Code, relating to the education of mentally retarded minors,

Assembly Bill No. 459—An act to amend Section 790 03 of the Insurance Code, relating to insurance;

Assembly Bill No. 469—An act to add Article 2 5 (commencing with Section 650) to Chapter 2 of Division 1 of the Public Resources Code, relating to foresters,

Assembly Bill No. 529—An act to amend Section 25505 8 of the Education Code, and to amend Section 22840 of the Education Code, as proposed by Assembly Bill No 666, relating to community colleges,

Assembly Bill No. 550—An act to amend Section 1 of Chapter 137 of the Statutes of 1966, First Extraordinary Session, Section 3 of Chapter 1679 of the Statutes of 1967, Sections 2 and 3 of Chapter 1356 of the Statutes of 1969, and Section 2 of Chapter 920 of the Statutes of 1970, relating to water pollution,

Assembly Bill No. 580—An act to add Sections 39079, 39079 5, and 39276 to the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 581—An act to amend Section 3712 of the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No 586—An act to amend Section 13525 of the Education Code, relating to teachers' salaries,

Assembly Bill No. 694—An act to amend Section 21681 of the Public Utilities Code, relating to aviation;

Assembly Bill No. 1028—An act to add Section 22810 1 to the Government Code, relating to state employees;

Assembly Bill No. 1260—An act to add Section 25251 1 to the Vehicle Code, relating to vehicles,

Assembly Bill No. 1267—An act to amend Section 338 of the Code of Civil Procedure, relating to advertising,

Assembly Bill No. 1394—An act to amend Section 690 2 of the Code of Civil Procedure, relating to execution of judgment;

Assembly Bill No. 1411—An act to amend Section 14131 of the Welfare and Institutions Code, relating to Medi-Cal,

Assembly Bill No. 1419—An act to amend Section 25502 5 of, and to add Section 25502 6 to, the Education Code, relating to community colleges;

Assembly Bill No. 1450—An act to amend Sections 73107, 73110, 73113, 73663, 73665, 73666, and 73667 of the Government Code, relating to courts;

Assembly Bill No. 1467—An act to amend Section 13590 2 of, and to add Sections 13590 5 and 13590 6 to, the Education Code, relating to school classified employees;

Assembly Bill No. 1501—An act to add Article 2 5 (commencing with Section 12020) to Chapter 5 of Division 9 of the Education Code, relating to schools;

Assembly Bill No. 1681—An act to add to Section 11019 to the Welfare and Institutions Code, relating to public assistance,

Assembly Bill No. 1819—An act to amend Sections 1816 and 13203 of, to add Section 13105 to, and to repeal Sections 13355 13355 5, 13356, and 13358 of, the Vehicle Code, relating to juvenile offenses;

Assembly Bill No. 2019—An act to amend Sections 24224 and 39402 of, and to add Section 24355 4 to, the Health and Safety Code, relating to air pollution;

Assembly Bill No. 2024—An act to repeal Section 7268 of the Government Code and to add Section 690 8 to the Code of Civil Procedure, relating to relocation assistance;

Assembly Bill No. 2132—An act to amend Section 11610 5 of the Business and Professions Code, relating to subdivisions,

Assembly Bill No. 2229—An act to add Section 25254 to the Vehicle Code, relating to lighting equipment,

Assembly Bill No. 2358—An act to add Article 3 (commencing with Section 51350) to Chapter 1 Part 2, Division 1, Title 5 of the Government Code, relating to counties and cities;

And reports the same correctly enrolled, and presented to the Governor at 4 p m , August 4, 1972.

JAMES D DRISCOLL, Chief Clerk

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1047

The Speaker appointed Messrs MacDonald, Brown, and Moorhead as a Committee on Conference concerning Senate Bill No 1047

RECESS

By unanimous consent, at 3 p m , Speaker Moretti declared the Assembly recessed until 3 34 p m

REASSEMBLED

At 3 34 p m , the Assembly reconvened
Hon Ken Cory Member of the Assembly, 69th District, presiding
Chief Clerk James D. Driscoll at the Desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1571—An act to place specified constitutional amendments on the ballot, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1571?

Senate Amendments of July 25, 1972

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Assembly June 20, 1972, after "introduced", insert "or if an argument against the measure has not been timely filed by the member appointed to prepare the argument".

Amendment No. 2

On page 2, strike out line 25, and in line 26, strike out "to draft an argument against the measure ", and insert "officer of that house shall notify the news media of that fact and shall request that interested persons file such an argument within 10 days after such notice From among the arguments submitted, the presiding officer shall select the argument to be filed with the Secretary of State "

Amendment No. 3

On page 2, line 29, strike out "appointment", and insert "selection Rebuttal arguments shall be submitted pursuant to Section 3565 5 of the Elections Code, except that rebuttal arguments shall be filed within five days after the date on which arguments are to be filed with the Secretary of State "

Amendment No. 4

On page 2, line 36, strike out "and shall also", and insert ", shall".

Amendment No. 5

On page 2, line 38, after "Code", insert ", and shall also request the Legislative Analyst to prepare a cost analysis of the measure in accordance with Section 3566 3 of the Elections Code"

Amendment No. 6

On page 2, line 39, strike out "analysis", and insert "analysis of the Legislative Counsel, and said analysis of the Legislative Analyst"

Amendment No. 7

On page 3, line 4, strike out "ballots", and insert "ballot".

Amendment No. 8

On page 3, line 11, after "the", insert "November 7, 1972 general election".

Senate Amendments of July 28, 1972

Set No. 1

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in Senate July 25, 1972, strike out "each constitutional amendment proposed at", and insert "in addition to those constitutional amendments qualifying for the November 7, 1972 general election ballot pursuant to Section 3527 of the Election Code, Assembly Constitutional Amendments No. 2, 16, 26, 42, 48, 51, and 95 and Senate Constitutional Amendments No 10, 20, 23, 32, 59, and 70 of".

Amendment No. 2

On page 1, line 4, strike out the comma, and insert " Each of these constitutional amendments shall qualify individually for submission to the people provided each is".

Amendment No. 3

On page 1, line 5, strike out the first "1", and insert "4".

Amendment No. 4

On page 2, line 7, strike out the first "1", and insert "4"

Amendment No. 5

On page 2, line 40, strike out the first "1", and insert "4"

Set No. 2

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Senate July 25, 1972, strike out "10", and insert "five".

Amendment No. 2

On page 2, line 34, strike out "five", and insert "three"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell Chacon, Chappie, Cline, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Wakefield, Waxman, Wilson, Wood, and Z'berg—59

NOES—None

Above bill ordered enrolled

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 949—An act making an appropriation to the Superintendent of Public Instruction for purposes of pupil nutrition.

Bill read third time, and presented by Mr. Duffy.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory,

Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1379—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1379?

Senate Amendments of July 24, 1972
Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 19, 1972, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 13, insert

"SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

In order that the benefits conferred by this act may be realized within the shortest possible time, it is necessary that this act go into immediate effect"

Senate Amendments of August 3, 1972
Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Senate July 24, 1972, strike out "an adult education", and insert "a".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—Murphy and Wakefield—2

The question being. Shall the Assembly concur in the Senate amendments to Assembly Bill No 1379?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Porter, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—Murphy and Wakefield—2.

Above bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 416	AB No 715	AB No 2285
AB No 543	AB No 2010	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 121

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 840

At 3:46 p.m., on motion of Mr Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 840 refused adoption by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian,

Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41.

NOES—Bagley, Barnes, Belotti, Burke, Cline, Collier, Conrad, Dent, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Monagan, Moorhead, Murphy, Russell, Stacey, Stull, and Wakefield—22

Further Consideration of Senate Bill No. 840

Senate Bill No. 840—An act to amend Sections 203, 455, 456.5, 456 6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282 5 and 10012.4 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Crown moved the adoption of the following amendments:

Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in Assembly July 3, 1972, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 8, strike out lines 25 to 32, inclusive.

Amendments read, and adopted.

Motion to Reconsider Amendments Offered by Mr. Crown to Senate Bill No. 840 on Next Legislative Day

Mr Monagan moved to reconsider on the next legislative day the vote whereby the amendments offered by Mr. Crown to Senate Bill No. 840 were this day adopted

Motion to Take up Motion to Reconsider Vote

Mr Burton moved to take up on this day the motion to reconsider the vote on the amendments offered by Mr Crown to Senate Bill No. 840.

Roll Call Demanded

Messrs Lewis, Conrad and Lancaster demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Monagan moved a call of the Assembly.

Motion carried Time, 4 08 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

MOTION TO TEMPORARILY SUSPEND RULES

Mr. Monagan moved that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter

before the House, and to permit the Assembly to conduct further business while under a call of the House.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Conrad, Dent, Duffy, Fong, Hayden, Hayes, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—34.

NOES—Brathwaite, Brown, Burton, Chacon, Crown, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Karabian, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—27.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TAKE UP RECONSIDERATION OF AMENDMENTS TO SENATE BILL NO. 840

At 4·13 p.m., Mr. Burton moved that further proceedings under the call of the Assembly be dispensed with.

Motion to dispense with call of the Assembly carried by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Crown, Deddeh, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—35.

NOES—Arnett, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Conrad, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—33.

The question being on the motion to take up motion to reconsider on this day the vote on adoption of amendments offered by Mr Crown to Senate Bill No. 840

Motion to take up motion to reconsider carried by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—38.

NOES—Arnett, Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Conrad, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—31.

The question being on the motion by Mr Monagan to reconsider the vote whereby amendments offered by Mr Crown to Senate Bill No. 840 were adopted

By unanimous consent, further consideration of the motion to reconsider was passed temporarily on file

Hon. Leroy F. Greene Presiding

At 4 30 p m , Hon. Leroy F. Greene, 3rd District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 4, 1972

Mr. Speaker. The Chairman of your Committee on Ways and Means reports:

SB No 714

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 714—An act to add and repeal Section 13131 of, and to add Section 13132.5 to, the Education Code, to amend, repeal, and add Section 11391, of, to add Division 10 8 (commencing with Section 11940) to, to repeal Sections 210, and 11655 9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 1 of, and Division 10 8 (commencing with Section 11940) of, the Health and Safety Code, to amend Section 11655 8 of, and to repeal Section 11655 7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2 5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154, 5619, and 5654 of, to amend, repeal, and add Section 5651 of, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add Sections 4330 and 5801 of the Welfare and Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 16, line 17, of the printed bill, as amended in Assembly July 27, 1972, strike out "of", and insert "with".

Amendment No. 2

On page 16, line 24, strike out "of", and insert "with".

Amendment No. 3

On page 17, line 7, strike out "for any", and insert "and convicted of any crimmal".

Amendment No. 4

On page 17, line 8, strike out "his case", and insert "the case for which he has been diverted".

Amendment No. 5

On page 19, line 10, strike out "effect", and insert "effective".

Amendment No. 6

On page 26, line 9, after "county," insert "or".

Amendment No. 7

On page 28, line 24, strike out ", maintain or"; and strike out lines 25 to 31, inclusive, and insert a period.

Amendment No. 8

On page 37, between lines 38 and 39, insert

"(d) Report its findings and recommendations to the county drug program coordinator."

Amendment No. 9

On page 42, line 14, strike out "90", and insert "85".

Amendment No. 10

On page 42, line 15, strike out "8", and insert "5".

Amendment No. 11

On page 42, line 17, strike out "2", and insert "10".

Amendment No. 12

On page 42, line 19, strike out "not be subject to the review", and insert "be subject to the review and recommendations".

Amendment No. 13

On page 44, line 3, strike out "which provides", and insert "of providing".

Amendment No. 14

On page 46, line 1, after "its", insert "originally".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, August 4, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 4

SB No 107

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

The following bills were taken up, without reference to file, pursuant to the previous suspension of the Rules

Senate Bill No. 4—An act to add Chapter 14 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to waterways.

Bill read second time, and ordered to third reading.

Senate Bill No. 107—An act to add Chapter 14 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to wild and scenic rivers.

Bill read second time, and ordered to third reading.

COMMUNICATIONS

Assembly Chamber, August 4, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined.

Assembly Bill No. 1084—An act to amend Sections 24225, 24226, 24295, 24297, 24299, 24300, 24301, 24312, 24313, 24314, 24357, 24357 1, 24365 6, 24365 8, 24365 10, 24367 2, 24367 3, 24367 4, 24367 11, 39420, 39421, 39474, 39476, 39478, 39480, 39492, 39493, and 39494 of, and to add Sections 24314 1, 24321 1, 24367 12, 24367 13, 39494 1, and 39500.1 to, the Health and Safety Code, relating to air pollution;

And reports the same correctly enrolled, and presented to the Governor at 4 p.m , August 4, 1972.

JAMES D DRISCOLL, Chief Clerk

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 83—An act to amend Section 3510 of, to amend and repeal Section 3509 of, and to add Section 3509 5 to, the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 83?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly February 14, 1972, strike out "Sections 3509 and 3510 of", and insert "Section 3510 of, to amend and repeal Section 3509 of, and to add Section 3509.5 to,".

Amendment No. 2

On page 2, line 12, strike out the period, and insert "and upon the following conditions·

(a) That nesting birds shall not be disturbed.

(b) That any dog under trial shall be under strict control and not allowed to disturb any nesting bird

This section shall remain in effect only until July 1, 1974, and as of that date is repealed.

SEC. 2. Section 3509.5 is added to the Fish and Game Code, to read:

3509.5 If the birds are not killed, captured, or injured, a person may break, train, hold field trials with, or practice dogs on game birds, wild or domesticated, between July 1st and March 31st anywhere in the state between the hours of sunrise and sunset.

This section shall become operative on July 1, 1974 "

Amendment No. 3

On page 2, line 27, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 4

On page 3, line 37, strike out "SEC. 3", and insert "SEC. 4".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Z'berg—57.

NOES—None.

Above bill ordered enrolled.

Hon. Ken Cory Presiding

At 4·32 p m., Hon Ken Cory, 69th District, presiding

Assembly Bill No. 1239—An act to add Sections 3409 and 4023 5 to the Penal Code and Sections 520 and 1753 7 to the Welfare and Institutions Code, relating to female prisoners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1239?

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly June 21, 1972, strike out the comma.

Amendment No. 2

On page 2, line 34, after "a", insert "Department of the".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1788—An act to repeal and add and repeal Section 8045 6 of the Fish and Game Code, relating to abalone, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1788?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal and add and repeal".

Amendment No. 2

In line 2 of the title, after "abalone", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1 Section 8045 6 of the Fish and Game Code is repealed.

~~8045 6 Every person operating under a licensed issued pursuant to article shall, in addition to the license fee, pay a privilege tax of one-half cent ($0 005) for each pound, or fraction thereof, of abalone purchased, received, or taken by him The privilege tax provided by this section is in lieu of the privilege tax provided by Section 8045 5 and a person liable for the privilege tax under this section is not also liable for the privilege tax imposed by Section 8045 5 on the same abalone~~

~~This section shall remain in effect only until July 1, 1972, and shall have no force or effect after that date~~

SEC. 2 Section 8045 6 is added to the Fish and Game Code, to read:

8045 6 Every person operating under a license issued pursuant to this article shall, in addition to the license fee, pay a privilege tax of one-half cent ($0 005) for each pound, or fraction thereof, of abalone purchased, received, or taken by him The privilege tax provided by this section is in lieu of the privilege tax provided by Section 8045 5 and a person liable for the privilege tax under this section is not also liable for the privilege tax imposed by Section 8045 5 on the same abalone

This section shall remain in effect only until July 1, 1976, and as of that date is repealed

SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

In order to provide for an equitable share of the privilege taxes to support the Department of Fish and Game during the current fiscal year, it is necessary that the provisions of this act go into immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 1788?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 4, 1972

Mr Speaker The Committee on Conference concerning:

Assembly Bill No. 1029—As amended in Senate July 7, 1972—An act to amend Section 12101 1 of the Welfare and Institutions Code, relating to old age security;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 7, 1972, after "security", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 7, insert

"SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the benefits of this act may be provided to the persons covered thereby as soon as possible, it is essential that this act go into effect immediately "

The undersigned consent to the report:

CLAIR BURGENER	WILLIAM BAGLEY
ANTHONY BEILENSON	BOB MONAGAN
GEORGE MOSCONE	JOHN BURTON
Senate Committee on Conference	Assembly Committee on Conference

Report read.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—None.

The question being on the adoption of the Conference Committee Report on Assembly Bill No 1029

Report adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None

CONSIDERATION OF SENATE AMENDMENTS (RESUMED)

Assembly Bill No. 281—An act to amend Section 16103 of the Government Code and to amend Sections 255 4 and 2615 6 of the Revenue and Taxation Code, and to amend Section 5 of Chapter 1739 of the Statutes of the 1971 Regular Session, relating to property taxation, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 281?

Senate Amendments of July 3, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 19, 1972, after the first comma, insert "and to amend Section 5 of Chapter 1739 of the Statutes of the 1971 Regular Session,".

Amendment No. 2

On page 2, line 29, strike out "OVER 62", and insert "62 OR OLDER ON JANUARY 1".

Amendment No. 3

On page 3, line 7, after the opening quotation mark, insert "The period for filing a claim for assistance for this year is between May 15 and October 15 Claim forms with instructions will be available on or about May 15."

Amendment No. 4

On page 3, line 10, after "area", insert "after April 15".

Amendment No. 5

On page 3, line 23, strike out "OVER 62", and insert "62 OR OLDER ON JANUARY 1".

Amendment No. 6

On page 4, line 4, after "SEC 4", insert "Section 5 of Chapter 1739 of the Statutes of the 1971 Regular Session is amended to read.

Sec. 5 This act shall become operative upon the operative date of corresponding provisions in the Internal Revenue Code of 1954, with respect to distributions pursuant to the Bank Holding Company Act of 1956 as amended by the Bank Holding Act Amendments of 1970, to be enacted by the Congress of the United States upon a finding of the Franchise Tax Board of such federal enactment filed with the Secretary of State, provided such legislation is enacted by the Congress of the United States on or before ~~June 30~~ *December 31*, 1972 If such legislation is not adopted by the Congress of the United States on or before ~~June 30~~ *December 31*, 1972, the provisions of this act shall not become operative and shall be of no force or effect.

SEC. 5."

Amendment No. 7

On page 4, line 7, after the period, insert "Section 4 of this act shall become operative on the effective date of this act."

Amendment No. 8

On page 4, line 8, strike out "SEC 5", and insert "SEC. 6."

Senate Amendments of July 24, 1972

Amendment No. 1

On page 3, line 4, of the printed bill, as amended in Senate July 3, 1972, strike out the closing quotation mark

Amendment No. 2

On page 3, line 22, strike out "or, in", and insert ". In".

Amendment No. 3

On page 3, line 23, strike out "may", and insert "shall".

Amendment No. 4

On page 3, line 24, after "include", insert "either (1)".

Amendment No. 5

On page 3, line 25, after "assessor", insert ", or (2) the nearest Franchise Tax Board office".

Amendment No. 6

On page 4, line 10, strike out ", or in", and insert ". In".

Amendment No. 7

On page 4, line 11, strike out "may", and insert "shall".

Amendment No. 8

On page 4, line 12, after "include", insert "either (1)".

Amendment No. 9

On page 4, line 13, after "assessor", insert ", or (2) the nearest Franchise Tax Board office"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—Burton—1.

Above bill ordered enrolled.

Assembly Bill No. 347—An act to amend Sections 6203, 6233, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020 and 4452 5 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 347?

Amendment No. 1

On page 14, line 20, of the printed bill, as amended in Assembly June 8, 1972, strike out "July 1, 1972", and insert "the effective date of the amendments to this section enacted at the 1972 Regular Session of the Legislature"

Amendment No. 2

On page 17, strike out lines 2 to 40, inclusive; strike out pages 18 and 19, and on page 20, line 1, strike out "SEC. 38", and insert "SEC. 33".

Amendment No. 3

On page 20, line 15, strike out "on July 1, 1972", and insert "at the earliest possible time after such date".

Amendment No. 4

On page 20, line 16, strike out "on", and insert "at the earliest possible time after".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1911—An act relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5B, and declaring the urgency thereof, to take effect immediately.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1911?

Amendment No. 1

Immediately below the heading of the printed bill, as amended in Assembly April 25, 1972, insert

"(Coauthors Senators Schrade and Mills)".

Amendment No. 2

In line 1 of the title, strike out "to repeal and add", strike out lines 2 to 5 of the title, and insert "relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5B, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 2, strike out line 2, and insert

"SECTION 1 Section 2 5B is added to the Budget Bill for the 1972–73 fiscal year, enacted as the Budget Act of 1972, to read.

State Beach, Park, Recreational and Historical Facilities Bond Act Program

SEC 2 5B The following sum of money, or so much thereof as may be necessary, is hereby appropriated for the 1972–73 fiscal year beginning July 1, 1972, and ending June 30, 1973 Such appropriation shall be paid out of the State Beach, Park, Recreational and Historical Facilities Fund in the State Treasury.

CAPITAL OUTLAY

Item		Amount
324B	For capital outlay, Department of Parks and Recreation for the purposes set forth in Section 5096 15(a) and 5096 15(b) of the Public Resources Code, payable from the State Beach, Park, Recreational and Historical Facilities Fund	35,000
	Schedule:	
	(a) For project expansion study, Old Town San Diego State Historic Park	35,000

SEC 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

The present provisions of the Budget Act of 1972 do not make provision for a greatly needed project expansion study regarding Old Town San Diego State Historic Park The capital outlay appropriation in this act is in continuation of an existing program under the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 to provide for state park system land acquisition and development and project planning If the appropriation is not available for expenditure at the earliest possible date, the expansion of this important unit of the state park system will be delayed The immediate availability of the appropriation contained in this measure will avert any unnecessary delay. It is therefore necessary that this act go into immediate effect."

Amendment No. 4

On page 2, strike out lines 3 to 32, inclusive, and strike out page 3.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Stacey—1

The question being· Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1911?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor. LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley,

Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Stacey—1.

Above bill ordered enrolled.

Assembly Bill No. 1922—An act to amend Section 1013a of, and to add Section 1052.5 to, the Code of Civil Procedure, relating to civil actions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1922?

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1052.5 to,".

Amendment No. 2

In line 2 of the title, strike out "service by mail", and insert "civil actions".

Amendment No. 3

On page 2, after line 22, insert

"SEC 2. Section 1052.5 is added to the Code of Civil Procedure, to read:

1052 5 In lieu of maintaining a register of actions as described in Section 1052, the clerk of the municipal court may maintain a register of actions by means of photographing, microphotographing, or mechanically or electronically storing the whole content of all papers and records, or any portion thereof, as will constitute a memorandum, necessary to the keeping of a register of actions so long as the completeness and chronological sequence of the register are not disturbed

All such reproductions shall be placed in convenient, accessible files, and provision shall be made for preserving, examining, and using them.

Any photograph, microphotograph, or photocopy which is made pursuant to this section shall be made in such manner and on such paper as will comply with the minimum standards of quality approved therefor by the National Bureau of Standards."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2240—An act to amend Section 1300 of the Penal Code, relating to bail

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2240?

Amendment No. 1

On page 2, line 23, of the printed bill, strike out ", and on", and insert " However, if the defendant is released on his own recognizance or on another bond before the issuance of such an order, the court shall order that the bail or deposit be exonerated without prejudice to the courts authority under subdivision (b). On".

Amendment No. 2

On page 2, line 24, strike out "If, in"; and strike out lines 25 to 28, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None

Above bill ordered enrolled.

Assembly Concurrent Resolution No. 49—Relative to earthquake-proofing of state highways and bridges

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 49?

Amendment No. 1

On page 1, lines 3 and 4, of the printed measure, strike out "with a full report", and insert ", commencing not later than November 1, 1972, with biannual progress reports"

Amendment No. 2

On page 1, lines 5 and 6, strike out "in addition to a complete report on", and insert "including"

Amendment No. 3

On page 1, line 9, strike out ", by not later than June 1, 1972"

The Assembly concurred in the above Senate amendments.

Above resolution ordered enrolled.

Hon. Walter Karabian Presiding

At 4:44 p m., Hon. Walter Karabian, 45th District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1302—An act to amend Section 16601 5 of, to add Sections 16602 5, 16602.6, and 16711 to, to add Chapter 6 1 (commencing with Section 6445) to Division 6 of, and to add Article 1 5 (commencing with Section 16820) to Chapter 1 of Division 13 of, the Education Code, and to amend the heading of Chapter 2 5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151 5 and 16153 5 to, the Welfare and Institutions Code, relating to early childhood education, and making an appropriation therefor.

Bill read third time, and presented by Mr Cory.

Bill passed by the following vote:

AYES—Arnett, Bagley, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Porter, Powers, Priolo, Quimby, Ralph, Russell, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—43.

NOES—Barnes, Bee, Belotti, Burke, Cline, Collier, Conrad, Foran, Ketchum, Lancaster, Lanterman, MacGillivray, Mobley, Monagan, Moorhead, Murphy, Seeley, Stacey, Stull, Wakefield, and Wood—21.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2120—An act to add Section 466 3 to the Penal Code, relating to vending-machine theft

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2120?

Amendment No. 1

On page 1, line 5, of the printed bill, after "device", insert a comma.

Amendment No. 2

On page 2, line 4, strike out "drycleaning", and insert "dry cleaning".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell,

Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Above bill ordered enrolled.

Hon. Ken Cory Presiding

At 5·02 p m, Hon Ken Cory, 69th District, presiding.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1249—An act to amend Section 17920 of, and to add Sections 17922.6, 17922.7, and 17926 to, the Health and Safety Code, relating to noise insulation, and making an appropriation therefor

Bill read third time, and presented by Mr McCarthy.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr McCarthy moved a call of the Assembly.

Motion carried Time, 5·06 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2332—An act to amend Sections 13210, 13352, and 13550 of the Vehicle Code, relating to drivers' licenses.

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2332?

Amendment No. 1

On page 2, line 5, of the printed bill, after "court", insert "shall order the department to suspend the person's driving privilege unless the person shows good cause why such order should not be made. If the court does not order such suspension, the court".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brown, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox,

LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—62.

NOES—Burton—1.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 3, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 1169—As amended in Assembly July 19, 1972—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in Assembly July 19, 1972, strike out "incuding", and insert "including".

Amendment No. 2

On page 2, strike out lines 33 to 35, inclusive, and insert

"(f) Anesthesiologist's services when provided as part of an outpatient medical procedure, outpatient laboratory services, and X-ray services are covered to the extent prescribed."

Amendment No. 3

On page 3, line 15, strike out "thereapy", and insert "therapy".

Amendment No. 4

On page 3, after line 20, insert

"(o) Intermediate care facility services, including physician services and prescription drugs, subject to the Medi-Cal Drug Formulary, are covered to the extent of a full year of service in any period of twelve (12) consecutive months, subject to utilization controls."

The undersigned consent to the report:

PETER BEHR	JOHN BURTON
ANTHONY BEILENSON	KENT STACEY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan,

Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 3, 1972

Mr Speaker: The Committee on Conference concerning

Assembly Bill No. 1206—As amended in Senate July 17, 1972—An act to add Section 1420.1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment, and making an appropriation therefor,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in Senate July 17, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 3, strike out lines 3 to 11, inclusive

The undersigned consent to the report:

JOSEPH KENNICK	LEO McCARTHY
GEORGE ZENOVICH	FRANK MURPHY
	JOHN FORAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 4, 1972

Mr Speaker: The Committee on Conference concerning

Assembly Bill No. 1544—As amended in Senate July 26, 1972—An act to amend Section 2193 of the Business and Professions Code, relating to physicians and surgeons,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows

Set No. 1

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate July 26, 1972, after "applicant", insert "who does not qualify under Section 2193.5 and".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 26, 1972, strike out "Section 2193", and insert "Sections 2193 and 2193 7".

Amendment No. 2

In line 2 of the title, after the comma, insert "and to amend Section 19 of, and to repeal Section 2193 7 of the Business and Professions Code, as added by Section 13.5 of, Assembly Bill No 1952 of the 1972 Regular Session,".

Amendment No. 3

On page 2, after line 38, insert

"SEC 2 Section 2193 7 of the Business and Professions Code is amended to read·

2193 7. Notwithstanding any other provision of law, a person who at the time of his enrollment in a medical school in the Republic of Mexico is a citizen of the United States, and who possesses a diploma issued to him after successful completion of a four-year program in such medical school located in the Republic of Mexico, which school is approved by the Republic of Mexico, shall be issued a physician's and surgeon's certificate if he meets all of the following requirements

(a) He has successfully completed ~~one year~~ *a one-year program* of supervised clinical ~~training~~ *special internship* in the field of general practice medicine in a program approved by the board pursuant to Article 4 6 (commencing with Section 2185) of this chapter This program of supervised clinical ~~training~~ *special internship* must be affiliated with an approved medical school and be under the direction of such medical school

(b) He has successfully completed the same written examination prescribed by the board for graduates of California medical schools before or during his year of supervised clinical ~~training~~ *special internship*

(c) He has successfully completed the premedical education requirements set forth in Section 2191 in a school of higher education satisfactory to the board located in the United States

Nothing in this section shall prohibit an applicant who may qualify for a certificate under this section from qualifying for a certificate under Section 2193 5 if such applicant meets the requirements of Section 2193 5

This section shall remain in effect until December 31, 1974, and as of that date is repealed

SEC 3 Section 2193 7 of the Business and Professions Code, as added by Section 13 5 of Assembly Bill No 1952 of the 1972 Regular Session is repealed

~~2193 7 Notwithstanding any other provision of law, a person who at the time of his enrollment in a medical school in the Republic of Mexico is a citizen of the United States, and who possesses a diploma issued to him after successful completion of a four-year program in such medical school located in the Republic of Mexico, which school is approved by the Republic of Mexico, shall take the same written examination prescribed by the Board of Medical Examiners for graduates of California medical schools~~

~~Upon successful completion of such examination such person shall be eligible to serve his postgraduate studies, which shall be in the field of family practice, in a hospital approved by the board for the period required in Section 2193 5, and upon successful completion of such postgraduate studies in the field of family practice and successful completion of the clinical and oral examinations given by the board, he shall be issued a certificate as a physician and surgeon.~~

~~No hospital in this state licensed pursuant to Chapter 2 (commencing with Section 1100) of Division 2 of the Health and Safety Code, or operated by the state government, a county or by the Regents of the University of California, shall require a person qualified for postgraduate training pursuant to this section to take an examination other than the written examination administered by the board as a condition of obtaining postgraduate training in such hospital This section shall not be construed to prohibit a hospital from administering a test to applicants for postgraduate training for the purpose of selecting persons from a number of applicants for a lesser number of postgraduate positions~~

SEC 4 Section 19 of Assembly Bill No 1952 of the 1972 Regular Session is amended to read

Sec 19 Sections 1, 1 5, 2, 2 5, 3 5, ~~4, and 13 5~~ *and 4* of this act shall become operative December 31, 1974 "

The undersigned consent to the report·

ANTHONY BEILENSON	ALAN SIEROTY
ARLEN GREGORIO	GORDON DUFFY
	CHARLES WARREN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 910—An act to amend Section 827 of, and to add Section 828 to, the Welfare and Institutions Code, relating to juvenile court.

Bill read third time, and presented by Mr Crown

Bill passed by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—Burton, Bill Greene, Harvey Johnson, Murphy, and Ralph—5.

Bill ordered transmitted to the Senate

Senate Bill No. 1170—An act to amend Section 14103 6 of, and to add Section 14103 7 to, the Welfare and Institutions Code, relating to Medi-Cal

Bill read third time, and presented by Mr Brown

~~Bill passed by the following vote·~~

~~AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69~~

~~NOES—None.~~

~~Bill ordered transmitted to the Senate~~

NOTE: Later this day, the action was rescinded whereby Senate Bill No 1170 was passed, and ordered transmitted to the Senate See page 7353

Senate Bill No. 1011—An act to add Chapter 18 (commencing with Section 7400) to Division 7 of Title 1 of the Government Code, relating to children's clothing

Bill read third time, and presented by Mr Brown.

Motion to Amend

Mr. Vasconcellos moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly July 26, 1972, strike out "July 1, 1974", and insert "August 1, 1973"

Amendment read.

Roll Call Demanded

Messrs. Vasconcellos, Burton, and Dunlap demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Barnes, Belotti, Beverly, Burton, Conrad, Cory, Crown, Cullen, Deddeh, Dunlap, Garcia, Bill Greene, Leroy F. Greene, Knox, LaCoste, McAlister, McCarthy, Meade, Quimby, Ralph, Russell, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—27

NOES—Arnett, Bagley, Brown, Burke, Campbell, Cline, Collier, Dent, Fong, Gonsalves, Hayes, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Seeley, Stacey, Stull, Thomas, and Wood—30.

The question being on the passage of the bill.

Demand for Previous Question

Messrs Cline, Lanterman, Russell, Beverly, and Wilson demanded the previous question Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—Hayes—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1170

Mr. Brown was granted unanimous consent to rescind the action whereby the Assembly, on this day, passed Senate Bill No. 1170, and whereby the bill was ordered transmitted to the Senate

Senate Bill No. 1170 Passed and Retained

By unanimous consent, Senate Bill No. 1170 was passed on file, to retain its place on file

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 93—An act to add Chapter 8 (commencing with Section 33500) to Division 22 of the Education Code, relating to bilingual and bicultural education, and making an appropriation therefor.

Bill read third time, and presented by Mr. Chacon.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Burton, Chacon, Chappie, Cline, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Burke, Conrad, Lancaster, and Stull—4

Bill ordered transmitted to the Senate

Speaker Presiding

At 5 55 p m , Hon Bob Moretti, 42nd District, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 401	AB No 1264	AB No 1856
AB No. 547	AB No 1458	AB No 2213
AB No 1246	AB No 1670	

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 355	AB No 759	AB No 1764
AB No. 566	AB No 824	AB No 2378
AB No. 599	AB No. 1357	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted.

ACR No. 50 ACR No. 104
ACR No. 102 ACR No. 120

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, August 4, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 387
AB No. 1733

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1488—An act to amend Sections 18633, 18711, 18801, and 18802 of, and to add Section 18806 to, the Business and Professions Code, relating to professional boxing, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1488?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 25, 1972, after the first comma, insert "18711,".

Amendment No. 2

In line 4 of the title, after "boxing", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, between lines 16 and 17, insert

"SEC. 2. Section 18711 of the Business and Professions Code is amended to read

18711 *(a)* Except as provided in Section 18713 *and subdivision (b) of this section*, every club licensed under this chapter shall, within 72 hours after the determination of every contest, match, or exhibition for which an admission fee is charged and received, furnish to the commission a written report duly verified by one of its officers, showing the number of tickets issued or sold for such contest, match, or exhibition, the amount of the gross receipts or value thereof, and the gross price charged directly or indirectly and no matter by whom received, for the sale, lease, or other exploitation of broadcasting and television

rights of such contest, match, or exhibition, and without any deductions whatsoever for commissions, brokerage, distribution fees, advertising, or any other expenses, charges, and recoupments in respect thereto and such other matters as the commission may prescribe Such club shall also, within the same time, pay to the commission a tax, exclusive of any federal taxes paid thereon, of one cent ($0 01) for each twenty cents ($0.20), or fraction thereof, of the amount paid for admission to such contest, match, or exhibition, and of the gross price as described above for the sale, lease, or other exploitation of broadcasting or television rights thereof, except that in no case shall such tax be less than twenty-five dollars ($25). Said tax shall apply uniformly at the same rate to all clubs subject to the tax. The tax on admissions applies to the amount actually paid for admission, and not to the regular established price No tax is due in the case of a person admitted free of charge.

(b) In the case of a professional boxing contest, there shall be deducted from the amount required to be reported showing the gross price charged directly or indirectly and no matter by whom received for the sale, lease, or other exploitation of television rights of the professional boxing contest, and upon which the tax required by subdivision (a) is applied, the gross price charged directly or indirectly and no matter by whom received, for the sale, lease, or other exploitation of television rights for viewing outside of this state, including viewing out of state by live telecasts, closed circuit telecasts, and delayed tape telecasts This subdivision shall be operative for a period of one year immediately following the date on which it takes effect, and shall thereafter have no force or effect. "

Amendment No. 4

On page 2, line 17, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 3, line 3, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 6

On page 3, line 19, strike out "SEC. 3", and insert "SEC. 5".

Amendment No. 7

On page 4, after line 13, insert

"SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Boxers participating in contests in this state should be protected as soon as possible by the pension program and by the disability insurance program affected by this act. This act will effectuate such protection Further, in order to avoid any possibility of double taxation and to enable the Legislature to study and resolve the question of taxation of professional boxing contests, this act should have immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 1488?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1201—An act to amend Section 19523 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assemby Bill No. 1201?

Senate Amendments of July 25, 1972

Amendment No. 1

On page 3, line 9, of the printed bill, after "SEC 2 ", insert "The provisions in this act affecting changes in the Senior Citizens Property Tax Assistance Law shall be applied with respect to claims for assistance for the 1971–1972 fiscal year and fiscal years thereafter.

SEC 3."

Senate Amendments of August 3, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 25, 1972, strike out "to take effect immediately, tax"; and in line 3, strike out "levy", and insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, strike out lines 7 to 9, inclusive, and insert

"SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order to provide property tax assistance to senior citizens on a more equitable basis at the earliest possible time, it is necessary that this act take effect immediately."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes. Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being · Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1201?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis. MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—71.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 2034—An act to amend Section 25201 of the Education Code, and to amend Sections 14254, 14666, and 14670 of the Government Code, relating to state property.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2034?

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Section 25201 of the Education Code, and to amend".

Amendment No. 2

In line 1 of the title, after "Sections", insert "14254,".

Amendment No. 3

In line 1 of the title, after "14666", insert a comma.

Amendment No. 4

On page 1, line 1, after the period, insert "Section 25201 of the Education Code is amended to read

25201 As used in this chapter·

(a) "Project" includes the erection, construction, alteration, repair or improvement of any state structure, building, road, or other state improvement of any kind which will exceed in cost a total of ~~five~~ *ten* thousand dollars ~~($5,000)~~ *($10,000)*.

(b) "Trustees" means the Trustees of the California State Colleges

(c) "Service contract" means any contract for services in connection with a project other than a project contract, and includes, but is not limited to, contracts for architectural, engineering, planning, testing, general studies, or feasibility services

SEC 2. Section 14254 of the Government Code is amended to read:

14254 As used in this chapter, "project" includes the erection, construction, alternation, repair or improvement of any state structure, building, road, or other state improvement of any kind which will exceed in cost a total of ~~five~~ *ten* thousand dollars ~~($5,000)~~ *($10,000)*.

SEC 3."

Amendment No. 5

On page 2, line 6, strike out "SEC. 2", and insert

"SEC 4".

Set No. 2

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 12, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"14666. With the approval of the state agency concerned, the director may grant and convey in the name of the state, easements and rights-of-way across real property belonging to the state not used for highway rights-of-way, for such purposes and upon such consideration and subject to such conditions, limitations, restrictions, and reservations as he deems are in the interest of the state *All revenue received in connection with the granting and conveying of such easements and rights-of-way, including charges made for administrative costs, shall be deposited in the General Fund for appropriation as provided in Section 15863 Any expenditure in connection with the granting and conveying of said easements and rights-of-way or investigating proposed gifts of real property to the state may be allocated from the appropriation made pursuant to Section 15863* "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson,

Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey. Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1588—An act to amend Sections 18422, 18423, and 18424 of the Education Code, relating to school district severance aid.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1588?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 18423", and insert ", 18423, and 18424"

Amendment No. 2

On page 2, after line 19, insert

"SEC. 3 Section 18424 of the Education Code is amended to read:

18424 On or before May 25th in each fiscal year, the Superintendent of Public Instruction shall determine and certify to the State Controller the amount of severance aid computed and to be allowed to school districts under Section 18421 or 18422 for the fiscal year On or before June 15th in each fiscal year, the State Controller shall order the transfer, from the ~~Motor Vehicle Transportation Tax~~ *State Highway Account in the State Transportation* Fund to the State School Fund, of the amount of severance aid computed and to be allowed to school districts for the fiscal year as so certified, and the amount so computed and certified is hereby appropriated for purposes of such transfer The Department of Public Works may charge or allocate to the appropriate particular projects on account of which severance aid was computed, the amounts so transferred In the case of severance aid determined pursuant to Section 18422, the allowance shall be apportioned to the school district in two equal annual installments.

SEC. 4 Section 3 of this act shall take effect only in the event, and at the same time, that Assembly Bill No 705 is enacted at the 1972 Regular Session repealing Part 4 (commencing with Section 9601) of Division 2 of the Revenue and Taxation Code "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sie-

roty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 710—An act to amend Section 100 of the Harbors and Navigation Code, relating to navigable waters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 710?

Senate Amendments of June 22, 1972

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Assembly May 10, 1972, strike out "seasonal".

Amendment No. 2

On page 1, line 6, after "any", insert "navigable".

Amendment No. 3

On page 2, strike out lines 1 and 2, and insert "above the normal high-water mark over public or private lands adjoining such river, stream, slough, or other watercourse are not navigable waters and nothing in this section shall be construed as permitting trespass on any such adjoining lands."

Senate Amendments of June 30, 1972

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate June 22, 1972, after "while", insert "temporarily".

Amendment No. 2

On page 2, line 6, strike out "adjoining", and insert "outside any established banks of".

Amendment No. 3

On page 2, line 8, strike out "adjoining".

Amendment No. 4

On page 2, line 9, after the period, insert "For the purposes of this section, "floodwaters" refers to that elevation of water which occurs at extraordinary times of flood and does not mean the water elevation of ordinary annual or recurring high waters resulting from normal runoff."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby,

Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—64.

NOES—LaCoste and McAlister—2.

Above bill ordered enrolled.

Assembly Bill No. 416—An act to amend Section 1609 2 of the Revenue and Taxation Code, relating to local equalization proceedings.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 416?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly May 2, 1972, after "consider", insert ", among other factors,".

Amendment No. 2

On page 2, line 10, strike out "considered relevant", and insert "admitted".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Qumby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—71.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 262—An act to add Sections 11655 10 and 11655.11 to the Health and Safety Code, relating to narcotics, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 262?

Senate Amendments of July 21, 1972

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly April 27, 1972, strike out "Human Relations Agency", and insert "Department of Mental Hygiene".

Amendment No. 2

On page 2, line 9, strike out "as"; strike out lines 10 to 16, inclusive, and insert ". Funds shall be made available for such programs in the same ratio as for approved Short-Doyle programs as provided by Section 5705 of the Welfare and Institutions Code."

Amendment No. 3

On page 2, line 17, strike out "Human Relations Agency", and insert "Department of Mental Hygiene".

Amendment No. 4

On page 3, lines 10 and 11, strike out "Secretary of the Human Relations Agency", and insert "Director of Mental Hygiene".

Amendment No. 5

On page 3, line 21, strike out "Human Relations Agency", and insert "Department of Mental Hygiene".

Amendment No. 6

On page 3, line 26, strike out "Human Relations Agency", and insert "Department of Mental Hygiene".

Amendment No. 7

On page 3, line 30, strike out "Human Relations Agency", and insert "Department of Mental Hygiene".

Amendment No. 8

On page 3, line 34, strike out "Human Relations Agency", and insert "Department of Mental Hygiene".

Amendment No. 9

On page 3, after line 37, insert

"The Department of Mental Hygiene shall expend not less than five hundred thousand dollars ($500,000), but not more than one million dollars ($1,000,000), in paying for private methadone maintenance programs contracted directly by the state and approved by the Research Advisory Panel

SEC 4. It is the intention of the Legislature that this bill and Senate Bill No. 714 both be given effect, and that if Senate Bill No 714 is chaptered after this bill, any reference to the Research Advisory Panel in Section 3 of this act shall be deemed to mean the Department of Mental Hygiene "

Senate Amendments of July 26, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 21, 1972, strike out "and".

Amendment No. 2

In line 3 of the title, after "therefor", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, line 6, after "11655.7", insert "by the Research Advisory Panel".

Amendment No. 4

On page 3, line 8, strike out "Section 5705 of the"; and strike out line 9, and insert "Part 2 (commencing with Section 5600) of Division 5 of the Welfare and Institutions Code, however, if the county con-

tracts with a private person or agency or nonprofit corporation for the providing of drug program services, the state's share of the cost of the drug program of the county approved in the county Short-Doyle plan shall be 90 percent, the county's share shall be 8 percent, and the share of the private person or agency or nonprofit corporation shall be 2 percent."

Amendment No. 5

On page 4, line 18, strike out "The", and insert "SEC. 3.5. The".

Amendment No. 6

On page 4, strike out line 19; and in line 20, strike out "not more than one million dollars ($1,000,000)," and insert "more than five hundred thousand dollars ($500,000)".

Amendment No. 7

On page 4, line 23, after the period, insert "This section shall not become operative if either Senate Bill No. 714 or Assembly Bill No. 400 of the 1972 Regular Session is enacted into law."

Amendment No. 8

On page 4, after line 29, insert

"SEC. 4 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

The urgent need for funds to finance methadone programs to combat narcotic addiction requires that this act go into effect immediately"

Senate Amendments of August 3, 1972

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in Senate July 26, 1972, strike out "90", and insert "85"

Amendment No. 2

On page 3, line 20, strike out "8", and insert "5".

Amendment No. 3

On page 3, line 22, strike out "2", and insert "10"

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 262?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 715—An act to add Section 4655.5 to the Labor Code, and to amend Section 2629 of, and to repeal Section 2708.1 of, the Unemployment Insurance Code, relating to workmen's disability benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 715?

Amendment No. 1

On page 2, line 5, of the printed bill, after "indemnity", insert "which is less than the maximum temporary disability indemnity provided in Section 4453".

Amendment No. 2

On page 2, line 29, after "greater", insert ", except that no rate of payment shall exceed the maximum temporary disability indemnity provided in Section 4453".

Amendment No. 3

On page 3, line 17, after "SEC. 3.", insert "Section 2629 of the Unemployment Insurance Code is amended to read:

2629. *(a)* Except as provided in this section, an individual is not eligible for disability benefits *under this part* for any day of unemployment and disability for which he has received, or is entitled to receive *"other* benefits," in the form of cash payments ~~for~~.

(b) "Other benefits" as used in this section means:

(1) ~~temporary~~ *Temporary* disability indemnity, under a workmen's compensation law, ~~or~~ *of this state or of any other state or of the federal government.*

(2) Temporary disability benefits under any employer's liability law of this state, or of any other state, or of the federal government.

(3) Temporary disability benefits for work-connected injuries or illness under the maritime doctrine of maintenance and cure.

(c) ~~If such cash payments are less than the amount he would otherwise receive as disability benefits under this part, he shall be entitled~~

~~to receive, for such day, if otherwise eligible, disability benefits, reduced by the amount of such cash payments~~ If, after receipt of, or determination of entitlement to receive, ~~temporary disability~~ *such other* benefits ~~under a workmen's compensation law~~, a claim for ~~unemployment compensation~~ disability benefits *under this part* is filed during the same continuous period of disability, because of a disability for which ~~the workmen's compensation~~ *a* claim *for such other benefits* was made, the maximum amount of *disability* benefits payable ~~hereunder~~ *under this part* during the disability benefit period thereby established shall be reduced by the amount of ~~temporary disability~~ *such "other* benefits *"* which the claimant *has* received or has been determined to be entitled to receive ~~under the Workmen's Compensation Law~~.

SEC. 4."

Amendment No. 4

On page 3, line 29, strike out "SEC 4", and insert "SEC. 5".

Amendment No. 5

On page 3, line 34, strike out "SEC 5", and insert "SEC. 6".

Amendment No. 6

On page 3, after line 37, insert

"SEC 7. It is the intent of the Legislature, if this bill and Assembly Bill No 2112 are both chaptered and amend Section 2629 of the Unemployment Insurance Code, and this bill is chaptered after Assembly Bill No. 2112, that the amendments to Section 2629 proposed by both bills be given effect and incorporated in Section 2629 in the form set forth in Section 3 of this act Therefore, Section 3 of this act shall become operative only if this bill and Assembly Bill No. 2112 are both chaptered, both amend Section 2629, and Assembly Bill No. 2112 is chaptered before this bill, in which case Section 2 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2072—An act to amend Section 1777 5 of the Labor Code, relating to apprentices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2072?

Amendment No. 1

On page 4, of the printed bill, strike out line 26, and insert "pay a like amount to the California Apprenticeship Council. The".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 132—An act to amend Sections 23320, 23324.7, and 23954.7 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 132?

Amendment No. 1

In line 3 of the title of the printed bill, after "beverages", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 1.5

On page 4, between lines 26 and 27, insert

"SEC. 1.5 Section 23320 of the Business and Professions Code, as amended by Section 1 of this act, is amended to read:

23320. The following are the types of licenses to be issued under this division and the annual fees to be charged therefor:

(1) Beer manufacturer's license	
(a) Steam beer manufacturer exclusively	$56 00 per year.
(b) All other beer manufacturer	828.00 per year
(2) Winegrower's license or wine blender's license (to be computed only on the gallonage produced or blended), 5,000 gallons or less	22 00 per year
Over 5,000 gallons to 20,000 gallons per year	44 00 per year
Over 20,000 to 100,000 gallons per year	82 50 per year
Over 100,000 to 200,000 gallons per year	110.00 per year
Over 200,000 gallons to 1,000,000 gallons per year	165 00 per year
For each 1,000,000 gallons or fraction thereof over 1,000,000 gallons an additional	110 00 per year
(3) Brandy manufacturer's license	168.00 per year
(4) Distilled spirits manufacturer's license	276 00 per year
(5) Distilled spirits manufacturer's agent's license	276 00 per year
(6) Still license	12.00 per year
(7) Rectifier's license	276.00 per year

(7a) Distilled spirits rectifier's general license	276 00 per year
(8) Wine rectifier's license	276.00 per year
(9) Beer and wine importer's license	No fee
(10) Beer and wine importer's general license	56.00 per year
(11) Brandy importer's license	No fee
(12) Distilled spirits importer's license	No fee
(13) Distilled spirits importer's general license	276.00 per year
(14) Public warehouse license	12.00 per year
(15) Customs broker's license	12.00 per year
(16) Wine broker's license	56.00 per year
(17) Beer and wine wholesaler's license	56 00 per year
(18) Distilled spirits wholesaler's license	276 00 per year
(18a) California brandy wholesaler's license	276.00 per year
(19) Industrial alcohol dealer's license	56.00 per year
(20) Retail package off-sale beer and wine license	24.00 per year
(21) Retail package off-sale general license	350.00 per year
(22) On-sale beer license	168.00 per year
(23) On-sale beer and wine license	168.00 per year
(24) On-sale beer and wine license for trains (per train)	16.00 per year
(25) On-sale beer license for fishing party boats (per boat)	32.00 per year
(26) On-sale beer and wine license for boats (per boat)	56.00 per year
(27) On-sale beer and wine license for airplanes (per scheduled flight)	16 00 per year
(28) On-sale general license:	
In cities of 40,000 population or over	580.00 per year
In cities of less than 40,000 but more than 20,000 population	412 00 per year
In all other localities	360.00 per year
(29) On-sale general license for seasonal business:	
In cities of 40,000 population or over	145.00 per quarter year
In cities of less than 40,000 but more than 20,000 population	103 00 per quarter year
In all other localities	90.00 per quarter year
(30) (a) On-sale general license for bona fide clubs,	
(b) Club license (issued under Article 4 of this chapter), or	
(c) Veterans' club license (issued under Article 5 (commencing with Section 23450) of this chapter):	
In cities of 40,000 population or over	330.00 per year
In cities of less than 40,000 but more than 20,000	248.00 per year
In all other localities	220.00 per year
(31) On-sale general license for trains and sleeping cars	128.00 per year
Duplicate on-sale general license for trains and sleeping car companies	32.00 per year

(32) On-sale general license for boats ..... 332 00 per year
(33) On-sale general license for airplanes ..... 332 00 per year
Duplicate on-sale general license for air common carriers ..... 10.00 per year
(34) On-sale general license for vessels of more than 1,000 tons burden ..... 128 00 per year
Duplicate on-sale general license for vessels of more than 1,000 tons burden ..... 32.00 per year
(35) On-sale general bona fide public eating place intermittent dockside license for vessels of more than 10,000 tons displacement ..... 360.00 per year
(36) On-sale special beer and wine license for hospitals, convalescent homes, and rest homes ..... 56 00 per year ".

Amendment No. 2

On page 5, after line 34, insert

"SEC. 4 It is the intent of the Legislature, if this bill and Assembly Bill No. 2033 are both chaptered and amend Section 23320 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 2033, that Section 23320 of the Business and Professions Code, as amended by Section 1 of this act, shall remain operative until the effective date of Assembly Bill No. 2033, and that on the effective date of Assembly Bill No 2033, Section 23320 of the Business and Professions Code, as amended by Section 1 of this act, be further amended in the form set forth in Section 1 5 of this act to incorporate the changes in Section 23320 proposed by Assembly Bill No 2033. Therefore, Section 1 5 of this act shall become operative only if Assembly Bill No. 2033 is chaptered before this bill and amends Section 23320, and in such case Section 1 5 of this act shall become operative on the effective date of Assembly Bill No 2033

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

License privileges extended by this act will result in increased state revenues and help to promote commercial interest in use of the state's ports."

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Moorhead, Murphy, Porter, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 132?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Moorhead, Murphy, Porter, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

Assembly Concurrent Resolution No. 121—Relative to off-track betting.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 121?

Amendment No. 1

In line 1 of the title of the printed measure, as amended in Assembly July 25, 1972, strike out "the"; and in line 2, strike out "creation of the Joint Committee on".

Amendment No. 1.5

On page 1, line 12, strike out "Joint Committee on Off-Track Betting is hereby"; and strike out line 13, and insert "Senate Committee on Governmental Organization and the Assembly Committee on Governmental Organization are directed to concurrently ascertain, study".

Amendment No. 2

On page 2, line 6, strike out "its".

Amendment No. 3

On page 2, strike out lines 8 to 19, inclusive.

Amendment No. 4

On page 2, line 20, strike out "3.", and insert "2."

Amendment No. 5

On page 2, line 20, strike out "committee is", and insert "committees are".

Amendment No. 6

On page 2, line 20, after "act", insert "pursuant to this measure"

Amendment No. 7

On page 2, line 23, strike out "4 ", and insert "3.".

Amendment No. 8

On page 2, line 23, strike out "committee and its", and insert "committees and their".

Amendment No. 9

On page 2, strike out line 29, and insert "applicable to the committees and their members."

Amendment No. 10

On page 2, line 30, strike out "5.", and insert
"4."

Amendment No. 11

On page 2, line 30, strike out "committee has", and insert "committees have".

Amendment No. 12

On page 2, line 32, strike out "committee shall file a report by", and insert "committees shall report their findings and recommendations to the Legislature no later than".

Amendment No. 13

On page 2, line 34, strike out "To", and insert "The committees shall".

Amendment No. 14

On page 2, line 35, strike out "it deems", and insert "they deem".

Amendment No. 15

On page 2, strike out lines 37 and 38, and insert "the committees as will best assist them to carry out their purposes."

Amendment No. 16

On page 3, strike out lines 5 to 7, inclusive; and in line 8, strike out "(e)", and insert
"(d)".

Amendment No. 17

On page 3, line 9, strike out "it", and insert "them".

Amendment No. 18

On page 3, line 10, strike out the first "its", and insert "their".

Amendment No. 19

On page 3, line 10, strike out the second "its", and insert "their".

Amendment No. 20

On page 3, line 12, strike out "6.", and insert
"5."

Amendment No. 21

On page 3, line 16, strike out "7.", and insert
"6"

Amendment No. 22

On page 3, line 16, strike out "Joint".

Amendment No. 23

On page 3, line 16, strike out "Committee", and insert "Committees of the Senate and the Assembly".

Amendment No. 24

On page 3, line 17, strike out "Contingent Funds of the".

Amendment No. 25

On page 3, line 18, after "Senate", insert "Contingent Funds".

Amendment No. 26

On page 3, line 18, strike out "it deems", and insert "they deem".

Amendment No. 27

On page 3, line 18, strike out the last "the", and insert "each respective".

Amendment No. 28

On page 3, line 19, strike out "In accordance with Joint"; and strike out lines 20 to 23, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Cory, Cullen, Davis, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, LaCoste, Lanterman, MacDonald, MacGillivray, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, and Mr. Speaker—53.

NOES—Barnes, Hayes, McAlister, and Stull—4.

Above resolution ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 59—Relative to public higher education.

Resolution read, and presented by Mr. Bagley.

Resolution adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 72—Relative to awards to state employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 72?

Amendment No. 1

On page 6, line 24, of the printed measure, as amended in Assembly May 22, 1972, strike out "drivers", and insert "driver's".

Amendment No. 2

On page 7, line 33, after "contractual", insert quotation marks.

Amendment No. 3

On page 8, line 24, strike out "Gary S. Simms", and insert "Gary L. Simms".

Amendment No. 4

On page 9, line 29, after "of", insert "the".

Amendment No. 5

On page 9, line 36, after "of", insert "the".

Amendment No. 6

On page 10, line 1, after "help", insert a comma.

Amendment No. 7

On page 10, line 2, strike out the comma.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Above resolution ordered enrolled.

Assembly Bill No. 2285—An act to add Article 2.5 (commencing with Section 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2285?

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly June 19, 1972, strike out "Ralph, and Moretti", and insert "Moretti, Ralph, and Sieroty".

Amendment No. 2

On page 2, line 3, strike out "The", and insert "When at least 30 percent of the pupils enrolled in a public school speak a single primary language other than English, the".

Amendment No. 3

On page 2, line 4, strike out "a bilingual person to work in the"; strike out lines 5 to 8, inclusive, and insert "for each administrative office of the schools under its jurisdiction a bilingual community liaison person, paraprofessional, clerical, or other qualified employee, in accord-

ance with the provisions of Chapter 3 (commencing with Section 13580) of Division 10, who is fluent in both English".

Amendment No. 4

On page 2, line 9, strike out "a majority of".

Amendment No. 5

On page 2, between lines 10 and 11, insert

"The governing boards of such school districts shall recruit bilingual parents or guardians of children attending applicable schools for such administrative office positions. If no qualified parent or guardians are available, such bilingual office positions shall be staffed from the community at large"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burton, Chacon, Cline, Cory, Cullen, Deddeh, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, LaCoste, Lanterman, MacDonald, McAlister, Meade, Monagan, Murphy, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—45.

NOES—Burke, Conrad, Hayes, Ketchum, Lancaster, MacGillivray, Moorhead, Russell, Seeley, Stacey, and Stull—11.

Above bill ordered enrolled.

Assembly Bill No. 543—An act to amend Section 31520.1 of the Government Code, relating to county employees' retirement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 543?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Assembly April 19, 1972, strike out "eight", and insert "nine".

Amendment No. 2

On page 2, line 4, strike out "and sixth", and insert "sixth and ninth".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 10

At 6.15 p.m., on motion of Mr. Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 10 refused adoption by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Burke, Chappie, Cline, Collier, Conrad, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, Wood, and Mr Speaker—45.

NOES—Belotti, Brathwaite, Brown, Burton, Chacon, Deddeh, Dunlap, Garcia, Bill Greene, Leroy F Greene, Karabian, Knox, Meade, Porter, Quimby, Ralph, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Z'berg—23.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 496—An act to amend Sections 11107, 11110, and 13103 of the Vehicle Code, relating to driving.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 496?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 5, 1972, strike out "and 11110", and insert ", 11110, and 13103".

Amendment No. 2

In line 2 of the title, strike out "schools".

Amendment No. 3

On page 4, after line 29, insert

"SEC 3 Section 13103 of the Vehicle Code is amended to read:

13103. For purposes of this division, a plea *of nolo contendere or a plea of guilty* or judgment of guilty, whether probation is granted or not, a forfeiture of bail, or a finding reported under Section 1816, constitutes a conviction of any offense prescribed by this code, other than offenses relating to the unlawful parking of vehicles."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Moorhead moved a call of the Assembly.

Motion carried Time, 6:28 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 4, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 1047—As amended in Assembly July 26, 1972—An act to amend Section 16750 of the Business and Professions Code, and to add Section 12526 to the Government Code, relating to restraints on competition and making an appropriation therefor;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 5, line 5, of the printed bill, as amended in Assembly July 26, 1972, strike out "one million dollars ($1,000,000)", and insert "three million dollars ($3,000,000)".

Amendment No. 2

On page 5, line 6, strike out "one million dollars ($1,000,000)", and insert "three million dollars ($3,000,000)".

The undersigned consent to the report:

ROBERT LAGOMARSINO	WILLIE L. BROWN, JR.
RANDOLPH COLLIER	KEN MacDONALD
GEORGE DEUKMEJIAN	CARLOS MOORHEAD
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 113 FROM COMMITTEE

Mr. Beverly was granted unanimous consent that House Resolution No. 113 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 113

House Resolution No. 113—Relative to commending Assemblyman James A. Hayes.

NOTE: The full text of House Resolution No. 113 appears at pages 6823–6824 of the Assembly Daily Journal for July 31, 1972.

Resolution read, and presented by Mr. Beverly.

Mr. Beverly was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 113 as coauthors.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1733—An act to amend Sections 402 5 and 23704 5, and to repeal Section 1815 9, of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1733?

Senate Amendments of July 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, strike out "and 1815 9", and insert ", 1815.9 and 23704.5".

Amendment No. 2

In line 2 of the title, strike out "property".

Amendment No. 3

In line 3 of the title, after "taxation", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, after line 19, insert

"SEC. 3. Section 23704 5 of the Revenue and Taxation Code is amended to read:

23704.5. For purposes of Section 23701d, a corporation shall not be deemed to be organized and operated exclusively for educational *or religious* purposes, if:

(a) The corporation operates a laundry facility; and

(b) The corporation provides laundry service to the public for compensation.

This section shall not apply to a corporation organized and operated exclusively for educational purposes, if such corporation provides laundry service solely for the staff and students of such corporation, whether or not such service is provided for compensation.

SEC. 4. Sections 1 and 2 of this act shall become operative on the lien date in 1973.

SEC. 5. Section 3 of this act shall be applied for income years beginning after December 31, 1971.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

That in order for the provisions of this act to be applied to the present income year, this act must go into effect immediately."

Senate Amendments of August 4, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 26, 1972, strike out "401.3, 1815.9", and insert "402.5".

Amendment No. 2

In line 2 of the title, after "23704.5", insert ", and to repeal Section 1815.9,".

Amendment No. 3

On page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 402 5 of the Revenue and Taxation Code is amended to read:

402.5. When valuing property by comparison with sales of other properties, in order to be considered comparable, the sales shall be sufficiently near in time to the lien date, and the properties sold shall be located sufficiently near the property being valued, and shall be sufficiently alike in respect to character, size, situation, usability, zoning or other legal restriction as to use unless rebutted pursuant to Section 402.1, to make it clear that the properties sold and the properties being valued are comparable in value and that the cash equivalent price realized for the properties sold may fairly be considered as shedding light on the value of the property being valued. *"Near in time to the lien date" does not include any sale more than 90 days after the lien date.*

SEC. 2. Section 1815 9 of the Revenue and Taxation Code is repealed.

~~1815.9. In valuing property the board shall not consider sales occurring after the lien date of the assessment rolls being sampled.~~"

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade,

Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1733?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None

Above bill ordered enrolled

MESSAGES FROM THE SENATE

Senate Chamber, August 4, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1977

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 962

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 154	SB No 665	SB No 1347
SB No 158	SB No 848	SB No 1407
SB No. 226	SB No 922	SB No 1454
SB No. 263	SB No 934	SB No. 1503
SB No. 265	SB No 1072	SCA No. 70
SB No. 364	SB No 1336	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, August 4, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1029

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, August 4, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 1977—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, relating to hospitals and other medical facilities;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate August 1, 1972, strike out "Assemblyman Karabian" and insert "Assemblymen Karabian and Campbell".

Amendment No. 1.5

In line 2 of the title, after "Code," insert "and to amend Section 2507 of the Business and Professions Code, Section 441.8 of the Health and Safety Code, Sections 14057, 14058, and 14105.5 of the Welfare and Institutions Code, and Section 15 of Chapter 1451 of the Statutes of 1969,".

Amendment No. 2

In lines 2 and 3 of the title, strike out "hospitals and other medical facilities", and insert "health, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 441.8 of the Health and Safety Code is amended to read:

441.8. The commission shall appoint an executive secretary who ~~shall hold office during its pleasure,~~ shall perform the duties delegated to him by the commission, and shall be responsible to it for the accomplishment of such duties. The executive secretary shall, in accordance with such rules or regulations as the commission may adopt, organize, coordinate, supervise, and direct the operations and affairs of the commission in such a manner as to prevent delay and promote the expeditious and efficient disposition of all matters within the commission's jurisdiction He shall submit a detailed report of his activities to the commission at each of the regularly scheduled commission meet-

ings provided for pursuant to Section 441 13, and shall prepare such other supplemental and special reports as the commission may from time to time request or which he may deem necessary to adequately inform the members of the commission concerning his activities and experience in the implementation of this part.

The executive secretary shall have had at least ~~five~~ *two* years' experience as the chief administrative officer of a hospital, group of hospitals, or association of hospitals whose members are subject to the provisions of this part. The executive secretary shall receive, in addition to his salary, actual and necessary travel expenses incurred in the discharge of his duties

SEC. 2. Section 2507 of the Business and Professions Code is amended to read:

2507 A medical corporation shall not do or fail to do any act the doing of which or the failure to do which would constitute unprofessional conduct under any statute, rule or regulation now or hereafter in effect. In the conduct of its practice, it shall observe and be bound by such statutes, rules and regulations to the same extent as a person holding a certificate under Section 2135 or 2491 of this code The board shall have the same powers of suspension, revocation and discipline against a medical corporation as are now or hereafter authorized by Section 2360 of this code, or by any other similar statute against individual licensees, provided, however, that proceedings against a medical corporation shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

~~The offering and operation by a medical corporation of a health care service plan, registered pursuant to the provisions of Section 12537 of the Government Code, shall be the practice of medicine by such corporation, and is hereby authorized.~~

Notwithstanding any other provision of law, the offering and operation by a medical corporation of a health care service plan registered pursuant to the provisions of Section 12537 of the Government Code is hereby authorized For such purpose a medical corporation may employ, or enter into contracts or other arrangements with, any person or persons authorized to practice any system of the healing arts as defined in Section 12530 of the Government Code, but no such employment, contract, or arrangement shall provide for the rendering, supervision, or control of professional services other than as authorized by law

SEC. 3. Section 1415 of the Health and Safety".

Amendment No. 4

On page 3, line 19, strike out "SEC. 2", and insert

"SEC 4"

Amendment No. 5

On page 4, between lines 37 and 38, insert

"SEC. 5. Section 14057 of the Welfare and Institutions Code is amended to read:

14057. "Carrier" means:

(a) A private insurance company holding a valid outstanding certificate of authority from the Insurance Commissioner of the state;

(b) A medical society or other *profit or nonprofit* medical group;

(c) An association of insurers organized under Article 6.7 (commencing with Section 795) of Chapter 1, Part 2, of Division 1 of the Insurance Code;

(d) A nonprofit hospital service plan qualifying under Chapter 11A (commencing with Section 11491) of Part 2 of Division 2 of the Insurance Code;

(e) A nonprofit membership corporation, or health benefits plan administered by or through such corporation, lawfully operating under Section 9200 or Section 9201 of the Corporations Code, when such corporation is lawfully engaged in providing, arranging, paying for, or reimbursing the cost of personal health services under insurance policies or contracts, medical and hospital service agreements, or membership contracts;

(f) A county hospital system; or

(g) A *profit or nonprofit* person or organization registered under the Knox-Mills Health Plan Act.

SEC. 6. Section 14058 of the Welfare and Institutions Code is amended to read:

14058 "Prepaid health plans" means any form of organization or any arrangement provided by a carrier for the purpose of providing, arranging, paying for, or reimbursing the cost of health care services as set forth in Article 4 4 (commencing with Section 14140) of this chapter.

For the purpose of establishing a prepaid health plan any carrier as defined in Section 14057 shall be deemed capable of providing, arranging, paying or reimbursing the cost of the health care services as defined in Section 14053

SEC. 7 Section 14105 5 of the Welfare and Institutions Code is amended to read:

14105.5. The director or prepaid health plans shall make no payment for services to any hospital facility which secures a license under the provisions of Chapter 2 (commencing with Section 1400) of Division 2 of the Health and Safety Code or Chapter 1 (commencing with Section 7000) of Division 7 of this code after July 1, 1970, covering a new facility or additional bed capacity or the conversion of existing bed capacity to a different license category, unless such licensee received a favorable final decision by the voluntary area health planning agency in the area, the consumer members of a voluntary area health planning agency acting as an appeals body or the Health Planning Council pursuant to Sections 437.7 to 438 5, inclusive, of the Health and Safety Code; or unless the licensee had filed an application for a license prior to January 1, 1970, and the application met all then-existing requirements and regulations of the appropriate state agency at the time of application including, at least, preliminary submission of plans, and if such licensee commences construction of ~~facilities~~ *his project* prior to July 1, 1971, and if such licensee has on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1973, and such licensee has on file with the county recorder and State Department of Public Health a valid notice of construction

completion indicating January 1, 1974, as the completion date *; except that the State Department of Public Health shall extend the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted*. The exception provided for in the preceding sentence with respect to applications filed prior to January 1, 1970, *except for transfers executed before November 30, 1970 or after July 1, 1971,* shall not apply to transferees of the applications of the original applicants.

Voluntary area health planning agencies may extend, until July 1, 1972, the date upon which applicants, qualifying under the exception in this section, shall commence construction, if the voluntary area health planning agencies declare that good cause has been shown why such extension should be granted, provided that an applicant applying for such extension had, prior to January 1, 1970, received approval of a health planning association in the county wherein the applicant is located. Applicants receiving extension of the construction commencement date shall have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1974, and have on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1975, as the completion date *; except that the State Department of Public Health shall extend each of the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted*

~~For the purposes of this section, the term "50 percent completion" is defined as completion of the foundations and footings, the structural frame, the mechanical, electrical, and plumbing rough-in, the rough flooring, the exterior walls and windows, and the finished roof.~~

For the purposes of this section, "substantial progress" is defined and evidenced as follows:

(a) For structures of three or fewer stories, completion of the foundations and footings; the structural frame; the mechanical, electrical, and plumbing rough-in; the rough flooring; the exterior walls and windows; and the finished roof.

(b) For structures of more than three stories, a contractor's schedule of work shall be filed with the State Department of Public Health by January 1, 1973. Every three months thereafter, until completion, evidence shall be submitted to the department that construction is progressing on that schedule

For the purposes of this section, construction of a project is deemed commenced on the date the applicant was so notified by the Department of Public Health, if so notified, or on the date the applicant has completed not less than all of the following:

(a) Submission to the appropriate state agency of a written agreement executed between the applicant and a licensed general contractor to construct and complete the facility within a designated time schedule in accordance with final architectural plans and specifications approved by such agency.

(b) Obtaining such initial permits or approval for commencing work on the project as is customarily issued for projects of the scope of applicant by the governmental agency having jurisdiction over the construction.

(c) Completion of construction work on the project to such a degree as to justify and require a progress payment by the applicant to the general contractor under terms of the construction agreement.

SEC. 8. Section 15 of Chapter 1451 of the Statutes of 1969 is amended to read:

Sec. 15. Within 90 days of the effective date of this act, the Health Planning Council shall adopt guidelines pursuant to Section 437.7 of the Health and Safety Code. By July 1, 1970, all voluntary area health planning agencies shall adopt guidelines pursuant to Section 437.7 of such code. This act shall not apply to applicants who have filed applications for licenses, prior to January 1, 1970, which meet all requirements and regulations of the appropriate state agency existing at the time of application, including at least preliminary submission of plans, but only if such applicants commence construction of their ~~facilities~~ *projects* prior to July 1, 1971, and have on file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1973, and have on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1974, as the completion date *; except that the State Department of Public Health shall extend the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted*. ~~The~~ *Except for those transfers executed before November 30, 1970, or after July 1, 1971, the* exception provided for in the preceding sentence shall not apply to transferees of the applications of such applicants.

Voluntary area health planning agencies may extend, until July 1, 1972, the date upon which applicants, qualifying under the exception in this section, shall commence construction, if the voluntary area health planning agencies declare that good cause has been shown why such extension should be granted, provided that an applicant applying for such extension had, prior to January 1, 1970, received approval of a health planning association in the county wherein the applicant is located. Applicants receiving extensions of the construction commencement date shall have or file with the State Department of Public Health a notarized affidavit from the building department having jurisdiction indicating that ~~50 percent completion of~~ *substantial progress on* the approved project was attained by January 1, 1974, and *have* on file with the county recorder and State Department of Public Health a valid notice of construction completion indicating January 1, 1975, as the completion date *; except that the State Department of Public Health shall extend each of the foregoing dates by no more than a total of one year in the case of projects where good cause has been shown why such extension should be granted*.

For purposes of this section, ~~the term "50 percent completion"~~ *"substantial progress"* is defined ~~as~~ *and evidenced as follows:*

(a) For structures of three or fewer stories, completion of the foundations and footings; the structural frame; the mechanical, electrical, and plumbing rough-in, the rough flooring; the exterior walls and windows; and the finished roof

(b) For structures of more than three stories, a contractor's schedule of work shall be filed with the State Department of Public Health by January 1, 1973 Every three months thereafter, until completion, evidence shall be submitted to the department that construction is progressing on that schedule.

For purposes of this section, construction of a project is deemed commenced on the date the applicant was so notified by the Department of Public Health, if so notified, or on the date the applicant has completed not less than all of the following:

(a) Submission to the appropriate state agency of a written agreement executed between the applicant and a licensed general contractor to construct and complete the project within a designated time schedule in accordance with final architectural plans and specifications approved by such agency.

(b) Obtaining such initial permits or approval for commencing work on the project as is customarily issued for projects of the scope of applicant by the governmental agency having jurisdiction over the construction.

(c) Completion of construction work on the project to such a degree as to justify and require a progress payment by the applicant to the general contractor under terms of the construction agreement

SEC. 9 It is the intent of the Legislature by Sections 7 and 8 of this act to clarify the meaning of the term "commence construction," as used in Section 15 of Chapter 1451 of the Statutes of 1969

Any applicant who, on July 1, 1971, had commenced construction of his project, as that term is defined in Section 15 of Chapter 1451 of the Statutes of 1969, as amended by this act, and who meets all other requirements for the exception from approval of such project by any health planning agency provided for in Section 15 may, where necessary, reapply to the State Department of Public Health for exception pursuant to Section 15."

Amendment No. 6

On page 4, line 38, strike out "SEC 3", and insert "SEC. 10 "

Amendment No. 7

On page 5, after line 7, insert

"SEC 11. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

The definition of the term "commence construction," as well as appropriate criteria for construction progress, as they apply to certain hospital applicants under Chapter 1451 of the Statutes of 1969, must be properly defined immediately, so that persons and organizations who have received Department of Public Health approval to proceed

with their hospital projects can do so without undue hardship to health care consumers or to the applicants themselves."

The undersigned consent to the report:

GEORGE ZENOVICH	WALTER KARABIAN
ROBERT LAGOMARSINO	WILLIAM CAMPBELL
NICHOLAS PETRIS	WILLIE L BROWN, JR
Senate Committee on Conference	Assembly Committee on Conference

Report read.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

The question being on the adoption of the Conference Committee Report on Assembly Bill No. 1977

Report adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cullen, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS (RESUMED)

Assembly Bill No. 2010—An act to add Article 1 3 (commencing with Section 17510) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to charitable solicitations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2010?

Amendment No. 1

On page 4, line 17, of the printed bill, as amended in Assembly June 14, 1972, strike out "unless the"; strike out lines 18 to 21, inclusive, and insert a period.

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Davis,

Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1856

Mr. Lanterman was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1856, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 1856

Assembly Bill No. 1856—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1856?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Assembly June 8, 1972, strike out "single-family".

Amendment No. 2

On page 2, between lines 4 and 5, insert

"Such homes shall be a permitted use in all residential zones, including, but not limited to, residential zones for single-family dwellings. Nothing in this paragraph shall be construed to prohibit any city or county from requiring a conditional use permit in order to maintain any home pursuant to the provisions of this paragraph; provided that no conditions shall be imposed on such homes which are more restrictive than those imposed on other similar dwellings in the same zones unless such additional conditions are necessary to protect the health and safety of the residents."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Brathwaite, Brown, Burke, Chacon, Chappie, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Garcia, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None

Above bill ordered enrolled.

Hon. Willie L. Brown, Jr., Presiding

At 6:43 p.m., Hon Willie L. Brown, Jr., 18th District presiding.

MOTION TO RECONSIDER AMENDMENTS TO SENATE BILL NO. 840 WAIVED

Mr. Monagan waived his motion to reconsider the vote whereby amendments offered by Mr. Crown to Senate Bill No. 840 were adopted.

Senate Bill No. 840 ordered reprinted, and to be returned to the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 962

Mr. Barnes was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 962, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 962

Assembly Bill No. 962—An act to amend Sections 13813, 13824.5, 13828.4, 13840, 13846 5, 13885, 13886, 13891, 13940, 13994, 13996, 13999, 14000, 14020, 14022, 14023, 14028, 14030, 14036, 14040, 14060, 14061, 14073, 14080.2, 14083, 14154, 14182, 14189, 14190, 14211, 14217, 14218, 14223 5, 14227, 14398, and 16626 of, to amend Sections 14134.4 and 14134.5, as added by Chapter 361 of the Statutes of 1972, of to amend the heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of, to amend and renumber Section 13835 of, to add Sections 13835, 13835 1, 13862, 13863, 13864, 14030 5, 14115, 14210.1, 14220.1, 14223, 14241.1, 14243.5, 14281.1, 14394.1, and 14405 to. to repeal and add Article 24 (commencing with Section 14300) to Chapter 4 of Division 10 of, to repeal Sections 14112.1, 14122, 14188, 14216, 14223, 14264, 14399, 14400, and 14401 of, the Education Code, and to amend Section 11126 of the Government Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 962?

Amendment No. 1

Strike out line 6 of the title of the printed bill, as amended in Assembly June 30, 1972; and in line 7, strike out "of the Statutes of 1971, of," and insert "amend Sections 14134.4 and 14134 5, as added by Chapter 361 of the Statutes of 1972, of".

Amendment No. 2

In line 11 of the title, strike out "14116", and insert "14115".

Amendment No. 3

On page 2, line 17, after "paid", insert "monthly".

Amendment No. 4

On page 9, strike out lines 26 to 29, inclusive, and insert "amount shall be refunded unless the individual makes application to have the excess amount credited to his (a) individual account in the Annuity

Deposit Fund, or (b) member's account established under Chapter 91 of the Statutes of 1972

Such application shall be submitted to the Los Angeles City Unified School District or the Los Angeles Community College District within 30 days of notification of the amount of excess contributions "

Amendment No. 5

On page 13, line 6, strike out "14116", and insert "14115".

Amendment No. 6

On page 13, line 8, strike out "14116", and insert "14115".

Amendment No. 7

On page 13, between lines 19 and 20, insert

"SEC 34 5 Section 14134 4 of the Education Code, as added by Chapter 361 of the Statutes of 1972, is amended to read:

14134 4. The Los Angeles Unified School District shall transfer to the Teachers' Retirement Fund as of July 1, 1972 ~~the total contributions on deposit in the individual accounts of members of the city local system, and shall transfer not less than~~ :

(a) An amount equal to the contributions that would have been required had all service prior to July 1, 1972, been performed as a nonlocal member of the State Teachers' Retirement System plus credited interest through June 30, 1972~~, plus 6 percent interest from July 1, 1972, to the actual date of transfer~~ ; plus

(b) An amount equal to 8 percent of the employee compensation as provided in Section 13832 for service performed ~~from the date due in the system's office plus 6 percent interest~~ *on and after July 1, 1972*.

SEC 34 6. Section 14134 5 of the Education Code, as added by Chapter 361 of the Statutes of 1972, is amended to read·

14134.5 The Los Angeles Unified School District shall also deposit in the Teachers' Retirement Fund an amount equal to 3 2 percent of employee compensation as provided in Section 13832 as the employer's contribution for service performed ~~from the date due in the system's office, plus 6 percent interest~~ *on July 1, 1972, through June 30, 1973*."

Amendment No. 8

On page 18, strike out lines 29 to 37, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68

NOES—Burke and Stull—2

Above bill ordered enrolled.

Resolution to Dispense With Constitutional Provision

The following resolution was offered.

By Assemblyman Moretti:

Resolved, That Senate Bills Nos 107 and 4 present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, McAlister, McCarthy, Meade, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—52.

NOES—Burke, Duffy, Harvey Johnson, Ketchum, Murphy, Stacey, and Stull—7

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 387

Mr Mobley was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 387, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 387

Assembly Bill No. 387—An act to amend Section 20814.5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 387?

Amendment No. 1

On page 8, line 19, of the printed bill, as amended in Assembly May 4, 1972, after the period, insert "If no announced ratio exists for the base year, the base year ratio shall be the ratio announced for the 1967–1968 fiscal year"

Amendment No. 2

On page 10, line 7, after the period, insert "If no announced ratio exists for such year, the ratio for such year shall be the ratio announced for the 1967–1968 fiscal year."

Amendment No. 3

On page 10, line 31, strike out "office", and insert "Secretary of the Resources Agency".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—70.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1670

Mr. Meade was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1670, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 1670

Assembly Bill No. 1670—An act to amend Section 26559 of the Health and Safety Code, relating to foods.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1670?

Senate Amendments of June 30, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 13, 1972, between lines 22 and 23, insert

"This section shall not apply to any food sold for consumption on or off the premises of any restaurant, as defined in Section 28522, in the course of its business as a restaurant."

Senate Amendments of July 31, 1972

Set No. 1

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Senate June 30, 1972, strike out "and dairy products".

Amendment No. 2

On page 2, line 26, after "restaurant", insert ", or to any milk or dairy product".

Set No. 2

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 30, 1972, between lines 26 and 27, insert

"SEC. 2. Section 26559 of the Health and Safety Code is amended to read:

26559. *(a)* Any food ~~for which no standard of identity exists is misbranded if it is~~ fabricated from two or more ingredients; *is misbranded* unless it bears a label clearly stating the common or usual name of each ingredient in descending order of predominance by weight. Any spice, flavoring, or coloring, except any spice, flavoring, or coloring sold as such, may be designated as spice, flavoring, or coloring without naming each.

Exemptions may be established by the department, when compliance with any requirement of this ~~section~~ *subdivision* is impractical or results in deception or unfair competition.

In adopting any regulations relating to this subdivision, the department shall take into consideration the current regulations established by the Secretary of Health, Education, and Welfare under authority contained in the federal law.

Notwithstanding Section 26052 or any other provision of law, as used in this subdivision, the term "food" includes, but is not limited to, meat and dairy products. The term "food" does not, however, include any alcoholic beverage.

This subdivision shall not apply to any food sold for consumption on or off the premises of any restaurant, as defined in Section 28522, in the course of its business as a restaurant.

(b) Whenever any bread is wrapped, in any wrapping, for sale through retail outlets, there shall appear on the body of the wrapping or on the insert band a list specifying each ingredient in the bread in the order of predominance, by weight, of each such ingredient. This subdivision shall not be construed to require the listing of ingredients constituting less than 1 percent of the weight of the bread.

This subdivision does not apply to bread which is sold on the premises upon which it is baked.

SEC. 3. It is the intent of the Legislature, if this bill and Assembly Bill No. 1074 are both chaptered and amend Section 26559 of the Health and Safety Code, and this bill is chaptered after Assembly Bill No. 1074, that Section 26559 of the Health and Safety Code, as amended by Section 1 of Assembly Bill No. 1074 be further amended on the operative date of this act in the form set forth in Section 2 of this act to incorporate the changes in Section 26559 proposed by this bill Therefore, Section 2 of this act shall become operative only if Assembly Bill No. 1074 is chaptered before this bill and amends Section 26559, and in such case Section 2 of this act shall become operative on the operative date of this act and Section 1 of this act shall not become operative."

Amendment No. 2

On page 2, line 27, strike out "SEC. 2", and insert "SEC. 4".

Senate Amendments of August 3, 1972

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in Senate July 31, 1972, strike out "and dairy products".

Amendment No. 2

On page 3, line 21, after "restaurant", insert ", or to any milk or dairy product".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—None.

Above bill ordered enrolled.

Speaker Presiding

At 7:05 p m , Hon. Bob Moretti, 42nd District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1246

Mr. Bee was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1246, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 1246

Assembly Bill No. 1246—An act to amend Sections 17301 and 17303.5 of, and to add Article 12 (commencing with Section 18151) to Chapter 3 of Division 14 of, the Education Code, and to repeal Chapter 1619 of the Statutes of 1971, relating to handicapped students at community colleges.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1246?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 12, 1972, strike out "Section 1 of" and insert "Sections 17301 and 17303 5 of, and to add Article 12 (commencing with Section 18151) to Chapter 3 of Division 14 of, the Education Code, and to repeal".

Amendment No. 2

On page 2, strike out lines 1 and 2, and insert

"SECTION 1. Section 17301 of the Education Code is amended to read

17301 (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in

the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, one hundred eighty dollars ($180).

(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State School Fund as are certified from time to time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes set forth in Section 17303 5; provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, ~~ninety-eight dollars and ninety-two cents ($98 92)~~ *ninety-nine dollars and twenty-three cents ($99.23)* for the fiscal year ~~1970–1971~~ *1973–1974* and fiscal years thereafter, per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, less the amount, if any, by which seventy cents ($0.70) multiplied by the number of units of average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, junior college and adult schools in the state and to the county school tuition funds exceeds twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance

~~For purposes of this subdivision, amounts transferrable to the State School Fund for the purposes of subdivision (h) and subdivision (i) of Section 17303.5, commencing with the amounts transferrable for the 1969–1970 fiscal year, shall be considered separately, and amounts otherwise transferrable but not required for the respective purposes of these subdivisions in any fiscal year shall be retained in the General Fund to be devoted to the respective purposes in the next succeeding fiscal year.~~

(c) In addition to the amounts authorized to be transferred to the State School Fund from the General Fund under subdivisions (a) and (b) of this section, the Controller shall transfer from the General Fund to the State School Fund during the fiscal year, upon certification of the Superintendent of Public Instruction, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in Sections 17303 and 17303 5, an amount not to exceed the lesser of: (1) 1 percent of the total apportionment from the State School Fund in the preceding fiscal year for the purposes set forth in Section 17303 or 17303.5, or (2) the net amount, if any, by which the total amounts authorized to be transferred from the General Fund to the State School Fund under subdivisions (a) and (b) of this section in prior fiscal years have exceeded the total amounts actually apportioned in prior fiscal years for the purposes set forth in Sections 17303 and 17303 5.

(d) He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Sections 17303 and 17303 5 and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive) of this chapter and in Sections 11256 and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive.

SEC 2 Section 17303 5 of the Education Code is amended to read:

17303 5 The amount transferred pursuant to subdivision (b) of Section 17301 shall be expended in accordance with the following schedule:

(a) Twenty-one dollars and fifty cents ($21.50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0.70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352.

(b) Four dollars and forty cents ($4 40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division

(c) Nineteen dollars and fifty-two cents ($19.52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division

(d) Three dollars and six cents ($3.06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352

(e) One dollar and sixty-seven cents ($1 67) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426

(f) Sixty dollars and ninety-two cents ($60 92) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during

the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.

(g) Eight dollars and sixty-five cents ($8.65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6.

(h) Thirty-one cents ($0.31) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, community college, and adult schools in the state and to county school tuition funds for the purposes of Article 12 (commencing with Section 18151) of this chapter.

SEC. 3. Article 12 (commencing with Section 18151) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 12. Handicapped Students at Community Colleges".

Amendment No. 3

On page 2, line 3, strike out "Section 1", and insert "18151".

Amendment No. 4

On page 2, lines 4 and 5, strike out ", from money appropriated to the State School Fund for such purpose,".

Amendment No. 5

On page 3, strike out lines 3, 4, and 5, and insert

"SEC 4. Chapter 1619 of the Statutes of 1971 is repealed.

~~SECTION 1. The Superintendent of Public Instruction shall apportion, from money appropriated to the State School Fund for such purpose, to each community college district and to each school district maintaining a community college, for the purpose of funding the excess cost of providing special facilities, special educational material, educational assistance, mobility assistance, and transportation for handicapped students 21 years of age or older enrolled at a community college who have demonstrated a financial need for such benefits, an amount not exceeding four hundred dollars ($400) in each fiscal year for each handicapped student 21 years of age or older enrolled at a community college who has demonstrated a financial need therefor. Each student applying for the benefits afforded by this section shall be required to submit to the community college a statement of his financial condition. The community college shall grant such benefits on the basis of the demonstrated financial need of the applicant therefor. The financial status of his parents shall be taken into consideration in determining the financial need of an applicant.~~

SEC. 5. The amendments made to Sections 17301 and 17303 5 by Sections 1 and 2, respectively, of this act shall become operative on July 1, 1973.

SEC. 6. Funds appropriated for expenditure pursuant to Chapter 1619 of the Statutes of 1971 by Item 267 of the Budget Act of 1972 shall be expended pursuant to Article 12 (commencing with Section

18151) of Chapter 3 of Division 14 of the Education Code, as added by this act."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Hayes, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1264

Mr Wilson was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1264, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 1264

Assembly Bill No. 1264—An act to amend Section 17536 of the Business and Professions Code, relating to civil penalties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1264?

Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"SEC. 2. Section 17536 of the Business and Professions Code is amended to read:

17536 Any person who violates any provision of this chapter; ~~except Section 17530,~~ shall be liable for a civil penalty not to exceed two thousand five hundred dollars ($2,500) for each violation, which shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General or by any district attorney, *county counsel, or city attorney* in any court of competent jurisdiction. If brought by the Attorney General, one-half of the penalty collected shall be paid to the treasurer of the county in which the judgment was entered, and one-half to the State Treasurer. If brought by a district attorney *or county counsel*, the entire amount of penalty collected shall be paid to the treasurer of the county in which the judgment was entered. *If brought by a city attorney or city prosecutor, one-half of the penalty shall be paid to the treasurer of the county and one-half to the city.*

SEC 3 It is the intent of the Legislature, if this bill and Senate Bill No 912 are both chaptered and amend Section 17536 of the Business and Professions Code, and this bill is chaptered after Senate Bill No 912, that the amendments to Section 17536 proposed by both bills be given effect and incorporated in Section 17536 in the form set forth

in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Senate Bill No 912 are both chaptered, both amend Section 17536, and Senate Bill No 912 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Hayes, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1249

At 7:08 p m., on motion of Mr McCarthy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No 1249 refused passage by the following vote:

AYES—Arnett, Barnes, Bee, Belotti, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Dent, Dunlap, Fong, Foran, Garcia, Gonsalves, Hayden, Hayes, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Warren, Waxman, Wood, Z'berg, and Mr Speaker—51

NOES—Burke, Cline, Davis, Deddeh, Ray E Johnson, Ketchum, MacGillivray, Mobley, Seeley, Stacey, Stull, and Wakefield—12

Motion to Reconsider Senate Bill No. 1249 on Next Legislative Day

Mr. McCarthy moved to reconsider on the next legislative day the vote whereby Senate Bill No 1249 was this day refused passage

Senate Bill No. 1249 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 496

At 7·17 p m , on motion of Mr Moorhead, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No 496 by the following vote:

AYES—Arnett, Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Conrad, Dent, Duffy, Hayden, Hayes, Ray E. Johnson, Ketchum,

Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—35.

NOES—Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Karabian, Meade, Porter, Powers, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—30.

Motion to Reconsider Senate Amendments to Assembly Bill No. 496 on Next Legislative Day

Mr Moorhead moved to reconsider on the next legislative day the vote whereby the Assembly on this day refused to concur in Senate amendments to Assembly Bill No 496.

Assembly Bill No. 496 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND RULES, PERMIT INTRODUCTION AND CONSIDERATION OF A RESOLUTION

At 7:24 p m , on motion of Mr. Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the motion to temporarily suspend the Rules to permit introduction of a resolution, and to take it up without reference to committee or file lost by the following vote.

AYES—Arnett, Bagley, Barnes, Belotti, Beverly, Burke, Campbell, Chappie, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Duffy, Hayden, Hayes, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Townsend, Wakefield, Wilson, and Wood—41

NOES—Bee, Brown, Burton, Chacon, Crown, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Knox, LaCoste, McCarthy, Meade, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—30.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1358

At 7 26 p m., on motion of Mr Waxman, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1358 refused passage by the following vote

AYES—Arnett, Bagley, Beverly, Brathwaite, Brown, Burton, Campbell, Cline, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Bill Greene, Leroy F Greene, Hayes, Harvey Johnson, Karabian, Keysor, Knox, Maddy, Meade, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—37.

NOES—Barnes, Belotti, Burke, Chappie, Collier, Conrad, Davis, Deddeh, Hayden, Ray E. Johnson, Ketchum, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Russell, Seeley, Stull, Thomas, Townsend, Wakefield, Wilson, and Wood—30.

Motion to Reconsider Senate Bill No. 1358 on Next Legislative Day

Mr. Waxman moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1358 was this day refused passage.

Senate Bill No. 1358 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND RULES TO WITHDRAW AND TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 126

At 7:31 p.m., on motion of Mr. Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to temporarily suspend the Rules to permit Mr. Monagan to withdraw Assembly Concurrent Resolution No. 126 from committee, and to take it up without reference to file, lost by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Belotti, Beverly, Burke, Chappie, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E. Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—32.

NOES—Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Porter, Ralph, Ryan, Sieroty, Thomas, Vasconcellos, Wilson, Z'berg, and Mr. Speaker—31.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 7:38 p.m., Speaker Moretti declared the quorum call of the Assembly dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Dunlap was granted unanimous consent that the following communication be printed in the Journal:

August 3, 1972

Mr. James Driscoll, Chief Clerk
Room 3194, State Capitol, Sacramento, California

Dear Jim: I would like the following printed in the Assembly Journal for August 4, 1972.

By providing that "for compensation, either in direct payment or by means of the exchange of services or use of facilities" in Section 1 of AB 209, it was not my intention to bind either the Board of Trustees of the State Colleges or the Governing Board of the California Maritime Academy to accept payment in form of exchange of services or use of facilities in lieu of direct payment, but rather to authorize this form of payment if agreed to by both parties.

Sincerely,

JOHN F. DUNLAP

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Karabian:

House Resolution No. 122

Relative to public employees

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of punitive damages awarded in judgments against public employees; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblyman Vasconcellos:

House Resolution No. 123

Relative to punitive damages

WHEREAS, The question of punitive damages and the availability thereof and liability therefor has been increasingly raised; and

WHEREAS, In the case of doctors, legislation has been proposed to require posting of a bond to insure defense costs of punitive damages; and

WHEREAS, In the case of teachers, legislation has been proposed that school districts assume their liability for punitive damages in certain circumstances; and

WHEREAS, Legislation has been proposed that the employing jurisdictions of persons in law enforcement hold such persons harmless; and

WHEREAS, All the above indicates a need to re-examine and evaluate the law concerning punitive damages; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of punitive damages; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblyman Knox:

House Resolution No. 124

Relative to Veteran's Educational Benefits

WHEREAS, In 1945 the veteran of World War II was eligible to receive educational benefits of $500 per year maximum for tuition and books, plus $75 per month subsistence allowance, unless the veteran was earning over $210 per month; and

WHEREAS, According to the Finance Department, inflation has reduced the value of the dollar in the United States since 1945 by 132 percent; and

WHEREAS, In order to allow for inflation, and in order to offer equivalent educational benefits for the veteran of the war in Vietnam, the veteran of Vietnam should be eligible for school benefits of $1160 per year maximum for tuition and books, plus $174 per month subsistence allowance, unless the veteran is earning over $487 per month; and

WHEREAS, In fact, the veteran of Vietnam is only eligible to receive school benefits of $175 per month in total, with no additional allowance available for tuition and books; and

WHEREAS, Due to the limited veteran's educational benefits, many veterans of Vietnam are prevented from attending either state schools or private schools, while veterans of World War II were able to attend these institutions; and

WHEREAS, The federal government has increased veterans' disability and housing benefits in excess of allowances made for inflation, without making comparable increases in veterans' educational benefits; and

WHEREAS, Regardless of one's opinion of the war in Vietnam, we must not fault the young men of our State, and of the other states of the union, for serving their country; and

WHEREAS, The young men of our State and of the rest of the country have made sacrifices for their country in the war in Vietnam that merit the respect of their countrymen; and

WHEREAS, These veterans deserve the opportunity to fulfill their potential here in the United States, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members most strongly urge the Congress of the United States to study the educational benefits available to the veterans of Vietnam, compared to the educational benefits available to the veterans of World War II, and especially taking into account the severe inflation that has occurred in the United States since 1945, with the objective of making equivalent educational benefits available to veterans of World War II, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Congress of the United States.

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblyman Vasconcellos:

House Resolution No. 125

Relative to the learning of children

WHEREAS, There is increasing examination and research concerning the learning processes of children; and

WHEREAS, The structure, organization, financing, curriculum, instructional materials, teacher training, and all other aspects of education are dependent upon the learning process; and

WHEREAS, There is a current need for the Legislature to inform itself of recent discoveries and explorations in the field of learning process; and

WHEREAS, There is increasing interest relating to education for the affective domain; and

WHEREAS, It is important that there be publicly explored the relationship between cognitive and affective domains; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the following subjects:

(a) The relationship between the affective domain and the cognitive domain as it pertains to the learning of children.

(b) The kinds and types of curriculum and learning experience which best serve the child and the nature of the relationship between the affective domain and the cognitive domain.

(c) The kinds and types of teaching training, both preservice and inservice, that enables a teacher to encourage a child to learn, insofar as the relationship between the affective domain and cognitive domain exists; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Knox:

House Resolution No. 126

Relative to the Clean Water Bond Act Program

WHEREAS, The electorate in November 1970 approved the Clean Water Bond Act, authorizing the sale of $250,000,000 in state general obligation bonds for allocation by the State Water Resources Control Board primarily for grants for the construction of community wastewater treatment systems, and

WHEREAS, Proceeds from these bonds were deemed adequate to support a five-year grant program; however, based upon current expenditure rates, it now appears another bond authorization may be necessary by 1974, and

WHEREAS, Congress is seriously considering federal standards which will require that treatment systems provide the highest feasible degree of treatment thereby making it imperative that state government encourage grant applicants to incorporate within their plans the most advanced technological features available, and

WHEREAS, The magnitude of public commitment to proper water quality in the state demands that the policies of the State Water Resources Control Board be those that will promote adequate and timely utilization of technological advances in wastewater treatment; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the matter of the adequacy of state policies for encouraging the optimum utilization of technological advances in the development of state-assisted wastewater treatment systems; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Speaker to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 128: By Assemblymen Monagen, Davis, Deddeh, and Townsend—Relative to special session of the Legislature.

Held at Desk by order of the Speaker.

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 93 was continued until the next legislative day.

VOTE CHANGES

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos. 1861, 1494, and 1914; and on the Conference Report on Senate Bill No. 924.

Mr. Moorhead was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 944.

Mr. Murphy was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 944.

Mr. Seeley was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 263.

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 263.

Mr. Lancaster was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 263

Mr. Vasconcellos was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 467, and on the passage of the bill.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 95.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 1479.

Mr. Maddy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 890.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause to Senate Bill No. 1347, and on the passage of the bill.

Mr. Barnes was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 1204, and on concurrence in Senate amendments to the bill

Mr. Z'berg was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No. 1454.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 665.

Mr. Burke was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 665.

Mr. Beverly was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 263.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 949.

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 1379, and on concurrence in Senate amendments to the bill.

Mr. Russell was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No. 1239.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1239.

Mr. Mobley was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 1302.

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 347.

Mr. Cory was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the amendments offered by Mr. Vasconcellos to Senate Bill No. 1011.

Mr. Conrad was granted unanimous consent that he be recorded as voting "Aye" on the amendments offered by Mr Vasconcellos to Senate Bill No. 1011.

Mr. Duffy was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 840.

Mr. Lancaster was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1011.

Mr. Barnes was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Concurrent Resolution No. 121.

Mr. Hayes was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Concurrent Resolution No 121.

Mr. McAlister was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Concurrent Resolution No 121.

Messrs. McCarthy and Hayes were granted unanimous consent that they be recorded as voting "Aye" on Senate Constitutional Amendment No 10.

Mr. Maddy was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Senate Constitutional Amendment No. 10.

Messrs. Burke and Stull were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 962.

Mrs. Brathwaite was granted unanimous consent that she be recorded as "Not voting," instead of voting "Aye," on the urgency clause to Senate Bill No. 1362, and on the passage of the bill.

Mr. Bagley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 496.

Messrs Wilson and Cory were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on the motion by Mr. Monagan to introduce and take up a resolution.

Mr. Wilson was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 1358.

MESSAGES FROM THE SENATE

Senate Chamber, July 27, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1455

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 184

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 267

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1192

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1193

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 2, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1394

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1246

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, August 4, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 85

DARRYL R WHITE, Secretary of the Senate
B. John W. Rovane, Assistant Secretary

ADJOURNMENT

At 7:44 p m., pursuant to the provisions of Senate Concurrent Resolution No 75, the Assembly adjourned until Wednesday, November 8, 1972, out of respect to the memory of the late Honorable William W. Hansen, former Member of the Assembly from Fresno County.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-first Legislative Day

Three Hundred Eleventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, November 8, 1972

Pursuant to the provisions of Senate Concurrent Resolution No. 75, the Assembly met at 2 p m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Townsend moved a quorum call of the Assembly.

Mr. Fenton seconded the motion.

Motion carried. Time, 2:02 p.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Speaker Presiding

At 2:30 p m., Hon. Bob Moretti, 42nd District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Speaker Moretti was granted unanimous consent that television cameras be permitted on the floor of the Assembly.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2:31 p m., Speaker Moretti declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, As we convene again in this chamber, we turn to You to humbly ask that You help us to be more truly what we profess to be and more nobly what we are called to be. Let not the cares, the victories, or the defeats distract us from the tasks that lay before us Help us all in a spirit of shared brotherhood and responsibility to give to this state and its people the very best we have.

Lord, watch over our esteemed colleague, Frank Belotti and Delphine, in their present hour of illness and need —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Moretti, Mr Wilson then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness.

Mr. Belotti, on request of Speaker Moretti.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Badham, on request of Speaker Moretti
Mr Karabian, on request of Speaker Moretti
Mr. LaCoste, on request of Speaker Moretti
Mr. Thomas, on request of Speaker Moretti.

The following Member was granted leave of absence for the day, because of illness in his family.

Mr. Brophy, on request of Speaker Moretti

The following Members were excused for the day, and their per diem was waived:

Mr. Burke.
Mr. Conrad.
Mr Bill Greene.
Mr. Ketchum.
Mr. Keysor.
Mr. Meade.
Mr. Murphy.
Mr Quimby.
Mr. Stacey.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Senate Joint Resolution No.	*Committee*
28	Natural Resources and Conservation

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Resignation of Member of the Assembly—Assemblyman James A. Hayes

August 31, 1972

Honorable Ronald Reagan
Governor of California
State Capitol, Sacramento, California

Dear Governor Reagan: In accordance with Section 1750 (c) of the Government Code, I am transmitting herewith the resignation of Assemblyman James A Hayes as a member of the Assembly effective at 10·00 a m , Thursday, August 31, 1972

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointments to Joint Committee on Siting of Teaching Hospitals

September 5, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: Pursuant to the provisions of ACR 120, 1972 Session, I am appointing Assemblymen Willie Brown, Gordon Duffy and Frank Lanterman to the Joint Committee on Siting of Teaching Hospitals.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Appointment to Joint Committee on Seismic Safety

September 20, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: I am appointing Assemblyman Richard Hayden to the Joint Committee on Seismic Safety to replace Assemblyman Hayes who has resigned.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Creation of and Appointment of Members to Select Committee on San Diego Foster Care Programs

August 14, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: I am creating the Select Committee on San Diego Foster Care Programs of the General Research Committee with the following membership: Assemblymen Bob Wilson (Chairman), E. Richard Barnes (Vice Chairman) and Wadie Deddeh. Bob Rosenberg will act as Consultant.

The committee will terminate on December 31, 1972.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Creation of and Appointment of Members to Select Committee on Open Space Lands

August 10, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir: Effective September 18, 1972, I am creating the Select Committee on Open Space Lands of the General Research Committee with the following membership· Assemblymen John Dunlap (Chairman), Ernest Mobley (Vice Chairman), Dixon Arnett, Charles Warren and Bob Wilson. The committee will terminate July 31, 1973.

Sincerely,

BOB MORETTI
Speaker of the Assembly

Creation of and Appointment of Members to Select Committee on County Jurisdiction

August 10, 1972

State Controller
State Capitol
Sacramento, California

Dear Sir· I am creating the Select Committee on County Jurisdiction of the General Research Committee with the following member-

ship: Assemblymen John Knox (Chairman), Frank Lanterman (Vice Chairman), Mike Cullen, Ernest Mobley and Carley Porter The committee will terminate March 15, 1973.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REPORTS

The following reports were presented by the Speaker:

Evaluation of Local Mental Health Programs—A Plan. (In accordance with Section 5660 of the Welfare and Institutions Code.) June 30, 1972.

Above transmitted report, together with letter of transmittal from J M Stubblebine, M D, Director, Department of Mental Hygiene, Sacramento, dated June 29, 1972, referred by the Speaker to the Committee on Health.

Report to the Legislature on the Operation and Progress of the Child Protective Services Program. (In compliance with Welfare and Institutions Code Section 16507.) 1969–1971.

Above transmitted report, together with letter of transmittal from Robert B. Carleson, Director, Department of Social Welfare, Sacramento, dated September 1972, referred by the Speaker to the Committee on Welfare.

Third Annual Report of the California Work Incentive Program. (In compliance with Section 5202 of the Unemployment Insurance Code.) January 1972.

Above transmitted report, together with letter of transmittal from Sig Hansen, Director, Department of Human Resources Development, Sacramento, dated June 20, 1972, referred by the Speaker to the Committee on Welfare.

Report of Grand Jury Re: Salaries of Members of the Board of Supervisors Pursuant to Section 927 of the Penal Code. August 15, 1972.

Above transmitted report, together with letter of transmittal from Daniel Dewey, Foreman of the 1972 Alameda County Grand Jury, Oakland, dated August 16, 1972, referred by the Speaker to the Committee on Local Government.

Department of Water Resources' Report of Findings, August 1972, and Resolution No. 72-08 of the California Water Commission on the formal application of the Westwood Community Services District for state assistance under the Davis-Grunsky Act. (In accordance with Section 12882 4 of the Water Code.)

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated August 18, 1972, referred by the Speaker to the Committee on Water.

Report on Medical Tests for Newborn Infants. (Pursuant to Health and Safety Code, Article 2.5, Chapter 2, Part 1 of Division 1.) March 15, 1972.

Above transmitted report, together with letter of transmittal from William J. Kurtz, Acting Director, Department of Public Health, Berkeley, dated September 22, 1972, referred by the Speaker to the Committee on Health.

Progress Report on the California Housing Element. (In compliance with Section 37120, Part 8 of Division 24, Health and Safety Code.) August 1972.

Above transmitted report, together with letter of transmittal from Donald F. Pinkerton, Director, Department of Housing and Community Development, Sacramento, dated August 15, 1972, referred by the Speaker to the Committee on Urban Development and Housing.

1972 Annual Report on Organized Crime. (Pursuant to Government Code Section 15028.)

Above transmitted report, together with letter of transmittal from Evelle J. Younger, Attorney General, Department of Justice, Sacramento, dated November 1, 1972, referred by the Speaker to the Committee on Criminal Justice.

The following reports were presented by the Chief Clerk:

Experimental Kindergarten Program in Covina-Valley Unified School District—Second Report. (Pursuant to Education Code Section 17507.7.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated September 13, 1972, referred by the Speaker to the Committee on Education.

U.S. Army Corps of Engineers' Survey Report for Flood Control and Allied Purposes, Petaluma River Basin, Sonoma and Marin Counties. (Pursuant to Sections 450–453, California Water Code.) March 1972.

Above transmitted report, together with letter of transmittal from Paul L. Clifton, Projects Coordinator, The Resources Agency of California, Sacramento, dated August 10, 1972, referred by the Speaker to the Committee on Water.

Report of State Personnel Board Activities Under the Welfare Reform Act of 1971, July 1, 1972 to August 31, 1972. (Pursuant to the requirements of the 1971 Welfare Reform Act.) September 11, 1972.

Above transmitted report, together with letter of transmittal from Richard L. Camilli, Executive Officer, California State Personnel Board, Sacramento, dated September 11, 1972, referred by the Speaker to the Committee on Welfare.

A Socio-Economic Analysis of California's Sport and Commercial Fishing Industries. (In response to Assembly Concurrent Resolution No. 150, 1969.) October 11, 1972.

Above transmitted report, together with letter of transmittal from G. Ray Arnett, Director, Department of Fish and Game, Sacramento, dated October 11, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation.

Bulletin No. 132-72. The California State Water Project in 1972. June 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated September 25, 1972, referred by the Speaker to the Committee on Water.

Review of the Need for Development of State Highway Route 150 as a Freeway. (Pursuant to Senate Concurrent Resolution 109, 1971.) September 1972.

Above transmitted report, together with letter of transmittal from Howard C. Ullrich, Chief Deputy Director, Department of Public Works, Sacramento, dated September 1, 1972, referred by the Speaker to the Committee on Transportation.

Regional Occupational Centers and Programs, Status Report for 1970–71. Pursuant to Education Code Section 7463.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated September 5, 1972, referred by the Speaker to the Committee on Education.

1971 Fourth Annual Report on the California Marine Environment.

Above transmitted report, together with letter of transmittal from Bruce E. Jones, Executive Secretary, California Advisory Commission on Marine and Coastal Resources, Sacramento, dated August 10, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation.

Mathematics Improvement Programs, Summary Report 1968–1971. (Pursuant to Education Code Section 5799.4.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated August 16, 1972, referred by the Speaker to the Committee on Education.

Department of Water Resources' Report of Findings, July 1972, and Resolution No. 72-10 of the California Water Commission on the application of the Del Norte County Flood Control District for state assistance under the Davis-Grunsky Act.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated September 15, 1972, referred by the Speaker to the Committee on Water.

Bulletin No. 104-7. Planned Utilization of Water Resources in the San Juan Creek Basin Area. June 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated October 20, 1972, referred by the Speaker to the Committee on Water.

An Assessment of Federal Water Projects Adversely Affecting California's Salmon and Steelhead Resources, Part 2—Friant Dam. (In response to Senate Concurrent Resolution No. 64, 1971.)

Above transmitted report, together with letter of transmittal from G. Ray Arnett, Director, Department of Fish and Game, Sacramento, dated September 25, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation.

Bulletin No. 69-71. California High Water, 1970–1971. September 1972.

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated October 20, 1972, referred by the Speaker to the Committee on Water.

Study of Natural Oil Seeps in the Santa Barbara Channel and the Various Problems Associated with Them. (In response to Senate Bill No. 58, 1971.) June 1972.

Above transmitted report, together with letter of transmittal from Ford B. Ford, Assistant Secretary, The Resources Agency of California, Sacramento, dated August 4, 1972, referred by the Speaker to the Committee on Planning and Land Use.

State-Granted Tide and Submerged Lands Report. (In accordance with Section 6374 of the State Public Resources Code.)

Above transmitted report, together with letter of transmittal from Martin Breslauer, Assistant to the City Manager, San Diego, dated September 12, 1972, referred by the Speaker to the Committee on Planning and Land Use.

San Diego Bay Tideland Grants. A Historical Report. (In compliance with Section 6374 of the Public Resources Code.)

Above transmitted report, together with letter of transmittal from Don L. Nay, Port Director, Port of San Diego, dated August 30, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Report on State Granted Lands in the County of Santa Cruz. August 28, 1972.

Above transmitted report, together with letter of transmittal from Edward Y Brown, Senior Planner, County of Santa Cruz, dated August 25, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Land Use and Development Report Relative to State Granted Lands. (As required by Section 6374 of the Public Resources Code.) August 1972.

Above transmitted report, together with letter of transmittal from Max R Drewien, General Manager, Carmel Sanitary District, dated August 29, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Richmond Tideland Grant Areas—Use and Development Report. (As required by Section 6374 of the Public Resources Code.) August 28, 1972.

Above transmitted report, together with letter of transmittal from Charles E Woodward, Planning Director, City of Richmond, dated August 16, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Report Summarizing Activities in the Albany Waterfront and plans for future uses of Tideland Grant areas.

Above transmitted report, together with letter of transmittal from James B Turner, Administrative Officer, City of Albany, dated August 28, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Report Concerning Tideland Grant Area. (Pursuant to Section 6374 of the Public Resources Code.) April 3, 1972.

Above transmitted report, together with letter of transmittal from Perry Scott, City Manager, City of Santa Monica, dated September 29, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Report on Trust Lands Use and Development—City of Berkeley. (Pursuant to Sec. 6374, Public Resources Code.) May 1972.

Above transmitted report, together with letter of transmittal from Paul H Williamson, Acting City Manager, Berkeley, dated September 1, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Land Use and Development Report, California State Lands Granted in Use to City of Redondo Beach. (Pursuant to Sec. 6374, Public Resources Code.)

Above transmitted report, together with letter of transmittal from James W. Morrison, Assistant City Manager, City of Redondo Beach, dated September 21, 1972, referred by the Speaker to the Committee on Planning and Land Use

Historical Profile: The City of South San Francisco's Trusteeship of the State of California's Salt Marshes, Tidelands, and Submerged Territory. (Pursuant to Public Resources Code Sec. 6374.)

Above transmitted report, and certified copy of Resolution 5905 of the South San Francisco City Council, together with letter of transmittal from Arthur A. Rodondi, City Clerk, South San Francisco, dated August 11, 1972, referred by the Speaker to the Committee on Planning and Land Use.

City of Vallejo Tidelands Report and Resolution from the Vallejo City Council. (Pursuant to Section 6374 of the Public Resources Code.)

Above transmitted report, together with letter of transmittal from Donald F McIntyre, City Manager, City of Vallejo, dated September 21, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Evaluation of the Self-Pronouncing Alphabet (S.P.A.). A Report to the California Legislature as Directed by House Resolution No. 35.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated October 30, 1972, referred by the Speaker to the Committee on Education.

Vocational Area Progress Report. (In accordance with Education Code Section 6268.14). October 18, 1972.

Above transmitted report, together with letter of transmittal from Sidney W. Brossman, Chancellor, California Community Colleges, Sacramento, dated October 24, 1972, referred by the Speaker to the Committee on Education.

Response to Assessment Practices Survey by State Board of Equalization.

Above transmitted report, referred by the Speaker to the Committee on Revenue and Taxation.

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Robert W. Parkin, Deputy City Attorney, City of Long Beach, transmitting Statement of Expenditures of Oil Revenue (Pursuant to Sec. 10, Chap. 138, Stats of 1964, First Extraordinary Session) Referred by the Speaker to the Committee on Ways and Means.

F J. Hortig, Executive Officer, State Lands Division, Sacramento, dated October 27, 1972, relative to lands granted to the City of Berkeley. Referred by the Speaker to the Committee on Planning and Land Use.

Richard L. Camilli, Executive Officer, California State Personnel Board, Sacramento, dated October 16, 1972, relative to extension of time to submit report required by Assembly Concurrent Resolution No 102. Referred by the Speaker to the Committee on Employment and Public Employees.

J. F. Maloney, Deputy Director, Department of Public Works, Sacramento, dated August 15, 1972, relative to extension of time to submit report required by Assembly Concurrent Resolution No 55. Referred by the Speaker to the Committee on Natural Resources and Conservation.

Herbert E. Roberts, Kern County Assessor, Bakersfield, dated August 3, 1972, relative to recommendations made by the State Board of Equalization on assessment practices survey of Kern County (Section 15645 of the Government Code). Referred by the Speaker to the Committee on Revenue and Taxation.

Robert W. Boles, Executive Secretary, California Highway Commission, Sacramento, dated October 20, 1972, relative to deleting portions of state highways. Referred by the Speaker to the Committee on Transportation.

F. J. Hortig, Executive Officer, State Lands Division, Sacramento, dated October 27, 1972, relative to lands granted to the City of Mill Valley. (Chapter 496, Stats. of 1959.) Referred by the Speaker to the Committee on Planning and Land Use.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2385: By Assemblyman Pierson—An act to amend Sections 13010, 13469.1, and 13651.2 of the Education Code, relating to school employees.

Referred by the Speaker to the Committee on Education.

Assembly Concurrent Resolution No. 129: By Assemblyman Dunlap—Approving amendments to the Charter of the City of Napa, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972.

Held at Desk by order of the Speaker.

Assembly Concurrent Resolution No. 130: By Assemblyman Ray E. Johnson (Senator Marler, coauthor)—Approving an amendment to the Charter of the County of Butte, State of California, ratified by the qualified electors of the county at a special election consolidated with the primary election held therein on the 6th day of June, 1972.

Held at Desk by order of the Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, November 8, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2385—An act to amend Sections 13010, 13469.1, and 13651.2 of the Education Code, relating to school employees

DAVID C. PIERSON

Above request ordered transmitted to the Committee on Rules.

COMMUNICATIONS

Assembly Chamber, August 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 27—An act to amend Section 18058 of the Health and Safety Code, relating to mobilehomes;

Assembly Bill No. 354—An act to amend Section 7548 of the Business and Professions Code, relating to licensees;

Assembly Bill No. 483—An act to amend Sections 12822, 12823, 12826, and 12848 of, and to add Sections 12821.5 and 12821 7 to, the Education Code, relating to school testing;

Assembly Bill No. 549—An act to amend Sections 24297, 24361.4, 24362.1, 24365.6, 39298 8, 39460, and 39476 of, to add Sections 24224 1, 24260 1, 24296, 24296.5, 24354 18, 24355 5, 24365 5, 39382 1, 39402.1, 39475, and 39475.5 to, and to repeal Sections 24296, 24365.5, and 39475 of, the Health and Safety Code, relating to air pollution;

Assembly Bill No. 817—An act to amend Sections 2 and 6 of, and to add Section 3.5 to, Chapter 1425 of the Statutes of 1967, relating to the American Revolution Bicentennial Commission of California, and making an appropriation therefor;

Assembly Bill No. 860—An act to add Section 16524 to, the Education Code, relating to school field trips and excursions;

Assembly Bill No. 1061—An act to add Chapter 5 5 (commencing with Section 18310) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to senior citizens;

Assembly Bill No. 1172—An act to amend Sections 1510 and 1513 of the Probate Code, relating to guardians and wards;

Assembly Bill No. 1454—An act to add Sections 11526 2, 11549.7, 11549.8, 11551.7, 11552 1 and 11552.2 to, the Business and Professions Code, relating to subdivisions, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1522—An act to amend Sections 101, as amended by Section 1 of Chapter 1578 of the 1971 Statutes, 205, 19000, 19004, 19030, 19035, 19161, and 19174, and the heading of Chapter 3 (commencing with Section 19000) of Division 8, and to add and repeal Section 101. of the Business and Professions Code, and to amend Section 11501 of the Government Code, and Section 6 of Chapter 881 of the 1971 Statutes, relating to furniture and bedding;

Assembly Bill No. 1528—An act to amend Section 16200 5 of the Welfare and Institutions Code, relating to licensing and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1596—An act to amend Section 13715 of the Education Code, relating to school classified employees;

Assembly Bill No. 1663—An act to amend Sections 1410, 1501, and 1510 of, and to add Section 1521 to, the Code of Civil Procedure, and to amend Section 231 of the Probate Code, relating to escheat;

Assembly Bill No. 1887—An act to add Section 19060 to the Government Code, relating to the state civil service;

Assembly Bill No. 1951—An act to amend Section 900 of the Welfare and Institutions Code, relating to support;

Assembly Bill No. 2053—An act to amend Section 55501 of the Water Code, relating to collection of liens;

Assembly Bill No. 2133—An act to add Section 18406 to the Health and Safety Code, relating to mobilehome parks;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., August 7, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 148—An act to add Section 17054.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy;

Assembly Bill No. 252—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 368—An act to amend Section 1825 of the Welfare and Institutions Code, relating to the Department of the Youth Authority, and making an appropriation therefor;

Assembly Bill No. 515—An act to add Article 6 (commencing with Section 53100) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local emergency telephone systems, and making an appropriation therefor;

Assembly Bill No. 1500—An act to add Section 2145.1 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1623—An act to add Chapter 2 (commencing with Section 509) to Title 7 of Part 2 of, and to repeal Chapter 2 (commencing with Section 509) of Title 7 of Part 2 of, the Code of Civil Procedure, relating to claim and delivery, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1665—An act to add and repeal Section 20990 of the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1942—An act to add Section 255.5 to the Health and Safety Code, relating to crippled children's services and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1978—An act to amend Sections 2355 and 2356 of the Civil Code, and to amend Sections 1751 and 1754 of, to add Sections 1751.5, 1754.5, and 1755 5 to, and to add Chapter 2 5 (commencing with Section 1776) to Division 5 of, the Probate Code, relating to present and former United States government personnel, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., August 8, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 8, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 432—An act to amend Section 656 of the Harbors and Navigation Code, relating to navigation, and making an appropriation therefor;

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., August 8, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 41—An act to amend Section 22825 of the Government Code, relating to state employees' benefits, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 42—An act to add Article 6 (commencing with Section 19460) to Chapter 7 of Part 2 of Division 5 of Title 2 of the Government Code, and Item 84 2 to the Budget Act of 1972, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 198—An act to add Section 6012 7 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law;

Assembly Bill No. 601—An act relating to the acquisition of beach lands by the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 696—An act to establish a multipurpose counseling and social services pilot project in the County of Ventura, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 981—An act to amend Section 13590 1 of the Education Code, relating to school classified employees, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1204—An act to add Section 11008 8 to the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1571—An act to place specified constitutional amendments on the ballot, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1582—An act to add Chapter 8 (commencing with Section 39280) to Part 1 of Division 26 the Health and Safety Code, relating to air pollution, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1610—An act to repeal Section 3 of Chapter 558 of the Statutes of 1970, relating to deer, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1739—An act to amend Sections 405 5 and 751 of, and to add Section 1815 2 to, the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 1871—An act to add Sections 18107 and 20108 to the Government Code, and to add Sections 5119, 5664, 5755.5 and 5755 6 to the Welfare and Institutions Code, relating to the mental health system, and making an appropriation therefor;

Assembly Bill No. 2189—An act to amend Sections 13844 2, 13992, 14023, 14025, 14041, 14185, 14186, 14213, 14214, 14214 5, 14215, 14220 5, 14220 7, 14224, 14240, 14243, 14260, 14284, 14334 6, 14334 8, and 14392 of, to add Section 14390 to, and to repeal Sections 14042, and 14390 of, the Education Code, relating to the State Teachers' Retirement System and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2375—An act making an appropriation to the Department of General Services, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 392—An act to add Chapter 1 67 (commencing with Section 5096 71) to Division 5 of the Public Resources Code, relating to financing of a program of acquiring and developing state and municipal beach, park, recreational, and historical facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of such funds, and providing for the submission of the measure to a vote of the people at a special election to be consolidated with the 1974 direct primary election, and making an appropriation therefor;

And reports the same correctly enrolled, and presented to the Governor at 11 a m , August 9, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 9, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 83—An act to amend Section 3510 of, to amend and repeal Section 3509 of, and to add Section 3509 5 to, the Fish and Game Code, relating to birds, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1479—An act appropriating money to the State Lands Commission in augmentation of the Budget Act of 1972, relating to tide and submerged lands, to take effect immediately, usual current expenses;

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., August 9, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 10, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 164—An act appropriating funds for the new careers in education act, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 221—An act to amend Sections 1471, 1472, 1473, and 1474 of, to amend and renumber Sections 1475 and 1476 of, and to add Section 1475 to, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to unemployment benefits, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 281—An act to amend Section 16103 of the Government Code and to amend Sections 255 4 and 2615 6 of the Revenue and Taxation Code, and to amend Section 5 of Chapter 1739 of the Statutes of the 1971 Regular Session, relating to property taxation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 342—An act to add Article 1 (commencing with Section 24725) to Chapter 13 of Division 18 of the Education Code, relating to Fresno State College;

Assembly Bill No. 349—An act to add Section 22850 1 to the Government Code, relating to the Public Employees' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1029—An act to amend Section 12101 1 of the Welfare and Institutions Code, relating to old age security, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1379—An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1733—An act to amend Sections 402 5 and 23704.5, and to repeal Section 1815 9 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1788—An act to repeal and add and repeal Section 8045 6 of the Fish and Game Code, relating to abalone, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1794—An act to add Chapter 4 8 (commencing with Section 31295) to Division 22 of the Education Code, relating to the occupational education and training grant program, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1911—An act relating to the state park system, and in this connection to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2.5B, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1977—An act to amend, repeal, and add Section 1415 of the Health and Safety Code, and to amend Section 2507 of the Business and Professions Code, Section 441 8 of the Health and Safety Code, Sections 14057, 14058, and 14105.5 of the Welfare and Institutions Code, and Section 15 of Chapter 1451 of the Statutes of 1969, relating to health, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1979—An act to authorize participation by the Department of the Youth Authority and the Department of Corrections in a cooperative experimental correctional program, and making an appropriation to the Department of Corrections for security equipment in state correctional facilities, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2361—An act to amend Section 1031 of the Government Code, to amend Section 830 4 of the Penal Code, and to amend Section 3 of Chapter 52 of the Statutes of 1941, relating to law enforcement, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 11 a.m , August 10, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 58—An act to add Section 301.5 to the Streets and Highways Code, relating to state highways;

Assembly Bill No. 1322—An act to add Section 301 4 to the Streets and Highways Code, relating to state highways;

And reports the same correctly enrolled, and presented to the Governor at 1:15 p.m., August 10, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 347—An act to amend Sections 6203, 6283, 6293, and 6367 of the Revenue and Taxation Code, and to amend Sections 5011, 5014, 5015, 5016, 5017, 9261, 12501, 23128, 24001 5, 27150, 27160, 38010, 38025, 38070, 38115, 38170, 38225, and 38280 of, to add Sections 38021, 38087, 38122, 38231, and 38246 to, and to repeal Sections 4020 and 4452 5 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 722—An act to amend Sections 16114 and 16117 of, to add Section 16119 to, and to repeal Sections 51250 and 51254 of, the Government Code, and to amend Sections 17054, 17064, 17202, 17203, 17206.5, 17771, 17778, 17854, 18414.5, 18645, 18683, 24343, and 25933 of, to add Sections 17064.6, 18643, 18644, 19409, 25563 3, and 25761a to, and to repeal Sections 18643, 18644, 18682, 25761a, and 25932 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy;

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., August 10, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 132—An act to amend Sections 23320, 23321.7, and 23954.7 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 262—An act to add Sections 11655.10 and 11655.11 to the Health and Safety Code, relating to narcotics, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 387—An act to amend Section 20814.5 of the Education Code, and to add Chapter 3 (commencing with Section 16140) to Part 1 of Division 4 of Title 2 of, to amend and renumber Sections 16107, 16108, 16109, 16110, 16111, 16112, 16113, 16114, 16115, 16116, 16117, and 16118 of, and to amend Sections 16101 and 65570 of, the Government Code, relating to subventions for open-space lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 704—An act to add Section 301 6 to the Streets and Highways Code, relating to state highways;

Assembly Bill No. 962—An act to amend Sections 13813, 13824 5, 13828.4, 13840, 13846.5, 13885, 13886, 13891, 13940, 13994, 13996, 13999, 14000, 14020, 14022, 14023, 14028, 14030, 14036, 14040, 14060, 14061, 14073, 14080 2, 14083, 14154, 14182, 14189, 14190, 14211, 14217, 14218, 14223.5, 14227, 14398, and 16626 of, to amend Sections 14134 4 and 14134.5, as added by Chapter 361 of the Statutes of 1972, of to amend the heading of Article 20 (commencing with Section 14210) of Chapter 4 of Division 10 of, to amend and renumber Section 13835 of, to add Sections 13835, 13835 1, 13862, 13863, 13864, 14030 5, 14115, 14210.1, 14220 1, 14223, 14241 1, 14243 5, 14281.1, 14394 1, and 14405 to, to repeal and add Article 24 (commencing with Section 14300) to Chapter 4 of Division 10 of, to repeal Sections 14112 1, 14122, 14188, 14216, 14223, 14264, 14399, 14400, and 14401 of, the Education Code, and to amend Section 11126 of the Government Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1140—An act to amend Section 1473 of, to amend and renumber Section 1475 of, to add Section 1475 to, and to repeal Section 1475 of, the Unemployment Insurance Code, and to repeal Section 5 of Chapter 1815 of the Statutes of 1971, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1201—An act to amend Section 19523 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1488—An act to amend Sections 18633, 18711, 18801, and 18802 of, and to add Section 18806 to, the Business and Professions Code, relating to professional boxing, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., August 10, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 11, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 4—An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters;

Assembly Bill No. 52—An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation;

Assembly Bill No. 95—An act to add Sections 789.8, 789.9, and 2983 8 to the Civil Code, relating to mobilehomes;

Assembly Bill No. 131—An act to add Section 32103 of, and to repeal Section 32103 of, the Revenue and Taxation Code, relating to alcoholic beverages;

Assembly Bill No. 205—An act to amend Sections 634 5, 976 7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance;

Assembly Bill No. 272—An act to add Section 7503 to the Education Code, relating to educational programs;

Assembly Bill No. 278—An act to add Sections 301.1 and 407.1 to the Streets and Highways Code, relating to state highways;

Assembly Bill No. 301—An act to amend Section 21151 of, and to add Sections 21152 and 21153 to, the Public Resources Code, relating to environmental quality;

Assembly Bill No. 305—An act to amend Section 4709 of, and to add Sections 4836, 4837, 4838, 4839, and 4840 to, the Labor Code, relating to law enforcement personnel;

Assembly Bill No. 320—An act to add Sections 84 5, 991, and 1809 to the Streets and Highways Code, relating to streets and highways;

Assembly Bill No. 336—An act to add Section 1604.2 to the Revenue and Taxation Code, relating to local equalization proceedings;

Assembly Bill No. 427—An act to amend Sections 1001, 1002, 1003, 1006, 2000, 2001, 2002, 2003, 2013, 2014, 2272, and 2353 of, and to amend the heading of Chapter 3 (commencing with Section 2225), Article 3 (commencing with Section 2270) of Chapter 3, Chapter 4 (commencing with Section 2345), and Article 1 (commencing with Section 2345) of Chapter 4 of Division 3 of, the Fish and Game Code, relating to reptiles;

Assembly Bill No. 474—An act to amend Section 10751 of, and to add Sections 10760, 10761, 10762, and 10763 to, the Education Code, relating to pupil records;

Assembly Bill No. 584—An act to add Section 425.1 to the Streets and Highways Code, relating to state highways;

Assembly Bill No. 662—An act to amend Section 4600 of the Civil Code, and to amend Section 1408 of the Probate Code, relating to child custody;

Assembly Bill No. 749—An act to amend Section 41500 of the Vehicle Code, relating to nonprosecution of nonfelony Vehicle Code violations;

Assembly Bill No. 761—An act to amend Section 24755.1 of the Business and Professions Code, relating to alcoholic beverages;

Assembly Bill No. 798—An act to add Article 1.7 (commencing with Section 25544) to Chapter 5 of Division 18.5 of the Education Code, relating to community colleges;

Assembly Bill No. 866—An act to amend Sections 5076, 6518, 6561, and 6905 of the Financial Code, relating to savings and loan associations;

Assembly Bill No. 969—An act to amend Sections 12007, 12082, 12101, and 12105.1 of, and to add Section 12101.5 to, the Health and Safety Code, relating to the control of explosives;

Assembly Bill No. 1153—An act to amend Section 13413 of the Education Code, as added by Chapter 361 of the Statutes of 1971, relating to certificated employees;

Assembly Bill No. 1154—An act to amend Section 583 of the Code of Civil Procedure, relating to dismissal of actions;

Assembly Bill No. 1212—An act to add Section 11823.1 to the Education Code, relating to health examinations and treatment;

Assembly Bill No. 1326—An act to add Section 13557.5 to the Education Code, relating to school officers and employees;

Assembly Bill No. 1405—An act to amend Section 673 of the Insurance Code, relating to premium financing;

Assembly Bill No. 1435—An act to amend Section 11546 of the Business and Professions Code, relating to division of lands;

Assembly Bill No. 1442—An act to amend Section 190 of, and to add Section 190.5 to, the Streets and Highways Code, relating to grade separation projects;

Assembly Bill No. 1493—An act to amend Sections 10500, 10503, 10504, 10521, and 10528 of, and to repeal Section 10520 of, the Government Code, relating to the Joint Legislative Audit Committee;

Assembly Bill No. 1497—An act to amend Sections 901, 903, 2811 and 2892 5 of the Business and Professions Code, relating to health occupations;

Assembly Bill No. 1556—An act to amend Section 576 of the Streets and Highways Code, relating to state highways;

Assembly Bill No. 1562—An act to add Section 602.5 to the Code of Civil Procedure, relating to selecting jurors;

Assembly Bill No. 1611—An act relating to the transfer of property by the Director of General Services;

Assembly Bill No. 1655—An act to add Section 19956.5 to the Health and Safety Code, relating to curbs and sidewalks;

Assembly Bill No. 1786—An act to amend Sections 8496 and 8843 of, and to add and repeal Section 8836.7 of, the Fish and Game Code, relating to fishing;

Assembly Bill No. 1932—An act to amend Section 14104.3 of the Welfare and Institutions Code, relating to health care services;

Assembly Bill No. 1958—An act to amend, repeal, and add Section 5328 of, and add Section 5328 9 to, the Welfare and Institutions Code, relating to mental health;

Assembly Bill No. 2145—An act to amend Section 739 of the Welfare and Institutions Code, relating to minors;

Assembly Bill No. 2261—An act to amend Section 1208 of the Penal Code, relating to work furlough;

And reports the same correctly enrolled, and presented to the Governor at 11 a m., August 11, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 15, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 26—An act to amend Sections 654 and 668 of, and to add Sections 654 05 and 654.06 to, the Harbors and Navigation Code, relating to vessels,

Assembly Bill No. 169—An act to amend Sections 20605 and 21252 6 of, and to add Sections 20750 426 and 22013.3 to, the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 209—An act to amend Sections 25951, 25953, 26001, 26002, and 26151 of, and to add Sections 23601 6, 23601 9, 26052 5, 26052 6, 26064, 26065, 26066, and 26158 to, and to repeal Sections 26004 and 26006 of, the Education Code, relating to the California Maritime Academy,

Assembly Bill No. 245—An act to add Article 2 3 (commencing with Section 8720) to Chapter 15 of Division 3 of the Business and Professions Code, relating to land surveyors;

Assembly Bill No. 256—An act to amend Sections 1171, 1173, 1174, 1178, 1182, 1183, 1185, 1191, 1193, 1193 5, 1193 6, 1194, 1194.5, 1195, 1195.5, 1197, and 1199 of, and to amend the heading of Part 4 (commencing with Section 1171) of Division 2 of, the Labor Code, relating to employees;

Assembly Bill No. 271—An act to add Chapter 22 (commencing with Section 9998) to Division 3 of the Business and Professions Code, and to repeal Title 1 5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer reporting agencies;

Assembly Bill No. 375—An act to add Section 11555 5 to the Government Code, to add Title 6 (commencing with Section 13800) and Title 6 5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of, the Penal Code, relating to criminal justice;

Assembly Bill No. 383—An act to amend Sections 20013, 20014, 20017 5, 20017.6, 20017.7, 20017 75, 20017 76, 20017 77, 20017 8, 20017 9, 20602 92, 20605, 20612, 20750 3, 20803 7, 20950, 20980 5, 21022, 21252.1, 21252.6, 21263 1, 21290 5, 21292 5, 21293, 21295, and 21363 of, to add Sections 20604, 21252 7, 21252 8, 21252 9, 21252 95 and 21363 5 to, and to repeal Sections 20013 5, 20014 4, 20014 5, 20014 6, 20014 7, 20014 9, 20604, 20750 36, 20750 37, 20750 4, 20750 41, 20750 42, 20750 425, 20750 435, 20803 5, 20803 6, 20980 6, 20980 7, 21020 5, 21020.6, 21020.75, 21022.1, 21208, 21209, 21252 10, 21252 2, 21252 3, 21252 4, 21252 9, 21290 6, 21290 75, 21292 75, 21293 6, 21293 7, 21293 8, 21363 4, 21363 5, 21363 75, 21364 75, 21364 8, and 21364 9 of, the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 506—An act to add Chapter 7 9 (commencing with Section 25885) to Division 20 of the Health and Safety Code, relating to pottery;

Assembly Bill No. 666—An act to amend Sections 20201, 23754, 23754 2, 23754 3, 25505 7, and 25505 8 of, to add Chapter 7 (commencing with Section 22800) to Division 16 5 of, and to repeal Sections 23054, 23055, 23056, 23057, 23058, 23059, 23753 2, 23755, 23755 1, 23755 5, 23756, 23758, 23758 05, 23758 1, 23758 3, 23761, 25505, 25505 1, 25505.2, and 25505 9 of, the Education Code, relating to student residency;

Assembly Bill No. 680—An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to public social services;

Assembly Bill No. 684—An act to add Title 6 5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning;

Assembly Bill No. 850—An act to add Section 14026 to the Welfare and Institutions Code, relating to improper use of a Medi-Cal card or labels;

Assembly Bill No. 857—An act to amend Section 61765 of the Government Code, relating to districts;

Assembly Bill No. 885—An act to add Sections 14613.2, 21294.1 and 31721.5 to the Government Code, relating to disability retirement;

Assembly Bill No. 926—An act to amend Sections 13010, 13469.1, and 13651 2 of the Education Code, relating to school employees;

Assembly Bill No. 1036—An act to add Sections 31760 2, 31765.2, 31781 4, and 31785 1 to the Government Code, relating to county employees' retirement;

Assembly Bill No. 1057—An act to amend Section 27443 of, and to add Section 27443 5 to, the Government Code, and to amend Section 800 of the Penal Code, relating to public officers;

Assembly Bill No. 1090—An act to amend Section 26680 of the Health and Safety Code, relating to drugs and devices;

Assembly Bill No. 1138—An act to amend Section 13468 2 of the Education Code, relating to school certificated employees;

Assembly Bill No. 1162—An act to amend Section 75033 of, and to add Section 75033 5 to, the Government Code, relating to the Judges' Retirement Law;

Assembly Bill No. 1187—An act to amend, repeal, and add Sections 6316 and 6326 of the Welfare and Institutions Code, relating to mental health;

Assembly Bill No. 1194—An act to amend Section 27491.45 of the Government Code, relating to coroners;

Assembly Bill No. 1262—An act to amend Section 24073 of, and to add Section 24074 3 to, the Business and Professions Code, relating to alcoholic beverages;

Assembly Bill No. 1286—An act to add Section 825 5 to the Penal Code, relating to visitation of prisoners,

Assembly Bill No. 1320—An act to amend Section 11711 of the Vehicle Code, relating to vehicle dealers;

Assembly Bill No. 1362—An act to amend Section 7114 of, and to add Section 7151.6 to, the Health and Safety Code, relating to human remains,

Assembly Bill No. 1393—An act to amend Section 18021.7 of the Government Code, relating to fire suppression employees;

Assembly Bill No. 1414—An act to amend Section 14124 3 of, and to add Section 14119 5 to, the Welfare and Institutions Code, relating to public social services;

Assembly Bill No. 1443—An act to amend Section 9606 7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy;

Assembly Bill No. 1492—An act to amend Sections 20100 and 20104 of the Government Code, relating to Public Employees' Retirement System,

Assembly Bill No. 1494—An act to add Section 18747 3 to the Business and Professions Code, relating to professional boxing;

Assembly Bill No. 1539—An act to amend Sections 5784.5 and 5784.7 of the Public Resources Code, relating to recreation and park districts;

Assembly Bill No. 1614—An act to amend Section 19630 of the Business and Professions Code, relating to fairs;

Assembly Bill No. 1719—An act to amend Sections 280, 282, 310, 321, 322, 323, and 450 of the Elections Code, relating to elections;

Assembly Bill No. 1756—An act to add Section 21700.5 to the Vehicle Code, relating to buses;

Assembly Bill No. 1760—An act to amend Section 19545 of the Business and Professions Code, relating to horseracing;

Assembly Bill No. 1861—An act to amend Section 38105 of, and to amend, repeal, and add Sections 38121 and 38150 of, the Health and Safety Code, relating to regional centers for the mentally retarded;

Assembly Bill No. 1873—An act to add Section 38109 to the Health and Safety Code, to amend, repeal, and add Section 5325 of, and to add Section 7518 to, the Welfare and Institutions Code, relating to mentally retarded persons;

Assembly Bill No. 1914—An act to amend Section 2924 of, and to add Sections 2924f, 2924g, and 2924h to, and to repeal Section 2924d of, the Civil Code, and to amend Sections 692 and 694 of the Code of Civil Procedure, relating to mortgages and deeds of trust;

Assembly Bill No. 1937—An act to amend Section 3369 of, and to add Section 3370.1 to, the Civil Code, relating to the specific or preventive relief;

Assembly Bill No. 1957—An act to amend the heading of Chapter 5 (commencing with Section 2200) of Division 3 of, to amend Sections 2200, 2205, 2210, 2212, 2223, 2241, 2289, 2290, 2291, 2300, 2302, 2330 and 2360 of, and to add Section 2207 to, the Health and Safety Code, relating to vector control districts;

Assembly Bill No. 2092—An act to amend Section 22100 of the Vehicle Code, relating to vehicles,

Assembly Bill No. 2102—An act to amend Section 274c of the Code of Civil Procedure, relating to court reporters;

Assembly Bill No. 2239—An act to amend Section 1305 of the Penal Code, relating to bail;

Assembly Bill No. 2338—An act to amend Section 40128 of, and to add Section 40182 to, the Public Utilities Code, relating to the Orange County Transit District;

Assembly Bill No. 2362—An act to add Sections 25428 1 and 25428.2 to the Education Code, relating to community colleges;

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., August 15, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 31—An act requiring the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for the construction or modification of a steamer pier;

Assembly Bill No. 90—An act relating to the study of amphetamines;

Assembly Bill No. 265—An act to add Sections 25422 8 and 25427.6 to the Education Code, relating to community colleges;

Assembly Bill No. 355—An act to amend Section 73121 of the Government Code, relating to courts;

Assembly Bill No. 416—An act to amend Section 1609 2 of the Revenue and Taxation Code, relating to local equalization proceedings;

Assembly Bill No. 536—An act to amend Sections 31676 1 and 31676 11 of, and to add Section 31625.2 to, the Government Code, relating to county employee retirement;

Assembly Bill No. 543—An act to amend Section 31520 1 of the Government Code, relating to county employees' retirement;

Assembly Bill No. 566—An act to amend Section 5101 of the Civil Code, and to amend Section 244 of the Government Code, relating to residence;

Assembly Bill No. 592—An act making an appropriation for overtime for state employees;

Assembly Bill No. 599—An act to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to workmen's compensation;

Assembly Bill No. 617—An act to add Section 129 to the Business and Professions Code, relating to the Department of Consumer Affairs;

Assembly Bill No. 710—An act to amend Section 100 of the Harbors and Navigation Code, relating to navigable waters;

Assembly Bill No. 715—An act to add Section 4655 5 to the Labor Code, and to amend Section 2629 of, and to repeal Section 2708.1 of, the Unemployment Insurance Code, relating to workmen's disability benefits;

Assembly Bill No. 759—An act to amend Section 14056 of the Welfare and Institutions Code, relating to Medi-Cal;

Assembly Bill No. 824—An act to add and repeal Section 17525.1 to the Education Code, relating to state school support;

Assembly Bill No. 890—An act to add Sections 3714 5, 3723 5, and 3728.5 to the Public Resources Code, relating to geothermal resources;

Assembly Bill No. 941—An act to amend Section 39297 3 of the Health and Safety Code, relating to burning;

Assembly Bill No. 975—An act to add Sections 10554 3 and 10554.4 to the Welfare and Institutions Code, relating to public assistance;

Assembly Bill No. 1032—An act to amend Sections 31652 and 31672 of, and to repeal Section 31652 2 of, the Government Code, relating to the County Employees Retirement Law of 1937;

Assembly Bill No. 1192—An act to amend Sections 13408, 13485, and 13487 of, and to add Section 13492 to, the Education Code, relating to certificated employees;

Assembly Bill No. 1239—An act to add Sections 3409 and 4023.5 to the Penal Code and Sections 520 and 1753.7 to the Welfare and Institutions Code, relating to female prisoners;

Assembly Bill No. 1246—An act to amend Sections 17301 and 17303 5 of, and to add Article 12 (commencing with Section 18151) to Chapter 3 of Division 14 of, the Education Code, and to repeal Chapter 1619 of the Statutes of 1971, relating to handicapped students at community colleges;

Assembly Bill No. 1264—An act to amend Section 17536 of the Business and Professions Code, relating to civil penalties;

Assembly Bill No. 1342—An act to add Section 3600.3 to the Labor Code, relating to workmen's compensation;

Assembly Bill No. 1357—An act to add Section 13085.5 to the Education Code, relating to school employer-employee relations;

Assembly Bill No. 1468—An act to add Article 10 (commencing with Section 10921) to Chapter 1 of Division 9 of the Education Code, relating to pupils;

Assembly Bill No. 1588—An act to amend Sections 18422, 18423, and 18424 of the Education Code, relating to school district severance aid;

Assembly Bill No. 1592—An act to amend Sections 31204 and 31214 of the Education Code, relating to state competitive scholarships;

Assembly Bill No. 1670—An act to amend Section 26559 of the Health and Safety Code, relating to foods;

Assembly Bill No. 1764—An act to add Section 13085 2 to the Education Code, relating to public school employees;

Assembly Bill No. 1856—An act to amend Section 5116 of the Welfare and Institutions Code, relating to care homes;

Assembly Bill No. 1922—An act to amend Section 1013a of, and to add Section 1052 5 to, the Code of Civil Procedure, relating to civil actions;

Assembly Bill No. 1930—An act to add Sections 775 and 1586 5 and Division 14 (commencing with Section 30000) to the Financial Code, to add Sections 586.1, 590, 1514 5 and 1520 to the Probate Code, to add Section 2240 to the Civil Code, to add Section 568.1 to the Code of Civil Procedure, to amend Section 8102 of the Commercial Code, and to amend Sections 10250 and Section 27002 of the Corporations Code, relating to securities depositories;

Assembly Bill No. 2010—An act to add Article 1.3 (commencing with Section 17510) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to charitable solicitations;

Assembly Bill No. 2034—An act to amend Section 25201 of the Education Code, and to amend Sections 14254, 14666, and 14670 of the Government Code, relating to state property;

Assembly Bill No. 2072—An act to amend Section 1777.5 of the Labor Code, relating to apprentices;

Assembly Bill No. 2082—An act to amend Section 1413 of the Labor Code, relating to domestic workers;

Assembly Bill No. 2120—An act to add Section 466.3 to the Penal Code, relating to vending-machine theft;

Assembly Bill No. 2240—An act to amend Section 1300 of the Penal Code, relating to bail;

Assembly Bill No. 2285—An act to add Article 2.5 (commencing with Section 12975) to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts;

Assembly Bill No. 2332—An act to amend Sections 13210, 13352, and 13550 of the Vehicle Code, relating to drivers' licenses;

Assembly Bill No. 2378—An act to add Section 25431.6 to the Education Code, relating to community college districts;

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., August 16, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 21—Relative to embargoes on products;

Assembly Joint Resolution No. 34—Relative to strip and open-pit mining in the Los Padres National Forest;

And reports the same correctly enrolled, and presented to the Secretary of State on the 7th day of August, 1972, at 10 a.m.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 8, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by adding Article III, Section 44 to Article XIII, and Section 5 to Article XX thereof, and by repealing Section 3 of Article I, Articles III, X, and Sections 1, 6, and 16 of Article XX, and Article XXI thereof, relating to constitutional revision;

Assembly Concurrent Resolution No. 52—Relative to the proposed federal program of assistance for the aged;

Assembly Concurrent Resolution No. 108—Relative to fairs;

And reports the same correctly enrolled, and presented to the Secretary of State on the 8th day of August, 1972, at 3 p m

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 77—Relative to making additional funds available to the Joint Legislative Audit Committee;

Assembly Concurrent Resolution No. 122—Approving an amendment to the Charter of the City of Chico, State of California, ratified by the qualified electors of the city at a special municipal election consolidated with the state primary election held therein on the sixth day of June, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of August, 1972, at 11 a.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 33—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization and the State Personnel Board, and Members of the Senate and Assembly;

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of August, 1972, at 2 p.m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, August 9, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 50—Relative to dangerous drugs;

Assembly Concurrent Resolution No. 102—Relative to state civil service;

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of August, 1972, at 3 p m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 15, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 6—Relative to oil drilling;

Assembly Concurrent Resolution No. 49—Relative to earthquake-proofing of state highways and bridges;

Assembly Concurrent Resolution No. 72—Relative to awards to state employees;

Assembly Concurrent Resolution No. 104—Relative to alien non-immigrant pupils in California;

And reports the same correctly enrolled, and presented to the Secretary of State on the 15th day of August, 1972, at 11 a.m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, August 15, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 120—Relative to the creation of the Joint Committee on Siting of Teaching Hospitals;

Assembly Concurrent Resolution No. 121—Relative to off-track betting;

Assembly Concurrent Resolution No. 127—Relative to the elderly population in California;

And reports the same correctly enrolled, and presented to the Secretary of State on the 15th day of August, 1972, at 11 a.m.

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, November 8, 1972

Mr Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No. 919

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 919—An act to amend Sections 6876 1, 21625, 21632, 21633, 21634, and 21635 of the Business and Professions Code, to amend Section 607F of the Civil Code, to amend Sections 10401 and 10402 of the Corporations Code, to amend Sections 13128, 13588, and 13589 of the Education Code, to amend Section 21208 of the Financial Code, to amend Sections 1030, 14710, 15001, 15100, 15103, 15104, 20017 75, 20803 7, and 22013 of, and to repeal Section 20017 7 of, the Govern-

ment Code, to amend Sections 11002 1, 11102, 11103, 11104, 11105, 11106, 11166 05, 11166.08, 11166 10, 11166.11, 11177, 11226, 11228, 11250, 11331.5, 11332, 11333, 11395, 11425, 11426, 11573, 11574, 11576, 11652, 11654, 11655, 11655.6, 11656, 11657, 11680, 11722, 11851, 11852, 11853, 11903, 11925 1, 11925 2, 11925 3, and 11925.4 of, to repeal Sections 11004, 11005, 11100, and 11101 of, to amend, repeal, and add Sections 11655 5 and 11722 of, and to amend the heading of Chapter 2 (commencing with Section 11100) of Division 10 of, the Health and Safety Code, to amend Sections 3212.7, 4800, 4802, and 4803 of the Labor Code, to amend Sections 290, 830 3, 2082, 4852.12, 4852 14, 4852 17, 11006, 11050, 11050.5, 11051, 11102, 11105, 11107, 11110, 11113, 11115, 11116, 11117, 11120, 11122, 11123, 11124, 11125, 11126, 11127, 11150, 11152, 11161.5, 12030, 12052, 12053, 12054, 12075, 12076, 12077, 12078, 12079, 12090, 12092, 12094, 12230, 12231, 12250, 12251, 12305, 12306, 12307, 12403, 12423, 12424, 12435, 12450, 12452, 12454, 12455, 12456, 12457, 12458, 13010, 13011, 13012, 13020, 13021, and 13022 of, to repeal Sections 11000, 11005, and 11007 of, to amend the heading of Chapter 1 (commencing with Section 11000) of Title 1 of Part 4 of, and to repeal Article 1 (commencing with Section 13000) of Chapter 1 of Title 3 of Part 4 of, the Penal Code, and to amend Sections 504 and 5328 2 of, and to amend, add, and repeal Sections 8104 and 16018 of, the Welfare and Institutions Code, relating to the Department of Justice

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 13, line 20, of the printed bill, as amended in Senate July 6, 1972, strike out "Law enforcement", and insert "State safety".

Amendment No. 2

On page 13, between lines 33 and 34, insert

"SEC. 20.1. Section 20017 75 of the Government Code is amended to read:

20017.75. "~~Law enforcement~~ *State safety* member" means ~~only (a) those persons employed in the Bureau of Criminal Identification and Investigation, whose principal duties consist of active law enforcement and who are peace officers as defined in Section 830 2 of the Penal Code, but excluding clerical personnel or those whose principal duties are clerical or otherwise and which do not clearly fall within the scope of active law enforcement service, even though such a person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active law enforcement~~ *(a) all persons within the Department of Justice designated as peace officers, holding a certificate from the Commission of Peace Officers Standards and Training, and performing investigative duties,* and (b) the members of the California State Police Division who are peace officers as defined in Section 830 2

of the Penal Code and whose principal duties consist of active law enforcement, but excluding clerical personnel or those whose principal duties are that of telephone operator, machinist, mechanic, security officer or otherwise clearly not within the scope of active law enforcement, even though the person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active law enforcement ''

Amendment No. 3

On page 13, line 36, strike out ''Law enforcement'', and insert ''State safety''.

Amendment No. 4

On page 13, line 37, strike out ''law enforcement'', and insert ''state safety''.

Amendment No. 5

On page 14, lines 1 and 2, strike out ''law enforcement'', and insert ''state safety''.

Amendment No. 6

On page 14, line 3, strike out ''Law enforcement'', and insert ''State safety''.

Amendment No. 7

On page 14, lines 14 and 15, strike out ''law enforcement'', and insert ''state safety''.

Amendment No. 8

On page 17, line 21, strike out ''inspectors'', and insert ''agents''.

Amendment No. 9

On page 18, line 24, after ''officer'', insert '', agent''.

Amendment No. 10

On page 32, line 14, strike out ''law enforcement'', and insert ''state safety''.

Amendment No. 11

On page 32, line 39, strike out ''law enforcement'', and insert ''state safety''.

Amendment No. 12

On page 40, line 30, strike out ''(o)'', and insert ''(c)''.

Amendment No. 13

On page 41, line 19, after ''descriptions'', insert a comma.

Amendment No. 14

On page 41, line 23, strike out ''state bureau'', and insert ''Department of Justice''.

Amendment No. 15

On page 42, line 4, strike out ''Bureau of Identification'', and insert ''Department of Justice''.

Amendment No. 16

On page 42, line 20, strike out "Bureau of Identification", and insert "Department of Justice".

Amendment No. 17

On page 42, line 28, strike out "Bureau of Identification", and insert "Department of Justice".

Amendment No. 18

On page 42, line 31, strike out "Bureau of Identification", and insert "Department of Justice".

Amendment No. 19

On page 42, line 36, strike out "bureau", and insert "department".

Amendment No. 20

On page 46, line 7, strike out "bureau", and insert "department".

Amendment No. 21

On page 50, line 35, strike out "bureau", and insert "department".

Amendment No. 22

On page 57, line 28, strike out "bureau", and insert "department".

Amendment No. 23

On page 63, line 21, strike out "bureau", and insert "department".

Amendment No. 24

On page 67, line 34, strike out "him", and insert "it".

Amendment No. 25

On page 70, line 21, strike out "him", and insert "it".

Amendment No. 26

On page 71, line 21, strike out "and"

Amendment No. 27

On page 71, line 31, strike out the period, and insert "; and".

Amendment No. 28

On page 73, line 6, strike out "bureau", and insert "department".

Amendment No. 29

On page 77, after line 31, insert

"SEC 128. Section 20 of this act shall be operative until June 30, 1974, and as of that date is repealed

SEC. 129 Government Code Section 20017 75 as amended by Section 20.1 of this act shall become operative on July 1, 1974."

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, November 8, 1972

Mr. Speaker: The Chairman of your Committee on Agriculture reports:

SB No. 451

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

BRIGGS, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 451—An act to add Article 2 (commencing with Section 44971) to Chapter 9 of Division 17 of the Agricultural Code, relating to agricultural products.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly July 31, 1972, strike out "for fresh consumption".

Amendment No. 2

On page 2, line 12, strike out "inspected for compliance", and insert "certified as complying".

Amendment No. 3

On page 2, lines 16 and 17, strike out "for fresh consumption".

Amendment No. 4

On page 2, line 25, strike out "for fresh consumption".

Amendment No. 5

On page 2, line 25, strike out "does", and insert "do".

Amendment No. 6

On page 3, line 11, strike out "Such regulations may"; and strike out lines 12 to 18, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were received, and by unanimous consent, ordered printed in the Journal:

Veto Message—Assembly Bill No. 1805

Governor's Office, Sacramento
August 11, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1805 entitled, "An act to add Section 20024 2 to the Government Code, relating to the Public Employees' Retirement System."

This bill would permit individual contracting agencies under the Public Employees' Retirement System to elect the highest single year of compensation rather than the highest three year average as the basis for payment of retirement benefits for local safety members.

Final compensation computations in a multiple employer, multi-membership classification system, such as the Public Employees' Retirement System, must be uniform. Variations within the system can only create excessive administrative burdens and further aggravate the already complex problem of estimating and funding future benefits.

The present three year basis for computing retirement benefits already is a very liberal provision and I find no compelling evidence to support the need for a different method of computing benefits for a single category of employees.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 11th day of August, 1972, at 4:40 p.m. of Assembly Bill No. 1805, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 612 (Item Veto)

Governor's Office, Sacramento
August 11, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: Attached is a copy of my statement reducing the appropriation contained in Assembly Bill No. 612.

Assembly Bill No. 612 was filed with the Secretary of State today, and has been assigned Chapter No. 841.

Respectfully,

RONALD REAGAN, Governor

Governor's Office, Sacramento
August 11, 1972

I am reducing the appropriation contained in Section 2(b) of Assembly Bill No. 612 from $500,000 to $400,000.

The reduced appropriation reflects what I believe is an appropriate level of State support for Operation SHARE for 1973–74.

With the above reduction I approve Assembly Bill No. 612.

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 11th day of August, 1972, at 5·10 p.m. of the Governor's statement reducing the appropriation contained in Assembly Bill No. 612, delivered to me personally by Marian E. Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 615

Governor's Office, Sacramento
August 14, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 615 entitled, "An act to add Section 129 5 to the Business and Professions Code, relating to the Department of Consumer Affairs"

This bill would require that each board, bureau, commission and committee within the Department of Consumer Affairs, with the exception of the State Athletic Commission and the State Board of Guide Dogs for the Blind, shall publish and mail a newsletter at least twice a year to each licentiate or to each business establishment licensed by the board, unless the board determines that there has been no change in any law or regulation since the previous newsletter, in which case the newsletter shall be published at least once a year.

While I agree that a need exists to give greater publicity to the work of the agencies within the Department of Consumer Affairs, I feel that this only can be accomplished by giving the department, itself, the responsibility and authority for developing an overall information program, with sufficient flexibility to provide pertinent and timely information, not only to licensees, but to the general public as well

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 14th day of August, 1972, at 10·15 a m of Assembly Bill No 615, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1411

Governor's Office, Sacramento
August 14, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning, without my signature, Assembly Bill No. 1411 entitled, "An act to amend Section 14131 of the Welfare and Institutions Code, relating to Medi-Cal "

Under the current law regarding the Medi-Cal Program, no supplemental benefit can be utilized until the corresponding basic benefit has been exhausted. AB 1411 provides an exception to this requirement. Under AB 1411, physician visits allowed under the supplemental schedule of benefits, or extended treatment plans allowed pursuant to Section 14133 1 of the Welfare and Institutions Code, can be utilized without exhausting the corresponding basic benefits

This bill would significantly diminish the utilization control, for physicians' services as well as other services, covered by the basic schedule of benefits, contained in the Medi-Cal Reform legislation I signed in 1971. In my opinion, no compelling reason exists to lessen the existing utilization controls on these services.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 14th day of August, 1972, at 10·15 a m. of Assembly Bill No. 1411, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 205

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill 205 entitled, "An act to amend Sections 634 5, 976 7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance "

Assembly Bill 205 would extend unemployment insurance to agricultural laborers on a mandatory basis rather than a voluntary basis

I regret that I must again veto legislation which would provide California's full-time agricultural workers with the same measure of protection enjoyed by other workers. The inequities which would be created by this legislation, however, far overshadow the inequities which now exist.

The major problem with this bill is the tremendous economic disadvantage which would be created for California agriculture in competing with farm products from states which pay lower wages and provide little or no protection to their farm laborers

Passage of Assembly Bill 205 would cost California's employers approximately $66 million, of which only $32 million would be paid by the agricultural industry The remaining $34 million would have to come from nonagricultural employers. A huge deficit would be created in the Unemployment Insurance Fund which would have to be made up through increased unemployment insurance rates.

Assembly Bill 205 does not contain a realistic definition of an agricultural worker who is actively in the labor force Thus, a worker need only be employed for about one peak month out of a year to make him eligible to draw unemployment compensation This is not the purpose for which the Unemployment Insurance Fund was created

I am encouraged that action will soon be taken at the federal level which will provide coverage for all full-time agricultural workers, regardless of whether they work only in one state or follow the crops in several states, as many farm laborers do President Nixon's administration has conducted a study on the feasibility of unemployment insurance coverage for agricultural workers, and I understand this study will be used as the basis for introduction of federal legislation in the near future In the meantime, California's own State Board of Agriculture is exploring the feasibility of state legislation which would not create the problems inherent in Assembly Bill 205

I would suggest to all members of the farming community—employers and workers alike—that they urge their Congressional representatives to support federal legislation to provide our agricultural labor force with this important protection on an equitable and nation-wide basis

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5.20 p m. of Assembly Bill No 205, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 569

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 569 entitled, "An act to add Section 21023 6 to the Government Code, relating to disability retirement."

This measure would remove from the Public Employees' Retirement System the responsibility for determining the issue of disability retirement for local safety members.

Assembly Bill 569 will result in differing standards for disability within the System for each contracting employer and between miscellaneous and safety members under the same employer. It will also preclude a member retired for disability from being reinstated by the State or any other contracting employer unless the original employer agrees to the reinstatement.

The determination of eligibility for any benefit should rest with the agency responsible for its payment, in this case the Public Employees' Retirement System.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5:20 p.m. of Assembly Bill No. 569, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 699

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 699 entitled, "An act to add Section 201.5 to the Elections Code, relating to voter registration."

This measure provides that high schools must permit voter registration during non-class hours on school premises.

School authorities should retain the power to control the uses to which school property may be devoted, and the activities which occur thereon so that the school can properly function without interference.

The law currently permits voter registration on high school campuses, but leaves to the principal the discretion to determine the time and place of such registration. In this way the appropriate school functions are not impeded. I want to emphasize that I am totally in favor of all young people 18 and over, exercising their franchise rights. Current voter registration laws adequately permit them to do so.

Accordingly, I am returning the bill.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5.20 p m of Assembly Bill No 699, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 783

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 783 entitled, "An act to add Chapter 8 (commencing with Section 21200) to Division 8 of the Business and Professions Code, relating to skiing safety."

Assembly Bill 783 would create a 12 member council to promote skiing safety

I have already approved four bills introduced by the author of this measure which

extends the jurisdiction of the Division of Industrial Safety to regulation of aerial passenger tramways including ski lifts;

requires the division to promulgate and publish safety orders directing owners and operators of aerial tramways and ski lifts to report known incidents of personal injuries;

requires the division to establish standards of qualifications for persons engaged in the operation of aerial passenger tramways and ski lifts and that such standards be consistent with the general objective of providing for the safety of members of the public who use aerial tramways and ski lifts; and

requires the division to inspect aerial tramways and ski lifts twice each year, one of which shall be made during the skiing season.

I can find no justification to create a council which will duplicate responsibilities just placed in the Division of Industrial Safety.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5 20 p m of Assembly Bill No 783, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1158

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1158 entitled, "An act to add Sections 1162 7 and 1302 5 to the Education Code, relating to school district elections "

Assembly Bill 1158 would prohibit a school district bond election or special election to fill a vacancy on a school district governing board from being held except in conjunction, or in consolidation, with a school district election or a regular state or municipal election This bill is limited to school district territory in which a regular state or municipal election is held at least once a year, and which is located in Los Angeles County

I am aware that Assembly Bill 1158 is intended to solve problems relating to the costs of elections affecting the Los Angeles Community College District. However, the bill creates far more problems than it solves. I have been advised by the Office of the Los Angeles County School Superintendent, the California School Boards Association, and the Los Angeles County Registrar of Voters that this bill would create a number of serious problems for many of the school districts in Los Angeles County I share their concern in this matter.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5 20 p m of Assembly Bill No 1158, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marion Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1379

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1379 entitled, "An act to add Section 14002 to the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately "

This measure would permit a single individual who earned full credit in the Public Employees' Retirement System as a full-time city

director of Public Health to gain additional retirement credit in the State Teachers' Retirement System for adult education service

Both the State Teachers' Retirement System and Public Employees' Retirement System laws expressly prohibit a member from earning more than one year of service credit during one year There appears to be no justification for placing one person in a privileged position with respect to all other members of our two major State retirement systems.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5.20 p m of Assembly Bill No 1379, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1541

Governor's Office, Sacramento
August 15, 1972

The Honorable Member of the Assembly
State of California
State Capitol, Sacramento, California

Greetings- I am returning without my signature Assembly Bill No. 1541 entitled, "An Act to amend Section 8 of the Health and Safety Code, relating to writings "

This bill would require, in counties in which a significant number of the population, as determined by the county clerk, does not read English, that the local health department make copies of all circulars and pamphlets relating to family planning which are made available to the public also available in such other language or languages which such significant number of the population reads

While I agree that a need exists to make family planning information available to all segments of our society who desire it, I cannot approve a measure which, in addition to mandating cost on local government, is vague and confusing

I would not object to approving a measure which would provide this type of authority to local government on a permissive basis

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5 20 p m of Assembly Bill No 1541, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 2229

Governor's Office, Sacramento
August 15, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 2229 entitled, "An act to add Section 25254 to the Vehicle Code, relating to lighting equipment."

This measure authorizes the display of flashing amber warning lights to the rear by any publicly owned vehicle operated by peace officer personnel of a marshal's department when necessarily parked upon a highway pursuant to carrying out the orders of any court.

The present practice of restricting the use of such lights to those types of vehicles which constitute a traffic hazard has maintained the integrity of this type of warning device. Recent studies have shown that indiscriminate use of flashing lights adds to congestion and confusion In considering the duties performed by municipal court marshals, the need for such devices does not appear justified.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 15th day of August, 1972, at 5 20 p m. of Assembly Bill No 2229, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1419

Governor's Office, Sacramento
August 16, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill 1419 entitled, "An act to amend Section 25502 5 of, and to add Section 25502 6 to, the Education Code, relating to community colleges "

This bill would delete the authority of the community colleges to charge tuition to certain students between the ages of 18 and 21.

This bill is intended to reverse the effect of legislation enacted last year which reduced the age of majority from 21 to 18 One result of that legislation was to permit the community colleges to charge tuition to student over 18 instead of 21

There is no urgency surrounding this measure I have already approved legislation which stays the authority of the community colleges to charge tuition to the 18 to 21 age group until May 1, 1973, thereby

allowing additional time to review this matter together with other educational reform issues in community college programs

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 16th day of August, 1972, at 4 p m of Assembly Bill No 1419, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1665

Governor's Office, Sacramento
August 16, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1665 entitled, "An act to add and repeal Section 20990 of the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately "

This would permit one member of the State Employees' Retirement System, who would otherwise be required to retire in 1972, to work until June 30, 1973

I am unaware of any special circumstances to justify approval of this measure

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 16th day of August, 1972, at 4 p m of Assembly Bill No 1665, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1681

Governor's Office, Sacramento
August 16, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1681, entitled, "An act to add Section 11019 to the Welfare and Institutions Code, relating to public assistance "

This measure would require the State to maintain its current level of public assistance to adult recipients if federal law is amended to set minimum grants for such recipients

This legislation is premature I believe that it is advisable to defer action on proposals of this type pending the outcome of federal welfare reform legislation so that all options and alternatives available to California will be known

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 16th day of August, 1972, at 4 p m of Assembly Bill No 1681, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 586

Governor's Office, Sacramento
August 16, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings. I am returning without my signature Assembly Bill No 586 entitled, "An act to amend Section 13525 of the Education Code, relating to teachers' salaries."

This bill would increase the minimum salary for a beginning teacher from $6000 to $7200 effective July 1, 1973

Assembly Bill 586 would mandate increased costs on some school districts and would trigger additional pressure for salary increases at all levels at a time when school districts are faced with financial crises

In addition, I believe that the subject of teachers' salaries is a matter that should be decided by local school districts and not the Legislature Individual school districts should be able to adjust their salary schedules to meet recruitment problems and their individual financial resources

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 16th day of August, 1972, at 8 05 p m of Assembly Bill No 586, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1028

Governor's Office, Sacramento
August 16, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1028 entitled, "An act to add Section 22810 1 to the Government Code, relating to state employees"

Assembly Bill 1028 would permit a retired employee to enroll in a Meyers-Geddes Health Benefits Plan effective July 1, 1973, or at an earlier date as may be fixed by the Public Employees' Retirement System Board.

This bill would establish an open enrollment period for those retired employees who do not currently participate in the program because they failed to do so when they were eligible or because they voluntarily terminated their health plan subsequent to retirement

An employee is allowed to choose at the time of retirement whether he desires to continue a health plan after retirement It would be inappropriate to allow a retired employee to enter and later drop health plan coverage at his or her option each time there is an open enrollment period This would cause higher premium costs to both active and retired employees

Under the law, an employee cannot change his retirement benefit option program after he makes a choice The choice a retiring employee makes regarding his health plan coverage is no different than the survivor benefit options he chooses

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 16th day of August, 1972, at 8 05 p m of Assembly Bill No 1028, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 2358

Governor's Office, Sacramento
August 16, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 2358 entitled, "An act to add Article 3 (commencing with Section 51350) to Chapter 1, Part 2, Division 1, Title 5 of the Government Code, relating to counties and cities."

This bill would provide that the County of Los Angeles in providing contract or authorized services to any city in the county may only charge the city for additional costs incurred in providing the service. The measure further provides that the county shall not charge a contract city for any portion of costs which are for services made available to all portions of the county.

There is considerable equity supporting the position of the contract cities in seeking enactment of this legislation. However, it would mark the first legislative intrusion by the state into the contractual relationship between the cities and the county involved These contractual negotiations should ideally be a matter of local government policy without interference by the state.

As part of a review of this bill, I have contacted the appropriate county officials. I was assured they will reopen the entire question of overhead costs being included in contracts between cities and the county for the provision of municipal type services to eliminate inequitable charges to contract cities paid for through county taxes. If such efforts on the part of the contract cities and the county to resolve this problem are not successful during the next few months, it may then be necessary for the state to enter this field through the passage of appropriate legislation

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 16th day of August, 1972, at 8 05 p m. of Assembly Bill No. 2358, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 52

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 52 entitled, "An act to add Sections 4811, 4812, 4813, 4814, and 4815 to the Labor Code, relating to workmen's compensation."

Assembly Bill 52 would provide that employees of the Department of Alcoholic Beverage Control who are peace officers are entitled, under specified conditions, to a leave of absence without loss of salary while disabled from injury arising out of his duties

In vetoing this bill, I am not making a judgment concerning the merits of this particular proposal I believe that piecemeal extension

of special benefits should be halted and a new look taken at the rationale for establishing employee benefits in state service

It is my belief that entitlement qualification for this type employee benefit, of which this proposal is only one of many pending before the Legislature should be based on need and should be at an equitable level for all state employees

At my direction, the Secretary of Agriculture and Services has been conducting a study into all types and levels of employee benefits Under his direction, a task force is currently developing information and recommendations which will result in legislative proposals at the next session of the Legislature

I shall await the outcome of that study before approving any legislation which extends further special benefits to one group of employees while others are ignored

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 9 45 a m of Assembly Bill No 52, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 305

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 305 entitled, "An act to amend Section 4709 of, and to add Sections 4836, 4837, 4838, 4839, and 4840 to, the Labor Code, relating to law enforcement personnel "

Assembly Bill 305 would include dependents of "law enforcement" class officers and employees of Department of Corrections and Department of Youth Authority who are killed or totally disabled in performance of their duties and was caused by the direct action of inmate or accomplice of inmate within class of dependents eligible for specified scholarship benefits at certain colleges in state

Although I am unable to approve this bill, I have no objection to that portion of the measure relating to scholarship benefits nor am I making judgment concerning the merits of disability leave of absence However, I believe that piecemeal extension of special benefits should be halted and a new look taken at the rationale for establishing employee benefits in state service

It is my belief that entitlement qualification for this type employee benefit, of which this proposal is only one of many pending before the Legislature, should be based on need and should be at an equitable level for all state employees.

At my direction, the Secretary of Agriculture and Services has been conducting a study into all types and levels of employee benefits Under his direction, a task force is currently developing information and recommendations which will result in legislative proposals at the next session of the Legislature

I shall await the outcome of that study before approving any legislation which extends further special benefits to one group of employees while others are ignored

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 9.45 a m of Assembly Bill No 305, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1172

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 1172 entitled, "An act to amend Section 1510 and 1513 of the Probate Code, relating to guardians and wards"

This bill would authorize a guardian to invest money of a ward in shares of an insured credit union

I am returning this bill unsigned at the request of the author because of a chaptering problem I would have approved Assembly Bill 1172 but for this fact.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 9 46 a m of Assembly Bill No 1172, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 926

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 926 entitled, "An act to amend Sections 13010, 13469 1, and 13651 2 of the Education Code, relating to school employees"

I am returning this bill unsigned because it conflicts with legislation approved earlier this year. I am taking this action at the request of the author.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 9·47 a m of Assembly Bill No 926, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 272

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings. I am returning without my signature Assembly Bill No. 272 entitled, "An act to add Section 7503 to the Education Code relating to educational programs"

This bill would give school district governing boards the power to initiate and carry on any educational program which is consistent with the laws and purposes for which school districts are established The bill would become operative upon approval of Assembly Constitutional Amendment No 26 by the voters in November

In my State-of-the-State Message this January, I deplored the number of mandates and directives contained in our Education Code At present, our school districts not only must operate under an almost infinite variety of detailed statutes, but are now prohibited from doing anything the Education Code does not allow

The need for simplification should not, however, lead us to rush to another extreme The balance between clear enunciation of statewide policy of maximum flexibility and local control in the school districts, on the other, is not easily achieved I do not believe that the approach which is proposed in AB 272 gives adequate consideration to this delicate balance. Further, the Joint Legislative Committee for Revision of

the Education Code is meeting at this very moment and will provide a more realistic solution to the problem

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 10 00 a m. of Assembly Bill No. 272, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Coleen Hickey.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 483

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings. I am returning without my signature Assembly Bill No. 483 entitled, "An act to amend Sections 12822, 12823, 12826, and 12848 of, and to add Sections 12821 5 and 12821 7 to, the Education Code, relating to school testing."

Among other matters mandated, AB 483 would delete the authority of the State Board of Education to designate scholastic aptitude tests to be used in a school testing program; it deletes from definition of a testing program, scholastic aptitude testing, and deletes average scholastic ability from factors to be included in required annual testing program reports to the Department of Education.

In addition, the bill would prohibit school districts from administering to pupils in the district any group standardized test, or any other test, which measures or attempts to measure the scholastic aptitude of pupils.

This bill represents a direct challenge to the authority and competence of the State Board of Education and local school boards to determine policies and the implementation of policies insofar as scholastic aptitude testing is concerned In addition, it would eliminate the very methods which may be used to find individuals who have the ability to learn but who have not been discovered

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 10 01 a m. of Assembly Bill No. 483, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Coleen Hickey

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 4

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 4 entitled, "An act to amend Sections 201 and 14217 of the Elections Code, relating to instructions to voters"

This bill would mandate the appointment of foreign-language-speaking election officials in precincts with a substantial number of persons whose native language is other than English

I cannot approve this measure because it is unnecessary and unworkable and would result in abuses in polling practices

This bill is unnecessary for several reasons. first, existing law already permits any person to bring his own interpreter if he feels that he is not sufficiently proficient in the English language to cast an intelligent vote, and secondly, the law does not prohibit the appointment of foreign language speaking registrars by local county clerks.

In addition to being unnecessary, the bill is unworkable because it is vague in at least two important areas It would require county clerks to appoint foreign speaking election officials where there is a "substantial number" of persons whose native language is other than English without defining what is a "substantial number", and secondly the requirement that "substantial" be based on "native language" has no relationship to the ability of these persons to read or write English

The provision requiring recruitment of election officials by such media as newspapers, radios and television can only result in extensive additional costs to the taxpayers.

Finally, if the county clerks were able to spend the funds necessary to determine on a precinct by precinct basis that a "substantial" number of voters exists whose native language is other than English, recruit and pay for additional interpreters, the bill lacks the protection necessary to insure that these interpreters will not influence the voters at the polls.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 48 p m of Assembly Bill No 4, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 252

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 252 entitled, "An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately."

This bill would appropriate $21,607,320 from the General Fund for increases in compensation for academic, and instructional and instructional-related employees of the University of California and the California State Colleges.

I have already provided $35,165,000 in the 1972 Budget Act for a 7½% across-the-board increase and an additional 1 45% in inequity adjustments for these faculty and related positions. The budgeted amount has already provided substantial salary inequity relief for this group of employees and the increases contained in this bill would greatly exceed the salary treatment provided for other employee groups In addition Assembly Bill 252 would provide a 5½% increase which is 1½% above the amount recommended by the Coordinating Council for Higher Education.

I have already stated that I am planning to budget funds in 1973–74 to correct remaining salary inequities for all employee groups This two-year approach is designed to provide equitable treatment for each of the State's employee groups, and recognizes the practical limitations on salary increases which result from the Federal Pay Board regulations.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 48 p m of Assembly Bill No 252, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1562

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1562 entitled, "An act to add Section 602 5 to the Code of Civil Procedure, relating to selecting jurors"

This bill would require that a court shall permit the reasonable examination of prospective jurors by counsel for both parties.

The California Rules of Court were amended effective January 1, 1972 to provide for judge-conducted examinations of prospective jurors in civil cases. This rule change was endorsed by the State Bar of California

No valid reason has been presented to support a change in a procedure that has speeded up the selection of jurors in civil cases There is clear evidence of substantial support from the legal community for the present procedure. Preliminary studies of the Judicial Council and the State Bar indicate that over 70 percent of the California attorneys surveyed believe that the present rule is both time-saving and fair to both sides

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 48 p m. of Assembly Bill No. 1562, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 262 (Item Veto)

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: Attached is a copy of my statement reducing the appropriation contained in Assembly Bill No 262

Assembly Bill No 262 was filed with the Secretary of State today, and has been assigned Chapter No 1023.

Respectfully,

RONALD REAGAN, Governor

Governor's Office, Sacramento
August 17, 1972

I am reducing the appropriation contained in Section 3 of Assembly Bill No. 262 from $5,020,000 to $20,000 by deleting the $5,000,000 appropriation contained in Section 3 (a) of the bill

The reduced appropriation will be sufficient to provide start-up costs to develop the appropriate administrative controls for new and expanded methadone maintenance programs

Additional funding will be earmarked for this program when SB 714, a comprehensive drug abuse prevention plan, is finally passed. It

is my expectation that with the additional funding provided in SB 714 and the administrative mechanism provided for by AB 262, the program set up by this bill will be able to operate to its fullest potential.

With the above reduction, I approve Assembly Bill No. 262

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 50 p m. of reduction of appropriation contained in Assembly Bill No 262, delivered to me by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 278

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 278 entitled, "An act to add Sections 301 1 and 407 1 to the Streets and Highways Code, relating to state highways "

This measure would preclude the construction of any portion of State Highway Route 1 as a freeway or expressway within the city limits of Lomita The bill would also delete State Highway Route 107 from the California freeway and expressway system

That portion of Route 1 which this bill would direct not be constructed as a freeway was deleted from the freeway and expressway system by Senate Bill 1087 (Chapter 782)

Route 107 represents the only north-south corridor between the Santa Monica-Hawthorne area and the Palos Verdes Hills area to the south As evidenced by House Resolution 97, we are in agreement that a thorough study should be conducted in cooperation with the cities and counties involved in the Route 107 corridor I do not believe that the route should be removed from the freeway and expressway system until a study is completed so that all transportation options can be considered

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 50 p m of Assembly Bill No 278, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

ANABEL WHANG, Minute Clerk

Veto Message—Assembly Bill No. 474

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 474, entitled, "An act to amend Section 10751 of, and to add Sections 10760, 10761, 10762, and 10763 to, the Education Code, relating to pupil records."

This bill would establish a procedure for the removal of inaccurate or non-factual information from written records of public school pupils

I am objecting to this bill solely because it contains certain technical defects I agree that there is a need for a procedure to facilitate the removal of incorrect information from a pupil's school record I have asked my staff to provide any assistance required by the author to insure early passage of such legislation

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 50 p m of Assembly Bill No 474, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

ANABEL WHANG, Minute Clerk

Veto Message—Assembly Bill No. 584

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 584 entitled, "An act to add Section 425 1 to the Streets and Highways Code, relating to state highways "

I am not approving this bill because the deletion of this route from the California freeway and expressway system is premature. The San Diego Comprehensive Planning Organization is coordinating a study with the Southern California Association of Governments and the Department of Public Works to study a new transportation corridor between the Los Angeles and San Diego metropolitan areas. The proposed routing of Route 125 is within the corridor limits

This deletion is opposed by the only directly affected local agency, the San Diego County Board of Supervisors.

No action should be taken deleting Route 125 until the comprehensive study is completed and the total transportation needs of the area are determined.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 50 p m. of Assembly Bill No 584, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

ANABEL WHANG, Minute Clerk

Veto Message—Assembly Bill No. 696

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 696, entitled, "An act to establish a multipurpose counseling and social services pilot project in the County of Ventura, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately "

This bill would establish and appropriate $50,000 for a pilot project in Ventura County to study the feasibility of providing a single community services worker as the primary contact for a family requiring various social services

Contra Costa County has recently completed a study with a similar objective to that contained in this proposal The Contra Costa study should be examined in terms of its applicability to Ventura County before State funds are authorized for further pilot projects

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12 50 p m of Assembly Bill No 696, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

ANABEL WHANG, Minute Clerk

Veto Message—Assembly Bill No. 1405

Governor's Office, Sacramento
August 17, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 1405 entitled, "An act to amend Section 673 of the Insurance Code, relating to premium financing"

This bill would permit an individual when purchasing insurance to orally authorize the execution on his behalf of a premium finance agreement, including execution of power of attorney to cancel the insurance on behalf of the insured.

Existing law requires a purchaser to personally sign the premium finance agreement. This provides him with the opportunity to read and discover all of the terms of the finance agreement. Approval of this measure could result in the purchaser being committed to a premium financing agreement without full knowledge of its terms I am concerned with the possible adverse effect this could have on the purchaser of insurance.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 17th day of August, 1972, at 12:50 p m of Assembly Bill No 1405, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

ANABEL WHANG, Minute Clerk

Veto Message—Assembly Bill No. 271

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 271 entitled, "An act to add Chapter 22 (commencing with Section 9998) to Division 3 of the Business and Professions Code, and to repeal Title 1 5 (commencing with Section 1750) of Part 4 of Division 3 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer reporting agencies"

This bill would replace the existing Consumer Credit Reporting Act and create a new system for regulation of credit reporting agencies

AB 271 duplicates the Fair Credit Reporting Act and adds no new protection for California consumers over that already provided by federal law I have no evidence that the federal law is not being observed

by California credit reporting agencies or that California consumers lack an adequate remedy when aggrieved I am advised that many consumer complaints involving credit reporting problems are not within the scope of the federal law or this proposal

Duplication of the federal law may well result in serious conflicts in interpretation between the Federal Trade Commission, the agency charged with administration of the Fair Credit Reporting Act, and California officials responsible for enforcement of the State law California citizens would be confused as to which is the proper agency to turn to for either interpretation or enforcement

I believe that the greatest service to consumers would be to make them more aware of their rights already granted under the Fair Credit Reporting Act. I am requesting the Department of Consumer Affairs to assist in the promotion of this information.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m of Assembly Bill No. 271, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marion Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 375

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 375 entitled, "An act to add Section 11555 5 to the Government Code, to add Title 6 (commencing with Section 13800) and Title 6 5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of, the Penal Code, relating to criminal justice."

This bill would reconstruct the California Council on Criminal Justice from a 30 member representative panel to a full-time, five-member paid board.

Under AB 375, the California Council on Criminal Justice would lose its important quality of local and regional representation It would no longer be possible to benefit from the advice of such a divergent and experienced body

The California Council on Criminal Justice, operating under the authority of the Law Enforcement Assistance Administration (LEAA), of the U S. Department of Justice, must conform to federal standards which require balanced representation of state and local law enforcement agencies, local government, juvenile delinquency officials, and community interests.

The State has been advised by the LEAA that AB 375 would not be in conformity with these standards It is essential to the success of the California Council on Criminal Justice that a broad involvement with local and regional law enforcement be maintained.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m. of Assembly Bill No 375, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 680

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 680 entitled, "An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to public social services"

This bill would provide that retroactive aid payments received as lump sum payments are to be completely disregarded for purposes of determining welfare eligibility or the amount of the welfare grant

Currently lump sum payments are considered as a resource to the recipient and are subject to personal property limitations Under AB 680 these limitations would be circumvented and such payments would constitute a windfall regardless of the amount or the circumstances under which the payments are made

Provisions of this bill are too broad and create loopholes whereby recipients could create a permanent windfall for themselves by delaying the eligibility process or deliberately withholding information to cause an underpayment This violates the spirit in which welfare is provided and would be unfair to the taxpayers who support the program.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m. of Assembly Bill No 680, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 684

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill 684 entitled, "An act to add Title 6 5 (Commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning."

This measure would authorize the establishment of local criminal justice planning districts and boards.

AB 684 would create serious problems by its lack of compliance with federal standards. Under federal law, the State of California must develop and follow a comprehensive *statewide* plan for the improvement of the criminal justice system Establishing local planning districts without any contact with regional and statewide planning design would further fragment our concepts of regional justice planning.

The bill would also establish each individual county as the basic planning district. However, it would freeze the number of planning districts at 21, the number which is currently utilized by the California Council on Criminal Justice.

There is no need to replace or duplicate the functions currently being served by the 21 regional planning districts. Operating under the authority of the California Council on Criminal Justice, there is sufficient internal control to insure uniform implementation of statewide policies This bill would fragment and confuse existing responsibilities and objectives.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5·40 p m of Assembly Bill No. 684, without the Governor's signature. together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 885

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings. I am returning without my signature Assembly Bill No. 885 entitled, "An act to add Sections 14613 2, 21294 1 and 31721 5 to the Government Code, relating to disability retirement."

This bill would provide that any person with eight or more years of service as a local police officer is eligible for any entrance examination for the position of state policeman until age 47.

It would require a retirement board of a retirement system established pursuant to the County Employees' Retirement Law of 1937 to file a disability retirement application for a safety member who is also a department head under specified circumstances

The bill would also add an additional 25 percent of final compensation to the present allowance of 50 percent of final compensation for local safety members retired for industrial disability. This increased benefit (which is in addition to Workmen's Compensation payments) would be optional to local agencies under the Public Employees' Retirement Law.

The author has requested this bill be vetoed I would have taken this action without such a request I object to each of the changes proposed by Assembly Bill 885.

Two last-minute amendments were added to the bill on the Senate floor These "special interest" amendments should have the benefit of further legislative scrutiny.

I am also concerned with the provisions relating to increased disability retirement benefits for local safety members of the Public Employees' Retirement System

Any improvement in industrial disability allowances should be accompanied by extension of the earnings provision now applicable to nonindustrial disability allowances, and should apply uniformly to all safety members

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5.40 p m of Assembly Bill No 885, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1036

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 1036 entitled, "An act to add Sections 31760 2, 31765 2, 31781 4, and 31785 1 to the Government Code, relating to county employees' retirement."

Assembly Bill 1036 would provide for an increase in survivor continuance benefits from 60 percent to 75 percent of the allowance the member would have received for disability retirement under the County Employees' Retirement Law. This increase would be at the option of each board of supervisors.

This increased benefit would increase the disparity between retirement systems operating under the County Employees' Retirement Law and those local agencies contracting with the Public Employees' Retirement System (PERS) The allowance under the latter system in similar circumstances is 50 percent of the member's allowance

Passage of this legislation would create pressure to increase the allowance under PERS which would affect not only local agencies but state government as well

A comprehensive study of state employee benefits, including survivor allowances, is currently underway. Approval of this bill should be deferred until the results of the study are evaluated.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5.40 p m. of Assembly Bill No. 1036, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1162

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1162 entitled, "An act to amend Section 75033 of, and to add Section 75033.5 to, the Government Code, relating to the Judges' Retirement Law."

This bill would provide an alternative deferred retirement benefit for judges leaving the bench at any time prior to age 70 with at least 10 years of service The benefit would be computed on the basis of 3.75 percent of salary per year of judicial service not to exceed 20 years or 75 percent. The surviving spouse of the member would receive 50 percent of the unmodified allowance.

The improved deferred retirement and survivor benefits proposed by Assembly Bill 1162 are not consistent with the development of benefits in the other state retirement systems The 75 percent of compensation with 20 years of service along with a one-half unmodified survivors allowance provides a retirement benefit which is significantly

higher than in other retirement systems The Judges' Retirement System is an unfunded system Without an increase in the judges' retirement contributions, the cost of providing these improved benefits will be passed directly to the general taxpayer

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m , of Assembly Bill No 1162, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1187

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1187 entitled, "An act to amend, repeal, and add Sections 6316 and 6326 of the Welfare and Institutions Code, relating to mental health "

This bill would require the release of mentally disordered sex offenders from prison confinement if they would not benefit from care and treatment, when and if their previously suspended prison sentences would have elapsed.

Since many mentally disordered sex offender cases are commenced through misdemeanor convictions, these men could only be held in a prison setting for one year This bill would also provide that the person so released would be civilly committed under the provisions of the Lanterman-Petris-Short Act, should he still constitute a danger to others

By virtue of the fact that a mentally disordered sex offender has demonstrated his criminal tendencies, a purely civil commitment would be inappropriate Persons who cannot benefit from care or treatment constitute far too great a threat to community safety to allow their confinement in a civil facility

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m of Assembly Bill No 1187, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1393

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill 1393 entitled, "An act to amend Section 18021.7 of the Government Code, relating to fire suppression employees."

This bill would provide for a reduction of the work week for fire suppression classes in the Division of Forestry from 84 to 80 hours.

The basic mission of the Division of Forestry is wildland fire control This mission is seasonal in nature, approximately 80 percent of the division's fire suppression personnel presently work an 84 hour week during fire season and a 40 hour week during the non-fire season The fire season lasts an average six to seven months a year These employees work a yearly average duty week of approximately 62 hours. The 62 hour duty week compares favorably with prevailing practices in other fire departments.

The cost of implementing this legislation would be $1,800,000 Since this bill carries no appropriation, it would be necessary for the Division of Forestry to redirect funds from their other programs to meet these costs. This would significantly reduce the forest fire control effectiveness of the Division of Forestry.

There is a further cost to local county government of $450,000 for fire protection services provided by the Division of Forestry under contracts currently in force.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p.m. of Assembly Bill No. 1393, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1414

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1414 entitled, "An act to amend Section 14124 3 of, and to add Section 14119.5 to, the Welfare and Institutions Code, relating to public social services."

This bill would remove the requirement for prior authorization for nursing homes It would also remove the present requirement to obtain prior authorization for extended lengths of stay in acute hospitals.

The measure would effectively eliminate necessary utilization control in that the Medi-Cal Consultant would not be permitted to deny payment for the first five days of care in nursing homes

Regulations require an additional 15 days notice before payments to a nursing home can be discontinued. Once an appeal has been filed, payments for nursing home services cannot be discontinued until a hearing has been held and a decision adopted by the Director.

Thus the state would be required to pay for an extended period of care that may or may not be medically indicated The present law prevents this from occurring, and proper medical care is not denied under the program

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m. of Assembly Bill No. 1414, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1492

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 1492 entitled, "An act to amend Sections 20100 and 20104 of the Government Code, relating to Public Employees' Retirement System "

This bill would revise the membership of the Board of Administration of the Public Employees' Retirement System (PERS) It would, among other things, remove the Director of Finance from the Board of Administration

I agree there is a need to restructure the PERS Board of Administration However, I object to the removal of the Director of Finance from the Board The Director of Finance is the only board member conversant with the state's fiscal policies To eliminate the one member with such broad knowledge of state finances does not appear to be in the best interest of the Public Employees' Retirement System.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5:40 p m. of Assembly Bill No. 1492, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1614

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1614 entitled, "An act to amend Section 19630 of the Business and Professions Code, relating to fairs."

The bill would increase the continuing appropriation for capital outlay for fairs from $2,250,000 to $4,000,000 annually.

I have asked the Director of Agriculture to work with the fair industry to implement the recommendations of the Little Hoover Commission to develop criteria for determining the fairs' need for financial assistance from the state.

The director has appointed a committee composed of fair directors and fair managers to assist in developing these criteria and to consider the other recommendations of the commission.

It would not be appropriate to increase the amount of capital outlay funds to the fairs before the work of this committee is completed.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m of Assembly Bill No. 1614, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 2102

Governor's Office, Sacramento
August 25, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 2102 entitled, "An act to amend Section 274c of the Code of Civil Procedure, relating to court reporters."

This bill would require municipal courts to provide court reporters to report municipal court proceedings

This bill would require, with certain specified exceptions, that all municipal court proceedings be reported by a court reporter if requested by either party.

AB 2102 would substantially increase the cost of providing municipal court services without any clear showing of need for a reporter's record in such proceedings The County Supervisors Association has advised me that the added county costs could be as high as $2 million annually if this bill were approved.

The Judicial Council of California objects to the bill because of its excessive cost and the limitations it imposes on the form in which municipal court proceedings can be reported. I share the concerns expressed by the County Supervisors Association and the Judicial Council

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 25th day of August, 1972, at 5 40 p m of Assembly Bill No 2102, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 31

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 31 entitled, "An act requiring the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for the construction or modification of a steamer pier "

This bill would require the Department of Navigation and Ocean Development to enter into an agreement with the City of Avalon for construction or modification of a steamer pier within Avalon harbor, subject to certification by the Director of Finance that the city is financially capable of repaying a specified loan.

The agreement required by this bill circumvents existing statutory provisions relating to economic and engineering feasibility considerations I am unaware of any compelling reason to place this project above those with established higher priorities

The Department of Navigation and Ocean Development already is working closely with the City of Avalon to realize the full benefits of harbor improvement projects constructed with $2 5 million in loans from the State Harbors and Watercraft Revolving Fund Additionally,

the Department has provided the city with an emergency storm damage loan to repair recent damage in the harbor.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m. of Assembly Bill No. 31, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 90

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 90 entitled, "An act relating to the study of amphetamines."

Assembly Bill 90 would direct the Board of Medical Examiners of the State of California, the State Board of Pharmacy, the State Department of Public Health, and the Department of Justice to jointly form a panel to conduct a study on use of amphetamines in California and report its findings and recommendations for controlling amphetamine prescription practices to the Legislature on or before July 1, 1973

Although I concur with the author's intended objective, I cannot approve this measure because (1) It would duplicate the efforts being made by federal studies currently in progress, and (2) Existing programs already address themselves to the problem of amphetamine prescription practices.

Both the State Board of Pharmacy and the Office of Narcotics and Drug Abuse monitor this area The State Board of Pharmacy has recently received funds from the California Council on Criminal Justice to develop an electronic data processing system which will allow monitoring the flow of such drugs from the manufacturers, via distributors, wholesalers, and pharmacies to the consumer.

In addition to these efforts, recent federal legislation provides for substantial reduction in the production of amphetamines by manufacturers beginning this year Therefore, such a study would be of more value if deferred until the impact of the production cut can be assessed.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m. of Assembly Bill No 90, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 592

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 592 entitled, "An act making an appropriation for overtime for state employees"

The bill would appropriate $750,000 for overtime worked by Department of Youth Authority employees between July 1, 1969, and June 30, 1971.

Litigation is currently pending in both federal and state courts on the issue of payment of overtime to Youth Authority employees pursuant to the provision of the Fair Labor Standards Act.

I believe that Assembly Bill 592 is premature If the pending suits can be satisfactorily resolved, I will ask the author of this bill to introduce urgency legislation to contain whatever appropriation may be necessary as a result of a settlement. This will reduce any further delay in payment of retroactive overtime claims which may be due Youth Authority employees.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p.m. of Assembly Bill No 592, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 599

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 599 entitled, "An act to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to workmen's compensation."

Assembly Bill 599 would provide that specified local safety personnel who are members of the Public Employees' Retirement System or County Employees' Retirement System Law of 1937 who are temporarily, rather than temporarily or permanently, disabled by illness or injury arising out of and in course of employment are entitled to paid leave of absence until returned to duty or retired on permanent disability, whichever occurs first

Certain local police and fire personnel now are entitled to a leave of absence with full pay for up to one year if they are temporarily or permanently disabled in the course of duty Although this bill would restrict this benefit to temporary disability it would also remove the one-year limitation

The Public Employees' Retirement System law provides that no one who is eligible for or is receiving a leave of absence with pay may be retired for disability prior to the expiration of the leave of absence without the member's consent The removal of the one-year limitation could place the determination as to the duration of the leave entirely with the employee. I cannot believe that it was the intent of the Legislature to hand these individuals, however deserving, a blank check which their employers would be legally compelled to honor.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2·30 p m of Assembly Bill No 599, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 715

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill 715 entitled, "An act to add Section 4655 5 to the Labor Code, and to amend Section 2629 of, and to repeal Section 2708 1 of, the Unemployment Insurance Code, relating to workmen's disability benefits"

The measure relates to temporary disability payments under the Workmen's Compensation Insurance Law and supplemental payments now available from the Disability Insurance Fund

The Workmen's Compensation Program for job-related injuries is a constitutional responsibility of California's employers They pay the entire cost of the program, which was substantially improved during the 1971 Legislative Session.

The Disability Insurance Program for off-the-job injuries or illnesses is an employee cost This program was also improved last year

Under current law, an employee injured on the job has the option of filing a claim for the difference, if any, between his temporary disability rate under Workmen's Compensation and the payment he would be entitled to from the Disability Insurance Fund if his injury had been non-job related

AB 715 would shift the cost of the differential payment from the Disability Insurance Fund directly to the employer It attempts to make employers guarantee and underwrite additional benefits, if any, negotiated under and for an employee-paid program Where the supplement is now available at the option of the employee, it would become mandatory for the employer to request a computation from the Department of Human Resources Development to determine the amount he must pay the injured workman over and above the payments already coming from the employer supported Workmen's Compensation Program The number of such computations has been estimated at 150,000 to 175,000 annually

Aside from the inequity of linking these two disability programs, vague and inappropriate language in the bill would result in administrative confusion, both for employers and for state government There is also a question as to its constitutionality

AB 715 would unfairly and perhaps unconstitutionally penalize California's employers, and could adversely affect California's ability to attract major firms to locate in this state California's employees would gain nothing from this proposal and might in fact suffer from administrative delays in temporary disability payments.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m of Assembly Bill No 715, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 975

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 975 entitled, "An act to add Sections 10554 3 and 10554 4 to the Welfare and Institutions Code, relating to public assistance "

The bill would extend the required time period between the filing of state welfare regulations and the date they take effect The extended

period is excessive and will unnecessarily restrict the state's ability to adopt emergency regulations to meet federal deadlines, implement new state statutes, and effect administrative adjustments and updating of the welfare system.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m of Assembly Bill No. 975, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1192

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 1192 entitled, "An act to amend Sections 13408, 13485, and 13487 of, and to add Section 13492 to, the Education Code, relating to certificated employees."

Assembly Bill 1192 would make several amendments to the Education Code provisions relating to dismissal and evaluation and assessment of the performance of public school certificated employees

I cannot approve this measure because of the provision that would prohibit evaluation and assessment guidelines from including publishers' norms established by standardized tests as criteria for the evaluation and assessment of certificated personnel.

Existing statutes contain no requirement that standardized tests, or their publishers' norms, be used as criteria for the assessment of teachers It should be assumed, that such criteria would be used only if they are deemed appropriate and useful in the evaluation process

Publishers' norms for standardized tests are one of the most acceptable means available to relate the academic progress of groups of pupils to nation wide averages or standards of scholastic achievement It would be inappropriate at this time for the State to limit the evaluation options available to school districts If the evaluation and assessment guidelines are to be modified, the changes should be based upon real experiences, and not upon anticipatory fears

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2.30 p m. of Assembly Bill No 1192, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 1764

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning, without my signature, Assembly Bill 1764 entitled, "An act to add Section 13085 2 to the Education Code, relating to public school employees "

AB 1764 would allow certificated employees, who are pupil service employees, to elect either to be represented by a certified employee council or to establish a pupil services committee which would have all the rights, powers, privileges and duties of a certified employee council under the Winton Act

I can see no need at this time to establish another council for pupil service employees It could mean much more negotiating time for administrators and employees alike

Certificated employees who are pupil service employees are members of and are represented in the certificated employee council The duplication that would result by the creation of another committee would contribute to the fractionalization of certificated employees

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m of Assembly Bill No 1764, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 2285

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill 2285 entitled, "An act to add Article 2 5 (commencing with Section 12975)

to Chapter 1 of Division 10 of the Education Code, relating to bilingual employees in school districts"

Assembly Bill 2285 would require governing boards of school districts to employ bilingual persons to work in the administrative office of each school when at least 30 percent of the pupils enrolled in the school speak a single primary language other than English

In addition to other mandates on local districts, this bill prescribes duties and recruitment procedures of such employees

Good management in a local district will, of course, make provisions for language problems Such problems and their solutions are the responsibilities of local school districts Approaches to solutions will vary from district to district, and should not depend on a restrictive mandate from the state What might be good for one school district could be wholly inadequate for another and, therefore, wasteful

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m of Assembly Bill No. 2285, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 2378

Governor's Office, Sacramento
August 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 2378 entitled, "An act to add Section 25431 6 to the Education Code, relating to community college districts"

This bill would provide an exception to existing Education Code provisions which prohibit the formation of a community college district if the assessed value of property in the proposed district is less than $150,000 per average daily attendance It would allow the formation of a new community college district encompassing the territory of the Garden Grove Unified School District

I am vetoing this bill with some reluctance because I am aware of the strong support for the measure from the Garden Grove community However, the Chancellor of the California Community Colleges has advised me that the creation of a new community college district to serve Garden Grove would not be in the best interest of either the taxpayer or education It is the Chancellor's position that the Garden Grove territory should be annexed to a neighboring district or districts. Approximately 4,000 students from Garden Grove presently are attending colleges maintained by neighboring districts Annexation

would eliminate the need for another costly campus It should also provide relief for taxpayers in Garden Grove

I have requested the Chancellor to meet with all interested parties to discuss this matter with the goal of arriving at an acceptable solution at the earliest possible date

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of August, 1972, at 2 30 p m of Assembly Bill No 2378, without the Governor's signature together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

R BRIAN KIDNEY, Assistant Chief Clerk

Above bills ordered to the unfinished business file

Governor's Office, Sacramento
November 8, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings This is to advise that since the legislative recess on August 4, I returned the following Assembly bills unsigned, together with a statement of my reasons therefor on each bill

Bill No.		*Delivered to*	*Date*	*Time*
AB	4	James D Driscoll, Chief Clerk	8-17-72	12 48 p m
AB	31	R Brian Kidney Asst Chief Clerk	8-28-72	2 30 p m
AB	52	James D Driscoll, Chief Clerk	8-17-72	9 45 a m.
AB	90	R Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m
AB	205	R Brian Kidney Asst Chief Clerk	8-15-72	5 20 p m.
AB	252	James D Driscoll, Chief Clerk	8-17-72	12 48 p m
AB	271	R Brian Kidney Asst Chief Clerk	8-25-72	5 40 p m
AB	272	James D Driscoll, Chief Clerk	8-17-72	10 00 a m
AB	278	Anabel Whang, Minute Clerk	8-17-72	12 50 p m
AB	305	James D Driscoll, Chief Clerk	8-17-72	9 45 a m
AB	375	R Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB	474	Anabel Whang, Minute Clerk	8-17-72	12 50 p m
AB	483	James D Driscoll, Chief Clerk	8-17-72	10 01 a m
AB	569	R Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p m
AB	584	Anabel Whang, Minute Clerk	8-17-72	12 50 p m.
AB	586	R Brian Kidney, Asst Chief Clerk	8-16-72	8 05 p m
AB	592	R Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m.
AB	599	R Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m.
AB	615	R Brian Kidney, Asst Chief Clerk	8-14-72	10 15 a.m

Bill No	*Delivered to*	*Date*	*Time*
AB 680	R Brian Kidney, Asst. Chief Clerk	8-25-72	5 40 p m.
AB 684	R. Brian Kidney, Asst Chief Clerk	8-25-72	5.40 p m.
AB 696	Anabel Whang, Minute Clerk	8-17-72	12 50 p m
AB 699	R Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p m.
AB 715	R. Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m
AB 783	R Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p.m.
AB 885	R. Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB 926	James D. Driscoll, Chief Clerk	8-17-72	9 47 a m
AB 975	R. Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m
AB 1028	R Brian Kidney, Asst Chief Clerk	8-16-72	8 05 p m.
AB 1036	R Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m.
AB 1158	R Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p.m.
AB 1162	R. Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m.
AB 1172	James D. Driscoll, Chief Clerk	8-17-72	9 46 a m.
AB 1187	R Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m.
AB 1192	R Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m
AB 1379	R. Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p m.
AB 1393	R Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB 1405	Anabel Whang, Minute Clerk	8-17-72	12 50 p m.
AB 1411	R. Brian Kidney, Asst Chief Clerk	8-14-72	10 15 a m
AB 1414	R Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB 1419	R Brian Kidney, Asst Chief Clerk	8-16-72	4 00 p m.
AB 1492	R Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB 1541	R Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p m.
AB 1562	James D Driscoll, Chief Clerk	8-17-72	12 48 p m.
AB 1614	R. Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB 1665	R Brian Kidney, Asst Chief Clerk	8-16-72	4 00 p m
AB 1681	R Brian Kidney, Asst. Chief Clerk	8-16-72	4 00 p m
AB 1764	R Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m
AB 1805	R Brian Kidney, Asst Chief Clerk	8-11-72	4 40 p m.
AB 2102	R. Brian Kidney, Asst Chief Clerk	8-25-72	5 40 p m
AB 2229	R. Brian Kidney, Asst Chief Clerk	8-15-72	5 20 p m.
AB 2285	R Brian Kidney, Asst Chief Clerk	8-28-72	2 30 p m
AB 2358	R Brian Kidney, Asst Chief Clerk	8-16-72	8 05 p m
AB 2378	R. Brian Kidney, Asst Chief Clerk	8-28-72	2.30 p.m.

This is to further advise you that I reduced or deleted items of appropriation contained in the following Assembly bills during the legislative recess:

Bill No.	*Statement of appropriations objected to, together with reasons therefor delivered to*	*Date*	*Time*
AB 262	James D Driscoll, Chief Clerk	8-17-72	12 50 p m.
AB 612	R. Brian Kidney, Asst Chief Clerk	8-11-72	5 10 p m.

Respectfully,

RONALD REAGAN, Governor

SUMMARY OF ASSEMBLY BILLS VETOED BY THE GOVERNOR DURING THE AUGUST 4 TO NOVEMBER 8 RECESS OF THE 1972 REGULAR SESSION

A B. No.	*Author*	*Subject*	*Date Vetoed*
4	Garcia, et al.	Instructions to voters	Aug 17
31	Thomas	City of Avalon pier	Aug. 28
52	Townsend	Workmen's compensation	Aug. 17
90	Harvey Johnson	Study of amphetamines	Aug 28
205	Fenton, et al	Unemployment insurance	Aug. 15
252	Barnes, et al.	Higher education. salaries	Aug. 17
262	(Item Veto) Vasconcellos, et al	Methadone Maintenance programs	Aug 17
271	Harvey Johnson, et al.	Consumer reporting agencies	Aug 25
272	Vasconcellos	Power of school districts	Aug 17
278	Beverly, et al.	State highways	Aug 17
305	MacDonald, et al.	Law enforcement personnel	Aug 17
375	Crown, et al.	Criminal justice	Aug 25
474	Stull	Pupil records	Aug 17
483	Brown	School testing scholastic aptitude	Aug 17
569	Townsend	Disability retirement	Aug 15
584	Deddeh	State Highway Route 125	Aug 17
586	Chacon, et al.	Schools - minimum teachers' salaries	Aug 16
592	Monagan	Youth Authority overtime	Aug 28
599	Beverly	Workmen's compensation	Aug 28
612	(Item Veto) Vasconcellos, et al.	Operation SHARE	Aug 11
615	Brown	Licentiates' newsletters	Aug 14
680	Burton, et al	Public social services	Aug 25
684	Crown	Local criminal justice planning	Aug. 25
696	MacDonald, et al	Consolidation of community services	Aug 17
699	Vasconcellos, et al.	Voter registration	Aug 15
715	Meade	Disability benefits	Aug 28
783	Warren	Ski Safety Advisory Council	Aug 15
885	Townsend	Disability retirement	Aug 25
926	Pierson	School employees' disability payments	Aug 17
975	Duffy	Public assistance	Aug 28
1028	Burton, et al.	State employees	Aug 16
1036	Townsend	County employees' retirement	Aug 25
1158	Meade	School district elections	Aug 15
1162	Barnes, et al.	Judges' retirement law	Aug 25
1172	Hayes	Funds of wards	Aug 17
1187	Miller	Mental health	Aug 25
1192	Lewis, et al	Certificated employees	Aug 28
1379	Knox	State Teachers' Retirement System	Aug 15
1393	Murphy, et al.	Fire suppression employees	Aug 25
1405	Foran	Premium financing	Aug 17
1411	Foran	Medi-Cal	Aug 14

A.B. No.	Author	Subject	Date Vetoed
1414	Ralph	Public social services	Aug 25
1419	Vasconcells	Community colleges	Aug. 16
1492	Joint Legislative Audit Committee	Public Employees' Retirement System	Aug 25
1541	Sieroty	Writings · foreign language copies	Aug 15
1562	Z'berg, et al.	Jury selection · civil	Aug. 17
1614	Belotti, et al.	Fairs	Aug. 25
1665	Knox	Retirement	Aug. 16
1681	Crown	Public assistance	Aug 16
1764	Ryan, et al.	Public school employee organizations	Aug 28
1805	Hayes	Public Employees' Retirement System	Aug 11
2102	Meade	Court reporters	Aug 25
2229	Brophy	Flashing amber warning lights	Aug 15
2285	Chacon, et al.	Bilingual office employees	Aug 28
2358	Gonsalves	Counties and cities	Aug. 16
2378	Cory, et al.	Community college districts · formation	Aug 28

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 968, on request of Mr Foran.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 50

Mr Burton was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 50, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 50

Assembly Bill No. 50—An act to amend Section 11008 2 of, the Welfare and Institutions Code, relating to public assistance, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 50?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 11021 to", and insert "amend Section 11008 2 of,".

Amendment No. 2

In line 2 of the title, after "assistance", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 11008 2 of the Welfare and Institutions Code is amended to read

11008 2 To the extent permitted by federal law, lump sum retroactive social security payments received under the provisions of Public Law 92-5 *and under any law enacted by Congress in 1972* shall not be considered in determining the amount payable to any person under aid to families with dependent children, aid to the blind, aid to the aged, aid to the potentially self-supporting blind, aid to the needy disabled, Medi-Cal, or county aid and relief to indigents.

This section shall not be construed to limit the provisions of Section 11008 1

SEC 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health ,or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In order that recipients of public assistance may receive the advantage of changes made in the Social Security Act this year it is necessary that this act take immediate effect "

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive, and strike out pages 2 and 3

Urgency Clause

Urgency clause read

The roll was called, and the Assembly refused to concur in the above Senate amendments, which add an urgency clause to Assembly Bill No 50, by the following vote

AYES—Burton, Fong, Hayden, Monagan, and Mr Speaker—5

NOES—Arnett, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Ray E Johnson, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Moorhead, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—54

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1261

Mr Brown was granted unanimous consent to take up Senate Bill No 1261, out of order, for purpose of amendment

Consideration of Senate Bill No. 1261

Senate Bill No. 1261—An act to amend Sections 27111, 27111 5, 27113, and 27145 5 of, and to add Sections 27115 and 27147 to, the Education Code, relating to public library systems.

Bill read third time

Motion to Amend

Mr Brown moved the adoption of the following amendment

Amendment No. 1

On page 3, line 20, of the printed bill, as amended in Senate June 5, 1972, strike out "October 1 1972", and insert "the 30th day after the effective date of this section".

Amendment read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file

ANNOUNCEMENTS

Speaker Moretti announced that the Assembly would meet at 2 p m tomorrow, November 9, and at 9 30 a m on Friday, November 10

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 50

The Speaker appointed Messrs Burton, Duffy, and Porter as a Committee on Conference concerning Assembly Bill No 50

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 93, Senate Bill No 1249, Assembly Bill No 496, and Senate Bill No. 1358 were continued until the next legislative day.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 900

Speaker Moretti was granted unanimous consent that Senate Bill No 900 be withdrawn from the Committee on Retirement and re-referred to the Committee on Employment and Public Employees

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2 45 p m , on motion of Mr Fenton, Speaker Moretti declared the quorum call of the Assembly dispensed with

ADJOURNMENT

At 2 45 p m , Speaker Moretti declared the Assembly adjourned until 2 p m , Thursday, November 9, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-second Legislative Day

Three Hundred Twelfth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, November 9, 1972

The Assembly met at 2 p.m

Hon. John T Knox, Member of the Assembly, 11th District, presiding

Chief Clerk James D Driscoll at the Desk

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.

Mr. Thomas seconded the motion.

Motion carried. Time, 2·06 p m.

The acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Speaker pro Tempore Presiding

At 2·08 p m , Hon. Carlos Bee, 13th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 2 16 p m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names.

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden,

Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—75.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Make us always conscious of our purpose and usefulness in this world. Help us to see and use new opportunities to make all of us more truly human in this period of history. May we make what is still void and uninhabitable a place fit for men to live in, and what is meaningless and inhuman bear fruit and have meaning Help us to make a new world of service and peace —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Campbell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Mobley, seconded by Mr. Ray E. Johnson.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Belotti, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Foran.

Mr Quimby, on request of Acting Speaker Foran.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

By unanimous consent, the following letter of transmittal was ordered printed in the Journal:

Joint Committee on Atomic Development and Space

October 6, 1972

Honorable Robert Moretti
Speaker of the Assembly
Members of the Assembly

Your Joint Committee on Atomic Development and Space respectfully submits this report as directed by ACR 198 5 of the 1970 Legislative Session.

The Committee as a whole has adopted this report and request that the recommendations made be acted upon at the earliest possible date.

Respectfully submitted,

ROBERT E BADHAM, Chairman
SENATOR RALPH DILLS, Vice Chairman
Senator John Nejedly
Assemblyman John Briggs
Assemblyman Walter Powers

Above report referred to the Committee on Planning and Land Use.

REPORTS

The following report was presented by the Chief Clerk:

State Water Project Annual Inspection for 1972. (As authorized by Water Code Section 165.) November 1972.

Above transmitted report, together with letter of transmittal from Ira J. Chrisman, Chairman, California Water Commission, Sacramento, dated November 3, 1972, referred by the Speaker pro Tempore to the Committee on Water.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time

Assembly Bill No. 2386: By Assemblyman Ryan—An act to amend Section 653q of the Penal Code, relating to seals

Held at Desk by order of the Speaker pro Tempore

Assembly Joint Resolution No. 41: By Assemblyman Keysor—Relative to the Pacoima Adult Skill Center.

Held at Desk by order of the Speaker pro Tempore.

COMMUNICATIONS

Assembly Chamber, November 9, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined.

AB No. 832

And reports the same correctly re-engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, November 9, 1972

Mr Speaker The Chairman of your Committee on Natural Resources and Conservation reports

SB No. 1326

With author's amendments with the recommendation: Amend, and refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1326—An act to repeal and add Chapter 8 (commencing with Section 4521) of Part 2 of Division 4 of the Public Resources Code, relating to forest practices.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 20, 1972, strike out lines 16 to 21, inclusive.

Amendment No. 2

On page 2, line 31, strike out "and", and insert "or".

Amendment No. 3

On page 3, lines 15 and 16, strike out "carrying a continuous flow of water throughout the year", and insert "shown by a solid line or dash and three dots symbol shown in blue on the largest scale United States Geological Survey topographic map Maps used shall be the latest map published or revised prior to the effective date of this chapter".

Amendment No. 4

On page 3, between lines 28 and 29, insert

"4537. Service of documents where required in this chapter may be made by registered or certified mail addressed to respondent's latest address registered on file with the State Forester Where other forms of service are prescribed, personal service is not precluded"

Amendment No. 5

On page 4, line 28, strike out "four", and insert "three"

Amendment No. 6

On page 7, line 5, strike out "any private timberland", and insert "the conduct of timber operations".

Amendment No. 7

On page 7, line 9, after "residual", insert "or"

Amendment No. 8

On page 7, line 23, strike out "permit".

Amendment No. 9

On page 7, line 29, after "the", insert "suitable and".

Amendment No. 10

On page 7, line 38, strike out "residual stand", and insert "seed source".

Amendment No. 11

On page 8, line 2, strike out "definitions apply", and insert "definition applies".

Amendment No. 11.5

On page 8, line 3, strike out "(a)".

Amendment No. 12

On page 8, strike out lines 5 and 6.

Amendment No. 13

On page 8, line 9, after the second comma, insert "disease,".

Amendment No. 14

On page 8, line 17, strike out "order to reduce the incidence of fire on forest"; strike out lines 18 to 20, inclusive; and in line 21, strike out "board", and insert "addition to the rules developed under provisions of Section 4566, the following fire prevention standards shall apply to land in the fire protection zone, as defined by the board, along public roads".

Amendment No. 15

On page 8, lines 25 and 26, strike out "for resource conservation standards".

Amendment No. 16

On page 9, lines 6 and 7, strike out "appreciably carry", and insert "be carried in appreciable amounts".

Amendment No. 17

On page 9, strike out lines 10 to 14, inclusive; and in line 15, strike out "4575", and insert
"4574".

Amendment No. 18

On page 9, line 16, strike out "logging, roadbuilding and"; strike out lines 17 and 18; and in line 19, strike out "timberlands", and insert "timber operations".

Amendment No. 19

On page 9, line 21, strike out "conduct", and insert "provide for".

Amendment No. 20

On page 9, line 23, after "soil", insert "erosion".

Amendment No. 21

On page 9, line 26, strike out "4576", and insert
"4575".

Amendment No. 22

On page 9, line 35, strike out "4577", and insert
"4576".

Amendment No. 23

On page 9, line 36, strike out "4576", and insert "4575".

Amendment No. 24

On page 9, line 38, strike out "4578", and insert
"4577".

Amendment No. 25

On page 9, line 40, strike out "4576 and 4577", and insert "4575 and 4576".

Amendment No. 26

On page 10, line 1, strike out "4579", and insert "4578".

Amendment No. 27

On page 10, line 18, strike out "4580", and insert "4579".

Amendment No. 28

On page 11, line 3, strike out "4581", and insert "4580".

Amendment No. 29

On page 11, line 15, strike out "he has given".

Amendment No. 30

On page 11, line 16, after "notice", insert "has been given".

Amendment No. 31

On page 11, line 33, strike out "Geodetic", and insert "Geological".

Amendment No. 32

On page 11, line 34, after "map", insert "or equivalent".

Amendment No. 33

On page 12, line 2, strike out "to be conducted within 50 feet of"; strike out line 3; and in line 4, strike out "slope".

Amendment No. 34

On page 12, line 8, strike out "deems necessary", and insert "requires by regulation to meet its rules and".

Amendment No. 35

On page 12, between lines 9 and 10, insert

"(h) On request of any timber owner, supported by appropriate documentation, the board may designate timberland as a "second growth management area" with roadways and other developments established. For property so designated, the board may require less detailed information."

Amendment No. 36

On page 12, line 24, after "appropriate", insert "in accordance with Sections 4624 to 4630, inclusive".

Amendment No. 37

On page 12, line 37, strike out "it", and insert "he".

Amendment No. 38

On page 12, line 38, after "appropriate", insert "in accordance with Sections 4624 to 4630, inclusive".

Amendment No. 39

On page 13, line 9, strike out "less", and insert "more".

Amendment No. 40

On page 13, strike out lines 22 to 28, inclusive.

Amendment No. 41

On page 14, strike out lines 16 and 17, and insert

"(d) The failure or refusal of the applicant to comply with the forest practice rules and provisions of this chapter."

Amendment No. 42

On page 15, line 9, after "require", insert ", including, but not limited to, the planting of a reasonable number of seedlings and young trees to restock cutover land".

Amendment No. 43

On page 16, line 20, strike out "greenery,".

Amendment No. 44

On page 17, line 3, strike out "4580", and insert "4579"

Amendment No. 45

On page 17, line 7, strike out "board", and insert "director".

Amendment No. 46

On page 18, line 1, strike out "board", and insert "director".

Amendment No. 47

On page 18, line 3, strike out "board", and insert "director".

Amendment No. 48

On page 18, lines 23 and 24, strike out "person to whom the permit was issued", and insert "timber operator and the timber owner by certified or registered mail to the last address of record of each If the timber owner is unknown, then service of the notice may be made upon the owner by posting a copy of the notice upon the property where the violation exists".

Amendment No. 49

On page 18, line 26, after "service", insert "or posting"

Amendment No. 50

On page 18, line 30, strike out "holder of the permit", and insert "timber operator or the timber owner".

Amendment No. 51

On page 18, line 31, after "thereof", insert "pursuant to Section 4628".

Amendment No. 52

On page 18, line 32, strike out "holder of the permit", and insert "timber operator or timber owner".

Amendment No. 53

On page 18, line 34, strike out "holder of the permit", and insert "timber operator or owner".

Amendment No. 54

On page 18, line 35, after "service", insert "or posting".

Amendment No. 55

On page 19, line 1, strike out "the board", and insert "him".

Amendment No. 56

On page 19, line 32, after "taken", insert "by the timber operator or the timber owner".

Amendment No. 57

On page 19, line 36, strike out ". When the holder of the"; strike out lines 37 and 38; and in line 39, strike out "hearing to hear the objections", and insert "as provided in Section 4628 If a request is made for a public hearing within 10 days from the service or posting of the notice or if the service of the notice is made upon the timber owner by posting a copy thereof on the property, the State Forester shall not take any corrective action without further order by the board. Where the timber owner or the timber operator makes such a request for public hearing, the board, after at least 15 days' written notice, shall hold a public hearing to hear the objections of the owner or operator, or both,".

Amendment No. 58

On page 20, line 5, strike out "holder of the permit", and insert "timber operator or the timber owner".

Amendment No. 59

On page 20, line 8, strike out "holder of the permit", and insert "timber operator or timber owner".

Amendment No. 60

On page 20, line 9, after the period, insert "No action shall lie on any violation occurring more than three years prior to commencement of proceedings pursuant to Section 4625 "

Amendment No. 61

On page 20, lines 14 and 15, strike out "holder of the permit, and, if not paid", and insert "timber operator and the timber owner, and, if not paid by the timber operator or timber owner".

Amendment No. 62

On page 20, line 17, after "action", insert "against the timber operator or the timber owner or against both jointly No action to recover expenses shall be commenced later than two years following the incurring of the expenses".

Amendment No. 63

On page 20, after line 23, insert

"4630 It is the intent of this article that the timber operator shall be the party primarily responsible for any costs assessed under the provisions of Sections 4626 to 4628, inclusive, except that in all cases the timber owner shall be responsible for the cost associated with restocking, as provided in Section 4571.

It is further the intent of this article that in the event the State Forester is unable to recover costs from the timber operator, then the timber owner shall be the party responsible for all costs assessed under the provisions of Sections 4626 to 4628, inclusive ''

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, November 9, 1972

Mr Speaker The Chairman of your Committee on Transportation reports

SB No 981

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 981—An act to amend Section 65860 of, and to add Section 65302 5 to, the Government Code, and to add Sections 39052 9 and 39277 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly July 20, 1972, between lines 30 and 31, insert

"SEC 2 5 Section 65860 of the Government Code is amended to read·

65860 (a) ~~County~~ *Except as otherwise provided in Section 65930 with respect to fault movement hazard lands zoning, county* or city zoning ordinances shall be consistent with the general plan of the county or city by January 1, 1973 , *and with the air pollution control element adopted pursuant to Section 65302 5 by October 1, 1975 Zoning to conform to amendments to air pollution control elements shall be made within three months of final adoption of the amendments A zoning ordinance shall be consistent with a city or county general plan if:*

(1) The city or county has officially adopted such a plan, and

(11) The various land uses authorized by the ordinance are compatible with the objectives, policies, and programs specified in such a plan

(b) Any resident or property owner within a city or a county, as the case may be, may bring an action in the superior court to enforce compliance with the provisions of subdivision (a) Any such action or proceedings shall be governed by Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure Any action

or proceedings taken pursuant to the provisions of this ~~subsection must~~ *subdivision shall* be taken within six months of January 1, 1973, or within 90 days of the enactment of any new zoning ordinance or the amendment of any existing zoning ordinance as to ~~said~~ *such* amendment or amendments."

Amendment No. 2

On page 13, after line 1, insert

"SEC. 8 It is the intent of the Legislature, if this bill and Assembly Bill No 407 are both chaptered and amend Section 65860 of the Government Code, and this bill is chaptered after Assembly Bill No 407, that the amendments to Section 65860 proposed by both bills be given effect and incorporated in Section 65860 in the form set forth in Section 2.5 of this act. Therefore, Section 2.5 of this act shall become operative only if this bill and Assembly Bill No 407 are both chaptered, both amend Section 65860, and Assembly Bill No 407 is chaptered before this bill, in which case Section 2 of this act shall not become operative."

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, November 9, 1972

Mr. Speaker: The Chairman of your Committee on Health reports

AB No 1874

AB No 2127

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1874—An act to add Section 5763.1 to the Welfare and Institutions Code, relating to mental health

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5763.1 to", and insert "amend and renumber Section 5620 of".

Amendment No. 2

In line 2 of the title, strike out "relating to mental health", and insert "as added by Chapter 1609 of the Statutes of 1971, relating to mental health, and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, is amended and renumbered to read·

~~5620~~ *5622* Prior to the release *from a community treatment facility or state hospital* of a voluntary or involuntary patient *who has been* ~~from a state hospital~~ treated therein pursuant to a county Short-Doyle plan, the local mental health director of the patient's county of residence shall provide a written plan for such aftercare services as the patient may need and agree to, upon release from the *community treatment facility or* state hospital. The local mental health director may request the *community treatment facility or* state hospital to prepare such a written plan

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

In order to insure that patients in community treatment facilities receive, as soon as possible, the improved quality of continuing care resulting from the required submission of aftercare plans, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1, strike out lines 2 to 13, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

Assembly Bill No. 2127—An act to amend Section 5651 of the Welfare and Institutions Code, relating to mental health

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 5651 of", and insert "add Sections 18107 and 20108 to, and to repeal Section 18107 and 20108 of, the Goverment Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to, and to repeal Sections 5119, 5664, 5755 5 and 5755 6 of,".

Amendment No. 2

In line 2 of the title, after "Code," insert "and to repeal Section 7 of Chapter 923 of the Statutes of 1972,".

Amendment No. 3

In line 2 of the title, after "health", insert ", making an appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 18107 of the Government Code, as added by Chapter 923 of the Statutes of 1972, is repealed

~~18107. Any employee of the State Department of Mental Hygiene transferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code, shall be entitled while employed in a county or local mental health program, to use for a period of five years following transfer any unused sick leave balance the employee had accumulated while in state employment and had remaining to his credit at the time of termination of state employment. Such sick leave shall be held in a reserve account by the state to be used, if necessary, only at such time as the transferred employee's sick leave benefits accrued as a county employee become exhausted. When county sick leave benefits are exhausted such employee shall be entitled to utilize his state reserve account sick leave, until exhausted. The state reserve account for sick leave shall be administered according to the sick leave provisions of Division 5 (commencing with Section 18000) of Title 2 and corresponding State Personnel Board rules. Upon reemployment with the state, a transferred employee's sick leave credits will be reduced by the number of hours used from the state reserve during his employment in the county or local mental health program. The cost of preserving and paying for the state reserve account sick leave shall be totally funded by the state.~~

SEC. 2 Section 18107 is added to the Government Code, to read

18107. Any employee of the State Department of Mental Hygiene transferred on and after July 1, 1972, to county or local mental health programs as a result of state hospital closures or scheduled state hospital closures shall be entitled while employed in a county or local mental health program, to use for a period of five years following transfer any unused sick leave balance the employee had accumulated while in state employment and had remaining to his credit at the time of termination of state employment. Such sick leave shall be held in a reserve account by the state to be used, if necessary, only at such time as the transferred employee's sick leave benefits accrued as a county employee become exhausted. When county sick leave benefits are exhausted such employee shall be entitled to utilize his state reserve account sick leave, until exhausted. The state reserve account for sick leave shall be administered according to the sick leave provisions of Division 5 (commencing with Section 18000) of Title 2 and corresponding State Personnel Board rules. Upon reemployment with the state, a transferred employee's sick leave credits will be reduced by the number of hours used from the state reserve during his employment in the county or local mental health program. The cost of preserving and paying for the state reserve account sick leave shall be totally funded by the state.

SEC. 3. Section 20108 of the Government Code, as added by Chapter 923 of the Statutes of 1972, is repealed

~~20108. To the extent possible, the board shall resolve conflicts between retirement systems applicable to state hospital employees trans-~~

~~ferred to county or local mental health programs pursuant to Section 5664 of the Welfare and Institutions Code.~~

SEC 4 Section 20108 is added to the Government Code, to read:

20108 To the extent possible, the board shall resolve conflicts between retirement systems applicable to state hospital employees transferred to county or local mental health programs as a result of state hospital closures or scheduled state hospital closures

SEC 5 Section 5119 of the Welfare and Institutions Code, as amended by Chapter 923 of the Statutes of 1972, is repealed.

~~5119. When a person who is an employee of the Department of Mental Hygiene at the time of employment by a county in a county mental health program or when a person who has been an employee of the Department of Mental Hygiene within the 12-month period prior to his employment by a county in a county mental health program, the board of supervisors may, to the extent feasible, allow such person to retain as a county employee, those employee benefits to which he was entitled or had accumulated as an employee of the Department of Mental Hygiene or provide such employee with comparable benefits provided for other county employees whose service as county employees is equal to the state service of the former employee of the Department of Mental Hygiene. Such benefits include, but are not limited to, retirement benefits, seniority rights under civil service, accumulated vacation and sick leave.~~

SEC 6 Section 5119 is added to the Welfare and Institutions Code, to read

5119 On and after July 1, 1972, when a person who is an employee of the Department of Mental Hygiene at the time of employment by a county in a county mental health program or on and after July 1, 1972, when a person has been an employee of the Department of Mental Hygiene within the 12-month period prior to his employment by a county in a county mental health program, the board of supervisors may, to the extent feasible, allow such person to retain as a county employee those employee benefits to which he was entitled or had accumulated as an employee of the Department of Mental Hygiene or provide such employee with comparable benefits provided for other county employees whose service as county employees is equal to the state service of the former employee of the Department of Mental Hygiene Such benefits include, but are not limited to, retirement benefits, seniority rights under civil service, accumulated vacation and sick leave

The county may on and after July 1, 1972, establish retraining programs for the State Department of Mental Hygiene employees transferring to county mental health programs provided such programs are financed entirely with state and federal funds made available for that purpose

SEC 7. Section 5664 of the Welfare and Institutions Code, as added by Chapter 923 of the Statutes of 1972, is repealed

~~5664. Each county Short-Doyle plan adopted for the 1973-74 fiscal year and each fiscal year thereafter for a county or counties in which a state hospital is scheduled to be closed shall contain a complete~~

~~program, to be developed jointly by the State Department of Mental Hygiene and the county, for absorbing as many of the staff of such hospital into the local mental health programs as may be needed by the county. Such programs shall include a redefinition of occupational positions, if necessary, and a recognition by the counties of licensed psychiatric technicians for treatment of the mentally disordered, mentally retarded, drug abusers, and alcoholics.~~

~~The county may establish retaining programs for the State Department of Mental Hygiene employees transferring to county mental health programs provided such programs are financed entirely with state and federal funds made available for that purpose.~~

~~Beginning July 1, 1973, the State Department of Mental Hygiene shall notify the counties and the Legislature at least nine months in advance of planned state hospital closures.~~

SEC 8 Section 5664 is added to the Welfare and Institutions Code, to read:

5664 Each county Short-Doyle plan adopted for the 1973–74 fiscal year and each fiscal year thereafter for a county or counties in which a state hospital is scheduled to be closed shall contain a complete program, to be developed jointly by the State Department of Mental Hygiene and the county, for absorbing as many of the staff of such hospital into the local mental health programs as may be needed by the county. Such programs shall include a redefinition of occupational positions, if necessary, and a recognition by the counties of licensed psychiatric technicians for treatment of the mentally disordered, mentally retarded, drug abusers, and alcoholics

SEC 9 Section 5755 5 of the Welfare and Institutions Code, as added by Chapter 923 of the Statutes of 1972, is repealed

~~5755 5. The five-year state plan for community mental health services pursuant to Section 5755 shall include a detailed analysis of the alternatives being considered in terms of projected future hospital closures.~~

SEC. 10. Section 5755 5 is added to the Welfare and Institutions Code, to read:

5755 5 The five-year state plan for community mental health services pursuant to Section 5755 shall include a detailed analysis of the alternatives being considered in terms of projected future hospital closures

SEC 11 Section 5755 6 of the Welfare and Institutions Code, as added by Chapter 923 of the Statutes of 1972, is repealed.

~~5755.6 To the extent feasible, the full supporting details of any planned state hospital closures shall be included in the budget required by the State Constitution to be submitted by the Governor at each regular session of the Legislature for the 1973–74 fiscal year and each fiscal year thereafter.~~

SEC. 12. Section 5755.6 is added to the Welfare and Institutions Code, to read:

5755.6. Beginning July 1, 1973, the State Department of Mental Hygiene shall notify the counties and the Legislature at least nine months in advance of planned state hospital closures. To the extent feasible, the full supporting details of any planned state hospital clos-

ures shall be included in the budget required by the State Constitution to be submitted by the Governor at each regular session of the Legislature for the 1973–74 fiscal year and each fiscal year thereafter.

SEC 13 Section 7 of Chapter 923 of the Statutes of 1972 is repealed.

~~Sec. 7. There is hereby appropriated to the State Department of Mental Hygiene from the General Fund the sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary, for the purposes of funding county retraining programs established pursuant to Section 5661 of the Welfare and Institutions Code.~~

SEC 14 There is hereby appropriated to the State Department of Mental Hygiene from the General Fund the sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary, for the purposes of funding county retraining programs established pursuant to Section 5119 of the Welfare and Institutions Code.

SEC 15. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

This act retains certain sick leave and other benefits for employees of the Department of Mental Hygiene transferring to local or county mental health service as a result of state hospital closures and authorizes funds for county retraining programs In order that such employees receive the benefits provided for in this act it is necessary that this legislation be given immediate effect ''

Amendment No. 5

On page 1, strike out lines 2 to 13, inclusive, and strike out pages 2 and 3

Bill ordered reprinted, and to be re-referred to the Committee on Health

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, November 9, 1972

Mr Speaker The Chairman of your Committee on Health reports SB No. 556

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 556—An act to add Section 1229 to the Business and Professions Code, relating to clinical laboratories

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1229 to the Business and Professions", and insert "1481 3 to the Health and Safety".

Amendment No. 2

In line 2 of the title, strike out "clinical laboratories", and insert "emergency medical services".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 1481 3 is added to the Health and Safety Code, to read:

1481.3. Any county conducting a pilot program under this article may provide courses of instruction and training leading to certification as a mobile intensive care paramedic. Where such training is provided to persons other than county employees, a fee shall be charged sufficient to defray the cost of such instruction or training"

Amendment No. 4

On page 1, strike out lines 2 to 10, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Health.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, November 9, 1972

Mr Speaker: The Chairman of your Committee on Revenue and Taxation reports:

SB No. 47

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 47—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes, to take effect immediately, tax levy.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly July 26, 1972, strike out "and 6012", and insert ", 6012, 6051, 6052.5, 6201, 7102, 7202, and 7203".

Amendment No. 2

In lines 5 and 6 of the title, strike out ", to take effect immediately, tax levy".

Amendment No. 3

On page 6, between lines 2 and 3, insert

"SEC 3 . Section 6051 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read.

6051 For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent *on and after July 1, 1972, and to and including June 30, 1973, and at the rate of 3 13/16 percent* thereafter.

SEC 4 Section 6051 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read.

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, *and to and including June 30, 1973, and at the rate of 3 13/16 percent on and after July 1, 1973*, and to and including December 31, 1974, and at the rate of ~~3¼~~ *3 5/16* percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of ~~3¼~~ *3 13/16* percent thereafter.

SEC. 5. Section 6052 5 of the Revenue and Taxation Code is amended to read:

6052 5 The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent ($0.01) to and including one hundred dollars ($100) ~~at the 3¾ percent rate, at the 4 percent rate, at the 4¾ percent rate, at the 5 percent rate, at the 5¼ percent rate, at the 5½ percent rate, and at any other combined rates of state, local and transit district taxes administered by the board The schedules shall be identical with the following tables up to the amounts specified therein:~~

~~3¾ percent~~		~~4 percent~~	
~~Price~~	~~Tax~~	~~Price~~	~~Tax~~
~~.01 .12~~	~~.00~~	~~.01 .12~~	~~.00~~
~~.13 .37~~	~~.01~~	~~.13 .31~~	~~.01~~
~~.38 .64~~	~~.02~~	~~.35 .59~~	~~.02~~
~~.65 .93~~	~~.03~~	~~.60 .87~~	~~.03~~

~~4¼ percent~~

~~Price~~	~~Tax~~
~~.01 .11~~	~~.00~~
~~.12 .32~~	~~.01~~
~~.33 .56~~	~~.02~~
~~.57 .82~~	~~.03~~

~~5 percent~~

~~Price~~	~~Tax~~
~~.01 .10~~	~~.00~~
~~.11 .27~~	~~.01~~
~~.28 .47~~	~~.02~~
~~.48 .68~~	~~.03~~
~~.69 .89~~	~~.04~~
~~.90 1.09~~	~~.05~~

~~5¼ percent~~

~~Price~~	~~Tax~~
~~.01 .10~~	~~.00~~
~~.11 .26~~	~~.01~~
~~.27 .45~~	~~.02~~
~~.46 .65~~	~~.03~~
~~.66 .84~~	~~.04~~
~~.85 1.03~~	~~.05~~
~~1.04 1.20~~	~~.06~~

~~5½ percent~~

~~Price~~	~~Tax~~
~~.01 .10~~	~~.00~~
~~.11 .25~~	~~.01~~
~~.26 .45~~	~~.02~~
~~.46 .62~~	~~.03~~
~~.63 .79~~	~~.04~~
~~.80 .97~~	~~.05~~
~~.98 1.15~~	~~.06~~

The ~~remainder of the~~ schedules ~~at the 3¾ percent rate, at the 4 percent rate, at the 4¾ percent rate, at the 5 percent rate, at the 5¼ percent rate, and at the 5½ percent rate~~ shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.

The "sales tax reimbursement schedule" shall be available for inspection and duplication or reproduction.

Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed. When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply only if the purchaser requests at the time of the sale that the computation be made in this way.

The board shall enforce the provisions of this section.

SEC. 6. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1,

1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of $3\frac{3}{4}$ percent on *and after July 1, 1972, and to and including June 30, 1973, and at the rate of* $3\frac{13}{16}$ *percent* thereafter.

SEC. 7. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of $2\frac{1}{2}$ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of $3\frac{3}{4}$ percent on and after July 1, 1972, *and to and including June 30, 1973, and at the rate of* $3\frac{13}{16}$ *percent on and after July 1, 1973,* and to and including December 31, 1974, and at the rate of ~~$3\frac{1}{4}$~~ $3\frac{5}{16}$ percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of ~~$3\frac{3}{4}$~~ $3\frac{13}{16}$ percent thereafter.

SEC. 8. Section 7102 of the Revenue and Taxation Code is amended to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part or be transferred in the following manner:

(a) All revenues, less refunds, derived under this part at the ~~$3\frac{3}{4}$~~ $3\frac{13}{16}$ percent rates, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel, which would not have been received if the sales and use tax rate had remained at 4 percent and Section 6357 had not been amended at the 1971 Regular Session of the Legislature, as estimated by the State Board of Equalization, shall be transferred monthly to the State Transportation Fund.

(b) The balance shall be transferred to the General Fund

SEC. 9. Section 7202 of the Revenue and Taxation Code is amended to read:

7202 The sales tax portion of any sales and use tax ordinance adopted under this part shall be imposed for the privilege of selling tangible personal property at retail, and shall include provisions in substance as follows:

(a) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the county at the rate of ~~$1\frac{1}{4}$~~ $1\frac{5}{16}$ percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the county.

(b) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as

they relate to sales taxes, except that the name of the county as the taxing agency shall be substituted for that of the state and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code

(c) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to sales tax and not inconsistent with this part, shall automatically become a part of the sales tax ordinance of the county.

(d) A provision that the county shall contract prior to the effective date of the county sales and use tax ordinances with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the county Any such contract shall contain a provision that the county agrees to comply with the provisions of Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code.

(e) A provision that such ordinance may be made inoperative not less than 60 days, but not earlier than the first day of the calendar quarter, following the county's lack of compliance with Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code or following an increase by any city within the county of the rate of its sales or use tax above the rate in effect at the time the county ordinance was enacted.

(f) A provision that ~~80~~ *85* percent of the gross receipts from the sale of property to operators of common carriers and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax.

(g) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer.

(h) A provision that any person subject to a sales and use tax under the county ordinance shall be entitled to credit against the payment of taxes due under that ordinance the amount of sales and use tax due to any city in the county; provided, that the city sales and use tax is levied under an ordinance including provisions in substance as follows:

(1) A provision imposing a tax for the privilege of selling tangible personal property at retail upon every retailer in the city at the rate of 1 percent or less of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the city and a use tax of 1 percent or less of purchase price upon the storage, use or other consumption of tangible personal property purchased from a retailer for storage, use or consumption in the city.

(2) Provisions identical to those contained in Part 1 (commencing with Section 6001) of this division, other than Section 6376, insofar as they relate to sales and use taxes, except that the name of the city as the taxing agency shall be substituted for that of the state (but the name of the city shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203) and that an additional seller's permit shall not be required if one has been or is issued to the seller under Section 6067 of this code.

(3) A provision that all amendments subsequent to the effective date of the enactment of Part 1 (commencing with Section 6001) of this division relating to sales and use tax and not inconsistent with this part, shall automatically become a part of the sales and use tax ordinance of the city.

(4) A provision that the city shall contract prior to the effective date of the city sales and use tax ordinance with the State Board of Equalization to perform all functions incident to the administration or operation of the sales and use tax ordinance of the city which shall continue in effect so long as the county within which the city is located has an operative sales and use tax ordinance enacted pursuant to this part.

(5) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance.

(6) A provision that purchases of property by operators of common carriers and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax

(7) A provision that the storage or use of tangible personal property in the transportation or transmission of persons, property, or communications or in the generation, transmission or distribution of electricity or in the manufacture, transmission or distribution of gas in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall not be subject to a use tax

(8) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer

SEC 10. Section 7203 of the Revenue and Taxation Code is amended to read.

7203 The use tax portion of any sales and use tax ordinance adopted under this part shall impose a complementary tax upon the storage, use or other consumption in the county of tangible personal property purchased from any retailer for storage, use or other consumption in the county Such tax shall be at the rate of ~~1¼~~ $1\frac{1}{8}$ percent of the sales price of the property whose storage, use or other consumption is subject to the tax and shall include

(a) Provisions identical to the provisions contained in Part 1 (commencing with Section 6001) of this division, other than Sections 6201 and 6376, insofar as such provisions relate to the use tax except that the name of the county as the taxing agency enacting the ordinance shall be substituted for that of the state (but the name of the county shall not be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 nor in the definition of that phrase in Section 6203)

(b) A provision that all amendments subsequent to the date of such ordinance to the provisions of the Revenue and Taxation Code relating to the use tax and not inconsistent with this part shall automatically become a part of the ordinance.

(c) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of which has been subject to sales tax under a sales and use tax ordinance enacted in accordance with this part by any city and county, county, or city in this state, shall be exempt from the tax due under this ordinance

(d) A provision that the storage or use of tangible personal property in the transportation or transmission of persons, property, or communications or in the generation, transmission or distribution of electricity or in the manufacture, transmission or distribution of gas in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall be exempt from ~~80~~ *85* percent of the use tax

(e) A provision that the amount subject to tax shall not include the amount of any sales tax or use tax imposed by the State of California upon a retailer or consumer

SEC 11. (a) Sections 6051 and 6201 of the Revenue and Taxation Code, as amended by Sections 4 and 7 of this act, shall only become operative if the Legislative Analyst does not make the certification described in subdivision (c) of Section 316.2 of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, in which case, such sections shall become operative on January 1, 1975; at which time, Sections 6051 and 6201 of the Revenue and Taxation Code, as amended by Sections 3 and 6 of this act, shall be repealed

(b) Sections 6051 and 6201 of the Revenue and Taxation Code, as amended by Sections 3 and 6 of this act, shall become operative on July 1, 1973, and shall remain in full force and effect until such time as such sections are repealed pursuant to subdivision (a) of this section

(c) Sections 1, 2, 5, 8, 9, and 10 of this act shall become operative on July 1, 1973 "

Amendment No. 4

On page 6, strike out lines 3 to 6, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, November 9, 1972

Mr Speaker The Chairman of your Committee on Revenue and Taxation reports

SB No 1371

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1371—An act to amend Section 254 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 254", and insert "Sections 254 and 255 3".

Amendment No. 2

On page 2, after line 10, insert

"SEC 2 Section 255 3 of the Revenue and Taxation Code is amended to read

255 3 ~~County assessors shall each year before the lien date mail a claim form for the homeowners' exemption to all homeowners who received the exemption in the prior year, except where the prior recipient has transferred title in the property since the prior lien date.~~

County assessors shall each year prior to the lien date mail to all homeowners who received the homeowners' exemption in the prior year, except to those persons who have transferred the title in the property since the prior lien date, a form of notice which shall be completed and returned to the assessor only if the property is no longer qualified for the homeowners' exemption The persons whose dwellings continue to be qualified for the exemption need not return the form to the assessor A claim form *for the homeowners' exemption* shall ~~also~~ be sent to all persons acquiring title and who are owners of record to an eligible dwelling after the prior lien date, and prior to January 1st of the calendar year of the claim

Every four years commencing in 1976 prior to the lien date a claim form for the homeowners' exemption shall be sent to all homeowners who received the exemption in the prior year, except where such homeowner has transferred title in the property since the prior lien date, or has returned the form of notice that the property is no longer qualified for the homeowners' exemption "

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 9, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports

SB No 191

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 191—An act to add Section 314 5 to the Public Utilities Code, relating to public utilities

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, strike out "Alquist", and insert "Collier".

Amendment No. 2

In line 1 of the title, strike out "to add Section 314.5 to the Public Utilities Code,".

Amendment No. 3

In line 2 of the title, strike out "public utilities", and insert "Inglenook Fen, and making and appropriation therefor, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. The Department of Parks and Recreation shall undertake a study and prepare a plan setting forth those actions necessary to maintain in perpetuity the biologic integrity of that land and water area lying easterly of the Pacific Ocean, westerly of State Highway Route 1, and approximately five miles northeasterly of Fort Bragg, Mendocino County, commonly known as the Inglenook Fen. The department shall solicit the assistance of appropriate scientific, educational, and conservation agencies in undertaking the study and in the preparation of the plan. The plan shall determine the amount, location, and approximate cost of any land deemed by the department necessary for public acquisition together with planning, zoning, or other land use restrictions appropriate for consideration by local government in order to assure protection of the scientific, scenic, educational, and conservation values of the Inglenook Fen and its environs.

SEC. 2. The department shall undertake the study and plan immediately and submit it to the Legislature no later than June 15, 1973.

SEC. 3. There is hereby appropriated from the General Fund in the State Treasury to the Department of Parks and Recreation for use during fiscal year 1972–73 the sum of thirty thousand dollars ($30,000) for the purposes of this act.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

The Inglenook Fen is in immediate danger of adverse biologic changes due to projected land use changes which would affect the scientific, scenic, educational, and conservation values of the Inglenook Fen and its environs."

Amendment No. 5

On page 1, strike out lines 2 to 10, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 8, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No 135
SB No. 1218

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 135—An act to add Sections 20750.144, 20750 28, 20750 38, 20750 415, 20750.434, and 21222 1 to the Government Code, relating to the Public Employees' Retirement System.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 26, 1972, after "to", insert "amend Section 20750 8 of, to".

Amendment No. 2

On page 2, strike out line 2, and insert "of the state and each employer included in a contract under Chapter 4 5 (commencing with Section 20580) of this part".

Amendment No. 3

On page 2, line 5, strike out "0 275", and insert "0.11".

Amendment No. 4

On page 2, line 12, strike out "0.700", and insert "0.28".

Amendment No. 5

On page 2, line 19, strike out "0 750", and insert "0.30".

Amendment No. 6

On page 2, line 26, strike out "0 775", and insert "0.31".

Amendment No. 7

On page 2, line 33, strike out "0 025", and insert "0.01".

Amendment No. 8

On page 2, between lines 35 and 36, insert

"SEC 5.1. Section 20750 8 of the Government Code is amended to read·

20750 8. Each contracting agency other than a county superintendent of schools with respect to a contract under Chapter 4 5 *(commencing with Section 20580)* of this part shall make contributions in addi-

tion to those otherwise specified in this chapter in amounts to be fixed and determined by the board on account of unpaid liability for prior service and on account of liability for benefits not ~~included in Section 20493 of this code~~ *applicable to state miscellaneous members or applicable to local miscellaneous members at the option of a contracting agency* and benefits provided local safety members Payments shall be under such arrangement as may be agreed to by the board."

Amendment No. 9

On page 3, line 3, strike out "1967", and insert "1970".

Amendment No. 10

On page 3, line 4, strike out "15-percent", and insert "5-percent".

Amendment No. 11

On page 3, line 4, strike out ", and with respect to a person"; strike out lines 5 to 15, inclusive; and in line 16, strike out "increase".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1218—An act to add Sections 6903.5 and 18105 to the Education Code, relating to special education programs.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 19, 1972, strike out "6903 5 and 18105 to", and insert "18102.11 and 18102.12 to, and to repeal Section 18102.11 as added by Chapter 1543 of the Statutes of 1970 to, to repeal Section 18102 11 as added by Chapter 1562 of the Statutes of 1970 to, to repeal Section 18102 11 as amended by Chapter 702 of the Statutes of 1972 to, to repeal Section 18102.12 as added by Chapter 1543 of the Statutes of 1970 to, to repeal Section 18102.12 as added by Chapter 1562 of the Statutes of 1970 to, and to repeal Section 18102.12 as amended by Chapter 702 of the Statutes of 1972 to,".

Amendment No. 2

In line 2 of the title, after "programs", insert ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 18102.11 of the Education Code, as added by Chapter 1543 of the Statutes of 1970, is repealed.

~~18102.11. In lieu of the allowances provided under Sections 18102 to 18102.9, inclusive, for mentally retarded minors and severely mentally retarded minors, with respect to such pupils reevaluated and reexamined and determined to have the mental capacity for regular~~

~~school enrollment. but in addition to allowances provided for foundation program support, the Superintendent of Public Instruction shall grant, from the moneys allocated by subdivision (c) of Section 17303.5, an allowance to school districts and county superintendents of schools providing supplemental education programs to facilitate the return to the regular school program of mentally retarded minors and severely mentally retarded minors who have been in special day classes, but who, upon being reevaluated or reexamined, are determined to have the mental capacity for regular school enrollment.~~

~~The allowance shall be an amount equal to the allowance computed pursuant to Section 18102.2, and Section 18102.8, if applicable. The allowance shall be granted for not more than the two next succeeding fiscal years, following the retesting under the direction of the Department of Education.~~

~~The allowance shall be granted for each of the two next succeeding fiscal years, following the reevaluation or reexamination.~~

~~Whenever a school district or the Superintendent of Public Instruction determines that an eligible student has made satisfactory academic progress so that he may be integrated into the regular school program, the district shall be ineligible for further support for such student pursuant to this article and the district's apportionment shall be likewise reduced.~~

~~This section shall not be operative on or after July 1, 1972.~~

SEC 2 Section 18102.11 of the Education Code, as added by Chapter 1562 of the Statutes of 1970, is repealed.

~~18102.11. In lieu of the allowances provided under Sections 18102 to 18102.9, inclusive, for mentally retarded minors and severely mentally retarded minors, with respect to such pupils reevaluated and reexamined and determined to have the mental capacity for regular school enrollment, but in addition to allowances provided for foundation program support, the Superintendent of Public Instruction shall grant, from the moneys allocated by subdivision (c) of Section 17303.5, an allowance to school districts and county superintendents of schools providing supplemental education programs to facilitate the return to the regular school program of mentally retarded minors and severely mentally retarded minors who have been in special day classes, but who, upon being reevaluated or reexamined, are determined to have the mental capacity for regular school enrollment.~~

~~The allowance shall be an amount equal to the allowance computed pursuant to Section 18102.2, and Section 18102.8, if applicable. The allowance shall be granted for not more than the two next succeeding fiscal years, following the retesting under the direction of the Department of Education.~~

~~The allowance shall be granted for each of the two next succeeding fiscal years, following the reevaluation or reexamination.~~

~~Whenever a school district or county superintendent of schools or the superintendent of Public Instruction determines that an eligible student has made satisfactory academic progress so that he may be integrated into the regular school program, the district shall be ineligible for further support for such student pursuant to this article and the district's apportionment shall be likewise reduced.~~

~~This section shall not be operative on or after July 1, 1972.~~

SEC 3 Section 18102 11 of the Education Code, as amended by Chapter 702 of the Statutes of 1972, is repealed

~~18102 11. In lieu of the allowances provided under Sections 18102 to 18102 9, inclusive, for mentally retarded minors and severely mentally retarded minors, with respect to such pupils revaluated and reexamined and determined to have the mental capacity for regular school enrollment, but in addition to allowances provided for foundation program support, the Superintendent of Public Instruction shall grant, from the moneys allocated by subdivision (c) of Section 17303 5, an allowance to school districts and county superintendents of schools providing supplemental education programs to facilitate the return to the regular school program of mentally retarded minors and severely mentally retarded minors who have been in special day classes, but who, upon being reevaluated or reexamined, are determined to have the mental capacity for regular school enrollment.~~

~~The allowance shall be an amount equal to the allowance computed pursuant to Section 18102 2, and Section 18102 8, if applicable. The allowance shall be granted for not more than the two next succeeding fiscal years, following the retesting under the direction of the Department of Education.~~

~~The allowance shall be granted for each of the two next succeeding fiscal years, following the reevaluation or reexamination.~~

~~Commencing with the 1972 1973 fiscal year, the Superintendent of Public Instruction shall not allow to all school districts and county superintendents of schools authorized to conduct supplemental programs more than a total of six million two hundred thousand dollars ($6,200,000) per fiscal year for the total state support for such programs.~~

~~Whenever a school district or county superintendent of schools or the Superintendent of Public Instruction determines that an eligible student has made satisfactory academic progress so that he may be integrated into the regular school program, the district shall be ineligible for further support for such student pursuant to this article and the district's apportionment shall be likewise reduced.~~

~~The State Board of Education shall adopt rules and regulations for the operation of programs conducted pursuant to this section. Such rules and regulations shall include, but are not limited to, criteria for program approval, specifications for individual pupil objectives, and provisions for program evaluation.~~

~~It is the intent of the Legislature that the assistance provided through the supplemental education authorized to facilitate the return to the regular school program of those mentally retarded minors affected by Chapter 78 of the Statutes of 1971 will have been achieved by July 1, 1971, and therefore this section shall remain operative only until July 1, 1971, and as of that date is repealed.~~

SEC. 4 Section 18102.11 is added to the Education Code, to read:

18102 11. In lieu of the allowances provided under Sections 18102 to 18102 9, inclusive, for mentally retarded minors and severely mentally retarded minors, with respect to such pupils reevaluated and reexamined and determined to have the mental capacity for regular school enrollment, but in addition to allowances provided for foundation program support, the Superintendent of Public Instruction shall grant, from the moneys allocated by subdivision (c) of Section 17303 5, an allowance to school districts and county superintendents of schools providing supplemental education programs to facilitate the return to the regular school program of mentally retarded minors and severely mentally retarded minors who have been in special day classes, but who, upon being reevaluated or reexamined, are determined to have the mental capacity for regular school enrollment.

The allowance shall be an amount equal to the allowance computed pursuant to Section 18102 2, and Section 18102 8, if applicable. The allowance shall be granted for not more than the two next succeeding fiscal years, following the retesting under the direction of the Department of Education.

The allowance shall be granted for each of the two next succeeding fiscal years, following the reevaluation or reexamination.

Commencing with the 1972–1973 fiscal year, the Superintendent of Public Instruction shall not allow to all school districts and county superintendents of schools authorized to conduct supplemental programs more than a total of six million two hundred thousand dollars ($6,200,000) per fiscal year for the total state support for such programs

Whenever a school district or county superintendent of schools or the Superintendent of Public Instruction determines that an eligible student has made satisfactory academic progress so that he may be integrated into the regular school program, the district shall be ineligible for further support for such student pursuant to this article and the district's apportionment shall be likewise reduced

The State Board of Education shall adopt rules and regulations for the operation of programs conducted pursuant to this section. Such rules and regulations shall include, but are not limited to, criteria for program approval, specifications for individual pupil objectives, and provisions for program evaluation.

It is the intent of the Legislature that the assistance provided through the supplemental education authorized to facilitate the return to the regular school program of those mentally retarded minors affected by Chapter 78 of the Statutes of 1971 will have been achieved by July 1, 1974, and therefore this section shall remain operative only until July 1, 1974, and as of that date is repealed

SEC. 5. Section 18102 12 of the Education Code, as added by Chapter 1543 of the Statutes of 1970, is repealed

~~18102 12. Beginning with the 1970–1971 fiscal year, for each special educational program for which an allowance is provided under Section 18102 11, each school district and each county superintendent of schools maintaining such program shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each such program.~~

~~If the Superintendent of Public Instruction, in consultation with the Director of Special Education, determines that the current expense of operating a special program does not equal or exceed the total of basic state aid and state equalization aid provided for support of the regular foundation program per unit of average daily attendance and the allowance provided under Section 18102.11, and any amount of local tax funds contributed toward the support of the foundation programs for each pupil in average daily attendance in the special program, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17114.~~

~~This section shall not be operative on or after July 1, 1972.~~

SEC. 6. Section 18102.12 of the Education Code, as added by Chapter 1562 of the Statutes of 1970, is repealed.

~~18102.12. Beginning with the 1970-1971 fiscal year, for each special educational program for which an allowance is provided under Section 18102.11, each school district and each county superintendent of schools maintaining such program shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each such program.~~

~~If the Superintendent of Public Instruction, in consultation with the Director of Special Education, determines that the current expense of operating a special program does not equal or exceed the total of basic state aid and state equalization aid provided for support of the regular foundation program per unit of average daily attendance and the allowance provided under Section 18102.11, and any amount of local tax funds contributed toward the support of the foundation programs for each pupil in average daily attendance in the special program, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17114.~~

~~This section shall not be operative on or after July 1, 1972.~~

SEC. 7. Section 18102.12 of the Education Code, as amended by Chapter 702 of the Statutes of 1972, is repealed.

~~18102.12. Beginning with the 1970-1971 fiscal year, for each special educational program for which an allowance is provided under Section 18102.11, each school district and each county superintendent of schools maintaining such program shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each such program. The Superintendent of Public Instruction shall conduct a fiscal and program audit of a representative sampling of districts conducting such programs during the 1973-74 fiscal year.~~

~~If the Superintendent of Public Instruction, in consultation with the Director of Special Education, determines that the current expense of operating a special program does not equal or exceed the total of basic state aid and state equalization aid provided for support of the regular foundation program per unit of average daily attendance and the~~

~~allowance provided under Section 18102 11, and any amount of local tax funds contributed toward the support of the foundation programs for each pupil in average daily attendance in the special program, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17414.~~

~~This section shall not be operative on or after July 1, 1974.~~

SEC 8 Section 18102 12 is added to the Education Code, to read:

18102 12 Beginning with the 1970–1971 fiscal year, for each special educational program for which an allowance is provided under Section 18102 11, each school district and each county superintendent of schools maintaining such program shall report annually to the Superintendent of Public Instruction, on forms he shall provide, all expenditures and income related to each such program The Superintendent of Public Instruction shall conduct a fiscal and program audit of a representative sampling of districts conducting such programs during the 1973–1974 fiscal year.

If the Superintendent of Public Instruction, in consultation with the Director of Special Education, determines that the current expense of operating a special program does not equal or exceed the total of basic state aid and state equalization aid provided for support of the regular foundation program per unit of average daily attendance and the allowance provided under Section 18102 11, and any amount of local tax funds contributed toward the support of the foundation programs for each pupil in average daily attendance in the special program, then the amount of such deficiency shall be withheld from state apportionments to the school district or the county superintendent of schools, as the case may be, in the succeeding fiscal year in accordance with the procedure prescribed in Section 17414

This section shall be operative only until July 1, 1974, and as of that date is repealed

SEC. 9. All actions by the Department of Education, the State Board of Education, school districts, and county superintendent of schools taken pursuant to Sections 18102 11 and 18102 12 of the Education Code between June 30, 1972 and the effective date of this act, are hereby ratified, validated, confirmed, and declared legally effective for all purposes.

SEC 10 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In order for the program of special education assistance, commenced by legislative authorization in 1970, and affected by the provisions of this act, facilitating the return to the regular classroom of qualified pupils in special education programs to proceed in an orderly and efficient manner, without a temporary interruption in services during the school term, it is necessary that this act go into effect immediately."

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 9, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr Pierson for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2385 be granted.

RAY E. JOHNSON, Vice Chairman

MESSAGES FROM THE SENATE

Senate Chamber, November 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 482

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, November 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SB No 277	SB No. 910	SB No 1400
SB No 382	SB No 1011	SCR No 59
SB No. 432		

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 8, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Beilenson, Kennick and Carpenter as a Committee on Conference concerning:

Assembly Bill No. 50

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 8, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1047

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 8, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No 29

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 29—Relative to the A. P. Gianinni commemorative stamp.

Held at Desk by order of the Speaker pro Tempore.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1490 for hearing in the Committee on Health on Monday, November 13

WITHDRAWAL AND RE-REFERENCE OF BILLS

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 2385 be withdrawn from the Committee on Education, and re-referred to the Committee on Finance and Insurance; and that Assembly Bill No. 1387 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Finance and Insurance.

INTRODUCTION OF GUESTS

Mr. Briggs, of the 35th District, introduced Honorable Raoul Longoria, State Senator-elect, Honorable John Poerner and Honorable Delwin Jones, Representatives, and Messrs Gene Van De Walle, Bob Gray, and John Carter, all of Texas, whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 130

Mr Ray E Johnson was granted unanimous consent to take up Assembly Concurrent Resolution No 130 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 130

Assembly Concurrent Resolution No. 130—Approving an amendment to the Charter of the County of Butte, State of California, ratified by the qualified electors of the county at a special election consolidated with the primary election held therein on the sixth day of June, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Burke, Campbell, Chappie, Clime, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Powers, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—47.

NOES—None.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

November 8, 1972

Mr. James D. Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim: Pursuant to the requirements of Section 61 of the Elections Code, I am enclosing herewith documents relating to the ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the County of Butte.

Very truly yours,

RAY E. JOHNSON

Accompanying documents ordered filed with the Secretary of State (ACR No. 130).

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1850, on request of Mr. Cullen.

ANNOUNCEMENTS

Speaker pro Tempore Bee announced the following schedule for Assembly sessions:

Friday, November 10—9:30 a.m.
Monday, November 13—11 a.m.
Tuesday, November 14—10 a.m.
Wednesday, November 15—2 p.m.
Thursday, November 16—2 p.m.
Friday, November 17—9:30 a.m.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 945—An act to amend Sections 17262, 27155, and 27156 of the Education Code, to amend Sections 401, 423, and 2131 of the Revenue and Taxation Code, to amend and renumber Section 273 of the Revenue and Taxation Code, as added by Chapter 1583 of the Statutes of the 1971 Regular Session of the Legislature, and to amend Sections 2106 and 5829 of the Streets and Highways Code, relating to property taxation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 945?

Amendment No. 1

On page 9, after line 16, of the printed bill, as amended in Assembly June 19, 1972, insert

"SEC. 10. Section 2106 of the Streets and Highways Code is amended to read:

2106 A sum equal to the net revenue derived from one and four one-hundredths cent ($0 0104) per gallon tax under the Motor Vehicle Fuel License Tax Law shall be apportioned monthly from the Highway Users Tax Fund among counties and cities for use exclusively for county road and city street purposes, as provided in this section

The amounts available under this section shall be apportioned, as follows:

(a) Four hundred dollars ($400) per month shall be apportioned to each city and city and county and eight hundred dollars ($800) per month shall be apportioned to each county and city and county

(b) Thirty thousand dollars ($30,000) per month shall be transferred to the Bicycle Lane Account in the State Transportation Fund.

(c) ~~(b)~~ The balance shall be apportioned, as follows:

(1) A base sum shall be computed for each county by using the same proportions of fee-paid and exempt vehicles as are established for purposes of apportionment of funds under subdivision (d) of Section 2104.

(2) For each county the percentage of the total assessed valuation of tangible property subject to local tax levies within the county which is represented by the assessed valuation of tangible property outside the incorporated cities of the county shall be applied to its base sum, and the resulting amount shall be apportioned to the county The assessed valuation of taxable tangible property for purposes of this computation shall be that most recently used for countywide tax levies as reported to the State Controller by the State Board of Equalization In the event an incorporation or annexation is legally completed following the base sum computation, the new city's assessed valuation shall be deducted from the county's assessed valuation, the estimate of which ~~shall~~ *may* be provided by the State Board of Equalization

(3) The difference between the base sum for each county and the amount apportioned to the county shall be apportioned to the cities of that county in the proportion that the population of each city bears to the total population of all cities in the county Populations used for determining expenditure of moneys under Section 2107 are to be used for purposes of this section.

No apportionment shall be made to any city or county which does not have a select system established in accordance with the provisions of Section 186 3. If all or a portion of the select system of a city or county shall by a change in the physical limits of such city or county be included within the boundaries of another city or county, such portion shall be considered to be a part of the select system of such other city or county Any amounts which would otherwise have been apportioned to a city which does not so qualify for an apportionment shall be reapportioned to the remaining cities in the county in which such city is located or, if there are no eligible cities in the county, to the

county Any amounts which would otherwise have been apportioned to a county which does not so qualify for an apportionment shall be re-apportioned to the eligible cities in such county or, if there are no eligible cities in the county, to other counties and cities pursuant to this section

SEC. 11 It is the intent of the Legislature, if this bill and Senate Bill No. 36 are both chaptered and amend Section 2106 of the Streets and Highways Code, and this bill is chaptered after Senate Bill No. 36, that the amendments to Section 2106 proposed by both bills be given effect and incorporated in Section 2106 in the form set forth in Section 10 of this act Therefore, Section 10 of this act shall become operative only if this bill and Senate Bill No 36 are both chaptered, both amend Section 2106, and Senate Bill No 36 is chaptered before this bill, in which case Section 8 of this act shall not become operative ''

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Ray E Johnson, Ketchum, Keysor, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, and Wood—52.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 754—An act to amend Sections 20780, 20884, 21805, 21820, 21821, 21830, 21831, 21910, 21911, 21922 of, and to add Sections 21832 and 21833 to the Business and Professions Code, relating to petroleum products.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 754 (presented by Mr Chappie) ?

Amendment No. 1

On page 2, line 19, of the printed bill, as amended in Assembly April 25, 1972, strike out "(c),".

Amendment No. 2

On page 5, line 36, strike out "(6)".

Amendment No. 3

On page 6, line 7, strike out "said", and insert "such".

Amendment No. 4

On page 9, strike out lines 8 and 9

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Beverly, Briggs, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Hayden, Ray E Johnson, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59

NOES—None

Above bill ordered enrolled

Assembly Bill No. 728—An act to amend Sections 38225 and 38300 of the Vehicle Code, relating to off-highway vehicles, and making an appropriation therefor

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 728?

Amendment No. 1

In line 2 of the title of the printed bill, after "vehicles", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, line 21, after the comma, insert "revenue transferred from the Motor Vehicle Fuel Account to the Off-Highway Vehicle Fund, and unexpended service fees,".

Amendment No. 3

On page 2, line 25, strike out "These funds", and insert "Such funds, revenues, and fees".

Amendment No. 4

On page 2, line 26, strike out "total", and insert "special fee and Motor Vehicle Fuel Account transfer".

Amendment No. 5

On page 2, line 37, after "funds", insert ", Motor Vehicle Fuel Account transfer revenues, and all unexpended service fees,".

Amendment No. 6

On page 2, line 38, after "funds", insert a comma.

Amendment No. 7

On page 2, line 38, after "Fund", insert a comma.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Beverly, Briggs, Burke, Burton, Campbell, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Fong, Foran, Garcia, Bill Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 547—An act to amend Section 148.1 of the Penal Code, relating to crimes.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 547?

Senate Amendments of May 8, 1972

Amendment No. 1

On page 2, line 36, of the printed bill, as amended in Assembly April 10, 1972, after "sent", insert ", places or causes to be placed,".

Senate Amendments of August 3, 1972

Amendment No. 1

On page 2, of the printed bill, as amended in Senate May 8, 1972, strike out lines 16 to 19, inclusive, and insert

"(c) Any person who maliciously gives, mails, sends, or causes to be sent any false or facsimile bomb to another person, or places or causes to be placed any false or facsimile bomb, with the intent that any other person think it is a real bomb and with"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E. Johnson, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Powers, Priolo, Russell, Seeley, Sieroty, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—50.

NOES—None.

Above bill ordered enrolled

Hon. John F. Foran Presiding

At 2·32 p.m., Hon. John F. Foran, 23rd District, presiding

Assembly Bill No. 1458—An act to amend Sections 6721, 6727, 6728, 6731, 6735, 6738, 6739, and 6740 of, and to repeal Sections 6722, 6723, and 6724 of, the Education Code, relating to technical, agricultural, and natural resource conservation schools

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1458?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 8, 1972, after "McAlister", insert

"(Coauthor: Senator Lagomarsino)".

Amendment No. 2

On page 3, lines 26 and 27, strike out "of this code"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Crown, Deddeh,

Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—55

NOES—Stull and Wakefield—2.

Above bill ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file (consideration of Governor's veto pending):

Assembly Bill No. 205, on request of Mr. Fenton.

Assembly Bill No. 569, on request of Mr. Townsend.

Assembly Bill No. 1379, on request of Mr. Knox.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1541—An act to amend Section 8 of the Health and Safety Code, relating to writings

Governor's message stating his objections appears at page 7449 of the Assembly Journal for November 8, 1972.

The question being: Shall Assembly Bill No 1541 become a law notwithstanding the objections of the Governor?

AYES—Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—41.

NOES—Barnes, Bee, Briggs, Burke, Campbell, Chappie, Collier, Conrad, Dent, Duffy, Hayden, Ketchum, Lancaster, Lewis, MacGillivray, Monagan, Moorhead, Russell, Seeley, Stull, and Wakefield—21.

Governor's veto sustained

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file (consideration of Governor's veto pending).

Assembly Bill No. 52, on request of Mr. Townsend.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 305—An act to amend Section 4709 of, and to add Sections 4836, 4837, 4838, 4839, and 4840 to, the Labor Code, relating to law enforcement personnel

Governor's message stating his objections appears at pages 7455–7456 of the Assembly Journal for November 8, 1972.

The question being: Shall Assembly Bill No. 305 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. MacDonald moved a call of the Assembly.

Motion carried. Time, 2:51 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file (consideration of Governor's veto pending):

Assembly Bill No. 584, on request of Mr. Deddeh.

Assembly Bill No. 885, on request of Mr. Townsend.

Assembly Bill No. 1036, on request of Mr Townsend.

Majority Floor Leader Presiding

At 2:56 p.m., Hon. Jack R. Fenton, 51st District, presiding

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file (consideration of Governor's veto pending):

Assembly Bill No. 592, on request of Mr. Monagan.

Assembly Bill No. 975, on request of Mr Duffy.

Assembly Bill No. 2285, on request of Mr. Chacon.

Assembly Bill No. 2378, on request of Mr. Cory.

ANNOUNCEMENTS

Acting Speaker Fenton announced that there would be a caucus of all Members of the Assembly at 3 p m today in the Assembly Lounge.

Hon. Willie L. Brown, Jr., Presiding

At 2:59 p.m., Hon Willie L. Brown, Jr, 18th District, presiding.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 93, Senate Bill No. 1249, Assembly Bill No 496, and Senate Bill No. 1358 were continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 832, on request of Mr. Dunlap.

Senate Bill No. 110, on request of Mr. Murphy.

The following bill was placed upon the inactive file (consideration of Governor's veto pending):

Assembly Bill No. 599, on request of Mr. Beverly.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Pierson:

Resolution to Dispense With Constitutional Provision

Resolved. That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2385 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—70.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2385 for hearing in the Committee on Education.

Mr Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1387 for hearing in the Committee on Finance and Insurance on Monday, November 13

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, November 9, 1972

Mr Speaker: The Chairman of your Committee on Finance and Insurance reports:

AB No 1387

With author's amendments with the recommendation: Amend, and refer to the Committee on Finance and Insurance.

PIERSON, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1387—An act to amend Section 35 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 35", and insert "Section 1033".

Amendment No. 2

In line 2 of the title, after "insurance", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 1033 of the Insurance Code is amended to read:

1033. Claims allowed in a proceeding under this article shall be given preference in the following order:

1. Expense of administration
2. Unpaid charges due under the provisions of Section 736.
3. Taxes due to the State of California.
4. Claims having preference by the laws of the United States and by laws of this state.
5. All claims of the California Insurance Guarantee Association, *together with all claims for policyholder benefits under policies with respect to classes of insurance not covered by the California Insurance Guarantee Association,* together with claims for refund of unearned premiums
6. All other claims.

Upon the issuance of an order appointing a conservator or liquidator for any person under the provisions of either Section 1011 or 1016 or both such sections, the lien of taxes due to the State of California imposed by Article 4 (commencing with Section 12491), Chapter 4, Part 7, Division 2 of the Revenue and Taxation Code shall become subordinate to the reasonable administrative expenses of the proceeding under said order

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

A life insurer in California is presently in conservatorship as a result of its insolvency It is contemplated that such insurer will be placed in liquidation Under the statutes as presently constituted, return premium claims would have a priority over policyholder benefits. In order that claims for policyholder benefits equal status with return premium claims, it is necessary that this act go into effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, November 9, 1972

Mr. Speaker: The Chairman of your Committee on Criminal Justice reports:

SB No. 813

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Justice.

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 813—An act to amend Section 12552 of the Government Code, to amend and renumber the heading of Chapter 2 (commencing with Section 948) of Title 5 of Part 2 of, to add Title 4 (commencing with Section 887) to Part 2 of, to repeal Title 4 (commencing with Section 888) of Part 2 of, and to repeal Chapter 1 (commencing with Section 940) of Title 5 of Part 2 of, the Penal Code, relating to grand juries.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 36, of the printed bill, as amended in Assembly July 5, 1972, after "impanel", insert "both".

Amendment No. 2

On page 3, line 24, strike out "indictment panel".

Amendment No. 3

On page 4, line 30, strike out "898.", and insert "893 1."

Amendment No. 4

On page 4, strike out line 31, and insert

"893 1 In order for a person otherwise qualified as a grand juror to be selected as a grand juror, he must sign a statement declaring that he will be available for jury service for the number of hours usually required of a member of the grand jury panel in that county, and that he shall attend grand jury meetings on a regular basis.

893 2. A person shall be excused from liability to serve".

Amendment No. 5

On page 5, line 4, after the period, insert "The number of grand jurors required to constitute a grand jury panel shall be 23 in group 1 counties and 19 in group 2, group 3, and group 4 counties "

Amendment No. 6

On page 5, strike out lines 5 to 11, inclusive.

Amendment No. 7

On page 5, line 16, strike out "pursuant to Section 897,".

Amendment No. 8

On page 5, lines 17 and 18, strike out "pursuant to Sections 896 and 896.1".

Amendment No. 8.5

On page 5, line 22, strike out "three", and insert "3".

Amendment No. 9

On page 5, line 23, strike out "pursuant to Sections 896 and 896 1"

Amendment No. 10

On page 5, strike out lines 24 to 40, inclusive, strike out page 6; and on page 7, strike out lines 1 to 9, inclusive, and insert

"896. (a) When a grand jury panel is chosen by random selection, the court shall order the jury commissioner, secretary of judges of the superior court performing the duties of a jury commissioner pursuant to Section 69893 of the Government Code, or officer of the court appointed for such purposes, to prepare a list of prospective grand jurors whose names shall be selected in the same manner as are names of prospective trial jurors in the county The list shall contain 38 names in group 1 counties, and 34 names in group 2, group 3, and group 4 counties.

(b) The list of prospective grand jurors shall be furnished to the court which shall personally interview the prospective grand jurors to determine whether or not they possess the qualifications for grand jurors set forth in Section 893, or whether or not they are exempt from grand jury service, pursuant to Section 893 2 If the court finds that a prospective grand juror is not qualified for grand jury duty, or is exempt from grand jury service, he shall strike that grand juror's name from the list of prospective grand jurors

(c) If there are prospective grand jurors who are exempt from grand jury duty or who do not meet the qualifications of Section 893, the court shall inform the jury commissioner, secretary of judges of the superior court performing the duties of jury commissioner pursuant to Section 69893 of the Government Code, or officer of the court appointed for such purposes, of the number of prospective grand jurors who were not qualified for grand jury duty or who were exempt from grand jury service, and shall instruct him to prepare a supplemental list of prospective grand jurors The supplemental list of prospective grand jurors shall be chosen in the same manner as the original list of prospective grand jurors, and shall contain the same number of names needed to replace those persons found by the court to be exempt or unqualified The supplementary list shall be furnished to the court which shall personally interview the prospective grand jurors contained thereon in order to determine whether or not they meet the qualifications of a grand juror or whether or not they are exempt from grand jury service.

897. When a grand jury panel is chosen by nomination, the superior court may make all or any selections from among the body of persons in the county suitable and competent to serve as grand jurors, provided that those persons nominated to serve as grand jurors shall be:

(a) Persons not exempt from serving and in possession of their natural faculties, who are not infirm or decrepit, and who are of sound judgment.

(b) Selected from the different supervisorial districts in proportion to the number of inhabitants therein, as nearly as the same can be estimated.

898. When the court has found 38 prospective grand jurors in group 1 counties, or 34 prospective grand jurors in group 2, group 3, or group 4 counties, who are qualified as grand jurors and who are not exempt from grand jury service, it shall select them as grand jurors to serve during the term set forth in Sections 889 and 889.1, or until a new grand jury panel is selected. A list of these grand jurors shall be prepared by the court and shall be placed in the possession of the county clerk."

Amendment No. 11

On page 7, line 15, strike out "not less than 33 or more than 38 for indictment", and insert "38 for".

Amendment No. 12

On page 7, line 16, strike out ", group 2 or group 3".

Amendment No. 13

On page 7, line 19, strike out "not less than 29 nor more than 34 for civil", and insert "34 for".

Amendment No. 14

On page 7, strike out lines 20 to 26, inclusive, and insert "in group 2, group 3, or group 4 counties."

Amendment No. 15

On page 8, line 40, strike out "898", and insert "897".

Amendment No. 16

On page 9, line 24, strike out "898", and insert "897".

Amendment No. 17

On page 9, lines 27 and 28, strike out "the district attorney, the Attorney General, or".

Amendment No. 18

On page 9, lines 30 and 31, strike out ", subdivision (a) of Section 897, and Section 898, or", and insert a comma.

Amendment No. 18.5

On page 9, line 32, after "920", insert ", or has failed to attend grand jury meetings on a regular basis".

Amendment No. 19

On page 9, line 32, strike out "The court may also", and strike out line 33, and insert

"905 1. The court may also discharge any grand jury panel upon an affirmative".

Amendment No. 20

On page 13, line 19, after "opinion", insert a comma.

Amendment No. 21

On page 13, line 38, after "acting", insert "in".

Amendment No. 22

On page 15, line 28, after "to", insert "a".

Amendment No. 23

On page 16, line 16, strike out the comma.

Amendment No. 24

On page 16, line 23, after the second "or", insert "who".

Amendment No. 25

On page 16, lines 25, 26, and 27, strike out "while such jury is deliberating, voting or conducting a secret civil investigation", and insert ", except when a public session is held pursuant to Section 926 or 936,".

Amendment No. 26

On page 17, line 2, strike out the comma.

Amendment No. 27

On page 17, between lines 21 and 22, insert

"916.1. A grand jury panel charged with the indictment function shall inquire into the condition and management of the public prisons within the county."

Amendment No. 28

On page 17, line 34, after "shorthand", insert "all".

Amendment No. 29

On page 18, line 21, strike out "Except as"; and strike out lines 22 to 24, inclusive, and insert "If several".

Amendment No. 30

On page 18, lines 25 and 26, strike out "or several defendants".

Amendment No. 31

On page 18, line 28, strike out "any", and insert "the".

Amendment No. 32

On page 18, line 34, after "attorney", insert ", or where there is more than one defendant, to any defendant or his attorney".

Amendment No. 33

On page 20, strike out lines 19 to 21, inclusive, and insert "judgment, warrant a conviction by a trial jury."

Amendment No. 34

On page 20, line 26, strike out "must", and insert "shall".

Amendment No. 35

On page 20, line 34, strike out "must", and insert "shall".

Amendment No. 36

On page 22, lines 37 and 38, strike out "931 1 and Section 932", and insert "931, 931.1, or 931.2".

Amendment No. 37

On page 23, line 32, after "and", insert "with the concurrence of".

Amendment No. 38

On page 23, line 33, strike out "joint".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 9, 1972

Mr Speaker· The Chairman of your Committee on Ways and Means reports.

SB No 436

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 436—An act to repeal Division 8 (commencing with Section 9201) of, and to add Division 8 (commencing with Section 9200) to, the Education Code, relating to instructional materials

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In the heading of the printed bill, as amended in Senate July 17, 1972, strike out "Senator Rodda", and insert "the Joint Committee on Textbooks and Curriculum Senators Rodda, Dymally, and Harmer; Assemblymen Ryan, Dent, and Stull"

Amendment No. 2

In line 1 of the title, strike out "repeal Division 8 (commencing with Section 9201)", and strike out line 2, and in line 3, strike out "to," and insert "amend Sections 9221 5, 9234, 9240, 9243, 9244, 9246, 9400,

9401, 9440, 9441, 9442, 9445, 9461, 9492, 9500, 9600, and 9820, of the Education Code, as added by Chapter 929 of the Statutes of 1972, and to add Section 9222.3 to".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 Section 9221 5 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9221 5 "Supplementary instructional materials" means instructional materials designed to serve, but not limited to, one or more of the following purposes, for a given subject, at a given grade level:

(1) To provide more complete coverage of a subject or subjects included in a given course.

(2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level

(3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level

(4) To provide for meeting the diverse educational needs of pupils ~~caused by a condition of cultural disparity.~~ *reflective of a condition of cultural pluralism*

SEC 2 Section 9222 3 is added to the Education Code, to read·

9222 3. "Instructional materials set" means a collection of related supplementary instructional materials produced and submitted as a set by a single publisher or manufacturer and which are so designed that each part of the set is related to the same subject, however, not all parts of a set shall be necessary to promote the maximum efficiency of pupil learning in that subject All parts of a set shall have a common educational purpose and methodology, and each part of a set shall be identified, marked, or imprinted with a common title or name

SEC 3. Section 9234 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9234. "Learner verification" means the *continuous and* thorough evaluation of instructional materials for their effectiveness with pupils.

SEC 4 Section 9240 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9240 When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which , *in their determination,* accurately portray the cultural and racial diversity of our society, including:

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles

(b) The role and contributions of American Indians, American Negroes, Mexican-Americans, Asian Americans, and members of other ethnic and cultural groups to the total development of California and the United States.

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States

SEC. 5. Section 9243 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9243. No instructional materials shall be adopted by any governing board for use in the schools which, *in its determination*, contains:

(a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex or occupation.

(b) Any sectarian or denominational doctrine or propaganda contrary to law

SEC 6 Section 9244 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read.

9244. All instructional materials adopted by any governing board for use in the schools shall be, *to the satisfaction of the governing board, accurate, objective, and current and* suited to the needs and comprehension of pupils at their respective grade levels ~~Such materials shall be accurate, objective and current.~~

SEC 7. Section 9246 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9246 In the event that after the good faith acquisition of instructional materials by a governing board, the instructional materials are found to be in violation of this article and the governing board is unable to acquire other instructional ~~matters~~ *materials* which meet the requirements of this article in time for them to be used when the acquired materials were planned to be used, the governing board may use the acquired materials but only for that academic year

SEC 8 Section 9400 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read.

9400 The state board shall biennially adopt a list of textbooks and instructional materials for use in the elementary school grades subject to the following provisions.

(a) The state board shall adopt not less than five but not more than 15 of any of the following, per subject, per grade. (1) ~~basic~~ instructional materials, (2) ~~supplementary~~ instructional materials systems, (3) *instructional material sets, (4)* a combination of ~~basic~~ instructional materials, ~~and supplementary~~ instructional materials systems, *and instructional material sets The state board may designate each instructional material, instructional material system, instructional material set, or any combination thereof, as basic or supplementary The state board shall not adopt more than two instructional material sets per subject*

(b) Fewer than five ~~basic~~ instructional materials, *instructional materials* systems, and ~~supplemental~~ instructional materials *sets* may be adopted per subject, per grade if publishers and manufacturers of instructional materials do not submit a sufficient number of educationally useful materials or systems, as determined by the state board; however, in no event shall the state board adopt less than two basic instructional materials systems per subject, per grade.

(c) In the event that a district board establishes to the satisfaction of the state board that the adoption of basic instructional materials does not promote the maximum efficiency of pupil learning in the district, the state board shall adopt additional basic instructional materials for use by that district board.

(d) The state board shall biennially adopt lists of instructional materials for the following subjects (1) language arts, (2) arithmetic, (3) social sciences, (4) reading, (5) science, and (6) any other subject in which the board shall determine the need and desirability for instructional materials to promote the maximum efficiency of pupil learning. The state board may establish a cycle for adoptions by designating subjects to be adopted in even-numbered years and subjects to be adopted in odd-numbered years.

(e) The state board shall, at the time of the adoption, determine the date upon which state-adopted instructional materials shall be available for use by district boards

(f) The state board may adopt instructional materials, *instructional material systems, and instructional material sets* without designating a grade or subject and the state board may designate more than one grade or subject whenever the state board determines that a single subject designation or a single grade designation would not promote the maximum efficiency of pupil learning. *Any materials so designated may be placed on a single grade or single subject list or may be placed on separate lists including other materials with similar grade or subject designations; however, all materials so designated shall be adopted subject to the numerical limitations of subdivision (a)*

SEC 9. Section 9401 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read·

9401 In adopting the biennial list of instructional material the state board may do any one or more of the following

(a) Retain any instructional materials from the previous biennial list, *or any instructional materials adopted by it prior to October 1, 1972,* and make any adjustment in prices based on information provided pursuant to Section 9423

(b) Delete from the previous biennial list *any instructional materials adopted by it prior to October 1, 1972, or* any material which it determines is obsolete pursuant to Section 9800, or which received no order from any district board during the previous biennial period

(c) Add instructional materials not previously submitted for adoption, or materials previously submitted which have been revised to comply with any recommendations of the state board

SEC 10. Section 9440 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read.

9440 There is hereby created the State Instructional Materials Fund, effective July 1, 1973 The fund shall be a means of annually funding the acquisition of instructional materials as required by the Constitution of the State of California All money in the fund is continuously appropriated to the State Department of Education without regard to fiscal years for carrying out the purposes of this division. *It is the intent of the Legislature that the fund shall provide for flexibility of instructional materials*

SEC 11. Section 9441 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read:

9441. The fund shall be administered by the State Department of Education under policies established by the state board ~~It is the intent~~

~~of the Legislature that the fund shall provide for flexibility of instructional materials. The fund shall consist of a credit for each district board, with which instructional materials adopted by the state board may be ordered and from which there shall be made to each district board a cash allotment in an amount determined by the state board for use in purchasing instructional materials from any source, or for the purchase of tests or in-service training pursuant to Sections 9424 and 9425.~~ *The state board shall encumber part of the fund to:*

(a) Pay for the cost of royalties, warehousing, and shipping for those textbooks in the state textbook warehouse as of July 1, 1973, and adopted by the state board prior to the effective date of the statutes enacted at the 1972 Regular Session of the Legislature

(b) Pay for the costs of instructional materials to be loaned to nonpublic school pupils pursuant to Section 9505

(c) Pay for the costs of braille and large print textbooks to be furnished for visually handicapped pupils pursuant to Sections 9502 and 9503

(d) Pay for the costs of warehousing and transporting textbooks printed by the Department of General Services Such costs shall not exceed 10 percent of the cost of each textbook printed by the Department of General Services

SEC 12 Section 9442 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read·

9442 ~~The state board shall annually apportion to each elementary school district a credit based on a dollar allotment per pupil for obtaining state adopted instructional materials. The state board may encumber part of the fund for the purpose of obtaining basic instructional materials systems in subsequent fiscal years. The state board may expend an amount not to exceed 10 percent of the cost of each textbook printed by the Department of General Services, for the purpose of warehousing and shipping such textbooks. All remaining unencumbered moneys in the fund shall be apportioned to each elementary school district on the basis of a monetary allotment per pupil.~~ *After the application of Section 9441, the state board shall encumber the balance of the fund for the purpose of:*

(a) Establishing a credit for each district board with which instructional materials adopted by the state board may be ordered.

(b) Establishing a cash allotment in an amount determined by the state board for use in purchasing instructional materials from any source, or for the purchase of tests or in-service training pursuant to Sections 9424 and 9425

(c) Obtaining instructional materials in subsequent fiscal years.

SEC 13 Section 9445 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9445 The State Controller shall during each fiscal year, commencing with fiscal year 1973–1974, transfer from the General Fund of the state to the State Instructional Materials Fund, an amount of seven dollars ($7) per pupil in average daily attendance in the *public and nonpublic* elementary schools during the preceding fiscal year, as certified by the Superintendent of Public Instruction, except that this

amount shall be adjusted annually in conformance with the Consumer Price Index, all items, of the Bureau of Labor Statistics of the United States Department of Labor, measured for the calendar year next preceding the fiscal year to which it applies *For purposes of this section, average daily attendance in the nonpublic schools shall be the enrollment reported pursuant to Section 29009 5*

SEC. 14 Section 9461 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9461 District boards shall determine the necessary quantities and distribution pattern of instructional materials to pupils No minimum order or ratio of materials shall be required, except that each district board shall provide sufficient quantities of state-adopted textbooks and instructional materials to meet the needs of their pupils and the requirements of Section 7 5 of Article IX of the California Constitution. *District boards shall order all parts of any instructional material system which they order, except that, upon furnishing evidence to show that it already possesses any part or parts of a system, a district board shall not be required to order that quantity of those parts of the system. District boards may order any quantity of any part of any instructional materials set.*

SEC. 15. Section 9492 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read·

9492. The Department of General Services shall on the first day of each month furnish to the state board a detailed statement showing the name and number of books ~~published~~ *printed and bound* by it during the preceding month, and the number in course of ~~publication~~ *being printed and bound*.

SEC 16 Section 9500 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read

9500. The following individuals or organizations may order instructional materials from lists adopted by the state board·

(a) The head of any state institution offering instruction in the elementary grades, or giving instruction in the teaching of elementary subjects

(b) Governing boards or ~~private~~ *nonpublic* schools

(c) Individuals ~~or dealers~~ for use only in California

Such materials shall be purchased at the unit cost determined pursuant to Section 9443.

SEC 17. Section 9600 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read·

9600 The district board of each district maintaining one or more high schools shall adopt textbooks for use in the high schools under its control Only textbooks of those publishers who comply with the requirements of Article 3 (commencing with Section 9240) and Article 4 (commencing with Section 9260) of Chapter 1 of this division *and of Section 9426* may be adopted by the district board

SEC 18. Section 9820 of the Education Code, as added by Chapter 929 of the Statutes of 1972, is amended to read:

9820 The state board, any district board which employs a superintendent of schools, and other school districts with the approval of

the county superintendent of schools, may dispose of surplus or undistributed obsolete instructional materials in its possession which are usable for educational purposes in any of the following ways.

(a) By donation to any governing board, county free library or other state institution.

(b) By donation to any public agency or institution of any ~~other state,~~ territory or possession of the United States, or the government of any country which formerly was a territory or possession of the United States

(c) By donation to any nonprofit charitable organization

(d) By donation to children or adults in the State of California, ~~other states,~~ or foreign countries for the purpose of increasing the general literacy of the people

(e) By sale for a nominal price for use within the State of California to any organization which agrees to use such materials solely for educational purposes."

Amendment No. 4

On page 2, strike out lines 2 to 21, inclusive; and strike out pages 3 to 28, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, November 9, 1972

Mr. Speaker: The Chairman of your Committee on Planning and Land Use reports:

SB No 1238
SB No 1118

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1238—An act to amend Section 6224 of the Public Resources Code, relating to state lands

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6224", and insert "Sections 6224 and 6370".

Amendment No. 2

On page 2, after line 2, insert

"SEC 2 Section 6370 of the Public Resources Code is amended to read:

6370. The commission, acting jointly with the Resources Agency and in cooperation with other appropriate state, federal, and local

agencies, shall inventory unconveyed state school and tide and submerged lands and identify such lands which possess unique environmental values, including scenic, historic, natural, or aesthetic values of statewide interest The commission, upon identification of such lands, shall adopt regulations necessary to assure permanent protection to these lands The commission shall submit a report to the Legislature by January 1, ~~1973~~ *1975*, which identifies those lands determined by the commission to possess unique environmental values and setting forth the criteria upon which such determinations were made, including the findings and regulations adopted by the commission The report using the findings and regulations adopted by the commission as a basis shall recommend any additional actions necessary to assure permanent protection of these areas In its investigation, the commission shall consider the California Protected Waterways Plan required pursuant to the provisions of Chapter 1278 of the Statutes of 1968, and any and all other reports and plans relating to the protection of scenic, historic, natural, or aesthetic values

Nothing in this section shall authorize the derogation of any privately owned interest in real property or derogate in any respect any interest in, or right to, lands heretofore granted to others by the state"

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use

Senate Bill No. 1118—An act to amend the heading to Title 7 (commencing with Section 65000) of, to add a division heading immediately below the heading of Title 7 (commencing with Section 65000) of, and to add Division 2 (commencing with Section 66410) to Title 7 of, the Government Code, and to repeal Chapter 2 (commencing with Section 11500) of Part 2 of Division 4 of, the Business and Professions Code, relating to subdivisions.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Assembly July 20, 1972, strike out "regulate only those matters in which", and strike out line 23; and in line 24, strike out "order", and insert "provide".

Amendment No. 2

On page 2, line 25, strike out "divisions of real property within", and insert "the design and improvement of subdivisions within".

Amendment No. 3

On page 2, line 28, after "of", insert "the design and improvement of".

Amendment No. 4

On page 2, line 32, strike out ", including, but not limited to, the design and"; and in line 33, strike out "improvement thereof,".

Amendment No. 5

On page 2, line 39, after the word "division", insert a comma.

Amendment No. 6

On page 4, strike out lines 32 to 40, inclusive, and insert

"66419 "Improvement" means:

(a) Streets, drainage and sanitary facilities and utilities, fireroads and firebreaks, traffic access, grading and erosion control, parks, open-space, and recreational facilities, to be installed, or agreed to be installed by the subdivider as a condition precedent to the approval and acceptance of a map required by this division; and

(b) Such other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities or by a combination thereof, is necessary or convenient to insure conformity to or implementation of".

Amendment No. 7

On page 5, line 15, strike out "or gift,".

Amendment No. 8

On page 6, between lines 4 and 5, insert

"(d) Each parcel created by the division has a gross area of 40 acres or more, or each of which is a quarter-quarter section or larger, or such other amount, up to 60 acres, as may be specified by local ordinance."

Amendment No. 9

On page 6, strike out line 6, and insert "described in (a), (b), (c), and (d)."

Amendment No. 10

On page 6, between lines 6 and 7, insert

"66425.5 A map of a condominium project or a community apartment project need not show the buildings or the manner in which the buildings or the air space above the property shown on the map are to be divided, nor shall the governing body have the right to refuse approval of a tentative or final map of such a project on account of design or location of buildings on the property shown on the map not violative of local ordinances or on account of the manner in which air space is to be divided in conveying the condominium. Fees and lot design requirements shall be computed and imposed with respect to such maps on the basis of parcels or lots of the surface of the land shown thereon as included in the project. Nothing herein shall be deemed to limit the power of the governing body to regulate the design or location of buildings in such a project by or pursuant to local ordinances."

Amendment No. 11

On page 6, line 12, strike out the period, and insert ", and provided further that a parcel map shall not be required for subdivisions created by short-term leases (terminable by either party on not more than 30 days' notice in writing) of a portion of the operating right-of-way of a railroad corporation defined as such by Section 230 of the

Public Utilities Code unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates such a parcel map."

Amendment No. 12

On page 8, line 21, strike out "land", and insert "real property".

Amendment No. 13

On page 9, line 31, strike out "In", and insert "Except as otherwise provided in this article, in".

Amendment No. 14

On page 12, line 12, delete "land", and insert "real property".

Amendment No. 15

On page 12, between lines 17 and 18, insert

"66443.5 The provisions of Sections 66435 and 66436 shall apply to the parcel map."

Amendment No. 16

On page 12, line 23, strike out "completed prior to", and insert "recorded concurrently with, or prior to,".

Amendment No. 17

On page 16, line 15, strike out "or any interested person"; and in line 16, strike out "adversely affected or aggrieved thereby".

Amendment No. 18

On page 16, line 25, strike out "public".

Amendment No. 19

On page 16, strike out lines 27 and 28, and insert "of filing the appeal. Within".

Amendment No. 20

On page 16, lines 32 and 33, strike out "any such interested person, including".

Amendment No. 21

On page 16, line 39, strike out "public".

Amendment No. 22

On page 16, line 40, strike out "and"; and on page 17, strike out lines 1 and 2, and insert " Within 10 days following the".

Amendment No. 23

On page 17, strike out lines 32 through 36, inclusive, and insert

"(d) Any interested person adversely affected thereby may file a complaint with the legislative body concerning any decision of the advisory agency or appeal board. Any such complaint shall be filed with the clerk of the legislative body within 15 days after the action of the advisory agency or appeal board which is the subject of the complaint. Upon the filing of the complaint the legislative body may set the matter for hearing. Such hearing shall be held within 30 days after the filing of the complaint. Such hearing may be a public hearing for which notice shall be given in the time and manner provided."

Amendment No. 24

On page 17, line 38, strike out ", or such longer"; and strike out line 39; and in line 40, strike out "local ordinance,".

Amendment No. 25

On page 18, line 1, delete the period, and insert ", or after such additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months."

Amendment No. 26

On page 21, lines 10 and 11, strike out "any future time," and insert "a future time as provided in this division".

Amendment No. 27

On page 21, strike out line 17; and in line 18, strike out "accept an offer of dedication," and insert

"66460 (a) The legislative body may reserve the right to accept an offer of dedication of any streets, paths, alleys, drainage and sanitary facilities, easements and rights-of-way, and".

Amendment No. 28

On page 21, line 36, strike out "reservior", and insert "reservoir".

Amendment No. 29

On page 23, between lines 16 and 17, insert

"66463 5 When a tentative map is required, the parcel map shall be filed within one year after approval of the tentative map. Upon application, an extension of the approval of the tentative map, not to exceed one year, may be granted by the governing body or advisory agency."

Amendment No. 30

On page 24, strike out lines 31 through 34, inclusive.

Amendment No. 31

On page 27, strike out lines 39 and 40; and on page 28, strike out lines 1 through 7, inclusive, and insert

"66474 5 No city or county shall approve a final subdivision map for any land project, as defined in Section 11000 5 of the Business and Professions Code, unless:

(a) The city or county has adopted a specific plan covering the area proposed to be included within the land project

(b) The city or county finds that the proposed land project, together with the provisions for its design and improvement, is consistent with the specific plan for the area

This section shall apply to land projects for which tentative maps were approved on or after the effective date of Chapter 763, Statutes of the 1969 Regular Session "

Amendment No. 32

On page 28, lines 15 and 16, strike out "open-space land as defined in subdivision (d) of Section 65560,".

Amendment No. 33

On page 29, line 20, strike out the comma, and insert a semicolon.

Amendment No. 34

On page 29, line 26, strike out ", and", and insert a semicolon.

Amendment No. 35

On page 31, line 40, strike out ". The", and insert "; in such event, the".

Amendment No. 36

On page 32, strike out lines 4 through 8, inclusive, and insert

"66480. The public agency for whose benefit an area has been reserved shall at the time of approval of the final map or parcel map enter into a binding agreement to acquire such reserved area within five years after the completion and acceptance of all improvements, unless such period of time is extended by mutual agreement The purchase price shall".

Amendment No. 37

On page 32, strike out lines 16 through 20, inclusive, and insert "has been reserved does not enter into such a binding agreement, the reservation of such area shall automatically terminate."

Amendment No. 38

On page 32, strike out lines 24 through 32, inclusive.

Amendment No. 39

On page 33, line 2, after "tentative", insert "map".

Amendment No. 40

On page 33, line 3, after "map", insert "if no tentative map is required".

Amendment No. 41

On page 35, line 1, strike out "final map", and insert "tentative map or parcel map if no tentative map is required".

Amendment No. 42

On page 37, lines 25 and 26, strike out "from the charges collected pursuant to Section 66484".

Amendment No. 43

On page 43, strike out lines 20 through 28, inclusive.

Amendment No. 44

On page 54, strike out lines 28 through 40, inclusive, and on page 55, strike out lines 1 through 5, inclusive, and insert

"66499 32. (a) Any deed of conveyance, sale or contract to sell real property which has been divided, or which has resulted from a division, in violation of the provisions of this division, or of the provisions of local ordinances enacted pursuant to this division, is voidable at the sole option of the grantee, buyer or person contracting

to purchase, his heirs, personal representative, or trustee in insolvency or bankruptcy within one year after the date of discovery of the violation of the provisions of this division or of local ordinances enacted pursuant to the provisions of this division, but the deed of conveyance, sale or contract to sell is binding upon any successor in interest of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or his assignee, heir or devisee

(b) Any grantee, or his successor in interest, of real property which has been divided, or which has resulted from a division, in violation of the provisions of this division or of local ordinances enacted pursuant thereto, may, within one year of the date of discovery of such violation, bring an action in the superior court to recover any damages he has suffered by reason of such division of property The action may be brought against the person who divided the property in violation of the provisions of this division or of local ordinances enacted pursuant thereto and against any successors in interest who have actual or constructive knowledge of such division of property

The provisions of this section shall not apply to the conveyance of any parcel of real property identified in a certificate of compliance filed pursuant to Section 66499 35 or identified in a recorded final subdivision map or parcel map, from and after the date of recording

The provisions of this section shall not limit or affect in any way the rights of a grantee or his successor in interest under any other provision of law."

Amendment No. 45

On page 55, strike out lines 17 through 40, inclusive, and insert

"66499 34. No city or county shall issue any permit or grant any approval necessary to develop any real property which has been divided, or which has resulted from a division, in violation of the provisions of this division or of the provisions of local ordinances enacted pursuant to this division if it finds that development of such real property is contrary to the public health or the public safety The authority to deny such a permit or such approval shall apply whether the applicant therefor was the owner of the real property at the time of such violation or whether the applicant therefor is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of the acquisition of his interest in such real property.

If a city or a county issues a permit or grants approval for the development of any such real property, it may impose such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property

66499 35 (a) Any person owning real property may request, and a city or a county shall determine, whether such real property complies with the provisions of this division and of local ordinances enacted pursuant thereto Upon making such a determination the city or the county shall cause a certificate of compliance to be filed for record with the recorder of the county in which the real property is located

The certificate of compliance shall identify the real property and shall state that the division thereof complies with applicable provisions of this division and of local ordinances enacted pursuant thereto The city or the county may impose a reasonable fee to cover the cost of issuing and recording the certificate of compliance.

(b) If a city or county determines that such real property does not comply with the provisions of this division or of local ordinances enacted pursuant thereto, it may, as a condition to granting a certificate of compliance, impose any of the conditions permitted under Section 66499 34 Such conditions may be fulfilled and implemented by the property owner who has applied for a certificate of compliance pursuant to this section or by a grantee of such property owner If such conditions are not fulfilled or implemented by the applicant property owner or the grantee, the certificate of compliance shall have no force or effect upon any subsequent transfer of the property and any subsequent transferee or assignee shall make a new application for a certificate of compliance pursuant to this section, and the city or county may impose such conditions as would have been applicable at the time such assignee or transferee acquired the property

(c) A certificate of compliance shall be issued for any real property which has been approved for development pursuant to Section 66499 34

(d) A recorded final subdivision map or parcel map shall constitute a certificate of compliance with respect to the parcels of real property described therein.

66499 36 Whenever a city or a county has knowledge that real property has been divided in violation of the provisions of this division or of local ordinances enacted pursuant to this division, it shall cause to be filed for record with the recorder of the county in which the real property is located, a notice of violation, describing the real property in detail, naming the owners thereof, and describing the violation Such notice, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property The county recorder shall index the names of the fee owners in the general index ''

Amendment No. 46

On page 56, line 3, strike out ''66499 36'', and insert ''66499 37''.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

VOTE CHANGES

Mr. Stull, Mrs Brathwaite, and Mr Murphy were granted unanimous consent that they be recorded as voting ''Aye'' on concurrence in Senate amendments to Assembly Bill No. 945.

Messrs Wakefield and Murphy were granted unanimous consent that they be recorded as voting ''Aye'' on concurrence in Senate amendments to Assembly Bill No 547.

Mr. Murphy was granted unanimous consent that he be recorded as voting ''Aye'' on concurrence in Senate amendments to Assembly Bills Nos. 754 and 728.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 1458

Mr Wood was granted unanimous consent that he be recorded as voting "Aye," instead of "No," to override the Governor's veto of Assembly Bill No 1541.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2387: By Assemblyman MacGillivray—An act making an appropriation for property tax assistance in augmentation of Item 75, Budget Act of 1972

Held at Desk by order of the Acting Speaker.

Assembly Joint Resolution No. 42: By Assemblyman Townsend (Senator Dills, coauthor)—Relative to the establishment of a Federal Department of Veterans Affairs

Held at Desk by order of the Acting Speaker

MESSAGES FROM THE SENATE

Senate Chamber, November 8, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 84

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 84—Approving amendments to the Charter of the City of Santa Cruz, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June 1972

Held at Desk by order of the Acting Speaker.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, were received, and read:

Assembly Chamber, November 9, 1972

Mr Speaker: Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2387—An act making an appropriation for property tax assistance in augmentation of Item 75, Budget Act of 1972.

W. DON MacGILLIVRAY

Assembly Chamber, November 9, 1972

Mr. Speaker· Pursuant to Joint Rule No 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2386—An act to amend Section 653q of the Penal Code, relating to seals.

LEO J RYAN

Above requests ordered transmitted to the Committee on Rules.

RECESS

At 3.04 p m , Acting Speaker Brown declared the Assembly recessed until 3.56 p m.

REASSEMBLED

At 3·56 p m , the Assembly reconvened

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 84

Mr Murphy was granted unanimous consent to take up Senate Concurrent Resolution No. 84 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 84

Senate Concurrent Resolution No. 84—Approving amendments to the Charter of the City of Santa Cruz, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the sixth day of June 1972

Resolution read, presented by Mr Murphy, and adopted by the following vote:

AYES—Arnett, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Powers, Ralph, Russell, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 129

Mr. Dunlap was granted unanimous consent to take up Assembly Concurrent Resolution No 129 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 129

Assembly Concurrent Resolution No. 129—Approving amendments to the Charter of the City of Napa, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972

Resolution read, and adopted by the following vote:

AYES—Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Z'berg, and Mr. Speaker—58.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

November 9, 1972

Mr James D. Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim Pursuant to the requirements of Section 61 of the Elections Code, I am enclosing herewith documents relating to the ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Napa.

Very truly yours,

JOHN F DUNLAP

Accompanying documents ordered filed with the Secretary of State (ACR No. 129).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 29

Mr Hayden was granted unanimous consent to take up Senate Joint Resolution No 29 without reference to committee or file

Consideration of Senate Joint Resolution No. 29

Senate Joint Resolution No. 29—Relative to the A P. Giannini commemorative stamp

Resolution read, presented by Mr Hayden, and adopted by the following vote.

AYES—Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Collier, Conrad, Cory, Crown, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian,

Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Powers, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Z'berg, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONSIDERATION OF GOVERNOR'S VETO OF ASSEMBLY BILL NO. 305

At 3:55 p m, on motion of Mr MacDonald, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The question being: Shall Assembly Bill No 305 become a law notwithstanding the objections of the Governor?

The names of the absentees were called

Call of the Assembly Continued

Pending the announcement of the vote, Mr. Monagan moved to continue the call of the Assembly.

Motion carried. Time, 4:14 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 9, 1972

Mr Speaker. The Chairman of your Committee on Ways and Means reports·

SCR No. 53

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Concurrent Resolution No. 53—Relative to correctional personnel.

Resolution read.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 39, of the printed measure, as amended in Assembly July 31, 1972, strike out "by itself be".

Amendment No. 2

On page 3, line 3, strike out "deemed an appropriate", and insert "be deemed a necessary or sufficient".

Amendment No. 3

On page 3, line 28, after "counselors", insert "have recently been increased but still".

Amendment No. 4

On page 3, line 40, strike out "women", and insert "women's".

Amendment No. 5

On page 5, line 39, after "examinations;", insert "and in order to achieve this objective, provide that whenever a correctional officer or a women's correctional supervisor position becomes vacant for any reason other than promotion to a correctional program supervisor position, the vacant position shall be converted to a correctional program supervisor position and filled as provided in this resolution;".

Amendment No. 6

On page 6, line 6, after "responsibilities", insert ", and to permit otherwise qualified candidates to apply and compete without requiring prior service as a correctional officer or the equivalent".

Amendment No. 7

On page 9, line 3, strike out the period, and insert "; and be it further

Resolved, That these officers report to the Legislature on or before July 1, 1973, as to their progress in implementing this resolution, and that they include in their reports detailed explanations for any failures to fully implement any of the provisions of this resolution"

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, November 9, 1972

Mr Speaker: The Chairman of your Committee on Health reports:

AB No 976

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Health

CAMPBELL, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 976—An act to add Section 2516.1 to the Business and Professions Code, relating to physicians' assistants

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 4, 1972, after "Duffy", insert

"(Coauthor Senator Song)".

Amendment No. 2

In line 1 of the title, strike out "Section 2516 1", and insert "Sections 1626 5 and 2145 3".

Amendment No. 3

In line 2 of the title, strike out "physicians' assistants", and insert "acupuncture, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 1626.5 is added to the Business and Professions Code, to read

1626 5 The performance of acupuncture by an unlicensed person, alone or in conjunction with other forms of traditional Chinese medicine, when carried on for the primary purpose of scientific investigation of acupuncture, is exempt from the operation of this chapter when all the following conditions are satisfied·

(a) All such techniques and procedures are performed under the direct supervision of a person licensed under this chapter

(b) All such techniques and procedures relate to the treatment of diseases and lesions and the correction of malposed positions of the human teeth, alveolar process, gums, jaws, or associated structures

(c) The licensee dentist supervising the performance of acupuncture, alone or in conjunction with other forms of traditional Chinese medicine, within 10 days of commencing such supervision, submits to the board a report containing the following information·

(1) The name and address of the supervising dentist

(2) The names and addresses of all unlicensed persons performing acupuncture, alone or in conjunction with other forms of traditional Chinese medicine, under his direct supervision

(3) A description of the project for investigating acupuncture

As used in this section, "acupuncture" means a form of traditional Chinese medicine involving the penetration of human tissue by needles at certain points to produce an anesthetic, analgesic, or curative effect.

The provisions of this section shall be operative until December 31, 1975, and shall have no further effect after that date.

SEC 2. Section 2145 3 is added to the Business and Professions Code, to read:

2145 3. The performance of acupuncture by an unlicensed person, alone or in conjunction with other forms of traditional Chinese medicine, when carried on for the primary purpose of scientific investigation of acupuncture, is exempt from the operation of this chapter when all the following conditions are satisfied.

(a) All such techniques and procedures are performed under the direct supervision of a licensed physician and surgeon

(b) The licensed physician and surgeon supervising the performance of acupuncture, alone or in conjunction with other forms of traditional Chinese medicine, within 10 days of commencing such supervision, submits to the board a report containing the following information:

(1) The name and address of the supervising physician and surgeon.

(2) The names and addresses of all unlicensed persons performing acupuncture, alone or in conjunction with other forms of traditional Chinese medicine, under his direct supervision

(3) A description of the project for investigating acupuncture.

As used in this section, "acupuncture" means a form of traditional Chinese medicine involving the penetration of human tissue by needles at certain points to produce an anesthetic, analgesic, or curative effect.

The provisions of this section shall be operative until December 31, 1975, and shall have no force or effect after that date.

SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

The recent rising interest in acupuncture and other forms of traditional Chinese medicine has stimulated a desire on the part of practitioners of modern western medicine to explore these forms of medicine in order to determine whether such forms of medicine may be of benefit to the people of this state In view of the promising possibilities of acupuncture and other forms of traditional Chinese medicine, it is necessary that this act take effect immediately so that the investigation and selection process with respect to these forms of medicine may proceed as soon as possible."

Amendment No. 5

On page 1, strike out lines 2 to 6, inclusive; and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Health

CALL OF THE ASSEMBLY DISPENSED WITH ON CONSIDERATION OF GOVERNOR'S VETO OF ASSEMBLY BILL NO. 305

At 4 25 p m, on motion of Mr Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The question being Shall Assembly Bill No 305 become a law notwithstanding the objections of the Governor?

The names of the absentees were called.

Call of the Assembly Continued

Pending the announcement of the vote, Mr. Cory moved to continue the call of the Assembly.

Motion carried. Time, 4:27 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Call of the Assembly Dispensed With on Consideration of Governor's Veto of Assembly Bill No. 305

At 4:28 p m , on motion of Mr. Cory, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The question being: Shall Assembly Bill No 305 become a law notwithstanding the objections of the Governor?

AYES—Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Ralph, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—52.

NOES—Arnett, Campbell, Chappie, Cline, Conrad, Dent, Lanterman, Lewis, MacGillivray, Moorhead, Seeley, Stull, and Wakefield—13.

Governor's veto sustained.

Motion to Reconsider Governor's Veto of Assembly Bill No. 305 on Next Legislative Day

Mr. MacDonald moved to reconsider on the next legislative day the vote whereby the Governor's veto of Assembly Bill No 305 was this day sustained.

Assembly Bill No. 305 ordered to the unfinished business file

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:29 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

VOTE CHANGES

Mr. Cline was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the vote to override the Governor's veto of Assembly Bill No. 305.

ADJOURNMENT

At 4 30 p m , Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m., Friday, November 10, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-third Legislative Day

Three Hundred Thirteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, November 10, 1972

The Assembly met at 9:30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Stacey moved a quorum call of the Assembly.
Mr Campbell seconded the motion.
Motion carried Time, 9 31 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 9 42 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister·

Father, We listen to Your word this morning as it is written in Ecclesiasticus.

"My son, if you aspire to serve the Lord,
prepare yourself for an ordeal
Be sincere of heart, be steadfast,
and do not be alarmed when disaster comes
Cling to Him and do not leave Him,
so that you may be honoured at the end of your days.
Whatever happens to you, accept it,
and in the uncertainties of your humble state,
be patient,
Since gold is tested in the fire,
and chosen men in the furnace of humiliation
Trust Him and He will uphold you,
follow a straight path and hope in Him"—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Seeley then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Fenton, seconded by Mr Powers.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness·

Mr. Belotti, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem·

Mr Ketchum, on request of Speaker pro Tempore Bee
Mr. Stull, on request of Speaker pro Tempore Bee.
Mr Warren, on request of Speaker pro Tempore Bee

The following Members were excused for the day, and their per diem was waived.

Mr. Bill Greene.
Mr. Ryan.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolutions were referred to committee:

Assembly Joint Resolution No.	*Committee*
41	Employment and Public Employees
42	Government Administration

COMMUNICATIONS

Assembly Chamber, November 10, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 976

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

MESSAGES FROM THE SENATE

Senate Chamber, November 9, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1206

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, November 9, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 519

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 9, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 1302

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 9, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed:

AB No 695

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, November 9, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted.

SJR No 20

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Joint Resolution No. 20—Relative to ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to equal rights for men and women.

Held at Desk by order of the Speaker pro Tempore

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file (Concurrence in Senate amendments pending):

Assembly Bill No. 2230, on request of Mr Brophy.

The following bill was placed upon the inactive file (Consideration of Governor's veto pending):

Assembly Bill No. 1805, on request of Speaker pro Tempore Bee.

Majority Floor Leader Presiding

At 9:48 a m, Hon. Jack R Fenton, 51st District, presiding.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file (Consideration of Governor's veto pending):

Assembly Bill No. 1158, on request of Mr Meade.
Assembly Bill No. 2229, on request of Mr Brophy.
Assembly Bill No. 1665, on request of Mr. Knox
Assembly Bill No. 1172, on request of Acting Speaker Fenton
Assembly Bill No. 252, on request of Mr Barnes
Assembly Bill No. 1162, on request of Mr Barnes
Assembly Bill No. 1614, on request of Acting Speaker Fenton.
Assembly Bill No. 2102, on request of Mr Meade.
Assembly Bill No. 715, on request of Mr Meade.
Assembly Bill No. 615, on request of Mr Brown.
Assembly Bill No. 1411, on request of Mr Foran
Assembly Bill No. 2358, on request of Mr Gonsalves.
Assembly Bill No. 483, on request of Mr Brown
Assembly Bill No. 4, on request of Mr Garcia.
Assembly Bill No. 262, on request of Mr Vasconcellos.
Assembly Bill No. 1405, on request of Mr Foran.
Assembly Bill No. 1492, on request of Mr. Thomas.
Assembly Bill No. 31, on request of Mr Thomas
Assembly Bill No. 1192, on request of Mr Lewis

The following bill was placed upon the inactive file (Consideration of Senate amendments pending).

Assembly Bill No. 723, on request of Mr. Bagley.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No 93, Senate Bill No 1249, Assembly Bill No 496, Senate Bill No 1358 and Assembly Bill No. 305 were continued until the next legislative day.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	*Committee*
2386	Natural Resources and Conservation.
2387	Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Education

Assembly Chamber, November 10, 1972

Mr. Speaker: The Chairman of your Committee on Education reports:

AB No 2124

With author's amendments with the recommendation. Amend, and refer to the Committee on Education

LEROY F GREENE, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 2124—An act to amend Section 6499.8 of the Education Code, relating to early childhood education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Leroy F. Greene", and insert "Vasconcellos".

Amendment No. 2

In line 1 of the title, strike out "amend Section 6499 8 of", and insert "add Section 7503 to".

Amendment No. 3

In line 2 of the title, strike out "early childhood education", and insert "educational programs".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 7503 is added to the Education Code, to read:

7503 The governing board of any school district may initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with law and which is not in conflict with the purposes for which school districts are established."

Amendment No. 5

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 10, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 1112

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1112—An act to amend Sections 12551 and 12553 of, to amend and renumber Section 12551 5 of, to add Sections 12601, 12602, 12603, 12604, and 12605 to, and to repeal Section 12601 of, the Education Code, relating to pupils.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly August 4, 1972, strike out "and 12605", and insert "12605, and 12606".

Amendment No. 2

On page 2, line 33, strike out "The minimum attendance"; strike out line 34; and on page 3, strike out lines 1 and 2.

Amendment No. 3

On page 3, lines 22 and 23, strike out "attending a program offered by a regional occupational", and insert "satisfactorily attending a regional occupational program or".

Amendment No. 4

On page 3, strike out lines 24 and 25; in line 26, strike out "(f)", and insert

"(e)".

Amendment No. 5

On page 3, line 28, strike out the period; strike out lines 29 and 30, and insert ", and have verified approval submitted by their parent or guardian."

Amendment No. 6

On page 3, line 33, strike out "A person who attends a regional occupation"; strike out lines 34 to 39, inclusive, and insert "All persons 16 years of age or older and under 18 years of age, not otherwise exempted by this chapter, may be exempted from compulsory

continuation attendance laws by subdivision (d) of Section 12601 if, after obtaining permission from the administration of a regional occupational center or program, they attend such center or program

If at any time such exempted student's attendance or deportment is unsatisfactory at the regional occupational center or program, the administration of such regional occupational center or program may revoke permission to attend, in which case, the administration in question shall notify the attendance officer of the high school from which the student came of such action."

Amendment No. 7

On page 4, line 3, strike out "has not been graduated from high school", in line 4, strike out "and who is not in attendance at a high school", and insert "is exempt from compulsory continuation attendance under subdivision (e) of Section 12601".

Amendment No. 8

On page 4, line 7, strike out "and has", strike out lines 8 through 10, inclusive; and in line 11, strike out "under this chapter".

Amendment No. 9

On page 4, line 20, strike out "A pupil who successfully"; strike out lines 21 through 26, inclusive, and insert

"The State Board of Education shall award a "certificate of proficiency" to pupils who demonstrate such proficiency. The certificate of proficiency shall not be a high school diploma."

Amendment No. 10

On page 4, line 39, strike out "A person", and insert "Persons".

Amendment No. 11

On page 4, line 40, strike out "has", and insert "have".

Amendment No. 12

On page 5, line 1, strike out "may", and insert "shall be permitted by the governing board to".

Amendment No. 13

On page 5, line 3, after "Division 9", insert "if such enrollment does not preclude attainment of the goals of continuation education schools and classes prescribed in Article 4 (commencing with Section 5950) of Chapter 6 of Division 6, as determined by the governing board. The provisions of Article 7 (commencing with Section 12401) of Chapter 6 of Division 9 shall be applicable to such persons.

SEC. 10 Section 12606 is added to the Education Code, to read:

12606 Any person 16 or 17 years of age exempt from compulsory continuation attendance laws by subdivision (e) of Section 12601 shall be permitted by the governing board of the school district from which the student came to reenroll in the district, without prejudice, as if he had never taken advantage of subdivision (e) of Section 12601".

Amendment No. 14

On page 5, line 4, strike out "SEC. 10", and insert "SEC. 11".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN McALISTER

Mr. Mobley announced that today is the birthday of Assemblyman Alister McAlister, of the 25th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. McAlister.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:09 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE SENATE

Senate Chamber, November 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 129
ACR No. 130

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, November 10, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 196
SB No. 758

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

ADJOURNMENT

At 10:10 a.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Monday, November 13, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-fourth Legislative Day

Three Hundred Sixteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, November 13, 1972

The Assembly met at 11 a m

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Speaker pro Tempore Presiding

At 11 03 a.m , Hon Carlos Bee, 13th District, presiding.

Quorum Call of the Assembly

Mr Thomas moved a quorum call of the Assembly.

Mr Porter seconded the motion.

Motion carried Time, 11 04 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11 13 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox,

LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, You touch the things of earth and make them new. We need no longer to fear this world for we know that You are here, speaking to us in all that You have made.

Long ago you breathed upon the waters and stirred them to life

We ask now that You breathe Your Spirit once more upon our world, that we may know a new and better spring where everything around us is alive to You.—AMEN.

INTRODUCTION OF GUESTS

By unanimous consent, Father Leo McAllister, Chaplain of the Assembly, introduced his mother, Mrs Mary Ann McAllister, of County Sligo, Ireland, whereupon the Members of the Assembly joined in welcoming her on her visit to the Assembly Chamber.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Mobley then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Knox, seconded by Mr Barnes.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Belotti, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Speaker pro Tempore Bee.
Mr Keysor, on request of Speaker pro Tempore Bee
Mr. Moorhead, on request of Acting Speaker Fenton.
Mr. Ryan, on request of Speaker pro Tempore Bee

REPORTS

The following report was presented by the Speaker:

Assembly Concurrent Resolution No. 80—Relative to Foreign Medical Graduates.

Above transmitted report, together with letter of transmittal from Frank Reynolds, Chief Deputy Director, Department of Consumer Affairs, Sacramento, dated November 1, 1972, referred by the Speaker pro Tempore to the Committee on Health.

The following report was presented by the Chief Clerk:

Corps of Engineers' Draft Review Report for Flood Control and Allied Purposes Russian River, California. (Pursuant to Sections 450–453, California Water Code.) June 1972.

Above transmitted report, together with letter of transmittal from Paul L Clifton, Project Coordinator, Resources Agency, Sacramento, dated November 6, 1972, referred by the Speaker pro Tempore to the Committee on Water.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 43: By Assemblyman MacDonald—Relative to Veterans Day

Held at Desk by order of the Speaker pro Tempore

COMMUNICATIONS

Assembly Chamber, November 13, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined.

AB No 1387	AB No 2124
AB No 1874	AB No. 2127

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, November 13, 1972

Mr. Speaker. The Chairman of your Committee on Local Government reports:

SB No 921

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Local Government

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 921—An act relating to local government, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly August 4, 1972, strike out "SEC 1", and insert

"SEC 1.5".

Amendment No. 2

On page 2, strike out lines 34 to 36, inclusive; and in line 37, strike out "(c)", and insert
"(b)".

Amendment No. 3

On page 6, line 7, strike out "(e)", and insert
"(d)".

Amendment No. 4

On page 6, line 8, strike out "(f)", and insert
"(e)".

Amendment No. 5

On page 8, between lines 35 and 36, insert
"(g) A statement of the maximum tax that may be imposed pursuant to Article 2 (commencing with Section 180) of Chapter 6."

Amendment No. 6

On page 13, line 5, strike out the first comma, and insert "of".

Amendment No. 7

On page 13, line 17, strike out "or".

Amendment No. 8

On page 15, line 22, strike out the first comma, and insert "of".

Amendment No. 9

On page 17, line 2, strike out the comma, and insert "of".

Amendment No. 10

On page 17, line 10, strike out the first comma, and insert "of".

Amendment No. 11

On page 17, line 13, strike out "appoint", and insert "appointed".

Amendment No. 12

On page 25, line 39, after "designate", insert "the".

Amendment No. 13

On page 29, line 18, strike out "by the".

Amendment No. 14

On page 31, line 7, strike out "6 5", and insert "8 (commencing with Section 245)".

Bill ordered reprinted, and to be re-referred to the Committee on Local Government.

MESSAGES FROM THE SENATE

Senate Chamber, November 13, 1972.

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 90

And appointed Senators Dills, Petris, and Lagomarsino, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 417 for hearing in the Committee on Revenue and Taxation today.

Mr MacDonald was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Joint Resolution No. 41 for hearing in the Committee on Employment and Public Employees on Wednesday, November 15.

REQUEST FOR UNANIMOUS CONSENT

Mr Badham was granted unanimous consent that a photographer be permitted on the floor of the Assembly.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2213—An act to add Section 39009 to, to repeal Division 16 7 (commencing with Section 39000) of, and to add Division 16.8 (commencing with Section 39100) to, the Vehicle Code, relating to the licensing of bicycles, and making an appropriation therefor.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2213?

Senate Amendments of July 21, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 16, 1972, after "add", insert "and repeal".

Amendment No. 1.5

In line 2 of the title, after "39000)", insert ", and to add Division 16.8 (commencing with Section 39100),".

Amendment No. 2

On page 3, line 37, strike out "on", and insert "into the head of".

Amendment No. 3

On page 4, between lines 9 and 10, insert

"39009. This division shall be operative until June 30, 1975, and as of that date is repealed

SEC 2 Division 16 8 (commencing with Section 39100) is added to the Vehicle Code, to read:

DIVISION 16.8. LICENSING OF BICYCLES

39100. For the purposes of this division:

(a) "Bicycle" means any device upon which a person may ride; which is propelled by human power through a system of belts, chains, or gears; which has wheels 20 inches or more in diameter, and which has three or more forward speeds.

(b) "Bicycle dealer" means any person, firm, partnership, or corporation which is engaged, wholly or partly, in the business of selling bicycles, or buying or taking in trade bicycles for the purpose of resale, selling, or offering for sale, or otherwise dealing in bicycles, whether or not such bicycles are owned by such person or entity. The term also includes agents or employees of such person or entity.

39101. The department shall maintain records relating to all licensed bicycles in the state in an automated system.

Such records shall be available to all authorized law enforcement agencies through the Automated Management Information System.

39102. The department shall adopt rules and regulations for the implementation and administration of this division

Such rules and regulations shall be adopted after consultation with local law enforcement agencies, bicycle manufacturers, bicycle dealers, and bicyclists' organizations.

39103. Each bicycle dealer shall register and license each bicycle sold by the dealer in accordance with the provisions of this division and any rules and regulations adopted thereunder.

39104. Bicycle licenses and registration forms shall be supplied by the department to each bicycle dealer

The license shall be affixed to the bicycle and the registration form shall be completed by the dealer at the time of sale.

39105. The director shall prescribe the form and content of the license.

39106 The registration form shall contain the following:

(a) The name and address of the registered owner.

(b) The make, type, and model of the bicycle.

(c) The serial number and license number of the bicycle.

(d) The date of sale.

(e) A place for the name and address of a new registered owner.

(f) Such other data as may be required by the department.

39107. One copy of the registration form as to each bicycle sold by a bicycle dealer shall be given to each of the following:

(a) The department.

(b) The law enforcement agency in whose jurisdiction the owner resides.

(c) The owner.

(d) The dealer, who shall retain the copy for a period of three months from the date of sale.

39108. All records of a bicycle dealer pertaining to the sale, registration, and licensing of bicycles shall be open to inspection by any member of the department or any peace officer at any time during the regular business hours of the dealer.

39109 Licenses are valid for a period of three years from the date of issue.

39110. A fee of three dollars ($3) shall be charged by the bicycle dealer for the registration and licensing of a bicycle Fifty cents ($0 50) shall be retained by the bicycle dealer for his services; and two dollars and fifty cents ($2 50) shall be transmitted to the department

39111. No new bicycle shall be sold or licensed within this state unless such bicycle has a unique serial number permanently stamped or cast into the head of its frame, pursuant to the rules and regulations of the department

39112 After July 1, 1976, no person shall ride, move, haul, or leave standing, or allow to be ridden, moved, hauled, or left standing any bicycle on any road, street, highway or other public property unless such bicycle has been licensed in accordance with this division

This section does not apply to bicycle manufacturers or bicycle dealers transporting bicycles in the normal course of business

39113 The owner of a bicycle may have an expiree bicycle license renewed by any bicycle dealer upon the presentation of the bicycle, the last issued registration form or its copy, and the fee prescribed by Section 39009

39114. Whenever the owner of a registered bicycle changes his address, he shall notify the department in writing of the old and new address within 10 days

39115 Whenever the owner of a registered bicycle sells, trades, or gives the bicycle to another person, he shall notify the department in writing of that fact within 10 days The department shall adopt rules and regulations relating to the recordation of such transfers

39116 Any local law enforcement agency may perform the functions of a bicycle dealer with respect to the registration and licensing of bicycles

39117 Any owner of a bicycle as defined in Section 21200 which is not subject to registration and licensing under this division may have such a bicycle licensed pursuant to this division if he chooses to do so

39118 Any violation of this division is a misdemeanor

SEC 3 Division 16 8 (commencing with Section 39100) as added to the Vehicle Code by Section 2 of this act shall become operative on July 1, 1975 The Department of Motor Vehicles may adopt rules and regulations, and take other necessary action, for the expeditious implementation of the division prior to that date ''

Amendment No. 4

On page 4, line 10, strike out ''SEC 2'', and insert ''SEC. 4''.

Amendment No. 5

On page 4, line 18, strike out ''SEC 3'', and insert ''SEC 5''.

Amendment No. 6

On page 4, line 34, strike out ''SEC 4'', and insert ''SEC 6''.

Senate Amendments of July 27, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 21, 1972, strike out "11111 to the Penal Code, and to add", strike out line 2 of the title, and in line 3 of the title, strike out "39000)", and insert "39009 to, to repeal Division 16 7 (commencing with Section 39000) of".

Amendment No. 2

In line 4 of the title, strike out ", to", and insert "to,".

Amendment No. 3

On page 2, strike out lines 1 to 9, inclusive, strike out page 3, on page 4, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. It is the intent of the Legislature in enacting this act to provide for a statewide system for registering and licensing bicycles to begin operation on July 1, 1975 The system is to be administered by the Department of Motor Vehicles The department shall make use of all available studies regarding the registration and licensing of bicycles in developing the rules and regulations required by this act

SEC 2. Section 39009 is added to the Vehicle Code, to read ".

Amendment No. 4

On page 4, line 12, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 6, line 19, strike out "expiree", and insert "expired".

Amendment No. 6

On page 6, between lines 22 and 23, insert

"No dealer is required to renew a license pursuant to this section "

Amendment No. 7

On page 6, line 31, after "agency", insert "or fire department".

Amendment No. 8

On page 6, line 39, strike out "SEC 3", and insert "SEC. 4".

Amendment No. 9

On page 6, line 40, strike out "2", and insert "3".

Amendment No. 10

On page 7, strike out lines 6 to 34, inclusive, and insert

"SEC 5 Section 2 of this act shall become operative only if Senate Bill No 147 is enacted at the 1972 Regular Session of the Legislature and adds Division 16.7 (commencing with Section 39000) to the Vehicle Code "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Badham, Bagley, Bee, Beverly, Briggs, Burke, Campbell, Chacon, Chappie, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Leroy F Greene, Hayden, Harvey

Johnson, Ray E Johnson, Karabian, Ketchum, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood and Mr Speaker—53

NOES—Barnes, Cline, Dunlap, Gonsalves, Russell, Vasconcellos, and Wakefield—7.

Above bill ordered enrolled

BILLS PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file

Senate Concurrent Resolution No. 4, on request of Speaker pro Tempore Bee

The following bills were placed upon the inactive file (consideration of Governor's vetoes)·

Assembly Bill No. 612, on request of Mr Vasconcellos.

Assembly Bill No. 699, on request of Mr Vasconcellos

Assembly Bill No. 783, on request of Mr Warren

Assembly Bill No. 1419, on request of Mr Vasconcellos

Assembly Bill No 586, on request of Mr Chacon

Assembly Bill No. 272, on request of Mr Vasconcellos.

Assembly Bill No. 278, on request of Mr Beverly.

Assembly Bill No. 474, on request of Mr Stull

Assembly Bill No. 696, on request of Mr MacDonald

Assembly Bill No. 271, on request of Mr Harvey Johnson.

Assembly Bill No. 1187, on request of Mr Miller.

Assembly Bill No. 90, on request of Mr Harvey Johnson

MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 93 WAIVED

Mr Miller waived his motion to reconsider the vote whereby Assembly Constitutional Amendment No 93 was refused adoption

MOTION TO RECONSIDER SENATE BILL NO. 1358 CONTINUED

Mr Waxman was granted unanimous consent that his motion to reconsider the vote on Senate Bill No 1358 be continued until the next legislative day.

MOTION TO RECONSIDER GOVERNOR'S VETO OF ASSEMBLY BILL NO 305 WAIVED

Mr MacDonald waived his motion to reconsider the vote whereby the Governor's veto of Assembly Bill No 305 was sustained

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 968—An act to amend Sections 13990, 13990 2, 13990 4, 13990 6, 13992, 13993, and 13994 of, and to add Section 13990 9 to, the Government Code, relating to transportation

Bill read third time

Motion to Amend

Mr. Foran moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out "13990, 13990 2, 13990 4, 13990 6.", and strike out lines 2 and 3 of the title, and insert "29530, 29532, and 29533 of the Government Code, to amend Sections 29140 5, 99207, 99208, 99209, 99241, 99242, 99266, 99267, 99280, 99282, 99283, 99284, 99305, 99400, and 99405 of, to amend the heading of Article 5 (commencing with Section 99280) of Chapter 4 of Part 11 of Division 10 of, to amend and renumber Sections 99240, 99285, 99301, and 99303 of, to add Sections 99203, 99210, 99211, 99230, 99231, 99232, 99235, 99260, 99261, 99262, 99268, 99269, 99285, 99286, 99401, 99402, and 99406 to, and to repeal Sections 99202, 99203, 99210, 99211, 99260, 99262, 99264, 99268, 99269, 99270, 99271, 99272, 99273, 99274, 99275, 99300, 99304, 99401, 99402, 99403, 99404, 99406, and 99407 of, the Public Utilities Code, to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of, and to add Sections 6357 1, 6357 2, 7204 4, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to public transportation, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Section 29530 of the Government Code is amended to read:

29530 If the board of supervisors so agrees by contract with the State Board of Equalization, the board of supervisors shall establish a local transportation fund in the county treasury and shall deposit in such fund all revenues transmitted to the county by the State Board of Equalization under Section 7204 of the Revenue and Taxation Code, which are derived from that portion of the taxes imposed by the county at a rate in excess of 1 percent pursuant to Part 1 5 (commencing with Section 7200) of Division 2 of such code, less an allocation of the cost of the *services of the* State Board of ~~Equalization's services~~ *Equalization* in administering the sales and use tax ordinance related to the rate in excess of 1 percent *and of the Secretary of the Business and Transportation Agency in administering the responsibilities assigned to him in Chapter 4 (commencing with Section 99200), Part 11, Division 10 of the Public Utilities Code*

Any interest or other income earned by investment or otherwise of the local transportation fund shall accrue to and be a part of the fund

SEC 2 Section 29532 of the Government Code is amended to read

29532 Out of the funds appropriated pursuant to Section 29531, the county auditor shall pay to public transportation entities such amounts as are allocated by the ~~following designated transportation planning agencies~~ *transportation planning agencies designated by the Secretary of the Business and Transportation Agency as follows*:

(a) For a county included within the jurisdiction of a statutorily created regional transportation planning agency, such agency

(b) For a county which is not included within the jurisdiction of a statutorily created regional transportation agency but for which there is a council of governments, such council For a county for which an election has been made under the provisions of Section 29536 to form a local transportation commission, such local transportation commission authorized in Section 29535

(c) For a county not within the jurisdiction of a statutorily created regional transportation planning agency or a council of governments, the local transportation commission authorized in Section 29535

SEC 3 Section 29533 of the Government Code is amended to read

29533 In the event that any ~~application~~ *allocation*, if approved in accordance with Section 29532, would cause the county to incur any indebtedness or liability in any year in excess of the money in the local transportation fund for such year, the board of supervisors shall, upon notification from the ~~local~~ transportation ~~commission~~ *planning agency* designated in Section ~~29535, or the regional body designated in Section 99215 of the Public Utilities Code~~ *29532*, call an election pursuant to Article 7 (commencing with Section 99320) of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code Such election may be consolidated with a general election or a direct primary election The cost of such election shall, upon approval of the ~~local transportation commission~~ *transportation planning agency* designated in Section ~~29535, or the regional body designated in Section 99215 of the Public Utilities Code~~ *29532*, be paid from the transportation fund

SEC 4 Section 29140 5 of the Public Utilities Code is amended to read

29140 5 If pursuant to Section 29140, the Legislature subsequently enacts enabling legislation for any other method of financing under which funds are provided to the district for completion of the system described in Section 29142, or if other methods of financing shall hereafter be approved as a result of other legislation hereafter enacted, then to the extent of any funds received by the district under such other method of financing, after deducting expenses of collection, the amount of revenues from transactions and use taxes pursuant to this article authorized under Section 29142 shall be reduced in order that such taxes shall earlier terminate If sufficient funds are received by the district as a result of such legislation to accomplish the purposes specified in Section 29142 then the taxes authorized in said section shall be repealed

All funds received by the district under such other method of financing shall be pledged for the payment of and shall secure any revenue bonds or notes then outstanding under Section 29143, so that in no event shall the obligation of such revenue bonds or notes be impaired

This section shall not apply to funds received by the district pursuant to Chapter 4 (commencing with Section 99200) of Part 11 of this division for the procurement of rolling stock, the purpose of extensions of the approximately 75-mile system referred to in Section 29142, or any purpose other than the completion of such system

SEC 5 Section 99202 of the Public Utilities Code is repealed

~~99202 For the purposes of Article 4 (commencing with Section 99260) of this chapter, "applicant" means a regional applicant or a municipal applicant submitting an application for an allocation of funds from the local transportation fund of a county. For the purposes of Article 8 (commencing with Section 99400) of this chapter, "applicant" means a county, city, or transit district.~~

SEC 6 Section 99203 of the Public Utilities Code is repealed

~~99203 "Approved application" means an approved annual public transportation claim as determined under Section 99261 or an approved annual claim as determined under Section 99103.~~

SEC. 7 Section 99203 is added to the Public Utilities Code, to read

99203 "Claimant" or any derivative term, such as "applicant," means an operator, city, or county

SEC 8 Section 99207 of the Public Utilities Code is amended to read:

99207 "Included municipal ~~applicant~~ *operator*" means a city or county, including any nonprofit corporation or other legal entity wholly owned or controlled by the city or county, which ~~operates~~ *has operated continuously, or in which there has been operated continuously by a state agency or the Regents of the University of California,* a public transportation system *since at least January 1, 1971,* and which is included, in whole or in part, within ~~an existing~~ *a* transit district ~~and which operated a public transportation system on January 1, 1971~~

SEC 9 Section 99208 of the Public Utilities Code is amended to read:

99208 "Included transit district" means ~~a transit district which operates a public transportation system and which is included entirely within another existing transit district on January 1, 1971, or a district organized pursuant to Part 3 (commencing with Section 27000) of Division 16 of the Streets and Highways Code~~ *any of the following which has operated a public transportation system since at least January 1, 1971:*

(a) A transit district whose boundaries are contained entirely within those of a larger transit district.

(b) A district organized pursuant to Part 3 (commencing with Section 27000) of Division 16 of the Streets and Highways Code

SEC. 10 Section 99209 of the Public Utilities Code is amended to read

99209 "Municipal ~~applicant~~ *operator* means ~~-~~

~~(a) A~~ *a* city or county, including any nonprofit corporation or other legal entity wholly owned or controlled by the city or county, which operates a public transportation system, *or which on July 1, 1972, financially supported, in whole or in part, a privately owned public transportation system,* and which is not included, in whole or in part, within an existing transit district

~~(b) A city or county located within a transit district which contracts to receive public transportation service from an included transit district, provided, however, that the claim of such city or county shall be included in the claim of the included transit district.~~

~~(c) A city or county outside of a transit district which contracts to receive public transportation service from a municipal applicant, from an included transit district, or from a transit district; provided, however, that the claim of such city or county shall be included in the claim of the contracting party providing such service.~~

~~(d) An included municipal applicant.~~

~~(e) An included transit district.~~

~~(f) A transit district which contracts to receive public transportation service from another transit district or another municipal applicant.~~

SEC 11 Section 99210 of the Public Utilities Code is repealed

~~99210. Public transportation system means any system for the transportation of public passengers being developed or operated by a public agency, including a city, county, or transit district, in which the mode of transporting passengers is by rail, bus, or other vehicles which are operated grade-separated from, or in conjunction with, other vehicular traffic on public streets, highways, freeways, and bridges or by a waterborne mode of transportation.~~

SEC 12 Section 99210 is added to the Public Utilities Code, to read

99210 "Operator" means any transit district, included transit district, municipal operator, or included municipal operator

SEC 13 Section 99211 of the Public Utilities Code is repealed

~~99211. "Regional applicant" means a transit district, but not an included transit district.~~

SEC 14 Section 99211 is added to the Public Utilities Code, to read

99211 "Public transportation system" means any system of an operator which provides transportation services to the general public by any vehicle which operates on the surface of land or water, regardless of whether operated separated from or in conjunction with other vehicles

SEC 15 Section 99230 is added to the Public Utilities Code, immediately following the heading of Article 3 (commencing with Section 99240) of Chapter 4 of Part 11 of Division 10, to read

99230 The designated transportation planning agency shall, from an analysis and evaluation of the total amount anticipated to be available in the local transportation fund and the relative needs of each claimant for the purposes for which the fund is intended, and consistent with the provisions of this chapter, annually determine the amount to be allocated to each claimant

SEC 16 Section 99231 is added to the Public Utilities Code, to read

99231 All operators and city or county governments with responsibility for providing municipal services to a given area collectively may file claims for only such moneys as represents that area's apportionment

The term "apportionment" has reference to that proportion of the total annual revenue anticipated to be received in the fund that the population of the area bears to the total population of the county

With reference to a transit district or an included transit district, the term "area" includes the entire area stated in its enabling legislation or franchise, excluding cities therein which have retained the right to join the district at some later date, but including all of that area within one-half mile of any route which extends beyond its boundaries and all of the corporate area of any city to which the transit district provides service pursuant to contract or prior express authority of the secretary. With reference to a county government, "area" includes only that portion which is unincorporated

The transportation planning agency may rely in its determination of populations on estimates which are used by the State Controller for distributing money to cities under Section 2107 of the Streets and Highways Code and to counties under Section 11005 of the Revenue and Taxation Code, and may contract with the Department of Finance or other appropriate state agency for an annual determination of such population estimates as may be necessary

SEC 17. Section 99232 is added to the Public Utilities Code, to read

99232. For counties with a population of 500,000 or more, as determined under Section 28020 of the Government Code, as now or hereafter amended, but excluding counties with more than 4,500 miles of maintained county roads, the amount representing the apportionments of the areas of all operators shall be available solely for claims for Article 4 (commencing with Section 99260) purposes, and any such moneys not allocated in any year shall be available for such claims in subsequent years.

SEC 18 Section 99235 is added to the Public Utilities Code, to read:

99235 Upon having determined the allocation of each claimant on the fund, the transportation planning agency shall convey such information to each claimant and the county auditor, together with one allocation instruction for each claimant advising the auditor as to the time and the nature of payment

Such instruction may call for a single payment, for payment as moneys become available, or for payment by installments monthly, quarterly, or otherwise The allocation and instruction may be rescinded and revised by the transportation planning agency only under one of the following circumstances

(a) An appeal has been filed

(b) The claimant is found to be spending, or unless enjoined to be about to spend, moneys otherwise than in accordance with the terms of the allocation

(c) An adjustment is proved to be necessary to reconcile the estimates on which the allocation was based with the actual figures when these are available.

(d) The financial needs of the claimant differ from those at the time of the allocation due to changed circumstances

SEC 19 Section 99240 of the Public Utilities Code is amended and renumbered to read

~~99240~~ *99233* The ~~local transportation~~ fund shall be ~~apportioned~~ *allocated* by the designated transportation planning agency in accordance with the following priorities.

(a) First, there shall be ~~apportioned~~ *allocated* to the county such sums as are necessary for the county to administer this chapter

(b) Thereafter there shall be ~~apportioned~~ *allocated* to the transportation planning agency such sums as are necessary to administer this chapter

~~(c) Thereafter there shall be apportioned to statutorily created regional transportation planning agencies and entities created by interstate compact, for the conduct of the continuing comprehensive transportation planning process within the region, up to 3 percent of such revenues, unless a greater amount is approved by the secretary.~~

(c) Thereafter there shall be allocated to the transportation planning agency, if it is statutorily created, or is serving as the California representation to an agency created by interstate compact, such sums as it may approve up to 3 percent of annual revenues for the conduct of the transportation planning process, unless a greater amount is approved by the secretary.

(d) Thereafter there shall be ~~apportioned~~ *allocated* to ~~qualified applicants~~ *operators* such moneys as are approved by the transportation planning agency for claims presented ~~by applicants~~ pursuant to Article 4 (commencing with Section 99260) of this chapter

(e) Thereafter there shall be ~~apportioned~~ *allocated* to ~~qualified applicants~~ *cities and counties* such moneys as are approved by the transportation planning agency for claims presented ~~by applicants~~ pursuant to Article 8 (commencing with Section 99400) of this chapter

SEC 20 Section 99241 of the Public Utilities Code is amended to read:

99241 Except for ~~apportionments~~ *allocations* made for purposes of subdivision ~~(c)~~ *(a)* of Section 99400, which shall be subject to the rules and regulations adopted by the transportation planning agency, ~~the apportionments~~ *all matters necessary and convenient to the implementation of this chapter* shall be subject to rules and regulations, consistent with statute, ~~promulgated~~ *adopted* by the secretary, with the advice and consent of the State Transportation Board, and those rules and regulations may be revised from time to time

Such rules and regulations shall ~~require~~ *specify the procedures by which* evaluation and review by the transportation planning agency of public transportation claims *shall be accomplished*, and *shall require submission of* corresponding budgets or financial plans, *certified financial statements*, and other information required in connection therewith The rules and regulations shall provide for the orderly and periodic distribution of ~~funds~~ *moneys* in the ~~local transportation~~ fund ~~to the applicant~~ so that the areas served by the ~~applicant~~ *operator* will be provided public transportation services on a continuing basis and so that there will be an orderly improvement and maintenance of the system of the ~~applicant by the use of money disbursed from the local transportation fund~~ *operator* The rules and regulations shall provide for the approval of sufficient moneys from the local ~~transportation~~ fund to accomplish the intent of the Legislature as expressed in the findings and declarations in Section 99220 ~~Such~~

Such rules and regulations may require that the transportation planning agency, in reviewing claims, give due consideration to the level

of the ~~applicant's~~ *operator's* passenger fares and charges, the efficiency of the ~~applicant's~~ *operator's* operations and operating policies and practices, the extent to which the ~~applicant~~ *operator* is meeting the transportation needs of the area served, and the extent to which the ~~applicant~~ *operator* is making full use of other available revenues and funds, including federal transportation grants

SEC 20.5. Section 99242 of the Public Utilities Code is amended to read:

99242 In the event that ~~an applicant~~ *a claimant* is not satisfied with his approved claim or other action taken by the transportation planning agency, a notification with supporting documentation may be filed with the secretary, who shall conduct an investigation and evaluation of the disagreement between the ~~applicant~~ *claimant* and the transportation planning agency. The secretary shall notify the involved parties of his findings, which shall be a final settlement of the issue.

SEC 21. Section 99260 of the Public Utilities Code is repealed.

~~99260. An applicant may, after the operative date of this section, and at least 90 days prior to the beginning of the following fiscal year and any fiscal year thereafter, file with the transportation planning agency a claim supported by a budget or financial plan setting forth a statement of estimated financial needs, accompanied by such other documents as may be requested by the transportation planning agency including, but not limited to, annual financial statements accompanied by a report of a certified public accountant, except that this need not be done for the then current year.~~

SEC 22. Section 99260 is added to the Public Utilities Code, to read:

99260 Claims may be filed with the transportation planning agency by operators under this article for the following purposes:

(a) The support of public transportation systems.

(b) Aid to public transportation research and demonstration projects.

SEC 23. Section 99261 is added to the Public Utilities Code, to read:

99261 The transportation planning agency may adopt rules and regulations supplemental to and consistent with those of the secretary further delineating procedures for the submission of such claims and stating criteria by which they will be analyzed and evaluated.

Such criteria may include a statement of intent to disallow any portion of an operator's claim which calls for moneys to finance unreasonable or arbitrary increases in executive level salaries based on consideration of executive level salaries in other public agencies and in the public transportation industry, both nationally and within the state.

To the extent necessary to perform its duties under this article, the transportation planning agency shall have full access to the books, records, and accounts of claimant operators.

SEC 24. Section 99262 of the Public Utilities Code is repealed.

~~99262. In the claim, the applicant may request the disbursement of money from the local transportation fund of the county in which the~~

~~public transportation is, or will be, in an amount sufficient to satisfy its estimated financial needs. (a) In order to meet its capital and operating requirements for the planning, construction, maintenance, and operation of a public transportation system, including current acquisition or replacement of transportation vehicles or conveyances, acquisition of real property, construction of facilities, expenses for repairs, operation, maintenance, and depreciation and the payment of principal and interest on its bonded indebtedness, equipment trust certificates, or other indebtedness, including any amounts in the accomplishment of a defeasance under any outstanding revenue bond indenture.~~

~~(b) For public transportation research and demonstration grants.~~

~~The claim shall evidence, but not be limited to, the actual need for financial assistance for any deficit resulting from expenditures exceeding its available revenues from all sources, based on estimates filed with the transportation planning agency for the applicable fiscal year. The claim shall be for a fiscal year period corresponding to the accounting period of the state, unless a different period is authorized by the transportation planning agency.~~

SEC 25 Section 99262 is added to the Public Utilities Code, to read:

99262 Claims for public transportation systems may include claims for money for all purposes necessary and convenient to the development and operation of the system, including planning and contributions to the transportation planning process, acquisition of real property, construction of facilities and buildings, purchase and replacement of vehicles, and system operation, maintenance, and repair, payment for any of which purposes may take the form of direct expenditures or payment of principal and interest on equipment trust certificates, bonded or other indebtedness, or any amounts in accomplishment of a defeasance of any outstanding revenue bond indenture.

SEC 26 Section 99264 of the Public Utilities Code is repealed

~~99264. The transportation planning agency shall review the budget or financial plan filed by each applicant and shall, from an analysis and evaluation thereof, determine the estimated financial assistance required for the applicable fiscal year by each such applicant, which amount, when determined, shall constitute and be called the "approved annual public transportation claim" for each applicant.~~

~~The claim, other than the claim of an included municipal applicant subject to subdivision (a) of Section 99300, may include a proportional amount for regularly scheduled transit services provided outside of the applicant's boundaries even though a contract specified in Section 99201 has not been executed. Such claim may not be apportioned by the transportation planning agency without the prior express authorization of the secretary. In the event a contract between the applicant and the city or county receiving such service is executed, the approval of the secretary is not needed in order for the claim to be paid.~~

SEC 27 Section 99266 of the Public Utilities Code is amended to read:

99266 ~~In the evaluation of the budget or financial plan, the transportation planning agency shall require from the applicant statements or reports substantiating any~~ *No moneys may be allocated to an operator whose claim includes funds for an* increase in operating budget in excess of 15 percent above the preceding year or substantial increase or decrease in scope of operations or capital budget provisions for major new fixed facilities, *unless the operator's claim is accompanied by statements, reports,* and such other supporting data as may be reasonably required *to substantiate such change*

SEC. 28 Section 99267 of the Public Utilities Code is amended to read

99267. ~~(a) (1) At~~ *Except for a transit district formed, or a municipal operator created by its city, after March 4, 1972, during its first five years of existence, at* least 75 percent of funds received under this article shall be used for capital expenditures, except that the amount of federal or other state funds granted or approved for capital expenditure on a matching basis may be applied to satisfy this requirement Such capital expenditures shall consist of acquisition of land and other real property, current acquisition or replacement of transportation vehicles, or conveyances, and acquisition, construction, enlargement, or repair of property and facilities incidental to or necessary or convenient in connection with the foregoing, depreciation, and payment of principal and interest on its bonded indebtedness, equipment trust certificates, or other indebtedness, including any amounts in the accomplishment of a defeasance under any outstanding revenue bond indenture

When unique and unusual circumstances arise whereby funds are available for capital expenditures but not for other more urgent costs, *an operator may file* an application ~~may be filed~~ with the secretary for a temporary waiver which, if granted, shall authorize funds *otherwise* restricted for capital expenditures to be used for other more urgent purposes ~~costs~~ To approve such a request, the secretary shall determine that financing the noncapital expenditures by other means, such as fare increases or curtailment of services, will adversely affect public transportation service for the area

~~(2) The expenditure of the funds received under this article by the applicant may in no year exceed 50 percent of the amount required to meet operating, maintenance, and capital and debt service requirements after deduction therefrom of federal grants estimated to be received. With respect to the budgeted capital requirements of the applicant for grade-separated mass transit system facilities, notwithstanding the 50-percent limitation specified in the foregoing sentence, the applicant may expend the amount budgeted for capital requirements in any year or other applicable period less the amount of federal and other state funds granted or approved therefor, if a construction of such facilities has been found to be consistent with the applicable regional plans for the area within which the applicant provides service by the recognized comprehensive and transportation planning agency. Such other applicable period may consist of a five-year period on a cumulative basis for the acquisition, construction, and financing of grade-separated mass~~

~~transit system facilities and, within such applicable period, the amount of the grant in any year may be ordered by the transportation planning agency to be set aside and cumulated for accomplishment of the particular project.~~

~~(b) The transportation planning agency may disallow, in whole or in part, any portion of the operating requirements of the applicant's claim caused by unreasonable or arbitrary increases in executive-level salaries. In making such a disallowance, the transportation planning agency may consider executive salary levels in public agencies and in the public transportation industry, both nationally and within the state, as well as pertinent indices pertaining to salary levels in the public transportation industry.~~

~~(c) The approval of the claim by the transportation planning agency shall constitute the approval specified in Section 29701 of the Government Code.~~

~~(d) The limitations of subdivision (a) shall not apply to a transit district during its first five fiscal years, if the district was formed after the effective date of this section.~~

SEC 29. Section 99268 of the Public Utilities Code is repealed.

~~99268. It is the intent of the Legislature that to the extent moneys are available, the financial assistance in the amount determined in Section 99261 shall be disbursed to the applicants by the transportation planning agency subject to the limitations in Sections 99270, 99271, and 99272 regarding moneys available for the applicant.~~

SEC 30. Section 99268 is added to the Public Utilities Code, to read:

99268. The expenditure of the funds received under this article by an operator may in no year exceed 50 percent of the amount required to meet operating, maintenance, and capital and debt service requirements of the system after deduction therefrom of approved federal grants estimated to be received. Notwithstanding the 50-percent limitation, the amount budgeted for capital requirements in any year or other period up to five years, less the amount of federal and other state funds granted or approved therefor, may be allocated and expended for capital improvements to a grade-separated mass transit system, if construction of such facilities has been found to be not inconsistent with the regional transportation plan of the transportation planning agency. Within such five-year period, the transportation planning agency may order the amount of the allocation in any year to be set aside and accumulated for accomplishment of the particular project.

SEC 31. Section 99269 of the Public Utilities Code is repealed.

~~99269. The approved claim shall be transmitted by the transportation planning agency to the applicant, and the county auditor shall make disbursements in the manner and at the times requested by applicant, or as determined by the transportation planning agency.~~

~~The approved claim of the applicant shall be reviewed by the transportation planning agency upon its own motion or upon request of the applicant, either during the fiscal year covered by the claim or thereafter. The review shall include an adjustment to reconcile the estimates on which the approved claim was based with the actual figures when~~

~~these are available. The review may also include a redetermination of an approved claim if the financial needs of the applicant due to changed circumstances differ from that of the approved claim. The transportation planning agency in determining or redetermining the approved claim, shall have full access to the books, records, and accounts of the applicant.~~

SEC 32 Section 99269 is added to the Public Utilities Code, to read

99269 No money shall be allocated from the fund nor expended by any operator which evidences a reduction in money made available and expended for public transportation systems from all local sources, except from fares and except revenues received from the Transit District Public Transportation Improvement Fund established by Article 1.5 (commencing with Section 37010), Part 17, Division 2 of the Revenue and Taxation Code, below the average of such funding for the five fiscal years next preceding July 1, 1972

SEC 33 Section 99270 of the Public Utilities Code is repealed

~~99270. The amount of an approved claim of any municipal applicant, except an included municipal applicant under Section 99300, for any fiscal year shall not exceed the proportion of the total revenue placed by the county in the local transportation fund that the population of the municipal applicant bears to the total county population as determined by the transportation planning agency, except that a proportional amount may also be provided for transit services provided outside of the boundaries of the municipal applicant by the applicant.~~

SEC 33.2 Section 99271 of the Public Utilities Code is repealed

~~99271. The approved claim of a regional applicant for any fiscal year shall, regardless of whether the applicant has boundaries that are coterminous with the boundaries of a city or county, not exceed the proportion of the total revenues placed by the county in the local transportation fund that the population of the area of the county served by the regional applicant bears to the total of the county population as determined by the transportation planning agency, except that a proportional amount may also be provided for transit services provided outside the boundaries of the applicant.~~

SEC 34 Section 99272 of the Public Utilities Code is repealed

~~99272. The total amount of funds allocated by the transportation planning agency pursuant to this article to the various applicants within a county, including the proportionate share allocated to any multicounty applicant which includes any portion of the county, shall not exceed the proportion of the total revenue placed by the county in the local transportation fund that the population of the county receiving such transit services as determined by the transportation planning agency bears to the total of the county population.~~

SEC 35 Section 99273 of the Public Utilities Code is repealed

~~99273. In order to utilize the money in a local transportation fund to the fullest extent, the transportation planning agency may adopt rules and regulations requiring all applicants to file an estimate of the maximum claim for a given fiscal year on a date not more than six months prior to the commencement of the fiscal year. In the case of a~~

~~transit district subject to the provisions of subdivision (b) of Section 99300, an amended claim may be filed at any time during or following a given fiscal year to permit an increase in the claim when a maximum claim permitted under Section 99271 is increased for any reason.~~

SEC 36. Section 99274 of the Public Utilities Code is repealed.

~~99274. The priorities established in Section 99240 shall be regulated as follows:~~

~~(a) For counties with a population of 500,000 or more, as determined under Section 28020 of the Government Code, as now or hereafter amended, but excluding counties with more than 4,500 miles of maintained county roads, the proportion of the total revenue placed by the county in the local transportation fund that the population within the boundaries of all applicants for claims filed under this article bears to the total county population shall be available only to satisfy claims for public transportation systems, and any revenue that is not necessary to satisfy the approved claims under this article in any year shall be available for such claims in subsequent years. The proportion of the total revenue placed by the county in the local transportation fund that the population outside of the boundaries of all applicants under this article bears to the total county population shall be available for the claims filed under Article 8 (commencing with Section 99100) of this chapter for expenditure in the area for which transit service is not provided.~~

~~(b) For counties with a population of less than 500,000 as determined under Section 28020 of the Government Code, as now or hereafter amended, and for counties with a population of 500,000 or more, as determined under Section 28020 of the Government Code, as now or hereafter amended, and with more than 4,500 miles of maintained county roads, the proportion of the total revenue placed by the county in the local transportation fund that the population within the boundaries of all applicants bears to the total county population that is not necessary to satisfy the approved claims under this article in any year may be available either for the other priorities designated in Section 99240 or for claims under this article in subsequent years upon the motion of the transportation planning agency.~~

SEC 37. Section 99275 of the Public Utilities Code is repealed.

~~99275. No funds received under this article shall be used in substitution for, or to reduce, other funds committed for services provided within the applicant's boundaries, commencing July 1, 1972.~~

SEC 38 The heading of Article 5 (commencing with Section 99280) of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code is amended to read:

Article 5. ~~Limitations on Included Municipal Applicants~~
Relationships Between Operators

SEC. 39. Section 99280 of the Public Utilities Code is amended to read

99280 An included municipal ~~applicant~~ *operator* shall not establish a public transportation system either by adding new routes or extending existing routes, by acquisition or otherwise, outside of its bound-

aries and outside of the reserved service area consisting of the area that would be formed by joining all points that are distant three-quarters of one mile from any point of any of its regularly scheduled routes in existence and in operation on March 1, 1971 No point within such reserved service area shall be more than three-quarters of a mile from a point on one of such regularly scheduled routes, without first providing the governing board of the transit district with a 60-day advance written notice of its intention to add new routes or extend existing routes outside of the reserved service area. Within 30 days of receiving such written notice, the governing body of the transit district shall either (a) notify the included municipal ~~applicant~~ *operator* that the transit district does not intend to add or extend the routes in question itself, in which case the included municipal ~~applicant~~ *operator* may proceed with implementation of its plans; or (b) serve immediate notice upon the included municipal ~~applicant~~ *operator* that the transit district desires to establish the proposed new service itself and is otherwise not precluded from doing so In the event that the governing body of the transit district elects to provide the service in question, it shall institute such service within 60 days of the time proposed by the included municipal ~~applicant~~ *operator* for initiation of such service.

The operation by included municipal ~~applicants~~ *operators* of new or extended routes established pursuant to this section are subject to the condition whereby the transit district may assume operation of such new or extended routes, if it is not otherwise precluded from doing so, after a 60-day notification by the transit district to the included municipal ~~applicant~~ *operator*. No route so assumed by the transit district may be abandoned by the transit district without first serving a 60-day written notice of intent to abandon on the included municipal ~~applicant~~ *operator* which previously provided the service. Subsequent to the abandonment by the transit district, the included municipal ~~applicant~~ *operator* may, at its option, resume service if it is not otherwise precluded from doing so.

Any included municipal ~~applicant~~ *operator*, as a condition precedent to filing a claim under Article 4 (commencing with Section 99260) of this chapter, shall file with the transportation planning agency a certified route map showing those regularly scheduled routes in existence and in operation on March 1, 1971, outside of its boundaries Such certified map shall also indicate by an appropriate legend the service area where the consent of the transit district is not required under the terms of this section.

The establishment of new routes, or the extension of existing routes, outside the boundaries of an included municipal ~~applicant~~ *operator*, but within the reserved service area, as defined in this section, shall not be permitted where the operation or establishment of such routes will compete with or divert patronage from a route of the transit district as of the date the transit district is given the notice hereinafter required Before any such new routes are established or existing routes are extended, the included municipal ~~applicant~~ *operator* shall give the transit district an appropriate 60-day notice

SEC. 40. Section 99282 of the Public Utilities Code is amended to read:

99282 All ~~transit districts and all municipal applicants~~ *operators* shall be encouraged to establish maximum coordination of public transportation services, fares, transfer privileges, and all other related matters for the overall improvement of public transportation service to the general public requiring such services within the affected areas

SEC 41. Section 99283 of the Public Utilities Code is amended to read.

99283 The consent of a transit district to the operation of a public transportation system by an included municipal ~~applicant~~ *operator* pursuant to Section 99280 may include a requirement for interchange of transfers on an appropriate basis between the public transportation system of the included municipal ~~applicant~~ *operator* and the public transportation system of the transit district, or any nominee of such transit district, in connection with the furnishing of services by such public transportation systems.

SEC 42 Section 99284 of the Public Utilities Code is amended to read

99284 The violation by a transit district or an included municipal ~~applicant~~ *operator* of any provisions of this article, or of any agreement between them with regard to providing public transportation services, shall disqualify the ~~transit district or the included municipal applicant, as the case may be,~~ *violator* from filing a public transportation claim pursuant to Article 4 (commencing with Section 99260) of this chapter, and the transportation planning agency shall take no further action in connection with the approval of any pending public transportation claim of ~~the transit district or of the municipal applicant, as the case may be,~~ *such violator* until it determines that such violation has ceased

SEC 42 5 Section 99285 of the Public Utilities Code is amended and renumbered to read.

~~99285~~ *99299* The provisions of this article shall control over the provisions of any other act or law applicable to a transit district to the extent of any conflict with such provisions

SEC 43 Section 99285 is added to the Public Utilities Code, to read·

99285 Notwithstanding Section 99231, the maximum allocation to which operators within a county with a population in excess of six million according to the last federal decennial census may be entitled shall be determined as follows

(a) For a transit district, the apportionment representing its area less the allocations to all included municipal operators

(b) For each included municipal operator, the ratio of its public transit service mileage to the total of all public transit service mileage of all operators within the transit district times the transit district's apportionment

Such transit district may at any time during or following a given fiscal year file a claim for an increased amount whenever the apportionment is increased for any reason

SEC 44 Section 99286 is added to the Public Utilities Code, to read:

99286 Notwithstanding any other provision of law, no operator may plan or establish a public transportation system by adding or extending routes, by acquisition or otherwise, into the area of a contiguous transit district, nor may moneys be allocated from the fund of the county where such addition or extension is contemplated for such purposes, without the consent of the affected transit district

SEC. 45. Section 99300 of the Public Utilities Code is repealed.

~~99300. The maximum amount of the approved claim of each of the included municipal applicants within the Southern California Rapid Transit District and of the district itself shall be determined as follows:~~

~~(a) In the case of an included municipal applicant, the amount shall equal the amount the district as a regional applicant would be eligible for pursuant to Section 99271, if there were no included municipal applicants in the district, times the ratio of the total miles traveled within the district by the conveyances of the public transportation system of the included municipal applicant to the total miles traveled within the district by the conveyances of such systems of all such applicants in the district and of the district itself as determined by the secretary for the last calendar year.~~

~~(b) In the case of the district itself, the amount shall equal the amount it would be eligible for as a regional applicant pursuant to Section 99271, if there were no included municipal applicants in the district, less the approved claims of all of the included municipal applicants within the district.~~

SEC 46 Section 99301 of the Public Utilities Code is amended and renumbered to read:

~~99301~~ *99288* (a) Any city, county, or transit district may enter into a contract with any ~~municipal~~ *operator* ~~or regional applicant~~, except with an included municipal ~~applicant~~ *operator* unless specifically approved by the governing body of the transit district in whose area the included municipal ~~applicant~~ *operator* is located, for such ~~applicant~~ *operator* to provide public transportation service in such city, county, or transit district *In*

~~(b) In~~ such a case, the ~~applicant~~ *operator* providing such service may include the claim of the city, county, or transit district, as the case may be, with its claim.

(b) An included municipal operator which has continuously received public transportation service from a state agency or the Regents of the University of California since at least January 1, 1971, may contract for the continuation of such service

(c) ~~Subdivision (b) shall not apply to any included municipal applicants whose maximum claim is determined pursuant to subdivision (a) of Section 99300~~ *With the prior express authorization of the secretary, a transit district may include in its claim a proportional amount for regularly scheduled services outside its boundaries even though the contract specified in subdivision (a) has not been executed.*

SEC 47. Section 99303 of the Public Utilities Code is amended and renumbered to read:

~~99303~~ *99287* (a) No provision of ~~Article 5 (commencing with Section 99280) of~~ this ~~chapter~~ *article* shall preclude the San Francisco Bay Area Rapid Transit District from planning, acquiring, constructing, and operating its system within or without the territory of the district as provided for by Article 5 (commencing with Section 29030), Chapter 6, Part 2 of Division 10 Notwithstanding the provisions of subdivision (d) of Section 99220, in the event an extension is to be made into a county for which services have not been provided, the moneys within the fund of that county may be used to pay the costs of securing such services ~~; provided, however, in a county containing a countywide transit district authorized by statute and established by a vote of the people, the governing board of the district shall also approve the payment of such costs~~.

(b) Notwithstanding subdivision (a) or the limitations of Section ~~99271 and 99272~~ *99231*, during a period of up to five years that the San Francisco Bay Area Rapid Transit District is planning any extension of its system into a county outside of the district but with a ~~conterminous~~ *coterminous* boundary with the district and which contains a major transportation facility belonging to another county or city and county, the Metropolitan Transportation Commission may order that any funds in the local transportation fund of such county that are not necessary to pay approved claims under Article 4 (commencing with Section 99260) of this chapter be retained.

SEC 48 Section 99304 of the Public Utilities Code is repealed.

~~99304 Any interest or other income earned by investment or otherwise of the local transportation fund shall accrue to and be a part of the fund.~~

SEC 49. Section 99305 of the Public Utilities Code is amended to read:

99305. Up to 50 percent of the amount transferred monthly pursuant to subdivision (a) of Section 7102 of the Revenue and Taxation Code from the Retail Sales Tax Fund to the *Transportation Planning and Research Account, which is hereby created in the* State Transportation Fund, ~~which is hereby created,~~ shall be available, when appropriated by the Legislature, for expenditure by the secretary to equally match other funds to perform the continuing comprehensive transportation planning process by councils of governments or to obtain federal funds to this end, and the balance shall be available, when appropriated by the Legislature, for the following purposes:

(a) State transportation planning

(b) Comprehensive transportation planning by statutorily created regional transportation agencies or by entities created by interstate compacts

(c) Public transportation research or demonstration projects

(d) Securing federal funds on a matching basis, if funds allocated pursuant to Article 4 (commencing with Section 99260) of Chapter 4 of Part 11 of Division 10 are insufficient to secure the federal funds.

(e) Training and research by the Institute of Transportation and Traffic Engineering of the University of California in public transportation systems engineering and management and coordination with other transportation modes.

SEC. 50. Section 99400 of the Public Utilities Code is amended to read:

99400. Claims may be filed with the transportation planning agency by ~~applicants~~ *cities and counties* under this article for the following purposes:

(a) ~~Balanced transportation planning, including the activities of statutorily created regional transportation agencies or of entities created by interstate compacts to perform regional transportation planning.~~

~~(b) Public transportation research and demonstration projects.~~

~~(c)~~ *(b)* ~~Right-of-way acquisition and construction of local~~ *Local* streets and roads, including facilities provided for the exclusive use by pedestrians and bicycles

~~(d)~~ *(b)* Payments to the National Railroad Passenger Corporation for passenger rail service under Section 403(b) of the Federal Rail Passenger Service Act.

~~The transportation planning agency shall promulgate rules and regulations for the evaluation and review of plans, claims and corresponding budgets. The rules and regulations may be revised by the transportation planning agency from time to time and shall provide for the orderly and periodic distribution of funds, but the payment of claims under this article shall not reduce the amounts available for payment of claims under Article 4 (commencing with Section 99260) of this chapter.~~

SEC. 51. Section 99401 of the Public Utilities Code is repealed.

~~99401. A city, county or transit district may, after the operative date of this section, and at least 90 days prior to the beginning of the following fiscal year and any fiscal year thereafter, file with the transportation planning agency a claim supported by a budget or financial plan setting forth a statement of estimated financial needs, accompanied by such other documents as may be required.~~

SEC. 52. Section 99401 is added to the Public Utilities Code, to read:

99401. The transportation planning agency shall adopt rules and regulations delineating procedures for the submission of claims under subdivision (a) of Section 99400 and stating criteria by which they will be analyzed and evaluated. Such rules and regulations shall provide for orderly and periodic distributions of moneys, but shall not serve to reduce the amounts of moneys from funds available for the purposes stated in Article 4 (commencing with Section 99260) of this chapter.

To the extent necessary to perform its duties under this article, the transportation planning agency shall have full access to the books, records, and accounts of the claimant cities and counties

SEC. 53. Section 99402 of the Public Utilities Code is repealed.

~~99402. In the claim, the applicant may request the disbursement of money from the local transportation fund to satisfy its estimated financial needs in order to meet its requirements for the purposes described in Section 99400.~~

SEC 54 Section 99402 is added to the Public Utilities Code, to read·

99402 Claims for streets and roads may include all purposes necessary and convenient to the development and operation of the city or county's streets and highways network, including planning and contributions to the transportation planning process, acquisition or real property, construction of facilities and buildings, and street network operation, maintenance, and repair

SEC 55 Section 99403 of the Public Utilities Code is repealed

~~99403. The transportation planning agency shall review the budget or financial plan filed by the city or county and shall from the analysis and evaluation thereof and giving consideration to the probable amount of claims to be paid under Article 4 (commencing with Section 99260) of this chapter and other claims from within the same county filed under this article, determine the estimated financial assistance required for the applicable fiscal year by each applicant, which amount, when determined, shall constitute and be called the "approved annual claim" of the applicant.~~

SEC 56 Section 99404 of the Public Utilities Code is repealed.

~~99404. In the event of disagreement, an applicant may submit to the secretary a copy of the budget or financial plan submitted by each applicant. The findings of the secretary in determining the amount of the approved claims of the applicants shall be transmitted to the county auditor and used as the basis for payment.~~

SEC 57 Section 99405 of the Public Utilities Code is amended to read

99405 (a) The ~~approved claim~~ *allocation* may in no year exceed 50 percent of the amount required to meet the ~~applicant's~~ *city's or county's* total proposed expenditures *for the purposes specified in Section 99400*.

(b) With respect to ~~the~~ budgeted capital requirements ~~in the claim of an applicant~~ for major new facilities, the transportation planning agency, notwithstanding the 50-percent limitation ~~specified in subdivision (a)~~, may ~~approve~~ *allocate* up to the amount so budgeted, if the construction of such facilities has been found to be not inconsistent with ~~regional plans by~~ the ~~recognized~~ transportation planning ~~agency for the region~~ *agency's regional transportation plan*

SEC 58 Section 99406 of the Public Utilities Code is repealed

~~99406. It is the intent of the Legislature that, to the extent moneys are available, the financial assistance in the amount determined in Section 99402, 99404, or 99405 shall be distributed to the applicant, subject to the limitation in Section 99270.~~

SEC 59 Section 99406 is added to the Public Utilities Code, to read

99406 Expenditures of moneys received for streets and highways purposes under this article shall be reported to the State Controller by way of inclusion of such information in the report prepared pursuant to Chapter 4 (commencing with Section 2150) of Division 3 of the Streets and Highways Code

SEC 60 Section 99407 of the Public Utilities Code is repealed

~~99407. The approved claim shall be transmitted by the transportation planning agency to the applicant and the county auditor shall~~

~~make disbursements in the manner and at the times required by the applicant, or as determined by the transportation planning agency. The approval of the claim by the transportation planning agency shall constitute the approval specified in Section 29701 of the Government Code.~~

~~The approved claim of the applicant shall be reviewed by the transportation planning agency upon its own motion either during the fiscal year or thereafter. The review shall include an adjustment to reconcile the estimates on which the approved claim was based with the actual costs when these are available. The transportation planning agency, in determining or redetermining the approved claim, shall have full access to the books, records, and accounts of the applicant.~~

SEC 61 Section 6052.5 of the Revenue and Taxation Code is amended to read:

6052.5 The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent ($0.01) to and including one hundred dollars ($100) at the 3¾-percent rate, at the 4-percent rate, at the ~~4¼ percent~~ *4¼-percent* rate, at the 5-percent rate, at the 5½-percent rate, and at any other combined rates of state, local and transit district taxes administered by the board. The schedules shall be identical with the following tables up to the amounts specified therein:

3¾ percent

Price	Tax
.01– .12	.00
.13– .37	.01
.38– .64	.02
.65– .93	.03

4 percent

Price	Tax
.01– 12	00
.13– 34	01
35– 59	02
60– 87	.03

4¼ percent

Price	Tax
.01– .11	.00
.12– .32	01
.33– 56	02
.57– .82	.03

5 percent

Price	Tax
01– 10	00
.11– .27	01
28– 47	.02
.48– 68	03
69– 89	04
.90–1.09	05

5¼ percent

Price	Tax
01– 10	00
.11– 26	.01
.27– 45	.02
.46– .65	03
.66– 84	04
.85–1.03	05
1.04–1.20	.06

5½ percent

Price	Tax
.01– 10	.00
11– 25	.01
26– 45	02
46– 62	.03
63– 79	04
80– 97	05
98–1.15	06

The remainder of the schedules at the 3¾-percent rate, at the 4-percent rate, at the ~~4¾ percent~~ *4¼-percent* rate, at the 5-percent rate, at

the 5¼-percent rate, and at the 5½-percent rate shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent

The "sales tax reimbursement schedule" shall be available for inspection and duplication or reproduction

Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply only if the purchaser requests at the time of the sale that the computation be made in this way

The board shall enforce the provisions of this section.

SEC 62. Section 6357 of the Revenue and Taxation Code is amended to read:

6357 There are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use, or other consumption in this state of motor vehicle fuel *used in propelling aircraft*, except aircraft jet fuel, ~~used in propelling aircraft,~~ the distributions of which in this state are subject to the tax imposed by Part 2 (commencing ~~at~~ *with* Section 7301) of this division and not subject to refund.

~~The Controller shall collect sales tax upon the sales of and the use tax when applicable to the storage, use, or other consumption of motor vehicle fuel when that fuel is used in propelling an aircraft and is subject to tax and refund under Part 2 of this division. The collection shall be made by way of deduction from the refunds otherwise allowable under that part. He shall transfer the amount of the deductions from the Motor Vehicle Fuel Fund to the Retail Sales Tax Fund.~~

SEC 63 Section 6357 1 is added to the Revenue and Taxation Code, to read

6357 1 The Controller shall collect sales tax upon the sales of, and the use tax when applicable to the storage, use, or other consumption of, motor vehicle fuel when that fuel is subject to tax and refund under Part 2 (commencing with Section 7301) of this division, unless the claimant establishes to the satisfaction of the Controller that the claimant paid sales tax reimbursement pursuant to Section 6052 or use tax measured by the sale price of the fuel to him The collection shall be made by way of deduction from the refunds otherwise allowable under that part He shall transfer the amount of the deductions to the Retail Sales Tax Fund

SEC 64 Section 6357 2 is added to the Revenue and Taxation Code, to read:

6357.2. If the claimant establishes to the satisfaction of the Controller that he has paid sales tax reimbursement pursuant to Section 6052, or use tax measured by the sale price of the fuel to him, including the amount of tax imposed by Part 2 (commencing with Section 7301) of this division, the Controller shall repay to the claimant the amount of sales tax reimbursement or use tax paid with respect to the amount of the motor vehicle fuel license tax refunded If the buyer receives a refund under this section, no refund shall be made to the seller.

SEC. 65. Section 7102 of the Revenue and Taxation Code is amended to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part or be transferred in the following manner:

(a) All revenues, less refunds, derived under this part at the 3¾-percent rates, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel, which would not have been received if the sales and use tax rate had remained at 4 percent and Section 6357 had not been amended at the 1971 Regular Session of the Legislature, ~~as~~ *shall be* estimated by the State Board of Equalization, ~~shall be transferred monthly to the State Transportation Fund~~ *with the concurrence of the Department of Finance, for each fiscal year, commencing with the fiscal year 1972–1973. The estimate shall be made as soon as practicable after the close of each fiscal year, and the amount so estimated shall be transferred to the Transportation Planning and Research Account in the State Transportation Fund.*

(b) The balance shall be transferred to the General Fund.

SEC. 66. Section 7204.4 is added to the Revenue and Taxation Code, to read:

7204.4 The Secretary of the Business and Transportation Agency shall charge, as the cost of his services in administering the responsibilities assigned to him in Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code, one hundred five thousand dollars ($105,000) for the 1972–1973 fiscal year Amounts to be charged in subsequent fiscal years shall be specified in the Budget Act. Such amounts shall be deducted from the taxes collected by the board for the counties and the cities and counties, and shall be transmitted to the secretary.

SEC 67. Section 7204 5 of the Revenue and Taxation Code is amended to read:

7204 5 The Controller shall deduct local sales taxes on sales of motor vehicle fuel ~~used in propelling an aircraft~~ which are subject to tax and refund pursuant to Part 2 (commencing with Section 7301) of this division, *unless the claimant establishes to the satisfaction of the Controller that the claimant has paid local sales tax reimbursement or use tax measured by the sale price of the fuel to him*

SEC. 68. Section 7204.6 is added to the Revenue and Taxation Code, to read:

7204.6 If the claimant establishes to the satisfaction of the Controller that he has paid local sales tax reimbursement or use tax

measured by the sale price of the fuel to him, including the amount of the tax imposed by Part 2 (commencing with Section 7301) of this division, the Controller shall repay to the claimant the amount of local sales tax reimbursement or local use tax paid with respect to the amount of the motor vehicle fuel license tax refunded If the buyer receives a refund under this section, no refund shall be made to the seller

SEC 69 Section 7264 of the Revenue and Taxation Code is amended to read

7264. The Controller shall deduct local transactions taxes on sales of motor vehicle fuel ~~used in propelling an aircraft~~ which are subject to tax and refund pursuant to Part 2 (commencing with Section 7301) of this division, *unless the claimant establishes to the satisfaction of the Controller that the claimant has paid local sales tax reimbursement or use tax measured by the sale price of the fuel to him*

SEC 70 Section 7264 1 is added to the Revenue and Taxation Code, to read

7264 1 If the claimant establishes to the satisfaction of the Controller that he has paid transactions tax reimbursement or district use tax measured by the sale price of the fuel to him, including the amount of the tax imposed by Part 2 (commencing with Section 7301) of this division, the Controller shall repay to the claimant the amount of transactions tax reimbursement or use tax paid with respect to the amount of the motor vehicle fuel license tax refunded If the buyer receives a refund under this section, no refund shall be made to the seller

SEC 71 Section 8101 5 of the Revenue and Taxation Code is amended to read

8101 5 No refund of any tax shall be granted on motor vehicle fuel used in propelling an aircraft in the state, except the following refunds

(a) Any tax on motor vehicle fuel used in propelling an aircraft engaged in the business of transporting persons or property for hire or compensation under a certificate of public convenience and necessity issued by the federal government or the California Public Utilities Commission

(b) Any tax on motor vehicle fuel used in propelling an aircraft while engaged in aerial application of dust, spray, fertilizer, seed or other materials in connection with agricultural activities, if such aerial application is conducted from an airport, airstrip, heliport or pad which is not owned or operated by a public entity

(c) Five cents ($0 05) of the tax upon each gallon of motor vehicle fuel used in propelling any aircraft, other than an aircraft referred to in subdivision (a) or (b) of this section

(d) Any tax on motor vehicle fuel used in an aircraft engine incident to the business of construction or reconstructing by manufacture or assembly of completed aircraft or in the modification, overhaul, repair, maintenance or service of aircraft

The Legislature hereby declares its intent that the motor vehicle fuel used in propelling an aircraft, upon which the fuel tax is refunded in part, shall be subject to the provisions of Section ~~6357~~ *6357 1* with respect to the collection of sales and use tax thereon to the same extent as if the entire amount of the fuel tax had been refunded

SEC 72 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In order that the Controller may, in all instances, collect a sales tax when a refund is made of a tax imposed under the Motor Vehicle Fuel License Tax Law and to make a refund of the sales tax imposed on that amount refunded under such law, it is necessary that this act take effect immediately."

Amendment No. 3

On page 2, strike out lines 2 to 14, inclusive, and strike out pages 3 to 7, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REQUESTS FOR UNANIMOUS CONSENT

Mr Foran was granted unanimous consent that Assembly Bill No. 968 be considered engrossed

Speaker pro Tempore Bee was granted unanimous consent that a photographer be permitted on the floor of the Assembly during the following recess

RECESS

At 11 35 a.m., Speaker pro Tempore Bee declared the Assembly recessed until 11 38 a m, for the purpose of permitting Mr Gonsalves to introduce Miss Carol Marie Herrema, "Miss California 1973," from Artesia, who is accompanied by her parents, Mr and Mrs John Herrema, her cousin, Miss Debbie Herrema, her fiancé, Mr Pete Haringsma, and Mr Gonsalves' son, Jack Gonsalves Speaker pro Tempore Bee appointed Mr Gonsalves, Mmes Davis and Fong, and Mr Beverly as a Select Committee to escort Miss Herrema to the Rostrum

REASSEMBLED

At 11 38 a m, the Assembly reconvened

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and news photographers be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 20

Mr Karabian was granted unanimous consent to take up Senate Joint Resolution No 20 without reference to committee or file

Consideration of Senate Joint Resolution No. 20

Senate Joint Resolution No. 20—Relative to ratification of an amendment to the Constitution of the United States, proposed by the

Congress of the United States, relating to equal rights for men and women

Resolution read, presented by Mr Karabian, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Chappie, Cline, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, MacDonald, Maddy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Barnes, Burke, Collier, Conrad, Dent, Foran, Lancaster, Lanterman, MacGillivray, McAlister, McCarthy, Ralph, Russell, Seeley, Stull, and Wakefield—16

Resolution ordered transmitted to the Senate

NOTE For explanation of vote by Mr Keysor relative to Senate Joint Resolution No 20, see Assembly Journal for November 15, 1972, page 7641

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1416 and Assembly Bill No 2129 for hearing in the Committee on Education on Tuesday, November 14

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 1263, on request of Mr Brown

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1261—An act to amend Sections 27111, 27111 5, 27113, and 27145 5 of, and to add Sections 27115 and 27147 to, the Education Code, relating to public library systems

Bill read third time

Motion to Amend

Mr Brown moved the adoption of the following amendment

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly November 8, 1972, after "systems", insert "and making an appropriation therefor".

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bill No 1249 and Assembly Bill No 496 was continued until the next legislative day

RESOLUTIONS

The following resolution was offered.

By Assemblyman MacDonald:

House Resolution No. 127

Relative to emergency flood control work in Ventura County

WHEREAS, The disastrous Bear Canyon Fire, during the period of August 22 to 29, 1972, destroyed over 17,000 acres of valuable watershed vegetation in the Los Padres National Forest in Ventura County, and

WHEREAS, As a result, there exists a serious threat to the safety of persons, as well as a serious threat of extensive damage to property, in the area of Ventura County below the burned watershed, due to anticipated increased flood flows and debris production from impending winter rainfall on the fire-damaged areas, and

WHEREAS, On September 5, 1972, the Board of Supervisors of Ventura County passed a resolution declaring the existence of a flood emergency in the Santa Paula Creek and San Antonio Creek watersheds, and requesting technical and financial assistance from the appropriate federal and state agencies to analyze the flood threat, assess potential damages, and investigate flood protection measures essential to the health, safety, and welfare of the citizens of Ventura County; and

WHEREAS, Probabilities of increased runoff and debris production due to the burned watersheds have been estimated by the United States Forest Service and the Ventura County Flood Control District to amount to 100 percent or more, and

WHEREAS, Corps of Engineers experts have recommended that immediate measures be taken to clear and shape existing channels to provide unobstructed flow capacity, and also to install some structural measures to provide debris control and flood protection, and

WHEREAS, Public Law No 606 of the 91st Congress, the Disaster Relief Act of 1970, provides the President of the United States with authority to take preventive or protective measures to avert or lessen the effects of a disaster wherever its occurrence is imminent, now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor is urged to memorialize the President of the United States to declare the affected areas of Ventura County a disaster area, particularly in view of the flood threat ensuing from potential runoff from burned-over federal lands, and to memorialize the President to direct the Office of Emergency Preparedness to provide monetary assistance to defray local and federal costs in the performance of emergency flood control work and to direct appropriate federal agencies to support and assist the Ventura County Flood Control District in providing such emergency work; and be it further

Resolved, That the Chief Clerk transmit a copy of this resolution to the Governor

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 13, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports

SB No 1115

With author's amendments, with the recommendation· Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1115—An act making an appropriation to the University of California

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate July 17, 1972, strike out "to the University of California", and insert "for the development of Rincon Point".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 There is hereby appropriated from the Bagley Conservation Fund, notwithstanding the provisions of Section 316, Chapter 1, Statutes of 1971, First Extraordinary Session, and subject to the approval of the State Public Works Board, to the Department of Parks and Recreation the sum of forty thousand dollars ($40,000) for the development of Rincon Point."

Amendment No. 3

On page 1, strike out lines 2 to 10, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, November 13, 1972

Mr Speaker. The Chairman of your Committee on Transportation reports·

SB No 657

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Transportation

DEDDEH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 657—An act to add Section 39252 3 to the Health and Safety Code, and to amend Section 4602 of, and to add Sections 4000 3 and 27156 5 to, the Vehicle Code, and to amend Section 9 of Chapter 1509 of the Statutes of 1970, relating to air pollution

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate July 19, 1972, strike out "Senator Beilenson", and insert "Senators Beilenson and Biddle".

Amendment No. 2

In line 1 of the title, strike out "39252 3", and insert "39117".

Amendment No. 3

In line 2 of the title, strike out "and to amend Section 4602 of, and".

Amendment No. 4

In line 2 of the title, after "4000 3", insert ", 4602 4,"

Amendment No. 5

In line 3 of the title, strike out the first comma

Amendment No. 6

On page 2, line 1, strike out "39252 3", and insert "39117"

Amendment No. 7

On page 2, line 3, strike out "39252 3", and insert "39117".

Amendment No. 8

On page 2, line 4, strike out "1970", and insert "1968".

Amendment No. 9

On page 2, line 4, strike out "operating", and strike out line 5, and insert "registered under the Vehicle Code and operating within any one or more of the Counties of Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, and Ventura"

Amendment No. 10

On page 2, strike out lines 11 to 13, inclusive, and insert "the board No system or device shall be approved by the board pursuant to paragraph (1), (2), or (3) of this subdivision unless such system or device enables the vehicle to meet the emission standards set forth in subdivisions (a) and (b) of Section 39102 and Section 39102 5, and no such system or device shall be approved which, in the reasonable determination of the board, could be rendered less effective by any fuel, or other operating factors, which may be normally encountered"

Amendment No. 11

On page 2, line 15, strike out "1970", and insert "1968".

Amendment No. 12

On page 2, line 16, after "vehicle", insert "registered under the Vehicle Code".

Amendment No. 13

On page 2, line 18, strike out "basin", and insert "any one or more of the Counties of Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, and Ventura".

Amendment No. 14

On page 3, line 26, after "vehicle", insert ", until such time as the board determines that compliance by such a vehicle is technologically and economically feasible".

Amendment No. 15

On page 3, line 28, after "Code", insert ", until such time as the board determines that compliance by such a vehicle is technologically and economically feasible".

Amendment No. 15.5

On page 3, line 30, strike out "basin", and insert "any one or more of the Counties of Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino, and Ventura".

Amendment No. 16

On page 3, line 36, after the period, insert "Proof of such exemption shall consist of a certificate which shall be issued by the board when the board is satisfied that the vehicle is entitled to the exemption provided in this paragraph Any vehicle issued such certificate shall also be issued a sticker indicating such exemption, which sticker shall be placed on the windshield within a seven-inch square, as provided in Section 26708 of the Vehicle Code "

Amendment No. 17

On page 3, between lines 36 and 37, insert

"(f) The board shall prepare a handbook for the owners of motor vehicles subject to this section, which shall describe the program established by this section, and provide information, including technical and economic data, on all alternative means for owners of such motor vehicles to comply with the program Such handbook shall be distributed to all such owners free of charge."

Amendment No. 18

On page 3, strike out lines 39 and 40, and on page 4, strike out lines 1 to 4, inclusive, and insert

"4000 3 (a) On and after January 1, 1975, upon initial registration or transfer of ownership and registration of any vehicle subject to Section 39117 of the Health and Safety Code, the department shall also require a".

Amendment No. 19

On page 4, line 8, strike out "39252", and insert "39117".

Amendment No. 20

On page 4, between lines 8 and 9, insert

"(b) Not later than December 31, 1974, the department shall also require from each governmental entity owning a motor vehicle subject to Section 39117 of the Health and Safety Code, and each such governmental agency shall submit to the department, a valid certificate of compliance from a licensed motor vehicle pollution control device installation and inspection station indicating that such vehicle is equipped as required by that section The department shall report the name of any governmental entity failing to comply with the provisions of this subdivision to the Legislature not later than July 1, 1975."

Amendment No. 21

On page 4, strike out lines 9 to 40, inclusive; and on page 5, strike out lines 1 and 2, and insert

"SEC. 3 Section 4602 4 is added to the Vehicle Code, to read·

4602 4 The department shall require, upon renewal of registration for the 1975 calendar year, and each calendar year thereafter, of any".

Amendment No. 22

On page 5, line 3, strike out "39252 of such code", and insert "39117 of the Health and Safety Code".

Amendment No. 23

On page 5, line 7, strike out "39252", and insert "39117".

Amendment No. 24

On page 5, strike out lines 10 to 12, inclusive, and insert

"27156.5. On and after January 1, 1975, no person".

Amendment No. 25

On page 5, lines 14 and 15, strike out "39252 of such code", and insert "39117 of the Health and Safety Code".

Amendment No. 26

On page 5, line 16, strike out "39252", and insert "39117".

Amendment No. 27

On page 5, line 23, strike out "39252", and insert "39117".

Amendment No. 28

On page 5, line 28, strike out "39252", and insert "39117".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation.

MOTION TO DISPENSE WITH PROVISIONS OF JOINT RULE 28.1 RELATIVE TO SENATE BILL NO. 90

Mr. Moretti moved that the provisions of Joint Rule 28 1, which requires that two members of a conference committee be selected from those voting with the majority and the other member from the minor-

ity, be dispensed with as it relates to the appointment of Assembly members of the Conference Committee on Senate Bill No 90

Motion carried by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—63

NOES—McCarthy and Sieroty—2

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 08 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

VOTE CHANGES

Messrs Vasconcellos and Dunlap were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 2213

Mr Duffy was granted unanimous consent that he be recorded as voting "Aye" on Senate Joint Resolution No 20.

Mr Foran was granted unanimous consent that he be recorded as voting "No" on Senate Joint Resolution No 20.

ADJOURNMENT

At 12 10 p m , Acting Speaker Fenton declared the Assembly adjourned until 10 a m , Tuesday, November 14, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-fifth Legislative Day

Three Hundred Seventeenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, November 14, 1972

The Assembly met at 10 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk James D Driscoll at the Desk
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Dent moved a quorum call of the Assembly
Mr Seeley seconded the motion
Motion carried Time, 10 02 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

Majority Floor Leader Presiding

At 10 14 a m , Hon Jack R Fenton, 51st District, presiding

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10 15 a m , Acting Speaker Fenton declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister.

Father, Since our Nation has chosen its leaders we ask You to bless them and make them adequate to the awesome task of government

Support the disappointed, O God:

Assure them of the value of their effort·

Give their families pride in what was done

Find other victories in service for those denied the office sought

Give to all our leaders the largeness of vision which sees the length of the consequences of our acts, and the breath of our influence, and the height of the possibilities before us, and the depth of our national needs.

Show them what leaders can do for the common good, and help them do it And show them, too, what leaders should leave to God and to time and to other people Restrain the ambition which corrupts — AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Russell then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Wilson, seconded by Mr Deddeh.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Belotti, on request of Acting Speaker Fenton
Mr. Warren, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desire to waive their per diem

Mr Brophy, on request of Acting Speaker Fenton.
Mr Brown, on request of Acting Speaker Fenton.
Mr. Cullen, on request of Acting Speaker Fenton
Mr Moorhead, on request of Acting Speaker Fenton
Mr. Murphy, on request of Acting Speaker Fenton.
Mr Ralph, on request of Acting Speaker Fenton
Mr Ryan, on request of Acting Speaker Fenton

REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT OF SUBCOMMITTEE ON ADVOCATE REGISTRATION IN JOURNAL

Mr Quimby was granted unanimous consent that the supplemental report of the Subcommittee on Advocate Registration be printed as an appendix to this day's Journal

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Joint Resolution No	*Committee*
43	Rules

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, November 14, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

AB No 1673

With author's amendments with the recommendation Amend, and refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1673—An act to amend Sections 8150 5, 8755, and 8780 of, to add Section 8150 6 to, and to repeal Sections 8152, 8154, 8155, and 8156 of, the Fish and Game Code, relating to sardines

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 8150 5, 8755, and 8780 of, to add", and strike out line 2 of the title, and in line 3 of the title, strike out "and 8156 of," and insert "Section 8046 of".

Amendment No. 2

In line 3 of the title, strike out "sardines", and insert "fish-handling privilege taxes, and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 Section 8046 of the Fish and Game Code is amended to read:

8046 Every person operating under a license pursuant to this article shall, in addition to the license fee and the tax imposed by Section 8045, pay a privilege tax of five cents ($0 05) for each 100 pounds, or fraction thereof, of sardines, Pacific mackerel, jack mackerel, squid, herring or anchovies purchased, received, or taken by him until December 31, ~~1972~~ *1974*

The money shall be deposited in the Fish and Game Preservation Fund for use by the Marine Research Committee pursuant to Sections 729 and 730.

The committee shall pay the department for accounting and other services rendered to the committee by the department The fiscal year cost of such services shall not be in excess of 2 percent of the money so collected each fiscal year under this section

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

In order to make funds available to the Marine Research Committee pursuant to the provisions of this act before the normal effective date of legislation enacted at the current session of the Legislature, and thus insure that the programs of the committee will not be interrupted for lack of funds, it is necessary that these provisions go into immediate effect."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 to 5, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Employment and Public Employees

Assembly Chamber, November 13, 1972

Mr. Speaker: The Chairman of your Committee on Employment and Public Employees reports:

SB No. 900

With author's amendments with the recommendation Amend, and re-refer to the Committee on Employment and Public Employees.

MacDONALD, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 900—An act to add Section 31720 6 to the Government Code, relating to the County Employees' Retirement Law of 1937

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate June 23, 1972, strike out lines 4 and 5, and insert "it shall be conclusively presumed in any proceeding under this chapter, by the board and the court, that such heart trouble is an injury or disease occurring in and arising out of his employment."

Bill ordered reprinted, and to be re-referred to the Committee on Employment and Public Employees

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, November 13, 1972

Mr Speaker The Chairman of your Committee on Revenue and Taxation reports:

SB No 1151

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1151—An act to amend Section 17072 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 6, line 36, of the printed bill, as amended in Senate July 28, 1972, strike out "1971", and insert "1972".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

COMMUNICATIONS

Assembly Chamber, November 13, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 482—An act to add Section 4227 3 to the Business and Professions Code, relating to dangerous drugs,

Assembly Bill No. 547—An act to amend Section 148 1 of the Penal Code, relating to crimes,

Assembly Bill No. 695—An act to amend Section 227a of the Civil Code, relating to adoption,

Assembly Bill No. 728—An act to amend Sections 38225 and 38300 of the Vehicle Code, relating to off-highway vehicles, and making an appropriation therefor,

Assembly Bill No. 754—An act to amend Sections 20780, 20884, 21805, 21820, 21821, 21830, 21831, 21910, 21911, 21922 of, and to add Sections 21832 and 21833 to the Business and Professions Code, relating to petroleum products,

Assembly Bill No. 945—An act to amend Sections 17262, 27155, and 27156 of the Education Code, to amend Sections 401, 423, and 2131 of the Revenue and Taxation Code, to amend and renumber Section 273 of the Revenue and Taxation Code, as added by Chapter 1583 of the Statutes of the 1971 Regular Session of the Legislature, and to amend Sections 2106 and 5829 of the Streets and Highways Code, relating to property taxation;

Assembly Bill No. 1458—An act to amend Sections 6721, 6727, 6728, 6731, 6735, 6738, 6739, and 6740 of, and to repeal Sections 6722, 6723, and 6724 of, the Education Code, relating to technical, agricultural, and natural resource conservation schools;

And reports the same correctly enrolled, and presented to the Governor at 5 p m., November 13, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 13, 1972

Mr. Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 129—Approving amendments to the Charter of the City of Napa, State of California, ratified by the qualified electors of the city at a general municipal election held therein on the 11th day of April 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 13th day of November, 1972, at 5 p m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 14, 1972

Mr Speaker: Your Committee on Rules recommends

That the request by Mr MacGillivray for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2387 be granted.

BURTON, Chairman

Committee on Health

Assembly Chamber, November 14, 1972

Mr. Speaker· Your Committee on Health reports:

AB No. 2127

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

CAMPBELL, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 14, 1972

Mr. Speaker: Your Committee on Health reports:

SB No 1490

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent

CAMPBELL, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, November 14, 1972

Mr Speaker: Your Committee on Health reports

AB No 976

AB No 1874

With the recommendation. Do pass.

CAMPBELL, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 14, 1972

Mr Speaker: Your Committee on Health reports:

SB No 433

With amendments with the recommendation: Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, November 13, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 95

And appointed Senators Alquist, Marler and Kennick, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

November 13, 1972

Hon James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr Driscoll I am directed to inform the Assembly that pursuant to your request, the Senate on this day suspended Joint Rule 28 1 as it relates to appointing a conference committee on SB 90.

Very truly yours,

DARRYL R WHITE
Secretary of the Senate

NOTE For Assembly suspension of Joint Rule 28 1 as it relates to Senate Bill No 90, see Assembly Journal for November 13, 1972, pages 7602–7603.

Senate Chamber, November 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 384

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, November 13, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed.

SB No. 637 SB No. 1209
SB No. 1044 SB No 1500

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 637—An act to amend Section 4227 of, and to add Section 4050.7 to, the Business and Professions Code, and to add Section 6369 1 to the Revenue and Taxation Code, relating to hemodialysis, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker

Senate Bill No. 1044—An act to amend Section 96 of the Labor Code, relating to wage claims.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1209—An act to amend Sections 29007 and 29007.5 of the Education Code, relating to post-secondary education.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1500—An act to amend Sections 21250 1, 21330, and 21364 7 of, to add Sections 21263, 21263 1, 21263 2 and 21263 3 to, and to repeal Sections 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of 1970, 21264.1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System

Held at Desk by order of the Acting Speaker

RESOLUTIONS

The following resolution was offered:

By Assemblyman Moretti:

House Resolution No. 128

Relative to freedom for Soviet Jews

WHEREAS, It has come to the attention of the Members of the Assembly that the Union of the Soviet Socialist Republics imposes a head

tax on Soviet citizens of the Jewish faith holding degrees of higher learning who desire to emigrate to Israel, and

WHEREAS, The collection of a head tax as a condition of emigration is an infringement of human rights; and

WHEREAS, The Israeli Knesset, in a resolution of August 23, 1972, has condemned the action of the U S S R. government, and Jewish people in all countries are deeply concerned with the inhuman and unfair burden placed by the head tax on educated Soviet Jews who long to emigrate to their historic homeland, Israel, and

WHEREAS, The head tax is tantamount to ransom; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members join with freedom-loving people everywhere in protesting the Soviet head tax on emigrants, and implore the U S S R to cease this inhuman action, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to U S S R. President Nikolai V Podgorny.

Request for Unanimous Consent

Mr. Moretti was granted unanimous consent to take up House Resolution No 128 without reference to committee or file.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE JOINT RESOLUTION NO. 24 FROM COMMITTEE

Mr. Dent was granted unanimous consent that Senate Joint Resolution No 24 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file

Consideration of Senate Joint Resolution No. 24

Senate Joint Resolution No. 24—Relating to the Antioch Bridge.

Resolution read, presented by Mr. Dent, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Burke, Cline, Collier, Conrad, Cory, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Porter, Powers, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wilson, Wood, Z'berg, and Mr. Speaker—48.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Thomas was granted unanimous consent that the following letters of transmittal be printed in the Journal.

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: Transmitted herewith is a report on a review of the 1971 financial statements and accounting records of the Department of Industrial Relations The report discloses certain deficiencies noted in billing and collection procedures related to general fund revenues and reimbursements.

Delays in billing for pressure vessel and elevator inspections could be eliminated by using data processing services instead of manually typing 45,000 invoices each year.

The Labor Code requires the licensing of farm labor contractors and artists' managers It has been alleged by the department that many persons performing these services are not licensed Few violators are detected because of a limited investigation staff

Inspections of industrial radiation machines cost $93,000 with only $41,000 received in reimbursements from the Department of Public Health. The department is not prompt in billing the federal government for the reimbursable cost of projects performed for the federal government.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs. Transmitted herewith is a report on the Division of Industrial Accidents of the Department of Industrial Relations This division is responsible for the adjudication of disputed claims arising out of industrial injuries With a budget of $9 4 million and 558 employees, it is the largest of eight divisions within the Department of Industrial Relations

Administration of the division is shared by the administrative director and the chairman of the Workmen's Compensation Appeals Board both of whom are appointed by the Governor

The major findings contained in the report are listed below

1. The division has not devised adequate means of determining staffing needs The staffing pattern now used by the division is based on a "team" concept wherein for each referee there is a hearing reporter and two clerical positions This "team" concept of determining personnel needs fails to take advantage of the economies and efficiencies to be derived from a pooling of personnel
2. The number of required hearing reporters could be reduced, at least in the larger offices, by calendaring the cases to be heard over a longer period of time during the day Currently, the staff of hearing reporters spend only about one-half of their time work day recording at hearings.

3 The division currently has offices in 21 locations throughout the state The office in Los Angeles is extremely congested, and, as a consequence, is an inefficient operation Several of the other offices are inefficient because they are too small For improved efficiency, the division needs to relocate portions of the Los Angeles office and merge certain of the smaller offices with other offices located nearby.

4 The use of dictating machines by referees would eliminate the need for approximately 20 percent of the stenographic personnel Salary savings are estimated at $172,000 per year

5 The division charges $1 per page for transcribing hearing testimony This charge represents less than one-third of the cose of preparation Overall loss incurred by the division in transcribing testimony for outside parties is estimated to be $80,000 a year

6 Currently, Section 5708 of the Labor Code requires the use of hearing reporters to record testimony at hearings Significant savings in this cost could be achieved through amendment of this section to allow for the use of electronic tape recording devices as a substitute for hearing reporters We estimate the potential savings to be realized at $462,000 a year

A number of recommendations are contained in the report that should be adopted by the division to strengthen its operational efficiency

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

SIRS Transmitted herewith is a report on the Division of Fair Employment Practices of the Department of Industrial Relations This division is responsible for the prevention and elimination of discrimination in employment and housing Sufficient information is not available to measure the effectiveness of this division in meeting its goals

The Governor appoints the chief of the division to serve as executive officer However, administrative control of the division is vested in the Fair Employment Practices Commission consisting of seven members also appointed by the Governor Several disadvantages to this organizational structure are

—Division programs and workload cannot be adequately controlled
—There exists a potential for inconsistency in the handling of complaint cases
—Responsibility for program effectiveness cannot be assigned
—Staff discipline is susceptible to erosion

It is recommended that these defects be corrected by establishing the Fair Employment Practices Commission as advisory to the chief with duties of policy determination and the holding of hearings.

The report discusses six recommendations which need to be implemented by the division to improve its operations

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above reports referred to the Committee on Efficiency and Cost Control

---

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced

On Wednesday, November 15, at 8 a.m. —
Ways and Means (Brown, Chairman), in Room 4202

Speaker Presiding

At 10 23 a.m , Hon Bob Moretti, 42nd District, presiding

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 90

The Speaker appointed Messrs Moretti, Gonsalves, and Bagley as a Committee on Conference concerning Senate Bill No 90

Majority Floor Leader Presiding

At 10.25 a.m , Hon Jack R. Fenton, 51st District, presiding

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 401?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly April 19, 1972, after "state", insert "university or".

Amendment No. 2

On page 2, line 1, after the first "the", insert "university or"

Amendment No. 3

On page 2, line 3, after the second "the", insert "university or".

Amendment No. 4

On page 2, line 6, after the first "the", insert "university or".

Amendment No. 5

On page 2, line 6, after the second "the", insert "university or".

Amendment No. 6

On page 2, line 9, after "state", insert "university or".

Amendment No. 7

On page 2, line 11, after "state", insert "university or".

Amendment No. 8

On page 2, line 15, after "such", insert "university or".

Amendment No. 9

On page 2, line 18, after "such", insert "university or".

Amendment No. 10

On page 2, line 25, after the first "the", insert "university or".

Amendment No. 11

On page 2, line 25, strike out "20", and insert "10".

Amendment No. 12

On page 2, line 26, after "such", insert "university or".

Amendment No. 13

On page 2, line 31, after "the", insert "university or".

Amendment No. 14

On page 2, line 32, after "state", insert "university or".

Amendment No. 15

On page 2, line 36, after "the", insert "university or".

Amendment No. 16

On page 3, line 5, after "state", insert "university or".

Amendment No. 17

On page 3, line 8, after the second "the", insert "university or".

Amendment No. 18

On page 3, line 11, after the first "the", insert "university or".

Amendment No. 19

On page 3, line 11, after the second "the", insert "university or".

Amendment No. 20

On page 3, line 14, after "state", insert "university or".

Amendment No. 21

On page 3, line 16, after "state", insert "university or".

Amendment No. 22

On page 3, line 20, after "such", insert "university or".

Amendment No. 23

On page 3, line 23, after "such", insert "university or".

Amendment No. 24

On page 3, line 30, after the first "the", insert "university or".

Amendment No. 25

On page 3, line 30, strike out "20", and insert "10".

Amendment No. 26

On page 3, line 31, after "such", insert "university or".

Amendment No. 27

On page 3, line 36, after "the", insert "university or".

Amendment No. 28

On page 3, line 37, after "state", insert "university or".

Amendment No. 29

On page 4, line 1, after "the", insert "university or".

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:~~

~~AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Chacon, Chappie, Cline, Conrad, Cory, Dent, Duffy, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, La Coste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Porter, Powers, Priolo, Russell, Seeley, Stacey, Thomas, and Wood—21.~~

~~NOES—Burke, Burton, Collier, Davis, Deddeh, Gonsalves, and Wilson—7.~~

~~Above bill ordered enrolled.~~

NOTE: On November 20, 1972, the action was rescinded whereby the Assembly on this day concurred in the above Senate amendments to Assembly Bill No. 401, and whereby the bill was ordered enrolled. See pages 7761–7763.

Hon. L. E. Townsend Presiding

At 10:34 a.m., Hon. L. E. Townsend, 67th District, presiding.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file (consideration of Governor's veto pending):

Assembly Bill No. 1028, on request of Mr. Burton.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 680—An act to amend Sections 11155 and 11157 of the Welfare and Institutions Code, relating to public social services

Governor's message stating his objections appears at page 7467 of the Assembly Journal for November 8, 1972

The question being: Shall Assembly Bill No. 680 become a law notwithstanding the objections of the Governor?

AYES—Bagley, Bee, Burton, Chappie, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Ketchum, Keysor, Knox, LaCoste, Maddy, McAlister, McCarthy, Meade, Mobley, Porter, Powers, Quimby, Sieroty, Thomas, Townsend, and Wilson—33.

NOES—Badham, Burke, Collier, Conrad, Dent, Lancaster, Lanterman, MacGillivray, Russell, Seeley, and Stacey—11.

Governor's veto sustained.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:39 a.m., Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Rules in Room 3188, at this time.

Hon. Joe A. Gonsalves Presiding

At 10:40 a.m., Hon. Joe A. Gonsalves, 66th District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2388: By Assemblymen Fenton, Moretti, Townsend, Burton, Bee, Cory, Deddeh, Gonsalves, Keysor, MacDonald, McAlister, Meade, Porter, and Wilson—An act to amend Section 6416 of the Labor Code, relating to safety in employment.

Held at Desk by order of the Acting Speaker.

Assembly Bill No. 2389: By Assemblyman Dent—An act to amend Section 13085.5 of the Education Code, as added by Chapter 1108 of the Statutes of 1972, relating to school employer-employee relations.

Held at Desk by order of the Acting Speaker.

REQUESTS TO CONSIDER AND ACT ON BILLS WITHIN 30 CALENDAR DAYS

The following requests to consider and act on bills within 30 calendar days after their introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, November 14, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2388—An act to amend Section 6416 of the Labor Code, relating to safety in employment.

JACK R. FENTON

Assembly Chamber, November 14, 1972

Mr. Speaker: Pursuant to Joint Rule No. 10.8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2389—An act to amend Section 13085 5 of the Education Code, as added by Chapter 1108 of the Statutes of 1972, relating to school employer-employee relations.

JAMES W. DENT

Above requests ordered transmitted to the Committee on Rules

MOTION TO RECONSIDER SENATE BILL NO. 1249 CONTINUED

Mr. McCarthy was granted unanimous consent that his motion to reconsider the vote on Senate Bill No 1249 be continued until the next legislative day.

MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 496

In compliance with a motion given on a previous day, Mr Beverly moved that the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 496 be reconsidered.

Concurrence in Senate amendments to Assembly Bill No. 496 reconsidered by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Beverly, Briggs, Burke, Chappie, Cline, Collier, Conrad, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Monagan, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wilson, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 496 Passed and Retained

By unanimous consent, Assembly Bill No 496 was passed on file, to retain its place on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 14, 1972

Mr. Speaker: Your Committee on Rules recommends:

That the request by Mr. Fenton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2388 be granted.

BURTON, Chairman

Assembly Chamber, November 14, 1972

Mr Speaker: Your Committee on Rules recommends

That the request by Mr. Dent for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2389 be granted.

BURTON, Chairman

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Badham was granted unanimous consent that the following proposed amendments to Senate Bill No. 107 be printed in the Journal:

Proposed Amendments to Senate Bill No. 107

Amendment No. 1

On page 4, line 23, of the printed bill, as amended in Senate May 25, 1972, strike out "It is the intent of the Legislature, with respect"; and strike out lines 24 to 29, inclusive.

Amendment No. 2

On page 5, strike out line 1, and insert "this chapter, except that such prohibition shall be applicable to the Eel River and its tributaries only for a period of 10 years following the effective date of this chapter No water diversion facility shall be".

Amendment No. 3

On page 5, strike out lines 9 to 14, inclusive.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Dent:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2389 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr Speaker—61.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with

By Assemblyman Fenton

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2388 may be heard in committee and acted upon by the Assembly before 30 calendar days has elapsed

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong,

Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

By Assemblyman MacGillivray:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2387 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wilson, Wood, and Mr. Speaker—61.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. MacGillivray was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2387 for hearing in the Committee on Ways and Means on Wednesday, November 15, 1972.

Majority Floor Leader Presiding

At 10:52 a.m., Hon. Jack R. Fenton, 51st District, presiding.

REFERENCE OF BILLS TO COMMITTEE

Acting Speaker Fenton referred Assembly Bill No. 2388 to the Committee on Labor Relations and Assembly Bill No 2389 to the Committee on Education.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Acting Speaker Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2388 for hearing in the Committee on Labor Relations and Assembly Bill No 2389 for hearing in the Committee on Education.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Thursday, November 16—

Labor Relations (McCarthy, Chairman).

~~BILLS WITHDRAWN FROM INACTIVE FILE~~

~~The following Bill was withdrawn from the inactive file, and placed upon the third reading file:~~

~~Senate Bill No. 616, on request of Mr. Badham.~~

NOTE On November 27, 1972, the action was rescinded whereby Senate Bill No 616 was on this day withdrawn from the inactive file, and placed upon the third reading file See page 7860.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2127

Mr Campbell was granted unanimous consent to take up Assembly Bill No. 2127, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time, and that the bill be considered engrossed

Second Reading of Assembly Bill No. 2127 By Unanimous Consent

Assembly Bill No. 2127—An act to add Sections 18107 and 20108 to, and to repeal Section 18107 and 20108 of, the Government Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to, and to repeal Sections 5119, 5664, 5755 5 and 5755 6 of, the Welfare and Institutions Code, and to repeal Section 7 of Chapter 923 of the Statutes of 1972, relating to mental health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted:

Amendment No. 1

On page 3, line 22, of the printed bill, as amended in the Assembly, November 9, 1972, strike out "shall", and insert "or as a result of a county undertaking the performance of mental health functions previously performed by the department shall".

Amendment read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2127 for hearing in the Committee on Ways and Means, on Wednesday, November 15, 1972.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:55 a.m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the unfinished business file:

Assembly Bill No. 574 (consideration of Governor's veto pending), on request of Mrs Brathwaite.

Assembly Bill No. 723 (concurrence in Senate amendments pending), on request of Mr Bagley.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

Assembly Chamber, November 13, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 1387

With amendments with the recommendation: Amend, and do pass, as amended.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 13, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No. 2385

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 13, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No 138

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, November 13, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

SB No. 1148

With the recommendation: Do pass.

PIERSON, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 13, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

SB No 1061

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PIERSON, Chairman

Above bill ordered to second reading.

MOTION TO RECONSIDER SENATE BILL NO. 1358 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 1358 was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 14, 1972

Mr. Speaker. The Chairman of your Committee on Ways and Means reports:

SB No 161
SB No. 656
SB No. 714

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 161—An act appropriating funds for increases in compensation for academic, and instructional and instructional-related employees of public higher educational institutions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate July 13, 1972, strike out "Rodda", and insert "Grunsky".

Amendment No. 2

In line 2 of the heading, strike out "Barnes", and insert "Murphy".

Amendment No. 3

In line 1 of the title, strike out "for increases in compensation for"; and strike out lines 2 and 3 of the title, and insert "to the University of California, and".

Amendment No. 4

On page 1, line 2, after "Treasury", insert "to the Regents of the University of California".

Amendment No. 5

On page 1, strike out line 4, and insert "forty-five thousand dollars ($45,000), for the purpose of paying a street improvement assessment on property owned by the Regents on High Street in the City of Santa Cruz Such funds are appropriated in compliance with Sections 5320 to 5325, inclusive, of the Streets and Highways Code, requiring a legislative appropriation as prerequisite to an obligation to pay improvement assessments.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

The present condition of High Street in the City of Santa Cruz, upon which there abuts property of the University of California, and its extremely heavy traffic load constitute an immediate threat to public safety. In order that the road improvements can be completed and alleviate the hazards at the earliest possible time, it is necessary that this act take immediate effect."

Amendment No. 6

On page 1, strike out lines 5 to 10, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 656—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 6950, 11478, 16645 2, 25502 5, 25505, 25514 5, 25601, and 26501 of, and to add Sections 6931 5 and 17255 to, and to repeal Section 25505 of, the Education Code, and to amend Section 22815 of the Education Code as proposed by Assembly Bill No 666, relating to public education.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly July 27, 1972, strike out "6950,".

Amendment No. 2

In line 2 of the title, strike out "16645 2, 25502 5, 25505,".

Amendment No. 3

In lines 3 and 4 of the title, strike out "and 17255 to, and to repeal Section 25505 of", and insert ", 6950 5, and 17255 to".

Amendment No. 4

In lines 5 and 6 of the title, strike out "as proposed by Assembly Bill No 666", and insert ", as added by Chapter 1100 of the Statutes of 1972".

Amendment No. 5

On page 2, line 13, strike out "Chapter 1748 of the Statutes of 1971,".

Amendment No. 6

On page 2, line 14, strike out the comma.

Amendment No. 7

On page 2, line 26, strike out "provision"; on page 3, strike out line 1, and insert "other provisions of law"

Amendment No. 8

On page 3, line 13, strike out "Chapter 1748 of the Statutes of 1971,".

Amendment No. 9

On page 3, line 14, strike out the first comma

Amendment No. 10

On page 3, line 28, strike out "Chapter 1748 of the Statutes of 1971,".

Amendment No. 11

On page 3, line 29, strike out the comma.

Amendment No. 12

On page 3, line 32, strike out "SEC 3", and insert "SEC. 5".

Amendment No. 13

On page 3, line 39, strike out "Chapter 1748 of the Statutes of 1971,".

Amendment No. 14

On page 4, line 3, strike out "SEC 4", and insert "SEC 6".

Amendment No. 15

On page 4, strike out lines 17 to 19, inclusive, and insert "Notwithstanding Section 25 of the Civil Code, for purposes of this section, "minor" means a person under 21 years of age."

Amendment No. 16

On page 4, line 25, strike out "SEC 5", and insert "SEC 7".

Amendment No. 17

On page 4, line 29, strike out "Chapter 1748 of the Statutes of 1971,".

Amendment No. 18

On page 4, line 30, strike out the comma

Amendment No. 19

On page 4, strike out lines 31 to 40, inclusive, on page 5, strike out lines 1 to 19, inclusive, in line 20, strike out "SEC. 7", and insert

"SEC 8. Section 6950 5 is added to the Education Code, to read:

6950.5. Notwithstanding Section 25 of the Civil Code or any other provision of law, for the purposes of this chapter, "minor" means a person under 21 years of age

SEC. 9".

Amendment No. 20

On page 6, strike out lines 5 to 30, inclusive

Amendment No. 21

On page 6, line 31, strike out "SEC 9", and insert

"SEC. 10".

Amendment No. 22

On page 6, lines 37 and 38, strike out "Chapter 1748 of the Statutes of 1971 or".

Amendment No. 23

On page 6, line 39, strike out " "minors", and insert " "minors" ".

Amendment No. 24

On page 7, line 3, strike out "Chapter 1748 of the Statutes of 1971,".

Amendment No. 25

On page 7, line 4, strike out the comma.

Amendment No. 26

On page 7, strike out lines 5 to 40, inclusive, on page 8, strike out lines 1 to 10, inclusive

Amendment No. 27

On page 8, line 11, strike out "SEC 12", and insert

"SEC 11".

Amendment No. 28

On page 10, line 31, strike out "SEC 13", and insert

"SEC. 12".

Amendment No. 29

On page 11, strike out lines 3 and 4.

Amendment No. 30

On page 11, line 5, strike out "SEC 14", and insert "SEC. 13".

Amendment No. 31

On page 11, strike out lines 21 and 22

Amendment No. 32

On page 11, line 23, strike out "SEC. 15", and insert "SEC 14".

Amendment No. 33

On page 11, line 24, strike out "proposed by Assembly Bill No. 666", and insert "added by Chapter 1100 of the Statutes of 1972".

Amendment No. 34

On page 11, strike out lines 31 to 40, inclusive; on page 12, strike out lines 1 to 7, inclusive, in line 8, strike out "SEC. 18", and insert "SEC 15".

Amendment No. 35

On page 12, strike out line 14, and insert

"SEC 16. Section 14 of this act shall become operative on May 1, 1973, or the first day of the first month after the effective date of this act, whichever is later

SEC 17 Except as otherwise provided in Sections 15 and 16,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 714—An act to add and repeal Section 13131 of, and to add Section 13132 5 to, the Education Code, to amend, repeal, and add Section 11391 of, to add Division 10 8 (commencing with Section 11940) to, to repeal Sections 210, and 11655 9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 1 of, and Division 10 8 (commencing with Section 11940) of, the Health and Safety Code, to amend Section 11655 8 of, and to repeal Section 11655 7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2 5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154, 5619, and 5654 of, to amend, repeal, and add Section 5651 of, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add Sections 4330 and 5801 of the Welfare and

Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 8, line 15, of the printed bill, as amended in Assembly August 4, 1972, strike out "Human Relations", and insert "Health and Welfare".

Amendment No. 2

On page 12, line 19, strike out "No", and strike out lines 20 to 22, inclusive.

Amendment No. 3

On page 13, line 17, strike out "Human Relations", and insert "Health and Welfare".

Amendment No. 4

On page 14, line 4, after the period, insert "If the department fails to provide the agency with such written description within 60 days from the date of receipt of the proposed project, the state agency may proceed to conduct the research or service project as described in their proposal."

Amendment No. 5

On page 17, lines 11 and 12, strike out "and the University of California".

Amendment No. 6

On page 20, line 31, strike out "or city," and insert "city, or".

Amendment No. 7

On page 22, strike out lines 36 to 40, inclusive, strike out pages 23 to 25, inclusive, and on page 26, strike out lines 1 and 2

Amendment No. 8

On page 32, line 16, after "coordinator", insert "and the local mental health advisory board"

Amendment No. 9

On page 32, line 18, after "coordinator", insert "and the local mental health advisory board"

Amendment No. 10

On page 33, line 6, strike out "Human Relations", and insert "Health and Welfare".

Amendment No. 11

On page 36, line 30, strike out "If the county contracts with"; and strike out lines 31 to 37, inclusive.

Amendment No. 12

On page 41, lines 11 and 12, strike out "eight million three hundred fifty thousand dollars ($8,350,000)", and insert "fourteen million three hundred forty-four thousand, two hundred fifty-two dollars ($14,344,252), without regard to fiscal years,".

Amendment No. 13

On page 41, line 13, strike out "Human Relations", and insert "Health and Welfare".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

VOTE CHANGES

Mr. Mobley was granted unanimous consent that he be recorded as voting "Aye" on Senate Joint Resolution No 24

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye" on the vote to override the Governor's veto of Assembly Bill No. 680.

Hon. Walter Karabian Presiding

At 12 m., Hon. Walter Karabian, 45th District, presiding.

ADJOURNMENT

At 12:01 p m , Acting Speaker Karabian declared the Assembly adjourned until 2 p m , Wednesday, November 15, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

APPENDIX TO ASSEMBLY DAILY JOURNAL FOR NOVEMBER 14, 1972

JOINT SUBCOMMITTEE ON LEGISLATIVE ADVOCATE REGISTRATION

Assembly Chamber, November 14, 1972

Mr. Speaker The Subcommittee on Advocate Registration submits a supplemental list of approved legislative advocates for publication in the Assembly Journal

This supplement is in addition to the supplement published in the Assembly Journal on July 7, 1972.

JOHN P. QUIMBY, Chairman

Index *Page*

Address Changes ---------- 7633
New Registrations ---------- 7634
New Accounts of Registered Advocates ---------- 7635
Additional Organizations ---------- 7636

Address Changes	*Phone Number*
ANDERSON, CARL WEST (Change of phone number only)	(916) 446-7847
BARROW, RONALD E, 1517 L Street, Sacramento 95814	(916) 444-3770
CANNON, VERNON H, 925 L Street, Suite 920, Sacramento 95814	(916) 446-0291
COOK, SAM K., JR, P O. Box 1496, Sacramento 95807	None
CROSE, JACK C, 925 L Street, Suite 250, Sacramento 95814	(916) 441-5818
GARIBALDI, JAMES D, 925 L Street, Suite 250, Sacramento 95814	(916) 441-5444
GROSS, CHARLES R (Change of phone number only)	(916) 446-7854
HULTGREN, CLARENCE W, 1225 8th Street, Suite 395, Sacramento 95814	(916) 446-0069
KEESE, WILLIAM J, 925 L Street, Suite 250, Sacramento 95814	(916) 441-5444

LeBAS, ALBERT E. (916) 446-7854
(Change of phone number only)

LOMBARDO, JAMES E, 925 L Street, Suite 920, Sacramento 95814 (916) 446-0291

McCARRON, PAUL N, 925 L Street, Suite 700, Sacramento 95814 (916) 443-7933

MEDEIROS, C W "NICK", JR, 925 L Street, Suite 920, Sacramento 95814 (916) 446-0291

MICHELENA, FRANK G., 4120 Birch Street, Suite 105, Newport Beach 92660 (714) 833-2952

MOORE, CLARENCE C. (916) 446-7854
(Change of phone number only)

MUIR, J E "SKIP", 925 L Street, Room 800, Sacramento 95814 (916) 444-2147

NAMBO, ROBERT H, 1517 L Street, Sacramento 95814 (916) 443-7991
Change in organization name:
California SMACNA (California Association Sheet Metal and Air Conditioning Contractors National Association)

O'HARA, GERALD P., 925 L Street, Suite 920, Sacramento 95814 (916) 446-0291

PORTER, CHARLES E., 545 Mission Valley Center West, San Diego 92108 (714) 299-3830

STEVENS, LAWRENCE C, P O Box 13446, Sacramento 95813 (916) 922-6251 (messages)

THOMPSON, RE, Sutter Club, 1220 9th Street, Sacramento 95814 (916) 442-0456

WENDT, JOHN R, 925 L Street, Suite 780, Sacramento 95814 (916) 443-5955

New Registrations *Phone Number*

BENEDICT, MAXWELL E, 2740 Fulton Avenue, Suite 109, Sacramento 95821 (916) 483-7777
Stretch Inc.

BENO, JAMES H., 926 J Street, Room 220, Sacramento 95814 (916) 446-7662
California Community College Student Government Association

COHEN, LES H, 5670 Wilshire Boulevard, Suite 2435, Calhfornia Federal Plaza, Los Angeles 90036 (213) 931-0910
California Federal Savings & Loan Association

DAHLQUIST, ALLAN G, 2740 Fulton Avenue, Suite 109, Sacramento 95821 (916) 483-7777
Stretch Inc

DENHOLM, FRANCES C. (Mrs), 109 W. Miramonte Drive, Woodland 95695 (916) 662-0366
H O W (Happiness of Womanhood)

DOWELL, EMERY B, 1127 11th Street, Suite 540, Sacramento 95814 (916) 441-3777
Blue Cross Plans in California

EDWARDS, JACK L, 1107 9th Street, Room 908, Sacramento 95814 (916) 444-6504
California Association of Four Wheel Drive Clubs, Inc.
GERONDAKIS, MICHAEL J, 2740 Fulton Avenue, Suite 109, Sacramento 95821 (916) 483-7777
Stretch Inc.
GIBBONS, DAVID W, 3820 Clair Drive, Carmichael 95608 (916) 444-3464
East Hanover, New Jersey 07936 (201) 386-1000
Sandoz Pharmaceuticals
HANNEGAN, JOHN J, 455 Capitol Mall, Sacramento 95814 (916) 444-3910
American Mutual Insurance Alliance
HATCH, LEIGHTON, 928 K Street, Sacramento 95814 (916) 444-2800
California Land Title Association
JOHNSTON, J RICHARD, 833 United California Bank Building, Oakland 94612 (415) 452-2133
Associated Cooperatives, Inc
MORROW, ROBERT L, 1108 O Street, Sacramento 95814 (916) 444-8134
Associated California Employees
RAVEN, ROBERT F, 556 Morris Avenue, Summit, New Jersey 07901 (201) 277-5816
CIBA-GEIGY Corporation
ROSENTHAL, MAX, 1317 Greeley Way, Stockton 95207 (209) 477-9764
Lincoln Fire District
SHERWOOD, FREDERIC R, 75 E Wacker Drive, Chicago, Illinois 60601 (312) 332-4232
Chicago Publishers Association
SOMERA, GILBERT E, 1900 K Street, Suite 112, Sacramento 95814 (916) 446-7901
California Rural Legal Assistance
STRAZZO, BOYD M, 2740 Fulton Avenue, Suite 109, Sacramento 95821 (916) 483-7777
Stretch Inc.
VICKERY, FRED, East Hanover, New Jersey 07936 (201) 386-8123
Sandoz Pharmaceuticals
WARREN, MICHAEL L, 1221 30th Street Sacramento 95816 (916) 456-6434
Sacramento County Ambulance Association
WEBER, THOMAS B, 3525 5th Avenue, San Diego 92103 (714) 299-0805
Telophase Society

New Accounts of Registered Advocates

FARBER, JOSEPH M
Los Virgenes Chamber of Commerce, Inc.
KENNEDY, V DENNIS
Hoffman Farms

MULLIGAN, KERRY W.
Environmental Assessment Engineering
NAGLESTAD, FREDERIC A.
Air Quality Products, Inc.
PORTER, CHARLES E.
California Refuse Removal Council—Southern District
San Diego Board of Realtors
STEVENS, LAWRENCE C.
Automatic Car Wash Association of Southern California
TRASK, BERT
City of Lakewood
VICENCIA, FRANK D.
National Association of Theatre Owners of Southern California and Northern California
WALDIE, GEORGE W.
United Commercial Travelers of America

Organizations
AIR QUALITY PRODUCTS, INC.
Naglestad, Frederic A.
AMERICAN MUTUAL INSURANCE ALLIANCE
Hannegan, John J
ASSOCIATED CALIFORNIA EMPLOYEES
Morrow, Robert L.
ASSOCIATED COOPERATIVES, INC
Johnston, J Richard
AUTOMATIC CAR WASH ASSOCIATION OF SOUTHERN CALIFORNIA
Stevens, Lawrence C
BLUE CROSS PLANS IN CALIFORNIA
Dowell, Emery B.
CALIFORNIA ASSOCIATION OF FOUR WHEEL DRIVE CLUBS, INC.
Edwards, Jack L.
CALIFORNIA COMMUNITY COLLEGE STUDENT GOVERNMENT ASSOCIATION
Beno, James H ; Dusel, Fred A *, Speck, Fred J *
CALIFORNIA FEDERAL SAVINGS & LOAN ASSOCIATION
Cohen, Les H
CALIFORNIA LAND TITLE ASSOCIATION
Burns, Robert E *, Hatch, Leighton, Reynolds, R. Blair*
CALIFORNIA REFUSE REMOVAL COUNCIL—SOUTHERN DISTRICT
Astor, Z Harry*; Porter, Charles E
CALIFORNIA RURAL LEGAL ASSISTANCE
Kerry, Edgar A *, Schilla, Peter F *, Somera, Gilbert E.
CHICAGO PUBLISHERS ASSOCIATION
Sherwood, Frederic R.
CIBA-GEIGY CORPORATION
Raven, Robert F.

---

* Previously listed in 1972 Directory

ENVIRONMENTAL ASSESSMENT ENGINEERING
Mulligan, Kerry W.
H O W (HAPPINESS OF WOMANHOOD)
Denholm, Frances C. (Mrs.)
HOFFMAN FARMS
Kennedy, V Dennis
LAKEWOOD, CITY OF
Trask, Bert
LINCOLN FIRE DISTRICT
Rosenthal, Max
LOS VIRGENES CHAMBER OF COMMERCE, INC.
Farber, Joseph M
NATIONAL ASSOCIATION OF THEATRE OWNERS OF SOUTHERN CALIFORNIA AND NORTHERN CALIFORNIA
Vicencia, Frank D
SACRAMENTO COUNTY AMBULANCE ASSOCIATION
Warren, Michael L
SAN DIEGO BOARD OF REALTORS
Porter, Charles E
SANDOZ PHARMACEUTICALS
Gibbons, David W ; Vickery, Fred
STRETCH INC
Benedict, Maxwell E , Dahlquist, Allan G ; Gerondakis, Michael J ; Strazzo, Boyd M.
TELOPHASE SOCIETY
Weber, Thomas B
UNITED COMMERCIAL TRAVELERS OF AMERICA
Waldie, George W.

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-sixth Legislative Day

Three Hundred Eighteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, November 15, 1972

The Assembly met at 2 p m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk James D Driscoll at the Desk
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Garcia moved a quorum call of the Assembly
Mr Conrad seconded the motion
Motion carried Time, 2 02 p m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 2 12 p m , Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, Help us to raise our sights above the horizons sketched by prophesies of doom and decay for our society and its institutions Let warnings inspire and enlighten rather than depress and immobilize us Disengage us from the ranks of the apathetic who can accomplish nothing; from those who believe in nothing and therefore can change nothing for the better

Give us a strength of heart and spirit possessing the flexibility and adaptability to cope with this era of change and challenge Above all give us the vision which characterizes men of hope—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Crown then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr McAlister, seconded by Mr Lancaster.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness·

Mr Belotti, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, because of legislative business elsewhere.

Mr Barnes, on request of Speaker pro Tempore Bee
Mr. LaCoste, on request of Speaker pro Tempore Bee

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Speaker pro Tempore Bee
Mr. Moorhead, on request of Speaker pro Tempore Bee
Mr Stull, on request of Speaker pro Tempore Bee

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

November 15, 1972

TO. BOB MORETTI
Speaker of the Assembly

FROM· E RICHARD BARNES

SUBJECT. EXCUSE ON LEGISLATIVE BUSINESS

It is respectfully requested that I be excused if I am late in returning today as I had planned to visit Frank Belotti, my seatmate, and to bring Mrs Belotti back to Sacramento this afternoon I hope that I will be back in time for the session. If not, then I would like to be excused.

E RICHARD BARNES, Assemblyman
Seventy-eighth District

November 15, 1972

Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Bob Due to an emergency in my district I am requesting that I be excused from legislative session today Thank you,

Sincerely,

ERNEST LACOSTE, Assemblyman
Thirtieth District

REPORTS

The following report was presented by the Speaker·

Bilingual Compensation Survey (Pursuant to Assembly Concurrent Resolution No. 102)

Above transmitted report, together with letter of transmittal from Richard L Camilli, Executive Officer, State Personnel Board, Sacramento, referred by the Speaker pro Tempore to the Committee on Employment and Public Employees

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Keysor was granted unanimous consent that the following explanation of vote be printed in the Journal

Explanation of Vote—Senate Joint Resolution No. 20

November 14, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker Because of a long-standing speaking engagement commitment in Los Angeles yesterday, November 13, 1972 which necessitated my absence from the Assembly Session, I did not have an opportunity to vote on the Equal Rights Amendment, SJR 20, which was adopted

I wish to have this letter printed in the Journal to show that had I been here my vote on the Equal Rights Amendment would have been "aye"

Respectfully,

JIM KEYSOR, Assemblyman
Forty-first District

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time·

Assembly Bill No. 2390: By Assemblyman Maddy—An act to amend Sections 73682, 73683, 73684, and 73692 of the Government Code, relating to courts

Held at Desk by order of the Speaker pro Tempore

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 15, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed ·

Assembly Bill No. 2390—An act to amend Sections 73682, 73683, 73684, and 73692 of the Government Code, relating to courts.

KENNETH MADDY

Above request ordered transmitted to the Committee on Rules

COMMUNICATIONS

Assembly Chamber, November 15, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 2213—An act to add Section 39009 to, to repeal Division 16 7 (commencing with Section 39000) of, and to add Division 16 8 (commencing with Section 39100) to, the Vehicle Code, relating to the licensing of bicycles, and making an appropriation therefor,

And reports the same correctly enrolled, and presented to the Governor at 2 p.m , November 15, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 14, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined ·

Assembly Bill No. 1206—An act to add Section 1420 1 to the Labor Code, and to repeal Section 2072 of the Unemployment Insurance Code, relating to discrimination in employment,

And reports the same correctly enrolled, and presented to the Governor at 5 p m , November 14, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 14, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Concurrent Resolution No. 130—Approving an amendment to the Charter of the County of Butte, State of California, ratified by the qualified electors of the county at a special election consolidated with the primary election held therein on the sixth day of June, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of November, 1972, at 5 p m

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, November 15, 1972

Mr Speaker · Pursuant to your instructions, the Chief Clerk has examined

AB No 1673

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, November 14, 1972

Mr Speaker Your Committee on Agriculture reports.

SB No 451

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

BRIGGS, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Education

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Education reports·

AB No 2124

With the recommendation · Do pass

LEROY F GREENE, Chairman

Above bill ordered to second reading

Committee on Health

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Health reports:

SB No 556

With amendments with the recommendation Amend, and do pass, as amended.

CAMPBELL, Chairman

Above bill ordered to second reading

Committee on Criminal Justice

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Criminal Justice reports

SB No 919

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Governmental Organization

Assembly Chamber, November 15, 1972

Mr Speaker. The Chairman of your Committee on Governmental Organization reports:

AB No 1303

With author's amendments with the recommendation Amend, and re-refer to the Committee on Governmental Organization.

RALPH, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1303—An act to amend Sections 172 and 172a of the Penal Code, relating to alcoholic beverages

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "and 172A", and insert ", 172a, and 172*b*".

Amendment No. 2

On page 4, between lines 15 and 16, insert

"SEC 3 Section 172*b* of the Penal Code is amended to read:

172*b* The provisions of Section 172a shall not apply to the sale or offering for sale of any intoxicating liquor on the premises of, and by the holder or agent of a holder of, a retail off-sale license, as defined in Section 23394 of the Business and Professions Code, outside one mile of the closest building of the Claremont Colleges to these premises *; nor shall the provisions of Section 172a apply to the sale or offering for sale of any beer, or wine, or both, on the premises of, and by the holder or agent of a holder of, a retail package off-sale beer and wine license, as defined in Section 23393 of the Business and Professions Code, outside 2,000 feet of the closest building of the Claremont Colleges to these premises*.

Distance provided in this section shall be measured not by air line but by following the shortest road or roads connecting the points in question"

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Organization

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, November 15, 1972

Mr Speaker The Chairman of your Committee on Natural Resources and Conservation reports.

SB No 1369

With author's amendments with the recommendation Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1369—An act to amend Section 8836 5 of the Fish and Game Code, relating to trawl nets.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 12, 1972, strike out "amend Section 8836 5 of", and insert "add Section 2361 5 to".

Amendment No. 2

In line 2 of the title, strike out "trawlnets", and insert "importation of salmon".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 2361 5 is added to the Fish and Game Code, to read

2361.5 Salmon, which was legally taken in the State of Oregon in accordance with such state's law, may be imported into this state for processing and exportation out of this state under such rules and regulations as may be prescribed by the commission

Nothing in this section shall permit the sale for consumption in this state of any salmon imported into this state pursuant to this section "

Amendment No. 4

On page 1, strike out lines 2 to 12, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation

REPORTS OF STANDING COMMITTEES

Committee on Planning and Land Use

Assembly Chamber, November 15, 1972

Mr Speaker: The Chairman of your Committee on Planning and Land Use reports:

SB No 1238

SB No 520

With author's amendments with the recommendation. Amend, and re-refer to the Committee on Planning and Land Use

PRIOLO, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1238—An act to amend Sections 6224 and 6370 of the Public Resources Code, relating to state lands

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly November 9, 1972, strike out "Sections 6224 and 6370", and insert "Section 6224".

Amendment No. 2

On page 2, strike out lines 6 to 35, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

Senate Bill No. 520—An act to amend Sections 660, 661, and 662 of, and to add Chapter 7 5 (commencing with Section 2621) to Division 2 of, the Public Resources Code, relating to earthquake protection, and making an appropriation therefor.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Senate June 20, 1972, strike out "Coauthor· Assemblyman Keysor", and insert "Coauthors· Assemblymen Keysor and Priolo"

Amendment No. 2

On page 3, line 40, after "2621 ", insert "This chapter shall be known and may be cited as the Alquist-Priolo Geologic Hazard Zones Act

2621.5."

Amendment No. 3

On page 6, line 1, strike out "To support the functions established under this"; strike out line 2, and in line 3, strike out "as the Legislature shall designate, each", and insert "Each".

Amendment No. 4

On page 6, line 21, strike out "State Treasury in"; and strike out lines 22 to 27, inclusive, and insert "General Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Planning and Land Use.

MESSAGES FROM THE SENATE

Senate Chamber, November 14, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1362

And appointed Senators Beilenson, Carpenter and Dymally, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 14, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted

ACR No 79

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, November 14, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed

AB No 2044

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled

Senate Chamber, November 14, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted

SCR No 56
SCR No 63
SCR No 65

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 14, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted

SCR No 87

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Concurrent Resolution No. 56—Relative to elevator safety.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 63—Relative to inheritance taxes

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 65—Relative to the Sacramento-San Joaquin Delta.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 87—Relative to the adjournment of the Legislature

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee.

Senate Bill No.	*Committee*
637	Health
1044	Labor Relations
1209	Education
1500	Retirement

Senate Concurrent Resolution No	*Committee*
56	Labor Relations
63	Revenue and Taxation
65	Natural Resources and Conservation

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1180

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bill No 1180 be withdrawn from the Committee on Government Administration, and re-referred to the Committee on Retirement

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced the Honorable Gordon H Dowding, Speaker of the Legislative Assembly, and Mr Ian Horne, Law Clerk of the Legislature, of British Columbia, whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 976—An act to add Sections 1626 5 and 2145 3 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Assembly Bill No. 1874—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, relating to mental health, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Assembly Bill No. 1387—An act to amend Section 1033 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly November 9, 1972, strike out lines 17 to 21, inclusive, and insert "Association together with claims for refund of unearned premiums on classes of insurance covered by the California Insurance Guarantee Association"

Amendment No. 2

On page 2, line 39, after "constituted," insert "all".

Amendment No. 3

On page 2, line 40, strike out "would"

Amendment No. 4

On page 3, line 2, after "benefits", insert "have".

Amendment No. 5

On page 3, line 3, after "claims", insert "generally"

Bill ordered reprinted

REQUEST FOR UNANIMOUS CONSENT

Mr Briggs was granted unanimous consent that Assembly Bill No 1387 be returned to the third reading file for the next legislative day, instead of the second reading file

Assembly Bill No. 2385—An act to amend Sections 13010, 13469 1, and 13651 2 of the Education Code, relating to school employees

Bill read second time, and ordered to third reading

SECOND READING OF SENATE BILLS

Senate Bill No. 433—An act to add Section 34 8 to the Civil Code, relating to contraceptives for minors.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted·

Amendment No. 1

On page 1, line 10, of the printed bill, after "care", insert "The physician or surgeon may at his option advise the parent or parents of such medical care"

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 1148—An act to amend Section 1754 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer credit

Bill read second time, and ordered to third reading

Senate Bill No. 1061—An act to amend Section 18412 of the Financial Code, relating to industrial loan companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 12, 1972, strike out "amend Section 18412 of", and insert "add Section 18412 1 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 18412 1 is added to the Financial Code, to read·

18412 1 The prohibition contained in Section 18412 shall not apply to the purchase by an industrial loan company of a contract or chose in action from a personal property broker provided written authorization for such purchase is obtained from the commissioner "

Amendment No. 3

On page 1, strike out lines 2 to 11, inclusive, and strike out page 2

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

COMMUNICATIONS

Assembly Chamber, November 15, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

AB No 2385

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 384—An act to amend Section 23801 of the Education Code, relating to state colleges

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 384?

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly April 19, 1972, strike out "The", and insert

"Subject to regulations of the trustees, the".

Amendment No. 2

On page 4, line 19, strike out "The", and insert

"Subject to regulations of the trustees, the".

~~The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·~~

AYES—Badham, Bee, Beverly, Briggs, Burke, Chacon, Cline, Conrad, Crown, Cullen, Davis, Deddeh, Duffy, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Ray E. Johnson, Karabian, Ketchum, Keysor, Lanceaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Priolo, Russell, Ryan, Seeley, Stacey, Thomas, Townsend, Warren, Wilson, Wood, and Z'berg—45.

NOES—Collier and Cory—2.

Above bill ordered enrolled.

NOTE On November 17, 1972, the action was rescinded whereby the Assembly on this day concurred in the above Senate amendments to Assembly Bill No 384, and whereby the bill was ordered enrolled See page 7711.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 95

The Speaker pro Tempore appointed Messrs Ryan, Cory, and Wakefield as a Committee on Conference concerning Senate Bill No 95

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1362

The Speaker pro Tempore appointed Messrs Campbell, Karabian, and Priolo as a Committee on Conference concerning Senate Bill No. 1362.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2 25 p m, Mr MacDonald was granted unanimous consent to hold a special meeting of the Committee on Employment and Public Employees in the Assembly Lounge, at this time

Hon. Ken Cory Presiding

At 2.26 p m, Hon Ken Cory, 69th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1681—An act to add Section 11019 to the Welfare and Institutions Code, relating to public assistance

Governor's message stating his objections appears at pages 7451–7452 of the Assembly Journal for November 8, 1972

The question being Shall Assembly Bill No 1681 become a law notwithstanding the objections of the Governor?

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Crown moved a call of the Assembly

Motion carried Time, 2 34 p m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN BILL GREENE

Speaker pro Tempore Bee announced that today is the birthday of Assemblyman Bill Greene, of the 53rd District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Greene.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 723—An act to amend Sections 17072, 17207, 17216 2, 17402, 17411, 17503, 17511, 17673, 17711, 17712, 17734, 17737, 17852, 18152, 18172, 18181, 18182, 18183, 18187, 18189, 18190, 18191, 18192, 18242, and 18244 of, and to repeal Sections 18151, 18162 and 18202 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 723 (presented by Mr. Murphy)?

Senate Amendments of July 3, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 25, 1972, strike out "Section"

Amendment No. 2

In line 4 of the title, after "18242," insert "and 18244".

Amendment No. 3

In line 4 of the title, strike out the second "and", and insert a comma.

Amendment No. 4

In line 5 of the title, strike out "of", and insert "and 18202 of,".

Amendment No. 5

On page 20, line 3, after "18152", insert "and Section 18162.5".

Amendment No. 6

On page 28, strike out line 29, and insert

"SEC. 25 5. Section 18202 of the Revenue and Taxation Code is repealed.

~~18202. Amounts received from the assignment or release by an employee, after more than 20 years' employment, of all his rights to receive, after termination of his employment and for a period of not less~~

~~than five years (or for a period ending with his death), a percentage of future profits or receipts of his employer shall be considered an amount received from the sale or exchange of a capital asset held for more than six months if—~~

~~(a) Such rights were included in the terms of the employment of such employee for not less than 12 years;~~

~~(b) Such rights were included in the terms of the employment of such employee before June 6, 1955, and~~

~~(c) The total of the amounts received for such assignment or release is received in one taxable year and after the termination of such employment.~~

SEC 26 Section 18242 of the Revenue and"

Amendment No. 7

On page 29, strike out line 26, and insert

"SEC 26 5 Section 18244 of the Revenue and Taxation Code is amended to read·

18244 (a) This article shall apply to the taxable year only if the taxpayer chooses to have the benefits of this article for such taxable year Such choice may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this part for the taxable year.

(b) If the taxpayer chooses the benefits of this article for the taxable year, the following provisions shall not apply to him for such year

(1) Section 17048 (relating to the optional tax table) and

(2) Subdivision (b) of Section 17112 7 (relating to limitation of tax in case of certain distributions with respect to contributions by self-employed individuals)

(c) (1) Paragraph (2) of this subdivision shall apply in the case of any individual who was married for any base period year or the computation year, except that such paragraphs shall not apply in respect of a base period year if—

(A) Such individual and his spouse make a joint return for the computation year, and

(B) Such individual was not married to any other spouse for such base period year

(2) For purposes of this article, the base period income of an individual for any base period year shall not be less than 50 percent of the base period income which would result from combining his income and deductions for such year—

(A) With the income and deductions for such year of the individual who is his spouse for the computation year or

(B) If greater, with the income and deductions for such year of the individual who was his spouse for such base period year

~~(C) With respect to computation years beginning after December 31, 1971, for the purposes of subparagraphs (A) and (B), for base years beginning after December 31, 1967, and ending before November 30, 1972 the percentages provided for in Section 18162.5 shall be used to determine the amount of capital gains for such taxable years.~~

(3) For purposes of this subdivision, Section 17173 shall apply in determining whether an individual is married for any taxable year

(d) In the case of joint return, the three thousand dollars ($3,000) figure contained in Section 18241 shall be applied to the aggregate averageable income

(e) (1) Section 17112.5 (relating to penalties applicable to certain amounts received by owner-employees) shall be applied as if this article had not been enacted.

(2) Except as otherwise provided in this article, the order and manner in which items of income or limitations on tax shall be taken into account in computing the tax imposed by this part on the income of any eligible individual to whom Section 18241 applies for any computation year shall be determined under regulations prescribed by the Franchise Tax Board

SEC 27 This act shall apply to taxable years"

Senate Amendments of July 24, 1972

Set No. 1

Amendment No. 1

On page 3, between lines 25 and 26 of the printed bill, as amended in Senate July 3, 1972, insert

"SEC 1.5. Section 17072 of the Revenue and Taxation Code is amended to read:

17072 For purposes of this part, the term "adjusted gross income" means, in the case of an individual, gross income minus the following deductions:

(a) The deductions allowed by this part (other than by Article 7 of this chapter) which are attributable to a trade or business carried on by the taxpayer, if such trade or business does not consist of the performance of services by the taxpayer as an employee

(b) (1) The deductions allowed by Article 6 (Section 17201 and following) which consist of expenses paid or incurred by the taxpayer, in connection with the performance by him of services as an employee, under a reimbursement or other expense allowance arrangement with his employer

(2) The deductions allowed by Article 6 (Section 17201 and following) which consist of expenses of travel, meals, and lodging while away from home, paid or incurred by the taxpayer in conection with the performance by him of services as an employee

(3) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part which consist of expenses of transportation paid or incurred by the taxpayer in connection with the performance by him of services as an employee

(4) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part which are attributable to a trade or business carried on by the taxpayer, if such trade or business consists of the performance of services by the taxpayer as an employee and if such trade or business is to solicit, away from the employer's place of business, business for the employer

(c) ~~The deduction allowed by Section 18151~~ *Except as limited under paragraphs (1), (2), and (3), any expenses paid or incurred by the taxpayer or his spouse in connection with the adoption of a child by them, if the taxpayer and his spouse claim the standard deduction under Section 17171 Such expenses include any medical and hospital expenses of the mother of an adopted child which are incident to the child's birth, and any welfare agency, legal and other fees or costs relating to the adoption*

(1) A husband and wife who file a joint return may deduct only those adoption expenses which do not exceed one thousand dollars ($1,000)

(2) A married taxpayer who files a separate return may deduct only those adoption expenses which do not exceed five hundred dollars ($500)

(3) An unmarried taxpayer filing as a single person or as a head of household may deduct only those adoption expenses which do not exceed one thousand dollars ($1,000)

(d) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part as losses from the sale or exchange of property

(e) The deductions allowed by Article 6 (commencing with Section 17201) of Chapter 3 of this part, by Section 17252 (relating to expenses for production of income), and by Section 17681 (relating to depletion) which are attributable to property held for the production of rents or royalties

(f) In the case of a life tenant of property, or an income beneficiary of property held in trust, or an heir, legatee, or devisee of an estate, the deduction for depreciation allowed by Sections 17208 to 17212, inclusive, and the deduction allowed by Section 17681 Nothing in this section shall permit the same item to be deducted more than once

(g) In the case of an individual who is an employee within the meaning of Section 17502.2(a), the deductions allowed by Sections 17513 to 17525, inclusive, and Section 17526(c) to the extent attributable to contributions made on behalf of such individual.

(h) The deduction allowed by Section 17266 ''

Amendment No. 2

On page 31, line 15, after ''SEC 28 '', insert ''It is the intent of the Legislature, if this bill and Senate Bill No 1151 are both chaptered and amend Section 17072 of the Revenue and Taxation Code, and this bill is chaptered after Senate Bill No 1151, that the amendments to Section 17072 proposed by both bills be given effect and incorporated in Section 17072 in the form set forth in Section 1 5 of this act Therefore, Section 1 5 of this act shall become operative only if this bill and Senate Bill No 1151 are both chaptered, both amend Section 17072, and Senate Bill No 1151 is chaptered before this bill, in which case Section 1 of this act shall not become operative.

SEC 29 ''

Set No. 2

Amendment No. 1

On page 29 of the printed bill, as amended in Senate July 3, 1972, strike out lines 32 to 40, inclusive, strike out all of page 30, and on page 31, strike out lines 1 to 12, inclusive, and insert

"SEC 26.5. Section 18244 of the Revenue and Taxation Code is amended to read

18244 (a) This article shall apply to the taxable year only if the taxpayer chooses to have the benefits of this article for such taxable year. Such choice may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this part for the taxable year.

(b) If the taxpayer chooses the benefits of this article for the taxable year, the following provisions shall not apply to him for such year:

(1) Section 17048 (relating to the optional tax table) and

(2) Subdivision (b) of Section 17112.7 (relating to limitation of tax in case of certain distributions with respect to contributions by self-employed individuals).

(c) (1) Paragraph (2) of this subdivision shall apply in the case of any individual who was married for any base period year or the computation year, except that such paragraphs shall not apply in respect of a base period year if—

(A) Such individual and his spouse make a joint return for the computation year, and

(B) Such individual was not married to any other spouse for such base period year.

(2) For purposes of this article, the base period income of an individual for any base period year shall not be less than 50 percent of the base period income which would result from combining his income and deductions for such year—

(A) With the income and deductions for such year of the individual who is his spouse for the computation year, or

(B) If greater, with the income and deductions for such year of the individual who was his spouse for such base period year.

~~(C) With respect to computation years beginning after December 31, 1971, for the purposes of subparagraph (A) and (B), for base years beginning after December 31, 1967, and ending before November 30, 1972, the percentages provided for in Section 18162.5 shall be used to determine the amount of capital gains for such taxable years.~~

(3) For purposes of this subdivision, Section 17173 shall apply in determining whether an individual is married for any taxable year.

(d) In the case of joint return, the three thousand dollars ($3,000) figure contained in Section 18241 shall be applied to the aggregate averageable income.

(e) (1) Section 17112.5 (relating to penalties applicable to certain amounts received by owner-employees) shall be applied as if this article had not been enacted.

(2) Except as otherwise provided in this article, the order and manner in which items of income or limitations on tax shall be taken into

account in computing the tax imposed by this part on the income of any eligible individual to whom Section 18241 applies for any computation year shall be determined under regulations prescribed by the Franchise Tax Board.

(f) In the case of any computation year or base period year which is a short taxable year, this article shall be applied in the manner provided in regulations prescribed by the Franchise Tax Board "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ryan, Seeley, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 375—An act to add Section 11555.5 to the Government Code, to add Title 6 (commencing with Section 13800) and Title 6 5 (commencing with Section 13800) to Part 4 of, and to repeal Title 6 (commencing with Section 13800) of Part 4 of, the Penal Code, relating to criminal justice

Governor's message stating his objections appears at pages 7466–7467 of the Assembly Journal for November 8, 1972

The question being Shall Assembly Bill No 375 become a law notwithstanding the objections of the Governor?

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Crown moved a call of the Assembly

Motion carried Time, 2 48 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 684—An act to add Title 6 5 (commencing with Section 13900) to Part 4 of the Penal Code, relating to local criminal justice planning.

Governor's message stating his objections appears at page 7468 of the Assembly Journal for November 8, 1972

The question being: Shall Assembly Bill No 684 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Crown moved a call of the Assembly.

Motion carried. Time, 2·52 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

MOTIONS TO RECONSIDER BILLS CONTINUED

Mr. McCarthy was granted unanimous consent that his motion to reconsider the vote on Senate Bill No. 1249 be continued until the next legislative day.

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 1358 was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 968—An act to amend Sections 29530, 29532, and 29533 of the Government Code, to amend Sections 29140 5, 99207, 99208, 99209, 99241, 99242, 99266, 99267, 99280, 99282, 99283, 99284, 99305, 99400, and 99405 of, to amend the heading of Article 5 (commencing with Section 99280) of Chapter 4 of Part 11 of Division 10 of, to amend and renumber Sections 99240, 99285, 99301, and 99303 of, to add Sections 99203, 99210, 99211, 99230, 99231, 99232, 99235, 99260, 99261, 99262, 99268, 99269, 99285, 99286, 99401, 99402, and 99406 to, and to repeal Sections 99202, 99203, 99210, 99211, 99260, 99262, 99264, 99268, 99269, 99270, 99271, 99272, 99273, 99274, 99275, 99300, 99304, 99401, 99402, 99403, 99404, 99406, and 99407 of, the Public Utilities Code, to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of,

and to add Sections 6357 1, 6357 2, 7204 4, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to public transportation, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—Cory, Davis, and Townsend—3

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—Cory, Davis, and Townsend—3.

Bill ordered transmitted to the Senate

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1170—An act to amend Section 14103 6 of, and to add Section 14103 7 to, the Welfare and Institutions Code, relating to Medi-Cal

Bill read third time, and presented by Mr Brown.

Bill passed by the following vote

AYES—Bee, Beverly, Brathwaite, Briggs Brown, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—58

NOES—Wakefield—1

Bill ordered transmitted to the Senate

Senate Bill No. 1164—An act to add Sections 14103.5 and 14103 8 to the Welfare and Institutions Code, relating to Medi-Cal

Bill read third time, and presented by Mr Brown

Bill passed by the following vote

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1261—An act to amend Sections 27111, 27111 5, 27113, and 27145 5 of, and to add Sections 27115 and 27147 to, the Education Code, relating to public library systems and making an appropriation therefor.

Bill read third time, and presented by Mr Brown

Bill passed by the following vote

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Cory, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Collier, Conrad, and Cullen—3

Bill ordered transmitted to the Senate

Senate Bill No. 4—An act to add Chapter 1 4 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to waterways.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Brown was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 4 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr Brown moved the adoption of the following amendments:

Amendment No. 1

On page 4, between lines 20 and 21, of the printed bill, as amended in Senate June 7, 1972, insert

"(g) Eel River The main stem from 100 yards below Van Arsdale Dam to the Pacific Ocean, the South Fork of the Eel from the mouth of Section Four Creek near Branscomb to the river mouth below Weott; Middle Fork of the Eel from the intersection of the river with the southern boundary of the Middle Eel-Yolla Bolly Wilderness Area to the river mouth at Dos Rios, North Fork of the Eel from the Old Gilman Ranch downstream to the river mouth near Ramsey; Van Duzen River from Dinsmores Bridge downstream to the river mouth near Fortuna It is the intent of the Legislature, with respect to the Eel River and its tributaries, that no dam shall be built for a period of 12 years following the effective date of this section."

Amendment No. 2

On page 6, line 19, strike out "Eel River and".

Amendment No. 3

On page 6, line 20, strike out "their", and insert "its".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered.

Assembly Concurrent Resolution No. 131: By Assemblyman Brown—Relative to expenses of the Joint Legislative Committee on Siting of Teaching Hospitals

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 131

Mr Brown was granted unanimous consent to take up Assembly Concurrent Resolution No 131 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 131

Assembly Concurrent Resolution No. 131—Relative to expenses of the Joint Legislative Committee on Siting of Teaching Hospitals

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 15, 1972

Mr Speaker · Your Committee on Rules recommends ·

That the request by Mr Maddy for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2390 be granted.

BURTON, Chairman

Committee on Ways and Means

Assembly Chamber, November 15, 1972

Mr. Speaker . Your Committee on Ways and Means reports:

AB No 2127

With the recommendation : Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Ways and Means reports

SB No 125	SB No 1105	SB No 1322
SB No 190	SB No 1165	SB No 1360
SB No 823	SB No 1281	SB No 1450

With the recommendation · Do pass.

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, November 15, 1972

Mr Speaker . Your Committee on Ways and Means reports ·

SB No 31	SB No 200	SB No 334
SB No 99	SB No 229	SB No 436
SB No. 164	SB No. 235	SB No. 678
SB No 191	SB No 282	SB No 680

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Ways and Means reports

SB No 765	SB No 1167	SB No 1390
SB No 864	SB No 1174	SB No 1462
SB No 873	SB No 1235	SB No. 1499
SB No. 1115	SB No 1365	

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, November 15, 1972

Mr Speaker. Your Committee on Ways and Means reports

AB No 2387

With the recommendation Do pass

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Ways and Means reports

SCR No 44

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BROWN, Chairman

Above resolution ordered on file

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Ways and Means reports

SB No 1112

SB No 1187

With amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Committee on Employment and Public Employees

Assembly Chamber, November 15, 1972

Mr Speaker Your Committee on Employment and Public Employees reports

AJR No 41

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

MacDONALD, Chairman

Above resolution ordered on file.

Committee on Retirement

Assembly Chamber, November 15, 1972

Mr. Speaker: The Chairman of your Committee on Retirement reports:

AB No. 1180

With author's amendments with the recommendation Amend, and re-refer to the Committee on Retirement

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1180—An act to add Part 13 (commencing with Section 15950) to Division 3 of Title 2 of the Government Code, relating to the Office of State Planning and Budgeting

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In lines 1 and 2, of the title of the printed bill, strike out "Part 13 (commencing with Section 15950) to Division 3 of Title 2 of", and insert "Section 20019.2 to".

Amendment No. 2

In line 3 of the title, strike out "Office of State Planning and Budgeting", and insert "Public Employees' Retirement System".

Amendment No. 3

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 20019.2 is added to the Government Code, to read:

20019.2 "Local safety member" also includes painters, iron workers and tow truck drivers employed by a bridge and highway district. The district and such employees shall be subject to Sections 20601, 20952, 21252.6 and 21264 without any election by the district, in addition to those sections generally applicable to local safety members. The provisions of this section shall apply on and after January 1, 1973."

Bill ordered reprinted, and to be re-referred to the Committee on Retirement.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

Assembly Chamber, November 15, 1972

Mr. Speaker. The Chairman of your Committee on Elections and Reapportionment reports.

SB No. 129

With author's amendments with the recommendation Amend, and re-refer to the Committee on Elections and Reapportionment

WAXMAN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 129—An act to amend and renumber the heading of Chapter 1.5 (commencing with Section 11700) of, to add Chapter 1 (commencing with Section 11500) to, to repeal Chapter 1 (commencing with Section 11500) and Chapter 2 (commencing with Section 11800) of, Division 8 of, and Section 12053 of, the Elections Code, to repeal Chapter 3 (commencing with Section 3750) of Division 4 5 of Title 1 of the Government Code, relating to campaign financing.

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Senate July 21, 1972, strike out "Definitions", and insert "Statement of Policy and Definitions

11400 This act shall be known and may be cited as the Campaign Receipts and Expenditures Reporting Law

11401 The Legislature finds and declares as follows·

(a) The people have a right to expect from their elected representatives at all levels of government assurances of the utmost in integrity, honesty, and fairness in their dealings;

(b) The people further have a right, in order to knowledgeably vote for both candidates and measures, to a true and timely disclosure of the identity of financial backers and the extent of their financial support

(c) This section shall be broadly construed so that its ends are achieved "

Amendment No. 2

On page 3, line 14, strike out "one hundred dollars ($100)", and insert "five hundred dollars ($500)".

Amendment No. 3

On page 3, line 16, strike out "one hundred dollars ($100)", and insert "five hundred dollars ($500)".

Amendment No. 4

On page 4, strike out lines 18 to 40, inclusive; and on page 5, strike out lines 1 to 19, inclusive, and insert

"11508 "Campaign statement" means an itemized report, made according to a form prescribed and supplied by the Secretary of State which provides the following information:

(a) The total amount of contributions received and expenditures made during the period covered by the campaign statement, and the cumulative total amounts of contributions received and expenditures made, provided that if during the period covered by the campaign statement the person filing the statement has repaid any loans which have been reported as contributions, the amount of such repayments shall be deducted from the total of contributions for the period and shall not be added to the total of expenditures for the period;

(b) The balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement,

(c) The name (given name and surname in the case of an individual) and city, county and zip code of each person, committee, or combination of persons acting jointly from whom a contribution or contributions totaling one hundred dollars ($100) or more have been received, together with the total amount contributed by each such person, committee or combination of persons during the period covered by the campaign statement and the cumulative total amount contributed by each such person, committee or combination of persons, provided, that in the case of committees which are listed as contributors, the campaign statement shall also contain the given name and surname, and address by street, city, county and zip code of the campaign treasurer of the committee;

(d) The name (given name and surname in the case of an individual) and address by city or county of each person, committee or combination of persons acting jointly to whom an expenditure or expenditures totaling one hundred dollars ($100) or more, have been made, together with the total amount paid to each such person, committee or combination of persons during the period covered by the campaign statement and the cumulative total amount paid to each such person, committee or combination of persons, provided, that in the case of committees which are listed as payees, the campaign statement shall also contain the given name and surname, and address by street, city, county and zip code of the campaign treasurer of the committee;

(e) In the case of a committee or person supporting or opposing more than one candidate or measure, the total amount of expenditures for or against each such candidate or measure during the period covered by the campaign statement and the cumulative total amount of expenditures for or against each such candidate or measure;

(f) The full names and residential addresses of the candidate and his campaign treasurer if filed by a candidate, the full name and address of the committee and the full name and residential address of the committee's treasurer if filed by a committee, and the full name and residential and business address of the person filing the statement if the statement is filed by a person other than a candidate or a committee

Where goods, services, facilities or anything of value other than money is contributed or expended, the monetary value thereof shall be the fair market value at the time contributed or expended

11509 "Period covered by a campaign statement" means the period beginning with the day after the date through which the most recent campaign statement filed by the same person was required to be complete, and ending with the day through which the campaign statement in question is required to be complete If the person filing the campaign statement has not filed a previous campaign statement, the period covered shall begin with the effective date of this chapter Nothing in this section shall be interpreted to exempt any person from disclosing transactions which occurred prior to the effective date of this chapter according to the laws then in effect.

11510. "Cumulative total amount" means the sum of the amount reported for the period covered by the campaign statement and the amounts so reported on each previous campaign statement filed in relation to the same election."

Amendment No. 5

On page 6, strike out lines 2 to 25, inclusive, and insert

"11520. Each candidate, each committee supporting or opposing a candidate or candidates, and any other person, supporting or opposing a candidate or candidates, provided such person has received contributions or made expenditures in excess of five hundred dollars ($500) other than as an agent for a candidate or committee (in which case the contribution or expenditure shall be reported by the candidate or committee) shall file a campaign statement according to the following schedule:

(a) Campaign statements, reflecting all contributions and expenditures received and made up to and including the 25th day before the election, shall be filed no later than the 22nd day prior to the election;

(b) Campaign statements, reflecting all contributions and expenditures, not previously reported, which were received and made up to and including the 15th day before the election, shall be filed no later than the 11th day prior to the election.

(c) Campaign statements, reflecting all contributions and expenditures, not previously reported, which were received and made up to and including the 31st day or through the conclusion of the finances of the campaign, whichever is earlier, shall be filed no later than the 38th day after the election.

(d) During every sixth month following an election so long as a candidate, a committee, or other person supporting a candidate has unpaid obligations (whether legally enforceable or not) still outstanding, or receives contributions during such period.

11520.5. Notwithstanding the provisions of Section 11520, when a special, general or runoff election is held less than 60 days following the primary election, campaign statements shall be filed according to the following schedule by the persons specified in Section 11520:

(a) Campaign statements reflecting all contributions and expenditures received or made up to and including the 25th day prior to the primary shall be filed no later than the 22nd day prior to the primary;

(b) Campaign statements reflecting all contributions and expenditures, not previously reported, which were received or made up to and including the 15th day prior to the primary shall be filed no later than the 11th day prior to the primary;

(c) Campaign statements reflecting all contributions and expenditures, not previously reported, which were received or made up to and including the 15th day prior to a special, general or runoff election shall be filed no later than the 11th day prior to the special, general or runoff election;

(d) Campaign statements reflecting all contributions and expenditures, not previously reported, which were received or made up to and including the 31st day following the special, general or runoff election

or through the conclusion of the finances of the campaign, whichever is earlier, shall be filed no later than the 38th day following the special, general or runoff election;

(e) Campaign statements shall be filed during every sixth month following the special, general or runoff election so long as the candidate, committee or other person filing the campaign statements has unpaid obligations (whether legally enforceable or not) still outstanding, or receives contributions during such period.

All campaign statements required to be filed by this section shall be cumulative. For purposes of campaign statements filed under this section, the primary and the special, general or runoff shall be treated as a single election.

11521. (a) Not later than 35 days after a measure has been qualified for the ballot, the proponents shall file a campaign statement.

(b) If any petition does not qualify for the ballot, the proponents circulating the petition shall file a campaign statement within 35 days after the final deadline for circulating the petition.

(c) Each committee and any other person supporting or opposing a measure, provided such person has received contributions or made expenditures in excess of five hundred dollars ($500) other than as an agent for a committee (in which case the contribution or expenditure shall be reported by the committee) shall file a campaign statement according to the following schedule.

(1) Campaign statements, reflecting all contributions and expenditures received and made up to and including the 22nd day before the election, shall be filed no later than the 18th day prior to the election;

(2) Campaign statements, reflecting all contributions and expenditures, not previously reported, which were received and made up to and including the 11th day before the election, shall be filed no later than the seventh day prior to the election;

(3) Campaign statements, reflecting all contributions and expenditures, not previously reported, which were received and made up to and including the 24th day or through the conclusion of the finances of the campaign, whichever is earlier, shall be filed no later than the 31st day after the election;

(4) During every sixth month following an election so long as a committee has unpaid obligations (whether legally enforceable or not) still outstanding, or receives contributions during such period."

Amendment No. 6

On page 6, line 29, after "offices", insert ", for state central committees of political parties,".

Amendment No. 7

On page 6, lines 33 and 34, strike out "Representatives in Congress", and insert "superior court judges".

Amendment No. 8

On page 7, strike out lines 7 to 11, inclusive, and insert

"(d) Campaign statements of the county central committees of political parties—two copies with the Secretary of State and two copies with the county clerk."

Amendment No. 9

On page 7, line 17, strike out "deposited in the United States mail", and insert "sent by first-class registered mail"

Amendment No. 10

On page 7, lines 25 and 26, strike out "by oath or affirmation before any officer authorized to administer oaths".

Amendment No. 11

On page 7, lines 31 and 32, strike out "(if he is not campaign treasurer)".

Amendment No. 12

On page 7, line 36, after "candidate", insert "or proponent of a measure".

Amendment No. 13

On page 7, line 39, strike out "one hundred dollars ($100)", and insert "five hundred dollars ($500)".

Amendment No. 14

On page 7, line 40, after "candidate", insert "or proponent of a measure".

Amendment No. 15

On page 8, line 1, after "election," insert "and by the 30th day after the election".

Amendment No. 16

On page 8, line 5, strike out "one hundred dollars ($100)", and insert "five hundred dollars ($500)".

Amendment No. 17

On page 8, lines 7 and 8, strike out "one hundred dollars ($100)", and insert "five hundred dollars ($500)"

Amendment No. 18

On page 8, line 8, after "candidate", insert "or proponent".

Amendment No. 19

On page 8, between lines 9 and 10, insert

"11528 Notwithstanding the provisions of Section 11520, a candidate for reelection for judicial office whose name does not appear on the ballot by reason of Section 25304 shall file his campaign statement within 45 days following the date of the general election and shall not be required to file any additional campaign statements His campaign statement shall include contributions and expenditures in connection with his candidacy at both the primary and general elections If such a candidate's name does not appear on the ballot at the primary election but does appear on the ballot at the general election, he shall file the campaign statements required by Section 11520 before and after the general election, and such campaign statements shall include contributions and expenditures in connection with his candidacy at both the primary and general elections In lieu of the campaign

statements required by this section, a candidate may file a written declaration with the officials with whom he would be obligated to file a campaign statement, to the effect that neither his campaign contributions nor expenditures have exceeded five hundred dollars ($500)."

Amendment No. 20

On page 8, line 38, after "inspection", insert "and reproduction".

Amendment No. 21

On page 8, line 40, strike out "and reproduction".

Amendment No. 22

On page 10, line 11, strike out " Provided", and insert "; provided,".

Amendment No. 23

On page 11, between lines 33 and 34, insert

"11602.5. If any person files a campaign statement after any deadline imposed by this chapter he shall, in addition to any other penalties or remedies established by this chapter, be liable in the amount of ten dollars ($10) per day after the deadline until the statement is filed, to the officer with whom the statement is required to be filed. Said officer shall deposit any funds received under this section into the general fund of the state, county or city of which he is an officer. No liability under this section shall exceed the cumulative total amount of receipts stated in the late campaign statement, or fifty dollars ($50), whichever is greater."

Amendment No. 24

On page 12, line 10, strike out "filed", and insert "filled".

Amendment No. 25

On page 12, between lines 24 and 25, insert

"Article 5. Candidates for Federal Office

11650. Every person who is required by Section 309(a) of the Federal Election Campaign Act of 1971 (Title 2 U S C A § 439(a)) to file a copy of any statement or report with the Secretary of State of California shall, at the time such filing is required, file two copies of each such statement or report with the Secretary of State and two copies with:

(a) The Clerks of Los Angeles and San Francisco Counties in the case of reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the Office of President or Vice President of the United States or United States Senator;

(b) The clerk of each county in which the congressional district is located in the case of reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of Representative in Congress"

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment

REPORTS OF STANDING COMMITTEES

Committee on Retirement

Assembly Chamber, November 15, 1972

Mr Speaker: The Chairman of your Committee on Retirement reports:

SB No. 314

With author's amendments with the recommendation: Amend, and refer to the Committee on Retirement.

BARNES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 314—An act to add Section 20862 5 to the Government Code, relating to Public Employees' Retirement System.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 20750 29, 20750 32, 20750 87 and".

Amendment No. 2

On page 1, line 1, strike out "20862 5 is added to the", and insert "20750 29 is added to the Government Code, to read:

20750 29 An employer's contribution to the retirement fund in respect to state patrol members provided by any and all other provisions of this chapter is increased by a sum equal to 0 30 percent of the compensation paid such members by such employer

SEC 2 Section 20750 32 is added to the Government Code, to read:

20750 32 An employer's contribution to the retirement fund in respect to state safety members provided by any and all other provisions of this chapter is increased by a sum equal to 0 30 percent of the compensation paid such members by such employer

SEC 3 Section 20750 87 is added to the Government Code, to read:

20750 87 The state shall make contributions on account of liability for benefits under Section 20862 5 for state miscellaneous members in addition to those otherwise specified in this chapter in a sum equal to 0 23 percent of compensation paid such members

SEC 4 Section 20862 5 is added to the".

Amendment No. 3

On page 1, after line 7, insert

"Notwithstanding provisions of this part subjecting school members and local miscellaneous members to provisions applicable to state miscellaneous members, this section shall not apply to school members or local miscellaneous members"

Bill ordered reprinted, and to be re-referred to the Committee on Retirement

ASSEMBLY BILL NO. 2390 REFERRED TO COMMITTEE

Acting Speaker Cory referred Assembly Bill No 2390 to the Committee on Local Government.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Maddy:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2390 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Maddy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2390 for hearing in the Committee on Local Government

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2391: By Assemblyman Ryan—An act to amend Sections 6282 and 6292 of the Revenue and Taxation Code, and to amend Section 4750 5 of the Vehicle Code, relating to sales and use taxes, to take effect immediately, tax levy

Held at Desk by order of the Acting Speaker.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read:

Assembly Chamber, November 15, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Assembly Bill No. 2391—An act to amend Sections 6282 and 6292 of the Revenue and Taxation Code, and to amend Section 4750 5 of the Vehicle Code, relating to sales and use taxes, to take effect immediately, tax levy.

LEO J RYAN

Above request ordered transmitted to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 87

Mr Fenton was granted unanimous consent to take up Senate Concurrent Resolution No. 87 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 87

Senate Concurrent Resolution No. 87—Relative to the adjournment of the Legislature.

Resolution read, presented by Mr. Fenton, and adopted by the following vote

AYES—Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Lewis—1.

Resolution ordered transmitted to the Senate.

VOTE CHANGES

Messrs. Arnett and Priolo were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 1261

Mr Chappie was granted unanimous consent that he be recorded as voting "Aye" on Senate Concurrent Resolution No. 87

CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO OF ASSEMBLY BILL NO. 1681

At 3 33 p m, on motion of Mr Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The question being: Shall Assembly Bill No 1681 become a law notwithstanding the objections of the Governor?

AYES—Arnett, Bee, Brathwaite, Brown, Burton, Chacon, Chappie, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Fong,

Foran, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Porter, Priolo, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—47

NOES—Badham, Beverly, Briggs, Burke, Collier, Conrad, Dent, Lancaster, Lanterman, Lewis, MacGillivray, Seeley, and Stacey—13.

Governor's veto sustained.

CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO OF ASSEMBLY BILL NO. 375

At 3:35 p m, on motion of Mr Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The question being Shall Assembly Bill No. 375 become a law notwithstanding the objections of the Governor?

AYES—Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, MacDonald, McAlister, McCarthy, Meade, Miller, Murphy, Porter, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Wilson, Z'berg, and Mr. Speaker—37

NOES—Badham, Beverly, Briggs, Cline, Collier, Conrad, Dent, Duffy, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Priolo, Seeley, Stacey, Wakefield, and Wood—20.

Governor's veto sustained.

CALL OF THE ASSEMBLY DISPENSED WITH ON GOVERNOR'S VETO OF ASSEMBLY BILL NO. 684

At 3 37 p m, on motion of Mr Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The question being· Shall Assembly Bill No 684 become a law notwithstanding the objections of the Governor?

AYES—Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Porter, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—37.

NOES—Badham, Beverly, Briggs, Cline, Collier, Conrad, Dent, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Mobley, Murphy, Priolo, Seeley, Stacey, Wakefield, and Wood—19.

Governor's veto sustained.

REQUEST FOR UNANIMOUS CONSENT TO SET BILLS FOR SPECIAL ORDER

Mr. Fenton was granted unanimous consent that Senate Bill No. 107 be made a special order of business for Tuesday, November 21, 1972, at 10·30 a m., and that Senate Bill No 4 be made a special order of business for Tuesday, November 21, 1972, at 10 35 a m.

VOTE CHANGES

Mr Arnett was granted unanimous consent that he be recorded as voting "Aye" on the vote to override the Governor's veto of Assembly Bill No 1681

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on the vote to override the Governor's veto of Assembly Bill No 375

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file·

Assembly Bill No. 1270, on request of Mr. Fenton.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr McCarthy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Concurrent Resolution No 56 and Senate Bill No 1044 for hearing in the Committee on Labor Relations at 11 a m., on Thursday, November 16

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3 39 p m., Acting Speaker Cory declared the quorum call of the Assembly dispensed with

ADJOURNMENT

At 3·40 p m., Acting Speaker Cory declared the Assembly adjourned until 2 p m., Thursday, November 16, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-seventh Legislative Day

Three Hundred Nineteenth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, November 16, 1972

The Assembly met at 2 p m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Pierson moved a quorum call of the Assembly.

Mr. Duffy seconded the motion.

Motion carried Time, 2·02 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 2:14 p m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—67.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Lord, In Your creation You have given to man alone a place of pre-eminence. This pre-eminence is not without its responsibility.

Help us in this task of establishing a social order which requires constant renewal and improvement May it be founded on truth, built on justice and animated by love. Help it to grow in freedom toward a more humane balance.

May Your spirit, Father, which directs the unfolding of time and renews the face of the earth be present in this development —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Quimby then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Belotti, on request of Acting Speaker Fenton.
Mr. Townsend, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr Monagan, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton.
Mr. Burke, on request of Acting Speaker Fenton
Mr LaCoste, on request of Acting Speaker Fenton.
Mr Moorhead, on request of Acting Speaker Fenton.
Mr. Moretti, on request of Acting Speaker Fenton.
Mr Priolo, on request of Acting Speaker Fenton.
Mr. Z'berg, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Chappie, on request of Acting Speaker Fenton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

November 15, 1972

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: I respectfully request to be excused from session on legislative business on Thursday and Friday, November 16 and 17. It

is necessary for me to attend a meeting of the Executive Committee of the National Conference of State Legislative Leaders.

Sincerely,

BOB MONAGAN
Minority Floor Leader

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 132: By Assemblyman Moretti—Relative to a recess of the Assembly.

Held at Desk by order of the Acting Speaker.

REPORTS

The following report was presented by the Chief Clerk:

Bulletin No. 117-1. Lake Perris Recreation Development Plan. October 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated November 14, 1972, referred by the Acting Speaker to the Committee on Natural Resources and Conservation

COMMUNICATIONS

~~Assembly Chamber, November 16, 1972~~

~~Mr Speaker Pursuant to your instructions, the Chief Clerk has examined~~

~~Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees;~~

~~And reports the same correctly enrolled, and presented to the Governor at 2 p m, November 16, 1972~~

~~JAMES D. DRISCOLL, Chief Clerk~~

NOTE On November 20, 1972, the action was rescinded whereby Assembly Bill No 401 was this day reported correctly enrolled and presented to the Governor See page 7761

Assembly Chamber, November 16, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined

AB No 1387

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, November 16, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AJR No 41

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, November 16, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined:

AB No. 1180

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, November 16, 1972

Mr. Speaker: Your Committee on Labor Relations reports:

SB No. 1044

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means, Consent recommendation.

McCARTHY, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, November 16, 1972

Mr. Speaker: Your Committee on Ways and Means reports·

SB No 185

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 16, 1972

Mr. Speaker. Your Committee on Ways and Means reports:

SB No. 135
SB No 357
SB No. 401
SB No 656
SB No 1467

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 16, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports

SB No. 1380

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1380—An act to amend Section 22505 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly July 24, 1972, strike out "Grunsky", and insert "Stevens (Coauthor: Assemblyman Priolo)".

Amendment No. 2

In line 1 of the title, strike out "amend Section 22505 of the Vehicle Code", and insert "amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5C".

Amendment No. 3

In line 2 of the title, strike out "vehicles", and insert "the state park system, and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1 Section 2 5C is added to the Budget Bill for the 1972–73 fiscal year enacted as the Budget Act of 1972, to read:

STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT PROGRAM

SEC 2 5C The following sum of money, or so much thereof as may be necessary, is hereby appropriated for the 1972–73 fiscal year beginning July 1, 1972, and ending June 30, 1973. Such appropriation shall be paid out of the State Beach, Park, Recreational and Historical Facilities Fund in the State Treasury.

CAPITAL OUTLAY

Item		Amount
322C—For capital outlay, Department of Parks and Recreation, for purposes set forth in Section 5096.15(a) of the Public Resources Code for expenditure during the 1972–73, 1973–74 and 1974–75 fiscal years, payable from the State Beach, Park, Recreational, and Historical Facilities Fund		500,000
Schedule:		
(a) Relocation expenses	500,000	

SEC 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

The present provisions of the Budget Act of 1972 do not make sufficient provision for relocation expenses in connection with land acquisition for the state park system The capital outlay appropriation in this act is in continuation of an existing program under the Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964 to provide for the greatly needed expansion of the state park system If the appropriation is not available for expenditure at the earliest possible date, the program for expansion of the state park system will be delayed The immediate availability of the appropriation contained in this measure will avert any unnecessary delay It is therefore necessary that this act go into immediate effect."

Amendment No. 5

On page 2, strike out lines 2 to 36, inclusive; and strike out page 3.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, November 15, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 763
AB No. 898
AB No 1920

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, November 15, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 311 AB No. 1945
AB No. 756 AB No 2065

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 15, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 419 SB No 1274
SB No 837 SB No 1507

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 419—An act to amend Sections 985 and 2626 of, and to add Section 2626 2 to, the Unemployment Insurance Code, relating to unemployment disability compensation.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 837—An act to amend Section 1421 of the Labor Code, relating to the California Fair Employment Practice Act.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1274—An act to amend Sections 6426, 6499.207, 17300, 17301, 17303 5, 17654 5, 17655 5, 17656, 17660, 17664, 17665, 17665 5, 17924, 17925, and 17951 of, to add Section 17303 6 to, and to add Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, the Education Code, relating to school finance, and making an appropriation therefor

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1507—An act to amend Sections 986 3 and 986 5 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No	*Committee*
2391	Revenue and Taxation

Senate Bill No	*Committee*
419	Finance and Insurance
837	Labor Relations
1274	Education
1507	Government Administration

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Warren was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 918 for hearing in the Committee on Judiciary on Monday, November 20, 1972

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 74 FROM COMMITTEE

Mr Campbell was granted unanimous consent that House Resolution No 74 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 74

House Resolution No. 74—Relative to podiatrists' assistants.

NOTE: The full text of House Resolution No 74 appears at pages 5617–5618 of the Assembly Daily Journal for June 30, 1972.

Resolution read, presented by Mr. Campbell, and adopted

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 127 FROM COMMITTEE

Mr. MacDonald was granted unanimous consent that House Resolution No 127 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 127

House Resolution No. 127—Relative to emergency flood control work in Ventura County.

NOTE: The full text of House Resolution No. 127 appears at page 7598 of the Assembly Daily Journal for November 13, 1972.

Resolution read, presented by Mr. MacDonald, and adopted

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 711, on request of Mr. Stacey.

The following bill was withdrawn from the inactive file, and placed upon the unfinished business file:

Assembly Bill No. 205, on request of Mr Fenton.

ASSEMBLY JOINT RESOLUTION NO. 41 RE-REFERRED TO COMMITTEE ON RULES

Pursuant to the Assembly Rules, Acting Speaker Fenton ordered Assembly Joint Resolution No 41 re-referred from the First Day Consent Calendar to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 43 FROM COMMITTEE

Mr. MacDonald was granted unanimous consent that Assembly Joint Resolution No 43 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 43

Assembly Joint Resolution No. 43—Relative to Veterans Day.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. MacDonald moved a call of the Assembly.

Motion carried Time, 2 22 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Leroy F Greene was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2124—An act to add Section 7503 to the Education Code, relating to educational programs.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2127—An act to add Sections 18107 and 20108 to, and to repeal Section 18107 and 20108 of, the Government Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to, and to repeal Sections 5119, 5664, 5755 5 and 5755 6 of, the Welfare and Institutions Code, and to repeal Section 7 of Chapter 923 of the Statutes of 1972, relating to mental health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Assembly Bill No. 2387—An act making an appropriation for property tax assistance in augmentation of Item 75, Budget Act of 1972.

Bill read second time, and ordered to third reading.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 433, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 556—An act to add Section 1481.3 to the Health and Safety Code, relating to emergency medical services.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Health, was read, and adopted:

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Assembly November 9, 1972, insert

"(Coauthors: Assemblymen Townsend, Brathwaite, Campbell, Davis, Duffy, Hayden, Pierson, Stacey, and Waxman)".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 125—An act to amend Sections 8101 and 8352 of, and to add Section 8352.6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 190—An act to amend Sections 30102 and 30356 of, to add Section 30100.1 to, and to repeal Section 30001 of, the Streets and Highways Code, relating to toll bridges and ferries, and making an appropriation therefor.

Bill read second time, and ordered to third reading

Senate Bill No. 823—An act to amend Section 9360.7 of, and to add Article 8 (commencing with Section 9371) to Chapter 3.5 of Part I of Division 2 of Title 2 of, the Government Code, relating to the Legislators' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 1105—An act to amend Section 988.2 of the Military and Veterans Code, relating to veterans

Bill read second time, and ordered to third reading

Senate Bill No. 1165—An act to add Section 14019.2 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time, and ordered to third reading.

Senate Bill No. 1281—An act to add Section 5756.5 to the Education Code, relating to public schools.

Bill read second time, and ordered to third reading

Senate Bill No. 1322—An act to add Section 5004.5 to the Vehicle Code, relating to motorcycles.

Bill read second time, and ordered to third reading

Senate Bill No. 1360—An act to amend Section 463 of, and to add Article 2.9 (commencing with Section 295) to Chapter 2 of Part 1 of Division 1 of, the Health and Safety Code, relating to determination of pregnancy.

Bill read second time, and ordered to third reading

Senate Bill No. 1450—An act to amend Section 846 of the Civil Code, and to amend Section 831.4 of the Government Code, relating to liability of landowners

Bill read second time, and ordered to third reading.

Senate Bill No. 31—An act to add Section 418 3 to the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 99—An act to add Section 458.5 to the Health and Safety Code, relating to pesticides

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 164—An act to amend Section 1 of Chapter 847 of the Statutes of 1967, relating to a grant pursuant to the Davis-Grunsky Act to the San Bernardino Valley Municipal Water District in connection with the Yucaipa Project.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 191—An act relating to Inglenook Fen, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 200—An act to amend Section 24453 of the Education Code, relating to state colleges

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 229—An act relating to state lands at San Quentin.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 235—An act making an appropriation for the development of Bolsa Chica State Beach.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 282—An act to add Sections 18609 and 18752.5 to the Business and Professions Code, relating to boxing

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 334—An act to amend Section 23428.10 of the Business and Professions Code, relating to alcoholic beverages

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 436—An act to amend Sections 9221 5, 9234, 9240, 9243, 9244, 9246, 9400, 9401, 9440, 9441, 9442, 9445, 9461, 9492, 9500, 9600, and 9820, of the Education Code, as added by Chapter 929 of the Statutes of 1972, and to add Section 9222 3 to the Education Code, relating to instructional materials.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 678—An act to add Section 75109 5 to the Government Code, relating to the Judges' Retirement Law.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 680—An act to add Section 9354 5 to the Government Code, relating to the Legislators' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 765—An act to amend Section 8101 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 864—An act to amend Section 39152 of, and to add Sections 39152 5 and 39152.6 to, the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 873—An act to amend Section 11478 5 of the Welfare and Institutions Code, relating to public assistance

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1115—An act making an appropriation for the development of Rincon Point.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1167—An act to amend Section 14120 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1174—An act to amend Sections 7354 and 10053.5 of, and to amend and renumber Section 16200 5 of, the Welfare and Institutions Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1235—An act to amend Sections 1 and 2 of Chapter 1672 of the Statutes of 1967, relating to recreation and fish and wildlife enhancement associated with state water projects.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1365—An act relating to housing and community development.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1390—An act to add Section 14196 1 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1462—An act relating to the state park system and making an appropriation therefor.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1499—An act to amend Section 12791 of the Education Code, relating to employment of minors.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1112—An act to amend Sections 12551 and 12553 of, to amend and renumber Section 12551.5 of, to add Sections 12601, 12602, 12603, 12604, 12605, and 12606 to, and to repeal Section 12601 of, the Education Code, relating to pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Set No. 1

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly November 10, 1972, strike out "12605, and 12606", and insert "and 12605".

Amendment No. 2

On page 3, line 5, after the period, insert "The minimum attendance requirement of three hours per day may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers."

Amendment No. 3

On page 3, lines 30 and 31, strike out "as provided in Section 12602".

Amendment No. 4

On page 3, line 36, strike out "12604", and insert "12603".

Amendment No. 5

On page 4, strike out lines 8 to 23, inclusive; and in line 24, strike out "12603."

Amendment No. 6

On page 4, line 37, strike out "SEC. 8. Section 12604", and insert "SEC. 7. Section 12603".

Amendment No. 7

On page 4, line 39, strike out "12604", and insert "12603".

Amendment No. 8

On page 5, line 24, strike out "SEC. 9. Section 12605", and insert "SEC. 8. Section 12604".

Amendment No. 9

On page 5, line 26, strike out "12605", and insert "12604".

Amendment No. 10

On page 5, line 39, strike out "SEC. 10. Section 12606", and insert "SEC. 9. Section 12605".

Amendment No. 11

On page 6, line 1, strike out "12606", and insert "12605".

Amendment No. 12

On page 6, line 8, strike out "11", and insert "10".

Set No. 2

Amendment No. 1

On page 4, line 28, of the printed bill, as amended in Assembly November 10, 1972, after "12601", insert "and who has been awarded a certificate of proficiency by the State Board of Education pursuant to Section 12604".

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1187—An act relating to acquisition of lands for the state park system and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 4, 1972, strike out "relating to", and insert "making an appropriation for the".

Amendment No. 2

In line 2 of the title, strike out "and making an appropriation therefor", and insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, after line 5, insert

"SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The owner of the Santa Cruz Mountains Area property wants to sell now, and any delay could jeopardize the transaction or result in increased costs to the state. It is therefore essential that this act take effect immediately."

Bill ordered reprinted, and returned to the second reading file.

COMMUNICATIONS

Assembly Chamber, November 16, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2387

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file (Consideration of Governor's veto pending) ·

Assembly Bill No. 926, on request of Mr. Pierson.

Assembly Bill No. 1393, on request of Mr Murphy.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1764—An act to add Section 13085.2 to the Education Code, relating to public school employees

Governor's message stating his objections appears at page 7481 of the Assembly Journal for November 8, 1972.

The question being Shall Assembly Bill No. 1764 become a law notwithstanding the objections of the Governor?

AYES—Brathwaite, Burton, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Garcia, Gonsalves, Harvey Johnson, Keysor, MacDonald, McCarthy, Meade, Pierson, Porter, Powers, Quimby, Ryan, Sieroty, Stacey, Thomas, Warren, Waxman, and Wilson—26.

NOES—Badham, Barnes, Bee, Briggs, Collier, Conrad, Dent, Lancaster, Lanterman, MacGillivray, McAlister, Russell, Seeley, Stull, Vasconcellos, and Wakefield—16.

Governor's veto sustained.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 574—An act to add Section 390 1 to the Streets and Highways Code, relating to state highways.

Governor's message stating his objections appears at page 5448 of the Assembly Journal for June 27, 1972

The question being Shall Assembly Bill No 574 become a law notwithstanding the objections of the Governor?

AYES—Beverly, Brathwaite, Burton, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Garcia, Gonsalves, Harvey Johnson, Keysor, MacDonald, McAlister, McCarthy, Meade, Pierson, Porter, Powers, Quimby, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, and Wilson—28

NOES—Badham, Barnes, Bee, Briggs, Collier, Dent, Ray E Johnson, Lanterman, MacGillivray, Mobley, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—16

Governor's veto sustained

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN DENT

Mr Badham announced that today is the birthday of Assemblyman James W Dent, of the 10th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Dent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 864

Mr. Badham was granted unanimous consent to take up Senate Bill No. 864, without reference to file, for purpose of amendment.

Consideration of Senate Bill No. 864

Senate Bill No. 864—An act to amend Section 39152 of, and to add Sections 39152 5 and 39152.6 to, the Health and Safety Code, relating to air pollution

Bill read second time.

Motion to Amend

Mr. Badham moved the adoption of the following amendment·

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate July 21, 1972, after "pollution", insert "and making an appropriation therefor".

Amendment read, and adopted

Bill ordered reprinted, and be returned to the second reading file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1874—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the statutes of 1971, relating to mental health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—56

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burton, Campbell, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Joe A. Gonsalves Presiding

At 2 38 p m , Hon Joe A Gonsalves, 66th District, presiding

Assembly Bill No. 2385—An act to amend Sections 13010, 13469 1, and 13651 2 of the Education Code, relating to school employees.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, McAlister, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—56.

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1270, on request of Mr. Fenton.

Majority Floor Leader Presiding

At 2 40 p m., Hon Jack R Fenton, 51st District, presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 175—An act to amend Sections 421, 422, and 423 of, and to add Section 423 7 to, the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Gonsalves was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 175 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr Gonsalves moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 17, of the printed bill, as amended in Assembly August 4, 1972, strike out "When", and insert "Except as provided in subdivision (b), when".

Amendment No. 2

On page 7, line 1, strike out "The full cash", and insert "Where less than 10 years remain to the expiration of a wildlife habitat contract, the value of land determined under subdivision (a) shall be modified pursuant to this subdivision If the full cash value of such land as determined under Section 405 is greater than the value determined under subdivision (a) of this section, a pro rata share of the

amount of such difference shall be added in annual equal installments to the value determined pursuant to subdivision (a) over the remaining term of the wildlife habitat contract.

(c) The".

Amendment No. 3

On page 7, line 2, after "(a)", insert "or (b)".

Amendment No. 4

On page 7, line 4, strike out "(c)", and insert

"(d) In the event that a wildlife habitat contract is canceled upon the application of an owner of the land covered by such contract, a penalty equal to 6 percent of the full cash value of such land as determined under Section 405 on the lien date next following such cancellation shall be imposed Such penalty shall become delinquent on the December 10th next following such lien date and shall be treated in all respects as a delinquent penalty imposed under Section 2617 or 2704. This subdivision shall not apply when a wildlife habitat contract is canceled without the consent of an owner of the land affected.

(e)".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Hon. Joe A. Gonsalves Presiding

At 2.42 p.m, Hon. Joe A. Gonsalves, 66th District, presiding.

Senate Bill No. 1148—An act to amend Section 1754 of the Civil Code as added by Chapter 1348 of the Statutes of 1970, relating to consumer credit.

Bill read third time, and presented by Mr. Fenton.

Bill passed by the following vote:

AYES—Badham, Bee, Beverly, Brathwaite, Briggs, Burton, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lanterman, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, and Wood—50

NOES—Collier and Stacey—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 41 FROM COMMITTEE

Mr Keysor was granted unanimous consent that Assembly Joint Resolution No 41 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file

Consideration of Assembly Joint Resolution No. 41

Assembly Joint Resolution No. 41—Relative to the Pacoima Adult Skill Center

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Burton, Campbell, Cline, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Ketchum, Keysor, Knox, MacDonald, McAlister, McCarthy, Meade, Miller, Porter, Powers, Quimby, Russell, Ryan, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—41.

NOES—Collier, Cullen, Dent, Ray E Johnson, Lanterman, MacGillivray, Mobley, Stacey, Stull, and Wakefield—10.

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1387—An act to amend Section 1033 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Burton, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, and Wood—55

NOES—Miller—1

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Burton, Cline, Collier, Conrad, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, and Wood—55.

NOES—Miller—1.

Bill ordered transmitted to the Senate

Majority Floor Leader Presiding

At 2·50 p m , Hon Jack R Fenton, 51st District, presiding

NOTICE OF INTENTION TO INTRODUCE BILL

The following notice of intention to introduce a bill, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 16, 1972

Mr Speaker In accordance with the provisions of Joint Rule No 8 3, I give notice of my intention to introduce a bill The bill and the digest prepared pursuant to Joint Rule No 8 5, are herewith filed

Digest of Bill

Revises requirements for form of state contracts for lease of electronic data processing equipment and exempts specified agencies from other requirements in such contracts Requires Department of Finance to revise such form

Appropriates $1,000,000 in augmentation of Item 61 1 of the Budget Act of 1972.

To take effect immediately, urgency statute

Vote—⅔; Appropriation—Yes; Fiscal Committee—Yes

MIKE CULLEN

Above notice of intention to introduce a bill, copy of the bill, and digest ordered transmitted to the Committee on Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time·

Assembly Bill No. 2392: By Assemblyman Hayden (Senator Alquist, coauthor)—An act to amend Section 23010 of the Government Code, and to amend Section 5544 1 of, and to add Section 5544 3 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately

Referred by the Acting Speaker to the Committee on Local Government

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 13, 1972

Mr Speaker: Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Assembly Bill No. 2392—An act to amend Section 23010 of the Government Code, and to amend Section 5544 1 of, and to add Section 5544 3 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately

RICHARD HAYDEN

Above request ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 16, 1972

Mr Speaker. Your Committee on Rules recommends:

That the request by Mr. Hayden for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2392 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Hayden:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2392 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—60.

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Hayden was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2392 for hearing in the Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 16, 1972

Mr Speaker: Your Committee on Rules, pursuant to Joint Rule No. 8.3, recommends that introduction of the following proposed bill by Assemblyman Cullen be permitted

An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cullen:

Resolution Permitting Introduction of Bill

Resolved, That permission to introduce the following bill be granted:

An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2393: By Assemblyman Cullen—An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately

Referred by the Acting Speaker to the Committee on Ways and Means.

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 16, 1972

Mr. Speaker: Pursuant to Joint Rule No 10 8. I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed:

Assembly Bill No. 2393—An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately

MIKE CULLEN

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 16, 1972

Mr Speaker Your Committee on Rules recommends:

That the request by Mr Cullen for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2393 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Cullen·

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2393 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—60

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Cullen was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2393 for hearing in the Committee on Ways and Means

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 16, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Senate Bill No. 1507—An act to amend Sections 986 3 and 986.5 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately

NEWTON RUSSELL

Above request ordered transmitted to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 16, 1972

Mr Speaker · Your Committee on Rules recommends:

That the request by Mr Russell for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No. 1507 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Russell:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No. 1507 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—60.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Russell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1507 for hearing in the Committee on Government Administration on Monday, November 20, 1972

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY JOINT RESOLUTION NO. 43

At 3 p m, on motion of Mr MacDonald, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Joint Resolution No. 43

Mr MacDonald was granted unanimous consent to expunge the record, and rescind the action whereby a roll call vote was taken in the Assembly, on this day on Assembly Joint Resolution No. 43.

The question being on the adoption of Assembly Joint Resolution No 43

Resolution adopted by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—59.

NOES—Leroy F Greene—1

Resolution ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, November 16, 1972

Mr Speaker· Your Committee on Local Government reports.

AB No 2390

With the recommendation Do pass

KNOX, Chairman

Above bill ordered to second reading

Assembly Chamber, November 16, 1972

Mr Speaker Your Committee on Local Government reports.

SB No 340

SB No 921

With the recommendation Do pass

KNOX, Chairman

Above bills ordered to second reading

Committee on Ways and Means

Assembly Chamber, November 16, 1972

Mr Speaker Your Committee on Ways and Means reports.

SB No 53

SB No 161

With amendments with the recommendation· Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2390

Mr Maddy was granted unanimous consent to take up Assembly Bill No 2390, without reference to file, for purpose of consideration at this time

Second Reading of Assembly Bill No. 2390

Assembly Bill No. 2390—An act to amend Sections 73682, 73683, 73684, and 73692 of the Government Code, relating to courts.

Bill read second time

Resolution to Dispense With Constitutional Provision

The following resolution was offered.

By Assemblyman Maddy·

Resolved, That Assembly Bill No 2390 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, and Wood—60

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Third Reading of Assembly Bill No. 2390

Assembly Bill No. 2390—An act to amend Sections 73682, 73683, 73684, and 73692 of the Government Code, relating to courts

Bill read third time.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Cline, Collier, Cory, Crown, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Wood—56.

NOES—None

Bill ordered transmitted to the Senate

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 900

Acting Speaker Fenton was granted unanimous consent that Senate Bill No 900 be withdrawn from the Committee on Employment and Public Employees, and re-referred to the Committee on Retirement

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 16, 1972

Mr Speaker. The Chairman of your Committee on Ways and Means reports.

SB No 33

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 33—An act to add Section 24653 to the Education Code, to amend Section 21252 6 of, and to add Sections 20017 78, 21020 9 and 21292 9 to, the Government Code, and to add Section 4805 to the Labor Code, relating to state employee benefits

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In the heading of the printed bill, as amended in Assembly July 26, 1972, after "Schrade", insert

"(Coauthor. Assemblyman Barnes)".

Amendment No. 2

In lines 2 and 3 of the title, strike out "Sections 20017 78, 21020 9 and 21292 9", and insert "Section 20017 78".

Amendment No. 3

On page 2, lines 8 and 9, strike out "law enforcement", and insert "state safety"

Amendment No. 4

On page 2, strike out lines 26 to 32, inclusive.

Amendment No. 5

On page 2, line 33, strike out "SEC 4", and insert "SEC 3"

Amendment No. 6

On page 3, lines 2, 3, and 4, strike out "law enforcement member, other than such member defined in Section 20017 7, subdivision (a) of Section 20017 75 or Section 20017 8 of this code," and insert "state safety member".

Amendment No. 7

On page 3, line 13, strike out "law enforcement", and insert "state safety".

Amendment No. 8

On page 3, line 15, strike out "law enforcement", and insert "state safety".

Amendment No. 9

On page 3, line 19, strike out "law enforcement", and insert "state safety".

Amendment No. 10

On page 3, line 22, strike out "or 20017.78".

Amendment No. 11

On page 4, line 14, after the period, insert "This paragraph shall not apply to a member who retires after the date upon which coverage under the federal system of persons in his employment terminates It shall not apply to a local safety member employed by a contracting agency electing to be subject to this section after the effective date of the amendments to this section at the 1972 Regular Session unless such agency elects to be subject to this paragraph by amendment to its contract or by appropriate provision of a contract entered into after this provision is effective, and as to any such member the reduction in the percentage of final compensation shall apply to all local safety service to such agency, if any of such local safety service has been included in the federal system "

Amendment No. 12

On page 4, strike out lines 35 to 40, inclusive; and on page 5, strike out lines 1 to 13, inclusive.

Amendment No. 13

On page 5, line 14, strike out "SEC 6.", and insert
"SEC 4 ".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources and Conservation

Assembly Chamber, November 15, 1972

Mr Speaker: The Chairman of your Committee on Natural Resources and Conservation reports:

SB No 361

With author's amendments with the recommendation Amend, and re-refer to the Committee on Natural Resources and Conservation.

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 361—An act to repeal Article 2 (commencing with Section 630) of Chapter 2 of Division 1 of, to add Article 2 (commencing with Section 630) to Chapter 2 of Division 1 of, to repeal Chapter 8 (commencing with Section 4521) of Part 2 of Division 4 of, and to add Chapter 8 (commencing with Section 4511) to Part 2 of Division 4 of, the Public Resources Code, relating to forestry

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 20, line 4, of the printed bill, as amended in Assembly July 18, 1972, strike out "board", and insert "director".

Amendment No. 2

On page 20, line 31, strike out "board assuring that he", and insert "director assuring that such defendant"

Amendment No. 3

On page 20, line 35, strike out "board", and insert "director".

Amendment No. 4

On page 21, line 4, strike out "board", and insert "department".

Amendment No. 5

On page 21, line 10, strike out "board", and insert "State Forester".

Amendment No. 6

On page 21, line 12, strike out "board", and insert "State Forester".

Amendment No. 7

On page 21, line 19, strike out "board", and insert "State Forester".

Amendment No. 8

On page 21, line 27, strike out "board", and insert "State Forester".

Amendment No. 9

On page 21, line 30, strike out "board", and insert "State Forester".

Amendment No. 10

On page 21, line 33, strike out "board", and insert "State Forester".

Amendment No. 11

On page 21, line 34, strike out "board", and insert "State Forester".

Amendment No. 12

On page 21, line 40, strike out "board", and insert "State Forester".

Amendment No. 13

On page 22, line 2, strike out "board", and insert "State Forester".

Amendment No. 14

On page 22, line 7, strike out "board", and insert "State Forester".

Amendment No. 15

On page 22, line 10, strike out "it", and insert "he".

Amendment No. 16

On page 22, line 14, strike out "board", and insert "State Forester".

Amendment No. 17

On page 22, line 22, strike out "board", and insert "State Forester".

Amendment No. 18

On page 22, line 36, strike out "board", and insert "State Forester"

Amendment No. 19

On page 22, line 38, strike out "board", and insert "State Forester".

Amendment No. 20

On page 23, line 4, strike out "board", and insert "department",

Amendment No. 21

On page 23, line 5, after "board", insert ", State Forester,".

Amendment No. 22

On page 23, line 6, after "board", insert "or State Forester".

Amendment No. 23

On page 23, strike out lines 10 and 11, and insert

"4612 The director shall report annually to the board and the Legislature on the enforcement and penalties applied under this article."

Amendment No. 24

On page 24, after line 9, insert

"4627 The board may, by regulation, delegate its authority and responsibilities under this article to the State Forester if it determines that the State Forester can more efficiently exercise such authority and carry out such responsibilities"

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

VOTE CHANGES

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on the vote to override the Governor's veto of Assembly Bill No 1764

Mr McAlister was granted unanimous consent that he be recorded as voting "No" on the vote to override the Governor's veto of Assembly Bill No. 1764.

Mrs. Fong was granted unanimous consent that she be recorded as voting "Aye" on Assembly Bill No 2390

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bill's Nos. 1249 and 1358 were continued until the next legislative day

ADJOURNMENT

At 3·05 p m , Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m , Friday, November 17, 1972

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-eighth Legislative Day

Three Hundred Twentieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, November 17, 1972

The Assembly met at 9 30 a m

Hon Wadie P Deddeh, Member of the Assembly, 77th District, presiding

Chief Clerk James D Driscoll at the Desk

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Cory moved a quorum call of the Assembly.

Mr Brown seconded the motion

Motion carried Time, 9 31 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Hon. Ken Cory Presiding

At 9 32 a m , Hon Ken Cory, 69th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 9 42 a m , Acting Speaker Cory declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lan-

caster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—68

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister·

God, This word we call You by is almost dead and meaningless, transient and empty, like many of the words we use

We ask You to renew its force and meaning, to make it once again a name that brings Your promise to us

Make it a living word which tells us that You are our Father and we are Your children; that You are as You always have been, close to us, the very source of our being, the ultimate and only hope for our world.—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Cory, Mr Campbell then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr MacDonald, seconded by Mr Russell

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness

Mr Belotti, on request of Acting Speaker Cory
Mr Townsend, on request of Acting Speaker Cory.

The following Members were granted leaves of absence for the day, because of legislative business elsewhere

Mr Conrad, on request of Acting Speaker Cory
Mr Monagan, on request of Acting Speaker Cory.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr Karabian, on request of Acting Speaker Cory
Mr. Moorhead, on request of Acting Speaker Cory.
Mr Pierson, on request of Acting Speaker Cory.
Mr Prioli, on request of Acting Speaker Cory
Mr Z'berg, on request of Acting Speaker Cory

The following Member was granted leave of absence for the day, because of a death in his family

Mr. Chappie, on request of Acting Speaker Cory.

NOTE· For letter explaining the absence of Mr Monagan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for November 16, 1972, pages 7678–7679.

RESOLUTIONS

The following resolution was offered

By Assemblyman Cullen

House Resolution No. 129

Relative to the Medi-Cal Management System

WHEREAS, The Department of Health Care Services has undertaken a pilot test of the Medi-Cal Management System in San Diego and Santa Clara Counties, and

WHEREAS, The test of this system has been in operation since August 1, 1972, to determine feasibility for statewide operation, and

WHEREAS, The State of California has expended to date over $7 million to develop and prototype the system, which according to projections by Planning Research Corporation indicate could ultimately cost as much as $12 million to $19 million for conversion to a statewide operation, and

WHEREAS, Alternative health care plans are concurrently being developed and considered by the Department of Health Care Services which will have a significant effect on the future of the Medi-Cal Management System, and

WHEREAS, A thorough independent evaluation of the Medi-Cal Management System prototype is needed, upon which policy decisions can be made by the Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Analyst is hereby requested to form a task force for a comparative evaluation of the Medi-Cal Management System and the Medi-Cal Intermediary Operation, and be it further

Resolved, That such task force shall include, but not be limited to, representatives from the Office of the State Controller, Department of Finance Joint Legislative Audit Committee, and such other designated representatives from the health care field as the Legislative Analyst appoints, and be it further

Resolved, That such task force submit its findings to the Assembly Committee on Ways and Means and the Assembly Committee on Efficiency and Cost Control no later than April 1, 1973

Resolution read, and referred by the Acting Speaker pro Tempore to the Committee on Rules

COMMUNICATIONS

Assembly Chamber, November 17, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 1303

And reports the same correctly re-engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill re-referred to committee

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, November 16, 1972

Mr Speaker · Your Committee on Labor Relations reports

SCR No 56

With the recommendation · Be adopted, and be re-referred to the Committee on Ways and Means.

McCARTHY, Chairman

Above resolution re-referred to the Committee on Ways and Means

Assembly Chamber, November 16, 1972

Mr Speaker · Your Committee on Labor Relations reports

AB No. 2388

With amendments with the recommendation Amend, and do pass, as amended.

McCARTHY, Chairman

Above bill ordered to second reading

MESSAGES FROM THE SENATE

Senate Chamber, November 16, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 101

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, November 16, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No 327	AB No 1594	AB No 1988
AB No 1171	AB No. 1947	AB No 2012
AB No 1557		

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered enrolled

Senate Chamber, November 16, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted as amended

ACR No 94

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file

Senate Chamber, November 16, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 378	AB No 930	AB No. 1782
AB No 523	AB No 1077	AB No 1948
AB No 585	AB No 1404	AB No 2337

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, November 16, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed.

SB No 584

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 16, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted.

SCR No 83
SCR No 85

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time·

Senate Bill No. 584—An act to add Article 7 (commencing with Section 11190) to Chapter 1 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public assistance.

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 83—Relative to the creation of the Joint Committee on Conforming the California Codes with federal laws

Held at Desk by order of the Acting Speaker

Senate Concurrent Resolution No. 85—Relative to the Joint Committee on the State's Economy.

Held at Desk by order of the Acting Speaker

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 384

Mr Maddy was granted unanimous consent to rescind the action whereby the Assembly, on November 15, 1972 (Assembly Journal, pages 7650–7651), concurred in Senate amendments to Assembly Bill No 384, and whereby the bill was ordered enrolled

Further Consideration of Senate Amendments

Assembly Bill No. 384—An act to amend Section 23801 of the Education Code, relating to state colleges

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 384?

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly April 19, 1972, strike out "The", and insert

"Subject to regulations of the trustees, the".

Amendment No. 2

On page 4, line 19, strike out "The", and insert

"Subject to regulations of the trustees, the"

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYE—Cory—1

NOES—Badham, Barnes, Bee, Brathwaite, Brown, Campbell, Chacon, Collier, Cullen, Davis, Deddeh, Dent, Fenton, Gonsalves, Hayden, Ray E Johnson, Lancaster, Lewis, MacDonald, Maddy, McAlister, Porter, Russell, Ryan, Stull, Thomas, Vasconcellos, Wilson, and Mr. Speaker—29.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maddy was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No 401 to the Assembly for further action

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Barnes was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 141, 314, 900 and 1500, and Assembly Bill No 1180 for hearing in the Committee on Retirement on November 20, 1972

CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file·

Senate Bills Nos. 556, 1112, 1187, and **864,** ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 185—An act to add Section 23428 18 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 1, line 14, of the printed bill, after the period, insert "No labor council which makes any discrimination, distinction, or restriction against any person on account of such person's age, sex, color, race, religion, ancestry, or national origin shall be licensed pursuant to this section."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar

Senate Bill No. 135—An act to amend Section 20750 8 of, to add Sections 20750 144, 20750 28, 20750 38, 20750 415, 20750 434, and 21222 1 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly November 9, 1972, strike out "20750 415, 20750 434,".

Amendment No. 2

On page 2, line 21, strike out "forestry", and insert "state safety".

Amendment No. 3

On page 2, line 23, strike out "0 30", and insert "0 06"

Amendment No. 4

On page 2, strike out lines 25 through 38, inclusive; and on page 3, strike out line 1

Amendment No. 5

On page 3, line 2, strike out "5 1", and insert "4".

Amendment No. 6

On page 3, line 17, strike out "6", and insert "5".

Amendment No. 7

On page 4, line 16, strike out "7", and insert "6"

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 357—An act to add Article 12 (commencing with Section 50280) to Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, to repeal the heading of Article 3 (commencing with Section 5036 5) of Chapter 1 of Division 5 of, to amend and renumber Section 5036 5 of, and to add Article 3 (commencing with Section 5031) to Chapter 1 of Division 5 of, the Public Resources Code, and to add Article 7 (commencing with Section 1161) to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the taxation of property of historical significance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 8 of the printed bill, as amended in Assembly July 31, 1972, after line 6, insert

"SEC 6 The state shall not be required to provide subventions for revenues lost to a city, county or city and county by reason of such city, county or city and county acting pursuant to the provisions of this act"

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 401—An act to amend Sections 4700 and 4706 of, and to add Section 4706 5 to, the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly July 21, 1972, strike out lines 5 to 9, inclusive, and insert

"(f) Employers, or their insurance carriers, shall notify the administrative director of each employee death, the circumstances of each employee death, and the known dependents, if any, of each deceased employee, in such form as the administrative director may prescribe"

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 656—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 11478, 25514 5, 25601, and 26501 of, and to add Sections 6931 5, 6950 5, and 17255 to, the Education Code, and to amend Section 22815 of the Education Code, as added by Chapter 1100 of the Statutes of 1972, relating to public education

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 4, between lines 8 and 9, of the printed bill, as amended in Assembly November 14, 1972, insert

"No community college shall initiate new programs relating to mentally retarded minors after May 1, 1973, except programs planned before July 1, 1972, or programs which are not solely or partially financed by state funds."

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1467—An act to add Chapter 18 (commencing with Section 7350) to Division 7 of Title 1 of the Government Code, relating to search and rescue

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly August 1, 1972, after "rescue", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, line 14, after "local", insert "volunteer".

Amendment No. 3

On page 2, line 18, after "local", insert "volunteer".

Amendment No. 4

On page 2, line 25, after "organized", insert "volunteer".

Amendment No. 5

On page 2, line 28, after "available", insert "volunteer".

Amendment No. 6

On page 3, line 4, after "units", insert "and to defray the cost of rental of a helicopter for the purpose of emergency evacuation".

Amendment No. 7

On page 3, line 6, strike out "an", and insert "a volunteer".

Amendment No. 8

On page 3, between lines 20 and 21, insert

"7355 The Office of Emergency Services shall annually report to the Legislature by April 1 of each year the manner in which expenditures are to be made under this chapter during the ensuing fiscal year

SEC 2. There is hereby appropriated from the General Fund to the Office of Emergency Services for the purposes of this act the sum of twenty thousand dollars ($20,000) "

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 340—An act to amend Sections 54784 and 66503 of to add Sections 65062 and 66180 to, to repeal Sections 65062, 65062 1, 65062 2, 66180, 66181, 66182, 66183, 66184, and 66185 of, to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of, the Government Code, and to add Sections 24351 and 24351 1 to, and to repeal Sections 24351, 24351 1, 24351 2, 24351 3, 24351 4, and 24351 5 of, of the Health and Safety Code, and to add Article 1 (commencing with Section 28700) to Chapter 3 of Part 2 of Division 10 of, and to repeal Article 1 (commencing with Section 28700) of Chapter 3 of Part 2 of Division 10 of, the Public Utilities Code, relating to city selection committees

Bill read second time, and ordered to third reading

Senate Bill No. 921—An act relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 53—An act to add Section 118 6 to the Streets and Highways Code, relating to excess highway property

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Senate April 11, 1972, after "purposes", insert ", including, but not limited to, those leased to public agencies pursuant to Section 104 15,".

Amendment No. 2

On page 2, line 27, after "areas", insert "as follows:

(a) To any park or recreation department of any city within which the land may be situated.

(b) To any park or recreation department of the county within which the land is situated.

(c) To any regional park authority having jurisdiction within the area in which the land is situated.

(d) To the State Resources Agency or any agency which may succeed to its powers

The public agency desiring to purchase such land for park or recreation use shall notify the department within 60 days of its intent to purchase the land after receipt of the department's notification of intent to sell the land. If the public agency desiring to purchase the land and the department are unable to arrive at a mutually satisfactory sales price for the land during the 60-day period, the land may be disposed of in the normal manner.

The failure of the department to first offer excess real property which consists of lands of notable environmental value to public agencies operating parks and recreational areas shall not affect the validity of any conveyance of such excess real property to any person or entity unaware of the failure of the department do so so; however, this shall in no way be construed as releasing the department from its responsibility in offering such property to such public agencies first".

Bill ordered reprinted, and returned to the second reading file

Senate Bill No. 161—An act appropriating funds to the University of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in Assembly November 14, 1972, strike out "General Fund", and insert "Capital Outlay Fund for Public Higher Education"

Bill ordered reprinted, and returned to the second reading file.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1920—An act to amend Sections 242 and 4702 of the Civil Code, relating to family law.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1920?

Amendment No. 1

On page 3, line 35, of the printed bill, as amended in Assembly June 15, 1972, strike out "party", and insert "person"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Badham, Barnes, Bee, Beverly, Brathwaite, Brown, Chacon, Collier, Cory, Cullen, Deddeh, Dent, Duffy, Fenton, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Murphy, Porter, Powers, Russell, Ryan, Seeley, Sieroty, Stull, Vasconcellos, Wakefield, Warren, Wilson, and Mr. Speaker—43

NOES—None.

Above bill ordered enrolled

THIRD READING OF SENATE BILLS

Senate Bill No. 190—An act to amend Sections 30102 and 30356 of, to add Section 30100 1 to, and to repeal Section 30001 of, the Streets and Highways Code, relating to toll bridges and ferries, and making an appropriation therefor

Bill read third time, and presented by Mr Deddeh

Bill passed by the following vote:

AYES—Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Deddeh, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—51

NOES—Cullen and Stacey—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 9 56 a m , Mr Knox was granted unanimous consent to hold a special meeting of the Committee on Local Government in the rear of the Assembly Chamber, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1281—An act to add Section 5756.5 to the Education Code, relating to public schools.

Bill read third time, and presented by Mr Leroy F Greene.

Bill passed by the following vote·

AYES—Barnes, Bee, Beverly, Brathwaite, Briggs, Burton, Campbell, Cline, Collier, Cory, Cullen, Davis, Deddeh, Duffy, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, LaCoste, Lanterman, Lewis, MacGillivray, Maddy, McAlister, Miller, Mobley, Murphy, Powers, Russell, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—43

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Concurrent Resolution No. 44—Relative to drinking drivers.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

BILL REMOVED FROM CONSENT CALENDAR

On request of Mr. Ketchum, Senate Bill No 99 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No 22.2.

ASSEMBLY BILL NO. 2127 REMOVED FROM CONSENT CALENDAR

On request of Mr. Lanterman, Assembly Bill No 2127 was removed from the Consent Calendar.

Above bill ordered replaced on the second reading file, pursuant to Joint Rule No. 22.2.

Request for Unanimous Consent to Take Up Assembly Bill No. 2127

Mr Lanterman was granted unanimous consent to take up Assembly Bill No 2127, without reference to file, for purpose of consideration at this time.

Second Reading of Assembly Bill No. 2127

Assembly Bill No. 2127—An act to add Sections 18107 and 20108 to, and to repeal Section 18107 and 20108 of, the Government Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to, and to repeal Sections 5119, 5664, 5755 5 and 5755 6 of, the Welfare and Institutions Code, and to repeal Section 7 of Chapter 923 of the Statutes of 1972, relating to mental health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Third Reading of Assembly Bill No. 2127

Assembly Bill No. 2127—An act to add Sections 18107 and 20108 to, and to repeal Section 18107 and 20108 of, the Government Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to, and to repeal Sections 5119, 5664, 5755 5 and 5755 6 of, the Welfare and Institutions Code, and to repeal Section 7 of Chapter 923 of the Statutes of 1972, relating to mental health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Mr Speaker—60

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2387—An act making an appropriation for property tax assistance in augmentation of Item 75, Budget Act of 1972

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 107

Mr. Moretti was granted unanimous consent to take up Senate Bill No. 107, for purpose of amendment, and that the bill be returned on file as a Special Order of Business on Tuesday, November 21, 1972, at 10.30 a.m.

Consideration of Senate Bill No. 107

Senate Bill No. 107—An act to add Chapter 14 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to wild and scenic rivers.

Bill read third time.

Request for Unanimous Consent to Withdraw Badham Amendments

Mr. Badham was granted unanimous consent to withdraw his proposed amendments to Senate Bill No 107

Motion to Amend by Mr. Moretti

Mr Moretti moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 25, of the printed bill, as amended in Senate May 25, 1972, strike out "20", and insert "12".

Amendment No. 2

On page 4, line 26, strike out "the secretary", and insert "the Department of Water Resources shall report to the Legislature as to the need for water supply and flood control projects on the Eel River and its tributaries,".

Amendment No. 3

On page 4, line 36, strike out "No", and insert "Except as provided in subdivision (d) of Section 5093 54, no".

Amendment No. 4

On page 5, line 9, strike out "No", and insert "Except for geologic, hydrologic, economic, or any other technical studies deemed necessary or desirable by the Department of Water Resources in order to determine the feasibility of alternate sites for dams on the Eel River and its tributaries, which studies are hereby authorized, no"

Amendment No. 5

On page 5, line 14, strike out "river", and insert "rivers included in the system".

Amendments read, and adopted by the following vote:

AYES—Arnett, Bagley, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Ralph, Sieroty, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—39.

NOES—Badham, Barnes, Bee, Collier, Cullen, Ray E Johnson, Ketchum, Lanterman, MacGillivray, Mobley, Porter, Powers, Quimby, Russell, Seeley, Stacey, Stull, and Wakefield—18

Bill ordered reprinted, and to be returned on file as a Special Order of Business for Tuesday, November 21, 1972 at 10 30 a m

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 4

Mr Brown was granted unanimous consent to take up Senate Bill No 4, for purpose of amendment, and that the bill be returned on file as a Special Order of Business on Tuesday, November 21, 1972, at 10 35 a m.

Consideration of Senate Bill No. 4

Senate Bill No. 4—An act to add Chapter 1 4 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to waterways

Bill read third time.

Amendment No. 1

On page 6, line 33, of the printed bill, as amended in Assembly November 15, 1972, after "the", insert "Eel River and".

Amendment No. 2

On page 6, line 34, strike out "its", and insert "their".

Amendments read, and adopted

Bill ordered reprinted, and to be returned on file as a Special Order of Business on Tuesday, November 21, 1972, at 10 35 a m.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read

Assembly Chamber, November 15, 1972

Mr Speaker, The Committee on Conference concerning:

Senate Bill No. 1362—As amended in Assembly August 3, 1972—An act to amend Sections 441 8 and 442 6 of the Health and Safety Code and to amend Section 2507 of the Business and Professions Code, to amend Sections 14057, 14058, and 14105 5 of the Welfare and Institutions Code and to amend Section 15 of Chapter 1451 of the Statutes of 1969, relating to health care, and declaring the urgency thereof, to take effect immediately,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly August 3, 1972, strike out "Sections 441 8 and", and insert "Section".

Amendment No. 2

In line 2 of the title, strike out "to amend Section 2507 of the Business and", and strike out lines 3 to 8, inclusive, of the title, and insert ", relating to health care."

Amendment No. 3

On page 2, strike out lines 1 to 4, inclusive, and on page 3, strike out lines 1 to 23, inclusive.

Amendment No. 4

On page 3, line 24, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 5

On page 4, strike out lines 31 to 40, inclusive; and strike out pages 5 to 11, inclusive.

The undersigned consent to the report:

ANTHONY C BEILENSON	WILLIAM CAMPBELL
DENNIS CARPENTER	PAUL PRIOLO
MERVYN DYMALLY	

Senate Committee on Conference Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr Speaker—62

NOES—None

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 384

The Acting Speaker appointed Messrs Maddy, Cory, and Ray E Johnson as a Committee on Conference concerning Assembly Bill No. 384.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1322—An act to add Section 5004.5 to the Vehicle Code, relating to motorcycles.

Bill read third time, and presented by Mr MacDonald.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Vasconcellos, Wakefield, Wilson, Wood, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 839 (in Conference Committee), on request of Mr. Bill Greene.

COMMUNICATIONS

~~Assembly Chamber, November 17, 1972~~

~~Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:~~

~~Assembly Bill No. 2044—An act to amend Sections 1662, 1665, 1751, and 1760.5 of the Insurance Code, relating to insurance;~~

~~And reports the same correctly enrolled, and presented to the Governor at 11 a.m., November 17, 1972.~~

~~JAMES D. DRISCOLL, Chief Clerk~~

NOTE: On November 22, 1972, the action was rescinded whereby Assembly Bill No. 2044 was reported correctly enrolled and presented to the Governor on November 17, 1972. See page 7813.

Assembly Chamber, November 17, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 79—Relative to street and road financing;

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of November, 1972, at 11 a.m.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, November 17, 1972

Mr. Speaker: Your Committee on Local Government reports:

AB No. 2392

With the recommendation: Do pass.

KNOX, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2392

Mr. Hayden was granted unanimous consent to take up Assembly Bill No. 2392, without reference to file, for purpose of consideration at this time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Hayden:

Resolved, That Assembly Bill No. 2392 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is

ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr. Speaker—63

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Assembly Bill No. 2392

Assembly Bill No. 2392—An act to amend Section 23010 of the Government Code, and to amend Section 5544.1 of, and to add Section 5544.3 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Third Reading of Assembly Bill No. 2392

Assembly Bill No. 2392—An act to amend Section 23010 of the Government Code, and to amend Section 5544.1 of, and to add Section 5544.3 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Warren, Waxman, Wilson, Wood, and Mr. Speaker—59

NOES—Cullen—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Porter, Powers, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Warren, Waxman, Wilson, Wood, and Mr Speaker—59

NOES—Cullen—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 898—An act to amend Sections 3517, 3575, and 5004 of, and to add Section 3521 to and Article 3 5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 898?

Amendment No. 1

On page 3, line 21, of the printed bill, as amended in Assembly June 16, 1972, strike out "January", and insert "July".

Amendment No. 2

On page 5, line 20, strike out "permit", and insert "permits".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Bee, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Collier, Cory, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Vasconcellos, Wakefield, Waxman, Wilson, Wood, and Mr. Speaker—50.

NOES—None

Above bill ordered enrolled.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file·

Assembly Bill No. 285, on request of Mr. Sieroty.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 976—An act to add Sections 1626 5 and 2145 3 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers,

Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Campbell, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 1263, on request of Mr Brown.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos 1249 and 1358 were continued until the next legislative day.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
584	Welfare

Senate Concurrent Resolution No.	*Committee*
83	Rules
85	Rules

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 17, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports

SB No. 919

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 919—An act to amend Sections 6876 1, 21625, 21632, 21633, 21634, and 21635 of the Business and Professions Code, to amend Section 607f of the Civil Code, to amend Sections 10401 and 10402 of the Corporations Code, to amend Sections 13128, 13588, and 13589 of the Education Code, to amend Section 21208 of the Financial Code, to amend Sections 1030, 14710, 15001, 15100, 15103, 15104, 20017 75, 20803 7, and 22013 of, and to repeal Section 20017 7 of, the Government Code, to amend Sections 11002 1, 11102, 11103, 11104, 11105, 11106, 11166 05, 11166 08, 11166 10, 11166 11, 11177, 11226, 11228, 11250, 11331 5, 11332, 11333, 11395, 11425, 11426, 11573, 11574, 11576, 11652, 11654, 11655, 11655 6, 11656, 11657, 11680, 11722, 11851, 11852, 11853, 11903, 11925 1, 11925 2, 11925 3, and 11925 4 of, to repeal Sections 11004, 11005, 11100, and 11101 of, to amend, repeal, and add Sections 11655 5 and 11722 of, and to amend the heading of Chapter 2 (commencing with Section 11100) of Division 10 of, the Health and Safety Code, to amend Sections 3212 7, 4800, 4802, and 4803 of the Labor Code, to amend Sections 290, 830 3, 2082, 4852 12, 4852 14, 4852 17, 11006, 11050, 11050 5, 11051, 11102, 11105, 11107, 11110, 11113, 11115, 11116, 11117, 11120, 11122 11123, 11124, 11125, 11126, 11127, 11150, 11152, 11161 5, 12030, 12052, 12053, 12054, 12075, 12076, 12077, 12078, 12079, 12090, 12092, 12094, 12230, 12231, 12250, 12251, 12305, 12306, 12307, 12403, 12423, 12424, 12435, 12450, 12452, 12454, 12455, 12456, 12457, 12458, 13010, 13011, 13012, 13020, 13021, and 13022 of, to repeal Sections 11000, 11005, and 11007 of, to amend the heading of Chapter 1 (commencing with Section 11000) of Title 1 of Part 4 of, and to repeal Article 1 (commencing with Section 13000) of Chapter 1 of Title 3 of Part 4 of, the Penal Code, and to amend Sections 504 and 5328 2 of, and to amend, add, and repeal Sections 8104 and 16018 of, the Welfare and Institutions Code, relating to the Department of Justice

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted

Amendment No. 1

On page 14 of the printed bill, as amended in Assembly November 8, 1972, in line 21, after "members", insert "and service rendered prior to the effective date of the amendment to this section at the 1972 Regular Session and falling within the definition of warden, forestry, and law enforcement service under this chapter prior to such amendment"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Criminal Justice

Assembly Chamber, November 17, 1972

Mr. Speaker. The Chairman of your Committee on Criminal Justice reports·

SB No. 431

SB No 1184

With author's amendments with the recommendation Amend, and re-refer to the Committee on Criminal Justice

BEVERLY, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 431—An act to add Section 5060 5 to the Penal Code and to add Section 1766 5 to the Welfare and Institutions Code, relating to parole.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Senate May 16, 1972, after "release", insert ", and, except in cases of discharge, if a city or county is designated by the release, shall give notice of the release to either the chief of police of the city or the sheriff of the county".

Amendment No. 2

On page 2, line 4, after the first "release", insert ", and, except in cases of discharge, if a city or county is designated by the release, shall give notice of the release to either the chief of police of the city or the sheriff of the county".

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

Senate Bill No. 1184—An act to amend Section 1547 of the Penal Code, relating to rewards, and making an appropriation therefor.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules was read, and adopted·

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in Senate June 22, 1972, strike out ", a", and strike out lines 32 to 34, inclusive, and insert "as defined in Section 830 1, subdivision (a) or (b) of Section 830 2, or subdivision (b) of Section 830 5"

Bill ordered reprinted, and to be re-referred to the Committee on Criminal Justice.

VOTE CHANGES

Mr. Stacey was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 190

Mr McAlister was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 384

Mr Hayden was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 2127, and on the passage of the bill

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on the amendments offered by Mr Moretti to Senate Bill No 107

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1322.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10 52 a m , Acting Speaker Cory declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 10.55 a.m , Acting Speaker Cory declared the Assembly adjourned until 11 a m , Monday, November 20, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Twenty-ninth Legislative Day

Three Hundred Twenty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, November 20, 1972

The Assembly met at 11 a m

Hon Jack R Fenton, Majority Floor Leader of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Brown moved a quorum call of the Assembly

Mr Collier seconded the motion

Motion carried Time 11:02 a.m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

Speaker Presiding

At 11·14 a m , Hon. Bob Moretti, 42nd District, presiding

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11 15 a m , Speaker Moretti declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran Garcia Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman,

Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister

Father, We are grieved this morning by the death of Albert Chappie, the father of our member Gene Chappie

We pray that nothing of this man's life will be lost, but that it will be of benefit to the world; that all that he held sacred may be respected by those who follow him and that everything in which he was great may continue to mean much to us now that he is dead

We ask You that he may go on living in his children, in their hearts and minds, their courage and their conscience—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Moretti, Mr Beverly then led the Assembly in the pledge of allegiance to the Flag

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Belotti, on request of Acting Speaker Fenton
Mr Campbell, on request of Acting Speaker Fenton.
Mr Pierson, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, because of legislative business elsewhere·

Mr Conrad, on request of Acting Speaker Fenton
Mr. Duffy, on request of Acting Speaker Fenton

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem·

Mr Ketchum, on request of Acting Speaker Fenton.
Mr. Priolo, on request of Acting Speaker Fenton
Mr. Ryan, on request of Acting Speaker Fenton

The following Member was granted leave of absence for the day, because of a death in his family:

Mr. Chappie, on request of Acting Speaker Fenton.

The following Members were granted leave of absence for the day, because of illness in their families

Mr Bee, on request of Acting Speaker Fenton
Mr. Townsend, on request of Acting Speaker Fenton.

NOTE. For letter explaining Mr Bee's absence on this day, see Assembly Daily Journal for November 28, 1972, page 7907.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal

November 14, 1972

Hon Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol, Sacramento, California

Dear Mr Speaker This is to request to be excused from the session on legislative business on Monday, November 20, and Tuesday, November 21, 1972

I will be attending the Western Conference of the Council of State Governments

Very truly yours,

CHARLES J CONRAD, Assemblyman
Fifty-seventh District

November 16, 1972

The Honorable Robert Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Bob I respectfully request that I be excused from Session on legislative business November 19–22, 1972, to participate in a working conference dealing with government regulation of nonprofit hospitals at Harvard University, Boston, Massachusetts (Reference · Letter dated October 16, 1972, Bob Moretti to State Controller)

Thank you for your consideration in this matter

Sincerely,

GORDON DUFFY, Assemblyman
Twenty-first District

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Dunlap was granted unanimous consent that the following communication be printed in the Journal

November 20, 1972

The Honorable Robert Moretti
Speaker, Room 3164
State Capitol, Sacramento, California

Dear Bob I have a district bill that I want to introduce for the sole purpose of consolidating the Fairfield-Suisun Municipal Court with the Vacaville Justice Court, eliminating the Vacaville Justice Court and creating two departments of the Fairfield-Suisun Justice Court One is to be in Vacaville and one in Fairfield This is at the Board of Supervisors request

Sincerely,

JOHN F DUNLAP

Majority Floor Leader Presiding

At 11 15 a m , Hon Jack R Fenton, 51st District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time·

Assembly Bill No. 2394: By Assemblyman Dunlap—An act to amend Sections 73671, 73672, 73674, 73675, 73676, 73677, 73678, and 73679 of, and to add Sections 73672 1, 73672 2, 73672 3, and 73672 4 to, the Government Code, relating to courts

Held at Desk by order of the Acting Speaker

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read·

Assembly Chamber, November 20, 1972

Mr. Speaker· Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Assembly Bill No. 2394—An act to amend Sections 73671, 73672, 73674, 73675, 73676, 73677, 73678, and 73679 of, and to add Sections 73672 1, 73672 2, 73672 3, and 73672 4 to, the Government Code, relating to courts

JOHN F DUNLAP

Above request ordered transmitted to the Committee on Rules

REPORTS

The following report was presented by the Chief Clerk

Progress of Area Vocational Planning. As Required by California Education Code Section 6268.14.

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated November 15, 1972, referred by the Acting Speaker to the Committee on Education.

COMMUNICATIONS

Assembly Chamber, November 17, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 723—An act to amend Sections 17072, 17207, 17216 2, 17402, 17411, 17503, 17511, 17673, 17711, 17712, 17734, 17737, 17852, 18152, 18172, 18181, 18182, 18183, 18187, 18189, 18190, 18191, 18192, 18242, and 18244 of, and to repeal Sections 18151, 18162 and 18202 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy,

Assembly Bill No. 756—An act to amend Section 4702 of the Labor Code, relating to workmen's compensation,

Assembly Bill No. 1945—An act to add Section 39052 3 to the Health and Safety Code, relating to petroleum advertising,

And reports the same correctly enrolled, and presented to the Governor at 2 p m , November 17, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 17, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 311—An act to add Sections 32124, 48041, 48042, 48043, 48044, and 48045 to the Labor Code, relating to University of California fire departments,

And reports the same correctly enrolled, and presented to the Governor at 3 p m , November 17, 1972.

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 20, 1972

Mr Speaker Your Committee on Ways and Means reports

SB No 714

With amendments with the recommendation· Amend, and do pass, as amended

BROWN, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2230

Mr Brophy was granted unanimous consent that Assembly Bill No 2230 be removed from the inactive file, and to take up consideration of Senate amendments to Assembly Bill No 2230, at this time, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 2230

Assembly Bill No. 2230—An act to add Part 9 (commencing with Section 37500) to Division 24 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2230?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 37517", and insert "add Part 9 (commencing with Section 37500) to Division 24"

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive, and insert

"SECTION 1 Part 9 (commencing with Section 37500) is added to Division 24 of the Health and Safety Code, to read

PART 9. LOW-INCOME HOME MANAGEMENT TRAINING

CHAPTER 1. LEGISLATIVE FINDINGS

37500. The Legislature finds that a limited supply of low-rent public housing units exist in this state to serve the housing needs of low-income families.

37501. The Legislature further finds and declares that housing is frequently denied low-income families because of their performance in home management and maintenance

37502. The Legislature further finds and declares that the solution to the low-rent housing problem in the state must come from the efforts of both the private and the public sector, and that legislative proposals which can promote a joint effort by these sectors are in the best interests of the people of the state

37503 The Legislature further finds and declares that existing federal programs providing low-rent housing in private accommodations and home ownership opportunities for low-income families can contribute greatly toward individual self-sufficiency and greater public acceptance of low-income housing

37504. It is therefore the policy of the Legislature of the State of California to encourage local housing authorities to provide adequate training to low-income families in home management and maintenance Supplemental financial assistance will be made available to housing authorities or other appropriate qualifying organizations for use in training low-income families and providing them with the necessary qualifications to live meaningful lives as renters or owners of low-income private accommodations.

CHAPTER 2 CALIFORNIA LOW-INCOME HOME MANAGEMENT TRAINING PROGRAM

37510 There is hereby established the California Low-Income Home Management Training Program to be administered by the Director of Housing and Community Development pursuant to the provisions of this part.

37511 The Director of Housing and Community Development shall adopt such reasonable regulations concerning the California Low-Income Home Management Training Program as are necessary to reasonably implement the provisions of this part.

37512 The Director of Housing and Community Development, in the administration of the provisions of this part, shall consult with an advisory committee which he shall appoint and which shall serve until completion of the program The committee shall consist of nine members Of these, three members shall be appointed from, and be representative of, the following areas· one from the real estate industry, one from the savings and loan industry, and one from local government, two members shall be appointed from the public at large, and four members shall possess the following qualifications one shall be experienced in the administration of low-income public housing programs, one shall be experienced in home economics, one shall be a person of low income residing in a public housing project, and one shall be a teacher of the social sciences at the college or university level

37513. The Director of Housing and Community Development is authorized to make grants to any duly established housing authority or nonprofit organization or developer of housing under the provisions of any federal program intended to increase the supply of housing for families of low income, for families whose incomes for continued occupancy in public housing do not exceed the income limits of local housing authorities for the applicant community These grants shall be made to assist in the establishment of a home management training program by the authority, nonprofit organization, or developer To qualify for such a grant, an applicant shall submit to the director an application showing a comprehensive plan for the training and qualification of low-income families

37514 The Department of Housing and Community Development shall implement this program as a pilot study, limited to housing authorities and other nonprofit organizations, and as part of the study shall select applicants from at least four major urban centers, as determined by the department, to determine the desirability of training for housing low-income families The department shall make a final report of its findings and recommendations to the Legislature not later than March 15, 1974

37515 It is the intent of the Legislature that the provisions of Section 204 of Public Law 90-577 shall be utilized to the extent necessary to accomplish the maximum acquisition and utilization of federal funds available for programs under this part in the most direct and efficient manner

37516 This part shall be operative notwithstanding the provisions of Section 37111

37517 The existence of the advisory committee established pursuant to Section 37512 shall terminate June 30, 1973

37518 This part shall terminate on June 30, 1974 ''

Amendment No. 3

On page 1, line 9, strike out ''extend the termination date of'', and insert ''substantially reenact''.

Amendment No. 4

On page 1, line 11, strike out ''from June 30, 1972,'' and insert ''which terminated June 30, 1972, thereby continuing the low-income home management training program''

Amendment No. 5

On page 2, lines 1 and 2, strike out ''these provisions shall not terminate on June 30, 1972'', and insert ''the program may continue without serious disruption''

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Brophy moved a call of the Assembly

Motion carried Time, 11 20 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Hayden was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Gonsalves was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2391 for hearing in the Committee on Revenue and Taxation today at 1:45 p.m.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2388—An act to amend Section 6416 of the Labor Code, relating to safety in employment

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Labor Relations, were read, and adopted.

Set No. 1

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "Cory, Deddeh," and insert "Chacon, Cory, Deddeh, Garcia,".

Set No. 2

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1, strike out lines 2 to 9, inclusive; and strike out page 2, and insert "repealed

SEC 2. The Legislature hereby declares that it is repealing Section 6416 of the Labor Code by Section 1 of this act with the intention that an employer be subject to prosecution under subdivision 2 of Section 192 of the Penal Code for involuntary manslaughter when through his gross negligence in failing to provide a safe employment and place of employment he causes the death of his employee and the death is the unlawful killing of a human being without malice constituting involuntary manslaughter "

Bill ordered reprinted, and returned to the second reading file.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate Bills were this day on the second reading file·

Senate Bills Nos. 135, 357, 401, 656, 1467, 53, and **161,** ordered to third reading.

Senate Bill No. 185, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 99—An act to add Section 458 5 to the Health and Safety Code, relating to pesticides

Bill read second time, and ordered to third reading

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Beverly was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1226 for hearing in the Committee on Criminal Justice on Tuesday, November 21

ASSEMBLY BILL NO. 2394 REFERRED TO COMMITTEE

Acting Speaker Fenton referred Assembly Bill No 2394 to the Committee on Judiciary

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 711

Mr Knox was granted unanimous consent to take up Assembly Bill No 711, out of order, for purpose of amendment.

Consideration of Assembly Bill No. 711

Assembly Bill No. 711—An act to amend Section 31158 of the Water Code, relating to county water districts.

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Knox was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Assembly Bill No 711 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr Knox moved the adoption of the following amendments·

Amendment No. 1

In the heading of the printed bill, strike out "Stacey", and insert "Knox".

Amendment No. 2

In line 1 of the title, strike out "amend Section 31158 of the Water", and insert "add Section 53069 9 to the Government".

Amendment No. 3

In line 2 of the title strike out "county water".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 53069 9 is added to the Government Code, to read.

53069 9 Any public agency providing retail water service may fix and collect a charge for installing and maintaining fire hydrants Such charge may be collected as part of the agency's rates and charges for water from those users who benefit from such fire protection service."

Amendment No. 5

On page 1, strike out lines 2 to 9, inclusive, and strike out page 2 Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 378—An act to amend Sections 69594 and 70141 7 of the Government Code, relating to superior court judges.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 378?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 69594", and insert "Sections 69594 and 70141.7"

Amendment No. 2

On page 1, after line 5, insert

"SEC. 2. Section 70141 7 of the Government Code is amended to read:

70141 7 In any county with a population exceeding ~~503,000~~ *650,000* and not exceeding ~~600,000~~ *700,000*, as determined by the ~~1960~~ *1970* federal census, the superior court may *appoint two commissioners The superior court may* provide that the ~~commissioner~~ *commissioners*, in addition to the duties prescribed in Section 259 of the Code of Civil Procedure, shall perform the duties prescribed by Section 259a of the Code of Civil Procedure and in addition thereto the duties of a probate commissioner appointed pursuant to Section 69897 of this code Any commissioner authorized to perform such duties shall receive a monthly salary in accordance with the following salary range of five annual steps, one thousand six hundred seventy-four dollars ($1,674) a month for the first year; one thousand seven hundred fifty-eight dollars ($1,758) a month for the second year; one thousand eight hundred forty-six dollars ($1,846) a month for the third year, one thousand nine hundred thirty-eight dollars ($1,938) a month for the fourth year, and two thousand thirty-five dollars ($2,035) a month for the fifth year. ~~He~~ *Each commissioner* shall also be allowed actual traveling expenses pursuant to Section 70148."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Badham, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burton, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Wilson, Wood, Z'berg, and Mr Speaker—50.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 523—An act to add Sections 6503 5 and 6503.7 to, and to repeal and add Section 6546 1 of, the Government Code, relating to joint exercise of powers

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 523?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 8, 1972, after the second "to", insert ", and to repeal and add Section 6546 1 of,".

Amendment No. 2

On page 3, between lines 27 and 28, insert

"SEC 3 Section 6546 1 of the Government Code is repealed

~~6546 1. In addition to other powers, any agency, commission or board provided for by joint powers agreement pursuant to Article 1 and created in a county of the second class as determined by Section 28020 of this code may, by ordinance, authorize the issuance of revenue bonds pursuant to this article to pay the cost and expenses of acquiring or constructing a project constituting a public airport and all facilities and improvements relating thereto.~~

~~The provisions of this section shall be effective until December 31, 1972 and after that date this section shall have no force or effect.~~

SEC 4 Section 6546 1 is added to the Government Code, to read:

6546 1 In addition to other powers, any agency, commission, or board provided for by joint powers agreement pursuant to Article 1 (commencing with Section 6500) and created in a county of the third class as determined by Section 28020 may, by ordinance, authorize the issuance of revenue bonds pursuant to this article to pay the cost and expenses of acquiring or constructing a project constituting a public airport and all facilities and improvements relating thereto

The provisions of this section shall be effective until December 31, 1974, and after that date this section shall have no force or effect "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Badham, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burton, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey

Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Stacey, Thomas, Wilson, Wood, Z'berg, and Mr Speaker—49

NOES—Stull—1.

Above bill ordered enrolled

Assembly Bill No. 585—An act to amend Sections 74691, 74692, 74693, and 74693 1 of the Government Code, relating to courts

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 585?

Senate Amendments of July 19, 1972

Amendment No. 1

In line 2 of the title of the printed bill, after "courts", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 4, strike out line 2, and insert

"23 $189.60 $198.40 $208.00 $216 80 $227 20"

Amendment No. 3

On page 5, after line 27, insert

"SEC 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are·

The municipal courts in Santa Cruz County are experiencing an increased and pressing caseload rate In order to alleviate the caseload problem in such courts at the earliest possible time, it is necessary that this act take effect immediately "

Senate Amendments of July 26, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 19, 1972, strike out "and"; and strike out lines 3 and 4 of the title, and insert a period.

Amendment No. 2

On page 4, strike out lines 21 to 30, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Badham, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burton, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Warren, Wilson, Wood, Z'berg, and Mr Speaker—52

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 930—An act to add a chapter heading to Title 4 (commencing with Section 392) of, and to add Chapter 2 (commencing with Section 404) to Title 4 of, Part 2 of the Code of Civil Procedure, relating to civil actions

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 930?

Senate Amendments of July 19, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 20, 1972, strike out line 11, and insert

"404 When civil actions sharing a common question of fact or law are pending in different courts, the presiding or sole judge of any such court, on his own motion or the motion of any party supported by an affidavit stating facts showing that the actions meet the standards specified in Section 404 1, or all the parties plaintiff or defendant in any such action, supported by an affidavit stating facts showing that the actions meet the standards specified in Section 404 1, may request the Chairman of the Judicial Council to assign a judge to determine whether coordination of the actions is appropriate and a judge shall be so assigned to make that determination

404 1 Coordination of civil actions sharing a common question of fact or law is appropriate if one judge hearing all of the actions for all purposes in a selected site or sites will promote the ends of justice taking into account whether the common question of fact or law is predominating and significant to the litigation, the convenience of parties, witnesses, and counsel; the relative development of the actions and the work product of counsel, the efficient utilization of judicial facilities and manpower, the calendar of the courts, the disadvantages of duplicative and inconsistent rulings, orders, or judgments; and, the likelihood of settlement of the actions without further litigation should coordination be denied

404 2 If he determines that coordination is appropriate, the assigned judge shall select the reviewing court having appellate jurisdiction if the actions to be coordinated are within the jurisdiction of more than one reviewing court The assigned judge shall select the reviewing court which will promote the ends of justice as determined under the standards specified in Section 404 1

404 3 If it is determined that coordination is appropriate, the Chairman of the Judicial Council shall assign a judge to hear and determine the actions in the site or sites the assigned judge finds appropriate

404 4 The presiding or sole judge of any court in which there is pending an action sharing a common question of fact or law with coordinated actions, on his own motion or the motion of any party supported by an affidavit stating facts showing that the action meets the standards specified in Section 404 1, or all the parties plaintiff or defendant in any such action, supported by an affidavit stating facts showing that the action meets the standards specified in Section 404 1, may request the judge assigned to hear the coordinated actions for an

order coordinating such action Coordination of such action shall be determined under the standards specified in Section 404 1.

404.5 Pending any determination of whether coordination is appropriate, the court may stay any action being considered for, or affecting an action being considered for, coordination

404.6. Within 10 days after service upon him of a written notice of entry of an order of the court under this chapter, any party may petition the appropriate reviewing court for a writ of mandate to require the court to make such order as the reviewing court finds appropriate

404 7 Notwithstanding any other provision of law, the Judicial Council shall provide by rule the practice and procedure for coordination of civil actions in convenient courts, including provision for giving notice and presenting evidence.

404 8. Expenses of the assigned judge, other necessary judicial officers and employees, and facilities shall be paid or reimbursed by the state from funds appropriated to the Judicial Council.

SEC. 3. This act shall become operative July 1, 1973 ''

Amendment No. 2

On page 2, strike out lines 12 to 40, inclusive; and strike out page 3.

Senate Amendments of July 26, 1972

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in Senate July 19, 1972, strike out ''it is determined'', and insert ''the assigned judge determines''.

Amendment No. 2

On page 3, line 8, after the comma, insert ''he shall order the actions coordinated, report that fact to the Chairman of the Judicial Council, and''.

Amendment No. 3

On page 3, line 25, strike out ''court'', and insert ''judge making that determination''.

Senate Amendments of November 14, 1972

Amendment No. 1

On page 4, line 9, of the printed bill, as amended in Senate July 26, 1972, strike out ''July 1, 1973'', and insert ''January 1, 1974''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Badham, Barnes, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1077—An act to amend Section 69598 of the Government Code, relating to courts

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1077?

Senate Amendments of July 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, strike out "78710", and insert "69598".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 69598 of the Government Code is amended to read:

69598 In the County of San Joaquin there shall be ~~six~~ *seven* judges of the superior court

The additional judge provided by the amendments to this section enacted by the Legislature at the 1972 Regular Session of the Legislature shall not be appointed until the Board of Supervisors of the County of San Joaquin determines by resolution adopted by a four-fifths vote of the board that court quarters are available for such additional judge and notifies the Governor of the adoption of such resolution either in person or by registered mail with postage prepaid."

Amendment No. 3

On page 1, strike out lines 2 to 6, inclusive

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 20, 1972, strike out lines 2 to 10, inclusive, and insert

"SEC 2 Section 1 of this act shall become operative when the Board of Supervisors of the County of San Joaquin determines by resolution adopted by a four-fifths vote of the board that court quarters are available for the additional judge, provided for by Section 1 of this act, and notifies the Governor of the adoption of such resolution either in person or by registered mail "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Kevsor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1404—An act to amend Sections 4908 and 4920 of, and to add Sections 4922 5 and 4925 to, the Public Utilities Code, relating to travel promoters

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1404?

Amendment No. 1

On page 3, line 20, of the printed bill, as amended in Assembly June 16, 1972, after "($1,000,000)", insert "or a wholly owned subsidiary of such corporation"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1782—An act to amend Section 6424 of, and to add Section 6423 to, the Labor Code, relating to trenches and excavations

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1782?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly June 22, 1972, after the period, insert "This section shall not apply to contracts awarded pursuant to the provisions of Chapter 3 (commencing with Section 14250) of Part 5 of Division 3 of Title 2 of the Government Code"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, La-Coste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1948—An act to amend Sections 2 and 5 of Chapter 1384 of the Statutes of 1970, relating to employment problems of parolees

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1948?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 2 and".

Amendment No. 2

On page 1, line 1, after "SECTION 1", insert "Section 2 of Chapter 1384 of the Statutes of 1970 is amended to read

Sec. 2 (a) The Department of Corrections shall undertake a pilot study on the operational usefulness and efficiency of employing a computer to match job offers by interested employers with parolees, or prisoners with parole dates, having the skills necessary to perform the job, and shall determine the employment patterns and problems of parolees in and returning to Parole Region III, the greater Los Angeles area, as determined by the department

(b) The Department of Corrections shall submit a report to the Legislature not later than the 30th legislative day of the ~~1972~~ *1973* Regular Session The report shall contain the following information: (1) the operational usefulness and efficiency of employing computers to match job offers by interested employers with parolees having the vocational skills necessary to perform the job, (2) any changes in the patterns of postrelease employment and recidivism by parolees after the implementation of this program, and (3) the cooperative efforts between governmental agencies in solving the problem which is the subject of the study, including, but not limited to, the cooperative efforts between the Department of Corrections and the Department of Human Resources Development.

SEC 2"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—None

Above bill order enrolled.

Assembly Concurrent Resolution No. 94—Relating to driver's license requirements

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 94?

Amendment No. 1

On page 2, line 5, of the printed measure, as amended in Assembly June 26, 1972, after "the", insert "Department of Motor Vehicles, with the advice of the".

Amendment No. 2

On page 2, line 6, after "Patrol", insert a comma.

Amendment No. 3

On page 2, line 14, strike out "a copy", and insert "copies".

Amendment No. 4

On page 2, line 14, after "to", insert "the Director of Motor Vehicles and".

The Assembly concurred in the above Senate amendments.
Above resolution ordered enrolled.

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file (Governor's vetoes pending):

Assembly Bill No. 1562, on request of Mr Z'berg

Assembly Bill No. 1414, on request of Mr Ralph.

MOTION TO RECONSIDER SENATE BILL NO. 1358 CONTINUED

Mr. Waxman was granted unanimous consent that his motion to reconsider the vote on Senate Bill No 1358 be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2124—An act to add Section 7503 to the Education Code, relating to educational programs.

Bill read third time, and passed by the following vote.

AYES—Arnett, Bagley, Beverly, Brathwaite, Brown, Burton, Cline, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Porter, Powers, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Wilson, Z'berg, and Mr. Speaker—48

NOES—Badham, Brophy, Burke, Collier, Lanterman, Moorhead, Murphy, and Wakefield—8

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2337—An act to amend Section 72602 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2337?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 15, 1972, after line 24, insert

"SEC 2 Section 72602 of the Government Code is amended to read:

72602. Each of the Los Angeles County municipal courts established in judicial districts shall have the number of judges set out below opposite the name of the judicial district over which such court has jurisdiction:

Whittier Municipal Court District	3	
San Antonio Municipal Court District	3	
East Los Angeles Municipal Court District	3	
Inglewood Municipal Court District	2	*3*
South Bay Municipal Court District	3	
Compton Municipal Court District	3	
Downey Municipal Court District	2	
Los Angeles Municipal Court District	64	
Santa Anita Municipal Court District	1	
Alhambra Municipal Court District	3	
Los Cerritos Municipal Court District	2	
Long Beach Municipal Court District	5	
Beverly Hills Municipal Court District	3	
Santa Monica Municipal Court District	3	
Burbank Municipal Court District	2	
Glendale Municipal Court District	2	
Pasadena Municipal Court District	4	
El Monte Municipal Court District	~~3~~	*4*
Pomona Municipal Court District	3	
South Gate Municipal Court District	1	
Citrus Judicial District	4	
Antelope Municipal Court District	1	
Culver Municipal Court District	1	
Newhall Municipal Court District	2	

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 735 are both chaptered and amend Section 72602 of the Government Code, and this bill is chaptered after Assembly Bill No 735, that the amendments to Section 72602 proposed by both bills be given effect and incorporated in Section 72602 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No. 735 are both chaptered, both amend Section 72602, and Assembly Bill No 735 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor,

Knox, LaCoste, Lancaster, Lanterman Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Wakefield, Warren, Wilson, Z'berg, and Mr Speaker—56.

NOES—Vasconcellos—1.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Bill No. 823—An act to amend Section 9360 7 of, and to add Article 8 (commencing with Section 9371) to Chapter 3 5 of Part 1 of Division 2 of Title 2 of, the Government Code, relating to the Legislators' Retirement System.

Bill read third time, and presented by Mr Barnes.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Barnes moved a call of the Assembly.

Motion carried. Time, 11 40 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1105—An act to amend Section 988 2 of the Military and Veterans Code, relating to veterans

Bill read third time, and presented by Mr LaCoste.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brophy, Brown, Burton, Chacon, Cline, Collier, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Monagan, Moorhead, Porter, Powers, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Cullen—1.

Bill ordered transmitted to the Senate

NOTE For explanation of vote by Mr Mobley relative to Senate Bill No 1105, see Assembly Journal for November 21, 1972, page 7802.

Senate Bill No. 1360—An act to amend Section 463 of, and to add Article 2 9 (commencing with Section 295) to Chapter 2 of Part 1 of Division 1 of, the Health and Safety Code, relating to determination of pregnancy.

Bill read third time, and presented by Mr Sieroty

Bill passed by the following vote

AYES—Arnett, Bagley, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Murphy, Porter, Powers, Ralph, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Badham, Collier, and Wakefield—3

Bill ordered transmitted to the Senate

Senate Bill No. 1450—An act to amend Section 846 of the Civil Code, and to amend Section 831 4 of the Government Code, relating to liability of landowners

Bill read third time, and presented by Mr Hayden

Bill passed by the following vote·

AYES—Arnett, Badham Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Powers, Russell, Sceley, Stacey, Stull, Thomas, Wakefield, Waxman, Wilson, Z'berg, and Mr Speaker—50

NOES—Porter—1.

Bill ordered transmitted to the Senate

Senate Bill No. 1187—An act making an appropriation for the acquisition of lands for the state park system, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Murphy

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Arnett, Badham Bagley, Beverly Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Deddeh, Dent Fenton Fong, Foran, Garcia, Gonsalves Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster Lanterman, Lewis, MacDonald MacGillivray, Maddy, McAlister, McCarthy Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers Russell, Seeley, Sieroty Stacey, Stull Thomas, Vasconcellos, Wakefield, Warren Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58

NOES—None

The question being on the passage of the bill
Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Beverly, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 340—An act to amend Sections 54784 and 66503 of to add Sections 65062 and 66180 to, to repeal Sections 65062, 65062 1, 65062.2, 66180, 66181, 66182, 66183, 66184, and 66185 of, to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of, the Government Code, and to add Sections 24351 and 24351.1 to, and to repeal Sections 24351, 24351 1, 24351 2, 24351 3, 24351.4, and 24351 5 of, of the Health and Safety Code, and to add Article 1 (commencing with Section 28700) to Chapter 3 of Part 2 of Division 10 of, and to repeal Article 1 (commencing with Section 28700) of Chapter 3 of Part 2 of Division 10 of, the Public Utilities Code, relating to city selection committees

Bill read third time, and presented by Mr Arnett.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 921—An act relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Knox.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Cory, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagall, Moorhead, Murphy, Porter, Ralph,

Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—Cullen—1

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Cory, Crown, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Cullen—1.

Bill ordered transmitted to the Senate

Senate Bill No. 1165—An act to add Section 14019.2 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and presented by Mr Brown

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—Collier and Wakefield—2

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read·

Assembly Chamber, November 15, 1972

Mr Speaker The Committee on Conference concerning

Senate Bill No. 1352—As amended in Assembly July 21, 1972—An act to amend Sections 554 and 602 of the Penal Code, relating to trespass and loitering;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following·

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 21, 1972, strike out "Sections 554 and 602", and insert "Section 554".

Amendment No. 2

On page 2, strike out lines 36 to 40, inclusive; and strike out all of pages 3 to 5, inclusive, and insert

"(1) A quarry used for the purpose of extracting surface or subsurface material or where explosives are stored or used for that purpose."

The undersigned consent to the report:

GEORGE DEUKMEJIAN	FRANK MURPHY
RALPH C. DILLS	ROBERT G. BEVERLY
STEPHEN P TEALE	JOHN F FORAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Brophy, Brown, Burke, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Wakefield, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53.

NOES—Miller and Sieroty—2

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Stull was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal:

Opinion of Legislative Counsel

Sacramento, November 16, 1972

Honorable John Stull
Assembly Chamber

California Coastal Zone Conservation Act of 1972—#18506

Dear Mr. Stull You have asked the following three questions relating to the effect of the California Coastal Zone Conservation Act of 1972 (Div. 18 (commencing with Sec. 27000), P.R.C.[1]) on any development located within the "permit area" as defined in Section 27104, which are separately stated and considered below

We have assumed, for the purposes of this opinion, that the development is of the type which may be regulated by the California Coastal Zone Conservation Act of 1972 and not the type which is expressly excepted from the requirement of a permit (Secs 27103, 27405)

Question No 1

Will a person be required to obtain a permit from a regional coastal zone conservation commission[2] in order to perform any development within the permit area on which construction is to commence on or after February 1, 1973?

[1] All section references, unless otherwise indicated, are to the Public Resources Code.
[2] Hereinafter referred to as the "regional commission"

Opinion No 1

It is our opinion that a person will be required to obtain a permit from a regional commission in order to perform any development within the permit area on which construction is to commence on or after February 1, 1973.

Analysis No 1

The Coastal Zone Conservation Act Initiative (Proposition 20 on the November 1972 General Election ballot), which was adopted by the people of this state, added, among other things, Division 18 (commencing with Section 27000) to the Public Resources Code [3] (California Coastal Zone Conservation Act of 1972)

Very generally, the provisions of Division 18 provide for the establishment of the California Coastal Zone Conservation Commission [4] and six regional commissions (Secs 27200, 27201) to regulate, with prescribed exceptions, development, as defined in Section 27103, in a designated area, referred to as the "permit area" of the "coastal zone" (Secs 27100, 27104, 27400,, et seq) and require the commission to adopt the California Coastal Zone Conservation Plan and submit it to the Legislature for its review, adoption, and implementation (Secs 27300, 27320). The provisions of Division 18 are operative only until the 91st day after the final adjournment of the 1976 Regular Session of the Legislature (Sec 27650)

Generally, the "permit area" includes that portion of the coastal zone lying between the seaward limit of the jurisdiction of the state and 1,000 yards landward from the mean high tide, subject to various prescribed provisions (see Sec 27104). The "coastal zone" extends seaward to the outer limit of state jurisdiction, including all islands within the jurisdiction of the state, and inland, generally, to the highest elevation of the nearest coastal mountain range (see Sec 27100)

Section 27400, contained in Division 18, provides, in pertinent part, as follows:

> "27400 *On or after February 1, 1973, any person wishing to perform any development within the permit area shall obtain a permit authorizing such development from the regional commission* [regional coastal zone conservation commission] and, if required by law, from any city, county, state, regional or local agency
>
> * * *" (Emphasis added)

Section 27103, also contained in Division 18, defines "development" to mean

> " on land, in or under water, the placement or erection of any solid material or structure, discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste, grading, removing, dredging, mining, or extraction of any materials, change in the density or intensity of use of land, including, but not limited to, subdivision of land pursuant to the Subdivision Map Act and any other division of land, including lot splits; change in the intensity of use of water, ecology related

[3] Hereinafter referred to as "Division 18"

[4] Hereinafter referred to as the "state commission"

thereto, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility, and the removal or logging of major vegetation As used in this section, 'structure' includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line "

As can be seen from the above-quoted language of Section 27400, any person wishing to perform any development, as defined in Section 27103, within the permit area on or after February 1, 1973, will be required to obtain a permit from the appropriate regional commission Section 27105, contained in Division 18, defines "person" to include " any individual, organization, partnership, and corporation, including any utility and any agency of federal, state, and local government "

In view of the above, we think it is clear that a person will be required to obtain a permit from a regional commission in order to perform any development on which construction is to commence on or after February 1, 1973

Question No 2

Will a person be required to obtain a permit from a regional commission in order to complete a development which commenced between April 1, 1972, and February 1, 1973?

We have assumed, for the purposes of this question, that a person in question has met all other requirements of law, such as obtaining a building permit, and will have performed substantial work and incurred substantial liabilities on the development prior to February 1, 1973.

Opinion and Analysis No 2

As can be seen from Analysis No 1, any person wishing to perform any development, as defined in Section 27103, on or after February 1, 1973, will be required to obtain a permit from the appropriate regional commission

There is nothing in Division 18, however, which requires that a person performing any development prior to February 1, 1973, obtain a permit from any regional commission if the development is completed prior to February 1, 1973, or if the development comes within one of the exceptions to the permit requirements (see Sec 27405) or within the provisions of Section 27404, which provides as follows

"27404 *If, prior to the effective date of this division* [Division 18], *any city or county has issued a building permit, no person who has obtained a vested right thereunder shall be required to secure a permit from the regional commission* , providing that no substantial changes may be made in any such development, except in accordance with the provisions of this division *Any such person shall be deemed to have such vested rights if, prior to April 1, 1972, he has in good faith and in reliance upon the building permit diligently commenced construction and performed substantial work on the development and incurred substantial liabilities for*

work and materials necessary therefor. Expenses incurred in obtaining the enactment of an ordinance in relation to the particular development or the issuance of a permit shall not be deemed liabilities for work or material" (Emphasis added)

Section 27404 thus provides that no person shall be required to obtain a permit from the regional commission who, prior to the effective date of Division 18, received a building permit from any city or county authorizing a particular development and who, prior to April 1, 1972, *in good faith* and in reliance upon such a building permit diligently commenced construction, performed *substantial work* on the development, and incurred *substantial liability* for work and materials necessary therefor; provided, however, that no substantial changes may be made in any such development, except in accordance with Division 18

Webster's Third New International Dictionary (1964), at page 2280, defines the word "substantial" as "considerable in amount, value, or worth" Giving the term "substantial" its ordinary and commonly understood meaning in the context of the provisions of Section 27404, we think that no person will be required to obtain a permit for any development within the permit area under the provisions of Division 18 to complete any project, if it is found, as a matter of fact, that such person received a building permit from any city or county prior to November 8, 1972, which is the effective date of Division 18 (see subd (a), Sec 24, Art IV, Cal Const), authorizing a particular development, and such person, *in good faith* and in reliance upon such a building permit, diligently commenced construction and performed a considerable amount of work and incurred considerable liability for work and materials necessary therefor prior to April 1, 1972.

As we have indicated above, any person wishing to perform any development on or after February 1, 1973, will be required to obtain a permit authorizing such a development from the appropriate regional commission (Sec 27400).

Except as discussed below, we think an applicant for a permit will be required to show that the development will not have any substantial adverse environmental or ecological effect (subd (a), Sec 27402) and that the development will be consistent with the findings and declarations set forth in Section 27001 and with the objectives set forth in Section 27302 (subd (b), Sec 27402).

Division 18 does not contain any express provision as to a person who, between April 1, 1972, and February 1, 1973, the date set for requiring permits of persons wishing to perform any development, has performed substantial work and incurred substantial liabilities on a development but has not brought it to completion Consequently, if a regional commission finds that the uncompleted development failed to meet the requisites of Section 27402, such as having a substantial adverse environmental or ecological effect (subd (a), Sec 27402), it could be contended that the applicant should be barred from completing his development.

As a general proposition, if a person has made substantial expenditures on a development *in good faith* reliance upon the issuance of a

building permit, a variance from a zoning ordinance, or other requirement of law which is final and not subject to appeal, such person has a right to complete his development, despite a change in the law which would otherwise prohibit it (see *Russian Hill Improvement Assn* v *Board of Permit Appeals*, 66 Cal. 2d 34, 39; *West Coast Advertising Co* v *City & County of San Francisco*, 256 Cal App 2d 357, 359; *Spindler Realty Corp* v *Monning*, 243 Cal App 2d 255, 263). A detailed specific plan in furtherance of a determination to accomplish a certain objective may be necessary to secure this right (*People ex rel S F Bay etc Com* v. *Town of Emeryville*, 69 Cal. 2d 533, 545, see also Sec. 27404 as it would prohibit substantial changes in a development commenced prior to April 1, 1972, in which a person may be deemed to have a vested right).

Applying the above principles, we think that if the issue of whether the person in question may complete a development commenced between April 1, 1972, and February 1, 1973, is presented to a court, the court will probably hold that the person has a right to complete the development, if it determines that he had *in good faith* and in reliance on the timely and final fulfillment of all legal requirements, such as obtaining a building permit from a local governing body, diligently commenced construction and performed substantial work on the development and incurred substantial liabilities for necessary work and materials; provided that no substantial changes were made in the development and that such development progressed pursuant to a specific plan with a certain determined objective Thus, the determination of whether the person in question has gone to such expense or effort on a development as will secure him a right in completion of the development is a decision for the courts, to be made on the facts of any particular case, because the question of what constitutes a right to complete a development is confined to the courts (*Criminal Courts Bar Assn.* v *State Bar*, 22 Cal App 3d 681, 687).

In this regard, we think that the courts, applying the general rule that statutes should be interpreted to give prime consideration to the objective sought to be achieved by the law as well as the evils to be prevented (*People ex rel S F Bay etc Com* v *Town of Emeryville*, supra, at p. 543), might require such a person, who commenced development between April 1, 1972, and February 1, 1973, and who has a right to complete such a development on or after February 1, 1973, to obtain, *as a matter of right*, a permit from the regional commission or state commission Since Division 18 contains explicit declarations requiring such a permit on or after February 1, 1973 (see Sec 27400), we think the courts might hold that such a person must obtain a permit in order to place the regional commission or the state commission on notice as to the type of development which will be performed on or after February 1, 1973, that it may more effectively plan for the orderly development of the coastal zone However, we further think that the person in question will be entitled to such permit *as a matter of right;* that is, the commission will be required to grant the permit even though a particular development might not otherwise qualify for a permit

Question No 3

Do the provisions of Division 18 prohibit local governments from issuing or denying building permits prior to the formation of the regional commissions and the state commission?

Opinion and Analysis No 3

There is nothing in Division 18 which prohibits local governments from issuing or denying building permits prior to or after the formation of the regional commissions or state commission Furthermore, as can be seen from Section 27400 (see Analysis No 1, above), the granting of permits by a regional commission on or after February 1, 1973, will not remove the necessity for also obtaining any city, county, or local or regional agency permit required by law for any proposed development

Therefore, we think that the provisions of Division 18 do not prohibit local governments from issuing or denying building permits prior to the formation of the regional commissions and the state commission.

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By Victor Kozielski
Deputy Legislative Counsel

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2395: By Assemblyman Davis—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster and to amend Section 5 of Chapter 74 of the Statutes of 1972, making an appropriation therefor and declaring the urgency thereof, to take effect immediately

Referred by the Speaker to the Committee on Ways and Means

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 20, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed

Assembly Bill No. 2395—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster and to amend Section 5 of Chapter 74 of the Statutes of 1972, making an appropriation therefor and declaring the urgency thereof, to take effect immediately

PAULINE L DAVIS

Above request ordered transmitted to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 20, 1972

Mr. Speaker: Your Committee on Rules recommends

That the request by Mrs Davis for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2395 be granted.

BURTON, Chairman

RESOLUTIONS

The following resolution was offered:

By Assemblyman Davis:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No. 2395 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Lancaster, Lanterman Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mrs Davis was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2395 for hearing in the Committee on Ways and Means

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2230

At 12 m., on motion of Mr. Brophy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No 2230 by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson,

Karabian, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—None.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 401

Mr Maddy was granted unanimous consent to rescind the action whereby the Assembly, on November 14, 1972 (Assembly Journal, page 7618), concurred in Senate amendments to Assembly Bill No 401, whereby the bill was ordered enrolled, and whereby on November 17, 1972 (Assembly Journal, page 7679) the bill was reported correctly enrolled, and presented to the Governor

Further Consideration of Senate Amendments To Assembly Bill No. 401

Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 401?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly April 19, 1972, after "state", insert "university or"

Amendment No. 2

On page 2, line 1, after the first "the", insert "university or".

Amendment No. 3

On page 2, line 3, after the second "the", insert "university or".

Amendment No. 4

On page 2, line 6, after the first "the", insert "university or".

Amendment No. 5

On page 2, line 6, after the second "the", insert "university or".

Amendment No. 6

On page 2, line 9, after "state", insert "university or".

Amendment No. 7

On page 2, line 11, after "state", insert "university or".

Amendment No. 8

On page 2, line 15, after "such", insert "university or".

Amendment No. 9

On page 2, line 18, after "such", insert "university or".

Amendment No. 10

On page 2, line 25, after the first "the", insert "university or".

Amendment No. 11

On page 2, line 25, strike out "20", and insert "10".

Amendment No. 12

On page 2, line 26, after "such", insert "university or".

Amendment No. 13

On page 2, line 31, after "the", insert "university or".

Amendment No. 14

On page 2, line 32, after "state", insert "university or",

Amendment No. 15

On page 2, line 36, after "the", insert "university or".

Amendment No. 16

On page 3, line 5, after "state", insert "university or".

Amendment No. 17

On page 3, line 8, after the second "the", insert "university or".

Amendment No. 18

On page 3, line 11, after the first "the", insert "university or".

Amendment No. 19

On page 3, line 11, after the second "the", insert "university or".

Amendment No. 20

On page 3, line 14, after "state", insert "university or".

Amendment No. 21

On page 3, line 16, after "state", insert "university or".

Amendment No. 22

On page 3, line 20, after "such", insert "university or".

Amendment No. 23

On page 3, line 23, after "such", insert "university or".

Amendment No. 24

On page 3, line 30, after the first "the", insert "university or".

Amendment No. 25

On page 3, line 30, strike out "20", and insert "10".

Amendment No. 26

On page 3, line 31, after "such", insert "university or".

Amendment No. 27

On page 3, line 36, after "the", insert "university or".

Amendment No. 28

On page 3, line 37, after "state", insert "university or".

Amendment No. 29

On page 4, line 1, after "the", insert "university or".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Burton, Cory, and Monagan—3.

NOES—Arnett, Badham, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Chacon, Cline, Collier, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Porter, Powers, Quimby, Russell, Seeley, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 401

The Acting Speaker appointed Messrs Maddy, Cory, and Ray E. Johnson as a Committee on Conference concerning Assembly Bill No. 401.

BILLS REMOVED FROM CONSENT CALENDAR

On request of Mr. Waxman, Senate Bill No. 1462 was removed from the Consent Calendar

On request of Mr Stacey, Senate Bill No. 31 was removed from the Consent Calendar.

Above bills ordered replaced on the second reading file, pursuant to Joint Rule No. 22 2.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 164—An act to amend Section 1 of Chapter 847 of the Statutes of 1967, relating to a grant pursuant to the Davis-Grunsky Act to the San Bernardino Valley Municipal Water District in connection with the Yucaipa Project.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 191—An act relating to Inglenook Fen, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 200—An act to amend Section 24453 of the Education Code, relating to state colleges.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 229—An act relating to state lands at San Quentin.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 235—An act making an appropriation for the development of Bolsa Chica State Beach.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 282—An act to add Sections 18609 and 18752.5 to the Business and Professions Code, relating to boxing.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 334—An act to amend Section 23428 10 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 436—An act to amend Sections 9221 5, 9234, 9240, 9243, 9244, 9246, 9400, 9401, 9440, 9441, 9442, 9445, 9461, 9492, 9500, 9600, and 9820, of the Education Code, as added by Chapter 929 of the Statutes of 1972, and to add Section 9222 3 to the Education Code, relating to instructional materials.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 678—An act to add Section 75109 5 to the Government Code, relating to the Judges' Retirement Law

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 680—An act to add Section 9354 5 to the Government Code, relating to the Legislators' Retirement System

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 765—An act to amend Section 8101 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 873—An act to amend Section 11478 5 of the Welfare and Institutions Code, relating to public assistance

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1115—An act making an appropriation for the development of Rincon Point

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1167—An act to amend Section 14120 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1174—An act to amend Sections 7354 and 10053.5 of, and to amend and renumber Section 16200.5 of, the Welfare and Institutions Code, relating to mentally retarded persons, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1235—An act to amend Sections 1 and 2 of Chapter 1672 of the Statutes of 1967, relating to recreation and fish and wildlife enhancement associated with state water projects

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1365—An act relating to housing and community development.

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1390—An act to add Section 14196 1 to the Education Code, relating to the State Teachers' Retirement System

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory,

Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1499—An act to amend Section 12791 of the Education Code, relating to employment of minors

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brophy, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered

By Assemblyman Leroy F Greene·

House Resolution No. 130

Relative to unsafe school building funds

WHEREAS, The Legislature has heretofore made funds available for the construction of new school facilities including the replacement of unsafe school buildings under the provisions of Chapter 1575, of the Statutes of 1947, as amended, and pursuant to Chapter 5 (commencing with Section 18901), Chapter 8 (commencing with Section 19401), and Chapter 10 (commencing with Section 19551) of Division 14 of the Education Code; and

WHEREAS, Unsafe buildings have been replaced with new construction under such programs, but several of such unsafe buildings have not yet been demolished or disposed of and have remained in continuous use; and

WHEREAS, The Legislature enacted Chapter 118 of the Statutes of 1971, to implement a $250,000,000 bond issue authorized by the electorate in June 1972, for the purpose of replacing or reconstructing existing school buildings which do not meet earthquake structural safety requirements, and

WHEREAS, Certain school districts are requesting funds for the replacement of unsafe buildings which have already been replaced with

state funds under previous programs, but which have remained in continuous use; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Allocation Board is hereby advised that it is not the intention of the Legislature to replace or reconstruct any unsafe school buildings under Chapter 118, of the Statutes of 1971, which have already been reconstructed or replaced using funds made available under Chapter 1575 of the Statutes of 1947, as amended, or Chapters 5 (commencing with Section 18901), 8 (commencing with Section 19401), and 10 (commencing with Section 19551) of Division 14 of the Education Code; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Chairman of the State Allocation Board

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

VOTE CHANGES

Mr Russell was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bills Nos 378, 523, 585 and 930

Mr Gonsalves was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 1360.

Mr Lancaster was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1165.

MOTION TO RECONSIDER SENATE BILL NO. 1249 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No 1249 was continued until the next legislative day.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 823

At 12 06 p m, on motion of Mr Barnes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 823 passed by the following vote.

AYES—Arnett, Badham, Barnes, Beverly, Brathwaite, Briggs, Brown, Burton, Cline, Collier, Crown, Cullen, Davis, Dent, Fong, Foran, Garcia, Gonsalves Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Porter, Powers, Quimby, Ralph, Seeley, Stacey, Thomas, Waxman, Wood, and Z'berg—41.

NOES—Burke, Deddeh, Moorhead, Murphy, Russell, Vasconcellos, Wakefield, and Wilson—8

Bill ordered transmitted to the Senate

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:09 p.m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 12.10 p m , Acting Speaker Fenton declared the Assembly adjourned until 10 a m , Tuesday, November 21, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirtieth Legislative Day

Three Hundred Twenty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, November 21, 1972

The Assembly met at 10 a m.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Motion carried. Time, 10 01 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10 19 a m , Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

We Pray O Lord, For leaders of governments and those whose words and actions will influence the course of our history, that they may not tolerate injustice, seek refuge in violence or make rash and ill-considered decisions about the future of other people

We pray for all who live in the shadow of world events, for those who are never noticed or lauded, but who do their duty and remain obscure. We pray for all who are automatically just, peaceful and industrious, whose contribution is indispensable We pray that none will be ignored or forgotten for we do not walk or work alone, neither without You, Lord, nor without each other—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr. Dent then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr McCarthy, seconded by Mr. Russell

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Belotti, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere.

Mr. Duffy, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem·

Mr Brophy, on request of Acting Speaker Fenton
Mr Ketchum, on request of Acting Speaker Fenton.

The following Member was granted leave of absence because of illness in his family.

Mr Bee, on request of Acting Speaker Fenton.

NOTE. For letter explaining the absence of Mr Duffy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for November 20, 1972, page 7733

NOTE For letter explaining Mr Bee's absence on this day, see Assembly Daily Journal for November 28, 1972, page 7907

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal·

Press Credentials

November 15, 1972

Squire Behrens, President
Capitol Correspondents Association
State Capitol, Sacramento, California

Dear Squire: This will confirm approval of the following to be accredited press representatives in the Legislature:

Sheila D Marsee for Copley News Service replacing Chris Drake;
John F Roberts for KPFA & Radio News West,
Christian W H Solinsky for Sacramento Report.

Sincerely,

JOHN L BURTON, Chairman
Joint Rules Committee

REPORTS

The following report was presented by the Chief Clerk:

Report on State Personnel Board Activities Under the Welfare Reform Act of 1971. (September 1, 1972 to October 31, 1972.) November 10, 1972.

Above transmitted report, together with letter of transmittal from Richard L Camilli, Executive Officer, California State Personnel Board, Sacramento, dated November 10, 1972, referred by the Acting Speaker to the Committee on Welfare.

COMMUNICATIONS

Assembly Chamber, November 20, 1972

Mr Speaker. Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 327—An act making an appropriation to pay the claim of Ross Plaza Pharmacy against the State of California;

Assembly Bill No. 898—An act to amend Sections 3517, 3575, and 5004 of, and to add Section 3521 to and Article 3 5 (commencing with Section 3581) to Chapter 1 of Division 2 of, the Public Utilities Code, relating to carriers,

Assembly Bill No. 1171—An act to amend Sections 14202, 14254, 14903, 14910, 15101, 15150, 15201, 15704, 15752, 15753, and 15757 of, and to add Section 15102 2 to, the Financial Code, relating to credit unions;

Assembly Bill No. 1557—An act to amend Section 11513 of the Government Code, relating to examination of witnesses,

Assembly Bill No. 1594—An act to amend Section 1563 of the Code of Civil Procedure, relating to unclaimed property;

Assembly Bill No. 1920—An act to amend Sections 242 and 4702 of the Civil Code, relating to family law;

Assembly Bill No. 1947—An act to add Section 6256 to the Penal Code, relating to the state correctional system,

Assembly Bill No. 1988—An act to amend Sections 74191, 74192, 74193, 74194, and 74195 of the Government Code, relating to courts,

Assembly Bill No. 2012—An act to amend Sections 17921, 17922, 17925, 17930, 17952, 17958, and 17958 7, and to repeal Section 17922 5 of the Health and Safety Code, relating to housing;

Assembly Bill No. 2065—An act to repeal Section 13107 of, and to add Section 13107 to, the Health and Safety Code, relating to fires;

And reports the same correctly enrolled, and presented to the Governor at 2 p m., November 20, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, November 20, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 101—Relative to the effect of highway surfaces on motorcycles;

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of November, 1972, at 2 p m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, November 21, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No. 711

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, November 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No. 981

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Retirement

Assembly Chamber, November 20, 1972

Mr Speaker: Your Committee on Retirement reports.

SB No. 314

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BARNES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, November 20, 1972

Mr. Speaker: Your Committee on Retirement reports:

SB No. 1500

With the recommendation · Do pass, and be re-referred to the Committee on Ways and Means with recommendation to Consent Calendar.

BARNES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Revenue and Taxation

Assembly Chamber, November 21, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports:

SB No. 417

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, November 21, 1972

Mr Speaker. The Chairman of your Committee on Revenue and Taxation reports·

SB No 1371

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1371—An act to amend Sections 254 and 255 3 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly November 9, 1972, after "exhibition", insert ", veterans' organization".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, November 21, 1972

Mr. Speaker. The Chairman of your Committee on Revenue and Taxation reports:

SB No. 47

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation

GONSALVES, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 47—An act to amend Sections 6011, 6012, 6051, 6052 5, 6201, 7102, 7202, and 7203 of the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 9 of the printed bill, as amended in Assembly November 9, 1972, strike out lines 28 and 29, and insert "shall be estimated by the State Board of Equalization, with the concurrence of the Department of Finance, for each fiscal year, commencing with the fiscal year 1973–1974. The estimate shall be made as soon as practicable after the close of each fiscal year, and the amount so estimated shall be transferred to the State Transportation Fund."

Amendment No. 2

On page 10, line 34, strike out "85 percent of".

Amendment No. 3

On page 10, line 39, strike out "the tax", and insert "that portion of the tax computed at a rate of 1 percent".

Amendment No. 4

On page 13, line 29, strike out "85 percent of the use tax", and insert "that portion of the use tax computed at a rate of 1 percent".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

MESSAGES FROM THE SENATE

Senate Chamber, November 20, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1352

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1544

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, November 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1362

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Zenovich, Beilenson and Behr as a Committee on Conference concerning.

Assembly Bill No. 384

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Zenovich, Beilenson and Behr as a Committee on Conference concerning.

Assembly Bill No. 401

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 20, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 675

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, November 20, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 408	AB No 780	AB No 1963
AB No. 544	AB No. 1213	AB No. 2104
AB No. 719	AB No. 1283	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, November 20, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 1261

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 981

Mr. Deddeh was granted unanimous consent to take up Senate Bill No. 981, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Senate Bill No. 981 by Unanimous Consent

Senate Bill No. 981—An act to amend Section 65860 of, and to add Section 65302.5 to, the Government Code, and to add Sections 39052.9 and 39277 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly November 9, 1972, strike out "to amend Section 65860 of, and to add Section 65302.5"; strike out line 2 of the title; and in line 3 of the title, strike out "39277 to the Health and Safety Code,".

Amendment No. 2

On page 2, strike out lines 1 to 15, inclusive; strike out page 3, and on page 4, strike out lines 1 to 25, inclusive; and in line 26, strike out "39052.9. The board", and insert

"SECTION 1. The State Air Resources Board".

Amendment No. 3

On page 4, lines 28 and 29, strike out "adopt, on or before July 1, 1973," and insert "submit, not later than July 1, 1973, a report to the Legislature on proposed".

Amendment No. 4

On page 4, line 30, strike out "the", and insert "an".

Amendment No. 5

On page 4, lines 30 and 31, strike out ", as required by Section 65302.5", and insert "of counties and cities prepared pursuant to Article 5 (commencing with Section 65300), Chapter 3, Title 7".

Amendment No. 6

On page 4, line 32, strike out "The", and insert "The proposed".

Amendment No. 7

On page 4, line 33, after "planning", insert a comma.

Amendment No. 8

On page 5, between lines 7 and 8, insert

"SEC 2. The sum of fifty thousand dollars ($50,000) is hereby appropriated from the Motor Vehicle Account in the State Transportation Fund to the State Air Resources Board to prepare the report required under Section 1 of this act."

Amendment No. 9

On page 5, strike out lines 8 to 40, inclusive; and strike out page 6.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:21 a.m., Mr. Russell was granted unanimous consent to hold a special meeting of the Committee on Government Administration in the rear of the Assembly Chamber, at this time.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 2388, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 714—An act to add and repeal Section 13131 of, and to add Section 13132.5 to, the Education Code, to amend, repeal, and add Section 11391 of, to add Division 10.8 (commencing with Section 11940) to, to repeal Sections 210, and 11655.9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 1 of, and Division 10.8 (commencing with Section 11940) of, the Health and Safety Code, to amend Section 11655.8 of, and to repeal Section 11655.7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655.7 and 11655.8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2.5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154, 5619, and 5654 of, to amend, repeal, and add Section 5651 of, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add Sections 4330 and 5801 of the Welfare and Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 6 of the heading of the printed bill, as amended in Assembly November 14, 1972, strike out "and Porter", and insert "Porter, Dunlap, Foran, Chappie, Lanterman, Brown, Vasconcellos, and MacDonald".

Amendment No. 2

In line 14 of the title, strike out ", 5619, and 5654", and insert "and 5619".

Amendment No. 3

In line 15 of the title, after the second "add", insert "Sections 5606.5 and 5764.5 to, to add".

Amendment No. 4

In line 22 of the title, after "4330", insert ", 5764.5,".

Amendment No. 5

On page 13, strike out line 6, and insert

"(a) "Committee" means the Technical Advisory Committee of the Citizens Advisory Council."

Amendment No. 6

On page 15, strike out lines 19 to 40, inclusive; strike out page 16; and on page 17, strike out lines 1 to 16, inclusive.

Amendment No. 7

On page 17, line 17, strike out "4341", and insert "4337".

Amendment No. 8

On page 17, line 18, strike out "board", and insert "committee".

Amendment No. 9

On page 17, line 21, strike out "4", and insert "3".

Amendment No. 10

On page 17, line 32, strike out "and", and insert ", except that the Research Advisory Panel shall have authority to approve methadone research programs. The department".

Amendment No. 11

On page 20, line 12, strike out "5", and insert "4".

Amendment No. 12

On page 25, strike out line 40, and insert

"(a) "Committee" means the Technical Advisory Committee of the Citizens Advisory Council."

Amendment No. 13

On page 26, between lines 5 and 6, insert

"SEC 19 7. Section 5606 5 is added to the Welfare and Institutions Code, to read·

5606 5 Each local mental health advisory board shall have a technical advisory committee on drug abuse, the members of which shall be appointed by the board of supervisors The membership of the advisory committee shall be composed of representatives of law enforcement agencies, public drug programs, private drug programs, education, and the general public selected by the board of supervisors.

The county technical advisory committee shall·

(a) Review and evaluate the community's drug program needs, services, facilities, and special programs.

(b) Review the drug program portion of the county Short-Doyle plan.

(c) After adoption of a program, continue to act in an advisory capacity to the county drug program coordinator designated pursuant to Section 5802 and the local mental health advisory board.

(d) Report its findings and recommendations to the county drug program coordinator designated pursuant to Section 5802 and the local mental health advisory board."

Amendment No. 14

On page 26, line 39, after the period, insert "The drug abuse component of the plan shall also include, but not be limited to, elements relating to prevention, detoxification, treatment and referral services, rehabilitation, and coordination of programs and other community services."

Amendment No. 15

On page 28, line 17, after the period, insert "The drug abuse component of the plan shall also include but not be limited to, elements relating to prevention, detoxification, treatment and referral services, rehabilitation, and coordination of programs and other community services."

Amendment No. 16

On page 29, strike out lines 12 to 24, inclusive, and insert

"SEC 25 Section 5764 5 is added to the Welfare and Institutions Code, to read:

5764 5 The Citizens Advisory Council shall appoint a technical advisory committee on narcotics and drug abuse. The membership of the committee shall be composed of not more than seven persons who are determined by the council to be representative of law enforcement agencies, public drug programs, private drug programs, education, and the general public.

The committee shall have the powers and authority necessary to carry out the duties imposed upon it by the council, including, but not limited to, the following

(a) To advise the council on the development of the drug abuse component of the state five-year plan.

(b) To periodically review drug abuse treatment services in this state, and prepare such reports as necessary for the council.

(c) To suggest such rules, regulations, and standards to the council as it determines would promote effective drug abuse treatment services in this state.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

SEC. 25.5. Section 5764.5 is added to the Welfare and Institutions Code, to read:

5764.5. The Citizens Advisory Council shall appoint a technical advisory committee on narcotics and drug abuse. The membership of the committee shall be composed of not more than seven persons who are determined by the council to be representative of law enforcement agencies, public drug programs, private drug programs, education, and the general public.

The committee shall have the powers and authority necessary to carry out the duties imposed upon it by the council, including, but not limited to, the following:

(a) To advise the council on the development of the drug abuse component of the state five-year plan.

(b) To periodically review drug abuse treatment services in this state, and prepare such reports as necessary for the council.

(c) To suggest such rules, regulations, and standards to the council as it determines would promote effective drug abuse treatment services in this state.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative."

Amendment No. 17

On page 30, strike out lines 6 and 7, and insert

"(b) "Advisory committee" means the county technical advisory committee established pursuant to Section 5606.5."

Amendment No. 18

On page 30, line 29, strike out "board", and insert "committee".

Amendment No. 19

On page 31, strike out lines 11 to 40, inclusive; strike out pages 32 to 36, inclusive; and on page 37, strike out lines 1 to 6, inclusive.

Amendment No. 20

On page 37, strike out lines 12 and 13, inclusive, and insert

"(b) "Advisory committee" means the county technical advisory committee established pursuant to Section 5606.5."

Amendment No. 21

On page 39, strike out lines 31 and 32, inclusive; and on line 33, strike out "of Division 4, nor".

Amendment No. 22

On page 40, strike out lines 6 to 19, inclusive.

Amendment No. 23

On page 41, between lines 6 and 7, insert

"SEC 30 5. It is the intent of the Legislature, that, if Reorganization Plan No 1 of 1970 becomes operative, Section 5764 5 of the Welfare and Institutions Code, as added by Section 25 of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Section 5764 5 of the Welfare and Institutions Code, as added by Section 25 5 of this act, which includes the changes in such section to conform to Reorganization Plan No. 1 of 1970, shall become operative "

Bill ordered reprinted, and returned to the second reading file.

Senate Bill No. 1462—An act relating to the state park system and making an appropriation therefor

Bill read second time, and ordered to third reading.

Senate Bill No. 31—An act to add Section 418.3 to the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 711—An act to add Section 53069.9 to the Government Code, relating to districts.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Briggs, Brown, Chappie, Cline, Collier, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Priolo, Russell, Seeley, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Wilson, Wood, and Mr Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 864—An act to amend Section 39152 of, and to add Sections 39152 5 and 39152 6 to, the Health and Safety Code, relating to air pollution and making an appropriation therefor

Bill read third time, and presented by Mr Badham.

Bill passed by the following vote.

AYES—Arnett, Badham, Barnes, Beverly, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Wilson, Wood, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 357—An act to add Article 12 (commencing with Section 50280) to Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, to repeal the heading of Article 3 (commencing with Section 5036 5) of Chapter 1 of Division 5 of, to amend and renumber Section 5036 5 of, and to add Article 3 (commencing with Section 5031) to Chapter 1 of Division 5 of, the Public Resources Code, and to add Article 7 (commencing with Section 1161) to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the taxation of property of historical significance.

Bill read third time, and presented by Mr. Gonsalves

Bill passed by the following vote.

AYES—Arnett, Badham, Beverly, Brathwaite, Briggs, Brown, Chappie, Cline, Conrad, Cory, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Hayden, Harvey Johnson, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Warren, Wood, Z'berg, and Mr Speaker—44

NOES—Barnes, Collier, Davis, Dunlap, Leroy F. Greene, Ralph, Vasconcellos, Wakefield, and Wilson—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1500 for hearing in the Committee on Ways and Means, on Wednesday, November 22, 1972

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1112—An act to amend Sections 12551 and 12553 of, to amend and renumber Section 12551 5 of, to add Sections 12601, 12602, 12603, 12604, and 12605 to, and to repeal Section 12601 of, the Education Code, relating to pupils.

Bill read third time.

Motion to Amend

Mr. Arnett moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly November 16, 1972, after "Sections", insert "5952,"

Amendment No. 2

In line 1 of the title, after "12551", insert a comma.

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 5952 of the Education Code is amended to read:

5952 The governing board of each high school district and each unified school district shall establish and maintain within its boundaries special continuation education classes and may establish and maintain regional occupational centers *or programs*, in accordance with the provisions of Section 7451, whenever there are any minors residing within the district who are subject to compulsory continuation education, provided, that if there are fewer than 100 students enrolled in grade 12 in any school of the district maintaining that grade, the governing board of the district may apply to the State Department of Education for exemption of that school from the requirements of this section and such exemption may be granted in accordance with rules and regulations that shall be adopted by the State Board of Education to govern the granting of the exemptions An exemption may also be granted to schools having an enrollment of more than 100 pupils in grade 12 if the district seeking the exemption has entered into an agreement with another high school district or unified school district to maintain special continuation education classes for minors residing in either of the districts, but shall not be granted if the agreement would make it necessary for such minors to travel an excessive distance from their homes to the continuation education classes.

If there is a regional occupational center *or program* as provided in Chapter 14 (commencing with Section 7450) of Division 6 within a county, the governing board of any school district within that county may enroll minors, otherwise subject to, and in lieu of, continuation education, in the center in accordance with the provisions of Section 7455.

SEC. 2. Section 12551 of the Education Code is".

Amendment No. 4

On page 2, line 10, after the period, insert "Such minimum attendance requirement of four 60-minute hours per week may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers or programs."

Amendment No. 5

On page 2, line 11, strike out "SEC 2", and insert "SEC. 3".

Amendment No. 6

On page 2, line 26, strike out "SEC 3", and insert "SEC 4".

Amendment No. 7

On page 3, line 6, after "centers", insert "or programs".

Amendment No. 8

On page 3, line 7, strike out "SEC 4", and insert "SEC 5".

Amendment No. 9

On page 3, line 9, strike out "SEC 5", and insert "SEC 6".

Amendment No. 10

On page 3, line 27, after "center", insert "as provided in Section 5952".

Amendment No. 11

On page 3, line 34, strike out "SEC 6", and insert "SEC. 7".

Amendment No. 12

On page 4, line 16, strike out "12604", and insert "12603".

Amendment No. 13

On page 4, line 22, strike out "SEC. 7", and insert "SEC. 8".

Amendment No. 14

On page 5, line 3, strike out "SEC. 8", and insert "SEC. 9".

Amendment No. 15

On page 5, line 17, strike out "SEC 9", and insert "SEC 10".

Amendment No. 16

On page 5, line 26, strike out "SEC 10", and insert "SEC. 11".

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Senate Bill No. 125—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Chappie

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr Speaker—57.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Powers,

Priolo, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 763—An act to add Section 1002.7 to the Education Code, relating to governing boards of school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 763?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly May 10, 1972, strike out "a vacancy or", and insert "not more than two".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Barnes, Beverly, Brathwaite, Briggs, Brown, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr Speaker—54.

NOES—None.

Above bill ordered enrolled

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 135—An act to amend Section 20750 8 of, to add Sections 20750.144, 20750.28, 20750 38, and 21222.1 to the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and presented by Mr. MacDonald.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brown, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Fenton, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Mobley was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1507 for hearing in the Committee on Ways and Means on Wednesday, November 22, 1972.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 401—An act to amend Sections 4700 and 4706 of, and to add Section 4706.5 to, the Labor Code, relating to workmen's compensation.

Bill read third time, and presented by Mr Murphy.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 656—An act to amend Sections 5701, 5756, 6750, 6801, 6901, 6902, 11478, 25514.5, 25601, and 26501 of, and to add Sections 6931.5, 6950.5, and 17255 to, the Education Code, and to amend Section 22815 of the Education Code, as added by Chapter 1100 of the Statutes of 1972, relating to public education

Bill read third time, and presented by Mr Leroy F. Greene.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Wilson, Wood, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 175—An act to amend Sections 421, 422, and 423 of, and to add Section 423.7 to, the Revenue and Taxation Code, relating to property taxation

Bill read third time, and presented by Mr. Gonsalves.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Briggs, Brown, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan,

Moorhead, Porter, Powers, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wood, and Mr. Speaker—51.

NOES—Collier, Dent, Dunlap, Harvey Johnson, Meade, Miller, Murphy, Priolo, Sieroty, Vasconcellos, Wilson, and Z'berg—12.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that television and press photographers be permitted on the floor of the Assembly.

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 107

The hour having arrived, Senate Bill No. 107 was taken up.

Senate Bill No. 107—An act to add Chapter 1.4 (commencing with Section 5093.50) to Division 5 of the Public Resources Code, relating to wild and scenic rivers.

Bill read third time.

Motion to Amend

Mr. Ray E. Johnson moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 27, of the printed bill, as amended in Assembly November 17, 1972, strike out "after an initial"; and strike out lines 28 to 35, inclusive, and insert "within a period of six years following the effective date of this chapter, the Department of Water Resources shall report to the Legislature as to the need for projects on the Eel River needed to supply water to the Counties of Lake, Mendocino, Sonoma, Marin, Napa, Solano, and Yolo, to improve the water quality of Clear Lake, and to provide outflows from the Sacramento-San Joaquin Delta to San Francisco Bay consistent with the criteria established by the State Water Resources Control Board."

Amendment read, and refused adoption by the following vote:

AYES—Badham, Barnes, Chappie, Collier, Conrad, Ray E. Johnson, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Porter, Quimby, Russell, Seeley, Stull, Thomas, and Wakefield—20.

NOES—Arnett, Bagley, Beverly, Briggs, Brown, Burton, Chacon, Cline, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Powers, Priolo, Ralph, Sieroty, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—43.

Senate Bill No. 107 presented by Mr. Moretti.

The question being on the passage of the bill,

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly.

Motion carried. Time, 12:06 p.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 4

The hour having arrived, Senate Bill No 4 was taken up.

Senate Bill No. 4—An act to add Chapter 14 (commencing with Section 5093.50) to Division 5 of the Public Resources Code, relating to waterways.

Bill read third time.

Motion to Amend

Mr. Chappie moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly November 17, 1972, between lines 37 and 38, insert

"(h) American River. The North Fork from its source to the Iowa Hill Bridge."

Amendment read, and adopted.

Bill ordered reprinted.

Request for Unanimous Consent to Set Senate Bill No. 4 for Special Order

Mr. Brown was granted unanimous consent that Senate Bill No. 4 be made a special order of business for Monday, November 27, 1972, at 11:30 a.m.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 367 and 1274 for hearing in the Committee on Ways and Means on Wednesday, November 22, 1972.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 1440, on request of Mr. Townsend.

REQUEST FOR UNANIMOUS CONSENT

Mr. Pierson was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 2044 to the Assembly for further action.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 85 FROM COMMITTEE

Mr. Mobley was granted unanimous consent that Senate Concurrent Resolution No 85 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 85

Senate Concurrent Resolution No. 85—Relative to the Joint Committee on the State's Economy.

Resolution read, presented by Mr Mobley, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 132

Mr Brown was granted unanimous consent to take up Assembly Concurrent Resolution No 132 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 132

Assembly Concurrent Resolution No. 132—Relative to a recess of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Wednesday, November 22, at 8 a.m.—

Ways and Means (Brown, Chairman).

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 15, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 1105—As amended in Senate July 13, 1972—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes to take effect immediately, tax levy;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in Senate July 13, 1972, strike out "to take effect immediately, tax levy".

Amendment No. 2

On page 3, strike out lines 7 to 25, inclusive

The undersigned consent to the report:

J. WEDWORTH	LEO T McCARTHY
W. E COOMBS	ERNEST MOBLEY
WALTER W. STIERN	KENNETH CORY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote.

AYES—Arnett, Badham, Bagley, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Cline, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—68.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. McCarthy was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal:

Opinion of Legislative Counsel

Sacramento, November 21, 1972

Honorable Leo T McCarthy
Assembly Chamber

Wild Rivers—#18895

Dear Mr. McCarthy.

Question

You have asked whether Senate Bill No 107 of the 1972 Regular Session, as amended November 17, 1972, would permit all measures for flood protection along the Eel River, except for dams, reservoirs, or other water impoundment structures, including such measures as levees along the banks of the Eel River, flood plain zoning, and temporary flood storage basins on tributaries of the Eel River

Opinion

In our opinion S B 107, as amended November 17, 1972, would permit all measures for flood protection along the Eel River, except for dams, reservoirs, or other water impoundment structures, including such measures as levees along the banks of the Eel River, flood plain zoning, and temporary flood storage basins on tributaries of the Eel River.

Analysis

S B 107, as amended November 17, 1972, would establish a California Wild and Scenic Rivers System, consisting of specified rivers or segments of rivers within the Klamath, Trinity, Smith, Eel, and American River systems. Among other things, the bill would prohibit the construction of dams, reservoirs, or other water impoundment structures on such rivers.

S B 107, however, would contain a special provision relating to measures for flood protection along the Eel River Section 5093 57, as proposed to be added to the Public Resources Code by S B 107,[1] would read as follows

> "5093 57 Nothing in this chapter shall be construed to prohibit any measures for flood protection, structural or nonstructural, necessary for the protection of lives and property along the Eel River as described in subdivision (d) of Section 5093 54, except for dams, reservoirs, or other water impoundment structures, provided, however, that such measures for flood protection may include facilities for temporary flood storage or flood storage basins on tributaries of the Eel River."

Subdivision (d) of Section 5093 54 would describe the segments of the Eel River included in the system Section 5093 57, therefore, would specify that nothing in the bill shall be construed to prohibit any measures for flood protection, structural or nonstructural, necessary for the protection of lives and property along the Eel River, except for dams, reservoirs, or other water impoundment structures, although facilities for temporary flood storage or flood storage basins on tributaries of the Eel River would be expressly permitted.

[1] All section references are to sections proposed to be added to the Public Resources Code by S B 107

Thus, Section 5093 57 would expressly permit under S B 107 all measures for flood protection on the Eel River which do not involve a dam, reservoir, or other water impoundment structure. In addition, Section 5093.57 would expressly permit facilities for temporary flood storage on tributaries of the Eel River

In our opinion, therefore, S B 107, as amended November 17, 1972, would permit all measures for flood protection along the Eel River, except for dams, reservoirs, or other water impoundment structures, including such measures as levees along the banks of the Eel River, flood plain zoning, and temporary flood storage basins on tributaries of the Eel River.

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By Thomas D Whelan
Deputy Legislative Counsel

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 107

At 12:17 p m., on motion of Mr Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 107 passed by the following vote·

AYES—Arnett, Bagley, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chappie, Cline, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Priolo, Ralph, Russell, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—50

NOES—Badham, Barnes, Burke, Collier, Conrad, Cullen, Dent, Gonsalves, Ray E Johnson, Lanterman, MacGillivray, Mobley, Porter, Powers, Quimby, Seeley, Stacey, Stull, Thomas, and Wakefield—20.

Motion to Reconsider Senate Bill No. 107 on Next Legislative Day

Mr Badham moved to reconsider on the next legislative day the vote whereby Senate Bill No. 107 was this day passed

Senate Bill No. 107 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 18 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Government Administration

Assembly Chamber, November 21, 1972

Mr Speaker· Your Committee on Government Administration reports

SB No 1142

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, November 21, 1972

Mr Speaker· Your Committee on Government Administration reports·

SB No 1507

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

RUSSELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Judiciary

Assembly Chamber, November 21, 1972

Mr Speaker Your Committee on Judiciary reports:

SB No 918

With the recommendation Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

WARREN, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 21, 1972

Mr Speaker: Your Committee on Judiciary reports·

AB No. 2294

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

WARREN, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, November 21, 1972

MR SPEAKER The Chairman of your Committee on Natural Resources and Conservation reports

SB No. 1369

With author's amendments with the recommendation Amend, and re-refer to the Committee on Natural Resources and Conservation

Z'BERG, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1369—An act to add Section 2361 5 to the Fish and Game Code, relating to importation of salmon

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly November 15, 1972, after "law", insert ", which may not otherwise be legally imported into this state"

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources and Conservation.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 21, 1972

MR SPEAKER. The Chairman of your Committee on Ways and Means reports:

SB No 279

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 279—An act to amend Sections 14005 4, 14005 6 and 14005 7 of, and to add Article 4 5 (commencing with Section 14146) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

On page 3, between lines 25 and 26 of the printed bill, as amended in Senate July 19, 1972, insert

"SEC 2 1 Section 14005 6 of the Welfare and Institutions Code is amended to read.

14005 6 Section 14005.6 of the Welfare and Institutions Code as amended by Chapter 1685 of the Statutes of 1971 is amended to read.

14005 6 (a) When a person is not eligible for aid under any of the chapters set forth in Section 14005 1 or has an application pending for aid under any of said chapters, and meets all of the following conditions, he is eligible for health care benefits or services under Section 14005

(1) He or his family meet the income and resource requirements for aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of this code, except that the minimum basic standard of adequate care for a single person living alone shall be 75 percent of the standard for a two-person family under Section 11452 *and except that the income, financial and resource eligibility of dialysis patients, otherwise qualifying under this section, shall be determined under Article 4 5 (commencing with Section 14156)* ,

(2) He resides within the state;

(3) He is a citizen of the United States, or has been legally present in the United States for a period of five years immediately preceding the date of application for Medi-Cal coverage, or who has applied for citizenship;

(4) He is ~~21~~ *18* years of age or older, or has entered into a ceremonial marriage, and

(5) He is not receiving adequate financial contributions toward his support and cost of health care from a husband or wife or parent or adult child able to and responsible for support under the laws of this state

~~(b) Any person who has a legal obligation under pertinent sections of the Civil Code to support a person who is eligible under this section to receive health care services, shall complete a statement containing such financial information as may be deemed reasonably necessary by the department for the county to determine his ability to support the applicant. Any such person who fails or refuses to complete such statement, or who furnishes or reports false or misleading financial information, is guilty of a misdemeanor.~~

~~A responsible relative shall be required to pay towards the cost of health care services of a beneficiary under this chapter, the amount for which he would be liable under pertinent sections of the Civil Code.~~

~~The duty to support under this section shall be enforced by the county which determined the eligibility of the person to whom support is owed.~~

~~The failure of a responsible relative to comply with this section shall in no way affect the eligibility for health care services of the person for whom he is responsible.~~

Amendment No. 2

On page 7, after line 3, insert

"SEC 5 It is the intention of the Legislature that if this bill and Senate Bill No 770 are both chaptered and amend Section 14005 6 of the Welfare and Institutions Code, and this bill is chaptered after Senate Bill No 770, that Section 14005 6 of the Welfare and Institutions

Code as amended by Section 2 of this act shall become operative until the operative date of Senate Bill No. 770 and, on such date, Section 14005.6 of the Welfare and Institutions Code, as amended by Section 2 of this act, be further amended in the form set forth in Section 2.1 of this act to incorporate changes in Section 14005.6 proposed by Senate Bill No. 770. Therefore, if Senate Bill No. 770 is chaptered before this bill and amends Section 14005.6, Section 2.1 of this act shall become operative on the operative date of Senate Bill No. 770."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 21, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 148

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 148—An act to amend Section 23752 of the Education Code, to amend Section 71006 of the Government Code, and to add Sections 1463.5 and 1463.6 to the Penal Code, relating to disposition of parking fees and fines.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate June 12, 1972, strike out "and 1463.6", and insert ", 1463.6, and 1463.7".

Amendment No. 2

On page 4, afer line 18, insert

"SEC. 5. Section 1463.7 is added to the Penal Code, to read:

1463.7. Funds transferred to the credit of the State College Parking Revenue Fund pursuant to Section 1463.5 and funds transferred to the Regents of the University of California pursuant to Section 1463.6 may not be utilized to purchase land or to construct any parking facility. Such funds may be utilized for the maintenance of existing parking facilities or alternate methods of transportation of students and employees of the California State Universities and Colleges or the University of California."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 21, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports·

SB No 652

With author's amendments with the recommendation· Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 652—An act to add Section 1010.85 to the Education Code, relating to public schools

Bill read second time.

Consideration of Author's Amendments

The following amendment, pursuant to the Assembly Rules, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly July 26, 1972, after "inventory", insert ", or an audit trace inventory system, or any other inventory system authorized by the State Board of Education,".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bills Nos. 1249 and 1358 was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Desk be held open today for the purpose of receiving committee reports.

VOTE CHANGES

Messrs. Russell and Leroy F Greene were granted unanimous consent that they be recorded as voting "Aye" on the urgency clause to Senate Bill No 125, and on the passage of the bill

Mr Wakefield was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 656

Mr Lanterman was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 175

Mr LaCoste was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No. 175

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 175

Mrs Fong was granted unanimous consent that she be recorded as voting "Aye" on Senate Bill No 175

Messrs Meade and Z'berg were granted unanimous consent that they be recorded as voting "No" on the amendments offered by Mr Ray E. Johnson to Senate Bill No. 107.

Mr Z'berg was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 175.

Mr. Z'berg was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 357.

Messrs Chappie, Briggs, Karabian, Lewis, and Russell were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 107.

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, November 21, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 637

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CAMPBELL, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, November 21, 1972

Mr. Speaker: Your Committee on Education reports:

SB No 1274

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Senate Bill No. 1105

November 20, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Mr Speaker: On Monday, November 20, I was called off the Assembly Floor to meet with a constituent in my office and didn't return in time to register my vote on Senate Bill 1105

Had I been on the Floor, I would have voted "aye".

Sincerely,

ERNEST N MOBLEY

ADJOURNMENT

At 3:15 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Wednesday, November 22, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-First Legislative Day

Three Hundred Twenty-Fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, November 22, 1972

The Assembly met at 11 a m

Hon. Jack R Fenton, Majority Floor Leader of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 11:01 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 11.09 a.m., Acting Speaker Fenton declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, All across our Nation, we pause to give You thanks for sharing life with us, for giving us the responsibility and privilege of sharing life and love with others.

We thank You for the land we live in and for the men and women who have made it great.

We thank You for our freedom and for the chance to call Your name.

We thank You for the faith we share and for the hope that one day we will reach out to hold our brothers' hands in peace

We thank You for the lesson You have taught us, that there is no charity to compare with the praise given to You when one man reaches out to help his fellow man in need.

May these sentiments be ours all the days of the year—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Fenton, Mr Bill Greene then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacDonald, seconded by Mr Conrad.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Belotti, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere.

Mr. Duffy, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Acting Speaker Fenton
Mr. Harvey Johnson, on request of Acting Speaker Fenton.
Mr. LaCoste, on request of Acting Speaker Fenton
Mr. Lanterman, on request of Acting Speaker Fenton.
Mr Moorhead, on request of Acting Speaker Fenton.
Mr Pierson, on request of Acting Speaker Fenton.
Mr. Sieroty, on request of Acting Speaker Fenton
Mr. Thomas, on request of Acting Speaker Fenton.
Mr. Wakefield, on request of Acting Speaker Fenton.

NOTE: For letter explaining the absence of Mr Duffy on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for November 20, 1972, page 7733.

REPORTS

The following report was presented by the Chief Clerk:

Report Concerning Earthquake Resistant Design Advances for State Highway and Bridge Construction (Requested by ACR No. 49, 1972 Regular Session). October 1972.

Above transmitted report, together with letter of transmittal from Howard C Ullrich, Chief Deputy Director, Department of Public Works, Sacramento, dated October 26, 1972, referred by the Acting Speaker to the Committee on Transportation.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Seeley (Coauthor: Senator Biddle):

House Resolution No. 131

Relative to Perris Reservoir

WHEREAS, Item 330 of the Budget Act of 1972 appropriated funds to the Department of Navigation and Ocean Development for the construction of boating facilities at Perris Reservoir, and

WHEREAS, Item 327 of the Budget Act of 1972 appropriated funds to the Department of Parks and Recreation for recreation facilities at Perris Reservoir; and

WHEREAS, Both these appropriations are to be expended through a construction contract administered by the Department of Water Resources in which the funds from the above appropriations are to be pooled, and

WHEREAS, With the additional expenditure of approximately $28,500, provision can be made for only the underwater portion of a third, 8-lane launching ramp, the construction of which was delayed by the Legislature pending completion of a boating plan for the reservoir; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Navigation and Ocean Development and the Department of Parks and Recreation are requested to provide in the initial construction contract for recreation and boating facilities at Perris Reservoir for the inclusion of only the underwater portion of a third launching ramp using funds now available in the Budget Act of 1972, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Navigation and Ocean Development and to the Department of Parks and Recreation

Resolution read, and referred by the Acting Speaker to the Committee on Rules

COMMUNICATIONS

Assembly Chamber, November 22, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 2388

And reports the same correctly engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Assembly Chamber, November 21, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

SCR No. 63

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

GONSALVES, Chairman

Above resolution ordered on file.

Committee on Education

Assembly Chamber, November 22, 1972

Mr Speaker. Your Committee on Education reports:

SB No. 1209

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LEROY F GREENE, Chairman

Above bill re-referred to the Committee on Ways and Means.

Assembly Chamber, November 22, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 1090

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

Committee on Transportation

Assembly Chamber, November 20, 1972

Mr. Speaker: Your Committee on Transportation reports:

SB No 726

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DEDDEH, Chairman

Above bill ordered to second reading.

Committee on Ways and Means

Assembly Chamber, November 21, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 503

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 503—An act to add Section 4007.5 to the Penal Code, relating to correctional facilities.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly July 25, 1972, strike out "Lagomarsino", and insert "Stiern".

Amendment No. 2

In line 2 of the heading, strike out "MacDonald", and insert "Duffy".

Amendment No. 3

Strike out lines 1 and 2 of the title, and insert

"An act relating to public facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately."

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 Notwithstanding the provisions of Item 3211, subdivision A, of Chapter 156 of the Statutes of 1972 (Budget Act), the provisions of such subdivision shall be deemed to refer to the City of Corcoran and not the County of Kings, and the appropriation thereby made shall be payable only to the City of Corcoran.

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order to assure that the important benefits created by this act be received as soon as possible, it is necessary that this act take effect immediately."

Amendment No. 5

On page 1, strike out lines 2 to 6, inclusive, and strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1105

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 401

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 384

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 340

And appointed Senators Gregorio, Collier, and Dymally, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 21, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 210

And appointed Senators Holmdahl, Stiern, and Collier, as a Committee on Conference to meet a like committee from the Assembly

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 21, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted.

AJR No. 32

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 239	AB No 1570	AB No. 2165
AB No. 818	AB No 1710	AB No 2186
AB No 874	AB No. 2064	AB No 2284
AB No. 1315		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 132

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, November 21, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No 191	SB No. 1105	SB No. 1187
SB No 229	SB No 1115	SB No. 1322
SB No 282	SB No 1174	SB No. 1365
SB No 921		

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 21, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

AB No 396
AB No 1489
AB No. 2035

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 86
SB No. 481
SB No. 1262

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 21, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 89

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 86—An act to amend Section 24053.1 of the Education Code, relating to the California State Colleges.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 481—An act to amend Section 4828 of the Business and Professions Code, relating to veterinary medicine.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 1262—An act to amend Section 53090 of the Government Code, to amend Sections 27144, 27166, 27281, and 27300 of the Streets and Highways Code, and to amend Section 5 of Chapter 805 of the Statutes of 1969, relating to bridge and highway districts.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 89—Approving an amendment to the Charter of the County of Fresno, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November, 1972.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
86	Education
481	Commerce and Public Utilities
1262	Transportation

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1262 for hearing in the Committee on Transportation on Monday, November 27.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 2044

Acting Speaker Fenton was granted unanimous consent to rescind the action whereby, on November 17, 1972 (Assembly Journal, page 7723), Assembly Bill No. 2044 was reported correctly enrolled and presented to the Governor on November 17, 1972, and that the bill be returned to the Senate for further action.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file; to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or First Day Consent Calendar, instead of the second reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 89

Mr. Maddy was granted unanimous consent to take up Senate Concurrent Resolution No. 89 without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 89

Senate Concurrent Resolution No. 89—Approving an amendment to the Charter of the County of Fresno, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November, 1972.

Resolution read, presented by Mr. Maddy, and adopted by the following vote:

AYES—Badham, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Bill Greene, Hayden, Ray E. Johnson, Ketchum, Knox, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Townsend, Warren, Wilson, Wood, and Mr. Speaker—44.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2294—An act to amend Sections 537 5 and 538 of, the Code of Civil Procedure, and to add Section 9503 to, and to repeal Section 9503 of, the Uniform Commercial Code, relating to creditor's rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 22, 1972, strike out "Assemblymen Stull, Barnes, Belotti, and Brophy (Coauthor: Senator Whetmore)", and insert "Assemblyman Warren".

Amendment No. 2

In line 1 of the title, strike out "Sections"; and strike out lines 2 to 5, inclusive, and insert "Section 510 of the Code of Civil Procedure, relating to claim and delivery."

Amendment No. 3

On page 5, between lines 8 and 9, insert

"SECTION 1. Section 510 of the Code of Civil Procedure is amended to read:

510. (a) Where a delivery is claimed, the plaintiff, by verified complaint ~~or~~ *and* by an affidavit or declaration under penalty of perjury made by plaintiff, or by someone on his behalf, filed with the court, shall show:

(1) That the plaintiff is the owner of the property claimed or is entitled to the possession thereof, and the source of such title or right; and if plaintiff's interest in such property is based upon a written instrument, a copy thereof shall be attached,

(2) That the property is wrongfully detained by the defendant, the means by which the defendant came into possession thereof, and the cause of such detention according to his best knowledge, information, and belief;

(3) A particular description of the property, a statement of its actual value, and a statement to his best knowledge, information, and belief concerning the location of the property and of the residence and business address, if any, of the defendant;

(4) That the property has not been taken for a tax, assessment, or fine, pursuant to a statute; or seized under an execution against the property of the plaintiff; or, if so seized, that it is by statute exempt from such seizure.

(b) The court shall, without delay, examine the complaint and affidavit or declaration, and if it is satisfied that they meet the requirements of subdivision (a), he shall issue an order directed to the defendant to show cause why the property should not be taken from the defendant and delivered to the plaintiff Such order shall fix the date

and time for the hearing thereon, which shall be no sooner than 10 days from the issuance thereof, and shall direct the time within which service thereof shall be made upon the defendant Such order shall inform the defendant that he may file affidavits on his behalf with the court and may appear and present testimony on his behalf at the time of such hearing, or that he may, at or prior to such hearing, file with the court a written undertaking to stay the delivery of the property, in accordance with the provisions of Section 514, and that, if he fails to appear, plaintiff will apply to the court for a writ of possession. Such order shall fix the manner in which service thereof shall be made, which shall be by personal service, or in accordance with the provisions of Section 1011, or in such manner as the judge may determine to be reasonably calculated to afford notice thereof to the defendant under the circumstances appearing from the complaint and affidavit or declaration.

(c) Upon examination of the complaint and affidavit or declaration and such other evidence or testimony as the judge may, thereupon, require, a writ of possession may be issued prior to hearing, if probable cause appears that any of the following exist:

(1) The defendant gained possession of the property by theft, as defined by any section of Title 13 (commencing with Section 447) of Part 1 of the Penal Code,

(2) The property consists of one or more negotiable instruments or credit cards,

(3) By reason of specific, competent evidence shown, by testimony within the personal knowledge of an affiant or witness, the property is perishable, and will perish before any noticed hearing can be had, or is in immediate danger of destruction, serious harm, concealment, or removal from this state, or of sale to an innocent purchaser, and that the holder of such property threatens to destroy, harm, conceal, remove it from the state, or sell it to an innocent purchaser

Where a writ of possession has been issued prior to hearing under the provisions of this section, the defendant or other person from whom possession of such property has been taken may apply to the court for an order shortening the time for hearing on the order to show cause, and the court may, upon such application, shorten the time for such hearing, and direct that the matter shall be heard on not less than 48 hours' notice to the plaintiff

(d) Under any of the circumstances described in subdivision (a), or in lieu of the immediate issuance of a writ of possession under any of the circumstances described in subdivision (c), the judge may, in addition to the issuance of an order to show cause, issue such temporary restraining orders, directed to the defendant, prohibiting such acts with respect to the property, as may appear to be necessary for the preservation of rights of the parties and the status of the property.

(e) Upon the hearing on the order to show cause, the court shall consider the showing made by the parties appearing, and shall make a preliminary determination, which party, with reasonable probability, is entitled to possession, use, and disposition of the property, pending final adjudication of the claims of the parties If the court determines that the action is one in which a prejudgment writ of possession should issue, it shall direct the issuance of such writ."

Amendment No. 4

On page 5, strike out lines 9 to 34, inclusive; and strike out pages 6 to 8, inclusive.

Bill ordered reprinted, and returned to the Consent Calendar.

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate Bill was this day on the second reading file:

Senate Bill No. 714, ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Bill No. 918—An act to amend Section 170.6 of the Code of Civil Procedure, relating to courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "170 6", and insert "200, as amended by Section 1.7 of Chapter 1028 of the 1972 Statutes,".

Amendment No. 2

In line 2 of the title, strike out "courts", and insert "juries".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 200 of the Code of Civil Procedure, as amended by Section 1.7 of Chapter 1028 of the Statutes of 1972, is amended to read:

200. A person is exempt from liability to act as a juror if he be:

1. A Member of the Legislature of this state; a Member of the Congress of the United States; a judicial, civil, naval or military officer of the United States, or of this state, or a member of the armed forces of the United States, while on active duty;

2. A person holding a county, city and county, city, town or township office of profit;

3. An attorney at law, or the clerk, secretary, or stenographer of an attorney at law;

4. A minister of the gospel, or a priest of any denomination following his profession;

5. A teacher in a university, college, academy, or school;

6. A practicing physician, or practicing licensed dentist, practicing podiatrist, practicing chiropractor, or practicing registered optometrist, or practicing registered pharmacist,

7. An officer, keeper or attendant of an almshouse, hospital, or other charitable institution;

8. Engaged in the performance of duty as officer or attendant of the state prison or of a county jail;

9. Employed on board of a vessel navigating the waters of this state;

10. An express agent, mail carrier, or a superintendent, employee, or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or tollgate;

11. An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or any exempt member of a duly authorized fire company; or peace officers designated pursuant to Section 830.1 and subdivision (a) of Section 830.2 of the Penal Code;

12. A superintendent, engineer, fireman, brakeman, motorman, or conductor on a railroad;

13. A person drawn as a juror in any court of record in this state, upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court, who has been discharged as a juror within a year as hereinafter provided; or a person who is incompetent under subdivision (d), (e), or (f) of the preceding section; ~~or a person who, within the last preceding three years, has served as a juror either for the completion of one trial or has made four appearances for purposes of serving as a juror, and who has requested an exemption as provided in Section 202,~~ provided, however, that in counties having less than 5,000 population the exemption provided by this subdivision shall not apply,

14. A practitioner who treats the sick by prayer in the practice of the religion of any well-recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination,

15. A member of a religious order which is part of any well-recognized church or denomination who devotes his life to a cloistered contemplative existence;

16. Employed by the Legislature, or either house thereof, or any committee thereof, including, but not limited to, a joint committee, or,

17. A city mayor, member of a city council, or person holding a position equivalent to a president or member of a legislative body of a city."

Amendment No. 4

On page 1, strike out lines 2 to 11, inclusive, and strike out all of pages 2, 3, and 4.

Bill ordered reprinted, and returned to the Consent Calendar

Senate Bill No. 637—An act to amend Section 4227 of, and to add Section 4050.7 to, the Business and Professions Code, and to add Section 6369.1 to the Revenue and Taxation Code, relating to hemodialysis, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Health, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Senate November 8, 1972, strike out "two hundred dollars ($200)", and insert "one hundred dollars ($100)".

Amendment No. 2

On page 2, line 35, strike out "physician license,"

Amendment No. 3

On page 3, line 2, strike out ", and the board shall institute immediate"; strike out line 3; and on line 4, strike out "to individual patients".

Amendment No. 4

On page 3, line 6, after the period, insert "If the board finds any hemodialysis drugs or devices distributed pursuant to this subdivision to be ineffective or unsafe for the intended use, the board may institute immediate recall of any or all of such drugs or devices distributed to individual patients

(d) Home hemodialysis patients who receive any drugs or devices pursuant to subdivision (c) shall have completed a full course of home training given by a renal dialysis center accredited by the State Department of Public Health The physician and surgeon prescribing the hemodialysis products shall submit proof satisfactory to the manufacturer or wholesaler that the patient has completed such program "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 210

The Acting Speaker appointed Messrs Knox, Seeley, and Porter as a Committee on Conference concerning Senate Bill No 210.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 408—An act relating to the establishment of a branch office of the Department of Motor Vehicles in the area of the City of Simi Valley, and making an appropriation therefor

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 408?

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "_____ dollars ($_____)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 2

On page 1, line 2, after "Vehicle", insert "Account in the State Transportation".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr Speaker—50.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2104—An act to add Section 74343 4 to the Government Code, relating to courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2104?

Senate Amendments of July 31, 1972

Amendment No. 1

On page 1, of the printed bill, as amended in Assembly June 29, 1972, line 3, after "74343.4 ", insert "(a)".

Amendment No. 2

On page 2, after line 3, insert

"(b) The commissioner shall receive a salary equal to 55 percent of the salary of a judge of the municipal court He shall, after each year of service, receive an increase of 5 percent of the salary of a judge of the municipal court but in no event shall he receive more than 80 percent of the salary of a judge of the municipal court."

Senate Amendments of August 2, 1972

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate July 31, strike out "50", and insert "60".

Amendment No. 2

On page 1, line 10, strike out "55", and insert "60".

Amendment No. 3

On page 2, line 4, strike out "80", and insert "65".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chappie, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, MacDonald MacGillivray, Maddy, McAlister, Miller, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Seeley, Stacey, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—52

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. ~~544~~—An act to amend Section 18655 1 of the Financial Code, relating to industrial loan companies, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 544?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18406.1", and insert "18655 1".

Amendment No. 2

In line 2 of the title, after "companies", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 18655.1 of the Financial Code is amended to read:

18655 1 ~~(a)~~ As an alternative to the charges authorized by Section 18655, a company may contract for and receive charges at a rate not exceeding 1½ percent per month on the unpaid principal balance.

~~(b) This section shall be of no force or effect after December 31, 1972.~~

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

The authority granted to industrial loan companies under Section 18655 1 of the Financial Code expires on January 1, 1972 Since the effective date for statutes of the 1972 Regular Session of the Legislature will occur after this date and the Legislature has decided that such authority should be continued, it is necessary that this act take effect immediately to preserve the continuous operation of such authority."

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive, and strike out page 2.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—Briggs, Miller, and Vasconcellos—3

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 544?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Warren, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Briggs, Miller, and Vasconcellos—3.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 21, 1972

Mr Speaker. The Committee on Conference concerning

Assembly Bill No. 384, as amended in Senate July 28, 1972—An act to amend Section 23801 of the Education Code, relating to state colleges;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 3, line 16, of the printed bill, as amended in Senate July 28, 1972, after "state", insert "university or".

Amendment No. 2

On page 3, line 17, after the first "the", insert "university or"

Amendment No. 3

On page 3, line 19, after the second "the", insert "university or"

Amendment No. 4

On page 3, line 22, strike out "college, and property of the", and insert "university or college, and property of the university or".

Amendment No. 5

On page 3, line 25, after "state", insert "university or".

Amendment No. 6

On page 3, line 27, after "state", insert "university or".

Amendment No. 7

On page 3, line 31, after "such", insert "university or".

Amendment No. 8

On page 3, line 34, after "such", insert "university or".

Amendment No. 9

On page 4, strike out line 1, and insert "of the university or college containing the signatures of 10 percent of".

Amendment No. 10

On page 4, line 2, after "such", insert "university or".

Amendment No. 11

On page 4, line 7, after "the", insert "university or".

Amendment No. 12

On page 4, line 8, after "state", insert "university or"

Amendment No. 13

On page 4, line 12, after the first "the", insert "university or"

The undersigned consent to the report

GEORGE N ZENOVICH	KEN MADDY
ANTHONY C BEILENSON	KEN CORY
PETER BEHR	RAY E JOHNSON
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Cline, Collier, Cory, Crown, Deddeh, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—53

NOES—Cullen—1.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read.

Assembly Chamber, November 21, 1972

Mr Speaker: The Committee on Conference concerning

Assembly Bill No. 401, as amended in Senate August 3, 1972—An act to amend Section 23801 of the Education Code, relating to state college fees;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 3, line 17, of the printed bill, as amended in Senate August 3, 1972, after the first "the", insert "university or".

Amendment No. 2

On page 4, line 23, strike out "The", and insert "Subject to regulations of the trustees, the"

The undersigned consent to the report.

GEORGE N ZENOVICH	KEN MADDY
ANTHONY C BEILENSON	KEN CORY
PETER BEHR	RAY E JOHNSON
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chappie, Collier, Conrad, Cory, Crown, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Seeley, Stacey, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—49.

NOES—Cullen and Stull—2

Above bill ordered enrolled

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1850—An act to amend Sections 3501, 3504, 3505, 3505 2, 3507, 3507 3, 3507 5, and 3508 of, to add Sections 3505 01, 3506, 3511, 3512, 11551 1, and 11551 2 to, and to repeal Sections 3506 and 3507 1 of, the Government Code, relating to public employer-employee relations

Bill read third time

Motion to Re-Refer Assembly Bill No. 1850 to Committee

Mr Brown moved that Assembly Bill No 1850 be re-referred to the Committee on Ways and Means

Demand for Previous Question

Messrs. Monagan, Briggs, McAlister, Badham, and Beverly demanded the previous question Demand sustained

The question being on the motion by Mr Brown to re-refer Assembly Bill No 1850 to the Assembly Committee on Ways and Means.

Motion carried by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Ryan Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Cullen, Russell, Seeley, and Stacey—4

Assembly Bill No 1850 re-referred to the Committee on Ways and Means

Hon. Willie L. Brown, Jr., Presiding

At 11:45 a.m., Hon. Willie L. Brown, Jr., 18th District, presiding.

Assembly Bill No. 2388—An act to repeal Section 6416 of the Labor Code, relating to safety in employment

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—64.

NOES—Collier—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:49 a.m., Mr. Z'berg was granted unanimous consent to hold a special meeting of the Committee on Natural Resources and Conservation in the Sergeant at Arms office, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Maddy was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 584 for hearing in the Committee on Welfare today, and to hold a special meeting of the Committee on Welfare today.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Brown was granted unanimous consent that the Desk be held open today to receive committee reports.

Majority Floor Leader Presiding

At 11:51 a.m., Hon. Jack R. Fenton, 51st District, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2284

Mr. Chacon was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 2284, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 2284

Assembly Bill No. 2284—An act to add Chapter 5.7 (commencing with Section 5761) to Division 6 of the Education Code, relating to bilingual education, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2284?

Senate Amendments of July 24, 1972

Amendment No. 1

In line 8 of the heading of the printed bill, as amended in Assembly June 19, 1972, after "Dills", insert ", Dymally".

Amendment No. 2

On page 2, line 23, after the period, insert "The Legislature finds and declares that a primary goal of such programs is, as effectively and efficiently as possible, to develop in each child fluency in English so that he may then be enrolled in the regular program in which English is the language of instruction."

Amendment No. 3

On page 3, line 2, after "bilingual-bicultural", insert "personnel".

Amendment No. 4

On page 4, lines 1 and 2, strike out "'Monolingual child" means a non-English-speaking", and insert "A "non-English-speaking child" is a".

Amendment No. 5

On page 4, line 16, strike out "(f) Board" ", and insert "(f) "Board" ".

Amendment No. 6

On page 4, line 32, strike out "monolingual shall be counted also", and insert "non-English-speaking shall be counted separately".

Amendment No. 7

On page 4, lines 35 and 36, strike out "who is monolingual".

Amendment No. 8

On page 6, line 21, after "participants ", insert "A limited-English-speaking child shall remain in the program until he has attained grade level proficiency in English, at which time he shall be placed in regular classes in which English is the language of instruction."

Amendment No. 9

On page 8, line 40, strike out "Section 5764 5", and insert "5764 5".

Amendment No. 10

On page 10, line 5, strike out "The", and insert "Reasonable".

Amendment No. 11

On page 10, line 5, after "groups", insert "on bilingual-bicultural education,".

Senate Amendments of November 16, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate July 24, 1972, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 2

In line 3 of the title, strike out "and".

Amendment No. 3

In line 4 of the title, after "therefor", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, line 5, strike out "Bilingual-Bicultural", and insert "Bilingual".

Amendment No. 5

On page 2, line 19, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 5.5

On page 3, line 4, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 6

On page 3, line 8, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 7

On page 3, line 10, after "to", insert "allow public schools of the State of California which choose to participate to".

Amendment No. 8

On page 3, line 11, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 9

On page 3, lines 11 and 12, strike out "in the public schools of the State of California".

Amendment No. 10

On page 3, line 13, strike out "full fluency", and insert "competence".

Amendment No. 11

On page 3, line 18, after the period, insert "Insofar as the individual pupil is concerned, pupil participation is voluntary on the part of the parent."

Amendment No. 12

On page 3, line 20, after the second "of", insert "phasing-in".

Amendment No. 13

On page 3, line 21, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 14

On page 3, line 25, strike out "Bilingual-bicultural" education", and insert "Bilingual education" ".

Amendment No. 15

On page 3, strike out lines 31, 32, and 33, and insert "teaching of language skills is most meaningful and effective when presented in the context of an appreciation of cultural differences and similarities"

Amendment No. 16

On page 3, lines 35 and 36, strike out "as.
(1) Children", and insert "as children"

Amendment No. 17

On page 3, line 38, strike out "the language", strike out lines 39 and 40, on page 4, strike out lines 1, 2, and 3, and insert "their primary language"

Amendment No. 18

On page 4, line 14, strike out "Bilingual-bicultural", and insert "Bilingual"

Amendment No. 18.5

On page 4, line 16, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 19

On page 4, between lines 19 and 20, insert
"(f) "Bilingual aide" means an aide fluent in both English and the primary language of the limited-English-speaking pupils in a bilingual program."

Amendment No. 20

On page 4, line 21, strike out "(f)", and insert "(g)".

Amendment No. 21

On page 4, line 22, strike out "(g)", and insert "(h)".

Amendment No. 22

On page 4, line 24, strike out "(h)", and insert "(i)".

Amendment No. 23

On page 4, line 25, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 24

On page 5, line 3, after the period, insert "This instructional assistance shall be provided in any manner approved by the local board of education This section shall not be construed to require participation by any school district in the bilingual program established by this chapter"

Amendment No. 25

On page 5, line 7, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 26

On page 5, line 11, strike out "bilingual-bicultural", and insert "bilingual"

Amendment No. 27

On page 5, line 12, strike out "participating school district", and insert "school district which wishes to participate"

Amendment No. 28

On page 5, line 15, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 29

On page 5, line 24, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 30

On page 5, line 24, after "teacher", insert "and aide".

Amendment No. 31

On page 5, line 26, after "teacher", insert "and aide".

Amendment No. 32

On page 5, strike out line 27, and insert "and bilingual philosophy and education".

Amendment No. 33

On page 5, line 28, after "teachers", insert "and aides".

Amendment No. 34

On page 5, line 33, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 35

On page 5, line 34, after "plan", insert

"(i) a plan for the gradual assumption of the costs of the bilingual program by the district".

Amendment No. 36

On page 5, strike out lines 35 to 38, inclusive

Amendment No. 37

On page 6, line 1, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 38

On page 6, lines 1 and 2, strike out "full fluency", and insert "competence".

Amendment No. 39

On page 6, line 3, strike out "A"; strike out lines 4 to 7, inclusive, and insert "Such sequential program shall include criteria, developed with the assistance of the Department of Education, for the placement and removal of pupils in a bilingual program."

Amendment No. 40

On page 6, line 10, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 41

On page 6, line 18, strike out "Tests of", strike out lines 19 to 23, inclusive, and insert

"5761 9. In bilingual classes established pursuant to this chapter, there shall".

Amendment No. 42

On page 6, strike out lines 29, 30, and 31, and insert

"Instruction shall be conducted in both English and in the primary language of the limited-English-speaking children"

Amendment No. 42.5

On page 6, line 32, strike out "bicultural-bilingual", and insert "bilingual"

Amendment No. 43

On page 6, line 34, after "Education", insert "and selection shall be made on a priority basis in accordance with criteria established by the Department of Education"

Amendment No. 44

On page 6, line 40, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 45

On page 7, line 3, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 46

On page 7, strike out lines 4 to 10, inclusive, and insert "districtwide advisory committee in which parents (not employed by the district) of participating students shall constitute more than a simple majority, or shall designate for this purpose an existing districtwide advisory structure in which such parents constitute more than a simple majority A parent advisory group in which parents of participating students shall constitute a simple majority shall be established, or designated from an existing parent group, at each school having a bilingual program

The Department of Education shall develop guidelines for the process of selection of advisory group members"

Amendment No. 46.5

On page 7, line 12, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 47

On page 7, line 15, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 48

On page 7, line 16, strike out ", and upon approval"; strike out lines 17 and 18, and insert "with the assistance of the Department of Education, request from the Superintendent of Public Instruction (a) waiver of certification requirements of such teachers, or (b) authorization to utilize for two years only, a monolingual teacher and a bilingual aide or aides for classes funded under this chapter"

Amendment No. 49

On page 7, line 28, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 50

On page 7, line 31, strike out "bilingual-bicultural, and insert "bilingual".

Amendment No. 51

On page 7, line 36, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 52

On page 8, line 1, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 53

On page 8, line 3, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 54

On page 8, strike out lines 9, 10, and 11, and insert "Bilingual Education Act of 1972 (Chapter 5 7 (commencing with Section 5761) of Division 6 of the Education Code) to be apportioned according to the following schedule.

(a) For the 1972–1973 fiscal year ---------- $1,000,000
(b) For the 1973–1974 fiscal year ---------- 4,000,000

Funds appropriated for purposes of this act but not expended shall be carried over to the next fiscal year but new costs in the 1973–1974 fiscal year shall not exceed four million dollars ($4,000,000) Financing of such programs provided by the state is intended to encourage and facilitate the phasing-in of such bilingual education programs so they may eventually be maintained by the school district as a part of the regular instruction program

After the third year of program operation, the Superintendent of Public Instruction shall review the progress toward district assumption of the costs of the bilingual program Not more than two hundred thousand dollars ($200,000) may be used by"

Amendment No. 54.5

On page 8, line 13, strike out "this chapter", and insert "the Bilingual Education Act of 1972".

Amendment No. 55

On page 8, line 14, after "districts", insert ", with the approval of the Department of Education,".

Amendment No. 56

On page 8, line 16, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 57

On page 8, line 18, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 58

On page 8, line 22, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 59

On page 8, line 24, after "expenses", insert "(which may include transportation, child care, meals, and training)".

Amendment No. 60

On page 8, line 25, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 61

On page 8, line 28, strike out "bilingual-bicultural", and insert "bilingual".

Amendment No. 62

On page 8, after line 28, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order to permit the programs authorized by this act to begin operation as early in the 1972–1973 fiscal year as possible, and so facilitate the orderly administration of such programs, it is necessary that this act take effect immediately."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 2284?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Deddeh, Dent, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—None

Above bill ordered enrolled

DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456.6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282.5 and 10012.4 to, the Elections Code, relating to elections.

Bill read third time.

Motion to Amend

Mr. Lewis moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly July 3, 1972, strike out "459, 14660, 14662, 14665, 14666, 14667, and 14801", and insert "and 459"

Amendment No. 2

On page 2, strike out lines 18 and 19, and insert "thereafter, each clerk shall make available, at public facilities which he shall designate, new registration materials to be used until the close of registration. The registration conducted at these public facilities shall be supervised by a deputy registrar."

Amendment No. 3

On page 5, line 23, after the period, insert "Sample ballots are available for your use at the county clerk's office."

Amendment No. 4

On page 5, strike out lines 24 to 40, inclusive; strike out pages 6 and 7; and on page 8, strike out lines 1 to 18, inclusive.

Amendment No. 5

On page 8, line 19, strike out "14", and insert "8".

Amendment No. 6

On page 8, line 25, strike out "15", and insert "9".

Amendments read.

Request for Unanimous Consent to Withdraw Amendments

Mr. Lewis was granted unanimous consent to withdraw his amendments to Senate Bill No. 840

The question being on the passage of the bill.

Senate Bill No. 840 Passed and Retained

By unanimous consent, Senate Bill No 840 was passed on file, to retain its place on file.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 340

The Acting Speaker appointed Messrs Arnett, Knox, and Beverly as a Committee on Conference concerning Senate Bill No. 340.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 129 FROM COMMITTEE

Mr Cullen was granted unanimous consent that House Resolution No 129 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file.

Consideration of House Resolution No. 129

House Resolution No. 129—Relative to the Medi-Cal Management System.

NOTE The full text of House Resolution No 129 appears at page 7709 of the Assembly Daily Journal for November 17, 1972.

Resolution read

House Resolution No. 129 Passed and Retained

By unanimous consent, further consideration of House Resolution No 129 was passed on file, and the resolution ordered placed upon the third reading file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Rules recommends:

That the request by Mr Dunlap for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No 2394 be granted

BURTON, Chairman

Committee on Criminal Justice

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Criminal Justice reports

SB No 1226

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BEVERLY, Chairman

Above bill ordered to second reading

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Criminal Justice reports

SB No 431

SB No 1184

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

BEVERLY, Chairman

Above bill re-referred to the Committee on Ways and Means

Committee on Planning and Land Use

Assembly Chamber, November 21, 1972

Mr Speaker Your Committee on Planning and Land Use reports:

SB No 1239

With amendments with the recommendation· Amend, and do pass, as amended

PRIOLO, Chairman

Above bill ordered to second reading

Assembly Chamber, November 21, 1972

Mr Speaker: Your Committee on Planning and Land Use reports:

SB No. 520

SB No 914

SB No 1238

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

PRIOLO, Chairman

Above bills re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered

By Assemblyman Dunlap.

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2394 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Dunlap was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 2394 for hearing in the Committee on Judiciary

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr Warren was granted unanimous consent to hold a special meeting of the Committee on Judiciary in Room 3188, at this time

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Judiciary reports·

AB No 2394

With the recommendation Do pass.

WARREN, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2394

Mr Dunlap was granted unanimous consent to take up Assembly Bill No 2394, without reference to file, for purpose of consideration at this time

Resolution to Dispense With Constitutional Provision

The following resolution was offered

By Assemblyman Dunlap·

Resolved, That Assembly Bill No 2394 presents a case of urgency, as that term is used in Article IV, Section 8(b) of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be considered engrossed, and placed upon its passage.

Resolution read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None.

Article IV, Section 8(b) of the Constitution was declared dispensed with

Second Reading of Assembly Bill No. 2394

Assembly Bill No. 2394—An act to amend Sections 73671, 73672, 73674, 73675, 73676, 73677, 73678, and 73679 of, and to add Sections 73672.1, 73672.2, 73672.3, and 73672.4 to, the Government Code, relating to courts

Bill read second time

Third Reading of Assembly Bill No. 2394

Assembly Bill No. 2394—An act to amend Sections 73671, 73672, 73674, 73675, 73676, 73677, 73678, and 73679 of, and to add Sections 73672 1, 73672 2, 73672 3, and 73672 4 to, the Government Code, relating to courts

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered·

By Assemblyman Monagan:

House Resolution No. 132

Relative to Assemblyman William M Ketchum

WHEREAS, Assemblyman William M Ketchum has recently been elected to Congress from the 36th Congressional District and will soon leave his friends and colleagues in the California Legislature; and

WHEREAS, First elected to the Assembly in 1966, William Ketchum has served the people of the 29th Assembly District with dedication and distinction; and

WHEREAS, Earning the trust and respect of his fellow Members, Assemblyman Ketchum served as Chairman of the Assembly Agriculture Committee and as Vice Chairman of the Assembly Committee on Labor Relations, and worked with perseverance as a member of the Assembly Employment and Public Employees Committee; and

WHEREAS, Concerned with the problems of agriculture both in California and nationally, Assemblyman Ketchum authored legislation regulating agricultural burning and supported proposals for national unemployment insurance benefits and a national minimum wage for farm workers; and

WHEREAS, Aware of the increasing need for highway safety and recognizing the threat to safety posed by drunken drivers, William Ketchum authored legislation to broaden penalties for such violators; and

WHEREAS, Believing in the value of an informed constituency, Assemblyman Ketchum authored legislation to improve public information regarding actions taken in legislative committee meetings, and

WHEREAS, Assemblyman Ketchum supported improved salaries for both state correctional officers and psychiatric technicians, and

WHEREAS, The Members of the California Legislature know William Ketchum to be a man of honor and dedication to good government, who will serve with distinction in Congress as he has served with distinction in this Assembly, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend William M Ketchum for his valued service to this body, and express their best wishes for his success and happiness in his new office, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman William M Ketchum.

Resolution read, and held at the Desk by order of the Acting Speaker.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 185—An act to add Section 23428 18 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered

Assembly Concurrent Resolution No. 133: By Assemblyman Crown—Approving an amendment to the Charter of the City of San Leandro, County of Alameda, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the seventh day of November, 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 133

Mr Crown was granted unanimous consent to take up Assembly Concurrent Resolution No. 133 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 133

Assembly Concurrent Resolution No. 133—Approving an amendment to the Charter of the City of San Leandro, County of Alameda, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the seventh day of November, 1972.

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Chappie, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—60

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 10 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 22, 1972

Mr Speaker: Your Committee on Ways and Means reports·

SB No. 820

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading

Assembly Chamber, November 22, 1972

Mr Speaker· Your Committee on Ways and Means reports:

AB No. 2395

With the recommendation· Do pass.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Ways and Means reports:

SB No 279	SB No. 1044	SB No 1494
SB No 451	SB No 1061	SB No 1507
SB No 919	SB No 1447	

With the recommendation. Do pass

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, November 22, 1972

Mr Speaker· Your Committee on Ways and Means reports.

SB No 571	SB No 1218
SB No. 1049	SB No 1490
SB No 1154	

With the recommendation· Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BROWN, Chairman

Above bills ordered to second reading

Committee on Welfare

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Welfare reports:

SB No 584

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means

BAGLEY, Chairman

Above bill re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber, November 22, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 210	AB No 1147
AB No 253	AB No 1416
AB No 748	AB No 1503

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, November 22, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 357

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 22, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 30
AB No 208
AB No. 486
AB No. 1040
AB No 2324
AB No 2392

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 22, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 100
ACR No. 103

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled

Senate Chamber, November 22, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 724
SB No. 903

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time·

Senate Bill No. 724—An act to amend Sections 65302, 65302.1, 65302.2, 65302.5, 65563, 65860 and 65910 of, and to add Section 65302.3 to, the Government Code, relating to planning and zoning, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Acting Speaker.

Senate Bill No. 903—An act to amend Sections 8 and 10.1 of, and to add Sections 10.4 and 10 5 to, the San Mateo County Flood Control District Act (Chapter 2108 of the Statutes of 1959), relating to the San Mateo County Flood Control District

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
724	Local Government
903	Water

VOTE CHANGES

Messrs. Miller and Vasconcellos were granted unanimous consent that they be recorded as voting "No" on the urgency clause to Assembly Bill No 544, and on concurrence in Senate amendments to the bill.

Mr Stull was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the adoption of the conference report on Assembly Bill No 384.

Mr Lewis was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 544, and on concurrence in Senate amendments to the bill.

Mr Lewis was granted unanimous consent that he be recorded as voting "Aye" on the adoption of the conference report on Assembly Bill No 384.

Mr Lewis was granted unanimous consent that he be recorded as voting "Aye" on the adoption of the conference report on Assembly Bill No 401.

Mr Meade was granted unanimous consent that he be recorded as voting "Aye" on the motion by Mr. Brown to re-refer Assembly Bill No. 1850 to the Assembly Committee on Ways and Means.

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bills Nos. 1249, 1358, and 107 was continued until the next legislative day

SECOND READING OF BILLS—BY UNANIMOUS CONSENT

Pursuant to the previous suspension of the Rules, the following bills were taken up without reference to file:

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2395—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster and to amend Section 5 of Chapter 74 of the Statutes of 1972, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 63—Relative to inheritance taxes.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed measure, as amended in Senate July 27, 1972, strike out "January", and insert "July".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1090—An act to add Article 14 3 (commencing with Section 18260) to Chapter 3, Division 14 of the Education Code, relating to driver training

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted·

Amendment No. 1

On page 2, line 30, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 3, line 6, strike out "by", and insert "to".

Amendment No. 3

On page 3, line 11, strike out "by", and insert "to".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 726—An act to amend Section 39057, of, and to add Sections 24224 2, 24355 6, 39052 9, 39151 5, 39176 5, and 39402 5 to, the Health and Safety Code, and to amend Section 27156 of the Vehicle Code, relating to air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly July 27, 1972, strike out "39402 5", and insert "39402 2".

Amendment No. 2

In lines 4 and 5 of the title, strike out "amend Section 27156 of", and insert "add Section 27156 5 to".

Amendment No. 3

On page 2, line 5, strike out "new and", and insert "internal combustion engines which constitute any part of new or".

Amendment No. 4

On page 2, line 7, after "to", insert "subdivision (a) of".

Amendment No. 5

On page 2, line 7, after "39052 9", insert ", unless more stringent standards are established pursuant to subdivision (c) of Section 39052 9, in which case such more stringent standards shall be observed and enforced by the air pollution control officer".

Amendment No. 6

On page 2, line 11, strike out "new and", and insert "internal combustion engines which constitute any part of new or".

Amendment No. 7

On page 2, line 13, after "to", insert "subdivision (a) of".

Amendment No. 8

On page 2, line 13, after "39052 9", insert ", unless more stringent standards are established pursuant to subdivision (c) of Section 39052 9, in which case such more stringent standards shall be observed and enforced by the control officer".

Amendment No. 9

On page 2, line 19, after "standards", insert "and standards based upon the Ringlemann Chart, as published by the United States Bureau of Mines".

Amendment No. 10

On page 2, line 25, strike out "No", and insert "Any".

Amendment No. 11

On page 2, line 25, strike out the second "or", and insert "and".

Amendment No. 12

On page 2, line 26, strike out "emission standards different from", and insert "opacity standards and standards based upon the Ringlemann Chart, as published by the United States Bureau of Mines, for emissions from internal combustion engines which constitute any part of mobile and portable construction equipment, which are more stringent than"

Amendment No. 13

On page 2, line 27, strike out "this section for", and insert "subdivision (a) "

Amendment No. 14

On page 3, strike out lines 1 to 7, inclusive.

Amendment No. 15

On page 3, line 26, after "establish", insert "standards for internal combustion engines which constitute any part of mobile and portable construction equipment pursuant to subdivision (c) of Section 39052 9, and any local or regional authority may establish"

Amendment No. 16

On page 3, line 28, after "all", insert "other".

Amendment No. 17

On page 3, line 28, strike out ", except for internal", and strike out lines 29 and 30, and insert ". No local or".

Amendment No. 18

On page 3, line 31, after "may", insert ", however,".

Amendment No. 19

On page 3, line 36, strike out "or thereafter operated".

Amendment No. 20

On page 3, line 37, strike out "it meets", and insert "internal combustion engines which constitute any part of such equipment meet".

Amendment No. 21

On page 3, line 38, after "to", insert "subdivision (a) of".

Amendment No. 22

On page 3, line 39, strike out "it is", and insert "such engines are".

Amendment No. 23

On page 4, line 4, strike out "Any used", and insert "Internal combustion engines which constitute any part of any"

Amendment No. 24

On page 4, line 7, after "to", insert "subdivision (a) of".

Amendment No. 25

On page 4, line 9, after "board", insert ", and any more stringent standards which may be established pursuant to subdivision (e) of Section 39052 9 which are applicable to such internal combustion engines".

Amendment No. 26

On page 4, line 9, strike out "This section shall not"; and strike out lines 10 to 13, inclusive.

Amendment No. 27

On page 4, line 17, strike out "new and", and insert "internal combustion engines which constitute any part of new or".

Amendment No. 28

On page 4, line 19, after "to", insert "subdivision (a) of".

Amendment No. 29

On page 4, line 19, after "39052 9", insert ", unless more stringent standards are established pursuant to subdivision (e) of Section 39052 9, in which case such more stringent standards shall be observed and enforced by the control officer".

Amendment No. 30

On page 4, strike out line 20, and insert

"SEC 8 Section 27156 5 is added to the Vehicle Code, to read:

27156 5 No person shall operate or leave standing upon any highway any mobile or portable construction equipment, as defined in subdivision (d) of Section 39052 9 of the Health and Safety Code, unless internal combustion engines which constitute any part of such equipment meet applicable emission standards established by the State Air Resources Board pursuant to subdivision (a) of Section 39052 9 of the Health and Safety Code or unless such engines are equipped with each air pollution control device required by the State Air Resources Board, or both, as determined by the State Air Resources Board. No person shall disconnect, modify, or alter any such required device.

The provisions of this section shall not prevent any local or regional authority, as defined in Section 39009 5 of the Health and Safety Code, from adopting and enforcing any more stringent standards adopted pursuant to subdivision (c) of Section 39052 9 of the Health and Safety Code "

Amendment No. 31

On page 4, strike out lines 21 to 40, inclusive; and strike out pages 5 and 6.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1226—An act to amend Sections 23102 and 23105 of the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Justice, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 28, 1972, strike out "Sections 23102 and 23105", and insert "Section 23102.3".

Amendment No. 2

In line 2 of the title, after the comma, insert "and to amend Section 564 of the Welfare and Institutions Code,".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 23102 3 of the Vehicle Code, as added by Chapter 900 of the Statutes of 1972, is amended to read:

23102 3 *(a)* In the case of a first conviction of driving a motor vehicle upon a highway while under the influence of intoxicating liquor, any judge of a court may order a presentence investigation to determine whether a person convicted of such offense would benefit from treatment for persons who are habitual users of alcohol.

~~In~~ *(b) Except as otherwise provided in subdivision (c), in* the case of a second or subsequent such conviction, the court shall order such a presentence investigation.

(c) Until January 1, 1974, in the case of a second or subsequent conviction of driving a motor vehicle upon a highway while under the influence of intoxicating liquor, every judge of a court located in the County of Los Angeles, Orange, San Diego, Alameda, or Santa Clara, or the City and County of San Francisco may, and on and after January 1, 1974, shall, order a presentence investigation to determine whether a person convicted of such offense would benefit from treatment for persons who are habitual users of alcohol

(d) In ~~either~~ *any* case. the court may order suitable treatment for the person, in addition to imposing any penalties required by this code.

SEC 2. Section 564 of the Welfare and Institutions Code is amended to read:

564. Upon a hearing conducted in accordance with Section 563, upon an admission by the minor of the commission of a traffic violation charged, or upon a finding that the minor did in fact commit such traffic violation, the judge, referee, or traffic hearing officer may

(1) Reprimand the minor and take no further action, or

(2) Direct the probation officer to file a petition as provided for in Article 7 (commencing with Section 650) of this chapter, or

(3) Make any or all of the following orders.

(a) That the driving privileges of the minor be suspended or restricted ~~for a period not to exceed 90 days~~ *as provided in the Vehicle Code*.

~~(b)~~ That the minor attend traffic school over a period not to exceed 60 days,

~~(c)~~ *(b)* That the minor pay to the general fund of the county a sum, not to exceed fifty dollars ($50),

~~(d)~~ *(c)* That the probation officer undertake a program of supervision of the minor for a period not to exceed six months,

~~(e)~~ *(d)* That the minor work in a city park or recreational facility or county or regional park for not to exceed 25 hours over a period not to exceed 30 days, during times other than his hours of school attendance or employment When the order to work is made by a referee or a traffic hearing officer, it shall be approved by a judge of the juvenile court.

The judge, referee, or traffic hearing officer shall retain jurisdiction of the case until all orders made under this section have been fully complied with."

Amendment No. 4

On page 1, strike out lines 2 to 4, inclusive, and strike out pages 2 to 4, inclusive.

Bill ordered reprinted, and returned to the Consent Calendar.

Senate Bill No. 1239—An act to amend Section 65860 of the Government Code, relating to zoning

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted·

Amendment No. 1

In the heading of the printed bill, as amended in Senate May 22, 1972, strike out "Coombs", and insert "Deukmejian".

Amendment No. 2

In line 2 of the title, after "zoning", insert ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1, line 6, strike out "1974", and insert "1973 A zoning ordinance shall be consistent with a city or county general plan only if.

(i) The city or county has officially adopted such a plan, and

(ii) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses and programs specified in such a plan "

Amendment No. 4

On page 1, line 15, strike out "1974", and insert "1973".

Amendment No. 5

On page 2, after line 3, insert

"SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into effect immediately. The facts constituting such necessity are·

Under present law zoning ordinances must be consistent with the general plan of the county or city by January 1, 1973 Some counties and cities need additional time to complete the complicated and time-consuming process of adopting their general plans and bringing their zoning ordinances into consistency therewith In order to extend the deadline past January 1, 1973, it is necessary that this act take effect immediately "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 820—An act making an appropriation for workshop services for aid to needy disabled recipients

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Section 8250 of, and to add Sections 8253 and 8254 to, the Welfare and Institutions Code, relating to special services, and making an appropriation therefor."

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 8250 of the Welfare and Institutions Code as amended by Chapter 918 of the Statutes of 1972 is amended to read:

8250. There is hereby created in the ~~Human Relations~~ *Health and Welfare* Agency an Office of Special Services under the control of ~~an executive officer~~ *a director* appointed by and holding office at the pleasure of the Governor. The duties and functions of this office shall be to.

(a) Coordinate, oversee, direct and harmonize the work of the several offices, councils, *centers,* commissions and boards in the ~~Human Relations~~ *Health and Welfare* Agency.

(b) Assist such offices, councils, *centers,* commissions and boards in meeting the goals and priorities each such unit has established

(c) Assure that there is no duplication of work, effort or programs among or between the several offices, councils, *centers,* commissions and boards.

(d) Render such services as may be needed by any such office, council, *center,* commission or board.

(e) Perform such special studies or services as may be requested by the Secretary of the ~~Human Relations~~ *Health and Welfare* Agency, or by any department within the ~~Human Relations~~ *Health and Welfare* Agency with the express approval of the secretary.

(f) When directed by the secretary, to assume responsibility for and direction of any program within the Health and Welfare Agency.

SEC. 2. Section 8253 is added to the Welfare and Institutions Code, to read:

8253. The Director of the Office of Special Services shall have the powers of a head of a department pursuant to Chapter 2 (commencing with Section 11150) of Part 1 of Division 3 of Title 2 of the Government Code

SEC. 3. Section 8254 is added to the Welfare and Institutions Code, to read:

8254 The director may adopt, amend, or repeal, in accordance with Chapter 4 5 (commencing with Section 11371) of Part 1, Division 3, Title 2, of the Government Code, such reasonable rules and regulations as may be necessary or proper to carry out the purposes and intent of this chapter and to enable the Office of Special Services to exercise the powers and perform the duties conferred upon it by this chapter, not inconsistent with any provisions of any statute of this state

SEC. 4 There is hereby appropriated from the"

Amendment No. 3

On page 1, line 4, strike out "workshop services for", and insert "a demonstration project to purchase workshop services for current and potential recipients of".

Amendment No. 4

On page 1, line 5, strike out "recipients".

Amendment No. 5

On page 1, line 9, strike out "eligible", and insert "current and potential recipients of".

Amendment No. 6

On page 1, line 9, strike out "recipients".

Amendment No. 7

On page 1, after line 9, insert

"The Department of Social Welfare shall expend any funds appropriated from moneys received under the state and local Fiscal Assistance Act of 1972 for the demonstration project established pursuant to this section prior to the expenditure of state funds appropriated from the State General Fund by this section Funds appropriated from the State General Fund by this section shall not be taken from funds received under the state and local Fiscal Assistance Act of 1972 and shall be utilized to obtain federal funds under any federal program which requires a state contribution in order to receive federal funds "

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 279—An act to amend Sections 14005 4, 14005 6 and 14005 7 of, and to add Article 4 5 (commencing with Section 14146) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services.

Bill read second time, and ordered to third reading.

Senate Bill No. 451—An act to add Article 2 (commencing with Section 44971) to Chapter 9 of Division 17 of the Agricultural Code, relating to agricultural products

Bill read second time, and ordered to third reading

Senate Bill No. 919—An act to amend Sections 6876.1, 21625, 21632, 21633, 21634, and 21635 of the Business and Professions Code, to amend Section 607f of the Civil Code, to amend Sections 10401 and 10402 of the Corporations Code, to amend Sections 13128, 13588, and 13589 of the Education Code, to amend Section 21208 of the Financial Code, to amend Sections 1030, 14710, 15001, 15100, 15103, 15104, 20017 75, 20803 7, and 22013 of, and to repeal Section 20017 7 of, the Government Code, to amend Sections 11002 1, 11102, 11103, 11104, 11105, 11106, 11166 05, 11166 08, 11166.10, 11166 11, 11177, 11226, 11228, 11250, 11331 5, 11332, 11333, 11395, 11425, 11426, 11573, 11574, 11576, 11652, 11654, 11655, 11655 6, 11656, 11657, 11680, 11722, 11851, 11852, 11853, 11903, 11925 1, 11925 2, 11925 3, and 11925 4 of, to repeal Sections 11004, 11005, 11100, and 11101 of, to amend, repeal, and add Sections 11655 5 and 11722 of, and to amend the heading of Chapter 2 (commencing with Section 11100) of Division 10 of, the Health and Safety Code, to amend Sections 3212.7, 4800, 4802, and 4803 of the Labor Code, to amend Sections 290, 830 3, 2082 4852 12, 4852 14, 4852 17, 11006, 11050, 11050 5, 11051, 11102, 11105, 11107, 11110, 11113, 11115, 11116, 11117, 11120, 11122, 11123, 11124, 11125, 11126, 11127, 11150, 11152, 11161 5, 12030, 12052, 12053, 12054, 12075, 12076, 12077, 12078, 12079, 12090, 12092, 12094, 12230, 12231, 12250, 12251, 12305, 12306, 12307, 12403, 12423, 12424, 12435, 12450, 12452, 12454, 12455, 12456, 12457, 12458, 13010, 13011, 13012, 13020, 13021, and 13022 of, to repeal Sections 11000, 11005, and 11007 of, to amend the heading of Chapter 1 (commencing with Section 11000) of Title 1 of Part 4 of, and to repeal Article 1 (commencing with Section 13000) of Chapter 1 of Title 3 of Part 4 of, the Penal Code, and to

amend Sections 504 and 5328 2 of, and to amend, add, and repeal Sections 8104 and 16018 of, the Welfare and Institutions Code, relating to the Department of Justice

Bill read second time, and ordered to third reading.

Senate Bill No. 1044—An act to amend Section 96 of the Labor Code, relating to wage claims.

Bill read second time, and ordered to third reading

Senate Bill No. 1061—An act to add Section 18412 1 to the Financial Code, relating to industrial loan companies

Bill read second time, and ordered to third reading

Senate Bill No. 1447—An act to amend Sections 7451 and 7451 1 of the Education Code, relating to regional occupational centers and programs.

Bill read second time, and ordered to third reading.

Senate Bill No. 1494—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to third reading

Senate Bill No. 1507—An act to amend Sections 986 3 and 986 5 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 571—An act to add Section 7263 5 to the Government Code, relating to relocation assistance

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1049—An act to amend Sections 9042, 9047, and 9056 of, to add Section 9058 to, and to add Article 5 (commencing with Section 9070) to Chapter 17 of Division 3 of, the Business and Professions Code, and to amend Section 1014 of the Evidence Code, relating to clinical social workers.

Bill read second time, and ordered to the Consent Calendar.

Senate Bill No. 1154—An act to amend Sections 17764, 17764 4, 17765 8, 17769, 17773, and 17775 of, and to add Sections 17764 1, 17764 2, 17764 5, 17764 6, 17764 7, 17766 5, 17769 1, 17769 2, 17773 1, 17775 1, and 17775 2 to, the Business and Professions Code, relating to trading stamp companies.

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1218—An act to add Sections 18102 11 and 18102 12 to, and to repeal Section 18102 11 as added by Chapter 1543 of the Statutes of 1970 to, to repeal Section 18102 11 as added by Chapter 1562 of the Statutes of 1970 to, to repeal Section 18102 11 as amended by Chapter 702 of the Statutes of 1972 to, to repeal Section 18102 12 as added by Chapter 1543 of the Statutes of 1970 to, to repeal Section

18102 12 as added by Chapter 1562 of the Statutes of 1970 to, and to repeal Section 18102 12 as amended by Chapter 702 of the Statutes of 1972 to, the Education Code, relating to special education programs, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Consent Calendar

Senate Bill No. 1490—An act to add Section 14150 9 to the Welfare and Institutions Code, relating to Medi-Cal

Bill read second time, and ordered to the Consent Calendar.

Speaker pro Tempore Presiding

At 12 28 p m , Hon Carlos Bee, 13th District, presiding.

ADJOURNMENT

At 12 29 p m , pursuant to the provisions of Assembly Concurrent Resolution No 132, Speaker pro Tempore Bee declared the Assembly adjourned until 11 a m , Monday, November 27, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-second Legislative Day

Three Hundred Thirtieth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, November 27, 1972

Pursuant to the provisions of Assembly Concurrent Resolution No. 132, the Assembly met at 11 a m

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Conrad moved a quorum call of the Assembly.

Mr Ryan seconded the motion.

Motion carried Time, 11 02 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 11 12 a.m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Colher, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson,

Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

You Speak in Silence, And all languages interpret You You are the truth of all words, their permanence and their comfort and every man who listens with an open mind can hear You in his own language and in his own life Put words into our mouths, then, that comfort and shed light, make us alive to justice and to right, groan in us for a new creation, guide our hearts and our faith, let our thoughts and our labors be fruitful and give us the bread of peace —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Powers then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Ryan, seconded by Mr. Deddeh.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Belotti, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Speaker pro Tempore Bee
Mr Chappie, on request of Speaker pro Tempore Bee
Mr Karabian, on request of Speaker pro Tempore Bee.
Mr Ketchum, on request of Speaker pro Tempore Bee
Mr. Vasconcellos, on request of Speaker pro Tempore Bee.

EXPLANATION OF ABSENCE

The following communication was presented by the Speaker, and ordered printed in the Journal:

November 27, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol

Dear Bob I respectfully request permission to be absent from session today for legislative business, and waive per diem.

I am absent because of a long-standing commitment to address the Education Committee of the Chamber of Commerce in Los Angeles on the work of the Joint Legislative Committee on Educational Goals and Evaluation

Best wishes,

JOHN VASCONCELLOS, Assemblyman
Twenty-fourth District

COMMUNICATIONS

The following communication was presented by the Chief Clerk from.

Walter L Lancaster, Imperial County Assessor, El Centro, relative to response to State Board of Equalization's recommendations following Assessment Practices Survey of Imperial County in 1970 Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation.

REPORTS

The following report was presented by the Chief Clerk

Tidelands of the City of Alameda—Land Use and Development—Report 1 (Pursuant to Secs. 6374 and 6376, Public Resources Code).

Above transmitted report, together with letter of transmittal from Donald Johnson, Planning Director, City of Alameda, California, dated November 22, 1972, referred by the Speaker pro Tempore to the Committee on Planning and Land Use

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal·

November 27, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim Pursuant to the requirements of Section 61 of the Elections Code, I am enclosing herewith documents relating to the ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of San Leandro.

Very truly yours,

ROBERT W CROWN

Accompanying documents ordered filed with the Secretary of State (ACR No 133)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered

Assembly Concurrent Resolution No. 134: By Assemblyman Arnett—Approving amendments to the Charter of the County of San Mateo, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November, 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 134

Mr Arnett was granted unanimous consent to take up Assembly Concurrent Resolution No 134 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 134

Assembly Concurrent Resolution No. 134—Approving amendments to the Charter of the County of San Mateo, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November, 1972

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Burke, Burton, Cline, Collier, Conrad, Cory, Cullen, Davis, Deddeh, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Hayden, Harvey Johnson, Keysor, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Mobley, Monagan, Murphy, Porter, Powers, Quimby, Ralph, Russell, Ryan, Thomas, Warren, Wilson, Wood, and Mr Speaker—44

NOES—None

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal.

November 27, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Mr Driscoll Pursuant to the requirements of Section 61 of the Elections Code, I am enclosing herewith documents relating to ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the County of San Mateo

Sincerely,

DIXON ARNETT

Accompanying documents ordered filed with the Secretary of State (ACR No 134)

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file, to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or First Day Consent Calendar, instead of the second reading file

COMMUNICATIONS

Assembly Chamber, November 22, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 1404—An act to amend Sections 4908 and 4920 of, and to add Sections 4922 5 and 4925 to, the Public Utilities Code, relating to travel promoters,

Assembly Bill No. 1782—An act to amend Section 6424 of, and to add Section 6423 to, the Labor Code, relating to trenches and excavations,

Assembly Bill No. 2230—An act to add Part 9 (commencing with Section 37500) to Division 24 of the Health and Safety Code, relating to housing, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 1 p m , November 22, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 27, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined:

AB No. 2294

And reports the same correctly re-engrossed

JAMES D. DRISCOLL, Chief Clerk

Above bill ordered to the Consent Calendar

Assembly Chamber, November 27, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 2395

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Labor Relations

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Labor Relations reports.

SB No 837

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means (Consent recommendation).

McCARTHY, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, November 22, 1972

Mr Speaker Your Committee on Natural Resources and Conservation reports:

SB No 1369

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means, recommend Consent Calendar

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, November 22, 1972

Mr Speaker. Your Committee on Natural Resources and Conservation reports·

AB No 1673

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means, recommend Consent Calendar

Z'BERG, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Planning and Land Use

Assembly Chamber, November 27, 1972

Mr Speaker· Your Committee on Planning and Land Use reports:

SB No 1118

With amendments with the recommendation· Amend, and do pass, as amended.

PRIOLO, Chairman

Above bill ordered to second reading

MESSAGES FROM THE SENATE

Senate Chamber, November 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 80	AB No 1334	AB No 2029
AB No 791	AB No 1685	AB No 2185
AB No 1101	AB No 1966	AB No. 2268
AB No 1277		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, November 26, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day passed.

AB No 714
AB No 2341

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to·

SB No 125	SB No. 864	SB No 1167
SB No 135	SB No 1164	SB No 1170
SB No 401	SB No 1165	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 26, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed:

SB No 542
SB No 816

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 22, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted:

SJR No 30

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 542—An act to amend, add, and repeal Section 5751 of the Welfare and Institutions Code, relating to mental health

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 816—An act to add Section 99276 to the Public Utilities Code, relating to public transportation systems

Held at Desk by order of the Speaker pro Tempore.

Senate Joint Resolution No. 30—Relative to sickle cell anemia programs

Held at Desk by order of the Speaker pro Tempore.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee.

Senate Bill No	*Committee*
542	Health
816	Transportation

Senate Joint Resolution No.	*Committee*
30	Health

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Deddeh was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 816 for hearing in the Committee on Transportation today at 4 p m

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 616

Mr Badham was granted unanimous consent to rescind the action whereby on August 3, 1972 (Assembly Journal, page 7192), the Assembly Daily Journals for July 7, 20, 27, and 31, 1972 were approved

by the Assembly, and that further, the following actions taken on Senate Bill No 616 be rescinded (1) The action whereby on November 14, 1972 (Assembly Journal, page 7623) the bill was withdrawn from the inactive file, and placed upon the third reading file, (2) the action whereby on August 3, 1972 (Assembly Journal, page 7118), the vote whereby the bill was passed on July 31, 1972, was reconsidered, and the bill placed upon the inactive file, (3) the action whereby on July 31, 1972 (Assembly Journal, pages 6814, 6822-6823), the bill was read a third time and passed in the Assembly, and a motion to reconsider the vote whereby the bill was passed was made (Assembly Journal, page 6832), and the bill ordered to the unfinished business file, (4) the action whereby on July 27, 1972 (Assembly Journal, page 6605), the report of the Committee on Ways and Means relative to the bill was received and read in the Assembly, and the bill read a second time and ordered to third reading (Assembly Journal, page 6612), (5) the action whereby on July 20, 1972 (Assembly Journal, page 6276), the report of the Committee on Commerce and Public Utilities relative to the bill was received and read in the Assembly, and the bill ordered re-referred to the Committee on Ways and Means, (6) the action whereby on July 7, 1972 (Assembly Journal, pages 6009-6010), the report of the Committee on Commerce and Public Utilities relative to the bill was received and read in the Assembly, whereby the bill was read a second time, author's amendments to the bill read and adopted, and the bill ordered reprinted, and to be re-referred to the Committee on Commerce and Public Utilities

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the unfinished business file

Assembly Bill No. 1527 (concurrence in Senate amendments), on request of Mr. Campbell.

Assembly Bill No. 278 (Governor's veto), on request of Mr Beverly.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 481 for hearing in the Committee on Commerce and Public Utilities at 1:45 p m, on Tuesday, November 28, 1972

RESOLUTIONS

The following resolution was offered:

By Assemblyman Monagan:

House Resolution No. 133

Relative to commending Assemblyman Moorhead

WHEREAS, Our distinguished colleague and great friend, Carlos J Moorhead, State Assemblyman from the 42rd District of Glendale since 1966, has been elected to Congress at the November 1972 National Election to represent California's 20th Congressional District, and

WHEREAS, A state legislative leader in the areas of law enforcement, probate reform, insurance, traffic safety, and environmental quality, Congressman-elect Moorhead has proven himself to be an extremely capable state legislator, having a legislative authorship success rate of over 70 percent, and

WHEREAS, During his service as a Member of the Assembly, Mr Moorhead represented the State Assembly on the California Law Revision Commission and the Joint Legislative Committee for Revision of the Penal Code; and

WHEREAS, He is the author of the "Unlawful Assembly Act of 1969," a law to curtail civil disturbances, and is a two-time recipient of the California Republican Assembly's "Outstanding Legislator" Award, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members hereby commend Assemblyman Carlos J Moorhead for his exemplary record of dedicated service to the people of California as a Member of the State Assembly, congratulate him upon being elected to Congress to represent California's 20th Congressional District, and extend to him sincere best wishes for a highly successful period of service as a Member of the United States House of Representatives; and be it further

Resolved, That a suitably prepared copy of this resolution be transmitted to Assemblyman Carlos J Moorhead.

Request for Unanimous Consent

Mr Monagan was granted unanimous consent to take up House Resolution No 133 without reference to committee or file.

Resolution read.

Members Made Coauthors of House Resolution No. 133

Mr Monagan was granted unanimous consent that all Members so desiring be placed upon House Resolution No 133 as coauthors

Roll Call

The following Assemblymen indicated a desire to become coauthors:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moretti, Murphy, Pierson, Potter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—68

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly

INTRODUCTION OF GUESTS

Mr Monagan, Minority Floor Leader of the Assembly, introduced Mrs Valerie Moorhead, wife of Assemblyman Carlos Moorhead, of the 43rd Assembly District, whereupon the Members of the Assembly joined in welcoming her on her visit to the Assembly Chamber.

Majority Floor Leader Presiding

At 11:45 a.m., Hon. Jack R. Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:45 a.m., Mr. Leroy F. Greene was granted unanimous consent to hold a special meeting of the Committee on Education, at this time, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 86 for hearing in the Committee on Education today.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Pierson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 419 for hearing in the Committee on Finance and Insurance on Tuesday, November 28, 1972.

Mr. Powers was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 616 for hearing in the Committee on Commerce and Public Utilities at 1:45 p.m., on Tuesday, November 28, 1972, in Room 2117.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1213—An act to add Sections 4027 and 5009 to the Penal Code and Section 1705 to the Welfare and Institutions Code, relating to religious practices.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1213?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out ", 5009, and 6006", and insert "and 5009".

Amendment No. 2

In line 2 of the title, after "Code", insert "and Section 1705 to the Welfare and Institutions Code".

Amendment No. 3

On page 1, lines 4 and 5, strike out "the right of", and insert "all".

Amendment No. 4

On page 1, line 5, strike out "to"; and strike out lines 6 to 8, inclusive, and on page 2, line 1, strike out "proper, and lawful security measures", and insert "shall be afforded reasonable opportunities to exercise religious freedom".

Amendment No. 5

On page 2, line 7, strike out the third "the", and strike out lines 8 to 10, inclusive, and in line 11, strike out "reasonable, proper, and lawful security measures", and insert "all prisoners shall be afforded reasonable opportunities to exercise religious freedom".

Amendment No. 6

On page 2, strike out lines 12 to 20, inclusive, and insert

"SEC 3 Section 1705 is added to the Welfare and Institutions Code, to read

1705 It is the intention of the Legislature that all persons in the custody of an institution under the supervision of the Department of the Youth Authority shall be afforded reasonable opportunities to exercise religious freedom "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61.

NOES—Stull—1

Above bill ordered enrolled

Assembly Bill No. 1963—An act to add Sections 11116 7, 11116 8, and 11116 9 to the Penal Code, relating to accusatory pleadings

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1963?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "amend Sections 849 and 851 6 of, and to add Sections 11115 5," and insert "add Sections"

Amendment No. 2

In line 3 of the title, strike out the comma

Amendment No. 3

In line 4 of the title, strike out "arrests", and insert "accusatory pleadings"

Amendment No. 4

On page 2, strike out lines 2 to 35, inclusive

Amendment No. 5

On page 3, strike out lines 7 to 24, inclusive, and insert

"SECTION 1 Section 11116 7 is added to the Penal"

Amendment No. 6

On page 3, line 29, strike out "judge of that"

Amendment No. 7

On page 3, line 40, strike out "judge of the".

Amendment No. 8

On page 4, line 2, strike out "SEC 5", and insert "SEC. 2".

Amendment No. 9

On page 4, line 11, strike out "SEC 6", and insert "SEC 3".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 239—An act to amend Sections 8740, 8741, 8742, 8743, 8744, 8747, 8761, 8780, and 8805 of, to amend and renumber Section 8745 5 of, and to repeal Sections 8740 5 and 8793 of, the Business and Professions Code, relating to surveyors

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 239?

Senate Amendments of June 30, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Assembly March 15, 1972, strike out "Assemblyman", and insert "Assemblymen"

Amendment No. 2

In the heading, after "Powers", insert "and Fong".

Amendment No. 3

On page 3, line 9, strike out ", except", strike out lines 10 to 12, inclusive; and in line 13, strike out "experience requirement shall be eight years".

Amendment No. 4

On page 4, line 5, strike out "Profesions", and insert "Professions".

Amendment No. 5

On page 4, strike out lines 29 and 30, and insert

"(a) An applicant who has passed the first division of the examination shall be issued a certificate as a land surveyor-in-training No renewal or other fee, other than the application fee, shall be charged for this certification A land surveyor-in-training certificate shall not

authorize the holder thereof to practice or offer to practice land surveying No person shall use the title of land surveyor-in-training unless he is the holder of a valid land surveyor-in-training certificate

(b) An applicant who has passed the second division of the examination shall be issued a license as a land surveyor The license shall authorize him to practice as a land surveyor ''

Senate Amendments of July 25, 1972

Amendment No. 1

On page 4, line 7, of the printed bill, as amended in Senate June 30, 1972, strike out ''state'', and insert ''State''

Amendment No. 2

On page 5, line 6, strike out '' All'', and insert ''and prepare''.

Amendment No. 3

On page 5, strike out lines 8 to 10, inclusive, and insert ''in connection therewith All maps, plats, reports, descriptions, or other documents issued by the licensed land surveyor or registered civil engineer shall be signed by him to indicate his responsibility for them.''

Senate Amendments of November 3, 1972

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in Senate July 25, 1972, after ''years'', insert a period.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 818—An act to add Section 21157 to the Government Code, relating to the Public Employees' Retirement System

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 818?

Senate Amendments of July 18, 1972

Amendment No. 1

On page 2, line 3, of the printed bill, after ''compensation'', insert ''presently''

Amendment No. 2

On page 2, line 3, after ''person'', insert ''currently''.

Senate Amendments of July 27, 1972
Amendment No. 1

On page 1 of the printed bill, as amended in Senate July 18, 1972, strike out lines 3 and 4, and insert

"21157 A person retired for disability who has not attained the mandatory age for retirement applicable to persons in the employment in which he will be employed, and whom the board finds not disabled for such employment, may be employed by any employer without reinstatement from retirement in a position other than that from which he retired or a position in the same member classification His disability retirement pension shall be reduced during such employment to an amount which, when added to the compensation received, shall equal the maximum compensation earnable by a person holding the position which he held at the time of his retirement Any such employment shall terminate upon his attainment of the mandatory retirement age for persons in such employment "

Amendment No. 2

Strike out page 2

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—Stull—1

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO SET SENATE BILL NO. 90 FOR SPECIAL ORDER

Acting Speaker Fenton was granted unanimous consent that Senate Bill No 90 be made a special order of business for Tuesday, November 28, 1972, at 11 a m

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1315—An act to amend Section 11010 of, and to add Section 11018 6 to, the Business and Professions Code, relating to subdivisions

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1315?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 3, 1972, strike out "Sections", and insert "Section".

Amendment No. 2

In line 2 of the title, strike out "11010 01, and 11011 9", and insert "11018 6".

Amendment No. 3

On page 3, strike out lines 23 to 40, inclusive; and strike out page 4, and insert

"SEC 2 Section 11018 6 is added to the Business and Professions Code, to read:

11018 6 Whenever the commissioner issues a public report on any subdivision wherein the lots or parcels are to be sold improved with residential structures, the occupancy of which is not restricted to adults, the commissioner shall on the first page of the report either incorporate the material information contained in the statement required by subdivision (*l*) of Section 11010 or shall set forth clearly where in the report such information may be found

The Real Estate Commissioner shall furnish one copy of the Real Estate Commissioner's public report on the subdivision to each public school district serving the subdivision"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman MacDonald MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1570—An act to amend Sections 14978, 14981, and 15670 of the Elections Code, relating to elections.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1570?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly April 19, 1972, after "14978", insert ", 14981,".

Amendment No. 2

On page 2, line 9, after "SEC 2.", insert "Section 14981 of the Elections Code is amended to read:

14981 *The commission shall review voting systems periodically to determine if they are defective, obsolete, or otherwise unacceptable.*

The commission has the right to withdraw its approval previously granted under this article of any voting machine or vote tabulating device should the machine or device prove defective or otherwise unacceptable after use in any election.

SEC. 3 ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2165—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2165?

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly May 2, 1972, strike out "April 1, 1973, all mattresses sold", and strike out lines 5 to 10, inclusive, and in line 11, strike out "the bureau", and insert "June 7, 1973, all mattresses manufactured for sale in this state, including any mattress manufactured for sale for use in a hotel, motel, or other place of public accommodation in this state, shall be fire retardant".

Amendment No. 2

On page 2, line 17, after "motel", insert a comma

Amendment No. 3

On page 2, line 20, after "section", insert a comma

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby,

Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2186—An act to amend Section 13832 of, and to add Section 13972 to, the Education Code, to amend Sections 16431, 20022, 20332, 20809, 31460, and 53609 of, and to add Sections 13927 and 31482 to, to add Chapter 8 (commencing with Section 18310) to Part 1 of Division 5 of Title 2 of, and to add Article 1.1 (commencing with Section 53212) to Chapter 2 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to deferred compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2186?

Amendment No. 1

On page 4, line 12, of the printed bill, as amended in Assembly July 3, 1972, strike out "Each state agency", and insert "The Department of General Services".

Amendment No. 2

On page 4, line 13, strike out "its".

Amendment No. 3

On page 4, line 18, strike out "agency".

Amendment No. 4

On page 4, lines 20 and 21, strike out "of any state agency having a deferred compensation plan".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Colher, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Qumby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 210—An act to add Sections 6812.7 and 18102.1 to the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 210?

Senate Amendments of April 18, 1972

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly March 14, 1972, strike out "two such experimental programs", and insert "one such experimental program".

Amendment No. 2

On page 2, line 6, strike out "One of these"; strike out lines 7 and 8; and on line 9, strike out "In each case, program", and insert "Program".

Amendment No. 3

On page 2, strike out line 10, and insert "school district or county superintendent of schools".

Amendment No. 4

On page 2, line 11, strike out "are", and insert "is".

Amendment No. 5

On page 2, line 11, strike out "programs", and insert "a program".

Amendment No. 6

On page 2, line 12, strike out "are", and insert "is".

Amendment No. 7

On page 2, line 13, strike out "programs", and insert "program".

Amendment No. 8

On page 2, line 15, strike out "these experimental programs", and insert "this experimental program".

Amendment No. 9

On page 2, lines 21 and 22, strike out "these experimental programs", and insert "this experimental program".

Amendment No. 10

On page 2, line 24, strike out "these experimental programs", and insert 'this experimental program".

Amendment No. 11

On page 2, line 33, strike out "these experimental programs", and insert 'this experimental program".

Amendment No. 12

On page 2, line 40, strike out "experimental programs", and insert "an experimental program".

Amendment No. 13

On page 3, lines 6 and 7, strike out "experimental programs", and insert "an experimental program".

Senate Amendments of July 27, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate April 18, 1972, after "education", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 19, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

In order that children six months of age and older who are deaf or severely hard-of-hearing may, at the earliest time, be enrolled in the experimental educational program authorized by this act, thereby enabling the program to be developed to its greatest possible potential during the limited period of its existence, it is necessary that this act take immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillvray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 210?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillvray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 253—An act to amend Section 13 of, and to add Section 13 1 to, the Humboldt County Flood Control District Act (Chapter 939 of the Statutes of 1945), relating to the Humboldt

County Flood Control District, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 253?

Senate Amendments of November 14, 1972

Amendment No. 1

In the heading of the printed bill, strike out "Assemblyman Davis", and insert "Assemblymen Davis and Belotti
(Coauthor. Senator Collier)".

Amendment No. 2

In line 1 of the title, strike out "3 of the Del Norte", and insert "13 of, and to add Section 13 1 to, the Humboldt".

Amendment No. 3

In line 2 of the title, strike out "166", and insert "939".

Amendment No. 4

In line 2 of the title, strike out "1955", and insert "1945".

Amendment No. 5

In line 3 of the title, strike out "Del Norte", and insert "Humboldt".

Amendment No. 6

On page 1, strike out line 1, and insert

"SECTION 1. Section 13 of the Humboldt County Flood Control District Act (Chapter 939 of the Statutes of 1945) is amended to read.

Sec 13 The board may institute district projects or projects for single zones and joint projects for two or more zones, and projects for subzones, for the financing, constructing, maintaining, operating, extending, repairing or otherwise improving any work or improvement of common benefit to the district or to such zone, subzone, or participating zones ~~For~~ *As used in this section, "project" includes a contract with the United States for a water supply*

For the purpose of acquiring authority to proceed with any such project, the board shall adopt a resolution specifying its intention to undertake such project, together with the engineering estimates of the cost of same to be borne by the district as a whole or by the particular zones, subzones, or participating zones and fixing a time and place for public hearing of said resolution and which shall refer to a map or maps showing the general location and general construction of said project Notice of such hearing shall be given by publication pursuant to Section 6066 of the Government Code, the last publication of which notice must be at least seven (7) days before said hearing, in a newspaper of general circulation designated by the board, circulated in the district or in such zone, subzone, or each of said participating zones, if there be such newspaper, and if there be no such newspaper then by posting notice for two consecutive weeks prior to said hearing in five public places designated by the board, in the district or in such zone, subzone, or in each of said participating zones. Said notice must

designate a public place in the district or in such zone, subzone, or in each of said participating zones where a copy or copies of the map or maps of said project may be seen by any interested person, said map must be posted in each of said public places so designated in said notice at least two weeks prior to said hearing

At the time and place fixed for the hearing or at any time to which said hearing may be continued, the board shall consider all written and oral objections to the proposed project Upon the conclusion of the hearing the board may abandon the proposed project or proceed with the same, unless prior to the conclusion of said hearing written protests against the proposed project signed by a majority in number of the registered voters residing within the district or such zone, subzone, or participating zones be filed with the board, in which event further proceedings relating to such project must be suspended for not less than six months following the date of the conclusion of said hearing, or said proceeding may be abandoned in the discretion of the board

SEC. 2. Section 13 1 is added to the Humboldt County Flood Control District Act (Chapter 939 of the Statutes of 1945), to read

Sec 13 1 If after the hearing provided for in Section 13 of this act, the board determines to proceed with any project not involving the incurring of a bonded indebtedness, the board may call a special election and submit to the qualified voters of such zone, subzone, or participating zones the question whether or not the board should proceed with the project

Such special election shall be called and held in the same manner as a board election under Section 15

If such question is submitted by the board to the voters of a zone, subzone, or participating zones, the district may not proceed with the project unless a majority of the votes cast are in favor thereof "

Amendment No. 7

On page 1, strike out lines 2 to 10, inclusive; and strike out page 2.

Senate Amendments of November 15, 1972

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate November 14, 1972, after, "District", insert ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 3, between lines 35 and 36, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

The Humboldt County Flood Control District is presently contemplating entering into a contract with the United States for a water supply In order that the district may call a special election at the earliest possible time to ascertain the sentiment of the district voters as to the proposed contract, it is necessary that this act go into immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 253?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 748—An act to add Section 16080 5 to the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 748?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 24, 1972, strike out "amend Section 16027 of", and insert "add Section 16080 5 to".

Amendment No. 2

In line 2 of the title, after "responsibility", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 Section 16080 5 is added to the Vehicle Code, to read:

16080 5 (a) Any proceeding or order of the department pursuant to subdivision (c) of Section 16053, or Section 16080, 16100, or 16484, relating to the suspension of the drivers' license or driving privilege

of any person, or the registration card or license plates for any vehicle owned by any person, shall be stayed by the receipt by the department of a request from such person for a hearing Upon the receipt of any such request, the department shall refund any security deposited by such person

(b) The provisions of subdivision (a) shall remain in effect as provided in this subdivision pending a decision by the United States Supreme Court regarding the constitutionality of the procedures of the department relating to the suspension of drivers' licenses and driving privileges If the United States Supreme Court decides that the department's procedures approved by the federal court in the case of *Rivas* v *Cozens* (1971), 327 F Supp 867, and in use prior to the decision of the California State Supreme Court in the case of *Rios* v *Cozens* (1972), 7 Cal 3d 792, afforded due process and were constitutional, the department shall resume proceedings and the issuance of suspension orders pursuant to subdivision (c) of Section 16053, and Sections 16080, 16100, and 16484 30 days thereafter or as soon thereafter as feasible, as reasonably determined by the department, and subdivision (a) of this section shall no longer have any force or effect If the department's procedures in use prior to the case of *Rios* v *Cozens* are found by the court not to afford due process and hearings are required to provide for calling of witnesses or the taking of oral testimony, the provisions of subdivision (a) shall remain operative until amended or repealed by the Legislature

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Department of Motor Vehicles is required to issue orders of suspension of drivers' licenses or driving privileges, and registration cards and license plates, pursuant to subdivision (c) of Section 16053 of, and Sections 16080, 16100, and 16484 of, the Vehicle Code in the administration of Chapters 1 (commencing with Section 16000), 2 (commencing with Section 16250), and 3 (commencing with Section 16430) of Division 7 of the Vehicle Code

A three-judge United States district court in the case of *Rivas* v *Cozens* (1971), 327 F Supp 867, determined that the existing procedures of the Department of Motor Vehicles in the administration of such provisions were sufficient to afford due process to the persons affected

However, the California State Supreme Court thereafter rendered a contrary opinion in the case of *Rios* v *Cozens*, (1972), 7 Cal 3d 792, which opinion requires the Department of Motor Vehicles to provide an opportunity for an extensive hearing to an uninsured motorist prior to suspending his driving privilege under the applicable statutes

The Department of Motor Vehicles does not now have sufficient funds budgeted to conduct full scale or extensive hearings on the issues to be determined by the Department of Motor Vehicles nor adequate trained personnel to conduct such hearings

The cases of *Rivas* v *Cozens* and *Rios* v *Cozens* are currently on appeal and pending before the United States Supreme Court to resolve the conflicts between the cases

Pending the decision of the United States Supreme Court, the Department of Motor Vehicles is placed in a difficult and untenable position in administering existing provisions of law because of these circumstances Thus, it is necessary that this act, which is intended to specify what course of action should be taken by the Department of Motor Vehicles until such decision is rendered, go into immediate effect."

Amendment No. 4

On page 2, strike out lines 2 to 37, inclusive.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 748?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1147—An act to amend Sections 19060 6 and 19170 of, to add Sections 19035 35 and 19050 to, and to repeal Sections 19171, 19171 5 and 19171 6 of, the Business and Professions Code, relating to furniture and bedding

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1147?

Amendment No. 1

On page 5, line 11, of the printed bill, as amended in Assembly May 2, 1972, strike out "may", and insert "shall".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that photographers be permitted on the floor of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 541 for hearing in the Committee on Ways and Means, on Wednesday, November 29, 1972

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 27, 1972

Mr. Speaker. Your Committee on Rules recommends:

That the request by Mr Ryan for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Assembly Bill No. 2391 be granted.

BURTON, Chairman

Committee on Ways and Means

Assembly Chamber, November 27, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SB No 138
SB No 931
SB No 1274

With amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above bills ordered to second reading

Assembly Chamber, November 27, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 1330

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BROWN, Chairman

Above bill ordered to second reading.

Committee on Education

Assembly Chamber, November 27, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 86

With amendments with the recommendation: Amend, and do pass, as amended.

LEROY F. GREENE, Chairman

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ryan:

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Assembly Bill No 2391 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Article IV, Section 8(a) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Ryan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 2391 for hearing in the Committee on Revenue and Taxation today.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered

Assembly Concurrent Resolution No. 135: By Assemblyman Waxman—Approving amendments to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the 7th day of November, 1972.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 135

Mr Waxman was granted unanimous consent to take up Assembly Concurrent Resolution No 135 without reference to committee, print, or file, and that the same be considered engrossed

Consideration of Assembly Concurrent Resolution No. 135

Assembly Concurrent Resolution No. 135—Approving amendments to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the 7th day of November, 1972

Resolution read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal

November 27, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Jim Pursuant to the requirements of Section 61 of the Elections Code, I am enclosing herewith documents relating to the ballot arguments, proof of publication, and election results pertaining to the amendments to the charter of the City of Los Angeles.

Very truly yours,

HENRY A WAXMAN

Accompanying documents ordered filed with the Secretary of State (ACR No 135).

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 4

The hour having arrived, Senate Bill No 4 was taken up.

Senate Bill No. 4—An act to add Chapter 14 (commencing with Section 5093 50) to Division 5 of the Public Resources Code, relating to waterways

Bill read third time, and presented by Mr Brown

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cullen, Davis, Deddeh, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, and Mr Speaker—61

NOES—Stacey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Stacey was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal.

Opinion of Legislative Counsel

Sacramento, November 21, 1972

Honorable Kent H Stacey
Assembly Chamber

Wild Rivers (S B. 4 and S B 107)—#18966

Dear Mr. Stacey:

Question

You have asked whether Senate Bill No 4 and Senate Bill No 107 of the 1972 Regular Session are in conflict with the California Water Resources Development Bond Act (Ch 8 (commencing with Section 12930), Pt 6, Div 6, Wat C[1], hereafter referred to as the "bond act") so as to require submission of an amendment of the bond act to the people in order for S B 4 or S B 107 to be given full effect as to bond act facilities.

Opinion and Analysis

Initially, we note that consideration of a possible conflict between S B 4 or S B 107 and the provisions of the bond act involves the question of whether a statute which prohibits water development in certain designated watersheds would prohibit the construction by the Department of Water Resources under the bond act of additional water development facilities in such watersheds We are concerned here, therefore, only with the question of whether some provisions would have to be submitted to the people in order to prohibit such construction by the department

[1] All section references are to the Water Code.

We also note that we are concerned only with the legal authority of the department to undertake such construction notwithstanding the provisions of S B 4 or S B 107 We have no knowledge, of course, as to whether the department would exercise any such authority it might have in a manner inconsistent with the provisions of S B 4 or S B 107

S B 4, as amended November 17, 1972, would establish a protected waterways system, consisting of the Smith, Trinity, Eel, Klamath, Salmon, Shasta, and Scott Rivers, as described S B 107, as amended November 17, 1972, would establish a California Wild and Scenic Rivers System, consisting of specified rivers or segments of rivers within the Klamath, Trinity, Smith, Eel, and American River systems Both bills would, among other things, generally prohibit the construction of dams on such rivers and limit the diversion of water from such rivers to certain local purposes

Section 12931, as contained in the bond act, provides that the State Water Resources Development System shall be composed of "the State Water Facilities as defined in Section 12934(d) hereof and such additional facilities as may now or hereafter be authorized by the Legislature as a part of (1) the Central Valley Project or (2) the California Water Plan, *and including such other additional facilities as the department deems necessary and desirable to meet local needs, including, but not restricted to, flood control, and to augment the supplies of water in the Sacramento-San Joaquin Delta and for which funds are appropriated pursuant to this chapter*"

Under Section 12935 the proceeds from the sale of bonds authorized to be issued pursuant to the bond act are required to be used to provide for the acquisition, construction, and completion of the State Water Facilities designated in subdivision (d) of Section 12934 There is only one exception to this requirement and that is that to the extent that money in the California Water Fund is expended for the construction of the State Water Facilities, bond proceeds are required to be expended for the construction of additional water development facilities under the following provision of Section 12938

> "To the extent that money is expended from the California Water Fund for construction of the State Water Facilities, proceeds from the sale of bonds authorized pursuant to this act in an equal amount, is appropriated and shall be expended for the construction of such additional facilities of the State Water Resources Development System *as the department shall determine to be necessary and desirable* to meet local needs, including, but not restricted to, flood control and to augment the supplies of water in the Sacramento-San Joaquin Delta from multiple purpose dams, reservoirs, aqueducts and appurtenant works in *the watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen and Klamath Rivers* for use in the State Water Resources Development System, and the department is *authorized to construct any and all facilities for which funds are appropriated to it for expenditure pursuant to this chapter*" (Emphasis added)

Section 12938, therefore, makes available bond proceeds for such additional water development facilities of the State Water Resources

Development System as the *Department of Water Resources* determines to be necessary and desirable to meet local needs and to augment the supplies of water in the Sacramento-San Joaquin Delta from multiple purpose dams, reservoirs, aqueducts and appurtenant works in the watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen, and Klamath Rivers The department, therefore, is vested by the bond act with the discretion of determining the particular facility to be constructed with such bond proceeds, and is specifically authorized by the bond act to expend such bond proceeds for water development facilities in the watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen, and Klamath Rivers for the purpose of augmenting the supplies of water in the Sacramento-San Joaquin Delta

The bond act was submitted to the voters and was approved at the general election held on November 8, 1960 (See Statement of Vote for Election of November 8, 1960, issued by Secretary of State, p 23, Stats 1959, Ch 1762)

Under Section 1 of Article XVI of the California Constitution, a law authorizing the creation of a debt or liability in excess of $300,000, singly or in the aggregate with any previous debts or liabilities, must be for a single object or work distinctly specified therein, the law must provide ways and means for the payment of principal and interest on the debt or liability, and the law must be approved by the voters

A subsequent act of the Legislature which created a substantial variance from the terms and conditions stated in the bond act as approved by the voters would raise the questions of whether such subsequent act violated the constitutional rights of the electorate under the foregoing provisions of Section 1 of Article XVI (see *Peery* v *City of Los Angeles*, 187 Cal 753, *Eastern Mun Water District* v *Scott*, 1 Cal App 3d 129, *State Schools Bldg Fin Committee* v *Betts*, 216 Cal App 2d 685).

Thus, with respect to the location of an "additional facility" to be constructed pursuant to Section 12938, we think that the provision of the bond act requiring the expenditure of bond proceeds by the department for additional facilities of the State Water Resources Development System which the department determines to be necessary and desirable to meet local needs and to augment the supplies of the water in the Sacramento-San Joaquin Delta from works in the watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen, and Klamath Rivers would preclude the Legislature from prohibiting the construction by the department of an "additional facility" in the watershed of any such river pursuant to Section 12938

We think that such policy considerations as the extent to which proposed facilities should serve local needs and should augment the supplies of water in the Sacramento-San Joaquin Delta were intended under the bond act to be the sole determination of the department, and that such policy considerations would be involved in determining the location of additional water development facilities To permit the Legislature to prohibit the construction by the department of water development facilities in the watersheds of the Sacramento, Eel, Trinity,

Mad, Van Duzen, and Klamath Rivers pursuant to Section 12938 would, in our opinion, if the courts adhere to the principle established in the cases cited earlier with respect to the obligation to the voters who approve a bond act, be considered a material departure from the proposition as approved by the voters

In our opinion, therefore, a statute, such as S B 4 or S B 107, which restricts water development in the watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen, and Klamath Rivers would probably be held not to prohibit the construction by the department of an additional water development facility of the State Water Resources Development System in any such watershed pursuant to Section 12938, unless an amendment of the bond act authorizing such restriction is approved by the voters

It must be recognized, however, that the California Supreme Court, in *Warne v Harkness* (1963), 60 Cal 2d 587, upheld the issuance of revenue bonds to finance the construction of a portion of the State Water Resources Development System and the pledge of the revenues from said portion to pay the principal and interest on the revenue bonds, notwithstanding the provision in the bond act requiring all revenues from the system to be deposited in the bond fund established by the bond act and to be used for specified purposes (Sec 12937) In reaching this decision, the California Supreme Court made no mention of any possible violation of the constitutional rights of the electorate under the provisions of Section 1 of Article XVI of the California Constitution, but instead decided the case on the basis of statutory construction and a determination that because of the incorporation of the statutory provisions governing the Central Valley Project (Secs 11100, et seq) in the bond act (see Sec 12931), there was no implied repeal of the revenue bond provisions of the Central Valley Project Act, and the provisions of both acts should be read together and harmonized In view of the absence of any mention by the California Supreme Court, in *Warne v Harkness*, of any such possible violation of the constitutional rights of the electorate, it is difficult to predict what, if any, consideration would be given to this principle by the court in any case involving changes made by the Legislature in the bond act, or in any of the powers or duties vested in the department by the bond act

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By Thomas D Whelan
Deputy Legislative Counsel

MOTION TO RECONSIDER SENATE BILL NO. 107 WAIVED

Mr Badham waived his motion to reconsider the vote whereby Senate Bill No 107 was passed

Senate Bill No 107 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1503—An act to add Article 18 (commencing with Section 429 70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1503?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 26, 1972, between lines 18 and 19, insert

"The Legislature also finds that large sums of public and private funds are being spent to finance health manpower innovation projects, and that the activities of some of these projects exceed the limitations of state law Such projects may jeopardize the public safety and the careers of persons who are trained in them

It is the intent of the Legislature to establish the accountability of health manpower innovation projects to the requirements of the public health, safety, and welfare, and the career viability of persons trained in such programs "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None.

Above bill ordered enrolled

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2395—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster and to amend Section 5 of Chapter 74 of the Statutes of 1972, making an appropriation therefor and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson,

Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN WOOD

Mr Moorhead announced that Saturday, November 25 was the birthday of Assemblyman Bob Wood, of the 34th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr Wood

RE-REFERENCE OF SENATE BILL NO. 820

Mr Brown was granted unanimous consent that Senate Bill No 820 be re-referred from the third reading file to the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Brown was granted unanimous consent that the following communication be printed in the Journal

November 27, 1972

Assemblyman Willie Brown, Chairman
Assembly Ways and Means Committee
Room 319, State Capitol, Sacramento, California

Dear Willie: I would like to request that my SB 820 be brought back to the Ways and Means Committee for further consideration

Sincerely,

GEORGE N ZENOVICH

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 12 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with ,

CAUCUS ANNOUNCEMENTS

Mr Monagan announced that there would be a Republican Caucus at 9 a m , November 28, 1972, in Room 2133

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 27, 1972

Mr Speaker: The Chairman of your Committee on Ways and Means reports:

SB No 541

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No 541—An act to add Sections 17202 5 and 24343 8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly July 20, 1972, strike out "Petris", and insert "Collier"

Amendment No. 2

In line 1 of the title, strike out "to add Sections 17202 5 and 24343 8 to the Revenue and"; and strike out lines 2 and 3 of the title, and insert "relating to state lands, and making an appropriation therefor

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1 The Department of Parks and Recreation is authorized to purchase surplus state lands located in Trinity County which are under the jurisdiction of the State Lands Commission at fair market value

SEC 2 The Department of Parks and Recreation, is authorized to exchange lands purchased pursuant to Section 1, on a fair market value basis, for privately or publicly owned lands located on Penny Island in Sonoma County and lands located in Mendocino County adjacent to Ten Mile Beach, lying westerly of State of California Highway 1, between Ten Mile River and MacKerricher State Park

SEC 3 The transactions authorized pursuant to Sections 1 and 2 shall not be completed until approved by the Department of General Services and State Public Works Board

SEC 4 The sum of seven hundred fifty thousand dollars ($750,000) is hereby appropriated from the General Fund to the Department of Parks and Recreation for the purposes of this act"

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive, and strike out page 3

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

INTRODUCTION OF GUESTS

Mr. Wilson, of the 76th Assembly District, introduced his parents, Mr and Mrs Jewell Wilson, of San Luis Obispo, and his wife, Mrs Sharman Wilson, whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos 1249 and 1358 were continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Desk be held open today to receive committee reports

VOTE CHANGES

Mr Maddy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1213

Mr Burke and Mrs Fong were granted unanimous consent that they be recorded as "Not voting," instead of voting "Aye," on concurrence in Senate amendments to Assembly Bill No 210, and on the urgency clause to the bill

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1147

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 748, and on the urgency clause to the bill

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 253, and on the urgency clause to the bill

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 210, and on the urgency clause to the bill

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 2186

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 2165

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1570

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1315

Mr Stull was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 818

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 239

Mr Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1963

Mr Stull was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 1213

Mr Campbell was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 4

Mr. Dunlap was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 4

COMMUNICATIONS

Assembly Chamber, November 27, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Bill No. 30—An act to add Sections 18802.5 and 18753 to the Business and Professions Code, relating to boxing,

Assembly Bill No. 208—An act to amend Section 9609 of the Business and Professions Code, and to amend Sections 8250 and 8739.1 of the Health and Safety Code relating to cemeteries,

Assembly Bill No. 378—An act to amend Sections 69594 and 70141.7 of the Government Code, relating to superior court judges,

Assembly Bill No. 396—An act to amend Section 73 of the Streets and Highways Code, relating to state highways,

Assembly Bill No. 486—An act to amend Sections 62707, 62707.5, and 62714 of the Agricultural Code, relating to milk,

Assembly Bill No. 523—An act to add Sections 6503.5 and 6503.7 to, and to repeal and add Section 6546.1 of, the Government Code, relating to joint exercise of powers,

Assembly Bill No. 585—An act to amend Sections 74691, 74692, 74693, and 74693.1 of the Government Code, relating to courts,

Assembly Bill No. 675—An act to add Section 1264.2 to the Unemployment Insurance Code, relating to unemployment compensation benefits,

Assembly Bill No. 763—An act to add Section 1002.7 to the Education Code, relating to governing boards of school districts,

Assembly Bill No. 930—An act to add a chapter heading to Title 4 (commencing with Section 392) of, and to add Chapter 2 (commencing with Section 404) to Title 4 of, Part 2 of the Code of Civil Procedure, relating to civil actions,

Assembly Bill No. 1040—An act to amend Sections 7267 8 and 7268 of the Government Code, and to add Sections 37042 and 37109 5 to the Health and Safety Code, relating to relocation assistance,

Assembly Bill No. 1077—An act to amend Section 69598 of the Government Code, relating to courts,

Assembly Bill No. 1489—An act to amend Section 20206 of the Government Code, relating to the Public Employees' Retirement System,

Assembly Bill No. 1948—An act to amend Sections 2 and 5 of Chapter 1384 of the Statutes of 1970, relating to employment problems of parolees,

Assembly Bill No. 2035—An act to amend Section 316 of, and to add Sections 313 and 313 5 to, the Business and Professions Code, relating to consumer protection,

Assembly Bill No. 2284—An act to add Chapter 5 7 (commencing with Section 5761) to Division 6 of the Education Code, relating to bilingual education, making an appropriation therefor and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2324—An act to amend Section 3 of, and to add Sections 3 5 and 3 7 to, Chapter 491 of the Statutes of 1971, relating to the transfer of the real property of the DeWitt State Hospital facility,

Assembly Bill No. 2337—An act to amend Section 72602 of the Government Code, relating to municipal courts,

And reports the same correctly enrolled, and presented to the Governor at 2 p m , November 27, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 27, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Joint Resolution No. 32—Relative to Genocide Convention of the United Nations,

And reports the same correctly enrolled and presented to the Secretary of State on the 27th day of November, 1972, at 2 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 27, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

Assembly Concurrent Resolution No. 94—Relating to driver's license requirements,

Assembly Concurrent Resolution No. 100—Relative to the Department of Human Resources Development,

Assembly Concurrent Resolution No. 103—Relative to nursing,

Assembly Concurrent Resolution No. 132—Relative to a recess of the Assembly;

And reports the same correctly enrolled, and presented to the Secretary of State on the 27th day of November, 1972, at 2 p m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Assembly Chamber, November 27, 1972

Mr Speaker. Your Committee on Governmental Organization reports

AB 2379

With amendments with the recommendation Amend, and do pass, as amended.

RALPH, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, November 27, 1972

Mr. Speaker. Your Committee on Revenue and Taxation reports·

SB No 1482

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill re-referred to the Committee on Ways and Means

Assembly Chamber, November 27, 1972

Mr Speaker Your Committee on Revenue and Taxation reports

SB No 1151

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, November 27, 1972

Mr Speaker. Your Committee on Ways and Means reports·

SB No 652

With the recommendation Do pass

BROWN, Chairman

Above bill ordered to second reading

Committee on Transportation

Assembly Chamber, November 27, 1972

Mr Speaker. Your Committee on Transportation reports

SB No 1262

With the recommendation Do pass

DEDDEH, Chairman

Above bill ordered to second reading

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Pursuant to the previous suspension of the Rules, the following bills were taken up without reference to file

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2379—An act to amend Sections 23037 and 24200 of, and to add Sections 23434, 23952 5, and 24048 5 to, the Business and Professions Code, relating to alcoholic beverages

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Organization, were read, and adopted

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Sections 23037 and 24200 of, and to add Sections 23434, 23952 5, and 24048 5 to," and insert "add Section 23434 to"

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 Section 23434 is added to the Business and Professions Code, to read

23434 (a) Except as provided in subdivisions (b) and (c), no corporation organization, or association shall be deemed a "club" for the purpose of this article if it in any way restricts membership or the use of any of its facilities by its members or bona fide guests on the basis of race, religion, or national origin

(b) The provisions of subdivision (a) shall not apply to any corporation, organization, or association licensed under this article on the effective date of this section, nor to any chapter, division, or section of such a corporation, organization, or association formed after the effective date of this section

(c) The provisions of subdivision (a) shall not apply to any religious organization which by its nature limits membership to persons who are members of, or affiliated with, a particular religion or faith However, the provisions of subdivision (a) shall apply if such organization requires discrimination in membership with respect to race, color, or national ancestry

Further excepted and exempted from the operation of subdivision (a) are clubs, associations, and organizations formed and maintained in good faith principally for the preservation and fostering of cultural ties of the common national origin of their membership where such national origin is specified as a country other than the United States of America The national origin of the American Indian is the tribal nation or nations, and not the United States of America"

Amendment No. 3

On page 1, strike out lines 2 to 5, inclusive, and strike out pages 2 and 3.

Bill ordered reprinted, and returned to the third reading file

SECOND READING OF SENATE BILLS

Senate Bill No. 837—An act to amend Section 1421 of the Labor Code, relating to the California Fair Employment Practice Act.

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Labor Relations, was read, and adopted

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Senate November 10, 1972, after the ~~period,~~ insert "When a commissioner initiates an investigation, he shall notify the chairman of his action"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 1118—An act to amend the heading to Title 7 (commencing with Section 65000) of, to add a division heading immediately below the heading of Title 7 (commencing with Section 65000) of, and to add Division 2 (commencing with Section 66410) to Title 7 of, the Government Code, and to repeal Chapter 2 (commencing with Section 11500) of Part 2 of Division 4 of, the Business and Professions Code, relating to subdivisions

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Planning and Land Use, were read, and adopted.

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in Assembly November 9, 1972, after the period, insert "Such ordinance shall specifically provide for proper grading and erosion control, including the prevention of sedimentation or damage to offsite property"

Amendment No. 2

On page 19, after line 30, insert

"66452.8 If an extension of time for preparing the final map has been granted pursuant to subdivision (c) of Section 66452.7, the governing body may grant a subsequent extension, not to exceed one year, provided that such extension may be granted only if the governing body finds that there is no general plan for the area and that therefore it is unable to make the finding required by Section 66473.5 This section shall apply only to tentative maps which have secured the extension provided in subdivision (c) of Section 66452.7 prior to March 4, 1972"

Amendment No. 3

On page 21, after line 23, insert

"66455 6 The clerk of the governing body or the advisory agency of each city or county or city and county having jurisdiction over any part of the coastal zone, as defined in Section 27100 of the Public Resources Code, shall transmit to the office of the California Coastal Zone Conservation Commission within three days after the receipt thereof, one copy of each tentative map of any subdivision located, wholly or partly, within the coastal zone, and such commission may, within 15 days thereafter, make recommendations to the appropriate local agency regarding the effect of the proposed subdivision upon the California Coastal Zone Conservation Plan This section does not exempt any such subdivision from the permit requirements of Chapter 5 (commencing with Section 27400) of Division 18 of the Public Resources Code

This section shall remain in effect only until the first day of January after the final adjournment of the 1975–76 Regular Session of the Legislature and as of that date is repealed "

Amendment No. 4

On page 23, line 6, strike out "one year", and insert "three years".

Amendment No. 5

On page 29, after line 25, insert

"Article 1 5 Advisory Bodies

66474 60 (a) In cities having a population of more than 2,800,000, the design, improvement and survey data of subdivisions and the form and content of tentative and final maps thereof, and the procedure to be followed in securing official approval are governed by the provisions of this chapter and by the additional provisions of local ordinances dealing with subdivisions, the enactment of which is required by this chapter

(b) Local ordinances may provide a proper and reasonable fee to be collected from the subdivider for the examination of tentative and final maps

(c) The advisory agency, appeal board or governing body shall not approve a tentative or final subdivision map unless it first finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general or specific plans

66474 61 In cities having a population of more than 2,800,000, the advisory agency, appeal board or governing body shall deny approval of a final or tentative subdivision map if it makes any of the following findings

(a) That the proposed map is not consistent with applicable general and specific plans

(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans

(c) That the site is not physically suitable for the type of development.

(d) That the site is not physically suitable for the proposed density of development

(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(f) That the design of the subdivision or the type of improvements is likely to cause serious public health problems

(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public

This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a governing body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision

66474 62 In cities having a population of more than 2,800,000, a governing body shall not deny approval of a final subdivision map pursuant to Section 11549 7 if it, the advisory agency or the appeal board has previously approved a tentative map for the proposed subdivision and if it finds that the final map is in substantial compliance with the previously approved tentative map and with the conditions to the approval thereof

66474 63 In cities having a population of more than 2,800,000, the advisory agency, appeal board or governing body shall determine whether the discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13000) of the Water Code In the event that the advisory agency, appeal board or governing body finds that the proposed waste discharge would result in or add to violation of requirements of such board, the body making such finding may disapprove the tentative map or maps of the subdivision

66474 64 In cities having a population of more than 2,800,000, if the governing body authorizes the advisory body to report its action direct to the subdivider, the advisory agency shall, prior to making its report to the subdivider upon a subdivision as defined in this chapter, give notice of hearing in such manner as may be prescribed by local ordinance to the subdivider and to all property owners within 300 feet of the proposed subdivision and pursuant thereto shall conduct a public hearing at which time all persons interested in or affected by such proposed subdivision shall be heard "

Amendment No. 6

On page 30, between lines 32 and 33, insert

"Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on the community level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein.

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency.

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 138—An act to add Article 6 6 (commencing with Section 4820) to Chapter 2 of Part 2 of Division 4 of the Labor Code, relating to Department of Motor Vehicles personnel.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in Senate March 21, 1972, strike out "without loss of salary", and insert ", and shall be entitled to receive from the department payments at the rate of three-fourths his gross salary at the time of his injury".

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 931—An act to amend Sections 35050, 35051, 35052, 35053, 35054, 35055, 35152, 35252, 35254, and 35255 of, and to add Section 35002 to, the Education Code, and to repeal Section 2 of Chapter 815 of the Statutes of 1970, relating to the Public Service Internship Program, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in Assembly July 26, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 4, strike out lines 5 to 11, inclusive.

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 1274—An act to amend Sections 6426, 6499 207, 17300, 17301, 17303 5, 17654 5, 17655 5, 17656, 17660, 17664, 17665, 17665 5, 17924, 17925, and 17951 of, to add Section 17303 6 to, and to add Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, the Education Code, relating to school finance, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 15, 1972, strike out "6426,".

Amendment No. 1.5

In line 3 of the title, strike out "and 17951", and insert "17951, 18102, 18102 2, 18102 4, and 18102 6"

Amendment No. 2

In line 3 of the title, after the first "add", insert "Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, to add".

Amendment No. 2.5

On page 2, strike out lines 1 to 18, inclusive; on page 3, strike out lines 1 to 16, inclusive, in line 17, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 3

On page 3, between lines 37 and 38, insert

"SEC 2. Chapter 6 10 (commencing with Section 6499 230) is added to Division 6 of the Education Code, to read.

CHAPTER 6 10 EDUCATIONALLY DISADVANTAGED YOUTH PROGRAMS

6499 230. It is the intent of the Legislature to provide quality educational opportunities for all children in the California public schools The Legislature recognizes that because of differences in family income, differing language barriers, and pupil transiency, differing levels of financial aid are necessary to provide quality education for all students

6499 231. From the funds appropriated by the Legislature for the purposes of this chapter, the Superintendent of Public Instruction, with the approval of the State Board of Education, shall administer this chapter and make apportionments to school districts to meet the total approved expense of the school districts incurred in establishing education programs for pupils who qualify economically and educationally in preschool, kindergarten, or any of grades 1 through 12, inclusive. Nothing in this chapter shall in any way preclude the use of federal funds for educationally disadvantaged youth Districts which receive funds pursuant to this chapter shall not reduce existing district resources which have been utilized for programs to meet the needs of low-income students.

6499 232. Maximum apportionments allowable to school districts shall be determined by the following factors·

(a) An index of "potential impact of bilingual-bicultural pupils" determined by dividing the percent of pupils in the district with Spanish and Oriental surnames, and Indian pupils, as determined by the annual ethnic survey conducted by the Department of Education, by the statewide average percentage of such pupils for unified, elementary, or secondary districts, as appropriate

(b) A ratio of the district's "index of family poverty," defined as the district's Elementary and Secondary Education Act, Title I entitlement, divided by its average daily attendance in grades 1 through 12, or any thereof maintained, divided in turn by the state average index of family poverty for unified, elementary, or secondary districts, as appropriate

(c) A ratio of the district's "index of pupil transiency," as computed from the relationship between the district's average daily attendance and its total annual enrollment, divided by the state average index of pupil transiency for unified, elementary, or secondary districts, as appropriate

The district's total maximum apportionment under this chapter shall be determined by computing the product of (1) one-third the sum of the above three factors, except that if the resulting figure is higher than two, the resulting figure shall be deemed to be two, and if the resulting figure is lower than one no entitlement shall be computed for such a district, (2) the number of pupils receiving aid for dependent children support, and (3) a constant amount of three hundred dollars ($300), or such amount as the Superintendent of Public Instruction may determine so that the sum of all allocations will not exceed the funds appropriated by the Legislature for the purposes of this chapter

6499 234 In approving programs under this chapter, the State Board of Education shall give due consideration to the effectiveness of the program and shall not continue in operation any program that, upon evaluation, has been shown to be of low effectiveness and which has only limited possibility of improved effectiveness

For the fiscal year 1973-1974 and for each year thereafter, districts which demonstrate a high degree of program effectiveness shall receive amounts up to their entitlement limits Districts which demonstrate low levels of program effectiveness shall continue to receive their initial apportionments but the Superintendent of Public Instruction may reduce the additional computed apportionments due such districts, if he determines that such programs have limited possibilities of improved achievement

6499 235 The Superintendent of Public Instruction shall apportion the funds available for programs in accord with procedures specified in this chapter and policies which may be adopted by the State Board of Education Funds shall be allocated to each district within its entitlement based upon a plan submitted by the district to the Superintendent of Public Instruction, and approved by the State Board of Education The plan shall include (1) an explicit statement of what the district seeks to accomplish, (2) a description of the program and

activities designed to achieve these purposes, and (3) a planned program of annual evaluation, including a statement of the criteria to be used to measure the effectiveness of the program.

6499.236. The State Board of Education shall adopt regulations setting forth the standards and criteria to be used in the administration, monitoring, evaluation, and dissemination of programs submitted for consideration an amount not to exceed 1 percent of the total appropriation for the purposes of this chapter shall be retained by the Department of Education for these purposes Funds appropriated for the purposes of this chapter not allocated as previously specified shall be allocated by the State Board of Education to promote the intent of this chapter to provide education programs to as many eligible pupils as possible and to stimulate the development, implementation, and evaluation of innovative programs

6499 237 The Superintendent of Public Instruction shall submit annually to the Governor and to each house of the Legislature a report evaluating the programs established pursuant to this chapter, together with his recommendations concerning whether the same should be continued in operation ''

Amendment No. 3.3

On page 6, line 28, strike out "($183)", and insert "and three cents ($183 03)".

Amendment No. 3 5

On page 9, line 17, strike out "Two dollars and sixty-four cents ($2.64)", and insert "One dollar and sixty-seven cents ($1 67)".

Amendment No. 3.7

On page 9, line 40, strike out "Nine dollars and forty-six cents ($9 46)", and insert "Ten dollars and forty-six cents ($10 46)".

Amendment No. 4

On page 10, line 4, strike out "the"; strike out lines 5 and 6, and insert "Chapter 6 10 (commencing with Section 6499 230) of Division 6 "

Amendment No. 5

On page 10, lines 10 and 11, strike out "and the XYZ Fund".

Amendment No. 6

On page 18, line 33, after "SEC 17.", insert "Section 18102 of the Education Code is amended to read

18102 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of physically handicapped minors during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of physically handicapped minors by the maximum class size established by law for special day classes for physically handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~seventeen thousand two hundred sixty dollars ($17,260)~~ *eighteen thousand three hundred sixty dollars ($18,360)*

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts

(1) The product of the average daily attendance of physically handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660

(2) The product of the average daily attendance of physically handicapped minors in grades 9 to 12, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of physically handicapped minors in grades 13 and 14, and the foundation program per pupil established for ~~junior~~ *community* college districts with an average daily attendance in excess of 1,000 by Section 17666.2

SEC. 18. Section 18102.2 of the Education Code is amended to read:

18102.2. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of mentally retarded minors during the current fiscal year an amount computed as follows:

(a) Dividing the average daily attendance of mentally retarded minors by the maximum class size established by law for special day classes for mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced.

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~thirteen thousand eight hundred ninety dollars, ($13,890)~~ *fifteen thousand nine hundred eighty dollars ($15,980)*, and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts:

(1) The product of the average daily attendance of mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.

(3) The product of the average daily attendance of ~~physically handicapped~~ *mentally retarded* minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666.2

SEC 19 Section 18102 4 of the Education Code is amended to read:

18102 4 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of severely mentally retarded minors during the current fiscal year an amount computed as follows

(a) Dividing the average daily attendance of severely mentally retarded minors by the maximum class size established by law for special day classes for severely mentally retarded minors, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~fifteen thousand two hundred sixty dollars ($51,260)~~ *sixteen thousand six hundred fifty dollars ($16,650)*, and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts

(1) The product of the average daily attendance of severely mentally retarded minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of severely mentally retarded minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665

(3) The product of the average daily attendance of ~~physically handicapped~~ *severely mentally retarded* minors in grades 13 and 14, and the foundation program per pupil established for community college districts with an average daily attendance in excess of 1,000 by Section 17666 2

SEC 20 Section 18102 6 of the Education Code is amended to read

18102 6 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of educationally handicapped minors during the current fiscal year an amount computed as follows

(a) Dividing the average daily attendance of educationally handicapped minors, less the enrollment in excess of the maximum class size authorized pursuant to Section 67511, by the maximum class size established by law for special day classes for educationally handicapped minors, and increasing the quotient to the next highest integer where a fractional amount is produced

(b) Multiplying the amount computed under subdivision (a) by a total support guarantee of ~~sixteen thousand two hundred sixty dollars ($16,260)~~ *seventeen thousand six hundred fifty dollars ($17,650)*, and

(c) Subtracting from the amount computed under subdivision (b) the applicable of the following amounts

(1) The product of the average daily attendance of educationally handicapped minors in kindergartens and grades 1 to 8, inclusive, and the foundation program per pupil established for elementary school districts with an average daily attendance of 901 or more by Section 17660, and

(2) The product of the average daily attendance of educationally handicapped minors in grades 9 to 14, inclusive, and the foundation program per pupil established for high school districts with an average daily attendance of 301 or more by Section 17665.

(3) The product of the average daily attendance of ~~physically handicapped~~ *educationally handicapped* minors in grades 13 and 14, and the foundation program per pupil established for ~~junior~~ *community* college districts with an average daily attendance in excess of 1,000 by Section 17666.2

SEC. 21."

Amendment No. 7

On page 23, strike out lines 39 and 40, on page 24, strike out lines 1 to 18, inclusive, and in line 19, strike out "SEC. 19", and insert "SEC. 22".

Set No. 2

Amendment No. 1

On page 4, line 21, of the printed bill, as amended in Senate November 15, 1972, strike out the first "of"

Amendment No. 2

On page 22, line 23, strike out "Section", and insert "Sections".

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1330—An act to amend Section 1 of Chapter 1273 of the Statutes of 1969, relating to the conveyance of lands adjacent to the Puddingstone State Recreation Area.

Bill read second time

Consideration of Committee Amendments

The following amendment proposed by the Committee on Ways and Means, was read, and adopted

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Senate June 30, 1972, after the period, insert "The state shall be held harmless for any cost of the transfer of such lands."

Bill ordered reprinted, and returned to the Consent Calendar.

Senate Bill No. 86—An act to amend Section 24053.1 of the Education Code, relating to the California State Colleges

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Senate November 16, 1972, strike out "Summer", and insert "summer".

Amendment No. 2

On page 2, strike out line 8; and in line 9, strike out "Act", and insert "enactment of a Budget Act and prior to July 1".

Amendment No. 3

On page 2, line 10, after "Act", insert "for such purposes".

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1151—An act to amend Section 17072 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly November 14, 1972, strike out "amend Section 17072 of", and insert "add Chapter 2 7 (commencing with Section 17070) to Part 10 of Division 2 of".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Chapter 2 7 (commencing with Section 17070) is added to Part 10 of Division 2 of the Revenue and Taxation Code, to read:

CHAPTER 2 7 OTHER SPECIAL TAX CREDIT

17070 (a) A tax credit for adoption expenses incurred in the adoption of hard to place persons shall be allowed against the tax imposed under Section 17041 or Section 17048 of this part The credit shall be claimed after all other credits provided by this part except the credit provided by Section 18551 1 (relating to withholding), the credit provided by Section 17061 (relating to excess state insurance tax payments), the credits provided by Chapter 12 (commencing with Section 18001) (relating to taxes paid other states), and the credit provided by Section 17053 (relating to retirement income)

(b) The amount of the credit shall be the amount of the adoption expenses of hard to place persons paid or incurred but shall not exceed one hundred dollars ($100) In the case of married persons filing separate returns, the credit may be divided between the spouses, but shall not exceed one hundred dollars ($100) combined

(c) For purposes of this section, "hard to place persons" means a child who is disadvantaged because of adverse parental background, or a handicapped child, or a child of the age of three years or more

(d) The credit provided by this section shall be allowed with respect only to the taxable year in which a majority of the adoption expenses for hard to place persons were paid or incurred

(e) The credit provided by this section shall not be allowed if a deduction for adoption expenses under Section 17259 is claimed with respect to the same expenses.

SEC 2 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect However, the provisions of this act shall be applied in the computation of taxes for taxable years beginning after December 31, 1972 "

Amendment No. 3

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 to 6, inclusive

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 652—An act to add Section 10108 5 to the Education Code, relating to public schools

Bill read second time, and ordered to third reading

Senate Bill No. 1262—An act to amend Section 53090 of the Government Code, to amend Sections 27144, 27166, 27281, and 27300 of the Streets and Highways Code, and to amend Section 5 of Chapter 805 of the Statutes of 1969, relating to bridge and highway districts.

Bill read second time, and ordered to third reading

ADJOURNMENT

At 4 35 p m , Acting Speaker Fenton declared the Assembly adjourned until 10 a m , Tuesday, November 28, 1972

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-third Legislative Day

Three Hundred Thirty-first Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, November 28, 1972

The Assembly met at 10 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk James D Driscoll at the Desk
Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called

Quorum Call of the Assembly

Mr Porter moved a quorum call of the Assembly
Motion carried Time, 10 01 a m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10 21 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

———*Lord God,* Your kingdom is here, hidden and close to us, someone to care for and people to live for

Your will is done on earth everywhere, wherever men live and die for each other

We pray therefore that we may gradually accomplish this from day to day and thus come to know Your name, and find You, our Father forever —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Lanterman then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr McAlister, seconded by Mr. Badham.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness·

Mr Belotti, on request of Speaker pro Tempore Bee.
Mr. Deddeh, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr Chappie, on request of Speaker pro Tempore Bee
Mr Karabian, on request of Speaker pro Tempore Bee.

REPORTS

The following reports were presented by the Chief Clerk

Bulletin No. 170-72. Abstracts of DWR Publications, Volume I: January–June 1972. September 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated November 22, 1972, referred by the Speaker pro Tempore to the Committee on Water.

A Conservation Opportunity (Pursuant to ACR No. 64, 1970 Session). May 15, 1972.

Above transmitted report, together with letter of transmittal from G Ray Arnett, Director, Department of Fish and Game, Sacramento, dated October 3, 1972, referred by the Speaker pro Tempore to the Committee on Natural Resources and Conservation

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

November 28, 1972

Anabel Whang, Minute Clerk
California State Assembly
State Capitol

Dear Anabel I would appreciate your correcting the Assembly Daily Journals for November 20 and 21, 1972, to indicate that I was excused on "illness in the family" rather than "illness" Thank you

Sincerely yours,

CARLOS BEE
Speaker pro Tempore
of the Assembly

RESOLUTIONS

The following resolution was offered.

By Assemblyman Thomas.

House Resolution No. 134

Relative to Mexican and Mexican-American pupils

WHEREAS, There are presently many Mexican and Mexican-American children enrolled in the schools of California who do not have dominance in the English language and are unable to function adequately in a classroom geared to English-speaking children, and

WHEREAS, These children are mentally capable of performing good school work which is equivalent to work performed by English-speaking children, and

WHEREAS, Due to their inability to comprehend the English language, many of these children are often placed in classes for slow learners, and

WHEREAS, Misplaced assignments to inappropriate classes could result in handicapping children educationally and socially for life, and

WHEREAS, A large percentage of these children come from low income families and, therefore, prolonged enrollment in schools because of retention imposes an additional financial burden upon the families; and

WHEREAS, Pupil retentions are a first step in the failure syndrome and ultimately may lead to student dropouts, and

WHEREAS, Pupil retentions have been evaluated to be educationally and socially ineffective; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the problems of monolingual children as stated in this resolution and recommend appropriate legislation to remedy its findings, and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

COMMUNICATIONS

Assembly Chamber, November 28, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined

AB No 2379

And reports the same correctly engrossed

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Assembly Chamber, November 27, 1972

Mr Speaker Your Committee on Transportation reports

SB No 816

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DEDDEH, Chairman

Above bill ordered to second reading

Committee on Revenue and Taxation

Assembly Chamber, November 28, 1972

Mr Speaker: Your Committee on Revenue and Taxation reports:

SB No 424

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

GONSALVES, Chairman

Above bill ordered to second reading

Committee on Natural Resources and Conservation

Assembly Chamber, November 22, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports

SCR No 65

With amendments with the recommendation Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means, and recommend Consent Calendar

Z'BERG, Chairman

Above resolution ordered on file

Committee on Ways and Means

Assembly Chamber, November 27, 1972

Mr Speaker The Chairman of your Committee on Ways and Means reports

SB No 306

With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 306—An act to add Section 21258 4 to the Government Code, relating to the Public Employees' Retirement System

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly August 1, 1972, strike out "21258 4", and insert "21263 15"

Amendment No. 2

On page 2, line 1, strike out "21258 4", and insert "21263 15".

Amendment No. 3

On page 2, between lines 2 and 3, insert

"21263 15 "Member" for purposes of Section 21263 includes members employed by a school district not subject to Chapter 4 5 (commencing with Section 20580) of this part and the provisions of Section 21263 3 shall also be applicable to such members without an election by their employer

SEC 2 It is the intention of the Legislature that provisions of this act shall become operative only if Assembly Bill No 714 of the 1972 Regular Session is enacted and that this act shall become operative at the same time as Assembly Bill No 714 "

Amendment No. 4

On page 2, strike out lines 3 to 38, inclusive, and strike out page 3

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

MESSAGES FROM THE SENATE

Senate Chamber November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 69	AB No 1704	AB No 1912
AB No 178	AB No 1754	AB No 1938
AB No 1274	AB No 1820	AB No 2316

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

November 27, 1972

Mr James D Driscoll
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Dear Sir The Senate on this day withdrew Senate Bill 125 from enrollment, rescinded the action whereby the Senate concurred in Assembly amendments on November 26, and then refused to concur in said amendments

The Senate has appointed Senators Gregorio, Petris, and Stiern as a Committee on Conference to meet a like committee of the Assembly

Very truly yours,

DARRYL R WHITE
Secretary of the Senate

Senate Chamber, November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No 436

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

AB No. 171

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled

Senate Chamber, November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted

ACR No 133

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

SB No 1508

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

SB No 1510

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 1508—An act relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker pro Tempore

Senate Bill No. 1510—An act making an appropriation in payment of claims against the state, and declaring the urgency thereof, to take effect immediately

Held at Desk by order of the Speaker pro Tempore

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee

Senate Bill No	*Committee*
1510	Ways and Means

REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

The following request to consider and act on a bill within 30 calendar days after its introduction, heretofore filed with the Chief Clerk pursuant to the provisions of the Joint Rules, was received, and read

Assembly Chamber, November 28, 1972

Mr Speaker Pursuant to Joint Rule No 10 8, I request permission to introduce a resolution providing that the following bill may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed·

Senate Bill No. 1510—An act making an appropriation in payment of claims against the state, and declaring the urgency thereof, to take effect immediately.

L E TOWNSEND

Above request ordered transmitted to the Committee on Rules

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1966—An act to add Section 227 3 to the Labor Code, relating to labor

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1966?

Senate Amendments of August 2, 1972
Amendment No. 1

On page 1, line 3, of the printed bill, as amended in Assembly June 12, 1972, strike out "Whenever", and insert "Unless otherwise provided by a collective bargaining agreement, or other agreement, whenever".

Amendment No. 2

On page 1, line 6, strike out "accrued", and insert "vested"

Senate Amendments of November 16, 1972

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate August 2, 1972, strike out "or other agreement,"

Amendment No. 2

On page 2, line 4, after "rate", insert "in accordance with such contract of employment or employer policy"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Porter, Priolo, Russell, Seeley, Thomas, Warren, Wilson, Z'berg, and Mr Speaker—44

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1277—An act to amend Section 20017 77 of the Government Code, and to amend Section 1752 of the Welfare and Institutions Code, relating to correctional counselors

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1277?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 3, 1972, after the comma, insert "and to amend Section 1752 of the Welfare and Institutions Code,"

Amendment No. 2

On page 2, between lines 37 and 38, insert

"SEC 2 Section 1752 of the Welfare and Institutions Code is amended to read

1752 To the extent that necessary funds are available for the purposes, the director may

(a) Establish and operate a treatment and training service and such other services as are proper for the discharge of his duties,

(b) Create administrative districts suitable to the performance of his duties,

(c) Employ and discharge all such persons as may be needed for the proper execution of the duties of the authority Such employment and discharge shall be in accord with the civil service laws of this state

Notwithstanding Section 18932 of the Government Code, the maximum age shall be 35 years for any open examination for the position of parole agent I, group supervisor, youth counselor, *correctional counselor I*, and other custodial and parole positions which normally afford entry into the Youth Authority service, *unless the applicant is in state*

or local probation or counseling employment at the time of application, has five or more years of such service, and is already a "state safety" member for the purposes of retirement and disability benefits

SEC 3 Section 20017 77 of the Government Code, as amended by Chapter 1331 of the Statutes of 1971, is amended to read

20017 77 ~~Notwithstanding the provisions of Section 20017 75, "law enforcement~~ *"State safety* member" shall also include officers and employees in (a) the Department of Corrections employed to perform the duties now performed in positions with the following class titles: Director of Corrections, Deputy Director, Department of Corrections; Deputy Director, Institutions, Camps and Program Services Division, Deputy Director, Parole and Community Services, warden, Warden—San Quentin, superintendent II and III, Department of Corrections; deputy superintendent, correctional administrator, program administrator, correctional institution, all classes of correctional program supervisor, correctional captain, correctional lieutenant, correctional sergeant, correctional officer, all classes of women's correctional supervisor, Assistant Deputy Director, Parole and Community Services, all classes of parole administrator, adult parole, all classes of parole agent, adult parole, Assistant Director, Investigations and Law Enforcement Liaison, senior special agent, special agent, all classes of women's parole agent, medical facility superintendent, Superintendent, California Institution for Women *; all classes of correctional counselor*, and (b) the Department of the Youth Authority employed to perform the duties now performed in positions with the following class titles Director, Department of the Youth Authority, Chief, Division of Parole and Community Services, Deputy Chief, Division of Parole and Community Services, program administrator, correctional school, assistant superintendent correctional school, all classes of superintendent, correctional school, Youth Authority camp superintendent, assistant superintendent, Youth Authority camp, Chief Division of Institutions, treatment team supervisor, all classes of transportation officers, Youth Authority, security officer, all classes of group supervisors, all classes of parole agent, Youth Authority, all classes of youth counselor, supervisor community treatment programs, correctional casework training supervisor, correctional casework trainee *, all classes of correctional counselor*

SEC 4 It is the intent of the Legislature, if this bill and Assembly Bill No 383 are both chaptered and amend Section 20017 77 of the Government Code, that the amendments to Section 20017 77 proposed by both bills be given effect and incorporated in Section 20017 77 in the form set forth in Section 3 of this act Therefore if Assembly Bill No 383 is chaptered and amends Section 20017 77, Section 1 of this act shall not become operative "

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote.

AYES—MacDonald—1

NOES—Arnett, Barnes Bee, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Dunlap,

Fenton, Fong, Foran, Leroy F Greene, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Porter, Priolo Seeley, Stacey, Stull, Thomas, Wakefield, Warren, Wilson, Z'berg, and Mr Speaker—43

Appointment of Committee on Conference Concerning Assembly Bill No. 1277

The Speaker pro Tempore appointed Messrs Monagan, MacDonald, and Lancaster as a Committee on Conference concerning Assembly Bill No 1277.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN CONRAD

Mr Lancaster announced that today is the birthday of Assemblyman Charles J Conrad, of the 57th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr Conrad

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN STACEY

Mr Dent announced that today is the birthday of Assemblyman Kent Stacey, of the 28th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr Stacey

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No 1673, Senate Bills Nos 306, 637, 726, 820, 1090, 1369, 1151, 1510, 837, 1075, 1084, 424, and 1482, and Senate Concurrent Resolutions Nos 63 and 65 for hearing in the Committee on Ways and Means on November 29

Mr Porter was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 903 for hearing in the Committee on Water

Mr Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 542 and Senate Joint Resolution No 30 for hearing in the Committee on Health on November 29

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2185—An act to add Section 20021 9 to, the Government Code, relating to retirement

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2185?

Senate Amendments of July 21, 1972
Amendment No. 1

In the heading of the printed bill, after "Barnes", insert "(Coauthor Senator Alquist)".

Amendment No. 2

In line 1 of the title, after "of", insert ", and to add Section 20021 9 to,"

Amendment No. 3

On page 1, line 1, after "SECTION 1 ", insert "Section 20021 9 is added to the Government Code, to read

20021 9 "County peace officer" shall also include employees of the sheriff employed in a county jail, detention or correctional facility and having as their primary duty and responsibility the supervision and custody of persons committed to such jail or facility, whether or not such employees are deputized It shall not include persons employed as clerks, typists, teachers, instructors, psychologists or to provide food, maintenance, health or supporting services, even though responsibility for custody and control of persons so committed may be incident to, or imposed in connection with, such service or the employees are deputized

The provisions of this section shall not apply to the employees of any contracting agency nor to any such agency unless and until the contracting agency elects to be subject to the provisions of this section by amendment to its contract with the board, made as provided in Section 20461 5 or by express provision in its contract with the board

SEC 2 "

Senate Amendments of July 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 21, 1972, strike out "amend Section 20393 1 of and to".

Amendment No. 2

On page 2, strike out lines 22 to 32, inclusive, and strike out page 3

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham Bagley, Barnes, Bee, Beverly, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Dunlap Fenton Fong Foran, Leroy F Greene, Harvey Johnson, Ray E Johnson, Ketchum, Keyser, Lancaster, Lanterman, MacDonald, Maddy McAlister, McCarthy, Meade Miller, Mobley, Monagan, Porter, Priolo, Seeley, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Z'berg, and Mr Speaker—49

NOES—None

Above bill ordered enrolled

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read

Assembly Chamber, November 27, 1972

Mr Speaker The Committee on Conference concerning

Senate Bill No. 340—As amended in Assembly July 27, 1972—An act to amend Sections 54784 and 66503 of to add Sections 65062 and 66180 to, to repeal Sections 65062, 65062 1, 65062 2, 66180, 66181,

66182, 66183, 66184, and 66185 of, to add Article 11 (commencing with Section 50270) to Chapter 1 of Part 1 of Division 1 of Title 5 of, the Government Code, and to add Sections 24351 and 24351 1 to, and to repeal Sections 24351, 24351 1, 24351 2, 24351 3, 24351 4, and 24351 5 of, of the Health and Safety Code, and to add Article 1 (commencing with Section 28700) to Chapter 3 of Part 2 of Division 10 of, and to repeal Article 1 (commencing with Section 28700) of Chapter 3 of Part 2 of Division 10 of, the Public Utilities Code, relating to city selection committees,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 15 of the title of the printed bill, as amended in Assembly July 27, 1972 after "committees", insert ", and declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 3, line 24, strike out "mailed"

Amendment No. 3

On page 3, line 24, strike out "chairman", and in line 25, strike out "of the legislative body", and insert "mayor".

Amendment No. 4

On page 5, between lines 9 and 10, insert

"50280 Notwithstanding any other provision of this article, in any county in which there is only one incorporated city, the legislative body of such city is hereby created and shall serve as the city selection committee in the county for the purpose of appointing city representatives to boards, commissions and agencies as required by law

A majority of the members of the legislative body of a city which is created as a city selection committee pursuant to this section shall constitute a quorum of the committee In order for the city selection committee to make appointments, or in any other manner conduct business of the committee, a quorum shall be required

The presiding officer of the legislative body of a city which is created as a city selection committee pursuant to this section, shall serve as chairman of the committee The clerk of the legislative body shall act as permanent secretary and recording officer of the city selection committee and, as permanent secretary and recording officer, shall perform all the duties specified in Section 50276

50281 Notwithstanding any other provision of this article, in any county in which city representatives are required to be appointed by a city selection committee to a regional coastal zone conservation commission pursuant to Division 18 (commencing with Section 27000) of the Public Resources Code, the city selection committee created in such county pursuant to this article shall make such appointments Each such city selection committee shall hold an organizational meeting for such purposes prior to December 31, 1972 "

Amendment No. 5

On page 11, after line 23, insert

"SEC 25 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

Under existing law, various acts separately create city selection committees for purposes of appointing city representatives to various boards, commissions and agencies Although the city selection committees created in each of these several acts perform the same function, each act differs somewhat in its provisions governing the operation of city selection committees This lack of uniformity has produced uncertainty

In addition, the provisions of the California Coastal Zone Conservation Act of 1972 which requires the appointment of city representatives to regional coastal zone conservation commissions by city selection committees have produced uncertainty because the act does not specify in what manner such committees are to be organized This uncertainty is particularly apparent in one county in which only one city is incorporated

In order to provide certainty and uniformity to the city selection committee process, it is necessary that this act take effect immediately "

The undersigned consent to the report

ARLEN GREGORIO	DIXON ARNETT
MERVYN DYMALLY	ROBERT G BEVERLY
RANDOLPH COLLIER	JOHN T KNOX
Senate Committee on Conference	Assembly Committee on Conference

Report read.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanceaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Wakefield—1

The question being on the adoption of the Conference Committee Report on Senate Bill No 340

Report adopted by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanceaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—Wakefield—1

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file, to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or Second Day Consent Calendar, instead of the second reading file, and to permit Consent Calendar bills to be placed upon the Second Day Consent Calendar for the next legislative day

ANNOUNCEMENTS

Speaker pro Tempore Bee announced the following schedule for the Assembly for this week.

Tuesday

10 00 a.m —Session
Afternoon—Committees

Wednesday

Morning—Committees
11 00 a m.—Session

Thursday

9 00–10 30 a m —Committees as needed
10 30 a m —Session
Afternoon—Session as needed

Friday

10 .00 a m.—Session and rest of day as needed

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 780—An act to amend Section 7314 of the Labor Code, relating to the inspection of elevators, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 780?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and".

Amendment No. 2

In line 3 of the title, after "therefor", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, after line 10, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

The Division of Industrial Safety has a large backlog of elevator inspections to perform In order to provide funds as soon as possible to clear up such backlog, so as to promote the safety of the public using such elevators, it is necessary that this act take effect immediately ''

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—None

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 780?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—None

Above bill ordered enrolled

Assembly Bill No. 874—An act to amend Section 6319 of the Labor Code, relating to safety

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 874?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly June 30, 1972, after line 19 insert

''SEC 2 Section 6319 of the Labor Code is amended to read

6319 ~~No~~ *Except as provided in Section 6321, no* officer or employee of the division shall divulge to any person not connected with the administration of this part any information that is confidential pursuant to the provisions of Chapter 3 5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code concerning the failure to keep any place of employment safe or concerning the violation of any order, rule or regulation issued by the board or division *However, the division or its officers or employees shall transmit in letter form to the complaining party, or his representative, and the employer, advice as to the time the onsite inspection was made, a clear description*

of the unsafe conditions found, the nature of the requirements imposed to render the employment condition safe, and the time given to comply therewith, excepting therefrom confidential information and trade secrets Violation of this section is a misdemeanor

SEC 3 It is the intent of the Legislature, if this bill and Senate Bill No 381 are both chaptered and amend Section 6319 of the Labor Code, and this bill is chaptered after Senate Bill No 381, that the amendments to Section 6319 proposed by both bills be given effect and incorporated in Section 6319 in the form set forth in Section 2 of this act Therefore Section 2 of this act shall become operative only if this bill and Senate Bill No 381 are both chaptered, both amend Section 6319 of the Labor Code, and Senate Bill No 381 is chaptered before this bill, in which case Section 1 of this act shall not become operative "

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Barnes, Bee Beverly, Brathwaite, Briggs, Brown, Burke, Campbell Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1416—An act to amend Sections 417 and 417 3 of the Health and Safety Code, relating to kidney diseases, and making an appropriation therefor

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1416?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 26, 1972, strike out "Assemblyman Vasconcellos", and insert "Assemblymen Vasconcellos and LaCoste"

Amendment No. 2

On page 2, line 35, strike out "and such", and insert "and an evaluation by the state department of a county's ability to fund their one-fourth share of a child's care under the Crippled Children's Services program Such"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller,

Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—59

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1101—An act to add Sections 161, 906 5, and 1805 5 to the Streets and Highways Code, relating to highways

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1101?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended in Assembly May 11, 1972, strike out "December 31, 1972", and insert "July 1, 1973".

Amendment No. 2

On page 2, line 7, strike out "December 31, 1972", and insert "July 1, 1973".

Amendment No. 3

On page 2, line 15, strike out "December 31, 1972", and insert "July 1, 1973".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Collier, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fong, Garcia, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—58

NOES—Stacey—1

Above bill ordered enrolled

Assembly Bill No. 1685—An act to add Article 2 5 (commencing with Section 11075) to Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to criminal information

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1685?

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly July 3, 1972, after "General", insert "is responsible for the security of criminal offender record information To this end, he".

Amendment No. 2

On page 2, line 29, strike out "by the individual or", and on page 3, line 1, strike out "agency for purposes of its statutory responsibilities", and insert "for the performance of an agency's or official's functions".

Senate Amendments of August 3, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 27, 1972, between lines 31 and 32, insert

"11080 Nothing in this article shall be construed to affect the right of access of any person or public agency to individual criminal offender record information that is authorized by any other provision of law

11081 Nothing in this article shall be construed to authorize access of any person or public agency to individual criminal offender record information unless such access is otherwise authorized by law"

Senate Amendments of November 14, 1972

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in Senate August 3, 1972, strike out ", and making an appropriation therefor"

Amendment No. 2

On page 3, line 25, after "information", insert "in a computerized system"

Amendment No. 3

On page 4, strike out lines 8 to 16, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Porter, Powers, Priolo, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—44

NOES—Badham, Cline, Conrad, Hayden, Ketchum, Murphy, Russell, Stacey, Stull, and Wakefield—10.

Above bill ordered enrolled

Assembly Bill No. 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2268?

Senate Amendments of July 28, 1972

Amendment No. 1

On page 9, line 22, of the printed bill, as amended in Assembly June 20, 1972, strike out "artiele", and insert "chapter".

Amendment No. 2

On page 9, strike out lines 31 to 40, inclusive, and insert

"13200 Nothing in this chapter shall be construed to affect the right of access of any person to individual criminal offender record information that is authorized by any other provision of law

13201 Nothing in this chapter shall be construed to authorize access of any person to individual criminal offender record information unless such access is otherwise authorized by law"

Senate Amendments of August 3, 1972

Amendment No. 1

On page 9, line 29, of the printed bill, as amended in Senate July 28, 1972, after "person", insert "or public agency".

Amendment No. 2

On page 9, line 33, after "person", insert "or public agency".

Senate Amendments of November 8, 1972

Amendment No. 1

On page 8, line 9, of the printed bill, as amended in Senate August 3, 1972, after "Section", insert "13125, including any modification under Section".

Amendment No. 2

On page 8, line 24, strike out "13126", and insert "13125, including any modification under Section 13126,"

Amendment No. 3

On page 10, line 20, strike out "it may from time", and strike out line 21, and insert "may be necessary"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett Badham, Barnes, Bee Beverly, Brathwaite, Briggs, Burke, Chacon, Chine, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton Fong Foran, Leroy F Greene, Hayden, Harvey Johnson Ray E Johnson, Ketchum Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan Moorhead, Murphy Pierson, Porter, Powers, Priolo, Russell Ryan, Seeley Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—None

Above bill ordered enrolled

Assembly Bill No. 2029—An act to amend Section 25210 4a of the Government Code, relating to local plans

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2029?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 15, 1972, strike out "McCarthy", and insert "Ray E Johnson"

Amendment No. 2

In the title, strike out line 1, and in line 2, strike out "amend Section 34217 of," and insert "An act to amend Section 25210 4a of"

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 25210 4a of the Government Code is amended to read

25210 4a The term "miscellaneous extended services" as used in this chapter shall include, but shall not be limited to, the following

(1) Water service including the acquisition, construction, operation, replacement maintenance and repair of water supply and distribution systems, including land, easements and rights-of-way and water rights

(2) Sewer service, including the acquisition, construction, operation, replacement, maintenance and repair of sewage collection, transportation and disposal systems, including land, easements and rights-of-way

(3) Pest or rodent control

(4) Street and highway sweeping

(5) Street and highway lighting including the acquisition, construction, replacement, maintenance and repair of a street or highway lighting system, including land, easements and rights-of-way.

(6) Refuse collection

(7) Garbage collection

(8) Ambulance service

(a) Area planning by an area planning commission established pursuant to Article 11 (commencing with Section 65600) of Chapter 3 of Title 7."

Amendment No. 4

On page 1, strike out lines 2 through 5, inclusive, and strike out pages 2 and 3

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—None

Above bill ordered enrolled

Assembly Bill No. 496—An act to amend Sections 11107, 11110, and 13103 of the Vehicle Code, relating to driving

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 496?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 5, 1972, strike out "and 11110", and insert ", 11110, and 13103"

Amendment No. 2

In line 2 of the title strike out "schools".

Amendment No. 3

On page 4, after line 29, insert

"SEC 3 Section 13103 of the Vehicle Code is amended to read:

13103 For purposes of this division, a plea *of nolo contendere or a plea of guilty* or judgment of guilty, whether probation is granted or not, a forfeiture of bail, or a finding reported under Section 1816, constitutes a conviction of any offense prescribed by this code, other than offenses relating to the unlawful parking of vehicles "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes Bee, Briggs, Burke, Cline, Collier, Conrad, Cory, Davis, Dent, Duffy, Fenton, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, Mobley, Monagan, Moorhead, Murphy, Porter, Priolo, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wood, and Mr Speaker—41

NOES—Brathwaite, Crown, Knox, Miller, Sieroty, Warren, and Wilson—7

~~Above bill ordered enrolled~~

NOTE Later this day a motion to reconsider the vote whereby Senate amendments to Assembly Bill No 496 were concurred in by the Assembly was offered by Mr Miller See page 7931

Hon. Ken Cory Presiding

At 11 a m , Hon Ken Cory, 69th District, presiding

Assembly Bill No. 719—An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831, 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the headings of Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508 5, 32509 5, 61809 1, 61809 3, 61809 7, 62050 1, 62301 5, 62707 6, 62707 7, 62707 8, 62707 9, 62714 1 and 62717 1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2 5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 719?

Senate Amendments of July 3, 1972

Amendment No. 1

On page 8, lines 34 and 35, of the printed bill, as amended in Assembly May 8, 1972, strike out "Two of such members shall be producers of manufacturing grade milk "

Amendment No. 2

On page 8, strike out line 40, and on page 9, strike out lines 1 to 3, inclusive, and insert "region The director shall apportion the membership of all such boards between manufacturing and market grade producers in approximate relationship to the respective volumes of milk supplied by each However, each board shall have at least one member who is manufacturing grade milk producer, unless the director determines that the amount of manufacturing grade milk produced within the area or region is negligible"

Amendment No. 3

On page 9, line 20, after "overbase", insert a comma.

Amendment No. 4

On page 15, strike out lines 33 to 37, inclusive, and insert "(commencing with Section 63001) In addition to manufacturing usage, the preliminary pool, or any subsidiary pool within it, shall also contain class 1 usage at any time that the amount of class 1 usage is greater than that required to fill the quota pool pursuant to Chapter 3 (commencing with Section 62700) All usage within the preliminary pool and any subsidiary pools shall be allocated in descending order, beginning with any class 1 usage"

Amendment No. 5

On page 16, lines 8 and 9, strike out ", allocated in descending order,"

Amendment No. 6

On page 16, line 9, after "base", insert "actually produced".

Amendment No. 7

On page 16, line 28, strike out the first "the"

Amendment No. 8

On page 16, line 33, after "amendments", insert "to".

Amendment No. 9

On page 17, line 35, after "pool", insert "for the purpose of the initial establishment of individual nonequalization and manufacturing bases and the subsequent maintenance of these bases, together with other individual bases,".

Amendment No. 10

On page 17, line 40, strike out "1970", and insert "1971"

Amendment No. 11

On page 18, line 10, after "test", insert "percentage".

Amendment No. 12

On page 18, line 11, after "and", insert "add to the product".

Amendment No. 13

On page 18, line 32, strike out "collective base established", and insert "total individual base produced"

Amendment No. 14

On page 18, line 34, strike out "collective base established", and insert "total individual base produced"

Amendment No. 15

On page 21, line 13, after "producers", insert "participating directly or indirectly in the pool"

Amendment No. 16

On page 21, line 14, strike out "the overbase pool", and insert "excess of their individual production base or quota, whichever is the greater".

Amendment No. 17

On page 21, line 17, after "allocation", insert "of".

Amendment No. 18

On page 21, line 27, after the closing parenthesis, insert "less any equalization base and quota included therein"

Amendment No. 19

On page 21, line 37, strike out "in the same", and strike out lines 38 and 39, and insert "and shall receive it in the same manner, except that an amount of nonequalization base equal in pounds to the transferred quota shall be withheld from them until five years from the date of".

Amendment No. 20

On page 22, line 2, after "his", insert "selected".

Amendment No. 21

On page 22, line 4, strike out "all", and insert "any".

Amendment No. 22

On page 22, line 7, after "milk", insert ", including milk"

Amendment No. 23

On page 22, line 18, strike out "convertible at his option", and insert "converted".

Amendment No. 24

On page 22, line 22, strike out "this option", and insert "the automatic conversion of manufacturing base to nonequalization base".

Amendment No. 25

On page 23, line 12, after the period, insert "For the purposes of this section, production base consists of nonequalization production base plus the amount, if any, by which production base entitled to equalization exceeds pool quota"

Amendment No. 26

On page 24, line 21, strike out "If an amendment is not", and strike out line 22.

Amendment No. 27

On page 24, line 39, after the period, insert "If an amendment is not approved, the unamended plan shall remain in effect"

Amendment No. 28

On page 32, line 26, strike out "1970", and insert "1971".

Amendment No. 29

On page 33, line 32, after the period, insert "If the amendment is not approved, the unamended plan shall remain in effect"

Amendment No. 30

On page 35, line 5, strike out the comma

Amendment No. 31

On page 35, line 15, after "average", insert "daily"

Amendment No. 32

On page 35, line 15, strike out ", provided that", and insert ", including the calculation of averages for producers not in production during the entire base period However,"

Amendment No. 33

On page 35, strike out line 23, and insert "by the total number of days in one-sixth of the base".

Amendment No. 34

On page 35, line 29, after the closing parenthesis, insert "less any equalization base and quota included therein"

Amendment No. 35

On page 35, strike out line 40, and on page 36 strike out line 1, and insert "calculated for them and shall receive it in the same manner except that an amount of manufacturing base equal in pounds to the transferred quota shall be withheld from them until five"

Amendment No. 36

On page 36, line 16, strike out "both", and insert "any".

Amendment No. 37

On page 36, between lines 18 and 19, insert
"(c) Manufacturing grade milk"

Amendment No. 38

On page 37, line 6, strike out "awarded", and insert "held".

Amendment No. 39

On page 37, line 29, strike out "an", and insert "a manufacturing".

Amendment No. 40

On page 37, line 31, after "held", insert "and produced".

Amendment No. 41

On page 37, line 31, after "the", insert "manufacturing"

Amendment No. 42

On page 38, line 21, after "necessary", insert "to the formulation, approval, and administration of a plan pursuant to this chapter"

Senate Amendments of November 15, 1972

Amendment No. 1

On page 16, line 18, of the printed bill, as amended in Senate July 3, 1972, strike out "1971", and insert "1972".

Amendment No. 2

On page 18, line 21, strike out "1971", and insert "1972".

Amendment No. 3

On page 22, line 11, strike out "1971", and insert "1972"

Amendment No. 4

On page 22, line 15, strike out "1971", and insert "1972".

Amendment No. 5

On page 33, line 20, strike out "1971", and insert "1972".

Amendment No. 6

On page 35, line 25, strike out "1971", and insert "1972".

Amendment No. 7

On page 36, line 15, strike out "1971", and insert "1972"

Amendment No. 8

On page 36, line 19, strike out "1971", and insert "1972"

The roll was called and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Beverly, Briggs, Brown, Burke, Cline Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Miller, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Russell, Stacey, Stull, Warren, Wood, and Mr Speaker—43

NOES—Campbell, Chacon Collier, Davis, Ketchum, Powers, Seeley, Thomas, Townsend, Vasconcellos, Wakefield, and Wilson—12

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT

Mr Badham was granted unanimous consent that the Desk be held open today to receive committee reports, and that the Assembly Rules be temporarily suspended to permit any bills which are re-referred to the Committee on Ways and Means to be set for hearing in the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 28, 1972

Mr Speaker: Your Committee on Rules recommends

That the request by Mr Townsend for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution as it pertains to Senate Bill No 1510 be granted

BURTON, Chairman

Committee on Finance and Insurance

Assembly Chamber, November 28, 1972

Mr Speaker Your Committee on Finance and Insurance reports:

SB No 419

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

PIERSON, Chairman

Above bill ordered to second reading

Committee on Water

Assembly Chamber, November 28, 1972

Mr Speaker Your Committee on Water reports

SB No 903

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

PORTER, Chairman

Above bill ordered to second reading

RESOLUTIONS

The following resolution was offered
By Assemblyman Townsend

Resolution to Dispense With Constitutional Provision

Resolved, That, pursuant to Article IV, Section 8(a), of the Constitution, Senate Bill No 1510 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed

Resolution read, and adopted by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead,

Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Townsend was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No 1510 for hearing in the Committee on Ways and Means

VOTE CHANGES

Mr Miller was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 496

MOTION TO RECONSIDER ASSEMBLY BILL NO. 496 ON NEXT LEGISLATIVE DAY

Mr Miller moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No 496 were this day concurred in by the Assembly

Assembly Bill No 496 ordered to the unfinished business file

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 80—An act appropriating money to the Commission on Peace Officer Standards and Training

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 80?

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly April 6, 1972, strike out line 7, and insert "Sections 50081 and 50082 of the Government Code"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Badham, Bee, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton Fong, Foran, Garcia, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—57

NOES—Wakefield—1

Above bill ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER SENATE BILL NO. 1249

In compliance with a motion given on a previous day, Mr McCarthy moved that the vote whereby Senate Bill No 1249 was refused passage be reconsidered

Senate Bill No 1249 reconsidered by the following vote

AYES—Arnett, Badham, Bagley Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—65

NOES—None

Further Consideration of Senate Bill No 1249

Senate Bill No. 1249—An act to amend Section 17920 of, and to add Sections 17922 6, 17922 7, and 17926 to, the Health and Safety Code, relating to noise insulation, and making an appropriation therefor

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr McCarthy was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 1249 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr McCarthy moved the adoption of the following amendments

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly July 26, 1972, after "dwellings", insert ", other than detached single-family dwellings"

Amendment No. 2

On page 2, line 21, after "dwelling", insert ", other than a detached single-family dwelling,".

Amendment No. 3

On page 2, line 24, after "dwelling", insert ", other than a detached single-family dwelling,".

Amendment No. 4

On page 2, line 30, after "dwellings", insert ", other than detached single-family dwellings,"

Amendment No. 5

On page 3, line 1, after "dwelling", insert ", other than a detached single-family dwelling,"

Amendment No. 6

On page 3, strike out lines 5 and 6, and insert "apply to detached single-family dwellings"

Amendment No. 7

On page 3, line 26, after "dwelling", insert ", other than a detached single-family dwelling,"

Amendment No. 8

On page 4, line 34, after "dwellings", insert ", other than detached single-family dwellings,"

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1112

Mr Arnett was granted unanimous consent to take up Senate Bill No 1112, out of order, for purpose of amendment

Consideration of Senate Bill No. 1112

Senate Bill No. 1112—An act to amend Sections 5952, 12551, and 12553 of, to amend and renumber Section 12551 5 of, to add Sections 12601, 12602, 12603, 12604 and 12605 to, and to repeal Section 12601 of, the Education Code, relating to pupils

Bill read third time

Motion to Amend

Mr Arnett moved the adoption of the following amendment

Amendment No. 1

On page 3, line 6, of the printed bill, as amended in Assembly November 21, 1972, after "center", insert "or program"

Amendment read, and adopted

Bill ordered reprinted and to be returned to the third reading file

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file

Assembly Bill No. 285, on request of Mr Sieroty.

Hon. Willie L. Brown Presiding

At 11 30 a m , Hon Willie L Brown, 18th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

House Resolution No. 129—Relative to the Medi-Cal Management System.

NOTE The full text of House Resolution No 129 appears at page 7709 of the Assembly Daily Journal for November 17, 1972

Resolution read, and presented by Mr Cullen

Roll Call Demanded

Messrs Campbell, Conrad, and Collier demanded a roll call
The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Cullen moved a call of the Assembly

Motion carried Time, 11 37 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moretti was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

INTRODUCTION OF GUESTS

Acting Speaker Willie L Brown, Jr, introduced the Honorable Earle P Crandall, former Member of the Assembly, 25th District, of San Jose, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 556—An act to add Section 1481 3 to the Health and Safety Code, relating to emergency medical services

Bill read third time and presented by Mr Townsend

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Cline, Collier, Conrad, Crown, Davis, Dent, Fong, Foran, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456 6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282 5 and 10012 4 to, the Elections Code, relating to elections

Bill read third time, and presented by Mr Crown.

Motion to Re-Refer Senate Bill No. 840 to Committee

Mr Monagan moved that Senate Bill No 840 be re-referred to the Committee on Elections and Reapportionment

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Monagan moved a call of the Assembly

Motion carried Time, 11 ·45 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 685—An act to amend Section 1793 1 of the Civil Code, relating to warranties

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Fenton was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 685 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Motion to Amend

Mr Fenton moved the adoption of the following amendments.

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to add Part 6 (commencing with Section 6000) to Division 4 of, and to repeal Section 6451, as proposed by this act, of, the Civil Code and to amend Section 11580 2 of the Insurance Code, relating to motor vehicle reparations "

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1 It is the intent of the Legislature in enacting this act to accomplish the following objectives

(1) Restructure the motor vehicle reparations system to establish a system under which persons injured in motor vehicle accidents are compensated for their tangible economic losses without regard to fault.

(2) Ensure that persons injured in motor vehicle accidents receive prompt payment for their tangible economic losses.

(3) Afford adequate compensation to persons injured in motor vehicle accidents minimum cost by coordinating benefits obtainable by the persons from other sources with those obtainable from the motor vehicle reparations system with a view toward internalizing motor vehicle accident losses by making motor vehicle insurance the primary source of benefits whenever feasible

(4) Achieve a substantial reduction in the volume of civil litigation arising from motor vehicle accidents

(5) Lower the cost of insurance and promote an increase in the percentage of the premium dollar returned in benefits by eliminating the right of a person injured in a motor vehicle accident to recover damages for intangible losses for relatively minor injuries and reducing administrative expense incurred in operating under the existing motor vehicle reparations system

(6) Promote greater market availability for motor vehicle insurance by creating a motor vehicle reparations system in which the potentiality of tangible economic loss by an insured bears a relationship to his economic status.

(7) Require that medical services be available to all persons injured in motor vehicle accidents

(8) Compensate more persons who are severely injured in motor vehicle accidents by substituting the doctrine of comparative negligence for the doctrine of contributory negligence

(9) Promote more equitable rating standards by changing to a motor vehicle reparations system in which the rates are based upon the characteristics of the person who may recover

(10) Retain the right of a person who sustains relatively serious injuries in a motor vehicle accident to recover damages for intangible losses

SEC. 2. Part 6 (commencing with Section 6000) is added to Division 4 of the Civil Code, to read:

PART 6. MOTOR VEHICLE REPARATIONS

CHAPTER 1 GENERAL

Article 1. General Provisions

6000. This part shall be known and may be cited as the Fenton-Song Motor Vehicle Reparations Act

6001 The purpose of this part is to require the payment of personal injury protection benefits to persons without regard to fault for bodily injury, sickness, disease, or death arising out of the ownership, maintenance, or use of motor vehicles and impose limitations upon the right of an injured person to recover damages for pain, suffering, mental anguish, or inconvenience.

Article 2 Definitions

6020 Unless the context otherwise requires, the definitions in this article govern the construction of this part

6021 "Claimant" means a person who files a claim with an insurer for the payment of personal injury protection benefits

6022 "Commercial vehicle" means a commercial vehicle as defined in Section 260 of the Vehicle Code

6023 "Commissioner" means the Insurance Commissioner

6024 "Deceased person" means a person who dies as a result of bodily injury, sickness, or disease arising out of the ownership, maintenance, or use of a motor vehicle

6025 "Department" means the Department of Motor Vehicles

6026 "Dependent" means any of the following:

(1) The spouse of the deceased person who is residing with him at the time of his death and has not subsequently remarried

(2) Any child of the deceased person who is any of the following

(i) Under 18 years of age and either residing with or receiving support from him at the time of his death

(ii) Eighteen years of age or over physically or mentally incapacitated from earning a living, and either residing with or receiving support from him at the time of his death

(iii) Engaged full time in a formal program of academic or vocational education or training and either residing with or receiving support from him at the time of his death

(3) Any other person who is dependent upon the deceased person at the time of his death and is under 18 years of age, physically or mentally incapacitated from earning a living, or engaged full time in a formal program of academic or vocational education or training

6027 "Funeral expense" means any expense of any type which is related to a funeral and burial

6028 "Injured person" means a person who sustains an injury

6029 "Injury" means bodily injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle

6030 "Installment award or settlement" means an award or settlement for the full and final discharge of all of the liability of an insurer to a claimant in return for an obligation to pay a specified sum of money in installments.

6031 "Insured motor vehicle" means any of the following

(1) A motor vehicle which is covered by a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits

(2) A motor vehicle which is covered by a policy of personal injury protection insurance

(3) A motor vehicle whose owner is a qualified self-insurer

6032 "Insurer" means an insurer authorized to transact business in this state and issuing policies of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle

6033 "Loss of compensation" means the income which an injured person would have earned if he had not been injured, including any income which is lost as a result of any reduction of earning capacity.

6034. "Loss of services" means any expense reasonably incurred for reasonably necessary services in place of those that the injured person would have performed for the benefit of himself or his dependents if he had not been injured, excluding any expense incurred for services which he would have performed for income or services which are obtained from persons residing in his household

6035 "Lump-sum award or settlement" means an award or settlement for the full and final discharge of all of the liability of an insurer to a claimant upon payment of a single sum of money

6036 "Medical treatment expense" means any of the following:

(1) Any expense reasonably incurred for any reasonably necessary product, drug, service, or accommodation for the diagnosis, care, recovery, or rehabilitation of an injured person, excluding any expense incurred by an injured person for an accommodation which he would have provided for his personal use if he had not been injured

(2) The reasonable value of any reasonably necessary product, drug, service, or accommodation for the diagnosis, care, recovery, or rehabilitation of an injured person which was obtained by the injured person under a direct service or other prepaid health care plan, irrespective of the amount of any direct charges made by the provider of the product, drug, service, or accommodation

(3) Any expense reasonably incurred for any reasonably necessary remedial treatment or service recognized and permitted under the laws of this state for an injured person who relies upon spiritual means for healing in accordance with his religious beliefs

6037 "Motorcycle" means a motorcycle as defined in Section 400 of the Vehicle Code.

6038. "Motor-driven cycle" means a motor-driven cycle as defined in Section 405 of the Vehicle Code

6039 "Motor vehicle" means a motor vehicle as defined in Section 415 of the Vehicle Code which is designed and licensed to be operated upon a highway

6040 "Named insured" means either of the following:

(1) The person identified as the named insured in a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits and his spouse residing in the same household

(2) The person identified as the named insured in a policy of personal injury protection insurance and his spouse residing in the same household

6041 "Owner" means a person holding the legal title to a motor vehicle or, if a motor vehicle is subject to a security interest or a lease with an option to purchase with the debtor or lessee having the right to possession, a debtor or lessee

6042 "Personal injury protection benefits" means the personal injury protection benefits described in Article 1 (commencing with Section 6150) of Chapter 3 of this part.

6043 "Personal injury protection insurance" means insurance which is issued by an insurer and provides solely for the payment of personal injury protection benefits

6044 "Plan" means the assigned claims plan established pursuant to Chapter 7 (commencing with Section 6500) of this part

6045 "Qualified self-insurer" means a self-insurer who has filed an affidavit pursuant to Section 6120

6046 "Relative residing in the same household" means a relative of any degree by blood, adoption, or marriage who usually makes his home in the same family unit, whether or not temporarily living elsewhere

6047 "Self-insurer" means a person who has been issued a certificate of self-insurance pursuant to Division 7 (commencing with Section 16000) of the Vehicle Code

6048 "Survivor benefits" means both of the following

(1) Any contribution of any tangible thing of economic value, excluding services, which the dependents would have received from the deceased person after the date on which he died if he had not sustained the injury which caused his death

(2) Any expense reasonably incurred by the dependents for reasonably necessary services in place of those that the deceased person would have performed for their benefit after the date on which he died if he had not sustained the injury which caused his death, excluding any expense incurred for services which he would have performed for income or services which are obtained from persons residing in his household

6049 "Uninsured motor vehicle" means any motor vehicle other than an insured motor vehicle.

6050 "Use of a motor vehicle" includes loading, unloading, entering, and alighting from a motor vehicle and excludes conduct within the course of a business of repairing, servicing, or otherwise maintaining a motor vehicle unless the conduct occurs outside the premises of the business

Article 3 Evaluation

6080 (a) It is the intent of the Legislature that any savings realized under this part by an insurer be returned to its insureds in the form of reduced premiums or dividends

(b) It is the intent of the Legislature that any savings realized under Article 2 (commencing with Section 6190) of Chapter 3 of this part by (1) an admitted insurer who issues or renews any group disability insurance policy or any individual policy of disability insurance, or (2) a direct service or other prepaid health care plan, be returned to its insureds in the form of reduced premiums or dividends

(c) Commencing on January 1, 1974, the commissioner shall report annually to the Legislature on the extent to which insurers are complying with the intent of the Legislature as expressed in subdivisions (a) and (b).

6081 (a) Pursuant to the authority prescribed by Article 6 (commencing with Section 1857) of Chapter 9 of Part 2 of Division 1 of the Insurance Code, the commissioner shall conduct examinations of

rates and classifications of risks for insurance which provides for the payment of personal injury protection benefits to ensure that the rates are not excessive, inadequate, or unfairly discriminatory

(b) Commencing on January 1, 1974, the commissioner shall report annually to the Legislature on the results of the examinations conducted pursuant to subdivision (a) The report shall include his findings, conclusions, and recommendations concerning the rates and classification of risks for insurance which provides for the payment of personal injury protection benefits.

CHAPTER 2 INSURANCE

Article 1 Mandatory Coverage

6100 No policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle other than a motorcycle or motor-driven cycle shall be issued or delivered in this state unless it contains a provision for the payment of personal injury protection benefits.

Article 2. Self-Insurers

6120 A self-insurer may file an affidavit with the department in which it agrees to pay all personal injury protection benefits required by this part Upon the filing of the affidavit, the self-insurer shall become a qualified self-insurer Except as otherwise provided by statute, a qualified self-insurer shall have all the rights and be subject to all of the obligations of an insurer prescribed by Chapter 3 (commencing with Section 6150), Chapter 5 (commencing with Section 6300), and Article 3 (commencing with Section 6640) of Chapter 8 of this part.

CHAPTER 3 BENEFITS

Article 1. Personal Injury Protection Benefits

6150 Personal injury protection benefits shall be payable for injury without regard to fault.

6151. Personal injury protection benefits shall be payable for medical treatment expense, loss of compensation, loss of services, survivor benefits, and funeral expense

6152. The total amount payable for medical treatment expense shall be equal to the following·

(1) All medical treatment expense until the recovery of personal injury protection benefits equals the limitation imposed under Section 6158

(2) After the recovery of personal injury protection benefits equals the limitation imposed under Section 6158, all medical treatment expense until the total amount of personal injury protection benefits which have been recovered equals fifty thousand dollars ($50,000)

6153 (a) In calculating payments for loss of compensation which an injured person is entitled to receive, his monthly income or an amount equal to one-twelfth of his annual income for the year immediately preceding the date of injury, whichever is greater, shall be used in determining the income which he would have earned if he had not

been injured If payments for loss of compensation would not be taxable under a federal or state income tax, loss of compensation shall be computed by reducing the income by 15 percent or any lesser amount which constitutes the income tax which would have been levied upon the income The total amount payable for loss of compensation shall not exceed seven hundred fifty dollars ($750) in any period of 30 days The limitation upon loss of compensation shall apply pro rata to any lesser period

(b) Any wage continuation benefits which an injured person receives or is entitled to receive shall not be considered in determining his loss of compensation

6154 The total amount payable for loss of services shall not exceed fifteen dollars ($15) per day

6155. (a) The loss payable for survivor benefits defined in paragraph (1) of Section 6048 shall be subject to the same computation and limitation imposed upon loss of compensation under Section 6153

(b) The loss payable for survivor benefits defined in paragraph (2) of Section 6048 shall be subject to the same limitation imposed upon loss of services under Section 6154

6156. The total amount payable for funeral expense shall not exceed one thousand dollars ($1,000)

6157. Pain, suffering, mental anguish, or inconvenience are not compensable under personal injury protection benefits, but economic detriment in the nature of loss of income or reduction of earning capacity arising from the interference of pain, suffering, mental anguish, or inconvenience with work or earning capacity shall be compensable under loss of compensation

6158 Except as permitted by Section 6152, the total amount of personal injury protection benefits which may be recovered shall not exceed five thousad dollars ($5,000) per injured person per accident An injured person or, in the event of his death, his dependents shall be permitted to specify the amount of his recovery which shall be allocated to medical treatment expense, loss of compensation, loss of services, survivor benefits, and funeral expense

6159 (a) Personal injury protection benefits shall be payable to any of the following persons for injuries sustained within this state:

(1) A named insured

(2) A relative of a named insured residing in the same household.

(3) An operator or occupant of an insured motor vehicle

(4) An operator or occupant of an uninsured motor vehicle registered in this state other than the owner of the motor vehicle or his spouse residing in the same household

(5) A person who is not an operator or occupant of a motor vehicle but is injured by one or more motor vehicles

(b) Personal injury protection benefits shall be payable to any of the persons described in paragraphs (1) to (3), inclusive, of subdivision (a) for injuries arising out of the ownership, maintenance, or use of a motor vehicle other than a commercial vehicle designed, used, or maintained primarily for the transportation of property and sustained outside this state and within the United States and its terri-

tories and possessions, Canada, and Mexico to the same extent as personal injury protection benefits are payable for injuries sustained within this state.

(c) Personal injury protection benefits shall be payable to any of the persons described in paragraphs (1) to (3), inclusive, of subdivision (a) for injuries arising out of the ownership, maintenance, or use of a commercial vehicle designed, used, or maintained primarily for the transportation of property and sustained outside this state and within the United States and its territories and possessions, Canada, and Mexico to the same extent as personal injury protection benefits are payable for injuries sustained within this state, if the person who sustains the injury is a resident of this state

6160 Personal injury protection benefits shall not be payable to any of the following persons:

(1) An owner of an uninsured motor vehicle registered in this state or his spouse residing in the same household, if the owner or his spouse is an operator or occupant of the uninsured motor vehicle

(2) A nonresident of this state who is an operator or occupant of an uninsured motor vehicle which is not registered in this state

(3) An operator of a motor vehicle who intentionally causes an injury or property damage and was not acting or refraining from acting for the purpose of averting an injury or property damage

6161 (a) Any person who sustains an injury while an operator or occupant of a motor vehicle shall claim personal injury protection benefits from insurers in the following order of priority:

(1) The insurer of the owner of the motor vehicle

(2) The insurer of the operator of the motor vehicle.

(3) His insurer

(b) Any person who sustains an injury and is not an operator or occupant of a motor vehicle shall claim personal injury protection benefits from insurers in the following order of priority.

(1) His insurer

(2) The insurer of the owner of the motor vehicle

(3) The insurer of the operator of the motor vehicle

(c) If a person described in subdivision (b) is not covered by a policy of insurance which provides for the payment of personal injury protection benefits and the injuries which are sustained by him are proximately caused by two or more motor vehicles, he shall claim personal injury protection benefits from the insurers of the owners and operators of each of the motor vehicles in the order of priority established in subdivision (b) Any insurer paying personal injury protection benefits shall be entitled to be reimbursed by the other insurers for their proportionate share of the loss and the expense of processing the claim

6162 Any limitation upon the amount of personal injury protection benefits which is payable for an injury sustained by one person and arising out of one accident shall be determined without regard to the number of policies of insurance which provide for the payment of personal injury protection benefits and are applicable to the accident

6163 (a) Personal injury protection benefits are payable to or for the benefit of an injured person or, in the event of his death, his dependents.

(b) If there is doubt as to the proper person to receive personal injury protection benefits or the proper apportionment among the persons entitled to receive the benefits, the insurer or any other interested person may submit the matter for determination in an arbitration proceeding conducted pursuant to Section 6680. The arbitrator may designate the persons to whom the benefits are to be paid and make an equitable apportionment after considering the relationship of the persons to the injured person and any other facts which he deems appropriate.

(c) An insurer may do either of the following:

(1) Pay any personal injury protection benefits which have accrued before the death of an injured person to his dependents without the appointment of an administrator or executor.

(2) Pay any personal injury protection benefits which are due to any dependent children living with a surviving spouse to the spouse.

6164. Any person who sustains an injury and is entitled to receive personal injury protection benefits may obtain the benefits from the plan if he is otherwise unable to obtain the benefits.

Article 2. Duplicate Benefits

6190. No person shall recover personal injury protection benefits from more than one policy of insurance on a duplicate basis.

6191. Any payments which an injured person receives or is entitled to receive under any medical payments coverage under a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle shall be deducted from any personal injury protection benefits which would otherwise be payable to him.

6192. The amount of all disability or compensation benefits which an injured person receives or is entitled to receive under any workmen's compensation plan or any similar statutory plan shall be deducted from any personal injury protection benefits which would otherwise be payable to him.

6193. Personal injury protection benefits shall be deducted from any recovery received by an injured person under uninsured motorists coverage.

6194. Any program or plan of employee benefits which provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits payable under the program or plan. This section shall apply only to a program or plan of employee benefits which is subject to a collective bargaining agreement. This section shall not apply to any existing program or plan or employee benefits until the program or plan is renewed or subject to modification.

6195. Any contract or benefit plan which is offered or sold in this state and provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of

personal injury protection benefits shall be deducted from any benefits payable under the contract or benefit plan This section shall not apply to either of the following

(1) Any contract or benefit plan which is vested by contract or funded prior to January 1, 1974

(2) Any contract or benefit plan which may be continued at the option of the purchaser, insured or irrevocable beneficiary by the payment of a previously established fixed premium or other fixed contract charge or fee

6196 Notwithstanding Section 10270 98 of the Insurance Code, any group disability insurance policy which is issued or renewed by an admitted insurer and provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits payable under the group disability insurance policy

6197 Any individual policy of disability insurance, except a guaranteed renewable policy or a noncancelable policy as defined in Sections 10273 and 10273 3 of the Insurance Code, which is issued or renewed by an admitted insurer and provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits under the individual policy of disability insurance

6198 Personal injury protection benefits shall not be payable for any direct or indirect loss of interest of, or for services or benefits provided or furnished by, the United States or any of its agencies coincident to a contract of employment or because of military enlistment, duty, or service

CHAPTER 4 INSURERS

Article 1 Personal Injury Protection Insurance

6250 Every insurer shall offer personal injury protection insurance.

Article 2 Policies

6260 Any policy of insurance issued by an insurer which is represented or sold as providing for the payment of personal injury protection benefits shall be deemed to provide for the payment of the benefits

6261 Pursuant to Article 6 (commencing with Section 780) and Article 6 5 (commencing with Section 790) of Chapter 1 of Part 2 of Division 1 of the Insurance Code, the commissioner may compel an insurer to provide information to an applicant which will disclose the terms, provisions, and limitations of a policy of insurance which provides for the payment of personal injury protection benefits

6262 No insurer shall refuse to renew a policy of insurance which provides for the payment of personal injury protection benefits solely on the basis of either (1) the age, sex, marital status, race, or occupation of the named insured or a relative of the named insured residing in the same household or (2) if the named insured neither caused nor

is liable for an injury to a claimant, the fact that (i) the claimant submitted or prosecuted a claim for personal injury protection benefits or (ii) the named insured was involved in the accident in which the claimant sustained the injury Any insurer who willfully violates this section shall be guilty of a misdemeanor and punishable by a fine of not more than five hundred dollars ($500) for each violation.

Article 3 Additional Coverage

6270. Every insurer may offer either or both of the following:

(1) Coverage under which the insurer agrees to pay benefits in compensation for pain, suffering, mental anguish, or inconvenience to the named insured or the named insured and one or more additional insureds.

(2) Coverage under which the insurer agrees to pay personal injury protection benefits in addition to those required under Article 1 (commencing with Section 6150) of this chapter The coverage shall include coverage which exceeds the limits imposed upon (i) loss of compensation, loss of services, survivor benefits, and funeral expense under Sections 6153 to 6156, inclusive, or (ii) personal injury protection benefits under Section 6158, either in the aggregate or with respect to any individual benefit.

6271 Every insurer shall offer uninsured motorists coverage whose limits exceed the financial responsibility requirements specified in Section 16059 of the Vehicle Code. The increased limits of liability shall be offered in increments of ten thousand dollars ($10,000) The insured shall be offered a minimum aggregate limit of liability of at least one hundred thousand dollars ($100,000) because of bodily injury to or death of one person in one accident and, subject to the limit for one person, three hundred thousand dollars ($300,000) because of bodily injury to or death of two or more persons in one accident, but shall be permitted to be covered by any lesser limit of liability.

CHAPTER 5 CLAIMS

Article 1 Payment of Benefits

6300. Personal injury protection benefits are payable monthly as a loss accrues

6301 (a) Personal injury protection benefits for any period are overdue if they are not paid within 30 days after the insurer receives reasonable proof of the fact and amount of loss incurred during the period If reasonable proof is not supplied as to the entire loss, the amount which is supported by reasonable proof is overdue if it is not paid within 30 days after the proof is received by the insurer Any part or all of the remainder of the loss which is supported later by reasonable proof is overdue if it is not paid within 30 days after the proof is received by the insurer An insurer shall be deemed to have received reasonable proof of the fact and amount of loss incurred when it has received all relevant information or documents which are in the possession of, or made available to, a claimant

(b) If an insurer willfully refuses to pay personal injury protection benefits as required by subdivision (a), the person entitled to receive

the benefits shall be entitled to receive an additional amount equal to three times the amount of the benefits which have not been paid

6302. The existence of a potential cause of action for an injury which may be brought by any person entitled to receive personal injury protection benefits shall not affect the obligation of the insurer to pay the benefits promptly

6303 If a payment for medical treatment expense or funeral expense which is to be made directly to a claimant, or a payment for loss of compensation, loss of services, or survivor benefits is overdue, the claimant shall be entitled to receive an additional amount equal to 10 percent of the amount of the overdue payment for each period of 30 days during which payment is not paid after the insurer received reasonable proof of the fact and amount of loss incurred

6304. Payment of personal injury protection benefits shall be made by a check which is made payable to the order of the person entitled to receive the benefits or his authorized representative In determining the extent to which personal injury protection benefits are overdue or the application of a statute of limitations, the payment shall be deemed to have been made on the date the check was delivered or mailed, postage prepaid, in a properly addressed envelope

6305 An insurer may require a claimant to notify the insurer of a claim within a reasonable period of time after an injury for which the payment of personal injury protection benefits is claimed

6306. An agreement for the assignment of any rights to personal injury protection benefits which are payable in the future shall be void and unenforceable

6307 (a) In any arbitration proceeding to recover personal injury protection benefits, upon the motion of the claimant, the arbitrator may order the payment of a lump-sum award or settlement or an installment award or settlement for future benefits which would come due after the date of the award or settlement if he finds either of the following:

(1) The present value of all the future benefits does not exceed one thousand dollars ($1,000)

(2) A final settlement will contribute substantially to the health and rehabilitation of the claimant

(b) Rights and obligations arising under a policy of insurance which provides for the payment of personal injury protection benefits with respect to a claim for a limited period of time or a full claim which includes all future losses may be discharged only by one of the following:

(1) An installment award or settlement for payments of not more than one thousand dollars ($1,000) per month

(2) A lump-sum award or settlement for an amount of not more than one thousand dollars ($1,000)

(3) An installment award or settlement for larger payments or a lump-sum award or settlement for a larger amount which has been approved by the arbitrator after a finding that the award or settlement is in the best interests of the claimant.

Article 2. Examination

6320 Whenever the mental or physical condition of a claimant is material to any claim that has been or may be made for past or future personal injury protection benefits, the claimant shall, upon request of an insurer, submit to a mental or physical examination by one or more physicians selected by the insurer The cost of any examination requested by an insurer shall be paid by the insurer Any insurer who requests an examination shall pay any reasonable costs of transportation and expenses incurred by the claimant and reimburse him for any loss of income if the examination is not conducted in an area of close proximity to his residence or the office of his attending physician

6321 Any physician who makes an examination pursuant to Section 6320 shall prepare a written report concerning the examination An insurer who causes the examination to be made shall transmit a copy of every written report concerning the examination made by the examining physician to the claimant or his attorney At least one of the reports shall set forth the findings and conclusions of the examining physician in detail

6322 Upon request, an insurer shall be entitled to receive from the claimant a copy of every written report available to him or his attorney concerning any examination which has been made or is made in the future of any mental or physical condition which is material to a claim for personal injury protection benefits

6323 In any action to recover personal injury protection benefits, a claimant who receives a copy of the report required by Section 6321 or takes the deposition of the examining physician shall be deemed to have waived any privilege he may have regarding the testimony of every other person who has examined him with respect to the same mental or physical condition

6324 If a claimant unreasonably refuses to submit to a mental or physical examination, supply information, or authorize information to be obtained, the insurer may reduce or temporarily suspend the payment of personal injury protection benefits without penalty

Article 3 Medical Rehabilitation

6340 A claimant shall be entitled to prompt medical rehabilitation services when he is unable to perform work for which he had previous training or experience as a result of an injury

6341 In order to be eligible for any payment of personal injury protection benefits, a claimant who wishes to undertake medical rehabilitation services shall give 30 days notice to the insurer responsible for the payment of the benefits prior to undertaking the services The notice shall include information sufficient to determine that the services meet the standards prescribed by Section 6342

6342 An insurer responsible for the payment of personal injury protection benefits may propose and is responsible for medical rehabilitation services for a claimant The services shall meet the following standards

(1) The services, whether or not involving surgery, shall be (i) recognized and medically accepted or (ii) recognized and permitted under the laws of this state for a person who relies upon spiritual means for healing in accordance with his religious beliefs

(2) The services shall contribute substantially to rehabilitation

(3) The cost of the services shall be reasonable in relation to the probable rehabilitative effects of the services

6343 If a claimant unreasonably refuses to undertake any medical rehabilitation services which meet the standards set forth in Section 6342, the insurer may reduce or temporarily suspend the payment of personal injury protection benefits without penalty A claimant who refuses to undertake any medical rehabilitation services proposed by an insurer shall not be deemed to have unreasonably refused to undertake the services if he is presently undertaking any other medical rehabilitation services which meet the standards set forth in Section 6342

Article 4 Reports

6360 (a) If a request is made by an insurer against whom a claim for personal injury protection benefits has been made, an employer shall furnish a statement of the earnings of the claimant since the date on which the claimant was injured If requested by the insurer, the employer shall also furnish a statement of the earnings of the claimant within a period of not more than one year prior to the date If specifically requested by the insurer, the employer shall deliver or mail the statement within a period of 10 days after the request for the statement is received

(b) The commissioner shall prescribe the form and content of any statement which is required under subdivision (a)

6361 (a) If a request is made by an insurer against whom a claim for personal injury protection benefits has been made, a physician or hospital, clinic, or other medical institution which provides any products, drugs, services, or accommodations in relation to an injury or a condition claimed to be connected to the injury shall furnish or do either or both of the following at the option of the insurer

(1) A written report of the history, condition, treatment, dates of treatment, and costs of treatment of the claimant for the injury or condition

(2) Produce and permit the inspection and copying of any records regarding the history, condition, treatment, dates of treatment, and costs of treatment of the claimant for the injury or condition

(b) If requested by the insurer, the report required under subdivision (a) shall cover any injury or condition which (1) has a reasonable relationship to the injury upon which the claim is based and (2) occurred or existed prior to or after the injury upon which the claim is based If specifically requested by the insurer, the person or institution shall deliver or mail the report within a period of 10 days after the request for the report is received

(c) The commissioner shall prescribe the form and content of any report which is required under subdivision (a)

6362 Any person who provides information to an insurer pursuant to Section 6360 or 6361 may charge a reasonable amount for the time and cost of providing the information

Article 5 Limitations on Proceedings

6380 No arbitration proceeding to recover personal injury protection benefits shall be commenced after a period of one year has elapsed since the date on which the injured or deceased person sustained the injury or a period of one year has elapsed since the date on which the last payment of benefits was made, whichever occurs later.

Article 6 Attorney's Fees

6400 An attorney shall be entitled to a reasonable fee for advising and representing a claimant on a claim or in an arbitration proceeding to recover personal injury protection benefits

6401 If personal injury protection benefits which have not been paid after an insurer receives reasonable proof of the fact and amount of loss incurred as required by subdivision (a) of Section 6301 are either received in an arbitration proceeding or paid by the insurer after the receipt of a notice of representation of a claimant by an attorney which has been given after the insurer refused or failed to pay the benefits, the fee of the attorney shall be a charge against the insurer and shall not be subtracted from the benefits received or paid

6402 If personal injury protection benefits, other than benefits which have not been paid after an insurer receives reasonable proof of the fact and amount of loss incurred as required by subdivision (a) of Section 6301, are either received in an arbitration proceeding or paid by the insurer after the receipt of a notice of representation of a claimant by an attorney which has been given after the insurer refused or failed to pay the benefits, the fee of the attorney shall be allocated pursuant to this section After receipt of a notice of representation, the insurer shall pay the fee directly to the attorney Fifty percent of the fee shall be charged against benefits otherwise payable to the claimant and shall be charged against the limits of liability The remainder of the fee shall be charged against the insurer and shall not be charged against the limits of liability

6403 If the claimant, his attorney, and the insurer agree upon a fee to be awarded and the manner in which it is to be charged, the approval of an arbitrator shall not be required In the absence of any agreement, the matter may be submitted for determination in an arbitration proceeding conducted pursuant to Section 6680

6404 An arbitrator may award a reasonable sum against a claimant as a fee for the attorney of the insurer in defending against a claim that was fraudulent or so excessive as to have no reasonable foundation The fee may be treated as an offset against personal injury protection benefits which are due or may become due to the claimant An award may be made against the claimant for any amount of the fee which has not been offset or otherwise paid

Article 7 Medical Services

6420 Any physician, hospital, clinic, or other person or medical institution providing treatment to an injured person for an injury covered by a policy of insurance which provides for the payment of personal injury protection benefits may charge a reasonable amount for the products, drugs, services, and accommodations which are provided

Any amount which is charged shall not exceed the amount which the person or institution customarily charges for similar products, drugs, services, and accommodations in cases involving no such insurance

6421 (a) No physician or hospital, clinic, or other medical institution shall refuse to provide any products, drugs, services, or accommodations to any of the following persons who have sustained an injury:

(1) A person who has presented a certificate from an insurer which states that he is a named insured

(2) A person who the physician or hospital, clinic, or other medical institution knows or has reason to know is or may be entitled to the payment of personal injury protection benefits

(b) Except as provided by subdivision (c), a physician or hospital, clinic, or other medical institution shall provide products, drugs, services, or accommodations to any of the persons described in subdivision (a) to the same extent as they are compensable as medical treatment expenses under a policy of insurance which provides for the payment of personal injury protection benefits

(c) A physician or hospital, clinic, or other medical institution shall not be required to provide products, drugs, services, or accommodations for a period of more than 24 hours to any person described in paragraph (1) of subdivision (a) if it discovers that the person is no longer a named insured of the insurer who issued the certificate and is not a person described in paragraph (2) of subdivision (a)

(d) Any physician or hospital, clinic, or other medical institution which provides products, drugs, services, or accommodations to a person described in paragraph (1) of subdivision (a) who is no longer a named insured of the insurer who issued the certificate and is not a person described in paragraph (2) of subdivision (a) may recover the costs incurred in providing the products, drugs, services, or accommodations for a period of 24 hours from the plan

(e) Nothing in this section shall relieve any person described in paragraph (1) or (2) of subdivision (a) from any liability for any products, drugs, services, or accommodations which are provided by a physician or hospital, clinic, or other medical institution pursuant to subdivision (a)

(f) Nothing in this section shall require any physician or hospital, clinic, or other medical institution to provide products, drugs, services, or accommodations which it is not physically capable of providing

CHAPTER 6 RATES AND CLASSIFICATIONS

6450 Rates and classifications of risks for insurance which provides for the payment of personal injury protection benefits are subject to the provisions of Chapter 9 (commencing with Section 1850) of Part 2 of Division 1 of the Insurance Code

6451 (a) Except as provided in subdivision (c), during the period commencing on January 1, 1974, and ending on December 31, 1975, the premium charged by an insurer for a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for the payment of personal injury protection benefits and bodily injury liability and uninsured motorists coverage with a limit of

liability of fifteen thousand dollars ($15,000) because of bodily injury to or death of one person in one accident and, subject to the limit for one person, thirty thousand dollars ($30,000) because of bodily injury to or death of two or more persons in one accident, shall not exceed the premium charged on July 1, 1973, by the insurer for a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for bodily injury liability and uninsured motorists coverage with a limit of liability of fifteen thousand dollars ($15,000) because of bodily injury to or death of one person in one accident and, subject to the limit for one person, thirty thousand dollars ($30,000) because of bodily injury to or death of two or more persons in one accident and medical payments coverage with a limit of liability of one thousand dollars ($1,000)

(b) Except as provided in subdivision (c), during the period commencing on January 1, 1974, and ending on December 31, 1975, the premium charged by an insurer for a policy of personal injury protection insurance shall not exceed the premium charged for the portion of a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for the payment of personal injury protection benefits

(c) If the commissioner determines as a result of his examinations of rates conducted pursuant to Section 6081 that the existing rates of an insurer are inadequate because the rates are unreasonably low for the insurance provided, and (1) the continued use of the rates endangers the solvency of the insurer, or (2) the use of the rates has or, if continued, will have the effect of destroying competition or creating a monopoly, he shall, after a hearing, issue an order pursuant to Section 1858.3 of the Insurance Code which shall authorize or require the insurer to adjust its rates

(d) This section shall remain in effect until December 31, 1975 Thereafter, this section shall have no force or effect and is repealed

CHAPTER 7 ASSIGNED CLAIMS PLAN

Article 1 Organization and Administration

6500 Subject to approval and regulation by the commissioner and consistent with the provisions of this chapter, all insurers shall organize and maintain an assigned claims plan If the commissioner determines that the organization and maintenance of the plan is inconsistent with the terms of this chapter, the commissioner shall organize and maintain a plan

6501 Claims shall be assigned to an insurer under the plan in a manner which ensures a fair allocation of the burden of assigned claims on a basis reasonably related to the volume of annual premiums derived from policies of insurance which provide for the payment of personal injury protection benefits and are issued by the insurer

6502 (a) The department shall be reimbursed from the Assigned Claims Fund for expenses incurred by the department in the administration of this chapter

(b) Subject to the limitation upon reimbursement imposed under Section 6523, the plan shall be reimbursed from the Assigned Claims Fund for all claims for personal injury protection benefits which are paid under the plan and the expenses incurred by the plan in the administration of this chapter.

(c) Any claims and expenses which are not reimbursed pursuant to subdivision (b) shall be assessed against an insurer under the plan in a manner which ensures a fair allocation of the claims and expenses on a basis reasonably related to the volume of annual premiums derived from policies of insurance which provide for the payment of personal injury protection benefits and are issued by the insurer

6503 An annual certified accounting of the plan for each calendar year shall be prepared and submitted to the commissioner and the State Treasurer not later than July 1 of the succeeding year

6504 The commissioner and the department may adopt and enforce any rules and regulations which are necessary to carry out the provisions of this chapter

6505 The commissioner shall report annually to the Governor and Legislature on the operation of the plan

Article 2 Assigned Claim Fund

6520 An Assigned Claims Fund is hereby created as a special fund in the State Treasury which is separate and apart from all other moneys or funds of the state

6521 The money and assets of the fund shall be held in trust by the State Treasurer and administered under the direction of the commissioner exclusively for the purposes of this chapter

6522 All assigned claims fees and any moneys collected pursuant to Section 6561 shall be deposited in the fund

6523 The state shall not be liable or obligated in any way beyond the moneys which have been deposited in the fund

6524 The State Treasurer shall reimburse the department from the fund for the expenses specified in subdivision (a) of Section 6502 Upon the approval by the commissioner of the certified accounting required by Section 6503, the State Treasurer shall reimburse the plan from the fund for the claims and expenses specified in subdivision (b) of Section 6502 Any reimbursements from the fund for claims and expenses specified in Section 6502 shall be charged against the moneys which have been deposited in the fund for the calendar year in which the injuries upon which the claims and expenses are based were sustained

6525 The State Treasurer shall deposit or invest any unappropriated portion of the fund in the same manner and subject to all provisions of law governing the deposit or investment of state funds by the State Treasurer All interest earned by any unappropriated portion of the fund which is deposited or invested shall be collected and deposited to the credit of the fund

6526 A detailed financial statement of the condition of the fund shall be published annually by the commissioner The fund shall be subject to an audit by the Auditor General

6527 The comissioner shall report annually to the Governor and Legislature on the financial position, actuarial soundness, and general condition of the fund A copy of the report shall be filed with the Auditor General for his use in auditing the fund

Article 3 Assigned Claims Fees

6540 Any person registering an uninsured motor vehicle in this state shall pay an assigned claims fee at the time of registration.

6541 Upon the cancellation or lapse of a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits or a policy of personal injury protection insurance, the insolvency or bankruptcy of an insurer who issued such a policy, or the termination or lapse of a certificate of self-insurance of a qualified self-insurer, the owner of a motor vehicle shall pay the assigned claims fee or obtain a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits or a policy of personal injury protection insurance

6542 (a) The assigned claims fee shall be determined annually by the commissioner by dividing the amount of money necessary for the payment of claims for personal injury protection benefits which are payable under the plan and expenses incurred by the department and plan in the administration of this chapter in the calendar year in which the fee is assessed by the number of uninsured motor vehicles in this state In determining the amount of money necessary for the payment the commissioner shall take into account the necessity of maintaining sufficient reserves to insure the actuarial soundness of the fund

(b) On or before the first day of July of each year, the commissioner shall certify the amount of the assigned claims fee to the department for the succeeding calendar year.

Article 4 Benefits

6560 (a) Any person who sustains an injury and is entitled to receive personal injury protection benefits may obtain the benefits under the plan if any of the following apply

(1) No policy of insurance which provides for the payment of personal injury protection benefits is applicable to the injury.

(2) No policy of insurance which provides for the payment of personal injury protection benefits applicable to the injury can be identified

(3) The only identifiable policy of insurance which provides for the payment of personal injury protection benefits applicable to the injury is inadequate to provide personal injury protection benefits up to the maximum limits prescribed in Sections 6152 to 6156, inclusive, and Section 6158 because of multiple claims against it or the financial inability of one or more insurers to fulfill their obligations

(b) Any physician or hospital, clinic or other medical institution which provides products, drugs, services, or accommodations to a person described in paragraph (1) of subdivision (a) of Section 6421 who is no longer a named insured of the insurer who issued the certificate and is not a person described in paragraph (2) of subdivision (a) of Section 6421 may recover the costs incurred in providing the products, drugs, services, or accommodations for a period of 24 hours from the plan

(c) Persons entitled to claim from the plan are entitled to receive from the plan the personal injury protection benefits due under policies of insurance which provide for the payment of personal injury protection benefits as prescribed in Sections 6152 to 6156, inclusive, and Section 6158

6561. Whenever the facts described in paragraph (3) of subdivision (a) of Section 6560 exist, all unpaid personal injury protection benefits which are due or coming due are subject to being collected by the plan and the plan is entitled to reimbursement from defaulting insurers to the extent of their financial responsibility

6562 Upon the receipt of a claim for personal injury protection benefits under the plan, the plan shall have the same rights and obligations which it would have had if it had been an insurer who issued a policy of insurance which provides for the payment of personal injury protection benefits applicable to the accident

6563 A person claiming through the plan shall notify the plan of his claim within the time which would have been allowed for commencing an arbitration proceeding to recover personal injury protection benefits if identifiable coverage applicable to the claim had been in effect Any arbitration proceeding by the person against the plan shall be commenced not later than the last date on which the proceeding might have been commenced if it had been against the insurer of identifiable coverage applicable to the claim

CHAPTER 8 ACTIONS AND PROCEEDINGS

Article 1 Limitation on General Damages

6600 (a) In any action to recover damages for an injury sustained within this state, damages for pain, suffering, mental anguish, or inconvenience shall not be recoverable unless one of the following facts exists

(1) The medical treatment expenses incurred by the injured person, as computed pursuant to Section 6601, excluding any expense incurred for X-rays in excess of one hundred dollars ($100), exceeds one thousand dollars ($1,000)

(2) The injury consists, in whole or in part, of a loss of a body member

(3) The injury consists of a serious and permanent impairment of a bodily function

(4) The injury consists, in whole or in part, of serious and permanent disfigurement

(5) The injury consists of serious and permanent disability, whether partial or total.

(6) The injury results in death

(b) This section shall not apply to any action against a seller, retailer, or manufacturer of motor vehicles to recover damages for bodily injury, sickness, disease, or death which was proximately caused by a breach of warranty of the manufacturer, seller, or retailer or the negligent design or manufacture of a motor vehicle

6601 (a) For the purposes of paragraph (1) of subdivision (a) of Section 6600, the medical treatment expenses of the injured person shall be computed by adding both of the following:

(1) Any medical treatment expense relating to any reasonably necessary product or drug for the diagnosis, care, recovery, or rehabilitation of the injured person

(2) The value of any service or accommodation for the diagnosis, care, recovery, or rehabilitation of the injured person as determined by subdivision (c)

(b) The commissioner shall conduct a relative value study of services and accommodations for the diagnosis, care, recovery, or rehabilitation of an injured person in the most populous county in this state for the purpose of assigning a unit value and median charge to each type of service and accommodation In conducting the study, the commissioner shall consult with appropriate public and private medical and health agencies Upon completion of the study the commissioner shall prepare and publish a relative value study which sets forth the unit value and median charge assigned to each type of service and accommodation

(c) The value of any service or accommodation shall be determined by applying the unit value and median charge assigned to the service or accommodation under the relative value study If a service or accommodation is not assigned a unit value or median charge under the relative value study, the value of the service or accommodation shall equal the reasonable cost of the same or similar service or accommodation in the most populous county of this state

6602 In any action to recover damages for an injury sustained within this state in which damages for pain, suffering, mental anguish, or inconvenience are sought, a demurrer shall not be sustained or a judgment entered pursuant to Section 437c of the Code of Civil Procedure solely on the ground that the plaintiff fails to meet the requirements of Section 6600 within the time which is allowed for filing the action

6603 If the trier of fact in an action to recover damages for an injury sustained within this state in which damages for pain, suffering, mental anguish, or inconvenience are sought finds, upon the motion of the defendant or on the motion of the court, that the plaintiff made a bad faith allegation that his medical treatment expenses exceed one thousand dollars ($1,000) or his injury consists of a loss of a body member, a serious and permanent impairment of a bodily function, serious and permanent disfigurement or serious and permanent disability, the court shall award to the defendant his costs and expenses reasonably incurred for expert witnesses to defend against the allegation

Article 2 Liability Exemption

6620 In any action to recover damages for an injury sustained within this state, any person who would otherwise be liable shall be exempt from liability to the extent that the injured person received or is entitled to receive personal injury protection benefits if the person who would otherwise be liable is insured under a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of the motor vehicle involved in the accident.

Article 3. Subrogation

6640 An insurer who has paid personal injury protection benefits to an injured person shall be subrogated to the rights of the injured person against the person who caused or is liable for the injury to the extent to which the insurer has paid the benefits

6641 If a person who caused or is liable for an injury is insured under a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle, an insurer who has paid personal injury portection benefits to the injured person shall be entitled to recover the amount of the benefits from the insurer of the person who caused or is liable for the injury The issue of liability and the amount of the recovery shall be determined by intercompany arbitration between the insurers. Any decision in the arbitration proceedings shall be privileged and shall not be admissible in any action to recover damages for the injury

Article 4 Comparative Negligence

6660 (a) Notwithstanding Section 1714, contributory negligence shall not bar recovery in any action brought by a person or his personal representative to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle by the person against whom the recovery is sought if the contributory negligence which is attributed to the person bringing the action is not greater than the negligence of the person against whom the recovery is sought Any damages awarded a person or his personal representative shall be reduced in proportion to the amount of the contributory negligence which is attributed to the person

(b) Except as otherwise provided in subdivision (a), the defenses of contributory negligence and assumption of risk and the doctrine of last clear chance shall not apply to any action to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle.

Article 5. Arbitration

6680 (a) Any policy of insurance which provides for the payment of personal injury protection benefits shall provide that the determination as to whether a claimant is entitled to recover personal injury protection benefits and the amount of the benefits shall be made by agreement between the claimant and the insurer or, in the event of dis-

agreement, by arbitration. The arbitration shall be conducted by a single neutral arbitrator An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (1) the claimant, his insurer, his legal representative, or his heirs and (2) any other person to recover damages for an injury sustained in the accident upon which the award is based The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to the determination All rights, remedies, obligations, liabilities, and procedures set forth in such article shall be available to both the claimant and the insurer at any time after the accident, both before and after the commencement of arbitration, with the following limitations.

(1) Whenever reference is made in such article to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court in any county which is a proper county for the filing of an action to recover damages for an injury sustained in the accident or any county specified in the policy as a proper county for commencing arbitration or filing an action

(2) Any proper court to which application is first made by either the claimant or the insurer under the provisions of such article for any discovery or other relief or remedy shall thereafter be the only court to which either of the parties shall make any applications under the article with respect to the same accident However, upon notice and after a hearing, the court may grant a change of venue upon any of the grounds upon which change of venue may be granted in an action filed in the superior court

(3) A deposition taken pursuant to the provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, shall be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident

(4) The provisions of paragraph (4) of subdivision (a) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section.

(5) For the purposes of discovery under this section, the claimant and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings" where that phrase is used in paragraph (2) of subdivision (b) of Section 2019 of the Code of Civil Procedure.

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 of the Code of Civil Procedure may be served by either the claimant or the insurer upon the other at any time after a period of 20 days has elapsed since the accident without leave of court

(b) Nothing in this section shall be construed to limit the rights of any party to discovery in any action which is pending or may hereafter be pending in any court

SEC 3 Section 11580 2 of the Insurance Code is amended to read·

"11580 2 (a) No policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of any

motor vehicle, shall be issued or delivered in this state to the owner or operator of a motor vehicle, or shall be issued or delivered by any insurer licensed in this state upon any motor vehicle then principally used or principally garaged in this state, unless the policy contains, or has added to it by endorsement, a provision with coverage limits at least equal to the financial responsibility requirements specified in Section 16059 of the Vehicle Code insuring the insured, his heirs or his legal representative for all sums within such limits which he or they, as the case may be, shall be legally entitled to recover as damages for bodily injury or wrongful death from the owner or operator of an uninsured motor vehicle The insurer and any named insured *under a policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of a motorcycle as defined in Section 400 of the Vehicle Code or a motor-driven cycle as defined in Section 405 of the Vehicle Code*, prior to or subsequent to the issuance or renewal of ~~a policy, may, by~~ *the policy, may, by an* agreement in writing, delete the provision covering damage caused by an uninsured motor vehicle (1) completely, or (2) with respect to a natural person or persons designated by name when operating ~~a motor vehicle~~ *the motorcycle or motor-driven cycle* Either of such deletions by any named insured shall be binding upon every insured to whom such policy or endorsement provisions apply while such policy is in force, and shall continue to be so binding with respect to any continuation, renewal, or replacement of such policy by the named insured, or with respect to reinstatement of such policy within 30 days of any lapse thereof A policy shall be excluded from the application of this section if the only coverage with respect to the use of any motor vehicle is limited to the contingent liability arising out of the use of nonowned motor vehicles

(b) As used in (a) above, "bodily injury" includes sickness or disease, including death, resulting therefrom; the term "named insured" means only the individual or organization named in the declarations of the policy of motor vehicle bodily injury liability insurance referred to in (a) above; as used in (a) above the term "insured" means the named insured and the spouse of the named insured and relatives of either while residents of the same household while occupants of a motor vehicle or otherwise, heirs and any other person while in or upon or entering into or alighting from an insured motor vehicle and any person with respect to damages he is entitled to recover for care or loss of services because of bodily injury to which the policy provisions or endorsement apply; the term "insured motor vehicle" means the motor vehicle described in the underlying insurance policy of which the uninsured motorist endorsement or coverage is a part, a temporary substitute or a newly acquired automobile for which liability coverage is provided in the policy if the motor vehicle is used by the named insured or with his permission or consent, express or implied, and any other automobile not owned by the named insured or any resident of the same household while being operated by the named insured or his spouse if a resident of the same household, but the term "insured motor vehicle" shall not include any automobile while used

as a public or livery conveyance The term "unmsured motor vehicle" means a motor vehicle with respect to the ownership, maintenance or use of which there is no bodily injury liability insurance or bond applicable at the time of the accident, or there is such applicable insurance or bond but the company writing the same denies coverage thereunder or refuses to admit coverage thereunder except conditionally or with reservation, or a motor vehicle used without the permission of the owner thereof if there is no bodily injury liability insurance or bond applicable at the time of the accident with respect to the owner or operator thereof, or the owner or operator thereof be unknown, provided that, with respect to an "unmsured motor vehicle" whose owner or operator is unknown:

(1) The bodily injury has arisen out of physical contact of such automobile with the insured or with an automobile which the insured is occupying

(2) The insured or someone on his behalf shall have reported the accident within 24 hours to the police department of the city where the accident occurred or, if the accident occurred in unincorporated territory then either to the sheriff of the county where the accident occurred or the local headquarters of the California Highway Patrol, and have filed with the insurer within 30 days thereafter a statement under oath that the insured or his legal representative has or the insured's heirs have a cause of action arising out of such accident for damages against a person or persons whose identity is unascertainable and set forth facts in support thereof The term "unmsured motor vehicle" shall not include an automobile owned by the named insured or any resident of the same household or self-insured within the meaning of the safety responsibility law of the state in which the motor vehicle is registered or which is owned by the United States of America, Canada, a state or political subdivision of any such government or an agency of any of the foregoing, or a land motor vehicle or trailer operated on rails or crawlertreads or while located for use as a residence or premises and not as a vehicle, or a farm-type tractor or equipment designed for use principally off public roads, except while actually upon public roads

The term "unmsured motor vehicle" also means an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency An insurer's solvency protection shall be applicable only to accidents occurring during a policy period in which its insured's motor vehicle coverage is in effect where the liability insurer of the tortfeasor becomes insolvent within one year of such accident In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment, shall to the extent thereof, be entitled to any proceeds which may be recoverable from the assets of the insolvent insurer through any settlement or judgment of such person against the insolvent insurer

(c) The insurance coverage provided for in this section does not apply

(1) To property damage sustained by the insured.

(2) To bodily injury of the insured while in or upon or while entering into or alighting from an automobile other than the described automobile if the owner thereof has insurance similar to that provided in this section.

(3) To bodily injury of the insured with respect to which the insured or his representative shall, without the written consent of the insurer, make any settlement with or prosecute to judgment any action against any person who may be legally liable therefor

(4) In any instance where it would inure directly or indirectly to the benefit of any workmen's compensation carrier or to any person qualified as a self-insurer under any workmen's compensation law

(5) To establish an exemption as provided in subdivisions (a), (b), and (c) of Section 16057 of the Vehicle Code

(6) To bodily injury of the insured while occupying a motor vehicle owned by an insured, unless the occupied vehicle is an insured motor vehicle.

(7) To bodily injury of the insured when struck by a vehicle owned by an insured

(d) Subject to paragraph (c)(2), the policy or endorsement may provide that if the insured has insurance available to him under more than one uninsured motorist coverage provision, any damages shall not be deemed to exceed the higher of the applicable limits of the respective coverages, and such damages shall be prorated between the applicable coverages as the limits of each coverage bears to the total of such limits

(e) The policy or endorsement added thereto may provide that if the insured has valid and collectible automobile medical payment insurance available to him, the damages which he shall be entitled to recover from the owner or operator of an uninsured motor vehicle shall be reduced for purposes of uninsured motorist coverage by the amounts paid or due to be paid under such automobile medical payment insurance This subdivision shall become operative on January 1, 1971

(f) The policy or an endorsement added thereto shall provide that the determination as to whether the insured shall be legally entitled to recover damages, and if so entitled, the amount thereof, shall be made by agreement between the insured and the insurer or, in the event of disagreement, by arbitration The arbitration shall be conducted by a single neutral arbitrator An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (i) the insured, his insurer, his legal representative, or his heirs and (ii) the uninsured motorist to recover damages arising out of the accident upon which the award is based The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to such determinations, and all rights, remedies, obligations, liabilities and procedures set forth in said Article 3 shall be available to both the insured and the insurer at any time after the accident, both before and after the commencement of arbitration, if any, with the following limitations:

(1) Whenever in said Article 3, reference is made to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court of the State of California, in and for any county which is a proper county for the filing of a suit for bodily injury arising out of the accident, against the uninsured motorist, or any county specified in the policy or an endorsement added thereto as a proper county for arbitration or action thereon

(2) Any such proper court to which application is first made by either the insured or the insurer under the provisions of said Article 3 for any discovery or other relief or remedy, shall thereafter be the only court to which either of the parties shall make any applications under said Article 3 with respect to the same accident, subject, however, to the right of such court to grant a change of venue after a hearing upon notice, upon any of the grounds upon which change of venue might be granted in an action filed in the superior court

(3) A deposition pursuant to the provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, must be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident

(4) The provisions of subparagraph (a)(4) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section

(5) For the purposes of discovery under this section, the insured and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings," where that phrase is used in subparagraph (b)(2) of Section 2019 of the Code of Civil Procedure

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 may be served by either the insured or the insurer upon the other at any time more than 20 days after the accident without leave of court

(7) Nothing in this section shall be construed to limit the rights of any party to discovery in any action pending or which may hereafter be pending in any court

(g) The insurer paying a claim under an uninsured motorist endorsement or coverage shall be entitled to be subrogated to the rights of the insured to whom such claim was paid against any person causing such injury or death to the extent that payment was made. Such action may be brought within three years from the date that payment was made hereunder.

(h) An insured entitled to recovery under the uninsured motorist endorsement or coverage shall be reimbursed within the conditions stated herein without being required to sign any release or waiver or rights to which he may be entitled under any other insurance coverage applicable, nor shall payment under this section to such insured be delayed or made contingent upon the decisions as to liability or distribution of loss costs under other bodily injury liability insurance or

any bond applicable to the accident Any loss payable under the terms of the uninsured motorist endorsement or coverage to or for any person may be reduced

(1) By the amount paid and the present value of all amounts payable to him under any workmen's compensation law exclusive of nonoccupational disability benefits

(2) By the amounts paid or due to be paid under any valid and collectible automobile medical payment insurance available to the insured This paragraph shall remain in effect until December 31, 1970, and shall have no force or effect after that date

(3) By the amount the insured is entitled to recover from any other person insured under the underlying liability insurance policy of which the uninsured motorist endorsement or coverage is a part

(i) No cause of action shall accrue to the insured under any policy or endorsement provision issued pursuant to this section unless within one year from the date of the accident

(1) Suit for bodily injury has been filed against the uninsured motorist, in a court of competent jurisdiction, or

(2) Agreement as to the amount due under the policy has been concluded, or

(3) The insured has formally instituted arbitration proceedings

(j) Notwithstanding the provisions of subdivisions (b) and (i), in the event the accident occurs in any other state or foreign jurisdiction to which coverage is extended under the policy and the insurer of the tortfeasor becomes insolvent, any action authorized pursuant to the provisions of this section may be maintained within three months of the insolvency of the tortfeasor's insurer, but in no event later than the pertinent period of limitation of the jurisdiction in which the accident occurred

(k) Notwithstanding the provisions of subdivision (i), any insurer whose insured has made a claim under his or her uninsured motorist coverage, and such claim is pending, shall, at least 30 days before the expiration of the applicable statute of limitation, notify its insured in writing of the statute of limitation applicable to such injury or death Failure of the insurer to provide such written notice shall operate to toll any applicable statute of limitation or other time limitation for a period of 30 days from the date such written notice is actually given

SEC 4 Section 11580 2 of the Insurance Code is amended to read

11580 2 (a) *(1)* No policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle, shall be issued or delivered in this state to the owner or operator of a motor vehicle, or shall be issued or delivered by any insurer licensed in this state upon any motor vehicle then principally used or principally garaged in this state, unless the policy contains, or has added to it by endorsement, a provision with coverage limits at least equal to the financial responsibility requirements specified in Section 16059 of the Vehicle Code insuring the insured, his heirs or his legal representative for all sums within such limits which he or they, as the case may be, shall be legally entitled to recover as damages for bodily injury or wrongful death from the owner or operator of an

uninsured motor vehicle The insurer and any names insured *under a policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of a motorcycle as defined in Section 400 of the Vehicle Code or a motor-driven cycle as defined in Section 405 of the Vehicle Code*, prior to or subsequent to the issuance or renewal of ~~a~~ *the* policy, may, by *an* agreement in writing, *in the form specified in paragraph (2)*, delete the provision covering damage caused by an uninsured motor vehicle (1) completely, or (2) with respect to a natural person or persons designated by name when operating ~~a motor vehicle~~ *the motorcycle or motor-driven cycle* Either of such deletions by any named insured shall be binding upon every insured to whom such policy or endorsement provisions apply while such policy is in force, and shall continue to be so binding with respect to any continuation, renewal, or replacement of such policy by the named insured, or with respect to reinstatement of such policy within 30 days of any lapse thereof A policy shall be excluded from the application of this section if the only coverage with respect to the use of any motor vehicle is limited to the contingent liability arising out of the use of nonowned motor vehicles

(2) The agreement specified in paragraph (1) shall be in the following form:

"The California Insurance Code requires an insurer to provide uninsured motorists coverage in each bodily injury liability insurance policy it issues covering liability arising out of the ownership, maintenance, or use of a motor vehicle Such section also permits the insurer and the applicant to delete such coverage completely or with respect to one or more natural persons designated by name when operating a motor vehicle Uninsured motorists coverage insures the insured, his heirs, or legal representatives for all sums within the financial responsibility limits which such person or persons are legally entitled to recover as damages for bodily injury, including any resulting sickness, disease, or death, to him from the owner or operator of an uninsured motor vehicle not owned or operated by the insured"

Such agreement may contain additional statements not in derogation of or conflict with the foregoing The execution of such agreement shall relieve the insurer of liability under this section while such agreement remains in effect

(b) As used in (a) above, "bodily injury" includes sickness or disease, including death, resulting therefrom, the term "named insured" means only the individual or organization named in the declarations of the policy of motor vehicle bodily injury liability insurance referred to in (a) above, as used in (a) above the term "insured" means the named insured and the spouse of the named insured and relatives of either while residents of the same household while occupants of a motor vehicle or otherwise heirs and any other person while in or upon or entering into or alighting from an insured motor vehicle and any person with respect to damages he is entitled to recover for care or loss of services because of bodily injury to which the policy provisions or endorsement apply, the term "insured motor vehicle" means the motor vehicle described in the underlying insurance policy of which

the uninsured motorist endorsement or coverage is a part, a temporary substitute or a newly acquired automobile for which liability coverage is provided in the policy if the motor vehicle is used by the named insured or with his permission or consent, express or implied, and any other automobile not owned by the named insured or any resident of the same household while being operated by the named insured or his spouse if a resident of the same household, but the term "insured motor vehicle" shall not include any automobile while used as a public or livery conveyance The term "uninsured motor vehicle" means a motor vehicle with respect to the ownership, maintenance or use of which there is no bodily injury liability insurance or bond applicable at the time of the accident, or there is such applicable insurance or bond but the company writing the same denies coverage thereunder or refuses to admit coverage thereunder except conditionally or with reservation, or a motor vehicle used without the permission of the owner thereof if there is no bodily injury liability insurance or bond applicable at the time of the accident with respect to the owner or operator thereof, or the owner or operator thereof be unknown, provided that, with respect to an "uninsured motor vehicle" whose owner or operator is unknown

(1) The bodily injury has arisen out of physical contact of such automobile with the insured or with an automobile which the insured is occupying

(2) The insured or someone on his behalf shall have reported the accident within 24 hours to the police department of the city where the accident occurred or, if the accident occurred in unincorporated territory then either to the sheriff of the county where the accident occurred or the local headquarters of the California Highway Patrol, and have filed with the insurer within 30 days thereafter a statement under oath that the insured or his legal representative has or the insured's heirs have a cause of action arising out of such accident for damages against a person or persons whose identity is unascertainable and set forth facts in support thereof The term "uninsured motor vehicle" shall not include an automobile owned by the named insured or any resident of the same household or self-insured within the meaning of the safety responsibility law of the state in which the motor vehicle is registered or which is owned by the United States of America, Canada, a state or political subdivision of any such government or an agency of any of the foregoing, or a land motor vehicle or trailer operated on rails or crawlertreads or while located for use as a residence or premises and not as a vehicle, or a farm-type tractor or equipment designed for use principally off public roads, except while actually upon public roads

The term "uninsured motor vehicle" also means an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency An insurer's solvency protection shall be applicable only to accidents occurring during a policy period in which its insured's motor vehicle coverage is in effect where the liability insurer of the tortfeasor becomes insolvent within one year of such accident In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of

such coverage, the insurer making such payment, shall to the extent thereof, be entitled to any proceeds which may be recoverable from the assets of the insolvent insurer through any settlement or judgment of such person against the insolvent insurer.

(c) The insurance coverage provided for in this section does not apply

(1) To property damage sustained by the insured

(2) To bodily injury of the insured while in or upon or while entering into or alighting from an automobile other than the described automobile if the owner thereof has insurance similar to that provided in this section

(3) To bodily injury of the insured with respect to which the insured or his representative shall, without the written consent of the insurer, make any settlement with or prosecute to judgment any action against any person who may be legally liable therefor

(4) In any instance where it would inure directly or indirectly to the benefit of any workmen's compensation carrier or to any person qualified as a self-insurer under any workmen's compensation law, *or directly to the benefit of the United States, or any state or any political subdivision thereof*

(5) To establish an exemption as provided in subdivision (a), (b), and (c) of Section 16057 of the Vehicle Code

(6) To bodily injury of the insured while occupying a motor vehicle owned by an insured, unless the occupied vehicle is an insured motor vehicle

(7) To bodily injury of the insured when struck by a vehicle owned by an insured

(d) Subject to paragraph (c)(2), the policy or endorsement may provide that if the insured has insurance available to him under more than one uninsured motorist coverage provision, any damages shall not be deemed to exceed the higher of the applicable limits of the respective coverages, and such damages shall be prorated between the applicable coverages as the limits of each coverage bears to the total of such limits

(e) The policy or endorsement added thereto may provide that if the insured has valid and collectible automobile medical payment insurance available to him, the damages which he shall be entitled to recover from the owner or operator of an uninsured motor vehicle shall be reduced for purposes of uninsured motorist coverage by the amounts paid or due to be paid under such automobile medical payment insurance This subdivision shall become operative on January 1, 1971

(f) The policy or an endorsement added thereto shall provide that the determination as to whether the insured shall be legally entitled to recover damages, and if so entitled, the amount thereof, shall be made by agreement between the insured and the insurer or, in the event of disagreement, by arbitration The arbitration shall be conducted by a single neutral arbitrator An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (i) the insured, his insurer, his legal representative, or his heirs and (ii) the uninsured motorist to recover damages

arising out the accident upon which the award is based *If the insured has or may have rights to benefits, other than nonoccupational disability benefits, under any workmen's compensation law, the arbitrator shall not proceed with the arbitration until the insured's physical condition is stationary and ratable In those cases in which the insured claims a permanent disability, such claims shall, unless good cause be shown, be adjudicated by award or settled by compromise and release before the arbitration may proceed Any demand or petition for arbitration shall contain a declaration, under penalty of perjury, stating whether (i) the insured has a workmen's compensation claim; (ii) such claim has proceeded to findings and award or settlement on all issues reasonably contemplated to be determined in that claim; and (iii) if not, what reasons amounting to good cause are grounds for the arbitration to proceed immediately* The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to such determinations, and all rights, remedies, obligations, liabilities and procedures set forth in ~~said~~ *such* Article 3 shall be available to both the insured and the insurer at any time after the accident, both before and after the commencement of arbitration, if any, with the following limitations

(1) Whenever in ~~said~~ *such* Article 3, reference is made to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court of the State of California, in and for any county which is a proper county for the filing of a suit for bodily injury arising out of the accident, against the uninsured motorist, or any county specified in the policy or an endorsement added thereto as a proper county for arbitration or action thereon.

(2) Any such proper court to which application is first made by either the insured or the insurer under the provisions of ~~said~~ *such* Article 3 for any discovery or other relief or remedy, shall thereafter be the only court to which either of the parties shall make any applications under ~~said~~ *such* Article 3 with respect to the same accident, subject, however, to the right of such court to grant a change of venue after a hearing upon notice, upon any of the grounds upon which change of venue might be granted in an action filed in the superior court.

(3) A deposition pursuant to the provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, must be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident

(4) The provisions of subparagraph (a)(4) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section.

(5) For the purposes of discovery under this section, the insured and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings," where that phrase is used in subparagraph (b)(2) of Section 2019 of the Code of Civil Procedure

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 may be served by either the insured or the insurer upon the other at any time more than 20 days after the accident without leave of court

(7) Nothing in this section shall be construed to limit the rights of any party to discovery in any action pending or which may hereafter be pending in any court.

(g) The insurer paying a claim under an uninsured motorist endorsement or coverage shall be entitled to be subrogated to the rights of the insured to whom such claim was paid against any person causing such injury or death to the extent that payment was made Such action may be brought within three years from the date that payment was made hereunder

(h) An insured entitled to recovery under the uninsured motorist endorsement or coverage shall be reimbursed within the conditions stated herein without being required to sign any release or waiver or rights to which he may be entitled under any other insurance coverage applicable, nor shall payment under this section to such insured be delayed or made contingent upon the decisions as to liability or distribution of loss costs under other bodily injury liability insurance or any bond applicable to the accident Any loss payable under the terms of the uninsured motorist endorsement or coverage to or for any person may be reduced·

(1) By the amount paid and the present value of all amounts payable to him under any workmen's compensation law exclusive of nonoccupational disability benefits

(2) By the amounts paid or due to be paid under any valid and collectible automobile medical payment insurance available to the insured This paragraph shall remain in effect until December 31, 1970, and shall have no force or effect after that date.

(3) By the amount the insured is entitled to recover from any other person insured under the underlying liability insurance policy of which the uninsured motorist endorsement or coverage is a part

(i) No cause of action shall accrue to the insured under any policy or endorsement provision issued pursuant to this section unless within one year from the date of the accident·

(1) Suit for bodily injury has been filed against the uninsured motorist, in a court of competent jurisdiction, or

(2) Agreement as to the amount due under the policy has been concluded, or

(3) The insured has formally instituted arbitration proceedings

(j) Notwithstanding the provisions of subdivision (b) and (i), in the event the accident occurs in any other state or foreign jurisdiction to which coverage is extended under the policy and the insurer of the tortfeasor becomes insolvent, any action authorized pursuant to the provisions of this section may be maintained within three months of the insolvency of the tortfeasor's insurer, but in no event later than the pertinent period of limitation of the jurisdiction in which the accident occurred.

(k) Notwithstanding the provisions of subdivision (i), any insurer whose insured has made a claim under his or her uninsured motorist coverage, and such claim is pending, shall, at least 30 days before the expiration of the applicable statute of limitation, notify its insured in writing of the statute of limitation applicable to such injury or death Failure of the insurer to provide such written notice shall operate to toll any applicable statute of limitation or other time limitation for a period of 30 days from the date such written notice is actually given.

SEC. 5 Sections 11 and 12 of this act shall become operative on the effective date of this act. Section 6250 of the Civil Code, as added by Section 2 of this act, shall become operative on July 1, 1973 All other provisions of this act shall become operative on January 1, 1974

SEC. 6 This act shall apply only to bodily injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle on or after January 1, 1974, and prior to January 1, 1978

SEC. 7. The Insurance Commissioner and the Department of Motor Vehicles are authorized to perform any acts prior to January 1, 1974, which are necessary for the implementation of this act on January 1, 1974.

SEC. 8 Any insurer who has issued a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle other than a motorcycle or motor-driven cycle which is in effect on January 1, 1974, shall provide for the payment under the policy of the personal injury protection benefits described in Article 1 (commencing with Section 6150) of Chapter 3 of Part 6 of the Civil Code, as added by Section 2 of this act The insurer shall adjust the premium charged for the policy pursuant to rules and regulations prescribed by the Insurance Commissioner.

SEC 9. If any provision of this act or its application to any person or circumstance is invalid, the invalidity of the provision or application shall not affect any other provision of this act or its application to any person or circumstance which can be given effect without the invalid provision or application

If Sections 6600 and 6601 of the Civil Code, as added by Section 2 of this act, or their application to any person or circumstance is invalid, Section 6451 of the Civil Code, as added by Section 2 of this act, shall not be operative

SEC 10 Any insurer who issues policies of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle may bring an action in the superior court prior to the operative date of this act for a declaration of its rights, duties, and obligations under this act regarding the issuance of policies of insurance which provide for the payment of the personal injury protection benefits described in Article 1 (commencing with Section 6150) of Chapter 3 of Part 6 of the Civil Code, as added by Section 2 of this act, and any other matters pertaining to its rights, duties, and obligations under this act

The court shall permit any of the following persons to intervene in the action:

(a) The Attorney General.

(b) Any other person whose appearance is determined by the court to be essential to a complete determination or settlement of any issues in the action

The action shall be commenced in the superior court in which the Attorney General is required to reside and keep his office pursuant to Section 1060 of the Government Code.

The action shall be set for trial at the earliest possible date and shall take precedence over all cases other than those in which the state is a party

The court may make a binding declaration of the rights, duties, and obligations of the insurer, whether or not further relief is or could be claimed at the time The declaration may be affirmative or negative in form and effect and shall have the force and effect of a final judgment.

If the declaration is appeal, the appeal shall be given precedence in the court of appeal and Supreme Court and placed on the calendar in the order of its date of issue immediately following cases in which the state is a party.

The remedy established by this section is cumulative and shall not be construed as restricting any remedy established for the benefit of any party to the action by any other provision of law No declaration under this section shall preclude any party from obtaining additional relief based upon the same facts

SEC 11 In carrying out its duties and responsibilities, the Advisory Commission on Motor Vehicle Reparations created pursuant to Senate Concurrent Resolution No 80 of the 1972 Regular Session of the Legislature may do any of the following:

(1) Meet at any times and places as it deems proper

(2) As a body or, on the authorization of the chairman, as a subcommittee composed of one or more members, hold hearings at any times and places which it deems proper

(3) Issue subpoenas to compel the attendance of witnesses and the production of books, records, papers, accounts, reports and documents

(4) Administer oaths

(5) Cooperate and coordinate with all state and local agencies now or hereafter engaged in, or concerned with, motor vehicle reparations

(6) Cooperate with, and secure the cooperation of, the courts of this state in investigating any matter within the scope of its duties and responsibilities and enlist the aid of the Judicial Council in facilitating such investigation

(7) Cooperate with, and secure the cooperation of, county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and direct the sheriff of any county or any marshal to serve subpoenas, orders, or other process.

(8) Certify to the superior court of any county in which proceedings are held the facts concerning the disobedience or resistance, by any person, of any lawful order, or the refusal of any person to respond to a subpoena, take the oath or affirmation as a witness, or be examined, or the misconduct of any person during a hearing, and to

receive the assistance of the court in enforcing orders and process, in the manner prescribed by Section 11525 of the Government Code

(9) Cooperate with every department, agency, or instrumentality in the state government; and secure directly from every department, agency, or instrumentality full cooperation, access to its records, and access to any information, suggestions, estimates, data, and statistics it may have available.

SEC 12. It is the intent of the Legislature, if this bill and Senate Bill No 66 are both chaptered and amend Section 11580 2 of the Insurance Code, and this bill is chaptered after Senate Bill No 66, that Section 11580 2 of the Insurance Code, as amended by Section 1 of Senate Bill No. 66, be operative until January 1, 1974, and be further amended on January 1, 1974, in the form set forth in Section 4 of this act to incorporate the changes in Section 11580 2 proposed by this bill Therefore, Section 4 of this act shall become operative only if Senate Bill No. 66 is chaptered before this bill and amends Section 11580 2, and in such case Section 4 of this act shall become operative on January 1, 1974, and Section 3 of this act shall not become operative "

Amendment No. 3

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2

Amendments read ~~; and adopted.~~.

~~Bill ordered reprinted, and to be returned to the third reading file~~

NOTE: Later this day the action was rescinded whereby the above amendments to Senate Bill No 685 were adopted See page 7977

Senate Bill No. 1494—An act to amend Section 14150 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and presented by Mr Ray E Johnson

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO SET SENATE BILL NO. 90 FOR SPECIAL ORDER

Mr. Moretti was granted unanimous consent that Senate Bill No 90 be made a special order of business for Wednesday, November 29, 1972, at 11 .15 a.m.

MOTION TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO SENATE BILL NO. 685

Mr Murphy moved to rescind the action whereby the Assembly earlier this day adopted the amendments offered by Mr. Fenton to Senate Bill No 685

Mr Conrad seconded the motion

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Murphy moved a call of the Assembly

Motion carried Time, 11 55 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 129

At 11 56 a m , on motion of Mr Cullen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

House Resolution No 129 refused adoption by the following vote:

AYES—Brathwaite, Burton, Chacon, Crown, Cullen, Davis, Dent, Dunlap, Fong Garcia, Bill Greene, Leroy F Greene, Keysor, Knox, LaCoste, MacDonald, McAlister, Meade, Pierson, Porter, Quimby, Ralph, Sieroty, Stacey Thomas, Townsend, Vasconcellos, Warren, Wilson, and Z'berg—30

NOES—Arnett, Badham, Barnes, Beverly, Briggs, Burke, Campbell, Cline, Collier, Conrad, Duffy, Foran, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stull, Wakefield, and Wood—29

Motion to Reconsider House Resolution No. 129 on Next Legislative Day

Mr Cullen moved to reconsider on the next legislative day the vote whereby House Resolution No 129 was this day refused adoption

House Resolution No 129 ordered to the unfinished business file

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1467—An act to add Chapter 18 (commencing with Section 7350) to Division 7 of Title 1 of the Government Code, relating to search and rescue, and making an appropriation therefor.

Bill read third time, and presented by Mr Maddy

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Z'berg—68

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 53—An act to add Section 118 6 to the Streets and Highways Code, relating to excess highway property.

Bill read third time, and presented by Mr Foran.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 161—An act appropriating funds to the University of California, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr. Murphy.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Murphy moved a call of the Assembly

Motion carried Time, 12 m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Fenton was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 99—An act to add Section 458 5 to the Health and Safety Code, relating to pesticides

Bill read third time, and presented by Mr Crown.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64

NOES—Ketchum, Mobley, and Stacey—3

Bill ordered transmitted to the Senate.

Senate Bill No. 31—An act to add Section 418 3 to the Streets and Highways Code, relating to state highways

Bill read third time, and presented by Mr. Keysor.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—Stacey—1

Bill ordered transmitted to the Senate.

Senate Bill No. 714—An act to add and repeal Section 13131 of, and to add Section 13132 5 to, the Education Code, to amend, repeal, and add Section 11391 of, to add Division 10 8 (commencing with Section 11940) to, to repeal Sections 210, and 11655 9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 1 of, and Division 10 8 (commencing with Section 11940) of, the Health and Safety Code, to amend Section 11655 8 of, and to repeal Section 11655 7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655 7 and 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2 5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154 and 5619 of, to amend, repeal, and add Section 5651 of, to add Sections 5606 5 and 5764 5 to, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add Sections 4330, 5764 5, and 5801 of the Welfare and Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr. Campbell.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson Wood, Z'berg, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

Senate Chamber, November 27, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day adopted:

SCR No 91

DARRYL R WHITE, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read·

Senate Concurrent Resolution No. 91—Approving amendments to the Charter of the County of Los Angeles, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November 1972

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 91

Mr Lanterman was granted unanimous consent to take up Senate Concurrent Resolution No 91 without reference to committee or file

Consideration of Senate Concurrent Resolution No. 91

Senate Concurrent Resolution No. 91—Approving amendments to the Charter of the County of Los Angeles, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November 1972

Resolution read, presented by Mr Lanterman, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Moblev, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—69.

NOES—Sieroty—1

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER SENATE BILL NO. 840 TO COMMITTEE

At 12 15 p m , on motion of Mr Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to re-refer Senate Bill No 840 to the Committee on Elections and Reapportionment lost by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Burke, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum,

Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—30

NOES—Bee, Brathwaite, Brown, Cory, Crown, Cullen, Davis, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Porter, Powers, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Wilson, Z'berg, and Mr Speaker—33.

Motion to Reconsider Motion to Re-Refer Senate Bill No. 840 to Committee on Next Legislative Day

Mr Monagan moved to reconsider on the next legislative day the vote whereby the motion to re-refer Senate Bill No 840 to the Committee on Elections and Reapportionment was this day defeated

Senate Bill No 840 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bills Nos. 419 and 84 for hearing in the Committee on Ways and Means

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 161

At 12 19 p m , on motion of Mr Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Senate Bill No 161 adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—Briggs, Conrad, Mobley, Monagan, Stull, and Wakefield—6.

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62

NOES—Briggs, Conrad, Mobley, Monagan, Stull, and Wakefield—6.

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO SENATE BILL NO. 685

At 12 25 p m , on motion of Mr Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

Request for Unanimous Consent to Expunge Record, and Rescind Action

By unanimous consent, the record was expunged and the action rescinded whereby a roll call vote was taken in the Assembly on this day on the motion by Mr Murphy to rescind the action whereby earlier this day amendments to Senate Bill No 685 were adopted

Action Rescinded on Adoption of Amendments to Senate Bill No. 685

Mr Fenton was granted unanimous consent that the action be rescinded whereby the Assembly earlier this day adopted amendments to Senate Bill No 685

Further Consideration of Senate Bill No. 685

Senate Bill No. 685—An act to amend Section 1793 1 of the Civil Code, relating to warranties.

Bill read third time

Motion to Amend

Mr Fenton moved the adoption of the following amendments:

(NOTE· The amendments offered by Mr Fenton to Senate Bill No 685 appear at pages 7935 to 7970, of the Assembly Daily Journal for this day)

Request for Unanimous Consent

Mr Fenton was granted unanimous consent that copies of Assembly Bill No 125, as amended in the Senate on November 22, 1972, be distributed to the Members in lieu of printed copies of the amendments which he offered to Senate Bill No 685

Point of Order

Mr Z'berg arose to the following point of order

That the amendments offered by Mr Fenton to Senate Bill No. 685 are not germane to the bill

Ruling by Acting Speaker

The Acting Speaker ruled that the House should determine whether or not the amendments are germane.

Amendments Withdrawn

By unanimous consent, the amendments offered by Mr Fenton to Senate Bill No 685 were withdrawn

Senate Bill No 685 to retain its place on file

INTRODUCTION OF GUESTS

Mr Harvey Johnson, of the 58th Assembly District, introduced Miss Sandy Neilson, of El Monte, winner of three Gold Medals in the 1972 Olympics, and her parents, Mr and Mrs Charles Neilson, also of El Monte, whereupon the Members of the Assembly joined in welcoming them on their visit to the Assembly Chamber

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Knox was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 724 for hearing in the Committee on Local Government on Thursday, November 30.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

Assembly Bill No. 2294—An act to amend Section 510 of the Code of Civil Procedure, relating to claim and delivery

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None

Bill ordered transmitted to the Senate

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 918—An act to amend Section 200, as amended by Section 1 7 of Chapter 1028 of the 1972 Statutes, of the Code of Civil Procedure, relating to juries

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1226—An act to amend Section 23102 3 of the Vehicle Code, and to amend Section 564 of the Welfare and Institutions Code, relating to vehicles

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 571—An act to add Section 7263 5 to the Government Code, relating to relocation assistance

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1049—An act to amend Sections 9042, 9047, and 9056 of, to add Section 9058 to, and to add Article 5 (commencing with Section 9070) to Chapter 17 of Division 3 of, the Business and Professions Code, and to amend Section 1014 of the Evidence Code, relating to clinical social workers

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent Duffy Dunlap, Fenton, Fong, Foran, Garcia Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1154—An act to amend Sections 17764, 17764 4, 17765 8, 17769, 17773, and 17775 of, and to add Sections 17764 1, 17764 2, 17764 5, 17764 6, 17764 7, 17766 5, 17769 1, 17769 2, 17773 1, 17775 1, and 17775 2 to, the Business and Professions Code, relating to trading stamp companies

Bill read third time, and passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Qumby, Ralph, Russell, Ryan, Seeley, Sieroty Stacey Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No 1218—An act to add Sections 18102 11 and 18102 12 to, and to repeal Section 18102 11 as added by Chapter 1543 of the Statutes of 1970 to, to repeal Section 18102 11 as added by Chapter 1562 of the Statutes of 1970 to, to repeal Section 18102 11 as amended by Chapter 702 of the Statutes of 1972 to, to repeal Section 18102 12 as added by Chapter 1543 of the Statutes of 1970 to, to repeal Section 18102 12 as added by Chapter 1562 of the Statutes of 1970 to, and to repeal Section 18102 12 as amended by Chapter 702 of the Statutes of 1972 to, the Education Code, relating to special education programs, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Qumby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong,

Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1490—An act to add Section 14150.9 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER SENATE BILL NO. 1358 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No 1358 was continued until the next legislative day

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12·44 p m., Acting Speaker Brown declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Moretti·

House Resolution No. 135

Relative to Manzanar Internment Camp

WHEREAS, A shameful chapter in American history was written during World War II, when thousands of American citizens were locked up in concentration camps without a trial—their only crime being that they were born of Japanese ancestry; and

WHEREAS, Because of the trauma caused by the disaster at Pearl Harbor, reason was driven from the minds of many American people, and liberals and conservatives alike demanded the imprisonment of the Japanese-Americans without trial; and

WHEREAS, One of the most notorious of the concentration camps was Manzanar near the town of Lone Pine; and

WHEREAS, Rather than allowing Manzanar, and what it stood for, to fade into the forgotten past, a portion of it ought to be preserved and restored to a monument of what can happen in America to Americans; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Parks and Recreation is requested to conduct a study, and develop a plan, for the acquisition and preservation of a portion of Manzanar Internment Camp as an historical unit of the state park system; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Parks and Recreation.

Resolution read, and held at the Desk by order of the Acting Speaker.

VOTE CHANGES

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 780, and on concurrence in Senate amendments to the bill.

Mr. Stacey was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 1685.

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1685.

Mr. Hayden was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 1685.

Mr. Powers was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on concurrence in Senate amendments to Assembly Bill No. 496

Mr. Chacon was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 719.

Messrs. Knox, Crown, Wilson, Sieroty, and Warren were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 496

Messrs Stull and Russell were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 80.

Mr Mobley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 99.

Mrs. Brathwaite was granted unanimous consent that she be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 496.

Mr. Waxman was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No. 161, and on the passage of the bill.

Majority Floor Leader Presiding

At 5:13 p.m., Hon. Jack R. Fenton, 51st District, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, November 27, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SJR No. 31

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 31—Relative to blind vending stand operators.

Held at Desk by order of the Acting Speaker.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Senate Joint Resolution No.	*Committee*
31	Rules

COMMUNICATIONS

Assembly Chamber, November 28, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 384—An act to amend Section 23801 of the Education Code, relating to state colleges;

Assembly Bill No. 401—An act to amend Section 23801 of the Education Code, relating to state college fees;

Assembly Bill No. 408—An act relating to the establishment of a branch office of the Department of Motor Vehicles in the area of the City of Simi Valley, and making an appropriation therefor;

Assembly Bill No. 714—An act to amend Section 20750.85, 21250.1, 21330, and 21364.7 of, to add Sections 21263, 21263.1, 21263 2, and 21263.3 to, and to repeal Sections 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264.5 of, the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 1105—An act to amend Sections 7057 and 8105 of, to add Section 11555 to, and to repeal Section 6405 of, the Revenue and Taxation Code, relating to state taxes;

Assembly Bill No. 1544—An act to amend Sections 2193 and 2193 7 of the Business and Professions Code, and to amend Section 19 of, and

to repeal Section 2193.7 of the Business and Professions Code, as added by Section 13 5 of, Assembly Bill No 1952 of the 1972 Regular Session, relating to physicians and surgeons;

Assembly Bill No. 2392—An act to amend Section 23010 of the Government Code, and to amend Section 5544.1 of, and to add Section 5544.3 to, the Public Resources Code, relating to regional park districts, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 1 p m., November 28, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

Assembly Chamber, November 28, 1972

Mr Speaker. Your Committee on Rules reports:

HR No. 131

With the recommendation· Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered on file.

Committee on Natural Resources and Conservation

Assembly Chamber, November 22, 1972

Mr Speaker: Your Committee on Natural Resources and Conservation reports:

SB No 1075

SB No 1084

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means, and recommend Consent Calendar.

Z'BERG, Chairman

Above bills ordered to second reading.

Committee on Commerce and Public Utilities

Assembly Chamber, November 28, 1972

Mr Speaker· Your Committee on Commerce and Public Utilities reports:

SB No 481

With the recommendation: Do pass.

POWERS, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 28, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No. 616

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

POWERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

Committee on Ways and Means

Assembly Chamber, November 28, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 584

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 584—An act to add Article 7 (commencing with Section 11190) to Chapter 1 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

On page 3, between lines 17 and 18, of the printed bill, as amended in Senate June 28, 1972, insert

"11193. Procedures shall be established by the counties to assure that funds allocated are made available promptly and equitably for the purposes intended and for the benefit of those in greatest need. The procedures shall require that payments be made only after the recipient has obtained a cost estimate, and payments shall be made as vendor payments, except where contrary to federal law or impractical to accomplish prompt and equitable benefit to the recipient."

Amendment No. 2

On page 3, line 33, strike out "exceeding 5", and insert "less than 15".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 28, 1972

Mr. Speaker: The Chairman of your Committee on Ways and Means reports:

SB No. 1493

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 1493—An act to add Section 22505.5 to the Vehicle Code, relating to vehicles.

Bill read second time.

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in Assembly July 28, 1972, strike out "Walsh", and insert "Song".

Amendment No. 2

Strike out lines 1 and 2 of the title, and insert

"An act to add Part 6 (commencing with Section 6000) to Division 4 of, and repeal Section 6451, as proposed by this act, of, the Civil Code and to amend Section 11580 2 of the Insurance Code, relating to".

Amendment No. 3

On page 1, strike out lines 2 and 3, and insert

"SECTION 1. It is the intent of the Legislature in enacting this act to accomplish the following objectives:

(1) Restructure the motor vehicle reparations system to establish a system under which persons injured in motor vehicle accidents are compensated for their tangible economic losses without regard to fault.

(2) Ensure that persons injured in motor vehicle accidents receive prompt payment for their tangible economic losses

(3) Afford adequate compensation to persons injured in motor vehicle accidents at minimum cost by coordinating benefits obtainable by the persons from other sources with those obtainable from the motor vehicle reparations system with a view toward internalizing motor vehicle accident losses by making motor vehicle insurance the primary source of benefits whenever feasible

(4) Achieve a substantial reduction in the volume of civil litigation arising from motor vehicle accidents.

(5) Lower the cost of insurance and promote an increase in the percentage of the premium dollar returned in benefits by eliminating the right of a person injured in a motor vehicle accident to recover

damages for intangible losses for relatively minor injuries and reducing administrative expense incurred in operating under the existing motor vehicle reparations system.

(6) Promote greater market availability for motor vehicle insurance by creating a motor vehicle reparations system in which the potentiality of tangible economic loss by an insured bears a relationship to his economic status.

(7) Require that medical services be available to all persons injured in motor vehicle accidents.

(8) Compensate more persons who are severely injured in motor vehicle accidents by substituting the doctrine of comparative negligence for the doctrine of contributory negligence

(9) Promote more equitable rating standards by changing to a motor vehicle reparations system in which the rates are based upon the characteristics of the person who may recover.

(10) Retain the right of a person who sustains relatively serious injuries in a motor vehicle accident to recover damages for intangible losses

SEC 2 Part 6 (commencing with Section 6000) is added to Division 4 of the Civil Code, to read:

PART 6. MOTOR VEHICLE REPARATIONS

CHAPTER 1. GENERAL

Article 1 General Provisions

6000 This part shall be known and may be cited as the Fenton-Song Motor Vehicle Reparations Act.

6001 The purpose of this part is to require the payment of personal injury protection benefits to persons without regard to fault for bodily injury, sickness, disease, or death arising out the the ownership, maintenance, or use of motor vehicles and impose limitations upon the right of an injured person to recover damages for pain, suffering, mental anguish, or inconvenience.

Article 2. Definitions

6020. Unless the context otherwise requires, the definitions in this article govern the construction of this part

6021 "Claimant" means a person who files a claim with an insurer for the payment of personal injury protection benefits

6022 "Commercial vehicle" means a commercial vehicle as defined in Section 260 of the Vehicle Code.

6023 "Commissioner" means the Insurance Commissioner.

6024 "Deceased person" means a person who dies as a result of bodily injury, sickness, or disease arising out of the ownership, maintenance, or use of a motor vehicle.

6025 "Department" means the Department of Motor Vehicles.

6026 "Dependent" means any of the following:

(1) The spouse of the deceased person who is residing with him at the time of his death and has not subsequently remarried.

(2) Any child of the deceased person who is any of the following:

(i) Under 18 years of age and either residing with or receiving support from him at the time of his death.

(ii) Eighteen years of age or over, physically or mentally incapacitated from earning a living, and either residing with or receiving support from him at the time of his death.

(iii) Engaged full time in a formal program of academic or vocational education or training and either residing with or receiving support from him at the time of his death

(3) Any other person who is dependent upon the deceased person at the time of his death and is under 18 years of age, physically or mentally incapacitated from earning a living, or engaged full time in a formal program of academic or vocational education or training.

6027. "Funeral expense" means any expense of any type which is related to a funeral and burial.

6028. "Injured person" means a person who sustains an injury.

6029. "Injury" means bodily injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle.

6030. "Installment award or settlement" means an award or settlement for the full and final discharge of all of the liability of an insurer to a claimant in return for an obligation to pay a specified sum of money in installments.

6031 "Insured motor vehicle" means any of the following:

(1) A motor vehicle which is covered by a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits.

(2) A motor vehicle which is covered by a policy of personal injury protection insurance.

(3) A motor vehicle whose owner is a qualified self-insurer.

6032. "Insurer" means an insurer authorized to transact business in this state and issuing policies of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle.

6033 "Loss of compensation" means the income which an injured person would have earned if he had not been injured, including any income which is lost as a result of any reduction of earning capacity.

6034. "Loss of services" means any expense reasonably incurred for reasonably necessary services in place of those that the injured person would have performed for the benefit of himself or his dependents if he had not been injured, excluding any expense incurred for services which he would have performed for income or services which are obtained from persons residing in his household.

6035. "Lump-sum award or settlement" means an award or settlement for the full and final discharge of all of the liability of an insurer to a claimant upon payment of a single sum of money.

6036. "Medical treatment expense" means any of the following:

(1) Any expense reasonably incurred for any reasonably necessary product, drug, service, or accommodation for the diagnosis, care, recovery, or rehabilitation of an injured person, excluding any expense incurred by an injured person for an accommodation which he would have provided for his personal use if he had not been injured.

(2) The reasonable value of any reasonably necessary product, drug, service, or accommodation for the diagnosis, care, recovery, or rehabilitation of an injured person which was obtained by the injured person under a direct service or other prepaid health care plan, irrespective of the amount of any direct charges made by the provider of the product, drug, service, or accommodation.

(3) Any expense reasonably incurred for any reasonably necessary remedial treatment or service recognized and permitted under the laws of this state for an injured person who relies upon spiritual means for healing in accordance with his religious beliefs.

6037. "Motorcycle" means a motorcycle as defined in Section 400 of the Vehicle Code.

6038 "Motor-driven cycle" means a motor-driven cycle as defined in Section 405 of the Vehicle Code.

6039. "Motor vehicle" means a motor vehicle as defined in Section 415 of the Vehicle Code which is designed and licensed to be operated upon a highway.

6040. "Named insured" means either of the following:

(1) The person identified as the named insured in a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arsing out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits and his spouse residing in the same household.

(2) The person identified as the named insured in a policy of personal injury protection insurance and his spouse residing in the same household.

6041. "Owner" means a person holding the legal title to a motor vehicle or, if a motor vehicle is subject to a security interest or a lease with an option to purchase with the debtor or lessee having the right to possession, a debtor or lessee.

6042. "Personal injury protection benefits" means the personal injury protection benefits described in Article 1 (commencing with Section 6150) of Chapter 3 of this part.

6043. "Personal injury protection insurance" means insurance which is issued by an insurer and provides solely for the payment of personal injury protection benefits

6044. "Plan" means the assigned claims plan established pursuant to Chapter 7 (commencing with Section 6500) of this part.

6045. "Qualified self-insurer" means a self-insurer who has filed an affidavit pursuant to Section 6120.

6046. "Relative residing in the same household" means a relative of any degree by blood, adoption, or marriage who usually makes his home in the same family unit, whether or not temporarily living elsewhere.

6047. "Self-insurer" means a person who has been issued a certificate of self-insurance pursuant to Division 7 (commencing with Section 16000) of the Vehicle Code.

6048. "Survivor benefits" means both of the following:

(1) Any contribution of any tangible thing of economic value, excluding services, which the dependents would have received from the deceased person after the date on which he died if he had not sustained the injury which caused his death.

(2) Any expense reasonably incurred by the dependents for reasonably necessary services in place of those that the deceased person would have performed for their benefit after the date on which he died if he had not sustained the injury which caused his death, excluding any expense incurred for services which he would have performed for income or services which are obtained from persons residing in his household.

6049. "Uninsured motor vehicle" means any motor vehicle other than an insured motor vehicle.

6050. "Use of a motor vehicle" includes loading, unloading, entering, and alighting from a motor vehicle and excludes conduct within the course of a business of repairing, servicing, or otherwise maintaining a motor vehicle unless the conduct occurs outside the premises of the business.

Article 3. Evaluation

6080. (a) It is the intent of the Legislature that any savings realized under this part by an insurer be returned to its insureds in the form of reduced premiums or dividends

(b) It is the intent of the Legislature that any savings realized under Article 2 (commencing with Section 6190) of Chapter 3 of this part by (1) an admitted insurer who issues or renews any group disability insurance policy or any individual policy of disability insurance, or (2) a direct service or other prepaid health care plan, be returned to its insureds in the form of reduced premiums or dividends

(c) Commencing on January 1, 1974, the commissioner shall report annually to the Legislature on the extent to which insurers are complying with the intent of the Legislature as expressed in subdivision (a) and (b).

6081. (a) Pursuant to the authority prescribed by Article 6 (commencing with Section 1857) of Chapter 9 of Part 2 of Division 1 of the Insurance Code, the commissioner shall conduct examinations of rates and classifications of risks for insurance which provides for the payment of personal injury protection benefits to ensure that the rates are not excessive, inadequate, or unfairly discriminatory.

(b) Commencing on January 1, 1974, the commissioner shall report annually to the Legislature on the results of the examinations conducted pursuant to subdivision (a). The report shall include his findings, conclusions, and recommendations concerning the rates and classification of risks for insurance which provides for the payment of personal injury protection benefits.

CHAPTER 2. INSURANCE

Article 1. Mandatory Coverage

6100. No policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle other than a motorcycle or motor-driven cycle shall be issued or delivered in this state unless it contains a provision for the payment of personal injury protection benefits.

Article 2. Self-Insurers

6120. A self-insurer may file an affidavit with the department in which it agrees to pay all personal injury protection benefits required by this part. Upon the filing of the affidavit, the self-insurer shall become a qualified self-insurer. Except as otherwise provided by statute, a qualified self-insurer shall have all the rights and be subject to all of the obligations of an insurer prescribed by Chapter 3 (commencing with Section 6150), Chapter 5 (commencing with Section 6300), and Article 3 (commencing with Section 6640) of Chapter 8 of this part.

CHAPTER 3. BENEFITS

Article 1. Personal Injury Protection Benefits

6150. Personal injury protection benefits shall be payable for injury without regard to fault.

6151. Personal injury protection benefits shall be payable for medical treatment expense, loss of compensation, loss of services, survivor benefits, and funeral expense.

6152. The total amount payable for medical treatment expense shall be equal to the following:

(1) All medical treatment expense until the recovery of personal injury protection benefits equals the limitation imposed under Section 6158.

(2) After the recovery of personal injury protection benefits equals the limitation imposed under Section 6158, all medical treatment expense until the total amount of personal injury protection benefits which have been recovered equals fifty thousand dollars ($50,000).

6153. (a) In calculating payments for loss of compensation which an injured person is entitled to receive, his monthly income or an amount equal to one-twelfth of his annual income for the year immediately preceding the date of injury, whichever is greater, shall be used in determining the income which he would have earned if he had not been injured. If payments for loss of compensation would not be taxable under a federal or state income tax, loss of compensation shall be computed by reducing the income by 15 percent or any lesser amount which constitutes the income tax which would have been levied upon the income. The total amount payable for loss of compensation shall not exceed seven hundred fifty dollars ($750) in any period of 30 days. The limitation upon loss of compensation shall apply pro rata to any lesser period.

(b) Any wage continuation benefits which an injured person receives or is entitled to receive shall not be considered in determining his loss of compensation.

6154. The total amount payable for loss of services shall not exceed fifteen dollars ($15) per day.

6155. (a) The loss payable for survivor benefits defined in paragraph (1) of Section 6048 shall be subject to the same computation and limitation imposed upon loss of compensation under Section 6153.

(b) The loss payable for survivor benefits defined in paragraph (2) of Section 6048 shall be subject to the same limitation imposed upon loss of services under Section 6154.

6156. The total amount payable for funeral expense shall not exceed one thousand dollars ($1,000).

6157. Pain, suffering, mental anguish, or inconvenience are not compensable under personal injury protection benefits, but economic detriment in the nature of loss of income or reduction of earning capacity arising from the interference of pain, suffering, mental anguish, or inconvenience with work or earning capacity shall be compensable under loss of compensation.

6158. Except as permitted by Section 6152, the total amount of personal injury protection benefits which may be recovered shall not exceed five thousand dollars ($5,000) per injured person per accident. An injured person or, in the event of his death, his dependents shall be permitted to specify the amount of his recovery which shall be allocated to medical treatment expense, loss of compensation, loss of services, survivor benefits, and funeral expense.

6159. (a) Personal injury protection benefits shall be payable to any of the following persons for injuries sustained within this state:

(1) A named insured.

(2) A relative of a named insured residing in the same household.

(3) An operator or occupant of an insured motor vehicle.

(4) An operator or occupant of an uninsured motor vehicle registered in this state other than the owner of the motor vehicle or his spouse residing in the same household

(5) A person who is not an operator or occupant of a motor vehicle but is injured by one or more motor vehicles.

(b) Personal injury protection benefits shall be payable to any of the persons described in paragraphs (1) to (3), inclusive, of subdivision (a) for injuries arising out of the ownership, maintenance, or use of a motor vehicle other than a commercial vehicle designed, used, or maintained primarily for the transportation of property and sustained outside this state and within the United States and its territories and possessions, Canada, and Mexico to the same extent as personal injury protection benefits are payable for injuries sustained within this state.

(c) Personal injury protection benefits shall be payable to any of the persons described in paragraphs (1) to (3), inclusive, of subdivision (a) for injuries arising out of the ownership, maintenance, or use of a commercial vehicle designed, used, or maintained primarily for the transportation of property and sustained outside this state and within the United States and its territories and possessions, Canada, and Mexico to the same extent as personal injury protection benefits are payable for injuries sustained within this state, if the person who sustains the injury is a resident of this state.

6160. Personal injury protection benefits shall not be payable to any of the following persons:

(1) An owner of an uninsured motor vehicle registered in this state or his spouse residing in the same household, if the owner or his spouse is an operator or occupant of the uninsured motor vehicle.

(2) A nonresident of this state who is an operator or occupant of an uninsured motor vehicle which is not registered in this state.

(3) An operator of a motor vehicle who intentionally causes an injury or property damage and was not acting or refraining from acting for the purpose of averting an injury or property damage.

6161. (a) Any person who sustains an injury while an operator or occupant of a motor vehicle shall claim personal injury protection benefits from insurers in the following order of priority:

(1) The insurer of the owner of the motor vehicle.

(2) The insurer of the operator of the motor vehicle.

(3) His insurer.

(b) Any person who sustains an injury and is not an operator or occupant of a motor vehicle shall claim personal injury protection benefits from insurers in the following order of priority:

(1) His insurer.

(2) The insurer of the owner of the motor vehicle.

(3) The insurer of the operator of the motor vehicle.

(c) If a person described in subdivision (b) is not covered by a policy of insurance which provides for the payment of personal injury protection benefits and the injuries which are sustained by him are proximately caused by two or more motor vehicles, he shall claim personal injury protection benefits from the insurers of the owners and operators of each of the motor vehicles in the order of priority established in subdivision (b). Any insurer paying personal injury protection benefits shall be entitled to be reimbursed by the other insurers for their proportionate share of the loss and the expense of processing the claim.

6162. Any limitation upon the amount of personal injury protection benefits which is payable for an injury sustained by one person and arising out of one accident shall be determined without regard to the number of policies of insurance which provide for the payment of personal injury protection benefits and are applicable to the accident.

6163. (a) Personal injury protection benefits are payable to or for the benefit of an injured person or, in the event of his death, his dependents.

(b) If there is doubt as to the proper person to receive personal injury protection benefits or the proper apportionment among the persons entitled to receive the benefits, the insurer or any other interested person may submit the matter for determination in an arbitration proceeding conducted pursuant to Section 6680. The arbitrator may designate the persons to whom the benefits are to be paid and make an equitable apportionment after considering the relationship of the persons to the injured person and any other facts which he deems appropriate.

(c) An insurer may do either of the following:

(1) Pay any personal injury protection benefits which have accrued before the death of an injured person to his dependents without the appointment of an administrator or executor.

(2) Pay any personal injury protection benefits which are due to any dependent children living with a surviving spouse to the spouse.

6164. Any person who sustains an injury and is entitled to receive personal injury protection benefits may obtain the benefits from the plan if he is otherwise unable to obtain the benefits.

Article 2. Duplicate Benefits

6190. No person shall recover personal injury protection benefits from more than one policy of insurance on a duplicate basis.

6191. Any payments which an injured person receives or is entitled to receive under any medical payments coverage under a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle shall be deducted from any personal injury protection benefits which would otherwise be payable to him.

6192. The amount of all disability or compensation benefits which an injured person receives or is entitled to receive under any workmen's compensation plan or any similar statutory plan shall be deducted from any personal injury protection benefits which would otherwise be payable to him.

6193. Personal injury protection benefits shall be deducted from any recovery received by an injured person under uninsured motorists coverage.

6194. Any program or plan of employee benefits which provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits payable under the program or plan. This section shall apply only to a program or plan of employee benefits which is subject to a collective bargaining agreement. This section shall not apply to any existing program or plan or employee benefits until the program or plan is renewed or subject to modification.

6195. Any contract or benefit plan which is offered or sold in this state and provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits payable under the contract or benefit plan. This section shall not apply to either of the following:

(1) Any contract or benefit plan which is vested by contract or funded prior to January 1, 1974.

(2) Any contract or benefit plan which may be continued at the option of the purchaser, insured, or irrevocable beneficiary by the payment of a previously established fixed premium or other fixed contract charge or fee.

6196. Notwithstanding Section 10270.98 of the Insurance Code, any group disability insurance policy which is issued or renewed by an admitted insurer and provides reimbursement for expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits payable under the group disability insurance policy.

6197. Any individual policy of disability insurance, except a guaranteed renewable policy or a noncancelable policy as defined in Sections 10273 and 10273.3 of the Insurance Code, which is issued or renewed by an admitted insurer and provides reimbursement for

expenses for which personal injury protection benefits are also payable under Article 1 (commencing with Section 6150) of this chapter shall provide that any payment of personal injury protection benefits shall be deducted from any benefits under the individual policy of disability insurance.

6198. Personal injury protection benefits shall not be payable for any direct or indirect loss of interest of, or for services or benefits provided or furnished by, the United States or any of its agencies coincident to a contract of employment or because of military enlistment duty, or service.

CHAPTER 4. INSURERS

Article 1. Personal Injury Protection Insurance

6250. Every insurer shall offer personal injury protection insurance.

Article 2 Policies

6260. Any policy of insurance issued by an insurer which is represented or sold as providing for the payment of personal injury protection benefits shall be deemed to provide for the payment of the benefits.

6261. Pursuant to Article 6 (commencing with Section 780) and Article 6 5 (commencing with Section 790) of Chapter 1 of Part 2 of Division 1 of the Insurance Code, the commissioner may compel an insurer to provide information to an applicant which will disclose the terms, provisions, and limitations of a policy of insurance which provides for the payment of personal injury protection benefits.

6262. No insurer shall refuse to renew a policy of insurance which provides for the payment of personal injury protection benefits solely on the basis of either (1) the age, sex, marital status, race, or occupation of the named insured or a relative of the named insured residing in the same household or (2) if the named insured neither caused nor is liable for an injury to a claimant, the fact that (i) the claimant submitted or prosecuted a claim for personal injury protection benefits or (ii) the named insured was involved in the accident in which the claimant sustained the injury. Any insurer who willfully violates this section shall be guilty of a misdemeanor and punishable by a fine of not more than five hundred dollars ($500) for each violation.

Article 3. Additional Coverage

6270. Every insurer may offer either or both of the following:

(1) Coverage under which the insurer agrees to pay benefits in compensation for pain, suffering, mental anguish, or inconvenience to the named insured or the named insured and one or more additional insureds

(2) Coverage under which the insurer agrees to pay personal injury protection benefits in addition to those required under Article 1 (commencing with Section 6150) of this chapter. The coverage shall include coverage which exceeds the limits imposed upon (i) loss of compensation, loss of services, survivor benefits, and funeral expense under Sections 6153 to 6156, inclusive, or (ii) personal injury protection benefits under Section 6158, either in the aggregate or with respect to any individual benefit.

6271. Every insurer shall offer uninsured motorists coverage whose limits exceed the financial repsonsibility requirements specified in Section 16059 of the Vehicle Code. The increased limits of liability shall be offered in increments of ten thousand dollars ($10,000) The insured shall be offered a minimum aggregate limit of liability of at least one hundred thousand dollars ($100,000) because of bodily injury to or death of one person in one accident and, subject to the limit for one person, three hundred thousand dollars ($300,000) because of bodily injury to or death of two or more persons in one accident, but shall be permitted to be covered by any lesser limit of liability.

CHAPTER 5. CLAIMS

Article 1. Payment of Benefits

6300. Personal injury protection benefits are payable monthly as a loss accrues.

6301. (a) Personal injury protection benefits for any period are overdue if they are not paid within 30 days after the insurer receives reasonable proof of the fact and amount of loss incurred during the period. If reasonable proof is not supplied as to the entire loss, the amount which is supported by reasonable proof is overdue if it is not paid within 30 days after the proof is received by the insurer. Any part or all of the remainder of the loss which is supported later by reasonable proof is overdue if it is not paid within 30 days after the proof is received by the insurer. An insurer shall be deemed to have received reasonable proof of the fact and amount of loss incurred when it has received all relevant information or documents which are in the possession of, or made available to, a claimant.

(b) If an insurer willfully refuses to pay personal injury protection benefits as required by subdivision (a), the person entitled to receive the benefits shall be entitled to receive an additional amount equal to three times the amount of the benefits which have not been paid.

6302. The existence of a potential cause of action for an injury which may be brought by any person entitled to receive personal injury protection benefits shall not affect the obligation of the insurer to pay the benefits promptly.

6303. If a payment for medical treatment expense or funeral expense which is to be made directly to a claimant, or a payment for loss of compensation, loss of services, or survivor benefits is overdue, the claimant shall be entitled to receive an additional amount equal to 10 percent of the amount of the overdue payment for each period of 30 days during which the payment is not paid after the insurer received reasonable proof of the fact and amount of loss incurred.

6304. Payment of personal injury protection benefits shall be made by a check which is made payable to the order of the person entitled to receive the benefits or his authorized representative In determining the extent to which personal injury protection benefits are overdue or the application of a statute of limitations, the payment shall be deemed to have been made on the date the check was delivered or mailed, postage prepaid, in a properly addressed envelope.

6305. An insurer may require a claimant to notify the insurer of a claim within a reasonable period of time after an injury for which the payment of personal injury protection benefits is claimed.

6306. An agreement for the assignment of any rights to personal injury protection benefits which are payable in the future shall be void and unenforceable

6307. (a) In any arbitration proceeding to recover personal injury protection benefits, upon the motion of the claimant, the arbitrator may order the payment of a lump-sum award or settlement or an installment award or settlement for future benefits which would come due after the date of the award or settlement if he finds either of the following:

(1) The present value of all the future benefits does not exceed one thousand dollars ($1,000).

(2) A final settlement will contribute substantially to the health and rehabilitation of the claimant.

(b) Rights and obligations arising under a policy of insurance which provides for the payment of personal injury protection benefits with respect to a claim for a limited period of time or a full claim which includes all future losses may be discharged only by one of the following.

(1) An installment award or settlement for payments of not more than one thousand dollars ($1,000) per month.

(2) A lump-sum award or settlement for an amount of not more than one thousand dollars ($1,000).

(3) An installment award or settlement for larger payments or a lump-sum award or settlement for a larger amount which has been approved by the arbitrator after a finding that the award or settlement is in the best interests of the claimant.

Article 2 Examination

6320. Whenever the mental or physical condition of a claimant is material to any claim that has been or may be made for past or future personal injury protection benefits, the claimant shall, upon request of an insurer, submit to a mental or physical examination by one or more physicians selected by the insurer The cost of any examination requested by an insurer shall be paid by the insurer Any insurer who requests an examination shall pay any reasonable costs of transportation and expenses incurred by the claimant and reimburse him for any loss of income if the examination is not conducted in an area of close proximity to his residence or the office of his attending physician.

6321. Any physician who makes an examination pursuant to Section 6320 shall prepare a written report concerning the examination. An insurer who causes the examination to be made shall transmit a copy of every written report concerning the examination made by the examining physician to the claimant or his attorney. At least one of the reports shall set forth the findings and conclusions of the examining physician in detail

6322 Upon request, an insurer shall be entitled to receive from the claimant a copy of every written report available to him or his attorney concerning any examination which has been made or is made in the future of any mental or physical condition which is material to a claim for personal injury protection benefits.

6323. In any action to recover personal injury protection benefits, a claimant who receives a copy of the report required by Section 6321 or takes the deposition of the examining physician shall be deemed to have waived any privilege he may have regarding the testimony of every other person who has examined him with respect to the same mental or physical condition.

6324. If a claimant unreasonably refuses to submit to a mental or physical examination, supply information, or authorize information to be obtained, the insurer may reduce or temporarily suspend the payment of personal injury protection benefits without penalty.

Article 3. Medical Rehabilitation

6340. A claimant shall be entitled to prompt medical rehabilitation services when he is unable to perform work for which he had previous training or experience as a result of an injury

6341. In order to be eligible for any payment of personal injury protection benefits, a claimant who wishes to undertake medical rehabilitation services shall give 30 days notice to the insurer responsible for the payment of the benefits prior to undertaking the services The notice shall include information sufficient to determine that the services meet the standards prescribed by Section 6342.

6342 An insurer responsible for the payment of personal injury protection benefits may propose and is responsible for medical rehabilitation services for a claimant. The services shall meet the following standards:

(1) The services, whether or not involving surgery, shall be (i) recognized and medically accepted or (ii) recognized and permitted under the laws of this state for a person who relies upon spiritual means for healing in accordance with his religious beliefs.

(2) The services shall contribute substantially to rehabilitation.

(3) The cost of the services shall be reasonable in relation to the probable rehabilitative effects of the services.

6343. If a claimant unreasonably refuses to undertake any medical rehabilitation services which meet the standards set forth in Section 6342, the insurer may reduce or temporarily suspend the payment of personal injury protection benefits without penalty A claimant who refuses to undertake any medical rehabilitation services proposed by an insurer shall not be deemed to have unreasonably refused to undertake the services if he is presently undertaking any other medical rehabilitation services which meet the standards set forth in Section 6342.

Article 4. Reports

6360. (a) If a request is made by an insurer against whom a claim for personal injury protection benefits has been made, an employer shall furnish a statement of the earnings of the claimant since the date on which the claimant was injured. If requested by the insurer, the employer shall also furnish a statement of the earnings of the claimant within a period of not more than one year prior to the date. If specifically requested by the insurer, the employer shall deliver or mail the statement within a period of 10 days after the request for the statement is received.

(b) The commissioner shall prescribe the form and content of any statement which is required under subdivision (a).

6361. (a) If a request is made by an insurer against whom a claim for personal injury protection benefits has been made, a physician or hospital, clinic, or other medical institution which provides any products, drugs, services, or accommodations in relation to an injury or a condition claimed to be connected to the injury shall furnish or do either or both of the following at the option of the insurer:

(1) A written report of the history, condition, treatment, dates of treatment, and costs of treatment of the claimant for the injury or condition.

(2) Produce and permit the inspection and copying of any records regarding the history, condition, treatment, dates of treatment, and costs of treatment of the claimant for the injury or condition.

(b) If requested by the insurer, the report required under subdivision (a) shall cover any injury or condition which (1) has a reasonable relationship to the injury upon which the claim is based and (2) occurred or existed prior to or after the injury upon which the claim is based If specifically requested by the insurer, the person or institution shall deliver or mail the report within a period of 10 days after the request for the report is received.

(c) The commissioner shall prescribe the form and content of any report which is required under subdivision (a)

6362 Any person who provides information to an insurer pursuant to Section 6360 or 6361 may charge a reasonable amount for the time and cost of providing the information.

Article 5. Limitations on Proceedings

6380. No arbitration proceeding to recover personal injury protection benefits shall be commenced after a period of one year has elapsed since the date on which the injured or deceased person sustained the injury or a period of one year has elapsed since the date on which the last payment of benefits was made, whichever occurs later.

Article 6 Attorney's Fees

6400 An attorney shall be entitled to a reasonable fee for advising and representing a claimant on a claim or in an arbitartion proceeding to recover personal injury protection benefits

6401. If personal injury protection benefits which have not been paid after an insurer receives reasonable proof of the fact and amount of loss incurred as required by subdivision (a) of Section 6301 are either received in an arbitration proceeding or paid by the insurer after the receipt of a notice of representation of a claimant by an attorney which has been given after the insurer refused or failed to pay the benefits, the fee of the attorney shall be a charge against the insurer and shall not be subtracted from the benefits received or paid.

6402 If personal injury protection benefits, other than benefits which have not been paid after an insurer receives reasonable proof of the fact and amount of loss incurred as required by subdivision (a) of Section 6301, are either received in an arbitration proceeding or paid by the insurer after the receipt of a notice of representation

of a claimant by an attorney which has been given after the insurer refused or failed to pay the benefits, the fee of the attorney shall be allocated pursuant to this section. After receipt of a notice of representation, the insurer shall pay the fee directly to the attorney. Fifty percent of the fee shall be charged against benefits otherwise payable to the claimant and shall be charged against the limits of liability. The remainder of the fee shall be charged against the insurer and shall not be charged against the limits of liability.

6403. If the claimant, his attorney, and the insurer agree upon a fee to be awarded and the manner in which it is to be charged, the approval of an arbitrator shall not be required. In the absence of any agreement, the matter may be submitted for determination in an arbitration proceeding conducted pursuant to Section 6680.

6404. An arbitrator may award a reasonable sum against a claimant as a fee for the attorney of the insurer in defending against a claim that was fraudulent or so excessive as to have no reasonable foundation. The fee may be treated as an offset against personal injury protection benefits which are due or may become due to the claimant. An award may be made against the claimant for any amount of the fee which has not been offset or otherwise paid.

Article 7. Medical Services

6420. Any physician, hospital, clinic, or other person or medical institution providing treatment to an injured person for an injury covered by a policy of insurance which provides for the payment of personal injury protection benefits may charge a reasonable amount for the products, drugs, services, and accommodations which are provided. Any amount which is charged shall not exceed the amount which the person or institution customarily charges for similar products, drugs, services, and accommodations in cases involving no such insurance.

6421. (a) No physician or hospital, clinic, or other medical institution shall refuse to provide any products, drugs, services, or accommodations to any of the following persons who have sustained an injury:

(1) A person who has presented a certificate from an insurer which states that he is a named insured.

(2) A person who the physician or hospital, clinic, or other medical institution knows or has reason to know is or may be entitled to the payment of personal injury protection benefits.

(b) Except as provided by subdivision (c), a physician or hospital, clinic, or other medical institution shall provide products, drugs, services, or accommodations to any of the persons described in subdivision (a) to the same extent as they are compensable as medical treatment expenses under a policy of insurance which provides for the payment of personal injury protection benefits.

(c) A physician or hospital, clinic, or other medical institution shall not be required to provide products, drugs, services, or accommodations for a period of more than 24 hours to any person described in paragraph (1) of subdivision (a) if it discovers that the person is no longer a named insured of the insurer who issued the certificate and is not a person described in paragraph (2) of subdivision (a).

(d) Any physician or hospital, clinic, or other medical institution which provides products, drugs, services, or accommodations to a person described in paragraph (1) of subdivision (a) who is no longer a named insured of the insurer who issued the certificate and is not a person described in paragraph (2) of subdivision (a) may recover the costs incurred in providing the products, drugs, services, or accommodations for a period of 24 hours from the plan

(e) Nothing in this section shall relieve any person described in paragraph (1) or (2) of subdivision (a) from any liability for any products, drugs, services, or accommodations which are provided by a physician or hospital, clinic, or other medical institution pursuant to subdivision (a).

(f) Nothing in this section shall require any physician or hospital, clinic, or their medical institution to provide products, drugs, services, or accommodations which it is not physically capable of providing.

CHAPTER 6. RATES AND CLASSIFICATIONS

6450. Rates and classifications of risks for insurance which provides for the payment of personal injury protection benefits are subject to the provisions of Chapter 9 (commencing with Section 1850) of Part 2 of Division 1 of the Insurance Code.

6451. (a) Except as provided in subdivision (c), during the period commencing on January 1, 1974, and ending on December 31, 1975, the premium charged by an insurer for a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for the payment of personal injury protection benefits and bodily injury liability and uninsured motorists coverage with a limit of liability of fifteen thousand dollars ($15,000) because of bodily injury to or death of one person in one accident and, subject to the limit for one person, thirty thousand dollars ($30,000) because of bodily injury to or death of two or more persons in one accident, shall not exceed the premium charged on July 1, 1973, by the insurer for a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for bodily injury liability and uninsured motorists coverage with a limit of liability of fifteen thousand dollars ($15,000) because of bodily injury to or death of one person in one accident and, subject to the limit for one person, thirty thousand dollars ($30,000) because of bodily injury to or death of two or more persons in one accident and medical payments coverage with a limit of liability of one thousand dollars ($1,000).

(b) Except as provided in subdivision (c), during the period commencing on January 1, 1974, and ending on December 31, 1975, the premium charged by an insurer for a policy of personal injury protection insurance shall not exceed the premium charged for the portion of a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for the payment of personal injury protection benefits.

(c) If the commissioner determines as a result of his examinations of rates conducted pursuant to Section 6081 that the existing rates of an insurer are inadequate because the rates are unreasonably low for the insurance provided, and (1) the continued use of the rates endangers the solvency of the insurer, or (2) the use of the rates has or, if continued, will have the effect of destroying competition or creating a monopoly, he shall, after a hearing, issue an order pursuant to Section 1858.3 of the Insurance Code which shall authorize or require the insurer to adjust its rates.

(d) This section shall remain in effect until December 31, 1975. Thereafter, this section shall have no force or effect and is repealed.

CHAPTER 7. ASSIGNED CLAIMS PLAN

Article 1. Organization and Administration

6500. Subject to approval and regulation by the commissioner and consistent with the provisions of this chapter, all insurers shall organize and maintain an assigned claims plan. If the commissioner determines that the organization and maintenance of the plan is inconsistent with the terms of this chapter, the commissioner shall organize and maintain a plan.

6501. Claims shall be assigned to an insurer under the plan in a manner which ensures a fair allocation of the burden of assigned claims on a basis reasonably related to the volume of annual premiums derived from policies of insurance which provide for the payment of personal injury protection benefits and are issued by the insurer.

6502 (a) The department shall be reimbursed from the Assigned Claims Fund for expenses incurred by the department in the administration of this chapter.

(b) Subject to the limitation upon reimbursement imposed under Section 6523, the plan shall be reimbursed from the Assigned Claims Fund for all claims for personal injury protection benefits which are paid under the plan and the expenses incurred by the plan in the administration of this chapter.

(c) Any claims and expenses which are not reimbursed pursuant to subdivision (b) shall be assessed against an insurer under the plan in a manner which ensures a fair allocation of the claims and expenses on a basis reasonably related to the volume of annual premiums derived from policies of insurance which provide for the payment of personal injury protection benefits and are issued by the insurer.

6503. An annual certified accounting of the plan for each calendar year shall be prepared and submitted to the commissioner and the State Treasurer not later than July 1 of the succeeding year.

6504. The commissioner and the department may adopt and enforce any rules and regulations which are necessary to carry out the provisions of this chapter.

6505 The commissioner shall report annually to the Governor and Legislature on the operation of the plan.

Article 2 Assigned Claim Fund

6520. An Assigned Claims Fund is hereby created as a special fund in the State Treasury which is separate and apart from all other moneys or funds of the state

6521. The money and assets of the fund shall be held in trust by the State Treasurer and administered under the direction of the commissioner exclusively for the purposes of this chapter.

6522 All assigned claims fees and any moneys collected pursuant to Section 6561 shall be deposited in the fund.

6523. The state shall not be liable or obligated in any way beyond the moneys which have been deposited in the fund.

6524. The State Treasurer shall reimburse the department from the fund for the expenses specified in subdivision (a) of Section 6502. Upon the approval by the commissioner of the certified accounting required by Section 6503, the State Treasurer shall reimburse the plan from the fund for the claims and expenses specified in subdivision (b) of Section 6502. Any reimbursements from the fund for claims and expenses specified in Section 6502 shall be charged against the moneys which have been deposited in the fund for the calendar year in which the injuries upon which the claims and expenses are based were sustained

6525 The State Treasurer shall deposit or invest any unappropriated portion of the fund in the same manner and subject to all provisions of law governing the deposit or investment of state funds by the State Treasurer All interest earned by any unappropriated portion of the fund which is deposited or invested shall be collected and deposited to the credit of the fund.

6526. A detailed financial statement of the condition of the fund shall be published annually by the commissioner. The fund shall be subject to an audit by the Auditor General

6527. The commissioner shall report annually to the Governor and Legislature on the financial position, actuarial soundness, and general condition of the fund A copy of the report shall be filed with the Auditor General for his use in auditing the fund.

Article 3. Assigned Claims Fees

6540 Any person registering an uninsured motor vehicle in this state shall pay an assigned claims fee at the time of registration

6541 Upon the cancellation or lapse of a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits or a policy of personal injury protection insurance, the insolvency or bankruptcy of an insurer who issued such a policy, or the termination or lapse of a certificate of self-insurance of a qualified self-insurer, the owner of a motor vehicle shall pay the assigned claims fee or obtain a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle and providing for the payment of personal injury protection benefits or a policy of personal injury protection insurance

6542. (a) The assigned claims fee shall be determined annually by the commissioner by dividing the amount of money necessary for the payment of claims for personal injury protection benefits which

are payable under the plan and expenses incurred by the department and plan in the administration of this chapter in the calendar year in which the fee is assessed by the number of uninsured motor vehicles in this state. In determining the amount of money necessary for the payment, the commissioner shall take into account the necessity of maintaining sufficient reserves to insure the actuarial soundness of the fund.

(b) On or before the first day of July of each year, the commissioner ~~shall~~ certify the amount of the assigned claims fee to the department for the succeeding calendar year.

Article 4. Benefits

6560. (a) Any person who sustains an injury and is entitled to receive personal injury protection benefits may obtain the benefits under the plan if any of the following apply.

(1) No policy of insurance which provides for the payment of personal injury protection benefits is applicable to the injury.

(2) No policy of insurance which provides for the payment of personal injury protection benefits applicable to the injury can be identified.

(3) The only identifiable policy of insurance which provides for the payment of personal injury protection benefits applicable to the injury is inadequate to provide personal injury protection benefits up to the maximum limits prescribed in Sections 6152 to 6156, inclusive, and Section 6158 because of multiple claims against it or the financial inability of one or more insurers to fulfill their obligations

(b) Any physician or hospital, clinic or other medical institution which provides products, drugs, services, or accommodations to a person described in paragraph (1) of subdivision (a) of Section 6421 who is no longer a named insured of the insurer who issued the certificate and is not a person described in paragraph (2) of subdivision (a) of Section 6421 may recover the costs incurred in providing the products, drugs, services, or accommodations for a period of 24 hours from the plan.

(c) Persons entitled to claim from the plan are entitled to receive from the plan the personal injury protection benefits due under policies of insurance which provide for the payment of personal injury protection benefits as prescribed in Sections 6152 to 6156, inclusive, and Section 6158.

6561. Whenever the facts described in paragraph (3) of subdivision (a) of Section 6560 exist, all unpaid personal injury protection benefits which are due or coming due are subject to being collected by the plan and the plan is entitled to reimbursement from the defaulting insurers to the extent of their financial responsibility.

6562. Upon the receipt of a claim for personal injury protection benefits under the plan, the plan shall have the same rights and obligations which it would have had if it had been an insurer who issued a policy of insurance which provides for the payment of personal injury protection benefits applicable to the accident.

6563. A person claiming through the plan shall notify the plan of his claim within the time which would have been allowed for commencing an arbitration proceeding to recover personal injury protection benefits if identifiable coverage applicable to the claim had been in effect. Any arbitration proceeding by the person against the plan shall be commenced not later than the last date on which the proceeding might have been commenced if it had been against the insurer of identifiable coverage applicable to the claim.

CHAPTER 8. ACTIONS AND PROCEEDINGS

Article 1. Limitation on General Damages

6600. (a) In any action to recover damages for an injury sustained within this state, damages for pain, suffering, mental anguish, or inconvenience shall not be recoverable unless one of the following facts exists:

(1) The medical treatment expenses incurred by the injured person, as computed pursuant to Section 6601, excluding any expense incurred for X-rays in excees of one hundred dollars ($100), exceeds one thousand dollars ($1,000).

(2) The injury consists, in whole or in part, of a loss of a body member.

(3) The injury consists of a serious and permanent impairment of a bodily function.

(4) The injury consists, in whole or in part, of serious and permanent disfigurement.

(5) The injury consists of serious and permanent disability, whether partial or total.

(6) The injury results in death.

(b) This section shall not apply to any action against a seller, retailer or manufacturer of motor vehicles to recover damages for bodily injury, sickness, disease, or death which was proximately caused by a breach of warranty of the manufacturer, seller, or retailer or the negligent design or manufacture of a motor vehicle.

6601. (a) For the purposes of paragraph (1) of subdivision (a) of Section 6600, the medical treatment expenses of the injured person shall be computed by adding both of the following:

(1) Any medical treatment expense relating to any reasonably necessary product or drug for the diagnosis, care, recovery, or rehabilitation of the injured person.

(2) The value of any service or accommodation for the diagnosis, care, recovery, or rehabilitation of the injured person as determined by subdivision (c).

(b) The commissioner shall conduct a relative value study of services and accommodations for the diagnosis, care, recovery, or rehabilitation of an injured person in the most populous county in this state for the purpose of assigning a unit value and median charge to each type of service and accommodation. In conducting the study, the commissioner shall consult with appropriate public and private medical and health agencies Upon completion of the study, the commissioner shall prepare and publish a relative value study which sets forth the unit value and median charge assigned to each type of service and accommodation.

(c) The value of any service or accommodation shall be determined by applying the unit value and median charge assigned to the service or accommodation under the relative value study. If a service or accommodation is not assigned a unit value or median charge under the relative value study, the value of the service or accommodation shall equal the reasonable cost of the same or similar service or accommodation in the most populous county of this state.

6602. In any action to recover damages for an injury sustained within this state in which damages for pain, suffering, mental anguish, or inconvenience are sought, a demurrer shall not be sustained or a judgment entered pursuant to Section 437c of the Code of Civil Procedure solely on the ground that the plaintiff fails to meet the requirements of Section 6600 within the time which is allowed for filing the action.

6603. If the trier of fact in an action to recover damages for an injury sustained within this state in which damages for pain, suffering, mental anguish, or inconvenience are sought finds, upon the motion of the defendant or on the motion of the court, that the plaintiff made a bad faith allegation that his medical treatment expenses exceed one thousand dollars ($1,000) or his injury consists of a loss of a body member, a serious and permanent impairment of a bodily function, serious and permanent disfigurement, or serious and permanent disability, the court shall award to the defendant his costs and expenses reasonably incurred for expert witnesses to defend against the allegation.

Article 2. Liability Exemption

6620. In any action to recover damages for an injury sustained within this state, any person who would otherwise be liable shall be exempt from liability to the extent that the injured person received or is entitled to receive personal injury protection benefits if the person who would otherwise be liable is insured under a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of the motor vehicle involved in the accident.

Article 3. Subrogation

6640. An insurer who has paid personal injury protection benefits to an injured person shall be subrogated to the rights of the injured person against the person who caused or is liable for the injury to the extent to which the insurer has paid the benefits

6641. If a person who caused or is liable for an injury is insured under a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle, an insurer who has paid personal injury protection benefits to the injured person shall be entitled to recover the amount of the benefits from the insurer of the person who caused or is liable for the injury. The issue of liability and the amount of the recovery shall be determined by intercompany arbitration between the insurers. Any decision in the arbitration proceedings shall be privileged and shall not be admissible in any action to recover damages for the injury.

Article 4. Comparative Negligence

6660. (a) Notwithstanding Section 1714, contributory negligence shall not bar recovery in any action brought by a person or his personal representative to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle by the person against whom the recovery is sought if the contributory negligence which is attributed to the person bringing the action is not greater than the negligence of the person against whom the recovery is sought. Any damages awarded a person or his personal representative shall be reduced in proportion to the amount of the contributory negligence which is attributed to the person.

(b) Except as otherwise provided in subdivision (a), the defenses of contributory negligence and assumption of risk and the doctrine of last clear chance shall not apply to any action to recover damages for an injury or property loss arising out of the ownership, maintenance, or use of a motor vehicle.

Article 5. Arbitration

6680 (a) Any policy of insurance which provides for the payment of personal injury protection benefits shall provide that the determination as to whether a claimant is entitled to recover personal injury protection benefits and the amount of the benefits shall be made by agreement between the claimant and the insurer or, in the event of disagreement, by arbitration. The arbitration shall be conducted by a single neutral arbitrator. An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (1) the claimant, his insurer, his legal representative, or his heirs and (2) any other person to recover damages for an injury sustained in the accident upon which the award is based The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to the determination. All rights, remedies, obligations, liabilities, and procedures set forth in such article shall be available to both the claimant and the insurer at any time after the accident, both before and after the commencement of arbitration, with the following limitations:

(1) Whenever reference is made in such article to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court in any county which is a proper county for the filing of an action to recover damages for an injury sustained in the accident or any county specified in the policy as a proper county for commencing arbitration or filing an action.

(2) Any proper court to which application is first made by either the claimant or the insurer under the provisions of such article for any discovery or other relief or remedy shall thereafter be the only court to which either of the parties shall make any applications under the article with respect to the same accident However, upon notice and

after a hearing, the court may grant a change of venue upon any of the grounds upon which change of venue may be granted in an action filed in the superior court.

(3) A deposition ~~taken~~ pursuant ~~to the~~ provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, shall be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident

(4) The provisions of paragraph (4) of subdivision (a) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section.

(5) For the purposes of discovery under this section, the claimant and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings" where that phrase is used in paragraph (2) of subdivision (b) of Section 2019 of the Code of Civil Procedure.

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 of the Code of Civil Procedure may be served by either the claimant or the insurer upon the other at any time after a period of 20 days has elapsed since the accident without leave of court

(b) Nothing in this section shall be construed to limit the rights of any party to discovery in any action which is pending or may hereafter be pending in any court.

SEC. 3. Section 11580.2 of the Insurance Code is amended to read:

11580.2. (a) No policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle, shall be issued or delivered in this state to the owner or operator of a motor vehicle, or shall be issued or delivered by any insurer licensed in this state upon any motor vehicle then principally used or principally garaged in this state, unless the policy contains, or has added to it by endorsement, a provision with coverage limits at least equal to the financial responsibility requirements specified in Section 16059 of the Vehicle Code insuring the insured, his heirs or his legal representative for all sums within such limits which he or they, as the case may be, shall be legally entitled to recover as damages for bodily injury or wrongful death from the owner or operator of an uninsured motor vehicle. The insurer and any named insured *under a policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of a motorcycle as defined in Section 400 of the Vehicle Code or a motor-driven cycle as defined in Section 405 of the Vehicle Code*, prior to or subsequent to the issuance or renewal of ~~a policy, may, by~~ *the policy, may, by an* agreement in writing, delete the provision covering damage caused by an uninsured motor vehicle (1) completely, or (2) with respect to a natural person or persons designated by name when operating ~~a motor vehicle~~ *the motorcycle or motor-driven cycle*. Either of such deletions by any named insured shall be binding upon every insured to whom such policy or endorsement provisions apply while such policy is in force, and shall continue to be so binding with respect to any continuation, renewal, or replacement of such policy by the named insured, or with

respect to reinstatement of such policy within 30 days of any lapse thereof. A policy shall be excluded from the application of this section if the only coverage with respect to the use of any motor vehicle is limited to the contingent liability arising out of the use of non-owned motor vehicles.

(b) As used in (a) above, "bodily injury" includes sickness or disease, including death, resulting therefrom; the term "named insured" means only the individual or organization named in the declarations of the policy of motor vehicle bodily injury liability insurance referred to in (a) above; as used in (a) above the term "insured" means the named insured and the spouse of the named insured and relatives of either while residents of the same household while occupants of a motor vehicle or otherwise, heirs and any other person while in or upon or entering into or alighting from an insured motor vehicle and any person with respect to damages he is entitled to recover for care or loss of services because of bodily injury to which the policy provisions or endorsement apply; the term "insured motor vehicle" means the motor vehicle described in the underlying insurance policy of which the uninsured motorist endorsement or coverage is a part, a temporary substitute or a newly acquired automobile for which liability coverage is provided in the policy if the motor vehicle is used by the named insured or with his permission or consent, express or implied, and any other automobile not owned by the named insured or any resident of the same household while being operated by the named insured or his spouse if a resident of the same household, but the term "insured motor vehicle" shall not include any automobile while used as a public or livery conveyance The term "uninsured motor vehicle" means a motor vehicle with respect to the ownership, maintenance or use of which there is no bodily injury liability insurance or bond applicable at the time of the accident, or there is such applicable insurance or bond but the company writing the same denies coverage thereunder or refuses to admit coverage thereunder except conditionally or with reservation, or a motor vehicle used without the permission of the owner thereof if there is no bodily injury liability insurance or bond applicable at the time of the accident with respect to the owner or operator thereof, or the owner or operator thereof be unknown, provided that, with respect to an "uninsured motor vehicle" whose owner or operator is unknown:

(1) The bodily injury has arisen out of physical contact of such automobile with the insured or with an automobile which the insured is occupying.

(2) The insured or someone on his behalf shall have reported the accident within 24 hours to the police department of the city where the accident occurred or, if the accident occurred in unincorporated territory then either to the sheriff of the county where the accident occurred or the local headquarters of the California Highway Patrol, and have filed with the insurer within 30 days thereafter a statement under oath that the insured or his legal representative has or the insured's heirs have a cause of action arising out of such accident for damages against a person or persons whose identity is unascertainable and set forth

facts in support thereof. The term "uninsured motor vehicle" shall not include an automobile owned by the named insured or any resident of the same household or self-insured within the meaning of the safety responsibility law of the state in which the motor vehicle is registered or which is owned by the United States of America, Canada, a state or political subdivision of any such government or an agency of any of the foregoing, or a land motor vehicle or trailer operated on rails or crawlertreads or while located for use as a residence or premises and not as a vehicle, or a farm-type tractor or equipment designed for use principally off public roads, except while actually upon public roads

The term "uninsured motor vehicle" also means an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency. An insurer's solvency protection shall be applicable only to accidents occurring during a policy period in which its insured's motor vehicle coverage is in effect where the liability insurer of the tortfeasor becomes insolvent within one year of such accident. In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment, shall to the extent thereof, be entitled to any proceeds which may be recoverable from the assets of the insolvent insurer through any settlement or judgment of such person against the insolvent insurer

(c) The insurance coverage provided for in this section does not apply:

(1) To property damage sustained by the insured

(2) To bodily injury of the insured while in or upon or while entering into or alighting from an automobile other than the described automobile if the owner thereof has insurance similar to that provided in this section.

(3) To bodily injury of the insured with respect to which the insured or his representative shall, without the written consent of the insurer, make any settlement with or prosecute to judgment any action against any person who may be legally liable therefor

(4) In any instance where it would inure directly or indirectly to the benefit of any workmen's compensation carrier or to any person qualified as a self-insurer under any workmen's compensation law.

(5) To establish an exemption as provided in subdivisions (a), (b), and (c) of Section 16057 of the Vehicle Code.

(6) To bodily injury of the insured while occupying a motor vehicle owned by an insured, unless the occupied vehicle is an insured motor vehicle.

(7) To bodily injury of the insured when struck by a vehicle owned by an insured.

(d) Subject to paragraph (c)(2), the policy or endorsement may provide that if the insured has insurance available to him under more than one uninsured motorist coverage provision, any damages shall not be deemed to exceed the higher of the applicable limits of the respective coverages, and such damages shall be prorated between the applicable coverages as the limits of each coverage bears to the total of such limits.

(e) The policy or endorsement added thereto may provide that if the insured has valid and collectible automobile medical payment insurance available to him, the damages which he shall be entitled to recover from the owner or operator of an uninsured motor vehicle shall be reduced for purposes of uninsured motorist coverage by the amounts paid or due to be paid under such automobile medical payment insurance This subdivision shall become operative on January 1, 1971.

(f) The policy or an endorsement added thereto shall provide that the determination as to whether the insured shall be legally entitled to recover damages, and if so entitled, the amount thereof, shall be made by agreement between the insured and the insurer or, in the event of disagreement, by arbitration The arbitration shall be conducted by a single neutral arbitrator An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (i) the insured, his insurer, his legal representative, or his heirs and (ii) the uninsured motorist to recover damages arising out of the accident upon which the award is based. The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to such determinations, and all rights, remedies, obligations, liabilities and procedures set forth in said Article 3 shall be available to both the insured and the insurer at any time after the accident, both before and after the commencement of arbitration, if any, with the following limitations·

(1) Whenever in said Article 3, reference is made to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court of the State of California, in and for any county which is a proper county for the filing of a suit for bodily injury arising out of the accident, against the uninsured motorist, or any county specified in the policy or an endorsement added thereto as a proper county for arbitration or action thereon.

(2) Any such proper court to which application is first made by either the insured or the insurer under the provisions of said Article 3 for any discovery or other relief or remedy, shall thereafter be the only court to which either of the parties shall make any applications under said Article 3 with respect to the same accident, subject, however, to the right of such court to grant a change of venue after a hearing upon notice, upon any of the grounds upon which change of venue might be granted in an action filed in the superior court

(3) A deposition pursuant to the provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, must be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident.

(4) The provisions of subparagraph (a)(4) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section.

(5) For the purposes of discovery under this section, the insured and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings," where that phrase is used in subparagraph (b)(2) of Section 2019 of the Code of Civil Procedure.

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 may be served by either the insured or the insurer upon the other at any time more than 20 days after the accident without leave of court

(7) Nothing in this section shall be construed to limit the rights of any party to discovery in any action pending or which may hereafter be pending in any court.

(g) The insurer paying a claim under an uninsured motorist endorsement or coverage shall be entitled to be subrogated to the rights of the insured to whom such claim was paid against any person causing such injury or death to the extent that payment was made. Such action may be brought within three years from the date that payment was made hereunder.

(h) An insured entitled to recovery under the uninsured motorist endorsement or coverage shall be reimbursed within the conditions stated herein without being required to sign any release or waiver or rights to which he may be entitled under any other insurance coverage applicable; nor shall payment under this section to such insured be delayed or made contingent upon the decisions as to liability or distribution of loss costs under other bodily injury liability insurance or any bond applicable to the accident. Any loss payable under the terms of the uninsured motorist endorsement or coverage to or for any person may be reduced:

(1) By the amount paid and the present value of all amounts payable to him under any workmen's compensation law exclusive of nonoccupational disability benefits.

(2) By the amounts paid or due to be paid under any valid and collectible automobile medical payment insurance available to the insured. This paragraph shall remain in effect until December 31, 1970, and shall have no force or effect after that date.

(3) By the amount the insured is entitled to recover from any other person insured ~~under the~~ underlying ~~liability~~ insurance policy of which the uninsured motorist endorsement or coverage is a part.

(i) No cause of action shall accrue to the insured under any policy or endorsement provision issued pursuant to this section unless within one year from the date of the accident:

(1) Suit for bodily injury has been filed against the uninsured motorist, in a court of competent jurisdiction, or

(2) Agreement as to the amount due under the policy has been concluded, or

(3) The insured has formally instituted arbitration proceedings.

(j) Notwithstanding the provisions of subdivisions (b) and (i), in the event the accident occurs in any other state or foreign jurisdiction to which coverage is extended under the policy and the insurer of the tortfeasor becomes insolvent, any action authorized pursuant to the provisions of this section may be maintained within three months of

the insolvency of the tortfeasor's insurer, but in no event later than the pertinent period of limitation of the jurisdiction in which the accident occurred.

(k) Notwithstanding the provisions of subdivision (i), any insurer whose insured has made a claim under his or her uninsured motorist coverage, and such claim is pending, shall, at least 30 days before the expiration of the applicable statute of limitation, notify its insured in writing of the statute of limitation applicable to such injury or death. Failure of the insurer to provide such written notice shall operate to toll any applicable statute of limitation or other time limitation for a period of 30 days from the date such written notice is actually given.

SEC. 4. Section 11580.2 of the Insurance Code is amended to read:

11580.2 (a) *(1)* No policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle, shall be issued or delivered in this state to the owner or operator of a motor vehicle, or shall be issued or delivered by any insurer licensed in this state upon any motor vehicle then principally used or principally garaged in this state, unless the policy contains, or has added to it by endorsement, a provision with coverage limits at least equal to the financial responsibility requirements specified in Section 16059 of the Vehicle Code insuring the insured, his heirs or his legal representative for all sums within such limits which he or they, as the case may be, shall be legally entitled to recover as damages for bodily injury or wrongful death from the owner or operator of an uninsured motor vehicle. The insurer and any names insured *under a policy of bodily injury liability insurance covering liability arising out of the ownership, maintenance, or use of a motorcycle as defined in Section 400 of the Vehicle Code or a motor-driven cycle as defined in Section 405 of the Vehicle Code*, prior to or subsequent to the issuance or renewal of ~~a~~ *the* policy, may, by *an* agreement in writing, *in the form specified in paragraph (2)*, delete the provision covering damage caused by an uninsured motor vehicle (1) completely, or (2) with respect to a natural person or persons designated by name when operating ~~a motor vehicle~~ *the motorcycle or motor-driven cycle*. Either of such deletions by any named insured shall be binding upon every insured to whom such policy or endorsement provisions apply while such policy is in force, and shall continue to be so binding with respect to any continuation, renewal, or replacement of such policy by the named insured, or with respect to reinstatement of such policy within 30 days of any lapse thereof. A policy shall be excluded from the application of this section if the only coverage with respect to the use of any motor vehicle is limited to the contingent liability arising out of the use of renowned motor vehicles.

(2) The agreement specified in paragraph (1) shall be in the following form:

"The California Insurance Code requires an insurer to provide uninsured motorists coverage in each bodily injury liability insurance policy it issues covering liability arising out of the ownership, maintenance, or use of a motor vehicle. Such section also permits the insurer and the applicant to delete such coverage completely or with respect

to one or more natural persons designated by name when operating a motor vehicle Uninsured motorists coverage insures the insured, his heirs, or legal representatives for all sums within the financial responsibility limits which such person or persons are legally entitled to recover as damages for bodily injury, including any resulting sickness, disease, or death, to him from the owner or operator of an uninsured motor vehicle not owned or operated by the insured"

Such agreement may contain additional statements not in derogation of or conflict with the foregoing The execution of such agreement shall relieve the insurer of liability under this section while such agreement remains in effect.

(b) As used in (a) above, "bodily injury" includes sickness or disease, including death, resulting therefrom; the term "named insured" means only the individual or organization named in the declarations of the policy of motor vehicle bodily injury liability insurance referred to in (a) above, as used in (a) above the term "insured" means the named insured and the spouse of the named insured and relatives of either while residents of the same household while occupants of a motor vehicle or otherwise, heirs and any other person while in or upon or entering into or alighting from an insured motor vehicle and any person with respect to damages he is entitled to recover for care or loss of services because of bodily injury to which the policy provisions or endorsement apply; the term "insured motor vehicle" means the motor vehicle described in the underlying insurance policy of which the uninsured motorist endorsement or coverage is a part, a temporary substitute or a newly acquired automobile for which liability coverage is provided in the policy if the motor vehicle is used by the named insured or with his permission or consent, express or implied, and any other automobile not owned by the named insured or any resident of the same household while being operated by the named insured or his spouse if a resident of the same household, but the term "insured motor vehicle" shall not include any automobile while used as a public or livery conveyance The term "uninsured motor vehicle" means a motor vehicle with respect to the ownership, maintenance or use of which there is no bodily injury liability insurance or bond applicable at the time of the accident, or there is such applicable insurance or bond but the company writing the same denies coverage thereunder or refuses to admit coverage thereunder except conditionally or with reservation, or a motor vehicle used without the permission of the owner thereof if there is no bodily injury liability insurance or bond applicable at the time of the accident with respect to the owner or operator thereof, or the owner or operator thereof be unknown, provided that, with respect to an "uninsured motor vehicle" whose owner or operator is unknown

(1) The bodily injury has arisen out of physical contact of such automobile with the insured or with an automobile which the insured is occupying.

(2) The insured or someone on his behalf shall have reported the accident within 24 hours to the police department of the city where the accident occurred or, if the accident occurred in unincorporated territory then either to the sheriff of the county where the accident occurred

or the local headquarters of the California Highway Patrol, and have filed with the insurer within 30 days thereafter a statement under oath that the insured or his legal representative has or the insured's heirs have a cause of action arising out of such accident for damages against a person or persons whose identity is unascertainable and set forth facts in support thereof The term "uninsured motor vehicle" shall not include an automobile owned by the named insured or any resident of the same household or self-insured within the meaning of the safety responsibility law of the state in which the motor vehicle is registered or which is owned by the United States of America, Canada, a state or political subdivision of any such government or an agency of any of the foregoing, or a land motor vehicle or trailer operated on rails or crawlertreads or while located for use as a residence or premises and not as a vehicle, or a farm-type tractor or equipment designed for use principally off public roads, except while actually upon public roads.

The term "uninsured motor vehicle" also means an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency An insurer's solvency protection shall be applicable only to accidents occurring during a policy period in which its insured's motor vehicle coverage is in effect where the liability insurer of the tortfeasor becomes insolvent within one year of such accident In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment, shall to the extent thereof, be entitled to any proceeds which may be recoverable from the assets of the insolvent insurer through any settlement or judgment of such person against the insolvent insurer.

(c) The insurance coverage provided for in this section does not apply.

(1) To property damage sustained by the insured

(2) To bodily injury of the insured while in or upon or while entering into or alighting from an automobile other than the described automobile if the owner thereof has insurance similar to that provided in this section

(3) To bodily injury of the insured with respect to which the insured or his representative shall, without the written consent of the insurer, make any settlement with or prosecute to judgment any action against any person who may be legally liable therefor.

(4) In any instance where it would inure directly or indirectly to the benefit of any workmen's compensation carrier or to any person qualified as a self-insurer under any workmen's compensation law, *or directly to the benefit of the United States, or any state or any political subdivision thereof*.

(5) To establish an exemption as provided in subdivisions (a), (b), and (c) of Section 16057 of the Vehicle Code.

(6) To bodily injury of the insured while occupying a motor vehicle owned by an insured, unless the occupied vehicle is an insured motor vehicle

(7) To bodily injury of the insured when struck by a vehicle owned by an insured

(d) Subject to paragraph (c)(2), the policy or endorsement may provide that if the insured has insurance available to him under more than one uninsured motorist coverage provision, any damages shall not be deemed to exceed the higher of the applicable limits of the respective coverages, and such damages shall be prorated between the applicable coverages as the limits of each coverage bears to the total of such limits.

(e) The policy or endorsement added thereto may provide that if the insured has valid and collectible automobile medical payment insurance available to him, the damages which he shall be entitled to recover from the owner or operator of an uninsured motor vehicle shall be reduced for purposes of uninsured motorist coverage by the amounts paid or due to be paid under such automobile medical payment insurance This subdivision shall become operative on January 1, 1971

(f) The policy or an endorsement added thereto shall provide that the determination as to whether the insured shall be legally entitled to recover damages, and if so entitled, the amount thereof, shall be made by agreement between the insured and the insurer or, in the event of disagreement, by arbitration The arbitration shall be conducted by a single neutral arbitrator. An award or a judgment confirming an award shall not be conclusive on any party in any action or proceeding between (i) the insured, his insurer, his legal representative, or his heirs and (ii) the uninsured motorist to recover damages arising out of the accident upon which the award is based *If the insured has or may have rights to benefits, other than nonoccupational disability benefits, under any workmen's compensation law, the arbitrator shall not proceed with the arbitration until the insured's physical condition is stationary and ratable In those cases in which the insured claims a permanent disability, such claims shall, unless good cause be shown, be adjudicated by award or settled by compromise and release before the arbitration may proceed Any demand or petition for arbitration shall contain a declaration, under penalty of perjury, stating whether (i) the insured has a workmen's compensation claim; (ii) such claim has proceeded to findings and award or settlement on all issues reasonably contemplated to be determined in that claim; and (iii) if not, what reasons amounting to good cause are grounds for the arbitration to proceed immediately* The provisions of Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall be applicable to such determinations, and all rights, remedies, obligations, liabilities and procedures set forth in ~~said~~ *such* Article 3 shall be available to both the insured and the insurer at any time after the accident, both before and after the commencement of arbitration, if any, with the following limitations:

(1) Whenever in ~~said~~ *such* Article 3, reference is mad to the court in which the action is pending, or provision is made for application to the court or obtaining leave of court or approval by the court, the court which shall have jurisdiction for the purposes of this section shall be the superior court of the State of California, in and for any county which is a proper county for the filing of a suit for bodily injury arising out of the accident, against the uninsured motorist, or

any county specified in the policy or an endorsement added thereto as a proper county for arbitration or action thereon.

(2) Any such proper court to which application is first made by either the insured or the insurer under the provisions of ~~said~~ *such* Article 3 for any discovery or other relief or remedy, shall thereafter be the only court to which either of the parties shall make any applications under ~~said~~ *such* Article 3 with respect to the same accident, subject, however, to the right of such court to grant a change of venue after a hearing upon notice, upon any of the grounds upon which change of venue might be granted in an action filed in the superior court

(3) A deposition pursuant to the provisions of Section 2016 of the Code of Civil Procedure may be taken without leave of court, except that leave of court, granted with or without notice and for good cause shown, must be obtained if the notice of the taking of the deposition is served by either party within 20 days after the accident

(4) The provisions of subparagraph (a)(4) of Section 2019 of the Code of Civil Procedure shall not be applicable to discovery under this section

(5) For the purposes of discovery under this section, the insured and the insurer shall each be deemed to be "a party to the record of any civil action or proceedings," where that phrase is used in subparagraph (b)(2) of Section 2019 of the Code of Civil Procedure.

(6) Interrogatories under the provisions of Section 2030 of the Code of Civil Procedure and requests for admission under Section 2033 may be served by either the insured or the insurer upon the other at any time more than 20 days after the accident without leave of court

(7) Nothing in this section shall be construed to limit the rights of any party to discovery in any action pending or which may hereafter be pending in any court

(g) The insurer paying a claim under an uninsured motorist endorsement or coverage shall be entitled to be subrogated to the rights of the insured to whom such claim was paid against any person causing such injury or death to the extent that payment was made Such action may be brought within three years from the date that payment was made hereunder

(h) An insured entitled to recovery under the uninsured motorist endorsement or coverage shall be reimbursed within the conditions stated herein without being required to sign any release or waiver or rights to which he may be entitled under any other insurance coverage applicable, nor shall payment under this section to such insured be delayed or made contingent upon the decisions as to liability or distribution of loss costs under other bodily injury liability insurance or any bond applicable to the accident Any loss payable under the terms of the uninsured motorist endorsement or coverage to or for any person may be reduced·

(1) By the amount paid and the present value of all amounts payable to him under any workmen's compensation law exclusive of nonoccupational disability benefits

(2) By the amounts paid or due to be paid under any valid and collectible automobile medical payment insurance available to the insured. This paragraph shall remain in effect until December 31, 1970, and shall have no force or effect after that date

(3) By the amount the insured is entitled to recover from any other person insured under the underlying liability insurance policy of which the uninsured motorist endorsement or coverage is a part

(i) No cause of action shall accrue to the insured under any policy or endorsement provision issued pursuant to this section unless within one year from the date of the accident

(1) Suit for bodily injury has been filed against the uninsured motorist, in a court of competent jurisdiction, or

(2) Agreement as to the amount due under the policy has been concluded, or

(3) The insured has formally instituted arbitration porceedings

(j) Notwithstanding the provisions of subdivisions (b) and (i), in the event the accident occurs in any other state or foreign jurisdiction to which coverage is extended under the policy and the insurer of the tortfeasor becomes insolvent, any action authorized pursuant to the provisions of this section may be maintained within three months of the insolveney of the tortfeasor's insurer, but in no event later than the pertinent period of limitation of the jurisdiction in which the accident occurred.

(k) Notwithstanding the provisions of subdivision (i), any insurer whose insured has made a claim under his or her uninsured motorist coverage, and such claim is pending, shall, at least 30 days before the expiration of the applicable statute of limitation, notify its insured in writing of the statute of limitation applicable to such injury or death Failure of the insurer to provide such written notice shall operate to toll any applicable statute of limitation or other time limitation for a period of 30 days from the date such written notice is actually given.

SEC 5. Sections 11 and 12 of this act shall become operative on the effective date of this act. Section 6250 of the Civil Code, as added by Section 2 of this act, shall become operative on July 1, 1973 All other provisions of this act shall become operative on January 1, 1974

SEC. 6. This act shall apply only to bodily injury, sickness, disease, or death arising out of the ownership, maintenance, or use of a motor vehicle on or after January 1, 1974, and prior to January 1, 1978

SEC. 7. The Insurance Commissioner and the Department of Motor Vehicles are authorized to perform any acts prior to January 1, 1974, which are necessary for the implementation of this act on January 1, 1974.

SEC 8 Any insurer who has issued a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle other than a motorcycle or motor-driven cycle which is in effect on January 1, 1974, shall provide for the payment under the policy of the personal injury protection benefits described in Article 1 (commencing with Section 6150) of Chapter 3 of Part 6 of the Civil Code, as added by Section 2 of this act The insurer shall adjust the premium charged for the policy pursuant to rules and regulations prescribed by the Insurance Commissioner

SEC. 9. If any provision of this act or its application to any person or circumstance is invalid, the invalidity of the provision or application shall not affect any other provision of this act or its application to any person or circumstance which can be given effect without the invalid provision or application.

If Sections 6600 and 6601 of the Civil Code, as added by Section 2 of this act, or their application to any person or circumstance is invalid, Section 6451 of the Civil Code, as added by Section 2 of this act, shall not be operative.

SEC. 10. Any insurer who issues policies of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle may bring an action in the superior court prior to the operative date of this act for a declaration of its rights, duties, and obligations under this act regarding the issuance of policies of insurance which provide for the payment of the personal injury protection benefits described in Article 1 (commencing with Section 6150) of Chapter 3 of Part 6 of the Civil Code, as added by Section 2 of this act, and any other matters pertaining to its rights, duties, and obligations under this act

The court shall permit any of the following persons to intervene in the action:

(a) The Attorney General.

(b) Any other person whose appearance is determined by the court to be essential to a complete determination or settlement of any issues in the action.

The action shall be commenced in the superior court in which the Attorney General is required to reside and keep his office pursuant to Section 1060 of the Government Code.

The action shall be set for trial at the earliest possible date and shall take precedence over all cases other than those in which the state is a party.

The court may make a binding declaration of the rights, duties, and obligations of the insurer, whether or not further relief is or could be claimed at the time. The declaration may be affirmative or negative in form and effect and shall have the force and effect of a final judgment.

If the declaration is appeal, the appeal shall be given precedence in the court of appeal and Supreme Court and placed on the calendar in the order of its date of issue immediately following cases in which the state is a party.

The remedy established by this section is cumulative and shall not be construed as restricting any remedy established for the benefit of any party to the action by any other provision of law No declaration under this section shall preclude any party from obtaining additional relief based upon the same facts

SEC 11 In carrying out its duties and responsibilities, the Advisory Commission on Motor Vehicle Reparations created pursuant to Senate Concurrent Resolution No 80 of the 1972 Regular Session of the Legislature may do any of the following·

(1) Meet at any times and places as it deems proper.

(2) As a body or, on the authorization of the chairman, as a subcommittee composed of one or more members, hold hearings at any times and places which it deems proper.

(3) Issue subpoenas to compel the attendance of witnesses and the production of books, records, papers, accounts, reports and documents.

(4) Administer oaths.

(5) Cooperate and coordinate with all state and local agencies now or hereafter engaged in, or concerned with, motor vehicle reparations.

(6) Cooperate with, and secure the cooperation of, the courts of this state in investigating any matter within the scope of its duties and responsibilities and enlist the aid of the Judicial Council in facilitating such investigation.

(7) Cooperate with, and secure the cooperation of, county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and direct the sheriff of any county or any marshal to serve subpoenas, orders, or other process.

(8) Certify to the superior court of any county in which proceedings are held the facts concerning the disobedience or resistance, by any person, of any lawful order, or the refusal of any person to respond to a subpoena, take the oath or affirmation as a witness, or be examined, or the misconduct of any person during a hearing; and to receive the assistance of the court in enforcing orders and process, in the manner prescribed by Section 11525 of the Government Code.

(9) Cooperate with every department, agency, or instrumentality in the state government; and secure directly from every department, agency, or instrumentality full cooperation, access to its records, and access to any information, suggestions, estimates, data, and statistics it may have available.

SEC. 12. It is the intent of the Legislature, if this bill and Senate Bill No. 66 are both chaptered and amend Section 11580.2 of the Insurance Code, and this bill is chaptered after Senate Bill No. 66, that Section 11580.2 of the Insurance Code, as amended by Section 1 of Senate Bill No. 66, be operative until January 1, 1974, and be further amended on January 1, 1974, in the form set forth in Section 4 of this act to incorporate the changes in Section 11580.2 proposed by this bill. Therefore, Section 4 of this act shall become operative only if Senate Bill No. 66 is chaptered before this bill and amends Section 11580.2, and in such case Section 4 of this act shall become operative on January 1, 1974, and Section 3 of this act shall not become operative."

Amendment No. 4

Strike out page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Pursuant to the previous suspension of the Rules, the following bills were taken up without reference to file:

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

House Resolution No. 131—Relative to Perris Reservoir.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation, was read, and adopted:

Amendment No. 1

In line 3 of the first *Resolved* clause of the printed measure, as printed on page 7807 of the Assembly Journal for November 22, 1972, strike out "requested", and insert "directed".

House Resolution No. 131, as Amended

By Assemblyman Seeley (Coauthor: Senator Biddle):

House Resolution No. 131

Relative to Perris Reservoir

WHEREAS, Item 330 of the Budget Act of 1972 appropriated funds to the Department of Navigation and Ocean Development for the construction of boating facilities at Perris Reservoir; and

WHEREAS, Item 327 of the Budget Act of 1972 appropriated funds to the Department of Parks and Recreation for recreation facilities at Perris Reservoir; and

WHEREAS, Both these appropriations are to be expended through a construction contract administered by the Department of Water Resources in which the funds from the above appropriations are to be pooled; and

WHEREAS, With the additional expenditure of approximately $28,500, provision can be made for only the underwater portion of a third, 8-lane launching ramp, the construction of which was delayed by the Legislature pending completion of a boating plan for the reservoir; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Navigation and Ocean Development and the Department of Parks and Recreation are directed to provide in the initial construction contract for recreation and boating facilities at Perris Reservoir for the inclusion of only the underwater portion of a third launching ramp using funds now available in the Budget Act of 1972; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Navigation and Ocean Development and to the Department of Parks and Recreation

Resolution, as amended, ordered to the Second Day Consent Calendar.

SECOND READING OF SENATE BILLS

Senate Bill No. 816—An act to add Section 99276 to the Public Utilities Code, relating to public transportation systems

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 424—An act to amend Section 218 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in Senate April 6, 1972, after "SEC 2 ", insert "Section 218 of the Revenue and Taxation Code is amended to read.

218. The ~~homeowner's~~ *homeowners'* property tax exemption is the amount of the assessed value of the dwelling ~~as~~ specified in *this section, as authorized by* Section 1d of Article XIII of the Constitution

For the 1972–1973 fiscal year, such exemption shall be in the amount of seven hundred fifty dollars ($750) of the assessed value of the dwelling.

For the 1973–1974 fiscal year and fiscal years thereafter, such exemption shall be in the amount of one thousand seven hundred fifty dollars ($1,750) of the assessed value of the dwelling

The exemption does not extend to property which is rented, vacant, under construction on the lien date, or which is a vacation or secondary home of the owner or owners, nor does it apply to property on which an owner receives the veteran's exemption, ~~or to property for which an owner received an allowance for taxes, either in whole or in part, either directly or indirectly, for the property tax year from the state or any political subdivision thereof, except assistance received under the Senior Citizens Property Tax Assistance Law provided for in Part 10.5 (commencing with Section 19501) of Division 2 of this code~~. "Owner" includes a person purchasing the dwelling under a contract of sale or who holds shares or membership in a cooperative housing corporation, which holding is a requisite to the exclusive right of occupancy of a dwelling As used in this section, "dwelling" shall include:

(a) A single-family dwelling occupied by an owner thereof as his principal place of residence on the lien date.

(b) A multiple-dwelling unit occupied by an owner thereof on the lien date as his principal place of residence ~~As used in this subdivision, "multiple-dwelling unit" does not include any unit containing more than two separate dwelling units~~

(c) A condominium occupied by an owner thereof as his principal place of residence on the lien date.

(d) Premises occupied by the owner of shares or a membership interest in a cooperative housing corporation, as defined in Section 17265,

as his principal place of residence on the lien date Each exemption allowed pursuant to this subdivision shall be deducted from the total assessed valuation of the cooperative housing corporation. The exemption shall be taken into account in apportioning property taxes among owners of share or membership interests in the cooperative housing corporations so as to benefit those owners who qualify for the exemption.

"Dwelling" means a building, structure or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated. For purposes of this section a two-dwelling unit shall be considered as two separate single-family dwellings.

The exemption provided for in Section 1d of Article XIII of the Constitution shall first be applied to the building, structure or other shelter and the excess, if any, shall be applied to any land on which it may be located.

SEC 3. It is the intent of the Legislature, if this bill and Senate Bill No 90 are both chaptered and change Section 218 of the Revenue and Taxation Code, and this bill is chaptered after Senate Bill No. 90, that Section 218 of the Revenue and Taxation Code, as repealed and added by Sections 12 5 and 13 of Senate Bill No 90 be further amended on the operative date of this act in the form set forth in Section 2 of this act to incorporate the changes in Section 218 proposed by this bill Therefore, Section 2 of this act shall become operative only if Senate Bill No 90 is chaptered before this bill and repeals and adds Section 218, and in such case Section 2 of this act shall become operative on the operative date of this act and Section 1 of this act shall not become operative

SEC 4 "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 65—Relative to the Sacramento-San Joaquin Delta.

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

Immediately below the heading of the printed measure, insert

"(Coauthors Assemblymen Z'berg and Dent)".

Amendment No. 2

On page 1, line 3, strike out "in adopting", and insert "when it adopted".

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 419—An act to amend Sections 985 and 2626 of, and to add Section 2626 2 to, the Unemployment Insurance Code, relating to unemployment disability compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted·

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Senate July 28, 1972, strike out "Regular disability", and insert "Disability".

Amendment No. 2

On page 2, line 24, after "abnormal", insert "and involuntary".

Amendment No. 3

On page 2, line 28, strike out "Regular disability", and insert "Disability".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 903—An act to amend Sections 8 and 10 1 of, and to add Sections 10 4 and 10 5 to, the San Mateo County Flood Control District Act (Chapter 2108 of the Statutes of 1959), relating to the San Mateo County Flood Control District.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, after "District", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 7, after line 21, insert

"SEC 5 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

The San Mateo County Flood Control District is facing an emergency situation due to the exceptional amount of rainfall now being experienced. In order to enable the district to exercise the powers granted by this act at the earliest possible time in order to meet this emergency situation, it is necessary that this act go into immediate effect."

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar

Senate Bill No. 1075—An act to add Section 8254.7 to the Fish and Game Code, relating to lobsters.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted:

Amendment No. 1

On page 2, lines 12 and 13, of the printed bill, as amended in Senate June 12, 1972, strike out "petition the commission to immediately hold a public hearing", and insert "request a hearing, and, within 20 days after such request has been made, a hearing shall be commenced which shall be held".

Amendment No. 2

On page 2, line 15, after "Code", insert ", and the commission shall have the powers of any agency under such provisions A decision shall be made within a reasonable time".

Amendment No. 3

On page 2, line 23, strike out "the spirit of".

Amendment No. 4

On page 2, line 23, after "interest", insert ", and shall find whether there is sufficient evidence that a violation has occurred. A failure to make a finding that there is sufficient evidence that a violation has occurred or a finding there is insufficient evidence shall terminate the suspension of the permit under this section".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1084—An act to add Section 8306.7 to the Fish and Game Code, relating to abalones

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources and Conservation, were read, and adopted.

Amendment No. 1

On page 2, lines 12 and 13, of the printed bill, as amended in Senate June 12, 1972, strike out "petition the commission to immediately hold a public hearing", and insert "request a hearing, and, within 20 days after such request has been made, a hearing shall be commenced which shall be held".

Amendment No. 2

On page 2, line 15, after "Code", insert ", and the commission shall have the powers of any agency under such provisions. A decision shall be made within a reasonable time".

Amendment No. 3

On page 2, line 23, strike out "the spirit of".

Amendment No. 4

On page 2, line 23, after "interest", insert ", and shall find whether there is sufficient evidence that a violation has occurred. A failure to

make a finding that there is sufficient evidence that a violation has occurred or a finding there is insufficient evidence shall terminate the suspension of the permit under this section".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 481—An act to amend Section 4828 of the Business and Professions Code, relating to veterinary medicine.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

Senate Chamber, November 27, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 90

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 90—Approving amendments to the Charter of the County of Sacramento, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November 1972.

Held at Desk by order of the Acting Speaker.

ADJOURNMENT

At 5:14 p.m., Acting Speaker Fenton declared the Assembly adjourned until 11 a.m., Wednesday, November 29, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-fourth Legislative Day

Three Hundred Thirty-second Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, November 29, 1972

The Assembly met at 11 a m

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—74.

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by the Honorable L E Townsend, Member of the Assembly, 67th District·

Dear Heavenly Father, We are thankful for these positions of trust Grant us the character to match our privileges with just responsibilities

Today in the Assembly, grant each of us the wisdom and courage in our efforts to promote a better society through just and valuable legislation. Hasten the day when the law of God will be done on earth as it is in Heaven

All this we pray in Your name, Dear Lord —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Maddy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Mobley, seconded by Mr. Monagan.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr. Belotti, on request of Speaker pro Tempore Bee.
Mr Deddeh, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Brophy, on request of Speaker pro Tempore Bee.
Mr. Chappie, on request of Speaker pro Tempore Bee.

COMMUNICATIONS

Assembly Chamber, November 29, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 544—An act to amend Section 18655 1 of the Financial Code, relating to industrial loan companies, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2104—An act to add Section 74343 4 to the Government Code, relating to courts,

Assembly Bill No. 2341—An act to add Article 3.5 (commencing with Section 8574.1) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to the state oil spill contingency plan, and making an appropriation therefor;

And reports the same correctly enrolled, and presented to the Governor at 10 a m., November 29, 1972

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Health

Assembly Chamber, November 29, 1972

Mr. Speaker: Your Committee on Health reports:

SJR No. 30

With the recommendation: Be adopted, and be re-referred to the Committee on Rules with recommendation to Consent

CAMPBELL, Chairman

Above resolution re-referred to the Committee on Rules.

Assembly Chamber, November 29, 1972

Mr. Speaker: Your Committee on Health reports:

SB No. 542

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CAMPBELL, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 340

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Short, Harmer, and Bradley as a Committee on Conference concerning.

Assembly Bill No. 1277

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 134

ACR No. 135

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, November 28, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 107

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 1757

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 282
AB No. 359
AB No. 1709
AB No. 2196
AB No. 2249

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No. 1264

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1264—An act to add Article 8 (commencing with Section 11921) to Chapter 4 of Division 9 of the Education Code, relating to pupil nutrition.

Held at Desk by order of the Speaker pro Tempore.

Majority Floor Leader Presiding

At 11:16 a.m., Hon. Jack R. Fenton, 51st District, presiding.

QUORUM CALL OF THE ASSEMBLY

Acting Speaker Fenton placed a quorum call upon the Assembly.

Time, 11:18 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2316—An act to amend Sections 7514, 7523, and 7580 of, and to add Section 7550.5 to, the Business and Professions Code, relating to private investigators and adjusters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2316?

Senate Amendments of July 13, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 16, 1972, strike out "Section 7071.11", and insert "Sections 7514 and 7523".

Amendment No. 2

In line 2 of the title, strike out "contractors", and insert "private investigators and adjusters".

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Section 7514 of the Business and Professions Code is amended to read:

7514 The director may adopt and enforce reasonable rules:

(a) Classifying licensees according to the type of business regulated by this chapter in which they are engaged, including but not limited to private investigators, private patrol operators, insurance adjusters, and repossessors, and limiting the field and scope of the operations of a licensee to those in which he is classified and qualified to engage

(b) Fixing the qualifications of licensees and managers, in addition to those prescribed in this chapter, necessary to promote and protect the public welfare.

(c) Carrying out generally the provisions of this chapter, including regulation of the conduct of licensees.

(d) For a change in the classification of a licensee, or in the type of business organization upon application therefor by a licensee, and to prescribe the fee, if any, to be paid.

(e) Establishing the qualifications which a uniformed employee of a licensee who operates a private patrol must meet as a condition of becoming eligible to carry firearms pursuant to Section 12031.5 of the Penal Code

(f) Requiring the uniformed employees of a private patrol operator, as defined in this chapter, to register with the bureau, including in such registration full information as to the identification and employment of such employees The director may refuse such registration to any person of bad moral character, and may impose such reasonable additional requirements as are necessary to meet local needs and are not inconsistent with the provisions of this chapter

(g) Requiring private patrol operators to maintain detailed records identifying all firearms in their possession or under their control, and the employees or persons authorized to carry or have access to such firearms

SEC 2 Section 7523 of the Business and Professions Code is amended to read

7523 The provisions of this chapter shall not prevent the local authorities of any city, county, or city and county, by ordinance and within the exercise of the police power of such city, county, or city and county from imposing local regulations upon any ~~private patrol operator, as defined in this chapter, or his employees~~, *street patrol special officer or upon any person who furnishes street patrol service or street patrol special officers* requiring registration with an agency to be designated by the city, county, or city and county, including in such registration full information as to the identification and employment and subject to the right of the city, county, or city and county to allocate

certain portions of the territory in such city, county, or city and county within which the activities of any such *street patrol service or* person shall be confined. Any city, county, or city and county may refuse such registration to any person of bad moral character and may impose such reasonable additional requirements as are necessary to meet local needs and are not inconsistent with the provisions of this chapter."

Amendment No. 4

On page 2, strike out lines 2 to 38, inclusive; and strike out page 3.

Senate Amendments of July 25, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 13, 1972, strike out "and 7523", and insert ", 7523, and 7580".

Amendment No. 2

In line 2 of the title, after "of", insert ", and to add Section 7550 5 to,".

Amendment No. 3

On page 2, line 26, strike out "the", and insert "each".

Amendment No. 3.5

On page 2, line 26, strike out "employees", and insert "employee".

Amendment No. 4

On page 2, line 27, strike out "register", and insert "be registered".

Amendment No. 5

On page 2, line 28, strike out ", including in such registration full"; strike out line 29; and in line 30. strike out "such employees", and insert "upon application on a form prescribed by the director accompanied by the registration fee and by two classifiable sets of fingerprints of the applicant; establishing the term of the registration for a period of not less than two nor more than four years; and providing for the renewal thereof upon proper application and payment of the renewal fee."

Amendment No. 6

On page 3, line 1, strike out "of bad", and insert "who lacks good".

Amendment No. 7

On page 3, strike out lines 18 and 19; and in line 20, strike out "officers", and insert "private patrol operator, as defined in this chapter, or his employees who are unable to furnish evidence of current registration pursuant to subdivision (f) of Section 7514".

Amendment No. 7.5

On page 3, in lines 26 and 27, strike out "street patrol service or".

Amendment No. 8

On page 5, after line 10, insert

"SEC. 3. Section 7550.5 is added to the Business and Professions Code, to read:

7550 5. A person registered under the provisions of subdivision (f) of Section 7514 shall be deemed to be a licensee for the purposes of this article.

SEC 4. Section 7580 of the Business and Professions Code is amended to read:

7580. The amount of fees prescribed by this chapter, unless otherwise fixed, is that fixed in the following schedule.

(a) The application fee for an original license in any classification is twenty-five dollars ($25)

(b) The application fee for an original branch office certificate is fifteen dollars ($15).

(c) The fee for an original license is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the license is issued, except that, if the license will expire less than one year after its issuance, then the fee is an amount equal to 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the license is issued. The director may, by appropriate regulation, provide for the waiver or refund of the initial license fee where the license is issued less than 45 days before the date on which it will expire

(d) The renewal fee shall be fixed by the director as follows·

(1) For a license as an insurance adjuster, repossessor, private investigator, or private investigator and private patrol operator, not more than one hundred dollars ($100).

(2) For a license as a private patrol operator, not more than fifty dollars ($50)

(3) For a branch office certificate, not more than twenty dollars ($20).

(e) The application and license fee for classifications prescribed by the director, in addition to those provided for in this chapter, and the application and license fees for a change in the type of business organization of a licensee, shall be in the amount prescribed by rule and regulation of the director.

(f) The delinquency fee is an amount equal to 25 percent of the renewal fee in effect on the date of expiration.

(g) The fee for reexamination of an applicant or his manager is ten dollars ($10)

(h) Fees to carry out the provisions of subdivisions (e) and (f) of Section 7514 shall be fixed by the director as follows:

(1) A registration fee of not more than ten dollars ($10)

(2) A registration renewal fee of not more than five dollars ($5)

(3) A firearms qualification fee of not more than five dollars ($5). "

Senate Amendments of November 17, 1972

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Senate July 25, 1972, after "may", insert ", after opportunity for hearing,".

Amendment No. 2

On page 3, strike out line 8, and insert

"(g) Establishing procedures whereby the local authorities of any city, county, or city and county may file charges with the director alleging that any uniformed employee of a private patrol operator who has registered, or is an applicant for registration, with the bureau fails to meet standards for registration, and providing further for the investigation of such charges.

(h) Requiring private patrol operators to maintain".

Amendment No. 3

On page 3, strike out line 15, and insert

"7523. (a) The provisions of this chapter shall not prevent the local authorities of any city, county, or city and county, by ordinance and within the exercise of the police power of such city, county, or city and county from imposing local regulations upon any street patrol special officer or upon any person who furnishes street patrol service or street patrol special officers requiring registration with an agency to be designated by the city, county, or city and county, including in such registration full information as to the identification and employment and subject to the right of the city, county, or city and county to allocate certain portions of the territory in such city, county, or city and county within which the activities of any such street patrol service or person shall be confined Any city, county, or city and county may refuse such registration to any person of bad moral character and may impose such reasonable additional requirements as are necessary to meet local needs and are not inconsistent with the provisions of this chapter

(b) The provisions of this chapter shall not prevent".

Amendment No. 4

On page 3, strike out lines 21 and 22, and insert "employees of a private patrol operator who".

Amendment No. 5

On page 3, line 24, strike out "requiring"; and strike out lines 25 to 35, inclusive; and in line 36, strike out "are not inconsistent with the provisions of this chapter".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Collier, Conrad, Cory, Cullen, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—48.

NOES—None

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 29, 1972

Mr. Speaker: The Committee on Conference concerning

Assembly Bill No. 1277, as amended in Senate August 3, 1972—An act to amend Section 20017.77 of the Government Code, and to amend Section 1752 of the Welfare and Institutions Code, relating to correctional counselors,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate August 3, 1972, after the comma, insert "to amend Section 6053 of the Penal Code,".

Amendment No. 2

On page 3, between lines 9 and 10, insert

"SEC. 1.5. Section 6053 of the Penal Code is amended to read:

6053. All persons other than temporary appointees heretofore serving in the state civil service and engaged in the performance of a function transferred to the department or engaged in the administration of a law, the administration of which is transferred to the department, shall remain in the state civil service and are hereby transferred to the department on the effective date of this section, and their status, positions and rights shall not be affected by their transfer and shall continue to be retained by them pursuant to the State Civil Service Act. The director, pursuant to the State Civil Service Act, shall be the appointing authority for the department for all civil service positions except those civil service positions in the Youth Authority and the parole employees of the California Women's Board of Terms and Parole. Positions not heretofore established, which are exclusively for the California Institution for Women or exclusively for the Youth Authority, shall be filled pursuant to the State Civil Service Act.

Notwithstanding Section 18932 of the Government Code, the maximum age shall be 35 years for any open examination for the position of correctional officer, women's correctional supervisor I, parole agent I, *correctional counselor I,* and other custodial and parole positions which normally afford entry into the Department of Corrections service, *unless the applicant is already a "state safety" member for the purpose of retirement and disability benefits.*"

Amendment No. 3

On page 3, line 26, strike out "correctional counselor I,".

Amendment No. 4

On page 3, strike out lines 29 to 31, inclusive, and insert "applicant is already a "state safety" ".

The undersigned consent to the report:

JOHN L. HARMER	BOB MONAGAN
CLARK BRADLEY	KEN MacDONALD
	BILL LANCASTER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Collier, Conrad, Cory, Cullen, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wood, Z'berg, and Mr. Speaker—48.

NOES—None.

MOTION TO RECONSIDER MOTION TO RE-REFER SENATE BILL NO. 840 TO COMMITTEE WAIVED

Mr. Monagan waived his motion to reconsider the vote whereby the motion to re-refer Senate Bill No. 840 to the Committee on Elections and Reapportionment was defeated.

Senate Bill No. 840 ordered placed upon the third reading file.

THIRD READING OF SENATE BILLS

Senate Bill No. 1507—An act to amend Sections 986.3 and 986.5 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Mobley.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Collier, Conrad, Cory, Crown, Cullen, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Collier, Conrad, Cory, Crown, Cullen, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman,

MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1118—An act to amend the heading of Title 7 (commencing with Section 65000) of, to add a division heading immediately below the heading of Title 7 (commencing with Section 65000) of, and to add Division 2 (commencing with Section 66410) to Title 7 of, the Government Code, and to repeal Chapter 2 (commencing with Section 11500) of Part 2 of Division 4 of, the Business and Professions Code, relating to subdivisions.

Bill read third time, and presented by Mr Knox.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Knox moved a call of the Assembly.

Motion carried. Time, 11:40 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 282

Mr Bagley was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 282, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 282

Assembly Bill No. 282—An act to add Section 16784 to the Education Code, and to amend Section 11451 5 of, to add Section 10813 to, and to add Chapter 4 5 (commencing with Section 10825) to Part 2 of Division 9 of, the Welfare and Institutions Code, relating to public social services, making an appropriation therefor, and declaring the urgency thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 282?

Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "Section 16784 to the Education Code, and to amend Section 11451 5 of, to add Section 10813 to, and to add".

Amendment No. 2

In line 2 of the title, after the second "of", insert a comma.

Amendment No. 3

In line 3 of the title, after "services", insert ", making an appropriation therefor, and declaring the urgency thereof".

Amendment No. 4

On page 1, line 1, after "SECTION 1.", insert "Section 16784 is added to the Education Code, to read:

16784. Each county shall, as a minimum, maintain the level of expenditure for child care services provided by the county during the 1970–1971 fiscal year Funds provided pursuant to this division are to be utilized to expand child development services to children by supplementing, and not supplanting, the county share of expenditures for child care services provided by county funds during the 1970–1971 fiscal year.

SEC. 2. Section 10813 is added to the Welfare and Institutions Code, to read:

10813. Each county shall, under the direction of the State Superintendent of Public Instruction and to the extent of funds appropriated by the Legislature for purposes of this section, provide child care services for former, current, and potential recipients of public assistance who certify that if provided such services they will accept or maintain employment or training and who further certify that without such services they would be unable to accept or maintain employment or training. The county is authorized to charge a fee, pursuant to the schedule established by the Superintendent of Public Instruction consistent with Section 16729 of the Education Code.

The county may, with the approval of the Superintendent of Public Instruction and consistent with the provisions of Division 12 5 (commencing with Section 16700) of the Education Code, contract with other public or private agencies to provide child care services pursuant to this section. Any existing contracts with other public or private entities negotiated by a county prior to December 1, 1972, pursuant to the authority of Chapter 578 of the Statutes of 1971 shall not require such approval. The county expenditure for services under this section shall be in addition to the county share of expenditure for child care services during the 1970–1971 fiscal year.

This section will remain in effect until July 1, 1974, and on and after said date shall be of no force or effect.

SEC. 3."

Amendment No. 5

On page 2, after line 19, insert

"SEC. 4. Section 11451.5 of the Welfare and Institutions Code, as amended by Chapter 670 of the Statutes of the 1972 Regular Session of the Legislature, is amended to read:

11451 5 The purpose of this section is to provide the department with the necessary support and authority to implement provisions of the work incentive program as established pursuant to Division 2 (commencing with Section 5000) of the Unemployment Insurance Code The cost of work or training-related expenses *and child care expenses* shall be paid from special funds appropriated by the Legislature for the purpose The state shall pay 67½ percent and the county shall pay 32½ percent of the additional aid furnished for such work or training-connected expenses *and child care expenses* after a deduction therefrom of any funds received from the United States government.

It is the intent of this section to make maximum use of federal funds that are available to provide training, work-related expenses, and allowances for child care services Accordingly, each county shall be required to pay such expenses under that plan which provides the greatest financial participation by the United States government.

Day care services shall be provided pursuant to Division 12 5 (commencing with Section 16700) of Part 3 of the Education Code in order to permit persons qualified for aid under this chapter to participate in the work incentive program authorized by Division 2 (commencing with Section 5000) of the Unemployment Insurance Code. No allowance for day care of children shall be included in the grant authorized by Section 11450; except that during such times that the Superintendent of Public Instruction advises the welfare director of the county that he is unable to provide child care for each child eligible for services under Division 12 5 (commencing with Section 16700) of the Education Code, allowances for such care shall be provided either from income or grant allowances or from the work incentive program, whichever is applicable

SEC 5 There is hereby appropriated the balance of the sum of three million dollars ($3,000,000) appropriated to the Department of Social Welfare by subdivision (b) of Section 39 7 of Chapter 578 of the Statutes of 1971, to the Health and Welfare Agency to be expended without regard to fiscal years through a contract with the Department of Education for the purposes of Section 10813 of the Welfare and Institutions Code and Division 12 5 (commencing with Section 16700) of the Education Code. These funds shall constitute the state share which shall be 67½ percent of the nonfederal costs of child care services required pursuant to Section 10813 of the Welfare and Institutions Code The county shall provide 32½ percent of the nonfederal funds for child care services provided pursuant to Section 10813 of the Welfare and Institutions Code

SEC 6 The provisions of Sections 1, 2, 4, and 5 of this act shall only become operative if Assembly Bill No 2089 of the 1972 Regular Session of the Legislature is enacted into law

SEC 7 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

This legislation is necessary to authorize continuation of essential child care services and allow for a smooth, effective transition to the

comprehensive child development services envisioned by Chapter 670 of the 1972 statutes. It is necessary that this act take effect immediately to prevent the termination of ongoing programs providing vital child care services to children and their parents."

Urgency Clause

Urgency clause read.

The roll was called, and the Assembly refused to concur in the above Senate amendments, which add an urgency clause to the bill, by the following vote:

AYES—Brown and Stacey—2

NOES—Badham, Bagley, Bee, Beverly, Burke, Chacon, Collier, Crown, Cullen, Davis, Duffy, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Murphy, Pierson, Porter, Priolo, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—49.

Appointment of Committee on Conference Concerning Assembly Bill No. 282

The Acting Speaker appointed Messrs Bagley, Brown, and McCarthy as a Committee on Conference concerning Assembly Bill No 282

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 138—An act to add Article 6 6 (commencing with Section 4820) to Chapter 2 of Part 2 of Division 4 of the Labor Code, relating to Department of Motor Vehicles personnel

Bill read third time, and presented by Mr Warren

Bill passed by the following vote.

AYES—Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Ralph, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—57

NOES—Russell and Wilson—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 840

Mr. Crown was granted unanimous consent to take up Senate Bill No 840, without reference to file, for purpose of consideration at this time.

Consideration of Senate Bill No. 840

Senate Bill No. 840—An act to amend Sections 203, 455, 456 5, 456 6, 459, 14660, 14662, 14665, 14666, 14667, and 14801 of, and to add Sections 282 5 and 10012.4 to, the Elections Code, relating to elections.

Bill read third time, and presented by Mr Crown.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crown moved a call of the Assembly.

Motion carried Time, 11 50 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 125

The Acting Speaker appointed Messrs McCarthy, Hayden, and Wood as a Committee on Conference concerning Senate Bill No. 125.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Fenton was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file; to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or Second Day Consent Calendar, instead of the second reading file; and to permit Consent Calendar bills to be placed upon the Second Day Consent Calendar for the next legislative day

CONSIDERATION OF SPECIAL ORDER—CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 90

The hour having arrived, the Conference Committee Report on Senate Bill No 90 was taken up.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 22, 1972

Mr Speaker: The Committee on Conference concerning:

Senate Bill No. 90, as amended in Assembly August 1, 1972—An act to amend Sections 17301, 17303, 17303 5, 17402, 17407, 17411, 17507,

17655 5, 17656, 17660, 17664, 17665, 17665 5, 17675, 17702, 17702 2, 17706, 17910, 18102, 18102 2, 18102 4, 18102 6, 18451, 18452, and 18455 of, to add Chapter 6 10 (commencing with Section 6499 230) to Division 6 of, Section 18105 to, and Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, to repeal Sections 17674 and 20814 5 of, and Article 7 1 (commencing with Section 17920) of Chapter 3 of Division 14 of, and to repeal Chapter 3 5 (commencing with Section 20910) of Division 16 of the Education Code, to repeal Sections 16120, 51250, 51254, and 65570 of, and to repeal Chapter 1 (commencing with Section 16100) of Part 1 of Division 4 of Title 2 of, to add Sections 15616.5, 16120, and 65570 to, and to add Chapter 1 (commencing with Section 16100), Chapter 1 5 (commencing with Section 16110), Chapter 3 (commencing with Section 16130), Chapter 4 (commencing with Section 16140), Chapter 5 (commencing with Section 16150), Chapter 6 (commencing with Section 16160), and Chapter 7 (commencing with Section 16170) to Part 1 of Division 4 of Title 2 of the Government Code, to repeal Sections 218, 219, 2611 5, 6051, 6052 5, 6201 6376, 7102, 7202 7203, 10752, 11005, 17041, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 of, to add Chapter 1 5 (commencing with Section 2161) to Part 4 of Division 1 of, and to add Sections 218, 219, 401 4, 2611 5, 2611 6, 2615 4, 6051, 6052 5, 6201, 7102, 7202, 7203, 10752, 11005, 17041, 17053 5, 18401, 18402, 18405, 18410 6, 23151, 23184, 23186, 23333, and 23501 to, the Revenue and Taxation Code, and to repeal Section 11450 of, and to add Sections 11006 1, 11450, and 15204 1 to, the Welfare and Institutions Code, relating to the imposition of state taxes to provide subventions to local government to compensate for property tax limitations, making an appropriation therefore, and declaring the urgency thereof, to take effect immediately,

Consisting of the undersigned members has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly August 1, 1972, after "add", insert "Sections 13520 3 and 17401 5 to, and to add"

Amendment No. 2

In lines 11 and 12 of the title, strike out "repeal Sections 16120, 51250, 51254, and 65570", and insert "amend Section 16153 of, to repeal Section 16120".

Amendment No. 3

In line 14 of the title, strike out "Sections 15616 5, 16120, and 65570", and insert "Section 16120"

Amendment No. 4

In line 16 of the title, strike out "3", and insert "2 5"

Amendment No. 5

In line 17 of the title, strike out "Chapter 4"; and strike out lines 18 and 19, and insert "Chapter 4".

Amendment No. 6

In line 20 of the title, strike out "7", and insert "5".

Amendment No. 7

In line 22 of the title, after the second comma, insert "to amend Section 23332 5 of,".

Amendment No. 8

In lines 23 and 24 of the title, strike out "10752, 11005, 17041, 18401, 18402, 18405, 18410 6,".

Amendment No. 9

In line 27 of the title, strike out "2611 6, 2615.4,".

Amendment No. 10

In lines 28 and 29 of the title, strike out "10752, 11005, 17041, 17053 5, 18401, 18402, 18405, 18410 6," and insert "17053 5,".

Amendment No. 11

On page 6, line 8, strike out "(1)", and insert "1".

Amendment No. 12

On page 7, line 10, strike out "an", and insert " An".

Amendment No. 13

On page 7, between lines 25 and 26, insert

"6499 238 In approving projects under the "educational needs factor formula," as described above, the Superintendent of Public Instruction, with the concurrence of the Director of Finance, may, upon the request of the applicant district, designate a portion of the district's entitlement which may be expended for noninstructional costs, including, but not limited to, costs for vandalism, security, and insurance In no event, shall the amount of funds in the aggregate designated for such purposes for all districts in the state exceed two million dollars ($2,000,000).

SEC 1 7 Section 13520 3 is added to the Education Code, to read·

13520 3 When a school district operates on a year-round schedule pursuant to Chapter 7 (commencing with Section 32100) of Division 22, the salaries of employees who are employed for the extended school year may be adjusted in accordance with the ratio of the extension of the school year in months bears to the length of the school year in months prior to the commencement of year-round operation No classroom teacher may be required to participate in a year-round program without his consent "

Amendment No. 14

On page 9, line 27, after "attendance", insert ", using in such ratios the data for the preceding year compared with the second preceding year"

Amendment No. 15

On page 11, between lines 38 and 39, insert

"SEC. 2.07. Section 17401.5 is added to the Education Code, to read:

17401.5. If, due to changes in federal legislation, the entitlement under P L. 874 of the 81st Congress for the 1972–1973 fiscal year has been reduced substantially in a district, the district superintendent may petition the State Superintendent of Public Instruction for an advance of funds during such fiscal year of a part of the principal apportionment to such district for the 1973–1974 fiscal year, which advance shall not exceed the amount of the computed reduction.

If, upon review of a request, the Director of Finance and the Superintendent of Public Instruction deem it necessary to provide an advance of funds, they shall certify to the Controller the amount of the advance to be allowed, and the Controller shall transfer such amount to the school district The principal apportionment to the school district for the 1973–1974 fiscal year shall be reduced accordingly."

Amendment No. 16

On page 13, line 6, strike out "Section".

Amendment No. 17

On page 21, line 33, strike out "17202 2", and insert "17702 2".

Amendment No. 18

On page 22, line 22, strike out the second comma.

Amendment No. 19

On page 23, strike out lines 37 to 39, inclusive, and insert "property tax exemption "

Amendment No. 20

On page 29, line 28, strike out "fifty", and insert "32½".

Amendment No. 21

On page 30, line 34, after "year", insert ", as adjusted by repayment of any advances authorized by Section 17401 5"

Amendment No. 22

On page 31, line 7, strike out "fifty percent (50%)", and insert "32½ percent".

Amendment No. 23

On page 33, strike out lines 27 to 30, inclusive; and in line 31, strike out "(k)", and insert

"(j)"

Amendment No. 24

On page 33, line 32, strike out "or (j)"

Amendment No. 25

On page 33, line 38, strike out "(l)", and insert

"(k)".

Amendment No. 26

On page 34, line 14, after "district", insert "voting on a proposition to that effect".

Amendment No. 27

On page 35, line 6, strike out "Section".

Amendment No. 28

On page 35, strike out lines 31 to 38, inclusive.

Amendment No. 28.5

On page 35, line 40, after "Code", insert ", as such chapter exists after the enactment of Chapter 1066 of the Statutes of the 1972 Regular Session of the Legislature,".

Amendment No. 29

On page 40, line 14, strike out "1972", and insert "1973"

Amendment No. 30

On page 40, line 22, strike out "1972", and insert "1973".

Amendment No. 31

On page 40, line 31, strike out "1973", and insert "1974"

Amendment No. 32

On page 40, line 35, strike out "1973", and insert "1974".

Amendment No. 33

On page 41, strike out lines 2 to 40, inclusive; strike out pages 42 to 46, inclusive; and on page 47, strike out lines 1 to 29, inclusive, and insert

"SEC. 8. Chapter 2.5 (commencing with Section 16130) is added to Part 1 of Division 4 of Title 2 of the Government Code, to read:

CHAPTER 2.5. TRANSFERS TO THE STATE SCHOOL"

Amendment No. 34

On page 47, line 32, strike out "16140", and insert "16130".

Amendment No. 35

On page 48, line 7, after "transfer", insert "as needed"

Amendment No. 36

On page 48, lines 13 and 14 strike out "forty million dollars ($40,000,000)", and insert "eighty-two million dollars ($82,000,000)"

Amendment No. 37

On page 48, line 21, strike out "Assembly Bill 1286 or"

Amendment No. 38

On page 48, line 23, after "transfer", insert "as needed".

Amendment No. 39

On page 48, lines 28 and 29, strike out "forty million dollars ($40,000,000)", and insert "eighty-two million dollars ($82,000,000)".

Amendment No. 40

On page 48, line 33, strike out "Assembly Bill 1286 or"

Amendment No. 41

On page ~~48~~, line 36, after "transfer", insert "as needed".

Amendment No. 42

On page 49, line 3, strike out ", except that for"; and strike out lines 4 and 5; and in line 6, strike out "factor formula shall be thirty million dollars ($30,000,000)".

Amendment No. 43

On page 49, line 8, strike out "AB 1286 or SB", and insert "Senate Bill".

Amendment No. 44

On page 49, line 9, strike out "K–3", and insert "kindergarten through 3".

Amendment No. 45

On page 49, line 10, strike out the second period.

Amendment No. 46

On page 49, strike out lines 11 to 40, inclusive; and on page 50, strike out lines 1 and 2, and insert

"16131. The funds appropriated by Section 16100 shall be used for any advances authorized by Section 17401.5 of the Education Code

SEC. 9.4. Section 16153 of the Government Code is amended to read:

16153. Notwithstanding any other provision of this chapter, state disbursements under this chapter by reason of property assessed pursuant to Sections 423 and 423.5 of the Revenue and Taxation Code shall not exceed thirteen million dollars ($13,000,000) in the 1972–1973 fiscal year, ~~fifteen million dollars ($15,000,000)~~ *twenty-two million dollars ($22,000,000)* in the 1973–1974 fiscal year, and ~~seventeen million dollars ($17,000,000)~~ *twenty-four million dollars ($24,000,000)* in the 1974–1975 fiscal year. In the 1975–1976 fiscal year, state disbursements shall not exceed 115 percent of the state disbursements in the 1974–1975 fiscal year. The amounts provided for in this section may be exceeded by any amounts deposited in the State General Fund under Sections 51061 and 51283.

If claims by local governmental agencies exceed the limitation of this section, reductions in state disbursements shall be made on a pro rata per acre basis, first on funds allocated on nonprime lands, and second on funds to local governments on prime lands, and third to school district disbursements.

The Secretary of the Resources Agency shall report to the Legislature on the impact of the expiration of the fiscal limitations in this section. A final report shall be submitted to the Legislature by April 1, 1973, ~~in order~~ that the Legislature can evaluate its fiscal commitment to this program for future years."

Amendment No. 47

On page 50, line 3, strike out "6", and insert "4"

Amendment No. 48

On page 50, line 7, strike out "6", and insert "4".

Amendment No. 49

On page 50, line 14, strike out the first "7", and insert "5".

Amendment No. 50

On page 50, line 18, strike out "7", and insert "5".

Amendment No. 51

On page 50, line 27, strike out "Population Unit of the".

Amendment No. 52

On page 50, line 28, strike out "population".

Amendment No. 53

On page 50, line 37, strike out "which is"; and strike out lines 38 to 40, inclusive; and on page 51, strike out line 1; and in line 2, strike out "this act".

Amendment No. 54

On page 51, strike out lines 3 to 35, inclusive.

Amendment No. 55

On page 52, lines 6 and 7, strike out "one thousand seven hundred fifty dollars ($1,750)", and insert "seven hundred fifty dollars ($750)".

Amendment No. 56

On page 52, line 8, after "year", insert "and fiscal years thereafter".

Amendment No. 57

On page 52, line 10, strike out "seventy-five dollars ($1,775)", and insert "fifty dollars ($1,750)".

Amendment No. 58

On page 52, strike out lines 12 to 15, inclusive.

Amendment No. 59

On page 55, line 4, strike out "in 1972-1973 local equalization hearings and".

Amendment No. 60

On page 56, line 14, after "transmit", insert "upon request".

Amendment No. 61

On page 56, line 39, after the period, insert "The department may develop, or contract for the development of, additional information if, in the opinion of the department, such additional information may make an estimate feasible"

Amendment No. 62

On page 57, line 14, after "local", insert "net".

Amendment No. 63

On page 57, line 20, after "local", insert "net".

Amendment No. 64

On page 58, lines 14 and 15, strike out "Legislative Analyst", and insert "Department of Finance".

Amendment No. 65

On page 58, line 19, after "submitted", insert "within 45 days after the operative date of the mandate".

Amendment No. 66

On page 58, lines 20 and 21, strike out "within 45 days after the operative date of the mandate".

Amendment No. 67

On page 58, line 28, strike out "within 45 days after the"; strike out lines 29 and 30, and insert "in accordance with the provisions of each bill which mandates additional cost"

Amendment No. 68

On page 58, lines 37 and 38, strike out "prior to December 10", and insert "at the time or times provided in each bill which mandates additional cost".

Amendment No. 69

On page 59, line 13, after "any", insert "state".

Amendment No. 70

On page 60, line 39, strike out "section", and insert "subdivision".

Amendment No. 71

On page 61, line 15, after "in", insert "subdivision".

Amendment No. 72

On page 63, line 18, strike out "section", and insert "subdivision".

Amendment No. 73

On page 63, line 31, after "(e)", insert a comma.

Amendment No. 74

On page 63, line 32, strike out "and (f)", and insert "(f), and (g)".

Amendment No. 75

On page 64, line 38, strike out "section", and insert "subdivision".

Amendment No. 76

On page 65, between lines 13 and 14, insert

"(g) In addition to the rate authorized by subdivision (a), a regional park district may levy an additional rate, if such rate has been authorized by the Legislature prior to January 1, 1973, and if such legislation contained a provision that such additional rate shall be subject to referendum In no event shall such additional rate exceed five cents ($0 05) per one hundred dollars ($100) of assessed valuation, and such additional rate shall be levied only under the terms and conditions specified in the legislative authorization."

Amendment No. 77

On page 66, strike out lines 35 to 40, inclusive; and on page 67, strike out lines 1 to 29, inclusive.

Amendment No. 78

On page 68, line 7, strike out "December 31, 1972", and insert "May 31, 1973".

Amendment No. 79

On page 68, line 27, strike out "December 31, 1972", and insert "May 31, 1973".

Amendment No. 80

On page 68, line 28, strike out "January 1, 1973", and insert "June 1, 1973".

Amendment No. 81

On page 70, line 34, strike out "December 31, 1972", and insert "May 31, 1973".

Amendment No. 82

On page 71, line 13, strike out "December 31, 1972", and insert "May 31, 1973".

Amendment No. 83

On page 71, line 14, strike out "January 1, 1973", and insert "June 1, 1973".

Amendment No. 84

On page 71, strike out lines 23 to 40, inclusive; and on page 72, strike out lines 1 to 4, inclusive.

Amendment No. 85

On page 75, line 6, after "of", insert "commercial aircraft and".

Amendment No. 86

On page 75, line 7, after "such", insert "commercial aircraft or".

Amendment No. 87

On page 75, line 11, after the second "of", insert "commercial aircraft and".

Amendment No. 88

On page 75, line 12, after "such", insert "commercial aircraft or".

Amendment No. 89

On page 80, strike out lines 15 to 40, inclusive; strike out pages 81 to 94, inclusive, and on page 95, strike out lines 1 to 19, inclusive.

Amendment No. 90

On page 95, line 25, strike out "Section 17041 or Section 17048", and insert "this part".

Amendment No. 91

On page 98, line 12, strike out "Section 17041 or 17048", and insert "this part".

Amendment No. 92

On page 98, line 38, strike out "December 31, 1972", and insert "June 30, 1973".

Amendment No. 93

On page 100, line 16, strike out "December 31, 1972", and insert "June 30, 1973".

Amendment No. 94

On page 101, line 23, strike out "December 31, 1972", and insert "June 30, 1973".

Amendment No. 95

On page 101, between lines 26 and 27, insert

"SEC. 29.3. Section 23332 5 of the Revenue and Taxation Code is amended to read:

23332 5. If a financial corporation ceases doing business dissolves or withdraws from the state during any taxable year beginning after December 31, 1972, the tax for the taxable year during which cessation of doing business, dissolution or withdrawal occurs shall be computed as prescribed by subdivision (b) or (c) of Section 23183. In determining the amount of such tax, a financial corporation will be allowed an offset against the amounts paid during the final taxable year to this state as personal property taxes, or as license fees or excise taxes as described in subdivisions (a) to (d), inclusive, of Section 23184 However, after the allowance of such offsets, the tax on a financial corporation shall not be less than 7 9 percent of its net income for the final taxable year nor less than the minimum tax provided in Section 23184."

Amendment No. 96

On page 102, line 5, strike out "December 31, 1972", and insert "June 30, 1973".

Amendment No. 97

On page 102, line 21, strike out "December 31, 1972", and insert "June 30, 1973".

Amendment No. 98

On page 102, strike out lines 23 to 38, inclusive.

Amendment No. 99

On page 105, line 25, strike out "December 1, 1972", and insert "June 1, 1973".

Amendment No. 100

On page 105, lines 39 and 40, strike out "either by Section 24 or"

Amendment No. 101

On page 106, line 4, after the third comma, insert "19 9,".

Amendment No. 102

On page 106, line 16, strike out "January 1, 1973", and insert "June 1, 1973".

Amendment No. 103

On page 106, line 21, strike out "January 1, 1973", and insert "June 1, 1973".

Amendment No. 104

On page 106, strike out lines 22 to 38, inclusive.

Amendment No. 105

On page 107, strike out lines 2 and 3, and insert
"(a) Sections 4, 5, 6, 9 7, 10, and 14 7 shall take effect January 1, 1973."

Amendment No. 106

On page 107, strike out lines 4 to 6, inclusive, and insert
"(b) Sections 21 9 and 22 05 shall become operative on June 1, 1973 "

Amendment No. 107

On page 107, line 8, strike out "1972", and insert "1973".

Amendment No. 108

On page 107, line 8, strike out "Such section is", and strike out line 9

Amendment No. 109

On page 107, line 10, strike out "14 7", and insert "14 6"

Amendment No. 110

On page 107, line 12, strike out "15 3 and 15 5".

Amendment No. 111

On page 107, line 13, strike out "1972–73", and insert "1973–1974"

Amendment No. 112

On page 107, strike out lines 16 to 28, inclusive, and insert
"(f) Sections 6 9, 7, 9, and 9 4 shall take effect July 1, 1973."

Amendment No. 113

On page 107, line 29, strike out "(h)", and insert
"(g)"

Amendment No. 114

On page 107, strike out lines 30 to 40, inclusive, and insert "as added by Section 25 of this act, shall be operative in the computation of taxes for taxable years beginning after December 31, 1972 "

Amendment No. 115

On page 108, strike out lines 1 to 22, inclusive, and insert
"(h) The provisions of this act relating to the increase in the rate of tax under the Bank and Corporation Tax Law shall be applied in the computation of taxes on or measured by net income of income years ending after June 30, 1973 Taxpayers whose income years began prior to July 1, 1973, shall compute their tax in accordance with the method prescribed in Section 24251 of the Revenue and Taxation Code, and shall compute the amount of estimated taxes due and payable after July 1, 1973, in accordance with regulations promulgated by the Franchise Tax Board."

Amendment No. 116

On page 108, line 23, strike out "(j)", and insert
"(i)".

Amendment No. 117

On page 108, line 24, strike out "December 1, 1972", and insert "June 1, 1973"

Amendment No. 118

On page 108, strike out lines 25 to 31, inclusive; and in line 32, strike out "(*l*)", and insert
"(j)"

Amendment No. 119

On page 109, line 2, strike out "22 9", and insert "22 2".

Amendment No. 120

On page 109, line 17, strike out "(m)", and insert
"(k)".

Amendment No. 121

On page 109, line 17, strike out "2", and insert "1 5".

Amendment No. 122

On page 109, strike out lines 26 to 40, inclusive; and on page 110, strike out lines 1 to 27, inclusive; and in line 28, strike out "SEC 39", and insert
"SEC 36"

Amendment No. 123

On page 111, line 1, strike out "SEC 40", and insert
"SEC 37"

Amendment No. 124

On page 111, line 11, strike out "1972–1973", and insert "1973–1974".

The undersigned consent to the report:

RALPH C DILLS	BOB MORETTI
ROBERT J LAGOMARSINO	JOE A GONSALVES
	WILLIAM T BAGLEY
Senate Committee on Conference	Assembly Committee on Conference

The undersigned dissent to the report:

NICHOLAS C PETRIS
Senate Committee on Conference

Report read

Requests for Unanimous Consent

Mr. Moretti was granted unanimous consent that Mr David Doerr, Consultant to the Assembly Committee on Revenue and Taxation, be permitted to sit at his desk during consideration of the Conference Committee Report on Senate Bill No 90

Acting Speaker Fenton was granted unanimous consent that a photographer be permitted on the floor of the Assembly

The question being on the adoption of the Conference Committee Report on Senate Bill No 90

Report adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Burton, Campbell, Crown, Dunlap, Ketchum, Miller, Ryan, Wakefield, and Waxman—9

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Senate Bill No. 90

November 28, 1972

Mr. James Driscoll
Chief Clerk of the Assembly
Room 3194, State Capitol, Sacramento, California

Dear Mr. Driscoll· Today, November 28th, I entered Bay General Hospital in Chula Vista for minor surgery.

If I had been present on the Assembly floor, I would have voted "aye" on Senate Bill 90.

Sincerely,

WADIE P DEDDEH

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 840

At 12·35 p.m., on motion of Mr. Crown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly Continued

Pending the announcement of the vote, Mr. Monagan moved to continue the call of the Assembly.

Motion carried Time, 12 35 p m,

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Crown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE JOINT RESOLUTION NO. 30 FROM COMMITTEE

Mr Burton was granted unanimous consent that Senate Joint Resolution No 30 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file

Consideration of Senate Joint Resolution No. 30

Senate Joint Resolution No. 30—Relative to sickle cell anemia programs

Resolution read, presented by Mr. Burton, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE JOINT RESOLUTION NO. 31 FROM COMMITTEE

Mr Burton was granted unanimous consent that Senate Joint Resolution No 31 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file

Consideration of Senate Joint Resolution No. 31

Senate Joint Resolution No. 31—Relative to blind vending stand operators

Resolution read, presented by Mr Burton, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Conrad, Cory, Crown, Cullen, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Quimby, Ralph, Russell, Ryan Sieroty Stacey, Thomas, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—None

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER HOUSE RESOLUTION NO. 129

In compliance with a motion given on a previous day, Mr Cullen was granted unanimous consent that the vote whereby House Resolution No. 129 was refused adoption be reconsidered.

Further Consideration of House Resolution No. 129

House Resolution No. 129—Relative to the Medi-Cal Management System.

NOTE The full text of House Resolution No. 129 appears at page 7709 of the Assembly Daily Journal for November 17, 1972.

Resolution read.

Motion to Amend

Mr. Cullen moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the first *Resolved* clause of the printed measure, as printed on page 7709 of the Assembly Journal for November 17, 1972, strike out "Legislative Analyst", and insert "Secretary of Health and Welfare".

Amendment No. 2

In line 3 of the second *Resolved* clause, after "Committee," insert "Joint Legislative Budget Committee,".

Amendments read, and adopted.

House Resolution No. 129, as Amended

By Assemblyman Cullen:

House Resolution No. 129

Relative to the Medi-Cal Management System

WHEREAS, The Department of Health Care Services has undertaken a pilot test of the Medi-Cal Management System in San Diego and Santa Clara Counties; and

WHEREAS, The test of this system has been in operation since August 1, 1972, to determine feasibility for statewide operation; and

WHEREAS, The State of California has expended to date over $7 million to develop and prototype the system, which according to projections by Planning Research Corporation indicate could ultimately cost as much as $12 million to $19 million for conversion to a statewide operation, and

WHEREAS, Alternative health care plans are concurrently being developed and considered by the Department of Health Care Services which will have a significant effect on the future of the Medi-Cal Management System; and

WHEREAS, A thorough independent evaluation of the Medi-Cal Management System prototype is needed, upon which policy decisions can be made by the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Secretary of Health and Welfare is hereby requested to form a task force for a comparative evaluation of the Medi-Cal Management System and the Medi-Cal Intermediary Operation; and be it further

Resolved, That such task force shall include, but not be limited to, representatives from the Office of the State Controller, Department of Finance, Joint Legislative Audit Committee, Joint Legislative Budget Committee, and such other designated representatives from the health care field as the Legislative Analyst appoints; and be it further

Resolved, That such task force submit its findings to the Assembly Committee on Ways and Means and the Assembly Committee on Efficiency and Cost Control no later than April 1, 1973.

Resolution, as amended, ordered on file

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1118

At 12:40 p m, on motion of Mr Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No. 1118 refused passage by the following vote:

AYES—Bagley, Barnes, Brathwaite, Burton, Crown, Davis, Dent, Dunlap, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Powers, Ryan, Seeley, Sieroty, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—31

NOES—Badham, Bee, Beverly, Briggs, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cullen, Duffy, Fenton, Fong, Foran, Garcia, Ray E Johnson, Karabian, Ketchum, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Murphy, Porter, Priolo, Quimby, Ralph, Russell, Stacey, Stull, Townsend, and Wakefield—35.

NOTE: Later this day a motion to reconsider the vote whereby Senate Bill No 1118 was refused passage was offered by Mr Knox

---

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1462

Mr Bagley was granted unanimous consent to take up Senate Bill No 1462, out of order, for purpose of amendment

Consideration of Senate Bill No. 1462

Senate Bill No. 1462—An act relating to the State Park System and making an appropriation therefor

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Bagley was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No. 1462 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Bagley moved the adoption of the following amendments:

Amendment No. 1

After line 1 of the heading of the printed bill, as amended in Senate July 6, 1972, insert

"(Coauthor: Assemblyman Bagley)".

Amendment No. 2

Strike out lines 1 and 2 of the title, and insert

"An act to amend Section 316 of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, relating to the Bagley Conservation Fund, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, line 1, insert

"SECTION 1. Section 316 of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, as amended by Chapter 500 of the Statutes of the 1972 Regular Session of the Legislature, is amended to read:

Sec 316. Notwithstanding any other provision of law to the contrary, except for the special tax credit provided for in Section 17 of this act, the one-time nonrecurring revenue in the amount of one hundred fifty million dollars ($150,000,000) produced by the enactment of withholding and quarterly estimates of state personal income taxes shall be used for the following purposes and shall be allocated in the following manner.

(a) Eighty million dollars ($80,000,000) shall be allocated to the Capital Outlay Fund for Public Higher Education for the capital construction programs of the University of California, the California State Colleges, and the community colleges

(b) *(1)* Forty million dollars ($40,000,000) shall be allocated to the Bagley Conservation Fund, which is hereby created, for beach, park, and land acquisition programs, including wildlife areas, and coastline planning and development of recreational facilities which do not require continuous funding and are of a one-time nonrecurring nature, including within this figure five million dollars ($5,000,000) for miscellaneous capital outlay construction.

(2) Effective January 1, 1973, an additional fifty million dollars ($50,000,000) shall be allocated to the Bagley Conservation Fund.

(c) Thirty million dollars ($30,000,000) shall be allocated to the School Building Safety Fund, which is hereby created, for replacement and repair of local school district buildings for compliance with Field

Act requirements Moneys in this fund may be used for the purposes of Article 9 (commencing with Section 19700 51) of Chapter 10 of Division 14 of the Education Code.

It is the intent of the Legislature that the amounts specified in the above subdivisions shall be subject to continuous expenditure without regard to fiscal years on the basis of need when appropriated by the Legislature, but that no more than 33⅓ percent of the total amount of one hundred fifty million dollars ($150,000,000) be allocated in any one budget year.

The Department of Finance shall in the annual budget submitted to the Legislature recommend capital outlay program expenditures pursuant to the above subdivisions Any funds appropriated by the Budget Act of 1971 contained in Chapter 266 of the Statutes of the 1971 Regular Session of the Legislature, such as Item 304 1, shall be allocated prior to the end of the 1971–1972 fiscal year

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order to make the transfer of funds to the Bagley Conservation Fund from available revenues in a timely fashion so that California may continue to provide parks and recreation facilities for its expanding population, it is necessary that this act go into immediate effect ''

Amendment No. 4

On page 1, strike out lines 2 to 8, inclusive; and on page 2, strike out lines 1 to 7, inclusive

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 135

Mr Moretti was granted unanimous consent to take up House Resolution No 135 without referenee to committee or file

Consideration of House Resolution No. 135

House Resolution No. 135—Relative to Manzanar Internment Camp.

NOTE: The full text of House Resolution No 135 appears at pages 7981–7982 of the Assembly Daily Journal for November 28, 1972.

Resolution read, presented by Mr Moretti, and adopted

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1440

Mr Moretti was granted unanimous consent to take up Senate Bill No 1440, out of order, for purpose of amendment.

Consideration of Senate Bill No. 1440

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of, and to repeal Chapter 10 5 (commencing with Section 3525) and Chapter 11 (commencing with Section 3550) of, and to add Chapter 10 5 (commencing with Section 3550) and Chapter 11 (commencing with Section 3575) to, of Division 4 of Title 1 of, and to add Sections 11551 1 and 11553 1 to, the Government Code, relating to public employer-employee relations.

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Moretti asked for unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 1440 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks

Mr Monagan withheld unanimous consent

Motion to Temporarily Suspend the Rules

Mr. Moretti moved that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 1440 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion for temporary suspension of the Rules lost by the following vote·

AYES—Barnes, Bee, Brown, Burton, Campbell, Chacon, Cory, Crown, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, McAlister, Meade, Pierson, Powers, Quimby, Ralph, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—34.

NOES—Arnett, Badham, Bagley, Beverly, Burke, Cline, Conrad, Dent, Ray E Johnson, Ketchum, Lancaster, Lewis, MacGillivray, McCarthy, Mobley, Monagan, Moorhead, Murphy, Russell, Ryan, Stacey, Stull, and Wakefield—23.

MOTION TO RECONSIDER SENATE BILL NO. 1118 ON NEXT LEGISLATIVE DAY

Mr. Knox moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1118 was this day refused passage

Senate Bill No 1118 ordered to the unfinished business file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1330

Mr Lancaster was granted unanimous consent that Senate Bill No. 1330 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of amendment, and that the bill be returned to the third reading file, subsequent to its reprinting.

Consideration of Senate Bill No. 1330

Senate Bill No. 1330—An act to amend Section 1 of Chapter 1273 of the Statutes of 1969, relating to the conveyance of lands adjacent to the Puddingstone State Recreation Area.

Bill read second time

Motion to Amend

Mr Lancaster moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly November 27, 1972, after "lands", insert "occurring after the effective date of the amendment to this act enacted during the 1972 Regular Session of the Legislature".

Amendment read, and adopted

Bill ordered reprinted, and to be returned to the third reading file.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 840

At 1:07 p m, on motion of Mr Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 840 passed by the following vote:

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—42.

NOES—Arnett, Badham, Bagley, Barnes, Beverly, Briggs, Burke, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, Stull, Wakefield, and Wood—31

Motion to Reconsider Senate Bill No. 840 on Next Legislative Day

Mr. Monagan moved to reconsider on the next legislative day the vote whereby Senate Bill No 840 was this day passed

Senate Bill No 840 ordered to the unfinished business file.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:08 p m, Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

MESSAGES FROM THE SENATE

Senate Chamber, November 28, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 94

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 28, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted·

SCR No. 93

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 94—Approving amendments to the Charter of the City and County of San Francisco, State of California, ratified by the qualified electors of the city and county at a general election held therein on the seventh day of November, 1972.

Held at Desk by order of the Acting Speaker.

Senate Concurrent Resolution No. 93—Relative to abandoned motor vehicles.

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 94

Mr. McCarthy was granted unanimous consent to take up Senate Concurrent Resolution No 94 without reference to committee, print, or file

Consideration of Senate Concurrent Resolution No. 94

Senate Concurrent Resolution No. 94—Approving amendments to the Charter of the City and County of San Francisco, State of California, ratified by the qualified electors of the city and county at a general election held therein on the seventh day of November, 1972.

Resolution read, presented by Mr McCarthy, and adopted by the following vote:

AYES—Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Collier, Conrad, Cory, Crown, Cullen, Dent, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Knox, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Moorhead, Murphy, Pierson, Powers, Priolo,

Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—58

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Karabian was granted unanimous consent that the following communication and Opinion of Legislative Counsel be printed in the Journal:

November 29, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr Speaker: To prevent any misunderstanding I am again going beyond the requirement of California law in disclosing that my law firm, Karns and Karabian of Los Angeles, is providing legal representation for foundations and medical groups applying for prepaid health contracts with the Department of Health Care Services.

Although there is clearly no legal requirement that legislators disclose their business interests, I am again disclosing my business interests to you and to the public I am also placing this letter and the accompanying Opinion of Legislative Counsel in the Assembly Journal

Please note the Opinion of Legislative Counsel states precisely that lawyer-legislators can represent medical groups before the Department of Health Care Services for the purpose of developing prepaid health plan contracts.

Sincerely,

WALTER KARABIAN

Opinion of Legislative Counsel

Sacramento, November 22, 1972

Honorable Walter Karabian
Assembly Chamber

Conflict of Interest—#18229

Dear Mr. Karabian:

Question No 1

Can a legislator-lawyer represent a group of doctors before the Department of Health Care Services for the purpose of developing a prepaid health plan contract?

We assume that the representation in question would only be before the Department of Health Care Services and does not entail legislative advocacy.

Opinion No 1

A legislator-lawyer can represent a group of doctors before the Department of Health Care Services for the purpose of developing a prepaid health plan contract.

Analysis No 1

The Government Code sections which should be considered in regard to the situation under discussion are the provisions contained in the Code of Ethics for legislators. The prohibitions of the Code of Ethics are general in nature and contain various examples of what are or are not substantial conflicts of interest (Sec 8920(b)).

Under subdivision (a) of Section 8920, Members of the Legislature, among others, are prohibited from having an interest, engaging in any business transaction or professional activity, or incurring any obligation in substantial conflict with the proper discharge of their duties in the public interest or in conflict with their responsibilities as prescribed by state law.

"Substantial conflict" covers more situations than those specifically prohibited by the provisions of subdivision (b) of Section 8920.

However, professional activity, generally, is not prohibited by the code and, we see no violation of subdivision (a) of Section 8920 in this situation.

Subdivision (b)(3) of Section 8920 prohibits a legislator from accepting compensation, or being in partnership with a person who accepts compensation (unless the legislator does not share in the compensation) for services regarding a licensing or regulatory matter, before a state board or agency which is established by law for the primary purpose of licensing or regulating the professional activity of persons licensed.

We assume that the representation in question entails appearances before the Department of Health Care Services (see generally Secs. 14000, W&I C.) in order to secure a contract between the department and the group or corporation seeking to provide health care services to Medi-Cal recipients. In our opinion, the department was established primarily to meet the health care needs of recipients of public assistance (Sec 14001 1, W.&I C) and not for the *primary* purpose of licensing or regulating the professional activity of persons licensed Therefore, we do not think that appearances before the department are prohibited by the Code of Ethics.

Question No. 2

Can a legislator-lawyer own stock in a management corporation which handles the nonmedical functions of a prepaid health plan?

Opinion No. 2

We are of the opinion that a legislator-lawyer can own stock in a management corporation which handles the nonmedical functions of a prepaid health plan.

Analysis No. 2

Government Code Section 1090 provides as follows:

"1090 Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall

state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.

"As used in this article, 'district' means any agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries."

This basic prohibition against contracting would not, in our opinion, apply to a contract between a company in which a legislator may be "interested" and an agency in another branch of state government, since a Member of the Legislature merely by virtue of his status as such, has no official connection with any other state agency, and therefore is not in the position of dealing with himself in the dual capacity of private citizen and state official. The Attorney General has reached a similar conclusion. (See 14 Ops. Cal. Atty. Gen. 78.)

The Code of Ethics for legislators, among others, discussed above, should also be noted in this connection.

Without discussing each section of the Code of Ethics, it does not appear from the facts before us that the arrangement in question necessarily contravenes any of its prohibitions. They refer, in the main, to the misuse of a legislator's position or the legislative process to obtain pecuniary advantage for himself or a client, and to engaging in activities that would impair his independence of judgment. This is not to say, however, that in some situation arising out of the facts given above, a conflict of interest could not exist.

In this regard provision is made in the Code of Ethics whereby a legislator can abstain from voting on a bill in which he has a personal interest (Sec. 8920(b)(5)).

In conclusion, we find no violation of the Code of Ethics or of Section 1090 of the Government Code in the situation you describe. Thus we are of the opinion that a legislator-lawyer can own stock in a management corporation which handles the nonmedical functions of a prepaid health plan.

Very truly yours,

GEORGE H. MURPHY
Legislative Counsel
By John Corzine
Deputy Legislative Counsel

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Senate Bill No.	*Committee*
1264	Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

SIRS: Transmitted herewith is a report summarizing significant findings concerning Squaw Valley and the 1960 Winter Olympics. Since the electorate of Colorado rejected using public funds to finance the 1976 Winter Olympics, the Joint Legislative Audit Committee has had several inquiries about the financing and operation of the 1960 Winter Olympics.

The recorded cost of the 1960 Olympics was over $16 million. Funds were provided from the following sources:

	Amount	*Percent*
State of California	$ 9,178,000	57.0
U. S. Government	3,500,000	22.0
State of Nevada	363,000	2.0
Admissions	2,026,000	12.5
Private and business contributions	275,000	2.0
Television, parking, program sales, salvage, etc.	723,000	4.5
	$16,065,000	100.0

In addition to the above, the Armed Forces loaned manpower and equipment and several state agencies provided services without reimbursement.

Construction and purchase of facilities accounted for $10.3 million of the cost and $5.8 million was used for the administration and staging of the games.

The State appropriated funds to the Olympic Commission, a State agency, who reimbursed the Organizing Committee, a nonprofit corporation for staging the games. Budget estimates of revenues and expenditures were not accurate and budgetary control over operations virtually nonexistent. The International Olympic Commission and various sports federations changed plans on short notice which caused unnecessary expenditures. Controls over revenues from ticket sales, parking, ski lifts, programs were not effective. Housing was purchased and not used.

When appropriations from the State Beach and Park Fund reached $8 million in 1957 the Legislature specified that all property and facilities be turned over to the State Park System soon after the close of the games. The State Park System ended up with some $188,000 of unpaid bills and claims along with facilities which were stripped of leased furnishings and equipment. Long-term concession agreements were negotiated with the Squaw Valley Development Company (Alex Cushing and others) and Squaw Valley Improvement Corporation (Newsome and Pelosi). The concessionnaires have invested millions in Squaw Valley since 1960. The recovery of these investments through depreciation charges has limited the revenues payable to the State. Since 1960 it has cost the State $3 million more than it has earned on the leases.

In order to hold the Olympics at Squaw Valley in 1976 or later years, existing facilities would have to be leased from the concessionnaires An outdoor speed skating rink, three or more practice rinks for hockey and skating would be needed since these facilities have been demolished. The administration, press, official and timers' buildings and spectator facilities would have to be constructed again as these were temporary buildings or have been put to other use since 1960. Ski courses and jumps would have to be reconstructed

Under Chapter 1377, Statutes of 1971 which was effective in March 1972, the operation and maintenance of the park has been assigned to the Department of General Services A general fund appropriation of $275,000 is available in 1972–73 to cover the net loss for that year. The Department of General Services is attempting to reduce the State's operating costs in order to improve on the salability of the State's interests. Previous attempts to sell the property have not been successful.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Ways and Means.

ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following committee meeting was announced:

On Thursday, November 30, at 9:30 a.m.—**Ways and Means** (Brown, Chairman), in Room 4202.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1264 for hearing in the Committee on Ways and Means on Thursday, November 29.

COMMUNICATIONS

Assembly Chamber, November 29, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 210—An act to add Sections 6812 7 and 18102 1 to the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 239—An act to amend Sections 8740, 8741, 8742, 8743, 8744, 8747, 8761, 8780, and 8805 of, to amend and renumber Section 8745.5 of, and to repeal Sections 8740 5 and 8793 of, the Business and Professions Code, relating to surveyors,

Assembly Bill No. 253—An act to amend Section 13 of, and to add Section 13 1 to, the Humboldt County Flood Control District Act (Chapter 939 of the Statutes of 1945), relating to the Humboldt County Flood Control District, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 748—An act to add Section 16080 5 to the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 818—An act to add Section 21157 to the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 1147—An act to amend Sections 19060.6 and 19170 of, to add Sections 19035 35 and 19050 to, and to repeal Sections 19171, 19171.5 and 19171.6 of, the Business and Professions Code, relating to furniture and bedding;

Assembly Bill No. 1213—An act to add Sections 4027 and 5009 to the Penal Code and Section 1705 to the Welfare and Institutions Code, relating to religious practices;

Assembly Bill No. 1315—An act to amend Section 11010 of, and to add Section 11018 6 to, the Business and Professions Code, relating to subdivisions;

Assembly Bill No. 1503—An act to add Article 18 (commencing with Section 429 70) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health;

Assembly Bill No. 1570—An act to amend Sections 14978, 14981, and 15670 of the Elections Code, relating to elections;

Assembly Bill No. 2186—An act to amend Section 13832 of, and to add Section 13972 to, the Education Code, to amend Sections 16431, 20022, 20332, 20809, 31460, and 53609 of, and to add Sections 13927 and 31482 to, to add Chapter 8 (commencing with Section 18310) to Part 1 of Division 5 of Title 2 of, and to add Article 1 1 (commencing with Section 53212) to Chapter 2 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to deferred compensation;

And reports the same correctly enrolled, and presented to the Governor at 1 p.m , November 29, 1972.

JAMES D. DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 29, 1972

Mr. Speaker· Your Committee on Ways and Means reports:

AB No 2393

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bill ordered to second reading.

Assembly Chamber, November 29, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SB No 314	SB No 637	SB No 1482
SB No. 419	SB No 837	SB No 1500
SB No 424	SB No 981	SB No. 1510
SB No. 584	SB No. 1369	

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 148	SB No 503	SB No. 1075
SB No. 318	SB No. 914	SB No. 1084
SB No. 417		

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No. 54
SCR No. 56
SCR No. 63

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BROWN, Chairman

Above resolutions ordered on file.

Assembly Chamber, November 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 601
SB No. 772
SB No. 796

With amendments with the recommendation· Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 29, 1972

Mr. Speaker: Your Committee on Ways and Means reports.

SB No. 520
SB No. 820
SB No. 1142

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ketchum:

House Resolution No. 136

Relative to vocational education in agriculture

WHEREAS, The economy of California is largely dependent on agriculture, the largest and singly the most important segment of the economy; and

WHEREAS, The continued strength of agriculture is assured through a viable vocational education program in agriculture; and

WHEREAS, Vocational education in agriculture has helped to maintain California's economic position in agriculture for over fifty years; and

WHEREAS, The vocational agriculture program in California has shown a continued and unparalleled growth; and

WHEREAS, The phasing out of sub-regional offices and the reduction of state staff in vocational agriculture greatly reduces the services to local school districts with vocational agriculture programs and will subsequently impair the value of such programs; and

WHEREAS, The loss of services to school districts directly affects the youth in vocational agriculture and subsequently adversely affects the program of Future Farmers of America; and

WHEREAS, The cost of administering the vocational program (at state level) is wholely supported by funds from various federal vocational education acts; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Superintendent of Public Instruction be commended for supporting vocational education in agriculture in the past; and be it further

Resolved, That he be urged to continue to support vocational education in agriculture through maintenance of field offices and services to local districts at no less a level than in the past; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the State Superintendent, Wilson Riles, and to the President of the State Board of Education, Newton L. Steward.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

House Resolution No. 131—Relative to Perris Reservoir.

NOTE: The full text of House Resolution No. 131, as amended, appears at page 8021 of the Assembly Daily Journal for November 28, 1972

Resolution read, presented by Mr. Seeley, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 816—An act to add Section 99276 to the Public Utilities Code, relating to public transportation systems

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 903—An act to amend Sections 8 and 10 1 of, and to add Sections 10.4 and 10 5 to, the San Mateo County Flood Control District Act (Chapter 2108 of the Statutes of 1959), relating to the San Mateo County Flood Control District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—66

NOES—None.

VOTE CHANGES

Mr Chacon was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Senate Bill No 1507, and on the passage of the bill

Mr. Ryan was granted unanimous consent that he be recorded as voting "No" on the Conference Report on Senate Bill No 90.

Messrs Duffy and Maddy were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on Senate Joint Resolution No 30.

Messrs Arnett, Keysor, and Bill Greene were granted unanimous consent that they be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 1118

Mr Maddy and Mrs Fong were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Senate Bill No. 1118.

Mr. Duffy was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 1118.

Mr Arnett was granted unanimous consent that he be recorded as voting "No" on Senate Bill No 840.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Pursuant to the previous suspension of the Rules, the following bills were taken up without reference to file·

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2393—An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted.

Amendment No. 1

On page 3 of the printed bill, strike out lines 5 to 26, inclusive, and insert "contrary to commonly accepted practices relative to the contracting for such equipment in the following area:

(a) Vendor shall not be precluded from proposing limitations on liabilities, disclaimers on warranties, and protection from patent infringement.

(2) Are forbidden by federal law, mandate, or injunction, or are otherwise contrary to existing federal agreements.

(3) Act to alter the methods and procedures normally used by a vendor in charging for his equipment in the following areas:

(a) Vendor shall not be required to supply goods and services priced in a manner which has not been successfully imposed upon him by any state or federal entity.

(b) Vendors shall not be required to internally rewire or change internal machine construction in order to meet contract statements

(c) Terminology definitions shall be consistent with those in use by the General Services Administration of the federal government

Any modification to the model contract proposed in accordance with this section shall be reviewed, prior to its approval by the Director of Finance, by a joint legislative-executive review committee composed of representatives from the Legislative Analyst, the contracting agency, the Department of General Services, the Department of Finance, and the Auditor General.

The Director of Finance shall take into consideration such recommendations as the review committee makes in determining whether or not to approve the proposed modification.

Authority to make modification pursuant to this section shall apply only to procurements for the MICR System of the State Treasurer and the Warrant SMP System of the State Controller and shall terminate February 15, 1973

It is the intent of the Legislature to consider modifications to the model contract which impose conditions inconsistent with current practices in the electronic data-processing industry Identification of such conditions by vendors shall be taken into consideration in the formulation of legislation which will relieve these difficulties in order that firms not be unreasonably precluded through the use of inappropriate contract statements from doing business with the State of California

SEC 3. An approved revision to the model contract for lease of EDP systems and components, new 1/67 Revised 11/69, shall be developed by the Department of Finance no later than February 15, 1973. The 11/69 version of the model contract for lease of EDP systems and components shall be the basis for this effort and its revision may include, but not be limited to, changes which resolve the following contractual areas of difficulty·

(1) Limitations of liability, disclaimers of warranty, and patent protection.

(2) Requirements which are forbidden by federal law, mandate, injunction, or are otherwise contrary to existing federal EDP agreements

(3) Requirements which would make vendors internally rewire their hardware to meet contract statements

(4) Requirements which force a vendor to alter his corporate-wide pricing structure for goods and services into a form not offered by the vendor to any other state or federal government entity.

(5) Inconsistency in terminology definitions.

Implementation of any new contract provisions shall be subject to the enactment of appropriate legislation.

SEC 3 5. The Business and Services Consolidated Data Center shall be named the Stephen P Teale Consolidated Data Center."

Bill ordered reprinted, and returned to the third reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 542—An act to amend, add, and repeal Section 5751 of the Welfare and Institutions Code, relating to mental health.

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 314—An act to add Sections 20750.29, 20750 32, 20750 87 and 20862 5 to the Government Code, relating to Public Employees' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 419—An act to amend Sections 985 and 2626 of, and to add Section 2626.2 to, the Unemployment Insurance Code, relating to unemployment disability compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 424—An act to amend Section 218 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 584—An act to add Article 7 (commencing with Section 11190) to Chapter 1 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time, and ordered to third reading.

Senate Bill No. 637—An act to amend Section 4227 of, and to add Section 4050.7 to, the Business and Professions Code, and to add Section 6369.1 to the Revenue and Taxation Code, relating to hemodialysis, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 837—An act to amend Section 1421 of the Labor Code, relating to the California Fair Employment Practice Act.

Bill read second time, and ordered to third reading.

Senate Bill No. 981—An act relating to air pollution, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1369—An act to add Section 2361.5 to the Fish and Game Code, relating to importation of salmon

Bill read second time, and ordered to third reading.

Senate Bill No. 1482—An act to add Section 6360 to the Revenue and Taxation Code, relating to sales and use tax, to take effect immediately, tax levy

Bill read second time, and ordered to third reading.

Senate Bill No. 1500—An act to amend Sections 21250 1, 21330, and 21364 7 of, to add Sections 21263, 21263 1, 21263 2 and 21263 3 to, and to repeal Sections 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System

Bill read second time, and ordered to third reading

Senate Bill No. 1510—An act making an appropriation in payment of claims against the state, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Senate Bill No. 148—An act to amend Section 23752 of the Education Code, to amend Section 71006 of the Government Code, and to add Sections 1463 5, 1463 6, and 1463 7 to the Penal Code, relating to disposition of parking fees and fines

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 318—An act to amend Section 19502 of the Government Code, relating to state civil service

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 417—An act to amend Sections 11003 1, 11003 2, and 11003 3 of the Revenue and Taxation Code, relating to taxation

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 503—An act relating to public facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 914—An act to amend Section 5097 96 of the Public Resources Code, relating to archaeological, paleontological, and historical resources

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 1075—An act to add Section 8254 7 to the Fish and Game Code, relating to lobsters

Bill read second time, and ordered to the Second Day Consent Calendar

Senate Bill No. 1084—An act to add Section 8306.7 to the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to the Second Day Consent Calendar.

Senate Concurrent Resolution No. 54—Relative to emergency breathing apparatus

Resolution read, and ordered to the Second Day Consent Calendar.

Senate Concurrent Resolution No. 56—Relative to elevator safety.

Resolution read, and ordered to the Second Day Consent Calendar

Senate Concurrent Resolution No. 63—Relative to inheritance taxes.

Resolution read, and ordered to the Second Day Consent Calendar.

Senate Bill No. 601—An act to amend Section 21367 51 of the Government Code, relating to the Public Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 1 of the title of the printed bill, strike out "21367 51 of the Government Code", and insert "20365 of the Government Code, as added by Chapter 313 of the Statutes of 1972".

Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive, and insert

"SECTION 1 Section 20365 of the Government Code, as added by Chapter 313 of the Statutes of 1972, is amended to read:

20365 Any member who became a member in employment ~~since 1961~~ as a business manager of a school district in which he was included in the federal system and elected to have his contributions remain in the fund upon leaving such employment and entering employment in the same school district in which he became a member of the State Teachers' Retirement System, and in which he has continued without a break in service exceeding 30 days to the date of election, may elect to become a member of this system in such employment. The election must be filed in the office of the board on or before ~~December 31, 1972~~ *April 30, 1973*, and shall be effective only if accompanied by contributions in the amount of the accumulated contributions which would have been credited to his account in the employment in which he was a member of State Teachers' Retirement System had he been a member in such employment but not included in the federal system. Upon such election and contribution, he shall become a member of this system and shall receive credit for all of his employment in the school district His contribution rate from and after the date of such election shall be based upon the age upon which

his contribution rate in his earlier membership was based The retirement allowance for the service in which he was a member of State Teachers' Retirement System shall be computed as though he had never been included in the federal system

This section shall become inoperative 120 days after the effective date of this section "

Bill ordered reprinted, and returned to the third reading file.

Senate Bill No. 772—An act relating to community colleges, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 5, 1972, strike out lines 24 to 30, inclusive; and in line 31, strike out "Regular Session", and insert

"On or before March 1, 1973, and on or before January 5 each year thereafter, the Coordinating Council for Higher Education shall make annual progress reports or shall make the final report relating to each of the purposes and objectives specified in subdivisions (a) to (e), inclusive, of this section

On or before January 5, 1976".

Amendment No. 2

On page 2, line 34, after "action", insert "on each of the purposes and objectives specified in subdivisions (a) to (e), inclusive, of this section"

Amendment No. 3

On page 2, strike out line 40; and strike out all of page 3, and insert a period

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 796—An act to amend Section 651 of, and add Chapter 5 3 (commencing with Section 2530) to Division 2 of, the Business and Professions Code, relating to healing arts

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 26, 1972, strike out "amend Section 651 of, and".

Amendment No. 2

On page 1, strike out line 2, and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1 Chapter 5 3 (commencing with Section 2530)"

Amendment No. 3

On page 6, line 13, after "his", insert "required"

Amendment No. 4

On page 6, line 20, after the period, insert "The number of speech pathologists who may be supervised by a licensed speech pathologist or a speech pathologist having qualifications deemed equivalent by the committee shall be determined by the committee"

Amendment No. 5

On page 8, between lines 13 and 14, insert

"2531 25. The committee shall from time to time adopt such rules and regulations as may be necessary to effectuate the provisions of this chapter In adopting rules and regulations the committee shall comply with the provisions of Chapter 4 5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code"

Amendment No. 6

On page 9, strike out lines 28 to 31, inclusive, and in line 32, strike out "2531 10", and insert

"2531 9"

Amendment No. 7

On page 10, line 10, strike out "from the committee".

Amendment No. 8

On page 10, line 15, after "of", insert "the requirements for"

Amendment No. 9

On page 11, line 21, strike out "another examination fee", and insert "the reexamination fee required by this chapter"

Amendment No. 10

On page 11, line 27, strike out "committee's", and insert "board's".

Amendment No. 11

On page 11, line 38, strike out "twice", and insert "once".

Amendment No 12

On page 12, line 9, strike out "committee", and insert "board"

Amendment No. 13

On page 12, line 20, strike out "committee", and insert "board".

Amendment No. 14

On page 13, line 21, strike out "(a)"

Amendment No. 15

On page 13, strike out lines 26 to 30, inclusive

Amendment No. 16

On page 13, strike out line 38, and insert "functions authorized by this chapter "

Amendment No. 17

On page 13, after line 39, insert

"(3) The reexamination fee shall be fixed by the board in an amount which does not exceed seventy-five dollars ($75) "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 520—An act to amend Sections 660, 661, and 662 of, and to add Chapter 7 5 (commencing with Section 2621) to Division 2 of, the Public Resources Code, relating to earthquake protection, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted·

Amendment No. 1

On page 3, line 1, of the printed bill, as amended in Assembly November 15, 1972, after the comma, insert "one should be a representative of county government,"

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar

Senate Bill No. 820—An act to amend Section 8250 of, and to add Sections 8253 and 8254 to, the Welfare and Institutions Code, relating to special services, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly November 22, 1972, strike out "to amend Section 8250 of, and to add", strike out lines 4 and 5; and in line 6, strike out "services, and".

Amendment No. 2

In line 7 of the title, strike out "therefor", and insert "for demonstration project to purchase workshop services for needy disabled recipients"

Amendment No. 3

On page 2, strike out lines 1 to 36, inclusive, on page 3, strike out lines 1 to 11, inclusive; and in line 12, strike out "SEC 4", and insert "SECTION 1".

Amendment No. 4

On page 3, strike out lines 24 to 29, inclusive, and in line 30, strike out "section."

Amendment No. 5

On page 3, strike out lines 31 and 32; in line 33, strike out "of 1972 and", and insert "Fund by this act"

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar

Senate Bill No. 1142—An act to amend Section 985 of, to add Section 987 16 to, and to repeal Sections 984, 987 16, and 987 16a of, the Military and Veterans Code, relating to veterans benefits

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Amendment No. 1

On page 2, line 9, of the printed bill, after the period, insert "It also includes a "mobilehome" as defined in subdivision (i) of this section "

Amendment No. 2

On page 2, between lines 35 and 36, insert

(i) As used in this article, "mobilehome" means either a parcel of real estate, or an undivided interest in common in a portion of a parcel of real property, on which is situate a mobilehome as will, in the opinion of the department, suit the needs of the purchaser and his dependents as a place of abode and meets all requirements of local governmental jurisdictions

SEC 2 5 Section 985 of the Military and Veterans Code is amended to read

985 Definitions

(a) "Farm" means a tract of land, which, in the opinion of the department, is capable of producing sufficient to provide a living for the purchaser and his dependents

(b) "Home" means a parcel of real estate upon which there is a dwelling house and such other buildings as will, in the opinion of the department, suit the needs of the purchaser and his dependents as a place of abode It includes a "condominium," as defined in subdivision ~~(i)~~ *(h)* of this section *It also includes a "mobilehome" as defined in subdivision (k) of this section*

(c) "Purchaser" means a veteran or any person who has entered into a contract of purchase of a farm or home from the department

(d) "Purchase price" means the price which the department pays for any farm or home

(e) "Selling price" means the price for which the department sells any farm or home

(f) "Initial payment" means the first payment to be made by a purchaser to the department for a farm or home.

(g) ~~As used in this article, "veteran" includes, in addition to the persons described in Section 980, all members of the armed services who were residents of California under the provisions of Section 980.~~

~~(h)~~ As used in this article, "progress payment plan" means payment by the department for improvements on real property in installments as work progresses

~~(i)~~ *(h)* As used in this article, "condominium" means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential building on such real property, such as an apartment, which, in the opinion of the department, suits the needs of the purchaser and his dependents as a place of abode A condominium may include in addition a separate interest in other portions of such real property

(i) "Effective rate of interest" means the average interest rate of the interest on the unpaid balance due on a participation contract to which the interest of the department is subject and the interest rate on the unpaid balance of the purchase price, as determined by the department

(j) "Participation contract" means an obligation secured by a deed of trust or mortgage, or other security interest established pursuant to regulations of the department

(k) As used in this article, "mobilehome" means either a parcel of real estate, or an undivided interest in common in a portion of a parcel of real property, on which is situate a mobilehome as will, in the opinion of the department, suit the needs of the purchaser and his dependents as a place of abode and meets all requirements of local governmental jurisdictions "

Amendment No. 3

On page 5, line 11, strike out "heeds", and insert "needs"

Amendment No. 4

On page 5, after line 40, insert

"SEC 6 It is the intent of the Legislature, if this bill and Assembly Bill No 2249 are both chaptered and amend Section 985 of the Military and Veterans Code, and this bill is chaptered after Assembly Bill No 2249, that the amendments to Section 985 proposed by both bills be given effect and incorporated in Section 985 in the form set forth in Section 2 5 of this act Therefore, Section 2 5 of this act shall become operative only if this bill and Assembly Bill No 2249 are both chaptered, both amend Section 985, and Assembly Bill No 2249 is chaptered before this bill, in which case Section 2 of this act shall not become operative "

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar.

RECESS

At 1:15 p m , Acting Speaker Fenton declared the Assembly recessed until 4 p m

REASSEMBLED

At 4 p m , the Assembly reconvened

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

QUORUM CALL OF THE ASSEMBLY

Speaker pro Tempore Bee placed a quorum call upon the Assembly. Time, 4 01 p m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 652—An act to add Section 1010 85 to the Education Code, relating to public schools.

Bill read third time, and presented by Mr McAlister

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Dent, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, MacDonald, MacGillivray, McAlister, McCarthy, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—52

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1262—An act to amend Section 53090 of the Government Code, to amend Sections 27144, 27166, 27281, and 27300 of the Streets and Highways Code, and to amend Section 5 of Chapter 805 of the Statutes of 1969, relating to bridge and highway districts.

Bill read third time, and presented by Mr. Foran.

Bill passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brown, Burke, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Murphy, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood Z'berg, and Mr Speaker—58

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 481—An act to amend Section 4828 of the Business and Professions Code, relating to veterinary medicine

Bill read third time, and presented by Mr Townsend

Motion to Re-Refer Senate Bill No. 481 to Committee

Mr Powers moved that Senate Bill No 481 be re-referred to the Committee on Commerce and Public Utilities

Motion Withdrawn

Mr Powers was granted unanimous consent to withdraw his motion to re-refer Senate Bill No 481 to committee

The question being on the passage of the bill

Demand for Previous Question

Messrs. Briggs, Beverly, Gonsalves, Brown, and Bill Greene demanded the previous question Demand sustained

The question being on the passage of the bill.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Townsend moved a call of the Assembly

Motion carried Time, 4 ·36 p m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Brown was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 470, on request of Mr Brown.

Majority Floor Leader Presiding

At 4:44 p m , Hon Jack R Fenton, 51st District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1710—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1710?

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly April 25, 1972, strike out lines 3 to 7, inclusive, and insert

"1399. On and after January 1, 1973, the provisions of Chapter 1 (commencing with Section 1171) of Part 4 of Division 2 of the Labor Code which are".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly

Motion carried Time, 4 .45 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 791—An act to amend Sections 1421 and 1422 of, and to add Section 1422 3 to, the Labor Code, relating to fair employment practices

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 791?

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 1, 1972, strike out line 6, and insert

"SEC 3 Section 1422 3 is added to the Labor Code, to read:

1422 3 The commissioner who shall have filed a"

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Ralph moved a call of the Assembly

Motion carried Time, 4 46 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Wilson was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1334—An act to amend Sections 253 1, 253 3, 253 5, 253 6 253 7, 253 8 263 1, 263 5, 263 7, 308 330, 332, 333, 378, 398, 411, 422, 425, 442, 457, 462, 474, 493, 495 501, 563, 575 and 582 of, to add Sections 308 1 330 1, 417, 477 486, 488, 545, and 630 to, and to repeal Sections 369, 406, 409 507, 531, 541, and 561 of, the Streets and Highways Code, relating to state highways

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1334?

Senate Amendments of July 27, 1972

Amendment No. 1

In line 2 of the title of the printed bill, strike out "263 3,".

Amendment No. 2

In line 4 of the title, after "Sections", insert "308 1,".

Amendment No. 3

On page 6, strike out lines 9 to 40, inclusive, and on page 7, strike out lines 1 to 37, inclusive

Amendment No. 4

On page 9, between lines 29 and 30, insert

"SEC 11 5. Section 308 1 is added to the Streets and Highways Code, to read.

308 1 The state scenic highway system shall include that portion of Route 8 from Sunset Cliffs Boulevard to Route 5 in San Diego "

Senate Amendments of November 8, 1972

Amendment No. 1

In line 4 of the title of the printed bill as amended in Senate July 27, 1972, after the first comma, insert "330 1,".

Amendment No. 2

On page 9, between lines 35 and 36, insert

"SEC 12 5 Section 330 1 is added to the Streets and Highways Code, to read·

330 1 Notwithstanding Section 263 3, the state scenic highway system shall include that portion of Route 30 from Route 330 near Highland to Route 10 near Redlands "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Thomas, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990 1, 13990 2, 13990 4, 13990 6, and 13990 7 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Section 13993 of, to add Sections 13993, 13993 1, and 13993 2 to, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Sections 13990.9 and 13991 to, to add a chapter heading immediately preceding

Section 13992 of, to add Chapter 3 (commencing with Section 13995) to Part 4 6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2 5 (commencing with Section 65080) to Title 7 of, to repeal Sections 13992 and 13994 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4 5 of Division 3 of Title 2 of, to repeal the heading of Chapter 3 (commencing with Section 13992) of Part 4 5 of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Sections 20, 183, and 210 of, to add Sections 185 5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to business and transportation

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 69 (presented by Mr Lanterman)?

Senate Amendments of July 5, 1972

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly May 18, 1972, strike out "Foran,".

Amendment No. 1.5

In line 8 of the title, strike out "Section 13990.9", and insert "Sections 13990.9 and 13991".

Amendment No. 2

In line 25 of the title, strike out "92, 183", and insert "183, 210".

Amendment No. 3

On page 6, strike out line 17; and in line 18, strike out "who", and insert

"An executive secretary to the board shall be appointed by the Governor. The executive secretary".

Amendment No. 4

On page 6, line 19, strike out "who".

Amendment No. 5

On page 6, lines 29 and 30, strike out "Office of Transportation Planning and Research", and insert "State Transportation Board Office".

Amendment No. 6

On page 6, line 38, strike out "master", and insert "transportation".

Amendment No. 7

On page 6, line 39, after "including", insert a comma

Amendment No. 8

On page 6, line 40, after "to", insert a comma

Amendment No. 9

On page 7, strike out lines 2 to 6, inclusive, and insert "regional plans developed by transportation planning agencies, and adopt a California Transportation Plan "

Amendment No. 10

On page 7, line 9, after "to", insert a comma

Amendment No. 11

On page 7, line 11, strike out "reports of"; and strike out lines 12 to 15, inclusive, and insert "and the comprehensive plans of areawide planning agencies."

Amendment No. 12

On page 7, line 32, after "Transportation", insert "for consistency with the California Transportation Plan and transmit them to the Department of Finance".

Amendment No. 13

On page 7, line 33, strike out "Review", and insert "Allocate all funds and review".

Amendment No. 14

On page 7, between lines 36 and 37, insert

"(j) Monitor progress on the implementation of the California Transportation Plan."

Amendment No. 15

On page 9, between lines 29 and 30, insert

"SEC 10.2. Section 13991 is added to the Government Code, to read:

13991. The board, in cooperation with the Business and Transportation Agency, shall prepare and submit a report to the Legislature by January 15, 1973. The report shall include:

(a) Provisions to insure that local communities will have adequate control over any future transportation development within their area

(b) Provisions encouraging the creation of regional authorities with the responsibility to implement that which is planned, and designating the authorities and responsibilities of others for areas without effective regional authorities

(c) Provisions designating the authority and responsibilities for the construction, operation, and control of resource allocations for the various components of the total transportation system

(d) Provisions designating the necessary changes to be made in planning practices, including a review of criteria to be used in the planning process

The board shall not allocate funds from the Transportation Planning and Research Account, nor shall the department undertake the development of the California Transportation Plan, including the regional transportation plans elements contained therein, until authorized by the Legislature subsequent to the submission of the report In the event that the Legislature has not taken action on the report during the 1973 Regular Session of the Legislature, the department shall proceed with the development of the California Transportation Plan, including the regional transportation plans elements contained therein, with the approval of the board, and the board may allocate moneys appropriated from the Transportation Planning and Research Account It is not the intent of this section to interrupt or delay present state and regional transportation planning activities ''

Amendment No. 16

On page 10, line 1, strike out "OFFICE OF TRANSPORTATION PLANNING"; and strike out line 2, and insert "STATE TRANSPORTATION BOARD OFFICE"

Amendment No. 17

On page 10, line 27, strike out "an Office of"; and strike out line 28 and insert "the State Transportation Board Office "

Amendment No. 18

On page 10, line 32, strike out "officer", and insert "secretary".

Amendment No. 19

On page 10, line 33, after "office", insert "and may appoint such staff personnel as are necessary to assist in carrying out the powers, duties, and purposes of the board and its office".

Amendment No. 20

On page 10, strike out lines 36 to 40, inclusive; and on page 11, strike out lines 1 to 38, inclusive, and insert

"13994 Any reference in any law or regulation to the Office of Transportation Planning and Research shall be deemed to refer to the State Transportation Board Office The duties of the office shall be as prescribed by the board "

Amendment No. 21

On page 12, line 13, strike out "expenditure", and insert "allocation by the board".

Amendment No. 22

On page 12, strike out lines 16 to 24, inclusive, and insert

"(a) Statewide transportation system planning

(b) Funds for regional transportation system planning

(c) Statewide transportation research or demonstration projects.

(d) Matching funds for regional transportation research or demonstration projects

(e) Matching funds to obtain other funds for the above purposes."

Amendment No. 23

On page 12, strike out lines 28 to 38, inclusive, and insert

"13997 The amount allocated to a nonstatutorily created regional transportation planning agency from the Transportation Planning and Research Account for the purpose of subdivision (b) of Section 13996 shall not exceed the percentage specified below of the nonfederally reimbursed costs of regional transportation planning for each of the fiscal years following when funds are first appropriated from the account:

(a) During the first fiscal year, 50 percent.

(b) During the second fiscal year, 40 percent

(c) During the third fiscal year, 30 percent.

(d) During the fourth fiscal year, and during any fiscal year thereafter, 25 percent

The amount allocated to a statutorily created transportation planning agency may be up to 90 percent of the nonfederally reimbursed costs for regional transportation planning"

Amendment No. 24

On page 14, strike out lines 20 to 40, inclusive; strike out page 15, and on page 16, strike out lines 1 to 3, inclusive, and insert

"(a) Continued growth in travel demand resulting from population growth, concentration of population in urban areas, and increasing mobility requirements indicate that there is a need for new transportation systems to accommodate increased demand Many urban corridors are at or near capacity, and forecasts indicate that future demands will be beyond the practical capabilities of a highway solution Environmental problems associated with the automobile make it increasingly evident that California can no longer rely almost exclusively on the private automobile to meet the increasing demands for mobility It will be necessary to develop alternative modes for transporting people and goods within the state's urban areas

(b) A goal of the state is to provide adequate, safe, and efficient transportation facilities and services for the movement of people and goods at reasonable cost The provision of alternative transportation services for persons not served by the private automobile, particularly the disadvantaged the elderly, the handicapped, and the young, should be an integral element of the planning process Stimulation of the provision of transportation not only for speed and efficiency of travel, but also for convenience and enjoyment in shopping, school, cultural, and business pursuits, leisure time travel, and pedestrian travel, is also a state aim It is the desire of the state to provide a transportation system that significantly reduces hazards to human life, pollution of the atmosphere, generation of noise, disruption of community organization, and adverse impacts on the natural environment The desirability of utilizing corridors for multimodal transportation, where possible to improve efficiency and economy in land use and which further desirable future land development patterns, is recognized The coastal zone should be provided with optimal transportation services consistent with regional goals and plans, with the objective of conserving the coastal resource

(c) The responsibilities for decisionmaking for California's transportation systems are highly fragmented, with the large number of independent public and private agencies dedicated to one transportation mode within limited geographic jurisdictions This has hampered effective integration of transportation planning and intermodal coordination A comprehensive multimodel transportation planning process should be established which involves all levels of government and the private sector in a cooperative process to develop coordinated transportation plans.

(d) Accelerating change and increasing transportation problems require that California take timely action to maintain viable transportation systems The state should demonstrate leadership in the face of increasing federal involvement As long lead times are necessary to develop transportation systems, the planning and development of transportation in California should be coordinated by a Department of Transportation. A multimodal transportation department in state government is in keeping with the direction of federal policy and the necessities of contemporary problems. However, there is no intent to diminish or preempt the existing authorities and responsibilities of regional, local, and district transportation agencies in their handling of transportation matters which are exclusively local or regional in nature

(e) The stimulation, continuance, and improvement of statewide, regional, and local transportation planning and development are a matter of state concern, and the state should, for this reason, provide a portion of the financial resources and assistance necessary to aid in preparing transportation plans, developing effective transportation decisionmaking processes, and carrying out implementation programs

14000 5 The Legislature further finds and declares that the role of the state in transportation shall be to

(a) Encourage and stimulate the development of urban mass transportation and interregional high-speed transportation as a means of carrying out the policy of providing complementary means of transportation to the automobile.

(b) Implement and maintain a state highway system which supports the goals and priorities determined through the transportation planning process, which is in conformity with comprehensive statewide and regional transportation plans, and which is compatible with statewide and regional socioeconomic and environmental goals, priorities and available resources

(c) Assist in the development of an air transportation system that is consistent with the needs and desires of the public, and in which airports are compatible in location with, and provide services meeting, statewide and regional goals and objectives

(d) Encourage research and development of technological innovation in all modes of transportation in cooperation with public agencies and the private sector."

Amendment No. 25

On page 17, line 7, strike out "with the advice of the board".

Amendment No. 26

On page 17, between lines 9 and 10, insert

"The work of the department shall be divided into at least six divisions, known as the Division of Highways, Division of Aeronautics, Division of Mass Transportation, Division of Transportation Planning, Division of Administrative Services, and the Legal Division

With the approval of the Governor and the secretary, the director may create, change, or abolish such other divisions and subdivisions as may be necessary."

Amendment No. 27

On page 17, lines 10 and 11, strike out "the Division of Highways or".

Amendment No. 28

On page 19, line 21, after "the", insert "movement of people and goods within the".

Amendment No. 29

On page 19, lines 37 and 38, strike out "(except as specified in Section 92 of the Streets and Highways Code)".

Amendment No. 30

On page 20, strike out lines 2 to 5, inclusive, and insert

"(e) Coordinating and developing transportation research and demonstration projects.

(f) Exercising such other functions, powers, and duties as are or may be provided for by law."

Amendment No. 31

On page 20, line 7, strike out "State", and insert "California".

Amendment No. 32

On page 20, lines 9 and 10, strike out "coordinate the preparation of a proposed State", and insert "prepare, subject to Section 13991, the California".

Amendment No. 33

On page 20, line 21, strike out "The proposed State"; and strike out lines 22 and 23; strike out page 21; and on page 22, strike out lines 1 to 34, inclusive, and insert

"14040.2 The California Transportation Plan shall include the regional transportation plans as prepared and approved by regional transportation planning bodies However, the California Transportation Plan may include alternative recommendations for resolving issues of statewide interregional interest, including resource allocation where differences exist between regional transportation plans or where, within a regional transportation plan, a matter of statewide interregional interest has been omitted The narratives of the regional transportation plans may be summarized in the California Transportation Plan in the interest of readability and brevity

14040 4. The California Transportation Plan shall be submitted by the director to the board The board shall hold public hearings on the plan, and shall solicit the views of the general public and of the various

public and private entities affected. Any objections raised, including, but not limited to, inconsistencies, conflicts, or disagreements between regional transportation plans and the California Transportation Plan, shall be resolved by the board

14040 6. The board shall adopt the California Transportation Plan and transmit it to the Legislature not later than January 1, 1976. Thereafter, but prior to the board's annual review of the department's budget, the director shall submit to the board annually a proposed updating of the California Transportation Plan, which includes the annual updated regional transportation plans required by Section 65080, along with a multiyear planning program The board shall hold public hearings and adopt an updated California Transportation Plan in the same manner as required for the original plan.

14040 8 Upon adoption of the California Transportation Plan, the California Highway Commission, the California Toll Bridge Authority, the California Aeronautics Board, the secretary, the director, and the department shall act in accordance with the California Transportation Plan, and the regional transportation plans contained therein, in carrying out their respective powers and duties, except as otherwise provided by law.

14041 The California Transportation Plan shall include, but not be limited to, the following·

(a) Regional transportation plans as provided in Chapter 2 5 (commencing with Section 65080) of Title 7

(b) Statewide transportation goals, objectives, policies, and standards for all forms of transportation services, both public and private.

(c) Statewide forecasts of transportation needs and deficiencies

(d) General transportation system of the state, including land, water, and air transportation, based on the studies of alternative plans and their evaluation as required by subdivisions (f) and (g) of Section 14041 5.

(e) Environmental impact statements as required by state and federal law

(f) Statewide implementation program, including the allocation of available funds to various modes and geographic areas, the desired authority, roles, and responsibilities of the various levels of government concerned with transportation, a schedule of improvement programs, an operations program, a financial plan, and necessary policies and legislation for implementation of the California Transportation Plan

14041 5 The California Transportation Plan shall be based on studies including, but not limited to, the following transportation planning practices·

(a) Inventories of travel desires, goods movements, and transportation facilities and equipment

(b) Statutory requirements affecting transportation services

(c) Financial resources for transportation planning, development, and operation

(d) Plans and programs adopted by state agencies which affect transportation planning

(e) Advanced concepts for transportation systems for consideration in alternative plans

(f) Alternative plans based on varying assumptions of financial resources, levels of transportation services, and modal mix.

(g) An evaluation of alternative plans considering the relationships between transportation and land use, taxation, environment, econonomic, and social factors, policies, and goals.

14041 7. In evaluating alternative plans, the following criteria shall be among those used:

(a) Economic, including operating costs, capital costs, revenues, impact on local economy and employment, and related public service costs.

(b) Land use, including support for development pattern policies, land absorption, and multiple use of corridors.

(c) Taxation, including tax base and equity.

(d) Environmental, including air and water quality, impact on soil, weather, landscape, wildlife, and natural resources, and noise, vibration, glare, and other effects.

(e) Social, including displacement, disruption and relocation, consistency with social objectives, and usability by various groups.

(f) System performance and level of service, including technological feasibility, flexibility, reliability, safety, mobility, accessibility, induced demand, amenity, and convenience

14042. A report of progress on the California Transportation Plan shall be submitted by the director to the board not later than April 1, 1974. The board shall forward the report to the Legislature, with its recommendations, not later than July 1, 1974

The progress report shall contain the following:

(a) Recommendations required by subdivision (b) of Section 14041 and recommendations regarding the regional goals and policy statements required by subdivision (a) of Section 65081

(b) Proposed use of criteria listed in Section 14041 7, which shall guide the development and evaluation of the California Transportation Plan and its component studies.

(c) Information on the status of the organization of the department

(d) Description of the work program, including recommended changes in transportation planning practices and progress in developing the California Transportation Plan

(e) Preliminary proposals for effective state, regional, and local decision making for transportation, including recommendations on the protection of local community interest in any future transportation development within the community's area, the allocation of roles and responsibilities to implement (control resource allocation, construct, operate, and maintain) the California Transportation Plan and regional transportation plans at the regional level, and on proposals received under subdivision (c) of Section 65082."

Amendment No. 34

On page 22, line 38, strike out "Section 14041", and insert "subdivisions (a), (b), and (c) of Section 14041.5".

Amendment No. 35

On page 22, line 40, strike out "18 months after the"; and on page 23, strike out line 1, and insert "January 1, 1975."

Amendment No. 36

On page 24, line 3, strike out "24", strike out line 4; and in line 5, strike out "case later than July", and insert "April".

Amendment No. 37

On page 24, line 7, strike out "July", and insert "April".

Amendment No. 38

On page 24, line 12, strike out "State", and insert "California".

Amendment No. 39

On page 24, line 40, strike out "Determination of existing inventories", and insert "Inventories".

Amendment No. 40

On page 25, line 3, strike out "A review of existing financial", and insert "Financial".

Amendment No. 41

On page 25, line 5, strike out "Study and evaluation of advanced", and insert "Advanced"

Amendment No. 42

On page 25, line 14, after the period, insert "Among the criteria to be used in plan evaluation shall be the following:

(1) Economic, including operating costs, capital costs, revenues, impact on local economy and employment, and related public service costs.

(2) Land use, including support for development pattern policies, land absorption, and multiple use of corridor.

(3) Taxation, including tax base and equity.

(4) Environmental, including air and water quality, impact on soil, weather, landscape, wildlife, and natural resources, and noise, vibration, glare, and other effects

(5) Social, including displacement, disruption and relocation, consistency with social objectives, and usability by various groups

(6) System performance and level of service, including technological feasibility, flexibility, reliability, safety, mobility, accessibility, induced demand, amenity, and convenience."

Amendment No. 43

On page 25, line 17, strike out "six months"; and strike out line 18, and insert "January 1, 1974 "

Amendment No. 44

On page 25, strike out lines 28 to 40, inclusive; and on page 26, strike out lines 1 and 2, and insert

"65083 The State Transportation Board may adopt policy guidelines for the use of regional transportation planning agencies in the preparation of the regional transportation plans."

Amendment No. 45

On page 26, strike out lines 15 to 17, inclusive, and insert "finding that a statewide interregional interest is affected."

Amendment No. 46

On page 28, between lines 4 and 5, insert

"(e) Such amounts as are necessary to make the advance from the State Highway Account in the State Transportation Fund authorized by Chapter 1245 of the Statutes of 1969."

Amendment No. 47

On page 28, strike out lines 30 to 40, inclusive; and on page 29, strike out lines 1 to 6, inclusive.

Amendment No. 48

On page 29, between lines 38 and 39, insert

"SEC. 32 5. Section 210 of the Streets and Highways Code is amended to read:

210. It is the purpose of this article to outline the policies of the Legislature for the guidance of the commission and the department in determining and adopting the locations for state highways as freeways, as authorized elsewhere ~~in this code~~ *by law*. To the end of achieving coordinated planning, there should be a complete exchange of pertinent information through conferences between representatives of the department and the governing bodies of appropriate local agencies, their technical staffs, and planning personnel from the commencement of studies leading to the adoption of the freeway location to the time of construction. Recommendations of all such local agencies and the effects of the proposed freeway location upon their activities and present and future development should be considered by the department and the commission In addition, when sufficient information has been accumulated to permit intelligent discussion, adequately publicized public meetings shall be held so as to assure to all interested individuals, officials and civic or other groups an opportunity to become acquainted with the studies being made and to express their views with respect thereto. The director shall notify the ~~State~~ Office of Planning *and Research* and other state agencies concerned with the growth and preservation of the state's resources in order to analyze the socioeconomic factors involved of the proposed freeway routing recommendations of the ~~State Highway Engineer~~ *Chief Engineer of the Division of Highways*, and, if recommendations are received from the ~~State~~ Office of Planning *and Research* or such other affected state agencies, the director shall consider such recommendations in making his freeway location recommendation to the commission The recommendation of the director to the commission as to such freeway locations shall be publicized and an opportunity offered to local governing bodies to request public hearings by the commission itself before the commission takes final action, in which event the commission shall hold such hearings. In its consideration of a precise freeway location adoption, the commission shall have available to it the recommendations of

the ~~State Highway Engineer~~ *Chief Engineer of the Division of Highways*, and the recommendations, if made, of the ~~State~~ Office of Planning *and Research* and of other affected state agencies and local agencies, in their original form, and shall consider such recommendations in making its decision as to the location of the freeway."

Amendment No. 49

Senate Amendments of July 19, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 5, 1972, strike out "13994, and 66518", and insert "and 13994".

Amendment No. 2

On page 12, lines 13 and 14, strike out "or demonstration".

Amendment No. 3

On page 12, line 16, strike out "or demonstration".

Amendment No. 4

On page 15, line 22, strike out "alternative", and insert "supplemental".

Amendment No. 5

On page 16, strike out line 3, and in line 4, strike out "patterns".

Amendment No. 6

On page 16, line 6, after the first "with", insert "local and".

Amendment No. 7

On page 16, line 10, strike out ", with the large number of independent", strike out lines 11 and 12, and in line 13, strike out "jurisdictions".

Amendment No. 8

On page 16, lines 28 and 29, strike out "the direction of federal policy and".

Amendment No. 9

On page 16, strike out line 34, and insert "local, regional, or maritime"

Amendment No. 10

On page 17, strike out lines 8 and 9, and insert "providing balanced transportation in the state"

Amendment No. 11

On page 21, line 30, strike out "and demonstration".

Amendment No. 12

On page 23, line 26, after "annually", insert ", during the next succeeding two years,".

Amendment No. 13

On page 23, line 30, after the period, insert "Thereafter the proposed updating shall be submitted biennially."

Amendment No. 14

On page 24, line 17, strike out "the"; strike out lines 18 to 20, inclusive; and in line 21, strike out "concerned with transportation,".

Amendment No. 15

On page 26, line 8, strike out "allocation", and insert "designation".

Amendment No. 16

On page 26, line 9, strike out "(control resource"; and strike out line 10, and insert "the".

Amendment No. 17

On page 26, line 12, strike out "at the regional level".

Amendment No. 18

On page 27, line 26, after "annually", insert ", during the next succeeding two years, and biennially thereafter"

Amendment No. 19

On page 27, lines 28 and 29, strike out "a multiyear capital improvement program", and insert "the program described in subdivision (e) of Section 65081".

Amendment No. 20

On page 27, line 36, strike out "Recommendations regarding regional", and insert "Regional".

Amendment No. 21

On page 28, line 1, strike out "Recommendations for the", and insert "The".

Amendment No. 22

On page 28, strike out lines 8 to 16, inclusive, and insert

"(e) A program to carry out the items of areawide regional transportation interest formulated in a cooperative effort by cities, counties, and special districts within the region, including a schedule of improvements, an operations program, a financial plan, and recommendations for any policies, ordinances, and legislation necessary for implementation of the regional transportation plan "

Amendment No. 23

On page 30, strike out lines 5 to 19, inclusive

Amendment No. 24

On page 33, line 22, after "determines", insert ", in consultation with the commission,".

Amendment No. 25

On page 33, line 32, after "Agency", insert "in consultation with the commission".

Amendment No. 26

On page 35, line 15, after "10 2", insert ", which shall become operative on the effective date of this act".

Senate Amendments of July 24, 1972

Amendment No. 1

On page 8, line 37, of the printed bill, as amended in Senate July 19, 1972, strike out "The", and insert

"Until authorized by the Legislature subsequent to the submission of the report, the"

Amendment No. 2

On page 9, line 1, strike out ", until", strike out lines 2 to 10, inclusive, and in line 11, strike out "and Research Account".

Amendment No. 3

On page 13, strike out lines 21 and 22, and insert "local or regional in nature."

Amendment No. 4

On page 18, line 12, after "department", insert "; provided, that the department is not authorized to assume the functions of project planning, designing, constructing, operating, or maintaining transit, aviation, or maritime facilities without express prior approval of the Legislature".

Amendment No. 5

On page 20, strike out line 30, and insert "proper utilization of various modes."

Senate Amendments of November 15, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 24, 1972, strike out "13990.7, 13992, 13993, and 13994", and insert "and 13990 7".

Amendment No. 2

In line 4 of the title, after the comma, insert "to amend and renumber Section 13993 of, to add Sections 13993, 13993 1, and 13993 2 to,".

Amendment No. 3

In line 11 of the title, after the comma, insert "to repeal Sections 13992 and 13994 of,".

Amendment No. 4

In lines 20 and 21 of the title, strike out "to amend Section 10452 of the Revenue and Taxation Code,"

Amendment No. 4.4

In lines 21 and 22 of the title, strike out "210, and 30050", and insert "and 210".

Amendment No. 4.5

In line 22 of the title, strike out "and 194", and insert ", 194, and 30050".

Amendment No. 4.6

In line 24 of the title, after the comma, insert "to repeal Section 30050 of,".

Amendment No. 5

On page 5, line 24, strike out "independent".

Amendment No. 6

On page 7, line 2, after "from", insert "the Director of Transportation and".

Amendment No. 6.5

On page 8, line 23, strike out "by January 15, 1973", and insert "as requested by House Resolution No. 98 of the 1972 Regular Session of the Legislature".

Amendment No. 7

On page 8, line 28, strike out "encouraging the", and insert "regarding the need for".

Amendment No. 8

On page 8, strike out lines 30 to 32, inclusive, and insert "which is planned, taking into consideration the possibility of alternative approaches in view of significant differences among the several regions of the state"

Amendment No. 9

On page 9, strike out lines 27 to 40, inclusive; and on page 10, strike out lines 1 to 3, inclusive, and insert "repealed"

Amendments Nos. 10 and 11

On page 10, line 5, after "amended", insert "and renumbered".

Amendment No. 12

On page 10, line 6, strike out "13993", and insert "13992".

Amendment No. 13

On page 10, between lines 11 and 12, insert

"SEC. 10.8. Section 13993 is added to the Government Code, to read:

13993. The board may use unexpended balances of funds available for use by the Office of Transportation Planning and Research in connection with the functions of the office that are transferred to or vested in the board Such funds shall be used by the board only for the purposes for which they were originally appropriated or otherwise made available or otherwise designated by law.

SEC. 10.9. Section 13993.1 is added to the Government Code, to read:

13993.1. All officers and employees of the Office of Transportation Planning and Research who, on July 1, 1973, are serving in the state civil service, and engaged in the performance of a function transferred to or vested in the board, shall be transferred to the board The status, positions, and rights of such persons shall not be affected by the transfer, and shall be retained by them as officers and employees of the

board pursuant to the State Civil Service Act, except as to positions exempt from civil service in the office.

SEC 10.10 Section 13993 2 is added to the Government Code, to read·

13993 2. The board shall have the possession and control of all licenses, permits, leases, agreements, contracts, orders, claims, judgments, records, papers, equipment, supplies, bonds, moneys, funds, appropriations, buildings, land and other property, real or personal, held for the benefit, use, or obligation of the Office of Transportation Planning and Research in connection with the functions of office that are transferred to or vested in the board."

Amendment No. 14

On page 10, strike out lines 13 to 18, inclusive, and insert "repealed."

Amendment No. 15

On page 10, line 37, strike out "Funds", and insert "Matching funds".

Amendment No. 16

On page 10, strike out line 39, and insert

"(c) Transportation research projects of statewide interest"

Amendment No. 17

On page 11, line 4, strike out "nonstatutorily"; strike out lines 5 to 18, inclusive, and in line 19, strike out "of the", and insert "transportation planning agency designated in Section 29532 for the preparation or updating of a regional transportation plan pursuant to Chapter 2 5 (commencing with Section 65080) of Title 7 may be up to 70 percent of its".

Amendment No. 17.5

On page 11, between lines 20 and 21, insert

"13998 The Director of Transportation, in consultation with the board, shall prepare annually a report providing details regarding revenues in, and expenditures from, the Transportation Planning and Research Account, and shall submit the report to the Legislature at such time as the budget is submitted thereto by the Governor In addition, the report shall explain the basis of the determinations made by the director under Section 21682 5 of the Public Utilities Code and Section 194 of the Streets and Highways Code, and shall provide a detailed justification of any appropriation sought from the Legislature for the purpose of defraying costs of that share of comprehensive transportation planning which is attributable neither to aviation planning and research, as determined under Section 21682 5 of the Public Utilities Code, nor to highway planning and research, as determined under Section 194 of the Streets and Highways Code"

Amendment No. 18

On page 11, line 40, strike out "travel", and insert "transport".

Amendment No. 19

On page 12, strike out line 3, and insert "indicate a need for innovative, as well as improved,"

Amendment No. 20

On page 12, line 4, strike out "Many urban", and strike out lines 5 to 13, inclusive, and insert

"(b) The diversity of conditions in California is such as to require a variety of solutions to transportation problems within various areas of the state. Differences in population levels and densities, living patterns, social conditions, topography, climate, environmental circumstances, and other factors should be recognized in determining appropriate solutions to transportation problems in the various areas Particular attention must be given to differences among the metropolitan, the less urbanized, and the more rural areas of the state In some cases, future demands, particularly in urban corridors, may prove to be beyond the practical capabilities of a highway solution, while in other cases, environmental conditions may rule out a highway solution In still other cases, heavy reliance upon highway transportation may prove to be satisfactory for the foreseeable future Clearly, the appropriate mix of transportation modes throughout California to provide economical and efficient transportation service consistent with desires for mobility, will vary markedly from time to time and from area to area within the state.

In all cases, regional and local expressions of transportation goals, objectives, and policies which reflect the unique characteristics and aspirations of various areas of the state shall be recognized in transportation planning tempered, however, by consideration of statewide interests."

Amendment No. 21

On page 12, line 14, strike out "(b)", and insert "(c)".

Amendment No. 22

On page 12, line 17, strike out "alternative", and insert "adequate".

Amendment No. 23

On page 12, strike out line 18, and insert "persons not now adequately served by any transportation mode,".

Amendment No. 24

On page 12, line 37, strike out "(c)", and insert "(d)".

Amendment No. 25

On page 13, line 5, strike out "(d)", and insert "(e)".

Amendment No. 26

On page 13, strike out line 8, and in line 9, strike out "increasing federal involvement."

Amendment No. 27

On page 13, line 15, after "problems", insert "and the thrust of federal involvement".

Amendment No. 28

On page 13, line 21, strike out "(e)", and insert "(f)".

Amendment No. 29

On page 13, line 33, after "transportation", insert "where found appropriate".

Amendment No. 30

On page 15, line 30, strike out "and", and insert a comma.

Amendment No. 31

On page 15, line 31, after "Works", insert ", and the Office of Transportation Planning and Research, with the exceptions of those functions and duties reserved to the board in Section 13990 6 on July 1, 1973".

Amendment No. 32

On page 15, line 34, strike out "and", and insert a comma.

Amendment No. 33

On page 15, line 34, after "Works", insert ", and the Office of Transportation Planning and Research".

Amendment No. 34

On page 16, line 1, strike out "and", and insert a comma.

Amendment No. 35

On page 16, line 1, after "Works", insert ", and the Office of Transportation Planning and Research".

Amendment No. 36

On page 16, line 2, strike out "the operative date of this section", and insert "July 1, 1973".

Amendment No. 37

On page 16, line 10, strike out "and", and insert a comma.

Amendment No. 38

On page 16, line 11, after "Works", insert ", and the Office of Transportation Planning and Research".

Amendment No. 39

On page 16, line 18, strike out "and", and insert a comma.

Amendment No. 40

On page 16, line 19, after "Works", insert ", and the Office of Transportation Planning and Research".

Amendment No. 41

On page 16, between lines 21 and 22, insert

"14010 5 The Governor, in the case of the Office of Transportation Planning and Research, shall make the final determination as to the proper division of personnel, property, and funds between the board and department for purposes of Sections 13993, 13993.1, 13993.2, 14008 5, 14009, and 14010 "

Amendment No. 42

On page 18, line 14, after "projects", insert "of statewide interest".

Amendment No. 43

On page 18, strike out lines 28 to 40, inclusive, and insert

"14040 2. The California Transportation Plan shall include regional transportation plans as prepared by regional transportation planning agencies pursuant to Chapter 2 5 (commencing with Section 65080) of Title 7. The narratives of the regional transportation plans may be summarized in the California Transportation Plan in the interest of readability and brevity The California Transportation Plan may include alternative recommendations for resolving issues of statewide interregional interest, including resource allocation where differences exist between regional transportation plans or where, within a regional transportation plan, a matter of statewide interregional interest has been omitted Additionally, the department may make recommendations to promote consistency among regional transportation plans to the end that the California Transportation Plan will provide total system integration continuity and balance, and achieve equity on a statewide basis "

Amendment No. 43.5

On page 19, line 12, strike out "Thereafter, but prior to the"; and strike out lines 13 to 22, inclusive, and insert "However, the plan shall not be adopted by the board until the Legislature has received, and approved or modified, the recommendations specified in subdivision (a) of Section 14042 by an act containing the approved or modified recommendations, which act shall constitute a legislative declaration of statewide transportation goals, objectives, and policies The board shall adopt the California Transportation Plan only upon a finding that the plan is compatible with the declaration

14040 7 After the adoption of the plan in accordance with Section 14040 6, but prior to the board's annual review of the department's budget, the director shall submit to the board annually, during the next succeeding two years, a proposed updating of the California Transportation Plan which includes the annual updated regional transportation plans required by Section 65080, along with a multiyear planning program Thereafter, the proposed updating shall be submitted biennially The board shall hold public hearings and adopt an updated California Transportation Plan in the same manner as required for the original plan However, the board shall not adopt the updated plan unless it finds that the updated plan is compatible with the currently effective legislative declaration of statewide transportation goals, objectives, and policies."

Amendment No. 43.6

On page 19, line 25, strike out "the California Toll Bridge Authority,".

Amendment No. 44

On page 19, line 37, strike out "policies, and standards", and insert "and policies".

Amendment No. 45

On page 20, line 5, after "statements", insert "for system planning".

Amendment No. 46

On page 20, line 9, strike out the first "and".

Amendment No. 47

On page 20, line 11, after "Plan", insert ", and the assignment of responsibilities and development of procedures for compliance with requirements of state and federal law regarding the preparation of environmental impact statements for project development".

Amendment No. 48

On page 21, line 30, after the period, insert "The description shall include an explanation of the current duties, responsibilities, and working relations of the board staff, the agency, and the department and its several divisions with respect both to development of the California Transportation Plan and to other planning and research activities conducted by the board, the agency, and the department and its divisions"

Amendment No. 49

On page 21, line 31, after "(e)", insert "Recommendations regarding the need and desirability for statutory creation of regional transportation planning agencies in California, the appropriate geographic boundaries of such agencies as are found to be needed and desirable, and appropriate measures for their establishment

(f)".

Amendment No. 50

On page 22, line 27, strike out "Each", and insert "(a) Except as provided in subdivision (c), each".

Amendment No. 51

On page 22, line 28, after "under", insert "subdivision (a) or (b) of".

Amendment No. 52

On page 22, line 40, strike out "The", and insert

"(b) The".

Amendments Nos. 53 and 54

On page 23, between lines 16 and 17, insert

"(c) A transportation planning agency designated under subdivision (b) of Section 29532 may have the regional transportation plan for the area under its jurisdiction prepared by the department by adopting a resolution to that effect prior to July 1, 1973 In such a case, Section 65080 5 shall be applicable to the agency

65080 5 (a) For each area for which a transportation planning agency is designated under subdivision (c) of Section 29532, or adopts a resolution pursuant to subdivision (c) of Section 65080, the Department of Transportation, in cooperation with the transportation planning agency, and subject to subdivision (d), shall prepare the regional transportation plan, and the updating thereto, for that area and submit

it to the governing body or designated policy committee of the transportation planning agency for adoption Prior to adoption, a public hearing shall be held, after the giving of notice of such hearing by publication in the affected county or counties pursuant to Section 6061. The adopted plan, and the updating thereto, shall be submitted to the department pursuant to subdivision (b) of Section 65080

(b) In the case of a transportation planning agency designated under subdivision (c) of Section 29532, the transportation planning agency may prepare the regional transportation plan for the area under its jurisdiction pursuant to this chapter, if the transportation planning agency, prior to July 1, 1973, adopts by resolution a declaration of intention to do so

(c) Any transportation planning agency which did not elect to prepare the initial regional transportation plan for the area under its jurisdiction, may prepare the updated proposed regional transportation plan if it adopts a resolution of intention to do so at least one year prior to the date when the updated regional transportation plan is to be submitted to the department.

(d) If the department prepares or updates a regional transportation plan pursuant to this section, the state-local share of funding the preparation or updating of the plan shall be calculated on the same basis as though the preparation or updating were to be performed by the transportation planning agency and funded under Sections 13996 and 13997 ''

Amendment No. 55

On page 23, lines 19 and 20, strike out ''policies, and standards'', and insert ''and policies''.

Amendment No. 56

On page 23, line 27, after ''statement'', insert ''for system planning''.

Amendment No. 57

On page 23, line 33, strike out the second ''and''.

Amendment No. 58

On page 23, line 36, after ''plan'', insert '', and the assignment of responsibilities and development of procedures for compliance with requirements of federal and state law regarding the preparation of environmental impact statements for project development''

Amendment No. 59

On page 24, strike out line 8, and insert ''proper utilization of various modes.''

Amendment No. 60

On page 25, between lines 7 and 8, insert

''65084 In order to insure coordinated planning, development, and operation of transportation systems of all types and modes, the board of supervisors of each county may appoint a county director of transportation, and specify the extent of the responsibilities of such officer.

65085. The board of supervisors may designate any county officer who is properly qualified to serve as the county director of transportation."

Amendment No. 61

On page 26, line 11, after "planning", insert "and research".

Amendment No. 62

On page 26, strike out lines 13 to 38, inclusive.

Amendment No. 63

On page 28, line 3, after "planning", insert "and research".

Amendment No. 64

On page 29, strike out lines 16 to 24, inclusive, and insert "Code is repealed

SEC. 34. Section 30050 is added to the Streets and Highways Code, to read:

30050 The California Toll Bridge Authority is hereby abolished. Any reference in any law or regulation to the California Toll Bridge Authority shall be deemed to refer to the California Highway Commission The California Highway Commission succeeds to and is vested with all the duties, powers, purposes, responsibilities, and jurisdiction vested in the California Toll Bridge Authority An assistant secretary to the California Highway Commission shall be appointed by the Governor The assistant secretary shall administer the affairs of the commission in relation to its duties pertaining to bond financing and toll revenues as directed by the commission and shall serve at the pleasure of the commission."

Amendment No. 65

On page 29, line 25, strike out "SEC 34", and insert "SEC 35".

Senate Amendments of November 22, 1972

Amendment No. 1

In lines 25 and 26 of the title of the printed bill, as amended in Senate November 15, 1972, strike out ", 194, and 30050", and insert "and 194".

Amendment No. 2

In lines 27 and 28 of the title, strike out "to repeal Section 30050 of,".

Amendment No. 3

On page 23, line 25, after the comma, insert "the California Toll Bridge Authority,"

Amendment No. 4

On page 35, strike out lines 8 to 33, inclusive; and in line 34, strike out "SEC 35", and insert "SEC 33".

Request for Unanimous Consent

Mr Lanterman was granted unanimous consent that Mr. Sid McCausland, Consultant to the Assembly Transportation Committee, be permitted to sit at his desk during consideration of Senate amendments to Assembly Bill No. 69.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 69?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cory, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, McAlister, Meade, Moorhead, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Thomas, Townsend, Warren, Waxman, Wilson, Wood, and Mr. Speaker—42

NOES—Barnes, Crown, Davis, Duffy, Dunlap, Foran, Ketchum, Maddy, McCarthy, Miller, Mobley, Stacey, Wakefield, and Z'berg—14

Above bill ordered enrolled.

Assembly Bill No. 1527—An act to amend Section 2507 of the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1527?

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 6, 1972, after "to", insert "amend Section 2507 of".

Amendment No. 2

Strike out line 3 of the title, and insert "healing arts, and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 2, line 13, strike out "internship and"

Amendment No. 4

On page 2, after line 32, insert

"SEC 2 Section 2507 of the Business and Professions Code is amended to read

2507 A medical corporation shall not do or fail to do any act the doing of which or the failure to do which would constitute unprofessional conduct under any statute, rule or regulation now or hereafter in effect In the conduct of its practice, it shall observe and be bound by such statutes, rules and regulations to the same extent as a person holding a certificate under Section 2135 or 2491 of this code The board shall have the same powers of suspension, revocation and discipline against a medical corporation as are now or hereafter authorized by Section 2360 of this code, or by any other similar statute against

individual licensees, provided, however, that proceedings against a medical corporation shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein

The offering and operation by a medical corporation of a health care service plan, registered pursuant to the provisions of Section 12537 of the Government Code, shall be the practice of medicine by such corporation and is hereby authorized

Notwithstanding any other provision of law, for the purposes of this section, the operation by a medical corporation of a health care service plan shall include the employment of appropriate professional personnel licensed pursuant to the provisions of Division 2 (commencing with Section 500)

SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

California has urgent need for increased health care services and more licensed health care personnel, including physicians Further, a question has arisen with respect to the effect of Section 2507 of the Business and Professions Code upon health plans now being reviewed by the Department of Health Care Services In order to meet specific needs for health care personnel and to insure that health plans provide for comprehensive health services to medical patients at the earliest possible time, it is necessary that this act go into effect immediately "

Set No. 2

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly July 6, 1972, strike out "add and repeal Section 2310 5 of"

Amendment No. 2

On page 2, line 2, strike out "Section 2310 5 is added to the Business", and strike out line 3; and in line 4, strike out "2310 5 "

Amendment No. 3

On page 2, in lines 4 and 5, strike out "this chapter", and insert "law"

Amendment No. 4

On page 2, line 17, strike out "section", and insert "act"

Amendment No. 5

On page 2, strike out lines 22 to 24, inclusive, and insert

"(g) Makes application to the board for a reciprocity certificate within 90 days after the effective date of this act "

Urgency Clause

Urgency clause read

The roll was called, and the Assembly refused to concur in the above Senate amendments, which add an urgency clause to the bill, by the following vote

AYES—Stacey and Waxman—2

NOES—Arnett, Badham, Barnes, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Crown, Davis, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Thomas, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—53

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1440

Mr Moretti was granted unanimous consent to take up Senate Bill No 1440, out of order, for purpose of amendment

Consideration of Senate Bill No. 1440

Senate Bill No. 1440—An act to repeal and add Chapter 10 (commencing with Section 3500) of, and to repeal Chapter 10 5 (commencing with Section 3525) and Chapter 11 (commencing with Section 3550) of, and to add Chapter 10 5 (commencing with Section 3550) and Chapter 11 (commencing with Section 3575) to, of Division 4 of Title 1 of, and to add Sections 11551 1 and 11553 1 to, the Government Code, relating to public employer-employee relations

Bill read third time.

Motion to Amend

Mr Moretti moved the adoption of the following amendments

Amendment No. 1

On page 4 of the printed bill, as amended in Assembly July 28, 1972, strike out lines 20 to 23, inclusive, and insert

"The Legislature recognizes that fundamental distinctions exist between public agencies and private industry and declares that private sector precedent shall not be binding "

Amendment No. 2

On page 5, line 39, after "(b)", insert "(1)"

Amendment No. 3

On page 6, line 4, after the period, insert "(11)"

Amendment No. 4

On page 6, line 10, after "California", insert "or any state agency not included in subsection (1) of this subdivision"

Amendment No. 5

On page 6, line 24, after "as", insert "the exclusive representative or"

Amendment No. 6

On page 7, strike out lines 18 to 21, inclusive

Amendment No. 7

On page 7, line 22, strike out "(m)", and insert "(l)".

Amendment No. 8

On page 7, line 25, strike out "(n)", and insert "(m)".

Amendment No. 9

On page 7, line 32, strike out "(a)", and insert "(1)".

Amendment No. 10

On page 7, line 33, strike out "(b)", and insert "(2)".

Amendment No. 11

On page 7, line 36, strike out "(c)", and insert "(3)".

Amendment No. 12

On page 7, line 37, strike out "(d)", and insert "(4)".

Amendment No. 13

On page 7, line 39, strike out "(e)", and insert "(5)".

Amendment No. 14

On page 8, line 1, strike out "(f)", and insert "(6)".

Amendment No. 15

On page 8, strike out lines 35 to 40, inclusive, and on page 9, strike out lines 1 and 2, and insert

"3506 Professional employees shall not be denied the right to be represented separately from nonprofessional employees

"Professional employees," for the purposes of this section, means employees engaged in work requiring specialized knowledge and skills attained through completion of a recognized course of instruction, including, but not limited to, attorneys, physicians, registered nurses, engineers, architects, teachers, and the various types of physical, chemical, and biological scientists

Any dispute over the designation of professional employee shall be resolved by the board upon petition by either party."

Amendment No. 16

On page 9, line 16, strike out "commission", and insert "board".

Amendment No. 17

On page 9, line 18, strike out "commission", and insert "board".

Amendment No. 18

On page 9, between lines 22 and 23, insert

"Notwithstanding the foregoing provisions of this section, disputes over rules, regulations, provisions and procedures adopted pursuant to this section and approved by the board shall be submitted to the board in accordance with Section 3507.3."

Amendment No. 19

On page 10, line 23, strike out "shall extend to", and insert "may negotiate with".

Amendment No. 19.5

On page 10, line 24, after "organization", insert "for".

Amendment No. 20

On page 11, strike out lines 1 to 5, inclusive, and insert

"(c) A public employer may negotiate with a recognized employee organization for the right to have a service fee deducted Such fee shall not exceed the membership dues of such organization."

Amendment No. 21

On page 14, between lines 18 and 19, insert

"3522 The enactment of this chapter shall not be construed as making the provisions of Section 923 of the Labor Code applicable to public employees."

Amendment No. 22

On page 18, line 33, strike out "such representation", and insert "a".

Amendment No. 23

On page 18, line 34, strike out "representation claim", and insert "petition".

Amendment No. 24

On page 19, strike out lines 2 to 8, inclusive, and insert

"3530 1. In determining the appropriate unit of representation under Section 3530 the board shall take into consideration, along with other relevant factors, the principles of efficient administration of government, the existence of a community of interest among employees, the history of employee representation, location, supervisory responsibilities, public and private sector experience in similar situations, appropriate group of skilled crafts employees, and the recommendations of the parties involved."

Amendment No. 25

On page 19, line 29, after "representation", insert a comma.

Amendment No. 26

On page 19, line 32, after the comma, insert "that".

Amendments Nos. 27 and 28

On page 22, line 7, strike out "the", and strike out line 8.

Amendment No. 29

On page 22, lines 26 and 27, strike out "subparagraph (b) above", and insert "subdivision (b)".

Amendment No. 30

On page 27, line 13, after "board", insert ", or its designated representatives".

Amendment No. 31

On page 30, between lines 16 and 17, insert

"(c) The provisions of this chapter shall not be deemed to abrogate recognition of employee organizations or designation of units of representation as existed on the operative date of this chapter.

(d) The provisions of this chapter shall not be deemed to have any effect on litigation pending on the operative date of this chapter."

Amendment No. 32

On page 30, line 17, strike out "(c)", and insert "(e)".

Amendment No. 33

On page 35, line 27, after "Board", insert a period.

Amendment No. 34

On page 35, line 34, after "Board", insert a period.

Amendment No. 35

On page 8, line 4, strike out "parties may agree as to the"; and strike out lines 5 and 6.

Amendment No. 36

On page 8, line 7, after "such", insert "exclusive".

Amendment No. 37

On page 8, lines 7 and 8, strike out "affected public employees or".

Amendment No. 38

On page 4, line 40, strike out "resolve grievances and"; and on page 5, line 1, strike out "disputes", and insert "reach agreement".

Amendment No. 39

On page 5, line 33, after the comma, insert "elected public officials,".

Amendment No. 40

On page 10, line 33, after the period, insert "This subdivision is not applicable to any employee subject to the provisions of Sections 1157.4 and 1157.5 until such time as the public employer and the recognized employee organization agree to deductions from the salaries of employees for payment of a service fee, and until such time as the parties also agree that the employee organization shall refuse to accept payment by way of payroll deductions for dues or for other services provided by the employee organization as to any or all of its members."

Amendment No. 41

On page 13, line 22, after "any", insert "particular".

Amendment No. 42

On page 23, line 35, strike out "five", and insert "10".

Amendments read.

Motion to Re-Refer Senate Bill No. 1440 and Amendments to Committee

Mr. Badham moved that Senate Bill No. 1440, together with the amendments offered by Mr. Moretti to the bill, be re-referred to the Committee on Ways and Means.

Mr. Conrad seconded the motion.

Motion Withdrawn

By unanimous consent, Mr. Badham, with the consent of his second to the motion, withdrew his motion to re-refer Senate Bill No 1440, together with the amendments offered by Mr. Moretti to the bill, to the Committee on Ways and Means.

Request for Unanimous Consent

Mr. Badham was granted unanimous consent that the amendments offered by Mr Moretti to Senate Bill No 1440 be adopted, and that the bill, as amended, be re-referred to the Committee on Ways and Means.

Amendments adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

By unanimous consent, the Assembly Rules were temporarily suspended for the purpose of setting Senate Bill No 1440 for hearing in the Committee on Ways and Means on Thursday, November 30.

ANNOUNCEMENTS

Mr. Brown announced that Senate Bill No 1440 would be considered by the Ways and Means Committee as a special order of business tomorrow, November 30, at 10 a m

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 178—An act to amend Section 830 4 of the Penal Code, relating to peace officers

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 178?

Senate Amendments of July 26, 1972

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Assembly June 20, 1972, insert

"(Coauthor: Senator Coombs)".

Amendment No. 2

On page 3, between lines 11 and 12, insert

"(17) Investigators who are regularly employed and paid as such by the office of a public defender.

(18) Housing authority patrolmen who are regularly employed and paid as such by the Los Angeles County Housing Authority.

(19) Officers and employees of the Department of Human Resources Development designated in Section 317 of the Unemployment Insurance Code, if the primary duty of such officer or employee shall be the enforcement of the law as that duty is set forth in Section 317 of such code."

Amendment No. 3

On page 3, after line 21, insert

"SEC 2 It is the intent of the Legislature that the changes effected by this legislation shall serve only to define peace officers, and that there be no change in the status of individual peace officers or classes of peace officers for purposes of retirement, workmen's compensation or similar injury or death benefits, or other employee benefits"

Senate Amendments of August 3, 1972

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Senate July 26, 1972, strike out "However, notwithstanding the provisions", and strike out lines 25 to 30, inclusive.

Amendment No. 2

On page 3, between lines 24 and 25, insert

"(20) Security officers of the California Museum of Science and Industry."

Amendment No. 3

On page 3, between lines 29 and 30, insert

"(c) Notwithstanding the provisions of Section 171c, 171d, or 12027, no persons described in paragraph (10), (15), (16), (17), (18) or (20) of subdivision (a) are peace officers for purposes of such sections except when designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, as peace officers for such purposes"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Badham, Barnes, Bee, Brathwaite, Briggs, Brown, Campbell, Chacon, Cline, Cory, Crown, Cullen, Davis, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, and Mr Speaker—49

NOES—Arnett, Burke, Conrad, Miller, Moorhead, Russell, and Wakefield—7

~~Above bill ordered enrolled~~

NOTE Later this day a motion to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No 178 was offered by Mr Wakefield See page 8120

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 481

At 5 21 p m., on motion of Mr Townsend, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 481 refused passage by the following vote:

AYES—Bee, Beverly, Briggs, Duffy, Ketchum, Lancaster, Lanterman, MacGillivray, Monagan, Porter, Quimby, Stacey, and Townsend—13.

NOES—Arnett, Badham, Barnes, Burke, Burton, Chacon, Crown, Dunlap, Foran, Leroy F. Greene, Hayden, Knox, MacDonald, McAlister, Meade, Murphy, Powers, Seeley, Thomas, Wakefield, Wilson, Wood, and Z'berg—23.

Motion to Reconsider Senate Bill No. 481 on Next Legislative Day

Mr. Townsend moved to reconsider on the next legislative day the vote whereby Senate Bill No 481 was this day refused passage.

Rules Temporarily Suspended to Take up Motion to Reconsider Senate Bill No. 481

Mr. Townsend was granted unanimous consent that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider the vote on Senate Bill No 481 on this day.

Senate Bill No. 481 Reconsidered

In compliance with a motion given, Mr Townsend was granted unanimous consent that the vote whereby Senate Bill No 481 was this day refused passage be reconsidered.

Senate Bill No. 481 Passed and Retained

By unanimous consent, Senate Bill No 481 was passed on file, to retain its place on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1820—An act to amend Section 3262 of the Civil Code, relating to works of improvement

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1820?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Neither", and insert "(a) Except as otherwise provided in subdivision (b), neither".

Amendment No. 2

On page 1, line 6, after "notice", insert a comma

Amendment No. 3

On page 1, after line 8, insert

"(b) Neither the owner who is a natural person, nor the original contractor shall by any term of their contract, or otherwise, waive, affect, or impair the claims or liens of other persons whether with or without notice, except by their written consent and any term of the contract to that effect shall be null and void, if the contract is for the construction of any of the following

(1) A single-family dwelling or duplex

(2) Improvements to a single-family dwelling or duplex

(3) Improvements to real property upon which a single-family dwelling or duplex is located, or is to be located, where the improvement is related to such residential use"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1912—An act to add Section 17204 5 to the Education Code, relating to school districts.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1912?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 7, 1972, strike out "amend Section 17204 of", and insert "add Section 17204 5 to".

Amendment No. 2

On page 2, lines 1 and 2, strike out "17204 of the Education Code is amended", and insert "17204 5 is added to the Education Code, 17204 5 The governing board of any school district having an average daily attendance of 100,000 or more may deposit in one or more bank accounts moneys received from the temporary rental of property acquired by a school district pending construction of school facilities on such property The moneys may be held in such accounts for a period of not to exceed three years and may be used to pay any proper costs incurred as a result of such temporary rental, provided that when such moneys are not being used to pay such costs they may be invested, along with all other moneys deposited in clearing accounts, pursuant to Section 17203 as determined by the governing board of any such school district."

Amendment No. 3

On page 2, strike out lines 4 to 37, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None

Above bill ordered enrolled

MOTION TO RECONSIDER SENATE BILL NO. 1358 CONTINUED

Mr Waxman was granted unanimous consent that his motion to reconsider the vote on Senate Bill No 1358 be continued until the next legislative day

MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 496 CONTINUED

Mr Miller was granted unanimous consent that his motion to reconsider the vote on concurrence in Senate amendments to Assembly Bill No 496 be continued until the next legislative day

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1249—An act to amend Section 17920 of, and to add Sections 17922 6, 17922 7, and 17926 to, the Health and Safety Code, relating to noise insulation, and making an appropriation therefor

Bill read third time, and presented by Mr McCarthy

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Badham, Burke, Ketchum, Lewis, MacGillivray, Stacey, and Wakefield—7

Bill ordered transmitted to the Senate

Senate Bill No. 1112—An act to amend Sections 5952, 12551, and 12553 of, to amend and renumber Section 12551 5 of, to add Sections 12601, 12602, 12603, 12604, and 12605 to, and to repeal Section 12601 of, the Education Code, relating to pupils.

Bill read third time, and presented by Mr Arnett.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1239—An act to amend Section 65860 of the Government Code, relating to zoning, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. McCarthy.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—Miller—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—Miller—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 279—An act to amend Sections 14005 4, 14005 6 and 14005 7 of, and to add Article 4 5 (commencing with Section 14146) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services

Bill read third time, and presented by Mr Duffy

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 451—An act to add Article 2 (commencing with Section 44971) to Chapter 9 of Division 17 of the Agricultural Code, relating to agricultural products

Bill read third time, and presented by Mr Lewis

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 919—An act to amend Sections 6876 1, 21625, 21632, 21633, 21634, and 21635 of the Business and Professions Code, to amend Section 607f of the Civil Code, to amend Sections 10401 and 10402 of the Corporations Code, to amend Sections 13128, 13588, and 13589 of the Education Code, to amend Section 21208 of the Financial Code, to amend Sections 1030, 14710, 15001, 15100, 15103, 15104, 20017 75, 20803 7 and 22013 of, and to repeal Section 20017 7 of, the Government Code, to amend Sections 11002 1, 11102, 11103, 11104, 11105, 11106, 11166 05, 11166 08, 11166 10, 11166 11, 11177, 11226, 11228, 11250, 11331 5, 11332, 11333, 11395, 11425, 11426, 11573, 11574, 11576, 11652, 11654, 11655, 11655.6, 11656, 11657, 11680, 11722, 11851, 11852, 11853, 11903, 11925 1, 11925 2, 11925 3, and 11925 4 of, to repeal Sections 11004, 11005, 11100, and 11101 of, to amend, repeal, and add Sections 11655 5 and 11722 of, and to amend the heading of Chapter 2 (commencing with Section

11100) of Division 10 of, the Health and Safety Code, to amend Sections 3212 7, 4800, 4802, and 4803 of the Labor Code, to amend Sections 290, 830.3, 2082, 4852 12, 4852 14, 4852 17, 11006, 11050, 11050 5, 11051, 11102, 11105, 11107, 11110, 11113, 11115, 11116, 11117, 11120, 11122, 11123, 11124, 11125, 11126, 11127, 11150, 11152, 11161 5, 12030, 12052, 12053, 12054, 12075, 12076, 12077, 12078, 12079, 12090, 12092, 12094, 12230, 12231, 12250, 12251, 12305, 12306, 12307, 12403, 12423, 12424, 12435, 12450, 12452, 12454, 12455, 12456, 12457, 12458, 13010, 13011, 13012, 13020, 13021, and 13022 of, to repeal Sections 11000, 11005, and 11007 of, to amend the heading of Chapter 1 (commencing with Section 11000) of Title 1 of Part 4 of, and to repeal Article 1 (commencing with Section 13000) of Chapter 1 of Title 3 of Part 4 of, the Penal Code, and to amend Sections 504 and 5328 2 of, and to amend, add, and repeal Sections 8104 and 16018 of, the Welfare and Institutions Code, relating to the Department of Justice.

Bill read third time, and presented by Mr. Arnett

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1061—An act to add Section 18412 1 to the Financial Code, relating to industrial loan companies.

Bill read third time, and presented by Mr Foran.

Bill passed by the following vote

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1447—An act to amend Sections 7451 and 7451 1 of the Education Code, relating to regional occupational centers and programs.

Bill read third time, and presented by Mr. Bill Greene.

Bill passed by the following vote:

AYES—Arnett, Badham, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Duffy, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate

MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 178 ON NEXT LEGISLATIVE DAY

Mr Wakefield moved to reconsider on the next legislative day the vote whereby the Assembly on this day concurred in Senate amendments to Assembly Bill No 178

Assembly Bill No 178 ordered to the unfinished business file.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 791

At 5:35 p m, on motion of Mr Ralph, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No 791 by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Keysor, Knox, LaCoste, MacGillivray, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41

NOES—Badham, Barnes, Burke, Campbell, Cline, Conrad, Duffy, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacDonald, Maddy, Mobley, Moorhead, Murphy, Priolo, Russell, Seeley, Stacey, and Wakefield—22

Above bill ordered enrolled

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1710

At 5:36 p m, on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No 1710 by the following vote:

AYES—Bee, Briggs, Brown, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Keysor, Knox, LaCoste, Lanterman, MacDonald, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—42

NOES—Badham, Burke, Conrad, Duffy, Ray E Johnson, Ketchum, Lancaster, Lewis, MacGillivray, Mobley, Monagan, Moorhead, Stacey, and Wakefield—14

Above bill ordered enrolled

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5 37 p m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Meade

House Resolution No. 137

Relative to the State Department of Public Health

WHEREAS, The State Department of Public Health is transferring its facilities and employees from Berkeley to Sacramento, and

WHEREAS, The transfer, which is planned to be completed by July 1, 1973, except as to the Berkeley laboratories, will affect approximately 800 employees by such date and approximately 380 laboratory employees later, and

WHEREAS, Many of the department's employees, especially persons recruited from minority and disadvantaged groups, cannot financially afford to move to Sacramento, and many employees, who are highly skilled and experienced technical and professional personnel, will resign rather than move; and

WHEREAS, This loss of personnel may stall key programs for months or even years, and

WHEREAS, The highly technical Public Health Laboratories and the Public Health Library, which the department shares with the University of California School of Public Health, will have to be duplicated in Sacramento at considerable cost, and

WHEREAS, The economic impact of the loss of the department's payroll will be felt throughout the entire San Francisco Bay Area with adverse consequences, and

WHEREAS, Transferring the department's Berkeley facilities to Sacramento will result in a loss rather than gain in efficiency due to increased cost of office space, difficulty in recruiting medical and technical personnel in Sacramento, and increased travel expenses on account of the less centralized location of Sacramento with respect to the rest of the state, now, therefore, be it

Resolved by the Assembly of the State of California, That the State Department of Public Health and its successor agency, the State Department of Health, are requested to maintain the department's facilities in Berkeley at their present location; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the Secretary of the Health and Welfare Agency, the Director of Public Health and, upon his appointment, to the Director of Health.

Request for Unanimous Consent

Mr Meade was granted unanimous consent to take up House Resolution No 137 without reference to committee or file.

Resolution read, and adopted

By Assemblymen Briggs and Campbell·

House Resolution No. 138

Relative to the Anaheim Memorial Hospital

WHEREAS, The Anaheim Memorial Hospital located at 1111 West La Palma Avenue, Anaheim, California, received from the State Department of Public Health a certificate of necessity pursuant to Section 1238 3 of the Code of Civil Procedure to take a tract of homes adjacent to the hospital under the right of eminent domain; and

WHEREAS, After the issuance of the certificate of necessity, the hospital considerably altered its plans for expansion to include substantial provision for private office space; and

WHEREAS, The majority of home owners involved in the condemnation proceedings have sold their homes to the hospital believing it to be in the public interest to do so; and

WHEREAS, Anaheim Memorial Hospital is invoking the right of eminent domain, available to it by virtue of its nonprofit status, in a profit-making venture, and

WHEREAS, This action is not in keeping with the intent of Section 1238 3 of the Code of Civil Procedure which authorizes the taking of private property through eminent domain proceedings only for public uses; and

WHEREAS, The primary benefit of the planned new facilities will redound to private persons rather than the public, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members request the Director of Public Health to withdraw the certificate of necessity issued to Anaheim Memorial Hospital; and be it further

Resolved, That the director make a complete report to the Assembly no later than February 15, 1973, on the entire matter relating to the issuance of this certificate of necessity, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Health

Request for Unanimous Consent

Mr. Briggs was granted unanimous consent to take up House Resolution No 138 without reference to committee or file

Resolution read, and adopted

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Mobley was granted unanimous consent that the following letter of transmittal be printed in the Journal·

Joint Committee on the Organization and Financing of Local Government

November 29, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Room 3164, Sacramento, California

Dear Mr Speaker Transmitted herewith is the report of the Joint Committee on the Organization and Financing of Local Government. Unless the Joint Rules Committee in its wisdom decides to extend the committee in order to provide sufficient time to hold hearings on this report, the committee will terminate December 31, 1972 Should the Joint Rules Committee decide to extend the committee, it is respectfully suggested that extension to July 31, 1973 be considered to permit introduction of related legislation.

Respectfully submitted,

ERNEST N MOBLEY

Above report referred to the Committee on Local Government.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1527

The Acting Speaker appointed Messrs Campbell, Priolo, and Waxman as a Committee on Conference concerning Assembly Bill No 1527.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, November 29, 1972

Mr Speaker: The Chairman of your Committee on Local Government reports:

SB No. 724

With author's amendments with the recommendation: Amend, and refer to the Committee on Local Government.

KNOX, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Senate Bill No. 724—An act to amend Sections 65302, 65302.1, 65302 2, 65302 5, 65563, 65860 and 65910 of, and to add Section 65302 3 to, the Government Code, relating to planning and zoning, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 21, 1972, strike out "to amend Sections 65302, 65302 1, 65302 2, 65302 5"; strike out line 2 of the title; and in line 3 of the title, strike out "Government Code,"

Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive; and strike out pages 2 to 9 inclusive; and on page 10, strike out lines 1 to 35, inclusive

Amendment No. 3

On page 10, between lines 35 and 36, insert

"SECTION 1 Notwithstanding any other provision of law, any city incorporated after July 1, 1971, but before December 1, 1972, in a county of the second class as designated pursuant to Section 28020 of the Government Code, shall not be subject to the provisions of Sections 65302, 65563, 65860, or 65910 of the Government Code until two years from the effective date of incorporation of such city."

Amendment No. 4

On page 10, line 36, strike out "14", and insert "2"

Bill ordered reprinted, and to be re-referred to the Committee on Local Government

MESSAGES FROM THE SENATE

Senate Chamber, November 29, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

SB No 1373

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1373—An act to amend Sections 53200, 53205 1, and 53205 16 of, and to repeal Sections 53205 05 and 53205 15 of, the Government Code, relating to insurance

Held at Desk by order of the Acting Speaker

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Senate Bill No.	*Committee*
1373	Finance and Insurance

VOTE CHANGES

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Senate Bill No. 1118.

Mr Burke was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 178.

Mr Miller was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 1112

Mr. Miller was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause to Senate Bill No 1239, and on the passage of the bill

Mr Moorhead was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 178.

Messrs. MacDonald and Lewis were granted unanimous consent that they be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 791.

Mr Lewis was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 1710.

Mr Murphy was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1710

ADJOURNMENT

At 5:41 p m, Acting Speaker Fenton declared the Assembly adjourned until 10 30 a m, Thursday, November 30, 1972.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-fifth Legislative Day

Three Hundred Thirty-third Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, November 30, 1972

The Assembly met at 10·30 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Ketchum moved a quorum call of the Assembly.
Mr Burke seconded the motion.
Motion carried Time, 10 31 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT QUORUM PRESENT

At 10.43 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We pray for a vital and human society within our state and Nation, for mutual trust and solidarity wherever men work together in government, business and industry We pray for the day when all men of good will respect each other and their institutions We pray that our country's future may be planned with expert care and that the same care may be devoted to the just and equal distribution of our prosperity —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr Knox then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Murphy, seconded by Mr Hayden.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr Deddeh, on request of Speaker pro Tempore Bee.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Speaker pro Tempore Bee
Mr Chappie, on request of Speaker pro Tempore Bee
Mr Cullen, on request of Speaker pro Tempore Bee

REPORTS

The following reports were presented by the Chief Clerk:

Bulletin No. 68-71. Inventory of Waste Water Production and Waste Water Reclamation Practices in California, 1970–1971. November 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated November 27, 1972, referred by the Speaker pro Tempore to the Committee on Water.

Land Use and Development Report for State Lands Granted to the City of Emeryville. (Pursuant to Section 6374 of the Public Resources Code.)

Above transmitted report, together with letter of transmittal from Edward M Steffani, City Engineer, Emeryville, dated November 28, 1972, referred by the Speaker pro Tempore to the Committee on Planning and Land Use.

Report: Land Use and Development, State Lands Granted to the County of Orange. (In compliance with Section 6374 of the Public Resources Code.) September 1972.

Above transmitted report, together with letter of transmittal from Kenneth Sampson, Director, Harbors, Beaches and Parks District, County of Orange, dated November 27, 1972, referred by the Speaker pro Tempore to the Committee on Planning and Land Use.

COMMUNICATIONS

Assembly Chamber, November 30, 1972

Mr Speaker Pursuant to your instructions, the Chief Clerk has examined·

AB No. 2393

And reports the same correctly engrossed.

JAMES D DRISCOLL, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Assembly Chamber, November 30, 1972

Mr Speaker The Chairman of your Committee on Judiciary reports

AB No 1481

With author's amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary

WARREN, Chairman

SECOND READING OF BILLS—AUTHOR'S AMENDMENTS

Assembly Bill No. 1481—An act to amend Sections 328, 441, and 757 of, to add an article heading immediately below the heading of Chapter 8 (commencing with Section 570) of Division 3 of, to add Article 2 (commencing with Section 590) to Chapter 8 of Division 3 of, to add Article 3 (commencing with Section 648) to Chapter 10 of Division 3 of, and to add Section 1004 to, the Probate Code, relating to decedents' estates

Bill read second time

Consideration of Author's Amendments

The following amendments, pursuant to the Assembly Rules, were read, and adopted.

Amendment No. 1

On page 4, line 34, of the printed bill, as amended in Assembly June 1, 1972, strike out the period, and insert "; provided, however, that all publications of notice required by such sections shall continue to be given whether or not the supervision or instructions of the court are involved"

Amendment No. 2

On page 5, line 14, strike out the second "or", and insert "of".

Amendment No. 3

On page 6, line 33, after "mailing", insert a period.

Amendment No. 4

On page 10, line 15, strike out the first "or", and insert "for".

Amendment No. 5

On page 22, line 17, strike out the period and insert a colon

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary

MESSAGES FROM THE SENATE

Senate Chamber, November 29, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 175

And appointed Senators Carpenter, Wedworth and Way, as a Committee on Conference to meet a like committee from the Assembly.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 29, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Deukmejian, Whetmore and Song as a Committee on Conference concerning:

Assembly Bill No. 1527

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 29, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 390	AB No 1093	AB No 1627
AB No 625	AB No. 1366	AB No 1791
AB No 762	AB No. 1499	AB No 1808
AB No. 1007	AB No 1576	

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 29, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 11
ACR No 90
ACR No. 131

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered enrolled

Senate Chamber, November 29, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 5	AB No 1082	AB No. 1691
AB No 168	AB No 1110	AB No 1714
AB No. 227	AB No 1210	AB No 1737
AB No 562	AB No 1263	AB No 1783
AB No 636	AB No 1292	AB No 1798
AB No 654	AB No 1360	AB No 1973
AB No 740	AB No. 1387	AB No. 2033
AB No. 744	AB No 1446	AB No 2044
AB No 807	AB No. 1451	AB No 2063
AB No 884	AB No 1505	AB No 2114
AB No. 900	AB No 1538	AB No 2139
AB No. 976	AB No 1602	AB No 2199
AB No 1003	AB No 1618	AB No 2368
AB No 1004	AB No 1638	

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, November 29, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 59

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file

Senate Chamber, November 29, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 4	SB No. 656	SB No. 1218
SB No 53	SB No 714	SB No 1226
SB No 161	SB No 918	SB No 1467
SB No 556		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 29, 1972

Mr Speaker I am directed to inform your honorable body that the Senate on this day passed

SB No. 990

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 29, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 88

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 28, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 92

DARRYL R WHITE, Secretary of the Senate

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 990—An act to repeal Chapter 1 (commencing with Section 11500) of, and to add Chapter 1 (commencing with Section 10500) to, Division 8 of the Elections Code, and to repeal Division 4 5 (commencing with Section 3600) of Title 1 of the Government Code, relating to elections.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 88—Relative to the region of San Diego County.

Held at Desk by order of the Speaker pro Tempore

Senate Concurrent Resolution No. 92—Relative to the approval of those certain amendments to the Charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon, consolidated with the general election held in Los Angeles County on the seventh day of November, 1972.

Held at Desk by order of the Speaker pro Tempore

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Senate Bill No.	*Committee*
990	Elections and Reapportionment

Senate Concurrent Resolution No.	*Committee*
88	Local Government
93	Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10:49 a m, Mr. Pierson was granted unanimous consent to hold a special meeting of the Committee on Finance and Insurance in the rear of the Assembly Chamber, at this time, and that the Assembly Rules be temporarily suspended for the purpose of setting Senate Bill No. 1373 for hearing in the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal be printed in the Journal:

Joint Legislative Audit Committee

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the Legislature of California

Sirs: We herewith transmit a report on federal, state, and privately funded health care programs This report is prepared in the form of a catalog for the convenience of the users

Each program is described in sufficient detail to disclose its authorization, objectives, type of assistance, the amount of funds available, eligibility for the funds, and how the funds may be used Also listed are the contact agencies through which information and applications for the funds and programs may be obtained.

We did not find any major publicly funded programs which originate below the state level City, county and local governmental agencies are using their resources to implement state and federal programs that require matching funds or local financial participation.

The report identifies 244 programs available in 1971–72 which probably will be continued in subsequent years The federal funded programs amount to $7 3 billion of which California should receive around 10 percent or $730 million The amount of federal funds the California state, local, and private health agencies have received has not been determined State funded programs amounting to $140 million are reported. Privately funded programs amounting to $14 million are reported.

The total of all funds available for expenditure by categories follows:

Facilities	$ 992 million
Youth Health	412 million
Mental Health	547 million
General Health	4,438 million
Research Grants	678 million
Training Grants	283 million
Education Grants	108 million
Total	$7,458 million

The purpose of preparing this catalog is to inform the public as to the availability of funds to implement health care programs where needed We have been concerned about the need to provide adequate emergency and continuing health care services throughout the state, especially in low income areas.

It is anticipated that this report will help governmental, and private agencies to implement health care programs where needed to improve the quality of life for many individuals.

Respectfully submitted,

VINCENT THOMAS, Chairman
Joint Legislative Audit Committee

Above report referred to the Committee on Health.

Hon. Walter W. Powers Presiding

At 10:52 a.m., Hon. Walter W Powers, 8th District, presiding.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2064—An act to amend Sections 667 and 2205 of, and to add Chapter 7 5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2064 (presented by Mr. Ketchum)?

Amendment No. 1

On page 4, line 29, of the printed bill, as amended in Assembly June 1, 1972, strike out the third comma; strike out line 30, and in line 31, strike out "mineral products,".

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Monagan moved a call of the Assembly

Motion carried. Time, 10:55 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

RECESS

By unanimous consent, at 10 56 a m., Acting Speaker Powers declared the Assembly recessed until 1 35 p m

REASSEMBLED

At 1:35 p m , the Assembly reconvened

Hon Walter W Powers, Member of the Assembly, 8th District, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 132

Mr. Monagan was granted unanimous consent to take up House Resolution No. 132 without reference to committee or file.

Consideration of House Resolution No. 132

House Resolution No. 132—Relative to Assemblyman William M. Ketchum.

NOTE: The full text of House Resolution No 132 appears at pages 7836–7837 of the Assembly Daily Journal for November 22, 1972.

Resolution read, and presented by Mr Monagan.

Members Made Coauthors of House Resolution No. 132

Mr Monagan was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No 132 as coauthors

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly

INTRODUCTION OF GUESTS

Acting Speaker Powers introduced the Honorable Victor V Veysey, Member of Congress, former Member of the Assembly, 75th District, of Imperial County, whereupon the Members of the Assembly joined in welcoming him on his visit to the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Fenton asked for unanimous consent that the Rules be temporarily suspended for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file; to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or Second Day Consent Calendar, instead of the second reading file, and to permit Consent Calendar bills to be placed upon the Second Day Consent Calendar for the next legislative day

Mr Monagan withheld unanimous consent

Motion to Temporarily Suspend the Rules

Mr. Fenton moved that the Rules be temporarily suspended for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file: to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or Second Day Consent Calendar, instead of the second reading file; and to permit Consent Calendar bills to be placed upon the Second Day Consent Calendar for the next legislative day.

Parliamentary Inquiry

Mr. Knox arose to the following parliamentary inquiry:
Is a motion to temporarily suspend the Rules amendable?

Reply by Acting Speaker

The Acting Speaker replied in the negative

The question being on the motion to temporarily suspend the Rules for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file; to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or Second Day Consent Calendar, instead of the second reading file; and to permit Consent Calendar bills to be placed upon the Second Day Consent Calendar for the next legislative day

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Murphy moved a call of the Assembly

Motion carried Time, 2:43 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Murphy asked for unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

Mr Fenton withheld unanimous consent

Objections Withdrawn

Mr Fenton withdrew his objections to temporarily suspending the Rules for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

By unanimous consent, the Assembly Rules were temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1274—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1274?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Assembly July 3, 1972, strike out "who", and insert "(1) who has served on active duty outside the geographical limits of the United States and its territories for a period not less than 90 days, (2) who was honorably discharged from the military service, and (3) who".

Amendment No. 2

On page 4, strike out line 18, and insert "regulations to prevent any abuses of the reimbursement program established under this chapter and for the administration of this section".

Amendment No. 3

On page 4, line 39, after the second "of", insert "Title 1 of".

Amendment No. 4

On page 5, strike out line 1, and insert "of five million dollars ($5,000,000) The department may"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled.

MOTION TO RECONSIDER SENATE BILL NO. 840 WAIVED

Mr. Monagan waived his motion to reconsider the vote whereby Senate Bill No 840 was passed

Senate Bill No 840 ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 3 25 p m , Hon Jack R Fenton, 51st District, presiding.

COMMUNICATIONS

Assembly Chamber, November 30, 1972

Mr. Speaker· Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 171—An act to add Section 4833 to the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 1963—An act to add Sections 11116.7, 11116 8, and 11116 9 to the Penal Code, relating to accusatory pleadings;

Assembly Bill No. 2165—An act to amend Section 19161 of the Business and Professions Code, relating to furniture and bedding;

And reports the same correctly enrolled, and presented to the Governor at 12 m , November 30, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, November 30, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 133—Approving an amendment to the Charter of the City of San Leandro, County of Alameda, State of California, ratified by the qualified electors of the city at a special municipal election held therein on the seventh day of November, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the 30th day of November, 1972, at 12 m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Assembly Chamber, November 30, 1972

Mr Speaker: Your Committee on Local Government reports:

SB No 724

With the recommendation: Do pass.

KNOX, Chairman

Above bill ordered to second reading

Committee on Finance and Insurance

Assembly Chamber, November 30, 1972

Mr Speaker: Your Committee on Finance and Insurance reports:

SB No 1373

With the recommendation: Do pass

PIERSON, Chairman

Above bill ordered to second reading

Committee on Ways and Means

Assembly Chamber, November 29, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SB No 1209

SB No 1380

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No. 541
SB No. 1238
SB No 1264

With the recommendation: Do pass.

BROWN, Chairman

Above bills ordered to second reading.

Assembly Chamber, November 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No 65

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar

BROWN, Chairman

Above resolution ordered to the Second Day Consent Calendar.

Assembly Chamber, November 30, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SB No. 1440

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

BROWN, Chairman

Subject matter of the above bill referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 724

Mr. Badham was granted unanimous consent to take up Senate Bill No. 724, without reference to file, for purpose of consideration at this time.

Second Reading of Senate Bill No. 724

Senate Bill No. 724—An act relating to planning and zoning, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered:

By Assemblyman Badham:

Resolved, That Senate Bill No 724 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with

Third Reading of Senate Bill No. 724

Senate Bill No. 724—An act relating to planning and zoning and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Badham.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Bill ordered transmitted to the Senate.

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 175

The Acting Speaker appointed Messrs Gonsalves, Murphy, and Cory as a Committee on Conference concerning Senate Bill No. 175.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1754—An act to amend Section 4110 of, and to repeal Section 4132 of, the Penal Code, relating to county industrial farms.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1754?

Amendment No. 1

In the heading of the printed bill, strike out "Chacon", and insert "Russell".

Amendment No. 2

In line 1 of the title, strike out "amend Section 4110 of, and to repeal Section", and strike out line 2, and insert "add Section 25365.6 to the Government Code, relating to county property."

Amendment No. 3

On page 1, strike out lines 1 to 12, inclusive; and strike out page 2, and insert

"SECTION 1. Section 25365.6 is added to the Government Code, to read:

25365.6. The board of supervisors of a county of over 4,000,000 population, without complying with any other provision of law, may transfer with or without consideration and upon such terms and conditions as it determines, any easement, license or other interest in real property belonging to the county and not needed for county purposes to any water agency for such purposes as are consistent with the powers and duties of such districts or agencies.

Any such donation or transfer may be by way of grant, quitclaim, dedication, lease or license.

Any such donation or transfer for less than the full market value of the interest conveyed is hereby declared to be for a public purpose."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, and 21294 of, and to add Sections 20493 1 and 21300 5 to, the Government Code, relating to retirement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1938?

Senate Amendments of July 10, 1972

Amendment No. 1

On page 2, lines 4 and 5, of the printed bill, as amended in Assembly June 19, 1972, strike out "other than school members".

Amendment No. 2

On page 3, strike out line 4

Senate Amendments of July 28, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 10, 1972, strike out "Section 21300 5", and insert "Sections 20493.1 and 21300 5".

Amendment No. 2

On page 2, line 1, after "1 ", insert "Section 20493 1 is added to the Government Code, to read:

20493 1 The provisions of Section 20493 shall not apply to provisions for disability retirement allowance for industrial disability for local miscellaneous members pursuant to Section 21294 An employer shall make an additional contribution to the retirement fund in respect to such local miscellaneous members in the amount determined by the board "

Senate Amendments of November 17, 1972

Set No. 1

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Senate July 28, 1972, after "patrol", insert ", state safety member".

Set No. 2

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Senate July 28, 1972, strike out "Section 21022 of the", and insert

"SEC 1 5 Section 21022 of the"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Barnes, Bee, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Cline, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Stull, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Z'berg—52

NOES—Seeley and Wakefield—2.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2064

At 3:30 p.m., on motion of Mr. Ketchum, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2064 by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 359—An act to amend Sections 1091, 1096, and 8506.1 of, and to add Section 1091.1 to, the Education Code, relating to public schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 359?

Senate Amendments of July 12, 1972

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out ", 1095, and 1096 of, and to add Section 1096.5 to," and insert "and 8506.1 of".

Amendment No. 2

On page 2, line 4, strike out "Notwithstanding any other provision of law, the", and insert "The".

Amendment No. 3

On page 2, between lines 14 and 15, insert

"Nothing in this section shall be construed as prohibiting or limiting any right provided for in Section 8701.

If venereal disease education classes are offered, the parent or guardian of each pupil enrolled or to be enrolled therein shall be notified in writing of the instructional program. Such notice shall be given at least 15 days prior to the commencement of the instructional program. The notice shall also advise the parent or guardian of his right

to inspect the instructional materials to be used in such class and of his right to request the school authorities that his child not attend any such class

Sending the required notice through the regular United States mail or any other method of delivery which the school district commonly uses to communicate individually in writing to all parents, meets the notification requirements of this section

The parent or guardian may request that his child not participate in a venereal disease instruction program Such request shall be in writing, but may be withdrawn by the parent or guardian at any time No pupil may attend any class in venereal disease education, if a request that he not attend the class has been received by the school in the manner provided in this section

The parent or guardian of any pupil enrolled or to be enrolled in any venereal disease education class shall be provided the opportunity to inspect the textbooks, audiovisual aids, and any other instructional materials to be used in such classes "

Amendment No. 4

On page 2, line 15, strike out "Section 1095 of the Education Code, as added"; strike out lines 16 to 20, inclusive; on page 3, strike out lines 1 to 11, inclusive, and insert

"Section 8506 1 of the Education Code, as added by Chapter 226 of the Statutes of 1972, is amended to read:

8506 1 The provisions of Section 8506 shall not apply to any venereal disease education classes conducted pursuant to ~~Section 8507~~ *Sections 1091 and 8507* ."

Senate Amendments of July 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 12, 1972, after "1091", insert ", 1096,".

Amendment No. 2

On page 2, lines 1 and 2, strike out ", as added by Chapter 1050 of the Statutes of 1971,".

Amendment No. 3

On page 3, line 3, after "writing", insert "by the governing board of the school district"

Amendment No. 4

On page 3, between lines 26 and 27, insert

"No private firm, corporation, or other entity with which a school district has contracted to provide venereal disease education shall provide instruction to any pupil of the school district with respect to whom the requirements of parental notice, parental request to withdraw the pupil, or parental request to inspect textbooks, audiovisual aids, and any other instructional materials to be used in such class have not been complied with as provided in this section The willful failure of private firm, corporation, or other entity to allow parents or guardians an opportunity to inspect the textbooks, audiovisual aids, and other

instructional materials to be used in such classes shall constitute a material breach of contract by such firm, corporation, or other entity.

SEC 1.5 Section 1096 of the Education Code is amended to read:

1096. No pupil may participate in instructional programs provided pursuant to this article without ~~the~~ *prior* written ~~consent of~~ *notification having been given to* his parent or guardian "

Senate Amendments of July 31, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 26, 1972, after "of", insert ", and to add Section 1091 1 to,".

Amendment No. 2

On page 3, strike out lines 30 to 40, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert

"SEC 2 Section 1091 1 is added to the Education Code, to read·

1091 1 Whenever a school district contracts with a private firm, corporation, or other entity to provide drug education in schools of the district pursuant to Section 1091·

(a) The parent or guardian of each pupil enrolled or to be enrolled therein shall be notified in writing of the instructional program Such notice shall be given at least 15 days prior to the commencement of the instructional program The notice shall also advise the parent or guardian of his right to inspect the instructional materials to be used in such class and of his right to request the school authorities that his child not attend any such class Sending the required notice through the regular United States mail or any other method of delivery which the school district commonly uses to communicate individually in writing to all parents, meets the notification requirements of this section

(b) The parent or guardian may request that his child not participate in a drug education program Such request shall be in writing, but may be withdrawn by the parent or guardian at any time No pupil may attend any class in drug education, if a request that he not attend the class has been received by the school in the manner provided in this section

(c) The parent or guardian of any pupil enrolled or to be enrolled in any drug education class shall be provided the opportunity to inspect the textbooks, audiovisual aids, and any other instructional materials to be used in such classes

No private firm, corporation, or other entity with which a school district has contracted to provide drug education or venereal disease education shall provide instruction to any pupil of such district with respect to whom the requirements of parental notice, parental request to withdraw the pupil, or parental request to inspect textbooks, audiovisual aids, and instructional materials have not been complied with as provided in this section The willful noncompliance with the prohibitions of this paragraph shall constitute a material breach of contract by such firm, corporation, or entity "

Amendment No. 3

On page 4, line 4, strike out "SEC 1 5", and insert "SEC 3".

Amendment No. 4

On page 4, line 10, strike out "SEC 2", and insert "SEC 4"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—Badham, Burke, Moorhead, Stull, and Wakefield—5.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1330

Mr Lancaster was granted unanimous consent to take up Senate Bill No 1330, out of order, for purpose of consideration at this time

Consideration of Senate Bill No. 1330

Senate Bill No. 1330—An act to amend Section 1 of Chapter 1273 of the Statutes of 1969, relating to the conveyance of lands adjacent to the Puddingstone State Recreation Area

Bill read third time, and presented by Mr Lancaster

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 92

Mr Karabian was granted unanimous consent to take up Senate Concurrent Resolution No 92 without reference to committee or file

Consideration of Senate Concurrent Resolution No. 92

Senate Concurrent Resolution No. 92—Relative to the approval of those certain amendments to the Charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon, consolidated with the general election held in Los Angeles County on the seventh day of November, 1972.

Resolution read, presented by Mr. Karabian, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2249—An act to amend Sections 985, 986.3, 986.5, 987, 987 6 and 987 17 of, and to add Sections 986 31 and 987.17a to, the Military and Veterans Code, relating to veterans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2249?

Senate Amendments of July 17, 1972

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in Assembly June 8, 1972, strike out "note secured by a deed of trust", and insert "participation contract".

Amendment No. 2

On page 3, between lines 34 and 35, insert

"(k) "Participation contract" means an obligation secured by a deed of trust or mortgage, or other security interest established pursuant to regulations of the department."

Amendment No. 3

On page 6, strike out lines 3 and 4, and insert "subject to a participation contract providing for a loan term of not less than 23 years."

Amendment No. 4

On page 6, line 5, strike out "note", and insert "participation contract".

Amendment No. 5

On page 6, line 32, strike out "note secured by a deed of trust", and insert "participation contract".

Amendment No. 6

On page 7, lines 1 and 2, strike out "note secured by a deed of trust", and insert "participation contract".

Amendment No. 7

On page 7, line 3, strike out "the note", and insert "such participation contract".

Amendment No. 8

On page 8, line 8, strike out "notes secured by deed of trust", and insert "participation contracts"

Amendment No. 9

On page 8, lines 32 and 33, strike out "note secured by a deed of trust", and insert "participation contract".

Senate Amendments of November 27, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Senate July 17, 1972, strike out "Coauthor: Senator", and insert "Coauthors: Senators".

Amendment No. 2

In the heading, after "Collier", insert "and Schrade".

Amendment No. 3

On page 3, line 5, strike out "(i)", and insert "(h)".

Amendment No. 4

On page 3, line 6, after the period, insert "It also includes a "mobilehome" as defined in subdivision (k) of this section."

Amendment No. 5

On page 3, strike out lines 17 to 20, inclusive; and in line 21, strike out "(h)", and insert "(g)".

Amendment No. 6

On page 3, line 24, strike out "(i)", and insert "(h)".

Amendment No. 7

On page 3, line 33, strike out "(j)", and insert "(i)".

Amendment No. 8

On page 3, line 39, strike out "(k)", and insert "(j)".

Amendment No. 9

On page 4, between lines 2 and 3, insert

"(k) As used in this article "mobilehome" means either a parcel of real estate, or an undivided interest in common in a portion of a parcel of real property, on which is situate a mobilehome as will, in the opinion of the department, suit the needs of the purchaser and his dependents as a place of abode and meets all requirements of local governmental jurisdictions.

SEC 2 5. Section 985 of the Military and Veterans Code is amended to read:

985 Definitions.

(a) "Farm" means a tract of land, which, in the opinion of the department, is capable of producing sufficient to provide a living for the purchaser and his dependents.

(b) "Home" means a parcel of real estate upon which there is a dwelling house and such other buildings as will, in the opinion of the department, suit the needs of the purchaser and his dependents as a place of abode. It includes a "condominium," as defined in subdivision ~~(i)~~ *(h)* of this section *It also includes a "mobilehome" as defined in subdivision (k) of this section.*

(c) "Purchaser" means a veteran or any person who has entered into a contract of purchase of a farm or home from the department.

(d) "Purchase price" means the price which the department pays for any farm or home.

(e) "Selling price" means the price for which the department sells any farm or home.

(f) "Initial payment" means the first payment to be made by a purchaser to the department for a farm or home.

(g) ~~As used in this article, "veteran" includes, in addition to the persons described in Section 980, all members of the armed services who were residents of California under the provisions of Section 980.~~

~~(h)~~ As used in this article, "progress payment plan" means payment by the department for improvements on real property in installments as work progresses.

~~(i)~~ *(h)* As used in this article, "condominium" means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential building on such real property, such as an apartment, which, in the opinion of the department, suits the needs of the purchaser and his dependents as a place of abode. A condominium may include in addition a separate interest in other portions of such real property.

(i) "Effective rate of interest" means the average interest rate of the interest on the unpaid balance due on a participation contract to which the interest of the department is subject and the interest rate on the unpaid balance of the purchase price, as determined by the department

(j) "Participation contract" means an obligation secured by a deed of trust or mortgage, or other security interest established pursuant to regulations of the department.

(k) As used in this article, "mobilehome" means either a parcel of real estate, or an undivided interest in common in a portion of a parcel of real property, on which is situate a mobilehome as will, in the opinion of the department, suit the needs of the purchaser and his dependents as a place of abode and meets all requirements of local governmental jurisdictions."

Amendment No. 10

On page 4, line 20, strike out "twenty"; strike out lines 21 to 24, inclusive; and in line 25, strike out "improvements may not exceed".

Amendment No. 11

On page 4, line 29, after "buildings", insert ", or for the purchase of a mobilehome".

Amendment No. 12

On page 4, line 32, after "constructed", insert ", or is the owner in fee of the real property or the owner of an undivided interest in common of a parcel of real property on which a mobilehome is to be situate,".

Amendment No. 13

On page 5, line 25, strike out "twenty thousand"; and strike out lines 26 to 28, inclusive, and insert "twenty-five".

Amendment No. 14

On page 5, line 29, after the comma, insert "except that the principal price of a mobilehome to the department shall not exceed twelve thousand five hundred dollars ($12,500),".

Amendment No. 15

On page 6, line 31, after "years", insert "for farms or homes, but not exceeding 15 years for mobilehomes"

Amendment No. 16

On page 7, line 30, after "annum", insert "on contracts for the purchase of farms or homes, and not to exceed 8 percent per annum on contracts for the purchase of mobilehomes".

Amendment No. 17

On page 7, line 31, after "money", insert ", bond market conditions,".

Amendment No. 18

On page 9, after line 6, insert

"SEC 10 It is the intent of the Legislature, if this bill and Senate Bill No 1142 are both chaptered and amend Section 985 of the Military and Veterans Code, and this bill is chaptered after Senate Bill No 1142, that the amendments to Section 985 proposed by both bills be given effect and incorporated in Section 985 in the form set forth in Section 2 5 of this act Therefore, Section 2 5 of this act shall become operative only if this bill and Senate Bill No 1142 are both chaptered, both amend Section 985, and Senate Bill No 1142 is chaptered before this bill, in which case Section 2 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Senate Chamber, November 29, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 125, as amended in Assembly August 4, 1972—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, relating to revenues derived from taxes on motor vehicle fuel, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, as met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in Assembly August 4, 1972, after the third comma, insert "or whose government does grant such an exemption to such representatives of the United States,".

The undersigned consent to the report:

ARLEN GREGORIO	BOB WOOD
WALTER STIERN	LEO McCARTHY
NICHOLAS PETRIS	RICHARD HAYDEN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

MOTION TO RECONSIDER SENATE BILL NO. 1358

In compliance with a motion given on a previous day, Mr Waxman moved that the vote whereby Senate Bill No 1358 was refused passage be reconsidered.

Senate Bill No 1358 reconsidered by the following vote:

AYES—Arnett, Bagley, Beverly, Brathwaite, Brown, Burton, Chacon, Crown, Duffy, Fenton, Fong, Garcia, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Monagan, Pierson, Porter, Powers, Priolo, Ralph, Ryan, Seeley, Sieroty, Stacey, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—41

NOES—Badham, Burke, Conrad, Dent, Ray E. Johnson, Lancaster, Lewis, MacGillivray, Mobley, Murphy, Russell, and Stull—12.

Further Consideration of Senate Bill No. 1358

Senate Bill No. 1358—An act to add Sections 1225, 1416, 1459, and 32128.10 to the Health and Safety Code, relating to sterilization operations.

Bill read third time, and presented by Mr. Waxman.

Bill passed by the following vote:

AYES—Arnett, Bagley, Brathwaite, Brown, Burton, Cline, Cory, Crown, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, MacDonald, Meade, Miller, Mobley, Monagan, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wood, and Z'berg—42.

NOES—Badham, Barnes, Bee, Burke, Chacon, Conrad, Davis, Gonsalves, Lancaster, Lanterman, MacGillivray, McAlister, Moorhead, Murphy, Porter, Russell, Stull, Wakefield, and Wilson—19.

Bill ordered transmitted to the Senate

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 5—An act to add Chapter 6 (commencing with Section 10700) to Part 2 of Division 2 of Title 2 of the Government Code, relating to the creation of the office of Ombudsman for Corrections

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 5?

Senate Amendments of July 3, 1972
Amendment No. 1

On page 7, after line 33, of the printed bill, insert

"SEC. 2 This act shall remain in effect until the 61st day after the final adjournment of the 1976 Regular Session of the Legislature, and shall have no force or effect thereafter."

Senate Amendments of November 20, 1972

Amendment No. 1

On page 4 of the printed bill, as amended in Senate July 3, 1972, in line 27, strike out "minimum".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Murphy moved a call of the Assembly.

Motion carried Time, 3·58 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 168—An act to add Chapter 2 5 (commencing with Section 429 65) to Part 1, Division 1 of the Health and Safety Code, relating to health professions planning grants

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 168?

Senate Amendments of July 4, 1972

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in Assembly May 26, 1972, after "department", insert ", in cooperation with the Coordinating Council for Higher Education,".

Amendment No. 2

On page 3, between lines 28 and 29, insert

"(3) Methods for evaluation of the effectiveness of the innovative training program proposed by each applicant "

Amendment No. 3

On page 3, line 29, strike out "(3)", and insert "(4)".

Senate Amendments of July 28, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 4, 1972, strike out "429 60", and insert "429 65".

Amendment No. 2

On page 1, line 2, strike out "429.60", and insert "429 65".

Amendment No. 3

On page 2, line 6, strike out "429 60", and insert "429 65"

Amendment No. 4

On page 2, line 32, strike out "429 61", and insert "429.66"

Amendment No. 5

On page 2, line 38, strike out "429.62", and insert "429 67".

Amendment No. 6

On page 3, line 18, strike out "429 63", and insert "429 68".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 227—An act to add Section 11056 1 to the Welfare an Institutions Code, relating to public assistance

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 227?

Senate Amendments of July 21, 1972

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Assembly June 19, 1972, strike out "of county general assistance".

Amendment No. 2

On page 2, line 23, after "from", insert the "county from".

Amendment No. 3

On page 2, line 23, after "application", insert "which amount shall be considered as the balance of his aid grant".

Amendment No. 4

On page 2, line 24, strike out "Reimbursement for general assistance paid", and insert "The county shall be reimbursed".

Amendment No. 5

On page 2, line 25, strike out "shall be".

Amendment No. 6

On page 2, line 27, after the first "county", insert "department".

Amendment No. 7

On page 2, strike out lines 30 and 31; and in line 32, strike out "medical disability, or where", and insert

"(b) Where".

Amendment No. 8

On page 2, line 34, after "entire", insert "nonfederal".

Amendment No. 9

On page 2, strike out line 35, and insert "the advanced payment to the applicant by the county.

General assistance paid by the county under this section shall be treated as an advance payment under the aid to the needy disabled program if the recipient's eligibility is subsequently verified."

Senate Amendments of November 20, 1972

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in Senate July 21, 1972, after "application", insert a comma.

Amendment No. 2

On page 2, strike out lines 25 to 33, inclusive, and insert

"(a) Where the county department does not forward the application to the state within 30 days from the date of the initial application, the county shall absorb the entire nonfederal cost of the advanced payment to the applicant by the county.

(b) Where the state does not act upon the application within 30 days from the date it is forwarded by the county, the state shall absorb the entire".

Amendment No. 3

On page 3, line 4, strike out "General", and insert

"To the extent permitted by federal law, general".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Hon. Walter W. Powers Presiding

At 4 p m, Hon Walter W Powers, 8th District, presiding.

Assembly Bill No. 654—An act to amend Sections 1652, 24353, 26885, and 53857 of the Government Code, to amend Sections 4746 1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to government financing

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 654?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 19, 1972, after "24353", insert ", 26885,".

Amendment No. 2

On page 2, between lines 32 and 33, insert

"SEC 1.7. Section 26885 of the Government Code is amended to read:

26885. The provisions of this chapter shall become operative only upon their adoption by a resolution passed by a unanimous vote of the board of supervisors at a regular meeting at which all members are present ~~This~~ *Any* resolution *adopted pursuant to this section* may be repealed by the board of supervisors at any time by a three-fifths vote."

Amendment No. 3

On page 3, line 10, strike out "or", and insert "for"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran. Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 740—An act to amend Section 13976 of, and to add Chapter 5 5 (commencing with Section 13370) to Division 7 of, the Water Code, relating to water quality, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 740?

Senate Amendments of July 19, 1972

Amendment No. 1

On page 3, line 32, of the printed bill, as amended in Assembly June 7, 1972, after the period, insert "The provisions of this section shall not apply to vessels so long as such vessels are not operating in violation of any federal law enacted for the purpose of controlling discharges from vessels."

Senate Amendments of November 17, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 19, 1972, after "act", insert "to amend Section 13976 of, and".

Amendment No. 2

In line 1 of the title, strike out "3 5", and insert "5.5".

Amendment No. 3

In line 1 of the title, strike out "13180", and insert "13370".

Amendment No. 4

In line 2 of the title, after "of", insert a comma.

Amendment No. 5

In line 2 of the title, after "quality", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 6

On page 2, strike out line 1, and insert

"SECTION 1. Chapter 5 5 (commencing with Section 13370) is added to Division 7 of the Water Code, to read:

CHAPTER 5 5 COMPLIANCE WITH THE PROVISIONS OF THE FEDERAL WATER POLLUTION CONTROL ACT AS AMENDED IN 1972

13370 The Legislature finds and declares that since the Federal Water Pollution Control Act (33 U S C 1151, et seq), as amended, provides for a permit system to regulate the discharge of pollutants to the navigable waters of the United States and provides that permits may be issued by states which are authorized to implement the provisions of such act, it is in the interest of the people of the state, in order to avoid direct regulation by the federal government of persons already subject to regulation under state law pursuant to this division, to enact the provisions of this chapter in order to authorize the state to implement the provisions of the Federal Water Pollution Control Act and acts amendatory thereof or supplementary thereto, and federal regulations and guidelines issued pursuant thereto

13371 The Legislature further finds and declares that it is necessary for the state board to amend its administrative regulations in order to comply with the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder

13372 To the extent other provisions of this division are consistent with the provisions of this chapter, such provisions shall be applicable to actions and procedures provided for in this chapter The provisions

of this chapter shall prevail over other provisions of this division to the extent of any inconsistency. The provisions of this chapter shall apply only to actions required under the Federal Water Pollution Control Act, as amended.

13373 The terms "navigable waters," "effluent limitations," "administrator," "pollutants," "biologic monitoring," "discharge" and "point sources" as used in this chapter shall have the same meaning as in the Federal Water Pollution Control Act and acts amendatory thereof or supplementary thereto.

13374. The term "waste discharge requirements" as referred to in this division is the equivalent of the term "permits" as used in the Federal Water Pollution Control Act, as amended.

13375. The discharge of any radiological, chemical, or biological warfare agent into the waters of the state is hereby prohibited.

13376. Any person discharging pollutants or proposing to discharge pollutants to the navigable waters of the United States within the jurisdiction of this state shall file a report of such discharge in compliance with the procedures set forth in Section 13260 Any person proposing to discharge pollutants shall file a report at least 180 days in advance of the date on which it is desired to commence the discharge of pollutants. Any person presently discharging pollutants shall file a report within 45 days of a written request by a regional board or the state board. The discharge of pollutants by any person except as authorized pursuant to waste discharge requirements is prohibited

13377. Notwithstanding any other provision of this division, the state board or the regional boards shall, as required or authorized by the Federal Water Pollution Control Act, as amended, issue waste discharge requirements which ensure compliance with any applicable effluent limitations, water-quality related effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any ocean discharge criteria

13378. Waste discharge requirements shall be adopted only after notice and any necessary hearing Such requirements shall be adopted for a fixed term not to exceed five years for any proposed discharge, existing discharge, or any material change therein.

13379. Waste ~~discharge requirements~~ shall be adopted to meet the following:

(a) Not later than July 1, 1977, effluent limitations for point sources, other than publicly owned treatment works, which (1) shall require the application of the best practicable control technology currently available as defined under the Federal Water Pollution Control Act, as amended, or (2) in the case of a discharge into a publicly owned treatment works as defined in subdivision (b), shall require compliance with any applicable pretreatment or toxicity requirements.

(b) For publicly owned treatment works in existence on July 1, 1977, or approved pursuant to the Federal Water Pollution Control Act, as amended, prior to June 30, 1974, for which construction shall be completed within four years of approval, effluent limitations based upon secondary treatment, as defined under the Federal Water Pollution Control Act.

(c) Not later than July 1, 1977, any more stringent limitation, including those necessary to meet water quality standards, treatment standards, or schedules of compliance under this division or as required under the Federal Water Pollution Control Act, as amended.

(d) Not later than July 1, 1983, effluent limitations for categories and classes of point sources, other than publicly owned treatment works, which (1) shall require application of the best available technology economically achievable for such category or class, which will result in reasonable further progress toward the goal of eliminating the discharge of all pollutants as determined under the Federal Water Pollution Control Act, as amended, or (2) in the case of the introduction of a pollutant into a publicly owned treatment works which meets the requirements referred to in subdivision (e), shall require compliance with any applicable pretreatment or toxicity requirements

(e) Not later than July 1, 1983, compliance by all publicly owned treatment works, with requirements promulgated under the Federal Water Pollution Control Act, as amended

(f) Any more stringent effluent standards or limitations necessary to implement water quality control plans, or for the protection of beneficial uses or to prevent nuisance.

(g) National standards of performance promulgated by the administrator.

(h) Pretreatment requirements as determined by the administrator.

(i) Ocean discharge criteria promulgated by the administrator.

13380. Any waste discharge requirement adopted under this chapter shall be reviewed at least every five years and, if appropriate, revised.

13381. Waste discharge requirements may be terminated or modified for cause, including, but not limited to, all of the following:

(a) Violation of any condition contained in the requirements.

(b) Obtaining the requirements by misrepresentation, or failure to disclose fully all relevant facts.

(c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

13382. Waste discharge requirements shall be adopted to control the disposal of pollutants into wells.

13383 The state board or regional boards may require dischargers of pollutants to navigable waters or to public treatment systems to establish and maintain records, make reports, install, use and maintain monitoring equipment or methods, including, where appropriate, biological monitoring methods, sample effluent as prescribed, and provide other information as may be reasonably required The state board or regional boards may inspect the facilities of any discharger of pollutants pursuant to the procedure set forth in subdivision (c) of Section 13267.

13384 The state board or the regional boards shall ensure that the public, and that any other state, the waters of which may be affected by any discharge of pollutants to navigable waters within this state, shall receive notice of each application for requirements or report of waste discharge and are provided an opportunity for public hearing before adoption of such requirements.

13385. Any person who discharges pollutants, except as permitted by waste discharge requirements, or who violates any cease and desist order, prohibition, waste discharge requirement, effluent limitation, water quality related effluent limitation, national standard of performance, pretreatment or toxicity standard or who refuses to comply with the requirements adopted pursuant to Section 13382 shall be subject to a civil penalty not to exceed ten thousand dollars ($10,000) for each day in which such discharge, violation, or refusal occurs Funds collected shall be paid to the State Water Pollution Cleanup and Abatement Account.

13386. (a) The Attorney General, upon request of a regional board or the state board, shall petition the superior court to impose, assess and recover the sums provided in Section 13385.

(b) Upon the violation of the terms of any cease and desist order, prohibition, waste discharge requirement, effluent limitation, water quality related effluent limitation, national standard of performance, pretreatment or toxicity standard, the requirements of Section 13383, or upon the failure of any discharger into a public treatment system to comply with any cost or charge adopted by any public agency under Section 204(b) of the Federal Water Pollution Control Act, as amended, the Attorney General, upon the request of the state board or regional board shall petition the appropriate court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, restraining such person or persons from continuing the violation. The provisions of subdivisions (b) and (c) of Section 13331 shall be applicable to proceedings under this subdivision

(c) With respect to violation of waste discharge requirements or cease and desist orders, remedies under Section 13385 are in lieu of civil monetary remedies provided for in Section 13350

13387. (a) Any person who willfully or negligently discharges pollutants except as allowed by waste discharge requirements or who willfully or negligently violates any effluent standard, water quality related effluent standard, national standard of performance, toxicity or pretreatment standard, or who refuses to comply with the requirements adopted pursuant to Section 13382, or who violates any cease and desist order, prohibition, or waste discharge requirement shall be punished by a fine of not more than twenty-five thousand dollars ($25,000) nor less than two thousand five hundred dollars ($2,500) for each day in which such violation occurs, or by imprisonment for not more than one year in the county jail, or by both If the conviction is for a violation committed after a first conviction of such person under this section, punishment shall be by a fine of not more than fifty thousand dollars ($50,000) for each day in which such violation occurs, or by imprisonment for not more than two years in the county jail, or both Funds collected shall be paid to the State Water Pollution Cleanup and Abatement Account.

(b) Any person who knowingly makes any false statement, representation, record, report, plan or other document filed with a regional board or the state board, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under

this division shall be punished by a fine of not more than ten thousand dollars ($10,000), or by imprisonment in a county jail for not more than six months, or by both.

13388. Notwithstanding any other provision of this division or Section 175, no person shall be a member of the state board or a regional board if he receives or has received during the previous two years a significant portion of his income directly or indirectly from any person subject to waste discharge requirements or applicants for waste discharge requirements pursuant to this chapter. This section shall become operative on March 1, 1973

13389 Neither the state board nor the regional boards shall be required to comply with the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code prior to the adoption of any waste discharge requirement, except requirements for new sources as defined in the Federal Water Pollution Control Act or acts amendatory thereof or supplementary thereto

SEC 2 Section 13976 of the Water Code is amended to read:

13976 (a) The moneys in the fund shall be used for the purposes set forth in this section

(b) The board is authorized to enter into contracts with municipalities having authority to construct, operate and maintain treatment works, for grants to such municipalities to aid in the construction of eligible projects, and for reclamation of water

Grants may be made pursuant to this section to reimburse municipalities for construction for which contracts were let subsequent to July 1, 1970, and before the first sale of bonds authorized to be issued by this chapter

Any contract pursuant to this section may include such provisions as may be agreed upon by the parties thereto, and any such contract concerning an eligible project shall include, in substance, the following provisions:

(1) An estimate of the reasonable cost of the eligible project;

(2) An agreement by the board to pay to the municipality, during the progress of construction or following completion of construction as may be agreed upon by the parties, an amount which equals ~~the minimum amount required by federal law for the project to qualify for the maximum amount of federal assistance available~~ *at least 10 percent of the eligible project cost determined pursuant to federal and state laws, and regulations;*

(3) An agreement by the municipality, (i) to proceed expeditiously with, and complete, the eligible project, (ii) to commence operation of the treatment works on completion thereof, and to properly operate and maintain such works in accordance with applicable provisions of law, (iii) to apply for and make reasonable efforts to secure federal assistance for the eligible project, (iv) to secure the approval of the board before applying for federal assistance in order to maximize the amounts of such assistance received or to be received for all eligible projects in the state, and (v) to provide for payment of the municipality's share of the cost of the eligible project.

(c) The board may make direct grants to any municipality or by contract or otherwise undertake plans, surveys, research, development and studies necessary, convenient or desirable to the effectuation of the purposes and powers of the board pursuant to this division and to prepare recommendations with regard thereto, including the preparation of comprehensive statewide or areawide studies and reports on the collection, treatment and disposal of waste under a comprehensive cooperative plan

The aggregate amount of moneys which may be advanced or granted to or committed to municipalities for the purpose of planning, research and development, whether by the board or under the direction of the board or in the form of direct grants to municipalities for such purpose, shall not exceed in the aggregate such amount as may be fixed from time to time by the committee

(d) The board may from time to time with the approval of the committee transfer moneys in the fund to the State Water Quality Control Fund to be available for loans to public agencies pursuant to Chapter 6 (commencing with Section 13400) of this division

(e) Not more than one-half of 1 percent of the moneys deposited in the fund may be expended by the board for costs incurred in administering the provisions of this chapter

(f) As much of the moneys in the fund as is necessary shall be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724 5 of the Government Code

(g) The board may with the approval of the committee transfer not more than ten million dollars ($10,000,000) from the fund to a special reserve fund as additional security for the payment of the principal of and the interest on revenue bonds sold by the state as provided by law to provide funds to municipalities for needed sewage facilities Such money shall be used for such purpose only after all other securities provided by law have been exhausted Any money not used for such purpose shall, after retirement of the revenue bonds, be returned to the fund and be available for other purposes provided for in this section

(h) The board may adopt rules and regulations governing the making and enforcing of contracts pursuant to this section

SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

The Federal Water Pollution Control Act as amended in 1972 requires the state to have certain powers in order to continue to regulate waste discharges to navigable waters of the United States The powers contained in this act will allow the State Water Resources Control Board and the regional water quality control boards to comply with federal requirements and continue to regulate waste discharges "

Amendment No. 7

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 and 4.

Senate Amendments of November 27, 1972

Amendment No. 1

On page 10, line 7, of the printed bill, as amended in Senate November 17, 1972, strike out "10", and insert "12½".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 740?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 744—An act to amend Section 40802 of the Vehicle Code, relating to highways

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 744?

Set No. 1

Amendment No. 1

In line 1 of the heading of the printed bill, strike out "Biddle", and insert "Fenton".

Set No. 2

Amendment No. 1

Below line 1 of the heading of the printed bill, insert

"(Coauthor: Senator Walsh)"

Amendment No. 2

In line 1 of the title, strike out "add Sections 537, 27803 and 27804 to", and insert "amend Section 40802 of".

Amendment No. 3

In line 2 of the title, strike out "motorcycles", and insert "highways".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1. Section 40802 of the Vehicle Code is amended to read:

40802. A "speed trap" is a *either of the following:*

(a) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(b) A particular section of a highway with a prima facie speed limit established pursuant to paragraph (1) of subdivision (b) of Section 22352, or Section 22354, 22358, or 22358.3, which speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and where enforcement involves the use of radar or other electronic devices which measure the speed of moving objects. "

Amendment No. 5

On page 2, strike out lines 2 to 32, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 976—An act to add Sections 1626.5 and 2145.3 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 976?

Senate Amendments of November 21, 1972

Set No. 1

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly November 9, 1972, strike out "Assemblyman Duffy", and insert "Assemblymen Duffy, Campbell, Fong, Bill Greene, Moretti, Stull, and Stacey".

Amendment No. 2

On page 3, between lines 37 and 38, insert

"SEC. 2 5. This act shall be known and may be cited as the "Duffy-Song Acupuncture Act." "

Set No. 2

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly November 9, 1972, strike out "The", and insert "Notwithstanding any other provisions of law, the".

Amendment No. 2

On page 2, line 12, after "chapter", insert "who neither before nor during the period of such supervision has been subject to having his license revoked or suspended or being reprimanded or placed on probation by the board".

Amendment No. 3

On page 2, line 19, strike out "within 10 days of", and insert "prior to".

Amendment No. 4

On page 3, line 9, strike out "The", and insert "Notwithstanding any other provisions of law, the".

Amendment No. 5

On page 3, line 17, after "surgeon", insert "who neither before nor during the period of such supervision is found by the board to be guilty of unprofessional conduct".

Amendment No. 6

On page 3, in lines 20 and 21, strike out "within 10 days of", and insert "prior to".

Senate Amendments of November 28, 1972

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Senate November 21, 1972, after "supervision", insert "and diagnosis".

Amendment No. 2

On page 3, line 11, after "supervision", insert "and diagnosis".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1003—An act to add Sections 3406 and 4023 6 to the Penal Code and Sections 521 and 1774 to the Welfare and Institutions Code, relating to female prisoners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1003?

Senate Amendments of June 9, 1972

Amendment No. 1

On page 2, between lines 22 and 23 of the printed bill, as amended in Assembly May 15, 1972, insert

"The rights provided for prisoners by this section shall be posted in a conspicuous place to which all female prisoners have access."

Amendment No. 2

On page 3, between lines 11 and 12, insert

"The rights provided for prisoners by this section shall be posted in a conspicuous place to which all female prisoners have access "

Amendment No. 3

On page 3, between lines 28 and 29, insert

"The rights provided for females by this section shall be posted in a conspicuous place to which all female prisoners have access "

Amendment No. 4

On page 4, after line 9, insert

"The rights provided for females by this section shall be posted in a conspicuous place to which all female prisoners have access "

Senate Amendments of July 31, 1972

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in Senate June 9, 1972, strike out "a", and insert "at least one".

Amendment No. 2

On page 3, line 4, strike out "on", and insert "for".

Amendment No. 3

On page 3, line 12, strike out "a", and insert "at least one".

Amendment No. 4

On page 3, line 30, strike out "a", and insert "at least one".

Amendment No. 5

On page 3, line 31, strike out "prisoners", and insert "wards".

Amendment No. 6

On page 4, line 14, strike out "a", and insert "at least one".

Amendment No. 7

On page 4, line 15, strike out "prisoners", and insert "wards".

Senate Amendments of November 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 31, 1972, strike out "4023.5", and insert "4023 6".

Amendment No. 2

On page 2, line 24, strike out "4023.5", and insert "4023.6".

Amendment No. 3

On page 2, line 26, strike out "4023.5", and insert "4023.6".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Davis, Dent, Dunlap, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Stull, Thomas, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—Stacey and Wakefield—2.

Above bill ordered enrolled.

Assembly Bill No. 1004—An act to add and repeal Sections 3405 and 4028 to the Penal Code, and to add and repeal Sections 519 and 1773 to the Welfare and Institutions Code, relating to abortions

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1004?

Senate Amendments of July 4, 1972

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Assembly June 15, 1972, strike out "females", and insert "female prisoners".

Senate Amendments of July 31, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 4, 1972, strike out "Sections 3405 and 4027", and insert "and repeal Sections 3405 and 4028".

Amendment No 2

In line 2 of the title, after "add", insert "and repeal".

Amendment No. 3

On page 2, line 4, strike out "assisted", and insert "permitted".

Amendment No. 4

On page 2, strike out line 6, and insert "shall be permitted to obtain an abortion."

Amendment No. 5

On page 2, line 8, strike out "a", and insert "at least one".

Amendment No. 6

On page 2, line 8, strike out "females", and insert "female prisoners".

Amendment No. 7

On page 2, between lines 9 and 10, insert

"If Assembly Bill No 2087 of the 1972 Regular Session of the Legislature is chaptered, this section shall remain in effect only until the 61st day after the final adjournment of the 1974 Regular Session of the Legislature, and as of that date is repealed "

Amendment No. 8

On page 2, line 10, strike out "4027", and insert "4028".

Amendment No. 9

On page 2, line 12, strike out "4027", and insert "4028".

Amendment No. 10

On page 2, line 18, strike out "assisted", and insert "permitted".

Amendment No. 11

On page 2, line 20, strike out "assisted in"; strike out line 21, and insert "permitted to obtain an abortion."

Amendment No. 12

On page 2, line 27, strike out "a", and insert "at least one".

Amendment No. 13

On page 2, between lines 28 and 29, insert

"If Assembly Bill No 2087 of the 1972 Regular Session of the Legislature is chaptered, this section shall remain in effect only until the 61st day after the final adjournment of the 1974 Regular Session of the Legislature, and as of that date is repealed "

Amendment No. 14

On page 2, line 37, strike out "assisted", and insert "permitted to".

Amendment No. 15

On page 2, line 39, strike out "assisted in"; strike out line 40, and insert "permitted to obtain an abortion."

Amendment No. 16

On page 3, line 5, strike out "a", and insert "at least one".

Amendment No. 17

On page 3, between lines 6 and 7, insert

"If Assembly Bill No 2087 of the 1972 Regular Session of the Legislature is chaptered, this section shall remain in effect only until the 61st day after the final adjournment of the 1974 Regular Session of the Legislature, and as of that date is repealed."

Amendment No. 18

On page 3, line 15, strike out "assisted", and insert "permitted".

Amendment No. 19

On page 3, line 17, strike out "assisted in so obtaining", and insert "permitted to obtain an abortion".

Amendment No. 20

On page 3, line 19, strike out "a", and insert "at least one".

Amendment No. 21

On page 3, after line 20, insert

"If Assembly Bill No 2087 of the 1972 Regular Session of the Legislature is chaptered, this section shall remain in effect only until the 61st day after the final adjournment of the 1974 Regular Session of the Legislature, and as of that date is repealed "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Bee, Brathwaite, Brown, Campbell, Cline, Conrad, Cory, Crown, Dent, Dunlap, Fenton, Fong, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, MacDonald, MacGillivray, McAlister, Meade, Miller, Mobley, Monagan, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr. Speaker—44

NOES—Briggs, Burke, Foran, Lancaster, Lanterman, Moorhead, Stull, Wakefield, and Wilson—9

Above bill ordered enrolled.

Assembly Bill No. 1263—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9817, 9819, 9820, 9823, 9825, 9830, and 9873 of the Business and Professions Code, relating to repair dealers

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1263?

Senate Amendments of July 25, 1972

Amendment No. 1

On page 6, line 30, of the printed bill, as amended June 19, 1972, strike out "one hundred dollars ($100)", and insert "not more than seventy-five dollars ($75)".

Amendment No. 2

On page 7, line 5, after "is", insert "not more than".

Senate Amendments of November 21, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 25, 1972, between lines 18 and 19, insert

"SEC. 2.5 Section 9801 of the Business and Professions Code, as amended by Section 1 of Assembly Bill No. 1143, is amended to read:

9801. The following terms as used in this chapter have the meaning expressed in this section:

(a) "Person" includes firm, partnership, association, or corporation.

(b) "Department" means the Department of Consumer Affairs.

(c) "Director" means the Director of Consumer Affairs.

(d) "Bureau" means the Bureau of Repair Services.

(e) "Chief" means the Chief of the Bureau of Repair Services.

(f) "Board" means the Repair Services Advisory Board.

(g) "Service dealer" means a person who, for compensation, engages in the business of repairing, servicing, or maintaining television, radio, or audio or video recorders or playback equipment normally used or sold for use in the home or in private motor vehicles, *or any appliances*.

(h) "Appliance" means any refrigerator, freezer, range, washer, dryer, dishwasher, or room air conditioner normally used or sold for use in the home

~~(h)~~ *(i)* "Complainant" means the customer of a service dealer who has complained to the director concerning such service dealer.

Amendment No. 2

On page 3, between lines 28 and 29, insert

"SEC. 3.5 Section 9802 of the Business and Professions Code, as amended by Section 2 of Assembly Bill No. 1143, is amended to read:

9802. This chapter does not apply to:

(a) Any employee of a service dealer if the employee repairs, services, or maintains television, radio, or audio or video recorder or playback equipment normally used or sold for use in the home or in private motor vehicles, *or appliances,* for compensation only as such an employee.

(b) The repair, service, or maintenance of equipment used in commercial, industrial, or governmental establishments.

(c) The repair, service, or maintenance of equipment the ordinary and usual use of which requires a license or permit issued by the Federal Communications Commission."

Amendment No. 3

On page 3, between lines 37 and 38, insert

"SEC. 4.5 Section 9803 of the Business and Professions Code, as amended by Section 3 of Assembly Bill No. 1143, is amended to read:

9803. When the installation *service, maintenance, or repair* of any

television, radio, or audio or video recorder or playback equipment normally used or sold for use in the home or in private motor vehicles, *or appliance* involves a function which is subject to *and regulated under* the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of this code, such function shall be performed by a person who is licensed pursuant thereto."

Amendment No. 4

On page 4, between lines 8 and 9, insert

"SEC. 5 5. Section 9805 of the Business and Professions Code, as amended by Section 4 of Assembly Bill No 1143, is amended to read:

9805. No person registered under this chapter shall be required to apply for a license pursuant to Chapter 9 (commencing with Section 7000) of Division 3 of this code if such person's activities consist only of repairing, servicing, or maintaining televisions, radio, or audio or video recorder or playback equipment normally used or sold for use in the home or in private motor vehicles, *or any appliances, and such repair, service, or maintenance is not subject to and regulated under such Chapter 9*."

Amendment No. 5

On page 5, between lines 2 and 3, insert

"SEC 8.5. Section 9820 of the Business and Professions Code, as amended by Section 5 of Assembly Bill No 1143, is amended to read·

9820. ~~Three~~ *Five* members of the advisory board shall be selected to represent the public ~~and~~, two members shall be selected from the radio, television and audio or video recorder or playback equipment repair industry, *and two members shall be selected from the appliance repair industry*."

Amendment No. 6

On page 5, between lines 12 and 13, insert

"SEC. 9 5. Section 9823 of the Business and Professions Code, as amended by Section 6 of Assembly Bill No 1143, is amended to read:

9823 The quorum required for any meeting of the board shall consist of ~~three~~ *five* members, one of which shall be a representative of the radio, television, and audio or video recorder or playback equipment repair industry, *and one of which shall be a representative of the appliance repair industry*. No action by the board or its members shall have any effect unless a quorum of the board is present. All meetings of the board shall be open and public."

Amendment No. 7

On page 5, between lines 34 and 35, insert

"SEC. 10 5. Section 9825 of the Business and Professions Code, as amended by Section 7 of Assembly Bill No 1143, is amended to read:

9825 The board shall.

(a) Inquire into the practices of the radio, television, and audio or video recorder or playback equipment repair industry *and the appliance repair industry*, the functions of the bureau and the matter of the policy thereof, and make such recommendations with respect thereto as after consideration, may be deemed important and necessary for the welfare of the consuming public.

(b) Confer and advise with the director and chief as to how the bureau may best fulfill its functions

(c) Consider and make appropriate recommendations on its own initiative as to changes in, or additions to or deletions of regulations which the director has adopted as, after consideration, may be deemed important and necessary

(d) Consider and make appropriate recommendations in all matters submitted to it by the director or the chief

(e) Assist the director and the chief in the collection of such necessary information and data as the director or the chief may deem necessary to the proper administration of this chapter ''

Amendment No. 8

On page 6, strike out line 33, and insert ''one hundred dollars ($100) ''

Amendment No. 9

On page 7, line 13, after ''SEC 13 '', insert ''It is the intent of the Legislature, if this bill and Assembly Bill No. 1143 are both chaptered and amend Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1143, that Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code, as amended by Sections 1, 2, 3, 4, 5, 6, and 7 of Assembly Bill No 1143 shall, notwithstanding Section 9605 of the Government Code, remain operative until the operative date of this act, and on such date shall be further amended in the form set forth in Sections 1 5, 3 5, 4 5, 5 5, 8 5, 9 5, and 10 5 of this act to incorporate the changes in Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 proposed by this bill Therefore, Sections 1 5, 3 5, 4 5, 5 5, 8 5, 9.5, and 10 5 of this act shall become operative only if Assembly Bill No 1143 is chaptered before this bill and amends Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825, and in such case Sections 1 5, 3 5, 4 5, 5 5, 8 5, 9 5, and 10.5 of this act shall become operative on the operative date of this act and Sections 1, 3, 4, 5, 8, 9, and 10 of this act shall not become operative

SEC 14 ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1292—An act to add Section 23428 20 to the Business and Professions Code, and to amend Section 172d of the Penal Code, relating to alcoholic beverages.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1292?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 19, 1972, after the comma, insert "and to amend Section 172d of the Penal Code,".

Amendment No. 2

On page 2, after line 11, insert

"SEC. 2 Section 172d of the Penal Code is amended to read·

172d 1. Every person who, within one mile of that portion of the grounds at Riverside (hereinafter described) belonging to the University of California, that will be used by the College of Letters and Sciences, sells, or exposes for sale, any intoxicating liquor, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100), or by imprisonment for not less than 50 days or by both such fine and imprisonment in the discretion of the court

2 The provisions of this section shall not apply to the sale or exposing or offering for sale of ale, porter, wine, similar fermented malt or vinous liquor or fruit juice containing one-half of 1 percent or more of alcohol by volume and not more than 3 2 percent of alcohol by weight nor the sale or exposing or offering for sale of beer.

3. Distances provided in this section shall be measured not by air line but by following the shortest *vehicular* road or roads connecting the points in question.

4 The portion of the grounds of the University of California referred to in paragraph 1 are situated in the County of Riverside and more particularly described as follows beginning at the intersection of Canyon Crest Drive and U S Highway 60, thence southeasterly along said highway to a point opposite the intersection of said U S Highway 60 and Pennsylvania Avenue, thence northeasterly following centerline of present drive into University campus, thence continuing north along said centerline of drive on west side of Citrus Experiment Station buildings to a point intersecting the present east-west road running east from intersection of Canyon Crest Drive and U S Highway 60, thence east 500 feet more or less, thence north 1,300 feet more or less, thence east to intersection of east boundary of the Regents of the University of California property (Valencia Hill Drive), thence north along said east boundary to the north boundary of the Regents of the University of California property (Linden Street), thence west along said north boundary to the west boundary of the Regents of the University of California property (Canyon Crest Drive) thence south along said west boundary to the point of beginning "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1360—An act to add Sections 6443 5, 6444, 6445, 6446, and 6447 to, to repeal Sections 6443 and 18270 of, the Education Code, and to repeal Section 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1360?

Senate Amendments of November 8, 1972

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Assembly June 29, 1972, insert

"(Coauthor Senator Marler)".

Amendment No. 2

In line 2 of the title, strike out "Sections 6443 and 18270", and insert "Section 6443".

Amendment No. 3

On page 4, line 32, after "utilized", insert "and the teachers and administrators in the region".

Amendment No. 4

On page 5, between lines 1 and 2, insert

"Members of the State Instructional Television Advisory Committee shall serve without compensation, except they shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, including travel expenses "

Amendment No. 5

On page 5, line 37, strike out "Quimby", and insert "Quimby-Marler".

Amendment No. 6

On page 5, strike out lines 39 and 40, and on page 6, line 1, strike out "SEC. 8", and insert

"SEC. 7".

Amendment No. 7

On page 6, line 3, strike out "SEC. 8.5. Sections 2, 4, and 7", and insert

"SEC. 8. Sections 2 and 4".

Amendment No. 8

On page 6, in lines 7 and 8, strike out "one hundred thousand dollars ($100,000)", and insert "fifty thousand dollars ($50,000)".

Senate Amendments of November 21, 1972

Set No. 1

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in Senate November 8, 1972, strike out "Working with local school districts in developing"; strike out lines 16 and 17, and insert "Developing and implementing an instructional television service in each region, the content and scheduling of which shall be determined by the local school districts of".

Amendment No. 2

On page 4, between lines 11 and 12, insert

"(a) "Instructional television" means television programs whose content is closely related to the adopted formal curriculum of the public schools."

Amendment No. 3

On page 4, line 12, strike out "(a)", and insert "(b)".

Amendment No. 4

On page 4, line 21, strike out "(b)", and insert "(c)".

Amendment No. 5

On page 4, line 36, strike out "(c)", and insert "(d)".

Amendment No. 6

On page 5, line 19, strike out "(c)", and insert "(b)".

Set No. 2

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate November 8, 1972, strike out "Section 6443", and insert "Sections 6443 and 18270".

Amendment No. 2

On page 2, line 9, strike out "in all subjects".

Amendment No. 3

On page 3, strike out lines 5 and 6; and in line 7, strike out "television advisory committee", and insert "shall take appropriate steps to provide a high-quality instructional television service for the public school children of California and shall appoint a State Instructional Television Advisory Committee and, with the advice of the State Instructional Advisory Committee".

Amendment No. 4

On page 3, line 11, strike out "possible", and insert "feasible".

Amendment No. 5

On page 3, line 12, after "with", insert "local educational authorities acting on behalf of".

Amendment No. 6

On page 3, strike out lines 22 and 23, and in line 24, strike out "programs and utilization", and insert

"(3) Establishing criteria for monitoring and evaluating instructional television programs and implementing evaluation and utilization procedures".

Amendment No. 7

On page 3, line 26, after "achievement", insert "; criteria for evaluation procedures shall be submitted to the State Board of Education for its approval".

Amendment No. 8

On page 4, lines 36 and 37, strike out "instructional television advisory committee", and insert "Instructional Television Advisory Committee".

Amendment No. 9

On page 5, lines 5 and 6, strike out "state instructional television advisory committee", and insert "State Instructional Television Advisory Committee".

Amendment No. 10

On page 5, line 7, after "necessary", insert "travel".

Amendment No. 11

On page 5, lines 8 and 9, strike out ", including travel expenses".

Amendment No. 12

On page 5, line 17, after "with", insert "local educational authorities acting on behalf of".

Amendment No. 13

On page 5, line 21, after "with", insert "local educational authorities acting on behalf of".

Amendment No. 14

On page 5, line 33, strike out "shall", and insert "may".

Amendment No. 15

On page 6, between lines 10 and 11, insert

"SEC 8 Section 18270 of the Education Code is repealed

~~18270. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools participating in a program for instructional television established pursuant to Section 6411 or 6412, fifty cents ($0.50) multiplied by the number of pupils of the district present in the classroom and instructed by such instructional television programs during the preceding fiscal year. The~~

~~amount of such allowance to a school district shall not exceed one-half the total cost to the district of providing television broadcasts or closed-circuit television programs pursuant to Section 6141 or 6142. For the purpose of this section, no pupil shall be counted more than once per school year.~~

~~The allowances to school districts and county superintendents of schools under this section shall be made from such moneys as may be appropriated therefor by the Legislature.~~ "

Amendment No. 16

On page 6, line 11, strike out "SEC 8", and insert "SEC. 9".

Amendment No. 17

On page 6, line 12, after "1973", insert ", and Section 8 of this act shall become operative on June 30, 1976".

Amendment No. 18

On page 6, line 13, strike out "SEC 9", and insert "SEC. 10".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Davis, Dent, Duffy, Dunlap, Fenton, Foug, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, LaCoste, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Badham, Burke, Conrad, Ketchum, Lancaster, Lanterman, MacGillivray, Moorhead, Russell, Stull, and Wakefield—11.

Above bill ordered enrolled.

Assembly Bill No. 1387—An act to amend Section 1033 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1387?

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly November 15, 1972, after "on", insert "the".

Amendment No. 2

On page 2, line 19, after "Association", insert "specified in subdivision (a) of Section 1063".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1446—An act to add Section 14783 1 to, and to repeal Section 14783 1 of, the Government Code, relating to state purchases.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1446?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly June 1, 1972, strike out "bank"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1451—An act to repeal Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) of Chapter 5.5, Division 1, Title 2 of, and to add Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) to Chapter 5.5, Division 1, Title 2 of, the Government Code, relating to world trade.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1451?

Senate Amendments of November 21, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly July 5, 1972, between lines 12 and 13, insert

"It is further declared that the fostering and developing of international trade between California and foreign countries is for the benefit of the entire state and is accordingly a statewide public purpose."

Amendment No. 2

On page 2, strike out line 20, and insert

"Article 3 World Trade Services".

Amendment No. 3

On page 2, strike out lines 22 to 25, inclusive, and insert

"8350 The Division of World Trade shall directly, or, if possible, by contract with existing agencies or organizations, collect, publish".

Amendment No. 4

On page 2, strike out line 28, and insert

"8351 The Division of World Trade shall directly, or, if possible, by contract with existing agencies or organizations, revise and".

Amendment No. 5

On page 2, strike out line 33, and insert

"8352 The Division of World Trade shall directly, or, if possible, by contract with existing agencies and organizations, process trade".

Amendment No. 6

On page 2, strike out line 36, and insert

"8353 The Division of World Trade may directly, or, if possible, by contract with existing agencies and organizations, undertake other".

Amendment No. 7

On page 3, between lines 1 and 2, insert

"8354 Any contracts with existing agencies or organizations entered into pursuant to this article shall be paid for from funds available for that purpose"

Senate Amendments of November 27, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate November 21, 1972, in line 2, strike out "revise and".

Amendment No. 2

On page 3, lines 2 and 3, strike out "World Trade Directory", and insert "directory"

Amendment No. 3

On page 3, line 4, strike out "all".

Amendment No. 4

On page 3, lines 4 and 5, strike out "or importing activities".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Davis, Dent, Duffy, Fenton, Fong, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Burton—1.

Above bill ordered enrolled.

Assembly Bill No. 1505—An act relating to disposition and leasing of property by the Director of General Services

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1505?

Senate Amendments of November 8, 1972

Amendment No. 1

On page 5, after line 18, of the printed bill, as amended in Assembly July 3, 1972, insert

"SEC. 12. The Director of General Services with the approval of the Director of Parks and Recreation and the State Public Works Board is authorized to exchange approximately 15 10 acres located in portions of Sections 19 and 20, Township 14 North, Range 14 West, M D B M., in Mendocino County adjacent to State Highway 128, approximately 6 miles northwest of Philo being the Indian Creek State Reserve, with the County of Mendocino for approximately 9 45 acres at Howard Creek being that portion of the existing State Highway Route 1, relinquished to the County of Mendocino by Relinquishment No. 1085, dated August 15, 1972 "

Senate Amendments of November 13, 1972

Amendment No. 1

On page 2, of the printed bill, as amended in Senate November 8, 1972, between lines 29 and 30, insert

"Parcel 7. Approximately 780 acres of land in Talmage, Mendocino County being a portion of the Mendocino State Hospital

Parcel 8 Approximately 165 acres of land located in Section 14, T. 26 S , R 12 E , M D B M in the County of San Luis Obispo, being the Paso Robles School for Boys.

Parcel 9 Approximately 1,100 acres of land near San Andreas, Calaveras County, being the Fricot Ranch School for Boys "

Amendment No. 2

On page 2, line 30, strike out "7", and insert "10".

Amendment No. 3

On page 2, line 34, strike out "8", and insert "11".

Amendment No. 4

On page 3, line 12, strike out "6", and insert "9".

Amendment No. 5

On page 3, line 15, strike out "7", and insert "10".

Amendment No. 6

On page 3, line 17, strike out "8", and insert "11".

Amendment No. 7

On page 5, after line 17, insert

"SEC 13. The Director of General Services is hereby authorized to lease for a term not to exceed 35 years state-owned property within the Capitol Plan Area, Sacramento, excepting the four blocks bounded by 15th, 17th, "L" and "N" Streets, provided that the lessee is required to construct an office building on the property for the use of the state during the term thereof, with facilities vesting in the state at the expiration of the above term or earlier"

Senate Amendments of November 21, 1972

Amendment No. 1

On page 2, of the printed bill, as amended in Senate November 13, 1972, in line 30, strike out "780 acres of", and insert "881 acres of farm and watershed".

Amendment No. 2

On page 5, strike out lines 29 through 37.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1082—An act to add Section 17500 3 to the Business and Professions Code, and to amend Section 1689 5 of the Civil Code, relating to home solicitation

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1082?

Senate Amendments of July 17, 1972

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, as amended in Assembly May 16, 1972, strike out "or the mails, except catalogues".

Amendment No. 2

On page 2, strike out line 23, and in line 24, strike out "a card", and insert "show or display identification".

Amendment No. 3

On page 3, line 1, strike out "nearest".

Amendment No. 4

On page 3, strike out lines 3 to 40, inclusive; and on page 4, strike out lines 1 to 7, inclusive, and insert

"(b) It is unlawful for any person, in soliciting a sale or order for the sale of goods or services at the residence of a prospective buyer, to use any plan, scheme, or ruse which misrepresents his true status or mission for the purpose of making such sale or order for the sale of goods or services

(c) In addition to any other penalties or remedies applicable to violations of this section, the intentional violation of this section shall entitle persons bound to a contract, which resulted from a sales approach or presentation or both in which such intentional violation of this section took place, to damages up to two times the amount of the sale price or up to two hundred fifty dollars ($250), whichever is greater, but in no case shall such damages be less than fifty dollars ($50), provided, however, that as a condition precedent to instituting such action hereunder against the person represented by the person making the solicitation, the aggrieved party shall, in writing, demand that the person represented by the solicitor rescind such contract and make restitution of any and all payments made thereunder, and that the person represented by the solicitor shall have refused within a reasonable time, rescission and demand for restitution For the purposes of this section, a reasonable time shall mean 20 business days from the date of demand This subdivision shall not apply to a cause of action commenced pursuant to Section 382 of the Code of Civil Procedure or Section 1781 of the Civil Code

(d) Persons represented by the person making the solicitation shall keep and maintain copies of all demands for rescission for violation of this section for a period of one year from date of receipt Failure to maintain such records shall create a presumption affecting the burden of proof that demand for rescission had been properly made

(e) Where any provision of law provides a penalty for the violation of any offense specified in this section, it shall be a defense to the imposition of such penalty as to any defendant who did not commit the act or acts constituting the offense that such defendant did not know, and with the exercise of reasonable care could not have known, that the act was committed, which constitutes the violation of this section."

Amendment No. 5

On page 4, line 8, strike out "(e)", and insert "(f)".

Amendment No. 6

On page 4, after line 11, insert

"(g) This section shall not prohibit the enactment by the governing body of any city, county, or city and county, of ordinances relating to home solicitations which are more restrictive of such solicitation than the provisions of this section."

Senate Amendments of November 20, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 17, 1972, after the comma, insert "and to amend Section 1689 5 of the Civil Code,".

Amendment No. 2

On page 3, after line 11, insert

"The provisions of this subdivision apply only where the buyer enters into an agreement to purchase goods or services."

Amendment No. 3

On page 4, line 19, after "buyer," insert "in person or by telephone,".

Amendment No. 4

On page 4, line 20, strike out "misrepesents", and insert "misrepresents".

Amendment No. 5

On page 4, line 26, strike out "which resulted from", and insert "when there was".

Amendment No. 6

On page 4, line 28, strike out "up to", and insert "of".

Amendment No. 7

On page 4, line 36, strike out "rescind", and insert "terminate".

Amendment No. 8

On page 4, line 36, strike out "make restitution of", and insert "return".

Amendment No. 9

On page 4, lines 39 and 40, strike out "rescission and demand for restitution", and insert "such termination and return If the person represented by the person making the solicitation elects to terminate, he shall return to the aggrieved party payments received for any and all goods, and for services not rendered, and upon return of such payments, the aggrieved party shall return any and all goods received under the contract".

Amendment No. 10

On page 5, line 2, after "to", insert "a cause of action commenced under any other provision of law, including, but not limited to,".

Amendment No. 11

On page 5, between lines 4 and 5, insert

"Any rights under this subdivision shall be waived if subsequent to the signing of the contract the party bound by the contract states in writing that identification, as required by this section, was given"

Amendment No. 12

On page 5, line 7, strike out "rescission", and insert "termination".

Amendment No. 13

On page 5, line 10, strike out "rescission", and insert "termination".

Amendment No. 14

On page 5, line 23, after "organization", insert ", or any person selling any intangibles, or any items defined in Section 1590 (a)(1), of Title 18 of the California Administrative Code as it read on July 15, 1972".

Amendment No. 15

On page 5, line 24, after "prohibit", insert "nor authorize".

Amendment No. 16

On page 5, after line 28, insert

"SEC 2. Section 1689 5 of the Civil Code is amended to read:

1689 5 As used in Sections 1689 6 to 1689 11, inclusive·

(a) "Home solicitation contract or offer" means any contract or any offer which is subject to approval, for the sale of goods or services or both, made at other than appropriate trade premises in an amount more than fifty dollars ($50). The home solicitation contract shall not include any contract under which the buyer has the right to rescind pursuant to Title 1, Chapter 2, Section 125 of the Federal Consumer Credit Protection Act (P.L 90-321) and the regulations promulgated pursuant thereto.

(b) "Appropriate trade premises," means premises at which either the owner or seller normally carries on a business, or where goods are normally offered or exposed for sale in the course of a business carried on at those premises

(c) "Goods" means tangible chattels bought for use primarily for personal, family, or household purposes, including certificates or coupons exchangeable for such goods, and including goods which, at the time of the sale or subsequently, are to be so affixed to real property as to become a part of such real property whether or not severable therefrom, but does not include any vehicle required to be registered under the Vehicle Code, nor any goods sold with such a vehicle if sold under a contract governed by Section 2982

(d) "Services" means work, labor and services, *including, but not limited to, services* furnished in connection with the repair, alteration,

or improvement of residential premises, ~~including~~ *or* services furnished in connection with the sale or repair of goods as defined in Section 1802.1, but does not include the services of attorneys, real estate brokers and salesmen, securities dealers or investment counselors, physicians, optometrists or dentists, nor the sale of insurance which is not connected with the sale of goods or services as defined herein, nor services for which the tariffs, rates, charges, costs, or expenses, including in each instance the time sale price, is required by law to be filed with and approved by the federal government or any official, department, division, commission or agency of the United States or of the State of California ''

Senate Amendments of November 27, 1972

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in Senate November 20, 1972, strike out ''in writing''.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1538—An act to add Section 17508 to the Business and Professions Code, relating to advertising.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1538?

Senate Amendments of July 31, 1972

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly June 15, 1972, after ''Upon'', insert ''written''.

Amendment No. 2

On page 2, strike out line 17, and insert ''of the facts on which such advertising claims are based. Any such request shall be made within one year of the last day on which such advertising claims were made.''

Amendment No. 3

On page 2, line 20, strike out ''shall'', and insert ''may''.

Amendment No. 4

On page 2, in lines 21 and 22, strike out "upon determining", and insert "if such Director of Consumer Affairs, Attorney General, or district attorney in cooperation with the Attorney General, shall have reason to believe".

Amendment No. 5

On page 2, after line 31, insert

"(e) Nothing in this section shall be construed to hold any newspaper publisher or radio or television broadcaster liable for publishing or broadcasting any advertising claims referred to in subdivision (a), unless such publisher or broadcaster is the person making such claims."

Senate Amendments of August 4, 1972

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Senate July 31, 1972, after "attorney", insert "acting with the approval of the Attorney General".

Amendment No. 2

On page 2, line 11, strike out "making", and insert "in whose behalf".

Amendment No. 3

On page 2, line 12, after "claims", insert "are made".

Amendment No. 4

On page 2, line 23, strike out "in cooperation with", and insert "acting with the approval of".

Amendment No. 5

On page 2, lines 27 and 28, strike out "in cooperation with", and insert "acting with the approval of".

Senate Amendments of November 27, 1972

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in Senate August 4, 1972, strike out "shall", and insert "may".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Campbell, Chacon, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1638—An act to amend Section 53703 of the Government Code, relating to federal aid

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1638?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in Assembly June 14, 1972, after "enforcement", insert "activities which have not been preempted by state law"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1691—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1691?

Senate Amendments of June 15, 1972

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Assembly May 11, 1972, strike out "all".

Amendment No. 2

On page 2, line 25, strike out ", includes"; and strike out lines 26 to 28, inclusive, and insert "means the various facilities used in the treatment or reclamation of sewage and industrial wastes, but shall not include those facilities described in Section 4064 of the Health and Safety Code."

Amendment No. 3

On page 3, lines 3 and 4, strike out ", under supervision,".

Amendment No. 4

On page 3, line 19, after "extent", insert "recommended by the advisory committee and".

Amendment No. 5

On page 4, line 10, strike out "waste", and insert "municipal waste water".

Amendment No. 6

On page 4, line 21, after "representing", insert "municipal".

Amendment No. 7

On page 4, line 22, strike out "one of whom", and insert "who".

Amendment No. 8

On page 4, strike out lines 24 to 26, inclusive, and insert

"(b) Two persons from statewide organizations representing municipalities, including counties.

(c) Two persons from statewide organizations".

Senate Amendments of November 20, 1972

Amendment No. 1

On page 3, of the printed bill, as amended in Senate June 15, 1972, strike out lines 1 and 2, and insert "wastes."

Amendment No. 2

On page 3, line 30, after the period, insert "In lieu of a properly certified waste water treatment plant operator, the board may approve use of a water treatment plant operator of appropriate grade certified by the State Board of Public Health, where water reclamation is involved."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1210—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1210?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly June 16, 1972, after "district", insert "maintaining a regional occupational center or program".

Amendment No. 2

On page 2, line 11, strike out "a", and insert "any public agency or with any".

Amendment No. 3

On page 2, strike out lines 23 to 26, inclusive.

Amendment No. 4

On page 2, line 27, strike out "30304", and insert "30303".

Amendment No. 5

On page 2, line 27, strike out "a", and insert "any public agency or any".

Amendment No. 6

On page 2, line 29, after "credited", insert "to the agency maintaining the regional occupational center or program".

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Lewis—1.

NOES—Arnett, Bagley, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, La-Coste, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

Appointment of Committee on Conference Concerning Assembly Bill No. 1210

The Acting Speaker appointed Messrs. Bill Greene, Chacon, and Lewis as a Committee on Conference concerning Assembly Bill No 1210.

Assembly Bill No. 1714—An act to add Section 24053.8 to the Education Code, relating to the California State University and Colleges

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1714?

Senate Amendments of November 17, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 19, 1972, strike out "Assemblymen Moretti, Bee, Leroy F. Greene,"; and strike out lines 2 and 3 of the heading, and insert "Assemblyman Maddy".

Amendment No. 2

In line 4 of the heading, strike out "Collier", and insert "Grunsky".

Amendment No. 3

In line 1 of the title, strike out "relating"; and strike out line 2 of the title, and insert "to add Section 24053 8 to the Education Code, relating to the California State University and Colleges"

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1. Section 24053.8 is added to the Education Code, to read:

24053.8 Notwithstanding any other provision of law, obligations may be incurred for the summer quarter operation in the California State University and Colleges at campuses on year-round operations, subsequent to enactment of and prior to the effective date of a Budget Act, payable from the appropriations contained in such Budget Act. Such obligations and the payment thereof shall be subject to Section 24053.1."

Amendment No. 5

On page 2, strike out lines 2 to 25, inclusive, and strike out all of pages 3, 4, and 5.

Senate Amendments of November 22, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate November 17, 1972, strike out line 8; and in line 9, strike out "Act", and insert "enactment of a Budget Act and prior to July 1"

Amendment No. 2

On page 2, line 10, after "Act", insert "for such purposes".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1737—An act to amend Section 15606 of the Government Code, and to add Section 7051.5 to the Revenue and Taxation Code, relating to the duties of the State Board of Equalization.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1737?

Senate Amendments of June 14, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 22, 1972, after line 29, insert

"Nothing in this section shall be construed to prevent refunds of taxes or reductions of tax liability for future, current or past years because of erroneous application of the tax by the board or erroneous payment of the tax by the taxpayer."

Senate Amendments of July 5, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 14, 1972, after the comma, insert "and to add Section 7051 5 to the Revenue and Taxation Code,".

Amendment No. 2

On page 2, strike out line 33, and insert "jurisdiction to compel an assessor or any city or county tax official to comply with any provision of law, or any rule or regulation of the board adopted in accordance with subdivision (c) of this section, governing the assessment or taxation of property The Attorney General shall represent the board in such action The provisions of this section are mandatory.

SEC 2. Section 7051.5 is added to the Revenue and Taxation Code, to read·

7051 5 The board shall prescribe rules and regulations respecting retail grocers who sell both taxable items and exempt food items to provide one or more methods whereby they may report their sales tax liabilities in as simplified a manner as is consistent with law Such rules and regulations shall be applied equally to all grocers who report their sales tax liabilities thereunder.

SEC. 3 The Legislature by adding Section 7051 5 to the Revenue and Taxation Code intends to direct the State Board of Equalization to make more specific the provisions of its regulation contained in subdivision (e) of Regulation 1602, Title 18, Chapter 2, Subchapter 4, California Administrative Code, relating to the methods authorized for the use by grocers in reporting their sales tax liabilities The Legislature desires that the relevant regulation be simple, clear, and precise, so as to substantially restrict any area of staff interpretation at the time of audit In the event of change in the regulation there should be adequate notice and opportunity to be heard afforded to grocers and, in the event of any substantial change in an established interpretation, it should be applied prospectively only."

Amendment No. 3

On page 2, strike out lines 34 to 38, inclusive, and on page 3, strike out lines 1 to 34, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller. Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby. Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1783—An act to amend Section 8046 of, and to add Article 14 (commencing with Section 8500) to Chapter 2 of Part 3 of Division 6 of, the Fish and Game Code, relating to commercial fishing

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1783?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 22, 1972, after "act", insert "to amend Section 8046 of, and",

Amendment No. 2

In line 2 of the title, after the third "of", insert a comma

Amendment No. 3

In line 3 of the title, strike out "invertebrates", and insert "commercial fishing".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1 Section 8046 of the Fish and Game Code is amended to read:

8046 Every person operating under a license pursuant to this article shall, in addition to the license fee and the tax imposed by Section 8045, pay a privilege tax of five cents ($0 05) for each 100 pounds, or fraction thereof, of sardines, Pacific mackerel, jack mackerel, squid, herring, or anchovies purchased, received, or taken by him until December 31, ~~1972~~ *1974*

The money shall be deposited in the Fish and Game Preservation Fund for use by the Marine Research Committee pursuant to Sections 729 and 730

The committee shall pay the department for accounting and other services rendered to the committee by the department The fiscal year cost of such services shall not be in excess of 2 percent of the money so collected each fiscal year under this section

SEC. 2 Article 14 (commencing with Section".

Amendment No. 5

On page 2, after line 11, insert

"SEC 3 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

In order to make funds available to the Marine Research Committee pursuant to the provisions of this act before the normal effective date of legislation enacted at the current session of the Legislature, and thus insure that the programs of the committee will not be interrupted for lack of funds, and in order to protect the rapidly declining invertebrate population in prescribed areas of the state as soon as possible, it is necessary that this act go into immediate effect "

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

The question being. Shall the Assembly concur in the Senate amendments to Assembly Bill No 1783?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1798—An act to establish a correctional training center.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1798?

Senate Amendments of November 14, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 15, 1972, strike out "academy", and insert "facility".

Amendment No. 2

On page 1, line 9, strike out "Academy", and insert "Facility".

Amendment No. 3

On page 1, line 11, strike out "officers", and insert "personnel".

Amendment No. 4

On page 2, strike out lines 2 to 13, inclusive.

Senate Amendments of November 22, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate November 14, 1972, strike out "facility", and insert "center".

Amendment No. 2

On page 1, line 3, strike out "Facility", and insert "Center".

Amendment No. 3

On page 1, line 5, after "personnel", insert "in both the Department of Corrections and the Department of the Youth Authority".

Amendment No. 4

On page 1, line 6, after "Corrections", insert "and the Department of the Youth Authority, jointly,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1973—An act to amend Section 5096 26 of, to add Section 5099 35 to, and to add Chapter 1.8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1973?

Senate Amendments of July 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 19, 1972, strike out "Sections 5096 26 and 5099 4 of", and insert "Section 5096 26 of, to add Section 5099 35 to".

Amendment No. 2

On page 3, strike out lines 2 to 7, inclusive; and in line 8, strike out "of matching any grant to the state may", and insert "funds for Department of Parks and Recreation acquisition and development projects shall".

Amendment No. 3

On page 3, line 9, after the period, insert "Such funds in the account are continuously appropriated for the conduct of such feasibility studies as the department may, from time to time, be directed by the Legislature to undertake "

Amendment No. 4

On page 3, strike out lines 10 to 37, inclusive; and in line 38, strike out "purposes, shall", and insert

"5098 2 Proposed expenditures by the department of account funds for acquisition and development projects, including associated appraising, design, planning, feasibility study, and environmental impact costs, shall".

Amendment No. 5

On page 4, strike out lines 10 to 24, inclusive; and in line 25, strike out "SEC 5", and insert

"SEC 3. Section 5099 35 is added to the Public Resources Code, to read·

5099 35. The Legislature recognizes that it is the intended purpose of the Land and Water Conservation Fund Act of 1965, as expressed in such act, that such federal financial assistance as may be provided to the state pursuant to the act shall be in addition to, rather than as a substitute for, state and local outdoor recreation funds.

SEC 4".

Amendment No. 6

On page 4, line 25, after the second comma, insert "or on the effective date of this act, whichever is later,"

Amendment No. 7

On page 4, line 28, after "funds", insert ", except those funds necessary for the administration of the Land and Water Conservation Fund grants-in-aid program,"

Amendment No. 8

On page 4, line 31, strike out "SEC 6", and insert

"SEC 5".

Senate Amendments of July 26, 1972

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate July 20, 1972, strike out ", and making an appropriation therefor".

Amendment No. 2

On page 3, strike out lines 19 to 22, inclusive.

Senate Amendments of November 8, 1972

Amendment No. 1

On page 3, lines 20 and 21, of the printed bill, as amended in Senate July 26, 1972, strike out "January 1, 1973, or on the effective date of this act, whichever is later", and insert "July 1, 1973"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Majority Floor Leader Presiding

At 4 36 p m., Hon Jack R Fenton, 51st District, presiding.

Assembly Bill No. 2139—An act to amend Sections 51238 and 65302 of, and to add Section 51238 5 to, the Government Code, relating to conservation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2139?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 17, 1972, strike out "Section 51238", and insert "Sections 51238 and 65302".

Amendment No. 2

In lines 2 and 3 of the title, strike out "the California Land Conservation Act of 1965", and insert "conservation".

Amendment No. 3

On page 2, after line 24, insert

"SEC 3 Section 65302 of the Government Code, as amended by Chapter 348, Statutes of 1972, is amended to read·

65302 The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements

(a) A land-use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land The land-use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan The land-use element shall also identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to such areas.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land-use element of the plan

(c) A housing element, to be developed pursuant to regulations established under Section 37041 of the Health and Safety Code, consisting of standards and plans for the improvement of housing and for provision of adequate sites for housing. This element of the plan shall make adequate provision for the housing needs of all economic segments of the community.

(d) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared. The conservation element may also cover:

(1) The reclamation of land and waters.

(2) Flood control.

(3) Prevention and control of the pollution of streams and other waters.

(4) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan

(5) Prevention, control, and correction of the erosion of soils, beaches, and shores

(6) Protection of watersheds.

(7) The location, quantity and quality of the rock, sand and gravel resources.

The conservation element shall be prepared and adopted no later than June 30, 1973.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560) of this chapter

(f) A seismic safety element consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking, to ground failures, or to effects of seismically induced waves such as tsunamis and seiches

The seismic safety element shall also include an appraisal of mudslides, landslides, and slope stability as necessary geologic hazards that must be considered simultaneously with other hazards such as possible surface ruptures from faulting, ground shaking, ground failure and seismically induced waves

(g) A noise element in quantitative, numerical terms, showing contours of present and projected noise levels associated with all existing and proposed major transportation elements These include but are not limited to the following

(1) Highways and freeways,

(2) Ground rapid transit systems,

(3) Ground facilities associated with all airports operating under a permit from the State Department of Aeronautics

These noise contours may be expressed in any standard acoustical scale which includes both the magnitude of noise and frequency of its occurrence. The recommended scale is sound level A, as measured with A-weighting network of a standard sound level meter, with corrections added for the time duration per event and the total number of events per 24-hour period.

Noise contours shall be shown in minimum increments of five decibels and shall be continued down to 65 db(A) For regions involving hospitals, rest homes, long-term medical or mental care, or outdoor recreational areas, the contours shall be continued down to 45 db(A).

Conclusions regarding appropriate site or route selection alternatives or noise impact upon compatible land uses shall be included in the general plan.

The state, local, or private agency responsible for the construction or maintenance of such transportation facilities shall provide to the local agency producing the general plan, a statement of the present and projected noise levels of the facility, and any information which was used in the development of such levels

(h) A scenic highway element for the development, establishment, and protection of scenic highways pursuant to the provisions of Article 2 5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code.

The requirements of this section shall apply to charter cities."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stull, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 2199—An act making an appropriation for overtime for state employees, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2199?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 21, 1972, strike out "Assemblyman Brown", and insert "Assemblymen Brown and Monagan".

Amendment No. 2

In line 1 of the title, strike out "to add Section 18860 5 to the"; and strike out lines 2 and 3, and insert "making an appropriation for overtime for state employees, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 2, strike out line 2, and insert

"SECTION 1. There is hereby appropriated from the General Fund the sum of seven hundred fifty thousand dollars ($750,000) for the purpose of complying with the provisions of the Federal Fair Labor Standards Act for the period January 13, 1970, through June 30, 1971, to be allocated by the Department of Finance to the Department of the Youth Authority in augmentation of its appropriation for support or for other purposes in such amounts as needed to comply with Section 2 of this act, which shall be available through June 30, 1973.

SEC. 2 An employee of the Youth Authority covered by the provisions of the Fair Labor Standards Act who has worked overtime during the period January 13, 1970, through June 30, 1971, may file a claim for payment therefor with the Youth Authority in such form and manner and containing such information as prescribed by the State Personnel Board The Youth Authority shall assist the employee in preparing such claim by furnishing the needed information available from its records

Without limiting a right to file a claim or to take other action at a later date provided by any other statute, such claims shall be filed on or before June 30, 1973, notwithstanding any earlier time limitations prescribed, and any such time limitations are extended to June 30, 1973.

Upon certification by the Youth Authority that the information contained on the claim is accurate and the overtime was worked by the employee, the Controller may pay the sum due the employee

SEC 3. This act is an urgency statute necessary for the immediate preservation of the peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The United States Supreme Court has ruled that the Federal Fair Labor Standards Act is constitutional in its application to state governments Under provisions of the law, the state is required to comply with the overtime provisions to those state employees entitled to such overtime compensation

It is therefore necessary that this act take effect immediately in order that the provisions of the federal law may be applied equitably to all state employees to which the Fair Labor Standards Act applies "

Amendment No. 4

On page 2, strike out lines 3 to 37, inclusive, and strike out page 3.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 2199?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2368—An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2368?

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "by either", and insert "each year by any".

Amendment No. 2

On page 2, line 23, strike out "maximum".

Amendment No. 3

On page 2, line 25, strike out "maximum".

Amendment No. 4

On page 2, line 27, strike out "maximum".

Amendment No. 5

On page 2, line 29, strike out "maximum".

Amendment No. 6

On page 2, line 31, strike out "maximum".

Amendment No. 7

On page 2, line 33, strike out "maximum".

Amendment No. 8

On page 2, line 35, strike out "maximum".

Amendment No. 9

On page 2, line 38, strike out "department", and insert "director".

Amendment No. 10

On page 3, line 7, after "to", insert "one-half".

Amendment No. 11

On page 3, lines 39 and 40, strike out "the Apiary Projects Leader", and insert "a department representative".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled

Assembly Concurrent Resolution No. 59—Relative to mental health.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 59?

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2, line 9, of the printed measure, as amended in Assembly May 25, 1972, strike out "July", and insert "September".

Amendment No. 2

On page 2, line 26, strike out "September", and insert "December".

Senate Amendments of November 21, 1972

Amendment No. 1

On page 2, line 12, of the printed measure, as amended in Senate July 27, 1972, strike out "1972", and insert "1973".

Amendment No. 2

On page 2, line 29, strike out "December 15, 1972", and insert "September 15, 1973".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 562—An act requiring the acquisition of lands for inclusion in the state park system and the development of such lands, and making an appropriation therefor

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 562?

Amendment No. 1

In line 2 of the title of the printed bill, after "lands", insert ", and making an appropriation therefor".

Amendment No. 2

On page 1, after line 4, insert

"SEC 2 The sum of twenty-two thousand dollars ($22,000) is hereby appropriated from the General Fund to the Department of Parks and Recreation for expenditure for salary, operations, and equipment expenses incurred in the Allensworth Project"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1110—An act to amend Section 107 of the Revenue and Taxation Code, relating to property taxation.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1110?

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 26, 1972, in line 1, strike out "possessory", and insert "All possessory".

Amendment No. 2

On page 3, line 4, after the period, insert "This paragraph shall be operative only in counties having a population of 4,000,000 or more."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—Davis—1

Above bill ordered enrolled.

Assembly Bill No. 2033—An act to amend Section 23320 of, and to add Section 23399 3 to, of the Business and Professions Code, relating to alcoholic beverages

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2033?

Amendment No. 1

On page 4, between lines 35 and 36 of the printed bill, as amended in Assembly July 3, 1972, insert

"SEC 1 5. Section 23320 of the Business and Professions Code, as amended by Assembly Bill No 132, is amended to read:

23320 The following are the types of licenses to be issued under this division and the annual fees to be charged therefor:

(1) Beer manufacturer's license	
(a) Steam beer manufacturer exclusively	$56 00 per year
(b) All other beer manufacturer	828 00 per year
(2) Winegrower's license or wine blender's license (to be computed only on the gallonage produced or blended), 5,000 gallons or less	22 00 per year
Over 5,000 gallons to 20,000 gallons per year	44 00 per year
Over 20,000 to 100,000 gallons per year	82 50 per year
Over 100,000 to 200,000 gallons per year	110 00 per year
Over 200,000 gallons to 1,000,000 gallons per year	165 00 per year
For each 1,000,000 gallons or fraction thereof over 1,000,000 gallons an additional	110 00 per year
(3) Brandy manufacturer's license	168 00 per year
(4) Distilled spirits manufacturer's license	276 00 per year
(5) Distilled spirits manufacturer's agent's license	276 00 per year

(6)	Still license	12 00 per year
(7)	Rectifier's license	276 00 per year
(7a)	Distilled spirits rectifier's general license	276 00 per year
(8)	Wine rectifier's license	276 00 per year
(9)	Beer and wine importer's license	No fee
(10)	Beer and wine importer's general license	56 00 per year
(11)	Brandy importer's license	No fee
(12)	Distilled spirits importer's license	No fee
(13)	Distilled spirits importer's general license	276 00 per year
(14)	Public warehouse license	12 00 per year
(15)	Customs broker's license	12 00 per year
(16)	Wine broker's license	56 00 per year
(17)	Beer and wine wholesaler's license	56 00 per year
(18)	Distilled spirits wholesaler's license	276 00 per year
(18a)	California brandy wholesaler's license	276 00 per year
(19)	Industrial alcohol dealer's license	56 00 per year
(20)	Retail package off-sale beer and wine license	24 00 per year
(21)	Retail package off-sale general license	350 00 per year
(22)	On-sale beer license	168 00 per year
(23)	On-sale beer and wine license	168 00 per year
(24)	On-sale beer and wine license for trains (per train)	16 00 per year
(25)	On-sale beer license for fishing party boats (per boat)	32 00 per year
(26)	On-sale beer and wine license for boats (per boat)	56 00 per year
(27)	On-sale beer and wine license for airplanes (per scheduled flight)	16 00 per year
(28)	On-sale general license:	
	In cities of 40,000 population or over	580 00 per year
	In cities of less than 40,000 but more than 20,000 population	412 00 per year
	In all other localities	360 00 per year
(29)	On-sale general license for seasonal business:	
	In cities of 40,000 population or over	145 00 per quarter year
	In cities of less than 40,000 but more than 20,000 population	103 00 per quarter year
	In all other localities	90 00 per quarter year
(30)	(a) On-sale general license for bona fide clubs,	
	(b) Club license (issued under Article 4 of this chapter), or	
	(c) Veterans' club license (issued under Article 5 (commencing with Section 23450) of this chapter):	
	In cities of 40,000 population or over	330 00 per year
	In cities of less than 40,000 but more than 20,000	248 00 per year
	In all other localities	220 00 per year
(31)	On-sale general license for trains and sleeping cars	128 00 per year
	Duplicate on-sale general license for trains and sleeping car companies	32 00 per year

(32) On-sale general license for boats	332 00 per year
(33) On-sale general license for airplanes	332 00 per year
Duplicate on-sale general license for air common carriers	10 00 per year
(34) On-sale general license for vessels of more than 1,000 tons burden	128 00 per year
Duplicate on-sale general license for vessels of more than 1,000 tons burden	32.00 per year
(35) On-sale general bona fide public eating place intermittent dockside license for vessels of more than 10,000 tons displacement	360 00 per year
(36) On-sale special beer and wine license for hospitals, convalescent homes, and rest homes	*56 00 per year* ".

Amendment No. 2

On page 5, after line 8, insert

"SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 132 are both chaptered and amend Section 23320 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 132, that Section 23320 of the Business and Professions Code, as amended by Section 1 of Assembly Bill No 132, be further amended on the effective date of this act in the form set forth in Section 1 5 of this act to incorporate the changes in Section 23320 proposed by this bill Therefore, Section 1.5 of this act shall become operative only if Assembly Bill No 132 is chaptered before this bill and amends Section 23320, and in such case Section 1 5 of this act shall become operative on the effective date of this act and Section 1 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—None

Above bill ordered enrolled

MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 496

In compliance with a motion given on a previous day, Mr. Miller moved that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No 496 be reconsidered

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly

Motion carried Time, 4 55 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Moorhead was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 178

In compliance with a motion given on a previous day, Mr Wakefield moved that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No 178 be reconsidered.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Wakefield moved a call of the Assembly

Motion carried Time, 5 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Garcia was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 2376, on request of Mr Z'berg

Assembly Bill No. 2379, on request of Mr Miller.

Hon. Walter W. Powers Presiding

At 5:02 p.m., Hon. Walter W Powers, 8th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 931—An act to amend Sections 35050, 35051, 35052, 35053, 35054, 35055, 35152, 35252, 35254, and 35255 of, and to add Section 35002 to, the Education Code, and to repeal Section 2 of Chapter 815 of the Statutes of 1970, relating to the Public Service Internship Program.

Bill read third time, and presented by Mr Stull.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 685—An act to amend Section 1793 1 of the Civil Code, relating to warranties.

Bill read third time, and presented by Mr Fenton.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 5 08 p.m , Hon Jack R Fenton, 51st District, presiding.

Senate Bill No. 1462—An act to amend Section 316 of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, relating to the Bagley Conservation Fund, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr. Bagley.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Cline, Conrad, Cory, Crown, Davis, Dent, Duffy, Dun-

lap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Stacey—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Cline, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Karabian, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—Stacey—1.

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER SENATE BILL NO. 1118 WAIVED

Mr. Knox waived his motion to reconsider the vote whereby Senate Bill No. 1118 was refused passage.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 86—An act to add Section 24053 8 to the Education Code, relating to the California State University and Colleges.

Bill read third time, and presented by Mr Maddy.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 424—An act to amend Section 218 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and presented by Mr. Gonsalves.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Cory, Crown, Davis, Dent,

Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—58

NOES—Burke, Campbell, Collier, Conrad, Hayden, Lancaster, Mobley, Monagan, Moorhead, Priolo, Russell, Stacey, Stull, Wakefield, and Wood—15.

Bill ordered transmitted to the Senate.

Senate Bill No. 637—An act to amend Section 4227 of, and to add Section 4050.7 to, the Business and Professions Code, and to add Section 6369.1 to the Revenue and Taxation Code, relating to hemodialysis, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Campbell.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—Stacey—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—63.

NOES—Stacey—1.

Bill ordered transmitted to the Senate

Senate Bill No. 981—An act relating to air pollution, and making an appropriation therefor

Bill read third time, and presented by Mr Dent.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1369—An act to add Section 2361.5 to the Fish and Game Code, relating to importation of salmon.

Bill read third time, and presented by Mr MacGillivray.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1482—An act to add Section 6360 to the Revenue and Taxation Code, relating to sales and use tax, to take effect immediately, tax levy

Bill read third time, and presented by Mr. Foran.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1500—An act to amend Sections 21250 1, 21330, and 21364 7 of, to add Sections 21263, 21263 1, 21263 2 and 21263 3 to, and to repeal Sections 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719

of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and presented by Mr Barnes.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 601—An act to amend Section 20365 of the Government Code, as added by Chapter 313 of the Statutes of 1972, relating to the Public Employees' Retirement System

Bill read third time

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr Dunlap was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer amendments to Senate Bill No 601 which add a total of more than 25 words to the bill, without having copies of the amendments placed upon the Members' desks.

Motion to Amend

Mr. Dunlap moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly November 29, 1972, after "Section", insert "21367.51 of, and Section".

Amendment No. 2

On page 2, after line 38, insert

"SEC. 2. Section 21367 51 of the Government Code is amended to read:

21367 51. Upon the death of any person, after retirement and while receiving a retirement allowance from this system, there shall be paid to his estate or to such beneficiary as he shall nominate by written designation duly executed and filed with the board, the sum of ~~five hundred dollars ($500)~~ *seven hundred fifty dollars ($750)*, to be provided from contributions by the state or contracting agency, as the case may be

On and after the operative date of the amendment to this section at the 1969 Regular Session, this section shall apply to all contracting agencies and to the employees of such agencies whether or not such agencies have previously elected to be subject to this section"

Amendments read, and adopted

Bill ordered reprinted, and to be returned to the third reading file

Senate Bill No. 772—An act relating to community colleges, and making an appropriation therefor.

Bill read third time, and presented by Mr Ryan

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 796—An act to add Chapter 5.3 (commencing with Section 2530) to Division 2 of, the Business and Professions Code, relating to healing arts.

Bill read third time, and presented by Mr. Stull.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 542—An act to amend, add, and repeal Section 5751 of the Welfare and Institutions Code, relating to mental health

Bill read third time, and passed by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, Mc-

Alister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 148—An act to amend Section 23752 of the Education Code, to amend Section 71006 of the Government Code, and to add Sections 1463 5, 1463 6, and 1463.7 to the Penal Code, relating to disposition of parking fees and fines.

Bill read third time ~~, and passed by the following vote:~~

~~AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.~~

~~NOES—None.~~

~~Bill ordered transmitted to the Senate.~~

NOTE. Later this day, the action was rescinded whereby Senate Bill No. 148 was passed and ordered transmitted to the Senate See page 8220.

Senate Bill No. 318—An act to amend Section 19502 of the Government Code, relating to state civil service

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 417—An act to amend Sections 11003.1, 11003 2, and 11003 3 of the Revenue and Taxation Code, relating to taxation

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Con-

rad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 503—An act relating to public facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 914—An act to amend Section 5097 96 of the Public Resources Code, relating to archaeological, paleontological, and historical resources

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran

Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1075—An act to add Section 8254.7 to the Fish and Game Code, relating to lobsters

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1084—An act to add Section 8306 7 to the Fish and Game Code, relating to abalones

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 54—Relative to emergency breathing apparatus

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 56—Relative to elevator safety.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 63—Relative to inheritance taxes

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 520—An act to amend Sections 660, 661, and 662 of, and to add Chapter 7 5 (commencing with Section 2621) to Division 2 of, the Public Resources Code, relating to earthquake protection, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Mur-

phy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 820—An act making an appropriation for demonstration project to purchase workshop services for needy disabled recipients.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1142—An act to amend Section 985 of, to add Section 987 16 to, and to repeal Sections 984, 987.16, and 987 16a of, the Military and Veterans Code, relating to veterans benefits.

Bill read third time, and passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1618—An act relating to educational programs.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1618?

Senate Amendments of August 3, 1972
Amendment No. 1

On page 2, line 37, of the printed bill, as amended in Assembly July 4, 1972, strike out "travel,".

Senate Amendments of November 20, 1972

Amendment No. 1

On page 3, of the printed bill, as amended in Senate August 3, 1972, strike out lines 9 to 11, inclusive, and insert

"For the purpose of any state apportionment to school districts the amount of which is determined on the basis of pupil attendance, a pupil participating in a full-time educational furlough pursuant to this act shall not be counted in calculating the pupil attendance of the district."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1704—An act to add Section 104.16 to the Streets and Highways Code, relating to state highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1704?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly June 19, 1972, strike out "The", and insert "(a) The".

Amendment No. 2

On page 2, between lines 10 and 11, insert

"(b) The department shall enter into an operating agreement with the Department of Parks and Recreation for public use of any land that is held by the department between the mean high tide line of the Pacific Ocean and any state highway nearest to the coast, if such land will not be used for state highway purposes within two years after its acquisition by the department"

Amendment No. 3

On page 2, line 14, after "use", insert ", or enter into an operating agreement with the Department of Parks and Recreation for public use pursuant to subdivision (b)".

Amendment No. 4

On page 2, strike out line 18, and insert "(1) which the department is receiving rent from, or (2)".

Amendment No. 5

On page 2, line 20, after the comma, insert "or the board of supervisors of the county in which any land described in subdivision (b) is located,"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1709—An act to add Section 4089.5 to the Business and Professions Code, relating to pharmacy

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1709?

Set No. 1

Amendment No. 1

In the heading of the printed bill, after "Brown", insert

"(Coauthors. Senators Marks and Roberti)".

Set No. 2

Amendment No. 1

On page 1, line 4, of the printed bill, after "sufficient", insert "and equivalent".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2196—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2196?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly June 26, 1972, strike out "five working", and insert "30".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 148

Mr. Brown was granted unanimous consent to rescind the action whereby the Assembly, earlier this day passed Senate Bill No 148, and whereby the bill was ordered transmitted to the Senate

Senate Bill No. 148 removed from Consent Calendar

Mr. Brown was granted unanimous consent that Senate Bill No 148 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of second reading.

Second Reading of Senate Bill No. 148

Senate Bill No. 148—An act to amend Section 23752 of the Education Code, to amend Section 71006 of the Government Code, and to add Sections 1463 5, 1463 6, and 1463 7 to the Penal Code, relating to disposition of parking fees and fines

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1044—An act to amend Section 96 of the Labor Code, relating to wage claims

Bill read third time, and presented by Mr Brown.

Bill passed by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Crown, Davis, Duffy, Dunlap, Fenton, Fong, Foran,

Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, LaCoste, Lancaster, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Murphy, Porter, Powers, Priolo, Ryan, Stacey, Thomas, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—Collier, MacGillivray, Moorhead, Russell, Stull, and Wakefield—6.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 636—An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497 5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 636?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Assembly April 6, 1972, strike out "7 through 12, inclusive", and insert "7, 8, 9, 10, 11, or 12".

Amendment No. 2

On page 2, line 34, strike out "7 throught 12, inclusive", and insert "7, 8, 9, 10, 11 or 12".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1602—An act to amend Section 3915 5, as added by Section 5 of Chapter 1137 of the Statutes of 1970, to amend Sections 3920, 3930, and 3940 of, to add Section 3926 to, and to repeal Section 3922 of, the Business and Professions Code, relating to nursing home administration

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1602?

Senate Amendments of July 19, 1972

Amendment No. 1

In line 2 of the title of the printed bill, after the first comma, insert "to amend".

Amendment No. 2

In line 2 of the title, after "3920," insert "3930,".

Amendment No. 3

In line 3 of the title, after the first comma, insert "to add Section 3926 to,".

Amendment No. 4

In line 4 of the title, strike out "administrations", and insert "administration".

Amendment No. 5

On page 1, line 4, strike out "1972", and insert "1973".

Amendment No. 6

On page 2, lines 7 and 8, strike out "except a provisional license under Section 3922,".

Amendment No. 7

On page 2, between lines 39 and 40, insert

"SEC. 4. Section 3926 is added to the Business and Professions Code, to read:

3926 Upon filing a request therefor containing such information as the board may require, and the payment of the fee for a duplicate license fee, the board may issue to any person licensed under this chapter a duplicate license to reflect a change of name, or to replace a license which has been lost, destroyed, damaged, defaced, or mutilated

SEC. 5 Section 3930 of the Business and Professions Code is amended to read:

3930. The board may deny, or may suspend or revoke, a license upon any of the following grounds.

(a) Gross negligence.

(b) Incompetence

(c) The ~~commission~~ *conviction* of any ~~act~~ *crime* involving moral turpitude, dishonesty, or corruption, whether the act is committed in the course of the individual's activities as a licensee, or otherwise, or whether the act is a felony or a misdemeanor *A conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section.*

(d) Using fraud or deception in applying for a license or in taking the examination provided for in this chapter.

(e) Treating or attempting to treat any physical or mental condition without being currently licensed to do so.

(f) Violating Section 650 of the Business and Professions Code, any provision of this chapter or any rule or regulation of the board adopted pursuant to this chapter

(g) Lack of any qualification requirement for the license."

Amendment No. 8

On page 2, line 40, strike out "SEC 4", and insert "SEC. 6".

Amendment No. 9

On page 3, between lines 16 and 17, insert

"(f) The administrator-in-training permit fee is not less than twenty-five dollars ($25) nor more than seventy-five dollars ($75).

(g) The duplicate license fee is not less than two dollars ($2) nor more than ten dollars ($10)."

Amendment No. 10

On page 3, lines 18 and 19, strike out "and (e)", and insert "(e), (f), and (g)".

Senate Amendments of July 25, 1972

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Senate July 19, 1972, strike out "15", and insert "30".

Senate Amendments of August 1, 1972

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in Senate July 25, 1972, strike out "or provisional license".

Amendment No. 2

On page 3, line 34, strike out "or provisional license".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 90

Mr Z'berg was granted unanimous consent to take up Senate Concurrent Resolution No 90 without reference to committee or file

Consideration of Senate Concurrent Resolution No. 90

Senate Concurrent Resolution No. 90—Approving amendments to the Charter of the County of Sacramento, State of California, ratified

by the qualified electors of the county at a general election held therein on the seventh day of November, 1972.

Resolution read, presented by Mr Z'berg, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TEMPORARILY SUSPEND THE RULES

At 5:40 p m, on motion of Mr Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the motion to temporarily suspend the Rules for the purpose of permitting all measures which are reported from committees on this day to be read a second time, without reference to file; to permit the adoption of any amendments reported with such bills, and to permit any bills which are amended on this day to be returned to the third reading file or Second Day Consent Calendar, instead of the second reading file, and to permit Consent Calendar bills to be placed upon the Second Day Consent Calendar for the next legislative day carried by the following vote:

AYES—Bee, Brathwaite, Briggs, Brown, Burton, Chacon, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ketchum, Keysor, LaCoste, Lanterman, MacDonald, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, and Mr Speaker—44.

NOES—Badham, Beverly, Burke, Cline, Collier, Conrad, Knox, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Monagan, Moorhead, Murphy, Seeley, Stacey, Stull, Wakefield, and Z'berg—20

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 5

At 5:44 p m, on motion of Mr Murphy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 5 by the following vote:

AYES—Arnett, Barnes, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Karabian, Keysor, Knox, LaCoste, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Ralph, Ryan, Seeley, Thomas, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—43.

NOES—Badham, Bee, Briggs, Burke, Cline, Collier, Conrad, Davis, Dent, Ray E Johnson, Ketchum, Lancaster, MacGillivray, Moorhead, Priolo, Russell, Stacey, Stull, and Wakefield—19.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 496

At 5 45 p m., on motion of Mr Miller, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 496 refused reconsideration by the following vote·

AYES—Barnes, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Davis, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Keysor, Knox, LaCoste, MacDonald, McAlister, McCarthy, Meade, Miller, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—36

NOES—Arnett, Bagley, Beverly, Briggs, Burke, Cline, Collier, Conrad, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Russell, Seeley, Stull, and Wood—25

Above bill ordered enrolled

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 178

At 5 47 p m , on motion of Mr. Wakefield, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 178 refused reconsideration by the following vote·

AYES—Arnett, Barnes, Beverly, Briggs, Burke, Campbell, Cline, Collier, Conrad, Davis, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, LaCoste, Lancaster, Lanterman, Lewis, MacGillivray, Maddy,

Mobley, Monagan, Moorhead, Murphy, Porter, Russell, Seeley, Stull, Wakefield, and Wood—31.

NOES—Bagley, Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Keysor, McAlister, Meade, Miller, Pierson, Powers, Quimby, Ralph, Ryan, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—32

Above bill ordered enrolled.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:48 p m., Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

ANNOUNCEMENTS

Acting Speaker Fenton advised the Members that the rosary for Frank Belotti will be at 8 p m on Sunday, December 3, at the Chapel of the Ferns in Eureka Mass will be Monday, December 4, at 11 a m at St. Bernard's Catholic Church, 615 H Street, Eureka. Those attending should meet at the Chapel of the Ferns at 10 15 a m. on Monday. Mrs. Belotti requests contributions to the Susan Bartolomei Fund, Savings Bank of Mendocino, P O Box 479, Ukiah 95482.

The following have been appointed as the official delegation to represent the Assembly at the funeral services· Mr. Barnes (Chairman), Mrs Davis, and Messrs. Bee, Mobley, and Stull

Acting Speaker Fenton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Honorable Frank Belotti, Member of the Assembly from Eureka

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 136 FROM COMMITTEE

Mr Ketchum was granted unanimous consent that House Resolution No. 136 be withdrawn from the Committee on Rules for purpose of consideration at this time, without reference to file

Consideration of House Resolution No. 136

House Resolution No. 136—Relative to vocational education in agriculture.

NOTE: The full text of House Resolution No 136 appears at page 8069 of the Assembly Daily Journal for November 29, 1972.

Resolution read, presented by Mr Ketchum, and adopted

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Knox was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal:

Opinion of Legislative Counsel

Sacramento, November 30, 1972

Honorable John T. Knox
Assembly Chamber

Environmental Quality (A B 889)—#18960

Dear Mr. Knox:

Question

The provisions of Assembly Bill No 889 of the 1972 Regular Session of the Legislature, as amended November 27, 1972,[1] would, if enacted, provide, among other things, that Division 13 (commencing with Section 21000) of the Public Resources Code [2] (the Environmental Quality Act of 1970 [3]) shall not apply to certain projects until the 121st day after the effective date of such provisions [4] (proposed Sec 21171; see also proposed Secs 21083, 21169, 21170, and 21172 5). You have asked us whether a city or a county may enact its own ordinance requiring the preparation of environmental impact reports or studies during such 121-day "moratorium" period with respect to projects which, for that period, would be exempt from the environmental impact report requirements of EQA.

Opinion

In our opinion a city or a county may enact its own ordinance requiring the preparation of environmental impact reports or studies during the 121-day "moratorium" period following enactment of the bill with respect to projects which, for that period, would be exempt from the environmental impact report requirements of EQA.

Analysis

The California Supreme Court decision in the case of *Friends of Mammoth* v. *Board of Supervisors*, 8 Cal 3d 1, as modified November 6, 1972, interpreted the second sentence of Section 21151. Section 21151, which is a part of the EQA, reads as follows:

> "21151 The legislative bodies of all cities and counties which have an officially adopted conservation element of a general plan shall make a finding that any project they intend to carry out, which may have a significant effect on the environment, is in accord with the conservation element of the general plan *All other local governmental agencies shall make an environmental impact report on any project they intend to carry out which may have a significant effect on the environment* and shall submit it to the appropriate local planning agency as part of the report required by Section 65402 of the Government Code" (Emphasis added)

As can be seen from the emphasized portion of Section 21151, supra, the section requires local governmental agencies (which have

---

1 Hereinafter referred to as the "bill"
2 All statutory references are to the Public Resources Code
3 Hereinafter referred to as "EQA"
4 The provisions of the bill would take effect immediately upon enactment as an urgency statute (see Sec 19 of the bill)

not yet adopted a conservation element of a general plan) to make an environmental impact report on any "project" they intend to carry out which may have a significant effect on the environment [5]

The court in *Friends of Mammoth* v *Board of Supervisors*, supra, after having reviewed the legislative intent of EQA and the relationship between that act and the federal National Environmental Policy Act of 1969 (Secs. 4321, et seq, 42 U S C A), concluded that the term "project" as used in Section 21151, supra, included not only public works type projects but also private activities for which a local governmental agency permit or other entitlement is required (pp 15, 16, 19). The court noted in its Modification of Opinion, filed November 6, 1972, at page 4 of the modification, that, prior to its decision, it was widely believed that those provisions did not apply to such private projects.

The bill would add Section 21065, which would become a part of the EQA, to expressly define "projects" to include private projects Proposed Section 21065 reads as follows·

"21065. 'Project' means the following:

"(a) Activities directly undertaken by any public agency.

"(b) *Activities undertaken by a person which are supported in whole or in part through contracts*, grants, subsidies, loans, or other forms of assistance *from one or more public agencies*

"(c) *Activities involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies* [6]" (Emphasis added.)

Proposed Section 21171 would provide that EQA shall not apply to any of the private projects emphasized above in subdivisions (b) and (c) of Section 21065, supra, until the 121st day after the effective date of the section, except as to certain ongoing projects validated by the bill (proposed Sec. 21169) and as to certain projects subject to legal proceedings (proposed Sec 21170)

The question posed is whether a city or county may enact its own ordinance requiring the preparation of environmental impact reports or studies during such 121-day "moratorium" period with respect to private projects which, for that period, would be exempt from the environmental impact report [7] requirement of EQA

Section 7 of Article XI of the California Constitution states that:

"A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws "

Assuming, for the purposes of this discussion, that the ordinance would be a valid exercise of the police power of the city, county, or city

[5] The bill would amend Section 21151 to, in effect, remove the exemption from environmental impact report requirements of local agencies which have adopted a conservation element of a general plan (see Sec 11 of the bill)

[6] The bill would exclude "ministerial" projects from the requirements of EQA (see proposed Sec 21080)

[7] The bill specifies those matters which must be set forth in an environmental impact report (proposed Sec 21060, Sec 21100, as amended by Sec 2 5 of the bill)

and county, it is necessary to determine, therefore, whether such an ordinance would be in conflict with the provisions of EQA

In considering whether an ordinance conflicts with a general law, clearly there is such a conflict (sometimes described as a conflict of jurisdiction) where the ordinance authorizes an act which is prohibited by state law or prohibits an act which is authorized by state law Although not so obvious, the ordinance must also yield where it duplicates state law (see, generally, 35 Cal Jur 2d, Municipal Corporations, Sec. 234, at p 55) Whatever reports or studies might be required by local ordinance would clearly not be duplicatory of state law but, rather, would impose environmental impact report requirements during a period when no such requirements would be imposed by state law

There is also to be considered the doctrine of state "preemption" of a subject otherwise open to regulation by a local agency. As stated in *Stewart* v *County of San Mateo*, 246 Cal App 2d 273, at page 282:

> ". . . Whenever the Legislature has seen fit to adopt a general scheme for the regulation of a particular subject, the entire control over whatever phases of the subject are conferred by state legislation ceases as far as local legislation is concerned. (Citations omitted) Whether the Legislature intended to occupy a particular field to the exclusion of all local regulation is to be determined upon an analysis of the state legislation in terms of its language, purpose, and scope, and the facts and circumstances upon which it was intended to operate "

The doctrine of preemption may come into play when the Legislature has enacted some legislation in a field but has not prohibited a particular act, and the question then arises whether a city or county may adopt an ordinance, supplementing state law, prohibiting that act. There may be an express statement by the Legislature that it does not intend to preempt the field (e g , Sec 2427, H & S C), and in such case, additional supplementary local regulation has been considered permissible (see *People* v *Moore*, 229 Cal App 2d 221, 226)

In the present case, the provisions of proposed Section 21171 would expressly state that the "moratorium" provisions of that section shall not prevent a public agency from considering environmental factors during the 121-day period in connection with the approval or disapproval of a project Proposed Section 21171 reads in pertinent part, as follows·

> "21171 * * *
>
> "This section shall not prohibit or prevent a public agency, prior to the 121st day after the effective date of this section, from considering environmental factors in connection with the approval or disapproval of a project and from imposing reasonable fees in connection therewith."

Thus, we conclude that a city or a county may enact its own ordinance requiring the preparation of environmental impact reports or studies during the 121-day "moratorium" period following enactment of the bill with respect to projects which, for that period, would be exempt from the environmental impact report requirements of EQA

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By Robert Cullen Duffy
Deputy Legislative Counsel

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 88 FROM COMMITTEE

Mr. Knox was granted unanimous consent that Senate Concurrent Resolution No 88 be withdrawn from the Committee on Local Government for purpose of amendment at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 88

Senate Concurrent Resolution No. 88—Relative to the region of San Diego County.

Resolution read.

Motion to Amend

Mr. Knox moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed measure, after "authorizes", insert "the Joint Rules Committee to conduct".

Amendment read, and adopted

Request for Unanimous Consent

Mr. Knox was granted unanimous consent to take up Senate Concurrent Resolution No 88, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 88, as Amended

Senate Concurrent Resolution No. 88—Relative to the region of San Diego County.

Resolution read, as amended, and adopted.

Resolution ordered reprinted, and transmitted to the Senate.

MESSAGES FROM THE SENATE

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 95

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 125

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 1276	AB No 2198
AB No. 1385	AB No 2278
AB No 1874	AB No 2348

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 30, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 335	AB No 1122	AB No 1896
AB No 357	AB No. 1384	AB No 1919
AB No 594	AB No 1417	AB No 2089
AB No 633	AB No 1730	AB No. 2267
AB No 743	AB No 1741	AB No 2371
AB No 970	AB No. 1831	AB No 2372

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, November 30, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted as amended:

AJR No 37

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 74

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

AJR No 43

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, November 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 1848

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, November 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No. 185	SB No. 903	SB No. 1239
SB No 279	SB No. 919	SB No 1249
SB No. 451	SB No. 1061	SB No. 1447
SB No. 652	SB No 1112	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, November 30, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

SCR No. 95

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 95—Relative to the creation of the Joint Committee on Public Employer-Employee Relations

Held at Desk by order of the Acting Speaker.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 95

Mr. Beverly was granted unanimous consent to take up Senate Concurrent Resolution No. 95 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 95

Senate Concurrent Resolution No. 95—Relative to the creation of the Joint Committee on Public Employer-Employee Relations.

Resolution read, presented by Mr. Beverly, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, LaCoste, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Creation of and appointment of Members to Select Committee on Coastal Zone Resources

November 30, 1972

State Controller
State Capitol, Sacramento, California

Dear Sir I am creating a Select Committee on Coastal Zone Resources with the following membership: Assemblymen Sieroty (Chairman), Priolo (Vice Chairman), Dunlap, Wood and Z'berg. The Select Committee will be effective December 1, 1972.

Sincerely,

BOB MORETTI
Speaker of the Assembly

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

By unanimous consent, the Assembly Rules were temporarily suspended for the purpose of setting Senate Concurrent Resolution No. 93 for hearing in the Committee on Ways and Means.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Ryan:

House Resolution No. 139

Relative to tax revenue distributions

WHEREAS, The sale of used automobiles by certain companies which have rented or leased such automobiles is presently exempt from the sales tax; and

WHEREAS, Such sales are subject only to the use tax, which is distributed statewide; and

WHEREAS, The cities in which such sales take place must provide services to the companies which make such sales, but receive no revenue from the distribution from the sales tax; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for an interim study the problems created by current law regarding the distribution of such sales and use tax revenues; and be it further

Resolved, That such committee report its findings and recommendations for resolving such problems created by the special tax status presently accorded automobile rental and leasing companies to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblyman Ryan:

House Resolution No. 140

Relative to the "Ryan Act"

WHEREAS, The Ryan Act (Chapter 557 of the Statutes of 1970) requires the development of alternative means of qualifying for a teaching credential in California; and

WHEREAS, The University of California and the California State University and Colleges are the primary teacher-training institutions in California; and

WHEREAS, There is evidence which indicates that these institutions are not cooperating in the development of alternatve qualifications for obtaining a teaching credential; and

WHEREAS, These institutions are disseminating information which is contrary to the Ryan Act, and, therefore, is delaying the implementation of the act; and

WHEREAS, These institutions of higher learning are placing in jeopardy the academic training and potential licensing of thousands of students presently enrolled at their campuses, now, therefore, be it

Resolved by the Assembly of the State of California, That the Joint Legislative Budget Committee investigate the actions of the University of California and the California State University and Colleges in the development of alternative qualifications for obtaining a teaching credential in California, and the actions of these institutions in helping presently enrolled students complete their training without delay; and be it further

Resolved, That the Joint Legislative Budget Committee report its findings to the Assembly Education Committee and the Ways and Means Committee by January 5, 1974; and be it further

Resolved, That a copy of this resolution be transmitted to the Joint Legislative Budget Committee.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

By Assemblymen Fenton, Davis, and Fong:

House Resolution No. 141

Relative to commending Yvonne W Brathwaite

WHEREAS, The California Assembly will soon be without the talent and leadership of Yvonne W Braithwaite, recently elected from the 37th Congressional District to the House of Representatives, and

WHEREAS, The dedication of Yvonne Brathwaite in the service of the residents of the 63rd Assembly District has demonstrated to both her constituents and her colleagues her devotion to the goals of good government and service to the people, and

WHEREAS, A native of Los Angeles, Yvonne Brathwaite graduated from the University of California at Los Angeles with a major in political science, and earned the degree of Juris Doctor from the University of Southern California; and

WHEREAS, As a young lawyer, Yvonne Brathwaite worked as a deputy attorney for the Commissioner of Corporations, and as a hearing officer for the Los Angeles Police Commission; and

WHEREAS, Yvonne Brathwaite first won election to the California Assembly in 1966 in a campaign distinguished by her personal and personable contact with the voters of her district, and

WHEREAS, Since reelected to two additional terms, Yvonne Brathwaite's record as an Assemblyman has included distinguished service as Chairwoman of the Committee on Urban Development and Housing, and membership on the committees on Criminal Justice, Finance and Insurance, Health, and the Select Committee on Manpower Development; and

WHEREAS, National attention and approval was focused on Yvonne Brathwaite during her capable service as cochairperson of the 1972 Democratic National Convention; and

WHEREAS, The Members of the Assembly will miss the political acumen and the personal charm of this distinguished woman; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend Yvonne W Braithwaite for her distinguished service in the Legislature, and wish her every best wish for future happiness and success, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Yvonne W Brathwaite.

Resolution read, and held at Desk by order of the Acting Speaker.

By Assemblyman Fenton

House Resolution No. 142

Relative to Assemblyman Leo J. Ryan

WHEREAS, Our friend and colleague, Leo J. Ryan of the 27th Assembly District, has recently been elected to the Congress of the United States, and

WHEREAS, Since first elected in 1962, Leo J. Ryan has served the people of his district and of the state with courage and ability; and

WHEREAS, His deep and abiding interest in public education has led him to author and guide through the Legislature numerous important measures relating to that vital field, including the "Ryan Act" of 1970 for the preparation and licensing of public school teachers; and

WHEREAS, His firm and constructive chairmanship of the Joint Committee on Textbooks and Curriculum played no small part in the accomplishments of that committee; and

WHEREAS, He has also served on the Rules Committee and the Ways and Means Committee and his interest and incisive questioning on all the committees on which he served has frequently led to notable improvements in proposed legislation, and

WHEREAS, The loss to one legislative body will be the gain of another and the United States Congress will doubtless be enhanced by the presence of a member with the courage, dedication, ability, and sincerity of Leo J Ryan; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend Leo J Ryan for the valuable service rendered by him to their house and to the people of the state and further extend to him their every wish for future success and happiness in the service of the state and nation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Leo J Ryan.

Resolution read, held at Desk by order of the Acting Speaker.

By Assemblyman Fenton.

House Resolution No. 143

Relative to commending Assemblyman David C Pierson

WHEREAS, David C. Pierson has been active in service to his community and state since 1963, first on the city council of the City of Inglewood, then as a Member of the Assembly of the State of California; and

WHEREAS, From 1969 to 1970, he served his community as President of the League of California Cities, Los Angeles County Division, and has served as Chairman of the State League's Local Administra-

tion of Justice Committee and Social Issues Committee and as a member of the League's Special Library Committee and Committee of the Future; and

WHEREAS, Dave Pierson was elected to the Assembly in 1970, and has served the people of the 65th Assembly District with dedication and distinction; and

WHEREAS, David C. Pierson is a gentleman of integrity, intelligence, sincerity, candor and competence who has earned the trust and respect of fellow members, and he will be missed in the California Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend Assemblyman David C Pierson for his dedicated service to his community and his state and extend every good wish to him and his family for a successful and happy future; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman David C Pierson

Resolution read, and held at Desk by order of the Acting Speaker

VOTE CHANGES

Mr. MacDonald was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No. 1938.

Messrs. Waxman and Gonsalves were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 359.

Messrs Lancaster and Briggs were granted unanimous consent that they be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 1004

Mr Cline was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 1004.

Mr Wilson was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1451.

Messrs Stull, Lancaster, Campbell, Wakefield, Conrad, Russell, Collier, Burke, Moorhead, Hayden, Priolo, Wood, Monagan, and Stacey were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Senate Bill No. 424

Mr Wood was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1044

Mr Mobley was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No. 424

Mr McAlister was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on concurrence in Senate amendments to Assembly Bill No 2033.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

Assembly Chamber, November 30, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SB No 336

SB No 1493

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above bills ordered to second reading.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Pursuant to the previous suspension of the Rules, the following bills were taken up without reference to file:

SECOND READING OF SENATE BILLS

Senate Bill No. 1373—An act to amend Sections 53200, 53205 1, and 53205 16 of, and to repeal Sections 53205 05 and 53205 15 of, the Government Code, relating to insurance.

Bill read second time, and ordered to third reading

Senate Bill No. 1209—An act to amend Sections 29007 and 29007 5 of the Education Code, relating to postsecondary education.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in Senate August 2, 1972, after "shall", insert "not".

Amendment No. 2

On page 2, line 38, strike out "when", and insert "until".

Bill ordered reprinted, and to be placed on the Second Day Consent Calendar.

Senate Bill No. 1380—An act to amend and supplement the Budget Bill for the 1972–1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5C, relating to the state park system, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in Assembly November 16, 1972, strike out "322c", and insert "322cx".

Bill ordered reprinted, and to be placed on the Second Day Consent Calender.

Senate Bill No. 541—An act relating to state lands, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Senate Bill No. 1238—An act to amend Section 6224 of the Public Resources Code, relating to state lands

Bill read second time, and ordered to third reading

Senate Bill No. 1264—An act to add Article 8 (commencing with Section 11921) to Chapter 4 of Division 9 of the Education Code, relating to pupil nutrition.

Bill read second time, and ordered to third reading.

Senate Concurrent Resolution No. 65—Relative to the Sacramento-San Joaquin Delta.

Resolution read second time, and ordered to the Second Day Consent Calendar.

Senate Bill No. 336—An act to add Section 19544 5 to the Business and Professions Code, relating to horseracing, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted·

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly August 1, 1972, strike out lines 20 to 26, inclusive, and insert "is hereby created and shall be available for expenditure when appropriated "

Bill ordered reprinted, and returned to the third reading file

Senate Bill No. 1493—An act to add Part 6 (commencing with Section 6000) to Division 4 of, and repeal Section 6451, as proposed by this act, of, the Civil Code and to amend Section 11580 2 of the Insurance Code, relating to vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

On page 27, line 5, of the printed bill, as amended in Assembly November 28, 1972, strike out "subdivision (c)", and insert "subdivisions (c) and (d)".

Amendment No. 2

On page 27, line 31, strike out "subdivision (c)", and insert "subdivisions (c) and (d)".

Amendment No. 3

On page 27, after line 40, insert

"(c) Except as provided in subdivision (d), during the period commencing on January 1, 1974, each insurer issuing or renewing a policy of liability insurance described in Section 16057 of the Vehicle Code covering liability arising out of the ownership, maintenance, or use of a motor vehicle which provides for the payment of personal injury protection benefits and bodily injury liability and uninsured motorists coverage shall reduce the premium charge for that portion of the premium for such policy attributable to personal injury protection benefits by 45 percent from the rate charged therefor immediately prior to January 1, 1974"

Amendment No. 4

On page 28, line 1, strike out "(c)", and insert "(d)".

Amendment No. 5

On page 28, line 12, strike out "(d)", and insert "(e)".

Amendment No. 6

On page 33, line 16, strike out "and", and insert "or".

Amendment No. 7

On page 33, line 19, strike out "and", and insert "or".

Amendment No. 8

On page 33, line 20, strike out "and", and insert "or".

Bill ordered reprinted, and returned to the third reading file

ADJOURNMENT

At 7 30 p m, Acting Speaker Fenton declared the Assembly adjourned until 9 30 a m, Friday, December 1, 1972, out of respect to the memory of the late Honorable Frank Belotti, Member of the Assembly from Eureka

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-sixth Legislative Day

Three Hundred Thirty-fourth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, December 1, 1972

The Assembly met at 9 30 a.m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk.
Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr. Leroy F Greene moved a quorum call of the Assembly.
Mr. Porter seconded the motion
Motion carried Time, 9 33 a m.
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10 03 a m , Speaker pro Tempore Bee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names·

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister.

Father, We are grieved by the death of our distinguished colleague Assemblyman Frank Belotti. We thank You for the man who was so near and dear to us. We thank You for the friendship that went out from him and the peace he brought We thank You that through suffering he learned obedience and that he became a person others could love while he was here on earth We pray that nothing of this man's life will be lost but that it will be of benefit to the world We pray that all he held sacred may be respected by those who follow him and that everything in which he was great may continue to mean much to us. We ask that he may go on living in our minds and hearts. Share with him now, Lord, the peace which You alone can give and which he lived and worked for so diligently.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Bee, Mr. Ketchum then led the Assembly in the pledge of allegiance to the Flag.

Hon. Ken Cory Presiding

At 10:04 a.m., Hon. Ken Cory, 69th District, presiding

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Fenton.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Deddeh, on request of Acting Speaker Fenton
Mr. LaCoste, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Brophy, on request of Acting Speaker Fenton.
Mr. Chappie, on request of Acting Speaker Fenton.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Karabian was granted unanimous consent that the following letter of transmittal be printed in the Journal·

Assembly Select Committee on Prison Reform and Rehabilitation

November 27, 1972

Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Room 3164, Sacramento, California

Dear Mr. Speaker: Your Select Committee on Prison Reform and Rehabilitation has completed its first investigation of the California correctional system. I am pleased to submit Part I of our examination of California prisons entitled, "An Examination of California's Prison Hospitals".

While a target date for completion of this report was set for December, 1972, we were able to accelerate the study and conclude it one month early. Staff has already begun its investigation of the adjustment centers and solitary confinement, which will be Part II of this Committee's report. Target date for completion of that segment is June, 1973 A mid-year deadline has been set to enable the Committee to complete two areas of study during the calendar year 1973.

Sincerely,

WALTER KARABIAN, Chairman

Above report referred to the Committee on Criminal Justice.

COMMUNICATIONS

Assembly Chamber, December 1, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 80—An act appropriating money to the Commission on Peace Officer Standards and Training;

Assembly Bill No. 719—An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831, 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the headings of Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508 5, 32509 5, 61809 1, 61809 3, 61809 7, 62050 1, 62301 5, 62707 6, 62707 7, 62707 8, 62707 9, 62714 1, and 62717 1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2 5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk;

Assembly Bill No. 780—An act to amend Section 7314 of the Labor Code, relating to the inspection of elevators, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 874—An act to amend Section 6319 of the Labor Code, relating to safety;

Assembly Bill No. 1101—An act to add Sections 161, 906.5, and 1805 5 to the Streets and Highways Code, relating to highways,

Assembly Bill No. 1416—An act to amend Sections 417 and 417 3 of the Health and Safety Code, relating to kidney diseases, and making an appropriation therefor;

Assembly Bill No. 1885—An act to add Article 2 5 (commencing with Section 11075) to Chapter 1 of Title 1 of Part 4 of the Penal Code, relating to criminal information,

Assembly Bill No. 1757—An act to add Section 633.6 to the Penal Code, relating to recordation of witnesses' statements;

Assembly Bill No. 1966—An act to add Section 227.3 to the Labor Code, relating to labor,

Assembly Bill No. 2029—An act to amend Section 25210 4a of the Government Code, relating to local plans,

Assembly Bill No. 2185—An act to add Section 20021 9 to, the Government Code, relating to retirement;

Assembly Bill No. 2268—An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records;

And reports the same correctly enrolled, and presented to the Governor at 9 a m , December 1, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 134—Approving amendments to the Charter of the County of San Mateo, State of California, ratified by the qualified electors of the county at a general election held therein on the seventh day of November, 1972;

Assembly Concurrent Resolution No. 135—Approving amendments to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special election held therein on the seventh day of November, 1972;

And reports the same correctly enrolled, and presented to the Secretary of State on the first day of December, 1972, at 9 a m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

AB No 1481

And reports the same correctly re-engrossed.

JAMES D. DRISCOLL, Chief Clerk

Above bill re-referred to committee

MESSAGES FROM THE SENATE

Senate Chamber, November 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate appointed Senators Cusanovich, Dymally and Beilenson as a Committee on Conference concerning:

Assembly Bill No. 282

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, November 30, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate appointed Senators Dymally, Moscone and Zenovich as a Committee on Conference concerning:

Assembly Bill No. 1210

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

SB No. 637
SB No. 724

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

SB No. 138

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No 508	AB No 1687	AB No 2127
AB No 984	AB No. 2018	AB No 2387
AB No. 1490		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, November 30, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day adopted:

ACR No 78

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled

Senate Chamber, November 30, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No 151	AB No 833	AB No 1368
AB No 192	AB No 968	AB No 1445
AB No 350	AB No 1013	AB No. 1459
AB No 568	AB No 1068	AB No 1778
AB No 598	AB No 1143	AB No 1925
AB No 609	AB No 1157	AB No 1986
AB No 637	AB No 1189	AB No 2091
AB No. 758	AB No. 1363	AB No. 2390
AB No 770		

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, November 30, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No 23
ACR No. 46

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolutions ordered to unfinished business file.

Senate Chamber, November 30, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended:

AJR No 41

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above resolution ordered to unfinished business file.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 884—An act to add Section 13146 1 to the Education Code, relating to certificated employees.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 884?

Amendment No. 1

On page 2, lines 4 and 5, of the printed bill, as amended in Assembly on June 8, 1972, strike out "and their waiver, as provided in Section 13157,".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Badham, Bee, Beverly, Burke, Burton, Campbell, Collier, Conrad, Cory, Davis, Dent, Duffy, Fenton, Fong, Foran, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Lancaster, MacDonald, MacGillivray, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Ryan, Seeley, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—47.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 2044—An act to amend Sections 1662, 1665, 1751, and 1760 5 of the Insurance Code, relating to insurance

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2044?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended in Assembly May 22, 1972, strike out "to be effective on or after July 1, 1974,".

Amendment No. 2

On page 5, after line 24, insert

"SEC. 5. This act shall become operative July 1, 1974 Applications for a license to act as an insurance broker made, or for renewal of such license required to be filed, on or after July 1, 1974, shall comply with the bonding requirements of this act. Applications made for such licenses, or for renewal thereof required to be filed, prior to July 1, 1974, shall comply with the one thousand dollar ($1,000) bonding requirements of Article 5 (commencing with Sec. 1662) of Chapter 5 of Part 2 of Division 1 of the Insurance Code as it read on June 30, 1974, until the time of their renewal on or after the operative date of this act."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—56.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 2063—An act to add Section 4457 to the Government Code, relating to public buildings

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2063?

Senate Amendments of July 17, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 8, 1972, strike out "to amend Section 4451 of, and".

Amendment No. 2

In line 2 of the title, strike out the first comma

Amendment No. 3

On page 1, strike out lines 1 to 4, inclusive, strike out page 2, and on page 3, strike out lines 1 to 6, inclusive.

Amendment No. 4

On page 3, line 7, strike out "SEC. 2.", and insert

"SECTION 1."

Senate Amendments of November 28, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 17, 1972, in line 5, strike out "building or facility", and insert "portable buildings leased or owned by a ~~unified~~ school district which are not used by the physically handicapped and which are otherwise"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 357—An act to amend Section 33113 of, to repeal and add Sections 33112, 33114, and 33115 to, and to repeal Sections 33116 and 33117 of, the Agricultural Code, relating to milk inspection.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 357?

Senate Amendments of July 19, 1972

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "written or oral, or".

Senate Amendments of July 26, 1972

Amendment No. 1

On page 3, line 35, of the printed bill, as amended in Senate July 19, 1972, strike out "registration fees", and insert "application fee".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—56.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 633—An act to add Section 15154 5 to the Welfare and Institutions Code, relating to public assistance.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 633?

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Assembly May 10, 1972, strike out "90", and insert "45".

Amendment No. 2

On page 2, line 5, strike out "90", and insert "45".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr' Speaker—56.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 743—An act to amend Section 8411 of, and to add Sections 8412, 8413, 8414, and 8414 2 to, the Water Code, relating to flood plain regulations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 743?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly May 22, 1972, after "regulations", insert "for the designated floodway".

Amendment No. 2

On page 3, line 7, strike out "120", and insert "180".

Amendment No. 3

On page 3, lines 17 and 18, strike out "holds a public hearing on the matter and".

Amendment No. 4

On page 3, line 29, strike out "120", and insert "180".

Amendment No. 5

On page 3, line 37, after "regulations", insert "for the designated floodway".

Amendment No. 6

On page 4, after line 11, insert

"SEC. 5 Section 8411 of the Water Code is amended to read

8411 Within any area classified "designated floodway" *or "restrictive zone"* by the department or board after completion of a federal project report ~~where an~~ *the* appropriate public agency ~~fails to~~ *shall* establish the necessary flood plain regulations within ~~a reasonable time, as determined by the department or board,~~ *one year* following notification by the department or board. ~~the~~ *The* state shall not ~~appropriate money to~~ pay any *of the* cost of lands, easements, and rights-of-way

associated with ~~that~~ *the* flood control project as set forth in the project report of the federal agency *unless flood plain regulations for the designated floodway are adopted in accordance with the requirements of this chapter*.

SEC. 6. It is the intent of the Legislature, if this bill and Senate Bill No. 603 are both chaptered and amend Section 8411 of the Water Code, and this bill is chaptered after Senate Bill No. 603, that the amendments to Section 8411 proposed by both bills be given effect and incorporated in Section 8411 in the form set forth in Section 5 of this act. Therefore, Section 5 of this act shall become operative only if this bill and Senate Bill No. 603 are both chaptered, both amend Section 8411, and Senate Bill No. 603 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

~~The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:~~

~~AYES—Davis and Ryan—2.~~

~~NOES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Chacon, Collier, Conrad, Cory, Crown, Dent, Duffy, Fenton, Fong, Foran, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Murphy, Porter, Powers, Priolo, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Z'berg, and Mr. Speaker—49.~~

~~Appointment of Committee on Conference Concerning Assembly Bill No. 743~~

~~The Speaker appointed Mr. Porter, Mrs. Davis, and Mr. Badham as a Committee on Conference Concerning Assembly Bill No. 743.~~

NOTE. Later this day, the action was rescinded whereby the Assembly refused to concur in Senate amendments to Assembly Bill No 743, and whereby Mr. Porter, Mrs Davis, and Mr Badham were appointed as a Committee on Conference on the bill See page 8258.

Assembly Bill No. 594—An act to amend Section 24306 of the Government Code, relating to county officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 594?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 7, 1972, strike out "Z'berg", and insert "Lanterman".

Amendment No. 2

In lines 1 and 2 of the title, strike out "65854 of, and to add Section 65905.5 to," and insert "24306 of".

Amendment No. 3

In line 2 of the title, strike out "zoning", and insert "county officers".

Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 24306 of the Government Code is amended to read:

24306 If the board of supervisors in counties having a population of 4,000,000 or more persons, consolidates two or more offices pursuant to statute or charter, the occupant of the consolidated office need not possess any of the qualifications required of the occupant of any of the separate offices which are consolidated if:

(a) No qualification applies to all of the offices consolidated; and

(b) ~~Each head of the division or unit of the consolidated office, which division or unit includes the functions of one of the offices consolidated, has the qualifications required of the occupant of such office.~~ *The board finds that sufficient personnel possessing the qualifications required are employed in the consolidated office to assure that decisions made by the occupant of the office are based upon competent professional advice.*

This section does not permit the occupant of such consolidated office to practice any profession or trade for the practice of which a license, permit or registration is required without such license, permit, or registration."

Amendment No. 5

On page 1, strike out lines 2 to 7, inclusive, and strike out page 2.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 970—An act to amend Section 8018 of, and to add Article 5 (commencing with Section 8040) to Chapter 13 of Division 3 of, the Business and Professions Code, relating to shorthand reporters

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 970?

Senate Amendments of July 7, 1972

Amendment No. 1

On page 3, line 11, of the printed bill, as amended in Assembly May 18, 1972, strike out the second "or", and insert "and".

Amendment No. 2

On page 3, line 39, strike out "8009", and insert "8025".

Amendment No. 3

On page 4, line 7, strike out "8045", and insert "13401 of the Corporations Code".

Amendment No. 4

On page 4, line 8, after "corporation", insert "or the remaining shareholders".

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 7, 1972, after "act", insert "to amend Section 8018 of, and".

Amendment No. 2

In line 2 of the title, after the second "of", insert a comma.

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 8018 of the Business and Professions Code is amended to read.

8018. Any *natural* person holding a valid certificate as a shorthand reporter, as provided in this chapter, shall be styled and known as a "certified shorthand reporter" ~~No~~ *Except as provided in Section 8043, no* other person, firm, or corporation shall assume or use the title "certified shorthand reporter," or the abbreviation "C.S.R.," or in any manner whatever represent that he or it is certified under this chapter

SEC. 2. Article 5 (commencing with Section".

Amendment No. 4

On page 2, line 21, after "and", insert ", notwithstanding the provisions of Section 8016,".

Amendment No. 5

On page 3, strike out lines 7 to 9, inclusive, and insert "organization, and shall include either (a) the words "shorthand reporting corporation;" (b) the title "certified shorthand reporter," or the abbreviation "C.S.R.," and wording or abbreviations denoting corporate existence; or (c) the words "a professional corporation."'"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None

~~Above bill~~ ordered enrolled.

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664.5 to, the Public Utilities Code, relating to aviation.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1122?

Senate Amendments of August 4, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 14, 1972, between lines 2 and 3, insert

"This section shall not apply to the expansion of any airport within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as specified in Section 66610 of the Government Code."

Senate Amendments of November 28, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate August 4, 1972, in lines 21 and 22, strike out ", but is not limited to,".

Amendment No. 2

On page 3, strike out lines 8 to 11, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None.

Above bill ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Duffy:

House Resolution No. 144

Relative to study of Medi-Cal Prepaid Health Care Plans

WHEREAS, The Department of Health Care Services has engaged in prepaid health contracts to deliver medical services to Medi-Cal beneficiaries, and

WHEREAS, The Legislature is concerned that Medi-Cal beneficiaries enrolled under such plans receive adequate medical care, now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Analyst investigate all prepaid health plans currently under con-

tract with the Department of Health Care Services to determine their ability to fulfill their contractual obligations, and be it further

Resolved, That the Legislative Analyst report on the methods of solicitation employed by prepaid health plans; financial reserves of each prepaid health plan and the persons with financial interests in such plans; and be it further

Resolved, That the Legislative Analyst report his findings and recommendations to the Assembly by June 30, 1973; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Legislative Analyst

Request for Unanimous Consent

Mr. Duffy was granted unanimous consent to take up House Resolution No 144 without reference to committee or file.

Resolution read ; ~~and adopted~~

NOTE. Later this day, the action was rescinded whereby House Resolution No. 144 was adopted by the Assembly on this day See page 8410

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1417—An act to add Article 7.9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1417?

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 7, 1972, strike out "Assemblyman Vasconcellos", and insert "Assemblymen Vasconcellos and LaCoste".

Amendment No. 2

On page 4, strike out lines 2 to 10, inclusive, and insert "represent the state department and two members shall represent the lay public. Four members shall be kidney transplant surgeons One such member shall represent the California Medical Association, one shall represent the Regional Kidney Disease Program of the California Regional Medical Program, one shall represent the Kidney Foundation of Northern California or the Kidney Foundation of Southern California, and one member shall represent the California Society of Transplant Surgeons. The".

Amendment No. 3

On page 4, line 28, after the period, insert "The director may hold common meetings among the committees to make recommendations about the expenditure of state funds for kidney disease activities."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Bee, Beverly, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Acting Speaker Cory was granted unanimous consent that photographers be permitted on the floor of the Assembly.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ketchum:

House Resolution No. 145

Relative to commending Assemblyman Kent H Stacey for his outstanding contributions to the people of California

WHEREAS, The Members of the Assembly wish to take this opportunity to commend Kent H. Stacey for his dedicated public service as a Member of the Legislature of the State of California and his numerous outstanding contributions to the welfare of the people of the state; and

WHEREAS, Born in Salt Lake City, Utah, in 1935, Assemblyman Stacey was raised in Bountiful, Utah, and following graduation from high school enrolled at the University of Utah where he was active in Sigma Chi Fraternity, the student newspaper, the American Pharmaceutical Association, Phi Delta Chi and Phi Kappa Phi; and

WHEREAS, After graduation from the University of Utah with a B S degree in pharmacy, he continued his education at the University of California Medical Center in San Francisco where he served as a teaching assistant, and he is presently a registered pharmacist in the States of Utah and California and is the only pharmacist in the California Legislature, and

WHEREAS, Elected in 1966 to represent the 28th Assembly District, which includes most of Bakersfield and all of eastern Kern County, Assemblyman Stacey has made an exceptional contribution to the orderly development of the California Water Project and to the development of adequate recreational facilities for the people of the state; and

WHEREAS, Assemblyman Stacey, who serves as vice chairman of the Assembly Commerce and Public Utilities Committee and also serves on the Health Committee, the Water Committee, and the Urban Development and Housing Committee, has been particularly active in the

area of health legislation, demonstrating effective leadership in the development of drug abuse legislation and the establishment of successful rehabilitative programs; and

WHEREAS, Devoting full time to his legislative duties since his first election to the Assembly, Kent Stacey has successfully sponsored legislation to include Red Rock Canyon in the California State Park System and has worked to enact legislation designed to protect the California Desert for the benefit of the people of the state; and

WHEREAS, Assemblyman Stacey has maintained close contact with his constituents through the use of Community Days during which he visits schools and businesses in various communities in his district to meet and discuss problems with residents; and

WHEREAS, He has also sponsored a successful series of intergovernmental meetings which bring together officials from all branches of government to discuss common problems and to work to develop needed legislation; and

WHEREAS, Assemblyman Stacey has also been extremely active in important professional and civic organizations in Kern County, serving as President of the Bakersfield Jaycees, State Vice President, District 5 of the California Jaycees, and State Chairman, Civic Activities of the California Jaycees; and

WHEREAS, His exceptional abilities were also demonstrated by his service as President of the Kern County Heart Association, member of the Board of Directors of the Greater Bakersfield Chamber of Commerce, member of the Kern County Tax Coordinating Councils, and member of the Focus (High School Tax Override) Committee; and

WHEREAS, He and his charming wife, the former Carolyn Cockayne of Salt Lake City, are the proud parents of two exceptional children, Courtney and SyriAnne, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend Assemblyman Kent H Stacey for his many outstanding contributions to the welfare of the State of California and for his exceptionally dedicated service as a Member of the Legislature of the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Kent H Stacey.

Request for Unanimous Consent

Mr. Ketchum was granted unanimous consent to take up House Resolution No. 145 without reference to committee or file.

Resolution read

Members Made Coauthors of House Resolution No. 145

Mr. Ketchum was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 145 as coauthors

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 141

Mr Fenton was granted unanimous consent to take up House Resolution No. 141 without reference to committee or file.

Consideration of House Resolution No. 141

House Resolution No. 141—Relative to commending Yvonne W. Brathwaite.

NOTE: The full text of House Resolution No. 141 appears at page 8235 of the Assembly Daily Journal for November 30, 1972.

Resolution read, and presented by Mr. Fenton.

Members Made Coauthors of House Resolution No. 141

Mr. Fenton was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 141 as coauthors.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

ANNOUNCEMENTS

Acting Speaker Cory announced that the Speaker had appointed Mr and Mrs Barnes (Chairman), Mr and Mrs MacGillivray, Mrs. Davis, Messrs. Bee, Stull, and Burke, and Father McAllister as the official Assembly delegation to represent the Assembly at the funeral of Assemblyman Frank Belotti.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2393

Mr. Cullen was granted unanimous consent to take up Assembly Bill No. 2393, out of order, for purpose of consideration at this time.

Consideration of Assembly Bill No. 2393

Assembly Bill No. 2393—An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia,

Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 743

Mr. Porter was granted unanimous consent to rescind the action whereby the Assembly, earlier this day, refused to concur in Senate amendments to Assembly Bill No. 743, and whereby Mr. Porter, Mrs. Davis, and Mr. Badham were appointed as a Conference Committee on the bill (Assembly Journal, pages 8249–8250)

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 743

Assembly Bill No. 743—An act to amend Section 8411 of, and to add Sections 8412, 8413, 8414, and 8414.2 to, the Water Code, relating to flood plain regulations.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 743? (Note: The Senate amendments to Assembly Bill No. 743 appear at pages 8249 and 8250 of the Assembly Journal for this day.)

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 743 by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

Majority Floor Leader Presiding

At 11:30 a.m., Hon. Jack R. Fenton, 51st District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1741—An act to add Part 2.5 (commencing with Section 34700) to Division 24 of the Health and Safety Code, relating to housing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1741?

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly June 28, 1972, strike out "may", and insert "shall".

Amendment No. 2

On page 3, line 11, after the period, insert "The department shall annually submit its requirements for dwelling units proposed to be provided pursuant to this part to the Department of Housing and Community Development

34708. The Department of Housing and Community Development shall provide technical assistance and coordination between the departments in developing and administering housing programs pursuant to this part"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ketchum, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Monagan, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—48.

NOES—Badham, Burke, Conrad, Lancaster, MacGillivray, Stull, and Wakefield—7.

Above bill ordered enrolled.

Assembly Bill No. 1831—An act to add Section 20810 5 to the Education Code, relating to school district taxes.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1831?

Amendment No. 1

On page 3, of the printed bill, as amended in Assembly June 21, 1972, between lines 17 and 18, insert

"(4) Such person shall be subject to criminal prosecution as otherwise provided by law."

Amendment No. 2

On page 3, line 20, strike out "1974–1975", and insert "1973–1974".

Amendment No. 3

On page 3, between lines 21 and 22, insert

"SEC 2 The State Board of Education shall adopt rules and regulations which specifically state the appropriate allowable uses for funds raised by increases in the maximum tax rates authorized by Sections 20808, 20808.5 or 20810"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E John-

son, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1896—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants-in-aid to recipients of public assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1896?

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly May 24, 1972, strike out "Assemblyman McAlister", and insert

"Assemblymen McAlister, Barnes, Davis, MacDonald, and Ryan (Coauthors Senators Alquist, Collier, Cusanovich, Grunsky, Marler, Short, Stiern, and Teale)".

Amendment No. 2

On page 2, line 25, after "allowed", insert "to".

Amendment No. 3

On page 2, line 25, strike out "or", and insert "as a special need or to".

Amendment No. 4

On page 2, after line 34, insert

"SEC 3. This act shall remain operative until two years after its effective date and on such date this act shall have no further force or effect."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1919—An act to amend Sections 825, 825 2 and 825 6 of the Government Code, relating to indemnification of public employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1919?

Senate Amendments of November 9, 1972

Amendment No. 1

On page 2, line 3, of the printed bill, after "cooperates", insert "in good faith".

Amendment No. 2

On page 2, line 9, after "his", insert "good faith".

Amendment No. 3

On page 3, line 3, strike out "and"; strike out lines 4 and 5; and in line 6, strike out "public entity".

Amendment No. 4

On page 3, line 8, after "malice", insert "or that he willfully failed or refused to conduct the defense of the claim or action in good faith or to cooperate in good faith in the defense conducted by the public agency".

Amendment No. 5

On page 3, line 19, after "he", insert "willfully".

Amendment No. 6

On page 3, line 22, after "(b)", insert "or (c)".

Amendment No. 7

On page 3, line 39, after "he", insert "willfully".

Amendment 8

On page 3, line 39, after "cooperate", insert "in good faith".

Amendment No. 9

On page 4, line 5, after "action", insert "in the absence of an agreement with him reserving the rights of the public entity against him".

Amendment No. 10

On page 4, line 6, after "he", insert "willfully".

Amendment No. 11

On page 4, line 7, after "cooperate", insert "in good faith".

Senate Amendments of November 17, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate November 9, 1972, in line 4, after the second "employee", insert "reasonably".

Amendment No. 2

On page 2, line 11, after "his", insert "reasonable".

Amendment No. 3

On page 3, line 12, after "to", insert "reasonably".

Amendment No. 4

On page 3, line 13, strike out "agency", and insert "entity".

Amendment No. 5

On page 3, line 25, strike out "or to"; and strike out line 26, and insert a period.

Amendment No. 6

On page 4, line 5, after "to", insert "reasonably".

Amendment No. 7

On page 4, line 15, after "to", insert "reasonably".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2089—An act to amend Section 11450 of the Welfare and Institutions Code, relating to foster home care, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2089?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 23, 1972, after "care", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3, after line 38, insert

"SEC. 2. This act shall become operative only if Assembly Bill No. 282 of the 1972 Regular Session is enacted, and in such event, shall become operative at the same time as Assembly Bill No. 282.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The provisions of this act are vital to the proper care of children in foster homes, and in order that such children derive the benefits therefrom as soon as possible, it is essential that it take effect immediately."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown,

Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 2089?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 2267—An act making an appropriation to the California crime technological research foundation for a study relative to explosives

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2267?

Senate Amendments of November 8, 1972

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Assembly June 8, 1972, strike out "apprehension", and insert "detection".

Amendment No. 2

On page 2, line 21, strike out "apprehension", and insert "detection".

Amendment No. 3

On page 2, line 34, strike out "January 5", and insert "July 1".

Amendment No. 4

On page 2, line 35, strike out "the fifth legislative"; in line 36, strike out "day of the 1974 session", and insert "July 1, 1974".

Senate Amendments of November 15, 1972

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended in Senate November 8, 1972; and in line 2, strike out "building security standards, and"; and insert "An act".

Amendment No. 2

In line 3 of the title, strike out "therefor", and insert "to the California Crime Technological Research Foundation for a study relative to explosives".

Amendment No. 3

On page 1, strike out lines 1 to 5, inclusive; on page 2, strike out lines 1 to 34, inclusive; and on line 35, strike out "SEC. 2.", and insert

"SECTION 1."

Amendment No. 4

On page 2, strike out lines 37 to 39, inclusive, and insert "California Crime Technological Research Foundation to study the extent and nature of technical problems relating to the security of explosives storage facilities and the apprehension of persons perpetrating thefts from such facilities, and to recommend to the Legislature, to the extent possible, statewide standards for alarm systems intended to safeguard such facilities and aid in such apprehensions; provided, that the board of directors of the foundation agrees to undertake such study."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—66.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 2371—An act relating to Medi-Cal

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2371?

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, as amended in Assembly June 19, 1972, strike out "eleven thousand dollars ($11,000)", and insert "twenty-two thousand twenty-one dollars ($22,021)"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph,

Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2372—An act to amend Section 1208 of the Penal Code, relating to prisoners.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2372?

Senate Amendments of November 13, 1972

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13510", and insert "1208".

Amendment No. 2

In line 2 of the title, strike out "peace officers", and insert "prisoners".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 1208 of the Penal Code is amended to read:

1208 (a) The provisions of this section, insofar as they relate to employment, shall be operative in any county in which the board of supervisors by ordinance finds, on the basis of employment conditions, the state of the county jail facilities, and other pertinent circumstances, that the operation of this section, insofar as it relates to employment, in that county is feasible The provisions of this section, insofar as they relate to education, shall be operative in any county in which the board of supervisors by ordinance finds, on the basis of education conditions, the state of the county jail facilities, and other pertinent circumstances, that the operation of this section, insofar as it relates to education, in that county is feasible In any such ordinance the board shall prescribe whether the sheriff, the probation officer, or the superintendent of a county industrial farm or industrial road camp in the county shall perform the functions of the work furlough administrator The board of supervisors may also terminate the operativeness of this section, either with respect to employment or education in the county if it finds by ordinance that, because of changed circumstances, the operation of this section, either with respect to employment or education in that county is no longer feasible

Notwithstanding any other provision of law, the board of supervisors may by ordinance designate a facility for confinement of prisoners classified for the work furlough program and designate the work furlough administrator as the custodian of the facility The sheriff may transfer custody of such prisoners to the work furlough administrator to be confined in such facility for the period during which they are in the work furlough program

(b) When a person is convicted of a misdemeanor and sentenced to the county jail, or is imprisoned therein for nonpayment of a fine, for contempt, or as a condition of probation for any criminal offense, or committed under the terms of Section 6404 or 6406 of the Welfare and Institutions Code as a habit-forming drug addict, the work furlough

administrator may, if he concludes that such person is a fit subject therefor, direct that such person be permitted to continue in his regular employment, if that is compatible with the requirements of subdivision (d), or may authorize the person to secure employment for himself, unless the court at the time of sentencing or committing has ordered that such person not be granted work furloughs. The work furlough administrator may, if he concludes that such person is a fit subject therefor, direct that such person be permitted to continue in his regular educational program, if that is compatible with the requirements of subdivision (d), or may authorize the person to secure education for himself, unless the court at the time of sentencing has ordered that such person not be granted work furloughs

(c) If the work furlough administrator so directs that the prisoner be permitted to continue in his regular employment or educational program, the administrator shall arrange for a continuation of such employment or education, so far as possible without interruption. If the prisoner does not have regular employment or a regular educational program, and the administrator has authorized the prisoner to secure employment or education for himself, the prisoner may do so, and the administrator may assist him in doing so Any employment or education so secured must be suitable for the prisoner Such employment or educational program, if such educational program includes earnings by the prisoner, must be at a wage at least as high as the prevailing wage for similar work in the area where the work is performed and in accordance with the prevailing working conditions in such area. In no event may any such employment or educational program involving earnings by the prisoner be permitted where there is a labor dispute in the establishment in which the prisoner is, or is to be, employed or educated

(d) Whenever the prisoner is not employed or being educated and between the hours or periods of employment or education, he shall be confined in the facility designated by the board of supervisors for work furlough confinement unless the work furlough administrator directs otherwise If the prisoner is injured during a period of employment or education, the work furlough administrator shall have the authority to release him from the facility for continued medical treatment by private physicians or at medical facilities at the expense of the employer, workman's compensation insurer, or the prisoner Such release shall not be construed as assumption of liability by the county or work furlough administrator for medical treatment obtained

The work furlough administrator may release any prisoner classified for the work furlough program for a period not to exceed 72 hours for medical, dental, or psychiatric care, and for family emergencies or pressing business which would result in severe hardship if the release were not granted.

(e) The earnings of the prisoner may be collected by the work furlough administrator, and it shall be the duty of the prisoner's employer to transmit such wages to the administrator at the latter's request. Earnings levied upon pursuant to writ of attachment or execution or in other lawful manner shall not be transmitted to the administrator If the administrator has requested transmittal of earnings prior to levy, such request shall have priority. In a case in which

the functions of the administrator are performed by a sheriff, and such sheriff receives a writ of attachment or execution for the earnings of a prisoner subject to this section but has not yet requested transmittal of the prisoner's earnings pursuant to this section, he shall first levy on the earnings pursuant to the writ When an employer or educator transmits such earnings to the administrator pursuant to this subdivision he shall have no liability to the prisoner for such earnings From such earnings the administrator shall pay the prisoner's board and personal expenses, both inside and outside the jail, and shall deduct so much of the costs of administration of this section as is allocable to such prisoner, and, in an amount determined by the administrator, shall pay the support of the prisoner's dependents, if any If sufficient funds are available after making the foregoing payments, the administrator may, with the consent of the prisoner, pay, in whole or in part, the preexisting debts of the prisoner Any balance shall be retained until the prisoner's discharge and thereupon shall be paid to him

(f) The prisoner shall be eligible for time credits pursuant to Sections 4018, 4019, and 4019.2.

(g) In the event the prisoner violates the conditions laid down for his conduct, custody, education, or employment, the work furlough administrator may order the balance of the prisoner's sentence to be spent in actual confinement

(h) Willful failure of the prisoner to return to the place of confinement not later than the expiration of any period during which he is authorized to be away from the place of confinement pursuant to this section is punishable as provided in Section 4532 of the Penal Code

(i) As used in this section, "education" includes vocational training, and "educator" includes a person or institution providing vocational training

(j) This section shall be known and may be cited as the "Cobey Work Furlough Law" "

Amendment No. 4

On page 1, strike out lines 2 to 11, inclusive; and strike out page 2.

Senate Amendments of November 20, 1972

Amendment No. 1

On page 5 of the printed bill, as amended in Senate November 13, 1972, strike out lines 23 and 24, and insert "vocational and educational training and counseling; and psychological, drug abuse, alcoholic and other rehabilitative counseling; "educator" includes a person or institution providing such training or counseling "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Mobley,

Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr. Speaker—66

NOES—None

Above bill ordered enrolled

Assembly Concurrent Resolution No. 74—Relative to parks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 74?

Amendment No. 1

On page 2, line 9, of the printed measure, as amended in Assembly June 22, 1972, strike out "1973", and insert "1974".

Amendment No. 2

On page 2, line 25, strike out "1973", and insert "1974".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivary, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—66

NOES—None.

Above resolution ordered enrolled

THIRD READING OF ASSEMBLY BILLS

House Resolution No. 129—Relative to the Medi-Cal Management System

---

NOTE: The full text of House Resolution No 129 appears at pages 8055–8056 of the Assembly Daily Journal for November 29, 1972

Resolution read, presented by Mr Cullen, and adopted

THIRD READING OF SENATE BILLS

Senate Bill No. 433—An act to add Section 34 8 to the Civil Code, relating to contraceptives for minors

Bill read third time, and presented by Mr Brown.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly

Motion carried. Time, 12:02 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1263—An act to amend Section 5766 4 of the Education Code, relating to bilingual instruction for non-English-speaking students, and making an appropriation therefor

Bill read third time, and presented by Mr Brown.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55

NOES—Badham, Barnes, Burke, Conrad, Dent, Ray E Johnson, Ketchum, Lanterman, Mobley, Murphy, Russell, and Wakefield—12.

Bill ordered transmitted to the Senate

Senate Bill No. 419—An act to amend Sections 985 and 2626 of, and to add Section 2626 2 to, the Unemployment Insurance Code, relating to unemployment disability compensation

Bill read third time, and presented by Mr Miller.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly

Motion carried Time, 12:16 p m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

TEMPORARY SUSPENSION OF ASSEMBLY RULES
PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Mr Wakefield was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 136—By Assemblyman Barnes (Coauthor: Senator Randolph Collier)—Relative to memorializing Assemblyman Frank P Belotti

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 136

Mr. Barnes was granted unanimous consent to take up Assembly Concurrent Resolution No 136 without reference to committee, print, or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 136

Assembly Concurrent Resolution No. 136—Relative to memorializing Assemblyman Frank P. Belotti.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 584—An act to add Article 7 (commencing with Section 11190) to Chapter 1 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public assistance

Bill read third time, and presented by Mr. Miller.

Bill passed by the following vote:

AYES—Arnett, Bee, Beverly, Brathwaite, Brown, Burke, Chacon, Cline, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Karabian, Keysor, Knox, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—53.

NOES—Badham, Lancaster, Murphy, Stacey, and Wakefield—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 837—An act to amend Section 1421 of the Labor Code, relating to the California Fair Employment Practice Act.

Bill read third time, and presented by Mr Ralph.

Bill passed by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Cory, Crown, Cullen, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, MacDonald, McAlister, McCarthy, Meade, Miller, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—42

NOES—Badham, Barnes, Burke, Campbell, Conrad, Ray E Johnson, Lancaster, MacGillivray, Mobley, Moorhead, Murphy, Russell, Stacey, and Wakefield—14.

Bill ordered transmitted to the Senate.

Senate Bill No. 1510—An act making an appropriation in payment of claims against the state, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Townsend.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—69.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wilson, Wood, Z'berg, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 601—An act to amend Section 21367 51 of, and Section 20365 of the Government Code, as added by Chapter 313 of the Statutes of 1972, relating to the Public Employees' Retirement System.

Bill read third time, and presented by Mr Dunlap

Bill passed by the following vote

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—61

NOES—Badham, Burke, and Wakefield—3.

Bill ordered transmitted to the Senate

Senate Bill No. 1373—An act to amend Sections 53200, 53205 1, and 53205 16 of, and to repeal Sections 53205 05 and 53205 15 of, the Government Code, relating to insurance

Bill read third time, and presented by Mr Pierson.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Cline, Conrad, Cory, Crown, Cullen,

Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr Speaker—67.

NOES—Wakefield—1.

Bill ordered transmitted to the Senate

Senate Bill No. 541—An act relating to State Lands, and making an appropriation therefor.

Bill read third time, and presented by Mr Warren.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 336—An act to add Section 19544 5 to the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

Bill read third time, and presented by Mr Powers

Bill passed by the following vote·

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Brown, Burke, Campbell, Chacon, Cline, Conrad, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—Burton, Cory, and Priolo—3.

Bill ordered transmitted to the Senate

CONSIDERATION OF CONSENT CALENDAR

The Acting Speaker announced that the next roll call would be on the first item on the Consent Calendar

CONSENT CALENDAR—SENATE BILLS

Senate Bill No. 1209—An act to amend Sections 29007 and 29007 5 of the Education Code, relating to postsecondary education

Bill read third time, and passed by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1380—An act to amend and supplement the Budget Bill for the 1972-1973 fiscal year (enacted as the Budget Act of 1972) by adding thereto Section 2 5c, relating to the state park system, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Senate Concurrent Resolution No. 65—Relative to the Sacramento-San Joaquin Delta

Resolution read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Burton was granted unanimous consent that the following communication be printed in the Journal:

December 1, 1972

Honorable Bob Moretti
Speaker of the Assembly
Room 3164, State Capitol

Dear Mr. Speaker. Relative to the decision of this House on November 14 not to override the Governor's veto of Assembly Bill 680, I would appreciate having this letter and two accompanying documents printed in the Assembly Journal.

AB 680, of which I was the author, was designed to eliminate a confusing bit of red tape in the processing of welfare applications which has worked an injustice and a hardship on welfare recipients

For example, the slowness of administrative procedure may result in a recipient receiving a lump sum larger than the monthly grant for which he is eligible. Applying Catch-22 at this point, the welfare department can terminate the applicant because he has too much money. In other words: "We're sorry, but because we have found you eligible, you are now ineligible."

Governor Reagan in his veto message said he believed our corrective legislation would create a loophole which welfare recipients could use to their advantage

By way of further amplification, and to clarify the record, I am placing the accompanying documents in the Assembly Journal:

1. A letter dated September 14, 1972 to Robert B Carleson, Director of the State Department of Social Welfare, from James N McGuire, Associate Regional Commissioner of the Department of Health, Education and Welfare. In this letter Mr. McGuire makes it clear that the practice of considering a lump sum retroactive payment as either current income or as reserve cash is inconsistent with the law. As he so aptly puts it: "This would in effect provide a bonus to the agency for making incorrect determinations and place a premium on incorrect action."

2. A memorandum dated November 6, 1972 to all county welfare directors from Mr Carleson purporting to direct compliance with Mr McGuire's letter and the federal law Actually, it continues to advocate a violation of the law. Mr Carleson does this by applying his own interpretation that a lump sum retroactive payment must be spent within the month received and if it is not, it then will be considered reserve property.

I submit that Mr Carleson's interpretation is nothing more than a devious device intended to circumvent the law and deny poor people the meager assistance to which they are entitled

Sincerely,

JOHN L. BURTON

Department of Health, Education, and Welfare

September 14, 1972

Mr. Robert B Carleson, Director
State Department of Social Welfare
744 P Street, Sacramento, California

Dear Mr Carleson · The Legal Aid Foundation of Long Beach has called our attention to the situation of Esther Pennington (State No 1960-191-315) The situation seems to be that following a fair hearing in which a decision favorable to Ms Pennington was rendered, she was found ineligible because of the retroactive payments that were made following the hearing These made the personal property reserve over your State maximum The Deputy Director in Long Beach confirmed to the Legal Aid Foundation that the retroactive payments were being counted as personal property It is also pointed out that similar situations have occurred at least twice before within the immediate past

The basic purpose of a fair hearing is to determine whether an error has been made in relation to the recipient's eligibility or amount of grant and if so, to take corrective action When this situation occurs the agency makes corrective payments retroactively which means, in effect, that the agency is now granting the individual the amount of money that had been erroneously withheld Thus, any consideration of this corrective retroactive payment as either current income or reserve would be inconsistent with 45 CFR 205 10 paragraph 13. The fair hearing requirements would essentially become an empty guarantee to recipients if agencies were allowed to take an adverse action against a recipient and then permit it to enforce a fair hearing decision reversing that action in such a way as to nevertheless still adversely affect the recipient's eligibility or amount of assistance. This would in effect provide a bonus to the agency for making incorrect determinations and place a premium on incorrect action

We have not heard of this situation elsewhere in the State, and it is possible that this may be a local interpretation only We did, however, need to bring this to your attention so that the practice will not continue anywhere in the State.

Sincerely yours,

JAMES N McGUIRE
Associate Regional Commissioner
Assistance Payments Administration

Department of Social Welfare

Sacramento, November 6, 1972

To · All County Welfare Directors

Several questions have been raised concerning how corrective lump-sum retroactive payments—made after processing aid applications, fair hearing decisions, court orders, discovery of administrative error, etc —

are to be treated in determining eligibility for and the amount of public assistance.

Such payments do not constitute either current income *or* property reserves in the budget period received or during the full budget period following receipt of the corrective retroactive lump-sum payment. This allows recipients of such payments the opportunity to correct financial problems which might have arisen during the period when aid was not paid.

Under California law, however, any remaining balance of such payments must be applied during subsequent budget periods against the property reserve limits as set forth in the Welfare and Institutions Code and the Eligibility and Assistance Standards Manual (see *Petersen* v. *Social Welfare Board*, 190 Cal App 2d 652)

Thus, recipients of such retroactive payments are entitled to at least a full budget period to arrange solutions to their prior financial problems Upon expiration of that period, such recipients, with their resources, shall be treated identically with all other recipients of public assistance, including the application of EAS Manual Section 42-221 321.

Sincerely,

ROBERT B CARLESON
Director of Social Welfare

COMMUNICATIONS

Assembly Chamber, December 1, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 11—Relative to low-cost telephone service for the elderly poor;

Assembly Concurrent Resolution No. 131—Relative to expenses of the Joint Legislative Committee on Siting of Teaching Hospitals;

And reports the same correctly enrolled, and presented to the Secretary of State on the first day of December, 1972, at 11 a m.

JAMES D DRISCOLL, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 376
AB No 2350

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

RECESS

At 12:35 p.m., Acting Speaker Fenton declared the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1:30 p.m., the Assembly reconvened.

Hon. Jack R. Fenton, Majority Floor Leader of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 900—An act to add Section 14105 6 to the Welfare and Institutions Code, relating to medical assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 900?

Senate Amendments of July 18, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 15, 1972, strike out "Sections 13922 5 and", and insert "Section".

Amendment No. 2

On page 2, strike out lines 1 to 7, inclusive; and in line 8, strike out "SEC. 1 5", and insert

"SECTION 1".

Amendment No. 3

On page 2, line 12, after "services", insert "and intermediate care facility services".

Amendment No. 4

On page 3, line 34, strike out "subdivision", and insert "subparagraph".

Amendment No. 5

On page 3, line 40, strike out "subdivision", and insert "subparagraph".

Amendment No. 6

On page 4, line 4, strike out "subdivision", and insert "subparagraph".

Amendment No. 7

On page 5, strike out lines 5 to 9, inclusive

Senate Amendments of November 20, 1972

Amendment No. 1

On page 4, line 39, of the printed bill, as amended in Senate July 18, 1972, strike out "1973", and insert "1974".

Amendment No. 2

On page 5, line 3, strike out "the fifth legislative"; strike out line 4, and insert "January 30, 1974"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Har-

vey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 29, 1972

Mr Speaker· The Committee on Conference concerning·

Senate Bill No. 1419, as amended in Assembly July 27, 1972—An act to amend Section 2600 of the Penal Code, relating to civil rights of prisoners;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly July 27, 1972, strike out lines 24 to 35, inclusive, and insert "provided, that this subdivision shall not be construed so as to prohibit prison authorities from taking such actions as may be reasonably necessary to prevent the commission of a crime or to protect the security or the orderly operation of the institution."

The undersigned consent to the report:

MERVYN DYMALLY	HENRY WAXMAN
DAVID ROBERTI	ALAN SIEROTY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote·

AYES—Arnett, Bagley, Bee, Brathwaite, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—53.

NOES—Badham, Barnes, Burke, Cline, Collier, Conrad, Lancaster, MacGillivray, Moorhead, Seeley, Stacey, Stull, and Wakefield—13

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1264—An act to add Article 8 (commencing with Section 11921) to Chapter 4 of Division 9 of the Education Code, relating to pupil nutrition.

Bill read third time, and presented by Mr. Burton.

Bill passed by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, Lewis, MacDonald, Maddy, McAlister, McCarthy, Miller, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Ryan, Sieroty, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—46.

NOES—Badham, Burke, Cline, Conrad, Dent, Ray E Johnson, Ketchum, Lancaster, Lanterman, Mobley, Monagan, Russell, Stacey, Stull, and Wakefield—15.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 335—An act to amend Section 619.1 of the Revenue and Taxation Code, relating to property taxation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 335?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly May 11, 1972, strike out "If the designee is the trustee or mortgagee"; and strike out lines 9 to 11, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1238—An act to amend Section 6224 of the Public Resources Code, relating to state lands.

Bill read third time, and presented by Mr. Lewis.

Bill passed by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian,

Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Warren, Wood, Z'berg, and Mr. Speaker—64.

NOES—Wilson—1.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1283—An act to amend Sections 6741, 17300, 17303.5, 17414, 17417, 17503, 17603 5, 17671, 17675, 17702, 17702.2, 17706, 17751, 17801, 18355, 18358, 18401, and 20912 of, to add Sections 13520 3, 17301, 17301.1, 17301 2, 17301 3, 17301 4, 17303 6, and 17701.5 to, to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1 7 (commencing with Section 17270) to Division 14 of, to add Article 2 (commencing with Section 17631), Article 2 5 (commencing with Section 17665), Article 7 5 (commencing with Section 17940), Article 11 (commencing with Section 18101, and Article 18 (commencing with Section 18451) to Chapter 3 of Division 14 of, to add Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, to repeal Sections 17301 and 17674 of, and to repeal Article 2 (commencing with Section 17651), Article 7 1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), Article 11 (commencing with Section 18101), and Article 18 (commencing with Section 18451 of Chapter 3 of Division 14 of, the Education Code, relating to the financial support of public education, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1283?

Senate Amendments of August 1, 1972
Amendment No. 1

Strike out lines 2 to 22, inclusive, of the title of the printed bill, as amended in Assembly July 7, 1972, and insert "17503, 17603 5, 17671, 17675, 17702, 17751, 17801, 18355, 18358, 18401, and 20912 of, to add Sections 13520.3, 17301, 17301 1, 17301 2, 17301.3, 17303 6, and 17701 5 to, to add Chapter 6.10 (commencing with Section 6499 230) to Division 6 of, to add Chapter 1.7 (commencing with Section 17270) to Division 14 of, to add Article 2 (commencing with Section 17631), Article 2 5 (commencing with Section 17665), Article 7.5 (commencing with Section 17940), Article 11 (commencing with Section 18101, and Article 18 (commencing with Section 18451) to Chapter 3 of Division 14 of, to add Article 6 (commencing with Section 20902) to Chapter 3 of Division 16 of, to repeal Sections 17301 and 17674 of, and to repeal Article 2 (commencing with Section 17651), Article 7.1 (commencing with Section 17920), Article 7 2 (commencing with Section 17940), Article 11 (commencing with Section 18101), and Article 18 (commencing with Section 18451 of Chapter 3 of Division 14 of, the Education".

Amendment No. 2

On page 3, strike out lines 28 to 30, inclusive; and on page 4, strike out line 1.

Amendment No. 3

On page 7, strike out lines 39 and 40; and on page 8, strike out lines 1 to 4, inclusive.

Amendment No. 4

On page 8, strike out lines 17 to 22, inclusive.

Amendment No. 5

On page 13, line 38, strike out "1972–1973"; strike out lines 39 and 40; and on page 14, line 1, strike out "year thereafter", and insert "1973–1974 fiscal year".

Amendment No. 6

On page 14, line 1, strike out "50", and insert "40".

Amendment No. 7

On page 14, line 2, strike out "1972–1973", and insert "1973–1974".

Amendment No. 8

On page 14, strike out lines 4 to 17, inclusive, and insert "equal to the percentage increase or decrease of the statewide ratio of assessed value of taxable property per unit of statewide average daily attendance."

Amendment No. 9

On page 19, line 8, strike out "Sections 17301, 17654 5,"; strike out lines 9 and 10, and insert "Section 17301, the current expense".

Amendment No. 10

On page 19, strike out lines 18 to 22, inclusive.

Amendment No. 11

On page 21, strike out lines 38 to 40, inclusive; strike out pages 22 to 34, inclusive, and insert

"SEC. 23. Article 2 (commencing with Section 17651) of Chapter 3 of DIVISION 14 of the Education Code is repealed

SEC 24. Article 2 (commencing with Section 17631) is added to Chapter 3 of DIVISION 14 of the Education Code, to read:

Article 2. Computation of Units of Average Daily Attendance

17631 The Superintendent of Public Instruction shall compute for each school district the amount of average daily attendance to be used in variable foundation programs, basic aid, and special education programs.

17632. In necessary small schools with an average daily attendance of less than 100, exclusive of the average daily attendance for pupils attending grades 7 and 8, there shall be deemed to be an average daily attendance of 25 times the number of full-time equivalent certificated employees but not to exceed 100 units of average daily attendance.

17633. For the purposes of Section 17632 a "necessary small school" is an elementary school with an average daily attendance of less than

101, exclusive of pupils attending the seventh and eighth grades of a junior high school, during the current fiscal year maintained by an elementary school district which maintains two or more schools and to which school any of the following conditions apply:

(a) If as many as five pupils residing in the district and attending grades kindergarten to 8, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to 8, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(c) If the Superintendent of Public Instruction grants a request made pursuant to this subdivision If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified in subdivision (a) or (b) were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

17634. The Superintendent of Public Instruction shall compute the average daily attendance for necessary small schools as defined in Section 17633 and add to that amount the average daily attendance in all other schools in the district.

17635 A necessary small high school for the purposes of Section 17639, is a high school with an average daily attendance of less than 301, or a junior high school with an average daily attendance of less than 75 in grade 9, which comes within any of the following conditions (except that a single high school maintained by a unified district formed under the provisions of Sections 3001 to 3451, inclusive, or formed under Sections 813, 1481 to 1493, inclusive, 2811 to 2931, inclusive, 13005, 13554, and 21802, or a high school maintained by any district for the exclusive purpose of educating continuation, juvenile hall, physically handicapped, or mentally retarded pupils shall be considered a necessary small high school):

(a) The projection of its future enrollment on the basis of the enrollment of the elementary schools in the district shows that within eight years the enrollment in high school in grades 9 through 12 will exceed 300 pupils.

(b) Any one of the following combinations of distance and units of average daily attendance applies.

(1) The high school had an average daily attendance of less than 100 in grades 9 through 12 during the preceding fiscal year and is more than 15 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 20 miles or 25 percent of the pupils would be required to travel 30 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(2) The high school had an average daily attendance of 100 or more and less than 150 in grades 9 through 12 during the preceding fiscal year and is more than 10 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 18 miles or 25 percent of the pupils would be required to travel 25 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(3) The high school had an average daily attendance of 150 or more and less than 200 in grades 9 through 12 during the preceding fiscal year and is more than 7½ miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 15 miles or 25 percent of the pupils would be required to travel 20 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(4) The high school had an average daily attendance of 200 or more and less than 300 in grades 9 through 12 during the preceding fiscal year and is more than five miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 10 miles or 25 percent of the pupils would be required to travel 15 miles to the nearest other public high school.

(c) Topographical or other conditions exist in the district which would impose unusual hardships on the pupils if the number of miles specified above were required to be traveled In these cases, the Superintendent of Public Instruction may, when requested, and after investigation, grant exceptions from the distance requirements

(d) The Superintendent of Public Instruction has approved the recommendation of a county committee on school district organization designating one of two or more schools as necessary isolated schools in a situation where the schools are operated by two or more districts and the average daily attendance of each of the schools is less than 300 in grades 9 through 12.

17636 If a high school is determined to be a necessary small high school under Section 17635, its status as such shall not be changed except as a review of the determinative factors made every five years following the date of the determination, indicates that the determination should be changed

Any high school district not presently determined to be a necessary small high school district under Section 17635, may be determined to be such at the beginning of any fiscal year, provided, it comes within the provisions of Section 17635.

17637. On and after July 1, 1960, whenever the governing board of a district maintaining a small high school which does not come within the provisions of Section 17663, undertakes any building construction or alteration in respect to that school, of a type requiring the submission of plans to the Department of General Services, the school shall forthwith be classified as an unnecessary small school. Thereafter, the foundation program for the district in respect to that school shall be computed pursuant to Section 17665, notwithstanding an average daily attendance of less than 301.

Prior to the fiscal year a district undertakes any building construction or alteration in respect to a small high school, the weighted attendance for the district in respect to that school shall be computed pursuant to Section 17639.

17638. Section 17637 does not apply to a high school which meets both of the following criteria:

(a) It is a high school in a high school district which maintains six or more high schools; and,

(b) Since 1948, the attendance area of the high school has been included in three separate proposals for unification with an adjoining high school district and each proposal has been rejected by the electors of the territory involved.

17639. The weighted attendance for necessary small schools shall be computed according to the following schedule:

Average daily attendance	Minimum number of full-time certified employees	Weighted attendance allowance
1– 20	3	84
21– 40	4	102
41– 60	5	120
61– 75	6	138
76– 90	7	156
91–105	8	174
106–120	9	192
121–135	10	210
136–150	11	228
151–180	12	246
181–220	13	264
221–260	14	282
261–300	15	300

17640 The Superintendent of Public Instruction shall compute the average daily attendance of high school districts by adding the attendance allowances computed pursuant to Section 17639 to the total amount of average daily attendance in the other schools of the district and any average daily attendance credited to the district pursuant to Section 10815.

17641. The Superintendent of Public Instruction shall annually adjust the foundation program amounts prescribed by this article by the percentage increase or decrease in the statewide ratio of assessed value of taxable property per unit of statewide average daily attendance.

SEC 25 Article 2.5 (commencing with Section 17665) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 2 5. Computation of Foundation Programs and Allowances for Community College Districts

17665. The Superintendent of Public Instruction shall compute the foundation programs for each community college district in the manner prescribed in this article.

17666 2. (a) Except for a community college district which qualifies under subdivision (b), for each community college district, he shall multiply the number of units of average daily attendance, during the fiscal year, in grades 13 and 14 computed for the district under Sections 11451 and 11501, subject to the provisions of Section 17611, by six hundred forty-three dollars ($643).

(b) For each community college district which has an average daily attendance of less than 1,001 during the fiscal year 1965–1966 and during the fiscal year 1966–1967, and for each community college district which has an average daily attendance of less than 1,001 during the fiscal year and qualifies as a necessary small community college district as defined in Section 17666 3 for the fiscal year 1969–1970 and fiscal years thereafter, the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount.

Average daily attendance	Minimum number of full-time certificated employees	Amount to be computed
1– 150	12	$172,900
151– 200	15	225,133
201– 300	18	277,366
301– 400	21	329,599
401– 500	24	381,832
501– 600	27	434,065
601– 700	30	486,298
701– 800	33	538,531
801– 900	36	590,764
901–1,000	39	643,000

(c) A community college district shall not be eligible for the foundation program computed under subdivision (b), unless it levies during the fiscal year a tax, exclusive of taxes levied under Sections 1822 2, 1825, 16633, 16635, 16645 9, 19443, 19619, 20801 and 22101, of not less than thirty-five cents ($0 35).

For purposes of this section and Section 17851, the average daily attendance of a community college district shall, subject to the provisions of Section 17611, be computed in the manner prescribed by Sections 11451 and 11501 except that there shall be excluded from the computation the attendance of all students deemed "nonresident" as defined in Sections 25505 and 25505 1 Notwithstanding the above provisions of this section, the attendance of students deemed nonresidents as provided in Sections 25505 and 25505 1 shall be included in the

average daily attendance of a community college for the purposes of Section 17851.

The Superintendent of Public Instruction shall exclude from the computation provided by this section the average daily attendance during the fiscal year of adults, as adults are defined in Section 5756, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp, or farm for adults

(d) In the event a community college district to which the provisions of subdivision (b) of this section applies is included by any reorganization authorized by law in a community college district which has an average daily attendance of 1,001 or more, the Superintendent of Public Instruction shall continue to compute the foundation program for the community college district included by such reorganization in accordance with the provisions of subdivision (b) of this section

17666.3 For the purposes of Section 17666.2, a necessary small junior college district is a junior college district with an average daily attendance of less than 1,001 during the fiscal year, and which comes within the following conditions:

(a) The projection of the average daily attendance, as used and defined in Section 17666.2, for the district for the next three immediately succeeding fiscal years shall not exceed 1,001

(b) Any one of the following conditions applies:

(1) One campus of the junior college district is more than 30 miles by a well-traveled road from the nearest other public junior college; and either 90 percent of the pupils, exclusive of adults as defined in Section 5756, would be required to travel 20 miles, or 25 percent of the pupils, exclusive of adults as defined in Section 5756, would be required to travel 30 miles one way from a point on a well-traveled road to the nearest other public junior college

(2) The conditions under paragraph (1) of this subdivision do not apply, but on annual application of the district the State Board of Education has determined for the fiscal year that the district is located in an area sufficiently remote so as to necessitate local current expenditures significantly higher than statewide average current expenditures for junior colleges.

17667. The Superintendent of Public Instruction shall annually adjust the foundation program amounts prescribed by this article by the percentage increase or decrease in the statewide ratio of assessed value per unit of statewide average daily attendance

17668 (a) The Superintendent of Public Instruction shall compare the total of the amounts allowed to, and computed for, each community college district pursuant to Sections 17702 and 17851, with the amount of the foundation program computed for each district pursuant to Section 17666 2

If the total amount computed for any district pursuant to Sections 17702 and 17851, is less than the amount of the foundation program computed for such district pursuant to Section 17666 2, he shall add to the amount computed for such district pursuant to Sections 17702 and

17851, such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Section 17666.2.

(b) No state equalization aid for community colleges shall be allowed unless there shall have been levied pursuant to this code, for a community college district during the fiscal year, a tax, exclusive of taxes levied under Sections 1822 2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801, and 22101, of not less than twenty-five cents ($0.25) if a community college district.

17669. The Superintendent of Public Instruction shall compute the state equalization aid pursuant to this article upon the basis that the district's assessed value has not been reduced by the exemption of 15 percent of the assessed value of business inventories in the district or reduced by the homeowner's property tax exemption.

SEC. 26. Section 17671 of the Education Code is amended to read:

17671. For school districts which are eligible, commencing with the 1967–1968 fiscal year, under the standards prescribed by this article, the Superintendent of Public Instruction shall compute increases in the applicable foundation program or programs as follows:

(a) He shall increase the foundation program computed for a *an elementary school* district ~~under Sections 17655.5, 17656, and 17660~~ by twenty dollars ($20) per pupil in average daily attendance.

(b) He shall increase the foundation program computed for a *high school* district ~~under Sections 17664, 17665 and 17665.5~~ by twenty dollars ($20) per pupil in average daily attendance, excluding the average daily attendance of adults, as adults are defined in Section 5756, and the average daily attendance in classes for inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults during the fiscal year.

SEC. 27. Section 17674 of the Education Code is repealed

~~17674. The foundation program computed for the fiscal year for each elementary school district pursuant to Section 17656, as increased, where necessary, pursuant to the other provisions of this article, shall be increased further by thirty dollars ($30) for each unit of average daily attendance in regular day classes during the fiscal year in grades 1 through 3, inclusive, reported under the provisions of Section 17601.1, as adjusted, if necessary, under the provisions of Section 17507.~~

~~The Legislature intends that the increase in the foundation program made available by this section be utilized by local school districts, for the achievement of reduced class sizes in grades 1 through 3, inclusive, so that the sizes of such classes will not exceed the minimum standards prescribed by Section 17507.~~

SEC 28. Section 17675 of the Education Code is amended to read:

17675. The increases in foundation programs prescribed by ~~Sections~~ *Section* 17671 ~~and 17674~~ shall in no event be provided for any school district for any elementary school with an average daily attendance of less than 101 which does not qualify as a "necessary small school" under Section 17655, or any high school with an average daily attendance of less than 301 which does not qualify as a "necessary small high school" under Section 17663.

SEC. 29. Section 17701.5 is added to the Education Code, to read:

17701.5. Each district shall furnish the Superintendent of Public Instruction with dates necessary to compute the additional expenditure per unit of average daily attendance anticipated in the implementation of Sections 14111, 20532, 20801.5, 20802 6, and 20806 and the additional tax rate in the district needed based on dollar factors used in subdivision (a) in each of Sections 17901 and 17902.

SEC. 30. Section 17702 of the Education Code is amended to read:

17702. The Superintendent of Public Instruction shall compute for each district, the amount, to be known as district aid, which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the current year and, as modified pursuant to Chapter 1 7 (commencing with Section 17270) of this division, would produce if levied. The current tax rate and current assessed valuation shall be reported by each district and the rates reported shall be used for computations within the following ranges.

(a) One dollar and sixty cents ($1 60) to two dollars and twenty cents ($2.20) in an elementary school district

(b) One dollar and thirty cents ($1 30) to one dollar and sixty-five cents ($1.65) in a high school district.

(c) Twenty-five cents ($0.25) in a community college district.

(d) In subdivisions (a) and (b) the upper limit may be increased by an amount computed under Section 17701.5.

If a unified school district is levying a tax of at least two dollars and ten cents ($2.10) per one hundred dollars ($100) of assessed valuation the rate shall, for apportionment purposes, be deemed to be one dollar and twenty cents ($1 20) for the elementary school level and ninety cents ($0.90) for the high school level.

Within a unified school district which is not levying a tax at the rate of at least three dollars ($3) per one hundred dollars ($100) of assessed valuation, but in excess of two dollars and ten cents ($2 10), the first part of the excess above the two dollar and ten cent ($2 10) rate, but not exceeding fifty-five cents ($0 55) shall be deemed to be for elementary school purposes, and the second part, if any, in excess of two dollars and sixty-five cents ($2 65) for high school purposes.

The district aid for the two levels shall be computed accordingly and the two corresponding tax rates shall be used in Article 7 (commencing with Section 17901) of this chapter to compute the foundation programs for the two levels of the unified school district for computation of equalization aid.

SEC. 31. Section 17751 of the Education Code is amended to read:

17751. The Superintendent of Public Instruction shall allow one hundred twenty dollars ($120) to each elementary school district for each unit of average daily attendance therein during the fiscal year as computed for the district under Sections 11301 and 11404, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any elementary school district, to be known as basic state aid.

SEC. 32. Section 17801 of the Education Code is amended to read:

17801. The Superintendent of Public Instruction shall allow to each high school district one hundred twenty dollars ($120) for each unit of average daily attendance in the district during the fiscal year as com-

puted under Sections 11403, 11452, and 11501, subject to the provisions of Section 17610, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any high school district, to be known as basic state aid.

The Superintendent of Public Instruction shall exclude from the computation of allowances provided by this section the average daily attendance during the fiscal year of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults.

SEC. 33. Article 7 (commencing with Section 17901) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 34 Article 7 (commencing with Section 17901) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 7. Computation of State Equalization Aid Allowances

17901. (a) For each elementary school district with thirty thousand dollars ($30,000) or less in assessed value for the current fiscal year per unit of average daily attendance for the current fiscal year, the superintendent shall compute the product of three dollars ($3) and the district current tax rate expressed in cents as reported pursuant to Section 17702. A minimum rate of one dollar and sixty cents ($1 60) or a maximum rate of two dollars and twenty cents ($2.20) shall be used where the reported rate falls below or exceeds the permitted range.

(b) To the amount computed in subdivision (a) shall be added one hundred twenty dollars ($120) to obtain the elementary district variable optional unit foundation program.

(c) The total foundation program for each elementary school district is the sum of (1) the product of the unit foundation program computed in subdivision (b) multiplied by the total units of average daily attendance of the district for kindergarten and grades 1 to 8, inclusive, and (2) the total of special education block grants of excess cost allowances under Section 18103.

17902 (a) For each high school district with fifty thousand dollars ($50,000) or less in assessed value for the current fiscal year per unit of average daily attendance for the current fiscal year, the superintendent shall compute the product of five dollars ($5) and the district current tax rate expressed in cents as reported pursuant to Section 17702. A minimum rate of one dollar and thirty cents ($1 30) or a maximum rate of one dollar and sixty-five cents ($1 65) shall be used where the reported rate falls below or exceeds the permitted range

(b) To the amount computed in subdivision (a) shall be added one hundred twenty dollars ($120) to obtain the high school district variable optional unit foundation program.

(c) The total foundation program for each high school district is the sum of (1) the product of the unit foundation program computed in subdivision (b) multiplied by the total units of the average daily attendance of the district for grades 9 to 12, inclusive, and for classes for adults, and (2) the total of the special education block grants of excess cost allowances under Section 18103.

17904. The maximum tax rates allowed in each subdivision (a) of Sections 17901 and 17902 may be increased by rates computed pursuant to Section 17701.5 and the correspondingly computed increases in foundation programs allowed in the several sections of this article.

17904.5. There shall not be included in the calculation of district aid in Section 17702, nor in the computation of the state equalization aid in Sections 17901 and 17902, any of the permissive tax rates restricted for special purposes other than those specified in Section 17904.

17905. For each elementary school district, the superintendent shall compare the total foundation program computed pursuant to subdivision (c) of Section 17901 based on the total average daily attendance of the district with the district aid for the district computed pursuant to subdivision (a) of Section 17702, and shall allow the difference to the district as principal state elementary school support.

17906. For each high school district, the superintendent shall compare the total foundation program computed pursuant to subdivision (c) of Section 17902 based on the total average daily attendance of the district with the district aid for the district pursuant to subdivision (b) of Section 17702 and shall allow the difference to the district as principal state high school support.

17908. The amount computed and allowed pursuant to Section 17905, 17906 or 17907 shall not be less than basic aid computed pursuant to Section 17751, 17801, or 17851 for a district.

17910. The Superintendent of Public Instruction shall compute the state equalization aid pursuant to this article upon the basis that the district's assessed value has not been reduced by the exemption of 15 percent of the assessed value of business inventories in the district or reduced by the homeowner's property tax exemption.

SEC. 35. Article 7.1 (commencing with Section 17920) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 36. Article 7.2 (commencing with Section 17940) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 37. Article 7.5 (commencing with Section 17940) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 7.5. Allowances for School Districts not Eligible for Unit Variable Optional Foundation Program

17940. Those districts which are not eligible for the unit variable optional foundation programs computed pursuant to Article 7 (commencing with Section 17901) of this chapter shall receive (1) allowances based on their total units of current average daily attendance and computed pursuant to Sections 17751, 17801, and 17851 as applicable, and (2) the excess cost of special education block grants computed under Section 18103, and (3) other allowances not restricted to only those districts receiving equalization aid.

SEC. 38. Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 39. Article 11 (commencing with Section 18101) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 11. Allowances for Mentally Retarded, Severely Mentally Retarded, Physically Handicapped and Educationally Handicapped Minors

18101. The Superintendent of Public Instruction shall allow, during the current fiscal year, to each school district and county superintendent of schools maintaining special day classes for the education of physically handicapped minors (as defined by Sections 6801 and 6802), mentally retarded minors (as defined by Sections 6901 and 6902), severely mentally retarded minors (as defined by Section 6903), and educationally handicapped minors (as defined by Section 6750), the amounts prescribed by this article for each of the respective types of class maintained for the fiscal year.

18101.6. As used in this article, "special day classes" includes integrated programs of instruction for physically handicapped children including those handicapped in vision or hearing where the services of a qualified special teacher are provided

An integrated program of instruction for physically handicapped children including those handicapped in vision or hearing shall be defined as any program in which such physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, supplementary teaching services of a full-time special teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program Such supplementary teaching services may include instruction in the appropriate tool skills, the provision of special materials and use of appropriate special equipment, and counseling and guidance necessary to enable physically handicapped children and those handicapped in vision and hearing to benefit fully from their instruction

As used in this section, physically handicapped children means those physically handicapped children who are deemed eligible for special class placement as defined by the State Board of Education

18102 (a) The Superintendent of Public Instruction shall allow to each county superintendent of schools for each special day class maintained during the current fiscal year, of the size prescribed by the State Board of Education for the particular category of regular or handicapped pupils involved, (1) the product of the class size and the maximum variable optional foundation program unit allowed districts pursuant to Sections 17901 and 17902, (2) the equivalent amounts that would be allowed school districts under 14111, 20532, 20801 5, 20802 6, and 20806 if no district tax rate were available, and (3) the excess cost block grants pursuant to Section 18102

(b) The Superintendent of Public Instruction shall establish adjustment allowances where classes are smaller than normal for each category or where students are handled in other than special classes

(c) The Superintendent of Public Instruction shall compute for each district for each unit of attendance of pupils in classes or situations meeting the requirements established by the State Department of Education for the particular category of handicapped pupils involved allowances according to the schedule adopted in Section 18103.

18103. The following weighted factors shall be used to compute the units of excess cost block grant foundation programs to be allowed school districts and county offices of education:

Physically handicapped	
Hearing handicapped	3.40
Vision handicapped	3.40
Orthopedic—~~other health impaired~~	2.40
Aphasic	3.40
Deaf-blind multihandicapped	9.30
Other multihandicapped	5.20
Pregnant minors	0.50
Regular day classes	1.00
Remedial physical education	1.00
Other remedial instruction-speech	3.30
Individual instruction	1.70
Mentally Retarded	
Educable	1.10
Trainable	2.10
Educationally handicapped	
Special day classes	2.10
Learning disability groups	3.30
Home and hospital instruction	1.70

For each district and county office of education, for each unit of special education allowance of excess cost in this section a block grant foundation program of eight hundred ~~twenty~~ dollars ($820) shall be computed.

18104. The provisions of this article shall supersede any other provisions of this code in conflict therewith. Allowances under this article shall be provided pursuant to regulations of the State Board of Education and standards and requirements established by the State Board of Education."

Amendment No. 12

On page 35, line 20, strike out "allow under Section 17662", and insert "compute per pupil under Article 2 (commencing with Section 16731) of Chapter 3 of this division"

~~Amendment No. 13~~

On page 35, lines 34 and 35, strike out "allow under Section 17662", and insert "compute per pupil under Article 2 (commencing with Section 16731) of Chapter 3 of this division".

Amendment No. 14

On page 36, strike out line 22, and insert

"SEC. 57. Article 18 (commencing with Section 18451) of Chapter 3 of Division 14 of the Education Code is repealed.

SEC. 58. Article 18 (commencing with Section 18451) is added to Chapter 3 of Division 14 of the Education Code, to read:

Article 18. Recomputation of Allowances

18451. (a) The total amount allowed from the State School Fund as basic and equalization aid, and allowances in lieu of basic and equalization aid allowed pursuant to Sections 18355 and 18401, to be ap-

portioned on account of average daily attendance during the fiscal year credited to all kindergarten, elementary, high school, community college and adult schools in the state and county school tuition funds on account of elementary, high school, and community college school pupils shall not exceed the amount provided by law therefor.

(b) The total amount allowed from the State School Fund pursuant to Sections 18060, 18062, and 18102 shall not exceed the amount provided by law therefor.

18452. (a) If the total amount allowed from the State School Fund to all school districts and county school service funds pursuant to Article 7 (commencing with Section 17901), Article 7.5 (commencing with Section 17940), and Article 11 (commencing with Section 18101) of this chapter exceeds the amount transferred to the State School Fund, pursuant to subdivisions (c) and (g) of Section 17303 5, the amounts allowed the districts and the county service funds shall be reduced proportionately

(b) If the total amount allowed from the State School Fund to all school districts and county school service funds pursuant to Article 7 (commencing with Section 17901), Article 7 5 (commencing with Section 17940), and Article 11 (commencing with Section 18101) of this chapter is less than the amount transferred to the State School Fund pursuant to subdivisions (c) and (g) of Section 17303 5, the surplus shall be used first to remove any deficits in the funds described in subdivisions (a) to (g), inclusive, of Section 17303 5. The balance of any further surplus remaining after eliminating such deficits shall be allowed the school districts in proportion to the average daily attendance in each district receiving equalization aid pursuant to Article 7 (commencing with Section 17901) of this chapter

18453 If the total amount allowed from the State School Fund to all districts under Section 6426, on account of pupils participating and identified during the fiscal year, is more than the total amount provided by law for such purposes, the total amount allowed each such district shall be reduced proportionately.

18454. Any undistributed balance from the amounts transferred to the State School Fund which for any reason remains in the State School Fund and has not otherwise been apportioned by law shall be apportioned as additional state aid to all the districts The amount of additional state aid allowed each such district for each unit of average daily attendance shall be determined by dividing such remaining balance by the average daily attendance of all districts The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in the last month of each fiscal year in the amounts certified by the Superintendent of Public Instruction as apportioned under this section The warrants shall be paid by the State Treasurer from the State School Fund and are not subject to the provisions of Government Code Section 925 6

SEC 59 Article 6 (commencing with Section 20902) is added to Chapter 3 of Division 16 of the Education Code, to read.

Article 6. Property Tax Revenue Control for School Districts

20902. Notwithstanding any other provisions of law, for the 1973–74 fiscal year, and fiscal years thereafter, the maximum tax rate for school

districts other than community college districts shall be as provided in this article. A community college district may utilize any increase in the otherwise applicable maximum school district tax rate authorized by any law applicable to community college districts

20903 Commencing on July 1, 1973, the maximum school district tax rate of any school district maintaining kindergarten and any of grades 1 to 12, inclusive, shall be the rate computed pursuant to this article In addition, each such district may levy a tax as authorized in Section 15517, 15518, 16633, 16635, 16645 9, 19443, 19619, or 22101. Any other provision of law fixing the maximum school district tax rate for any such district or authorizing the levy and collection of taxes for any other purpose is hereby superseded and declared inoperative as to such districts

20904. (a) For the 1973–74 fiscal year only, the county superintendent of schools shall compute for each school district in the county an amount equal to the sum of (1) the district's 1972–73 fiscal year tax rate plus the unlevied portion of any voted override but exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16645 9, 19443, 19619, or 22101, multiplied by the assessed valuation for the district for the 1972–73 fiscal year, and (2) the total amount of basic state aid, equalization aid, the supplemental support which the districts received pursuant to the provisions of this code and the Budget Act of 1972 as computed by the Superintendent of Public Instruction

(b) The amount computed in subdivision (a) shall be divided by the foundation program average daily attendance in the second principal apportionment and shall be the 1972–73 base revenue per unit of average daily attendance.

(c) The base revenue per unit of average daily attendance for each district shall be divided into the following amounts per unit of average daily attendance · for elementary districts, seven hundred eighty dollars ($780); for high school districts, nine hundred forty-five dollars ($945); for unified districts, nine hundred dollars ($900). If the result is greater than one it shall be deemed to be one

(d) The quotient determined pursuant to subdivision (c) shall be multiplied by sixty-five dollars ($65)

(e) The product determined pursuant to subdivision (d) shall be added to the base revenue per unit of average daily attendance determined pursuant to subdivision (b) and multiplied by the estimated foundation program unit of average daily attendance of the districts for the 1973–74 fiscal year.

(f) The amount computed pursuant to subdivision (e) shall be compared with the total amount of the foundation program computed for the district pursuant to Article 2 (commencing with Section 17651) of Chapter 3 of Division 14 The larger of the two amounts shall be the revenue limit of the district for the budget year This revenue limit is exclusive of federal funds and state funds except those specified in subdivision (e).

(g) From the revenue limit ascertained from the comparison made pursuant to subdivision (f), there shall be subtracted the total amount of basic state aid and state equalization aid to be received by the district during the 1973–74 fiscal year. The remainder shall be the local revenue limit of the district for the budget year.

(h) From the amount computed in subdivision (g), there shall be subtracted the amount of money collected or to be collected as taxes on property on the unsecured roll of the 1973–74 fiscal year, excluding the amounts collected through the levy of taxes authorized in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, or 22101.

(i) The amount determined pursuant to subdivision (h) shall be divided by the amount of actual assessed valuation of the district on the secured roll. The quotient shall be the tax rate on each one hundred dollars ($100) of such assessed valuation and shall be the maximum general purpose tax rate which may be levied in the district during the 1973–74 fiscal year, exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, or 22101.

20905. (a) For the 1974–75 fiscal years and thereafter, the maximum tax rate shall be the rate computed pursuant to this section exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16645.9, 19443, 19619, or 22101.

(b) The revenue limit per foundation program unit of average daily attendance for the district for the prior fiscal year shall be computed by the Superintendent of Public Instruction and divided into the appropriate foundation program amount per unit of average daily attendance.

(c) The foundation program amount per unit of average daily attendance used as the dividend in subdivision (b) shall be determined by the Superintendent of Public Instruction pursuant to this subdivision For elementary school districts, it shall be the foundation program for districts which have an average daily attendance of 901 or more as determined pursuant to Section 17656 For high school districts it shall be the foundation program determined pursuant to Section 17665 For unified districts, it shall be the sum of (1) the foundation program for districts which have an average daily attendance of 901 or more pursuant to Section 17656 multiplied by the elementary foundation program per unit of average daily attendance of unified districts in the second principal apportionment plus (2) the foundation program pursuant to Section 17665 multiplied by the high school foundation program per unit of average daily attendance of unified districts in the second principal apportionment divided by the sum of the elementary and high school average daily attendance of unified districts in the second principal apportionment

(d) An inflation adjustment index determined by the Department of Education, the Department of Finance and the Legislative Analyst shall be multiplied by the appropriate foundation program amount.

(e) The product determined pursuant to subdivision (d) shall be divided by the quotient determined pursuant to subdivision (b) The resultant amount shall constitute the revenue limit inflation adjustment of the district.

(f) The revenue limit inflation adjustment shall be added to the prior year revenue limit per foundation program average daily attendance of the district and the sum multiplied by the estimated foundation program average daily attendance of the budget year. The product shall be the revenue limit of the district for the budget year

(g) From the product computed pursuant to subdivision (f), there shall be subtracted the basic and equalization aid estimated for the

budget year. The remainder shall be the local revenue limit of the district for the budget year.

(h) From the amount computed pursuant to subdivision (g), there shall be subtracted the amount of money collected or to be collected as taxes on property on the unsecured roll of the budget year, excluding the amounts collected through the levy of taxes prescribed in Section 15517, 15518, 16633, 16635, 16645 9, 19443, 19619, or 22101.

(i) The amount determined pursuant to subdivision (h) shall be divided by the amount of actual assessed valuation of the district on the secured roll. The quotient shall be the base tax rate on each one hundred dollars ($100) of assessed valuation on the secured roll and shall be the maximum general purpose tax rate which may be levied in the district during the budget year, exclusive of taxes provided in Section 15517, 15518, 16633, 16635, 16635.9, 19443, 19619, or 22101

20906. Commencing with the 1973–74 fiscal year, the maximum tax rate prescribed by Sections 20904 and 20905 may be exceeded upon approval of a majority of the electors of the district pursuant to Section 20803. Such approval may be granted for any period of time, and shall be in addition to the revenue limit computed pursuant to this article.

20907. Whenever the computation required by Section 20904 or 20905 results, because of estimating error, in a total income limit in an amount more or less than actual data would have produced, the revenue limit for the succeeding fiscal year shall be reduced a like amount if the total produced was more, and may be increased by such amount if the total produced was less.

20908. Any bill which amends, repeals, or supersedes any provision of, or adds any provision to, this article shall, if it receives a "do pass" recommendation from the policy committee, be referred from the policy committee to the Committee on Revenue and Taxation of the same house of the Legislature

20909. If the electors of a district approve an increase in the maximum tax rate during the 1972–1973 fiscal year, the revenue from that increase shall be deemed to have been a part of the district's revenue for that fiscal year even if the tax rate does not become operative until the 1973–1974 fiscal year.

20909.2. If the term of a voter-approved increase in the maximum tax rate of a district expired and the increase was not available for the 1972–1973 fiscal year, the revenues which would have been derived from such an increase shall be excluded from the computation of base revenue for the district during the 1972–1973 fiscal year for purposes of Section 20904.

20909.4 Any increase in state basic aid or state equalization aid resulting from an appropriation during the 1972 Regular Session of the Legislature other than the appropriation made by Assembly Bill No. 1283 of the 1972 Regular Session shall be deemed to be a part of the revenues of the district for the 1972–1973 fiscal year for purposes of Section 20904

20909.6 The unexpended proceeds of any permissive tax rate, the authorization for the levy and collection of which has been made inoperative by this article, shall be transferred to the general fund of the district on July 1, 1973.

SEC. 60. Section 20912 of the Education Code is amended to read:

20912. The additional taxes shall be levied and collected throughout the territory for support of the elementary school districts included therein, if Section 17680 requires the computation of an areawide foundation program for such districts. The additional taxes shall be levied and collected throughout the territory for support of the high school districts included therein if Section 17680 requires the computation of an areawide foundation program for such districts. The taxes to be annually levied and collected shall be as follows:

(a) For elementary school support, at a rate ~~sufficient to provide the amount of elementary school areawide and for the territory under Section 17702.2~~ *of one dollar ($1) on each one hundred dollars ($100) of assessed valuation*.

(b) For high school support, at a rate ~~sufficient to provide the amount of areawide high school and computed for the territory under Section 17702.2~~ *of eighty cents ($0.80) on each one hundred dollars ($100) of assessed valuation*."

Amendment No. 15

On page 36, strike out lines 23 to 40; and strike out pages 37 and 38.

Senate Amendments of August 4, 1972

Set No. 1

Amendment No. 1

In line 4 of the heading of the printed bill, as amended in Senate August 1, 1972, strike out "Ryan,".

Amendment No. 2

Strike out line 6 of the heading, and insert

"(Coauthors: Senators Alquist, Collier, Dills, Grunsky, Rodda, Short, Stiern, and Way)".

Set No. 2

Amendment No. 1

In line 23 of the title of the printed bill, as amended in Senate August 1, 1972, after "17702," insert "17702.2, 17706,".

Amendment No. 2

On page 14, line 37, after "Instruction", insert "based upon school district expenditures for the 1971–1972 fiscal year adjusted by a factor of 1.1575".

Amendment No. 3

On page 15, line 1, strike out "40", and insert "45".

Amendment No. 4

On page 15, line 1, strike out "1973–1974", and insert "1974–1975".

Amendment No. 5

On page 44, line 23, strike out "exemption of 15 percent", and insert "partial exemption".

Amendment No. 6

On page 46, line 26, strike out "ten cents ($2.10)", and insert "ninety cents ($2.90)".

Amendment No. 7

On page 46, line 29, strike out "twenty cents ($1 20)", and insert "sixty cents ($1.60)".

Amendment No. 8

On page 46, line 30, strike out "ninety cents ($0 90)", and insert "one dollar and thirty cents ($1.30)".

Amendment No. 9

On page 46, line 32, strike out "($3)", and insert "and eighty-five cents ($3.85)".

Amendment No. 10

On page 46, line 34, strike out "ten cents ($2 10)", and insert "ninety cents ($2.90)".

Amendment No. 11

On page 46, line 35, strike out "ten-cent ($2.10)", and insert "ninety-cent ($2.90)".

Amendment No. 12

On page 46, line 36, strike out "fifty-five cents ($0.55)", and insert "sixty-six cents ($0.66)".

Amendment No. 13

On page 46, line 38, strike out "two dollars and sixty-five cents ($2 65)", and insert "three dollars and fifty cents ($3.50)".

Amendment No. 14

On page 47, between lines 5 and 6, insert

"SEC. 30.3 Section 17702 2 of the Education Code is amended to read:

17702 2. The Superintendent of Public Instruction shall compute the areawide aid to be utilized in determining state apportionments to be made for the support of elementary school districts and high school districts with respect to which an areawide foundation program is computed under Article 2 5 (commencing with Section 17680) of this chapter Areawide aid shall be the amount which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation for the current fiscal year, modified where necessary pursuant to Section 17262, of the area comprising all of such elementary school districts and all of such high school districts would produce, if levied, if such tax were. (a) in the case of the elementary school district area, ~~the~~ *one dollar ($1)* ~~rate prescribed for elementary school districts by Section 17702~~ ; and (b) in the case of the high school district area, ~~the rate perscribed for high school districts by Section 17702~~ , *eighty cents ($0.80)* .

If the Superintendent of Public Instruction finds that the difference obtained by subtracting the areawide aid as computed under the above provisions of this section from the areawide foundation program is less than the product obtained by multiplying the average daily attendance used for foundation program purposes by one hundred twenty-five dollars ($125), he shall reduce the areawide aid to an amount which, when added to such product, will equal the amount of the areawide foundation program.

SEC. 30.5. Section 17706 of the Education Code is amended to read:

17706 The Superintendent of Public Instruction shall determine the individual areawide aid for each elementary district included within territory for which an areawide foundation program was computed pursuant to Article 2 5 (commencing with Section 17680) of this chapter, by: (1) dividing the total areawide aid derived by the elementary school districts in the territory under Section 17702 2, by (2) the areawide foundation program derived for the territory under Section 17680, and (3) multiplying the quotient by the foundation program computed for each district under Article 2 (commencing with Section 17651) and Article 2.1 (commencing with Section 17671) of this chapter.

He shall determine the individual areawide aid for each high school district included within territory for which an areawide foundation program was computed pursuant to Article 2.5 (commencing with Section 17680) of this chapter, by: (1) dividing the total areawide aid derived for the high school districts in the territory under Section 17702 2, by (2) the areawide foundation program derived for the territory under Section 17680, and (3) multiplying the quotient by the foundation program computed for each district under Article 2 (commencing with Section 17651) and Article 2 1 (commencing with Section 17671) of this chapter

The district aid for an elementary school district within an area shall be the sum of the prorated areawide aid received by the district and the yield of the tax rate used in Section 17702 in excess of one dollar ($1) levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district The district aid for a high school district within an area shall be the sum of the prorated areawide aid received by the district and the yield of the tax rate used in Section 17702 in excess of eighty cents ($0 80) levied on each one hundred dollars ($100) of assessed valuation in such district. "

Amendment No. 15

On page 48, strike out lines 18 to 24, inclusive.

Amendment No. 16

On page 48, strike out lines 39 and 40; and on page 49, strike out lines 1 to 5, inclusive.

Amendment No. 17

On page 49, line 19, strike out "(c)", and insert "(b)".

Amendment No. 18

On page 49, line 27, strike out "(c)", and insert "(b)".

Amendment No. 19

On page 57, line 5, after "Section", insert "7456,".

Amendment No. 20

On page 57, line 6, after "19619," insert "20911, 20930,".

Amendment No. 21

On page 57, line 17, after "Section", insert "7456,".

Amendment No. 22

On page 57, strike out lines 18 to 24, inclusive, and insert "16645.9, 19443, 19619, 20911, 20930, or 22101 multiplied by the assessed valuation of the district for the 1972–73 fiscal year, (2) the amount of area-wide aid received by the district for the 1972–73 fiscal year, (3) 50 percent of the residual retirement reserve transferred under Chapter 117 of the Statutes of 1972, and (4) the total amount of basic state aid, equalization aid, supplemental support, and inflation cost adjustment which the districts received pursuant to the provisions of this code and the Budget Act of 1972 as computed by the Superintendent of Public Instruction."

Amendment No. 23

On page 57, strike out lines 35 to 37, inclusive, and insert "dollars ($945); for unified districts, eight hundred thirty dollars ($830)."

Amendment No. 24

On page 58, line 24, after "Section", insert "7456,".

Amendment No. 25

On page 58, line 25, after "19619," insert "20911, 20930,".

Amendment No. 26

On page 58, line 33, after "Section", insert "7456,".

Amendment No. 27

On page 58, line 34, after "19619," insert "20911, 20930,".

Amendment No. 28

On page 58, line 38, after "Section", insert "7456,".

Amendment No. 29

On page 58, line 38, after "19619," insert "20911, 20930,".

Amendment No. 30

On page 60, line 12, after "Section", insert "7456,".

Amendment No. 31

On page 60, line 12, after "19619," insert "20911, 20930,".

Amendment No. 32

On page 60, line 21, after "Section", insert "7456,".

Amendment No. 33

On page 60, line 22, strike out "16635.9", and insert "16645.9".

~~**Amendment No. 34**~~

On page 60, line 22, after "19619," insert "20911, 20930,".

Amendment No. 35

On page 60, strike out lines 37 to 40, inclusive, on page 61, strike out lines 1 and 2.

Amendment No. 36

On page 61, between lines 22 and 23, insert

"20909.5. If the electors of a district have approved an increase in the maximum tax rate of the district and if any portion of such voted

increase had not been levied in any year since it had been authorized, the district may levy the unused portion of the voted increase in the maximum tax rate in the 1973–1974 fiscal year or in any subsequent fiscal year Such levy shall be in addition to all other tax rates authorized by this code."

Set No. 3

Amendment No. 1

In line 45 of the title of the printed bill, as amended in Senate August 1, 1972, strike out "relating to the financial support of", and insert "and to amend Sections 6051, 6052 5, 6201, 7102, 17041, 18401, 18402, 18405, and 18410 6 of the Revenue and Taxation Code, relating to taxation to provide financial support for".

Amendment No. 2

On page 62, between lines 8 and 9, insert

"SEC 61. Section 6051 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent *on and after July 1, 1972, and to and including June 30, 1973, and at the rate of 4 08 percent* thereafter

SEC. 62. Section 6051 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read:

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, *and to and including June 30, 1973, and at the rate of 4 08 percent on and after July 1, 1973*, and to and including December 31, 1974, and at the rate of ~~3½~~ *3.58* percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of ~~3¾~~ *4 08* percent thereafter.

SEC. 63. Section 6052.5 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

6052.5. The board shall prepare sales tax reimbursement schedules showing the total amount that may be collected by the retailer from a consumer in reimbursement of the sales tax, computed on each sales price, from one cent ($0.01) to and including one hundred dollars ($100) at the ~~3¾ percent~~ *4½-percent* rate, at the ~~4 percent~~ *5½-percent* rate, at the ~~4¾ percent~~ *5⅝-percent* rate, at the ~~5 percent~~ *5⅞-percent* rate, ~~at the 5¼ percent rate, at the 5½ percent rate,~~ and at any other combined rates of state, local and transit district taxes administered by the board. The schedules shall be identical with the following tables up to the amounts specified therein:

~~3¾ percent~~

~~Price~~	~~Tax~~
~~.01— .12~~	~~.00~~
~~.13— .37~~	~~.01~~
~~.38— .64~~	~~.02~~
~~.65— .93~~	~~.03~~

~~4¼ percent~~

~~Price~~	~~Tax~~
~~.01— .11~~	~~.00~~
~~.12— .32~~	~~.01~~
~~.33— .56~~	~~.02~~
~~.57— .82~~	~~.03~~

~~5¼ percent~~

~~Price~~	~~Tax~~
~~.01— .10~~	~~.00~~
~~.11— .26~~	~~.01~~
~~.27— .45~~	~~.02~~
~~.46— .65~~	~~.03~~
~~.66— .84~~	~~.04~~
~~.85—1.03~~	~~.05~~
~~1.04—1.20~~	~~.06~~

4½ percent

Price	*Tax*
.01— .12	*.00*
.13— .36	*.01*
.37— .59	*.02*
.60— .83	*.03*
.84—1.10	*.04*
1.11—1.34	*.05*

~~4 percent~~

~~Price~~	~~Tax~~
~~.01— .12~~	~~.00~~
~~.13— .34~~	~~.01~~
~~.35— .59~~	~~.02~~
~~.60— .87~~	~~.03~~

~~5 percent~~

~~Price~~	~~Tax~~
~~.01— .10~~	~~.00~~
~~.11— .27~~	~~.01~~
~~.28— .47~~	~~.02~~
~~.48— .68~~	~~.03~~
~~.69— .89~~	~~.04~~
~~.90—1.09~~	~~.05~~

~~5½ percent~~

~~Price~~	~~Tax~~
~~.01— .10~~	~~.00~~
~~.11— .25~~	~~.01~~
~~.26— .45~~	~~.02~~
~~.46— .62~~	~~.03~~
~~.63— .79~~	~~.04~~
~~.80— .97~~	~~.05~~
~~.98—1.15~~	~~.06~~

5½ percent

Price	*Tax*
.01— .10	*.00*
.11— .27	*.01*
.28— .47	*.02*
.48— .65	*.03*
.66— .87	*.04*
.88—1.08	*.05*
1.09—1.27	*.06*

5½ percent	
Price	*Tax*
.01– .10	.00
.11– .26	.01
.27– .45	.02
.46– .65	.03
.66– .82	.04
.83–1.02	.05
1.03–1.20	.06

5⅝ percent	
Price	*Tax*
.01– .10	.00
.11– .23	.01
.24– .39	.02
.40– .58	.03
.59– .75	.04
.76– .94	.05
.95–1.11	.06

The remainder of the schedules at the ~~3¾ percent~~ *4 1/12-percent* rate, at the ~~4 percent~~ *5 1/12-percent* rate, at the ~~4¼ percent~~ *5⅓-percent* rate, ~~at the 5 percent rate, at the 5¼ percent rate,~~ and at the ~~5½ percent~~ *5⅝-percent* rate shall show amounts of reimbursement computed by applying the applicable tax rate to the sales price, rounded off to the nearest cent by eliminating any fraction less than one-half cent and increasing any fraction of one-half cent or over to the next higher cent.

The "sales tax reimbursement schedule" shall be available for inspection and duplication or reproduction.

Each retailer who collects amounts from a consumer in reimbursement of the sales tax shall use the appropriate schedule prepared by the board in computing the amount of the reimbursement, based upon the sales price of the item sold where one item is sold, and where more than one item is sold in any one transaction, upon the sum of the aggregate sales prices of the items sold, or he shall include in the sales price of each item an amount of reimbursement computed to the nearest mill at the applicable tax rate and post a notice in his premises stating that each posted or advertised price includes reimbursement so computed. When both taxable and nontaxable items are included in the same transaction, the foregoing requirement regarding computation of tax reimbursement upon the sum of the aggregate sales prices shall apply only if the purchaser requests at the time of the sale that the computation be made in this way.

The board shall enforce the provisions of this section.

SEC 64. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent *on and after July 1, 1972, and to and including June 30, 1973, and at the rate of 4.08 percent* thereafter.

SEC. 65. Section 6201 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read:

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this state at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent on and after July 1, 1949, and to and including July 31, 1967, and at the rate of 4 percent on and after August 1, 1967, and to and including June 30, 1972, and at the rate of 3¾ percent on and after July 1, 1972, *and to and including June 30, 1973, and at the rate of 4.08 percent on and after July 1, 1973,* and to and including December 31, 1974, and at the rate of ~~3¼~~ *3.58* percent on and after January 1, 1975, and to and including December 31, 1975, and at the rate of ~~3¾~~ *4.08* percent thereafter.

SEC. 66. Section 7102 of the Revenue and Taxation Code, as amended by Chapter 1400 of the Statutes of the 1971 Regular Session of the Legislature, is amended to read:

7102. The money in the fund shall, upon order of the Controller, be drawn therefrom for refunds under this part or be transferred in the following manner:

(a) All revenues, less refunds, derived under this part at the ~~3¾~~ *4.08* percent rates, including the imposition of sales and use taxes with respect to the sale, storage, use, or other consumption of motor vehicle fuel, which would not have been received if the sales and use tax rate had ~~remained~~ *been established* at ~~4~~ *4.33* percent and Section 6357 had not been amended at the 1971 Regular Session of the Legislature, as estimated by the State Board of Equalization, shall be transferred monthly to the State Transportation Fund

(b) The balance shall be transferred to the General Fund.

SEC. 67. Section 17041 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read:

17041 (a) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, except the head of a household as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income.

If the taxable income is:	The tax is:
~~Not over $2,000~~	~~1% of the taxable income~~
~~Over $2,000 but not over $3,500~~	~~$20 plus 2% of excess over $2,000~~
~~Over $3,500 but not over $5,000~~	~~$50 plus 3% of excess over $3,500~~
~~Over $5,000 but not over $6,500~~	~~$95 plus 4% of excess over $5,000~~
~~Over $6,500 but not over $8,000~~	~~$155 plus 5% of excess over $6,500~~
~~Over $8,000 but not over $9,500~~	~~$230 plus 6% of excess over $8,000~~
~~Over $9,500 but not over $11,000~~	~~$320 plus 7% of excess over $9,500~~
~~Over $11,000 but not over $12,500~~	~~$425 plus 8% of excess over $11,000~~
~~Over $12,500 but not over $14,000~~	~~$545 plus 9% of excess over $12,500~~
~~Over $14,000 but not over $15,500~~	~~$680 plus 10% of excess over $14,000~~
~~Over $15,500~~	~~$830 plus 11% of excess over $15,500~~

Not over $1,500 ---------- 1% of the taxable income
Over $1,500 but not over $3,000 --- $15 plus 2% of excess over $1,500
Over $3,000 but not over $4,500 --- $45 plus 3% of excess over $3,000
Over $4,500 but not over $6,000 --- $90 plus 4% of excess over $4,500
Over $6,000 but not over $7,500 --- $150 plus 5% of excess over $6,000
Over $7,500 but not over $9,000 --- $225 plus 6% of excess over $7,500
Over $9,000 but not over $10,500 --- $315 plus 7% of excess over $9,000
Over $10,500 but not over $12,000 --- $420 plus 8% of excess over $10,500
Over $12,000 but not over $13,500 --- $540 plus 9% of excess over $12,000
Over $13,500 but not over $15,000 --- $675 plus 10% of excess over $13,500
Over $15,000 ---------- $825 plus 11% of excess over $15,000

(b) There shall be imposed for each taxable year upon the entire taxable income of every resident of this state and upon the entire taxable income of every nonresident which is derived from sources within this state, when such resident or nonresident is the head of a household, as defined in Section 17042, taxes in the following amounts and at the following rates upon the amount of taxable income:

If the taxable income is:	The tax is:
~~Not over $3,000~~	~~1% of the taxable income~~
~~Over $3,000 but not over $4,500~~	~~$30 plus 2% of excess over $3,000~~
~~Over $4,500 but not over $6,000~~	~~$60 plus 3% of excess over $1,500~~
~~Over $6,000 but not over $7,500~~	~~$105 plus 4% of excess over $6,000~~
~~Over $7,500 but not over $9,000~~	~~$165 plus 5% of excess over $7,500~~
~~Over $9,000 but not over $10,500~~	~~$240 plus 6% of excess over $9,000~~
~~Over $10,500 but not over $12,000~~	~~$330 plus 7% of excess over $10,500~~
~~Over $12,000 but not over $13,500~~	~~$135 plus 8% of excess over $12,000~~
~~Over $13,500 but not over $15,000~~	~~$555 plus 9% of excess over $13,500~~
~~Over $15,000 but not over $16,500~~	~~$690 plus 10% of excess over $15,000~~
~~Over $16,500~~	~~$840 plus 11% of excess over $16,500~~

Not over $2,500 ---------- 1% of the taxable income
Over $2,500 but not over $4,000 --- $25 plus 2% of excess over $2,500
Over $4,000 but not over $5,500 --- $55 plus 3% of excess over $4,000
Over $5,500 but not over $7,000 --- $100 plus 4% of excess over $5,500
Over $7,000 but not over $8,500 --- $160 plus 5% of excess over $7,000
Over $8,500 but not over $10,000 --- $235 plus 6% of excess over $8,500
Over $10,000 but not over $11,500 --- $325 plus 7% of excess over $10,000
Over $11,500 but not over $13,000 --- $430 plus 8% of excess over $11,500
Over $13,000 but not over $14,500 --- $550 plus 9% of excess over $13,000
Over $14,500 but not over $16,000 --- $685 plus 10% of excess over $14,500
Over $16,000 ---------- $835 plus 11% of excess over $16,000

(c) The tax imposed by this part is not a surtax.

SEC 68. Section 18401 of the Revenue and Taxation Code is amended to read:

18401. Every individual taxable under this part shall make a return to the Franchise Tax Board, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year—

(a) An adjusted gross income over three thousand ~~two hundred fifty~~ dollars ~~($3,250)~~ *($3,000)*, if single;

(b) An adjusted gross income of over six thousand ~~five hundred~~ dollars ~~($6,500)~~ *($6,000)*, if married; or

(c) A gross income of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.

SEC. 69. Section 18402 of the Revenue and Taxation Code is amended to read:

18402. If a husband and wife have for the taxable year an aggregate adjusted gross income of over six thousand ~~five hundred~~ dollars ~~($6,500)~~ *($6,000)*, or an aggregate gross income of over seven thousand dollars ($7,000)—

(a) Each shall make such a return, or

(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income, as provided in Section 17045. No joint return shall be made if; (1) one spouse was a resident for the entire year and the other spouse was a nonresident for all or any portion of the taxable year (this exception shall not apply if the nonresident or his or her spouse was an active member of the armed forces or any auxiliary branch thereof during the taxable year), or (2) husband and wife have different taxable years; except that if such taxable years begin on the same day and end on different days because of the death of either or of both, then the joint return may be made with respect to the taxable year of each The above exception shall not apply if the surviving spouse remarries before the close of his taxable year, nor if the taxable year of either spouse is a fractional part of a year under Section 17553.

(c) In the case of the death of one spouse or both spouses the joint return with respect to the decedent may be made only by his executor or administrator; except that in the case of the death of one spouse the joint return may be made by the surviving spouse with respect to both himself and the decedent if (1) no return for the taxable year has been made by the decedent, (2) no executor or administrator has been appointed, and (3) no executor or administrator is appointed before the last day prescribed by law for filing the return of the surviving spouse If an executor or administrator of the decedent is appointed after the making of the joint return by the surviving spouse, the executor or administrator may disaffirm such joint return by making, within one year after the last day prescribed by law for filing the return of the surviving spouse, a separate return for the taxable year of the decedent with respect to which the joint return was made, in which case the return made by the survivor shall constitute his separate return.

SEC. 70. Section 18405 of the Revenue and Taxation Code is amended to read:

18405. Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, for any of the following taxpayers for whom he acts, stating specifically the items

of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having an adjusted gross income for the taxable year of over three thousand ~~two hundred fifty~~ dollars ~~($3,250)~~ *($3,000)*, if single

(b) Every individual having an adjusted gross income for the taxable year of over six thousand ~~five hundred~~ dollars ~~($6,500)~~ *($6,000)*, if married.

(c) Every individual having a gross income for the taxable year of over seven thousand dollars ($7,000), regardless of the amount of adjusted gross income.

(d) Every estate the net income of which for the taxable year is over one thousand dollars ($1,000)

(e) Every trust the net income of which for the taxable year is over one hundred dollars ($100)

(f) Every estate or trust the gross income of which for the taxable year is over seven thousand dollars ($7,000), regardless of the amount of the net income.

(g) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the Franchise Tax Board may prescribe

SEC 71. Section 18410.6 of the Revenue and Taxation Code is amended to read:

18410 6. For the purposes of Sections 18586 to 18589, inclusive (relating to period of limitations upon assessment and collection), and for the purposes of Section 18681 (relating to delinquent returns), a joint return made under Section 18410 shall be deemed to have been filed·

(a) Where both spouses filed separate returns prior to making the joint return, on the date the last separate return was filed (but not earlier than the last date prescribed by this part for filing the return of either spouse).

(b) Where one spouse filed a separate return prior to the making of the joint return, and the other spouse had three thousand ~~two hundred fifty~~ dollars ~~($3,250)~~ *($3,000)* or less of adjusted gross income and seven thousand dollars ($7,000) or less of gross income for such taxable year, on the date of the filing of such separate return (but not earlier than the last date prescribed by law for the filing of such separate return).

(c) Where only one spouse filed a separate return prior to the making of a joint return and the other spouse had an adjusted gross income of more than three thousand ~~two hundred fifty~~ dollars ~~($3 250)~~ *($3,000)* or a gross income of more than seven thousand dollars ($7,000) for such taxable year, on the date of the filing of such joint return

SEC 72 The increase in sales and use taxes contained in this act will provide two hundred million dollars ($200,000,000) annually for the State General Fund, and the amendments to Section 17041 of the Revenue and Taxation Code by Section 67 of this act will provide an additional one hundred seventy-five million dollars ($175,000,000) for such fund each year These revenues, together with two hundred twenty-five million dollars ($225,000,000) from the annual surplus in the State General Fund, will provide adequate general fund revenues

to finance the increases in support for public education contained in Sections 1 to 60, inclusive, of this act.

SEC 73. (a) Sections 6051 and 6201 of the Revenue and Taxation Code, as amended by Sections 62 and 65 of this act shall only become operative if the Legislative Analyst does not make the certification described in subdivision (c) of Section 316 2 of Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature; in which case, such sections shall become operative on January 1, 1975; at which time, Sections 6051 and 6201 of the Revenue and Taxation Code, as amended by Sections 61 and 64 of this act shall be repealed.

(b) Sections 6051 and 6201 of the Revenue and Taxation Code, as amended by Sections 61 and 64 of this act, shall become operative on July 1, 1973, and shall remain in full force and effect until such time as such sections are repealed pursuant to subdivision (a) of this section

(c) Sections 63 and 66 of this act shall become operative on July 1, 1973.

(d) Sections 67 to 71, inclusive, of this act shall be applied in the computation of taxes for taxable years beginning after December 31, 1972."

Senate Amendments of November 13, 1972

Set No. 1

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Senate August 4, 1972, after "17301.3", insert ", 17301 4".

Amendment No. 1.5

In the title, strike out lines 21 to 24, inclusive, and insert "relating to the financial support of".

Amendment No. 2

In line 25 of the title, after the comma, insert "and".

Amendment No. 3

On page 14, between lines 35 and 36, insert

"SEC. 17.7. Section 17301 4 is added to the Education Code, to read:

17301 4. The State Controller shall, commencing with the 1973–1974 fiscal year and during each fiscal year thereafter, transfer to the State School Fund the amount deposited during such fiscal year in the trust fund established as a depository for funds allocated to the state pursuant to the "State and Local Fiscal Assistance Act of 1972" (Public Law 92-512)

The amount otherwise transferrable to the State School Fund pursuant to Section 17301 shall be reduced by the amount transferred pursuant to this section."

Amendment No. 4

On page 49, strike out lines 6 to 40, inclusive, and strike out pages 50 to 61, inclusive.

Set No. 2

Amendment No. 1

On page 34, line 30, of the printed bill, as amended in Senate August 4, 1972, after "($3)", insert ", as adjusted pursuant to subdivision (c),".

Amendment No. 2

On page 34, between lines 39 and 40, insert

"(c) The dollar amount specified in subdivision (a) shall annually be adjusted by the percentage computed pursuant to Section 17641."

Amendment No. 3

On page 35, line 11, after "($5)", insert ", as adjusted pursuant to subdivision (c),".

Amendment No. 4

On page 35, between lines 20 and 21, insert

"(c) The dollar amount specified in subdivision (a) shall annually be adjusted by the percentage computed pursuant to Section 17641."

Motion to Re-Refer Assembly Bill No. 1283 and Senate Amendments to Committee

Mr Moretti moved that Assembly Bill No. 1283, together with the Senate amendments to the bill, be re-referred to the Committee on Education.

Demand for Previous Question

Messrs Quimby, Hayden, Lancaster, Murphy, and Briggs demanded the previous question Demand sustained.

The question being on the motion to re-refer Assembly Bill No. 1283, and Senate amendments to the bill, to the Committee on Education.

Motion carried by the following vote:

AYES—Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Collier, Conrad, Cory, Cullen, Davis, Duffy, Fenton, Foran, Gonsalves, Bill Greene, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Pierson, Porter, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker —51.

NOES—Arnett, Cline, Dent, Dunlap, Leroy F. Greene, Ketchum, Maddy, Murphy, and Wakefield—9.

Assembly Bill No 1283 together with Senate amendments, re-referred to the Committee on Education

Request for Unanimous Consent to Hold Special Meeting of Committee

At 2·06 p m., Mr Leroy F Greene asked for unanimous consent to hold a special meeting of the Committee on Education, at this time, to consider Assembly Bill No 1283, and that the Assembly Rules be temporarily suspended for the purpose of setting Assembly Bill No. 1283 for hearing in the Committee on Education.

Mr. Russell withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr Leroy F Greene moved that the Rules be temporarily suspended for the purpose of holding a special meeting of the Committee on Education to consider Assembly Bill No 1283, and that the Rules be temporarily suspended for the purpose of hearing Assembly Bill No. 1283.

Motion for temporary suspension of the Rules lost by the following vote·

AYES—Arnett, Dent, Duffy, Dunlap, Leroy F. Greene, Harvey Johnson, Ketchum, Maddy, Meade, and Wakefield—10.

NOES—Bagley, Barnes, Bee, Briggs, Brown, Burke, Campbell, Cline, Collier, Conrad, Cory, Davis, Fenton, Foran, Gonsalves, Hayden, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, MacGillivray, McAlister, McCarthy, Mobley, Monagan, Moorhead, Pierson, Porter, Priolo, Quimby, Russell, Seeley, Stacey, Stull, Vasconcellos, Wilson, and Mr. Speaker—38.

Assembly Bill No. 807—An act to add Section 4000.5 to the Penal Code, relating to prisoners' rights.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 807?

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "or", and insert a comma.

Amendment No. 2

On page 2, line 12, after "time", insert ", or (3) to prohibit or restrict the number of subscriptions to newspapers or periodicals a person sentenced to imprisonment for a period of 60 days or less may purchase".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—53.

NOES—Badham, Barnes, Burke, Cline, Collier, Conrad, Duffy, Ketchum, Lancaster, Lewis, MacGillivray, Mobley, Russell, Seeley, Stacey, and Wakefield—16

Above bill ordered enrolled

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file·

Assembly Bill No. 2114 (concurrence in Senate amendment), on request of Mr. Maddy.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 419

At 2:12 p m., on motion of Mr Miller, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 419 passed by the following vote:

AYES—Arnett, Bagley, Brathwaite, Briggs, Brown, Burton, Campbell, Cory, Crown, Cullen, Dent, Dunlap, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McCarthy, Meade, Miller, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Vasconcellos, Warren, Waxman, Wilson, Wood, and Z'berg—47.

NOES—Badham, Barnes, Bee, Beverly, Burke, Chacon, Cline, Collier, Davis, Duffy, Fenton, Gonsalves, Ketchum, MacGillivray, McAlister, Mobley, Moorhead, Russell, Seeley, Stull, Townsend, and Wakefield—22.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 192—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10 5 (commencing with Section 11901), 10.8 (commencing with Section 11940), and 10.9 (commencing with Section 11990) of, the Health and Safety Code, and to Amend Sections 1803, 12806, 12809, 13202, 13355.5, and 13800 of the Vehicle Code, relating to controlled substances.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 192?

Senate Amendments of May 30, 1972

Amendment No. 1

On page 10, line 39, of the printed bill, as amended in Assembly April 17, 1972, after "opiate", insert ", with the exception of Naloxone Hydrochloride (N-allyl-14-hydroxy-nordihydromorphinone hydrochloride)".

Senate Amendments of June 23, 1972

Amendment No. 1

On page 4 of the printed bill, as amended in Senate May 30, 1972, strike out lines 32 to 39, inclusive, and insert "brokers."

Amendment No. 2

On page 9, line 18, after "Racemoramide", insert a period.

Amendment No. 3

On page 18, line 28, strike out "1972", and insert "1973".

Amendment No. 4

On page 77, strike out lines 6 to 12, inclusive.

Amendment No. 5

On page 77, line 13, strike out "(f)", and insert "(d)".

Amendment No. 6

On page 77, strike out lines 21 to 25, inclusive.

Amendment No. 7

On page 77, line 26, strike out "(1)", and insert "(a)".

Amendment No. 8

On page 77, strike out lines 29 to 33, inclusive.

Amendment No. 9

On page 77, line 34, strike out "(c)", and insert "(b)".

Amendment No. 10

On page 77, lines 36 and 37, strike out ", which have been approved by the Research Advisory Panel,".

Amendment No. 11

On page 77, line 38, strike out "research, demonstrations," and insert "demonstrations".

Amendment No. 12

On page 85, line 8, strike out "11362", and insert "11361".

Senate Amendments of November 9, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 23, 1972, strike out "amend Section 2391 of the Business and Professions"; strike out lines 2 to 10 of the title, inclusive, and insert "add and repeal Section 13131 of, and to add Section 13132.5 to, the Education Code, to amend, repeal, and add Section 11391 of, to add Division 10.8 (commencing with Section 11940) to, to repeal Sections 210, and 11655.9 of, to repeal Chapter 9 (commencing with Section 1170) of Part 2 of Division 1 of, and Division 10.8 (commencing with Section 11940) of, the Health and Safety Code, to amend Section 11655.8 of, and to repeal Section 11655.7 of, the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, and to repeal Sections 11655.7 and 11655.8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, to add and repeal Chapter 2.5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code, to amend Sections 3154, 5619, and 5654 of, to amend, repeal, and add Section 5651 of, to add Chapter 3 (commencing with Section 4330) to Part 1 of Division 4 of, to add Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5900) to Division 5 of, and to repeal Sections 5617 and 5618 of, the Welfare and Institutions Code, to repeal Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, and to repeal and add

Sections 4330 and 5801 of the Welfare and Institutions Code, as proposed by this act, relating to drugs, including alcohol, narcotics, and tobacco, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1. Section 13131 is added to the Education Code, to read:

13131. The minimum requirements for the teaching credential also include the satisfactory completion of a unit requirement in health education, including, but not limited to, emphasis on the physiological and sociological effects of abuse of alcohol, narcotics, and drugs and of the use of tobacco.

This section shall be effective until July 1, 1973, or until such earlier date as the Commission for Teacher Preparation and Licensing may determine pursuant to Section 93 of Chapter 557 of the Statutes of 1970, as amended, at which date, this section is repealed.

SEC. 2. Section 13132.5 is added to the Education Code, to read:

13132.5. The minimum requirements for the teaching credential also include the satisfactory completion of a unit requirement in health education, including, but not limited to, emphasis on the physiological and sociological effects of abuse of alcohol, narcotics; and drugs and of the use of tobacco.

This section shall not become operative until July 1, 1973, or at such earlier date as the Commission for Teacher Preparation and Licensing may determine pursuant to Section 93 of Chapter 557 of the Statutes of 1970, as amended.

SEC. 3. Section 210 of the Health and Safety Code is repealed.

~~210. The Regents of the University of California may collect, and act as an information exchange for, information on research and service projects completed or in progress relating to drug abuse, may provide, to any person, institution or public agency proposing any research or service project on such subject, information with respect to the areas in which research is needed, and may evaluate programs of research, treatment, and education with respect to drug abuse. No state agency shall conduct any research or service project on drug abuse until it has provided the regents with a description of its proposed project.~~

~~The regents annually shall submit to the Governor and the Legislature, not later than the fifth legislative day of the regular session of the Legislature, a report of the activities it undertakes pursuant to this section, including specific recommendations with respect to evaluation of programs of research, treatment, and education, with respect to drug abuse.~~

SEC. 4. Chapter 9 (commencing with Section 1170) of Part 2 of DIVISION 1 of the Health and Safety Code is repealed.

SEC. 5. Section 11391 of the Health and Safety Code is amended to read:

11391. No person shall treat an addict for addiction *with a narcotic* except in one of the following:

(a) An institution approved by the Board of Medical Examiners, and where the patient is at all times kept under restraint and control

(b) A city or county jail.

(c) A state prison.

(d) A facility designated by a county and approved by the State Department of Mental Hygiene pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.

(e) A state hospital.

(f) A county hospital.

Methadone in the continuing treatment of narcotic addiction shall be used only in those programs approved by the ~~Research Advisory Panel~~ *State Department of Mental Hygiene* pursuant to Section ~~11655.7~~ *4351 of the Welfare and Institutions Code* on either an inpatient or outpatient basis, or both.

This section does not apply during emergency treatment, or where the patient's addiction is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age

Neither this section nor any other provision of this division shall be construed to prohibit the maintenance of a place in which persons seeking to recover from narcotic addiction reside and endeavor to aid one another and receive aid from others in recovering from such addiction, nor does this section or such division prohibit such aid, provided that no person is treated for addiction in such place by means of administering, furnishing, or prescribing of narcotics. The preceding sentence is declaratory of preexisting law. Every such place shall register with, and be approved by, the ~~Board of Medical Examiners. The board may inspect such places at reasonable times and, if it concludes that the conditions necessary for approval no longer exist, it may withdraw approval. Every person admitted to such a place shall register with the police department of the city in which it is located or, if it is outside of the city limits, with the sheriff's office. The place shall maintain its own register of all residents. It shall require all its residents to register with said police department or sheriff's office and, upon termination of the residence of any person in said place, it shall report the name of the person terminating residence to said police department or sheriff's office~~ *Department of Mental Hygiene*.

Neither this section nor any other provision of this division shall be construed to prohibit short-term methadone detoxification treatment in a controlled setting approved by the Director of Mental Hygiene and pursuant to rules and regulations of the director Facilities and treatment approved by the director under this paragraph shall not be subject to approval or inspection by the Board of Medical Examiners, nor shall persons in such facilities be required to register with, or report the termination of residence with, the police department or sheriff's office.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed

SEC. 6. Section 11391 is added to the Health and Safety Code, to read.

11391 No person shall treat an addict for addiction with a narcotic except in one of the following.

(a) An institution approved by the Board of Medical Examiners, and where the patient is at all times kept under restraint and control.

(b) A city or county jail.

(c) A state prison.

(d) A facility designated by a county and approved by the State Department of Health pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.

(e) A state hospital.

(f) A county hospital.

Methadone in the continuing treatment of narcotic addition shall be used only in those programs approved by the state department pursuant to Section 4351 of the Welfare and Institutions Code on either an inpatient or outpatient basis, or both.

This section does not apply during emergency treatment, or where the patient's addition is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age

Neither this section nor any other provision of this division shall be construed to prohibit the maintenance of a place in which persons seeking to recovering from narcotic addiction reside and endeavor to aid one another and receive aid from others in recovering from such addiction, nor does this section or such division prohibit such aid, provided that no person is treated for addiction in such place by means of administering, furnishing, or prescribing of narcotics The preceding sentence is declaratory of preexisting law Every such place shall register with, and be approved by, the state department

Neither this section or any other provision of this division shall be construed to prohibit short-term methadone detoxification treatment in a controlled setting approved by the director and pursuant to rules and regulations of the director Facilities and treatment approved by the director under this paragraph shall not be subject to approval or inspection by the Board of Medical Examiners, nor shall persons in such facilities be required to register with, or report the termination of residence with, the police department or sheriff's office This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative.

SEC. 7. Section 11655 7 of the Health and Safety Code as added by Chapter 1405 of the Statutes of 1970 is repealed

~~11655.7. (a) In addition to the duties authorized by other provisions, the panel shall~~

~~(1) Have exclusive authority to approve the establishment of methadone maintenance programs in this state, and shall establish the criteria for such programs;~~

~~(2) Study and evaluate, on an ongoing basis, all methadone maintenance programs in this state, and provide any appropriate assistance and advice to such programs;~~

~~(3) In its discretion, approve of local agencies or bodies to assist the panel with respect to authorizing and evaluating programs in each county in the state;~~

~~(4) Report annually to the Legislature on the status and progress of methadone maintenance programs in this state.~~

~~(b) In addition to the members appointed to the Research Advisory Panel under Section 11655.5, two licensed physicians experienced in the establishment and operation of methadone maintenance programs in California shall be appointed to the panel by the Chairman of the Research Advisory Panel, but such additional members shall not par-~~

~~ticipate in the meetings and decisions of the panel except when it is dealing with matters related to the use of methadone.~~

SEC. 8. Section 11655 7 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, is repealed.

~~11655 7. In addition to the duties authorized by other provisions, the panel shall be responsible for approving methadone maintenance programs established by the county mental health program pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code or established by any state hospital.~~

~~No such programs shall be established without the prior approval of the panel. The panel may approve such programs on an inpatient or outpatient basis, or both.~~

SEC. 9. Section 11655 8 of the Health and Safety Code, as added by Chapter 1405 of the Statutes of 1970, is amended to read:

11655 8. No provision of this division shall be construed to prohibit the establishment and effective operation of a methadone maintenance treatment program approved pursuant to Section ~~11655 7~~ *4351 of the Welfare and Institutions Code*.

SEC 10. Section 11655 8 of the Health and Safety Code, as added by Chapter 1422 of the Statutes of 1970, is repealed.

~~11655 8. The Research Advisory Panel and the Department of Mental Hygiene shall, jointly, submit an annual report to the Legislature on the status and progress of methadone maintenance programs in this state. The report shall be submitted on or before March 1 succeeding the calendar year for which the report is made, commencing with the report for the 1971 calendar year which shall be submitted on or before March 1, 1972.~~

SEC. 11. Section 11655.9 of the Health and Safety Code is repealed.

~~11655 9. The panel shall not approve the establishment of a methadone maintenance program without a written application by the treatment facility which meets evaluative criteria required by the panel.~~

SEC 12. Division 10.8 (commencing with Section 11940) of the Health and Safety Code is repealed.

SEC. 13. Division 10 8 (commencing with Section 11940) is added to the Health and Safety Code, to read:

DIVISION 10.8. STATE OFFICE OF NARCOTICS AND DRUG ABUSE

11940. The Legislature hereby finds and declares that it is essential to the health and welfare of the people of this state that action be taken by state government to effectively and economically utilize federal and state funds for narcotic and drug abuse prevention, care, treatment and rehabilitation services. To achieve this, it is necessary that:

(a) Existing fragmented, uncoordinated, and duplicative narcotic and drug abuse programs be molded into a comprehensive and integrated statewide program for the prevention of narcotic and drug abuse and for the care, treatment, and rehabilitation of narcotic addicts and drug abusers.

(b) Responsibility and authority for planning programs and activities for prevention, care, treatment, and rehabilitation of narcotic addicts be concentrated in one agency. It is hereby declared to be the intent of the Legislature to assign responsibility and grant authority

for planning narcotic and drug abuse prevention, care, treatment, and rehabilitation programs to a state agency whose functions shall be subject to periodic review by the Legislature and appropriate federal agencies.

11941. There is in the Human Relations Agency the State Office of Narcotics and Drug Abuse This office shall be under the control of an executive officer known as the director. The director shall be appointed by, and hold office at the pleasure of, the Governor.

11942. The director may appoint:

(a) An assistant director.

(b) Such other employees as may be necessary for the proper discharge of the duties of his office.

11943. The duties of the State Office of Narcotics and Drug Abuse are·

(a) To coordinate state and local narcotics and drug abuse preventive, care, treatment, and rehabilitation programs.

(b) Consult with state and local health planning bodies and encourage and promote effective use of facilities, resources, and funds in the development of integrated, comprehensive local programs for the prevention, care, treatment, and rehabilitation of narcotics and drug abuse.

(c) Develop and implement a comprehensive and uniform plan for the prevention, care, treatment, and rehabilitation of narcotics and drug abuse throughout the state.

(d) Consult with federal, state, and local agencies involved in the provision and delivery of services of prevention, care, treatment, and rehabilitation of narcotics and drug abuse.

(e) Provide technical assistance, guidance, and information to local governments and state agencies with respect to the creation and implementation of programs and procedures for dealing effectively with narcotics and drug abuse prevention, care, treatment, and rehabilitation.

(f) Establish goals and priorities for all state agencies providing narcotic and drug abuse services All state governmental units operating drug programs or administering or subventing state or federal funds for drug programs shall annually set their program priorities and allocate funds in coordination with the State Office of Narcotics and Drug Abuse.

(g) Identify, in conjunction and cooperation with the Department of Finance, all funds made available to the state by the federal government, the state, public agencies, and other sources which can be used in the prevention, care, treatment, and rehabilitation of narcotics and drug abuse

(h) In the same manner and subject to the same conditions as other state agencies, develop and submit annually to the Department of Finance a program budget for the statewide narcotics and drug abuse program, including not only expenditures proposed to be made under this division, but also expenditures proposed to be made under any related program or by any other state agency, incidental to the prevention, control, and treatment of narcotics and drug abuse The office may require state departments to contract with it for services to carry out provisions of this division.

(i) To coordinate all narcotics and drug abuse services and related programs conducted by state agencies with the federal government, and shall ensure that there is no duplication of such programs among state agencies and that all agreements, contracts, plans, and programs proposed to be submitted by any such agency, other than the Regents of the University of California, to the federal government in relation to narcotics and drug abuse related problems shall first be submitted to the State Office of Narcotics and Drug Abuse for review and approval.

(j) To enter into such agreements and contracts with any person, agency, corporation, or other legal entity and such other actions as are necessary to carry out the purposes of this division. The office may require state departments to contract with it for services to carry out the provisions of this division.

(k) To accept and expend grants, gifts, and legacies of money, and with the consent of the Department of Finance, to accept, manage, and expend grants, gifts, and legacies of other properties in furtherance of the purposes of this division.

SEC. 14. Chapter 2.5 (commencing with Section 1000) is added to Title 6 of Part 2 of the Penal Code, to read:

CHAPTER 2.5. SPECIAL PROCEEDINGS IN NARCOTICS AND DRUG ABUSE CASES

1000. (a) This chapter shall apply whenever a case is before any court upon an accusatory pleading for violation of Section 11500, 11530, 11555, 11556, 11910, or 11990 of the Health and Safety Code and it appears to the district attorney that all of the following apply to the defendant:

(1) The defendant has no prior conviction for any offense involving narcotics or restricted dangerous drugs.

(2) The offense charged did not involve a crime of violence or threatened violence.

(3) There is no evidence of a violation relating to narcotics or restricted dangerous drugs other than a violation of the sections listed in this subdivision.

(4) The defendant has no record of probation or parole violations.

(b) The district attorney shall review his file to determine whether or not paragraphs (1) to (4), inclusive, of subdivision (a) are applicable to the defendant.

1000.1 (a) If the district attorney determines that this chapter may be applicable to the defendant, he shall advise the defendant or his attorney of such determination. If the defendant consents and waives his right to a speedy trial the district attorney shall refer the case to the probation department. The probation department shall make an investigation and take into consideration the defendant's age, employment and service records, educational background, community and family ties, prior narcotics or drug use, treatment history, if any, demonstrable motivation and other mitigating factors in determining whether the defendant is a person who would be benefited by education, treatment, or rehabilitation. The probation department shall also determine which community programs the defendant would benefit from and which of those programs would accept the defendant. The probation department shall report its findings and recommendation to the court.

(b) No statement, or any information procured therefrom, made by the defendant to any probation officer which relates to the specific offense with which the defendant is charged, which is made during the course of any investigation conducted pursuant to subdivision (a), and prior to the reporting of the probation department's findings and recommendations to the court, shall be admissible in any action or proceeding brought subsequent to the investigation, with respect to the specific offense with which the defendant is charged.

1000.2. The court shall hold a hearing and, after consideration of the probation department's report and any other information considered by the court to be relevant to its decision, shall determine if the defendant consents to further proceedings under this chapter and waives his right to a speedy trial and if the defendant should be diverted and referred for education, treatment, or rehabilitation. The defendant's case shall not be diverted unless the district attorney concurs with the court's determination that the defendant be so referred though such concurrence is not necessary with respect to the program to which the defendant is referred If the court does not deem the defendant a person who would be benefited by diversion, or if the district attorney or the defendant do not consent to participate, the proceedings shall continue as in any other case.

The period during which the further criminal proceedings against the defendant may be diverted shall be for no less than six months nor longer than two years. Progress reports shall be filed by the probation department with the court not less than every six months. If the defendant is arrested for any offense during the period of diversion, his case shall be referred to the court for arraignment and disposition as if he had not been diverted and the case is a regular criminal matter. If the defendant has performed successfully in the education or treatment program, at the end of the period of diversion, the charges shall be dismissed. No person whose case has been diverted under this chapter shall be eligible to participate in such procedure if he is arrested again

1000.3. Any record filed with the Bureau of Criminal Identification and Investigation shall indicate the disposition in those cases diverted pursuant to this chapter.

1000.4. This chapter shall remain in effect until January 1, 1975, and on such date is repealed.

SEC. 15. Section 3154 of the Welfare and Institutions Code is amended to read:

3154 A person released in an outpatient status from the California Rehabilitation Center may, with the approval of the Department of Corrections and the Narcotic Addict Evaluation Authority, participate in a methadone maintenance project approved under ~~Sections 11655.6 and 11655.7 of the Health and Safety Code~~ *Section 4351*.

Participation in a methadone maintenance project shall not be construed to break the abstention from the use of narcotics for the purpose of Section 3200.

SEC. 16. Chapter 3 (commencing with Section 4330) is added to Part 1 of Division 4 of the Welfare and Institutions Code, to read:

CHAPTER 3. NARCOTICS AND DRUG ABUSE

Article 1. Definitions and General Provisions

4330. As used in this chapter:

(a) "Board" means the State Drug Advisory Board.

(b) "Department" means the State Department of Mental Hygiene.

(c) "Director" means the Director of Mental Hygiene.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed.

4330.5. The department, with the approval of the Secretary of the Human Relations Agency, may contract with any public or private agency for the performance of any of the functions vested in the department by this chapter. Any state department is authorized to enter into such a contract.

Article 2. Drug Abuse Prevention and Treatment Programs

4331. The department shall be a central information resource on drug abuse prevention and treatment programs and on research projects with respect to narcotics and dangerous drugs.

The department shall collect, and act as an information exchange for, information on research and service projects completed or in progress relating to drug abuse, provide, to any person, institution or public agency proposing any research or service project on such subject, information with respect to the areas in which research is needed, evaluate programs of research, treatment and education with respect to drug abuse. No state agency shall conduct any research or service project on drug abuse until it has provided the department with a description of its proposed project and until the department has responded with a written description of how the research or service project relates with other completed, concurrently operating, or pending research or service projects.

The department annually shall submit to the Governor and the Legislature, not later than the fifth legislative day of the regular session of the Legislature, a report of the activities it undertakes pursuant to this section, including specific recommendations with respect to evaluation of programs of research, treatment and education with respect to drug abuse.

4332. The department shall assist local community organizations in initiating effective programs to prevent and treat narcotics addiction and drug abuse.

4333. The department shall develop and maintain a centralized narcotic and drug abuse data collection system which shall gather and obtain information on the number and causes of narcotic- or drug-related deaths, the number of admissions to all hospitals on both an emergency room and inpatient basis for narcotic- or drug-related treatment, the number of admissions to state hospitals for narcotics or drug abuse treatment, the number of arrests for narcotics and dangerous drug violations, the number of California Youth Authority commitments for narcotics and drug abuse violations, the number of California Department of Corrections commitments for narcotics and drug abuse violations, the number or percentage of drug abusing persons

as determined by survey information, the amounts of narcotics and dangerous drugs confiscated by law enforcement in the state, the statewide narcotics and drug abuse treatment program distribution and the fiscal impact of narcotics and drug abuse upon the state

The department shall, annually, issue a report which portrays the drugs abused, populations affected, user characteristics, crime-related costs, socioeconomic costs and other related information deemed necessary in providing a problem profile of narcotics and drug abuse in the State of California.

4334. The department shall develop and implement a mass media drug education program involving newspapers, radio and television in order to provide community education, develop public awareness and motivate community action in drug prevention, treatment, and rehabilitation.

4335. The department shall develop an objective program evaluation device or methodology and evaluate state-supported narcotics and drug abuse prevention and treatment programs.

4336. The department shall, in consultation with the Department of Education, screen and evaluate drug abuse books, pamphlets, literature, movies, and other audiovisual aids and prepare and disseminate lists of such recommended materials to schools, public libraries, drug information centers, and other such public and private agencies.

Article 3 The State Drug Advisory Board

4337. There is a State Drug Advisory Board to assist the director in carrying out the provisions of this division

4338. The board shall consist of not more than 16 members. The membership of the board shall include all of the following:

(a) The Attorney General or his authorized representative.

(b) The Superintendent of Public Instruction or his authorized representative.

(c) One member appointed by the Speaker of the Assembly who shall hold office for two years.

(d) One member appointed by the Senate Rules Committee who shall hold office for two years.

(e) One member appointed by the Regents of the University of California, experienced in drug abuse treatment programs or services, who shall hold office for two years.

(f) Eleven public members who shall be appointed by the Governor, as follows:

(1) Two public members shall be persons who have been nominated by the California Conference of Local Mental Health Directors and who shall hold office for two years

(2) One public member shall be a county drug abuse program coordinator who shall hold office for two years

(3) Two public members shall be representatives of public drug abuse programs and two public members shall be representatives of private drug programs, including methadone and nonmethadone treatment programs, who shall hold office for two years

(4) Two public members shall be former drug abusers who have completed a rehabilitation program and who are skilled in drug treatment services, who shall hold office for one year.

(5) Two public members shall be local law enforcement officers experienced in drug abuse, who shall hold office for two years.

4339. The members of the board shall serve without compensation but shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties under this chapter.

The board shall meet at least quarterly, and on call of the board chairman as often as necessary to fulfill its duties. All meetings and records of the board shall be open to the public.

The board shall, by majority vote of the voting members, elect its own chairman from among the members, and shall establish such committees as it deems necessary or desirable. The board chairman shall appoint all members of committees of the board.

4340. The board shall have the powers and authority necessary to carry out the duties imposed upon it by this article, including, but not limited to, the following:

(a) To advise the director on the development of the state five-year plan for drug abuse treatment programs and the system of priorities contained in that plan

(b) To periodically review drug abuse treatment services in this state, and prepare such reports as necessary for the Governor, the Legislature, the director, and the State Health Planning Council.

(c) To suggest rules, regulations and standards for the administration of this chapter.

(d) To accept any federal fund granted, by act of Congress or by executive order, for purposes within the purview of the board, subject to the approval of the Department of Finance.

(e) To accept any gift, donation, bequest, or grants of funds from private and public agencies for all or any of the purposes within the purview of the board, subject to the approval of the Department of Finance.

(f) The board may utilize such staff of the central and regional offices of the department and the University of California as are available, and such staff of all other public or private agencies which have an interest in the drug treatment programs and which are able and willing to provide such services.

4341. The department shall consult with, and seek the advice of, the board prior to adopting any rules or regulations pursuant to this chapter.

Article 4. Methadone Programs

4350. The Legislature finds that it is in the best interests of the health and welfare of the people of this state to coordinate methadone programs and to establish minimum requirements for the operation of all methadone programs in this state.

4351. In addition to the duties authorized by other provisions, the department shall have all of the following powers:

(a) Exclusive authority to approve the establishment of methadone programs in this state and shall establish the criteria for the eligibility of patients to be included in the programs, program operation guidelines, such as dosage levels, recordkeeping and reporting, urinalysis requirements, take-home doses of methadone, security against re-

distribution of the drug and any other regulations which, in its discretion, the department finds are necessary to protect the safety and well-being of the patient and the public and to carry out the provisions of this chapter. The arrest and conviction records and the records of pending charges against any person seeking admission to a methadone program shall be furnished to methadone program directors upon written request of the methadone program director provided such request is accompanied by a signed release from the person whose records are being requested.

(b) To monitor methadone programs in this state to insure that the programs are operating within promulgated regulations.

(c) To study and evaluate, on an on-going basis, methadone programs in this state and annually report to the Legislature on the effectiveness and needs of the programs

(d) To provide advice, consultation, and technical assistance to methadone programs.

(e) In its discretion, to approve local agencies or bodies to assist it in carrying out the provisions of this chapter

(f) It is the intent of the Legislature in enacting this section in order to protect the general public, that self-administered dosage shall only be provided when the patient is clearly adhering to the requirements of his program, and where daily attendance at a clinic would be incompatible with gainful employment, education, and responsible homemaking The director shall define "satisfactory adherence" and shall ensure that patients not satisfactorily adhering to their program shall not be provided take-home dosage

4352 In addition to the duties authorized by other provisions, the department shall be responsible for approving methadone programs established by the county mental health program, pursuant to Division 5 (commencing with Section 5000)

No such programs shall be established without the prior approval of the department The department may approve such programs on an in-patient or outpatient basis, or both.

4353. The department shall not approve the establishment of a methadone program without a written application by the treatment facility which meets evaluative criteria required by the department

The department shall require that all information and records obtained in the course of conducting a methadone program shall be subject to the confidentiality and disclosure provisions contained in Article 7 (commencing with Section 5325) of Chapter 2 of Part 1 of Division 5.

4354 It is the intent of the Legislature in authorizing methadone programs to provide a means whereby the patient may be rehabilitated and will no longer be forced to resort to illegal activities in order to support a dependency on heroin. It is, therefore, the intent of the Legislature that each methadone program shall have a strong rehabilitative element, including, but not limited to, individual and group therapy, counseling, vocational guidance, and job and education counseling The Legislature declares the ultimate goal of all methadone programs shall be to aid the patient in altering his life style and eventually to eliminate all dependency on drugs.

The department shall promulgate such regulations as are necessary to insure that every program is making a sustained effort to end the drug dependency of the patients on its program.

4355. The department shall establish criteria for acceptable performance from those laboratories performing urinalysis or other body fluid analysis and shall not permit utilization of laboratories unable to meet an acceptable level of performance. The results of any performance evaluation of any laboratory shall immediately be made available to the local programs upon request Nothing in this section shall prohibit body fluid analysis to be performed by the methadone program upon approval of the department.

4356. The department shall establish a statewide identification card to be issued to methadone patients. The department shall also institute or provide for a system to prevent multiple program registration by methadone patients The system shall utilize data which protects the personal identity of the patient The department may participate in such a system developed and operated at the federal level, if there is one, if in the discretion of the department it satisfactorily prevents multiple program participation and is budgetarily feasible. The information obtained in the course of instituting the system shall be subject to the confidentiality and disclosure provisions contained in Article 7 (commencing with Section 5325) of Chapter 2 of Part 1 of Division 5.

Article 5. Methadone Program Body Fluids Testing

4360. Prior to July 1, 1973, the department shall adopt and publish such rules and regulations to be used in approving and governing the operation of laboratories engaging in the performance of tests referred to in Section 4361, including, but not limited to, the qualifications of the employees of such laboratories who perform such tests, as it determines are reasonably necessary to insure the competence of such laboratories and employees to prepare, analyze, and report the results of such tests

4361 On and after July 1, 1973, the testing of urine or other body fluid analysis for the methadone programs operating in the state shall be performed only by a laboratory approved and licensed by the department for the performance of such tests.

4362. Each laboratory in this state which performs the test referred to in Section 4361 shall be licensed by the director Each such laboratory, other than a laboratory operated by the state, county, city, city and county, or other public agency, or a clinical laboratory licensed pursuant to subdivision (f) of Section 1300 of the Business and Professions Code, shall, upon application for licensing, pay a fee to the department in an amount to be determined by the department, which will reimburse the department for the costs incurred by the department in the issuance and renewal of such licenses, but not to exceed one hundred dollars ($100) On or before July 1 of each year thereafter, each such laboratory shall pay to the department a fee so determined by the department, not to exceed one hundred dollars ($100), for the renewal of its license.

4363. On and after July 1, 1973, the department shall enforce the provisions of this article and such rules and regulations as are adopted by the department.

4364. On or after July 1, 1973, the department shall annually publish a list of approved and licensed laboratories engaging in the performance of tests referred to in Section 4361.

4365. Every laboratory which has been approved and for which a license has been issued shall be periodically inspected by a duly authorized representative of the department Reports of each such inspection shall be prepared by the representative conducting it upon forms prepared and furnished by the department and shall be filed with the department.

4366. Any license issued pursuant to Section 4362 may be suspended or revoked by the director for any of the reasons set forth in Section 4367. The director may refuse to issue a license to any applicant for any of the reasons set forth in Section 4367. Any proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have the powers and duties granted therein

4367. The director may deny a license if any of the following apply to the applicant, or any partner, officer, or director thereof·

(a) Such person fails to meet the qualifications established by the state department pursuant to this chapter for the issuance of the license applied for.

(b) Such person was previously the holder of a license issued under this chapter, which license has been revoked and never reissued or which license was suspended and the terms of the suspension have not been fulfilled.

(c) Such person has committed any act involving dishonesty, fraud, or deceit, whereby another was injured or whereby applicant has benefited.

4368 The director may suspend, revoke, or take other disciplinary action against a licensee as provided in this chapter, if the licensee or any partner, officer, or director thereof does any of the following:

(a) Violates any of the regulations promulgated by the department pursuant to this article

(b) Commits any act of dishonesty, fraud or deceit, whereby another is injured or whereby the licensee benefited

(c) Misrepresents any material fact in obtaining a license.

4369 The director may take disciplinary action against any licensee after a hearing as provided in this article by any of the following·

(a) Imposing probation upon terms and conditions to be set forth by the director.

(b) Suspending the license.

(c) Revoking the license.

4370. All accusations against licensees shall be filed within three years after the act or omission alleged as the ground for disciplinary action, except that with respect to an accusation alleging a violation of subdivision (c) of Section 4368, the accusation shall be filed within two years after the discovery by the department of the alleged facts

constituting the fraud or misrepresentation prohibited by such section.

4370.5. After suspension of the license upon any of the grounds set forth in this article, the license shall not be reinstated or reissued within a period of one year after the effective date of revocation After one year after the effective date of the revocation the department may reinstate the license upon proof of compliance by the applicant with all provisions of the decision as to reinstatement.

Article 6. Narcotics and Drug Program Licensing

4390. Except as otherwise provided in Section 4391, on and after July 1, 1973, no person, association, or corporation shall be eligible to receive state funds by way of appropriation in support of any drug abuse program, or in support of any drug abuse component of any Short-Doyle plan established pursuant to Part 2 (commencing with Section 5600) of Division 5, unless such person has first obtained a written license or permit therefor from the department, maintain or conduct a drug abuse program in any halfway house, free clinic, residential program, drop-in center, nonresidential program, or which provides any other service or program that represents itself either through name, advertisement, practice, or reputation to provide any service of care, treatment, counseling, or rehabilitation to drug abusers or drug addicts

4391 The provisions of this article shall not apply to any of the following·

(a) Hospitals, clinics, institutions, or facilities providing any service of care, treatment, counseling, or rehabilitation to drug abusers or addicts required on the effective date of this article by other provisions of law to be licensed, regulated, accredited, or approved It is the intent of the Legislature that the hospitals, clinics, institutions, or facilities exempted shall meet or exceed the minimum requirements of similar programs licensed under this article

(b) Private institutions conducted by and for persons who adhere to the faith of any well-recognized church or religious denomination for the purpose of providing care, treatment, counseling, or rehabilitation to drug abusers or drug addicts and who rely solely upon prayer or spiritual means for healing in the practice of religion of such church or denomination.

(c) Facilities, institutions, or programs which, in the discretion of the department, provide services to drug abusers or drug addicts which are only informational and educational in nature

(d) Nothing in this article shall prohibit any person, association or corporation described in Section 4390, which is not receiving funds under a Short-Doyle plan, from voluntarily seeking a license pursuant to Section 4390

4392 The department shall develop and adopt such standards and regulations as it deems necessary for promoting the health, well-being, and safety of the general public and the persons served by any program described in Section 4390 and may contract with any unit of state, county, or city government to satisfy the provisions of this article.

4393. The department may, by any duly authorized representative, inspect and examine any such institution, facility, or program. Such inspection or examination shall be made not less than once each year.

The cost of any licensing, approval or accrediting of programs described in Section 4390 for which the department contracts with any unit of state, county, or city government shall be borne by the state in the amount found necessary by the department for the proper and efficient administration of this article, but not to exceed in any fiscal year an amount equal to sixty-five dollars ($65) for each new or renewal license granted Such maximum may be exceeded if the state, county, or city government unit with whom the department contracts demonstrates to the satisfaction of the department that the excess costs are unavoidable. Claims shall be filed with the department at the time and in the manner specified by the department for reimbursement of the expenses incurred.

4394 In carrying out the provisions of this article, the department shall do all of the following:

(a) Develop and adopt such standards and regulations for the operation of programs affected by this article as will, to the degree possible, promote the health, safety, and well-being of the general public and the persons served by such programs

(b) Prior to July 1, 1973, provide ample notice to the programs affected by this article of such standards and regulations adopted by the department as to permit them to make any alterations or changes in the operation of their programs to conform to such standards and regulations.

(c) By January 1 of 1974 and each year thereafter, publish a list of those institutions, facilities or programs licensed, approved, or accredited under this article.

4395. A permit or license issued under this article shall expire one year from the date of its issuance and shall be renewed automatically upon application for renewal made pursuant to Section 4396, unless notice of nonrenewal be given to the licensee at least 30 days prior to expiration date of the license

4396. Application for a renewal of a permit or a license shall be filed, accompanied by the renewal fee established by the department pursuant to Section 4394, 30 days prior to its expiration. If such application is not so filed, such license or permit is automatically canceled, unless the applicant establishes reasonable grounds for his delay in filing Where a hearing is held under this section, the proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the department shall have all the powers granted therein.

4397. Failure to comply with any rule or regulation promulgated under Section 4394 is cause for revocation of or suspension of a permit or license by the department Any person whose permit or license is revoked or suspended shall have the right to appeal to the department. The proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the department shall have all the power granted therein.

4398. No license shall be transferred. Neither the location of any institution, facility, program, or other place specified in Section 4390, nor the place of performance of any service specified therein, shall be changed without the prior written consent of the department.

4399. Upon adoption of final regulations, or amendments thereto, the department shall transmit copies thereof to the Legislature within the first 60 calendar days of a regular session of the Legislature. The final regulations, or amendments thereto, shall take effect on the 91st day after receipt of such regulations, or amendments thereto, by the Legislature

SEC. 17. Section 4330 is added to the Welfare and Institutions Code, to read:

4330. As used in this chapter:

(a) "Board" means the State Drug Advisory Board.

(b) "Department" means the State Department ~~of Health~~.

(c) "Director" means the Director of Health.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC 18. Section 5617 of the Welfare and Institutions Code is repealed.

~~5617. A county mental health service may include a program for the continuing treatment of narcotic addition by methadone.~~

~~Such a program may be established only if the Research Advisory Panel approves thereof pursuant to Section 11655.7 of the Health and Safety Code.~~

~~The establishment of such a program is also subject to the approval of the Department of Mental Hygiene as a part of the county Short-Doyle plan.~~

SEC. 19. Section 5618 of the Welfare and Institutions Code is repealed.

~~5618. The Department of Mental Hygiene shall study and evaluate, on an ongoing basis, all methadone maintenance programs established pursuant to Section 5617, and provide any appropriate assistance and advice to such programs.~~

~~The department shall also establish guidelines for the arrangements between local mental health facilities and county probation departments enabling methadone maintenance to serve as an alternative to commitment to the California Rehabilitation Center at Corona.~~

SEC. 20. Section 5619 of the Welfare and Institutions Code is amended to read:

5619. A county mental health service may provide for the care and treatment of juveniles; ~~including those who are determined by the juvenile court to be in need of care and treatment as a result of misuse of dangerous drugs or addiction to narcotics~~.

SEC. 21. Section 5620 of the Welfare and Institutions Code, as added by Chapter 1162 of the Statutes of 1971, is repealed

~~5620. The department shall each year transmit to the State Office of Narcotics and Drug Abuse the portion of each county Short-Doyle plan which relates to drug abuse and shall each year transmit to the Office of Alcohol Program Management the portion of the annual county Short-Doyle plan which relates to alcoholism.~~

~~The portion of the annual county Short-Doyle plan so transmitted to the State Office of Narcotics and Drug Abuse shall constitute the coordinated countywide community drug abuse control plan required by Section 1171 of the Health and Safety Code. The portion of the annual county Short-Doyle plan relating to drug abuse shall include~~

~~the elements required by Section 1171 of the Health and Safety Code.~~

SEC. 22 Section 5651 of the Welfare and Institutions Code is amended to read:

5651. The county Short-Doyle plan shall include the following:

(a) A description of the persons to be served. This shall include the number of persons to be served in each of the following target groups: general mental disorder, children and adolescents, alcoholism, ~~drug abuse,~~ and mentally retarded. Each target group shall be further categorized by age groups.

(b) A description of all the comprehensive direct service programs to be provided to each target group. This shall include the state, county, and private resources providing the services, the cost of each comprehensive program, and the cost of each major program element within each comprehensive program.

(c) A description of the indirect and supportive services necessary for the operation of the county's mental health program This shall include consultation and education services available to community agencies and professional personnel and information services to the general public, ~~including drug counseling services offered in public schools,~~ training research and evaluation. The plan shall also include the cost of each of these services.

(d) A five-year projection of county needs for each target group commencing with the fiscal year for which the plan is adopted. This projection shall include a priority listing of the resources required to meet the needs of each target group, and the estimated cost of developing and acquiring these resources

(e) An estimate of the county's utilization of the state hospital by numbers of admissions and patient days for the succeeding fiscal year. This requirement shall not apply to patients for whom county expenditures for services are not reimbursable by the state under this part

The State Department of Mental Hygiene shall provide the counties, to the extent possible, the information upon which to base this estimate

No mentally disordered person or person afflicted with alcoholism shall be admitted to a state hospital prior to screening and referral by an agency designated by the county Short-Doyle plan to provide this service.

(f) A detailed presentation of all expected expenditures of county, state, and federal government funds and all anticipated public and private revenues.

(g) A detailed description of the methodology to be used by the county for evaluating the results of the programs and services being provided for each target group This methodology shall permit program evaluation including the relative cost and effectiveness of alternative forms and patterns of services.

(h) A description of the procedures used to insure citizen and professional involvements in the county's mental health planning process at all stages of its development Such procedures shall be reviewed and approved by the local mental health advisory board.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed

SEC. 23. Section 5651 is added to the Welfare and Institutions Code, to read:

5651. The county Short-Doyle plan shall include the following:

(a) A description of the persons to be served This shall include the number of persons to be served in each of the following target groups: general mental disorder, children and adolescents, alcoholism, and mentally retarded. Each target group shall be further categorized by age groups.

(b) A description of all the comprehensive direct service programs to be provided to each target group. This shall include the state, county, and private resources providing the services, the cost of each comprehensive program, and the cost of each major program element within each comprehensive program.

(c) A description of the indirect and supportive services necessary for the operation of the county's mental health program. This shall include consultation and education services available to community agencies and professional personnel and information services to the general public, training research and evaluation. The plan shall also include the cost of each of these services.

(d) A five-year projection of county needs for each target group commencing with the fiscal year for which the plan is adopted. This projection shall include a priority listing of the resources required to meet the needs of each target group, and the estimated cost of developing and acquiring these resources.

(e) An estimate of the county's utilization of the state hospital by numbers of admissions and patient days for the succeeding fiscal year. This requirement shall not apply to patients for whom county expenditures for services are not ~~reimbursable~~ by the state under this part.

The State Department of Health shall provide the counties, to the extent possible, the information upon which to base this estimate.

No mentally disordered person or person afflicted with alcoholism shall be admitted to a state hospital prior to screening and referral by an agency designated by the county Short-Doyle plan to provide this service

(f) A detailed presentation of all expected expenditures of county, state, and federal government funds and all anticipated public and private revenues

(g) A detailed description of the methodology to be used by the county for evaluating the results of the programs and services being provided for each target group This methodology shall permit program evaluation including the relative cost and effectiveness of alternative forms and patterns of services.

(h) A description of the procedures used to insure citizen and professional involvement in the county's mental health planning process at all stages of its development. Such procedures shall be reviewed and approved by the local mental health advisory board

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative

SEC. 24. Section 5654 of the Welfare and Institutions Code is amended to read:

5654. The county may elect to provide evaluation and treatment services for persons who are ~~dangerous to themselves or others as a~~

~~result of the use of narcotics or restricted dangerous drugs, or for persons who are~~ impaired by chronic alcoholism, who are criminal defendants receiving services pursuant to Article 3 (commencing with Section 5225) of Chapter 2 of Part 1 of this division, or who are voluntary patients. The county Short-Doyle plan shall designate the specific facility or facilities for evaluation and treatment of such persons who are criminal defendants, or who are voluntary patients, and shall specify the maximum number of patients that can be served at one time by each such facility

SEC 25 Part 3 (commencing with Section 5800) is added to Division 5 of the Welfare and Institutions Code, to read:

PART 3 COMMUNITY DRUG ABUSE CONTROL

CHAPTER 1. GENERAL PROVISIONS

5800. The Legislature recognizes that drug abuse should be viewed and treated as a health problem, as well as a law enforcement problem. The drug abuse problem has a significant public impact and must, in addition to law enforcement, be given community, educational, social, and health attention if prevention and amelioration is to be achieved These approaches should be coordinated into a multiagency and multifaceted program for drug abuse control in the counties of the state.

5801 As used in this part:

(a) "Coordinator" means the county drug program coordinator designated pursuant to Section 5802.

(b) "Advisory board" means the county drug advisory board established pursuant to Section 5804.

(c) "Department" means the State Department of Mental Hygiene.

(d) "Director" means Director of Mental Hygiene.

This section shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on such date is repealed

5802 The local mental health director shall serve as county drug program coordinator unless the board of supervisors determines otherwise. In such instance, the board of supervisors may designate either the chief administrative officer of the county or the head of the county agency responsible for the overall health services for the county as county drug program coordinator.

5803. The county drug program coordinator shall have the following powers and duties.

(a) He shall be responsible for the preparation of the drug program portion of the county Short-Doyle plan.

(b) He shall exercise general supervision over the drug program services provided under the county Short-Doyle plan

(c) He shall recommend to the board of supervisors, after consultation with the advisory board, if there be one, the provision of services, establishment of facilities, contracting for services or facilities and other matters necessary or desirable in accomplishing the purposes of this chapter.

(d) He shall submit an annual report to the board of supervisors reporting all activities of the drug program, including a financial accounting of expenditures and a forecast of anticipated needs for the ensuing year.

(e) He shall carry on such studies as may be appropriate for the discharge of his duties, including the prevention and treatment of drug abuse.

(f) He shall be responsible for the on-going coordination of all public and private drug abuse programs and services in the county.

(g) He shall administer all drug program funds allocated to the county under this part. No drug program funds allocated to the counties under this part shall be expended without the prior approval of the coordinator.

(h) He shall be responsible to the board of supervisors, through administrative channels designated by the board of supervisors, for the drug program of the county.

5804. There is hereby established in each county with a population of 40,000 or more persons a county drug advisory board consisting of 17 members, as follows:

(a) The sheriff.

(b) The county superintendent of schools.

(c) The district attorney.

(d) The county probation officer.

(e) The county mental health director, unless such officer has been designated as the county drug program coordinator.

(f) The following members appointed by the board of supervisors who shall serve at the pleasure of the board of supervisors:

(1) Four members representing private treatment programs, two of whom shall represent youth-oriented programs.

(2) One member who shall be a practicing physician.

(3) One member who shall be a clergyman.

(4) Two members who shall be selected from the members of the county mental health advisory board.

(5) Two members of the general public, unless the county mental health director is also the county drug program coordinator, in which case there shall be three members from the general public

(6) A member of the board of supervisors.

(7) Two former drug abusers who have completed a rehabilitation program and who are skilled in drug treatment services

(g) Nothing in this article shall prohibit a county drug advisory board from containing members in addition to those listed in this section, except that state funds may not be used for reimbursement of any expenses incurred by the additional members.

5805 The county drug advisory board shall:

(a) Review and evaluate the community's drug program needs, services, facilities, and special problems.

(b) Review the drug program portion of the county Short-Doyle plan.

(c) After adoption of a program, continue to act in an advisory capacity to the coordinator.

(d) Report its findings and recommendations to the county drug program coordinator

5806. The board of supervisors shall designate one member of the advisory board to serve as chairman. The advisory board shall meet at

least quarterly and may meet at such other intervals as may be deemed necessary by the chairman of the advisory board. The members of the advisory board shall serve without compensation but shall be reimbursed for any actual and necessary expenses incurred in connection with their duties under this part. All meetings of the advisory board shall be open to the public.

5807. Any counties which establish a joint mental health service pursuant to Part 2 (commencing with Section 5600) of this division shall provide for a joint drug program for such counties. In such case, "county," as used in this part, means the several counties jointly and "board of supervisors," as used in this part, means boards of supervisors of such counties acting jointly. The provisions of Sections 5611 and 5612 apply to the joint drug program for such counties

5808. The department shall administer this part and shall adopt such rules, regulations and standards as are necessary to carry out the provisions of this part.

5809. The provisions of Part 2 (commencing with Section 5600) of this division apply to a county drug program provided under this part except to the extent such provisions are inconsistent with this part.

5810. The department, with the approval of the Secretary of the Human Relations Agency, may contract with any public or private agency for the performance of any of the functions vested in the department by this part Any state department is authorized to enter into such a contract.

CHAPTER 2. THE DRUG PROGRAM PORTION OF THE COUNTY SHORT-DOYLE PLAN

5820. Not later than 61 days after the effective date of this section, and on or before October 1 of each year, commencing with October 1 of 1973, the board of supervisors of each county or boards of supervisors of each county acting jointly shall adopt the drug abuse portion of the county Short-Doyle plan as an integral part of the annual county Short-Doyle plan and shall submit the plan to the director in the form and according to the procedures specified by the director. The drug program portion of the annual county Short-Doyle plan shall be the plan for the next fiscal year for drug program services in the county or counties The purpose of a county plan shall be to provide the basis for reimbursement pursuant to the provisions of this division and to coordinate services as specified in this part in such a manner as to avoid duplication, fragmentation of services and unnecessary expenditures

5821. The drug program portion of the county Short-Doyle plan shall provide for the development, through the utilization of state, local, public, and private resources, of adequate services and facilities for the prevention of drug abuse and for the treatment and rehabilitation of drug abusers.

5822 The drug abuse program portion of the county Short-Doyle plan shall include:

(a) A description of the target groups of persons to be served This shall include the number of persons to be served in each target group. Each target group shall be categorized by age groups.

(b) A description of all the comprehensive direct service programs and the indirect and supportive services to be provided to the target groups. This shall include the state, county, and private resources providing the services, the cost of each comprehensive program, and the cost of each major program element within each comprehensive program.

(c) A comprehensive program which shall include, but not be limited to, consultation and education services to community agencies and professional personnel, information services to the general public, education and prevention, detoxification treatment and other treatment and referral services, rehabilitation, program evaluation and coordination of programs and other community resources.

In developing the program plan, the county drug program coordinator shall describe the program contributions to be made by educational institutions, health agencies, the district attorney, the sheriff, police department, probation department, private drug treatment programs, state departments operating or supporting community-based drug programs within the county and other appropriate agencies Such agencies shall cooperate with the coordinator in the development of the plan.

(d) A five-year projection of county needs for the target groups commencing with the fiscal year for which the county Short-Doyle plan is adopted. This projection shall include a priority listing of the resources required to meet the needs of the target groups, and the estimated cost of developing and acquiring these resources

(e) An estimate of the county's utilization of the state hospital by numbers of drug abuse patient admissions and patient days for the succeeding fiscal year. This requirement shall not apply to patients for whom county expenditures for services are not reimbursable by the state under this part

The department shall provide the counties, to the extent possible, the information upon which to base this estimate

(f) A detailed presentation of all expected expenditures of county, state, and federal government funds and all anticipated public and private revenues

(g) A detailed description of the methodology to be used by the county for evaluating the results of the programs and services being provided for the target group This methodology shall permit program evaluation including the relative cost and effectiveness of alternative forms and patterns of services

(h) A description of the procedures used to insure citizen and professional involvement in the county's drug program planning process at all stages of its development Such procedures shall be reviewed and approved by the county drug advisory board if there be one in the county

5823. When the county Short-Doyle plan is submitted to the director it shall be accompanied by a document indicating the drug program portion of the plan has been reviewed by the county drug advisory board if there be one in the county.

5824 In developing the drug program portion of the county Short-Doyle plan, optimum use shall be made of appropriate local public and private organizations, community professional personnel, and state

agencies Optimum use shall also be made of federal, state, county, and private funds which may be available for drug program planning.

In order that maximum utilization be made of federal and other funds made available to the State Department of Rehabilitation, the State Department of Rehabilitation may serve as a contractual provider under the provisions of a county Short-Doyle plan of vocational rehabilitation services for drug abusers.

5825 A county drug program may provide for the care and treatment of juveniles, including those who are determined by the juvenile court to be in need of care and treatment as a result of the misuse of dangerous drugs or addiction to narcotics.

5826 The county may elect to provide evaluation and treatment services for persons who are dangerous to themselves or others as a result of the use of narcotics or restricted dangerous drugs, or for persons who are drug abusers and are criminal defendants pursuant to Article 3 (commencing with Section 5225) of Chapter 2 of Part 1 of this division or for persons who are voluntary drug abuse patients. The drug program portion of the county Short-Doyle plan shall designate the specific facility or facilities for evaluation and treatment of such persons and shall specify the maximum number of patients that can be served at one time by each such facility.

5827. After the drug program portion of the county Short-Doyle plan is prepared by the coordinator and reviewed by the county drug advisory board, if there be one in the county, the coordinator shall submit the plan to the board of supervisors of the county for adoption as a part of the county Short-Doyle plan The board of supervisors shall adopt such plan and submit it to the department by the date specified in Section 5820

5829. The director shall review and approve the drug program portion of each annual Short-Doyle plan and make allocations to counties in accordance with the provisions of Part 2 (commencing with Section 5600) of this division, except as provided in this part Each county receiving an allocation for its drug program shall make claims for its expenditures and shall be reimbursed pursuant to the provisions of Part 2 (commencing with Section 5600) of this division If the county contracts with a private person or agency or nonprofit corporation for the providing of drug program services, the state's share of the cost of the drug program of the county approved in the county Short-Doyle plan shall be 90 percent, the county's share shall be 8 percent, and the share of the private person or agency or nonprofit corporation shall be 2 percent

5830. The drug program portion of the county Short-Doyle plan shall not be subject to the review of the local mental health advisory board

5831. A county mental health service may include a program for the continuing treatment of narcotic addiction by methadone.

Such a program may be established only if the department approves thereof pursuant to Section 4351 of the Welfare and Institutions Code

The establishment of such a program is also subject to the approval of the department as a part of the county Short-Doyle plan.

SEC 26. Section 5801 is added to the Welfare and Institutions Code, to read:

5801. As used in this chapter:

(a) "Coordinator" means the county drug program coordinator designated pursuant to Section 5802.

(b) "Advisory board" means the county drug advisory board established pursuant to Section 5804.

(c) "Department" means the State Department of Health.

(d) "Director" means Director of Health.

This section shall become operative on the same date as Reorganization Plan No. 1 of 1970 becomes operative.

SEC. 27. Part 4 (commencing with Section 5900) is added to Division 5 of the Welfare and Institutions Code, to read:

PART 4. REGISTRATION OF NARCOTICS AND DRUG ABUSE PROGRAMS

5900. As used in this part, "coordinator" means the county drug program coordinator designated pursuant to Section 5802.

5901. As used in this part, "narcotic and drug abuse program" means any program which provides any service of care, treatment, rehabilitation, counseling, vocational training, self-improvement classes or courses, methadone maintenance treatment, methadone detoxification treatment, or other medication services for detoxification and treatment, and any other services which are provided either public or private, whether free of charge or for compensation, which are intended in any way to alleviate the problems of narcotic addiction or habituation or drug abuse addiction or habituation or any problems in whole or in part related to the problem of narcotics addiction or drug abuse, or any combination of such problems.

5901 5. A narcotic and drug abuse program includes, but is not limited to:

(a) Halfway houses, which are those places which provide a residential setting and which provide such services as detoxification, counseling, care, treatment, and rehabilitation in a live-in facility.

(b) Drop-in centers, which are any places which are established for the purpose of providing counseling, advice, or a social setting for one or more persons who are attempting to understand, alleviate or cope with their problems of narcotics addiction or drug abuse.

(c) Crisis lines, which are those services which provide a telephone answering service which provides, in whole or in part, a crisis intervention, counseling or referral or a source of general narcotics or drug abuse information.

(d) Free clinics, which are those places which are established for the purpose, either in whole or in part, of providing any medical or dental care or any social services or any treatment or referral to such services for those persons recognized as having a problem of narcotics addiction or drug abuse.

(e) Detoxification centers, which are those places established for the purpose of detoxification from narcotics or dangerous drugs, regardless of whether or not narcotics, restricted dangerous drugs, or other medications are administered in said detoxification and regardless of

whether detoxification takes place in a live-in facility or on an outpatient basis.

(f) Methadone programs, which are any programs, whether inpatient or outpatient, which offer methadone maintenance, detoxification or other services in conjunction with such methadone maintenance or detoxification, and those programs which provide supportive services to such methadone maintenance or detoxification programs.

(g) Nonspecific drug programs, which are those programs not specifically mentioned above but which provide or offer to provide, in whole or in part, for counseling, therapy, referral, advice, care, treatment or rehabilitation as a service to those persons suffering from narcotics addiction, drug habituation or other narcotics and drug abuse related problems which are either physiological or psychological in nature

5902 The coordinator of each county shall establish and maintain a registry of all narcotics and drug abuse programs within the county in order to promote a coordination of effort in the county

5903. Each narcotic and drug abuse program in a county shall register with the coordinator of the county not later than 90 days after the effective date of this section and shall register thereafter on or before July 1, 1973, and on or before July 1 of each year thereafter. Any narcotics and drug abuse program established after July 1, 1973, or after July 1 of any year thereafter shall register within 30 days after being established

5904 Registration under this division shall include registration of all of the following information concerning the particular narcotic or drug abuse program registering:

(a) A description of the services, programs, or activities provided by the narcotic or drug abuse program and the types of patients served

(b) The address of each facility at which the services, programs or activities are furnished.

(c) The names and addresses of the persons or agencies responsible for the direction and operation of the narcotic and drug abuse program.

5905. Registration under this part does not constitute the issuance of a license required by Article 6 (commencing with Section 4390) of Chapter 3 of Part 1 of Division 4, nor the approval or endorsement of the narcotic or drug abuse program by any state or county officer, employee or agency

5906 For the purpose of this division, registration shall not be required for those programs that provide drug abuse education in public or private schools as a matter of and in conjunction with a general education of students This division does not require registration of law enforcement agencies which provide drug abuse education in the course of their normal performance of duties Nothing in this division shall prohibit registration of such programs of education or law enforcement if such law enforcement and education agencies so desire

SEC. 28. Any county Short-Doyle plan approved by the Director

of Mental Hygiene for the 1972–73 fiscal year may be amended by the county within 30 days after the effective date of this act, to provide for new or expanded drug program services during the 1972–73 fiscal year If the Director of Mental Hygiene approves such amended plan and allocates additional state funds, if such are available, for such new and expanded drug program services, the county to which such funds are allocated shall maintain its adopted 1972–73 Short-Doyle program efforts; provided, however, that the local matching funds included in such 1972–73 program shall be recognized by the director in determining the required local matching funds.

SEC. 28 5. This act shall be known and may be cited as the Campbell-Moretti-Deukmejian Drug Abuse Treatment Act

SEC. 29. It is the intent of the Legislature, that, if Reorganization Plan No 1 of 1970 becomes operative, Sections 4330 and 5801 of the Welfare and Institutions Code, as added by Sections 19 and 26, respectively, of this act, shall remain in effect only until Reorganization Plan No. 1 of 1970 becomes operative and on that date Sections 4330 and 5801 of the Welfare and Institutions Code, as added by Sections 19.5 and 26 5, respectively, of this act, which include the changes made by both Reorganization Plan No. 1 of 1970 and Sections 19 and 26 of this act, shall become operative.

SEC 30. It is the intent of the Legislature, that, if Reorganization Plan No 1 of 1970 becomes operative, Section 11391 of the Health and Safety Code and Section 5651 of the Welfare and Institutions Code, as amended by Sections 6 and 24, respectively, of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Section 11391 of the Health and Safety Code and Section 5651 of the Welfare and Institutions Code, as added by Sections 7 and 24.5, respectively, of this act, which include the changes in such sections made by both Reorganization Plan No. 1 of 1970 and Sections 6 and 24 of this act, shall become operative

SEC. 31 The sum of eight million three hundred fifty thousand dollars ($8,350,000) is hereby appropriated from the General Fund to the Human Relations Agency, to be allocated, with the approval of the Director of Finance, for the purposes of carrying out the provisions of this act

SEC. 32 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

There is a severe lack of coordination in existing drug abuse programs and in the provision of treatment facilities for drug abusers In order that this situation may be alleviated at the earliest possible time, it is necessary for this act to take effect immediately "

Amendment No. 3

On page 2, strike out lines 2 to 18, inclusive; and strike out pages 3 to 87, inclusive.

Senate Amendments of November 20, 1972

Amendment No. 1

In the title of the printed bill, as amended in Senate November 9, 1972, strike out lines 1 to 45, inclusive, and insert

"An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10 5 (commencing with Section 11901), 10.8 (commencing with Section 11940), and 10.9 (commencing with Section 11990) of, the Health and Safety Code, and to amend Sections 1803, 12806, 12809, 13202, 13355 5, and 13800 of the Vehicle Code, relating to controlled substances "

Amendment No. 2

On page 4, strike out line 2, and insert

"SECTION 1 Section 2391 of the Business and Professions Code, as amended by Chapter 1805 of the Statutes of 1971, is amended to read

2391 Unless otherwise provided by this section, the prescribing, selling, furnishing, giving away or administering or offering to prescribe, sell, furnish, give away or administer any of the drugs or compounds mentioned in Section 2390 to a habitué or addict constitutes unprofessional conduct within the meaning of this chapter

If the drugs or compounds are administered or applied by a licensed physician and surgeon of this state or by a registered nurse acting under his instructions and supervision, this section shall not apply to any of the following cases·

(a) Emergency treatment of a patient whose addiction is complicated by the presence of incurable disease, serious accident or injury, or the infirmities attendant upon age

(b) Treatment of habitués or addicts in institutions approved by the board where the patient is kept under restraint and control, or in city or county jails or state prisons.

(c) Treatment of addicts as provided for by Section 11217 5 of the Health and Safety Code

SEC 2. Division 10 (commencing with Section 11000) of the Health and Safety Code is repealed

SEC 3 Division 10 (commencing with Section 11000) is added to the Health and Safety Code, to read

DIVISION 10. UNIFORM CONTROLLED SUBSTANCES ACT

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

11000. This division shall be known as the "California Uniform Controlled Substances Act "

11001 Unless the context otherwise requires, the definitions in this chapter govern the construction of this division

11002 "Administer" means the direct application of a controlled

substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient for his immediate needs or to the body of a research subject by any of the following:

(a) A practitioner or, in his presence, by his authorized agent.

(b) The patient or research subject at the direction and in the presence of the practitioner.

11003. "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman

11004. "Attorney General" means the Attorney General of the State of California.

11005 "Board of Pharmacy" means the California State Board of Pharmacy

11006. "Chief" means the Chief of the Bureau of Narcotic Enforcement of the State Department of Justice

11007 "Controlled substance" means a drug, substance, or immediate precursor which are included in Schedules I through V, inclusive, pursuant to Chapter 2 (commencing with Section 11050)

11008. "Customs broker" means a person in this state who is authorized to act as a broker for any of the following.

(a) A person in this state who is licensed to sell, distribute, or otherwise possess any controlled substance

(b) A person in any other state who ships any controlled substance into this state.

(c) A person in this state or any other state who ships or transfers any controlled substance through this state

11009. "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship

11010. "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, furnishing, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

11011 "Dispenser" means a practitioner who dispenses.

11012. "Distribute" means to deliver other than by administering or dispensing a controlled substance

11013. "Distributor" means a person who distributes The term distributor also includes warehousemen handling or storing controlled substances and customs brokers

11014 "Drug" means (a) substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them, (b) substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (c) substances (other than food) intended to affect the structure or any function of the body of man or animals, and (d) substances intended for use as a component of any article specified in subdivision (a), (b), or (c) of this section It does not include devices or their components, parts, or accessories

11015 "Federal bureau" means the Bureau of Narcotics and

Dangerous Drugs of the United States Department of Justice, or its successor agency.

11016. "Furnish" has the same meaning as provided in Section 4048 5 of the Business and Professions Code.

11017 "Manufacturer" has the same meaning as provided in Section 4034 of the Business and Professions Code

11018 "Marijuana" means all parts of the plant Cannabis sativa L., whether growing or not, the seeds thereof. the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination

11019 "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis

(a) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.

(b) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subdivision (a), but not including the isoquinoline alkaloids of opium.

(c) Opium poppy and poppy straw.

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

11020 "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability It does not include, unless specifically designated as controlled under Chapter 2 (commencing with Section 11053) of this division, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms

11021 "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

11022 "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, or association, or any other legal entity

11023 "Pharmacy" has the same meaning as provided in Section 4035 of the Business and Professions Code

11024 "Physician," "dentist," "podiatrist," "pharmacist," and "veterinarian" mean persons who are licensed to practice their respective professions in this state

11025 "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

11026. "Practitioner" means any of the following

(a) A physician, dentist, veterinarian, podiatrist, scientific investigator, or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(b) A pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state

11027 "Prescription" means an oral order for a controlled substance given individually for the person for whom prescribed, directly from the prescriber to the furnisher or indirectly by means of an order signed by the prescriber, and shall contain the address of the prescriber, his federal registry number, the name and address of the patient, the name and quantity of the controlled substance prescribed, and directions for use, and shall be dated as of the date on which it is written.

11028. "State bureau" means the Bureau of Narcotic Enforcement of the State Department of Justice.

11029. "Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance

11030. "Ultimate user" means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household

11031. "Wholesaler" has the same meaning as provided in Section 4038 of the Business and Professions Code

11032. Whenever reference is made to the term "narcotics" in any provision of law outside of this division, unless otherwise expressly provided, it shall be construed to mean controlled substances classified in Schedules I and II, as defined in this division. Whenever reference is made to "restricted dangerous drugs" outside of this division, unless otherwise expressly provided, it shall be construed to mean controlled substances classified in Schedules III and IV Whenever reference is made to the term "marijuana" in any provision of law outside of this division, unless otherwise expressly provided, it shall be construed to mean marijuana as defined in this division

CHAPTER 2 STANDARDS AND SCHEDULES

11053 The controlled substances listed or to be listed in the schedules in this chapter are included by whatever official, common, usual, chemical, or trade name designated

11054 (a) The controlled substances listed in this section are included in Schedule I.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation

(1) Acethlmethadol.
(2) Allylprodine
(3) Alphacetylmethadol
(4) Alphameprodine
(5) Alphamethadol
(6) Benzethidine.
(7) Betacetylmethadol.
(8) Betameprodine
(9) Betamethodol
(10) Betaprodine.
(11) Clonitazene
(12) Dextromoramide
(13) Dextrorphan
(14) Diampromide.
(15) Diethylthiambutene
(16) Dimenoxadol
(17) Dimepheptanol
(18) Dimethylthiambutene
(19) Dioxaphetyl butyrate
(20) Dipipanone.
(21) Ethylmethylthiambutene.
(22) Etonitazene.
(23) Etoxeridine.
(24) Furethidine
(25) Hydroxypethidine
(26) Ketobemidone
(27) Levomoramide
(28) Levophenacylmorphan
(29) Morpheridine.
(30) Noracymethadol
(31) Norlevorphanol
(32) Normethadone.
(33) Norpipanone
(34) Phenadoxone
(35) Phenampromide
(36) Phenomorphan
(37) Phenoperidine
(38) Piritramide.
(39) Proheptazine.
(40) Properidine
(41) Propiran
(42) Racemoramide.
(43) Trimeperidine

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation

(1) Acetorphine
(2) Acetyldihydrocodeine
(3) Benzylmorphine
(4) Codeine methylbromide
(5) Codeine-N-oxide

(6) Cyprenorphine
(7) Desomorphine.
(8) Dihydromorphine
(9) Etorphine.
(10) Heroin
(11) Hydromorphinol
(12) Methyldesorphine.
(13) Methyldihydromorphine
(14) Morphine methylbromide
(15) Morphine methylsulfonate
(16) Morphine-N-oxide.
(17) Myrophine.
(18) Nicocodeine
(19) Nicomorphine
(20) Normorphine.
(21) Phoclodine.
(22) Thebacon

(d) Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation

(1) 3,4-methylenedioxy amphetamine.
(2) 5-methoxy-3,4-methylenedioxy amphetamine
(3) 3,4,5-trimethoxy amphetamine
(4) Bufotenine.
(5) Diethyltryptamine.
(6) Dimethyltryptamine.
(7) 4-methyl-2,5-dimethoxylamphetamine
(8) Ibogaine.
(9) Lysergic acid diethylamide
(10) Marijuana
(11) Mescaline.
(12) Peyote
(13) N-ethyl-3-piperidyl benzilate
(14) N-methyl-3-piperidyl benzilate
(15) Psilocybin
(16) Psilocyn
(17) Tetrahydrocannabinols

11055. (a) The controlled substances listed in this section are included in Schedule II.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, with the exception of naloxone hydrochloride (N-allyl-14-hydroxy-nordihydromorphinone hydrochloride)

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the

substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(c) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation.

(1) Alphaprodine
(2) Anileridine
(3) Bezitramide
(4) Dihydrocodeine
(5) Diphenoxylate.
(6) Fentanyl
(7) Isomethadone.
(8) Levomethorphon
(9) Levorphanol.
(10) Metazocine
(11) Methadone.
(12) Methadone—intermediate, 4-cyano-2-dimethyl-amino-4,4-diphenyl butane
(13) Moramide—intermediate, 2-methyl-3-morpho-lino-1,1-diphenyl-propane-carboxylic acid
(14) Pethidine.
(15) Pethidine—intermediate—A, 4-cyano-1-methyl-4-phenyl-piperidine
(16) Pethidine—intermediate—B, ethyl-4-phenylpiperidine-4-carboxylate
(17) Pethidine—intermediate—C, 1-methyl-4-phenylpiperidine-4-carboxylic acid
(18) Phenazocine
(19) Piminodine.
(20) Racemethorphan
(21) Racemorphan

(d) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers

(2) Phenmetrazine and its salts

(3) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers

(4) Methylphenidate

11056 (a) The controlled substances listed in this section are included in Schedule III

(b) Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following

substances having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules

(2) Chlorhexadol.

(3) Glutethimide.

(4) Lysergic acid

(5) Lysergic acid amide.

(6) Methyprylon.

(7) Phencyclidine.

(8) Sulfondiethylmethane

(9) Sulfonethylmethane.

(10) Sulfonmethane

(c) Nalorphine.

(d) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium

(2) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts

(3) Not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(5) Not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

11057 (a) The controlled substances listed in this section are included in Schedule IV.

(b) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential

for abuse associated with a depressant effect on the central nervous system

(1) Barbital
(2) Chloral betaine
(3) Chloral hydrate
(4) Ethchlorvynol
(5) Ethinamate
(6) Methohexital
(7) Meprobamate
(8) Methylphenobarbital
(9) Paraldehyde.
(10) Petrichloral
(11) Phenobarbital

11058 (a) The controlled substances listed in this section are included in Schedule V

(b) Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone.

(1) Not more than 200 milligrams of codeine, or any of its salts, per 100 milliliters or per 100 grams

(2) Not more than 100 milligrams of dihydrocodeine, or any of its salts, per 100 milliliters or per 100 grams

(3) Not more than 100 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atrophine sulfate per dosage unit

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams

CHAPTER 3 REGULATION AND CONTROL

Article 1 Reporting

11100. (a) Any manufacturer, wholesaler, warehouseman, customs broker, or other person who sells, ships, transfers, or otherwise furnishes any controlled substance in Schedule III and those substances in Schedule IV designated by the Board of Pharmacy to any person in this state shall submit a monthly report to the Board of Pharmacy of all such controlled substances

(b) This section shall not apply to any of the following

(1) Any pharmacist or other authorized person who sells or furnishes such controlled substance upon the prescription of a physician, dentist, podiatrist, or veterinarian

(2) Any physician, dentist, podiatrist, or veterinarian who administers or furnishes such controlled substance to his patients

(3) Any agent, or employee, of any licensed manufacturer, wholesaler, or dispenser of any controlled substance if such agent stores such controlled substance for sample purposes or furnishes such controlled substance as a sample at no cost to a licensed pharmacist, physician, dentist, podiatrist, or veterinarian

11101 (a) Any person who receives or stores any controlled substance in Schedule III or a substance in Schedule IV designated by the Board of Pharmacy which has been shipped or otherwise transferred to him shall submit a monthly report to the Board of Pharmacy of all such controlled substances

(b) This section shall not apply to any person who obtains the controlled substance upon the prescription of a physician, dentist, podiatrist, or veterinarian for his personal use or any person who receives or furnishes a controlled substance pursuant to paragraph (3) of subdivision (b) of Section 11100

11103 For purposes of Sections 11100 and 11101, the Board of Pharmacy shall provide a common reporting form which contains at least the following information

(a) Name of the controlled substance

(b) Quantity of the controlled substance shipped, transferred, or received.

(c) The month the shipment was sent, transferred, or received.

(d) Identity of the person receiving such controlled substance and the person shipping such controlled substance.

11104. Any controlled substance which is carried for display purposes by a salesman or other agent of a manufacturer shall be stored pursuant to the rules and regulations which are adopted by the Board of Pharmacy

11105 The theft or loss of any controlled substance discovered by any licensee or any person regulated by the provisions of this chapter shall be reported to the Board of Pharmacy no later than five days after such discovery.

Any difference between the quantity of the controlled substance received and the quantity of the controlled substance shipped shall be reported to the Board of Pharmacy within five days of the receipt of actual knowledge of the discrepancy.

Any report made pursuant to this section shall also include the name of the common carrier or person who transports the controlled substance and date of shipment of the controlled substance

11106. The Board of Pharmacy shall establish and maintain a data system containing controlled substance inventory records and records of controlled substances forms provided pursuant to Sections 11100 and 11101. Information obtained from the controlled substance data system shall be used to monitor the movement of controlled substances within this state The Board of Pharmacy shall periodically supply the state bureau with such information as the state bureau deems is necessary for effective surveillance and control.

Article 2 Licenses· Customs Brokers and Warehouses

11120 Upon application, the Board of Pharmacy may issue a customs broker's license Such license authorizes the transfer of a controlled substance to persons who are licensed to sell, distribute, or otherwise possess such controlled substance The holder of such a license may receive, possess, export, and transfer such controlled substances to such persons.

11121 A customs broker in this state shall not ship or transfer any controlled substance to any of the following persons

(a) Any person in this state who is not licensed or authorized to sell, distribute, or otherwise possess the controlled substance

(b) Any person in any other state who is not licensed or authorized by such state to sell, distribute, or otherwise possess the controlled substance.

(c) Any person in a foreign jurisdiction who does not have a legitimate reason to possess the controlled substance.

11122 (a) A controlled substance shall be stored only in a warehouse which is licensed by the Board of Pharmacy.

(b) This section shall not apply to any of the following persons:

(1) Any pharmacy or other person who is licensed or authorized by this state to sell or furnish the controlled substance upon the written prescription of a physician, dentist, podiatrist, or veterinarian.

(2) Any physician, dentist, podiatrist, or veterinarian who possesses a controlled substance for administration to his patients

(3) Any licensed laboratory in this state which is authorized to receive and use the controlled substance

(4) Any licensed hospital in this state

(5) Any person who obtains the controlled substance upon the prescription of a physician, dentist, podiatrist, or veterinarian for his personal use

(6) Any agent or employee of any licensed manufacturer or wholesaler who possesses the controlled substance for display purposes or furnishes such controlled substances as a sample at no cost to a licensed pharmacist, physician, dentist, podiatrist, or veterinarian.

(7) A manufacturer licensed pursuant to Section 26685 of this code or Section 4084 or 4084.6 of the Business and Professions Code.

(8) A wholesaler licensed pursuant to Section 4084 or 4084.6 of the Business and Professions Code

11123 (a) Upon application, the Board of Pharmacy may issue a license to store controlled substances to a warehouseman who maintains a warehouse suitable for the proper storage of the controlled substances

(b) The Board of Pharmacy shall by regulation establish security measures in order to prevent unauthorized persons from gaining access to any area, place or premises in which controlled substances are stored, kept or maintained. Prior to the issuance of a license under this article, the Board of Pharmacy shall inspect an applicant's establishment to determine compliance with security regulations adopted by the Board of Pharmacy.

(c) As a condition to the granting of the license, the warehouseman shall agree to comply with the provisions of this division and any rules and regulations which are adopted by the Board of Pharmacy.

11124 On or before the effective date of this chapter, each licensed warehouseman shall make a complete and accurate record of all stocks of such controlled substances on hand. Thereafter, a current inventory shall be kept and preserved for at least two years

from the date of making such inventory. Records and inventories shall contain such information as shall be provided by the rules and regulations promulgated by the Board of Pharmacy

Such records shall be submitted in summary form to the Board of Pharmacy on or before July 1, 1973, and every two years thereafter.

The Board of Pharmacy shall have the right to inspect such records at the business office of the licensee at any time during business hours

11125. Each warehouseman who applies for a license to store a controlled substance shall execute and file with the Board of Pharmacy a bond to the state as a condition to the granting of the license. The bond shall secure the faithful performance of the warehouseman of his obligations under the laws of the state and the rules and regulations which are adopted pursuant to this division and such additional obligations which he may assume under a contract with the depositor of the drug The Board of Pharmacy may prescribe the form, amount, terms, and conditions of the bond

11126 Any person who is injured by the breach of any obligation secured by the bond which is executed and filed pursuant to Section 11125 may sue on the bond in his own name in any court of competent jurisdiction to recover any damages he may have sustained by such breach.

11127. (a) The provisions of this article shall apply only to licenses issued by the Board of Pharmacy for customs brokers and warehouses which store controlled substances

(b) The Board of Pharmacy shall have authority to issue licenses for customs brokers and warehouses which store controlled substances. Such licenses shall be issued in accordance with the provisions of this chapter and regulations adopted by the board pursuant thereto. All licenses issued by the Board of Pharmacy shall expire one year from the date of issue. Licenses may be renewed upon application and payment of the renewal fees if the application for renewal is made within the 30-day period prior to the date of expiration Persons whose licenses have expired shall immediately cease the activity requiring a license, but the Board of Pharmacy shall accept applications for renewal during the 30-day period following the date of expiration if they are accompanied by the new license fee In no case shall a license be renewed where the application is received more than 30 days after the date of expiration.

(c) Each application for a new or renewal license shall be accompanied by a fee which shall be fixed by the Board of Pharmacy at an amount not to exceed two hundred dollars ($200) The application shall be made upon a form furnished by the Board of Pharmacy It shall contain such information concerning the background of the applicant and his experience which the Board of Pharmacy may prescribe, in addition to any other information required by law

11128. (a) Licenses issued by the Board of Pharmacy shall not be transferable.

(b) In the event of a change of name, not involving a change of ownership, or a change of address of the licensee, the license shall be returned to the board for cancellation, and a new license application

form shall be submitted The Board of Pharmacy shall cancel the returned license and issue a new license for the unexpired term without fee

11129 (a) Any license issued may be suspended or revoked by the Board of Pharmacy The Board of Pharmacy may refuse to issue a license to any applicant for the reasons set forth in subdivision (b)

The proceedings under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the Board of Pharmacy shall have all the powers granted therein

(b) The Board of Pharmacy may deny a license if the applicant does or has done any of the following:

(1) Fails to meet the qualifications established by the Board of Pharmacy pursuant to this chapter for the issuance of the license applied for

(2) Was previously the holder of a license issued under this chapter which has been revoked and never reissued or was suspended and the terms of the suspension have not been fulfilled

(3) Has committed any act which, if committed by any licensee, would be grounds for the suspension or revocation of a license issued pursuant to this chapter.

(4) Has committed any act involving dishonesty, fraud, or deceit whereby another is injured or the applicant has benefited.

(5) Has acted in the capacity of a licensed person under this division without having a license therefor

(6) Has entered a plea of guilty or nolo contendere to, or been found guilty or convicted of, a felony or a crime involving moral turpitude and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, irrespective of an order granting probation following the conviction or suspending the imposition of sentence, or of a subsequent order under the provisions of Section 1203 4 of the Penal Code allowing the person to withdraw his plea of guilty and to enter a plea of not guilty, setting aside the plea or verdict of guilty, or dismissing the accusation, information, or indictment.

(7) Violated any of the provisions of this division

11130 The Board of Pharmacy may suspend, revoke, or take other disciplinary action against a license as provided in this chapter if the licensee does any of the following

(a) Violates any section of this division which relates to his licensed activities.

(b) Is convicted of any felony

(c) Violates any of the regulations promulgated by the Board of Pharmacy pursuant to this chapter

(d) Has misrepresented a material fact in obtaining a license

(e) Aids or abets an unlicensed person to evade the provisions of this division

(f) Fails to make and keep records showing his transactions as a licensee, or fails to have such records available for inspection by the Board of Pharmacy for a period of not less than three years after completion of any transaction to which the records refer, or refuses to comply with a written request of the Board of Pharmacy to make

such records available for inspection.

(g) Violates or attempts to violate the provisions of this division relating to the particular activity for which he is licensed.

(h) Fails to send a copy of the monthly reporting form to the Board of Pharmacy as required by the provisions of this chapter.

11131 A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this chapter. The Board of Pharmacy may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, the judgment of conviction has been affirmed on appeal, or an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, setting aside the verdict of guilty, or dismissing the accusation, information, or indictment

11132 The Board of Pharmacy may take disciplinary action against any licensee, after a hearing as provided in this chapter, by any of the following.

(a) Imposing probation upon terms and conditions to be set forth by the Board of Pharmacy.

(b) Suspending the license.

(c) Revoking the license.

11133 The expiration or suspension of a license by operation of law or by order or decision of the board or a court, or the voluntary surrender of a license by a licensee, shall not deprive the Board of Pharmacy of jurisdiction to proceed with any investigation of, or action or disciplinary proceedings against, the licensee, or to render a decision suspending or revoking the license

11134. All accusations against licensees shall be filed within three years after the act or omission alleged as the ground for disciplinary action

11135. When any license has been revoked or suspended following a hearing under the provisions of this chapter, any additional license issued under this chapter in the name of the licensee may also be revoked or suspended by the Board of Pharmacy.

11136 After suspension of the license upon any of the grounds set forth in this chapter, the Board of Pharmacy may reinstate the license upon proof of compliance by the applicant with all provisions of the decision as to reinstatement. After revocation of a license upon any of the grounds set forth in this chapter, the license shall not be reinstated or reissued within a period of one year after the effective date of revocation.

CHAPTER 4. PRESCRIPTIONS

Article 1. Requirements of Prescriptions

11150. No person other than a physician, dentist, podiatrist, or veterinarian shall write a prescription.

11151 A prescription written by an unlicensed person lawfully practicing medicine pursuant to Section 2147.5 of the Business and

Professions Code, shall be filled only at a pharmacy maintained in the hospital which employs such unlicensed person

11152. No person shall write, issue, fill, compound, or dispense a prescription that does not conform to this division

11153 The responsibility for the proper prescribing and dispensing of controlled substances is upon the practitioner, but a corresponding liability rests with the pharmacist who fills the prescription An order purporting to be a prescription issued to an addict or habitual user of controlled substances, which is not in the course of professional treatment nor part of an authorized methadone maintenance program, for the purpose of providing the user with controlled substances, sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of this division, and the person filling such an order, as well as the person issuing it, may be charged with violation of the law

11154 Except in the regular practice of his profession, no person shall prescribe, administer, dispense, or furnish, a controlled substance to or for any person who is not under his treatment for a pathology or condition other than addiction to a controlled substance, except as provided in this division

11155 Any physician, who by court order or order of any state or governmental agency, or who voluntarily surrenders his controlled substance privileges, shall not possess, administer, dispense, or prescribe a controlled substance unless and until such privileges have been restored, and he has obtained current registration from the appropriate federal agency as provided by law.

11156 No person shall prescribe for or administer, or dispense a controlled substance to an addict or habitual user, or to any person representing himself as such, except as permitted by this division

11157 No person shall issue a prescription that is false or fictitious in any respect

11158. No person shall write a prescription for a controlled substance classified in Schedule II or III unless it is wholly written in ink or indelible pencil in the handwriting of the prescriber, signed and dated by him as of the date on which it is written, containing the name and address for whom prescribed, the name and the quantity of the controlled substance prescribed, the directions for use, the address of the prescriber, and the federal controlled substance registration of the prescriber.

11159 An order for controlled substances for use by a patient in a county or licensed hospital shall be exempt from all requirements of this article, but shall be in writing on the patient's record, signed by the prescriber, dated, and shall state the name and quantity of the controlled substance ordered and the quantity actually administered The record of such orders shall be maintained as a hospital record for a minimum of seven years

11160 Except as provided in Section 11168, no person shall order or prescribe for a controlled substance classified in Schedule II or fill, compound, or dispense a prescription for such a controlled substance unless it is wholly written in ink or indelible pencil in the handwriting of the prescriber, signed and dated by the prescriber,

and containing the name and address of the person for whom prescribed, the name and quantity of the controlled substance prescribed, the directions for use, the address of the prescriber, and the federal controlled substance registration of the prescriber

11161. Prescription blanks shall be issued by the state bureau in serially numbered groups of 100 forms each in triplicate, and shall be furnished free of cost to any person authorized to write a prescription, and such prescription blanks shall not be transferable Any person possessing any such prescription blank otherwise than as herein provided is guilty of a misdemeanor.

11162 The prescription blanks shall be printed on distinctive paper, serial number of the group being shown on each form, and also each form being serially numbered

11163 Not more than one such prescription group shall in any case be issued or furnished by the state bureau to the same prescriber at one time

11164. No person shall issue a prescription for a narcotic drug classified in Schedule II other than on the official prescription form issued by the state bureau, and no person shall fill any prescription other than on the official prescription form issued by the state bureau, except as provided in Section 11176.

11165 All prescriptions for a narcotic drug classified in Schedule II on the official blanks shall be written in triplicate, all three copies signed by the prescriber.

11166 The prescription book containing the prescriber's copies of prescriptions issued shall be retained by the prescriber which shall be preserved for two years.

11167 The original and one copy of the prescription for a narcotic drug classified in Schedule II shall be delivered to the person filling the prescription. The duplicate shall be properly endorsed by the pharmacist filling the prescription at the time such prescription is filled. The original shall be retained by the person filling the prescription, and at the end of each month in which the prescription is filled, the duplicate shall be returned to the state bureau.

11168 Any controlled substance classified in Schedule III, IV, or V may be dispensed upon an oral prescription which must be reduced to handwriting, by the pharmacist, before filling the prescription. No other person except the pharmacist may reduce such an oral prescription to handwriting unless expressly authorized by the provisions of the Business and Professions Code The name and address of the person for whom prescribed and the name, address, telephone number and registered number of the prescriber must be recorded on the prescription

11169. When codeine, or dihydrocodeinone or tincture opii camphorata (paregoric) is not combined with other medicinal ingredients, it shall be prescribed on the official triplicate blanks

11170. No person shall prescribe, administer, or furnish a controlled substance for himself.

11171. No person shall prescribe, administer, or furnish a controlled substance except under the conditions and in the manner provided by this division

11172 No person shall antedate or postdate a prescription

11173. (a) No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge, or (2) by the concealment of a material fact

(b) No person shall make a false statement in any prescription, order, report, or record, required by this division

(c) No person shall, for the purpose of obtaining controlled substances, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, pharmacist, physician, dentist, veterinarian, or other authorized person

(d) No person shall affix any false or forged label to a package or receptacle containing controlled substances.

11174 No person shall, in connection with the prescribing, furnishing, administering, or dispensing of a controlled substance, give a false name or false address

11175 No person shall obtain or possess a prescription that does not comply with this division.

11176. No person shall issue a prescription for a narcotic controlled substance classified in Schedule II other than on the official prescription form issued by the state bureau, and no person shall fill any prescription for a narcotic controlled substance classified in Schedule II other than on the official prescription form issued by the state bureau, except that in the case of an epidemic or a sudden or unforeseen accident or calamity, a prescriber may issue a prescription upon a form other than the official prescription form issued by the state bureau, where failure to issue such prescription might result in loss of life or intense suffering In such an emergency an oral prescription is hereby authorized In the event such an emergency prescription is issued pursuant to the provisions of this section, the prescriber shall within 72 hours submit the prescription on the official prescription form to the pharmacy filling the emergency prescription. If the prescriber does not provide such prescription on the official prescription form, the pharmacist filling the emergency prescription shall immediately inform the state bureau.

11177 No person shall fill a prescription if it shows evidence of alteration, erasure, or addition by any person other than the person writing it

11178 No person shall fill a prescription for a controlled substance classified in Schedule II unless it is tendered to him on or before the seventh day following the date of issue

11179 A person who fills a prescription shall keep it on file for at least two years from the date of filing it

11180 No person shall obtain or possess a controlled substance obtained by a prescription that does not comply with this division.

11181 (a) Except as provided in Section 11176, no narcotic controlled substance classified in Schedule II may be dispensed without the written prescription of a practitioner pursuant to this chapter

(b) Except when dispensed directly by a practitioner, other than

a pharmacy, to an ultimate user, a controlled substance classified in Schedule III, IV, or V which is a prescription drug as determined under state or federal law, shall not be dispensed without a written or oral prescription of a practitioner pursuant to this chapter

(c) Notwithstanding any other provision of law, a prescriber may authorize any of his employees to orally transmit a prescription to a furnisher, if the prescriber gives the furnisher within a reasonable time written evidence of the employee's authorization The furnisher shall record the name of the employee of the prescriber who transmits the order This subdivision shall not apply to orders for controlled substances classified in Schedule II or III

Article 2. Prescriber's Record

11190. Any physician, surgeon, dentist, veterinarian, or podiatrist who issues a prescription, or dispenses or administers a controlled substance classified in Schedule II shall make a record that, as to the transaction, shows all of the following:

(a) The name and address of the patient.

(b) The date.

(c) The character and quantity of controlled substances involved

(d) The pathology and purpose for which the prescription is issued, or the controlled substance administered, prescribed, or dispensed.

11191 The record shall be preserved for two years

Every person who violates any provision of this section is guilty of a misdemeanor

11192. In a prosecution under this division proof that a defendant received or has had in his possession at any time a greater amount of controlled substances than is accounted for by any record required by law or that the amount of controlled substances possessed by a defendant is a lesser amount than is accounted for by any record required by law is prima facie evidence of guilt.

Article 3 Copies of Prescriptions

11195. Whenever the pharmacist's copy of a controlled substance prescription is removed by a peace officer, agent of the Attorney General, or inspector of the Board of Pharmacy, or investigator of the Division of Investigation of the Department of Consumer Affairs for the purpose of investigation or as evidence, the officer or inspector or investigator shall give to the pharmacist a receipt in lieu thereof.

Article 4 Refilling Prescriptions

11200 No person shall refill a controlled substance prescription more than six months after the date thereof or cause such a prescription to be refilled more than five times, unless renewed by the prescriber. No prescription for a Schedule II substance may be refilled.

Article 5. Pharmacists' Records

11205 The owner of a pharmacy or any person who purchases a controlled substance upon federal order forms as required pursuant to the provisions of the federal "Comprehensive Drug Abuse

Prevention and Control Act of 1970," (P L. 91-513, 84 Stat. 1236), relating to the importation, exportation, manufacture, production, compounding, distribution, dispensing, and control of controlled substances, and who sells controlled substances obtained upon such federal order forms in response to prescriptions shall maintain and file such prescriptions in a separate file apart from noncontrolled substances prescriptions Such files shall be preserved for a period of two years

11206 The prescription file shall constitute a record that as to the transactions shall show all of the following:

(a) The name and address of the patient

(b) The date.

(c) The character, quantity, and directions for use of the controlled substances involved.

(d) The name, address, and federal registration of the prescriber.

11207 No person other than a registered pharmacist under the laws of this state shall compound, prepare, fill or dispense a prescription for a controlled substance.

11208 In a prosecution under this division, proof that a defendant received or has had in his possession at any time a greater amount of controlled substances than is accounted for by any record required by law or that the amount of controlled substances possessed by the defendant is a lesser amount than is accounted for by any record required by law is prima facie evidence of guilt

CHAPTER 5. USE OF CONTROLLED SUBSTANCES

Article 1 Lawful Medical Use Other Than Treatment of Addicts

11210 A physician, surgeon, dentist, veterinarian, or podiatrist may prescribe for, furnish to, or administer controlled substances to his patient when the patient is suffering from a disease, ailment, injury, or infirmities attendant upon old age, other than addiction to a controlled substance

The physician, surgeon, dentist, veterinarian, or podiatrist shall prescribe, furnish, or administer controlled substances only when in good faith he believes the disease, ailment, injury, or infirmity, requires such treatment

The physician, surgeon, dentist, veterinarian, or podiatrist shall prescribe, furnish, or administer controlled substances only in such quantity and for such length of time as are reasonably necessary

11211. In order to provide a supply of controlled substances as may be necessary to handle emergency cases, any hospital which does not employ a resident pharmacist and which is under the supervision of a licensed physician, may purchase controlled substances on federal order forms for such institution, under the name of such hospital, such supply to be made available to a registered nurse for administration to patients in emergency cases, upon direction of a licensed physician

11213. Persons who, under applicable federal laws or regulations, are lawfully entitled to use controlled substances for the purpose of research, instruction, or analysis, may lawfully obtain and use for

such purposes such substances as are defined as controlled substances in this division, upon approval for use of such controlled substances in bona fide research, instruction, or analysis by the Research Advisory Panel established pursuant to Sections 11480 and 11481

Such research, instruction, or analysis shall be carried on only under the auspices of the head of a research project which has been approved by the Research Advisory Panel pursuant to Section 11480 or Section 11481 Complete records of receipts, stocks at hand, and use of these controlled substances shall be kept

Article 2. Treatment of Addicts for Addiction

11215. Any narcotic controlled substance employed in treating an addict for addiction shall be administered by a physician, or by a registered nurse acting under his instruction.

11216. No physician or other person shall order, permit or direct any person other than a registered nurse, or other physician, to administer a narcotic controlled substance to a person being treated for addiction to a controlled substance.

11217. No person shall treat an addict for addiction to a narcotic drug which is an opiate except in one of the following

(a) An institution approved by the Board of Medical Examiners of the State of California, and where the patient is at all times kept under restraint and control.

(b) A city or county jail

(c) A state prison.

(d) A facility designated by a county and approved by the State Department of Mental Hygiene pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.

(e) A state hospital

(f) A county hospital

Methadone in the continuing treatment of addiction to a controlled substance shall be used only in those programs approved by the Research Advisory Panel pursuant to Section 11482 on either an inpatient or outpatient basis, or both

This section does not apply during emergency treatment, or where the patient's addiction is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age

Neither this section nor any other provision of this division shall be construed to prohibit the maintenance of a place in which persons seeking to recover from addiction to a controlled substance reside and endeavor to aid one another and receive aid from others in recovering from such addiction, nor does this section or such division prohibit such aid, provided that no person is treated for addiction in such place by means of administering, furnishing, or prescribing of controlled substances The preceding sentence is declaratory of preexisting law. Every such place shall register with and be approved by the Board of Medical Examiners of the State of California The board may inspect such places at reasonable times and, if it concludes that the conditions necessary for approval no longer exist, it may withdraw approval

This section shall not become operative if Senate Bill No 714 of the

1972 Regular Session of the Legislature is enacted and has become effective prior to the effective date of this section.

11217 No person shall treat an addict for addiction to a narcotic drug which is an opiate except in one of the following

(a) An institution approved by the Board of Medical Examiners, and where the patient is at all times kept under restraint and control.

(b) A city or county jail

(c) A state prison

(d) A facility designated by a county and approved by the State Department of Mental Hygiene pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code

(e) A state hospital

(f) A county hospital.

Methadone in the continuing treatment of addiction to a controlled substance shall be used only in those programs approved by the state department pursuant to Section 4351 of the Welfare and Institutions Code on either an inpatient or outpatient basis, or both.

This section does not apply during emergency treatment, or where the patient's addiction is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age.

Neither this section nor any other provision of this division shall be construed to prohibit the maintenance of a place in which persons seeking to recover from addiction to a controlled substance reside and endeavor to aid one another and receive aid from others in recovering from such addiction, nor does this section or such division prohibit such aid, provided that no person is treated for addiction in such place by means of administering, furnishing, or prescribing of controlled substances. The preceding sentence is declaratory of preexisting law Every such place shall register with, and be approved by, the state department

Neither this section or any other provision of this division shall be construed to prohibit short-term methadone detoxification treatment in a controlled setting approved by the director and pursuant to rules and regulations of the director Facilities and treatment approved by the director under this paragraph shall not be subject to approval or inspection by the Board of Medical Examiners of the State of California, nor shall persons in such facilities be required to register with, or report the termination of residence with, the police department or sheriff's office.

This section shall become operative only if Senate Bill No. 714 of the 1972 Regular Session is enacted and becomes effective prior to the effective date of this section and, in such case, shall become operative on the effective date of this section

11217.5 Notwithstanding the provisions of Section 11217, a licensed physician and surgeon may treat an addict for addiction in any office or medical facility which, in the professional judgment of such physician and surgeon, is medically proper for the rehabilitation and treatment of such addict Such licensed physician and surgeon may administer to an addict, under his direct care, those medications and therapeutic agents which, in the judgment of such physician and surgeon, are medically necessary, provided that nothing in this

section shall authorize the administration of any narcotic drug

11218. A physician treating an addict for addiction shall not prescribe for or furnish the addict more than any one of the following amounts of controlled substances during each of the first 15 days of such treatment.

(a) Eight grams of opium.
(b) Four grams of morphine
(c) Six grams of Pantopon
(d) One gram of Dilaudid
(e) Four hundred milligrams of isonipecaine (Demerol)
(f) One hundred eighty milligrams of methadone.

11219 After 15 days of treatment the physician shall not prescribe for or furnish to the addict more than any one of the following amounts of controlled substances during each day of such treatment.

(a) Four grams of opium.
(b) Two grams of morphine.
(c) Three grains of Pantopon.
(d) One-half grain of Dilaudid.
(e) Two hundred milligrams of isonipecaine (Demerol).
(f) One hundred eighty milligrams of methadone.

11220 At the end of 30 days from the first treatment, the prescribing or furnishing of controlled substances, except methadone, shall be discontinued

11221. The physician prescribing, furnishing, or administering any narcotic controlled substance in the treatment of an addict for addiction shall within five days after the first treatment report by registered mail, over his signature, to the Attorney General stating the name and address of the patient, and the name and quantities of narcotic controlled substances prescribed

The report shall state the progress of the patient under the treatment

The physician shall in the same manner further report on the 15th day of the treatment and on the 30th day of the treatment, and thereafter shall make such further reports as are requested in writing by the Attorney General.

11222. In any case in which a person is taken into custody by arrest or other process of law and is lodged in a jail or other place of confinement, and there is reasonable cause to believe that such person is addicted to a controlled substance, it is the duty of the person in charge of the place of confinement to provide the person so confined with medical aid as necessary to ease any symptoms of withdrawal from the use of controlled substances

In any case in which a person, who is participating in a methadone maintenance program, is incarcerated in a jail or other place of confinement, he shall, in the discretion of the director of such program, be entitled to continue in such program until conviction

Article 3. Physicians' Reports

11230. A physician prescribing or furnishing a controlled substance classified in Schedule II to an habitual user shall within five days after first prescribing or furnishing the controlled substance

90 24 10 450

personally report in writing by registered mail, over his signature, to the Attorney General

The report shall contain all of the following:

(a) Name of the patient.

(b) Address of the patient

(c) Character of the injury or ailment.

(d) Quantity and kind of controlled substance used

(e) A statement as to whether or not the patient is an addict

11231 The physician shall upon request in writing from the Attorney General furnish any additional reports upon the treatment of the user as the Attorney General may request in writing

Article 4 Veterinarians

11240 No veterinarian shall prescribe, administer, or furnish a controlled substance for himself or any other human being

11241 A prescription written by a veterinarian shall state the kind of animal for which ordered and the name and address of the owner or person having custody of the animal

Article 5. Sale Without Prescription

11250 No prescription is required in case of the sale of controlled substances at retail in pharmacies by pharmacists to any of the following

(a) Physicians

(b) Dentists.

(c) Podiatrists

(d) Veterinarians.

In any sale mentioned in this article, there shall be executed any written order that may otherwise be required by federal law relating to the production, importation, exportation, manufacture, compounding, distributing, dispensing, or control of controlled substances

11251 No prescription is required in case of sales at wholesale by jobbers, wholesalers and manufacturers to any of the following

(a) Pharmacies as defined in the Business and Professions Code.

(b) Physicians.

(c) Dentists

(d) Podiatrists.

(e) Veterinarians

(f) Other jobbers, wholesalers or manufacturers

11252. All wholesale jobbers, wholesalers, and manufacturers, mentioned in this division shall keep, in a manner readily accessible, the written orders or blank forms required to be preserved pursuant to federal law relating to the production, importation, exportation, manufacture, compounding, distributing, dispensing, or control of controlled substances

11253. The written orders or blank forms shall be preserved for at least two years after the date of the last entry made

11255 The taking of any order, or making of any contract or agreement, by any traveling representative or employee of any person for future delivery in this state, of any controlled substance constitutes a sale within the meaning of this division

11256. Within 24 hours after any purchaser in this state gives any order for a controlled substance classified in Schedule II to, or makes any contract or agreement for purchases from or sales by, an out-of-state wholesaler or manufacturer of any controlled substances for delivery in this state, the purchaser shall forward to the Attorney General by registered mail a true and correct copy of the order, contract, or agreement.

CHAPTER 6 OFFENSES AND PENALTIES

Article 1 Schedules I and II

11350 Except as otherwise provided in this division, every person who possesses any controlled substance classified in Schedule I or II other than marijuana, except upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the state prison for a period of not less than two years or more than 10 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than two years in the state prison.

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than five years or more than 20 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison.

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 15 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 15 years in the state prison

11351. Except as otherwise provided in this division, every person who possesses for sale any controlled substance classified in Schedule I or II other than marijuana shall be punished by imprisonment in the state prison for a period of not less than five years or more than 15 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 2½ years in the state prison

If such person has been previously convicted once of any felony

offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than 10 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than six years in the state prison

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than 15 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 15 years in the state prison.

11352 Except as otherwise provided in this division, every person who transports, imports into this state, sells, furnishes, administers, or gives away, or offers to transport, import into this state, sell, furnish, administer, or give away, or attempts to import into this state or transport any controlled substance classified in Schedule I or II other than marijuana, except upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than three years in the state prison

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 10 years in the state prison.

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by

the person, he shall be imprisoned in the state prison for a period of 15 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 15 years in the state prison.

11353. Every person 18 years of age or over who in any voluntary manner solicits, induces, encourages, or intimidates any minor with the intent that the minor shall knowingly violate any provision of this chapter or Section 11550 with respect to a controlled substance classified in Schedule I or II other than marijuana, who hires, employs, or uses a minor to knowingly and unlawfully transport, carry, sell, give away, prepare for sale, or peddle any controlled substance classified in Schedule I or II other than marijuana, or who unlawfully sells, furnishes, administers, gives, or offers to sell, furnish, administer, or give, any controlled substance classified in Schedule I or II other than marijuana to a minor shall be punished by imprisonment in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 10 years in the state prison.

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 15 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 15 years in the state prison

11354. Every person under the age of 18 years who in any voluntary manner solicits, induces, encourages, or intimidates any minor with the intent that the minor shall knowingly violate any provision of this chapter or Section 11550, who hires, employs, or uses a minor to knowingly and unlawfully transport, carry, sell, give away, prepare for sale, or peddle any controlled substance classified in Schedule I or II other than marijuana, or who unlawfully sells, furnishes, administers, gives, or offers to sell, furnish, administer, or give, any controlled substance classified in Schedule I or II other than marijuana to a minor shall be punished by imprisonment in the state prison for a period of not less than five years.

If such person has been previously convicted of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than 10 years

This section is not intended to affect the jurisdiction of the juvenile court

11355. Every person who agrees, consents, or in any manner offers to unlawfully sell, furnish, transport, administer, or give any controlled substance classified in Schedule I or II to any person, or offers, arranges, or negotiates to have any controlled substance classified in Schedule I or II unlawfully sold, delivered, transported, furnished, administered, or given to any person and then sells, delivers, furnishes, transports, administers, or gives, or offers, arranges, or negotiates to have sold, delivered, transported, furnished, administered, or given to any person any other liquid, substance, or material in lieu of any controlled substance classified in Schedule I or II shall be punished by imprisonment in the county jail for not more than one year, or in the state prison for not more than 10 years.

11356 As used in this article "felony offense," and offense "punishable as a felony" refer to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the particular defendant received

Article 2 Marijuana

11357 Every person who possesses any marijuana, except as otherwise provided by law, shall be punished by imprisonment in the county jail for a period of not more than one year or the state prison for a period of not less than one year or more than 10 years

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than two years or more than 20 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than two years in the state prison

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury

108 24 10 340

upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison

11358. Every person who plants, cultivates, harvests, dries, or processes any marijuana or any part thereof, except as otherwise provided by law, shall be punished by imprisonment in the state prison for a period of not less than one year or more than 10 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than one year in the state prison

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than two years or more than 20 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than two years in the state prison

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison

11359. Every person who possesses for sale any marijuana, except as otherwise provided by law, shall be punished by imprisonment in the state prison for a period of not less than two years or more than 10 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than two years in the state prison

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than five years or more than 15 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than three years in the state

prison

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than six years in the state prison

11360 Every person who transports, imports into this state, sells, furnishes, administers, or gives away, or offers to transport, import into this state, sell, furnish, administer, or give away, or attempts to import into this state or transport any marijuana shall be punished by imprisonment in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than three years in the state prison

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 10 years in the state prison.

11361. Every person 18 years of age or over who hires, employs, or uses a minor in unlawfully transporting, carrying, selling, giving away, preparing for sale, or peddling any marijuana, who unlawfully sells, furnishes, administers, gives, or offers to sell, furnish, administer, or give any marijuana to a minor, or who induces a minor to use marijuana in violation of law shall be punished by imprisonment in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison

If such person has been previously convicted once of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 10 years in the state prison.

If such person has been previously convicted two or more times of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 15 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 15 years in the state prison.

11362. As used in this article "felony offense," and offense "punishable as a felony" refer to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the particular defendant received

Article 3 Peyote

11363. Every person who plants, cultivates, harvests, dries, or processes any plant of the genus Lophophora, also known as peyote, or any part thereof shall be punished by imprisonment in the county jail for a period of not more than one year or the state prison for a period of not more than 10 years

If such person has been previously convicted of any offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as an offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than two years or more than 20 years

Article 4. Miscellaneous Offenses and Provisions

11364 It is unlawful to possess an opium pipe or any device, contrivance, instrument or paraphernalia used for unlawfully injecting or smoking a controlled substance classified in Schedule I, II, III, IV, or V

11365 It is unlawful to visit or to be in any room or place where any controlled substances classified in Schedule I or II are being unlawfully smoked or used with knowledge that such activity is

occurring

11366. Every person who opens or maintains any place for the purpose of unlawfully selling, giving away, or using any controlled substance classified in Schedule I or II shall be punished by imprisonment in the county jail for a period of not more than one year or the state prison for a period of not more than 10 years

If such person has been previously convicted of any offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as an offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than two years or more than 20 years

11367 All duly authorized peace officers, while investigating violations of this division in performance of their official duties, and any person working under their immediate direction, supervision or instruction, are immune from prosecution under this division.

11368 Every person who forges or alters a prescription, or who issues a prescription bearing a forged or fictitious signature for any narcotic, or who obtains any narcotic by any forged, fictitious, or altered prescription, or who has in possession any narcotic secured by such forged, fictitious, or altered prescription, shall for the first offense be punished by imprisonment in the county jail for not less than six months nor more than one year, or in the state prison for not more than six years, and for each subsequent offense shall be imprisoned in the state prison for not more than 10 years.

11369 When there is reason to believe that any person arrested for violation of Section 11350, 11352, 11353, 11355, 11357, 11360, 11361, 11363, 11366, 11368 or 11550, may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters.

11370 Any person convicted of violating Section 11350, 11351, 11352, 11353, 11355, 11357, 11359, 11360, 11361, 11363, 11366 or 11368, or of committing any offense referred to in those sections, shall not, in any case, be granted probation by the trial court or have the execution of the sentence imposed upon him suspended by the court, if he has been previously convicted of any felony offense described in this division or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, except Section 11550

Any person who was 18 years of age or over at the time of the commission of the offense and is convicted for the first time of selling, furnishing, administering, or giving a controlled substance classified in Schedule I or II other than marijuana to a minor or inducing a minor to use such a narcotic in violation of law shall not, in any case, be granted probation by the trial court or have the execution of the sentence imposed upon him suspended by the court

11371. Any person who shall violate any of the provisions of Section 11152, 11153, 11154, 11156, 11174, or 11175, or who in any

voluntary manner solicits, induces, encourages or intimidates any minor with the intent that such minor shall violate any provision of such sections, shall be punished by imprisonment in the state prison not exceeding six years or in a county jail not exceeding one year

11372. In addition to the term of imprisonment provided by law for persons convicted of violating Section 11350, 11351, 11352, 11353, 11355, 11359, 11360, or 11361 of this code, the trial court may impose a fine not exceeding twenty thousand dollars ($20,000) for each such offense. In no event shall such fine be levied in lieu of or in substitution for the term of imprisonment provided by law for any of such offenses.

11373. Whenever any person is granted probation by the trial court after conviction for possession of any controlled substance classified in Schedule I or II, such trial court shall, as a condition of probation, order such person to secure education or treatment from a local community agency designated by such court, if such service is available and the person is likely to benefit from the service.

If such defendant is a minor, the trial court shall also order his parents or guardian to participate in such education or treatment to the extent the court determines will aid the education or treatment of the minor

If a minor is found by a juvenile court to have been in possession of any controlled substance classified in Schedule I or II, in addition to any other order it may make, such juvenile court shall order the minor to receive education or treatment from a local community agency designated by such court, if such service is available and the person is likely to benefit from the service, and it shall also order his parents or guardian to participate in such education or treatment to the extent the court determines will aid the education or treatment of the minor.

11374 Every person who violates or fails to comply with any provision of this division, except one for which a penalty is otherwise in this division specifically provided, is guilty of a misdemeanor punishable by a fine in a sum not less than thirty dollars ($30) nor more than five hundred dollars ($500), or by imprisonment for not less than 15 nor more than 180 days, or by both.

Article 5 Schedules III, IV, and V

11376 Whenever any person is granted probation by the trial court after conviction for possession of any controlled substance classified in Schedule III, IV, or V, such trial court shall, as a condition of probation, order such person to secure education or treatment from a local community agency designated by such court, if such service is available and the person is likely to benefit from the service.

If such defendant is a minor, the trial court shall also order his parents or guardian to participate in such education or treatment to the extent the court determines will aid the education or treatment of the minor.

If a minor is found by a juvenile court to have been in possession of any controlled substance classified in Schedule III, IV, or V, in addition to any other order it may make, such juvenile court shall

order the minor to receive education or treatment from the local community agency designated by such court, if such service is available and the person is likely to benefit from the service, and it shall also order his parents or guardian to participate in such education or treatment to the extent the court determines will aid the education or treatment of the minor

11377 Except as otherwise provided in Article 8 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business and Professions Code, every person who possesses any controlled substance classified in Schedule III, IV, or V, except upon the prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the county jail for a period of not more than one year or the state prison for a period of not less than one year nor more than 10 years

If such person has been previously convicted once of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as an offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than two years or more than 20 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than two years in the state prison

11378 Except as otherwise provided in Article 8 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business and Professions Code, every person who possesses for sale any controlled substance classified in Schedule III, IV, or V shall be punished by imprisonment in the state prison for a period of not less than two years or more than 10 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for not less than two years in the state prison

If such person has been previously convicted once of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of not less than five years or more than 15 years and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for not less than three years in the state prison

If such person has been previously convicted two or more times of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense

described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than six years in the state prison.

11379 Except as otherwise provided in Article 8 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business and Professions Code, every person who transports, imports into this state, sells, manufactures, compounds, furnishes, administers, or gives away, or offers to transport, import into this state, sell, manufacture, compound, furnish, administer, or give away, or attempts to import into this state or transport any controlled substance classified in Schedule III, IV, or V, except upon the prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than three years.

If such person has been previously convicted once of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison.

If such person has been previously convicted two or more times of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in a state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 10 years in the state prison

11380. Every person 18 years of age or over who violates any provision of this chapter involving controlled substances classified in Schedule III, IV, or V by the use of a minor as agent, who solicits, induces, encourages, or intimidates any minor with the intent that the minor shall violate any provision of this chapter involving controlled substances classified in Schedule III, IV, or V, or who unlawfully furnishes, offers to furnish, or attempts to furnish

controlled substances classified in Schedule III, IV, or V to a minor shall be punished by imprisonment in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than five years in the state prison

If such person has been previously convicted once of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous conviction shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 10 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 10 years in the state prison

If such person has been previously convicted two or more times of any felony offense described in this division, of a conspiracy to commit any offense described in this division, or of any offense under the laws of any other state or the United States which, if committed in this state, would have been punishable as a felony offense described in this division, the previous convictions shall be charged in the indictment or information and, if found to be true by the jury upon a jury trial or by the court upon a court trial or if admitted by the person, he shall be imprisoned in the state prison for a period of 15 years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until he has been imprisoned for a period of not less than 15 years in the state prison.

Nothing contained in this section shall apply to a registered pharmacist furnishing controlled substances classified in Schedule III, IV, or V pursuant to a prescription

11381 As used in this article "felony offense" and offense "punishable as a felony" refer to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the particular defendant received

11382 Every person who agrees, consents, or in any manner offers to unlawfully sell, furnish, transport, administer, or give any controlled substance classified in Schedule III, IV, or V to any person, or offers, arranges, or negotiates to have any controlled substance classified in Schedule III, IV, or V unlawfully sold, delivered, transported, furnished, administered, or given to any person and then sells, delivers, furnishes, transports, administers, or gives, or offers, or arranges, or negotiates to have sold, delivered, transported, furnished, administered, or given to any person any other liquid, substance, or material in lieu of any controlled substance classified in Schedule III, IV, or V shall be punished by imprisonment in the county jail for not more than one year, or in the state prison for not more than five years

Article 6. Methylamine and Phenylacetone

11383 Any person who possesses both methylamine and phenyl-2-propanone (phenylacetone) at the same time with the intent to manufacture methamphetamine is guilty of a felony and shall be punished by imprisonment in the state prison for not less than one year nor more than five years

The provisions of this section shall not apply to drug manufacturers licensed by this state or persons authorized by regulation of the Board of Pharmacy to possess both methylamine and phenyl-2-propanone (phenylacetone)

11384. The Board of Pharmacy shall, by regulation, authorize such persons to possess both methylamine and phenylacetone at the same time as it determines need and will use both methylamine and phenylacetone for a lawful purpose

CHAPTER 7. BUREAU OF NARCOTIC ENFORCEMENT

11450 There is in the Department of Justice a Bureau of Narcotic Enforcement.

11451. There is a Chief of the Bureau of Narcotic Enforcement, who is appointed and whose salary is fixed by the Attorney General pursuant to the State Civil Service Act, Part 2 (commencing with Section 18500), Division 5, Title 2 of the Government Code

The provisions of Article XXIV of the Constitution and the term "state civil service" shall apply to and include the chief of the bureau

11452 The Attorney General may, in conformity with the State Civil Service Act, Part 2 (commencing with Section 18500), Division 5, Title 2 of the Government Code, employ such agents, chemists, clerical, and other employees as are necessary for the conduct of the affairs of the state bureau. Two of the agents shall be registered licentiates in pharmacy.

11453. The state bureau may employ a physician to interview and examine any patient for whom any controlled substance classified in Schedule I, II, or III has been prescribed or to whom any such controlled substance has been furnished or administered, or who is an habitual user of such a controlled substance, or who has a previous addiction record to a substance listed as a controlled substance classified in Schedules I, II, or III

The patient shall submit to the interview and examination and shall not in any manner hinder or impede it.

The physician employed by the state bureau to conduct the interview and examination shall report the results of the examination and interview to the state bureau.

The physician so employed may testify in any action brought under this division or in any hearing before the State Board of Medical Examiners or the State Board of Osteopathic Examiners and his testimony is not privileged

Every person who violates any provision of this section is guilty of a misdemeanor.

11454 The chief and the agents appointed by him, when authorized so to do by the chief, may expend such sums as the chief deems necessary in the purchase of controlled substances for evidence and in the employment of operators to obtain evidence

The sums so expended shall be repaid to the officer making the expenditures upon claims approved by the chief and subject to postaudit by the Department of Finance The claims when approved shall be paid out of the funds appropriated or made available by law for the support or use of the state bureau

CHAPTER 8 SEIZURE AND DISPOSITION

11470. The following are subject to forfeiture:

(a) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this division.

(b) All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this division.

(c) All property which is used, or intended for use, as a container for property described in subdivision (a) or (b)

(d) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this division

11471. Property subject to forfeiture under this division may be seized by the Attorney General upon process issued by any court having jurisdiction over the property Seizure without process may be made if any of the following situations exist·

(a) The seizure is incident to an arrest or a search under a search warrant

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this division.

(c) The Attorney General has probable cause to believe that the property is directly or indirectly dangerous to health or safety.

(d) The Attorney General has probable cause to believe that the property was used or is intended to be used in violation of this division

11472 In the event of seizure pursuant to Section 11471, proceedings under Section 11473 shall be instituted promptly.

11473. Controlled substances and any device, contrivance, instrument, or paraphernalia used for unlawfully using or administering a controlled substance, which are possessed in violation of this division, may be seized by any peace officer and in the aid of such seizure a search warrant may be issued as prescribed by law

11474. All seizures under provisions of this chapter shall, upon conviction of the owner or defendant, be ordered destroyed by the judge of the court in which conviction was had and the judge shall turn all such evidence over to the Attorney General for destruction or disposition.

11474.5 All seizures of controlled substances, instruments, or paraphernalia used for unlawfully using or administering a controlled substance which are in possession of any city, county, or state official as the result of a case in which no trial was had or in a case which has been disposed of by way of dismissal or otherwise than by way of conviction, shall be turned over to the Attorney General

for destruction or disposition under order of the court

11475 Controlled substances listed in Schedule I that are possessed, transferred, sold, or offered for sale in violation of this division are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, which are seized or come into the possession of the state, the owners of which are unknown, are contraband and shall be summarily forfeited to the state.

11476 Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this division, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the state

11477. The failure, upon demand by the Attorney General, or his authorized agent, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored, to produce an appropriate registration, or proof that he is the holder thereof, constitutes authority for the seizure and forfeiture of the plants

11478 The Attorney General may dispose of controlled substances, other than heroin or smoking opium, by gift to the medical superintendent of state prisons or state hospitals, for medical purposes. Marijuana shall be provided by the Attorney General to the heads of research projects which have been registered by the Attorney General, and which have been approved by the Research Advisory Panel pursuant to Section 11479

The head of the approved research project shall personally receipt for such quantities of marijuana and shall make a record of their disposition. The receipt and record shall be retained by the Attorney General. The head of the approved research project shall also, at intervals and in the manner required by the Research Advisory Panel, report the progress or conclusions of the research project

11480 The Legislature finds that there is a need to encourage further research into the nature and effects of marijuana and hallucinogenic drugs and to coordinate research efforts on such subjects.

There is a Research Advisory Panel which consists of a representative of the State Department of Public Health, a representative of the Department of Mental Hygiene, the chairman of the Interagency Council on Drug Abuse, a representative of the California State Board of Pharmacy, a representative of the Attorney General, a representative of the University of California who shall be a pharmacologist or physician or a person holding a doctorate degree in the health sciences, and a representative of a private university in this state who shall be a pharmacologist or physician or a person holding a doctorate degree in the health sciences The Governor shall annually designate the private university represented on the panel. Members of the panel shall be appointed by the heads of the entities to be represented, and they shall serve at the pleasure of the appointing power

The panel may hold hearings on, and in other ways study, research projects concerning marijuana or hallucinogenic drugs in this state

Members of the panel shall serve without compensation, but shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties

The panel may approve research projects, which have been registered by the Attorney General, into the nature and effects of marijuana or hallucinogenic drugs, and shall inform the Chief of the Bureau of Narcotic Enforcement of the head of such approved research projects which are entitled to receive quantities of marijuana pursuant to Section 11458

The panel may withdraw approval of a research project at any time, and when approval is withdrawn shall notify the head of the research project to return any quantities of marijuana to the Chief of the Bureau of Narcotic Enforcement

The panel shall report annually to the Legislature and the Governor whose research projects approved by the panel, the nature of each research project, and, where available, the conclusions of the research project.

11481 The Research Advisory Panel may hold hearings on, and in other ways study, research projects concerning the treatment of abuse of controlled substances

The panel may approve research projects, which have been registered by the Attorney General, concerning the treatment of abuse of controlled substances and shall inform the chief of such approval The panel may withdraw approval of a research project at any time and when approval is withdrawn shall so notify the chief

The panel shall, annually and in the manner determined by the panel, report to the Legislature and the Governor those research projects approved by the panel, the nature of each research project, and where available, the conclusions of the research project

11482 In addition to the duties authorized by other provisions, the panel shall be responsible for approving methadone maintenance programs established by the county mental health program pursuant to Division 5 (commencing with Section 5000) of the Welfare and Institutions Code or established by any state hospital, which have been registered by the Attorney General

No such programs shall be established without the prior approval of the panel The panel may approve such programs on an inpatient or outpatient basis, or both.

This section shall not become operative if Senate Bill No 714 of the 1972 Regular Session of the Legislature is enacted and becomes effective prior to the effective date of this section

11483 The Research Advisory Panel and the Department of Mental Hygiene shall, jointly, submit an annual report to the Legislature on the status and progress of methadone maintenance programs in this state The report shall be submitted on or before March 1 succeeding the calendar year for which the report is made, commencing with the report for the 1972 calendar year which shall be submitted on or before March 1, 1973

This section shall not become operative if Senate Bill No 714 of the 1972 Regular Session of the Legislature is enacted and becomes effective prior to the effective date of this section

11483 No provision of this division shall be construed to prohibit

the establishment and effective operation of a methadone maintenance treatment program approved pursuant to Section 4351 of the Welfare and Institutions Code

This section shall become operative only if Senate Bill No 714 of the 1972 Regular Session is enacted and becomes effective prior to the effective date of this section and, in such case, shall become operative on the effective date of this section

11484. The panel shall not approve the establishment of a methadone maintenance program without a written application by the treatment facility which meets evaluative criteria required by the panel.

This section shall not become operative if Senate Bill No 714 of the 1972 Regular Session of the Legislature is enacted and becomes effective prior to the effective date of this section.

11485. When controlled substances have been seized pursuant to this division and the defendant or owner has escaped from custody and is a fugitive from justice, they shall upon demand of the Attorney General be turned over to it for safekeeping until such time as the owner or defendant is apprehended and prosecuted for violation of this division.

11486. When controlled substances have been seized pursuant to this division and the case has been disposed of by way of dismissal or otherwise than by way of conviction, they shall by order of the court, be turned over to the Attorney General unless the court finds that the controlled substances were lawfully possessed by the defendant

CHAPTER 9 COLLECTION AND DISPOSITION OF FINES

11500. The district attorney, or any person designated by him, of the county in which any violation of this division is committed shall conduct all actions and prosecutions for the violation

However, the Attorney General, or special counsel employed by the Attorney General for that purpose, may take complete charge of the conduct of such actions or prosecutions The Attorney General may fix the compensation to be paid for the service and may incur such other expense in connection with the conduct of the actions or prosecutions as he may deem necessary No attorney employed as special counsel shall receive as compensation more than three thousand five hundred dollars ($3,500) in any one year

11501. The State of California, or any political subdivision thereof, may maintain an action against any person or persons engaged in the unlawful sale of controlled substances for the recovery of any public funds paid over to such person or persons in the course of any investigation of violations of this division. All proceedings under this section shall be instituted in the superior court of the county where the funds were paid over, where the sale was made, or where the defendant resides

11502. All moneys, forfeited bail, or fines received by any court under this division shall as soon as practicable after the receipt thereof be deposited with the county treasurer of the county in which such court is situated. Amounts so deposited shall be paid at least once a month as follows. 75 percent to the State Treasurer by

warrant of the county auditor drawn upon the requisition of the clerk or judge of said court to be deposited in the State Treasury on order of the State Controller, and 25 percent to the city treasurer of the city, if the offense occurred in a city, otherwise to the treasurer of the county in which the prosecution is conducted

Any money deposited in the State Treasury under the provisions of this section which is determined by the State Controller to have been erroneously deposited therein shall be refunded by him, subject to approval of the State Board of Control prior to the payment of such refund, out of any money in the State Treasury which is available by law for such purpose.

11503 Judges and magistrates who collect fines or forfeitures under this division shall keep a record thereof, and, upon the imposition of any such fine or forfeiture, shall at least monthly transmit a record of it to the county auditor. The county auditor shall transmit a record of the imposition, collection and payment of such fines or forfeitures to the State Controller at the time of transmittal of each warrant to the State Treasurer pursuant to this article.

11504 When an imprisonment has been imposed for a violation of this division, and before the termination of the sentence, the defendant is released by the vacation of the sentence of imprisonment and the imposition of a fine or forfeiture instead, the fine or forfeiture shall be recorded and accounted for in the same manner as though it had been imposed in the first instance.

11505. Whenever a fine has been imposed for violation of this division, and before the full payment of the fine a sentence of imprisonment is imposed instead, the imprisonment shall be recorded and accounted for to the county auditor

11506 The State Controller shall check the reports and records received by him with the transmittals of fines and forfeitures and whenever it appears that fines or forfeitures have not been transmitted the county auditor shall and the State Controller may bring suit to enforce their collection or transmittal, or both.

11507 The official bond of any judge or magistrate is liable for his failure to transmit the fines or forfeitures imposed by him under this division

11508. The records kept by a judge or magistrate under this division are open to public inspection, and may be checked by the State Controller, the Attorney General, the district attorney of the particular county, or the state bureau

CHAPTER 10 CONTROL OF USERS OF CONTROLLED SUBSTANCES

Article 1 Addicts

11550. No person shall use, or be under the influence of any controlled substance, excepting when administered by or under the direction of a person licensed by the state to dispense, prescribe, or administer controlled substances It shall be the burden of the defense to show that it comes within the exception Any person convicted of violating any provision of this section is guilty of a misdemeanor and shall be sentenced to serve a term of not less than

90 days nor more than one year in the county jail The court may place a person convicted hereunder on probation for a period not to exceed five years and shall in all cases in which probation is granted require as a condition thereof that such person be confined in the county jail for at least 90 days In no event does the court have the power to absolve a person who violates this section from the obligation of spending at least 90 days in confinement in the county jail

11551. (a) Whenever any court in this state grants probation to a person who the court has reason to believe is or has been a user of controlled substances, the court may require as a condition to probation that the probationer submit to periodic tests by a city or county health officer, or by a physician and surgeon appointed by the city or county health officer with the approval of the Attorney General, to determine, by whatever means is available, whether the probationer is addicted to a controlled substance.

In any case provided for in this subdivision, the city or county health officer, or the physician and surgeon appointed by the city or county health officer with the approval of the Attorney General shall report the results of the tests to the probation officer.

(b) In any case in which a person is granted parole by a county parole board and the person is or has been a user of controlled substances, a condition of the parole may be that the parolee undergo periodic tests as provided in subdivision (a) and that the county or city health officer, or the physician and surgeon appointed by the city or county health officer with the approval of the Attorney General, shall report the results to the board.

(c) In any case in which any state agency grants a parole to a person who is or has been a user of controlled substances, it may be a condition of the parole that the parolee undergo periodic tests as provided in subdivision (a) and that the county or city health officer, or the physician and surgeon appointed by the city or county health officer with the approval of the Attorney General, shall report the results of the tests to such state agency

(d) The cost of administering tests pursuant to subdivisions (a) and (b) shall be a charge against the county. The cost of administering tests pursuant to subdivision (c) shall be paid by the state

(e) The state department, in conjunction with the Attorney General, shall issue regulations governing the administering of the tests provided for in this section and providing the form of the report required by this section

11552. In any case in which a person has been arrested for a criminal offense and is suspected of being addicted to a controlled substance, a law enforcement officer having custody of such person may, with the written consent of such person, request the city or county health officer, or physician appointed by such health officer pursuant to Section 11551, to administer to the arrested person a test to determine, by whatever means is available whether the arrested person is addicted to a controlled substance, and such health officer or physician may administer such test to such arrested person

11553 The fact that a person is or has been, or is suspected of

being, a user of marijuana is not alone sufficient grounds upon which to invoke Section 11551 or 11552

This section shall not be construed to limit the discretion of a judge to invoke Section 11551 or 11552 if the court has reason to believe a person is or has been a user of narcotics or drugs other than marijuana.

11554 The rehabilitation of persons addicted to controlled substances and the prevention of continued addiction to controlled substances is a matter of statewide concern. It is the policy of the state to encourage each county and city and county to make use, whenever applicable, of testing procedures to determine addiction to controlled substances or the absence thereof, and to foster research in means of detecting the existence of addiction to controlled substances and in medical methods and procedures for that purpose

11555. The Attorney General is directed to promote and sponsor the use by agencies of local government of the provisions of this article The Attorney General may assist such agencies to establish facilities for, and to train personnel to conduct testing procedures pursuant to Section 11551, and may conduct demonstrations thereof for limited periods. For these purposes the Attorney General may procure such medical supplies, equipment, and temporary services of physicians and qualified consultants as may reasonably be necessary. Subject to the availability of funds appropriated for the purpose, the Attorney General may contract with any county or city and county which undertakes to establish facilities and a testing program pursuant to Section 11551, and such contract may provide for payment by the state of such costs of initially establishing and demonstrating such program as the Attorney General may approve.

Article 2 Controlled Substances Treatment Control Units

11560 The Department of Corrections and the Department of the Youth Authority are authorized to establish controlled substances treatment control units in state correctional facilities or training schools or as separate establishments for such study, research, and treatment as may be necessary for control of the addiction or imminent addiction to controlled substances of persons committed to the custody of the Director of Corrections or the Director of the Youth Authority

11561 When the Adult Authority concludes that there are reasonable grounds for believing that a man on parole is addicted to, or is in imminent danger of addiction to, controlled substances it may issue an order to detain or place such person in a controlled substance treatment control unit for a period not to exceed 90 days. Such order shall be a sufficient warrant for any peace officer or employee of the Department of Corrections to return to physical custody any such person Detention pursuant to such order shall not be deemed a suspension, cancellation or revocation of parole until such time as the Adult Authority so orders pursuant to Section 3060 of the Penal Code A parolee taken into physical custody pursuant to Section 3060 of the Penal Code may be detained in a controlled

substance treatment control unit established pursuant to this article

11562. When the Youth Authority concludes that there are reasonable grounds for believing that a person committed to its custody, and on parole, is addicted to, or is in imminent danger of addiction to, controlled substances, it may issue an order to detain or place such person in a controlled substance treatment control unit for not to exceed 90 days. Such order shall be a sufficient warrant for any peace officer or employee of the Department of the Youth Authority to return to physical custody any such person Detention pursuant to such order shall not be deemed a suspension, cancellation, or revocation of parole unless the Youth Authority so orders pursuant to Section 1767 3 of the Welfare and Institutions Code

With the consent of the Director of Corrections, the Director of the Youth Authority may, pursuant to this section, confine the addicted or potentially addicted person, over 18 years of age, in a controlled substance treatment control unit established by the Department of Corrections.

11563. When the California Women's Board of Terms and Parole concludes that there are reasonable grounds for believing that a woman on parole is addicted to, or is in imminent danger of addiction to, controlled substances, it may issue an order to detain or place such person in a controlled substance treatment control unit for a period not to exceed 90 days. Such order shall be a sufficient warrant for any peace officer or employee of the Department of Corrections to return to physical custody any such person. Detention pursuant to such order shall not be deemed a suspension, cancellation or revocation of parole until such time as the board so orders pursuant to Section 3060 of the Penal Code A parolee taken into physical custody pursuant to Section 3060, 6043, or 6044 of the Penal Code may be detained in a controlled substance treatment control unit established pursuant to this article.

11564. The authority granted to the Adult Authority and the Youth Authority in no way limits Sections 3060 and 3325 of the Penal Code.

Article 3. Abatement

11570. Every building or place used for the purpose of unlawfully selling, serving, storing, keeping, or giving away controlled substances as defined in this division, and every building or place wherein or upon which such acts take place, is a nuisance which shall be enjoined, abated, and prevented, whether it is a public or private nuisance

11571 Whenever there is reason to believe that such a nuisance is kept, maintained or exists in any county, the district attorney of the county, in the name of the people, shall, or any citizen of the state resident in the county, in his own name, may, maintain an action to abate and prevent the nuisance and perpetually to enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place, in or upon which the nuisance exists, from directly or indirectly maintaining or permitting the nuisance.

11572 Unless filed by the district attorney, the complaint in the

action shall be verified

11573 If the existence of the nuisance is shown in the action to the satisfaction of the court or judge, either by verified complaint or affidavit, the court or judge shall allow a temporary writ of injunction to abate and prevent the continuance or recurrence of the nuisance.

11574 Except when it is granted on application of the people of the state, on granting the temporary writ the court or judge shall require a written undertaking on the part of the applicant, with sufficient sureties, to the effect that he will pay to the defendant enjoined such damages, not exceeding an amount to be specified, as the defendant sustains by reason of the injunction if the court finally decides that the applicant was not entitled to it.

11575 The action shall have precedence over all other actions, except criminal proceedings, election contests, hearings on injunctions, and actions to forfeit vehicles under this division

11576. If the complaint is filed by a citizen it shall not be dismissed by him or for want of prosecution except upon a sworn statement made by him and his attorney, setting forth the reasons why the action should be dismissed, and by dismissal ordered by the court.

11577 In case of failure to prosecute the action with reasonable diligence, or at the request of the plaintiff, the court, in its discretion, may substitute any other citizen consenting thereto for the plaintiff

11578. If the action is brought by a citizen and the court finds there was no reasonable ground or cause for the action, the costs shall be taxed against him.

11579. If the existence of the nuisance is established in the action, an order of abatement shall be entered as part of the judgment in the case, and plaintiff's costs in the action are a lien upon the building or place The lien is enforceable and collectible by execution issued by order of the court

11580 A violation or disobedience of the injunction or order for abatement is punishable as a contempt of court by a fine of not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000), or by imprisonment in the county jail for not less than one nor more than six months, or by both.

11581 If the existence of the nuisance is established in the action, an order of abatement shall be entered as a part of the judgment, which order shall direct the removal from the building or place of all fixtures, musical instruments, and other movable property used in conducting, maintaining, aiding, or abetting the nuisance and shall direct their sale in the manner provided for the sale of chattels under execution

The order shall provide for the effectual closing of the building or place against its use for any purpose, and for keeping it closed for a period of one year, unless sooner released, as provided in this division

11582 While the order of abatement remains in effect, the building or place is in the custody of the court

11583 For removing and selling the movable property, the officer is entitled to charge and receive the same fees as he would for levying upon and selling like property on execution; and for

closing the premises and keeping them closed, a reasonable sum shall be allowed by the court.

11584. The proceeds of the sale of the movable property shall be applied as follows.

First—To the fees and costs of the removal and sale.

Second—To the allowances and costs of closing and keeping closed the building or place.

Third—To the payment of the plaintiff's costs in the action

Fourth—The balance, if any, to the owner of the property

11585 If the proceeds of the sale of the movable property do not fully discharge all of the costs, fees, and allowances, the building and place shall then also be sold under execution issued upon the order of the court or judge and the proceeds of the sale shall be applied in like manner.

11586 If the owner of the building or place has not been guilty of any contempt of court in the proceedings, and appears and pays all costs, fees, and allowances that are a lien on the building or place and files a bond in the full value of the property, to be ascertained by the court, with sureties, to be approved by the court or judge, conditioned that he will immediately abate any such nuisance that may exist at the building or place and prevent it from being established or kept thereat within a period of one year thereafter, the court, or judge may, if satisfied of his good faith, order the building or place to be delivered to the owner, and the order of abatement canceled so far as it may relate to the property.

The release of property under the provisions of this division does not release it from any judgment, lien, penalty, or liability to which it may be subject.

11587. Whenever the owner of a building or place upon which the act or acts constituting the contempt have been committed, or the owner of any interest therein, has been guilty of a contempt of court, and fined in any proceedings under this division, the fine is a lien upon the building or place to the extent of his interest in it.

The lien is enforceable and collectible by execution issued by order of the court

Article 4. Registration of Controlled Substance Offenders

11590. Any person who, on or after the effective date of this section, is convicted in the State of California of a violation of Section 11350, 11351, 11352, 11353, 11354, 11355, 11357, 11359, 11360, 11361, 11363, 11366, 11368, or 11550, or any person who, on or after the effective date of this section is discharged or paroled from a penal institution where he was confined because of the commission of any such offense, or any person who, on or after the effective date of this section is convicted in any other state or in any federal court of any offense which, if committed or attempted in this state, would have been punishable as a violation of any such section of this code, shall within 30 days after the effective date of this section or within 30 days of his coming into any county or city, or city and county in which he resides or is temporarily domiciled for such length of time, register with the chief of police of the city in which he resides or the sheriff

of the county if he resides in an unincorporated area

11591 Every sheriff or chief of police, upon the arrest for any of the controlled substance offenses enumerated in Section 11590, or Section 11364, insofar as that section relates to paragraph (9) of subdivision (d) of Section 11054, of any school employee, shall do either of the following

(1) If such school employee is a teacher in any of the public schools of this state, he shall immediately notify by telephone the superintendent of schools of the school district employing such teacher and shall immediately give written notice of the arrest to the State Department of Education and to the superintendent of schools in the county wherein such person is employed. Upon receipt of such notice, the county superintendent of schools shall immediately notify the governing board of the school district employing such person.

(2) If such school employee is a nonteacher in any of the public schools of this state, he shall immediately notify by telephone the superintendent of schools of the school district employing such nonteacher and shall immediately give written notice of the arrest to the governing board of the school district employing such person

(3) If such school employee is a teacher in any private school of this state, he shall immediately notify by telephone the private school authority employing such teacher and shall immediately give written notice of the arrest to the private school authority employing such teacher

11592. Any person who, on or after the effective date of this section is discharged or paroled from a jail, prison, school, road camp, or other institution where he was confined because of the commission or attempt to commit one of the offenses described in Section 11590 shall, prior to such discharge, parole, or release, be informed of his duty to register under that section by the official in charge of the place of confinement and the official shall require the person to read and sign such form as may be required by the State Bureau of Criminal Identification and Investigation, stating that the duty of the person to register under this section has been explained to him The official in charge of the place of confinement shall obtain the address where the person expects to reside upon his discharge, parole, or release and shall report such address to the State Bureau of Criminal Identification and Investigation. The official in charge of the place of confinement shall give one copy of the form to the person, and shall send two copies to the State Bureau of Criminal Identification and Investigation, which bureau, in turn, shall forward one copy to the appropriate law enforcement agency having local jurisdiction where the person expects to reside upon his discharge, parole, or release

11593 Any person who, on or after the effective date of this section is convicted in the State of California of the commission or attempt to commit any of the above-mentioned offenses and who is released on probation or discharged upon payment of a fine shall, prior to such release or discharge, be informed of his duty to register under Section 11590 by the court in which he has been convicted and the court shall require the person to read and sign such form as may be required by the State Bureau of Criminal Identification and

Investigation, stating that the duty of the person to register under this section has been explained to him The court shall obtain the address where the person expects to reside upon his release or discharge and shall report within three days such address to the State Bureau of Criminal Identification and Investigation. The court shall give one copy of the form to the person, and shall send two copies to the State Bureau of Criminal Identification and Investigation, which bureau, in turn, shall forward one copy to the appropriate law enforcement agency having local jurisdiction where the person expects to reside upon his discharge, parole, or release.

11594. The registration required by Section 11590 shall consist of (a) a statement in writing signed by such person, giving such information as may be required by the State Bureau of Criminal Identification and Investigation, and (b) the fingerprints and photograph of such person. Within three days thereafter the registering law enforcement agency shall forward such statement, fingerprints and photograph to the State Bureau of Criminal Identification and Investigation.

If any person required to register hereunder changes his residence address he shall inform, in writing within 10 days, the law enforcement agency with whom he last registered of his new address. The law enforcement agency shall, within three days after receipt of such information, forward it to the State Bureau of Criminal Identification and Investigation The State Bureau of Criminal Identification and Investigation shall forward appropriate registration data to the law enforcement agency having local jurisdiction of the new place of residence

All registration requirements set forth in this article shall terminate five years after the discharge from prison, release from jail or termination of probation or parole of the person convicted Nothing in this section shall be construed to conflict with the provisions of Section 1203 4 of the Penal Code concerning termination of probation and release from penalties and disabilities of probation.

Any person required to register under the provisions of this section who shall knowingly violate any of the provisions thereof is guilty of a misdemeanor.

The statements, photographs and fingerprints herein required shall not be open to inspection by the public or by any person other than a regularly employed peace or other law enforcement officer

11595. The provisions of former Article 6 (commencing with Section 11850) of Chapter 7 of Division 10 of this code, which is repealed by the act that adds this article, shall remain in effect as to any person who comes within such provisions.

CHAPTER 11. EDUCATIONAL PROGRAMS

11600. The Attorney General, the Board of Pharmacy, and other agencies shall carry out educational programs designed to prevent and deter misuse and abuse of controlled substances In connection with these programs, he may do all of the following.

(a) Promote better recognition of the problems of misuse and abuse of controlled substances within the regulated industry and

among interested groups and organizations

(b) Assist the regulated industry and interested groups and organizations in contributing to the reduction of misuse and abuse of controlled substances.

(c) Consult with interested groups and organizations to aid them in solving administrative and organizational problems.

(d) Assist in the education and training of state and local law enforcement officials in their efforts to control misuse and abuse of controlled substances

11601. The Attorney General shall encourage research on misuse and abuse of controlled substances. In connection with the research, and in furtherance of the enforcement of this division, he may do all of the following

(a) Develop new or improved approaches, techniques, systems, equipment and devices to strengthen the enforcement of this division.

(b) Enter into contracts with public agencies, institutions of higher education, and private organizations or individuals for the purpose of conducting demonstrations or special projects which bear directly on misuse and abuse of controlled substances

11602. The Attorney General may enter into contracts for educational and research activities without performance bonds.

11603. The Attorney General, with the approval of the Research Advisory Panel, may authorize persons engaged in research on the use and effects of controlled substances to withhold the names and other identifying characteristics of individuals who are the subjects of the research Persons who obtain this authorization are not compelled in any civil, criminal, administrative, legislative, or other proceeding to identify the individuals who are the subjects of research for which the authorization was obtained.

11604 The Attorney General, with the approval of the Research Advisory Panel, may authorize the possession and distribution of controlled substances by persons engaged in research. Persons who obtain this authorization are exempt from state prosecution for possession and distribution of controlled substances to the extent of the authorization

CHAPTER 12 STATE OFFICE OF NARCOTICS AND DRUG ABUSE COORDINATION

11640 There is in the Health and Welfare Agency the State Office of Narcotics and Drug Abuse Coordination This office shall be under the control of an executive officer known as the coordinator. The coordinator shall be appointed by, and hold office at the pleasure of, the Governor

11641. The coordinator may appoint

(a) An assistant coordinator.

(b) Such other employees as may be necessary for the proper discharge of the duties of his office

11642 The duties of this state office are

(a) To coordinate controlled substances abuse preventive and treatment programs

(b) To be a central information resource on preventive and

treatment programs and on research projects, with respect to controlled substances.

(c) To assist local community organizations in initiating effective programs to prevent and treat addiction to controlled substances and abuse thereof.

11643. This chapter shall not become operative if Senate Bill No. 714 of the 1972 Regular Session of the Legislature is enacted and becomes effective prior to the effective date of this chapter

CHAPTER 12. STATE OFFICE OF NARCOTICS AND DRUG ABUSE

11640. The Legislature hereby finds and declares that it is essential to the health and welfare of the people of this state that action be taken by state government to effectively and economically utilize federal and state funds for narcotic and drug abuse prevention, care, treatment and rehabilitation services To achieve this, it is necessary that:

(a) Existing fragmented, uncoordinated, and duplicative narcotic and drug abuse programs be molded into a comprehensive and integrated statewide program for the prevention of narcotic and drug abuse and for the care, treatment, and rehabilitation of narcotic addicts and drug abusers.

(b) Responsibility and authority for planning programs and activities for prevention, care, treatment, and rehabilitation of narcotic addicts be concentrated in one agency. It is hereby declared to be the intent of the Legislature to assign responsibility and grant authority for planning narcotic and drug abuse prevention, care, treatment, and rehabilitation programs to a state agency whose functions shall be subject to periodic review by the Legislature and appropriate federal agencies.

11641. There is in the Health and Welfare Agency the State Office of Narcotics and Drug Abuse. This office shall be under the control of an executive officer known as the director. The director shall be appointed by, and hold office at the pleasure of, the Governor.

11642. The director may appoint

(a) An assistant director.

(b) Such other employees as may be necessary for the proper discharge of the duties of his office.

11643 The duties of the State Office of Narcotics and Drug Abuse are.

(a) To coordinate state and local narcotics and drug abuse preventive, care, treatment, and rehabilitation programs

(b) Consult with state and local health planning bodies and encourage and promote effective use of facilities, resources, and funds in the development of integrated, comprehensive local programs for the prevention, care, treatment, and rehabilitation of narcotics and drug abuse

(c) Develop and implement a comprehensive and uniform plan for the prevention, care, treatment, and rehabilitation of narcotics and drug abuse throughout the state

(d) Consult with federal, state, and local agencies involved in the

provision and delivery of services of prevention, care, treatment, and rehabilitation of narcotics and drug abuse.

(e) Provide technical assistance, guidance, and information to local governments and state agencies with respect to the creation and implementation of programs and procedures for dealing effectively with narcotics and drug abuse prevention, care, treatment, and rehabilitation

(f) Establish goals and priorities for all state agencies providing narcotic and drug abuse services. All state governmental units operating drug programs or administering or subventing state or federal funds for drug programs shall annually set their program priorities and allocate funds in coordination with the State Office of Narcotics and Drug Abuse.

(g) Identify, in conjunction and cooperation with the Department of Finance, all funds made available to the state by the federal government, the state, public agencies, and other sources which can be used in the prevention, care, treatment, and rehabilitation of narcotics and drug abuse.

(h) In the same manner and subject to the same conditions as other state agencies, develop and submit annually to the Department of Finance a program budget for the statewide narcotics and drug abuse program, including not only expenditures proposed to be made under this division, but also expenditures proposed to be made under any related program or by any other state agency, incidental to the prevention, control, and treatment of narcotics and drug abuse The office may require state departments to contract with it for services to carry out provisions of this division

(i) To coordinate all narcotics and drug abuse services and related programs conducted by state agencies with the federal government, and shall ensure that there is no duplication of such programs among state agencies and that all agreements, contracts, plans, and programs proposed to be submitted by any such agency, other than the Regents of the University of California, to the federal government in relation to narcotics and drug abuse related problems shall first be submitted to the State Office of Narcotics and Drug Abuse for review and approval

(j) To enter into such agreements and contracts with any person, agency, corporation, or other legal entity and such other actions as are necessary to carry out the purposes of this division. The office may require state departments to contract with it for services to carry out the provisions of this division.

(k) To accept and expend grants, gifts, and legacies of money, and with the consent of the Department of Finance, to accept, manage, and expend grants, gifts, and legacies of other properties in furtherance of the purposes of this division

11644 This chapter shall become operative only if Senate Bill No 714 of the 1972 Regular Session is enacted and becomes effective prior to the effective date of this chapter and in such case shall become operative on the effective date of this chapter.

CHAPTER 13 MISCELLANEOUS

11650. (a) Prosecution for any violation of law occurring prior to effective date of this division is not affected or abated by this division If the offense being prosecuted is similar to one set out in Chapter 5 (commencing with Section 11350) of this division, then the penalties under Chapter 5 (commencing with Section 11350) apply if they are less than those under prior law.

(b) Civil seizures or forfeitures and injunctive proceedings commenced prior to effective date of this division are not affected by this division.

(c) All administrative proceedings pending under prior laws which are superseded by this division shall be continued and brought to a final determination in accord with the laws and rules in effect prior to effective date of this division. Any substance controlled under prior law which is not listed within Schedules I through V, is automatically controlled without further proceedings and shall be listed in the appropriate schedule

(d) This division applies to violations of law, seizures and forfeiture, injunctive proceedings, administrative proceedings and investigations which occur on or after the effective date of this division

11651. Any orders and regulations promulgated pursuant to any law affected by this division and in effect on the effective date of this division, not in conflict with it continue in effect until modified, superseded, or repealed

SEC. 4. Division 10 5 (commencing with Section 11900) of the Health and Safety Code is repealed.

SEC. 5. Division 10.8 (commencing with Section 11940) of the Health and Safety Code is repealed

SEC. 6 Division 10 9 (commencing with Section 11990) of the Health and Safety Code is repealed

SEC. 7 Section 11217 is added to the Health and Safety Code, to read·

SEC 8 Section 1803 of the Vehicle Code is amended to read

1803 (a) Every clerk of a court, or judge if there be no clerk, in which a person was convicted of any violation of this code, and of any offense involving use or possession of narcotic controlled substances under Division 10 (commencing with Section 11000) of the Health and Safety Code, and of any violation of any other statute relating to the safe operation of vehicles, and of any offense relating to littering under Section 13002 of the Health and Safety Code or Section 374b or 374e of the Penal Code or punishable under Section 5008 7 of the Public Resources Code shall prepare within 10 days after conviction and immediately forward to the department at its office at Sacramento an abstract of the record of the court covering the case in which the person was so convicted which abstract must be certified by the person so required to prepare the same to be true and correct.

For the purposes of this section, a forfeiture of bail shall be equivalent to a conviction

(b) The following violations are not required to be reported

under subdivision (a) of this section:

(1) Division 3.5 (commencing with Section 9840).

(2) Chapter 9 (commencing with Section 22500) of Division 11

(3) Division 12 (commencing with Section 24000), except Sections 24002, 24004, 24250, 24409, 24604, 24800, 25103, Chapter 3 (commencing with Section 26301), 26707, 27800, and 27801

(4) Division 15 (commencing with Section 35000), except Chapter 5 (commencing with Section 35550).

(5) Violations for which a person was cited as a pedestrian or while operating a bicycle

(c) If the court impounds a license or orders a person to limit his driving pursuant to subdivision (c) of Section 40508, the court shall notify the department concerning the impoundment or limitation on an abstract prepared pursuant to subdivision (a) of this section or on a separate abstract, which shall be prepared within 10 days after the impoundment or limitation was ordered and immediately forwarded to the department at its office in Sacramento.

SEC. 9 Section 12806 of the Vehicle Code is amended to read.

12806. (a) Any physical or mental defect of the applicant which in the opinion of the department does not affect the applicant's ability to exercise reasonable and ordinary control in operating a motor vehicle upon the highway shall not prevent the issuance of a license to the applicant.

(b) An applicant addicted to the use of narcotic drugs who is participating in a methadone maintenance program approved pursuant to Section 11482 of the Health and Safety Code may be issued a license subject to reasonable terms and conditions of probation if such drug usage does not affect the applicant's ability to exercise reasonable and ordinary control in operating a motor vehicle upon the highway.

(c) Any suspension or revocation by a state which is not a party to the Driver License Compact provided for in Chapter 6 (commencing with Section 15000) of Division 6 shall not prevent the issuance of a license to the applicant if in the opinion of the department it will be safe to issue such license.

SEC 10 Section 12809 of the Vehicle Code is amended to read:

12809. The department may refuse to issue or renew a driver's license to any person.

(a) If the department is satisfied that the applicant is not entitled to the license under this code.

(b) If the applicant has failed to furnish the department the information required in the application or reasonable additional information requested by the department

(c) If the department determines that the applicant has made or permitted unlawful use of any driver's license

(d) If the department determines that such person has knowingly used a false or fictitious name in any application for a license or has impersonated another in making application or in taking any test, or has knowingly made a false statement or knowingly concealed a material fact, or otherwise committed any fraud in any such application

(e) If the department determines that the applicant is a negligent

or incompetent operator of a motor vehicle.

(f) If the applicant is convicted of any offense involving the use or possession of a narcotic controlled substance under Division 10 (commencing with Section 11000) of the Health and Safety Code.

(g) If the applicant fails or refuses to surrender to the department, upon its lawful demand, a nonresident minor's certificate which has been canceled

SEC 11. Section 13202 of the Vehicle Code is amended to read.

13202. (a) A court may suspend or order that the department revoke in which case the department shall revoke the privilege of any person to operate a motor vehicle upon conviction of any narcotic controlled substance offense as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code when the use of a motor vehicle was involved in, or incidental to, the commission of the offense.

(b) A court shall order that the department revoke and the department shall revoke the privilege of any person to operate a motor vehicle upon conviction of a violation of Section 11350, 11351, 11352, 11353, 11357, 11359, 11360, or 11361 of the Health and Safety Code when a motor vehicle was involved in, or incidental to, the commission of such offense.

(c) The period of time for suspension or the period after revocation during which the person may not apply for a license shall be determined by the court

SEC. 12. Section 13355.5 of the Vehicle Code is amended to read.

13355.5. Upon the recommendation of the judge of a juvenile court, a juvenile traffic hearing officer, or a referee of a juvenile court, the department shall immediately suspend, for a period of one year, the privilege of any person to operate a motor vehicle who has been found to have committed the offense of possession of marijuana or any other offense defined in Division 10 (commencing with Section 11000) of the Health and Safety Code punishable as a felony while such person was a motor vehicle operator

Participation in a methadone maintenance program approved pursuant to Section 11482 of the Health and Safety Code shall not be grounds for such suspension

Each judge of a juvenile court, juvenile traffic hearing officer, or referee of a juvenile court shall immediately report such recommendation and findings to the department.

SEC. 13. Section 13800 of the Vehicle Code is amended to read

13800. The department may conduct an investigation to determine whether the privilege of any person to operate a motor vehicle should be suspended or revoked or whether terms or conditions of probation should be imposed upon receiving information or upon a showing by its records

(a) That the licensee has been involved as a driver in any accident causing death or personal injury or serious damage to property

(b) That the licensee has been involved in three or more accidents within a period of 12 consecutive months

(c) That the licensee is a reckless, negligent, or incompetent driver of a motor vehicle

(d) That the licensee has permitted an unlawful or fraudulent use

of his driver's license.

(e) That any ground exists for which a license might be refused. The receipt by the department of an abstract of the record of conviction of any offense involving the use or possession of narcotic controlled substances under Division 10 (commencing with Section 11000) of the Health and Safety Code shall be a sufficient basis for an investigation by the department to determine whether grounds exist for which a license might be refused."

Amendment No. 3

On page 4, strike out lines 3 to 6, inclusive; and strike out pages 5 to 45, inclusive

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Duffy, Stacey, and Waxman—3

NOES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Moorhead, Murphy, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stull, Townsend, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 192

The Acting Speaker appointed Messrs Campbell, Duffy, and Sieroty as a Committee on Conference concerning Assembly Bill No. 192.

Assembly Bill No. 151—An act to amend Sections 8101 and 8352 of, and to add Section 8352.6 to, the Revenue and Taxation Code, and to amend Section 186 of the Streets and Highways Code, relating to revenues derived from taxes on motor vehicle fuel, making an appropriation, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 151?

Senate Amendments of July 10, 1972

Set No. 1

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in Assembly March 13, 1972, after "year", insert a comma.

Amendment No. 2

On page 4, line 12, after "fees", insert ", except motor vehicle fuel revenues attributable to propelling motor vehicles in off-highway agricultural use".

Amendment No. 3

On page 4, line 22, strike out "useable", and insert "usable".

216 24 11 435

Set No. 2

Amendment No. 1

On page 3, of the printed bill, as amended in Assembly March 13, 1972, in line 32, strike out the second "in", and insert "of".

Senate Amendments of August 4, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Senate July 10, 1972, after "Chappie", insert

"(Coauthor: Senator Gregorio)".

Amendment No. 2

On page 2, strike out line 14, and insert "which are used for recreational purposes or are rented or leased for recreational purposes."

Senate Amendments of November 10, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate August 4, 1972, after the second comma, insert "and to amend Section 186 of the Streets and Highways Code,".

Amendment No. 2

In line 3 of the title, strike out "and".

Amendment No. 3

In line 4 of the title, after "appropriation", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, line 1, after "SECTION 1.", insert "This act is known and may be cited as the "Chappie-Gregorio Off-Highway Gas Tax Act of 1972"

SEC. 2."

Amendment No. 5

On page 3, line 4, strike out "SEC. 2 ", and insert

"SEC. 3."

Amendment No. 6

On page 3, line 14, strike out "SEC. 3.", and insert

"SEC 4."

Amendment No. 7

On page 3, between lines 17 and 18, insert "in the Motor Vehicle Fuel Account to the Off-Highway Vehicle Fund created by Section 38225 of the Vehicle Code the following amounts:

(a) Prior to October 1, 1973, the amount of the estimate contained in the report prepared pursuant to this section for the 1972–1973 fiscal year, less the amount of any refunds reimbursed and repaid pursuant to Section 8101, which is attributable to fuel for vehicles identified under Division 16.5 (commencing with Section 38000) of the Vehicle Code.

(b) Prior to October 1, 1974, and prior to the first day of October of each year thereafter, an amount equal to the estimate contained in the most recent report prepared pursuant to this section.

(c) The amounts described in subdivisions (a) and (b) represent the portion of receipts in the Motor Vehicle Fuel Account attributable to taxes imposed upon distributions of motor vehicle fuel used in off-highway operation of vehicles identified under Division 16.5 (commencing with Section 38000) of the Vehicle Code for which a refund has not been claimed Payments made pursuant to this section shall be made prior to payments pursuant to Section 8352 2.

(d) On or before August 15, 1973, and every two years thereafter, the Department of Public Works shall prepare, or cause to be prepared, in cooperation with the Department of Parks and Recreation, a report setting forth the current estimate of the amount of money credited to the Motor Vehicle Fuel Account attributable to taxes imposed on distribution of motor vehicle fuel used in the off-highway operations of vehicles identified under Division 16 5 (commencing with Section 38000) of the Vehicle Code for which a refund has not been claimed; and shall submit a copy of such report to the Legislature

SEC. 5 Section 186 of the Streets and Highways Code is amended to read:

186 For general administration and for maintenance, the department and the commission shall be limited in expenditures, out of the money available each year in the State Highway ~~Fund~~ *Account*, to an amount not exceeding the net revenue derived from one and one-eighth cents ($0 01125) per gallon tax on motor vehicle fuel and on the use of fuel under Part 3 (commencing with Section 8601) of Division 2 of the Revenue and Taxation Code, *except that during the 1972-73 fiscal year the limit on such expenditures shall not exceed the net revenue derived from one and one-fourth cents ($0 0125) per gallon of such tax*. Of that amount the department shall expend such proportion as the commission determines is necessary for each of the following:

(a) General administration purposes.

(b) Maintenance of all state highways, including all traversable highways between the termini of and approximately on authorized state highway routes

(c) Maintenance of highways in state parks

SEC. 6. In addition to the report required by Section 8352 6 of the Revenue and Taxation Code, the Department of Public Works, on or before July 1, 1973, shall prepare or cause to be prepared, in cooperation with the Department of Parks and Recreation, a report setting forth the estimated amount of motor vehicle fuel revenues attributable to propelling motor vehicles in off-highway recreational use by motor vehicles subject to on-highway registration and license fees The report required by this section is for purposes of information only and shall not be used for purposes of transferring funds from the Motor Vehicle Fuel Account.

The Department of Public Works shall submit a copy of such report to the Legislature

SEC 7. (a) Section 2 of this act shall become operative on January 1, 1973.

(b) All other sections of this act shall take effect immediately and shall become operative in the manner specified in such sections

SEC 8. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to afford state agencies adequate time to prepare the reports required by this act and in order to make Section 2 of this act take effect at the proper time, it is necessary for this act to take effect immediately."

Amendment No. 8

On page 3, strike out lines 18 to 40, inclusive; and on page 4, strike out lines 1 to 24, inclusive.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 151?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker.—73

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 568—An act to amend Section 651 of the Business and Professions Code, relating to healing arts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 568?

Senate Amendments of November 16, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly April 24, 1972, strike out "add Section 25508 1 to", and insert "amend Section 651 of".

Amendment No. 2

In line 2 of the title, strike out "alcoholic beverages", and insert "healing arts".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 Section 651 of the Business and Professions Code is amended to read·

651 It is unlawful for any person licensed *(a)* under this division, *except a person licensed under Chapter 7 5 (commencing with Section 3300);* or *(b)* under any initiative act referred to in this division to offer for sale or to sell any commodity or to offer to render or to render any service under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a discount, or under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a percentage or otherwise less than the average fee or price then regularly charged under like conditions by the person so licensed or by other persons for such commodity or service or commodity and service The provisions of this section shall not be construed to modify or establish prices or fees or to modify or affect in any manner any other provision of this division."

Amendment No. 4

On page 1, strike out lines 2 to 5, inclusive; and strike out page 2

Senate Amendments of November 27, 1972

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in Senate November 16, 1972, after the period, insert "Any person licensed under Chapter 7 5 (commencing with Section 3300) of this division who offers for sale or sells any commodity or offers to render or renders any service under the representation that the price or fee for such commodity or service is at a discount or at a percentage or otherwise less than the average price or fee than regularly charged under like conditions by the person so licensed or by other persons shall include in such representation a statement of the average price or fee then regularly charged by the person so licensed or by other persons "

Senate Amendments of November 29, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate November 27, 1972, after line 30, insert

"The provisions of this section pertaining to persons licensed under Chapter 7 5 (commencing with Section 3300) of this division shall not *apply to the sale of any ophthalmic materials* "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 598—An act to add Chapter 6 5 (commencing with Section 25100) to Division 20 of the Health and Safety Code, relating to waste materials.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No 598?

Senate Amendments of July 6, 1972

Amendment No. 1

On page 3, line 40, of the printed bill, as amended in Assembly June 8, 1972, after "incinerate," insert "biodegrade,".

Senate Amendments of November 28, 1972

Amendment No. 1

On page 4, line 7, of the printed bill, as amended in Senate July 6, 1972, after "control", insert "hazardous".

Amendment No. 2

On page 4, between lines 12 and 13, insert

"25122 "Waste" means any material for which no use or reuse is intended and which is to be discarded"

Amendment No. 3

On page 4, line 26, after "improved", insert "and their administration financed".

Amendment No. 4

On page 4, line 31, after "local", insert "and regional".

Amendment No. 5

On page 5, line 28, after "with", insert "all agencies of interested local governments".

Amendment No. 6

On page 6, line 20, strike out "July 1, 1973", and insert "January 1, 1974".

Amendment No. 7

On page 6, line 29, strike out "July 1, 1973", and insert "January 1, 1974".

Amendment No. 8

On page 7, line 6, after "shown", insert "upon demand".

Amendment No. 9

On page 7, line 6, strike out "or", and insert a comma.

Amendment No. 10

On page 7, line 7, strike out "upon demand", and insert ", or any local public officer as designated by the director".

Amendment No. 11

On page 7, line 35, strike out "disposition", and insert "disposal".

Amendment No. 12

On page 7, line 39, after "state", insert "or local".

Amendment No. 13

On page 8, between lines 2 and 3, insert

"25173. The department shall establish procedures to insure that trade secrets used by a person regarding methods of hazardous waste handling and disposal are utilized by the director, the department, or any authorized representative of the department only in connection with the responsibilities of the department pursuant to this chapter and that such trade secrets are not otherwise disseminated by the director, the department, or any authorized representative of the department without the consent of the person "Trade secrets," as used in this section, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it

25174 Beginning January 1, 1974, each operator of any site at which hazardous wastes are disposed shall pay a fee to the director for each list or other document which such operator receives pursuant to Article 6 (commencing with Section 25160) The director shall establish a schedule of the fees to be paid to the director by such operator for each disposal of hazardous waste listed in such a list or document, which shall provide revenues which shall not exceed the amount necessary, but shall be sufficient, to cover all costs incurred in the administration of this chapter Such fees shall be deposited each month in the Hazardous Waste Control Account in the General Fund "

Amendment No. 14

On page 8, line 9, after "officer", insert "or any local public officer as designated by the director".

Amendment No. 15

On page 8, line 11, strike out "the", and insert "to".

Amendment No. 16

On page 9, after line 12, insert

"SEC. 2. This act shall become operative on July 1, 1973."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —73

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 637—An act to add Section 14002 to the Education Code, and to amend Section 31835 1 of the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 637?

Senate Amendments of November 17, 1972

Amendment No. 1

In the heading of the printed bill, strike out "Dunlap", and insert "Knox".

Amendment No. 2

In line 1 of the title, strike out "20868 to the Government", and insert "14002 to the Education".

Amendment No. 3

In line 2 of the title, strike out "Public Employees' ", and insert "State Teachers' ".

Amendment No. 4

In line 2 of the title, after "System", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 1, strike out line 1, and insert

"SECTION 1. Section 14002 is added to the Education Code, to read·

14002. Notwithstanding any other provisions of this article, any retirant whose qualifications for membership and service credit were as a certificated medical doctor employed as a school physician on a part-time basis, continuously, during the period commencing in 1945 and ending in 1971, and who had been employed simultaneously as a

full-time city director of Public Health for more than 25 years may receive service credit for all the service he performed as a school physician provided he paid or pays the required employee contributions and credited interest therefor and any employer contributions that have not been fully paid, and providing such retirant files written application to have his allowance increased Any allowable increase authorized by these provisions shall become payable from the date this act becomes effective

This act shall cease to be operative 30 days after the effective date of statutes enacted at the 1972 Regular Session The rights of any person who has received service credit pursuant to the provisions of this section shall be continued after this section becomes inoperative

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

In order that the benefits conferred by this act may be realized within the shortest possible time, it is necessary that this act go into immediate effect."

Amendment No. 6

On page 1, strike out lines 2 to 9, inclusive, and strike out page 2.

Senate Amendments of November 27, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate November 17, 1972, strike out "relating to the", strike out line 3 of the title, and insert "and to amend Section 31835 1 of the Government Code, relating to retirement,".

Amendment No. 2

On page 2, line 25, after "SEC 2 ", insert "Section 31835 1 of the Government Code is amended to read:

31835 1 Notwithstanding the provisions of Sections 31835 and 31836, a member of a retirement system established under this chapter who is eligible to retire at age 50 pursuant to Section 31672, *or who is required to retire because of age while a member of the Public Employees' Retirement System or of another county having a retirement system established under this chapter*, but who cannot retire concurrently from the Public Employees' Retirement System or a retirement system established under this chapter in another county, shall be entitled to have his final compensation and service determined under Sections 31835 and 31836 as if he had retired concurrently under such other system.

SEC. 3."

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—65

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No 637?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—65.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 770—An act to add Section 125 5 to the Business and Professions Code, relating to injunctions

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 770?

Senate Amendments of July 20, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Assembly May 11, 1972, after "Murphy", insert

"(Coauthor Senator Deukmejian)".

Amendment No. 2

On page 2, line 17, strike out "and the board shall not be"; strike out lines 18 and 19, and in line 20, strike out "injury".

Senate Amendments of November 21, 1972

Amendment No. 1

On page 2, in lines 8, 9 and 10, of the printed bill, as amended in Senate July 20, 1972, strike out "or upon a petition filed by the district attorney of the county, in the name of the people of the State of California,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 609—An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 609?

Senate Amendments of November 28, 1972

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in Assembly April 27, 1972, after the first "members", insert ", who shall be appointed by the Governor".

Amendment No. 2

On page 2, line 1, strike out "Two public members"; and strike out lines 2 to 5, inclusive, and insert "The appointment of each public member is subject to confirmation by the Senate"

Senate Amendments of November 30, 1972

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Senate November 28, 1972, strike out ", the", and strike out line 16, and in line 17, strike out "Assembly,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Townsend, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—53

NOES—Badham, Burke, Ketchum, Stacey, Stull, and Wakefield—6

Above bill ordered enrolled

Assembly Bill No. 833—An act to amend Sections 13245, 13246, 13246.5, 13247, 13247.8, 13247.9 and 13248 of, to amend the heading of Article 2.6 (commencing with Section 13245) of Chapter 2 of Division 10 of, and to add Sections 13246.3, 13246.7, 13246.9, 13248.5, and 13249.7 to, the Education Code, relating to master teachers.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 833?

Senate Amendments of July 12, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 8, 1972, after "Sections", insert "13245,".

Amendment No. 2

In line 2 of the title, after "13247," insert "13247 8,".

Amendment No. 3

In line 5 of the title, strike out "13246 7 and 13246 9", and insert "13246 3, 13246 7, 13246 9, 13248 5, and 13249 7".

Amendment No. 4

On page 2, between lines 6 and 7, insert

"SEC. 1 5. Section 13245 of the Education Code is amended to read

13245 It is the intent and purpose of the Legislature, by the provisions of this article, to encourage teachers employed in the public schools to attain excellence in their profession, and to provide them with incentives to that end in the form of both special recognition and material reward

The Legislature has determined that in the education of our youth the role of the teacher is paramount, and that all other functions in school operation are secondary and supportive to the teacher's role It has come to the attention of the Legislature that in recent years the departure from the classroom of eminently qualified teachers has occurred at an alarmingly accelerated pace, and that such persons have felt compelled to enter upon nonteaching careers in order to secure the personal recognition and material rewards which their ability as educators can command The provisions of this article are directed, therefore, to the restoration of the teacher and the teaching profession, as such, to their rightful position of primary importance in the structure of the educational system

This article applies only to school districts having an average daily attendance of over 100 in the fiscal year in which participation is sought."

Amendment No. 5

On page 3, between lines 15 and 16, insert

"SEC 2 5 Section 13246 3 is added to the Education Code, to read·

13246 3. There is a Master Teacher Review Board, composed of the Director of Finance, or his designee; the Legislative Analyst, or his designee, the Superintendent of Public Instruction, or his designee; the Chairman of the Assembly Ways and Means Committee, and the Chairman of the Senate Finance Committee

The legislative members of the board shall meet with, and participate in, the work of the board to the extent that such activity is not incompatible with his position as members of the Legislature

If 25 percent or more of the teachers eligible to participate in the program pursuant to Section 13247, of a school district are designated

as certified master teachers pursuant to this article, the Master Teacher Review Board shall review the selection process in such district to ascertain whether or not the district is complying with the provisions of this article No stipend shall be paid to any teacher in such a district unless such payment is approved by the Master Teacher Review Board after a determination that the district is in substantial compliance in its selection procedures."

Amendment No. 6

On page 4, after line 40, insert

"SEC. 6 5. Section 13247.8 of the Education Code is amended to read·

13247 8 Each master teacher selection panel shall receive applications, to be filed by March 1 of the school year, from public school teachers, submitted in the form prescribed by the panel and accompanied by a ~~one/hundred/dollar ($100)~~ *two-hundred-dollar ($200)* fee, requesting that the applicant be certified as a certified master teacher."

Amendment No. 7

On page 6, strike out lines 33 to 40, inclusive, and on page 7, strike out lines 1 to 3, inclusive, and insert

"The Superintendent of Public Instruction shall order reimbursements to be made from funds transferred to the State School Fund in each fiscal year to each school district equal to the total of the stipends paid to certified master teachers pursuant to this section

The Superintendent of Public Instruction shall proportionally reduce the amounts allowed pursuant to Section 17303 5, or any act which supersedes that section, by the amount allowed as reimbursements pursuant to this section.

The amount reimbursed in any fiscal year shall not exceed an amount equal to 150 percent of the amount reimbursed in the preceding fiscal year

Any".

Amendment No. 8

On page 7, after line 9, insert

"SEC 9 Section 13248 5 is added to the Education Code, to read

13248 5 The Department of Education, with the advice of the Department of Finance, shall prepare an annual estimate of the amount required for expenditure pursuant to this article

The Department of Education shall keep an accounting of the number of school districts which are eligible to participate in the program

The total number of districts admitted to participate in the program for the first time in any one fiscal year shall not exceed an amount equal to 30 percent of the number of participating districts in the preceding fiscal year

SEC 10 Section 13249 7 is added to the Education Code, to read

13249 7 The Legislative Analyst shall report on the implementation of the programs authorized by this article to the Legislature and the Master Teacher Review Board on the fifth legislative day of the 1973, 1974, 1975, 1976, and 1977 Regular Sessions of the Legislature "

Senate Amendments of July 25, 1972

Amendment No. 1

On page 4, between lines 2 and 3, of the printed bill, as amended in Senate July 12, 1972, insert

"This article shall be known and may be cited as the Ryan Master Teacher Act."

Amendment No. 2

On page 4, between lines 20 and 21, insert

"School districts not qualified to receive state equalization aid allowances from the State School Fund participating in a program under this article shall fund 50 percent of the program "

Amendment No. 3

On page 5, line 7, after "each", insert "participating".

Amendment No. 4

On page 5, line 8, strike out "shall be composed of the following"; in line 9, strike out "members", and insert "member shall serve for two years and be selected as follows".

Amendment No. 5

On page 5, line 15, strike out "Two", and insert "In a unified school district, two".

Amendment No. 6

On page 5, line 21, after "superintendent", insert "held not later than the 15th of October of the school year"

Amendment No. 7

On page 5, line 22, strike out "Two", and insert "In a unified school district, two".

Amendment No. 8

On page 5, line 28, after "superintendent", insert "held not later than the 15th of October of the school year".

Amendment No. 9

On page 5, between lines 28 and 29, insert

"(e) In an elementary school district, four elementary certificated employees who spend 80 percent of their teaching time in the classroom and who have submitted their own names in nomination, selected by the elementary certificated employees of the school district voting in a secret ballot election conducted by the district superintendent held not later than the 15th of October of the school year

(f) In a high school district, four secondary certificated employees who spend 80 percent of their teaching time in the classroom and who have submitted their own names in nomination, selected by the secondary certificated employees of the school district voting in a secret ballot election conducted by the district superintendent held not later than the 15th of October of the school year "

Amendment No. 10

On page 5, line 29, strike out "(e)", and insert "(g)".

Amendment No. 11

On page 9, line 19, strike out "The", and insert "Not more than 10 school districts may be admitted to participate in the program the first year Thereafter,".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Kevsor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—66.

NOES—Davis and Wakefield—2

Above bill ordered enrolled.

Assembly Bill No. 968—An act to amend Sections 29530, 29532, and 29533 of the Government Code, to amend Sections 29140 5, 99207, 99208, 99209, 99241, 99242, 99266, 99267, 99280, 99282, 99283, 99284, 99305, 99400, and 99405 of, to amend the heading of Article 5 (commencing with Section 99280) of Chapter 4 of Part 11 of Division 10 of, to amend and renumber Sections 99240, 99285, 99301, and 99303 of, to add Sections 99203, 99210, 99211, 99230, 99231, 99232, 99235, 99260, 99261, 99262, 99268, 99269, 99285, 99286, 99401, 99402, and 99406 to, and to repeal Sections 99202, 99203, 99210, 99211, 99260, 99262, 99264, 99268, 99269, 99270, 99271, 99272, 99273, 99274, 99275, 99300, 99304, 99401, 99402, 99403, 99404, 99406, and 99407 of, the Public Utilities Code, to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of, and to add Sections 6357 1, 6357 2, 7204 4, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to public transportation, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 968?

Amendment No. 1

On page 7, line 14, of the printed bill, as amended in Assembly November 13, 1972, strike out ". or in which there has been"; strike out line 15, and in line 16, strike out "of the University of California,".

Amendment No. 1.5

On page 9, line 7, strike out "the surface of".

Amendment No. 2

On page 16, line 16, strike out "formed,".

Amendment No. 3

On page 16, lines 17 and 18, strike out "created by its city, after March 4, 1972,".

Amendment No. 4

On page 16, line 18, after "existence," insert "if it did not operate a public transportation system prior to July 1, 1972,".

Amendment No. 5

On page 18, line 17, strike out "The", and insert "Except for a transit district or a municipal operator during its first five years of its existence, if it did not operate a public transportation system prior to July 1, 1972, the".

Amendment No. 6

On page 25, line 11, after "mileage", insert "within the area of the transit district".

Amendment No. 7

On page 25, line 12, after "the", insert "area of the".

Amendment No. 7.5

On page 26, strike out lines 24 to 28, inclusive; and in line 29, strike out "(c)", and insert
"(b)".

Amendment No. 8

On page 30, line 3, strike out "all", and insert "those".

Amendment No. 9

On page 30, line 5, strike out "operation", and insert "construction".

Amendment No. 10

On page 30, line 7, strike out "or", and insert "of".

Amendment No. 11

On page 30, line 8, after the first comma, insert "and".

Amendment No. 12

On page 30, line 8, strike out ", and", and strike out line 9, and insert a period

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—Davis and Wakefield—2.

Above bill ordered enrolled.

Assembly Bill No. 1068—An act to add Section 14670.4 to the Government Code, relating to state property

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1068?

Senate Amendments of July 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 22, 1972, after the second "to", insert ", and to repeal Section 14670.4 of,".

Amendment No. 2

On page 2, line 24, after "(3)", insert "Any lease executed pursuant to this section shall include a provision that such lease shall be canceled if action is not taken with respect to the leased land within five years after the effective date of this section.

(4) There shall be excepted and reserved in the state all deposits of minerals, including oil and gas, in the lands, and to the state, or persons authorized by the state, the right to prospect for, mine, and remove such deposits from the lands.

(5)".

Senate Amendments of November 22, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate July 26, 1972, strike out "Burke and Badham", and insert "Monagan and Chappie".

Amendment No. 2

In lines 1 and 2 of the title, strike out ", and to repeal Section 14670.4 of,".

Amendment No. 3

In line 3 of the title, strike out "letting of".

Amendment No. 4

On page 1, strike out lines 4 and 5, and insert "subject to the approval of the State Public Works Board, enter into an agreement or agreements whereby the state will acquire all interest of its concessionaire at Squaw Valley, the Squaw Valley Improvement Corporation, in exchange for an approximately 400-acre portion of land at the former Stockton State Hospital farm declared surplus by the Legislature in 1953, the sale of an additional portion of such land, and an option to purchase the remaining portion for its fair market value"

Amendment No. 5

On page 2, strike out lines 1 to 38, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Briggs, Burke, Burton, Campbell, Chacon, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald,

Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Wakefield, Wilson, Wood, Z'berg, and Mr. Speaker—61.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON HOUSE RESOLUTION NO. 144

Mr. Duffy was granted unanimous consent to rescind the action whereby the Assembly, on this day, adopted House Resolution No. 144 (Assembly Journal, page 8254)

Resolution ordered held at Desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1013—An act to amend Sections 926, 984, and 1085 of, to repeal Section 927 of, and to add Sections 927, 976 2, 986 5, 987 5, and 1088 5 to, the Unemployment Insurance Code, relating to unemployment insurance.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1013?

Amendment No. 1

On page 6, line 38, of the printed bill, as amended in Assembly July 3, 1972, strike out "January 1, 1973", and insert "the first day of the first complete calendar quarter commencing on or after the effective date of this act"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Bee, Beverly, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lanterman, Lewis, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Powers, Quimby, Ralph, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—41.

NOES—Burke, Collier, Conrad, Dent, Hayden, Ketchum, Lancaster, Murphy, Russell, Stacey, Stull, and Wakefield—12.

Above bill ordered enrolled.

Assembly Bill No. 1143—An act to amend Sections 9801, 9802, 9803, 9805, 9820, 9823, 9825, 9841, and 9844 of the Business and Professions Code, relating to repair services.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1143?

Senate Amendments of July 17, 1972
Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly May 24, 1972, strike out "9831,".

Amendment No. 2

In lines 2 and 3 of the title, strike out ", and to add Sections 9834, 9835, 9836, and 9837 to,".

Amendment No. 3

On page 4, strike out lines 23 to 32, inclusive; strike out page 5; and on page 6, strike out lines 1 to 11, inclusive; and in line 12, strike out "SEC 13", and insert

"SEC. 8".

Amendment No. 4

On page 7, strike out lines 5 to 8, inclusive.

Amendment No. 5

On page 7, line 9, strike out "SEC. 14", and insert

"SEC. 9".

Senate Amendments of November 20, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 17, 1972, between lines 24 and 25, insert

"SEC 1.5 Section 9801 of the Business and Professions Code, as amended by Section 1 of this act, is amended to read:

9801 The following terms as used in this chapter have the meaning expressed in this section

(a) "Person" includes firm, partnership, association, or corporation.

(b) "Department" means the Department of Consumer Affairs

(c) "Director" means the Director of Consumer Affairs

(d) "Bureau" means the Bureau of Repair Services

(e) "Chief" means the Chief of the Bureau of Repair Services

(f) "Board" means the Repair Services Advisory Board

(g) "Service dealer" means a person who, for compensation, engages in the business of repairing, servicing, or maintaining television, radio, or audio or video recorders or playback equipment normally used or sold for use in the home or in private motor vehicles, *or any appliances*.

(h) "Appliance" means any refrigerator, freezer, range, washer, dryer, dishwasher, or room air conditioner normally used or sold for use in the home

~~(h)~~ *(i)* "Complainant" means the customer of a service dealer who has complained to the director concerning such service dealer."

Amendment No 2

On page 3, between lines 7 and 8 insert

"SEC 2.5 Section 9802 of the Business and Professions Code, as amended by Section 2 of this act, is amended to read

9802. This chapter does not apply to

(a) Any employee of a service dealer if the employee repairs, services, or maintains television, radio, or audio or video recorder or playback equipment normally used or sold for use in the home or in private motor vehicles, *or appliances*, for compensation only as such an employee.

(b) The repair, service, or maintenance of equipment used in commercial, industrial, or governmental establishments

(c) The repair, service, or maintenance of equipment the ordinary and usual use of which requires a license or permit issued by the Federal Communications Commission"

Amendment No. 3

On page 3, between lines 16 and 17, insert

"SEC 3 5 Section 9803 of the Business and Professions Code, as amended by Section 3 of this act, is amended to read.

9803 When the installation *service, maintenance, or repair* of any television, radio, or audio or video recorder or playback equipment normally used or sold for use in the home or in private motor vehicles, *or appliance* involves a function which is subject to *and regulated under* the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of this code, such function shall be performed by a person who is licensed pursuant thereto."

Amendment No. 4

On page 3, between lines 25 and 26, insert

"SEC 4 5 Section 9805 of the Business and Professions Code, as amended by Section 4 of this act, is amended to read·

9805 No person registered under this chapter shall be required to apply for a license pursuant to Chapter 9 (commencing with Section 7000) of Division 3 of this code if such person's activities consist only of repairing, servicing, or maintaining televisions, radio, or audio or video recorder or playback equipment normally used or sold for use in the home or in private motor vehicles, *or any appliances, and such repair, service, or maintenance is not subject to and regulated under such Chapter 9.*"

Amendment No. 5

On page 3, between lines 31 and 32, insert

"SEC 5 5. Section 9820 of the Business and Professions Code, as amended by Section 5 of this act, is amended to read.

9820. ~~Three~~ *Five* members of the advisory board shall be selected to represent the public ~~and~~, two members shall be selected from the radio, television and audio or video recorder or playback equipment repair industry, *and two members shall be selected from the appliance repair industry*"

Amendment No. 6

On page 3, after line 40, insert

"SEC 6 5 Section 9823 of the Business and Professions Code, as amended by Section 6 of this act, is amended to read

9823 The quorum required for any meeting of the board shall consist of ~~three~~ *five* members, one of which shall be a representative of the radio, television, and audio or video recorder or playback equipment repair industry, *and one of which shall be a representative of the appliance repair industry* No action by the board or its members shall have any effect unless a quorum of the board is present All meetings of the board shall be open and public"

Amendment No. 7

On page 4, between lines 23 and 24, insert

"SEC 7.5 Section 9825 of the Business and Professions Code, as amended by Section 7 of this act, is amended to read:

9825. The board shall:

(a) Inquire into the practices of the radio, television and audio or video recorder or playback equipment repair industry *and the appliance repair industry*, the functions of the bureau and the matter of the policy thereof, and make such recommendations with respect thereto as after consideration, may be deemed important and necessary for the welfare of the consuming public.

(b) Confer and advise with the director and chief as to how the bureau may best fulfill its functions

(c) Consider and make appropriate recommendations on its own initiative as to changes in, or additions to or deletions of regulations which the director has adopted as, after consideration, may be deemed important and necessary

(d) Consider and make appropriate recommendations in all matters submitted to it by the director or the chief

(e) Assist the director and the chief in the collection of such necessary information and data as the director or the chief may deem necessary to the proper administration of this chapter."

Amendment No. 8

On page 6, after line 38, insert

"SEC 10. It is the intent of the Legislature, if this bill and Assembly Bill No 1263 are both chaptered and amend Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1263, that Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code, as amended by Sections 1, 2, 3, 4, 5, 6, and 7 of this act shall remain operative only until the operative date of Assembly Bill No. 1263, and that on the operative date of Assembly Bill No 1263 Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 of the Business and Professions Code as amended by Sections 1, 2, 3, 4, 5, 6, and 7 of this act be further amended in the form set forth in Sections 1.5, 2.5, 3.5, 4.5, 5.5, 6.5, and 7.5 of this act to incorporate the changes in Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825 proposed by Assembly Bill No 1263 Therefore, Sections 1.5, 2.5, 3.5, 4.5, 5.5, 6.5, and 7.5 of this act shall become operative only if Assembly Bill No 1263 is chaptered before this bill and amends Sections 9801, 9802, 9803, 9805, 9820, 9823, and 9825, and in such case Sections 1.5, 2.5, 3.5, 4.5, 5.5, 6.5, and 7.5 of this act shall become operative on the operative date of Assembly Bill No 1263."

Senate Amendments of November 22, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate November 20, 1972, strike out lines 25 to 33, inclusive, and on page 3, strike out lines 1 to 19, inclusive.

Amendment No. 2

On page 3, strike out lines 35 to 40, inclusive; and on page 4, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 4, strike out lines 21 to 32, inclusive.

Amendment No. 4

On page 5, strike out lines 2 to 13, inclusive.

Amendment No. 5

On page 5, strike out lines 20 to 28, inclusive.

Amendment No. 6

On page 5, strike out lines 38 to 40, inclusive; and on page 6, strike out lines 1 to 9, inclusive.

Amendment No. 7

On page 6, strike out lines 33 to 40, inclusive, and on page 7, strike out lines 1 to 16, inclusive.

Amendment No. 8

On page 8, strike out lines 20 to 40, inclusive; and strike out page 9.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1157—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1157?

Senate Amendments of July 17, 1972

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly June 16, 1972, after "Board", insert "and manhole construction".

Amendment No. 2

On page 3, between lines 2 and 3, insert

"(i) "Division" means the Division of Industrial Safety.

(j) "Board" means the Industrial Safety Board."

Amendment No. 3

On page 3, line 10, after the period, insert "Owner-operated and nonproducing mines shall be excluded from the requirements for annual inspection."

Amendment No. 4

On page 3, line 16, after the period, insert "Contracts to provide for geological and other services may be signed by the division whenever it is necessary to assure safety for employees engaged in mining or tunnel work."

Amendment No. 5

On page 3, line 21, after "tunnels", insert ", except owner-operated or nonproducing mines".

Amendment No. 6

On page 3, line 23, after the period, insert "Representatives of the tunnel or mine owner, the employer, and employees shall be included in the prejob safety conference "

Amendment No. 7

On page 3, line 30, after "or", insert "underground".

Amendment No. 8

On page 4, line 8, strike out "shall", and insert "may, when the division finds that there is a serious danger to the safety of the employees,".

Amendment No. 9

On page 4, line 12, after "show", insert ", with normal ventilation,".

Amendment No. 10

On page 5, line 15, after "or", insert "underground".

Amendment No. 11

On page 5, line 30, after "mine", insert "classified as potentially gassy".

Amendment No. 12

On page 5, line 35, strike out "acceptable to", and insert "certified by".

Amendment No. 13

On page 5, line 40, after "tunnels", insert "with more than five men underground at one time".

Amendment No. 14

On page 6, line 14, after "or", insert "underground".

Amendment No. 15

On page 6, line 17, after "nongassy", insert "underground".

Amendment No. 16

On page 6, line 20, after the period, insert "If a mechanical excavator is used, gas tests shall be made prior to removal of muck or material and before any cutting or drilling in tunnels or underground mines where explosives are used."

Amendment No. 17

On page 6, line 22, strike out "No excavation, muck"; and strike out lines 23 to 29, inclusive, and insert "Whenever a tunnel excavation or underground mine operation approaches a geologic formation in which there is a likelihood of encountering gas or water, a probe hole at least 20 feet ahead of the tunnel face or area where material is being mined shall be maintained."

Amendment No. 18

On page 6, line 31, after "encountered", insert "initially".

Amendment No. 19

On page 6, line 31, after "or", insert "underground".

Amendment No. 20

On page 6, line 33, after the period, insert "The chief of the division or his authorized representative may waive subsequent notification for gas readings less than 20 percent of the lower explosive limits upon a finding that adequate ventilation and other safety measures are provided to assure employee safety"

Amendment No. 21

On page 6, line 34, after "tunnel", insert "or underground mine,".

Amendment No. 22

On page 6, line 37, strike out "with", and insert "by".

Amendment No. 23

On page 6, line 38, strike out "inspector's", and insert "inspector with his".

Amendment No. 24

On page 7, line 3, after "or", insert "underground".

Amendment No. 25

On page 7, line 9, after "or", insert "underground".

Amendment No. 26

On page 7, line 15, after "or", insert "underground".

Amendment No. 27

On page 7, line 20, after "or", insert "underground".

Amendment No. 28

On page 7, line 24, strike out "mine until written", and insert "underground mine until".

Amendment No. 29

On page 7, line 26, after "or", insert "underground".

Amendment No. 30

On page 7, line 29, after "or", insert "underground".

Amendment No. 31

On page 7, line 36, after "air", insert ", unless an alternative ventilation plan which is as effective or better is approved by the division".

Amendment No. 32

On page 7, line 38, after the period, insert "These requirements shall not preclude the use of auxiliary fans to supply more air or greater exhaust to a tunnel or underground mine "

Amendment No. 33

On page 7, line 39, after "all", insert "electrical".

Amendment No. 34

On page 7, line 40, after "or", insert "underground".

Amendment No. 35

On page 8, line 3, strike out "10", and insert "20".

Amendment No. 36

On page 8, line 8, after "or", insert "underground".

Amendment No. 37

On page 8, line 11, after "or", insert "underground".

Amendment No. 38

On page 8, line 16, after "or", insert "underground".

Amendment No. 39

On page 8, line 24, after "more", insert "while a probe hole is being drilled or when the tunnel face or material from a mine is being excavated".

Amendment No. 40

On page 8, line 25, after "or", insert "underground"

Amendment No. 41

On page 8, line 26, strike out "must", and insert "shall".

Amendment No. 42

On page 8, line 36, after "or", insert "underground".

Amendment No. 43

On page 8, line 37, after the period, insert "The division may, however, permit the use of nonpermissive equipment in a tunnel or underground mine in areas where it finds there is no longer danger from gas or other hazards "

Amendment No. 44

On page 8, strike out lines 38 to 40, inclusive; and on page 9, strike out lines 1 and 2, and insert

"7981 An escape chamber or alternate escape route shall be maintained within 5,000 feet of the tunnel face or areas being used to excavate material in an underground mine classified as gassy or extra-hazardous Workers shall be provided with emergency rescue equipment and trained in its use "

Amendment No. 45

On page 9, line 5, after "or", insert "underground".

Amendment No. 46

On page 9, line 9, after "or", insert "underground".

Amendment No. 47

On page 9, line 14, after "or", insert "underground".

Amendment No. 48

On page 9, line 19, strike out "200", and insert "50".

Amendment No. 49

On page 9, line 21, after the period, insert "This requirement shall apply only to tunnels or underground mines where excavation of material is by mechanical means."

Amendment No. 50

On page 11, after line 3, insert

"7998. The board shall also develop tests, available in English, Spanish, or other languages where a sufficient portion of employees exists to show need, to qualify gas testers, crane operators, and safety representatives in tunnels and mines

7999. No person shall be qualified to operate as a gas tester, crane operator, or serve as a safety representative in a tunnel or mine unless he holds a certificate issued by the division

8000 Requirements established by the board shall preempt local government rules, regulations, and laws requiring certification or licensing as gas testers, safety representatives, or crane operators However, local governments may contract with the division for testing applicants and issuing certifications.

8001 A fee sufficient to cover costs of examination and certification of gas testers, crane operators, and safety representatives for tunnels and mines, but not more than fifteen dollars ($15) annually for original applications and five dollars ($5) annually for renewals, may be charged by the division.

8002 All fees from such applications shall be nonrefundable Such fees shall be paid into the State Treasury by the division to the credit of the General Fund

8003. Violation of regulations, rules, orders, or special orders adopted by the board or division as a condition of certification shall be punishable by suspension or revocation of certification, unless such violation is responsible for death or injury to employees, in which case it shall be punishable as a misdemeanor "

Senate Amendments of July 25, 1972

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Senate July 17, 1972, after "operations", insert ", other than a gravel pit or other pit where material is removed by a contractor or other person for his own use and not for sale to others The term "mine" shall not include a mine that is operated exclusively by persons having a proprietary interest in such mine or by persons who are paid only a share of the profits from the mine, nor shall it include during any calendar year,

any mine that produced less than one thousand dollars ($1,000) in ore, minerals, sand, rock, or other material during the preceding calendar year".

Amendment No. 2

On page 3, line 14, strike out "Owner-operated and"; and strike out lines 15 and 16.

Amendment No. 3

On page 3, lines 29 and 30, strike out ", except owner-operated or nonproducing mines".

Amendment No. 4

On page 3, line 36, after "mines", insert "operating on the effective date of this section, or which commence operation thereafter,".

Amendment No. 5

On page 4, between lines 34 and 35, insert

"The division shall not be required to reclassify any tunnel or underground mine that is shut down seasonally, when such tunnel or underground mine is put back into operation in not less than six months after date of the shutdown"

Amendment No. 5.5

On page 6, between lines 17 and 18, insert

"7965 Nothing contained in this part shall restrict the division in contracting with the Secretary of the Interior for an approved state plan for mines under P L. 89-577 (30 U S C. 721 et seq)."

Amendment No. 6

On page 11, line 5, after "Spanish", insert ", or any other language requested by the applicant,".

Amendment No. 7

On page 11, line 5, after the period, insert "The division shall administer such examination orally when requested by an applicant who cannot write."

Amendment No. 8

On page 11, line 10, strike out "operator's", and insert "blaster's".

Amendment No. 9

On page 11, line 13, strike out "operator's", and insert "blaster's".

Amendment No. 10

On page 11, line 19, strike out "operator's", and insert "blaster's".

Amendment No. 11

On page 11, line 26, strike out "operator's", and insert "blaster's".

Amendment No. 12

On page 11, line 31, strike out "operator's", and insert "blaster's".

Amendment No. 13

On page 12, line 10, strike out "crane operators,".

Amendment No. 14

On page 12, line 13, strike out "crane operator,".

Amendment No. 15

On page 12, line 18, strike out the comma, and insert "or".

Amendment No. 16

On page 12, line 19, strike out ", or crane operators".

Amendment No. 17

On page 12, line 23, strike out ", crane operators,".

Senate Amendments of August 3, 1972

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Senate July 25, 1972, strike out ", sale or other purposes", and insert "or sale".

Amendment No. 2

On page 2, lines 31 and 32, strike out "one thousand dollars ($1,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 3

On page 3, lines 12 and 13, strike out "and the division", and insert "or acceptable to other authorities recognized by the division, and acceptable by the division,".

Amendment No. 4

On page 3, between lines 16 and 17, insert

"(k) "Underground mine" means a mine that consists of a subterranean excavation, that is accessible only by a shaft"

Amendment No. 5

On page 3, line 37, after "division", insert "and the owner of a mine, if he is not the operator of the mine,".

Amendment No. 6

On page 6, line 34, strike out "7965", and insert "7964 5".

Amendment No. 7

On page 8, line 5, after "switches", insert a comma.

Amendment No. 8

On page 8, line 18, strike out "level", and insert "limit".

Amendment No. 9

On page 9, line 5, strike out "level", and insert "limit".

Amendment No. 10

On page 9, line 26, strike out "level", and insert "limit".

Amendment No. 11

On page 11, lines 14 and 15, strike out "requested by the applicant".

Amendment No. 12

On page 12, line 22, strike out the comma.

Senate Amendments of November 20, 1972

Amendment No. 1

On page 3, lines 23 and 24 of the printed bill, as amended in Senate August 3, 1972, strike out ", that is accessible only by a shaft".

Amendment No. 2

On page 3, line 29, strike out "two", and insert "four annual".

Amendment No. 3

On page 3, line 30, strike out "annually".

Amendment No. 4

On page 13, after line 9, insert

"8004 The provisions of this part shall not apply to the normal operation, maintenance, or repair of any completed tunnels owned or operated by a utility as defined in Section 229 of the Public Utilities Code However, it shall apply to the initial construction or substantial modification of such a tunnel."

Senate Amendments of November 22, 1972

Amendment No. 1

On page 4 of the printed bill, as amended in Senate November 20, 1972, strike out line 14, and insert "classifications set forth in subdivisions (a) to (d), inclusive Such classification shall be made prior to the request for bids on all public works projects, whenever possible This shall not, however, prevent the division from reclassifying such mines or tunnels when conditions warrant it."

Senate Amendments of November 29, 1972

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Senate November 22, 1972, after "The", insert "Tom Carrell Memorial".

Amendment No. 2

On page 4, line 6, strike out "actual", and insert "initial".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1189—An act to add Article 17 (commencing with Section 429 60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1189?

Senate Amendments of July 7, 1972

Amendment No. 1

In line 2 of the heading of the printed bill, as amended in Assembly June 8, 1972, strike out "and Brown", and insert ", Brown, and Barnes".

Amendment No. 2

On page 3, line 20, strike out "emergency", and insert "outpatient".

Amendment No. 3

On page 3, line 23, strike out "funds granted to it", and insert "community grant funds".

Amendment No. 4

On page 3, line 25, after "amended", insert a comma.

Amendment No. 5

On page 3, line 27, strike out "emergency", and insert "outpatient".

Amendment No. 6

On page 3, line 31, strike out "emergency", and insert "outpatient".

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 7, 1972, strike out line 10; and in line 11, strike out "nonprofit", and insert "with public or private".

Amendment No. 2

On page 3, line 10, strike out "voluntary agencies", and insert "public or private organizations"

Senate Amendments of November 27, 1972

Amendment No. 1

On page 3, line 27, of the printed bill, as amended in Senate July 27, 1972, strike out "not less than".

Amendment No. 2

On page 3, line 29, after "218)", insert "or forty thousand dollars ($40,000), whichever is the lesser amount,".

The roll was called. and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Har-

vey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1368—An act to amend Section 3074 of the Labor Code, relating to apprenticeship programs

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1368?

Amendment No. 1

On page 2, line 32, of the printed bill, strike out "by", and insert "exclusively by either".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1445—An act to repeal and add Chapter 6 (commencing with Section 14901) to Division 7 of the Agricultural Code, relating to commercial feed, declaring the urgency thereof, to take effect immediately, and making an appropriation therefor

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1445?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Assembly June 19, 1972, after "feed", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 14, line 15, strike out "SEC 4", and insert "SEC. 3".

Amendment No. 3

On page 14, after line 16, insert

"SEC 4 This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the

meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is essential to the commercial feed industry and the public that the provisions of this act and the regulations adopted pursuant thereto become operative on January 1, 1973 In order to assure that this act becomes operative on such date, it is necessary that it go into immediate effect."

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker —73

NOES—None

The question being· Shall the Assembly concur in the Senate amendments to Assembly Bill No 1445?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1778—An act to amend Section 11530 of the Health and Safety Code, relating to marijuana

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1778?

Amendment No. 1

On page 1 of the printed bill, after line 8, insert

"If such person has been previously convicted of a violation of this section, the previous conviction may be charged in the indictment or information and, if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or is admitted by the defendant, he shall be punished by imprisonment in the county jail for a period of not more than one year or by a fine of not more than five hundred dollars ($500), or both."

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Karabian, Keysor, Knox, Maddy, McCarthy, Meade, Miller, Murphy, Pierson, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—41

NOES—Arnett, Badham, Barnes, Burke, Cline, Collier, Conrad, Dent, Hayden, Ray E Johnson, Lancaster, McAlister, Mobley, Moorhead, Porter, Russell, Stacey, Townsend, and Wakefield—19.

Above bill ordered enrolled.

Assembly Bill No. 1925—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1925?

Senate Amendments of July 3, 1972

Amendment No. 1

On page 9, lines 12 and 13, of the printed bill, as amended in Assembly June 19, 1972, strike out "in the following calendar year".

Amendment No. 2

On page 9, line 14, after "authority", insert "at such time as new indebtedness has been authorized pursuant to Section 39620 5".

Amendment No. 3

On page 9, line 20, strike out "January 1, 1971", and insert "the effective date of this section".

Amendment No. 4

On page 9, line 23, strike out "subsequent to January 1, 1971," and insert "on or after the effective date of this section".

Senate Amendments of July 19, 1972

Set No. 1

Amendment No. 1

On page 4, line 2, of the printed bill, as amended in Senate July 3, 1972, strike out "to a degree which unreasonably"; strike out line 3; and in line 4, strike out "uses Pollution may include contamination".

Amendment No. 2

On page 5, between lines 5 and 6, insert

"(8) "Public agency" means any state agency, board, or commission, any county, city and county, city, regional agency, public district, or other political subdivision "

Amendment No. 3

On page 5, line 27, strike out "The members of the authority appointed by"; and strike out lines 28 and 29.

Amendment No. 4

On page 5, line 40, strike out ", subject in each case to the approval of the"; and on page 6, strike out line 1.

Amendment No. 5

On page 7, lines 2 and 3, strike out "or corporation or body politic, public or private," and insert "corporation, or public agency".

Amendment No. 6

On page 7, lines 12 and 13, strike out ", but subject in each case to the approval of the Department of Finance".

Amendment No. 7

On page 7, lines 20 and 21, strike out "and subject in each case to the approval of the Department of Finance,".

Amendment No. 8

On page 8, line 2, strike out "in any"; strike out line 3; and in line 4, strike out "real or personal", and insert ", by deed, purchase, lease, contract, gift, devise, or otherwise, any real or personal property, structures".

Amendment No. 9

On page 8, line 10, after the period, insert "Nothing in this division shall authorize the authority to exercise the power of eminent domain."

Amendment No. 10

On page 8, line 28, after "the", insert "appropriate".

Amendment No. 11

On page 9, between lines 27 and 28, insert

"39616 Notwithstanding Section 13634 of the Water Code, the supervisors and operators of every wastewater treatment plant of a participating party receiving financial assistance under this division shall possess a certificate of appropriate grade in accordance with the regulations adopted by the State Water Resources Control Board pursuant to Chapter 9 (commencing with Section 13625) of Division 7 of the Water Code

This section shall become operative only if Assembly Bill No. 1691 of the 1972 Regular Session is enacted into law."

Amendment No. 12

On page 11, line 11, after "bonds", insert "as authorized by Section 39620, or as may be authorized pursuant to Section 39620.5,".

Amendment No. 13

On page 12, line 12, strike out "when and as requested by the authority", and insert "within 60 days of receipt of a certified copy of the authority's resolution authorizing the sale of the bonds; provided, that the authority, at its discretion, may adopt a resolution extending such 60-day period".

Amendment No. 14

On page 16, strike out lines 36 to 40, inclusive; and on page 17, strike out lines 1 to 11, inclusive, and insert

"39625 If, in the opinion of the State Treasurer, any bonds issued by the authority under the provisions of this division are adequately secured and the revenues and other funds applicable to the payments of the bonds are, or upon the acquisition, construction, or improvement of the project for which such bonds were or are to be issued, will be sufficient to pay the principal of and interest on such bonds, then the State Treasurer shall certify that such bonds are legal investments for all trust funds, the funds of all insurance companies, banks, both commercial and savings, trust companies, savings and loan associations, and investment companies, for executors, administrators, trustees, and other fiduciaries, for state school funds, and for any funds which may be invested in county, municipal, or school district bonds, and that such bonds are securities which may properly and legally be deposited with, and received by, any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds or obligations of the state is now, or may hereafter be, authorized by law, including deposits to secure public funds."

Amendment No. 15

On page 17, line 36, after "such", insert "standards for architectural and engineering design as may be established by the appropriate control agency specified in Section 39615, and subject to such".

Amendment No. 16

On page 21, line 39, after "law", insert "applicable to the construction or acquisition of public works".

Amendment No. 17

On page 21, lines 39 and 40, strike out "herein in this division specifically provided", and insert "specifically provided in this division".

Set No. 2

Amendment No. 1

On page 22 of the printed bill, as amended in Senate July 3, 1972, in line 28, after "division", insert ", with respect to the financing of pollution control facilities,".

Amendment No. 2

On page 22, line 29, after the comma, insert "with respect to the financing of pollution control facilities,"

Senate Amendments of November 29, 1972

Amendment No. 1

On page 5 of the printed bill, as amended in Senate July 19, 1972, betweeen lines 29 and 30, insert

"The first meeting of the authority shall be convened by the Director of Finance "

Amendment No. 2

On page 15, line 4, strike out "incorporated", and insert "doing business"

Amendment No. 3

On page 24, strike out lines 2 to 7, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Burke, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Fong, Foran, Garcia, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, Maddy, McAlister, Meade, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wood, and Mr Speaker—54

NOES—Burton, Miller, Wilson, and Z'berg—4

Above bill ordered enrolled

Assembly Bill No. 1986—An act to amend Sections 2635 1, 2914, 3056, 4089, 4511, 4514, 6060, 6062, 6885, 6886, 7526, 8020, 8023 5, 9022, 9042, 9700 5, and 17862 of the Business and Professions Code, Section 13575 5 of the Education Code, and Section 1101 of the Harbors and Navigation Code, to add and repeal Section 12331 of the Financial Code, and to repeal Sections 3057, 8740 5, 8793, 10150 5, and 10515 5 of the Business and Professions Code, and Section 1643 of the Insurance Code, relating to qualifications

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1986?

Senate Amendments of June 30, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1972, after "Sections", insert "2635 1,".

Amendment No. 2

On page 1, line 1, after "SECTION 1", insert "Section 2635 1 of the Business and Professions Code is amended to read

2635 1. (a) An applicant whose application is based on a diploma issued to him by a foreign physical therapy school recognized by a member nation of the World Confederation for Physical Therapy shall furnish documentary evidence, satisfactory to the board, that—

~~(1)~~ ~~He~~ *he* has completed in a physical therapy school or schools a resident course of professional instruction equivalent to that required in Section 2650 for a physical therapist applicant ; ~~and~~

~~(2) He is a citizen of the United States, or has filed the declaration of intention to become a citizen of the United States, or a petition for naturalization, or comparable document prescribed by federal law~~.

(b) Applicants under this section shall satisfactorily complete a period of service not to exceed nine months under the continuous direction and immediate supervision of a registered physical therapist licensed by the Board of Medical Examiners in a physical therapy

service and in an institution both of which have been approved by the committee for providing such a period of service The committee may waive all or any portion of the required period of service The committee shall suggest and the board shall adopt guidelines for granting such waiver

(c) Before a license may be issued, the applicant must not only meet the requirements of subdivisions (a) and (b) but must pass the written examination as provided under Section 2636 prior to commencing the period of service, and may be required to pass an oral examination at the completion of the period of service if such period of service has not been completed to the satisfaction of the supervising registered physical therapist The requirements to pass the written examination shall not apply to an applicant who at the time of his application has passed, to the satisfaction of the examining committee, an examination for licensing or registration in another state, district or territory of the United States that is, in the opinion of the examining committee, comparable to the examination given in this state

(d) Nothing contained in this section shall prohibit the board from disapproving any foreign physical therapy school nor from denying the applicant if, in the opinion of the board, the instruction received by the applicant or the courses were not equivalent to that required in this chapter for a physical therapist applicant.

SEC 1.5 "

Amendment No. 3

On page 11, line 5, strike out "post-masters", and insert "post-master's".

Amendment No. 4

On page 12, line 28, strike out "Commision", and insert "Commission".

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 30, 1972, strike out "3057,"

Amendment No. 2

In lines 4 and 5 of the title, strike out "Section 12331 of the Financial Code,".

Amendment No. 3

In line 6 of the title, after the first comma, insert "to add and repeal Section 12331 of the Financial Code,".

Amendment No. 4

In line 6 of the title, after "Sections", insert "3057,".

Amendment No. 5

On page 2, line 11, after "applicant", insert a period.

Amendment No. 6

On page 4, line 8, strike out "21", and insert "18".

Amendment No. 7

On page 4, strike out line 22, and insert "Code is repealed

~~3057. Notwithstanding any other provision of this chapter, the board shall permit a person who meets all the following requirements to take the examination for a certificate of registration as an optometrist.~~

~~(a) Is over the age of 18 years.~~

~~(b) Is of good moral character.~~

~~(c) Is a citizen of the United States.~~

~~(d) Has a degree as a doctor of optometry issued by a school located in another state that was not accredited by the board at the time of the issuance of the degree and that was subsequently merged into a school that is so accredited at the time of application.~~

~~(e) Has been licensed to practice optometry in the state in which the school from which he graduated is located.~~

~~(f) Pays the fee specified in subdivision (b) of Section 3152.~~

~~(g) Has been a resident of California for five years at the time of the application.~~

~~The provisions of this section shall be operative until December 31, 1972, and thereafter shall have no force or effect.~~

SEC 17."

Amendment No. 8

On page 4, line 23, strike out "3057 "

Amendment No. 9

On page 4, lines 23 and 24, strike out "this chapter, the board", and insert "law, the State Board of Optometry".

Amendment No. 10

On page 4, line 38, after "3152", insert "of the Business and Professions Code".

Amendment No. 11

On page 5, line 2, strike out "1972", and insert "1973".

Amendment No. 12

On page 12, line 5, strike out "21", and insert "18".

Amendment No. 13

On page 12, line 40, strike out "21", and insert "18".

Amendment No. 14

On page 14, strike out line 16, and insert "repealed

~~12331. No license shall be granted to a prorater or continued in effect as such unless the principal managing officer thereof is at least 18 years of age, a citizen of the United States, a bona fide resident of this state for at least two years immediately preceding his application for a license, and shall have had at least two years' experience in consumer credit extension or credit collection activity. The commissioner shall have power and authority to refuse the granting of a license for good cause shown.~~

SEC 17.7 Section 12331 is added to the Financial Code, to read:

12331 Within the organization of each prorater corporation, either as an owner, officer, or employee, there shall be one or more persons possessing a minimum of five years experience in consumer credit ex-

tension or credit collection activity At least one such qualified person shall be stationed on duty at each business location during the time the location is open for business ''

Amendment No. 15

On page 15, after line 1, insert

''SEC 20. It is the intent of the Legislature, if this bill and Assembly Bill No 1506 are both chaptered and repeal Section 3057 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1506, that Section 1 7 of this act be given effect. Therefore, Section 1 7 of this act shall become operative only if this bill and Assembly Bill No. 1506 are both chaptered, both repeal Section 3057 of the Business and Professions Code, and Assembly Bill No 1506 is chaptered before this bill, in which case Section 2 of Assembly Bill No. 1506 shall not become operative.''

Senate Amendments of July 28, 1972

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in Senate July 24, 1972, strike out ''1 5'', and insert ''1.3''.

Amendment No. 2

On page 4, line 5, strike out ''1 3'', and insert ''1.5''.

Amendment No. 3

On page 15, strike out lines 22 to 30, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 2091—An act to add Section 13707 5 to the Education Code, relating to school classified employees.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2091?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in Assembly June 28, 1972, strike out ''Sections 13707 4 and 13723'', and insert ''Section 13707 4''.

Amendment No. 2

On page 2, lines 2 and 3, strike out ''and the ''rule of three'' under Section 13723''.

Amendment No. 3

On page 2, strike out line 5; and in line 6, strike out "employees in an election", and insert "board".

Amendment No. 4

On page 2, line 10, strike out "either", and insert "the".

Amendment No. 5

On page 2, line 12, after "days", insert ", nor later than 120 days,".

Amendment No. 6

On page 2, line 18, strike out "either", and insert "the".

Amendment No. 7

On page 2, line 19, after "district", insert a comma.

Amendment No. 8

On page 2, line 23, strike out "appropriate".

Amendment No. 9

On page 2, between lines 33 and 34, insert

" "The ballot shall read as follows

"Shall the _____ School District adopt the method of appointment of personnel commissioners prescribed in Section 13707, whereby one is appointed by the school board, one by the Executive Officer, State Personnel Board, and one by classified personnel?

☐ Yes

☐ No

(Mark either the yes or no box)" ".

Amendment No. 10

On page 2, line 37, strike out "pertains to the "rule of three" and".

Amendment No. 11

On page 2, strike out lines 38 to 40, inclusive; and on page 3, strike out lines 1 and 2, and insert ", the".

Amendment No. 12

On page 3, strike out lines 22 to 38, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—62.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2390—An act to amend Sections 73341, 73682, 73683, 73684, and 73692 of the Government Code, relating to courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2390?

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "73341,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 73341 of the Government Code is amended to read:

73341. Except as otherwise provided in this article, each municipal court district established in Contra Costa County shall have the number of judges set forth opposite the name of the judicial district over which such court has jurisdiction.

Delta Judicial District	*2*
Mt Diablo Judicial District	~~2~~ *3*
Richmond Judicial District	3
~~River Judicial District~~	~~1~~
~~San Pablo Judicial District~~	~~1~~
Walnut Creek-Danville Judicial District	2
West Judicial District	*2*
Any other court established or declared to exist	1

~~Upon the consolidation or annexation of all or part of any other judicial district with the San Pablo Judicial District, the number of judges in such consolidated or annexed district shall be two.~~

~~If any territory of another judicial district is annexed to the Mt. Diablo Judicial District, pursuant to Section 71083, the number of judges authorized in the Mt. Diablo Judicial District shall be three.~~

SEC 1 5 Section 73682 of the Government Code is".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Colber, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 433

At 2 46 p m, on motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 433 passed by the following vote:

AYES—Bagley, Beverly, Brathwaite, Briggs, Brown, Burton, Cline, Cory, Crown, Duffy, Dunlap, Fenton, Fong, Garcia, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Knox, Lanterman, MacDonald, Maddy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Z'berg, and Mr. Speaker—43.

NOES—Arnett, Badham, Barnes, Bee, Burke, Campbell, Chacon, Collier, Conrad, Cullen, Davis, Dent, Ketchum, Lancaster, MacGillivray, McAlister, Moorhead, Murphy, Priolo, Russell, Seeley, Stull, Wakefield, and Wood—24.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 41—Relative to the skill centers operated by the Los Angeles Unified School District.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 41?

Amendment No. 1

After line 1 of the heading of the printed measure, insert "(Coauthor· Senator Dymally)".

Amendment No. 2

In lines 1 and 2 of the title, strike out "Pacoima Adult Skill Center", and insert "skill centers operated by the Los Angeles Unified School District".

Amendment No. 3

On page 2, line 18, strike out "Pacoima Skill Center", and insert "skill centers operated by the Los Angeles Unified School District".

Amendment No. 4

On page 2, line 18, strike out "is", and insert "are".

Amendment No. 5

On page 2, line 20, strike out "is", and insert "are".

Amendment No. 6

On page 2, line 20, strike out the second "a".

Amendment No. 7

On page 2, line 21, strike out "center", and insert "centers".

Amendment No. 8

On page 2, line 22, strike out "fulfills", and insert "fulfill".

Amendment No. 9

On page 2, lines 26 and 27, strike out "Pacoima Skill Center is", and insert "skill centers operated by the Los Angeles Unified School District are".

Amendment No. 10

On page 2, line 34, strike out "Pacoima Skill Center", and insert "skill centers operated by the Los Angeles Unified School District".

Amendment No. 11

On page 2, line 34, strike out "its", and insert "their".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above resolution ordered enrolled

Assembly Concurrent Resolution No. 23—Relative to the Division of Highways San Diego Maintenance Station.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No 23?

Amendment No. 1

On page 2, between lines 35 and 36, of the printed measure, as amended in Assembly June 21, 1972, insert

"*Resolved*, That the Department of Parks and Recreation is hereby requested to develop a master plan for the Old Town San Diego State Historical Park, and be it further".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above resolution ordered enrolled.

Assembly Concurrent Resolution No. 46—Relative to indeterminate sentencing

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 46?

Senate Amendments of July 6, 1972

Amendment No. 1

On page 1, line 6, of the printed measure, after "assuring", insert "qualified".

Senate Amendments of November 29, 1972

Amendment No. 1

On page 2, of the printed resolution, as amended in Senate July 6, 1972, in line 12, strike out "enacted", and insert "adopted".

Amendment No. 2

On page 2, line 12, after "Authority", insert "and implement the same".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Badham, Bagley, Bee, Beverly, Brathwaite, Burke, Burton, Chacon, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—60.

NOES—Cline—1.

Above resolution ordered enrolled

CAUCUS ANNOUNCEMENTS

Mr. Fenton announced that there would be a Republican Caucus in the Sergeant at Arm's office, and a Democratic Caucus in the Assembly Lounge at this time.

RECESS

By unanimous consent, at 2 59 p m , Acting Speaker Fenton declared the Assembly recessed until 3 25 p m

REASSEMBLED

At 3 25 p m , the Assembly reconvened

Hon Bob Moretti, Speaker of the Assembly, presiding

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1493—An act to add Part 6 (commencing with Section 6000) to Division 4 of, and to repeal Section 6451, as proposed by this act, of, the Civil Code and to amend Section 11580 2 of the Insurance Code, relating to vehicles

Bill read third time, and presented by Mr Fenton.

Hon. Joe A. Gonsalves Presiding

At 3·48 p m., Hon. Joe A Gonsalves, 66th District, presiding.

The question being on the passage of Senate Bill No. 1493

Bill passed by the following vote·

AYES—Bagley, Barnes, Bee, Briggs, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Gonsalves, Leroy F. Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Lancaster, Lanterman, MacDonald, MacGillivray, Mobley, Pierson, Porter, Priolo, Ralph, Russell, Ryan, Stacey, Thomas, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—43.

NOES—Badham, Beverly, Brathwaite, Brown, Burke, Crown, Foran, Bill Greene, Karabian, Knox, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Powers, Quimby, Sieroty, Stull, Wakefield, Waxman, and Z'berg—23.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 376—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 376?

Senate Amendments of July 3, 1972

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in Assembly April 25, 1972, after "subdivisions", insert " , nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added".

Amendment No. 2

On page 2, between lines 39 and 40, insert

"SEC 2 Section 11546 of the Business and Professions Code is amended to read.

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, *or parcel map for a division of land not defined as a subdivision*, provided that

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not defined as a subdivision*

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a subdivision*, to be dedicated and the amount of any fee to be paid in lieu thereof.

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision, *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*.

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if such agency elects to accept the land or fee The local agency accepting such land or funds shall develop the land or use the funds in the manner provided herein.

The provisions of this section do not apply to industrial subdivisions *; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added*

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency.

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section.

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 1435 are both chaptered and amend Section 11546 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1435, that the amendments to Section 11546 proposed by both bills be given effect and incorporated in Section 11546 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 1435 are both chaptered, both amend Section 11546, and Assembly Bill No 1435 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Amendment No. 3

On page 2, line 40, strike out "SEC 2", and insert "SEC. 4".

Senate Amendments of July 6, 1972

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in Senate July 3, 1972, after "subdivisions", insert "or to divisions of land for industrial purposes which divisions are not defined as subdivisions".

Amendment No. 2

On page 4, line 15, after "subdivisions" insert "or to divisions of land for industrial purposes which divisions are not defined as subdivisions".

Senate Amendments of July 20, 1972

Amendment No. 1

On page 3, line 8, of the printed bill, as amended in Senate July 6, 1972, strike out "; nor do"; and strike out lines 9, 10, and 11; and in line 12, strike out "units are added".

Amendment No. 2

On page 4, strike out lines 23 to 40; and strike out page 5, and insert

"SEC. 3 Section 11546 of the Business and Professions Code is amended to read:

11546. The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, *or parcel map for a division of land not defined as a subdivision*, provided that:

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not defined as a subdivision*.

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a subdivision*, to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision, *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*

The provisions of this section do not apply to industrial subdivisions *or to divisions of land for industrial purposes which divisions are not defined as subdivisions*.

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein.

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section

SEC. 4. Section 11546 of the Business and Professions Code is amended to read:

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map *or of a parcel map for a division of land not a subdivision*, provided that:

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not a subdivision*.

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a subdivision* to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*.

(f) The city or county must specify when development of the park or recreational facilities will begin.

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

The provisions of this section do not apply to industrial subdivisions *or to divisions of land for industrial purposes which divisions are not defined as subdivisions; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added*.

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the

proposed development will be located, if the agency elects to accept the land or fee The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section

SEC 5 It is the intent of the Legislature that if this bill and Assembly Bill No 1363 or Assembly Bill No 1435, or both, are chaptered and amend Section 11546 of the Business and Professions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows.

(a) If this bill and Assembly Bill No 1363 are both chaptered and amend Section 11546 of the Business and Professions Code, but Assembly Bill No 1435 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 1363, the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 2 of this act Therefore, if Assembly Bill No 1363 is chaptered before this bill and both bills amend Section 11546 and Assembly Bill No 1435 is not chaptered or as chaptered does not amend that section, Section 2 of this act shall be operative and Sections 1, 3, and 4 of this act shall not become operative

(b) If this bill and Assembly Bill No 1435 are both chaptered and amend Section 11546 of the Business and Professions Code, but Assembly Bill No 1363 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 1435, the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 3 of this act Therefore, if Assembly Bill No 1435 is chaptered before this bill and both bills amend Section 11546, and Assembly Bill No 1363 is not chaptered or as chaptered does not amend that section, Section 3 shall be operative and Sections 1, 2, and 4 of this act shall not become operative

(c) If this bill and Assembly Bill No 1363 Assembly Bill No 1435 are all chaptered, and all three bills amend Section 11546 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1363 and Assembly Bill No 1435, the amendments proposed by all three bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 4 of this act Therefore, if Assembly Bill No 1363 and Assembly Bill No 1435 are both chaptered before this bill and all three bills amend Section 11546 of the Business and Professions Code, Section 4 of this act shall be operative and Sections 1, 2, and 3 of this act shall not become operative."

Senate Amendments of November 20, 1972

Set No. 1

Amendment No. 1

On page 4 of the printed bill, as amended in Senate July 20, 1972, between lines 9 and 10, insert

"(h) The division of land for which a parcel map is required is to be made by or on behalf of a person engaged in the business of developing and selling real estate as distinguished from a private owner making an occasional sale. A person shall not be deemed to be engaged in the developing and selling of real estate if he has made no more than four sales in any one year."

Set No. 2

Amendment No. 1

On page 2 of the printed bill, as amended in Senate July 20, 1972, strike out lines 1 to 36, inclusive; and on page 3, strike out lines 1 to 10, inclusive.

Amendment No. 2

On page 3, line 15, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 3

On page 4, between lines 17 and 18, insert

"In the event park and recreational services and facilities are provided by a public agency other than a city or a county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency."

Amendment No. 4

On page 4, line 20, strike out "; nor do"; and strike out lines 21 to 23, inclusive; and on line 24, strike out "units are added".

Amendment No. 5

On page 5, strike out lines 20 to 40, inclusive; and strike out pages 6 and 7, inclusive; and on page 8, strike out lines 1 to 13, inclusive.

Amendment No. 6

On page 8, line 14, strike out "SEC. 5", and insert "SEC. 2".

Amendment No. 7

On page 8, lines 18 and 19, strike out "amendments proposed by each of the bills which are chaptered be given effect as follows ", and insert "the amendment proposed to subdivision (g) of Section 11546 as proposed in Section 1 of this act shall be operative."

Amendment No. 8

On page 8, strike out lines 20 to 40, inclusive, and strike out page 9.

Senate Amendments of November 29, 1972

Amendment No. 1

On page 4, line 17, of the printed bill, as amended in Senate November 20, 1972, after the period, insert "Divisions of land not amounting to a subdivision and not used for residential purposes shall be exempted

from the requirements of this section; provided however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within two years, the fee may be required to be paid by the owner of each such parcel as a condition to the issuance of such permit."

The roll was called, and the Assembly refused to concur in the above Senate amendments by the following vote:

AYES—Crown, Bill Greene, Karabian, and Knox—4.

NOES—Arnett, Bee, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Lancaster, Lanterman, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 376

The Acting Speaker appointed Messrs Quimby, Bill Greene, and Beverly as a Committee on Conference concerning Assembly Bill No 376.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 109, on request of Mr Monagan.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 148—An act to amend Section 23752 of the Education Code, to amend Section 71006 of the Government Code, and to add Sections 1463 5, 1463 6, and 1463 7 to the Penal Code, relating to disposition of parking fees and fines

Bill read third time, and presented by Mr. Brown

Bill passed by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Majority Floor Leader Presiding

At 4 p m., Hon Jack R. Fenton, 51st District, presiding.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, December 1, 1972

Mr. Speaker: The Committee on Conference concerning

Assembly Bill No. 1527, as amended in Senate July 24, 1972—An act to amend Section 2507 of the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 24, 1972, strike out "amend Section 2507", and insert "add Article 2 5 (commencing with Section 530) to Chapter 1 of Division 2".

Amendment No. 2

In line 4 of the title, strike out ", and declaring the urgency"; and strike out line 5, and insert a period.

Amendment No. 3

On page 2, strike out line 1, and insert

"SECTION 1. Article 2.5 (commencing with Section 530) is added to Chapter 1 of Division 2 of the Business and Professions Code, to read:

Article 2 5. Prepaid Health Care Service Plans

530. Notwithstanding any provision of law or interpretation of public policy to the contrary, a corporation organized for profit and registered under the Knox-Mills Health Plan Act may offer a prepaid health care service plan to the public and provide health care services to its subscribers through a professional corporation which has an effective certificate of registration issued pursuant to the provisions of this division and the Moscone-Knox Professional Corporation Act.

SEC. 2".

Amendment No. 4

On page 2, strike out lines 27 to 35, inclusive; and strike out page 3.

The undersigned consent to the report:

C. GEORGE DEUKMEJIAN	WILLIAM CAMPBELL
JAMES WHETMORE	PAUL PRIOLO
ALFRED SONG	HENRY A WAXMAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Con-

rad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 758—An act to amend Section 14132 of, to add Sections 14019 1 and 14132 1 to, and to add Article 4 3 (commencing with Section 14136) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Health Care Services.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 758?

Senate Amendments of July 27, 1972

Amendment No. 1

On page 5, lines 23 and 24, of the printed bill, as amended in Assembly May 2, 1972, strike out "only until October 1, 1973", and insert "only for a period of one year after its effective date".

Amendment No. 2

On page 5, line 26, strike out "October 1, 1973", and insert "the date constituting one year after the effective date of this section".

Senate Amendments of November 20, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 27, 1972, after the comma, insert "to add Sections 14019 1 and 14132.1 to,".

Amendment No. 2

On page 2, line 1, after the period, insert "Section 14019 1 is added to the Welfare and Institutions Code, to read·

14019 1 The department shall establish and maintain a system whereby providers may bill using a recipient's identification number, and, for emergency services, this identification number shall be all the documentation required by the department to determine a recipient's eligibility for benefits under this chapter for any given month. This section shall not preclude the department from requiring documentation to insure adequate utilization controls under Sections 14132 and 14133

SEC. 2".

Amendment No. 3

On page 4, between lines 14 and 15, insert

"SEC 3 Section 14132 1 is added to the Welfare and Institutions Code, to read·

14132 1 Services performed in an emergency shall be exempt from any limitations on the number of basic services available in any given

month or year as may be otherwise provided in Section 14132 or elsewhere in this chapter."

Amendment No. 4

On page 4, line 15, strike out "2", and insert "4".

Amendment No. 5

On page 5, line 2, strike out "3", and insert "5".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—72.

NOES—Wakefield—1.

Above bill ordered enrolled.

Assembly Bill No. 350—An act to amend Section 6304 1 of the Harbors and Navigation Code, relating to harbors and navigation

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 350?

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly June 7, 1972, strike out "and boatslips Slips shall be", strike out line 12; and in line 13, strike out "first-come-first-served basis".

Amendment No. 2

On page 2, lines 17 and 18, strike out "and boatslip facilities".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell; Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1363—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1363?

Senate Amendments of July 3, 1972

Amendment No. 1

On page 1, line 7, of the printed bill, after the comma, insert "or parcel map for a division of land not defined as a subdivision,".

Amendment No. 2

On page 1, line 10, after "subdivision", insert "or parcel map for a division of land not defined as a subdivision".

Amendment No. 3

On page 2, line 1, after "subdivision", insert "or division of land not defined as a subdivision".

Amendment No. 4

On page 2, line 6, after "subdivision", insert "or division of land not defined as a subdivision".

Amendment No. 5

On page 2, line 14, after "subdivision", insert "or division of land not defined as a subdivision".

Amendment No. 6

On page 2, line 19, after "less", insert "or in a division of land not defined as a subdivision".

Amendment No. 7

On page 2, between lines 19 and 20, insert

"Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if such agency elects to accept the land or fee. The local agency accepting such land or funds shall develop the land or use the funds in the manner provided herein."

Amendment No. 8

On page 2, after line 24; insert

"SEC. 2 Section 11546 of the Business and Professions Code is amended to read:

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map *or of a parcel map for a division of land not a subdivision*, provided that

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not a subdivision*.

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a sub-*

division to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*.

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if such agency elects to accept the land or fee The local agency accepting such land or funds shall develop the land or use the funds in the manner provided herein

The provisions of this section do not apply to industrial subdivisions *; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added*

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency.

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section.

SEC 3 It is the intent of the Legislature, if this bill and Assembly Bill No 1435 are both chaptered and amend Section 11546 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No 1435, that the amendments to Section 11546 proposed by both bills be given effect and incorporated in Section 11546 in the form set forth in Section 2 of this act Therefore, Section 2 of this act shall become operative only if this bill and Assembly Bill No 1435 are both chaptered, both amend Section 11546, and Assembly Bill No 1435 is chaptered before this bill, in which case Section 1 of this act shall not become operative."

Senate Amendments of July 20, 1972

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, as amended in Senate July 3, 1972, after the first "map", strike out "or parcel map for a division of land not defined as a subdivision,".

Amendment No. 2

On page 2, lines 11 and 12, strike out "or parcel map for a division of land not defined as a subdivision".

Amendment No. 3

On page 2, lines 14 and 15, strike out "or division of land not defined as a subdivision".

Amendment No. 4

On page 2, lines 19 and 20, strike out "or division of land not defined as a subdivision".

Amendment No. 5

On page 2, lines 28 and 29, strike out "or division of land not defined as a subdivision".

Amendment No. 6

On page 2, lines 34 and 35, strike out "or in a division of land not defined as a subdivision", and strike out lines 36 to 38, inclusive.

Amendment No. 7

On page 3, strike out lines 1 to 5, inclusive.

Amendment No. 8

On page 4, strike out lines 6 to 13, inclusive.

Amendment No. 9

On page 4, line 15, after "subdivisions", insert "or to divisions of land for industrial purposes which divisions are not defined as subdivisions".

Amendment No. 10

On page 4, strike out lines 19 to 40, and strike out page 5, and insert

"SEC 3 Section 11546 of the Business and Professions Code is amended to read

11546 The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map, provided that.

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision

(b) The ordinance includes definite standards for determining the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision.

(f) The city or county must specify when development of the park or recreational facilities will begin.

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less.

The provisions of this section do not apply to industrial subdivisions *; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added.*

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein.

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency.

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section.

SEC. 4. Section 11546 of the Business and Professions Code is amended to read:

11546. The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map *or of a parcel map for a division of land not a subdivision*, provided that:

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or of a parcel map for a division of land not a subdivision*.

(b) The ordinance includes definite standards for determining the proportion of a subdivision *or division of land not defined as a subdivision* to be dedicated and the amount of any fee to be paid in lieu thereof.

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*.

(f) The city or county must specify when development of the park or recreational facilities will begin.

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

The provisions of this section do not apply to industrial subdivisions *or to divisions of land for industrial purposes which divisions are not defined as subdivisions; nor do they apply to condominium projects which consists of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added*.

Land or fees required under this section may be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if the agency elects to accept the land or fee. The local agency accepting such land or fees shall develop the land or use the fees in the manner provided herein.

In the event park and recreational services and facilities are provided by a public agency other than a city or county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency.

If there is no such special purpose local agency, the governing body of a city or county may still require compliance with the provisions of this section.

SEC. 5 It is the intent of the Legislature that if this bill and Assembly Bill No. 376 or Assembly Bill No 1435, or both, are chaptered and amend Section 11546 of the Business and Professions Code, and this bill is chaptered last, that amendments proposed by each of the bills which are chaptered be given effect as follows.

(a) If this bill and Assembly Bill No 376 are both chaptered and amend Section 11546 of the Business and Professions Code, but Assembly Bill No 1435 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No 376, the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 2 of this act. Therefore, if Assembly Bill No 376 is chaptered before this bill and both bills amend Section 11546 and Assembly Bill No 1435 is not chaptered or as chaptered does not amend that section, Section 2 of this act shall be operative and Sections 1, 3 and 4 of this act shall not become operative

(b) If this bill and Assembly Bill No. 1435 are both chaptered and amend Section 11546 of the Business and Professions Code, but Assembly Bill No 376 is not chaptered or as chaptered does not amend that section, and this bill is chaptered after Assembly Bill No. 1435, the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 3 of this act. Therefore, if Assembly Bill No 1435 is chaptered before this bill and both bills amend Section 11546, and Assembly Bill No 376 is not chaptered or as chaptered does not amend that section, Section 3 shall be operative and Sections 1, 2 and 4 of this act shall not become operative.

(c) If this bill and Assembly Bill No. 376 and Assembly Bill No. 1435 are all chaptered, and all three bills amend Section 11546 of the Business and Professions Code, and this bill is chaptered after Assembly Bill No. 376 and Assembly Bill No 1435, the amendments proposed by all three bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 4 of this act Therefore, if Assembly Bill No 376 and Assembly Bill No 1435 are both chaptered before this bill and all three bills amend Section 11546 of the Business and Professions Code, Section 4 of this act shall be operative and Sections 1, 2 and 3 of this act shall not become operative."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4:02 p m, Mr. Brown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in Room 3188, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1730—An act to amend Section 217 of the Health and Safety Code, and to amend Section 21714 of the Vehicle Code, relating to medical aid.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1730?

Senate Amendments of July 27, 1972

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in Assembly June 12, 1972, strike out "which".

Amendment No. 2

On page 2, line 10, strike out the comma

Amendment No. 3

On page 2, line 20, strike out "in", and insert "to provide for".

Amendment No. 4

On page 2, line 20, strike out "to provide".

Senate Amendments of November 20, 1972

Set No. 1

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 27, 1972, after "Code", insert ", and to amend Section 21714 of the Vehicle Code".

Amendment No. 2

On page 2, after line 31, insert

"SEC. 2. Section 21714 of the Vehicle Code is amended to read:

21714. No owner of a publicly or privately owned ambulance shall permit the operation of such ambulance in emergency service unless the attendant on duty therein or, if there is no attendant on duty therein, the operator possesses ~~an advanced American Red Cross first aid certificate or an equivalent first aid certificate issued by the United States Bureau of Mines~~ *evidence of such specialized training prescribed by the commissioner pursuant to recommendations of State Health Department as he determines is reasonably necessary to insure that such attendant or operator is competent to care for sick or injured persons who may be transported by such ambulance*. The commissioner may issue rules and regulations to implement this section.

This section shall not be applicable in any state of emergency when it is necessary to fully utilize all available ambulances in an area and it is not possible to have each ambulance operated or attended by persons with the qualifications required by this section."

Set No. 2

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Senate July 27, 1972, after the comma, insert "ocean and public beach lifeguards,".

Amendment No. 2

On page 2, line 11, after the first comma, insert "ocean and public beach lifeguards,".

Amendment No. 3

On page 2, between lines 23 and 24, insert

"As used in this section, "ocean and public beach lifeguard" means any regularly employed and paid officer, employee, or member of a public aquatic safety department or marine safety agency of the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of this state."

Set No. 3

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in Senate July 27, 1972, after "in", insert "cardiopulmonary resuscitation each year and in other".

Senate Amendments of November 27, 1972

Amendment No. 1

On page 3, line 25, of the printed bill, as amended in Senate November 20, 1972, after "commissioner", insert a comma.

Amendment No. 2

On page 3, line 26, after "of", insert "the".

Amendment No. 3

On page 3, line 27, after "Department", insert a comma.

Amendment No. 4

On page 3, line 27, strike out "he determines".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 1848—An act to amend Section 1070 of the Evidence Code, relating to newsmen's privilege

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1848?

Amendment No. 1

In the heading of the printed bill, strike out "Maddy", and insert "Bagley

(Coauthor · Senator Marks)".

Amendment No. 2

In line 1 of the title, strike out "add Section 1009.1 to the Penal", and insert "amend Section 1070 of the Evidence".

Amendment No. 3

In line 2 of the title, strike out "accusatory pleadings", and insert "newsmen's privilege".

Amendment No. 4

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 1070 of the Evidence Code is amended to read:

1070. A publisher, editor, reporter, or other person connected with or employed upon a newspaper, or by a press association or wire service,

or any person who has been so connected or employed, cannot be adjudged in contempt by a ~~court, the Legislature, or any administrative body~~ *judicial, legislative, administrative body, or any other body having the power to issue subpoenas*, for refusing to disclose, *in any proceeding as defined in Section 901,* the source of any information procured while so connected or employed for publication in a newspaper.

Nor can a radio or television news reporter or other person connected with or employed by a radio or television station, or any person who has been so connected or employed, be so adjudged in contempt for refusing to disclose the source of any information procured while so connected or employed for news or news commentary purposes on radio or television."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cory, Cullen, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—51

NOES—Dent, Stacey, Stull, and Wakefield—4.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Senate Chamber, November 30, 1972

Mr President: The Committee on Conference concerning:

Senate Bill No. 210, as amended in Assembly August 4, 1972—An act to add Chapter 3 5 (commencing with Section 1050) to Division 2 of the Streets and Highways Code, relating to private byroads;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following·

That the amendments of the Assembly be concurred in.

The undersigned consent to the report:

JOHN HOLMDAHL	JOHN KNOX
RANDOLPH COLLIER	RAY SEELEY
	CARLEY V. PORTER
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead,

Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 30, 1972

Mr. Speaker: The Committee on Conference concerning

Assembly Bill No. 282, as amended in Senate November 21, 1972—An act to add Section 16784 to the Education Code, and to amend Section 11451.5 of, to add Section 10813 to, and to add Chapter 4 5 (commencing with Section 10825) to Part 2 of Division 9 of, the Welfare and Institutions Code, relating to public social services, making an appropriation therefor, and declaring the urgency thereof,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

The undersigned consent to the report:

LOU CUSANOVICH	WILLIAM T BAGLEY
MERVYN DYMALLY	LEO T McCARTHY
ANTHONY BEILENSON	WILLIE L BROWN
Senate Committee on Conference	Assembly Committee on Conference

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr Speaker—61.

NOES—Wakefield—1.

The question being on the adoption of the Conference Report on Assembly Bill No 282.

Report adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Ketchum, Keysor, Knox, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—61.

NOES—Wakefield—1.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 109—An act to amend Section 1773 of the Government Code, relating to vacancies in the Legislature.

Bill read third time.

Motion to Amend

Mr. Monagan moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 21, 1972, strike out "Section 1773 of", and insert "Sections 8901 and 12001 of, and to add Section 9359 18 to,".

Amendment No. 2

In line 2 of the title, strike out "vacancies in the Legislature", and insert "compensation and retirement".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 8901 of the Government Code is amended to read:

8901. Commencing at noon on January 2, 1967, each Member of the Legislature shall receive as compensation for his services sixteen thousand dollars ($16,000) per year, during the term for which he was elected, payable in equal monthly amounts

Commencing at noon on January 4, 1971, the annual compensation provided by this section shall be increased to nineteen thousand two hundred dollars ($19,200)

Commencing at noon on December 2, 1974, the annual compensation provided by this section shall be increased to twenty-one thousand one hundred twenty dollars ($21,120)

SEC. 2 Section 9359 18 is added to the Government Code, to read:

9359.18 In recognition of increased cost-of-living, allowances payable pursuant to Section 9359 12 with respect to service during the years 1973 and 1974 shall be computed on the basis of 5 5 percent in paragraph (1) of subdivision (a) and subdivision (b) and 3 3 percent in paragraph (2) of subdivision (a)

SEC 3 Section 12001 of the Government Code is amended to read:

12001 The Governor may appoint and fix the salaries of such ~~secretaries~~ *assistants* and other personnel as he deems necessary for his office No salary fixed under this section shall exceed ~~twenty~~ ~~thousand dollars ($20,000) annually~~ *the annual salary paid state officers pursuant to Section 11552*, except the salary of the Executive Secretary to the Governor shall not exceed ~~thirty-five thousand dollars ($35,000) annually, and the salaries of eight secretaries to the Governor, including not more than two legislative secretaries, shall not exceed twenty-seven thousand five hundred dollars ($27,500) annually~~ *the annual salary paid state officers pursuant to Section 11550*."

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be returned to the third reading file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 30, 1972

Mr. Speaker: The Committee on Conference concerning:

Senate Bill No. 175, as amended in Assembly November 16, 1972—An act to amend Sections 421, 422, and 423 of, and to add Section 423.7 to the Revenue and Taxation Code, relating to property taxation;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 6, line 23, of the printed bill, as amended in Assembly November 16, 1972, strike out "livestock pasture", and insert "native pasture for livestock".

Amendment No. 2

On page 6, line 28, strike out "for the 1970 lien date or the", and insert "as of the lien date for the current assessment year.

(2) In the event that the value determined pursuant to paragraph (1) exceeds the value determined pursuant to this paragraph, the assessor shall value such property in the following manner:

(A) He shall determine the countywide average increase or decrease in the full cash value of undeveloped land within the county, as determined for assessment purposes, from the lien date in 1965 to the lien date for the current assessment year

(B) He shall apply the percentage increase determined pursuant to subparagraph (A) to the full cash value of the parcel being valued under this section, as such value was determined for assessment purposes for such parcel for the lien date in 1965. If the value so determined is less than the value determined under paragraph (1), the value determined under this paragraph shall be used."

Amendment No. 3

On page 6, strike out lines 29 to 40, inclusive; and on page 7, strike out lines 1 to 3, inclusive.

The undersigned consent to the report:

DENNIS CARPENTER	JOE A GONSALVES
HOWARD WAY	KENNETH CORY
JAMES Q WEDWORTH	

Senate Committee on Conference Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis,

Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, and Mr. Speaker—54.

NOES—Dent, Harvey Johnson, Miller, Murphy, and Sieroty—5.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 109—An act to amend Sections 8901 and 12001 of, and to add Section 9359 18 to, the Government Code, relating to compensation and retirement.

Bill read third time, and presented by Mr. Monagan.

Bill passed by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Brown, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Thomas, Townsend, Warren, Waxman, Wood, Z'berg, and Mr Speaker—55

NOES—Bee, Briggs, Burke, Dent, Duffy, Hayden, Ray E Johnson, Ketchum, Keysor, Moorhead, Seeley, Stull, Vasconcellos, Wakefield, and Wilson—15

Bill ordered transmitted to the Senate.

Senate Bill No. 314—An act to add Sections 20750.29, 20750.32, 20750 87 and 20862 5 to the Government Code, relating to Public Employees' Retirement System

Bill read third time, and presented by Mr. Brown.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 4 .32 p m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER THE CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Cory was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Hon. Ken Cory Presiding

Hon. Ken Cory, 69th District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 143

Mr. Fenton was granted unanimous consent to take up House Resolution No. 143 without reference to committee or file.

Consideration of House Resolution No. 143

House Resolution No. 143—Relative to commending Assemblyman David C. Pierson.

NOTE: The full text of House Resolution No. 143 appears at pages 8236–8237 of the Assembly Daily Journal for November 30, 1972.

Resolution read, and presented by Mr Fenton.

Members Made Coauthors of House Resolution No. 143

Mr. Fenton was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 143 as coauthors.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

APPROVAL OF JOURNALS

On motion of Mr Fenton, the Assembly Daily Journals for July 7, 20, 27 and 31, August 1, 2, 3 and 4, and November 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 27, 28, 29 and 30, and December 1, 1972, were approved as corrected by the Minute Clerk.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Monagan and Stull:

House Resolution No. 146

Relative to Assemblyman E Richard Barnes

WHEREAS, The Members of the Assembly of the State of California wish to commend their friend, Assemblyman E. Richard Barnes, for his valued service to the Legislature and the people of the State of California; and

WHEREAS, First elected to the Assembly in 1962, E. Richard Barnes has earned the respect, trust, and admiration of his colleagues and has served the people of the 78th Assembly District with dedication and distinction; and

WHEREAS, Assemblyman Barnes has been a legislative leader in the area of retirement for an entire decade and has served as Chairman of the Assembly Committee on Retirement and as Chairman of the Joint Committee on Retirement, and has authored many important retirement measures, including landmark legislation which overhauled and modernized the State Teachers' Retirement System; and

WHEREAS, He has also ably served as a member of the Assembly Committee on Ways and Means for six years and the Assembly Committee on Natural Resources for eight years and in those capacities participated in vital fiscal and environmental decisions which have af-

fected and will continue to affect the economic and environmental health of California; and

WHEREAS, Assemblyman Barnes' compassion and concern for all of the citizens of this state has been constantly demonstrated in his daily activities in the Legislature and recorded in the enactment of legislation in many areas including most recently important legislation to combat venereal disease and elevating California State Colleges to University status, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members commend E. Richard Barnes for his outstanding contributions to the Legislature of the State of California, extend the gratitude of the people of the State of California for a job well done and express their best wishes for his success and happiness in future endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman E Richard Barnes.

Request for Unanimous Consent

Mr Stull was granted unanimous consent to take up House Resolution No. 146 without reference to committee or file.

Resolution read.

Members Made Coauthors of House Resolution No. 146

Mr. Stull was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No 146 as coauthors

Resolution read, as amended, and adopted unanimously, by a rising vote of the Members of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1459—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1459?

Senate Amendments of July 25, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly June 30, 1972, strike out "and declaring the urgency"; strike out line 3 of the title, and insert a period.

Amendment No. 2

On page 3, line 8, after "Code", insert ", not intended to affect the funding priorities specified in Section 5704".

Amendment No. 3

On page 4, between lines 3 and 4, insert

"The director of the local mental health department may make amendments during and subsequent to subsections (2) and (3) immediately below."

Amendment No. 4

On page 4, strike out lines 11 to 13, inclusive.

Amendment No. 5

On page 4, line 14, strike out "(e)", and insert "(f)".

Amendment No. 6

On page 4, line 16, strike out "(f)", and insert "(g)".

Amendment No. 7

On page 4, line 19, strike out "(g)", and insert "(h)".

Amendment No. 8

On page 4, strike out lines 25 to 32, inclusive.

Senate Amendments of November 20, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Senate July 25, 1972, after "Vasconcellos", insert ", Lewis".

Amendment No. 2

On page 2, strike out line 3, and insert

"4136 Notwithstanding any other provisions of law·

(a) The Department of Mental Hygiene shall maintain all existing state hospitals and all major program services for the mentally ill and the mentally retarded, except programs for the mentally ill at Agnews State Hospital and Mendocino State Hospital, until such time as·

(1) The state has given nine months notification to the county of its intent to change, terminate or diminish the provision for any of the above services.

(2) A written treatment plan consistent with the provisions of Section 5620 is provided for each patient by the local mental health director in consultation with the county of residence

(3) Within 45 days of receipt of notification of intent to change, terminate or diminish provision for service, the director of the local mental health program forwards his recommendations for revisions in the annual county plan to the local Mental Health Advisory Board, including plans for provision of the services needed by patients and residents, as defined in Article 4 (commencing with Section 540) of subchapter 3 of Chapter 1 of Title 9 of the California Administrative Code, not intended to affect the funding priorities specified in Section 5704:

(A) Crisis intervention

(B) Inpatient services intensive

(C) Inpatient services· subacute care for persons requiring extended inpatient care, but not in an intensive psychiatric or medical milieu, as part of an overall plan for community placement or outpatient care and rehabilitation.

(D) Outreach services, with counseling support to families, surro-

gate families, as well as to the mentally ill in the community as opposed to in clinical settings.

(E) Community mental health therapeutic programs, including occupational and recreational therapy

(F) Rehabilitative programs of a vocational nature

(G) Medication renewal, with provision for consistent monitoring and reevaluation of medication.

(H) Outpatient counseling and psychiatric services available to patients in geographic locations accessible to them

(I) Training and consultation services to operators of out-of-home-care facilities and homes

(J) Children's services, the full range thereof, with a view to the special needs of children.

The plan shall indicate how the above services relate to the following:

(i) All patients currently at the state hospital

(ii) All patients currently at the local level and under treatment who are potentially state hospital placements.

(iii) All persons potentially subject to displacement from mental health services appropriate to their needs by reason of the change, termination or diminishing of any state hospital or major program service for the mentally ill or the mentally retarded

(4) Within 45 days of receipt of the local mental health program director's recommendations, the Mental Health Advisory Board for the county reviews the county plan, and makes amendments or approves the revisions

(5) Within 30 days after review by the Mental Health Advisory Board the county board of supervisors convenes a public hearing to consider the report, with three weeks' prior notification to the public and publication of the plan for purposes of distribution to all interested parties without charge

The Mental Health Advisory Board may make amendments subsequent to the board of supervisors' hearing.

The above reporting process shall be financed through the use of federal funds to the extent such funds are available for that purpose.

The above reporting process shall be completed within five months of notification to the county of the intent of the State Department of Mental Hygiene to change, terminate, or diminish the provision of any above service.

(6) A report shall be submitted by the county board of supervisors to the State Director of Mental Hygiene and certified by him as documenting the ability of the county or state to provide for the needs of the patients and residents as listed under Item 3 above or detailing its deficiencies.

(7) The report shall contain:

(A) Revisions approved by the Mental Health Advisory Board;

(B) A transcript of the public hearing convened by the local board of supervisors.

(8) Within 30 days of receipt of the county report by the Director of the State Department of Mental Hygiene, the certified report shall be filed with the Legislative Analyst, and to the Joint Budget Committee for review, along with a statement by the Director of the State

Department of Mental Hygiene regarding the allocation projected by the department for the funding of the revised county plan

(b) Those counties which have been subject to state hospital closures, or the termination or diminishing of a major program service (Agnew, Mendocino, DeWitt), shall come into compliance with this act within four months of the effective date of this legislation.

(c) Priority in the allocation of state Short-Doyle funds to mental health programs shall be given to the funding of the county plans developed according to the process detailed in this act."

Amendment No. 3

On page 2, strike out lines 4 to 38, inclusive; and strike out pages 3 and 4.

Senate Amendments of November 21, 1972

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Senate November 20, 1972, after "months", insert "written".

Amendment No. 2

On page 2, strike out lines 17 to 19, inclusive, and insert

"(3) The director of the local mental health program has forwarded".

Amendment No. 3

On page 2, line 22, after "the", insert "programs and".

Amendment No. 4

On page 3, strike out lines 21 to 26, inclusive, and insert

"The director's recommendations shall be forwarded to the mental health advisory board 45 days after the county has received written notice of the state's intent to change, terminate, or diminish provision for any of the above services.

(4) The mental health advisory board for the county has reviewed the county plan, and made amendments or approved the revisions This shall be accomplished within 45 days of receipt of the local mental health program director's recommendation.

(5) The county board of supervisors has convened".

Amendment No. 5

On page 3, line 30, after the period, insert "This shall be accomplished within 30 days of review and approval by the mental health advisory board "

Amendment No. 6

On page 4, line 1, strike out "shall be", and insert "has been".

Amendment No. 7

On page 4, line 7, strike out "(7)".

Amendment No. 8

On page 4, strike out lines 12 to 15, inclusive, and insert

"(7) The certified report has been filed with the Legislative Analyst, and with the Joint Budget Committee for review,".

Amendment No. 9

On page 4, line 19, after the period, insert "This shall be accomplished within 30 days of receipt of the county report by the Director of the State Department of Mental Hygiene."

Amendment No. 10

On page 4, line 23, after "shall", insert "initiate the procedure by which they shall".

Amendment No. 11

On page 4, strike out lines 25 to 28, inclusive, and insert

"(3) Prior to the closing of any state hospital or the termination or diminishing of any major program service for the mentally ill or the mentally retarded, funds shall have been allocated to the county or counties affected for the programs or services delineated in the revised county plans. Those programs or services included in the revised plans of counties in which a hospital closure was completed or announced prior to June 1, 1972, but within fiscal year 1971–1972, shall receive priority in the allocation of state Short-Doyle funds for the purpose of establishing programs and services delineated in the revised mental health plans of the counties so affected"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wood, Z'berg, and Mr Speaker—62

NOES—None

Above bill ordered enrolled

Assembly Joint Resolution No. 37—Relative to air pollution.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No 37?

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, strike out "the Pacific Southwest Forest and Range Experiment Station", and insert "air pollution".

Amendment No. 2

Strike out page 1; and on page 2, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 2, strike out lines 10 to 13, inclusive, and in line 14, strike out "completion", and insert "for the continuation of research on the effects of air pollution on forest trees, which research is located on the campus of the University of California, Riverside, and conducted under

the direction of the Pacific Southwest Forest and Range Experiment Station of the United States Forest Service".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None.

Above resolution ordered enrolled

Assembly Bill No. 2350—An act to add Section 5077.2 to the Public Resources Code, relating to recreational trails

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2350?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Assembly July 3, 1972, after the comma, insert "provided that the property to be acquired is in the immediate vicinity of the property being replaced,"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 90

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate appointed Senators Coombs, Gregorio and Bradley as a Committee on Conference concerning:

Assembly Bill No. 376

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate appointed Senators Dymally, Deukmejian and Song as a Committee on Conference concerning:

Assembly Bill No. 192

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 862
AB No 1697
AB No. 1801
AB No 1846
AB No. 2074

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, December 1, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No 136

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolution ordered to unfinished business file

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, December 1, 1972

Mr Speaker The Committee on Conference concerning

Assembly Bill No. 376, as amended in Senate November 29, 1972—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 4, strike out lines 3 to 9, inclusive, of the printed bill, as amended in Senate November 29, 1972, and insert

"SEC 2. Section 11546 of the Business and Professions Code is amended to read:

11546. The governing body of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map *or parcel map for a division of land not defined as a subdivision*, provided that.

(a) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision *or parcel map for a division of land not defined as a subdivision*

(b) The ordinance includes definite standards for determining the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof.

(c) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities to serve the subdivision *or division of land not defined as a subdivision*.

(d) The legislative body has adopted a general plan containing a recreational element, and the park and recreation facilities are in accordance with definite principles and standards contained therein.

(e) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision *or division of land not defined as a subdivision*

(f) The city or county must specify when development of the park or recreational facilities will begin

(g) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less *or in divisions of land not defined as subdivisions*.

(h) The division of land for which a parcel map is required is to be made by or on behalf of a person engaged in the business of developing and selling real estate as distinguished from a private owner making an occasional sale A person shall not be deemed to be engaged in the developing and selling of real estate if he has made no more than four sales in either of the last two preceding years Divisions of land not amounting to a subdivision and not used for residential purposes shall be exempted from the requirements of this section; provided however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within two years, the fee may be required to be paid by the owner of each such parcel as a condition to the issuance of such permit.

Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if such agency elects to accept the land or fee The local agency accepting such land or funds shall develop the land or use the funds in the manner provided herein

In the event park and recreational services and facilities are provided by a public agency other than a city or a county, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the city or county having jurisdiction and such public agency

The provisions of this section do not apply to industrial subdivisions *; nor do they apply to condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added*

SEC 3. It is the intent of the Legislature that if this bill and Assembly Bill No. 1363 are both chaptered and amend Section 11546 of the Business and Professions Code, that the amendments proposed by both bills shall be given effect and incorporated in Section 11546 in the form set forth in Section 2 of this act Therefore, in the event A B 1363 is enacted and amends Section 11546, Section 2 of this act shall become operative at the same time that Section 11546 as amended by A B 1363 becomes operative, and at that time Section 11546 of the Business and Professions Code as amended by Section 1 of this act is repealed "

Amendment No. 2

On page 4, in line 16, strike out "any one year.", and insert "either of the last two preceding years."

The undersigned consent to the report·

W. E COOMBS	JOHN P QUIMBY
ARLEN GREGORIO	BILL GREENE
	ROBERT G BEVERLY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 136

By unanimous consent, consideration of Senate amendments to Assembly Concurrent Resolution No 136 was taken up without reference to file.

Consideration of Senate Amendments to Assembly Concurrent Resolution No. 136

Assembly Concurrent Resolution No. 136—Relative to memorializing Assemblyman Frank P Belotti.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No 136?

Amendment No. 1

In the heading of the printed measure, insert

"(Coauthors Senators Alquist, Behr, Beilenson, Biddle, Bradley, Burgener, Carpenter, Collier, Coombs, Cusanovich, Deukmejian, Dills, Dymally, Gregorio, Grunsky, Harmer, Holmdahl, Kennick, Lagomarsino, Marks, Marler, Mills, Moscone, Nejedly, Petris, Richardson, Roberti, Rodda, Schrade, Short, Song, Stevens, Stiern, Teale, Walsh, Way, Wedworth, Whetmore, and Zenovich)".

The Assembly concurred in the above Senate amendment.

Above resolution ordered enrolled

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, December 1, 1972

Mr. Speaker: The Committee on Conference concerning:

Assembly Bill No. 192, as amended in Senate November 20, 1972—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10.5 (commencing with Section 11901), 10.8 (commencing with Section 11940), and 10.9 (commencing with Section 11990) of, the Health and Safety Code, and to amend Sections 1803, 12806, 12809, 13202, 13355.5, and 13800 of the Vehicle Code, relating to controlled substances

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 45, of the printed bill, as amended in Senate November 20, 1972, between lines 23 and 24, insert

"This section shall not become operative if Assembly Bill No. 1778 of the 1972 Regular Session of the Legislature is chaptered whether it is chaptered prior or subsequent to the act enacting this section.

11357. Every person who possesses any marijuana, except as otherwise provided by law, shall be punished by imprisonment in the county jail for a period of not more than six months or by a fine of not more than five hundred dollars ($500), or both.

If such person has been previously convicted of a violation of this section, the previous conviction may be charged in the indictment or information and, if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or is admitted by the defendant, he shall be punished by imprisonment in the county jail for a period of not more than one year or by a fine of not more than five hundred dollars ($500), or both.

This section shall become operative only if Assembly Bill No. 1778 of the 1972 Regular Session of the Legislature is chaptered, and whether or not it is chaptered prior or subsequent to the act enacting this section."

Amendment No. 2

On page 74, strike out lines 29 to 40, inclusive; and on page 75, strike out lines 1 to 6, inclusive, and insert

"11590 (a) Any person who, on or after the effective date of this section, is convicted in the State of California of any offense defined in Section 11350, 11351, 11352, 11353, 11354, 11355, 11357, 11358, 11359, 11360, 11361, 11363, 11366, 11368, or 11550, or any person who is, on or after such date, discharged or paroled from a penal institution where he was confined because of the commission of any such offense, or any person who is, on or after such date, convicted in any other state of any offense which, if committed or attempted in this state, would have been punishable as one or more of the above-mentioned offenses, shall within 30 days after the effective date of this section or within 30 days of his coming into any county or city, or city and county in which he resides or is temporarily domiciled for such length of time, register with the chief of police of the city in which he resides or the sheriff of the county if he resides in an unincorporated area.

(b) Any person who, on or after the effective date of this section is convicted in any federal court of any offense which, if committed or attempted in this state would have been punishable as one or more of the offenses enumerated in subdivision (a) shall within 30 days after the effective date of this section or within 30 days of his coming into any county or city, or city and county in which he resides or is temporarily domiciled for such length of time, register with the chief police of the city in which he resides or the sheriff of the county if he resides in an unincorporated area

(c) This section does not apply to a misdemeanor conviction under Section 11357, or a conviction under Section 11550 involving marijuana "

Amendment No. 3

On page 77, line 40, after the comma, insert "including Section 11850 as amended by Chapter 796 of the Statutes of 1972,".

Amendment No. 4

On page 78, between lines 1 and 2, insert

"Notwithstanding Section 9605 of the Government Code, the changes which are made in former Section 11850 by Chapter 796 of the Statutes of 1972 shall be effective and operative for the purposes of this section."

The undersigned consent to the report·

MERVYN M DYMALLY	WILLIAM CAMPBELL
ALFRED SONG	ALAN SIEROTY
	GORDON DUFFY
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Mobley, Monagan, Moorhead, Murphy,

Porter, Powers, Priolo, Quimby, Russell, Seeley, Sieroty, Stacey, Stull, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—59.

NOES—Wakefield—1.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, December 1, 1972

Mr. Speaker: The Committee on Conference concerning

Assembly Bill No. 1210, as amended in Senate July 21, 1972—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to vocational education contracts,

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 21, 1972, after "add", insert "Section 16554.1 to,".

Amendment No. 2

In line 2 of the title, after "of", insert a comma.

Amendment No. 3

In lines 2 and 3 of the title, strike out "vocational education contracts", and insert "education".

Amendment No. 4

On page 2, line 1, after "SECTION 1 ", insert "Section 16554.1 is added to the Education Code, to read

16554.1 Notwithstanding the provisions of Sections 16553 and 16554 or any other provisions of law, when a nonpartisan charitable organization organized under the laws of this state has constructed or will construct, subject to the provisions of Article 4 (commencing with Section 15451) of Chapter 2 of Division 11, a school athletic and youth center facility at no cost to a school district, upon a school district owned site to be owned by and for the benefit of the school occupying such site, the governing board of the school district, in accepting the donation and prescribing the conditions and restrictions with respect thereto, may restrict the use of said facility under this article to supervised recreational activities which are sponsored by or conducted by the donor organization, and may also grant to the donor organization the right and privilege under this article of using and occupying the facility for such purpose at such times when the facility is not being used by the school district for the educational program and related school activities of the designated beneficiary school unless the use and occupancy of the facility by the donor organization would otherwise interfere with the regular conduct of such school

This section shall apply only to elementary school districts in San Diego County which had an average daily attendance of 425 or less

during the 1970–1971 school year, and which, during the 1970–1971 school year, had a modified assessed valuation per pupil in average daily attendance of between forty-five thousand dollars ($45,000) and fifty thousand dollars ($50,000).

SEC 2 ''

Amendment No. 5

On page 2, line 8, strike out ''maintaining a regional occupational center or program''.

Amendment No. 6

On page 2, line 24, after ''with'', insert ''Section''.

Amendment No. 7

On page 2, line 32, strike out ''maintaining the regional occupational center'', and insert '', center,''.

The undersigned consent to the report:

MERVYN DYMALLY	BILL GREENE
GEORGE MOSCONE	PETER CHACON
	JERRY LEWIS
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day passed ·

AB No 1076	AB No 2394
AB No 1961	AB No 2395

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, December 1, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 834

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1697

Mr. Quimby was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1697, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 1697

Assembly Bill No. 1697—An act to add Chapter 8 (commencing with Section 11800) to Part I of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5 5 of Division 3 of Title 2 of, the Government Code, relating to the television advisory committee.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1697?

Senate Amendments of July 25, 1972

Amendment No. 1

On page 3, line 22, of the printed bill, as amended in Assembly June 20, 1972, after "Instruction", insert "or his designee".

Amendment No. 2

On page 3, line 23, after "California", insert "or his designee".

Amendment No. 3

On page 3, line 25, after "Colleges", insert "or his designee".

Amendment No. 4

On page 3, line 27, after "Colleges", insert "or his designee".

Amendment No. 5

On page 3, line 28, after "Services", insert "or his designee".

Amendment No. 6

On page 3, strike out line 29, and insert

"(f) The Secretary of the Human Relations Agency or his designee,"

Amendment No. 7

On page 3, strike out lines 30 to 35, inclusive.

Amendment No. 8

On page 3, line 36, strike out "Five", and insert "Seven".

Amendment No. 9

On page 3, line 37, strike out "five", and insert "seven".

Amendment No. 10

On page 3, line 37, after the period, insert "One person shall represent commercial broadcasting. One person shall represent city or county government."

Amendment No. 11

On page 3, line 38, strike out "three", and insert "four".

Amendment No. 12

On page 3, line 38, strike out "five", and insert "seven".

Amendment No. 13

On page 4, line 23, strike out ", but not be limited to".

Amendment No. 14

On page 4, line 38, strike out "Establishing", and insert "Planning for".

Amendment No. 15

On page 4, line 40, strike out ", but shall not be limited to,".

Amendment No. 16

On page 5, line 1, strike out "Computers, display", and insert "Display".

Senate Amendments of July 26, 1972

Amendment No. 1

On page 3, line 30, of the printed bill, as amended in Senate July 25, 1972, after the period, insert "One person shall represent the cable television industry"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Porter, Powers, Priolo, Quimby, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—Wakefield—1.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1846

Mr. Maddy was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1846, without reference to file

Consideration of Senate Amendments to Assembly Bill No. 1846

Assembly Bill No. 1846—An act to add Article 2.5 (commencing with Section 15371) to Chapter 2 of Division 11 of, and to amend Section 15458 of, the Education Code, relating to factory-built schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1846?

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in Assembly July 7, 1972, strike out "wholly or partially".

Amendment No. 2

On page 3, line 29, after the first "3", insert "(commencing with Section 5500)".

Amendment No. 3

On page 3, line 32, after "7", insert "(commencing with Section 6700)".

Amendment No. 4

On page 5, line 23, after "15457", insert ", except that a fee shall be charged for on-site work pursuant to Section 15376".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Hon. Willie L. Brown, Jr. Presiding

Hon. Willie Brown, Jr., 18th District, presiding

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 889

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Speaker pro Tempore Presiding

Hon. Carlos Bee, 13th District, presiding

RESOLUTIONS

The following resolution was offered:

By Assemblyman Monagan:

House Resolution No. 147

Relative to commending Assemblyman Charles J Conrad

WHEREAS, Assemblyman Charles J Conrad was first elected to the Assembly in 1947 to represent the 57th District and has a dis-

tinguished record of accomplishments, spanning 25 years of service as an Assemblyman; and

WHEREAS, As a leader, he won the respect of his colleagues by his choice as Minority Floor Leader, as a member of the Rules Committee, and as Speaker pro Tempore of the Assembly in 1957–1958 and 1969–1970, and

WHEREAS, His political acumen was recognized by his selection as a delegate to the GOP National Convention in 1948, 1952, 1956, and 1968; and

WHEREAS, Assemblyman Conrad's interests as a Member were as varied as his talents, exemplified by his authorship of the G I voting and presidential primary laws, by his responsibility for major legislation on election procedures and reapportionment, and by his activity in the passage of legislation to control dangerous drugs, such as LSD; and

WHEREAS, Also representative of his interests was his coauthorship of legislation establishing child care centers as a permanent institution, and sponsorship of the resolution which created the Division of Traffic Management; and

WHEREAS, Assemblyman Conrad was keenly involved in the legislative process as well as in its betterment, which involvement resulted in his authorship of the proposal creating the Consent Calendar to effectuate the work of the Legislature; and

WHEREAS, He championed many causes and served on numerous task forces, commissions, and committees, including service on task forces that have brought about reductions in the state budget and investigated potential welfare abuse, work with state and federal officials to preserve and protect the Santa Monica Mountains, and service as Chairman of the American Revolution Bicentennial Commission of California, Inc ; and

WHEREAS, His mastery of legislative procedure, his grasp of issues, and his insight into the resolution of difficult problems will be missed by all those who have served with him; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members heartily commend Assemblyman Charles J Conrad for his 25 years of exemplary service to the State of California and its people while serving in the California Assembly, and join in wishing him well in whatever endeavor he might attempt in the future, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Charles J Conrad.

Request for Unanimous Consent

Mr. Monagan was granted unanimous consent to take up House Resolution No 147 without reference to committee or file.

Resolution read

Members Made Coauthors of House Resolution No. 147

Mr. Monagan was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No 147 as coauthors.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

Majority Floor Leader Presiding

Hon. Jack R. Fenton, 51st District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 889

Mr. Knox was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No 889, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 889

Assembly Bill No. 889—An act to amend Sections 21100, 21102, 21104, 21105, 21150, and 21151 of, to add Sections 21108, 21152, 21153, and 21154 to, to add Chapter 2 5 (commencing with Section 21060), Chapter 2.6 (commencing with Section 21080), Chapter 5 (commencing with Section 21160), and Chapter 6 (commencing with Section 21165) to Division 13 of, to repeal Sections 21103 and 21107 of, and to repeal Sections 21152 and 21153, as added by Chapter 971 of the Statutes of 1972, of, the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 889?

Senate Amendments of November 13, 1972

Amendment No 1

In line 1 of the title of the printed bill, as amended in Assembly July 6, 1972, strike out "21103,".

Amendment No. 1.1

In line 2 of the title, strike out "21107,".

Amendment No. 1.2

In line 2 of the title, strike out "21103.5,".

Amendment No. 1.3

In line 3 of the title, strike out the second "and",

Amendment No. 1.4

In line 4 of the title, after the comma, insert "Chapter 2 6 (commencing with Section 21080),".

Amendment No. 1.5

In line 6 of the title, after the comma, insert "to repeal Sections 21103 and 21107 of, and to repeal Sections 21152 and 21153, as added by Chapter 971 of the Statutes of 1972, of,".

Amendment No. 1.6

In line 7 of the title, after "quality", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 1.7

On page 3, between lines 21 and 22, insert

"An environmental impact report is an informational document which, when its preparation is required by this division, shall be con-

sidered by every public agency prior to its approval or disapproval of a project The purpose of an environmental impact report is to provide public agencies with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which any adverse effects of such a project might be minimized; and to suggest alternatives to such a project."

Amendment No. 2

On page 4, strike out lines 3 through 15.

Amendment No. 3

On page 4, line 20, after "Activities", insert "undertaken by a person which are".

Amendment No. 4

On page 4, line 21, strike out "public agency".

Amendment No. 5

On page 4, line 22, before the period, insert "from one or more public agencies".

Amendment No. 6

On page 4, line 23, strike out "a public agency", and insert "the issuance to a person of a".

Amendment No. 7

On page 4, line 24, before the period, insert "by one or more public agencies".

Amendment No. 8

On page 4, between lines 33 and 34, insert

"SEC. 2.3. Chapter 2 6 (commencing with Section 21080) is added to Division 13 of the Public Resources Code, to read:

CHAPTER 2 6 GENERAL

21080. This division shall apply to all discretionary projects proposed to be carried out by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits and the approval of tentative subdivision maps (except where such a project is exempt from the preparation of an environmental impact report pursuant to Section 21166).

This division shall not apply to nondiscretionary, ministerial projects proposed to be carried out by public agencies, including, but not limited to, the issuance of building permits, the issuance of grading permits, approval or waiver of parcel maps and the approval of final subdivision maps

21081 Every public agency shall review its present statutory authority, rules, regulations, policies and procedures to determine any inconsistencies or deficiencies in such provisions which would hinder compliance with the provisions of this division, and shall propose to the Governor and the Legislature no later than March 1, 1973, any state actions which may be necessary to insure compliance with the intent, policies and procedures of this division.

21082. All public agencies shall adopt by ordinance, resolution, rule or regulation, objectives, criteria and procedures for the evaluation of projects and the preparation of environmental impact reports pursuant to this division The objectives and criteria shall be consistent with the provisions of this division and with the guidelines adopted by the Secretary of the Resources Agency pursuant to Section 21083 Such objectives, criteria and procedures shall be adopted by each public agency no later than 60 days after the Secretary of the Resources Agency has adopted guidelines pursuant to Section 21083.

21083 The Office of Planning and Research shall prepare and develop proposed guidelines for the implementation of this division by public agencies. Such guidelines shall include objectives and criteria for the orderly evaluation of projects and the preparation of environmental impact reports in a manner consistent with this division

Such guidelines shall specifically include criteria for public agencies to follow in determining whether a proposed project may have a "significant effect on the environment". The following factors shall be considered in determining such criteria.

(a) Whether a proposed project has the potential to degrade the quality of the environment, curtail the range of the environment, or to comply with short-term, to the disadvantage of long-term, environmental goals;

(b) The possible effects of a project which are individually limited but cumulatively considerable;

(c) The possible effects of a project which are both beneficial and detrimental; and

(d) The possible effects of a project which may indirectly affect human beings.

Such guidelines shall also include procedures for determining the lead agency pursuant to the provisions of Section 21165.

The Office of Planning and Research shall develop and prepare such proposed guidelines as soon as possible and shall transmit them immediately to the Secretary of the Resources Agency No later than 60 days after the effective date of this section the Secretary of the Resources Agency shall certify and adopt such guidelines pursuant to Chapter 4 5 (commencing with Section 11371) of Part 1, Division 3, Title 2, of the Government Code.

21084 The guidelines prepared and adopted pursuant to Section 21083 shall include a list of classes of projects which have been determined not to have a significant effect on the environment, either individually or cumulatively, and which shall be exempt from the provisions of this division. In adopting the guidelines, the Secretary of the Resources Agency shall make a finding that the list or classification of projects referred to in this section do not have a significant effect on the environment, either individually or cumulatively

21085 All classes of projects designated pursuant to Section 21084, together with emergency repairs to public service facilities necessary to maintain service, shall be exempt from the provisions of this division.

21086 A public agency may, at any time, request the addition or deletion of a class of projects, to the list designated pursuant to Section 21084 Such a request shall be made in writing to the Office of Planning and Research and shall include information supporting the public agency's position that such class of projects does, or does not, have a significant effect on the environment.

The Office of Planning and Research shall review each such request and, as soon as possible, shall submit its recommendation to the Secretary of the Resources Agency Following the receipt of such recommendation, the Secretary of the Resources Agency may add or delete the class of projects to the list of classes of projects designated pursuant to Section 21084 which are exempt from the requirements of this division.

The addition or deletion of a class of projects, as provided in this section, to the list specified in Section 21084 shall constitute an amendment to the guidelines adopted pursuant to Section 21083 and shall be adopted in the manner prescribed in Sections 21083, 21084, and 21087.

21087 The Office of Planning and Research shall periodically review the guidelines adopted pursuant to Section 21083 and shall recommend proposed changes or amendments to the Secretary of the Resources Agency Changes or amendments to the guidelines shall be adopted by the Secretary of the Resources Agency in the same manner as provided in Section 21083 for the adoption of the original guidelines.

21088 The Secretary of the Resources Agency shall provide for the timely distribution to all public agencies of the guidelines and any amendments or changes thereto In addition, the Secretary of the Resources Agency may provide for publication of a bulletin to provide public notice of the guidelines, or any amendments or changes thereto, and of proposed projects and environmental impact reports prepared in compliance with this division

21089 A public agency may charge and collect a reasonable fee from any person proposing a project subject to the provisions of this division in order to recover the actual costs incurred by the public agency in complying with this division."

Amendment No. 9

On page 4, line 37, strike out "include in any report", and insert "prepare and certify the completion of an environmental impact report".

Amendment No. 10

On page 4, line 39, after "environment", insert a period, and strike out "of the state," and insert "Such a report shall include".

Amendment No. 11

On page 4, lines 39 and 40, strike out "by the responsible state official".

Amendment No. 12

On page 5, strike out lines 32 through 40, and on page 6, strike out lines 1 to 27, and insert

"SEC 4 Section 21103 of the Public Resources Code is repealed.

~~21103. The Office of Planning and Research shall, in conjunction with appropriate state, regional, and local agencies, coordinate the development of objectives, criteria, and procedures to assure the orderly~~

~~preparation and evaluation of environmental impact reports required by this division.~~ ''

Amendment No. 13

On page 6, strike out line 30, and insert

''21104. Prior to completing an environmental impact report,''.

Amendment No. 14

On page 6, line 31, strike out ''official'', and insert ''agency''.

Amendment No. 15

On page 6, strike out lines 33 and 34, and insert ''by law with respect to the project, and may consult with any person who has special expertise with respect to any environmental impact involved.''

Amendment No. 16

On page 6, line 37, strike out ''official'', and insert ''agency''.

Amendment No. 17

On page 7, line 2, strike out ''official'', and insert ''agency''.

Amendment No. 18

On page 7, strike out lines 6 to 14, and insert ''repealed

~~21107. Every state agency, board and commission shall review its present statutory authority, rules, regulations, policies and procedures to determine any inconsistencies or deficiencies in such provisions which would hinder compliance with the provisions of this division, and shall propose to the Governor and the Legislature no later than January 1971, any measures necessary to comply with the intent, policies, and procedures of this division.~~ ''

Amendment No. 19

On page 7, strike out lines 37 to 40, and on page 8, strike out lines 1 and 2, and insert

''21151. All local agencies shall prepare and certify the completion of''.

Amendment No. 20

On page 8, between lines 7 and 8, insert

''SEC 11.5. Section 21152, as added to the Public Resources Code by Chapter 971 of the Statutes of 1972, is repealed

~~21152. Any report prepared pursuant to subdivision (b) of Section 21151 shall include a detailed statement setting forth the following:~~

~~(a) The environmental impact of the proposed action.~~

~~(b) Any adverse environmental effects which cannot be avoided if the proposal is implemented.~~

~~(c) Mitigation measures proposed to minimize the impact.~~

~~(d) Alternatives to the proposed action.~~

~~(e) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.~~

~~(f) Any irreversible environmental changes which would be involved in the proposed action should it be implemented.~~

~~(g) The growth-inducing impact of the proposed action.~~
~~(h) The boundaries of the area which may be significantly affected by the proposed action.~~ ''

Amendment No. 21

On page 8, between lines 14 and 15, insert

''SEC. 12.5. Section 21153, as added to the Public Resources Code by Chapter 971 of the Statutes of 1972, is repealed.

~~21153. (a) The legislative body of the local governmental agency, which is required to submit an environmental impact statement under the provisions of subdivision (b) of Section 21151, shall make the determination of the boundaries of the area affected by the project.~~

~~(b) The legislative body shall give reasonable notice of the hearing at which such determination is to be made.~~ ''

Amendment No. 22

On page 8, line 17, strike out ''the'', and insert ''an''.

Amendment No. 23

On page 8, strike out lines 20 and 21, and insert ''by law with respect to the project, and may consult with any person who has special expertise with respect to any environmental impact involved.''

Amendment No. 24

On page 9, strike out lines 9 through 18

Amendment No. 25

On page 9, strike out lines 25 and 26; and in line 27, strike out ''which may be required'', and insert

''21165. When an environmental impact report is required to be prepared for a project carried out by two or more public agencies, such report''.

Amendment No. 26

On page 10, strike out line 13, and in line 14, strike out ''be prepared'', and insert ''decided whether the project may have a significant effect on the environment''.

Amendment No. 27

On page 10, line 20, strike out ''an'', and strike out line 21, and insert ''a project may have a significant effect on the environment''.

Amendment No. 28

On page 10, line 22, strike out ''180'', and insert ''30''.

Amendment No. 29

On page 10, line 26, strike out lines 26 through 29, and insert ''be commenced within 30 days after certification that the environmental impact report has been completed''

Amendment No. 30

On page 10, line 31, strike out ''180'', and insert ''30''.

Amendment No. 31

On page 10, between lines 32 and 33, insert

"21168. In any action to attack, review, set aside, void or annul the decision of a public agency on the grounds of noncompliance with this division, the decision of the public agency may be reviewed only as provided in this section

The inquiry in such an action shall be conducted in the manner provided in Section 1094 5 of the Code of Civil Procedure but shall extend only to the following questions whether the public agency has proceeded without, or in excess of, jurisdiction; and whether there was any prejudicial abuse of discretion Abuse of discretion is established only if the public agency has not proceeded in the manner required by law, or the ultimate decision is not supported by substantial evidence in light of the whole record. In all proper cases the writ of mandate shall lie only from the Supreme Court to the Public Utilities Commission

21169. Any project undertaken or carried out, in whole or in part, by a public agency on or before the effective date of this section and the issuance by any public agency or any lease, permit, license, certificate or other entitlement for use executed or issued on or before the effective date of this section notwithstanding a failure to comply with this division, if otherwise legal and valid, is hereby confirmed, validated and declared legally effective.

21170 (a) Section 21169 shall not operate to confirm, validate or give legal effect to any project the legality of which was being contested in a judicial proceeding in which proceeding the pleadings alleged facts constituting a cause of action for a violation of this division which occurred on or before September 21, 1972, and which was pending and undetermined on September 21, 1972

(b) Section 21169 shall not operate to confirm, validate or give legal effect to any project which had been determined in any legal proceeding, on or before September 21, 1972, to be illegal, void or ineffective because of noncompliance with this division

21171 This division shall not apply to any project defined in subdivision (b) or (c) of Section 21065 until the 61st day after the Secretary of the Resources Agency has adopted guidelines for the implementation of this division pursuant to Section 21083. This section shall not apply to any project to which Section 21170 is applicable

21172 Notwithstanding the provisions of Sections 21169 and 21171 this division shall apply to any project which is the same as, or substantially identical to, a project described in Section 21170

21173 If any provision of this division or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this division which can be given effect without the invalid provision or application thereof, and to this end the provisions of this division are severable."

Amendment No. 32

On page 10, after line 40, insert

"SEC. 18. Sections 11 5 and 12 5 of this act shall become operative at the same time as Chapter 971 of the Statutes of 1972 becomes effective.

SEC. 19 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into effect immediately. The facts constituting such necessity are: In order to provide a clear definition of the responsibilities of governmental agencies under the Environmental Quality Act of 1970, and in order to lend certainty to the status of various projects which have been, or are about to be, undertaken so as to permit the orderly processing and evaluation of such projects at the earliest possible time it is necessary that this act take effect immediately."

Senate Amendments of November 16, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate November 13, 1972, strike out "21002,".

Amendment No. 2

On page 4, strike out lines 1 through 7; and on line 8, strike out "SEC. 2.", and insert

"SECTION 1."

Amendment No. 3

On page 6, line 8, after "out", insert "or approving".

Amendment No. 4

On page 6, line 18, after "out", insert "or approved".

Amendment No. 5

On page 6, line 26, after "out", insert "or approved".

Amendment No. 6

On page 6, line 37, strike out "March", and insert "June".

Amendment No. 7

On page 9, line 26, after "prepare", insert ", or cause to be prepared by contract,".

Amendment No. 8

On page 9, line 28, after "out", insert "or approve".

Amendment No. 9

On page 12, line 3, after "Legislature", insert a period.

Amendment No. 10

On page 12, line 4, strike out "and to the", and insert "It shall also be available for inspection by the".

Amendment No. 11

On page 12, line 4, strike out the second "and", and insert "who may secure a copy thereof by paying for the actual cost of such a copy. It".

Amendment No. 12

On page 13, line 16, after "prepare", insert ", or cause to be prepared by contract,".

Amendment No. 13

On page 13, line 18, after "out", insert "or approve".

Amendment No. 14

On page 15, line 40, after "out", insert "or approved".

Amendment No. 15

On page 16, line 25, after "out", insert "or approving".

Amendment No. 16

On page 16, line 31, after "out", insert "or approve".

Amendment No. 17

On page 17, line 28, after "project", insert "defined in subdivision (b) or (c) of Section 21065".

Amendment No. 18

On page 17, line 28, strike out "or carried out," and insert ", carried out or approved,".

Senate Amendments of November 27, 1972

Set No. 1

Amendment No. 1

On page 8 of the printed bill, as amended in Senate November 16, 1972, between lines 39 and 40, insert

"21090. For all purposes of this division all public and private activities or undertakings pursuant to or in furtherance of a redevelopment plan shall be deemed a single project"

Set No. 2

Amendment No. 1

On page 4 of the printed bill, as amended in Senate November 16, 1972, between lines 16 and 17, insert

"21060 5. "Environment" means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance"

Amendment No. 2

On page 4, line 21, strike out the period, and insert "or 21153, or which are required to be obtained pursuant to this division."

Amendment No. 3

On page 5, line 2, after the period, insert "For purposes of this division a redevelopment agency is a local agency, and not a state agency, board or commission"

Amendment No. 4

On page 5, line 5, after "district," insert "redevelopment agency,".

Amendment No. 5

On page 5, line 7, strike out "includes, but is not limited to," and insert "means".

Amendment No. 6

On page 5, line 19, after "business", insert a comma.

Amendment No. 7

On page 5, line 20, after "corporation", insert a comma.

Amendment No. 8

On page 5, line 25, strike out "could", and insert "may".

Amendment No. 9

On page 5, line 33, strike out "This", and insert "(a) Except as otherwise provided in this division, this".

Amendment No. 10

On page 5, line 33, strike out "all".

Amendment No. 11

On page 6, line 2, before "This", insert "(b)".

Amendment No. 12

On page 6, lines 5 and 6, strike out "the issuance of grading permits,".

Amendment No. 13

On page 6, strike out lines 8 through 16.

Amendment No. 14

On page 6, line 21, strike out "and criteria", and insert ", criteria and procedures".

Amendment No. 15

On page 7, line 22, before the period, insert ", which shall become effective upon the filing thereof, provided that such guidelines shall not be adopted without compliance with Sections 11423, 11424 and 11425 of the Government Code".

Amendment No. 16

On page 7, between lines 22 and 23, insert

"21083.5. The guidelines prepared and adopted pursuant to Section 21083 may provide that when an environmental impact statement has been, or will be, prepared for the same project pursuant to the requirements of the National Environmental Policy Act of 1969 and implementing regulations thereto, all or any part of such statement may be submitted in lieu of all or any part of an environmental impact report required by this division, provided that such statement, or the part thereof so used, shall comply substantially with the requirements of this division and the guidelines adopted pursuant thereto."

Amendment No. 17

On page 7, lines 26 and 27, strike out ", either individually or cumulatively,".

Amendment No. 18

On page 7, line 32, strike out the comma, and insert a period; and strike out the rest of line 32.

Amendment No. 19

On page 8, lines 32 and 33, strike out "proposed projects and", and insert "the completion of".

Amendment No. 20

On page 8, line 38, strike out "actual", and insert "estimated".

Amendment No. 21

On page 8, strike out line 39, and insert "preparing an environmental impact report for such project."

Amendment No. 22

On page 9, line 6, strike out "could", and insert "may".

Amendment No. 23

On page 9, line 33, strike out "could", and insert "may".

Amendment No. 24

On page 10, strike out lines 26 through 30, and insert

"21108 Whenever a state agency, board or commission approves or determines to carry out a project which is subject to the provisions of this division, it shall file notice of such approval or such determination with the Secretary of the Resources Agency Such notice shall indicate the determination of the agency, board or commission whether the project will, or will not, have a significant effect on the environment and shall indicate whether an environmental impact report has been prepared pursuant to the provisions of this division "

Amendment No. 25

On page 11, strike out lines 19 through 23, and insert

"21152 Whenever a local agency approves or determines to carry out a project which is subject to the provisions of this division, it shall file notice of such approval or such determination with the county clerk of the county, or counties, in which the project will be located. Such notice shall indicate the determination of the local agency whether the project will, or will not, have a significant effect on the environment and shall indicate whether an environmental impact report has been prepared pursuant to the provisions of this division."

Amendment No. 26

On page 12, line 14, after "agency", insert "to determine whether the proposed project may have a significant effect on the environment or".

Amendment No. 27

On page 12, between lines 15 and 16, insert

"If any or all of the information so submitted is a "trade secret" as defined in Section 6254 7 of the Government Code by those submitting that information, it shall not be included in the impact report or otherwise disclosed by any public agency. This section shall not be construed to prohibit the exchange of properly designated trade secrets between public agencies who have lawful jurisdiction over the preparation of the impact report."

Amendment No. 28

On page 12, line 21, after the period, insert "Failure to file the notice required by this section shall not affect the validity of a project."

Amendment No. 29

On page 12, strike out lines 28 through 31, and insert

"21165 When a project is to be carried out or approved by two or more public agencies, the determination of whether the project may have a significant effect on the environment shall be made by the lead agency and such agency shall prepare, or cause to be prepared by contract, the environmental impact report for the project, if such a report is required by this division. In the event that".

Amendment No. 30

On page 13, line 14, strike out "approving", and insert "has approved".

Amendment No. 31

On page 13, line 16, strike out "decided", and insert "determined".

Amendment No. 32

On page 13, line 20, strike out the second "a", and insert "the".

Amendment No. 33

On page 13, line 26, strike out "of such determination", and insert "after the filing of the notice required by Section 21108 or 21152."

Amendment No. 34

On page 13, line 28, strike out "is not legally sufficient" and insert "does not contain the information required by this division".

Amendment No. 35

On page 13, line 29, strike out "certification that the"; and strike out all of line 30, and insert "the filing of the notice required by Sections 21108 or 21152."

Amendment No. 36

On page 13, strike out lines 34 through 40.

Amendment No. 37

On page 14, strike out lines 1 through 10, and insert

"21167.5 Proof of prior service by mail upon the public agency carrying out or approving the project of a written notice of the commencement of any action or proceeding described in Section 21167 identifying the project shall be filed concurrently with the initial pleading in such action or proceeding.

21168. Any action or proceeding to attack, review, set aside, void or annul a determination or decision of a public agency, made as a result of a proceeding in which by law a hearing is required to be given, evidence is required to be taken and discretion in the determination of facts is vested in a public agency, on the grounds of noncompliance with the provisions of this division shall be in accordance with the provisions of Section 1094.5 of the Code of Civil Procedure.

In any such action, the court shall not exercise its independent judgment on the evidence but shall only determine whether the act or decision is supported by substantial evidence in the light of the whole record.

21168.5. In any action or proceeding, other than an action or proceeding under Section 21168, to attack, review, set aside, void or annul a determination or decision of a public agency on the grounds of noncompliance with this decision, the inquiry shall extend only to whether there was a prejudicial abuse of discretion Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.

21168 6. In any action or proceeding under Sections 21168 or 21168.5 against the Public Utilities Commission the writ of mandate shall lie only from the Supreme Court to such commission."

Amendment No. 38

On page 14, line 11, strike out "(b) or".

Amendment No. 39

On page 14, line 13, strike out ", in whole or in part, by a public agency".

Amendment No. 40

On page 14, line 15, strike out "or", and insert "of".

Amendment No. 41

On page 14, line 20, after the period, insert "Any project undertaken by a person which was supported in whole or part through contracts with one or more public agencies on or before the effective date of this section, notwithstanding a failure to comply with this division, if otherwise legal and valid, is hereby confirmed, validated and declared legally effective."

Amendment No. 42

On page 14, line 24, after "pleadings", insert ", prior to the effective date of this section,".

Amendment No. 43

On page 14, line 25, after "for", insert ", or raised the issue of,".

Amendment No. 44

On page 14, lines 25 and 26, strike out "which occurred on or before September 21, 1972,".

Amendment No. 45

On page 14, line 27, strike out "September 21, 1972.", and insert "the effective date of this section; provided, however, that Section 21169 shall operate to confirm, validate or give legal effect to any project to which this subsection applies if, prior to the effective date of this section and in good faith and in reliance upon the issuance by a public agency of any lease, permit, license, certificate or other entitlement for use, substantial work on the project has been performed and substantial liabilities for work and materials necessary for the project have been incurred."

Amendment No. 46

On page 14, line 30, strike out "legal", and insert "judicial".

Amendment No. 47

On page 14, line 31, strike out "September 21, 1972," and insert "the effective date of this section".

Amendment No. 48

On page 14, line 33, after "division", insert ", except for Section 21169,".

Amendment No. 49

On page 14, line 34, strike out "(b) or".

Amendment No. 50

On page 14, line 34, after "21065", insert "or to any project undertaken by a person which is supported in whole or in part through contracts with one or more public agencies".

Amendment No. 51

On page 14, strike out lines 35 through 37, and insert "the 121st day after the effective date of this section. This section shall not".

Amendment No. 52

On page 14, line 38, before the period, insert "or to any successor project which is the same as, or substantially identical to, such a project".

Amendment No. 53

On page 14, between lines 38 and 39, insert

"This section shall not prohibit or prevent a public agency, prior to the 121st day after the effective date of this section, from considering environmental factors in connection with the approval or disapproval of a project and from imposing reasonable fees in connection therewith."

Amendment No. 54

On page 14, strike out lines 39 and 40.

Amendment No. 55

On page 15, strike out lines 1 and 2, and insert

"21172 This division shall not apply to any project undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1, Title 2 of the Government Code

21172.5. Until the 121st day after the effective date of this section, any objectives, criteria and procedures adopted by public agencies in compliance with this division shall govern the evaluation of projects defined in subdivisions (a) and (b) of Section 21065 and the preparation of environmental impact reports on such projects when required by this division.

Any environmental impact report which has been completed or on which substantial work has been performed on or before the 121st day after the effective date of this section, if otherwise legally sufficient, shall, when completed, be deemed to be in compliance with this division and no further environmental impact report shall be required except as provided in Section 21166."

Amendment No. 56

On page 15, between lines 8 and 9, insert

"21174. No provision of this division is a limitation or restriction on the power or authority of public agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer including, but not limited to, the powers and authority granted to the California Coastal Zone Conservation Commission or any regional coastal zone conservation commission pursuant to Division 18 (commencing with Section 27000) of the Public Resources Code."

Amendment No. 57

On page 15, line 10, strike out "2", and insert "1".

Amendment No. 58

On page 15, line 15, strike out "2", and insert "1".

Amendment No. 59

On page 15, between lines 16 and 17, insert

"SEC. 17.5. The Legislature finds and declares that the provisions of Sections 21168 and 21168.5 as proposed to be added to the Public Resources Code by this act are intended only to clarify existing law and as such are declaratory of existing law."

Senate Amendments of November 29, 1972

Set No. 1

Amendment No. 1

On page 6 of the printed bill, as amended in Senate November 27, 1972, line 18, strike out "nondiscretionary,".

Amendment No. 2

On page 6, line 20, strike out the first comma, and insert a period; and strike out the rest of line 20, and all of lines 21 through 23.

Amendment No. 3

On page 8, line 11, strike out "substantially".

Amendment No. 4

On page 15, line 5, strike out "any act or decision", and insert "the following acts or decisions".

Amendment No. 5

On page 15, line 26, strike out "contain the information required by", and insert "comply with the provisions of".

Amendment No. 6

On page 15, strike out lines 30 through 32

Amendment No. 7

On page 16, line 33, strike out "decision", and insert "division".

Amendment No. 8

On page 17, between lines 2 and 3, insert

"21168 7. Sections 21168 and 21168 5 are declaratory of existing law with respect to the judicial review of determinations or decisions of public agencies made pursuant to this division "

Amendment No. 9

On page 17, strike out line 30.

Amendment No. 10

On page 17, line 31, strike out "section", and insert "subdivision applies if, prior to the commencement of judicial proceedings".

Amendment No. 11

On page 17, line 33, strike out "work", and insert "construction".

Amendment No. 12

On page 17, line 34, strike out "on the project".

Amendment No. 13

On page 17, strike out line 35, and insert "liabilities for construction and necessary materials".

Amendment No. 14

On page 18, line 4, after "to", insert "the issuance of any lease, permit, license, certificate or other entitlement for use for".

Amendment No. 15

On page 19, strike out lines 31 through 35

Set No. 2

Amendment No. 1

On page 19 of the printed bill, as amended in Senate November 27, 1972, line 14, after "of", insert "any".

Amendment No. 2

On page 19, line 22, after the period, insert "To the extent of any inconsistency or conflict between the provisions of the California Coastal Zone Conservation Act of 1972, Division 18 (commencing with Section 27000) of the Public Resources Code, and the provisions of this division, the provisions of Division 18 (commencing with Section 27000) of the Public Resources Code shall control "

Senate Amendments of November 30, 1972

Amendment No. 1

On page 6 of the printed bill, as amended in Senate November 29, 1972, line 30, after "whether", insert "or not".

Amendment No. 2

On page 6, strike out lines 32 and 33, and insert "environment". Such criteria shall require a finding of "significant effect on the environment" if any of the following conditions exist.".

Amendment No. 3

On page 6, line 34, strike out "Whether a", and insert "A".

Amendment No. 4

On page 6, line 36, strike out "comply with", and insert "achieve".

Amendment No. 5

On page 6, line 38, strike out "which".

Amendment No. 6

On page 6, strike out line 40.

Amendment No. 7

On page 7, strike out lines 1 to 3, inclusive, and insert "(c) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly "

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Wakefield, Wilson, Wood, and Mr Speaker—57

NOES—Crown, Dunlap, Fong, Lewis, McAlister, McCarthy, Meade, Priolo, Sieroty, Vasconcellos, Warren, Waxman, and Z'berg—13

The question being· Shall the Assembly concur in the Senate amendments to Assembly Bill No 889?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Conrad, Cory, Cullen, Davis, Dent, Duffy, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, MacGillivray, Maddy, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Quimby, Ralph, Russell, Ryan, Seeley, Stacey, Stull, Townsend, Wakefield, Wilson, Wood, and Mr Speaker—57.

NOES—Crown, Dunlap, Fong, Lewis, McAlister, McCarthy, Meade, Priolo, Sieroty, Vasconcellos, Warren, Waxman, and Z'berg—13

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 862—An act to amend Section 410 of the Unemployment Insurance Code, relating to unemployment insurance.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 862?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly May 24, 1972, strike out line 15, and insert

"Notwithstanding any other provision of law, the right of the director, or of any other party except as provided by Sections 1035, 1055, 1152, and 5308, to seek".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2074—An act to amend Sections 18203, 18405 2, 18406, 18406 2, 18601, 18615, 18661, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406 3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203 5, 18205, 18205 5, 18668, and 18668 1 of, the Financial Code, relating to industrial loan companies

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2074?

Senate Amendments of July 7, 1972
Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "18405.2, 18406", and insert "18405, 18405 2, 18406, 18406.1".

Amendment No. 2

On page 2, line 4, after "1959", insert a comma.

Amendment No. 3

On page 2, line 13, strike out "but before November 23, 1970", and insert ", but before November 23, 1970,".

Amendment No. 4

On page 2, line 17, after "1970", insert a comma.

Amendment No. 5

On page 3, between lines 19 and 20, insert

"SEC. 6 Section 18405 of the Financial Code is amended to read:

18405. An industrial loan company may make loans and purchase, sell, or discount the following obligations bona fide trust receipts, secured or unsecured choses in action, chattel mortgages, conditional sales contracts, or security agreements

(a) ~~No~~ *Except as provided by Section 18406, an* industrial loan company shall *not* make any loan or purchase or discount any other obligation that provides for a scheduled repayment of principal over more than the maximum terms set forth below opposite the respective size of loan or other obligation

Principal amount of	Maximum term
Loan of less than $1,500	24 months and 15 days
Loan of $1,500 but less than $2,500 or other obligation of less than $2,500	36 months and 15 days
Loan or other obligation of $2,500 but less than $4,000	48 months and 15 days
Loan or other obligation of $4,000 but less than $6,000	60 months and 15 days
Loan or other obligation of $6,000 or more	84 months and 15 days

~~Notwithstanding any other provision of this division, a loan or other obligation secured by real property shall not have term or maturity exceeding the term or maturity permitted by Section 18106.1~~

(b) Loans may be made or other obligations may be purchased or discounted with a maturity of more than 60 months and 15 days provided all of the following conditions are met:

(1) The loan or other obligation is secured

(2) The property, or collateral securing the loan or other obligation, is of a kind or class that has been declared eligible by regulation of the commissioner.

(3) The aggregate face balance of such loans and other obligations outstanding at any time shall not exceed a percentage of the aggregate face balance due on all loans and other obligations owing to the industrial loan company authorized by rule of the commissioner."

Amendment No. 6

On page 3, between lines 37 and 38, insert

"SEC. 9 Section 18406.1 of the Financial Code is amended to read.

18406.1 ~~Except as provided in Section 18406, no~~ *No* industrial loan company shall make any loan or purchase or discount any note secured by real property unless such loan or other obligation is repayable in substantially equal weekly, semimonthly, monthly, or quarterly installments during its term ~~which shall not exceed two years from the date the loan or other obligation is made or acquired by the company except that loans or other obligations of a face amount of two thousand dollars ($2,000) or more may have a maturity of not to exceed three years from the date of making or acquisition~~."

Amendment No. 7

On page 6, line 36, strike out "(a)", and insert "(1)".

Amendment No. 8

On page 6, line 40, strike out "(b)", and insert "(2)".

Amendment No. 9

On page 7, line 2, strike out "(c)", and insert "(3)".

Amendment No. 10

On page 7, line 4, strike out "(d)", and insert "(4)".

Amendment No. 11

On page 7, line 6, strike out "(e)", and insert "(5)".

Senate Amendments of November 16, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 7, 1972, strike out "18405,".

Amendment No. 2

In line 2 of the title, strike out "18406.1".

Amendment No. 3

On page 3, strike out lines 25 to 37, inclusive; and on page 4, strike out lines 1 to 28, inclusive.

Amendment No. 4

On page 5, strike out lines 7 to 19, inclusive.

Amendment No. 5

On page 9, line 35, strike out "For the purpose of computation a"; strike out lines 36 to 38, inclusive; and in line 39, strike out "of the said next month."

Senate Amendments of November 29, 1972

Amendment No. 1

On page 18 of the printed bill, as amended in Senate November 16, 1972, after line 8, insert

"SEC. 25. This act shall become operative on July 1, 1973."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan,

Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.
NOES—None

Above bill ordered enrolled

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1198
AB No. 2118

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1198—An act to add Article 7 (commencing with Section 26595) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1198?

Senate Amendments of July 12, 1972

Set No. 1

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Assembly June 7, 1972, after the second comma, insert "which contains not more than 10 percent added protein and water, but without other binders and extenders, and".

Amendment No. 2

On page 3, line 25, strike out "No list of ingredients,"; and strike out lines 26 to 29, inclusive.

Amendment No. 3

On page 3, strike out lines 35 to 38, inclusive, and insert "require."

Amendment No. 4

On page 4, line 2, after the second "any", insert "meat food".

Set No. 2

Amendment No. 1

On page 3, line 40, of the printed bill, as amended in Assembly June 7, 1972, after "establishment", strike out the comma.

Amendment No. 2

On page 4, line 4, after "establishment", strike out the comma.

Senate Amendments of November 16, 1972

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Senate July 12, 1972, strike out "which"; strike out line 17; and in line 18 strike out "water, but without other binders and extenders, and".

Amendment No. 2

On page 3, line 29, after the period, insert "No list of ingredients, however, shall be required for imitation hamburger which contains not more than 10 percent added protein and water, and which does not contain binders and extenders."

Amendment No. 3

On page 4, line 2, after the period, insert "No list of ingredients, however, shall be required for imitation hamburger which contains not more than 10 percent added protein and water, and which does not contain binders and extenders."

Senate Amendments of November 21, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 16, 1972, strike out "Section 26468 to, and to add".

Amendment No. 2

In line 1 of the title, strike out "1.5", and insert "7".

Amendment No. 3

In line 2 of the title, strike out "26505", and insert "26595".

Amendment No. 4

On page 2, strike out lines 1 to 6, inclusive.

Amendment No. 5

On page 2, line 7, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 6

On page 2, line 7, strike out "1.5", and insert "7".

Amendment No. 7

On page 2, line 7, strike out "26505", and insert "26595".

Amendment No. 8

On page 2, line 11, strike out "1.5", and insert "7".

Amendment No. 9

On page 2, line 13, strike out "26505", and insert "26595".

Amendment No. 10

On page 2, line 13, strike out "definition", and insert "definitions".

Amendment No. 11

On page 3, strike out lines 21 to 34, inclusive.

Amendment No. 12

On page 3, strike out lines 35 to 37, inclusive, and insert

"26596 (a) If imitation hamburger is sold or served in restaurant a list of ingredients thereof shall appear on the".

Amendment No. 13

On page 4, line 4, strike out "(c)", and insert

"(b)".

Amendment No. 14

On page 4, lines 4 and 5, strike out "retail food production and marketing establishment or".

Amendment No. 15

On page 4, line 7, strike out "label,".

Amendment No. 16

On page 4, lines 8 and 9, strike out "retail food production and marketing establishment or".

Amendment No. 17

On page 4, between lines 13 and 14, insert

"26597. It is unlawful and constitutes misbranding for any person to advertise, offer for sale, sell, or serve as hamburger or imitation hamburger in any restaurant any product which does not come within the definitions of those terms contained in Section 26595 It is unlawful and constitutes misbranding for any person to violate any provision of this article or any regulation promulgated pursuant to such provisions."

Amendment No. 18

On page 4, line 14, strike out "26507", and insert

"26598".

Amendment No. 19

On page 4, line 15, strike out "sellers of", and insert "restaurants selling".

Amendment No. 20

On page 4, after line 17, insert

"SEC. 2. This act shall become operative on July 8, 1974."

Senate Amendments of November 29, 1972

Amendment No. 1

On page 4 of the printed bill, as amended in Senate November 21, 1972, between lines 38 and 39, insert

"26599 The provisions of this article shall be enforced by the same persons and in the same manner as provided in Article 7 (commencing with Section 28690) of Chapter 11 of Division 22."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox,

Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Qumby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 282

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Assembly Bill No. 1277

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 210

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1419

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1724

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 2126

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bill ordered to unfinished business file

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 339
AB No. 1705

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 111
AB No. 1496
AB No. 2169

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, December 1, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended·

AB No 1278 AB No 2124
AB No. 1744 AB No 2294

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, December 1, 1972

Mr. Speaker · I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to ·

SB No. 86	SB No 796	SB No 1084
SB No 109	SB No 820	SB No. 1142
SB No 424	SB No 840	SB No 1462
SB No 503	SB No 931	SCR No 63
SB No. 520	SB No 981	SCR No 88
SB No. 772	SB No 1075	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day passed, as amended:

AB No. 488
AB No. 1745

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to the unfinished business file.

Senate Chamber, December 1, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day passed, as amended:

AB No 1876
AB No. 1908

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered to the unfinished business file

Senate Chamber, December 1, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day adopted.

AJR No. 38

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above resolution ordered enrolled

Senate Chamber, December 1, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate on this day passed ·

AB No 1657
AB No 1882

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 6
AB No. 2204
AB No. 2265
AB No 300

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate

Above bills ordered to unfinished business file

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 240
AB No 2014

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, November 29, 1972

Mr Speaker: The Committee on Conference concerning·

Senate Bill No. 95—An act to amend Sections 5756, 5757, 11475, 11476, 11477, 11478, 11479, 17301, 17303 5, 17666 2, 17666 3, 17667, 17671, 17672, 17676, 17702, 17801, 17851, 17906 2, 17920, 17925, 17925 5, 17970, and 25505 8 of, to amend and renumber Section 17952 of, to repeal Section 17951 of, and to amend the heading of Article 8 (commencing with Section 17951) of Chapter 3 of Division 14 of, the Education Code, and to amend Section 15 of Chapter 18 of the Statutes of 1972, relating to education;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly August 3, 1972, after "17970," insert "20751,".

Amendment No. 1.5

In line 5 of the title, after "of," insert "to add Sections 17301 1 and 17303 6 to,".

Amendment No 2

On page 4, line 16, after "attendance", insert "for apportionment purposes".

Amendment No. 3

On page 4, line 21, strike out "as recorded for the", and insert "of enrollment as recorded for the census day of the".

Amendment No. 4

On page 4, lines 23 and 24, strike out "the Department of Finance in cooperation with".

Amendment No. 5

On page 4, line 25, after "Colleges", insert ", subject to review by the Department of Finance".

Amendment No. 6

On page 4, line 26, after "week", insert "of regularly scheduled classes in the semester or quarter"

Amendment No. 7

On page 4, lines 27 and 28, strike out "the Department of Finance in cooperation with".

Amendment No. 8

On page 4, line 29, after "Colleges", insert ", subject to review by the Department of Finance"

Amendment No. 9

On page 4, line 31, after "sessions", insert ", as distinct from summer quarters,".

Amendment No. 10

On page 4, line 33, after "attendance", insert "for apportionment purposes".

Amendment No. 11

On page 4, strike out lines 35 and 36, and insert "student contact hours of enrollment in each class during the census week of each class of the summer session by the number of scheduled weeks for each class, multiply the product so derived by the statewide factors established by the Board of Governors of the California Community Colleges, subject to review by the Department of Finance, and divide".

Amendment No. 12

On page 4, line 37, strike out "third week ", and insert "second week For classes of less than four weeks, the units of average daily attendance shall be computed by dividing the total actual class hours of attendance by 525 "

Amendment No 13

On page 6, strike out lines 35 to 40, inclusive; and on page 7, strike out lines 1 and 2

Amendment No. 14

On page 9, lines 17 and 18, strike out "forty-four cents ($107 44)", and insert "seventy-five cents ($107 75)".

Amendment No. 15

On page 11, between lines 10 and 11, insert

"SEC. 8 2 Section 17301 1 is added to the Education Code, to read:

17301.1. In addition to all other amounts required to be transferred to the State School Fund, there shall be transferred thereto in each fiscal year an amount equal to ninety-one cents ($0 91) multiplied by each unit of average daily attendance specified in subdivision (b) of Section 17301

All references to Section 17301 shall be deemed to include a reference to this section."

Amendment No. 16

On page 11, strike out lines 11 to 40, inclusive; and on page 12, strike out lines 1 to 37, inclusive.

Amendment No. 17

On page 14, between lines 30 and 31, insert

"SEC. 8 8 Section 17303 6 is added to the Education Code, to read:

17303 6. The amount transferred to the State School Fund pursuant to Section 17301 1 shall be expended for the purposes of Article 2 (commencing with Section 16645.1) of Chapter 5 of Division 12."

Amendment No. 18

On page 17, between lines 32 and 33, insert

"SEC 11 5. Section 17667 of the Education Code is amended to read

17667 ~~Each computation required by this article (commencing at Section 17651) for high school and community college districts shall be made after excluding from the average daily attendance for the fiscal year the average daily attendance of adults, as adults are defined in Section 5756, and the average daily attendance in classes for inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults during the fiscal year~~

(a) Each computation required by this article for high school and unified districts shall be made after excluding from the average daily attendance for the fiscal year the average daily attendance in classes for inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults during the fiscal year

(b) Except as provided in subdivision (c), each computation required by this article for community college districts shall be made after excluding from the average daily attendance for the fiscal year the average daily attendance in classes for adults, ungraded classes and classes for inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults during the fiscal year.

(c) The attendance of an inmate attending a community college class or program pursuant to Section 2690 of the Penal Code shall not be excluded pursuant to this section."

Amendment No. 19

On page 23, between lines 25 and 26, insert

"SEC. 20 5. Section 17925 5 of the Education Code is amended to read·

17925 5 The maximum rate of school district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for any elementary or high school district which is not eligible for the increase in foundation program prescribed by Section 17676, and which, with respect to the elementary district, has an assessed valuation per unit of average daily attendance for the district of twelve thousand five hundred dollars ($12,500) or less and which, with respect to the high school district, has an assessed valuation per unit of average daily attendance for the district ~~, exclusive of the average daily attendance of adults as adults are defined by Section 5756,~~ of twenty-four thousand dollars ($24,000) or less, may be increased, upon adoption of a resolution of the governing board of the district, by an amount ~~which will not exceed a rate which will raise a sum in the district equivalent to a tax of one dollar and sixty cents ($1.60) on each one hundred dollars ($100) of assessed valuation~~ *which will not exceed a rate sufficient to qualify the district for supplemental support under the final paragraph of Section 17921* if an elementary district or equivalent to a tax of one dollar ($1) on each one hundred dollars ($100) of assessed valuation if a high school district plus the product of twenty dollars ($20) multiplied by the total units of average daily attendance in the district ~~exclusive, with respect to high school districts, of the average daily attendance of adults as adults are defined by Section 5756~~ "

Amendment No. 20

On page 24, between lines 29 and 30, insert

"SEC 24 5. Section 17970 of the Education Code is amended to read

17970 For ~~the fiscal year 1961–62 and~~ each fiscal year ~~thereafter~~, the Superintendent of Public Instruction shall allow to each community college district for each unit of average daily attendance of pupils not residing in the district and not residing in any district maintaining a community college, one hundred twenty-five dollars ($125) as basic state aid

There shall be excluded from the computation of allowances provided by this section the average daily attendance ~~of adults, as adults are defined in Section 6352, and~~ of inmates of any state institution for adults or of any city, county, or city and county jail, road camp, or farm for adults ; *unless the inmate is attending a community college class or program pursuant to Section 2690 of the Penal Code, in which case such attendance shall be included*

SEC 24 9 Section 20751 of the Education Code is amended to read

20751 (1) Except as otherwise provided in this code, the maximum rate of school district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for any school district in any school year on each one hundred dollars ($100) of assessed valuation within the district shall be as follows

(a) Except as provided in subdivision (b) of this section, in any separate elementary school district, eighty cents ($0 80) for elementary school purposes, or ninety cents ($0 90) for combined kindergarten and elementary school purposes

(b) In any separate elementary school district whose current expenses of education for the 1963–1964 or 1964–1965 fiscal year were less than twice the amount of the foundation program applicable to the district, one dollar and twenty-five cents ($1 25) for elementary school purposes, or one dollar and thirty-five cents ($1 35) for combined kindergarten and elementary school purposes

(c) Except as provided in subdivision (d) of this section, in any separate high school district, seventy-five cents ($0 75) for high school purposes, and ten cents ($0 10) for adult education purposes

(d) In any separate high school district whose current expenses of education for the high school purposes for the 1963–64 fiscal year were less than twice the amount of the foundation program computed for high school purposes, eighty-five cents ($0 85) for high school purposes and ten cents ($0 10) for adult education purposes

(e) In any separate *community* college district, ~~thirty-five cents ($0 35)~~ *forty-five cents ($0 45)* for *community* college purposes; ~~and ten cents ($0 10) for adult education purposes~~

(f) In any unified school district one dollar and fifty-five cents ($1 55) for combined elementary school and high school purposes; or one dollar and sixty-five cents ($1 65) for combined kindergarten, elementary school, and high school purposes, or one dollar and sixty-five cents ($1 65) for combined kindergarten, elementary school, and high school purposes, and ten cents ($0 10) for adult education purposes

(g) Any unified school district whose current expenses of education per unit of average daily attendance for the 1963–64 fiscal year were less than six hundred dollars ($600), two dollars and ten cents ($2 10) for combined elementary school and high school purposes; two dollars and twenty cents ($2 20) for combined kindergarten, elementary school, and high school purposes; or two dollars and twenty cents ($2 20) for combined kindergarten, elementary school, and high school purposes, and ten cents ($0.10) for adult education purposes.

(h) As used in this section "adult education purposes" means all current expenses of the district for which district taxes may be levied, excluding the expenses for which district taxes may be levied under Sections 14214, 14657, 20801 5, 20802 6 and 20806 of this code and Section 20532 of the Government Code, for adult classes as provided for in Chapter 5 5 (commencing with Section 5701), Division 6 of this code "Adult education purposes" includes classes for adults authorized under Articles 4, 5 and 6, inclusive of Chapter 5 5 (commencing with Section 5701) of Division 6 of this code

(2) If the maximum tax rate of a school district in effect on the effective date of ~~the~~ *an* amendment to this section adopted at ~~the 1961 First Extraordinary Session~~ *any session* of the Legislature is, because of an increase adopted by the district electors pursuant to Section 20803, more than the applicable rate prescribed in subdivision (1) of this section, the maximum tax rate of such district shall continue

to be the maximum rate prescribed by this section prior to such ~~1964~~ amendment plus the amount of the increase over such rate adopted by the district electors pursuant to Section 20803 prior to the ~~1964~~ amendment to this section, for the period for which such increase was adopted by the voters, and upon the expiration of such period, the maximum tax rate of such district shall be the applicable rate prescribed in subdivision (1) of this section If any such voted increase in effect on such effective date results in a maximum rate which is less than that prescribed in subdivision (1) of this section as so amended ~~in 1964~~, the maximum rate of such district shall be that prescribed in subdivision (1) of this section as so amended or as subsequently amended Nothing in this section shall be construed to prevent a change in the maximum tax rate of a school district subject to and in the manner prescribed by Section 20803."

Amendment No. 20.3

On page 25, strike out line 16, and insert "14."

Amendment No. 20.5

On page 25, strike out lines 25 and 26, and insert ". The same fee shall".

Amendment No. 21

On page 26, between lines 13 and 14, insert

"SEC 25 2. Section 25505.8 of the Education Code is amended to read·

25505 8. A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less, (b) are both citizens and residents of a foreign country, or (c) are military personnel or the dependents of military personnel Any exemptions shall be made with regards to all nonresidents described in (a), or (b), or (c) above, and shall not be made on an individual basis

A district may, ~~without~~ *with* the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year. The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district*, which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California School Accounting Manual for pupils enrolled in grades 13 and 14.

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per pupil enrolled in ~~all districts of the state~~ *the district*

The amount per pupil enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades

13 and 14 ~~of all districts maintaining community colleges in the state~~ and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled.

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state; except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district.

SEC 25 3 Section 25505 8 of the Education Code is amended to read

25505 8 A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less; *or* (b) are both citizens and residents of a foreign country ; ~~or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a) ; ~~or~~ *and* (b), ~~or (c) above,~~ and shall not be made on an individual basis

A district may, ~~without~~ *with* the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee.

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district*, which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California ~~School~~ Accounting Manual for ~~pupils~~ *students* enrolled in grades 13 and 14.

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per ~~pupil~~ *student* enrolled in ~~all districts of the state~~ *the district* .

The amount per ~~pupil~~ *student* enrolled shall be derived by dividing the current costs expended from funds from all sources during the

preceding year by the average daily attendance during the same year in grades 13 and 14 ~~of all districts maintaining community colleges in the state~~ and subtracting therefrom the amount allowed as basic state aid from the State School Fund The same fee shall be charged irrespective of the type of class in which the student is enrolled

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college *The rate charged shall be the rate established for the fiscal year in which the summer session ends.*

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category.

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state, except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district

SEC 25.4. Section 25505 8 of the Education Code is amended to read·

25505 8 A district may admit and shall charge a tuition fee to nonresident students The district may exempt from all or parts of the fee nonresidents who (a) enroll for six units or less ; *or* (b) are both citizens and residents of a foreign country ; ~~or (c) are military personnel or the dependents of military personnel~~ Any exemptions shall be made with regards to all nonresidents described in (a) ; ~~or~~ *and* (b), ~~or (c) above.~~ and shall not be made on an individual basis

A district may, ~~without~~ *with* the approval of the Board of Governors of the California Community Colleges contract with a state, the federal government, a foreign country, or an agency thereof, for payment of all or a part of a nonresident student's tuition fee

The nonresident tuition fee shall be paid in two equal installments at the beginning of each semester, or three equal installments at the beginning of each quarter and shall be set by the ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* not later than January 1st of each year The fee shall represent the amount per student enrolled in ~~community colleges in all the districts of the state~~ *the district*, which is expended by ~~all districts~~ *the district* for the current costs of education as defined by the California ~~School~~ Accounting Manual for ~~pupils~~ *students* enrolled in grades 13 and 14

~~The Board of Governors of the California Community Colleges~~ *Each governing board* shall compute the amount per ~~pupil~~ *student* enrolled in ~~all districts of the state~~ *the district*.

The amount per ~~pupil~~ *student* enrolled shall be derived by dividing the current costs expended from funds from all sources during the preceding year by the average daily attendance during the same year in grades 13 and 14 ~~of all districts maintaining community colleges in the state and subtracting therefrom the amount allowed as basic state aid from the State School Fund~~ The same fee shall be charged irrespective of the type of class in which the student is enrolled

The ~~Board of Governors of the California Community Colleges~~ *governing board of each community college district* shall also adopt a per-unit tuition fee for nonresidents on less than a full-time basis by dividing the fee for full-time nonresidents by 30 (units) The same per-unit rate shall be charged all nonresident students attending any summer sessions maintained by the community college *The rate charged shall be the rate established for the fiscal year in which the summer session ends*

A district shall report annually to the Board of Governors of the California Community Colleges the number of nonresidents enrolled for six units or less, the number of nonresidents enrolled for more than six units, and the total amount of fees collected from each category.

The provisions of this section which require a mandatory fee for nonresidents shall not apply to any district in which during the school year 1962–63 more than 15 percent of the students enrolled were residents of another state; except that the provisions of this section shall apply to such districts beginning with the school year 1975–1976 and except that the provisions of this section which require annual reports to be filed with the Board of Governors of the California Community Colleges on the number of such students enrolled shall apply to such districts in the same manner as to any other district ''

Amendment No. 22

On page 26, strike out lines 19 to 40, inclusive, and on page 27, strike out lines 1 to 9, inclusive, and insert

''SEC 25 8 It is the intent of the Legislature, if this bill and Assembly Bill No. 1833 are both chaptered and amend Section 11475 of the Education Code, and this bill is chaptered after Assembly Bill No 1833, that Section 11475 of the Education Code, as amended by Section 1 of Assembly Bill No 1833 be further amended on the operative date of this act in the form set forth in Section 3 1 of this act to incorporate the changes in Section 11475 proposed by this bill Therefore, Section 3 1 of this act shall become operative only if Assembly Bill No 1833 is chaptered before this bill and amends Section 11475, and in such case Section 3 1 of this act shall become operative on the operative date of this act and Section 3 of this act shall not become operative

SEC 26 It is the intent of the Legislature that if this bill and Senate Bill No 934 are both chaptered and amend Sections 17301 and 17303 5 of the Education Code and this bill is chaptered after Senate Bill No 934, that Sections 17301 1 and 17303 6 in the forms set forth, respectively, in Sections 8 2 and 8.8 of this act shall be given effect

SEC 26 5 It is the intent of the Legislature if this bill and Senate Bill No 1377 are both chaptered and amend Sections 17667 and 17970 of the Education Code, and this bill is chaptered after Senate Bill No 1377, that Sections 17667 and 17970 of the Education Code, as amended by Sections 1 and 3 of Senate Bill No 1377 be further amended on the operative date of this act in the form set forth in Sections 11 5 and 24 5 of this act to incorporate the changes in Sections 17667 and 17970 proposed by this bill Therefore, Sections 11 5 and 24 5 of this act shall become operative only if Senate Bill No 1377 is chaptered before this bill and amends Sections 17667 and 17970, and in such case Sections 11 5 and 24 5 of this act shall become operative on the operative date of this act and Sections 11 and 24 of this act shall not become operative

SEC. 27 It is the intent of the Legislature, if this bill and Senate Bill No 969 are both chaptered and amend Section 17925 5 of the Education Code, and this bill is chaptered after Senate Bill No 969, that Section 17925 5 of the Education Code, as amended by Section 2 of Senate Bill No. 969 be further amended on the operative date of this act in the form set forth in Section 20 5 of this act to incorporate the changes in Section 17925 5 proposed by this bill Therefore, Section 20 5 of this act shall become operative only if Senate Bill No 969 is chaptered before this bill and amends Section 17925 5, and in such case Section 20 5 of this act shall become operative on the operative date of this act and Section 20 of this act shall not become operative

SEC 27 5 It is the intent of the Legislature, if this bill and Assembly Bills Nos 529, 1165, and 666 are chaptered and amend Section 25505.8 of the Education Code, and this bill is chaptered after Assembly Bills Nos 529, 1165, and 666, (1) that the amendments to Section 25505 8 proposed by Assembly Bill No 529 and Assembly Bill No 1165 be given effect on the effective date of Assembly Bill No 529 and Assembly Bill No 1165 and incorporated in Section 25505 8 in the form set forth in Section 25 2 of this act, (2) that the amendments to Section 25505 8 proposed by Assembly Bill No 529, Assembly Bill No 1165, and Assembly Bill No 666 be given effect on the operative date of Assembly Bill No 666 and incorporated in Section 25505 8 in the form set forth in Section 25 3 of this act, and (3) that the amendments to Section 25505 8 proposed by Assembly Bill No 529, Assembly Bill No 1165, Assembly Bill No 666, and this bill be given effect on the operative date of this bill and incorporated in Section 25 4 of this act Therefore (a) Section 25 2 of this act shall become operative only if Assembly Bill No. 529 and Assembly Bill No 1165 are chaptered and both amend Section 25505 8, in which case, Section 25 2 of this act shall become operative on the effective date of Assembly Bill No 529 and Assembly Bill No 1165, in which case Section 25 of this act shall not become operative, (b) Section 25 3 of this act shall become operative only if Assembly Bill No 529, Assembly Bill No 1165, and Assembly Bill No 666 are all chaptered and amend Section 25505 8, in which case, Section 25 3 of this act shall become operative on the operative date of Assembly Bill No 666 at which time Section 25 2 of this act shall become inoperative and Section 25 of this act shall not become operative; (c) Section 25 4 of this act shall

become operative only if this bill and Assembly Bills Nos 529, 1165, and 666 are all chaptered, all amend Section 25505 8, and Assembly Bills Nos 529, 1165, and 666 are chaptered before this bill, in which case Section 25.4 of this act shall become operative on the operative date of this bill, at which time Section 25 3 of this act shall become inoperative, and Section 25 of this act shall not become operative "

Amendment No. 23

On page 28, line 6, strike out "Section", and insert "Sections 25 2, 25.3, and".

Amendment No. 24

On page 28, line 10, after the period, insert "Sections 25.2 and 25 3 of this act shall become operative as specified in Section 27 5."

The undersigned consent to the report

ALFRED E. ALQUIST	KEN CORY
J M. KENNICK	LEO J RYAN
FRED W. MARLER	
Senate Committee on Conference	Assembly Committee on Conference

Report read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Monagan moved a call of the Assembly

Motion carried

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Burke was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1384—An act to amend Section 9201 of the Corporations Code, and to amend Section 12538 4 of the Government Code, relating to health plans, and making an appropriation therefor.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1384?

Senate Amendments of July 21, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 12, 1972, strike out "add Section 12538 7 to", and insert "amend Section 9201 of the Corporations Code, to amend Section 12538 4 of, and to add Section 12538.6 to,".

Amendment No. 2

In line 5 of the title, after "plans", insert ", and making an appropriation therefor".

Amendment No. 3

On page 2, strike out line 2, and insert

"SECTION 1. Section 9201 of the Corporations Code is amended to read:

9201 A nonprofit corporation may be formed under this part for the purposes of defraying or assuming the cost of professional services of licentiates under any chapter of Division 2 (commencing with Section 500) of the Business and Professions Code or of rendering any such services, but it may not engage directly or indirectly in the performance of the corporate purposes or objects unless all of the following requirements are met:

(a) At least one-fourth of all licentiates of the particular profession *residing in California* become members.

(b) Membership in the corporation and an opportunity to render professional services upon a uniform basis are available to all licensed members of the particular profession

(c) Voting by proxy and cumulative voting are prohibited.

(d) A certificate is issued to the corporation by the particular professional board whose licentiates have become members, finding compliance with the requirements of subdivisions (a), (b), and (c)

Any such nonprofit corporation shall be subject to supervision by the particular professional board under which its members are licensed and shall also be subject to Section 9505

SEC. 2 Section 12538.4 of the Government Code is amended to read:

12538.4 Upon registration, each health care service plan shall pay a registration fee of ~~six~~ *eight* cents ~~($0.06)~~ *($0.08)* for each individual or family unit covered as of the close of its last accounting year, except that the minimum registration fee shall be one hundred dollars ($100) as it is the legislative intent that this measure be self-supporting Any prepaid drug plan entered into by the State Department of Social Welfare for recipients of public assistance shall not be subject to ~~said~~ *such* registration fee

SEC. 3 Section 12538.6 is added to the Government Code, to read:

12538.6 (a) All fees collected pursuant to this article shall be promptly paid into the State Treasury to the credit of the Knox-Mills Health Plan Act Account in the General Fund, which account is hereby created

(b) Except as provided in subdivision (c), all money paid into such account is continuously appropriated to the Attorney General to defray the expenses of the Attorney General in carrying out and enforcing the provisions of this article, including but not limited to, the expense of conducting audits of health care service plans subject to this article

(c) Any funds in the Knox-Mills Health Plan Act Account derived from fees collected in any fiscal year which are not used during such fiscal year for the purposes set forth in subdivision (a) shall be transferred to the unallocated balance in the General Fund on the first day of the following fiscal year."

Amendment No. 4

On page 2, strike out lines 3 to 35, inclusive.

Senate Amendments of November 20, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 21, 1972, after "Code," insert "and".

Amendment No. 2

In line 3 of the title, strike out ", and to add Section 12538.6 to,".

Amendment No. 3

On page 3, strike out lines 11 to 29, inclusive, and insert

"SEC 3. The sum of thirty-six thousand dollars ($36,000) is appropriated from the General Fund to the Attorney General for the 1972–1973 fiscal year for the purpose of defraying the expenses of the Attorney General in carrying out and enforcing the provisions of the Knox-Mills Health Plan Act, including, but not limited to, the expense of conducting audits of health care service plans subject to that act"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1801—An act to add Article 6 (commencing with Section 17875) to Chapter 4 of Part 3 of Division 7 of the Business and Professions Code, relating to marriage, family or child counseling corporations

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1801?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in Assembly May 11, 1972, strike out ", including but not limited to"; and strike out lines 24 to 30, inclusive; and in line 31, strike out "to use".

Amendment No. 2

On page 2, line 33, after "that", insert ", except as provided in Section 13403 of the Corporations Code,".

Amendment No. 3

On page 3, strike out lines 4 to 9, inclusive.

Amendment No. 4

On page 3, line 10, strike out "17878", and insert "17877".

Amendment No. 5

On page 3, line 18, strike out "17879", and insert "17878".

Amendment No. 6

On page 3, line 28, strike out "17890", and insert "17879".

Amendment No. 7

On page 3, line 33, strike out "17891", and insert "17880".

Amendment No. 8

On page 3, line 40, strike out "17892", and insert "17881".

Amendment No. 9

On page 4, line 19, strike out "17893", and insert "17882".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

Above bill ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2118—An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18.5 of the Education Code, relating to community colleges

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2118?

Amendment No. 1

Below line 1 of the heading of the printed bill, as amended in Assembly June 20, 1972, insert

"(Coauthor. Senator Marler)".

Amendment No. 2

On page 2, line 24, strike out "media", and insert "medium".

Amendment No. 3

On page 2, line 26, strike out "or closed circuit television", and insert "circuit broadcast stations, microwave systems, instructional television fixed service (ITFS), community antenna television (CATV) or other cable systems, or broadcast translators broadcasting"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Knox was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal:

Opinion of Legislative Counsel

Sacramento, California
December 1, 1972

Honorable John T Knox
Assembly Chamber

Environmental Quality (A B. 889)—#19460

Dear Mr Knox:

Question

The provisions of Assembly Bill No 889 of the 1972 Regular Session of the Legislature, as amended November 30, 1972,[1] would, if enacted, provide, among other things, that Division 13 (commencing with Section 21000) of the Public Resources Code [2] (the Environmental Quality Act of 1970 [3]) shall not apply to certain projects until the 121st day after the effective date of such provisions (Sec 21171)

You have asked us whether the reference in Section 21171 to projects defined in subdivision (c) of Section 21065 would include private projects in the 121-day moratorium period.

[1] Hereinafter referred to as the "bill"
[2] All statutory references are to proposed sections of the Public Resources Code.
[3] Hereinafter referred to as "EQA."

Opinion

In our opinion such reference in Section 21171 would include private projects and certain public projects in the 121-day moratorium period.

Analysis

Section 21171 would provide, in pertinent part, as follows:

"21171. This division, except for Section 21169, shall not apply to *the issuance of any lease, permit, license, certificate or other entitlement for use for any project defined in subdivision (c) of Section 21065* or to any project undertaken by a person which is supported in whole or in part through contracts with one or more public agencies until the 121st day after the effective date of this section. . . ." (Emphasis added.)

Subdivision (c) of Section 21065 would provide, in pertinent part, as follows:

"21065. 'Project' means the following:

* * *

"(c) Activities involving the issuance to a person[4] of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies."

As can be seen, subdivision (c) of Section 21065 defines the term "project" to mean activities involving the issuance of a lease, permit, license, certificate, or other entitlement for use to a person (including both private individuals and entities and public agencies) by one or more public agencies

Thus, in our opinion, the reference in Section 21171 to projects defined in subdivision (c) of Section 21065 would include private projects and certain public projects in the 121-day moratorium period.

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By Robert Cullen Duffy
Deputy Legislative Counsel

Hon. Joe A. Gonsalves Presiding

Hon Joe A. Gonsalves, 66th District, presiding.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 205—An act to amend Sections 634 5, 976.7, 2602, and 2606 of, to add Sections 611, 612, 613, 614, and 995 to, and to repeal Sections 625, 626, 627, and 628 of, the Unemployment Insurance Code, relating to unemployment insurance

Governor's message stating his objections appears at pages 7444–7445 of the Assembly Journal for November 8, 1972

[4] "Person" is defined in Section 21066 to include "any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the state, and any of the agencies and political subdivisions of such entities"

The question being: Shall Assembly Bill No. 205 become a law notwithstanding the objections of the Governor?

AYES—Bee, Brathwaite, Brown, Burton, Chacon, Cory, Crown, Cullen, Davis, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Karabian, Keysor, Knox, McAlister, McCarthy, Meade, Miller, Murphy, Pierson, Porter, Quimby, Ralph, Ryan, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—40

NOES—Arnett, Bagley, Barnes, Burke, Cline, Collier, Conrad, Dent, Hayden, Ray E Johnson, Ketchum, Lancaster, Lanterman, Mobley, Monagan, Priolo, Russell, Seeley, Stacey, Stull, and Wakefield—21.

Governor's veto sustained.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 142

Mr Fenton was granted unanimous consent to take up House Resolution No. 142 without reference to committee or file.

Consideration of House Resolution No. 142

House Resolution No. 142—Relative to Assemblyman Leo J. Ryan.

NOTE: The full text of House Resolution No. 142 appears at page 8236 of the Assembly Daily Journal for November 30, 1972.

Resolution read, and presented by Mr. Fenton

Members Made Coauthors of House Resolution No. 142

Mr. Fenton was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No. 142 as coauthors

Resolution read, as amended, and adopted unanimously, by a rising vote of the Members of the Assembly.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Fenton:

House Resolution No. 148

Relative to commending Assemblyman Ernest LaCoste

WHEREAS, Assemblyman Ernest LaCoste was elected to the Assembly in 1970 to represent the 30th District and has compiled, during his short tenure, a noteworthy record of accomplishments; and

WHEREAS, His personal experience in agriculture as an almond grower in Modesto has equipped him with invaluable knowledge of the problems of agriculture, an obvious asset to the considerations of the Assembly Committee on Agriculture, of which he is Vice-Chairman; and

WHEREAS, Mr LaCoste has been an active and conscientious member of the Assembly Committees on Natural Resources and Conservation, Local Government, and Government Administration; and of the

Commission for Economic Development, a commission created to attract new industry and to help provide new jobs for Californians; and

WHEREAS, His legislative accomplishments include his authorship or coauthorship of legislation dealing with a variety of important subjects such as the prevention of cruelty to animals, territorial withdrawals of fire protection districts, the regulation of the safe use of pesticides, public access to navigable rivers, protection of certain sea mammals, the encouragement of open-space lands by providing subventions to local entities, funding public acquisition of beach, park, recreational, and historical facilities, highway safety, courts, and nutritional care for the elderly; and

WHEREAS, The Members of the Legislature know Ernest LaCoste to be a man of uncommon skill and dedication, attributes which will be missed by all those who have served with him; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members warmly commend Assemblyman Ernest LaCoste on his admirable public service to the State of California and its citizens and express their sincerest wishes for his success and happiness in the future; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Ernest LaCoste.

Request for Unanimous Consent

Mr Fenton was granted unanimous consent to take up House Resolution No 148 without reference to committee or file.

Resolution read.

Members Made Coauthors of House Resolution No. 148

Mr. Fenton was granted unanimous consent that all Members of the Assembly be placed upon House Resolution No 148 as coauthors.

Resolution read, as amended, and adopted unanimously by a rising vote of the Members of the Assembly.

Majority Floor Leader Presiding

Hon. Jack R Fenton, 51st District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1278—An act to add Section 21023 6 to the government Code, and to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to disability retirement

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1278?

Senate Amendments of June 8, 1972
Amendment No. 1

On page 1, line 6, of the printed bill, after "employees", insert "or by separate professional employee organizations consisting of only those employees within one profession in accord with the stated desire

of the employees in each profession involved. There may be more than one separate professional employee organization representing employees of a particular profession".

Senate Amendments of July 24, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate June 8, 1972, strike out "Sections", and insert "Section".

Amendment No. 2

In line 1 of the title, strike out "and 3533".

Amendment No. 3

On page 2, strike out lines 17 to 30, inclusive.

Senate Amendments of November 28, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Senate July 24, 1972, strike out "Monagan", and insert "Beverly".

Amendment No. 2

In line 1 of the title, strike out "amend Section 3507 3 of", and insert "add Section 21023.6 to".

Amendment No. 3

Strike out lines 2 and 3 of the title, and insert "Government Code, and to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to disability retirement"

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1. Section 21023.6 is added to the Government Code, to read:

21023 6. Notwithstanding any other provision of this part, a local safety member otherwise qualified for disability retirement shall be retired only upon his employer's determination that he is incapacitated physically or mentally for the performance of the duties of his position and termination of his employment for that reason Any such member retired for disability under this section shall not be reinstated from retirement except upon that employer's determination that he is no longer incapacitated for the duties of the position held when retired.

SEC. 2. Section 4850 of the Labor Code is amended to read:

4850 Whenever any city policeman, city fireman, county fireman, fireman of any fire district, sheriff or any officer or employee of a sheriff's office, or any inspector, investigator, detective or personnel with comparable title in any district attorney's office, who is a member of the Public Employees' Retirement System or subject to the County Employees Retirement Law of 1937 (Ch 3 (commencing with Section 31450), Pt. 3, Div 4, Title 3, Gov C.) ~~is disabled, whether temporarily or permanently~~ *is temporarily disabled*, by injury or illness arising out of and in the course of his duties, he shall become entitled, regard-

less of his period of service with the city or county, to leave of absence while so disabled without loss of salary, in lieu of temporary disability payments, if any, which would be payable under this chapter, for the period of such disability ~~but not exceeding one year~~ *until he is returned to full duty*, or until ~~such earlier date as~~ he is retired on permanent disability pension, *whichever occurs first* This section shall apply only to city policemen, sheriffs or any officer or employee of a sheriff's office, and any inspector, investigator, detective or personnel with comparable title in any district attorney's office, who are members of the Public Employees' Retirement System or subject to the County Employees Retirement Law of 1937 (Ch 3 (commencing with Section 31450), Pt 3, Div 4, Title 3, Gov C) and excludes such employees of a police department whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise and whose functions do not clearly fall within the scope of active law enforcement service, and excludes such employees of a county sheriff's office whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise, and whose functions do not clearly come within the scope of active law enforcement service It shall also apply to city firemen, county firemen, and firemen of any fire district who are members of the Public Employees' Retirement System or subject to the County Employees Retirement Law of 1937 (Ch. 3 (commencing with Section 31450), Pt 3, Div. 4, Title 3, Gov C) and excludes such employees of the city fire department, county fire department and of any fire district whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise and whose functions do not clearly fall within the scope of active firefighting and prevention service It shall also apply to deputy sheriffs subject to the County Employees Retirement Law of 1937 (Ch 3 (commencing with Section 31450), Pt 3, Div 4, Title 3) If the employer is insured, the payments which, except for the provisions of this section, the insurer would be obligated to make as disability indemnity to the injured, the insurer may pay to the insured

SEC 3 Section 4853 of the Labor Code is repealed

~~4853. Whenever such disability of any such officer or employee continues for a period beyond one year, such member shall thereafter be subject as to disability indemnity to the provisions of this division other than Section 4850 during the remainder of the period of said disability or until the effective date of his retirement under the Public Employees' Retirement Act, and the leave of absence shall continue.~~ "

Amendment No. 5

On page 2, strike out lines 2 to 20, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden,

Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 2126—An act to amend, repeal, and add Section 438 3 of the Health and Safety Code, relating to health facilities

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2126?

Senate Amendments of November 27, 1972

Amendment No. 1

In the heading of the printed bill, as amended in Assembly July 3, 1972, strike out "Leroy F Greene", and insert "Campbell".

Amendment No. 2

In lines 1 and 2 of the title, strike out "add Division 12 7 (commencing with Section 15500) to", and insert "amend, repeal, and add Section 438 3 of"

Amendment No. 3

In line 3 of the title, strike out "hospitals", and insert "health facilities".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1 Section 438 3 of the Health and Safety Code is amended to read:

438 3 An applicant may petition the Health Planning Council for a hearing on the decision on appeal A petition for hearing shall be made within 30 days of the appealed decision

The required number of members of the board of directors may petition the Health Planning Council for a hearing on the decision of the voluntary area health planning agency or the decision or lack of decision of the consumer members of a voluntary area health planning agency acting as an appeals body A petition for hearing shall be made within 30 days of the decision of the voluntary area health planning agency or the decision or lack of decision of the consumer members of a voluntary health planning agency acting as an appeals body

The Health Planning Council shall grant a hearing if at least one-third of the voting members of the council certify in writing that they agree to a hearing Such certification shall be made within 60 days of the receipt of the petition for hearing

If the required number of voting members agree to a hearing, the council shall reach a decision within 90 days of the date of agreement

At least one hearing shall be held on the appeal, but it may be heard by a committee of the council composed of at least three voting members, a majority of whom shall be consumers The final decision on the appeal shall be made by the full council

Any member of the board of directors of a voluntary area health planning agency who has signed a petition for hearing by the Health Planning Council may, by filing an affidavit with the council which states that he signed the petition by mistake or inadvertence and requests withdrawal of his signature from the petition, withdraw his signature from the petition at any time prior to the hearing on the petition If any such withdrawal results in less than the required number of members of the board of directors remaining as signers on the petition, the appeal proceedings shall terminate at the time of filing such affidavit This paragraph shall apply to any appeal which is pending on or after the effective date of the amendments to this section made at the 1972 Regular Session of the Legislature

This section shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on such date is repealed

SEC 2. Section 438 3 is added to the Health and Safety Code, to read·

438 3. An applicant may petition the Advisory Health Council for a hearing on the decision on appeal A petition for hearing shall be made within 30 days of the appealed decision

The required number of members of the board of directors may petition the Advisory Health Council for a hearing on the decision of the voluntary area health planning agency or the decision or lack of decision of the consumer members of a voluntary area health planning agency acting as an appeals body A petition for hearing shall be made within 30 days of the decision of the voluntary area health planning agency or the decision or lack of decision of the consumer members of a voluntary health planning agency acting as an appeals body

The Advisory Health Council shall grant a hearing if at least one-third of the voting members of the council certify in writing that they agree to a hearing Such certification shall be made within 60 days of the receipt of the petition for hearing

If the required number of voting members agree to a hearing, the council shall reach a decision within 90 days of the date of agreement At least one hearing shall be held on the appeal, but it may be heard by a committee of the council composed of at least three voting members, a majority of whom shall be consumers The final decision on the appeal shall be made by the full council

Any member of the board of directors of a voluntary area health planning agency who has signed a petition for hearing by the Advisory Health Council may, by filing an affidavit with the council which states that he signed the petition by mistake or inadvertence and requests withdrawal of his signature from the petition, withdraw his signature from the petition at any time prior to the hearing on the petition If any such withdrawal results in less than the required number of members of the board of directors remaining as signers on the petition, the appeal proceedings shall terminate at the time of filing such affidavit

This section shall become operative on the same date as Reorganization Plan No 1 of 1970 becomes operative

SEC 3. It is the intent of the Legislature, that, if Reorganization Plan No 1 of 1970 becomes operative, Section 438 3 of the Health and Safety Code, as amended by Section 1 of this act, shall remain in effect only until Reorganization Plan No 1 of 1970 becomes operative and on that date Section 438 3 of the Health and Safety Code, as added by Section 2 of this act, which includes the changes in Section 438 3 made by both Reorganization Plan No. 1 of 1970 and Section 1 of this act, shall become operative "

Amendment No. 5

On page 2, strike out lines 2 to 29, inclusive; and strike out page 3.

Senate Amendments of November 29, 1972

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in Senate November 27, 1972, after "438 3 ", insert "(a)".

Amendment No. 2

On page 2, line 8, before "The", insert
"(b)".

Amendment No. 3

On page 3, line 2, strike out "A petition for hearing", and insert "(c) A petition for hearing".

Amendment No. 4

On page 3, between lines 6 and 7, insert

"(d) Notwithstanding subdivision (c), any member of the board of directors of a voluntary area health planning agency who has signed a petition for hearing by the Health Planning Council may, by filing an affidavit with the council which states that he signed the petition by mistake or inadvertence and requests withdrawal of his signature from the petition, withdraw his signature from the petition at any time prior to the date on which the council grants a hearing pursuant to subdivision (c) This subdivision shall apply to any appeal which is pending on or after the effective date of the amendments to this section made at the 1972 Regular Session of the Legislature "

Amendment No. 5

On page 3, line 7, before "The", insert
"(e)".

Amendment No. 6

On page 3, line 7, after "if", insert "the petition is still signed by the required number of members of the board of directors, and if".

Amendment No. 7

On page 3, line 12, before "If", insert
"(f)".

Amendment No. 8

On page 3, strike out lines 19 to 33, inclusive.

Amendment No. 9

On page 3, line 39, after "438 3.", insert "(a)".

Amendment No. 10

On page 4, line 3, before "The", insert "(b)".

Amendment No. 11

On page 4, line 8, strike out "A petition for hearing", and insert "(c) A petition for hearing"

Amendment No. 12

On page 4, between lines 12 and 13, insert

"(d) Notwithstanding subdivision (c), any member of the board of directors of a voluntary area health planning agency who has signed a petition for hearing by the Advisory Health Council may, by filing an affidavit with the council which states that he signed the petition by mistake or inadvertence and requests withdrawal of his signature from the petition, withdraw his signature from the petition at any time prior to the date on which the council grants a hearing pursuant to subdivision (e)."

Amendment No. 13

On page 4, line 13, before "The", insert "(e)".

Amendment No. 14

On page 4, line 13, after "if", insert "the petition is still signed by the required number of members of the board of directors, and if".

Amendment No. 15

On page 4, line 18, before "If", insert "(f)".

Amendment No. 16

On page 4, strike out lines 25 to 36, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—72.

NOES—Gonsalves—1.

Above bill ordered enrolled.

Assembly Bill No. 2294—An act to amend Sections 510 and 513 of the Code of Civil Procedure, relating to claim and delivery, and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2294?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly November 22, 1972, strike out "Section 510", and insert "Sections 510 and 513".

Amendment No. 2

In line 5 of the title, after "delivery", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, line 2, strike out "and", and insert "or".

Amendment No. 4

On page 2, line 24, strike out "complaint and", and insert "verified complaint or".

Amendment No. 5

On page 3, line 6, strike out "complaint and", and insert "verified complaint or".

Amendment No. 6

On page 3, line 8, strike out "complaint and", and insert "verified complaint or".

Amendment No. 7

On page 4, between lines 14 and 15, insert

"SEC. 2. Section 513 of the Code of Civil Procedure is amended to read:

513. The levying officer shall forthwith take the property, if it be in the possession of the defendant or his agent, and retain it in his custody, either by removing the property to a place of safekeeping or, upon good cause shown, by installing a keeper, provided that, when the property is used as a dwelling, such as a housetrailer, mobilehome, or boat, the same shall be taken by placing a keeper in charge of the property, at plaintiff's expense, for two days. At the expiration of such period, the officer shall remove its occupants and take the property into his immediate custody.

If the property or any part thereof is in a building or enclosure, the levying officer shall demand its delivery, announcing his identity, purpose, and the authority under which he acts. If it is not voluntarily delivered, he shall cause the building or enclosure to be broken open in such manner as he reasonably believes will cause the least damage to the building or enclosure, and take the property into his possession. He may call upon the power of the county to aid and protect him, but if he reasonably believes that entry and seizure of the property will involve a substantial risk of death or serious bodily harm to any person, he shall refrain from seizing the property, and shall forthwith make a return before the court from which the writ issued, setting forth the

reasons for his belief that such risk exists The court shall make such orders and decrees as may be appropriate

The levying officer shall, without delay, serve upon the defendant a copy of the writ of possession and written undertaking, the *verified* complaint ~~and~~ *or* affidavit or declaration, by delivering the same to him personally, if he can be found, or to his agent from whose possession the property is taken, or, if neither can be found, by leaving them at the usual place of abode of either with some person of suitable age and discretion; or, if neither have any known place of abode, by mailing them to their last known address

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

Sections 510 and 513 of the Code of Civil Procedure, relating to claim and delivery, as added by Chapter 855 of the Statutes of 1972, an urgency statute, contains an ambiguity, and in order to avoid an unnecessary expense to the public and needless litigation, it is necessary that this act take effect at the earliest possible time."

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 2294?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 111?

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in Assembly February 23, 1972, strike out "1971", and insert "1972".

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1496—An act to amend Sections 14000, 14105 and 14118 of, to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of, to repeal Sections 14057, 14058, 14104, 14106, 14106.5 and 14114 of, and to repeal Article 4.4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to medical assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1496?

Senate Amendments of November 13, 1972

Amendment No. 1

On page 5, lines 18 and 19, of the printed bill, as amended in Assembly June 30, 1972, strike out "organized practice provider groups", and insert "prepaid health care plans".

Amendment No. 2

On page 5, line 29, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 3

On page 5, line 39, strike out "means one which"; strike out line 40; and on page 6, strike out line 1, and insert "is any association of providers of medical and health services who agree with the Department of Health Care Services to furnish directly or indirectly health services to Medi-Cal beneficiaries on a predetermined periodic

rate basis Such association includes, but are not limited to, a multi-specialty group practice or a "foundation for medical care" program. The".

Amendment No. 4

On page 6, strike out lines 8 to 15, inclusive.

Amendment No. 5

On page 6, between lines 32 and 33, insert

"Nothing in this act shall preclude the director from contracting with prepaid health care plans which include services beyond the basic scope of health care benefits."

Amendment No. 5.5

On page 6, lines 33 and 34, strike out "an organized practice provider", and insert "a prepaid health care plan".

Amendment No. 6

On page 7, line 14, strike out "for prepaid health care"; strike out lines 15 to 29, inclusive, and in line 30, strike out "medically underserved".

Amendment No. 7

On page 7, line 40, strike out "an"; and on page 8, line 1, strike out "organized practice provider", and insert "a prepaid health care plan".

Amendment No. 8

On page 8, line 2, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 9

On page 8, line 17, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 10

On page 8, line 19, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 11

On page 8, line 27, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 12

On page 8, line 34, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 13

On page 8, lines 37 and 38, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 14

On page 8, line 38, after "per", insert "full-time equivalent".

Amendment No. 15

On page 9, line 5, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 16

On page 9, line 17, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 17

On page 9, lines 20 and 21, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 18

On page 9, line 23, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 19

On page 9, line 27, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 20

On page 9, line 32, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 21

On page 9, line 34, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 22

On page 9, line 37, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 23

On page 10, line 3, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 24

On page 10, line 13, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 25

On page 10, strike out lines 14 and 15; and in line 16, strike out "services", and insert "for all in-area and out-of-area emergency services as defined by the director".

Amendment No. 26

On page 10, lines 20 and 21, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 27

On page 10, line 22, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 27.5

On page 10, line 30, strike out "organized provider", and insert "prepaid health care".

Amendment No. 28

On page 10, line 31, strike out "Organized practice providers", and insert "Prepaid health care plans".

Amendment No. 29

On page 10, line 35, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 30

On page 11, line 3, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 31

On page 11, line 5, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 32

On page 11, line 7, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 33

On page 11, line 15, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 34

On page 11, line 21, strike out "an organized practice provider", and insert "a prepaid health care".

Amendment No. 35

On page 11, lines 22 and 23, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 36

On page 11, line 24, after the period, insert "No solicitation of enrollees shall include the granting of any monetary or other valuable consideration for enrollment "

Amendment No. 37

On page 11, line 26, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 38

On page 11, lines 27 and 28, strike out "an organized practice provider", and insert "a prepaid health care plan".

Amendment No. 39

On page 11, lines 31 and 32, strike out "an organized practice provider", and insert "a prepaid health care plan".

Amendment No. 40

On page 11, line 36, strike out "an organized practice provider", and insert "a prepaid health care plan".

Amendment No. 41

On page 12, line 2, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 42

On page 12, line 7, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 43

On page 12, lines 20 and 21, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 44

On page 12, line 23, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 45

On page 12, line 29, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 46

On page 13, lines 2 and 3, strike out "organized practice provider", and insert "prepaid health care plan"

Amendment No. 47

On page 13, line 20, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 48

On page 13, line 23, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 49

On page 13, line 26, strike out "organized practice provider", and insert "prepaid health care plan"

Amendment No. 50

On page 13, lines 29 and 30, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 51

On page 13, line 31, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 52

On page 13, line 33, strike out "an organized practice provider", and insert "a prepaid health care plan".

Amendment No. 53

On page 13, line 37, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 54

On page 13, lines 39 and 40, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 55

On page 14, line 3, strike out "organized practice provider's", and insert "prepaid health care plan's".

Amendment No. 56

On page 14, line 5, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 57

On page 14, lines 7 and 8, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 58

On page 14, line 10, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 59

On page 14, line 12, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 60

On page 14, line 20, strike out "emergency services"; and in line 21, strike out "and all necessary out-of-area services", and insert "and out-of-area emergency services as defined by the director".

Amendment No. 61

On page 14, line 22, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 62

On page 14, lines 25 and 26, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 63

On page 14, line 28, strike out "organized practice providers", and insert "prepaid health care plans"

Amendment No. 64

On page 14, line 33, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 65

On page 15, line 1, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 66

On page 15, line 4, strike out "(a)", and insert "(e)".

Amendment No. 67

On page 15, lines 4 and 5, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 68

On page 15, line 10, strike out "organized practice provider", and insert "prepaid health care plan".

Amendment No. 69

On page 15, line 18, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 70

On page 16, line 19, strike out "organized practice providers", and insert "prepaid health care plans".

Amendment No. 71

On page 16, line 34, strike out "Organized practice providers", and insert "Prepaid health care plans".

Amendment No. 72

On page 16, after line 38, insert

"SEC. 10 The provisions of this act shall become operative on July 1, 1973, except that the provisions of this act shall become operative and apply prior to July 1, 1973, to any existing prepaid health care plan contract upon termination of the existing contract."

Senate Amendments of November 16, 1972

Set No. 1

Amendment No. 1

On page 3, line 33, of the printed bill, as amended in Senate November 13, 1972, after the period, insert "Amounts paid for services provided to Medi-Cal beneficiaries shall be audited by the department in the manner and form prescribed by the department The department shall maintain adequate controls to insure responsibility and accountability for the expenditure of federal and state funds "

Amendment No. 2

On page 3, line 37, after "audited", insert "or reviewed".

Amendment No. 3

On page 16, line 30, after the period, insert "For the purpose of establishing a prepaid health plan any carrier as defined in Section 14057 shall be deemed capable of providing, arranging, paying or reimbursing the cost of the health care services as defined in Section 14053."

Amendment No. 4

On page 18, strike out lines 2 to 7, inclusive, and insert

"14327 Prepaid health plans and pilot programs established pursuant to Section 14000(f), the services they provide and the persons

receiving such services shall not be subject to the limitations on services set forth in Section 14132, or the provisions of Section 14120(c), (d), (e), and (f) or the fifth paragraph of Section 14105."

Set No. 2

Amendment No. 1

On page 12, line 9, of the printed bill, as amended in Senate November 13, 1972, strike out ", and to the Consumer Advisory Committee".

Amendment No. 2

On page 12, strike out lines 23 to 40, inclusive; strike out page 13; and on page 14, strike out lines 1 to 12, inclusive.

Amendment No. 3

On page 14, strike out lines 13 to 15, inclusive, and insert "14316. If the enrollee has an unresolved grievance, the fair hearing".

Amendment No. 4

On page 14, strike out lines 33 and 34; in line 35, strike out "Committee", and insert "plan".

Set No. 3

Amendment No. 1

On page 11, line 9, of the printed bill, as amended in Senate November 13, 1972, strike out "it accepts", and insert "they accept".

Amendment No. 2

On page 11, line 10, strike out "its capacity", and insert "their capacity or the limits of their contracts with the department".

Amendment No. 3

On page 11, line 15, after "care", insert "plan".

Amendment No. 4

On page 11, lines 39 and 40, strike out "patient discomfort, patient disability, patient satisfaction,".

Amendment No. 5

On page 12, line 3, after the period, insert "The department shall annually conduct a survey of beneficiaries to determine patient discomfort, patient disability and patient satisfaction"

Senate Amendments of November 22, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 16, 1972, strike out "14106", and insert "14118".

Amendment No. 2

In line 4 of the title, after the comma, insert "to repeal Section 14106 of,".

Amendment No. 3

On page 3, line 16, strike out ", as amended by Chapter 577 of the Statutes of 1971,".

Amendment No. 4

On page 4, line 21, strike out "Section 14120(c)", and insert "subdivision (c) of Section 14120".

Amendment No. 5

On page 4, strike out line 33, and insert "Code is repealed."

Amendment No. 6

On page 4, strike out lines 34 to 40, inclusive; and on page 5, strike out lines 1 and 2.

Amendment No. 7

On page 5, between lines 8 and 9, insert

"SEC 7 5. Section 14118 of the Welfare and Institutions Code is amended to read:

14118. Notwithstanding any other provision of law, no provider of medical assistance under the California Medical Assistance Program shall hold itself forth as authorized to provide services to beneficiaries under the Medi-Cal Program by use of:

(a) Newspapers, magazines, radio, television, books, circulars, pamphlets, or any medium of communication whether or not for compensation, or

(b) Signs or displays of any character on or near its place of business or elsewhere.

Notwithstanding the foregoing, and except as otherwise prohibited by law, any provider of medical assistance under the California Medical Assistance Program which has entered into a contract with the Department of Health Care Services, pursuant to ~~subdivision (c) or subdivision (f) of Section 14000~~ *Chapter 8 (commencing with Section 14200) of this part*, may make the benefits known to potential enrollees by means of relevant methods and materials as determined by the regulations of the department This material must be disseminated to potential enrollees by official representatives of the contractor at the contractor's expense The contractor shall be responsible for all presentations by such representatives and for their ethical and professional content. Examples of all printed or illustrated material prepared by the contractor shall be submitted to the department prior to dissemination The department shall acknowledge receipt of the printed or illustrated material within five (5) days If notification of department disapproval is not received by the contractor within 60 days after the date of the notification from the department that the material had been received, the contractor may disseminate such material In the event the department notifies the contractor of its disapproval, the contractor shall have the right to meet and confer with the director in order to demonstrate to him the need and reasonable basis for the distribution of such material to potential enrollees."

Amendment No. 8

On page 5, line 24, strike out "care plans", and insert "plans, without reference to the race, sex, age, religion, creed, color, national origin or ancestry of any eligible person"

Amendment No. 9

On page 5, line 25, after the comma, insert "to the extent feasible,".

Amendment No. 10

On page 5, line 26, strike out the second "the", and insert "this".

Amendment No. 11

On page 5, line 30, strike out "care".

Amendment No. 12

On page 6, line 1, strike out "care".

Amendment No. 13

On page 6, line 11, strike out "care plan" is any", and insert "plan" is any carrier or"

Amendment No. 14

On page 6, line 16, strike out "are", and insert "is".

Amendment No. 15

On page 6, line 20, strike out "care".

Amendment No. 16

On page 6, line 26, strike out "or pediatrician", and insert ", pediatrician, or obstetrician-gynecologist".

Amendment No. 17

On page 6, lines 28 and 29, strike out ", or who has limited his practice for at least one year to,".

Amendment No. 18

On page 6, line 37, strike out "Limited skilled", and insert "skilled".

Amendment No. 19

On page 6, line 39, strike out "care"

Amendment No. 20

On page 6, line 40, after "dental", insert ", pharmaceutical,".

Amendment No. 21

On page 7, line 3, strike out "care".

Amendment No. 22

On page 7, strike out lines 5 and 6.

Amendment No. 23

On page 7, between lines 10 and 11, insert

"14261. "Carrier" means:

(a) A private insurance company holding a valid outstanding certificate of authority from the Insurance Commissioner of the state.

(b) A medical society or other profit or nonprofit medical group

(c) An association of insurers organized under Article 6 7 (commencing with Section 795) of Chapter 1 of Part 2 of Division 1 of the Insurance Code

(d) A nonprofit hospital service plan qualifying under Chapter 11A (commencing with Section 11491) of Part 2 of Division 2 of the Insurance Code.

(e) A nonprofit membership corporation, or health benefits plan administered by or through such corporation, lawfully operating under Section 9200 or Section 9201 of the Corporations Code, when such corporation is lawfully engaged in providing, arranging, paying for, or reimbursing the cost of personal health services under insurance policies or contracts, medical and hospital service agreements, or membership contracts

(f) A county hospital system, or

(g) A profit or nonprofit person or organization registered under the Knox-Mills Health Plan Act "

Amendment No. 24

On page 7, lines 15 and 16, strike out "care program", and insert "plan"

Amendment No. 25

On page 7, line 17, strike out "individuals", and insert "eligibles"

Amendment No. 26

On page 7, line 23, strike out "this chapter", and insert "the prepaid health plan contract".

Amendment No. 27

On page 7, line 25, strike out "care".

Amendment No. 28

On page 7, line 29, strike out "and old age security", and insert "old age security, or such other categories as may be determined by the director".

Amendment No. 29

On page 7, line 29, strike out "In the"; and strike out lines 30 to 34, inclusive.

Amendment No. 30

On page 7, line 36, strike out "care".

Amendment No. 31

On page 7, strike out lines 37 and 38, and insert "providers and facilities of the prepaid health plan meet the Medi-Cal program standards for participation as established by the director In addition, a prepaid health plan shall meet the following requirements.".

Amendment No. 32

On page 8, line 14, strike out "care".

Amendment No. 33

On page 8, line 17, after "design", insert a comma.

Amendment No. 34

On page 8, line 19, strike out "shall be the", and insert ", as determined by the department, shall not be less than the".

Amendment No. 35

On page 8, line 22, strike out "care".

Amendment No. 36

On page 8, lines 23 and 24, strike out "on a full-time basis".

Amendment No. 37

On page 8, line 29, strike out "care".

Amendment No. 38

On page 8, line 40, strike out "care".

Amendment No. 39

On page 9, line 9, strike out "he may choose another", and insert "the plan shall make another managing position available".

Amendment No. 40

On page 9, line 12, strike out "care".

Amendment No. 41

On page 9, line 15, strike out "care".

Amendment No. 42

On page 9, line 17, strike out "care".

Amendment No. 43

On page 9, line 21, strike out "An prepaid health care", and insert "A prepaid health".

Amendment No. 44

On page 9, line 23, strike out "must", and insert "to the extent feasible".

Amendment No. 45

On page 9, between lines 27 and 28, insert

"14301.5 No contract between the department and a prepaid health plan shall be approved or renewed if any officer or employee of the state, or any Member of the Legislature, has any direct or indirect financial interest in the prepaid health plan or has a direct or indirect financial interest in any contract with the prepaid health plan, or if the prepaid health plan has offered or given any such officer, employee, or Member of the Legislature, anything of value for the purpose of influencing or attempting to influence the negotiations for approval, or renewal, of a prepaid health plan contract with the department. As

used in this section, "indirect financial interest" includes the ownership of stock, bonds, notes, other forms of indebtedness, or a partnership interest, by the officer or employee of the state, Member of the Legislature, or by a member of such person's immediate family."

Amendment No. 46

On page 9, line 28, strike out "care".

Amendment No. 47

On page 9, line 29, after "subcontractors", insert "not less than".

Amendment No. 48

On page 9, line 30, after the period, insert "The director may establish the scope and duration of such services and further may require that other services be provided on a risk or nonrisk basis."

Amendment No. 49

On page 9, line 31, strike out "care".

Amendment No. 50

On page 9, between lines 36 and 37, insert

"14303.1 The prepaid health care plan will in determining the reasonable charge for a physician's service, take into consideration the customary charge for similar services generally made by the physician, as well as the prevailing charges in the locality for similar services."

Amendment No. 51

On page 9, line 37, strike out "care".

Amendment No. 52

On page 9, line 38, strike out "on the accrual system".

Amendment No. 53

On page 10, line 2, strike out "care".

Amendment No. 54

On page 10, line 7, strike out "care".

Amendment No. 55

On page 10, line 13, strike out "care".

Amendment No. 56

On page 10, line 14, strike out "care".

Amendment No. 57

On page 10, strike out lines 21 to 23, inclusive, and insert "apply for enrollment."

Amendment No. 58

On page 10, line 24, strike out "care".

Amendment No. 59

On page 10, lines 28 and 29, strike out "care plan shall provide a single standard", and insert "plan shall maintain a complete".

Amendment No. 60

On page 10, line 31, after "services", insert "in order".

Amendment No. 61

On page 10, lines 31 and 32, strike out "a complete unit medical record for each enrollee", and insert "such medical record After July 1975 the prepaid health plan shall provide a single standard medical record for each enrollee, in order to maintain a complete unit medical record for each enrollee".

Amendment No. 62

On page 10, line 34, after the first "the", insert "level and".

Amendment No. 63

On page 10, line 37, after "on", insert "criteria and procedures established by the department and".

Amendment No. 64

On page 10, line 38, strike out "care".

Amendment No. 65

On page 10, line 40, and on page 11, line 1, strike out "care plan shall provide to the department and to the enrollees such", and insert "plans shall furnish to the director such timely information and reports as he may find necessary in performing his functions under this chapter Such information and reports shall include".

Amendment No. 66

On page 11, between lines 10 and 11, insert

"The prepaid health plan shall maintain such records and afford such access thereto as the director finds necessary to assure the correctness and verification of the information and reports, which may be required under this chapter."

Amendment No. 67

On page 11, line 11, strike out "care".

Amendment No. 68

On page 11, line 17, strike out "care"

Amendment No. 69

On page 11, line 18, strike out "care plan may", and insert "plan shall".

Amendment No. 70

On page 11, line 23, strike out "care".

Amendment No. 71

On page 11, line 24, strike out "care".

Amendment No. 72

On page 11, line 25, after "for", insert "loss of eligibility,".

Amendment No. 73

On page 11, between lines 27 and 28, insert

"14314. The prepaid health plan shall have the organizational and administrative capacity to provide services under the provisions of this chapter."

Amendment No. 74

On page 13, line 18, strike out "care".

Amendment No. 75

On page 13, line 21, strike out the first "care".

Amendment No. 76

On page 13, lines 24 and 25, strike out "care plan shall be two years", and insert "plan shall be for a minimum of one year".

Amendment No. 77

On page 13, line 29, strike out "care".

Amendment No. 78

On page 13, line 31, strike out "care".

Amendment No. 79

On page 13, line 35, strike out "care".

Amendment No. 80

On page 13, line 37, strike out "care".

Amendment No. 81

On page 14, line 1, strike out "care".

Amendment No. 82

On page 14, line 5, strike out "care".

Amendment No. 83

On page 14, line 6, strike out "To the extent that the"; strike out lines 7 to 10, inclusive; in line 11, strike out "prepayment basis Any", and insert "Subject to prior approval by the department, any".

Amendment No. 84

On page 14, line 14, after "charged", insert "and the amount prior to the rendering of such services."

Amendment No. 85

On page 14, strike out lines 15 to 22, inclusive.

Amendment No. 86

On page 14, line 23, strike out "(d)", and insert "(e)".

Amendment No. 87

On page 14, line 24, strike out "care".

Amendment No. 88

On page 14, line 26, strike out "(e)", and insert "(d)".

Amendment No. 89

On page 14, line 29, strike out "care".

Amendment No. 90

On page 14, line 30, after "for", insert "approval prior to the".

Amendment No. 91

On page 14, line 31, strike out "This", and insert "Such".

Amendment No. 92

On page 14, line 37, strike out "care"

Amendment No. 93

On page 14, line 38, strike out "(f)", and insert "(e)".

Amendment No. 94

On page 14, line 40, strike out "(e)", and insert "(d)".

Amendment No. 95

On page 14, line 40, and on page 15, lines 1 and 2, strike out "care plans and comparable information on individual Medi-Cal providers", and insert "plans"

Amendment No. 96

On page 15, strike out lines 5 to 8, inclusive, and insert

"14319.1 The director may make available information, in such form as he may deem satisfactory, as will enable the eligible persons to exercise an informed choice among the prepaid health plans which have been contracted for under this chapter. Each eligible person enrolled in a prepaid health plan shall be issued an appropriate document setting forth or authorizing the services or benefits to which that person is entitled thereunder, the procedure for obtaining benefits, and the principal provisions of the plan affecting the eligible person.

The Health Care Commission shall provide for a continuing study of the quality of care and services resulting from the operation of this chapter and for surveys and reports on prepaid health plans. With respect to such plans contracted for under this chapter, the commission may contract with the State Department of Public Health for studies and reports of the experience of such plans as to the standards of care available to eligible persons, gross and net costs, administrative costs, benefits, utilization of benefits, the portion of actual personal expenditures of eligible persons for health care which are being met by prepaid benefits, and the methods of evaluating and improving the quality of, and controlling the costs of, health care provided under such contracts, provided, however, that this section shall not be construed to require any plan to provide accounting data or statistical data not required in the normal operation of the plan."

Amendment No. 97

On page 15, line 14, strike out "care".

Amendment No. 98

On page 15, line 20, strike out "14057", and insert "14261".

Amendment No. 99

On page 15, line 27, strike out "maximum of two years, to"; strike out line 28; in line 29, strike out "possible", and insert "period of time, not to exceed four years, which shall be sufficient to demonstrate the value or lack thereof of such a program, as determined by the director, in delivering health care services in an efficient or effective manner".

Amendment No. 100

On page 16, line 20, strike out "care".

Amendment No. 101

On page 17, line 1, strike out "14000 (f)", and insert "14321".

Amendment No. 102

On page 17, lines 4 and 5, strike out "Section 14120 (c), (d), (e), and (f)", and insert "Subdivisions (c), (d), (e), and (f) of Section 14120."

Amendment No. 103

On page 17, between lines 5 and 6, insert

"14328. In entering into contracts under this chapter the department may provide that the extent of benefit coverage by the prepaid health plan may be limited to exclude care of illness or injury resulting from or contributed to, by a major catastrophe or disaster, including but not limited to an act of war, declared or undeclared, and which occurs subsequent to enrollment in a prepaid health plan The contract may provide that the carrier shall continue to administer the benefits provided beyond the applicable limitation

The intent of the Legislature in enacting this subdivision is to authorize a limitation on the liability of a carrier in catastrophic situations.

14329 The director shall, with respect to carriers and with the advice of the Health Care Commission, adopt all necessary rules and regulations to carry out the provisions of this chapter, including, but not limited to fixing reasonable minimum standards for prepaid health plans, regulations fixing the time, manner, methods and procedures for determining whether a contract with any plan shall be undertaken or withdrawn, and regulations pertaining to any other matters made necessary by the provisions of this chapter.

In adopting such rules and regulations, the director shall be guided by the needs of eligible persons as well as prevailing practices in the field of arrangements for health care.

The director shall terminate contracts with any carrier if he finds that the standards prescribed therefor are not being complied with, that claims accrued or to accrue will not be paid, or for other good cause shown. The director shall give reasonable notice of his intention to terminate the contract to any carrier, to eligible persons and others who may be directly interested, including such other persons and organizations as the director may deem necessary and proper The notice shall state the effective date of, and the reason for, the termination.

14330 The director shall adopt all necessary rules and regulations providing for the payment for services rendered under this program on the basis of a total monthly payment for each enrolled recipient The director may provide for methods and periods of enrollment

14331 In the consideration of proposals for contracts with carriers under this chapter, the department shall, for comparative purposes, deduct from the total cost proposed by any carrier the amount of tax which that carrier would be required to pay under Part 7 (commencing with Section 12001) of Division 2 of the Revenue and Taxation Code computed on the basis of the net rate of tax, after deductions, which would have applied to such carrier for the preceding calendar year, had the amount of anticipated premium under the proposed contract been added to its taxable premiums for such year ''

Senate Amendments of November 30, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate November 22, 1972, strike out "14058, 14104," and insert "14057, 14058, 14104, 14106,".

Amendment No. 2

In line 4 of the title strike out "to repeal Section 14106 of,".

Amendment No. 3

On page 3, between lines 20 and 21, insert

"SEC. 1.5 Section 14057 of the Welfare and Institutions Code is repealed

~~14057. "Carrier" means~~

~~(a) A private insurance company holding a valid outstanding certificate of authority from the Insurance Commissioner of the state;~~

~~(b) A medical society or other profit or nonprofit medical group;~~

~~(c) An association of insurers organized under Article 6.7 (commencing with Section 795) of Chapter 1, Part 2, of Division 1 of the Insurance Code;~~

~~(d) A nonprofit hospital service plan qualifying under Chapter 11A (commencing with Section 11491) of Part 2 of Division 2 of the Insurance Code;~~

~~(e) A nonprofit membership corporation, or health benefits plan administered by or through such corporation, lawfully operating under Section 9200 or Section 9201 of the Corporations Code, when such corporation is lawfully engaged in providing, arranging, paying for, or reimbursing the cost of personal health services under insurance policies or contracts, medical and hospital service agreements, or membership contracts;~~

~~(f) A county hospital system; or~~

~~(g) A profit or nonprofit person or organization registered under the Knox-Mills Health Plan Act.~~ ''

Amendment No. 4

On page 6, between lines 27 and 28, insert

"14200 This chapter shall be known and may be cited as the Waxman-Duffy Prepaid Health Plan Act."

Amendment No. 5

On page 6, line 28, strike out "14200", and insert "14200.1".

Amendment No. 6

On page 11, line 4, after "physicians", insert "except for medical care foundations".

Amendment No. 7

On page 11, line 15, strike out "position", and insert "physician".

Amendment No. 8

On page 11, line 30, after the comma, insert "shall".

Amendment No. 9

On page 12, line 24, strike out "care".

Amendment No. 10

On page 14, line 31, strike out the first comma, and insert "or".

Amendment No. 11

On page 15, strike out lines 11 to 22, inclusive, and insert

"14319. (a) The department or its designee shall conduct a public hearing at least 30 days prior to the execution of an initial contract with a prepaid health plan and within 60 days prior to the renewal of a prepaid health plan contract to hear evidence on the ability of the prepaid health plan to fulfill its responsibilities under the contract No contract shall be renewed unless the department finds that the prepaid health plan has fully complied with its contract obligations The department shall insure notification of all Medi-Cal recipient enrollees and the prepaid health plan applying for the contract or contract renewal of the time and place of the hearing The department shall not reveal the names of individual providers of services under the provisions of the contract or contract proposal."

Amendment No. 12

On page 16, strike out lines 4 to 6, inclusive, and in line 7, strike out "(d)", and insert

"(c)".

Amendment No. 13

On page 16, line 19, after the period, insert "The department shall prescribe the format for providing the information required pursuant to this subdivision."

Amendment No. 14

On page 16, strike out lines 20 to 26, inclusive.

Amendment No. 15

On page 20, line 36, strike out "care plan contract upon"; and strike out line 37, and insert "plan contract that is renewed prior to July 1, 1973."

Demand for Previous Question

Messrs Meade, Russell, Dent, Lancaster, and Beverly demanded the previous question. Demand sustained

The question being on concurrence in the Senate amendments to Assembly Bill No 1496.

Senate amendments to Assembly Bill No 1496 concurred in by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Beverly, Brathwaite, Burke, Campbell, Chacon, Conrad, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Mobley, Monagan, Porter, Quimby, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—48

NOES—Brown, Crown, Cullen, Bill Greene, Harvey Johnson, Karabian, Meade, Powers, and Priolo—9.

Above bill ordered enrolled.

Assembly Bill No. 2124—An act to add Section 7503 to the Education Code, relating to educational programs

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2124?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly November 10, 1972, strike out "program, activity, or may", on page 2, line 1, strike out "otherwise act in any manner", and insert "educational program as defined in Section 7552"

The roll was called, and the Assembly refused to concur in the above Senate amendment by the following vote:

AYES—Bagley, Burton, Lewis, Monagan, and Powers—5.

NOES—Arnett, Barnes, Bee, Beverly, Briggs, Brown, Burke, Chacon, Cline, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Maddy, McAlister, McCarthy, Meade, Mobley, Moorhead, Porter, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 2124

The Acting Speaker appointed Messrs Vasconcellos, Dunlap, and Lewis as a Committee on Conference concerning Assembly Bill No. 2124.

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr. Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No 1182

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

AB No. 814
AB No 1674

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 314

On motion of Mr Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No 314 passed by the following vote:

AYES—Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Cline, Cory, Crown, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Kevsor, Knox, Lanterman, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Thomas, Townsend, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54

NOES—Arnett, Burke, Collier, Conrad, Cullen, Dent, Ketchum, Lancaster, Lewis, Seeley, Vasconcellos, and Wakefield—12

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2169—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2169?

Senate Amendments of July 25, 1972

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in Assembly July 3, 1972, after "older", insert "who has been a resident of this state for the five years immediately preceding and whose total monthly income from all sources, including any old age assistance payments, does not exceed one hundred forty dollars ($140)".

Senate Amendments of November 27, 1972

Set No. 1

Amendment No. 1

On page 3, line 11, of the printed bill, as amended in Senate July 25, 1972, after "fish", insert "from the ocean waters of this state".

Set No. 2

Amendment No. 1

On page 3, of the printed bill, as amended in Senate July 25, 1972, strike out lines 26 to 31, inclusive

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None

Above bill ordered enrolled

Assembly Bill No. 1705—An act to amend Section 5710 of the Labor Code, relating to workmen's compensation.

The question being · Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1705?

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "set by", and insert "discretionary with, and, if allowed, shall be set by,"

The roll was called, and the Assembly concurred in the above Senate amendment by the following vote

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Cory, Crown, Cullen, Davis, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Lancaster, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade,

Miller, Mobley, Monagan, Moorhead, Porter, Powers, Priolo, Quimby, Ryan, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—55.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 339—An act to amend Section 17146 of, and to add Sections 17146 7 and 17146 8 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 339?

Senate Amendments of June 23, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 1, 1972, strike out "amend Section 17146", and insert "add Section 6107 5 to the Government Code, and to amend Sections 13861, 13871, 13872, 17146, and 17146.5".

Amendment No. 2

In line 2 of the title, strike out "and 17146 8 to," and insert ", 17146 8, 17839, and 18471 to,".

Amendment No. 3

In lines 3 and 4 of the title, strike out "exclusions from gross income under the Personal Income Tax Law", and insert "taxation".

Amendment No. 4

On page 2, line 1, after "SECTION 1.", insert "Section 6107.5 is added to the Government Code, to read.

6107 5. (a) No fee shall be charged in any proceedings for conservatorship of the estate of an "absentee" or in other proceedings to validate, confirm, or authorize a transaction respecting, or to set aside the property of, such an "absentee"

(b) For purposes of this section, "absentee" means either of the following:

(1) A member of a uniform service covered by Chapter 10 (commencing with Section 551) of Title 37 of the United States Code, who is determined under such chapter by the secretary concerned or his delegate to be in missing status, as "missing status" is defined in such chapter

(2) An employee of the United States government or an agency thereof covered by subchapter VII (commencing with Section 5561) of Chapter 55 of Title 5 of the United States Code, who is determined by the head of the department or agency concerned or his delegate to be in missing status as "missing status" is defined in such subchapter.

(c) For purposes of paragraph (1) of subdivision (b), "secretary concerned" has the same meaning as the meaning set forth in Section 101 of Title 37 of the United States Code

SEC 2 Section 13861 of the Revenue and Taxation Code is amended to read:

13861. All proceeds of any federal war risk insurance, *national service life insurance, or servicemen's group life insurance* policy of any veteran of World War I ~~or~~, World War II, *the Korean War, or the Vietnam Conflict (as defined in subdivision (d) of Section 17146.5)* which are or may become payable to the estate of the veteran are exempt from the tax imposed by this part.

SEC. 3 Section 13871 of the Revenue and Taxation Code is amended to read:

13871 *(a)* Property transferred to a class A, B, or C transferee who is a dependent of the transferor is exempt from the tax imposed by this part if the transferor dies as the result of disease contracted or injury suffered by reason of military service in the line of duty and not due to his own willful misconduct, and while serving in the armed forces of the United States between September 16, 1940, and the termination of all wars in which the United States is now engaged.

(b) Property transferred to a class A, B, or C transferee who is a dependent of the transferor is exempt from the tax imposed by this part if the transferor dies as the result of disease contracted or injury suffered by reason of military service in the line of duty and not due to his own willful misconduct and while serving in a combat zone, as determined under Section 17146.5.

SEC. 4. Section 13872 of the Revenue and Taxation Code is amended to read:

13872 *(a) Subdivision (a) of* Section 13871 is retroactive with respect to all transfers made by any such transferor dying on or after September 16, 1940.

(b) For purposes of subdivision (b) of Section 13871, if the transferor is a person who was, or is, in missing status as determined under subchapter VII (commencing with Section 5561) of Chapter 55 of Title 5 of the United States Code or under Chapter 10 (commencing with Section 551) of Title 37 of such code, it shall be conclusively presumed:

(1) That such transferor continues to be living until such missing status has been terminated; and

(a) That the date of death of such transferor is not earlier than the date on which the secretary concerned, or his designee, or the head of the agency concerned, or his designee, issues, in writing, a determination or a finding under such provisions by which such missing status is so terminated.

(c) For purposes of paragraph (2) of subdivision (b), "secretary concerned" and "head of the agency" shall have the same meanings as they have in the provisions of the United States Code cited in subdivision (b).

SEC. 5."

Amendment No. 5

On page 2, line 21, strike out "SEC 2 ", and insert

"SEC 6 Section 17146.5 of the Revenue and Taxation Code, as added by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read:

17146 5. (a) Gross income does not include compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member—

(1) Served in a combat zone during an induction period, or

(2) Was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone during an induction period; but this paragraph shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under paragraph (3) of subdivision (c) of this section.

(b) Gross income does not include so much of the compensation as does not exceed five hundred dollars ($500) received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer—

(1) Served in a combat zone during an induction period, or

(2) Was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone during an induction period; but this paragraph shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under paragraph (3) of subdivision (c) of this section.

(c) For purposes of this section—

(1) The term "commissioned officer" does not include a commissioned warrant officer

(2) The term "combat zone" means any area which the President of the United States by executive order designates, for purposes of Section 112 of the Internal Revenue Code of 1954, as an area in which armed forces of the United States are or have engaged in combat

(3) Service is performed in a combat zone only if performed on or after the date designated by the President by executive order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by executive order as the date of the termination of combatant activities in such zone.

(4) The term "compensation" does not include pensions and retirement pay

(5) The term "induction period" means any period during which, under laws heretofore or hereafter enacted relating to the induction of individuals for training and service in the armed forces of the United States, individuals (other than individuals liable for induction by reason of a prior deferment) are liable for induction for such training and service.

(d) (1) Gross income does not include compensation received for active service as a member of the armed forces of the United States, for any month during any part of which such member is in a missing status (as defined in Section 551 (2) of Title 37 of the United States Code) during the Vietnam Conflict as a result of such conflict, other than a period with respect to which it is officially determined (under Section 552 of such title) that he is officially absent from his post of duty without authority.

(2) Gross income does not include compensation received for active service as an employee for any month during any part of which such employee is in a missing status during the Vietnam Conflict as a result

of such conflict. For purposes of this paragraph the terms of "active service," "employee" and "missing status" have the respective meaning given to such terms by Section 5561 of Title 5 of the United States Code.

(3) For purposes of this subdivision, the Vietnam Conflict began February 28, 1961, and ends on the date designated by the President by executive order as the date of the termination of combatant activities in Vietnam For purposes of this subdivision, an individual is in a missing status as a result of the Vietnam Conflict if immediately before such status began he was performing service in Vietnam or was performing service in southeast Asia in direct support of military operations in Vietnam.

(e) In addition to any other applicability, this section is applicable to compensation, received by members of the armed forces of the United States described in subdivision (a), (b) and (d) and those employees described in subdivision (d), on which the tax under this part is not due and payable prior to the date of this amendment, by virtue of the operation of Section 18434 or 18470 of this code or of any similar provision of law.

SEC. 7."

Amendment No. 6

On page 3, line 6, strike out "SEC. 3 ", and insert "SEC. 8 "

Amendment No. 7

On page 3, line 20, strike out "SEC 4 ", and insert

"SEC 9 Section 17839 is added to the Revenue and Taxation Code, to read:

17839 (a) In the case of any individual who dies during an induction period (as defined in Section 17146 5) while in active service as a member of the armed forces of the United States, if such death occurred while serving in a combat zone (as determined in Section 17146 5) of as a result of wounds, disease, or injury incurred while so serving—

(1) Any tax imposed by this part shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior taxable year ending on or after the first day he so served in a combat zone; and

(2) Any tax under this part which is unpaid at the date of his death (including interest, additions to the tax, and additional amounts) shall not be assessed, and, if assessed, the assessment shall be abated, and if collected shall be credited or refunded as an overpayment.

(b) In addition to any other application, this section is applicable to taxable years ending prior to the effective date of this section for which the tax under this part is not due and payable by virtue of the operation of Sections 18434 or 18470 of this code or of any similar provisions of law

SEC 10. Section 18471 is added to the Revenue and Taxation Code, to read

18471 (a) If refund or overpayment for any taxable year resulting from the application of subdivision (d) of Section 17146 5 (including

interest, additions to the tax, and additional amounts) is prevented at any time before the expiration of the applicable period specified in subdivision (b) of this section by the operation of any law or rule of law, such refund or credit of such overpayment may, nevertheless, be made or allowed if claim therefor is filed before the expiration of such applicable period.

(b) For purposes of this section, the applicable period for any individual with respect to any compensation is the period ending on whichever of the following days is later:

(1) The day which is one year after the effective date of this subdivision, or

(2) The day which is two years after the date on which the individual's missing status (within the meaning of Section 17146 5 (d)) has terminated for purposes of subdivision (d) of Section 17146.5.

SEC. 11."

Amendment No. 8

On page 3, line 22, strike out "However, the provisions of this act"; and strike out lines 23 and 24.

Senate Amendments of July 10, 1972

Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill, as amended in Senate June 23, 1972; and in line 5, strike out "and 18471", and insert "An act to amend Section 17146 of, and to add Sections 17146 7 and 17146.8".

Amendment No. 2

On page 2, strike out line 1, and insert

"SECTION 1 Section 17146 of the Revenue and Taxation Code, as amended by Chapter 1 of the Statutes of the 1971 First Extraordinary Session of the Legislature, is amended to read

17146 Gross income does not include the salary, wages, bonuses, allowances, and other compensation, ~~except pensions and retirement pay,~~ received by an individual for his services on extended active duty as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate For the purposes of this section *and Section 17146 8*, the term "extended active duty" means any period of active duty pursuant to a call or order to such duty for a period in excess of 90 days or for an indefinite period

SEC. 2 Section 17146 7 is added to the Revenue and Taxation Code, to read:

17146 7 Gross income does not include pensions and retirement pay received by an individual for his services as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate In the case of a taxpayer whose adjusted gross income for the taxable year exceeds fifteen thousand dollars ($15,000), the amount of the exclusion allowed by this section shall be reduced by fifty cents ($0 50) for each one dollar ($1) of such income in excess of fifteen thousand dollars ($15,000).

SEC 3. Section 17146 8 is added to the Revenue and Taxation Code, to read

17146 8 Gross income does not include salary, wages, bonuses, allowances, and other compensation received by an individual for his services on other than extended active duty as a member of the armed forces of the United States, including any auxiliary branch thereof, up to and including one thousand dollars ($1,000) per annum in the aggregate In the case of a taxpayer whose adjusted gross income for the taxable year exceeds fifteen thousand dollars ($15,000), the amount of the exclusion allowed by this section shall be reduced by fifty cents ($0 50) for each one dollar ($1) of such income in excess of fifteen thousand dollars ($15,000)

SEC 4 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect However, the provisions of this act shall apply in the computation of taxes for taxable years commencing after December 31, 1971."

Amendment No. 3

On page 2, strike out lines 2 to 18, inclusive, and strike out all of pages 3 to 8, inclusive

Senate Amendments of July 28, 1972

Set No. 1

Amendment No. 1

In line 8 of the heading of the printed bill, as amended in Senate July 10, 1972, strike out "and Walsh", and insert "Walsh, and Marks".

Set No. 2

Amendment No. 1

On page 3, line 8, of the printed bill, as amended in Senate on July 10, 1972, after "income", insert ", (determined without regard to the income exclusion provided in the preceding sentence)".

Amendment No. 2

On page 3, line 12, after "($15,000) ", insert "For purposes of this section, if the taxpayer is married during any period of the taxable year, there shall be taken into account the combined adjusted gross income of the taxpayer and his wife for such period However, in the case where a taxpayer and his spouse each are qualified to claim the income exemption provided by this section, half of their combined adjusted gross income shall be attributable to each spouse "

Amendment No. 3

On page 3, line 22, after "income", insert ", (determined without regard to the income exclusion provided in the preceding sentence)".

Amendment No. 4

On page 3, line 26, after "($15,000) ", insert "For purposes of this section, if the taxpayer is married during any period of the taxable year, there shall be taken into account the combined adjusted gross income of the taxpayer and his wife for such period However, in the

case where a taxpayer and his spouse each are qualified to claim the income exemption provided by this section, half of their combined adjusted gross income shall be attributable to each spouse."

Senate Amendments of November 21, 1972

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Senate July 28, 1972, strike out the comma.

Amendment No. 2

On page 3, line 19, strike out the comma.

Amendment No. 3

On page 3, line 38, strike out "1971", and insert "1972".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

Above bill ordered enrolled.

Hon. Willie L. Brown Presiding

Hon Willie L. Brown, 18th District, presiding.

Assembly Bill No. 1724—An act to repeal Chapter 2 5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2 5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to tax credits under the Personal Income Tax Law, to take effect immediately, tax levy.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1724?

Senate Amendments of July 10, 1972

Set No. 1

Amendment No. 1

In the heading of the printed bill, as amended in Assembly June 29, 1972, after "Thomas", insert

"(Coauthors: Senators Moscone and Nejedly)".

Set No. 2

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in Assembly June 29, 1972, strike out "approximately 425,000", and insert "392,442".

Amendment No. 2

On page 2, strike out line 25, and insert "three hundred fifty million dollars ($350,000,000)".

Set No. 3

Amendment No. 1

On page 4, line 12, of the printed bill, as amended in Assembly June 29, 1972, strike out "In the case of an"; and strike out lines 13 to 23, inclusive.

Senate Amendments of July 17, 1972

Set No. 1

Amendment No. 1

On page 4, line 7, of the printed bill, as amended in Senate July 10, 1972, after "fees", insert "payable during the regular academic year when Sections 12154 and 12154.5 of the Education Code are applicable".

Set No. 2

Amendment No. 1

On page 4, line 13, of the printed bill, as amended in Senate July 10, 1972, after "part", insert ", except the credit provided in Section 18551.1 (relating to withholding credit) and the credit provided in Section 17061 (relating to excess tax credit)".

Amendment No. 2

On page 4, between lines 34 and 35, insert

"(c) If the husband and wife file separate returns, their combined taxable income shall be taken into account in computing the amount of the credit pursuant to the schedule in subdivision (b)."

Senate Amendments of July 24, 1972

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in Senate July 17, 1972, after "credit", insert "against the taxes imposed by this part".

Amendment No. 2

On page 4, strike out lines 22 to 26, inclusive, and insert

"If adjusted gross income is:	The maximum tax credit is:
Less than $15,000	$125
15,000 but less than 16,000	100
16,000 but less than 17,000	75
17,000 but less than 18,000	50
18,000 but less than 19,000	25
19,000 and over	0".

Amendment No. 3

On page 4, line 29, strike out "taxable", and insert "adjusted gross".

Senate Amendments of November 29, 1972

Set No. 1

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate July 24, 1972, strike out "and payments".

Amendment No. 2

On page 5, line 30, strike out "1971", and insert "1972".

Set No. 2

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in Senate July 24, 1972, after the period, insert "There is excluded from "education cost" any amounts paid to an individual with respect to the education of a dependent under the provisions of Chapter 8 2 (commencing with Section 6870) of Division 6 of the Education Code."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote

AYES—Arnett, Badham, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Cory, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Hayden, Harvey Johnson, Ray E Johnson, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—51

NOES—Collier, Cullen, Dent, Leroy F Greene, Miller, Powers, and Sieroty—7

Above bill ordered enrolled.

Assembly Bill No. 488—An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 488?

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly May 30, 1972, between lines 4 and 5, insert

"5811 5 The following notice shall be sent home with each pupil's report card at the end of the third and the fourth quarterly period or once during the month of February and once during the month of June:

"NOTICE TO INTERESTED PARENTS, PUPILS, AND TEACHERS

California state law authorizes all school districts to provide for "alternative schools" These schools are defined and procedures described in Sections 5811 to 5819 of the Education Code Section 5811 5 of the code requires that notice of this alternative educational program be given.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information This law particularly authorizes interested persons to request the governing board of the district to institute alternative school programs in each district."

Further, a copy of this notice shall be distributed to each teacher of the district before March 1 of each year and copies shall be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunlap moved a call of the Assembly

Motion carried

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House

Call of the Assembly Dispensed with on Concurrence in Senate Amendments to Assembly Bill No. 488

On motion of Mr Dunlap, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No 488 by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Briggs, Brown, Burton, Chacon, Cory, Crown, Cullen, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ketchum, Keysor, Knox, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Pierson, Quimby, Ralph, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—44

NOES—Burke, Cline, Dent, Russell, and Stull—5.

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1745—An act to add and repeal Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program and declaring the urgency thereof, to take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1745?

Amendment No. 1

On page 3, line 39, of the printed bill, as amended in Assembly July 3, 1972, strike out "January 1, 1974", and insert "January 1, 1975".

Amendment No. 2

On page 4, line 11, strike out "January 1, 1974", and insert "January 1, 1975".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Conrad, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—64.

NOES—None.

Above bill ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bagley was granted unanimous consent that the following Opinion of Legislative Counsel be printed in the Journal:

Opinion of Legislative Counsel

Sacramento, December 1, 1972

Honorable William T Bagley
Assembly Chamber

Environmental Quality (A B 889)—#19367

Dear Mr. Bagley:

Question No 1

Is approval of a final subdivision map a ministerial act under subdivision (b) of Section 21080 of the Public Resources Code, as it would be added by Assembly Bill No. 889, as amended in the Senate November 29, 1972?

Opinion and Analysis No 1

A B 889 makes extensive amendments to the Environmental Quality Act of 1970 (see Ch 1433, Stats 1970) Section 21080 deals with the application of the act and its requirement that an environmental impact report be prepared under certain conditions for projects proposed to be carried out or approved by public agencies. Section 21080 provides as follows·

"21080 (a) Except as otherwise provided in this division, this division [Environmental Quality Act of 1970] shall apply to discretionary projects proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits and the approval of tentative subdivision maps (except where such a project is exempt from the preparation of an environmental impact report pursuant to Section 21166)

"(b) This division shall not apply to ministerial projects proposed to be carried out or approved by public agencies"

The question thus posed is whether, under the language of subdivision (b) of Section 21080, the approval of a final subdivision map would qualify as a "ministerial" project and thus be exempted from the operation of the Environmental Quality Act.

A ministerial act is an act with respect to the performance of which a public officer can exercise no discretion, such an act of duty as may be prescribed by some existing law which it is incumbent upon him to perform precisely as laid down by the law (*Chase* v *Kelber,* 28 Cal. App 561)

The Subdivision Map Act (Secs 11500, et seq , B & P C) provides for a lengthy process of approval of a tentative and finally a final subdivision map While a tentative subdivision map may be rejected on numerous grounds by the governing body of a county or a city (see Secs 11550, et seq , B & P C), after approval of a tentative subdivision map has been secured, it appears that a governing body has no discretion to reject the final map *provided* that it conforms to the requirements of the act and with any local ordinance applicable at the time of approval of the tentative map (Sec 11611, B & P C) In this regard, Section 11611 of the Business and Professions Code provides as follows

"11611 *The governing body shall at its next meeting or within a period of not more than 10 days after the filing approve the map if it conforms to all the requirements of this chapter and of any local ordinance applicable at the time of approval of the tentative map, or any rulings made thereunder*

"The time limit for the approval of such map may be extended by mutual consent of the subdivider and the governing body If no action is taken within such time limit or within the time to which it has been extended by such mutual consent, the map, if it conforms to all the requirements above set forth, shall be deemed to be approved, and it shall be the duty of the clerk of the governing body thereupon to certify the approval.

"The governing body shall at that time also accept, accept subject to improvement, or reject any or all offers of dedication and, unless the streets and easements have been improved and accepted, shall, as a condition precedent to the acceptance of any streets or easements, provide for the improvement of such streets or easements in accordance with standards established by such governing body by local ordinance applicable at the time of approval of the tentative map by requiring the subdivider (a) to enter into an agreement with the city or county upon mutually agreeable terms to thereafter improve said streets and easements at the subdivider's expense, or (b) to enter into a contract with the city or county upon mutually agreeable terms to thereafter initiate and consummate proceedings under an appropriate special assessment act for the financing and installation of all the improvements required by local ordinance.

"The standards may be adopted by reference, without posting or publishing them, if they have been printed in book or pamphlet form and three copies thereof have been filed for use and examination by the public in the office of the clerk of the local agency prior to the adoption." (Emphasis added)

The use of the word "shall" is mandatory (See 19. B & P C) and we are of the opinion that the governing body of a city or county must approve a final subdivision map within 10 days if the preliminary steps have been properly taken (see *Hoover* v *County of Kern,* 118 Cal. App 2d 139, 142)

Moreover, the requirement of an environmental impact report upon the approval of a final subdivision map would be duplicatory and unnecessary in view of the fact that subdivision (a) of Section 21080 requires an impact report upon the approval of a *tentative* subdivision map

In conclusion, we are of the opinion that approval of a final subdivision map pursuant to Section 11611 of the Business and Professions Code apparently meets the standard for a ministerial act and as such would carry out the intent of Section 21080 to require an impact report only at the tentative subdivision map stage and thus would come within the operation of subdivision (b) of Section 21080 of the Public Resources Code as added by A B 889

Question No 2

Are there any circumstances under which approval of a final subdivision map would not be ministerial?

Opinion and Analysis No 2

Section 11611 of the Business and Professions Code, cited above, does not contain any exceptions to the mandatory requirement imposed by its first sentence, provided, of course, that the requirements of the act and of any local ordinance are complied with.

Very truly yours,

GEORGE H MURPHY
Legislative Counsel
By John Corzine
Deputy Legislative Counsel

REQUEST FOR UNANIMOUS CONSENT

Mr Bagley was granted unanimous consent that 5,000 additional copies of Senate Bill No 90, as amended in conference, be printed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1744—An act to add Section 402 4 to the Revenue and Taxation Code, relating to property taxation

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1744?

Senate Amendments of November 13, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 28, 1972, strike out "Assemblyman Brathwaite", and insert "Assemblymen Brathwaite and Bagley".

Amendment No. 2

On page 2, line 5, strike out "rental", and insert "multifamily residential".

Amendment No. 3

On page 2, line 6, after the first "corporation", insert ", by a cooperative,".

Amendment No. 4

On page 2, line 8, strike out "rental".

Amendment No. 5

On page 2, line 22, after "the", insert "gross".

Amendment No. 6

On page 2, line 26, strike out "net", and insert "gross".

Amendment No. 7

On page 2, line 27, strike out "Income and expenses", and insert "Gross income of the property being assessed".

Amendment No. 8

On page 2, line 29, strike out "of gross income to reflect authorized", strike out lines 30 to 32, inclusive, and insert "to reflect authorized increases or decreases in monthly charges"

Amendment No. 9

On page 3, line 1, strike out "income and expenses", and insert "gross income".

Senate Amendments of November 15, 1972

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in Senate November 13, 1972, after "to", insert "federally".

Amendment No. 2

On page 2, line 8, after "on", insert "the amount and distribution of".

Senate Amendments of November 27, 1972

——— **Amendment No. 1**

On page 3, line 12, of the printed bill, as amended in Senate November 15, 1972, strike out "1973", and insert "1974".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Bee, Beverly, Brathwaite, Briggs, Brown, Burton, Campbell, Chacon, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Sieroty, Stacey, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58

NOES—Barnes, Burke, Hayden, Lancaster, Lanterman, Russell, and Stull—7.

Above bill ordered enrolled

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate appointed Senators Carpenter, Gregorio and Nejedly as a Committee on Conference concerning.

Assembly Bill No. 2124

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker I am directed to inform your honorable body that the Senate amended, and on this day passed as amended

AB No 724
AB No 2335

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bills ordered to unfinished business file

Minority Floor Leader Presiding

Hon. Bob Monagan, 12th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1876—An act to amend Section 23754.4 of the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1876?

Senate Amendments of November 8, 1972

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert ", to amend Section 17303.5 of, and to add Sections 17301 3 and 17303.6 to,".

Amendment No. 1.5

In line 3 of the title, after "making", insert "an".

Amendment No. 2

On page 2, line 24, after the period, insert "Nothing in this chapter shall in any way preclude the use of federal funds for educationally disadvantaged youth

School districts which receive funds pursuant to this chapter shall not reduce existing district resources which have been utilized for programs to meet the needs of low-income students."

Amendment No. 3

On page 2, line 34, after the comma, insert "and Indian pupils,".

Amendment No. 4

On page 2, line 36, strike out "percent", and insert "percentage".

Amendment No. 5

On page 3, line 15, after the comma, insert "except that if the resulting figure is higher than 2, the resulting figure shall be deemed to be 2, and if the resulting figure is lower than 1, no entitlement shall be computed for such a district,".

Amendment No. 6

On page 3, line 22, strike out "year 1972–73", and insert "1973–1974 fiscal year".

Amendment No. 7

On page 3, line 25, strike out "year 1973–74", and insert "1974–1975 fiscal year".

Amendment No. 8

On page 3, line 27, strike out "90", and insert "80".

Amendment No. 9

On page 3, line 28, strike out "1974–75", and insert "1975–1976".

Amendment No. 10

On page 3, line 38, strike out "1973–74", and insert "1974–1975".

Amendment No. 11

On page 4, strike out lines 12 to 15, inclusive, and insert "Funds shall be allocated to each district within its entitlement based upon a plan submitted by the district to the Superintendent of Public Instruction, and approved by the State Board of Education The plan shall include (1) an explicit statement of what the district seeks to accomplish, (2) a description of the program and activities designed to achieve these purposes, and (3) a planned program of annual evaluation, including a statement of the criteria to be used to measure the effectiveness of the program "

Amendment No. 12

On page 4, line 16, strike out "6499 235", and insert "6499 236".

Amendment No. 13

On page 4, line 20, strike out the semicolon, and insert " An amount not to exceed".

Amendment No. 14

On page 4, line 25, strike out "Superintendent of Public Instruction", and insert "State Board of Education"

Amendment No. 15

On page 4, line 30, strike out "6499 236", and insert "6499 237".

Amendment No. 16

On page 4, strike out line 36, and insert

"SEC 2 Section 17301 3 is added to the Education Code, to read:

17301 3 The State Controller shall also transfer an amount from the General Fund to the State School Fund equal to fifty-nine dollars and fifty cents ($59 50) for the fiscal year 1973–1974, eighty-one dollars ($81) for the fiscal year 1974–1975, and ninety-one dollars and seventy-five cents ($91 75) for the fiscal year 1975–1976 and fiscal years thereafter multiplied by the average daily attendance credited to all kindergarten, elementary, high school, community college, and adult schools and to county school tuition funds during the preceeding fiscal year for expenditure pursuant to Section 17303 5

SEC 3 Section 17303 5 of the Education Code is amended to read:

17303 5 The amount transferred pursuant to ~~subdivision (b) of Section~~ *Sections* 17301 *and 17301 3* shall be expended, *in part,* in accordance with the following schedule.

(a) Twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance, but not to exceed an amount equal to seventy cents ($0 70) multiplied by the average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~

community college and adult schools in the state and to county school tuition funds, for allowance to county school service funds pursuant to subdivision (a) of Section 18352

(b) Four dollars and forty cents ($4.40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for the purposes of Article 10 (commencing with Section 18051) of Chapter 3 of this division

(c) Nineteen dollars and fifty-two cents ($19.52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year, for the purposes of Sections 18060 and 18062, and Article 11 (commencing with Section 18101) of Chapter 3 of this division

(d) Three dollars and six cents ($3.06) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds during the preceding school year for allowances to county school service funds pursuant to subdivision (b) of Section 18352.

(e) One dollar and sixty-seven cents ($1.67) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Section 6426

~~(f) Sixty dollars and ninety-two cents ($60.92) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, junior college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.~~

~~(g)~~ *(f)* Eight dollars and sixty-five cents ($8.65) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to county school tuition funds for purposes of Chapter 7.1 (commencing with Section 6750) of Division 6

(g) Twenty-one dollars and fifty cents ($21.50) for the fiscal year 1973–1974, forty-three dollars ($43) for the fiscal year 1974–1975, and fifty-three dollars and seventy-five cents ($53.75) for the fiscal year 1975–1976 and fiscal years thereafter multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, community college and adult schools in the state and to county school tuition funds for allowances to school districts for the purposes of Chapter 6.10 (commencing with Section 6499.230) of Division 6

SEC 4. Section 17303 6 is added to the Education Code, to read·

17303.6. Notwithstanding any other provision of law, if the total amount transferred to the State School Fund pursuant to Section 17301.3 is inadequate to finance all the expenditures prescribed in subdivision (g) of Section 17303 5, the Superintendent of Public Instruction shall reallocate a sufficient amount of the funds transferred to the State School Fund for the specified percentage of the current expense of education pursuant to Section 17301 to insure that the full per unit of average daily attendance amount prescribed in subdivision (g) of Section 17303.5 is fully funded."

Amendment No. 17

On page 4, strike out lines 37 to 40, inclusive, and strike out page 5.

Senate Amendments of November 15, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate November 8, 1972, strike out "Section", and insert "Sections 17301 and".

Amendment No. 2

In line 3 of the title, strike out "Sections 17301 3 and", and insert "Section".

Amendment No. 3

On page 5, strike out lines 21 to 33, inclusive, and insert

"SEC. 2 Section 17301 of the Education Code is amended to read:

17301 (a) The State Controller shall during each fiscal year transfer from the General Fund of the state to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, one hundred eighty dollars ($180).

(b) The Controller shall also transfer, as needed during each fiscal year, such additional amounts from the General Fund to the State School Fund as are certified from time to time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes set forth in Section 17303 5; provided that the total of such additional amounts transferred in a fiscal year shall not exceed, except pursuant to subdivision (c) of this section, ~~ninety-eight dollars and ninety-two cents ($98 92) for the fiscal year 1970–1971~~ *one hundred twenty dollars and forty-two cents ($120 42) for the fiscal year 1973–1974, one hundred forty-one dollars and ninety-two cents ($141 92) for the fiscal year 1974–1975, and one hundred fifty-two dollars and sixty-seven cents ($152 67) for the fiscal year 1975–1976* and fiscal years thereafter, per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, ~~junior~~ *community*

college and adult schools in the state and to the county school tuition funds, as certified by the Superintendent of Public Instruction, less the amount, if any, by which seventy cents ($0 70) multiplied by the number of units of average daily attendance credited during the preceding fiscal year to all kindergarten, elementary, high school, ~~junior~~ *community* college and adult schools in the state and to the county school tuition funds exceeds twenty-one dollars and fifty cents ($21 50) multiplied by the total average daily attendance credited during the preceding school year to elementary school districts which during the preceding school year had less than 901 units of average daily attendance, to high school districts which during the preceding school year had less than 301 units of average daily attendance, and to unified districts which during the preceding school year had less than 1,501 units of average daily attendance

~~For purposes of this subdivision, amounts transferrable to the State School Fund for the purposes of subdivision (b) and subdivision (a) of Section 17303 5, commencing with the amounts transferrable for the 1969–1970 fiscal year, shall be considered separately, and amounts otherwise transferrable but not required for the respective purposes of those subdivisions in any fiscal year shall be retained in the General Fund to be devoted to the respective purposes in the next succeeding fiscal year.~~

(c) In addition to the amounts authorized to be transferred to the State School Fund from the General Fund under subdivisions (a) and (b) of this section, the Controller shall transfer from the General Fund to the State School Fund during the fiscal year, upon certification of the Superintendent of Public Instruction, if necessary to meet actual computed apportionments for the fiscal year for the purposes set forth in Sections 17303 and 17303 5, an amount not to exceed the lesser of: (1) 1 percent of the total apportionment from the State School Fund in the preceding fiscal year for the purposes set forth in ~~Section 17303 or~~ *Sections 17303 and* 17303 5, or (2) the net amount, if any, by which the total amounts authorized to be transferred from the General Fund to the State School Fund under subdivisions (a) and (b) of this section in prior fiscal years have exceeded the total amounts actually apportioned in prior fiscal years for the purposes set forth in Sections 17303 and 17303 5

(d) He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Sections 17303 and 17303 5 and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive) of this chapter and in Sections 11256 and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive ''

Amendment No. 4

On page 5, strike out lines 37 and 38, and insert ''subdivision (b) of Section 17301 shall be expended in accordance with the following''.

Amendment No. 5

On page 7, strike out line 14, and insert

"(f) Sixty dollars and ninety-two cents ($60.92) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, community college and adult schools in the state and to county school tuition funds during the preceding school year for basic aid, equalization aid, supplemental support, allowances for adults, and allowances to the county school tuition funds to be apportioned on account of average daily attendance.

(g) Eight dollars and sixty-five cents ($8 65)".

Amendment No. 6

On page 7, line 21, strike out "(g)", and insert "(h)".

Amendment No. 7

On page 7, line 36, strike out "Section 17301 3", and insert "subdivision (b) of Section 17301".

Amendment No. 8

On page 7, line 37, strike out "subdivision (g) of".

Amendment No. 9

On page 7, strike out lines 39 and 40; on page 8, strike out line 1, and insert "reallocate the amount so transferred to".

Amendment No. 10

On page 8, line 3, strike out "(g)", and insert "(h)".

Amendment No. 11

On page 8, line 4, after the period, insert "The Superintendent of Public Instruction shall then proportionately reduce the amounts prescribed in subdivisions (a) through (g), inclusive, of Section 17303.5.

SEC. 5. This act shall become operative on July 1, 1973."

Senate Amendments of November 28, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 15, 1972, strike out "add Chapter 6 10 (commencing with Section", strike out lines 2 and 3 of the title, in line 4, strike out "Section 17303 6 to," and insert "amend Section 23754 4 of".

Amendment No. 2

In line 5 of the title, strike out "compensatory".

Amendment No. 3

In lines 5 and 6 of the title, strike out "making an appropriation therefor", and insert "declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1. Section 23754.4 of the Education Code is amended to read:

23754.4. Notwithstanding any provision in this chapter to the contrary, the trustees may defer the collection of tuition charged to nonresident students who are citizens and residents of a foreign country as follows:

(a) The amount which may be deferred may not exceed the excess in the amount of tuition required which is in excess of an annual rate of six hundred dollars ($600) per academic year.

(b) No payment may be deferred beyond a date 30 days prior to the end of the academic term for which it is due, and payment of the deferred amount shall be a condition to the student's completion of that academic term, *provided that payment due for the fall term of 1972 may be collected in installments during the 1972–1973 college year pursuant to such provisions as the chancellor may prescribe*.

(c) In order to qualify for the deferment authorized by this section, a student must have been enrolled in the California State Colleges during the fall term of the 1970–1971 college year or have been accepted for admission on or before November 24, 1970, to a state college for a subsequent term during the 1970–1971 college year, and must remain in continuous attendance as a full-time student making normal progress toward a degree objective, and must not have been awarded a baccalaureate degree or graduate degree from the California State Colleges subsequent to the fall term of the 1970–1971 college year.

This section shall remain in effect until June 30, 1974, and shall have no force or effect after this date.

SEC. 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

As a consequence of delays engendered by court actions, the operative payment date of the uniform rate of tuition for the fall term of 1972 for foreign students identified in Section 23754.4 has been delayed until December 1, 1972 As a result of uncertainties caused by these delays, it appears that a number of such foreign students will be unable to pay the full amount of the increase when it is due By operation of other statutes, a failure to pay the full amount will result, at the least, in a reduction of the students' course unit load for the fall term, 1972, with a corresponding reduction in course credit earned This result can be avoided only if the authority provided by this act is effective immediately "

Amendment No. 5

On page 2, strike out lines 2 to 26, inclusive, and strike out all of pages 3 to 10, inclusive.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1876?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—67.

NOES—None.

Above bill ordered enrolled.

Hon. Willie L. Brown Presiding

Hon Willie L. Brown, 18th District, presiding.

Assembly Bill No. 1908—An act to amend Section 21252 6 of, and to add Section 20017 78 to, the Government Code, relating to retirement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1908?

Senate Amendments of July 21, 1972

Amendment No. 1

On page 1, line 5, of the printed bill, after "department", insert "who meet the minimum standards of competence established by the Commission on Peace Officer Standards and Training, pursuant to Chapter 1 (commencing with Section 13500) of Title 4 of Part 4 of the Penal Code,".

Amendment No. 2

On page 1, line 6, after "those", insert "members".

Senate Amendments of August 4, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Senate July 21, 1972, in line 19, after the period, insert "This paragraph shall not apply to a member who retires after the date upon which coverage under the federal system of persons in his employment terminates It shall not apply to a local safety member employed by a contracting agency electing to be subject to this section after the effective date of the amendments to this section at the 1972 Regular Session unless such agency elects to be subject to this paragraph by amendment to its contract or by appropriate provision of a contract entered into after this provision is effective and as to any such member, the reduction in the percentage of final compensation shall apply to all local safety service to such agency, if any of such local safety service has been included in the federal system."

Amendment No. 2

On page 4, after line 6, insert

"SEC 3. Section 21252 6 of the Government Code as amended by Chapter 1452 of the Statutes of 1971 is amended to read·

21252 6 The combined prior and current service pension for a ~~law enforcement~~ *state safety* member, ~~other than such member defined in Section 20017 7, subdivision (a) of Section 20017 75 or Section 20017 8 of this code,~~ and a local safety member with respect to service to a contracting agency subject to this section, upon retirement after attaining age 55, is a pension derived from contributions of an employer sufficient, when added to that portion of the service retirement annuity which is derived from the accumulated normal contributions of the member at the date of his retirement, to equal one-fiftieth of his final compensation multiplied by the number of years of ~~law enforcement~~ *state safety*, police, fire, or county peace officer service which is credited to him as a ~~law enforcement~~ *state safety* member or a local safety member subject to this section at retirement. Notwithstanding the preceding sentence, this section shall apply to the current and prior service pension for any other ~~law enforcement~~ *state safety* member based on service to which it would have applied had the member, on July 1, 1971, been in employment described in Section 20017 77 *or 20017.78* of this code

In no event shall the total pension for all service under this section exceed an amount which, when added to the service retirement annuity related to such service, equals 75 percent of final compensation If the pension relates to service to more than one employer and would otherwise exceed such maximum, the pension payable with respect to each employer shall be reduced in the same proportion as the allowance based on service to such employer bears to the total allowance computed as though there were no limit, so that the total of such pensions shall equal the maximum

This section shall not apply to a person whose effective date of retirement is prior to the operative date of this section or to a person who retires after such operative date and following reinstatement from a

retirement having an effective date prior to such operative date and before rendering during such reinstatement at least one year of service in which he is subject to this section

The Legislature reserves, with respect to any member subject to this section, the right to provide for such adjustment of industrial disability retirement allowances because of earnings of a retired person and modification of the conditions and qualifications required for retirement for disability as it may find appropriate because of the earlier age of service retirement made possible by the benefits under this section.

The percentage of final compensation provided in this section shall be reduced by one-third as applied to that part of the member's final compensation which does not exceed four hundred dollars ($400) per month for service after the effective date of coverage of a member under the federal system *This paragraph shall not apply to a member who retires after the date upon which coverage under the federal system of persons in his employment terminates It shall not apply to a local safety member employed by a contracting agency electing to be subject to this section after the effective date of the amendments to this section at the 1972 Regular Session unless such agency elects to be subject to this paragraph by amendment to its contract or by appropriate provision of a contract entered into after this provision is effective and as to any such member, the reduction in the percentage of final compensation shall apply to all local safety service to such agency, if any of such local safety service has been included in the federal system*

This section shall not apply to a contracting agency nor its employees unless and until the agency elects to be subject to it by amendment to its contract made in the manner prescribed for approval of contracts or in the case of a new contract, by express provision of the contract. The operative date of this section with respect to a local safety member shall be the effective date of the amendment to his employer's contract electing to be subject to this section

Upon such election by a contracting agency subject to Section 21252 1, this section shall not apply to a local safety member then employed who entered such employment after attaining age 30, and Section 21252 1 shall continue to apply to such member unless and until he terminates such employment and more than 30 days thereafter enters employment otherwise subject to this section. Upon such later entry into employment, the member will be subject to this section with respect to all service as a local safety member rendered to any employer subject to this section

~~This section shall not apply to a person who is a law enforcement member on its operative date and who entered law enforcement service after attaining age 30 unless such person elects in writing to be subject to this section and the election is filed in the office of the board within 30 calendar days following the operative date of this section.~~

SEC 4 It is the intent of the Legislature, if this bill and Assembly Bill No 383 are both chaptered and amend Section 21252 6 of the Government Code, and this bill is chaptered after Assembly Bill No.

383, that Section 21252.6 of the Government Code, as amended by Section 2 of this act shall remain operative only until the operative date of Assembly Bill No. 383, and that on the operative date of Assembly Bill No. 383 Section 21252.6 of the Government Code as amended by Section 2 of this act be further amended in the form set forth in Section 3 of this act to incorporate the changes in Section 21252.6 proposed by Assembly Bill No. 383. Therefore, Section 3 of this act shall become operative only if Assembly Bill No. 383 is chaptered before this bill and amends Section 21252.6, and in such case Section 3 of this act shall become operative on the operative date of Assembly Bill No. 383."

Senate Amendments of November 10, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate August 4, 1972, strike out "21252.6", and insert "75033".

Amendment No. 2

In line 2 of the title, strike out "20017.78 to", and insert "75033.5 to,".

Amendment No. 3

In lines 2 and 3 of the title, strike out "the Public Employees' Retirement System", and insert "retirement".

Amendment No. 4

On page 2, strike out line 1, and insert

"SECTION 1. Section 75033 of the Government Code is amended to read:

75033. Notwithstanding any other provision of this chapter, if the service of a judge, who has been elected or appointed as such, is discontinued by any means other than death, resignation, recall, impeachment, or retirement pursuant to this chapter, he shall have the right to elect in writing filed with the State Controller within ninety (90) days thereafter, and without right of revocation, whether to allow his accumulated contributions to remain in the fund. Failure to make such election shall be deemed an irrevocable election to withdraw his accumulated contributions. A judge who so elects to allow his accumulated contributions to remain in the fund shall, upon his application therefor to the State Controller after attaining age 65, be retired, and receive a retirement allowance based upon the judicial service with which he is credited, in the same manner as other judges, except that his retirement allowance is an annual amount equal to 5 percent of the compensation payable, at the time payments of the allowance fall due, to the judge holding the office which the retired judge last held prior to the discontinuance of his service as judge, multiplied by the number of years and fractions of years of service with which the retired judge is entitled to be credited at the time of such discontinuance of his service, not to exceed eight years.

If after retirement and actual commencement of benefits hereunder, such a retired judge becomes entitled to any salary, retirement benefits,

or other compensation as the incumbent of any public office, the retirement allowance otherwise payable to him shall, during the time he is entitled to receive such salary, retirement benefits, or other compensation, be reduced by the amount of such salary, retirement benefits, or other compensation.

SEC. 2. Section 75033.5 is added to the Government Code, to read:

75033.5. Notwithstanding any other provision of this chapter, any judge with at least 10 years of service, and prior to attaining age 70, may retire, and upon his application therefor to the State Controller after reaching the age which would have permitted him to retire for age and length of service under Section 75025 had he remained continuously in service as a judge up to such age, receive a retirement allowance based upon the judicial service with which he is credited, in the same manner as other judges, except that his retirement allowance is an annual amount equal to 3.75 percent of the compensation payable, at the time payments of the allowance fall due, to the judge holding the office which the retired judge last held prior to his discontinuance of his service as judge, multiplied by the number of years and fractions of years of service with which the retired judge is entitled to be credited at the time of his retirement, not to exceed 20 years.

The surviving spouse of any judge who has so elected to retire under this section shall receive for life an allowance equal to one-half of the retirement allowance that would be payable to the judge were he living and receiving the benefits accorded by this section, commencing with his death, if the judge dies after commencement of receipt of benefits, or the date the judge would have been able to commence receipt of benefits but for his death, if his death occurs prior to commencement of receipt of benefits.

An election to retire under this section shall be made in writing and filed with the State Controller, and shall be without right of revocation, and upon such filing said judge shall be deemed retired with receipt of benefits deferred until herein provided, and the judicial office from which he has retired shall become vacant. Said notice and election of retirement shall be sufficient if it states in substance that said judge elects to retire under the benefits of this section.

If after retirement and actual commencement of benefits hereunder, such a retired judge becomes entitled to any salary, retirement benefits, or other compensation as the incumbent of any public office, the retirement allowance otherwise payable to him shall, during the time he is entitled to receive such salary, retirement benefits, or other compensation, be reduced by the amount of such salary, retirement benefits, or other compensation."

Amendment No. 5

On page 2, strike out lines 2 to 38, inclusive; and strike out pages 3 to 7, inclusive.

Senate Amendments of November 26, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 10, 1972, strike out "75033", and insert "21252.6".

Amendment No. 2

In line 2 of the title, strike out "75033 5", and insert "20017.78".

Amendment No. 3

On page 2, line 1, insert

"SECTION 1. Section 20017 78 is added to the Government Code, to read

20017 78 Notwithstanding Section 20017 75 "state safety member" shall include persons employed as members of a state college police department who meet the minimum standards of competence established by the Commission on Peace Officer Standards and Training, pursuant to Chapter 1 (commencing with Section 13500) of Title 4 of Part 4 of the Penal Code, except those members employed under class titles of parking officer and campus guard

SEC 2 Section 21252 6 of the Government Code as amended by Chapter 1452 of the Statutes of 1971 is amended to read.

21252 6. The combined prior and current service pension for a ~~law enforcement~~ *state safety* member, ~~other than such member defined in Section 20017 7, subdivision (a) of Section 20017 75 or Section 20017 8 of this code,~~ and a local safety member with respect to service to a contracting agency subject to this section, upon retirement after attaining age 55, is a pension derived from contributions of an employer sufficient, when added to that portion of the service retirement annuity which is derived from the accumulated normal contributions of the member at the date of his retirement, to equal one-fiftieth of his final compensation multiplied by the number of years of ~~law enforcement~~ *state safety*, police, fire, or county peace officer service which is credited to him as a ~~law enforcement~~ *state safety* member or a local safety member subject to this section at retirement Notwithstanding the preceding sentence, this section shall apply to the current and prior service pension for any other ~~law enforcement~~ *state safety* member based on service to which it would have applied had the member, on July 1, 1971, been in employment described in Section 20017.77 *or 20017 78* of this code

In no event shall the total pension for all service under this section exceed an amount which, when added to the service retirement annuity related to such service, equals 75 percent of final compensation. If the pension relates to service to more than one employer and would otherwise exceed such maximum, the pension payable with respect to each employer shall be reduced in the same proportion as the allowance based on service to such employer bears to the total allowance computed as though there were no limit, so that the total of such pensions shall equal the maximum.

This section shall not apply to a person whose effective date of retirement is prior to the operative date of this section or to a person who retires after such operative date and following reinstatement from a retirement having an effective date prior to such operative date and before rendering during such reinstatement at least one year of service in which he is subject to this section

The Legislature reserves, with respect to any member subject to this section, the right to provide for such adjustment of industrial

disability retirement allowances because of earnings of a retired person and modification of the conditions and qualifications required for retirement for disability as it may find appropriate because of the earlier age of service retirement made possible by the benefits under this section

The percentage of final compensation provided in this section shall be reduced by one-third as applied to that part of the member's final compensation which does not exceed four hundred dollars ($400) per month for service after the effective date of coverage of a member under the federal system *This paragraph shall not apply to a member who retires after the date upon which coverage under the federal system of persons in his employment terminates It shall not apply to a local safety member employed by a contracting agency electing to be subject to ~~this section~~ after the ~~effective~~ date of the amendments to this section at the 1972 Regular Session unless such agency elects to be subject to this paragraph by amendment to its contract or by appropriate provision of a contract entered into after this provision is effective and as to any such member, the reduction in the percentage of final compensation shall apply to all local safety service to such agency, if any of such local safety service has been included in the federal system*

This section shall not apply to a contracting agency nor its employees unless and until the agency elects to be subject to it by amendment to its contract made in the manner prescribed for approval of contracts or in the case of a new contract, by express provision of the contract The operative date of this section with respect to a local safety member shall be the effective date of the amendment to his employer's contract electing to be subject to this section

Upon such election by a contracting agency subject to Section 21252 1, this section shall not apply to a local safety member then employed who entered such employment after attaining age 30, and Section 21252 1 shall continue to apply to such member unless and until he terminates such employment and more than 30 days thereafter enters employment otherwise subject to this section Upon such later entry into employment, the member will be subject to this section with respect to all service as a local safety member rendered to any employer subject to this section

~~This section shall not apply to a person who is a law enforcement member on its operative date and who entered law enforcement service after attaining age 30 unless such person elects in writing to be subject to this section and the election is filed in the office of the board within 30 calendar days following the operative date of this section.~~ ''

Amendment No. 4

On page 2, strike out lines 2 to 32, inclusive; and strike out pages 3 and 4.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene,

Leroy F. Greene, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—Russell—1.

Above bill ordered enrolled.

Assembly Bill No. 240—An act to amend Section 8804 of the Business and Professions Code, relating to professional engineers.

The question being: Shall the Assembly concur in the following Senate amendemnts to Assembly Bill No 240?

Senate Amendments of November 13, 1972

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 6735 3 to,".

Amendment No. 2

On page 1, line 1, after "SECTION 1.", insert "Section 6735 3 is added to the Business and Professions Code, to read:

6735 3. All civil, electrical, and mechanical engineering plans shall be prepared with due regard for their environmental impact.

SEC. 2."

Senate Amendments of November 28, 1972

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate November 13, 1972, strike out ", and to add Section 6735.3 to,".

Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive; and on page 2, strike out lines 1 and 2, and insert

"SECTION 1 Section 8804 of the Business and Professions".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Burton, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—63.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 2014—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2014?

Senate Amendments of July 20, 1972

Amendment No. 1

On page 18, line 14, of the printed bill, as amended in Assembly July 4, 1972, strike out "the state and all political subdivisions of the"; and strike out line 15; and in line 16, strike out "other agencies,".

Senate Amendments of August 2, 1972

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Senate July 20, 1972, after the first comma, insert "and".

Amendment No. 2

On page 2, lines 16 and 17, strike out ", and to refinance existing facilities".

Amendment No. 3

On page 3, lines 2 and 3, strike out "educational facilities authority", and insert "Educational Facilities Authority".

Amendment No. 4

On page 5, line 6, strike out "Said", and insert "The".

Amendment No. 5

On page 5, line 8, strike out "part", and insert "chapter".

Amendment No. 6

On page 12, line 21, strike out "hve", and insert "have".

Amendment No. 7

On page 14, line 1, strike out "part", and insert "chapter".

Amendment No. 8

On page 17, strike out lines 36 to 40, inclusive; and on page 18, strike out lines 1 to 7, inclusive.

Amendment No. 9

On page 18, line 8, strike out "30321", and insert "30320".

Amendment No. 10

On page 18, line 29, strike out "30321.5", and insert "30321".

Senate Amendments of November 13, 1972

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in Senate August 2, 1972, strike out "and".

Amendment No. 2

On page 2, line 16, after the second "facilities", insert ", and to refinance existing facilities".

Amendment No. 3

On page 3, line 34, after "parking", insert a comma.

Amendment No. 4

On page 8, line 20, strike out "attorneys,".

Amendment No. 5

On page 8, line 23, strike out the period and insert a semicolon.

Amendment No. 6

On page 17, after line 36, insert

"30320. (a) The authority is hereby authorized to loan funds to a participating institution and to provide for the issuance of bonds for the purpose of refinancing projects not originally funded pursuant to this chapter and which have a completion date not greater than three years from the date of enactment of this chapter

(b) For purposes of this section, "completion date" shall mean the date on which the notice of completion is filed

(c) All such bonds shall be subject to the provisions of this chapter in the same manner and to the same extent as other bonds issued pursuant to this chapter."

Amendment No. 7

On page 18, line 9, strike out "30320", and insert "30321".

Amendment No. 8

On page 18, line 28, strike out "30321", and insert "30321.5".

Amendment No. 9

On page 20, between lines 22 and 23, insert

"The Attorney General shall be the legal counsel for the authority, but with the approval of the Attorney General the authority may employ such legal counsel as in its judgment is necessary or advisable to enable it to carry out the duties and functions imposed upon it by this chapter, including the appointment of such bond counsel as may be deemed advisable in connection with the issuance and sale of bonds."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Burke, Chacon, Cline, Crown, Cullen, Dent, Duffy, Dunlap, Fong, Foran, Gonsalves, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Ralph, Russell, Seeley, Stull, Vasconcellos, Wilson, Wood, Z'berg, and Mr Speaker—49.

NOES—Brown, Burton, and Warren—3.

Above bill ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

Assembly Chamber, December 1, 1972

Mr. Speaker: The Committee on Conference concerning

Assembly Bill No. 2124, as amended in Senate November 30, 1972—An act to add Section 7503 to the Education Code, relating to educational programs;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 30, 1972, strike out "Section 7503 to", and insert "and repeal Section 7503 of, and to add Section 7503.5 to,".

Amendment No. 2

On page 2, after line 2, insert

"This section shall remain in effect until January 1, 1975, and on that date is repealed.

SEC. 2. Section 7503.5 is added to the Education Code, to read:

7503.5. On and after January 1, 1975, the governing board of any school district may initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with law and which is not in conflict with the purposes for which school districts are established."

The undersigned consent to the report:

DENNIS CARPENTER	JOHN VASCONCELLOS
ARLEN GREGORIO	JOHN DUNLAP
	JERRY LEWIS
Senate Committee on Conference	Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Crown, Cullen, Dent, Duffy, Dunlap, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E. Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60.

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 6—An act relating to the public school system.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 6?

Senate Amendments of July 27, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly March 7, 1972, between lines 11 and 12, insert

"SEC 4 Notwithstanding any provision of law to the contrary, the governing boards of the San Bernardino City Unified School District and the Downey Unified School District may subject to approval by teachers' representatives of the certificated employees council, assign one or more persons holding a standard teaching credential with a specialization in elementary education to teach in any of grades 7 to 12, inclusive, during the 1972–1973 school year "

Amendment No. 2

On page 3, line 12, strike out "SEC 4", and insert "SEC 5".

Amendment No. 3

On page 3, line 12, after "of", insert "Sections 1, 2, and 3".

Senate Amendments of November 30, 1972

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in Senate July 27, 1972, strike out "or", and insert "and, subject to the approval of the teachers' representatives on the certificated employee council,".

Amendment No. 2

On page 3, line 25, after "3", insert "of"

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Hayden, Harvey, Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Mobley, Monagan, Moorhead, Murphy, Powers, Priolo, Quimby, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—57.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2204—An act to amend Section 1777 5 of, and to add Section 3098 to, the Labor Code, relating to apprenticeship

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2204?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 17, 1972, strike out "Sections 1777 5 and 3075", and insert "Section 1777 5".

Amendment No. 2

On page 2, line 25, strike out "in each such case".

Amendment No. 3

On page 3, line 1, strike out "The", and strike out lines 2 to 9, inclusive, and insert "Contractors or subcontractors shall not be required to submit individual applications for approval to local joint apprenticeship committees provided they are already covered by the local apprenticeship standards The ratio of apprentices to journeymen who shall be employed in the craft or trade on the public work may be the ratio stipulated in the apprenticeship standards under which the joint apprenticeship committee operates, but in no case shall the ratio be less than one apprentice for each five journeymen, except as otherwise provided in this section."

Amendment No. 4

On page 3, line 12, after "certificate", insert ", or if he has been previously approved in such craft or trade, shall".

Amendment No. 5

On page 3, line 12, strike out "in each such craft or trade".

Amendment No. 6

On page 3, strike out line 14; and in line 15, strike out "apprenticeship committee", and insert "journeymen stipulated in the apprenticeship standards".

Amendment No. 7

On page 3, line 21, after the period, insert "This section shall not apply to prime contracts involving less than thirty thousand dollars ($30,000) or 20 working days."

Amendment No. 8

On page 4, strike out line 28; and in line 29, strike out "Apprenticeship", and insert "pay a like amount to the California Apprenticeship Council".

Amendment No. 9

On page 5, strike out lines 10 to 29, inclusive; and in line 30, strike out "SEC 3", and insert

"SEC. 2".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade. Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 2265—An act to amend Section 29018.5 of the Education Code, relating to private schools.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2265?

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in Assembly June 15, 1972, after "is", insert "in the Department of Education".

Amendment No. 2

On page 3, line 34, after "Education", insert ", subject to the concurrence of the State Board of Education,".

Amendment No. 3

On page 4, line 15, strike out "In", and insert "(3) In".

Amendment No. 4

On page 4, line 17, strike out "(a)", and insert "(i)".

Amendment No. 5

On page 4, line 19, strike out "(b)", and insert "(ii)".

Amendment No. 6

On page 4, line 21, strike out "(c)", and insert "(iii)".

Amendment No. 7

On page 4, after line 40, insert

"No person shall be deemed to be a member of the council until his appointment has been concurred in by the State Board of Education, which shall take action regarding such appointment at the board meeting next following the appointment."

Amendment No. 8

On page 5, line 8, strike out "of this section".

Amendment No. 9

On page 5, lines 17 and 18, strike out ", with the approval of the Director of Education, may", and insert "shall".

Amendment No. 10

On page 5, line 21, strike out "may", and insert "shall".

Amendment No. 11

On page 5, line 23, strike out "chapter", and insert "article".

Amendment No. 12

On page 5, line 25, strike out "chapter", and insert "article and on any action by the Director of Education to grant, deny, suspend, or withdraw recognition of courses or schools pursuant to this article".

Amendment No. 13

On page 5, line 35, strike out "chapter", and insert "article".

Amendment No. 14

On page 5, line 40, strike out "chapter", and insert "article".

Amendment No. 15

On page 6, after line 2, insert

"(h) The Director of Education shall:

(1) Advise the council prior to promulgating any rules or regulations pursuant to this section and prior to instituting any action to deny, suspend, or withdraw recognition of courses or schools pursuant to this article.

(2) Take into consideration the advice of the council on all matters where the council is authorized by this section to communicate advice to the Director of Education.

(i) The Director of Education may impanel special committees of technically qualified persons to assist him and the council in the development of standards for courses and the evaluation of any course or school applying for recognition pursuant to subdivision (a)(2) of Section 29007 and Section 29007.5. The special committees shall make such inspections and studies as may be necessary to enable them to advise the council and the Director of Education in regard to action to be taken in any particular situation. Members of these special committees shall not be connected in any way with a school which is the subject of inspection or investigation. The members of the special committees shall serve at no expense to the state."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stull moved a call of the Assembly.

Motion carried.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Stull was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

Minority Floor Leader Presiding

Hon. Bob Monagan, 12th District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 300—An act to amend Sections 821, 885 5, 885 9, 894, 894 3, 895, 895 2, 895 3, 895 4, 895 5, 895 6, 895 7, 895 8, 895 10, 895 12, 6153, 6750, 6751, 6751 1, 6752, 6752 2, 6753, 6754, 6755, 6755 1, 6755 2, 6755 3, 6756, 6757, 6758, 6759, 6760, 6761, 6770, 6771, 6772, 6790, 6801, 6802, 6802 1, 6802 15, 6803, 6803 1, 6804, 6805, 6806, 6806 1, 6808, 6809, 6812, 6812 1, 6812 5, 6813, 6814, 6815, 6816, 6817, 6818, 6820, 6820 1, 6820 2, 6851, 6852, 6853, 6870, 6871, 6871 5, 6872, 6873, 6901, 6902, 6902 05, 6902 07, 6902 08, 6902 085, 6902 09, 6902 095, 6902 10, 6902 1, 6902 2, 6902 4, 6902 5, 6903, 6903 1, 6903 3, 6904, 6904 1, 6904 3, 6904 5, 6905, 6906 5, 6907, 6910, 6911, 6912, 6912 5, 6913, 6913 1, 6914, 6915, 6916, 6920, 6931, 6932, 6941, 6947, 6951, 10522, 11054, 11226, 11227, 11228, 11229, 11553, 11553 1, 11555, 11556, 16645 1, 16645 2, 16645 4, 16645 11, 16645 21, 16645 22, 16645 23, 17305 7, 18101, 18102, 18102 2, 18102 4, 18102 6, 18102 9, 18102 10, 18355, 18358, 19682, 19683, 19683 5, 20807, 25601, and 26501 of, and to amend the heading of Chapter 7 1 (commencing with Section 6750) of Division 6 of, and to amend the heading of Article 2 (commencing with Section 6770) of Chapter 7 1 of Division 6 of, and to amend the heading of Chapter 7 2 (commencing with Section 6790) of Division 6 of, and to amend the heading of Article 7 (commencing with Section 11226) of Chapter 2 of Division 9 of, and to amend the heading of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of, and to amend and renumber Section 16645.2 of, the Education Code, relating to special education.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 300?

Senate Amendments of July 18, 1972

Amendment No. 1

On page 3 of the printed bill, as amended in Assembly June 8, 1972, strike out line 40, on page 4, strike out line 1, and in line 2, strike out "years" ".

Amendment No. 2

On page 16, line 5, after "chapter", insert a period; and strike out lines 6 to 8, inclusive.

Amendment No. 3

On page 22, line 36, strike out ", until May"; strike out line 37; and in line 38, strike out "ages of 3 and 18,".

Amendment No. 4

On page 31, strike out lines 29 to 32, inclusive, and insert a period.

Amendment No. 5

On page 32, strike out lines 15 to 18, inclusive, and insert a period.

Amendment No. 6

On page 40, line 28, strike out "until May"; strike out lines 29 to 31, inclusive, and insert a period.

Amendment No. 7

On page 42, line 24, strike out "that programs which were", and insert "programs".

Amendment No. 8

On page 42, line 25, strike out "may be completed", and insert "or programs which are not solely or partially financed by state funds".

Amendment No. 9

On page 47, strike out lines 33 to 35, inclusive, and insert a period.

Amendment No. 10

On page 48, strike out lines 9 to 11, inclusive, and insert a period.

Amendment No. 11

On page 54, line 9, after "chapter", strike out "until May 1,"; strike out lines 10 and 11, and insert a period.

Amendment No. 12

On page 67, line 13, strike out "until May, 1973, at which time, and thereafter, the"; strike out line 14; and in line 15, strike out "years" ".

Amendment No. 13

On page 67, line 34, strike out "until May 1, 1973, at which", strike out line 35; and in line 36, strike out "read "under the age of 18 years" ".

Senate Amendments of November 17, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 18, 1972, after "885.5," insert "885.9, 894, 894.3, 895, 895.2, 895.3, 895.4, 895.5, 895.6, 895.7, 895.8, 895.10, 895.12,".

Amendment No. 2

In line 6 of the title, after "6870," insert "6871, 6871.5, 6872,".

Amendment No. 3

In line 10 of the title, after "6916," insert "6920,".

Amendment No. 4

In line 11 of the title, after "6951," insert "10522,".

Amendment No. 5

In line 11 of the title, after "11229," insert "11553, 11553.1,".

Amendment No. 6

In line 11 of the title, after "11556," insert "16645.1,".

Amendment No. 7

In line 11 of the title, after "16645.2," insert "16645.4, 16645.11, 16645.21, 16645.22, 16645.23,".

Amendment No. 7.5

In line 22 of the title, after the comma, insert "and to amend and renumber Section 16645 2 of,".

Amendment No. 8

On page 3, line 13, after "SEC 1.2.", insert "Section 885 5 of the Education Code is amended to read:

885 5. In addition to all other amounts payable to the county school service fund on account of special education schools, programs, and classes maintained by the county superintendent of schools for the education of physically handicapped ~~minors~~ *pupils*, mentally retarded ~~minors~~ *pupils*, severely mentally retarded ~~minors~~ *pupils*, and educationally handicapped ~~minors~~ *pupils*, there shall be paid by the school districts in which such ~~minors~~ *pupils* reside, an amount, per unit of average daily attendance of any such ~~minors~~ *pupils* being educated by the county superintendent of schools in the current fiscal year, equal to the amount produced in the district in the current fiscal year by the applicable tax rates specified in Section 17702 per unit of the total average daily attendance of the district.

In lieu of the payments to the county school service fund for mentally retarded pupils and severely mentally retarded pupils provided for in this section, the county superintendent of schools, with the approval of the county board of education, may add an amount equal to the amount of such payments to the amount, if any, he certifies in accordance with the provisions of Sections 895 6 and 895 7.

SEC. 1.3. Section 885 9 of the Education Code is amended to read:

885 9 The county superintendent of schools shall have primary responsibility for coordinating all special programs maintained by the office of the county superintendent and by the school districts under the jurisdiction of that office, for the education of physically handicapped ~~minors~~ *pupils* as defined in Article 1 (commencing with Section 6801) of Chapter 8 of Division 6, and mentally retarded ~~minors~~ *pupils* as defined in Chapter 9 (commencing with Section 6901) of Division 6.

The county superintendent of schools shall undertake the necessary measures to ensure that every ~~minor~~ *pupil* in the school district territory under his jurisdiction who is eligible to participate in any such special education program for physically handicapped ~~minors~~ *pupils* or mentally retarded ~~minors~~ *pupils* being provided in the territory, shall be afforded the opportunity to participate in an appropriate program.

The county superintendent of schools shall compile and maintain a tabulation of the number of all physically handicapped ~~minors~~ *pupils* and mentally retarded ~~minors~~ *pupils* enrolled in every category of the special education program in the school district territory under his jurisdiction and the schools in which such ~~minors~~ *pupils* are enrolled.

The county superintendent of schools shall maintain a current list of all physically handicapped ~~minors~~ *pupils* and mentally retarded ~~minors~~ *pupils* who have applied for but have been denied access to each category of the special education program in the school district territory under his jurisdiction.

It shall be the responsibility of the county superintendent of schools to render consultative and coordinative services to school districts under his jurisdiction maintaining special education programs for physically handicapped ~~minors~~ *pupils* and mentally retarded ~~minors~~ *pupils*, and to marshal and utilize, to the extent permitted by law, all private as well as public resources and services available to provide education and training for physically handicapped and mentally retarded ~~minors~~ *pupils*.

SEC 15 Section 894 of the Education Code is amended to read:

894. The county superintendent of schools shall establish and maintain programs for physically handicapped ~~minors~~ *pupils* who come within the provisions of Section 6801 or 6802, including orthopedic or other health-impaired, visually handicapped, aurally handicapped, or multihandicapped, and who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools of the districts or in unified or high school districts which have an average daily attendance of less than 8,000 in the high schools of the districts, whenever such districts have not provided nor entered into contract with other districts to provide such programs

Such program shall, with the approval of the county board of education, be provided in one or more of the following ways.

(a) In special schools or classes of elementary and secondary grade and in remedial classes of elementary and secondary grade.

(b) By the employment of emergency teachers to provide special instruction in the regular schools of the districts of the county.

(c) By the maintenance of special classes of secondary grade

(d) By the employment of home instructors to give individual instruction in the home or at the bedside in institutions, and by the employment of instructors to provide remedial instruction for physically handicapped ~~minors~~ *pupils* in regular, special day, and special training schools or classes which he may be authorized to conduct, and by the employment of instructors to provide individual instruction for ~~minors~~ *pupils* with speech disorders or defects who are at least three years of age for the purpose of remedying such speech disorders or defects

(e) By cooperation with the Department of Rehabilitation in the provision of individual instruction and coordination services

(f) By contract with the county superintendent of schools of another county or with the governing board of any school district.

(g) In integrated programs of instruction of elementary or secondary grade.

(h) By the employment of instructors to provide individual instruction, subject to the provision of Section 6812, in schools or in the homes of ~~minors~~ *pupils* who are deaf or hard of hearing, as determined by the State Board of Education, and between the ages of three and six years of age.

The county superintendent of schools may establish and maintain programs for the physically handicapped ~~minors~~ *pupils* who come within the provisions of Section 6801 or 6802 and who reside in any district within the county with the approval of the county board of

education and the agreement of the local governing board of the school district Such programs may be carried out in accordance with subdivisions (a), (c), (g), and (h)

Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them In an instance where it would be impractical because of the transportation distances existing to bring a sufficient number of physically handicapped ~~minors~~ *pupils* within the meaning of Section 6801 or 6802 together in one place to form a school or special class, the county superintendent of schools, upon the annual approval of the Superintendent of Public Instruction, may defer compliance with the provisions of this section for the year in question.

Any elementary or unified school district which has an average daily attendance of less than 8,000 in the elementary schools of the district and any unified or high school district which has an average daily attendance of less than 8,000 in the high schools of the district, with the approval of the county superintendent of schools, may establish and maintain programs for the physically handicapped who come within the provisions of Section 6801 or 6802

The county superintendent of schools required to provide for the education of physically handicapped ~~minors~~ *pupils* residing in the county who come within the provisions of Section 6801 or 6802 may, with the approval of the Superintendent of Public Instruction, enter into agreements with an elementary, unified, or high school district for the latter to provide for the education of such physically handicapped ~~minors~~ *pupils*.

SEC 1.7 Section 894 3 of the Education Code is amended to read:

894 3 The Superintendent of Public Instruction shall prescribe the procedures for qualifying for and shall determine the amount of the allowances for special regular day classes and for authorized instruction in other than special regular day classes of physically handicapped ~~minors~~ *pupils*

SEC 1.9. Section 895 of the Education Code is amended to read·

895 (a) The county superintendent of schools shall establish and maintain special training schools or classes for mentally retarded ~~minors~~ *pupils* who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 901 in the elementary schools of the district and who come within the provisions of Section 6902 The schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them

Any elementary or unified school district which has an average daily attendance of less than 901 in elementary schools of the district, with the approval of the county superintendent of schools, may establish and maintain special training schools or classes for mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902

(b) The county superintendent of schools may, with the approval of the county board of education, establish and maintain special training schools or classes for mentally retarded ~~minors~~ *pupils* who reside

in the county and who come within the provisions of Section 6902 and contract with an elementary or unified school district with an average daily attendance of 901 or more in the elementary schools of the district, or with a high school district with an average daily attendance of less than 901, subject to such terms and conditions as may be agreed upon. The contract shall be approved by the county board of education and shall require the district to pay to the county school service fund of the county in which the district is located all costs of the education of the ~~minors~~ *pupils* which are in excess of the amounts apportioned from the State School Fund for the average daily attendance of such ~~minors~~ *pupils*.

Whenever a special training school or class is established under the provisions of this subdivision, the computations prescribed by Sections 17655.5 and 17664 shall not apply.

(c) The county superintendent of schools shall establish and maintain special training schools or classes for mentally retarded ~~minors~~ *pupils* who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools of the district and in unified or high school districts which have an average daily attendance of less than 8,000 in the high schools of the district and who come within the provisions of Section 6903 Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them In an instance where it would be impracticable because of the transportation distances existing to bring a sufficient number of mentally retarded ~~minors~~ *pupils*, within the meaning of Section 6903, together in one place to form a special training class, the county superintendent of schools upon the annual approval of the Superintendent of Public Instruction may defer compliance with the provisions of this section for the year in question.

Any elementary or unified school district which has an average daily attendance of less than 8,000 in elementary schools of the district and any unified or high school district which has an average daily attendance of less than 8,000 in high schools of the district, with the approval of the county superintendent of schools, may establish and maintain special training schools or classes for mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6903

A county superintendent of schools, required to provide for the education in special training schools or classes of mentally retarded ~~minors~~ *pupils* residing in the district who come within the provisions of Section 6903, may with the approval of the Superintendent of Public Instruction enter into agreement with an elementary, unified or high school district for the latter to provide for the education of such mentally retarded ~~minors~~ *pupils*.

(d) The county superintendent of schools may, with the approval of the county board of education, establish and maintain special training schools or classes for mentally retarded ~~minors~~ *pupils* who reside in the county and who come within the provisions of Section 6903 and agree with an elementary or unified school district with an average

daily attendance of 8,000 or more in the elementary schools of the district and in unified or high school districts with an average daily attendance of 8,000 or more in the high schools of the district for the education by the county superintendent of schools of such ~~minors~~ *pupils* residing in such districts Whenever a special training school or class is established under the provisions of this subdivision, the foundation program prescribed in Section 17656 for an elementary district with an average daily attendance of 901 or more shall apply for elementary schools, and the foundation program prescribed in Section 17665 shall apply for high schools

SEC 1 11. Section 895 2 of the Education Code is amended to read:

895 2. In lieu of providing transportation to special training schools or classes maintained by a county superintendent of schools for mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6903 and who reside in elementary or unified school districts which have an average daily attendance of less than 8,000, the county superintendent of schools may, with the approval of the county board of education, pay to the parents or guardians of any such mentally retarded ~~minor~~ *pupil* the cost of food and lodging for the minor at a place convenient to a special training school or class maintained by the county superintendent, by the governing board of a school district within the county, or by a county superintendent of another county

SEC 1 13. Section 895 3 of the Education Code is amended to read:

895 3 Each county superintendent of schools maintaining special training schools or classes for mentally retarded ~~minors~~ *pupils* pursuant to subdivision (c) of Section 895 may limit the number of ~~minors~~ *pupils* to be admitted to such schools or classes Any ~~minor~~ *pupil* who becomes 21 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time the school or class is maintained during the then current school year

SEC 1 15. Section 895 4 of the Education Code is amended to read:

895 4. Any county superintendent of schools otherwise required or authorized to maintain special training schools and classes under Section 895 for mentally retarded ~~minors~~ *pupils* may provide for the education of such ~~minors~~ *pupils* in, and for the transportation of such ~~minors~~ *pupils* to, special training schools or classes maintained by a school district under Sections 6901 to 6913, inclusive, or by a county superintendent of schools under this article, subject to such terms and conditions as may be agreed upon The agreement shall be approved by the county board of education

SEC 1 17. Section 895 5 of the Education Code is amended to read:

895 5 In lieu of entering into an agreement for the transportation of mentally retarded ~~minors~~ *pupils* by the school district or county superintendent of schools, in the special training schools and classes of which the education of such ~~minors~~ *pupils* is provided under Section 6910 or 895 4, the school district or county superintendent of schools of the county required to provide for their education may provide such transportation.

SEC. 1.19. Section 895 6 of the Education Code is amended to read:

895 6. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902 and for the rental of property and the purchase of equipment by the county superintendent of schools for special training schools and classes for such ~~minors~~ *pupils*. The amount shall be determined by subtracting from the total cost of the education of such ~~minors~~ *pupils*, including transportation, to the county superintendent of schools (1) the total of any balances remaining to be expended for this purpose, and (2) the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902 and by adding to the result the amount required for rental of property and purchase of equipment.

The county auditor and the county board of supervisors shall determine the tax necessary to produce the amount certified when levied upon the taxable property of all the districts under the jurisdiction of the county superintendent of schools which have not been approved by the county superintendent of schools to maintain such schools or classes. The board of supervisors shall at the time of levying other county taxes levy the tax so determined in each school district which had during the preceding fiscal year not been approved by the county superintendent of schools to maintain such schools or classes, except that the tax levied shall not exceed ten cents ($0 10) for each one hundred dollars ($100) of assessed valuation and shall be levied notwithstanding the provisions of Section 20751 or 20803

The amount received from the tax shall be deposited in the county school service fund.

In the event the amount received from the tax levied is less than the amount certified by the county superintendent of schools the difference shall, with the approval of the Superintendent of Public Instruction, be paid the county superintendent of schools from the county school service fund contingency account pursuant to Section 18353.

SEC 1 21. Section 895 7 of the Education Code is amended to read:

895.7. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6903 and for rental of property and the purchase of equipment by the county superintendent of schools for special training schools or classes for such ~~minors~~ *pupils*. The amount shall be determined by subtracting from the total cost of the education of such ~~minors~~ *pupils*, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent

of Public Instruction to the county school service fund for the education of such mentally retarded ~~minors~~ *pupils* and by adding to the result the amount required for rental of property and the purchase of equipment The board of supervisors may include in such amount a sum for capital outlay.

The board of supervisors shall, at the time of levying other county taxes, levy an identical rate of tax in all elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools in the district, and all unified or high school districts which have an average daily attendance of less than 8,000 in the high schools of the district under the jurisdiction of the county superintendent of schools, and for which approval has not been granted by the county superintendent for the district to establish and maintain such classes for the education of mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6903 and any school district with an elementary or high school average daily attendance of more than 8,000 for which the county superintendent maintains such class upon the taxable property in such districts sufficient to produce an amount equal to all costs of the education of such ~~minors~~ *pupils* which are in excess of the amounts apportioned from the State School Fund for the average daily attendance of such ~~minors~~ *pupils*. The amount received from this tax shall be deposited in the county school service fund

The tax shall be levied and collected on a current basis during the fiscal year on the basis of estimates of average daily attendance levels, assessed valuation levels, and the other factors involved Excess amounts collected in any year may be applied to reduction of the tax in succeeding fiscal years, and the amount to be raised by the tax in any fiscal year may be increased by the amount of deficiency in the tax collected in prior fiscal years

SEC 1 23 Section 895 8 of the Education Code is amended to read·

895.8. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the identification and education of physically handicapped ~~minors~~ *pupils* who come within the provisions of Section 6801 or 6802 and for the rental of property and the purchase of equipment by the county superintendent of schools for the schools or classes for such ~~minors~~ *pupils*.

The county superintendent of schools, when actually maintaining schools or classes for handicapped ~~minors~~ *pupils* for districts with an average daily attendance in excess of 8,000 in the elementary or secondary schools of the district when such education is by agreement of the governing board of such school district, shall with the approval of the county board of education certify to the county auditor and the county board of supervisors on or before July 15th of each year the amount of money required to be raised by tax for the education of physically handicapped ~~minors~~ *pupils* who come within the provisions of Section 6801 or 6802 under the same conditions and circumstances as an amount of money is certified and the tax levied for districts with

less than 8,000 average daily attendance in the elementary or secondary schools of the district for the education of such physically handicapped ~~minors~~ *pupils*, but such tax in districts of more than 8,000 average daily attendance shall not include any amount for the education of physically handicapped ~~minors~~ *pupils* actually conducted by the local school district or for contract services of such education by another school district.

The amount shall be determined by subtracting from the total cost of the education of such ~~minors~~ *pupils*, including transportation, to the county superintendent of schools the total amounts to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of such physically handicapped ~~minors~~ *pupils* and by adding to the result the amount required for rental of property, the purchase of equipment, and capital outlay

The board of supervisors shall, at the time of levying other county taxes, levy an identical rate of tax in all elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools in the district, and all unified or high school districts which have an average daily attendance of less than 8,000 in the high schools under the jurisdiction of the county superintendent of schools, and for which approval has not been granted by the county superintendent for the district to establish and maintain such classes for the education of physically handicapped ~~minors~~ *pupils* who come within the provisions of Section 6801 or 6802 upon the taxable property in such districts sufficient to produce such amounts The amount received from this tax shall be deposited in the county school service fund.

The tax shall be levied and collected on a current basis during the fiscal year on the basis of estimates of average daily attendance levels, assessed valuation levels, and the other factors involved Excess amounts collected in any year may be applied to reduction of the tax in succeeding fiscal years, and the amount to be raised by the tax in any fiscal year may be increased by the amount of deficiency in the tax collected in prior fiscal years.

The Superintendent of Public Instruction shall adopt such rules and regulations as he may deem necessary to the implementation of this section.

SEC. 1.25. Section 895.10 of the Education Code is amended to read:

895 10. The Superintendent of Public Instruction shall prescribe the procedures for qualifying for and shall determine the amount of the allowances for special regular day classes and for authorized instruction in other than special regular day classes for education of mentally retarded ~~minors~~ *pupils*

SEC 1.27 Section 895 12 of the Education Code is amended to read:

895.12. Notwithstanding any other provisions of this code, any school district having an average daily attendance of 400,000 or more, as shown by the annual report of the county superintendent of schools for the preceding year, may contract with a county superintendent of schools or with another school district, pursuant to Section 1062, for

the education of physically handicapped ~~minors~~ *pupils*, mentally retarded ~~minors~~ *pupils*, or educationally handicapped ~~minors~~ *pupils* of any contracting party. Any such contract shall require the district whose pupils are receiving educational services thereunder to pay all costs of such educational services which are in excess of the amounts which may be received by the party providing the educational services, apportioned from the State School Fund for the average daily attendance of such pupils Whenever a county superintendent of schools is a party to such a contract, no tax shall be levied to defray the costs of educational services under the contract by any party other than the school district whose pupils are receiving such educational services.

SEC. 1 29."

Amendment No. 9

On page 3, line 23, strike out "SEC 1 3", and insert "SEC. 1.31".

Amendment No. 10

On page 3, line 30, strike out "SEC 1 4", and insert "SEC. 1.33".

Amendment No. 11

On page 4, line 7, strike out "SEC. 1.5", and insert "SEC. 1.35".

Amendment No. 12

On page 6, line 2, strike out "SEC. 1 6", and insert "SEC. 1.37".

Amendment No. 13

On page 6, line 33, strike out "SEC. 1.7", and insert "SEC. 1.39".

Amendment No. 14

On page 7, line 25, strike out "SEC. 1 8", and insert "SEC. 1.41".

Amendment No. 15

On page 7, line 38, strike out "SEC. 1 9", and insert "SEC. 1 43".

Amendment No. 16

On page 8, line 16, strike out "SEC 1 10", and insert "SEC. 1.45".

Amendment No. 17

On page 8, line 28, strike out "SEC 1 11", and insert "SEC. 1.47".

Amendment No. 18

On page 9, line 38, strike out "SEC 1 12", and insert "SEC. 1 49".

Amendment No. 19

On page 10, line 8, strike out "SEC. 1 13", and insert "SEC. 1 51".

Amendment No. 20

On page 10, line 26, strike out "SEC 1 14", and insert "SEC. 1.53".

Amendment No. 21

On page 10, line 40, strike out "SEC 1 15", and insert "SEC. 1.55".

Amendment No. 22

On page 11, line 17, strike out "SEC. 1 16", and insert "SEC 1.57".

Amendment No. 23

On page 11, line 34, strike out "SEC. 1.17", and insert "SEC 1.59".

Amendment No. 24

On page 12, line 15, strike out "SEC 1 18", and insert "SEC. 1 61".

Amendment No. 25

On page 12, line 22, strike out "SEC. 1 19", and insert "SEC. 1 63".

Amendment No. 26

On page 13, line 6, strike out "SEC 1.20", and insert "SEC. 1.65".

Amendment No. 27

On page 13, line 15, strike out "SEC. 1 21", and insert "SEC. 1.67".

Amendment No. 27.5

On page 13, line 22, strike out "SEC. 1 22", and insert "SEC. 1.68".

Amendment No 28

On page 14, line 11, strike out "SEC 1 23", and insert "SEC 1 69".

Amendment No. 29

On page 14, line 28, strike out "SEC. 1 24", and insert "SEC. 1.71".

Amendment No. 30

On page 15, line 6, strike out "SEC. 1.25", and insert "SEC. 1.73".

Amendment No. 31

On page 15, line 13, strike out "SEC. 1 26", and insert "SEC. 1.75".

Amendment No. 32

On page 15, line 36, strike out "SEC 1 27", and insert "SEC. 1.79".

Amendment No. 33

On page 30, line 31, strike out "SEC 28 2", and insert "SEC 28 3 Section 6871 of the Education Code is amended to read:

6871. With the approval of the county superintendent of schools, any school district having a physically handicapped ~~minor~~ *pupil*, mentally retarded ~~minor~~ *pupil*, severely mentally retarded ~~minor~~ *pupil*, or multiply handicapped ~~minor~~ *pupil* for whom special education facilities and services as prescribed by Section 6870 are not available

or cannot be reasonably provided, and for whom the State of California has no appropriate special education facilities and services, shall, and any school district having an educationally handicapped ~~minor~~ *pupil* for whom special education facilities and services as prescribed by Section 6870 are not available or cannot be reasonably provided, and for whom the State of California has no appropriate special education facilities and services, may, in lieu of establishing and maintaining the needed special education facilities and services at an unreasonable cost to the district, pay to the parent or guardian of such ~~minor~~ *pupil* toward the tuition for such ~~minor~~ *pupil*, enrolled in a public or private nonsectarian school, institution, or agency within or outside of California offering the special education facilities and services made necessary by the ~~minor's~~ *pupil's* disabilities, an amount not to exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance for the particular category under Section 18102, 18102.2, 18102.4, or 18102.6, the amount allowable per unit of average daily attendance for the particular category under Section 18060, and the amount per unit of average daily attendance provided from revenue derived from district taxation for the current expense of education of a normal child in the schools of the district. For purposes of computing the amount per unit of average daily attendance provided from revenue derived from district taxation, there shall be excluded amounts produced by rates levied for special or restricted purposes, such as the rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801 to 20802.8, inclusive, 20806, and 20807, and there shall be included amounts produced by rates levied for general districtwide current support purposes, including the rates levied pursuant to Sections 20808 and 20808.5. As used in this article "tuition" includes the cost to the parent or guardian of transporting a ~~minor~~ *pupil* enrolled in a public or private nonsectarian school, institution, or agency under this section to and from school.

The provisions of this section shall be applicable as well to situations where the special educational facilities and services are available but are an unreasonable distance away from the home of the ~~minor~~ *pupil*. The Superintendent of Public Instruction shall adopt rules and regulations to implement the determination of the unreasonableness of such cost and distance, and any other rules and regulations deemed necessary by him for the effective administration of this chapter. The county superintendent of schools shall make a finding as to the unreasonableness of such cost or distance for the school districts within his jurisdiction and shall report such findings to the Superintendent of Public Instruction, who, if he approves such findings, shall authorize payments pursuant to this section and Sections 6872 and 6873.

The provisions of this section shall be applicable as well to situations where the public special educational facilities and services are available but the attending physician of the physically handicapped, mentally retarded, severely mentally retarded, multiply handicapped, or educationally handicapped ~~minor~~ *pupil* or the attending optometrist of the physically handicapped ~~minor~~ *pupil* who is blind, partially seeing,

or visually handicapped has recommended that it is in the best interests of the health and welfare of such ~~minor~~ *pupil* that the ~~minor~~ *pupil* be enrolled in a private nonsectarian school, institution or agency offering the special education facilities and services made necessary by the ~~minor's~~ *pupil's* disabilities, and such recommendation has been approved by the county health officer and the county superintendent of schools on forms specified by the Superintendent of Public Instruction.

Priority in providing special education facilities and services shall be given to public school, or state-operated, programs State and school district support for an exceptional child's education at a private nonsectarian school, institution, or agency shall be approved pursuant to this chapter only if no publicly operated programs are available to the ~~minor~~ *pupil* within a reasonable distance from his residence, or if such programs do not meet the specialized needs of the ~~minor~~ *pupil*, as determined under the procedures established by this chapter Priority in approving private nonsectarian schools, institutions, or agencies shall be given to the nearest such school, institution, or agency from where the parent or guardian of the exceptional child resides and which provides training and education as defined in Section 6870

In instances where public funds are paid to the parent or guardian of a ~~minor~~ *pupil* pursuant to this section, toward the tuition of such ~~minor~~ *pupil* enrolled in a private nonsectarian school, institution, or agency, the school, institution, or agency enrolling such ~~minor~~ *pupil* shall at the end of each school year submit a written progress report on each such ~~minor~~ *pupil* on forms provided by the Superintendent of Public Instruction, and shall forward such forms to the county superintendent of schools of the county authorizing placement Such reports shall be used by the county superintendents of schools to determine continued eligibility for placement and reimbursement under this chapter.

In no event shall the total of any allowances or apportionments of state funds be made to a school district in behalf of a pupil receiving an allowance pursuant to this section in excess of the total of such amounts which would have been allowed or apportioned to the district if the pupil were in attendance at a school in the district

SEC. 28.5. Section 6871.5 of the Education Code is amended to read:

6871.5 The parent or guardian of a ~~minor~~ *pupil* who has been denied admission and who qualifies for tuition payment pursuant to Section 6871 shall make written application to the school district for the tuition payment prescribed in Section 6871 Within 30 days after receipt of the application, the school district shall in writing grant or deny the application, with reasons stated in case of a denial. If the application is denied, the parent or guardian may appeal to the county superintendent of schools, who shall review the decision of the school district and shall within 30 days after receipt of the appeal, either affirm or reverse the school district's decision If the county superintendent of schools reverses the school district's decision, a report and claim shall be made by the school district in which the ~~minor~~ *pupil* resides, pursuant to Sections 6872 and 6873 Thereupon the county

superintendent of schools may place and contract for the placing of the exceptional child in another school district within or without the county or county offering special educational services The superintendent may then transfer to the district or county wherein the child is placed the amount of state aid the placing district receives for that child pursuant to Section 6873 If the county superintendent of schools affirms the school district's decision, the parent or guardian may, within 10 days following receipt of the county superintendent of schools' decision, further appeal to the Department of Education for reconsideration Within 30 days following receipt of the appeal, the department shall, in writing either affirm or reverse the decision of the county superintendent of schools, and in the case of an affirmation, shall append a statement of reasons If the department affirms the decision of a county superintendent of schools that decision shall be final. If the department reverses the decision of a county superintendent of schools not to grant the application, a report and claim shall be made by the school district in which the ~~minor~~ *pupil* resides, pursuant to Sections 6872 and 6873

SEC. 28 7. Section 6872 of the Education Code is amended to read:

6872. A school district having any ~~minor~~ *pupil* receiving the benefits of special education facilities and services under the provisions of Section 6871 shall report the attendance of such ~~minor~~ *pupil* and submit any claim the district may have for the regular and special purpose apportionment to be used in payment to the parent or guardian of such ~~minor~~ *pupil* toward any tuition arising out of such attendance through the county superintendent of schools to the Superintendent of Public Instruction The aforementioned report and claim shall be submitted at the time and in the manner prescribed by the Superintendent of Public Instruction. The county superintendent of schools shall verify the attendance reported and claim submitted in the manner prescribed by the Superintendent of Public Instruction.

SEC. 28.9".

Amendment No. 34

On page 35, between lines 37 and 38, insert

"SEC 34 5 Section 6902 085 of the Education Code, as amended and renumbered by Chapter 78 of the Statutes of 1971, is amended to read:

6902 085. No ~~minor~~ *pupil* shall be placed in a special education class for the mentally retarded if he scores higher than two standard deviations below the norm, considering the standard error of measurement, on an individual intelligence test selected from a list approved by the State Board of Education except as provided in Section 6902 095.

No ~~minor~~ *pupil* shall be placed in a special education program for the mentally retarded when he is being tested in a language other than English if he scores higher than two standard deviations below the norm, considering the standard error of measurement, on the nonverbal intelligence test or on the nonverbal portion of an individual intelligence test which includes both verbal and nonverbal portions except as provided in Section 6902.095.

No ~~minor~~ *pupil* may be placed in a special education program for the mentally retarded unless a complete psychological examination by a credentialed school psychologist investigating such factors as developmental history, cultural background, and school achievement substantiates the retarded intellectual development indicated by the individual test scores. This examination shall include estimates of adaptive behavior Until adaptive behavior scales are normed and approved by the State Board of Education, such adaptability testing shall include, but is not limited to, a visit, with the consent of the parent or guardian, to the ~~minor's~~ *pupil's* home by the school psychologist or a person designated by the chief administrator of the district, upon the recommendation of the school psychologist, and interviews of members of the ~~minor's~~ *pupil's* family at their home If the language spoken in the home is other than English, such interviews shall be conducted in the language of the home.

In the case of a pupil whose primary home language is other than English, the psychological evaluation shall be conducted in the pupil's primary home language It shall be administered by a credentialed school psychologist fluent in the language of the pupil In the event such a person is not available, an interpreter qualified in the primary home language of the pupil shall be provided to assure effective communication between the pupil and the school psychologist administering the evaluation The district shall provide the interpreter with in-service training in the application of evaluation techniques and procedures, such training to be given under the direction of a school psychologist according to guidelines established by the State Board of Education.

After a ~~student~~ *pupil* has been screened and referred, written permission for the individual psychological evaluation shall be secured in a conference with a school official and the parent or guardian or his authorized representative After the individual psychological evaluation is completed, the psychologist shall confer with the parent or guardian or his authorized representative regarding the recommendation to the admission committee. Following the admission committee meeting, a committee member shall meet with the parent or guardian or his authorized representative to discuss the committee conclusion and to obtain written permission for placement.

No ~~minor~~ *pupil* shall be placed in a special education class for the mentally retarded without the written consent of the parent or guardian of the child after a complete explanation of the special education program. Permission documents for individual psychological evaluation, and placements, shall be written in English and in the language of the parent or guardian. Conferences and notices to inform the parent or guardian of the nature of the placement process, the committee conclusion, and the special education program shall be in the home language of the parent or guardian."

Amendment No. 35

On page 47, between lines 22 and 23, insert

"SEC. 60 2. Section 6920 of the Education Code is amended to read:

6920 Every mentally retarded, physically handicapped, or multiply handicapped ~~minor~~ *pupil*, as defined in Section 6870, is entitled to training or an education free of charge in the public schools of this state."

Amendment No. 36

On page 50, between lines 27 and 28, insert

"SEC. 65 2. Section 10522 of the Education Code is amended to read:

10522 For the purposes of this article, "special class or program" includes any class or program for which a criterion for participation involves the physical or mental condition of the ~~minor~~ *pupil*, as defined by the State Board of Education, that would qualify him for placement in a special education program."

Amendment No. 37

On page 53, between lines 2 and 3, insert

"SEC. 71.2. Section 11553 of the Education Code is amended to read:

11553. The average daily attendance of mentally retarded ~~minors~~ *pupils* given instruction by a county superintendent of schools shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175 and the average daily attendance so computed shall be credited to the county school service fund, provided, however, that the average daily attendance of mentally retarded ~~minors~~ *pupils* coming within the provisions of Section 6903 for the purpose of computation of transportation allowances under Section 18060, subdivision (b), shall be computed by dividing the total number of days of attendance of such pupils during the fiscal year, including the days of attendance at an authorized summer session, by 175.

SEC. 71 4. Section 11553.1 of the Education Code is amended to read:

11553.1. Mentally retarded ~~minors~~ *pupils* who come within the provisions of Section 6902 and who are enrolled in a work-study program approved by the Department of Education shall be credited, for apportionment purposes, one full day of attendance for each day of attendance in the approved program The average daily attendance of mentally retarded ~~minors~~ *pupils* enrolled in approved programs shall be computed by dividing the total number of days of attendance of the ~~minors~~ *pupils* by the number of days taught in the regular schools of the district No such pupils shall be credited with more than five days of attendance per calendar week or more than the number of calendar days such special school or class is maintained by the district in each fiscal year."

Amendment No. 38

On page 53, line 15, strike out "school", and insert "schools".

Amendment No. 39

On page 53, between lines 18 and 19, insert

"SEC 73.2 Section 16645 1 of the Education Code is amended to read:

16645 1. The purpose of the Legislature in enacting this article is to continue these development centers for physically handicapped and mentally retarded ~~minors~~ *pupils* having successfully demonstrated that there is a need for such facilities to help these children from an earlier age, that such development centers prevent the breakup of homes through respite from continuous 24-hour care of severely handicapped ~~minors~~ *pupils*, that such development centers effectively relieve parents to engage in work, that the centers reduce significantly the demand for institutional placement, and that the centers are accessible to families without causing the physical dislocation of ~~minors~~ *pupils* from their families."

Amendment No. 40

On page 54, between lines 16 and 17, insert

"SEC. 74 3. Section 16645 2 of the Education Code is amended and renumbered to read:

~~16645 2~~ *6880.2*. The governing body of any school district or a county superintendent of schools with the approval of the county board of education is authorized to establish and maintain, upon the approval of the Superintendent of Public Instruction, one or more development centers for physically handicapped and mentally retarded ~~minors~~ *pupils* between 3 years and 21 years of age residing in, and in the custody of persons residing in, the district or county. The governing body or county superintendent shall determine the hours, days, and months during which the development center is to be maintained.

The establishment and maintenance of any development center for physically handicapped and mentally retarded ~~minors~~ *pupils* by the county superintendent of schools shall be undertaken subject to the prior approval of the county board of education, upon the application of one or more school districts under his jurisdiction, and such establishment and maintenance shall be upon such terms and conditions as may be provided for in a written contract between the county superintendent of schools and the governing body of any school district

~~Minors~~ *Pupils* who are otherwise eligible for development center placement as determined by the Superintendent of Public Instruction, and who are between 18 months and 3 years of age, may be enrolled in experimental programs conducted by a school district or county superintendent of schools maintaining a development center. Experimental programs for such ~~minors~~ *pupils* shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him

The reference to "21 years of age" in this section is unaffected by Section 1 of Chapter 1748 of the Statutes of 1971 or any other provision of that chapter.

SEC. 74.4. Section 16645 4 of the Education Code is amended to read:

16645 4. The Superintendent of Public Instruction shall establish and enforce reasonable and uniform standards for development centers for handicapped ~~minors~~ *pupils*, and shall establish standards for the admission of a child. He may change the standards whenever he deems it advisable.

SEC. 74 5. Section 16645.11 of the Education Code is amended to read·

16645.11 The governing board shall establish in the county treasury a fund to be known as the "development center for handicapped ~~minors~~ *pupils* fund" into which shall be paid all funds received by the district for, or from the operation of, development centers established under this article (commencing at Section 16645 1). The costs incurred in the maintenance and operation of development centers shall be paid from the fund, except that any contributions, other than those described in Section 16645 11a, authorized or required to be paid by the district on account of services of employees of a development center to a retirement system shall be paid from the general fund of the district or from funds of the district derived from a special tax levied pursuant to Section 14657 or 14758 of the Education Code or Section 20532 of the Government Code

No other funds of a district derived from the receipts of district taxes, except a district tax levied under Section 16645.9, or derived from moneys apportioned to the district for the support of the schools thereof, except state moneys expressly appropriated from the General Fund for the support of development centers, may be expended for, or in connection with, a development center

SEC. 74.7. Section 16645.21 of the Education Code is amended to read·

16645 21. Any unencumbered balance remaining in a district "development center for handicapped ~~minors~~ *pupils* fund" may be deposited in the general fund of the school district one year after the discontinuance of its child care center program pursuant to Section 16645 20.

SEC. 74.8. Section 16645 22 of the Education Code is amended to read

16645 22 The governing board shall insure against the liability, other than a liability which may be insured against under Division 4 of the Labor Code, imposed upon the district by any law of this state, in any insurance company authorized to do business in this state The cost of such insurance shall be paid out of the "development center for handicapped ~~minors~~ *pupils* fund" of the district

SEC. 74.9 Section 16645 23 of the Education Code is amended to read:

16645 23 An Advisory Committee on Development Centers for Handicapped ~~Minors~~ *Pupils* shall be established to aid in setting standards for admission to centers, and to advise the Department of Education in the administration and operation of centers. The advisory committee shall consist of one member from the Department of Social Welfare to be appointed by the Director of Social Welfare, one member from the Department of Mental Hygiene to be appointed by the Director of Mental Hygiene, one member from the Department of Public Health to be appointed by the Director of Public Health, one member from the Department of Education to be appointed by the Director of Education, one lay member from the general public and one parent of a handicapped ~~minor~~ *pupil* to be appointed by the Director

of Education, and four members each from a school district or a county superintendent of schools office participating in the program to be appointed by the Director of Education The member from the Department of Education shall serve as secretary of the committee."

Amendment No. 41

On page 62, line 20, strike out "and", and insert a comma.

Amendment No. 42

On page 62, line 23, after "schools," insert "and for all opportunity schools and classes and all continuation schools and classes maintained by the county superintendent of schools,".

Amendment No. 43

On page 63, line 8, strike out "or".

Amendment No. 44

On page 63, line 9, after "pupils", insert ", or pupils enrolled in development centers for the handicapped".

Amendment No. 45

On page 63, line 12, after "inclusive", insert ", and Sections 16645.1 to 16645 25, inclusive".

Amendment No. 46

On page 63, line 22, strike out "or".

Amendment No. 47

On page 63, line 23, after "handicapped", insert ", or enrolled in development centers for the handicapped".

Amendment No. 48

On page 65, line 11, after "pupils", insert ", or pupils enrolled in development centers for the handicapped".

Amendment No. 49

On page 68, after line 1, insert

"SEC. 90. It is the intent of the Legislature, if this bill and Senate Bill No. 805 are both chaptered and amend Section 885 5 of the Education Code, and this bill is chaptered after Senate Bill No 805, that the amendments to Section 885 5 proposed by both bills be given effect and incorporated in Section 885 5 in the form set forth in Section 1 2 of this act. Therefore, Section 1.2 of this act shall become operative only if this bill and Senate Bill No 805 are both chaptered, both amend Section 885 5, and Senate Bill No. 805 is chaptered before this bill, in which case Section 1.1 of this act shall not become operative.

SEC. 91. It is the intent of the Legislature, if this bill and Assembly Bill No 437 are both chaptered and amend Section 6902 085 of the Education Code, and this bill is chaptered after Assembly Bill No. 437, that the amendments to Section 6902 085 proposed by both bills be given effect and incorporated in Section 6902 085 in the form set forth in Section 34.5 of this act Therefore, Section 34 5 of this act shall become operative only if this bill and Assembly Bill No. 437 are both

chaptered, both amend Section 6902 085, and Assembly Bill No 437 is chaptered before this bill, in which case Section 34 of this act shall not become operative.

SEC 92 It is the intent of the Legislature, if this bill and Senate Bill No. 226 are both chaptered and amend or amend and renumber Section 16645 2 of the Education Code, and this bill is chaptered after Senate Bill No 226, that the amendments to Section 16645 2 proposed by both bills be given effect and incorporated in Section 16645 2 in the form set forth in Section 74 3 of this act Therefore, Section 74 3 of this act shall become operative only if this bill and Senate Bill No. 226 are both chaptered, both amend or amend and renumber Section 16645 2, and Senate Bill No 226 is chaptered before this bill, in which case Section 74 of this act shall not become operative "

Senate Amendments of November 30, 1972

Amendment No. 1

On page 91 of the printed bill, as amended in Senate November 17, 1972, after line 40, insert

"SEC 93 Unless specifically provided otherwise in this act, any section of any other act enacted by the Legislature at its 1972 Regular Session prior or subsequent to the enactment of this act, which amends, amends and renumbers, or repeals a section or heading amended or amended and renumbered by this act shall prevail over this act "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brown, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Mobley, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—58.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1182—An act to add Article 3 (commencing with Section 24321) to Chapter 9 of Division 18 of the Education Code, relating to the California State University and Colleges

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1182?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Assembly April 27, 1972, strike out "Universities", and insert "University".

Amendment No. 2

On page 2, strike out lines 18 to 28, inclusive, and insert "State Personnel Board established pursuant to Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code."

Amendment No. 3

On page 2, line 30, strike out "California State"; strike out lines 31 and 32, and insert "State Personnel Board."

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Bagley, Bee, Beverly, Brathwaite, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Cory, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Ketchum, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stacey, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—55.

NOES—Arnett, Lancaster, and Russell—3.

Above bill ordered enrolled.

Hon. Willie L. Brown Presiding

Hon. Willie L. Brown, 18th District, presiding.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE REPORT ON SENATE BILL NO. 95

On motion of Mr. Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Conference Report on Senate Bill No. 95 adopted by the following vote:

AYES—Arnett, Barnes, Bee, Brathwaite, Brown, Burke, Burton, Chacon, Cline, Cory, Crown, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, MacDonald, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Ryan, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—57.

NOES—Stacey and Wakefield—2.

Majority Floor Leader Presiding

Hon. Jack R. Fenton, 51st District, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 814—An act to amend Sections 12786, 12787, 12788 and 12792 of, to add Division 25 (commencing with Section 37000) to, to repeal Section 12771 of, the Education Code, and to amend Section 1300 of the Labor Code, relating to manpower development effectiveness programs, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 814?

Senate Amendments of July 21, 1972

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in Assembly July 3, 1972, strike out "two", and insert "one".

Amendment No. 2

On page 2, line 15, strike out "centers", and insert "center".

Amendment No. 3

On page 2, line 16, after "as", insert "a".

Amendment No. 4

On page 2, line 17, strike out "centers", and insert "center".

Amendment No. 5

On page 2, line 22, strike out "they are", and insert "it is".

Amendment No. 6

On page 3, line 1, strike out "two".

Amendment No. 7

On page 3, line 1, strike out "projects", and insert "project".

Amendment No. 8

On page 3, line 2, strike out "each", and insert "the".

Amendment No. 9

On page 3, line 26, strike out "Two", and insert "One".

Amendment No. 9.5

On page 3, line 26, strike out "centers", and insert "center".

Amendment No. 10

On page 3, strike out lines 27 and 28, and insert "established."

Amendment No. 11

On page 3, line 29, strike out "two guidance centers", and insert "guidance center".

Amendment No. 12

On page 4, line 12, strike out "project sites", and insert "the project site".

Amendment No. 13

On page 4, line 16, strike out "two".

Amendment No. 14

On page 4, line 17, strike out "sites", and insert "site".

Amendment No. 14.5

On page 5, line 38, after "inclusive", insert a period.

Amendment No. 15

On page 6, line 14, strike out "each guidance center. Each", and insert "the guidance center. The".

Amendment No. 16

On page 6, line 26, strike out "A", and insert "The".

Amendment No. 17

On page 6, line 32, strike out "A", and insert "The".

Amendment No. 17.5

On page 7, line 20, strike out "centers", and insert "center".

Amendment No. 18

On page 7, line 34, strike out "A", and insert "The".

Amendment No. 19

On page 7, after line 38, insert

"37043. The guidance center shall provide, pursuant to Section 37024, basic assistance to, including a schedule of products, services, and in-service training especially oriented to, (a) the certificated vocational-technical internship programs conducted pursuant to Section 3093 of the Labor Code and (b) the vocational area planning committees designated pursuant to Section 37024."

Amendment No. 20

On page 8, line 7, strike out "centers", and insert "center".

Amendment No. 21

On page 8, between lines 14 and 15, insert

"37052. The State Board of Education, utilizing state and federal funds made available for these purposes, shall undertake, in consultation with the Career Guidance Center Advisory Committee, a study, design, and budget estimate for phased implementation of a statewide job training system which integrates (a) certificated vocational-technical internships, (b) vocational area planning, and (c) area career guidance centers. The board shall submit its report, including findings and recommendations, to the Legislature by the fifth calendar day of the 1974 Regular Session.

37053. The Legislative Analyst shall report to the Legislature on or before March 30, 1973, regarding his findings and recommendations as to state agency and state-administered federal funds which (a) are available and (b) may be made available for the study and report and for the implementation of the statewide job training system, as set forth in Section 37052."

Amendment No. 22

On page 8, line 16, strike out "five hundred thousand dollars"; and in line 17, strike out "($500,000)", and insert "two hundred fifty thousand dollars ($250,000)".

Amendment No. 23

On page 8, line 20, strike out "centers", and insert "center".

Amendment No. 24

On page 8, lines 26 and 27, strike out "this amount be matched", and insert "the availability of this amount for expenditure shall be contingent upon its being matched".

Senate Amendments of November 30, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 21, 1972, after "to", insert "amend Sections 12786, 12787, 12788 and 12792 of, to".

Amendment No. 2

In line 2 of the title after the first "to", insert ", to repeal Section 12771 of,".

Amendment No. 3

In line 2 of the title after the comma, insert "and to amend Section 1300 of the Labor Code,".

Amendment No. 4

In line 4 of the title after "therefor", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 5

On page 2, line 1, after "SECTION 1.", insert "Section 12771 of the Education Code is repealed

~~12771. A permit to work shall be issued to each minor enrolled in continuation education classes.~~

SEC. 2. Section 12786 of the Education Code is amended to read:

12786 Every person, firm, corporation, or agent or officer of a firm or corporation, employing minors ~~under the age of 18 years~~ shall keep on file all permits to employ ~~for~~ minors ~~under the age of 18 years~~ during the term of the employment.

~~Within five days after the termination of the employment, the permit to employ, shall be sent by the employer to the work permit issuing authority. The permit shall contain the latest correct address of the minor known to the employer. When the term of employment is for two or less days the permit shall be returned directly to the minor.~~

SEC. 3. Section 12787 of the Education Code is amended to read:

12787 The employer of any minor subject to this chapter shall ~~within five days after the beginning of employment,~~ send to the officer ~~issuing~~ *authorized to issue* the permit to work a written notification of ~~the employment~~ *intent to employ a minor* ~~The permit to work shall become invalid unless written notification of the employment is sent by the employer within five days of the date of employment.~~ The form of the ~~notification~~ *intent to employ a minor* shall be prescribed by the Department of Education and shall be furnished to the employer by the officer ~~The employer shall retain and file with the permit to work a copy of the notification.~~

SEC 4 Section 12788 of the Education Code is amended to read:

12788. The notification of ~~employment of~~ *intent to employ* a minor shall contain ·

(a) The name, address, phone number, and social security number of the minor.

(b) The name, address, phone number, and supervisor at the minor's place of employment

(c) The kind of work the minor will perform.

(d) The maximum number of hours per day and per week the student will be expected to work for the employer.

(e) The signatures of the parent or guardian, of the minor, and of the employer.

SEC. 5. Section 12792 of the Education Code is amended to read:

12792. Failure to produce a permit to work ~~and a duplicate of the written notification of employment sent to the officer issuing the permit to work are~~ *is prima facie evidence of the illegal employment of any* minor whose permit to work is not produced.

SEC. 6."

Amendment No. 6

On page 3, strike out lines 2 and 3, and insert "agencies set forth in Section".

Amendment No. 7

On page 3, between lines 24 and 25, insert

"37014. "Committee" means the Career Guidance Center Advisory Committee composed of representatives of those agencies listed in Section 37022."

Amendment No. 8

On page 3, strike out lines 36 and 37, and insert

"37022. In the implementation of this division, the department shall advise and consult with, on a regular basis,".

Amendment No. 9

On page 3, line 40, strike out "department", and insert "Coordinating Council for Higher Education, the University of California, the Chancellor of the California State University and Colleges".

Amendment No. 10

On page 4, strike out lines 6 and 7, and insert "his designee, shall hold at".

Amendment No. 11

On page 4, line 8, after "quarter", insert "regarding the implementation of this division".

Amendment No. 12

On page 4, line 9, strike out ", in"; and strike out line 10; and in line 11, strike out "Committee,".

Amendment No. 13

On page 4, line 14, after "the", insert "additional and future".

Amendment No. 14

On page 4, line 15, strike out "site", and insert "sites".

Amendment No. 15

On page 4, line 16, strike out "teacher", and insert "occupational education".

Amendment No. 16

On page 4, line 18, after "administration", insert "pursuant to Chapter 4 of this division It is the intent of the Legislature that in the implementation of the first (pilot) guidance center, priority shall be given to contractors who are thoroughly acquainted with the hiring standards and personnel selection practices of the industry."

Amendment No. 17

On page 4, line 19, after "the", insert "additional and future".

Amendment No. 18

On page 4, line 19, strike out "site", and insert "sites".

Amendment No. 19

On page 4, strike out line 22, and insert "with the agencies listed in Section 37022."

Amendment No. 20

On page 4, lines 23 and 24, strike out "agencies and employers, local", and insert "employers, including the military services of the United States,".

Amendment No. 21

On page 4, line 25, strike out "are authorized to", and insert "may, notwithstanding Section 10751,".

Amendment No. 22

On page 4, line 27, after "information", insert "relating to their respective students and graduating seniors".

Amendment No. 23

On page 4, line 30, strike out "local".

Amendment No. 24

On page 4, line 34, strike out "are authorized to", and insert "may".

Amendment No. 25

On page 4, strike out lines 36 to 40, inclusive; and strike out all of page 5, and insert

"On or before March 30, 1973, and annually thereafter, the department and the agencies listed in Section 37022, with the assistance of the guidance center, shall report to the board an inventory of their respective programs, current and planned, as follows. (a) occupational and job analyses, (b) occupational and job performance testing and evaluation, both written and nonwritten, (c) costs of job training for classroom, on-the-job, and home-study programs, (d) work experience evaluation, especially in relation to occupational competencies, (e) quality control techniques and practices for conducting job training programs, (f) personnel selection techniques, practices, and respective costs thereof, (g) administration and evaluation of occupational training advisory committees for entry, but not necessarily including, professional levels, and (h) proportion of their respective employees and students enrolled in job training programs at entry, but not necessarily including, professional levels."

Amendment No. 26

On page 6, strike out lines 6 to 22, inclusive.

Amendment No. 27

On page 6, line 24, strike out "Powers and Duties", and insert "Definitions Respecting Guidance Centers".

Amendment No. 28

On page 6, line 26, strike out "may exercise", and insert "has".

Amendment No. 29

On page 6, line 32, strike out "shall develop", and insert "has".

Amendment No. 30

On page 6, line 33, after "of", insert ", but not limited to,".

Amendment No. 31

On page 7, line 11, strike out "guidance", and insert "and personnel selection techniques and".

Amendment No. 32

On page 7, line 12, after "practices", insert ", including direct and standard costing of same,".

Amendment No. 33

On page 7, line 20, strike out "the feasibility of", and insert "the techniques for".

Amendment No. 34

On page 7, line 21, after "competencies", insert "particularly regarding internships, apprenticeships, and work experience education at entry, but not necessarily including, professional levels."

Amendment No. 35

On page 7, between lines 23 and 24, insert

"(g) An inventory and development of techniques and practices for estimating and validating earning power of marketable occupational skills for which persons enroll in formal training financed on the basis of student loan programs. The guidance center shall make findings and recommendations annually."

Amendment No. 36

On page 7, line 24, strike out "(g)", and insert "(h)".

Amendment No. 37

On page 7, line 25, strike out "utilizing guidance center services shall be", and insert "participating in occupational preparation programs are continuously".

Amendment No. 38

On page 7, line 27, strike out "(h)", and insert "(i)".

Amendment No. 39

On page 7, line 29, strike out "need for the development of new", and insert "statewide supply and demand status and job relatedness regarding".

Amendment No. 40

On page 7, strike out lines 30 to 32, inclusive, and insert "credentials and licenses in occupational fields served by the agencies on the committee, and make findings and recommendations."

Amendment No. 41

On page 8, line 1, strike out "the", and insert "apprenticeship, on-the-job training, and".

Amendment No. 42

On page 8, line 1, strike out "vocational-technical".

Amendment No. 43

On page 8, line 2, strike out "conducted pursuant to Section 3093", and insert "at entry, but not necessarily including, professional levels".

Amendment No. 44

On page 8, line 3, strike out "of the Labor Code".

Amendment No. 45

On page 8, line 3, strike out "vocational", and insert "occupational".

Amendment No. 46

On page 8, line 8, strike out "fifth", and insert "one-hundredth".

Amendment No. 47

On page 8, line 14, strike out "Career Guidance Center Advisory".

Amendment No. 48

On page 8, line 20, strike out "The", and insert "Through the pilot guidance center, the".

Amendment No. 49

On page 8, line 21, strike out "for these purposes", and insert "under this division".

Amendment No. 50

On page 8, lines 22 and 23, strike out "Career Guidance Center Advisory Committee", and insert "agencies listed in Section 37022".

Amendment No. 51

On page 8, line 25, after "(a)", insert "apprenticeship, on-the-job training, and".

Amendment No. 52

On page 8, line 26, strike out "vocational-technical".

Amendment No. 53

On page 8, line 26, strike out "vocational", and insert "occupational".

Amendment No. 54

On page 8, line 32, after "March 30, 1973," insert "and on or before September 30, 1973,".

Amendment No. 55

On page 8, strike out lines 38 to 40, inclusive, and insert

"37054. Commencing March 1, 1973, there is established a Career Guidance Center Advisory Committee composed of representatives of the agencies listed in Section 37022. The Superintendent of Public Instruction, or his designee, shall be the chairman of the committee and shall hold at least one public meeting of the committee per quarter. The committee shall be the vehicle for conducting those interagency activities provided for in this division.

37055. In consultation with the committee, the superintendent shall appoint a local advisory committee for the guidance center. The local advisory committee shall be composed of 10 members selected for their interest and abilities in the field of personnel selection and personnel training.

Five of the members shall hold responsible positions in personnel administration, including the college or university level instruction thereof. The remaining five shall be members of various occupational area planning committees, established pursuant to Article 10.4 (commencing with Section 6268) of Chapter 6 of Division 6 of the Education Code.

The local advisory committee shall make annual formal findings and recommendations regarding the operation of the career guidance center and report thereon to the Superintendent of Public Instruction.

Members of the local advisory committee shall serve without compensation, but they shall receive actual and necessary traveling expenses in performing duties under this section.

SEC. 7. Section 1300 of the Labor Code is amended to read:

1300. All certificates and permits to work or to employ ~~shall be returned to the issuing authority within five days after the minor quits his employment. Such certificate or permit~~ shall be subject to cancellation at any time by the Labor Commissioner or by the issuing authority, whenever the commissioner or the issuing authority finds that the conditions for the legal issuance of such certificate or permit no longer exist or have never existed.

SEC. 8. From the funds appropriated for the support of vocational education programs in public school districts by Item 277 of the Budget Act of 1972, there is appropriated to the State Board of Education, the sum of five hundred thousand dollars ($500,000) to be expended during the 1972–1973 and 1973–1974 fiscal years for the pilot career guidance center established pursuant to Sections 37024 and 37025 of the Education Code No more than two hundred fifty thousand dollars ($250,000) from the amount appropriated hereby shall be available for expenditure during the 1972–1973 fiscal year."

Amendment No. 56

On page 9, strike out lines 1 to 4, inclusive; and in line 5, strike out "of the Education Code.", and insert

"SEC. 9."

Amendment No. 57

On page 9, line 9, before "It", insert

"SEC. 10."

Amendment No. 58

On page 9, line 12, after "Department", insert a period.

Amendment No. 59

On page 9, strike out lines 13 to 17, inclusive, and insert

"SEC 11 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A consequence of the current unemployment situation is a statewide adverse impact on young persons and the occupationally untrained and displaced. The early effectiveness of this legislation will help cushion and ameliorate this circumstance."

Senate Amendments of December 1, 1972

Amendment No. 1

In line 6 of the title of the printed bill, as amended in Senate November 30, 1972, strike out ", and", and strike out lines 7 and 8, and insert a period.

Amendment No. 2

On page 14, strike out lines 6 to 15, inclusive.

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1674—An act to amend Sections 20605, 20930, 21221 5, 21250 1, 21252 6, 21295, 21330 and 21364.7 of, to add Sections 21263, 21263 1, 21263 2 and 21263 3 to, and to repeal Sections 20750 426, as added by Chapter 1035 of the Statutes of 1972, 21263, 21263 1, 21264, 21264.1 as added by Chapter 150 of the Statutes of

1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System.

The question being · Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1674?

Senate Amendments of November 15, 1972

Amendment No. 1

In line 1 of the title of the printed bill, after the first "Sections", insert "20605, 21221 5, 21250.1, 21252 6, 21295,".

Amendment No. 2

In line 2 of the title, strike out "and 21264", and insert ", 21263.1, 21263 2 and 21263 3".

Amendment No. 3

In line 2 of the title, after "Sections", insert "20750 426, as added by Chapter 1035 of the Statutes of 1972,".

Amendment No. 4

On page 1, line 1, strike out "21263 of the Government Code," and insert "20605 of the Government Code is amended to read.

20605 For each ~~law enforcement member and each local safety~~ member subject to Section 21252 6 of this code, effective on the operative date of this section, or the later date of entrance into this system as such a member, the normal rate of contribution shall be 7 percent of compensation paid on and after such operative date

The normal rate of contribution as established under this section for a member whose service is included in the federal system *and whose retirement allowance is reduced because of such inclusion* shall be reduced by one-third as applied to compensation not exceeding four hundred dollars ($400) *per month for service rendered after the date of execution of the modification of the federal-state agreement including such services in the federal system and prior to termination of his coverage under the federal system .*

The operative date of this section with respect to a local safety member shall be the date upon which he becomes subject to Section 21252.6.

SEC 2 Section 20750.426, as added by Chapter 1035 of the Statutes of 1972, is repealed

~~20750 426. An employer's contribution to the retirement fund in respect to law enforcement members provided by any and all other provisions of this chapter is increased by a sum equal to 1 30 percent of the compensation paid such members.~~

SEC. 2.5. Section 21221.5 of the Government Code is amended to read:

21221 5 Notwithstanding anything to the contrary in Section 20520, monthly allowances payable to persons retired under a local system of a contracting agency at the time of contract shall be adjusted in accordance with this article *; provided, however, that with respect to such retired persons under a contract effective on or after the effective date of the amendments to this section at the 1972 Regular Session, the*

"base year" shall be the year in which the contract is effective. Allowances payable for service to a public agency whose contract is terminated on or after the effective date of this section shall be adjusted in accordance with this article subject to reduction in accordance with Section 20564 Allowances payable for service to a public agency whose contract was terminated prior to the effective date of the section shall not be adjusted in accordance with this article

SEC 3. Section 21250 1 of the Government Code is amended to read·

21250 1 Upon retirement for service, a member is entitled to receive a service retirement allowance which shall consist of

(a) His service retirement annuity ~~, including, with respect to patrol members and solely in respect to the portion of said annuity derived from the normal accumulated contributions of such members, respectively, automatic continuance to surviving wife, or if there is no eligible wife at retirement, to surviving children, or if there are no eligible surviving children at retirement, to surviving dependent parents as provided in this article~~.

(b) His current service pension.

The provisions of this part applying to current service pensions of such members retiring after October 1, 1967, shall apply to both current and prior service as though current service included the member's prior service, and shall supersede provisions relating to prior service pensions.

This section shall supersede Section 21250 as to state members, school members, and members who are employees of a contracting agency which is subject to Section 20493 of this part

SEC 4 Section 21252 6 of the Government Code is amended to read

21252.6 The combined prior and current service pension for a ~~law enforcement member, other than such member defined in Section 20017 7, subdivision (a) of Section 20017 75 or Section 20017 8 of this code,~~ *state safety member* and a local safety member with respect to service to a contracting agency subject to this section, upon retirement after attaining age 55, is a pension derived from contributions of an employer sufficient, when added to that portion of the service retirement annuity which is derived from the accumulated normal contributions of the member at the date of his retirement, to equal one-fiftieth of his final compensation multiplied by the number of years of ~~law enforcement~~ *state safety*, police, fire, or county peace officer service which is credited to him as a ~~law enforcement~~ *state safety* member or a local safety member subject to this section at retirement Notwithstanding the preceding sentence, this section shall apply to the current and prior service pension for any other ~~law enforcement~~ *state safety* member based on service to which it would have applied had the member, on July 1, 1971, been in employment described in Section 20017 77 of this code

In no event shall the total pension for all service under this section exceed an amount which, when added to the service retirement annuity related to such service, equals 75 percent of final compensation If the

pension relates to service to more than one employer and would otherwise exceed such maximum, the pension payable with respect to each employer shall be reduced in the same proportion as the allowance based on service to such employer bears to the total allowance computed as though there were no limit, so that the total of such pensions shall equal the maximum

This section shall not apply to a person whose effective date of retirement is prior to the operative date of this section or to a person who retires after such operative date and following reinstatement from a retirement having an effective date prior to such operative date and before rendering during such reinstatement at least one year of service in which he is subject to this section

The Legislature reserves, with respect to any member subject to this section, the right to provide for such adjustment of industrial disability retirement allowances because of earnings of a retired person and modification of the conditions and qualifications required for retirement for disability as it may find appropriate because of the earlier age of service retirement made possible by the benefits under this section

The percentage of final compensation provided in this section shall be reduced by one-third as applied to that part of the member's final compensation which does not exceed four hundred dollars ($400) per month for service after the effective date of coverage of a member under the federal system. *This paragraph shall not apply to a member who retires after the date upon which coverage under the federal system of persons in his employment terminates It shall not apply to a local safety member employed by a contracting agency electing to be subject to this section after the effective date of the amendments to this section at the 1972 Regular Session unless such agency elects to be subject to this paragraph by amendment to its contract or by appropriate provision of a contract entered into after this provision is effective and as to any such member, the reduction in the percentage of final compensation shall apply to all local safety service to such agency, if any of such local safety service has been included in the federal system*

This section shall not apply to a contracting agency nor its employees unless and until the agency elects to be subject to it by amendment to its contract made in the manner prescribed for approval of contracts or in the case of a new contract, by express provision of the contract The operative date of this section with respect to a local safety member shall be the effective date of the amendment to his employer's contract electing to be subject to this section

Upon such election by a contracting agency subject to Section 21252 1, this section shall not apply to a local safety member then employed who entered such employment after attaining age 30, and Section 21252 1 shall continue to apply to such member unless and until he terminates such employment and more than 30 days thereafter enters employment otherwise subject to this section Upon such later entry into employment, the member will be subject to this section with respect to all service as a local safety member rendered to any employer subject to this section.

~~This section shall not apply to a person who is a law enforcement member on its operative date and who entered law enforcement service after attaining age 30 unless such person elects in writing to be subject to this section and the election is filed in the office of the board within 30 calendar days following the operative date of this section.~~

SEC. 5. Section 21263 of the Government Code,".

Amendment No. 5

On page 3, strike out lines 1 through 40, inclusive; and on page 4, strike out lines 1 and 2, and insert

"SEC 6 Section 21263 is added to the Government Code, to read:

21263 Upon the death of a patrol or state safety member whose retirement for service or disability is effective on or after the operative date of this section, a monthly allowance derived from employer contributions equal to a percentage of the amount of his retirement allowance as it was at his death based on service credited to him as a member subject to this section but excluding any portion of the retirement allowance derived from additional contributions of the member shall be paid to the surviving spouse throughout life or until remarriage Such percentage shall be 25 percent for an allowance based on service for which the allowance is reduced because the service was also covered under the federal system and 50 percent for an allowance based on any other service If there be no surviving spouse, or upon death or remarriage of such spouse before every child of the deceased member attains the age of 18, such allowance shall be paid to his child or children under such age, collectively, until every such child dies or attains such age; provided, that no child shall receive any allowance after marrying or attaining such age If at the time of the retired member's death there is no surviving spouse or children under age 18, the allowance shall be paid to a parent or collectively to parents of the deceased member dependent upon him for support. If at the effective date of his retirement the member has no surviving spouse, eligible children or dependent parents and elected an optional settlement, no allowance under this section shall be paid

"Surviving spouse" for purposes of this section means a husband or wife who was married to the member for a continuous period beginning at least one year prior to his retirement and ending on the date of his death."

Amendment No. 6

On page 4, line 3, strike out "SEC 3", and insert

"SEC. 7".

Amendment No. 7

On page 4, after line 5, insert

"SEC 8. Section 21263 1 is added to the Government Code, to read:

21263 1 "Member" for purposes of Section 21263 also includes those local miscellaneous members and local safety members who on the day preceding the operative date of this section were subject to Sections 21264 and 21264 1 as those sections read prior to their repeal on such operative date "Member" shall not include any other local miscellaneous or local safety member or apply to any contracting

agency employing such member unless and until the agency elects to be subject to the provisions of Section 21263 by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among employees shall not be required or, in the case of contracts made on or after the operative date of this section, by express provision of such contract Such election may be exercised separately with respect to local safety members who are firemen, local safety members who are policemen, local safety members other than policemen or firemen, and local miscellaneous members. The operative date of Section 21263 for purposes of application to that section to such local members shall be the effective date of such contract or contract amendment

SEC 9 Section 21263 2 is added to the Government Code, to read·

21263.2. Any member whose retirement was effective prior to the operative date of Section 21263 and who on such date or the earlier date of his death was subject to any provision of this part for continuation of one-half his allowance upon death after retirement to certain survivors and such survivors shall continue to be entitled to the payment of such allowance subject to all the terms and conditions of this part applicable thereto on the day preceding such operative date; except that Section 21364 7 shall not apply to such allowance payable with respect to such member who was a local member.

SEC 10 Section 21263 3 is added to the Government Code, to read:

21263 3 The allowance provided by Section 21263 shall be paid with respect to a local miscellaneous or local safety member whose retirement was effective prior to his employer's election to be subject to such section with respect to employees in his employment if at retirement he did not elect optional settlement two or three or an optional settlement involving life contingency under optional settlement four The retirement allowance payable to such a retired member who elected any such optional settlement shall be increased by 15 percent, for time on and after such operative date and prior to the next annual adjustment under Article 1 5 (commencing with Section 21220) and the base allowance shall be increased by 15 percent for purpose of that and all subsequent annual adjustments The amount payable to the beneficiary under such optional settlement shall be increased by the same percentage and in the same manner as the increase provided for the payment to the member Payment to such beneficiary of such increase shall be subject to the provisions of Section 21263 with respect to termination."

Amendment No. 8

On page 5, line 7, strike out "SEC 4", and insert "SEC. 11".

Amendment No. 9

On page 6, strike out lines 27 to 40, inclusive; and on page 7, strike out lines 1 to 5, inclusive.

Amendment No. 10

On page 7, line 6, strike out "SEC 6", and insert "SEC. 12".

Amendment No. 11

On page 7, line 26, strike out "SEC 7", and insert "SEC. 13".

Amendment No. 12

On page 8, line 4, strike out "SEC. 8", and insert "SEC. 14".

Amendment No. 13

On page 8, between lines 11 and 12, insert

"SEC. 15. Section 21295 of the Government Code is amended to read:

21295. Every ~~state~~ member retired for disability for whom a different disability retirement allowance is not prescribed by any other provision of this article, ~~and, except as otherwise provided in Section 21290.5, every patrol, forestry, or warden member retired~~ *including a member who is entitled to an industrial disability retirement allowance if the disability is industrial but who retires* for nonindustrial disability shall receive a disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated contributions at the time of retirement, and

(b) If, in the opinion of the board, his disability is not due to intemperence, willful misconduct or violation of law on his part, a disability retirement pension derived from the contributions of the ~~State~~ *employer*."

Amendment No. 14

On page 8, line 12, strike out "SEC. 9", and insert "SEC. 16".

Amendment No. 15

On page 8, strike out lines 21 to 32, inclusive, and insert "election or revocation or change thereof, with respect to a member subject to Section 21263 at retirement, shall apply to all of the retirement allowance, if, at the effective date of retirement for service or for industrial disability, said member has no spouse, children or dependent parents who would qualify for an allowance under Section 21263 after the death of said member, or, if at retirement there are persons who would so qualify, then said election, or revocation, or change thereof, shall apply only to the portion of the allowance which exceeds the amount of the allowance payable to the survivor"

Amendment No. 16

On page 8, line 39, strike out "SEC 10", and insert "SEC. 17".

Amendment No. 17

On page 9, line 1, strike out "or the"; and strike out line 2.

Amendment No. 18

On page 9, strike out lines 20 to 25, inclusive, and insert "of the Legislature, the special death benefit payable on the death of a member in employment in which the member was a local safety member on October 1, 1963, and which he held continuously thereafter to the date of death, and in which his compensation".

Amendment No. 19

On page 9, line 29, strike out "SEC. 11", and insert "SEC. 18".

Senate Amendments of November 30, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 15, 1972, after "20605," insert "20930,".

Amendment No. 2

On page 2, line 22, after "2 ", insert "Section 20930 of the Government Code is amended to read:

20930. "Public service" for purposes of this article means the following:

(a) Employment of the state or a contracting agency while not a member of this system, but after persons employed in the status of the member were eligible for membership in this system

(b) Employment of the state or a contracting agency while the employee was excluded from membership because of serving on a part-time basis or because of his failure to exercise his right of election of membership under Section 20360, 20361 or 20364.

(c) Employment of the state or a contracting agency while the employee was excluded from membership in an employment in which persons since have become eligible for membership and which is not creditable to the member under other provisions of this part.

(d) Employment in the State Emergency Relief Administration or the State Relief Administration subsequent to March, 1933, regardless of the source of the compensation paid for such employment

(e) Employment as an academic employee of the University of California prior to 1963, provided, however, that any member electing to receive credit for such public service shall in addition to other contributions required by this article contribute an amount equal to the contributions which would have been made on his behalf by the state had he been in membership during such employment, assuming that the state rate of contribution in effect at the time of election had been in effect during such employment.

(f) Employment of the state in which the person was not eligible for membership in the system if such ineligibility was solely because his compensation was paid from other than state-controlled funds; provided, however, that time spent in work as a work relief recipient under programs such as, but not limited to, the Works Progress Administration, the Civil Works Administration, the Federal Emergency Relief Administration, the National Youth Administration, and the Civilian Conservation Corps, shall not constitute public service

(g) Employment in a function formerly performed by a public agency other than a contracting agency and assumed by a contracting agency where the employees who performed such functions are or were transferred to or employed by such contracting agency without change in occupation or position.

(h) Time prior to November 8, 1967, during which a person performed court reporting duties in connection with civil court cases in the superior court for which he was compensated by fees paid by litigants other than the county, if the person is also credited with service as a court reporter in the superior court of the same county for which he received compensation on a per diem basis, provided, however, that such time shall not constitute public service with respect to any contracting agency or its employees unless the agency so elects by amendment to its contract.

(i) Time during which a member is excused from performance of his duties on approved leave for the purpose of service of up to two years with a university, college, local, state, federal or foreign governmental agency or nonprofit organization, if he returns to the employment from which the leave was granted, provided, however, that any member electing to receive credit for such public service shall in addition to contributions otherwise required by this article contribute an amount equal to the contribution that would have been made by his employer in respect to him had he not been absent, assuming that the employer rate of contribution in effect at the time of election had been in effect during the absence

(j) Absence from state service because of illness which arose out of and in the course of employment and for which the member received temporary disability benefits under the Labor Code during such absence and did not receive full compensation, as distinguished from such disability benefits for the period of absence

(k) Civilian service as an employee or officer of an agency of the government of the United States which performed functions the same as or substantially similar to those performed by this state prior to January 1, 1942, and which were transferred from the state to such agency, including military service in any branch of the armed forces of the United States performed by an individual on military leave of absence from such federal employment, if all the following conditions exist:

(1) Prior to performing such federal service he was employed by the state

(2) He was laid off from state service or would have been so laid off if he had not been absent in military service because of the transfer of the functions of the state to an agency of the United States government.

(3) Subsequent to his layoff from state service he was employed by the United States government in an agency performing functions the same as or substantially similar to those of the state agency from which he was laid off

(4) After his separation from federal service, he was employed by a state agency or

(5) In lieu of subparagraphs (1), (2), and (3), the United States government pays to the state or an agency of the state, funds equal to contributions which would have been made by the state had the member

been in state service for the period of his public service with respect to members who were not employed by the state prior to entering such federal employment or whose state service prior to entering such federal employment was terminated for reasons other than the transfer of the function

(l) Employment in a district, prior to the time the district became a subsidiary district of a city, of a person who was employed by the city following such reorganization to render service to the district and who became a member in such employment.

SEC 2 1 "

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled

Assembly Bill No. 724—An act to amend Sections 16144, 16149, 16150, 16152, and 16153 of, and to amend and renumber Section 16119 of, the Government Code, and to amend Sections 17054 5, 17203, 17226, 18683, 19526, 19531, 23186, 23301, 23332 5, 23402, 23571, 23701r, 23732, 24372, 24378, 24438, 24837 5, 25553, 25563, 25563 2, 25669, 25933, and 26481 of, and to add Sections 17036, 17206 5 and 23059 to, and to repeal Sections 17206 5 and 25957 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 724?

Senate Amendments of July 6, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 26, 1972, strike out "18244,".

Amendment No. 2

On page 4, strike out lines 34 to 40, inclusive, strike out all of page 5; and on page 6, strike out lines 1 to 17, inclusive.

Senate Amendments of November 10, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate July 6, 1972, strike out "17226, 19523, 19526, 19531,"; and strike out line 2, and insert "16149 and 16152 of, and to amend and renumber Section 16119 of, the Government Code, and to amend Sections 17054 5, 17203, 17226, 18683, 19523, 19526, 19531, 23186, 23301, 23332 5, 23402, 23571, 23701r, 23732, 24372, 24378, 24438, 24837 5, 25553, 25563, 25563 2, 25669, 25933, and 26481 of, and to add Sections 17036, 17206.5 and 23059 to, and to repeal Sections 17206.5 and 25957".

Amendment No. 2

In line 3 of the title, after the second "taxation", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 16119 of the Government Code is amended and renumbered to read:

~~16119~~ *16154*. In addition to the report required by Section ~~16109~~ *16144*, the Secretary of the Resources Agency shall require from local government agencies such other information relative to lands valued pursuant to the provisions of Article 28 of the California Constitution as is necessary for the proper administration of the provisions of Sections ~~16107~~ *16142* through ~~16119~~ *16153* and for periodic review of the policies established therein.

Information collected pursuant to this section shall be transmitted on request to the Legislature and to other state agencies, including, but not limited to, the State Board of Equalization, the Superintendent of Public Instruction, and the Department of Agriculture

SEC. 2. Section 16149 of the Government Code is amended to read:

16149. On or before October 31, 1972, and on or before the last day of October of each year thereafter, the assessor shall report the open-space adjustment for each school district located in the county to the Controller and to the Superintendent of Public Instruction The open-space adjustment shall be calculated by determining the difference between:

(a) The adjusted assessed value of all land in the district in the base year, *excluding the assessed value of the right to extract oil, gas or other hydrocarbons,* which shall be the last assessment year prior to the application of Section 423 or 423 5 of the Revenue and Taxation Code to any land within the district, and

(b) The assessed value of all land within the district, *excluding the assessed value of the right to extract oil, gas or other hydrocarbons,* for the current assessment year.

For the purposes of subdivision (a), "adjusted assessed value" shall be computed by multiplying the actual assessed value of land in the district in the base year, *excluding the assessed value of the right to extract oil, gas or other hydrocarbons,* by the percentage which the gross assessed value of all land in the state on the local roll outside of municipalities without deductions for any exemptions for the current assessment year is of the gross assessed value of all land on the local roll outside municipalities without deductions for any exemptions in the base year. The Controller shall announce the factors to be used by the assessors on or before October 15th of each year.

For purposes of determining the "actual assessed value of land" in the district in the base year, any assessor who had announced that he was using an assessment ratio of less than 25 percent in the base year pursuant to Section 401 of the Revenue and Taxation Code shall adjust the actual assessed value of the land in the district in the base year to the assessed value which would have been on the roll had the assessor announced a 25-percent assessment ratio If no announced ratio exists for the base year, the base year ratio shall be the ratio announced for the 1967–1968 fiscal year.

If the value of land within the district for the current assessment year is greater than the adjusted assessed value of the base year, there shall be no reimbursement.

SEC. 3. Section 16152 of the Government Code is amended to read:

16152. The other provisions of this chapter notwithstanding, no city, county, or city and county shall receive more money by reason of the funds provided for in the open-space provisions of this chapter than such governmental entity might have received had no property in the entity been assessed pursuant to Sections 423 and 423 5 of the Revenue and Taxation Code This determination shall be made by

(a) Multiplying the last unrestricted assessed value, *excluding the assessed value of the right to extract oil, gas or other hydrocarbons,* of each parcel now subject to assessment under Sections 423 or 423 5 of the Revenue and Taxation Code by the percentages which the current gross assessed value of all land on the local roll outside municipalities without deduction for exemption in the state is of the gross assessed value of all land on the local roll outside municipalities without deduction for exemption in the state for the last year in which the parcel was not so restricted;

(b) Subtracting the current assessed value, *excluding the assessed value of the right to extract oil, gas or other hydrocarbons,* for the parcel from the figure derived pursuant to subdivision (a);

(c) Calculating the total of all differences determined pursuant to subdivision (b) for land under control of, or, in the case of cities, within the boundaries of, the entity in question; and

(d) Multiplying the total derived under subdivision (c) by the tax rate for the current year of the entity in question.

The determinations required by this section shall be made by the Secretary of the Resources Agency, and he shall base his computations on "the last unrestricted assessed value," as used in subdivision (a), by factoring the assessed values in any county in which the assessor had announced that he was using an assessment ratio of less than 25

percent in any year to the value which would have been on the roll had such assessor announced a 25-percent assessment ratio If no announced ratio exists for such year, the ratio for such year shall be the ratio announced for the 1967–1968 fiscal year.

SEC. 4. Section 17036 is added to the Revenue and Taxation Code, to read:

17036 Unless expressly otherwise provided in this part, any notice may be given by first class mail postage prepaid

SEC. 5. Section 17054 5 of the Revenue and Taxation Code is amended to read.

17054 5. (a) In the case of an individual computing his tax under Section 17041 or 17048, there shall be allowed as a credit against the tax imposed eight dollars ($8) for each person (other than a dependent, as defined in Section 17056, or a relative of the taxpayer) maintained as a member of the taxpayer's household for a period of not less than six months, if during such period such individual is—

(1) A member of the taxpayer's household under a written agreement between the taxpayer and an organization described in subdivision (b), ~~(d), or (e)~~ *(c) or (d)* of Section 17214 to implement a program of the organization to provide educational opportunities for pupils or students in private homes, and

(2) A full-time pupil or student in the 12th or any lower grade at an educational institution (as defined in paragraph (5) of subdivision (c) of Section 17054) located in the United States

(b) (1) For purposes of computing the period in subdivision (a), if 15 or more days of a calendar month fall within such period such month shall be considered as a full calendar month

(2) Subdivision (a) shall not apply if the taxpayer receives any money or other property as compensation or reimbursement for maintaining the individual in his household during the period described in subdivision (a).

(c) For purposes of subdivision (a), the term "relative of the taxpayer" means an individual who, with respect to the taxpayer, bears any of the relationships described in subdivisions (a) to (h), inclusive, of Section 17056.

(d) No deduction shall be allowed under Section 17214 for any amount paid by a taxpayer to maintain an individual as a member of his household under a program described in paragraph (1) of subdivision (a).

SEC 6 Section 17203 of the Revenue and Taxation Code is amended to read.

17203. (a) There shall be allowed as a deduction all interest paid or accrued within the taxable year on indebtedness However, no deduction shall be allowed to the extent that it is connected with income not taxable under this part The proper apportionment and allocation of the deduction with respect to taxable and nontaxable income shall be determined under rules and regulations prescribed by the Franchise Tax Board

(b) (1) If personal property or educational services are purchased under a contract—

(A) Which provides that payment of part or all of the purchase price is to be made in installments; and

(B) In which carrying charges are separately stated but the interest charge cannot be ascertained,

then the payments made during the taxable year under the contract shall be treated for purposes of this section as if they included interest equal to 6 percent of the average unpaid balance under the contract during the taxable year. For purposes of the preceding sentence, the average unpaid balance is the sum of the unpaid balance outstanding on the first day of each month beginning during the taxable year, divided by 12

For purposes of this paragraph, the term "educational services" means any service (including lodging) which is purchased from an educational institution (as defined in subdivision (c) of Section 17150) and which is provided for a student of such institution

(2) In the case of any contract to which paragraph (1) applies, the amount treated as interest for any taxable year shall not exceed the aggregate carrying charges which are properly attributable to such taxable year.

(c) The amendments made in subdivision (b) shall apply to payments made during taxable years beginning after December 31, 1963.

(d) (1) The amount of investment interest (as defined in subparagraph (D) of paragraph (3)) otherwise allowable as a deduction under this part shall be limited, in the following order, to—

(A) Twenty-five thousand dollars ($25,000) (twelve thousand five hundred dollars ($12,500), in the case of a separate return by a married individual), plus

(B) The amount of the net investment income (as defined in subparagraph (A) of paragraph (3), plus the amount (if any) by which the deductions allowable under this section (determined without regard to this subdivision) and Section 17202 paragraph (1) or (2) of subdivision (a) of Section 17204, or Section 17252 attributable to property of the taxpayer subject to a net lease exceeds the rental income produced by such property for the taxable year, plus

(C) An amount equal to the amount by which the total amount of capital gains recognized exceeds the total amount of capital losses recognized for the taxable year, plus

(D) One-half of the amount by which investment interest exceeds the sum of the amounts described in subparagraphs (A), (B), and (C)

In the case of a trust, the twenty-five-thousand-dollar ($25,000) amount specified in subparagraph (A) and in subparagraph (A) of paragraph (2), shall be zero. In determining the amount described in subparagraph (C), only gains and losses attributable to the disposition of property held for investment shall be taken into account

(2) (A) The amount of disallowed investment interest for any taxable year shall be treated as investment interest paid or accrued in the succeeding taxable year The amount of the interest so treated which is allowable as a deduction by reason of the first sentence of this paragraph for any taxable year shall not exceed one-half of the amount by which—

(i) The net investment income for such taxable year plus twenty-five thousand dollars ($25,000), exceeds

(ii) The investment interest paid or accrued during such taxable year (determined without regard to this paragraph) or twenty-five thousand dollars ($25,000), whichever is greater.

(B) If—

(i) An amount of disallowed investment treated under subparagraph (A) as investment interest paid or accrued in the taxable year is not allowable as a deduction for such taxable year by reason of the second sentence of subparagraph (A), and

(ii) The taxpayer is not required to recognize a portion of capital gains by reason of Section 18162 5 (whether or not the taxpayer recognizes such gains), the amount of such disallowed investment interest shall be reduced by an amount equal to the amount not recognizable under Section 18162 5

(3) For purposes of this subdivision—

(A) The term "net investment income" means the excess of investment income over investment expenses,

(B) The term "investment income" means—

(i) The gross income from interest, dividends, rents, and royalties,

(ii) The capital gain attributable to the disposition of property held for investment and held for not more than one year, and

(iii) Any amount treated under Sections 18211 and 18212 to 18218, inclusive as gain from the sale or exchange of property which is neither a capital asset nor property described in Sections 18181 and 18182

but only to the extent such income, gain, and amounts are not derived from the conduct of a trade or business

(C) The term "investment expenses" means the deductions allowable under Section 17202, paragraph (1) or (2) of subdivision (a) of Section 17204, Sections 17207, 17208 to 17211 7, inclusive, 17217 to 17221, inclusive, 17252, or 17681 directly connected with the production of investment income For purposes of this subparagraph, the deduction allowable under Sections 17208 to 17211 5, inclusive, with respect to any property may be treated as the amount which would have been allowable had the taxpayer depreciated the property under the straight-line method for each taxable year of its useful life for which the taxpayer has held the property, and the deduction allowable under Section 17681 with respect to any property may be treated as the amount which would have been allowable had the taxpayer determined the deduction under Section 17681 without regard to Sections 17683 to 17688, inclusive, for each taxable year for which the taxpayer has held the property

(D) The term "investment interest" means interest paid or accrued on indebtedness incurred or continued to purchase or carry property held for investment

(E) The term "disallowed investment interest" means with respect to any taxable year, the amount not allowable as a deduction solely by reason of the limitations in paragraph (1) and subparagraph (A) of paragraph (2).

(4) (A) For purposes of this subdivision, property subject to a lease shall be treated as property held for investment, and not as property used in a trade or business, for a taxable year, if—

(i) For such taxable year the sum of the deductions of the lessor with respect to such property which are allowable solely by reason of Section 17202 (other than rents and reimbursed amounts with respect to such property) is less than 15 percent of the rental income produced by such property, or

(ii) The lessor is either guaranteed a specified return or is guaranteed in whole or in part against loss of income.

(B) In the case of a partnership, each partner shall, under regulations prescribed by the Franchise Tax Board, take into account separately his distributive share of the partnership's investment interest and the other items of income and expense taken into account under this subdivision

(C) For purposes of this subdivision, interest paid or accrued on indebtedness incurred or continued in the construction of property to be used in a trade or business shall not be treated as investment interest.

(5) The amount equal to the amount of investment interest which is allowable as a deduction by reason of subparagraph (C) of paragraph (1) of this subdivision shall be treated as gain from the sale or other disposition of property which is neither a capital asset nor property described in Sections 18181 and 18182.

(6) This subdivision shall not apply with respect to investment interest, investment income, and investment expenses attributable to a specific item of property, if the indebtedness with respect to such property—

(A) Is for a specified term, and

(B) Was incurred before December 17, 1969, or is incurred after December 16, 1969, pursuant to a written contract or commitment which, on such date and at all times thereafter prior to the incurring of such indebtedness, is binding on the taxpayer.

~~(e) The amendments made in subdivision (d) by the First Extraordinary Session of the 1971 Legislature and the Regular Session of the 1972 Legislature shall apply to taxable years beginning after December 31, 1971.~~

(7) For purposes of subparagraph (A) of paragraph (4)—

(A) If a parcel of real property of the taxpayer is leased under two or more leases, clause (i) of subparagraph (A) of paragraph (4) shall, at the election of the taxpayer, be applied by treating all leased portions of such property as subject to a single lease; and

(B) At the election of the taxpayer, clause (i) of subparagraph (A) of paragraph (4) shall not apply with respect to real property of the taxpayer which has been in use for more than five years

An election under subparagraph (A) or (B) shall be made at such time and in such manner as the Franchise Tax Board prescribes by regulations.

(e) The amendments made in subdivision (d) by the First Extraordinary Session of the 1971 Legislature and the Regular Session of the 1972 Legislature shall apply to taxable years beginning after December 31, 1971.

SEC. 7. Section 17206 5 of the Revenue and Taxation Code is repealed.

~~17206 5. Notwithstanding the provisions of subdivision (a) of Section 17206, any loss~~

~~(a) Attributable to a disaster which occurs during the period after the close of the taxable year and on or before the last day of the sixth calendar month beginning after the close of the taxable year, and~~

~~(b) Occurring in an area subsequently determined by the President of the United States to warrant assistance by the federal government under the Disaster Relief Act of 1970, at the election of the taxpayer, may be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred. Such deduction shall not be in excess of so much of the loss as would have been deductible in the taxable year in which the casualty occurred. If an election is made under this section, the casualty resulting in the loss will be deemed to have occurred in the taxable year for which the deduction is claimed.~~

SEC. 8. Section 17206 5 is added to the Revenue and Taxation Code, to read:

17206 5. Notwithstanding the provisions of subdivision (a) of Section 17206, any loss attributable to a disaster accruing in an area subsequently determined by the President of the United States to warrant assistance by the federal government under the Disaster Relief Act of 1970 may, at the election of the taxpayer, be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred Such deduction shall not be in excess of so much of the loss as would have been deductible in the taxable year in which the casualty occurred, based on facts existing at the date the taxpayer claims the loss. If an election is made under this section, the casualty resulting in the loss will be deemed to have occurred in the taxable year for which the deduction is claimed

SEC. 9. Section 17226 of the Revenue and".

Amendment No. 4

On page 4, after line 34, insert

"SEC 10 Section 18683 of the Revenue and Taxation Code is amended to read:

18683 If any taxpayer fails or refuses to furnish any information requested in writing by the Franchise Tax Board or fails or refuses to make and file a return required by this part upon notice and demand by the Franchise Tax Board, *then, unless the failure is due to reasonable cause and not willful neglect,* the Franchise Tax Board may add a penalty of 25 percent of the amount of tax determined pursuant to Section 18648 or of any deficiency tax assessed by the Franchise Tax Board concerning the assessment of which the information or return was required "

Amendment No. 5

On page 6, line 12, strike out "SEC 3.", and insert "SEC. 11."

Amendment No. 6

On page 7, line 7, strike out "SEC. 4.", and insert "SEC. 12."

Amendment No. 7

On page 7, line 17, strike out "SEC. 5.", and insert "SEC. 13."

Amendment No. 8

On page 8, between lines 4 and 5, insert

"SEC. 14. Section 23059 is added to the Revenue and Taxation Code, to read:

23059. Unless expressly otherwise provided in this part, any notice may be given by first-class mail postage prepaid

SEC. 15. Section 23186 of the Revenue and Taxation Code is amended to read:

23186. (a) The rate of tax on banks and financial corporations shall be a percentage equal to the percentage of the total amount of net income, allocable to this state, of every corporation taxable under Section 23151, *or subdivision (b) of Section 23151.1* other than public utilities as defined in the Public Utilities Act, for the next preceding calendar year or fiscal years ended during such calendar year, required to be paid to this state as franchise taxes according to or measured by such net income, and required to be paid to this state or its political subdivisions by such corporations as personal property taxes during the preceding calendar year or fiscal years ended in such calendar year; provided, however, that said rate of tax shall not exceed 11 percent The percentage of the net income of every corporation taxable under Section 23151, *or subdivision (b) of Section 23151.1* other than public utilities as defined in the Public Utilities Act, required to be paid to this state or its political subdivisions in personal property taxes shall be determined by ascertaining the ratio which the total amount of such personal property taxes, less 7 percent thereof, bears to the total amount of net income of such corporations allocable to California, increased by the amount of such personal property taxes, provided, however, that if any such corporation sustains a net loss allocable to California the personal property taxes required to be paid by such corporation to this state or its political subdivisions during the preceding calendar year or fiscal years ended during such calendar year shall be considered for the purpose of determining such ratio only to the extent which such personal property taxes exceed such net loss allocable to California

(b) For calendar or fiscal years ending after December 31, 1971 the 11 percent provided in the first sentence of subdivision (a) shall be 11.6 percent and the 7 percent provided in the second sentence shall be 7.6 percent

SEC. 16 Section 23301 is amended to read:

23301. Except for the purpose of amending the articles of incorporation to set forth a new name, the corporate powers, rights and privileges of a domestic taxpayer shall be suspended, and the exercise of the corporate powers, rights and privileges of a foreign taxpayer in this state shall be forfeited if any of the following conditions occur:

(a) If any tax, penalty or interest, or any portion thereof, which is due and payable either at the time the return is required to be filed, or on or before the 15th day of the ninth month following the close

of the income year, is not paid on or before 6 o'clock p.m. on the last day of the 12th month after the close of the income year, or

(b) If any tax, penalty or interest, or any portion thereof, other than jeopardy or fraud assessments, due and payable upon notice and demand from the Franchise Tax Board, is not paid on or before 6 o'clock p.m. on the last day of the 11th month following the due date of said tax; or

~~(c) If any jeopardy or fraud assessment, or any interest or penalty thereon, is not paid within 40 days from the date such tax, penalty and interest are due and payable upon notice and demand from the Franchise Tax Board, unless the bond required by Section 25761a is filed to stay the collection of said tax, penalty and interest, and said tax, interest and penalty are paid within 60 days after notice by the Franchise Tax Board on the taxpayer's petition for reassessment.~~ ".

Amendment No. 9

On page 8, line 5, strike out "SEC 6 ", and insert

"SEC. 17."

Amendment No. 10

On page 8, between lines 22 and 23, insert

"SEC. 18. Section 23402 of the Revenue and Taxation Code is amended to read.

~~23102. When the items of tax preference of a taxpayer subject to the minimum tax under this chapter are derived from, or attributable to, sources within and without this state, the minimum tax shall be imposed on items of tax preference derived from, or attributable to, sources within this state. Such income shall be determined in the manner prescribed in Chapter 17 (commencing with Section 25101) of this part.~~

When the income of a taxpayer subject to the tax imposed under this part is derived from or attributable to sources both within and without the state, the tax imposed by this chapter shall be measured by the tax preference income derived from or attributable to sources within this state in the manner prescribed in Chapter 17 (commencing with Section 25101) of this part.

SEC. 19. Section 23571 of the Revenue and Taxation Code is amended to read·

23571. (a) Except for the purpose of amending the articles of incorporation to set forth a new name, the corporate powers, rights and privileges of a domestic taxpayer shall be suspended and shall not be exercised for any purpose or in any manner in this state:

(1) If any tax, penalty or interest, or any portion thereof, which is due and payable either at the time the return is required to be filed, or on or before the 15th day of the ninth month following the close of the income year, is not paid on or before 6 o'clock p.m. of the last day of the 12th month after the close of the income year, or

(2) If any tax, penalty or interest, or any portion thereof, other than jeopardy or fraud assessments, due and payable upon notice and demand from the Franchise Tax Board, is not paid on or before 6 o'clock p.m. on the last day of the 11th month following the due date of said tax; or

~~(3) If any jeopardy or fraud assessment, or any interest or penalty thereon, is not paid within 40 days from the date such tax, penalty and interest are due and payable upon notice and demand from the Franchise Tax Board, unless the bond required by Section 25761a is filed to stay the collection of said tax, penalty and interest, and said tax, interest and penalty are paid within 60 days after notice by the Franchise Tax Board on the taxpayer's petition for reassessment.~~

(b) Any taxpayer which has been suspended under ~~subsection~~ *subdivision* (a), may be revived in the manner provided for by Sections 23305 and 23305a."

Amendment No. 11

On page 8, line 23, strike out "SEC. 7.", and insert "SEC. 20."

Amendment No. 12

On page 8, line 32, strike out "SEC 8.", and insert "SEC. 21."

Amendment No. 13

On page 14, line 10, strike out "SEC. 9.", and insert "SEC. 22."

Amendment No. 14

On page 17, line 3, strike out "SEC 10 ", and insert "SEC. 23."

Amendment No. 15

On page 17, line 37, strike out "SEC 11 ", and insert "SEC. 24."

Amendment No. 16

On page 23, line 34, strike out "SEC 12 ", and insert "SEC. 25."

Amendment No. 17

On page 28, line 36, strike out "SEC. 13 ", and insert "SEC. 26."

Amendment No. 18

On page 29, after line 21, insert

"SEC 27. Section 25563 of the Revenue and Taxation Code is amended to read:

25563. ~~(a) If~~ the amount of ~~estimated~~ tax with respect to which a declaration is required under Article 2.5 (commencing with Section 25441) of this chapter does not exceed one hundred dollars ($100), or twenty-five dollars ($25) in the case of a corporation described in *paragraph (1) of* subdivision (a) of Section 23153, the entire amount of the estimated tax shall for income years ending on or before November 30, 1972 be due and payable on or before the 15th day of the sixth month of the income year.

(b) If the amount of estimated tax exceeds one hundred dollars ($100), or twenty-five dollars ($25) in the case of a corporation described in *paragraph (1) of* subdivision (a) of Section 23153, the amount payable shall for income years ending on or before November 30, 1972 be paid in two installments as follows—

(1) Fifty percent of the estimated tax, but not less than the minimum tax provided in Section 23153, shall be paid on or before the 15th day of the sixth month of the income year, and

(2) Twenty-five percent of the estimated tax shall be paid on or before the 15th day of the 11th month of the income year

(c) If the amount of estimated tax does not exceed two hundred dollars ($200), or twenty-five dollars ($25) in the case of a corporation described in *paragraph (1) of* subdivision (a) of Section 23153, the entire amount of the estimated tax shall for income years beginning after December 31, 1971 be due and payable on or before the 15th day of the fourth month of the income year

(d) If the amount of estimated tax exceeds two hundred dollars ($200), or twenty-five dollars ($25) in the case of a corporation described in *paragraph (1) of* subdivision (a) of Section 23153, the amount payable shall for income years beginning after December 31, 1971 be paid in installments as follows:

	The following percentages of the estimated tax shall be paid on the 15th day of the—			
If the requirements of this subdivision are first met—	4th month	6th month	9th month	12th month
Before the 1st day of the 4th month of the income year	25 (but not less than the minimum tax provided in Section 23153)	25	25	25
After the last day of the 3rd month and before the 1st day of the 6th month of the income year	--	33⅓	33⅓	33⅓
After the last day of the 5th month and before the 1st day of the 9th month of the income year	--	--	50	50
After the last day of the 8th month and before the 1st day of the 12th month of the income year	--	--	--	100

SEC 28 Section 25563 2 of the Revenue and Taxation Code is amended to read

25563 2 At the election of the ~~corporation~~ *taxpayer*, any installment of the estimated tax required by subdivision (d) of Section 25563, may be paid before the date prescribed for its payment

SEC 29 Section 25669 of the Revenue and Taxation Code is amended to read·

25669 A certificate by the Franchise Tax Board or the board, as the case may be, of the mailing of the notices specified in this article shall be prima facie evidence of ~~the computation and levy of the deficiency in tax and of~~ the giving of the notices

SEC 30. Section 25933 of the Revenue and Taxation Code is amended to read:

25933. If any taxpayer fails or refuses to furnish any information requested in writing by the Franchise Tax Board or fails or refuses to make and file a return required by this part upon notice and demand by the Franchise Tax Board, *then, unless the failure is due to reasonable cause and not willful neglect*, the Franchise Tax Board may add a penalty of 25 percent of the amount of tax determined pursuant to Section 25731 or of any deficiency tax assessed by the Franchise Tax Board concerning the assessment of which the information or return was required.

SEC 31 Section 25957 is repealed

~~25957 Notwithstanding the provisions of any of the preceding sections of this article, the amount payable by a corporation subject to the tax imposed by Chapter 2 for any taxable year shall not be less than one hundred dollars ($100), or not less than tweny-five dollars ($25) in the case of a corporation described in subsection (a) or (b) of Section 23153.~~

SEC 32. Section 26481 of the Revenue and Taxation Code is amended to read·

26481 All moneys received by the State Treasurer from the Franchise Tax Board ~~and~~ representing ~~taxes~~ *amounts* ~~or interest~~ imposed ~~on taxpayers subject to the tax imposed~~ by this part shall be deposited by him in a special fund in the State Treasury, to be designated the Bank and Corporation Tax Fund, and moneys in said fund shall, upon the order of the Controller, be transferred into the General Fund of the state, or drawn therefrom for the purpose of refunding to taxpayers hereunder For purposes of accounting, such moneys shall be treated by the state as earned during the year of receipt

SEC 33 Sections 10 and 30 of the act shall become operative January 1, 1974.

SEC 34. The amendments to Section 23402 made by this act are intended to clarify the meaning and application of Section 23402 and not to impose new or different requirements

SEC 35 It is the intent of the Legislature that the provisions of Sections 2 and 3 of this act be applied in the calculation of open-space subventions for the 1972–1973 fiscal year and fiscal years thereafter.

SEC 36 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are·

In order that the provisions relative to the elimination of the assessed value of the right to extract oil, gas or other hydrocarbons from open-space calculations apply to open-space subventions for the 1972–1973 fiscal year and fiscal years thereafter, this act must go into immediate effect ''

Senate Amendments of November 16, 1972

Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate November 10, 1972, strike out ''19523,''

Amendment No. 2

On page 14, strike out lines 37 through 40, inclusive, and on page 15, strike out lines 1 through 30, inclusive.

Senate Amendments of November 29, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate November 16, 1972, strike out "16149 and 16152", and insert "16144, 16149, 16150, 16152, and 16153".

Amendment No. 2

On page 2, between lines 15 and 16, insert

"SEC 1 5 Section 16144 of the Government Code is amended to read·

16144 On or before October 31, 1972, and annually thereafter, the governing body of each county, city, or city and county shall submit a report to the Secretary of the Resources Agency itemizing the number of acres of land under its regulatory jurisdiction which it believes to be qualified for state payments pursuant to the various categories enumerated in Section 16142, together with such supporting documentation as the secretary by regulation may require The secretary, after reviewing the report and determining the eligibility of the local government to receive payment and the actual amount to which it is entitled, shall certify that amount to the Controller for payment, and the Controller shall make such payment ~~by December 31, 1972, and annually thereafter~~ *at the same time payments are made to school districts pursuant to Section 16151*.

The secretary may make such supplemental reports to the Controller as it deems necessary throughout the year to give effect to new or additional information received from local governing bodies, correct errors, and dispose of contested or conditional situations Upon receiving such reports, the Controller shall pay any amount certified therein, and may withhold and deduct any certified overpayment from the amount that would otherwise be paid to the local government in the next succeeding year "

Amendment No. 3

On page 3, between lines 27 and 28, insert

"SEC. 2 5 Section 16150 of the Government Code is amended to read·

16150 Notwithstanding any other provision of this chapter, no school district shall receive more than the following amount for each acre of land within the district assessed pursuant to Sections 423 and 423 5 of the Revenue and Taxation Code:

(a) For basic aid districts: one dollar ($1) for community college districts; three dollars ($3) for high school districts; and three dollars and fifty cents ($3 50) for elementary school districts

(b) For equalization aid districts: one and one-half times the amount specified for basic aid districts

(c) For supplemental aid districts: two times the amount specified for basic aid districts.

(d) Unified districts shall receive no more than the combined amounts indicated in subdivisions (a) through (c) above for their elementary and high school components

~~A~~ *In addition, a* basic aid school district shall not receive any assistance under the provisions of this article if its actual assessed value per pupil is greater than the product of the base year (as defined in subdivision (a) of Section 16149) assessed value per pupil times the percentage which the estimated or actual current expense of education per pupil in the state for the current year is of the current expense of education per pupil in the state for the base year."

Amendment No. 4

On page 4, between lines 30 and 31, insert

"SEC. 3.5. Section 16153 of the Government Code is amended to read:

16153. Notwithstanding any other provision of this chapter, state disbursements under this chapter by reason of property assessed pursuant to Sections 423 and 423.5 of the Revenue and Taxation Code shall not exceed thirteen million dollars ($13,000,000) in the 1972–1973 fiscal year, fifteen million dollars ($15,000,000) in the 1973–1974 fiscal year, and seventeen million dollars ($17,000,000) in the 1974–1975 fiscal year. In the 1975–1976 fiscal year, state disbursements shall not exceed 115 percent of the state disbursements in the 1974–1975 fiscal year. The amounts provided for in this section may be exceeded by any amounts deposited in the State General Fund under Sections 51061 and 51283.

If claims by local governmental agencies exceed the limitation of this section, reductions in state disbursements shall be made on a pro rata per acre basis, first on funds allocated on nonprime lands, and second on funds to local governments on prime lands, and third to school district disbursements *Counties in which the limitation of Section 16152 is controlling shall be entitled to receive any payments due on their prime acreage according to Section 16142, subject to the proration occurring on other prime lands, and subject to the overall limit of Section 16152, before any nonprime land receives payment*

The Secretary of the Resources Agency shall report to the Legislature on the impact of the expiration of the fiscal limitations in this section A final report shall be submitted to the Legislature by April 1, 1973, in order that the Legislature can evaluate its fiscal commitment to this program for future years"

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy,

Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being Shall the Assembly concur in the Senate amendments to Assembly Bill No 724?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote·

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—73.

NOES—None

Above bill ordered enrolled

Assembly Bill No. 2335—An act relating to sales and use tax exemptions, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2335?

Senate Amendments of November 13, 1972

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in Assembly June 20, 1972, strike out "Assemblyman Murphy", and insert "Assemblymen Murphy and Chappie".

Amendment No. 2

Strike out the title, and insert

"An act relating to sales and use tax exemptions, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1 There are exempted from the taxes imposed pursuant to Part 1 (commencing with Section 6001), Part 1 5 (commencing with Section 7200), and Part 1 6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code the gross receipts from the sale of, and the storage, use, or other consumption in this state of, tangible personal property leased from any resource conservation district which failed to file a return under Part 1 from August 1, 1965, until on or after July 1, 1972 For purposes of this section, a "resource conservation district" is a district described in Chapter 3 (commencing with Section 9074) of Division 9 of the Public Resources Code.

All other terms used in this section shall be construed under the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, as though this section were a provision of Article 1 (commencing with Section 6351) of Chapter 4 of such part

The provisions of this section are specifically made retroactive to August 1, 1965, and shall remain in full force and effect to and including December 31, 1972; and shall have no force or effect after such date.

SEC 2 This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Chapter 2 of the Statutes of the 1965 First Extraordinary Session of the Legislature, among other things, brought certain leases of tangible personal property within the coverage of the Sales and Use Tax Law, commencing August 1, 1965 However, some resource conservation districts in California failed to become aware of this change and failed to collect the use tax with respect to leasing transactions If any such district is now required to pay all such amounts over to the state under Section 6487 of the Revenue and Taxation Code, it will cause a severe financial crisis for such district Therefore, in order to remedy this situation as soon as possible for all resource conservation districts similarly situated, it is necessary for this act to go into immediate effect ''

Amendment No. 4

On page 1, strike out lines 2 to 6, inclusive; and on page 2, strike out lines 1 to 11, inclusive

Senate Amendments of November 27, 1972

Amendment No. 1

On page 2 of the printed bill, as amended in Senate November 13, 1972, in lines 9 and 10, strike out ''failed to file a return under Part 1 from August 1, 1965, until on or after July 1,'' and insert ''did not collect the tax due with respect to revenue from such leases from August 1, 1965 until December 31,''

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73

NOES—None.

The question being · Shall the Assembly concur in the Senate amendments to Assembly Bill No 2335?

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Brown, Burke, Burton, Campbell, Chacon, Cline, Collier, Conrad, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Sieroty, Stacey, Stull, Thomas, Townsend, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—73.

NOES—None.

Above bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr. Speaker · I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 376

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, December 1, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 192

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, December 1, 1972

Mr Speaker · I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1527

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1210

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered enrolled

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day passed:

AB No. 2393

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, December 1, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1369

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2265

On motion of Mr. Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called

Call of the Assembly Continued

Pending the announcement of the vote, Mr Quimby moved to continue the call of the Assembly

Motion carried.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2265

On motion of Mr Stull, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2265 by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burton, Chacon, Collier, Cory, Cullen, Davis, Dent, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F. Greene, Harvey Johnson, Ray E Johnson, Karabian, Keysor, Lanterman, Lewis, MacDonald, Maddy, McCarthy, Meade, Mobley, Monagan, Porter, Powers, Priolo, Quimby, Seeley, Sieroty, Stull, Warren, Waxman, Wilson, Wood, and Mr. Speaker—45

NOES—Burke, Cline, Hayden, Ketchum, Lancaster, McAlister, Russell, and Z'berg—8.

Above bill ordered enrolled.

Speaker Presiding

Hon. Bob Moretti, 42nd District, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No. 1703

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1884

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

AB No 1633

And respectfully requests your honorable body to concur in said amendments

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

ACR No. 53
AJR No. 36

DARRYL R. WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, December 1, 1972

Mr. Speaker· I am directed to inform your honorable body that the Senate on this day adopted as amended:

ACR No. 29
ACR No. 38
ACR No. 55

And respectfully requests your honorable body to concur in said amendments.

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

Above resolutions ordered to unfinished business file

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1703—An act to add Sections 25528 8 and 31226 8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor.

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1703?

Senate Amendments of August 3, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 5, 1972, after "add", insert "Chapter 3 7 (commencing with Section 23490) to Division 17 of, and to add".

Amendment No. 2

In line 2 of the title, after "to", insert a comma

Amendment No. 3

On page 2, between lines 1 and 2, insert

"SECTION 1. Chapter 3 7 (commencing with Section 23490) is added to Division 17 of the Education Code, to read:

CHAPTER 3.7. EDUCATIONAL OPPORTUNITY PROGRAMS

23490. For each fiscal year the Controller shall certify the amount budgeted for expenditure for educational opportunity programs by the Regents of the University of California in excess of the amount expended for that purpose during the 1971–1972 fiscal year.

23491 For the 1972–1973 fiscal year, and each fiscal year thereafter, there is hereby appropriated from the General Fund in the State Treasury to the Regents of the University of California an amount equal to the amount certified pursuant to Section 23490, but not to exceed an amount equal to 5 percent of the number of full-time equivalent students enrolled in the university in the prior fiscal year multiplied by five hundred dollars ($500) Such funds shall be expended only for educational opportunity programs in the university

23492. The Regents of the University of California shall establish priorities based upon student need for the expenditure of funds transferred pursuant to this chapter ''

Amendment No. 4

On page 2, line 27, strike out ''SECTION 1'', and insert
''SEC. 2''.

Amendment No. 5

On page 3, line 5, strike out ''SEC. 2'', and insert
''SEC. 3''.

Senate Amendments of November 30, 1972

Set No. 1

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate August 3, 1972, strike out ''Chapter 3 7 (commencing with''; and strike out line 2

Amendment No. 2

On page 2, strike out lines 1 to 26, inclusive; in line 27, strike out ''SEC 2'', and insert
''SECTION 1''.

Amendment No. 3

On page 3, line 5, strike out ''SEC 3'', and insert
''SEC. 2''.

Set No. 2

Amendment No. 1

On page 2, line 29, of the printed bill, as amended in Senate August 3, 1972, strike out ''1972–1973'', and insert ''1973–1974''.

Amendment No. 2

On page 3, line 7, strike out ''1972–1973'', and insert ''1973–1974''.

Amendment No. 3

On page 3, after line 17, insert
''SEC 4. This act shall become operative on July 1, 1973, or the first day of the first month after the effective date thereof, whichever is later ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burton, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Karabian, Keysor, Knox,

Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Townsend, Vasconcellos, Warren, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker—60

NOES—None.

Above bill ordered enrolled.

Assembly Bill No. 1884—An act to amend Section 6261 of, and to add Section 6268 28 to, the Education Code, relating to area vocational committees, and making an appropriation therefor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1884?

Senate Amendments of July 27, 1972

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly July 7, 1972, after "act", insert "to amend Section 6261 of, and to add Sections 6268 21, 6268 28, 6268 32 to, the Education Code,".

Amendment No. 2

On page 1, line 1, after "SECTION 1", insert "Section 6261 of the Education Code is amended to read:

6261 The California Advisory Council on Vocational Education and Technical Training, hereinafter referred to as the council in this article, is hereby created, consisting of the Director of Human Resources Development or his representative, a member of the Assembly Education Committee appointed by the Speaker of the Assembly, a member of the Senate Education Committee appointed by the Senate Committee on Rules, and 27 members appointed by the Governor The 19 members originally appointed by the Governor pursuant to the terms of this section as added by Chapter 1555 of the Statutes of 1969, shall serve four-year terms, provided that of the initial appointments by the Governor, four shall serve one year, five shall serve two years, five shall serve three years, and five shall serve four years Each of the three additional members appointed pursuant to this section as amended at the 1970 Regular Session shall serve for terms of four years ~~The terms of the five additional members appointed pursuant to this section as amended at the the 1971 Regular Session shall be as follows: (a) the person representing the county offices of education shall serve a one-year term; (b) the two persons who are students currently enrolled in a vocational education program shall serve a two-year term; (c) the two persons representing a cross section of industrial, business, professional, agricultural, and health service occupations shall serve a three-year term.~~ *Of the five additional members appointed pursuant to this section as amended at the 1971 Regular Session, the two persons who are students currently enrolled in a vocational education program shall serve one-year terms and the person representing the county office of education and the two persons representing a cross section of indus-*

trial, business, professional, agricultural and health service occupations shall serve four-year terms The terms of members appointed by the Governor shall begin on July 1 and end on June 30.

SEC 2 Section 6268 21 is added to the Education Code, to read:

6268 21. It is the intent of the Legislature that the vocational area planning committees, and its state administration, shall be the advisory bodies and vehicle for carrying out the provisions of Title X, Part B of the Higher Education Act of 1965, as amended by the 92nd Congress, Public Law 318, in the Education Amendments of 1972 Provision shall be made for adequate allocation of supportive federal funding to carry out this section

SEC. 3 Section 6268 28 is added to the Education Code, to read:

6268 28 Pursuant to Section 6268 22, provision shall be made for an evaluation of the effectiveness of the area vocational planning committees in their execution of the provisions of this article, as regards: (a) local acceptance of the findings and recommendations of the area vocational planning committees, (b) acceptance by state agencies of the findings and recommendations of the area vocational planning committees, (c) nature and extent of participation by all those agencies and organizations of each category prescribed in Section 6268 6, (d) recommendations for improving the effectiveness of the area vocational planning committees in the execution of the provisions of this article, (e) findings and recommendations regarding the capability of the area vocational planning committees for area master planning, and (f) the potential and capacity of the area vocational planning committees for supporting the development and maintenance of the state master plan for vocational and technical education pursuant to Section 6268 16.

SEC 4 Section 6268 32 is added to the Education Code, to read:

6268.32 The people of the State of California accept the provisions of, and each of the funds provided by the 92nd Congress, Public Law 318, entitled "Community Colleges and Occupational Education," Title X of the Higher Education Act of 1965 as amended by the "Educational Amendments of 1972."

SEC. 5."

Amendment No. 3

On page 1, line 4, strike out "seven", and insert "nine".

Amendment No. 4

On page 2, line 4, strike out "SEC 2 ", and insert

"SEC 6 Section 6268 28 of the Education Code, as added by Section 3 of this act, shall become operative only if Assembly Bill No 1633 is enacted at the 1972 Regular Session of the Legislature.

SEC. 7."

Amendment No. 5

On page 2, line 12, strike out "seven", and insert "nine".

Amendment No. 6

On page 2, line 13, after "committees", insert "and the implementation of an evaluation study and report pursuant to this act".

Senate Amendments of November 30, 1972

Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate July 27, 1972, strike out "Sections 6268 21," and insert "Section".

Amendment No. 2

In line 2 of the title, strike out ", 6268.32".

Amendment No. 3

On page 3, strike out lines 7 to 16, inclusive; in line 17, strike out "SEC. 3", and insert

"SEC. 2".

Amendment No. 4

On page 3, lines 19 and 20, strike out "Pursuant to Section 6268 22, provision shall be made for an evaluation of", and insert "The Legislative Analyst shall evaluate and analyze".

Amendment No. 5

On page 3, line 24, strike out the comma and insert a semicolon.

Amendment No. 6

On page 3, line 26, strike out the comma and insert a semicolon.

Amendment No. 7

On page 3, line 28, strike out the comma and insert a semicolon.

Amendment No. 8

On page 3, line 31, strike out the comma and insert a semicolon.

Amendment No. 9

On page 3, line 34, strike out ", and", and insert a semicolon.

Amendment No. 10

On page 3, line 38, after "6268 16", insert "; (g) the nature and extent of involvement and support activities by the respective state agencies regarding the particular area vocational planning committees in their carrying out of subdivisions (a), (b), (c), (d), (e), and (f); and (h) the practical and statutory limitations and capabilities for vocational area planning committees to be an integral part of the advisory bodies and vehicle for carrying out the planning provisions of Title X, Part B of the Higher Education Act of 1965, as amended by the 92nd Congress, Public Law 318, in the Education Amendments of 1972.

On or before March 1, 1973, the Legislative Analyst shall report to the Legislature his preliminary findings and recommendations on subdivisions (e), (f), (g), and (h), provided that such report may also include subdivisions (a), (b), (c), and (d) The final report shall be due August 1, 1973".

Amendment No. 11

On page 3, strike out lines 39 and 40; on page 4, strike out lines 1 to 6, inclusive; in line 7, strike out "SEC. 5", and insert

"SEC. 3".

Amendment No. 12

On page 4, strike out lines 16 to 19, inclusive; in line 20, strike out "SEC. 7", and insert

"SEC. 4".

Amendment No. 13

On page 4, line 22, strike out "thirty thousand dollars ($30,000)", and insert "one hundred seventy thousand dollars ($170,000)".

Amendment No. 14

On page 4, line 25, strike out "and the", strike out line 26; and in line 27, strike out "pursuant to this act".

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote:

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Briggs, Brown, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Ray E Johnson, Karabian, Ketchum, Keysor, Knox, Lanterman, Lewis MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Seeley, Sieroty, Stull, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—59.

NOES—None

Above bill ordered enrolled.

Assembly Bill No. 1633—An act to amend Sections 6268 2, 6268 6, 6268 7, 6268 8, 6268 10, 6268 12, 6268 14, 6268 15, 6268 16, 6268 20, and 6268 22 of, and to add Sections 6257 5, 6268 9, 6268 24, 6268 26, and 6268 28 to, the Education Code, relating to vocational education

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1633?

Senate Amendments of July 25, 1972

Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly June 16, 1972, after "Sections", insert "6257 5,".

Amendment No. 1.5

In line 3 of the title, strike out "6268 26, and 6268 28", and insert "and 6268 26".

Amendment No. 2

On page 2, line 1, after "SECTION 1.", insert "Section 6257.5 is added to the Education Code, to read:

6257.5 Each local vocational education advisory committee shall be responsible for executing Section 6268 26.

SEC. 1 1."

Amendment No. 3

On page 2, line 3, strike out "seven", and insert "four".

Amendment No. 3.5

On page 2, line 9, after "area", insert "; provided that if Assembly Bill No 1884 of the 1972 Regular Session is enacted, an area vocational planning committee shall be selected pursuant to Section 6268.2 in a minimum of nine vocational areas for such purposes".

Amendment No. 4

On page 3, line 7, strike out "20", and insert "21".

Amendment No. 5

On page 3, between lines 37 and 38, insert

"(i) One member representing a multicounty joint apprenticeship committee or joint training committee, established pursuant to Chapter 4 of Division 3 of the California Labor Code and serving the subject area."

Amendment No. 6

On page 4, line 14, strike out "majority", and insert "plurality".

Amendment No. 7

On page 4, line 21, strike out "majority", and insert "plurality".

Amendment No. 8

On page 4, line 35, strike out "majority", and insert "plurality".

Amendment No. 9

On page 4, line 39, strike out "majority", and insert "plurality".

Amendment No. 10

On page 5, line 2, strike out "administrator".

Amendment No. 11

On page 5, between lines 6 and 7, insert

"(g) The representative of a regional occupation center or program within the area shall be selected by the Director of Education."

Amendment No. 12

On page 5, line 10, strike out "election", and insert "selection".

Amendment No. 12.5

On page 5, line 11, after "categories", insert "described in subdivisions".

Amendment No. 13

On page 5, strike out lines 12 and 13, and insert "6268.6."

Amendment No. 14

On page 5, line 14, strike out "Vacancies", and insert "Interim vacancies".

Amendment No. 14.5

On page 6, line 32, after "develop", insert a comma.

Amendment No. 14.7

On page 8, line 5, strike out "prescribed", and insert "described".

Amendment No. 15

On page 8, line 16, strike out "such", and insert "local".

Amendment No. 16

On page 8, line 17, strike out "boards"; and strike out line 18, and insert "board regarding its findings and recommendations as to the area".

Amendment No. 17

On page 8, strike out lines 20 to 40, inclusive; and on page 9, strike out line 1.

Senate Amendments of November 30, 1972

Amendment No. 1

In line 4 of the title of the printed bill, as amended in Senate July 25, 1972, strike out "and".

Amendment No. 2

In line 4 of the title, after "6268 26", insert ", and 6268 28".

Amendment No. 3

On page 3, line 9, strike out "provided that if", strike out line 10; and in line 11, strike out "enacted", and insert "subject to appropriations by the Legislature".

Amendment No. 4

On page 3, line 12, strike out "minimum", and insert "maximum".

Amendment No. 5

On page 5, between lines 31 and 32, insert

"(h) The representative of apprenticeship shall be selected by the Department of Industrial Relations."

Amendment No. 6

On page 9, between lines 7 and 8, insert

"SEC 15 Section 6268 28 is added to the Education Code, to read·

6268 28 The Legislative Analyst shall evaluate and analyze the effectiveness of the area vocational planning committees in their execution of the provisions of this article, as regards· (a) local acceptance of the findings and recommendations of the area vocational planning committees, (b) acceptance by state agencies of the findings and recommendations of the area vocational planning committees, (c) nature and extent of participation by all those agencies and organizations of each category prescribed in Section 6268 6, (d) recommendations for improving the effectiveness of the area vocational planning committees in the execution of the provisions of this article, (e) findings and recommendations regarding the capability of the area vocational planning committees for area master planning, (f) the potential and capacity of the area vocational planning committees for supporting

the development and maintenance of the state master plan for vocational and technical education pursuant to Section 6268 16, (g) the nature and extent of involvement and support activities by the respective state agencies regarding the particular area vocational planning committees in their carrying out of items (a) through (f), inclusive, (h) the practical and statutory limitations and capabilities for vocational area planning committees to be an integral part of the advisory bodies and vehicle for carrying out the planning provisions of Title X, Part B of the Higher Education Act of 1965, as amended by the 92nd Congress, Public Law 318, of the Education Amendments of 1972.

On or before March 1, 1973, the Legislative Analyst shall report to the Legislature his preliminary findings and recommendations on items (e) through (h), inclusive, provided that said report may also include items (a) through (d), inclusive The final report shall be due August 1, 1973 ''

The roll was called, and the Assembly concurred in the above Senate amendments by the following vote.

AYES—Arnett, Bagley, Barnes, Bee, Beverly, Brathwaite, Briggs, Burke, Campbell, Chacon, Cline, Collier, Cory, Crown, Cullen, Davis, Dent, Duffy, Dunlap, Fenton, Fong, Foran, Bill Greene, Leroy F Greene, Hayden, Harvey Johnson, Karabian, Ketchum, Keysor, Knox, Lancaster, Lanterman, Lewis, MacDonald, Maddy, McAlister, McCarthy, Meade, Miller, Mobley, Monagan, Moorhead, Murphy, Pierson, Porter, Powers, Priolo, Quimby, Ralph, Russell, Ryan, Seeley, Stull, Townsend, Vasconcellos, Waxman, Wilson, Wood, Z'berg, and Mr. Speaker —60

NOES—None.

Above bill ordered enrolled

Assembly Concurrent Resolution No. 55—Relative to state agency manpower education and training programs

The question being· Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 55?

Amendment No. 1

On page 2, line 17, of the printed measure, as amended in Assembly July 7, 1972, strike out ''occupational analyses, work''; and strike out lines 18 and 19, and insert ''the following·

(a) Classroom only training programs,

(b) Cooperative occupational education programs, and

(c) On-the-job training and work experience programs, without a supplementary classroom program; and be it''.

Amendment No. 2

On page 2, line 24, strike out ''vocational'', and insert ''occupational''.

Amendment No. 3

On page 2, line 26, strike out "the following classifications "; and strike out lines 27 to 38, inclusive, and in line 39, strike out "and trainees", and insert "classifications (a), (b), and (c) of the first resolved clause".

Amendment No. 4

On page 3, line 4, after "State", insert "University and".

Amendment No. 5

On page 3, line 17, after "of", insert "the".

Amendment No. 6

On page 3, line 23, strike out "resolve", and insert "resolved".

Amendment No. 7

On page 3, line 25, strike out "on-the-job"

Amendment No. 8

On page 3, line 25, after "programs", insert "classified as (a), (b), and (c) in the first resolved clause".

Amendment No. 9

On page 3, line 28, after "Analyst", insert "and the occupational area planning committees, established pursuant to Article 10.4 (commencing with Section 6268) of Chapter 6 of Division 6 of the Education Code".

The Assembly concurred in the above Senate amendments
Above resolution ordered enrolled

Assembly Concurrent Resolution No. 29—Relative to admission practices of California Community Colleges

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 29?

Senate Amendments of July 3, 1972

Amendment No. 1

On page 2, line 5, of the printed measure, strike out "June 30, 1972", and insert "October 1, 1972"

Senate Amendments of November 30, 1972

Amendment No. 1

On page 2, line 7, of the printed measure, as amended in Senate July 3, 1972, strike out "October 1, 1972", and insert "March 5, 1973".

The Assembly concurred in the above Senate amendments
Above resolution ordered enrolled

Assembly Concurrent Resolution No. 38—Relating to the cotton pink bollworm control program

The question being Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No 38?

Amendment No. 1

On page 2, line 17, of the printed measure, as amended in Assembly June 12, 1972, strike out "November", and insert "December".

The Assembly concurred in the above Senate amendment.

Above resolution ordered enrolled

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

SB No. 148	SB No 584	SB No 1209
SB No. 314	SB No 601	SB No 1238
SB No 336	SB No. 837	SB No 1330
SB No 419	SB No 1049	SB No. 1380
SB No 433	SB No 1154	SCR No 65
SB No. 541		

DARRYL R. WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

VOTE CHANGES

Mr Ray E. Johnson was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 884

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 2393 and on the passage of the bill.

Mr. Lancaster was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1263

Mr Lancaster was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on Senate Bill No 584

Mr. Wood was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on Senate Bill No 837

Mr Wood was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1264

Mr McAlister was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 336.

Mr Cline was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 807.

Mr. Wood was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 807.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 968

Messrs Miller and Wilson were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No. 1925.

Mr Mobley was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 433

Mr. Lanterman was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 433.

Mr Ray E Johnson was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No 1778.

Mr Wilson was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Senate Bill No 433.

Mr Stull was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 1493

Mr Bagley was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 1493.

Mr Wakefield was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 758

Mr Wilson was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 282, and on the adoption of the conference report on the bill

Messrs Powers and Bill Greene were granted unanimous consent that they be recorded as voting "Aye" on the conference report on Senate Bill No 175

Mr Murphy was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the conference report on Senate Bill No 175

Messrs Duffy, Wakefield, and Bee were granted unanimous consent that they be recorded as voting "No" on Senate Bill No. 109

Messrs Vasconcellos and Briggs were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Senate Bill No 109.

Mr Bill Greene was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No 889, on concurrence in Senate amendments to the bill

Mr Warren was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause to Assembly Bill No 889, on concurrence in Senate amendments to the bill.

Mr Gonsalves was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Bill No 2126

Mr. Wakefield was granted unanimous consent that he be recorded as voting "No" on the Conference Committee Report on Senate Bill No. 95.

Messrs Seeley and Lancaster were granted unanimous consent that they be recorded as voting "Aye," on the Conference Committee Report on Senate Bill No. 95.

Mr Cline was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on concurrence in Senate amendments to Assembly Concurrent Resolution No 46

Messrs Moretti and Knox were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 1496.

Mr. Beverly was granted unanimous consent that he be recorded as voting "Aye," on concurrence in Senate amendments to Assembly Bill No 1496

Messrs. Beverly and Gonsalves were granted unanimous consent that they be recorded as voting "No," instead of "Aye," on Senate Bill No 419.

Messrs Warren and Fenton were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1496

Messrs Gonsalves and Quimby were granted unanimous consent that they be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No. 1496.

Mr. Stull was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1705.

Messrs Meade, Warren, and Beverly were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1724

Mr Wood was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on concurrence in Senate amendments to Assembly Bill No 488

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on concurrence in Senate amendments to Assembly Bill No 488.

Mr Porter was granted unanimous consent that he be recorded as "Not voting," instead of voting "Aye," on Senate Bill No. 109.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

Speaker Moretti declared the quorum call of the Assembly dispensed with.

COMMENDATIONS

Speaker Moretti expressed his appreciation to Honorable Bob Monagan, Minority Floor Leader, Hon John Stull, Republican Caucus Chairman, Hon. Jack Fenton, Majority Floor Leader, and Hon Ken Cory, Democratic Caucus Chairman, and to all committee chairmen for their diligent work and cooperation during the 1972 Session

Speaker Moretti commended Tony Beard, Sergeant at Arms, and James D Driscoll, Chief Clerk, and their staffs, for their work during the 1972 Session of the Legislature

READING OF FRANK BELOTTI MEMORIAL RESOLUTION

Speaker Moretti was granted unanimous consent that the Assembly adjourn for the 1972 Session of the Legislature with the reading of the Frank Belotti Memorial Resolution

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day deemed the amendments to Senate Bill No 1493 not to be germane and order the bill to the inactive file.

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

MEASURES HELD AT THE DESK

The following measures were held at the Desk, without further action:

Assembly Bills Nos. 952, 1694, 1974, 2380, 2381, and **2384.**

Assembly Concurrent Resolutions Nos. 54 and 128.

House Resolution No. 144.

Senate Bill No. 1508.

MEASURES REMAINING ON FILE WITHOUT ACTION

The following measures remained on the Assembly third reading file, without further action:

Assembly Bill No. 270.

The following measures remained on the Senate third reading file, without further action:

Senate Bills Nos. 481 and **1274.**

The following measures remained on the unfinished business file, without further action:

Assembly Bill No. 834 (concurrence in Senate amendments pending).

Assembly Bills Nos. 50 and **2124** and **Senate Bill No. 175** (in conference).

MEASURES REMAINING ON INACTIVE FILE

The following measures remained on the inactive file, without further action:

Assembly Bills Nos. 98, 141, 160, 177, 222, 280, 285, 422, 668 (concurrence in Senate amendments pending), **800, 832, 904, 912, 929, 956, 1113, 1159, 1236, 1270, 1279, 1314, 1518, 1586, 1587, 1701, 1736, 1877, 1918, 2042, 2051, 2114,** (concurrence in Senate amendments pending), **2135, 2136, 2138, 2149, 2260, 2376, 2377, 2379.**

Assembly Constitutional Amendments Nos. 20, 54, 56 and **78.**

Senate Bills Nos. 110, 231, 286, 352 (in Conference), **603, 784,** and **839** (in Conference).

Senate Concurrent Resolution No. 4 (in Conference).

ADJOURNMENT

Pursuant to the provisions of Senate Concurrent Resolution No. 87, and Article IV, Section 3(a) of the Constitution, Speaker Moretti declared the Assembly recessed, to reconvene, at 3 p m on January 1, 1973, to reconsider vetoed measures.

BOB MORETTI, Speaker of the Assembly

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-seventh Legislative Day

Three Hundred Sixty-fifth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 1, 1973

At 3 p m , in accordance with the provisions of Article IV, Section 3(a) of the Constitution, and Senate Concurrent Resolution No 87, the Assembly was called to order

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Chief Clerk James D Driscoll reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Speaker pro Tempore Bee placed a quorum call upon the Assembly.

Time, 3 03 p.m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3 ·14 p m , by unanimous consent, the quorum call of the Assembly was dispensed with.

The roll call was completed, and the following answered to their names·

Barnes, Bee, Burton, Chappie, Collier, Cory, Cullen, Davis, Garcia, Bill Greene, Leroy F Greene, Hayden, MacDonald, Miller, and Z'berg—15.

MOTION TO ADJOURN

At 3:14 p.m., Mr Leroy F Greene moved that the Assembly be adjourned due to the absence of a quorum.

Mr. Z'berg seconded the motion.

Motion carried.

ADJOURNMENT

At 3:15 p m., the Speaker pro Tempore declared the Assembly adjourned until 2 p.m , Tuesday, January 2, 1973.

CARLOS BEE, Speaker pro Tempore

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-Eighth Legislative Day

Three Hundred Sixty-Sixth Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 2, 1973

The Assembly met at 2 p m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D Driscoll at the Desk
Assistant Clerk Raymond Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Mr Z'berg moved a quorum call of the Assembly.
Mr Powers seconded the motion.
Motion carried Time, 2 01 p m
The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Speaker Presiding

At 2 05 p m, Hon Bob Moretti, 42nd District, presiding

CAUCUS ANNOUNCEMENTS

At 2 22 p m, Mr Cory was granted unanimous consent that the Democratic Caucus be permitted to meet at this time in the Assembly Lounge

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
QUORUM PRESENT

At 2 33 p m, Speaker Moretti declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names:

Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brown, Burke, Burton, Chappie, Cline, Colher, Cory, Crown, Cullen, Davis, Deddeh, Dent,

Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Meade, Miller, Monagan, Murphy, Powers, Priolo, Quimby, Russell, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—56

PRAYER

Upon invitation of Speaker Moretti, the following prayer was offered by Father Ignatius Haran, Chaplain, Sacramento Medical Center:

Heavenly Father, I ask Your blessing on all assembled here this afternoon and on their work for the good and welfare of others Give to all public servants eyes to behold Your truth, a seeing sense to know what is right and the genuine concern for the good of others In Your goodness and love grant these blessings through Christ our Lord—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Moretti, Mr Brown then led the Assembly in the pledge of allegiance to the Flag

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Chacon, on request of Acting Speaker Fenton
Mr Townsend, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr Briggs, on request of Acting Speaker Fenton
Mrs Fong, on request of Acting Speaker Fenton
Mr Harvey Johnson, on request of Acting Speaker Fenton
Mr. Karabian, on request of Acting Speaker Fenton
Mr Ketchum, on request of Acting Speaker Fenton
Mr Keysor, on request of Acting Speaker Fenton
Mr LaCoste, on request of Acting Speaker Fenton
Mr Mobley, on request of Acting Speaker Fenton
Mr Moorhead, on request of Acting Speaker Fenton.
Mr Pierson, on request of Acting Speaker Fenton.
Mr Ryan, on request of Acting Speaker Fenton
Mr Seeley, on request of Acting Speaker Fenton
Mr Thomas, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in the family:

Mr Conrad, on request of Acting Speaker Fenton.

The following Members were excused for the day, and their per diem was waived:

Mrs Brathwaite.
Mr Brophy
Mr Campbell.
Mr. Ralph.

REPORTS

The following reports were presented by the Speaker

California State Personnel Board Annual Report for 1972. (In conformance with Government Code Section 18712.)

Above transmitted report, together with letter of transmittal from Richard L Camilli, Secretary, California State Personnel Board, Sacramento, dated December 7, 1972, referred by the Speaker to the Committee on Employment and Public Employees

1971 Annual Report of the California Job Development Corporation Law Executive Board. (Pursuant to Section 14027 of the Corporations Code and Section 28051 of the Financial Code.)

Above transmitted report, together with letter of transmittal from Louis Carter, Executive Director, California Job Development Corporation Law Executive Board, Sacramento, dated December 1, 1972, referred by the Speaker to the Committee on Governmental Organization

---

The following reports were presented by the Chief Clerk

Use and Development of State Lands Granted in Trust to the City of Palos Verdes Estates. (In conformance with California Public Resources Code, Section 6374.) November 1, 1972.

Above transmitted report, together with letter of transmittal from Robert L Zettell, Director, Department of Public Works, City of Palos Verdes Estates, dated December 15, 1972, referred by the Speaker to the Committee on Planning and Land Use

Land Use and Development Report—State Lands Granted in Trust. (In accordance with Chapter 4.5, Section 6374 of the Public Resources Code.) September 22, 1972.

Above transmitted report, together with letter of transmittal from W D McElroy, Chancellor, University of California, La Jolla, dated December 5, 1972, referred by the Speaker to the Committee on Planning and Land Use

Land Use and Development Report—Granted Tide and Submerged Lands. (In compliance with Section 6374 of the Public Resources Code.)

Above transmitted report, together with letter of transmittal from M L Warden, City Administrator, City of Morro Bay, dated December 4, 1972, referred by the Speaker to the Committee on Planning and Land Use.

Duck Stamp Report. (In accordance with Section 3706 of the Fish and Game Code.)

Above transmitted report, together with letter of transmittal from G Ray Arnett, Director, Department of Fish and Game, Sacramento, dated December 6, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation.

Annual Report of the Department of Consumer Affairs. For the Period December 1, 1971 to December 1, 1972. (In accordance with Section 326 of the Business and Professions Code.) December 1972.

Above transmitted report, together with letter of transmittal from John T Kehoe, Director, Department of Consumer Affairs, Sacramento, dated December 1, 1972, referred by the Speaker to the Committee on Governmental Organization

Legislators' Retirement System, for the Fiscal Year Ended June 30, 1972. (In accordance with Section 9354.3 of the Legislators' Retirement Law.)

Above transmitted report, together with letter of transmittal from William E Payne, Executive Officer, Public Employees' Retirement System, Sacramento, dated December 11, 1972, referred by the Speaker to the Committee on Retirement.

Bulletin No. 130-71, Hydrologic Data: 1971, Volume IV: San Joaquin Valley. December 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated December 4, 1972, referred by the Speaker to the Committee on Water.

California Ecology Corps Annual Report. July 1971–June 1972.

Above transmitted report, together with letter of transmittal from Joe E Griggs, Administrator, California Ecology Corps, Sacramento, dated November 29, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation

Annual Report on Personnel Programs at the University of California for 1972. (In compliance with Section 23561 of the Education Code.)

Above transmitted report, together with letter of transmittal from Charles J Hitch, President, University of California, Berkeley, dated December 1, 1972, referred by the Speaker to the Committee on Education.

General Development Plan for San Onofre State Beach. (In compliance with Section 5002.3 of the Public Resources Code.) September 1972. And attached copy of Resolution 72-66 adopted by the California State Park and Recreation Commission on October 20, 1972.

Above transmitted report, together with letter of transmittal from Robert H Meyer, Deputy Director, Department of Parks and Recreation, Sacramento, dated December 12, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation.

General Development Plan for Doheny State Beach. (In compliance with Section 5002.3 of the Public Resources Code.) September 1972. And attached copy of Resolution 72-65 adopted by the California State Park and Recreation Commission on October 20, 1972.

Above transmitted report, together with letter of transmittal from Robert H Meyer, Deputy Director, Department of Parks and Recreation, Sacramento, dated December 12, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation.

General Development Plan for San Gregorio State Beach. (In compliance with Section 5002.3 of the Public Resources Code.) October 1972. And attached copy of Resolution 72-75 adopted by the California State Park and Recreation Commission on November 10, 1972.

Above transmitted report, together with letter of transmittal from Robert H Meyer, Deputy Director, Department of Parks and Recreation, Sacramento, dated December 12, 1972, referred by the Speaker to the Committee on Natural Resources and Conservation

Summary Report on Studies of the Sacramento-San Joaquin Delta. (In response to Budget Item 216 for the 1972–73 fiscal year.) December 1972.

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated November 28, 1972, referred by the Speaker to the Committee on Water.

Reports covering historical use and development of granted lands to the City of Albany.

Above transmitted report, together with letter of transmittal from James B Turner, Administrative Officer, City of Albany, dated December 6, 1972, referred by the Speaker to the Committee on Planning and Land Use

Probationary Employees Dismissed and Reasons for Dismissals Reported by California School Districts 1970–71 and 1971–72. (Pursuant to Education Code Section 13443.5.)

Above transmitted report, together with letter of transmittal from Wilson Riles, Superintendent of Public Instruction, Department of Education, Sacramento, dated December 7, 1972, referred by the Speaker to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT

Mr. Bee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the late Honorable Harry S Truman, former President of the United States

COMMUNICATIONS

Assembly Chamber, December 4, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 889—An act to amend Sections 21100, 21102, 21104, 21105, 21150, and 21151 of, to add Sections 21108, 21152, 21153, and 21154 to, to add Chapter 2 5 (commencing with Section 21060), Chapter 2 6 (commencing with Section 21080), Chapter 5 (commencing with Section 21160), and Chapter 6 (commencing with Section 21165) to Division 13 of, to repeal Sections 21103 and 21107 of, and to repeal Sections 21152 and 21153, as added by Chapter 971 of the Statutes of 1972, of, the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor at 8 a.m , December 4, 1972

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 90—Relative to drinking water supplies;

And reports the same correctly enrolled, and presented to the Secretary of State on the sixth day of December, 1972, at 10 a m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 6, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 69—An act to amend Sections 11552, 13975, 13990, 13990 1, 13990 2, 13990 4, 13990 6, and 13990 7 of, to amend the heading of Part 5 (commencing with Section 14000) of Division 3 of Title 2 of, to amend and renumber Section 13993 of, to add Sections 13993, 13993 1, and 13993 2 to, to add a part heading and a chapter heading immediately preceding Section 13990 of, to add Sections 13990 9 and 13991 to, to add a chapter heading immediately preceding Section 13992 of, to add Chapter 3 (commencing with Section 13995) to Part 4 6 of Division 3 of Title 2 of, to add Chapter 1 (commencing with Section 14000) to Part 5 of Division 3 of Title 2 of, to add Chapter 2 5 (commencing with Section 65080) to Title 7 of, to repeal Sections 13992 and 13994 of, to repeal the heading of Chapter 2 (commencing with Section 13990) of Part 4 5 of Division 3 of Title 2 of, to repeal the heading of Chapter 3 (commencing with Section 13992) of Part 4 5

of Division 3 of Title 2 of, and to repeal Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 2 of, the Government Code, to amend Sections 21006 5, 21007, 21008, 21215, and 21224 of, to add Section 21682 5 to, and to repeal Sections 21201, 21202, and 21203 of, the Public Utilities Code, to amend Sections 20, 183, and 210 of, to add Sections 185 5 and 194 to, to add Article 1 (commencing with Section 50) to Chapter 1 of Division 1 of, and to repeal Article 1 (commencing with Section 50) of Chapter 1 of Division 1 of, the Streets and Highways Code, relating to business and transportation,

Assembly Bill No. 390—An act to amend Section 24201 of the Education Code, and to amend Section 18105 of the Government Code, relating to state colleges;

Assembly Bill No. 625—An act to add Section 14797 to, and to repeal Section 14797 of, the Revenue and Taxation Code, relating to inheritance taxation;

Assembly Bill No. 762—An act to add Sections 3050 1, 3050 2 and 3050 3 to the Vehicle Code, relating to new car dealers;

Assembly Bill No. 791—An act to amend Sections 1421 and 1422 of, and to add Section 1422.3 to, the Labor Code, relating to fair employment practices,

Assembly Bill No. 1007—An act to amend Section 1085 of the Education Code, relating to driver training;

Assembly Bill No. 1093—An act to add and repeal Section 4181 3 of the Fish and Game Code, relating to mammals,

Assembly Bill No. 1334—An act to amend Sections 253 1, 253 3, 253 5, 253 6, 253 7, 253 8, 263 1, 263 5, 263 7, 308, 330, 332, 333, 378, 398, 411, 422, 425, 442, 457, 462, 474, 493, 495, 501, 563, 575, and 582 of, to add Sections 308 1, 330 1, 417, 477, 486, 488, 545, and 630 to, and to repeal Sections 369, 406, 409, 507, 531, 541, and 561 of, the Streets and Highways Code, relating to state highways;

Assembly Bill No. 1366—An act to repeal and to add Article 8 6 (commencing with Section 893 20) to Chapter 4 of Division 3 of the Education Code, relating to instructional television, and making an appropriation therefor;

Assembly Bill No. 1499—An act making an appropriation to the Board of Governors of the California Community Colleges to establish, administer and operate training programs for psychiatric technicians;

Assembly Bill No. 1576—An act to amend Sections 3059 and 3075 of the Business and Professions Code, relating to optometry;

Assembly Bill No. 1627—An act to amend Section 1 of Chapter 966 of the Statutes of 1970, relating to the public schools;

Assembly Bill No. 1710—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions;

Assembly Bill No. 1791—An act to amend Sections 38731, 38732, 38733, 38734, 38735, 38741, and 38742 of, to amend the heading of Article 27 (commencing with Section 38731) of Chapter 5 of Part 3 of Division 15 of, to add Article 7 (commencing with Section 36991) to Chapter 2 of Part 3 of Division 15 of, and to add Article 32 (commencing with Section 38801), Article 33 (commencing with Section 38811), Article 34 (commencing with Section 38821), and Article 35 (commencing with Section 38861) to Chapter 5 of Part 3 of Division 15 of, the Agricultural Code, relating to standards for milk products;

Assembly Bill No. 1808—An act to add Article 2 1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor;

Assembly Bill No. 1820—An act to amend Section 3262 of the Civil Code, relating to works of improvement;

Assembly Bill No. 1912—An act to add Section 17204 5 to the Education Code, relating to school districts;

Assembly Bill No. 2316—An act to amend Sections 7514, 7523, and 7580 of, and to add Section 7550 5 to, the Business and Professions Code, relating to private investigators and adjusters;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m , December 6, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 6, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 5—An act to add Chapter 6 (commencing with Section 10700) to Part 2 of Division 2 of Title 2 of the Government Code, relating to the creation of the office of Ombudsman for Corrections;

Assembly Bill No. 168—An act to add Chapter 2 5 (commencing with Section 429 65) to Part 1, Division 1 of the Health and Safety Code, relating to health professions planning grants,

Assembly Bill No. 178—An act to amend Section 830 4 of the Penal Code, relating to peace officers;

Assembly Bill No. 227—An act to add Section 11056 1 to the Welfare and Institutions Code, relating to public assistance;

Assembly Bill No. 359—An act to amend Sections 1091, 1096, and 8506 1 of, and to add Section 1091 1 to, the Education Code, relating to public schools;

Assembly Bill No. 496—An act to amend Sections 11107, 11110, and 13103 of the Vehicle Code, relating to driving,

Assembly Bill No. 508—An act to add Section 3212.3 to the Labor Code, relating to the California State Police;

Assembly Bill No. 562—An act requiring the acquisition of lands for inclusion in the state park system and the development of such lands, and making an appropriation therefor;

Assembly Bill No. 594—An act to amend Section 24306 of the Government Code, relating to county officers;

Assembly Bill No. 633—An act to add Section 15154 5 to the Welfare and Institutions Code, relating to public assistance,

Assembly Bill No. 636—An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497.5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor,

Assembly Bill No. 654—An act to amend Sections 1652, 24353, 26885, and 53857 of the Government Code, to amend Sections 4746 1 and 4790 of the Health and Safety Code, and to amend Section 2601 of the Revenue and Taxation Code, relating to government financing,

Assembly Bill No. 740—An act to amend Section 13976 of, and to add Chapter 5 5 (commencing with Section 13370) to Division 7 of, the Water Code, relating to water quality, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 744—An act to amend Section 40802 of the Vehicle Code, relating to highways;

Assembly Bill No. 884—An act to add Section 13146.1 to the Education Code, relating to certificated employees;

Assembly Bill No. 970—An act to amend Section 8018 of, and to add Article 5 (commencing with Section 8040) to Chapter 13 of Division 3 of, the Business and Professions Code, relating to shorthand reporters;

Assembly Bill No. 976—An act to add Sections 1626 5 and 2145 3 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 984—An act to amend Section 17045 of, and to add Section 17046 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy;

Assembly Bill No. 1082—An act to add Section 17500 3 to the Business and Professions Code, and to amend Section 1689 5 of the Civil Code, relating to home solicitation,

Assembly Bill No. 1110—An act to amend Section 107 of the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 1274—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor;

Assembly Bill No. 1276—An act to add Section 62322 5 to the Agricultural Code, relating to milk,

Assembly Bill No. 1360—An act to add Sections 6443 5, 6444, 6445, 6446, and 6447 to, to repeal Sections 6443 and 18270 of, the Education Code, and to repeal Section 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor;

Assembly Bill No. 1385—An act to amend Sections 7000 5, 7002, 7003, and 7007 of the Business and Professions Code, relating to contractors;

Assembly Bill No. 1387—An act to amend Section 1033 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1417—An act to add Article 7.9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor;

Assembly Bill No. 1446—An act to add Section 14783 1 to, and to repeal Section 14783.1 of, the Government Code, relating to state purchases;

Assembly Bill No. 1451—An act to repeal Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) of Chapter 5 5, Division 1, Title 2 of, and to add Article 2 (commencing with Section 8340) and Article 3 (commencing with Section 8350) to Chapter 5 5, Division 1, Title 2 of, the Government Code, relating to world trade;

Assembly Bill No. 1490—An act to add Section 13891 5 to the Education Code, and to add Section 20233 to, the Government Code, relating to the retirement systems;

Assembly Bill No. 1505—An act relating to disposition and leasing of property by the Director of General Services;

Assembly Bill No. 1538—An act to add Section 17508 to the Business and Professions Code, relating to advertising;

Assembly Bill No. 1602—An act to amend Section 3915 5, as added by Section 5 of Chapter 1137 of the Statutes of 1970, to amend Sections 3920, 3930, and 3940 of, to add Section 3926 to, and to repeal Section 3922 of, the Business and Professions Code, relating to nursing home administration;

Assembly Bill No. 1618—An act relating to educational programs;

Assembly Bill No. 1638—An act to amend Section 53703 of the Government Code, relating to federal aid,

Assembly Bill No. 1687—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing;

Assembly Bill No. 1691—An act to amend Section 13608 of, and to repeal and add Chapter 9 (commencing with Section 13625) of Division 7 of, the Water Code, relating to water quality,

Assembly Bill No. 1714—An act to add Section 24053 8 to the Education Code, relating to the California State University and Colleges;

Assembly Bill No. 1737—An act to amend Section 15606 of the Government Code, and to add Section 7051 5 to the Revenue and Taxation Code, relating to the duties of the State Board of Equalization;

Assembly Bill No. 1754—An act to add Section 25365.6 to the Government Code, relating to county property;

Assembly Bill No. 1783—An act to amend Section 8046 of, and to add Article 14 (commencing with Section 8500) to Chapter 2 of Part 3 of Division 6 of, the Fish and Game Code, relating to commercial fishing;

Assembly Bill No. 1831—An act to add Section 20810.5 to the Education Code, relating to school district taxes,

Assembly Bill No. 1874—An act to amend and renumber Section 5620 of the Welfare and Institutions Code, as added by Chapter 1609 of the Statutes of 1971, relating to mental health, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1896—An act to add Section 12162 to the Welfare and Institutions Code, relating to grants-in-aid to recipients of public assistance;

Assembly Bill No. 1919—An act to amend Sections 825, 825 2 and 825 6 of the Government Code, relating to indemnification of public employees;

Assembly Bill No. 1973—An act to amend Section 5096 26 of, to add Section 5099 35 to, and to add Chapter 1 8 (commencing with Section 5098) to Division 5 of, the Public Resources Code, relating to parks and recreation;

Assembly Bill No. 2018—An act to amend Section 9902 6 of the Business and Professions Code, relating to employment agencies;

Assembly Bill No. 2044—An act to amend Sections 1662, 1665, 1751, and 1760 5 of the Insurance Code, relating to insurance;

Assembly Bill No. 2064—An act to amend Sections 667 and 2205 of, and to add Chapter 7 5 (commencing with Section 2650) to, Division 2 of the Public Resources Code, relating to mining;

Assembly Bill No. 2127—An act to add Sections 18107 and 20108 to, and to repeal Section 18107 and 20108 of, the Government Code, and to add Sections 5119, 5664, 5755 5 and 5755 6 to, and to repeal Sections 5119, 5664, 5755 5 and 5755 6 of, the Welfare and Institutions Code, and to repeal Section 7 of Chapter 923 of the Statutes of 1972, relating to mental health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 2139—An act to amend Sections 51238 and 65302 of, and to add Section 51238 5 to, the Government Code, relating to conservation;

Assembly Bill No. 2196—An act to add Section 313 to the Business and Professions Code, relating to the Department of Consumer Affairs;

Assembly Bill No. 2198—An act to add Section 10501 to the Unemployment Insurance Code, relating to job training;

Assembly Bill No. 2199—An act making an appropriation for overtime for state employees, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2278—An act to add and repeal Section 14265 of the Education Code, relating to the State Teachers' Retirement System;

Assembly Bill No. 2348—An act to amend Section 4200 of the Welfare and Institutions Code, relating to state institutions;

Assembly Bill No. 2372—An act to amend Section 1208 of the Penal Code, relating to prisoners;

Assembly Bill No. 2387—An act making an appropriation for property tax assistance in augmentation of Item 75, Budget Act of 1972;

And reports the same correctly enrolled, and presented to the Governor at 2 p m., December 6, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 6, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 59—Relative to mental health;

Assembly Concurrent Resolution No. 74—Relative to parks;

Assembly Concurrent Resolution No. 78—Relative to directional signs to Occidental College;

Assembly Joint Resolution No. 43—Relative to Veterans Day;

And reports the same correctly enrolled, and presented to the Secretary of State on the sixth day of December, 1972, at 2 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 282—An act to add Section 16784 to the Education Code, and to amend Section 11451 5 of, to add Section 10813 to, and to add Chapter 4 5 (commencing with Section 10825) to Part 2 of Division 9 of, the Welfare and Institutions Code, relating to public social services, making an appropriation therefor, and declaring the urgency thereof;

Assembly Bill No. 357—An act to amend Section 33113 of, to repeal and add Sections 33112, 33114, and 33115 to, and to repeal Sections 33116 and 33117 of, the Agricultural Code, relating to milk inspection;

Assembly Bill No. 743—An act to amend Section 8411 of, and to add Sections 8412, 8413, 8414, and 8414 2 to, the Water Code, relating to flood plain regulations;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., December 7, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 7, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 758—An act to amend Section 14132 of, to add Sections 14019.1 and 14132 1 to, and to add Article 4 3 (commencing with Section 14136) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services;

Assembly Bill No. 968—An act to amend Sections 29530, 29532, and 29533 of the Government Code, to amend Sections 29140 5, 99207, 99208, 99209, 99241, 99242, 99266, 99267, 99280, 99282, 99283, 99284, 99305, 99400, and 99405 of, to amend the heading of Article 5 (commencing with Section 99280) of Chapter 4 of Part 11 of Division 10 of, to amend and renumber Sections 99240, 99285, 99301, and 99303 of, to add Sections 99203, 99210, 99211, 99230, 99231, 99232, 99235, 99260, 99261, 99262, 99268, 99269, 99285, 99286, 99401, 99402, and 99406 to, and to repeal Sections 99202, 99203, 99210, 99211, 99260, 99262, 99264, 99268, 99269, 99270, 99271, 99272, 99273, 99274, 99275, 99300, 99304, 99401, 99402, 99403, 99404, 99406 and 99407 of, the Public Utilities Code, to amend Sections 6052 5, 6357, 7102, 7204 5, 7264, and 8101 5 of, and to add Sections 6357.1, 6357.2, 7204 4, 7204 6, and 7264 1 to, the Revenue and Taxation Code, relating to public transportation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1003—An act to add Sections 3406 and 4023 6 to the Penal Code and Sections 521 and 1774 to the Welfare and Institutions Code, relating to female prisoners;

Assembly Bill No. 1004—An act to add and repeal Sections 3405 and 4028 to the Penal Code, and to add and repeal Sections 519 and 1773 to the Welfare and Institutions Code, relating to abortions;

Assembly Bill No. 1122—An act to amend Sections 21662, 21665, and 21666 of, and to add Section 21664 5 to, the Public Utilities Code, relating to aviation;

Assembly Bill No. 1198—An act to add Article 7 (commencing with Section 26595) to Chapter 5 of Division 21 of the Health and Safety Code, relating to food;

Assembly Bill No. 1292—An act to add Section 23428 20 to the Business and Professions Code, and to amend Section 172d of the Penal Code, relating to alcoholic beverages;

Assembly Bill No. 1697—An act to add Chapter 8 (commencing with Section 11800) to Part I of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5 5 of Division 3 of Title 2 of, the Government Code, relating to the television advisory committee;

Assembly Bill No. 1741—An act to add Part 2 5 (commencing with Section 34700) to Division 24 of the Health and Safety Code, relating to housing;

Assembly Bill No. 1798—An act to establish a correctional training center;

Assembly Bill No. 1801—An act to add Article 6 (commencing with Section 17875) to Chapter 4 of Part 3 of Division 7 of the Business and Professions Code, relating to marriage, family or child counseling corporations;

Assembly Bill No. 1846—An act to add Article 2 5 (commencing with Section 15371) to Chapter 2 of Division 11 of, and to amend Section 15458 of, the Education Code, relating to factory-built schools;

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, and 21294 of, and to add Sections 20493.1 and 21300 5 to, the Government Code, relating to retirement;

Assembly Bill No. 2033—An act to amend Section 23320 of, and to add Section 23399.3 to, the Business and Professions Code, relating to alcoholic beverages;

Assembly Bill No. 2089—An act to amend Section 11450 of the Welfare and Institutions Code, relating to foster home care, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2118—An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18 5 of the Education Code, relating to community colleges;

Assembly Bill No. 2249—An act to amend Sections 985, 986 3, 986 5, 987, 987.6 and 987.17 of, and to add Sections 986 31 and 987 17a to, the Military and Veterans Code, relating to veterans;

Assembly Bill No. 2368—An act to amend Section 29242 of, and to add Article 11 (commencing with Section 29301) and Article 12 (commencing with Section 29321) to Chapter 1 of Division 13 of, the Agricultural Code, relating to bees;

Assembly Bill No. 2371—An act relating to Medi-Cal;

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., December 7, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 7, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy;

Assembly Bill No. 151—An act to amend Sections 8101 and 8352 of, and to add Section 8352 6 to, the Revenue and Taxation Code, and to amend Section 186 of the Streets and Highways Code, relating to revenues derived from taxes on motor vehicle fuel, making an appropriation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 240—An act to amend Section 8804 of the Business and Professions Code, relating to professional engineers;

Assembly Bill No. 335—An act to amend Section 619.1 of the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 350—An act to amend Section 6304 1 of the Harbors and Navigation Code, relating to harbors and navigation;

Assembly Bill No. 488—An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools;

Assembly Bill No. 568—An act to amend Section 651 of the Business and Professions Code, relating to healing arts;

Assembly Bill No. 598—An act to add Chapter 6 5 (commencing with Section 25100) to Division 20 of the Health and Safety Code, relating to waste materials;

Assembly Bill No. 609—An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands;

Assembly Bill No. 637—An act to add Section 14002 to the Education Code, and to amend Section 31835.1 of the Government Code, relating to retirement, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 770—An act to add Section 125.5 to the Business and Professions Code, relating to injunctions;

Assembly Bill No. 807—An act to add Section 4000 5 to the Penal Code, relating to prisoners' rights;

Assembly Bill No. 833—An act to amend Sections 13245, 13246, 13246 5, 13247, 13247 8, 13247 9 and 13248 of, to amend the heading of Article 2 6 (commencing with Section 13245) of Chapter 2 of Division 10 of, and to add Sections 13246 3, 13246 7, 13246 9, 13248.5, and 13249.7 to, the Education Code, relating to master teachers;

Assembly Bill No. 862—An act to amend Section 410 of the Unemployment Insurance Code, relating to unemployment insurance;

Assembly Bill No. 900—An act to add Section 14105.6 to the Welfare and Institutions Code, relating to medical assistance;

Assembly Bill No. 1013—An act to amend Sections 926, 984, and 1085 of, to repeal Section 927 of, and to add Sections 927, 976 2, 986 5, 987 5, and 1088 5 to, the Unemployment Insurance Code, relating to unemployment insurance,

Assembly Bill No. 1068—An act to add Section 14670 4 to the Government Code, relating to state property;

Assembly Bill No. 1076—An act to add Section 1657.5 to the Insurance Code, relating to insurance;

Assembly Bill No. 1143—An act to amend Sections 9801, 9802, 9803, 9805, 9820, 9823, 9825, 9841, and 9844 of the Business and Professions Code, relating to repair services;

Assembly Bill No. 1189—An act to add Article 17 (commencing with Section 429 60) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to public health;

Assembly Bill No. 1263—An act to amend Sections 9800, 9801, 9802, 9803, 9805, 9817, 9819, 9820, 9823, 9825, 9830, and 9873 of the Business and Professions Code, relating to repair dealers;

Assembly Bill No. 1363—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions;

Assembly Bill No. 1368—An act to amend Section 3074 of the Labor Code, relating to apprenticeship programs;

Assembly Bill No. 1384—An act to amend Section 9201 of the Corporations Code, and to amend Section 12538.4 of the Government Code, relating to health plans, and making an appropriation therefor;

Assembly Bill No. 1657—An act to amend Sections 17507 7 and 36800 of the Education Code, relating to experimental programs;

Assembly Bill No. 1730—An act to amend Section 217 of the Health and Safety Code, and to amend Section 21714 of the Vehicle Code, relating to medical aid;

Assembly Bill No. 1778—An act to amend Section 11530 of the Health and Safety Code, relating to marijuana;

Assembly Bill No. 1882—An act to add Section 269 to the Education Code, and to amend Section 7185 of the Financial Code, relating to loans for vocational education,

Assembly Bill No. 1925—An act to add Division 27 (commencing with Section 39600) to the Health and Safety Code, relating to pollution control;

Assembly Bill No. 1986—An act to amend Sections 2635 1, 2914, 3056, 4089, 4511, 4514, 6060, 6062, 6885, 6886, 7526, 8020, 8023 5, 9022, 9042, 9700 5, and 17862 of the Business and Professions Code, Section 13575 5 of the Education Code, and Section 1101 of the Harbors and Navigation Code, to add and repeal Section 12331 of the Financial Code, and to repeal Sections 3057, 8740 5, 8793, 10150 5, and 10515 5 of the Business and Professions Code, and Section 1643 of the Insurance Code, relating to qualifications,

Assembly Bill No. 2063—An act to add Section 4457 to the Government Code, relating to public buildings;

Assembly Bill No. 2091—An act to add Section 13707 5 to the Education Code, relating to school classified employees;

Assembly Bill No. 2267—An act making an appropriation to the California Crime Technological Research Foundation for a study relative to explosives;

Assembly Bill No. 2350—An act to add Section 5077 2 to the Public Resources Code, relating to recreational trails;

Assembly Bill No. 2394—An act to amend Sections 73671, 73672, 73674, 73675, 73676, 73677, 73678, and 73679 of, and to add Sections 73672 1, 73672 2, 73672 3, and 73672 4 to, the Government Code, relating to courts,

Assembly Bill No. 2395—An act relating to the repair, restoration, or replacement of public property damaged or destroyed by a natural disaster and to amend Section 5 of Chapter 74 of the Statutes of 1972, making an appropriation therefor and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 2 p m., December 7, 1972.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, December 7, 1972

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 23—Relative to the Division of Highways San Diego Maintenance Station;

Assembly Concurrent Resolution No. 38—Relating to the cotton pink bollworm control program,

Assembly Concurrent Resolution No. 136—Relative to memorializing Assemblyman Frank P. Belotti,

Assembly Joint Resolution No. 37—Relative to air pollution;

Assembly Joint Resolution No. 38—Relative to through traffic at Yosemite National Park;

Assembly Joint Resolution No. 41—Relative to the skill centers operated by the Los Angeles Unified School District;

And reports the same correctly enrolled, and presented to the Secretary of State on the seventh day of December, 1972, at 2 p m

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 6—An act relating to the public school system;

Assembly Bill No. 300—An act to amend Sections 821, 885 5, 885 9, 894, 894 3, 895, 895 2, 895 3, 895 4, 895 5, 895 6, 895 7, 895 8, 895 10, 895 12, 6153, 6750, 6751, 6751 1, 6752, 6752 2, 6753, 6754, 6755, 6755 1, 6755 2, 6755 3, 6756, 6757, 6758, 6759, 6760, 6761, 6770, 6771, 6772, 6790, 6801, 6802, 6802 1, 6802 15, 6803, 6803 1, 6804, 6805, 6806, 6806 1, 6808, 6809, 6812, 6812 1, 6812 5, 6813, 6814, 6815, 6816, 6817, 6818, 6820, 6820 1, 6820 2, 6851, 6852, 6853, 6870, 6871, 6871 5, 6872, 6873, 6901, 6902, 6902.05, 6902 07, 6902 08, 6902 085, 6902 09, 6902.095, 6902 10, 6902 1, 6902 2, 6902 4, 6902 5, 6903, 6903 1, 6903 3, 6904, 6904 1, 6904 3, 6904 5, 6905, 6906 5, 6907, 6910, 6911, 6912, 6912 5, 6913, 6913 1, 6914, 6915, 6916, 6920, 6931, 6932, 6941, 6947, 6951, 10522, 11054, 11226, 11227, 11228, 11229, 11553, 11553 1, 11555, 11556, 16645 1, 16645 2, 16645 4, 16645 11, 16645 21, 16645 22, 16645 23, 17305 7, 18101, 18102, 18102 2, 18102 4, 18102 6, 18102 9, 18102 10, 18355, 18358, 19682, 19683, 19683 5, 20807, 25601, and 26501 of, and to amend the heading of Chapter 7 1 (commencing with Section 6750) of Division 6 of, and to amend the heading of Article 2 (commencing with Section 6770) of Chapter 7 1 of Division 6 of, and to amend the heading of Chapter 7 2 (commencing with Section 6790) of Division 6 of, and to amend the heading of Article 7 (commencing with Section 11226) of Chapter 2 of Division 9 of, and to amend the heading of Article 11 (commencing with Section 18101) of Chapter 3 of Division 14 of, and to amend and renumber Section 16645 2 of, the Education Code, relating to special education;

Assembly Bill No. 724—An act to amend Sections 16144, 16149, 16150, 16152, and 16153 of, and to amend and renumber Section 16119 of, the Government Code, and to amend Sections 17054 5, 17203, 17226, 18683, 19526, 19531, 23186, 23301, 23332 5, 23402, 23571, 23701r, 23732, 24372, 24378, 24438, 24837.5, 25553, 25563, 25563 2, 25669, 25933, and 26481 of, and to add Sections 17036, 17206 5 and 23059 to, and to repeal Sections 17206.5 and 25957 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 814—An act to amend Sections 12786, 12787, 12788 and 12792 of, to add Division 25 (commencing with Section 37000) to, to repeal Section 12771 of, the Education Code, and to amend Section 1300 of the Labor Code, relating to manpower development effectiveness programs, and making an appropriation therefor;

Assembly Bill No. 1157—An act to add Part 9 (commencing with Section 7950) to Division 5 of the Labor Code, relating to tunnel safety;

Assembly Bill No. 1445—An act to repeal and add Chapter 6 (commencing with Section 14901) to Division 7 of the Agricultural Code, relating to commercial feed, declaring the urgency thereof, to take effect immediately, and making an appropriation therefor;

Assembly Bill No. 1459—An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health;

Assembly Bill No. 1674—An act to amend Sections 20605, 20930, 21221 5, 21250 1, 21252 6, 21295, 21330 and 21364 7 of, to add Sections 21263, 21263 1, 21263 2 and 21263 3 to, and to repeal Sections 20750 426, as added by Chapter 1035 of the Statutes of 1972, 21263, 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statutes of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System;

Assembly Bill No. 1745—An act to add and repeal Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1908—An act to amend Section 21252 6 of, and to add Section 20017.78 to, the Government Code, relating to retirement;

Assembly Bill No. 2074—An act to amend Sections 18203, 18405 2, 18406, 18406 2, 18601, 18615, 18661, 18667, 18675, 18818, and 18964 of, to add Sections 18205, 18406 3, 18627, 18681, 18682, 18683, and 18684 to, and to repeal Sections 18203 5, 18205, 18205 5, 18668, and 18668 1 of, the Financial Code, relating to industrial loan companies;

Assembly Bill No. 2126—An act to amend, repeal, and add Section 438 3 of the Health and Safety Code, relating to health facilities;

Assembly Bill No. 2169—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses;

Assembly Bill No. 2265—An act to amend Section 29018.5 of the Education Code, relating to private schools,

Assembly Bill No. 2294—An act to amend Sections 510 and 513 of the Code of Civil Procedure, relating to claim and delivery, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 4 p m., December 7, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 7, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 29—Relative to admission practices of California Community Colleges;

Assembly Concurrent Resolution No. 55—Relative to state agency manpower education and training programs;

And reports the same correctly enrolled, and presented to the Secretary of State on the seventh day of December, 1972, at 4 p m.

JAMES D. DRISCOLL, Chief Clerk

Assembly Chamber, December 8, 1972

Mr Speaker· Pursuant to your instructions, the Chief Clerk has examined·

Assembly Bill No. 339—An act to amend Section 17146 of, and to add Sections 17146 7 and 17146 8 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy;

Assembly Bill No. 376—An act to amend Section 11546 of the Business and Professions Code, relating to subdivisions,

Assembly Bill No. 1182—An act to add Article 3 (commencing with Section 24321) to Chapter 9 of Division 18 of the Education Code, relating to the California State University and Colleges;

Assembly Bill No. 1277—An act to amend Section 20017 77 of the Government Code, to amend Section 6053 of the Penal Code, and to amend Section 1752 of the Welfare and Institutions Code, relating to correctional counselors;

Assembly Bill No. 1278—An act to add Section 21023 6 to the Government Code, and to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to disability retirement;

Assembly Bill No. 1703—An act to add Sections 25528 8 and 31226 8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor;

Assembly Bill No. 1705—An act to amend Section 5710 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 1724—An act to repeal Chapter 2.5 (commencing with Section 17065) of Part 10 of Division 2 of, and to add Chapter 2 5 (commencing with Section 17065) to Part 10 of Division 2 of, the Revenue and Taxation Code, relating to tax credits under the Personal Income Tax Law, to take effect immediately, tax levy;

Assembly Bill No. 1744—An act to add Section 402 4 to the Revenue and Taxation Code, relating to property taxation,

Assembly Bill No. 1848—An act to amend Section 1070 of the Evidence Code, relating to newsmen's privilege,

Assembly Bill No. 1876—An act to amend Section 23754 4 of the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1884—An act to amend Section 6261 of, and to add Section 6268 28 to, the Education Code, relating to area vocational committees, and making an appropriation therefor,

Assembly Bill No. 2204—An act to amend Section 1777 5 of, and to add Section 3098 to, the Labor Code, relating to apprenticeship;

Assembly Bill No. 2335—An act relating to sales and use tax exemptions, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2390—An act to amend Sections 73341, 73682, 73683, 73684, and 73692 of the Government Code, relating to courts;

Assembly Bill No. 2393—An act to amend Sections 11784 and 11785 of the Government Code, relating to electronic data processing, making an appropriation therefor and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10 a.m , December 8, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 11, 1972

Mr Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 192—An act to amend Section 2391 of the Business and Professions Code and to add Division 10 (commencing with Section 11000) to, and to repeal Divisions 10 (commencing with Section 11000), 10 5 (commencing with Section 11901), 10 8 (commencing with Section 11940), and 10 9 (commencing with Section 11990) of, the Health and Safety Code, and to amend Sections 1803, 12806, 12809, 13202, 13355 5, and 13800 of the Vehicle Code, relating to controlled substances;

Assembly Bill No. 1210—An act to add Section 16554 1 to, Chapter 7 (commencing with Section 30301) to Division 21 of, the Education Code, relating to education;

Assembly Bill No. 1496—An act to amend Sections 14000, 14105 and 14118 of, to add Chapter 8 (commencing with Section 14200) to Part 3 of Division 9 of, to repeal Sections 14057, 14058, 14104, 14106, 14106 5 and 14114 of, and to repeal Article 4 4 (commencing with Section 14140) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to medical assistance,

Assembly Bill No. 1527—An act to add Article 2 5 (commencing with Section 530) to Chapter 1 of Division 2 of the Business and Professions Code, relating to the healing arts;

Assembly Bill No. 1633—An act to amend Sections 6268 2, 6268 6, 6268 7, 6268 8, 6268 10, 6268 12, 6268 14, 6268 15, 6268 16, 6268 20, and 6268.22 of, and to add Sections 6257 5, 6268 9, 6268 24, 6268 26, and 6268 28 to, the Education Code, relating to vocational education;

Assembly Bill No. 1704—An act to add Section 104 16 to the Streets and Highways Code, relating to state highways;

Assembly Bill No. 1709—An act to add Section 4089 5 to the Business and Professions Code, relating to pharmacy;

Assembly Bill No. 1961—An act to amend the heading of Chapter 12.5 (commencing with Section 7800) of Division 3, and Sections 101, 7800, 7801, 7804, 7805, 7806, 7810, 7811, 7813, 7814, 7817, 7820, 7823, 7824, 7825, 7832, 7833, 7834, 7835, 7837, 7839, 7840, 7841, 7842, 7843, 7845, 7847, 7851, 7860, 7872, 7880, 7881, 7884, 7885, 7886 and 7887 of, and to add Sections 7802 1, 7803 1, 7804 1, 7807 1, 7830 1, 7835 1, 7839 1, 7841.1, 7842 1, 7843.1, 7845 1, 7847 6, 7848 1, 7850.1, 7850 6, and 7852 1 to, and to amend, add and repeal Section 101 of, the Business and Professions Code, relating to geologists and geophysicists, and making an appropriation therefor;

Assembly Bill No. 2014—An act to add Chapter 7 (commencing with Section 30301) to Division 21 of the Education Code, relating to private colleges and universities;

And reports the same correctly enrolled, and presented to the Governor at 10 a m., December 11, 1972.

JAMES D DRISCOLL, Chief Clerk

Assembly Chamber, December 11, 1972

Mr. Speaker Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 36—Relative to camping facilities in the San Bernardino Mountains;

Assembly Concurrent Resolution No. 46—Relative to indeterminate sentencing,

Assembly Concurrent Resolution No. 53—Relative to information concerning student financial aid;

And reports the same correctly enrolled, and presented to the Secretary of State on the 11th day of December, 1972, at 12 m

JAMES D DRISCOLL, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Agriculture reports:

AB No 678	AB No 1605	AB No 2158
AB No 891	AB No 1608	AB No 2159
AB No 1073	AB No 1607	AB No 2161
AB No 1365	AB No. 1976	AB No. 2264

Without action.

BRIGGS, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Agriculture reports:

AJR No. 27

Without action.

BRIGGS, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Agriculture reports:

SB No. 664

Without action.

BRIGGS, Chairman

Above bill ordered transmitted to the Senate.

Committee on Commerce and Public Utilities

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 367	AB No 867	AB No 1196
AB No 372	AB No 868	AB No. 1273
AB No. 399	AB No 869	AB No 1293
AB No. 434	AB No 896	AB No 1297
AB No. 554	AB No 897	AB No 1353
AB No. 582	AB No 902	AB No 1389
AB No 725	AB No 903	AB No 1434
AB No. 760	AB No 989	AB No 1487
AB No 788	AB No 999	AB No 1521
AB No. 794	AB No 1009	AB No 1554
AB No. 795	AB No 1193	AB No. 1630
AB No 845		

Without action.

POWERS, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

AB No 1688	AB No 2162	AB No 2290
AB No 1689	AB No 2228	AB No 2291
AB No 1755	AB No 2231	AB No. 2330
AB No. 1881	AB No 2276	AB No. 2336
AB No 1959	AB No. 2277	AB No 2342
AB No. 1990	AB No. 2289	AB No. 2344
AB No. 2117		

Without action.

POWERS, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Commerce and Public Utilities reports:

SB No. 1013
SB No 1058
SB No 1241

Without action.

POWERS, Chairman

Above bills ordered transmitted to the Senate.

Assembly Chamber, November 30, 1972

Mr Speaker: Your Committee on Commerce and Public Utilities reports:

ACR No. 3
ACR No. 48
ACR No. 73

Without action.

POWERS, Chairman

Committee on Constitutional Amendments

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 1
ACA No. 7
ACA No. 31

Without action.

GARCIA, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Constitutional Amendments reports:

SCA No. 73
SCA No. 76

Without action.

GARCIA, Chairman

Above resolutions ordered transmitted to the Senate.

Committee on Criminal Justice

Assembly Chamber, December 1, 1972

Mr Speaker · Your Committee on Criminal Justice reports:

AB No 10	AB No. 456	AB No. 639
AB No. 14	AB No 457	AB No. 648
AB No. 62	AB No 465	AB No 671
AB No 121	AB No 466	AB No 682
AB No. 158	AB No 477	AB No 703
AB No 187	AB No 478	AB No. 765
AB No. 224	AB No 537	AB No 830
AB No. 267	AB No 546	AB No. 871
AB No. 309	AB No 563	AB No. 910
AB No 345	AB No. 576	AB No. 914
AB No. 374	AB No. 577	AB No. 964
AB No. 413		

Without action.

BEVERLY, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

AB No. 1006	AB No. 1232	AB No 1423
AB No 1051	AB No 1238	AB No. 1536
AB No 1060	AB No 1240	AB No. 1543
AB No. 1065	AB No 1241	AB No 1581
AB No 1086	AB No 1242	AB No. 1631
AB No. 1134	AB No 1244	AB No. 1635
AB No 1135	AB No 1248	AB No 1671
AB No 1219	AB No 1298	AB No. 1672
AB No. 1220	AB No. 1311	AB No 1682
AB No. 1222	AB No 1335	AB No. 1762
AB No 1224	AB No. 1422	AB No 1799
AB No 1226		

Without action.

BEVERLY, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Criminal Justice reports

AB No. 1810	AB No 1950	AB No 2128
AB No 1865	AB No 1980	AB No 2227
AB No 1866	AB No 2017	AB No 2256
AB No 1867	AB No 2047	AB No 2258
AB No 1868	AB No 2052	AB No 2259
AB No 1869	AB No 2068	AB No 2262
AB No 1927	AB No 2080	AB No. 2321
AB No 1941	AB No. 2100	AB No 2357
AB No 1949	AB No 2101	

Without action.

BEVERLY, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Criminal Justice reports:

ACA No. 23	ACA No. 41
ACA No. 38	ACA No 43
ACA No. 40	ACA No. 46

Without action.

BEVERLY, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Criminal Justice reports:

ACA No 85

Without Action.

BEVERLY, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Criminal Justice reports:

ACR No 36

Without action.

BEVERLY, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Criminal Justice reports:

SB No. 1	SB No 430	SB No 854
SB No. 20	SB No 558	SB No 876
SB No. 87	SB No 602	SB No 905
SB No 211	SB No. 649	SB No. 915
SB No 216	SB No. 687	SB No 956
SB No 269	SB No 699	SB No 1348
SB No 301	SB No 813	SB No. 1422
SB No 325	SB No. 845	SB No. 1473
SB No. 342		

Without action.

BEVERLY, Chairman

Above bills ordered transmitted to the Senate.

Committee on Education

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Education reports:

AB No 16	AB No 269	AB No 752
AB No 47	AB No 325	AB No 793
AB No 57	AB No 382	AB No 811
AB No. 107	AB No 403	AB No 838
AB No. 122	AB No 421	AB No. 844
AB No 135	AB No 446	AB No. 847
AB No 185	AB No 473	AB No 864
AB No 186	AB No 518	AB No. 909
AB No 212	AB No 522	AB No 949
AB No 234	AB No 545	AB No. 951
AB No 258	AB No. 559	AB No. 953
AB No 260		

Without action.

LEROY F. GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 955	AB No. 1166	AB No. 1305
AB No. 980	AB No. 1197	AB No. 1318
AB No. 995	AB No. 1211	AB No. 1321
AB No. 998	AB No 1216	AB No. 1332
AB No. 1010	AB No 1218	AB No 1352
AB No. 1043	AB No. 1225	AB No 1355
AB No. 1046	AB No. 1233	AB No. 1356
AB No. 1066	AB No 1253	AB No. 1429
AB No 1083	AB No. 1259	AB No. 1466
AB No. 1099	AB No 1283	AB No. 1472
AB No 1108	AB No. 1284	AB No. 1476
AB No. 1146	AB No. 1291	

Without action.

LEROY F. GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Education reports:

AB No. 1480	AB No 1648	AB No 1750
AB No 1523	AB No 1651	AB No. 1758
AB No. 1553	AB No. 1654	AB No. 1771
AB No. 1578	AB No. 1669	AB No 1795
AB No. 1590	AB No 1678	AB No. 1804
AB No. 1595	AB No. 1680	AB No 1807
AB No. 1600	AB No 1686	AB No. 1818
AB No. 1616	AB No 1695	AB No 1823
AB No. 1617	AB No. 1722	AB No. 1827
AB No. 1634	AB No. 1723	AB No. 1836
AB No. 1637	AB No. 1746	
AB No. 1641	AB No. 1747	

Without action.

LEROY F. GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Education reports:

AB No 1891	AB No 2125	AB No 2280
AB No. 1940	AB No 2181	AB No 2281
AB No. 1946	AB No. 2207	AB No 2288
AB No. 1969	AB No 2210	AB No 2295
AB No. 1982	AB No. 2235	AB No 2302
AB No. 1983	AB No 2236	AB No 2366
AB No 2007	AB No 2253	AB No. 2383
AB No 2020	AB No. 2257	AB No. 2389
AB No. 2093	AB No 2266	

Without action.

LEROY F. GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Education reports:

ACA No. 17	ACA No. 36
ACA No 18	ACA No. 37
ACA No 22	ACA No. 68

Without action.

LEROY F. GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Education reports:

ACA No. 74
ACA No. 84
ACA No 86

Without action.

LEROY F GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Education reports·

AJR No. 14
AJR No 20

Without action.

LEROY F. GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Education reports:

ACR No 14
ACR No. 15

Without action.

LEROY F GREENE, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Education reports:

SB No. 18	SB No. 907	SB No. 1159
SB No. 32	SB No 970	SB No 1200
SB No. 167	SB No 989	SB No. 1291
SB No 174	SB No 1033	SB No 1416
SB No 368	SB No. 1091	SB No. 1497
SB No. 460	SB No. 1144	SB No. 1505
SB No. 841		

Without action.

LEROY F. GREENE, Chairman

Above bills ordered transmitted to the Senate.

Committee on Efficiency and Cost Control

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Efficiency and Cost Control reports:

AB No. 161
AB No. 651
AB No. 1091

Without action.

CULLEN, Chairman

Committee on Elections and Reapportionment

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No 8	AB No 607	AB No. 1313
AB No. 32	AB No 619	AB No 1437
AB No. 33	AB No 774	AB No. 1546
AB No. 34	AB No 924	AB No. 1567
AB No. 100	AB No. 938	AB No. 1568
AB No. 105	AB No. 939	AB No. 1569
AB No. 129	AB No. 940	AB No. 1572
AB No. 134	AB No 1024	AB No. 1573
AB No. 166	AB No 1096	AB No 1574
AB No. 247	AB No. 1111	AB No. 1789
AB No. 356	AB No. 1188	AB No. 1984
AB No. 476		

Without action.

WAXMAN, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

AB No 2170	AB No 2238	AB No 2299
AB No. 2171	AB No. 2247	AB No. 2351
AB No 2172	AB No. 2297	AB No. 2373
AB No. 2173	AB No 2298	

Without action.

WAXMAN, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Elections and Reapportionment reports:

ACA No. 4	ACA No 44
ACA No. 5	ACA No 49
ACA No. 39	ACA No 58

Without action.

WAXMAN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Elections and Reapportionment reports:

ACA No 83
ACA No 89
ACA No 96

Without action.

WAXMAN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Elections and Reapportionment reports:

SB No. 43	SB No 150	SB No 1413
SB No. 123	SB No 560	SB No. 1498
SB No 129	SB No 990	SB No. 1504
SB No. 130		

Without action.

WAXMAN, Chairman

Above bills ordered transmitted to the Senate.

Committee on Employment and Public Employees

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Employment and Public Employees reports:

AB No 232	AB No 1309	AB No 2073
AB No 448	AB No 1723	AB No 2142
AB No 507	AB No 1748	AB No 2245
AB No 613	AB No 1765	AB No 2311
AB No 789	AB No. 1888	AB No 2356
AB No 1064		

Without action.

MacDONALD, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Employment and Public Employees reports.

SCA No 67

Without action.

MacDONALD, Chairman

Above resolution ordered transmitted to the Senate

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Employment and Public Employees reports

SB No 316
SB No 317

Without action.

MacDONALD, Chairman

Above bills ordered transmitted to the Senate.

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Employment and Public Employees reports:

ACA No 73

Without action.

MacDONALD, Chairman

Committee on Environmental Quality

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Environmental Quality reports:

AB No. 67	AB No 1463	AB No 1784
AB No 450	AB No. 1662	AB No 2271
AB No. 1151		

Without action.

FONG, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Environmental Quality reports:

AJR No 9

Without action.

FONG, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker. Your Committee on Environmental Quality reports:

SB No 21

Without action.

FONG, Chairman

Above bill ordered transmitted to the Senate.

Committee on Finance and Insurance

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Finance and Insurance reports·

AB No 68	AB No 454	AB No 768
AB No. 119	AB No 468	AB No 769
AB No 128	AB No 472	AB No 843
AB No 138	AB No 618	AB No 849
AB No. 180	AB No 628	AB No 875
AB No 203	AB No 730	AB No 931
AB No 306	AB No 731	AB No 932
AB No. 322	AB No 732	AB No 933
AB No 340	AB No 733	AB No 978
AB No 343	AB No 766	AB No 1012
AB No. 405	AB No 767	AB No. 1014
AB No 447		

Without action.

PIERSON, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Finance and Insurance reports:

AB No 1015	AB No. 1390	AB No 1712
AB No 1016	AB No. 1436	AB No 1743
AB No 1017	AB No 1509	AB No. 1797
AB No 1052	AB No 1511	AB No. 1811
AB No. 1056	AB No. 1512	AB No 1844
AB No 1081	AB No 1513	AB No. 1847
AB No 1177	AB No. 1514	AB No. 1894
AB No 1178	AB No 1517	AB No 1916
AB No 1190	AB No 1548	AB No 1981
AB No 1229	AB No 1676	AB No. 1997
AB No 1247	AB No 1702	AB No. 2015
AB No 1354		

Without action.

PIERSON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker · Your Committee on Finance and Insurance reports ·

AB No 2041	AB No. 2174	AB No 2209
AB No 2071	AB No 2193	AB No 2215
AB No 2094	AB No 2206	AB No 2313
AB No. 2121		

Without action

PIERSON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker · Your Committee on Finance and Insurance reports:

ACA No. 59

Without action.

PIERSON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Finance and Insurance reports.

ACR No 30
ACR No. 70

Without action.

PIERSON, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker. Your Committee on Finance and Insurance reports:

SB No 74	SB No 1036
SB No 554	SB No 1453

Without action.

PIERSON, Chairman

Above bills ordered transmitted to the Senate.

Committee on Government Administration

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No. 12	AB No 510	AB No 878
AB No 113	AB No 535	AB No 883
AB No 116	AB No 542	AB No 911
AB No 150	AB No 570	AB No. 947
AB No 173	AB No 573	AB No. 948
AB No 204	AB No 591	AB No 990
AB No 207	AB No 627	AB No 996
AB No 297	AB No 709	AB No 1001
AB No 351	AB No 805	AB No 1031
AB No 436	AB No 808	AB No 1035
AB No 451	AB No. 815	AB No. 1037
AB No 455		

Without action.

RUSSELL, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Government Administration reports:

AB No 1045	AB No 1191	AB No 1367
AB No 1050	AB No 1245	AB No 1370
AB No 1070	AB No 1258	AB No 1397
AB No 1071	AB No 1280	AB No 1402
AB No 1079	AB No 1302	AB No 1406
AB No 1097	AB No 1312	AB No 1424
AB No 1128	AB No 1328	AB No 1425
AB No 1129	AB No 1329	AB No 1427
AB No. 1130	AB No 1336	AB No 1428
AB No 1148	AB No 1341	AB No 1432
AB No 1169	AB No. 1364	AB No 1440
AB No 1186		

Without action.

RUSSELL, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Government Administration reports·

AB No 1441	AB No 1649	AB No 1830
AB No 1456	AB No 1660	AB No 1834
AB No 1465	AB No 1661	AB No 1853
AB No 1475	AB No 1664	AB No 1860
AB No 1478	AB No. 1675	AB No 1889
AB No 1510	AB No 1679	AB No 1893
AB No 1540	AB No 1684	AB No 1900
AB No 1545	AB No 1720	AB No 1934
AB No 1606	AB No 1726	AB No 1935
AB No. 1619	AB No 1773	AB No 1944
AB No 1622	AB No 1800	
AB No 1639	AB No 1803	

Without action.

RUSSELL, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Government Administration reports·

AB No 1955	AB No 2088	AB No 2205
AB No 1971	AB No 2116	AB No 2217
AB No 1972	AB No 2150	AB No 2223
AB No 1993	AB No 2163	AB No 2244
AB No 2000	AB No 2176	AB No 2246
AB No 2023	AB No 2177	AB No 2254
AB No 2055	AB No 2183	AB No 2275
AB No 2061	AB No 2190	AB No 2287
AB No 2076	AB No 2197	AB No 2296
AB No 2081	AB No 2200	AB No 2307
AB No 2085	AB No 2201	AB No 2308
AB No 2086		

Without action.

RUSSELL, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Government Administration reports

ACA No 66
AJR No 42

Without action.

RUSSELL, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Government Administration reports:

SB No. 1501

Without action.

RUSSELL, Chairman

Above bill ordered transmitted to the Senate

Committee on Governmental Organization

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

AB No 86	AB No 894	AB No. 1777
AB No 88	AB No 1290	AB No 1892
AB No 172	AB No 1294	AB No. 2006
AB No. 330	AB No 1295	AB No 2009
AB No 575	AB No 1299	AB No 2160
AB No 649	AB No 1303	AB No 2192
AB No 698	AB No 1413	AB No 2225
AB No. 700	AB No. 1439	AB No 2242
AB No. 840	AB No. 1613	AB No 2274
AB No 861	AB No. 1727	AB No 2339

Without action.

RALPH, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

ACA No. 29

Without action.

RALPH, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Governmental Organization reports:

SB No. 227
SB No. 819
SB No 1136

Without action.

RALPH, Chairman

Above bills ordered transmitted to the Senate.

Committee on Health

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Health reports·

AB No. 2	AB No 481	AB No 1132
AB No. 28	AB No 526	AB No 1181
AB No 89	AB No 713	AB No 1199
AB No 104	AB No 823	AB No. 1243
AB No 193	AB No 854	AB No 1249
AB No 216	AB No 879	AB No 1271
AB No 261	AB No 923	AB No 1289
AB No 283	AB No 993	AB No 1301
AB No 287	AB No 1109	AB No 1333
AB No 292	AB No 1115	AB No 1359
AB No 341	AB No 1131	AB No 1474
AB No 431		

Without action

CAMPBELL, Chairman

Assembly Chamber, December 1, 1972·

Mr Speaker· Your Committee on Health reports

AB No 1495	AB No 1770	AB No. 2141
AB No 1515	AB No 1796	AB No 2144
AB No. 1552	AB No 1835	AB No 2154
AB No 1593	AB No 1854	AB No 2166
AB No 1640	AB No 1855	AB No. 2191
AB No 1718	AB No 1862	AB No 2202
AB No 1732	AB No 1913	AB No 2219
AB No 1749	AB No 1954	AB No 2273
AB No 1751	AB No 1985	AB No 2282
AB No 1752	AB No 2056	AB No 2283
AB No 1769		

Without action.

CAMPBELL, Chairman

Assembly Chamber, December 1, 1972·

Mr Speaker· Your Committee on Health reports:

ACR No 13
ACR No 43
ACR No 56

Without action.

CAMPBELL, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Health reports:

HR No 85

Without action

CAMPBELL, Chairman

Committee on Judiciary

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Judiciary reports:

AB No 53	AB No 503	AB No 797
AB No. 102	AB No 521	AB No 848
AB No 103	AB No 548	AB No 865
AB No. 142	AB No 552	AB No 928
AB No. 154	AB No 597	AB No 935
AB No. 323	AB No 621	AB No 936
AB No 425	AB No. 663	AB No 937
AB No 433	AB No 672	AB No 950
AB No 458	AB No 726	AB No 971
AB No. 489	AB No 764	AB No 972
AB No 492	AB No 796	AB No 1022
AB No 502		

Without action

WARREN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Judiciary reports·

AB No 1055	AB No 1386	AB No 1683
AB No. 1107	AB No 1395	AB No 1716
AB No 1124	AB No 1401	AB No 1753
AB No 1139	AB No 1410	AB No 1761
AB No 1145	AB No 1461	AB No. 1806
AB No 1160	AB No 1481	AB No 1849
AB No 1173	AB No 1486	AB No 1878
AB No 1174	AB No 1526	AB No 1899
AB No 1223	AB No 1530	AB No 1909
AB No 1251	AB No 1555	AB No 1917
AB No 1265	AB No 1575	AB No. 1921
AB No 1343	AB No 1636	

Without action

WARREN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Judiciary reports

AB No 1965	AB No 2105	AB No 2248
AB No 1967	AB No 2106	AB No 2318
AB No 2003	AB No 2107	AB No 2326
AB No 2022	AB No 2108	AB No 2360
AB No 2038	AB No 2175	AB No 2369
AB No 2077	AB No 2194	AB No 2370

Without action

WARREN, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker Your Committee on Judiciary reports:

ACA No. 12
ACA No. 35
ACA No. 64

Without action.

WARREN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Judiciary reports.

HR No 42
ACR No. 37

Without action.

WARREN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Judiciary reports.

SB No 38	SB No 440	SB No 855
SB No 204	SB No 575	SB No 1031
SB No 257	SB No. 705	SB No 1410
SB No 379	SB No. 742	SB No 1487
SB No. 398		

Without action.

WARREN, Chairman

Above bills ordered transmitted to the Senate.

Committee on Labor Relations

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Labor Relations reports·

AB No 9	AB No. 1018	AB No. 1632
AB No 179	AB No 1062	AB No 1711
AB No 195	AB No 1063	AB No. 1968
AB No 228	AB No 1069	AB No 2079
AB No 315	AB No 1163	AB No 2179
AB No 630	AB No 1214	AB No 2272
AB No 660	AB No 1317	AB No 2306
AB No 676	AB No 1460	AB No 2363
AB No 944		

Without action

McCARTHY, Chairman

Committee on Local Government

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Local Government reports·

AB No. 188	AB No 650	AB No 1776
AB No 196	AB No 792	AB No 1817
AB No 220	AB No 1149	AB No 1890
AB No 294	AB No 1156	AB No 1929
AB No 295	AB No 1209	AB No 2005
AB No 551	AB No 1383	AB No. 2243
AB No. 624	AB No 1449	AB No 2309
AB No. 631	AB No 1624	AB No 2325
AB No 632		

Without action

KNOX, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Local Government reports·

ACA No 55

Without action.

KNOX, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Local Government reports

HR No 23

HR No. 107

Without action

KNOX, Chairman

Committee on Natural Resources and Conservation

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Natural Resources and Conservation reports:

AB No 463	AB No 1561	AB No 2148
AB No 776	AB No 1772	AB No 2218
AB No 1136	AB No 1781	AB No 2221
AB No 1183	AB No 1995	AB No 2251
AB No 1430	AB No 2131	AB No 2386
AB No 1508		

Without action

Z'BERG, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Natural Resources and Conservation reports

ACR No 51

ACR No 81

HR No. 28

Without action.

Z'BERG, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SB No 182
SB No. 361
SB No 1326

Without action.

Z'BERG, Chairman

Above bills ordered transmitted to the Senate.

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Natural Resources and Conservation reports:

SJR No. 28

Without action.

Z'BERG, Chairman

Above resolution ordered transmitted to the Senate.

Committee on Planning and Land Use

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Planning and Land Use reports:

AB No 223	AB No 1323	AB No 1824
AB No 303	AB No 1376	AB No 1907
AB No 370	AB No. 1529	AB No 2069
AB No 385	AB No 1559	AB No 2109
AB No 750	AB No 1653	AB No 2110

Without action.

PRIOLO, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker. Your Committee on Planning and Land Use reports:

SB No. 860
SB No. 1195
SB No. 1310

Without action.

PRIOLO, Chairman

Above bills ordered transmitted to the Senate.

Committee on Retirement

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Retirement reports:

AB No. 46	AB No. 963	AB No. 1729
AB No. 127	AB No 1161	AB No 1828
AB No. 332	AB No. 1180	AB No. 2030
AB No. 464	AB No. 1287	AB No 2050
AB No. 475	AB No. 1392	AB No. 2115
AB No. 509	AB No. 1444	AB No. 2129
AB No. 611	AB No. 1551	AB No 2187
AB No. 779	AB No 1601	AB No. 2188
AB No 820	AB No 1667	AB No 2279
AB No. 899	AB No. 1668	AB No. 2286
AB No. 959		

Without action.

BARNES, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Retirement reports:

ACA No. 50
ACA No. 90

Without action.

BARNES, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Retirement reports:

SB No. 141
SB No. 900

Without action.

BARNES, Chairman

Above bills ordered transmitted to the Senate.

Committee on Revenue and Taxation

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Revenue and Taxation reports:

AB No 24	AB No 386	AB No 994
AB No. 115	AB No 397	AB No 997
AB No. 130	AB No 445	AB No 1002
AB No. 218	AB No 453	AB No 1044
AB No 229	AB No 525	AB No. 1094
AB No. 286	AB No. 804	AB No 1106
AB No. 288	AB No 810	AB No. 1116
AB No. 289	AB No 839	AB No 1126
AB No. 310	AB No 852	AB No. 1155
AB No. 319	AB No 859	AB No 1164
AB No. 331	AB No 892	AB No 1234
AB No. 333	AB No. 988	

Without action.

GONSALVES, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Revenue and Taxation reports·

AB No 1235	AB No 1585	AB No 2103
AB No. 1304	AB No 1620	AB No 2137
AB No. 1310	AB No 1656	AB No 2178
AB No 1361	AB No 1696	AB No 2220
AB No 1418	AB No 1731	AB No 2233
AB No 1471	AB No 1734	AB No 2255
AB No 1524	AB No 1738	AB No. 2301
AB No 1537	AB No 1838	AB No 2319
AB No 1563	AB No 1886	AB No 2359
AB No 1579	AB No 1895	AB No 2365
AB No 1580	AB No 2090	AB No 2391

Without action.

GONSALVES, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports.

ACA No 21	ACA No 30
ACA No 24	ACA No 34
ACA No 28	ACA No 47

Without action.

GONSALVES, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Revenue and Taxation reports.

ACA No 52	ACA No 60
ACA No 53	ACA No 61
ACA No 57	ACA No 63

Without action

GONSALVES, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Revenue and Taxation reports

ACA No 65	ACA No 71
ACA No 69	ACA No 72
ACA No 70	ACA No 79

Without action.

GONSALVES, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Revenue and Taxation reports

ACA No 80	ACA No 97
ACA No 92	ACR No 34
ACA No 94	

Without action

GONSALVES, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Revenue and Taxation reports:

SB No. 47	SB No. 1371
SB No 750	SB No. 1430
SB No. 1162	

Without action.

GONSALVES, Chairman

Above bills ordered transmitted to the Senate.

Committee on Rules

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Rules reports:

HR No 13	HR No 69	HR No 118
HR No 37	HR No 70	HR No. 121
HR No 38	HR No 72	HR No 122
HR No. 39	HR No 77	HR No 123
HR No. 46	HR No 80	HR No. 124
HR No. 49	HR No 81	HR No. 125
HR No 52	HR No. 89	HR No. 126
HR No 59	HR No 90	HR No 130
HR No. 61	HR No 93	HR No. 134
HR No. 62	HR No 96	HR No 139
HR No 66	HR No 102	HR No. 140
HR No. 68	HR No. 117	

Without action.

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Rules reports:

HR No. 4	HR No 40	HR No. 67
HR No. 5	HR No. 41	HR No. 71
HR No. 8	HR No. 44	HR No. 76
HR No 11	HR No 45	HR No. 87
HR No. 14	HR No. 50	HR No 92
HR No 17	HR No 53	HR No 105
HR No 24	HR No 58	HR No 108
HR No. 25	HR No 60	HR No 109
HR No. 29	HR No 63	HR No 110
HR No. 32	HR No. 64	HR No. 112
HR No. 36	HR No. 65	

Without action.

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Rules reports:

ACR No 7	ACR No. 106	ACR No. 123
ACR No 20	ACR No. 107	ACR No. 126
ACR No 24		

Without action.

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Rules reports:

AJR No 2	AJR No. 8
AJR No 3	AJR No. 19
AJR No 5	AJR No 24

Without action

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Rules reports:

AJR No 25
AJR No 28
AJR No 40

Without action.

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker. Your Committee on Rules reports:

SB No. 262

Without action.

BURTON, Chairman

Above bill ordered transmitted to the Senate.

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Rules reports·

SCR No 39	SCR No 83
SCR No 57	SCR No. 42

Without action.

BURTON, Chairman

Above resolutions ordered transmitted to the Senate

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Rules reports:

SJR No 4	SJR No 14
SJR No 7	SJR No. 22
SJR No 8	

Without action.

BURTON, Chairman

Above resolutions ordered transmitted to the Senate.

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Rules reports:

ACA No. 3	ACA No 9
ACA No 6	ACA No 10
ACA No. 8	ACA No. 11

Without action.

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Rules reports·

ACA No 32
ACA No. 82

Without action.

BURTON, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Rules reports.

AB No. 21	AB No. 39	AB No. 1020
AB No. 22	AB No 157	AB No. 1231
AB No. 23	AB No 757	

Without action.

BURTON, Chairman

Committee on Transportation

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Transportation reports·

AB No. 1	AB No. 194	AB No 462
AB No. 20	AB No. 197	AB No 499
AB No. 60	AB No 219	AB No 516
AB No. 74	AB No 233	AB No 640
AB No. 117	AB No. 391	AB No. 773
AB No. 140	AB No 461	

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Transportation reports·

AB No. 855	AB No 1257	AB No 1346
AB No 880	AB No 1296	AB No. 1347
AB No. 886	AB No 1337	AB No. 1349
AB No 917	AB No 1338	AB No 1381
AB No 967	AB No. 1340	AB No. 1398
AB No. 1104	AB No. 1345	

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Transportation reports:

AB No. 1438	AB No. 1533	AB No. 1879
AB No. 1477	AB No 1534	AB No. 1904
AB No 1482	AB No 1560	AB No 2057
AB No 1525	AB No. 1577	AB No 2058
AB No. 1531	AB No 1629	AB No. 2062
AB No. 1532	AB No. 1659	

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Transportation reports·

AB No. 2067	AB No 2151	AB No 2250
AB No 2095	AB No 2152	AB No 2327
AB No. 2111	AB No. 2153	

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Transportation reports.

AJR No 30

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Transportation reports·

ACR No 4	ACR No 19
ACR No 5	ACR No. 63

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Transportation reports:

HR No 9

HR No 33

Without action.

DEDDEH, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker Your Committee on Transportation reports.

SB No 56	SB No 657
SB No 250	SB No. 659
SB No 437	

Without action

DEDDEH, Chairman

Above bills ordered transmitted to the Senate

Committee on Urban Development and Housing

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

AB No. 277	AB No 1195	AB No 2078
AB No 321	AB No 1740	AB No 2084
AB No 1038	AB No 1793	AB No 2168
AB No. 1039	AB No 1964	AB No 2203
AB No 1120	AB No 2011	AB No 2241
AB No 1168	AB No. 2049	

Without action.

BRATHWAITE, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Urban Development and Housing reports:

ACA No. 75
ACA No. 76
ACA No. 87

Without action.

BRATHWAITE, Chairman

Committee on Water

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Water reports:

AB No. 110	AB No 882	AB No. 1780
AB No. 153	AB No 1254	AB No 1926
AB No. 255	AB No. 1256	AB No 2212
AB No 647	AB No 1348	AB No 2310
AB No. 736	AB No. 1612	AB No 2312
AB No. 737	AB No. 1643	AB No. 2352

Without action.

PORTER, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Water reports:

SCR No 8

Without action.

PORTER, Chairman

Above resolution ordered transmitted to the Senate.

Committee on Ways and Means

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

AB No. 18	AB No 646	AB No. 1114
AB No. 35	AB No 658	AB No 1167
AB No. 40	AB No. 717	AB No. 1203
AB No. 85	AB No. 790	AB No. 1205
AB No. 118	AB No. 809	AB No. 1230
AB No. 182	AB No 870	AB No. 1237
AB No. 214	AB No 888	AB No. 1255
AB No 268	AB No. 985	AB No. 1261
AB No 402	AB No. 1025	AB No. 1272
AB No. 415	AB No. 1080	AB No. 1375
AB No. 449	AB No. 1087	AB No. 1391
AB No. 479		

Without action.

BROWN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 1421	AB No 1785	AB No. 2028
AB No. 1452	AB No. 1813	AB No 2037
AB No. 1464	AB No 1821	AB No. 2083
AB No. 1498	AB No. 1829	AB No. 2208
AB No 1558	AB No 1850	AB No 2237
AB No 1583	AB No 1880	AB No 2252
AB No. 1673	AB No 1897	AB No. 2303
AB No 1700	AB No. 1991	AB No. 2314
AB No. 1721	AB No 1992	AB No 2343
AB No. 1759	AB No 2025	AB No. 2346
AB No 1775	AB No. 2027	

Without action.

BROWN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Ways and Means reports:

AB No 159
AB No. 681
AB No. 1176

Without action.

BROWN, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

ACA No 62
ACA No. 88

Without action.

BROWN, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Ways and Means reports:

ACR No. 18
ACR No. 86
ACR No. 105

Without action.

BROWN, Chairman

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports·

SB No 33	SB No. 598	SB No 1132
SB No. 84	SB No 616	SB No. 1151
SB No 306	SB No 726	SB No 1168
SB No 367	SB No 969	SB No 1184
SB No 431	SB No 1018	SB No 1391
SB No 535	SB No 1026	SB No 1399
SB No. 553	SB No 1086	SB No. 1440
SB No. 567	SB No 1090	

Without action.

BROWN, Chairman

Above bills ordered transmitted to the Senate.

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Ways and Means reports:

SCA No. 65

Without action.

BROWN, Chairman

Above resolution ordered transmitted to the Senate

Assembly Chamber, December 1, 1972

Mr. Speaker: Your Committee on Ways and Means reports:

SCR No 18	SCR No 53
SCR No 23	SCR No 93
SCR No. 51	

Without action.

BROWN, Chairman

Above resolutions ordered transmitted to the Senate

Committee on Welfare

Assembly Chamber, December 1, 1972

Mr Speaker· Your Committee on Welfare reports:

AB No 363	AB No 1123	AB No 2216
AB No. 498	AB No 1584	AB No 2224
AB No 1092	AB No 1774	AB No 2322
AB No 1095	AB No 2075	AB No 2340

Without action.

BAGLEY, Chairman

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Welfare reports:

SB No 540

Without action.

BAGLEY, Chairman

Above bill ordered transmitted to the Senate.

Committee on Environmental Quality

Assembly Chamber, December 1, 1972

Mr Speaker: Your Committee on Environmental Quality reports:

SB No. 545

Without action.

FONG, Chairman

Above bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and by unanimous consent, ordered printed in the Journal:

Governor's Office, Sacramento
December 28, 1972

The Honorable Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob. In signing SB 90 (Chapter 1406), I noted that Section 16130 of that bill contains an appropriation for assistance to schools for the Early Childhood Education program SB 1302, (Chapter 1147), which I previously approved, also contains an appropriation for assistance to schools for the Early Childhood Education program. The appropriations in these two measures are identical in amount and in purpose

Throughout the legislative process, it is apparent that the intent of all concerned was that SB 90 should have been double joined with SB 1302 so that only a single appropriation would be made for assistance to schools for the Early Childhood Education program The appropriation for that program was by agreement to be $25 million for the fiscal year 1973–74 and $40 million for 1974–75 With my approval of SB 90, identical appropriations in the above amounts appear in both bills If not rectified, this duplication could technically result in two appropriations for assistance to schools for the Early Childhood Education program This was not the intent of the Administration nor the Superintendent of Public Instruction who has indicated that these two appropriations should not be duplicative

To prevent an unintended duplication, I, therefore, am directing my Director of Finance to take necessary action to limit expenditures for assistance to schools for the Early Childhood Education program to an amount of $25 million in 1973–74 and $40 million in 1974–75 I am also directing my Director of Finance to take necessary action to assure that the $25 million and $40 million appropriations for assistance

to schools for the Early Childhood Education program will be provided from the appropriations contained in SB 90 and that the $25 million and $40 million appropriations contained in Section 10(a) (1) and (2) of Chapter 1147, Statutes of 1972 (SB 1302) for assistance to schools for the Early Childhood Education program be unallotted in order that it will not be available for expenditure.

Sincerely,

RONALD REAGAN, Governor

Governor's Office, Sacramento
January 1, 1973

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: Following is a list of Assembly Bills which have been returned unsigned since December 1, 1972:

Bill No.	*Delivered to*	*Date*	*Time*
AB 5	James D. Driscoll, Chief Clerk	12-29-72	2:00 p.m.
AB 80	James D Driscoll, Chief Clerk	12-29-72	2.00 p m.
AB 111	James D. Driscoll, Chief Clerk	12-29-72	2 00 p m
AB 178	James D Driscoll, Chief Clerk	12-27-72	3 30 p m
AB 327	James D. Driscoll, Chief Clerk	12-27-72	3.30 p m.
AB 401	James D Driscoll, Chief Clerk	12-29-72	2 00 p m.
AB 408	James D. Driscoll, Chief Clerk	12-29-72	2:00 p m.
AB 488	James D Driscoll, Chief Clerk	12-29-72	2 00 p m.
AB 609	James D. Driscoll, Chief Clerk	12-28-72	3:00 p m.
AB 633	James D Driscoll, Chief Clerk	12-27-72	3 30 p m
AB 636	James D. Driscoll, Chief Clerk	12-29-72	2 00 p m
AB 714	James D Driscoll, Chief Clerk	12-27-72	3 30 p m.
AB 719	R. Brian Kidney, Asst Chief Clerk	12-20-72	5.05 p m.
AB 758	James D. Driscoll, Chief Clerk	12-28-72	3 00 p m
AB 791	James D. Driscoll, Chief Clerk	12-27-72	3 30 p m
AB 807	James D. Driscoll, Chief Clerk	12-29-72	2.00 p.m.
AB 884	James D. Driscoll, Chief Clerk	12-27-72	3:30 p m
AB 900	James D Driscoll, Chief Clerk	12-27-72	3 30 p m
AB 976	James D. Driscoll, Chief Clerk	12-29-72	2 00 p m.
AB 1013	James D. Driscoll, Chief Clerk	12-28-72	3 00 p m.
AB 1182	James D. Driscoll, Chief Clerk	12-28-72	3:00 p m
AB 1210	James D. Driscoll, Chief Clerk	12-28-72	3:00 p m.
AB 1274	James D Driscoll, Chief Clerk	12-29-72	2 00 p m.
AB 1278	James D Driscoll, Chief Clerk	12-27-72	3 30 p m.
AB 1360	James D Driscoll, Chief Clerk	12-29-72	2 00 p m
AB 1366	James D Driscoll, Chief Clerk	12-29-72	2 00 p m
AB 1417	James D. Driscoll, Chief Clerk	12-29-72	2 00 p m
AB 1459	James D. Driscoll, Chief Clerk	12-29-72	2 00 p m
AB 1499	James D Driscoll, Chief Clerk	12-28-72	3 00 p m.
AB 1527	James D Driscoll, Chief Clerk	12-28-72	3 00 p m
AB 1687	James D Driscoll, Chief Clerk	12-29-72	2.00 p m.
AB 1697	James D Driscoll, Chief Clerk	12-29-72	2:00 p m

Bill No.	*Delivered to*	*Date*	*Time*
AB 1703	James D Driscoll, Chief Clerk	12-29-72	2:00 p.m.
AB 1704	James D Driscoll, Chief Clerk	12-27-72	3:30 p.m.
AB 1710	James D Driscoll, Chief Clerk	12-29-72	2.00 p.m.
AB 1744	James D. Driscoll, Chief Clerk	12-28-72	3.00 p.m.
AB 1745	James D. Driscoll, Chief Clerk	12-28-72	3:00 p.m.
AB 1757	James D Driscoll, Chief Clerk	12-28-72	3.00 p m.
AB 1778	James D. Driscoll, Chief Clerk	12-29-72	2:00 p m.
AB 1808	James D. Driscoll, Chief Clerk	12-29-72	2.00 p m.
AB 1831	James D Driscoll, Chief Clerk	12-27-72	3·30 p.m.
AB 1884	James D Driscoll, Chief Clerk	12-28-72	3 00 p m.
AB 1938	James D. Driscoll, Chief Clerk	12-27-72	3:30 p m.
AB 2091	James D Driscoll, Chief Clerk	12-28-72	3 00 p.m.
AB 2118	James D. Driscoll, Chief Clerk	12-29-72	2·00 p.m.
AB 2268	James D Driscoll, Chief Clerk	12-29-72	2.00 p m.
AB 2348	James D. Driscoll, Chief Clerk	12-29-72	2·00 p.m.
AB 2371	James D. Driscoll, Chief Clerk	12-27-72	3.30 p m.

In addition to the above, a statement advising of a reduction in the appropriation in AB 814 (Chapter 1441) was delivered to James D. Driscoll, Chief Clerk, on December 29, 1972 at 2·00 p m.

Respectfully,

RONALD REAGAN, Governor

Veto Message—Assembly Bill No. 719

Governor's Office, Sacramento
December 20, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 719 entitled, "An act to amend Sections 34231, 61808, 61809, 61872, 61877, 62048, 62049, 62050, 62115, 62241, 62243, 62414, 62416, 62489, 62491, 62711, 62717, and 62723 of, to amend and renumber Sections 62801, 62802, 62803, 62831, 62832, 62833, 62834, 63001, 63002, 63003, and 63004 of, to amend and renumber the headings of Chapter 4 (commencing with Section 62801) and Chapter 4 (commencing with Section 63001) of Part 3 of Division 21 of, to add Sections 32508 5, 32509.5, 61809 1, 61809 3, 61809.7, 62050.1, 62301.5, 62707 6, 62707.7, 62707.8, 62707 9, 62714.1, and 62717.1 to, and to add Article 15 (commencing with Section 36131) to Chapter 2 of Part 2 of Division 15 of, Article 16 (commencing with Section 62271) to Chapter 2 of Part 3 of Division 21 of, and Chapter 2 5 (commencing with Section 62651) and Chapter 4 (commencing with Section 63001) to Part 3 of Division 21 of, the Agricultural Code, relating to milk."

AB 719 would permit the establishment of guaranteed minimum prices and authorize a pooling program for manufacturing grade milk. This bill would control the marketing of manufacturing grade milk. There has not been sufficient showing of a compelling need to support

the extension of a guaranteed price for manufacturing grade milk I do not believe that the best interests of the consumer or the producer would be served by the imposition of mandated prices at this time.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 20th day of December, 1972, at 5·05 p m. of Assembly Bill No. 719, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E. Fort.

R. BRIAN KIDNEY, Assistant Chief Clerk

Veto Message—Assembly Bill No. 178

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 178 entitled, "An act to amend Section 830.4 of the Penal Code, relating to peace officers."

This bill would confer peace officer status upon a variety of persons including Los Angeles city parking control checkers, animal control officers, animal license inspectors, housing authority patrolmen in Los Angeles County, and investigators throughout the state who are regularly employed and paid as such by the office of a public defender.

Public defenders' investigators have the primary responsibility of assisting the defense in a criminal case to determine those facts which are relevant to the case. They have no responsibility or duty to affirmatively enforce any provision of law.

There being no statewide minimum standards for employment as a public defender investigator, there can be no assurance that all public defender investigators will possess qualifications commensurate with other types of peace officers.

The other categories of employees included in AB 178 have not demonstrated a sufficient need to require peace officer status.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3·30 p m. of Assembly Bill No. 178, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 327

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 327 entitled, "An act making an appropriation to pay the claim of Ross Plaza Pharmacy against the State of California"

This bill would appropriate a maximum payment of $18,000 to a specific provider of pharmaceutical services under the Medi-Cal program for claims submitted after the time limitations required by law

The requirement for the timely submission of billings assures the close fiscal control required for the administration of the Medi-Cal program

At each administrative level, the determination has been made that the claims in question should not be paid Additional legal remedies remain open to this provider. I believe it is more appropriate that these additional legal avenues be pursued.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3 30 p m of Assembly Bill No 327, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 633

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 633 entitled, "An act to add Section 15154 5 to the Welfare and Institutions Code, relating to public assistance"

The bill would require the state and, where possible, the federal government to share in the cost of welfare payments that are erroneously made as a result of regulation changes which became operative less than 45 days after their adoption

To adopt the policy proposed by this bill would put the state in the position of financing costs resulting from county failure to carry out new policies required by the state Such a procedure would condone the disregard of emergency regulations and would erode the county incen-

tive to implement normal regulations I feel this policy would undermine the most effective means currently available to the state for maintaining effective welfare operations.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3·30 p m. of Assembly Bill No 633, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 714

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 714 entitled, "An act to amend Section 20750 85, 21250 1, 21330, and 21364 7 of to add Sections 21263, 21263 1, 21263 2, and 21263 3 to, and to repeal Sections 21263 21263 1, 21264, 21264 1 as added by Chapter 150 of the Statu'es of 1970, 21264 1 as added by Chapter 719 of the Statutes of 1970, and 21264 5 of, the Government Code, relating to the Public Employees' Retirement System "

AB 714 would extend the "one-half" survivors allowance to s'ate miscellaneous members and school members of the Public Employees' Retirement System

A comprehensive review of employee pay and benefits is now under way and when completed will permit consideration of further benefits for state employees The report is due in April I intend to defer action on any major changes in the system of employee benefits until that report is completed.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3 30 p m of Assembly Bill No 714, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 791

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 791 entitled, "An act to amend Sections 1421 and 1422 of, and to add Section 1422 3 to, the Labor Code, relating to fair employment practices "

This bill would authorize members of the Fair Employment Practices Commission to file complaints alleging unlawful employment practices

The law already allows any person to file a complaint In addition, the Commission has authority to file complaints through the Attorney General's Office There is not sufficient evidence that this expansion of authority for individual Commissioners is needed.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3 30 p.m. of Assembly Bill No 791, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 884

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 884 entitled, "An act to add Section 13146 1 to the Education Code, relating to certificated employees "

This bill would require that teaching credential subject matter examinations include a test for knowledge on drug abuse adequate for the teaching of the required drug abuse curriculum.

I have already approved SB 714 which requires all candidates for teaching credentials to complete a unit requirement in health education which would contain course material on drugs and drug abuse. The enactment of SB 714 makes AB 884 unnecessary.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3.30 p.m. of Assembly Bill No. 884, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 900

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 900 entitled "An act to add Section 14105 6 to the Welfare and Institutions Code, relating to medical assistance."

This bill would establish procedures for determining the costs of skilled nursing home and intermediate care facility services at least yearly, and provide for rates of payment for such services under Medi-Cal based on these studies

The formula proposed by AB 900 would substantially increase the profit allowance to nursing home and intermediate care service providers without corresponding increases in patient care I can find no compelling reasons for mandating such rate-setting procedures in the law.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3·30 p m. of Assembly Bill No 900, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1278

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1278 entitled, "An act to add Section 21023 6 to the Government Code, and to amend Section 4850 of, and to repeal Section 4853 of, the Labor Code, relating to disability retirement."

This bill was substantially amended in the closing days of the session to include the provisions of Assembly Bill 569 and Assembly Bill 599, bills which I vetoed in August.

In my view, no compelling reasons have been advanced which would justify a reversal of my action in vetoing those two bills

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3:30 p.m. of Assembly Bill No. 1278, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E. Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1704

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1704 entitled, "An act to add Section 104.16 to the Streets and Highways Code, relating to state highways."

This bill would require the Department of Public Works to landscape and maintain certain lands as parks for public use. Any land located within any city with a population of 100,000 or more, held by the department for state highway purposes, would be subject to this requirement if it is not to be used within two years after its acquisition.

Enactment of AB 1704 would cause the State of California to have two state agencies responsible for the landscaping and maintenance of parks. This bill would cause the Department of Public Works to initiate an extensive and entirely new parks function.

Aside from the obvious inefficiencies and unnecessary duplication of effort in such an arrangement, there would be additional legal problems created for the Department of Public Works, including tort liability problems and questions concerning the future use of park land.

Moreover, the Departments of Parks and Recreation and Public Works already have authority to enter into operating agreements for different public uses of land.

Additionally, the cost to the Department of Public Works would be prohibitive and would further aggravate an already serious deficiency in transportation funds.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3·30 p m of Assembly Bill No. 1704, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1831

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 1831 entitled, "An act to add Section 20810 5 to the Education Code, relating to school district taxes "

This bill would have amended the law relating to permissive override taxes for the education of students in the seventh and eighth grades.

The enactment of SB 90 eliminated most of the permissive overrides, including the seventh and eighth grade override Both the author and I agree that the passage of SB 90 makes AB 1831 unnecessary.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3 30 p m of Assembly Bill No. 1831, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1938

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 1938 entitled, "An act to amend Sections 21022, 21291, and 21294 of, and to add Sections 20493 1 and 21300 5 to, the Government Code, relating to retirement."

AB 1938 would provide industrial disability retirement for local miscellaneous members of the Public Employees' Retirement System at the option of individual employers It does not apply to the majority of the miscellaneous members employed by the state and school districts

It will reverse the development of uniformity of benefits for miscellaneous members which was substantially achieved by 1971 legislation and render impractical the common funding of liability for such benefits established by the same legislation.

The provision of special disability benefits in a retirement system for injuries, for which workmen's compensation is also provided, should be reexamined before extending it further.

I have signed legislation applicable to all members at this session improving ordinary disability retirement benefits A study of the whole subject of a proper level of retirement and related benefits is now under way. The results could lead to the establishment of a program which can be applied to all miscellaneous members

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3:30 p m of Assembly Bill No 1938, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 2371

Governor's Office, Sacramento
December 27, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 2371 entitled, "An act relating to Medi-Cal "

This bill would appropriate $22,021 from the Health Care Deposit Fund to settle a claim filed by Fresno County, which was denied by the State Board of Control

The Fresno County Department of Mental Health originally submitted claims for reimbursement of Medi-Cal services These claims were denied because they did not meet required program guidelines for authorization This denial was upheld by a finding of the State Board of Control.

At the time these claims were submitted, the Medi-Cal program was operating under "cost trim" regulations to conserve our limited funds The guidelines were well-defined and all providers were required to comply with them To permit an exception in this instance would be a disservice to the many providers who cooperated in making the "cost trim" a success. In my opinion, there are no extenuating circumstances in this situation which would justify an appropriation to pay for services which were not authorized.

Accordingly, I am returning this bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 27th day of December, 1972, at 3.30 p.m of Assembly Bill No 2371, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E. Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 609

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 609 entitled, "An act to amend Sections 6101 and 6105 of, and to add Section 6101.5 to, the Public Resources Code, relating to public lands."

This bill would add four public members to the State Lands Commission. While I support the general objective of adding public members to state commissions, I question the need for the change in composition of the State Lands Commission proposed by AB 609. Two of the three members of the Commission are elected officials, and they reflect the concerns of the public at large.

AB 609 involves additional changes that would hinder the operation of the Commission. The bill would expand the Commission to seven members, but it would require five affirmative votes for any action of the Commission; thus a minimum quorum would not be able to take action In my opinion, this would represent an unsatisfactory situation. Also the qualifications required for the proposed new public members appear to have been set up in an unbalanced manner, focusing on only one aspect of the Commission's work.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 p m of Assembly Bill No. 609, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 758

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California 95814

Greetings: I am returning without my signature Assembly Bill 758 entitled "An act to amend Section 14132 of, to add Sections 14019 1 and 14132.1 to, and to add Article 4 3 (commencing with Section 14136) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care services"

This bill would cause utilization controls for outpatient services under the schedule of basic benefits to be lost If a recipient utilizing all 24 services within a month or so, leaves the program for a short time and then returns, he would be eligible for an additional 24 services. It would be extremely difficult, if not impossible, to identify this person and to determine what, if any, services of the original 24 might have been used

Through this legislation, an unwarranted burden would be placed on the recipient who uses all 24 services the first month For the balance of the year, he would then be subject to outpatient services available only through prior authorization from the Supplemental Schedule of Benefits

The measure also would remove all utilization controls of any kind from hospital inpatient procedures for therapeutic abortions There are, currently, utilization controls over therapeutic abortions performed on an outpatient basis But, under this legislation, inpatient services would have no controls

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 00 p m. of Assembly Bill No 758, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1013

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1013 entitled, "An act to amend Sections 926, 984, and 1085 of, to repeal Section 927 of, and to add Sections 927, 976 2, 986 5, 987 5,

and 1088 5 to, the Unemployment Insurance Code, relating to unemployment insurance "

This bill would make cash tips and gratuities received by a worker from persons other than his employer "wages" for the purpose of the Unemployment Insurance Law if such tips and gratuities equal or exceed $20 per month.

California employers currently pay unemployment insurance taxes on all tips which they can verify, such as those added to the customer's bill as a service charge

Tips and gratuities that are paid directly to the worker are not subject to employer taxation under either the Social Security Act or the Federal Unemployment Tax Act Implicit in the omission of these tips and gratuities from the other forms of payroll taxation is the recognition that employers have no way of verifying the amount of tips and gratuities that are received.

It would be unfair to ask California's employers to assume an additional state payroll tax burden that is an exception to other payroll tax levies.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 00 p m of Assembly Bill No 1013, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1182

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 1182 entitled, "An act to add Article 3 (commencing with Section 24321) to Chapter 9 of Division 18 of the Education Code, relating to the California State University and Colleges "

This bill would require the Board of Trustees of the California State University and Colleges to transfer nonacademic personnel from the Trustees' jurisdiction to the State Personnel Board

The Trustees have presently established broad guidelines and decentralized their personnel administration to the individual campuses They already have adopted and implemented policies and rules to provide for the programs in this bill

I oppose interference in areas intended to be determined by the Trustees and effectively carried out by them, particularly when it would result in a mere duplication of services and at an additional cost to the state

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 00 p m of Assembly Bill No 1182, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1210

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1210 entitled, "An act to add Section 16554 1 to Chapter 7 (commencing with Section 30301) to Division 21 of, the Education Code, relating to education"

The basic purpose of allowing our public schools to call on the talents and resources of licensed proprietary schools in supplying training programs is supportable if we are to fully coordinate public and private educational resources for a broad array of vocational and technical training Such an approach is particularly helpful in meeting changing job demands and markets while minimizing the degree to which public schools must duplicate expensive facilities required for emerging programs

However, this bill leaves several basic questions unanswered regarding the granting of state aid for such assistance including but not limited to the terms within which contracts for services could be completed These uncertainties are of serious note and appear to open the way for legal disputes or potential abuses Consequently, I am returning the bill unsigned, but I am directing my staff to work with the Legislature to develop comprehensive and definitive legislation in this field for consideration at the next legislative session.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 p m of Assembly Bill No 1210, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1499

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 1499 entitled, "An act making an appropriation to the Board of Governors of the California Community Colleges to establish, administer and operate training programs for psychiatric technicians."

This bill would appropriate $200,000 from the General Fund to the Board of Governors of the California Community Colleges to establish and operate training and retraining programs which will meet the need for psychiatric technicians qualified to work in community mental health programs.

Community college programs for the training of psychiatric technicians were proposed and funded initially on the basis that the excess costs would be supported by the Vocational Nurses and Psychiatric Technicians Examiners Funds Basic and equalization aid are already directed to support these programs from the General Fund It is appropriate that the special costs of such training programs be met by the related special funds.

I am not approving this bill because it would transfer the excess cost of these training programs to the General Fund From another point of view, it should be stressed that local mental health programs are in a better position to assess their needs for such training programs and to obtain the necessary extra support required through the mechanisms provided in the Short-Doyle Act

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 00 p m of Assembly Bill No 1499, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1527

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1527 entitled, "An act to add Article 2 5 (commencing with Section 530) to Chapter 1 of Division 2 of the Business and Professions Code, relating to the healing arts."

This bill would, among other things, grant authority to corporations organized for profit and registered under the Knox-Mills Health Plan Act to offer prepaid health care service plans to the public and provide health care services to subscribers through specified professional corporations.

A majority of the legislative leadership has requested that I return the bill unsigned so that the subject of the bill may receive a more comprehensive legislative review next session.

While I am not necessarily opposed to the principle contained in AB 1527, I do agree that it should be subject to further legislative study.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 p.m of Assembly Bill No. 1527, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1744

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1744 entitled, "An act to add Section 402 4 to the Revenue and Taxation Code, relating to property taxation."

This bill would require the assessment of certain federally assisted housing for persons with low or moderate incomes by the capitalization of income method, effective on the 1974 lien date.

The present federal Section 236 housing program and rent supplement projects are too inflexible to cover the cost of property taxes assessed on the normal basis of full cash value Although the problem is national in scope, AB 1744 seeks to meet this federal inflexibility only in California by mandating the assessment of such property by capitalizing the income of such housing rather than using market value or replacement cost The resultant subsidy to this federally assisted program would shift $5,000,000 of taxes to other property taxpayers of this state, rather than solving the problem directly by congressional action

In addition, I am opposed to the mandatory treatment of this one classification of property for assessment purposes in lieu of present statewide regulations which give local assessors the flexibility necessary to exercise the best possible assessment practices Such a mandate could lead to future requests to have the State assume the $5 million

loss of local property tax revenue, and could also lead to additional tax subsidies to other special types of property.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3.00 p.m. of Assembly Bill No. 1744, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1745

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1745 entitled, "An act to add and repeal Article 3 (commencing with Section 6601) to Chapter 7 of Division 6 of the Education Code, relating to learning assisted program, and declaring the urgency thereof, to take effect immediately "

This bill would establish a "Learning Assistance Program" on a pilot basis in one school district. The program would enroll up to 80 pupils with I Q. scores ranging from 73 to 90

I can find no substantial evidence to support the need for the pilot program proposed by AB 1745. It will redirect needed funds away from existing educationally handicapped programs The bill also runs counter to the current educational trend in special education which is away from the creation of new categories.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 00 p m of Assembly Bill No 1745, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1757

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 1757 entitled, "An act to add Section 633 6 to the Penal Code, relating to recordation of witnesses' statements "

This bill would authorize the undisclosed recording of a witness' statement in a criminal case by a defense attorney or his investigator.

Defense attorneys and their investigators are not subject to constant supervision in their use of electronic eavesdropping equipment Since disclosure of all statements recorded without the witness' permission would not be mandatory, this bill contains a built-in potential for abuse.

It is my opinion that this potential for abuse would constitute a serious threat to the right of privacy of witnesses in criminal cases

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December 1972, at 3 00 p m of Assembly Bill No 1757, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1884

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1884 entitled, "An act to amend Section 6261 of, and to add Section 6268 28 to, the Education Code, relating to area vocational committees, and making an appropriation therefor "

This bill would appropriate $170,000 to increase the number of local area vocational education committees from four to nine as well as require the Superintendent of Public Instruction to allocate federal funds if such money should become available

I do not believe the area committees should be increased in number until their effectiveness has been further evaluated

I have signed AB 1633 which requires an analysis of the value of the four existing local area advisory committees by the Legislative

Analyst's office. I believe this will provide the kind of additional information needed regarding the merit of possible expansion.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3 00 p m. of Assembly Bill No. 1884, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 2091

Governor's Office, Sacramento
December 28, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill 2091 entitled, "An act to add Section 13707.5 to the Education Code, relating to school classified employees "

This bill would provide for a change in the method of appointing members of the Personnel Commission in 13 school districts which adopted the merit system for classified employees prior to 1965

The current method of commissioner appointments has served these districts well by removing the influence of political considerations in the appointments.

At the recommendation of those districts involved, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 28th day of December, 1972, at 3·00 p m. of Assembly Bill No 2091, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 5

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 5 entitled, "An act to add Chapter 6 (commencing with Section 10700) to Part 2 of the Division 2 of Title 2 of the Government Code, relating to the creation of the office of Ombudsman for Corrections."

This bill would create the Joint Legislative Committee on Corrections Administration and the office of Ombudsman for Corrections. It is almost identical to AB 1181, which I returned unsigned last year.

Appropriate procedures for airing complaints are currently available to inmates of all penal institutions. Besides the internal procedures established within the various departments for correction of complaints, the inmates in this state have ready access to the courts and legal assistance An Ombudsman for Corrections would very likely have the effect of duplicating existing functions, and would interpose a barrier to the efficient rehabilitation programs now being conducted.

Additionally, the creation of an Ombudsman who is responsible to the legislative branch of government would represent an unwarranted infringement upon the separation of powers guaranteed by our Constitution

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m. of Assembly Bill No 5, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 80

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 80 entitled, "An act appropriating money to the Commission on Peace Officer Standards and Training"

AB 80 would appropriate $1,500,000 from the General Fund to the Commission on Peace Officer Standards and Training for allocation to local agencies for equipment for law enforcement agencies

The state and federal governments already are providing substantial local assistance appropriations for law enforcement activities through the California Council on Criminal Justice and the Commission on Peace Officer Standards and Training In the current year, the Council has received approximately $35,000,000 from federal sources for distribution to local law enforcement agencies and the state has provided $2,900,000 matching funds. In addition, $12,170,000 has been appropriated through the Commission on Peace Officer Standards and Training for local assistance allocation.

I believe that this bill is unnecessary because its intent can be achieved within the existing resources in the Peace Officer Standards and Training Fund. In the past year (1971–72), $10,400,000 was appropriated to the fund of which only $7,815,000 was used Consequently, $2,585,000 remains in the Fund.

Accordingly, I am returning this bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2:00 p.m of Assembly Bill No. 80, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E. Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 111

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 111 entitled, "An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy."

This bill would confer special tax advantages to heads of households who represent less than 5 percent of all persons filing state income tax returns. The cost to the state would be approximately $20 million per year.

Heads of households already receive larger state personal exemption tax credits than other unmarried persons and in addition enjoy a special tax rate schedule to compute their federal and state income taxes. These tax advantages are sufficient recognition of the status of heads of households without allowing them, as this bill would provide, to compute their taxes on the fictitious premise that they are married and filing a joint return.

Tax relief should be across the board rather than favoring a small select group of taxpayers This is the approach taken in SB 90 as to property tax relief and the same policy should apply to income tax relief

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m of Assembly Bill No 111, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 401

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill 401 entitled, "An act to amend Section 23801 of the Education Code, relating to state college fees "

This bill would require an increase in the California State University and Colleges student body organization fee from $20 to $30, it is intended that the monies derived be utilized as a source of funds for a variety of activities

We must face up to an important question Into just what kinds of memberships may we force students and what kinds of fees should students be made to pay in order to receive an education in California?

Many on-campus and off-campus activities should be voluntarily supported and only by those students with a true interest in the activities Some, perhaps, are fundamental to education and should be state supported

I believe that other funds than those from compulsory student body fees should be found for many of these programs

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m of Assembly Bill No 401, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 408

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill 408, entitled "An act relating to the establishment of a branch office of the Department of Motor Vehicles in the area of the City of Simi Valley, and making an appropriation therefor"

The measure would require the Department of Motor Vehicles to conduct a study to determine the need for a permanent public office in the City of Simi Valley. Additionally, the bill would appropriate $30,000 to establish such an office in temporary quarters.

The Department of Motor Vehicles routinely conducts facilities planning studies to evaluate and determine current and future needs for providing service to the public Such a study was completed for the Ventura County areas in May of 1972 and recommended that one central location be established to serve the Thousand Oaks-Simi area. The Department has proposed two possible sites for that location; one is in northeast Thousand Oaks and the other is in west Simi

The request for an office in temporary quarters would appear to be unnecessary in view of the study results determining the desirability of one centrally located permanent office in the area Additionally, the present Thousand Oaks and newly located Winnetka offices provide service within reasonable distances.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2.00 p m. of Assembly Bill No. 408, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 488

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 488 entitled, "An act to add Article 2 3 (commencing with Section 5811) to Chapter 6 of Division 6 of the Education Code, relating to alternative schools"

This bill would authorize school districts to establish on a pilot basis alternative schools and classrooms

Interested parents, pupils and teachers could request governing boards to institute such programs. Each school district could then enroll not less than 2½ percent, nor more than 10 percent, of its total average daily attendance of the preceding year.

I question the need for the experimental pilot program proposed by this bill There is a more compelling need to evaluate the worth of the many existing "experimental" and "innovative" programs now in existence before embarking on new ones.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2:00 p m. of Assembly Bill No 488, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 636

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 636 entitled. "An act to amend Sections 6490, 6491, 6492, and 6498 of, and to add Section 6497.5 to, the Education Code, relating to reading and mathematics programs, and making an appropriation therefor "

This bill would expand demonstration programs for intensive instruction in reading and mathematics for low-achieving pupils from grades 7, 8, and 9 to grades 7 through 12 and appropriates $3 million per year to finance the expansion of such program

I have already signed legislation extending the duration of the present program through 1975 and it currently receives $3 million in General Fund support.

I believe that if additional funds are made available for reading and math programs, they should be placed with the child at the earliest stages of his or her education California's elementary school students will receive greater benefits under SB 1302, a bill I have already signed which appropriates a total of $65 million to reconstruct our K–3 educational programs.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m. of Assembly Bill No. 636, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 807

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No 807 entitled, "An act to add Section 4000.5 to the Penal Code, relating to prisoners' rights"

This bill would establish certain minimum rights of persons confined in county jails.

The Board of Corrections currently is promulgating minimum standards for local detention facilities Among those standards, certain rights are included which are afforded to all inmates Beyond those minimum statewide standards, it is my belief that local authorities are aware of the circumstances which will allow them to best administer their local facility.

The various differences between local detention facilities may call for the application of different standards as to what inmates should or should not receive in the mail

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m. of Assembly Bill No 807, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—(Item Veto) Assembly Bill No. 814

Governor's Office, Sacramento
December 29, 1972

I am reducing the appropriation contained in Section 8 of Assembly Bill No. 814 from $500,000 to $50,000

I am aware of the problems and needs addressed by AB 814 and I am sympathetic to the intent and purposes of the bill However, I have been informed that the funds identified in the bill to finance a pilot career guidance center have already been largely obligated to

local school districts to assist with current 1972–73 operations. Since AB 814 is not an urgency measure and will not become immediately effective, the pilot career guidance center will require funding for only a few months of 1972–73 Therefore, I have reduced the appropriation in AB 814 to $50,000 for use in the remainder of 1972–73 Further, to make funds available, I have asked the Director of Finance to propose reserving $125,000 in the 1973–74 Budget Bill to support the pilot center during 1973–74 from the source of funds identified by AB 814 in the 1972–73 Budget Act

With the above reduction, I approve Assembly Bill No 814.

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2.00 p m. of the Governor's statement deleting the appropriation contained in, Assembly Bill No. 814, delivered to me personally by Marian E Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 976

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 976 entitled, "An act to add Sections 1626 5 and 2145 3 to the Business and Professions Code, relating to acupuncture, and declaring the urgency thereof, to take effect immediately"

This bill would authorize the performance of acupuncture by an unlicensed person for the primary purpose of scientific investigation It seeks to expand the authority adopted earlier this year to practice acupuncture only at approved medical schools.

The research effort at medical schools is now underway Until further research has been completed, a broadening of authority to practice acupuncture is premature

The State Board of Medical Examiners has requested that the bill be vetoed I concur in their opposition at this time

Accordingly, I am returning this bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m of Assembly Bill No 976, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1274

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 1274 entitled, "An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor "

Assembly Bill 1274 would appropriate $5 million from the General Fund to the Department of Human Resources Development to reimburse private employers 50 percent for up to 18 months for salaries and wages for employment of specified Vietnam veterans

While the concept is laudable, this program would largely duplicate an existing federal program, Jobs Optional, administered by the Department of Human Resources Development which finances the training of disadvantaged persons and gives first priority to veterans The funds in that program are presently more than adequate

Passage of Assembly Bill 1274 would mean the spending of $5 million in General Fund money to perform a function already adequately financed by the federal government

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m of Assembly Bill No 1274, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1360

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No 1360 entitled, "An act to add Sections 6443 5, 6444, 6445, 6446, and 6447 to, to repeal Sections 6443 and 18270 of, the Education Code, and to repeal Section 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor "

The wording of this legislation is vague in that it leaves all the specifics of actually carrying it out to be generated through rules and regulations which will be adopted at some future time. It provides no

mechanism for assuring that children will actually receive a better education It fails to provide a mechanism for documenting the kinds of effects the program will have on children Nor does it specify the kinds of indicators necessary for determining how children will benefit

The bill reserves the definition of high priority needs for instructional television programs to the Department of Education rather than specifically encouraging such input from local school districts In addition, AB 1360 is extremely vague with respect to who develops or provides "high quality" program service for each of the regions which the bill will create

Even if the Legislature were to appropriate funds for the legislation in fiscal 1973–74, these funds would have to go through the Department of Education which would disperse them to the regional organizations with whom the department is contracting This would be a significant change from our present system where funds go to districts and they choose the regional association or delivery system which best serves their needs

In sum, this legislation makes broad, sweeping statements which allude to somehow improving the quality of instructional television for youngsters but provides almost no information on the actual operational or procedural practices which will be implemented to accomplish this task.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m. of Assembly Bill No 1360, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1366

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings I am returning without my signature Assembly Bill No. 1366 entitled, "An act to repeal and to add Article 8 6 (commencing with Section 893 20) to Chapter 4 of Division 3 of the Education Code, relating to instructional television, and making an appropriation therefor"

This bill would appropriate $250,000 for an instructional television program to be administered by the Los Angeles City Unified School District.

The enactment of SB 90, which provides an additional $51 million in school aid to the Los Angeles school district makes this bill unnecessary. The Los Angeles Board of Education may, if it wishes, allocate a portion of the additional school monies provided in SB 90 to accomplish the funding and other goals contained in AB 1366

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2·00 p m. of Assembly Bill No 1366, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1417

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No 1417 entitled, "An act to add Article 7 9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor."

This bill would appropriate funds to assist selected hospitals to develop an increased capability to perform kidney transplantation procedures and establish four kidney transplantation centers

I have been informed that in the field of kidney transplantation, the number of transplants is severely limited because of the continued shortage of suitable donor kidneys, not suitable transplantation facilities The addition of four new kidney transplantation centers to the 16 currently in operation, as called for in the bill, would not increase the number of kidneys available for transplanting.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m of Assembly Bill No 1417, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1459

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 1459 entitled, "An act to add Section 4136 to the Welfare and Institutions Code, relating to mental health"

AB 1459 would require the State Department of Mental Hygiene to maintain most existing state hospitals at specified levels of service until various detailed conditions are met

The bill is apparently intended to fund all existing state hospital operations at their current level, with the exception of programs for the mentally ill at Agnew and Mendocino This would result in a costly and unnecessary expenditure of the taxpayer dollar Individual hospital facilities are closed because they are no longer economically feasible to operate To continue to staff and operate hospital programs at existing levels, in the face of a continuing decline of patients, is not justified and would be detrimental to employees and costly to the local programs at the hospital.

The bill assumes that closure of a hospital in a particular locale means that the county no longer has access to a state hospital This is not the case, since each county would continue to receive needed state hospital inpatient services to the degree necessary at another state hospital.

Approval of this measure would create bureaucratic red tape which would tend to stifle the dynamic and innovative character of community mental health programs and make it very difficult to make changes in the state hospital system

Further, this bill is unnecessary as I have signed AB 1871 requiring the state to give nine months notification of any state hospital closure Also, the Legislature has adopted ACR 59 which directs the State Department of Mental Hygiene to develop and submit to the Legislature by September 15, 1973, a plan for phasing out and future use and disposition of state hospitals for the mentally ill This plan must include a detailed inventory of services now provided by counties and recommendations for transfer or reduction of manpower, transfer of funds, utilization or disposition of plants and land, and a timetable.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2·00 p m. of Assembly Bill No 1459, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1687

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1687 entitled, "An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing."

This bill would authorize each city or county to adopt health and safety ordinances setting forth the rights and duties of landlords and tenants. In addition, it would authorize any city or county to adopt and enforce fair housing laws more stringent than governing state laws.

The Civil Code already sets forth in detail the contractual relationship between landlord and tenant. To permit each city and county to establish separate and different relationships would create administrative conflicts at all levels of government.

The area of fair housing was preempted by the state with the passage of the Rumford Fair Housing Law and should remain a matter of state preemption. The rights of the individual, as those rights apply to equal access in housing, is not a local right but rather one enjoyed equally throughout the state.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2:00 p.m. of Assembly Bill No. 1687, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E. Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1697

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1697 entitled, "An act to add Chapter 8 (commencing with Section 11800) to Part 1 of Division 3 of Title 2 of, and to repeal Section 14657 and Article 8 (commencing with Section 14716) of Chapter 2 of Part 5.5 of Division 3 of Title 2 of, the Government Code, relating to the television advisory committee."

AB 1697 would create the California Telecommunications Authority with responsibilities, among others, for establishing statewide policy as it relates to noncommercial educational broadcasting and for planning the development of a statewide public telecommunications system utilizing a multitude of transmissions systems and broadcasting facilities to achieve this objective.

I have long advocated that noncommercial educational broadcasting can best serve the educational, cultural and community needs of the citizens of our state by means of strong local independent stations that provide for diversification of system control. Under the authority which would be created by AB 1697, noncommercial educational broadcasting could ultimately become a centralized, state-controlled and operated system.

I believe local independent educational television stations must first be responsive to local needs and this can only be accomplished through a continuing emphasis on local programming.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2:00 p.m. of Assembly Bill No. 1697, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1703

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill 1703 entitled, "An act to add Sections 25528.8 and 31226.8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor."

This bill would continuously appropriate specified sums to the Trustees of the California State University and Colleges and to the Board of Governors of the California Community Colleges for higher education opportunity programs.

The net effect of this bill would be to establish the present educational opportunity program with its weaknesses as well as its strength on a permanent ongoing basis at a specified minimum level of support.

This Administration has consistently opposed the enactment of continuous appropriations for ongoing programs. In addition, the particular program involved was developed in haste as an attempt to solve an urgent problem. However, during its life, numerous weaknesses and problems have developed which warrant a close analysis.

During the past several months my staff has been meeting with many groups in an attempt to find a more effective method of aiding the economically disadvantaged in their quest for an education.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2·00 p m. of Assembly Bill No. 1703, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1710

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1710 entitled, "An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions"

AB 1710 would make certain provisions of the Labor Code relating to wages, hours, and working conditions that are now applicable to adult women applicable also to adult men.

Virtually every segment of the business community in California has advised me of their opposition to this bill They assert that the bill is premature, and that its effect on California employers and employees alike could be disastrous. I share their concern.

The action proposed by this bill would unnecessarily involve state government in matters presently reserved for the collective bargaining process Matters of wages, hours and conditions of labor for adult males should not be subject to further government intervention at this time.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2·00 p.m. of Assembly Bill No. 1710, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1778

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1778 entitled, "An act to amend Section 11530 of the Health and Safety Code, relating to marijuana"

This bill would reduce the flexibility of our trial courts to impose either felony or misdemeanor punishment upon persons convicted of possession of marijuana The legislation would reduce marijuana possession to a simple misdemeanor regardless of the number of convictions which a person might have, regardless of the quantity of marijuana possessed, and with no concern as to whether the marijuana possessed is in its more refined form of hashish, hash-oil or pure THC (tetra-hydracanaband)

Four years ago, I signed legislation which reduced the penalty for this crime from a felony to a crime punishable as either a misdemeanor or a felony, at the discretion of the judge In my opinion, our law concerning the punishment for marijuana possession is one of the best in the United States, because it has the built-in flexibility which allows marijuana cases to be treated according to their individual seriousness.

In this connection, I want to call attention to this Administration's comprehensive drug abuse treatment program which I signed into law recently. This law provides for a suspension of criminal proceedings against the first-time narcotic offender and dismissal of any charges once the individual successfully completes a treatment and prevention program I believe this program will provide a much needed opportunity for the treatment of the youthful and first-time offender

We shall continue to study the results of medical findings concerning marijuana and its abuse It should be pointed out that a recent report published in the "Journal of the American Medical Association" indicated the possibility of damage to the central nervous system and to the brain as a result of chronic marijuana use In light of the increasing body of medical evidence which shows potentially serious physical harm from marijuana use, we should not reduce the deterrent effect of the laws which prohibit its possession

Accordingly, I am returning this bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2.00 p m of Assembly Bill No 1778, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian E Fort.

JAMES D DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 1808

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 1808 entitled, "An act to add Article 2 1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor."

Although I understand the good intentions of AB 1808, I do not believe there is a need for this legislation at this time.

Emergency and ambulance services have been paid by Crippled Childrens' Services for many years To establish a pilot transport service in any given area would only tend to confuse those who need to be helped most. In addition those instances where an emergency medical team would have to make onsight visits to high risk infants to prepare them for any kind of journey would still remain In any event, many of these very critical cases will continue to need air transportation to the nearest medical centers.

Finally, it does not appear feasible to establish medical centers far removed from the large centers of population where the majority of high risk infants reside and the demands on medical centers continue to grow.

Accordingly, I am returning the bill unsigned

Respectfully,

RONALD REAGAN, Governor

RECEIPTS

I acknowledge receipt this 29th day of December, 1972, at 2 00 p m of Assembly Bill No. 1808, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 2118

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 2118 entitled, "An act to add Article 5 (commencing with Section 25529) to Chapter 3 of Division 18 5 of the Education Code, relating to community colleges."

This bill would authorize a television consortium of five or more community college districts to apply to the Chancellor of the California Community Colleges for a planning grant to assist in the formation

and development of such consortium. The Chancellor would provide statewide coordination of such efforts and would produce at least one exemplary telecourse each year.

While I am not opposed to the formulation of consortia among the community colleges for such purposes as this bill provides, I am opposed to mandating television program production on the Chancellor.

In the pursuit of his responsibilities, the Chancellor may well decide that production of one exemplary telecourse per year is desirable. Such a program should then take its fair and proper place among all the other priorities in competition for community college financial resources

The insertion of a state-mandated program, and appropriation of the funds to produce it, are inconsistent with this concept of operation.

Accordingly, I am returning this bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972 at 2:00 p.m. of Assembly Bill No. 2118, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 2268

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings: I am returning without my signature Assembly Bill No. 2268 entitled, "An act to add Chapter 2 (commencing with Section 13100) to Title 3 of Part 4 of the Penal Code, relating to criminal records."

This bill would establish procedures, operative July 1, 1978, for recording, reporting, storing, and disseminating criminal offender record information to be accomplished through the Department of Justice. The bill would also create a Criminal Record Dissemination Board for conducting a continuing study into the practice of dissemination of criminal record information to noncriminal justice agencies.

I question the need for the Criminal Record Dissemination Board proposed by this bill. A board is not necessary. The work of the seven member board and its staff could be performed within the structure of the Department of Justice.

I will support legislation next legislative session which will establish procedures dealing with criminal offender record information.

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2:00 p.m. of Assembly Bill No. 2268, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Veto Message—Assembly Bill No. 2348

Governor's Office, Sacramento
December 29, 1972

The Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

Greetings· I am returning without my signature Assembly Bill No. 2348 entitled. "An act to amend Section 4200 of the Welfare and Institutions Code, relating to state institutions."

This bill would authorize up to six additional members to be appointed to each state hospital advisory board and requires board membership to consist of at least one representative from each county within the state hospital service area, except in service areas of over 11 counties.

This bill would more than double the number of members of the advisory boards of each state hospital In some cases a state hospital has two advisory boards, one for the hospital program for the mentally retarded and one for the program for the mentally disordered The present number of members of each hospital advisory board and the method of appointing members from nominees submitted by the various counties served by the hospitals provides fair and adequate representation of the counties affected.

Furthermore, in view of the declining population in state hospitals because of the shift of treatment to community facilities, the proposed increase in state hospital advisory boards is untimely and inconsistent

Accordingly, I am returning the bill unsigned.

Respectfully,

RONALD REAGAN, Governor

RECEIPT

I acknowledge receipt this 29th day of December, 1972, at 2.00 p.m. of Assembly Bill No. 2348, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Marian Fort.

JAMES D. DRISCOLL, Chief Clerk

Above bills ordered to the unfinished business file.

MESSAGES FROM THE SENATE

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:

AB No 298
AB No. 1566

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker· I am directed to inform your honorable body that the following died on the Senate file:

ACA No. 13

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker· I am directed to inform your honorable body that the following died on the Senate file

AB No 304	AB No 1864
AB No 1250	AB No. 1906
AB No 1666	AB No 2388

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker: I am directed to inform your honorable body that the Senate refused passage to:

AB No. 366	AB No. 1112	AB No 1647
AB No 644	AB No. 1547	AB No. 2167
AB No. 1100		

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker. I am directed to inform your honorable body that the Senate refused adoption to:

ACA No 25
ACA No. 48

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the following was stricken from the Senate file:

AB No. 55

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the following died on the Senate Inactive File:

ACA No. 16

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the following died on the Senate Inactive File:

AB No. 72	AB No 467
AB No. 167	AB No 1325
AB No. 389	AB No 2155

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:

AB No. 11	AB No. 165	AB No 380
AB No 17	AB No. 170	AB No 406
AB No. 19	AB No 183	AB No 410
AB No. 45	AB No 200	AB No 411
AB No. 49	AB No 211	AB No 420
AB No. 54	AB No. 279	AB No 504
AB No 66	AB No. 299	AB No 541
AB No. 73	AB No 302	AB No. 555
AB No. 78	AB No 328	AB No 567
AB No 120	AB No 358	AB No. 608
AB No. 143	AB No. 360	AB No 620
AB No. 144	AB No. 371	AB No 629
AB No 145	AB No. 377	AB No. 645
AB No. 152		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action.

AB No 659	AB No. 1005	AB No 1288
AB No 711	AB No 1011	AB No. 1319
AB No. 775	AB No 1030	AB No 1327
AB No 806	AB No 1042	AB No. 1371
AB No 816	AB No. 1058	AB No. 1382
AB No 835	AB No 1067	AB No 1420
AB No. 841	AB No 1075	AB No. 1453
AB No 846	AB No. 1098	AB No 1516
AB No 881	AB No 1179	AB No 1542
AB No. 908	AB No 1200	AB No 1549
AB No 927	AB No. 1215	AB No 1550
AB No 934	AB No 1221	AB No. 1598
AB No. 979	AB No 1275	AB No. 1603
AB No. 986		

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day returns without further action:

AB No 1615	AB No 1885	AB No. 2156
AB No. 1621	AB No 1901	AB No. 2195
AB No 1706	AB No. 1939	AB No. 2226
AB No 1707	AB No 1987	AB No 2234
AB No 1742	AB No 1998	AB No 2263
AB No 1767	AB No. 2031	AB No. 2345
AB No 1790	AB No. 2098	AB No 2347
AB No. 1792	AB No. 2119	AB No. 2385
AB No. 1814		

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr Speaker· I am directed to inform your honorable body that the Senate on this day returns without further action:

AB No. 44	AB No 398	AB No. 708
AB No. 77	AB No. 400	AB No 772
AB No 96	AB No 407	AB No 778
AB No 125	AB No 435	AB No 1000
AB No 133	AB No. 452	AB No 1019
AB No 139	AB No. 491	AB No 1085
AB No 163	AB No. 527	AB No. 1117
AB No 176	AB No 558	AB No 1127
AB No 215	AB No 588	AB No. 1170
AB No. 251	AB No. 604	AB No 1266
AB No 266	AB No 606	AB No. 1307
AB No 291	AB No. 635	AB No 1350
AB No. 313	AB No. 652	AB No. 1400
AB No. 316	AB No 667	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:

AB No. 1403	AB No. 1642	AB No. 2032
AB No 1407	AB No. 1690	AB No 2054
AB No 1412	AB No. 1713	AB No 2060
AB No. 1462	AB No 1717	AB No 2087
AB No. 1470	AB No 1768	AB No. 2123
AB No 1485	AB No 1822	AB No 2140
AB No 1491	AB No 1825	AB No 2157
AB No 1519	AB No. 1837	AB No 2211
AB No. 1564	AB No. 1875	AB No 2232
AB No. 1599	AB No 1924	AB No 2292
AB No. 1609	AB No 1956	

DARRYL R WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:

ACA No. 2	ACR No. 44	ACR No 92
ACA No. 15	ACR No. 57	ACR No. 95
ACA No. 19	ACR No 60	ACR No 99
ACA No. 77	ACR No. 66	ACR No. 109
ACA No 91	ACR No. 69	ACR No. 118
ACR No. 16	ACR No. 85	

DARRYL R. WHITE, Secretary of the Senate
By J. Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:

ACR No 25	ACR No. 61	ACR No 82
ACR No. 35	ACR No 76	ACR No. 113
ACR No. 58		

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:

AJR No 7	AJR No. 17
AJR No. 13	AJR No 18

DARRYL R WHITE, Secretary of the Senate
By J Roy Gabriel, Assistant Secretary

Majority Floor Leader Presiding

At 2:38 p m., Hon. Jack R Fenton, 51st District, presiding

RESOLUTIONS

The following resolution was offered:
By Assemblyman Moretti:

House Resolution No. 149

Relative to continuing the existence of the Assembly Advisory Council on Public Employee Relations

Resolved by the Assembly of the State of California, That notwithstanding the provisions of House Resolution No. 51, 1972 Regular Session, the Assembly Advisory Council on Public Employee Relations is continued in existence with the same powers and duties until March 15, 1973, and shall report to the Assembly by such date.

Request for Unanimous Consent

Mr Moretti was granted unanimous consent to take up House Resolution No. 149 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Arnett, Badham, Bagley, Barnes, Bee, Beverly, Brown, Burke, Burton, Chappie, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Knox, Lancaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, McCarthy, Miller, Monagan, Murphy, Powers, Priolo, Quimby, Russell, Sieroty, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker—54.

NOES—None

Speaker Presiding

At 2.40 p m , Hon Bob Moretti, 42nd District, presiding.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the unfinished business file·

Assembly Bill No. 70, on request of Mr. Z'berg.

Assembly Bill No. 1562, on request of Mr. Z'berg.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 900—An act to add Section 14105 6 to the Welfare and Institutions Code, relating to medical assistance.

Governor's message stating his objections appears at an earlier page of the Assembly Journal for this day.

The question being· Shall Assembly Bill No. 900 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cullen moved a call of the Assembly.

Motion carried. Time, 2:47 p.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1704—An act to add Section 104 16 to the Streets and Highways Code, relating to state highways.

Governor's message stating his objections appears at page 8721 of the Assembly Journal for this day.

The question being: Shall Assembly Bill No. 1704 become a law notwithstanding the objections of the Governor?

AYES—Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Duffy, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Knox, MacDonald, McAlister, McCarthy, Meade, Miller, Powers, Priolo, Quimby, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—30.

NOES—Arnett, Badham, Bagley, Barnes, Burke, Chappie, Cline, Collier, Dent, Hayden, Ray E. Johnson, Lancaster, Lanterman, Lewis, MacGillivray, Monagan, Murphy, Russell, Stacey, Stull, and Wood—21.

Governor's veto sustained.

Majority Floor Leader Presiding

At 3 p.m., Hon. Jack R. Fenton, 51st District, presiding.

Assembly Bill No. 1938—An act to amend Sections 21022, 21291, and 21294 of, and to add Sections 20493 1 and 21300.5 to, the Government Code, relating to retirement.

Governor's message stating his objections appears at page 8722 of the Assembly Journal for this day.

The question being: Shall Assembly Bill No. 1938 become a law notwithstanding the objections of the Governor?

AYES—Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Knox, McAlister, McCarthy, Meade, Miller, Quimby, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—27.

NOES—Arnett, Badham, Bagley, Barnes, Burke, Chappie, Cline, Collier, Dent, Duffy, Hayden, Ray E. Johnson, Lancaster, Lanterman, Lewis, MacGillivray, Maddy, Monagan, Murphy, Russell, Stacey, Stull, Wakefield, and Wood—24.

Governor's veto sustained.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Monagan was granted unanimous consent that the following communication relative to Senate Bill No. 109 (legislative intent) be printed in the Journal:

Honorable Bob Moretti
Speaker of the Assembly

Dear Mr. Speaker: During the last legislative session I authored in the Assembly amendments to S B. 109. This measure related to the Legislative Retirement System and other issues. This letter is to clarify the legislative intent as it related to the sections dealing with Legislators' Retirement.

Under Section 4 of Article IV of the Constitution, the compensation of legislators may be increased a maximum of 5 percent each year to reflect cost of living. Since the compensation was last increased in 1969, the maximum increase would be 10 percent for the 1973–74 term or 20 percent for the 1975–76 term. Either increase would have been appropriate in view of the general increase of prices and wages and would have been less than the actual increase in cost of living.

It was determined, however, to limit the increase to 10 percent with an effective date of the 1975–76 term This would make it effective following the next General Election. In addition, it was determined that there should be a comparable 10 percent cost-of-living increase in retirement benefits for Members who retire during the years 1973–74.

Accordingly, S.B 109 was amended to provide these increases. It included new Section 9359 18 of the Government Code to provide for the retirement increase. As enacted, that section read:

> "9359.18 In recognition of increased cost-of-living, allowances payable pursuant to Section 9359 12 with respect to service [,] during the years 1973 and 1974 [,] shall be computed on the basis of 5 5 percent in paragraph (1) of subdivision (a) and subdivision (b) and 3 3 percent in paragraph (2) of subdivision (a)." [Punctuation in brackets added.]

In considering and adopting the measure, the Members read it in light of the intended result, i.e., as though it was punctuated as indicated in the brackets.

It now appears that the absence of the commas appearing in the brackets renders this section ambiguous in that it could also be construed as providing for recomputation only for the years of 1973 and 1974.

Viewing the purpose of the bill, the construction placed on Section 9359 18 by the Members in discussing and adopting it would accomplish their purpose while the other construction would render the sec-

tion virtually meaningless. It was the intent of the Legislature to provide for an increase of 10 percent in retirement benefits for Members retiring in 1973 and 1974.

Respectfully,

BOB MONAGAN, Assemblyman
Twelfth District

CALL OF THE ASSEMBLY DISPENSED WITH ON CONSIDERATION OF GOVERNOR'S VETO OF ASSEMBLY BILL NO. 900

At 3:22 p.m., on motion of Mr. Cullen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The question being: Shall Assembly Bill No. 900 become a law notwithstanding the objections of the Governor?

AYES—Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Knox, MacDonald, McAlister, McCarthy, Meade, Miller, Powers, Quimby, Sieroty, Vasconcellos, Warren, Waxman, Wilson, Z'berg, and Mr. Speaker—28.

NOES—Badham, Bagley, Barnes, Beverly, Burke, Chappie, Collier, Dent, Hayden, Ray E Johnson, Lancaster, Lanterman, Lewis, MacGillivray, Monagan, Murphy, Russell, Stacey, Stull, Wakefield, and Wood—21.

Governor's veto sustained.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:23 p.m., on motion of Mr. Fenton, and in the absence of any objection, the quorum call of the Assembly was dispensed with.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the unfinished business file (consideration of Governor's vetoes pending):

Assembly Bills Nos. 812, 569, 52, 885, 1036, 2285, 31, 586, 271, 90, 926, 1393, and 1414.

BILLS STRICKEN FROM FILE

The following bills were stricken from file (Governor's vetoes pending):

Assembly Bills Nos. 278, 557, 688, 1379, 584, 592, 975, 2378, 599, 1805, 1158, 2229, 1665, 1172, 252, 1162, 1614, 2102, 715, 615, 1411, 2358, 483, 4, 262, 1405, 1492, 1192, 612, 699, 783, 1419, 272, 474, 696, 1187, 1028, 719, 178, 327, 633, 714, 1278, 1831, 609, 1210, 1499, 1744, 1884, 2091, 408, 488, 636, 814, 1778, and 2348.

The following resolutions were stricken from file:

Assembly Joint Resolution No. 39 and Assembly Concurrent Resolution No. 116.

ADJOURNMENT

At 3.25 p m., Acting Speaker Fenton declared the Assembly adjourned until 10 a m , Wednesday, January 3, 1973, out of respect to the memory of the late Honorable Harry S Truman, former President of the United States.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk

CALIFORNIA LEGISLATURE

1972 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Thirty-ninth Legislative Day

Three Hundred Sixty-seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 3, 1973

The Assembly met at 10 a m.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk James D. Driscoll at the Desk
Assistant Clerk Raymond Monday reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Speaker pro Tempore Bee placed a quorum call upon the Assembly. Time, 10 02 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Speaker Presiding

At 10 20 a m , Hon Bob Moretti, 42nd District, presiding

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

QUORUM PRESENT

At 10·21 a m , Speaker Moretti declared a quorum of the Assembly present

The roll call was completed, and the following answered to their names.

Arnett, Bagley, Barnes, Bee, Beverly, Brown, Burke, Burton, Campbell, Cline, Collier, Cory, Crown, Cullen, Davis, Deddeh, Dent, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Knox, Lanceaster, Lanterman, Lewis, MacDonald, MacGillivray, Maddy, McAlister, Meade, Miller, Monagan, Murphy, Powers, Quimby, Russell, Sieroty, Stacey, Stull, Vasconcellos, Wakefield, Warren, Waxman, Wilson, Wood, Z'berg, and Mr Speaker —53.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, We turn to You in hope at the beginning of this year to ask Your help that world, national and religious leaders may wisely guide the promotion of peace, justice, and brotherhood

Give light to all who are confronted with perplexing problems and uncertainty.

Give to all men of good will the resolve to work together for a common cause, to preserve, renew and to recreate our lives and our world.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Moretti, Mr Campbell then led the Assembly in the pledge of allegiance to the Flag.

Hon. Joe A. Gonsalves Presiding

At 10·22 a.m., Hon. Joe A Gonsalves, 66th District, presiding

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Bagley, seconded by Mr Duffy

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, because of illness:

Mr Chacon, on request of Acting Speaker Fenton.
Mr Townsend, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of legislative business elsewhere:

Mr Chappie, on request of Acting Speaker Fenton.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr. Badham, on request of Acting Speaker Fenton.
Mr Briggs, on request of Acting Speaker Fenton
Mr Brophy, on request of Acting Speaker Fenton.
Mrs Fong, on request of Acting Speaker Fenton
Mr Harvey Johnson, on request of Acting Speaker Fenton
Mr Karabian, on request of Acting Speaker Fenton.
Mr. Keysor, on request of Acting Speaker Fenton.
Mr. LaCoste, on request of Acting Speaker Fenton
Mr McCarthy, on request of Acting Speaker Fenton.
Mr Mobley, on request of Acting Speaker Fenton.
Mr Pierson, on request of Acting Speaker Fenton
Mr Ralph, on request of Acting Speaker Fenton
Mr. Seeley, on request of Acting Speaker Fenton.
Mr Thomas, on request of Acting Speaker Fenton.

The following Member was granted leave of absence for the day, because of illness in his family:

Mr. Conrad, on request of Acting Speaker Fenton.

The following Member was excused for the day, and his per diem was waived:

Mr. Priolo.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 2, 1973

Honorable Bob Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Bob: It is respectfully requested that I be excused on legislative business on January 3.

I have been requested to meet with senior citizens in Bishop concerning local and state problems.

Sincerely,

GENE CHAPPIE, Assemblyman
Sixth District

REPORTS

The following reports were presented by the Chief Clerk:

Appendix C, "SUMMARY: nineteen-seventy-one" to Bulletin No. 132-72, "The California State Water Project in 1972".

Above transmitted report, together with letter of transmittal from W. R. Gianelli, Director, Department of Water Resources, Sacramento, dated December 29, 1972, referred by the Acting Speaker to the Committee on Water.

Bulletin No. 130-71, "Hydrologic Data: 1971; Volume III: Central Coastal Area".

Above transmitted report, together with letter of transmittal from W R Gianelli, Director, Department of Water Resources, Sacramento, dated December 29, 1972, referred by the Acting Speaker to the Committee on Water.

Tidelands Report 2 of the City of Alameda (Pursuant to Secs. 6374 and 6376, Public Resources Code).

Above transmitted report, together with letter of transmittal from Donald F Johnson, Planning Director, City of Alameda, Alameda, dated December 29, 1972, referred by the Acting Speaker to the Committee on Planning and Land Use.

Report on Granted Lands Under the Jurisdiction of the Crescent City Harbor District (Pursuant to Sec. 6374, Public Resources Code).

Above transmitted report, together with letter of transmittal from Darold G Richereek, Harbor Master, Crescent City Harbor District, Crescent City, dated December 28, 1972, referred by the Acting Speaker to the Committee on Planning and Land Use.

Report of Use and Development of Granted Lands of the Moss Landing Harbor District (Pursuant to Sec. 6374, Public Resources Code).

Above transmitted report, together with letter of transmittal from Werner D Meyenberg, Lacey, Shellooe and Meyenberg, Salinas, dated December 22, 1972, referred by the Acting Speaker to the Committee on Planning and Land Use.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Resignation of Assemblyman William M. Ketchum

December 28, 1972

The Honorable Robert Moretti
Speaker, California Assembly
State Capitol Building, Sacramento, California

Dear Mr. Speaker: This is to inform you that I am resigning from the Assembly of the State of California effective January 3, 1973.

Please use this information as needed.

Sincerely,

WILLIAM M KETCHUM

Resignation of Assemblyman Yvonne W. Brathwaite

January 2, 1973

Hon. Robert Moretti
Speaker of the Assembly
State Capitol, Sacramento, California

Dear Speaker Moretti: I hereby tender my resignation as a member of the California State Assembly effective on January 3, 1973 I will be sworn in as a member of the U S House of Representatives on that date.

Sincerely,

YVONNE W. BRATHWAITE

Resignation of Assemblyman Carlos J. Moorhead

January 3, 1973

Honorable Bob Moretti
Speaker of the Assembly
State Capitol

Dear Mr Speaker: I hereby resign my position as Assemblyman of the 43rd Assembly District of the State of California, as I have been elected to Congress to represent the 20th Congressional District.

My years in the California State Legislature have been years of fulfillment and accomplishment and it is my hope to continue to meet the challenge as it will be presented in Washington, D.C..

Sincerely,

CARLOS J. MOORHEAD
Congressman, 20th C D.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Cullen was granted unanimous consent that the following letters of transmittal be printed in the Journal:

Assembly Committee on Efficiency and Cost Control

Sacramento, January 3, 1973

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr Speaker· Your Committee on Efficiency and Cost Control hereby transmits its supplemental report containing certain findings and recommendations concerning a review of the operations and management at the California State Exposition and Fair.

Respectfully,

MIKE CULLEN, Chairman

Above report ordered filed with the Secretary of State; copies referred to the Committees on Ways and Means and Governmental Organization.

Assembly Committee on Efficiency and Cost Control

Sacramento, January 3, 1973

The Honorable Robert Moretti
Speaker of the California Assembly
State Capitol, Sacramento, California

Dear Mr. Speaker· Your Committee on Efficiency and Cost Control hereby transmits its third hearing record on the subject of the California State Exposition and Fair.

Respectfully,

MIKE CULLEN, Chairman

Above hearing record ordered filed with the Secretary of State; copies referred to the Committee on Ways and Means and Governmental Organization.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Bee:

House Resolution No. 150

Relative to memorializing Harry S. Truman

WHEREAS, It was with great sadness that the Members of the Assembly learned of the death of the great former President and statesman, Harry S. Truman; and

WHEREAS, The former President's love, appreciation, and understanding of the ordinary citizen which stemmed from his similarly humble beginnings in Lamar, Missouri, where he was born on May 8, 1884, continued throughout his long and honorable lifetime as a public servant and later as a private citizen; and

WHEREAS, Harry S. Truman, before the commencement of his historical political career, was an employee of the *Kansas City Star* in 1901, a timekeeper for a railroad contractor in 1902, an employee of a Kansas City bank from 1903 to 1905, and operated his family's farm from 1906 to 1917; and

WHEREAS, This brave and valiant American entered the service of his country during World War I in 1917 and after training in field artillery served distinguishedly as an artillery officer in the Vosges operations, and the St. Mihiel and Meuse-Argonne offensives, rising from the rank of lieutenant to the rank of major upon his discharge in 1919; and

WHEREAS, Harry S. Truman, within three years of that date, commenced more than 30 devoted years of his life to meritorious public service as a member of the judicial, the legislative, and executive branches of government; and

WHEREAS, This auspicious career began with his able service as a judge of the Jackson County Court in Missouri from 1922 to 1924 and as the presiding judge from 1926 to 1934; and

WHEREAS, His display of judgment, intelligence and dedication as a member of the bench was directly followed by his noteworthy tenure as a member of the United States Senate, where he is most remembered for his significant service as chairman of a special committee to investigate and oversee the nation's defense program during World War II; and

WHEREAS, His accomplishments as a United States Senator made him a most desirable running mate for Franklin D. Roosevelt in his successful bid for a fourth term as President; and

WHEREAS, Mr. Truman's tenure as Vice President was indeed short, succeeding to the office of President less than three months after taking office as Vice President and during one of the most trying and difficult periods in American and world history; and

WHEREAS, Then President Truman was called upon to direct the nation's successful efforts to conclude World War II, an effort requiring the utmost in delicate and accomplished diplomatic relations with

the nation's allies and the determination and fortitude to make one of the most difficult decisions ever to confront one man, the decision to use the atomic bomb against Japan in hopes of shortening the war and saving American lives; and

WHEREAS, Harry S. Truman always seemed able to make the truly difficult decisions such as the institution of the Marshall plan of economic aid and redevelopment for war-torn Europe, the air lift of Berlin, the commitment of United States troops in the Korean Conflict, and the active leadership of the United States in the formation and development of the United Nations; and

WHEREAS, This dynamic and fiery, but nevertheless compassionate leader, has undoubtedly and rightfully assumed an unparalleled place in American history for his courageous leadership during a period of great world crisis and change; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members mourn the passing of former President Harry S. Truman and the loss to the nation of a greatly respected and revered leader, whose role in the historical destiny of this nation cannot be underestimated; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mrs Bess Truman.

Resolution read, and ordered held at Desk by the Acting Speaker. (Note · House Resolution No. 150 remained at Desk without further action).

Speaker Presiding

At 10:26 a.m , Hon Bob Moretti, 42nd District, presiding.

Hon. Joe A. Gonsalves Presiding

At 10:29 a.m., Hon. Joe A. Gonsalves, 66th District, presiding.

BILLS STRICKEN FROM FILE

The following bills were stricken from file (Governor's vetoes pending):

Assembly Bills Nos. 791, 884 and 2371.

MOTION TO STRIKE ASSEMBLY BILL NO. 758 FROM FILE

Mr. Monagan moved that Assembly Bill No. 758 (Consideration of Governor's veto pending) be stricken from the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Monagan moved a call of the Assembly.

Mr Lanterman seconded the motion.

Motion carried Time, 10.32 a m

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Call of the Assembly Dispensed With on Motion to Strike Assembly Bill No. 758 From File

At 10:36 a.m., on motion of Mr. Monagan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to strike Assembly Bill No. 758 from the file defeated by the following vote:

AYES—Bagley, Burke, Campbell, Cline, Collier, Ray E. Johnson, MacGillivray, Maddy, Monagan, and Murphy—10.

NOES—Bee, Deddeh, Gonsalves, Knox, McAlister, Quimby, Sieroty, Warren, Waxman, Wilson, and Mr. Speaker—11.

BILLS STRICKEN FROM FILE

The following bills were stricken from file (Consideration of Governor's veto pending):

Assembly Bills Nos. 758, 1013, 1182, 1527, 1745, 1757, and 5.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 111—An act to amend Sections 17041 and 17045 of the Revenue and Taxation Code, relating to personal income tax, to take effect immediately, tax levy.

Governor's message stating his objections appears at page 8734 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No. 111 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cline moved a call of the Assembly.

Motion carried. Time, 10:41 a.m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Monagan was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 80—An act appropriating money to the Commission on Peace Officer Standards and Training.

Governor's message stating his objections appears at pages 8733–8734 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No. 80 become a law notwithstanding the objections of the Governor?

AYES—Brown, Burton, Cory, Crown, Davis, Deddeh, Duffy, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Knox, Maddy, McAlister, Miller, Quimby, Sieroty, Warren, Waxman, Wilson, and Mr. Speaker—23.

NOES—Arnett, Beverly, Burke, Collier, Ray E. Johnson, Lancaster, Lanterman, MacGillivray, Monagan, Murphy, Russell, Stacey, and Wakefield—13.

Governor's veto sustained.

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN DAVIS

Mr Stacy announced that today is the birthday of Assemblyman Pauline L. Davis, of the 1st District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mrs. Davis.

BILLS STRICKEN FROM FILE

The following bills were stricken from file (Governor's vetoes pending):

Assembly Bills Nos. 401, 807 and 976.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1274—An act to add Chapter 17 (commencing with Section 7280) to Division 7 of Title 1 of the Government Code, relating to the employment of veterans, and making an appropriation therefor.

Governor's message stating his objections appears at page 8740 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No 1274 become a law notwithstanding the objections of the Governor?

AYES—Beverly, Brown, Burton, Cory, Crown, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Hayden, Ray E. Johnson, Knox, McAlister, Meade, Miller, Monagan, Murphy, Powers, Quimby, Russell, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Mr Speaker—29.

NOES—Bagley, Burke, Lanterman, MacGillivray, Stacey, and Wakefield—6.

Governor's veto sustained.

Majority Floor Leader Presiding

At 10:55 a.m., Hon Jack R Fenton, 51st District, presiding,

Assembly Bill No. 1360—An act to add Sections 6443.5, 6444, 6445, 6446, and 6447 to, to repeal Sections 6443 and 18270 of, the Education Code, and to repeal Section 8 5 of Chapter 1236 of the Statutes of 1965, relating to instructional television, and making an appropriation therefor.

Governor's message stating his objections appears at pages 8740–8741 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No. 1360 become a law notwithstanding the objections of the Governor?

AYES—Arnett, Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Ray E. Johnson, Knox, Lewis, Maddy, McAlister, Meade, Miller, Murphy, Powers, Quimby, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—31.

NOES—Bagley, Beverly, Burke, Collier, Dent, Hayden, Lancaster, Lanterman, MacGillivray, Monagan, Russell, Stacey, Stull, and Wakefield—14.

Governor's veto sustained.

BILLS STRICKEN FROM FILE

The following bills were stricken from file (Consideration of Governor's vetoes pending):

Assembly Bills Nos. 1366, 1697 and 2118.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1417—An act to add Article 7 9 (commencing with Section 419) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to kidney transplant centers, and making an appropriation therefor.

Governor's message stating his objections appears at page 8742 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No. 1417 become a law notwithstanding the objections of the Governor?

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Vasconcellos moved a call of the Assembly.

Motion carried Time, 11 02 a m.

The Acting Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULES

Mr. Campbell was granted unanimous consent that the Assembly Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House, and to permit the Assembly to conduct further business while under a call of the House.

BILLS STRICKEN FROM FILE

The following bill was stricken from file (Consideration of Governor's veto pending):

Assembly Bill No. 1459.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1687—An act to add Section 1953 to the Civil Code, to amend Section 53635 of the Government Code, to amend Section 35743 of, and to add Section 17963 to, the Health and Safety Code, relating to housing

Governor's message stating his objections appears at page 8744 of the Assembly Journal for January 2, 1973

The question being: Shall Assembly Bill No 1687 become a law notwithstanding the objections of the Governor?

AYES—Arnett, Bagley, Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Knox, MacDonald, Maddy, McAlister, Miller, Murphy, Powers, Quimby, Sieroty, Warren, Waxman, Wilson, and Mr. Speaker—30.

NOES—Beverly, Burke, Cline, Collier, Lancaster, Lanterman, MacGillivray, Monagan, Russell, Stacey, and Stull—11.

Governor's veto sustained.

Assembly Bill No. 1703—An act to add Sections 25528 8 and 31226.8 to, the Education Code, relating to higher education opportunity programs, and making an appropriation therefor.

Governor's message stating his objections appears at pages 8745–8746 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No 1703 become a law notwithstanding the objections of the Governor?

AYES—Bagley, Brown, Burton, Campbell, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E Johnson, Knox, MacDonald, Maddy, McAlister, Miller, Murphy, Powers, Quimby, Sieroty, Warren, Waxman, Wilson, and Mr Speaker—31.

NOES—Arnett, Cline, Collier, Lancaster, Lanterman, MacGillivray, Monagan, Russell, and Stacey—9

Governor's veto sustained.

Assembly Bill No. 1710—An act to add Section 1399 to the Labor Code, relating to wages, hours and conditions

Governor's message stating his objections appears at page 8746 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No 1710 become a law notwithstanding the objections of the Governor?

AYES—Bagley, Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Knox, McAlister, Miller, Powers, Quimby, Sieroty, Warren, Waxman, Wilson, and Mr. Speaker—25

NOES—Arnett, Cline, Collier, Lancaster, Lanterman, MacGillivray, Maddy, Monagan, Russell, and Stacey—10.

Governor's veto sustained.

Assembly Bill No. 1808—An act to add Article 2.1 (commencing with Section 275) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to crippled children's services, and making an appropriation therefor.

Governor's message stating his objections appears at page 8748 of the Assembly Journal for January 2, 1973.

The question being: Shall Assembly Bill No 1808 become a law notwithstanding the objections of the Governor?

AYES—Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F Greene, Hayden, Ray E Johnson, Knox, MacDonald, Maddy, McAlister, Miller, Murphy, Powers, Quimby, Sieroty, Warren, Waxman, Wilson, and Mr. Speaker—29.

NOES—Bagley, Collier, Lanterman, MacGillivray, and Monagan —5.

Governor's veto sustained.

BILLS STRICKEN FROM FILE

The following bills were stricken from file (Consideration of Governor's vetoes pending):

Assembly Bills Nos. 2268, 70, 1562, 812, 569, 52, 885, 1036, 2285, 31, 586, 271, 90, 926, 1393 and **1414.**

REMARKS ON CONDITION OF THE FILE

Mr. Bagley was granted unanimous consent to speak on the condition of the file.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONSIDERATION OF GOVERNOR'S VETO OF ASSEMBLY BILL NO. 111

At 11.32 a m., on motion of Mr Cline, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The question being: Shall Assembly Bill No. 111 become a law notwithstanding the objections of the Governor?

AYES—Arnett, Bee, Brown, Burton, Cline, Cory, Crown, Cullen, Deddeh, Dunlap, Fenton, Foran, Gonsalves, Hayden, Knox, Lancaster, Maddy, McAlister, Miller, Murphy, Quimby, Russell, Sieroty, Stacey, Warren, Waxman, Wilson, and Mr. Speaker—28.

NOES—Bagley, Burke, Lanterman, MacGillivray, Monagan, and Wakefield—6.

Governor's veto sustained.

CALL OF THE ASSEMBLY DISPENSED WITH ON CONSIDERATION OF GOVERNOR'S VETO OF ASSEMBLY BILL NO. 1417

At 11 33 a m , on motion of Mr. Vasconcellos, and in the absence of any objection, further proceedings under the Call of the Assembly were dispensed with.

The question being: Shall Assembly Bill No. 1417 become a law notwithstanding the objections of the Governor?

AYES—Brown, Burton, Cory, Crown, Cullen, Davis, Deddeh, Dunlap, Fenton, Foran, Garcia, Gonsalves, Bill Greene, Leroy F. Greene, Hayden, Ray E. Johnson, Knox, Lewis, MacDonald, Maddy, McAlister, Meade, Miller, Murphy, Powers, Quimby, Russell, Sieroty, Vasconcellos, Warren, Waxman, Wilson, and Mr. Speaker—33.

NOES—Beverly, Burke, Collier, Dent, Lancaster, Lanterman, MacGillivray, Monagan, Stacey, Stull, and Wakefield—11.

Governor's veto sustained.

APPROVAL OF JOURNALS

On motion of Acting Speaker Fenton, the Assembly Daily Journals for January 1, 2, and 3, 1973, were approved as corrected by the Minute Clerk.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11.30 a m , Acting Speaker Fenton declared the quorum call of the Assembly dispensed with.

VOTE CHANGES

Mr Lancaster was granted unanimous consent that he be recorded as "Not voting," instead of voting "No," on the vote to override the Governor's veto of Assembly Bill No. 1274.

Mr. Hayden was granted unanimous consent that he be recorded as voting "Aye" on the vote to override the Governor's veto of Assembly Bill No 80.

Mr. Hayden was granted unanimous consent that he be recorded as voting "Aye" on the vote to override the Governor's veto of Assembly Bill No. 111.

MILEAGE WAIVERS—1972 VETO SESSION

The mileage allowance provided in Article IV, Section 4 of the Constitution for the 1972 Veto Session was waived for the following Members:

DIXON ARNETT
Twenty-sixth District
WILLIAM T BAGLEY
Seventh District
E. RICHARD BARNES
Seventy-eighth District
CARLOS BEE
Thirteenth District
YVONNE BRATHWAITE
Sixty-third District
JOHN V BRIGGS
Thirty-fifth District
BILL BROPHY
Forty-eighth District
WILLIE L. BROWN, JR.
Eighteenth District
ROBERT H. BURKE
Seventieth District
JOHN L BURTON
Twentieth District

PETER R. CHACON
Seventy-ninth District
EUGENE A. CHAPPIE
Sixth District
ROBERT C. CLINE
Sixty-fourth District
JOHN L. COLLIER
Fifty-fourth District
CHARLES J. CONRAD
Fifty-seventh District
KENNETH CORY
Sixty-ninth District
ROBERT W. CROWN
Fourteenth District
MIKE CULLEN
Forty-fourth District
PAULINE DAVIS
First District
JAMES W. DENT
Tenth District
GORDON W DUFFY
Twenty-first District
JOHN F. DUNLAP
Fifth District
MARCH K FONG
Fifteenth District
JOHN FRANCIS FORAN
Twenty-third District
BILL GREENE
Fifty-third District
LEROY F GREENE
Third District
RICHARD D HAYDEN
Twenty-second District
HARVEY JOHNSON
Fifty-eighth District
RAY E. JOHNSON
Fourth District
WALTER KARABIAN
Forty-fifth District
WILLIAM M. KETCHUM
Twenty-ninth District
JIM KEYSOR
Forty-first District
JOHN T KNOX
Eleventh District
ERNEST LaCOSTE
Thirtieth District
BILL LANCASTER
Forty-ninth District
KEN MacDONALD
Thirty-seventh District

KENNETH L MADDY
Thirty-second District
ALISTER McALISTER
Twenty-fifth District
LEO T McCARTHY
Nineteenth District
KEN MEADE
Sixteenth District
JOHN J. MILLER
Seventeenth District
ERNEST N MOBLEY
Thirty-third District
BOB MONAGAN
Twelfth District
CARLOS MOORHEAD
Forty-third District
ROBERT MORETTI
Forty-second District
FRANK MURPHY, JR.
Thirty-first District
DAVID C PIERSON
Sixty-fifth District
WALTER W. POWERS
Eighth District
JOHN P. QUIMBY
Seventy-second District
LEON RALPH
Fifty-fifth District
LEO J. RYAN
Twenty-seventh District
RAYMOND T SEELEY
Seventy-fifth District
KENT H STACEY
Twenty-eighth District
VINCENT THOMAS
Sixty-eighth District
LARRY TOWNSEND
Sixty-seventh District
JOHN VASCONCELLOS
Twenty-fourth District
FLOYD L. WAKEFIELD
Fifty-second District
CHARLES WARREN
Fifty-sixth District
HENRY A WAXMAN
Sixty-first District
BOB WILSON
Seventy-sixth District
ROBERT G WOOD
Thirty-fourth District
EDWIN L Z'BERG
Ninth District

MESSAGES FROM THE SENATE

Senate Chamber, January 3, 1973

Mr. Speaker: I am directed to inform your honorable body that the following resolution died on the Senate Inactive File:

AJR No. 11

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Senate Chamber, December 1, 1972

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day refused to adopt:

ACR No. 45

DARRYL R WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

ADJOURNMENT

At 11:34 a.m., Acting Speaker Fenton declared the Assembly adjourned.

ADJOURNMENT SINE DIE

On Friday, January 5, 1973, at 5 p.m., pursuant to the provisions of Senate Concurrent Resolution No 87, and Article IV, Section 3(a) of the Constitution, the Assembly adjourned sine die for the 1972 Regular Session of the Legislature, out of respect to the memory of the late Honorable Carley V. Porter, Member of the Assembly from Compton.

BOB MORETTI, Speaker

ANABEL WHANG, Minute Clerk